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A

Page

ACCOUNTS AND BUDGET (TITLE 4):
Budget Bureau:
Fellowships in public administration for representatives from other American Republics (Part 250) 4799

ADMINISTRATIVE PERSONNEL (TITLE 5):
Civil Service Commission:
Certification (Part 7) 4971
War service regulations (Part 18) 4563, 4565

AGRICULTURAL ADJUSTMENT AGENCY:
Conservation programs:
Insular, 1944; Alaska, Hawaii and Puerto Rico 4671
National; 1943 5397

AGRICULTURAL CREDIT (TITLE 6):
Commodity Credit Corporation:
Apple freight equalization payment program (Part 242) 4677
Grapefruit juice payment program, 1943–44 (Part 249) 4566
Farm Credit Administration:
Administrative officers, functions (Part 3) 4565
Banks for Cooperatives:
Loan interest rates and security (Part 70) 5101
Loan policies (Part 71) 5103
Federal land banks (Part 10) 5289

AGRICULTURAL ECONOMICS BUREAU:
Fellowships, award of to applicants from other American Republics. *See* Agriculture Department.

AGRICULTURAL LABOR. *See* War Food Administration.

AGRICULTURE (TITLE 7):
Agricultural Adjustment Agency:
Conservation programs:
Insular (Part 702) 4671
National (Part 701) 5397
Commodity Credit Corporation:
Oilseeds (Part 1600) 4974

Page

AGRICULTURE (TITLE 7)—Con.
Office of the Secretary:
Awards of fellowships to applicants from other American Republics (Part 2) 5031
Oil and gas leases (Part 4) 5103, 5397

War Food Administration:
Bakery products (Part 1404) 5331
Dairy products (Part 1401) 4566, 4567, 4675, 4676, 4677, 4735, 4802, 5106, 5329, 5330, 5331, 5365, 5366, 5499, 5500, 5627, 5628, 5629, 5766, 5767, 5888
Eggs; official United States standard for palatability scores for dried whole eggs (Part 65) 4971
Farm machinery and equipment (Part 1202) 5630
Fats and oils (Part 1460) 4736, 4802, 4973, 4974, 5033, 5332, 5333, 5501.
Feed (Part 1220) 4839, 5001, 5106
Fertilizer (Part 1206) 5033
Food and storage facilities (Part 1470) 5398
General regulations (Part 1598) 4566
Grain (Part 1468) 4738, 5397
Livestock and meats (Part 1410) 4973, 5107, 5767, 5888
Milk handling in various marketing areas:
Boston, Mass., greater (Part 904) 4972
Fall River, Mass. (Part 947) 5885
New York, metropolitan (Part 927) 4735
Philadelphia, Pa. (Part 961) 5759
Wichita, Kan. (Part 968) 5761
Oilseeds (Part 1461) 5333
Renumbering of War Food order amendments 5333
Rice (Part 1432) 5289
Sugar determinations (Part 802) 5711
Suspension orders (Part 1590) 4639, 5629, 5630

Page

AGRICULTURE DEPARTMENT:
See Agricultural Adjustment Agency.
Commodity Credit Corporation.
Farm Credit Administration.
Farm Security Administration.
Forest Service.
Rural Electrification Administration.
War Food Administration.
Fellowships, award to applicants from other American Republics 5031
Oil and gas rights, owned by United States, and under jurisdiction of Department of Agriculture; regulations 5103, 5397

ALASKA:
Conservation programs. *See* Agricultural Adjustment Agency.
Employment stabilization plan; interim. *See* War Manpower Commission.
Fisheries, game regulations, etc. *See* Fish and Wildlife Service.
Public lands; sales, withdrawals, reservations, etc. *See* General Land Office.
Registration, etc. *See* Selective Service System.
Salmon canning industry. *See* Fisheries Coordinator, Office of.

ALIEN PROPERTY CUSTODIAN:
Claims; notice of summary proceedings:
American Cyanamid Co. 5613
Builders Iron Foundry 5613
Chemipulp Process, Inc. 4953
Coro, Inc. 4953
Firestone Tire and Rubber Co. 4953
Freydberg Bros.-Strauss, Inc. 4953
General Electric Co. 5613
Hohenemser, Fritz 5324
Jacoby, Max 5613
Loeb, Rene 5324
Mahler, Joseph 5613

ALIEN PROPERTY CUSTODIAN—Continued. Page
- Claims; notice of summary proceedings—Continued.
  - Meehanite Metal Corp. 4953
  - No-Sag Spring Co. 5613
  - Precise Products Corp. 4953
  - Tampier, Rene 4953
  - Zipper, Emil 4953
- Divesting orders:
  - Grunberg, Wsevolode 5940
- Hearings, before Vested Property Claims Committee:
  - Batzouroff, Dragio 5181
  - Cerutti, Alfred 5450
  - Marigliana, Oretta Magda Maria 5612
- Patents and patent applications. *See* Divesting orders; Vesting orders.
- Vesting orders:
  - Albert, Marie 5318
  - Alfol Insulation Co., Inc. 5451
  - Back, Heinrich 5085
  - Balke, Rudolph Luis 5851
  - Becker, Ernst 5085
  - Bendix Aviation Corp. 5937
  - Bosch, Robert, G. m. b. H. 5846
  - Bosse, Christian 5699
  - Braun, Emma 5851
  - Chemische Fabrik Joh. A. Benckiser G. m. b. H. 5940
  - Chemische Werke Albert 5938
  - Chudoba, Francis William 5851
  - Dahnke, Dorothea 5086
  - Daigger, Andrew 5700
  - Desebrock, Hanna 5091
  - Detert, William Ferdinand 5320
  - De Vries, Gerget 5320
  - Dexter Folder Co. 5934
  - Dunkhase, Henry H. 5700
  - Du Pont de Nemours, E. I., & Co 5939
  - East Twenty First Street Lighter Corp. 5450
  - Echart, Gus 5321
  - Eckert, Gustav 5321
  - Eckhart, Gus 5321
  - Eclipse Aviation Corp. 5846
  - Eclipse Machine Co. 5846
  - Eggart, Gus 5321
  - Eggeling, Albert A. 5086
  - Endo, Sutematsu and Haru 5846
  - Faber and Schleicher A. G. 5934
  - Ferigo, Joseph 5091
  - Flehmig, Clara 5086
  - Fortuna-Werke A. G. 4955
  - Franz, Francis William 5851
  - Fukuda, J. (Jinzo) 5182
  - Furuya, Riichiro 5087
  - Furuya, Satoshi, Tomoe, Kiyoshi and Sachie 5087
  - German American Bund 5452
  - German Railroads Information Office 4830
  - Goehrke, Elise 5081
  - Gosho Sales Corp. 5351
  - Gottgetreu, Ida 5088
  - Graf, Anna C. 5081
  - Gunze Silk Corp. 4830
  - Guthrie, Florence H. 5321
  - Harder, Lina 5081
  - Harmans, William 5852
  - Harnischfeger, Henry 5088
  - Hellemann, Karolina 5318
  - Hein, George 5088
  - Hermann, Adele 5089
  - Himstedt, Emil 4831
  - Hoffker, August 5852
  - Horikoshi, Z., & Co., Inc. 4954
  - Hornbach, John 4831
  - I. G. Farbenindustrie A. G. 4657, 5613, 5841
  - Iwakami, Konosuke, et al. 5181
  - J. D. Riedel-E. De Haen A. G. 5843, 5940
  - Japan Cotton & Silk Trading Co., Inc. 5352
  - Japanese Government Raw Silk Intelligence Bureau 4829
  - Jobst, Dr. Gunther 4658
  - Kampfer, Elizabeth 5701
  - Katakura Corp. 4666
  - Kawakita, Haruo 5847
  - Keller, Beatrice 4832
  - Kenziro, Emura 4831
  - Kern, Helene 5089
  - Kettern, Joe 5853
  - Keyser, Christiane 5853
  - Kiyono Nurseries 5613
  - Klein, Emil 5090
  - Kletsch, Ernest 4832
  - Koch, George H. 5090
  - Koischwitz, Erna Bea 4832
  - Konigstein, Nettie K. 5321, 5322
  - Kopta, Emilie 5183
  - Kraft, Mathilda 5853
  - Kuehne, Richard 5319
  - Laub, Richard 5322
  - Laufer, Anton 5323
  - Lieber, Peter 5323, 5324, 5701
  - Liedke, Christian 5082
  - Lindemann, Verona 5184
  - Loewe, F. W. 5185
  - Lorsch, Josephine M. 4666
  - Losenhausenwerk 5840
  - Luca, Peter N. 4832
  - Lunsmann, H. A. 4954
  - Martin, Karolina 5318
  - Mendelsohn, Mrs. S. 5319
  - Metrawatt A. G. 4955
  - Metzger, Friederike Susanne 5082
  - Meyer, Frederick 4667
  - Meyran, Marie H. 5091
  - Mikimoto, K., Inc. 5352
  - Mitamura, Chizu 5182
  - Miura, Nobusuke 5854
  - Miwa, J. S., & Company, Ltd. 4954
  - Miyazawa, Sakae 5848
  - Moeller, Ottilie 5185
  - Mohr, Jacob Friedrich 5324
  - Monsanto Chemical Co. 5843
  - Nakayama, Yemiko and Akira 4953
  - National Seed Co., Inc. 5451
  - Newhouse, Jacob 5187
  - Nissen Stiftung 5453
  - Noetzel, William 5083
  - Okumura, Shotaro 4829
  - Osborne, Blanche Jacobs 5083
  - Otten, Herman, et al. 5453
  - Ottmann, Madeleine L. 4659
  - Ovel, Gerhard 5702
  - Pape, J. Frederick 4660
  - Patents and patent applications of foreign nationals in enemy or enemy-occupied countries:
    - Belgium:
      - Demeulenaere, Jeanne, Irene, Paul and Alfred 5935
  - Patents and patent applications of foreign nationals in enemy or enemy-occupied countries—Con.
    - France:
      - Armenault, Rene 4656
      - Comptoir des Textiles Artificiels 4656
      - Fabriques de Produits de Chimie Organique de Laire 4656
      - Mahoux, Georges 4659
      - Malet, Julien 4656
      - Resines et Vernis Artificiels 4656
      - Societe de Prospection Electrique Procedes Schlumberger 4657
      - Societe des Usines Chimiques Rhone-Poulenc 5844
      - Societe Rhodiaceta 4656, 5937
    - Germany:
      - Altenkirch, Edmund 5843
      - Deutsche Tornesit G. m. b. H. 5939
      - Dieckmann, Max 5842
      - Erdmann, Konrad, heirs of 5840
      - Faber & Schleicher A. G. 4658
      - Felton & Guilleaume Carlswerk Actien-Gesellschaft 5843
      - Herzog, Maria 5845
      - Hoffman, Helmut 5845
      - I. G. Farbenindustrie A. G. 5934
      - Kaiser Wilhelm Society 5845
      - Marzahn, Heinrich 5841
      - Mennicke, Emil M. and Emil K. 5844
      - N. Y. Hamburger Gummi-Waaren Compagnie 5939
      - Ritter, Dr. Ludwig 5845
      - Scheller, Otto 5842
      - Siemens and Halske A. G. 5936
      - Wagener, Hans 5841
    - Italy:
      - "Eternit," Pietra Artificiale, Societa Anonima 4658
      - Instituto Nazionale Luce 5842
      - Mazza, Adolfo 4658
    - Netherlands, The:
      - N. V. Nedars Arsphenaminehfabriek 5845
      - Ritter, Dr. Ludwig 5845
    - Norway:
      - Norsk Hydro-Elektrisk Kvaelstofaktieselskab 5840
  - Pavenstedt, Adolf J. 4660
  - Perrets, Anna 5185
  - Pichl, Frieda 4660
  - Pieroni, Inc. 5699
  - Pohl, Josef 5702
  - Polasky, Charles N. 5083
  - Polysius Corp. 5318
  - Pritzl, Emmerich and Herta B 4661
  - Proske, Adolf Josef 5084
  - Regens Lighter Corp. 5317
  - Rindler, Frank 4661
  - Risch, Emma 4662
  - Rolker, Charles M. 5084
  - Rosenthal China Corp. 5353
  - Rusch, William H. 4833
  - Sakai, Sueo 5319
  - Sattes, Friederike Susanne 5082
  - Schafer, Anna Marie 4833
  - Schaper, Elsbeth and Friedrich Peter Wolfgang 5936
  - Schilling, Margaretha 4834
  - Schmid, Kathrine 5186
  - Schneider, Otto 4662
  - Schnyder, Charles 4835
  - Schroder, Henry F. W. 4662
  - Schroeder, Pauline 4834
  - Schuenzel, Louis G. 5938
  - Shimogawa, Shigeru 5848
  - Singer, Sarah 5186
  - Sitz, Paul G. 5187
  - Societe Anonyme Air Equipement 5937
  - Societe des Usines Chimiques Rhone-Poulenc 5939
  - Spiegeleire, Elsie Wagner 5189
  - Staar, Marie Elisabeth Gubsch 5187
  - Stauffer Chemical Co. 5841
  - Stauffer Chemical Co. of Virginia 5841
  - Steel Union-Sheet Piling, Inc. 5353
  - Steinweg, George 5187
  - Streuli, Herrmann Alfred 4663
  - Suyehiro, Umetaro 5184
  - Swernofsky, Elsie 5188
  - Takahashi, Teikichi 5849
  - Takahashi, Yuki and/or Tokue 4668
  - Terhart, Louise 4663
  - Tersan, John 5188
  - Thellian, Josephine 4663
  - Tiepolt, Paul 4834
  - Toyofuku, Shikazo and Sadano 5850
  - Triebels, Charles H. R. 4664
  - Uyeda, Kamejiro 5080
  - Victor Chemical Works 5938
  - Vittorio Emanuele III War Veterans' Foundation, Inc. 4829
  - Vogt, Caroline W. 4664
  - Von Stulpnagel, Martha Clara 5090
  - Wachenfeld, Helen B. and Stephan C. 4665
  - Wagner, Elsie 5189
  - Watanabe, George 5703
  - Watanabe, Martha Masako 5703
  - Watanabe, Yoshiko 5703
  - Waterloo, Frederic 4665
  - Weniger and Co. 5189
  - Westinghouse Electric & Mfg. Co. 5840
  - Wiechmann, Amalie 4665
  - Wiese, Carl E. 4666
  - Williams, Robert W., et al vs. Jerome N. C. Bonaparte, et al 5085
  - Wilson, Florence Ellsworth 5190
  - Winterhalter, Martin Othmar 5936
  - Wisler, Sam 4835
  - Witmark, Isidore 5190
  - Wunsch, Oscar 4835
  - Yamanaka, Toyojiro 5452
  - Zehnter, Julius G. O. 5704
  - Zoll, Gottfried 5704

ALIEN PROPERTY CUSTODIAN—Continued. Page
- Vesting orders—Continued.
  - Rusch, William H. 4833
  - Sakai, Sueo 5319
  - Sattes, Friederike Susanne 5082
  - Schafer, Anna Marie 4833
  - Schaper, Elsbeth and Friedrich Peter Wolfgang 5936
  - Schilling, Margaretha 4834
  - Schmid, Kathrine 5186
  - Schneider, Otto 4662
  - Schnyder, Charles 4835
  - Schroder, Henry F. W. 4662
  - Schroeder, Pauline 4834
  - Schuenzel, Louis G. 5938
  - Shimogawa, Shigeru 5848
  - Singer, Sarah 5186
  - Sitz, Paul G. 5187
  - Societe Anonyme Air Equipement 5937
  - Societe des Usines Chimiques Rhone-Poulenc 5939
  - Spiegeleire, Elsie Wagner 5189
  - Staar, Marie Elisabeth Gubsch 5187
  - Stauffer Chemical Co. 5841
  - Stauffer Chemical Co. of Virginia 5841
  - Steel Union-Sheet Piling, Inc. 5353
  - Steinweg, George 5187
  - Streuli, Herrmann Alfred 4663
  - Suyehiro, Umetaro 5184
  - Swernofsky, Elsie 5188
  - Takahashi, Teikichi 5849
  - Takahashi, Yuki and/or Tokue 4668
  - Terhart, Louise 4663
  - Tersan, John 5188
  - Thellian, Josephine 4663
  - Tiepolt, Paul 4834
  - Toyofuku, Shikazo and Sadano 5850
  - Triebels, Charles H. R. 4664
  - Uyeda, Kamejiro 5080
  - Victor Chemical Works 5938
  - Vittorio Emanuele III War Veterans' Foundation, Inc. 4829
  - Vogt, Caroline W. 4664
  - Von Stulpnagel, Martha Clara 5090
  - Wachenfeld, Helen B. and Stephan C. 4665
  - Wagner, Elsie 5189
  - Watanabe, George 5703
  - Watanabe, Martha Masako 5703
  - Watanabe, Yoshiko 5703
  - Waterloo, Frederic 4665
  - Weniger and Co. 5189
  - Westinghouse Electric & Mfg. Co. 5840
  - Wiechmann, Amalie 4665
  - Wiese, Carl E. 4666
  - Williams, Robert W., et al vs. Jerome N. C. Bonaparte, et al 5085
  - Wilson, Florence Ellsworth 5190
  - Winterhalter, Martin Othmar 5936
  - Wisler, Sam 4835
  - Witmark, Isidore 5190
  - Wunsch, Oscar 4835
  - Yamanaka, Toyojiro 5452
  - Zehnter, Julius G. O. 5704
  - Zoll, Gottfried 5704

ALIENS AND NATIONALITY (TITLE 8): Page
- Immigration and Naturalization Service:
  - Departmental organization and authority (Part 90) 4975
  - Field service districts and officers (Part 60) 5367
  - Immigration regulations; amendments of various provisions 5767
  - Primary inspection and detention (Part 110) 4975

ANIMAL INDUSTRY BUREAU:
- Livestock, inspection and handling for exportation (except to Mexico) 4739
- Accommodations for humane treatment of animals on vessels 4739
- Cleaning and disinfecting vessels, fittings, utensils and equipment 4741
- Diagnostic tests for dairy and breeding cattle 4739
- Disinfection of cars and other conveyances 4739
- Inspection and certification 4739
- Ports of export 4739
- Rest and inspection before embarkation 4739

ANIMALS AND ANIMAL PRODUCTS (TITLE 9):
- Animal Industry Bureau:
  - Inspection and handling of livestock for exportation (except to Mexico) (Part 91) 4739

ARMY: WAR DEPARTMENT (TITLE 10):
- Claims and accounts:
  - Payment of bills and accounts (Part 35) 4841
- Military reservations and national cemeteries:
  - Service clubs, hostesses and librarians (Part 57) 4741
- Organized reserves:
  - Enlisted Reserve Corps (Part 64) 5197
- Personnel:
  - Commissioned officers, warrant officers, and chaplains, appointment (Part 73) 4999
  - Decorations, medals, ribbons, etc. (Part 78) 5107, 5291
  - Medical and dental attendance (Part 77) 4841
  - Military Academy, admission to (Part 75) 5000
  - Uniform, prescribed service (Part 79) 5631
- Procurement and disposal of equipment and supplies:
  - Contracts, termination of (Part 88) 4851
  - Military supplies and animals, procurement of (Part 81) 4842, 4843, 4844, 4846
  - Surplus and unserviceable property, disposition of (Part 83) 5034
  - Transportation of individuals (Part 93) 5199

ARMY AND NAVY MUNITIONS BOARD, assignment of preference ratings; delegation of authority by War Production Board 5111, 5890

AWARDS OF FELLOWSHIPS, to applicants from other American Republics. *See* State Department.

B

BANKS AND BANKING (TITLE 12):
- Federal Deposit Insurance Corporation:
  - Voluntary termination of insured status (Part 309) 4927

BLOCKED NATIONALS:
- Proclaimed list; Revision VII, Cumulative Supplement 2 4858

BUDGET BUREAU:
- Fellowships in public administration for representatives from other American Republics 4799

C

CIVIL AERONAUTICS ADMINISTRATOR:
- Airway traffic control areas; designation 4568, 4930
- Civil airways; designations, etc. 4567, 4930
- Control airports; designations, etc.:
  - Melbourne Naval Air Station, Fla. 4930
  - Pueblo Municipal Airport, Colo. 4930
- Radio fixes; designations, etc. 4567, 4568, 4930

CIVIL AERONAUTICS BOARD:
- Air carrier operating certification:
  - Eastern Air Lines; Lake Charles Airport, Lake Charles, Louisiana 5501
- Air carrier rules:
  - Altitude recording device 5035
- Air traffic rules:
  - Cuba and certain portions of Mexico, official missions of Civil Air Patrol; noncompliance with requirements 4858
  - Foreign flight authorization 4857
- Certificates of public convenience and necessity:
  - Charter trips and special services by air carriers holding certificates 4803, 4858
- Hearings, etc.:
  - Air Transport Corp. 4617
  - Alaska Airlines, Inc. 5447
  - American Airlines, Inc. 4617
  - China National Airways Corp. 4905
  - Colonial Airlines, Inc. 4617
  - Continental Air Lines, Inc. 5446
  - Cordova Air Service, Inc. 5447
  - Delta Air Corp. 4617
  - Eastern Air Lines, Inc. 4617
  - National Airlines, Inc. 4617
  - Pan American Airways Corp. 4905
  - Pan American Airways Inc. 4905

Page

CIVIL AERONAUTICS BOARD—Continued.
Hearings, etc.—Continued.
Pennsylvania - Central Airlines, Corp 4617
Seaboard Airways, Inc 4617
South East Airlines 4617
State Airlines, Inc 4617
Transcontinental & Western Air, Inc 5446
United Air Lines, Inc 5446
Virginia Central Airlines 4617
Western Air Lines, Inc 5446

CIVIL AVIATION (TITLE 14):
Civil Aeronautics Administrator:
Designation of certain control airports, radio fixes, etc. (Part 601) 4567, 4568, 4930
Designation of civil airways (Part 600) 4567, 4930
Civil Aeronautics Board:
Air carrier operating certification:
Special civil air regulations 5501
Air traffic rules (Part 60) 4857
Special civil air regulations 4858
Charter trips and special services (Part 239) 4803, 4858
Scheduled air carrier rules (Part 61) 5035

CIVIL SERVICE COMMISSION:
Probationer, separated; restoration to register of eligibles 4971
War service regulations 4563
Appointments 4563
Reappointment 4563
Transfers 4563, 4565

COAL MINES ADMINISTRATION:
Coal mines; operation by Government:
Terminations of control 4950, 4989, 5014, 5739, 5839

COAST GUARD:
Inspection and navigation:
Emergency regulations:
Boats, rafts, etc.:
Escape panels 5696
Signalling mirrors 5076
Equipment approved, miscellaneous items 4825, 5077, 5288, 5697
Rivers:
Boats, rafts, etc:
Lifeboats; carrying capacity 5697
Surfboat, wooden, or seine boat 4825
Vessels engaged in war business; monthly reports of ocean and coastwise passenger vessels, requirements waived 4904
Telegraph messages. *See* War Communications Board.

COMMERCE DEPARTMENT:
See Civil Aeronautics Administrator.
Civil Aeronautics Board.
Cotton, cottonseed, and products; mailing of statistical reports 5014
Montgomery Ward and Company, termination of Government possession 4989
Training of pilots, mechanics, etc.; revocation of appointment order 5031

Page

COMMERCIAL PRACTICES (TITLE 16):
Federal Trade Commission:
Cease and desist orders (Part 3). *See* Federal Trade Commission.

COMMITTEE, SPECIAL, ON UNAMERICAN ACTIVITIES, House of Representatives; inspection of tax returns by (Executive Order 9444) 5759
Regulations by Internal Revenue Bureau 5769

COMMODITY AND SECURITIES EXCHANGES (TITLE 17):
Securities and Exchange Commission:
Investment Company Act of 1940 (Part 270) 5768

COMMODITY CREDIT CORPORATION:
Offers of payment:
Apple freight equalization program; shipments from Washington, Oregon, and western Idaho 4677
Dairy products; rates of payment, schedule 5099
Grapefruit juice, 1943-44 4566
Oilseeds, restriction on purchase, use, etc.; peanuts, 1944 crop 4974

CONSERVATION OF POWER (TITLE 18):
Federal Power Commission:
Natural Gas Act, as amended:
Applications for certificates of public convenience and necessity under section 7 (Part 57) 5712

CONTRACTS, termination of. *See* Joint Contract Termination Board; Surplus War Property Administration; War Department.

COORDINATOR OF FISHERIES. *See* Fisheries Coordinator, Office of.

CUSTOMS BUREAU:
Abandoned or unclaimed commodities sold at auction; exemption from price regulation 5156
Airports of entry, redesignation:
Havre, Mont 5768
Sandusky, Ohio 5768
Watertown, N. Y 5768
Customs regulations:
Imported merchandise; duties, etc.:
Invoices to cancel bond obligations, triplicate or quadruplicate copies 5035
Notices to importer 4569
Protest and reappraisements; notices to importers 4569
Vessel supplies and equipment, invoices for 5398
Vessels, documentation:
Change of master 5638
Marine documents, issue and record 4678
Official number and signal letters 4678

Page

CUSTOMS BUREAU—Continued.
Customs regulations—Con.
Vessels, documentation—Con.
Record and endorsement of preferred mortgages and related instruments 4679
Recording of bills of sale and mortgages 4679
Registration of private code signals, house flags, and funnel marks 4679
Application for registration of rockets, lights, or other code signals, house flags, or funnel marks 4679
Sale or transfer of vessel 4678
Surrender of permanent documents 4678
Vessels in foreign and domestic trades:
Boarding of vessels; cutter and dock passes 4679
Fisheries 4680
Shipping articles and enforcement of Seamen's Act 4680
Tonnage tax, refund 4679
Vessels entitled to engage in coastwise trade 4680
Vessels required to clear 4680
Wool, invoices and grading 5769

CUSTOMS DUTIES (TITLE 19):
Customs Bureau:
Air commerce regulations (Part 6) 5768
Documentation of vessels (Part 3) 4678, 5638
Liability for duties, entry of imported merchandise (Part 8) 4569, 5035, 5398
Protests and reappraisements (Part 17) 4569
Sugars, sirups, and molasses; petroleum products; wool and hair (Part 13) 5769
Vessels in foreign and domestic trades (Part 4) 4678

D

DEFENSE PLANT CORPORATION:
Property, surplus, disposal of. *See* Surplus War Property Administration.
Termination of war contracts. *See* Joint Contract Termination Board; Surplus War Property Administration.

DEFENSE SUPPLIES CORPORATION:
Petroleum compensatory adjustments:
Mid-continent crude, Districts 2, 3, and 4 5380
Property, surplus, disposal of. *See* Surplus War Property Administration.
Sales of ethyl alcohol to, by Publicker Commercial Alcohol Company; prices 4883
Termination of war contracts. *See* Joint Contract Termination Board; Surplus War Property Administration.

Page

DEFENSE TRANSPORTATION, OFFICE OF:
Authority, delegations of:
Deputy Director, to act for Director; revocation of former order 4615
Employees authorized to administer oaths and affirmations; designation 4825
Railway Transport Division, director and regional directors 4614
Traffic Movement Division; execution and issuance of special permits, etc 4615
Certificates by War Production Board, revocations or withdrawals 4636, 4637, 4733, 4924, 4969
Conventions; delegates, press representatives, etc., traveling to. *See* Rail equipment conservation.
Motor carriers; substitution of rail transportation. *See* Rail transportation.
Motor equipment conservation:
Exceptions, permits, etc.:
Motor carriers of property:
Construction project materials 5443
Forest products 5443
Mine products 5443
Motor traffic movement direction. *See* Traffic movement direction.
Motor vehicle services, coordination:
Freight services:
A & T Truck Line 5854
Adams Transfer & Storage Co 4908
Adams Truck Line 5854
All American Bus Lines, Inc 5092
Allied Freightways, Inc 4955
Arkansas Motor Freight Lines, Inc 5393
Blake Motor Lines, Inc 4956
Byers Transportation Co., Inc 4908
Campbell Sixty-Six Express, Inc 4668
Canadian Truck Line 5854
Cape Cod Overland Express 5394
Cassell Transfer & Storage Co 5394
Cooper's Express, Inc 4955
Cordle Cartage Co 4669
Crowe & Co., Inc 4956
Curry Truck Line 5854
Dalby Motor Freight Lines, Inc 5854
Darcey Transportation Co., Inc 5744
Dumas Truck Line 5854
Fish Transport Co., Inc 5394
Graham Ship-By-Truck Co 4908
Hereford Truck Line 5854
Highway Motor Freight, Inc 4956
Hill Lines, Inc 5854
Hi-Speed Motor Express, Inc 5277

Page

DEFENSE TRANSPORTATION, OFFICE OF—Continued.
Motor vehicle services, coordination—Continued.
Freight services—Continued.
Holdcroft Transportation Co 5277
Ideal Truck Line 4956
Jones, Fred, Truck Line 4621
Jones Motor Freight Lines, Inc 4908
K & B Truck Line 5854
Kirby's Express, Inc 5394
Laskas Motor Lines, Inc 4909, 4956
Laube Interstate Corp 5744
Laughlin, K. D., Transfer 4669
Leeway Motor Freight, Inc 5854
Lombard Bros., Inc 5744
McKay Freight Lines 5277
Marra Transportation Co 4909
Mason City Warehouse Corp 4669
Miller & Miller Motor Freight Lines 5854
Missouri & Arkansas Transportation Co 4621
Mitchell Truck Line 5854
North East Texas Motor Lines, Inc 5393
Northern Trails, Inc 5092
Pacific Motor Trucking Co 5393
Pampa Motor Freight Line 5854
Peter's Express 5394
Powell Bros. Truck Lines, Inc 4621, 4668
Red Arrow Freight Lines, Inc 4908
Santa Fe Trail Transportation Co 5394
Security Truck Line 5393
Sioux Transportation Co 5277
Southern Pacific Co 5393
Sproles Motor Freight Line 5854
Stubbs Transfer 4669
Tarry Motor Freight Line 5854
Texas-Oklahoma Motor Freight Line 5854
Tucumcari Truck Line 5854
Watson Bros. Transportation Co., Inc 5277
Yellow Transit Co 5854
Joint action plans:
Freight services; names of companies. *See* Freight services, *above*.
Taxicab operators, various areas:
Illinois:
Carbondale and Murphysboro 5704
Kankakee, Bradley and Bourbonnais 5092
Iowa:
Burlington 5454
Mason City 5624
Ottumwa 5624
Kentucky; Morganfield, Corydon and Henderson 4909
Massachusetts; Springfield 5454
Minnesota; International Falls 5278

Page

DEFENSE TRANSPORTATION, OFFICE OF—Continued.
Motor vehicle services, coordination—Continued.
Joint action plans—Con.
Taxicab operations, various areas—Continued.
Missouri:
Kirksville 4621
Lebanon 4622
New York:
Saranac Lake 5623
Schenectady 5455
North Carolina:
Durham 5705
Wilson 5015
Ohio; Cambridge 5279
Oregon; Roseburg 5353
South Carolina; Columbia 4910
Tennessee; Nashville 4910
Passenger services, companies:
Boston & Maine Transportation Co 5706
Eastern Greyhound Lines of New England 5706
Maine Central Transportation Co 5706
Passenger services, routes:
Boston, Mass.-St. Stephen, New Brunswick 5706
Passenger carriers; modification, suspension, etc., of certain operations:
Virginia Electric and Power Co 4622
Rail equipment conservation; exceptions, permits and exemptions:
Passenger train operations; accredited delegates, press representatives, etc., traveling to and from Republican and Democratic National Conventions 4826
Rail transportation; substitution by motor common carriers:
Consolidated Freightways 5743
Los Angeles-Seattle Motor Express 5743
Mitchell Bros. Truck Line 5743
Oregon - Nevada - California Fast Freight, Inc 5743
Pierce Auto Freight Lines 5743
System Freight Service 5743
Traffic movement direction:
Motor traffic:
Corn, transportation from or within designated area 5444, 5739
Onions, dry, transportation from or within certain States 4652
Vessels, on Great Lakes:
Exceptions, suspensions, and permits:
Coal 5175
Grain 4652
Transportation of passengers or certain listed commodities; exemptions 4652

E

EMPLOYEES' BENEFITS (TITLE 20): Page
Railroad Retirement Board:
Employers' contributions and contribution reports (Part 345) 5398
EMPLOYEES' COMPENSATION COMMISSION, UNITED STATES:
Employees outside continental United States:
Medical benefits; authorization to Office of War Information to provide for initial furnishing of 4837
EXECUTIVE ORDERS:
Committee, Special, on Un-American Activities, House of Representatives; inspection of tax returns (No. 9444) 5759
Eight-hour law, suspension. *See* Veterans' Administration.
Hummer Manufacturing Division of Montgomery Ward and Co., Inc. *See* War Department.
Nurses, student. *See* Public Health Service.
Public Health Service; nurses, student; establishing uniform monthly rate of pay, for student nurses transferred to Federal hospitals (No. 9439) 4839
Reconstruction Finance Corporation, authorized to place orders with other agencies for materials or services (No. 9440) 4999
Tax returns; inspection of income, excess-profits, declared value excess-profits, and capital stock tax returns by Special Committee on Un-American Activities, House of Representatives (No. 9444) 5759
Veterans' Administration; suspension of eight-hour law as to laborers and mechanics employed on public work (No. 9441) 5101
War Department; possession and operation of plants of Hummer Manufacturing Division of Montgomery Ward and Co., Inc. (No. 9443) 5395

F

FARM CREDIT ADMINISTRATION:
Administrative officers:
Cooperative Bank Commissioner, Deputy and Assistants; functions, powers, authority and duties 4565
Banks for cooperatives:
Lending limits of district banks for cooperatives 5103
Loans on security of Commodity Credit Corporation loan documents, interest rates 5101
Federal land banks:
Conditional payments on joint indebtedness to bank and Corporation; reports 5289

FARM SECURITY ADMINISTRATION: Page
Tenant purchase loans, designation of counties:
Alabama 4616, 5445
Mississippi 5445
FEDERAL COMMUNICATIONS COMMISSION:
Hearings and orders:
Albuquerque Broadcasting Co. 5178
Bulova, Arde 5929
Callan, W. W 5929
Doughty & Welch Electric Co., Inc 5275
Fall River Broadcasting Co., Inc 5275
Frontier Broadcasting Co., Inc 5930
Henshel, Harry D 5929
Hicks, Dewitt T 5929
Howell, Hilton W 5929
Independent Merchants Broadcasting Co 5178
Jester, Beauford H 5929
Kimzey, Truett 5930
Levy, Robert G 5929
Mester, Meyer and Murray 5929
Naman, Wilford W 5929
Portsmouth Radio Corp 5931
Sams, Ross M 5929
Shepard, Harwell V 5930
Stribling, Davis 5929
Stuart, Charles Edward 5447
Radio broadcasting stations, gain from sale or exchange of property. *See* Internal Revenue Bureau: Income taxes.
Rules and regulations:
Applications to hold interlocking directorates; form of application, change in status report, etc 5839
Broadcast services and stations:
High frequency and standard; mechanical records 5447
Other than standard; multiple ownership 5442
Emergency radio services; municipal and marine fire stations 5174
Frequency allocations; Appendix B amended 5174
Radiocommunications systems in railroad operations 4905
Reports, contracts and concessions 5838
FEDERAL DEPOSIT INSURANCE CORPORATION:
Insured status, voluntary termination 4927
Steps taken and records to be furnished the Corporation:
By a member bank in liquidation (both State and national) 4929
Insured nonmember bank in liquidation 4927
Where deposits are assumed by another insured bank 4929
FEDERAL POWER COMMISSION:
Bonneville Project, Columbia River, Oreg.-Wash.; modification of wholesale power rate schedule 5348

FEDERAL POWER COMMISSION—Continued. Page
Hearings, etc.:
Amalgamated Co., Inc 5742
Arkansas Power & Light Co. 5179
Central Power and Light Co. 5839
Compania Electrica Matamoros, S. A 5839
El Paso Lines, Inc 4826
El Paso Natural Gas Co 5609
Empire Gas and Fuel Co 5608
Fort Peck Project, Missouri River, Mont 5931
Hope Producing Co 5742
Idaho Power Co 5742
Interstate Natural Gas Co., Inc 4827, 5179
La Del Oil Properties, Inc 5742
Memphis Natural Gas Co 5743
Mississippi River Fuel Corp. 5742
Missouri Western Gas Co 5447
Northern Natural Gas Co. 5179, 5698
Panhandle Eastern Pipe Line Co 4653, 4728, 5317, 5839
Peerless Carbon Black Co 5742
Puget Sound Power and Light Co 5931
Southern Carbon Co 5742
Southern Natural Gas Co 4653
Southern Union Gas Co 5609
Southwestern Power Administration 5317
Texas Power & Light Co 5317
Union Electric Company of Missouri 5014
United Carbon Co 5742
Wisconsin Southern Gas Co. 5742
Rules and regulations:
Natural Gas Act:
Certificates of public convenience and necessity, transferability; temporary continuance of authorization 5712
FEDERAL PUBLIC HOUSING AUTHORITY:
Signal and alarm equipment; delegation of authority by War Production Board to issue authorizations to receive 4865
FEDERAL SECURITY AGENCY:
See Food and Drug Administration.
Pay rates for employees, procedure for adjustment 4639
FEDERAL TRADE COMMISSION:
Cease and desist orders:
A. & N. Trading Co 4569
A. & N. Trading Co., Inc 4569
Acme Asbestos Covering and Flooring Co 5333
All-Winter Anti-Freeze Co. 5108
American Association of Law Book Publishers 5289
American Chemical Co 5108
American Law Book Co 5289
American Tissue Mills 5107
Anderson, W. H., Co 5289
Asbestos, Asphalt and Insulation Mfg. Co 5333
Asphalt and Insulation Mfg. Co 5333
Atlantic Asbestos Corp 5333
Auerbach, Alexander 4804
Bainbridge's Sons 5107
Baker, Voorhis and Co 5289
Bancroft-Whitney Co 5289
Bastillo Bros. & Diaz, Inc. 5889
Bender, Matthew, and Co., Inc. 5289
Bender-Moss Co 5289

FEDERAL TRADE COMMISSION—Continued. Page
Cease and desist orders—Con.
Bennett, A. H., Co 5333
Bisel, George T., Co 5289
Boardman, Clark, Co., Ltd 5289
Bobbs-Merrill Co 5289
Bureau of Industrial Allocation 5637
Callaghan & Co 5289
Carey, Philip, Mfg. Co 5333
Clark Asbestos Co 5333
Cohen, Frank 4804
Corwin, Frank, Co 4804
Demerer, David 4804
Denison Mfg. Co 5107
Dennis and Co., Inc 5289
Empire Asbestos Products, Inc 5333
Fallon Law Book Co 5289
Fort Howard Paper Co 5107
General Baking Co 5109
Gillem-Cole Co 5333
Hamiel, D. E 5108
Hanover Wool Stock Co 4804
Harrison Co 5289
Havner, Harrison H 4803
Hermanos, Lopez 5889
Hunt, John S 4803
International Research 5637
Iversen, Philip E 4803
Johns-Manville Corp 5333
Johnstone, Arthur F 5200
Johnstone, Jorene 5200
Keasbey & Mattison Co 5333
L. A. Rubber & Asbestos Works, Inc 5333
Lawyers Co-operative Publishing Co 5289
Leonard, J. P., Co 5637
Liberty Sales System, Inc 5637
Lincoln, George J., Jr 5107
Little, Brown and Co 5289
Lopez, Calixto & Co 5889
MacArthur, G. A., Co 5333
Michie Co 5289
Mueller, Clifford W 5289
National Crepe Paper Assn. of America 5107
National Law Book Co 5289
Norristown Magnesia and Asbestos Co 5333
Nott, W. S., Co 5333
Pacific Asbestos & Supply Co. 5333
Papyrus Co 5107
Park, Philip R., Inc 4803
Preferred-Havana Tobacco Co 5899
Plant Rubber & Asbestos Works 5333
Public Utilities Reports, Inc. 5289
Reed, C. A., Co 5107
Reiner, Richard 5289
Reyburn Mfg. Co 5107
Robinson, H. L., Co 5888
Ruberoid Co 5333
Sall Mountain Co 5333
Shepard, Frank, Co 5289
Smith, Burdette, Co 5289
Soney and Sage Co 5289
Spillane, James R 5289
Sport Center 4569
Standard Asbestos Mfg. Co. 5333
Thomas Law Book Co 5289
Thompson, Edward, Co 5289
Tulloch, Donald, Jr 5333
Tuttle Press Co 5107
Vernon Law Book Co 5289

FEDERAL TRADE COMMISSION—Continued. Page
Cease and desist orders—Con.
Washington Institute 5200
Washington Law Book Co. 5289
West Publishing Co 5289
White, R. Walter 5289
Williamson Law Book Co. 5289
Hearings, etc.:
American Chemical Paint Co. 5489
Americana Corp 5743
Boothby Fibre Can Co 4827
Champion Container Co. 4827
Chicago Vitreous Enamel Product Co 4906
Ferro Enamel Corp 4906
Fonda Container Co., Inc. 4827
Hommel, O., Co 4906
Ingram-Richardson Mfg. Co. of Indiana, Inc 4906
Kallman, L. R., and Co 5610
Kastor, H. W., and Sons Advertising Co 5610
Liquid Tight Paper Container Assn 4827
Menasha Products Co 4827
Milo Container Co 4827
Moody, Harry L 4906
Pemco Corp 4906
Richter, F. Ad., and Co., Inc. 5610
Russell Box Co 4827
Sales Stimulators 5610
Sealright Company, Inc. 4827
Stevenson, Jordan & Harrison 4906
Sutherland Paper Co 4827
Tru-Health Garments Corp. 5610
United Diathermy, Inc. 5610
Van Camp Sea Food Co., Inc. 5743
Wise, William H., & Co 5743
FEDERAL WORKS AGENCY:
Property, surplus, of War Department, Navy Department and Maritime Commission; designation as disposal agency by Surplus War Property Administration. *See* Surplus War Property Administration.
FELLOWSHIPS, AWARDS, to applicants from other American Republics. *See* State Department.
FISH AND WILDLIFE SERVICE:
Alaska commercial fisheries:
Salmon, designated areas:
Alaska Peninsula 5175
Chignik area 5175
Southeastern Alaska area:
Clarence Strait District 5176
Icy Strait District 5175
South Prince of Wales Island District 5176
Stikine District 5176
Western District 5175
Alaska game regulations; game animals, fur animals, game birds, nongame birds, and game fishes 5270
Lands in Cheraw Recreational Demonstration Project, South Carolina, transferred to, from National Park Service 5489
FISHERIES COORDINATOR, OFFICE OF:
Salmon canning industry, Alaska 5078

FLAG DAY, 1944, proclamation 4799
FOOD AND DRUG ADMINISTRATION:
Fluorine, spray residue on apples and pears; tolerances for 4654
FOREIGN ECONOMIC ADMINISTRATION:
Export control:
General regulations:
Prohibited exportations, list 4931, 5001, 5370
Licenses:
Blanket; list of commodities 5368
General:
Cuba and Dominican Republic; export of jute bags 4931
Exports to U. S. Government 4683
General license numbers 5368
Gifts to prisoners of war and internees 4931
Iceland; cancellation of certain general licenses 5370
K and V countries; exportations of lard 5370
Ship and plane stores, supplies and equipment 5368
Shipments not exceeding specified value 4575
Individual; rubber and rubber manufactures 4931
Selected destinations, clearance procedure 5368
Priorities action, length of validity of ratings assigned on export licenses; delegation of authority by War Production Board 5400
Property, surplus, disposal of. *See* Surplus War Property Administration.
Termination of war contracts. *See* Joint Contract Termination Board; Surplus War Property Administration.
FOREIGN RELATIONS (TITLE 22):
Proclaimed list of blocked nationals; Revision VII, Cumulative Supplement 2 4858
FOREST SERVICE:
Timber, sustained yield units established 5442

G

GAS LEASES. *See* Leases.
GENERAL LAND OFFICE:
Air-navigation site withdrawals; Wyoming 4616, 4652
Grazing districts, modification of; Utah 4950, 5079, 5739, 5740
Land withdrawals, etc.:
Alaska:
Classification 4949
War Department; aviation purposes 4904
Colorado:
Forest administrative site; revocation 5347
Resurvey; revocation of EO 5894 5079

Page

GENERAL LAND OFFICE—Con.
Land withdrawals, etc—Con.
Nevada:
Proposed grazing district, revocation 4950
New Mexico:
War Department; use as demolition range 5445
Oklahoma:
Forest administrative site; revocation 5347
Washington:
Interior Department; for use in connection with Olympic Public Works Project 5445
Oklahoma, Fort Sill Military Reservation; exchange of lands between War Department and Interior Department 5348
Phosphate leases, notice of offer 5738
Action by bidder 5738
Auction of lease 5738
Stock driveway withdrawals; Wyoming 5176, 5348, 5740

H

HAWAII:
Conservation programs. *See* Agricultural Adjustment Agency.
Employment stabilization plan; interim. *See* War Manpower Commission.
Rationing. *See* Rationing.
Registration, etc. *See* Selective Service System.
HOME OWNERS' LOAN CORPORATION:
Treasury Division; paid loan section 5399
HOUSING CREDIT (TITLE 24):
Home Owners' Loan Corporation:
Treasury Division (Part 407) 5399
National Housing Agency:
Private war housing (Part 702) 4680
HUMMER MANUFACTURING DIVISION. *See* Montgomery Ward and Co., Inc.

I

IMMIGRATION AND NATURALIZATION SERVICE:
Aliens:
Excluded for removable cause; reopening of case 5768
Head tax 5768
Imported laborers 5768
Field service districts; transfer of Warren County, N. Y., from District 3 to District 1 5367
General Counsel; powers and duties 4975
Public charge, bonds, approval, cancellation, etc 4975
INDIAN AFFAIRS OFFICE:
Cooperative associations:
Loans to 4570
Organization 4569
Credit associations:
Loans by 4571
Loans to 4571
Individual Indians, loans by United States to 4572

Page

INDIAN AFFAIRS OFFICE—Con.
Irrigation projects; operation and maintenance charges:
Colorado River Project, Ariz. 4572
Colville Indian Irrigation Project, Wash 4930
Flathead Indian Irrigation Project:
Flathead district, Mont. 5399
Jocko Valley district, Mont. 5399
INDIANS (TITLE 25):
Indian Affairs Office:
Loans:
By Indian Credit Associations (Part 25) 4571
By United States to individual Indians (Part 26) 4572
To Indian Cooperative Associations (Part 23) 4570
To Indian Credit Associations (Part 24) 4571
Order fixing operation and maintenance charges (Part 130) 4572, 4930, 5399
Organization of Indian Cooperative Associations (Part 22) 4569
INTERIOR DEPARTMENT:
See Coal Mines Administration.
Fish and Wildlife Service.
General Land Office.
Indian Affairs Office.
Mines Bureau.
National Park Service.
Petroleum Administration for War.
Reclamation Bureau
Solid Fuels Administration for War.
Fort Sill Military Reservation, Oklahoma; exchange of lands between War Department and Interior Department 5348
Office of the Secretary:
Colonial National Historical Park, Va.; transfer of jurisdiction from Interior Department to Navy Department 4905
INTERNAL REVENUE (TITLE 26):
Internal Revenue Bureau:
Administrative provisions common to various taxes:
Inspection of returns (Part 458) 5769
Estate and gift taxes:
Gift tax under Chapter 4 of Internal Revenue Code (Part 86) 4859
Gift tax under Revenue Act of 1932, as amended (Part 85) 4858
Excise taxes, miscellaneous:
Distilled spirits, bottling in bond (Part 188) 5367
Income and excess-profits taxes:
Income tax; taxable years beginning after December 31, 1941 (Part 29) 4573, 4975, 4976, 5109, 5501, 5713.
Income tax under Internal Revenue Code (Part 19) 4572, 4573

Page

INTERNAL REVENUE BUREAU:
Administrative provisions common to various taxes; inspection of tax returns by Special Committee on Un-American Activities. *See* Tax returns, *below.*
Alcoholic beverages. *See* Excise taxes.
Excise taxes:
Collection by retailers; statement on receipts 4607
Distilled spirits; capacity of cases 5367
Transportation services, certain; exemption from taxes 4615, 5383
Wireless and wire services, certain; exemption from taxes 4615, 5383
Federal Communications Commission, gain from sale or exchange of property. *See* Income taxes.
Gift taxes:
Regulations under Internal Revenue Code (gifts during 1940 and thereafter):
Certain discretionary trusts 4859
Release of power of appointment, extension of time 4859
Regulations under Revenue Act of 1932, amended:
Certain discretionary trusts 4858
Cessation of grantor's control 4858
Income taxes:
Internal Revenue Code; years after December 31, 1941:
General provisions:
Accounting periods and methods of accounting:
Returns for periods of less than 12 months 5502
Computation of net income:
Armed forces, mustering-out payments of 5111
Blind individuals, special deductions for 5111
Corporate contributions to veterans' organizations 5111
Earned income credit; determination of status 5501
Inventories under elective method; last-in first-out inventory 4574
Involuntary liquidation and replacement 4574
Taxes; deductions for Federal duties and excise taxes 5111
Returns and payment of tax; individual returns 5502
Supplemental provisions:
Computation of net income:

Page

INTERNAL REVENUE BUREAU—Continued.
Income taxes—Continued.
Internal Revenue Code; years after December 31, 1941—Continued.
Supplemental provisions:
Computation of net income:
Cost-of-living allowances, certain; exclusion from gross income 4976
Determining gain or loss:
Basis adjustment as result of cancellation of indebtedness 5110
Earned income from sources without United States 4976, 5502
Property; gain from sale or exchange to effectuate policies of Federal Communications Commission 5713
Insurance companies 5109
Partnerships; earned income credit of partners 5502
Rates of tax; extension of time for filing certain annual returns 4975
Returns and payment of tax; fiduciary returns 5502
Internal Revenue Code; years prior to December 31, 1941:
General provisions:
Computation of net income:
Inventories under elective method; last-in first-out inventory 4573
Involuntary liquidation and replacement 4573
Supplemental provisions:
Overpayments:
Limitations upon crediting and refunding of taxes paid 4573
Applicability to former acts (1924 to 1938) 4573
Retroactive effect of section 169 of Revenue Act of 1942 4572
Basis adjustment as result of cancellation of indebtedness; applicability to former acts 5110
Tax returns, inspection of by Special Committee on Un-American Activities, House of Representatives (Executive Order 9444) 5759
Regulations 5769
INTERSTATE COMMERCE COMMISSION:
Car service:
Fruits and vegetables:
Bananas, transported between foreign countries; special and general permits 4989

Page

INTERSTATE COMMERCE COMMISSION—Continued.
Car service—Continued.
Fruits and vegetables—Con.
Cars held for reconsignment, diversion or orders:
In designated States 5316, 5351
Special and general permits 4617, 4618, 4619, 4654, 4989, 4992, 5014, 5180, 5275, 5276, 5349, 5448, 5449, 5490, 5491, 5611, 5932, 5933
Onions, dry, transportation by railroad or motor vehicle from or within certain States 4651
Potatoes, transportation of by railroad freight cars and refrigerator cars 4988
Special and general permits 4618, 4620, 4655, 5015
Grain and seed shipments:
Acceptance, restrictions; shipments covered by order notify or straight advise bills of lading 4728
Canadian malting barley, shipment from Duluth, Minn.; special and general permits 4952, 5350
Corn, transportation from or within designated area 5442, 5605
Movement of; agent appointed, Cincinnati, Ohio 4988
Refrigerator cars:
Bunker icing, initial, at designated California points 4613, 5698
Demurrage charges; intra-terminal in California 4728
Icing provisions:
Citrus fruits; special and general permits 4617, 4619, 4620, 4655, 4729, 4730, 4827, 4828, 4989, 4990, 4992, 4993, 5015, 5180, 5276, 5350, 5449, 5491, 5492, 5611.
Fruits and vegetables in designated States 5928
Potatoes; special and general permits 4620, 4655, 4730, 4828, 4953, 4991, 4993, 5180, 5276, 5351, 5449, 5450, 5492, 5612, 5698, 5699, 5932, 5933.
Substitution of, for box cars at designated Texas points 5316
Use of, for transportation of various commodities:
Commodities and containers, certain, use prohibited; special and general permits 4991, 5350, 5351, 5698
Potatoes. *See* Fruits and vegetables, *above.*
RS, etc., type 5078
Special and general permits 4655, 4953, 4992, 4993, 5015, 5080

Page

INTERSTATE COMMERCE COMMISSION—Continued.
Carriers by motor vehicle. *See* Motor carriers.
Coal, unloading orders. *See* Unloading orders.
Explosives, transportation of:
Common, contract, or private carriers by public highway 4904
Shipping container specifications 4904
Furnace slag, unloading orders. *See* Unloading orders.
Motor carriers:
Emergency substitution of rail for truck service 5077
Routing of traffic:
Rerouting of:
Freight cars, empty and loaded:
Baltimore and Ohio Railroad 5078
Reading Co 5078
Western Railway Co 5078
Freight traffic, rerouting because of high water and floods:
Canton & Carthage Railroad Co 5277
Illinois Central Railroad Co 5611
New York Central Railroad Co 5080
Ohio, Missouri and Mississippi River valleys 4613, 5175
Unloading, at certain points:
Coal:
Massachusetts; Charlestown 4729
New Jersey; Jersey City 4729
New York:
Oak Point 4729
Patchogue, Riverhead and Bayport, L. I. 5180
Pennsylvania:
Clearfield 4729
Harrisburg 4729
Furnace slag; Memphis, Tenn 4618
Water carriers:
Oil field equipment, marshlands, La.-Tex 5316
Uniform system of accounts; inventories of materials and supplies 4988

J

JOINT CONTRACT TERMINATION BOARD:
Surplus War Property Administration, delegation of authority to, with respect to price policies in disposal of supplies, equipment, etc. 5192
Termination of Government fixed price supply contracts:
Government organizations for settlement of contracts, and review of settlement; statements of policy 5193
Price policies in disposal of supplies, equipment, etc.; delegation of authority to Surplus War Property Administration 5192
Uniform termination article; policy determinations 5193

Page

JUDICIAL ADMINISTRATION (TITLE 28):
Justice Department:
Foreign Agents Registration Act, administration (Part 5) ---- 5035, 5715

JUSTICE DEPARTMENT:
Foreign Agents Registration Act, administration ---- 5035
Forms; revision ---- 5715

L

LABOR (TITLE 29):
Agricultural Labor:
Salaries and wages of agricultural labor in the State of California (Part 1102) ---- 4574, 4805, 4976, 5471
National War Labor Board:
General orders (Part 803) ---- 4639, 4805, 5769
Rules of procedure (Part 802) ---- 4681, 4860
Wage and Hour Division:
Industrial homework, various industries:
Needlework industries in Puerto Rico (Part 545) ---- 4860
War Manpower Commission:
Employment stabilization programs (Part 907) ---- 5400

LABOR DEPARTMENT:
See Public Contracts Division.
Wage and Hour Division.

LEASES, OIL AND GAS, regulations applicable to oil and gas rights owned by United States ---- 5103, 5397

M

MARITIME COMMISSION, UNITED STATES:
Admission to practice before the Commission; classes of persons ---- 5738
Preference ratings, assignment of; delegation of authority by War Production Board ---- 5113
Property, surplus; disposal of. *See* Surplus War Property Administration.
Termination of war contracts. *See* Joint Contract Termination Board; Surplus War Property Administration.

METALS RESERVE COMPANY:
Property, surplus, disposal of. See Surplus War Property Administration.
Termination of war contracts. *See* Joint Contract Termination Board; Surplus War Property Administration.

MINERAL RESOURCES (TITLE 30):
Solid Fuels Administration for War:
Administrative; general (Part 601) ---- 5334
General orders and directives (Part 602) ---- 4575, 5367

MINES BUREAU:
Explosives:
Licenses; revocations, etc.:
Gribble, Richard ---- 4787
Mounts, Boyd ---- 4615

Page

MONEY AND FINANCE: TREASURY (TITLE 31):
Fiscal Service:
Accounts Bureau:
Checks of United States, issuance of duplicates (Part 204) ---- 4682
Public Debt Bureau:
United States bonds and notes, regulations (Part 306) ---- 4575
United States Savings Bonds, regulations (Part 315) ---- 4787

MONTGOMERY WARD AND CO., INC:
Possession and operation of plants of Hummer Manufacturing Division, by War Department (Executive Order 9443) ---- 5395
Termination of possession of plants, by Commerce Department ---- 4989

N

NATIONAL DEFENSE (TITLE 32):
See Defense Supplies Corporation.
Foreign Economic Administration.
Mines Bureau.
National War Labor Board.
Petroleum Administration for War.
Price Administration, Office of.
Selective Service System.
Smaller War Plants Corporation.
War Communications Board.
War Manpower Commission.
War Production Board.

NATIONAL HOUSING AGENCY:
Housing construction, delegation of authority by War Production Board ---- 5595, 5638
Private war housing; total monthly payments, limitation on ---- 4680
Property, surplus, of War Department, Navy Department and Maritime Commission; designation as disposal agency. *See* Surplus War Property Administration.

NATIONAL PARK SERVICE:
Lands in Cheraw Recreational Demonstration Project, South Carolina, transferred to Fish and Wildlife Service ---- 5489
National parks:
Yellowstone National Park:
Admission tax ---- 4903
Fishing; open season, special areas ---- 4904

Page

NATIONAL WAR LABOR BOARD:
Rules of procedure:
Dispute cases:
Cases not involving wages or salaries; procedure ---- 4860
Regional War Labor Boards, authority ---- 4860
Violation proceedings ---- 4681
Wage and salary adjustments:
Exemption of certain employers, exceptions to ---- 4805, 5769
Federal Security Agency employees, procedure for adjusting rates of pay ---- 4639

NAVY DEPARTMENT:
Colonial National Historical Park, Va.; order of acting Secretary of Interior transferring jurisdiction from Interior Department ---- 4905
Construction, priority orders for controlled materials. *See* War Production Board.
Property, surplus; disposal of. *See* Surplus War Property Administration.
Termination of war contracts. *See* Joint Contract Termination Board; Surplus War Property Administration.

NURSES, STUDENT, transferred to Federal hospitals; uniform monthly rate of pay (Executive Order 9439) ---- 4839

O

OIL LEASES. *See* Leases.
OPTICAL MANUFACTURERS GROUP. *See* Smaller War Plants Corporation.

P

PANAMA CANAL (TITLE 35):
Canal Zone regulations:
Photographing (Part 28) ---- 5441

PANAMA CANAL ZONE:
Photographing; areas where possession of cameras prohibited ---- 5441

PARKS AND FOREST (TITLE 36):
Forest Service:
Timber (Part 221) ---- 5442
National Park Service:
General rules and regulations (Part 2) ---- 4903
Special regulations (Part 20) ---- 4903

PENSIONS, BONUSES, AND VETERANS' RELIEF (TITLE 38):
Veterans' Administration:
Adjudication
Dependents' claims (Part 5) ---- 5737, 5831
Insurance (Part 10) ---- 5738

PETROLEUM ADMINISTRATION FOR WAR:
Foreign Operations Committee; supply and import allocation schedules ---- 5830, 5883
Marketing:
Motor fuel and fuel oil; deliveries for specified uses ---- 5346, 5347

Page

PETROLEUM ADMINISTRATION FOR WAR—Continued.
Production operations:
Well-drilling, oil, in Texas; use of materials ---- 4651
Supply:
Foreign petroleum operations:
Supply and import allocation schedules ---- 5830, 5883
Program for effective utilization of supplies, facilities and transportation, in certain areas:
Districts 1, 2, 3 ---- 4897, 4923

PRICE ADMINISTRATION, OFFICE OF:
Administration and procedure:
Authority delegations:
Hearing Administrator, Hearing Commissioners, etc.; suspension order hearings ---- 4911
Regional Administrator; women's, girls', etc., outerwear garments ---- 5826
Regional Administrators and District Directors; to issue subpoenas and inspection requirements in rent and price investigations ---- 5191
Secretary of OPA; authenticate copies of records, documents, etc ---- 4789
Customs Bureau, exemption from price control of unclaimed or abandoned commodities sold at auction by ---- 5156
Exemption from price control of certain commodities and services ---- 5374
Household accessories ---- 5374
General maximum price regulation:
Exceptions for certain services, reissued regulations ---- 4775, 5314, 5441
Maximum prices for commodities and services which cannot be priced under § 1499.2 ---- 5169
Maximum price regulations; procedure for issuance, adjustment, protest, interpretation and amendment ---- 5724, 5791
Records, files, documents, etc., authentication of; authority of Secretary of OPA ---- 4789
Surplus commodities, sales by United States Government or agencies ---- 4879
Tax, Federal excise, on jewelry, fur articles, toilet preparations, and leather goods; collection by retailers ---- 4607
United States Government or its agencies:
Surplus commodities, sales of ---- 4879

Page

PRICE ADMINISTRATION, OFFICE OF—Continued.
Defense-rental areas, rent control in:
Designations of defense-rental areas, various States ---- 5820, 5823, 5915
Regulations:
Hotels and rooming houses:
Maximum rent dates and records ---- 5828
Special areas:
California ---- 5806
Florida ---- 5806
Georgia ---- 5806
Illinois ---- 5915
Iowa ---- 5806
Kansas ---- 5806
Kentucky ---- 5806
Maryland ---- 5806
Michigan ---- 5915
Nebraska ---- 5806
New Jersey ---- 5806, 5915
North Carolina ---- 5806
Pennsylvania ---- 5806
Tennessee ---- 5806
Texas ---- 5806
Tourist camps ---- 5002
Miami Area ---- 5003
New York City Area ---- 5003
Housing:
Regulations ---- 5807
Special areas:
Illinois ---- 5915
Michigan ---- 5915
New Jersey ---- 5915
Price regulations; commodities and services:
Abalone, canned. *See* Processed foods.
Adhesives, white rye flour; for corrugated paper board ---- 5696
Alaska:
Alcoholic beverages ---- 5485
Egg noodles ---- 4985
Milk ---- 5168
Alcohol:
Ethyl ---- 4883
Sales to Defense Supplies Corporation ---- 4883
Menthol, natural; purchases before importation ---- 5357
Alcoholic beverages, in Alaska. *See* Alaska.
Aluminum scrap and secondary aluminum ingot ---- 5587
Animal feed. *See* Feedingstuffs.
Anti-freeze ---- 5909
Apparel:
Gloves, staple work ---- 5004
Knit underwear, fall and winter; manufacturers' prices ---- 5174
Military uniforms, alteration and repair services, San Diego area ---- 4878
Artificial flowers, etc., for store displays ---- 5374
Ash removal services ---- 4747, 4778

Page

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Auctions; exemption of unclaimed or abandoned commodities sold at, by Customs Bureau ---- 5156
Automobiles and parts. *See* Motor vehicles.
Bakery products:
Bread, rolls, crumbs, cracker meal ---- 4896, 5489
Bread, in Union County, S. C ---- 5748
Cakes, pastries, pies, etc ---- 4882
Bananas. *See* Fruits.
Barley ---- 5695
Bedding ---- 5375
Bee feeders ---- 5374
Beer. *See* Liquors.
Boxes. *See* Containers.
Roofing, sales on installed or applied basis; Tennessee ---- 4630
Bread. *See* Bakery products.
Brick. *See* Building materials.
Building materials and services:
Asbestos-cement ---- 4985
Brick:
Common:
Hudson River area ---- 5354
Region IV; Dalton, Ga. ---- 5325
Region VIII; California, Los Angeles County ---- 4630
Gypsum wallboard, etc ---- 5706
Putty ---- 5355, 5388
Butcher chopping blocks and tops. *See* Lumber: hardwood.
Butter. *See* Dairy products.
Cakes. *See* Bakery products.
Cans. *See* Containers.
Carbolate or sodium phenolate ---- 4948
Carburated water gas by-products ---- 4948
Castings:
Malleable iron ---- 5797
Nonferrous ---- 5590
Cats; beds and other accessories for ---- 5374
Ceramic products:
Clay, refractory flint ---- 4994
Charcoal:
Pine wood; in southern states ---- 5344
San Francisco region ---- 5286, 5753
Cheese. *See* Dairy products.
Clay. *See* Ceramic products.
Cleansers. *See* Soaps and cleansers.
Clocks; Federal excise tax on, collection by retailers ---- 4607
Cloths, wiping; washed and unwashed ---- 5916
Coal. *See* Fuels, solid.
Coal carbonization by-products ---- 4948

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Commodities, surplus; sales by United States Government or its agencies 4879
Common carriers. *See* Public utilities.
Community ceiling prices, list of orders filed 4790, 4915, 4916, 4964, 5280, 5281, 5325, 5358, 5465, 5496, 5753, 5872, 5874.
Concrete and concrete products 5384
Construction machinery. *See* Machinery.
Containers:
Paperboard. *See* Paper.
Tin cans, packers' 4982
Wooden:
Cooperage, used tight 4687
Crates and boxes for fruits and vegetables; Denver, Colo 5284
Hoops 4985
Industrial boxes 5435
Copper scrap 5374
Cordwood. *See* Firewood; Lumber.
Corn 4610
Corn meal, flour, grits, etc 5827
Ground, cracked, etc., for animal consumption 5828
Popcorn 4612
Corrosion inhibitor services 5441
Cotton goods. *See* Textiles.
Cracker meal. *See* Bakery products.
Crude pyridine or crude tar bases 4948
Customs Bureau, commodities sold at auction by. *See* Auctions.
Customs house brokers; fees and charges 5314
Dairy products 5140
Butter; regional office orders:
Michigan 4963
Ohio 4959
Cheese:
Blue and Gorgonzola 5921
Colby 5430
Limburger, Brick and Munster 5427
Monterey and High Moisture Jack 5919
Provolone, Parmesan, etc. 5917
Evaporated milk 5588
Ice cream mix 5586
In territories and possessions. *See* Alaska, Hawaii, Puerto Rico.
Milk and cream, fluid:
Milk and milk products; location of plants, Atlanta region 4985
Purchases from producers for resale as:
Regional office orders:
Connecticut 5019
Illinois 5749
Iowa 5025

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Dairy products—Continued.
Milk and cream, fluid—Con.
Purchases from producers for resale as—Con.
Regional office orders—Continued.
Kentucky 4627, 4628, 5360
Maine 5191, 5192
Massachusetts 5094, 5095
Michigan 5359
Minnesota 5025, 5752
Montana 5284
Nebraska 5024
New Hampshire 5095
Ohio 4963
Pennsylvania 4962
Rhode Island 5095
Vermont 5192
Wisconsin 5025, 5870
Sales at wholesale and retail:
Regional office orders:
California 5286, 5462
Colorado 5027
Georgia; Atlanta region 5708
Illinois 5027
Indiana (except Lake County) 5463
Iowa 5750, 5751
Kentucky 5463
Maryland 5359
Massachusetts 5094, 5095
Michigan 5463, 5465
Minnesota 5752
Mississippi 5283
Montana 5283
Nebraska 5026, 5749, 5751
New Hampshire 5020, 5095
Ohio 5463, 5867, 5868
Rhode Island 5095
South Dakota 5750
West Virginia 5463
Distilled spirits. *See* Liquors.
Dogs; beds and other accessories for 5374
Doors, "General Manager Type" and coal doors for box cars 4985
Eggs, in Hawaii. *See* Hawaii.
Electrical equipment. *See* Machinery.
Wire and cable. *See* Wire.
Electricity, services. *See* Public utilities.
Excelsior. *See* Wood.
Export sales to U. S. agencies for Lend-Lease purposes 5923
Express companies, rates. *See* Public utilities.
Fats and oils:
In Puerto Rico. *See* Puerto Rico.
Lard, hydrogenated 5314
Feedingstuffs:
Animal product 5162
Fish meal and scraps 5312
In Hawaii. *See* Hawaii.
Mixed feeds 5828
Fence posts. *See* Wood products.
Fertilizer, mixed, superphosphate and potash 5804

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Firewood; regional office orders:
Colorado 5285
Idaho 5286
Montana 5284
New Hampshire 5494
New Mexico 5285
South Carolina 5494
Washington; Yakima County 4914
Fish and seafood:
Canned. *See* Processed foods.
Fresh:
Producers' and wholesale prices 4821
Sold at retail 5163
Frozen 4650, 5163
In territories and possessions. *See* Hawaii; Puerto Rico.
Meal and scraps. *See* Feedingstuffs.
Sardines, California; sales by canners 5482
Shrimp, California, cooked in shell and fresh picked; San Francisco area 4624
Food and drink sold for immediate consumption. *See* Restaurant prices.
Food and food products:
Ceiling prices:
Community. *See* Community ceiling prices.
Retail:
Group 1 and Group 2 stores 5671
Group 3 and Group 4 stores 5656
Wholesale 5648
Specific 5586
Forms, for reporting maximum price under § 1499.3 5169, 5171
Freight forwarders:
Foreign; fees and charges 5314
Services; rates for 5722
Fruits, berries, vegetables:
Bananas, fresh imported, sales except at retail:
Detroit, Mich., District 4958
Raleigh, N. C., District 4789
Region I 5803
Canned. *See* Processed foods.
Fresh:
For table use, sales except at retail 4779, 4786, 4787, 4877, 5926
Apples 4787
Carrots 5927
Cucumbers 4786, 4877
Peppers 4786
Snap beans 4877
Strawberries 4779
In Hawaii. *See* Hawaii.
Regional office orders:
Region I:
Citrus fruit, Massachusetts 4631, 4962

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Fruits, berries, vegetables—Continued.
Fresh—Continued.
Regional office orders—Continued.
Region II:
Carrots, snap beans, oranges, etc.; Albany, N. Y., District 4789, 5282
Lettuce 5282, 5463
Lettuce, cabbage, grapes, etc.; Trenton, N. J., District 4958
Region III:
Beans, peppers, eggplant, cucumbers, spinach, carrots, peas; Detroit, Mich. 5462
Region IV:
Citrus fruit packing services; Florida 5360
North Carolina 4669, 4790
Sweet potatoes; North Georgia area 5094
Tennessee 4960
Region VII:
Sweet potatoes; Colorado and Wyoming 5391
Region VIII:
Deliveries; San Diego, Calif., District 5753
Lettuce 4630
Sales and deliveries, general 4948
Transportation; Detroit area 5358
Onions 4647
Region VIII; Washington and Oregon 5361
Potatoes 4647, 5379
Region VIII; Washington and Oregon 5361
Seeds. *See* Seeds.
Fuel oil. *See* Petroleum.
Fuels, solid:
Anthracite coal, Pennsylvania 5914
Bituminous coal:
See also Dealer's sales, *below.*
Delivered from mine or preparation plant 4686, 5042, 5375, 5587, 5826, 5915.
Sold for direct use as bunker fuel 5216
Dealers' sales and deliveries:
Regional office orders:
Region I:
Maine 5456
Massachusetts 4625, 4629, 5282, 5456, 5493, 5862
New Hampshire 5862
Region II:
Maryland 5456
Baltimore Metropolitan area 4629, 5390
New York 5020, 5456
Pennsylvania 5359

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Fuels, solid—Continued.
Dealers' sales and deliveries—Continued.
Regional office orders—Continued.
Region III:
Indiana 4627
Kentucky 4960, 5866
Michigan 4628, 5868
Ohio 4627, 4628, 4960, 5464, 5865
West Virginia 4959
Region IV:
Alabama 5707
Georgia 5021, 5493
Virginia 5021, 5190, 5360
Region V:
Kansas 4631, 4633, 5461, 5867
Missouri 5022, 5461
Region VI:
Minnesota 4629
Twin Cities area 4636, 5094
Wisconsin 4636
Region VII; Colorado 5028, 5284, 5752, 5753
Miscellaneous, delivered from producing facilities 5069
Transportation of coal; wartime increases in cost 4612
Furniture:
Infants' and children's 5860
Manufactured from new and used materials 5375, 5376
Rebuilt; in Charleston, W. Va. 5281
Upholstered, frames for 5016
Wage increases; adjustment of prices to cover 5016
Furs and fur trimmed articles, Federal excise tax on; collection by retailers 4607
Garbage removal services 4747, 4748
Gas, services. *See* Public utilities.
Gasoline. *See* Petroleum.
Glass products, technical, scientific and industrial. *See* Machinery.
Gloves. *See* Apparel.
Grains:
In Puerto Rico. *See* Puerto Rico.
Sorghums 5695
Gypsum wall board, lath and sheathing 5706
Hair curlers, wooden 5374
Handbags, women's and children's 4822
Hawaii:
Automobiles, used passenger 5438
Dairy products. *See* Meat, *below.*
Eggs. *See* Meat, *below.*
Feed, animal and poultry 4783
Fish, imported frozen 5168
Fruits and vegetables, fresh 4785
Apples 4785

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Hawaii—Continued.
Grocery items 5438, 5482
Meat, poultry, eggs, and dairy products 4785, 4819
Molasses 4821
Poultry. *See* Meat, *above.*
Restaurant prices 5737
Hogs, live. *See* Livestock.
Honey, extracted 5726
Household accessories 5374
Ice; regional office orders:
Colorado; San Luis Valley 5361
Illinois; Mt. Carmel 5748
Indiana; Hancock and Shelby counties 5092
New York; New York City 5870
Ice boxes, new 5258
Ice cream mix. *See* Dairy products.
Industrial materials; special sales 5375
Insecticide sprayers. *See* Sprayers.
Inside curing rims. *See* Machinery.
Iron and steel:
Castings, malleable iron 5797
Pig iron 5156
Products:
Export prices 5435
Resale 4944
Scrap 4599
Steel wool scouring pads 5861
Jewelry, Federal excise tax on; collection by retailers 4607
Lard. *See* Fats and oils.
Leather, furs, skins, etc.:
Handbags, women's and children's 4822
Pigskins and hogskins 5927
Tax, Federal excise, on certain fur and leather articles, collection by retailers 4607
Lend-Lease; export sales to U. S. agencies buying for Lend-Lease purposes 5923
Liquors, wines, malt beverages, etc.:
Distilled spirits and wines, reissued regulations 4687
In territories and possessions. *See* Puerto Rico.
Malt beverages:
Albuquerque, N. Mex. 4961, 4964
Tennessee 5941
Livestock; live hogs 5075, 5435
Logs. *See* Lumber.
Luggage, Federal excise tax on; collection by retailers 4607
Lumber and lumber products:
See also Wood.
Custom re-sawing, surfacing and kiln-drying; Memphis and Shelby Counties, Tenn. 5093
Hardwood:
Aromatic red cedar 5313
Butcher chopping blocks and tops 4882
Distribution yard sales 5313
Northern 5686
Flooring 5925

Page

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Lumber and lumber products—Continued.
Hardwood—Continued.
Southern ---- 5223
Veneer, rotary cut box grade ---- 5376, 5589
Logging services, Western contract ---- 4882
Logs and bolts ---- 4686, 4983, 5155, 5268
Areas:
Appalachian ---- 5302
Central ---- 4603, 5233, 5914
Florida ---- 5303
Lake States ---- 5299
Northeastern ---- 4599, 5238, 5915
Southern ---- 5235
Western and Pacific States ---- 4686
Special items:
Black walnut logs ---- 5241
Cordwood:
Chemical ---- 5250
Chestnut ---- 5249
Excelsior wood ---- 5309
Lake States ---- 5246
New England ---- 5248
Hickory and ash logs and other specialty woods ---- 5243
Insulation and felt bolts or cordwood (including certain pulpwood ---- 4604, 5306
Red cedar logs ---- 5232
Stave and heading bolts ---- 5305
Veneer logs ---- 5344
West Coast logs ---- 5165
Graders and scalers ---- 4622
Overtime additions ---- 4623
Softwood:
Distribution yard sales ---- 5314
Doors. *See* Doors.
Douglas fir plywood ---- 4882
Northeastern ---- 4604
Redwood lumber and millwork ---- 5482
Screen goods, stock ---- 4608, 5802
Sitka spruce ---- 5727
West Coast logs. *See* Logs, *above*.
Western red cedar ---- 5422
Machine tools, second-hand ---- 5723
Machinery and transportation equipment:
Machines and parts, and machinery services; reissued regulations ---- 4748
Inside curing rims; Los Angeles ---- 5871
Valves, reconditioned and used ---- 4747
Malt beverages. *See* Liquors.
Meat and meat products:
Beef and veal:
Carcasses and wholesale cuts ---- 4648, 4782
Frozen boneless beef ---- 4782
Cuts and variety meats and edible by-products; retail ceiling prices ---- 5504

Page

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Meat and meat products—Continued.
Chopping blocks. *See* Lumber: hardwood.
In Hawaii. *See* Hawaii.
Lamb and mutton; cuts and variety meats and edible by-products; retail ceiling prices ---- 5504
Pork cuts and certain sausage products, retail ceiling prices ---- 5589
Menthol. *See* Alcohol.
Military uniforms. *See* Uniforms.
Milk. *See* Dairy products.
Molasses. *See* Syrups and molasses.
In territories and possessions. *See* Hawaii; Puerto Rico.
Motor vehicles:
Automotive parts; rebuilt motors, Atlanta region ---- 5021
Ford motor trucks ---- 5859
In Hawaii. *See* Hawaii.
International motor trucks ---- 5860
Rentals, in Region VIII ---- 5872
Tires. *See* Tires.
Trucks, motorcycles, trailers. *See* Machinery.
Nails, in Puerto Rico. *See* Puerto Rico.
Noodles, in Alaska. *See* Alaska.
Oats ---- 5695
Oil burner services. *See* Petroleum.
Oils:
Crude light ---- 4948
Tar acid oil or carbolic oil ---- 4948
Oilseed meal, cake, etc.; soybean ---- 4605
Onions. *See* Fruits, berries, vegetables.
Paper and paper products:
Book paper ---- 5803
Facial tissue ---- 5806
Fine papers ---- 5803
Paper napkins ---- 5806
Paper products; envelopes, containers, straws, tags, tissue paper, etc ---- 5802
Paperboard, sold east of Rocky Mountains ---- 5482
Paperboard products; corrugated garment boxes ---- 4782
Printed paper commodities ---- 5803
Pulpwood ---- 5268
Produced in Minnesota, Michigan, Wisconsin ---- 5155, 5909
Raw materials; wiping cloths. *See* Cloths.
Pastries. *See* Bakery products.
Petroleum and petroleum products:
Lubricating oils, greases, etc ---- 4686
Oil burner services ---- 5174
Louisville, Ky, area ---- 4627

Page

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Petroleum and petroleum products—Continued.
Products sold at retail establishments; gasoline ---- 5312, 5826
Products sold by refiners, blenders, etc. (fuel oil, gasoline and liquefied petroleum) ---- 4686, 4779, 5725
Pigskins. *See* Leather.
Pineapple, packed. *See* Processed foods.
Plumbing and heating services:
St. Cloud, Minn., area ---- 5381
Westfield, Mass., area ---- 5020
Pocketbooks. *See* Handbags.
Poles. *See* Lumber; Wood.
Popcorn. *See* Corn.
Potatoes. See Fruits, berries, vegetables.
Poultry:
In Hawaii. *See* Hawaii.
Portions, and fat ---- 5695
Regional office orders:
Cleveland, Ohio ---- 4959
New York ---- 5020, 5094, 5096
San Francisco region; custom dressing of turkeys ---- 5287
Poultry feed, in Hawaii. *See* Hawaii.
Printing ---- 5803
Processed foods:
Abalone, canned, imported; Region VIII ---- 4915
Citrus products ---- 5587, 5861
Fish flakes ---- 5924
Fruits and berries, at wholesale and retail ---- 5802
In territories and possessions. *See* Hawaii; Puerto Rico.
Packed products (fruits, berries, vegetables):
Pickles ---- 5075
Pineapple, imported ---- 4605
Public utilities:
Notice of increases in rates and charges of common carriers and other public utilities ---- 5645
Services (gas, electricity, water, transportation of commodities, toll bridges, etc.); rates ---- 5722
Puerto Rico ---- 5221
Alcoholic beverages ---- 4821, 5255, 5256
Canned foods ---- 4820, 5255, 5256
Cookies ---- 5256
Dairy products:
Cheese ---- 4821, 5255
Evaporated milk ---- 4820
Fats and oils, edible ---- 4820, 5255
Fish:
Canned ---- 4820, 5256
Dried, smoked, etc ---- 4820
Fruits, dried ---- 5256
Grains and cereals, packaged ---- 4820, 5255

Page

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Puerto Rico—Continued.
Grocery products, miscellaneous:
Raisins ---- 4821
Salt ---- 4821
Molasses, cane blackstrap ---- 4821
Nails ---- 4821
Olives ---- 5255
Seeds ---- 5591
Shoes ---- 5167
Textile products ---- 5436
Pulpwood. *See* Paper.
Purses. *See* Handbags.
Putty. *See* Building materials.
Quebracho extract. *See* Tanning materials.
Radio tubes. *See* Tubes.
Radios and phonographs ---- 5375
Railroad equipment. *See* Machinery.
Refrigerators. *See* Ice boxes.
Restaurant prices; food and drink sold for immediate consumption:
Hawaii ---- 5737
Louisiana; New Orleans District ---- 4743
Rice:
Finished rice and rice milling by-products ---- 5726
Rough ---- 5440
Roofing. *See* Building materials.
Rubber and rubber products:
Heels ---- 5311, 5903
Scrap ---- 4879
Tires. *See* Tires.
Sardines. *See* Fish.
Seeds:
In Puerto Rico. *See* Puerto Rico.
Legume and grass ---- 4948
Spice. *See* Spices.
Vegetable ---- 5076, 5805
Services:
See also under name of type of service.
Exceptions to general maximum price regulation; reissued regulations ---- 4775
Shoes; in Puerto Rico. *See* Puerto Rico.
Shrimp. *See* Fish.
Skins. *See* Leather.
Soaps and cleansers, sold by retail stores ---- 5804
Sorghums. *See* Grains.
Soybean oil meal, cake, etc. *See* Oilseed meal.
Spices, raw, and spice seeds ---- 4883
Sprayers, insecticide ---- 5076
Sprinkler trucks; rentals in San Francisco region ---- 5287
Steel wool scouring pads ---- 5861
Stone products, precast. *See* Concrete.
Stumpage, logs and pulpwood ---- 5268
Sugar:
Direct consumption ---- 5802, 5856
Raw cane ---- 4880
Adjustable pricing ---- 4880
Superphosphates; at Searsport, Maine ---- 4985

Page

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Tanning materials; vegetable, imported ---- 4893
Textiles:
Coated and combined fabrics ---- 5411
Fine cotton goods ---- 4879, 5162
Finished piece goods ---- 4879
In Puerto Rico. *See* Puerto Rico.
Thresholds. *See* Wood.
Tires and tubes:
Manufacturers' sales to brand owners, adjustable pricing ---- 4731
Motorcycle tires and tubes ---- 5744
New; purchases by certain Federal Government agencies ---- 5724
Reliners, passenger tire, made from scrap tires ---- 4747
Tire mileage ---- 4945
Tobacco, Maryland ---- 4942, 5433
Toilet preparations, Federal excise tax on; collection by retailers ---- 4607
Toll bridges and roads, rates. *See* Public utilities.
Toys ---- 5374
Transportation of commodities, services. *See* Public utilities.
Trash removal services ---- 4747, 4778
Trucks:
Motor. *See* Motor vehicles.
Sprinkler. *See* Sprinkler trucks.
Tubes, radio receiver ---- 5221
Underwear. *See* Apparel.
Uniforms, military, alteration and repair services; San Diego area ---- 4878
Utilities. *See* Public utilities.
Valves. *See* Machinery.
Vegetables. *See* Fruits, berries, vegetables.
Wallboard. *See* Gypsum wall board.
Washing machines, domestic; used ---- 5217
Water, rates. *See* Public utilities.
Wattle extract and bark. *See* Tanning materials.
Wheat ---- 5440
Wines. *See* Liquors.
Wiping cloths. *See* Cloths.
Wire, cable, and cable accessories ---- 5588
Wood and wood products:
See also Lumber.
Excelsior:
Baled southern pine wood, manufactured in certain southern States ---- 4896
In Chicago region ---- 5870
Fence posts:
Eastern ---- 5591
Western ---- 5592
Primary forest products, Western (mine materials, railroad ties, poles); reissued regulations ---- 4883

Page

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Wood and wood products—Continued.
Thresholds, standard, oak; in Utah ---- 5871
Price regulations; special orders regarding individual firms:
Allied Coal Co ---- 5858
American Sugar Refining Co ---- 5856
American Woodcraft Co ---- 5018
Anders Coal Co ---- 5856
Appalachian Mills Co ---- 5279
Ballou, Fred ---- 5855
Basic Refractories, Inc ---- 5356
Basiorka, Frank A ---- 5385
Beacon Fuel Co ---- 5385
Bear Brand Hosiery Co ---- 5357
Bell, A. R., Co ---- 4624
Bennett, Gordon ---- 4913
Bernhardt, Michael ---- 4623
Berryburg Coal Corp ---- 5859
Bethlehem Fairmont Coal Co ---- 5744
Bishop, Harvey ---- 4836
Black Arrow Mining Co ---- 5387
Black-Jack Coal Co ---- 5387
Bland, Jesse A., Inc ---- 4730
B-Line Mfg. Co ---- 4912
Boots, J. L., & Co ---- 5387
Borgman, L. H. & J. W., Inc ---- 5858
Bortz and Bortz Coal Co ---- 5385
Bowie Coal Co ---- 5385
Bush, W. G., and Co ---- 5355
Cadle Mining Co ---- 4836
Central West Coal Co ---- 4731
Christ, Leon L ---- 5747
Chrysler Corporation ---- 5493
Clearfield Mining Corp ---- 5857
Cline Coal Co ---- 5857
Coaloil Fuel Co ---- 5859
Collapsible Crib Co ---- 5744
Collins & Schweinberg & Co ---- 5385
Columbia Art Mfg. Co ---- 4913
Conklin Pen Co ---- 5389
Consolidated Coal Co ---- 4731
Cumberland Parker Seam Coal Corp ---- 5746
De Lauter Coal Co ---- 4623
Diamond Elkhorn Coal Co ---- 4836
Douglas Pocahontas Coal Co ---- 5858
Duncan, J. H ---- 5859
Eastern Gas & Fuel Associates ---- 5858
Eastern Gas and Fuel Associates, Kopper Coal Division ---- 4731
Eisemann Corp ---- 5707
Eleanora Coal Company ---- 4837
Electromatic Distributors, Inc ---- 4914
Elrama Coal Co ---- 5385
Findley Run Coal Co ---- 4994
Finley Rose Coal Co ---- 4836
Ford Motor Co ---- 5859
Fox, H. E ---- 5385
Gabor, John ---- 5191
Gallo, Paulo & Gabrielli ---- 5385
Gardetto, B. A., Inc ---- 4994
General Construction Co ---- 5191
Geneva Steel Co ---- 5455
Gilleland Coke Co ---- 5385
Goldie Mfg. Co ---- 5017
Goode Coal Co ---- 5855
Granite Lumber and Furniture Co ---- 4912
Grieshaber Mfg. Co ---- 5747

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Price regulations; special orders regarding individual firms—Continued.
H. M. T. Coal Co 4623
Haberman Coal Co 5385
Hallett Coal Co 5859
Hammill Coal Corp 5855
Hancock Brick and Tile Co 4994
Hanna, J. A 4994
Hannaford Valley Coal Co 5747
Harmon Branch Coal Co 4730
Harrington & Richardson Arms Co 5390
Hatfield Alma Mining Co 5855
Herring, George B., & Son 5856
Hindman and Faust Coal Co 5387
Hopper & Hall Coal Co 4731
Hott Coal Corp 5857
House of Shoemaker, Inc 4788
Howson Cabinet and Millwork Co 5018
Imperial Coal Co 5385
Indiana Academy 5356
International Harvester Co 5860
Isbell, Bert 5861
J. C. Plating Works 5745
Jaeger Mfg. Co 5860
Jenkins, George O., Co 5357
Juliette Coal Co 5857
Kephart Bros., Inc 4994
Keys, W. A., Coal Co 4994
Kopper Coal Division, Eastern Gas and Fuel Associates 4731
Lakeside Aluminum Co 5745
Lakey Foundry and Machine Co 5707
Landen Putty Works 5388
Langenfelder Mining Co 4836, 5385
Laurel Hill Mining Co 5855
Lentz Coal Co 5855
Lifton, Harold, Co 5018
Little Willard Coal Co 5855
Mahan-Cheely Coal Co 4912
Mandt & Brashear Coal Co 4731
Marshall Mining Co 5856
Maryland New River Coal Co 5858
Massillon Wire Basket Co 4957, 5856
Matthews, Henry 5385
Maurer, G. M 4994
Means, Walter 4994
Menetti Brothers 4994
Merrill Coal Co 5855
Milford Coal Co 5859
Miller, Wm 5855
Miller-Gilley Coal Company 4836
Mills Furniture Mfg. Co 4912
Millstone Coal Company 4836
Minotti Coal Mining Co 5857
Mitchell Coal Co 4994
Monitor Coal & Coke Co 5855
Monticello Novelty Co 5019
Moore & Conrad 4994
Moore & Spicer 4836
Morgan Coal Co 4623
Natali, Marino 5385
National Mitten Works 5492
National Pressure Cooker Co 4836
National Wood Products Co 5388
Naylor Pattern Co 5017
Northern Furniture Co 4913
Norton Coal Corp 4624
Osborne Brothers 5857
Pantalone, Antonio 5385
Parkinson Coal Co 5385
Paulis, H., Plastics Co 5017
Peach Hill Coal Co 5385
Pearce Coal & Trading Co 5859

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Price regulations; special orders regarding individual firms—Continued.
Peerless Fountain Pen and Pencil Co 5941
Peerless Woodworking Corp 5016
Penn Ridge Coal Co 5857
Perry Coal Co 5385
Pine Hollow Coal Co 5856
Plasto Mfg. Co 5390
Plummer & James 5385
Powell Coal Co 4789
Queer, Thomas H 5385
Reed, W. W., Coal Co 4994
Rend-Mar Coal Co 5387
Rohr, C. L., & Son 5385
Sexton & Blankenship Coal Co 4836
Shaw, Joseph, Co 5356
Sheban Mining Co 5744
Smalley-General Co 4957
Smith, U. B., & Partners 5858
Sooner Coal Mining Co 5747
South Hill Mining Co 5857
Steel Forming Corp 5871
Summit Coal Mining Co 5857
Sutherland, Frank 4730
Tiny Tot Furniture Mfg. Co 5746
Tippet, J. L 5019
Turner & Cassell Coal Co 5856
Vinton Stone and Coal Co 5856
Wagner, H. E 5385
Wanango Coal Co 5385
West Virginia Consolidated Coal Co 5859
Wilks Brothers Stripping Co 5857
Wilson, Lloyd 4836
Wilson Coal Co 5857
Wisconsin Aluminum Foundry Co 5389
World-Wide Wood Industries Corp 5748
Young and Goller Furniture Co 5746
Regulations by document designation:
Compensatory adjustment regulations:
No. 1, revised; amendment 3 4612
Export price regulation, maximum:
2d revision:
Amendment 6 5435
Amendment 7 5923
General maximum price regulation:
Amendment 61 5169
Supplementary regulations:
No. 1, revised:
Amendment 55 4948
Amendment 56 5268
No. 11, revised:
Amendment 47 4775
Amendment 48 5314
Amendment 49 5441
Amendment 50 5722
As amended May 3, 1944 4775
No. 14, revised:
Amendment 126 4605
Amendment 128 4747
Amendment 129 4747
Amendment 130 4822
Amendment 131 4896
Amendment 133 5076
Amendment 134 5221

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Regulations by document designation—Continued.
General maximum price regulation—Continued.
Supplementary regulations—Continued.
No. 14, revised—Con.
Amendment 135 5696
Amendment 136 5927
No. 14A:
Amendment 15 4985
Amendment 16 5586
No. 14B; amendment 2 4896, 5489
No. 15; amendment 25 5806
General orders:
No. 32, revised; amendment 11 5826
No. 46, revised 4911
No. 57 4789
Price regulations, maximum:
No. 1; amendment 5 5723
No. 2; amendment 5 5587
No. 11:
Amendment 16 4879
Amendment 17 5162
No. 13, 2d revision; amendment 1 4882
No. 20, revised; amendment 2 5374
No. 28; amendment 7 4883
No. 53; amendment 20 5314
No. 74, revised; amendment 6 5162
No. 88:
Amendment 8 4686
Amendment 9 4779
Amendment 10 5725
No. 97, revised:
Amendment 13 5223
As amended May 15, 1944 5223
No. 112; amendment 18 5914
No. 120:
Amendment 96 4686
Amendment 97 5042
Amendment 98 5375
Amendment 99 5587
Amendment 100 5826, 5915
As amended May 11, 1944 5042
No. 121:
Amendment 31 5069
As amended May 11, 1944 5069
No. 125, revised; amendment 5 5590
No. 127; amendment 21 4879
No. 129; amendment 20 5802
No. 135, 2d revision; amendment 2 5804
No. 136:
Amendment 116 4748
As amended May 3, 1944 4748
No. 137, revised; amendment 3 5312, 5826
No. 150, revised; amendment 6 5726
No. 161; amendment 13 5165
No. 165, as amended:
Amendment 37 4747
Amendment 38 5174
Supplementary service regulation 28 4878
No. 169, revised:
Amendment 40 4648
Amendment 41 4782

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Regulations by document designation—Continued.
Price regulations, maximum—Continued.
No. 170:
Amendment 8 5909
As amended May 29, 1944 5909
No. 176:
Amendment 9 5376
Amendment 10 5589
As amended May 18, 1944 5376
No. 183, revised:
Amendment 32 4820
Amendment 33 4821
Amendment 34 5255
Amendment 35 5221
Amendment 36 5167
Amendment 37 5256
Amendment 38 5436
Amendment 39 5591
No. 187, revised; amendment 5 4782
No. 188:
Amendment 34 4882
Amendment 35 5357
No. 189; amendment 21 5216
No. 195, revised; amendment 4 5435
No. 197, revocation 5802
No. 200:
Amendment 13 5903
As amended May 29, 1944 5903
No. 204, revised; amendment 2 5376
No. 209, correction 5482
No. 215, 2d revision; amendment 5 5314
No. 219, 2d revision; amendment 1 4604
No. 221; amendment 5 5174
No. 223:
Amendment 12 5686
As amended May 25, 1944 5686
No. 225; amendment 12 5803
No. 231; amendment 2 4883
No. 241:
Amendment 6 5797
As amended May 26, 1944 5797
No. 253; amendment 6 5482
No. 257, revised; amendment 2 5155, 5909
No. 269, revised; amendment 29 5695
No. 271, revised:
Amendment 14 4647
Amendment 15 5379
No. 275; amendment 7 5726
No. 280; amendment 45 5586
No. 284, revised:
Amendment 3 4884
As amended May 8, 1944 4883
No. 285; amendment 8 5803
No. 288:
Amendment 22, correction 4985
Amendment 24 5168
Amendment 25 5485
No. 289, revised 5140
Amendment 1 5427
Amendment 2 5429
Amendment 3 5588
Amendment 4 5917
Amendment 5 5919
Amendment 6 5921
No. 290, revised 5727
No. 305; amendment 10 5827

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Regulations by document designation—Continued.
Price regulations, maximum—Continued.
No. 306; including amendment 20, correction 5075
No. 313, revised 5344
No. 319, revised; amendment 1 4882
No. 324, revised; amendment 3 5591
No. 336; amendment 14 5589
No. 346, 2d revision; amendment 2 4610
No. 348:
Amendment 46 4686
Amendment 47 4599
Amendment 48 4983
Amendment 49 5155
Revised 5232
No. 350; amendment 2 4982
No. 355:
Amendment 16 5504
As amended May 24, 1944 5586
No. 364:
Amendment 17 4650
Amendment 18 5163
No. 372; amendment 1 5217
No. 373:
Amendment 53 4783
Amendment 54 4821
Amendment 55 4785
Amendment 56 4819
Amendment 57 5168
Amendment 58 5438
Amendment 59 5482
No. 376; amendment 3 4948
No. 378; amendment 6 5828
No. 381; amendment 3 4608, 5802
No. 390; amendment 5 5804
No. 399:
Amendment 14 5258
As amended May 15, 1944 5258
No. 401; amendment 3 5828
No. 402; amendment 1 5422
No. 414; amendment 1 4945
No. 415; amendment 6 5724
No. 418; amendment 30, correction 4821
No. 421:
Amendment 10 5648
As amended May 24, 1944 5648
No. 422:
Amendment 17 5656
As amended May 24, 1944 5656
No. 423:
Amendment 18 5671
As amended May 24, 1944 5671
No. 426:
Amendment 25, correction 4779
Amendment 26 4786
Amendment 27 4787
Amendment 28 4877
Amendment 29 5926
No. 431; amendment 9 5344
No. 432; amendment 3, correction 5925
No. 443; amendment 3, correction 6405
No. 445:
Amendment 15 4687
As amended May 2, 1944 4887

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Regulations by document designation—Continued.
Price regulations, maximum—Continued.
No. 450; amendment 2 5803
No. 451; amendment 3 5803
No. 454; amendment 1 5313
No. 466; amendment 3 4985
No. 467; amendment 3 5313
No. 469:
Amendment 6 5075
Amendment 7 5435
No. 471; amendment 4 4948
No. 477; amendment 4 5311
No. 478:
Amendment 3 5411
As amended May 19, 1944 5411
No. 481; amendment 3, correction 4985
No. 483; amendment 2 4985
No. 484; amendment 2 5916
No. 487, revised; amendment 2 5440
No. 496:
Amendment 3 5076
Amendment 4 5805
No. 502; amendment 1 4612
No. 503; amendment 1, correction 4882
No. 506, revised 5004
No. 507; amendment 4 5163
No. 509; amendment 2 5587
No. 510; amendment 2 4686
No. 511, correction 5695
No. 518; amendment 1 5440
No. 524; amendment 1 4687
No. 531 4893
No. 532 4942
Revised 5433
No. 533–1 5233, 5914
No. 533–2 5299
No. 533–3 5302
No. 533–4 5235
No. 533–5 5238, 5915
No. 533–6 5303
No. 534–1 5241
No. 534–2 5243
No. 535–1 5306
No. 535–2 5246
No. 535–3 5309
No. 535–4 5248
No. 535–5 5249
No. 535–6 5305
No. 535–7 5250
No. 536 5592
No. 537 5924
Restaurant MPR's:
No. 5–9, revised 4743
No. 9–1; amendment 1 5737
Price schedules, revised:
No. 4; amendment 15 4599
No. 10; amendment 9 5156
No. 16; amendment 6 4880
No. 32; amendment 13 5482
No. 49; amendment 23 4944
No. 60; amendment 11 5802
No. 73; amendment 6 5312
No. 82; amendment 9 5588
No. 83; amendment 4 5375
No. 87; amendment 11 4879
Procedural regulations:
No. 1, revised:
Amendment 7 5791
As amended May 26, 1944 5791

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Regulations by document designation—Continued.
Procedural regulations—Con.
No. 4, revised; amendment 1 5426
No. 11:
Amendment 3 5646
As amended May 24, 1944 5645
Ration orders:
No. 1A:
Amendment 76 4610
Amendment 77 5685
No. 1C, revised 5156
No. 1E; amendment 8 4743
No. 3, revised:
Amendment 13 4880
Amendment 14 5220
Amendment 15 5254
Amendment 16 5220
Amendment 17 5166
Amendment 18 5426
Amendment 19 5346
Amendment 20 5805
Amendment 21 5829
Eleventh rev. zoning order 1; amendment 1 4650
No. 5C:
Amendment 121 4945
Amendment 122 5165
Amendment 123 5435
Amendment 124 5694
Amendment 125 5829
Amendment 126 5590
Amendment 127 5694
No. 5E; amendment 5 5165
No. 5F:
Amendment 8 4611
Amendment 9 4779
Amendment 10 5736
No. 6A; amendment 10 5379
No. 8:
Amendment 7 5219
Amendment 8 5219
No. 9A:
Supplement 1; amendment 8 5439
No. 10:
Amendment 19 5166
Amendment 20 5220
Amendment 21 5380
No. 11, revised:
Amendment 4 4874
Amendment 5 5165
Amendment 6 5219
Amendment 7 5253
Amendment 8 5502
Amendment 9 5926
Amendment 11 5804
No. 13, revised:
Amendment 28 4604
Amendment 29 4818
Amendment 30 4876
Amendment 31 4881
Amendment 32 5254
Amendment 33 5074
Amendment 34 5436
Amendment 35 5695
Amendment 36 5829
Supplement 1, 2d revision:
Amendment 11 4605
Amendment 12 4883
Amendment 13 4607
Amendment 14 4883

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Regulations by document designation—Continued.
Ration orders—Continued
No. 16:
Amendment 134 4612
Amendment 135 4818
Amendment 136 4881
Amendment 137 4876
Amendment 138 5074
Amendment 139 5830
Amendment 140 5830
Amendment 141 5722
Supplement 1, revised:
Amendment 26 4605
Amendment 27 4607
Amendment 28 4877
Amendment 29 5315
Amendment 30 5586
Amendment 31 5805
No. 17:
Amendment 59 5254
Amendment 60 5254
Amendment 61 5805
Ration orders, general:
No. 3; amendment 6 5426
No. 5:
Amendment 59 4873
Amendment 60 4647
Amendment 61 4647
Amendment 62 5041
Amendment 63 4873
Amendment 64 5232
Amendment 65 5684
Amendment 66 5826
Amendment 67 5915
Supplement 3; amendment 2 4647
No. 7; amendment 8 5216
No. 8; amendment 8 4878
No. 9; amendment 6 4874
No. 11; amendment 15 5374
Rent control orders:
Defense-rental areas; designations and rent declarations:
No. 25:
Amendment 24 5820
As amended May 27, 1944 5820
No. 31:
Amendment 18 5823
Amendment 19 5915
As amended May 27, 1944 5823
Hotels and rooming houses:
Rent regulations:
Amendment 19 5002
Amendment 20 5806
Amendment 21 5828
Amendment 22 5915
Housing:
Areas:
Miami:
Amendment 3 5003
New York City:
Amendment 8 5003
Rent regulations:
Amendment 23 5807
Amendment 24 5915
As amended May 27, 1944 5807
Supplementary orders:
No. 45; amendent 7 5374
No. 85; amendment 1 4607
No. 87 4879

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Regulations by document designation—Continued.
Supplementary orders—Con.
No. 88 5156
No. 89 5724
PROCLAMATIONS:
Flag Day, 1944 (No. 2614) 4799
PROPERTY, SURPLUS. *See* Surplus War Property Administration.
PUBLIC CONTRACTS DIVISION:
Minimum wage rates, various industries:
Photographic supplies 5741
Scientific industrial and laboratory instruments 5740
Surgical instruments and apparatus 5741
PUBLIC HEALTH SERVICE:
Nurses, student; establishing uniform monthly rate of pay for student nurses transferred to Federal hospitals (Executive Order 9439) 4839
PUBLIC LANDS: INTERIOR (TITLE 43):
General Land Office:
Phosphate leases (Part 196) 5738
Public land orders 4904, 4949
Office of the Secretary:
Cheraw Recreational Demonstration Project lands, S. C., transfer from National Park Service to Fish and Wildlife Service 5489
PUERTO RICO:
Conservation programs. *See* Agricultural Adjustment Agency.
Price regulations. *See* Price Administration.
Rationing. *See* Rationing.
Registration, etc. *See* Selective Service System.

R

RAILROAD RETIREMENT BOARD:
Employers' contributions and contribution reports; adjustments, records, etc 5398
Hearings, etc.:
Employees' status:
Midland Railway Co. of Manitoba 5194, 5874
Shipley Company and Chicago, St. Paul, Minneapolis and Omaha Railway Company 5874
RAILROADS:
Freight and passenger services, etc. *See* Defense Transportation; Interstate Commerce Commission.
Transportation of delegates, press representatives, etc., to national conventions. *See* Defense Transportation.

RATIONING: Page
Administration and procedure:
Banking; banks 5426
Prohibitions and penalties regarding ration documents:
Suspension orders:
Hearings and orders, delegation of authority to Hearing Administrator and Hearing Commissioners 4911
Issuance of 5426
Use in case of violations 4878
Ration stamps and coupons, method of surrender 5216
Farm machinery and equipment, new 5630
Food rationing:
See also Meats; Processed foods; Sugar.
In Virgin Islands. *See* Virgin Islands.
Institutional users 4647, 4873, 5232, 5684, 5826, 5915
Allotments:
Reduction for Ration Order 16 foods 4873
Refreshment 4647
Service to military and naval personnel 4873
Army, Navy, etc., personnel; definition of 5041
Replacement of rationed foods used in products acquired by designated agencies 5374
Temporary rations 4874
Footwear 5254, 5805
Men's rubber boots and work shoes 5379
Women's safety shoes 5254
Fuel oil 4874, 5165, 5253, 5804, 5926
Consumer's coupon sheet, acceptance by dealer 5503
Renewal of heat and hot water rations for 1944-45 heating year 4874, 5926
Reports by persons shipping oil into limitation area 5804
Unit value coupons 5219, 5253
Gasoline 4945, 5165, 5694, 5829
In Hawaii. *See* Hawaii.
In Puerto Rico. *See* Puerto Rico.
Issuance of rations where board is served by Ration Currency Issuing Center 5435
Petroleum conservation program; rations for persons conducting 5694
Rations for travel to agricultural or food processing establishment 5590
Tax exempt gasoline, sales in North Dakota; Class R coupons 5625
Hawaii:
Gasoline 4611, 4779, 5736
Tires 4743
Institutional users. *See* Food rationing.
Meat, fats, fish and cheese 4612, 4818, 4876, 4881, 5074, 5722, 5830
Allotments for industrial users, reduction 4876

RATIONING—Continued. Page
Meat, fats, fish and cheese—Con.
Lard 5805
Point values 4607, 4877, 5315, 5586
Sales by certain activities of Army, Navy, Marine Corps or Coast Guard at less than point value 4818
Ration periods 4605
Suspension orders; modification of, in case of foods with zero point value 5019
Processed foods 4604, 4818, 4876, 4881, 5074, 5436, 5695, 5829
Frozen; excess inventories 5254
Point values and factors 4607, 4883
Sales by certain activities of Army, Navy, Marine Corps or Coast Guard at less than point value 4818
Ration periods 4605
Puerto Rico:
Fertilizer, chemical; requirement for tobacco crop 5033
Gasoline 5165
Rubber footwear. *See* Footwear.
Shoes. *See* Footwear.
Stoves 5439
Sugar 4650, 4880, 5166, 5220, 5254, 5805
Confectioners' (powdered) 5426
For production of frozen sugared egg yolks 5829
Industrial users, increased allotments for 5220, 5346
Zones 4650
Temporary food rations. *See* Food rationing.
Tires, tubes, recapping and camelback 4610, 5685
In Hawaii. *See* Hawaii.
In Virgin Islands. *See* Virgin Islands.
Virgin Islands:
Cornmeal; ration periods 5166, 5220
Gasoline 5219
Tires 5156
Wheat flour 5380
RECLAMATION BUREAU:
First form withdrawals:
Boise Project, Idaho 5606
Klamath Project, Oreg., partial revocation 5606
Okanogan Project, Wash., partial revocation 5606
Vale Project, Oreg., partial revocation 5606
Yakima Project, Wash., partial revocation 5606
RECONSTRUCTION FINANCE CORPORATION:
Materials or services to be obtained by contract or otherwise; authorization to place orders with other agencies (Executive Order 9440) 4999
Property, surplus, of War Department, Navy Department and Maritime Commission; designation as disposal agency. *See* Surplus War Property Administration.

RETRAINING AND REEMPLOYMENT ADMINISTRATION: Page
Veterans' information service centers, organization and operation 5391
RUBBER RESERVE COMPANY:
Property, surplus, disposal of. *See* Surplus War Property Administration.
Termination of war contracts. *See* Joint Contract Termination Board; Surplus War Property Administration.
RURAL ELECTRIFICATION ADMINISTRATION:
Allocation of funds for loans:
Arkansas 5446
Colorado 5383, 5445
Illinois 4788, 5383
Indiana 4788, 5383
Iowa 4788
Kentucky 5446
Louisiana 4788, 5383, 5445
Maryland 5446
Michigan 4788
Minnesota 5383, 5445, 5446
Mississippi 4788
Missouri 4788, 5176, 5446
Nebraska 4788, 5383
North Carolina 5446
Oklahoma 4788, 5446
Pennsylvania 5446
South Carolina 4788
Texas 4788, 5383, 5445, 5446
Virginia 4788, 5445, 5446
Washington 4788, 5445
Wisconsin 4788

S

SECURITIES AND EXCHANGE COMMISSION:
Notices, hearings, orders, etc.:
Alpha Assn 5468
American Gas and Electric Co 4797
American Gas and Power Co 5468
American States Utilities Corp 5757
American Utilities Service Corp 5392
Arizona Power Utilities Corp 4995
Associated Electric Co 5325, 5393, 5875
Associated Gas and Electric Co 5030
Associated Gas and Electric Corp 5030
Atlantic City Electric Co 4797
Atlas Corp 5469
Buffalo, Niagara, and Eastern Power Corp 4798
Capital Transit Co 5875
Central States Power & Light Corp 5755
Central States Utilities Corp 5755
Cities Service Co 4930, 5195
Cleveland Stock Exchange 4796
Columbia Gas & Electric Corp 4790, 5467
Commonwealth and Southern Corp 5363
Commonwealth Utilities Corp 4995
Community Gas and Power Co 5468
Connecticut River Conservation Co 5029

SECURITIES AND EXCHANGE COMMISSION—Continued. Page
Notices, hearings, orders, etc.—Continued.
Consolidated Natural Gas Co. 5467, 5756
Continental Cushion Spring Co 4922
Cushman's Sons, Inc 5196
Dallas Railway & Terminal Co 4917, 5709
Edison Sault Electric Co 5757
Electric Bond and Share Co 5877
Electric Power & Light Corp 4732, 5362, 5877
Ellis, Fred D 5392
Engineers Public Service Co 4796, 5756
Essex Storage Electric Co., Inc 5029
Federal Light and Traction Co 5757
Federal Water and Gas Corp 5467
Fiduciary Fund, Inc 5362
Florida Power Corp 4918
Florida Public Service Co 4918
General Gas & Electric Corp 4796, 4918, 5626
Georgia Power and Light Co 4918
Granville Electric Co 5363
Haugh, Edmund J 5392
Houston Gas Securities Co 5877
Houston Gulf Gas Co 4732, 5877
Indiana Hydro-Electric Power Co 4921
Interbanc Investors, Inc 5196
International Utilities Corp 5757
Iowa Union Electric Co 4919
Keystone Custodian Funds, Inc 5878
Lehman Bros 5469
Mascoma River Improvement Co 5029
Middle West Corp 5029
Milwaukee Electric Railway & Transport Co 5392
Mississippi River Power Co 4919
Missouri Electric Power Co 5755
New Jersey Power & Light Co 5029, 5362
New River Co 5392
New York, Ontario, and Western Railway Co 4796
New York State Natural Gas Corp 5756
New York Water Service Corp 5467
North American Co 4917, 5874
Northern Indiana Public Service Co 4921, 4922, 5758
NY PA NJ Utilities Co 5029, 5362, 5363
Ogden Corp 6755
Ohio-Midland Light and Power Co 5875
Pecos Valley Power & Light Co 4669
Pennsylvania Electric Co 5325
Philadelphia Stock Exchange 5393
Prudential Investors, Inc 5470
Public Service Corp. of New Jersey 5195
Radio-Keith-Orpheum Corp 5469
Railway and Bus Associates 5468
Rhode Island Public Service Co 5625
Rochester Gas and Electric Corp 5709
Sanford Gas Co 4918

SECURITIES AND EXCHANGE COMMISSION—Continued. Page
Notices, hearings, orders, etc.—Continued.
Santa Fe Land Co 4918
Southern California Water Co 5757
Suburban Electric Securities Co 5468
Tucker, James C 4995
208 South La Salle Street Corp 5468
Union Electric Co. of Illinois 4919
Union Electric Co. of Missouri 4919
Union Producing Co 4732
United Gas Corp 4732, 5877
United Gas Pipe Line Co 4732, 5877
Virginia Electric and Power Co 4796, 5756
Virginia Public Service Co 4796, 5756
Wabash Railway Co 5362
Warner & Swasey Co 4796
West Penn Power Co 5363, 5364, 5755
West Texas Utilities Co 4669
Wisconsin Electric Power Co 5392
Rules and regulations:
Investment Company Act of 1940; general rules and regulations, miscellaneous amendments 5768

SELECTIVE SERVICE SYSTEM:
Boards of transfer:
Hawaii and Alaska:
Transfer for induction mandatory 5206
Transfer for preinduction physical examination mandatory 5206
Classification:
Man deferred by reason of age (Class IV–A) 5201
Man in agriculture (Class II–C) 5201
Length of deferments 5201
Man in war production (Class II–B) 5201
Length of deferments 5201
Man supporting the national health, safety, or interest (Class II–A) 5200
Length of deferments 5201
Members of land or naval forces of United States (Class I–C) 5200
Minister of religion or divinity student (Class IV–D) 5202
Physically, mentally or morally unfit (Class IV–F) 5201
Registrants not acceptable for training and service because of nationality or ancestry, neutral aliens etc. (Class IV–C) 5201
Classification procedure:
Classification and change of classification 5202
Duty of registrant; compliance with order 5203
Manner in which registrants are to be examined 5202
Order in which classes are to be considered 5202
Reclassification of separated or disqualified men 5202
Registrants disqualified for service 5202

SELECTIVE SERVICE SYSTEM—Continued. Page
Classification procedure—Con.
Reopening classification 5203
Steps to be taken by local board after action by armed forces 5203
Steps to be taken by registrant and local board 5203
Conscientious objectors:
Camps operated by:
National Service Board for Religious Objectors; regulations 4861
United States Government; regulations 4863
Projects established:
Independence State Hospital Project, Iowa 4965
Skillman Project, N. J. 4965
Delivery and induction:
Induction:
Allocation of requisitions and calls; definition of "father" 5205, 5292
Certain registrants inducted without calls 5205
Manner of allocating requisitions and calls 5204
Place of deliveries 5205
Procedure for registrants requesting immediate induction and for delinquents 5205
Forms prescribed, revised, discontinued, etc.:
Memorandum for retirement section, accounting division (28) 5769
Notice of selection (148) 5769
Report on occupational deferment of Federal Government employees (38) 5769
Two year work program C. P. S. camps (360) 5769
Physical examination:
Action when registrant disqualified for service 5204
Local board physical examination authorized for certain registrants 5203
Preinduction:
Duty of registrant to report for 5204
Request for immediate induction following 5204
Records, handling outside continental United States and its possessions; delegation of authority to any officer, employee or representative of the State Department or Panama Canal 4922
Registrant's file, forwarding to State Director 5472
Registration cards, grouping and serial numbering; registrants outside local board area 5200
Religious objectors. *See* Conscientious objectors.

SHIPPING (TITLE 46):
Coast Guard: Inspection and Navigation:
Emergency regulations:
Boats, rafts, lifesaving appliances (Part 153) 5076, 5696

SHIPPING (TITLE 46)—Con. Page
Coast Guard: Inspection and Navigation—Continued.
Equipment approved, miscellaneous items 4825, 5077, 5697
Rivers:
Boats, rafts, bulkheads, and lifesaving appliances (Part 113) 4825, 5697
Waiver of navigation and inspection laws; ocean and coastwise passenger vessels, monthly reports of number of passengers carried 4904
Maritime Commission, United States:
Admission to practice before the Commission (Part 203) 5738
War Shipping Administration:
Contracts with vessel owners and rates of compensation relating thereto (Part 302) 4987, 5077, 5268, 5831
General agents and agents (Part 306) 5831
General provisions (Part 300) 4613
Insurance (Part 305) 5697
Labor (Part 304) 5077, 5315
SMALLER WAR PLANTS CORPORATION:
Plan of organization, etc., of U. S. Management & Engineering Co.-Optical Manufacturers Group, New York City; approval by War Production Board 4637
Property, surplus, disposal of. *See* Surplus War Property Administration.
Termination of war contracts. *See* Joint Contract Termination Board; Surplus War Property Administration.
SOIL CONSERVATION SERVICE:
Fellowships, award to applicants from other American Republics. *See* Agriculture Department.
SOLID FUELS ADMINISTRATION FOR WAR:
Coke, distribution of; delegation of authority by War Production Board 4580
Consumer declaration requirement; anthracite, bituminous, eastern coke, other solid fuels 5367
Icebound ports, designation; Maine and Rhode Island 4575
National Advisory Coke Committee, establishment and functions 5334
Producers, commercial dock operators, and lake or tidewater forwarders; report form 4951
STATE DEPARTMENT:
Awards of fellowships to applicants from other American Republics:
Agriculture Department; agricultural economics 5031
Budget Bureau; public administration 4799

SUPPORT PRICES, for certain agricultural commodities. *See* War Food Administration. Page
SURGEON GENERAL. *See* Public Health Service.
SURPLUS WAR PROPERTY ADMINISTRATION:
Designation of disposal agencies 5096
Disposal of surplus property of War Department, Navy Department, Maritime Commission; procedure 5096
Price policies in disposal of supplies and equipment, taken at termination of war contracts; delegation of authority by Joint Contract Termination Board 5192, 5193
Surplus commodities; sales by Government agencies, price regulation 4879

T

TAX RETURNS, inspection of by Special Committee on Un-American Activities, House of Representatives (Executive Order 9444) 5759
Regulations by Bureau of Internal Revenue 5769
TELECOMMUNICATION (TITLE 47):
Federal Communications Commission:
Applications under section 212 of the Act to hold interlocking directorates (Part 62) 5839
Broadcast services other than standard broadcast (Part 4) 5442
Emergency radio services (Part 10) 5174
General rules and regulations (Part 2) 5174
Reports; filing of information, contracts, etc. (Part 43) 5838
TERMINATION OF WAR CONTRACTS. *See* Joint Contract Termination Board; Surplus War Property Administration.
TRANSPORTATION AND RAILROADS (TITLE 49):
Interstate Commerce Commission:
Car service (Part 95) 4613, 4651, 4728, 4988, 5078, 5316, 5442, 5605, 5698, 5928.
Carriers by motor vehicle:
Freight rate tariffs, schedules, and classifications (Part 187) 5077
Explosives, transportation of (Parts 71–85) 4904
Routing of traffic (Part 97) 4613, 5078, 5175
Water carriers:
Contract carrier operations; exemption (Part 315) 5316
Uniform system of accounts (Part 22) 4988
TREASURY DEPARTMENT:
Accounts Bureau:
Checks of United States, issuance of duplicates 4682
Office of the Secretary:
Wireless, wire and transportation services furnished to United States Government, exemptions from payment of taxes on 4615, 5383
Procurement Division:
Property, surplus, disposal of. *See* Surplus War Property Administration.
Termination of war contracts. *See* Joint Contract Termination Board; Surplus War Property Administration.
Public Debt Bureau:
United States registered bonds, officers authorized to witness assignments of 4575
United States Savings Bonds; payment or reissue 4787

U

U. S. MANAGEMENT & ENGINEERING CO. *See* Smaller War Plants Corporation.

V

VETERANS' ADMINISTRATION:
Dependents' claims; adjudication:
Death pension and compensation:
Commencement of original awards 5737, 5831
Reductions and discontinuances; effective dates 5738, 5831
Relatives; "child", defined 5737, 5831
Eight-hour law, suspension of, as to laborers and mechanics employed on public work in United States (Executive Order 9441) 5101
Insurance:
Reinstatement; policies in force under extended insurance 5738

VIRGIN ISLANDS:
Price regulation. *See* Price Administration.
Rationing. *See* Rationing.
Registration, etc. *See* Selective Service System.

W

WAGE AND HOUR DIVISION:
Employment of learners:
Certificates:
Issuance, various industries:
Apparel 4951, 5177, 5446
Box, paper 4952
Cigar 5177
Glove 4653, 4951, 5177, 5446
Hosiery 4653, 4952, 5177, 5446
Knitted wear 4653
Lumber 4952
Pottery 4952
Printing 4952, 5177
Telephone 5446
Textile 4652, 4653, 5177, 5446
Industrial homework, various industries:
Embroideries 4952
Needlework in Puerto Rico 4860
Special industry committees, designated areas:
Puerto Rico; Committee No. 3: Resignation and appointment 4826

WAR COMMUNICATIONS BOARD:
Telegraph messages essential to war effort or public safety; precedence 4986

WAR DEPARTMENT:
Appointment; former officers and R. O. T. C. graduates previously found disqualified 4999
Construction, priority orders for controlled materials. *See* War Production Board.
Decorations, medals, etc.:
See also Uniforms.
Air Medal 5635
American Campaign Medal 5636
American Defense Service Medal 5636
Army Occupation of Germany Medal 5636
Asiatic-Pacific Campaign Medal 5636
Distinguished Unit Badge 5635
European-African-Middle Eastern Campaign Medal 5636
Fourragere (first World War) 5635
Good Conduct Medal 5635
Lapel buttons 5636
Medal of Honor 5635
Miniatures 5636
Oak-Leaf Cluster 5635
Purple Heart 5107, 5291
Service ribbons and service stars 5636
Enlisted Reserve Corps:
Enlistments, etc., procedures governing 5197
Hostesses. *See* Military reservations.
Insignia. *See* Uniforms.

WAR DEPARTMENT—Continued.
Librarians. *See* Military reservations.
Medals. *See* Decorations, medals, etc.
Medical and dental attendance: Army hospitals; subsistance charges 4841
Military Academy, admission to; requirements 5000
Military reservations; hostesses and librarians 4741
Payment of bills and accounts; formal and informal payments under contracts 4841
Possession and operation of plants of Hummer Manufacturing Division of Montgomery Ward and Co., Inc. (Executive Order 9443) 5395
Priority orders. *See* War Production Board.
Procurement regulations:
Contracts and purchases:
Bonds and insurance 4843
Contracts 4842
Termination. *See* Termination of contracts.
Labor:
Regional War Labor Boards 4844
Wage and salary stabilization 4844
Walsh-Healy Public Contracts Law 4844
Purchases; interbranch and interdepartmental 4843
Renegotiation and price adjustment 4846
Property, disposition of:
Surplus and unserviceable:
See also Surplus War Property Administration, *main heading*.
Sale of salvage 5034
Termination of contracts:
See also Joint Contract Termination Board; Surplus War Property Administration, *main headings*.
For Government convenience 4851
Transportation; authorized baggage 5199
Uniforms:
Badges 5636
Changes in; personnel authorized to wear out existing articles 5631
Clothing, various articles 5631
Cloths; standards 5631
Colors of arms, services, bureau, etc. 5636
Decorations and service medals. *See* Decorations, medals, etc., *above*.
Fitting, correct 5631
Insignia 5633

WAR FOOD ADMINISTRATION:
See Agricultural Adjustment Agency.
Commodity Credit Corporation.
Farm Security Administration.

WAR FOOD ADMINISTRATION—Continued.
Agricultural commodities; 1944 announcement of support prices for certain listed commodities 4837
Agricultural labor:
Specific wage ceiling regulations; California:
Asparagus workers 4574
Cherry pickers 5471
Peas, fresh market; pickers 4805
Potato harvesters 4976
Authority, delegations of:
Administration officials:
See also specific commodities under Commodities and supplies.
Designations of persons to hold hearings, sign subpoenas, etc 4965
Fresh fruits and vegetables, approval of maximum prices established by regional offices of Office of Price Administration; Director and Regional Directors of Food Distribution 4922, 4923
Commodities and supplies; restrictions, handling, etc.:
Bakery products; ingredients, lard 5331
Butter:
Reports; requirements 4802
Set aside 4567
Cheese; Cheddar, set aside 4566
Corn 4738, 5397
Dairy foods and mix, frozen 4735, 5767
Reports relative to 4675
Eggs, dried whole; preparation of samples for palatability tests 4971
Farm machinery and equipment, rationing *See* RATIONING.
Fats 4802
Fatty acids, inventories 5033
Inventories 5501
Lard and rendered fat 5333
Use in bakery products 5331
Feed:
Oilseed meal, set aside 4639
Soybean oil meal, shipments into designated areas 5001
Vitamin A, use of in mixed feed 5106
Fertilizer:
Chemical, in Puerto Rico. *See* RATIONING.
Fish oil. *See* Oil.
Flaxseed 5333
Food:
Purchases of set aside, restricted and designated foods; ship suppliers, licensed 4566
Storage; refrigerated facilities 5398
Fruits:
Fresh, pricing of; authority delegations 4922, 4923
Glycerine 5332
Ice cream, mixes, etc. *See* Dairy foods, etc.
Lard. *See* Fats.

WAR FOOD ADMINISTRATION—Continued.
Commodities and supplies; restrictions, handling, etc.—Continued.
Livestock and meats:
Slaughtering and delivery restrictions 4973, 5767
Marking requirements for slaughterers 5888
Meat set aside; beef 5107
Milk and cream:
Conservation and distribution; various sales areas:
Arkansas; Little Rock 5629
California:
Los Angeles, metropolitan 5106, 5767
San Diego 5106, 5767
Connecticut 5629
District of Columbia 4676
Florida:
Jacksonville 5888
Miami 4676, 5888
St. Petersburg 4677, 5888
Tampa 5888
Georgia:
Atlanta 5499
Augusta 5629
Macon 5500
Savannah 5499
Indiana; St. Joseph County 5365
Iowa:
Cedar Rapids 5628
Waterloo 5628
Louisiana; New Orleans 5627
Massachusetts; Fall River-New Bedford-Tauton 5766
Michigan:
Battle Creek 5366
Grand Rapids 5365
Kalamazoo 5365
Muskegon 5366
Mississippi; Jackson 5629
Missouri; St. Louis, metropolitan 5627
North Carolina:
Asheville 5331
Charlotte 5330
Columbia 5331
Durham 5331
Greensboro 5331
Winston-Salem 4676, 5329
Pennsylvania; York 5499
South Carolina; Charleston 5500
Texas:
Corpus Christi 5766
Galveston 5766
Houston 5766
San Antonio 4676
Virginia; Roanoke 5329
Washington; Seattle, metropolitan 5329
Dried skim milk, set aside 4676
Handling in various marketing and sales areas:
Iowa; Clinton 5878
Kansas; Wichita 5761
Massachusetts
Boston, greater 4972
Fall River 5885
New York; New York, metropolitan 4735
Ohio; Cincinnati 4837
Pennsylvania; Philadelphia 5759

WAR FOOD ADMINISTRATION—Continued.
Commodities and supplies; restrictions, handling, etc.—Continued.
Milk and cream—Continued.
License terminations and suspensions; Wichita, Kan 5944
Oil 4802
Cashew nut shell liquid 4974
Castor 4973
Fish 4736
Linseed 4974
Mustard seed 5332
Oiticica 4973
Rapeseed 5332
Sperm 4974
Suspension of inventory provisions 5501
Oilseed meal. *See* Feed.
Peanuts, 1944 crop 4974
Rice 5289
Sugar:
Puerto Rico, sugarcane crop:
Farming practices; 1944-45 5711
Support prices, listed commodities; 1944 announcement 4837
Vegetables:
Fresh, pricing of; authority delegations 4922, 4923
Property, surplus, of War Department, Navy Department and Maritime Commission; designation as disposal agency by Surplus War Property Administration 5097
Renumbering of War Food order amendments 5333
Support prices, listed commodities; 1944 announcement 4837
Suspension orders:
Deems Ice Cream Corp 5629
Sunnydale Ice Cream Co., Inc 5630
Van Dyke, James, Tea & Coffee Co 4639

WAR MANPOWER COMMISSION:
Employment stabilization plans:
Interim employment stabilization plan; Region I 5326
Optional provisions 5400
Minimum wartime workweek; designated areas:
Region III:
New Jersey; Bridgeton 4965
Region V:
Michigan; Lansing 5944
Ohio:
Akron 4966
Canton 4966
Cincinnati 4732
Cleveland 4966
Columbus 4966
Dayton 4967
Freemont-Port Clinton area 4967
Lima 4967
Lorain 4968
Marion 4670
Newark 4968
Sidney-Piqua-Troy area 4968
Toledo 4969
Youngstown 4732

WAR MANPOWER COMMISSION—Continued.
Minimum wartime workweek; designated areas—Con.
Region VI:
Illinois; Shelby County 4670
Region VIII:
Nebraska; Hastings 5944

WAR MOBILIZATION, OFFICE OF:
Termination of contracts. *See* Joint Contract Termination Board.

WAR PRODUCTION BOARD:
Authority, delegations of:
Army and Navy Munitions Board; preference ratings 5111, 5890
Federal Public Housing Authority; to issue authorizations to receive signal and alarm equipment 4865
Foreign Economic Administration; priorities action 5400
Maritime Commission, U. S.; preference ratings 5113
National Housing Agency; housing construction 5595, 5638
Solid Fuels Administrator for War; distribution of coke 4580
War Shipping Administration; preference ratings 5113
Certificates:
Defense Transportation, Office of; equipment conservation and coordination of motor vehicle operations 4636, 4637, 4733, 4924, 4969
Petroleum Administration for War; directives 4923, 5883
Certificate withdrawn 4924
Smaller War Plants Corporation; plan of organization, etc., of U. S. Management & Engineering Co.-Optical Manufacturers Group, New York City 4637
Priorities system operation:
Canadian agencies, applicability to of provisions regarding military requirements 4641
Farm supplies 4866
Preference ratings:
Chemicals, printing inks, paints, etc., used both as production materials and for maintenance, repair, and operating supplies; special rules for use of ratings 4684
Paper cups and food containers, use of MRO ratings to obtain 4581, 5121
Sales of industrial materials by persons not regularly selling such materials 4581
Priority orders:
Abrasives; sales by persons not regularly selling 4588
Acrylic monomer and resin. *See* Chemicals.

WAR PRODUCTION BOARD—Continued. Page
Priority orders—Continued.
Air conditioning equipment. *See* Refrigerating and air conditioning machinery and equipment.
Alcohol, ethyl; beverage cane spirits 5116
Aluminum:
Controlled material. *See* Controlled materials plan.
Pigments and composition 5119, 5121, 5770
Sales by persons not regularly selling 4584
Antimony, sales by persons not regularly selling 4584
Apparel:
Children's apparel; special programs 4934
Hosiery. *See* Hosiery.
Work gloves 5036
Army programs. *See* Controlled materials plan.
Asbestos. *See* Scheduled products.
Automotive vehicles. *See* Motor vehicles.
Bags. *See* Containers.
Balata. *See* Rubber.
Bathtubs. *See* Plumbing and heating.
Bauxite, sales by persons not regularly selling 4584
Bearings:
Anti-friction 4642
Radial type. *See* Scheduled products.
Beryllium, sales by persons not regularly selling 4584
Beverage cane spirits. *See* Alcohol.
Bismuth, sales by persons not regularly selling 4584
Blowers, for cleaning purposes 5403
Blue prints, materials. *See* Controlled materials plan.
Books. *See* Printing and publishing.
Bristles, sales by persons not regularly selling 4588
Building materials:
Controlled materials. *See* Controlled materials plan.
Copper. *See* Copper.
Metal doors, frames, shutters 5477
Metal plastering bases, etc. 5476
Cadmium 5335
Sales by persons not regularly selling 4584
Canadian agencies, applicability to of provisions of regulations regarding military requirements 4641
Cans; packing quotas, various products 5209, 5216
Carbon forms. *See* Paper.
Chairs. *See* Furniture.
Chemicals:
Acrylic monomer and acrylic resin 4809, 4813
Alcohol. *See* Alcohol.
Allocation of materials 4812

WAR PRODUCTION BOARD—Continued. Page
Priority orders—Continued.
Chemicals—Continued.
Cinchona bark and alkaloids 4936
Glycols 4806, 4811, 4813
Metallic sodium 4812, 4815
Miscellaneous 4644, 5040
Penicillin 5137
Phenolic resins and molding compounds 4938
Preference ratings 4684
Sales by persons not regularly selling 4585
Styrene, polystyrene, etc. 4806, 4812, 4813, 4814
Vitamin A 5298
Chromium, sales by persons not regularly selling 4584
Cinchona bark, etc. *See* Chemicals.
Circulators. *See* Machines: construction.
Cleaning machinery. *See* Machines.
Coke, distribution of; delegation of authority to Solid Fuels Administration 4580
Construction:
Housing; authority of National Housing Agency 5595, 5638
Insulation materials 5472
Limitations. *See* Controlled materials plan.
Machinery. *See* Machines.
Maintenance, repair, etc. *See* Controlled materials plan.
Containers:
Bags, textile 5779
Cans. *See* Cans.
Farm use. *See* Farm supplies.
Glass; quotas, various products 5123, 5131, 5903
Paper cups and food containers; preference ratings 4581, 5121
Shipping:
Fibre 4595, 5893
Steel drums 5771, 5773
V-boxes; inventory restrictions 5722
Controlled materials plan:
Allotments and schedules:
Aluminum ingot 4869
Army programs 5002
Carbon steel; chain link fence 5406
Ship repair and conversion 5371
Steel forgings 5898
Construction and facilities:
Agricultural, commercial and industrial construction; authorization, GA 1456 5475
Limitation on construction 5473
Materials, restrictions 5473
Special authorizations; list of equipment requiring 5474
Special procedure for Army and Navy construction 5406

WAR PRODUCTION BOARD—Continued. Page
Priority orders—Continued.
Controlled materials plan—Continued.
Industrial materials and finished products, sales by persons not regularly selling 4584
Maintenance, repair, and operating supplies 5337
Blue print material 5002
For Governmental agencies and institutions 5898
Purchaser's labor costs for minor capital additions 5406
Repairs; parts and materials for 4642
Sales by warehouses and distributors:
Tobacco flue sheets, hot rolled carbon steel 4869
Cooking equipment; electric ranges 5644
Sales by persons not regularly selling 4595
Coolers, desert 5337
Copper and copper products:
Controlled materials. *See* Controlled materials plan.
Installations, restrictions on:
Building materials; gutters, radiators, flashings, strip, ornamental metal work, etc. 5405
Fittings for pipe, tubing, etc 5405
Manufacture of certain articles, restrictions on 5716
Building supplies and hardware; heaters, ventilators, blast heating coils, etc 5121
Combined list 5716, 5718
Insect screening 5717
Sales by persons not regularly selling 4584
Corundum, sales by persons not regularly selling 4584
Cotton:
Extra staple 5477
Sales by persons not regularly selling 4589
Textiles. *See* Textiles.
Desert coolers. *See* Coolers.
Diamonds, industrial; sales by persons not regularly selling 4589
Display cases, refrigerated. *See* Refrigerating, etc., equipment.
Doors, etc., metal. *See* Building materials.
Dry cleaning equipment. *See* Machines.
Electric power. *See* Utilities.
Electrical supplies:
Fans, domestic and commercial 5604
Lamps. *See* Lamps.
Ranges. *See* Cooking equipment.
Sales by persons not regularly selling 4584

WAR PRODUCTION BOARD—Continued. Page
Priority orders—Continued.
Electronic equipment:
Maintenance, repair and operating supplies 5036
Sales by persons not regularly selling 4591
Elevators and escalators 5777, 5779
Repair or maintenance parts 5778
Engines. *See* Scheduled products.
Escalators. *See* Elevators.
Evaporative coolers. *See* Coolers.
Exports, licenses; authority of Foreign Economic Administration 5400
Fans, electric. *See* Electrical supplies.
Farm machinery and equipment:
Electricity for. *See* Utilities.
Farm supplies; priorities to buy tools, batteries, chains, fencing, thermometers, valves, etc. 4866
Fence, chain link 5406
Ferroalloys, sales by persons not regularly selling 4584
Fiber, cordage, etc.:
Jute and jute products 4931
Sales by persons not regularly selling 4588
Fire protective equipment. *See* Safety equipment.
Floor finishing, etc. machines. *See* Machines.
Footwear. *See* Leather.
Freezers. *See* Refrigerating, etc., equipment.
Furniture:
Medical and surgical. *See* Medical and surgical equipment.
Metal furniture and fixtures 5478, 5479
Swivel chairs 5645
Gas tanks. *See* Tanks.
Gauges:
Indicating dial pressure 5603
Railroad 5603
Glass, fibrous; textiles. *See* Scheduled products.
Glasses, sun 4941, 5002
Gloves, work. *See* Apparel.
Glycols. *See* Chemicals.
Graphite 4641
Hand trucks 5891
Heaters:
Tank car. *See* Machines: construction.
Water. *See* Plumbing and heating equipment.
Hides, skins, leather. *See* Leather.
Hosiery, men's, women's, children's, etc 4642
Hospital equipment. *See* Medical and surgical equipment.
Housing construction. *See* Construction.
Imports of strategic materials; Lists I, II, III 5292, 5297

WAR PRODUCTION BOARD—Continued. Page
Priority orders—Continued.
Ink, printing; preference ratings 4684
Instruments, industrial 4742
Insulation. *See* Construction.
Insulators, high voltage 4577
Iridium, sales by persons not regularly selling 4584
Iron and steel:
Conservation:
List A 5403, 5645
List C 5645
Controlled material. *See* Controlled materials plan.
Pig iron 5790
Sales by persons not regularly selling 4584
Steel forgings 5898
Steel shipping drums 5771, 5773
Tin plate, terne plate. *See* Tin.
Tobacco flue sheets, hot rolled carbon steel 4869
Jute. *See* Fiber, cordage, etc.
Kapok 5408
Lacquer. *See* Protective coatings.
Lamps, portable electric, and shades 5479
Repairing, etc. 5480
Laundry equipment. *See* Machines.
Lead, sales by persons not regularly selling 4584
Leather, skins, hides:
Conservation 5639
Footwear; two-color bows 5638
Sales by persons not regularly selling 4589
Sole leather; manufacturers' bends 5604
Lithium, sales by persons not regularly selling 4584
Logs. *See* Lumber.
Lumber:
Noble fir logs 5337
Sales by persons not regularly selling 4589
Use in construction restricted. *See* Controlled materials plan.
Machines and machinery:
Air conditioning and refrigerating. *See* Refrigerating etc. equipment.
Cleaning; blowers, vacuum cleaners, rug scrubbing, etc 5403
Construction:
Bituminous materials maintenance units 5122
Tank car heaters and pumping boosters or circulators 5122
Floor sanding, finishing, etc 5403
Laundry, dry cleaning and tailors' pressing equipment 5408, 5410
Paper products, etc. 5403
Sales by persons not regularly selling 4591
Typewriters. *See* Typewriters.

WAR PRODUCTION BOARD—Continued. Page
Priority orders—Continued.
Magazines. *See* Printing and publishing.
Magnesium and magnesium products, sales by persons not regularly selling 4584
Manufacturers' bends. *See* Leather: sole.
Medical and surgical equipment 4809
Metal doors, etc. *See* Building materials.
Metal plastering bases. *See* Building materials.
Metal signs and accessories. *See* Signs.
Mica; sales by persons not regularly selling 4589
Minerals; silver. *See* Silver.
Mines and smelters 5400
Mining equipment, sales by persons not regularly selling 4593
Molding compounds. *See* Chemicals.
Molybdenum, sales by persons not regularly selling 4584
Motion picture projection equipment. *See* Photographic and projection equipment.
Motor vehicles:
Fire apparatus, motorized. *See* Safety equipment.
Maintenance equipment; lists 5775, 5777
Motor equipment, sales by persons not regularly selling 4590
Replacement parts, production of 4806
Motors. *See* Scheduled products.
Navy, construction. *See* Controlled materials plan.
Nickel 5207, 5208
Sales by persons not regularly selling 4585
Nylon. *See* Synthetic fibers.
Osmium, sales by persons not regularly selling 4585
Paints. *See* Protective coatings.
Paper and paperboard:
Containers. *See* Containers.
Converted paper products 5371
Punch boards, etc. 5722
Machinery. *See* Machines.
Print paper. *See* Printing and publishing.
Printed carbon forms, interleaved 5638
Specialty paper and board 5773
File folder stock 5775
Tag board 5775
Waste paper 5476
Wax paper, in cutter boxes 4869
Penicillin. *See* Chemicals.
Petroleum gas tanks. *See* Tanks.
Phenolic resins. *See* Resins.
Photographic and projection equipment, sales by persons not regularly selling 4593
Phthalic alkyd resins. *See* Resins.

WAR PRODUCTION BOARD—Continued.
Priority orders—Continued.
Pine oil, sales by persons not regularly selling 4588
Plastering bases. *See* Building materials.
Plastics, sales by persons not regularly selling 4588
Platinum, sales by persons not regularly selling 4585
Plumbing and heating equipment:
Bathtubs, cast iron 5001
Copper. *See* Copper.
Water heaters 4870
Polystyrene. *See* Chemicals.
Power trucks, industrial, sales by persons not regularly selling 4592
Printing and publishing:
Carbon forms, interleaved 5638
Print paper for:
Books and booklets 5601
Commercial printing 5596, 5599
Magazines 5599
Printing ink. *See* Ink.
Protective coatings:
Paints, varnishes, lacquers; preference ratings 4684
Sales by persons not regularly selling 4588
Pumping boosters. *See* Machines: construction.
Punch boards, etc. *See* Paper.
Quinine. *See* Chemicals: cinchona.
Radio and radar; electronic equipment. *See* Electronic equipment.
Railroad gauges. *See* Gauges, Rails, ties, etc 5473
Rayon. *See* Synthetic fibers.
Refrigerating and air conditioning equipment, industrial and commercial 4978
Refrigerators, sales by persons not regularly selling 4595
Regulators. *See* Valves.
Resins:
Phenolic 4938
Phthalic alkyd 5721
Sales by persons not regularly selling 4588
Rhodium, sales by persons not regularly selling 4585
Rubber:
Balata 5791
Sales by persons not regularly selling 4589
Rug scrubbing machines. *See* Machines.
Safety equipment 4597
Fire apparatus, motorized 4817
Fire extinguishers, for use by farmers. *See* Farm supplies.
Fire protective, signal and alarm equipment 4595
Signal and alarm equipment; authority of Federal Public Housing Authority to issue authorizations to receive 4865
Sanitary napkins 4933

WAR PRODUCTION BOARD—Continued.
Priority orders—Continued.
Scheduled products:
Bearings, radial type; use of Miniature Precision Bearing Company's bearings, restricted 5002
Cork, asbestos and fibrous glass 5407
Engines, motors, etc.; sales by persons not regularly selling 4592, 4594
Printing; carbon forms, interleaved 5638
Screening. *See* Copper.
Sheetings. *See* Textiles.
Ship repairs, etc. *See* Controlled materials plan.
Shipping containers. *See* Containers.
Shoes. *See* Leather.
Signal and alarm equipment. *See* Safety equipment.
Signs and accessories, metal 5117
Silk; sales by persons not regularly selling 4589
Silver 5131
Sales by persons not regularly selling 4585
Sound distribution; electronic equipment for. *See* Electronic equipment.
Sprocket chain, attachment links, and sprocket chain wheels 4576
Steel. *See* Iron and steel.
Sterilizer equipment 5480
Sales by persons not regularly selling 4595
Strategic materials. *See* Imports of strategic materials.
Styrene. *See* Chemicals.
Sun glasses. *See* Glasses.
Surgical equipment. *See* Medical and surgical equipment.
Swivel chairs. *See* Furniture.
Synthetic fibers, yarns, fabrics:
Nylon 5643
Rayon 5643, 5644
Sales by persons not regularly selling 4589
Tailors' pressing equipment. *See* Machines.
Tanks; liquified petroleum gas tanks 5298
Tantalum; sales by persons not regularly selling 4585
Textiles:
Cotton:
Distribution 5780
Schedules; perference rating and distribution 5783, 5787
Sheetings 4580
Production:
Army tent twill 4982
Duck 5344
Fibrous glass. *See* Scheduled products.
Wool content. *See* Wool.
Tin:
Cans. *See* Cans.
Sales by persons not regularly selling 4585

WAR PRODUCTION BOARD—Continued.
Priority orders—Continued.
Tin—Continued.
Scrap, tinned and detinned 5115
Tin plate, terne plate, tin mill black plate 4815
Use in construction restricted. *See* Controlled materials plan.
Tires; retreading, recapping, repair equipment 4977
Tools:
Farm. *See* Farm supplies.
Hand service 5113
Sales by persons not regularly selling 4595
Trucks:
Hand. *See* Hand trucks.
Motor. *See* Motor vehicles.
Power. *See* Power trucks.
Tungsten, sales by persons not regularly selling 4585
Twill. *See* Textiles.
Typewriters 5138
Uranium, sales by persons not regularly selling 4585
Utilities; electric power:
Farm production equipment use 5139
V-boxes. *See* Containers.
Vacuum cleaners, industrial. *See* Machines.
Valves 4742
Vanadium, sales by persons not regularly selling 4585
Varnish. *See* Protective coatings.
Vitamin A. *See* Chemicals.
Water coolers. *See* Refrigerating etc., equipment.
Water heaters: *See* Plumbing and heating equipment.
Welding equipment; sales by persons not regularly selling 4585
Wool:
Restrictions on putting into process 4872, 5136
Sales by persons not regularly selling 4589
Zinc:
Sales by persons not regularly selling 4585
Use in construction restricted. *See* Controlled materials plan.
Regulations by document designation:
CMP regulations:
No. 1:
As amended February 2, 1944; amendment 3 5406
Direction 25, as amended May 30, 1944 5898
Direction 41, as amended May 19, 1944 5371
Direction 49 4869
Direction 50 5002
No. 4; Direction 2 4869
No. 5:
As amended May 18, 1944 5337
Direction 19 5002
Interpretation 11, as amended May 22, 1944 5406
No. 5A, as amended May 30, 1944 5898

WAR PRODUCTION BOARD—Continued.
Regulations by document designation—Continued.
CMP regulations—Continued.
No. 6:
Direction 1, as amended May 23, 1944 5475
Direction 3 5406
Schedule A 5473
No. 9A; Direction 2, interpretation 1 4642
Certificates:
No. 24, revocation 4924
No. 34, revocation 4636
No. 65, revocation 4637
No. 66, revocation 4637
No. 74, revocation 4733
No. 78, revocation 4733
No. 92, revocation 4733
No. 117, revocation 4924
No. 122, revocation 4733
No. 131, revocation 4733
No. 132, revocation 4733
No. 134, revocation 4924
No. 138, revocation 4924
No. 143, revocation 4969
No. 150; amendment 1 5883
No. 158; amendment 2 4923
No. 161, revocation 4924
No. 185, revocation 4924
No. 187, revocation 4924
No. 202 4637
Directives:
No. 24:
As amended May 24, 1944 5595, 5638
Supplement 1, as amended May 5, 1944 4865
No. 27; interpretation 2 5400
No. 31:
As amended May 15, 1944 5111
As amended May 30, 1944 5890
No. 32 5113
No. 33, as amended April 28, 1944 4580
E–6, as amended May 13, 1944 5113
L–13–a:
As amended May 22, 1944 5478
Interpretation 1, revocation 5479
L–23–b, as amended May 25, 1944 5644
L–29; interpretation 1 5117
L–33:
As amended May 23, 1944 5479
Interpretation 1, revocation 5480
L–38:
As amended May 10, 1944 4978
Direction 1 5337
L–39, as amended May 1, 1944 4595
L–40, as amended May 15, 1944 5298
L–41; interpretation 7 5472
L–42; Direction 2, as amended May 11, 1944 5001
L–43, as amended May 5, 1944 4817
L–54–a, as amended May 15, 1944 5138
L–59–b, as amended May 23, 1944 5476
L–61, as amended May 10, 1944 4977
L–86; Direction 1, as amended May 17, 1944 5298

WAR PRODUCTION BOARD—Continued.
Regulations by document designation—Continued.
L–89:
As amended May 29, 1944 5777
Interpretation 1, as amended May 29, 1944 5778
Interpretation 2, as amended May 29, 1944 5779
L–91:
As amended May 22, 1944 5408
Interpretation 1 5410
L–95, as amended May 9, 1944 4933
L–99, as amended April 11, 1944:
Amendment 1 4982
Amendment 2 5344
L–103–b:
As amended May 15, 1944 5123
Direction 1 5903
Interpretation 3 5131
L–111, as amended May 30, 1944 5891
L–114, as amended May 1, 1944 4597
L–120:
Schedule X, as amended May 8, 1944 4869
Schedule XVI 5773
L–134, revocation 4742
L–142, as amended May 23, 1944 5477
L–154; Schedule V, as amended April 29, 1944 4577
L–158, as amended May 5, 1944 4806
L–176, as amended May 24, 1944 5604
L–185, as amended May 8, 1944 4870
L–193–a, as amended April 29, 1944 4576
L–197:
As amended May 27, 1944 5771
Direction 1, revocation 5773
L–214; Schedule 3, as amended May 5, 1944 4809
L–217:
Schedule IX, as amended May 15, 1944 5122
Schedule XIII, as amended May 15, 1944 5122
L–222, as amended May 20, 1944 5403
L–238:
As amended May 9, 1944 4941
Interpretation 1 5002
L–241:
As amended May 24, 1944 5596
Interpretation 1, revocation 5599
L–244, as amended May 24, 1944 5599
L–245, as amended May 24, 1944 5601
L–266, as amended May 23, 1944 5480
L–270:
As amended May 27, 1944 5775
Interpretation 2, revocation 5777
Interpretation 3, revocation 5777
L–272:
Schedule IV, as amended May 24, 1944 5603

WAR PRODUCTION BOARD—Continued.
Regulations by document designation—Continued.
L–272—Continued.
Schedule VIII, as amended May 24, 1944 5603
L–274, as amended May 2, 1944 4642
L–317:
As amended March 23, 1944; interpretation 2 5722
As amended May 29, 1944 5893
M–1–g:
As amended May 15, 1944 5119
As amended May 27, 1944 5770
Interpretation 1, revocation 5121
M–6–b:
As amended May 16, 1944 5207
Direction 1, as amended May 16, 1944 5208
M–9–c:
As amended April 4, 1944; amendment 1 5121
As amended May 26, 1944 5716
M–9–c–4, as amended May 22, 1944 5405
M–17, as amended May 29, 1944 5790
M–21, as amended May 8, 1944 4871
M–21–e, as amended May 5, 1944 4815
M–61, as amended May 2, 1944 4641
M–63, as amended May 17, 1944 5292
M–63–a, as amended May 17, 1944 5297
M–65, as amended May 18, 1944 5335
M–70, as amended May 9, 1944 4931
M–73:
As amended May 6, 1944 4872
As amended May 13, 1944 5136
M–81:
As amended May 16, 1944 5209
Interpretation 2, revocation 5216
M–85, as amended May 22, 1944 5408
M–117, as amended May 23, 1944 5477
M–126, as amended March 31, 1944:
Amendment 2 5403
Amendment 3 5645
M–131, as amended May 9, 1944 4936
M–139; Direction 2 5721
M–170, revocation 4806
M–170–a, revocation 4806
M–199, as amended May 15, 1944 5131
M–215, revocation 4806
M–217; interpretation 6 5638
M–221, as amended May 29, 1944 5779
M–228, revocation 5337
M–241–a:
As amended May 19, 1944 5371
Interpretation 3 5722
M–246, as amended May 9, 1944 4938
M–260, revocation 4809

WAR PRODUCTION BOARD—Continued.
Regulations by document designation—Continued.
M-293:
Table 12:
Direction 1, as amended May 2, 1944 4642
Direction 2 5002
Table 13, as amended May 22, 1944 5407
Table 16 5638
M-300:
As amended March 16, 1944; amendment 4 4812
Schedule 15 4811
Schedule 16 4812
Schedule 17 4813
Schedule 18 4814
Schedule 19 4814
M-310:
As amended May 25, 1944 5639
General Direction 1, as amended May 24, 1944 5604
M-317:
As amended April 8, 1944; amendment 1 4580
As amended May 29, 1944 5780
M-325, as amended May 13, 1944 5115
M-328B 4934
Schedule A 4934
M-338, as amended May 15, 1944 5137
M-340, as amended:
May 2, 1944 4645
May 12, 1944 5040
M-356:
As amended May 25, 1944 5643
Interpretation 1 5644
M-357, revocation 4815
M-374, as amended May 13, 1944 5116
M-375 5006
M-377 5476
P-56, as amended May 20, 1944 5400
P-133; interpretation 1 5036
P-146; Direction 1 4595
Priorities regulations:
No. 3:
Direction 2:
As amended May 1, 1944 4581
As amended May 15, 1944 5121
Direction 5, as amended May 3, 1944 4684
No. 13, as amended May 1, 1944 4581
No. 14, as amended May 2, 1944 4641
No. 19, as amended May 6, 1944 4866
R-1, as amended January 12, 1944; amendment 3 5791
U-1-c, as amended May 15, 1944 5139

WAR PRODUCTION BOARD—Continued.
Suspension, etc., orders:
All State Pipe Supply Co 5206
Amalgamated Steel Co 4924
American Furniture Co 4996
Amis Oil & Butane Co 5882
Anderson Furniture Co 4796
Aquadro & Cerutti 5117
Bailey, M. C., & Co., Inc 5119
Bloomfield Manufacturing Co 4684, 4742
Brody, William 5404
DeSilvia Electric Co 4576
Elliott, Joe and Clara 4976
Elwell & Chenet 5118
Engvall, Theodore H 5207
Fava, Dante 4576
Federal Home Heating Co 5196
Georgian Furniture Co., Inc 4923
Hayward, H. T., Co 5122, 5207
Hines, Earl J 5118
King, Warner N 5118
Kohler, Leroy A 5288
McKay Plumbing Co 4742
Marsam Novelty Corp 4977
Medwed Footwear Co 5891
National Supply Corporation 5036
Photo Process Engraving Co 5638
Pierce, Raymond J 5883
Remington Rand, Inc 5370
Salinas, Jose Maria 4683
Seven-Up Bottling Co., Inc 4670
Seven-Up-Orange Crush Bottling Co 5710
Silver, Dr. Abraham 4640
Singer Steel Co 5400
Singley, Heyward S 4641
Skinner & Kennedy Stationery Co 5113
Strys, Fred 5364
Suriner & McBreen 5117
Viscol Company 5775
Volsine Steel Co 5117, 5119
Vose, Harry C 4575
Voss, William R 4575
Walton Industries, Inc 4869
Wetherill, C. S., Jr 4865
Yearwood, Nile E 5404

WAR SHIPPING ADMINISTRATION:
Contracts with vessel owners:
Charter hire, values and rates 5077
Time charter hire, values and rates 5628
Adjustments for speed and age, with respect to vessels built during or after 1935 5831
Time charters:
Dry cargo vessels 5269
Tank vessels 4967
Uniform time charter 4967

WAR SHIPPING ADMINISTRATION—Continued.
General agents and agents:
Compensation payable 5831
Colliers 5836
Combination cargo and passenger vessels 5835
Dry cargo vessels 5831
Tankers 5834
Tugs and barges 5836
Insurance, war risk; cargo 5697
Labor:
Certificate for substantially continuous service of seamen 5315
Employment cards, issuance to seamen on Panamanian flag vessels under control of War Shipping Administration 5077
Oaths, administration for election purposes 4613
Preference ratings, assignment of; delegation of authority by War Production Board 5113
Requisitioned vessels:
Deposit of just compensation for; "Ketchikan" 5100
Determination as to ownership:
"Benson" 4924
"Chief Joseph" 5710
"City of Sacramento" 4997
"Kiyo Maru" 5758
"Paul L." 5100

WILDLIFE (TITLE 50):
Coordinator of Fisheries, Office of:
Production of fishery commodities or products (Part 401) 5078
Fish and Wildlife Service:
Alaska commercial fisheries, designated areas:
Alaska Peninsula area (Part 205) 5175
Chignik area fisheries (Part 207) 5175
Southeastern Alaska area; salmon fisheries:
Clarence Strait District (Part 227) 5176
Icy Strait District (Part 222) 5175
South Prince of Wales Island District (Part 228) 5176
Stikine District (Part 225) 5176
Western District (Part 223) 5175
Alaska game regulations (Part 91) 5270

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Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 18—WAR SERVICE REGULATIONS

APPOINTMENT; REAPPOINTMENT; TRANSFER; EXTENT OF REGULATIONS

Section 18.5 *Appointment* (7 F.R. 7725, 8007; 8 F.R. 4375, 11463), § 18.8 *Reappointment* (8 F.R. 13549), § 18.9 *Transfer* (8 F.R. 13329), and § 18.11 *Extent of regulations* (8 F.R. 11464) are amended as follows:

§ 18.5 *Appointment* • • •

(c) *Trial period.* Except for persons appointed for a specific period of one year or less, the first full year of service shall be a trial period, satisfactory completion of which shall be considered part of the entrance examination. If and when, after a full and fair trial during this period, the conduct or capacity of the trial appointee be not satisfactory to the appointing officer, the appointee may at any time thereafter during the trial period be so notified in writing, and such notice shall terminate his service. In the case of substitutes in the Postal Service the trial period will be 2448 hours of active duty.

• • • • •

(e) *Positions which become subject to the War Service Regulations.* The following classes of employees may be given war service appointments without prior approval of the Commission:

(1) Any person holding a position in a public or private enterprise which is taken over by the Federal Government and who thereby becomes an employee of the Government;

(2) Any Federal employee holding a position which is excepted from the Civil Service Act and Rules and the War Service Regulations when his position is made subject to the Civil Service Act and Rules or the War Service Regulations.

All war service appointments made under this section shall be reported immediately to the Civil Service Commission.

No person given a war service appointment under this section shall acquire eligibility for a classified civil service status until six months after the end of the present war. At the expiration of six months after the war, such person may be recommended for a classified civil service status in accordance with section 6 of Civil Service Rule II (§ 2.6 of this chapter) provided his position becomes a permanent position in the classified civil service and he is still the incumbent thereof.

This section shall not apply to postal employees who become eligible for a classified civil service status in accordance with the provisions of Civil Service Rule II, section 7 (§ 2.7 of this chapter).

§ 18.8 *Reappointment.* Subject to the prior approval of the Commission, a former civilian employee who has rendered at least one year of service in the executive branch of the Federal Government or in the District of Columbia government may be reappointed by war service appointment to any position for which he meets the standards as to experience and education established for open competitive examination for such position: *Provided, however,* That former employees entitled to military preference and those who would have a status for reinstatement under Civil Service Rule IX (Part 9 of this chapter) and the regulations in force prior to March 16, 1942, when the War Service Regulations became effective, may be reemployed under this regulation without regard to the length of their previous Government service.

Such reappointment must be for actual service and not primarily for the purpose of bringing such former employee within the provisions of the Civil Service Retirement Act as amended.

Persons reappointed under this regulation will be required to serve a trial period of one year in accordance with §18.5 (c). In the case of substitutes in the Postal Service the trial period will be 2,448 hours of active duty.

When a former classified employee is to be reinstated to a position in the Postal

(Continued on p. 4565)

CONTENTS

REGULATIONS AND NOTICES

	Page
CIVIL AERONAUTICS ADMINISTRATION:	
Designation of control airports, radio fixes, etc.:	
Amber No. 7, red No. 16	4568
Amber civil airway No. 8, green civil airway No. 4, red civil airways Nos. 1, 35	4568
Green civil airways Nos. 3, 4; amber civil airways Nos. 2, 3	4567
Designation of civil airways:	
Amber civil airway No. 7	4567
Amber civil airway No. 8 and red civil airway No. 35	4567
Green civil airway No. 3	4567
CIVIL AERONAUTICS BOARD:	
Eastern Air Lines, et al.; hearing	4617
CIVIL SERVICE COMMISSION:	
War service regulations; appointment, reappointment, transfer; miscellaneous amendments (2 documents)	4563, 4565
COMMODITY CREDIT CORPORATION:	
Grapefruit juice; determination of seasonal average area fruit costs	4566
CUSTOMS BUREAU:	
Liability for duties, protests and reappraisements; notices to importers	4569
FARM CREDIT ADMINISTRATION:	
Cooperative bank commissioner, deputy and assistant deputy commissioners; functions, powers, authority and duties	4565
FARM SECURITY ADMINISTRATION:	
Alabama, designation of localities for loans	4616
FEDERAL TRADE COMMISSION:	
A. and N. Trading Co.; cease and desist order	4568
FOREIGN ECONOMIC ADMINISTRATION:	
Shipments not exceeding a specified value, general licenses	4575

(Continued on p. 4564)

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NOTICE

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Book 2: Titles 4–9, with index.

Book 3: Titles 10–17, with index.

CONTENTS—Continued

GENERAL LAND OFFICE: Page
- Wyoming, air-navigation site withdrawal 4616

INDIAN AFFAIRS OFFICE:
- Colorado River Irrigation Project, operation and maintenance charges 4572
- Cooperative associations:
  - Loans to 4570
  - Organization 4569
- Credit associations:
  - Loans by 4571
  - Loans to 4571
- Individual Indians, loans by U. S. to 4572

INTERNAL REVENUE BUREAU:
- Income tax:
  - Last-in first-out inventory under sec. 110 of Revenue Act of 1943 4573
  - Retroactive effect of sec. 169 of Revenue Act of 1942 4574

INTERSTATE COMMERCE COMMISSION:
- Ohio, Missouri, Mississippi river valleys; rerouting of freight traffic 4613

INTERSTATE COMMERCE COMMISSION—Continued. Page
- Reconsignment permits, etc.:
  - Citrus fruits:
    - Bayview, Tex 4619
    - Designated southern states 4617
    - Edinburg, Tex 4619
    - Florida 4619
    - Mission, Tex 4620
    - Scotts Bluff, Neb 4617
    - Umatilla, Fla 4619
  - Furnace slag, Memphis, Tenn 4618
  - Oranges:
    - Florida 4619
    - Zellwood, Fla 4620
  - Potatoes:
    - Burlington, Iowa 4617
    - California 4620
    - Chicago, Ill. (5 documents) 4617, 4618, 4619
    - Designated western states 4620
    - Houghton, Mich 4618
    - Kansas City, Mo 4618
    - Minneapolis, Minn 4617
    - Red River Valley District 4620
  - Refrigerator cars, initial bunker icing at Roseville, Calif 4613

MINES BUREAU:
- Boyd Mounts; revocation of licenses, etc 4615

OFFICE OF DEFENSE TRANSPORTATION:
- Common carriers, coordinated operations between points in Missouri and Arkansas 4621
- Delegation of authority:
  - Deputy Director 4614
  - Railway Transport Division 4614
  - Traffic Movement Division 4615
- Taxicab operators, coordinated operations:
  - Kirksville, Mo 4621
  - Lebanon, Mo 4622
- Virginia Electric and Power Co., Richmond, Va.; direction to suspend certain operations 4622

OFFICE OF PRICE ADMINISTRATION:
- Adjustments:
  - Bell, A. R., Co 4624
  - H. M. T. Co. Co., et al 4623
  - Harris, C. E., et al 4623
  - Greene, Raleigh D., et al 4622
  - Morgan Coal Co. and Norton Coal Corp 4623
- Coal, wartime increases in cost of transporting (Rev. C. A. Reg. 1, Am. 3) 4612
- Corn (2d Rev. MPR 346, Am. 2) 4610
- Foods, processed (Rev. RO 13, Am. 28; Am. 11, 13 to 2d Rev. Supp. 1) (3 documents) 4604, 4605, 4607
- Hawaii; gasoline rationing (RO 5F, Am. 8) 4611
- Iron and steel scrap (RPS 4, Am. 15) 4599
- Jewelry, etc.; collection by retailers of retail federal excise tax (Supp. Order 85, Am. 1) 4607
- Logs and bolts (MPR 348, Am. 47) 4599
- Lumber, northeastern softwood (2d Rev. MPR 219, Am. 1) 4604
- Meats, fats, fish and cheese (RO 16, Am. 134; Am. 26, 27 to Rev. Supp. 1) (3 documents) 4605, 4607, 4612

OFFICE OF PRICE ADMINISTRATION—Continued. Page
- Pineapple, imported packed (Rev. SR 14, Am. 126) 4605
- Popcorn (MPR 502, Am. 1) 4612
- Regional and district office orders:
  - Brick, Los Angeles County, Calif 4630
  - Citrus fruit, Boston region 4631
  - Fluid milk:
    - Designated counties in Kentucky 4628
    - Warren County, Ky 4627
  - Fruits and vegetables, San Francisco region 4630
  - Oil burner services, Louisville, Ky 4627
  - Roofing, Shelby County, Tenn 4630
  - Shrimp, San Francisco region 4624
  - Solid fuels:
    - Baltimore metropolitan area 4629
    - Lansing, Mich 4633
    - Marion County, Ind 4627
    - Milwaukee County, Wis 4636
    - Southbridge, Mass 4625
    - Taunton, Mass 4629
    - Toledo, Ohio 4627
    - Topeka, Kans 4631
    - Twin Cities, Minn. (2 documents) 4629, 4636
    - Warren, Ohio 4627
    - Wichita, Kans 4633
    - Youngstown, Ohio 4628
- Screen goods, stock (MPR 381, Am. 3) 4608
- Soybean oil meal, cake, pea size meal and pellets (MPR 443, Am. 3) 4605
- Tires, tubes, recapping and camelback (RO 1A, Am. 76) 4610

PUBLIC DEBT BUREAU:
- Officers authorized to witness assignments of U. S. registered bonds 4575

SMALLER WAR PLANTS CORPORATION:
- U. S. Management and Engineering Co.—Optical Manufacturers Group; recommendation of formation of war production association 4636

SOLID FUELS ADMINISTRATION FOR WAR:
- Maine and Rhode Island, designation of ice-bound ports 4575

TREASURY DEPARTMENT:
- Wireless and wire services, and certain transportation services; exemption from taxes 4615

WAR FOOD ADMINISTRATION. *See also* Commodity Credit Corporation; Farm Security Administration.
- Asparagus workers in designated California counties; maximum wage rates 4574
- Butter, percentage required to be set aside in May and June (WFO 2–5) 4567
- Cheddar cheese (WFO 15–7) 4566
- Ship suppliers permitted to buy restricted food (WFO 74–2) 4566

CONTENTS—Continued

WAR PRODUCTION BOARD: Page
- Certificates:
  - Decatur, Ill., transportation and delivery of laundry (Certificate 65, Rev.) 4637
  - Eau Claire, Wis., motor carrier services (Certificate 34, Rev.) 4636
  - Spokane, Wash., transportation and delivery of groceries (Certificate 66, Rev.) 4637
  - U. S. Management and Engineering Co. — Optical Manufacturers Group (Certificate 202) 4637
- Coke distribution (Dir. 33, Am. 1) 4580
- Cotton textile distribution (M-317, Am. 1) 4580
- Fire protective, signal and alarm equipment (L-39) 4595
- Insulators, high voltage (L-154, Schedule V) 4577
- Paper cups and food containers (PR 3, Dir. 2) 4581
- Priorities system regulations (PR 13) 4581
- Safety equipment (L-114) 4597
- Shipping containers, fibre; ratings (P-146, Dir. 1) 4595
- Sprocket chain, attachment links and wheels (L-193-a) 4576
- Suspension orders, etc.:
  - DeSilvia Electric Co 4576
  - Fava, Dante 4576
  - Vose, Harry C 4575
  - Voss, William R 4575

WAR SHIPPING ADMINISTRATION:
- Oaths, administration for election purposes 4613

Service, reinstatement will be made under Civil Service Rule IX (Part 9 of this chapter) and the employee will have a regular classified Civil Service status.

Temporary appointment in the Postal Service may be authorized, when necessary, under section 1 of Civil Service Rule VIII (§ 8.1 of this chapter), pending reinstatement or reappointment.

§ 16.9 *Transfer* • • •

(h) *Status of employees.* In all transfers under this regulation, the employee shall retain for all intents and purposes, under the Civil Service laws and rules the same Civil Service status which he had in the agency from which he was originally transferred. When a classified employee is to be transferred to a position in the Postal Service, the transfer shall be made under Civil Service Rule X (Part 10 of this chapter) and the employee will have a regular classified Civil Service status.

Any transfer or reappointment of an employee who was originally appointed "subject to investigation" will be subject to the results of the investigation.

§ 16.11 *Extent of regulations*—(a) *Regulations superseded.* The foregoing regulations shall supersede Civil Service Rules III, V, VI, VII, VIII, IX, X (5 C.F.R., Parts 3, 5, 6, 7, 8, 9, 10) and all provisions of joint regulations inconsistent with these regulations, for all positions except (unless otherwise specifically provided in these regulations):

(1) Positions other than those filled by civilian employees of the forces in the Police and the Fire Departments of the municipal government of the District of Columbia;

(2) Positions of policemen in the U. S. Park Police force of the Interior Department.

(3) Even though appointments in the field service of the Post Office Department (except postmasters) are now made under the War Service Regulations, persons who entered on duty in a post office prior to November 23, 1943, through certification for probational appointment but who were found ineligible for probational appointment because of physical condition, may be given a probational status as of the date of entrance on duty if they subsequently become eligible through correcting their physical condition.

Civil Service Rule II, section 6 (§ 2.6 of this chapter) is suspended as to appointments made under § 18.5 (e) of this chapter, but section 6 of Rule II (§ 2.6 of this chapter) is to be applied to those classes of postal employees referred to in Civil Service Rule II, section 7 (§ 2.7 of this chapter).

(E.O. No. 9063, Feb. 16, 1942, 7 F.R. 1075; E. O. 9243, Sept. 12, 1942, 7 F.R. 7213; E.O. 9378, Sept. 23, 1943, 8 F.R. 13037)

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL, *President.*

APRIL 27, 1944.

[F. R. Doc. 44-6068; Filed, April 28, 1944; 8:10 p. m.]

PART 18—WAR SERVICE REGULATIONS

TRANSFER

Section 18.9 *Transfer* is amended as follows:

Effective October 23, 1943, § 18.9 (j) (7 F.R. 7727; 8 F.R. 6390) was revoked by the provisions of Executive Order No. 9378 of September 23, 1943.

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL, *President.*

APRIL 21, 1944.

[F. R. Doc. 44-6067; Filed, April 28, 1944; 8:10 p. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

[FCA Order 404]

PART 3—FUNCTIONS OF ADMINISTRATIVE OFFICERS

FUNCTIONS, POWERS, AUTHORITY, AND DUTIES OF THE COOPERATIVE BANK COMMISSIONER, DEPUTY AND ASSISTANT DEPUTY COMMISSIONERS

Section 3.50 of Title 6, Code of Federal Regulations, as amended (7 F.R. 8411), is hereby further amended to read as follows:

§ 3.50 *Functions, powers, authority, and duties of the Cooperative Bank Commissioner, Deputy Cooperative Bank Commissioner and Assistant Deputy Cooperative Bank Commissioners.* The Cooperative Bank Commissioner shall, subject to the jurisdiction and control of the Governor of the Farm Credit Administration, execute and perform all functions, powers, authority, and duties pertaining to the administration of the provisions of law relative to the Central Bank for Cooperatives and the district banks for cooperatives.

J. P. Strong, Deputy Cooperative Bank Commissioner, is hereby authorized to execute and perform the functions, powers, authority, and duties pertaining to the office of Cooperative Bank Commissioner with respect to the Central Bank for Cooperatives in the event that the Cooperative Bank Commissioner is unavailable to act, by reason of absence from the office of the Farm Credit Administration at Kansas City, or for any other cause, and with respect to the district banks for cooperatives in the event that the Cooperative Bank Commissioner and S. Y. McConnell, Assistant Deputy Cooperative Bank Commissioner, are unavailable to act, by reason of absence from the office of the Farm Credit Administration at Kansas City, or for any other cause.

S. Y. McConnell, Assistant Deputy Cooperative Bank Commissioner, is hereby authorized to execute and perform the functions, powers, authority, and duties pertaining to the office of Cooperative Bank Commissioner with respect to the district banks for cooperatives in the event that the Cooperative Bank Commissioner is unavailable to act, by reason of absence from the office of the Farm Credit Administration at Kansas City, or for any other cause, and with respect to the Central Bank for Cooperatives in the event that the Cooperative Bank Commissioner, J. P. Strong, Deputy Cooperative Bank Commissioner, and W. C. Frazee, Assistant Deputy Cooperative Bank Commissioner, are unavailable to act, by reason of absence from the office of the Farm Credit Administration at Kansas City, or for any other cause.

W. C. Frazee, Assistant Deputy Cooperative Bank Commissioner, is hereby authorized to execute and perform the functions, powers, authority, and duties pertaining to the office of Cooperative Bank Commissioner with respect to the Central Bank for Cooperatives in the event that the Cooperative Bank Commissioner and J. P. Strong, Deputy Cooperative Bank Commissioner, are unavailable to act, by reason of absence from the office of the Farm Credit Administration at Kansas City, or for any other cause, and with respect to the district banks for cooperatives in the event that the Cooperative Bank Commissioner, S. Y. McConnell, Assistant Deputy Cooperative Bank Commissioner, and J. P. Strong, Deputy Cooperative Bank Commissioner, are unavailable to act, by reason of absence from the office of the

Farm Credit Administration at Kansas City, or any other cause.

(E.O. 6084, Mar. 27, 1933, 6 CFR 1.1 (m); Sec. 80 (b), 48 Stat. 273; 12 U.S.C. 638 (b); Memorandum No. 846, Sec. of Agric., Jan. 6, 1940)

[SEAL] I. W. DUGGAN,
Acting Governor.

[F. R. Doc. 44-6109; Filed, April 29, 1944; 11:29 a. m.]

Chapter II—War Food Administration (Commodity Credit)

[CCC Grapefruit Juice Form 1, Amdt. 2]

PART 249—1943-1944 GRAPEFRUIT JUICE PAYMENT PROGRAM

OFFER OF COMMODITY CREDIT CORPORATION TO MAKE PAYMENTS IN RESPECT OF GRAPEFRUIT JUICE

In response to inquiries and in order that the "Offer of Commodity Credit Corporation to Make Payments in Respect of Grapefruit Juice", 9 F.R. 628, as amended by Amendment 1 thereto, 9 F.R. 1479 (such offer, amended as aforesaid, being herein called the "offer"), may reflect more precisely the commitments heretofore made by Commodity Credit Corporation (herein called "Commodity") in its 1943-1944 Grapefruit Juice Payment Program and to render the offer more explicit, Commodity hereby amends the offer in the manner and to the extent provided in this Amendment No. 2 to the offer.

Section 249.7 of the offer is hereby amended to read as follows:

§ 249.7 *Determination of seasonal average area fruit costs.* On or before June 15, 1944, each eligible processor who elects to adopt the seasonal average area fruit cost basis pursuant to § 249.6 hereof, shall report to Commodity the quantity, if any, of eligible grapefruit juice packed by such eligible processor during each month of the period from October 1, 1943, to May 31, 1944, both dates inclusive, and sold or held for sale to Government Agencies. As soon as practicable after May 31, 1944, and after receipt of the above-mentioned report, Commodity shall determine with respect to such eligible processor on the basis of the applicable monthly area fruit costs determined pursuant to § 249.5 hereof (or such cost as may be required by the provisions of § 249.8 hereof to be used in lieu of the monthly area fruit cost in this computation) for such period, weighted according to the quantity of eligible grapefruit juice packed by such eligible processor during each month of such period less the quantity, if any, of eligible grapefruit juice packed in such month sold or held for sale to Government Agencies, such eligible processor's applicable weighted average seasonal delivered cost (herein called "Seasonal average area fruit cost") per net ton in respect of grapefruit delivered to such eligible processor's plant or plants in each such area for processing into eligible grapefruit juice during such period.

Section 249.8 (9 F.R. 628, 1479) of the offer is amended by amending the last sentence thereof to read as follows:

In the event any eligible processor's weighted average delivered purchase cost for grapefruit purchased on a fixed price basis for processing into eligible grapefruit juice in respect of any month during the term of this offer (whether such eligible processor elects to operate on a packing month basis or on a seasonal average area fruit cost basis) is less than or in excess of the applicable monthly area fruit cost for such month, then (1) such weighted average delivered purchase cost or (2) 103% of the applicable monthly area fruit cost, whichever of said two costs is the lower (such lower cost being herein called the "Alternate cost"), shall be used in lieu of the monthly area fruit cost in respect of the grapefruit so purchased: (1) in determining the rate of payment under this offer for such month if such eligible processor has elected to operate on the packing month basis, and (2) in determining the seasonal average area fruit cost if such eligible processor has elected to operate on the seasonal average area fruit cost basis: *Provided, however,* That in the event the alternate cost for any period during the term of this offer shall be in excess of the applicable maximum or less than the applicable minimum costs stipulated in § 249.5 hereof, then such applicable maximum (or minimum, as the case may be) shall be used in lieu of the alternate cost or monthly area fruit cost in making the two specified determinations.

Persons acting in reliance upon the offer shall do so in accordance with and subject to the offer as so amended in respect of all eligible grapefruit juice packed by them during the term of the offer with respect to which payment is sought from Commodity.

(Sec. 7, 49 Stat. 4, as amended by 50 Stat. 5, 53 Stat. 510, 55 Stat. 498, 57 Stat. 566, 57 Stat. 606, and Public Law 240, 78th Cong.)

Issued at Washington, D. C., the 28th day of April 1944.

[SEAL] COMMODITY CREDIT CORPORATION,
By LEE MARSHALL,
Vice President.

Attest:
BETTY S. MORROW,
Assistant Secretary.

[F. R. Doc. 44-6106; Filed, April 29, 1944; 11:29 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 15-7]

PART 1401—DAIRY PRODUCTS

CHEDDAR CHEESE

Pursuant to the authority vested in me by War Food Order No. 15, 9 F.R. 4319 (formerly designated as Food Distribution Order No. 15, as originally issued by the Secretary of Agriculture on February 6, 1943, 8 F.R. 1704, and as amended, 9 F.R. 2072), it is hereby ordered as follows:

§ 1401.24 *Percentages of Cheddar cheese to be set aside in May and June 1944*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in War Food Order No. 15 shall, when used herein, have the same meaning as set forth for such term in War Food Order No. 15-7.

(2) "WFO 15" means War Food Order No. 15.

(b) *Percentages.* Each person who is required by WFO 15 to set aside Cheddar cheese during May or June 1944 shall set aside in each of the said months, in which he is required to set aside Cheddar cheese, a quantity of Cheddar cheese equal at least to the following percentages of all Cheddar cheese produced by him in the respective months: (1) In May, 60 percent; and (2) in June, 60 percent.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., May 1, 1944.

(E. O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 15, 8 F.R. 1704, 9 F.R. 2072, 4319)

Issued this 27th day of April 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-6021; Filed, April 27, 1944; 12:10 p. m.]

[WFO 74-2]

PART 1598—GENERAL REGULATIONS

LICENSED SHIP SUPPLIERS PERMITTED TO BUY SET ASIDE AND RESTRICTED FOOD

Pursuant to the authority vested in me by the provisions of War Food Order No. 74 (8 F.R. 13880, 15655, § 1598.7; 9 F.R. 4319), the schedules to that order are hereby further revised to read as follows:

SCHEDULE A

Set aside foods:	Applicable Food Distribution Order
American (Cheddar) cheese	15
Beef	75-2
Dried Skim Milk	54
Rice	10
Butter	2

SCHEDULE B

Restricted foods:	
Frozen dairy foods	8
Fats and oils (excluding lard). (Limited to salad and cooking fats, shortening and compounds, margarine, and soap (bar soap and soap powder))	42
Honey	47
Imported salted fish	72
Milk, Milk by-products, and cream	79
Molasses	51
Peanuts and peanut butter	89
Spices	19
Tea	18
Dried Milk (Excepting skim)	93
Cheese and Cheese Foods (Excepting Cheddar, cottage, pot and bakers)	92

SCHEDULE C

Designated foods:	Applicable Food Distribution Order
Canned fish and shellfish (Limited to Maine and California sardines, salmon, shrimp, mackerel)	44
Canned fruits and fruit juices (Limited to apples, apricots, berries, red sour pitted cherries, figs, fruit-cocktail, grapefruit, peaches, pears, pineapple, orange juice, grapefruit juice, orange and grapefruit juice, and pineapple juice)	23-4
Canned vegetables and vegetable juices (Limited to asparagus, lima beans, snap beans, beets, carrots, corn, peas, pumpkin and squash, spinach, tomatoes, tomato puree, tomato paste, tomato juice, and tomato catsup)	23-4
Dehydrated vegetables (Limited to beets, cabbage, onions and rutabagas)	30
Dried fruits (Limited to apples, apricots, pears, peaches, prunes, and raisins)	16

This revision shall be effective on May 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; W.F.O. No. 74, 8 F.R. 13880, 15655, 9 F.R. 4319)

Issued this 27th day of April 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-6022; Filed, April 27, 1944; 3:25 p. m.]

[WFO 2-5]

PART 1401—DAIRY PRODUCTS

PERCENTAGE OF BUTTER REQUIRED TO BE SET-ASIDE IN MAY AND JUNE 1944

Pursuant to the authority vested in me by War Food Order No. 2, 9 F.R. 4319 (formerly designated as Food Distribution Order No. 2, as originally issued by the Secretary of Agriculture on January 5, 1943, 8 F.R. 253, and as amended, 9 F.R. 3623), it is hereby ordered as follows:

§ 1401.23 *Percentage of butter to be set aside in May and June 1944*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in War Food Order No. 2 shall, when used herein, have the same meaning as set forth for such term in War Food Order No. 2.

(2) The term "WFO 2" means War Food Order No. 2.

(b) *Percentage.* Each person who is required by WFO 2 to set aside butter during May and June 1944 shall set aside in each of the said months, in which he is required to set aside butter, a quantity of butter equal at least to the following percentages of all butter produced by him in the respective months: (1) In May, 40 percent; and (2) in June, 50 percent.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., May 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 2, 8 F.R. 253; 9 F.R. 3623, 4319)

Issued this 29th day of April 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-6121; Filed, April 29, 1944; 12:29 p. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

[Amdt. 42]

PART 600—DESIGNATION OF CIVIL AIRWAYS

REDESIGNATION OF GREEN CIVIL AIRWAY 3

APRIL 19, 1944.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the regulations of the Administrator of Civil Aeronautics as follows:

1. By striking in § 600.10002 *Green civil airway No. 3 (San Francisco, Calif., to New York, N. Y.)* the following:

Buffalo Valley, Nev., radio range station;

and substituting in lieu thereof the following:

Battle Mountain, Nev., radio range station;

This amendment shall become effective 0001 e. w. t., May 1, 1944.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-6089; Filed, April 29, 1944; 10:01 a. m.]

[Amdt. 43]

PART 600—DESIGNATION OF CIVIL AIRWAYS

REDESIGNATION OF AMBER CIVIL AIRWAY 7

APRIL 19, 1944.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the regulations of the Administrator of Civil Aeronautics as follows:

1. By inserting in § 600.10106 *Amber civil airway No. 7 (Miami, Fla., to Caribou, Maine)* after the words:

Charleston, S. C., radio range station;

the following:

The intersection of the center lines of the on course signals of the northeast leg of the Charleston, S. C., radio range and southeast leg of the Florence, S. C., radio range;

This amendment shall become effective 0001 e. w. t. May 1, 1944.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-6090; Filed, April 29, 1944; 10:01 a. m.]

[Amdt. 44]

PART 600—DESIGNATION OF CIVIL AIRWAYS

DESIGNATION OF AMBER CIVIL AIRWAY 8; REDESIGNATION OF RED CIVIL AIRWAY 35

APRIL 19, 1944.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the regulations of the Administrator of Civil Aeronautics as follows:

1. By adding a new § 600.10107 *Amber civil airway No. 8 (Red Bluff, Calif., to The Dalles, Oreg.)* to read as follows:

From the Red Bluff, Calif., radio range station via the Whitmore, Calif., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Whitmore, Calif., radio range and the south leg of the Klamath Falls, Oreg., radio range; the Klamath Falls, Oreg., radio range station; the intersection of the center lines of the on course signals of the north leg of the Klamath Falls, Oreg., radio range and the southwest leg of the Redmond, Oreg., radio range and the Redmond, Oreg., radio range station to The Dalles, Oreg., radio range station.

2. By striking in § 600.10234 *Red civil airway No. 35 (Pueblo, Colo., to Wichita, Kans.)* the words:

Garden City, Kans., radio marker station;

and substituting in lieu thereof the following:

Garden City, Kans., radio range station;

This amendment shall become effective 0001 e. w. t. May 1, 1944.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-6091; Filed, April 29, 1944; 10:01 a. m.]

[Amdt. 65]

PART 601—DESIGNATION OF CERTAIN CONTROL AIRPORTS

REDESIGNATION OF RADIO FIXES: GREEN CIVIL AIRWAYS 3 AND 4, AMBER CIVIL AIRWAYS 2 AND 3

APRIL 19, 1944.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

1. By striking in § 601.4003 *Green civil airway No. 3 (San Francisco, Calif., to New York, N. Y.)* the following:

Buffalo Valley, Nev., radio range station;

and substituting in lieu thereof the following:

Battle Mountain, Nev., radio range station;

2. By deleting in § 601.4004 *Green civil airway No. 4 (Los Angeles, Calif., to Philadelphia, Pa.)* the following:

or the intersection of the center lines of the on course signals of the northeast leg of the Chanute, Kans., radio range and the southwest leg of the Kansas City, Mo., radio range;

and inserting in lieu thereof the following:

or the intersection of the center lines of the on course signals of the north leg of the Olathe, Kans., radio range and the southwest leg of the Kansas City, Mo., radio range;

3. By deleting in § 601.4012 *Amber civil airway No. 2 (Daggett, Calif., to Fairbanks, Alaska)* the following:

the intersection of the center lines of the on course signals of the north leg of the Helena, Mont., radio range and the southwest leg of the Great Falls, Mont., radio range;

4. By deleting in § 601.4013 *Amber civil airway No. 3 (El Paso, Tex., to Great Falls, Mont.)* the following:

the intersection of the center lines of the on course signals of the northwest leg of the Billings, Mont., radio range and the southeast leg of the Lewistown, Mont., radio range;

This amendment shall become effective 0001 e. w. t. May 1. 1944.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-6092; Filed, April 29, 1944; 10:01 a. m.]

[Amdt. 66]

PART 601—DESIGNATION OF CERTAIN CONTROL AIRPORTS

REDESIGNATION OF RADIO FIXES; AMBER NO. 7 AND RED NO. 16

APRIL 19, 1944.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

1. By striking in § 601.4017 *Amber civil airway No. 7 (Miami, Fla., to Caribou, Maine)* the words:

The intersection of the center lines of the on course signals of the east leg of the Columbia, S. C., radio range and the southwest leg of the Florence, S. C., radio range;

and substituting in lieu thereof the following:

The intersection of the center lines of the on course signals of the northeast leg of the Charleston, S. C., radio range and the southeast leg of the Florence, S. C., radio range;

2. By striking in § 601.40216 *Red civil airway No. 16 (Augusta, Ga., to Charleston, S. C.)* the following portion of the caption:

Charleston, S. C.,

and substituting in lieu thereof the words:

Florence, S. C.,

and by adding the following words:

the intersection of the center lines of the on course signals of the east leg of the Columbia, S. C., radio range and the southwest leg of the Florence, S. C., radio range.

This amendment shall become effective 0001 e. w. t., May 1, 1944.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-6093; Filed, April 29, 1944; 10:01 a. m.]

[Amdt. 67]

PART 601—DESIGNATION OF CERTAIN CONTROL AIRPORTS

DESIGNATION OF AIRWAY TRAFFIC CONTROL AREA: AMBER CIVIL AIRWAY 8; DESIGNATION OF RADIO FIX: AMBER CIVIL AIRWAY 8; REDESIGNATION OF RADIO FIXES: GREEN CIVIL AIRWAY 4, RED CIVIL AIRWAYS 1, 35

APRIL 19, 1944.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

1. By adding a new § 601.1018 *Amber civil airway No. 8 airway traffic control areas (Red Bluff, Calif., to The Dalles, Ore.)* to read as follows:

All of Amber civil airway No. 8.

2. By adding in § 601.4004 *Green civil airway No. 4 (Los Angeles, Calif., to Philadelphia, Pa.)* after the words:

the intersection of the center lines of the on course signals of the northeast leg of the Kansas City, Mo., radio range and the west leg of the Columbia, Mo., radio range:

the following:

the intersection of the center lines of the on course signals of the northeast leg of the Sedalia, Mo., radio range and the west leg of the Columbia, Mo., radio range;

3. By adding a new § 601.4018 *Amber civil airway No. 8 (Red Bluff, Calif., to The Dalles, Oreg.)* to read as follows:

Whitmore, Calif., radio range station; the intersection of the center lines of the on course signals of the northeast leg of the Whitmore, Calif., radio range and the south leg of the Klamath Falls, Oreg., radio range; the Klamath Falls, Oreg., radio range station; the intersection of the center lines of the on course signals of the north leg of the Klamath Falls, Oreg., radio range and the southwest leg of the Redmond, Oreg., radio range; the Redmond, Oreg., radio range station; The Dalles, Oreg., radio range station.

4. By deleting in § 601.40201 *Red civil airway No. 1 (Portland, Oreg., to Fort Bridger, Wyo.)* the following:

The Dalles, Oreg., radio range station;

5. By striking in § 601.40235 *Red civil airway No. 35 (Pueblo, Colo., to Wichita, Kans.)* the words:

Garden City, Kans., radio marker station;

and substituting in lieu thereof the following:

Garden City, Kans., radio range station;

This amendment shall become effective 0001 e. w. t. May 1, 1944.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-6094; Filed, April 29, 1944; 10:01 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4932]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

A. & N. TRADING CO., INC.

§ 3.66 (a 7) *Misbranding or mislabeling; Composition; Wool Products Labeling Act:* § 3.71 (c) *Neglecting, unfairly or deceptively, to make material disclosure; composition; Wool Products Labeling Act.* In connection with the sale or offering for sale in commerce, misbranding shirts, sweaters, trousers, caps, underwear and blankets, or other "wool products", as defined in, and subject to, the Wool Products Labeling Act of 1939, which contain, purport to contain or in any way are represented as containing "wool", "reprocessed wool" or "reused wool" as defined therein, by failing to securely affix to or place on such products a stamp, tag, label or other means of identification showing in a clear and conspicuous manner, (a) the percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers; (b) the maximum percentage of the total weight of such wool products of any non-fibrous loading, filling or adulterating matter; (c) the name of the manufacturer of such wool product; or the manufacturer's registered identification number and the name of a seller of such wool product; or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939; prohibited; subject to the proviso, however, that the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of said Wool Products Labeling Act and to the further proviso that nothing contained in this order shall be construed as limiting any applicable provisions of said Act or the Rules and Regulations promulgated thereunder. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b; 54 Stat. 1128; 15 U.S.C., Sec. 68) [Cease and desist order, The A. & N. Trading Co., Inc., trading as A. & N. Trading Company, A & N Trading Company, Inc., and Sport Center, Docket 4932, April 17, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 17th day of April, A. D. 1944.

In the Matter of The A. & N. Trading Co., Inc., a Corporation, Trading as A. & N. Trading Company, A & N Trading Company, Inc., and Sport Center

This proceeding having been heard by the Federal Trade Commission upon the amended complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said amended complaint and states that it waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act, and the provisions of the Wool Products Labeling Act of 1939:

It is ordered, That the respondent, The A. & N. Trading Co., Inc., a corporation, trading as A. & N. Trading Company, A & N Trading Company, Inc., and Sport Center, or trading under any other name, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the sale or offering for sale in commerce as "commerce" is defined in the aforesaid acts, do forthwith cease and desist from misbranding shirts, sweaters, trousers, caps, underwear and blankets, or other "wool products", as defined in, and subject to, the Wool Products Labeling Act of 1939, which contain, purport to contain or in any way are represented as containing "wool", "reprocessed wool" or "reused wool" as those terms are defined in said act, by failing to securely affix to or place on such products a stamp, tag, label or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers.

(b) The maximum percentage of the total weight of such wool products of any non-fibrous loading, filling or adulterating matter.

(c) The name of the manufacturer of such wool product; or the manufacturer's registered identification number and the name of a seller of such wool product; or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939.

Provided, That the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939; *And provided, further*, That nothing contained in this order shall be construed as limiting any applicable provisions of said Act or the rules and regulations promulgated thereunder.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-6200; Filed, May 1, 1944; 11:21 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51048]

PART 8—LIABILITY FOR DUTIES, ENTRY OF IMPORTED MERCHANDISE

PART 17—PROTESTS AND REAPPRAISEMENTS

NOTICES TO IMPORTERS

Sections 8.26, 17.6, and 17.8, Customs Regulations of 1943, relating to the recall of merchandise to customs custody, the notice to importer of appraisement in the case of so-called "duress" entries, and the notice to importer of reappraisement decision, amended.

Section 8.26 (8 F.R. 8221), Customs Regulations of 1943 (19 CFR 8.26), is hereby amended by adding the following paragraph:

(d) The demand or notification shall be prepared in duplicate and the retained copy, with the date of mailing or delivery noted thereon, shall be made part of the entry record.

(R.S. 161, sec. 499, 46 Stat. 728, secs. 15 and 16 (a), 52 Stat. 1084, sec. 505, 46 Stat. 732, sec. 623, 46 Stat. 759, sec. 30, 52 Stat. 1089; 5 U.S.C. 22, 19 U.S.C. 1499, 1505, 1623, 1624)

Section 17.6 (b) (8 F.R. 8339), Customs Regulations of 1943 (19 CFR 17.6 (b)), is hereby amended by adding the following sentence:

The notice shall be prepared in duplicate and the retained copy, with the date of mailing or delivery noted thereon, shall be made part of the entry record.

(Sec. 501, 46 Stat. 730, sec. 16 (b), 52 Stat. 1084, sec. 503 (b), 46 Stat. 731, sec. 624, 46 Stat. 759; 19 U.S.C. 1501, 1503 (b), 1624)

Section 17.8 (a) (8 F.R. 8339), Customs Regulations of 1943 (19 CFR 17.8 (a)), is amended by adding the following sentence:

The notice shall be prepared in duplicate and the retained copy, with the date of mailing or delivery noted thereon, shall be made part of the entry record.

(Sec. 501, 46 Stat. 730, sec. 16 (b), 52 Stat. 1084, sec. 624, 46 Stat. 759; 19 U.S.C. 1501, 1503 (b), 1624)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: April 28, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-6216; Filed, May 1, 1944; 11:35 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs, Department of the Interior

Subchapter E—Credit to Indians

PART 22—ORGANIZATION OF INDIAN COOPERATIVE ASSOCIATIONS

Sections 22.1 to 22.3, inclusive, are hereby repealed, and the following sections are promulgated as new regulations under the title "Organization of Indian Cooperative Associations":

Sec.
22.1 Eligibility.
22.2 Purpose.
22.3 Requirements for organization.
22.4 Articles of association.
22.5 Bylaws.
22.6 Charter.

AUTHORITY: §§ 22.1 to 22.6, inclusive, issued under sec. 9, 49 Stat. 1968, 25 U.S.C. Supp. sec. 509; Pub. Law 133, 78th Congress.

§ 22.1 *Eligibility.* Under the Oklahoma Indian Welfare Act approved June 26, 1936 (49 Stat. 1967, 25 U.S.C. Supp. secs. 501–509), the Secretary of the Interior may issue charters to cooperative associations organized under the act and in accordance with his regulations. Under authority contained in the act of July 12, 1943 (Public Law 133, 78th Congress, 1st sess.), the Secretary of the Interior is authorized to make loans to Indian organizations. In order for Oklahoma cooperative associations to receive charters, and for these or other Indian cooperative associations to be eligible for loans under the provisions of 25 C.F.R., Part 23, "Loans to Indian Cooperative Associations", or 25 C.F.R., Part 24, "Loans to Indian Credit Associations", they must be organized in accordance with the regulations in this part. Cooperative associations whose members are also members of tribes incorporated under the act of June 18, 1934 (48 Stat. 988, 25 U.S.C. sec. 479), and cooperative associations whose members are also members of unincorporated tribes which are conducting operations with revolving credit funds shall be organized under the provisions of 25 C.F.R., Part 21, "Loans to and by Indian Chartered Corporations and Unincorporated Tribes", and not un-

der the regulations in this part unless specifically authorized to do so by the Secretary of the Interior.

§ 22.2 *Purpose.* Cooperative associations organized pursuant to this part shall promote the economic development of their members by providing the necessary economic and social facilities which the members as individuals cannot secure or maintain. They shall be organized for one or more of the following purposes: (a) credit administration; (b) production; (c) marketing; (d) consumers' protection; and (e) land management.

§ 22.3 *Requirements for organization.* A cooperative organized under the Oklahoma Indian Welfare Act, and all credit associations must have at least ten members. All other cooperatives must have at least five members. The members must reside in convenient proximity to each other and desire to act together for their mutual economic development. All members shall be Indians as defined in the Indian Reorganization Act of June 18, 1934 (48 Stat. 988, 25 U.S.C. Supp. sec. 479).

§ 22.4 *Articles of Association.* The articles of cooperative associations and credit associations shall be approved by the Secretary of the Interior. All articles shall include provisions relating to: (a) Name; (b) purpose; (c) powers; (d) principal place of business; (e) term for which organized; (f) eligibility for membership; (g) voting; (h) application of income; (i) management; (j) interest of members in the association; (k) procedure for amendments; (l) dissolution. The articles must show that each member will have but one vote; that voting by proxy will not be permitted; that capital invested in the enterprise shall be entitled to a limited return only; and that profits or refunds will be distributed on a patronage basis.

§ 22.5 *Bylaws.* The bylaws of cooperative associations and credit associations shall be approved by the Secretary of the Interior. All bylaws shall include provisions relating to: (a) Time, place, and manner of holding, calling, adjourning, and postponing meetings of members and directors; (b) quorums; (c) the number of officers and directors, titles, tenure of office, powers, duties, manner of election, filling of vacanies, and removal of officers and directors; (d) manner in which members may be expelled from or restored to membership, or withdraw from membership, and the liquidation or restoration of the interests of members in such cases; (e) creation of reserves and operating funds; (f) manner of making and recording receipts and disbursements and of keeping all accounts, records, books, and minutes. The bylaws must provide that no officer or director may be employed as a paid manager of the association. If the association is organized with capital stock, the manner of issuing such stock and the manner of transferring, retiring, and evidencing ownership thereof shall be specified.

§ 22.6 *Charter.* The Secretary of the Interior will, in his discretion, execute a charter of incorporation for cooperative associations organized under the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967, 25 U. S. C. Supp. secs. 504, 509). Such certificate together with the approved articles dealt with in § 22.4 shall constitute the charter of the association.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

APRIL 13, 1944.

[F. R. Doc. 44-6065; Filed, April 28, 1944; 11:57 a. m.]

PART 23—LOANS TO INDIAN COOPERATIVE ASSOCIATIONS

Sections 23.1 to 23.27, inclusive, are hereby repealed, and the following sections are promulgated as new regulations under the title "Loans to Indian Cooperative Associations."

Sec.
23.1 Eligibility.
23.2 Purpose.
23.3 Application for loan.
23.4 Security.
23.5 Interest.
23.6 Maturity.
23.7 Commitment order.
23.8 Loan agreement contract.
23.9 Modification of loan agreement.
23.10 Depository.
23.11 Bonding of officers.
23.12 Limitations of use.
23.13 Penalties on default.
23.14 Restrictions on approval.
23.15 Records.
23.16 Title to property.
23.17 Property identification.
23.18 Bills of sale.

AUTHORITY: §§ 23.1 to 23.18, inclusive, issued under sec. 9, 49 Stat. 1968, 25 U.S.C. Supp. sec. 509; Pub. Law 133, 78th Cong.

§ 23.1 *Eligibility.* To be eligible for a loan under the regulations in this part, a cooperative association must be organized in accordance with the provisions of 25 C. F. R., Part 22, "Regulations for Organization of Indian Cooperative Associations." Cooperatives organized for credit administration may receive loans under the provisions of 25, C. F. R. Part 24, "Regulations for Loans to Indian Credit Associations" and not under the regulations in this part.

§ 23.2 *Purpose.* Funds may be loaned to a cooperative to promote the economic development of its members.

§ 23.3 *Application for loan.* Applications shall be prepared on forms approved by the Secretary of the Interior, and unless otherwise authorized by the Commissioner of Indian Affairs, shall include signed agricultural, commercial, or industrial plans. The superintendent of the Agency or his authorized representative shall be responsible for explaining the nature of all instruments signed, responsibility for care of the property, and the necessity for carrying out the provisions of the loan agreement. Unless otherwise authorized by the Commissioner, all applications shall be approved by the Commissioner.

§ 23.4 *Security.* The association shall offer the United States all possible security up to an adequate amount. Upon approval of the application the association must give the United States the security required by the Commissioner of Indian Affairs before any advance fo funds shall be made. Securing instruments shall be filed in accordance with instructions of the Commissioner.

§ 23.5 *Interest.* Associations shall be charged interest at the rate of three percent per annum from the date the money is advanced until repaid, which shall be figured on the basis of 360 days per annum.

§ 23.6 *Maturity.* Twenty years shall be the maximum time for which a loan may be made to a cooperative.

§ 23.7 *Commitment order.* Upon approval of the application for the loan, a commitment order covering the terms and conditions of making the loan and advances thereunder shall be submitted to the association through the superintendent, and shall be effective when the association delivers the required copies to the superintendent with its unconditional acceptance written on the original copy. Such delivery must be made within ninety days of the approval of the application.

§ 23.8 *Loan agreement contract.* The approved application, supporting papers, commitment order, and note or notes, constitute the loan agreement contract.

§ 23.9 *Modification of loan agreement.* Modifications of the loan agreement shall be handled through the same channels as the original agreement, except that the credit agent may approve modifications where the amount involved does not exceed $1,000 on applications originally approved by the Commissioner of Indian Affairs. Loan agreements shall not be permitted to remain in default; either payment must be made, a formal extension granted in the form of a modification, or action taken under the provisions of § 23.13.

§ 23.10 *Depository.* All advances shall be deposited immediately upon receipt in depositories approved by the Commissioner of Indian Affairs, and must be evidenced by promissory note or notes, the original of which only shall be signed.

§ 23.11 *Bonding of officers.* Each officer of the association authorized to handle funds shall furnish a bond satisfactory to the Commissioner of Indian Affairs, except that when funds are handled in a manner similar to the handling of individual Indian moneys by a bonded Government disbursing officer, a bond shall not be required.

§ 23.12 *Limitations of use.* Credit funds may be used only for the purposes set forth in the association's loan agreement with the United States.

§ 23.13 *Penalties on default.* Failure on the part of the association to use or repay the funds loaned in keeping with the loan agreement as originally approved or as amended, or any improper use of funds loaned to the association, shall be grounds for any one or all of the following steps to be taken by the Commissioner of Indian Affairs, with or without recourse to legal proceedings: (a) Declare the entire amount advanced immediately due and payable; (b) discontinue any further advances of funds contemplated by the loan agreement; (c) prevent further disbursements of credit funds under the control of the association; (d) withdraw any unobligated funds from the association; (e) take possession of any and all collateral or security; (f) take possession of the assets of the association and exercise or arrange for the exercise of its powers until the association's indebtedness to the United States shall be repaid, or until the Commissioner shall receive acceptable assurance of its repayment and of compliance with the loan agreement.

§ 23.14 *Restrictions on approval.* The Commissioner of Indian Affairs shall not approve, nor authorize the approval of a loan to an association: (a) For the development of commercial enterprises unless such enterprises are to be conducted on a cash basis, except when authorized in the loan agreement; (b) which is indebted to the United States for loans from "industry among Indians" or "tribal industrial assistance" funds, or which has livestock or crops of the same class as that upon which a lien exists, or the title to which is affected, because of existing debts or obligations from any source, unless plans of repayment acceptable to the Commissioner or his authorized representative are presented in the application; (c) for the production of crops, unless the loan will be repaid within one year; except for crops from which no income will be received the first year; maturity dates shall be fixed at the time when the crops are to be harvested and available for sale; (d) for less than $25.00; (e) for the purchase of land, except sites necessary for the operation of the association.

§ 23.15 *Records.* The association must keep records, files, and accounts and make signed reports as directed by the Commissioner of Indian Affairs.

§ 23.16 *Title to property.* All property purchased with credit funds shall be purchased in the name of the United States in trust for the association, and all buildings, fences, and other permanent improvements constructed wholly or in part with credit funds shall not be considered a part of the realty until the loan with which they were purchased is repaid in full, unless otherwise specified in the association's loan agreement.

§ 23.17 *Property identification.* All livestock and issue thereof and all major articles of equipment purchased with credit funds, and trust property given as security for loans of credit funds, except as otherwise authorized by the Commissioner of Indian Affairs, shall be branded or marked with the letters "ID" to make identification permanently possible, and certificates showing compliance with this requirement shall be filed.

§ 23.18 *Bills of sale.* The association must obtain bills of sale on a form approved by the Commissioner of Indian Affairs for all livestock purchased with credit funds, title to which is taken in the name of the United States. This form also may be used for machinery, equipment, and other purchases, title to which is taken in the name of the United States, but receipted invoices on the vendor's stationery will be accepted in lieu thereof. Receipted invoices or appropriate bills of sale, which shall be filed in accordance with instructions of the Commissioner, must be obtained on purchases of all items costing twenty-five dollars or more.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

APRIL 13, 1944.

[F. R. Doc. 44-6066; Filed, April 28, 1944; 11:57 a. m.]

PART 24—LOANS TO INDIAN CREDIT ASSOCIATIONS

MISCELLANEOUS AMENDMENTS

The title of the regulations in this part is amended as above, and the following sections of these regulations are amended to read as follows:

§ 24.1 *Eligible borrowers.* To be eligible for a loan a credit association operating in the State of Oklahoma must be organized under the Oklahoma Indian Welfare Act approved June 26, 1936 (49 Stat. 1967, 25 U. S. C. Supp. secs. 501-509). Credit associations operating in other states shall have a form of organization approved by the Secretary of the Interior. All credit associations shall be organized in accordance with the provisions of 25 C. F. R. Part 22, "Regulations for Organization of Indian Cooperative Associations." The name of the association shall include the words "Indian Credit Association" and its articles of association shall provide as its purpose the following: "To carry on the business of borrowing money from the United States and relending it to its members." In order to obtain a loan a credit association must agree to follow the rules and regulations in this part, those in 25 C. F. R. Part 25, "Loans by Indian Credit Associations," and such conditions as are agreed upon and set forth in the loan agreement between the association and the United States. The association must also agree in requesting funds to be reloaned, to accept such provisions, in addition to said regulations, as in the opinion of the Commissioner are necessary to insure fulfillment of the loan agreement between the United States and the association; and to require its borrowers to conform to applicable rules and regulations. The association may adopt such additional rules and regulations as it deems advisable, which are not inconsistent with the terms and conditions of the loan agreement with the United States and the regulations in this part.

§ 24.2 *Purpose.* Funds may be loaned to an association to promote the economic development of the association and its members. The association may make loans to qualified members under the regulations in 25 C.F.R., Part 25, "Loans by Indian Credit Associations."

§ 24.5 *Annual carrying charge.* The annual carrying charge by the United States shall be one percent per annum from the date the money is advanced until repaid, which shall be figured on the basis of 360 days per annum.

§ 24.9 *Modification of loan agreement.* Modifications of the loan agreement shall be handled through the same channels as the original agreement, except that the Commissioner of Indian Affairs may approve modifications when the amount of the loan is not increased. When the amount of the loan is increased, modifications must be approved by the Secretary of the Interior.

(Sec. 9, 49 Stat. 1968, 25 U.S.C. Supp. sec. 509, and Public Law 133, 78th Cong., 1st Sess.)

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

APRIL 13, 1944.

[F. R. Doc. 44-6067; Filed, April 28, 1944; 11:57 a. m.]

PART 25—LOANS BY INDIAN CREDIT ASSOCIATIONS

MISCELLANEOUS AMENDMENTS

The title of the regulations in this part is amended as above, and the following sections of these regulations are amended to read as follows:

§ 25.6 *Restrictions on approval.* * * * (a) Except when authorized in the loan agreement, for the development of commercial enterprises unless such enterprises are to be conducted on a cash bases. * * * (d) Where the maturity dates extend beyond the maturity dates of the credit association's loan from the United States, unless the association has sufficient funds to make the loan in addition to paying its indebtedness to the United States.

(Paragraphs (b), (c), (e), (f), and (g) of § 25.6 continue as approved June 23, 1941, 6 F.R. 3366.)

§ 25.7 *Applications requiring approval of the Commissioner of Indian Affairs.* Applications of the following character shall require prior approval of the Commissioner of Indian Affairs; (a) Applications of Government employees; (b) applications of individuals who will have an aggregate indebtedness to the association exceeding $3,000; (c) applications for loans for the purchase of livestock, machinery, and equipment with maturities exceeding six years; (d) applications for enterprises which are not conducted on lands within the boundaries of the reservation, except enterprises operated in the State of Oklahoma.

§ 25.25 *Fees.* Inspection fees may be charged a borrower when a physical inspection is necessary, but in no case may the fees exceed one percent of the loan, and in no event may they exceed five dollars.

Fees for the preparation of applications, and for assistance with the clerical work and maintenance of the records of the association may also be charged, when authorized in the loan agreement of the association with the United States, or when authorized by the Commissioner of Indian Affairs.

The total fees charged may not exceed one percent of the total amount of the loan, except on short-time loans to be repaid within one year, in which cases the Commissioner may approve fees up to two percent of the amount of the loan. Borrowers shall not pay directly or indirectly, any fees, interest, or charges, except as specifically provided for in the regulations in this part.

(Sec. 9, 49 Stat. 1968, 25 U.S.C. Supp. sec. 509, and Pub. Law 133, 78th Cong., 1st sess.)

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

APRIL 13, 1944.

[F. R. Doc. 44-6068; Filed, April 28, 1944; 11:57 a. m.]

PART 26—LOANS BY UNITED STATES TO INDIVIDUAL INDIANS

MISCELLANEOUS AMENDMENTS

The title of the regulations in this part is amended as above, and the following sections of these regulations are amended to read as follows:

§ 26.1 *Eligibility.* To be eligible for a loan an individual must be an Indian as determined by the official tribal rolls; or an Indian descendant of such an enrolled Indian; or an Indian as defined in the Indian Reorganization Act of June 18, 1934 (48 Stat. 988, 25 U.S.C. Supp. sec. 479); and must be of not less than one quarter degree of Indian blood. Individuals who are members of any Indian tribe whose affairs are administered by any Indian agency in the State of Oklahoma must also be domiciled in and a resident of the State of Oklahoma. Members of unincorporated tribes are eligible for loans under the regulations in this part when such tribes are not conducting credit operations under 25 C.F.R. Part 21, "Loans to and by Indian Chartered Corporations and Unincorporated Tribes", and have either declined to conduct such operations or are, in the judgment of the Secretary of the Interior, incapable, at the time, of conducting such operations. Members of incorporated tribes are not eligible for loans under this part. Any applicant who resides in the territory of an Indian credit association conducting operations with revolving credit funds to be eligible must show that the credit association has rejected his application and the reasons for the rejection.

§ 26.6 *Restrictions on approval.* • • • (a) Except when authorized in the loan agreement, for the development of commercial enterprises unless such enterprises are to be conducted on a cash basis: • • •

§ 26.7 *Applications requiring approval of the Commissioner of Indian Affairs.* Applications of the following character shall require prior approval of the Commissioner of Indian Affairs: (a) Applications of Government employees; (b) applications of individuals who will have an aggregate indebtedness to the credit revolving fund exceeding $3,000; (c) applications for loans for the purchase of livestock, machinery, and equipment with maturities exceeding six years; (d) applications of enterprises which are not conducted on lands within the boundaries of the reservation, except enterprises operated in the State of Oklahoma.

(Sec. 9, 49 Stat. 1968, 25 U.S.C. Supp. sec. 509, and Public Law 133, 78th Cong., 1st Sess.)

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

APRIL 13, 1944.

[F. R. Doc. 44-6069; Filed, April 28, 1944; 11:57 a. m.]

Subchapter L—Irrigation Charges: Operation and Maintenance

PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

COLORADO RIVER INDIAN IRRIGATION PROJECT, ARIZ.

APRIL 17, 1944.

Sections 130.6 to 130.8a, inclusive, of 25 CFR Part 130, Indians, as amended by the Assistant Secretary of the Interior on July 31, 1943 (8 F.R., 11714), are hereby amended further to read as follows:

§ 130.6 *Basic water charges.* Pursuant to the provisions of the Acts of August 1, 1914, and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U. S. C., 385, 387), the annual basic charge against the land to which water can be delivered under the Colorado River Indian Irrigation Project in Arizona, for the operation and maintenance of that project, is hereby fixed until further notice at $4.50 per acre for the delivery of not in excess of 4 acre-feet of water per acre per annum except that when, with the approval by the Superintendent, certain alkali tracts are planted to rice with a view to reclaiming the lands, a quantity of water reasonably sufficient to carry away alkali salts may be furnished to any such tracts of land for not more than two successive years at a rate of $2.00 per acre per annum.

The foregoing charges do not apply to the lands used by the War Relocation Authority. The Memorandum of Understanding between the Interior Department and the Authority of January 29, 1944, shall govern the charges for water delivery.

§ 130.7 *Excess water charge.* For the delivery of water in excess of 4 acre-feet per acre per annum, additional charges are hereby fixed as follows:

For the delivery of the 5th acre-foot of water or fraction thereof, per acre per annum, $1.50 per acre-foot.

For the delivery of each acre-foot of water or fraction thereof, in excess of 5 acre-feet per acre per annum, $2.00 per acre-foot.

§ 130.8 *Payment.* The basic water charge fixed in § 130.6 is due on March 1 of each year, and shall be payable on or before that date.

The excess water charge is payable at the time the written request is made for the delivery of water in excess of the minimum four acre-feet per acre per annum and must be paid prior to the delivery of excess water.

No water shall be delivered for use on Indian trust lands under lease until after the Superintendent of the Indian reservation has certified to the Project Engineer that the lessee has paid the annual operation and maintenance charges and complied with all terms of the lease contract.

§ 130.8a *Payment waived.* Advance payment of the basic and excess water charges may be waived and water may be delivered to trust lands farmed by Indians who are financially unable to pay the charges, when (a) the land is planted to crops other than cotton, (b) the land planted to cotton does not exceed 5 acres, and (c) the Superintendent certifies to the financial status of the Indian and to the factual requirements of (a) and (b). Water may be delivered upon payment of $3.25 per acre of the charges fixed in § 130.6 of this part upon the issuance by the Superintendent of a certificate setting out that while more than five acres of trust land are planted to cotton, the Indian is financially able to pay only $3.25 of the annual per acre charges. Certificates by the Superintendent shall be issued only in proper cases. All unpaid charges are a lien on the land and the amount thereof shall be entered on the accounts without penalty.

(38 Stat. 583, 45 Stat. 210; 25 U.S.C. 385, 387) [Regs. Asst. Sec. Int. July 31, 1943; 8 F.R. 11714, as amended Asst. Sec. Int. Apr. 17, 1944]

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-6064; Filed, April 28, 1944; 11:57 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T. D. 5363]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

RETROACTIVE EFFECT OF SECTION 169 OF THE REVENUE ACT OF 1942

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.] to section 509 (a) of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 19.322–1 the following:

SEC. 509. RETROACTIVE EFFECT OF SECTION 169 OF THE REVENUE ACT OF 1942. (Revenue Act of 1943, Title I.)

(a) *In general.* Section 169 (c) of the Revenue act of 1942 (relating to the effective date of certain amendments to section 322) is amended by inserting at the end thereof the following: "A provision having the effect of the amendment inserting section 322 (b) (3) of the Internal Revenue Code, and a provision having the effect of the amendment made by subsection (b) of this section, shall be deemed to be included in the revenue laws respectively applicable to taxable years beginning after December 31, 1923, but such amendments shall be effective with respect to taxable years beginning prior to January 1, 1942, only if on or at some time after the date of the enactment of the Revenue Act of 1943 the Commissioner may assess the tax for such taxable year solely by reason of having made (either before, on, or after the date of the enactment of the Revenue Act of 1943) an agreement with the taxpayer pursuant to section 276 (b) of the Internal Revenue Code or the corresponding provision of the applicable prior revenue law to extend beyond the time prescribed in section 275 or the corresponding provision of such prior revenue law the date within which the Commissioner may assess the tax."

• • • • •

PAR. 2. Section 19.322–7; as amended by Treasury Decision 5256, approved April 7, 1943, is amended as follows:

1. By amending the last sentence of paragraph (a) to read as follows:

The provisions of this paragraph are subject to the exceptions provided in paragraphs (b), (c), and (d) of this section.

2. By inserting immediately after the first three words "in any case" of the first sentence of paragraph (b) the following:

, other than a case covered by the last paragraph of this paragraph,

3. By inserting at the end of (b) the following:

In any case in which the Commissioner would be barred on February 25, 1944, the date of the enactment of the Revenue Act of 1943, or on any date thereafter, from assessing a deficiency but for the fact that the Commissioner and the taxpayer have executed an agreement under the provisions of section 276 (b) to extend beyond the period prescribed in section 275 the time within which the commissioner may make an assessment, the provisions of paragraph (d) of § 29.322–7 of Regulations 111 shall apply. Such provisions shall apply even though the Commissioner could assess a deficiency on the date of the enactment of the Revenue Act of 1943 without regard to such an agreement if at some time after the enactment of the Revenue Act of 1943 the Commissioner would be barred from making an assessment but for the fact that such an agreement has in fact been executed. It is immaterial whether the agreement is executed before, on, or after the date of the enactment of the Revenue Act of 1943. It is likewise immaterial whether the Commissioner actually does make an assessment pursuant to such an agreement. The authority to make the assessment is the determining factor.

4. By inserting at the end thereof the following new paragraph:

(d) *Limitations in case waiver executed.* In any case in which the Commissioner would be barred on February 25, 1944, the date of the enactment of the Revenue Act of 1943, or on any date thereafter, from assessing a deficiency but for the fact that the Commissioner and the taxpayer have executed an agreement under the provisions of section 276 (b) to extend beyond the period prescribed in section 275 the time within which the Commissioner may make an assessment, the provisions of paragraph (b) of § 29.322–7 of Regulations 111 shall apply. Such provisions shall apply even though the Commissioner could assess a deficiency on the date of the enactment of the Revenue Act of 1943 without regard to such an agreement if at some time after the enactment of the Revenue Act of 1943 the Commissioner would be barred from making an assessment but for the fact that such an agreement has in fact been executed. It is immaterial whether the agreement is executed before, on, or after the date of the enactment of the Revenue Act of 1943. It is likewise immaterial whether the Commissioner actually does make the assessment pursuant to such an agreement. The authority to make the assessment is the determining factor.

PAR. 3. The amendments to § 19.322–7 of Regulations 103 (covering taxable years beginning after December 31, 1938 and prior to January 1, 1942) set forth in this Treasury decision are hereby made applicable to taxable years beginning after December 31, 1923 and prior to January 1, 1939 (such years being covered by Regulations 65, 69, 74, 77, 86, 94, and 101).

Secs. 62 and 322 of the Internal Revenue Code (53 Stat. 32, 91; 26 U.S.C. 62, 322), corresponding provisions of prior internal revenue laws, and sec. 509 (a) of the Revenue Act of 1943. (Pub. Law 235, 78th Cong.))

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: April 29, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-6216; Filed, May 1, 1944; 11:35 a. m.]

[T. D. 5364]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

LAST-IN FIRST-OUT INVENTORY

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Supp.] and Regulations 111 [Part 29, Title 26, Code of Federal Regulations, Cum. Supp.] relating to the income tax under the Internal Revenue Code, to section 110 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 19.22 (d)–1 the following:

SEC. 110. LAST-IN FIRST-OUT INVENTORY. (Revenue Act of 1943, Title I.)

(a) *In general*—(1) *Retroactive effect.* Section 22 (d) (6) (A) (relating to involuntary liquidation and replacement of goods subject to elective inventory) is amended (A) by striking out "December 31, 1941" and inserting in lieu thereof "December 31, 1940", and (B) by inserting after "taxpayer's income tax return for such year" the following: "(or, with respect to taxable years beginning in 1941, at any time within the six months period following the date of the enactment of the Revenue Act of 1943)".

(2) *Effect of adjustment on carry-overs and carry-backs.* The next to the last sentence of section 22 (d) (6) (A) is amended to read as follows: "The taxes imposed by this chapter and by chapter 2 for the year of such liquidation, for preceding taxable years, and for all taxable years intervening between the year of liquidation and the year of replacement shall be redetermined, giving effect to such adjustments."

(3) *Technical amendment relating to replacements.* Section 22 (d) (6) (C) (relating to replacements) is amended to read as follows:

(C) *Replacements.* If, in the case of any taxpayer subject to the provisions of subparagraph (A), the closing inventory of the taxpayer for a taxable year, subsequent to the year of involuntary liquidation but prior to the complete replacement of the goods so liquidated, reflects an increase over the opening inventory of such goods for the taxable year, the goods reflecting such increase shall be considered, in the order of their acquisition, as having been acquired in replacement of the goods most recently liquidated (whether or not in a year of involuntary liquidation) and not previously replaced, and if the liquidation was an involuntary liquidation shall be taken into purchases and included in the closing inventory of the taxpayer for the year of replacement at the inventory cost basis of the goods replaced.

(4) *Effect of election.* Section 22 (d) (6) (D) (relating to irrevocable effect of election) is amended by striking out "for subsequent taxable years" and inserting in lieu thereof "for prior and subsequent taxable years".

(5) *Taxes affected by adjustment.* Section 22 (d) (6) (E) (relating to adjustment with respect to closed years) is amended by striking out "Subchapter E of".

(b) *Effective date.* The amendments made by this section shall be applicable with respect to taxable years beginning after December 31, 1940

PAR. 2. Section 19.22 (d)–7, as added by Treasury Decision 5199, approved December 10, 1942, is amended as follows:

1. By inserting in the second sentence of the first paragraph, and immediately after the words "at the time of filing his income tax return for the year of liquidation" the following: "(or, with respect to liquidations occurring in a taxable year beginning in 1941, at any time prior to August 26, 1944)".

2. By striking from the second paragraph the words "December 31, 1941," and inserting in lieu thereof the words "December 31, 1940,".

3. By striking the period at the end of the first sentence in the fourth paragraph and inserting in lieu thereof a comma and the following: "or, with respect to a taxable year beginning in 1941, prior to August 26, 1944."

4. By striking at the beginning of the second sentence of the fourth paragraph the words "In making such election," and inserting in lieu thereof the following: "In making such election for a taxable year other than one beginning in 1941,".

5. By inserting at the end of the fourth paragraph the following:

With respect to an election for a taxable year beginning in 1941, the required

statement of the taxpayer shall be duly verified under oath and shall be filed with the Commissioner of Internal Revenue, or with the collector of internal revenue, together with a statement of the time and place of filing the taxpayer's return for the taxable year.

6. By striking from the first sentence of the fifth paragraph the words "intervening and subsequent years" twice appearing therein and by inserting in lieu thereof in each case the words "prior, intervening, and subsequent years".

7. By striking the third sentence in the fifth paragraph and inserting in lieu thereof the following:

They may have consequences in the prior years by reason of adjustments in net operating loss or unused excess profits credit carry-backs, and in intervening and subsequent taxable years by reason of adjustments in carry-overs. Adjustments are to be made for the several years affected consistent with the adjustments made for the year of liquidation.

8. By changing the sixth paragraph thereof to read:

Notwithstanding the ultimate purchase price or the cost of production ultimately incurred by the taxpayer in effecting replacement of a stock involuntarily liquidated, the merchandise reflecting the replacement shall be taken into purchases and included in the closing inventory for the year of replacement, and shall be included in the inventories of subsequent taxable years, at the inventory cost figure of the merchandise replaced.

PAR. 3. There is inserted immediately preceding § 29.22 (d)–1 the following:

SEC. 110. LAST-IN FIRST-OUT INVENTORY. (Revenue Act of 1943, Table I.)

(a) *In general*—(1) *Retroactive effect.* Section 22 (d) (6) (A) (relating to involuntary liquidation and replacement of goods subject to elective inventory) is amended (A) by striking out "December 31, 1941" and inserting in lieu thereof "December 31, 1940", and (B) by inserting after "taxpayer's income tax return for such year" the following: "(or, with respect to taxable years beginning in 1941, at any time within the six months period following the date of the enactment of the Revenue Act of 1943)".

(2) *Effect of adjustment on carry-overs and carry-backs.* The next to the last sentence of section 22 (d) (6) (A) is amended to read as follows: "The taxes imposed by this chapter and by chapter 2 for the year of such liquidation, for preceding taxable years, and for all taxable years intervening between the year of liquidation and the year of replacement shall be redetermined, giving effect to such adjustments."

(3) *Technical amendment relating to replacements.* Section 22 (d) (6) (C) (relating to replacements) is amended to read as follows:

(C) *Replacements.* If, in the case of any taxpayer subject to the provisions of subparagraph (A), the closing inventory of the taxpayer for a taxable year, subsequent to the year of involuntary liquidation but prior to the complete replacement of the goods so liquidated, reflects an increase over the opening inventory of such goods for the taxable year, the goods reflecting such increase shall be considered, in the order of their acquisition, as having been acquired in replacement of the goods most recently liquidated (whether or not in a year of involuntary liquidation) and not previously replaced, and if the liquidation was an involuntary liquidation shall be taken into purchases and included in the closing inventory of the taxpayer for the year of replacement at the inventory cost basis of the goods replaced.

(4) *Effect of election.* Section 22 (d) (6) (D) (relating to irrevocable effect of election) is amended by striking out "for subsequent taxable years" and inserting in lieu thereof "for prior and subsequent taxable years".

(5) *Taxes affected by adjustment.* Section 22 (d) (6) (E) (relating to adjustment with respect to closed years) is amended by striking out "Subchapter E of".

(b) *Effective date.* The amendments made by this section shall be applicable with respect to taxable years beginning after December 31, 1940.

PAR. 4. Section 29.22 (d)–7 is amended as follows:

1. By striking from the first sentence of the fifth paragraph the words "intervening and subsequent years" twice appearing therein and by inserting in lieu thereof in each case the words "prior, intervening, and subsequent years".

2. By striking the third sentence in the fifth paragraph and inserting in lieu thereof the following:

They may have consequences in the prior years by reason of adjustments in net operating loss or unused excess profits credit carry-backs, and in intervening and subsequent taxable years by reason of adjustments in carry-overs. Adjustments are to be made for the several years affected consistent with the adjustments made for the year of liquidation.

3. By changing the sixth paragraph thereof to read:

Notwithstanding the ultimate purchase price or the cost of production ultimately incurred by the taxpayer in effecting replacement of a stock involuntarily liquidated, the merchandise reflecting the replacement shall be taken into purchases and included in the closing inventory for the year of replacement, and shall be included in the inventories of subsequent taxable years, at the inventory cost figure of the merchandise replaced.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C. 62) and sec. 110 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.))

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: April 29, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-6219; Filed, May 1, 1944; 11:35 a. m.]

TITLE 29—LABOR

Chapter IX—War Food Administration (Agricultural Labor)

[Specific Wage Ceiling Reg. 1, Amdt.]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

ASPARAGUS WORKERS IN DESIGNATED CALIFORNIA COUNTIES

Section 1102.1 (9 F.R. 833) is hereby amended as set forth below:

All of paragraph (b) is revised and amended to read as follows:

(b) *Wage rates; maximum wage rates for harvesting asparagus.*

I. Asparagus other than No. 1 cannery white and No. 1 cannery green.

A. For prime beds (not less than five and not more than ten years' old):

(i) Cutting and sledding, $2.75 per cwt. packed out or $0.92 per 33⅓ lbs. packed out market crate. If workers are paid on a field box basis for cutting and sledding, rates must be equivalent to the rates quoted above.

B. For other than prime beds:

(i) Cutting and sledding, $3.25 per cwt. packed out or $1.08 per 33⅓ lbs. packed out market crate. If workers are paid on a field box basis for cutting and sledding, rates must be equivalent to the rates quoted above.

C. For ranch packing market green asparagus (does not include packing in commercial packing houses but only packing that is performed by crews which also perform the operations of cutting and sledding):

(i) $1.00 per cwt. packed out, or $0.33⅓ per 33⅓ lbs. packed out market crate.

The term "packed out" in A, B, and C above shall include all asparagus that is sold, and utilized for human food.

D. No payment shall be made for culls not sold and not utilized for human food.

II. No. 1 cannery white and No. 1 cannery green asparagus.

A. For prime beds (not less than five and not more than ten years' old):

(i) Cutting and sledding No. 1 white $2.75 per cwt.

(ii) Cutting and sledding No. 1 green $3.25 per cwt. Both rates for packed out and seven inches long. If workers are paid on a field box basis for cutting and sledding, rates must be equivalent to the per-cwt. rates quoted above.

B. For other than prime beds.

(i) Cutting and sledding white, $3.25 per cwt.

(ii) Cutting and sledding green, $3.75 per cwt. Both rates for packed out and seven inches long. If workers are paid on a field box basis for cutting and sledding, rates must be equivalent to the per-cwt. rates quoted above.

C. Washing and boxing:

(i) Hand washing, racking and boxing No. 1 white, $0.40 per cwt.

(ii) Hand-racking and washing No. 1 green, $0.55 per cwt.

(iii) Machine washing, racking and boxing No. 1 white, $0.30 per cwt.

(iv) Machine washing and racking No. 1 green, $0.40 per cwt.

III. Cannery culls sorted at cannery.

A. No payment may be made for cutting, sledding, washing and boxing.

(56 Stat. 765, 50 U.S.C. App. 961 et seq.; Pub. Law 34, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702; regulations of the War Food Administrator, 9 F.R. 655, 9 F.R. 831)

Issued this 29th day of April 1944.

WILSON R. BUIE,
Acting Director, Office of Labor, War Food Administration.

[F. R. Doc. 44-6201; Filed, May 1, 1944; 11:38 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

PART 602—GENERAL ORDERS AND DIRECTIVES

DESIGNATION OF ICEBOUND PORTS

To implement the provisions of § 602.336 (c) of SFAW Regulation No. 18, the following are designated as icebound ports:

Augusta, Bangor, Blue Hill, Brewer, Bucksport, Gardiner, Hallowell, Richmond, all in the State of Maine, and Westerly, Rhode Island.

Issued this 27th day of April 1944.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. R. Doc. 44-6063; Filed, April 28, 1944; 11:59 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service

Subchapter B—Bureau of the Public Debt

[4th Supp. to Dept. Circ. No. 300]

PART 306—GENERAL REGULATIONS WITH RESPECT TO UNITED STATES BONDS AND NOTES

OFFICERS AUTHORIZED TO WITNESS ASSIGNMENTS OF UNITED STATES REGISTERED BONDS

APRIL 29, 1944.

Section 306.33 of Treasury Department Circular No. 300, dated July 31, 1926, as supplemented by the First Supplement dated June 25, 1935 (31 CFR 306), is hereby amended to read as follows:

§ 306.33 *Officers authorized to witness assignments*—(a) *In general.* The following officers are authorized to witness assignments of United States registered bonds:

Judges and clerks of United States courts;
United States district attorneys;
United States collectors of customs;
United States collectors of internal revenue;
Executive officers of Federal Reserve Banks located in Boston, New York, Philadelphia, Cleveland, Richmond, Atlanta, Chicago, St. Louis, Minneapolis, Kansas City, Dallas and San Francisco, and managers and assistant managers of the Branches thereof;
Executive officers of Federal Land Banks;
Executive officers of Federal Home Loan Banks;
Executive officers of banks and trust companies incorporated in the United States, or its organized territories, and managers of the branches thereof, domestic and foreign;
Executive officers of incorporated banks and trust companies in the insular possessions of the United States doing business under Federal charter or organized under Federal law;
Commanding officers of the Army, Navy, Marine Corps and Coast Guard of the United States (only for members of their respective services);
Diplomatic and consular representatives of the United States on duty abroad, and those officers of the Navy and Marine Corps of the United States who have certain consular powers under the Act approved April 25, 1935.
Certain officers of the United States Treasury at Washington.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44-6217; Filed, May 1, 1944; 11:35 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 165]

PART 802—GENERAL LICENSE

SHIPMENTS NOT EXCEEDING SPECIFIED VALUE

Paragraph (b) of § 802.10 *General licenses which permit shipments not exceeding a specified value* is hereby amended by adding to the list of commodities set forth therein the following commodities:

Kerosene.
High octane aviation motor fuels.
Medium octane aviation motor fuels.
Natural gasoline.
Other motor fuels and gasoline.

Shipments of the above commodities, which were on dock, on lighter, laden aboard the exporting carrier, or in transit to ports of exit pursuant to actual orders for export prior to the effective date of change may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of change pursuant to ODT permits issued prior to such date may also be exported under the previous general license provisions.

This amendment shall become effective May 6, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated April 26, 1944.

S. H. LEBENSBURGER,
Director, Requirements and Supply Branch, Bureau of Supplies.

[F. R. Doc. 44-6197; Filed, May 1, 1944; 10:30 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3896; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–520]

WILLIAM R. VOSS

William R. Voss, of Wareham, Massachusetts, owns and operates a variety store in Wareham, and owns two summer cottages nearby. In May, June, and July, 1943, without authorization from the War Production Board, he caused one of the cottages to be removed and reconstructed elsewhere, and on its former site began the erection of an open-air moving picture theatre, and also did some reconstruction on his store. The work on the theatre cost $1,350, on the cottage $527, and on the store $290. The latter two jobs he completed, but the theatre is still unfinished. All of this work was in violation of Conservation Order L–41 which placed a limit of $200 on such construction. Mr. Voss was aware of War Production Board restrictions on construction, and doing this construction without authorization constituted wilful violations of Order L–41.

These violations of Order L–41 have diverted critical material to uses not authorized by the War Production Board, and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.520 *Suspension Order No. S–520.* (a) Neither William R. Voss, his successors or assigns, nor any other person, shall do any construction on the open-air moving picture theatre now owned by William R. Voss, situated on Swift's Beach Road, Wareham, Massachusetts, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve William R. Voss, his successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 28, 1944.

Issued this 21st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6082; Filed, April 28, 1944; 4:23 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–521]

HARRY C. VOSE

Harry C. Vose, of Wareham, Massachusetts, is a general contractor. In

May, June, and July, 1943, he did carpentering and other construction work on three projects in Wareham, for William R. Voss. The cost of one project was $1350, of a second, $527, and of a third project, $290. All of the work, including the work done by Mr. Vose, was done without authorization from the War Production Board, in violation of Conservation Order L–41, which placed a limit of $200 on such construction. Mr. Vose was aware of War Production Board restrictions on construction, and participating in this construction without authorization constituted wilful violations of Order L–41.

These violations of Order L–41 have diverted critical material to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.521 *Suspension Order No. S–521.* (a) Deliveries of material to Harry C. Vose, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, shall be made to Harry C. Vose, his successors or assigns, of any material or product the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Harry C. Vose, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 28, 1944, and shall expire June 28, 1944.

Issued this 21st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6083; Filed, April 28, 1944; 4:23 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–522]

DANTE FAVA

Dante Fava, of West Wareham, Massachusetts, is a masonry contractor. In May, June, and July, 1943, he did the concrete work on an open-air moving picture theatre in Wareham, Massachusetts, for William R. Voss. The cost of the project was $1350. The work, including that done by Mr. Fava, was done without authorization from the War Production Board, in violation of Conservation Order L–41, which placed a limit of $200 on such construction. Mr. Fava was aware of War Production Board restrictions on construction, and participating in this construction without authorization constituted wilful violations of Order L–41.

These violations of Order L–41 have diverted critical materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.522 *Suspension Order No. S–522.* (a) Deliveries of material to Dante Fava, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, shall be made to Dante Fava, his successors or assigns, of any material or product the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Dante Fava, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 28, 1944, and shall expire June 28, 1944.

Issued this 21st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6084; Filed, April 28, 1944; 4:23 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–523]

DESILVIA ELECTRIC COMPANY

DeSilvia Electric Company, of 75 Broadway, Taunton, Massachusetts, is a partnership composed of John Henry DeSilvia and Emanuel Arthur DeSilvia, and is engaged in the electrical supply business. In May, June, and July, 1943, the company installed electrical wiring and provided services and materials in connection therewith, in the construction of an open-air moving picture theatre in Wareham, Massachusetts, for William R. Voss. The cost of the project was $1350. The work, including that done by the company, was done without authorization from the War Production Board, in violation of Conservation Order L–41, which placed a limit of $200 on such construction. John Henry DeSilvia, who acted for the company, was aware of War Production Board restrictions on construction, and participating in this construction without authorization constituted wilful violations of Order L–41.

These violations of Order L–41 have diverted critical materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.523 *Suspension Order No. S–523.* (a) Deliveries of material to John Henry DeSilvia and Emanuel Arthur DeSilvia, doing business as DeSilvia Electric Company, or otherwise, their successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, shall be made to John Henry DeSilvia and Emanuel Arthur DeSilvia, doing business as DeSilvia Electric Company, or otherwise, their successors or assigns, of any material or product the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve John Henry DeSilvia and Emanuel Arthur DeSilvia, doing business as DeSilvia Electric Company, or otherwise, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 28, 1944, and shall expire June 28, 1944.

Issued this 21st day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6085; Filed, April 28, 1944; 4:23 p. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Supplementary Order L–193–a, as Amended Apr. 29, 1944]

SPROCKET CHAIN, SPROCKET CHAIN ATTACHMENT LINKS AND SPROCKET CHAIN WHEELS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of sprocket chain, sprocket chain attachment links and sprocket chain wheels for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.53 *Supplementary Limitation Order L–193–a*—(a) *Definitions.* The definitions in General Limitation Order L–193 do not apply to this order. For the purpose of this order "sprocket chain" means any chain, except ladder chain, designed for the purpose of operating over toothed sprocket wheels.

(b) *Inventory limitations.* No person who, in the course of his business, purchases and incorporates sprocket chain, sprocket chain attachment links or sprocket chain wheels into machinery or equipment manufactured in whole or in part by him, or who purchases such chain, links or wheels for resale as such, shall accept delivery thereof if his total inventory will, after acceptance, exceed what he reasonably expects to use or resell during the succeeding 45 days. No person may deliver sprocket chain, sprocket chain attachment links, or sprocket chain wheels if he knows or has reason to believe that such delivery will increase the recipient's inventory above this 45 day limitation.

(c) *Exemptions.* The provisions of paragraph (b) do not apply to Army maintenance depots, Navy yards, bases, stations and depots.

(d) *Violations.* Any person who willfully violates any provision of this order, or who wilfully furnishes false information to the War Production Board in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(e) *Appeals.* Any producer or purchaser of sprocket chain, sprocket chain attachment links or sprocket chain wheels who believes that the terms of this order result in undue hardship may appeal by letter stating the relief requested and the reasons it is necessary.

(f) *Communications.* All appeals and other communications concerning this order should be addressed to the General Industrial Equipment Division, War Production Board, Washington 25, D. C., Ref: L–193–a.

Issued this 29th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6111; Filed, April 29, 1944; 11:32 a. m.]

PART 1288—POWER, STEAM AND WATER AUXILIARY EQUIPMENT

[Limitation Order L–154, Schedule V, as Amended Apr. 29, 1944]

HIGH VOLTAGE INSULATORS

§ 1288.6 *Schedule V to Limitation Order No. L–154*—(a) *Definitions.* For the purpose of this schedule:

(1) "Producer" means any person who produces, manufactures, processes, fabricates, or assembles high voltage insulators.

(2) "High voltage insulators" means all wet process porcelain (except tubes, cleats, knobs, etc., used in secondary wiring at voltages under 500 volts) or glass insulators or insulating parts, whether or not assembled with metal parts used in the transmission or distribution of electrical energy, or as a part of an electrical machine or piece of equipment, or in connection with telegraph, telephone, and signal systems over 500 volts. The term also shall include clamps, fittings, and accessory hardware used directly with such insulators or insulating parts and/or affecting their functioning, except crossarm pins, but shall not include "pin type" insulators.

(b) *Restrictions on materials.* The following restrictions on materials are hereby established for the manufacture of high voltage insulators of the classes covered by this schedule. The use of critical materials[1] including steel, copper, and aluminum and their alloys shall be reduced to a minimum consistent with strength and operating requirements of the product. The use of non-ferrous caps, pins (except nonferrous cotter pins used with suspension insulators), bolts, nuts and washers as parts of high voltage insulators is prohibited. Malleable castings shall be used instead of forgings wherever strength requirements make such use possible and where necessary equipment for manufacture, such as patterns, is available.

(c) *Required specifications.* The following required specifications are hereby established for the manufacture of high voltage insulators of the classes covered by this schedule.

(1) The electrical and mechanical characteristics of high voltage insulators set forth in the publication "NEMA High Voltage Insulator Standards," Publication No. 42–83 (November, 1942) are incorporated herein by reference and shall be considered standard. Such standard electrical and mechanical characteristics shall be strictly followed in the production of high voltage insulators except as modified by other provisions of this schedule or by special authorization of the War Production Board.

(2) No producer shall fabricate or deliver high voltage insulators having a design different from those being actually produced by him, except pursuant to the provisions of this schedule or special authorization from the War Production Board; provided nothing contained herein shall be deemed to restrict production of new design insulators for experimental purposes and not for resale.

(3) Only one type of insulator for each rating of each class of high voltage insulators permitted under this order shall be fabricated by any producer; switch and bus insulators of the same rating shall not be made in both one piece and multipart units.

(4) The tapped hole type of cap shall be standard for all outdoor switch and bus insulators, and caps of the slotted or clamp type shall not be produced.

(5) High voltage insulators of wet process porcelain shall be supplied only in chocolate or brown colored glaze.

(d) *Limitations on cap and pin type suspension insulators.* No person shall produce, deliver, or accept cap and pin type suspension insulators which do not conform to the specifications set forth in the following table:

TABLE 1—CAP AND PIN TYPE SUSPENSION INSULATORS—RATED VALUES

Code reference	Maximum diameter inches	Section length inches	Section length tolerance inches	Type of shell	Type of connection	Maximum (troop of shell) inches	Minimum combined M & E strength pounds	Routine proof test load pounds	Time load test value pounds
E6CS10–5.5	6	5½	±⅛	Opt'l see Note 2.	L. D. Clevis eye.	1¾	10000	4000	6000
C7.5CS15–5.75	7½	5¾	±⅛	Opt'l see Note 2.	M. D. Clevis Tongue	1¾	15000	6000	10000
C10CS15–5.75	10	5¾	See Note 1	Opt'l see Note 2.	M. D. Clevis Tongue	2	15000	6000	10000
B10CS15–5.75	10	5¾	See Note 1	Opt'l see Note 2	Ball Socket	2	15000	6000	10000
B10CS15–5	10	5	See Note 1	Opt'l see Note 2.	Ball Socket	2	15000	6000	10000
C10CS25–5.75	10	5¾	See Note 1	Opt'l see Note 2.	M. D. Clevis Tongue	2	25000	10000	15000
D12CS36–7	12	7	See Note 1	Opt'l see Note 2.	H. D. Clevis Tongue	3	36000	14400	20000
BorC10–FO15–6.5. See Note 3.	10	6½	See Note 1	Fog see Note 2.	Ball Socket or Medm. Duty Clevis Tongue	2	15000	6000	10000

Code reference	Flashover values—KV				Radio influence voltage data		Sixty cycle punct., kv.	Mech. impact strength, in.-lb.	Leakage dist., inches	Maximum net weight, pounds
	60 cycle		Impulse 1½ x 40 Ms.		Test kv. rms. to ground	Maximum radio influ. micro-volts at 1,000 kc.				
	Dry	Wet	Pos.	Neg.						
E6CS10–5.5	60	30	100	100	7.5	50	80	45	7	5¼
C7.5CS15–5.75	65	35	115	115	7.5	50	90	50	8¼	9
C10CS15–5.75	80	50	125	130	10.0	50	110	55	11½	11
B10CS15–5.75	80	50	125	130	10.0	50	110	55	11½	11
B10CS15–5	80	50	125	130	10.0	50	110	55	11½	11
C10CS25 5.75	80	50	125	130	10.0	50	110	60	11	15
D12CS36–7	95	55	155	160	10.0	50	130	50	12½	25
BorC10–FO15–6.5 See Note 3	100	60	195	180	10.0	50	130	30	17	17

NOTE 1. The variation in section length shall be held such that the connecting length of a string of six units selected at random shall not depart more than plus or minus ½ inch from the nominal spacing for the unit multiplied by six.

NOTE 2. The type of shell for a particular cap and pin type suspension insulator may be selected as desired by manufacturer but only one type of shell may be used with such suspension insulator.

[1] The Conservation Division of the War Production Board issues periodically a publication showing the relative scarcity of materials entitled "Material Substitutions and Supply" list.

NOTE 3. This type of shell may be manufactured in either 9" or 10" diameter and assembled at option of individual manufacturer with either ball socket or medium duty clevis type of connection but both may not be manufactured.

(e) *Limitations on switch and bus insulators.* No person shall produce, deliver, or accept outdoor switch and bus insulators which do not conform to the specifications set forth in the following tables. No new designs of any strength may be produced by any person without authorization from the War Production Board.

TABLE 2—STANDARD DUTY SWITCH AND BUS INSULATORS—RADIO FREED

Voltage rating KV	Maximum diameter inches	Height per unit inches	Number of units per stack	Bolt circle diameter inches	Number of bolts	Diameter of bolts inches	Flashover voltage—KV: 60 cycle Dry	60 cycle Wet	Impulse 1½ x 40 Ms wave Positive	Impulse 1½ x 40 Ms wave Negative
7.5	7	7½	1	3	4	½	60	40	105	120
15	8	10	1	3	4	½	85	55	125	200
23	10½	12	1	3	4	½	110	75	170	250
34.5	13	15	1	3	4	½	145	100	225	290
46	14	18	1	3	4	½	170	125	280	340
69	14	14½	2	3	4	½	235	180	390	475
115 to 230	17	14½	----	5	4	⅝	----	----	----	----
115 to 230	18	14½	----	5	4	⅝	----	----	----	----
287	18	14½	----	7	4	¾	----	----	----	----

Voltage rating KV	Withstand test voltage—KV: 60 Cycle Dry 1 min.	60 Cycle Wet 10 sec.	Impulse 1½ x 40 Ms wave	60 Cycle puncture voltage kv, per unit	Radio influence voltage data: Test voltage to ground kv, rms.	Maximum radio influence voltage micro-volts at 1000 kc radio freed
7.5	35	30	95	80	5	50
15	50	45	110	115	10	50
23	70	60	150	145	15	100
34.5	95	80	200	195	22	100
46	120	100	250	225	30	200
69	175	145	350	195	44	200
115 to 230	----	----	----	215	----	----
287	----	----	----	215	----	----

Voltage rating KV	Cantilever strength, pounds: Upright	Cantilever strength, pounds: Underhung	Torsion strength, inch-pounds	Tension strength, pounds	Compression strength, pounds	Leakage dist., inches	Dry arc'g. dist., inches	Max. net weight, lb. per unit
7.5	2,000	1,000	6,000	5,000	10,000	7½	5¾	14
15	2,000	1,000	7,000	5,000	10,000	12	7¼	17½
23	2,000	1,000	8,000	5,000	10,000	20	9½	27
34.5	2,000	1,000	10,000	7,000	15,000	28	14	45
46	2,000	1,000	12,000	8,000	15,000	36	17	60
69	2,000	1,000	15,000	12,000	25,000	52	28	80
115 to 230	1,500	1,000	----	----	----	----	----	90
287	----	----	----	----	----	----	----	125

TABLE 3—HEAVY DUTY SWITCH AND BUS INSULATORS—RADIO FREED

Voltage rating KV	Max. diam. inches	Height per unit inches	No. of units per stack	Attachment bolts: No.	Attachment bolts: Diam. inches	Attachment bolts: Bolt circle diam. inches	Flashover values—KV: 60 cycle Dry	60 cycle Wet	Impulse 1½ x 40 Ms wave Pos.	Impulse 1½ x 40 Ms wave Neg.
7.5	12	7¾	1	4	⅝	5	70	40	115	120
15	10	10	1	4	⅝	5	85	55	125	200
23	12	12	1	4	⅝	5	110	75	170	250
34.5	14	15	1	4	⅝	5	145	100	225	290
46	17	20	1	4	⅝	5	170	125	280	340
69	18	14½	2	4	⅝	6	235	180	390	475

Voltage rating KV	Withstand test voltage—KV: 60 Cycle Dry 1 min. test	60 Cycle Wet 10 sec. test	Impulse 1½ x 40 Ms Wave	Radio influence voltage data: Test voltage to ground KV, rms.	Maximum radio influence voltage, micro-volts at 1000 Kc
7.5	35	30	95	5	50
15	50	45	110	10	50
23	70	60	150	15	100
34.5	95	80	200	22	100
46	120	100	250	30	200
69	175	145	350	44	200

TABLE 3—HEAVY DUTY SWITCH AND BUS INSULATORS—RADIO FREED—Continued

Voltage rating KV	Cantilever strgth, pounds: Upright	Cantilever strgth, pounds: Underhg.	Torsion strgth, inch-pounds	Tension strgth, pounds	Compression strength, pounds	Leakage dist., inches	Dry arc'g dist., inches	Puncture voltage, kv. per unit	Maximum net weight, pounds per unit
7.5	6000	4000	20000	12000	25000	11½	7¾	95	28
15	4000	3000	14000	10000	20000	14	7½	115	30
23	4000	3000	10000	10000	20000	18	10½	145	42
34.5	4000	3000	20000	14000	30000	28	13½	195	60
46	4000	3000	20000	15000	30000	40	18	225	85
69	4000	3000	40000	20000	60000	55	27	215	125

NOTE: No switch and bus insulators of the extra heavy duty type are authorized under this Schedule V.

TABLE 4—STANDARD DUTY—RADIO FREE—POST TYPE (SWITCH AND BUS INSULATORS)

Voltage rating KV	Max. diam. inches	Max. height per unit inches	No. of units per stack	Bolt circle diam. inches	No. of bolts	Diam. of bolts inches	Flashover voltage—KV: 60 cycle Dry	60 cycle Wet	Impulse 1½ x 40 Ms wave Pos.	Impulse 1½ x 40 Ms wave Neg.
7.5	6½	8	1	3	4	½	60	40	100	----
15	7	11	1	3	4	½	85	55	125	----
23	7	14	1	3	4	½	110	75	170	----
34.5	7½	18	1	3	4	½	145	100	225	290
46	8	22	1	3	4	½	170	125	280	----
69	10	30	1	3	4	½	235	180	390	415

Voltage rating KV	Withstand test voltage—KV: 60 cycle Dry 1 min. test	60 cycle Wet 10 sec. test	Impulse 1½ x 40 Ms wave	Radio influence voltage data: Test voltage to ground kv Rms.	Maximum radio influence voltage micro-volts at 1,000 kc
7.5	35	30	95	5	50
15	50	45	110	10	50
23	70	60	115	15	100
34.5	95	80	200	22	100
46	120	100	250	30	200
69	175	145	350	44	200

Voltage rating KV	Cantilever strgth, pounds: Upright	Cantilever strgth, pounds: Underhung	Torsion strgth, inch-pounds	Tension strgth, pounds	Compression strength, pounds	Leakage dist., inches	Dry arc'g dist., inches	Punct. voltg., kv per unit	Max. net weight, lbs. per unit
7.5	2,000	2,000	6,000	5,000	10,000	10½	6	----	----
15	2,000	2,000	7,000	5,000	10,000	15½	7¾	----	----
23	2,000	2,000	8,000	5,000	10,000	24	9½	----	30
34.5	2,000	2,000	10,000	7,000	15,000	37	14½	----	45
46	2,000	2,000	12,000	8,000	15,000	44	16½	----	63
69	1,500	1,500	15,000	12,000	25,000	72	26	----	114½

(f) *Inspection and tests.* (1) No manufacturer of high voltage insulators shall make any inspection, design or routine manufacturing tests except such as are permitted under paragraph (f) (2), or pursuant to special authorization of the War Production Board. Any tests made to establish ratings, such as wet and dry flashover, impulse, etc., shall not be repeated as long as the established design and materials remain unchanged. Certified copies of existing rating tests for any type of insulator shall be made available to purchasers upon demand.

(2) Manufacturers of high voltage insulators may furnish such of the tests listed below as have a reasonable relation to the needs of the purchasers, and are specifically requested by the purchaser in his purchase order. All such tests shall be made in accordance with the procedures and standards set forth in NEMA High Voltage Insulators Standards, Publication 42-83, and Appendix A, dated November 1942.

(i) Routine flashover tests on insulator parts—paragraph 41-800 (a) (1) or 41-800 (a) (2) and 41-800 (b), page 41.[1]

(ii) Routine mechanical proof tests on assembled insulators, Suspension insulators—paragraph 41-801 (a), page 42, Switch and Bus Insulators—paragraph 41-801 (b), page 42.

(iii) Routine flashover tests on assembled insulators—paragraph 41-800 (a) (1) or 41-800 (b), page 41.

(iv) Mechanical and electrical test—paragraph 41-300, page 36.

(v) Puncture test—paragraph 41-600 and 41-601, page 39.

(vi) Thermal test—paragraph 41-450, 41-451, 41-452, page 37 and 41-453, page 39.

(vii) Porosity test—paragraph 41-400, 41-401, 41-402, 41-403, and 41-404, page 37.

The total number of insulators used for tests (iv), (v), (vi), and (vii) shall not exceed the following quantities, and to the extent practicable the units used for destructive tests shall be those rejected or broken.

Total quantity ordered:	*Number of switch and bus insulators permitted for destructive test*
51–100	1
101–300	2
301–600	3
601–1000	4
over 1000	5 or .3 of 1% whichever is greater

Total quantity ordered:	*Suspension type permitted for destructive test*
201–500	2
501–700	3
701–1000	4
over 1000	5 or .3 of 1% whichever is greater but not to exceed 50

(3) Purchasers shall be given 72 hours advance notice of tests and inspections, and shall be permitted to have an inspector present during the period of inspection and tests. No inspection requiring additional handling, repetition of tests, or delay in production or shipment shall be permitted due to failure of purchasers' inspector to be present at the time stated in the notice.

(g) *Restrictions on production, deliveries, and acceptances.* From and after June 28, 1943, no person shall accept deliveries of, and no producer shall deliver or produce (or accept deliveries of material for the purpose of producing) high voltage insulators which do not conform to the applicable restrictions on materials, required specifications, limitations of tests and other restrictions, established by this schedule unless such insulators fall within the exceptions of paragraph (h); *Provided, however,* That nothing herein contained shall prevent the production, delivery or acceptance of high voltage insulators, or materials therefor, which were wholly or partially fabricated on June 28, 1943, and which cannot readily be made to conform to the provisions of this schedule.

(h) *Exceptions to applicability of this schedule.* (1) In cases where types and designs of high voltage insulators other than those authorized by this Schedule are required for special purposes and inability to manufacture, assemble and deliver such high voltage insulators would cause undue inconvenience and hardship, special approval may be requested by letter addressed to the War Production Board, Reference L-154.

(2) Nothing contained herein shall prohibit the manufacture or assembly

[1] All page and paragraph references are to NEMA High Voltage Insulator Standards, Publication 42-83 and Appendix A, dated November 1942.

of outdoor cap and pin or insert type insulators of voltage ratings of 7.5 kv and 15 kv only and of cantilever strength not to exceed 500 pounds, for which provision is made pursuant to paragraph (c) (5) (i) of Schedule IV, Limitation Order No. L–154.

(3) The restrictions contained in this schedule shall not apply to any Radio, Radar, or Communication Insulators as specified and used by the Army, Navy, Maritime Commission or War Shipping Administration for uses other than those of the high voltage insulators outlined for general use in Schedule V.

Issued this 29th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6112; Filed, April 29, 1944; 11:32 a. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Directive 33 as Amended Apr. 28, 1944]

DISTRIBUTION OF COKE

Pursuant to the authority vested in me by Executive Order No. 9024 of January 16, 1942, Executive Order No. 9040 of January 24, 1942, and Executive Order 9125 of April 7, 1942, and in order to delegate to the Solid Fuels Administrator for War authority to provide for the equitable and efficient distribution of coke to domestic consumers, it is hereby ordered that:

§ 903.46 *Directive 33.* (a) The Solid Fuels Administrator for War shall, subject to the direction of the Chairman of the War Production Board, perform the functions and exercise the power, authority, and discretion conferred upon the President by section 2 (a) of the Act of June 28, 1940 (Pub. No. 671, 76th Congress, 54 Stat. 676) as amended by the Act of May 31, 1941 (Pub. No. 89, 77th Congress, 55 Stat. 236) and as further amended by Title III of the Second War Powers Act, March 27, 1942 (Pub. No. 507, 77th Congress, 56 Stat. 176), with respect to the exercise of control over the sale, transfer, delivery, or other disposition of coke intended for use by any domestic consumer from any producer to any wholesale or retail dealer, or from one dealer to another dealer, or from any producer, wholesale or retail dealer to any domestic consumer and over the use of coke by any domestic consumer. This authority, however, shall not include the power to limit or restrict the quantity of coke obtainable by the Army, Navy, Marine Corps or Coast Guard of the United States; by government agencies or other persons to the extent to which they acquire such coke for export to and use in any foreign country; or by any person to the extent that he acquires coke for use in an industrial process or for the production of power or for space heating which is incidental thereto.

(b) The authority of the Solid Fuels Administrator for War under this delegation shall include the power to regulate or prohibit the sale, transfer or delivery or other disposition of coke, or use of coke, by any person or domestic consumer who has acted in violation of any regulation or order prescribed by the Solid Fuels Administrator for War for the distribution of coke.

(c) The Solid Fuels Administrator for War is authorized to perform the functions and exercise the power, authority and discretion delegated to him by paragraphs (a) and (b) hereof upon such conditions and to such extent as he shall deem necessary or appropriate in the public interest and to promote the national defense. In order to perform such functions and exercise such power, authority, and discretion, the Solid Fuels Administrator for War is further authorized to exercise the authority, in accordance with the provisions of said Executive Order No. 9125, to obtain information, require reports and the keeping of records, make inspection of books, records and other writings, premises or property of any person, make investigations, administer oaths and affirmations, and require the attendance and testimony of witnesses, and the production of books, records and other documentary or physical evidence.

(d) The Solid Fuels Administrator for War may exercise the power, authority and discretion conferred upon him by this directive through such personnel of the Solid Fuels Administration for War and the Department of Interior, and in such manner as he may determine and accept the services of other departments, agencies and officials of the government in carrying out the purposes of this directive.

(e) As used in this directive the term "producer" means any person who produces coke; the term "domestic consumer" means any person who acquires coke for space heating, domestic hot water or domestic cooking but does not include any person to the extent that he acquires coke for use in an industrial process or for the production of power or for space heating which is incidental thereto; and the term "person" means any individual, partnership, corporation, association, government or government agency or any other organized group or enterprise; and the term "coke" means coke made from bituminous coal.

(f) Nothing herein shall be construed to limit or modify any regulation, order or directive heretofore issued by or under the authority of the Chairman of the War Production Board nor to terminate or limit the power of the Chairman of the War Production Board to issue further directives, regulations or orders regulating the delivery or use of coke, nor to affect the authority vested in the Chairman of the War Production Board, pursuant to Executive Orders 9024, 9040 and 9125 to determine the relative importance of deliveries and certify as to the preferential treatment to be accorded them with respect to the delivery or use of coke, nor to affect the program of rationing coal, coke and wood for the Northwest Pacific Area by the Office of Price Administration in accordance with the provisions of its Rationing Order 14–A, effective September 18, 1943.

(Sec. 2a, 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; WPB Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696)

Issued this 28th day of April 1944.

DONALD M. NELSON,
Chairman.

[F. R. Doc. 44–6110; Filed, April 29, 1944; 11:32 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M–317, as Amended April 8, 1944, Amdt. 1]

COTTON TEXTILE DISTRIBUTION

Section 3290.115 *General Conservation Order M–317* is amended as follows:

In the Carded Gray Goods, Colored Yarn and Napped Fabrics and Specialties Distribution Schedule substitute for the present provisions relating to reference numbers 44 through 53 inclusive the following:

Column I	Column II	Column III	Column IV	Column V	Column VI
22	Class B sheetings: 40" 48 x 40 3.75 yd.		100	100	These cotton textiles, as piece goods, may not be delivered by the producer for export except to Canada. Shipments to Canada may not be counted as exports for the purpose of complying with the Column III obligations.
23	37" 48 x 44 4.00 yd.		100	100	
26	36" 48 x 44 4.11 yd.		100	100	
25	31" 48 x 44 5.00 yd.		100	100	
28	32" 38 to 40 x 36 to 40 6.25 yd.		100	100	
24	40" 44 x 40 4.25 yd.	40	100	100	
14 through 21, 26 through 29.	All class A, and all other class B sheetings (except 36" 4.11 yd. and 22" 6.25 yd.).	15	100	100	

The above provisions shall not prevent delivery for export where the order was accepted before April 8, 1944, in conformity with this order as amended February 21, 1944, for delivery before July 1, 1944. Those contracts shall be filled despite the presentation of higher rated orders for domestic use.

The above provisions relating to 40" 44 x 40 4.25 yd. shall not prevent the filling of any order for domestic use accepted before April 8, 1944, in conformity with this order as amended February 21, 1944, for delivery before July 1, 1944.

Issued this 28th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6086; Filed, April 28, 1944; 4:23 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, Direction 2, as Amended May 1, 1944]

PAPER CUPS AND PAPER FOOD CONTAINERS

The following direction is issued pursuant to Priorities Reg. 3:

(a) *Purpose.* This direction provides an exception to the provisions of List B of Priorities Regulation No. 3, which prohibits the use of MRO ratings to obtain paper cups and paper food containers. By the terms of this direction, MRO ratings may be used to obtain paper cups and paper food containers but only to the extent specified herein.

(b) *Definitions.* For the purpose of this direction:

(1) "Paper cups and paper food containers" means all empty open nested paper cups and round nested paper food containers with or without lids. The term does not include flat envelope types of cup, wedge-shaped food pails or nested paper plates.

(2) "In-plant feeding" means the serving of food, drink or refreshments on the premises of a plant or business activity to its employees when the food or drink is prepared on the premises of the plant or business activity, or when the food, or drink prepared in bulk (such as coffee or soup), is brought to the plant or business activity and served in paper cups or paper food containers on the premises. It shall also include the serving of food, drink and refreshments by (1) military exchanges and service departments (as defined in Priorities Regulation No. 17), (2) hospitals serving their patients, (3) welfare organizations such as USO, Red Cross, etc., serving servicemen and their guests, and (4) persons engaged in serving passengers on trains and in planes.

(3) "A caterer or concessionnaire" means a person who has an agreement with an operator of a plant or business activity to regularly provide in-plant feeding for its employees, and who prepares his food or drink on the premises of the plant, or brings his food, or drink prepared in bulk (such as coffee or soup), to the plant and serves it on the premises. It does not include persons supplying food or drink in paper cups or paper food containers from outside the plant.

Use of Preference Ratings

(c) Any person may use the blanket MRO rating assigned to him by any regulation of the War Production Board (including CMP Regulation No. 5, CMP Regulation No. 5A and orders in the P, T, or U Series) to buy paper cups and paper food containers for in-plant feeding.

(d) A person, such as a caterer or concessionnaire, may use his customer's blanket MRO rating to buy paper cups and paper food containers for use in providing in-plant feeding to employees of the customer. In such a case, the customer must include the cost of the paper cups and paper food containers (but need not include the cost of the food contained in them or any other charge in connection with the in-plant feeding) in his own MRO expenditures for the purpose of figuring whether he is within any quota limitation (such as paragraph (f) of CMP Regulation No. 5) imposed by the regulation or order assigning the MRO rating.

(e) *Ratings on application.* Preference ratings for users not included above and preference ratings differing from those assigned may be assigned on application by any person on Form WPB 541 (formerly PD–1A) and the use of the rating may be conditioned upon the placement of orders with specified suppliers. The assignment of a rating to an applicant on this form will permit him to use that rating to get only the specific quantities and items applied for. Where any person making such application justifies his need for a rating upon the ground that he provides eating facilities patronized principally by workers engaged in a nearby plant, he shall accompany his application with a statement from a responsible official of the plant certifying to his workers' dependence upon the applicant's eating facilities.

(f) *Certificate.* The ratings assigned pursuant to or permitted to be used by this order may be applied or extended only by use of a certificate in substantially the form prescribed by Priorities Regulation No. 7.

(g) *Extension of ratings.* Ratings applied or extended to get paper cups or paper food containers may not be extended to obtain materials for use in their manufacture.

Restrictions

(h) *Inventory.* No person shall accept delivery of any paper cups and paper food containers which will increase his inventory of any size and type to more than his reasonably anticipated requirements for the ensuing thirty days, except that the minimum standard commercial packing case quantity may be purchased, whenever the purchaser's inventory is less than a 30-days' supply.

(i) *Equipment for use of chinaware.* No person may use his blanket MRO rating to purchase paper cups or paper food containers for the serving of hot food or beverages if such person has equipment for using chinaware or other containers. In the event that such equipment can only serve a portion of his needs, he may order only the quantity of paper cups or paper food containers required in excess of such equipment.

(j) *Paper cups as shipping containers.* Attention is called to the fact that persons buying paper cups and paper food containers for use in packaging food or other products for shipment or delivery are not permitted to use blanket MRO ratings for this purpose.

(k) *Persons not using paper cups before October 29, 1943.* Any person who did not use paper cups or paper food containers for in-plant feeding before October 29, 1943 may not use his blanket MRO rating to obtain them unless he files an appeal by letter in triplicate with the appropriate field office of the War Production Board and such appeal is granted. The granting of the appeal shall constitute authority to use his blanket MRO rating for his future requirements of paper cups and paper food containers for in-plant feeding. This provision shall not apply to military exchanges or service departments.

(l) *Prohibited uses.* No person shall sell or deliver the following types of paper cups if he knows or has reason to believe that they will be used for the purposes stated, and no person shall use such paper cups for those purposes: (1) packages of cups for commercial retail sales, (2) hot drink cups for serving cold foods and beverages and (3) paper cups to be served with individual bottled beverages. The above prohibition against delivering paper cups in packages to be used for commercial retail sales shall not apply to stocks already made up on January 29, 1944.

(m) *Appeals.* Any appeal from the provisions of this direction shall be made by filing a letter in triplicate with the appropriate field office of the War Production Board. The appeal should refer to the particular provision appealed from, state clearly the relief desired and explain fully the grounds for appeal.

(n) *Reports.* Any person affected by this direction shall file such reports and questionnaires as the War Production Board may request from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(o) *Termination date.* The provisions of this direction shall terminate and be void after May 15, 1944 unless previously extended. Any rating applied to an order to paper cups and paper food containers not shipped by that date shall be deemed void.

(p) *Communications.* All inquiries relating to this direction shall be addressed to: War Production Board, Containers Division, Washington 25, D. C., reference Direction 2 to Priorities Regulation No. 3.

Issued this 1st day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6202; Filed, May 1, 1944; 11:44 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 13, as Amended May 1, 1944]

§ 944.34 *Priorities Regulation 13*—(a) *Purpose of this regulation.* This regulation, in general, describes the rules under which materials may be sold by persons who are not in the regular business of selling such materials. While most sales of this kind will be sales of frozen, idle, or excess materials the regulation also covers any sale from inventory by such persons. For example, a person who has idle materials on hand because his business has been converted to war work, or because the business he used to carry on has been stopped or limited by War Production Board orders, or whose contract has been cancelled or changed, may sell off the idle or excess materials only under the rules in this regulation and, if he follows this regulation, he does not have to look at any other order or regulation except in a few cases which are described in paragraph (f) (2) below. This regulation also controls liquidation sales, bankruptcy sales, general auction sales, and other special sales, as defined in paragraph (b) (1).

(b) *Special definitions used in this regulation.* This regulation deals only with "special sales" of "industrial materials" or "finished products." As used in the regulation, those terms have the following meanings:

(1) "Special sale" means a sale of a material or product by a person who does not, in the regular course of his business, sell it in that form. For example, if a manufacturer sells the raw material he has bought to use in making his regular product, it is a special sale because selling raw material is not his regular business. Or, if a contractor has bought building materials and equipment to build a building and cannot finish it and sells them, that is a special sale because his business is building houses, not selling lumber and nails and lighting fixtures. Liquidation sales by trustees in bankruptcy, receivers and other kinds of liquidators (unless they are continuing to operate a business) and sales by general auctioneers are special sales as that type of person is not considered to be regularly in the business of selling any particular products.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind. It includes both "industrial materials" and "finished products."

(3) "Industrial materials" means the simple kinds of materials that finished products are made out of. It includes simple material forms like pipe, metal sheet and rod, wire, lumber, chemicals, nails, nuts and bolts. These are things that are bought for use in making something else, or are to be put together with other things to make a finished product.

(4) "Finished products" means completed articles which are ready for use just as they are and which do not need to be put together with something else before they can be used. It includes wrenches and hammers, assembled parts, replacement parts and products like tools, machinery, motors, valves, drums and fabricated industrial, agricultural or household equipment. Other examples of what it includes are clothing, furnishings, light bulbs, etc.

(5) "Used materials" means any industrial materials or finished products which have been put into actual use.

(6) Materials not covered by this regulation. There are three types of materials which are not covered by this regulation. They are the following:

(i) Scrap. This includes both scrap normally generated in production and other material which is sold as scrap. There are special orders covering certain types of scrap and except in those cases scrap may be sold to a scrap dealer.

(ii) Rationed products which are controlled by another government agency.

(iii) Foods for humans or animals, medicines, tobacco, oils and fats, petroleum and petroleum products including natural and liquefied petroleum gases.

(c) *Kinds of special sales which may be made.* If a person wants to make a "special sale" (as described above), the rules in this regulation apply and only these rules. There is no need to look at any other order or regulation, and these rules must be followed, no matter how the material was bought, and no matter what any other order or regulation provides. The only exceptions to this rule are stated in paragraphs (f) (2) and (3). The types of special sales which may be made are the following:

(1) *Materials not on Lists A or B.* (i) Industrial materials not on List A may be sold freely to anyone.

(ii) Finished products not on List B may be sold freely to any producer who makes such a product in the form in which the holder has it, or to a wholesaler whose regular business is selling that sort of a product either to industrial users or to other distributors for resale. They also may be sold to anyone else on a rating of AA–5 or higher. If a holder has a total of not more than $100.00 worth of the particular finished product he wants to sell, he may sell it freely to anyone. In deciding whether he has $100.00 worth, he must count all products of the same type and style. For example, all wrenches, or chairs or ash cans. This does not mean that a person may sell freely separate lots worth less than $100.00 if he has more than that amount. It only allows the sale if all he has of that product is worth $100.00 or less. A holder may also make a special sale of a finished product which is not on List B if he obtains permission from the War Production Board as explained below in paragraph (c) (2) (iii).

(2) *Materials on List A or List B.* If the material that the holder wants to sell is one of the industrial materials listed on List A or is a finished product appearing on List B, the following are the only kinds of sales that can be made.

(i) Sales may be made in accordance with List A or List B. Those lists have four columns showing classes of buyers who might want to buy materials. Opposite each material on the lists in each column is shown whether, and under what conditions, sales can be made to the class of buyer described in the heading of the column.

(ii) A holder may sell freely to one of the following Government corporations, or to anyone buying as agent for one of them: Commodity Credit Corporation, Defense Supplies Corporation, Metals Reserve Company or Rubber Reserve Company.

(iii) A holder may sell if he has been given permission by the War Production Board to make the particular sale. Form WPB–1161 (PD–470) should be used in applying for permission. It shows the information which is needed before permission can be given and it should be sent to the regional office of the War Production Board in the region where the material is located. Copies of this form can be obtained from district or regional offices of the War Production Board. If a note in List A or List B states that another form is to be used, application should be made on that form.

(iv) A holder may sell freely to anyone if he has a total of not more than $100 worth of the particular material to be sold, unless it is one of the few materials for which special rules and amounts are stated in Column 6 of List A or List B. In deciding whether the holder has $100 worth he must count all material of the same type and composition. For example, all zinc sheet or cattle hides, or all cotton duck, or all shovels or hammers. This paragraph does not mean that a person may sell freely lots worth less than $100 if he has more than that amount. It only allows the sales if all he has of that kind of material is worth $100 or less.

(v) If the material is copper, copper base alloy, aluminum or steel in a form described as a "controlled material" in CMP Regulation 1, the holder may sell it to a buyer who gives him an order bearing a CMP allotment symbol or number and this certification:

> The undersigned purchaser certifies that he is entitled under CMP regulations to place an authorized controlled material order for the above material.
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Or the certification may be in the form set out in CMP Regulation 7 or in any other form which may be used in placing an authorized controlled material order. The buyer must charge material bought under this paragraph, against his CMP allotment account. If the material which the holder wants to sell is steel he may also sell it to steel warehouses, dealers or distributors on orders bearing the endorsements described in M–21–b–1 and M–21–b–2.

(vi) Special permission to sell controlled materials. The War Production Board may give special permission to sell idle or excess controlled materials for any use which is permitted under War Production Board orders or regulations either to a person who has no allotment or to a person who already has an allotment and an authorized production schedule under the Controlled Material Plan. This permission may be given only if the material has been reported to the War Production Board as idle or excess and if the material is iron, steel, aluminum, copper or copper base alloy in controlled material form. If this permission is given, the holder need not get from the buyer the certification provided in paragraph (c) (2) (v) above and if the buyer has an allotment he does not have to charge against his allotment account the amount of controlled materials bought under this special permission. In the case of copper and copper base alloy in controlled material form, the above permission may be given only if the buyer has a production schedule authorized under the Controlled Materials Plan and will use the material for the same purpose for which the production schedule was authorized. Either the buyer or the seller may apply for this permission in person or by writing, wiring or telephoning, giving full details about the size, shape, analysis, specifications and quantity of the material and the purpose for which it will be used. Requests for such permission should be directed to the regional office of the War Production Board for the region in which the material is located or to the appropriate materials division. If the material is being secured through the Copper Recovery Inventory Branch, then such request should be addressed to it at 350 Fifth Ave., New York 16, N. Y.

(3) *Special orders.* If the War Production Board, by an order or in any other way, has ruled that all persons engaged in a particular business may sell or exchange materials between themselves, they can do so.

(4) *Used materials.* Used materials may be sold freely to anyone unless there is a notation in List A or List B restricting the sale of the particular used material which the holder wants to sell.

(d) *Transfers within a company.* If a person wants to transfer material from one of his plants or operating units to another one which normally purchases separately, the transfer is considered equivalent to a sale and he may make it only under the same conditions as he could make a special sale under this regulation. In any other case where a person who has obtained material with priorities assistance wants to use it for another purpose, he should refer to § 944.11 of Priorities Regulation 1 or (in the case of controlled materials or Class A products obtained with an allotment) to paragraph (u) of CMP Regulation 1.

(e) *Replacing material sold.* If a person sells material under this regulation to someone who gives him a priority rating or a CMP allotment symbol or number, the seller cannot use this rating or allotment to replace the material he has sold. The effect of this rating or symbol or number stops when the seller receives it.

(f) *Sales covered by this regulation.* (1) This regulation applies only to "special sales" (as described in paragraph (b) (1)) and if the holder is regularly engaged in selling a material a sale of it by him is not a special sale and he is governed by all orders and regulations of the War Production Board which apply to the material he is selling.

(2) Provisions in any orders or regulations issued before May 1, 1944 which say that this regulation does not apply may be disregarded, except for Order U–1 affecting utilities, WPB Directive 16, which provides special rules for aircraft inventory transfers, and Order P–98–c, which applies to special sales in the petroleum industry. To find the rules for making a special sale there is no need to refer to any order or regulation other than Priorities Regulation 13, outside of the three exceptions stated. However, if another order or regulation issued after May 1, 1944 expressly mentions Priorities Regulation 13 and says that this regulation does not apply to a particular type of sale, then that order or regulation takes the place of this regulation.

(3) If any seller is allowed to make a sale under this regulation, the buyer is permitted to buy and accept delivery, except that:

(i) The buyer may not violate any regulation or order controlling the quantity of material which he may have or buy or receive or the amount of any product he may make or the use that he may make of any particular material. All the prohibitions in orders against the use of materials for particular purposes remain in effect.

(ii) If any order or regulation provides that a buyer of material must make any report or furnish any information either to the War Production Board or to the seller, this regulation does not excuse him from these requirements.

(iii) If any holder of material knows that a person who wants to buy it will use it for a prohibited purpose or would have more of it than he is permitted to have, the sale cannot be made.

(g) *Records.* Any person making a sale under this regulation must keep sufficient records so that he can show that the sale was permitted under this regulation.

(h) *Listing materials with the War Production Board.* If anyone has any excess, idle or frozen material that he wants to sell, he should report it to his nearest War Production Board office giving full details about its size, shape, analysis, specifications and quantity, and they will try to help him.

(i) *Letters and questions.* Any letters or questions about this regulation should be sent either to the Redistribution Division of the War Production Board in Washington, marked "Ref: P.R. 13", or to any of the field offices of the War Production Board.

(j) *Revisions of Lists A and B.* Lists A and B attached to this regulation will be revised on the first of each month. A person wishing to sell material under this regulation should be sure that he has the list which is in effect at the time of the sale. Copies may be obtained from any field office of the War Production Board.

Issued this 1st day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LISTS A AND B

Explanation of Lists A and B: Column (1) of List A lists the industrial materials (as defined in paragraph (b) (3) that are restricted under the regulation. This shows in some instances the class or group of materials and does not always list all the trade names and related materials.

Column (1) of List B lists the finished products to which the general sales rules in paragraph (c) (1) (ii) do not apply because the finished product is either more or less restricted than the general rule.

Columns (2), (3), (4) and (5) each apply to a type of possible buyer. Opposite each material in each column is shown the conditions under which a special sale of the particular material may be made to the person described in the heading of the column.

Column (2) applies to persons who make or produce material in the form in which the holder bought it. This includes nonintegrated producers. If the holder bought copper wire, column (2) refers to a wire mill, which makes copper wire. If he bought a machine tool, it refers to a company which makes that kind of a product.

Column (3) refers to persons who are permitted to buy and use the material for production, construction, maintenance, repair or operating supplies or for capital expansion or replacement.

Column (4) refers to persons who buy new, rejected or second grade materials and who rework them. This includes persons who change the form of the material by redrawing, rerolling, etc., except that it does not include controlled material producers.

Column (5) refers to persons who are wholesale dealers in the material the holder has like a wholesaler in chemicals or textiles. A wholesaler means anyone whose regular business consists in whole or in part of the sale from stock or inventory of the particular materials or products to other persons for the purpose of resale, or for fabrication or assembly into other products. It also includes persons who recondition or rebuild equipment and machinery for resale to industrial users. Such a person is not, however, relieved from compliance with any orders or regulations of the War Production Board which control the distribution of the material by him.

Column (6) contains notes which should be read whenever a star (*) or note shows on the list.

If the list shows "no," it means that the holder cannot sell to the class of person mentioned in the column head without special permission of the War Production Board except when a note in column (6) allows certain kinds of sales. Paragraph (c) (2) (iii) of the regulation tells how to get permission.

If the list shows "PR" followed by a letter and number, like "PR AA–5," it means that the holder can sell to anyone who gives him an AA–5 priority rating for the sale, or a higher rating.

If the list shows "W. O. P.," it means the holder can sell to the person at the head of the column without any priority rating or allocation or allotment being necessary.

If the list shows "X," it means that there are no persons who fall in the description at the top of the column so far as that particular material is concerned.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST. SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION

This list refers only to new industrial material unless used industrial material is specifically mentioned. Industrial material not on this list may be sold freely to anyone.

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
PART I—METALS AND METALLIC ORES					
Alumina	W. O. P.	W. O. P.*	X	W. O. P.	*Only for the manufacture of aluminum or abrasives.
Aluminum (new and used):					
In controlled material form	W. O. P.	No.*	W. O. P.**	W. O. P.	*Only to fill orders under paragraphs (c) (2) (v) and (vi) of the regulation. **Only to approved reprocessors. Lists available at WPB offices.
Not in controlled material form	W. O. P.	W. O. P.	W. O. P.**	W. O. P.	
Antimony:					
Antimony*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes ores and concentrates, metal, liquated antimony and any alloy containing 50% or more of antimony by weight.
Chemicals (see Chemicals).					
Antimonial lead (see Lead).					
Babbitt (see Tin).					
Bauxite	W. O. P.	W. O. P.*	X	X	*Only for the manufacture of alumina or abrasives.
Beryllium*	W. O. P.	No	No	W. O. P.	* Includes ores, concentrates, and metal beryllium.
Bismuth	W. O. P.	No	No	W. O. P.	
Brass (see Copper).					
Brass mill and wire mill products (see Copper).					
Bronze (see Copper).					
Cadmium:					
Cadmium*	No	No	No	No	*Includes metallic cadmium in all forms, residues, dross, and other cadmium bearing material.
Chemicals (see Chemicals)					
Chromium:					
High carbon ferro-chromium over .50 carbon.	W. O. P.	W. O. P.	X	W. O. P.	
Low carbon ferro-chromium under .50 carbon.	W. O. P.	W. O. P.	X	W. O. P.	
Copper:					
In controlled material form (new and used)*:					*A holder may sell freely to anyone, any item of copper or copper base alloy material if the total amount of that item held by him (determined as provided in para. (c) (2) (iv) of this regulation) does not exceed $25.00 in value. "Item" means any sheet, wire, rod, tube or cable made from copper or copper base alloy which is different from all other items of that form, by reason of one or more differences of its specifications such as size, shape, gauge, thickness, alloy, or insulation. Differences in temper or length do not differentiate items. **Only to fill orders under para. (c) (2) (v) and (vi) of the regulation. ***Only to persons permitted to accept delivery pursuant to Copper Order M-9. ****Only to persons having specific authorization to buy.
Brass mill products	W. O. P.	No**	No***	No****	
Copper wire mill products (bare and insulated).	W. O. P.	No**	No***	No****	
Foundry copper or copper base alloy products.	X	No**	X	X	
Not in controlled material form (new and used):					
Copper raw materials (Ref. shapes & Cu. and Cu. base alloy ingots).	No***	No***	X	No***	
Semi-fabricated or fabricated unassembled parts or products, etc. (including bolts, nuts, screws, rivets, washers, studs, and pins (such as cotter, clevis, brake, knuckle and taper)).	W. O. P.	PR-AA5	PR-AA5	PR-AA5	
Corundum (see Part III).					
Cryolite	No	No	No	No	
Electrical resistance material*	W. O. P.	PR-AA5	PR-AA5	W. O. P.	* Material in form of ribbon or wire in which nickel or chromium or both are used to create electrical resistance for development of heat. * May be sold as provided for principal non-ferrous element.
Ferroalloys* (other than ferrocolumbium).					
Ferrocolumbium*	W. O. P.	W. O. P.**	X	X	* Includes any alloy containing 45% or more of columbium. ** 500 lbs. or less may be sold to any one buyer in any month.
Inconel (see Nickel).					
Iridium	W. O. P.	No	No	No	
Iron:					
Alloy iron castings*	W. O. P.	W. O. P.	W. O. P.	X	*Does not include materials commonly known as "ferro-alloys."
Cast iron products	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Malleable iron castings	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Pig iron	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wrought iron (see steel).					
Lead:					
Lead	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Antimonial lead	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Lithium:					
Lithium ore	W. O. P.	No	No	No	
Lithium chemicals (see Chemicals).					
Magnesium and magnesium products*	W. O. P.	W. O. P.	W. O. P.**	No	*Includes castings, extrusions, sheet, strip, plate, forgings and powder. **Only to approved reprocessors. Lists available at WPB offices. *Includes hydrogen reduced powder.
Molybdenum wire products*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Monel (see Nickel).					

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST. SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Nickel (new and used):					
Nickel pig, ingot, cathode, pellet, shot and anode.	W. O. P.	No	No	W. O. P.	
Other nickel* (including monel and inconel).	W. O. P.	PR-AA5	PR-AA5	W. O. P.	*Includes any other alloyed or unalloyed metallic nickel, ferro-nickel, matte and materials from which nickel is commercially recoverable.
Chemicals (see Chemicals)					
Osmium	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Can be used only in implements of war.
Platinum:					
Platinum	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Cannot be used for jewelry.
Chemicals (see Chemicals).					
Rhodium:					
Rhodium	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Cannot be used for jewelry.
Chemicals (see Chemicals).					
Silver:					
Foreign silver	W. O. P.	No	W. O. P.	W. O. P.	
Domestic silver	W. O. P.	No	W. O. P.	W. O. P.	
Treasury silver	W. O. P.	No	W. O. P.	W. O. P.	
Solder	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Steel, alloy and carbon (including wrought iron)*:					*Pursuant to pars. (c) (2) (iv), a holder may sell freely to any one any item of iron or steel if the total amount of that item held by him does not exceed $50.00 in value. "Item" means steel or iron which is identical in form, shape, rolling treatment, (hot rolled or cold finished) chemistry, specifications, finish and size.
In controlled material form:					
Alloy steel castings	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Axles (railway)	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rails and track accessories (rail joints, tie plates, track spikes, and track bolts).	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Sheet piling	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tin plate, terne plate, and tin mill black plate	W. O. P.	W. O. P.	X	No**	**Only to fill orders under par. (c) (2) (v) and (vi) of the regulation.
Tires	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wheels	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
All other controlled material forms of steel (including wrought iron).*	W. O. P.***	No**	No**	No**	*See CMP Reg. 1 for list of controlled material forms. ***Also includes nonintegrated steel producers who further process steel.
Not in controlled material form:					
Bolts, nuts, screws, rivets, washers, studs, and pins (such as cotter, clevis, brake, knuckle, and taper).	W. O. P.	W. O. P.	X	W. O. P.	
Cotton bale ties	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Forgings	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Track materials:					
Frogs, switches, crossings, switch stands, guard rails, guard rail clamps, rail braces, rail anchors, gauge rods, clip bolts, rail clips and nut locks	W.O.P.	W.O.P.	W.O.P.	W.O.P.	
Steel, other	W.O.P.	PR-AA5	PR-AA5	PR-AA5	
Wrought iron	W.O.P.	W. O. P.	W.O.P.	W.O.P.	
Tantalum*	No	No	X	No	*Includes ores, ferro-tantalum, concentrates and materials containing commercially recoverable tantalum.
Tin:					
Tin	No	No	No	No	
Babbitt	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tin solder (see Solder).					
Tin bearing alloys	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Foil	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tungsten wire products*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes hydrogen reduced powder.
Uranium*	W. O. P.	No	W. O. P.	W. O. P.	*Includes metal, crude ores, residues, matte and any alloy or mixture containing 1/10 of 1% or more uranium by weight.
Vanadium*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes ores, concentrates, metal, ferro-vanadium, and material containing commercially recoverable vanadium.
Welding rods and electrodes	W. O. P.	PR AA-5	X	W. O. P.	
Wrought iron (see steel).					
Zinc:					
Zinc	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Chemicals (see Chemicals).					
Dust	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Zippers (see slide fasteners).					
PART II—CHEMICALS					
Chemicals listed herein when sold under trade names may be sold as provided for the particular chemical.					
Acetaldehyde	W. O. P.	No*	W. O. P.	W. O. P.	*54 gals. Mo.[1]
Acetate, vinyl (and polymers of)	W. O. P.	No*	X	No	*25 lbs. Mo.[1]
Acetic anhydride**	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1] **Also called ethanoic anhydride, acetyl oxide and acetic oxide.
Acetone	W. O. P.	No*	X	W. O. P.	*5 drums Mo.[1]
Acids:					
Acetic	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Adipic**	W. O. P.	No*	X	W. O. P.	*10 lbs. Mo.[1] ** Includes all derivatives except "Nylon."
Anhydrous hydrofluric	W. O. P.	No*	X	W. O. P.	*500 lbs. Mo.[1]
Arsenious**	W. O. P.	W. O. P.	W. O. P.	W. O. P.	**Also called arsenic trioxide and white arsenic.
Citric	W. O. P.	No*	X	W. O. P.	*440 lbs. Qr.[1]
Maleic	W. O. P.	No*	X	W. O. P.	*200 lbs. Mo.[1]
Naphthenic	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Sulfuric	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Phosphoric	W. O. P.	No*	X	W. O. P.	*5 tons Mo.[1]

[1] This quantity may be sold freely, but the buyer's aggregate purchases may not exceed the amount shown during the period stated.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Acrylic Monomers and Acrylic Resins:					
Cast sheet	W. O. P.	No*	X	W. O. P.	*50 sq. feet Mo.[1]
Molding sheet	W. O. P.	No*	X	W. O. P.	*50 sq. feet Mo.[1]
Molding powder	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Cast shapes	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Tube	W. O. P.	No*	X	W. O. P.	*25 lbs. Mo.[1]
Rod	W. O. P.	No*	X	W. O. P.	*25 lbs. Mo.[1]
Solution	W. O. P.	No*	X	W. O. P.	*400 lbs. Mo.[1]
Emulsion	W. O. P.	No*	X	W. O. P.	*400 lbs. Mo.[1]
Monomer	W. O. P.	No*	X	W. O. P.	*10 gals. Mo.[1]
Granular polymers	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Acrylonitrile**	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1] **Also called vinyl cyanide.
Agar	W. O. P.	W. O. P.	X	W. O. P.	
Alcohols:					
Butyl**	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1] **Includes isobutyl, secondary butyl, and tertiary butyl.
Capryl**	W. O. P.	No*	X	W. O. P.	*70 lbs. Mo.[1] **Also called methyl hexyl carbinol or 2-Octanol.
Ethyl	W. O. P.	No.	X	W. O. P.	
Hexahydric Alcohols:					
d-Sorbitol	W. O. P.	No*	X	W. O. P.	*80 lbs. Mo.[1]
Technical grade d-Sorbitol	W. O. P.	No*	X	W. O. P.	*90 lbs. Mo.[1]
Commercial grade	W. O. P.	No*	X	W. O. P.	*600 lbs. Mo.[1]
Mannitol-crystalline	W. O. P.	No*	X	W. O. P.	*280 gals. Mo.[1]
Higher Aliphatic Alcohols:					
Normal octanol	W. O. P.	No*	X	W. O. P.	*80 lbs. Mo.[1]
Normal decanol	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Lauryl alcohol	W. O. P.	No*	X	W. O. P.	*360 lbs. Mo.[1]
Mixed aliphatic alcohols	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
2-ethyl hexanol	W. O. P.	No*	X	W. O. P.	*370 lbs. Mo.[1]
Isopropyl**	W. O. P.	No*	X	W. O. P.	*270 gals. Mo.[1] **Also called secondary propanol.
Methyl (methanol)	W. O. P.	No*	X	W. O. P.	*540 gals. Mo.[1]
Alcohols, denaturants:					
Acetaldol	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Dehydrol	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
G. C. 78	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
St. 115	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Alkanolamines	W. O. P.	No*	X	X	*5 gals. Mo.[1]
Allyl Alcohol	W. O. P.	No*	X	X	*50 lbs. Mo.[1]
Allyl Chloride	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Aluminum hydrate	W. O. P.	No.	X	W. O. P.	
Aluminum chloride, anhydrous	W. O. P.	No*	X	W. O. P.	*600 lbs. Mo.[1]
Ammonia:					
By-product ammonia**	W. O. P.	No.	X	W. O. P.	**Includes salts and solutions.
Sulphate of ammonia**	W. O. P.	W. O. P.	X	W. O. P.	**Containing 20.5% nitrogen or less.
Synthetic ammonia**	W. O. P.	No.	X	W. O. P.	**Includes salts and solutions.
Aniline, aniline oil, and aniline salts	W. O. P.	No*	X	W. O. P.	*500 lbs. Mo.[1]
Antimony sulphide	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Antimony oxide	W. O. P.	W. O. P.	X	W. O. P.	
Antimony chemicals, other	W. O. P.	No*	X	W. O. P.	*60 gals. Mo.[1]
Aromatic petroleum solvents** (excluding toluol and benzol).					**Includes solvents or naphthas of petroleum origin containing more than 30% of aromatic hydrocarbons and all grades of Xylol.
Barbasco root	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Benzaldehyde	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Benzene	W. O. P.	No*	No.	W. O. P.	*50 gals. Mo.[1]
Benzene containing oils	W. O. P.	No.	No.	W. O. P.	
Beryllium chemicals	W. O. P.	No*	X	W. O. P.	*125 lbs. Mo.[1]
Butadiene	W. O. P.	No*	X	W. O. P.	
2-butanol	W. O. P.	No.	X	W. O. P.	*55 gals. Mo.[1]
Butyl phthalyl butyl glycollate	W. O. P.	No*	X	W. O. P.	*25 lbs. Mo.[1]
Cadmium pigment	W. O. P.	No*	No.	W. O. P.	*30 tons Mo.[1]
Calcium carbide	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Calcium carbonate, precipitated	W. O. P.	No*	X	W. O. P.	**Available chlorine content 65% or more by weight.
Calcium hypochlorite, high test**	W. O. P.	No.	X	No.	*3 lbs. Mo.[1]
Calcium metal	W. O. P.	No*	X	W. O. P.	*2 lbs. Mo.[1]
Other forms					
Carbolates, containing 10% or more of phenols (see Phenols).	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Carbon black, furnace type	W. O. P.	No*	W. O. P.	W. O. P.	*52 gals. Mo.[1]
Carbon tetrachloride	W. O. P.	No*	No.	W. O. P.	*2000 lbs. Mo.[1]
Casein	W. O. P.	No.	X	W. O. P.	
Castor oil phthalate	W. O. P.	No.	X	W. O. P.	
Castor oil phthalate hydrogenated					
Cellophane (See list B).					
Cellulose acetate**	W. O. P.	No.	X	W. O. P.	**In primary unfabricated forms.
Cellulose acetate butyrate**	W. O. P.	No.	X	W. O. P.	**In primary unfabricated forms.
Cellulose ester flake**	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1] **Including cellulose acetate flake, cellulose acetate, butyrate flake, cellulose acetate propionate.
Cellulose ester sheets, rods, tubes and molding powder:					
Cellulose plastic molding powder	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Cellulose plastic sheets	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Cellulose plastic rods	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Cellulose plastic tubes	W. O. P.	No*	X	X	**In primary unfabricated forms, except that used in explosives and protective coatings.
Cellulose nitrate, plasticized**	W. O. P.	W. O. P.	X		*1,000 lbs. Mo.[1]
Charcoal	W. O. P.	No*	X	W. O. P.	
Chestnut extract	No.	No.	No.	No.	*25 lbs. Mo.[1]
Chlorate and perchlorate chemicals**	W. O. P.	No*	No.	W. O. P.	**Includes potassium, sodium and barium chlorates, potassium and ammonium perchlorates; perchloric acid; and any other chlorate or perchlorate chemical.
Chlorobenzenes:					
Monochlorobenzene	W. O. P.	W. O. P.	X	W. O. P.	
Orthodichlorobenzene	W. O. P.	W. O. P.	X	W. O. P.	
Paradichlorobenzene	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Chloroethylene					

[1] This quantity may be sold freely, but the buyer's aggregate purchases may not exceed the amount shown during the period stated;

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Chloride of lime**	W. O. P.	W. O. P.	X	W. O. P.	**Calcium hypochlorite with available chlorine content of from 20 to 65% weight.
Chlorine	W. O. P.	No.	X	W. O. P.	
Chlorinated hydrocarbon solvents	W. O. P.	No.	No.	W. O. P.	
Chlorinated rubber (see Rubber Part III).					
Chrome Pigments:					
Class A	W. O. P.	No*	X	W. O. P.	*Class A products, subject to quota (See M-370).
Class B	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1] of zinc chromate and 25 lbs. Mo.[1] of chromium oxide green.
Chromium Chemicals:					
Ammonium bichromate	W. O. P.	No*	No.	W. O. P.	*500 lbs. Mo.[1]
Chromic Acid	W. O. P.	No*	No.	W. O. P.	*800 lbs. Mo.[1]
Chromium tanning compounds	W. O. P.	No*	No.	W. O. P.	*See sodium bichromate.
Sodium bichromate	W. O. P.	No*	No.	W. O. P.	*4,000 lbs. Mo.[1] or its equivalent in chromium tanning compounds.
Sodium chromate	W. O. P.	No*	No.	W. O. P.	*500 lbs. Mo.[1]
Potassium bichromate	W. O. P.	No*	No.	W. O. P.	*500 lbs. Mo.[1]
Potassium chromate	W. O. P.	No*	No.	W. O. P.	*500 lbs. Mo.[1]
Cobalt oxide	W. O. P.	No.	X	W. O. P.	
Copper carbonate	W. O. P.	No*	X	W. O. P.	*1,000 lbs. quarter.[1]
Copper chloride	W. O. P.	No*	X	W. O. P.	*1,000 lbs. quarter.[1]
Copper cyanide	W. O. P.	No*	X	W. O. P.	*1,000 lbs. quarter.[1]
Copper oxide (except cuprous oxide)	W. O. P.	No*	X	W. O. P.	*1,000 lbs. quarter.[1]
Copper sulphate	W. O. P.	No*	X	W. O. P.	*4,000 lbs. quarter.[1]
Cotton pulp, chemical	W. O. P.	No.	X	W. O. P.	
Cresols: ortho, meta, and para	W. O. P.	No.	No.	W. O. P.	
Cuprous oxide	W. O. P.	No.	W. O. P.	W. O. P.	
Cyanamid	W. O. P.	No*	X	W. O. P.	*500 lbs. Mo.[1]
Cyanide (sodium)	W. O. P.	No*	X	W. O. P.	*1,000 lbs. Mo.[1]
DDT	W. O. P.	No*	X	W. O. P.	*1 lb. Mo.[1]
Diacetone	W. O. P.	No*	X	W. O. P.	*5 drums Mo.[1]
Diamyl phthalate	W. O. P.	No.	X	W. O. P.	
Di-butoxy ethyl phthalate	W. O. P.	No.	X	W. O. P.	
Dibutyl phthalate	W. O. P.	No.	X	W. O. P.	
Dicapryl phthalate	W. O. P.	No.	X	W. O. P.	
Dichlorethyl ether	W. O. P.	No*	No.	No.	*550 lbs. Mo.[1]
Dichlorodifluoromethane	W. O. P.	No.	X	W. O. P.	
Dicyandiamide	W. O. P.	No	X	W. O. P.	
Di-cyclohexyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Diethanolamine	W. O. P.	No*	X	W. O. P.	*5 gals. Mo.[1]
Diethyl ethanolamine	W. O. P.	No*	X	W. O. P.	*5 gals. Mo.[1]
Diethyl phthalate	W. O. P.	No.	X	W. O. P.	
Di 2-ethyl hexyl phthalate	W. O. P.	No.	X	W. O. P.	
Di-ethoxy ethyl phthalate	W. O. P.	No.	X	W. O. P.	
Di-methylcyclohexyl phthalate	W. O. P.	No.	X	W. O. P.	
Dimethyl phthalate	W. O. P.	No.	X	W. O. P.	
Diphenylamine**	W. O. P.	No.	X	W. O. P.	**Also called phenylaniline.
Dyestuffs and organic pigments	W. O. P.	No.	X	W. O. P.	
E. W. naphtha	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Ethyl acetate	W. O. P.	No*	W. O. P.	W. O. P.	*270 gals. Mo.[1] of ethyl acetate and isopropyl acetate.
Ethyl cellulose	No.	No*	X	No.	*10 lbs. Mo.[1]
Ethyl chloride	W. O. P.	W. O. P.	X	W. O. P.	
Ethylene dichloride	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Ethyl phthalyl ethyl glycollate	W. O. P.	No.	X	W. O. P.	
Formaldehyde	W. O. P.	No*	X	W. O. P.	*10,000 lbs. Mo.[1]
Furfural	W. O. P.	No*	X	W. O. P.	*110 gals. Mo.[1]
Gasoline Gum inhibitors	W. O. P.	No*	X	W. O. P.	*10 lbs. Mo.[1]
Glycols:					
Ethylene	W. O. P.	No*	X	W. O. P.	*5,000 lbs. Mo.[1]
Propylene	W. O. P.	No*	X	W. O. P.	*950 lbs. Mo.[1]
Diethylene	W. O. P.	No*	X	W. O. P.	*1,000 lbs. Mo.[1]
Triethylene	W. O. P.	No*	X	W. O. P.	*250 lbs. Mo.[1]
Mixed glycols	W. O. P.	No*	X	W. O. P.	*250 lbs. Mo.[1]
Glycol ethers:					
Monobutyl ether of ethylene glycol	W. O. P.	No*	X	W. O. P.	*400 lbs. Mo.[1]
Monomethyl ether of ethylene glycol	W. O. P.	No*	X	W. O. P.	*430 lbs. Mo.[1]
Monoethyl ether of ethylene glycol	W. O. P.	No*	X	W. O. P.	*410 lbs. Mo.[1]
Monoethyl ether of diethylene glycol	W. O. P.	No*	X	W. O. P.	*460 lbs. Mo.[1]
Guanidine	W. O. P.	No.	X	W. O. P.	
Hexamethylenetetramine	W. O. P.	No*	X	W. O. P.	*10,000 lbs. Mo.[1]
Hydrogen peroxide	W. O. P.	No*	X	W. O. P.	*600 lbs. Mo.[1]
Isobutyl castor oil phthalate	W. O. P.	No.	X	W. O. P.	
Isopropyl acetate	W. O. P.	No*	W. O. P.	W. O. P.	*270 gals. Mo.[1] of isopropyl acetate and ethyl acetate.
Lacquer, lacquer thinners (see Paints).					
Lithopone	W. O. P.	W. O. P.	X	W. O. P.	
Lithium chemicals**	W. O. P.	No.	No.	W. O. P.	**Excluding crude lithium sodium phosphate.
Magnesium oxide, light	W. O. P.	No*	X	W. O. P.	*200 lbs. Mo.[1]
Maleic Anhydride	W. O. P.	No*	X	W. O. P.	*500 lbs. Mo.[1]
Melamine Aldehyde molding compound and resins.	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Methacrylic acid (see acrylic monomer and acrylic resins).					
Methanol	W. O. P.	No.	X	W. O. P.	
Methyl bromide	W. O. P.	No*	X	W. O. P.	*10 lbs. Mo.[1]
Methyl ethyl ketone	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Methyl Isobutyl ketone	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Methyl phthalyl ethyl glycollate	W. O. P.	No*	X	W. O. P.	*55 gals. Mo.[1]
Mineral oil polymers	W. O. P.	No*	X	W. O. P.	*50 gals. Mo.[1]
Molding compounds:					
Melamine aldehyde	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Phenolic	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Urea aldehyde	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Monoethanolamine	W. O. P.	No*	X	W. O. P.	*5 gals. Mo.[1]
Naphthalene	W. O. P.	No*	W. O. P.	W. O. P.	
Naphthanates**	W. O. P.	No*	X	W. O. P.	*50 gals. Mo.[1] **Excluding crude or refined sodium naphthanate intended for manufacture of other naphthanates.
Naptha, high flash	W. O. P.	No*	X	W. O. P.	*60 gals. Mo.[1]
Nickel chemicals**	W. O. P.	No.	No.	W. O. P.	**Salts, oxides, and carbonates.
Oleum	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Oxidized petrolatum	W. O. P.	No*	X	W. O. P.	*25 lbs. Mo.[1]

[1] This quantity may be sold freely, but the buyer's aggregate purchases may not exceed the amount shown during the period sold.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Paints, varnishes, lacquers and lacquer thinners:					
Aluminum paint	W. O. P.	No	X	W. O. P.	*55 gals. Mo.[1]
Paints, varnishes, lacquer and lacquer thinners containing any of the ingredients listed in Column 6**	W. O. P.	No*	X	W. O. P.	**Paraphenyl phenol resins, Phenolic resins, Phthalic alkyd resins, Urea melamine formaldehyde resins, Aromatic petroleum solvents, Butyl alcohols and butyl acetates, Ethyl acetate and Isopropyl acetate, Toluene, Phthalate plasticizers, Methyl ethyl ketone, Methyl isobutyl ketone, Acetone and Di-acetone.
Paints, other	W. O. P.	W. O. P.	X	W. O. P.	*2,000 lbs. Mo.[1]
Paraformaldehyde	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Pentaerythritol	W. O. P.	No*	X	W. O. P.	*25 lbs. Mo.[1]
Perchlorate chemicals	W. O. P.	No*	X	W. O. P.	*1 drum Mo.[1]
Perchlorethylene	W. O. P.	No*	No*	W. O. P.	*25 lbs. Mo.[1]
Perchloric acid	W. O. P.	No*	No	W. O. P.	*55 gals. Mo.[1]
Phenols (tar acids)**	W. O. P.	No*	W. O. P.	W. O. P.	**Includes: phenol cresols and Xylenols and mixtures thereof
Phosphorus (yellow and white)	W. O. P.	No*	X	W. O. P.	*10,000 lbs. Mo.[1]
Phthalic anhydride	W. O. P.	No*	X	W. O. P.	*700 lbs. Mo.[1]
Pine oil					*54 gals. Mo.[1]
Plasticisers:					
Phosphate**	No	No*	X	No	*1,000 lbs. Mo.[1] **Tricresyl and triphenyl.
Phthalate	W. O. P.	No	X	W. O. P.	
Plastics, cellulose (see cellulose ester flake)					
Platinum chemicals	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Polyethylene	W. O. P.	No	X	W. O. P.	*50 lbs. Mo.[1]
Polystyrene**	W. O. P.	No*	X		**In primary unfabricated forms.
Polyvinyl acetal	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Polyvinyl butyral resin	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Polyvinyl formal	W. O. P.	No*	X	W. O. P.	*5 tons Mo.[1]
Potash**	W. O. P.	No*	X		**Includes muriate of potash, sulphate of potash, sulphate of potash-magnesia, and run-of-the-mine potash.
Potassium tantalum fluoride	No	No	X	No	
Pyrethrum	W. O. P.	No	W. O. P.	W. O. P.	
Pyridine	W. O. P.	No*	No	W. O. P.	*80 lbs. Mo.[1]
Resin:					
Melamine aldehyde	W. O. P.	No*	X	W. O. P.	*1,000 lbs. Mo.[1]
Para-phenyl-phenol	W. O. P.	No*	X	W. O. P.	*5 lbs. Mo.[1]
Phenolic	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Phthalic alkyd	W. O. P.	No*	X	W. O. P.	*750 lbs. Mo.[1]
Urea aldehyde	W. O. P.	No*	X	W. O. P.	*1,000 lbs. Mo.[1]
Vinsol	W. O. P.	No*	X	W. O. P.	*500 lbs. Mo.[1]
Rhodium chemicals	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rotenone	W. O. P.	No*	W. O. P.	W. O. P.	*5 lbs. or 1 gal. Mo.[1]
Rubber, synthetic (see Rubber, Part III).					
Sodium metallic	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Sodium metasilicate	W. O. P.	No*	X	W. O. P.	*800 lbs. Mo.[1]
Sodium nitrate	W. O. P.	W. O. P.	X	W. O. P.	
Sodium perborate	W. O. P.	No*	X	W. O. P.	*25 lbs. Mo.[1]
Sodium peroxide	W. O. P.	No*	X	W. O. P.	*75 lbs. Mo.[1]
Sodium phosphates	W. O. P.	No*	X	W. O. P.	*2000 lbs. bi-monthly.[1]
Stabilized rosin	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Styrene	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Synthetic resins (see Resins).					
Synthetic rubber (see Rubber, Part III).					
Tanning Materials, Vegetable (see Part III).					
Tantalum chemicals**	No	No	X	No	**Potassium tantalum fluoride tantalum oxide, tantalum carbide.
Tapioca flour	W. O. P.	W. O. P.	X	W. O. P.	
Tin chemicals	No	No	No	No	
Titanium dioxide	W. O. P.	W. O. P.	X	W. O. P.	
Titanium pigments	W. O. P.	W. O. P.	X	W. O. P.	
Toluene (toluol)	W. O. P.	No*	No	W. O. P.	*5 gals. Mo.[1]
Tributyl glycerol triphthalate	W. O. P.	No	X	W. O. P.	
Trichlorethylene	W. O. P.	No*	X	W. O. P.	*1 drum Mo.[1]
Tungsten chemicals	W. O. P.	No	W. O. P.	W. O. P.	
Uranium chemicals	W. O. P.	No	W. O. P.	W. O. P.	
Vanadium chemicals	W. O. P.	No			
Varnishes (see Paints).					
Vat dyes (see Dyestuffs).					
Vinyl Polymers**	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1] **Plasticized or unplasticized polymers and copolymers of vinyl acetate, vinyl chloride and polyvinyl alcohol and includes their condensation products.
Xylenols	W. O. P.	No	No	W. O. P.	
Xylol	W. O. P.	No*	X	W. O. P.	*66 gals. Mo.[1]
Zinc oxide	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Zinc sulphide-pigments	W. O. P.	W. O. P.	X	W. O. P.	
PART III—MISCELLANEOUS					
Abrasive, manufactured,* crude and grain	W. O. P.	No	W. O. P.	W. O. P.	*Includes silicon carbide and used aluminum oxide only.
Agave Cordage	W. O. P.	W. O. P.	No	W. O. P.	
Agave fibre:					
Suitable for cordage	No	No	No	No	
Not suitable for cordage	No	W. O. P.	No	No	
Balsa	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Bristles, pigs' and hogs' (two inches and over)	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Burlap	W. O. P.	W. O. P.	No	W. O. P.	
Cantala (see Agave fibre)					
Cattlehides, calf and kip skins (raw)	W. O. P.	W. O. P.	X	W. O. P.	
Cattle tail hair	W. O. P.	W. O. P.	W. O. P.	W. O. P.	

[1] This quantity may be sold freely, but the buyer's aggregate purchases may not exceed the amount shown during the period stated.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Coir fibre	W. O. P.	W. O. P.	No	W. O. P.	
Coir products	W. O. P.	W. O. P.	No	W. O. P.	
Coke, petroleum	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Cordage (see Rope).					
Corundum*	W. O. P.	No	No	W. O. P.	*Emery, ruby, sapphire and Boulder Corundum BC Fines are not included.
Cotton duck (see Duck).					
Cotton, American extra staple, reserved	W. O. P.	W. O. P.	X	W. O. P.	
Cotton, Egyptian, reserved	W. O. P.	W. O. P.	X	W. O. P.	*Produced after July 31, 1943.
Cotton linters*	W. O. P.	No	X	W. O. P.	*Suitable for military use.
Deerskins*	W. O. P.	W. O. P.	X	W. O. P.	*Report sales as required by M-109.
Diamonds, industrial*	W. O. P.	PR-AA-5	PR-AA-5	PR-AA-5	*Width 15' to 87'.
Duck, Cotton*	W. O. P.	PR-AA-5	X	W. O. P.	*Only to persons holding permits issued pursuant to M-102 or to the Philadelphia Quartermaster Depot.
Feathers: Waterfowl (new or used)	No*	No*	No*	W. O. P.	
Flax fibre products	W. O. P.	W. O. P.	No	W. O. P.	
Flax fibre	No	No	No	No	
Graphite, strategic grades	W. O. P.	W. O. P.	No	W. O. P.	
Hemp Sunn					
Hennequen (see Agave fibre)	W. O. P.	W. O. P.	X	W. O. P.	*Suitable for military use.
Horsehide*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Horse Mane Hair	W. O. P.	W. O. P.	No	W. O. P.	* Unprocessed istle.
Istle, raw*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Jewel bearings	W. O. P.	No	X	W. O. P.	*Natural sapphire and spinel not included.
Jewel bearing material*					
Jute:	W. O. P.	W. O. P.	No	W. O. P.	
Raw jute	W. O. P.	W. O. P.	No	W. O. P.	
Jute products	W. O. P.	W. O. P.	X	W. O. P.	
Kapok					
Lacquer, lacquer thinners (see Paints, Part II).					
Leather, sole*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Suitable for military use.
Logs (see Woods)					
Loofa sponges*	W. O. P.	PR A-1-a	X	W. O. P.	*Suitable for military use.
Maguey (see Agave fibre).					
Mahogany (see Woods).					
Manila fibre and cordage:					
Cordage	W. O. P.	W. O. P.	No	W. O. P.	*May be sold W. O. P. to the U. S. Navy.
Fibre	No	No*	No	No	
Mica:					
Strategic	W. O. P.	W. O. P.	X	W. O. P.	
Splittings	W. O. P.	W. O. P.	X	W. O. P.	
Nylon*	W. O. P.	No	No	No	*Includes fibers, yarn, thread and fabrics made of nylon.
Nylon waste	W. O. P.	No	W. O. P.	No	
(Oil) wool tops (see Wool).					
Paints (see Part II).					
Plywood (see Woods).					
Quartz crystals	X	No	No	No	
Rattan (see Woods).					
Rayon yarn, high tenacity	W. O. P.	No	No	No	
Rayon yarn reserved	No	No	No	No	
Rope*	W. O. P.	W. O. P.	No	W. O. P.	*"Rope" means any rope or cable, treated or untreated, composed of three or more strands, manufactured from cotton or any cordage fiber each strand composed of two or more yarns.
Rubber.					
Latex and crude	No	No	No	No	
Balata	No	No	No	No	
Compounded latex	No	No	No	No	
Chlorinated	W. O. P.	No	No	X	
Synthetic	W. O. P.	W. O. P.	W. O. P.	X	
Reclaimed	W. O. P.*	W. O. P.*	W. O. P.*	No	*With approval of Rubber Reserve Co.
Rubber products:					
Cement	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Elastic thread	No	No	X	No	
Elastic fabrics	No	No	X	No	
Yarn	No	No	X	No	
Other products	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Silk:					
Raw	No	No	X	No	
Waste, noils, etc.	No	W. O. P.**	W. O. P.**	W. O. P.	**Use certificate required.
Sisal (see Agave fibre).					
Slide fasteners	W. O. P.	No	No	No	
Sole leather (see Leather).					
Tanning material, vegetable*	No	No	No	No	*Only to Defense Supplies Corp. or any other agency designated by W. P. B.
Varnishes (see Paints, Part II).					
Wood pulp	No	No	X	No	
Woods:					
Balsa	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Logs:					
Black Walnut	W. O. P.	W. O. P.	X	W. O. P.	
Douglas Fir	W. O. P.	W. O. P.	X	W. O. P.	
Noble Fir	No	No	No	No	
Port Orford Cedar and derivatives.	W. O. P.	W. O. P.	X	W. O. P.	
Lumber:					
Softwood Lumber	W. O. P.	PR-AA-5	W. O. P.	W. O. P.	
Hardwoods except Mahogany	W. O. P.	PR-AA-5	W. O. P.	W. O. P.	
Mahogany:					
Firsts, Seconds, Selects	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wormy grades (pattern stock).	W. O. P.	PR-AA-1	PR-AA-1	W. O. P.	
No. 1 Common and poorer	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Plywood:					
Softwood	W. O. P.	PR-AA-2X	X	W. O. P.	
Hardwood	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rattan, round	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rattan, slab	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wool:					
Wool	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Oil Clips	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Zippers (see Slide fasteners).					

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION

This list refers only to new finished products unless used finished products are specifically mentioned. Finished products not on this list may be sold freely to producers and wholesalers and to all others on a rating of AA-5 or higher.

Finished products	Persons who produce material in the form in which the holder bought it	Users permitted to buy and use under existing WPB orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
Abrasive products, bonded and coated.	WOP	WOP	WOP	WOP	
Automotive equipment:					
Axles	WOP	PR-AA-2X	X	WOP [1]	[1] This applies only to a holder who has $500 or less cost value of the material. Such a person may sell freely to a wholesaler. If a holder has more than $500 worth (cost value) of the material he may sell to a wholesaler only with special permission of the War Production Board.
Brakes	WOP	PR-AA-2X	X	WOP [1]	
Clutches	WOP	PR-AA-2X	X	WOP [1]	
Off-the-highway vehicles	WOP	PR-AA-2X	X	WOP [1]	
Propeller shafts	WOP	PR-AA-2X	X	WOP [1]	
Rims	WOP	PR-AA-2X	X	WOP [1]	
Transfer cases	WOP	PR-AA-2X	X	WOP [1]	
Transmissions	WOP	PR-AA-2X	X	WOP [1]	
Truck-trailers	WOP	PR-AA-2X	X	WOP [1]	
Trucks	WOP	PR-AA-2X	X	WOP [1]	
Wheels	WOP	PR-AA-2X	X	WOP [1]	
Engines:					
Air-cooled gasoline engines (except aircraft propulsion).	WOP	PR-AA-2X	X	WOP [1]	
Diesel and gas (not gasoline) (non-marine only).	WOP	PR-AA-2X	X	WOP [1]	
Liquid-cooled gasoline engines (except aircraft propulsion).	WOP	PR-AA-2X	X	WOP [1]	
Internal combustion engines components, except those used on aircraft propulsion engines:					
Bearings, friction (flanged and sleeve type only).	WOP	PR-AA-2X	X	WOP [1]	[1] This applies only to a holder who has $500 or less cost value of the material. Such a person may sell freely to a wholesaler. If a holder has more than $500 worth (cost value) of the material he may sell to a wholesaler only with special permission of the War Production Board.
Camshafts (finished only).	WOP	PR-AA-2X	X	WOP [1]	
Carburetors, gasoline	WOP	PR-AA-2X	X	WOP [1]	
Crankshafts (finished drop forged).	WOP	PR-AA-2X	X	WOP [1]	
Electric starting motors, engine mounted only.	WOP	PR-AA-2X	X	WOP [1]	
Exhaust and intake valves and seats—internal combustion engines.	WOP	PR-AA-2X	X	WOP [1]	
Fuel injection equipment	WOP	PR-AA-2X	X	WOP [1]	
Generators, internal combustion engine mounted.	WOP	PR-AA-2X	X	WOP [1]	
Magnetic starting switches—internal combustion engines.	WOP	PR-AA-2X	X	WOP [1]	
Magnetos	WOP	PR-AA-2X	X	WOP [1]	
Mechanical governors	WOP	PR-AA-2X	X	WOP [1]	
Piston rings	WOP	PR-AA-2X	X	WOP [1]	
Voltage regulators	WOP	PR-AA-2X	X	WOP [1]	
Bearings—anti-friction	No [3]	No [3]	No [3]	No [4]	[1] Sales of excess bearings are limited to the following: 1. To the original supplier, or 2. On any AAA order; or 3. On any AA-5 or higher rated order placed directly by the Army, the Navy, the Maritime Commission or the War Shipping Administration, or directly by any prime or subcontractor, of any of them, who will incorporate the bearings into, or will deliver them as spare bearings with a product being manufactured by him; or 4. If the quantity to be sold in any month costs less than $240, they may be sold on any order rated AA-5 or higher regardless of order's source; or 5. Specific sales authorized by the War Production Board.
Cellophane	WOP	No	No	No	[4] May be sold only on WPB authorization (Form WPB-3131).
Chain saws	WOP	No [4]	X	No [4]	

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Finished products	Persons who produce material in the form in which the holder bought it	Users permitted to buy and use under existing WPB orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
Construction machinery:					
Backhoes (new and used), power crawler mounted, rubber tired mounted, or walking. (Manufactured after January 1, 1930.)	No [1]	No [1]	No [1]	WOP	[1] May be sold only on WPB authorization (Form WPB-1319). Application should be made by filing four copies of Form WPB-1319 with the Construction Machinery Specialist for the WPB region in which the applicant's home office is located.
Cranes (new and used), power, crawler mounted, rubber tired mounted, or walking. (Manufactured after January 1, 1930.)	No [1]	No [1]	No [1]	WOP	This restriction does not apply to sales outside the 48 states of the United States and the District of Columbia and does not apply to the following special sales:
Draglines (new and used), power, crawler mounted, rubber tired mounted, or walking. (Manufactured after January 1, 1930.)	No [1]	No [1]	No [1]	WOP	1. Sales to distributors. The term "distributor" means any person who is engaged in the business of purchasing new, used or reconditioned construction machinery for the purpose of resale.
Motorgraders (new and used), self propelled, earth moving, rubber tired mounted, 16,000 lbs. and heavier, tandem and four wheel drive types.	No [1]	No [1]	No [1]	WOP	2. Transfers at a judicial or sheriff's auction or sale, tax sale, or other similar transaction conducted by a judicial or other legal officer.
Shovels (new and used), power crawler mounted, rubber tired mounted or walking. (Manufactured after January 1, 1930.)	No [1]	No [1]	No [1]	WOP	3. Sales by any Governmental agency to any other Governmental agency.
Tractors (new and used), crawler or track-laying type, all gauges, bare and including tractor mounted equipment such as bullcrowers, angledozers, cranes, loaders power control units, etc. (all diesel and semi-diesel powered models and the following gasoline powered models: M, WM AG, H, T6 and R2	No [1]	No [1]	No [1]	WOP	4. Sales by farmers. The term "farmer" means a person who engages in farming as a business, by raising crops, livestock, bees or poultry. It also includes a custom operator who uses farm supplies in performing services for farmers. It does not include a person who merely has a "victory garden" or raises food or other agricultural products entirely for his own use.
Cork products	WOP	WOP	WOP	WOP	
Dental burs	WOP	WOP	WOP	WOP	
Diamond dies (large) [6]	WOP	WOP	WOP	WOP	[6] With hole diameter larger than .0015.
Diamond dies (small) [7]	No	No	No	No	[7] With hole diameter of .0015 and smaller.
Electronic parts and equipment:					
Electronic equipments	WOP	AA-5	X	No	
Capacitors (variable)	WOP	AA-5	X	No	
Capacitors (fixed)	WOP	AA-5	X	No	
Coaxial cable	WOP	AA-5	X	No	
Crystal assemblies	WOP	AA-5	X	No	
Instruments, electrical indicating, combat type [8]	WOP	AA-5	X	No	[8] Except fire control equipment, and navigation instruments.
Insulators [9]	WOP	AA-5	X	No	[9] Ceramic, micalex, plastic.
Loudspeakers	WOP	AA-5	X	No	
Microphones	WOP	AA-5	X	No	
Relays, other than motor control as used in radio communication equipment.	WOP	AA-5	X	No	
Resistors (radio and radar)	WOP	AA-5	X	No	
Sockets, tube (radio and radar)	WOP	AA-5	X	No	
Test equipment [10] (new and used).	WOP	AA-5	X	No	[10] All items cleared as recognized B-1 items, (standard) electronic.
Transformers and reactors [11]	WOP	AA-5	X	No	[11] Radio and radar including coils and chokes other than R. F. and I. F.
Tubes (radio and radar)	WOP	AA-5	X	No	
Vibrator [12]	WOP	AA-5	X	No	[12] A device containing a mechanically oscillating element which interrupts direct electrical current in Electronic Equipment.

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Engines, marine Diesel	WOP	No [11]	X	No	[11] Does not apply to the sale, exchange or other transfer of Marine Diesel Engines between the Army, Navy, Maritime Commission, War Shipping Administration, their contractors or subcontractors provided the marine Diesel engines will be used in the completion of a contract of the Army, Navy, Maritime Commission or War Shipping Administration rated AA-2X or higher.
Graphite crucibles	WOP	WOP	WOP	WOP	
Industrial power trucks (new and used).	WOP	No [14]	X	WOP	[14] Sales of industrial power trucks may be made pursuant to any AA-2X or higher rated order from the Army, Navy, Maritime Commission or War Shipping Administration or from any prime or subcontractor of any of them who will incorporate the industrial power trucks into or will deliver them as equipment with a product being manufactured by him. Otherwise may be sold only on WPB authorization (Form WPB-1310)
Laundry equipment, commercial, dry cleaning equipment, commercial, and tailors pressing equipment:					
Group 1					
Boards, steam spotting	WOP	No [15]	X	WOP	[15] May be sold freely to the Army or Navy or any prime contractor or subcontractor for delivery to the Army or Navy, otherwise WPB Form 924 authorization is required.
Conveyors, monorail	WOP	No [15]	X	WOP	
Dry cleaning units, naphtha	WOP	No [15]	X	WOP	
Dry cleaning units, synthetic	WOP	No [15]	X	WOP	
Dryers, garment, hot air	WOP	No [15]	X	WOP	
Dryers, hosiery and sock	WOP	No [15]	X	WOP	
Dye machines	WOP	No [15]	X	WOP	
Extractors (including mechanical unloading).	WOP	No [15]	X	WOP	
Forms, collar	WOP	No [16]	X	WOP	
Forms, hosiery and sock	WOP	No [15]	X	WOP	
Forms, overall	WOP	No [15]	X	WOP	
Forms, sleeve	WOP	No [15]	X	WOP	
Forms, trouser	WOP	No [15]	X	WOP	
Filters, solvent, for drycleaning	WOP	No [16]	X	WOP	
Fluffers, handkerchief	WOP	No [15]	X	WOP	
Folding machines, automatic	WOP	No [15]	X	WOP	
Ironers, collar	WOP	No [15]	X	WOP	
Ironers, flatwork	WOP	No [15]	X	WOP	
Ironers, handkerchief	WOP	No [16]	X	WOP	
Ironer attachments:					
Canopies	WOP	No [16]	X	WOP	
Feeding devices	WOP	No [15]	X	WOP	
Listing machines	WOP	No [15]	X	WOP	
Marking machines	WOP	No [15]	X	WOP	
Presses	WOP	No [15]	X	WOP	
Shakers, flatwork	WOP	No [15]	X	WOP	
Shapers, sleeve	WOP	No [15]	X	WOP	
Shapers, trouser	WOP	No [16]	X	WOP	
Spreaders, flatwork	WOP	No [16]	X	WOP	
Stackers, flatwork automatic	WOP	No [16]	X	WOP	
Stackers, handkerchief automatic.	WOP	No [15]	X	WOP	
Starch cookers	WOP	No [16]	X	WOP	
Starching and extracting machines.	WOP	No [16]	X	WOP	
Starching machines	WOP	No [16]	X	WOP	
Stills, vacuum, for drycleaning.	WOP	No [15]	X	WOP	
Stretchers, trouser	WOP	No [16]	X	WOP	
Tables, marking	WOP	No [16]	X	WOP	
Tumblers	WOP	No [16]	X	WOP	
Washers (except glove)	WOP	No [16]	X	WOP	
Group 2					
Blocking machines, garment	WOP	WOP	WOP	WOP	
Boards, pressing	WOP	WOP	WOP	WOP	
Boards, pressing, velvet and nap	WOP	WOP	WOP	WOP	
Boards, shirt folding	WOP	WOP	WOP	WOP	
Boards, ironing	WOP	WOP	WOP	WOP	

[16] May be sold freely to the Army or Navy or any prime contractor or subcontractor for delivery to the Army or Navy, otherwise Form WPB-924 authorization is required.

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Laundry equipment, etc.—Con.					
Boards, spotting, except steam	WOP	WOP	WOP	WOP	
Boards, steam	WOP	WOP	WOP	WOP	
Cabinets, deodorizing, drying or sterilizing	WOP	WOP	WOP	WOP	
Collar shapers	WOP	WOP	WOP	WOP	
Collar tippers	WOP	WOP	WOP	WOP	
Conveyors, bag (wet wash)	WOP	WOP	WOP	WOP	
Conveyors, "go back"	WOP	WOP	WOP	WOP	
Conveyors, shirt	WOP	WOP	WOP	WOP	
Cuff cleaners	WOP	WOP	WOP	WOP	
Dampeners, cloth	WOP	WOP	WOP	WOP	
Dampeners, collar and seam	WOP	WOP	WOP	WOP	
Dryers, blanket and curtain	WOP	WOP	WOP	WOP	
Dryers, rug	WOP	WOP	WOP	WOP	
Dryers, windwhip	WOP	WOP	WOP	WOP	
Dry rooms, conveyor	WOP	WOP	WOP	WOP	
Dry rooms, sectional	WOP	WOP	WOP	WOP	
Dye kettles	WOP	WOP	WOP	WOP	
Feather sanitizing machines	WOP	WOP	WOP	WOP	
Finishers, garment	WOP	WOP	WOP	WOP	
Finishers, sleeve	WOP	WOP	WOP	WOP	
Fluting machines	WOP	WOP	WOP	WOP	
Forms, glove	WOP	WOP	WOP	WOP	
Fur cleaning equipment	WOP	WOP	WOP	WOP	
Glazers, fur	WOP	WOP	WOP	WOP	
Glove cleaning machines	WOP	WOP	WOP	WOP	
Hangers, revolving shirt	WOP	WOP	WOP	WOP	
Hatters' equipment	WOP	WOP	WOP	WOP	
Holders, bag	WOP	WOP	WOP	WOP	
Holders, net	WOP	WOP	WOP	WOP	
Irons, puff	WOP	WOP	WOP	WOP	
Irons, rotary	WOP	WOP	WOP	WOP	
Irons, steam	WOP	WOP	WOP	WOP	
Ironers, edger	WOP	WOP	WOP	WOP	
Ironers, hat crown	WOP	WOP	WOP	WOP	
Ironers, ruffle	WOP	WOP	WOP	WOP	
Ironer attachments:					
String mark eliminators	WOP	WOP	WOP	WOP	
Napping machines (carding machines for blanket finishing).	WOP	WOP	WOP	WOP	
Puffers, steam	WOP	WOP	WOP	WOP	
Rug cleaning machines (stationary).	WOP	WOP	WOP	WOP	
Sand bags, hat	WOP	WOP	WOP	WOP	
Seam cleaners	WOP	WOP	WOP	WOP	
Shirt envelop machines	WOP	WOP	WOP	WOP	
Steamers, garment	WOP	WOP	WOP	WOP	
Steamers, velvet	WOP	WOP	WOP	WOP	
Sterilizers, feather	WOP	WOP	WOP	WOP	
Stretchers, blanket and curtain.	WOP	WOP	WOP	WOP	
Stretchers, dress	WOP	WOP	WOP	WOP	
Tables, steam	WOP	WOP	WOP	WOP	
Tubs, scrub	WOP	WOP	WOP	WOP	
Tube, starch	WOP	WOP	WOP	WOP	
Tubs, stationary laundry	WOP	WOP	WOP	WOP	
Washers, glove	WOP	WOP	WOP	WOP	
Mining Equipment and machinery [17] (new and used).	No	No	No	No	[17] Any equipment or machinery (whether mining, construction, industrial or otherwise) acquired by a producer as defined in P-56 may be transferred by such producer only to another producer who holds a serial number under such order or with permission of the Mining Division, WPB.
Motion Picture (35 mm.) projection equipment and accessories:					
List 1					
Amplifiers	No [18]	No [18]	No [18]	No [18]	[18] May be sold only on WPB authorization (Forms WPB-3253 WPB-3254).
Bases	No [18]	No [18]	No [18]	No [18]	
Complete portable projectors.	No [18]	No [18]	No [18]	No [18]	
Complete projection arc	No [18]	No [18]	No [18]	No [18]	
Complete projectors	No [18]	No [18]	No [18]	No [18]	
Complete sound systems	No [18]	No [18]	No [18]	No [18]	
Current converting devices	No [18]	No [18]	No [18]	No [18]	
Loud speakers	No [18]	No [18]	No [18]	No [18]	
Pedestals	No [18]	No [18]	No [18]	No [18]	
Projection arc lamphouses	No [18]	No [18]	No [18]	No [18]	[19] May be sold only on WPB authorization (Forms WPB-3253, WPB-3254).
Projector mechanisms	No [18]	No [18]	No [18]	No [18]	
Sound heads	No [18]	No [18]	No [18]	No [18]	

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
List 2					
Motion Picture, etc.—Con.					
Automatic enclosed rewinders.	WOP	WOP	WOP	WOP	
Change-over devices	WOP	WOP	WOP	WOP	
Film splicers	WOP	WOP	WOP	WOP	
Hand rewinders	WOP	WOP	WOP	WOP	
Nitrate film storage cabinets.	WOP	WOP	WOP	WOP	
Repair units and repair parts (except electronic parts).	WOP	WOP	WOP	WOP	
Steel fireproof booth tables	WOP	WOP	WOP	WOP	
Take-up reels	WOP	WOP	WOP	WOP	
Motors and generators, electric (fractional horsepower) excepting those used as starters or magnetos on internal combustion engines.	WOP	No [20]	X	No	[20] Does not apply to the sale, exchange or other transfer of fractional horsepower motors between the Army, Navy, Maritime Commission or War Shipping Administration, their contractors or subcontractors provided the fractional horsepower motors will be used in the completion of a contract of the Army, Navy, Maritime Commission or War Shipping Administration rated AA-2X or higher.
Office machinery:					
List 1					
Accounting machines, bookkeeping machines and billing machines (accounting principle.) Also continuous forms handling machines (typewriter principle) having carbon paper handling devices constructed as an integral part of the machine, and collateral equipment, except autographic registers.	WOP	No [21]	No	No	[21] May be sold only on WPB authorization. (Form WPB-1688).
Adding machines	WOP	No [21]	No	No	
Addressing machines, including but not limited to embossing machines for plates, and stencil cutting machines embodying typewriter principle.	WOP	No [21]	No	No	
Calculating and computing machines:					
Rotary and others	WOP	No [21]	No	No	
Duplicating machines including but not limited to ink ribbon gelatin, spirit, stencil and reproducing typewriter principle machines and Multilith and Davidson duplicators:					
Gelatin.					
Offset and relief					
Spirit.					
Stencil	WOP	No [21]	No	No	
Machines and collateral equipment intended for use for dictating purposes.	WOP	No [22]	No	No	[22] May be sold only on WPB authorization (Form WPB 1688).
Microfilm machines designed for office functions.	WOP	No [23]	No	No	
Office composing machines (changeable type, changeable horizontal and vertical spacing, uniform impression).	WOP	No [23]	No	No	
Payroll denominating machines.	WOP	No [23]	No	No	
Punched card tabulating and accounting machines and collateral equipment.	WOP	No [23]	No	No	
Time recording machines and collateral equipment, except watchmen's clocks.	WOP	No [23]	No	No	[23] May be sold on WPB authorization. (Form WPB-1688).
Time stamp machines and collateral equipment	WOP	No [23]	No	No	

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
List 2					
Office machinery—Con.					
Autographic registers	WOP	WOP	WOP	WOP	
Cash (registering machines)	WOP	WOP	WOP	WOP	
Change making machines	WOP	WOP	WOP	WOP	
Check cancelling machines	WOP	WOP	WOP	WOP	
Check cutting machines	WOP	WOP	WOP	WOP	
Check dating machines	WOP	WOP	WOP	WOP	
Check endorsing machines	WOP	WOP	WOP	WOP	
Check numbering machines	WOP	WOP	WOP	WOP	
Check protecting machines	WOP	WOP	WOP	WOP	
Check signing machines	WOP	WOP	WOP	WOP	
Check sorting machines	WOP	WOP	WOP	WOP	
Check writing machines	WOP	WOP	WOP	WOP	
Coin counting machines	WOP	WOP	WOP	WOP	
Coin sorting machines	WOP	WOP	WOP	WOP	
Coin wrapping machines	WOP	WOP	WOP	WOP	
Currency counting machines	WOP	WOP	WOP	WOP	
Envelope contents folding machines	WOP	WOP	WOP	WOP	
Envelope handling machines	WOP	WOP	WOP	WOP	
Envelope mailing machines	WOP	WOP	WOP	WOP	
Envelope opening machines	WOP	WOP	WOP	WOP	
Envelope sealing machines	WOP	WOP	WOP	WOP	
Envelope stuffing machines	WOP	WOP	WOP	WOP	
Mail room folding machines	WOP	WOP	WOP	WOP	
Perforating machines (marking and cancelling).	WOP	WOP	WOP	WOP	
Postal permit mailing machines.	WOP	WOP	WOP	WOP	
Post office cancelling machines.	WOP	WOP	WOP	WOP	
Shorthand writing machines	WOP	WOP	WOP	WOP	
Stamp affixing machines	WOP	WOP	WOP	WOP	
Typewriters—new nonportable.	WOP	WOP	WOP	WOP	
Typewriters—new portable	WOP	WOP	WOP	WOP	
Printing and publishing machinery, parts and supplies (new and used):					
Graphic arts machinery.					
Machine composition	WOP	No [24]	WOP	WOP	[24] May be sold only on WPB authorization. (Form WPB-1819). Does not apply to machinery put into use before May 1, 1937, which may be sold freely.
Hand composition	WOP	No [24]	WOP	WOP	
Photoengraving, lithographic and gravure plate making.	WOP	No [24]	WOP	WOP	
Electrotype, stereotype rubber and plastic.	WOP	No [24]	WOP	WOP	
Presses	WOP	No [24]	WOP	WOP	
Bindery	WOP	No [24]	WOP	WOP	
Ranges, domestic electric	WOP	WOP [25]	X	WOP	[25] See Order L-23-b for persons eligible to buy new domestic electric ranges.
Refrigerators, domestic mechanical.	No [26]	No [26]	X	No [26]	[26] WPB Form 869 required.
Slide fasteners (See List A, Part III)					[27] May be sold freely to fill contracts or purchase orders for delivery to or for the account of the U. S. Maritime Commission; or the War Shipping Administration for shipboard use only, otherwise WPB Form-867 is required.
Sterilizer equipment	WOP	WOP	WOP	WOP	
Tools:					
Machine tools [28]	WOP	WOP	WOP	WOP	[28] The term "Machine Tool" means all machines (except portable machine tools) for the cutting (except heat cutting) abrading, shaping, forming, straightening and forcing of metals.
Metal cutting [29]	WOP	WOP	WOP	WOP	[29] Except chasers.
Track-laying tractor parts	WOP	WOP	WOP	WOP	

[F. R. Doc. 44-6203; Filed, May 1, 1944; 11:44 a. m.]

PART 3270—CONTAINERS

[Preference Rating Order P-146, Direction 1]

USE OF PREFERENCE RATINGS FOR U. S. NAVY DELIVERIES

The following direction is hereby issued with respect to Preference Rating Order P-146 (§ 3270.26):

(a) Notwithstanding the contrary provisions of Order P-146, any person may use a preference rating of AA-1 to get fibre shipping containers for the following items which are to be delivered directly to the Navy of the United States on orders placed before July 1, 1944 calling for delivery before August 1, 1944:

(1) Clothing, hats, gloves, and all other outer wear and undergarments or apparel, if made in whole or in part of leather or textile yarn, staple fibre or fabrics;

(2) Footwear, rationed and unrationed;

(3) Bedding.

(b) The preference rating to be used to obtain fibre shipping containers for the items listed in paragraph (a) of this direction for any purpose other than that stated above shall remain the same as set forth in the schedule attached to the order.

(c) The certification accompanying such an order shall refer to "Direction 1" instead of "paragraph ——."

Issued this 1st day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6206; Filed, May 1, 1944; 11:44 a. m.]

PART 3296—SAFETY AND TECHNICAL EQUIPMENT

[General Limitation Order L-39, as Amended May 1, 1944]

FIRE PROTECTIVE, SIGNAL AND ALARM EQUIPMENT

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of materials entering into the production of fire protective, signal and alarm equipment, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3296.1 *General Limitation Order L-39—(a) Definitions.* For the purpose of this order:

(1) "Fire protective equipment" means: sprinkler systems, couplings, playpipes and allied fittings, fire hose, fire hydrants, fire pumps, hose dryers, hose racks, indicator posts, lightning protection systems, piped extinguishing systems, portable fire extinguishers including back pack types, foam generators, stirrup pumps, water spray nozzles, and all other fire protective equipment for preventing or extinguishing fires, excepting self-propelled motorized fire apparatus and auxiliary units including trailer, skid, front mounted and portable apparatus.

(2) "Signal or alarm equipment" means fire, police, and protective alarm and signal systems, including central station, proprietary, auxiliary and automatic fire alarms; watchmen's time recording, burglar, bank vault, hold-up and intrusion systems; and all other instruments and devices to detect, signal or warn against fire or other casualty, except air raid warning devices.

(3) "Dry-pendant sprinkler head" means a sprinkler head for use in a pendant position on a dry pipe system and permanently attached to an extension nipple so as to exclude water from the nipple.

(4) "Incendiary bomb control equipment" means any pump, device, instrument, or material designed for the removal, control or extinguishment of incendiary bombs.

(5) "Stirrup pump" means a manually operated pump used to draw water or other liquid from a separate container to extinguish or control fires.

(6) "Air raid warning device" means any siren, whistle, horn, diaphone, signal or device used or intended for use to warn or signal civilians in connection with air raids or other war hazards.

(7) "Copper base alloy" means any alloy in the composition of which the weight of copper equals or exceeds 40 percent of the weight of all metal in the alloy.

(b) *General restrictions*—(1) *Restrictions on use of scarce materials.* Except as provided in paragraph (c) of this order, no person shall incorporate in any fire protective, signal or alarm equipment, air raid warning device, or parts thereof, any aluminum, bismuth, cadmium, chromium, copper, monel metal, nickel, tin, or alloy of any such metals, asbestos, rubber or synthetic rubber, except to the extent permitted in Appendix A hereof.

(2) *Restrictions on fire hose couplings.* Except as provided in paragraph (c) of this order, no brass fire hose couplings in the possession or control of any coupling manufacturer, fire hose manufacturer or distributor on April 27, 1942, shall be transferred, sold or incorporated in the manufacture or assembly of any fire hose.

(3) *Restrictions on foam extinguishers.* No person shall purchase or accept delivery of any foam extinguisher except for use in the protection of inflammable liquids, and no person shall sell or deliver any foam extinguisher which he knows or has reason to believe will be used in violation of this paragraph (b) (3).

(4) *Restrictions on manufacture of alkali metal (loaded stream) extinguishers.* No person shall in any quarter complete the manufacture of any type of alkali metal salt solution (loaded stream) extinguishers in excess of 25 percent of the total of such type (irrespective of size) manufactured by such person during the twelve month period ending November 30, 1941, except to fill purchase orders or contracts from any agency or government listed in subdivisions (i), (ii), and (iii) of this paragraph (b) (4). In determining the number of extinguishers manufactured during said twelve month base period ending November 30, 1941, extinguishers manufactured to fill contracts or purchase orders from, or for delivery to, any of the following shall be excluded:

(i) The Army or Navy of the United States, United States Maritime Commission, War Shipping Administration, Panama Canal, Coast and Geodetic Survey, Coast Guard, Civil Aeronautics Authority, National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(ii) The Government of any of the following countries: the United Kingdom, Canada, and other dominions, Crown Colonies and protectorates of the British Empire, Belgium, China, Greece, the Kingdom of the Netherlands, Norway, Poland, Russia, and Yugoslavia;

(iii) Any agency of the United States Government for delivery to or for the account of any country listed above or any other country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(5) *Restrictions on manufacture of stirrup pumps.* No person shall manufacture any stirrup pump, or part thereof, except to fill purchase orders from the Army or Navy of the United States, the United States Maritime Commission, War Shipping Administration, Defense Supplies Corporation, or from any agency of the United States Government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(6) *Restriction on manufacture of soda-acid fire extinguishers.* No person shall manufacture any soda-acid fire extinguisher.

(7) *Restrictions on sale and delivery of signal or alarm equipment and air raid warning devices.* (i) No person shall sell, deliver or install any signal or alarm equipment costing $50 or more, or any air raid warning device costing $25 or more, except to or for the account of:

(a) The Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration;

(b) Any other person who has been specifically authorized by the War Production Board on Form WPB–1319 to receive the specific equipment or device and who has delivered to his supplier a copy of such form signed in the name of the War Production Board.

(ii) [Revoked Feb. 16, 1944]

(iii) In conjunction with the granting of specific authorization to receive signal or alarm equipment or air raid warning devices on Form WPB–1319, the War Production Board may also assign preference ratings to the authorized deliveries on such form. Any preference rating so assigned shall be applied and extended only in accordance with the terms of Priorities Regulation 3.

(8) *Restriction on the manufacture of signal or alarm equipment.* Except upon specific authorization by the War Production Board, no person shall manufacture, install, deliver or accept delivery of any smoke, fire, or intrusion detector employing photo-electric principles, except to fill purchase orders from a purchaser listed in paragraph (b) (4) of this order and unless such item is for use on board ship.

(9) *Restrictions on the manufacture of air raid warning devices.* No person shall manufacture, sell, purchase, deliver, install or accept delivery of any air raid warning device which requires for its operation a motor in excess of three (3) horse power.

(10) *Restrictions on sale and delivery of cotton rubber-lined fire hose.* No person shall sell, deliver, purchase or accept delivery of any new cotton rubber-lined fire hose except pursuant to a purchase order bearing a preference rating of AA–5 or higher. However, the above restriction does not apply with respect to purchase orders for fire hose which had been placed before August 23, 1943, and which bear preference ratings of A–9 or higher.

(11) *Restrictions on manufacture of incendiary bomb control equipment.* Effective thirty days after January 20, 1943, no person shall manufacture any incendiary bomb control equipment, except when and to the extent authorized by the War Production Board pursuant to application on Form PD–740, or to the extent permitted by paragraph (b) (5) of this order.

(c) *Exceptions to paragraphs* (b) (1) *and* (b) (2). (1) The restrictions of paragraphs (b) (1) and (b) (2) shall not apply to:

(i) Brass fire hose couplings, rings, or hose line fittings, provided that such couplings, rings, or hose line fittings are delivered to or for the account of:

(a) The Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, and are for use on board ship; or

(b) The Panama Canal; or

(c) Any person for use on board ships warranted by the United States Maritime Commission.

(ii) The restriction of paragraph (b) (1) shall not apply to carbon dioxide extinguishers manufactured in accordance with specifications of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

(d) *Representations on orders from government agencies.* Any purchase order or contract from any agency or government named in subparagraphs (i), (ii), or (iii) of paragraph (b) (4) of this order shall constitute a representation that the conditions exist under which such purchase order or contract may be filled within the terms of this order. Said representation may be relied upon by the person with whom the purchase order or contract is placed and by his subcontractors and suppliers.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(h) *Correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Safety and Technical Equipment Division, Washington 25, D. C., Ref.: L–39.

Issued this 1st day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

In accordance with the provisions of paragraph (b) (1) of this order, the materials named in this Appendix A may be incorporated in the manufacture of fire protective equipment, signal or alarm equipment, and air-raid warning devices, and in component parts thereof, to the extent indicated in this Appendix A:

(1) Aluminum, only to the extent permitted by Supplementary Order M–1–l or by any specific authorization under that order.

(2) Bismuth:

(i) As a component of fusible link alloy;

(ii) Up to five and one-half (5½) per cent in solder.

(3) Cadmium, only to the extent permitted by General Preference Order M–65 or by any relief granted on an appeal taken under that order.

(4) Chromium, in alloy steel for any part;[1] and in plating to the extent essential to the efficient functioning of the parts plated.

(5) Copper or copper base alloys (where copper base alloys are permitted, the alloys used shall be of the lowest type and grade that are practical for the particular application) in:

(i) Pumps for vaporizing liquid extinguishers;

(ii) Lock nuts on removable hose connections;

(iii) Bodies, ends, inner chambers, valves and their component parts for vaporizing liquid and loaded stream extinguishers;

(iv) Either collars or caps (but not both) on 2½-gallon foam extinguishers;

(v) Fittings, strainers, syphon tubes and valves for carbon dioxide and gas operated dry powder extinguishers;

(vi) Snap clamps, clamp pins and wire springs for "Jones" type fire hose couplings;

(vii) Latch assemblies for "British" type fire hose couplings to the extent essential to the efficient functioning of the parts;

(viii) Swivels and wires for screw type fire hose couplings;

(ix) Swivels, wires, and rollers for suction hose couplings;

(x) Couplings and rings for (a) potable water purification plants, (b) ¾ inch, 1 inch, and 1¼ inch chemical or booster hose, and (c) 5 inch and 6 inch suction hose; and 1½ inch expansion rings;

(xi) Hose and hydrant adapters;

(xii) Swivels, wires, clappers and seats for Siamese connections;

(xiii) Playpipes made only from drawn, brazed sheet, or cast brass, provided that such playpipes are not more than 15 inches in length and are manufactured for connections not larger than 2½ inches in diameter.

(xiv) Ball and cylinder type shut-off nozzles;

(xv) Nozzle tips for playpipes, and not exceeding 1½" diameter at discharge ends;

(xvi) Portable deluge nozzles, not including tips or handles;

(xvii) The following hydrant fittings to the extent essential to their efficient functioning; valve seats, discs, guides, operating valve stems, stuffing boxes, bushings, rivets, retainer rings, and outlet nipples;

(xviii) The following indicator post and valve fittings to the extent essential to their efficient functioning: Valve stems; seats; discs; packing glands; glands of bonnet openings; extension stem operating washer, nut and target mechanism;

(xix) Parts of portable generators, engines and fixed piped systems to the extent essential to their efficient functioning (The parts referred to herein include generator bodies except bases, shut-off valves except handles, screens, check valves, inner chambers, heads, stopples, closing and other operating mechanisms.);

(xx) Water spray nozzles;

(xxi) Valve seats, discs, stems, guides, and clapper arms;

(xxii) The following parts of automatic sprinkler systems and signal or alarm equipment: Actuating, indicating, and recording units of alarm or signal systems; condenser parts; contacts; diaphragm assemblies; labels of inspection laboratories; links; tubing and fittings; valves not over 2 inches; wire and cables; impellers and rings for fire pumps and for water flow alarms; deflectors on closed sprinkler heads if made of casting, but the alloy shall not contain more than 74 per cent copper; all other parts of closed sprinkler heads, but the alloy for frames shall not contain more than 86 per cent copper and shall be made without the use of primary copper or primary tin, and the alloy for lever arms shall contain no tin and not more than 74 per cent copper.

(xxiii) Impellers, retaining rings and bushings for fire pumps;

(xxiv) Watchmen's time recording systems where required for efficient functioning;

(xxv) The following parts of air raid warning devices: motors up to three horse power, actuating units, wire and cable, control and reducer valves only to the extent necessary to the efficient functioning thereof.

(xxvi) Name and identification plates of a gauge of .03125 inch or less for fire extinguishers which are to be used in aircraft or on board ship.

(6) [Revoked.]

(7) [Deleted May 1, 1944.]

(8) Nickel, in signal or alarm systems as a component of bi-metal thermal discs for thermostats, as plating for protection against corrosion where magnetic properties of nickel are essential, as a component of wire wound resisters, as a component of thermocouple wire and as a component of permanent magnets; in signal or alarm systems for plating component parts of control mechanisms essential to the efficient functioning of the system, where less critical material as a substitute would not be suitable; and in alloy steel for any part.[1]

(9) Tin:

(i) As a component of fusible link alloy; and in dry pipe valve seat rings, but not to exceed fifty per cent in weight;

(ii) In copper base alloys the use of which is permitted by paragraph (5) hereof, but only where no tin-free alloy can be used, and only to the extent permitted by General Preference Order M–43;

(iii) Up to ten per cent by weight in metal for coating steel shells for vaporizing liquid extinguishers;

(iv) In solder, provided that the tin content does not exceed that permitted by General Preference Order M–43;

(v) As a component of foil for use in anti-intrusion and anti-sabotage systems, to the extent essential to the efficient functioning of the equipment, provided that the use of tin for this purpose is properly authorized under General Preference Order M–43.

(10a) [Deleted May 1, 1944.]

(10b) [Deleted May 1, 1944]

(11) Monel metal:

(i) In balls for check valves in dry pipe valves, accelerating equipment, and water flow alarms for automatic sprinkler systems;

(ii) In helical springs for fire detecting thermostats;

(iii) In vanes and pressure type flexible joints for water flow alarm devices.

(12) [Deleted May 1, 1944]

(13) Asbestos:

(i) In gaskets for hydrants, fixed or portable foam applicator pipes, and alarm systems.

(ii) As packing for vaporizing liquid extinguishers.

(14) Rubber and synthetic rubber, to the extent permitted by Rubber Order R–1, as amended, or to the extent permitted by any relief granted pursuant to an appeal taken in accordance with the provisions of that order.

[1] The War Production Board is at present restricting the types and grades of alloy steel, other than National Emergency Triple Alloy Steel (nickel-chromium-molybdenum), that may be produced for particular end uses. If a manufacturer desires to have alloy steel of a restricted type or grade produced for him, the matter should be discussed with the Steel Division of the War Production Board, Washington 25, D. C.

[F. R. Doc. 44–6204; Filed, May 1, 1944; 11:44 a. m.]

PART 3296—SAFETY AND TECHNICAL EQUIPMENT

[Limitation Order L–114, as Amended May 1, 1944]

SAFETY EQUIPMENT

The fulfillment of requirements for the defense of the United States has created shortages in the supplies for the war effort, for private account and for export, of materials entering into the production of safety equipment; and the following order is deemed necessary and appropriate in the public interest and to promote the war effort:

§ 3296.31 *General Limitation Order L–114*—(a) *Definitions.* For the purposes of this order:

(1) "Safety equipment" means equipment and devices designed primarily to promote safety or to prevent or reduce accidents, injuries, occupational hazards or diseases, including but not by way of limitation, the following articles: guards, goggles, shields, safety cans, oily waste cans; harnesses, headgear, belts, safety clothing, masks, respirators, inhalators, resuscitating apparatus, hazard measuring devices, protective creams, and treads. The term shall not include any automotive or traffic equipment or devices.

(2) "Hazard measuring devices" means devices or instruments designed to detect, indicate, measure or record the presence of poisonous or combustible gases or other harmful substances in the atmosphere for the purpose of promoting safety or preventing or reducing occupational accidents, diseases and hazards of all types. The term shall not include "industrial instruments" as defined in Limitation Order L–134, nor "laboratory equipment" as defined in Limitation Order L–144.

(3) "Safety clothing" means apparel containing special features or constructions designed primarily to protect the wearer from occupational injuries. The term does not include clothing designed primarily for protection against weather or for general work purposes.

(b) *Restrictions on use of scarce materials.* Except as provided in paragraph (c) below, no person shall incorporate in the manufacture of safety equipment, or of any component part thereof, any aluminum, chromium, copper, copper base alloy, nickel, rubber or synthetic rubber, or tin.

(c) *General exceptions.* Paragraph (b) shall not apply to safety equipment assembled or manufactured:

(1) Prior to May 5, 1942, or from parts which were finished and ready for assembly on said date, provided such safety equipment is delivered to fill purchase orders bearing preference ratings of A–10 or higher, or

(2) From materials to the extent permitted in Appendix A hereof, or

(3) For delivery to or for the account of, the Army or Navy of the United States, the Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics or the government of any country entitled to deliveries under the Act of Congress of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), provided, and to the extent that the materials designated in paragraph (b) are necessary for efficient functioning and required endurance of safety equipment intended for use:

(i) In or on completed vehicles, aircraft, or ships, or

(ii) Outside of continental United States, or in Alaska, or

(iii) In the protection of military or naval personnel while not engaged in production, maintenance, or repair.

(4) Any order or contract from any agency or government mentioned in paragraph (c) (3) requiring the incorporation or use of scarce materials designated in paragraph (b) shall constitute a representation that the conditions exist under which such scarce materials may be incorporated or used within the terms of this order. Said representation may be relied on by the person with whom the purchase order or contract is placed, his sub-contractors, and suppliers.

(d) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(e) *Records.* All persons to whom this order applies shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order shall, upon request be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Communications.* All reports required to be filed hereunder and all other communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Safety and Technical Equipment Division, Washington 25, D. C., Ref.: L–114.

(k) *Effect of other orders.* With respect to the use of the materials named herein for incorporation in the products named herein, or in component parts thereof, this order shall be subject to all other orders to conserve specific raw materials (M orders), and all orders providing for a preference rating in deliveries, or for allocation, as are now or may hereafter be in effect.

Issued this 1st day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

NOTE: Appendix amended May 1, 1944.

Pursuant to the provisions of paragraph (b) of this order, the following materials may be used in safety equipment, or component parts thereof, to the extent indicated:

(1) Aluminum in any safety equipment or part thereof to the extent permitted by Supplementary Order M–1–l or by any specific authorization under that order.

(2) Chromium in alloy steel for any safety equipment or part thereof;[1] and in plating to the extent essential to the efficient functioning of the parts plated.

(3) Copper or copper base alloys, other than nickel silver, when essential to the proper functioning of:

(a) Eyelets, rivets, and fasteners worn on the person where the use of non-sparking or non-corrosive material is essential for specific safety purposes and eyelets having a diameter of 1/16 inch or less for safety equipment where steel eyelets in available sizes cannot be used.

(b) Frames, side screen binders and temples for spectacle type industrial goggles and frames for slip-overs for industrial spectacles.

(c) Valves, unions, ferrules, tubing, connections, housings, non-sparking fittings, fastenings, gaskets, pins, probe tubes, orifices, regulators and bearings, for respirators, gas masks or hazard measuring devices through which explosive toxic, or corrosive gases, dusts or fumes may pass.

(d) Valves, tubing, manifolds, chambers, gaskets, discs, breaker valves, unions, connections, mouthpieces, orifices and facepiece parts on safety equipment through which oxygen or air under pressure is conducted.

(e) Conductors of electricity for safety devices and appliances.

(f) Lens retaining rings and fittings on gas mask facepieces.

(g) Exhalation and inhalation valve inserts and angle tubes for gas masks, air line respirator and breathing apparatus, face and mouth pieces.

(h) Tubing and fittings in hazard measuring devices.

(i) Screen for mask type industrial goggles or hoods.

(j) Bridge clips for molded industrial goggles.

(k) Cylinders, valves, tubing and regulators for compressed air, mechanical guarding devices.

(l) Internal valve mechanisms of safety filling cans with flexible pouring spouts, provided that the net weight of copper base alloy shall not exceed two ounces per can and that such alloy shall not be used in screens (or parts thereof) designed for non-flash-back or strainer purposes.

(m) Wire mesh for side screens for industrial goggles.

(4) Nickel in:

(a) Nickel silver for any part (except (i) side shields and (ii) core wire for plastic type spectacles) of spectacle type industrial goggles until, but not after, October 22, 1944. (The nickel silver shall contain not more than 10% nickel. Furthermore, no manufacturer of spectacle type industrial goggles shall use any nickel silver in the manufacture of spectacle type industrial goggles unless he knows or has reason to believe that at least 90% of the nickel content of the nickel silver was obtained from scrap; and no producer of nickel silver shall sell or deliver any nickel silver to a manufacturer of spectacle type industrial goggles for use in manufacturing such industrial goggles unless he knows or has reason to believe that at least 90% of the nickel content of the nickel silver was obtained from scrap.)

(b) Nickel silver for the following, but not to exceed 10% nickel in such alloy:

(i) Valve inserts for respirators.

(ii) Reducing, admission, dilution, check and safety valve pins, stems, plungers, inserts, screws, spiders, sleeves, yokes and bearings on gas masks breathing apparatus or hazard measuring devices.

(c) Leaded nickel silver for industrial goggle frame screws and rivets but not to exceed 18% nickel in such alloy.

(d) Nickel plating for:

(i) Spectacle type industrial goggles and slip-overs for industrial spectacles.

(ii) Safety and admission valves, saliva tubes and mouthpieces for oxygen breathing apparatus; facepiece check valve bodies for inhalators; and check valves for hose masks; to the extent necessary for the efficient functioning of the named parts.

(e) Nickel silver (containing not more than 10% nickel in the alloy) for spring clips, lugs, fasteners and clamps on slip-overs for industrial spectacles.

(f) Alloy steel for any safety equipment or part thereof.[1]

(5) Rubber and synthetic rubber, to the extent permitted by Rubber Order R–1, as amended, or to the extent permitted by any relief granted pursuant to an appeal taken in accordance with the provisions of that order.

(6) Tin in solder as permitted by Conservation Order M–43, as amended from time to time.

[F. R. Doc. 44–6205; Filed, May 1, 1944; 11:44 a. m.]

[1] The War Production Board is at present restricting the types and grades of alloy steel, other than National Emergency Triple Alloy Steel (nickel–chromium–molybdenum), that may be produced for particular end uses. If a manufacturer desires to have alloy steel of a restricted type or grade produced for him, the matter should be discussed with the Steel Division of the War Production Board, Washington 25, D. C.

Chapter XI—Office of Price Administration

PART 1304—IRON AND STEEL SCRAP

[RPS 4,[1] Amdt. 15]

IRON AND STEEL SCRAP

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 4 is amended in the following respects:

1. Section 1304.13 (e) (5) is amended by deleting the last sentence which reads: "At no time shall the ownership of such scrap reside in the dealer to whom the preparation fee is paid".

2. Section 1304.14 (l) (1), No. 22 is amended to read as follows:

No. 22. *Rerolling rails* (A. A. R. No. 27). Standard section tee rails, original weight 50 pounds per yard or heavier, five feet long and over. Suitable for rerolling into bars and shapes. Free from bent and twisted rails, frog, switch and guard rails, or rails with split heads and broken flanges.

3. Section 1304.14 is amended by adding paragraph (m) to read as follows:

(m) *Weights to govern.* (1) Except as otherwise provided in this paragraph, settlement for all scrap shall be made on the basis of weights at the point of delivery.

(2) *Rail shipments.* (i) If the consumer is a member of a weighing association, settlement shall be on the basis of mill weights. If the consumer does not have weighing facilities, settlement shall be made on the basis of railroad weights at the point of delivery.

(ii) If weights at the shipping point have been determined, no adjustment need be made for differences of 500 pounds or less per car between shipping point weights and weights at the point of delivery. If the difference exceeds 500 pounds per car, adjustments must be made for the full shortage in the car.

(3) *Vessel shipment.* When shipment is wholly or partially by vessel, weights at the dock prior to vessel movement shall govern. If the scrap moves from the shipping point to the dock by rail and weights at the shipping point have been determined, no adjustment need be made for differences of 500 pounds or less per car between shipping point weights and weights at the dock. If the difference exceeds 500 pounds per car, adjustment must be made for the full shortage in the car.

4. Section 1304.17, Appendix E, is amended to read as follows:

§ 1304.17 *Appendix E: Maximum prices for iron and steel scrap imported into the United States.* (a) Imported scrap means any scrap originating outside of the forty eight states of the United States and the District of Columbia.

(b) (1) Imported scrap when imported by a consumer or his broker is at its shipping point when it has been placed f. o. b. carrier for delivery to the consumer at its port of entry (when imported by vessel movement) or, if imported by other than vessel movement, when it has reached its point of entry (the point of entry shall be that city at or nearest the point where the carrier crosses the border between the United States and the foreign country from which the scrap was exported).

(2) Imported scrap when imported by a dealer and delivered to the dealer's yard shall be at its shipping point when it has been placed f. o. b. carrier at the dealer's yard.

(c) Imported scrap is at its point of delivery to a consumer when it has arrived for unloading at the consumer's plant.

(d) When imported scrap has arrived at its shipping point as hereinbefore defined, it shall be subject to the maximum shipping point prices established in §§ 1304.13, 1304.14 or 1304.15, whichever is applicable, and subject to any and all other provisions found in this schedule, except that:

(1) The mixed shipment provisions shall not be applicable to scrap imported by vessel,

(2) The springboard limitations contained in § 1304.13 shall not be applicable.

(3) The intransit preparation provision contained in this schedule shall not be applicable unless intransit preparation for a specific consumer is specifically authorized by the War Production Board at the time it grants an import license for such scrap.

This amendment shall become effective May 5, 1944.

(Pub. Laws 421 and 729, 77th Cong.; E. O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6116; Filed, April 29, 1944; 11:31 a. m.]

[1] 7 F.R. 1207; 8 F.R. 1952, 2431, 16786; 9 F.R. 1718.

*Copies may be obtained from the Office of Price Administration.

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 348,[1] Amdt. 47]

LOGS AND BOLTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 348 is amended by the addition of Appendix A, Tables 1, 2, 3, 4, and 5, Appendix E, Table 6, and Appendix K, Table 5.

APPENDIX A—NORTHEAST AREA

TABLE 1—LOGS IN NEW ENGLAND

Area. The entire State of Maine.
The entire State of New Hampshire.
The entire State of Vermont.
The entire State of Massachusetts.
The entire State of Connecticut.
The entire State of Rhode Island.

Species. Hard (sugar) maple (Acer saccharum), soft maple (Acer rubrum and Acer saccharinum), yellow birch (Betula lutea), basswood (Tilia americana), beech (Fagus grandifolia), ash (Fraxinus), oak (Quercus), white birch (Betula populifolia and Betula alba var. papyrifera), white pine (Pinus strobus), red pine (Pinus resinosa), other pines (Pinus), spruce (Picea), hemlock (Tsuga canadensis), balsam fir (Abies balsamea), and other species.

Scaling Rules

Required scale rule. International, Bangor, Vermont, Blodgett, Humphrey, Holland (Maine) or Scribner Rules. Each buying plant shall continue the use of the rule or rules actually used in January 1944. The "War purpose Veneer Grade" shall be scaled on the Scribner Rule only.

Diameter. (a) Logs shall be scaled at the average of the diameter at the small end, inside the bark, except that:

(1) The "War purpose Veneer" and select grades shall be measured at the smallest diameter of the small end, and

(2) Logs scaled on the Blodgett Rule shall be calipered at the middle of the log with proper deduction for bark.

(b) Fractions of an inch ½ and less shall be dropped and fractions over ½ may be raised to the next higher inch.

Lengths. Minimum length, 8 feet, unless otherwise stated in grading rules, to be cut in even lengths unless otherwise specified by buyer. All logs must be cut at least 4" over length to allow for trim; if sufficient trim allowance is not provided, the length must be reduced in scale to the next lower standard length.

Deductions in scale. All unsound and unusable wood must be eliminated from the scale by deduction in the measurement. The defects for which full deduction must be made include hollows or large holes, rot, dote, windshake, large or excessive worm holes, splinter pulls (drawn splinters) and crooks.

Hardwood Grading Rules

War Purpose Veneer Grade: Yellow Birch.

Diameter. Minimum diameter—14 inches. Up to 10 percent of the log shipment, however may be in 12" and 13" diameters if at least 7 feet in length.

Length. Minimum length, 7 feet. Up to 5 percent of the log shipment, however, may be 5 feet and 6 feet 6 inches in length if at least 16 inches in diameter.

General requirements. All logs to be cleanly crosscut from live timber, reasonably straight and round, and free from all visible defects such as cross-grain, bumps, lumps, black heart, ring shake, stub ends. All logs of this grade 12" and 13" in diameter (at least 7 feet in length) and under 7 feet in length (but at least 16 inches in diameter) must be straight and free of all visible defects.

Exceptions to general requirements. Yellow Birch logs at least 14" in diameter and 7 feet or more in length will permit the following exceptions to the above general requirements:

(1) *Straightness.* Logs generally must be straight, but one sweep will be allowed in lengths 11' and longer, provided 2 reasonably straight lengths can be obtained when cross cut, with the shorter length to be at least 5 feet. This type of log must be free of all other visible defects, including those listed below.

(2) *Cross grain.* Cross grain will be acceptable up to a ratio of 1 to 5.

(3) *Knots, etc.* 1 small sound knot, bump, or equivalent defect will be acceptable in logs 11 feet and longer by 14 inches and up

[1] 8 F.R. 16115, 16198, 16204, 16297; 9 F.R. 220, 392, 343, 402, 452, 538, 539, 574, 682, 792, 1317, 1571, 1572, 2135, 1717, 2088.

in diameter, provided it will produce two clear sections, one at least 7 feet long and another at least four feet long.

(4) *Rot or butt cavity.* Acceptable in logs 7 feet and longer, if well centered, to the following extent:

(a) Diameter 14 to 15 inches, up to 3 inches in diameter.

(b) Diameter 16 to 18 inches, up to 4 inches in diameter.

(c) Diameter 19 inches and up, up to 5 inches in diameter.

But in each case full deduction must be made in scale measurement.

(5) *Miscellaneous.* Small splits and checks will be acceptable but splits from faulty felling must be trimmed off. (No visible raised curl will be considered as acceptable.)

War Purpose Veneer Grade: Hard Maple.

Diameter. Minimum diameter, 14 inches.

Length. Minimum length, 7 feet.

General requirements. Must be straight, sound, freshly cut and free of all visible defects.

NOTE: The term "War Purpose Veneer Grade" applying to Yellow Birch and Hard Maple logs as described above, refers only to logs which the buyer states in writing to the seller will be used in the manufacture of high grade veneers subject to Revised Maximum Price Regulation 338.

Select grade: All hardwoods.

Diameter. Minimum diameter, 12 inches.

Length. Minimum length, 8 feet. A maximum of 10 percent, however, may be less than 8 feet in length.

General requirements. Not more than one defect in logs 8 feet to 14 feet in length or 2 defects in 16 feet lengths. The permissible defects are listed in the note below.

No. 1 grade: All hardwoods.

Diameter. Minimum diameter, 10 inches.

Length. Minimum length, 8 feet.

General requirements. Logs 10" and 11" in diameter must be clear of all defects—Logs 12" and up in diameter may have 2 defects in 8' to 14' lengths and 4 defects in 16' logs. The permissible defects are listed in the note below.

NOTE: (applying to Select and No. 1 Grades). Permissible defects as stated above:

A sound knot up to 4" in diameter. Burl, curl, bump, swell, seam, sound catface not over 3" in diameter. Crook exceeding 2" (if less than 2" it is not considered to be a grade defect although proper scale deduction must be made). Rot or dote, if well centered, is permitted to the following extent without degrading the log, although full deduction in scale measurement must be made:

Log diameter:	*Permissible rot or dote*
12" and 13"	2"
14" and 15"	3"
16" and 19"	4"
20" and up	5"

No. 2 grade: All hardwoods.

Diameter. Minimum diameter, 8" if clear, 10" if better than cull.

Length. Minimum length, 8 feet.

Cull grade: All hardwoods.

General requirement. Any log not meeting the specifications of at least the No. 2 grade, and any log in which the net board foot scale is less than 50 percent of the gross board foot scale, shall be classed as a cull.

Woods run grade—Diameter. Minimum diameter, 8 inches for clear logs, 10" for sound logs.

Length. Minimum length, 8 feet.

General requirements. "Woods-run" shall include the entire product of the forest, exclusive of culls, from which no selection of large-sized or high-quality logs has been made. If any large-sized or high-quality logs have been removed from the run of logs, the remaining logs must be sold at the No. 2 grade price, if ungraded, or at the various grade prices if graded. If small-sized or low-quality logs have been removed, the remaining logs may still be classed as "Woods-run".

Shiptimber oak grade—Diameter. Minimum diameter, 16".

Length. Minimum length, 18'.

General requirements. Must be fresh-cut, sound to the center, and free from splits. Logs must be straight but a one-way bow will be permitted. One sound standard knot (4" or less in diameter) permitted in each 4 feet of length.

Bending oak grade—Diameter. Minimum diameter, 16 inches.

Length. Minimum length, 18 feet.

General requirements. Must be straight, freshly cut, sound to the center, and free of all visible defects. Twisted growth or swelled butts not accepted.

Softwood Grading Rules

Woods run grade. Softwoods shall be sold on a woods-run grade only, which shall include all merchantable logs 6" and up in diameter.

MAXIMUM PRICES

[Per M feet log scale]

HARDWOODS

Species	War purpose veneer grade[1]	Select grade	No. 1 grade	No. 2 grade	Woodsrun grade[2]
Yellow birch	$104.00	$50.00	$31.00	$26.00	$31.00
Hard maple	75.00	50.00	31.00	26.00	31.00
Beech	------	30.00	26.50	23.50	26.50
Basswood	------	45.00	31.00	26.50	31.00
Ash [3]	------	------	------	------	26.50
Oak	------	30.00	26.50	23.50	26.50
Soft maple	------	30.00	26.50	23.50	26.50
White birch	------	[4]40.00	27.50	23.50	27.50
Other hardwoods	------	30.00	26.50	23.50	26.50

SOFTWOODS

Red and white pine [5]	------	------	------	------	$22.00
Spruce [5]	------	------	------	------	23.00
Hemlock	------	------	------	------	20.00
Balsam fir	------	------	------	------	22.00
Other softwoods	------	------	------	------	20.00

[1] On the basis of the Scribner Log Rule.

[2] No selection of large diameter or high-quality logs permitted. See definition of woodsrun grade in the grading rules.

[3] The price for ash applies to those ash logs sold in conjunction with other species. Ceiling prices for selected ash are set forth in Appendix M to the regulation.

[4] When white birch select logs are sorted and sold as an individual species in Grafton County, Carroll County, Belknap County and that portion of Merrimack County North of the Boston and Maine R. R. in New Hampshire, the quality requirements for select grade white birch can include 8" and up logs as well as 12" and up logs with not more than one defect for each 8' of length: *Provided,* That not more than 50 percent of the diameter is in heartwood.

[5] In the event that a seller has available for sale old growth high-quality pine logs and high-quality timber or forest spruce and fir logs the seller and buyer may apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C. for approval of the price. The application must contain the names and addresses of the seller and buyer, the grade description of the log, the price to be paid and a statement from the buyer that because of the high quality of the log the special price can be paid under the existing end-product ceiling.

(a) The above prices apply for logs piled on headers or skids on year-around roads or at streamside of a drivable stream.

(b) For logs f. o. b. cars at rail siding or delivered to a mill by truck from within 10 miles, add $4.00 per thousand feet log scale for softwood species and $6.00 per thousand feet log scale for hardwood species. For delivery of logs to the mill from a distance in excess of 10 miles the buyer may add (1) for softwoods, not to exceed 10 cents per thousand feet log scale per load mile for the next 15 miles (miles 11–25 inclusive) and 8 cents per thousand feet log scale for each load mile thereafter and (2) for hardwoods, not to exceed 15 cents per thousand feet log scale per load mile for the next 15 miles (miles 11–25 inclusive) and 12 cents per thousand feet log scale for each load mile thereafter.

(c) When logs are delivered alongside a year-around road, the price shall be $1.00 per thousand feet log scale lower than the piled-on-header price.

(d) Cull grade hardwood logs may be sold at not to exceed two-thirds of the No. 2 grade price.

(e) If delivery of logs is taken at any point where the cost of delivering to that point is less than the cost of delivering to the nearest year-around road or the streamside of a drivable stream, the difference in delivery cost must be deducted from the maximum prices provided for logs delivered alongside the year-around road.

(f) Persons who sell "War purpose veneer grades" of yellow birch and hard maple to United States Treasury Department, Procurement Division, for export through Lend-Lease Administration, may apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C. for approval of a special selling price; this authority may be granted or denied by the Lumber Branch by letter or telegram.

SHIPTIMBER AND BENDING OAK GRADES

WHITE OAK SHIPTIMBERS

[Per M feet log scale]

Length (feet)	Diameters				
	16"–19"	20"–23"	24"–26"	27"–28"	29" and up
18	$33.50	$42.50	$52.00	$61.00	$70.00
20	35.50	44.50	53.50	62.50	72.00
22	38.00	47.50	56.50	65.50	74.50
24	42.00	51.00	60.00	69.00	78.00
26	46.50	55.50	64.50	73.50	82.50
28 [1]	51.00	60.00	69.00	78.00	87.50

[1] For greater lengths, add $4.50 per M' for each 2 additional feet.

White oak bending oak. Add $10.00 per M to the above prices for white oak shiptimber grade.

Red oak shiptimber and bending oak. The maximum prices on red oak shiptimber is 75 percent of the price for white oak shiptimbers—Add $10.00 per M to the red oak shiptimber price to obtain the red oak bending oak price.

The above prices on all shiptimber and bending oak grades apply f. o. b. cars at rail shipping point or delivered to the mill by truck from within 25 miles. For logs delivered to the mill from a greater distance, add 10 cents per thousand feet log scale for each load mile in excess of 25 miles. If these logs are not delivered as described above, the maximum price must be reduced by the cost of bringing the logs to the base delivery point.

Specifically prohibited practices in this area: Using a log rule other than that used during January 1944 in order to pay a higher price.

TABLE 2—BOLTS IN NEW ENGLAND

Area. Part or all of the States of Maine, New Hampshire and Vermont as follows:

The entire State of Maine;

In the State of New Hampshire, the counties of Carroll, Grafton and Coos; and

In the State of Vermont the counties of Essex, Caledonia, Orange and Orleans.

Species: White birch (Betula populifolia, Betula alba var. papyrifera), yellow birch (Betula lutea), beech (Fagus grandifolia), maple (Acer sp.), aspen (Populus sp.), basswood (Tilia americana) and white pine (Pinus strobus).

Scaling Rule

Required scale rule. All bolts to be measured on the basis of a cord of 128 cubic feet.

Grading Rules for Bolts

Log run white birch bolts. Must be straight, sound, and freshly cut. Sound red heart is acceptable to not greater than one-third of the total diameter of the bolt. The knot area must not exceed 6 inches per bolt. No crotches accepted. Bolts shall be cut either 36", 48" or 60" as specified by the buyer, plus at least 2" over length to allow for trim; no charge can be made for trim allowance. This grade shall include the complete product of the forest above the diameter specified in the price table from which the high-quality or large-sized bolts have not been selected. If large-sized or high-quality bolts have been selected from the log run of bolts, the remaining bolts must be sold at lower prices as set forth below in the price table. (Thus the grade 6" and up means the complete run of the woods of the grade and species above 6" and includes all sizes 8" and up as well; etc.)

Log run beech, yellow birch and maple bolts. All bolts must be straight, sound and freshly cut. Knots will be accepted provided that there are not more than 2 in each bolt and provided that they are not greater than 2 inches in diameter. Crotches not acceptable. Bolts shall be cut into 36", 48" or 60" lengths as specified by the buyer, plus at least 2" over length to allow for trim; no charge can be made for the trim allowance. This grade shall consist of the entire product of the forest of the species and grade described above the diameter specified in the price table below. If any high-quality or large-sized bolts have been selected from the log run of bolts, the remaining bolts must be sold at lower prices as set forth below the price table.

Log run aspen and basswood bolts. All bolts must be straight, sound, freshly cut. Knots will be accepted provided there are not more than 2 in each 48" length (one in 24" length) and, *Provided,* That they are not greater than 1½" in diameter. Bolts must be free of seams and burls; a small amount of dark stain will be accepted. Bolts shall be cut into 24" and 48" lengths as specified by the buyer. Bolts cut 24" in length must be cut at least 1" over length to allow for trim, 48" bolts must be cut at least 2" over length to allow for trim; no charge can be made for the trim allowance.

This grade shall include the entire product of the forest of the species and grade described above the diameter specified in the price table below. If any large-sized or high-quality bolts have been removed, the remaining bolts must be priced at lower prices as specified below the price table.

Veneer grade birch, beech and maple bolts. All bolts must be straight, sound, freshly cut, free of knots, seams, burls or other defects. Bolts shall be cut 48" or 96" in length as specified by the buyer. 48" bolts must be cut 2" over length and 96" bolts must be cut 4" over length to allow for trim; no charge can be made for the trim allowance. The minimum acceptable diameter is set forth below in the price tables.

Veneer grade white pine bolts. All bolts must be sound, freshly cut at least 8" in diameter. Sound knot defects will be accepted to the extent of 12 inches of lineal measure per 50" bolt; knots must be closely trimmed. No pine referred to by the industry as "Pasture Pine" is acceptable. Bolts shall be cut 48" in length and must be cut 2" over length to allow for trim. No charge can be made for trim allowance.

No. 2 grade white pine bolts. All bolts must be sound, freshly cut, and at least 7" in diameter. This grade includes all pine of boxboard quality. Bolts shall be cut into 48" lengths plus 2" over length to allow for trim; no charge can be made for the trim allowance.

APPENDIX A—TABLE 2

MAXIMUM PRICES

[Per cord of 128 cubic feet]

	Roadside	F. o. b. cars at rail siding	Delivered to mill by truck
Log run white birch:			
8" and up in diameter	$19.00	$21.50	$22.50
7" and up in diameter	18.00	20.50	21.50
6" and up in diameter	17.00	19.50	20.50
5" and up in diameter	16.00	18.50	19.50
4" and up in diameter	15.00	17.50	18.50
Log run yellow birch, beech and maple:			
8" and up in diameter	16.00	18.50	19.50
7" and up in diameter	15.00	17.50	18.50
6" and up in diameter	14.00	16.50	17.50
5" and up in diameter	13.00	15.50	16.50
Log run aspen and basswood:			
8" and up in diameter	16.00	18.50	19.50
6" and up in diameter	12.25	14.75	15.75
Veneer grade beech, birch and maple:			
10" and up in diameter	26.50	29.00	30.00
8" and up in diameter	20.00	22.50	23.50
Veneer grade white pine	14.25	16.75	17.75
No. 2 grade white pine	11.25	13.75	14.75

(a) If the veneer grade of bolt is removed from the log run of bolts deduct $1.00 from the above prices. In the case of white pine, however, the balance after removal of the veneer grade shall be priced at the No. 2 grade.

(b) If the larger diameter logs are removed from the run of logs (i. e. if the 8" and up bolts have been selected, or the 6" and up, etc.) the remaining smaller diameter bolts can be purchased at the following prices:

(1) For yellow birch, beech, maple and basswood—$11.25 per cord at roadside, $13.25 per cord F. O. B. cars, and $14.25 per cord for bolts delivered to the mill.

(2) For white birch, the price shall vary by the diameters being sold. If the 7" bolts only are to be sold, the price shall be $2.25 per cord less than the 7" and up price; if the 6" bolts only are to be sold, the price shall be $2.25 per cord less than the 6" and up price; if the 5" bolts only are to be sold, the price shall be $2.25 less than the 5" and up price, and if the 4" only are to be sold, the price shall be $2.25 less than the 4" and up price.

If the lower diameters are sold in combination, the price shall be at the price for the lowest diameter bolt sold individually (i. e. if only the 5", 6", and 7" are to be sold the price shall be the 5" bolt price which is $2.25 less than the 5" and up price.)

"Roadside" is any road that is maintained and kept open for traffic 12 months of the year.

TABLE 3—LOGS IN NEW YORK AND PENNSYLVANIA

Area. Part or all of the States of New York and Pennsylvania by zones as follows:

Zone 1: In the State of New York the Counties of Clinton, Franklin, Essex, Warren, Washington, Saratoga, Hamilton, and Fulton.

Zone 2: The entire State of New York excluding the Counties of Clinton, Franklin, Essex, Warren, Washington, Saratoga, Hamilton, and Fulton. The entire State of Pennsylvania excluding the Counties of Delaware, Philadelphia, Montgomery, Bucks, Northampton, Lehigh, Berks, Chester and Lancaster.

Species. Yellow poplar (Lirodendron tulipifera), Yellow birch (Betula lutea), Hard maple (Acer saccharum), basswood (Tilia americana), Soft maple (Acer rubrum and Acer saccharinum), Beech (Fagus grandifolia), Cherry (Prunus—all species), Oak (Quercus—all species), Elm (Ulmus—all species), Ash (Fraxinus—all species), Red (Norway) pine (Pinus resinosa), White pine (Pinus strobus), Other pines (Pinus—all other species), Hemlock (Tsuga canadensis), Spruce (Picea—all species), Fir (Abies—all species), as well as all other commercial species.

Scaling Rules [1]

Required scale rule—All hardwoods. Doyle Log Rule.

Softwoods. In zone 1, the Scribner Log Rule or the Adirondack Standard Log Rule; in zone 2, the Doyle Log Rule.

Diameters. (a) Logs shall be scaled inside the bark at the average diameter of the small end of the log, except in the No. 1 Grade which shall be measured at the smallest diameter of the small end.

(b) Fractions of an inch ½ or less shall be dropped; and fractions of an inch above ½ may be raised to the next higher inch.

Lengths. Minimum length—8'; logs shall be cut into even lengths unless otherwise specified by buyer. All logs shall be cut at least 4" over length to allow for trim. Logs which are not cut at least 4" over length to allow for trim shall be reduced in scale to the next lower standard length.

Deductions. All unsound and unusable wood shall be eliminated from the scale by allowance in measurement. The defects for which full allowance must be made in measurement include hollows or large holes, rot, dote, windshake, large or excessive worm holes, damage in felling due to drawn splinters (splinter pulls) and crooks.

Hardwood Grading Rules

No. 1 Grade: (All hardwoods except yellow poplar).

Diameter. Minimum diameter—14".

Quality requirements. Logs less than 14' in length must have not more than one defect; logs 14' and up in length may have 2 defects as described below. The defects which are permissible and are to be counted when grading the logs are (a) one sound knot up to 4" in diameter, (b) burl, (c) curl, (d) bump, (e) swell, (f) seam, (g) sound catface not over 4" in diameter, (h) and a crook exceeding 2".

No. 2 grade: All hardwoods except yellow poplar.

Minimum diameter. 10".

Quality requirements. Includes all logs not meeting the specifications of a No. 1 log but which are better than culls. 8" or 9" logs, if clear of all visible defects, may also be included in this grade.

Cull grade: All hardwoods. Includes all logs in which the net board foot scale, after deductions have been made for defects, is less than 50 percent of the gross scale; Also, any logs not meeting the minimum specifications of a No. 2 Grade log.

Woodsrun grade: All hardwoods including yellow poplar.

Minimum diameter. 10".

Quality requirements. Shall consist of the entire product of the forest, exclusive of culls, from which no selection of high-quality logs has been made. If any high-quality logs have been removed from the run of logs, the remainder must be sold at the No. 2 grade price, if ungraded, or by grades if graded. If any low-quality logs have been removed, the remaining logs may still be sold at the woodsrun price. 8" or 9" logs, if clear of all defects, may also be included in this grade.

Grading Rules: Yellow Poplar Only

Clear grade. Logs 24" and up in diameter, clear of all defects.

Select grade. Logs 16"–23" in diameter clear of all defects; and

[1] In the event that a buyer who prior to January 1, 1944, purchased logs on the basis of the scale rule other than that specified above, said buyer may apply to the Lumber Branch, Office of Price Administration, Washington, 25, D. C. for permission to purchase logs based on a scale rule other than that specified. The application must contain the rule used and the proper conversion between that rule and the rule specified in this table. The Lumber Branch may approve the use of this rule but will require proper adjustment in price.

Logs 24'' and up in diameter having 3 clear faces or 75 percent of the length clear in one continuous section.

No. 1 grade. Logs 12''–15'' in diameter clear of all defects;

Logs 16''–23'' in diameter having 3 clear faces or 75 percent of the length clear in one continuous section; and

Logs 24'' and up in diameter having 2 clear faces or 50 percent of the length clear in one continuous section.

No. 2 grade. Logs 10'' and up in diameter that do not grade as a No. 1 log and which are better than culls.

Cull grade. Same as cull grade for other hardwoods.

Shiptimber and Bending Oak Grades

Shiptimber grade of oak:
Minimum diameter. 16''
Minimum lengths. 18'

Quality requirements. Must be fresh cut, sound to the center; free from splits; must be straight but will permit a bow one way. One standard knot (a sound knot 4'' or less in diameter) permitted in each 4 feet of length.

Bending grade of oak:
Minimum diameter. 16''
Minimum length. 18'
Quality requirements. Must be straight, freshly cut, sound to the center, and free of all visible defects. Twisted growth or swelled butts not acceptable.

Grading Rules: All Softwoods

Woodsrun grade only—Minimum diameter. 6'' for pine; 8'' for other softwoods.

Quality requirements. This grade shall consist of the entire merchantable product of the forest.

MAXIMUM PRICES

HARDWOOD LOGS BY GRADES (ZONES 1 AND 2)

[Per M feet log scale [a]]

Species	No. 1 grade	No. 2 grade
Yellow birch	$55.00	$35.50
Hard maple	55.00	35.50
Basswood	55.00	35.50
Cherry	55.00	35.50
Soft maple	45.00	27.50
Oak	50.00	30.50
Beech	50.00	30.50
Elm	50.00	30.50
Other hardwoods (except yellow poplar)	45.00	27.50

YELLOW POPLAR LOG PRICES BY GRADES (ZONE 2)

	Per M' log scale [a]
Clear Grade	$70.00
Select Grade	50.00
No. 1 Grade	35.00
No. 2 Grade	20.00

WHITE OAK SHIPTIMBER LOGS

[Per M feet log scale [a]]

Length (feet)	Diameters				
	16''–19''	20''–23''	24''–26''	27''–28''	29'' and up
18	$37.00	$47.00	$57.00	$67.00	$77.00
20	39.00	49.00	59.00	69.00	79.00
22	42.00	52.00	62.00	72.00	82.00
24	46.00	56.00	66.00	76.00	86.00
26	51.00	61.00	71.00	81.00	91.00
28 [1]	56.00	66.00	76.00	86.00	96.00

[1] For greater lengths, add $5.00 per M' for each additional 2 feet.

[a] The above prices apply f. o. b. cars common carrier railroad at rail siding or delivered to mill by truck from within 25 miles. If delivered to mill from a distance greater than 25 miles, the buyer may add not to exceed 10 cents per M feet log scale for each additional load mile.

White Oak Bending Oak Grade.[a] Add $10.00 per M' to the above prices for White Oak shiptimber grade.

Red Oak Shiptimber and Bending Oak.[a] For Red Oak shiptimber, take 75 percent of above White Oak shiptimber prices. For Red Oak bending grade add $10.00 per M' log scale to Red Oak shiptimber prices.

Hardwood Woodsrun Log Prices (*Zones 1 & 2*)

[Per M' log scale]

Species:	*Woodsrun*
Yellow birch	$35.50
Hard maple	35.50
Basswood	35.50
Cherry	35.50
Soft maple	27.50
Oak	30.50
Beech	30.50
Elm	30.50
Ash [2]	30.50
Yellow poplar [2]	27.50
Other hardwoods	27.50

[1] The prices for ash apply for ash logs sold in conjunction with other species. Ceiling prices for ash special logs purchased on an individual selected basis are set forth in Appendix M of this regulation.

[2] Zone 2 only.

The above prices apply for logs piled on headera or skids at year-around roads. For logs f. o. b. cars or delivered to mill from within 10 miles—add $6.00 per M feet log scale. If delivered to mill from a distance greater than 10 miles, add 15 cents per M feet log scale for each of next 15 load miles (miles 11–25 inclusive) and 12 cents per mile thereafter.

Softwood Woodsrun Log prices (Per M' Log Scale).

	Zone 1 (Scribner log rule)	Zone 2 (Doyle log rule)
Red Pine	$24.00	$26.50
White Pine	24.00	26.50
Other Pine	22.00	24.00
Spruce	24.00	26.50
Fir	24.00	26.50
Hemlock	22.00	24.00
Other Softwoods	22.00	24.00

(a) The above prices apply for logs piled on headers or skids on year-around roads. For logs f. o. b. cars or delivered to mill by truck from within 10 miles, add $4.00 per M' log scale. If delivery to mill is from a distance greater than 10 miles, add 10 cents per M' log scale for each of the next 15 load miles (miles 11–25 inclusive) and 8 cents per M' log scale for each load mile in excess of 25.

(b) *Deductions for all species of woodsrun logs.* (i) When logs are delivered alongside a year-around road, the price shall be $1.00 per thousand feet log scale lower than the piled-on-header price.

(ii) If delivery of logs is taken at any point where the cost of delivering to that point is less than the cost of delivering to the nearest year-around road, the difference in delivery cost must be deducted from the maximum prices for logs delivered alongside the year-around road.

(c) For Softwood logs purchased in zone 1 on the basis of the Adirondack Standard, a conversion factor of 5 standards equal to one thousand feet Scribner log scale shall be used as the basis for conversions. (Thus the price for white pine logs would be $4.80 per standard for logs piled-on-headers on a year-around road.)

(d) In the event that a seller has available for sale old-growth high-quality pine and spruce logs, the seller and buyer may apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for approval of the price. The application must contain the names and addresses of the seller and buyer, the grade description of the log, the price to be paid and a statement from the buyer that because of the high-quality of the log the special price can be paid under the existing end-product ceiling.

TABLE 4

Area. Part or all of the States of New Jersey, Delaware, Maryland, Pennsylvania and Virginia as follows:

The entire State of New Jersey;

The entire State of Delaware;

In the State of Maryland, the counties of Cecil, Kent, Queen Anne, Talbot, Caroline, Dorchester, Wicomico, Somerset and Worcester.

In the State of Pennsylvania the counties of Lancaster, Chester, Delaware, Philadelphia, Berks, Montgomery, Lehigh, Bucks, and Northampton.

In the State of Virginia the counties of Accomac and Northampton.

Species. All commercial species of the following genera: poplar (Liriodendron), gum (Liquidamber and Nyssa), oak (Quercus), cypress (Taxodium), elm (Ulmus), ash (Fraxinus), beech (Fagus), maple (Acer), sycamore (Platanus), pine (Pinus), as well as all other species.

Scaling rules. All logs shall be scaled with the Doyle Log Rule. The diameter shall be measured inside the bark at the small end of the log at the smallest diameter. Fractions of an inch ½ or less shall be counted back. Fractions of an inch more than ½ may be raised to the next higher inch. Logs 18' and longer may be measured as 2 separate equal-length logs; the second log may be computed as one inch larger than the first log.

All unsound and unusable wood must be eliminated from the scale by deduction in measurement. The defects for which full deduction in scale must be made include hollows or large holes, rot, dote, windshake, large or excessive worm holes, damage in felling by drawn splinters and crooks.

All logs are to be cut in even lengths 10' and longer unless otherwise specifically requested by the buyer. Lengths shorter than 10' may be accepted at the option of the buyer. All logs 10' and over must be cut 4 inches over length to allow for trim, under 10' in length, 2'' over length to allow for trim. Logs that are not cut over length sufficiently to allow for trim must be reduced in scale to the next lower standard length.

Grading Rules—No. 1 or Veneer Grade. (For all species except oak and cypress). This grade shall include all logs 12 inches and up in diameter that do not have more than two standard 5-inch knots or comparable defect in each 16 feet of length, except that pine logs must be clear of all defects.

No. 2 Grade. (For all species except oak and cypress). This grade shall consist of all logs 8 inches and up in diameter that are better than culls and which do not grade as a No. 1 or Veneer log.

Grading rules for oak species only—Clear grade. All logs 24'' and up in diameter that are clear of all visible defects.

Select grade. This grade shall include:

(a) Logs 24'' and up in diameter that have 3 clear faces or have 75 percent of the length clear in one continuous section; and

(b) Logs 16''–23'' in diameter that are clear of all visible defects.

No. 1 grade. This grade shall include:

(a) Logs 24'' and up in diameter that have 2 clear faces or have 50 percent of the length clear in one continuous section;

(b) Logs 16''–23'' in diameter that have 3 clear faces or have 75 percent of the length clear in one continuous section; and

(c) Logs 12''–15'' in diameter that are clear of all visible defects.

No. 2 grade. This grade shall include all logs 8'' and up in diameter that are better than a cull and that do not grade as a No. 1 log.

Woodsrun grade (All species) shall consist of logs 8 inches and up in diameter as produced from the forest that are better than culls and from which no selection of high-quality (No. 1 or Veneer Grade) logs has been made. If any high-quality logs have been removed from the run of logs, the remaining logs must be sold at prices no higher than the No. 2 grade price, if ungraded, or at the applicable grade price if graded. When any low-quality logs have been removed from the run of logs the remaining logs may still be sold at the woodsrun price.

A cull log shall be one where the net board foot scale after deductions have been made for defect is less than 50 percent of the gross scale.

MAXIMUM PRICES

[Per M feet log scale]

Species	No. 1 or veneer grade	No. 2 grade	Woodsrun grade
Poplar	$45.00	$22.50	$25.00
Gum	45.00	22.50	25.00
Elm	45.00	22.50	25.00
Ash [1]	45.00	22.50	25.00
Beech	45.00	22.50	25.00
Maple	45.00	22.50	25.00
Sycamore	45.00	22.50	25.00
Cypress			28.00
Other species except oak			25.00

[1] For ash sold in conjunction with other species. Ceiling prices for ash specialty logs sold on an individual selected basis are set forth in Appendix M.

White Oak Clear Grade	$70.00
White Oak Select Grade	50.00
White Oak No. 1 Grade	37.50
White Oak No. 2 Grade	20.00
White Oak Woodsrun Grade	29.00
Red Oak Clear Grade	60.00
Red Oak Select Grade	42.50
Red Oak No. 1 Grade	32.50
Red Oak No. 2 Grade	20.00
Red Oak Woodsrun Grade	27.50

(a) The above prices are f. o. b. cars at a rail siding at common carrier railroad or delivered to mill by truck from within 25 miles. If logs are delivered to the mill by truck from a distance greater than 25 miles, the buyer may add 10 cents per M feet log scale for each load mile in excess of 25.

(b) Logs purchased f. o. b. trucks at roadside shall be priced $8.00 lower than the maximum prices set forth above.

(c) If the delivery of logs to the mill necessitates payment of bridge or ferry tolls, the buyer may pay for the toll in addition to the ceiling price.

(d) *Special provision.* In the event that a buying plant, because of the specialized product involved, requires a log of specifications not set forth above, said buying plant may apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for the establishment of a special price. The application must contain an adequate description of the grade and species and a statement whether the price can be paid under the end-product ceiling price.

TABLE 5

Area. In the State of Maryland, the counties of Carroll, Baltimore, Harford, Howard, Montgomery, Anne Arundel, Prince Georges, Calvert, Charles, and St. Marys.

Species. All commercial species of the following genera: poplar (Liriodendron), oak (Quercus), ash (Fraxinus), beech (Fagus), hickory (Hicoria), maple (Acer), gum (Liquidamber and Nyssa), walnut (Juglans), sycamore (Platanus), elm (Ulmus), pine (Pinus), as well as all other species.

Scaling rules. All logs are to be scaled with the Doyle Log Rule. The diameter shall be measured at the small end of the log, inside the bark, and at the smallest diameter. Fractions of an inch ½ inch and less shall be counted back to the next lower diameter inch, while fractions of an inch above ½ inch may be raised to the next highest inch.

All unsound and unusable wood must be deducted by allowance in measurement. The defects for which full allowance must be made in measurement include hollows or large holes, rot, dote, windshake, large or excessive worm holes, damage in felling by drawn splinters, rotten and wormy sap, and crooks.

Logs are to be cut in standard even lengths unless otherwise specified by the buyer. The minimum length accepted shall be 8 feet. All logs must be cut at least 4 inches over length to allow for trim. Logs that are not cut at least 4'' over the specified length will be scaled as of the next lower even length.

Grade specifications—Clear grade.—Minimum diameter 24''. All logs 24'' and over in diameter must be clear of all visible defects.

Select grade. Minimum diameter 16''. Logs 16'' to 23'' in diameter must be clear of all defects. Logs 24'' and over in diameter must have at least 3 clear faces or have 75 percent of the length clear in one continuous section.

No. 1 grade. Minimum diameter 12''. Logs 12''–15'' in diameter must be clear of all visible defects. Logs 16'' to 23'' in diameter must have at least 3 clear faces or 75 percent of the length clear in one continuous section. Logs 24'' and over in diameter must have at least 2 clear faces or have at least 50 percent of the length clear in one continuous section.

NOTE: In the Clear, Select or No. 1 Grades, a center rot or dote in the butt end of the log of up to 4'' in diameter for logs 24'' and up, up to 3'' in diameter for logs 16'' to 23'', and 2'' in diameter for logs 12'' to 18'' in diameter will not degrade the log, but full deduction for the defect must be made when scaling the log. A center rot or dote at the butt end greater than the limits cited above will degrade the log at least one grade, with full deduction for defects in scale still required.

No. 2 grade. Minimum diameter, 12''. This grade shall include all sound logs above the specified diameter limits that are better than a cull and that do not grade as a No. 1 log.

A cull shall be considered as any log where the net board foot scale after deductions have been made for defects contains less than 50 percent of the gross board foot scale.

Woodsrun grade shall consist of hardwood logs 12'' and up and pine logs 8'' and up in diameter as produced from the forest that are better than culls and from which no selection of high-quality (Clear, Select or No. 1 Grade) logs has been made. If any high-quality logs have been removed from the run of logs, the remaining logs must be sold at prices no higher than the No. 2 grade price if ungraded, or at the applicable grade price if graded. When any low-quality logs have been removed from the run of logs, the remaining logs may still be sold at the woodsrun price.

MAXIMUM PRICES

[Per M feet log scale]

Species	Clear	Select	No. 1 grade	No. 2 grade	Woodsrun
Yellow poplar	$70.00	$50.00	$35.00	$20.00	$28.00
Red oak	60.00	42.50	32.50	20.00	27.50
White oak	70.00	50.00	37.50	20.00	29.00
Post and chestnut oak	45.00	35.00	27.50	18.00	25.00
Ash [1]	55.00	40.00	27.50	18.00	25.00
Beech	50.00	32.50	22.50	18.00	21.00
Hickory	45.00	35.00	25.00	17.00	22.00
Soft maple	50.00	40.00	30.00	19.00	24.00
Gum	50.00	35.00	25.00	18.00	23.00
Walnut [1]					30.00
Sycamore	45.00	35.00	27.50	19.00	25.00
Elm	45.00	35.00	27.50	19.00	25.00
Yellow pine					20.00
Other species	35.00	30.00	25.00	17.00	21.00

[1] If sold in conjunction with other species.

The above prices are to prevail for logs f. o. b. cars at rail siding, f. o. b. barge at towable waters or delivered to mill by truck from within 25 miles. If logs are delivered to the mill from a distance in excess of 25 miles a sum not to exceed 10 cents per M feet may be added for every additional load mile.

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APPENDIX E

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TABLE 6

Area. In the State of Ohio, the counties of Cuyahoga, Geauga, Lake, Ashtabula, Trumbull, Summit, Portage, Mahoning, Lorain, Medina, Wayne, Ashland, Erie, Huron, Seneca, Richland, Knox, Sandusky, Wood, Lucas, Ottawa, and Crawford.

Species. All commercial species of the following genera: beech (Fagus), gum (Liquidamber and Nyssa), hackberry (Celtis), poplar (Liriodendron), sycamore (Platanus), ash (Fraxinus), basswood (Tilia), cherry (Prunus), cottonwood (Populus), elm (Ulmus), hickory (Hicoria), oak (Quercus), maple (Acer), as well as all other species.

Scaling rules. All logs are to be scaled according to the Doyle Log Rule. The diameter shall be measured at the small end of the log, inside the bark, at the smallest diameter. Fractions of an inch ½ and less must be counted back to the next lower inch. Fractions of an inch above ½ inch may be counted as of the next higher inch.

All logs are to be cut to even lengths unless otherwise specifically requested by the buyer. The lowest acceptable length shall be 8'. All logs must be cut 4'' over length to allow for trim. Logs that are not cut at least 4 inches over length shall be reduced in scale to the next standard lower length.

All unsound and unusable wood must be eliminated from the scale by deduction in measurement. The defects for which full deduction in scale must be made include hollows or large holes, rot, dote, windshake, large or excessive worm holes, damage in felling by drawn splinters, and crooks.

Grading rules.—No. 1 or Veneer Grade. This grade shall include all logs 12 inches and up in diameter that do not have more than two standard 5-inch knots or comparable defect for each 16-feet of length. A center rot or dote in the butt end of the log will be permitted up to 25 percent of the log diameter for logs up to 24'' in diameter and up to 6'' for logs in excess of 24'' in diameter without degrading the log; however, full deduction in scale for the defect must be made when scaling the log.

No. 2 grade. This grade shall consist of all logs 8 inches and up in diameter that are better than culls and which do not grade as a No. 1 or Veneer log.

Woodsrun grade shall consist of logs 8 inches and up in diameter as produced from the forest that are better than culls and from which no selection of high-quality (No. 1 or Veneer Grade) logs has been made. If any high-quality logs have been removed from the run of logs, the remaining logs must be sold at prices no higher than the No. 2 grade price if ungraded, or at the applicable grade price if graded. When any low-quality logs have been removed from the run of logs, the remaining logs may still be sold at the woodsrun price.

A cull log shall be one where the net board foot scale for defect is less than 50 percent of the gross scale.

MAXIMUM PRICES

[Per M feet log scale]

Species	No. 1 grade	No. 2 grade	Woods-run grade
White Oak	$55.00	$25.00	$35.00
Basswood	55.00	25.00	35.00
Hard Maple	55.00	25.00	35.00
Poplar	55.00	25.00	35.00
Ash [1]	50.00	22.50	30.00
Beech	50.00	22.50	30.00
Elm	50.00	22.50	30.00
Soft Maple	50.00	22.50	30.00
Red Oak & Black Oak	50.00	22.50	30.00
Cherry	50.00	22.50	30.00
Hickory	50.00	22.50	30.00
Cottonwood	45.00	20.00	25.00
Sycamore	45.00	20.00	25.00
Other Hardwoods	45.00	20.00	25.00

[1] The above prices for ash will prevail for ash logs purchased in conjunction with other species and not on an individual selected basis.

These prices apply f. o. b. cars, or for logs delivered to the mill by truck from within 25 miles. If logs are delivered to a mill from a distance in excess of 25 miles, the buyer may add to the above ceiling prices 10 cents per thousand feet log scale for every load mile in excess of 25 miles.

If delivery of logs is taken at any point other than f. o. b. cars or at the mill by truck, the buyer must deduct

(a) The cost of hauling logs to the rail siding and the cost of loading on cars if logs are delivered to the mill by rail cars; or

(b) The cost of trucking logs to the mill if logs are delivered to the mill by truck.

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APPENDIX K

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TABLE 5

Area. Part or all of the States of New Hampshire, Massachusetts, Connecticut and Rhode Island by zones as follows:

Zone 1: In the State of New Hampshire, the counties of Sullivan, Merrimack, Cheshire, Hillsboro and Rockingham.

Zone 2: The part of the State of Massachusetts and Connecticut east of the Connecticut River and the entire State of Rhode Island.

Species. Hardwood and pine species suitable for the manufacture of insulating or felt products, and in Zone 2, cordwood (pulpwood) suitable for the manufacture of woodpulp.

Scaling rule. The standard cord of 128 cubic feet.

Grading rules. Wood shall be cut into 4' lengths to a minimum diameter of 3½" inside the bark.

Maximum Prices

[Per cord of 128 cubic feet]

Zone 1: Hardwoods:

$12.25 per cord at roadside available to trucks on year-around roads.

$14.75 per cord f. o. b. cars at rail siding.

$15.75 per cord delivered to mill by truck.

Pine:

$10.75 per cord at roadside available to trucks on year-around roads.

$13.25 per cord f. o. b. cars at rail siding.

$14.25 per cord delivered to mill by truck.

Zone 2: Hardwoods and pine: $12.25 per cord at roadside available to trucks on year-around road. For f. o. b. cars or delivered to mill by truck from within 10 miles add $2.50 per cord. If delivered to mill by truck from a distance greater than 10 miles add 6 cents per cord per load mile for next 15 miles (miles 11–25) and 5 cents per cord per load mile for each load mile thereafter.

When the consumer purchases cordwood suitable for manufacture into insulation and felt products from a dealer, a dealer's allowance of not to exceed 50 cents per cord of 128 cubic feet may be paid in addition to the above maximum prices. A dealer is a person engaged in buying and selling insulation and felt cordwood not produced by himself. The allowance must be separately shown on the billing or settlement sheet and may not be charged on any of the wood which has been produced by the dealer himself.

This amendment shall become effective April 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–6114; Filed, April 29, 1944; 11:32 a. m.]

PART 1381—SOFTWOOD LUMBER

[2d Rev. MPR 219,[1] Amdt. 1]

NORTHEASTERN SOFTWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Second Revised Maximum Price Regulation 219 is amended in the following respects:

1. In section 2, paragraph (a) is amended to read as follows:

(a) *Products covered.* This regulation covers, under the name of "Northeastern softwood lumber," all items of lumber of the following softwood species produced in the States of Maine, New Hampshire, Vermont, Connecticut, Massachusetts, Rhode Island, New York, Pennsylvania, Maryland, West Virginia, Kentucky, Virginia, Tennessee, North Carolina, South Carolina and Georgia, and in the part of the Dominion of Canada located east of the 85th meridian; or imported from the Union of Soviet Socialist Republics: Northeastern white pine (Pinus strobus), Norway pine (Pinus resinosa), Eastern hemlock (Tsuga canadensis), Eastern spruce (Picea rubra, Picea Mariana, and Picea glauca), Eastern white cedar (Thuja occidentalis), and Jack pine (Pinus banksiana), and of all other softwood species except Southern pine (covered by Second RMPR 19), Cypress (covered by MPR 412 and MPR 513) and Cedar (covered by MPR 454), whether the item or species is specifically named in the price tables or not.

2. In section 24, Table 5, the subheading is amended to read: "(For Jack Pine and Norway Pine, see notes 37 and 38)"

3. In section 24, Table 7, the subheading is amended to read: "(For Jack Pine and Norway Pine, see notes 19 and 20)"

4. In sections 18, 25 and 29 the parenthetical references following the titles are amended to read: "(For domestic transportation addition, see section 5)."

5. In section 35, Table 24, the second and third parts are amended to read as follows:

GRADE: MERCHANTABLE

Thickness (inches)	Length	Width 4"	5"	6"	7"	8"	9"	10"	11"	12"
1	R/L	$50.25	$50.25	$51.25		$52.00		$53.75		$57.50
1¼, 1½, 2	R/L	52.00	50.25	53.00	$53.75	53.75	$55.75	55.75	$59.25	59.25
3	R/L	53.00		53.75	55.75	55.75	59.25	59.25	61.25	61.25
4	R/L	54.75		55.75	57.50	57.50	61.25	61.25	63.00	63.00

GRADE: NO. 1 AND NO. 2 CULLS

Thickness (inches)	Length	Width 4"	5"	6"	8"	10"	12"
1	R/L	$42.00	$42.00	$43.75	$44.75	$45.75	$45.75
1¼, 1½, 2	R/L	43.75	43.75	43.75	44.75	45.75	45.75
3	R/L	43.75		44.75	46.50	47.50	47.50
4	R/L	43.75		44.75	46.50	47.50	47.50

This amendment shall become effective May 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6117; Filed, April 29, 1944; 11:31 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1663.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 28]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

[1] 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791, 3032, 3073, 3513, 3570, 3708, 3710, 3947, 3944, 4026.

1. Section 23.1 (a) and section 23.4 (a) and (b) are amended by substituting the words "Office of Distribution of War Food Administration" for the words "Food Distribution Administration" wherever they appear in those Sections.

2. Section 27.1 (10) (i) is amended by adding in its proper alphabetical order, under the heading "Vegetables and Purees", the following:

Spaghetti sauces (labeled as such, and containing fats and mixed vegetables).

This amendment shall become effective April 30, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 29th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6119; Filed, April 29, 1944; 11:31 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 11 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (e) (3) is added to read as follows:

(3) L8, M8, N8, P8, and Q8 are valid beginning May 1, 1944.

This amendment shall become effective April 29, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 29th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6120; Filed, April 29, 1944; 11:31 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[2] Amdt. 26 to Rev. Supp. 1]

MEATS, FATS, FISH AND CHEESE

Section 1407.3027 (e) (6) and (7) are added to read as follows:

(6) R8, S8, and T8 are valid beginning May 7, 1944.

(7) U8, V8, and W8 are valid beginning May 21, 1944.

This amendment shall become effective May 3, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

[1] 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2949.

[2] 8 F.R. 16834, 16839, 16893, 17278, 17306, 17372; 9 F.R. 105, 184, 731, 1181, 1819, 2007, 2091, 2477, 2553, 2948, 2789, 2830, 3092, 3707, 3581, 4107.

Issued this 29th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6113; Filed, April 29, 1944; 11:32 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 443, Corr. to Amdt. 3]

SOYBEAN OIL MEAL, CAKE, PEA SIZE MEAL AND PELLETS

Section 4 (a) (1) of Amendment 3 to Maximum Price Regulation 443 is corrected to read as follows:

(1) The carload flat rate on soybean oil meal from Decatur, Illinois, to all points of destination in the United States, except, the area east of the Illinois-Indiana state line on or north of the Ohio River to Kenova, West Virginia, thence on or north of the Norfolk and Western Railway to Roanoke, Virginia, thence on or north of the Virginia Railway from Roanoke, Virginia to Norfolk, Virginia; and

This correction shall become effective May 4, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6116; Filed, April 29, 1944; 11:30 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 126]

IMPORTED PACKED PINEAPPLE

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 1.28 is added to read as follows:

SEC. 1.28 *Imported packed pineapple*—(a) *Maximum prices ex dock or ex railroad car or other type of carrier, duty paid.* The maximum price for pineapple processed and packed outside the Continental United States other than in the Territory of Hawaii and in Puerto Rico which any person may pay to any seller, whether such seller is located in or outside the Continental United States, and whether the purchase is made directly from such seller or from his agent wherever located, and the maximum price at which any person other than a wholesaler or retailer may resell imported packed pineapple shall be as follows:

TABLE 1—MAXIMUM PRICES EX DOCK, MIAMI, FLORIDA, DUTY PAID

Kind and style of pack (all brands)	Grade	Maximum prices per dozen containers: No. 3 cylinder cans (46 ounces)	No. 2 cans	No. 2½ cans	No. 10 can (not less than 6 lbs. 8 oz. per can [1])
Sliced	Fancy		$1.94	$2.34	$8.42
	Choice		1.81	2.14	8.01
	Broken slices		1.71	2.09	7.66
Crushed (fine, or coarse cut): In natural juice			1.59	2.09	7.66
In syrup					8.16
In extra heavy syrup (40° brix cut out)			1.79	2.34	9.66
Cut pieces (chunks and tidbits): In natural juice					8.16
In syrup			1.94	2.34	8.42
Juice (natural and sweetened)	Fancy	$3.06	1.28		6.15
Fountain topping [1]					10.75
		Maximum prices in cents per pound			
Pineapple in brine:					
Slices	No. 1				12
	No. 2				11
Broken pieces	No. 3				10

TABLE 2—MAXIMUM PRICES EX RAILROAD CAR OR OTHER TYPE OF CARRIER, LAREDO, TEXAS, DUTY PAID

Kind and style of pack (all brands)	Grade	Maximum prices per dozen containers: No. 3 cylinder cans	No. 2 cans	No. 2½ cans	No. 10 cans (not less than 6 lbs. 8 oz. per can [1])
Sliced	Fancy		$1.88	$2.27	$8.13
	Choice		1.75	2.06	7.73
	Broken slices		1.65	2.01	7.38
Crushed:					
In natural juice			1.53	2.02	7.38
In syrup			1.73	2.27	7.89
In extra heavy syrup (40° brix cut out)					9.38
Cut pieces (chunks and tidbits):					
In natural juice			1.88	2.27	7.89
In syrup					8.13
Juice: (Natural and sweetened)		$2.92	1.23		5.87
Fountain topping [1]					10.49
		Maximum prices in cents per pound			
Pineapple in brine:					
Slices	No. 1				12
	No. 2				11
Broken pieces	No. 3				10

[1] The net weight of a number 10 can of pineapple topping shall not be less than 7 pounds 12 ounces. Pineapple topping means a mixture of pineapple and sugar solids containing not less than 40 and not more than 45 percent sugar solids by weight, with such color, flavoring and acidulant as is customarily added when the product is used as an ice cream topping or dressing or in the manufacture of ice cream.

*Copies may be obtained from the Office of Price Administration.

The maximum price for any item of imported packed pineapple which is not listed above shall be determined by adding to or subtracting from the maximum price named above, for the item which is most similar to the item being priced, the same dollars-and-cents differential which existed in March, 1942 between the seller's prices for the two items.

The maximum prices listed above are ex dock, Miami, Florida, duty paid, or ex railroad car or other type of carrier, Laredo, Texas, duty paid. The maximum price ex dock any other port of entry shall be determined by adding to or subtracting from the Miami, Florida, ex dock price the difference between (1) the April 29, 1944 actual cost of ocean freight, war risk insurance (at War Shipping Administration's rates prevailing on date of shipment) and marine insurance from the port of origin to Miami, Florida, and (2) the April 29, 1944 actual cost of ocean freight, war risk insurance (at same rates) and marine insurance from the same port of origin to such other port of entry. The maximum price ex railroad car or any other type of carrier for any other point of entry on United States-Mexico border shall be determined by adding to or subtracting from the Laredo, Texas, ex railroad car (or other type of carrier) price the difference between (1) the April 29, 1944 actual cost of transportation at lowest available common or contract carrier rate from the point of shipment to Laredo, Texas and (2) the April 29, 1944 actual cost of transportation at lowest available common or contract carrier rate from the same point of shipment to such other point of entry on United States-Mexico border.

The above-named maximum prices include all commissions and charges to the points specified and are applicable to all purchases, deliveries and transfers of pineapple processed and packed outside the Continental United States other than in the Territory of Hawaii and Puerto Rico and imported into Continental United States from such areas.

If a person is unable to determine his maximum price under the provisions of this section he shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price.

(b) *Maximum prices ex warehouse.* The maximum price in each case for all persons other than wholesalers and retailers for imported packed pineapple which is sold ex-warehouse Miami, Laredo, or other port or point of entry in the Continental United States, shall be the maximum price for the item set forth in paragraph (a), plus the cost of actually putting the imported packed pineapple in the warehouse. This cost shall include only the following charges: (1) transportation from the dock or point of entry to the warehouse, (2) "handling in and out" of warehouse, and (3) warehouse storage for not to exceed 30 days. All persons making sales ex warehouse of imported packed pineapple must show separately on the invoice in each case: (1) the maximum price for the item ex dock or ex railroad car or other type of carrier, (2) the allowable charges which have been incurred in putting the imported packed pineapple in the warehouse, (3) the name of the entry carrier, (4) the bill of lading number, and (5) the date when storage began.

(c) *Payment of brokers.* In accordance with existing trade custom every broker shall be considered as the agent of the seller and not the agent of the buyer. In each case, the amount paid by the buyer plus any amount paid by the buyer to the broker shall not exceed the maximum prices listed in paragraph (a) and (b) plus allowable transportation actually paid by the seller or by the broker. The term "broker" includes a "finder".

(d) *Maximum prices for wholesalers and retailers.* Wholesalers and retailers of imported packed pineapple shall determine their maximum prices under Maximum Price Regulations Nos. 421, 422 and 423, respectively. The "net delivered cost" of imported packed pineapple for wholesalers and retailers who import such items directly from points outside Continental United States shall not exceed the maximum prices ex dock or ex railroad car or other type of carrier as set forth in paragraph (a), plus any allowable charges actually incurred in putting the imported packed pineapple in the warehouse at port or point of entry, as set forth in paragraph (b), plus the actual transportation charges from the port or point of entry to the wholesaler's or retailer's customary receiving point.

In this paragraph (d), "net delivered cost" means the amount the wholesaler or retailer pays for the imported packed pineapple delivered to his customary receiving point, but not in excess of the maximum prices ex dock any United States port of entry, duty paid, or ex railroad car or other type of carrier at any point of entry on United States-Mexico border, duty paid, plus any allowable charges actually incurred in putting the imported packed pineapple in the warehouse at port or point of entry, as set forth in paragraph (b), plus actual transportation charges from the port or point of entry to the wholesaler's or retailer's customary receiving point. However, the expense of local trucking or unloading is not included.

(e) *Maximum prices for delivered sales.* The maximum delivered price for imported packed pineapple shall in no case exceed the maximum prices set forth in paragraphs (a) and (b) plus actual transportation charges incurred from the dock or warehouse at any port of entry or any point of entry on United States-Mexico border to the place where delivery is made, at lowest available common or contract carrier rate. However, the expense of local trucking or unloading may not be added.

(f) *Notification to wholesalers and retailers of authorized change in maximum price.* With the first delivery after the effective date of this section, or any amendment authorizing a change in maximum price, of any item of imported packed pineapple in any case where a seller determines his maximum price pursuant to this section, he shall supply each wholesaler and retailer who purchases from him with written notice, as set forth below:

Insert date

NOTICE TO WHOLESALERS AND RETAILERS

Our O. P. A. ceiling price for (*describe item by kind, variety, grade, brand, style of pack and container type and size*) has been changed by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulations Nos. 421, 422 and 423, you must refigure your ceiling price for this item on the first delivery of it to you containing this notification on and after (*insert effective date of ceiling price change*). You must refigure your ceiling price following the rules in section 6 of Maximum Price Regulations Nos. 421, 422 or 423, whichever is applicable to you.

For a period of 60 days after determining such maximum price and with each shipment after the 60-day period to each person who has not made a purchase within that period, each seller shall place upon or attach to each invoice the written notice set forth above.

(g) *Prohibitions, and permission to carry out certain contracts.* On and after April 29, 1944, or the effective date of any amendment to this section, regardless of any contract or obligation:

(1) No person shall sell, offer to sell, attempt to sell, deliver or transfer imported packed pineapple at prices higher than the maximum prices established by this section, and

(2) No person shall buy, offer to buy, attempt to buy, import or receive, in the course of trade or business, imported packed pineapple at prices higher than the maximum prices established by this section, except that:

(i) Contracts entered into by industrial users prior to April 29, 1944, providing for a price higher than the maximum prices established by this section may be carried out at the contract prices: *Provided*, That such purchasers shall file a copy of each contract with the Processed Fruits and Vegetables Section, Food Division, Office of Price Administration, Washington, D. C., on or before May 9, 1944;

(ii) Importers who have previously established their maximum prices for sales of canned Cuban pineapple or canned Cuban pineapple juice to industrial, institutional or commercial users under § 1341.155 (a) of Maximum Price Regulation No. 197 (Canned Fruits and Canned Berries at Wholesale and Retail) or under the General Maximum Price Regulation as to pineapple imported from other producing areas except the Territory of Hawaii and Puerto Rico, and who have entered into contracts prior to April 29, 1944, at prices not in excess of those maximum prices may carry out such contracts at the contract price notwithstanding that the contract price is higher than the maximum prices fixed by this section: *Provided*, That the importer shall file a copy of each such contract with the Processed Fruits and Vegetables Section, Food Division, Office of Price Administration, Washington, D. C., on or before May 9, 1944, together with a statement showing his maximum price as established under those regulations.

The importer's maximum price for canned Cuban pineapple or canned Cuban pineapple juice, purchased under the contracts referred to in the foregoing paragraph, in sales to industrial, institutional or commercial users shall be his maximum price as established under § 1341.155 (a) of Maximum Price Regulation No. 197 as in effect on April 1, 1944, and for sales to all other purchasers shall be the maximum price fixed by this section. The importer's maximum price for imported packed pineapple purchased under such contracts from sellers in producing areas other than Cuba shall be his maximum price as established under the General Maximum Price Regulation.

(3) Lower prices than the maximum prices established by this section may be charged, demanded, paid or offered.

(h) *Export sales.* The maximum price at which a person may export imported packed pineapple shall be determined in accordance with the Second Revised Maximum Export Price Regulation [1], issued by the Office of Price Administration.

(i) *Records and reports.* All sellers and buyers of imported packed pineapple who have entered into contracts prior to April 29, 1944, for the sale or delivery of imported packed pineapple on and after April 29, 1944, at prices higher than the maximum prices established by this section shall file a copy of such contracts with the Processed Fruit and Vegetable Section, Food Division, Office of Price Administration, Washington, D. C., on or before May 9, 1944.

After the buyer has received the final shipment called for by the contract, he shall then report such receipt to the Processed Fruits and Vegetable Section, Food Division, Office of Price Administration, Washington, D. C. within two weeks after receipt of the final shipment, stating that the total amount received did not exceed the quantity specified in the contract.

Every person making purchases or sales of imported packed pineapple on and after April 29, 1944, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all records of the kind he has customarily kept relating to the prices paid or received, the name of the purchaser, the date of the contract and the variety, style, grade and amount of imported packed pineapple purchased.

(j) *Definitions.* When used in this section the term:

"Person" means an individual, corporation, partnership, association, any other organized group of persons, and their legal successors or representatives. The term includes the United States, its agencies, other governments, their political subdivisions, and their agencies.

"Importer" means the first consignee of imported packed pineapple in the Continental United States.

"Imported packed pineapple" means any variety of pineapple, including frozen pineapple, which is processed and enclosed in any container, whether or not hermetically sealed, produced outside Continental United States other than in the Territory of Hawaii and Puerto Rico.

"Industrial user" means any person who subjects imported packed pineapple to a process that results in the production of a new and different kind of product, or who uses the packed pineapple as an ingredient or component part of such an article. However, a restaurant, hotel or other similar establishment shall not be considered an "industrial user".

"Wholesaler" and "retailer" mean the persons respectively referred to as such in Maximum Price Regulations Nos. 421, 422 and 423.

This amendment shall become effective April 29, 1944.

NOTE: All record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of April 1944.

CHESTER BOWLES,
Administrator.

[1] 8 F.R. 4132, 5987, 7662, 9998, 15193.

[F. R. Doc. 44-6115; Filed, April 29, 1944; 11:30 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 13 to 2d Rev. Supp. 1]

PROCESSED FOODS

Second Revised Supplement 1 to Revised Ration Order 13 is amended in the following respects:

1. Section 1407.1102 (a) is amended to read as follows:

(a) Processed foods shall have the point values set forth in the Official Table of Point Values (No. 15) (OPA Form R-1313) which is made a part hereof.[2]

2. Section 1407.1102 (f) is revoked.

This amendment shall become effective at 12:01 a. m., April 30, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 3420)

Issued this 29th day of April 1944.

CHESTER BOWLES,
Administrator.

[1] 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2949.

[2] Filed as part of the original document.

[F. R. Doc. 44-6234; Filed, April 29, 1944; 4:56 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 27 to Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (a) is amended to read as follows:

(a) Foods covered by Ration Order 16 shall have the point values set forth in the Official Tables of Consumer and Trade Point Values (No. 14) (OPA Forms R-1313 and 1611) which are made a part hereof.[2]

This amendment shall become effective at 12:01 a. m., April 30, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 29th day of April 1944.

CHESTER BOWLES,
Administrator.

[1] 8 F.R. 16834, 16839, 16893, 17278, 17306, 17372; 9 F.R. 105, 184, 731, 1181, 1819, 2007, 2091, 2477, 2553, 2789, 2830.

[2] Copies may be obtained from the Office of Price Administration.

[F. R. Doc. 44-6135; Filed, April 29, 1944; 4:55 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 85, Amdt. 1]

COLLECTION BY RETAILERS OF THE RETAIL FEDERAL EXCISE TAX ON JEWELRY, FURS AND FUR TRIMMED ARTICLES, TOILET PREPARATIONS AND CERTAIN ITEMS OF LEATHER GOODS IMPOSED BY THE REVENUE ACT OF 1943

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is hereby ordered:*

1. Section 1305.113 (a) (1) (i) is amended by changing the commodity, "Alarm clocks retailing for more than $5.00." to "all clocks other than alarm clocks retailing for $5.00 or less".

2. Section 1305.113 (c) is amended to read as follows:

(c) *What constitutes a proper statement of the tax.* * * *

(1) *Advertising.* All advertisements, including radio advertising, must separately state the tax for every item covered by this order in one of the following ways:

* * * * * *

(iii) You may indicate somewhere in the layout or the announcement that the

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16834, 16839, 16893, 17278, 17306, 17372; 9 F.R. 105, 184, 731, 1181, 1819, 2007, 2091, 2477, 2553, 2789, 2830.

prices for sales of designated items covered by this order include 20% tax.

3. Section 1305.113 (c) (3) is amended to read as follows:

(3) *Sales slips and other evidence of sale.* All sales slips or other evidence of sale (other than cash register receipts) which you give to your customers must state the Federal retail excise tax for every item covered by this order in one of the following ways:

This amendment shall become effective May 6, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6214; Filed, May 1, 1944; 11:48 a. m.]

PART 1413—SOFTWOOD LUMBER PRODUCTS

[MPR 381,[1] Amdt. 3]

STOCK SCREEN GOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 381 is amended in the following respects:

1. In section 2, paragraph (a) is amended to read as follows:

(a) *Products covered by this regulation.* This regulation covers, under the term "stock screen goods," all of the screen doors, combination doors, extension window screens, and knocked-down wooden screen frames made of Ponderosa pine (Pinus ponderosa), Idaho pine (Pinus monticola), Sugar pine (Pinus lambertina), and Pinus species known commercially as "Southern pine", or any species of hardwood lumber, in the patterns or designs mentioned in the appendices of the regulation.

2. In section 3 (a) (1), subparagraph (i) is amended to read as follows:

(i) *Sales to jobbers and special dealers.* A jobber is any distributor who in 1942 made 20 percent or more, by dollar volume, of his screen goods sales to other distributors. A special dealer is any distributor, other than a jobber, who in 1942 received from the manufacturer a discount or price equivalent to the price at which the manufacturer was invoicing his jobber customers.

3. In section 3, paragraph (b) is amended to read as follows:

(b) *Maximum prices.* The maximum prices for stock screen goods shall be the prices arrived at by applying the following percentage addition or deduction for the specified species and products to the list prices in the appendices (adjusted for "list extras" and "list deductions").

(1) *Ponderosa pine screen products.* Maximum prices: (Percentage to be added to or deducted from list price.)

Kind of sale	Appendices: Tables 1, 2, 4, 5 (patterns N and Q)		Appendices: Table 9	Appendices: Tables 10 and 11
	For sales other than in the State of California	For sales in the State of California	All sales	All sales
Sales to jobbers and special dealers: All quantities.	Less 24 percent	Less 29 percent	Less 21 percent	Less 24 percent.
Sales to regular dealers:				
Full carloads of screen goods	Less 24 percent	Less 29 percent	Less 21 percent	Less 24 percent.
Distribution cars	Less 15 percent	Less 20 percent	Less 12 percent	Less 15 percent.
Less than carload quantities not shipped in pool or distribution cars.	Less 6 percent	Less 11 percent	Less 3 percent	Less 6 percent.
Direct factory sales to consumers:				
Full carloads of screen goods	Less 24 percent	Less 29 percent	Less 21 percent.	Less 24 percent.
Distribution cars	Less 15 percent	Less 20 percent	Less 12 percent	Less 15 percent.
Retail sales:				
Full bundles	Plus 20 percent	Plus 15 percent	Plus 23 percent	Plus 20 percent.
Broken bundles	Plus 29 percent	Plus 24 percent	Plus 32 percent	Plus 29 percent.
Mail-order sales:				
Full bundles	Plus 4 percent	Less 1 percent	Plus 4 percent	Plus 4 percent.
Broken bundles	Plus 13 percent	Plus 8 percent	Plus 13 percent	Plus 13 percent.

(2) *Southern pine and oak screen doors and all extension window screens.* (Appendices: Tables 3, 5 [Patterns G and K], 6, 7, 8).

Kind of sale:	*Maximum price*
Sales to jobbers and special dealers: All quantities	List price less 18 percent of list price.
Sales to regular dealers:	
Full carloads of screen goods	List price less 18 percent of list price.
Distribution cars	List price less 8 percent of list price.
Less than carload quantities not shipped in distribution or pool cars.	List price plus 2 percent of list price.
Direct factory sales to consumers:	
Full carloads of screen goods	List price less 18 percent of list price.
Distribution cars	List price less 8 percent of list price.
Retail sales:	
Full bundles	List price plus 30 percent of list price.
Broken bundles	List price plus 39 percent of list price.
Mail-order sales:	
Full bundles	List price plus 12 percent of list price.
Broken bundles	List price plus 21 percent of list price.

*Copies may be obtained from the Office of Price Administration.

4. A new section 3a is added to the regulation to read as follows:

SEC. 3a. *Items not specifically priced.* Any person desiring to sell an item covered by the regulation but not specifically priced therein must make application to the Lumber Branch Office of Price Administration, Washington, D. C. for approval of a price. The application must contain a complete description of the item to be priced, the requested selling price and any additional facts which the respondent cares to make in support of the requested price. Any price not approved within 30 days from receipt of the application shall be considered approved until specifically revoked. The seller may use his requested selling price, subject to adjustment, pending approval of a price.

5. Section 4 is amended to read as follows:

SEC. 4. *Additions for transportation and delivery—(a) What charges for transportation and delivery may be added to the maximum price.* (1) In sales to distributors when shipment originates at a factory or factory warehouse, and in direct factory sales to consumers, the seller must allow freight (and freight tax) at the carload rail rate from factory to destination (or to point of distribution in the case of distribution cars).

(2) In sales to distributors, when the shipment originates at any place other than a factory or factory warehouse:

(i) The seller cannot charge for delivery when delivery is made by the seller's own truck.

(ii) When shipment is made by common carrier the seller may add only the actual charge or cost in excess of $0.75 per hundred pounds paid or incurred by him in making shipment by common carrier from his establishment to the purchaser. In "retail sales," when the distributor has paid this incoming delivery charge in excess of $0.75 per hundred pounds, he may add this amount to the maximum price for "retail sales."

(3) In "retail sales," the seller cannot charge for delivery within the free delivery zones recognized by him during March 1942. For delivery outside of these free delivery zones, the seller may add the actual charge or cost paid or incurred by him in making shipment from his establishment to the purchaser.

(4) In mail-order sales, the seller may add the actual charge or cost paid or incurred by him in making shipment from the loading (or shipping) point to the place of delivery designated by the purchaser.

(b) *How to figure the actual charge or cost paid or incurred by the seller.* (1) When shipment is by common or contract carrier, the actual charge is the amount paid to the carrier.

(2) In "retail sales" when shipment is by truck owned or controlled by the seller, the cost which the seller figures cannot be higher than the over-all average trucking cost for a similar delivery, arrived at as of the six-month period ending September 1, 1942.

6. In section 12 (a), Table 1 is amended by adding list prices as follows:

TABLE 1—1⅛" PONDEROSA PINE SCREEN DOORS

	Price per dozen						
	2-0 x 6-6	2-0 x 6-8	2-4 x 6-8, 2-6 x 6-0	2-6 x 7-0	2-8 x 6-0, 2-8 x 6-6	2-10 x 6-8	3-0 x 6-6
A-2 4" Stiles and top rail 12" Bottom rail Open, with mouldings bundled		$31.70	$33.95	$35.25	$34.75	$35.90	$35.70
14 mesh galvanized wire	$34.75	35.35		39.35	38.80		40.85
16 mesh galvanized wire	38.85	36.50	38.75	40.75	40.10	41.60	42.20
16 mesh bronze wire	42.70	43.50		49.35	48.25	50.35	51.50
F-2 4" Stiles and top rail 6" Bottom rail 4" Cross rail Open with mouldings bundled		29.95	32.45	33.65	33.95	34.15	33.80
16 mesh galvanized wire		35.45	37.95	39.85	39.00	40.55	40.90
P-2 4" stiles and top rail 6" bottom rail 9" cross rails Open with mouldings bundled		37.50	40.00	41.75	41.05	42.25	42.30
14 mesh galvanized wire	40.85	41.50		45.85	45.20		47.45
16 mesh galvanized wire	41.65	42.40	44.85	47.15	46.40	47.85	48.65
16 mesh bronze wire	48.15	48.95	51.60	55.15	53.95	55.95	57.40

7. In section 12 (a), Table 3 is amended by redesignation of pattern C-1 as C-1a and by adding new list prices as follows:

TABLE 3—SOUTHERN PINE SCREEN DOORS

	Price per dozen						
	2-6 x 6-6	2-6 x 6-8, 2-8 x 6-8	2-8 x 6-10	2-8 x 7-0	2-10 x 6-10	2-10 x 7-0, 3-0 x 6-8	3-0 x 7-0
CC-1c 7/8" thick-3" stiles and top rail 6" bottom rail 2" cross rails *In the white*							
12 mesh black wire	$23.85	$25.05	$25.35	$25.70	$26.20	$26.65	$27.55
14 mesh galvanized wire	25.00	26.40	26.65	27.05	27.60	28.05	29.40
16 mesh galvanized wire	26.70	28.10	28.45	28.95	29.65	30.10	31.25
C-1b 1¼" thick—3" stiles and top rail 6" bottom rail 2" cross rails *In the white*							
12 mesh black wire	27.50	28.65	29.45	29.55	29.95	30.65	31.20
14 mesh galvanized wire	28.75	30.15	30.95	31.15	31.60	32.35	32.95
16 mesh galvanized wire	30.10	31.70	32.55	32.85	33.40	34.15	34.85
CC-2¾" thick-4" stiles and top rail 6" bottom rail 4" cross rails *In the white*							
12 mesh black wire	26.95	28.10	28.90	29.00	29.40	30.10	30.65
14 mesh galvanized wire	28.20	29.60	30.40	30.60	31.05	31.80	32.40
16 mesh galvanized wire	29.55	31.15	32.00	32.30	32.85	33.60	34.30
D-1 1⅛" thick-3" stiles and top rail 6" bottom rail 2" or 3" cross rails *In the white*							
12 mesh black wire	32.35	33.75	34.15	34.50	35.05	35.50	36.00
14 mesh galvanized wire	33.45	35.00	35.30	35.70	36.45	36.95	37.95
16 mesh galvanized wire	34.90	36.50	36.85	37.30	38.15	38.65	39.80
D-2 1⅛" Thick-4" stiles and top rail 6" Bottom rail 4" Cross rails *In the white*							
12 mesh black wire	39.00	40.45	40.85	41.35	42.05	42.45	43.45
14 mesh galvanized wire	40.00	41.55	42.10	42.55	43.30	43.70	44.80
16 mesh galvanized wire	41.25	42.85	43.45	43.90	44.75	45.25	46.55
16 mesh bronze wire	49.65	52.40	53.15	53.90	55.25	55.95	57.95

8. In section 12 (b), a new subparagraph 5 is added as follows:

5. Deduct for each rail and mullion narrower than standard: (Standard refers to specifications listed for each door in the tables.)

From 4" cross rail to 3" cross rail: $.40 per dozen.

From 4" mullions to 1½" mullions: $.40 per dozen.

From 6" bottom rail to 5" bottom rail: $.66 per dozen.

From 3" cross rail to 1½" cross rail: $.30 per dozen.

9. In section 12 (c), new subparagraphs 15 and 16 are added as follows:

15. Special set-up for pattern N-2b (1⅛" Southern pine):

Additional cross rail (dividing screen section in two): $3.00 per dozen.

16. Add for stiles and rails wider than standard: (Standard refers to specifications listed for each door in the tables.)

For 4" stiles and top rail to 5" stiles and top rail: $2.80 per dozen.

For 6" bottom rail to 8" bottom rail: $1.32 per dozen.

For 4" cross rail to 5" cross rail, per rail: $.66 per dozen.

10. Section 14 (a) is amended by adding to the list prices in Table 7 as follows:

TABLE 7—WOOD EXTENSION WINDOW SCREENS

Number	Price per dozen		
	16 mesh galvanized		
933	$3.80		
937	4.00		
1033	3.80		
1237	4.55		
1245	5.95		
1537	6.30		
1545	7.60		
1837	6.95		
1845	8.35		
1860	10.45		
2233	6.65		
2445	9.25		
	12 mesh black cloth	12 mesh galvanized	14 mesh galvanized
1633	$5.30	$5.35	$5.45
1733	5.40	5.45	5.55

11. In section 14, new paragraphs (c) and (d) are added as follows:

(c) Special list extra to Table 7 which applies in sales other than "retail sales" and "mail-order sales" is as follows:

Less than 12 of a size and kind: 10% of the list price for 12 of a size and kind.

(d) If 16 mesh black wire is used, the list prices shall in all cases be as follows:

The list prices for 16 mesh galvanized reduced by the same differential for the identical size as exists between 12 mesh galvanized and 12 mesh black cloth extension window screens in Table 7.

12. In section 15, Appendix E, paragraphs (b), (c), and (d) are renumbered (c), (d), and (e) and a new paragraph (b) is added as follows:

(b) List deductions to Tables 9 and 10 are as follows:

1. Table 9:
Crated 6 to a bundle: $0.17 per door.
Shipped loose (no crating): $0.50 per door.
2. Table 10:
Shipped loose (no crating): $0.13 per door.

13. In section 15, Appendix E, the redesignated paragraph (c) is amended to read as follows:

(c) List extras to Tables 9 and 10 are as follows:

1. Wider than standard combination doors (¾" to 1" wider than standard; standard doors are ½" wider and 1" longer than regular doors): $0.14 per door.
2. Irregular top combination doors:
Circle top: $9.25 per door.
Gothic or Semi-Gothic: $9.25 per door.
Segment Head in and out: $4.75 per door.
Peak Head: $6.90 per door.
3. Finishing doors with two coats of varnish: $1.65 per door.

4. Doors wider than listed: Add to the list price of a 3-0" wide door of the same height, for each additional 2" or fraction thereof:
All sections open: $0.10 per door.
Sash section open, screen section wired: $0.14 per door.
Sash section glazed, screen section wired: $0.19 per door.

5. Doors higher than listed: Add to the list price of a 7-0" door of the same width, for each additional 2" or fraction thereof:
All sections open: $0.19 per door.
Sash section open, screen section wired: $0.19 per door.
Sash section glazed, screen section wired: $0.19 per door.

6. 1⅜" thick combination doors (inserts 1⅛" thick): 20% of the list price.

7. 1¾" thick combination doors (inserts 1⅛" thick): 60% of the list price.

8. Prime coat of linseed oil and white lead: $1.00 per door.

9. Doors with stiles and top rail wider than 4¾" over-all, for each additional ¼" wider or fraction thereof: $0.08 per door.

10. Top and lock rails wider than 4¾" over-all and bottom rail wider than 9¾" over-all for each additional ¼" wider or fraction thereof: $0.02 per door.

11. Preservative treatments:
Preservative treatment with both water repellant and toxic preservative.
Entire door: $.32 per door. Panels: $.13 per door.
Preservative treatment with toxic preservative only: Entire door: $.19 per door. Panels only treated: $.08 per door.

12. The maximum selling price for combination doors or parts of doors listed in Catalogue No. 40, pages 160 through 179, inclusive, but not listed in section 15 of this regulation shall be computed as follows:
Apply the prevailing dealer discount in RMPR 293 to the list in Catalogue No. 40, take the resultant figure and
(i) *For jobbers:* Multiply by 1.20.
(ii) *For dealers:* Multiply by 1.60.

Effective date. This amendment shall become effective April 29, 1944, except that:

If this amendment lowers any maximum price below that previously fixed in this regulation, then: (1) "Sales to jobbers and special dealers" pursuant to firm contracts in existence prior to the issuance of this amendment at lawful prices may be completed according to their terms with respect to shipments made on or before May 15, 1944;

(2) "Sales to regular dealers" may be made at the previous lawful prices where shipment is made on or before June 15, 1944; and

(3) "Retail sales" may be made at the previous lawful prices where delivery is made on or before July 31, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6132; Filed, April 29, 1944; 4:56 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[2d Rev. MPR 346, Amdt. 2]

CORN

A statement of the considerations, involved in the issuance of this amendment, has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 19 is amended to read as follows:

SEC. 19. *Exempt sales.* Whenever circumstances of emergency make the purchase of corn by the United States or any of its agencies imperative and it is impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable, such purchases and deliveries may be made pursuant to the provisions of section 4.3 (f) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation, as amended: *Provided, however,* That the Administrator may, by order, waive the reporting of any part of the information required by section 4.3 (f) in connection with a particular purchase or group of purchases upon determining that such information may not reasonably be required under all the circumstances, and he may, in lieu thereof, require the reporting of other information more suited to the circumstances.

This amendment shall become effective April 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved April 27, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-6133; Filed, April 29, 1944; 4:56 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amdt. 76]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.201 (a) (39) is amended by substituting the phrase "non-mechanically operated vehicle" for the phrase "animal-drawn vehicle".

2. Section 1315.503 (b) (1) is amended to read as follows:

(1) *Occupational purposes.* A certificate for a Grade I tire (or a Grade III tire at the applicant's option) may be issued for a passenger automobile, other than a motorcycle:
(i) Which has a valid supplemental gasoline ration; or
(ii) Which is operated on an interchangeable gasoline ration book; or
(iii) Which is operated on gasoline obtained against an Acknowledgment of Delivery (Form OPA R-544 revised) pursuant to § 1394.7952 of Ration Order No. 5C; or
(iv) Which is not propelled by gasoline or is operated on a valid non-highway gasoline ration, if it is used for an occupational purpose as defined in § 1394.7551 (a) (27) of Ration Order No. 5C.

3. Section 1315.503 (b) (2) is amended to read as follows:

(2) *Motorcycle tires.* A certificate for a motorcycle tire (new or used at applicant's option) may be issued for a motorcycle if any of the purposes for which it is used constitute occupational mileage as defined in § 1394.7551 (a) (27) of Ration Order No. 5C.

4. Section 1315.503 (b) (3) is hereby revoked.

5. Section 1315.503 (c) is amended to read as follows:

(c) *Eligibility for Grade III tires.* A certificate for a Grade III tire may be issued for a passenger automobile, other than a motorcycle, which is not eligible under paragraph (b) and:
(1) Which is operated on a valid basic gasoline ration; or
(2) Which is operated on a valid non-highway gasoline ration or which is not propelled by gasoline; or
(3) Which is registered and normally garaged or stationed in Canada and obtains its gasoline under a special ration granted pursuant to §§ 1394.7851 or 1394.7856 of Ration Order No. 5C. Any Board may issue a certificate for a Grade III tire and new tubes under this subparagraph.

6. Section 1315.503 (d) is amended to read as follows:

(d) *Replacement of recappable tire carcass.* In any area where recapping facilities are unavailable or inadequate, an applicant may be granted a certificate for a Grade III tire if he is otherwise eligible under paragraph (b) (1) or (c) of this section, or a certificate for a new or used motorcycle tire if he is otherwise eligible under paragraph (b) (2) of this section.

7. The title and introductory paragraphs of § 1315.504 are amended to read as follows:

§ 1315.504 *Additional proof of need for commercial motor vehicle and non-mechanically operated vehicle.* In addition to meeting all of the conditions of § 1315.501, an applicant for a tire or tube for a commercial motor vehicle or a non-mechanically operated vehicle must meet the following conditions:

8. Section 1315.504 (b) is amended by deleting the phrase: "for a commercial motor vehicle".

9. Section 1315.505 (b) (2) is amended to read as follows:

(2) A certificate for a used truck tire of a size smaller than 7.50–20, for any grade of passenger tire, or for a new tube may be granted for any commercial motor vehicle which meets the applicable requirements of §§ 1315.501 and 1315.504.

10. Section 1315.506 (a) (1) (i) is amended by deleting the last sentence thereof.

11. Section 1315.511 is amended to read as follows:

§ 1315.511 *Eligibility of house trailers.* A person who meets the applicable conditions of §§ 1315.501 and 1315.504 may be granted a certificate for tires and new tubes for movement of house trailers in accordance with the following:

(a) If application is made for tires and tubes to equip a house trailer which is eligible under this paragraph (a), the Board may issue a certificate for new tubes and for Grade III tires if they are available in the community, or for Grade I tires if Grade III tires are not available. However, if the Board determines that a passenger-type tire would be an uneconomical use of rubber in view of the load to be carried, it may issue a certificate for a new or used truck tire of a size smaller than 7.50–20, except a new truck tire of the size 7.00–20/32 x 6 (ten-ply). Eligibility may be established under this paragraph:

(1) *Use by itinerant workers.* For a house trailer used exclusively to furnish housing to itinerant workers rendering any of the construction, maintenance or repair services listed in § 1315.505 (a) (14) (ii) or other services essential to the public health, safety or the war effort, if it is required to enable such persons to be located near their place of work;

(2) *Use by commercial towers of trailers.* To provide a person in the business of towing trailers with eight tires and eight new tubes, plus four additional tires and four new tubes for each separate branch where he maintains a tow car.

(b) If the house trailer is to be moved for any purpose other than those described in paragraph (a), the Board may issue a certificate only for Grade III tires and new tubes.

12. Section 1315.515 is amended to read as follows:

§ 1315.515 *Eligibility of non-mechanically operated vehicle.* If tires are essential for the operation of a non-mechanically operated vehicle which meets the applicable conditions of §§ 1315.501 and 1315.504, a certificate may be granted for the same types and grades of tires and tubes for which the vehicle would be eligible under § 1315.505 if it were a commercial motor vehicle. No certificate shall be issued under this section to equip any vehicle which is eligible for a tire or a new tube under § 1315.506.

13. Section 1315.511 (c) (1) is added to read as follows:

(1) Any dealer may, in exchange for a certificate for a Grade I tire, transfer to the holder thereof of a Grade I tire of any size suitable for use on the vehicle for which the certificate was issued.

This amendment shall become effective May 1, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 1st day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6208; Filed, May 1, 1944; 11:48 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5F,[1] Amdt. 8]

MILEAGE RATIONING: GASOLINE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5F is amended in the following respects:

1. Section 4.1 is amended to read as follows:

SEC. 4.1 *Basic rations.* A basic ration may be obtained for use with a registered passenger automobile or a registered motorcycle, except that no basic ration shall be issued for use with any motor vehicle which is:
(a) Owned or leased by a Federal, Territorial, local or foreign government or government agency.
(b) Part of a fleet of passenger automobiles or motorcycles.
(c) Held by a motor vehicle dealer for sale or resale.
(d) A vehicle available for public rental.

2. Section 4.2 is amended to read as follows:

SEC. 4.2 *Basic ration books.* Class "A" and class "D" books marked "Basic", shall be issued as basic rations. Class "A" books are issued for passenger automobiles and class "D" books for motorcycles. Subject to the provisions of section 4.3 (e), which relates to the tailoring of coupons from books issued after the beginning of the ration period, each book issued for use after the dates specified in Table I below shall originally contain 48 coupons. Basic ration books issued previously to the dates specified in Table I below shall originally contain 32 coupons. Each coupon in a basic ration book shall have a value of one unit. Coupons in class "A" books shall be valid for the transfer of gasoline to a consumer only during the periods indicated in Table II below. Coupons in basic class "D" books shall be valid for the transfer of gasoline to a consumer for a period of twelve calendar months after the date upon which this order becomes effective on each island or the date of issuance of the ration, whichever is later.

TABLE I—REISSUE DATE FOR BASIC RATIONS CONTAINING 48 COUPONS

Island:	Date
Kauai	March 1, 1944.
Maui	April 1, 1944.
Oahu	June 1, 1944.
Hawaii	August 1, 1944.
Molokai	December 1, 1944.

TABLE II—VALIDITY PERIODS FOR CLASS A COUPONS

Island	Month and year—																	
	Mar. 1944	Apr. 1944	May 1944	June 1944	July 1944	Aug. 1944	Sept. 1944	Oct. 1944	Nov. 1944	Dec. 1944	Jan. 1945	Feb. 1945	Mar. 1945	Apr. 1945	May 1945	June 1945	July 1945	Aug. 1945	Sept. 1945	Oct. 1945	Nov. 1945
Kauai	7	7	8	8	9	9	10	10	11	11	12	12	----	----	----	----	----	----	----	----	----
Maui	6	7	7	8	8	9	9	10	10	11	11	12	12	----	----	----	----	----	----	----	----
Oahu	5	6	6	7	7	8	8	9	9	10	10	11	11	12	12	----	----	----	----	----	----
Hawaii	5	5	6	6	7	7	8	8	9	9	10	10	10	11	11	12	12	----	----	----	----
Molokai	4	5	5	6	6	7	7	8	8	9	9	10	10	11	11	12	12	12	12	12	12

3. The last sentence in section 4.3 (e) is amended to read as follows:

A Board or issuing agent shall remove one coupon from a basic "D" ration book for each full eight days which have elapsed in the valid period during which the book is issued.

4. The table for motorcycles in Table I of section 5.5 is amended to read as follows:

MOTORCYCLES

Allowed mileage:	Number of coupons
0–75	(1)
76–88	1
89–101	2
102–115	3
116–128	4
129–141	5
142–155	6
156–168	7
169–181	8
182–195	9

[1] No supplemental "D" Book.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10742, 10787, 13125, 14155, 15965.

[1] 7 F.R. 9160, 9392, 9724.

MOTORCYCLES—Continued

Allowed mileage—Continued.	Number of coupons
196–208	10
209–221	11
222–235	12
236–248	13
249–261	14
262–275	15
276–288	16
289–301	17
302–315	18
316–328	19
329–341	20
342–355	21
356–368	22
369–381	23
382–395	24

5. The words "or Motorcycles" in the heading of Table II in section 5.5 are hereby deleted.

6. The words "or Supplemental Class D book" contained in parenthesis in the heading of Table II in section 5.5 are hereby deleted and the word "book" inserted in lieu thereof.

7. The following table for Motorcycles is added to immediately follow the table for passenger automobiles in Table II of section 5.5 to read as follows:

MOTORCYCLES

Allowed mileage:	Number of Coupons (Supplementary class "D" book)
395–408	25
409–421	26
422–435	27
436–448	28
449–461	29
462–475	30
476–488	31
489–501	32
502–515	33
516–528	34
529–541	35
542–555	36
556–568	37
569–581	38
582–595	39
595–608	40
609–621	41
622–635	42
636–648	43
649–661	44
662–675	45
676–688	46
689–701	47
702–715	48

8. The note at the bottom of Table II in section 5.5 is deleted and the following note inserted in lieu thereof:

NOTE: In the event allowed mileage exceeds 1,035 miles for passenger automobiles, one additional coupon shall be issued for each 20 miles or fraction thereof, of allowed mileage in excess of 1,035 miles. In the event allowed mileage exceeds 715 miles for motorcycles, one additional coupon shall be issued for each 13 miles or fraction thereof, of allowed mileage in excess of 715 miles.

This amendment shall become effective May 1, 1944.

NOTE: All record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget as required by the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 562, Supp. Dir. 1–Q, 7 F.R. 9121, General Order No. 48, 8 F.R. 2898)

Issued this 1st day of May 1944.

MELVIN C. ROBBINS,
Territorial Director,
Territory of Hawaii.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44–6212; Filed, May 1, 1944; 11:47 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 134]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 7.3 (c) is added to read as follows:

(c) However, any person may make an industrial use of foods covered by this order which have a zero point value without registering as an industrial user.

2. Section 8.5 (c) is amended by adding the following sentence:

Similarly, if a person who deals in foods covered by this order and makes sales or transfers of them does not actually keep such foods at any particular place, his operations as a whole are regarded as his establishment, and he may register as a wholesaler or retailer (but not as a primary distributor of the type described in section 4.9), depending on the class of persons to whom he makes transfers.

This amendment shall become effective May 5, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 1st day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6213; Filed, May 1, 1944; 11:47 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13128, 13394, 13970, 14399, 14623, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 106, 220, 403, 677, 695, 849, 1054, 1532, 1581, 1728, 1818, 1909, 2235, 2240, 2406, 2568, 2606, 2787, 3033, 3034, 3073, 3830, 3514, 3580, 3707, 3848, 3944, 3746, 4099, 4017.

PART 1411—COMPENSATORY ADJUSTMENT

[Rev. Comp. Adj. Reg. 1, Amdt. 3]

WARTIME INCREASES IN THE COST OF TRANSPORTING COAL

Revised Compensatory Adjustment Regulation No. 1 is amended in the following respect:

Section 1411.2 (c) (3) is amended by adding a proviso thereto, as follows:

Provided, That, in the case of an f. a. s. dock operator who, due to wartime conditions, purchased bituminous coal from the mine during December 15–31, 1941, (or the nearest earlier date on which such coal was received), at a price abnormally high in relation to the mine price upon which his December 15–31, 1941 selling price for such coal was based, the limitation set forth in this subparagraph (3) shall not apply.

This amendment shall become effective as of October 11, 1943, and the provisions thereof shall apply to applications relating to coal received on or after May 18, 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6215; Filed, May 1, 1944; 11:48 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 502,[1] Amdt. 1]

POPCORN

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation 502 is amended in the following respects:

1. In section 4, paragraph (c) is amended and a new paragraph (g) is added to read as follows:

(c) *Meaning of "processor."* As used in this regulation, the term "processor" means an individual, corporation or partnership, engaged in the business of processing popcorn and who performs all the functions of cleaning, screening, grading, testing and curing shelled popcorn and sells it in bulk or in packages. The processor's maximum prices named in section 4 (a) and (b) for processed shelled popcorn are applicable only to sales by processors as defined in paragraph (c) of this section.

(g) *Meaning of "processed shelled popcorn."* "Processed shelled popcorn" means shelled popcorn that has been fully cleaned, screened, graded, tested, and cured so that it contains not more than 14 percent moisture content and is in prime popping condition. Any shelled popcorn which does not conform with the requirements of this definition shall be deemed to be unprocessed shelled popcorn.

2. Section 16 (b) is amended to read as follows:

(b) *Evasion.* Nor shall any person evade a maximum price, directly or indirectly, whether by commission, service, transportation, or other charge or discount, premium or other privilege; by tying agreement or other trade understanding; by any change of style of pack; by a business practice relating to grading, cleaning, testing, screening, curing, processing; by temporarily leasing facilities for processing, labeling or packaging, or in any other way.

This amendment shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of May 1944.

CHESTER BOWLES,
Administrator.

Approved: April 27, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44–6211; Filed, May 1, 1944; 11:49 a. m.]

[1] 8 F.R. 17372.

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

PART 300—GENERAL PROVISIONS

[G.O. 43]

ADMINISTRATION OF OATHS FOR ELECTION PURPOSES

§ 300.10 *Who may administer.* Pursuant to section 304 (b) of Public Law 277, 78th Congress, an act to facilitate voting by members of the merchant marine of the United States, as defined by section 403 (2) of such act, all masters, first officers, and chief engineers of vessels documented under the laws of the United States and all pursers of any such vessels are hereby authorized to administer and attest such oaths as are required by the act.

(Pub. Law 277, 78th Cong.)

[SEAL] E. S. LAND,
Administrator.

APRIL 27, 1944.

[F. R. Doc. 44–6070; Filed, April 28, 1944; 12:12 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 95—CAR SERVICE

[S. O. 205]

BUNKER ICING AT ROSEVILLE, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 28th day of April, A. D. 1944.

It appearing, that the initial bunker icing at Watsonville Junction, California, of refrigerator cars loaded with fresh or green vegetables originating in the Salinas-Watsonville district of California, requires the shipment of ice from other points to Watsonville Junction, thereby interfering with the best utilization of cars, congesting traffic and wasting transportation; in the opinion of the Commission an emergency exists requiring immediate action:

It is ordered, That:

§ 95.339 *Refrigerator cars; initial bunker icing at Roseville.* (a) For carriers' convenience refrigerator cars loaded with shipments of fresh or green vegetables originating in the Salinas-Watsonville district of California (defined herein as stations on the Southern Pacific Company, Coast Division, between King City, California, and Gilroy, California, including Santa Cruz, Monterey and Hollister branches), may be initially bunker iced at Roseville, California, where bunker icing on such shipments is not otherwise prohibited by order of this Commission.

(b) *Tariff provisions suspended.* The operation of all tariff rules, regulations, or charges insofar as they conflict with the provisions of this order is hereby suspended.

(c) *Announcement of suspension.* Each of such railroads or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby announcing the suspension of any of the provisions therein. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective at 12:01 a. m., May 1, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44–6105; Filed, April 29, 1944; 11:15 a. m.]

PART 97—ROUTING OF TRAFFIC

[S. O. 204]

REROUTING OF FREIGHT TRAFFIC IN OHIO, MISSOURI AND MISSISSIPPI RIVER VALLEYS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 28th day of April, A. D. 1944.

It appearing, that flood conditions existing in the following river valleys: Ohio, Missouri, Mississippi Rivers and their tributaries, are interrupting transportation service upon the lines of common carriers by railroad reaching such rivers and tributaries affected by the floods so that such carriers are unable properly to serve the public; in the opinion of the Commission an emergency exists requiring immediate action to avoid congestion of traffic, and in order to best promote the service in the interest of the public and the commerce of the people;

It is ordered, That:

§ 97.13 *Flood conditions.*—(a) *Rerouting of freight traffic.* Effective at once and until the further order of the Commission all common carriers by railroad subject to the Interstate Commerce Act operating within the following river valleys: Ohio, Missouri, Mississippi Rivers, and their tributaries, where tracks are not usable due to floods, are hereby directed to forward freight traffic having origin or destination in, or ordinarily moving through such territory via routes most available to expedite its movement and prevent congestion, without regard to the routing thereof made by shippers or by carriers from which the traffic is received, or to the ownership of cars: *Provided,* That the billing covering all cars rerouted shall carry a reference to this order as authority for the rerouting. All rules, regulations, and practices of said carriers with respect to car service are hereby suspended and superseded insofar only as conflicting with the directions hereby made.

(b) *Rates to be applied.* That inasmuch as such disregard of routing is deemed to be due to carriers' disability, the rates applicable to traffic so forwarded by routes other than those designated by shippers, or by carriers from which the traffic is received, shall be the rates which were applicable at date of shipment over the routes so designated.

(c) *Division of rates.* In executing the orders and directions of the Commission provided for in this order the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; such divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers; and upon failure of the carriers to so agree, said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act. (40 Stat. 101, sec. 402, 418; 41 Stat. 476, 485; sec. 4, 10; 54 Stat. 901, 912; 49 U.S.C. 1 (10)–(17), 15 (4))

It is further ordered, That copies of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44–6104; Filed, April 29, 1944; 11:15 a. m.]

Chapter II—Office of Defense Transportation

[Administrative Order ODT 1, Amdt. 11]

PART 503—ADMINISTRATION

DELEGATION OF AUTHORITY; DIVISION OF RAILWAY TRANSPORT

Pursuant to Executive Order 8989, as amended, § 503.4 of Administrative Order ODT 1, as amended (8 F.R. 6001, 17278, 9 F.R. 223), is hereby amended to read as follows:

§ 503.4 *Division of Railway Transport.* (a) The Director, Division of Railway Transport, Office of Defense Transportation, is authorized and directed as follows:

(1) *Removal of freight from, and unloading of cars at port areas.* To issue, in his discretion, the directions contemplated by § 502.25 of General Order ODT 12A (9 F.R. 222) or as such order may be amended, revised, or reissued.

(2) To amend, modify, or revoke any direction issued pursuant to the provisions of § 502.25 of General Order ODT 12A, or as such order may be amended, revised, or reissued.

(3) *Passenger train operations.* To execute and issue, in his discretion, and in the name of the Director of the Office of Defense Transportation, special permits as provided in General Order ODT 24, as amended (7 F.R. 7814, 10484), or as such order may be further amended, revised, or reissued.

(4) *Movement of traffic in tank cars.* To administer the provisions of §§ 502.109, 502.110, 502.113, 502.114, 502.115, 502.116, 502.117, 502.118, 502.119, and 502.121 of General Order ODT 7, Revised (7 F.R. 10484), or as such order may be amended, further revised, or reissued, and to issue such directions, instructions and orders, and require such reports, with the approval of the Bureau of the Budget where necessary, as may be required to administer the provisions thereof.

(5) To exercise the authority conferred by subparagraphs (1) to (4) of this paragraph (a) through such members of the staff of the Division of Railway Transport as he may designate.

(b) The Eastern Director, Eastern Region, Division of Railway Transport, Office of Defense Transportation, is authorized and directed as follows:

(1) *Emergency rail service; Eastern Region.* To request from rail carriers, in the event of enemy attack through bombing or otherwise, such emergency railroad service in the Eastern Region (including the States of Indiana, Ohio, New York, Pennsylvania, New Jersey, Delaware, Maryland, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, Maine, and the southern peninsula of Michigan) as may be necessary or required:

(i) To evacuate civilians from any area, point or place in such region;

(ii) For the transportation of fire apparatus from any point or place to any other point or place in such region;

(iii) For the transportation of injured persons in such region to any point or place for hospitalization;

(iv) For the transportation of food and other vital supplies in such region as may be requested by the Office of Civilian Defense; or

(v) For such other emergency railroad transportation as may be requested by responsible officials of the Office of Civilian Defense.

(2) The authority conferred in subparagraph (1) of this paragraph (b) shall be exercised only at the request of responsible officials or officers of the Office of Civilian Defense, the Department of War, or the Department of the Navy.

(3) *Coordination of rail traffic.* To coordinate and direct domestic rail traffic movements over the lines of common carriers by railroad operating east of the Indiana-Illinois State line and north of the Ohio and Potomac rivers, but not including operations in the States of West Virginia and Virginia, or in the District of Columbia, with the objective of preventing or removing traffic congestion, and assuring the orderly and expeditious movement of men, materials and supplies to points of need.

(c) The Southern Director, Southern Region, Division of Railway Transport, Office of Defense Transportation, is authorized and directed as follows:

(1) *Emergency rail service; Southern Region.* To request from rail carriers, in the event of enemy attack through bombing or otherwise, such emergency railroad service in the Southern Region (including the States of Kentucky, West Virginia, Virginia, Tennessee, North Carolina, South Carolina, Mississippi, Alabama, Georgia, Florida, that portion of Louisiana east of the Mississippi River, and the District of Columbia), as may be necessary or required:

(i) To evacuate civilians from any area, point, or place in such region;

(ii) For the transportation of fire apparatus from any point or place to any other point or place in such region;

(iii) For the transportation of injured persons in such region to a place of hospitalization;

(iv) For the transportation of food and other vital supplies in such region as may be requested by the Office of Civilian Defense; or

(v) For such other emergency railroad transportation as may be requested by responsible officials of the Office of Civilian Defense.

(2) The authority conferred in subparagraph (1) of this paragraph (c) shall be exercised only at the request of responsible officials or officers of the Office of Civilian Defense, the Department of War, or the Department of the Navy.

(3) *Coordination of rail traffic.* To coordinate and direct domestic rail traffic movements over the lines of common carriers by railroad operating east of the Mississippi River and south of the Ohio and Potomac rivers, including operations in the States of West Virginia and Virginia and in the District of Columbia, with the objective of preventing or removing traffic congestion, and assuring the orderly and expeditious movement of men, materials and supplies to points of need.

(d) The Western Director, Western Region, Division of Railway Transport, Office of Defense Transportation, is authorized and directed as follows:

(1) *Coordination of rail traffic.* To coordinate and direct domestic traffic movements over the lines of western carriers by railroad (within and between the States of Washington, Oregon, California, Arizona, Nevada, Utah, Idaho, New Mexico, Montana, Wyoming, Colorado, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Wisconsin, Illinois, the upper peninsula of Michigan, and all that part of Louisiana west of the Mississippi River), with the objective of preventing possible points of traffic congestion and assuring the orderly and expeditious movement of men, materials and supplies to points of need.

(2) *Emergency rail service; Western Region.* To request from rail carriers, in the event of enemy attack through bombing or otherwise, such emergency railroad service in the Western Region (including the States of Washington, Oregon, California, Arizona, Nevada, Utah, Idaho, New Mexico, Montana, Wyoming, Colorado, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Wisconsin, Illinois, the upper peninsula of Michigan, and all that part of Louisiana west of the Mississippi River), as may be necessary or required:

(i) To evacuate civilians from any area, point or place in such region;

(ii) For the transportation of fire apparatus from any point or place to any other point or place in such region;

(iii) For the transportation of injured persons in such region to a place of hospitalization;

(iv) For the transportation of food and other vital supplies in such region as may be requested by the Office of Civilian Defense; or

(v) For such other emergency railroad transportation as may be requested by responsible officials of the Office of Civilian Defense.

(3) The authority conferred in subparagraph (2) of this paragraph (d) shall be exercised only at the request of responsible officials or officers of the Office of Civilian Defense, the Department of War, or the Department of the Navy.

(e) The Deputy Western Director, Western Region, Division of Railway Transport, Office of Defense Transportation, is authorized and directed as follows:

(1) *Emergency rail service, Pacific Coast District, Western Region.* To request from rail carriers, in the event of enemy attack through bombing or otherwise, such emergency railroad service within the Pacific Coast District, Western Region, as may be necessary or required:

(i) To evacuate civilians from any area, point, or place in such district;

(ii) For the transportation of fire apparatus from any point or place to any other point or place in such district;

(iii) For the transportation of injured persons in such district to a place of hospitalization;

(iv) For the transportation of food and other vital supplies in such district as may be requested by the Office of Civilian Defense; or

(v) For such other emergency railroad transportation as may be requested by responsible officials of the Office of Civilian Defense.

(2) The authority conferred in subparagraph (1) of this paragraph (e) shall be exercised only at the request of responsible officials or officers of the office of Civilian Defense, the Department of War, or the Department of the Navy.

This Amendment 11 to Administrative Order ODT 1 shall become effective April 29, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183)

Issued at Washington, D. C., this 29th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-6097; Filed, April 29, 1944; 10:09 a. m.]

[Administrative Order ODT 1, Amdt. 12]

PART 503—ADMINISTRATION

DELEGATION OF AUTHORITY; DIVISION OF TRAFFIC MOVEMENT

Pursuant to Executive Order 8989, as amended, § 503.5 of Administrative Order ODT 1, as amended (8 F.R. 6001, 14857), is hereby amended to read as follows:

§ 503.5 *Division of Traffic Movement.* (a) The Director, Division of Traffic Movement, Office of Defense Transportation, is authorized and directed as follows:

(1) *Merchandise traffic.* To execute and issue, in his discretion, and in the name of the Director of the Office of Defense Transportation, special permits as provided by General Order ODT 1, as amended (7 F.R. 3046, 3213, 3753, 9744), or as such order may be further amended, revised, or reissued.

(2) *Carload traffic.* To execute and issue, in his discretion, and in the name of the Director of the Office of Defense Transportation, special permits contemplated by § 500.73 of General Order ODT 18A, as amended (8 F.R. 14477, 9 F.R. 116), or as such order may be further amended, revised, or reissued.

(3) *Movement of traffic in tank cars.* (i) To administer the provisions of §§ 502.111, 502.112, 502.120 and 502.122 of General Order ODT 7, Revised (7 F.R. 10484), or as such order may be amended, further revised, or reissued, and to issue such directions, instructions and designations, establish such symbol train routes, prescribe such schedules and rules, and with the approval of the Bureau of the Budget, where necessary, require such reports as may be necessary to administer such provisions;

(ii) To establish symbol train routes and schedules (*a*) for the through and uninterrupted movement of petroleum and petroleum products, in tank cars, from any point in the continental United States to any destination in the continental United States located outside District No. 1 as such district is defined in General Order ODT 7, Revised (7 F.R. 10484), or as such order may be amended, further revised, or reissued; and (*b*) for the through and uninterrupted movement of empty tank cars, the loaded movement of which was over any such symbol train route; and

(iii) To issue such directions, instructions, rules, and regulations, and with the approval of the Bureau of the Budget, where necessary, to require such reports, as may be necessary to administer the provisions of subdivision (ii) hereof.

(b) *Exercise of authority.* The authority conferred by paragraph (a) of this § 503.5 may be exercised by the Director, Division of Traffic Movement, through such officials of the Office of Defense Transportation as he may designate.

This Amendment 12 to Administrative Order ODT 1 shall become effective April 29, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183)

Issued at Washington, D. C., this 29th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-6096; Filed, April 29, 1944; 10:09 a. m.]

[Administrative Order ODT 16, Revocation]

PART 503—ADMINISTRATION

DELEGATION OF AUTHORITY: DEPUTY DIRECTOR

Pursuant to Executive Orders 8989, as amended, 9108, as amended, 9156, 9214, 9294, 9341, and War Production Board Directive 21, *It is hereby ordered,* That Administrative Order ODT 16 (9 F.R. 2178) shall be, and it hereby is, revoked.

This revocation shall become effective on April 28, 1944.

(E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9108, as amended, 7 F.R. 2201 and 8 F.R. 3687; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221; E.O. 9341, 8 F.R. 6323; War Production Board Directive 21, 8 F.R. 5834)

Issued at Washington, D. C., this 28th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-6095; Filed, April 29, 1944; 10:09 a. m.]

Notices

TREASURY DEPARTMENT.

Office of the Secretary.

CERTAIN WIRELESS AND WIRE SERVICES, AND CERTAIN TRANSPORTATION SERVICES

EXEMPTION FROM TAXES

APRIL 29, 1944.

By virtue of the authority vested in me by section 307 (c) of the Revenue Act of 1943 (Public Law 235, 78th Congress, 2d Session), exemption is hereby authorized: (1) from the taxes imposed by section 3465 of the Internal Revenue Code (26 U.S.C. 3465) as to any payment for telephone, telegraph, cable, radio, or leased wire services or facilities furnished directly to the United States and for which payment is made directly by the United States, *Provided,* That nothing in this authorization shall be construed to authorize any exemption as to payments for services or facilities furnished to a contractor, or other person, operating under a contract to perform work on behalf of, or to furnish articles or materials to, the United States. Government or any agency thereof; (2) from the tax imposed by section 3469 of the Internal Revenue Code (26 U.S.C. 3469) as to any payment for transportation of persons furnished to the United States upon a United States Government transportation request; (3) from the tax imposed by section 3475 of the Internal Revenue Code (26 U.S.C. 3475) as to any payment for transportation of property to or from the Government of the United States shipped on a United States Government bill of lading.

Unless sooner terminated this authorization shall expire at the close of the last day of the month immediately preceding the first month which begins six months or more after the date of the termination of hostilities in the present war.

[SEAL] JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-6128; Filed, April 29, 1944; 3:55 p. m.]

DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

BOYD MOUNTS

ORDER REVOKING LICENSES, DIRECTING SURRENDER OF LICENSES, AND REQUIRING RECORDS TO BE FURNISHED

In the matter of licensee, Boyd Mounts. Proceedings for revocation of licenses.

To: Boyd Mounts, O'Keefe, Mingo County, West Virginia.

Based upon the records in this matter, including all communications received from you, I make the following findings of fact.

1. On February 25, 1944, a specification of charges against you, setting forth violations of the Federal Explosives Act (55 Stat. 863), as amended, and the regulations pursuant thereto of which you were accused, was mailed to you giving you notice to mail an answer within 15 days from February 25, 1944, answering the charges against you and requesting an oral hearing if you wished.

2. More than 50 days have elapsed since February 25, 1944. The length of time required for mail to be delivered to the Bureau of Mines, Washington, D. C., from O'Keefe, West Virginia, does not exceed 3 days. The only communications received from you have been your replies dated March 9, 1944, and April 3, 1944. You have not requested an oral hearing.

3. You have admitted that you purchased and possessed explosives at a time when you were not licensed under the act. This was a violation of section 2 of the act.

4. You have admitted that you sold explosives without requiring the purchasers to present licenses issued to them under the act and that you did not have certified or photographic copies of their licenses on file in your office. This was a violation of section 15 of the regulations.

5. You have admitted that you failed to keep a full, detailed, and tabulated record of your transactions and operations involving explosives. This was a violation of section 5 of the act and section 14 (d) of the regulations.

6. You have admitted that on or about January 6, 1944, you stored explosives otherwise than in a properly constructed, safely located and securely locked magazine. This was a violation of section 17 (a) of the regulations.

7. You have admitted that on or about January 6, 1944, you stored explosives on premises not marked with a sign containing the words "Explosives—Keep Off." This was a violation of section 12 of the act and section 17 (b) of the regulations.

Now, therefore, by virtue of the authority vested in me by the Federal Explosives Act and the regulations pursuant thereto, I hereby order:

1. That all licenses issued to you under the Federal Explosives Act be and they are hereby revoked as of midnight, May 10, 1944.

2. That prior to midnight, May 10, 1944, you shall sell or otherwise dispose of to properly licensed persons, or destroy, all explosives and ingredients of explosives owned or possessed by you, or consigned to you, or which are in your custody.

3. That after having disposed of or destroyed all explosives and ingredients of explosives as required by paragraph 2 of this order you shall, prior to midnight, May 10, 1944, deliver or mail to Alex U. Miller, Supervising Engineer, United States Bureau of Mines, Post Office Building, Mount Hope, West Virginia, a sworn statement of your transactions in and destructions of explosives and ingredients of explosives, beginning with the date of this order and ending with the final sale or other disposition, or with the final destruction, of the explosives and ingredients of explosives as required above. The statement shall set forth the amount of each kind of explosives and ingredients of explosives which you had on hand at each location at the opening of business on the date of this order, the amount of each kind acquired by you on that date and each day thereafter, the dates on which acquired, the names and addresses of the persons from whom acquired, the amount of each kind sold or otherwise disposed of by you, the dates on which sold or otherwise disposed of, the names and addresses and the numbers and dates of Federal explosives licenses of the persons to whom sold or otherwise disposed of, the amount of each kind destroyed by you, the dates on which destroyed and the places where destroyed.

4. That prior to midnight, May 10, 1944, you shall surrender all licenses issued to you under the Federal Explosives Act, and all copies thereof, by mailing or delivering them to Alex U. Miller, Supervising Engineer, United States Bureau of Mines, Post Office Building, Mount Hope, West Virginia.

Failure to comply with any of the provisions of this order will constitute a violation of the Federal Explosives Act punishable by a fine of not more than $5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

This order shall be published in the FEDERAL REGISTER.

Dated at Washington, D. C., this 27th day of April 1944.

R. R. SAYERS,
Director, Bureau of Mines.

[F. R. Doc. 44-6198; Filed, May 1, 1944; 11:11 a. m.]

General Land Office.

[Withdrawal 150]

WYOMING

AIR-NAVIGATION SITE WITHDRAWAL REDUCED

The order of the Acting Secretary of the Interior dated December 20, 1940, withdrawing certain lands in Wyoming for the use of the Department of Commerce in the maintenance of air-navigation facilities, is hereby revoked so far as it affects the following-described lands, which are withdrawn by Executive Order No. 5327, of April 15, 1930, as modified, and within the boundaries of Wyoming Grazing District No. 4.

SIXTH PRINCIPAL MERIDIAN

T. 17 N., R. 109 W.,
Sec. 6, NE¼ of lot 7.
The area described contains 10 acres.

This order shall not otherwise become effective to change the status of the lands until 10:00 of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

APRIL 24, 1944.

[F. R. Doc. 44-6199; Filed, May 1, 1944; 11:11 a. m.]

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

CRENSHAW AND PIKE COUNTIES, ALA.

DESIGNATION OF LOCALITIES FOR LOANS

Designation of localities in counties in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's delegation of authority issued November 3, 1943, loans made in the counties mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION V

ALABAMA

Crenshaw County

Locality I: Consisting of the precincts of Bradleyton & Petrey, Danielville, Honoraville & Gravil Hill, Saville & Highland Home, and Surles & Coleman, $1,301.

Locality II: Consisting of the precincts of Dorman & Vidette, Fullers Crossroads & Live Oak, Glenwood, Luverne & Vernledge, and Rutledge, $2,310.

Locality III: Consisting of the precincts of Bullock & Host, Dozier & Searight, Leon & Theba, and Mount Ida & Brantley, $1,706.

Locality IV: Consisting of the precinct of Aiken & Pleasant Home, $1,479.

Pike County

Locality I: Consisting of the precincts of China Grove, Cross Roads, Indian Branch, Josie, Kings, Linwood, Mitchells, Orion, and Saco, $1,357.

Locality II: Consisting of the precincts of Goshen Hill, Grimes, Little Oak, Tanyard, and Troy, $2,909.

Locality III: Consisting of the precincts of Darbys, and Spring Hill, $2,012.

Locality IV: Consisting of the precincts of Dixons, and Monticello, $2,022.

The purchase price limits previously established for the counties abovementioned are hereby cancelled.

Approved: April 28, 1944.

FRANK HANCOCK,
Administrator.

[F. R. Doc. 44-6081; Filed, April 28, 1944; 3:13 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 570 et al.]

EASTERN AIR LINES, INC., ET AL.

NOTICE OF HEARING

Great Lakes to Florida Case.

In the matter of the applications of Eastern Air Lines, Inc., Delta Air Corp., Pennsylvania-Central Airlines, Corp., State Airlines, Inc., Air Transport Corporation, American Airlines, Inc., South East Airlines, Virginia Central Airlines, National Airlines, Inc., Colonial Airlines, Inc., and Seaboard Airways, Inc., for certificates and amendment of existing certificates of public convenience and necessity, under section 401 of the Civil Aeronautics Act of 1938, as amended, and the petition of the City of Spartanburg, S. C.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on June 12, 1944, at 10 a. m. (eastern war time), in Conference Room B, Departmental Auditorium, Constitution Avenue between 12th and 14th Street, NW., Washington, D. C., before Examiner Ross I. Newmann.

Dated Washington, D. C., April 28, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-6140; Filed, May 1, 1944; 10:32 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 226]

RECONSIGNMENT OF POTATOES AT MINNEAPOLIS, MINN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Minneapolis, Minnesota, April 26, 1944, by R. A. Klotz, Chicago, Illinois, of car ART 15160, potatoes, now on the Great Northern Railway, to Iola, Wisconsin.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6098; Filed, April 29, 1944; 11:15 a. m.]

[S. O. 70-A, Special Permit 227]

RECONSIGNMENT OF POTATOES AT BURLINGTON, IOWA

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Burlington, Iowa, April 26, 1944, by National Produce, Chicago, Illinois, of car PFE 95934, potatoes, now on the C. B. & Q. Railway to Chicago, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6099; Filed, April 29, 1944; 11:15 a. m.]

[S. O. 70-A, Special Permit 228]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 22, 1944, by E. Sullivan, Missouri Pacific Railway, St. Louis, Missouri, of car SFRD 38972, potatoes, now on the Wabash Railway, to Philadelphia, Pennsylvania.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6100; Filed, April 29, 1944; 11:15 a. m.]

[S. O. 164, 5th Amended General Permit 10]

REICING OF CITRUS FRUITS AT POINTS IN DESIGNATED SOUTHERN STATES

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once in transit to full bunker capacity at a regular icing station en route but not beyond Florence, South Carolina, Aberdeen, North Carolina, Spencer, North Carolina, Augusta, Georgia, Atlanta, Georgia, Pensacola, Florida, Montgomery, Alabama, or Birmingham, Alabama, after the first or initial icing at an icing station in the State of Florida, any refrigerator car or cars loaded with citrus fruits, originating at points in the State of Florida, and to provide one additional reicing in transit to full bunker capacity at a regular icing station en route beyond the points named above.

The waybills shall show reference to this general permit.

This permit shall become effective at 12:01 a. m., April 29, 1944, and shall expire at 12:01 a. m., May 31, 1944.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6101; Filed, April 29, 1944; 11:15 a. m.]

[S.O. 164, Special Permit 33]

PARTIAL UNLOADING OF CITRUS FRUIT AT SCOTTS BLUFF, NEBR.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord stop off for partial unloading under standard refrigeration to URTX 9572, origin Mission, Texas, stop at Scotts Bluff, Nebraska, destined Casper, Wyoming, routed MP–CBQ. Also FGEX 9258, origin Weslaco, Texas, stop Rapid City, South Dakota, destined Deadwood, South Dakota, routed MP–CBQ. Both cars contain citrus fruit.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it

with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6102; Filed, April 29, 1944; 11:15 a. m.]

[S. O. 197, Special Permit 1]

TRANSPORTATION OF POTATOES FROM HOUGHTON, MICH.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.336, 9 F.R. 4033) of Service Order No. 197 of April 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 197 insofar as it applies to the transportation of one car of U. S. Number 2 potatoes from Houghton, Michigan, on the Duluth, South Shore and Atlantic Railway, and another car of the same grade of potatoes, from Champion, Michigan on the Chicago, Milwaukee, St. Paul and Pacific Railroad to be shipped by L. L. Best to Chicago, Illinois.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6103; Filed, April 29, 1944; 11:15 a. m.]

[S. O. 198-A]

UNLOADING OF FURNACE SLAG AT MEMPHIS, TENN.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 28th day of April, A. D. 1944.

Upon further consideration of Service Order No. 198 of April 17, 1944, and good cause appearing therefor, *It is ordered*, That:

Service Order No. 198 of April 17, 1944, ordering the unloading of car L & N 72143, containing furnace slag, at Memphis, Tennessee, be, and it is hereby, vacated and set aside. (40 Stat. 101, Sec. 402, 41 Stat. 476, Sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17)).

It is further ordered, That this order shall become effective immediately; that a copy of this order and direction shall be served upon the Louisville and Nashville Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-6150; Filed, May 1, 1944; 10:41 a. m.]

[S. O. 70-A, Special Permit 229]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 27, 1944, by M. W. Frissell Company of car PFE 91613, potatoes, now on the Chicago Produce Terminal to Milwaukee, Wisconsin.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6155; Filed, May 1, 1944; 10:41 a. m.]

[S. O. 70-A, Special Permit 230]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 27, 1944, by W. J. Engle of car L&N 8826, potatoes, now on the Chicago Produce Terminal to Springfield, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6156; Filed, May 1, 1944; 10:41 a. m.]

[S. O. 70-A, Special Permit 231]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 27, 1944, by National Produce of car PFE 19205, potatoes, now on the Chicago Produce Terminal to Seymour, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6157; Filed, May 1, 1944; 10:41 a. m.]

[S. O. 70-A, Special Permit 232]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, not later than May 2, 1944, by L. S. Taube Company, of car NRC 10124, potatoes, now on the Union Pacific Railroad to unknown destination.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American

Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreeemnt; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6158; Filed, May 1, 1944; 10:41 a. m.]

[S. O. 70-A, Special Permit 233]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 28, 1944, by W. J. Engel Company of car CBQ 132633, potatoes, now on the Wood Street Terminal to Gary, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6159; Filed, May 1, 1944; 10:41 a. m.]

[S. O. 164, 2d Amended General Permit 11]

REFRIGERATION OF ORANGES FROM FLORIDA

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to refrigerator cars loaded with straight carloads of temple, king or clementine oranges, originating at any point or points in the State of Florida, moving to destination in official and western classification territories and western Canada, provided the waybills make reference to this permit.

This permit shall become effective at 12:01 a. m., April 27, 1944, and shall expire at 12:01 a. m., May 20, 1944.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6160; Filed, May 1, 1944; 10:41 a. m.]

[S. O. 164, Special Permit 32]

REFRIGERATION OF CITRUS FRUITS FROM FLORIDA

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to cars MDT 21818, WFE 67779, BRE 75363, PFE 43998, FGEX 15037, FGE 13641, and WFE 49333, loaded with citrus fruits at Florida origins served by the ACL, destined Seattle, Washington.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6161; Filed, May 1, 1944; 10:41 a. m.]

[S. O. 164, Special Permit 34]

REFRIGERATION OF CITRUS FRUITS FROM UMATILLA, FLA.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to PGEX 37690, April 25, 1944, citrus fruit Umatilla, Florida, via ACL-ABC-Frisco-UP to Denver, Colorado.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6162; Filed, May 1, 1944; 10:41 a. m.]

[S. O. 164, Special Permit 35]

REFRIGERATION OF CITRUS FRUITS FROM EDINBURG, TEX.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to PFE 20943 citrus fruits from Edinburg, Texas, stop-off to part unload at Camp Crowder, McElhaney, Missouri, destined Camp Phillips, Smolan, Kansas, initial carrier Southern Pacific Railway.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6163; Filed, May 1, 1944; 10:41 a. m.]

[S. O. 164, Special Permit 36]

REFRIGERATION OF CITRUS FRUITS FROM BAYVIEW, TEX.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to WFEX 65991 citrus fruits from Bayview, Texas, April 26, stop for partial unloading Topeka, Kansas,

destined Salina, Kansas, initial carrier Missouri Pacific Railway.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6164; Filed, May 1, 1944; 10:42 a. m.]

[S. O. 164, Special Permit 37]

REFRIGERATION OF CITRUS FRUITS FROM MISSION, TEX.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to car NRC 4345 citrus fruits, April 26, from Mission, Texas, stop for partial unloading Pueblo, Colorado, destined Colorado Springs, Colorado, initial carrier Missouri Pacific.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6165; Filed, May 1, 1944; 10:42 a. m.]

[S. O. 164, Special Permit 38]

REFRIGERATION OF ORANGES FROM ZELLWOOD, FLA.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to WFE 67470 shipped April 26, and one car, number unknown, shipped April 28, both loaded with oranges, originating on the S. A. L. Railway, at Zellwood, Florida, destined Kansas City, Missouri.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6151; Filed, May 1, 1944; 10:42 a. m.]

[S. O. 197, 2d Amended General Permit 2]

TRANSPORTATION OF POTATOES FOR DEHYDRATION FROM DESIGNATED STATES

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.336, 9 F.R. 4033) of Service Order No. 197 of April 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 197 insofar as it applies to the acceptance for transportation and movement of any railroad box car or refrigerator car loaded with potatoes, other than sweet, of any grade, from origins in the States of California, Colorado, Idaho, Montana, Nebraska, Nevada, Oregon, Utah, Washington, or Wyoming, consigned to dehydrating plants located at Bakersfield, Campbell, Healdsburg, Modesto, Salinas, San Jose, Turlock, or Visalia, California; Greeley or Denver, Colorado; Burley, Caldwell, Emmett, Idaho Falls, Jerome, New Plymouth or Payette, Idaho; Sioux City, Iowa; Mitchell or Scottsbluff, Nebraska; Dallas, Milton, Freewater, Lebanon, or Salem, Oregon; or Olympia, or Yakima, Washington; for dehydration purposes only, provided the bill of lading carries a certification by the shipper that the shipment is intended for dehydration purposes only.

This general permit shall become effective at 7:00 a. m., April 28, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6152; Filed, May 1, 1944; 10:42 a. m.]

[S. O. 200, Special Permit 2, as Amended]

REICING OF POTATOES FROM CALIFORNIA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes in California, to reice once in transit when destined west of the Mississippi River and to reice twice in transit when destined east of the Mississippi River.

This permit shall become effective 12 Noon, April 27, 1944, and shall expire with May 10, 1944.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6153; Filed, May 1, 1944; 10:42 a. m.]

[S.O. 200, Special Permit 3]

REICING OF POTATOES FROM RED RIVER VALLEY DISTRICT

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord one reicing to 93 refrigerator cars of potatoes originating in the Red River Valley District, by various shippers, all consigned to San Jose, California.

Cars originating on Northern Pacific will route Chicago, St. Paul, Minneapolis and Omaha Railway-Union Pacific-Southern Pacific, initially ice at Minneapolis, reice at Ogden.

Cars originating on Great Northern will route Southern Pacific, initial icing Williston, North Dakota, reice at Klamath Falls.

All cars to be loaded April 26 to May 6 inclusive.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6154; Filed, May 1, 1944; 10:42 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 231]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN MISSOURI AND ARKANSAS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14562; 9 F.R. 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

[1] Filed as part of the original document.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the Supplementary Order number which appears in the caption on page 1 hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective May 5, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Powell Bros. Truck Lines, Inc. (a corporation), Springfield, Mo.

2. Fred Wulf Jones (an individual), doing business as Fred Jones Truck Line, Harrison, Ark.

3. Missouri & Arkansas Transportation Company (a corporation), Harrison, Ark.

[F. R. Doc. 44-6141; Filed, May 1, 1944; 10:35 a. m.]

[Supp. Order ODT 20A-107]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN KIRKSVILLE, MO.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Kirksville, Missouri, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Quincy, Illinois, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–107" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Quincy, Illinois.

8. This order shall become effective May 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Harry Smith, Kirksville, Mo.
Hillis E. Ewing, Kirksville, Mo.
A. B. Bradley, Kirksville, Mo.
Frank R. Truitt, Kirksville, Mo.
Tom Baker, Kirksville, Mo.

[F. R. Doc. 44–6142; Filed May 1, 1944; 10:35 a. m.]

[Supp. Order ODT 20A–108]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN LEBANON, MO., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Lebanon, Missouri, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Springfield, Missouri, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–108" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Springfield, Missouri.

8. This order shall become effective May 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

C. H. Bledsoe, d/b/a Yellow Cab Co., Lebanon, Mo.
L. E. Denny, d/b/a Red Cab Co., Lebanon, Mo.
Oscar Hough, Lebanon, Mo.

[F. R. Doc. 44–6143; Filed, May 1, 1944; 10:35 a. m.]

[Special Order ODT LB–12, Amdt. 1]

VIRGINIA ELECTRIC AND POWER COMPANY, RICHMOND, VA.

DIRECTION TO SUSPEND CERTAIN OPERATIONS

Pursuant to Executive Orders 8989, as amended, 9156, and 9294, and the Act of May 31, 1941, as amended by Title III of the Second War Powers Act, 1942 (56 Stat. 176) subparagraphs (e) and (j) of paragraph numbered 1 of Special Order ODT LB–12 (8 F.R. 8576) are hereby amended to read as follows:

(e) That section of its bus route described in the appendix hereto and designated as route "Fairmount Park" from the intersection of Davis Street and Ballentine Boulevard, over Ballentine Boulevard to Lafayette Boulevard, over Lafayette Boulevard to Lens Avenue, over Lens Avenue to Shoop Avenue, and over Lafayette Boulevard between Cottage Toll Road and Lens Avenue;

* * * * *

(j) Those sections of its bus route described in the appendix hereto and designated as route "Larchmont" from the intersection of City Hall Avenue and Randolph Street, over City Hall Avenue to Bank Street, over Bank Street to Plume Street, and over Plume Street to its intersection with Randolph Street and from the intersection of Carroll Place and Jamestown Crescent, over Jamestown Crescent to Hampton Boulevard, over Hampton Boulevard to Hanover Avenue, over Hanover Avenue to Cambridge Crescent, over Cambridge Crescent to Monroe Place, and over Monroe Place to its intersection with Jamestown Crescent.

Issued at Washington, D. C., this 1st day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44–6144; Filed, May 1, 1944; 10:35 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 161, Order 44]

WEST COAST LOGS

GRADERS AND SCALERS

Pursuant to the provisions of § 1381.158 (a) (3) of Revised Maximum Price Regulation No. 161, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) The following individual log graders and scalers are approved and authorized to grade and scale West Coast Logs, subject to the limitation set forth in subparagraph (2) of § 1381.158 (a):

INDIVIDUAL GRADERS AND SCALERS

Name and address
Raleigh D. Greene, Marshfield, Oreg.
Sam Palmerton, Idanha, Oreg.
Howard E. Haugen, Roseburg, Oreg.
Rube Day, Marshfield, Oreg.

(b) This order may be amended or revoked at any time.

This order shall become effective April 29, 1944.

Issued this 29th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6106; Filed, April 29, 1944; 11:30 a. m.]

[RMPR 161, Order 45]

WEST COAST LOGS

OVERTIME ADDITIONS

Pursuant to the provisions of § 1381.156 of Revised Maximum Price Regulation No. 161, West Coast Logs, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) *New authorizations.* The following persons, being on a 54 hour week, may add to the maximum prices of all logs produced and sold by them $1.50 per thousand feet, log scale, on sales made on and after the effective date indicated:

Name and address	New number of hours	Addition	Effective date
C. E. Harris, Mt. Vernon, Wash.	54	$1.50	*Effective date* April 6, 1944

(b) The following persons, being on a 60 hour week may add to the maximum prices of all logs produced and sold by them $2.00 per thousand feet, log scale, on and after the effective date indicated:

Name and address	New number of hours	Addition	Effective date
Coos Bay Pulp Corporation, Anacortes, Wash.	54	$2.00	*Effective date* February 21, 1944

(c) *Change of status.* The following persons who have been heretofore authorized to make specific additions are now authorized to make the following additions, since the number of hours maintained has been changed, effective on the date indicated:

Name	Address	New number of hours	Addition	Effective date
Fay Baker	Shelton, Wash.	54	$1.50	Apr. 10, 1944
Carl Cowan	Naskel, Wash.	54	1.50	Apr. 1, 1944
Robert Dollar Co.	Mabel, Oreg.	54	1.50	Apr. 3, 1944
Hammond Lumber Co.	Portland, Oreg.	54	1.50	Apr. 3, 1944
C. E. Harris	Shelton, Wash.	60	2.00	Apr. 1, 1944
Kay Logging Co.	Seattle, Wash.	60	2.00	Apr. 1, 1944
Julian Kindred	Seattle, Wash.	54	1.50	Mar. 10, 1944
Hemrich Lumber Logging Co.	Bellingham, Wash.	60	2.00	Apr. 1, 1944
Miles Crossing Logging Co.	Astoria, Oreg.	48	1.00	Apr. 1, 1944
Olympic Logging Co	Seattle, Wash.	51	1.50	Mar. 13, 1944
The Big Three	Lebam, Wash.	54	1.50	Mar. 15, 1944
Swamp Mountain Log Co.	Portland, Oreg.	54	1.50	Mar. 1, 1944
Roy Zavitski	Seattle, Wash.	54	1.50	Apr. 3, 1944

(d) Sundown Logging Company, Yelm, Washington, a contract logger, is permitted to add $1.00 per thousand feet log scale to its contract logging maximum price effective from August 1, 1943 to October 20, 1943.

Issued and effective this 29th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6107; Filed, April 29, 1944; 11:30 a. m.]

[MPR 120, Order 731]

H. M. T. COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATION

Order No. 731 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with §1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices for the indicated uses and shipments as set forth herein. All are in District No. 4. The location of each mine is given by county and State. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

H. M. T. COAL COMPANY, 600 CITY BANK BLDG., YOUNGSTOWN, OHIO, DE LAUTER MINE, No. 5 SEAM, STRIP MINE, MINE INDEX NO. 4027
JEFFERSON COUNTY, OHIO, SUB-DISTRICT NO. 4, RAIL SHIPPING POINT: CHANDLER, O HIO, PRICE CLASSIFICATION F. O. B. OHIO NO. 8, RAILROAD FUEL PRICE GROUP NO. 117

	Size Group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	12
Rail shipments	$3.10	$3.05	$2.75	$2.75	$2.70	$2.60	$2.35	$2.25	$2.60	$2.10	------	$2.00
Railroad fuel	2.75	2.75	2.75	2.75	2.75	2.60	2.20	2.20	2.35	2.20	------	2.00
Truck shipments	3.60	3.50	3.35	3.10	3.05	2.80	2.55	2.45	------	------	------	------

MICHAEL BERNHARDT, NELSONVILLE, OHIO, No. 7 MINE, No. 6 SEAM, STRIP MINE, MINE INDEX NO. 4001, ATHENS COUNTY, OHIO, SUB-DISTRICT NO. 4, RAIL SHIPPING POINT: NELSONVILLE, OHIO, PRICE CLASSIFICATION: F. O. B., HOCKING, RAILROAD FUEL PRICE GROUP NO. 104

	Size group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	12
Rail shipments and railroad fuel	$3.60	$3.45	$3.05	$3.05	$3.05	$2.75	$2.55	$2.45	$2.75	$2.45	------	$2.75
Truck shipments	3.60	3.45	3.20	3.15	2.85	2.80	2.30	2.20	------	------	------	------

DE LAUTER COAL COMPANY, 600 CITY BANK BLDG., YOUNGSTOWN, OHIO, DE LAUTER MINE, No. 5 SEAM, STRIP MINE, MINE INDEX NO. 4028, MAHONING COUNTY, OHIO, SUB-DISTRICT NO. 4

	Size group Nos.							
	1	2	3	4	5	6	7	8
Truck shipment	$3.85	$3.75	$3.60	$3.35	$3.30	$3.05	$2.70	$2.60

This order shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9326, 8 F.R. 4681)

Issued this 29th day of April 1944

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6139; Filed, April 29, 1944; 4:55 p. m.]

[MPR 120, Order 732]

MORGAN COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 732 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with

§ 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 9. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

MORGAN COAL COMPANY, 19 WEST 38TH ST., INDIANAPOLIS, IND., BEAVER DAM MINE, No. 9 SEAM, STRIP MINE, OHIO COUNTY, KY., RAIL SHIPPING POINT: BEAVER DAM, KY., MINE INDEX No. 2007

[Price classification: Maximum Price Group No. 3 for all methods of shipment except by truck or wagon]

Size group Nos.	1, 2, 3, 4, 5, 6	7	8, 9, 10, 11, 12	17, 18, 19, 20, 21, 22	13, 14	23, 24	26, 27, 28, 29	15, 16	25
Rail shipments and railroad fuel	$2.20	$2.10	$2.00	$2.30	$1.75	$2.30	$1.80	$1.25	$1.65

MORGAN COAL COMPANY, 19 WEST 38TH ST., INDIANAPOLIS, IND., MCHENRY MINE, No. 11 SEAM, STRIP MINE, OHIO COUNTY, KY., RAIL SHIPPING POINT: MCHENRY, KY., MINE INDEX No. 2006

[Price classification: Maximum Price Group No. 3 for all methods of shipment except by truck or wagon]

Size group Nos.	1, 2, 3, 4, 5, 6	7	8, 9, 10, 11, 12	17, 18, 19, 20, 21, 22	13, 14	23, 24	26, 27, 28, 29	15, 16	25
Rail shipments and railroad fuel	$2.20	$2.10	$2.00	$2.30	$1.75	$2.30	$1.80	$1.25	$1.65

MORGAN COAL COMPANY, 19 WEST 38TH ST., INDIANAPOLIS, IND., HOPKINS AND CHRISTIAN COUNTIES, KY., KENTUCKY NO. 4 MINE NO. 6 SEAM, STRIP MINE, RAIL SHIPPING POINT: EMPIRE MINE SIDING, KY., MINE INDEX NO. 2008

[Price classification: Maximum Price Group No. 2 for all methods of shipment except by truck or wagon]

Size group Nos.	1, 2, 3, 4, 5, 6	7	8, 9, 10, 11, 12	17, 18, 19, 20, 21, 22	13, 14	23, 24	26, 27, 28, 29	15, 16	25
Rail shipments and railroad fuel	$2.70	$2.25	$3.10	.....	$2.45	.....	$2.80	$1.40	.....

NORTON COAL CORPORATION, NORTONVILLE, KY., HOPKINS COUNTY, KY., NORTONVILLE #12 SEAM STRIP MINE, No. 12 SEAM, STRIP MINE, RAIL SHIPPING POINT: NORTONVILLE, KY., MINE INDEX No. 2013

[Price classification: Maximum Price Group No. 3 for all methods of shipment except truck or wagon]

Size group Nos.	1, 2, 3, 4, 5, 6	7	8, 9, 10, 11, 12	17, 18, 19, 20, 21, 22	13, 14	23, 24	26, 27, 28, 29	15, 16	25
Rail shipments and railroad fuel	$2.20	$2.10	$2.00	$2.30	$1.75	$2.30	$1.80	$1.25	$1.65

NORTON COAL CORPORATION, NORTONVILLE, KY., HOPKINS COUNTY, KY., NORTONVILLE #11 SEAM STRIP MINE, No. 11 SEAM, STRIP MINE, RAIL SHIPPING POINT: NORTONVILLE, KY., MINE INDEX NO. 2012

[Price classification: Maximum Price Group No. 3 for all methods of shipment except truck or wagon]

Size group Nos.	1, 2, 3, 4, 5, 6	7	8, 9, 10, 11, 12	17, 18, 19, 20, 21, 22	13, 14	23, 24	26, 27, 28, 29	15, 16	25
Railshipments and railroad fuel	$2.20	$2.10	$2.00	$2.30	$1.75	$2.30	$1.80	$1.25	$1.65

Truck or Wagon Shipments for Mines Included in This Order

All single-screened lump coals bottom size larger than 1½" and all double-screened raw, washed or air cleaned coals, bottom size larger than 1½"	$2.80
All single-screened lump coals, bottom size 1½" and smaller, and all double-screened coals, bottom size 1½" and smaller	2.45
Mine run, modified mine run and mine run resultants larger than 2"	2.35
Screenings, top size not exceeding 2"	2.00

This order shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9326, 8 F.R. 4681)

Issued this 29th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6130; Filed, April 29, 1944; 4:55 p. m.]

[MPR 399, Order 2]

A. R. BELL CO.

ESTABLISHMENT OF MAXIMUM PRICE

Order No. 2 under section 1 of Maximum Price Regulation No. 399. New iceboxes.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

(a) A maximum price of $72.95 is hereby established for all sales at retail in the State of California of those iceboxes manufactured prior to the issuance of this order which are described as follows:

Manufacturer, A. R. Bell Co.; brand, Liberty; model, 80; rated ice capacity, 75 pounds.

(b) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 2 shall become effective on the 2d day of May 1944.

(56 Stat. 23, 765, Pub. Law. 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 1st day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6207; Filed, May 1, 1944; 11:47 a. m.]

Regional and District Office Orders.

[Region VIII Order G-91 Under 18 (c)]

CALIFORNIA SHRIMP IN SAN FRANCISCO AREA

Order No. G-91 under § 1499.18 (c) of the General Maximum Price Regulation. Cooked California shrimp in shell and shrimp meat.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, it is hereby ordered:

(a) *Cooked California shrimp in shell.* The maximum price at which any sales of cooked California shrimp in shell may be made by processors in the "San Francisco area" shall be 10 cents per pound f. o. b. processor's plant.

(b) *Shrimp meat.* The maximum price at which sales of fresh picked shrimp meat may be made by anyone located in the "San Francisco area" to retailers, commercial, industrial, institutional or governmental users shall be 89 cents per pound, f. o. b. the seller's place of business. No additional charge may be added for deliveries within the "San Francisco area".

(c) Any seller of cooked California shrimp in shell or fresh picked shrimp meat shall, in connection with the first sale to a retailer made after April 30, 1944, attach to each package of California cooked shrimp or fresh picked shrimp meat the following notice:

The Office of Price Administration has authorized us to inform you that if you are a retailer pricing this item under Maximum Price Regulation Nos. 422 or 423, you must recalculate your maximum price for this item under section 6 of Maximum Price Regulation Nos. 422 or 423 as the case may be. This recalculation shall apply only on your first purchase of this item after April 30, 1944.

(d) *Definitions.* (1) California shrimp means those species of midget shrimp caught off the Pacific Coast belonging to the family Cragonidae.

(2) Fresh picked shrimp means the meat of the California shrimp after cooking.

(3) Processor means any person who cooks shrimp in shell.

(4) The San Francisco area shall include the counties of Sonoma, Marin, Napa, Contra Costa, Alameda, Solano, San Mateo and San Francisco in the State of California.

(e) This order may be amended, revoked, or corrected at any time.

(f) This order shall become effective on April 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 20th day of April 1944.

BEN C. DUNIWAY,
Acting Regional Administrator.

[F. R. Doc. 44-6122; Filed, April 29, 1944; 12:32 p. m.]

[Region I Order G-69 Under RMPR 122]

SOLID FUELS IN SOUTHBRIDGE, MASS., AREA

Order No. G-69 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels in Southbridge, Massachusetts, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the Southbridge, Massachusetts, Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefore shall be the prices hereinafter set forth.

Maximum prices are established for (1) sales of various quantities of specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services.

The geographical applicability of this Order G-69 is explained in paragraph (f) and the terms used herein are defined in paragraph (g).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G-69. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G-69 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this order shall be so construed as to permit non-compliance with any statutes of the Commonwealth of Massachusetts, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule I: Sales on a delivered basis.* (1) Price Schedule I sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels on a delivered basis to consumers at any point in the Southbridge, Massachusetts Area.

Kind and size	Per net ton	½ ton	¼ ton	100 lb.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$16.85	$8.45	$4.25	$0.95
Pea	15.20	7.60	3.85	.85
Buckwheat	13.00	6.50	3.25	.75
Rice	11.75	5.90	2.95	.70
Coke: Egg, stove and chestnut	15.70	7.85	3.95	.90
Ambricoal	14.35	7.20	3.60	.80

(2) *Maximum authorized service and deposit charges.* (a) The foregoing maximum prices include any carrying or wheeling that may be necessary to effect delivery into consumer's bin or storage space, except for carries up or down flights of stairs of quarter-ton or larger quantities. If a carry up or down flights of stairs is necessary in order to effect delivery of a quarter-ton or larger quantity into consumer's bin or storage space and if the consumer requests such service of him, the dealer may charge the following amounts:

	Per net ton	½ ton	¼ ton
First flight up or down	$0.50	$0.25	$0.15
Each additional flight	.25	.15	.10

If the consumer does not request such service in such cases, the maximum prices shall apply for delivery to that available point which is nearest and most accessible to the stairs.

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25 cents per bag.

(c) *Price Schedule II: Yard sales to consumers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Southbridge, Massachusetts Area to consumers.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove, and chestnut	$15.85	$7.95	$4.00	$0.90
Pea	14.20	7.10	3.55	.80
Buckwheat	12.00	6.00	3.00	.70
Rice	10.75	5.40	2.70	.65
Coke: Egg, stove, and chestnut	14.70	7.35	3.70	.85
Ambricoal	13.35	6.70	3.35	.75

(2) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging quarter-ton and larger quantities in 100 pound bags, exclusive of any deposit charges on bags furnished by the dealer.

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer shall be 25 cents per bag.

(d) *Price Schedule III: Yard sales to dealers.* (1) Price Schedule III sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Southbridge, Massachusetts Area to dealers in fuels who resell them.

Kind and size	Per net ton	½ ton	¼ ton
Pennsylvania anthracite:			
Broken, egg, stove, and chestnut	$14.85	$7.45	$3.75
Pea	13.20	6.60	3.30
Buckwheat	11.00	5.50	2.75
Rice	9.75	4.90	2.45
Coke: Egg, stove, and chestnut	13.70	6.85	3.45
Ambricoal	12.35	6.20	3.10

(2) *Maximum authorized bagging and deposit charges.* (a) If the buyer requests such service of him, the seller may make the following charges for bagging in 100 pound bags, exclusive of any deposit charges on bags furnished by the seller.

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the seller shall be 25 cents per bag.

(e) *Terms of sale.* If payment is made by the buyer within 10 days after receipt of the fuel, the maximum prices set forth in paragraphs (b) (c) and (d) shall be reduced by $1.00 per ton or by 50 cents per half-ton, which reductions are "cash discounts". No further discount is required for cash on delivery, and no "cash discount" is required on any sales of less than a half-ton. If payment is not required or made at the time of delivery or (except in the case of less than half-ton lots) within 10 days thereafter, terms shall be net 30 days.

(f) *Certain named Pennsylvania anthracite coals.* The specific maximum prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of named Pennsylvania anthracite coals are sold: *Provided,* That the following increases may be charged only if the conditions set forth in paragraph (b) of Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 are observed.

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs
Jeddo Highland:				
Broken, egg, stove, chestnut, pea and buckwheat	$0.25	$0.15	$0.05	None
Rice	.15	.10	None	None
Greenwood: Egg, stove, chestnut and pea	.25	.15	.05	None
Legitts Creek or Black Stork:				
Broken, egg, stove, chestnut and pea	.50	.25	.10	None
Buckwheat	.35	.20	.10	None
Rice	.25	.15	.05	None
Raven Run: Broken, egg, stove, chestnut, pea, buckwheat, and rice	.25	.15	.05	None
Orange Disk: Broken, egg, stove, chestnut, pea, buckwheat and rice	.25	.15	.05	None

(g) *Definitions.* When used in this Order G–69, the term:

(1) "Southbridge, Massachusetts Area" shall include the following cities and towns in the Commonwealth of Massachusetts: Southbridge and Sturbridge.

(2) "Specified solid fuels" shall include Pennsylvania anthracite, coke and Ambricoal.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Named Pennsylvania anthracite" means Jeddo Highland, Greenwood, Raven Run, Orange Disc, and Legitts Creek and Black Stork.

(5) "Jeddo Highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo Coal", "Highland Coal", or "Hazel Brook Coal."

(6) "Greenwood" means that Pennsylvania anthracite which is produced by Lehigh Navigation Coal Company, Philadelphia, Pennsylvania, and marketed under the trade name "Old Company's Lehigh Greenwood Premium Anthracite."

(7) "Legitts Creek" and "Black Stork" both mean that Pennsylvania anthracite which is produced and prepared by Penn Anthracite Collieries Company, Scranton, Pennsylvania, and which meets the quality and preparation standards established by Revised Order No. 5 under Maximum Price Regulation No. 112.

(8) "Raven Run" means that Pennsylvania anthracite which is produced by Hazel Brook Coal Company, Jeddo, Pennsylvania, from its continental mines and the property of Raven Run Coal Company, an affiliated company, prepared at its Midvalley breaker and sold under that trade name, and which meets the quality and preparation standards established by Order No. 8 under Maximum Price Regulation No. 112.

(9) "Orange Disc" means that Pennsylvania anthracite which is produced and prepared by Payne Coal Company, Wilkes-Barre, Pennsylvania, at its Exeter Colliery and sold under that trade name, and which meets the quality and preparation standards established by Order No. 10 under Maximum Price Regulation No. 112.

(10) "Broken", "egg", "stove", "chestnut" and "pea" sizes of Pennsylvania anthracite refer to the legal standard sizes for anthracite offered for sale in the Commonwealth of Massachusetts, effective December 1, 1941, as established by the Director of Standards of the Division of Standards of the Department of Labor and Industries of the Commonwealth of Massachusetts pursuant to General Laws (Ter. Ed.) Chapter 94, section 239A (Chapter 382, Acts of 1926), "Buckwheat" and "Rice" sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(11) "Coke" shall include only coke produced by the following producers:

New England Coke Co., or its affiliated producing company, at their plant in Everett, Massachusetts.

Providence Gas Company, Providence, Rhode Island.

All other coke shall be priced under the appropriate provision of Revised Maximum Price Regulation No. 122.

(12) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(13) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(14) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(15) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(h) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton; *And provided, further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any State government or any political subdivision thereof.

(i) *Geographical applicability.* The maximum prices established by this order for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(j) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(k) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuels sold, and the price charged; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(l) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(m) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeals from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(n) This order may be revoked, amended, or corrected at any time.

This Order No. G–69 shall become effective May 1, 1944.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–6071; Filed, April 28, 1944; 2:07 p. m.]

[Region III G–6 Under Rev. Supp. Service Reg. 19 Under MPR 165]

OIL BURNER SERVICES IN LOUISVILLE, KY., AREA

Order No. G–6 (under Revised Supplementary Service Regulation No. 19) under Maximum Price Regulation No. 165. Oil burner services; extending the rates applicable in Louisville, Kentucky, to surrounding territories.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1499.671 (e) of Revised Supplementary Service Regulation No. 19 to Maximum Price Regulation No. 165, *It is hereby ordered:*

(a) For the purpose of Revised Supplementary Service Regulation No. 19 the area included in Jefferson County, Kentucky, and Floyd and Clark Counties, Indiana (including the cities of New Albany and Jeffersonville, Indiana), shall be considered a part of the Louisville, Kentucky, city area.

(b) The applicable hourly rates for such area, as determined from the Table of Hourly Rates contained in § 1499.671 (a) (5) of said Revised Supplementary Service Regulation No. 19 to Maximum Price Regulation No. 165, as amended, shall be $2.00 for the first hour, and $1.50 for the second and succeeding hours.

(c) Any supplier of oil burner services covered by this order shall also be subject to all of the provisions and requirements contained in Revised Supplementary Service Regulation No. 19.

This order shall become effective April 21, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued April 21, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–6072; Filed, April 28, 1944; 2:14 p. m.]

[Region III Order G–9 Under RMPR 122, Amdt. 5]

SOLID FUELS IN MARION COUNTY, IND.

Amendment No. 5 to Order No. G–9 under Revised Maximum Price Regulation No. 122. Maximum prices for specified solid fuels in Marion County, in the State of Indiana.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered,* That Part VII, of section I in section (c) of Order No. G–9 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	*Column II*	*Column III*
VII. Briquettes (low volatile)	$10.60	

This Amendment No. 5 to Order No. G–9 under Revised Maximum Price Regulation No. 122 shall become effective April 21, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 21, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–6073; Filed, April 28, 1944; 2:09 p. m.]

[Region III Order G–13 Under RMPR 122, Amdt. 5]

SOLID FUELS IN TOLEDO, OHIO

Amendment No. 5 to Order No. G–13, as amended, under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Toledo, Ohio, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered,* That Order No. G–13 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) Subparagraph 1 of paragraph A, Part III, of the price schedule in section (c) (1) is amended to read as follows:

Column I	Column II	Column III
III. . . .		
A. . . .		
1. From Mine Index No. 73, to the Glen Rogers Mine of the Raleigh Wyoming Mine Company	$11.25	$10.80

(b) Subparagraph 1 of Paragraph B, Part III of the Price Schedule in Section (c) (1) is amended to read as follows:

Column I	Column II	Column III
III. . . .		
B. . . .		
1. From Mine Index No. 73, the Glen Rogers Mine of the Raleigh Wyoming Mining Co.	$10.75	$10.00

This amendment shall become effective April 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 21, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–6074; Filed, April 28, 1944; 2:08 p. m.]

[Region III Order G–15 Under MPR 329, Revocation]

FLUID MILK IN WARREN COUNTY, KY.

Revocation of Order No. G–15 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk in Warren County, Kentucky.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.408 (c) of Maximum Price Regulation No. 329, *It is hereby ordered:*

(a) Order No. G–15 under Maximum Price Regulation No. 329 issued November 10, 1943, fixing maximum prices which may be paid to producers of "milk" by distributors in Warren County, Kentucky, be and same is hereby revoked.

(b) Said revocation of said Order No. G–15 under Maximum Price Regulation No. 329 shall be subject to all of the conditions, stipulations and provisions of Supplementary Order No. 40.

This revocation shall become effective April 19, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 19, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–6075; Filed, April 28, 1944; 2:07 p. m.]

[Region III Order G–19 Under RMPR 122, Amdt. 2]

SOLID FUELS IN WARREN, OHIO, AREA

Amendment No. 2 to Order No. G–19 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Warren, Ohio, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.260 and 1340.259a of Revised Maximum Price Regulation No. 122, *It is hereby ordered,* That Order No. G–19 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) Subparagraph 1 of paragraph A, Part I of the price schedule in section (c) is amended to read as follows:

Column I	Column II
I. • • •	
A. • • •	
1. Size Group Nos. 1 and 2 (bottom size larger than 2"), Mine Price Classifications A through E	$7.35

(b) Subparagraph 1 of paragraph A, Part II of the price schedule in section (c) is amended to read as follows:

Column I	Column II
II. • • •	
A. • • •	
1. Lump-Size Group Nos. 2 and 3 (larger than 1¼" but not exceeding 5")	$7.00

This amendment to Order No. G–19 under Revised Maximum Price Regulation shall become effective April 19, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 19, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–6076; Filed, April 28, 1944; 2:08 p. m.]

[Region III Order G–20 Under RMPR 122, Amdt. 2]

SOLID FUELS IN LANSING, MICH., AREA

Amendment No. 2 to Order No. G–20 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Lansing, Michigan, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That subparagraph 1 of paragraph A, Part IV of the price schedule in section (c) of Order No. G–20 under Revised Maximum Price Regulation No. 122, be amended to read as follows:

Column I	Column II	Column III	Column IV
IV. • • •			
A. • • •			
1. Coals produced at Mine Index No. 73, the Glen Rogers Mine of the Raleigh Wyoming Mining Company	$11.00	$11.50	$9.75

This amendment No. 2 to Order No. G–20 under Revised Maximum Price Regulation No. 122 shall become effective April 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 21, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–6077; Filed, April 28, 1944; 2:08 p. m.]

[Region III Order G–23 Under MPR 329]

FLUID MILK IN KENTUCKY

Order No. G–23 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.408 (b), (c), and (f) of Maximum Price Regulation No. 329, *It is hereby ordered:*

(a) Any "milk" distributor in the Counties of Allen, Ballard, Butler, Caldwell, Galloway, Carlisle, Christian, Crittenden, Daviess, Fulton, Graves, Hickman, Henderson, Hopkins, Livingston, Logan, Lyon, McCracken, McLean, Marshall, Muehlenberg, Ohio, Simpson, Todd, Trigg, Union, Warren, and Webster in the State of Kentucky may pay to producers an amount not to exceed $3.40 per cwt. for "milk" of 4% butterfat content, plus or minus 5% for each one-tenth of one percent of variation over or under 4%, provided that each such distributor shall be subject to the express limitations and restrictions of § 1361.402 (b) (c) (d) (e) (f).

(b) Any "milk" distributor increasing his price to producers for "milk" pursuant to the provisions of this order shall, within five days of such action, notify the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio, by letter or post card of his price established pursuant to the provisions of this order together with a statement of his previous price.

(c) As to the distributors designated in section (a) hereof, the provisions of this order supersede and replace the provisions of Order No. G–3 under Maximum Price Regulation No. 329, "Purchases of Milk from Producers for Resale as Fluid Milk". Said Order No. G–3 is therefore revoked as to distributors located in the counties named in section (a) hereof.

(d) The provisions of this order supersede and replace the provisions of Orders No. G–6 and No. G–14 under Maximum Price Regulation No. 329, "Purchases of Milk from Producers for Resale as Fluid Milk". Said Orders No. G–6 and No. G–14 are therefore revoked.

(e) *Definitions.* (1) "Milk distributor" is defined to mean an individual, corporation, partnership, association, or any other organized group of persons or successors of the foregoing who purchases "milk" in a raw and unprocessed state for the purposes of resale as fluid milk in glass, paper, or other containers.

(2) "Producer" means a farmer, or other person or representative who owns, superintends, manages, or otherwise controls the operations of a farm on which "milk" is produced. For the purposes of this order, farmers' cooperatives are producers when (i) they do not own or lease physical facilities for receiving, processing, or distributing milk, and (ii) they do own or lease physical facilities for receiving, processing or distributing milk, but they act as selling agents for producers, whether members of such cooperative or not.

(3) "Milk" means liquid cow's milk in a raw, unprocessed state, which is purchased for resale for human consumption as fluid milk. "In a raw, unprocessed state" means unpasteurized and not sold and delivered in glass or paper containers.

(f) This order may be modified, amended, or revoked at any time by the Office of Price Administration.

This order shall become effective April 16, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 15, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44–6078; Filed, April 28, 1944; 2:07 p. m.]

[Region III Order G–34 Under RMPR 122, Amdt. 2]

SOLID FUELS IN YOUNGSTOWN, OHIO, AREA

Amendment No. 2 to Order No. G–34 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Youngstown, Ohio, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.254 and 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered that Order No. G–34 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

1. Section (a) is amended to include the township of Canfield as a part of the Youngstown area so that the entire section shall read as follows:

(a) This order establishes maximum prices for sales of specified solid fuels made within the municipal limits of Youngstown, Girard, Struthers, Campbell, Hubbard, Hall's Corners, Poland and Lowellville, and within the townships of Liberty and Hubbard in Trumbull County, and the townships of Youngstown, Coitsville, Boardman, Canfield and Poland in Mahoning County, all in the State of Ohio. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in such area; they are also the highest prices that any buyer in the course of trade or business may pay for them.

2. The introductory paragraph to the price schedules in section (c) (1) is amended to read as follows:

(c) *Schedule for sales of coal*—(1) *Price schedules.* This schedule sets forth maximum prices for cash sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established; Column II shows maximum prices per ton for sales of two or more tons on a "direct delivery" basis, when payment is made within 15 days of the date of delivery, (on such sales in quantities of less than two tons, an additional charge of $.25 per ton may be added); Column III shows maximum prices per ton for "yard sales" to unequipped dealers reselling coal and to consumers. All prices are for sales on a net ton basis.

3. The general description of the heading contained in Part I of the price schedules in section (c) (1) is amended to read as follows:

I. High Volatile Bituminous Coals from Producing District No. 2 (Western Pennsylvania), excepting coals from Mine Index No. 224.

4. Subparagraphs (1) (a) and (1) (b) of Paragraph A, Part I of the price schedules in section (c) (1) are re-arranged and amended to read as follows:

Column I	Column II	Column III
I. • • •		
A. • • •		
1. • • •		
a. Mine Price Classification A	$7.50	$6.50
b. Mine Price Classification B through E	7.40	6.40

5. Subparagraph (2) (a) of Paragraph A, Part I of the price schedules in section (c) (1) is amended to read as follows:

Column I	Column II	Column III
I. • • •		
A. • • •		
2. • • •		
a. Mine Price Classifications A through C	$7.40	$6.40

6. The general description contained in the heading of Part III of the price schedules in section (c) (1) is amended to read as follows:

II. • • •

III. High Volatile Bituminous Coals from Producing District No. 4 (Ohio) excepting Mine Index No. 54.

7. Subparagraph 1 of paragraph A, Part III of the price schedules in section (c) (1) is amended to read as follows:

Column I	II	III
III. • • •		
A. • • •		
1. From the Ohio No. 8 Freight Origin District, Size Groups 1 and 2, (bottom size larger than 2")excepting Mine Index No. 122:		
a. Produced at Mine Index No. 167 and 176	$7.30	$6.30
b. Produced at all other mines	7.05	6.05

8. Section (e) is amended to read as follows:

(e) *Schedule of service and credit charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Carrying from curb	$1.00
Wheeling from curb	.75
Credit charge permitted in Column II price when not paid within 15 days from date of delivery	.50
Use of an extra chute to deliver coal into customer's bin	.35

This Amendment No. 2 to Order No. G–34 under Revised Maximum Price Regulation No. 122 shall become effective April 20, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 20, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–6079; Filed, April 28, 1944; 2:08 p. m.]

[Region VI Order G–5 Under RMPR 122, Corr. to Amdt. 4]

SOLID FUELS IN TWIN CITIES, MINN., AREA

Correction to Amendment No. 4 to Order No. G–5 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in the Twin Cities Area.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reason that, due to a clerical error, Amendment No. 4 to Order No. G–5, under Revised Maximum Price Regulation No. 122, did not incorporate the revisions in coke prices effected by Amendment No. 2 to Order No. G–5, *It is ordered:* That Item No. X of Amendment No. 4 to Order No. G–5 be and it is hereby corrected to read as follows:

Description	Domestic coal: Delivered	Domestic coal: Consumer at yard	Steam coal: Delivered	Steam coal: Consumer at yard	Dealer at yard: Domestic	Dealer at yard: Steam
1	2	3	4	5	6	7
•	•	•	•	•	•	•
X. Byproduct coke:						
1. Egg, stove, nut	$15.45	$14.45	$14	$13.60	$12.70	$13
2. Pea	14.20					

Effective April 15th, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78 Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued as of the 17th day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–6080; Filed, April 28, 1944; 2:14 p. m.]

[Region I Order G–17 Under RMPR 122, Amdt. 3]

SOLID FUELS IN TAUNTON, MASS., AREA

Amendment No. 3 to Order No. G–17 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Taunton, Massachusetts, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (14) is added to paragraph (g) of Region I Order No. G–17 under Revised Maximum Price Regulation No. 122, to read as follows:

(g) *Definitions.* When used in this Order G–17, the term:

(14) "Coke" shall include only coke produced by the following producers:

New England Coke Co., or its affiliated producing company, at their plant located in Everett, Massachusetts.

Providence Gas Company, Providence, Rhode Island.

All other coke shall be priced under the appropriate provision of Revised Maximum Price Regulation No. 122.

This Amendment No. 3 shall become effective May 1, 1944.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–6127; Filed, April 29, 1944; 12: 33 p. m.]

[Region II Order G–4 Under RMPR 122, Amdt. 2]

SOLID FUELS IN BALTIMORE, MD., METROPOLITAN AREA

Amendment No. 2 to Order No. G–4 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G–4 is amended in the following respect:

1. Paragraph (a) is amended to read as follows:

(a) On and after April 19, 1944, the maximum prices of wholesale dealers, intermediate dealers, retail dealers and of other retail sellers for the sale and delivery at wholesale and at retail in the Baltimore Metropolitan area of nut size coal of the type set forth in the following schedule, in 19 lb. bags, shall be the applicable adjusted maximum prices specified therein.

ADJUSTED MAXIMUM PRICE PER BAG

Type of coal	Delivered at wholesale dealer's yard	Delivered at retail store	Delivered to ultimate consumer
Pennsylvania anthracite	$0.14	$0.16	$0.18
Virginia anthracite	.12	.14	.16
Bituminous	.095	.12	.14

This Amendment No. 2 to Order No. G–4 shall become effective April 19, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong. E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 18th day of April 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–6123; Filed, April 29, 1944; 12:32 p. m.]

[Region IV Order G–1 Under MPR 251]

ROOFING IN SHELBY COUNTY, TENN.

Order No. G–1 under Maximum Price Regulation No. 251. Construction and maintenance services and sales of building and industrial equipment and materials on an installed or erected basis. Adjustment of maximum prices for the sale of certain types of roofing on an installed or applied basis in Shelby County, Tennessee.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator for Region IV, Office of Price Administration, by § 1397.68 (b) of Maximum Price Regulation No. 251, *It is hereby ordered:*

(a) On and after the effective date of this order, no person may sell or offer to sell the types of roofing material herein named, on an installed or applied basis, in Shelby County, Tennessee, at prices higher than those specified herein. Lower prices than those provided herein may be charged.

(1) The maximum prices established by this order are as follows:

(i) 167 pound, hexagon shingles, $7.00 per square.

(ii) 210 pound, square tab strip shingles, $8.50 per square.

(iii) 90 pound, slate surface roll roofing (nailed on) $4.75 per square.

(iv) 90 pound, slate surface roll roofing (cemented on) $5.75 per square.

(v) An additional charge in the amount of 5% of the total charge may be added by a seller for maintenance cost, waste and building permit cost: *Provided, however*, That in the event such charge is added, each sale of roofing material on an installed or applied basis is accompanied by a guarantee for two years against defects of workmanship.

(vi) An additional charge of 50¢ per square may be added to the above prices on sales of such roofing when applied to roofs having more than ¼ pitch.

(b) The prices named herein shall be applicable during the effective period of this order to all sales of the named types of roofing material on an installed or applied basis within the geographical limits of Shelby County, Tennessee.

(c) Definitions. (1) In computing the area of a roof to which the named roofing materials are applied, 36 lineal feet of valley and/or 100 lineal feet of ridge shall be considered one square. Likewise, any fraction of a square, after computation of the total, shall be considered as one square.

(2) Unless the context otherwise requires, the definitions set forth in Maximum Price Regulation No. 251 shall be applicable to the terms used herein.

(d) Except as otherwise provided herein, all transactions subject to this order shall remain subject to all provisions of Maximum Price Regulation No. 251, together with all amendments and orders that heretofore have been or hereafter may be issued.

(e) This order may be revoked, amended, or corrected at any time prior to the expiration date contained herein.

(f) This order shall become effective April 24, 1944 and shall expire October 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong. E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 24, 1944.

W. E. HOLCOMB,
Acting Regional Administrator.

[F. R. Doc. 44–6126; Filed, April 29, 1944; 12:33 p. m.]

[Region VIII Order G–2 Under MPR 426, Revocation]

FRESH LETTUCE IN SAN FRANCISCO REGION

Order No. G–2 under Maximum Price Regulation No. 426, as amended. Fresh fruits and vegetables for table use, sales except at retail. Order of revocation.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by section 2 (b) of Maximum Price Regulation No. 426, as amended, and under the authority reserved in paragraph (d) of said order No. G–2, *It is hereby ordered*, That said order No. G–2 under Maximum Price Regulation No. 426, as amended, is hereby revoked.

This order shall become effective April 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of April 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44–6125; Filed, April 29, 1944; 12:32 a. m.]

[Region VIII Order G–3 Under MPR 188, Amdt. 1]

COMMON BRICK IN LOS ANGELES COUNTY, CALIF.

Amendment No. 1 to Order No. G–3 under Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Adjusted maximum prices for sales of common brick in Los Angeles County, California.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Office of Price Administration by § 1499.161 (a) (2) of Maximum Price Regulation No. 188, *It is hereby ordered*, That the order issued herein on March 4, 1944 be amended in the following particulars:

Paragraph (a) of said order is amended to read as follows:

(a) The adjusted maximum prices at which any manufacturer located in Los Angeles County, California, may sell and deliver common brick shall be the following:

(1) The adjusted maximum price for standard size common brick shall be $15.00 per M.

(2) The adjusted maximum price for standard size select brick shall be $17.00 per M, provided that the total deliveries of select brick by the particular manufacturer during any one month shall not be in excess of its deliveries of common standard size brick. If the deliveries during any one month do exceed the deliveries of common standard size brick, this adjusted maximum price for standard size select brick shall immediately terminate.

(3) The adjusted maximum price for larger size brick shall be $15.00 per M, plus the customary differential over the seller's price for standard size common brick which the particular seller had in effect during March 1942.

(4) The adjusted maximum prices herein established are f. o. b. the particular manufacturer's plant.

(5) The term "common brick" as herein used means a calcined clay solid including standard size common, standard size select and larger size brick made of the same material as the standard size and sometimes sold under a trade name and with or without patentable features. It does not include face brick or pressed brick.

b. Paragraph (b) of said order is amended to read as follows:

(b) All customary allowances, discounts, or other price differentials in effect during March, 1942 shall be maintained.

c. Paragraph (c) of said order is amended to read as follows:

(c) No deliveries of common brick at the adjusted maximum prices allowed by this order shall be made until the manufacturer shall receive a written acknowledgment of receipt in proper form of a statement in duplicate filed by him with the Los Angeles Office of Price Administration showing his unadjusted maximum prices and adjusted maximum prices for all types of common brick sold by him.

This Amendment No. 1 shall become effective immediately.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328 8 F.R. 4681)

Issued this 15th day of April 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44–6124; Filed, April 29, 1944; 12:32 a. m.]

[Region I Rev. Order G–2 Under MPR 426]

CITRUS FRUIT IN BOSTON REGION

Revised Order No. G–2 under Maximum Price Regulation 426. Article III, section 15. Appendix I (g) (2). Citrus fruit adjustment of maximum prices under Article III section 15 Appendix I (f) (2) (i).

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by Article III, section 15, Appendix I, (g) (2) of Maximum Price Regulation No. 426: *It is hereby ordered:*

(a) The maximum prices for sales of citrus fruit as established by Article III, section 15, Appendix I (f) (2) (i) of Maximum Price Regulation No. 426 are modified by increasing the maximum mark-ups appearing in Column 9 of the table in paragraph (d) so that they will read as follows:

Col. 1 Item No.	Col. 2 Commodity	Col. 3 Unit	Col. 9 Sales by carlot receivers in less-than-carlots or less-than-truck-lots extermina sales platform
1	Oranges	Standard container	$0.35
		Cal. Standard container loose pack	.26
		Other containers or bulk:	
		Cal. per pound	4/10 cent
		All other, per pound	3/10 cent
2	Grapefruit	Standard container	.32
		Cal. standard container loose pack	.25
		Other container or bulk:	
		Cal., per pound	4/10 cent
		All other, per pound	3/10 cent
3	Lemons	Standard container	.44
		California standard container loose pack	.35
		Other containers or bulk: All, per pound	5/10 cent
4	Tangerines, Temples, King Oranges, Clementines, Tangeloes, Satsumas.	Standard container	.44
		Other containers or bulk:	
		California, per pound	4/10 cent
		All other per pound	3/10 cent

(b) This order applies to sales or deliveries in the City of Boston, Commonwealth of Massachusetts.

(c) Lower prices than those established by this order may be charged. This order may be revoked, amended or corrected at any time. This order shall become effective on April 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of April 1944.

ELDON C. SHOUP,
Regional Administrator.

Approved:

F. D. CRONIN,
Regional Director of Food Distribution.

[F. R. Doc. 44–6136; Filed, April 29, 1944; 4:58 p. m.]

[Region V Order G–3 Under RMPR 122]

SOLID FUELS IN TOPEKA, KANS., AREA

Order No. G–3 under Revised Maximum Price Regulation No. 122. Maximum prices for solid fuels sold in the City of Topeka, Kansas, and part of Shawnee County adjacent to Topeka, Kansas.

Pursuant to the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122 and for reasons stated in the opinion issued herewith, it is ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels within the corporate limits of the City of Topeka, Kansas, as established by city ordinance, and, in addition thereto, the area lying adjacent to the said City of Topeka, Kansas, in Shawnee County, Kansas as follows:

Beginning at the intersection of 25th and Monroe Streets, thence in a southerly direction to the intersection of 29th and Monroe Streets; thence east on 29th Street to the intersection of 29th Street and California Avenue; thence north to the intersection of 21st Street and California Avenue; thence east on 21st Street to the intersection of Carnahan Avenue with 21st Street; thence north on Carnahan Avenue to a point on U. S. Highway No. 40 where Carnahan Avenue intersects with said U. S. Highway No. 40; thence east to Tefft Street; thence in a northerly direction along Tefft Street to the intersection of 3d Street and Tefft Street; thence east on 3d Street to the intersection of 3d Street and Strait Avenue; thence north on Strait Avenue to the corporate limits of the city of Topeka where it joins with the old channel of Shunganunga Creek. Also, that area lying immediately north of the Kansas River and north of the corporate limits of the city of Topeka, beginning at a point on the north bank of the Kansas River and Lynwood Avenue; thence in a northerly direction to 9th Street; thence east on 9th Street to Waltman Avenue; thence east on Waltman Avenue to Lyman Avenue; thence east on Lyman Avenue to the intersection of Lyman Avenue and K–10 Highway; thence in a southwesterly direction along K–10 Highway to the intersection of said Highway with the Grantville Golden Bell Road; thence in a southwesterly direction along the Grantville Golden Bell Road to the corporate limits of the city of Topeka at the intersection of Paramore Street and Maple Street; thence south on Maple Street to Saywell Street; thence east two blocks to the intersection of Saywell Street with Gonvil Street; thence south on Gonvil Street to the intersection of Gonvil Street with Sardou Avenue; thence west on Sardou Avenue to the intersection of Sardou Avenue and Maple Street.

The prices set forth in this order are the highest prices that any dealer may charge when he sells or delivers any of such fuels at or to a point within the area set forth above.

(1) *Solid fuels not covered by this order.* There are a few kinds and sizes of solid fuels covered by Revised Maximum Price Regulation No. 122 sold and delivered in the area covered by this order which are not included in and for which prices are not established by this order. The maximum prices of such solid fuels when sold by any person covered by this order shall continue to be the maximum prices for such fuels established by Revised Maximum Price Regulation No. 122, as amended. Such sales shall in all respects be governed by the provisions of Revised Maximum Price Regulation No. 122, as amended.

(b) *What this order prohibits.* Regardless of any obligation no person shall:

(1) Sell, or in the course of trade or business buy, solid fuels at prices higher than the maximum prices set by this Order No. G–3; but less than the maximum prices may at any time be charged, paid or offered.

(2) Obtain higher than maximum prices by:

(i) Charging for a service unless such service is expressly requested by the buyer and unless specifically authorized to do so by this order;

(ii) Charging a price higher than the schedule price for a service;

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him; or

(iv) Using any other device by which a higher than maximum price is obtained directly or indirectly.

(c) *Price schedule.* (1) Below and a part of this paragraph is the maximum price schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds and quantities of solid fuels.

MAXIMUM PRICE SCHEDULE

Description of Fuel	*Maximum price per ton*
I. High volatile bituminous coal from District 10 (Illinois):	
(A) Southern Illinois—Sub-District (Price Groups 1, 2 & 3)	
1. Lump (Bottom size larger than 4")	$9.60
2. Egg (Top size larger than 3", bottom size 3" to larger than 2")	9.90
3. Egg or Nut (Top size 4" to larger than 2", bottom size 2" to larger than 1½")	9.20

MAXIMUM PRICE SCHEDULE—Continued

Description of fuel	Maximum price per ton
II. Low volatile bituminous coal from District 14 (Arkansas and Oklahoma)—Continued.	
(A) Production Group 1:	
1. Grate (Double screened coal—bottom size larger than 4")	$12.95
2. Furnace (Top size larger than 4", bottom size 4" to larger than 2½")	12.20
3. Nut (Top size 2½" to larger than 1½", bottom size larger than ⅞" but not larger than 1½")	14.70
(B) Production Group 2:	
1. Lump, machine cut (Bottom size 2½" and larger)	12.80
(C) Production Group 3:	
1. Egg (Top size larger than 4", bottom size 2½" and smaller, or top size 4" to larger than 3", bottom size 4" to larger than 2")	12.55
2. Nut (Top size 2½" to larger than 1½", bottom size larger than ⅞" but not larger than 1½")	11.00
3. Pea (Top size not larger than 1¼", bottom size ⅜" and smaller)	8.75
4. Stoker (Top size ⅞", bottom size 3/16")	8.20
(D) Production Group 6:	
1. Lump, machine cut (Bottom size 2½" and larger)	11.90
(E) Production Group 8:	
1. Lump, machine cut (Bottom size 2½" and larger)	12.30
(F) Production Group 11:	
1. Furnace (Top size larger than 4", bottom size 4" to larger than 2½")	12.20
III. High volatile bituminous coal from District 15 (Missouri, Kansas, and Oklahoma):	
(A) Production Group 1:	
1. Fancy Lump (Lump coal with a bottom size larger than 3"; and all double screened coal with a top size larger than 7")	7.90
2. Fancy Nut (Top size 3" to larger than 2", bottom size larger than 1¼")	7.60
3. Standard Nut (Top size 3" to larger than 2", bottom size 1¼" and smaller)	7.70
4. No. 2 Nut (Double Screened coal—Top size 2" to larger than 1¼")	7.25
5. Stoker (Top size 1¼" and smaller, bottom size ⅜" to larger than ¼")	6.15
6. Screenings (1¼" x 0)	5.70
(B) Production Group 2:	
1. Fancy Lump (Lump coal with a bottom size larger than 3"; and all double screen coal with a top size larger than 7")	7.35
2. Fancy Nut (Top size 3" to larger than 2", bottom size larger than 1¼")	7.30
(C) Production Group 3:	
1. Stoker (Top size 1¼" and smaller, bottom size ⅜" to larger than ¼")	6.10
2. Screenings (1¼" x 0)	5.60
(D) Production Group 6:	
1. Lump (Bottom size 3" and smaller)	7.70
(E) Production Group 10:	
1. Fancy Lump (Lump coal with a bottom size larger than 3"; and all double screened coal with a top size larger than 10")	10.50

MAXIMUM PRICE SCHEDULE—Continued

Description of fuel	Maximum price per ton
II. Low volatile bituminous coal from District 14 (Arkansas and Oklahoma)—Continued.	
(F) Production Group 11:	
1. Fancy Lump (Lump coal with a bottom size larger than 3"; and all double screened coal with a top size larger than 10")	$8.65
2. Standard Nut (Top size 3" to larger than 2", bottom size 1¼" and smaller)	8.00
3. Stoker (Top size 1¼" and smaller, bottom size ⅜" to larger than ¼")	6.90
IV. Low volatile bituminous coal from District 17 (Colorado):	
(A) Sub-District No. 2:	
1. Lump (Bottom size 3" and smaller)	14.05
2. Nut (Top size 3", bottom size 1¼")	12.95
V. Briquettes:	
1. Produced in Kansas City, Missouri, consisting of 70% Arkansas Anthracite and 30% Semi-Anthracite from District 14	12.55

(2) The prices set forth in the foregoing schedule are on a per net ton basis (2,000 pounds to the ton). No dealer may add to the schedule prices any additional charge for the extension of credit.

(3) The prices set forth in the foregoing schedule are for raw coal, i. e., coal which has not been treated. On all sales of treated coal, whether oil, paraffin, or calcium chloride treatment and regardless of whether such treatment was applied at the mine or by the dealer, the dealer may charge an amount not to exceed 10¢ per ton in addition to the prices set forth in the foregoing schedule.

(4) A deduction from the prices set forth in the foregoing schedule of not less than 75¢ per ton must be made on sales of one or more tons of any solid fuel covered by this order where the buyer purchases the fuel for his own use as a fuel and loads it onto his conveyance at the dealer's yard or siding.

(5) A deduction from the prices set forth in the foregoing schedule of not less than $1.50 per ton must be made on sales of one or more tons of any solid fuel covered by this order by one dealer to another dealer, who purchases the coal for resale and loads it onto his conveyance at the seller's yard or siding.

(6) An addition not to exceed 25¢ may be added to the fractional per net ton price set out in the foregoing schedule where the dealer sells and delivers one-half ton.

(7) An addition not to exceed 50¢ may be added to the fractional per net price ton set out in the foregoing schedule where the dealer sells and delivers one-fourth ton.

(8) On sales of screenings to commercial and industrial users, a discount of 25¢ per ton shall be applied to the prices set forth in the foregoing schedule. Commercial or industrial user, for the purposes of this order, shall mean any person who purchases for use 20 or more tons of screenings per annum.

(d) *Service charges.* (1) Below and as a part of this paragraph (d) is a schedule that sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under preceding paragraph (c). These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. The prices for such services shall be separately stated in the dealer's invoice or bill of sale.

(i) A service charge not to exceed $1.00 per ton may be charged for a "carry in" service. A "carry in" service means the service of carrying in solid fuel from the curb or point nearest and most accessible to the buyer's bin or storage space to the buyer's fuel bin window. This service does not include the service of carrying fuel up or down stairs.

(ii) A service charge not to exceed $.50 per ton may be charged for a "wheel in" service. A "wheel in" service means the service of wheeling in solid fuel from the curb or point nearest and most accessible to the buyer's bin or storage space to the buyer's fuel bin window. This service does not include the service of carrying fuel up or down stairs.

(iii) Where a dealer is requested to perform additional "carry in" or "wheel in" services in addition to the services defined in paragraphs (i) and (ii), the maximum price for such additional services shall not exceed the price charged by the dealer for such services during December of 1941.

(e) *Ex parte 148 freight rate increase; transportation tax; Kansas State sales tax*—(1) *The freight rate increase.* Since the ex parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealers' freight rates are the same as those of December, 1941. Therefore, no dealer may increase any schedule price on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set out by this order provided the dealer states it separately from the price of the fuel and lists it separately on any sales slip or receipt given to the buyer. This tax need not be stated separately on sales to the United States or any agency thereof, the State government or any political subdivision thereof (See § 1340.265 (b) of Revised Maximum Price Regulation No. 122). No part of this tax may be collected in addition to maximum prices on sales of ¼ ton or lesser quantities.

(3) *The Kansas State sales tax:* The seller may add to the prices listed in the schedule in paragraph (c) the sales tax required to be collected by the laws of the State of Kansas. This tax shall be separately stated in the dealer's invoice, sales slip or receipt.

(f) *Addition of increase in supplier's prices prohibited.* (1) The maximum prices set out by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereof; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the regional administrator.

(g) *Power to amend or revoke.* (1) The Price Administrator or the Regional Administrator of Region V may amend, revoke, or rescind this order, or any provisions thereof, at any time.

(h) *Petitions for amendment.* (1) Any person seeking an amendment to this order may file a petition for amendment in accordance with Revised Procedural Regulation No. 1 except that the petition shall be filed with the regional administrator and acted upon by him.

(i) *License.* (1) Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72. This provides in brief that a license is required of all persons selling at retail commodities for which maximum prices are established. A license may be suspended for violation in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(j) *Records and reports.* (1) Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the price charged and the kind and size of fuel sold. The fuel shall be identified in the manner in which the fuel is described in this order. The record shall also state separately each service rendered and the charge made for it.

(k) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all of the maximum prices set by it for all types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel.

(2) In the case of all sales covered by this order every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. In any case if a buyer requests a receipt, the seller shall furnish the buyer with a receipt showing the name and address of the seller, the kind, sizes, and quantity of the solid fuel sold to the buyer and the price or prices charged.

(l) *Enforcement.* (1) Persons violating any provisions of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Wichita, Kansas District Office of the Office of Price Administration.

(m) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but if this is unfeasible, because of the absence of a regular driveway free from all foreign matter which might damage trucks and tires, then direct delivery means discharging the solid fuel from the seller's truck directly at the street curb or at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Production group" and "production groups," as used in this order, refer to the production groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(6) "Price groups", as used in this order refers to the price groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "High volatile bituminous coal" means coal produced in the high volatile sections of the producing districts specified in this order.

(9) "Low volatile bituminous coal" means coal produced in the low volatile sections of the producing districts specified in this order.

(10) "Solid fuel" or ("solid fuels") means all solid fuel except wood and wood products, including all kinds of anthracite and semi-anthracite; bituminous and semi-bituminous and cannel coal; lignite; all coke, including low temperature coke (except by-product foundry and blast furnace coke, and beehive oven furnace coke produced in the State of Pennsylvania); briquettes made from coke or coal; and sea coal used for foundry facings.

(11) "Egg, nut," etc., sizes of bituminous coal refer to the sizes of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of the Interior, and in effect (or established) as of midnight, August 23, 1943.

Where the minimum price schedules do not make specific mention of any size designated in this order, such size designations shall refer to the sizes of bituminous coal sold as such in the area subject to this order during December, 1941.

(12) Except as otherwise specifically provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein.

(n) *Effect of this order on Revised Maximum Price Regulation 122.* (1) To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

(2) This Order No. G–3 shall become effective the 1st day of May 1944.

NOTE: The provisions in this order which require approval by the Bureau of the Budget in accordance with the Federal Reports Act of 1942 have been approved by the Bureau of the Budget.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this the 24th day of April 1944.

C. B. BRAUN,
Acting Regional Administrator.

[F. R. Doc. 44–6137; Filed, April 29, 1944; 4:57 p. m.]

[Region V Order G–4 Under RMPR 122]

SOLID FUELS IN WICHITA, KANS.

Order No. G–4 under Revised Maximum Price Regulation No. 122. Maximum prices for solid fuels sold in the City of Wichita, Kansas, and a part of Sedgwick County, Kansas, lying adjacent to said city of Wichita.

Pursuant to the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122 and for the reasons stated in the opinion issued herewith, it is ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels covered by Revised Maximum Price Regulation No. 122 in the city of Wichita, Kansas, and the area lying immediately adjacent thereto within the following boundary line:

Beginning at the intersection of 21st Street Road and West Street Road; thence south along West Street Road to the intersection of West Street Road and an unnamed and unnumbered road lying immediately south of the Kansas City, Mexico and Orient Railroad tracks; thence east on said unnamed and unnumbered road to a point where it intersects with Seneca Street Road; thence east across the Midland Valley Railroad tracks

and the Big Arkansas River to Pawnee Avenue; thence east on Pawnee Avenue to the intersection of Pawnee Avenue and Hillside Avenue; thence north on said Hillside Avenue to the intersection of Hillside Avenue and Lincoln Street; thence east on Lincoln Street to the intersection of Lincoln and Oliver Street; thence north on Oliver Street to Kellogg; thence east on Kellogg to Glendale Avenue; thence north on Glendale Avenue to 9th Street; thence west on 9th Street to Oliver Street; thence north on Oliver Street to the 13th Street Road; thence west on the 13th Street Road to the corporate limits of the city of Wichita lying immediately east of Gentry Avenue; thence north on Gentry Avenue to 21st Street; thence west on 21st Street to the intersection of Platt Avenue with 21st Street; thence north on the line marking the boundary of the corporate limits of the city of Wichita at that point to 24th Street; thence west to Hydraulic Avenue; thence north on Hydraulic Avenue to the intersection of Hydraulic Avenue with 29th Street; thence west on 29th Street to the intersection of 29th Street and Guthrie Avenue; thence west on Cyrus Avenue to the intersection of Cyrus Avenue and Amidon Avenue; thence south on Amidon Avenue to the intersection of Amidon Avenue and 21st Street Road; thence west on 21st Street Road to the place of beginning at the intersection of 21st Street Road and West Street Road.

The prices set forth in this order are the highest prices that any dealer may charge when he sells or delivers any of such fuels at or to a point within the area set forth above.

(1) *Solid fuels not covered by this order.* There are a few kinds and sizes of solid fuels covered by Revised Maximum Price Regulation No. 122 sold and delivered in the area covered by this order which are not included in and for which prices are not established in this order. The maximum prices of such solid fuels when sold by any person covered by this order shall continue to be the maximum prices for such fuels established by Revised Maximum Price Regulation No. 122, as amended. Such sales shall in all respects be governed by the provisions of Revised Maximum Price Regulation No. 122, as amended.

(b) *What the order prohibits.* Regardless of any obligation no person shall:

(1) Sell, or in the course of trade or business buy, solid fuels at prices higher than the maximum prices set by this Order No. G–4; but less than the maximum prices may at any time be charged, paid or offered.

(2) Obtain higher than maximum prices by

(i) Charging for a service unless such service is expressly requested by the buyer and unless specifically authorized to do so by this order;

(ii) Charging a price higher than the schedule price for a service;

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him; or

(iv) Using any other device by which a higher than maximum price is obtained directly or indirectly.

(c) *Price schedule.* (1) Below and a part of this paragraph is the maximum price schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds and quantities of solid fuels.

MAXIMUM PRICE SCHEDULE

Description of fuel	Maximum price per ton
I. Low volatile bituminous coal from District 14 (Arkansas and Oklahoma):	
(A) Production Group 1:	
1. Nut (top size 2½" to larger than 1½", bottom size larger than ⅞" but not larger than 1½")	$12.85
2. Range (top size 2½" to larger than 1½", bottom size ⅞" and smaller; or top size 1½" to larger than 1¼", bottom size 1½" to larger than ⅞")	12.10
(B) Production Group 3:	
1. Lump, machine cut (bottom size 2½" and larger)	12.15
2. Small egg (top size 4" to larger than 3", bottom size 2" and smaller; or top size 3" to larger than 2½", bottom size 3" to larger than 1½")	11.95
3. Nut (top size 2½" to larger than 1½", bottom size larger than ⅞" but not larger than 1½")	11.20
(C) Production Group 5:	
1. Lump, machine cut (bottom size 2½" and larger)	11.45
(D) Production Group 7:	
1. Lump, machine cut (bottom size 2½" and larger)	11.00
(E) Production Group 8:	
1. Lump, machine cut (bottom size 2½" and larger)	11.60
2. Egg (top size larger than 4", bottom size 2½" and smaller, or top size 4" to larger than 3", bottom size 4" to larger than 2")	11.50
(F) Production Group 11:	
1. Furnace (top size larger than 4", bottom size 4" to larger than 2½")	12.20
II. High volatile bituminous coal from District 15 (Missouri, Kansas, and Oklahoma):	
(A) Production Group 1:	
1. Furnace or egg (top size 10" to larger than 3", bottom size larger than 1¼")	8.30
2. Fancy nut (top size 3" to larger than 2", bottom size larger than 1¼")	8.30
3. No. 2 nut (double screened coal—top size 2" to larger than 1¼")	8.00
(B) Production Group 2:	
1. Lump (bottom size 3" and smaller)	7.80
2. Standard nut (top size 3" to larger than 2", bottom size 1¼" and smaller)	7.85
(C) Production Group 8:	
1. Standard nut (top size 3" to larger than 2", bottom size 1¼" and smaller)	9.95
(D) Production Group 10:	
1. Lump (bottom size 3" and smaller)	9.80
2. Standard nut (top size 3" to larger than 2", bottom size 1¼" and smaller)	8.75
3. Stoker (top size 1¼" and smaller, bottom size ⅜" to larger than ¼")	7.60
(E) Production Group 11:	
1. Lump (bottom size 3" and smaller)	8.30
2. Standard nut (top size 3" to larger than 2", bottom size 1¼" and smaller)	8.00
3. Stoker (top size 1¼" and smaller, bottom size ⅜" to larger than ¼")	7.10

MAXIMUM PRICE SCHEDULE—Continued

Description of fuel	Maximum price per ton
III. Low volatile bituminous coal from District 17 (Colorado):	
(A) Subdistrict No. 1:	
1. Lump (bottom size 3" and smaller)	$12.25
2. Nut (top size 3", bottom size 1½")	11.40
(B) Subdistrict No. 11:	
1. Lump (bottom size 3" and smaller)	12.55

(2) The prices set forth in the foregoing schedule are on a per net ton basis (2,000 pounds to the ton). No dealer may add to the schedule prices any additional charge for the extension of credit.

(3) The prices set forth in the foregoing schedule are for raw coal, i. e., coal which has not been treated. On all sales of treated coal, whether oil, paraffin, or calcium chloride treatment and regardless of whether such treatment was applied at the mine or by the dealer, the dealer may charge an amount not to exceed 10¢ per ton in addition to the scheduled price.

(4) A deduction from the prices set forth in the foregoing schedule of not less than 75¢ per ton must be made on sales of one or more tons of any solid fuel covered by this regulation where the buyer purchases the fuel for his own use as a fuel and loads it onto his conveyance at the dealer's yard or siding.

(5) A deduction from the prices set forth in the foregoing schedule of not less than $1.25 per ton must be made on sales of one or more tons of any solid fuel covered by this regulation by one dealer to another dealer, who purchases the coal for resale and loads it onto his conveyance at the seller's yard or siding.

(6) An addition not to exceed 50¢ may be added to the fractional per net ton price set out in the foregoing schedule where the dealer sells and delivers one-half ton.

(7) An addition not to exceed 35¢ may be added to the fractional part net ton price set out in the foregoing schedule where the dealer sells and delivers one-fourth ton.

(d) *Service charges.* (1) Below and as a part of this paragraph (d) is a schedule that sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under preceding paragraph (c). These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. The prices for such services shall be separately stated in the dealer's invoice or bill of sale.

(i) A service charge not to exceed $1.00 per ton may be charged for a "carry in" service. A "carry in" service means the service of carrying in solid fuel from the curb or point nearest and most accessible to the buyer's bin or storage space to the buyer's fuel bin window. This service does not include the service of carrying fuel up or down stairs.

(ii) A service charge not to exceed $.50 per ton may be charged for a "wheel in" service. A "wheel in" service means the service of wheeling in solid fuel from the curb or point nearest and most accessible to the buyer's bin or storage space to the buyer's fuel bin window. This service does not include the service of carrying fuel up or down stairs.

(iii) Where a dealer is requested to perform additional "carry in" or "wheel in" services in addition to the services defined in paragraphs (i) and (ii), the maximum price for such additional services shall not exceed the price charged by the dealer for such services during December of 1941.

(e) *Ex parte 148 freight rate increase; transportation tax; Kansas State sales tax*—(1) *The freight rate increase.* Since the ex parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealers' freight rates are the same as those of December, 1941. Therefore, no dealer may increase any schedule price on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set out by this order: *Provided,* The dealer states it separately from the price of the fuel and lists it separately on any sales slip or receipt given to the buyer. This tax need not be stated separately on sales to the United States or any agency thereof, the State government or any political subdivision thereof. (See § 1340.265 (b) of Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to maximum prices on sales of ¼ ton or lesser quantities.

(3) *The Kansas State sales tax.* The seller may add to the prices listed in the schedule in paragraph (c) the sales tax required to be collected by the laws of the State of Kansas. This tax shall be separately stated in the dealer's invoice, sales slip or receipt.

(f) *Addition of increase in supplier's prices prohibited.* (1) The maximum prices set out by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereof; but increases in his maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(g) *Power to amend or revoke.* (1) The Price Administrator or the Regional Administrator of Region V may amend, revoke, or rescind this order, or any provisions thereof, at any time.

(h) *Petitions for amendment.* (1) Any person seeking an amendment to this order may file a petition for amendment in accordance with Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *License.* (1) Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72. This provides in brief that a license is required of all persons selling at retail commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license, but a dealer may later be required to register. The license may be suspended for violation in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(j) *Records and reports.* (1) Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the price charged and the kind and size of fuel sold. The fuel shall be identified in the manner in which the fuel is described in this order. The record shall also state separately each service rendered and the charge made for it.

(k) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all of the maximum prices set by it for all types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel.

(2) In the case of all sales covered by this order every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. In any case if a buyer requests a receipt, the seller shall furnish the buyer with a receipt showing the name and address of the seller, the kind, sizes, and quantity of the solid fuel sold to the buyer and the price or prices charged.

(l) *Enforcement.* (1) Persons violating any provisions of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Wichita, Kansas, District Office of the Office of Price Administration.

(m) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "purchase," "buy," and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but if this is unfeasible, because of the absence of a regular driveway free from all foreign matter which might damage trucks and tires, then direct delivery means discharging the solid fuel from the seller's truck directly at the street curb or at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Production group" and "production groups" as used in this order, refer to the production groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(6) "Price groups" as used in this order refers to the price groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(7) "District No." refers to the geographical bituminous coal-producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "Low volatile bituminous coal" means coal produced in the low volatile sections of the producing districts specified in this order.

(9) "High volatile bituminous coal" means coal produced in the high volatile sections of the producing districts specified herein.

(D) "Solid fuel" (or "solid fuels") means all solid fuel except wood and wood products, including all kinds of anthracite and semi-anthracite; bituminous and semi-bituminous and cannel coal; lignite; all coke, including low temperature coke (except by-product foundry and blast furnace coke, and beehive oven furnace coke produced in the State of Pennsylvania); briquettes made from coke or coal; and sea coal used for foundry facings.

(11) "Egg, nut," etc., sizes of bituminous coal refer to the sizes of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of the Interior, and in effect (or established) as of midnight, August 23, 1943.

Where the minimum price schedules do not make specific mention of any size designated in this order, such size designations shall refer to the sizes of bituminous coal sold as such in the area subject to this order during December, 1941.

(12) Except as otherwise specifically provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein.

(n) *Effect of this order on Revised Maximum Price Regulation 122.* (1) To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

(2) This Order No. G–4 shall become effective the 1st day of May 1944.

NOTE: The provisions in this order which require approval by the Bureau of the Budget in accordance with the Federal Reports Act of 1942 have been approved by the Bureau of the Budget.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this the 24th day of April 1944.

C. B. BRAUN,
Acting Regional Administrator.

[F. R. Doc. 44–6138; Filed, April 29, 1944; 4:58 p. m.]

[Region VI Order G–5 Under RMPR 122, Amdt. 5]

SOLID FUELS IN TWIN CITIES AREA, MINN.

Amendment No. 5 to Order No. G–5 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in the Twin Cities Area.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, and for reasons stated in the opinion issued herewith, *It is ordered*, That part XI, briquettes, of paragraph (c) (1) of Order No. G–5 as amended, be and it is hereby amended to read as follows:

AREA PRICES FOR TWIN CITIES AREA

Description	Domestic coal		Steam coal		Dealer at yard	
	Delivered	Consumer at yard	Delivered	Consumer at yard	Domestic	Steam
1	2	3	4	5	6	7
XI. Briquettes:						
1. Briquettes	$14.80	$13.80	$13.35	$12.95	$12.05	$12.35
2. Briquettes made from Beckley Seam District No. 7 coal	15.00	14.00	13.55	13.15	12.25	12.55

This Amendment No. 5 to Order No. G–5 shall become effective April 24, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–6131; Filed, April 29, 1944; 4:56 p. m.]

[Region VI Order G–14 Under RMPR 122, Amdt. 5]

SOLID FUELS IN MILWAUKEE COUNTY, WIS.

Amendment No. 5 to Order No. G–14 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in Milwaukee County, Wisconsin.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, and for reasons stated in the opinion issued herewith, *It is ordered*, That paragraph VII, briquettes, all types, of section (c) (1) of Order No. G–14 as amended, be and it is hereby amended to read as follows:

AREA PRICES FOR MILWAUKEE, WISCONSIN

1	2	3	4	5	6
Description	Domestic ½ ton	Domestic 1 ton or more	Domestic at yard	Commercial	Dealer at yard
VII. Briquettes, all types	$6.90	$12.80	$12.05	-------	$10.40

This Amendment No. 5 to Order No. G–14 shall become effective April 24, 1944.

(56 Stat. 23, 765, Pub. Laws, 151, 78th Cong., E.O.. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–6139; Filed, April 29, 1944; 4:57 p. m.]

SMALLER WAR PLANTS CORPORATION.

U. S. MANAGEMENT & ENGINEERING CO.—OPTICAL MANUFACTURERS GROUP

RECOMMENDATION OF FORMATION OF WAR PRODUCTION ASSOCIATION

U. S. Management & Engineering Co.—Optical Manufacturers Group is a War Production Association comprising five companies, having facilities for the manufacture of precision optics, as shown on the attached membership list.

The purpose of this association is to combine the facilities and skills of the member companies for the manufacture of precision optics, principally fire control apparatus, and to make available to the members a facility for special coating and cementing which none of the members individually can afford to install.

The activities of the Association will relate solely to war and essential civilian work and will terminate within six months after the end of the war.

In my opinion, the formation and the operation of the U. S. Management & Engineering Co.—Optical Manufacturers Group is appropriate to the fulfillment of the purposes of Public Law 603, 77th Congress, approved June 11, 1942 (56 Stat. 351) and Executive Order No. 6891 of September 4, 1941. I have therefore approved the Plan of Organization, Procedure, and Objectives [1] of the U. S. Management & Engineering Co.—Optical Manufacturers Group, and recommend that the Chairman of the War Production Board find and certify under Section 12 of Public Law 603, 77th Congress (56 Stat. 357), that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said Plan is requisite to the prosecution of the war (See Certificate 202, *infra*).

Issued at Washington, D. C., this 20th day of April 1944.

MAURY MAVERICK,
Chairman and General Manager, Smaller War Plants Corporation.

MEMBERSHIP LIST

Name and address	Regular commercial business	Present number production employees	Average number production employees 1942	Approximate gross sales 1942
Eastern Precision Optical Co., 52 Buckminister Lane, Manhasset, L. I., N. Y.	Manufacturers of Precision Optics.	16	18	$90,000
Frank L. Kaltman, 7 Oliver St., Newark 2, N. J.	----do----	30	8	25,000
Mayberg Optical Co., 235 E. 45th St., New York 17, N. Y.	----do----	45	18	75,000
Opticraft, Inc., 39 West 60th St., New York, 23, N. Y.	----do----	40	21	90,000
U. S. Management & Engineering Co., Optical Shop, 401 Broadway, New York, 13, N. Y.	----do----	8	----------	----------
		139	65	----------

[F. R. Doc. 44–6145; Filed, May 1, 1944; 10:16 a. m.]

WAR PRODUCTION BOARD.

[Certificate 34,[1] Revocation]

MOTOR CARRIER SERVICES IN EAU CLAIRE, WIS.

WITHDRAWAL OF CERTIFICATE

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw my certificate and finding dated February 13, 1943, concerning Supplementary Order ODT 3, Revised–15, of the Director of the Office of Defense Transportation.

DONALD M. NELSON,
Chairman.

APRIL 27, 1944.

[F. R. Doc. 44–6147; Filed, May 1, 1944; 10:16 a. m.]

[1] Not filed with the Division of the Federal Register.
[1] 8 F.R. 2075.

[Certificate 66;[1] Revocation]

TRANSPORTATION AND DELIVERY OF LAUNDRY IN DECATUR, ILL.

WITHDRAWAL OF CERTIFICATE

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw my certificate and finding dated May 17, 1943, concerning a recommendation of the Director of the Office of Defense Transportation with respect to the transportation and delivery of laundry by motor vehicle in Decatur, Illinois, and vicinity.

DONALD M. NELSON,
Chairman.

APRIL 27, 1944.

[F. R. Doc. 44–6148; Filed May 1, 1944; 10:16 a. m.]

[Certificate 66; Revocation]

TRANSPORTATION AND DELIVERY OF GROCERIES IN SPOKANE, WASH.

WITHDRAWAL OF CERTIFICATE

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw my certificate and finding dated May 17, 1943, concerning a recommendation of the Director of the Office of Defense Transportation with respect to the transportation and delivery of groceries by motor vehicle in Spokane, Washington.

DONALD M. NELSON,
Chairman.

APRIL 27, 1944.

[F. R. Doc. 44–6149; Filed, May 1, 1944; 10:16 a. m.]

[Certificate 202]

U. S. MANAGEMENT & ENGINEERING CO.—OPTICAL MANUFACTURERS GROUP

APPROVAL OF JOINT ACTION PLAN

The ATTORNEY GENERAL.

I submit herewith a recommendation of the Chairman of the Smaller War Plants Corporation [1] concerning the plan of organization, procedure, and objectives [2] of the U. S. Management & Engineering Co.—Optical Manufacturers Group, New York City, organized for the purpose of manufacturing articles, equipment, supplies, and materials for war and essential civilian requirements.

For the purposes of section 12 of Public Law 603, 77th Congress (56 Stat. 357), I approve the plan referred to in the recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such plan is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

APRIL 27, 1944.

[F. R. Doc. 44–6146; Filed, May 1, 1944; 10:16 a. m.]

[1] 8 F.R. 6718.
[2] Not filed with the Division of Federal Register.

[1] *Supra.*

FEDERAL REGISTER

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Washington, Wednesday, May 3, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[Suspension Order Docket No. FDA-NE-125]

PART 1590—SUSPENSION ORDERS

JAMES VAN DYK TEA & COFFEE CO.

An order having been issued in the above-entitled matter on November 4, 1943 (8 F.R. 15309), which, among other things, provided that Max Aiken, an individual trading and doing business as James Van Dyk Tea & Coffee Co., his agents, successors, or assigns, shall not, in any manner, either directly or indirectly, either pack tea, or deliver tea, except as a beverage, and shall not accept tea to be delivered in any form other than as a beverage; and

The effective date of said order having been stayed by the Deputy Director pending further consideration of this matter; and

It having been determined that said order should be modified to assure the efficient distribution of tea to meet war and essential civilian needs; and

The respondent having consented to the issuance of the following order, and to the order heretofore issued on November 4, 1943, as amended herein, *It is therefore ordered*, That:

Section 1590.9 (e) of the suspension order heretofore issued in the above-entitled matter be, and the same hereby is, amended to read as follows:

§ 1590.9 *Suspension order against Max Aiken, an individual doing business as James Van Dyk Tea & Coffee Co.* • • •

(e) This order shall become effective 12:01 a. m., e. w. t., May 1, 1944, and, unless sooner terminated, shall expire 11:59 p. m., e. w. t., June 30, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; and Delegations of Authority, 8 F.R. 13696, 14251 and 16497)

Issued this 1st day of May 1944.

C. W. KITCHEN,
Deputy Director.

[F. R. Doc. 44-6240; Filed, May 1, 1944; 5:11 p. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

[G. O. 35]

PART 803—GENERAL ORDERS

ADJUSTMENT IN RATES OF PAY OF FEDERAL SECURITY AGENCY EMPLOYEES; PROCEDURE

§ 803.35 *General Order No. 35.* (a) The National War Labor Board hereby delegates to the Federal Security Agency, to be exercised on its behalf by the Administrator of the Federal Security Agency, the authority to approve adjustments in the wages or salaries of the employees of the Federal Security Agency, not fixed by statute, which would otherwise require the prior approval of the National War Labor Board, all in accordance with the further provisions of this order.

(b) In the exercise of the authority delegated hereunder, the Administrator of the Federal Security Agency shall comply with the terms of Executive Order 9250, dated October 3, 1942, Executive Order 9328, dated April 8, 1943, the Supplement thereto issued by the Director of Economic Stabilization on May 12, 1943, and all pertinent principles and policies of the National War Labor Board or of the Director of Economic Stabilization heretofore or hereafter announced.

(c) The Administrator of the Federal Security Agency, without making a ruling thereon, may refer to the National War Labor Board for decision any case which in his opinion presents doubtful or disputed questions of sufficient seriousness or import to warrant action by the National War Labor Board.

(d) A certificate by the Administrator of the Federal Security Agency attesting to the approval of the adjustment, stating the nature and amount of the adjustment, and briefly setting forth the facts indicating that the adjustment meets the requirements of the wage stabilization program, as set forth above, will be accepted by the National War Labor Board as sufficient evidence of the propriety of the adjustment. All rulings of the Administrator hereunder shall be subject to review by the National War Labor Board on its own initiative, but the reversal or modification of any such ruling shall not be retroactive.

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

ALIEN PROPERTY CUSTODIAN:
Vesting orders: Page
Armenault, Rene, et al 4656
Comptoir des Textiles Artificiels 4656
Faber and Schleicher A. G 4658
I. G. Farbenindustrie A. G 4657
Jobst, Gunther 4658
Katakura Corp 4666
Lorsch, Mrs. Josephine M 4666
Mahoux, Georges 4659
Mazza, Adolfo, and "Eternit", Pietra Artificiale, Societa Anonima 4658
Meyer, Frederick 4667
Ottmann, Madeline L 4659
Pape, J. Frederick 4660
Pavenstedt, Adolf J 4660
Pichl, Frieda 4660
Pritzl, Emmerich and Herta B 4661
Rindler, Frank 4661
Risch, Emma 4662
Schneider, Otto 4662
Schroder, Henry F. W 4662
Societe de Prospection Electrique Procedes Schlumberger 4657
Societe Rhodiaceta 4656
Streuli, Herrmann Alfred 4663
Takahashi, Yuki and/or Tokue 4668
Terhart, Louise 4663
Theilian, Josephine 4663
Triebels, Charles H. R 4664
Vogt, Caroline W 4664
Wachenfeld, Helen B. and Stephan C 4665
Waterloo, Frederic 4665
Wiechmann, Amalie 4665
Wiese, Carl E 4667

FEDERAL POWER COMMISSION:
Hearings, etc.:
Panhandle Eastern Pipe Line Co 4653
Southern Natural Gas Co 4653

FOOD AND DRUG ADMINISTRATION:
Fluorine spray residue on apples and pears, tolerances for; hearing 4654

GENERAL LAND OFFICE:
Wyoming, air navigation site withdrawal reduced (Corr.) 4652

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

Book 3: Titles 10–17, with index.

CONTENTS—Continued

	Page
INTERSTATE COMMERCE COMMISSION:	
Onions, dry; transportation from or within certain states	4651
Reconsignment permits, etc.:	
Citrus fruit, Topeka, Kans.	4655
Ice in RS type refrigerator cars	4655
Potatoes:	
Chicago, Ill.	4654
Harsimus Cove, Jersey City, N. J.	4655
Idaho	4655
Idaho Falls, Idaho	4655
St. Louis, Mo.	4654
NATIONAL WAR LABOR BOARD:	
Rates of pay of Federal Security Agency employees adjustment	4639
OFFICE OF DEFENSE TRANSPORTATION:	
Common carriers, coordinated operations:	
Mason City, Iowa	4669
Missouri and Arkansas	4668

CONTENTS—Continued

	Page
OFFICE OF DEFENSE TRANSPORTATION—Continued.	
Onions, dry; motor transportation from or within certain states (G. O. L–1, Rev.)	4652
Vessels, operation on Great Lakes (G. O. 25A, Am. 1; S. O. 25A–1, Partial Rev.) (2 documents)	4652
OFFICE OF PRICE ADMINISTRATION:	
Beef and veal carcasses and wholesale cuts (RMPR 169, Am. 40)	4648
Fish and seafood, frozen (MPR 364, Am. 17)	4650
Food rationing for institutional users (Gen. RO 5, Am. 60, 61; Supp. 3, Am. 2) (3 documents)	4647
Potatoes and onions (RMPR 271, Am. 14)	4647
Regional and district office orders; fruits and vegetables, Charlotte, N. C., region	4669
Sugar, establishment of zones (Rev. RO 3, Am. 1 to 11th Rev. Zoning Order 1)	4650
PETROLEUM ADMINISTRATION FOR WAR:	
Panhandle Field, Tex., oil well drilling (PAO 11, SO 11)	4651
SECURITIES AND EXCHANGE COMMISSION:	
West Texas Utilities Co. and Pecos Valley Power and Light Co., approval of plan	4669
WAGE AND HOUR DIVISION:	
Learner employment certificates, issuance to various industries (2 documents)	4652
WAR FOOD ADMINISTRATION:	
Van Dyk, James, Tea and Coffee Co., suspension order	4639
WAR MANPOWER COMMISSION:	
Minimum wartime workweek:	
Illinois, designated areas	4670
Marion, Ohio	4670
WAR PRODUCTION BOARD:	
Bearings, anti-friction; authorization to accept delivery (M–293, Dir. 1 to Table 12)	4642
Canadian agencies and controls, references to (PR 14)	4641
Chemicals, miscellaneous (M–340)	4645
Controlled materials plan, effect of other orders and regulations (CMP Reg. 9A, Inf. 1 to Dir. 2)	4642
Graphite (M–61)	4641
Hosiery, men's, women's, children's and infants' (L–274)	4642
Suspension orders, etc.:	
Seven-Up Bottling Co., Inc.	4670
Silver, Dr. Abraham	4640
Singley, Heyward S.	4641

(e) The certificate described herein, together with four copies thereof, shall be filed promptly with the Wage Stabilization Division of the National War Labor Board, together with such additional data and reports as said Division or the National War Labor Board may from time to time require.

(E.O. 9250, 7 F.R. 7871)

Adopted April 24, 1944.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44–6251; Filed, May 2, 1944; 10:21 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–532]

DR. ABRAHAM SILVER

On or about November 2, 1943, Dr. Abraham Silver, Columbia, South Carolina, began construction, consisting of alteration and remodeling of a dwelling located at 1421 Hampton Avenue, Columbia, South Carolina, at an estimated cost in excess of $3,000, without obtaining authorization from the War Production Board. Such construction was limited to an estimated cost not in excess of $200 by Conservation Order L–41, in the absence of authorization. Dr. Silver was aware of the existence of War Production Board regulations prior to begining construction, and his conduct was so grossly negligent that it must be deemed a wilful violation of Order L–41. This violation of the order has diverted scarce materials to uses not authorized by the War Production Board and has hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.532 *Suspension Order No. S–532.* (a) Neither Dr. Abraham Silver, his successors or assigns, nor any other person, shall do any construction on the premises at 1421 Hampton Avenue, Columbia, South Carolina, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Dr. Abraham Silver, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 29, 1944.

Issued this 22d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6222; Filed, April 29, 1944; 5:02 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–533]

HEYWARD S. SINGLEY

Heyward S. Singley, Columbia, South Carolina, is an architect who was employed to prepare plans and specifications, and to act as the owner's representative in connection with the alteration or remodeling of a building located at 1421 Hampton Avenue, Columbia, South Carolina. Mr. Singley knew of the War Production Board restrictions on construction but nevertheless, on behalf of the owner, he began construction on or about November 2, 1943, at an estimated cost in excess of $3,000, without authorization from the War Production Board; $200 was the maximum amount permitted in the absence of such authorization. This construction was in violation of Conservation Order L–41, and Mr. Singley's conduct was so grossly negligent that it must be deemed wilful. This violation of Order L–41 has diverted scarce materials to uses not authorized by the War Production Board and has hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.533 *Suspension Order No. S–533.* (a) Neither Heyward S. Singley, his successors or assigns, nor any other person, shall do any construction on the premises at 1421 Hampton Avenue, Columbia, South Carolina, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Heyward S. Singley, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 29, 1944.

Issued this 22d day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6223; Filed, April 29, 1944; 5:02 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 14, as Amended, May 2, 1944]

REFERENCES TO CANADIAN AGENCIES AND CONTROLS

§ 944.35 *Priorities Regulation 14*—(a) *Applicability to Canada of provisions regarding military requirements.* References in War Production Board orders and regulations to transactions with or for the account of one of the United States Government Agencies listed below shall be deemed to include the corresponding Canadian agency or agencies named below, unless the order or regulation specifically excludes the Canadian agency or agencies:

U. S. Agencies:	*Corresponding Canadian Agencies*
U. S. Army or War Department.	Canadian Army and Air Force
U. S. Navy or Navy Department.	Canadian Navy
U. S. Maritime Commission.	Wartime Shipbuilding Ltd.
War Shipping Administration.	Controller of Ship Repairs and Salvage

(b) *Controller of Ship Repairs and Salvage, Canada.* The reference to the Controller of Ship Repairs and Salvage as a Canadian Agency in paragraph (a) above includes purchase orders, which bear the stamp of approval of the Controller, and which are placed by any ship repair yard, ship repair facility, ships chandler, or ships in service operator located in Canada, or by any Canadian government depositary.

Issued this 2d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6259; Filed, May 2, 1944; 11:27 a. m.]

PART 1038—GRAPHITE

[Conservation Order M–61, As Amended May 2, 1944]

Section 1038.1 *Conservation Order M–61* is hereby amended to read as follows:

§ 1038.1 *Conservation Order M–61*—(a) *Definitions.* For the purposes of this order:

(1) "Strategic graphite" means only two types of graphite, namely, (i) Madagascar flake graphite of over 80 per cent graphitic carbon content and having flakes of such size that at least 80 per cent will stand on a Number 50 mesh screen, U. S. Sieve Series; and (ii) Ceylon amorphous graphite, either in lump or ground form, having more than 95 per cent graphitic carbon content.

(2) "Put into process" means the first change made by a person in the form of the material from that form in which it is received by him.

(b) *Restrictions on processing and delivery of strategic graphite.* No person shall put into process, deliver or accept delivery of any strategic graphite except to the extent specifically authorized by the War Production Board. These restrictions apply to all stocks of strategic graphite on hand as well as new supply received after (the effective date of this amendment).

(c) *Exceptions to the processing and delivery restrictions contained in paragraph (b).* No authorization of the War Production Board is required for:

(1) Delivery or acceptance of delivery of strategic graphite by Metals Reserve Company or any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act, as amended, or any duly authorized agent of such corporation.

(2) Any person to deliver, accept delivery of, or put into process strategic Madagascar flake graphite if the graphite is to be physically incorporated into any item produced for delivery under a contract or subcontract for the United States Army, Navy, Maritime Commission or the War Shipping Administration and if the graphite is required by the specifications of the prime contract.

(3) Any person to deliver during any calendar month 200 pounds or less of strategic Madagascar flake graphite per person.

(4) Any person to accept delivery of and put into process during any calendar month, not more than 200 pounds of strategic Madagascar flake graphite from all sources.

(d) *How to obtain authorization for processing or delivery.* Each person who requires specific authorization from the War Production Board to put strategic graphite into process or to accept delivery of strategic graphite from any one (other than Metals Reserve Company, or any corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act, as amended, or any duly authorized agent of such corporation) shall file with War Production Board, Washington, D. C., Form WPB–623, revised, in quadruplicate, by the 20th of the month before the month in which the graphite is to be put into process or received. The War Production Board will return one copy of Form WPB–623, revised, to the applicant on which will be indicated the quantity of strategic graphite authorized for delivery and processing. Specific authorization to put strategic graphite into process shall only be valid for the calendar month for which it is issued. If the application requests permission to accept delivery, War Production Board will send a copy to the applicant's supplier, which will constitute the supplier's authorization to make the delivery.

Each person requiring authorization to accept delivery of strategic graphite from Metals Reserve Company, or any corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act, as amended, or any duly authorized agent of such corporation, shall apply by letter in duplicate to the War Production Board, Washington, D. C., stating the quantity and description of the material requested and the purpose for which it is intended to be put into process. The War Production Board will issue instructions by letter to Metals Reserve Company, setting forth the quantity and description of material to be delivered and the purpose for which it may be processed. A copy of this letter will be forwarded to the applicant which will constitute the applicant's authorization to accept delivery and process.

(e) *Reports.* All persons having in their possession any of the types of graphite listed on Form WPB–624, revised, shall file Form WPB–624 revised with War Production Board on or before the 20th of each month following the month for which the report is made, showing inventory, receipts, consumption, and sales of such graphite.

(f) *Violations.* Any person who wilfully violates any provision of this order,

or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(h) *Bureau of the Budget approval.* The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(i) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Mica-Graphite Division, Washington 25, D. C., Ref: M-61.

Issued this 2d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6256; Filed, May 2, 1944; 11:27 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 9A, Interpretation 1 to Direction 2]

EFFECT OF OTHER ORDERS AND REGULATIONS

The following direction is issued pursuant to CMP Regulation 9A:

Direction 2 to CMP Regulation 9A permits the use of material bought under the regulation to install various types of equipment, but only where other orders of the War Production Board do not forbid the use of a particular type of material for the purpose. In addition, this direction does not affect any limitation or prohibition upon the purchase of material or equipment imposed by any order of the War Production Board. For instance, this direction does not permit a repairman or plumber to install copper or copper base alloy pipe, tubing or fittings or building material, except for those exceptional uses allowed by Order M-9-c-4. Furthermore, a jobber who supplies repairmen with material is not relieved from the prohibition in Order M-9-c-4 which prevents his selling, delivering, or otherwise disposing of those copper products if it is to be used for a purpose prohibited by Order M-9-c-4, regardless of the fact that the purchase order may carry a CMP allotment symbol and certification or a preference rating.

Issued this 2d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6260; Filed, May 2, 1944; 11:28 a. m.]

PART 3208—SCHEDULED PRODUCTS

[Table 12 to General Scheduling Order M-293, Direction 1, as Amended May 2, 1944]

AUTHORIZATION TO ACCEPT DELIVERY OF ANTI-FRICTION BEARINGS

Direction 1 to Table 12 to Order M-293 is amended to read as follows:

(1) This direction as originally issued February 8, 1944 directed substantial users of bearings to submit their anti-friction bearings requirements for the period April 1–September 30, 1944 on Form WPB-3333. The War Production Board has decided to extend this procedure by further reviewing substantial users' requirements for the period August 1, 1944–January 31, 1945.

(2) Accordingly, during the period August 1, 1944–January 31, 1945, no person shall accept during any one month any anti-friction bearings from a manufacturer or distributor in excess of the following amounts without specific authorization to do so on Form WPB-3333:

(i) 1500 bearings of any one size where they are being purchased for incorporation by such person in his end products or for reshipment with his end products as concurrent spare bearings.

(ii) 500 bearings of any one size where they are being purchased for reshipment to the Army, Navy, Maritime Commission, or War Shipping Administration subsequent to delivery of the end product. For instance, this will include bearings bought by such person for the purpose of filling contracts for "second year replenishment" bearings and for similar supplemental spare bearing requirements ordered from him by the procuring service.

If a person has more than one plant, the amounts specified in (i) and (ii) above shall apply to deliveries to each plant.

(3) Form WPB-3333 must be filed with the War Production Board by June 1, 1944. Authorizations to be made on this filing will supersede previous authorizations made for August and September on previous filings. Any person who subsequent to June 1, 1944 finds that he will require bearing deliveries in any one month during the period August 1, 1944–January 31, 1945 in excess of the amounts specified in paragraph (2) of this direction must immediately file Form WPB-3333 submitting such requirements. In submitting Form WPB-3333 in compliance with this direction persons shall state their delivery requirements (for those sizes required to be reported under paragraph (2) of this direction) for the months of August 1944 through January 1945, inclusive. In submitting end product production schedules in section III of Form WPB-3333, applicant shall give such schedules for the months of August 1944 through April 1945, inclusive.

(4) All persons who during May, June, and July 1944 required bearings in excess of the minimum amount specified in paragraph (2) of this direction were instructed to submit these requirements by March 1, 1944, by the provisions of this direction as originally issued February 8, 1944. However, if any person finds that he will require bearing deliveries in May, June, or July 1944 in excess of the minimum amount specified in paragraph (2) of this direction and he has not previously filed Form WPB-3333 covering such requirements, he must do so as soon as possible.

(5) Authorization by the War Production Board to accept delivery of bearings does not constitute an allocation to the applicant against the bearing manufacturer but simply establishes the maximum amounts which the applicant may accept of those sizes of bearings required to be reported under paragraph (2) above. Applicants must adjust their shipping releases on bearing manufacturers to conform with the authorized amounts.

Issued this 2d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6255; Filed, May 2, 1944; 11:27 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Limitation Order L-274, as Amended May 2, 1944]

MEN'S, WOMEN'S, CHILDREN'S AND INFANTS' HOSIERY

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of silk, nylon, rayon, cotton, wool and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.135 *General Limitation Order L-274*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(b) *Definitions.* For the purposes of this order, unless otherwise expressly defined all trade terms shall have their usual and customary meanings.

(c) *Restrictions on the manufacture of certain types of hosiery.* (1) Except as permitted in paragraph (c) (2), no person shall put into production:

(i) Any women's hosiery not conforming with Schedules A, B, D, or E; or

(ii) Any men's hosiery not conforming with Schedules C or E; or

(iii) Any infants', children's, boys' or misses' hosiery which does not conform with Schedules D or E and with the overall leg length measurements referred to in the appropriate tables contained in the Bureau of Standards' Commercial Standard CS46-40, entitled, "Hosiery Lengths and Sizes" (third edition, effective August 15, 1940), as follows:

Table 2—Standard lengths of boys' golf hosiery

Table 4—Standard lengths of children's and misses' ribbed hosiery

Table 5—Standard lengths of children's ⅝ hosiery, flat knit

Table 6—Standard lengths of children's ⅞ hosiery

Table 8—Standard lengths of infants' ribbed hosiery; (however, infants' ribbed long hosiery may not be made in sizes above 5½)

Table 9—Standard lengths of infants' and children's half socks; (however, infants' and children's half socks may not be made in sizes above 7½)

(2) The restrictions of paragraph (c) (1), and the schedules therein referred to, do not apply to the manufacture of any hosiery for or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

(d) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(e) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing & Leather Division, Washington 25, D. C., Ref.: L-274.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) [Deleted Dec. 4, 1943.]

Issued this 2d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—WOMEN'S FULL-FASHIONED HOSIERY MADE OF RAYON OR COTTON

(a) This schedule applies to all types, except cut and sewed, of women's full-fashioned hosiery made of rayon or of cotton, but does not apply to constructions made of yarns which are combinations of any two or more of cotton, wool or rayon (either continuous filament or spun).

(b) No person shall produce any women's full-fashioned rayon hosiery unless it meets the minimum specifications shown on Table I, or any women's full-fashioned cotton hosiery unless it meets the minimum specifications shown on Table I (a), except that

(1) The minimum total course provisions of Tables I and I (a) do not apply to mesh, lace or non-run constructions, and

(2) Stockings made of acetate rayon may have 75 less total courses than the minimum established in Table I, and

(3) In single-unit or Rack-back construction the total minimum number of courses may be 40 less than established for conventional constructions.

TABLE I.—WOMEN'S FULL-FASHIONED RAYON HOSIERY

Gauge	Welt afterwelt		Leg		Minimum total courses	May not be finer than—	
	Yarn	Minimum turns per inch	Yarn	Minimum turns per inch		Heel and sole splicing	Toe splicing
39	150 den. rayon	8	150	8	1,190	100 den. or cotton	120/2 or coarser.
39	70/2 cotton		150	8	1,150	100-den. or cotton	120/2 or coarser.
39	120 den. rayon	10	100	20	1,310	100 den. or cotton	120/2 or coarser.
39	80/2 cotton		100	20	1,270	100 den. or cotton	120/2 or coarser.
42	150 den. rayon	8	150	8	1,240	100 den. or cotton	120/2 or coarser.
42	80/2 cotton		150	8	1,200	100 den. or cotton	120/2 or coarser.
42	120 den. rayon	10	100	20	1,340	100 den. or cotton	120/2 or coarser.
42	80/2 cotton		100	20	1,300	100 den. or cotton	120/2 or coarser.
42	100 den. rayon	10	75	25	1,390	100 den. or cotton	120/2 or coarser.
42	100/2 cotton		75	25	1,350	100 den. or cotton	120/2 or coarser.
45–48	150 den. rayon	8	150	8	1,350	100 den. or cotton	120/2 or coarser.
45–48	80/2 cotton		150	8	1,310	100 den. or cotton	120/2 or coarser.
45–48	120 den. rayon	10	100	20	1,400	100 den. or cotton	120/2 or coarser.
45–48	100/2 cotton		100	20	1,360	100 den. or cotton	120/2 or coarser.
45–48	100 den. rayon	10	75	25	1,450	100 den. or cotton	120/2 or coarser.
45–48	100/2 cotton		75	25	1,410	100 den. or cotton	120/2 or coarser.
51	100 den. rayon	10	100	20	1,450	75 den. or cotton	140/2 or coarser.
51	100/2 cotton		100	20	1,410	75 den. or cotton	140/2 or coarser.
51	100 den. rayon	10	75	25	1,500	75 den. or cotton	140/2 or coarser.
51	100/2 cotton		75	25	1,460	75 den. or cotton	140/2 or coarser.
51	100 den. rayon	10	[1] 50	30	1,600	75 den. or cotton	140/2 or coarser.
51	120/2 cotton		[1] 50	30	1,560	75 den. or cotton	140/2 or coarser.
54 and up	75 den. rayon	15	[1] 50	30	1,700	75 den. or cotton	140/2 or coarser.
54 and up	140/2 cotton		[1] 50	30	1,660	75 den. or cotton	140/2 or coarser.

[1] Rayon yarn qualifying as yarn of 80 denier and having an over-all tenacity of 2.3 grams per denier or higher irrespective of elongation.

TABLE I (a)—WOMEN'S FULL-FASHIONED ALL-OVER COTTON HOSIERY, WHICH MAY NOT BE FINER THAN THE YARN COUNTS LISTED BELOW

Gauge	Welt	Leg	High heel	Sole	Lower heel total equiv.	Toe weight	Minimum total courses
39 or lower	70/2	70/2	120/2	120/2	50/2	50/2	1150
42	80/2	80/2	120/2	120/2	50/2	50/2	1250
45 and 48	100/2	100/2	120/2	120/2	60/2	60/2	1300
51 and higher	140/2	140/2	120/2	120/2	80/2	80/2	1350

(c) The standard leg length of women's full-fashioned stockings shall be as follows:

	Inches	*Minus tolerance Inches*
Viscose or cuprammonium ray on stockings	29	1½
Acetate rayon stockings	30½	1½
Cotton stockings	30	1
With reasonable plus tolerances		

Any person who manufactured proportioned length hosiery outside the tolerances permitted by this paragraph (c) in 1942 may apply to the War Production Board for permission to continue such manufacture. Such application shall be in writing, and shall set forth all pertinent facts. The War Production Board may take such action on such application as it may deem proper.

(d) (1) In standard or conventional welt constructions, the minimum length of the double welt shall be 3½ inches.

(2) An afterwelt is required in rayon stockings except where the main or leg yarn is 100 denier or coarser.

(3) Double welts of less than 3½ inches, and special welt constructions including single thickness welts, are permissible, providing the welt yarn is heavier than the main end used in knitting the leg and providing the single thickness portion of welt or afterwelt is no finer than—

150 denier filament rayon or its equivalent in other fibers for 48 gauge or coarser,
100 denier filament rayon or its equivalent in other fibers for 51 gauge or finer.

In such special welt constructions, a proportionately lower number of courses than specified in Table I are permissible.

(4) When a standard or conventional double welt in rayon or in cotton full-fashioned hosiery is knit of a higher denier than that specified as the minimum in the table, it is permissible to reduce the minimum total courses at a rate of one course less per each denier used, over the specified minimum. That is to say, if 125 denier is used in the welt instead of the specified minimum of 100 denier, the minimum number of courses may be reduced by 25 courses in the welt but not in knitting the leg portion. In applying this provision to cotton welts, the denier equivalent of the cotton count shall be employed.

(5) In rayon hosiery, the total over-all length of welt plus the after-welt shall not be less than 5 inches, except as provided in paragraph (d) (2) of this schedule.

(e) All rayon stockings of 75 denier or finer made with either a cotton or rayon welt shall be made with an overlap of at least two (2) courses immediately following the afterwelt, in which the yarn of the afterwelt is to be knit together with the main end used in knitting the leg for a minimum of two (2) courses.

(f) The minimum number of needles used in knitting hosiery shall be the full 14 inch bar less two needles at each end of the bar on all gauges except in the case of drop needle or needle out constructions of cotton, wool or spun rayon, or combinations thereof.

(g) The minimum number of courses are to be counted in conventional or legger-footer construction, from the first course in the welt to the loose course in the heel; in single unit or rack-back constructions, from the first course in the welt to the course in the heel on which the widest course in the rackback falls.

(h) The heel splicing shall measure 4½ inches from the bottom of the heel with a ½ inch tolerance, plus or minus.

(i) All seams shall be made with a minimum of 16 stitches to the inch and be made of a good quality two or three ply seaming yarn.

(j) Based on a 14-inch head, the maximum number of total flare and calf narrowings in the leg of full-fashioned plain knit hosiery shall be:

	Back-Back Round Heel	*Legger-Footer*
39 gauge	44	40 narrowings
42 gauge	46	42
45 gauge	48	44
48 gauge	54	46
51 gauge	58	50
54 gauge and up	optional	optional

(k) The reinforcing yarn in the toe must start within 10 courses from the first toe narrowing.

(l) Where two-ply cotton yarns are specified the equivalent count in single yarns may be used. Where definite counts of cotton (but not rayon) yarn are specified in the table, no finer counts of cotton yarn may be used, but combination yarns of cotton and rayon, or cotton, rayon and wool mixed yarns,

and coarser counts of cotton yarns, or spun rayon yarn of total equivalent denier or heavier may be used. No spun rayon yarn may be used as a toe splicing or toe reinforcing yarn.

(m) Plied ends of single rayon yarn may be used if they make the equivalent denier of yarns shown in the table. Sixty-five denier cuprammonium rayon yarn shall be deemed equivalent to 75 denier viscose yarn and may be used as an alternate wherever 75 denier is specified in the table. The use of acetate rayon yarn is not permissible in deniers finer than 75.

(n) No lace bands, fancy designs or numerals are to be knit in welts, or in after welts of plain knit stockings. No picot stitches are to be placed more closely than ¾ inch apart except for the top ⅛ inch of the welt.

(o) For any spring-summer or fall-winter line, no manufacturer shall put in dye or knit ingrain more than 7 basic body colors, and no more than 5 of these 7 shall be in any one style. In addition to the foregoing, white is also permitted.

TABLE II—WOMEN'S SEAMLESS, CIRCULAR KNIT HOSIERY

Needles	Rayon stockings							Applying to both rayon and allover cotton constructions		Allover cotton	
	Body or boot yarn.			If rayon welt		If cotton welt		Reinforcing yarns for double sole and high splice when permissible; see section II—Schedule D	Heel and toe yarns[1]	Body or boot yarns	Total courses
	Denier	Minimum twis	Total courses	Welt yarns	Minimum twist	Total courses	Welt yarns				
176–188	150	Producers'[2]	792	150	Producers'[2]	732	50/2		30/2	50/2	684
200	150	Producers'[2]	852	150	Producers'[2]	792	50/2		40/2	50/2	744
220–240	150	Producers'[2]	900	150	Producers'[2]	876	60/2	50 denier rayon or 70/1 cotton	40/2	60/2	828
260	150	Producers'[2]	960	150	Producers'[2]	960	70/2	50 denier rayon or 80/1 cotton	50/2	70/2	900
260	125	Producers'[2]	984	150	Producers'[2]	984	70/2	50 denier rayon or 80/1 cotton	50/2	70/2	960
260	100	15 turns	1,008	150	Producers'[2]	1,008	70/2	50 denier rayon or 80/1 cotton	60/2	80/2	1,056
260	150	Producers'[2]	1,008	150	Producers'[2]	1,008	70/2	50 denier rayon or 90/1 cotton	60/2	80/2	1,056
280	150	Producers'[2]	1,032	150	Producers'[2]	1,056	80/2	50 denier rayon or 90/1 cotton	60/2	80/2	1,056
280	125	Producers'[2]	1,056	150	Producers'[2]	1,080	80/2	50 denier rayon or 90/1 cotton	70/2	100/2	1,152
280	100	15 turns	1,056	150	Producers'[2]	1,056	70/2	50 denier rayon or 100/1 cotton	70/2	100/2	1,152
300	150	Producers'[2]	1,056	150	Producers'[2]	1,104	80/2	50 denier rayon or 100/1 cotton	70/2	100/2	1,152
300	125	Producers'[2]	1,104	125	Producers'[2]	1,152	100/2	50 denier rayon or 100/1 cotton	70/2	100/2	1,152
300	100	15 turns	1,128	125	Producers'[2]	1,188	100/2	50 denier rayon or 100/1 cotton	80/2	120/2	1,200
300	75	20 turns	1,104	125	Producers'[2]	1,152	100/2	50 denier rayon or 100/1 cotton	80/2	120/2	1,200
320	100	15 turns	1,152	100	10 turns	1,212	120/2	50 denier rayon or 100/1 cotton	80/2	120/2	1,200
320	75	20 turns	1,200	100	10 turns	1,212	120/2	50 denier rayon or 100/1 cotton	100/2	120/2	1,296
340	100	15 turns	1,200	100	10 turns	1,260	120/2	50 denier rayon or 100/1 cotton	100/2	120/2	1,296
340	75	20 turns	1,248	100	10 turns	1,308	120/2	50 denier rayon or 100/1 cotton	120/2	120/2	1,344
360–380	75	20 turns	1,296	100	10 turns	1,308	140/2	50 denier rayon or 120/1 cotton	140/2	140/2	1,368
400	75	20 turns	1,344	100	10 turns	1,464	140/2	50 denier rayon or 120/1 cotton	140/2	140/2	1,368
400	150	25 turns	1,440	100	10 turns	1,464	140/2	50 denier rayon or 120/1 cotton	140/2	140/2	1,368

[1] Heels and toes made entirely of rayon are not permitted. However, rayon and cotton heels and toes, plaited, twisted or random knit are permitted if the total counts used are at least equivalent to the cotton counts now allowed for heels and toes. No finer cotton counts are permitted under this footnote than 80/1 on machines up to and including 300 needle, 100/1 for 320 and 340 needle and 120/1 for 360 needle and up.

[2] Rayon yarn qualifying as yarn of 50 denier and having an over-all tenacity of 2.3 grams per denier or higher irrespective of elongation.

(b) Where definite counts of cotton (but not rayon) yarn are specified in the table, no finer counts of cotton yarn may be used, but combination yarns of cotton and rayon, or cotton, rayon and wool mixed yarns, and coarser counts of cotton yarns, or spun rayon yarn of total equivalent denier or heavier may be used. No spun rayon yarn may be used as a splicing or reenforcing yarn in heel or toe.

(c) Where two-ply cotton yarns are specified in the table the equivalent counts in single yarns may be used.

(d) The leg length of women's seamless rayon hosiery shall be 30 inches with a 1½ inch minus tolerance and a reasonable plus tolerance. All welts to finish a minimum of 4 inches.

(e) The specified minimum total courses are to be counted from the first course in the welt to the end of the high splicing where the reciprocating motion is started for the heel.

(f) When the welt of a woman's seamless stocking is knit of higher denier than that specified as the minimum in the table, it is permissible to reduce the minimum total courses at a rate of one course less per each denier used over the specified minimum. This total reduction in courses shall be adjusted to the nearest number divisible by 12. That is to say, if 125 denier is used in the welt instead of the specified minimum of 100 denier the minimum number of courses may be reduced by 24 courses in the welt, but not in knitting the leg portion. In applying this provision to cotton welts the denier equivalent of the cotton counts shall be employed.

(g) Mesh or tuck stitch constructions in women's circular knit hosiery are restricted to the following constructions:

(1) On single-end tuck stitch knitting, no finer than one end of 100 denier rayon yarn or its equivalent in other fibres may be used in the leg, on any machine regardless of number of needles.

(2) On double-end mesh knitting no finer than 75 denier rayon yarn or its equivalent in other fibres may be used in the leg, on any machine regardless of number of needles.

(3) Minimum number of turns per inch in the rayon yarn in mesh or tuck stitch constructions are to be the same as shown in Table II for plain knit constructions for similar deniers.

(h) All sole splicing yarns are prohibited in women's circular knit all-over cotton hosiery and in women's circular knit rayon hosiery when the main end is 100 denier rayon yarn or heavier.

(i) For any spring-summer or fall-winter line, no manufacturer of women's seamless hosiery shall put in dye or knit ingrain more than 7 basic body colors, and no more than 5 of these 7 colors in any one style. In addition to the foregoing colors, white is also permitted.

SCHEDULE C—MEN'S HOSIERY

(a) The following limitations apply to men's hosiery but do not apply to the manufacture of men's work socks or bundle socks made of wool, part wool, or cotton.

(b) No manufacturer may produce men's hosiery with an over-all leg length other than those specified in paragraph (h) of this schedule or in accordance with Schedule E.

(c) No manufacturer may produce in any mill men's hosiery in fancy patterns which were not in actual production in such mill during the sixty-day (60) period immediately prior to April 2, 1943. Any machines that have been idle for this entire period may be set-up on patterns of the mill's choosing, but when so set-up, they are subject to the limitations of this clause.

(d) (1) For any spring-summer or fall-winter line no one mill shall put in dye or knit ingrain more than 7 basic body colors and no more than 5 of such 7 basic colors in any one style, to which may be added white and three War Service colors.

(2) No limitations are placed upon the use of various colors in yarns used purely for decorative purposes in men's fancy hosiery.

(e) No men's cotton hosiery is to be manufactured with any splicing or reinforcing yarn in the sole.

(f) True-ribbed tops, those knitted separately and transferred, or those knitted automatically on H-H or Komet machines, shall not be doubled, turned or hemmed. None of the limitations of this paragraph shall apply to men's hosiery made on R. I. machines.

(g) No men's hosiery is to be manufactured with any mock-seams.

(h) The over-all leg length of men's half hose shall be as follows: 13½-inch minimum; 15½-inch maximum.

The over-all leg length of men's short socks or slacks shall be 10 inches maximum, including a top portion of not more than 2 inches.

SCHEDULE D—INFANTS', CHILDREN'S, BOYS' AND MISSES' HOSIERY AND WOMEN'S ANKLETS

(a) No manufacturer shall put in production any fancy or novelty patterns or designs, not actually in production in the period between October 1st, 1942, and April 2, 1943.

(b) (1) The total finished leg-length of all women's, misses', children's, and infants' anklets either straight-up or cuff-top is not to exceed the measurements shown in Table #10 of U. S. Commercial Standards, C S 46–40, as follows:

TABLE 10—STANDARD LENGTHS OF ANKLETS

[Folded and single cuffs]

Size	Number of needles	Size of cylinder (diameter)	Standard length	Tolerance
		Inches	*Inches*	
5–5½	120–160	2¾–2¾	4	+¼
6–6½	120–180	2¾–3	4½	+¼
7–7½	130–200	2¾–3⅛	5	+¼
8–8½	140–220	2¾–3⅛	5½	+¼
9–9½	150–240	2⅞–3⅛	6	+¼
10–10½	160–240	3–3⅛	6	+¼
11–11½	120–180	3¼–3¾	6	+¼

(2) No top or cuff may be turned down or folded more than once. Anklet tops or cuffs made of true rib fabric or made on H. H. Komet, or Links & Links machines may be made of only a single thickness of fabric before turning or folding. Anklet tops or cuffs made on any other type of machine may be made of not more than a double thickness of fabric before turning or folding.

(3) No top or cuff either straight-up or folded is to measure when finished more than two (2) inches in length.

(c) [Deleted May 2, 1944]

(d) No women's anklets or misses', children's or infants' hosiery shall be manufactured with any splicing or reinforcing yarn in the sole of the foot.

(e) In each twelve months period following May 15, 1943, no manufacturer of women's anklets or misses', children's, or infants' hosiery shall knit ingrain or put in dye more than 8 basic body colors in staple constructions, and, in novelty constructions no more than 7 of such basic colors in any one style. In addition to the foregoing colors white is also permitted. No restriction is placed upon the use of any colored yarns in the manufacture of decorative stripes, designs and figures in any part of women's anklets, or misses', children's or infants' hosiery.

SCHEDULE E—CREW SOCKS

(a) For the purpose of this schedule crew socks are defined as a distinctive type of hosiery for men, women and children made with an ankle or top section knit on any ribbing machine coarser than 1 x 1 rib and with a plain knit foot.

(b) No manufacturer shall produce any men's, women's, or children's crew socks after July 15, 1943, except in accordance with the following specifications:

(1) The use of any continuous filament rayon is not permitted.

(2) The ribbed top shall end no farther than 3 inches from the bottom of the heel.

(3) To be knit, finished, packed and shipped with straight-up tops; not with cuffed or turned down tops.

(4) No restrictions are placed on the number of needles, diameter of cylinders or counts of yarn that may be used.

(5) The range of foot sizes may include all or any of sizes 4–13.

(6) The finished leg length shall not exceed the following measurements:

NOTE: Table amended May 2, 1944.

Foot sizes	Maximum permissible lengths (inches)	Tolerance (inch)
4–5½	5	±½
6–7	6	±½
7½–8½	7	±½
9–10½	8	±½
11–13	9	±½

(7) For any spring-summer or fall-winter line, no manufacturer of crew socks shall knit ingrain or put in dye more than 7 basic body colors, and in staples, no more than 6 of such basic colors shall be in any one style, and in noveltie no more than 4 of such basic colors shall be in any one style. No restrictions are placed upon the use of any colored yarns in the manufacture of decorative stripes in crew socks.

[F. R. Doc. 44-6258; Filed, May 2, 1944; 11:27 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-340 as Amended May 2, 1944]

MISCELLANEOUS CHEMICALS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of the chemicals subject to this order for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.491 *Allocation Order M-340*—(a) *Definitions.* (1) "Subject chemical" means any chemical listed in Appendix A, as therein defined.

(2) "Producer" means any person engaged in the production of any subject chemical and includes a person who imports any subject chemical or has it produced for him pursuant to toll agreement.

(3) "Distributor" means any person who buys any subject chemical for the purpose of resale without further processing and without changing the form thereof.

(4) "Supplier" means a producer or distributor.

(b) *Restrictions on deliveries.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall deliver a subject chemical to any person except as specifically authorized or directed in writing by War Production Board. No person shall accept delivery of a subject chemical which he knows or has reason to believe is delivered in violation of this order.

(2) Authorization or directions as to deliveries to be made by suppliers in each calendar month will generally be issued by War Production Board prior to the beginning of such month, but may be issued at any time. They will normally be issued on Form WPB-2947 (formerly PD-602) which is to be filed by the supplier with War Production Board as explained in paragraph (g) below.

(3) If a supplier is authorized or directed by War Production Board to deliver a subject chemical to any specific customer or group of customers, but is unable to make the delivery either because of receipt of notice of cancellation or otherwise, the subject chemical shall revert to inventory, and shall not be delivered, or used, without further instructions.

(c) *Exceptions for small deliveries.* (1) Specific authorization in writing of War Production Board is not required for delivery by any supplier to any person in any calendar month of a subject chemical in a quantity not exceeding the quantity stated in Column 3 of Appendix B.

(2) The aggregate quantity of a subject chemical which any supplier may deliver in any calendar month pursuant to paragraph (c) (1), shall not exceed:

(i) The quantity which he has been specifically authorized, upon application pursuant to Appendix D, to deliver on small orders; or

(ii) If he is a distributor, the quantity which he acquired upon certification that it was required to fill small orders or the quantity which he acquired himself on such a small order, or

(iii) If he is a distributor who customarily delivers exclusively on small orders, any quantity.

(d) *Exceptions for deliveries for other reasons.* Specific authorization in writing of War Production Board is not required for delivery of a subject chemical by any supplier to any other person for a purpose stated in Column 4 of Appendix B.

(e) *Restrictions on use.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall use a subject chemical except as specifically authorized or directed in writing by War Production Board.

(2) Each person who with an order for a subject chemical furnishes a certificate required by paragraph (f) shall use the subject chemical delivered on such order only as specified on such certificate except as otherwise specifically authorized or directed in writing by War Production Board.

(3) War Production Board may from time to time issue directions with respect to the use or uses which may or may not be made of a subject chemical to be delivered to, or then in inventory of the prospective user.

(f) *Supplier to obtain from customer a certificate of use.* No supplier shall in any calendar month (beginning in the case of each subject chemical with the calendar month in which the order becomes effective as to that chemical as stated in Appendix A) deliver to any person a greater quantity of such subject chemical than is stated in Column 3 of Appendix B, unless he shall have received from such person a certificate as to the use for which such person is ordering such subject chemical. Such certificate shall be substantially in the form and shall be subject to the instructions stated in Appendix C and shall be in the hands of the supplier not later than the 15th day of the month in which delivery is to be made. It need not be filed with War Production Board. A supplier must not deliver a subject chemical where he knows or has reason to believe the purchaser's certificate is false, but in the absence of such knowledge or reason to believe, he may rely on the certificate.

(g) *Applications by suppliers for leave to deliver or use.* (1) Each supplier requiring authorization to make delivery of, or to use, a subject chemical during any calendar month shall file application on or before the 20th day of the preceding month. The application should be made on Form WPB-2947 (formerly PD-602) in the manner set forth in the general instructions appearing on that form, subject to the special instructions contained in Appendix D. If there is an

inconsistency between the general and special instructions, the special instructions must be followed.

(2) War Production Board may issue to any supplier other and further directions with respect to preparing and filing Form WPB–2947 (formerly PD–602).

(h) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref: M–340.

Issued this 2d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

Chemicals subject to this order. (1) "Acetaldol" means the chemical known by that name and by the names aldol, beta hydroxy butyric aldehyde oxybutanol, 3-hydroxy butanal.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(2) "ST–115" means the preparation known by that trade name, as defined and specified in Appendix to Regulation No. 3 (1942 Revision) of the Bureau of Internal Revenue.

Effective date—August 1, 1943. Comes in the following grades; no grades.

(3) "Dehydrol-O" means the chemical known by that trade name as defined and specified in Appendix to Regulation No. 3 (1942 Revision) of the Bureau of Internal Revenue.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(4) "G. C.–78" means the chemical known by that trade name.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(5) "By-product—phosphoric acid" means phosphoric acid obtained as a by-product in the manufacture of methyl methacrylate.

Effective date—September 1, 1943. Comes in the following grades: no grades.

(6) "Oxidized petrolatum" means high paraffinic petrolatum oxidized and processed to contain aliphatic ketones, and which is suitable for use as a base in the manufacture of rust preventive compounds or corrosion inhibitors meeting specification Nos. AXS–673, 52–C–18 and AN–C–52, such as those petrolatums known by the trade marks Par-Al-Ketone, Alox 707, Alox 701 and Alox 600.

Effective date—October 9, 1943. Comes in the following grades: no grades.

(7) "Vinsol" resin and "Truline" binder means the resins known by those registered trade marks or any similar resin obtained from the oleo-resin of pine wood and having the following properties:

Maximum solubility in petroleum naphtha 20%; complete solubility in lower alcohols; toluene insoluble 10 to 30 per cent; methoxy content 4 to 6 per cent; acid number 90 to 110; softening point (ASTM ball and ring method) 103° to 118° Centigrade.

Effective date—October 9, 1943. Comes in the following grades: no grades.

(8) [Deleted Mar. 27, 1944]

(9) [Deleted Mar. 27, 1944]

(10) [Deleted Oct. 22, 1943.]

(11) "DDT" means the chemical 2, 2-bis (para chlorophenyl) 1, 1, 1-tri-chloroethane, and is also known by the trade name "Neocid".

Effective date—January 1, 1944. Comes in the following grades: no grades.

(12) "Enamel wire naphtha" (also known as E. W. naphtha) means a mixture of aromatic solvents derived from coke oven light oil, drip oil or coal tar, distilling between 150 and 290° C., with at least 15 per cent distilling above 200° C., and containing 20 to 60 per cent monomeric polymerizable constituents of the cumorone-indene type. The term does not include aromatic material for the production of E. W. naphtha, or for the production of cumorone-indene resin, or for the production of other chemicals or intermediates, or for use as solventa in the crude state.

Effective date—February 1, 1944. Comes in the following grades: no grades.

(13) "Methyl Bromide" means the chemical CH.Br.

Effective date—March 1, 1944. Comes in the following grades: no grades.

(14) "Precipitated calcium carbonate" means ultra fine particle calcium carbonate such as the chemical known as Kalvan, Witcarb R and Multifex.

Effective date—April 1, 1944. Comes in the following grades: no grades.

(15) "Pyronate" means the pyroligneous alcohol known by that trade name which is produced as a by-product of the destructive distillation of hardwood.

Effective date—May 1, 1944. Comes in the following grades: No grades.

Effective date—May 1, 1944. Comes in the following grades: No grades.

APPENDIX B

1	2	3	4
Name of chemical	Unit of measure	Maximum quantity deliverable to any one person in any calendar month without specific authorization and without certificate required by paragraph (f)	Purpose for which delivery may be made without specific authorization, regardless of quantity. (See par. (d).)
(1) Acetaldol	Gallon	54 gallons	None.
(2) ST–115	Gallon	54 gallons	None.
(3) Dehydrol-O	Gallon	54 gallons	None.
(4) G. C.–78	Gallon	54 gallons	None.
(5) By-product phosphoric acid.	Ton	5 tons	None.
(6) Oxidized petrolatum.	Pound	25 pounds	None.
(7) Vinsol resins.	Pound	300 pounds	None.
(8) [Deleted Mar. 27, 1944.]			
(9) [Deleted Mar. 27, 1944.]			
(10) [Deleted Oct. 22, 1943.]			
(11) DDT	Pound	1 pound	None.
(12) E.W.Naphtha.	Gallons	54 gallons	None.
(13) Methyl Bromide.	Pound	10 pounds	None.
(14) Precipitated calcium carbonate.	Pound	50 pounds	None.
(15) Pyronate	Gallon	54 gallons	None.

APPENDIX C—CUSTOMER'S CERTIFICATE OF INTENDED USE

The undersigned purchaser hereby certifies to War Production Board and to his supplier, pursuant to Order No. M–340, that the _____ (specify subject chemical) ordered for delivery in _____, 194__

Month

will be used by him for the manufacture or preparation of the following product(s), and that such product(s) will be put to the following end use(s):

	Quantity	Primary product	End use
(A)			
(B)			

_____
Name of purchaser

_____ By _____ _____
Date Duly authorized official Title

Instructions for customer's certificate. (1) The certificate shall be signed by an authorized official of the purchaser, either manually or as provided in Priorities Regulation No. 7.

(2) Where a purchaser wishes to receive more than the exempted quantity of each of two or more subject chemicals, a separate certificate shall be obtained as to each.

(3) The purchaser will specify under "Primary product", the exact product or products in the manufacture or preparation of which the subject chemical will be used or incorporated A distributor ordering the subject chemical for resale as such will specify "resale" or, if ordering exclusively for resale on exempt small orders, will specify "small orders of _____ or less" (specify quantity stated in Column 3 of Appendix B). If purchase is for inventory state "inventory."

(4) Under "End use", purchaser will specify the ultimate or end use to which the primary product will be put. He will also indicate whether civilian, Lend-Lease, other export or military, and if the product is for uses falling in two or more such categories, the percentage falling in each. Also, he will give contract numbers in the case of military use or Lend-Lease, and in the case of export, export license numbers. A distributor ordering the subject chemical for resale as such will leave blank the "End Use" column.

APPENDIX D—SPECIAL INSTRUCTIONS FOR SUPPLIER'S FORM WPB–2947 (FORMERLY PD–602)

(1) *Obtaining forms.* Copies of Form WPB–2947 (formerly Form PD–602) may be obtained at local field offices of the War Production Board.

(2) *Number of copies.* Prepare an original and three copies. File original and two copies with War Production Board, Chemicals Division, Washington 25, D. C., Ref.: M–340, retaining the third copy for your files. The original filed with the War Production Board shall be manually signed by a duly authorized official.

(3) *Separate set for each chemical.* Where the supplier's application relates to deliveries of two or more subject chemicals, he will file a separate set of Form WPB–2947 (formerly Form PD–602) for each.

(4) *Information at top of form.* In the heading, under "Name of Material", specify the subject chemical to which the Form WPB–2947 (formerly Form PD–602) relates; under "Grade", specify grade stated in Appendix A, or if no grade specified, leave blank; under "WPB Order No.", specify "M–340"; indicate month and year during which deliveries covered by the application are to be made; under "Unit of Measure", specify unit of measure stated in Column 2 to Appendix B; under name of company, specify your name and the address of the plant or warehouse from which shipment will be made.

(5) *Listing of customers.* In Column 1 (except for small orders as explained in (7) below) list the name of each customer from whom an order for delivery of the subject chemical during the applicable month has been received. If it is necessary to use more than one sheet to list customers, number each sheet in order and show the grand total on last sheet which is the only one that need be certified.

(6) *Primary product and end use.* In Column 1–a (except for small orders as explained in (7) below) specify the product or products in the manufacture or preparation of which the subject chemical will be used by your customer, the end use to which such product or products will be put, and military or Lend-Lease contract numbers, and export license numbers, all as indicated by the certificate obtained under paragraph (f) of this order. The quantity of the subject chemical used in the manufacture or preparation of each primary product for each product use shall be shown separately. If the subject chemical ordered by a customer is for two or more uses, indicate each use separately and indicate the quantity of the subject chemical ordered for each use.

(7) *Small orders.* The supplier need not list the name of any customer to whom he is to deliver in the applicable month a quantity of the subject chemical not exceeding the maximum quantity (indicated in Column 3 of Appendix B) which he is permitted to deliver to any one person in any calendar month without specific authorization. Also, in the case of any such delivery, he need not show the name of the product or the end use. Instead, he must write in Column 1 "Total small order deliveries (estimated)" and in Column 4, must specify the total estimated quantity of the subject chemical to be delivered on such orders.

(8) *Use by producers.* A producer requiring permission to use a part or all of his own production of the subject chemical shall list his own name as customer in Column 1 on Form WPB–2947 (formerly Form PD–602) specifying quantity required and product manufactured. Written approval of War Production Board on such Form WPB–2947 (formerly Form PD–602) shall constitute authority to the producer to use the subject chemical in the quantity and for the purposes indicated in such approved form.

(9) *Table II.* Each producer will report production, deliveries and stocks as required by Table II, Columns 9 to 16, inclusive. Distributors will fill out only Columns 10, 12 and 13. Producers and distributors will show in Column 8 Grade, as stated in Appendix A, or if no Grade is there specified, will leave Column 8 blank.

[F. R. Doc. 44–6257; Filed, May 2, 1944; 11:27 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 60]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12754, 14472, 15488, 16787, 17486; 9 F.R. 401, 455, 692, 1810, 2212, 2287, 2252, 2789, 3030, 3075, 3340.

A new section 5.6 (d) is added to read as follows:

(d) An institutional user who commenced operations after January 1, 1944, and who has not been granted a reserve allotment prior to May 1, 1944, shall be granted a reserve allotment equal to one-half of his bases for meal services and refreshments. Such reserve allotments shall be granted when he applies for allotments for the period following the one in which he commenced operations, or on May 1, 1944, whichever is later.

This amendment shall become effective May 1, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1–E, 1–M, and 1–R, 7 F.R. 562, 2965, 7234, 9684, respectively; War Food Orders 56, 58, 59, 61, 64, 9 F.R. 4319, 4320, 4321)

Issued this 1st day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6233; Filed, May 1, 1944; 4:57 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 61]

FOOD RATIONING FOR INSTITUTIONAL USER

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respect:

A new section 12.4 is added to read as follows:

SEC. 12.4 *Petitions for a refreshment allotment for foods covered by Ration Order 16.* (a) An institutional user who used meat, butter, cheese or margarine for services of refreshments only during his base month may petition the Board for a refreshment allotment for foods covered by Ration Order 16. The application shall be made on OPA Form R–315, and must state the quantities of meat, butter, cheese and margarine, in pounds, used in the base month. The Board may grant a petition for a refreshment allotment if it finds that the institutional user used meat, butter, cheese, or margarine for services of refreshments only in his base period, and shall determine that allotment in the following way:

(1) The total pounds of meat, cheese, butter and margarine used for services of refreshments only in the base month is divided by the total pounds of all foods covered by Ration Order 16 used for services of refreshments only in that month;

(2) The figure so obtained is multiplied by two; and

(3) The result multiplied by his refreshment base for foods covered by Ration Order 16 is his refreshment allotment for those foods for each allotment period.

This amendment shall become effective May 1, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1–E, 1–M and 1–R 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 1st day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6232; Filed, May 1, 1944; 4:56 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 2 to Supp. 3[2]]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplement 3 to General Ration Order 5 is amended in the following respect:

Section 1305.216 (e) is amended by deleting the words

Foods covered by Ration Order 16 ..... 2.

and substituting in place thereof the following:

Foods covered by Ration Order 16:
For the March–April 1944 allotment period ..... 2.
For the May–June 1944 and subsequent allotment periods ..... 0.

This amendment shall become effective May 1, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1–E, 1–M and 1–R 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 1st day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6234; Filed, May 1, 1944; 4:57 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 2 to Supp. 3[2]]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplement 3 to General Ration Order 5 is amended in the following respect:

Section 1305.216 (e) is amended by deleting the words

Foods covered by Ration Order 16 ..... 2.

and substituting in place thereof the following:

Foods covered by Ration Order 16:
For the March–April 1944 allotment period ..... 2.
For the May–June 1944 and subsequent allotment periods ..... 0.

This amendment shall become effective May 1, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1–E, 1–M and 1–R 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 1st day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6232; Filed, May 1, 1944; 4:56 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 271,[3] Amdt. 14]

POTATOES AND ONIONS

A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation is amended in the following respects:

1. In Table III of section 24, the title "June" in the column under "1944" is amended to read "June and after."

[1] 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 16787, 17485; 9 F.R. 402, 455, 692, 1810, 2212, 2287, 2252, 2476.

[2] 9 F.R. 2019.

[3] 8 F.R. 15587, 15663; 9 F.R. 1532, 2298, 3589, 4027.

2. In Table IV in section 24, the title "April" in the column under "1944" is amended to read "April and after."

This amendment shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of May 1944.

CHESTER BOWLES,
Administrator.

APRIL 29, 1944.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 44-6210; Filed, May 1, 1944; 11:47 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 169,[1] Amdt. 40]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. The words "the War Shipping Administration and/or" appearing in paragraphs (e) (3) and (4) of § 1364.407 are hereby deleted.

2. The words "the War Shipping Administration and/or" appearing in paragraph (a) of § 1364.415 are hereby deleted.

3. The headnote of paragraph (o) of § 1364.452 is amended to read as follows:

(o) *Applicable zone prices for fabricated beef cuts and/or ground beef and miscellaneous beef items sold to purveyors of meals; Applicable zone prices for fabricated beef cuts (War Shipping Administration Specifications).*

4. The last sentence of § 1364.452 (o) (1) (i) is amended to read as follows:

No person shall sell or deliver, and no person in the course of trade or business shall buy or receive, any fabricated beef cut, other than one defined in § 1364.455 (b) (3) for which maximum prices have been established for sales to purveyors of meals.

5. Section 1364.452 (o) (1) (iii) is added to read as follows:

(iii) Subject to the pricing instructions contained in paragraph (a) of § 1364.451, the maximum price for fabricated beef cuts (War Shipping Administration Specifications) shall be the applicable zone prices determined in accordance with the provisions of paragraph (a) of § 1364.451, substituting for the purposes of this paragraph (o) the term "fabricated beef cut (War Shipping Administration Specifications)" wherever the words "wholesale cut" or "wholesale cuts" are used in said paragraph (a) of § 1364.451. No person shall sell or deliver any fabricated beef cut (War Shipping Administration Specifications) which does not meet War Shipping Administration specifications, to the War Shipping Administration, to a licensed ship supplier for resale as ship stores, or to any ship operator for ship stores.

6. Section 1364.452 (o) (2) and (3) are amended to read as follows:

"(2) The zone areas for each grade of each fabricated beef cut and/or ground beef and miscellaneous beef item and/or fabricated beef cut (War Shipping Administration Specifications) are identical to the beef zone areas set forth in Schedule I (§ 1364.452 (a) to (j) inclusive).

(3) The applicable prices in zones 1 and 2 and 5 to 10 for fabricated beef cuts, for ground beef and miscellaneous beef items, and for fabricated beef cuts (War Shipping Administration Specifications) shall be the prices specified in subparagraphs (4), (5), (6), (7) or (10) hereof (the applicable zone 3 and 4 prices), plus the following:

Zone 1	$1.75
Zone 2	1.00
Zone 5	.50
Zone 6	.75
Zone 7	1.00
Zone 8	1.25
Zone 9	1.50
Zone 10	1.75

7. Section 1364.452 (o) (6), (7), (8) and (9) are amended to read as follows:

(6) Subject to the additions and deductions hereafter provided in Column IV, the following table of prices shall be the applicable zones 3 and 4 prices on sales of fabricated beef cuts (War Shipping Administration Specifications) made:

Column I By—	Column II To—	Column III Which sales require delivery	Column IV Addition and deductions
(i) Any person (other than a slaughterer, packer, or packer's branch house).	The War Shipping Administration or to such person as may be authorized by the War Shipping Administration to make such purchases under the direction and control of that agency (stock pile).	To a commercial warehouse or a storage place designated by the War Shipping Administration.	None.
(ii) Any slaughterer, packer, or packer's branch house.	The War Shipping Administration or such person as may be authorized by the War Shipping Administration to make such purchases under the direction and control of that agency (stock pile).	To a commercial warehouse or a storage place designated by the War Shipping Administration.	Deduct $0.50 per cwt. from table price.
(iii) Any person (other than a slaughterer, packer, or packer's branch house).	A licensed ship supplier.	To the buyer's place of business.	Deduct $0.25 per cwt. from table price.
(iv) Any slaughterer, packer, or packer's branch house.	A licensed ship supplier.	To the buyer's place of business.	Deduct $0.75 per cwt. from table price.
(v) A slaughterer, packer, or packer's branch house which is a licensed ship supplier.	A ship operator	To ship side	None.
(vi) A licensed ship supplier (other than a slaughterer, packer, or packer's branch house) who purchased the fabricated beef cuts (War Shipping Administration Specifications) from the War Shipping Administration (stock pile) or from a person who has accumulated an inventory of fabricated beef cuts (War Shipping Administration Specifications) (stock pile) under the direction and control of the War Shipping Administration.	A ship operator	To ship side	Add $1.50 per cwt. to table price.
(vii) A licensed ship supplier who purchased imported fabricated beef cuts (War Shipping Administration Specifications) (stock pile) from the War Shipping Administration.	A ship operator	To ship side	Add $1.50 per cwt. to table price.
(viii) Any licensed ship supplier (other than a slaughterer, packer or packer's branch house).	A ship operator	To ship side	Add $1.25 per cwt. to table price.

(All prices are on dollars per hundredweight basis. The prices for any fraction of a hundredweight shall be reduced accordingly. The prices set forth herein include costs of freezing and one month's storage, wrapping, boxing, strapping, inspection and grading in accordance with War Shipping Administration specifications. (The additions and deduction specified in Schedule III (§ 1364.454) and Schedule II (§ 1364.453) of this regulation are not applicable.) For fabricated beef cuts (War Shipping Administration Specifications) wrapped in kraft paper and cheese cloth, $0.25 per cwt. shall be deducted from table prices.

	Choice or AA	Good or A	Commercial or B	Utility or C
Ground beef	$19.00	$19.00	$19.00	$19.00
Boneless round	31.75	29.75	26.25	22.00
Strip loin (bone in)	47.25	42.75	35.75	29.25
Sirloin butt (boneless)	35.25	33.00	26.00	20.00
Full trimmed beef tenderloin	55.25	55.25	46.25	46.25
Oven prepared rib	30.75	28.75	26.75	23.25
Boneless regular chuck	26.25	24.75	23.00	20.50
Boneless plate (fresh, frozen or cured)	20.00	20.00	18.75	18.75
Boneless brisket (deckle on)	28.25	23.25	20.00	20.00
Corned beef brisket (deckle on)	22.75	22.75	19.50	19.50

All sales under this paragraph are made subject to the provisions of § 1364.452 (k), and for the purposes of this subparagraph (6) the term "fabricated beef cut (War Shipping Administration Specifications)" shall be substituted for the term "wholesale cut" in § 1364.452 (k).

For purposes of this subparagraph (6), a sale of fabricated beef cuts (War Shipping Administration Specifications) by any selling establishment which satisfies the definition of "hotel supply house" as defined in § 1364.455 (b) (1), shall be deemed to be a sale by a person other than a slaughterer, packer, or packer's branch house.

(7) Notwithstanding the provisions of § 1364.451 (a) (4), the War Shipping Administration or any person authorized by the War Shipping Administration to make purchases under its direction and control, is authorized to purchase and sell fabricated beef cuts (War Shipping Administration Specifications).

(8) "Fabricated beef cut (War Shipping Administration Specifications)" means beef derived from steers and heifers of the grades choice, good, commercial or utility and satisfying the specifications and requirements contained in War Shipping Administration Food Control Regulation No. 2. Fabricated beef cuts (War Shipping Administration Specifications), shall be graded in accordance with § 1364.411 (a) (1) and (2) of this regulation, and no fabricated beef cut (War Shipping Administration Specifications), so graded shall be packed for sale and/or delivery to the War Shipping Administration, to a licensed ship supplier or to any person for resale as ship stores, authorized to make such purchase under the direction and control of the War Shipping Administration, or to a ship operator, except in the presence of an official United States inspector designated by the Food Distribution Administration, or other United States Government agency regularly performing grading and/or inspection service who shall certify that the cutting, boning, trimming, and other fabrication, the grade, the weight and the other specifications of the War Shipping Administration and/or Office of Price Administration, have been complied with and that the legends affixed to the package by the seller are correct. Certification by the official United States inspector shall be made by affixing a stamp or sticker to the container, which stamp or sticker shall attest the accuracy of all representations appearing upon the container.

(9) For purposes of subparagraphs (6), (7) and (8) hereof, (i) a licensed ship supplier means any person who has been licensed by the War Food Administration under the provisions of Food Distribution Regulation No. 3, as amended, (issued October 8, 1943) to sell and/or deliver meats and other food products to ship operators and (ii) a "ship operator" means any person as defined in Food Distribution Regulation No. 3, who conducts "* * * the business of vessels for the account of the United States under a general agency form of service agreement approved by the Administrator of the War Shipping Administration; or operating as the owner or owner's agent, a vessel time chartered to the United States, represented by the Administrator of the War Shipping Administration; which is owned, chartered, or operated by any allied or neutral country," or any other person conducting the business of vessels who is designated as a ship operator by the War Shipping Administration.

8. Subdivisions (ii) and (iii) of § 1364.455 (b) (2) are hereby revoked.

9. Subdivisions (iv) and (v) of § 1364.455 (b) (2) are redesignated (ii) and (iii) respectively.

10. The headnote of § 1364.467 (n) is amended to read as follows:

(n) *Applicable zone prices for fabricated veal cuts sold to purveyors of meals; applicable zone prices for fabricated veal carcasses (War Shipping Administration Specifications).*

11. Section 1364.467 (n) (1) is amended to read as follows:

(1) (i) Subject to the pricing instructions contained in paragraph (a) of § 1364.466, the maximum price for each grade of each fabricated veal cut shall be the applicable zone price determined in accordance with the provisions of paragraph (a) of § 1364.466 substituting for the purposes of this subdivision (i) the term "fabricated veal cut" whenever the words "wholesale cut" or "wholesale cuts" are used in said paragraph (a) of § 1364.466, plus the permitted additions, if any, specified in Schedule VI (§ 1364.469), excluding therefrom the additions permitted under paragraph (e), (f), (g) and (h) thereof, minus the required deductions, if any, specified in Schedule V (§ 1364.468), substituting for the purposes of this subdivision (i) the term "fabricated veal cut" wherever the words "wholesale cut" or "wholesale cuts" are used in Schedules V and VI. No person shall sell or deliver any fabricated veal cut and no person in the course of trade or business shall buy or receive any fabricated veal cut unless such fabricated veal cut is a fabricated veal cut as defined in § 1364.470 (b) (3) for which applicable prices have been established for sales to purveyors of meals.

(ii) Subject to the pricing instructions contained in paragraph (a) of § 1364.466, the maximum price for each grade of fabricated veal carcass (War Shipping Administration Specifications) shall be the applicable zone price determined in accordance with the provisions of paragraph (a) of § 1364.466, substituting for the purposes of this subdivision (ii) the term "fabricated veal carcass" (War Shipping Administration Specifications) wherever the words "wholesale cut" or "wholesale cuts" are used in said paragraph (a) of § 1364.466. No person shall sell or deliver any fabricated veal carcass (War Shipping Administration Specifications) which does not meet War Shipping Administration Specifications, to the War Shipping Administration, to a licensed ship supplier for resale as ship stores, or to any ship operator for ship stores.

12. Section 1364.467 (n) (2) is amended to read as follows:

(2) The fabricated veal cut zone areas and the fabricated veal carcass (War Shipping Administration Specifications) zone areas 1 to 10 are identical to the beef zone areas set forth in Schedule I (§ 1364.452).

13. Section 1364.467 (n) (6), (7), (8) and (9) are amended to read as follows:

(6) Subject to the additions and deductions hereafter provided in Column IV, the following table prices shall be the applicable Zone 4 prices on sales of fabricated veal carcass (War Shipping Administration Specifications), made:

Column I By—	Column II To—	Column III Which sales require delivery	Column IV Addition and deductions
(i) Any person (other than a slaughterer, packer, or packer's branch house).	The War Shipping Administration or to such person as may be authorized by the War Shipping Administration to make such purchases under the direction and control of that agency (stock pile).	To a commercial warehouse or a storage place designated by the War Shipping Administration.	None.
(ii) Any slaughterer, packer, or packer's branch house.	The War Shipping Administration or such person as may be authorized by the War Shipping Administration to make such purchases under the direction and control of that agency (stock pile).	To a commercial warehouse or a storage place designated by the War Shipping Administration.	Deduct $0.50 per cwt. from table price.
(iii) Any person (other than a slaughterer, packer, or packer's branch house).	A licensed ship supplier	To the buyer's place of business.	Deduct $0.25 per cwt. from table price.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4097, 4787, 4844, 5170, 5478, 5634, 6058, 6427, 7109, 6945, 7199, 7200, 8011, 8677, 8756, 9066, 9300, 9995, 10364, 10671, 11296, 11445; 9 F.R. 1121, 2023, 2135, 3424.

Column I By—	Column II To—	Column III Which sales require delivery	Column IV Addition and deductions
(iv) Any slaughterer, packer, or packer's branch house.	A licensed ship supplier	To the buyer's place of business.	Deduct $0.75 per cwt. from table price.
(v) A slaughterer, packer, or packer's branch house which is a licensed ship supplier.	A ship operator	To ship side	None.
(vi) A licensed ship supplier (other then a slaughterer, packer, or packer's branch house) who purchased the fabricated veal carcase (War Shipping Administration Specifications) from the War Shipping Administration (stock pile) or from a person who has accumulated an inventory of fabricated veal carcasses (War Shipping Administration Specifications) (stock pile) under the direction and control of the War Shipping Administration.	A ship operator	To ship side	Add $1.50 per cwt. to table prices.
(vii) Any licensed ship supplier (other than a slaughterer, packer, or packer's branch house).	A ship operator	To ship side	Add $1.25 per cwt. to table price.

(All prices are on dollars per hundredweight basis. The price for any fraction of a hundredweight shall be reduced accordingly. The prices set forth herein include costs of freezing and one month's storage, wrapping, boxing, strapping, inspection and grading in accordance with War Shipping Administration specifications. The additions and deductions specified in Schedule III (§ 1364.469) and Schedule II (§ 1364.468) of this regulation are not applicable). For fabricated veal carcasses (War Shipping Administration Specifications) wrapped in kraft paper and cheese cloth, $.25 per cwt. shall be deducted from table price.

	Choice or AA	Good or A	Commercial or B	Utility or C
Veal carcass	$23.75	$22.75	$20.50	$18.50

All sales under this subparagraph (6) are made subject to the provisions of § 1364.467 (k), and for the purposes of this subparagraph (6) the term "fabricated veal carcass (War Shipping Administration Specifications)" shall be substituted for the term "wholesale cut" in § 1364.467 (k).

For purposes of this subparagraph (6), a sale of fabricated veal carcasses (War Shipping Administration Specifications) by any selling establishment which satisfies the definition of "hotel supply house" as defined in § 1364.470 (b) (1), shall be deemed to be a sale by a person other than a slaughterer, packer, or packer's branch house.

(7) Notwithstanding the provisions of § 1364.466 (a) (4), the War Shipping Administration or any person authorized by the War Shipping Administration to make purchases under its direction and control, is authorized to purchase and sell fabricated veal carcasses (War Shipping Administration Specifications).

(8) "Fabricated veal carcass (War Shipping Administration Specifications)," means veal derived from calves of grades choice, good, commercial or utility and satisfying the specifications and requirements contained in War Shipping Administration Food Control Regulation No. 2. "Fabricated veal carcass (War Shipping Administration Specifications)," shall be graded in accordance with § 1364.411 (a) (1) and (2) of this regulation and no such fabricated veal carcass so graded shall be packed for sale and/or delivery to the War Shipping Administration or to any person authorized to make such purchase under the direction and control of an official United States inspector designated by the Food Distribution Administration, or other United States Government agency regularly performing grading and/or inspection service, who shall certify that the cutting, dressing, trimming and other fabrication, the grade, the weight and the other specifications of the War Shipping Administration and/or the Office of Price Administration have been complied with and that the legends affixed to the package by the seller are correct. Certification by the official United States inspector shall be made by affixing a stamp or sticker to the container, which stamp or sticker shall attest the accuracy of all representations appearing upon the container.

(9) For purposes of subparagraphs (6), (7) and (8) hereof, (i) a licensed ship supplier means any person who has been licensed by the War Food Administration under the provisions of Food Distribution Regulation No. 3, as amended, (issued October 8, 1943) to sell and/or deliver meats and other food products to ship operators. (ii) A "ship operator" means any person as defined in Food Distribution Regulation No. 3 who conducts "the business of vessels for the account of the United States under the general agency form of service agreement approved by the Administrator of the War Shipping Administration; or operating, as the owner or owner's agent, a vessel time chartered to the United States, represented by the Administrator of the War Shipping Administration; or operating a vessel, the services of which are employed by the United States, represented by the Administrator of the War Shipping Administration; which is owned, chartered, or operated by any allied or neutral country", or any other person conducting the business of vessels who is designated as a ship operator by the War Shipping Administration.

14. Subdivisions (ii) and (iii) of § 1364.470 (b) (2) are hereby revoked.

15. Subdivisions (iv) and (v) of § 1364.470 (b) (2) are redesignated (ii) and (iii) respectively.

This amendment shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6236; Filed, May. 1, 1944; 4:56 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 364, Amdt. 17]

FROZEN FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The effective date provision of Amendment 16 to this Maximum Price Regulation 364, issued April 17, 1944, is amended to read as follows:

This amendment shall become effective April 22, 1944, except that with respect to sales made by sellers to buyers, both located west of the Mississippi River, the prices established by this Amendment No. 16 shall become effective May 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued and effective this 1st day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6235; Filed, May 1, 1944; 4:56 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 1 to 11th Rev. Zoning Order 1]

SUGAR; ORDER ESTABLISHING ZONES

The Eleventh Revised Zoning Order No. 1 is amended in the following respects:

1. Section 1407.281 (a) Zone 5 is amended to read as follows:

Zone 5 shall include all points in the State of North Carolina where the base rate is based on shipments from Baltimore, Maryland; that part of the State of Virginia which is not included in Zone 4; and that part of the State of West Virginia which is not included in Zones 4 or 10.

2. Section 1407.281 (c) (2) is amended to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1433, 1534.

(2) From Zone 2 to any point in Zones 1A, 2A, 3A, or 10, or to any point in Kenton or Campbell Counties in the State of Kentucky.

3. Section 1407.281 (c) (3) is amended to read as follows:

(3) From Zone 3 to any point in Zones 2A, 3A, or 10, or to any point in Kenton or Campbell Counties in the State of Kentucky.

4. Section 1407.281 (c) (5) is amended to read as follows:

(5) From Zone 8 to any point in Zones 8A, 9, or 11, or to any point in the City of Bristol located in the State of Virginia.

5. Section 1407.281 (d) (4) is revoked.

6. Section 1407.281 (e) is amended to read as follows:

(e) Any carrier, who has, prior to the effective date of Amendment No. 1 to this Eleventh Revised Zoning Order No. 1, accepted sugar for a delivery, shipment, or transfer not at that time prohibited by §§ 1407.168 and 1407.281 may complete such delivery, shipment, or transfer after the effective date of Amendment No. 1 to this Eleventh Revised Zoning Order No. 1.

This Amendment No. 1 to the Eleventh Revised Zoning Order No. 1 shall become effective May 1, 1944.

(Pub. Law 421, 77th Cong.; Executive Order 9125, 7 F.R. 2719; Executive Order 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005; War Food Order No. 64, 8 F.R. 7093; § 1407.168 of Revised Ration Order 3)

Issued this 1st day of May 1944.

A. ALLEN THOMSON,
Acting Director,
Food Rationing Division.

[F. R. Doc. 44-6209; Filed, May 1, 1944; 11:48 a. m.]

Chapter XIII—Petroleum Administration for War

[PAO 11 as Amended Jan. 1, 1944, Supp. Order 11]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

OIL WELL DRILLING IN PANHANDLE FIELD, TEX.

Section 1515.17 *Supplementary Order No. 11 to Petroleum Administrative Order No. 11* as amended January 1, 1944.

(a) *Scope of this order.* Except as otherwise modified by the provisions of any other order issued as a supplement to Petroleum Administrative Order No. 11, as amended January 1, 1944, or by the provisions of any specific exception or other grant of authority as provided for by Petroleum Administrative Order No. 11, as amended January 1, 1944, the provisions of this supplementary order shall to the extent provided herein be applicable to the use of material in drilling, deepening, completing, recompleting, and providing additions to, oil wells in the Panhandle Field located in Wheeler, Gray, Carson, Hutchinson, and Moore Counties, Texas, but not elsewhere.

(b) *Definitions.* The definitions of Petroleum Administrative Order No. 11, as amended January 1, 1944, shall apply in this supplementary order.

(c) *Authorized uses of material in oil development drilling operations in the Panhandle Field.* Material may be used to drill, deepen, complete, recomplete, and provide additions to, any oil well in that portion of the Panhandle Field located in Wheeler, Gray, Carson, Hutchinson, and Moore Counties, Texas, if the use is in accordance with the following provisions:

(1) The well must be located on a drilling unit consisting of at least 20 contiguous surface acres, no portion of which drilling unit is attributable to or falls within 300 feet of any other drilling or producible well located on the same lease or property, and the distance between any two points farthest apart on the drilling unit must not exceed a distance of 1,500 feet, and

(2) All separate property interests in the drilling unit upon which the well is located must first be consolidated, and

(3) The well must be located at least 660 feet from every other drilling or producible well, and

(4) The well must be located at least 330 feet from every lease line, property line, and subdivision line separating unconsolidated property interests.

If any well drilled in conformity with the provisions of this paragraph (c) is completed as a gas or condensate well, it shall not be produced other than for a test period of not exceeding 15 days, and no material may be used to produce the well or provide additions therefor, except as necessary for such testing of the well, until authorization has been granted by an authorized official of the Petroleum Administration for War.

(d) *Computation of acreage attributable to oil wells in the Panhandle Field.* (1) The acreage attributable to any oil well in the Panhandle Field spudded on or before December 23, 1941, shall be determined by assigning to the well an acreage equivalent to that of the existing well density contiguous to the well. In no event need the attributed acreage be greater than that required for a new well drilled and completed pursuant to this supplementary order.

(2) The acreage attributable to any oil well in the Panhandle Field spudded after December 23, 1941, need not be greater than that required for a new well drilled and completed pursuant to this supplementary order.

(e) *Violations.* Any person who willfully violates any provision of this supplementary order, or who, by any act or omission, falsifies records kept or information furnished in connection with this supplementary order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this supplementary order may be prohibited from delivering or receiving any material under priority control, or may be subject to other appropriate action.

(f) *Effective date.* This supplementary order shall take effect on the date of issuance.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 2d day of May 1944.

RALPH K. DAVIES,
Deputy Administrator.

[F. R. Doc. 44-6252; Filed, May 2, 1944; 10:26 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 95—CAR SERVICE

[S.O. 152-A]

TRANSPORTATION OF DRY ONIONS FROM OR WITHIN CERTAIN STATES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 1st day of May, A. D. 1944.

Upon further consideration of Service Order No. 152 (8 F.R. 12518-19) of September 3, 1943, and good cause appearing therefor; *It is ordered*, That

Service Order No. 152 (8 F.R. 12518-19) of September 3, 1943, 49 CFR § 95.29, prohibiting the transportation by common carrier by railroad or by common or contract carrier by motor vehicle of dry onions from or within certain States named therein without a permit be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a. m., May 2, 1944; that a copy of this order and direction shall be served upon each State Commission enumerated in the first ordering paragraph of Service Order No. 152; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by

filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-6261; Filed, May 2, 1944; 11:30 a. m.]

Chapter II—Office of Defense Transportation

[General Order ODT 25A, Amdt. 1]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

OPERATION OF VESSELS ON THE GREAT LAKES

Pursuant to Executive Order 8989, as amended, § 502.80 of General Order ODT 25A (8 F.R. 7778) is hereby amended to read as follows:

§ 502.80 *Exemptions.* The provisions of this order shall not apply to:

(a) The transportation by vessel of property consigned by or to any department or agency of the United States other than the Commodity Credit Corporation;

(b) Any vessel while engaged in trailer or semi-trailer ferry service;

(c) Any vessel having a gross registered tonnage of less than 1,000 tons;

(d) Any passenger ship or railroad car ferry;

(e) Any vessel while engaged in the transportation of iron ore;

(f) Any vessel while engaged in the transportation of coal, provided the transportation of the coal has been authorized by a special permit issued pursuant to the provisions of General Order ODT 9A (8 F.R. 6381).

This amendment shall become effective May 2, 1944.

(E.O. 8989, 6 F.R. 6725 and 8 F.R. 14183)

Issued at Washington, D. C., this 2d day of May 1944.

J. M. JOHNSON, *Director, Office of Defense Transportation.*

[F. R. Doc. 44-6245; Filed, May 2, 1944; 10:04 a. m.]

[Suspension Order ODT 25A-1, Partial Revocation]

PART 502—DIRECTION OF TRAFFIC MOVEMENT; EXCEPTIONS, SUSPENSIONS AND PERMITS

OPERATION OF VESSELS ON THE GREAT LAKES

Pursuant to Executive Order 8989, as amended, *It is hereby ordered,* That:

Suspension Order ODT 25A-1 (9 F.R. 3656) is hereby revoked to the extent that it is applicable to any vessel which is used, or is intended to be used, as a means of transporting grain, in bulk, and all of the provisions of General Order ODT 25A shall be applicable to vessels so used, or intended to be used, and to all persons operating such vessels.

(E.O. 8989, 6 F.R. 6725 and 8 F.R. 14183)

Issued at Washington, D. C., this 2d day of May 1944.

J. M. JOHNSON, *Director, Office of Defense Transportation.*

[F. R. Doc. 44-6246; Filed, May 2, 1944; 10:04 a. m.]

[General Order ODT L-1, Revocation]

PART 504—DIRECTION OF MOTOR TRAFFIC MOVEMENT

MOTOR TRANSPORTATION OF DRY ONIONS FROM OR WITHIN CERTAIN STATES

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989 and 9156, and War Production Board Directive 21, *It is hereby ordered,* That General Order ODT L-1 (8 F.R. 12572) shall be, and it hereby is, revoked.

This revocation shall become effective on May 2, 1944.

(Act of May 31, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 U.S.C., 631 through 645a; E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; War Production Board Directive 21, 8 F.R. 5834)

Issued at Washington, D. C., this 1st day of May 1944.

J. M. JOHNSON, *Director, Office of Defense Transportation.*

[F. R. Doc. 44-6244; Filed, May 2, 1944; 10:03 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

[A. N. S. Withdrawal 150]

WYOMING

AIR-NAVIGATION SITE WITHDRAWAL REDUCED

Correction

The hour of effectiveness specified in the second paragraph of F. R. Doc. 44-6199, appearing on page 4616 of the issue for Tuesday, May 2, 1944, should read "10:00 a. m."

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the Certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Textile Hardwood Manufacturing Co., Inc., Pike Street, West Huntsville, Alabama; manufacturing wooden parts for textile machinery; 2 learners (T); sander operator, woodworking machine operator for a learning period of 160 hours at 35 cents per hour; effective May 1, 1944, expiring November 11, 1944.

J. F. Wieder & Son, Macungie, Pennsylvania; paper boxes; 2 learners (T); stripping machine operator for a learning period of 240 hours at 35 cents per hour; effective May 4, 1944, expiring November 4, 1944.

Wiggins Tire Recapping Company, 145-9 E. Broad Avenue, Albany, Georgia; 4 learners (T); tire recapping and repairing; recappers, vulcanizers for a learning period of 160 hours at 35¢ per hour; effective May 1, 1944, expiring November 11, 1944.

Signed at New York, New York, this 29th day of April 1944.

MERLE D. VINCENT, *Authorized Representative of the Administrator.*

[F. R. Doc. 44-6220; Filed, May 1, 1944; 2:49 p. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940, (5 F.R. 3591), as amended by Administrative Order March 13, 1943, (8 F.R. 3079)

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942, (7 F.R. 4724), as amended by Administrative Order March 13, 1943, (8 F.R. 3079), and Administrative Order June 7, 1943, (8 F.R. 7890)

Artificial Flowers and Feathers Learner Regulations, October 24, 1940, (5 F.R. 4203)

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940, (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943, (8 F.R. 3079)

Hosiery Learner Regulations, September 4, 1940, (5 F.R. 3530), as amended by Administrative Order March 13, 1943, (8 F.R. 3079)

Independent Telephone Learner Regulations, September 27, 1940, (5 F.R. 3829)

Knitted Wear Learner Regulations, October 10, 1940, (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079)

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940, (5 F.R. 3392, 3393)

Textile Learner Regulations, May 16, 1941, (6 F.R. 2446) as amended by Administrative Order March 13, 1943, (8 F.R. 3079)

Woolen Learner Regulations, October 30, 1940, (5 F.R. 4302)

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941, (6 F.R. 3753)

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

The Badger Raincoat Company, Port Washington, Wisconsin; mackinaws, leather jackets, field jackets; 10 learners (AT); effective April 29, 1944, expiring July 28, 1944.

Allen S. Drissel, Chalfont Road, Line Lexington, Pennsylvania; men's trousers; 5 learners (T); effective April 29, 1944, expiring April 28, 1945.

Great Lakes Garment Manufacturing Company, Cheboygan, Michigan; Army and Navy cotton suits and jackets, men's work suits, children's play suits; 10 percent (T); effective April 27, 1944, expiring April 26, 1945.

Hammonton Manufacturing Company, 321 N Egg Harbor Road, Hammonton, New Jersey; raincoats; 5 learners (T); effective April 20, 1944, expiring April 20, 1945.

Penn Children's Dress Company, 831 Lackawanna Avenue, Mayfield, Pennsylvania; children's dresses; 10 percent (T); effective April 27, 1944, expiring April 26, 1945.

Primo Pants Company, Versailles, Missouri; men's and boys' pants; 10 learners (T); effective April 27, 1944, expiring October 26, 1944.

The Progressive Coat and Apron Manufacturing Company, 2701 North Broad Street, Philadelphia, Pennsylvania; cotton wearing apparel for the armed forces, washable service apparel; 10 percent (T); effective April 27, 1944, expiring April 26, 1945.

Tiny Grace Frocks, I & Ontario Streets, Philadelphia, Pennsylvania; children's cotton dresses; 10 percent (T); effective April 27, 1944, expiring April 26, 1945.

GLOVE INDUSTRY

Clark Brothers, 20 Elm Street, Glen Falls, New York; knit work and leather dress gloves; 50 learners (AT); effective April 30, 1944 expiring October 29, 1944.

Fairfield Glove & Mitten Company, 603 W. Stone Street, Fairfield, Iowa; wool and leather dress gloves; 10 learners (AT); effective April 27, 1944, expiring October 26, 1944.

HOSIERY INDUSTRY

Charles H. Bacon Company, Loudon, Tennessee; seamless and full-fashioned hosiery; 5 percent (T); effective April 27, 1944, expiring April 26, 1945.

Black Mountain Hosiery Mills, Inc., Box 668, Black Mountain, North Carolina; seamless hosiery; 5 learners (AT); effective April 30, 1944, expiring October 12, 1944.

Berryville Mills, Inc., Berryville, Virginia; full-fashioned hosiery; 5 learners (T); effective April 27, 1944, expiring April 26, 1945.

Brownhill & Kramer, Inc., Coudersport, Pennsylvania; full-fashioned hosiery; 15 learners (AT); effective April 27, 1944, expiring October 26, 1944.

Irving Knitting Mills, Lexington, North Carolina; seamless hosiery; 5 learners (T); effective April 29, 1944, expiring April 28, 1945.

Portage Hosiery Company, Portage, Wisconsin; seamless hosiery; 10 percent (AT); effective April 27, 1944, expiring October 26, 1944.

Princeton Hosiery Mills, Inc., Princeton, Kentucky; seamless and full-fashioned hosiery; 10 percent (AT); effective April 27, 1944, expiring October 26, 1944.

KNITTED WEAR INDUSTRY

Geissler Knitting Mill, Hemlock Street & Sherman Court, Hazelton, Pennsylvania; ladies' and children's underwear, polo shirts, men's & boys' athletic shirts, men's and boys' sweaters; 5 percent (T); effective April 27, 1944, expiring April 26, 1945.

TEXTILE INDUSTRY

United States Rubber Company, Winnsboro Mills, Winnsboro, South Carolina; tire cord and fabric yarns; 3 percent (T); effective April 27, 1944, expiring April 26, 1945.

Signed at New York, N. Y. this 29th day of April, 1944.

MERLE D. VINCENT, *Authorized Representative of the Administrator.*

[F. R. Doc. 44-6221; Filed, May 1, 1944; 2:49 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-543]

PANHANDLE EASTERN PIPE LINE CO.

NOTICE OF APPLICATION

MAY 1, 1944.

Notice is hereby given that on April 24, 1944, the Panhandle Eastern Pipe Line Company, a Delaware corporation having its principal offices in Chicago, Illinois, and Kansas City, Missouri, filed with the Federal Power Commission an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of the facilities hereinafter described.

The proposed construction consists of a 22-inch pipe line approximately 17 miles in length, parallel to Applicant's 22-inch line between its Hansford (Texas) and Liberal (Kansas) stations, and the installation of 4,000 feet of 24-inch pipe to provide for an under-water river crossing (Cimarron River) near Applicant's Liberal (Kansas) compressor station; installation of two 800 horsepower compressor units with appurtenant equipment at Applicant's Hansford compressor station, situated in Hansford County, Texas; installation of one additional 1,300 horsepower compressor unit and appurtenant equipment at its Montezuma compressor station, situation in Vermillion County, Indiana.

Applicant asserts that the proposed looping is necessary to enable it to transport an additional 30,000,000 to 80,000,000 cubic feet of natural gas per day, such gas to be produced in Hansford County, Texas, and Texas County, Oklahoma, and purchased from the Phillips Petroleum Company. The Applicant states that the additional compressor units are necessary for it to maintain adequate service to its customers.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 18th day of May, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 44-6249; Filed, May 2, 1944; 10:21 a. m.]

[Docket No. G-473]

SOUTHERN NATURAL GAS COMPANY

NOTICE OF APPLICATION

MAY 1, 1944.

Notice is hereby given that on April 7, 1944, the Southern Natural Gas Company, a Delaware corporation, filed an amendment to its application filed June 10, 1943, for a certificate of public con-

venience and necessity, pursuant to section 7 of the Natural Gas Act, as amended. The amended application includes additional facilities consisting of a 22-inch main line loop approximately 26.8 miles in length in the State of Mississippi, and a 20-inch main line loop approximately 5.4 miles in length in the State of Georgia.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 18th day of May 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-6250; Filed, May 2, 1944; 10:21 a. m.]

FEDERAL SECURITY AGENCY.

Food and Drug Administration.

[Docket No. FDC-41]

TOLERANCES FOR FLUORINE SPRAY RESIDUE ON APPLES AND PEARS

NOTICE OF HEARING

In the matter of a proposed regulation limiting the quantity of fluorine remaining as insecticidal residue on apples and pears.

Notice is hereby given that the Administrator of the Federal Security Agency, upon the application of a substantial portion of the interested industry stating reasonable grounds therefor and in accordance with the provisions of sections 406 and 701 of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. secs. 346 and 371 (Supp. V. 1939); the Reorganization Act of 1939, 53 Stat. 561, 5 U.S.C. sec. 133 (Supp. V. 1939) and Reorganization Plans No. I (53 Stat. 1423, 4 F.R. 2727) and No. IV (54 Stat. 1234, 5 F.R. 2421), will hold a public hearing, commencing at 10 o'clock in the morning of June 27, 1944, in Room 1409, South Building, United States Department of Agriculture, Independence Avenue, between 12th and 14th Streets, S. W., Washington, D. C., upon a proposed regulation limiting the quantity of fluorine remaining as insecticidal residue on apples and pears.

The proposed regulation is as follows:

§ 120.1 *Limit for the quantity of fluorine remaining as insecticidal residue on apples and pears.* The quantity of fluorine remaining as insecticidal residue on apples and pears is hereby limited to not more than — milligrams of fluorine, calculated as F, per kilogram of each such fruit.

The blank in the foregoing section is to be filled in with a number based on substantial evidence of record at the hearing. The limit so prescribed may be the same as, or greater than, or less than, the informal tolerance for fluorine on apples and pears which was announced by the Administrator on August 10, 1940.

Mr. Joseph L. Maguire hereby is designated as presiding officer to conduct the hearing, in the place of the Administrator, with full authority to administer oaths and affirmations and to do all other things appropriate to the conduct of the hearing.

The hearing will be conducted in accordance with the rules of practice provided therefor (see 5 F.R. 2379-2381).

In lieu of oral testimony, interested persons may submit affidavits to the presiding officer at Room 4148, South Building, United States Department of Agriculture, Independence Avenue, between 12th and 14th Streets, S. W., Washington, D. C., at any time prior to the hearing. Such affidavits should be submitted in quintuplicate and, if relevant and material, will be received and made a part of the record of the hearing, but the Administrator will consider the lack of opportunity for cross-examination in determining the weight to be given to statements contained therein. Every interested person will be permitted, in accordance with the above-mentioned rules of practice, to examine all affidavits submitted and to file counter-affidavits with the presiding officer.

At the hearing evidence will be restricted to testimony and exhibits that are relevant and material to the issue contained in the proposal.

The proposal is subject to adoption, rejection, amendment, or modification by the Administrator, in whole or in part, as the evidence adduced at the hearing may require.

[SEAL] WATSON B. MILLER,
Acting Administrator.

MAY 1, 1944.

[F. R. Doc. 44-6254; Filed, May 2, 1944; 11:12 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 234]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, on April 21 and 22, 1944, by Peter N. Skallerup & Company, of cars of potatoes listed below, from Wood Street Terminal:

CBQ 296894, April 21 to Springfield, Illinois.
FWD 7152, April 21 to Decatur, Illinois.
DTI 17602, April 21 to Evansville, Indiana.
M&StL 15291, April 2 to St. Louis, Missouri.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6262; Filed, May 2, 1944; 11:30 a. m.]

[S.O. 70-A, Special Permit 235]

RECONSIGNMENT OF POTATOES AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at St. Louis, Missouri, April 29, 1944, by W. J. Engel Company, Chicago, Illinois, of car CBQ 109011, potatoes, now on the Wabash Railroad, to Kansas City, Missouri.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6263; Filed, May 2, 1944; 11:30 a. m.]

[S.O. 164, Special Permit 39]

PARTIAL UNLOADING OF CITRUS FRUITS AT TOPEKA, KANS.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord stop-off for partial unloading under standard refrigeration to MDT 19622, citrus fruit, originating at Mission Texas, on Missouri Pacific Railroad, April 28 stop-off at Topeka, Kansas, destined Salina, Kansas.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6264; Filed, May 2, 1944; 11:30 a. m.]

[S. O. 197, Special Permit 2]

TRANSPORTATION OF POTATOES FROM IDAHO FALLS, IDAHO

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.336, 9 F.R. 4033) of Service Order No. 197 of April 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 197 insofar as it applies to the transportation of five refrigerator cars of potatoes below U. S. Grade 2 from Idaho Falls, Idaho, on the Union Pacific Railroad to San Francisco, California, for export to Hawaii.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6265; Filed, May 2, 1944; 11:30 a. m.]

[S. O. 197, Special Permit 3]

TRANSPORTATION OF POTATOES FROM IDAHO

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.336, 9 F.R. 4033) of Service Order No. 197 of April 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 197 insofar as it applies to the transportation of not to exceed 20 cars of potatoes U. S. No 1 size B from 1½ to 2¼ inches in size originating in Idaho to be shipped by K. & W. Fruit Company, to San Francisco, California, for export to Honolulu, Hawaii.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6266; Filed, May 2, 1944; 11:31 a. m.]

[S. O. 200, Special Permit 4]

REICING OF POTATOES AT JERSEY CITY, N. J.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice April 28 the following cars of potatoes with three tons of ice in each car at Harsimus Cove, Jersey City, New Jersey, on Pennsylvania Railroad, cars originated in Florida and are consigned to C. W. Havener & Company, 308 Washington Street, New York City. FGE 47025, WFE 62050, NP 93926, FGE 23822, FGE 36080.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6267; Filed, May 2, 1944; 11:31 a. m.]

[S. O. 201, General Permit 2]

TRANSPORTATION OF ICE BY PACIFIC FRUIT EXPRESS CO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.338, 9 F.R. 4480) of Service Order No. 201 of April 25, 1944, permission is granted for any common carriers by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 201 insofar as it applies to the transportation of ice in RS type refrigerator cars (owned or leased by the Pacific Fruit Express Company), in the direction of empty movement from, to or between points on the Southern Pacific Company, the Union Pacific Railroad Company, The Western Pacific Railroad Company and the Texas and New Orleans Railroad Company, when shipped by the Pacific Fruit Express Company, consigned to itself or any one of the four railroads named herein.

This general permit shall become effective at 12:01 a. m., April 30, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6268; Filed, May 2, 1944; 11:31 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3410]

Comptoir des Textiles Artificiels

In re: Patent and interest of Comptoir des Textiles Artificiels in an agreement with E. I. du Pont de Nemours & Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Comptoir des Textiles Artificiels, Societe pour la Fabrication de la Soie Rhodiaseta and Societe Rhodiaceta are corporations organized under the laws of France and are nationals of a foreign country (France);

2. That the property described in subparagraph 4a hereof is property of Comptoir des Textiles Artificiels and/or Societe pour la Fabrication de la Soie Rhodiaseta and/or Societe Rhodiaceta;

3. That the property described in subparagraph 4b hereof is property of Comptoir des Textiles Artificiels;

4. That the property described as follows:

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date of Issue, Inventor, and Title

1,652,206; 12-13-27; Joseph Edouard Gustave Lahousse; manufacture of hollow artificial textile fibers.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Comptoir des Textiles Artificiels by virtue of an agreement evidenced by a letter dated April 14, 1939 from Comptoir des Textiles Artificiels to E. I. du Pont de Nemours & Company and a letter dated May 5, 1939 from E. I. du Pont de Nemours & Company to Comptoir des Textiles Artificiels (including all modifications thereof and supplements thereto, if any) relating, among other things, to certain United States Letters Patent, including Patent No. 2,136,464,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (France):

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Noting herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] James E. Markham,
Alien Property Custodian.

[F. R. Doc. 44-6181; Filed, May 1, 1944; 10:55 a. m.]

[Vesting Order 3411]

Patent of Societe Rhodiaceta

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Societe Rhodiaceta is a corporation organized under the laws of France and is a national of a foreign country (France);

2. That the property described in subparagraph 3 hereof is property of Societe Rhodiaceta;

3. That the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Patent:

Patent Number, Date of Issue, Inventor, and Title

2,244,290; 6-3-41; Heinrich Dilchert; apparatus for winding.

is property of a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] James E. Markham,
Alien Property Custodian.

[F. R. Doc. 44-6182; Filed, May 1, 1944; 10:55 a. m.]

[Vesting Order 3412]

Rene Armenault, et al.

In re: Patents of Rene Armenault, Fabriques de Produits de Chimie Organique de Laire, Resines et Vernis Artificiels and Julien Malet.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Fabriques de Produits de Chimie Organique de Laire and Resines et Vernis Artificiels are business organizations organized under the laws of France and are nationals of a foreign country (France);

2. That Rene Armenault and Julien Malet are residents of France and are nationals of a foreign country (France);

3. That the property described in subparagraph 5a hereof is property of Rene Armenault, Fabriques de Produits de Chimie Organique de Laire and Resines et Vernis Artificiels;

4. That the property described in subparagraph 5b hereof is property of Julien Malet, Rene Armenault, Fabriques de Produits de Chimie Organique de Laire and Resines et Vernis Artificiels;

5. That the property described as follows:

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent Number, Date of Issue, Inventor, and Title

2,004,970; 6-18-35; Rene Armenault; manufacture of urea formaldehyde condensation products and artificial materials therefrom.

2,061,543; 11-24-36; Rene Armenault; method of of preparing plastic materials derived from urea and formaldehyde.

(b) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent Number, Date of Issue, Inventor, and Title

2,004,996; 6-18-35; Julien Malet and Rene Armenault; process for condensing urea with formaldehyde or the polymeric bodies thereof and the product obtained therefrom.

is property of nationals of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] James E. Markham,
Alien Property Custodian.

[F. R. Doc. 44-6183; Filed, May 1, 1944; 10:55 a. m.]

[Vesting Order 3431]

I. G. Farbenindustrie A. G.

In re: Interest of I. G. Farbenindustrie Aktiengesellschaft in an agreement with The Rubber Service Laboratories Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation finding;

1. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated June 21, 1932 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft and The Rubber Service Laboratories Company, relating, among other things, to certain United States Letters Patent, including Patent No. 2,026,863,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 12, 1944.

[SEAL] James E. Markham,
Alien Property Custodian.

[F. R. Doc. 44-6184; Filed, May 1, 1944; 10:55 a. m.]

[Vesting Order 3432]

Societe De Prospection Electrique Procedes Schlumberger

In re: Patents and interest of Societe De Prospection Electrique Procedes Schlumberger in agreements with Schlumberger Well Surveying Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Societe de Prospection Electrique Procedes Schlumberger is a company organized under the laws of France and is a national of a foreign country (France);

2. That the property identified in subparagraph 3 hereof is property of Societe de Prospection Electrique Procedes Schlumberger;

3. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on April 12, 1944.

[SEAL] James E. Markham,
Alien Property Custodian.

EXHIBIT A

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe De Prospection Electrique Procedes Schlumberger by virtue of an agreement dated January 1, 1935 (including all modifications thereof and supplements thereto, if any) by and between Societe De Prospection Electrique Procedes Schlumberger and Schlumberger Well Surveying Corporation, which agreement relates, among other things, to Patent No. 2,191,119,

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Societe De Prospection Electrique Procedes Schlumberger, by virtue of an agreement dated January 1, 1936 (including all modifications thereof and supplements thereto, including, but without limitation, letters from Societe De Prospection Electrique to Schlumberger Well Surveying Corporation, dated respectively January 27, 1937; August 4, 1937; September 27, 1937; January 20, 1938; February 21, 1938; September 9, 1938 and October 4, 1938, and letters from E. G. Leonardon to Societe De Prospection Electrique dated respectively February 16, 1937; August 17, 1937; February 8, 1938; and September 24, 1938) by and between Societe De Prospection Electrique Procedes Schlumberger and Schlumberger Well Surveying Corporation, which agreement relates, among other things, to Patent No. 2,290,075.

[F. R. Doc. 44-6185; Filed, May 1, 1944; 10:55 a. m.]

[Vesting Order 3433]

DR. GUNTHER JOBST

In re: Interest of Dr. Gunther Jobst in an agreement with Radio Corporation of America.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Gunther Jobst is a citizen and resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Gunther Jobst;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Gunther Jobst by virtue of an agreement evidenced in part by a cable dated July 19, 1940 and Radio Corporation of America to Sellwehrpatent (B. Wehr, H. Seiler, H. Stehmann), a cable dated July 26, 1940 to Radio Corporation of America from Sellwehrpatent (B. Wehr, H. Seiler, H. Stehmann), a letter dated July 30, 1940 from Radio Corporation of America to B. Wehr, H. Seiler, H. Stehmann, and a letter dated August 27, 1940 from B. Wehr, H. Seiler and H. Stehmann to Radio Corporation of America (including all modifications thereof and supplements thereto, if any) by and between Gunther Jobst and Radio Corporation of America, which agreement relates to United States Letters Patent No. 2,239,677 and 2,239,678,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determine to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6186; Filed, May 1, 1944; 10:55 a. m.]

[Vesting Order 3434]

ADOLFO MAZZA AND "ETERNIT," PIETRA ARTIFICIALE, SOCIETA ANONIMA

In re: Patents of Adolfo Mazza and "Eternit," Pietra Artificiale, Societa Anonima.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That "Eternit," Pietra Artificiale, Societa Anonima is a business organization organized under the laws of Italy and is a national of a foreign country (Italy);

2. That Adolfo Mazza is a resident of Italy and is a national of a foreign country (Italy);

3. That the property described in subparagraph 5a hereof is property of "Eternit," Pietra Artificiale, Societa Anonima;

4. That the property described in subparagraph 5b hereof is property of Adolfo Mazza and "Eternit," Pietra Artificiale, Societa Anonima;

5. That the property described as follows:

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patents:

Patent Number, Date of Issue, Inventor, and Title

Re. 17,335; 6-25-29; Diego Mattei and Adolfo Mazza; apparatus for the manufacture of tubes of cement asbestos or similar substances.

1,786,215; 12-23-30; Adolfo Mazza; method and apparatus for making seamless pipes.

(b) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patents:

Patent Number, Date of Issue, Inventor, and Title

1,947,996; 2-20-34; Adolfo Mazza; pipe coupling.

1,964,073; 12-11-34; Adolfo Mazza; process and machinery for the manufacture of asbestos-cement pipes of a small diameter and of little thickness.

is property of nationals of a foreign country (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6187; Filed, May 1, 1944; 10:55 a. m.]

[Vesting Order 3435]

FABER AND SCHLEICHER A. G.

In re: Patents and interests of Faber & Schleicher A. G. in agreements with Miehle Printing Press and Manufacturing Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Faber & Schleicher A. G. is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Faber & Schleicher A. G;

3. That the property described as follows:

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patents:

Patent Number, Date of Issue, Inventor, and Title

1,799,997; 4-7-31; Arthur Wormser, sheet feeding apparatus.

2,095,276; 10-12-37; Arthur Wormser, sheet registering device.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Faber & Schleicher A. G. (excepting therefrom such interests and rights as may have been assigned by Faber & Schleicher A. G. to Arthur Wormser) by virtue of an agreement executed by Faber & Schleicher A. G. on September 3, 1937 and Miehle Printing Press and Manufacturing Company on September 17, 1937 (including all modifications of and supplements to such agreement, including, but without limitation, a letter dated May 6, 1937 from Faber & Schleicher A. G. to Miehle Printing Press and Manufacturing Company and approved by Miehle Printing Press and Manufatcuring Company, a supplemental agreement executed by Faber & Schleicher A. G. on September 3, 1937 and Miehle Printing Press and Manufacturing Company on September 17, 1937; and an agreement executed by Miehle Printing Press and Manufacturing Company on July 8, 1940 and by Faber & Schleicher A. G. on October 23, 1940) by and between Faber & Schleicher A. G. and Miehle Printing Press and Manufacturing Company, relating, among other things, to certain United States Letters Patent, including Patent No. 2,160,906.

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Faber & Schleicher A. G. by virtue of a license agreement dated September 3, 1937 (including all modifications thereof and supplements thereto, if any) by and between Faber & Schleicher A. G. and Miehle Printing Press and Manufacturing Company, relating, among other things, to United States Letters Patent No. 2,106,199 and 2,113,650,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6188; Filed, May 1, 1944; 10:56 a. m.]

[Vesting Order 3436]

GEORGES MAHOUX

In re: Patent of Georges Mahoux.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Georges Mahoux is a resident of France and is a national of a foreign country (France);

2. That the property described in subparagraph 3 hereof is property of Georges Mahoux;

3. That the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date, Inventor, and Title

1,939,712; 12-19-33; Georges Mahoux; treatment of metals and alloys.

is property of a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6189; Filed, May 1, 1944; 10:56 a. m.]

[Vesting Order 3481]

MADELEINE L. OTTMANN

In re: Trusts under the will of Madeleine L. Ottmann, deceased, File No. D-66-760; E. T. sec. 4526.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the City Bank Farmers Trust Company, Edward G. Burghard and Charles G. Proffitt, as trustees, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Carl Stangen, Germany.
Georg Von Zedlitz, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Carl Stangen and Georg Von Zedlitz, and each of them, in and to the trusts created under the Will of Madeleine L. Ottmann, deceased,

to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts,

pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6166; Filed, May 1, 1944; 10:53 a. m.]

[Vesting Order 3482]

J. FREDERICK PAPE

In re: Estate of J. Frederick Pape, deceased; File D–28–8292; E. T. sec. 9506.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by George Pape, Langhorne, R. D. #2, Bucks County, Pennsylvania, Executor, acting under the judicial supervision of the Orphans' Court of Bucks County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Josephine Pape Grote, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Josephine Pape Grote in and to the estate of J. Frederick Pape, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6167; Filed, May 1, 1944; 10:53 a. m.]

[Vesting Order 3483]

ADOLF J. PAVENSTEDT

In re: Trust under the will of Adolf J. Pavenstedt, deceased; File D–28–6548; E.T. sec. 5292.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of New York, as Trustee and Executor, and Lilian May Pavenstedt, as Executrix, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Frida Pfughaupt, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Frida Pfughaupt, in and to the trust established under the will of Adolf J. Pavenstedt, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6168; Filed, May 1, 1944; 10:53 a. m.]

[Vesting Order 3484]

FRIEDA PICHL

In re: Estate of Frieda Pichl, deceased. File: D–28–1608; E. T. sec. 364.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Carl Sandner, as Executor, acting under the judicial supervision of the Orphans' Court, Union County, Elizabeth, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Teresa Pichl, Czechoslovakia.
Anna Huber, Czechoslovakia.
Karoline Grupp, Germany.
Wilhelm Ehrman, Germany.
Ernest Ehrman, Germany.
Martha Schoeffler (Shoffler), Germany.
Bertha Pichl, Germany.
Joseph Pichl, Germany.
Marie Pichl Schmidt, Germany.
Elizabeth (Liesl) Pichl Hesse, Germany.
Anna Pichl Papke, Germany.
Domiciliary Executor or Administrator of Joseph Pichl, deceased, Germany.

And determining that—

(3) Teresa Pichl and Anna Huber, citizens or subjects of a designated enemy country, Germany, and within an enemy-occupied country, Czechoslovakia, are nationals of a designated enemy country, Germany;

(4) To the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Teresa Pichl, Anna Huber, Karoline Grupp, Ernest Ehrman, Wilhelm Ehrman, Martha Schoeffler (Shoffler), Bertha Pichl, Joseph Pichl, Marie Pichl Schmidt, Elizabeth (Liesl) Pichl Hesse, Anna Pichl Papke and the Domiciliary Executor or Administrator of Joseph Pichl, deceased, and each of them, in and to the estate of Frieda Pichl, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6169; Filed, May 1, 1944; 10:53 a. m.]

[Vesting Order 3485]

EMMERICH AND HERTA B. PRITZL

In re: Mortgage Participation Certificate No. 135 of Series 18,957, issued by Lawyers Mortgage Company, of New York City, to Emmerich and Herta B. Pritzl, as joint tenants. File No. F–6–1248; E.T. sec. 7357.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Lawyers Mortgage Corporation, as Trustee, acting under the judicial supervision of the Supreme Court, New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Emmerich Pritzl, Germany.
Herta B. Pritzl, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Emmerich Pritzl and Herta B. Pritzl, and each of them, in and to Mortgage Participation Certificate No. 135 of Series 18957, issued by Lawyers Mortgage Company, of New York City,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6170; Filed, May 1, 1944; 10:53 a. m.]

[Vesting Order 3486]

FRANK RINDLER

In re: Estate of Frank Rindler, deceased; File: D–6–160; E. T. sec. 3363.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by L. E. Mahan, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Humboldt;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hans Rindler and his children, Germany.
Engelberd Rindler and his children, Germany.
Mathias Rindler and his children, Germany.
Celi Pekastnig and her children, Germany.
Josefa Weichselbraun and her children, Germany.
Maria Unterweger and her children, Germany.
Anna Rindler and her children, Germany.
Nikolaus Rindler and his children, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Hans Rindler and his children, Engelberd Rindler and his children, Mathias Rindler and his children, Celi Pekastnig and her children, Josefa Weichselbraun and her children, Maria Unterweger and her children, Anna Rindler and her children, and Nikolaus Rindler and his children, and each of them, in and to the Estate of Frank Rindler, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6171; Filed, May 1, 1944; 10:53 a. m.]

[Vesting Order 3487]

EMMA RISCH

In re: Estate of Emma Risch, deceased; File D-28-4249; E. T. sec. 7263.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Otto Risch, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Elfreda Heinrich, also known as Elfriede Heinrich, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action after appropriate consultation and certification, required by said Executive order of act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Elfreda Heinrich, also known as Elfriede Heinrich, in and to the estate of Emma Risch, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6172; Filed, May 1, 1944; 10:53 a. m.]

[Vesting Order 3488]

OTTO SCHNEIDER

In re: Estate of Otto Schneider, deceased, File No. D-28-1806; E. T. sec. 1076.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ludwig H. Schneider, as executor, acting under the judicial supervision of the Orphans' Court, Hudson County, New Jersey; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Max Haff, Germany.
Gottlieb Haff, Germany.
Rudolf Haff, Germany.
Josef Haff, Germany.
Anna Schneider, Germany.
Gottlieb Schneider, Germany.
Kreszentia Schneider Eckert, Germany.
Franz Anton Schneider, Germany.
Ludwig Schneider, Germany.
Anton Schneider, Germany.
Josef Schneider, Germany.
Paul Schneider, Germany.
Therese Schneider, Germany.
Franziska Schneider, Germany.
Otto Schneider, Germany.
Otto Schneider, Germany.
Bonifaz Schneider, Germany.
Anna Schneider, Germany.
Benedikta Schneider, Germany.
Bernhard Schneider, Germany.
Marie Schneider, Germany.
Kreszentia Schneider, Germany.
Magdalene Schneider, Germany.
Katha Schneider, Germany.
Therese Schneider, Germany.
Baptist Haff, Germany.
Anna Schneider, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Max Haff, Gottlieb Haff, Rudolf Haff, Josef Haff, Anna Schneider, Gottlieb Schneider, Kreszentia Schneider Eckart, Franz Anton Schneider, Ludwig Schneider, Anton Schneider, Josef Schneider, Paul Schneider, Therese Schneider, Franziska Schneider, Otto Schneider, Otto Schneider, Bonifaz Schneider, Anna Schneider, Marie Schneider, Kreszentia Schneider, Magdalene Schneider, Katha Schneider, Therese Schneider, Baptist Haff, Benedikta Schneider, Bernhard Schneider and Anna Schneider, and each of them, in and to the Estate of Otto Schneider, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive orders.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6173; Filed, May 1, 1944; 10:54 a. m.]

[Vesting Order 3489]

HENRY F. W. SCHRODER

In re: Estate of Henry F. W. Schroder, deceased; File D-28-3878; E. T. sec. 6565.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Helena Minneman, Surviving Executrix, 122 South Horton Street, Dayton, Ohio, acting under the judicial supervision of the Probate Court of Darke County, State of Ohio;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

William Schroder, Germany.
Caroline Schroder, Germany.
Frederick Schroder, Germany.
Other children, names unknown, of Fred Schroder, deceased, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of William Schroder, Caroline Schroder, Frederick Schroder, other children, names unknown, of Fred Schroder, deceased, and each of them, in and to the estate of Henry F. W. Schroder, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6174; Filed, May 1, 1944; 10:54 a. m.]

[Vesting Order 3490]

HERRMANN ALFRED STREULI

In re: Trust under the will of Herrmann Alfred Streuli, deceased; File No. D-28-1632; E.T. sec. 431.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Plainfield Trust Company, as Trustee, acting under the judicial supervision of the Prerogative Court of New Jersey, Trenton, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Martha Streuli, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Martha Streuli in and to the trust created under the Will of Herrmann Alfred Streuli, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6175; Filed, May 1, 1944; 10:54 a. m.]

[Vesting Order 3491]

LOUISE TERHART

In re: Estate of Louise Terhart, deceased; File D-28-1675; E. T. sec. 740.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Anthony H. Weber, 3617 Gravois Road, St. Louis, Missouri, Executor, acting under the judicial supervision of the Probate Court of the City of St. Louis, Missouri;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Alvine Ritzerfeld, Germany.
Henriette Wilhelmi, Germany.
Hubert G. Ritzerfeld, Germany.
Josef Wilhelmi, Germany.
Children of Alvine Ritzerfeld, Henriette Wilhelmi, Hubert G. Ritzerfeld, and Josef Wilhelmi, names unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Alvine Ritzerfeld, Henriette Wilhelmi, Hubert G. Ritzerfeld, Josef Wilhelmi, children of Alvine Ritzerfeld, Henriette Wilhelmi, Hubert G. Ritzerfeld and Josef Wilhelmi, names unknown, and each of them, in and to the estate of Louise Terhart, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6176; Filed, May 1, 1944; 10:54 a. m.]

[Vesting Order 3492]

JOSEPHINE THELLIAN

In re: Estate of Josephine Thellian, also known as Josefa Thellian, deceased; File: D-66-926; E. T. sec. 5648.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Marie di Micelli and Elsie Stelben, as Executrices, acting under judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Maria Thellian, Germany.
Martha Thellian, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Maria Thellian, and Martha Thellian, and each of them, in and to the Estate of Josephine Thellian, also known as Josefa Thellian, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order, may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6190; Filed, May 1, 1944; 10:56 a. m.]

[Vesting Order 3493]

CHARLES H. R. TRIEBELS

In re: Trust under the will of Charles H. R. Triebels, deceased; File D–28–2377; E. T. sec. 3896.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Land Title Bank and Trust Company, Trustee, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mary Triebels Fausten (formerly known as Mary Davis Baker), Germany.
Elsa Triebels Buddeberg, Germany.
Gerda Ingeborg Buddeberg, Germany.
Walter Harro Buddeberg, Germany.
Children and their issue, names unknown, of Elsa Triebels Buddeberg, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Mary Triebels Fausten (formerly known as Mary Davis Baker), Elsa Triebels Buddeberg, Gerda Ingeborg Buddeberg, Walter Harro Buddeberg and children and their issue, names unknown, of Elsa Triebels Buddeberg, and each of them, in and to the Trust Estate created under the will of Charles H. R. Triebels, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6191; Filed, May 1, 1944; 10:56 a. m.]

[Vesting Order 3494]

CAROLINE W. VOGT

In re: Estate of Caroline W. Vogt, deceased; File D–28–7629; E. T. sec. 8155.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Peter Weber, as Administrator, acting under the judicial supervision of the Court of Probate, District of New Haven, State of Connecticut;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Wilhelm Sommers, Germany.
John Sommers, Germany.
Karl Sommers, Germany.
Pauline Sommers, Germany.
Freida Sommers, Germany.
Emma Sommers, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Wilhelm Sommers, John Sommers, Karl Sommers, Pauline Sommers, Frieda Sommers and Emma Sommers, and each of them, in and to the estate of Carolina W. Vogt, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to

indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6192; Filed, May 1, 1944; 10:57 a. m.]

[Vesting Order 3495]

HELEN B. AND STEPHAN C. WACHENFELD

In re: Application of Helen B. Wachenfeld and Stephan C. Wachenfeld to have mortgage given by them to Stephan Baumann, deceased, cancelled; File No. D–28–1548; E. T. sec. 225.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by Russell C. Gates, County Clerk, Newark, New Jersey, as depositary, acting under the judicial supervision of the Essex County Court of Common Pleas, Essex County, New Jersey; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Friederich Rekelkamm, Executor of the Estate of Helena Baumann, Germany.
Heirs, next of kin and distributees of Helena Baumann, deceased, whose names are unknown, Germany.
Justina Baumann, Germany.
Katharine Rekelkamm, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All the property and estate of Friederich Rekelkamm, Executor of the Estate of Helena Baumann, the heirs, next of kin and distributees of Helena Baumann, deceased, Justina Baumann, Katharine Rekelkamm, and each of them, deposited with the Clerk of the County of Essex, New Jersey, for the purpose of cancelling a mortgage given by Helen B. Wachenfeld and Stephan C. Wachenfeld to Stephan Baumann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6193; Filed, May 1, 1944; 10:57 a. m.]

[Supplemental Vesting Order 3496]

FREDERIC WATERLOO

In re: Estate of Frederic Waterloo, also known as Fred Waterloo, deceased; File: D–28–4135; E. T. sec. 7159.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Phil C. Katz, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Heirs, devisees, legatees, or personal representatives, names unknown, of Frederic Waterloo, also known as Fred Waterloo, deceased, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of heirs, devisees, legatees or personal representatives, names unknown, of Frederic Waterloo, also known as Fred Waterloo, deceased, and each of them, in and to the Estate of Frederic Waterloo, also known as Fred Waterloo, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6194; Filed, May 1, 1944; 10:57 a. m.]

[Vesting Order 3497]

AMALIE WIECHMANN

In re: Estate of Amalie Wiechmann, deceased; File D–28–7529; E. T. sec. 7826.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Walter G. Wiechmann, Esq., Executor, acting under the judicial supervision of the Surrogate's Court of New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Marian H. Muelberger, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that

such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Marian H. Mueiberger in and to the Estate of Amalie Wiechmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6195; Filed, May 1, 1944; 10:57 a. m.]

[Vesting Order 3498]

CARL E. WIESE

In re: Stipulation of settlement and agreement for discontinuance, Estate of Carl E. Wiese, deceased; File D-28-2020; E.T. sec. 2291.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Arno P. Mowitz, Attorney-in-fact, acting under the judicial supervision of the Court of Common Pleas of Lackawanna County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hermann Edward Bergmann, Germany.
Ida Henrietta Jotsat, Germany.
Paula Hahnke, Germany.
Margaret Louise Jenrich, Germany.
Bertha Schols, Germany.
Herrn Gustav Bergmann, Germany.
Emma Anstadt, Germany.
Martha Hoffman, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

Cash in the amount of $66.15,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account, or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6196; Filed, May 1, 1944; 10:57 a. m.]

[Supplemental Vesting Order 3518]

KATAKURA CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found in Vesting Order Number 91, dated August 6, 1942, and as amended on April 5, 1944, that Katakura Corporation is a business enterprise within the United States and a national of a designated enemy country (Japan);

2. Finding that of the outstanding capital stock of Katakura Corporation, consisting of 1,000 shares having a par value of $100 a share, one share registered in the name of Norbert Foerster and one share registered in the name of Gustav Eggena are beneficially owned by Katakura & Co., Ltd., which shares together with 998 shares (99.8%) of the outstanding capital stock that were beneficially owned by Katakura & Co., Ltd., prior to vesting said 998 shares of stock, are evidence of ownership and control of said business enterprise;

3. Finding that Katakura & Co., Ltd., a Japanese corporation whose principal place of business is Tokyo, Japan, is a national of a designated enemy country (Japan);

and determining:

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the two shares of the capital stock of Katakura Corporation, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6160; Filed, May 1, 1944; 10:55 a. m.]

[Vesting Order 372, Amdt.]

JOSEPHINE M. LORSCH

In re: Mortgage owned by Mrs. Josephine M. Lorsch covering real property in New York City.

Vesting Order Number 372, dated November 18, 1942, is hereby amended to read as follows:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Josephine M. Lorsch is Eure-et-Loire, France, and that she is controlled by a designated enemy country (Germany), or a person within such country, and is a national of a designated enemy country (Germany);

2. That Josephine M. Lorsch is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

That certain mortgage executed on December 27, 1928 by Amanda Schwab, as mortgagor, in favor of Lawyers Trust Company, New York, New York, as mortgagee, and thereafter assigned to Josephine M. Lorsch, and any and all obligations secured by said mortgage including but not limited to any and all security rights in and to any and all collateral (including the aforesaid mortgage) for any or all of such obligations, and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds or other instruments evidencing such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that Josephine M. Lorsch is controlled by a designated enemy country (Germany), or a person within such country, and is a national of a designated enemy country (Germany);

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order, may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6177; Filed, May 1, 1944; 10:54 a. m.]

[Vesting Order 2247, Amdt.]

FREDERICK MEYER

In re: Real properties, two second mortgages and a claim owned by Frederick Meyer.

Vesting Order Number 2247, dated September 22, 1943, is hereby amended to read as follows:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Frederick Meyer is 89 Drakenburg, Province of Hanover, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

2. That Frederick Meyer is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated at 904 Morris Avenue, New York, New York, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. Real property situated at 1076 Teller Avenue, New York, New York, particularly described in Exhibit B attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

c. That certain mortgage which was executed on May 26, 1926, by Margaret Branda (formerly Margaret Tyrabasso), as mortgagor, in favor of Frederick Meyer, as mortgagee, and recorded on May 27, 1926 in the Register's Office, Bronx County, New York, in Liber 1043 of Mortgages, page 93, and any and all obligations secured by said mortgage, including but not limited to any and all collateral (including the aforesaid mortgage) for any and all such obligations, and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds or other instruments evidencing such obligations,

d. That certain mortgage which was executed on May 9, 1923 by Rosie Clar, as mortgagor, in favor of Rebecca Greenwald, as mortgagee, and recorded in the Register's Office, Bronx County, New York, in Liber 694 of Mortgages, Page 97, and assigned to Frederick Meyer, by said Rebecca Greenwald, by assignment recorded in the Register's Office, Bronx County, New York, in Liber 706 of Mortgages, Page 76, and any and all obligations secured by said mortgage, including but not limited to any and all collateral (including the aforesaid mortgage) for any and all such obligations, and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds or other instruments evidencing such obligations, and

e. All right, title, interest and claim of any name or nature whatsoever of Frederick Meyer, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Frederick Meyer by George H. Scheele, 748 Melrose Avenue, New York, New York, and arising out of the management of the real property and mortgages described in subparagraphs 3-a, 3-b, 3-c and 3-d hereof, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-e hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3-a and 3-b hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraphs 3-a and 3-b hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-c, 3-d and 3-e hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All those lots of land with the building and improvements thereon erected, situate, lying and being in the Borough of the Bronx, City of New York, designated as lots 10 and 11 on a certain map entitled, "Map of 20-lots between 161st Street and 162nd Street in New York City the property of John A. Aspinwall and others" made by Smith & Butt, C. S. dated December 3, 1886, and filed in the office of the Register of the County of New York as Map No. 990 and a strip of land in front of said lots which taken together are bounded and described as follows:

Beginning at a point on the easterly side of Morris Avenue as legally opened, where

the same would be intersected by the prolongation westerly of the division line between lots 9 and 10 on said map, which point is distant 217 feet northerly from the corner formed by the intersection of the said easterly side of Morris Avenue as legally opened with the northerly side of 161st Street; running thence easterly along said line and the division line between lots 9 and 10, and parallel with the said northerly side of 161st Street, 101 feet to the westerly line of lot 13 on said map; thence Northerly along the said westerly line of lot 13, and parallel with the said easterly side of Morris Avenue 50 feet to the division line between lots 11 and 12; thence Westerly parallel with the said northerly side of 161st Street, and along the division line between lots 11 and 12 and a line in prolongation westerly thereof, 101 feet to the said easterly side of Morris Avenue, as legally opened; thence Southerly along the said easterly side of Morris Avenue 50 feet to the point or place of beginning.

EXHIBIT B

All that certain lot, piece or parcel of land with the buildings and improvements thereon erected situate, lying and being in the Borough and county of the Bronx in the City and State of New York bounded and described as follows:

Beginning at a point on the easterly side of Teller Avenue distant fifty feet southerly from the corner formed by the intersection of the southerly side of East 166th Street with the easterly side of Teller Avenue thence easterly parallel with east 166th, Street and part of the distance through a party wall one hundred and two and sixty one hundredths (102.60) feet thence southerly parallel with Clay Avenue forty three (43) feet thence westerly parallel with 166th Street and part of the distance through a party wall one hundred and three and thirty two hundredths (103.32) feet to the easterly side of Teller Avenue thence northerly along the easterly side of Teller Avenue forty three (43) feet to the point or place of beginning.

[F. R. Doc. 44-6178; Filed, May 1, 1944; 10:54 a. m.]

[Vesting Order 3031, Amdt.]

YUKI TAKAHASHI AND/OR TOKUE TAKAHASHI

In re: Real and personal property, mortgage, and fire insurance policies, owned by Yuki Takahashi and/or Tokue Takahashi.

Vesting Order Number 3031, dated January 27, 1944, is hereby amended as follows and not otherwise:

By deleting Exhibit A attached to and by reference made a part of said vesting order and substituting therefor Exhibit A attached hereto and by reference made a part hereof.

All other provisions of said Vesting Order Number 3031 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All that piece or parcel of land situated in the City and County of Honolulu, Territory of Hawaii, particularly described as follows:

Lot Six (6), area 6,555 square feet and Lot Five-B (5-B) area 306 square feet, of the subdivision of Lot 5, as shown on subdivision Maps filed with Land Court Application No. 630 of Lester Petrie and Fred James Maser, together with a right of way over Lots 7-B and 8-G to Alewa Drive, as shown on said subdivision Maps filed with Land Court Application No. 630 and being all the land described in Transfer Certificate of Title No. 11361 issued to Tokue and Yuki Takahashi.

[F. R. Doc. 44-6179; Filed, May 1, 1944; 10:54 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 232]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN MISSOURI AND ARKANSAS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt, and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs, or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the Supplementary Order number which appears in the caption on page 1 hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective May 6, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 2d day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Powell Bros. Truck Lines, Inc. (a corporation), Springfield, Mo.
2. Campbell Sixty-Six Express, Inc. (a corporation), Springfield, Mo.

[F. R. Doc. 44-6248; Filed, May 2, 1944; 10:03 a. m.]

[1] Filed as part of the original document.

[Supplementary Order ODT 6A-26]

COMMON CARRIERS

COORDINATED OPERATIONS WITHIN MASON CITY, IOWA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-26" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective May 6, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 2d day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. W. R. Cordle, doing business as Cordle Cartage Co.
2. Glen C. Stubbs, doing business as Stubbs Transfer.
3. K. D. Laughlin, doing business as K. D. Laughlin Transfer.
4. Mason City Warehouse Corp.

All of Mason City, Iowa.

[F. R. Doc. 44-6247; Filed, May 2, 1944; 10:03 a. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

Regional and District Office Orders.

[Charlotte Order G-2 Under MPR 426]

FRESH FRUITS AND VEGETABLES AT CHARLOTTE, N. C.

Order No. G-2 under Maximum Price Regulation No. 426. Fresh fruits and vegetables for table use, sales except at retail. Adjustment of certain maximum prices of service wholesalers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Charlotte, North Carolina District Office, Region IV, by Regional Delegation Orders Nos. 33 and 35 issued by the Atlanta Regional Office pursuant to section 2 of Maximum Price Regulation No. 426 and section (f) of Appendix H and section (g) of Appendix I of that regulation, *It is hereby ordered:*

(a) On and after the effective date of this order, the maximum delivered prices of service wholesalers whose places of business are located in the counties of Alexander, Alleghany, Anson, Ashe, Avery, Buncombe, Burke, Cabarrus, Caldwell, Catawba, Cherokee, Clay, Cleveland, Davidson, Davie, Forsyth, Gaston, Graham, Guilford, Haywood, Iredell, Jackson, Lincoln, Macon, Madison, McDowell, Mecklenburg, Mitchell, Montgomery, Polk, Randolph, Richmond, Rockingham, Rowan, Rutherford, Stanly, Stokes, Surry, Swain, Transylvania, Union, Watauga, Wilkes, Yadkin and Yancey, in the State of North Carolina, selling commodities covered by Appendices B, D, H and I of Maximum Price Regulation No. 426 are hereby increased 6¢ per container of less than 40 pounds, gross weight; 12¢ per container of 40 pounds to 60 pounds, gross weight; and 15¢ per container of over 60 pounds, gross weight, over and above the maximum prices established by Appendices B, D, H and I aforesaid. These maximum delivered prices shall apply irrespective of the distance involved in making delivery to the purchaser. Less than the maximum delivered prices may always be charged.

(b) If the purchaser elects to take delivery at the service wholesaler's platform, there shall be no increase allowed over the maximum prices as established by Appendices B, D, H and I of Maximum Price Regulation No. 426.

This order may be revoked or amended at any time.

This order shall become effective April 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 14th day of April 1944.

L. WILLIAM DRISCOLL,
District Director,
Charlotte, N. C., District.

Approved:

W. K. MCPHERSON,
Acting Regional Director,
Office of Food Distribution,
War Food Administration.

[F. R. Doc. 44-6239; Filed, May 1, 1944; 4:55 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 54-90]

WEST TEXAS UTILITIES COMPANY AND PECOS VALLEY POWER & LIGHT COMPANY

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of April, A. D., 1944.

West Texas Utilities Company ("West Texas") and Pecos Valley Power & Light Company ("Pecos Valley"), indirect subsidiaries of The Middle West Corporation, a registered holding company, having filed a joint application and declaration and amendments thereto pursuant to sections 10, 11 (e) and 12 (f) of the Public Utility Holding Company Act of 1935 and Rule U-43 thereunder, regarding (a) the purchase by West Texas of all the assets and property of Pecos Valley at a price equal to (1) the face amount of the net free assets of Pecos Valley and (2) $937,860 (less cer-

tain adjustments) for property subject to an existing mortgage, (b) distribution of the proceeds to the security holders of Pecos Valley, and (c) liquidation of Pecos Valley; and

A request having been made for an appropriate order and findings of the Commission to conform to the requirements of Sections 371 and 1808 of the Internal Revenue Code, as amended; and

A hearing having been held after appropriate notice, the Commission having considered the record and having made and filed its findings and opinion herein:

It is hereby ordered, That the plan providing for the acquisition by West Texas of the Pecos Valley assets and property, the proposed distribution to security holders and the liquidation of Pecos Valley is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected.

It is further ordered, Pursuant to the applicable provisions of said act that the aforesaid application and declaration as amended be granted and permitted to become effective forthwith and said plan be and hereby is approved subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations promulgated under said act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-6253; Filed, May 2, 1944; 11:07 a. m.]

WAR MANPOWER COMMISSION.

MARION, OHIO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Marion, Ohio, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Marion, Ohio, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation the Marion Area shall include:

Marion County (all).
Morrow County (all).
Crawford County (all).
Wyandot County (all).
Hardin County (all).

II. The effective date of this designation is June 1, 1944.

III. Not later than the effective date, each employer in the Marion Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work. Such applications must be filed before May 18, 1944.

Date of issuance: April 26, 1944.

ROBERT C. GOODWIN, *Regional Director, Region V.*

[F. R. Doc. 44-6242; Filed, May 2, 1944; 9:42 a. m.]

CERTAIN AREAS OF SHELBY COUNTY, ILL.

MINIMUM WARTIME WORKWEEK

Designation of certain areas in the State of Illinois as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region VI by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours", and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the following areas as subject to the provisions of Executive Order No. 9301:

The townships of Ash Grove, Flat Branch, Moweaqua, Okau, Penn, Pickaway, Richland, Ridge, Rose, Rural, Shelbyville, Town Hill, Todd Point and Windsor in Shelby County.

I. The effective date of this designation is May 15, 1944.

II. Not later than the effective date, each employer in the designated areas shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

"Minimum wartime workweek" as used in this order means a workweek of 48 hours, except in cases where a workweek of 48 hours (a) would be impracticable in view of the nature of the operations, (b) would not contribute to the reduction of labor requirements, or (c) would conflict with any Federal, State or local law or regulation limiting hours of work. In such cases "minimum wartime workweek" means the greatest number of hours (less than 48) feasible in the light of the nature of the operations, the reduction of labor requirements or the applicable Federal, State and local law or regulation, as the case may be.

Date of issuance: April 24, 1944.

W. H. SPENCER, *Regional Director, Region VI.*

[F. R. Doc. 44-6241; Filed, May 2, 1944; 9:42 a. m.]

WAR PRODUCTION BOARD.

SEVEN-UP BOTTLING CO., INC.

CONSENT ORDER

Seven-Up Bottling Company, Incorporated, a corporation of Huntington, West Virginia, is engaged in the bottling and distribution of non-alcoholic beverages, and was found in an investigation by the War Production Board to have used 12,000 gross of new closures made of restricted materials for the period from April 1, 1943, to October 1, 1943, for the bottling of non-alcoholic beverages, in excess of the quota permitted under the provisions of Conservation Order M-104, as then in effect. Seven-Up Bottling Company, Incorporated, admits the excess use as charged by the War Production Board and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Seven-Up Bottling Company, Incorporated, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Seven-Up Bottling Company, Incorporated, its successors and assigns, shall, during the calendar year of 1944, reduce its use of new closures made of restricted materials to be affixed to glass containers for non-alcoholic beverages by 12,000 gross, under the quota it would otherwise be entitled to use in such a period, as defined by Limitation Order L-103-b, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Seven-Up Bottling Company, Incorporated, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect as of the date of issuance, and shall expire on December 31, 1944.

Issued this 1st day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN, *Recording Secretary.*

[F. R. Doc. 44-6231; Filed, May 1, 1944; 4:08 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 89

Washington, Thursday, May 4, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter VII—War Food Administration (Agricultural Adjustment)

[ACP 1944 Insular]

PART 702—INSULAR AGRICULTURAL CONSERVATION PROGRAM[1]

MAY 2, 1944.

Sec.
702.501 Conservation practices.
702.502 Division of payments; payments in connection with conservation practices.
702.503 Increase in small payments.
702.504 Payments limited to $10,000.
702.505 General provisions relating to payments.
702.506 Application for payment.
702.507 Appeals.
702.508 State and Regional bulletins, instructions, and forms.
702.509 Definitions.
702.510 Authority, availability of funds and applicability.

AUTHORITY: §§ 702.501 to 702.510, inclusive, issued under secs. 7 to 17 as amended, 49 Stat. 1148, 1915; 50 Stat. 329; 52 Stat. 31, 204, 205; 53 Stat. 550, 573; 54 Stat. 216, 726; 55 Stat. 257, 860; 16 U.S.C. 590g-590q; Stat. 761, E.O. 9322, as amended by E.O. 9384.

Payments and grants of aid will be made for participation in the 1944 Agricultural Conservation Program in Alaska, Hawaii, and Puerto Rico (hereinafter referred to as the 1944 program) in accordance with the provisions of this bulletin and such modifications thereof as may hereafter be made.

§ 702.501 *Conservation practices*—(a) *Allowance in connection with conservation practices.* The conservation practice allowance for a farm is the maximum amount of payment which will be made for carrying out on the farm the conservation practices specified in paragraphs (c), (d), and (e) of this section.

(1) This allowance for any farm will be the sum of the following: except that in no case shall the allowance for any farm be less than $4.00.

(i) $4.00 per acre, not in excess of 10 acres, and $1.00 per acre, in excess of 10 acres, of cropland in the farm in excess of the largest acreage devoted to sugarcane at any one time in 1944.

(ii) 40 cents per acre, not in excess of 1,000 acres, and 10 cents per acre, in excess of 1,000 acres, of pastureland included in the farm but not included in the cropland, or, in Hawaii, of range land (for which the Territory tax-assessment valuation is 50 cents or more per acre) included in the farm but not included in the cropland.

(b) *Payment in connection with conservation practices.* Payment will be made within the limit of the conservation practice allowance established for the farm in accordance with paragraph (a) of this section, for carrying out in the calendar year 1944 any of the conservation practices listed in paragraphs (c), (d), and (e), at the rates specified, provided the practices are carried out by methods and with kind of seed and other materials that conform to good farming practice, and in accordance with the specifications listed herein, and any additional specifications that may be issued by the Chief to assure that the practices will be performed in workmanlike manner and in accordance with good farming practices for the locality. No payment will be made with respect to practices carried out with labor and materials furnished entirely by any Federal or Territorial Agency or any agency of Puerto Rico. If a portion of the labor, seed, or other materials used in carrying out any practice is furnished by a Federal or Territorial Agency or any agency of Puerto Rico and this portion represents one-half or more of the total cost of the practice, no payment will be made with respect to it; if this portion represents less than one-half of the total cost of carrying out the practice, payment will be made with respect to one-half of it; *Provided*, That labor, seed, and materials furnished to the Territories of Alaska or Hawaii, or to Puerto Rico, or a political subdivision or agency thereof, by any agency of either Territory or of Puerto Rico, respectively, shall not be deemed to have been furnished by a "Federal or Territorial Agency" or any "Agency of

(Continued on next page)

[1] Subject matter assigned to parts 702, 703 and 704 will hereafter be consolidated under part 702.

CONTENTS

REGULATIONS AND NOTICES

	Page
AGRICULTURAL ADJUSTMENT AGENCY: Insular region conservation program, 1944	4671
COMMODITY CREDIT CORPORATION: Apples from Washington, Oregon, western Idaho; payments in respect of certain shipments	4677
CUSTOMS BUREAU: Vessels, documentation, and vessels in foreign and domestic trade; miscellaneous amendments	4678
FEDERAL POWER COMMISSION: Panhandle Eastern Pipe Line Co., hearing postponed	4728
FOREIGN ECONOMIC ADMINISTRATION: Exports to U. S. Government, general license	4683
INTERSTATE COMMERCE COMMISSION: Coal, unloading at designated points: Charlestown, Mass	4729
Clearfield, Pa., and Oak Point, N. Y	4729
Harrisburg, Pa	4729
Jersey City, N. J	4729
Grain, acceptance of carload shipments	4728
Refrigeration permits, etc.: Grapefruit or oranges, Florida	4729
Oranges: Cincinnati, Ohio	4730
Winterhaven, Fla	4730
Potatoes, Michigan	4730
Refrigerator cars, demurrage charges	4728
NATIONAL HOUSING AGENCY: War housing, private; limitations on total monthly payments	4680
NATIONAL WAR LABOR BOARD: Rules of procedure; violation proceedings	4681
OFFICE OF PRICE ADMINISTRATION: Adjustments: Central West Coal Co. and Consolidated Coal Co	4731
Koppers Coal Division, Eastern Gas and Fuel Associates	4731
Southerland, Frank, et al	4730

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued. Page
Bituminous coal delivered from mine or preparation plant (MPR 120, Am. 96) 4686
Cooperage, used (MPR 524, Am. 1) 4687
Distilled spirits and wines (MPR 445 incl. Am. 115) 4687
Fuel oil, gasoline and liquefied petroleum gas (MPR 88, Am. 8) 4686
Logs and bolts (MPR 348, Am. 46) 4686
Lubricating oils, greases, etc. (MPR 510, Am. 2) 4686
Tires and tubes, new rubber; wholesale prices (MPR 143, Order 5) 4731
SECURITIES AND EXCHANGE COMMISSION:
Electric Power and Light Corp., et al., application granted and declaration permitted to become effective 4732
TREASURY DEPARTMENT:
Checks of U. S., issue of duplicates 4682
WAR DEPARTMENT:
Bridge regulations:
Tacony-Palmyra, Pa.-N. J. 4727
Wisconsin River, Wis. 4728
WAR FOOD ADMINISTRATION. *See also* Agricultural Adjustment Agency, Commodity Credit Corporation.
Dairy foods, frozen, and mix; reports (WFO 8–3) 4675
Fluid milk and cream in designated sales areas:
Miami, Fla. 4676
St. Petersburg, Fla. 4677
San Antonio, Tex. 4676
Washington, D. C. 4676
Winston-Salem, N. C. 4676
Skim milk, dried (WFO 54–4) 4675
WAR MANPOWER COMMISSION:
Minimum wartime workweek:
Cincinnati, Ohio 4732
Youngstown, Ohio 4732
WAR PRODUCTION BOARD:
Certificates:
Transportation and delivery:
Dairy products, Lamar, Colo. 4733
Flowers, etc., Cuyahoga and adjoining counties, Ohio 4733
Groceries, Jefferson City, Mo. 4733
Laundry and dry cleaning, La Junta, Colo. 4733
Lumber, etc., La Junta, Colo. 4733
Milk, Findlay, Ohio 4733
Chemicals, etc., listed; ratings for (PR 3, Dir. 5) 4684
Suspension orders, etc.:
Bloomfield Mfg. Co. 4684
Salinas, Jose Maria 4683

Puerto Rico" within the meaning of this paragraph.

(c) *Schedule of conservation practices for Alaska.* (1) Interplanting leguminous crops with other crops: $2.00 per acre.

(2) Planting leguminous crops in rotation with other crops: $3.00 per acre.

(3) Using leguminous crops for green manuring: $4.00 per acre.

(4) Planting perennial varieties of protective crops on properly prepared land: $4.00 per acre.

(5) Contour strip-cropping land of 2 percent or more slope with protective crops or perennial varieties of crops which will prevent soil washing: $1.00 per acre.

(6) Seeding pasture land with good seed of adapted varieties of perennial grasses or legumes which do not require preparation of a seed bed: $0.20 per pound of seed sown.

(7) Applying crop residue on the surface of soil subject to wind erosion to promote the establishment of vegetative cover: $0.10 per cubic yard.

(8) Planting and cultivating land of 2 percent or more average slope along lines having a fall of not more than 2 percent: $4.00 per acre.

(9) Listing land along lines having a fall of not more than 2 percent for fallowing or for planting leguminous or protective crops: $0.50 per acre.

(10) Constructing permanent ditching on land of 6 percent or more average slope, with suitable outlets for the diversion of surface water to prevent soil washing. No credit will be given for ditches of more than 4 percent fall nor for any temporary field ditching. (i) When constructed on land where the topography, stoniness or size of fields requires that the ditching be constructed entirely by hand labor: $0.80 per 100 linear feet. (ii) When constructed on other land: $0.40 per 100 linear feet.

(11) Constructing a sufficient amount of continuous terrace to give adequate protection against erosion: $1.00 per 100 linear feet of terrace.

(12) Constructing and maintaining check dams in gullies: $0.10 per linear foot.

(13) Establishing a good stand of erosion-resisting perennial grasses in gullies: $0.025 per 100 square feet.

(14) Applying ground limestone or its equivalent. No credit will be given for the application of more than 2 tons per acre: $6.00 per ton.

(15) Applying phosphate to protective or leguminous crops. No credit will be given for the application of more than 100 pounds of phosphoric acid per acre: $5.00 per hundred pounds of phosphoric acid.

(d) *Schedule of conservation practices in Hawaii.* (1) Planting leguminous crops in rotation with other crops: $3.00 per acre.

(2) Using leguminous crops for green manuring: $4.00 per acre.

(3) Planting perennial varieties of protective crops on properly prepared land: $4.00 per acre.

(4) Seeding depleted range land with good seed of adapted varieties of perennial grasses or protective crops which do not require preparation of a seed bed. (i) For koa haole (Luceana glauca) seed; $0.10 per pound, (ii) for other varieties of seed: $0.20 per pound.

(5) Planting slips or stools of adapted varieties of perennial grasses on depleted range land: $2.00 per acre.

(6) Furrowing range land along lines having a fall of not more than 3 percent, with furrows not less than 8 inches in width and 4 inches in depth: $0.05 per 100 linear feet. No credit will be given for more than 4,000 linear feet per acre.

(7) Clearing range land heavily infested with range destroying plants: $5.00 per acre.

(8) Clearing range land lightly infested with range destroying plants: $2.00 per acre.

(9) Mowing or employing other approved means to prevent the reinfestation of cleared land. No credit will be given for mowing if the plants mowed are used for hay or sold for any purpose: $0.25 per acre for each operation within limits set by the State Office.

(10) Removing all livestock from range land, for a continuous period of more than four months, the months for which payment is made to be within

the calendar year of 1944. This practice shall not be applicable to more than 25 percent of the range land included in the farm and shall not be applicable to land which normally is used for other purposes during the period in which livestock are excluded. Credit will be given for not more than eight months and only under the following conditions: (i) The deferred area is kept free of grazing; (ii) the remaining range land in the farm is not pastured to such extent as to injure the forage: $0.10 per acre month, in excess of four during which livestock are removed.

(11) Constructing permanent watersheds of galvanized iron or other approved material for accumulating rainwater for range livestock, provided other methods of furnishing or accumulating water are not available and the water is conveyed to a tank or storage reservoir: $0.025 per square foot of watershed constructed.

(12) Constructing water storage tanks of redwood, steel, or other approved material on adequate foundations or constructing reservoirs lined with concrete or stone set in mortar: $0.50 per 100 gallon capacity.

(13) Planting and cultivating land of 2 percent or more slope along lines having a fall of not more than 2 percent. (i) When the land is planted to truck crops: $4.00 per acre. (ii) When the land is planted to other crops (excluding sugarcane): $2.00 per acre. No credit will be given unless adequate ditching or terracing protection is provided in accordance with specifications covering practices 15, 16, and 19.

(14) Protecting fallowed land with furrows averaging not more than 10 feet apart and not less than 8 inches in width and 4 inches in depth, having a fall of not more than 2 percent, or, in areas subject to wind erosion, at approximately right angles to the direction of the prevailing winds. No credit will be given on land of 6 percent or more average slope unless it is protected from erosion by adequate ditching or terracing: $1.00 per acre.

(15) Constructing permanent ditching on land of 3 percent or more slope, with suitable outlets, for the removal of surface run-off water to prevent soil washing. No credit will be given for ditches having a fall of more than 2 percent, unless protected by adequate vegetative cover. (i) When constructed on land where the stoniness, or size of fields requires that the ditching be constructed entirely by hand labor: $0.25 per cubic yard of water carrying capacity. (ii) When constructed on other land: $0.40 per 100 linear fee of ditching. No credit will be given for this practice when carried out on land planted to clean cultivated crops unless practice 13 or 19, has been carried out.

(16) Constructing temporary ditching on fields of 6 percent or more slope, with suitable outlets, for the diversion of surface water to prevent soil washing. No credit will be given for ditches having a fall of more than four percent. (i) When constructed on land where the topography, stoniness, or size of fields requires that the ditching be constructed entirely by hand labor: $0.04 per cubic yard of water carrying capacity. (ii) When constructed on other land: $0.05 per 100 linear feet of ditching.

(17) Lining ditches, carrying water on a grade of two percent or more fall. Credit will be given for irrigation ditches used only for irrigation of truck or forage crops; ditches constructed in accordance with specifications of practice (15); and ditches for the discharge of water from systems of contour cultivation, ditching, or terracing. (i) When the ditch surface is lined with concrete or stone set in mortar: $0.06 per square foot of ditch surface lined. (ii) When the ditch surface is lined with plaster; or concrete, iron, or composition pipe is used: $0.03 per square foot of ditch surface lined or of the inside surface of pipe used, respectively.

(18) Establishing a protective sod lining in ditches used for removing excess water from systems of contour cultivation, ditching, or terracing: $0.25 per 100 square feet of ditch surfaced.

(19) Constructing a sufficient amount of continuous terrace to give adequate protection against erosion: $1.00 per one hundred linear feet of terrace.

(20) Constructing and maintaining check dams in gullies: $0.10 per linear foot.

(21) Establishing a good stand of erosion resistant perennial grasses in gullies: $0.05 per 100 square feet.

(22) Applying ground limestone or its equivalent. No credit will be given for the application of more than 2 tons per acre: $6.00 per ton.

(23) Applying phosphate to protective or leguminous crops. No credit will be given for the application of more than 100 pounds of phosphoric acid per acre: $5.00 per 100 pounds of phosphoric acid.

(24) Constructing and maintaining during 1944 individual terraces or catchpits among coffee trees: $0.04 per terrace or catchpit.

(25) Constructing and maintaining during 1944 individual terraces among fruit or nut trees: $0.08 per terrace.

(26) Applying coffee pulp around coffee trees. No credit will be given for application of more than 5 tons per acre: $1.00 per ton.

(e) *Schedule of conservation practices for Puerto Rico.* Payment will be made for not more than one practice on the same area, nor will payment be made when the total acreage on which practices were carried out is less than 3/10 acres.

(1) Planting leguminous crops: $4.00 per acre.

(2) Interplanting leguminous crops with intertilled crops (excluding sugarcane): $2.00 per acre.

(3) Planting intertilled crops (excluding sugarcane and orchards) along lines having a fall of not more than two percent on land having an average slope of from two to ten percent. Payment will be made for not more than 20 acres: $4.00 per acre.

(4) Establishing an adequate system of ditching to divert surface run-off water on land of more than 10 percent average slope, planted to intertilled crops (excluding sugarcane and orchards), provided that, (i) the ditches are of adequate size and (excepting boundary and outlet ditches) having a fall of not more than six percent, (ii) not less than 600 feet of ditches are constructed per acre: $4.00 per acre. Where the topography and stoniness of the land do not permit the construction of proper ditches, stone barriers may be constructed with the crop rows planted, as far as possible, parallel to the barriers.

§ 702.502 *Division of payments; payments in connection with conservation practices.* The payment earned in carrying out practices shall be paid to the producer who carried out the practices. If more than one producer contributed to the carrying out of the practices, the payment shall be divided in the proportion that the State Office determines the producers contributed to the carrying out of the practices. In making this determination, the State Office shall take into consideration the value of labor, equipment, or material contributed by each producer toward the carrying out of each practice on a particular acreage assuming that each contributed equally unless it is established to the satisfaction of the State Office that their respective contributions thereto were not in equal proportion.

§ 702.503 *Increase in small payments.* The total payment computed under § 702.501, for any person with respect to any farm shall be increased as follows:

(a) Any payment amounting to 71¢ or less shall be increased to $1.00;

(b) Any payment amounting to more than 71¢, but less than $1.00, shall be increased by forty percent;

(c) Any payment amounting to $1.00 or more shall be increased in accordance with the following schedule:

Amount of payment computed:	Increase in payment
$1.00 to $1.99	$0.40
$2.00 to $2.99	.80
$3.00 to $3.99	1.20
$4.00 to $4.99	1.60
$5.00 to $5.99	2.00
$6.00 to $6.99	2.40
$7.00 to $7.99	2.80
$8.00 to $8.99	3.20
$9.00 to $9.99	3.60
$10.00 to $10.99	4.00
$11.00 to $11.99	4.40
$12.00 to $12.99	4.80
$13.00 to $13.99	5.20
$14.00 to $14.99	5.60
$15.00 to $15.99	6.00
$16.00 to $16.99	6.40
$17.00 to $17.99	6.80
$18.00 to $18.99	7.20
$19.00 to $19.99	7.60
$20.00 to $20.99	8.00
$21.00 to $21.99	8.20
$22.00 to $22.99	8.40
$23.00 to $23.99	8.60
$24.00 to $24.99	8.80
$25.00 to $25.99	9.00
$26.00 to $26.99	9.20
$27.00 to $27.99	9.40
$28.00 to $28.99	9.60
$29.00 to $29.99	9.80
$30.00 to $30.99	10.00
$31.00 to $31.99	10.20
$32.00 to $32.99	10.40
$33.00 to $33.99	10.60
$34.00 to $34.99	10.80
$35.00 to $35.99	11.00
$36.00 to $36.99	11.20
$37.00 to $37.99	11.40

Amount of payment computed— Continued.	*Increase in payment*
$38.00 to $38.99	$11.60
$39.00 to $39.99	11.80
$40.00 to $40.99	12.00
$41.00 to $41.99	12.10
$42.00 to $42.99	12.20
$43.00 to $43.99	12.30
$44.00 to $44.99	12.40
$45.00 to $45.99	12.50
$46.00 to $46.99	12.60
$47.00 to $47.99	12.70
$48.00 to $48.99	12.80
$49.00 to $49.99	12.90
$50.00 to $50.99	13.00
$51.00 to $51.99	13.10
$52.00 to $52.99	13.20
$53.00 to $53.99	13.30
$54.00 to $54.99	13.40
$55.00 to $55.99	13.50
$56.00 to $56.99	13.60
$57.00 to $57.99	13.70
$58.00 to $58.99	13.80
$59.00 to $59.99	13.90
$60.00 to $185.99	14.00
$186 to $199.99	(1)
$200.00 and over	(2)

[1] Increase to $200.00.
[2] No increase.

§ 702.504 *Payments limited to $10,000.* The total of all payments made in connection with programs for 1944 under section 8 of the Soil Conservation and Domestic Allotment Act, to any individual, partnership, or estate with respect to farms, ranching units, and turpentine places located within a single State, Territory, or possession, shall not exceed the sum of $10,000. The total of all payments made in connection with such programs to any person other than individual, partnership, or estate with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) shall not exceed the sum of $10,000.

All or any part of any payment which has been or otherwise would be made to any person under the 1944 program may be withheld or required to be returned, if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, revival, or formation of any corporation, partnership, estate, trust, or any other means, which was designed to evade, or would have the effect of evading, the provisions of this section.

§ 702.505 *General provisions relating to payments*—(a) *Practices defeating purposes of the program.* If the chief finds that any producer has adopted or participated in any practice which tends to defeat the purposes of the 1944 or previous programs, he may withhold or require to be refunded all or any part of any payment which has been or would be computed for such person.

(b) *Failure to carry out approved erosion control measures.* Payment will not be made to any person with respect to any farm which he owns or operates in a county if the State office finds that he has been negligent and careless in his farming operations by failing to carry out approved erosion-control measures on land under his control to the extent that any part of such land has become an erosion hazard during the 1944 program year to other land in the community.

(c) *Depriving others of payment.* If the State office finds that any person has employed any scheme or device (including coercion, fraud, or misrepresentations) the effect of which would be or has been to deprive any other person of any payment under the program, it may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require him to refund in whole or in part, the amount of any payment which has been or would otherwise be made to him in connection with the 1944 program.

(d) *Payment computed and made without regard to claims.* Any payment or share of payment shall be computed and made without regard to questions of title under Territorial law or laws of Puerto Rico, without deductions of claims for advance (except as provided in paragraph (e) of this section, and except for indebtedness to the United States subject to set-off orders issued by the War Food Administrator); and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

(e) *Assignments.* Any person who may be entitled to any payment in connection with the 1944 program may assign his payment, in whole or in part, as security for cash loaned or advances made for the purpose of financing the making of a crop in 1944. No assignment of this kind will be recognized unless it is made in writing on Form ACP–69 in accordance with instructions (ACP–70 Revised) issued by the Agricultural Adjustment Agency and unless such assignment is entitled to priority, as determined under the instructions governing the recording of such assignments, issued by the Agricultural Adjustment Agency.

§ 702.506 *Application for payment*—(a) *Persons eligible to file applications.* An application for payment with respect to a farm may be made by any person for whom, under the provisions of § 702.502, a share in the payment with respect to the farm may be computed.

(b) *Time and manner of filing application and information required.* Payment will be made only upon application submitted through the respective State offices on or before March 31, 1945, except that the timely filing of an application by one person on a farm shall constitute the timely filing on behalf of all persons on that farm. Payment may be withheld from any person who fails to file or furnish any information required with respect to any farm which he is operating or renting to another person for a share of the crop grown thereon, or for cash or standing rent.

Any application for payment may be rejected if any form or information required is not submitted to the State office within the time fixed by the Chief. At least two weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms or required information, any time limit to be such as affords a full and fair opportunity to those eligible to file the form or information within the period prescribed. Notice shall be given by mailing it to the office of each county agricultural extension agent, and making copies of it available to the press.

(c) *Land area.* All calculations involving land area in Puerto Rico will be made on the basis that one cuerda equals 0.97 acres.

§ 702.507 *Appeals.* Any producer may, within fifteen days after notice thereof is forwarded to or made available to him, request the State office in writing to reconsider its recommendation or determination with respect to any of the following matters affecting any farm in which he has an interest: (a) Eligibility to file an application for payment; (b) measurement, or conservation practice allowance; (c) the division of payment; or (d) any other matter affecting the right to or the amount of his payment with respect to the farm. The State office shall notify him of its decision in writing within fifteen days after receipt of a written request for reconsideration. If he is dissatisfied with the decision of the State office he may, within fifteen days after the decision is forwarded or made available to him, request the Chief to review the decision of the State office.

§ 702.508 *State and regional bulletins, instructions, and forms.* The Agricultural Adjustment Agency is hereby authorized to make such determinations and to prepare and issue such State and Regional bulletins, instructions and forms as may be required in administering the 1944 program.

§ 702.509 *Definitions.* For the purposes of the 1944 program, unless the content otherwise requires:

"Administrator" means the War Food Administrator.

"Chief" means the Chief of the Agricultural Adjustment Agency.

"Insular region" means the area included in the Territory of Alaska, the Territory of Hawaii, and Puerto Rico.

"State office" means the office of the Agricultural Adjustment Agency in Fairbanks, Alaska, Territory of Alaska; Honolulu, Territory of Hawaii; and San Juan, Puerto Rico, depending upon the area concerned.

"Person" means an individual, partnership, association, corporation, trust, or estate, or other business enterprise or legal entity wherever applicable, a State, Territory, or Possession, or a political subdivision, or agency thereof.

"Producer" means any person who as landlord, tenant, or sharecropper, participates in the operation of a farm.

"Farm" means all tracts of cropland, pasture land, and other land in Alaska, Hawaii, or Puerto Rico (considering tracts located in only one of these areas) operated by one or more persons in 1944 as a single farming unit, with cropping practices, work stock, farm machinery, management, and labor substantially separate from that for any other such unit, and including any other land which serves as a watershed for the supply of water for the farm and on which any applicable conservation practice is performed.

"Cropland" means farm land which is tilled annually or in a regular rotation or is devoted to bearing or non-bearing orchards other than abandoned orchards.

"Orchards" means the acreage in planted fruit trees, nut trees, coffee trees, banana plants, or vineyards.

"Pasture land" means farm land on which the predominant growth is forage suitable for grazing and on which the spacing of any trees or shrubs is such that the land could not fairly be considered as woodland.

"Rangeland" means any land which produces or can produce forage suitable for grazing by range livestock without cultivation or general irrigation.

"Protective crops" means any of the following: all grasses, crotolaria, vetch, pigeon peas, clover, lespedeza, lupines, koa haole (Lucaena glauca).

"Leguminous crops" means any of the following: cow peas, pigeon peas, field peas, soy beans, velvet beans, sword beans, field beans.

§ 702.510 *Authority, availability of funds applicability*—(a) *Authority.* This program is approved pursuant to the authority vested in the War Food Administrator under section 7–17, inclusive, of the Soil Conservation and Domestic Allotment Act (49 Stat. 1148, 16 U. S. C. 1940 ed. 590g to 590q), and in the War Food Administrator by Executive Order No. 9322, as amended by Executive Order No. 9934.

(b) *Availability of funds.* The provisions of the 1944 program are necessarily subject to all legislation affecting the program as the Congress of the United States may hereafter enact; the making of payments herein provided are contingent upon whatever appropriation the Congress may hereafter provide for the purpose; and the amounts of payment will necessarily be within the limits finally determined by the appropriation, its apportionment under the provisions of the Soil Conservation and Domestic Allotment Act, as amended, and the extent of national participation.

(c) *Applicability.* The provisions of the 1944 program contained herein, except where the content otherwise indicates, are applicable only to the Territories of Alaska and Hawaii and to Puerto Rico. They do not apply to any department or bureau of the United States Government or any corporation wholly owned by the United States, or to lands owned by the United States which were acquired or reserved for conservation purposes or which are to be retained permanently under Government ownership.

The program is applicable to land owned by corporations, which are only partly owned by the United States, such as Federal Land Banks and Production Credit Administrations.

The program is also applicable to land owned by the United States or by corporations wholly owned by the United States which is farmed by private persons if such land is to be temporarily under such Government or corporation ownership and was acquired or reserved for conservation purposes. Such land shall include only that administered by the Farm Security Administration, the Reconstruction Finance Administration, the Home Owners' Loan Corporation, or the Federal Farm Mortgage Corporation, unless the Agricultural Adjustment Agency finds that land administered by other agencies complies with all of the foregoing provisions for eligibility.

Issued at Washington, D. C., this 2d day of May 1944.

GROVER B. HILL,
First Assistant
War Food Administrator.

[F. R. Doc. 44–6269; Filed, May 2, 1944; 11:22 a. m.]

Chapter XI—War Food Administration
(Distribution Orders)

[WFO 8–3]

PART 1401—DAIRY PRODUCTS

REPORTS RELATIVE TO FROZEN DAIRY FOODS AND MIX

Pursuant to the authority vested in me by War Food Order No. 8, 9 F.R. 4319 (formerly designated as Food Distribution Order No. 8, as originally issued by the Secretary of Agriculture on January 19, 1943, 8 F.R. 953, and as amended, 8 F.R. 12163), and to effectuate the purposes of said order, it is hereby ordered as follows:

§ 1401.17 *Reports relative to frozen dairy foods and mix*—(a) *Definition.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof, each term defined in War Food Order No. 8 shall, when used herein, have the same meaning as is set forth for such term in said War Food Order No. 8.

(b) *Reports required.* (1) Each processor who has not correctly completed Form FDO 8–1, "Production Report of Frozen Dairy Foods and Mix," and filed such report with the Administrator WFO–8, United States Department of Agriculture, Washington 25, D. C., shall correctly complete said Form FDO 8–1, and mail such completed form to Administrator WFO–8, United States Department of Agriculture, Washington 25, D. C., within 21 calendar days after the effective date hereof.

(2) Each processor who manufactures mix shall correctly complete Form "Dairy Products Report No. 4—Ice Cream," for each of the calendar months of April 1943 to March 1944, both dates inclusive, during which the respective processor manufactured frozen dairy foods and mix, and shall mail such completed form to the United States Department of Agriculture, P. O. Box 6910–A, Chicago, Illinois, within 21 calendar days after the effective date hereof.

(3) Each processor who manufactures mix shall correctly complete Form "Dairy Products Report No. 4—Ice Cream," for each calendar month during which the respective processor manufactures frozen dairy foods and mix, and shall, on or before the close of the tenth calendar day of the calendar month next succeeding the calendar month during which the respective processor manufactured frozen dairy foods and mix, mail such completed form to the United States Department of Agriculture, P. O. Box 6910–A, Chicago, Illinois.

(4) Each processor who purchases all of the mix used by him in the manufacture of frozen dairy foods and who utilized 5,000 pounds or more of milk solids in the manufacture of frozen dairy foods during the base period shall correctly complete Form "Dairy Products Report No. 5—Frozen Dairy Foods," for each of the calendar months of January, February, and March 1944 during which the respective processor purchased mix, and shall mail such completed form to the United States Department of Agriculture, Division of Agricultural Statistics, Washington 25, D. C., within 21 calendar days after the effective date hereof.

(5) Each processor who purchases all of the mix used by him in the manufacture of frozen dairy foods and who utilized 5,000 pounds or more of milk solids in the manufacture of frozen dairy foods during the base period shall correctly complete Form "Dairy Products Report No. 5—Frozen Dairy Foods," for each calendar month during which the respective processor purchases mix, and shall, on or before the close of the tenth calendar day of the calendar month next succeeding the calendar month during which the respective processor purchased mix, mail such completed form to the United States Department of Agriculture, Division of Agricultural Statistics, Bureau of Agricultural Economics, Washington 25, D. C.

(c) *Exceptions.* Each person referred to in (b) (2) or (b) (4) hereof shall not be required to complete and mail the forms as required by (b) (2) or (b) (4) hereof for any month designated therein if such person shall have correctly completed and mailed the required form for such month prior to the effective time of this order.

(d) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., May 1, 1944.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334; 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO–8, 8 F.R. 953, 12163; 9 F.R. 4319)

Issued this 1st day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–6224; Filed, May 1, 1944; 3:31 p. m.]

[WFO 54–4]

PART 1401—DAIRY PRODUCTS

DRIED SKIM MILK

Pursuant to the authority vested in me by War Food Order No. 54 (8 F.R. 7210, 9 F.R. 4319), and in order to ef-

fectuate the purposes thereof, it is hereby ordered as follows:

§ 1401.179 *Percentages of dried skim milk to be set aside—*(a) *Definitions.* (1) "WFO 54" means War Food Order No. 54 (8 F.R. 7210, 9 F.R. 4319)

(2) "WFO 54–2" means War Food Order No. 54–2 (originally issued as Food Distribution Order No. 54–2, 8 F.R. 9903; and redesignated as War Food Order No. 54–2, 9 F.R. 4319).

(3) Each term defined in WFO 54 shall, when used herein, have the same meaning as set forth in said order.

(b) *Percentages of dried skim milk to be set aside.* Each person who is required to set aside dried skim milk pursuant to the provisions of WFO 54 shall set aside in the calendar month of May 1944, and in each succeeding calendar month, (1) a quantity of spray dried skim milk equal to 75 percent of all spray dried skim milk produced by such person during each such month, and (2) a quantity of roller dried skim milk equal to 50 percent of all roller dried skim milk produced by such person during each such month.

(c) *WFO 54–2 superseded.* This order supersedes in all respects WFO 54–2 except that (1) as to any violation of said WFO 54–2, or rights accrued, liabilities incurred, or appeals taken under said WFO 54–2, prior to the effective date hereof, said WFO 54–2 shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal; and (2) as to any obligation to set aside dried skim milk, imposed on or prior to April 30, 1944, pursuant to WFO 54–2, such obligation shall continue subsequent to April 30, 1944.

(d) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., May 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 1st day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–6225; Filed, May 1, 1944; 3:31 p. m.]

[WFO 79–4, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN WASHINGTON, D. C., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79–4 (8 F.R. 13368, 9 F.R. 4319), relative to the conservation, and distribution of fluid milk, milk byproducts, and cream in the Washington, D. C. milk sales area, is hereby amended by deleting § 1401.38 (g) (3), and substituting therefor, the following:

(g) (3) Milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., May 1, 1944. With respect to violations of said War Food Order No. 79–4, rights accrued, or liabilities incurred prior to the effective time of this amendment, said War Food Order No. 79–4, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E. O. 9280, 7 F. R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283; 9 F.R. 4319)

Issued this 1st day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–6226; Filed, May 1, 1944; 3:31 p. m.]

[WFO 79–113, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN WINSTON-SALEM, N. C., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79–113 (9 F.R. 148, 9 F.R. 4319), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Winston-Salem, North Carolina, milk sales area, is hereby amended by deleting the description of the sales area in § 1401.147 (b) and inserting, in lieu thereof, the following:

The city of Winston-Salem and, in addition thereto, the territory within a radius of five miles from the Court House in said city of Winston-Salem, in the county Forsyth, State of North Carolina.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., May 1, 1944. With respect to violations of said War Food Order No. 79–113, rights accrued, or liabilities incurred prior to the effective time of this amendment, said War Food Order No. 79–113 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 1st day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–6227; Filed, May 1, 1944; 3:31 p. m.]

[WFO 79–115, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN MIAMI, FLA., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79–115 (9 F.R. 632, 4319), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Miami, Florida, metropolitan milk sales area, is hereby amended as follows:

In § 1401.149 (e) (3) in the case of the base for cream and milk byproducts for the month of May 1944 delete the percentage "82.50" and substitute therefor the percentage "107.50"; and for the month of June 1944 delete the percentage "67.50" and substitute therefor the percentage "92.50."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., May 1, 1944. With respect to violations of said War Food Order No. 79–115, rights accrued, or liabilities incurred prior to the effective time of this amendment, said War Food Order No. 79–115 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 1st day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–6228; Filed, May 1, 1944; 3:31 p. m.]

[WFO 79–128, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SAN ANTONIO, TEX., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79–128 (9 F.R. 648, 4319) relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the San Antonio, Texas, milk sales area, is hereby amended by deleting therefrom the provisions in § 1401.163 (j) and inserting, in lieu thereof, the following:

(j) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream or other dairy products from which no milk, milk byproducts, or cream, is delivered in the sales area, (3) to industrial users, (4) to nursery, elementary, junior high, and high schools, and (5) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., May 1, 1944. With respect to violations of said War Food Order No. 79–128, rights accrued, or liabilities incurred prior to the effective time of this amendment, said War Food Order No. 79–128 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, (8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 1st day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–6229; Filed, May 1, 1944; 3:31 p. m.]

[WFO 79–143, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN ST. PETERSBURG, FLA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79–143 (9 F.R. 3763, 9 F.R. 4319), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the St. Petersburg, Florida, milk sales area, is hereby amended as follows:

In § 1401.177 (e) (3) in the case of the base for cream and milk byproducts, for the month of May 1944, delete the percentage of "75.00" and substitute therefor the percentage "100.00"; and for the month of June 1944 delete the percentage "67.50" and substitute therefor the percentage of "92.50."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., May 1, 1944. With respect to violations of said War Food Order No. 79–143, rights accrued, or liabilities incurred prior to the effective time of this amendment, said War Food Order No. 79–143 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, (8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 1st day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–6230; Filed, May 1, 1944; 3:31 p. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter II—War Food Administration (Commodity Credit)

[Apple Program, Form 1, Amdt. 2]

PART 242—APPLE FREIGHT EQUALIZATION PAYMENT PROGRAM

CERTAIN SHIPMENTS OF APPLES FROM WASHINGTON, OREGON, AND WESTERN IDAHO

Pursuant to the provisions in the offer of Commodity Credit Corporation, dated December 13, 1943 (8 F.R. 16774), with respect to payments on certain shipments of apples from Washington, Oregon, and Western Idaho, said offer of December 13, 1943, is hereby amended by deleting therefrom the provisions in § 242.3 and inserting, in lieu thereof, the following:

§ 242.3 *Rates of payment.* The rate of payment hereunder (a) per wrapped box, or (b) per hundredweight of bulk or loose-packed or non-standard wrapped boxed apples, as the case may be, included in any eligible shipment from Zone VI and arriving, on or subsequent to October 17, 1943, at destination in Zone I, II, III, or IV shall be determined in accordance with the following schedules and upon the basis of the lowest applicable freight rate per hundredweight from point of shipment in Zone VI to point of destination in any of the foregoing Zones Nos. I to IV:

ELIGIBLE SHIPMENTS ARRIVING AT DESTINATION ON OR AFTER OCTOBER 17, 1943, UP TO AND INCLUDING DECEMBER 12, 1943

TO POINT OF DESTINATION IN ZONE I

Lowest applicable freight rate per cwt. (exclusive of taxes and protective services)	$1.05	$1.13	$1.15	$1.20	$1.25
Equalization payment per standard wrapped box	.30	.43	.44	.465	.49
Equalization payment per cwt	.78	.86	.86	.93	.98

TO POINT OF DESTINATION IN ZONE II

Lowest applicable freight rate per cwt. (exclusive of taxes and protective services)	$1.00	$1.05	$1.13	$1.15	$1.20	$1.25	$1.35	$1.40
Equalization payment per standard wrapped box	.195	.22	.26	.27	.295	.32	.37	.395
Equalization payment per cwt	.39	.44	.52	.54	.59	.64	.74	.79

ELIGIBLE SHIPMENTS ARRIVING AT DESTINATION ON OR SUBSEQUENT TO DECEMBER 13, 1943, AT THE APPLICABLE FREIGHT RATE IN EFFECT ON DECEMBER 13, 1943

TO POINT OF DESTINATION IN ZONE I

Lowest applicable freight rate per cwt. (exclusive of taxes and protective services)	$1.05	$1.13	$1.15	$1.20	$1.25
Equalization payment per standard wrapped box	.41	.45	.46	.485	.51
Equalization payment per cwt	.82	.90	.92	.97	1.02

TO POINT OF DESTINATION IN ZONE II

Lowest applicable freight rate per cwt. (exclusive of taxes and protective services)	$1.00	$1.05	$1.13	$1.15	$1.20	$1.25	$1.35	$1.40
Equalization payment per standard wrapped box	.215	.24	.28	.29	.315	.34	.39	.415
Equalization payment per cwt	.43	.48	.56	.58	.63	.68	.78	.83

TO POINT OF DESTINATION IN ZONE III OR ZONE IV

Lowest applicable freight rate per cwt. (exclusive of taxes and protective services)	$1.00	$1.05
Equalization payment per standard wrapped box	.04	.065
Equalization payment per cwt	.08	.13

ELIGIBLE SHIPMENTS ARRIVING AT DESTINATION AT THE INCREASED FREIGHT RATES EFFECTIVE APRIL 25, 1944

TO POINT OF DESTINATION IN ZONE I

Lowest applicable freight rate per cwt. (exclusive of taxes and protective services)	$1.15	$1.25	$1.30	$1.35
Equalization payment per standard wrapped box	.475	.53	.555	.58
Equalization payment per cwt	.92	1.02	1.07	1.12

TO POINT OF DESTINATION IN ZONE II

Lowest applicable freight rate per cwt. (exclusive of taxes and protective services)	$1.10	$1.15	$1.25	$1.30	$1.35	$1.40	$1.41
Equalization payment per standard wrapped box	.275	.305	.36	.385	.41	.435	.44
Equalization payment per cwt	.53	.58	.68	.73	.78	.83	.84

TO POINT OF DESTINATION IN ZONE III OR ZONE IV

Lowest applicable freight rate per cwt. (exclusive of taxes and protective services)	$1.00	$1.05	$1.10	$1.15	$1.18
Freight equalization payment per standard wrapped box	.055	.08	.11	.135	.15
Equalization payment per cwt	.08	.13	.18	.23	.26

Any interpretation heretofore issued by Commodity Credit Corporation, with respect to the aforesaid offer, shall apply to such offer as herein amended.

The foregoing amendment shall be effective at 12:01 a. m., e. w. t., April 25, 1944.

(Sec. 7, 49 Stat. 4; Pub. Law 240, 78th Cong., 1st Sess.)

Issued at Washington, D. C., May 1, 1944.

[SEAL] COMMODITY CREDIT CORPORATION,
By LEE MARSHALL,
Vice President.

Attest:
NORINE J. FAUBLE,
Assistant Secretary.

[F. R. Doc. 44–6270; Filed, May 2, 1944; 11:22 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T.D. 51049]

PART 3—DOCUMENTATION OF VESSELS

MISCELLANEOUS AMENDMENTS

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

The Customs Regulations of 1943 are hereby amended as follows:

Section 3.13 (a) is amended to read as follows:

§ 3.13 *Official number and signal letters.* (a) Every documented vessel shall have an official number[1] awarded by the Commissioner of Customs. Application therefor shall be made on customs Form 1320 by the owner or his agent through the collector of customs. When the application is filed with the collector at the port designated as the home port of the vessel, the application shall be in duplicate. When the application is filed with the collector at any port other than the home port of the vessel, the application shall be in triplicate. The name or names of any former owner or owners shall be stated on the application. If there was no former owner, that fact shall be stated. In the case of corporate ownership, the application shall be signed in the corporate name by the president, secretary, or a specially authorized officer of the corporation, or by an authorized agent. In the case of a partnership, the partnership name shall be signed by one of the partners, or by a duly authorized agent. In the case of individual ownership by two or more persons, one of the owners may sign in his own name as managing owner, provided there is filed with the collector a written authorization for him to act in that capacity signed by the owners of a majority interest in the vessel. In every case the capacity in which the person signs, whether as owner, managing owner, agent, etc., shall be clearly stated below his signature. If a signature is by mark, it shall be witnessed by two persons, or acknowledged. Any acknowledgment valid under the law of the state where made may be accepted. No customs officer or employee is authorized by section 486, Tariff Act of 1930, to take such acknowledgments. (R.S. 161, secs. 2, 3, 23, Stat. 118, 119, R.S. 4177, as amended; 5 U.S.C. 22, 46 U.S.C. 2, 3, 45. E.O. 9083; 7 F.R. 1609)

Paragraph (b) of § 3.13 is hereby rescinded, and paragraphs (c), (d), and (e) of that section are relettered (b), (c), and (d), respectively. (R.S. 161; 5 U.S.C. 22.)

Section 3.22 is amended by adding at the end thereof a new paragraph (d) reading as follows:

§ 3.22 *Issue and record of marine documents.* • • •

(d) No document shall be issued to any vessel prior to the receipt by the collector of the approval of the designation of the home port by or on behalf of the owner in whose name the document is to be issued. (R.S. 161, secs. 2, 3, 23 Stat. 118, 119, R.S. 4141, R.S. 4155, as amended, 4164, as amended, R.S. 4176, 4314, as amended, 4319, as amended, 4329, as amended, sec. 1, 43 Stat. 947 5 U.S.C. 22, 46 U.S.C. 2, 3, 17, 18, 25, 34, 44, 254, 259, 271. E.O. 9083; 7 F.R. 1609)

Section 3.26 (a) is amended to read as follows:

§ 3.26 *Surrender of permanent documents.* (a) The marine document shall be surrendered when a vessel is sold or transferred in whole or in part; when the owner of the whole or any part of a vessel dies; when a vessel has been lost, abandoned, dismantled, or taken by an enemy, or otherwise prevented from returning to the United States; when a vessel is burned or broken up; when a vessel is altered in form by being lengthened, shortened, or built upon, or is changed from one denomination to another by a change in the method of rigging or fitting; when the tonnage of a vessel is changed for any reason; when a vessel is altered so that it is no longer of the description set forth in its document; when a vessel changes from one employment to another; when a vessel is placed under foreign registry or flag; when a vessel changes her name; when the home port of a vessel is changed; when a president or secretary whose name appears on the document of a vessel owned by a corporation dies, is removed, or resigns; and when a trustee is appointed upon bankruptcy of the owner of the whole or any part of a vessel. The approval of the United States Maritime Commission of the surrender of the document of a vessel covered by a preferred mortgage shall be obtained, except as specified in note 19, § 3.30 (a) of this part. (R.S. 161, sec. 2, 23 Stat. 118, R.S. 4146, as amended, R.S. 4160, 4170, as amended, R.S. 4322, 4325, as amended, sec. 30, subsec. O (a), 41 Stat. 1004, sec. 204, 49 Stat. 1987; 5 U.S.C. 22, 46 U.S.C. 2, 23, 30, 39, 264, 267, 961 (a), 1114; E.O. 9083; 7 F.R. 1609)

Section 3.26 is further amended by adding at the end thereof a new paragraph (d) reading as follows:

(d) A document need not be surrendered because of the appointment of a guardian or committee for the owner of the whole or any part of the vessel, nor because of the appointment of a receiver, either in bankruptcy or in equity, of the assets of the owner of the whole or any part of the vessel. (R.S. 161, sec. 2, 23 Stat. 118, R.S. 4170, as amended, R.S. 4325, as amended; 5 U.S.C. 22, 46 U.S.C. 2, 39, 267; E.O. 9083; 7 F.R. 1609)

Section 3.32 is amended to read as follows:

§ 3.32 *Sale or transfer of vessel.* (a) Except as stated in § 3.35 of this part, when a documented vessel is sold or transferred in whole or in part to a citizen,[1] such vessel shall not be deemed a vessel of the United States until documented anew.

(b) In the case of the sale, gift, or conveyance (including conveyance in trust) of the whole or any part of such vessel, a written instrument in the nature of a bill of sale, which may be on customs Form 1340, 1342, 1344, 1346, or 1356, and which shall recite in full the marine document last granted to the vessel before the execution of the instrument, shall be filed with the collector of customs before a new document is granted.

(c) In case of the death of the owner of the whole or any part of such a vessel, if there is an administration of his estate, except as provided for in paragraph (e) of this section an authenticated copy of the certificate of death of the owner and of the letters of appointment of the personal representative of the deceased owner shall be filed with the collector of customs before a new document is granted to that personal representative or to his successors in interest. In such a case, an authenticated copy of the certificate of death of the owner (unless previously filed by the personal representative of the deceased owner) and of the decree of distribution shall be filed with the collector of customs before a new document is granted to the beneficiary under a will, to the person succeeding to the interest of the deceased owner in case of intestacy, or to successors in interest of either of them. The filing of the will of a deceased owner shall not be required.

(d) In case of the death intestate of the owner of the whole or any part of such a vessel, if there is no administration of his estate the collector shall forward to the Bureau a statement of all the facts and circumstances and, except as provided for in paragraph (c) of this section, an authenticated copy of the certificate of death of the owner, together with any documentary evidence in support of the claim of title presented to him, before a new document is granted to the next of kin of the deceased owner or to his successors in interest.

(e) If it is impossible to obtain an authenticated copy of the certificate of death of the deceased owner of the whole or any part of such a vessel for filing with the collector as required by paragraphs (c) or (d) of this section, other evidence of death of such deceased owner shall be filed with the collector in lieu thereof.

(f) In case of the sale or conveyance of the whole or any part of such a vessel by a guardian or committee of the owner thereof, an authenticated copy of the letters of guardianship and of the court order, if any, authorizing the transfer of title shall be filed with the collector of customs before a new document is granted.

(g) In case of the appointment of a trustee in bankruptcy of the assets of the owner of the whole or any part of such a vessel, an authenticated copy of the order of the referee or court appointing him as such shall be filed with the collector of customs before a new document is granted.

(h) The certificates, letters, decrees, orders, and other evidence of title referred to in paragraphs (c), (d), (e), (f), and (g) of this section shall not be required to recite a marine document of the vessel concerned. (R.S. 161, sec. 2, 23 Stat. 118, R.S. 4170, as amended, R.S. 4312, sec. 9, 39 Stat. 730, as amended; 5 U.S.C. 22, 46 U.S.C. 2, 39, 252, 808; E.O. 9083; 7 F.R. 1609)

Paragraphs (b), (c), (e), and (f) of § 3.33 are amended to read as follows:

§ 3.33 *Recording of bills of sale and mortgages.* • • •

(b) No such instrument shall be accepted for recording prior to the receipt by the collector of the approval of the designation of the home port; nor unless the vessel affected is documented as a vessel of the United States or will be so documented substantially simultaneously with the recording of the instrument. If there has been more than one change in ownership of any interest in a vessel and the vessel has not been documented by the intermediate owners, all unrecorded bills of sale which are executed in the form and manner prescribed by this section may be recorded upon documentation of the vessel. No mortgage shall be accepted for recording unless the vessel which it covers was documented as a vessel of the United States at the time the mortgage was made. Any mortgage presented for recording may be on customs Form 1348.

(c) No such instrument shall be valid against any person other than the vendor, mortgagor, pledgor, grantor, the heirs or devisees of any of the foregoing, or a person having actual notice thereof, unless the instrument has been recorded in the office of the collector of customs at the home port of the vessel. If the instrument covers more than one vessel, it shall be recorded at the home port of each vessel and indexed under the name of each vessel whose home port is the port of recordation. The collector shall record all such instruments and certificates of discharge of mortgages in the order of their receipt in books to be kept for that purpose and indexed on customs Form 1360 or 1364 to show (1) the name of the vessel, (2) the names of the parties to the instrument, (3) the date and time of day the instrument was received, (4) the interest transferred, mortgaged, or discharged, (5) the book in which the instrument is recorded, (6) the number assigned to the instrument, and (7) in the case of a mortgage or certificate of discharge of mortgage, the amount and date of maturity of the mortgage.

• • • • • •

(e) No certificate of death of the owner of any interest in a vessel, letters of appointment of the personal representative of a deceased owner, decree of distribution of the estate of a deceased owner, will of a deceased owner, letters of guardianship appointing a guardian or committee of an owner, order of a referee or court appointing a trustee in bankruptcy of the assets of an owner, nor court order authorizing the transfer of title of any interest in a vessel shall be recorded unless incorporated in a bill of sale, mortgage, hypothecation, or conveyance of an interest in a vessel of the United States.

(f) No bill of sale, conveyance, mortgage, release from mortgage, satisfaction or discharge of mortgage, assignment of mortgage, or certificate of discharge of lien shall be recorded unless previously acknowledged. Any acknowledgment valid under the laws of the state where made may be accepted. No customs officer or employee is authorized by section 486, Tariff Act of 1930, to take such acknowledgments. (R.S. 161, sec. 2, 23 Stat. 118, sec. 30, subsecs. C, H, 41 Stat. 1000, 1002, sec. 2, 43 Stat. 948; 5 U.S.C. 22, 46 U.S.C. 2, 921, 926, 1012; E.O. 9083; 7 F.R. 1609)

Section 3.38 (h) is amended to read as follows:

§ 3.38 *Record and endorsement of preferred mortgages and related instruments.* • • •

(h) Each notice of claim of lien and certificate of discharge of lien presented to a collector shall be recorded in a book to be kept for that purpose and indexed on customs Form 1364. (R.S. 161, sec. 2, 23 Stat. 118, sec. 30, subsecs. C, D, G, W, 41 Stat. 1000, 1002, 1006, 49 Stat. 424; 5 U.S.C. 22, 46 U.S.C. 2, 921, 922, 925, 983; E.O. 9083; 7 F.R. 1609)

Part 3 is further amended by adding at the end thereof a center head and two new §§ 3.80 and 3.81 reading as follows:

REGISTRATION OF PRIVATE CODE SIGNALS, HOUSE FLAGS, AND FUNNEL MARKS

§ 3.80 *Application for registration of rockets, lights, or other similar code signals, house flags, or funnel marks.* (a) Application for the registration of private code signals by rockets, lights, or other similar means shall be submitted in duplicate through the office of a collector of customs to the Commissioner of Customs by the owner of the vessel or vessels by which they are to be used. The application shall describe in detail the signals which it is desired to use and shall state the purpose for which they will be used.

(b) Application for the registration of a house flag or funnel marfl, or both, shall be submitted in duplicate through the office of a collector of customs to the Commissioner of Customs by the owner of the vessel or vessels on which they are to be used. The application for registration of a house flag shall describe such flag in detail, giving the colors, shape, and proportionate dimensions of the fly, field, union, or canton, and any insignia, markings, or stripes thereon in relation to the length of the hoist. Funnel marks shall be described in detail giving the colors to be used, the position of any insignia, markings, or stripes with relation to the top or collar of the funnel, the size of such insignia, markings, or stripes in relation to the diameter of the funnel, and the color of the remainder of the funnel. In addition there shall be submitted three replica drawings of the house flag or funnel, or both, drawn to scale, in the colors to be used, in ink, watercolor, oil pigments, or other permanent colors, and not exceeding 6 by 4 inches in size. (R.S. 161, secs. 2, 3, 23 Stat. 118, 119, sec. 7, 35 Stat. 426; 5 U.S.C. 22, 46 U.S.C. 2, 3, 49; E.O. 9083; 7 F.R. 1609)

§ 3.81 *Registration of rockets, lights, or other similar signals, house flags, or funnel marks.* (a) Except as stated in paragraph (b) of this section, upon the filing of an application duly executed in accordance with § 3.80 of this part, the Commissioner of Customs will register private code signals by rockets, lights, or other similar means, house flags, and funnel marks, and will cause a description of such signals, flags, or funnel marks to be filed with the Division of the Federal Register, together with one replica drawing of the house flag or funnel mark, or both.

(b) The Commissioner will refuse to register any signals which in his opinion cannot easily be distinguished from signals of distress, signals for pilots, or signals prescribed by laws for preventing collisions. The Commissioner will also refuse to register any signal, flag, or funnel mark which is identical or nearly identical with one previously registered.

(c) Applicants will be notified of the action of the Commissioner through the office of the collector transmitting the application. (R.S. 161, secs. 2, 3, 23 Stat. 118, 119, sec. 7, 35 Stat. 426; 5 U.S.C. 22, 46 U.S.C. 2, 3, 49; E.O. 9083; 7 F.R. 1609)

Section 4.1 (c) is amended to read as follows:

§ 4.1 *Boarding of vessels; cutter and dock passes.* • • •

(c) No person, with or without the consent of the master, except a pilot, officer of the customs or coast guard, immigration officer, health officer, agent of the vessel, or consular officer, shall go on board or, except for the purpose of reporting the arrival of the vessel as required by law, leave any vessel arriving from outside the customs territory of the United States without permission of the collector of customs or the customs officer in charge until such vessel has been properly inspected by the customs and brought to the dock or anchorage at which cargo is to be laden or unladen and until all passengers and their baggage have been landed from the vessel.[2] Every person permitted to go on board shall be subject to customs and quarantine regulations. (R.S. 161, sec. 2, 23 Stat. 118, sec. 9, 22 Stat. 189, secs. 1, 2, 3, 31 Stat. 58, sec. 1, 33 Stat. 711, sec. 1, 37 Stat. 736, sec. 624, 46 Stat. 759, R.S. 251; 5 U.S.C. 22, 19 U.S.C. 1624, 19 U.S.C. 66 and Sup. III; 46 U.S.C. 2, 158, 163; E.O. 9083; 7 F.R. 1609)

Section 4.24 (d) as amended by T.D. 50881, is hereby further amended to read as follows:

§ 4.24 *Application for refund of tonnage tax.* • • •

(d) The collector of customs to whom payment was made shall make any refund authorized by the Commissioner of Customs. Unless the payment from which refund is authorized has been deposited in special deposit account, an authorized refund shall be made only to the owner of the vessel concerned or to its charterer. If the payment has been deposited in special deposit account,

an authorized refund shall be made only to the payor. (R.S. 161, sec. 3, 23 Stat. 119; sec. 26, 23 Stat. 59; 5 U.S.C. 22, 18 U.S.C. 643, 46 U.S.C. 3; E.O. 9083; 7 F.R. 1609)

Section 4.60 (d) is amended to read as follows:

§ 4.60 *Vessels required to clear.* • • •

(d) In the event that departure is delayed beyond the second day after clearance, the delay shall be reported within 72 hours after clearance to the collector who shall note the fact of detention on the certificate of clearance and on the official record of clearance. When the proposed voyage is canceled after clearance, the reason therefor shall be reported in writing within 24 hours after such cancelation and the certificate of clearance and related papers shall be surrendered. (R.S. 161, sec. 2, 23 Stat. 118, 55 Stat. 733, R.S. 4197, as amended; 5 U.S.C. 22, 19 U.S.C. 288 and Sup. III, 46 U.S.C. 2, 91, 46 U.S.C. 111 and Sup. III, 46 U.S.C. 123 and Sup. III; E.O. 9083; 7 F.R. 1609)

Section 4.69 is hereby amended to read as follows:

§ 4.69 *Shipping articles and enforcement of Seamen's Act.* No vessel of the United States bound for a foreign port outside the British North American possessions, the West Indies, and Mexico, shall be granted final clearance until there has been presented to the collector at the port of final departure the shipping articles of the vessel executed in duplicate before a shipping commissioner on coast guard Form 705, 705–A, or 705–B, and the collector shall have attached his certificate on coast guard Form 1435 to the duplicate copy of the articles and returned it together with the original to the master; nor shall any vessel, bound for a foreign port, be granted final clearance until the collector is satisfied that there has been full compliance with the pertinent requirements of sections 11 and 13 of the Seamen's Act of March 4, 1915 (46 U. S. C. 599, 672), and the coast guard regulations issued thereunder, relating to allotments of wages, the language test, and the crew. (R.S. 161, sec. 2, 23 Stat. 118; 5 U.S.C. 22, 46 U.S.C. 2; E.O. 9083; 7 F.R. 1609)

Section 4.80 (a) is amended to read as follows:

§ 4.80 *Vessels entitled to engage in coastwise trade.* (a) No vessel shall transport any passenger or merchandise between points in the United States embraced within the coastwise laws, including points within a harbor, unless it is:

(1) Owned by a citizen, as defined in § 3.19 (a) and (b), and is so documented under the laws of the United States as to permit it to engage in the coastwise trade; or

(2) Owned by a citizen, as defined in § 3.19 (a) and (b), is exempt from documentation,[19] and is entitled to or, except for its tonnage, would be entitled to be enrolled and licensed or licensed for the coastwise trade; or

(3) Owned by a partnership or association in which at least a 75 percent interest is owned by such a citizen, is exempt from documentation, and is entitled to or, except for its tonnage, or citizenship of its owner, or both, would be entitled to be enrolled and licensed or licensed for the coastwise trade. (See § 3.19 (d).) (R.S. 161, sec. 2, 23 Stat. 118, R. S. 4311, sec. 2, 39 Stat. 729, as amended, sec. 27, 41 Stat. 999, as amended; 5 U.S.C. 22, 46 U.S.C. 2, 251, 802, 883; E.O. 9083; 7 F.R. 1609)

Section 4.96 (b) is amended to read as follows:

§ 4.96 *Fisheries.* • • •

(b) A vessel of the United States to be employed in fishing may be enrolled and licensed or licensed, depending upon its size, or registered. If registered, the vessel must be entitled to be enrolled and licensed or licensed for the fisheries. (See §§ 3.2 and 3.42.) (R.S. 161, sec. 2, 23 Stat. 118, R.S. 4132, as amended, R.S. 4311, 4339; 5 U.S.C. 22, 46 U.S.C. 2, 11, 251, 280; E.O. 9083; 7 F.R. 1609)

W. R. JOHNSON,
Commissioner of Customs.

Approved: May 1, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-6276; Filed, May 2, 1944; 12:38 p. m.]

TITLE 24—HOUSING CREDIT

Chapter VII—National Housing Agency

[Reg. 60–9A]

PART 702—PRIVATE WAR HOUSING

LIMITATIONS ON TOTAL MONTHLY PAYMENTS

Sec.
702.25 General.
702.26 Definition of total monthly payments.
702.27 Applicability of this regulation.
702.28 Agency jurisdiction.
702.29 Tenant's responsibility.

AUTHORITY: §§ 702.25 to 702.29, inclusive, issued under 54 Stat. 676 as amended by 55 Stat. 236 and 56 Stat. 177, 50 U.S.C. 1152; E.O. 9024, 7 F.R. 329 as amended by E.O. 9040, 7 F.R. 527, E.O. 9125, 7 F.R. 2719, E.O. 9336, 8 F.R. 5425; W.P.B. Directive 25, 8 F.R. 8801.

§ 702.25 *General.* The purpose of this regulation is to define more specifically the limitations applicable to total monthly payments for private war housing rented by war workers.

§ 702.26 *Definition of total monthly payments.* (a) The overall limitations on the total monthly payments which owners may accept from or require of tenants of private war housing rented by war workers are specified in section 3.01 of NHA General Order No. 60–3c as follows:

> • • • the payments specified in the application for priority assistance or authority to begin construction submitted in connection with such dwelling units, which total monthly payments (unless otherwise authorized in section 4 hereof) shall in no event exceed $50 per month shelter rent per unfurnished dwelling unit plus a reasonable charge for tenant services (in no event, exceeding $3 per month per room), plus a reasonable price for garage space, plus the actual cost on a pro rata basis of tenant gas and electricity • • •

(b) The owner is required in return for the approved monthly payment to supply and suitably to maintain the dwelling unit and appurtenances described in the application.

(c) "Shelter rent," as used in connection with private war housing means the total rent approved pursuant to the PD–105, less additional charges and approved charges for tenant services.

(d) "Charges for tenant services," means the charges for those of the services listed below which are stipulated on the PD–105 and approved, and no other service charge shall be approved, allowed or collected by the owner for any other item or service:

(1) Heating and air conditioning, including heat and air conditioning supplied direct to tenants, pro rata charges for heating and air conditioning common hallways, stairways and rooms, and heating hot water for tenant use.

(2) Janitor or maid service to tenants, including cleaning of common hallways and rooms.

(3) Project lighting, including lighting of common hallways and rooms, common recreation areas and driveways, exclusive of tenant gas and electricity.

(4) Elevator service, maintenance and operating expenses, but not depreciation.

(5) Water, including cost of water supplied direct for tenant use and for use in common rooms such as laundries.

(6) Garbage and rubbish removal.

(7) Insect and rodent extermination.

(8) Extra equipment, including venetian blinds, telephone and buzzer equipment in tenant units; furniture, carpets, mats, stair treads, draperies, and recreation equipment in common areas, but not including project office furniture and similar management overhead.

(9) Cooking ranges and refrigerators or iceboxes.

(10) Ground maintenance.

NOTE: The National Housing Agency does not determine the charge permitted for household furniture and furnishings supplied for tenant use in dwelling units (as distinguished from furniture supplied in common hallways and common rooms). Such charges are determined by OPA.

(e) Other charges mentioned in the quotation in § 702.26 (a) are defined as follows:

(1) "Reasonable price for garage space" means a reasonable charge approved by the local FHA office and specified in the priority application. Such a charge will be approved only if the local FHA office determines that garage space need not be supplied as an essential part of the dwelling unit and included in the shelter rent.

(2) "Actual cost on a pro rata basis of tenant gas and electricity" means the cost to the landlord divided as equitably as possible among the tenants. Such charges may not be specified in the priority application or approved by the local FHA office.

§ 702.27 *Applicability of this regulation.* (a) This regulation is applicable to all private war housing rented by war workers for which a PD–105 application is submitted to the local office of the Federal Housing Administration on or after the effective date hereof.

(b) This regulation shall also apply to private war housing for which a PD–105 application was submitted to the local office of the Federal Housing Administration prior to the effective date hereof; *Provided*, That charges specifically authorized in the application for such housing will be permitted even though not permitted under § 702.26 of this order, *And provided, further*, That no increase in total monthly payment for such housing shall be effected by this regulation except upon application to the Office of the Regional Representative of the National Housing Agency, through the local office of the Federal Housing Administration, if such housing is not yet occupied, or to the Office of Price Administration if occupancy has occurred. Any increase in total monthly payment for such housing shall, after the effective date of this regulation, be authorized only in accordance with the definitions in § 702.26.

§ 702.28 *Agency jurisdiction.* (a) Directive 25 of the War Production Board has delegated WPB jurisdiction over matters pertaining to rents chargeable for priority-assisted private war housing, including interpretation and formulation of policy, to the National Housing Agency, and such matters will be processed by the National Housing Agency.

(b) This jurisdiction applies only to the initial rental—established prior to initial occupancy—which may be charged for private war housing. Once the housing has been occupied the National Housing Agency has no jurisdiction over changes in the rent chargeable or the facilities, equipment and services which owners shall furnish. After initial occupancy, all such matters are within the jurisdiction of the Office of Price Administration.

(c) The local offices of the Federal Housing Administration shall, in certifying as eligible a project described in a PD–105, determine that the accommodations proposed to be provided are suitable for the persons for whom intended and that the total monthly payment stated in the application is consistent with the accommodations described therein.

(d) When local FHA offices are unable to determine any question of interpretation of this regulation, they may refer the case to the NHA Regional Representative for decision. Such references should be accompanied by a full statement of all the facts and circumstances relevant to the case, together with recommendations.

(e) When Regional Representatives are unable to interpret or apply any portion of this regulation, they shall refer the appropriate question to the Office of the Administrator.

§ 702.29 *Tenant's responsibility.* Although landlords are responsible for maintaining the construction, equipment and condition of private war housing, none of the provisions of this regulation shall be interpreted as relieving the tenant from legal liability for waste.

This regulation shall be effective March 9, 1944.

JOHN B. BLANDFORD, Jr.,
Administrator.

[F. R. Doc. 44-6292; Filed, May 3, 1944; 9:35 a. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 802—RULES OF PROCEDURE

VIOLATION PROCEEDINGS

The following rules of procedure relative to possible violation of the Wage and Salary Stabilization Program were adopted by the National War Labor Board on July 30, 1943, and govern the procedure to be taken by officials of the National War Labor Board or Regional War Labor Boards and parties to violation proceedings.

Sec.
802.70 Preliminary inquiry.
802.71 Submission of a report to the Regional War Labor Board.
802.72 Hiring of new employees.
802.73 Conduct of hearing.
802.74 Findings of Regional War Labor Board.
802.75 Appeal to the National War Labor Board.
802.76 Review by the National War Labor Board.
802.77 Transmittal of findings to appropriate Government agencies.

AUTHORITY: §§ 802.70 to 807.77, inclusive, issued under E.O. 9250, 7 F.R. 7871, as amended by E.O. 9381, 8 F.R. 13083; E.O. 9328, 8 F.R. 4681; Regs. of Economic Stabilization Director, 7 F.R. 8748, 8 F.R. 6489, 6490, 11960, 12139, 12238, 16702; 56 Stat. 765.

§ 802.70 *Preliminary inquiry.* Upon receipt of information covering a possible violation of the wage and salary stabilization program, the Regional Attorney shall institute a preliminary inquiry. If the Regional Attorney, after consultation with the employer is satisfied that no violation has occurred, the matter will be closed and the employer appropriately notified.

§ 802.71 *Submission of a report to the Regional War Labor Board.* At the conclusion of the preliminary inquiry, or any further or additional investigation that may be warranted, the Regional Attorney (unless satisfied that no violation has occurred) shall submit to the Regional War Labor Board a written report on the facts. If, upon consideration of such report, the Regional War Labor Board is satisfied that there is reasonable cause for believing that a violation has occurred, it may direct that the alleged violator be requested to appear at a hearing before a tripartite division, or panel of the Regional Board composed of one industry representative, one labor representative, and one public representative. At such hearing the public representative shall act as chairman.

§ 802.72 *Hiring of new employees.* If the situation requires such action, the employer may be called upon to show cause within such time as is deemed proper by the Regional Board, why he should not refrain from hiring any new employees at the rates reported to be in violation, pending a hearing before and a finding by the tripartite division or panel.

§ 802.73 *Conduct of hearing.* (a) Not less than ten days' notice of the hearing shall be served by registered mail upon the alleged violator. Such notice shall contain (1) a statement of the time and place of the hearing; (2) a concise statement of the nature of the alleged violation; (3) a statement advising the alleged violator that at the hearing he may be represented by counsel and will be given full opportunity to present written or oral testimony and to examine and cross-examine witnesses on all matters relating to the charge.

(b) For good cause shown, the hearing may be adjourned from time to time by the division or panel.

(c) Evidence in support of the charge shall be presented by the Regional Attorney. The alleged violator may, at his own expense, provide for the making of a verbatim transcript in which case a copy thereof shall be furnished without cost to the division of panel and at the regular cost for copies to any other parties to the proceeding.

(d) Timely notice of the hearing may also be sent to any other person or persons having information relating to the charge. Such persons, in the discretion of the division or panel, may be permitted to present relevant testimony.

(e) Opportunity shall be given to the alleged violator or his counsel to argue orally before the division or the panel and to present written briefs and statements.

§ 802.74 *Findings of Regional War Labor Board.* (a) If, at the conclusion of the hearing, a majority of the division or the panel is satisfied that the charge has been sustained by a preponderance of the evidence, it shall find accordingly.

(b) Proposed findings shall be prepared by the Regional Attorney's office and submitted within five days after the close of the hearings to the panel, and a copy thereof shall be served on the alleged violator. The findings as finally adopted shall be subscribed by the concurring members of the division or the panel, and a copy of the findings shall be served by registered mail on the alleged violator.

§ 802.75 *Appeal to the National War Labor Board.* (a) The findings of the division or panel shall be final, subject, however, to the right of the alleged violator or the Regional Attorney, as the case may be, within 10 days after receipt of notice of the findings, to file with the National War Labor Board an original and four copies of a petition for review (including a legal brief if he desires).

(b) Such petition shall set forth concisely the respects in which it is claimed the findings were erroneous, and shall state in detail the particular ground of the objections and shall make specific reference to those portions of the record upon which reliance is placed.

(c) If no timely petition for review is filed and if the National War Labor Board does not review on its own motion, the findings of the division or panel shall, on the day following the last day for filing a petition, stand confirmed as the findings of the National War Labor Board.

§ 802.76 *Review by the National War Labor Board.* Upon consideration of the petition for review, the National War Labor Board will render its decision upon the record, the objections of the parties, the replies or comments thereto, and such further oral or written argument or proof as it may require or permit. In rendering its decision, the National War Labor Board may affirm, reverse or modify the findings or send the matter back to the division or the panel for appropriate action.

§ 802.77 *Transmittal of findings to appropriate Government agencies.* (a) If within the ten days stated above, a petition for review is not filed, the Regional Attorney shall forward to the National War Labor Board the findings of the division or panel for transmittal, in the National War Labor Board's discretion, to the Commissioner of Internal Revenue, the Attorney General, or any other appropriate governmental agency.

(b) If a petition for review is filed within the 10 day period above stated, the National War Labor Board shall transmit its decision and the appropriate findings to the alleged violator, the Regional Attorney, and, in its discretion to the Commissioner of Internal Revenue, the Attorney General, or any other appropriate governmental agency.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-6301; Filed May 3, 1944; 10:48 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service

Subchapter A—Bureau of Accounts

[1944 Dept. Circ. 327 (Rev.)[1]]

PART 204—ISSUE OF DUPLICATES[2] OF CHECKS OF THE UNITED STATES[3]

APRIL 29, 1944.

Part 204, Subchapter A, Chapter II, Title 31 of the Code of Federal Regulations of the United States of America (appearing also as Treasury Department Circular No. 327 (Revised), dated October 27, 1939) is hereby revised to read as follows:

Sec.
204.0 Introductory.
204.1 Advice of nonreceipt or loss.
204.2 Request for duplicate check.
204.3 Issuance of duplicate check.
204.4 Procedure where disbursing officer who issued original check is dead or no longer in the service of the United States.
204.5 Receipt or recovery of original check.
204.6 Amendment of regulations.
204.7 Previous regulations superseded.

AUTHORITY: §§ 204.0 to 204.7, inclusive, issued under R.S. 3646, sec 9, 50 Stat. 482, secs. 5–7, 53 Stat. 1359, R.S. 3647, 35 Stat. 644, sec. 304, 42 Stat. 24; 31 U.S.C. 528, 31 U.S.C. 119.

§ 204.0 *Introductory.* The regulations in this part governing the issuance of duplicates of checks drawn by a duly authorized officer or agent of the United States, the District of Columbia, or the District Unemployment Compensation Board, on their behalf against an account or funds of the United States, the District of Columbia, or the District Unemployment Compensation Board, including instruments issued by any corporation or other entity owned or controlled by the United States, the funds of which are deposited and covered into the Treasury of the United States or deposited with the Treasurer of the United States, are hereby established pursuant to the provisions of section 3646 of the Revised Statutes of 1873, as amended (31 U.S.C. 528), and section 3647 of the Revised Statutes of 1873, as amended (31 U.S.C. 119). The requirements contained in this part must be strictly observed except as the Secretary of the Treasury, being satisfied that observance thereof is not necessary to carry out the purposes of the law and the regulations in this part may waive or modify any such requirement.

§ 204.1 *Advice of nonreceipt or loss.* In the event of the nonreceipt or loss of such a check, the owner, better to protect his interest, should immediately notify the Treasurer of the United States or the Federal Reserve Bank through which payable or other drawee, describing the check, stating the name of the officer or agent of the United States, the District of Columbia, the District Unemployment Compensation Board, or the corporation or entity by which the check was drawn, giving, if possible, its date, number, and amount, and requesting that payment be stopped.

Upon receipt of such request by the Treasurer of the United States and upon a determination that the check is outstanding or upon receipt of advice from a drawee other than the Treasurer that such request has been received and that the check has been found to be outstanding, a bond of indemnity (Form 2244[4]) or, in an appropriate case, an application (Form 2244a) will be prepared in the Treasurer's office and transmitted for execution by the claimant who will transmit the duly executed form to the drawer of the original check, except as otherwise provided in § 204.4.

§ 204.2 *Request for duplicate check.* A bond of indemnity (Form 2244) in a penal sum equal to the amount of the check or, in an appropriate case (See §§ 204.3a–204.3e), an application (Form 2244a), in substantially the form prescribed, must be executed by the claimant and submitted to the drawer of the original check except as otherwise provided in § 204.4, giving the claimant's name and residence in full, describing the check and all endorsements thereon and showing the claimant's interest therein. In the event the claimant is someone other than the payee of the original check he should present clear and satisfactory evidence of his ownership.

If executed in a foreign country, by one other than an officer or an employee of the United States, or a member of the Armed Forces of the United States, the application shall be sworn to before (a) a diplomatic or consular officer of the United States, or (b) an officer of the United States Army, Navy, Marine Corps, or Coast Guard, or (c) an official of such foreign country authorized by law to administer oaths generally, and such foreign official shall affix his official seal, if any, and a diplomatic or consular officer of the United States shall certify that the foreign official who administered the oath was duly authorized under the laws of such foreign country so to act.

§ 204.3 *Issuance of duplicate check.* Before the close of the fiscal year following the fiscal year in which the original check was issued, the drawer will prepare a duplicate (marked "Duplicate") which must be an exact transcript of the original, special care being taken that the number, date, amount, and name of the payee correspond to those of the original. In the case of checks issued on account of public-debt obligations and transactions regarding the administration of banking and currency laws, duplicates may be issued without limitation of time. The drawer will then forward, without delay, the bond of indemnity (Form 2244) or, in an appropriate case, the application (Form 2244a), and the duplicate check to the Division of Disbursement, Treasury Department. The bond of indemnity or the application and the information obtained shall be examined by the Division of Disbursement and if satisfactory shall be scheduled and submitted to the Secretary of the Treasury for approval.

Certification of approval shall be made in writing by the Chief Disbursing Officer or the Assistant Chief Disbursing Officer on the duplicate check. Any duplicate issued pursuant to these regulations, and certified as provided above, may, if properly endorsed, be paid subject to the same rules and regulations as apply to payment of original checks.

Unless the Secretary of the Treasury deems a bond of indemnity is essential to the public interest, or unless the drawer of the check is no longer in the service of the United States, no bond of indemnity shall be required in any of the following classes of cases:

(a) If the Secretary of the Treasury is satisfied that the loss, theft, destruction, mutilation, or defacement, as the case may be, occurred without fault of the owner or holder and while the check was in the custody or control of the United States, including the Postal Service when carrying mail for an officer, employee, agent, or agency of the United States when performing services in connection with an official function of the United States, but not including the Postal Service when otherwise acting solely in its capacity as a public carrier of the mail, or of a person thereunto duly authorized as lawful agent of the United States; or while it was in the course of shipment effected pursuant to and in accordance with regulations issued under the provisions of the Government Losses in Shipment Act, as amended;

(b) If substantially the entire check is presented and surrendered by the owner or holder and the Secretary of the Treasury is satisfied as to the identity of the check presented and that any missing portions are not sufficient to form the basis of a valid claim against the United States; and in cases where the circumstances justify such action, a letter of application may be accepted in lieu of Form 2244a;

(c) If the Secretary of the Treasury is satisfied that the original check is not negotiable and cannot be made the basis of a valid claim against the United States;

(d) If the amount of the check is less than $50 and the check has not been endorsed by the payee;

(e) If the owner or holder is the United States or an officer or employee thereof in his official capacity, a State, the District of Columbia, a Territory or possession of the United States, including the Commonwealth of the Philippine Islands, a municipal corporation or political subdivision of any of the foregoing, a corporation the whole of whose capital is owned by the United States, a foreign government, or a Federal Reserve Bank.

§ 204.4 *Procedure where disbursing officer who issued original check is dead or no longer in the service of the United States.* In case of the loss of a check issued by an officer or agent (other than the Secretary of the Treasury, or the Treasurer of the United States) who is dead or no longer in the service of the United States, the bond required to be furnished by the owner of said check to an officer or agent in the service of the United States, prior to the issuance of a duplicate check, should be forwarded to the Division of Disbursement, Treasury Department, which will refer it to the General Accounting Office for examination and the statement of an account in favor of the owner of said check, as provided in section 3647 of the Revised Statutes of 1873, as amended (31 U.S.C. 119), and section 307 of the act approved June 10, 1921 (42 Stat. 25; 31 U.S.C. 47). Payment will then be made by a check issued pursuant to such statement of account.

§ 204.5 *Receipt or recovery of original check.* If the original check is received or recovered after stoppage of payment has been requested, but before a duplicate check has been received, the Treasurer of the United States, or the Federal Reserve Bank through which payable, or other drawee, shall be immediately advised that the stoppage request may be disregarded. This notice should be signed by the owner of the check who requested the stoppage and should be mailed by the owner or drawer in time to reach the Treasurer or the Federal Reserve Bank through which payable, or other drawee, before the check is presented for payment.

If the original check is received or recovered after a duplicate has been received, the duplicate must not be cashed, but must be immediately forwarded to Division of Disbursement, Treasury Department, Washington 25, D. C., for cancelation.

If the original check is received or recovered after the duplicate has been cashed, the original must not be cashed, but must be immediately forwarded to Division of Disbursement, Treasury Department, Washington 25, D. C., for cancelation.

§ 204.6 *Amendment of regulations.* The Secretary of the Treasury may withdraw or amend at any time or from time to time any or all of the foregoing rules and regulations.

§ 204.7 *Previous regulations superseded.* This part supersedes Treasury Department Circular No. 327, dated October 27, 1939, and all previous regulations governing the issuance of duplicate checks.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44-6279; Filed, May 2, 1944; 12:34 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 166]

PART 802—GENERAL LICENSE

EXPORTS TO U. S. GOVERNMENT

Section 802.8 *Exports to the United States Government* is hereby amended to read as follows:

§ 802.8 *General license "GUS".* A general license designated "GUS" is hereby granted authorizing exportations as follows:

1. *To members of the United States Armed Services:* Commodities in quantities sufficient solely for the personal use of the consignees and their immediate families; articles for personal use may include household effects, food, beverages, and daily necessaries.

2. *To representatives of the United States:*

(a) Exportations for the personal use of the consignee, and/or his immediate family and/or employees; articles for personal use may include household effects, food, beverages, and daily necessaries.

(b) Exportation of equipment and supplies for the office use of the representative or for use by the representative or his employees in the performance of their official duties. Under this general license the following classes of commodities are included: Stationery supplies, typewriters, adding machines, office furniture, and other comparable office equipment; cleaning supplies, mechanical and electrical supplies and other building maintenance supplies; uniforms, motor cars and trucks, and automobile parts; flags, foodstuffs, books, professional and scientific instruments apparatus and supplies; medicinals, medical supplies and vaccines; photographic equipment, including unexposed film, plates, and paper.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; E.O. 9361; 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: May 1, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-6293; Filed, May 3, 1944; 9:50 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–524]

JOSE MARIA SALINAS

Jose Maria Salinas of Laredo, Texas, in May 1943, without authorization from the War Production Board began construction at 1020 Santa Rita Street, Laredo, Texas, consisting of remodeling a residence at an estimated cost of construction of more than $7,000, which amount exceeded the limit of $200 permitted by Conservation Order L–41 and was in violation of that order. Jose Maria Salinas was aware of War Production Board restrictions on construction, and doing this construction without authorization constituted a wilful violation of Conservation Order L–41.

These violations of Conservation Order L–41 have diverted critical materials to uses not authorized by the War Production Board, and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.524 *Suspension Order No. S–524.* (a) Neither Jose Maria Salinas, his successors or assigns, nor any other person, shall do any construction on the premises at 1020 Santa Rita Street, Laredo, Texas, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

[1] The introductory paragraph of Treasury Department Circular No. 327 (Revised), dated April 29, 1944, corresponds to § 204.0 of this part, and secs. 1 to 7, inclusive, of that Circular correspond respectively to §§ 204.1 to 204.7, inclusive, of this part.

[2] The word "duplicate" as used herein means a "substitute, marked duplicate" as provided in section 3646 of the Revised Statues of 1873, as amended (31 U.S.C. 528).

[3] The forms mentioned in this part were filed as a part of the original document with the Division of the Federal Register. Copies may be obtained upon request from the office of the Division of Disbursement, U. S. Treasury Department, Washington, D. C.

[4] Filed as part of the original document.

(b) Nothing contained in this order shall be deemed to relieve Jose Maria Salinas, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on May 2, 1944.

Issued this 25th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6282; Filed, May 2, 1944; 4:19 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-527]

BLOOMFIELD MANUFACTURING COMPANY

The Bloomfield Manufacturing Company, of 3333 South Wells Street, Chicago, Illinois, is a corporation engaged in the production of various war materials and metal kitchen equipment. The Company violated War Production Board orders and regulations as follows: Although instructed to operate as a PRP unit in the second quarter of 1943, the company did not do so, but extended customers' ratings to acquire critical material in violation of Priorities Regulation 11A. In May 1943, the company violated Priorities Regulation 3 in that it extended an AA-1 preference rating on 13 various purchase orders, although no such preference rating had been extended to or assigned to it, and for one such purchase order on a prospective War Department contract the company extended the rating so as to obtain critical materials to complete 624 potato cutting machines and 624 butter cutting machines above the number for which it did receive a contract. On June 3, 1943, the company extended an AA-1 preference rating for the hotplating of 3,500 basting spoons despite the fact that it had no order for these basting spoons nor had such preference rating been assigned to it, in violation of Priorities Regulation 3. During the first six months of 1943, the company placed orders by telephone, stating that an AA-1 preference rating should be accorded to them and that written confirmation would follow, but the company sent no subsequent written confirmation either as to the orders or in certification of the preference ratings used, in violation of Priorities Regulation 3. Between April 12, and May 12, 1943, the company used iron and steel to make 30 potato cutting machines to fill an order which was not a preferred order, in violation of Supplementary Limitation Order L-30-d. Between January 1, and June 15, 1943, the company processed 23,750 basting spoons in violation of Supplementary Limitation Order L-30-d. The company also failed to maintain adequate production and inventory records, in violation of Priorities Regulation No. 1.

These actions constituted wilful violations of Priorities Regulation Numbers 1, 3, and 11A, and Supplementary Limitation Order L-30-d. They have diverted scarce materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.527 *Suspension Order No. S-527.* (a) The Bloomfield Manufacturing Company, Chicago, Illinois, its successors and assigns, shall not cut, shape, form, put in process, process or manufacture any metal as set forth in the lists attached to Priorities Regulation No. 13, to make any metal kitchen equipment in any of the shapes or forms as defined in any order of the L-30 series, as amended from time to time, except as hereafter specifically authorized in writing by the War Production Board.

(b) No person shall deliver any metal as set forth in the lists attached to Priorities Regulation No. 13 to the Bloomfield Manufacturing Company, Chicago, Illinois, its successors or assigns, if such person knows or has reason to know that such metal is to be used by the Bloomfield Manufacturing Company in violation of paragraph (a) of this order.

(c) Nothing contained in this order shall be deemed to relieve the Bloomfield Manufacturing Company, its successors and assigns, from any restriction, prohibition or provision of any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on May 2, 1944, and shall expire on July 31, 1944.

Issued this 25th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6283; Filed, May 2, 1944; 4:19 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[PR 3, Direction 5, as Amended May 3, 1944]

RATINGS FOR LISTED CHEMICALS AND OTHER MATERIALS

The following direction is issued pursuant to Priorities Regulation 3:

(a) *Purpose.* Owing to the fact that the supply of certain materials is controlled by peculiar factors including their interchangeability and their use both as production materials and for MRO (maintenance, repair and operating supplies), it is necessary to provide special rules for the use of ratings in getting these materials. The purpose of this Direction is to prohibit the use of AA-1 and AA-2 blanket MRO ratings for the materials on the attached list, and to substitute in the place of these ratings, the use of production materials ratings. Where no production materials ratings are available, this direction assigns ratings which may be used in place of AA-1 and AA-2 blanket MRO ratings.

(b) *Restriction on use of certain blanket MRO ratings.* Blanket MRO ratings of AA-1 and AA-2 may not be used to get any of the materials on the attached list for any purpose. An exception to this prohibition, however, is a rating assigned under P-98-b when the rating is applied with the allotment symbol, MRO-P-3, and a rating assigned under P-68 where the rating is applied with the allotment symbol S-8. "Blanket MRO ratings" are defined in paragraph (e) (2) of Priorities Regulation No. 3.

(c) *What ratings may be used instead.* You may use any of the following ratings which may be applicable to your situation for the materials listed in this direction:

(1) *Production materials ratings.* If you have a rating for production materials to be physically incorporated in your product, you may use that rating to get the materials on the attached list as MRO. You may not use the MRO symbol in this case, but your allotment number and symbol, if any, assigned to your production schedule should be used. "Production materials" are defined in paragraph (b)(2) of Priorities Regulation No. 11B and Interpretation No. 1 of that regulation issued June 16, 1943, and also paragraph (b)(1) of CMP Regulation No. 3. For the purpose of this Direction, any rating assigned under Orders P-65 and P-135 are production materials ratings. The amount of these materials which are bought as MRO with any production materials rating must be deducted from your MRO quota under CMP Regulation No. 5, or any other regulation or order which places limits on your purchase of MRO.

(2) *Blanket MRO rating of AA-1 lowered to AA-2X.* If you have a blanket MRO rating of AA-1, you may use an AA-2X rating to get the materials listed in this direction for MRO. If a purchase order bearing a blanket MRO rating of AA-1 is served upon a seller for a product which does not appear on the attached list but which contains any materials listed under "Chemicals" on the attached list, the seller may not extend that AA-1 rating to get the necessary production materials (appearing on the attached list) to make that product. The seller may use a rating of AA-2X instead to get the necessary production materials.

(3) *Blanket MRO rating of AA-2 lowered to AA-3.* If you have a blanket MRO rating of AA-2, you may use an AA-3 rating to get the materials listed in this direction for MRO. If a purchase order bearing a blanket MRO rating of AA-2 is served upon a seller for a product which does not appear on the attached list but which contains any materials listed under "Chemicals" on the attached list, the seller may not extend that AA-2 rating to get the necessary production materials (appearing on the attached list) to make that product. The seller may use a rating of AA-3 instead to get the necessary production materials.

(4) *Ratings for construction projects.* If you have a rating for materials to be physically incorporated in a construction project, you may use that rating to get materials on the attached list for MRO for use in that construction project.

(5) *Specific ratings.* You may use any rating assigned by a preference rating certificate which specifically names the kinds and quantities of material rated to get the materials on the attached list.

(d) *Persons engaged in several activities.* If a person is engaged in several business activities to which different ratings are assigned and it is impracticable to apportion his needs for any material on the attached list between those activities, he must use the rating assigned to the activity in which he is principally engaged. For example, if a person has 75 per cent of his production devoted to filling orders bearing AA-1 production materials ratings, and 25 per cent of his production devoted to filling orders bearing other production materials ratings and it is impracticable to apportion his MRO needs between these, he may use his AA-1 production materials rating to procure items on the attached list to satisfy his entire MRO needs. Also if a person produces only one product but has more than one production rating for the materials going into that product, he must use the rating applicable to the greater portion of his production.

(e) *Applications for special assistance.* Any person who needs any material listed in this direction either as production material or for MRO, and is unable to get it with the rating which he has, may apply on Form WPB-541 (formerly PD-1A) to the nearest local office of the War Production Board for a higher rating.

Issued this 3d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST OF CHEMICALS AND OTHER MATERIALS

1. Coated fabric.
2. Paints, varnishes and lacquers.
3. Printing inks.
4. Chemicals:
   - Acetonyl acetone.
   - Acetylene dichloride.
   - Acetylene tetrachloride.
   - Acids:
     - Boric.
     - Butyric (all).
     - Chlorosulfonic.
     - Hydrochloric.
     - Hydrofluoric.
     - Hydrofluosilicic.
     - Lactic.
     - Monochloracetic.
     - Muriatic.
     - Phosphoric.
     - Propionic.
     - Sulfamic.
     - Tartaric.
     - Trichloracetic.
   - Alpha proteins.
   - Aluminum acetate.
   - Aluminum ammonium sulfate.
   - Aluminum chloride (not anhydrous).
   - Aluminum formate.
   - Aluminum hydroxide (light).
   - Aluminum nitrate.
   - Aluminum potassium sulfate.
   - Aluminum sulfate.
   - Ammonium aluminum sulfate.
   - Ammonium bicarbonate.
   - Ammonium bifluoride.
   - Ammonium fluoride.
   - Ammonium molybdate.
   - Ammonium persulfate.
   - Ammonium phosphates.
   - Ammonium silicofluoride.
   - Ammonium thiocyanate.
   - Amyl alcohols (all).
   - Amyl esters (all).
   - Antimony chloride.
   - Antimony trichloride.
   - Arsenic disulfide.
   - Barium carbonate.
   - Barium chloride.
   - Barium peroxide.
   - Barium silicofluoride.
   - Benzoyl peroxide.
   - Bordeaux mixture.
   - Butyl aldehydes (all).
   - Butyric acids (all).
   - Calcium acetate.
   - Calcium arsenate.
   - Calcium arsenite.
   - Calcium carbonate, precipitated.
   - Calcium chloride.
   - Calcium cyanide.
   - Calcium peroxide.
   - Calcium phosphates.
   - Camphor, synthetic.
   - Carbon bisulfide.
   - Caustic potash.
   - Caustic soda.
   - Cerium salts.
   - Chloral hydrate.
   - Chloramine B & T.
   - Chlorinated paraffin.
   - Chloroform.
   - Copper acetarsonite.
   - Coumarin.
   - Cumarone—indene resins.
   - Degreasing compounds.
   - Detergents and wetting agents, synthetic organic.
   - Dichloramine B & T.
   - Dichlorethyl formal.
   - Ethers (all).
   - Ester gum.
   - Ethyl chloride.
   - Ethyl silicate.
   - Ferric nitrate.
   - Ferric sulfate.
   - Ferrous chloride.
   - Gelatin.
   - Hexachlorbenzene.
   - Hexachlorethane.
   - Hydrogen cyanide.
   - Hydrogen peroxide.
   - Hydrogen sulfide.
   - Hydroquinone.
   - Isobutyl-undecylenamide.
   - Isopropyl butyrate.
   - Isopropyl propionate.
   - Ketones (except methyl ethyl and methyl isobutyl ketone).
   - Lanthanum oxide.
   - Lead acetate.
   - Lead arsenate.
   - Lead dioxide.
   - Lead nitrate.
   - Lead peroxide.
   - Lead silicate.
   - Lead thiocyanate (silfocyanide).
   - Lime and limestone.
   - Lime sulfur.
   - Limed rosin.
   - Magnesium carbonate.
   - Magnesium chloride.
   - Magnesium hydroxide.
   - Magnesium oxide.
   - Magnesium peroxide.
   - Magnesium silicofluoride.
   - Magnesium sulfate.
   - Manganese acetate.
   - Manganese chloride.
   - Manganese precipitated dioxide.
   - Manganese sulfate.
   - Mercuric chloride.
   - Mercuric cyanide.
   - Mercuric ethyl chloride.
   - Mercuric nitrate.
   - Marcuric oxide.
   - Mercuric sulfate.
   - Mercuric sulfide.
   - Mercurous chloride.
   - Mercurous chloride acetate.
   - Metallic driers.
   - Metallic naphthenates.
   - Metallic stearates (except alkali stearates).
   - Methyl bromide.
   - Methyl cellulose.
   - Methyl chloride.
   - Methylene chloride.
   - Nicotine sulfate.
   - Nitrocellulose.
   - Organic intermediates for the following:
     - Rubber.
     - Explosives.
     - Dyes.
     - Medicinal chemicals.
     - Photographic chemicals.
     - Plastics and synthetic resins.
     - Refining.
     - Oil additives.
   - Paris green.
   - Phosphorus oxychloride.
   - Phosphorus pentasulfide.
   - Pigments, colors and extenders.
   - Pine oil.
   - Pine tar.
   - Pine tar oil.
   - Potassium:
     - Acetate.
     - Aluminum sulfate.
     - Antimonate.
     - Carbonate.
     - Ferricyanide.
     - Ferrocyanide.
     - Hydroxide.
     - Permanganate.
     - Persulfate.
     - Thiocyanate.
   - Rare earth salts.
   - Red Squill.
   - Resins, natural.
   - Rosin, gum.
   - Rosin, wood.
   - Scandium salts.
   - Seed disinfectants.
   - Shellac (bleached only)
   - Silica gel.
   - Silver cyanide.
   - Silver nitrate.
   - Silver oxide.
   - Soda, modified.
   - Soda ash.
   - Sodium:
     - Acetate.
     - Acid pyrophosphate.
     - Aluminate.
     - Aluminum sulfate.
     - Antimonate.
     - Arsenate.
     - Arsenite.
     - Bicarbonate.
     - Bifluoride.
     - Bisulfate.
     - Bisulfite.
     - Ferricyanide.
     - Ferrocyanide.
     - Fluoride.
     - Fluosilicate.
     - Hydrosulfite.
     - Orthosilicate.
     - Pentachlorphenate.
     - Perborate.
     - Peroxide.
     - Sesquicarbonate (trona).
     - Sesquisilicate.
     - Silicate.
     - Silicofluoride.
     - Stannate.
     - Thiocyanate.
   - Soldering compounds.
   - Soluble dried blood.
   - Soya bean adhesives.
   - Stannic chloride (tin tetrachloride).
   - Stannic oxide.
   - Stannic sulfate.
   - Stannous chloride.
   - Starch adhesives.
   - Sulfur chloride.
   - Superphosphate, regular and concentrated.
   - Terpene resins.
   - Titanium tetrachloride.
   - Thallium sulfate.
   - Thorium salts.
   - Triethanolamine.
   - Turpentine, gum.
   - Turpentine, wood.
   - Urea peroxide.
   - Vanillin.
   - Waxes, vegetable:
     - Bees.
     - Carnauba.
     - Candelilla.
     - Ouricury.
   - Wetting agents, synthetic organic.
   - Yttrium salts.
   - Zeolites.
   - Zinc acetate.
   - Zinc ammonium chloride.
   - Zinc chloride.
   - Zinc Cyanide.
   - Zinc hydrosulfite.
   - Zinc peroxide.
   - Zinc resinates.
   - Zinc phosphide.
   - Zinc sulfate.
   - Zirconium salts.

[F. R. Doc. 44-6304; Filed, May 3, 1944; 11:13 a. m.]

Chapter XI—Office of Price Administration

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 348,[1] Amdt. 46]

LOGS AND BOLTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 348 is amended in the following respects:

1. Section 2 (b) is amended by the addition of a new sentence at the end of the paragraph:

Sales of logs produced in the United States west of the 100th meridian, except those covered by RMPR 161, however, are exempt from this and any other price regulation, except where specific tables are set forth in Appendix F.

2. Article II is amended by the deletion from Appendix F of all tables 1 through 4.

3. Table 5 of Appendix F is amended to read as follows:

(a) The section entitled "Area" is amended to read as follows:

"Area: Montana—Missoula, Flathead, Lincoln, Lake Sanders, Ravalli, Mineral, Granite, and Powell Counties."

(b) In the listing of species add "Western White Pine—(Pinus monticola)" immediately after "Engelmann Spruce (Picea Engelmanii)."

(c) The paragraph on grading rules and maximum prices shall read as follows:

Grading Rules—All merchantable Pine logs must measure at least 8" inside the bark at the small end and must be at least 12' long. All such logs must have a net scale of at least 33⅓ of their gross contents but in no case shall a log be accepted with less than 30 board feet log scale. All merchantable logs of species other than those mentioned above must measure at least 10" inside the bark and be at least 12' long. All such logs must have a net scale of at least 50 percent of their gross contents but in no case shall a log be accepted with less than 50 board feet net log scale. All logs must be cut 4" over length to allow for trim. No charge can be made for the trim allowance.

Maximum Prices:	*Per M' log scale*
Western White Pine	$20.50
Ponderosa Pine	16.00
Engelmann Spruce	15.00
Other Species	14.50

These prices shall prevail f. o. b. cars at rail siding of common carrier railroad, f. o. b. barge or raft at towable waters, or delivered to the mill by truck.

This amendment shall become effective May 8, 1944.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16115, 16198, 16204, 16297; 9 F.R. 220, 392, 343, 402, 450, 538, 574, 682, 792, 1317, 1571, 1572, 1717, 2088, 2135, 2561, 2859.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6276; Filed, May 2, 1944; 12:07 p. m.]

PART 1340—FUEL

[MPR 88,[1] Amdt. 8]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 88 is amended in the following respects:

1. Section 1.2 (b) is amended to read as follows:

(b) This regulation applies in the 48 states of the United States, District of Columbia and the territories and possessions of the United States except in the Panama Canal Zone and except in the Territory of Alaska.

2. Section 1.7 is amended to read as follows:

SEC. 1.7 *Transfers of business or stock in trade.* This section covers cases where the business effects or stock in trade of any seller or any person are sold, leased or otherwise transferred after February 11, 1942 and the transferee carries on the business or contracts to deal in the same commodity in an establishment separated from any other establishment previously owned or operated by the transferee. In such cases the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place. His obligation to keep records and make reports shall be the same as those of the transferor. The transferor shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation and those of the General Maximum Price Regulation where the latter were applicable.

3. Section 2.51 is revoked and the reference thereto in the index is deleted.

4. In Article III, special section 1, the words "or Table II" are added after the words "Table I" wherever such words appear in this section.

5. In Article III, special section 2, the words "or Table II" are added after the words "Table I" wherever such words appear in this section.

6. Section 4.51 is revoked and the reference thereto in the index is deleted.

[1] 8 F.R. 3718.

7. Section 6.5 (b) is amended to read as follows:

(b) *In the Territory of Puerto Rico; at all selling levels.* In the Territory of Puerto Rico on deliveries to all purchasers other than the U. S. Government, its agencies or instrumentalities, when purchased for their exclusive use, the sum of 3 cents per gallon may be added to a maximum price determined under Article V for deliveries of gasoline.

This amendment shall become effective May 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6277; Filed, May 2, 1944; 12:07 p. m.]

PART 1340—FUEL

[MPR 120, Amdt. 96]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 120 is amended in the following respects:

1. In § 1340.214 (b), subparagraph (5) is amended to read as follows:

(5) The prices established by subparagraphs (3) and (4) insofar as the latter relates to maximum prices for truck shipments or by orders in effect and issued after January 30, 1943, and prior to December 1, 1943, may be increased by no more than 15 cents per net ton.

This amendment shall become effective as of April 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6275; Filed, May 2, 1944; 12:06 p. m.]

PART 1340—FUEL

[MPR 510,[1] Amdt. 2]

LUBRICATING OILS, GREASES, AND CERTAIN OTHER PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment,

[1] 9 F.R. 1722.

issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 11 is amended to read as follows:

SEC. 11. *Motor and stock oils*—(a) *Last sale prior to October 15, 1941 method* Where no applicable specific price is set forth for stock oils in bulk lots in section 10 or for motor oils in section 11 (b) the maximum price for each seller at a given shipping or delivery point for motor or stock oils shall not exceed the net price charged at that point by him on the last sale of the same product to a purchaser of the same class, within sixty days prior to October 15 1941. Where the product is sold on a delivered basis at a given point the maximum price shall be the net price charged on the last sale of the same product to a purchaser of the same class made on a delivered basis at that point in the period specified. Where the product is sold at a given point on an f. o. b. shipping point basis, the maximum price shall be the price charged on the last f. o. b. shipping point sale at that point of the same product to a purchaser of the same class in the period specified. The term "sale" as hereinabove employed shall include (1) sales and contracts of sale made during the period specified, and (2) deliveries made during the period specified under a contract made prior thereto, if the prices chargeable under such contract were adjustable to reflect market conditions during the said period.

(b) *Specific maximum prices for certain motor oils.* Maximum prices for P. G. C. O. A. permit oils when sold by a refiner thereof f. o. b. refinery, Freedom, Pennsylvania, with the exception of a refiner's premium priced product, shall be as follows:

SAE Number:	*Cents*
10	32
20	31¼
30	30¾
40	30½
50	30
60	29¼
70	29

To wholesalers, in full drums, drums extra, ex taxes.

In quart containers at above prices plus customary differential charged by seller for quart container prices over drum prices.

This amendment shall become effective May 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6274; Filed, May 2, 1944; 12:06 p. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1377—WOODEN CONTAINERS

[MPR 534,[1] Amdt. 1]

USED TIGHT COOPERAGE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Sections 4 to 13, inclusive, are redesignated sections 5 to 14, inclusive, and a new section 4 is added to read as follows:

SEC. 4. *Items not specifically priced.* Any person desiring to sell on the domestic market any item covered but not specifically priced by the regulation and for which he cannot determine a price under the regulation, shall make application to the Lumber Branch, Office of Price Administration, Washington, D. C., for a price. The application must contain a complete description of the item to be priced, the applicant's March 1942 selling price of the item if he sold such item at that time, his requested selling price and his method of arriving at this price. The requested selling price may be used pending approval of a price by this Office, subject, however, to adjustment to the price finally approved. Prices not disapproved within 20 days from the receipt of application are approved until specifically revoked.

This amendment shall become effective May 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6273; Filed, May 2, 1944; 12:06 p. m.]

PART 1420—BREWERY, DISTILLERY AND WINERY PRODUCTS

[MPR 445,[1] Incl. Amdts. 1—15]

DISTILLED SPIRITS AND WINES

This compilation of Maximum Price Regulation 445 includes Amendment 15, effective May 8, 1944. The text added or amended by Amendment 15 is underscored, with the exception of the tables in section 7.3 (c), the revoked portions and redesignations, which are indicated by notes.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.*

[1] 9 F.R. 3351.

*Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

§ 1420.201 *Distilled spirits and wines.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 445 (Distilled Spirits and Wines), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1420.201 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 445—DISTILLED SPIRITS AND WINE

ARTICLE I—MAXIMUM PRICES FOR SALES OF IMPORTED DISTILLED SPIRITS AND IMPORTED WINES BY IMPORTERS

Sec.
1.1 Purposes of Article I.
1.2 General rules for figuring importers' maximum prices.
1.3 Meaning of "net cost" used in figuring importers' maximum prices under sections 1.4, 1.5 and 1.6.
1.4 Importers' initial maximum prices for items sold or offered for sale during March 1942.
1.5 Importers' initial maximum prices for items sold or offered for sale between April 1, 1942 and April 30, 1943 but not sold or offered for sale during March 1942.
1.6 Changes in maximum prices for items to which sections 1.4 or 1.5 apply.
1.7 Special pricing methods for items not sold or offered for sale during March 1942 and which cannot be priced under section 1.5, and for certain other commodities.
1.8 Application for authority to establish maximum prices.
1.9 Notice of maximum prices to consumers.
1.10 Other provisions of this regulation applicable to sales of imported distilled spirits or wine by an importer.
1.11 Dates on which this article shall apply.

ARTICLE II—MAXIMUM PRICES FOR SALES OF CERTAIN BULK DOMESTIC DISTILLED SPIRITS BY ANY PERSON, FOR SALES OF CERTAIN RELATED COMMODITIES IN BULK BY ANY PERSON, AND FOR SALES OF BULK IMPORTED DISTILLED SPIRITS OR WINE BY PERSONS OTHER THAN THE IMPORTER THEREOF

2.1 Purposes of Article II.
2.2 General rules for figuring maximum prices under this article.
2.3 Maximum prices for bulk domestic whiskey and for bulk domestic brandy.
2.4 Maximum prices for bulk domestic grape spirits and bulk domestic spirits-fruit, neutral brandy, high proof and high wines made from any fruits or berries except grapes.
2.4a Maximum prices for bulk domestic neutral spirits produced from any material and bulk domestic high wines manufactured from cane or grain.
2.4b Maximum prices for bulk imported distilled spirits and bulk imported wines by persons other than the importer.
2.5 Maximum prices for denatured rum.
2.5a Provision relating to certain distributions of bulk domestic distilled spirits.
2.6 Other provisions of this regulation applicable to sales for which maximum prices are established under this article.
2.7 Dates on which this article shall apply.

ARTICLE III—MAXIMUM PRICES FOR SALES OF PACKAGED DOMESTIC DISTILLED SPIRITS BY PROCESSORS

Sec.
3.1 Purposes of Article III.
3.2 Processors' maximum prices.
3.3 General rules.
3.4 Inability to fix maximum prices.
3.5 Applicable taxes.
3.6 Other provisions of this regulation applicable to sales for which maximum prices are established under this article.
3.7 Dates on which this article shall apply. Appendices: Pricing procedures and price schedules.

ARTICLE IV—MAXIMUM PRICES FOR SALES OF CERTAIN BULK DOMESTIC WINE AND RELATED PRODUCTS, BY ANY PERSON, AND FOR SALES OF CERTAIN PACKAGED DOMESTIC WINE BY PROCESSORS

4.1 Purposes of Article IV.
4.2 General rules for figuring maximum prices under this article.
4.3 Processors' maximum prices for California grape wine in bulk.
4.4 Wholesalers', packers', and retailers' maximum prices for California grape wine in bulk.
4.5 Processors' maximum prices for packaged California grape wine.
4.6 Pricing provisions and instructions applicable to particular California grape wines and to certain related products.
4.7 Conversion of a maximum price for a change of container size.
4.8 Types and kinds of California grape wine for which a special maximum price may be authorized pursuant to section 4.9.
4.9 Application for authority to establish maximum prices.
4.10 Notice of maximum prices to consumers.
4.11 Other provisions of this regulation applicable to sales for which maximum prices are established under this article.
4.12 Dates on which this article shall apply.

ARTICLE V—MAXIMUM PRICES FOR SALES OF PACKAGED DISTILLED SPIRITS AND PACKAGED WINE BY WHOLESALERS, RETAILERS, MONOPOLY STATES AND PRIMARY DISTRIBUTING AGENTS

5.1 Purposes of Article V.
5.2 General rules for figuring maximum prices.
5.3 Determination of "net cost" used in figuring maximum prices for wholesalers, retailers and monopoly states.
5.4 Maximum prices for wholesalers.
5.5 Maximum prices for retailers.
5.6 Maximum prices for monopoly states.
5.7 Maximum prices for primary distributing agents.
5.8 Notice of maximum prices to consumers.
5.9 Other provisions of this regulation applicable to sales of distilled spirits or wine by a wholesaler, retailer, monopoly state or primary distributing agent.
5.10 Application for authority to establish maximum prices.
5.11 Dates on which this article shall apply.

ARTICLE VI—MAXIMUM PRICES FOR CERTAIN SERVICES RELATING TO THE PRODUCTION OF DOMESTIC DISTILLED SPIRITS AND WINE

6.1 Purposes of Article VI.
6.2 General rules for figuring maximum prices under this article.
6.3 Maximum prices for specified services.
6.4 Other provisions of this regulation applicable to transactions for which maximum prices are established by this article.
6.5 Dates on which this article shall apply.

ARTICLE VII—GENERAL PROVISIONS APPLICABLE TO PERSONS SUBJECT TO THIS REGULATION AND TO MAXIMUM PRICES ESTABLISHED

Sec.
7.1 Treatment of fractional parts of a cent in figuring maximum prices.
7.1a Changes in case sizes.
7.2 When a sales or gross receipts tax may be charged in addition to a maximum price.
7.2a Treatment of brokers' compensation.
7.3 When new taxes or increases in existing taxes may be added to a maximum price.
7.3a Distribution of packaged distilled spirits or wine.
7.4 Use of minimum resale prices under State Fair Trade Laws.
7.4a Maximum prices for sellers for whom no specific provision is made.
7.5 Adjustment of maximum prices for tax exempt sales to the United States or any agency thereof.
7.5a Deposit charges on containers.
7.6 Certain provisions of the General Maximum Price Regulation continued in effect.
7.6a Licensing.
7.7 Export sales.
7.7a Compliance with other laws or regulations.
7.8 Compliance with this regulation.
7.9 Current records required.
7.10 Petitions for amendment.
7.11 Adjustable pricing in certain instances.
7.12 Definitions.
7.13 Geographical applicability.

ARTICLE I—MAXIMUM PRICES FOR SALES OF IMPORTED DISTILLED SPIRITS AND IMPORTED WINES BY IMPORTERS

SECTION 1.1 *Purposes of Article I*—(a) *Generally.* Article I establishes maximum prices for sales of imported distilled spirits and wines by importers to any purchaser. Maximum prices for sales of bulk imported distilled spirits and bulk imported wines by persons other than the importer must be established under other applicable regulations of the Office of Price Administration or under Article II (when effective) of this regulation. Except for sales which are specifically exempted by Article V of this regulation, maximum prices for sales of packaged imported distilled spirits and packaged imported wines by persons other than the importer must be established under that article.

(b) *Prior regulations, orders and interpretations superseded.* Except as otherwise provided in this regulation, Article I supersedes all other maximum price regulations, orders and interpretations issued by the Office of Price Administration before August 14, 1943, with respect to sales of imported distilled spirits and wines by importers, in bulk or in packages, including the applicable provisions of the following:

(1) The General Maximum Price Regulation;[1]

(2) Section 2.12 of Revised Supplementary Regulation No. 14;

(3) Section 2.3 (b) of § 1499.26 of Revised Supplementary Regulation No. 1;

Provided, That such maximum price regulations, orders and interpretations shall remain in force with respect to a particular sale of imported distilled spirits or wine by an importer until provisions of this article become applicable thereto pursuant to section 1.11.

[1] 9 F.R. 1385.

SEC. 1.2 *General rules for figuring importers' maximum prices.* An importer must observe the following rules in establishing his maximum prices under this article:

(a) *Division of items.* He must separately price all items he has imported, in his stock at the close of his business on August 9, 1943, according to the group to which the item belongs as follows:

(1) Items which he sold or offered for sale during March 1942. He must figure his initial maximum prices for such items under section 1.4. His maximum prices for the item are to be refigured under section 1.6 if certain elements of his cost change thereafter.

(2) Items which he sold or offered for sale between April 1, 1942 and April 30, 1943, but which he did not sell or offer for sale during March 1942. He must figure his initial maximum prices for such items under section 1.5. His maximum prices for the item are to be refigured under section 1.6 if certain elements of his cost change thereafter.

(3) Items for which special pricing methods are provided in section 1.7. He must figure his maximum prices for any such item under that section, irrespective of the dates on which he previously sold or offered the item for sale. Maximum prices for such items may not be refigured under section 1.6.

(4) Items for which maximum prices are not provided by sections 1.4, 1.5, or 1.7. He must apply to the Office of Price Administration, Washington, D. C., in accordance with section 1.8, for authority to establish maximum prices for such items. Maximum prices thus established may not be refigured under section 1.6.

(b) *Figuring maximum prices for each item separately.* Each item of imported distilled spirits or wine to be sold or offered for sale by an importer after August 29, 1943, must have a separate maximum price. An "item" is a particular brand name, container size and formula of imported distilled spirits or wine. One item must not be considered the same as another if there is any difference in

[Paragraph (b) as amended by Am. 1, 8 F.R. 11851, effective 8-25-43]

(1) Their brand names, or
(2) Their countries of origin, or
(3) The names of their processors, or
(4) Their container sizes (bulk as compared with bottles, quarts as compared with fifths, etc.), or
(5) Their formulae (as defined in section 7.12), or
(6) Material information contained on their labels in accordance with the United States Labeling Laws or regulations applicable to each. Age, proof, alcohol content, type designation, vintage and ingredients, as stated on the labels, shall be deemed material information.

[Subparagraph (6) as amended by Am. 10, 8 F.R. 16928, effective 12-16-43]

(c) *Customer classifications.* (1) A separate maximum price must be established for an importer's sales of each item to each class of his customers in accordance with the section under which the maximum price for the item is established.

(2) Where an importer establishes maximum prices under sections 1.4, 1.5, or 1.6, his customers for sales of the item are to be classified in accordance with his March 1942 customer classification. Where an importer establishes maximum prices under section 1.7, his customers for sales of the item are to be classified only as wholesalers, primary distributing agents, monopoly states, retailers and consumers. Where an importer establishes maximum prices after application to the Office of Price Administration under section 1.8, the maximum prices thus established shall apply only to his sales to the classes of customers stated in the application, or in the order or amendment issued pursuant thereto.

(d) *Discounts, allowances, price differentials and terms of sale.* (1) Customary discounts, allowances and other price differentials in effect during March 1942 in accordance with an importer's March 1942 customer classifications must be applied to his maximum prices established under sections 1.4, 1.5, 1.6 and 1.7: *Provided,* That discounts and allowances based solely on quantity purchases (in dollars or units) need not be maintained: *And, provided further,* That allowances and price differentials in accordance with an importer's March 1942 customer classifications need not be maintained with respect to sales of items for which maximum prices are established under section 1.7.

(2) If an importer makes his terms of sale to a customer more onerous than those in effect during March 1942 for his sales to a customer of the same class, he must make a compensating reduction in his maximum price established under this article.

(3) If an importer directly or indirectly requires a customer to make any payment in advance of delivery (whether to the importer or to another person), the importer must reduce his maximum price established under this article for that sale by an amount equal to interest at the rate of 5 percent per annum on the amount of the advance payment from the date the payment is made to the date on which the item is delivered or the payment is refunded to the customer.

(e) *Exchange rates.* The costs used by an importer in figuring his maximum prices must be actual costs which he pays. Amounts paid in foreign currency must be expressed in terms of United States dollars at the actual rate of exchange paid by the importer.

(f) *F. o. b. and delivered prices.* (1) Where an importer's highest price charged during March 1942 to a customer of a particular class (used under sections 1.4, 1.5, or 1.6 to determine his maximum price) is a delivered price or an f. o. b. particular freight base point price, the maximum price established under those sections shall correspondingly be a delivered price or an f. o. b. particular freight base point price, as the case may be.

(2) Maximum prices provided by section 1.7 for sales of bulk imported distilled spirits and wines are prices f. o. b. port of entry. Maximum prices provided by that section for sales of domestically packaged imported distilled spirits and wines are prices f. o. b. domestic bottling plant unless otherwise expressly stated therein.

[Subparagraph (2) as amended by Am. 10, 8 F.R. 16928, effective 12-16-43]

(g) *Sales and offers to sell.* (1) Where the price for a sale or for an offer to sell during a particular period of time is to be used in determining a maximum price under this article, the price for a sale completed by delivery must be used if such sale was made during that time. An offering price may be used only if no such sale was made and if it was an offering price for supply or delivery during that time, and if the offer or an acceptance thereof is supported by written evidence.

(2) Where the price for a sale or for an offer to sell during a particular period of time is to be used by an importer in determining a maximum price under this article, the price so used must be the price for an item with respect to which he was the importer during that period.

[Paragraph (g) as amended by Am. 15, effective 5-8-44]

SEC. 1.3 *Meaning of "net cost" used in figuring importer's maximum prices under sections 1.4, 1.5, and 1.6.* The "net cost" to be used by an importer to figure his maximum prices under sections 1.4, 1.5, and 1.6 is the total of the following elements of cost actually paid by him with respect to a particular purchase of the item to be priced:

(a) *Purchase price.* The foreign vendors' selling price (less all discounts excepting any discount for prompt payment [cash discount]), not in excess of his maximum prices under applicable regulations or orders of the Office of Price Administration in instances where his selling price is subject thereto, nor in excess of his selling price in effect on April 30, 1943, in all other instances.

(1) Including charges for transporting the item to foreign port of embarkation (where shipment to the United States port of arrival is made by water), and

(2) Including foreign customs charges and export taxes at rates not in excess of those in effect on April 30, 1943.

NOTE: Where the item is one which has not been produced in the United States or a Territory or Possession thereof, the importer, in calculating his net cost will in all cases use the price which he paid the foreign vendor or the foreign vendor's selling price in effect on April 30, 1943, whichever of the two figures is the lower. Where the item is one which has been produced in a Territory or Possession of the United States, the importer in calculating his net cost will use the price which he paid the territorial supplier or the territorial supplier's established ceiling price for sale of the item to importers, whichever of the two figures is the lower. However, if in any instance, the sale to an importer of an item produced in a Territory or Possession of the United States is not subject to the provisions of an order or regulation of the Office of Price Administration, the importer will use the price which he paid the territorial supplier or the territorial supplier's selling price in effect on April 30, 1943, whichever of the two figures is the lower.

(b) *Insurance.* Insurance charges for the period during which the item is in transit to the importer's receiving point, including war risk insurance at rates not in excess of applicable rates published by the War Shipping Board.

(c) *Freight*—(1) *Items imported in packages or imported and sold in bulk.* Ocean freight from foreign port of embarkation to port of arrival in continental United States (where shipment to port of arrival is made by water) or land freight from foreign shipping point to point of arrival in continental United States (where shipment to point of arrival is made by land); inland freight from port or point of arrival to port of entry, and inland freight from port of entry to the importer's customary receiving point for the item, exclusive of charges for hauling, drayage or handling within the metropolitan area of such port or point. The importer shall include only the freight he paid, figured at the rate paid.

(2) *Items imported in bulk and sold in packages after domestic bottling.* Ocean freight for transporting the item in bulk from foreign port of embarkation to port of arrival in the continental United States (where shipment to port of arrival is made by water) or land freight for transporting the item in bulk from foreign shipping point to point of arrival in continental United States (where shipment to point of arrival is made by land); inland freight for transporting the item in bulk from port or point of arrival to port of entry nearest the plant where bottling or rectifying is done; inland freight for transporting the item in bulk from that port of entry to such plant, and inland freight for transporting the item in packages from that bottling plant to the importer's customary shipping point for the packaged item, exclusive of charges for hauling, drayage or handling within the metropolitan area of any such port or point. The importer shall include only the freight he paid, figured at the rate paid.

(d) *Taxes and United States customs duties.* United States excise taxes, United States customs duties, one cent for each strip stamp affixed to individual containers, and state or local excise taxes. All taxes and customs duties shall be figured at rates in effect on November 2, 1942 and shall be included only if imposed upon and applicable to the sale of the item for which a maximum price is being figured. License, income, franchise, receipts, gross receipts, sales, use or other similar federal, state or local taxes cannot be included in "net cost."

[Last sentence added by Am. 15, effective 5-8-44. Note deleted by Am. 15]

[Sec. 1.3 amended by Am. 10, 8 F.R. 16928, effective 12-16-43]

SEC. 1.4 *Importers' initial maximum prices for items sold or offered for sale during March 1942.*

NOTE: This section does not apply to any item for which special pricing methods are provided under section 1.7.

(a) *Method to be used.* An importer's initial maximum price for sale of an item which he sold or offered for sale during March 1942 shall be the total of the following:

(1) *Net cost.* His net cost (figured according to section 1.3) per unit of sale

(i) For his latest purchase of the item from his foreign supplier before May 1, 1943, or

(ii) If he made no purchase of the item between January 1, 1943 and April 30, 1943 but received from his foreign supplier a bona fide written or cable quotation offering the item for shipment between those dates, the net cost that would have been applicable to the same unit of sale if he made a purchase of the item on terms evidenced by the latest such quotation.

[Subparagraph (ii) as amended by Am. 10, 8 F.R. 16928, effective 12-16-43]

NOTE: If a quotation is used, net cost shall be figured according to section 1.3 on the assumption that shipment was made from the foreign supplier's customary shipping point on the date the quotation was received; that the shipment arrived April 30, 1943, and that port or point of arrival and port of entry were those used for the importer's latest actual purchase of the item.

(2) *Mark-up.* The difference between

(i) His net cost (figured according to section 1.3) for his last purchase of the item prior to March 31, 1942 from his foreign supplier out of which he made or offered to make sales during March 1942, and

(ii) The highest price he charged during March 1942 for the unit of sale, or at which he offered to sell that unit to a customer of the particular class, exclusive of any discount for prompt payment (cash discount).

NOTE: For sales of an item he imports, an importer who also sells at wholesale or retail must not use the percentage mark-ups provided in Article V. However, an importer who, prior to August 9, 1943 operated both import and wholesale divisions, and had an established practice of selling items to independent wholesalers and billing them to his own wholesale division at prices equal to those he charged independent wholesalers, may while he continues to observe those practices, consider his wholesale division as a separate entity and use the percentage mark-ups provided in Article V to determine maximum prices for sales by his wholesale division. Similarly, an importer who prior to August 9, 1943 operated both wholesale and retail divisions and had an established practice of selling items to independent retailers and billing them to his own retail division at prices equal to those he charged independent retailers, may while he continues to observe those practices, treat his retail division in like manner.

[Note as amended by Am. 2, 8 F.R. 13496, effective 10-7-43]

(b) *Sales to customers of a class not sold during March 1942.* If an importer sold or offered an item for sale during March 1942 but did not sell or offer to sell it to a customer of a particular class and wishes to make sales of the item to customers of that class, he shall apply to the Office of Price Administration in accordance with section 1.8 for authority to establish an initial maximum price for such sales.

SEC. 1.5 *Importers' initial maximum prices for items sold or offered for sale between April 1, 1942 and April 30, 1943 but not sold or offered for sale during March 1942:*

NOTE: This section does not apply to any item for which special pricing methods are provided under section 1.7.

(a) *Method to be used.* An importer's initial maximum price for sales of an item sold or offered for sale between April 1, 1942 and April 30, 1943, but which he did not sell or offer for sale during March 1942, shall be the total of the following:

(1) *Net cost.* His net cost (figured according to section 1.3) per unit of sale

(i) For his latest purchase of the item from his foreign supplier before May 1, 1943, or

(ii) If he made no purchases of the item between January 1, 1943 and April 30, 1943 but received from his foreign supplier a bona fide written or cable quotation offering the item for shipment between those dates, the net cost that would have been applicable to the same unit of sale if he had made a purchase of the item on terms evidenced by the latest such quotation.

[Subparagraph (ii) as amended by Am. 10, 8 F.R. 16928, effective 12-16-43]

NOTE: If a quotation is used, net cost shall be figured according to section 1.3 on the assumption that shipment was made from the foreign supplier's customary shipping point on the date the quotation was received; that the shipment arrived April 30, 1943, and that port or point of arrival and port of entry were those used for the importer's last actual purchase of the item.

(2) *Markup.* The difference between:

(i) His net cost (figured according to section 1.3) for the same unit of sale from his last purchase prior to March 31, 1942 of an item of the same type designation from a foreign supplier out of which he made or offered to make sales during March 1942, and

(ii) The highest price he charged during March 1942 for the unit of sale or at which he offered to sell that unit of the item of the same type designation to a customer of the particular class, exclusive of any discount for prompt payment (cash discount).

[Subparagraph (2) as amended by Am. 10, 8 F.R. 16928, effective 12-16-43]

NOTE: One item shall be considered of the same type designation as another only if both items are within the same classification and subclassification of identity under applicable United States labeling laws and regulations, and only if the following matters as stated on the label thereof are identical: Proof, age, vintage, alcohol content, country of origin and container size.

For sales of an item he imports, an importer who also sells at wholesale or retail must not use the percentage markups provided in Article V. However, an importer who prior to August 9, 1943 operated both import and wholesale divisions, and had an established practice of selling items to independent wholesalers and billing them to his own wholesale division at prices equal to those he charged independent wholesalers, may while he continues to observe these practices, consider his wholesale division as a separate entity and use the percentage markups provided in Article V to determine maximum prices for sales by his wholesale division. Similarly, an importer who prior to August 9, 1943 operated both wholesale and retail divisions and had an established practice of selling items to independent retailers and billing them to his own retail division at prices equal to those he charged independent retailers, may while he continues to observe these practices, treat his retail division in like manner.

[Note amended by Am. 2, 8 F.R. 13496, effective 10-7-43, and Am. 10]

(b) *Items of a type not sold or offered for sale during March 1942 to customers of the particular class.* If an importer did not during March 1942 sell or offer to sell an item of the same type as the item being priced to a customer of the particular class, he shall apply to the Office of Price Administration in accordance with section 1.8 for authority to establish an initial maximum price for sales of the item to customers of that class.

(c) *Report and correction of maximum prices established under section 1.5.* On or before September 13, 1943, each importer shall file with the Office of Price Administration, Beverage Section, Washington, D. C., a report of all items for which his initial maximum prices are established under section 1.5. The Office of Price Administration may, by order, adjust any such prices which have been erroneously figured. The report shall be signed by the importer and shall contain:

[Paragraph (c) as amended by Am. 10, 8 F.R. 16928, effective 12-16-43]

(1) A description sufficient to identify each item for which maximum prices are so established;

(2) A list of his maximum prices therefor to each class of customers, and

(3) An explanation of how those maximum prices were figured, including a description sufficient to identify the item of the same type used to establish such maximum prices.

SEC. 1.6 *Changes in maximum prices for items to which sections 1.4 or 1.5 apply*—(a) *How long particular maximum prices for such items continue in effect.* An importer's initial maximum prices for items to which sections 1.4 or 1.5 apply, and his refigured maximum prices for such items shall apply to all his sales and offers to sell of the item so priced made prior to the date on which subsequently refigured maximum prices for sales thereof become applicable in accordance with paragraph (d) of this section.

(b) *When an importer must refigure his maximum prices for such items.* An importer who after August 13, 1943 receives from a foreign supplier a purchase of an item for which his initial maximum prices are established under sections 1.4 or 1.5 shall, before making any sales from that purchase, determine his net cost therefor according to section 1.3.

If such net cost per unit of sale differs from the net cost per unit of sale for the latest purchase used in establishing the importer's maximum prices then in effect for the item, the importer may, if the most recent purchase shows the greater total and he must, if the most recent purchase shows the lesser total, establish refigured maximum prices for the item: *Provided*, That if the item is packaged imported distilled spirits or wine and the difference is 25 cents per case or less, the importer shall not establish refigured maximum prices.

(c) *How an importer must refigure his maximum prices for such items.* An importer required or permitted by this section to establish refigured maximum prices for an item shall determine such prices under sections 1.4 or 1.5 (according to the section he used to establish his initial maximum prices for the item), substituting however, the net cost (figured according to section 1.3) of his most recent purchase of the item for the net cost of his latest purchase thereof before May 1, 1943.

(d) *When refigured maximum prices become applicable.* His refigured maximum prices determined under this section shall apply to stock on hand (in bond or otherwise) and shall be the importer's maximum prices for sales of the item on and after, but not before, the 4th day (exclusive of Sundays and holidays) following receipt (in bond or otherwise) of the purchase to be used to establish such refigured maximum prices, until in turn superseded by other refigured maximum prices subsequently determined: *Provided*, That until, on and after the earliest effective date for prices posted or listed at the first opportunity after the 4th day (exclusive of Sundays and holidays) after receipt of such purchase, refigured maximum prices shall not apply to any sale which an importer is required by statute, ordinance, or regulation to make at a price posted or listed with a State or other public authority before receipt of such purchase.

SEC. 1.7 *Special pricing methods for items not sold or offered for sale during March 1942 and which cannot be priced under section 1.5, and for certain other commodities*—(a) *Sales of bulk or packaged imported distilled spirits or wine not sold or offered for sale during March 1942 and which cannot be priced under section 1.5.*

NOTE: Persons other than importers selling bulk imported distilled spirits or wine must establish their maximum prices under other applicable regulations of the Office of Price Administration or under Article II (when effective) of this regulation.

Except as otherwise provided in this section, an importer's maximum price for sales of any bulk or packaged imported distilled spirits or wine not sold or offered for sale during March 1942 and which cannot be priced under section 1.5, shall be a price established after application to the Office of Price Administration pursuant to section 1.8.

(b) *Importer's maximum prices for certain commodities imported in bulk.* An importer's maximum price for any commodity listed below, imported in bulk and sold either in bulk or in packages, shall be determined according to its base figure and type of sale indicated below, except that if the commodity he imports in bulk and bottles domestically is of the same type designation and is sold in the same container size at the same proof under the same brand name as an item which the importer imported in packages and sold or offered for sale during March 1942, his maximum price to a class of purchaser for the commodity imported in bulk and bottled domestically shall be the maximum price to the same class of purchaser which he could compute under section 1.4 for the item which he imported in packages and sold or offered for sale during March 1942.

(1) *Base figures for certain imported commodities.*

Commodity	Base figure
Cuban distilled gin (as defined in section 7.12)	$1.75
Cuban rum (as defined in section 7.12)	[1] 2.75
Cuban whiskey bearing an age statement or accompanied by a certificate showing age of six months or less (as defined in section 7.12)	.83
Mexican distilled gin (as defined in section 7.12)	1.90
Mexican tequilla (as defined in section 7.12)	2.10
Mexican whiskey bearing an age statement or accompanied by a certificate showing age of six months or less (as defined in section 7.12)	.83
Distilled spirits (produced in or imported from Cuba) made from cane products and flavored with aromatics	1.28
Distilled spirits (produced in or imported from Mexico) made from cane products and flavored with aromatics	1.38

[1] Or the importer's "direct cost", f. o. b. port of arrival, plus 15¢ per proof gallon, whichever figure is the lower. "Direct cost" means the price paid the foreign vendor, not in excess of the foreign vendor's selling price in effect on April 30, 1943 (less all discounts and allowances except the discount given for prompt payment) plus charges for cooperage, Cuban export tax, freight to port of arrival, loading, war risk insurance and marine insurance, wharfage, consular fees, customs broker fees, customs entry fees, and loss of merchandise and customs duty due to leakage and evaporation in shipment to the United States.

(2) *When imported and sold in bulk by the importer.*

NOTE: Maximum prices for sales of any such commodity in bulk by persons other than the importer must be established under other applicable regulations of the Office of Price Administration or under Article II (when applicable) of this regulation.

An importer's maximum price for sales of any such commodity imported and sold by him in bulk shall be as follows:

(i) *Sales in bond.* Its base figure per original proof gallon f. o. b. port of entry, plus inland freight (if paid by the importer) to transport the particular quantity from port or point of arrival in continental United States to the bonded warehouse where it is at date of sale. "Original proof gallon" shall be determined according to first customs gauge in the United States. Freight shall be figured at the carload rate in effect at the date of shipment from port or point of arrival and shall not include hauling, drayage or handling in the metropolitan area of port or point of arrival or port of entry.

(ii) *Tax paid sales f. o. b. port of entry.* The maximum price provided under (i) above for a sale of the same quantity, in bond, plus United States customs duties and United States excise taxes paid thereon by the importer at rates in effect on November 2, 1942. The amount of excise taxes shall be determined on the number of proof gallons according to the regauge on which they are paid. The amount of customs duties shall be determined on original proof gallons according to the first customs gauge in the United States: *Provided*, That where the commodity has been imported at less than 100° proof, the amount of customs duties and excise taxes shall not be in excess of that which would have been applicable if the commodity had been imported at 100° proof.

(3) *When imported in bulk, bottled domestically and sold in packages.*

NOTE: Persons other than the importer, bottling such commodity domestically or having it bottled for their account must establish their maximum prices for the packaged item by using the method herein provided for determination of the importer's maximum prices.

An importer's maximum price per case for sales of any such commodity imported in bulk, bottled domestically and sold in packages shall be as follows:

(i) *Sales to wholesalers.* The total of the following amounts paid by or for the account of the importer and applicable to the quantity in the case:

(a) The commodity's base figure per proof gallon bottled.

(b) United States customs duties and United States excise taxes at rates in effect on November 2, 1942: *Provided*, That where the commodity has been imported at less than 100° proof, the amount of United States customs duties and excise taxes shall not be in excess of that which would have been applicable if the commodity had been imported at 100° proof.

(c) Inland freight from port or point of arrival in continental United States to port of entry nearest the plant where bottling or rectifying is done, and inland freight from port of entry to that plant at the carload rates in effect on the respective dates of shipment. Charges for hauling, drayage, or handling within the metropolitan area of such ports or point, or within the metropolitan area about such plant shall not be included.

(d) Two percent of the total of (a), (b), and (c) above.

(e) A charge for bottling and casing as follows:

$1.50 per case of quarts or fifths.
2.10 per case of pints.
2.85 per case of half pints.

(f) Rectification tax, if any, at the rate paid: *Provided*, That rectification tax paid for re-processing, reconditioning or otherwise treating the imported commodity because of any defect or substandard quality of such imported commodity may not be added.

(g) $1.70 per proof gallon bottled.

(h) State and local excise taxes and one cent for each strip stamp affixed to individual containers. All taxes shall be figured at rates in effect on November 2, 1942 and shall be included only if imposed upon and applicable to the sale of the item for which a maximum price is being figured. No amount shall be added for license, income, franchise, receipts, sales, use or other similar federal, state, or local taxes.

(ii) *Sales to monopoly states.* The maximum price per case provided in (i) above for sales of the particular container size to wholesalers, plus the amount paid by the importer to purchase and affix monopoly state seals or stamps to individual containers in the case being priced. If the seals or stamps are affixed

by the monopoly state, the amount added shall not exceed the highest amount charged for the corresponding seals or stamps and service during March 1942, and if the importer affixed the seals or stamps before delivery of the item, shall not exceed fifty cents per case.

(iii) *Sales to primary distributing agents.* The maximum price per case provided in (i) above for sales of the particular container size to wholesalers subject to any discount, allowance or price differential agreed upon by the particular importer and primary distributing agent.

(iv) *Sales to retailers.* The maximum price per case provided in (i) above for sales of the particular container size to wholesalers plus the percentage markup provided in Article V for sale of the same item by wholesalers to retailers.

Where the importer makes the sale to a retailer f. o. b. a customary shipping point other than the domestic bottling plant, he may add to his maximum price to wholesalers, before applying the markup, inland freight he pays for direct shipment from such plant to the shipping point, exclusive of charges for local hauling, drayage, or handling within the metropolitan areas of such points.

(v) *Sales to consumers.* The maximum price per case provided in (i) above for sales of the particular container size to wholesalers plus the percentage markup provided in Article V for sales of the same item by retailers to consumers.

Where the importer makes the sale to a consumer f. o. b. a customary shipping point other than the domestic bottling plant, he may add to his maximum price to wholesalers, before applying the markup, inland freight he pays for direct shipment from such plant to the shipping point, exclusive of charges for local hauling, drayage, or handling within the metropolitan areas of such points.

(vi) *For individual container.* An importer's maximum price for individual containers of such item shall be his maximum price per case for the item to a customer of the same class divided by the number of containers customarily packed in the case.

[Paragraph (b) amended by Am. 2, 8 F.R. 13496, effective 10-7-43; Am. 4, 8 F.R. 13845, effective 10-13-43; Am. 5, 8 F.R. 14016, effective 10-19-43; Am. 8, 8 F.R. 16907, effective 12-20-43; Am. 10, 8 F.R. 16928, 9 F.R. 303, effective 12-16-43; and Am. 13, 9 F.R. 2747, effective 3-16-44]

SEC. 1.8 *Application for authority to establish maximum prices*—(a) *Who shall file.* An importer who seeks to sell an item for which maximum prices must be established under section 1.7 (a), or who is required by sections 1.4 or 1.5 to apply for authority to establish an initial maximum price for sales of an item to customers of a particular class, shall make application under this section.

(b) *Prohibition.* An importer required to make application for authority to establish a maximum price for an item shall not sell, offer to sell or deliver the item to any person (if the item is one for which maximum prices must be established under section 1.7 (a)) or to the particular class of customers (if a maximum price for sales of the item to a particular class of customers is sought under section 1.4 or 1.5) until the application is filed and authority granted. However, where an importer is required to make application for authority to establish initial maximum prices under section 1.4 or 1.5 he may, if so permitted by applicable statutes, ordinances or regulations and after making the application, continue to sell, offer to sell or deliver the item to the class of customers for which an initial maximum price is sought for 30 days after the application is made, if the sale, offer to sell, or delivery is made under an agreement with the customer to adjust the price charged to an amount no higher than the maximum price later established under this section. With respect to a particular sale which the importer is required to make at a price posted or listed with a state or other Public Authority, the importer may continue so to sell, offer to sell or deliver the item until the effective date for prices thus posted or listed at the first opportunity after the 34th day (including Sundays and holidays) after the application is made.

(c) *Contents of application.* The application shall be in writing, signed by the importer or his authorized agent and sent to the Office of Price Administration, Beverage Section, Washington, D. C. by registered mail. It shall contain the following:

(1) The importer's name and address and the name and address of the person signing the application.

(2) A description of the item for which authority to establish a maximum price is sought, including (if the item is packaged imported distilled spirits or wine) copies of the approved front label and the back label (if any) of any one individual container size of the item. The description shall also supply the following information if not disclosed by such labels:

(i) The type of item (e. g. whiskey, gin, cordial, wine, etc.)

(ii) The brand name.

(iii) The country of origin.

(iv) The name and address of the processor.

(v) If the item is imported distilled spirits, the formula thereof (as defined in section 7.12), or if the item is imported wine, the type designation thereof (as defined in section 7.12).

(vi) The container sizes to be sold.

(3) The maximum prices the importer proposes to establish for sales of the item to his classes of customers. If the importer has established initial maximum prices under sections 1.4 or 1.5 for sales of the item to certain classes of customers, the application shall also state such maximum prices and the class of customers to which each applies.

(4) The amount of his net cost (as defined in section 1.3) for his latest purchase of the item with each element thereof separately stated. If the item is produced in a territory or possession of the United States and his supplier's maximum price therefor is prescribed by an order or regulation of the Office of Price Administration, the importer shall furnish a letter from the appropriate office of the Office of Price Administration having jurisdiction over his supplier, or other satisfactory evidence, that his supplier's price for the item does not exceed the supplier's maximum price for the sale established under applicable Office of Price Administration regulations. In all other instances, the importer shall furnish evidence in the form of invoices, offer and acceptance, documents or affidavits that the amount used as his purchase price does not exceed the corresponding amount as of April 30, 1943. Figures used to show cost of insurance and freight shall be based on firm contract or actual experience if available, and shall be substantiated by invoices, offers, documents or affidavits submitted with the application, or, where no shipment has been received, shall be stated as estimates, and computed on the assumption that shipment was made from the foreign supplier's customary shipping point on the date the quotation was received and arrived the same day at a customary point of arrival for shipments from the particular supplier.

[Subparagraph (4) as amended by Am. 10, 8 F.R. 16928, effective 12-16-43]

NOTE: Where increases in the importer's purchase price have become effective after April 30, 1943, the purchase price as of that date and the amount of any subsequent increase therein shall be separately stated.

If a quotation is used, net cost shall be figured according to section 1.3 on the assumption that shipment was made from the foreign supplier's customary shipping point on the date the quotation was received and arrived the same day at a customary port or point of arrival for shipments from the particular supplier.

(5) The gross markup over net cost (as defined in section 1.5) which the importer proposes to use in establishing his maximum prices for the item to each of his classes of customers. The importer shall state whether or not he sold or offered items of the same type designation in the same container sizes for sale to customers of those classes during March 1942, and if he did, shall submit evidence in the form of invoices, offers, documents or affidavits showing that such gross markup does not exceed his March 1942 dollar and cents markup for sales of items of the same type designation in the same container size to customers of these classes.

[Subparagraph (5) added and former (5) redesignated (6) by Am. 10, 8 F.R. 16928, effective 12-16-43]

(6) Any other pertinent information which the importer desires to submit.

(d) *When and how authority is given or denied*—(1) *Approval of or objection to application.* If within 30 days (including Sundays and holidays) after receipt of the application by the Office of Price Administration, the importer shall not receive notice of objection to the maximum prices proposed in the application by letter from the Office of Price Administration, he shall be deemed authorized to establish such maximum prices for sales of the item to the particular classes of customers described therein: *Provided*, That if within the 30-day period the Office of Price Administration shall by letter request supplemental information with respect to any matter set forth in the application, that period shall be figured from the date on which the requested supplemental information is received in writing by the Office of

Price Administration. The authority so granted may be revoked by the Price Administrator at any time. Upon written request of the importer received by the Office of Price Administration within 30 days (including Sundays and holidays) after the date of a notice of objection given under this paragraph, the Office of Price Administration will issue a formal order denying authority to establish the maximum prices requested in his application.

(i) *Adjustment of prices based upon estimates.* If any maximum prices proposed for an item in the importer's application are based upon estimated elements of cost, and the prices for that item so proposed are, or have been approved pursuant to this section, the maximum prices so approved shall be reduced and may be increased, without further action by the Office of Price Administration, to the extent necessary to reflect any difference between the estimated expense and the actual expense for those elements on the first delivery of the item from the foreign suppliers. Within thirty days after delivery of the item, or on or before December 16, 1943, whichever is later, the importer shall report for the item to the Office of Price Administration, Beverages and Imported Foods Section, Washington, D. C. the actual expenses for the estimated elements of cost and the resulting increase or reduction in the maximum price for the item. Expenses when reported shall be substantiated by invoices or other evidence satisfactory to the Office of Price Administration.

[Subparagraph (1) added by Am. 10, 8 F.R. 16928, effective 12-16-43]

(2) The Price Administrator may, at any time, by order or by amendment to this article establish maximum prices for importer's sales of particular items to one or more classes of their customers. When the Price Administrator acts by amendment, maximum prices thereby provided shall supersede an importer's maximum prices for any such item previously established by order issued under this regulation or by authority granted under (1) above and shall apply to all his sales, offers to sell, or deliveries of the item made on and after the effective date of the amendment: *Provided*, That where an importer's maximum price for an item have been thus established or authorized prior to the issue date of the amendment, and prior to the fifth day following that issue date he has posted or listed those prices with a state or other public authority in accordance with a statute, ordinance, or regulation requiring him to do so, the price first established or authorized shall remain in effect with respect to particular sales, offers to sell or deliveries which the importer is required to make at those prices until on and after the first effective date for prices so posted or listed by him at his first opportunity following the ninth day after the issue date of the amendment.

[Subparagraph (2) as amended by Am. 10]

(3) *Compliance with price posting or listing requirements.* Authority to establish maximum prices granted by the Price Administrator pursuant to application under this section or by order or by amendment to this article shall not authorize an importer to sell or offer an item for sale until after compliance with provisions of any applicable statute, ordinance or regulation requiring the posting or listing of his prices.

SEC. 1.9 *Notice of maximum prices to consumers.* (a) Each importer who sells or offers imported distilled spirits or wine for sale to consumers shall adopt before August 30, 1943, and thereafter continue to observe one of the following practices with respect to notifying consumers that prices charged are not in excess of maximum prices established under this article:

(1) *Use of marking on individual containers.* Before delivering an item to a consumer, an importer may mark on the container in plainly visible letters and figures his selling price for the particular brand and container size (exclusive of retail sales taxes), and a statement that the price so marked is his maximum price under this article or less, and his name and address. The following:

OPA price $_____
(insert amount)

_____
(name of importer)

_____
(address of importer)

so written or stamped on a label or on a state or local tax stamp affixed to the container shall be compliance with this requirement.

An importer who is the holder of a license or permit bearing a distinguishing number and issued under an applicable statute or ordinance, authorizing him to make sales of distilled spirits or wine to consumers may substitute such license or permit number for the statement of his name and address required hereunder.

(2) *Use of a sales slip or receipt.* At or before delivering any individual container of imported distilled spirits or wine to a consumer, the importer may hand the purchaser a sales slip or receipt setting forth in plainly visible letters and figures:

(i) The brand name, container size and number of individual containers of each item sold to the purchaser, and

(ii) The selling price of each such individual container, or the total selling price for all such containers (exclusive of retail sales taxes), and

(iii) The name and address of the importer and date of sale.

An importer complying with this requirement shall post and maintain in a place readily visible to consumers making purchases in his establishment a legible sign or placard reading substantially as follows:

Prices charged in this store are our OPA ceiling prices to consumers or less (exclusive of retail sales taxes).

(3) *Use of price posting.* An importer may post his maximum price for each item sold or offered for sale to consumers according to one of the following methods:

(i) By displaying a list of the names of each brand of imported distilled spirits or wine offered for sale to consumers, his maximum price therefor and a statement that such maximum price is his OPA ceiling price to consumers or less (exclusive of retail sales taxes). When more than one type, formula or container size of a particular brand is offered for sale each such type, formula or container size and the maximum price thereof shall be separately itemized. Such list may also contain the importer's selling price for each item described therein. The list shall be posted and maintained in a place readily visible to consumers making purchases in the importer's establishment, shall be in letters and figures plainly visible and legible to such consumers and shall be maintained complete and correct. An importer complying with this requirement shall not sell or offer any item for sale to a consumer until the item and his maximum price therefor is so listed.

(ii) Except when prohibited by statute or ordinance, an importer may mark his selling and/or maximum price for each item on the shelf, bin, rack or other holder thereof in letters plainly visible and legible to consumers making purchases in his establishment. An importer compiying with this requirement shall so maintain complete and correct markings of his selling and/or maximum prices for all items he offers for sale to consumers and shall not sell or offer any item for sale to a consumer until his selling price therefor is thus marked.

(iii) An importer posting or marking prices in accordance with (i) or (ii) above shall post and maintain in a place readily visible to consumers making purchases in his establishment a legible sign or placard reading substantially as follows:

Prices posted in this store are our OPA ceiling prices to consumers or less (exclusive of retail sales taxes).

(b) The provisions in this section shall not apply to an importer's sales of an unopened case of individual containers or to his prices therefor.

SEC. 1.10 *Other provisions of this regulation applicable to sales of imported distilled spirits or wine by an importer.* The following sections of Article VII of this regulation shall apply to sales of imported distilled spirits or wine by an importer:

Section 7.1 *Treatment of fractional parts of a cent in figuring maximum prices.*
Section 7.1a *Changes in case sizes.*
Section 7.2 *When a sales tax may be charged in addition to a maximum price.*
Section 7.2a *Treatment of brokers compensation.*
Section 7.3 *When new taxes, or increases in existing taxes may be added to a maximum price.*
Section 7.3a *Distribution of packaged distilled spirits or wine.*
Section 7.4 *Use of minimum resale prices under State Fair Trade laws.*
Section 7.4a *Maximum prices for sellers for whom no specific provision is made.*
Section 7.5 *Adjustment of maximum prices for tax exempt sales to the United States or any agency thereof.*
Section 7.5a *Deposit charges on containers.*
Section 7.6 *Certain provisions of the General Maximum Price Regulation continued in effect.*
Section 7.6a *Licensing.*
Section 7.7 *Export sales.*
Section 7.7a *Compliance with other laws or regulations.*
Section 7.8 *Compliance with this regulation.*
Section 7.9 *Current records required.*
Section 7.10 *Petitions for amendment.*

Section 7.11 *Adjustable pricing in certain instances.*
Section 7.12 *Definitions.*
Section 7.13 *Geographical applicability.*

[References to Sections 7.1a, 7.2a, 7.4a, 7.5a, 7.6a, and 7.7a added by Am. 15, effective 5-8-44]

SEC. 1.11 *Dates on which this article shall apply.* This article shall apply to all sales or offers to sell of bulk or packaged imported distilled spirits and wine made by an importer on and after August 30, 1943: *Provided*, That this article shall not apply to any sale which an importer is required by statute, ordinance or regulation to make at a price posted or listed prior to August 14, 1943, with a state or other Public Authority (if the price so posted or listed is greater or less than that established by this article for such sale) until on and after the first effective date for prices so posted or listed at the first opportunity after August 19, 1943.

ARTICLE II—MAXIMUM PRICES FOR SALES OF CERTAIN BULK DOMESTIC DISTILLED SPIRITS BY ANY PERSON; FOR SALES OF CERTAIN RELATED COMMODITIES IN BULK BY ANY PERSON, AND FOR SALES OF BULK IMPORTED DISTILLED SPIRITS OR WINE BY PERSONS OTHER THAN THE IMPORTER THEREOF

[Article heading as amended; former sec. 2.1 revoked and new sec. 2.1 added by Am. 3, 8 F.R. 13500, effective 10-7-43]

SEC. 2.1 *Purposes of Article II*—(a) *Generally.* Article II is designed to establish maximum prices for the following:

(1) Sales of certain bulk domestic distilled spirits by any person;

(2) Sales in bulk of certain products related to domestic distilled spirits when made by any person;

(3) Sales of bulk imported distilled spirits or wine by persons other than the importer thereof.

[Undesignated paragraph deleted by Am. 15, effective 5-8-44]

(b) *Prior regulations, orders and interpretations superseded.* Except as otherwise provided in this regulation, Article II supersedes all other maximum price regulations, orders and interpretations issued by the Office of Price Administration before October 7, 1943, with respect to all sales to which it applies, including the applicable provisions of the following:

(1) The General Maximum Price Regulation;

(2) Article II of Revised Supplementary Regulation No. 14;

(3) Maximum Price Regulation No. 193,[1] as amended;

(4) Orders Nos. 1 through 5 inclusive under Maximum Price Regulation No. 193;

Provided, That such maximum price regulations, orders and interpretations shall remain in force with respect to a particular sale until provisions of this article become applicable thereto pursuant to section 2.6.

SEC. 2.2 *General rules for figuring maximum prices under this article.* A seller required to establish maximum prices under this article must observe the following rules with respect thereto:

(a) *Customer classifications.* Where a maximum price is provided by sections 2.3 or 2.4, that maximum price applies to the classes of customers specified therein, or, if no class of customers be specified, then to all classes of customers.

(b) *Discounts, allowances, price differentials and terms of sale.* (1) Customary discounts in effect during March 1942 in accordance with a seller's March 1942 customer classifications must be applied to his maximum prices established under this article.

(2) If a seller makes his terms of sale to a customer more onerous than those in effect during March 1942 for his sales to a customer of the same class, he must make a compensating reduction in his maximum price established under this article.

(3) If a seller directly or indirectly requires a customer to make any payment in advance of delivery (whether to the seller or to another person) the seller must reduce his maximum price established under this article for that sale by an amount equal to interest at the rate of 5% per annum on the amount of the advance payment from the date the payment is made to the date on which the item is delivered or the payment is refunded to the customer.

(c) *Procedure where no maximum price is provided in this article for a particular sale.* If a person desires to sell a commodity for which his maximum price must be determined under this article, and no maximum price or pricing method is otherwise provided in this article for the particular sale, that person shall make application to the Office of Price Administration, Beverage Section, Washington, D. C. for authority to establish such maximum price. The application shall be in writing signed by the applicant or by a duly authorized officer or agent thereof and shall state that it is filed under this section. It shall also contain the name and address of the applicant, the nature of his business, descriptions both of the commodity to be sold and of the particular sale applicant desires to make, and the maximum price which applicant desires to establish. After such application is filed, the Price Administrator may establish a maximum price for such sale by amendment to this regulation or authorize a maximum price therefor by order. Such order may be revoked or amended by the Price Administrator at any time. No person required to apply hereunder for authority to establish a maximum price for a particular sale shall make that sale until after such amendment or order is issued and becomes effective: *Provided*, That while the request for authority to establish a maximum price is pending on such application, the Office of Price Administration may permit applicant to sell, deliver, or agree to sell or deliver under an agreement with the customer to adjust the price charged to an amount not in excess of the maximum price later established under this article. Such permission may be given only if necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942 as amended, and may be given by letter or order signed by the Price Administrator, or by any official of the Office of Price Administration to whom authority to grant such permission has been delegated.

[Paragraph (c) as amended by Am. 15, effective 5-8-44]

SEC. 2.3 *Maximum prices for bulk domestic whiskey and for bulk domestic brandy.*

NOTE: "Bulk domestic brandy" comprehends only brandy made from grapes. See definition of brandy in section 7.12 (a) (16).

(a) *Maximum prices for sales in bond.* Any seller's maximum price for a sale of bulk domestic whiskey in bond on an original proof gallon basis or on a regauged proof gallon basis, whether or not made by transfer of warehouse receipt or other evidence of title, shall be determined according to the age of the whiskey and the basis of sale as set forth in paragraph (c) of this section. Any seller's maximum price for a sale in bond of bulk domestic brandy in distiller's original barrels whether or not made by transfer of warehouse receipt or other evidence of title shall be determined according to the age of the brandy to be priced as set forth in paragraph (c) of this section.

(b) *Maximum prices for tax paid sales.* Any seller's maximum price for a tax paid sale of bulk domestic whiskey on an original proof gallon basis or on a regauged proof gallon basis, whether or not made by transfer of warehouse receipt or other evidence of title, shall be as follows: (1) For sales on an original proof gallon basis, the maximum price per original proof gallon shall be the price set forth in paragraph (c) (1) of this section according to the age of the whiskey being priced, plus the amount of United States excise taxes at rates in effect on November 2, 1942 paid by the seller and applicable to that whiskey; (2) For sales on a regauged proof gallon basis, the maximum price per regauged proof gallon shall be the price set forth in Column 2 of paragraph (c) (2) of this section according to the age of the whiskey being priced.

Any seller's maximum price for a tax paid sale of bulk domestic brandy in distiller's original barrels, whether or not made by transfer of warehouse receipt or other evidence of title, shall be the maximum price set forth in paragraph (c) (3) of this section according to the age of the brandy being priced, plus the amount of United States excise taxes at rates in effect on November 2, 1942, paid by the seller and applicable to that brandy.

[Section heading and paragraphs (a) and (b) as amended by Am. 12, 9 F.R. 2940, effective 3-2-44]

[1] 7 F.R. 6006, 8940, 8947, 8948, 10068; 8 F.R. 1632, 2716, 7492, 8540, 14581.

(c) *Maximum price tables*—(1) *For bulk domestic whiskey sold on an original proof gallon basis.*

Age (months)		Maximum prices per original proof gallon
More than—	Not more than—	
	2	$0.69
2	4	.73
4	6	.77
6	8	.81
8	10	.85
10	12	.89
12	14	.93
14	16	.97
16	18	1.01
18	21	1.07
21	24	1.13
24	27	1.19
27	30	1.25
30	33	1.31
33	36	1.36
36	39	1.41
39	42	1.46
42	45	1.51
45	48	1.56
48	51	1.61
51	54	1.65
54	57	1.69
57	60	1.72
60	63	1.75
63	66	1.78
66	69	1.81
69	72	1.84
72	75	1.87
75	78	1.90
78	81	1.93
81	84	1.96
84	90	1.98
90		2.00

NOTE: Maximum prices set forth above include all excise and processing taxes of any state or subdivision thereof at rates in effect on November 2, 1942 and storage and all other charges applicable to the quantity being priced and accrued to date of sale together with brokerage commissions, if any, paid by the seller incident to the particular sale.

[Paragraph heading as amended by Am. 12]

(2) *For bulk domestic whiskey sold on a regauged proof gallon basis.*

Age (months)		Column 1 Maximum prices for regauged proof gallon in bond	Column 2 Maximum prices for regauged proof gallon tax paid
More than	Not more than		
	2	$0.712	$6.71
2	4	.770	6.77
4	6	.821	6.82
6	8	.874	6.87
8	10	.927	6.93
10	12	.982	6.98
12	14	1.036	7.04
14	16	1.096	7.10
16	18	1.154	7.15
18	21	1.236	7.24
21	24	1.323	7.32
24	27	1.410	7.41
27	30	1.500	7.50
30	33	1.592	7.59
33	36	1.674	7.67
36	39	1.758	7.76
39	42	1.844	7.84
42	45	1.933	7.93
45	48	2.024	8.02
48	51	2.117	8.12
51	54	2.200	8.20
54	57	2.285	8.29
57	60	2.359	8.36
60	63	2.435	8.44
63	66	2.513	8.51
66	69	2.593	8.59
69	72	2.676	8.68
72	75	2.763	8.76
75	78	2.850	8.85
78	81	2.941	8.94
81	84	3.035	9.04
84	90	3.116	9.12
90		3.200	9.20

NOTE: Maximum prices in columns 1 and 2 include all excise and processing taxes of any state or subdivision thereof at rates in effect on November 2, 1942; and storage and all other charges applicable to the quantity being priced and accrued to date of sale, together with brokerage commissions, if any, paid by the seller incident to the particular sale. Maximum prices set forth in Column 2 also include the amount of United States excise taxes at rates in effect on November 2, 1942.

[Subparagraph (2) added and former (3) designated (3) by Am. 12, 9 F.R. 2940, effective 3-2-44]

(3) *For bulk domestic brandy in distiller's original barrels.*

NOTE: "Bulk domestic brandy" comprehends only brandy made from grapes.

Age (months)		Maximum prices per original proof gallon
More than—	Not more than—	
	24	$1.30
24	30	1.36
30	36	1.42
36	42	1.48
42	48	1.54
48	54	1.60
54	60	1.66
60	66	1.72
66	72	1.78
72	78	1.84
78	84	1.90
84		1.96

NOTE: Maximum prices set forth above include all excise and processing taxes of any state or subdivision thereof at rates in effect on November 2, 1942 and storage and all other charges applicable to the quantity being priced and accrued to date of sale together with brokerage commissions, if any, paid by the seller incident to the particular sale.

(d) *Determination of age.* The age of bulk domestic whiskey to be priced hereunder shall be calculated by determining the number of full months intervening between the date of entry into bond (as indicated on the warehouse receipt) to and including the date of sale. The age of bulk domestic brandy to be priced hereunder shall be calculated by determining the number of full months intervening between the date of original gauge (as indicated on the barrel) to and including the date of sale. A full month shall be the period from the date of the month of the original entry into bond or original gauge, as the case may be, to but not including, the corresponding date of the following month, and in like manner from the corresponding date of each following month.

(e) *License contracts.* (1) Paragraphs (a), (b), (c) and (d) of this section shall not apply to sales or deliveries of bulk domestic whiskey made pursuant to a license contract entered into prior to February 3, 1943 at prices not in excess of those provided in such contract, or made pursuant to renewals after February 2, 1943 of such contracts entered into prior to February 3, 1943 if the renewal is made within 90 days after the expiration of the preceding contract or renewal at prices not in excess of those provided therein. Similarly, those paragraphs shall not apply to sales or deliveries of bulk domestic brandy made pursuant to a license contract entered into prior to October 1, 1943 at prices not in excess of those provided in such contract, or made pursuant to renewals after September 30, 1943 of such contracts entered into prior to October 1, 1943 if the renewal is made within 90 days after the expiration of the preceding contract or renewal at prices not in excess of those provided therein. Paragraphs (a), (b), (c) and (d) of this section shall, except as so provided, apply to sales, offers to sell or deliveries of bulk domestic whiskey and bulk domestic brandy in distiller's original barrels made pursuant to license contracts.

(2) Except as provided in subparagraph (1) above the sale or bulk domestic whiskey pursuant to license contract entered into subsequent to February 2, 1943 or renewals thereof, or the sale of bulk domestic brandy pursuant to license contract entered into subsequent to October 1, 1943 or renewals thereof, shall not exceed the maximum prices established under paragraph (c) hereof. Nothing herein contained shall be construed to prohibit the making of such license contracts, provided the prices contained therein shall not exceed the maximum prices established under paragraph (c) hereof.

[Subparagraph (2) added and former (2) redesignated (3) by Am. 15, effective 5-8-44]

(3) Each seller of bulk domestic whiskey pursuant to a license contract entered into after March 31, 1942 and prior to February 2, 1943 and each seller of bulk domestic brandy pursuant to license contract entered into after March 31, 1942 and prior to October 1, 1943, shall file a true and correct copy of such contract with the Office of Price Administration, Beverage Section, Washington, D. C. on or before November 1, 1943.

NOTE: License contracts for the sale or delivery of bulk domestic whiskey, previously filed with the Office of Price Administration in accordance with § 1420.13 (h) (3) of Maximum Price Regulation No. 193, need not be refiled.

(f) *Alterations of original proof.* No sales of bulk domestic whiskey or bulk domestic brandy shall be made at the maximum price per original proof gallon provided under (c) after the original proof of such whiskey or brandy has been altered, otherwise than as the result of aging. In the event the original proof of such whiskey or brandy has been altered otherwise than as the result of aging, and prices for the sale are not otherwise provided in this article, the person desiring to make the sale shall apply to the Office of Price Administration, Beverage Section, Washington, D. C. for authority to establish such maximum price pursuant to section 2.2 (c).

(g) *Bulk domestic malt whiskey.* The provisions of section 2.3 shall not apply to sales, offers to sell or deliveries of bulk domestic malt whiskey. Maximum prices for the sales of bulk domestic malt whiskey shall be established by application pursuant to section 2.2 (c).

[Paragraphs (f) and (g) as amended by Am. 15, effective 5-8-44]

(h) *Sales of bulk domestic brandy on regauged basis.* The maximum price for any sale of bulk domestic brandy in distillers original barrels or otherwise whether in bond or tax paid, sold on a regauged basis, shall be determined by application to the Office of Price Administration, Beverage Section, Washington, D. C. pursuant to section 2.2 (c).

[Paragraph (h) added by Am. 15.]

SEC. 2.4 *Maximum prices for bulk domestic grape spirits, and bulk domestic spirits-fruit, neutral brandy, high proof and high wines made from any fruits or berries except grapes*—(a) *For sales by the processor.* The processor's maximum price to a customer of any class for a commodity to which this section applies shall be $1.11 per proof gallon naked f. o. b. processor's premises in carload quantity. For sales in less than carload quantity, the processor may add 2½ cents per proof gallon to his maximum price naked f. o. b. processor's premises in carload quantity. If the processor furnishes the containers in which the commodity is packed and such containers become the property of the customer upon delivery of the commodity, the processor may make a separate charge for the containers not in excess of his maximum price therefor.

NOTE: For sales on a delivered basis, the processor may add transportation charges per proof gallon from his point of shipment to the place of delivery at the rate actually paid (exclusive of expense of hauling, drayage or handling within the metropolitan area of such point or place.)

(b) *For sales by dealers who on and prior to October 1, 1943, maintained a warehouse.* (1) A dealer who, on and prior to October 1, 1943, maintained a warehouse for distribution and sale of any commodity to which this section applies shall determine his maximum price for the commodity pursuant to this paragraph.

(2) Such dealer's maximum price per proof gallon for any quantity of the commodity, naked f. o. b. dealer's shipping point shall be the total of the following:

(i) *Processor's price.* $1.11 per proof gallon naked f. o. b. processor's premises.

(ii) *Container cost.* The amount per proof gallon which the processor is authorized to and does charge the dealer as the purchase price of containers of the quantity to be priced.

(iii) *Freight.* Transportation charges per proof gallon from the processor's premises to the dealer's customary receiving point for the commodity at the carload rate. No amount shall be included for

(a) Transportation charges on sales f. o. b. processor's premises where shipment is made directly to the customer at the customer's expense; or

(b) Expense of hauling, drayage or handling within the metropolitan area of the shipping or receiving point.

(iv) 10¼ cents per proof gallon of the quantity to be priced.

NOTE: For sales on a delivered basis, the dealer may add transportation charges per proof gallon from his point of shipment to the place of delivery at the rate actually paid (exclusive of expense of hauling, drayage or handling within the metropolitan area of such point or place).

(c) *Tax paid sales.* Maximum prices for sales of bulk domestic grape spirits, and bulk domestic spirits-fruit, neutral brandy, high proof and high wines established by paragraphs (a) and (b) of this section are prices in bond. If a sale is made tax paid, the seller may add to his maximum price for the quantity in bond, the amount of United States excise taxes at rates in effect on November 2, 1942 paid by him to the taxing authority or to a prior vendor with respect to that quantity.

(d) [Revoked]

[Paragraph (d) revoked by Am. 15, effective 5-8-44]

[Sec. 2.2 through 2.4 added by Am. 3, 8 F.R. 13500, effective 10-7-43]

SEC. 2.4a *Maximum prices for bulk domestic neutral spirits produced from any material and bulk domestic high wines manufactured from cane or grain.* Any seller's maximum price to any class of customers for sales of bulk domestic neutral spirits produced from any material or for sales of bulk domestic high wines manufactured from cane or grain (as defined in section 7.12 (a) (44) and (48)) shall be his maximum price therefor established under § 1499.2 (a) (1) of the General Maximum Price Regulation. Sellers who are unable to establish maximum prices for these items pursuant to § 1499.2 (a) (1) of General Maximum Price Regulation shall determine their maximum prices by application pursuant to section 2.2 (c).

SEC. 2.4b *Maximum prices for bulk imported distilled spirits and bulk imported wines by persons other than the importer.* Maximum prices for sales of bulk imported distilled spirits and bulk imported wines by persons other than the importer thereof shall be established by application pursuant to section 2.2 (c).

[Secs. 2.4a and 2.4b added by Am. 15, effective 5-8-44]

SEC. 2.5 *Maximum prices for denatured rum.* Any seller's maximum price to a customer of any class for a sale of denatured rum shall be $.80 cents per wine gallon in any quantity, including the cost of barrel, drum or other container, f. o. b. seller's place of production. "Denatured rum" means that product produced in accordance with Formula No. 4 as set forth in the Appendix of Regulations No. 3 as amended, issued by the Treasury Department, Bureau of Internal Revenue.

[Sec. 2.5 added by Am. 15, effective 5-8-44. Former Sections 2.5 and 2.6 added by Am. 3, 8 F.R. 13500, effective 10-7-43 and redesignated Sections 2.6 and 2.7, respectively, by Am. 15]

SEC. 2.5a *Provisions relating to certain distributions of bulk domestic distilled spirits*—(a) *Notice requirements.* Any corporation, unincorporated association, cooperative association, company or partnership transferring or distributing bulk domestic distilled spirits (in the form of warehouse receipts or otherwise) to its shareholders or members or to representatives of its shareholders or members, shall give notice of the maximum prices applicable to sales of such bulk domestic distilled spirits to each shareholder or member or distributee entitled to receive or to participate therein. Such notice shall be given on or before the date of the transfer or distribution and shall be in writing stating substantially as follows:

Under OPA regulations, ceiling prices for sales of (specify type or types of domestic distilled spirits being transferred or distributed, such as bulk domestic whiskey, bulk domestic brandy, bulk domestic neutral spirits, etc.) are as follows:

(Here set forth applicable maximum prices determined pursuant to sections 2.3 (c) (1) or 2.3 (c) (2) of MPR 445 or such other sections or regulations as may apply.)

These ceiling prices are for sales in bond and apply to your resales of (specify type or types of domestic distilled spirits as above) being distributed by this company. Where sales are made tax paid, applicable U. S. excise taxes which you pay may be added. If you sell or transfer in bulk the domestic distilled spirits distributed by this company, a report of the sale must be filed within ten days thereafter, with the district office of OPA having jurisdiction over the territory in which you reside or in which your place of business is located.

OPA requires you to keep this notice for examination.

Name of company

(b) *Application requirements.* If the maximum price for which the bulk domestic distilled spirits may be sold by the shareholders, members or distributees must be determined by application to the OPA, the corporation, unincorporated association, cooperative association, company or partnership shall, prior to making the transfer or distribution, apply to the Office of Price Administration, Beverage Section, Washington, D. C., for the establishment of such price, and shall state the price established pursuant to the application in the notice required to be given by paragraph (a).

(c) *Prohibition.* No corporation, unincorporated association, cooperative association, company or partnership shall pay to or for the account of a shareholder, member or distributee receiving or entitled to receive bulk domestic distilled spirits as the result of a corporate distribution or otherwise, as consideration for a transfer or surrender of the shareholder's, member's or distributee's rights therein, money or property exceeding in value the maximum price for a sale of the particular bulk domestic distilled spirits by the shareholder, member or distributee.

(d) *Report to be filed by shareholder, member or distributee.* Every person who receives bulk domestic distilled spirits (in the form of warehouse receipts or otherwise) as the result of a transfer or distribution thereof by a corporation, unincorporated association, cooperative association, company or partnership and thereafter sells or transfers the same, shall file a report of the sale or transfer with the district office of the Office of Price Administration having jurisdiction of the territory in which he resides or in which his place of business is located. Such report shall be in writing, signed by the seller, and shall be filed within ten days after the sale or transfer is made, and shall contain:

1. The name and address of the seller.
2. The name and address of the buyer.
3. The date of the sale.
4. A description sufficient to identify the character and quantity of each type of bulk domestic distilled spirits sold or transferred including, in the case of bulk domestic whiskey, the date of entry into bond as shown by the warehouse receipt, and in the case of bulk domestic brandy, the date of original gauge as shown on the barrel.
5. The total price which the buyer has paid or contracted to pay for the purchase of the bulk domestic distilled spirits described in the report.
6. The amount of any commission, brokerage or fee which the seller has contracted to pay in connection with the sale or transfer and the name and address of each person to whom payment thereof is to be or has been made.
7. Whether, to the seller's knowledge, the buyer has paid or contracted to pay any commission, brokerage or fee in connection with the sale or transfer, and, if known by the seller, the amount thereof and the name and address of each person to whom payment thereof is to be or has been made. If the seller has no knowledge of such commission, brokerage or fee which the buyer has paid or contracted to pay, the report shall so state.

[Sec. 2.5a added by Am. 8, 8 F.R. 16997, effective 12-20-43]

SEC. 2.6 *Other provisions of this regulation applicable to sales for which maximum prices are established under this article.* The following sections of Article VII of this regulation shall apply to sales for which maximum prices are established under this article:

Section 7.1 *Treatment of fractional parts of a cent in figuring maximum prices.*
Section 7.2 *When a sales tax may be charged in addition to a maximum price.*
Section 7.2a *Treatment of brokers compensation.*
Section 7.3 *When new taxes, or increases in existing taxes may be added to a maximum price.*
Section 7.3a *Distribution of packaged distilled spirits or wine.*
Section 7.4 *Use of minimum resale prices under State Fair Trade Laws.*
Section 7.4a *Maximum prices for sellers for whom no specific provision is made.*
Section 7.5 *Adjustment of maximum prices for tax exempt sales to the United States or any agency thereof.*
Section 7.5a *Deposit charges on containers.*
Section 7.6 *Certain provisions of the General Maximum Price Regulation continued in effect.*
Section 7.6a *Licensing.*
Section 7.7 *Export sales.*
Section 7.7a *Compliance with other laws or regulations.*
Section 7.8 *Compliance with this regulation.*
Section 7.9 *Current records required.*
Section 7.10 *Petitions for amendment.*
Section 7.11 *Adjustable pricing in certain instances.*
Section 7.12 *Definitions.*
Section 7.13 *Geographical applicability.*

[References to Section 7.2a, 7.4a, 7.5a, 7.6a, and 7.7a added by Am. 15, effective 5-8-44]

SEC. 2.7 *Dates on which this article shall apply.* This article shall apply to all sales, and offers to sell and deliveries of the commodities specified therein made on and after October 7, 1943; *Provided*, That this article shall not apply to deliveries made on and before October 21, 1943 pursuant to sales or contracts to sell made prior to October 1, 1943.

[Sec. 2.7, formerly 2.6, added by Am. 3, 8 F.R. 13500, effective 10-7-43]

ARTICLE III—MAXIMUM PRICES FOR SALES OF PACKAGED DOMESTIC DISTILLED SPIRITS BY PROCESSORS

SEC. 3.1 *Purposes of Article III*—(a) *Generally.* (1) Article III establishes maximum prices for sales of packaged domestic distilled spirits by processors to any purchaser.

(2) Maximum prices for sales of bulk domestic distilled spirits must be established under Article II of this regulation or under Maximum Price Regulation No. 193, whichever is applicable to the particular sale. Maximum prices for sales of bulk or packaged imported distilled spirits must be established under Articles I, II or V of this regulation or under the General Maximum Price Regulation, whichever is applicable to the particular sale.

(3) Maximum prices for sales of packaged domestic distilled spirits by persons other than the processor must be established under Article V of this regulation, or under Maximum Price Regulation No. 193, whichever is applicable to the particular sale.

NOTE: Article III is applicable to processors' sales of all classifications and subclassifications of packaged domestic distilled spirits, including (but not limited to) those classifications and subclassifications containing as an ingredient imported neutral spirits, imported distilled spirits, or neutral spirits derived from domestic processing of imported distilled spirits.

[Sec. 3.1 as amended by Am. 9, 8 F.R. 17415, effective 1-6-44]

SEC. 3.2 *Processors' maximum prices.* The maximum prices provided in this article for processors' sales of packaged domestic distilled spirits are as follows:

(a) *Items sold or offered for sale by the processor during March 1942.* The processor's maximum price for sales of an item of packaged domestic distilled spirits which he sold or offered for sale during March 1942 shall be one of the following maximum prices:

(1) For all classifications of domestic distilled spirits, the March 1942 maximum price determined as provided in Appendix A; or

(2) For domestic whiskey only, the processor may elect to establish a prescribed uniform maximum price determined as provided in Appendix E; or

(3) For all classifications of domestic distilled spirits (except where a maximum price can be established under Appendix A or where the processor elects to establish a prescribed uniform maximum price under Appendix E) the special maximum price by authorization determined as provided in Appendix F.

(b) *Items of a brand name sold or offered for sale by the processor during March 1942, but of a different formula or container size.* The processor's maximum price for sales of an item of packaged domestic distilled spirits where the brand name is the same as that for the item which he sold or offered for sale during March 1942, but the formula or container size is different, shall be one of the following maximum prices:

(1) For all classifications of domestic distilled spirits, where there is a change in container size, the converted March 1942 maximum price determined as provided in Appendix B. Where the particular change in container size is not covered in that appendix, the special maximum price by authorization determined as provided in Appendix F.

(2) For domestic whiskey, domestic gin, domestic brandy and domestic rum, where there is a change in proof, the converted March 1942 maximum price determined as provided in Appendix C. For all other classifications of domestic distilled spirits, where there is a change in proof, the special maximum price by authorization determined as provided in Appendix F.

(3) For domestic whiskey only, where there is a change in formula (other than proof), the converted March 1942 maximum price determined as provided in Appendix D. For all other classifications of domestic distilled spirits, where there is a change in formula (other than proof), the special maximum price by authorization determined as provided in Appendix F.

(4) For domestic whiskey only, the processor may elect to establish a prescribed uniform maximum price determined as provided in Appendix E.

(5) For all classifications of domestic distilled spirits (except where a maximum price can be established under Appendices B through D inclusive or where the processor elects to establish a prescribed uniform maximum price under Appendix E), the special maximum price by authorization determined as provided in Appendix F.

NOTE: Where the change in formula (other than proof) involves only a substitution of the ingredient distilled spirits for which provision is made in paragraph (d) below, such items must be priced in accordance with Appendix G where applicable. A special maximum price by authorization may not be established where a maximum price provided in the other appendices can be adjusted in accordance with the provisions of Appendix G.

(c) *Items of a brand name not sold or offered for sale by the processor during March 1942.* The processor's maximum price for sales of an item of packaged domestic distilled spirits of a brand name not sold or offered for sale by the processor during March 1942 shall be one of the following maximum prices:

(1) For domestic whiskey only, the prescribed uniform maximum price determined as provided in Appendix E.

(2) For all classifications of domestic distilled spirits (except for sales of domestic whiskey for which a maximum price can be established under Appendix E), the special maximum price by authorization determined as provided in Appendix F.

(d) *Items in which substitution is made of certain ingredients.* For sales of any item of packaged domestic distilled spirits in which imported neutral spirits, neutral spirits derived from domestic processing of imported distilled spirits, imported distilled spirits, high wines or spirits-fruit are substituted in the item, the processor's maximum

price shall be a maximum price established under paragraphs (a), (b), or (c), as though no substitution had been made, adjusted for the applicable substitution as provided in Appendix G.

SEC. 3.3 *General rules.* Processors must observe the following rules in establishing their maximum prices under this article.

(a) *Pricing methods provided in this article.* (1) Article III provides several pricing methods for processors' sales of items of packaged domestic distilled spirits. Those pricing methods are set forth in detail in Appendices A through G, and specific rules are provided therein for each pricing method. One of those methods requires processors of items of domestic whiskey of a brand name not sold or offered for sale by the processor during March 1942 to establish a prescribed uniform maximum price for the item. That method, set forth in Appendix E, applies only to items of domestic whiskey. From time to time appendices will be added in which prescribed uniform maximum prices will likewise be provided for items of other classifications of domestic distilled spirits such as brandy, rum, gin, cordials and liqueurs. Until such time as prescribed uniform maximum prices for each of those classifications are added to this article, processors of items of those classifications of a brand name not sold or offered for sale during March 1942 must establish special maximum prices by authorization in accordance with the provisions of Appendix F.

(2) Processors of items of a brand name, container size and formula (including proof) which they sold or offered for sale during March 1942, regardless of the classification thereof, are required to establish March 1942 maximum prices under Appendix A for sales to customers of a particular class to which the item was sold or offered for sale by the processor during March 1942. Where the sale is to a customer of a different class, the processor must establish a special maximum price by authorization under Appendix F. However, for items of domestic whiskey the processor may elect to establish a prescribed uniform maximum price under Appendix E. Where the processor elects to establish a prescribed uniform maximum price for any item of domestic whiskey he must, after making a sale at such price, establish prescribed uniform maximum prices for all sales thereafter to any purchaser of any item of domestic whiskey bearing the same brand name.

(3) Where only the container size of an item is different from that for the item sold or offered for sale by the processor during March 1942, the processor, except where he elects to establish a prescribed uniform maximum price for the item, must establish a converted March 1942 maximum price under the method in Appendix B. That method is applicable to all classifications of domestic distilled spirits subject only to the qualification that the change must be from and to the sizes covered in the appendix. For other sizes, the processor must establish a special maximum price by authorization under Appendix F.

(4) Where the proof of an item of domestic whiskey, domestic brandy, domestic gin or domestic rum is different from that of the item sold or offered for sale by the processor during March 1942, the processor, except where he elects to establish a prescribed uniform maximum price for the item, must establish a converted March 1942 maximum price under the method provided in Appendix C. For all other classifications of domestic distilled spirits where the proof is different from that for the item sold or offered for sale by the processor during March 1942, the processor must establish a special maximum price by authorization under Appendix F.

(5) Where the formula (other than proof) of an item of domestic whiskey is different from that for the item sold or offered for sale by the processor during March 1942, the processor, except where he elects to establish a prescribed uniform maximum price for the item, must establish a converted March 1942 maximum price under the method provided in Appendix D. For all other classifications of domestic distilled spirits, where the formula (other than proof) is different from that for the item sold or offered for sale by the processor during March 1942, the processor must establish a special maximum price by authorization under Appendix F.

(6) In any instance where two or more changes are involved the conversion must be made first, for the change in container size; second, for the change in proof; and third, for the change in formula other than proof.

(7) Where there is a substitution of certain ingredient distilled spirits an adjustment of the maximum prices established under other provisions of this article is provided in Appendix G.

(8) Notwithstanding the foregoing provisions of this article, converted March 1942 maximum prices as provided in Appendix D, and prescribed uniform maximum prices as provided in Appendix E cannot be established for items of domestic whiskey containing malt whiskey. For items of domestic whiskey containing malt whiskey, where the formula (other than proof) or brand name is different from that for the item sold or offered for sale by the processor during March 1942, the processor must establish a special maximum price by authorization under Appendix F.

(b) *Figuring maximum prices for each item separately.* Each item of packaged domestic distilled spirits must have a separate maximum price determined in accordance with the applicable pricing appendix. One item must not be considered the same as another if there is any difference in

(1) Their brand names,

(2) Their container sizes,

(3) Their formulae (as defined in section 7.12), or

(4) Requirements of United States labeling laws or regulations applicable to each, with respect to material information contained on their labels. Age, proof, type designation, and ingredients, as stated on the labels, shall be deemed material information. "Bottled in bond" domestic whiskey shall be deemed to be four years of age where no age statement appears on the labels.

"Item" means a particular brand name, formula and container size of packaged domestic distilled spirits of a particular classification or subclassification of identity.

"Classification" or "subclassification" of domestic distilled spirits, as used in this article, means the applicable classification or subclassification of identity contained in Articles II and III of Regulations No. 5 relating to Labeling and Advertising of Distilled Spirits, as amended, issued under the provisions of the Federal Alcohol Administration Act, as amended.

Any difference whatsoever between brand names shall be deemed to require separate pricing. For example, a change of name from "Royal King" to "Royal King Reserve" or to "Royal King Three Star" or to "Royal" is a change of brand name. However, a change of brand name when made to comply with any judicial decree, or to terminate legal proceedings to compel such change, shall not require the item to be repriced if the processor before changing the brand name, or having under such circumstances changed the brand name on or before January 6, 1944, notifies the Office of Price Administration, Beverage Section, Washington, D. C., in writing of the facts which require or did require the change; and if the processor receives written permission from a duly authorized officer of the Office of Price Administration to establish maximum prices for items bearing such brand name under the methods provided in this article for items of a brand name sold or offered for sale by the processor during March 1942.

(c) *Customer classifications.* (1) A separate maximum price must be established for the processor's sales of each item to each class of customers he sells in accordance with the method under which the maximum price for the item is established.

(i) Where a processor establishes a March 1942 maximum price under Appendix A, his customers for sales of the item must be classified in accordance with his March 1942 customer classifications. If the processor desires to sell the item so priced to a customer of a class to which he did not sell or offer to sell it during March 1942, he must establish a special maximum price by authorization under Appendix F.

(ii) Where a processor establishes a converted March 1942 maximum price under the Appendices B, C or D, his customers for sales of the item must be classified in accordance with his March 1942 customer classifications for sales of the item used as the base for the conversion. If the processor desires to sell the item so priced to customers of a class to which he did not sell or offer to sell the base item during March 1942, he must establish a special maximum price by authorization under Appendix F.

(iii) Where a processor establishes a prescribed uniform maximum price under Appendix E, his customers for sales of the item are to be classified only as wholesalers, monopoly states, primary distributing agents, retailers and consumers.

(iv) Where a processor establishes a special maximum price by authorization under Appendix F, the maximum price thus established shall apply only to the class of customers stated in the application or in the order, or amendment to this regulation issued pursuant thereto.

(v) Under subdivisions (i) and (ii) no purchaser shall be deemed to be in the same class as another if during March 1942, with respect to the processor's sales of items of packaged domestic distilled spirits to such persons, any difference existed in the rates of applicable taxes paid by the processor, or any difference existed in applicable transportation charges paid by the processor if the selling price was a delivered price. In no event shall a purchaser be deemed to be in the same class as another if there is any difference between such purchasers in accordance with the processor's March 1942 customer classifications or in the identity of such persons as described in the definitions in section 7.12.

(d) *Discounts, allowances, price differentials and terms of sale.* (1) Customary discounts, allowances and other price differentials (except "special deals" to which § 1499.4 (b) of the General Maximum Price Regulation applied) in effect during March 1942 in accordance with the processor's March 1942 customer classifications must be applied to his maximum prices established under this article: *Provided*, That discounts and allowances based solely on quantity purchases (in dollars or units) need not be maintained: *And, provided further*, That allowances and price differentials in accordance with the processor's March 1942 customer classifications need not be maintained with respect to sales of items for which prescribed uniform maximum prices are established.

NOTE: Nothing in the above paragraph shall be construed to prevent any sale at an amount lower than any maximum price established by this regulation. A processor need not maintain any customary discount, allowance or price differential if he reduces his maximum price by an amount which compensates all his customers of the particular class for the elimination of the discount, allowance or price differential.

(2) If a processor makes his terms of sale to a customer more onerous than those in effect during March 1942 for his sales to a customer of the same class, he must make a compensating reduction in his maximum price established under this article.

(3) If a processor directly or indirectly requires a customer to make payment in advance of delivery (whether to the processor or to another person), the processor must reduce his maximum prices established under this article for that sale by an amount equal to interest at the rate of 5 percent per annum on the amount of the advance payment from the date the payment is made to the date on which the item is delivered or the payment is refunded to the customer.

(e) *F. O. B. and delivered prices.* (1) Where a seller establishes a March 1942 maximum price or a converted March 1942 maximum price for an item, and the highest price at which he sold or offered to sell during March 1942 (used to determine such maximum price) was a delivered price, or an f. o. b. particular freight base point price, the maximum price thus established shall correspondingly be a delivered price or an f. o. b. particular freight base point price, as the case may be. A separate maximum price must be established for the item for each freight basing point from which shipment was made during March 1942 if the processor continues to make shipment from such freight basing point. In any instance where shipment is to be made from a freight basing point from which no shipment was made during March 1942, a special maximum price by authorization must be established under Appendix F.

(2) Prescribed uniform maximum prices are prices f. o. b. bottling plant, except as otherwise expressly provided.

(3) If a processor's maximum price is a price f. o. b. bottling plant, or f. o. b. a particular freight base point, and he desires to convert it to a delivered price for delivery to a point outside the metropolitan area of that place, he may add to his maximum price transportation charges from that place to the point of delivery at the same rate payable for the same transportation service in March 1942.

NOTE: For a definition of "transportation charges" and the method of computing them when the seller uses his own vehicle, see section 7.12 (d) (4) of Article VII.

(4) Any processor who during March 1942 maintained a practice of selling in specific territories on an average freight charge included in his selling price may continue such practice with respect to any maximum price established under this regulation, if he uses the same rates (no addition may be made for federal freight taxes) as he used in March 1942, and if he follows a uniform practice with respect to this method.

(f) *Sales and offers to sell.* Where the price for a sale or for an offer to sell during March 1942 is to be used in determining a maximum price under this article, the price for a sale completed by delivery during that month must be used if such sale was made. An offering price may be used only if no such sale was made during March 1942, if it was an offering price for supply or delivery during that month, and if the offer or an acceptance thereof is supported by written evidence.

Where the price for a sale or for an offer to sell during March 1942 is to be used by the processor in determining a maximum price under this article, the price so used must be the price for an item with respect to which he was the processor during March 1942.

(g) *Prior regulations, orders and interpretations superseded.* Except as otherwise provided in this regulation and in Supplementary Order No. 40,[1] Article III supersedes all other maximum price regulations, orders and interpretations issued by the Office of Price Administration before January 6, 1944, with respect to sales of packaged domestic distilled spirits by processors, including the applicable provisions of the following:

(1) Maximum Price Regulation No. 193.

(2) Orders Nos. 1 through 5 inclusive under Maximum Price Regulation No. 193:

Provided, That such maximum price regulations, orders and interpretations shall remain in force with respect to a particular sale of packaged domestic distilled spirits until provisions of this article become applicable thereto pursuant to section 3.7.

(h) *Price posting.* The processor shall post his maximum price for each item of packaged domestic distilled spirits to be sold or offered for sale to consumers by using the procedure provided in section 4.10 of Article IV for sales to consumers by processors of wines.

(i) *Affixing tax stamps.* No addition to a processor's maximum price established under this article shall be made for affixing federal strip stamps, State tax stamps, decalcomania insignia used in lieu of such State tax stamps, or any other stamps or insignia.

(j) *Maximum prices for individual containers.* The processor's maximum price for individual containers of an item to any class of customers shall be an amount determined by dividing his maximum price per case to a customer of the same class by the number of individual containers customarily packed in the case (see Appendix B for definition of case of quarts, fifths, tenths, pints and half-pints).

[Former paragraphs (f) through (k) redesignated (e) through (j) by Am. 15, effective 5-8-44]

SEC. 3.4 *Inability to fix maximum prices.* In any case where the processor is unable to establish a maximum price for a particular sale of an item of packaged domestic distilled spirits under other pricing provisions of this article, he shall establish a special maximum price by authorization in accordance with the provisions of Appendix F.

SEC. 3.5 *Applicable taxes.* In each instance taxes must be added to or included in a maximum price only in accordance with the specific conditions provided in each appendix to this article, and in accordance with the provisions of sections 7.2 and 7.3 of Article VII.

(a) Where pursuant to any of the provisions of this article an amount is required to be added for certain applicable taxes, the rates of such taxes must be applied only to the actual quantity packaged and sold. Taxes paid with respect to any quantity of distilled spirits lost in processing or otherwise cannot be added.

(b) For processors' sales of any item to a monopoly state, the amount of any tax which became effective after March 31, 1942, and which may be included in or added to the maximum price under the provisions of this article, shall be separately stated on the invoice issued in connection with each sale, or on a statement made in connection with any offer to sell.

(c) License, income, franchise, receipts, gross receipts, sales, use or other similar federal, state or local taxes cannot be in-

[1] 8 F.R. 4895.

cluded in or added to a maximum price established under this article, except that in certain cases a sales tax or gross receipts tax may be charged in addition to a maximum price under the conditions provided in section 7.2 of Article VII.

[Former subparagraphs (1), (2) and (3) redesignated as paragraphs (a), (b) and (c); (c) amended by Am. 15, effective 5-8-44]

SEC. 3.6 *Other provisions of this regulation applicable to sales for which maximum prices are established under this article.* The following sections of Article VII of this regulation shall apply to sales for which maximum prices are established under this article:

Section 7.1 *Treatment of fractional parts of a cent in figuring maximum prices.*
Section 7.1a *Changes in case sizes.*
Section 7.2 *When a sales tax may be charged in addition to a maximum price.*
Section 7.2a *Treatment of brokers compensation.*
Section 7.3 *When new taxes, or increases in existing taxes may be added to a maximum price.*
Section 7.3a *Distribution of packaged distilled spirits or wine.*
Section 7.4 *Use of minimum resale prices under State Fair Trade Laws.*
Section 7.4a *Maximum prices for sellers for whom no specific provision is made.*
Section 7.5 *Adjustment of maximum prices for tax exempt sales to the United States or any agency thereof.*
Section 7.5a *Deposit charges on containers.*
Section 7.6 *Certain provisions of the General Maximum Price Regulation continued in effect.*
Section 7.6a *Licensing.*
Section 7.7 *Export sales.*
Section 7.7a *Compliance with other laws or regulations.*
Section 7.8 *Compliance with this regulation.*
Section 7.9 *Current records required.*
Section 7.10 *Petitions for amendment.*
Section 7.11 *Adjustable pricing in certain instances.*
Section 7.12 *Definitions.*
Section 7.13 *Geographical applicability.*

[References to Sections 7.1a, 7.2a, 7.4a, 7.5a, 7.6a and 7.7a added by Am. 15, effective 5-8-44]

SEC. 3.7 *Dates on which this article shall apply.* This article shall apply to all sales or offers to sell of items of packaged domestic distilled spirits by a processor on and after January 6, 1944, *Provided*, That with respect to sales of any item for which the processor is required or permitted to establish a special maximum price by authorization under Appendix F, if the processor files an application in accordance with Appendix F on or before January 21, 1944, the maximum price established for the item in accordance with Maximum Price Regulation No. 193 or other appropriate regulations or orders shall remain in force and effect until a special maximum price by authorization is established pursuant to Appendix F, or until May 21, 1944; notwithstanding the provisions of paragraph (e) (1) of Appendix F of Article III, in the case of applications for the establishment of special maximum prices by authorization filed prior to March 21, 1944, the maximum prices proposed in such applications shall not be deemed authorized until May 21, 1944, unless an order establishing such maximum prices shall have been issued by the Price Administrator prior to March 21, 1944, or prior to May 21, 1944: *And provided further*, That this article shall not apply to any sale which the processor is required by statute, ordinance or regulation to make at a price posted or listed prior to the appropriate date referred to above, with a state or other public authority (if the price so posted or listed is greater or less than that established by this article for such sale) until on and after the first effective date for prices so posted or listed at the first opportunity following the fourth day after that date.

NOTE: In the following appendices the examples are offered for purposes of illustration only. The examples are not to be regarded as a substantive part of this regulation. They neither enlarge nor restrict the definitive provisions. The examples do not reflect the applicable amount of the increase effective April 1, 1944 in United States excise taxes.

[Sec. 3.7 amended by Am. 14, 9 F.R. 3152, effective 3-21-44]

APPENDIX A—MARCH 1942 MAXIMUM PRICES

(a) *Rules for establishing maximum prices under Appendix A.* (1) A March 1942 maximum price is applicable only when the brand name, formula (including proof) and container size of the item are exactly the same as those for the item sold or offered for sale by the processor during March 1942.

(2) A March 1942 maximum price is applicable only to sales to customers of the same class as that to which the item was sold or offered for sale by the processor during March 1942. For sales of the item to customers of another class, a special maximum price by authorization must be established under Appendix F.

(3) A March 1942 maximum price is inapplicable to sales of any item of domestic whiskey bearing the same brand name as an item for which the processor has established a prescribed uniform maximum price under Appendix E.

(b) *Procedure for establishing March 1942 maximum prices.* The processor's March 1942 maximum price per case for sales of an item to customers of a particular class is the highest price per case at which the processor sold or offered to sell the same item during March 1942 to a customer of the same class, in accordance with the processor's March 1942 customer classifications, plus the applicable amount of any new or increased federal, state or local excise tax which became effective after March 31, 1942 and before November 3, 1942: *Provided*, That the amount of such tax imposed is actually paid or has accrued and become payable by the processor to the proper taxing authority or to any prior vendor.

NOTE: For addition of applicable excise taxes which became effective after November 2, 1942, see section 7.3 of Article VII.

See section 3.3 (c) for rules respecting customer classifications.

The *March 1942 maximum price* does not include any additions permitted under MPR No. 193 for the use of high wines. Adjustments permitted in such cases must be made under Appendix G.

APPENDIX B—CONVERTED MARCH 1942 MAXIMUM PRICES FOR CHANGES IN CONTAINER SIZES

(a) *Rules for establishing maximum prices under Appendix B.* (1) A converted March 1942 maximum price provided in this Appendix cannot be established for an item in the same container size as that in which it was sold or offered for sale by the processor during March 1942.

(2) The conversion provided in this Appendix must be made from the processor's March 1942 maximum price for the largest container size of the item sold or offered for sale by the processor during March 1942 for which a conversion method is provided in this Appendix.

(3) The converted March 1942 maximum price is applicable only to sales to customers of the same class as that to which the base item was sold or offered for sale by the processor during March 1942.

(4) The converted March 1942 maximum price is applicable only where the container size sold or offered for sale by the processor during March 1942 and the container size to be priced are sizes covered in this Appendix. For conversions involving other sizes, a special maximum price by authorization must be established under Appendix F.

(5) The converted March 1942 maximum price is inapplicable to sales of any item of domestic whiskey bearing the same brand name as an item of domestic whiskey for which the processor has established a prescribed uniform maximum price provided in Appendix E.

(b) *Procedure for establishing converted March 1942 maximum prices.* The processor's converted March 1942 maximum price (for a change in container size) for sales of an item to customers of a particular class is the processor's March 1942 maximum price provided in Appendix A for the base item, adjusted for the change in container size as set forth below. The "base item" is an item of the same brand name and formula (including proof) in the largest container size (covered herein) sold or offered for sale during March 1942 to a customer of the same class, in accordance with the processor's March 1942 customer classifications.

(1) Subtract from the March 1942 maximum price per case for the base item the following charges included therein:

(i) The amount of any state or local tax (except a processing tax).

(ii) The amount of any freight or transportation charges, if the March 1942 maximum price for the base item is a delivered price.

(2) For a change from a case of quarts, pints or half-pints to a case of fifths or tenths:

(i) Subtract from the resulting figure in (1), in accordance with the container size of the base item, $1.50 for quarts, $2.10 for pints, or $2.85 for half-pints;

(ii) Multiply the resulting figure in (i) by .80; and

(iii) Add to the resulting figure in (ii) the amount of $1.50 if the size to be priced is fifths, $2.10 if tenths.

(3) For a change from a case of fifths or tenths to a case of quarts, pints or half-pints:

(i) Subtract from the resulting figure in (1), in accordance with the container size of the base item, $1.50 for fifths, or $2.10 for tenths;

(ii) Multiply the resulting figure in (i) by 1.25; and

(iii) Add to the resulting figure in (ii) the amount of $1.50 if the size to be priced is quarts, $2.10 if pints, or $2.85 if half-pints.

(4) Add to the resulting figure in subparagraphs (2) or (3), as the case may be, the following amounts:

(i) The applicable amount of freight or transportation charges, at rates in effect during March 1942, if the March 1942 maximum price for the base item is a delivered price, using the same method of calculating such charges that he used in figuring his delivered price during March 1942.

(ii) The applicable amount of any state or local excise tax at rates in effect on November 2, 1942; *Provided*, That the amount of such tax imposed is actually paid or has accrued and become payable by the processor to the proper taxing authority or to any prior vendor.

The resulting figure is the converted March 1942 maximum price for the changed container size covered in subparagraphs (2) or (3), as the case may be.

(5) For a change from a case of quarts, pints or half-pints to a case of any of the other such container sizes:

(i) Subtract from the March 1942 maximum price for the base item the amount of freight or transportation charges included therein if such price is a delivered price.

(ii) Add to or subtract from the resulting figure in (i) the amount indicated in the table below for the container size to be priced.

From—	To quarts	To pints	To half-pints
Quarts		+$.60	+$1.35
Pints	−$.60		+.75
Half-pints	−1.35	−.75	

(iii) Add the applicable amount of freight or transportation charges at rates in effect during March 1942, if the March 1942 maximum price for the base item is a delivered price, using the same method of calculating such charges that he used in figuring his delivered price during March 1942.

The resulting figure is the converted March 1942 maximum price for the changed container size covered in subparagraph (5).

(6) For a change from a case of fifths to a case of tenths, or for a change from a case of tenths to a case of fifths:

(i) Subtract from the March 1942 maximum price for the base item the amount of freight or transportation charges included therein if such price is a delivered price.

(ii) Subtract 60 cents from the resulting figure in (i) if the size to be priced is fifths, and add 60 cents to the resulting figure in (i) if the size to be priced is tenths.

(iii) Add the applicable amount of freight or transportation charges at rates in effect during March 1942, if the March 1942 maximum price for the base item is a delivered price, using the same method of calculating such charges that he used in figuring his delivered price during March 1942.

The resulting figure is the converted March 1942 maximum price for the changed container size covered in subparagraph (6).

(7) As used in this Appendix the term:

"Case of quarts" means a total quantity of 3 wine gallons of domestic distilled spirits packaged in 12 individual containers of one-fourth wine gallon each, all enclosed in a single carton or box.

"Case of fifths" means a total quantity of 2.4 wine gallons of domestic distilled spirits packaged in 12 individual containers of one-fifth wine gallon each, all enclosed in a single carton or box.

"Case of pints" means a total quantity of 3 wine gallons of domestic distilled spirits packaged in 24 individual containers of one-eighth wine gallon each, all enclosed in a single carton or box.

"Case of half-pints" means a total quantity of 3 wine gallons of domestic distilled spirits packaged in 48 individual containers of one-sixteenth wine gallon each, all enclosed in a single carton or box.

"Case of tenths" means a total quantity of 2.4 wine gallons of domestic distilled spirits packaged in 24 individual containers of one-tenth wine gallon each, all enclosed in a single carton or box.

(c) *Reports required to be filed.* On or before the date of making the first sale of an item at a converted March 1942 maximum price established under this Appendix, the processor shall, by letter to the Office of Price Administration, Beverage Section, Washington, D. C., report the maximum price so established. The letter-report shall contain the following:

(1) The name and address of the processor filing the report.

(2) A statement that the report is filed under Appendix B to Article III of MPR 445.

(3) The brand name and container size of the item which is the subject of the report.

(4) The date upon which the processor filed OPA Form 635-232-A (brand name report required under Amendment No. 6 to MPR 193) for the base item used for the conversion made under this Appendix.

(5) The converted March 1942 maximum price for the item which is the subject of the report, and a statement showing the steps (similar to those illustrated by the examples) made by the processor to figure such price, in accordance with procedure provided in this Appendix.

(6) A list of all items of the same brand name and formula sold or offered for sale by the processor during March 1942.

Neither acceptance nor failure to act upon a letter-report filed under this paragraph shall constitute approval by the Office of Price Administration of the maximum prices so reported.

APPENDIX C—CONVERTED MARCH 1942 MAXIMUM PRICES FOR CHANGES IN PROOF ONLY

(a) *Rules for establishing maximum prices under Appendix C.* (1) The conversion provided in this Appendix is applicable only to items of domestic whiskey, domestic gin, domestic brandy and domestic rum. For items of any other classification in which the proof differs from that for the item sold or offered for sale during March 1942, the processor must establish a special maximum price by authorization under Appendix F.

(2) If the processor during March 1942 sold or offered for sale two or more items differing only with respect to proof or container size, a converted March 1942 maximum price in this Appendix cannot be established for those items.

(3) The conversion provided in this Appendix must be made from the processor's March 1942 maximum price for an item of the same brand name and formula (except for the difference in proof) at the highest degree of proof sold or offered for sale by the processor during March 1942.

(4) The converted March 1942 maximum price is applicable only to sales to customers of the same class as that to which the base item was sold or offered for sale by the processor during March 1942.

(5) The converted March 1942 maximum price is inapplicable to sales of any item of domestic whiskey bearing the same brand name as an item for which the processor has established a prescribed uniform maximum price provided in Appendix E.

(b) *Procedures for establishing converted March 1942 maximum prices.* The processor's converted March 1942 maximum price per case (for a change in proof) for sales of an item to customers of a particular class is the processor's March 1942 maximum price provided in Appendix A for the base item, adjusted for the change in proof as set forth below. The "base item" is an item of the same brand name, container size and formula (except for a difference in proof) at the highest degree of proof sold or offered for sale by the processor during March 1942 to a customer of the same class, in accordance with the processor's March 1942 customer classifications.

(c) In any instance where the container size of the item to be priced differs from that of the base item in paragraph (b), the processor's March 1942 maximum price for the base item shall first be adjusted under Appendix B for the difference in container size, and the converted March 1942 maximum price for the item in such changed container size shall then be adjusted for the change in proof as follows:

(1) Subtract from the March 1942 maximum price in paragraph (b) or from the converted March 1942 maximum price in paragraph (c), as the case may be, the following charges included therein:

(i) The amount of federal rectification tax;

(ii) The amount of any state or local tax (except a processing tax); and

(iii) The amount of any freight or transportation charges if the price in (a) or (b) is a delivered price.

(2) Subtract from the resulting figure in subparagraph (1) the amount of $1.50 if quarts or fifths are to be priced; $2.10 if pints or tenths, or $2.85 if half-pints.

(3) Figure the cost per degree of proof by dividing the resulting figure in subparagraph (2) by the number of degrees of proof of the formula of the base item. (This computation must be carried to four decimal places).

(4) Multiply the resulting figure in subparagraph (3) by the number of degrees of proof of the formula of the item to be priced.

(5) Add to the resulting figure in subparagraph (4) the following amounts:

(i) The amount of casing cost subtracted in subparagraph (2).

(ii) The applicable amount of freight or transportation charges, at rates in effect during March 1942, if the price in paragraphs (b) or (c) is a delivered price, using the same method of calculating such charges that he used in figuring his delivered price during March 1942.

(iii) The applicable amount of any state or local excise tax at rates in effect on November 2, 1942, and the applicable amount of federal rectification tax at rates in effect on November 2, 1942; *Provided*, That the amount of such taxes imposed are actually paid or have accrued and become payable by the processor to the proper taxing authority or to any prior vendor.

The resulting figure is the converted March 1942 maximum price for the change in proof, or for the change in container size and proof, as the case may be.

(d) *Reports required to be filed.* On or before the date of making the first sale of an item at a converted March 1942 maximum price established under this Appendix, the processor shall, by letter to the Office of Price Administration, Beverage Section, Washington, D. C., report the maximum price so established. The letter-report shall contain the following:

(1) The name and address of the processor filing the report.

(2) A statement that the report is filed under Appendix C to Article III of MPR 445.

(3) The brand name, container size and proof of the item which is the subject of the report.

(4) The date upon which the processor filed OPA Form 635-232-A (brand name report required under Amendment No. 6 to MPR 193) for the base item used for the conversion made under this Appendix.

(5) The converted March 1942 maximum price for the item which is the subject of the report, and a statement showing the steps (similar to those illustrated by the examples) made by the processor to figure such price, in accordance with procedure provided in this Appendix.

(6) A list of all items of the same brand name sold or offered for sale by the processor during March 1942.

Neither acceptance nor failure to act upon a letter-report filed under this paragraph shall constitute approval by the Office of Price Administration of the maximum prices so reported.

APPENDIX D—CONVERTED MARCH 1942 MAXIMUM PRICES FOR CHANGES IN FORMULAE OTHER THAN PROOF

(a) *Rules for establishing maximum prices under Appendix D.* (1) The conversion provided in this Appendix is applicable only to items of domestic whiskey, except items containing malt whiskey. For items of all other classifications including items of domestic whiskey which contain malt whiskey, in which the formula (other than proof) differs from that for the item sold or offered for sale by the processor during March 1942, the processor must establish a special maximum price by authorization under Appendix F.

(2) The converted March 1942 maximum price is inapplicable to sales of any item of domestic whiskey bearing the same brand name as an item for which the processor has elected to establish a prescribed uniform maximum price provided in Appendix E.

(3) The conversion provided in this Appendix must be made from the processor's March 1942 maximum price for an item of the same brand name as that to be priced.

(4) The converted March 1942 maximum price established under this Appendix is applicable only to sales to customers of the same class as that to which the base item was sold or offered for sale by the processor during March 1942.

(5) The converted March 1942 maximum price established under this Appendix is applicable only where the new formula replaces the formula used as the base for the conversion. The processor cannot continue to sell both the item of the base formula at the March 1942 maximum price or the converted March 1942 maximum price for other changes and the item of the new formula at the converted March 1942 maximum price established under this Appendix. Where he desires to sell items of both formulae each such item must be priced under Appendix E by establishing prescribed uniform maximum prices, and all other items of domestic whiskey bearing the same brand name must also be priced under Appendix E.

(6) In computing whiskey costs under the methods provided in this Appendix, the age used for the computation shall be the age shown on the labels, and for blends, where the respective ages are not separately stated on the labels, the age of the youngest whiskey in the blend as stated on the labels. "Bottled in bond" domestic whiskey shall be deemed to be four years of age where no age statement appears on the labels.

(b) *Procedures for establishing converted March 1942 maximum prices.* The converted March 1942 maximum price (for a change in formula other than proof) for sales of an item to customers of a particular class is the processor's March 1942 maximum price provided in Appendix A for the base item, adjusted for the change in formula (other than proof) as set forth below. The "base item" is an item of domestic whiskey of the same brand name sold or offered for sale by the processor during March 1942 to a customer of the same class, in accordance with the processor's March 1942 customer classifications.

(c) In any instance where either or both the container size and proof of the item to be priced differ from that of the base item in paragraph (b), the March 1942 maximum price for such base item shall first be adjusted under Appendix B for the difference in container size, if any, and second, under Appendix C for the difference in proof, if any. The converted March 1942 maximum price for the altered base item, in accordance with either or both of such changes, shall then be adjusted for the other changes in formula as follows:

(d) Subtract from the March 1942 maximum price in paragraph (b) or from the converted March 1942 maximum price in paragraph (c), as the case may be, the amount of federal rectification tax, if any, included in such price.

(e) Ascertain from Table I the cost of the whiskey or the cost of the whiskey and neutral spirits, as the case may be, both per case of the base item in paragraph (b) or of the altered base item in paragraph (c), and per case of the item to be priced, as follows:

(1) *Formulae composed entirely of whiskey of one age.* (i) Multiply the cost of the whiskey, as determined from Table I, in accordance with the age and container size of the item, by the percentage of proof of the item. The resulting figure is the cost of the whiskey for the particular formula and container size.

(ii) Determine the amount of the difference between the cost for the formula of the item to be priced and the cost for the formula of the base item in paragraph (b) or the altered base item in paragraph (c), as the case may be.

(iii) Adjust the resulting figure in paragraph (d) above as follows:

(a) Where the amount of the cost for the formula of the item to be priced is greater than the amount of the cost for the formula of the base item or the altered base item, as the case may be, add the amount of the difference between the respective costs to the resulting figure in paragraph (d).

(b) Where the amount of the cost for the formula of the item to be priced is less than the amount of the cost for the formula of the base item or the altered base item as the case may be, subtract the amount of the difference between the respective costs from the resulting figure in paragraph (d).

(c) Add to the resulting figure in (a) or (b), as the case may be, the applicable amount of federal rectification tax, if any, for the item to be priced: *Provided*, That the amount of such tax is actually paid or has accrued and become payable by the processor to the proper taxing authority or to any prior vendor.

The resulting figure is the converted March 1942 maximum price for a change in formula (other than proof), or for a change in either or both the container size and formula (including proof), as the case may be.

(2) *Formulae composed entirely of whiskey of more than one age.* (i) Multiply the cost for each age of whiskey in the formula of the item, as determined from Table I, by the percentage of whiskey of such cost present in the formula, and determine the total of such computations.

(ii) Multiply the resulting figure in (i) by the percentage of proof of the item.

(iii) Determine the amount of the difference between the cost for the formula of the item to be priced and the cost for the formula of the base item in paragraph (b) or the altered base item in paragraph (c), as the case may be.

(iv) Adjust the resulting figure in paragraph (d) as follows:

(a) Where the amount of the cost for the formula of the item to be priced is greater than the amount of the cost for the formula of the base item or the altered base item, as the case may be, add the amount of the difference between the respective costs to the resulting figure in paragraph (d).

(b) Where the amount of the cost for the formula of the item to be priced is less than the amount of the cost for the formula of the base item or the altered base item, as the case may be, subtract the amount of the difference between the respective costs from the resulting figure in paragraph (d).

(c) Add to the resulting figure in (a) or (b), as the case may be, the applicable amount of federal rectification tax, if any, for the item to be priced: *Provided*, That the amount of such tax is actually paid or has accrued and become payable by the processor to the proper taxing authority or to any prior vendor.

The resulting figure is the converted March 1942 maximum price for a change in formula (other than proof), or for a change in either or both the container size and formula (including proof), as the case may be.

(3) *Formulae composed of both whiskey and neutral spirits.* (i) Multiply the cost for each age of whiskey in the formula of the item, as determined from Table I, by the percentage of whiskey of such cost present in the formula.

(ii) Multiply the cost for neutral spirits in the formula of the item, as determined from Table I, by the percentage of neutral spirits present in the formula.

(iii) Determine the total of the resulting figures in (i) and (ii), and multiply the figure so obtained by the percentage of proof of the item.

The resulting figure is the cost of the whiskey and neutral spirits for the particular formula and container size.

(iv) Determine the amount of the difference between the cost for the formula of the item to be priced and the cost for the formula of the base item in paragraph (b) or the altered base item in paragraph (c), as the case may be.

(v) Adjust the resulting figure in paragraph (d) as follows:

(a) Where the amount of the cost for the formula of the item to be priced is greater than the amount of the cost for the formula of the base item or altered base item, as the case may be, add the amount of the difference between the respective costs to the resulting figure in paragraph (d).

(b) Where the amount of the cost for the formula of the item to be priced is less than the amount of the cost for the formula of the base item or the altered base item, as the case may be, subtract the amount of the difference between the respective costs from the resulting figure in paragraph (d).

(c) Add to the resulting figure in (a) or (b), as the case may be, the applicable amount of federal rectification tax, if any, for the item to be priced: *Provided*, That the amount of such tax is actually paid or has accrued and become payable by the processor to the proper taxing authority or to any prior vendor.

The resulting figure is the converted March 1942 maximum price for a change in formula (other than proof), or for a change in either or both the container size and formula (including proof), as the case may be.

(f) *Reports required to be filed.* On or before the date of making the first sale of an item at a converted March 1942 maximum price established under this Appendix, the processor shall, by letter to the Office of Price Administration, Beverage Section, Washington, D. C., report the maximum price so established. The letter-report shall contain the following:

(1) The name and address of the processor filing the report.

(2) A statement that the report is filed under Appendix D to Article III of MPR 445.

(3) The brand name, container size and formula of the item which is the subject of the report. (Attach front and back labels to letter-report.)

(4) The date upon which the processor filed OPA Form 635-232-A (brand name report required under Amendment No. 6 to MPR 193) for the base item used for the conversion made under this Appendix.

(5) The converted March 1942 maximum price for the item which is the subject of the report, and a statement showing the steps (similar to those illustrated by the examples) made by the processor to figure such price, in accordance with procedure provided in this Appendix.

(6) A list of all items of the same brand name sold or offered for sale by the processor during March 1942.

Neither acceptance nor failure to act upon a letter-report filed under this paragraph shall constitute approval by the Office of Price Administration of the maximum prices so reported.

TABLE I—COSTS OF DOMESTIC STRAIGHT WHISKEY AND NEUTRAL SPIRITS

Age in months		Domestic whiskey cost at 100° proof		Neutral spirits cost at 100° proof	
More than—	Not more than—	3 gallon case of qts., pts. or half pts	2.4 gallon case of fifths	3 gallon case of qts., pts. or half pts.	2.4 gallon case of fifths
------	9	$2.463	$1.970	$1.95	$1.56
9	15	2.946	2.356	1.95	1.56
15	21	3.462	2.769	1.95	1.56
21	27	3.969	3.175	1.95	1.56
27	33	4.500	3.600	1.95	1.56
33	39	5.022	4.017	1.95	1.56
39	45	5.532	4.425	1.95	1.56
45	51	6.072	4.857	1.95	1.56
51	57	6.600	5.280	1.95	1.56
57	63	7.077	5.661	1.95	1.56
63	69	7.539	6.031	1.95	1.56
69	75	8.028	6.422	1.95	1.56
75	81	8.550	6.840	1.95	1.56
81	87	9.105	7.284	1.95	1.56
87	93	9.348	7.478	1.95	1.56
93	------	9.600	7.680	1.95	1.56

[Box head as amended by Am. 15, effective 5-8-44]

APPENDIX E—PRESCRIBED UNIFORM MAXIMUM PRICES

(a) *Rules for establishing maximum prices under Appendix E.* (1) The prescribed uniform maximum price provided in this Appendix is applicable only to items of domestic whiskey (not including items containing malt whiskey). All other classifications of domestic distilled spirits (including malt whiskey) must be priced under other applicable provisions of Article III.

(2) All items of domestic whiskey of a brand name not sold or offered for sale by the processor during March 1942 must be priced under this Appendix. Any item of domestic whiskey, whether or not sold or offered for sale by the processor during March 1942 may be priced under this Appendix. However, after once making a sale of an item of domestic whiskey at a prescribed uniform maximum price provided in this Appendix, maximum prices for all sales thereafter of any item of domestic whiskey bearing the same brand name, under any formula or in any container size, must be established under this Appendix.

(3) Any change whatsoever in the brand name of an item of domestic whiskey sold or offered for sale by the processor during March 1942 shall be deemed to be a new brand name, and the item so changed must be priced under this Appendix.

(4) Prescribed uniform maximum prices are applicable only to the particular classes of customers specified in this Appendix. For all other classes of customers a special maximum price by authorization must be established under Appendix F.

(5) In computing prices under the methods provided in this Appendix, the age of the whiskey in the formula shall be the age shown on the labels, and for blends, where the respective ages are not separately stated on the labels, the age of the youngest whiskey in the blend as stated on the labels. "Bottled in bond" domestic whiskey shall be deemed to be four years of age where no age statement appears on the labels.

(b) *Procedures for establishing prescribed uniform maximum prices.*

The processor's maximum price per case, for sales of an item of packaged domestic whiskey to customers of the classes specified below, shall be the *prescribed uniform maximum price* determined as follows:

(1) *Processors' sales to wholesalers and monopoly states.*

(i) *Formulae composed entirely of whiskey of one age.*

(a) Ascertain from Table II the applicable maximum price per case of quarts or fifths, respectively, in accordance with the age of the whiskey in the formula, at 80° proof.

NOTE: Table II prices are shown only at 80° proof in quarts and fifths. They are completed prices for items at 80° proof in quarts and fifths, except for applicable state and local taxes for which see (d) below.

(b) Where the proof of the item to be priced is greater than 80°, ascertain from Table II the applicable proof adjustment figure in accordance with the age of the whiskey in the formula and the container size, and multiply such proof adjustment figure by a figure equal to the difference between 80 and the number of degrees of proof of the item to be priced. Add the resulting figure to the amount determined in (a).

(c) Where the container sizes to be priced are either pints or half-pints, add to the resulting figure in (b) per case of quarts $0.60 if pints are to be priced, and $1.35 if half-pints.

(d) Where state or local excise taxes apply, add to the figure obtained in (a), (b) or (c), as the case may be, the applicable amount of any state or local excise tax in effect on November 2, 1942; *Provided*, That the amount of such tax imposed is actually paid or has accrued and become payable by the processor to the proper taxing authority or to any prior vendor; *And provided further*, That the amount of such tax once so added shall not again be added to the maximum prices established under subparagraphs (2), (3) and (4) of this paragraph (b).

The resulting figure in (a), (b), (c) or (d), as the case may be, is the processor's *prescribed uniform maximum price* f. o. b. bottling plant, for sales to wholesalers and monopoly states of an item of packaged domestic whiskey where the formula of the item is composed entirely of whiskey of one age.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944 in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(ii) *Formulae composed entirely of whiskey of more than one age.*

(a) Ascertain the weighted average age of the whiskey in the formula by multiplying the percentage of each age of whiskey in the formula by the age (in months) of such whiskey, and determine the total of such computations.

Whiskey over 96 months old shall be deemed 96 months old for the purpose of this computation.

[Above sentence added by Am. 15, effective 5-8-44]

The resulting figure is the weighted average age of the whiskey in the formula.

NOTE: Where the label of the item contains no age specification other than a statement of the youngest age in the blend compute whiskey cost in (b) on the basis of the youngest age as stated on the label. In such case, weighted average age must not be computed.

(b) Ascertain from Table II the applicable maximum price per case of quarts or fifths, respectively, in accordance with the weighted average age of the whiskey in the formula, at 80° proof.

(c) Where the proof of the item to be priced is greater than 80°, ascertain from Table II the applicable proof adjustment figure in accordance with the weighted average or youngest age of the whiskey in the formula and the container size, and multiply such proof adjustment figure by a figure equal to the difference between 80 and the number of degrees of proof of the formula to be priced. Add the resulting figure to the amount determined in (b).

(d) Where the container sizes to be priced are either pints or half-pints, add to the resulting figure in (c) per case of quarts $0.60 if pints are to be priced, and $1.35 if half-pints.

(e) Where federal rectification or state or local taxes apply, add to the figure obtained in (b), (c), or (d), as the case may be, the applicable amount of federal rectification tax in effect on November 2, 1942, and the applicable amount of any state or local excise tax in effect on November 2, 1942: *Provided*, That the amount of such taxes imposed are actually paid or have accrued and become payable by the processor to the proper taxing authority or to any prior vendor; and *provided further*, that the amount of such taxes once so added shall not again be added to the maximum prices established under subparagraphs (2), (3) and (4) of this paragraph (b).

The resulting figure, (b), (c), (d) or (e), as the case may be, is the processor's *prescribed uniform maximum price* f. o. b. bottling plant for sales to wholesalers and monopoly states of an item of packaged domestic whiskey where the formula of the item is composed entirely of whiskey of more than one age.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944 in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(iii) *Formulae composed of both whiskey and neutral spirits.*

(a) Ascertain the weighted average age of the whiskey in the formula by multiplying the percentage of each age of whiskey in the formula by the age (in months) of such whiskey; determine the total of the figures so obtained; and divide that total by the total percentage of whiskey in the formula.

Whiskey over 96 months old shall be deemed 96 months old for the purpose of this computation.

[Above sentence added by Am. 15, effective 5-8-44]

The resulting figure is the weighted average age of the whiskey in the formula.

NOTE: Where the label of the item contains no age specification other than a statement of the youngest age in the blend, compute cost in (b) on the basis of the youngest age as stated on the label. In such case, weighted average age must not be computed.

(b) Ascertain from Table III the applicable maximum price per case of quarts at 80° proof, or from Table IV the applicable maximum price per case of fifths at 80° proof, in accordance with the weighted average or youngest age of the whiskey and the percentage of neutral spirits in the formula.

(c) Where the proof of the items to be priced is greater than 80°, ascertain from Table III (for quarts) or from Table IV (for fifths) the applicable proof adjustment figure in accordance with the weighted average or youngest age of the whiskey and the percentage of neutral spirits in the formula,

and multiply such proof adjustment figure by a figure equal to the difference between 80 and the number of degrees of proof of the item to be priced. Add the resulting figure to the amount determined in (b).

(d) Where the container sizes to be priced are either pints or half-pints, add to the resulting figure in (c) per case of quarts $.60 if pints are to be priced, and $1.35 if half-pints.

(e) Where state or local excise taxes apply, add to the resulting figure in (b), (c) or (d), as the case may be, the applicable amount of any state or local excise tax in effect on November 2, 1942; *Provided*, That the amount of such tax imposed is actually paid or has accrued and become payable by the processor to the proper taxing authority; or to any prior vendor; and *provided further*, that the amount of such tax once so added shall not again be added to the maximum prices established under subparagraphs (2), (3) and (4) of this paragraph (b).

The resulting figure is the processor's *prescribed uniform maximum price* f. o. b. bottling plant for sales to wholesalers and monopoly states of an item of packaged domestic whiskey where the formula of the item is composed of both whiskey and neutral spirits.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944 in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(2) *Processors' sales to primary distributing agents.* The processor's *prescribed uniform maximum price* per case, f. o. b. bottling plant, for sales to primary distributing agents shall be the processor's *prescribed uniform maximum price* per case f. o. b. bottling plant, for sales of the item to wholesalers and monopoly states (determined as provided in subparagraph (1) above), subject to any discount, allowance or price differential agreed upon by the particular processor and primary distributing agent.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944 in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price may be added to that price in accordance with section 7.3.

(3) *Processors' sales to retailers.*

(i) *Sales of items shipped directly to the retailer's premises from the bottling plant.* The processor's *prescribed uniform maximum price* per case for sales of an item shipped directly to the retailer's premises from the bottling plant shall be figured by the processor as follows:

(a) Determine the prescribed uniform maximum price per case f. o. b. bottling plant, in accordance with subparagraph (1) above, for his sales of the item to wholesalers and monopoly states (excluding, however, the increase effective April 1, 1944, in Federal excise taxes or new or increased state or local excise taxes effective after November 2, 1942).

(b) Add to the figure so obtained the applicable amount of any state or local excise tax at rates in effect on November 2, 1942: *Provided*, That the amount of such tax is actually paid by the processor.

(c) Multiply the resulting figure in (b) by the percentage markup provided in section 5.4 (b) (1) (i) of Article V for sales of packaged distilled spirits by wholesalers to retailers.

(d) Add to the resulting figure in (c) the actual amount of transportation charges paid by the processor if such charges are prepaid by him.

The resulting figure in (c) or (d), as the case may be, is the processor's *prescribed uniform maximum price* per case for sales of an item shipped directly to the retailer's premises from the bottling plant.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944, in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(ii) *Sales of items shipped to the retailer's premises from the processor's zone warehouse.* The processor's *prescribed uniform maximum price* for sales of an item shipped to the retailer's premises from the processor's zone warehouse shall be figured by the processor as follows:

(a) Determine the prescribed uniform maximum price per case f. o. b. bottling plant, in accordance with subparagraph (1) above, for his sales of the item to wholesalers and monopoly states (excluding, however, the increase effective April 1, 1944, in Federal excise taxes or new or increased state or local excise taxes effective after November 2, 1942).

(b) Add to the figure so obtained the actual amount of transportation charges paid by the processor for shipment from the bottling plant to his zone warehouse. No amount shall be included for local hauling, loading, unloading, drayage or other handling.

(c) Add the resulting figure in (b), the applicable amount of any state or local excise tax at rates in effect on November 2, 1942: *Provided*, That the amount of such tax is actually paid by the processor.

(d) Multiply the resulting figure in (c) by the percentage markup provided in section 5.4 (b) (1) (i) of Article V for sales of packaged distilled spirits by wholesalers to retailers.

The resulting figure in (d) is the processor's *prescribed uniform maximum price* per case, delivered to the retailer's premises, for his sales of an item to a retailer located within the metropolitan area of the processor's zone warehouse, and it is also the processor's *prescribed uniform maximum price* per case, f. o. b. zone warehouse, for sales of an item to a retailer located outside of the metropolitan area of such warehouse.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944, in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(4) *Processor's sales to consumers.* The processors' prescribed uniform maximum price provided in subparagraph (1) for sales of the item to wholesalers and monopoly states (excluding, however, the increase effective April 1, 1944, in Federal excise taxes or new or increased state or local excise taxes effective after November 2, 1942) plus the additions provided in section 5.3 (b) (2) and (3) (i) of Article V and the total thereof multiplied by the percentage markup provided in section 5.5 (b) (1) (i) of Article V for sales of packaged domestic distilled spirits by retailers to consumers, shall be the processors' prescribed uniform maximum price for sales of the item to consumers.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increases effective April 1, 1944 in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(c) *Reports required to be filed.* On or before the date of making the first sale of an item at a *prescribed uniform maximum price* established under this Appendix, the processor shall, by letter to the Office of Price Administration, Beverage Section, Washington, D. C., report the maximum price so established. The letter-report shall contain the following:

(1) The name and address of the processor filing the report.

(2) A statement that the report is filed under Appendix E to Article III of MPR 445.

(3) The brand name, container size and formula of the item which is the subject of the report. (Attach front and back labels to letter-report.)

(4) The *prescribed uniform maximum price* for the item which is the subject of the report, and a statement showing the steps (similar to those illustrated by the examples) made by the processor to figure such price, in accordance with procedures provided in this Appendix.

(5) A list of all items of the same brand name sold or offered for sale by the processor during March 1942, if any.

Neither acceptance nor failure to act upon a letter-report filed under this paragraph shall constitute approval by the Office of Price Administration of the maximum prices so reported.

TABLE II—PROCESSORS' MAXIMUM PRICES FOR FORMULAE COMPOSED ENTIRELY OF WHISKEY

Age in months		3 gallon case of quarts		2.4 gallon case of fifths	
More than	Not more than	Maximum price at 80° proof	Adjustment per degree of proof	Maximum price at 80° proof	Adjustment per degree of proof
----------	9	$19.70	$0.228	$16.06	$0.182
9	15	20.14	0.233	16.41	0.185
15	21	20.61	0.239	16.79	0.191
21	27	21.07	0.245	17.16	0.196
27	33	21.56	0.251	17.56	0.201
33	39	22.03	0.257	17.92	0.207
39	45	22.50	0.263	18.30	0.210
45	51	22.99	0.269	18.69	0.215
51	57	23.47	0.275	19.08	0.220
57	63	23.91	0.280	19.43	0.224
63	69	24.33	0.285	19.76	0.228
69	75	24.78	0.291	20.12	0.233
75	81	25.25	0.297	20.50	0.238
81	87	25.76	0.303	20.91	0.243
87	93	25.98	0.305	21.08	0.247
93	----------	26.21	0.309	21.27	0.247

NOTE.—The prices in this table include Federal excise taxes at rates in effect on November 2, 1942. These prices do not include either the Federal rectification tax or any State or local taxes. See paragraph (d) for computation of increase effective April 1, 1944 in United States excise taxes.

[Box head as amended by Am. 15, effective 5-8-44]

(d) *Determining amount of increase effective April 1, 1944 in Federal excise taxes.* The amount of the increase effective April 1, 1944, in Federal excise taxes which a processor may add to prescribed uniform maximum prices determined under this Appendix shall, in each instance, be figured by multiplying $3.00 by the number of proof gallons in the case being priced.

TABLE III—PROCESSORS' MAXIMUM PRICES FOR FORMULAE COMPOSED OF BOTH WHISKEY AND NEUTRAL SPIRITS, QUARTS ONLY

Weighted average age of whiskey		Percentage of neutral spirits											
More than—	Not more than—	More than 32.5 Not more than 37.5	37.5 42.5	42.5 47.5	47.5 52.5	52.5 57.5	57.5 62.5	62.5 67.5	67.5 72.5	72.5 77.5	77.5 82.5	82.5 87.5	87.5 92.5	92.5 97.5
----------	9 Mo. 80°	22.02	22.00	21.97	21.95	21.93	21.90	21.88	21.85	21.83	21.81	21.78	21.76	21.73
	P. A.*	0.2565	0.2563	0.2559	0.2556	0.2554	0.2550	0.2548	0.2544	0.2541	0.2539	0.2535	0.2533	0.2529
9	15 80°	22.31	22.27	22.22	22.17	22.13	22.08	22.03	21.99	21.94	21.90	21.85	21.80	21.76
	P. A.	0.2601	0.2596	0.2590	0.2583	0.2579	0.2573	0.2566	0.2561	0.2555	0.2550	0.2544	0.2538	0.2533
15	21 80°	22.62	22.55	22.48	22.41	22.34	22.27	22.20	22.13	22.06	21.99	21.92	21.85	21.78
	P. A.	0.2640	0.2631	0.2623	0.2614	0.2605	0.2596	0.2588	0.2579	0.2570	0.2561	0.2553	0.2544	0.2535
21	27 80°	22.93	22.84	22.74	22.65	22.56	22.46	22.37	22.27	22.18	22.09	21.99	21.90	21.80
	P. A.	0.2679	0.2668	0.2655	0.2644	0.2633	0.2620	0.2609	0.2596	0.2585	0.2574	0.2561	0.2550	0.2538
27	33 80°	23.25	23.13	23.02	22.90	22.78	22.66	22.54	22.42	22.30	22.18	22.07	21.95	21.83
	P. A.	0.2719	0.2704	0.2690	0.2675	0.2660	0.2645	0.2630	0.2615	0.2600	0.2585	0.2571	0.2556	0.2541
33	39 80°	23.57	23.42	23.28	23.14	23.00	22.85	22.71	22.57	22.42	22.28	22.14	22.00	21.85
	P. A.	0.2759	0.2740	0.2723	0.2705	0.2688	0.2669	0.2651	0.2634	0.2615	0.2596	0.2580	0.2562	0.2544
39	45 80°	23.88	23.71	23.54	23.38	23.21	23.04	22.88	22.71	22.54	22.38	22.21	22.04	21.88
	P. A.	0.2796	0.2776	0.2755	0.2735	0.2714	0.2693	0.2673	0.2651	0.2630	0.2610	0.2589	0.2567	0.2548
45	51 80°	24.20	24.01	23.82	23.63	23.44	23.24	23.05	22.86	22.67	22.48	22.29	22.09	21.90
	P. A.	0.2836	0.2814	0.2790	0.2766	0.2743	0.2718	0.2694	0.2670	0.2646	0.2623	0.2599	0.2574	0.2550
51	57 80°	24.52	24.31	24.09	23.87	23.66	23.44	23.22	23.01	22.79	22.58	22.36	22.14	21.93
	P. A.	0.2876	0.2851	0.2824	0.2796	0.2770	0.2743	0.2715	0.2689	0.2661	0.2635	0.2606	0.2580	0.2554
57	63 80°	24.81	24.57	24.33	24.09	23.88	23.62	23.38	23.14	22.90	22.66	22.43	22.19	21.95
	P. A.	0.2914	0.2884	0.2854	0.2824	0.2795	0.2765	0.2735	0.2705	0.2675	0.2645	0.2616	0.2586	0.2556
63	69 80°	25.09	24.83	24.57	24.31	24.05	23.79	23.53	23.27	23.01	22.75	22.49	22.23	21.97
	P. A.	0.2949	0.2916	0.2884	0.2851	0.2819	0.2786	0.2754	0.2721	0.2689	0.2656	0.2624	0.2591	0.2559
69	75 80°	25.38	25.10	24.82	24.54	24.25	23.97	23.69	23.41	23.12	22.84	22.56	22.28	21.99
	P. A.	0.2985	0.2950	0.2915	0.2880	0.2844	0.2809	0.2774	0.2739	0.2703	0.2668	0.2633	0.2598	0.2561
75	81 80°	25.70	25.39	25.09	24.78	24.47	24.17	23.86	23.55	23.25	22.94	22.63	22.32	22.02
	P. A.	0.3025	0.2985	0.2949	0.2910	0.2871	0.2834	0.2795	0.2756	0.2719	0.2680	0.2641	0.2603	0.2565
81	87 80°	26.04	25.70	25.37	25.04	24.71	24.37	24.04	23.71	23.37	23.04	22.71	22.38	22.04
	P. A.	0.3068	0.3025	0.2984	0.2943	0.2901	0.2859	0.2818	0.2776	0.2734	0.2693	0.2651	0.2610	0.2568
87	93 80°	26.18	25.84	25.50	25.15	24.81	24.46	24.12	23.77	23.43	23.09	22.74	22.40	22.05
	P. A.	0.3085	0.3043	0.3000	0.2956	0.2914	0.2870	0.2828	0.2784	0.2741	0.2699	0.2655	0.2613	0.2569
93	--- 80°	26.34	25.98	25.62	25.27	24.91	24.56	24.20	23.85	23.49	23.13	22.78	22.42	22.07
	P. A.	0.3105	0.3060	0.3015	0.2971	0.2926	0.2883	0.2838	0.2794	0.2749	0.2704	0.2660	0.2615	0.2571

*P. A.=Proof adjustment (adjustment per degree of proof).
NOTE: The prices in this table include Federal excise and rectification taxes at rates in effect November 2, 1942. These prices do *not* include any State or local taxes. See paragraph (d) for computation of increase effective April 1, 1944, in United States excise taxes.

TABLE IV—PROCESSORS' MAXIMUM PRICES FOR FORMULAE COMPOSED OF BOTH WHISKEY AND NEUTRAL SPIRITS, FIFTHS ONLY

Weighted average age of whiskey		Percentage of neutral spirits											
More than—	Not more than—	More than 32.5 Not more than 37.5	37.5 42.5	42.5 47.5	47.5 52.5	52.5 57.5	57.5 62.5	62.5 67.5	67.5 72.5	72.5 77.5	77.5 82.5	82.5 87.5	87.5 92.5	92.5 97.5
----------	9 Mo. 80°	17.92	17.90	17.88	17.86	17.84	17.82	17.80	17.78	17.76	17.74	17.73	17.70	17.68
	P. A.*	0.2053	0.2050	0.2048	0.2045	0.2043	0.2040	0.2038	0.2035	0.2033	0.2030	0.2028	0.2025	0.2023
9	15 80°	18.15	18.12	18.08	18.03	18.00	17.96	17.93	17.89	17.85	17.82	17.78	17.74	17.71
	P. A.	0.2081	0.2078	0.2073	0.2066	0.2063	0.2058	0.2054	0.2049	0.2044	0.2040	0.2035	0.2030	0.2026
15	21 80°	18.40	18.34	18.29	18.23	18.17	18.12	18.06	18.01	17.95	17.89	17.84	17.78	17.72
	P. A.	0.2113	0.2105	0.2099	0.2091	0.2084	0.2078	0.2070	0.2064	0.2056	0.2049	0.2043	0.2035	0.2028
21	27 80°	18.64	18.57	18.49	18.42	18.34	18.27	18.19	18.12	18.04	17.97	17.89	17.82	17.74
	P. A.	0.2143	0.2134	0.2124	0.2115	0.2105	0.2096	0.2086	0.2078	0.2068	0.2059	0.2049	0.2040	0.2030
27	33 80°	18.90	18.81	18.71	18.62	18.52	18.43	18.33	18.24	18.14	18.05	17.95	17.86	17.76
	P. A.	0.2175	0.2164	0.2151	0.2140	0.2128	0.2116	0.2104	0.2093	0.2080	0.2069	0.2056	0.2045	0.2033
33	39 80°	19.16	19.04	18.93	18.81	18.76	18.58	18.47	18.35	18.24	18.13	18.01	17.90	17.78
	P. A.	0.2208	0.2193	0.2179	0.2164	0.2150	0.2135	0.2121	0.2106	0.2093	0.2079	0.2064	0.2050	0.2035
39	45 80°	19.40	19.27	19.13	19.00	18.87	18.73	18.60	18.47	18.33	18.20	18.07	17.93	17.80
	P. A.	0.2238	0.2221	0.2204	0.2188	0.2171	0.2154	0.2138	0.2121	0.2104	0.2088	0.2071	0.2054	0.2038
45	51 80°	19.66	19.51	19.36	19.20	19.05	18.90	18.74	18.59	18.44	18.28	18.13	17.98	17.82
	P. A.	0.2270	0.2251	0.2233	0.2213	0.2194	0.2175	0.2155	0.2136	0.2117	0.2098	0.2079	0.2060	0.2040
51	57 80°	19.92	19.74	19.57	19.40	19.23	19.05	18.88	18.71	18.53	18.36	18.19	18.01	17.84
	P. A.	0.2303	0.2280	0.2259	0.2238	0.2216	0.2194	0.2173	0.2151	0.2129	0.2108	0.2086	0.2064	0.2043
57	63 80°	20.15	19.94	19.77	19.58	19.39	19.19	19.00	18.81	18.62	18.43	18.24	18.05	17.86
	P. A.	0.2331	0.2305	0.2284	0.2260	0.2236	0.2211	0.2188	0.2164	0.2140	0.2116	0.2093	0.2069	0.2045
63	69 80°	20.37	20.16	19.96	19.75	19.54	19.33	19.12	18.92	18.71	18.50	18.29	18.08	17.88
	P. A.	0.2359	0.2333	0.2308	0.2281	0.2255	0.2229	0.2203	0.2178	0.2151	0.2125	0.2099	0.2073	0.2048
69	75 80°	20.61	20.38	20.16	19.93	19.70	19.48	19.25	19.03	18.80	18.57	18.35	18.12	17.89
	P. A.	0.2389	0.2360	0.2333	0.2304	0.2275	0.2248	0.2219	0.2191	0.2163	0.2134	0.2106	0.2078	0.2049
75	81 80°	20.86	20.62	20.37	20.12	19.88	19.63	19.39	19.14	18.90	18.65	18.41	18.16	17.91
	P. A.	0.2420	0.2390	0.2359	0.2328	0.2298	0.2266	0.2236	0.2205	0.2175	0.2144	0.2114	0.2083	0.2051
81	87 80°	21.13	20.86	20.60	20.33	20.06	19.80	19.53	19.27	19.00	18.73	18.43	18.20	17.93
	P. A.	0.2454	0.2420	0.2388	0.2354	0.2320	0.2288	0.2254	0.2221	0.2188	0.2154	0.2116	0.2088	0.2054
87	93 80°	21.25	20.97	20.70	20.42	20.15	19.87	19.60	19.32	19.03	18.77	18.49	18.22	17.94
	P. A.	0.2469	0.2434	0.2400	0.2365	0.2331	0.2296	0.2263	0.2228	0.2191	0.2159	0.2124	0.2090	0.2055
93	--- 80°	21.37	21.08	20.80	20.51	20.23	19.95	19.66	19.38	19.09	18.81	18.52	18.24	17.95
	P. A.	0.2484	0.2448	0.2413	0.2376	0.2341	0.2306	0.2270	0.2235	0.2199	0.2164	0.2128	0.2093	0.2055

*P. A.=Proof adjustment (adjustment per degree of proof).
NOTE: The prices in this table include Federal excise and rectification taxes at rates in effect November 2, 1942. These prices do *not* include any State or local taxes. See paragraph (d) for computation of increase effective April 1, 1944, in United States excise taxes.

[Appendix E amended by Am. 14, 9 F.R. 3152, effective 3-21-44 and as otherwise noted].

APPENDIX F—SPECIAL MAXIMUM PRICES BY AUTHORIZATION

(a) *Who is permitted or required to file an application for authority to establish special maximum prices by authorization.* (1) Processors of items of packaged domestic distilled spirits for which no other pricing method is provided in this Article, or processors who for any reason are unable to establish a maximum price under the other Appendices to this Article.

(2) Processors who have established maximum prices under Appendices A through F inclusive, for sales of an item to particular classes of customers but who now desire to sell the item to another class of customers for which they cannot establish a maximum price under the applicable Appendix.

(b) *Prohibited sales.* Except as provided in paragraph (c) of this section:

(1) A processor making application for authority to establish a special maximum price by authorization for sales of an item of packaged domestic distilled spirits shall not, prior to the date on which that authority is granted, sell, offer to sell, or deliver the item that is the subject of the application; and

(2) A seller required to make application for authority to establish a maximum price for a particular sale shall not make, or agree to make that sale until after the application is filed and authority granted.

(c) *Adjustable pricing while an application under this section is pending before the Office of Price Administration.* (1) If permitted by the Office of Price Administration, but not otherwise, a person making application under this Appendix may, after the application is filed and while it is pending, sell, offer to sell and deliver the item that is the subject of the application if the sale, offer to sell, or delivery is made under an agreement with the customer to adjust the price charged to an amount not in excess of the maximum price therefor later established under this section. Such permission may be granted only if necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The permission may be granted by letter addressed to the applicant, signed by the Price Administrator or by any official of the Office of Price Administration to whom authority to grant such permission has been delegated.

(2) Permission to use adjustable pricing granted under this paragraph may be revoked at any time in the manner in which it was granted. It shall be deemed revoked on the day on which authority to establish a maximum price is granted, or such maximum price is otherwise established pursuant to this section: *Provided*, That with respect to any sale which the applicant is required to make at a price posted or listed with a state or other public authority, he may continue so to sell, offer to sell, or deliver the item until the effective date for prices thus posted or listed at the first opportunity after the 4th day (including Sundays and holidays) after the authority applied for is granted, or an applicable maximum price is otherwise established pursuant to this section.

(3) Where permission to use adjustable pricing under this Appendix has been granted, and a special maximum price by authorization is thereafter established in an amount less than that charged, the processor shall immediately refund to his purchasers all amounts received in excess of the special maximum price by authorization so established.

(d) *Contents of application.* The application shall be by letter, signed by the processor or his authorized agent, and sent in duplicate to the Office of Price Administration, Beverage Section, Washington, D. C., by registered mail, return receipt requested. It shall contain the following:

(1) The processor's name and address, and the name and address of the person signing the application.

(2) A statement that the application is filed under Appendix F of Article III of Maximum Price Regulation No. 445.

(3) A statement in detail of the reasons for his inability to establish a maximum price under other provisions of this Article.

(4) A description in detail of the item which is the subject of the application. Copies of the approved front label and the back label, if any, must be attached to the application. The description shall supply the following information if not disclosed by the labels attached to the application:

(i) Brand name.

(ii) Formula.

(iii) Container size or sizes.

(iv) Classification or subclassification of identity.

(v) The name and address of the bottler.

(5) An itemized statement of the processor's actual costs (not in excess of applicable OPA maximum prices) for the item prepared from regularly kept accounts, all taxes to be separately itemized.

(6) Applicant's proposed maximum prices for each container size, f. o. b. bottling plant, stating the address of the bottling plant, the particular classes of customers to which the proposed maximum prices are applicable, and the discounts and allowances applicable.

(7) In any case where the application is made for sales of an item to a new class of customers, the application shall also contain a statement of the maximum prices established for sales to other classes of customers, describing the particular classes, and the Appendix under which such maximum prices were established.

(8) For cordials, liqueurs and packaged alcoholic beverage specialties, the application shall also include a copy of the approved formula on Treasury Department Form 27-B Supplemental or a photostatic copy or other facsimile thereof. Ingredient costs as required under (5) above may be grouped to correspond with the approved formula. The detailed costs of items need not be stated separately where they do not represent a significant part of the total cost.

(9) Any other pertinent information which the processor desires to submit.

(e) *When and how authority is given or denied*—(1) *Approval of or objection to application.* If within 60 days (including Sundays and holidays) after receipt of the application under this Appendix by the Office of Price Administration, the applicant shall not receive notice by letter from the Office of Price Administration, of objection to the maximum prices proposed in his application, he shall be deemed authorized to establish such maximum prices for sales of the item in the container sizes and to the particular classes of customers described therein: *Provided*, That if within the 60 day period the Office of Price Administration shall by letter request supplemental information with respect to any matter stated in or omitted from the application, that period shall be figured from the date on which the requested supplemental information is received in writing by the Office of Price Administration. The authority so granted may be revoked by the Price Administrator at any time. Upon written request of the applicant received by the Office of Price Administration within 30 days (including Sundays and holidays) after the date of a notice of objection given under this paragraph, the Office of Price Administration will issue a formal order denying authority to establish the maximum prices requested in his application.

(2) *By order or amendment.* The Price Administrator may, at any time, by order or by amendment to this regulation establish maximum prices for sales of any items of any classification of domestic distilled spirits to one or more classes of customers. The maximum prices established by any such order or amendment shall supersede all maximum prices previously authorized under (1) above.

(f) *Compliance with price posting or listing requirements.* Permission to use adjustable pricing and authority to establish maximum prices granted by the Price Administrator pursuant to application under this section, or by order or by amendment to this Article, shall not authorize an applicant to sell or offer for sale an item until after compliance with provisions of any applicable statute, ordinance or regulation requiring the posting or listing of his prices.

APPENDIX G—ADJUSTMENT OF MAXIMUM PRICES FOR SUBSTITUTION OF CERTAIN INGREDIENTS

(a) *Procedure for adjustment of maximum prices*—(1) *Substitution of imported neutral spirits, neutral spirits derived from domestic processing of imported distilled spirits, or imported distilled spirits.* The processor shall add to the maximum prices established under Appendices A through F inclusive, the actual amount of the direct cost of importation (as defined in (iv) below), in no event to exceed 50 cents per proof gallon, and the amount of import duty applicable to the quantity of

(i) Imported neutral spirits used as a substitute for the same quantity of domestic neutral spirits thereby displaced in the item;

(ii) Neutral spirits, derived from domestic processing of imported distilled spirits, used as a substitute for the same quantity of domestic neutral spirits thereby displaced in the item.

(iii) Imported distilled spirits of a particular classification and subclassification of identity under applicable United States labeling laws and regulations used as a substitute for the same quantity of domestic neutral spirits or the same quantity of domestic distilled spirits of the same classification and subclassification of identity thereby displaced in the item.

(iv) The "direct cost of importation" means the actual amount of the charges paid for cooperage, export tax, freight to port of arrival, loading, war risk and marine insurance, wharfage, consular fees, customs broker fees, customs entry fees, loss of merchandise and customs duty due to leakage and evaporation in shipment to the United States, and freight from port of arrival to the processor's bottling plant.

(2) *Substitution of domestic grape spirits, spirits-fruit, spirits-fruit processed, and neutral brandy.* The processor shall add to the maximum prices established under Appendices A through F, inclusive, the amount of $.55 per proof gallon of the products stated above, used as a substitute for the same quantity of domestic neutral grain or cane spirits thereby displaced in the item.

NOTE: The amount of any permitted increase pursuant to Maximum Price Regulation No. 193 must not be included in a maximum price established under Article III except as is provided in subparagraph (3) below.

(3) *Substitution of domestic high wines (manufactured from cane or grain) for domestic neutral spirits.* The processor shall add to the maximum prices established under Appendices A through F, inclusive, the amount of the permitted increase for high wines manufactured from cane or grain used as a substitute for the same quantity of domestic neutral spirits thereby displaced in the item as required to be computed by the processor under § 1420.13 (a) (1) (i) of Maximum Price Regulation No. 193.

(b) *Rules for establishing maximum prices under Appendix G.* (1) The additions provided in this Appendix can be computed only with respect to the quantity of distilled spirits actually displaced in the item. No allowances are provided for loss in processing or otherwise.

(2) The additions provided for substitution of imported distilled spirits are applicable where an ingredient of an item of domestic distilled spirits is displaced by the same ingredient except that such displacing ingredient is imported, or where domestic neutral spirits are displaced by imported distilled spirits.

(3) The additions provided for substitution of imported distilled spirits are inapplicable where the item as sold or offered for sale during March 1942 contained as an ingredient the same classification of imported distilled spirits.

(c) *Reports required to be filed.* On or before the date of making the first sale of an item at a maximum price adjusted under this Appendix, the processor shall, by letter to the Office of Price Administration, Beverage Section, Washington, D. C., report the maximum price so established. The letter-report shall contain the following:

(1) The name and address of the processor filing the report.

(2) A statement that the report is filed under Appendix G to Article III of MPR 445.

(3) The brand name, container size and proof of the item which is the subject of the report.

(4) The date upon which the processor filed OPA Form 635-232-A (brand name report required under Amendment No. 6 to MPR 193) for the base item used for the adjustment made under this Appendix if such item was sold or offered for sale by the processor during March 1942.

(5) The maximum price for the item which is the subject of the report, and a statement showing the steps (similar to those illustrated by the examples) made by the processor to figure such price, in accordance with procedures provided in this Appendix. Neither acceptance nor failure to act upon a letter-report filed under this paragraph shall constitute approval by the Office of Price Administration of the maximum prices so reported.

[Sections 3.2 through 3.7, inclusive, and Appendices A through G added by Am. 9, 8 F.R. 17415, effective 1-6-44]

ARTICLE IV—MAXIMUM PRICES FOR SALES OF CERTAIN BULK DOMESTIC WINE AND RELATED PRODUCTS BY ANY PERSON, AND FOR SALES OF CERTAIN PACKAGED DOMESTIC WINE BY PROCESSORS

[Article heading as amended; former sec. 4.1 revoked and new sec. 4.1 added by Am. 3, 8 F.R. 13500, effective 10-7-43]

SEC. 4.1 *Purposes of Article IV*—(a) *Generally.* Article IV establishes maximum prices for sales of the kinds of bulk domestic wine, and for sales in bulk of the related products specified therein when made by any person. It also establishes maximum prices for the processor's sales of the kinds of packaged domestic wine specified therein. Maximum prices for the kinds of bulk domestic wine and related products, or for processors' sales of the kinds of packaged wine not specified in Article IV must be determined under other applicable regulations or orders of the Office of Price Administration. Except for sales which are specifically exempted by Article V of this regulation, maximum prices for sales of all packaged domestic wine by persons other than the processor must be established under that article.

(b) *Related products not within the scope of this article.* Article IV and other provisions of this regulation do not apply to sales of the following products, maximum prices for which shall be determined under other applicable regulations or orders of the Office of Price Administration:

Tartrates	Pomace stock feed
Argols	Lees (dried)
Pomace	Wine vinegar
Seeds	Cooking wine unfit for use for beverage purposes
Grape seed oil	
Grape seed cake	
Pomace fertilizer	Enocianima (coloring)

(c) *Prior regulations, orders and interpretations superseded.* Except as otherwise provided in this regulation, Article IV supersedes all other maximum price regulations, orders and interpretations issued by the Office of Price Administration before October 7, 1943 with respect to the sales of domestic wine and related products to which it applies, including the applicable provisions of the following:

(1) The General Maximum Price Regulation;

(2) Article II of Revised Supplementary Regulation No. 14 (except that section 2.18 thereof shall continue in force with respect to reports required to be filed thereunder prior to September 10, 1943: *Provided*, That such maximum price regulations, orders and interpretations shall remain in force with respect to a particular sale of domestic wine or a related product until provisions of this article become applicable thereto pursuant to section 4.12.

SEC. 4.2 *General rules for figuring maximum prices under this article.* Each seller to whom this article applies must observe the following general rules for establishing his maximum prices pursuant thereto:

(a) *Figuring maximum prices separately.* Each type and quality of bulk domestic wine and each related product sold, offered for sale or delivered by any person on and after the date on which a maximum price therefor must be established under this article must have a separate maximum price. Each item of packaged domestic wine sold, offered for sale or delivered by the processor on and after the date on which a maximum price therefor must be established under this article must likewise have a separate maximum price. An item is a particular brand name, container size and type designation of packaged domestic wine. One packaged item must not be considered the same as another if there is any difference in

(1) Their brand names, or

(2) Their processors, or

(3) Their container sizes (quarts as compared with fifths, etc.), or

(4) Requirements of United States labelling laws or regulations applicable to each, or in material information contained on their labels. Type designation, vintage, alcohol content, appellation of origin and grape variety from which produced shall be deemed material information.

NOTE: Any change of brand name shall be deemed to require separate pricing. For example, a change of name from "Royal King" to "Royal King Reserve" or "Royal King Three Star" or "Royal" is a change of brand name. However, a change of brand name only, when made to comply with any judicial decree, or to terminate legal proceedings to compel such change, shall not require the item to be repriced if the processor, before changing the brand name, gives the Office of Price Administration, Beverage Section, Washington, D. C., written notice of such action and the reason therefor.

(b) *Customer classifications.* (1) A separate maximum price determined in accordance with the applicable section of this article must be established for sales to each class of customers which the processor desires to sell.

(2) Where a processor establishes an "adjusted March 1942 price" or an "adjusted March 1942 price" converted for a change of container size, his customers for sales to which such maximum price applies must be classified in accordance with his March 1942 customer classifications. If he desires to sell the bulk domestic wine, related product or packaged item so priced to a customer of a class to which he did not sell it during March 1942, he shall apply to the Office of Price Administration for authority to establish a maximum price for such sale pursuant to section 4.9.

(3) Where a section of this article provides a "specific maximum price" or an "alternate maximum price" which the seller is required or elects to use for bulk domestic wine, or for a related product or packaged item, that maximum price applies to the classes of customers stated therein, or if no classes of customers be stated, then to all classes of customers.

(4) Where a seller established "special maximum prices" after application to the Office of Price Administration under section 4.9, the maximum prices so established shall apply only to his sales to the classes of customers stated in the application, or in the order or amendment issued pursuant thereto.

(c) *Discounts, allowances, price differentials and terms of sale.* (1) Customary discounts, allowances and other price differentials (except "special deals" to which § 1499.4b of the General Maximum Price Regulation applied) in effect during March 1942 in accordance with a seller's March 1942 customer classifications must be applied to his maximum prices established under this article: *Provided*, That discounts (other than discounts for prompt payment), allowances and price differentials in accordance with a seller's March 1942 customer classifications need not be maintained with respect to sales of bulk domestic wine, related products or packaged items for which the seller is required or elects to use either a "specific maximum price", an "alternate maximum price", or a "special maximum price."

(2) If a seller makes his terms of sale to a customer more onerous than those in effect during March 1942 for his sales to a customer of the same class, he must make a compensating reduction in his maximum price established under this article.

(3) If a seller directly or indirectly requires a customer to make any payment in advance of delivery (whether to the seller or to another person), the seller must reduce his maximum price established under this article for that sale by an amount equal to interest at the rate of 5% per annum on the amount of the advance payment from the date the payment is made to the date on which the commodity is delivered or the payment refunded to the customer.

(d) *Sales and offers to sell.* (1) When the price for a sale or for an offer to sell during March 1942 is to be used in determining a maximum price under this article, the price for a sale completed by delivery during that month must be used if such sale was made. An offering price may be used only if no such sale was made during March 1942, if it was an offering price for supply or delivery during that month, and if the offer or an acceptance thereof is supported by written evidence.

(2) Where the price for a sale or for an offer to sell during March 1942 is to be used by the processor in determining a maximum price under this article, the price so used must be the price for an item with respect to which he was the processor during March 1942.

[Paragraph (d) as amended by Am. 15, effective 5-8-44]

(e) *F. o. b. and delivered prices.* (1) Where a seller establishes an "adjusted March 1942 price" or an "adjusted March 1942 price" converted for a change of container size as his maximum price for bulk domestic wine, or for a related product or a packaged item, and the highest price he charged or at which he offered to sell during March 1942 used to determine such "adjusted March 1942 price" was a delivered price, or an f. o. b. particular freight base point price, the maximum price thus established shall correspondingly be a delivered price or an f. o. b. particular freight base point price, as the case may be.

(2) "Specific maximum prices," "alternate maximum prices" and "special maximum prices" provided in this article are prices f. o. b. processor's premises or seller's point of shipment, unless otherwise expressly stated.

(3) If a seller's maximum price is a price f. o. b. a particular place, and he desires to convert it to a delivered price for delivery to a point outside the metropolitan area of that place, he may add to his maximum price transportation charges from that place to the point of delivery, at the rate he actually pays.

NOTE: For a definition of "transportation charges" and the method of computing them when the seller uses his own vehicle, see section 7.12 (d) (4).

(f) *Carload and less than carload prices.* (1) Where a seller establishes an "adjusted March 1942 price" or an "adjusted March 1942 price" converted for a change of container size as his maximum price for bulk domestic wine, or for a related product or packaged item, and the highest price he charged or at which he offered to sell during March 1942 used to determine such "adjusted March 1942 price" was a carload price, or a less than carload price, the maximum price thus established shall correspondingly be a carload, or less than carload price, as the case may be.

(2) "Specific maximum prices," "alternate maximum prices" and "special maximum prices" provided in this article are prices in carload quantity, unless otherwise expressly stated.

(3) A seller whose maximum price is a carload price may, for sales in less than carload quantity, add to such maximum price his March 1942 customary differential over the carload price for the commodity. Similarly, a seller whose maximum price is a less than carload price shall, for sales in carload quantity, reduce his maximum price by the amount of his March 1942 customary differential over a carload price for the commodity.

(g) *California state marketing order assessment.* A processor may charge, in addition to his maximum price established under this article for a sale of any California grape wine, the amount of any applicable California state marketing order assessment at rates in effect on October 1, 1943, paid or payable by the processor with respect to that sale. For purposes of this article such amount shall be deemed a part of the maximum price to which it is added and for purposes of Article V shall be deemed a part of a supplier's price.

NOTE: If the processor's maximum price for a particular sale is an "adjusted March 1942 price" including the California state marketing order assessment, no additional amount shall be added therefor.

(h) *Addition of certain taxes to maximum prices.* A seller may add to his maximum price established under this article for a sale, the amount of any applicable United States, state or local excise taxes at rates in effect on November 2, 1942, paid or payable by the seller to the taxing authorities or to a prior vendor for the type and quality of wine or product being priced: *Provided,* That no amount shall be added for such taxes otherwise included in that maximum price, and no amount shall be added to "specific maximum prices", "alternate maximum prices" or "special maximum prices" for any United States excise tax stated as being included therein. Except as otherwise expressly provided in this regulation, no amount shall be added for license, income, franchise, receipts, gross receipts, sales, use or other similar federal, state or local taxes.

[Last sentence added by Am. 15, effective 5-8-44. Note deleted by Am. 15]

(i) *Fractional parts of a gallon.* In any sale of bulk domestic wine or a related product, where the total quantity to be priced involves the fractional part of a gallon, the seller's maximum price for the fractional part of a gallon shall be proportionate to his maximum price for a gallon.

(j) [Revoked]

(k) [Revoked]

[Paragraphs (j) and (k) revoked by Am. 15, effective 5-8-44]

SEC. 4.3 *Processor's maximum prices for California grape wine in bulk*—(a) *Sales of current wine.* A processor's maximum price to a customer of any class for current California grape wine in bulk in carload quantity, naked f. o. b. processor's premises, shall be a specific maximum price according to the wine to be priced as follows:

28 cents per gallon of red table wine.
33 cents per gallon of white table wine.
55.5 cents per gallon of dessert wine.

NOTE: The above prices do not include California marketing order assessment, or United States, state or local excise taxes which may be added as provided in section 4.2 (g) and (h).

(b) *Sales of non-current wine.* A processor's maximum price per gallon to a customer of any class for any type and quality of non-current California grape wine, naked in bulk in carload quantity, shall be either an adjusted March 1942 price or an alternate maximum price or a special maximum price as follows:

(1) *Adjusted March 1942 price.* The highest price per gallon the processor charged or at which he offered the particular type and quality of wine for sale in bulk on such terms during March 1942 to a customer of the particular class, plus the last amount (permitted increase) which section 2.2 or section 2.5 of Revised Supplementary Regulation No. 14 permitted him to add to that price.

[Subparagraph (1) as amended by Am. 15, effective 5-8-44]

NOTE: If the processor did not sell or offer to sell the particular type and quality of non-current wine in bulk during March 1942 to any customer, he must not use an adjusted March 1942 price therefor.

(2) *Alternate maximum price.* An amount f. o. b. processor's premises according to the wine being priced as follows:

40 cents per gallon of red table wine.
45 cents per gallon of white table wine.
68 cents per gallon of dessert wine.

NOTE: These alternate maximum prices do not include California state marketing order assessments or United States, state or local excise taxes which may be added as provided in section 4.2 (g) and (h).

(3) *Special maximum prices.* A processor who is unable to determine an adjusted March 1942 price under (1) above for a particular type and quality of non-current wine in bulk may, if permitted by section 4.8, make application to the Office of Price Administration for authority to establish special maximum prices for that wine. Such application shall be made in accordance with section 4.9. A special maximum price authorized pursuant to that section shall be the processor's maximum price to the specified classes of customers for the type and quality of non-current wine in bulk that is the subject of the application.

NOTE: Section 4.6 contains special provisions and pricing instructions applicable to the following types of California grape wine and related products if sold in bulk:

Spanish type blending sherry;
Lees wine;
Vermouth and flavored wines made from dessert wines;
Flavored wines made from table wines;
Light sweet wine;
Sparkling and carbonated wines;
Unfinished wine;
Mixed wine containing California grape wine or made in part from juice of California grapes;
Wine fermented in whole or in part from California grape concentrates;
California grape concentrates.

(c) *Sales of current or non-current wine in bulk in less than carload quantity to retailers and consumers.* A processor's maximum price to a retailer or to a consumer for current or non-current California grape wine in bulk in less than carload quantity (in barrels or other containers) shall be an adjusted March 1942 price per gallon, equal to the total of the following:

(1) The highest price per gallon the processor charged, or at which he offered current wine or the particular type and quality of non-current wine for sale in bulk in less than carload quantity (in barrels or other containers) to a retailer or to a consumer respectively; plus

(2) The last amount (permitted increase) which section 2.2 or section 2.5 of Revised Supplementary Regulation No. 14 permitted him to add to that price.

[Subparagraph (2) as amended by Am. 15, effective 5-8-44]

(d) *Sales of a carload quantity in barrels or other containers.* A processor who sells a carload quantity of current or non-current California grape wine in bulk in barrels or other containers to a customer of any class may, for such sale add 2 cents per gallon to his maximum price naked established under (a) or (b) above for a carload quantity of the wine being priced.

NOTE: This allowance includes handling and loading but does not include the cost of the barrels or containers. If the seller furnishes the barrels or containers which, upon delivery to the customer, become the customer's property, the seller may add a charge for the barrels or containers, not in excess of his maximum price therefor.

SEC. 4.4 *Wholesalers', packers' and retailers' maximum prices for California grape wine in bulk*—(a) *Wholesalers and packers.* A wholesaler's or packer's maximum price per gallon to a customer of any class for current or non-current California grape wine in bulk (whether repacked or not) in carload quantity f. o. b. seller's shipping point shall be a specific maximum price equal to the total of:

(1) *Processor's price.* The processor's maximum price per gallon for the type and quality of wine in bulk in carload quantity as provided in this article.

(2) *Freight.* Transportation charges per gallon from the processor's premises to the wholesaler's or packer's customary receiving point at the carload rate (exclusive of expense of hauling, drayage or handling within the metropolitan area of such premises or receiving point). No amount shall be added for any such transportation charges included in the processor's price under (a) above.

(3) *Mark-up.* 10 cents per gallon where the bulk wine is delivered to the customer in the original barrel or other container in which it was received by the seller without repacking, or 12 cents per gallon where the bulk wine is delivered to the customer in other than the original barrel or other container in which it was received by the seller.

NOTE: This mark-up includes handling and loading but does not include the cost of the barrels or containers. If the seller furnishes the barrels or containers which, upon delivery to the customer, become the customer's property, the seller may add a charge for the barrels or containers, not in excess of his maximum price therefor.

(b) *Retailers.* A retailer's maximum price per gallon for any California grape wine in bulk shall be the total of the following:

(1) *Net cost.* His net cost for the wine being priced (figured according to section 5.3 of this regulation), plus

(2) *Mark-up.* The difference between

(i) His net cost per gallon (figured according to section 5.3 for his last purchase of the same type of bulk wine on or prior to March 31, 1942 out of which he made or offered to make sales during March 1942, and

(ii) The highest price per gallon he charged during March 1942 or at which he offered to sell that type of wine.

NOTE: Retailers' maximum prices for bulk wine do not authorize such sales where prohibited by statute or ordinance.

SEC. 4.5 *Processor's maximum prices for packaged California grape wine*—(a) *Sales of packaged current wine.* A processor's maximum price per case for a brand and container size of packaged current California grape wine shall be either an adjusted March 1942 price for that brand and container size or an alternate maximum price as follows:

(1) *Adjusted March 1942 price.* The highest price per case the processor charged, or at which he offered the same kind and type of wine for sale under the same brand and in the same container size to a customer of the particular class, plus the last amount (permitted increase) which section 2.2 or section 2.5 of Revised Supplementary Regulation No. 14 permitted him to add to that price.

NOTE: Except as otherwise expressly provided in this article an adjusted March 1942 price cannot be used as a maximum price for a brand not sold or offered for sale during March 1942, or not used during March 1942 for sales of such kind and type of wine.

If the processor sold or offered such kind and type of packaged wine for sale during March 1942 under the brand, but not in the container size to be priced, he may use as his adjusted March 1942 price for that container size of such wine, his adjusted March 1942 price for the container size sold or offered for sale during that month, converted however in accordance with section 4.7 for the change of container size.

(2) *Alternate maximum price.* An alternate maximum price per case in any quantity according to the wine being priced and the class of customers, as set forth in paragraph (c) of this section.

[Subparagraphs (1) and (2) as amended by Am. 15, effective 5-8-44]

(b) *Sales of packaged non-current wine.* A processor's maximum price per case for a type, quality, brand and container size of packaged non-current California grape wine shall be either an adjusted March 1942 price for that type, quality, brand and container size, an alternate maximum price, or a special maximum price as follows:

(1) *Adjusted March 1942 price.* The highest price per case the processor charged, or at which he offered the type and quality of non-current wine for sale under the same brand and in the same container size to a customer of the particular class, plus the last amount (permitted increase) which section 2.2 or section 2.5 of Revised Supplementary Regulation No. 14 permitted him to add to that price.

NOTE: Except as otherwise provided in this article, an adjusted March 1942 price cannot be used as a maximum price for a brand not sold or offered for sale during March 1942, or not used during March 1942 for sales of the particular type and quality of wine.

If the processor sold or offered the type, quality and brand of wine for sale during March 1942, but not in the container size to be priced, he may use as his adjusted March 1942 price for that container size of such wine, his adjusted March 1942 price for the container size sold or offered for sale during that month, converted however in accordance with section 4.7 for the change of container size.

(2) *Alternate maximum price.* An alternate maximum price per case in any quantity, according to the wine being priced and the class of customers, as set forth in paragraph (c) of this section.

[Subparagraphs (1) and (2) as amended by Am. 15, effective 5-8-44]

(3) *Special maximum price.* A processor who is unable to determine an adjusted March 1942 price under (1) above for a particular type, quality, brand and container size of packaged non-current wine may, if permitted by section 4.8, make application to the Office of Price Administration for authority to establish special maximum prices for that wine. Such application shall be made in accordance with section 4.9. A special maximum price authorized pursuant to that section shall be the processor's maximum price to the specified classes of customers for the type, quality, brand and container sizes of packaged non-current wine described therein. If a special maximum price is established for a type, quality, brand and container size of packaged non-current wine, and the processor thereafter desires to sell such type, quality and brand in a different container size, his maximum price for the different container size shall be the special maximum price established for the original container size, converted in accordance with section 4.7 for change of container size.

NOTE: Section 4.6 contains special provisions and pricing instructions applicable to the following types of California grape wine if sold in packages:

Vermouth and flavored wines made from dessert wines;
Flavored wines made from table wines;
Light sweet wine;
Sparkling and carbonated wines;
Mixed wine containing California grape wine or made in part from juice of California grapes;
Wine fermented in whole or in part from California grape concentrates.

(c) *List of alternate maximum prices.* The alternate maximum prices provided by this section for sales of packaged current or non-current California grape wine shall be as follows:

(1) *For sales to wholesalers.* A price per case delivered at the wholesaler's customary receiving point for the item equal to the total of (i) and (ii) below.

(i) The amount per case set forth in the following table for the wine and container size to be priced:

TABLE FOR COMPUTING PROCESSORS' ALTERNATE MAXIMUM PRICES FOR SALES OF PACKAGED CALIFORNIA GRAPE WINE

(Prices listed are per case in any quantity and include United States excise taxes at rates in effect on November 2, 1942 but not California marketing order assessment or any state or local excise taxes. Such assessment and state or local excise taxes (as applicable) may be added as provided in section 4.2 (g) and (h)).

(a) *For current wine.*

Type of current wine	For a case containing					
	2.4 gallons		3 gallons			4 gallons
	12 fifths	24 tenths	12 quarts	24 pints	6 half gallons	4 one-gallons
White table wine	$3.85	4.45	$4.37	$4.97	$4.02	$4.62
Red table wine	3.74	4.34	4.23	4.83	3.88	4.43
Dessert wine	4.79	5.33	5.52	6.12	5.17	6.24

(b) *For non-current wine.*

Type of non-current wine	For a case containing					
	2.4 gallons		3 gallons			4 gallons
	12 fifths	24 tenths	12 quarts	24 pints	6 half gallons	4 one-gallons
White table wine	$4.14	$4.74	$4.73	$5.33	$4.38	$5.11
Red table wine	4.03	4.63	5.59	5.19	4.24	4.92
Dessert wine	4.91	5.51	5.75	6.35	5.40	6.56

[Note deleted by Am. 15, effective 5-8-44]

(ii) The amount per case for transportation charges determined as follows:

(*a*) For sales by a processor located in the State of California, delivered at a wholesaler's, customary receiving point within that State, such amount shall be equal to transportation charges per case applicable to shipment at the carload rate from processor's premises to the wholesaler's customary receiving point.

(*b*) For sales by all processors (regardless of location) delivered at a wholesaler's customary receiving point outside California, such amount shall be equal to transportation charges per case applicable to shipment at the carload rate from Bakersfield, California to the wholesaler's customary receiving point.

NOTE: The carload rate to be used in determining the maximum prices for packaged wine under this paragraph is the lowest regularly published carload rate to the point of delivery, regardless of the minimum carload weight to which it applies. An average weight of 38 lbs. per case shall be used to determine the freight rate per case.

Example: The lowest carload rate from Bakersfield, California to New York, N. Y. is 99¢ per cwt. subject to a minimum carload weight of 50,000 lbs. Other carload rates are published but these apply to lesser minimum weights consequently the lowest rate is used and computation made as follows: 99¢ per cwt. equals $.0099 per lb. x 38 lbs. per case equals .3762¢ or 38¢ per case. Adding this figure to the appropriate amount in the table at (i) gives the delivered price for that type and container size of wine in New York, N. Y.

Explanation: Alternate maximum prices for packaged California grape wine are figured on the so-called "base point system", with Bakersfield, California, as the base point. By adding carload freight from Bakersfield, California, to the purchasing wholesaler's customary receiving point to an amount representing the maximum price of the commodity, f. o. b. processor's premises in California, the maximum price for a sale in any quantity by any processor to any wholesaler located outside of California is readily determined. Maximum prices for the same type and quality of wine will thus, if the alternate maximum price is used, be generally uniform regardless of where the bottling is done.

A processor located in California who desires to sell f. o. b. his premises in that state will use as his maximum price for such f. o. b. sale, the applicable amount under (i) without the addition under (ii) for transportation. A processor located outside of California who desires to establish a price f. o. b. his premises to wholesalers within the metropolitan area of such premises, will use as his f. o. b. price the total of (i) and (ii) (*b*). If a processor located outside of California desires to establish a price f. o. b. his premises for a sale to a wholesaler outside the metropolitan area of those premises, will use as his f. o. b. price the applicable total of (i) and (ii) (*b*) less an amount sufficient to compensate the wholesaler for the freight the wholesaler is thus required to pay.

(2) *For sales to monopoly States.* The maximum price per case figured under (1) above for sales of the brand and container size delivered to a wholesaler at the March 1942 freight base zone of the monopoly State: *Provided*, That if the processor during March 1942, customarily sold packaged California grape wine to monopoly States at a price greater or less than his corresponding price per case to wholesalers, his maximum price per case to monopoly States shall be increased or decreased respectively by the amount of such differential in dollars and cents.

(3) *For sales to retailers.* The maximum price per case figured under (1) above for sales of the brand and container size delivered to a wholesaler at the retailer's customary receiving point for the item, plus applicable state and local excise taxes and California marketing order assessment, and plus the percentage mark-up provided under section 5.4 for sales of packaged domestic wine by wholesalers to retailers.

(4) *For sales to consumers.* The maximum price per case figured under (1) above for sales of the brand and container size delivered to a wholesaler at the point where the consumer is located, plus applicable state or local excise taxes and California marketing order assessment, and plus the percentage mark-up provided under section 5.5 for sales of packaged domestic wine by retailers to consumers.

(5) *Transactions between processors and primary distributing agents.* Transactions between processors and primary distributing agents may or may not involve a sale. Where the transaction does not involve a sale, the processor and primary distributing agent may make any proper arrangement for the handling and billing of the item, subject to the limitation that sales by the processor through the primary distributing agent may not exceed the processor's maximum price to a customer of the particular class. Where a processor sells a brand and container size to a primary distributing agent, the parties may use for the transaction between themselves, either an f. o. b. processor's premises price (which will be a uniform price for all transactions) or a delivered price or prices not exceeding the maximum price which the processor may charge for a direct sale to any wholesaler or monopoly State within the territory the primary distributing agent serves.

NOTE: Where the primary distributing agent figures his own maximum price under section 5.7 for a brand and container size the processor has sold to him, the primary distributing agent shall, for a sale to a monopoly State, use the processor's maximum price delivered to such monopoly State. In figuring his maximum price for sales of the brand and container size to a wholesaler, retailer or consumer, the "processor's maximum price to wholesalers and monopoly States" to be used under section 5.7 shall be deemed the processor's maximum price to wholesalers determined under (1) above.

SEC. 4.6 ***Pricing provisions and instructions applicable to particular California grape wines and to certain related products.***

NOTE: Maximum prices provided under sections 4.4 and 4.5 do not apply to sales of California grape wines for which maximum prices are established by this section.

(*a*) *Processors' maximum prices for Spanish type blending sherry.* A processor's maximum price per gallon to a customer of any class for any type and quality of Spanish type blending sherry (as defined in section 7.12 (a) (36)) shall be either an adjusted March 1942 price, or an alternate maximum price as follows:

(1) *Adjusted March 1942 price.* The highest price per gallon the processor charged, or at which he offered the type and quality of Spanish type blending sherry for sale during March 1942 to a customer of the particular class, plus the last amount (permitted increase) which section 2.2 or section 2.5 of Revised Supplementary Regulation No. 14 permitted him to add to that price.

[Subparagraph (1) as amended by Am. 15, effective 5-8-44]

NOTE: If the processor did not sell or offer the type and quality of Spanish type blending sherry for sale during March 1942 to any customer, he must not use an adjusted March 1942 price.

(2) *Alternate maximum price.* An amount per gallon f. o. b. processor's premises for any quantity according to type and alcohol content as follows:

PROCESSORS ALTERNATE MAXIMUM PRICE FOR SPANISH TYPE BLENDING SHERRY

[United States, state and local excise taxes not included]

Type	Alcohol content	Maximum price per gallon
16° to and including 21° (Balling).	Over 19% but not in excess of 24% by volume.	$2.005

NOTE: The above maximum price includes cost of any containers supplied by the seller. If the seller does not supply containers, he shall make a corresponding reduction in his maximum price for the sale.

(b) *Processors' maximum prices for lees wine.* A processor's maximum price per gallon to a customer of any class for any quantity of lees wine in bulk shall be a specific maximum price f. o. b. processor's premises, computed according to the alcohol content by volume and the pure potassium bi-tartrate (cream of tartar) content of the quantity to be priced. Such maximum price shall be the total of:

(1) 1½ cents for each 1% of alcohol by volume; plus

(2) 11 cents for each pound of pure potassium bi-tartrate (cream of tartar).

NOTE: The above maximum price includes the cost of any containers supplied by the seller. If the seller does not supply containers, he shall make a corresponding reduction in his maximum price for the sale.

(c) *Processors' maximum prices for light sweet wine*—(1) *Sales in bulk.* A processor's maximum price per gallon to a customer of any class for current or non-current light sweet wine in bulk shall be 90% of the maximum price per gallon (established by section 4.4) for his sales of current or non-current dessert wine respectively to a customer of the same class.

(2) *Sales in packages.* A processor's maximum price per case to a customer of any class for packaged current or non-current light sweet wine shall be 90% of the maximum price per case (established by section 4.5) for his sales of current or non-current dessert wine respectively to a customer of the same class.

(3) *Recognition of difference in tax rate.* In determining a maximum price for light sweet wine, in bulk or in packages, the processor shall before applying the percentage provided in (1) and (2) above, deduct from his maximum price for the corresponding dessert wine, the amount of any United States excise tax included therein, and in determining a tax-paid maximum price for light sweet wine shall include therein the amount of the United States excise tax at the rate applicable to light sweet wine.

(d) *Processors' maximum prices for packaged sparkling and carbonated wine.* A processor's maximum price per case for any type, quality, brand and container size of packaged sparkling or carbonated wine (as defined in section 7.12 (a) (25) and (26)) shall be either an adjusted March 1942 price for that type, quality, brand and container size, or a special maximum price established after application to the Office of Price Administration pursuant to section 4.9.

(e) *Pricing vermouth and flavored wines.* (1) Vermouth and flavored wines made from dessert wine shall be classified as non-current dessert wine, and shall be subject to the provisions of this article applicable to such dessert wines.

(2) Flavored wines made from table wine shall be classified as the corresponding non-current table wine, and shall be subject to the provisions of this article applicable to such table wine.

(f) *Processors' maximum prices for sales of certain mixed wines containing California grape wine or made in part from grapes grown in California.* In determining his maximum price to a customer of a particular class for bulk or packaged mixed wine (as defined in section 7.12 (a) (31)), a processor shall figure his maximum price for the percentage of wine made from California grapes, (established by section 4.4 or 4.5 of this article as may be applicable), and his maximum price for the percentage of berry wine other than grape wine under section 2.15 of Revised Supplementary Regulation No. 14, as if the two were separate wines. The figures obtained shall then be added, and the total plus applicable rectification tax, if any, shall be the processor's maximum price for the mixed wine.

NOTE: This paragraph applies only to mixed wine made in part from California grapes, and in part from berries other than grapes, in which not in excess of 20% of the mixed wine is made from berries.

(g) *Sales of unfinished wine in bulk by any seller.* A seller's maximum price per gallon to a customer of any class for unfinished California grape wine in bulk shall not exceed his maximum price per gallon (established by section 4.4) for the same type and quality of wine in a finished condition, sold on the same terms to a customer of the same class.

(h) *Maximum prices for California grape concentrates*—(1) *For sales by processors.* A processor's maximum price per gallon to a customer of any class for any type, kind and quality of California grape concentrates shall be either an adjusted March 1942 price or an alternate maximum price as follows:

(i) *Adjusted March 1942 price.* The highest price per gallon he charged or at which he offered the same type, kind and quality of California grape concentrate for sale during March 1942 to a customer of the particular class, plus the last amount (permitted increase) which section 2.2 of Revised Supplementary Regulation No. 14 permitted him to add to that price.

NOTE: If the processor did not sell or offer the particular type, kind and quality of concentrate for sale during March 1942 to any customer, he may not use an adjusted March 1942 price for his sales.

(ii) *Alternate maximum price.* An alternate maximum price per gallon for the type, kind and quality of concentrate f. o. b. processor's premises, in any quantity, determined as follows:

PROCESSORS' MAXIMUM PRICES FOR CONCENTRATES

Type of concentrate	Kind of concentrate		
	Price per gallon		
	Red	White	Muscat
55° to 66° Balling:			
Open pan	$1.25	$1.25	$1.50
Vacuum	1.00	1.00	1.25
(66° to 80° Balling:			
Open pan	1.50	1.50	1.75
Vacuum	1.25	1.25	1.50

NOTE: The above maximum prices include the cost of containers supplied by the seller. If the seller does not supply the containers, he must make a corresponding reduction in his maximum price for the sale.

(2) *For sales by dealers.* The maximum price per gallon for a sale of any type, kind and quality of California grape concentrate by a dealer shall be a specific maximum price, f. o. b. seller's warehouse in any quantity, equal to the total of the following:

(i) The maximum price established under (1) above for a processor's sale of the same type, kind and quality of concentrate;

(ii) Transportation charges per gallon from the processor's premises to the seller's customary receiving point for the concentrate being priced at the rate he actually pays. No amount shall be included for

(*a*) Transportation charges on sales f. o. b. processor's premises where the concentrate is shipped directly to the customer at the customer's expense; or

(*b*) Expense of hauling, drayage or handling within the metropolitan area of the shipping or receiving point;

(iii) 15 cents per gallon.

(i) *Wine fermented in whole or in part from California grape concentrates.* Wine fermented in whole or in part from concentrates, shall for the purposes of this article, be classified as the same type and kind of wine as if made from the same materials without concentration.

SEC. 4.7 *Conversion of a maximum price for a change of container size.* A processor required by this article to establish a maximum price for a brand in a new container size by converting his maximum price for the same brand in a different container size shall do so as provided herein:

(a) He shall select as the base container size for purposes of conversion, the largest of the following container sizes in which he sold or offered the brand for sale during March 1942 to a customer of the particular class. If the processor has been authorized pursuant to section 4.9 to establish a special maximum price for the brand to customers of the particular class, he shall select as the base container size for purposes of conversion, the largest of the following container sizes for which such special maximum price has been authorized to customers of that class.

(b) He shall first deduct the amount of any state or local excise taxes and the amount of any California state marketing order assessment from his maximum price for the base container size and then determine his maximum price for the brand in the new container size to be priced as follows:

(1) *For a change from quarts, pints or half-gallons to any other such container size in a case having a total quantity of three gallons.* (i) Add to or subtract from such maximum price per case for the brand in the base container size, the applicable amount as follows:

From—	To—		
	Quarts	Pints	Half-gallons
Quarts		+$0.60	−$0.35
Pints	−$0.60		−.95
Half-gallons	+.35	+.95	

(ii) The resulting figure is the processor's corresponding maximum price per case to a customer of the particular class for the brand in the new container size.

(2) *For a change from gallons to half-gallons or from half-gallons to gallons in a case having a total quantity of four gallons.* (i) Add to or subtract from such maximum price per case for the brand in the base container size, the applicable amount as follows:

From—	To—	
	Half-gallons	Gallons
Half-gallons		−$0.30
Gallons	+$0.30	

(ii) The resulting figure is the processor's corresponding maximum price per case to a customer of the particular class for the brand in the new container size.

(3) *For a change from fifths to tenths or tenths to fifths in a case having a total quantity of 2.4 gallons.* (i) Add to or subtract from such maximum price per case for the brand in the base container size, the applicable amount as follows:

From—	To—	
	Fifths	Tenths
Fifths	-$0.60	+$0.60
Tenths		

(ii) The resulting figure is the processor's corresponding maximum price per case to a customer of the particular class for the brand in the new container size.

(4) *For a change from quarts or pints to fifths.* (i) Subtract from such maximum price per case for the brand in the base container size, the sum of $1.50 or $2.10 for quarts or pints respectively, as may be appropriate;

(ii) Multiply the resulting figure at (1) by .80;

(iii) Add the sum of $1.50;

(iv) The resulting figure at (iii) is the corresponding maximum price per case to a customer of the particular class for the brand in fifths.

(5) *For a change from fifths to quarts or pints.* (i) Subtract from such maximum price per case for the brand in the base container size, the sum of $1.50;

(ii) Multiply the resulting figure at (1) by 1.25;

(iii) Add the amount of $1.50 or $2.10 for quarts or pints respectively as may be appropriate.

(iv) The resulting figure at (iii) is the corresponding maximum price per case to a customer of the particular class for the brand in quarts or pints respectively.

(6) *For other changes from any size in a case having a total quantity of 2.4 gallons, 3 gallons or 4 gallons, to any size in a case having a different total quantity.*

NOTE: Changes of this character to which (4) or (5) above apply, are to be made as therein provided.

(i) Convert such maximum price per case for the brand in the base container size into a corresponding maximum price for the container size below for a

Case containing—	*Convert to—*
2.4 gallons	fifths
3 gallons	half-gallon
4 gallons	gallons

NOTE: If the base container size corresponds to that listed above for a case having the same quantity, this step may be omitted.

(ii) Deduct from the resulting amount at (i) the applicable figure for the container size derived thereunder as follows:

Container size:	*Deduct—*
Fifths	1.50
Half-gallons	1.15
Gallons	1.00

(iii) Multiply the resulting figure at (iii) by the applicable factor according to the quantities in the cases from which and to which conversion is being made as follows:

From a case containing—	To a case containing—		
	2.4 gallons	3 gallons	4 gallons
2.4 gallons	.....	1.25	1.66
3 gallons	0.80	.....	1.33
4 gallons	.60	.75	.....
Multiply by			

(iv) Add to the resulting figure at (iii) one of the following amounts according to the size of the case to which conversion is being made as follows:

To a case containing—	*Add—*
2.4 gallons	$1.50
3 gallons	1.15
4 gallons	1.00

(v) The resulting figure at (iv) is the processor's corresponding maximum price to a customer of the particular class per case of 2.4 gallons, 3 gallons or 4 gallons in fifths, half gallons and gallons respectively. If the processor desires to sell in a particular case, a container size other than that for which a price has resulted, he shall convert such resulting price into a corresponding maximum price for the container size he desires to sell, using for that purpose paragraph (1), (2) or (3) above as may be applicable.

(7) All maximum prices derived under the preceding subparagraphs of (b) are prices exclusive of any state or local excise taxes and California marketing order assessment. Such state and local excise taxes and assessment (if applicable) may be added to a corresponding maximum price as provided in section 4.2 (g) and (h).

Example of conversion under subparagraphs (6) and (7): A processor has established a maximum price of $4.60 per case of 24 tenths for a brand to wholesalers. He has not established a maximum price to wholesalers for the brand in any other container or case size. He desires to convert his container and case size from 24 tenths, (2.4 gallons) to 24 pints (3 gallons). The method to be employed is as follows:

Maximum price per case of 24 tenths (exclusive of state and local excise taxes and California marketing order assessment)	$4.60
First: Convert the price for tenths into a price for fifths by deducting $0.60 per subparagraph (3)	.60
	4.00
Second: Deduct for fifths	1.50
	2.50
Third: Multiply by factor of 1.25 applicable to conversion from case of 2.4 gallons to case of 3 gallons. 2.50×1.25=	3.125
Fourth: Add $1.15 to secure price of 3 gallon case in half-gallon containers	1.15
	4.275
Fifth: Convert price for half gallons into price for pints by adding $0.95 per subparagraph (1)	.95
Maximum price per case of 24 pints (exclusive of state and local excise taxes and California marketing order assessment)	5.225 or 5.23

SEC. 4.8 *Types and kinds of California grape wine for which a special maximum price may be authorized pursuant to section 4.9.* A processor who is unable to establish an adjusted March 1942 price for a particular type and kind of bulk or packaged non-current California grape wine may apply to the Office of Price Administration for authority to establish a special maximum price therefor, if such wine requires individual consideration. In general, the wine will not be deemed to require such consideration unless:

(a) It is produced principally from varietal types of grapes (as defined in section 7.12 (a) (41)); or unless

(b) Applicable United States labelling laws and regulations permit the processor to label individual packages thereof as wine of the 1941 or earlier vintage; or unless

(c) It is produced by blending two or more kinds of wine, and non-current wine is the principal component of the wine resulting; or unless

(d) It has been subjected to cellar treatment by methods or to an extent generally recognized as producing a wine requiring individual consideration, such treatment involving additional fining, stabilization, finishing, racking, filtering, aging, binning and other cellar treatment beyond that customarily given non-current wines.

SEC. 4.9 *Application for authority to establish maximum prices—(a) Who is permitted or required to file.* (1) Any processor who desires to sell or offer for sale bulk or packaged non-current California grape wine for which a special maximum price may be authorized pursuant to the provisions of section 4.8 may make application under this section for authority to establish such maximum price.

(2) Any seller who is required by any provision of this article to make application for authority to establish any maximum price, or who is unable to determine a maximum price for a particular sale of any wine or related product to which this article applies shall make application under this section.

(b) *Prohibition.* Except as provided in paragraph (c) of this section:

(1) A processor making application for authority to establish a special maximum price for bulk or packaged non-current California grape wine shall not, prior to the date on which that authority is granted, sell, offer to sell, or deliver the wine that is the subject of the application at any prices in excess of those provided therefor under other applicable provisions of this article; and

(2) A seller required to make application for authority to establish a maximum price for a particular sale shall not make, or agree to make that sale until after the application is filed and authority granted.

(c) *Adjustable pricing while an application under this section is pending before the Office of Price Administration.* (1) If permitted by the Office of Price Administration, but not otherwise, a person making application under this section may, after the application is filed and while it is pending, sell, offer to sell and deliver the wine or related product that is the subject of the application if the sale, offer to sell, or delivery is made under an agreement with the customer to adjust the price charged to an amount not in excess of the maximum price therefor later established under this section. Such permission may be given only if necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

The permission may be given by letter addressed to applicant, signed by the Price Administrator or by any official of the Office of Price Administration to whom authority to grant such permission has been delegated.

(2) Permission to use adjustable pricing given under this paragraph may be revoked at any time in the manner in which it was given. It shall be deemed revoked on the day on which authority to establish a maximum price is granted, or such maximum price is otherwise established pursuant to this section: *Provided,* That with respect to any sale which the applicant is required to make at a price posted or listed with a state or other public authority, he may continue so to sell, offer to sell or deliver the wine or related product until the effective date for prices thus posted or listed at the first opportunity after the 4th day (including Sundays and holidays) after the authority applied for is granted, or an applicable maximum price is otherwise established pursuant to this section.

(d) *Contents of application.* The application shall be in writing, signed by the processor or his authorized agent, and sent in duplicate to the Office of Price Administration, Beverage Section, Washington, D. C., by registered mail, return receipt requested. It shall contain the following:

(1) The processor's name and address, and the name and address of the person signing the application.

(2) The section of this article which requires or permits applicant to file the application.

(3) A description of the wine or related product for which authority to establish a maximum price is sought, including (if the subject of the application is packaged wine) a statement of the date on which OPA Form No. 635–369a, 635–369b or 635–369c was filed for the particular brand, or if no such form was filed, copies of the approved front label and the back label, if any, of any one container size of the wine. The description shall supply the following information if not disclosed by the form previously filed with the Office of Price Administration or by such labels:

(i) The kind of wine, e. g. still wine, sparkling wine, carbonated wine, etc.

(ii) The type of wine, e. g. Sherry, Port, Muscatel, etc.

(iii) The sub-type designation of the wine, e. g. natural, dry, pale dry, etc.

(iv) The appellation of origin, such as Napa Valley, Livermore Valley, etc.

(v) Alcohol content of wines containing 14% or more alcohol by volume. For wines containing less than 14% alcohol by volume, alcohol content may, but need not be stated.

(vi) For bulk wine, the brand name, if any.

(4) The maximum price f. o. b. processor's premises which applicant proposes to establish for his sales of the wine or related product to each of his classes of customers for each package and case size. If applicant has established maximum prices therefor under sections 4.3, 4.5 or 4.6 for sales to certain of his classes of customers the application shall state such maximum prices and the classes of customers to which each applies.

NOTE: Proposed maximum prices for sales in packages must be stated f. o. b. processor's premises in carload quantity, including United States excise taxes, for each package size and class of customers applicant desires to sell. Proposed maximum prices for sales in bulk must be stated f. o. b. processor's premises in carload quantity, exclusive of all United States, state or local excise taxes, and if applicant desires to sell in barrels or other containers, shall state the amount included therein for such barrels or containers.

(5) If the processor seeks to establish a special maximum price for non-current wine he shall certify that he is unable to determine an adjusted March 1942 price for the type and quality of wine and shall state all facts pertinent to a determination of the character of the wine and its proper price class, including (but not limited to):

(i) A description of the kinds and varieties of grapes from which such wine is produced, the name of the regions or districts in which such grapes were grown, and a statement of the season in which such grapes were purchased and applicant's costs therefor.

(ii) In the instance of vintage wine, the vintage year thereof.

(iii) In the instance of wine produced by blending component wines, the ages, types and characteristics of the component wines.

(iv) A description of the cellar treatment given to the wine and applicant's cost for such treatment. The description of cellar treatment shall include a statement of the length of time the wine has been aged, the nature of the cooperage used for that purpose, and the fining, stabilization, racking, binning and other cellar treatment given to it, and shall contain a comparison of the methods and costs of such cellar treatment with the methods and costs of cellar treatment given by applicant to current wine, with an explanation of any differences in methods.

(e) *When and how authority is given or denied—(1) Approval of or objection to application.* If within 60 days (including Sundays and holidays) after receipt of the application by the Office of Price Administration, the applicant shall not receive notice of objection to the maximum prices proposed in his application by letter from the Office of Price Administration, he shall be deemed authorized to establish such maximum prices for sales of the wine or related product in the container sizes and to the particular classes of customers described therein: *Provided,* That if within the 60 day period the Office of Price Administration shall by letter request supplemental information with respect to any matter stated in or omitted from the application, that period shall be figured from the date on which the requested supplemental information is received in writing by the Office of Price Administration. The authority so granted may be revoked by the Price Administrator at any time. Upon written request of the applicant received by the Office of Price Administration within 30 days (including Sundays and holidays) after the date of a notice of objection given under this paragraph, the Office of Price Administration will issue a formal order denying authority to establish the maximum prices requested in his application.

(2) *By order or amendment.* The Price Administrator may, at any time, by order or by amendment to this article establish maximum prices for sales of any type or quality of domestic wine or related product to one or more classes of customers. The maximum prices established by any such order or amendment shall supersede all maximum prices previously authorized under (1) above.

(f) *Compliance with price posting or listing requirements.* Permission to use adjustable pricing and authority to establish maximum prices granted by the Price Administrator pursuant to application under this section, or by order or by amendment to this article shall not authorize an applicant to sell or offer an item for sale until after compliance with provisions of any applicable statute, ordinance or regulation requiring the posting or listing of his prices.

SEC. 4.10 *Notice of maximum prices to consumers.* (a) Each processor who sells or offers packaged domestic wine for sale to consumers shall adopt before October 22, 1943, and thereafter continue to observe one of the following practices with respect to notifying consumers that prices charged are not in excess of maximum prices established under this article:

(1) *Use of marking on individual containers.* Before delivering an item to a consumer, a processor may mark on the container in plainly visible letters and figures, his selling price for the particular brand and container size (exclusive of retail sales taxes) and a statement that the price so marked is his maximum price under this article or less, and his name and address. The following:

OPA Price $_____
(insert amount)
_____
(name of processor)
_____
(address of processor)

so written or stamped on a label or on a state or local tax stamp affixed to the container shall be compliance with this requirement.

A processor who is the holder of a license or permit bearing a distinguishing number and issued under an applicable statute or ordinance, authorizing him to make sales of packaged domestic wine to consumers may substitute such license or permit number for the statement of his name and address required hereunder.

(2) *Use of a sales slip or receipt.* At or before delivering any individual container of packaged domestic wine to a consumer, the processor may hand the purchaser a sales slip or receipt setting forth in plainly visible letters and figures:

(i) The brand name, container, size and number of individual containers of each item sold to the purchaser, and

(ii) The selling price of each such individual container, or the total selling price for all such containers (exclusive of retail sales taxes), and

(iii) The name and address of the processor and date of sale.

A processor complying with this requirement shall post and maintain in a place readily visible to consumers mak-

ing purchases in his establishment a legible sign or placard reading substantially as follows:

Prices charged in this store are our OPA ceiling prices to consumers or less (exclusive of retail sales taxes).

(3) *Use of price posting in the processor's establishment.* A processor may post his maximum price for each item sold or offered for sale to consumers according to one of the following methods:

(i) By displaying a list of the names of each brand of packaged domestic wine offered for sale to consumers, his maximum price therefor and a statement that such maximum price is his OPA ceiling price to consumers or less (exclusive of retail sales taxes). When more than one type, quality or container size of a particular brand is offered for sale, each such type, quality or container size and the maximum price thereof shall be separately itemized. Such list may also contain the processor's selling price for each item described therein. The list shall be posted and maintained in a place readily visible to consumers making purchases in the processor's establishment, shall be in letters and figures plainly visible and legible to such consumers and shall be maintained complete and correct. A processor complying with this requirement shall not sell or offer any item for sale to a consumer until the item and his maximum price therefor is so listed.

(ii) Except when prohibited by statute or ordinance, a processor may mark his selling and/or maximum price for each item on the shelf, bin, rack or other holder thereof in letters plainly visible and legible to consumers making purchases in his establishment. A processor complying with this requirement shall so maintain complete and correct markings of his selling and/or maximum prices for all items he offers for sale to consumers and shall not sell or offer an item for sale to a consumer until his selling price therefor is thus marked.

(iii) A processor posting or marking prices in accordance with (i) or (ii) above shall post and maintain in a place readily visible to consumers making purchases in his establishment a legible sign or placard reading substantially as follows:

Prices posted in this store are our OPA selling prices to consumers or less (exclusive of retail sales taxes).

(b) The provisions in this section shall not apply to a processor's sales of an unopened case of individual containers or to his prices therefor.

SEC. 4.11 *Other provisions of this regulation applicable to sales for which maximum prices are established under this article.* The following sections of Article VII of this regulation shall apply to sales for which maximum prices are established under this article:

Section 7.1 *Treatment of fractional parts of a cent in figuring maximum prices.*
Section. 7.1a *Changes in case sizes.*
Section 7.2 *When a sales tax may be charged in addition to a maximum price.*
Section 7.2a *Treatment of brokers' compensation.*
Section 7.3 *When new taxes, or increases in existing taxes may be added to a maximum price.*
Section 7.3a *Distribution of packaged distilled spirits or wine.*
Section 7.4 *Use of minimum resale prices under State Fair Trade laws.*
Section 7.4a *Maximum prices for sellers for whom no specific provision is made.*
Section 7.5 *Adjustment of maximum prices for tax exempt sales to the United States or any agency thereof.*
Section 7.5a *Deposit charges on containers.*
Section 7.6 *Certain provisions of the General Maximum Price Regulation continued in effect.*
Section 7.6a *Licensing.*
Section 7.7 *Export sales.*
Section 7.7a *Compliance with other laws or regulations.*
Section 7.8 *Compliance with this regulation.*
Section 7.9 *Current records required.*
Section 7.10 *Petitions for amendment.*
Section 7.11 *Adjustable pricing in certain instances.*
Section 7.12 *Definitions.*
Section 7.13 *Geographical applicability.*

[References to Sections 7.2a, 7.4a, 7.5a, 7.6a and 7.7a added by Am. 15, effective 5-8-44]

SEC. 4.12 *Dates on which this article shall apply.* This article shall apply to all sales and offers to sell and deliveries of bulk or packaged California grape wine and related products for which maximum prices are established or provided for therein, made on and after, but not before, October 22, 1943 by any seller subject thereto; except that

(a) This article shall not apply to deliveries made on or before October 31, 1943 pursuant to sales or contracts to sell made prior to October 1, 1943; and

(b) This article shall not apply to any sale which the seller is required by statute, ordinance or regulation to make at a price posted or listed prior to October 7, 1943 with a state or other public authority (if the price so posted or listed is greater or less than that established under this article for such sale) until on and after the first effective date for prices so posted or listed at the first opportunity after October 12, 1943; and

(c) As to a brand, type and kind of bulk or packaged non-current California grape wine for which a processor is permitted by section 4.8 to apply for authority to establish a special maximum price, if the processor gives notice of intention to file such application to the Office of Price Administration, Beverage Section, Washington, D. C., on or before October 22, 1943, and such application is filed in accordance with section 4.9 on or before November 10, 1943, this article shall not apply to the processor's sales, offers to sell or deliveries of such bulk or packaged non-current wine made prior to the sixtieth day after the filing of such application or January 10, 1944, whichever is the earlier date, or to sales of that wine which the seller is required by statute, ordinance or regulation to make at a price posted or listed prior to the appropriate date referred to above with a state or other public authority (if the price so posted or listed is greater or less than that established under this article for such sale) until on and after the first effective date for prices so posted or listed at the first opportunity after that date.

[Paragraph (c) amended by Am. 7, 8 F.R. 15913, effective 11-22-43 and Am. 11, 9 F.R. 106, effective 12-31-43]

[Sec. 4.12 amended by Am. 6, 8 F.R. 14401, effective 10-21-43]

[Secs. 4.2 through 4.12 added by Am. 5, 8 F.R. 13500, effective 10-7-43]

ARTICLE V—MAXIMUM PRICES FOR SALES OF PACKAGED DISTILLED SPIRITS AND PACKAGED WINE BY WHOLESALERS, RETAILERS, MONOPOLY STATES, AND PRIMARY DISTRIBUTING AGENTS

SEC. 5.1 *Purposes of Article V*—(a) *Generally.* Article V establishes maximum prices for sales of packaged (but not bulk) distilled spirits and wine by the following persons:

(1) Wholesalers, as defined in section 7.12; (2) Retailers, as defined in section 7.12; (3) Monopoly states, as defined in section 7.12 and (4) Primary distributing agents, as defined in section 7.12; (5) Sales in the course of trade by a trustee in bankruptcy, receiver, administrator, executor, fiduciary or other officer of a court, engaged in continuing a business under a court order; (6) Privately conducted sales and auctions not held pursuant to an order of sale of a State or Federal court; (7) Sheriffs' sales, constables' or bailiffs' sales, marshals' sales and other sales or auctions held under writ or execution; (8) Sales by governmental bodies or agencies, held pursuant to statute, ordinance or both, notwithstanding the provisions of Supplementary Order No. 81.*

[Subparagraphs (5), (6), (7), and (8) added by Am. 15, effective 5-8-44]

(b) *Sales to which this Article does not apply.* Article V does not apply to the following sales by those persons:

(1) Sales of items which the seller imports or has imported for his account. Either section 1.4 or 1.5 or 1.7 of Article I (as may be applicable) must be used to establish maximum prices for such sales. However, an importer who prior to August 9, 1943 operated both import and wholesale divisions and had an established practice of selling items to independent wholesalers and billing them to his own wholesale division at prices equal to those he charged independent wholesalers, may while he continues to observe these practices, consider his wholesale division as a separate entity and use the percentage mark-ups provided in Article V to determine maximum prices for sales by his wholesale division. Similarly, an importer who prior to August 9, 1943 operated both wholesale and retail divisions and had an established practice of selling items to independent retailers and billing them to his own retail division at prices equal to those he charged independent retailers, may while he continues to observe those

*9 F.R. 810.

practices, treat his retail division in a like manner.

(2) Sales of items which the seller processes or has processed for his account. Maximum prices for such sales must be established under other applicable regulations or orders of the Office of Price Administration or under Articles III or IV (as applicable and when effective) of this regulation. However, a processor who prior to August 9, 1943 operated both a processing and a wholesale division and had an established practice of selling items to independent wholesalers and billing them to his own wholesale division at prices equal to those he charged independent wholesalers, may while he continues to observe those practices, consider his wholesale division as a separate entity and use the percentage mark-ups provided in Article V to determine maximum prices for sales by his wholesale division. Similarly, a processor who prior to August 9, 1943 operated both wholesale and retail divisions and had an established practice of selling items to independent retailers and billing them to his own retail division at prices equal to those he charged independent retailers, may while he continues to observe those practices, treat his retail division in a like manner.

[Subparagraphs (1) and (2) as amended by Am. 2, 8 F.R. 13496, effective 10-7-43]

(3) Sales by an "on premise licensee" or other person of distilled spirits or wines, by the drink for consumption on the licensed premises. However this article applies to—

(i) Sales of packaged distilled spirits or wines made to an "on premise licensee" by a wholesaler, retailer, monopoly state or primary distributing agent; and

(ii) Sales of packaged distilled spirits or wines made by an "on premise licensee" regardless of whether the seal or "strip stamp" is broken, if the purchaser is permitted to or does remove any part of the distilled spirits or wine in the container from the licensed premises.

(4) Sales of bulk distilled spirits or wine, brandy, neutral spirits, alcohol, grape spirits, spirits fruit, high wines or concentrates (whether or not by warehouse receipt or other evidence of title.)

[Subparagraphs (3) and (4) as amended by Am. 15, effective 5-8-44]

(c) *Prior regulations, orders and interpretations superseded.* Except as otherwise provided in this regulation, Article V supersedes all other maximum price regulations, orders and interpretations issued by the Office of Price Administration before August 14, 1943, with respect to sales of packaged imported and domestic distilled spirits or wine by any wholesaler, retailer, monopoly state or primary distributing agent, including the applicable provisions of the following:

(1) The General Maximum Price Regulation;

(2) Maximum Price Regulation No. 193, as amended;

(3) Orders Nos. 1 through 5 inclusive under Maximum Price Regulation No. 193;

(4) Article II of Revised Supplementary Regulation No. 14;

(5) Section 2.3 (b) of § 1499.26 of Revised Supplementary Regulation No. 1;

Provided, That such maximum price regulations, orders and interpretations shall remain in effect with respect to a particular sale of packaged distilled spirits or wine by any such person until provisions of this article become applicable thereto.

SEC. 5.2 *General rules for figuring maximum prices*—(a) *When maximum prices are to be figured.* Each wholesaler, retailer, monopoly state and primary distributing agent must figure a maximum price for any item to be sold on and after August 14, 1943 as follows:

(1) *Items in stock at the close of business on August 9, 1943.* Initial maximum prices for each item in stock at the close of business on August 9, 1943 must be figured between August 14, 1943 and August 30, 1943 and will apply to all sales, offers to sell and deliveries of the item made on and after August 30, 1943, unless applicability of such prices to certain sales is delayed by provisions of section 5.10 permitting compliance with state price posting or listing requirements and practices. Until the initial maximum prices for such items become applicable, a wholesaler, retailer, monopoly state and primary distributing agent may continue to sell, offer for sale or deliver those items at maximum prices established under regulations and orders of the Office of Price Administration in effect prior to the issuance of this article.

(2) *Items not in stock at the close of business on August 9, 1943.* Initial maximum prices for each item not in stock at the close of business on August 9, 1943 are to be figured and made applicable before any sale, offer to sell or delivery of the item is made. No wholesaler, retailer, monopoly state or primary distributing agent shall sell, offer for sale or deliver any item not in stock at the close of business on August 9, 1943 until after establishing initial maximum prices for the item in accordance with this article.

(3) *Refiguring maximum prices.* A wholesaler, retailer, monopoly state or primary distributing agent must refigure a maximum price for an item in accordance with this article if cost for the item changes after the maximum price has been established.

(b) *Figuring maximum prices for each item separately.* Each item of packaged distilled spirits or wine to be sold or offered for sale by a wholesaler, retailer, monopoly state or primary distributing agent after August 29, 1943 must have a separate maximum price. An "item" is a particular brand name, container size, type designation or formula of distilled spirits or wine. One item must not be considered the same as another if there is any difference in:

(1) Their brand names, or

(2) Their countries of origin, or

(3) The names of their processors, or

(4) Their container sizes (quarts as compared with fifths, pints as compared with half-pints etc.), or

(5) Requirements of United States labeling laws or regulations applicable to each, with respect to material information contained in their labels. Age, proof, type designation and ingredients as stated on the labels, shall be deemed material information. "Bottled in bond" domestic whiskey shall be deemed to be four years of age where no age statement appears on the labels.

[Subparagraph (5) as amended by Am. 15, effective 5-8-44]

(c) *Customer classifications.* (1) Each wholesaler, retailer and primary distributing agent must establish a separate maximum price for each item to each class of his customers he sells as follows:

(i) *For wholesalers.* Customers are to be classified as retailers, consumers, wholesalers or monopoly states.

(ii) *For retailers.* Customers are to be classified as consumers or retailers.

(iii) *For primary distributing agents.* Customers are to be classified as wholesalers, monopoly states, retailers or consumers.

(2) Industrial users, institutional users and the United States or any agency thereof shall, for sales by wholesalers and primary distributing agents, be classified as retailers. For sales by retailers, they shall be classified as consumers.

(3) Each monopoly state must establish a separate maximum price for its sales of each item according to the types of sale it makes. It must classify a sale to a particular customer in accordance with its March 1942 customary sales classification.

(d) *Discounts, allowances, price differentials and terms of sale.* (1) Customary discounts in effect during March 1942, in accordance with a wholesaler's, retailer's, or primary distributing agent's March 1942 customer classifications, must be applied to his maximum prices established under this article: *Provided,* That discounts and allowances based solely on quantity purchases (in dollars or units) need not be maintained.

(2) If a wholesaler, retailer or primary distributing agent makes his terms of sale to a customer more onerous than those in effect during March 1942 for his sales to a customer of the same class, he must make a compensating reduction from his maximum price established under this article.

(3) If a wholesaler or primary distributing agent directly or indirectly requires a customer to make any payment in advance of delivery (whether to the seller or to another person), he must reduce his maximum price established under this article for that sale by an amount equal to interest at the rate of 5 percent per annum on the amount of the advance payment from the date the payment is made to the date on which the item is delivered or the advance payment refunded to the customer.

(e) *Wholesaler or retailer acting as a primary distributing agent with respect*

to certain items only. A wholesaler or retailer who is a primary distributing agent for certain items shall determine his maximum prices for sales of those items in accordance with provisions of this article applicable to primary distributing agents. He shall determine his maximum prices for sales of other items under the provisions of this article applicable to wholesalers or retailers, as may be the case.

(f) *F. o. b. and delivered prices.* (1) Maximum prices established under this article for a wholesaler, retailer or primary distributing agent are prices f. o. b. the metropolitan area of warehouse or place of business.

(2) Maximum prices established under this article for monopoly states are prices f. o. b. March 1942 freight base zone.

(3) If a wholesaler, retailer, or primary distributing agent sells an item f. o. b. a point of delivery outside the metropolitan area of his warehouse or place of business, he may add to his maximum price for the item established under this article, the charges for transporting the item from that metropolitan area to the point of delivery at the rate he actually pays.

SEC. 5.3 *Determination of "net cost" used in figuring maximum prices for wholesalers, retailers and monopoly states*—(a) *What purchases may be used to determine net cost.* Except as otherwise provided in this article, a "base purchase" to be used by a wholesaler, retailer, or monopoly state to determine net cost of an item must be a purchase by him from a customary type of supplier delivered by a customary means of transportation. No accommodation purchase (whether or not from a customary type of supplier) shall be used as a base purchase in determining net cost of an item. Purchases made on memorandum invoice or purchases of small quantities of an item at exceptional prices to fill a shortage are accommodation purchases. No purchase (whether or not from a customary type of supplier) to fill an order of the United States or any agency thereof shall be used as a base purchase.

NOTE: For a definition of "customary type of supplier" see section 7.12.

(b) *Elements of net cost.* The net cost to be used by a wholesaler, retailer or monopoly state to determine a maximum price is the total of the following elements of cost actually paid by him with respect to a particular base purchase of the item to be priced:

(1) *Purchase price.* The supplier's selling price per case (not in excess of his maximum price under applicable regulations or orders of the Office of Price Administration), less all discounts,

[Subparagraph (1) as amended by Am. 15, effective 5-8-44]

(i) Excepting any discount for prompt payment (cash discount); but

(ii) Including any amount subtracted from the supplier's maximum price to compensate for discontinuance of a discount for prompt payment.

(2) *Freight.* Transportation charges from the supplier's point of shipment to the wholesaler's, retailer's, or monopoly state's customary receiving point for the item, at the rate paid. No amount shall be included for

(i) Any transportation charges from point of shipment included in the supplier's selling price; or

(ii) Expense of hauling, drayage or handling within the metropolitan area of the shipping or receiving point: *Provided,* That a monopoly state may include such portion of that expense as it customarily included during March 1942 in determining cost for purposes of mark-up.

(3) *Taxes and United States customs duties*—(i) *For wholesalers and retailers.* United States customs duties and United States state and local excise taxes at rates in effect on November 2, 1942, if not included in the supplier's selling price.

(ii) *For monopoly states.* United States customs duties and United States excise taxes at rates in effect on March 31, 1942, if not included in the supplier's selling price, and any state taxes at rates in effect on March 31, 1942, customarily included during March 1942 in determining cost for applying mark-up.

(4) License, income, franchise, receipts, gross receipts, sales, use or other similar Federal, State or local taxes cannot be included in the net cost of a wholesaler, retailer, or monopoly state.

[Subparagraph (4) added by Am. 15, effective 5-8-44. Note deleted by Am. 15]

SEC. 5.4 *Maximum prices for wholesalers.*

[Note deleted by Am. 15, effective 5-8-44]

(a) *Generally.* A wholesaler must establish his maximum prices to each class of customers as follows:

(1) For initial maximum prices—use paragraph (b). A base purchase made between August 9, 1943 and August 30, 1943 may be used to figure initial maximum prices. A wholesaler is not required to establish a refigured maximum price for an item until he makes a base purchase thereof after August 29, 1943.

[Last two sentences added by Am. 15, effective 5-8-44]

(2) For a refigured maximum price if net cost for the item changed after August 29, 1943—use paragraph (c).

(3) A wholesaler who is the processor or primary distributing agent of an item must not use this section to determine maximum prices for that item unless permitted to do so by other provisions of this regulation.

[Subparagraph (3) added by Am. 15, effective 5-8-44]

(b) *Initial maximum prices*—(1) *For sales to retailers.* A wholesaler's initial maximum price per case to retailers shall be his net cost per case (figured according to section 5.3) for his latest base purchase of the item, or if he made no base purchase of the item since March 1942, his net cost per case (figured according to section 5.3) for his most recent purchase of the item from any supplier, multiplied by the percentage mark-up for the item being priced as follows:

(i) 1.15 for distilled spirits other than cordials, liqueurs and specialties.

(ii) 1.25 for wine, wine based cordials and other rectified wines.

(iii) 1.20 for cordials, liqueurs and specialties to which (ii) does not apply; *Provided,* That any Regional Office of the Office of Price Administration may, by order, adjust downward the percentage mark-up so established for sales of one or more of such classes of commodities in any state within its jurisdiction, if it appears that such percentage mark-up will permit wholesalers in such state to obtain an excessive margin. In determining whether or not margins are excessive, the appropriate office shall consider margins prevailing in the particular state for wholesalers during March 1942 and the amounts of the costs to which they were applied. A percentage mark-up provided by any such order of a Regional Office shall have the same force and effect as if expressly provided herein for the particular sales to which it is applicable.

[Subparagraph (1) as amended by Am. 1, 8 F.R. 11851, effective 8-25-43]

(2) *For sales to consumers.* A wholesaler's initial maximum price per case to a consumer shall be his net cost per case (figured according to section 5.3) for his latest base purchase of the item, or if he has made no base purchase of the item since March 1942, his net cost per case (figured according to section 5.3) for his most recent purchase of the item from any supplier, multiplied by the percentage mark-up provided in section 5.5 for sales of the same item by retailers to consumers.

(3) *For sales to a monopoly state.* A wholesaler's initial maximum price per case to a monopoly state shall be his net cost per case (figured according to section 5.3) for his latest base purchase of the item, or if he has made no base purchase of the item since March 1942, his net cost per case (figured according to section 5.3) for his most recent purchase of the item from any supplier. No mark-up shall be added for such sales.

(4) *For sales to another wholesaler.* A wholesaler's initial maximum price per case to another wholesaler shall be his maximum price per case provided in (1) above for sales of the particular container size to retailers, subject to any discount, allowance or price differential agreed upon. When making such sale the seller shall, at or before delivery of the item, give the buyer a notice in writing stating the seller's maximum price per case for the item to retailers and to consumers. A statement on the invoice substantially as follows shall be deemed compliance with this requirement:

Our ceiling prices per case to retailers for the above items are:

Item:	Maximum Price

Our ceiling prices per case to consumers for the above items are:

Item:	Maximum Price

A wholesaler's maximum price per case to any class of customers for an item purchased by him from another wholesaler shall not exceed the higher of

(i) His own maximum price for the item to a customer of the particular class figured according to the applicable provisions of this section, or

(ii) With respect to sales to retailers or consumers, the supplier's maximum price for a sale of the item to a customer of the particular class as stated in such notice plus freight for shipment from the selling wholesaler paid by the purchasing wholesaler. No markup on the amount of such freight may be added.

[Subparagraph (ii) as amended by Am. 15, effective 5-8-44. Note deleted by Am. 15]

(5) *For individual containers.* A wholesaler's initial maximum price for individual containers of an item to any class of customers shall be an amount determined by dividing his initial maximum price per case to a customer of the same class by the number of individual containers customarily packed in the case by his supplier: *Provided,* That, if a retailer has elected to purchase individual containers after a wholesaler has expressly given him the alternative of purchasing a case of the item at the wholesaler's maximum price per case for the particular container size, the wholesaler may add to his maximum price for individual containers to be sold to that retailer one of the following amounts according to the particular container size:

4 cents per container, if the container size is a gallon, half gallon, quart or fifth;
2 cents per container, if the container size is a pint or tenth;
1 cent per container, if the container size is a half-pint.

(c) *Changes in maximum prices*—(1) *How long particular maximum prices continue in effect.* A wholesaler's initial maximum prices and refigured maximum prices for an item shall apply to all his sales and offers to sell of the item so priced made prior to the date on which subsequently refigured maximum prices for sales thereof became applicable in accordance with (4) of this paragraph.

(2) *When a wholesaler must refigure his maximum prices.* A wholesaler who after August 29, 1943 receives a base purchase of an item shall figure his net cost therefor according to section 5.3. If such net cost per case differs from the net cost per case for the base purchase used in establishing the wholesaler's maximum prices then in effect for the item, the wholesaler may, if the most recent purchase shows the greater total and he must, if the most repent purchase shows the lesser total, establish refigured maximum prices for the item: *Provided,* That if the difference in net cost is 15 cents per case or less, the wholesaler shall not establish refigured maximum prices.

(3) *How a wholesaler must refigure his maximum prices.* A wholesaler required or permitted by this paragraph to establish refigured maximum prices for an item shall determine such prices under paragraph (b) of this section, substituting however, the net cost for his most recent base purchase for the net cost of his earlier base purchase.

(4) *When refigured maximum prices become applicable.* His refigured maximum prices determined under this paragraph shall apply to stock on hand and shall be the wholesaler's maximum prices for sales of the item on and after, but not before, the 4th day (exclusive of Sundays and holidays) following receipt of the base purchase to be used to establish such refigured maximum prices, until in turn superseded by other refigured maximum prices subsequently determined: *Provided,* That until on and after the earliest effective date for prices posted or listed at the first opportunity after the 4th day (exclusive of Sundays and holidays) after receipt of such base purchase, refigured maximum prices shall not apply to any sale which a wholesaler is required by statute, ordinance or regulation to make at a price posted or listed with a state or other public authority before receipt of the base purchase.

SEC. 5.5 *Maximum prices for retailers.*

[Note deleted by Am. 15, effective 5-8-44]

(a) *Generally.* A retailer must establish his maximum prices to each class of customers as follows:

(1) For initial maximum prices—use paragraph (b). A base purchase made between August 9, 1943, and August 30, 1943, may be used to figure initial maximum prices. A retailer is not required to establish a refigured maximum price for an item until he makes a base purchase thereof after August 29, 1943.

[Last two sentences added by Am. 15, effective 5-8-44]

(2) For a refigured maximum price if net cost for the item changes after August 29, 1943—use paragraph (c).

(3) A retailer who is the processor or primary distributing agent of an item must not use this section to determine maximum prices for that item unless permitted to do so by other provisions of this regulation.

[Subparagraph (3) added by Am. 15, effective 5-8-44]

(b) *Initial maximum prices*—(1) *For sales to consumers.* A retailer's initial maximum price per case to consumers shall be his net cost per case (figured according to section 5.3) for his latest base purchase of the item or if he made no base purchase of the item since March 1942, his net cost per case (figured according to section 5.3) for his most recent purchase of the item from any supplier, multiplied by the percentage mark-up for the item being priced as follows:

(i) 1.333 for distilled spirits other than cordials, liqueurs and specialties.

(ii) 1.50 for wines, wine based cordials and other rectified wines.

(iii) 1.45 for cordials, liqueurs and specialties to which (ii) does not apply: *Provided,* That any Regional Office of the Office of Price Administration may by order adjust downward the percentage mark-up so established for sales of one or more of such classes of commodities in any state within its jurisdiction, if it appears that such percentage mark-up will permit retailers in such state to obtain an excessive margin. In determining whether or not margins are excessive the appropriate office shall consider margins prevailing in the particular state for retailers during March 1942 and the amounts of the costs to which they were applied. A percentage mark-up provided by any such order of a Regional Office shall have the same force and effect as if expressly provided herein for the particular sales to which it is applicable.

[Subparagraph (1) as amended by Am. 1, 8 F.R. 11851, effective 8-25-43]

(2) *For sales to another retailer.* A retailer's initial maximum price per case to another retailer shall be his net cost per case (figured according to section 5.3) for his latest base purchase of the item, or if he made no base purchase of the item since March 1942, his net cost per case (figured according to section 5.3) for his most recent purchase of the item from any supplier. No mark-up shall be added for such sales.

(3) *For individual containers.* A retailer's maximum price to consumers or to another retailer for individual containers of an item shall be an amount determined by dividing his initial maximum price per case to consumers or to another retailer respectively by the number of individual containers customarily packed in the case by his supplier.

[Note deleted by Am. 15, effective 5-8-44]

(c) *Changes in maximum prices*—(1) *How long particular maximum prices continue in effect.* A retailer's initial maximum prices and refigured maximum prices for an item shall apply to all his sales and offers to sell of the item so priced made prior to the date on which subsequently refigured maximum prices for sales thereof become applicable in accordance with (4) of this paragraph.

(2) *When a retailer must refigure his maximum prices.* A retailer who after August 29, 1943, receives a base purchase of an item shall figure his net cost therefor according to section 5.3. If such net cost per case differs from the net cost per case for the base purchase used in establishing the retailer's maximum prices then in effect for the item, the retailer may, if the most recent purchase shows the greater total and he must, if the most recent purchase shows the lesser total, establish refigured maximum prices for the item: *Provided,* That if the difference in net cost is 15 cents per case or less, the retailer shall not establish refigured maximum prices.

(3) *How a retailer must refigure his maximum prices.* A retailer required or permitted by this paragraph to establish refigured maximum prices for an item shall determine such prices under paragraph (b) of this section, substituting however, the net cost for his most recent base purchase for the net cost of his earlier base purchase.

(4) *When refigured maximum prices become applicable.* His refigured maximum prices determined under this paragraph shall apply to stock on hand and

shall be the retailer's maximum prices for sales of the item on and after, but not before, the 4th day (exclusive of Sundays and holidays) following receipt of the base purchase to be used to establish such refigured maximum prices, until in turn superseded by other refigured maximum prices subsequently determined: *Provided*, That until on and after the earliest effective date for prices posted or listed at the first opportunity after the 4th day (exclusive of Sundays and holidays) after receipt of such base purchase, refigured maximum prices shall not apply to any sale which a retailer is required by statute, ordinance or regulation to make at a price posted or listed with a state or other public authority before receipt of the base purchase.

SEC. 5.6 *Maximum prices for monopoly states*—(a) *Generally.* A monopoly state must establish its maximum prices as follows:

(1) For initial maximum prices—use paragraph (b).

(2) For a refigured maximum price if net cost for the item changes after August 29, 1943—use paragraph (c).

(b) *Initial maximum prices.* To figure its initial maximum price per case for an item a monopoly state shall:

(1) Multiply its net cost per case (figured according to section 5.3) for its most recent base purchase of the item (or if it made no base purchase of the item since March 1942, the net cost for its most recent purchase of the item from any supplier) by the highest percentage in use for the item during March, 1942, according to the statute, ordinance or regulation then prescribing its markup;

(2) Add to the figure at (1): (i) The applicable increase effective November 1, 1942 in United States excise taxes.

(ii) Any applicable state taxes in effect on November 2, 1942, customarily included in its price during March, 1942, to the extent that the amount thereof is not included in net cost;

(3) The resulting amount shall be the monopoly state's maximum price for sales of the item per case to the class of customers to which, during March 1942, the percentage used under (1) above applied.

(4) Where the monopoly state during March 1942, used its price to the class of customers figured on the percentage applied under (1) above as a base price, and determined its price to other classes of customers by applying a discount to, reducing or increasing that base price by an established method, its maximum prices for sales to those other classes of customers shall be determined by reducing or increasing the resulting amount under (3) in accordance with the same method.

(5) A monopoly state's initial maximum price for individual containers to any class of customers shall be its maximum price per case to a customer of the same class transformed into a price for individual containers in accordance with the method customarily used by the monopoly state during March 1942, to determine its price for individual containers.

(6) A monopoly state's initial maximum prices shall be its maximum prices for all its sales of an item made on and after, but not before, the effective date of its complete or supplementary price list first promulgated after August 29, 1943.

(c) *Changes in maximum prices*—(1) *How long particular maximum prices remain in effect.* A monopoly state's initial maximum prices and refigured maximum prices for an item shall apply to all its sales and offers to sell of the item so priced made prior to the date on which subsequently refigured maximum prices for sales thereof become applicable in accordance with (4) of this paragraph.

(2) *When a monopoly state must refigure its maximum prices.* A monopoly state which after August 29, 1943, receives a base purchase of an item shall, or upon acceptance of an official offer of an item, it may determine its net cost therefor according to section 5.3. If such net cost per case differs from the net cost per case of the base purchase used in establishing its maximum prices then in effect for the item, the monopoly state may, if the most recent purchase shows the greater total, and it must, if the most recent offer or purchase shows the lesser total, establish refigured maximum prices for the item; *Provided*, That if the difference in net cost is 15 cents per case or less, the monopoly state shall not establish refigured maximum prices.

(3) *How a monopoly state must refigure its maximum prices.* A monopoly state required or permitted by this paragraph to establish refigured maximum prices for an item shall determine such prices under paragraph (b) of this section, substituting, however, its net cost for the most recent offer or base purchase for the net cost of its earlier base purchase.

(4) *When refigured maximum prices become applicable.* Its refigured maximum prices determined under this paragraph shall be the monopoly state's maximum prices for sales of the item made on and after, but not before, the effective date of its complete or supplementary price list first promulgated after the 7th day (excluding Sunday and holidays) following receipt of the official offer or the invoice for the particular base purchase to be used.

(d) *Disposition of fractional parts of a cent and rounding prices to an even 5 cents.* (1) In determining its initial or refigured maximum prices under this section a monopoly state shall follow its customary March 1942 practice with reference to disposition of fractional parts of a cent and shall reduce or may increase its maximum price in accordance therewith.

(2) If during March 1942, a monopoly state customarily followed the practice of rounding its prices to a sum divisible by 5, it may continue to follow that practice by reducing or increasing its maximum prices for any item in accordance with its customary March 1942 practice.

SEC. 5.7 *Maximum prices for primary distributing agents.*

[Note deleted by Am. 15, effective 5-8-44]

(a) *Generally.* A primary distributing agent must establish maximum prices to each class of customers as follows:

(1) For initial maximum prices—use paragraph (b)

(2) For a refigured maximum price if elements of cost for the item change after August 29, 1943—use paragraph (c).

(3) This section applies only to sales of an item for which the seller acts as a primary distributing agent.

[Subparagraph (3) added by Am. 15, effective 5-8-44]

(b) *Initial maximum prices.* A primary distributing agent's initial maximum price per case for an item shall be as follows:

(1) *Sales to wholesalers and monopoly states.* The total of the following:

(i) *Supplier's charge.* A supplier's charge according to the item being priced as follows:

(a) *Packaged imported distilled spirits and packaged imported wine.* The importer's maximum price per case for a sale of the item to a wholesaler or monopoly state respectively as established under Article I of this regulation.

(b) *Packaged domestic distilled spirits and packaged domestic wine.* The processor's maximum price per case for a sale of the item to a wholesaler or monopoly state (as may be the case) as established under other applicable regulations or orders of the Office of Price Administration or under Article III or IV (as applicable and when effective) of this regulation.

(ii) *Freight.* Transportation charges per case from the supplier's point of shipment to the primary distributing agent's customary receiving point for the item at the rate the primary distributing agent paid. No amount shall be included for

(a) Transportation charges on items sold f. o. b. supplier's shipping point and shipped directly to the customer at the customer's expense; or

(b) Any transportation charges from point of shipment included in the supplier's charge; or

(c) Expense of hauling, drayage or handling within the metropolitan area of the shipping or receiving point.

(iii) *Taxes and United States customs duties.* The applicable amount per case of United States customs duties and United States, state or local excise taxes, all at rates in effect on November 2, 1942, if not included in the supplier's charge. License, income, franchise, receipt, gross receipts, sales, use or other similar federal, state or local taxes may not be included.

[Last sentence added by Am. 15, effective 5-8-44. Note deleted by Am. 15]

(2) *For sales to retailers.* A primary distributing agent's initial maximum price per case to retailers shall be his initial maximum price per case for sales to wholesalers and monopoly states, established under (1) above, multiplied by the percentage mark-up provided under section 5.4 for a sale of the item by wholesalers to retailers. His initial maximum price to retailers for individual containers shall be an amount figured on the basis of his initial maximum price per case in the manner and subject to the limitations provided under section 5.4 for determining a wholesaler's initial maximum price to retailers for individual containers.

(3) *For sales to consumers.* A primary distributing agent's initial maximum price per case to consumers shall be his initial maximum price per case for sales to wholesalers and monopoly states, established under (1) above, multiplied by the percentage mark-up provided under section 5.5 for a sale of the item by retailers to consumers. His initial maximum price to consumers for individual containers shall be an amount figured on the basis of his initial maximum price per case in the manner provided under section 5.5 for determining a retailer's initial maximum price to consumers for individual containers.

(c) *Changes in maximum prices*—(1) *How long particular maximum prices continue in effect.* A primary distributing agent's initial maximum price and refigured maximum price for an item shall apply to all his sales, offers to sell of the item so priced made prior to the date on which subsequently, refigured maximum prices for sales thereof become applicable in accordance with (4) of this paragraph.

(2) *When a primary distributing agent must refigure his maximum prices.* A primary distributing agent who after August 29, 1943 receives a purchase of an item for which his initial maximum prices are established under this section shall figure the elements of his cost therefor included in his initial maximum price established under (b) above. If such elements of cost per case differ from the elements of cost per case used in establishing the primary distributing agent's maximum prices then in effect for the item, the primary distributing agent may, if the most recent purchase shows the greater total and he must, if the most recent purchase shows the lesser total, establish refigured maximum prices for the item; *Provided*, That if the difference in the total of those elements of cost is 15 cents per case or less the primary distributing agent shall not establish refigured maximum prices.

(3) *How a primary distributing agent must refigure his maximum prices.* A primary distributing agent required or permitted by this paragraph to establish refigured maximum prices for an item shall determine such prices under paragraph (b) of this section, substituting however, the elements of cost for his most recent purchase for the elements of cost of his earlier purchase.

(4) *When refigured maximum prices become applicable.* His refigured maximum prices determined under this paragraph shall apply to his stock on hand and shall be the primary distributing agent's maximum prices for sales of the item on and after, but not before, the 4th day (exclusive of Sundays and holidays) following receipt of the purchase to be used to establish such refigured maximum prices, until in turn superseded by other refigured maximum prices subsequently determined: *Provided*, That until on and after the earliest effective date for prices posted or listed at the first opportunity after the 4th day (exclusive of Sundays and holidays) after receipt of such purchase, refigured maximum prices shall not apply to any sale which a primary distributing agent is required by statute, ordinance or regulation to make at a price posted or listed with a state or other public authority before receipt of the purchase.

SEC. 5.8 *Notice of maximum prices to consumers.* (a) Each wholesaler, retailer or primary distributing agent who sells or offers packaged distilled spirits or wine for sale to consumers shall adopt before August 30, 1943, and thereafter continue to observe one of the following practices with respect to notifying consumers that prices charged are not in excess of maximum prices established under this article:

(1) *Use of marking on individual containers.* Before delivering an item to a customer, the wholesaler, retailer or primary distributing agent may mark on the container in plainly visible letters and figures his selling price for the particular brand and container size (exclusive of retail sales taxes), and a statement that the price so marked is his maximum price under this article or less, and his name and address. The following:

OPA price $_____
(insert amount)
_____
(name of seller)
_____
(address of seller)

so written or stamped on a label or on a state or local tax stamp affixed to the container shall be compliance with this requirement.

A wholesaler, retailer or primary distributing agent who is the holder of a license or permit bearing a distinguishing number and issued under an applicable statute or ordinance, authorizing him to make sales of packaged distilled spirits or wine to consumers may substitute such license or permit number for the statement of his name and address required hereunder.

(2) *Use of a sales slip or receipt.* At or before delivering any individual container of packaged distilled spirits or wine to a consumer, a wholesaler, retailer or primary distributing agent may hand the purchaser a sales slip or receipt setting forth in plainly visible letters and figures:

(i) The brand name, container size and number of individual containers of each item sold to the purchaser, and

(ii) The selling price of each such individual container, or the total selling price for all such containers (exclusive of retail sales taxes), and

(iii) The name and address of the seller and date of sale.

A seller complying with this requirement shall post and maintain in a place readily visible to consumers making purchases in his establishment a legible sign or placard reading substantially as follows:

Prices charged in this store are our OPA ceiling prices to consumers or less (exclusive of retail sales taxes).

(3) *Use of price posting.* A wholesaler, retailer or primary distributing agent may post his maximum price for each item sold or offered for sale to consumers according to one of the following methods:

(i) By displaying a list of the names of each brand of packaged distilled spirits or wine offered for sale to consumers, his maximum price therefore and a statement that such maximum price is his OPA ceiling price to consumers or less (exclusive of retail sales taxes). When more than one type, formula or container size of a particular brand is offered for sale each such type, formula or container size and the maximum price thereof shall be separately itemized. Such list may also contain the particular wholesaler's, retailer's or primary distributing agent's selling price for each item described therein. The list shall be posted and maintained in a place readily visible to consumers making purchases in the seller's establishment, shall be in letters and figures plainly visible and legible to such consumers and shall be maintained complete and correct. A seller complying with this requirement shall not sell or offer any item for sale to a consumer until the item and his maximum price therefor is so listed.

(ii) Except when prohibited by statute or ordinance, a wholesaler, retailer or primary distributing agent may mark his selling and/or maximum price for each item on the shelf, bin, rack or other holder thereof in letters plainly visible and legible to consumers making purchases in his establishment. A seller complying with this requirement shall so maintain complete and correct markings of his selling and/or maximum prices for all items he offers for sale to consumers and shall not sell or offer any item for sale to a consumer until his selling price therefor is thus marked.

(iii) A seller posting or marking prices in accordance with (i) or (ii) above shall post and maintain in a place readily visible to consumers making purchases in his establishment a legible sign or placard reading substantially as follows:

Prices posted in this store are our OPA ceiling prices to consumers or less (exclusive of retail sales taxes).

Provided, That no additional sign or placard shall be required if the seller posts and maintains a substantially identical sign or placard in accordance with other regulations of the Office of Price Administration.

(b) The provisions in this section shall not apply to sales of an unopened case of individual packages or to prices therefor, or to sales by monopoly states.

SEC. 5.9 *Other provisions of this regulation applicable to sales of distilled spirits or wine by a wholesaler, retailer, monopoly state, or primary distributing agent:*

Section 7.1 *Treatment of fractional parts of a cent in figuring maximum prices.*

Section 7.1a *Changes in case sizes.*

Section 7.2 *When a sales tax may be charged in addition to a maximum price.*

Section 7.2a *Treatment of brokers compensation.*

Section 7.3 *When new taxes, or increases in existing taxes may be added to a maximum price.*
Section 7.3a *Distribution of packaged distilled spirits or wine.*
Section 7.4 *Use of minimum resale prices under State Fair Trade Laws.*
Section 7.4a *Maximum prices for sellers for whom no specific provision is made.*
Section 7.5 *Adjustment of maximum prices for tax exempt sales to the United States or any agency thereof.*
Section 7.5a *Deposit charges on containers.*
Section 7.6 *Certain provisions of the General Maximum Price Regulation continued in effect.*
Section 7.6a *Licensing.*
Section 7.7 *Export sales.*
Section 7.7a *Compliance with other laws or regulations.*
Section 7.8 *Compliance with this Regulation.*
Section 7.9 *Current records required.*
Section 7.10 *Petitions for amendment.*
Section 7.11 *Adjustable pricing in certain instances.*
Section 7.12 *Definitions.*
Section 7.13 *Geographical applicability.*

[References to Sections 7.1a, 7.2a, 7.4a, 7.5a, 7.6a, and 7.7a added by Am. 15, effective 5–8–44]

SEC. 5.10 *Application for authority to establish maximum prices*—(a) *Who is permitted or required to file an application for authority to establish maximum prices by authorization.* Any seller whose maximum price for an item of packaged distilled spirits or wine are established by this article and for whom no other maximum price or pricing method is provided in this article, shall make application to the Office of Price Administration, Beverage Section, Washington, D. C. for authority to establish such maximum price. After such application is filed the Price Administrator may establish a maximum price for such sale by order or by amendment to this regulation. Such order may be revoked or amended by the Price Administrator at any time.

(b) *Prohibited sales.* Any seller making application under this section for sales of an item of packaged distilled spirits or wines shall not, prior to the date on which that authority is granted sell, offer to sell, or deliver the item that is the subject of the application.

(c) *Contents of application.* The application shall be by letter, signed by the seller or his authorized agent, and sent in duplicate to the Office of Price Administration, Beverage Section, Washington, D. C., by registered mail, return receipt requested. It shall contain the following:

(1) The seller's name and address, and the name and address of the person signing the application.

(2) A statement that the application is filed under section 5.10 of Maximum Price Regulation No. 445.

(3) A statement of the reasons for his inability to establish a maximum price under other provisions of this article.

(4) A description of the items which are the subject of the application, stating with respect to each item the following information:

(i) Brand name.

(ii) Formula.

(iii) Container size.

(iv) Classification or subclassification of identity.

(v) A statement showing the source of applicant's supply of the items to be priced and where applicable his net cost for such items.

(vi) A statement of the class of customers applicant proposes to sell.

[Sec. 5.10 added, former 5.10 redesignated 5.11 by Am. 15, effective 5–8–44]

SEC. 5.11 *Dates on which this article shall apply.* This article, except as otherwise provided, shall apply to all sales or offers to sell of packaged imported or domestic distilled spirits or wine made by a wholesaler, retailer, monopoly state, or primary distributing agent on and after August 30, 1943: *Provided*, That this article shall not apply to any sale which a wholesaler, retailer or primary distributing agent is required by statute, ordinance, or regulation to make at a price posted or listed prior to August 14, 1943, with a state or other public authority (if the price so posted or listed is greater or less than that established by this Article for such sale) until on and after the first effective date for prices so posted and listed at the first opportunity after August 19, 1943.

[Sec. 5.11, formerly 5.10, as amended by Am. 1, 8 F.R. 11851, effective 8–25–43]

ARTICLE VI—MAXIMUM PRICES FOR CERTAIN SERVICES RELATING TO THE PRODUCTION OF DOMESTIC DISTILLED SPIRITS AND WINE

SEC. 6.1 *Purposes of Article VI*—(a) *Generally.* Article VI establishes maximum prices for certain services supplied in connection with the production, sale and distribution of domestic distilled spirits and wine. Maximum prices for services other than those specifically provided for herein shall be determined in accordance with the provisions of the General Maximum Price Regulation or Revised Maximum Price Regulation No. 165,[1] as may be applicable.

(b) *Prior regulations, orders and interpretations superseded.* Except as otherwise provided in this regulation Article VI supersedes all other maximum price regulations, orders and interpretations issued by the Office of Price Administration prior to October 7, 1943, with respect to the services for which it establishes maximum prices, including the applicable provisions of the following:

(1) The General Maximum Price Regulation;

(2) Revised Maximum Price Regulation No. 165;

(3) Section 1499.26 (b) (16) of Revised Supplementary Regulation No. 11: *Provided*, That such maximum price regulations, orders and interpretations shall remain in force with respect to a particular transaction until the provisions of this article become applicable thereto pursuant to section 6.5.

[Sec. 6.1 added by Am. 3, 8 F.R. 13500, effective 10–7–43. Former Sec. 6.1 revoked by Am. 3]

SEC. 6.2 *General rules for figuring maximum prices under this article.* (a) Unless otherwise specifically provided, the maximum price established by this article for a particular service is the highest price that may be charged for that service by the person who supplies or causes it to be supplied. Such maximum price shall not be evaded or avoided by splitting the performance of the service into component elements and charging separate prices for each element which in the aggregate, exceed the maximum price for the entire service.

(b) Prices charged for a service for which a maximum price is provided by this article shall, in each instance, be separately stated in the seller's invoice. Where such service is supplied as part of, or in conjunction with the supply of another service to which this article does not apply, the price charged for such other service shall not exceed the seller's maximum price therefor established under other applicable regulations or orders of the Office of Price Administration.

(c) [Revoked]

(d) [Revoked]

[Paragraphs (c) and (d) revoked by Am. 15, effective 5–8–44]

SEC. 6.3 *Maximum prices for specified services.* A seller's maximum price for any service listed below shall be as follows:

(a) *Buying services and maximum price*—(1) Commission, brokerage or fee for procuring a seller of, or for buying for the account of another, grapes, fruits or berries for winery or distillery use, 50 cents per ton of grapes, fruit, or berries purchased for delivery to the winery or distillery.

(2) Commission, brokerage or fee for procuring a seller or buyer of bulk domestic grape spirits, bulk domestic neutral brandy, bulk domestic spirits-fruit, or bulk California grape wine, or for procuring a processor to convert grapes into California grape wine, 5% of the seller's billing price (not in excess of his maximum price) for the commodity or service sold.

(3) Commission, brokerage or fee for procuring a seller or buyer of packaged California grape wine, 5% of the seller's billing price (not in excess of his maximum price) for the quantity sold but not in excess of 50 cents per case.

(4) [Revoked]

[Subparagraph (4) added by Am. 9, 8 F.R. 17415, effective 1–6–44, amended by Am. 11, 9 F.R. 105, effective 12–31–43, and revoked by Am. 15, effective 5–8–44]

(b) *Services related to the production of California grape wine and maximum price*—(1) Converting grapes into unfinished California grape wine (including weighing of grapes, crushing, pressing, fermenting, distilling or furnishing fortifying spirits, fortifying, cooking, racking, cellar treatment necessary to effect stabilization, storage to the March 31st (but not exceeding 180 days) following the date of crushing, and loading the bulk unfinished wine into tank cars or tank trucks: A price according to the type of wine as follows: *Red table wine:* $9.00 per ton of grapes weighed and crushed, or 6 cents per gallon of wine delivered, whichever is the lower. *White table wine:* $10.00 per ton of grapes weighed and crushed, or 8 cents per gallon of wine delivered, whichever is the lower. *Dessert wine:* $8.00 per ton of grapes weighed and crushed, or 10 cents per gallon of wine delivered, whichever is the lower.

(2) Finishing of California grape wine by the person who converts the grapes into the unfinished wine, including storage to the March 31st (not exceeding 180 days) following date of crushing: A price according to the type of wine as follows: *Table wine:* 2½ cents per gallon of wine delivered to the person for whom the service is performed. *Dessert wine:* 1½ cents per gallon of wine delivered to the person for whom the service is performed.

(3) Finishing of California grape wine by the person who did not convert the grapes into the unfinished wine (not including storage charges): A price according to the type of wine as follows: *Table wine:* 2½ cents per gallon of wine delivered to the person for whom the service is performed. *Dessert wine:* 1½ cents per gallon of wine delivered to the person for whom the service is performed.

NOTE: Finishing includes giving the wine the cellar treatment generally recognized as necessary to make stabilized unfinished wine into finished wine suitable for packaging.

(4) Storage of California grape wine in cooperage or tanks of the person converting the grapes into the wine stored, ¼ cent for each 30 days of storage after the March 31st or 180 days (whichever is earlier) following date of crushing.

(5) Storage of California grape wine in cooperage or tanks of persons who did not convert the grapes into the wine stored (other than storage in public warehouses), ¼ cent for each 30 days of storage (cost of unloading and loading out is included in this rate).

NOTE: The maximum price for storage of California grape wine does not include field warehouse charges (other than for storage) if any, which may be added at legally established rates, or taxes on the commodity stored, or premiums on policies of insurance protecting the owner thereof.

(6) Barreling of California grape wine for shipment in barrels, 2 cents per gallon of wine barreled and shipped in barrels.

NOTE: The maximum price for barreling does not include the cost of cooperage. If the seller performing the service furnishes cooperage which upon delivery to the person for whom the service is performed, becomes that person's property, the seller may add a charge for the barrels not in excess of his maximum price therefor.

(7) Packaging and casing California grape wine: A maximum price per case determined under other applicable regulations and orders of the Office of Price Administration.

(c) *Services related to the production of distilled spirits*—(1) Distilling grape spirits, spirits-fruit or neutral brandy from:

	Maximum price
(i) Fruits or berries, (except grapes and raisins), including fresh, dried, canned, frozen or other processed or partially processed forms and including culls, clippings, skins, waste and other commodities (except juices) permitted to be distilled under Food Distribution Order No. 69 issued by the War Food Administration.	20 cents per proof gallon distilled and delivered.
(ii) Juices of grapes, fruits and berries as described in (i) and (ii).	
(iv) Other distilling materials including wine, wine wash, pomace wash, lees wine, brandy, and other distilling materials in liquid form.	20 cents per proof gallon distilled and delivered.

NOTE: Maximum prices under (1) include unloading and handling the distilling material and loading the product into tank cars or tank trucks, drums or other containers. If the distiller furnishes the drums or other containers which upon delivery to the person for whom the distilling service is performed, become that person's property the seller may add a charge for such containers not in excess of his maximum price therefor.

(2) Packaging and casing distilled spirits: A maximum price per case determined under other applicable regulations and orders of the Office of Price Administration.

SEC. 6.4 *Other provisions of this regulation applicable to transactions for which maximum prices are established by this article.* The following sections of Article VII of this regulation shall apply to transactions for which maximum prices are established by this article:

Section 7.1 *Treatment of fractional parts of a cent in figuring maximum prices.*
Section 7.1a *Changes in case sizes.*
Section 7.2 *When a sales tax may be charged in addition to a maximum price.*
Section 7.2a *Treatment of brokers' compensation.*
Section 7.3 *When new taxes, or increases in existing taxes may be added.*
Section 7.4a *Maximum prices for sellers for whom no specific provision is made.*
Section 7.5 *Adjustment of maximum prices for tax exempt sales to the United States or any agency thereof.*
Section 7.5a *Deposit charges on containers.*
Section 7.6 *Certain provisions of the General Maximum Price Regulation continued in effect.*
Section 7.6a *Licensing.*
Section 7.7a *Compliance with other laws or regulations.*
Section 7.8 *Compliance with this regulation.*
Section 7.9 *Current records required.*
Section 7.10 *Petitions for amendment.*
Section 7.11 *Adjustable pricing.*
Section 7.12 *Definitions.*
Section 7.13 *Geographical applicability.*

[References to Sections 7.1a, 7.2a, 7.4a, 7.5a, 7.6a and 7.7a added by Am. 15, effective 5–8–44]

SEC. 6.5 *Dates on which this article shall apply.* This article shall apply to every sale, supply, delivery or offer to sell, supply or to deliver any of the services specified therein on and after October 7, 1943.

[Sections 6.2 through 6.5 added by Am. 3, 8 F.R. 13500, effective 10–7–43]

ARTICLE VII—GENERAL PROVISIONS APPLICABLE TO PERSONS SUBJECT TO THIS REGULATION AND TO MAXIMUM PRICES ESTABLISHED HEREUNDER

SEC. 7.1 *Treatment of fractional parts of a cent in figuring maximum prices.* Fractional parts of a cent, except as otherwise provided in this regulation, shall be treated as follows in figuring maximum prices:

(a) Amounts computed in the process of, or as a step in figuring a maximum price (other than the maximum price itself) need not be carried to more than four decimal places (hundredths of a cent). Any further fraction shall be disregarded.

(b) When the charging of the exact maximum price established under this regulation requires the use of a fractional part of a cent, that maximum price may be increased to the next higher full cent, if the fraction is ½ cent or more, and shall be reduced to the next lower full cent, if the fraction is less than ½ cent.

SEC. 7.1a *Changes in case sizes.* In any instance where the case size of an item covered in this regulation is changed to contain a greater (not in excess of a total of 15 wine gallons) or lesser number of individual containers of the same item, the seller shall determine his maximum price per case of the item in the new case size as follows:

(a) Divide the maximum price per case for the item in the customary case size by the number of individual containers customarily packed in such case, and

(b) Multiply the figure so obtained by the number of individual containers packed in the new case size.

[Sec. 7.1a added by Am. 9, 8 F.R. 17415, effective 1–6–44]

SEC. 7.2 *When a sales or gross receipts tax may be charged in addition to a maximum price.* (a) Any seller (other than a monopoly state) may charge and collect, in addition to his maximum price for an item or a service established under this regulation, the amount of any tax upon the sale of the item, or the supplying of the service, or upon the gross receipts from either, now or hereafter imposed by any statute of the United States, or any statute or ordinance of any state or subdivision thereof, if:

[Section heading and paragraph (a) as amended by Am. 15, effective 5–8–44]

(1) The statute or ordinance imposing such tax does not prohibit the seller from separately stating and collecting the amount thereof, and he does separately state and collect it; or

(2) The amount of the tax has been separately stated and collected from the seller by a prior vendor, and

(i) The statute or ordinance imposing such tax does not prohibit the seller from separately stating and collecting the amount thereof, and

[1] 7 F.R. 6426, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9785, 9971, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 8933, 8364, 8506, 8572, 10671, 10939, 11754, 12023, 12710, 18302, 19472, 14990; 9 F.R. 1819.

(ii) He does separately state and collect it.

(b) Any monopoly state may charge and collect, in addition to its maximum price for an item or service established under this regulation, the amount of any tax upon the sale of the item now or hereafter imposed by any statute of the United States or of that state.

SEC. 7.2a *Treatment of brokers compensation.* (a) Every broker shall be considered as the agent of the seller and not the agent of the buyer. In each case the amount paid by the buyer to the seller plus any amount paid by the buyer to the broker shall not exceed the seller's maximum price plus allowable transportation charges actually paid by the seller or by the broker. The term "broker" includes a "finder", "buyer's agent" and "seller's agent".

(b) The provisions of paragraph (a) shall not apply to:

(1) Brokers participating in the sale of California grape wine by the processor thereof to a purchaser from that processor, provided the services performed by the broker were customarily performed by brokers and separately paid for by buyers during March 1942.

(2) Brokers participating in the purchase of imported distilled spirits or wine by an importer thereof from a foreign supplier other than a supplier located in a territory or possession of the United States.

(c) No person may charge or receive and no person may pay to a broker a fee for his services in excess of the maximum price established for such services by this regulation or by any other applicable order or regulation of the Office of Price Administration.

(d) No person may increase a maximum price established for him under this regulation by reason of having paid a fee to a broker, nor may such fee or any part thereof be included as an element of "net cost" by sellers required to determine "net cost" in computing their maximum price.

[Sec. 7.2a added by Am. 15, effective 5-8-44]

SEC. 7.3 *When new taxes or increases in existing taxes may be added to a maximum price.* Any seller (including a monopoly state) may charge and collect, in addition to his maximum price for an item or a service established under this regulation:

(a) *New taxes.* The applicable amount of United States customs duties and United States state or local excise taxes first imposed thereon by statute effective after November 2, 1942.

(b) *Increase in tax in effect on November 2, 1943.* The applicable amount of any increase effective after November 2, 1942 in United States, state or local excise taxes then imposed thereon.

[Paragraphs (a) and (b) as amended by Am. 15, effective 5-8-44]

Provided, That the amount of any such new tax, or increase in tax is paid by the seller to the taxing authorities or to a prior vendor, and *Provided further*, That no seller shall include a mark-up on the amount of any tax he is authorized to charge and collect under this section.

(c) *Treatment of increase effective April 1, 1944, in United States excise taxes.* (1) On and after April 1, 1944, every seller must state upon each invoice to any class of customers (except monopoly states and consumers) that the prices stated in the invoice include the increase effective April 1, 1944, in United States excise taxes or the 1944 floor stocks tax and that no markup may be applied to the amount thereof. A statement in substantially the following language upon the face of the invoice shall be deemed compliance with this section:

"Our invoice prices include the increase effective April 1, 1944, in United States excise taxes or the 1944 floor stocks tax. OPA regulations prohibit a markup on the amount thereof.

Reference to floor stocks tax may be eliminated from the invoice after the seller has disposed of all merchandise upon which floor stocks tax was paid by him or by a prior vendor.

(2) For sales to monopoly states sellers of distilled spirits or wines who were heretofore required to separately state the amount of any tax which became effective after March 31, 1942, on the invoice issued in connection with each sale, or on a statement made in connection with any offer to sell, shall continue to do so notwithstanding the provisions of paragraph (1) hereof.

Illustration. As a guide to sellers in computing their maximum prices, the following tables are added. These tables show the amount of the increase effective April 1, 1944, in United States excise taxes for representative types, proofs and container sizes of distilled spirits and wines, but is not intended to be all-inclusive. For types, proofs, and container sizes not shown on the tables, every seller must compute the actual amount of the tax increase. No seller is permitted to apply a markup on the amount of the tax increase. In figuring maximum prices, sellers such as wholesalers or retailers who are required to price by use of a percentage markup applied to "net cost", shall figure maximum prices by (1) deduct the exact amount of the tax increase with respect to each item, (2) apply markup to "net cost" exclusive of tax increase, and (3) add the exact amount of the tax increase to that figure.

TAX INCREASE EFFECTIVE APRIL 1, 1944, IN UNITED STATES EXCISE TAXES

TABLE I—DISTILLED SPIRITS [1]

Proof	Contents per case				
	4 gal.	3 gal.	2.4 gal.	1.5 gal.	1.2 gal.
100	$12.00	$9.00	$7.20	$4.50	$3.60
94.4	11.28	8.46	6.77	4.23	3.38
94	11.16	8.37	6.70	4.19	3.35
92	11.04	8.28	6.62	4.14	3.31
90.4	10.80	8.10	6.48	4.05	3.24
90	10.80	8.10	6.48	4.05	3.24
86.8	10.44	7.83	6.26	3.92	3.13
86	10.32	7.74	6.19	3.87	3.10
85	10.20	7.65	6.12	3.83	3.06
84	10.08	7.56	6.05	3.78	3.02
80.6	9.72	7.29	5.83	3.65	2.92
80	9.60	7.20	5.76	3.60	2.88
74	8.88	6.66	5.33	3.33	2.66
70	8.40	6.30	5.04	3.15	2.52
64	7.68	5.76	4.61	2.88	2.30
60	7.20	5.40	4.32	2.70	2.16
56	6.72	5.04	4.03	2.52	2.02
50	6.00	4.50	3.60	2.75	1.80
45	5.40	4.06	3.24	2.03	1.62

[1] Imported distilled spirits under 100 proof are taxed at the 100 proof rate, except that the 1944 floor stocks tax is figured on actual proof gallonage.

TABLE II—DISTILLED SPIRITS [1]

Proof	Contents per bottle							
	1 gal.	½ gal.	quart	fifth	pint	tenth	½ pint	¼ pt.
100	$3.00	$1.50	$0.75	$0.60	$0.38	$0.30	$0.19	$0.04
94.4	2.82	1.41	.71	.56	.36	.28	.18	.04
94	2.79	1.40	.70	.56	.36	.28	.18	.03
92	2.76	1.38	.69	.54	.35	.28	.18	.03
90.4	2.70	1.35	.68	.54	.34	.27	.17	.03
90	2.70	1.35	.68	.54	.34	.27	.17	.03
86.8	2.61	1.31	.65	.52	.33	.26	.17	.03
86	2.58	1.29	.65	.52	.32	.26	.16	.03
85	2.55	1.28	.64	.51	.32	.26	.16	.03
84	2.52	1.26	.63	.50	.32	.25	.16	.03
80.6	2.43	1.22	.61	.49	.31	.24	.15	.03
80	2.40	1.20	.60	.48	.30	.24	.15	.03
74	2.22	1.11	.55	.44	.28	.22	.14	.03
70	2.10	1.05	.53	.42	.27	.21	.13	.03
64	1.92	.96	.48	.38	.24	.19	.12	.03
60	1.80	.90	.45	.36	.23	.18	.11	.02
56	1.68	.84	.42	.34	.21	.17	.11	.02
50	1.50	.75	.38	.30	.19	.15	.10	.02
45	1.35	.68	.34	.27	.17	.14	.09	.02

[1] Imported distilled spirits under 100 proof are taxed at the 100 proof rate, except that the 1944 floor stocks tax is figured on actual proof gallonage.

TABLE III—WINES

Type	Contents per case						
	4 gal.	3 gal.	2.4 gal.	2.4375 gal.	2.25 gal.	1.5 gal.	1.2 gal.
Still wine not over 14%	$0.20	$0.15	$0.12	$0.12	$0.11	$0.08	$0.06
Still wine over 14% but not over 21%	.60	.60	.48	.49	.45	.30	.24
Still wine over 21% but not over 24%	4.00	3.00	2.40	2.44	2.25	1.50	1.20
Champagne and sparkling wines	2.80	2.40	2.40	2.40	1.80	1.20	1.20
Carbonated wines	2.80	2.40	2.40	2.40	1.80	1.20	1.20
Wine base cordials and liqueurs	2.80	2.40	2.40	2.40	1.80	1.20	1.20

TABLE IV—WINES

Type	Contents per bottle										
	1 gal.	½ gal.	1 qt.	1 fifth	24 oz.	30 oz.	26 oz.	13 oz.	1 pt.	½ pt.	½ gal.
Still wine not over 14%	$0.05	$0.02	$0.01	$0.01	$0.01	$0.01	$0.01	$0.01	$0.01		
Still wine over 14% but not over 21%	.20	.10	.06	.04	.04	.05	.04	.02	.02	$0.01	$0.02
Still wine over 21% but not over 24%	1.00	.50	.25	.20	.19	.25	.20	.10	.12	.06	.10
Champagne and sparkling wines	.40	.40	.20	.20	.15	.20	.20	.10	.10	.05	.10
Carbonated wines	.40	.40	.20	.20	.15	.20	.20	.10	.10	.05	.10
Wine base cordials and liqueurs	.40	.40	.20	.20	.15	.20	.20	.10	.10	.05	.10

[Paragraph (c) and illustration added by Am. 14, 9 F.R. 3152, effective 3-21-44. Tables I, II, III, and IV amended by Am. 15, effective 5-8-44]

SEC. 7.3a *Distribution of packaged distilled spirits or wine.* (a) Any corporation, unincorporated association, company or partnership desiring to transfer or distribute packaged distilled spirits or wine (in the form of warehouse receipts or otherwise) to its shareholders, or to representatives of or a trustee for its shareholders or members, or desiring to offer its shareholders or members as a class, the right to purchase packaged distilled spirits or wine from it either directly or through a trustee or other intermediary, shall file written notice of its intention to do so with the Office of Price Administration, Washington, D. C., at least thirty days prior to the date on which such transfer, distribution or offer is to be made. The notice shall contain a description sufficient to identify for pricing purposes all packaged distilled spirits and wine to be so transferred, distributed or offered for sale, a statement showing the terms of the transfer, distribution, or offer and the classes of shareholders or members to whom it is to be made, and shall be supplemented with such additional information as the Office of Price Administration may deem necessary and request for pricing purposes in the particular case. The Administrator may, on his own motion, at any time before or after receipt of such notice, issue an order establishing maximum prices for any or all persons who may sell packaged distilled spirits or wine to be so transferred, distributed or offered:

(b) No corporation, unincorporated association, company or partnership shall deliver or permit any packaged distilled spirits or wine (in the form of warehouse receipts or otherwise) to be delivered to its shareholders or members pursuant to the proposed transfer, or distribution or purchase right until thirty days after the notice provided for under paragraph (a) of this section has been filed.

[Sec. 7.3a added by Am. 12, 9 F.R. 2240, effective 3-2-44]

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions, the addition of extra packing expenses to maximum prices on sales to procurement agencies of the United States]

SEC. 7.4 *Use of minimum resale prices under State Fair Trade laws.* A minimum price for resale of an item by another person may be established by contract or otherwise and such minimum price may be posted or listed with a state or other public authority. However, no such minimum price shall exceed the lowest maximum price for resale of the item established under this regulation by or for any person to whom the minimum price applies.

SEC. 7.4a *Maximum prices for sellers for whom no specific provision is made.* The maximum price for any seller of distilled spirits or wine for whom no maximum price is provided in this regulation and who is otherwise unable to determine a maximum price hereunder, shall be his maximum price established by whichever of the following regulations of the Office of Price Administration is applicable: Maximum Price Regulation 193; General Maximum Price Regulation; Revised Supplementary Regulation No. 14; National Regional or District Restaurant Maximum Price Regulations.

[Sec. 7.4a added by Am. 15, effective 5-8-44]

SEC. 7.5 *Adjustment of maximum prices for tax exempt sales to the United States or any agency thereof.* Any maximum price for an item established under this regulation shall, if the item is being sold to the United States or any agency thereof, be adjusted to the extent of the reduction, elimination or possible refund of any United States, state or local taxes included in figuring that maximum price.

SEC. 7.5a *Deposit charges on containers*—(a) *Deposit charge required during March 1942.* Any seller who during March 1942 customarily required a deposit charge to assure the return of containers used in shipment may continue to require such deposit charge and may from time to time adjust such deposit charge to an amount that does not unduly exceed his replacement cost of the containers at ceiling prices.

(b) *Deposit charge imposed after March 1942.* Any seller who did not require a deposit charge for containers during March 1942 and who desires to do so may institute such deposit charge and adjust the same from time to time to an amount that does not unduly exceed his replacement cost of the containers at ceiling prices.

(c) *Other requirements.* (1) No markup may be applied by any seller to the amount of the deposit charge and no seller may include the amount of such charge as an element of "net cost".

(2) Any seller who receives a deposit charge from a buyer shall refund to or credit to the account of the buyer the full amount thereof upon the return of the containers in as good condition as received (reasonable wear and tear excepted). Transportation charges, risk of loss or damage and any other expense incident to the return of such containers shall be borne by the seller.

(3) Paragraphs (a) and (b) of this section shall not apply to sales of Spanish type blending sherry, California grape concentrates and denatured rum at maximum prices established under this regulation including the cost of containers.

(4) "Containers" as used in this section means barrels, drums and other shipping receptacles having a capacity of five gallons or more and wood or fibre board packing or shipping cases irrespective of quantity content.

[Sec. 7.5a added by Am. 15, effective 5-8-44]

SEC. 7.6 *Certain provisions of the General Maximum Price Regulation continued in effect.* (a) The following sections of the General Maximum Price Regulation and amendments to those sections shall apply to all sellers subject to this regulation:

§ 1499.5 *Transfers of business or stock in trade.*
§ 1499.11 *Base period records.*
§ 1499.14 *Sales slips and receipts.*

(b) [Revoked]

[Paragraph (b) amended by Am. 9, 8 F.R. 17415, effective 1-6-44, and revoked by Am. 11, 9 F.R. 105, effective 12-31-43]

SEC. 7.6a *Licensing.* The provisions of Licensing Order No. 1,[8] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation, except monopoly states. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 7.6a added by Am. 11, 9 F.R. 105, effective 12-31-43]

SEC. 7.7 *Export sales.* (a) The maximum price at which a seller may export any commodity to which this regulation applies shall be determined in accordance with the Second Revised Maximum Export Regulation[9] and amendments thereto, or under other applicable regulations issued by the Office of Price Administration.

(b) In determining the maximum price at which a wholesaler or retailer may export a commodity to which this regulation applies, the "price at which the commodity was acquired" shall be deemed to be his net cost therefor figured according to section 5.3.

SEC. 7.7a *Compliance with other laws or regulations.* Except as expressly required by this regulation, the provisions hereof shall not operate to make lawful any act declared to be unlawful by any statute, ordinance or regulation of the Federal Government or of any state or political subdivision thereof.

[Sec. 7.7a added by Am. 15, effective 5-8-44]

SEC. 7.8 *Compliance with this regulation*—(a) *No buying or selling above maximum prices.* On and after the effective date of this regulation, regardless of any contract, agreement or other obligation, no person to whom this regulation applies shall sell or supply, and no person in the course of trade or business shall buy or receive, any distilled spirits, wine or service at prices higher than the maximum price applicable to such sale under this regulation, and no person shall agree, offer, solicit or attempt to do any of the foregoing. However, prices lower than the maximum price may be charged or paid.

(b) *Evasion.* The provisions of this regulation shall not be evaded, whether

[8] 8 F.R. 13240.
[9] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1086.

by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt, of or relating to any commodity, or service covered by this regulation, alone or in conjunction with any other commodity or service, or by way of finder's fees, brokerage, commission, service, transportation or other charge or discount, premium or other privilege; by tying agreement, combination sales, or trade understanding; by any change in style or manner of packing; by requiring the buyer to purchase packaged distilled spirits or wine on a per drink basis; or in any other way. The specific enumeration of acts constituting evasion is illustrative but not exclusive.

[Paragraph (b) as amended by Am. 15, effective 5–8–44]

(c) *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942, and to proceedings for the suspension of licenses.

[NOTE: Supplementary Order No. 7 (7 F.R. 6176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

SEC. 7.9 *Current records required.* Every person selling or supplying any distilled spirits, wine or service for which, upon sale by that person, maximum prices are established under this regulation shall keep, and make available for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect:

(a) Records of the same kind that he has customarily kept relating to the prices which he charged for such of those commodities or services as he sold or offered for sale after the date on which maximum prices under this regulation for such sale became applicable.

(b) All bills, invoices, receipts and records used to determine any net cost used for the purpose of applying a mark-up under this regulation.

(c) His computations showing as precisely as possible the method and figures used to determine his maximum prices for distilled spirits or wine.

SEC. 7.10 *Petitions for amendment.* Any person seeking an amendment to this regulation of general applicability may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[10] issued by the Office of Price Administration.

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665; 8 F.R. 6173, 6174) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

SEC. 7.11 *Adjustable pricing in certain instances.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending on petition for amendment, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The permission may be given by letter addressed to the applicant, signed by the Price Administrator or by any official of the Office of Price Administration to whom authority to grant such permission has been delegated.

[Sec. 7.11 as amended by Am. 15, effective 5–8–44]

SEC. 7.12 *Definitions.*

NOTE: References in definitions to Regulations No. 4 or to Regulations No. 5 are respectively references to Regulations No. 4 (as now or hereafter amended) relating to the Labeling and Advertising of Wine, and to Regulations No. 5 (as now or hereafter amended) relating to the Labeling and Advertising of Distilled Spirits, issued under the provisions of the Federal Alcohol Administration Act, as amended.

(a) *Definitions of commodities and terms descriptive thereof.* (1) "Distilled spirits" means (i) the commodities included in classes 1 to 7 inclusive of Article II to Regulations No. 5 (neutral spirits, whiskey, brandy, gin, rum, cordials and liqueurs and imitations); and (ii) prepared cocktails, prepared highballs, vodka, bottled egg nog containing distilled spirits, tequilla, distilled spirits produced in or imported from Cuba or Mexico made from cane products and flavored with aromatics, and all prepared alcoholic beverage commodities covered by Article III of Regulations No. 5; and (iii) commodities containing more than 24 percent alcohol by volume but otherwise within the definition of wine.

"Distilled spirits" when used without specific reference to that commodity in packages or in bulk, means both packaged and bulk distilled spirits, and when used without specific reference to that commodity as imported or domestic, means both imported and domestic distilled spirits.

[Subparagraph (1) amended by Am. 9, 8 F.R. 17415, effective 1–6–44 and Am. 15, effective 5–8–44]

(2) "Imported distilled spirits" means distilled spirits or high wines produced outside of and introduced into continental United States.

[Subparagraph (2) as amended by Am. 15, effective 5–8–44]

(3) "Domestic distilled spirits" means distilled spirits produced within continental United States.

(4) "Wine" means: (i) The commodity defined as such in sections 610 and 617 of the Revenue Act of 1918 as amended; and

(ii) Other commodities not so defined, but made in the manner of wine. "Wine" includes (but is not limited to) sparkling and carbonated wine, wine made from condensed grape must, wine made from the juice of sound, ripe grapes, from berries, fruits or other agricultural products, imitation wine, compounds sold as wine, vermouth, cider, perry and sake, in each instance only if containing not less than 7 percent and not more than 24 percent alcohol by volume. "Wine" when used without specific reference to that commodity in packages or in bulk, means both packaged and bulk wine, and when used without specific reference to that commodity as imported or domestic, means both imported and domestic wine.

(5) "Imported wine" means wine produced outside of and introduced into continental United States.

(6) "Domestic wine" means wine produced within continental United States.

(7) "Cuban gin" means a commodity included in Class 3 of Article II of Regulations No. 5 and produced in the Republic of Cuba.

(8) "Mexican gin" means a commodity included in Class 3 of Article II of Regulations No. 5 and produced in the Republic of Mexico.

(9) "Cordials and liqueurs" means the commodities included in Class 6 of Article II of Regulations No. 5.

(10) "Specialties" means all beverage distilled spirits except those defined in classes 1 to 5 inclusive and 7 of Article II of Regulations No. 5, and except vodka, tequilla and distilled spirits imported from Cuba or Mexico made from cane products and flavored with aromatics.

[Subparagraph (10) as amended by Am. 15, effective 5–8–44]

(11) "Bulk" or "in bulk" when used with reference to distilled spirits means that commodity in containers having a capacity in excess of one wine gallon. "Bulk" or "in bulk" when used with reference to wine means that commodity in containers having a capacity of five wine gallons or more.

(12) "Packaged" or "in packages" when used with reference to distilled spirits means that commodity in containers having a capacity of one wine gallon or less. "Packaged" or "in packages" when used with reference to wine means that commodity in containers having a capacity of less than 5 wine gallons.

[Subparagraphs (11) and (12) as amended by Am. 3, 8 F.R. 13500, effective 10–7–43]

(13) "Bottled domestically" means bottled within continental United States.

(14) "Wine based cordials and other rectified wines" means those commodities made wholly from wine with added aromatics or other flavoring materials.

[Subparagraph (14) added by Am. 1, 8 F.R. 11851, effective 8–25–43]

(15) "Whiskey" means the commodities included in Class 2 of Article II of Regulations No. 5.

(16) "Brandy" or "commercial brandy" means brandy produced from grapes in accordance with section 3036 of the Internal Revenue Code, and barreled for aging. "Brandy" or "commercial brandy" does not include neutral spirits produced from grapes, or neutral brandy produced from grapes, as defined in Regulations No. 5.

(17) "Grape spirits" means wine spirits (except commercial brandy) produced from grapes in accordance with section 3036 of the Internal Revenue Code and includes the following when made from grapes; spirits-fruit, spirits-fruit processed, neutral brandy, high proof and high wines.

(18) "Neutral brandy" means spirits otherwise conforming to the definition of brandy, distilled on or after July 1, 1941 at more than 170° proof.

(19) "Spirits-fruit" means spirits distilled from any fruit or fruit waste, refuse, pomace or other fruit substance at or above 190° proof, whether or not such proof is subsequently reduced, and includes "spirits-fruit processed". "Spirits-fruit processed" means spirits distilled from any fruit, fruit waste, refuse, pomace or other fruit substance at less than 190° proof and so distilled or treated in the process of distillation, or refined by other processes after distillation, as to lack the taste, aroma, and other characteristics of brandy or fruit brandy.

[Subparagraphs (15) through (19) added by Am. 3, 8 F.R. 13500, effective 10–7–43]

(20) "High proof" and "high wines" made from grapes, fruits or berries shall for the purposes of this regulation be deemed "spirits—fruit processed" as defined in (19) above.

[Subparagraph (20) added by Am. 3, 8 F.R. 13500, effective 10–7–43, and amended by Am. 9, 8 F.R. 17415, effective 1–6–44]

(21) "California grape wine" means grape wine produced in the State of California from grapes grown in California.

(22) "Grape wine" means grape wine produced in accordance with sections 3032, 3036, and 3044 of the Internal Revenue Code.

(23) "Dessert wine" means grape wine having an alcohol content in excess of 14 percent by volume but not in excess of 21 percent by volume to which wine spirits have been added in accordance with section 3032 of the Internal Revenue Code. Dessert wine shall also include finished grape wine (except Spanish type blending sherry) having an alcohol content in excess of 21 percent by volume but not in excess of 24 percent by volume and otherwise conforming to the definition therof. Dessert wine also includes Vermouth and flavored wines which, except for flavoring material, conform to the definition thereof.

(24) "Table wine" means grape wine other than dessert wine. Except where otherwise stated, the term "table wine" includes sparkling, carbonated and flavored wines which, except for effervescence or flavoring material, otherwise conform to the definition thereof.

(25) "Sparkling wine" means grape wine rendered effervescent by secondary fermentation of the wine in a closed container, tank or bottle.

(26) "Carbonated wine" means grape wine rendered effervescent otherwise than by secondary fermentation in a closed container, tank or bottle.

(27) "Vermouth" means the flavored dessert wine defined in section 21, Class 7 of Regulations No. 4.

(28) "Flavored wine" means table wine or dessert wine to which aromatics and other flavoring materials have been added.

(29) "Berry wine" means any wine produced exclusively from berries (other than grapes) in accordance with sections 3032 and 3044 of the Internal Revenue Code, and includes high acid berry wines "made with over 35% sugar solution" within the limitations provided in section 22 (b) (5) of Regulation No. 4.

(30) "Fruit wine" means any wine produced from fruits other than grapes in accordance with sections 3032 and 3044 of the Internal Revenue Code.

(31) "Mixed wine" means wine made from grapes and berries, whether or not the wine is produced from a mixture of the separate material ingredients or from a mixture of the resulting wines.

(32) "Red table wine" means table wine which contains the red coloring matter of the skins, juice, or pulp of grapes.

(33) "White table wine" means table wine which does not contain the red coloring matter of the skins, juice or pulp or grapes, and also includes vin-rosé and other pink table wine.

(34) "Lees" means solids deposited from wine during storage.

(35) "Lees wine" means dessert wine or table wine containing a substantial proportion of lees.

(36) "Spanish type blending sherry" means dessert wine having concentrated sherry characteristics and a minimum total solids content of 16° Balling and a minimum alcohol content of over 19 percent by volume.

(37) "Light sweet wine" means table wine with a total solids content of not less than 7° Balling, and shall also include table wines, baked in such manner as to have substantial sherry characteristics.

(38) "Concentrates" means boiled or condensed grape must concentrated to a minimum of 55° Balling and a maximum of 80° Balling.

[Subparagraphs (21) through (38) added by Am. 3, 8 F.R. 13500, effective 10–7–43]

(39) "Current wine" means California grape wine produced entirely or in principal part from grapes of the 1942 crop and sold or offered for sale by a processor prior to March 1, 1944, and also California grape wine produced entirely or in principal part from grapes of the 1943 crop and sold or offered for sale by a processor prior to March 1, 1945; *Provided*, That the term "current wine" shall not include the following:

(i) California grape wine produced principally from varietal types of grapes;
(ii) Sparkling and carbonated wines;
(iii) Vermouth and other flavored wines;
(iv) Lees wine;
(v) Spanish type blending sherry.

[Subparagraph (39) added by Am. 3, 8 F.R. 13500, effective 10–7–43, and amended by Am. 9, 8 F.R. 17415, effective 1–6–44]

(40) "Non-current wine" means all California grape wine except current wine as defined in (39) above.

(41) "Varietal types of grapes" means the following varieties of grapes if grown in the State of California:

Red varieties: Cabernet Sauvignon, Pinot Noir, and Gamay (Gamai).
White varieties: Semillon, Sauvignon Blanc, Pinot Blanc, Pinot Chardonnay, Traminer, Riesling, Folle Blanche, Muscatel de Bordelaise, Ugni Blanc, Muscat de Frontignan, Muscat Canelli, and Gutedel.

Provided, That wine shall not be deemed produced principally from varietal types of grapes unless 51% or more of its volume is derived exclusively from such grapes.

[Subparagraphs (40) and (41) added by Am. 3, 8 F.R. 13500, effective 10–7–43]

(42) "Cuban rum" means a commodity included in Class 5 of Article II of Regulation No. 5 and produced in the Republic of Cuba.

[Subparagraph (42) added by Am. 4, 8 F.R. 13845, effective 10–13–43]

(43) "Mexican tequila" means distilled spirits distilled from the Mezcal plant (a variety of the maguey) and produced in the Republic of Mexico.

[Subparagraph (43) added by Am. 5, 8 F.R. 14016, effective 10–19–43]

(44) "Neutral spirits" means distilled spirits distilled from any material at or above 190° proof, whether or not such proof is subsequently reduced. During the period of the unlimited national emergency proclaimed by the President on May 27, 1941, the term neutral spirits shall also include any spirits distilled at less than 190° proof, which are so distilled, or so treated in the process of distillation, or so refined by other processes after distillation, as to lack the taste, aroma and other characteristics of whiskey, brandy, rum or other potable beverage spirits. However, the term "neutral spirits" as used in this regulation does not include "domestic grape spirits", "neutral brandy", "spirits—fruit", "spirits—fruit processed" or "high proof and domestic high wines made from grapes, fruits, or berries". The term "neutral spirits" does not include "domestic high wines (manufactured from cane or grain)" as defined in (48) below.

[Subparagraph (44) as amended by Am. 15, effective 5–8–44]

(45) "Domestic whiskey containing malt whiskey" means whiskey produced in the continental United States which

[10] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 3075.

contains any proportion of imported or domestic malt whiskey or rye malt whiskey: *Provided*, That the label or labels show that malt whiskey or rye malt whiskey is a component part.

(46) "Malt whiskey" means whiskey produced in the continental United States by distillation from a fermented mash of grain of which not less than 51% of the grain is malted barley; also imported malt whiskey produced in conformity with the laws of the country from which it is imported.

(47) "Rye malt whiskey" means whiskey produced in the continental United States by distillation from a fermented mash of grain of which not less than 51% of the grain is malted rye; also imported rye malt whiskey produced in conformity with the laws of the country from which it is imported.

(48) "Domestic high wines (manufactured from cane or grain)" means distilled spirits distilled from any material at or above 100° proof and less than 190° proof, manufactured prior to October 8, 1942, and used as a substitute for neutral spirits in accordance with the provisions of paragraph (a) (3) of Appendix G to Article III of this regulation.

[Subparagraph (48) as amended by Am. 15, effective 5–8–44]

[Subparagraphs (44) through (48) added by Am. 9, 8 F.R. 17415, effective 1–6–44]

(49) "Cuban whiskey" means a commodity included in class 2 of Article II of Regulation No. 5, and produced in the Republic of Cuba.

(50) "Mexican whiskey" means a commodity included in class 2 of Article II of Regulation 5, and produced in the Republic of Mexico.

[Subparagraphs (49) and (50) added by Am. 10, 8 F.R. 16928, effective 12–16–43]

(b) *Definitions of persons to whom this regulation refers.* (1) "Importer" means any person who is the first consignee within continental United States of a commodity being imported for resale, holding an importer's permit issued under the provisions of the Federal Alcohol Administration Act.

(2) "Processor" means any person who

(i) Produces or blends distilled spirits or wine, or who is a packer of bulk wine, (including but not limited to) a distiller, rectifier, vintner or packer or who

(ii) Bottles under any brand name distilled spirits or wine belonging to him, or who

(iii) Causes distilled spirits or wine belonging to him to be bottled or blended for his account under his own brand name, or who

(iv) Bottles or causes to be bottled for his account distilled spirits or wine he has purchased under a license contract.

[Subparagraph (2) amended by Am. 2, 8 F.R. 13496, effective 10–7–43, and Am. 3, 8 F.R. 13500, effective 10–7–43]

(3) "Wholesaler" means any person (except a monopoly state or primary distributing agent) engaged in the business of buying and selling distilled spirits and/or wine without changing the form thereof, primarily to persons other than consumers, but who, when licensed and permitted by applicable state or local statute or ordinance to so do, may also sell such distilled spirits or wine to consumers.

[Subparagraph (3) as amended by Am. 8, 8 F.R. 17415, effective 1–6–44]

(4) "Open-state wholesaler" means a wholesaler doing business in a state other than a monopoly state.

(5) "Primary distributing agent" means any person (except a monopoly state) engaged in the business of acting as agent for an importer or processor in the sale of an item to wholesalers or monopoly states within a specified territory.

(6) "Retailer" means any person (except a wholesaler, monopoly state or a primary distributing agent) engaged in the business of buying and selling distilled spirits and/or wine without changing the form thereof, to consumers. A sale to an on "premise licensee" shall be deemed a sale to a retailer.

(7) "On-premise license" means a person licensed by statute, ordinance or regulation, or otherwise legally authorized to sell distilled spirits or wine for consumption on the licensed premises either as a straight or mixed drink. For his sales subject to this regulation made by an "on premise licensee" he shall be deemed a retailer.

(8) "Monopoly state" means any one of the following states of the United States, or the appropriate Alcoholic Beverage Board, Department or Commission thereof:

Alabama	Ohio
Idaho	Oregon
Iowa	Pennsylvania
Maine	Utah
Michigan	Vermont
Montana	Virginia
New Hampshire	Washington
North Carolina (except as to wine)	West Virginia
	Wyoming

[Subparagraphs (6), (7) and (8) as amended by Am. 15, effective 5–8–44]

(9) "Consumer" means any person (except an industrial or institutional user or the United States or any agency thereof) purchasing distilled spirits and/or wine for consumption and not for resale.

(10) "Industrial user" means any person who

(i) Subjects distilled spirits or wine to a process resulting in the production of a different commodity having a distinctive name, character and use; or

(ii) Who uses distilled spirits or wine as an ingredient or component part of such different commodity; or

(iii) Who uses distilled spirits or wine to place another commodity in a condition for sale or delivery.

(11) "Institutional user" means any hospital, home or other similar institution which uses distilled spirits or wine in connection with its care of the sick, aged or infirm.

(12) "Customary type of supplier" means a person determined as follows:

(i) *For wholesalers.* A wholesaler's customary type of supplier for an item shall be:

(a) The importer, processor, or a primary distributing agent thereof;

(b) A monopoly state, if the wholesaler is required by statute to make any of his purchases of the item from such monopoly state.

(ii) *For retailers.* A retailer's customary type of supplier for an item shall be:

(a) A wholesaler, or the importer, processor or a primary distributing agent thereof;

(b) A monopoly state, if the retailer is required by statute to make any purchases of the item from such monopoly state.

(iii) *For monopoly states.* A monopoly state's customary type of supplier for an item shall be:

(a) The importer, processor or a primary distributing agent thereof;

(b) A wholesaler if, but only if, the item is not customarily sold or offered for sale to the monopoly state by the importer, processor or a primary distributing agent thereof, and all purchases of the item made by the monopoly state during the 12 months immediately preceding the date on which its maximum price is being determined have been made from a wholesaler.

(iv) *For primary distributing agents.* A primary distributing agent's customary type of supplier for an item shall be the importer or processor thereof.

(13) "Bottler" means any person located anywhere in the continental United States who packages distilled spirits in containers of one gallon or less each, or wine in containers of less than 5 gallons each.

(14) "Packer" means any person other than a vintner who sells or repacks bulk wine in containers of 5 gallons or more capacity. A packer may also be a bottler.

(15) "Vintner" means any person who produces wine in a Federal bonded winery in accordance with the provisions of the Internal Revenue Code.

(16) "Winery" means a bonded winery established in accordance with the provisions of the Internal Revenue Code.

(17) "Processor's premises" means a processing plant, including bottling, warehousing, storage and other facilities adjacent thereto, from which shipment of distilled spirits, wine, related products, or other commodities covered by this regulation, is made. No amount may be added to any maximum price established under this regulation to cover the cost of handling those commodities between parts of a processor's premises, or for expense of hauling, drayage or handling within the metropolitan area of a processor's premises.

If a processor has an established practice of invoicing distilled spirits, wines, related products or the other commodities covered by this regulation, from a shipping point or basing point in part of the State in which one or more of his processing premises are located, such shipping point or basing point may be deemed the processor's premises if he follows a uniform practice in that respect.

(18) "Dealer" means any person other than the processor, who buys and sells a commodity to which sections 2.4 or 4.6 (h) apply without substantially changing its form, and who maintains a warehouse for storage and handling of the commodity.

[Subparagraphs (13) through (18) added by Am. 3, 8 F.R. 13500, effective 10–7–43]

(c) *Definitions of terms used in identification of items.* (1) "United States labeling laws and regulations" means Regulations Nos. 4 or 5 as applicable.

(2) "Label" means label or labels required by United States labelling laws and regulations.

(3) "Container size" means the particular weight or unit in which distilled spirits or wine is sold to a consumer in accordance with regulations of the Federal Alcohol Administration.

(4) "Formula" means:

(i) *For whiskey.* The following matters applicable thereto: proof, age by percentages, whiskey and neutral spirits content by percentages respectively, and type designation in accordance with standards of identity for classes thereof listed in Regulations No. 5.

(ii) *For gin, brandy, rum, cordials and liqueurs, imitations and specialties.* The following matters applicable thereto: proof and type designation in accordance with standards of identity for classes thereof listed in Regulations No. 5. Further, with respect to brandy and rum, a statement of the age thereof when stated on the label, and with respect to cordials, liqueurs and specialties, a statement of the ingredients thereof as submitted to the Bureau of Internal Revenue.

(5) "Type designation" means the type and subtype of wine and distilled spirits as described in classifications thereof in Article II of Regulations Nos. 4 or 5 respectively.

(6) "Age" means the age stated on the label of distilled spirits or wine.

(7) "Vintage" means the year or season in which grapes used in the production of wine were grown.

(8) "Proof" means the proof stated on the label of distilled spirits. Distilled spirits of 100° proof are distilled spirits containing 50% alcohol by volume at a temperature of 60° Fahrenheit.

(9) "Alcohol content" means the percent of alcohol by volume stated on the label of wine, or on the label of distilled spirits not containing a statement of proof.

(10) "Ingredients" means the flavoring and aromatic materials used in the production of gin, vermouth, cordials, liqueurs, flavored brandies, specialties and other alcoholic beverages made by the addition of commodities not inherent in distillation or fermentation thereof, according to the statement thereof submitted to the Bureau of Internal Revenue.

(d) *Definitions of terms used in connection with transportation.* (1) "Port of embarkation" means the place outside continental United States from which distilled spirits or wine to be imported are shipped by water to the United States.

(2) "Port of arrival" or "point of arrival" means the place in continental United States where imported distilled spirits or imported wine first come into custody of United States customs.

(3) "Port of entry" means the place where imported distilled spirits or imported wine are located when released by United States customs officials after payment of customs duties and excise taxes.

(4) "Inland freight", "transportation charges" or "charges for transporting" mean lawful freight charges for movement by common or contract carrier. Such charges shall include any applicable Federal tax on transportation of commodities now or hereafter imposed, and unless otherwise provided, shall be figured at the lowest available rate. Where the seller uses his own vehicle, such charges shall be figured at the lowest rate for transportation over the same distance by common or contract carrier, exclusive of Federal tax.

(5) "Metropolitan area" of a particular place means the territory within the same municipality and the territory adjacent thereto within the same marketing area.

(6) "Naked f. o. b. processor's premises" with reference to a price means that price at such place exclusive of the cost of containers, and any applicable United States, state and local excise taxes and California state marketing order assessment.

(7) "Carload quantity" or "carload" includes truck loads and tank truck loads in the appropriate instances, and means a quantity of the particular commodity (in bulk or in packages as the case may be) having a weight equal to or in excess of the minimum weight required by common or contract carrier for shipment in that form at carload, truck load or tank truck rates respectively.

(8) "March 1942 freight base zone" means the receiving points, warehouses and stores from which the monopoly state during March 1942 delivered distilled spirits and wines, and any other points within the same state from which it elects to and does make such deliveries.

[Subparagraphs (5) through (8) added by Am. 3, 8 F.R. 13500, effective 10–7–43]

(e) *Definitions of miscellaneous terms.* (1) "Sales in bond" means a sale of distilled spirits or wine located in a United States bonded warehouse, made prior to payment of United States customs duties and excise taxes applicable thereto.

(2) "Sales tax paid" means a sale of distilled spirits or wine for which applicable United States customs duties and excise taxes have been paid.

(3) "Official offer" means an offer by an importer, processor, primary distributing agent or wholesaler to supply an item to a monopoly state, by the terms of which deliveries are to commence within 60 days from date of acceptance.

(4) "Stock on hand" with reference to an item, means the amount thereof to which the person holds title, irrespective of location.

(5) "Strip stamps" means stamps affixed to individual containers of distilled spirits in accordance with section 2803 of the Internal Revenue Code of the United States.

(6) "Gauge" means the weight, proof, number of wine gallons, number of proof gallons, or any one or more thereof, as determined by an official United States customs gauger.

(7) "Regauge" means a gauge made after the first gauge within continental United States.

(8) "OPA price" means the seller's maximum price determined under this regulation for a sale to a purchaser of the particular class, or an amount less than that price.

(9) "License contract" means a written contract for the sale of domestic bulk distilled spirits or wine which authorizes the purchaser to bottle or to have bottled for him, and to sell such distilled spirits or wine under a trade mark or brand name owned by the seller of the bulk commodity.

[Subparagraph (9) added by Am. 2, 8 F.R. 13496, effective 10–7–43]

(10) "Gallon" or "wine gallon" when used in this regulation without qualifying adjective or phrase means a standard U. S. wine gallon of 231 cubic inches, at 68° Fahrenheit (20° Centigrade).

(11) "Warehouse receipt" means the warehouse receipt for bulk domestic distilled spirits provided for in section 3 of Regulations No. 3 issued by the Federal Alcohol Administration relating to Bulk Sales and Bottling of Distilled Spirits.

[Subparagraphs (10) and (11) added by Am. 3, 8 F.R. 13500, effective 10–7–43]

(f) Unless the context otherwise requires, definitions contained in § 1499.20 (c), (h), (i), (j), (k), (m), (o), (p), (r), and (s) of the General Maximum Price Regulation shall apply to the same or corresponding terms used herein, and the definitions contained in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

SEC. 7.13 *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight states of the United States and to the District of Columbia.

Effective date. This regulation shall become effective August 14, 1943. [MPR 445 originally issued August 9, 1943.]

[NOTE: Effective dates of amendments are shown in notes following the parts affected.]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 2d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6285; Filed, May 2, 1944; 4:20 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

TACONY, PA.-PALMYRA, N. J. BRIDGE

Pursuant to the provisions of Section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.225 is hereby amended by adding

the following subparagraph to paragraph (b):

§ 203.225 *Delaware and Schuylkill Rivers, N. J. and Pa.; bridges (highway and railroad).* • • •

(b) *Opening the draw.* (1) • • •

(2) *Exception: Tacony-Palmyra Bridge.* The provisions of paragraph (b) (1) shall be applicable to this bridge only between the hours of 8:00 a. m. and 6:00 p. m. until further notice. Whenever a vessel unable to pass under the closed bridge desires to pass through the draw between the hours of 6:00 p. m. and 8:00 a. m., at least two hours' advance notice of the time an opening is required shall be given to the authorized representative of the owner of or agency controlling the bridge. Upon receipt of such notice, the authorized representative of the owner of or agency controlling the bridge shall arrange for the prompt opening of the draw at the time specified in the notice for the passage of the vessel. The owner of or agency controlling the bridge shall keep conspicuously posted on both the upstream and downstream sides of the bridge, in such manner that it can be easily read at any time, a notice stating exactly how the representative specified may be reached. (28 Stat. 362; 33 U.S.C. 499) [Regs. 24 April 1944 (CE 823) (Delaware River—Tacony, Pa.-Palmyra, N. J.—Mile 107.2)—SPEWR)]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44-6290; Filed, May 2, 1944; 4:29 p. m.]

PART 203—BRIDGE REGULATIONS

WISCONSIN RIVER, WIS.

Pursuant to section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the provisions of § 203.566 (8 F.R. 16065, 16529) are hereby extended to include drawbridges across the Wisconsin River, Wisconsin, paragraph (f) being amended as follows:

§ 203.556 *Mississippi River and all its navigable tributaries and outlets; bridges where constant attendance of draw tenders is not required.* • • •

(f) The bridges to which these regulations apply, and the advance notice required in each case, are as follows: • • •

Wisconsin River, Wis.; all drawbridges. (At least forty-eight hours' advance notice required.) (28 Stat. 362; 33 U.S.C. 499) [Regs. 18 November 1943 as amended by Regs. 24 April 1944, CE 823.01 SPEWR]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44-6291; Filed, May 2, 1944; 4:29 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 174, Amdt. 2]

PART 95—CAR SERVICE

ACCEPTANCE OF CARLOAD SHIPMENTS OF GRAIN

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 2d day of May, A. D. 1944.

Upon recommendation of the ODT-ICC Grain and Grain Products Transportation Conservation Committee to the Office of Defense Transportation and upon further consideration of Service Order No. 174 (9 F.R. 404) of January 7, 1944; as amended (9 F.R. 1463): *It is ordered,* That:

Service Order No. 174 (9 F.R. 404) of January 7, 1944, as amended (9 F.R. 1463), be, and it is hereby, amended by substituting the following paragraph (a) (1) and subdivisions (i) and (ii) and paragraph (a) (2) and subdivisions (i), (ii) and (iii) respectively, for paragraph (a) (1) and subdivisions (i) and (ii) respectively and paragraph (a) (2) and subdivisions (i), (ii) and (iii) respectively in § 95.327:

§ 95.327 *Acceptance of carload shipments of grain.*—(a) (1) *Acceptance of carload shipments of grain, grain products, grain byproducts, seeds, and hay covered by order notify, or straight-advise bills of lading.* No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation, transport or move carload shipments of grain, grain products, grain byproducts, seeds, or hay:

(i) When consigned to a "notify" party or to an "advise" party at a location other than the billed destination of the shipment;

(ii) When consigned to a "notify" or to an "advise" party at the billed destination of the shipment, unless the "notify" or "advise" party is authorized to accept notice of arrival of the shipment and to furnish disposition orders to the carrier's agent at the billed destination.

(2) The provisions of paragraph (a) (1) shall not be construed to prohibit the acceptance for transportation or the transportation or movement of carload shipments of grain, grain products, grain byproducts, seeds, or hay:

(i) When the "notify" or "advise" party is located at a river landing or other point inaccessible to carrier's deliveries; or

(ii) When the "notify" or "advise" party is located at a prepay station or on a rural free delivery route or in the interior, in which cases the shipment must be consigned to an adjacent open station designated by the shipper; or

(iii) When the destination station and consignee's post office address adjacent to such station are differently named. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a. m., May 6, 1944; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-6306; Filed, May 3, 1944; 11:39 a. m.]

[S. O. 188, Amdt. 3]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 2d day of May, A. D. 1944.

Upon further consideration of Service Order No. 188 (9 F.R. 3098) of March 18, 1944, as amended (9 F.R. 3396; 9 F.R. 3748) and good cause appearing therefor: *It is ordered,* That:

Service Order No. 188 (9 F.R. 3098) of March 18, 1944, 49 C.F.R., § 95.334, as amended (9 F.R. 3396; 9 F.R. 3748) be, and it is hereby, further suspended until August 5, 1944. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective with May 5, 1944; that a copy of this order and direction shall be served upon the California State Railroad Commission and upon the State Belt Railroad of California; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-6307; Filed, May 3, 1944; 11:39 a. m.]

Notices

FEDERAL POWER COMMISSION.

[Docket Nos. G-437, G-521]

PANHANDLE EASTERN PIPE LINE CO.

ORDER POSTPONING DATE OF HEARING

MAY 2, 1944.

Upon consideration of the application filed April 29, 1944, by Albion Gas Light Company requesting a postponement of the date of hearing set in Docket Nos. G-437 and G-521;

It appearing to the Commission that:

Good cause has been shown for the postponement of the hearing in the above entitled matters;

The Commission orders that:

The public hearing heretofore set for May 17, 1944, in Docket Nos. G-437 and G-521 be and the same is hereby postponed to June 7, 1944, at 9:45 a. m., in the Commission's Hearing Room, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-6305; Filed, May 3, 1944; 11:16 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 191-A]

UNLOADING OF COAL AT CHARLESTOWN, MASS.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 2d day of May, A. D. 1944.

Upon further consideration of Service Order No. 191 (9 F.R. 3434) of March 27, 1944, and good cause appearing therefor: *It is ordered,* That:

Service Order No. 191 (9 F.R. 3434) of March 27, 1944, ordering the unloading of ten (10) cars, containing coal at Charlestown, Massachusetts, be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective immediately; that a copy of this order and direction shall be served upon the Boston and Maine Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-6308; Filed, May 3, 1944; 11:39 a. m.]

[S. O. 194-A]

UNLOADING OF COAL AT CLEARFIELD, PA., AND OAK POINT, N. Y.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 2nd day of May, A. D. 1944.

Upon further consideration of Service Order No. 194 (9 F.R. 3663) of April 3, 1944, as amended (9 F.R. 3920) and good cause appearing therefor: *It is ordered,* That:

Service Order No. 194 (9 F.R. 3663) of April 3, 1944, as amended (9 F.R. 3920) ordering the unloading of 5 cars, containing coal at Clearfield, Pennsylvania, and 4 cars containing coal at Oak Point, New York, be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective immediately; that a copy of this order and direction shall be served upon the New York Central Railroad Company, and The New York, New Haven and Hartford Railroad Company, (Howard S. Palmer, James Lee Loomis and Henry B. Sawyer, Trustees) and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-6309; Filed, May 3, 1944; 11:39 a. m.]

[S. O. 195-A]

UNLOADING OF COAL AT JERSEY CITY, N. J.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 2d day of May, A. D. 1944.

Upon further consideration of Service Order No. 195 (9 F.R. 3717) of April 4, 1944, and good cause appearing therefor: *It is ordered,* That:

Service Order No. 195 (9 F.R. 3717) of April 4, 1944, ordering the unloading of 4 cars, PRR 195740, PRR 677204, PRR 897606 and LV 16775, containing coal at Henderson Street Station, Jersey City, New Jersey, be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective immediately; that a copy of this order and direction shall be served upon the Pennsylvania Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-6310; Filed, May 3, 1944; 11:39 a. m.]

[S. O. 196-A]

UNLOADING OF COAL AT HARRISBURG, PA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 2d day of May, A. D. 1944.

Upon further consideration of Service Order No. 196 (9 F.R. 3871) of April 8, 1944, and good cause appearing therefor: *It is ordered,* That:

Service Order No. 196 (9 F.R. 3871) of April 8, 1944, ordering the unloading of cars PRR 161143 and 901728, containing coal at Harrisburg, Pennsylvania, be, and it is hereby vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective immediately; that a copy of this order and direction shall be served upon the Pennsylvania Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-6311; Filed, May 3, 1944; 11:39 a. m.]

[S. O. 164, 2d Amended General Permit 15]

REFRIGERATION OF GRAPEFRUIT AND ORANGES AT POINTS IN FLORIDA

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide standard refrigeration on any refrigerator car loaded with grapefruit or oranges, in straight or mixed carloads, originating at any point or points in Florida moving direct, to destinations in Canada, or to destinations in the United States located west of the western boundaries of the states of Missouri, Iowa and Minnesota and north of the northern boundaries of the states of Oklahoma, New Mexico and Arizona, without stop-off at intermediate points.

This general permit shall become effective at 12:01 a. m., May 3, 1944, and shall expire at 12:01 a. m., June 6, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission

at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6812; Filed, May 3, 1944; 11:39 a. m.]

[S. O. 164, Special Permit 40]

REFRIGERATION OF ORANGES FROM WINTER-HAVEN, FLA.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to FGE 34450, oranges, shipped today from Winterhaven, Florida, routed ACL-ABC-Frisco-Union Pacific Railway, to Seattle, Washington.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of May 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6813; Filed, May 3, 1944; 11:39 a. m.]

[S. O. 164, Special Permit 41]

REICING OF ORANGES AT CINCINNATI, OHIO

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 164 insofar as it applies to the reicing to full bunker capacity at Cincinnati, Ohio, on the Southern Railway, RD 16319 destined Cumberland, Maryland, PFE 23619 destined Baltimore, Maryland, FGEX 803 destined Philadelphia, Pennsylvania, all cars containing navel oranges.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of May 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6814; Filed, May 3, 1944; 11:39 a. m.]

[S. O. 200, Special Permit 5]

REICING OF POTATOES ORIGINATING IN MICHIGAN

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord one reicing to 300 refrigerator cars of potatoes, originating in Michigan and billed on commercial bills of lading marked to be exchanged for government bills of lading. All cars will be destined San Francisco, San Jose, Sacramento or Stockton, California, for export.

This permit shall become effective May 1, 1944, and shall expire with June 30, 1944.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of May 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-6815; Filed, May 3, 1944; 11:40 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 733]

FRANK SOUTHERLAND, ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 733 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 8. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

FRANK SOUTHERLAND, BALKAN, KY., WILDER BRANCH MINE, MASON SEAM, MINE INDEX NO. 7091, BELL COUNTY, KY., SUBDISTRICT NO. 6, DRIFT MINE

	Size group Nos.							
	1	2	3	4	5	6	7	
Truck shipment	$3.60	$3.40	$3.20	$3.25	$3.10	$2.85	$2.25	$2.20

JESSE A. BLAND CO., INC., KNOXVILLE, TENN., MIDDLE RIDGE MINE, COAL CREEK SEAM, MINE INDEX NO. 7078, ANDERSON COUNTY, TENN., SUBDISTRICT NO. 6, RAIL SHIPPING POINT: BRICEVILLE, TENN., F. O. G. NO. 61, STRIP MINE

	Size group Nos.																
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21
Price classification	O	O	O	O	H	H	G	G	E	G	C	C	C	K	K	K	K
Rail shipments and railroad fuel	$3.60	$3.55	$3.40	$3.40	$3.40	$3.60	$3.50	$3.30	$3.25	$3.25	$3.60	$3.15	$3.15	$3.15	$3.00	$2.95	$2.95	$2.95
Truck shipment	3.60	3.40	3.30	3.35	3.10	2.95	2.25	2.20									

HARMON BRANCH COAL CO., BETSY LAYNE, KY., CAUDILL #1 MINE, ELKHORN #1 SEAM, MINE INDEX NO. 7001, PIKE COUNTY, KY., SUBDIST. NO. 1, RAIL SHIPPING POINT: BETSY LAYNE, KY., F. O. G. NO. 61, DRIFT MINE

	Size group Nos.																
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21
Price classification	K	K	K	K	H	H	G	E	C	C	D	D	D	G	G	G	G
Rail shipment and railroad fuel	$3.65	$3.60	$3.50	$3.50	$3.45	$3.35	$3.15	$3.15	$3.15	$3.70	$3.60	$3.00	$3.00	$2.95	$2.85	$2.80	$2.80	$2.80
Truck shipment	3.80	3.60	3.25	3.35	3.20	2.90	2.80	2.45										

HOPPER & HALL COAL CO., WAYLAND, KY., HOPPER & HALL MINE, ELKHORN #1 SEAM, MINE INDEX NO. 7044, FLOYD COUNTY, KY., SUBDIST. NO. 1, RAIL SHIPPING POINT: WAYLAND, KY., F. O. G. NO. 61, DRIFT MINE

	Size group Nos.																
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21
Price classifications	H	H	H	H	H	H	G	E	C	E	C	C	C	H	H	H	H
Rail shipments and railroad fuel	$3.60	$3.75	$3.60	$3.60	$3.45	$3.35	$3.15	$3.15	$3.15	$3.70	$3.00	$3.00	$3.00	$2.95	$2.85	$2.80	$2.80
Truck shipment	3.90	3.70	3.30	3.35	3.20	2.95	2.45	2.40									

MANDT & BRASHEAR COAL CO., MANTON, KY., MAY MINE, ELKHORN #2 SEAM, MINE INDEX NO. 7054, FLOYD COUNTY, SUBDIST. NO. 1, RAIL SHIPPING POINT: MARRS, KY., F. O. G. NO. 61, DRIFT MINE

	Size Group Nos.																
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21
Price classification	H	H	H	H	H	H	G	E	C	E	C	C	C	G	G	G	G
Rail shipments and railroad fuel	$3.80	$3.75	$3.60	$3.60	$3.45	$3.35	$3.15	$3.15	$3.15	$3.70	$3.00	$3.00	$3.00	$2.95	$2.85	$2.80	$2.80
Truck shipment	3.90	3.70	3.30	3.35	3.20	2.95	2.50	2.45									

This order shall become effective May 2, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9326, 8 F.R. 4681)

Issued this 1st day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6238; Filed, May 1, 1944; 4:55 p. m.]

CENTRAL WEST COAL CO. (COULTER & MCKENNA), 612 N. MICHIGAN AVE., CHICAGO, ILL., COULTER & MCKENNA MINE, NO. 5 SEAM, DEEP-HAND LOADED MINE, MINE INDEX NO. 1163, SALINE COUNTY, ILL., RAIL SHIPPING POINT: HARRISBURG, ILL., TRUCK RAIL, PRICE CLASSIFICATION: PRICE GROUP NO. 2, SOUTHERN SUB-DISTRICT

	Size group Nos.																										
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
Rail shipment	$3.55	$3.50	$3.50	$3.20	$3.20	$2.90	$2.80	$2.95	$2.75	$2.65	$2.75	$2.75	$2.35	$2.25	$1.75	$1.25	$2.80	$2.75	$2.85	$2.90	$3.25	$3.15	$2.65	$2.55	$2.35	$2.50	$2.50	$3.15	$2.20
Truck shipment	3.20	3.20	3.20	3.05	3.60	2.95	2.85	2.65	2.55	2.55	2.55	2.55	2.35	2.35	1.70														

Railroad locomotive fuel: Mine run, $2.80; screenings, $2.25.

THE CONSOLIDATED COAL CO., RAILWAY EXCHANGE BLDG., ST. LOUIS, MO., LAKE CREEK MINE, NO. 6 SEAM, DEEP-MECHANICAL LOADED MINE, MINE INDEX NO. 2001, WILLIAMSON COUNTY, ILL., RAIL SHIPPING POINT: LAKE CREEK, ILL., RAIL MINE, PRICE CLASSIFICATION: PRICE GROUP NO. 2, SOUTHERN SUBDISTRICT

	Size Group Nos.																										
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
Rail shipment	$3.35	$3.20	$3.30	$3.00	3.00	$2.70	$2.60	$2.75	$2.55	$2.45	$2.55	$2.55	$2.15	$2.05	$1.55	$1.05	$2.60	$2.55	$2.65	$2.70	$3.05	$2.95	$2.45	$2.35	$2.15	$2.30	$2.30	$2.95	$2.00
Truck shipment	3.50	3.50	3.50	3.35	3.25	3.20	3.10	3.10	2.60	2.80	2.80	2.80	2.55	2.45	1.95	1.45			2.90			2.75				2.65	2.55	2.65	2.30

Railroad Locomotive fuel: Mine run, $2.60; screenings, $2.05.

This order shall become effective May 2, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9326, 8 F.R. 4681)

Issued this 1st day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6237; Filed, May 1, 1944; 4:55 p. m.]

[MPR 120, Order 735]

KOPPER COAL DIVISION, EASTERN GAS AND FUEL ASSOCIATES

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 735 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing maximum prices for coals of Kopper Coal Division, Eastern Gas and Fuel Associates.

For the reasons set forth in the opinion issued herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Refuse coals produced by Kopper Coal Division, Eastern Gas and Fuel Associates, Pittsburgh, Pennsylvania from its Keystone Mine, Mine Index No. 93 in District No. 7, for rail shipment, may be sold and purchased at a price not exceeding $2.75 per net ton f. o. b. the rail shipping point.

(b) This order may be revoked or amended at any time.

(c) All prayers of applicant not granted herein are hereby denied.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective May 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6272; Filed, May 2, 1944; 12:06 p. m.]

[MPR 120, Order 734]

CENTRAL WEST COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 734 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 10. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

This order shall become effective May 2, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9326, 8 F.R. 4681)

Issued this 1st day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6238; Filed, May 1, 1944; 4:55 p. m.]

[MPR 143, Order 5, Revocation]

TIRES AND TUBES

ADJUSTABLE PRICING ON MANUFACTURERS' SALES TO BRAND OWNERS

Order No. 5 under Maximum Price Regulation 143, Wholesale Prices for New

Rubber Tires and Tubes, is hereby revoked, subject to the provisions of Supplementary Order No. 40.

This order of revocation shall become effective May 2, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6271; Filed, May 2, 1944; 12:06 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 54-91]

ELECTRIC POWER & LIGHT CORP., ET AL.

ORDER GRANTING JOINT APPLICATION AND PERMITTING JOINT DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 27th day of April, A. D. 1944.

In the matter of Electric Power & Light Corporation, United Gas Corporation, Houston Gulf Gas Company, Union Producing Company, and United Gas Pipe Line Company, File No. 54-91.

Electric Power & Light Corporation ("Electric"), a registered holding company, its subsidiary, United Gas Corporation ("United"), United's wholly-owned subsidiaries, Union Producing Company ("Union"), and United Gas Pipe Line Company ("Pipe Line"), and Pipe Line's wholly-owned subsidiary, Houston Gulf Gas Company ("Houston Gulf") having filed a joint application and declaration under the Public Utility Holding Company Act of 1935 and particularly sections 9 (a) (1), 10 and 12 (f) thereunder regarding the sale by Houston Gulf to Union and the acquisition by Union of all of the production properties of Houston Gulf for a cash purchase price of $3,049,155.09 plus an amount equal to the cost of net additions to such properties for construction and development expenditures made since December 31, 1943 to the date of transfer; the application of a portion of the proceeds received by Houston Gulf from said sale to the payment of the remaining principal amount of $1,800,000 plus accrued interest on the note issued by Houston Gulf to the First National Bank of Boston dated August 29, 1940; and the acquisition by merger by Pipe Line of all of the remaining properties of Houston Gulf consisting of natural gas gathering and transmission properties and other assets and the assumption by Pipe Line of all of the obligations of Houston Gulf; and

A public hearing having been held after appropriate notice and the Commission being fully advised and having this day issued its findings and opinion herein:

It is ordered, That said joint application and declaration be, and the same hereby are, respectively granted and permitted to become effective subject, however, to the terms and conditions prescribed in Rule U-24 and subject to the reservation by the Commission of jurisdiction to take appropriate action in the future with respect to the accounting entries made by Union to record the transactions contemplated in said joint application and declaration.

It is further ordered and recited, That the sale by Houston Gulf of its production properties, as described in said joint application and declaration, to Union and the acquisition of the same by the latter; and the application by Houston Gulf of a portion of the proceeds of the aforesaid sale to the payment of the remaining principal amount of $1,800,000 plus accrued interest on the note issued by Houston Gulf to the First National Bank of Boston dated August 29, 1940; and the merger of Houston Gulf with Pipe Line with the consequent acquisition by the latter of the then remaining properties and assets, the assumption by it of the liabilities of Houston Gulf and the extinguishment of the capital stock and indebtedness of Houston Gulf all as hereinbefore in this order permitted and approved, are necessary and appropriate to the simplification of the holding company system of Electric and are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, all in accordance with the meaning and requirements of the Internal Revenue Code, as amended, including section 1808 (f) and Supplement R thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-6302; Filed, May 3, 1944; 10:46 p. m.]

WAR MANPOWER COMMISSION.

CINCINNATI, OHIO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Cincinnati, Ohio, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Cincinnati, Ohio, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Cincinnati Area shall include:

Hamilton County (all), Clermont County (all), Ohio.
Kenton County (all), Campbell County (all), Boone County (all), Kentucky.

II. The effective date of this designation is June 1, 1944.

III. Not later than the effective date, each employer in the Cincinnati Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work. Such applications must be filed before May 1, 1944.

Date of issuance: April 26, 1944.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-6343; Filed, May 2, 1944; 9:42 a. m.]

[Amdt. 1]

YOUNGSTOWN, OHIO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Youngstown Area as subject to Executive Order No. 9301.

The designation of the Youngstown Area, dated February 15, 1944, (8 F.R. 7225) as subject to Executive Order No. 9301 is hereby amended to read as follows:

I. For the purposes of this designation, the Youngstown Area shall further be deemed to include:

Columbiana County (Unity and Fairfield Townships only).

II. The effective date of this amendment is May 8, 1944.

III. Not later than the effective date, each employer in Unity and Fairfield Townships of Columbiana County shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work. Such applications must be filed before May 1, 1944.

Date of issuance: April 6. 1944.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-6300; Filed, May 3, 1944; 10:26 a. m.]

WAR PRODUCTION BOARD.

[Certificate 74,[1] Revocation]

DELIVERY AND TRANSPORTATION OF MILK IN FINDLAY, OHIO

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw my certificate and finding dated May 27, 1943, concerning a recommendation of the Deputy Director of the Office of Defense Transportation with respect to the transportation and delivery of milk by motor vehicle in the Findlay, Ohio, marketing area.

DONALD M. NELSON,
Chairman.

APRIL 29, 1944.

[F. R. Doc. 44-6294; Filed, May 3, 1944; 9:47 a. m.]

[Certificate 78,[2] Revocation]

TRANSPORTATION AND DELIVERY OF GROCERIES IN JEFFERSON CITY, MO.

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw my certificate and finding dated June 7, 1943, concerning a recommendation of the Director of the Office of Defense Transportation with respect to the transportation and delivery of groceries by motor vehicle in Jefferson City, Missouri, and contiguous municipalities.

DONALD M. NELSON,
Chairman.

APRIL 29, 1944.

[F. R. Doc. 44-6295; Filed, May 3, 1944; 9:47 a. m.]

[Certificate 92,[1] Revocation]

TRANSPORTATION AND DELIVERY OF FLOWERS AND RELATED ARTICLES IN CUYAHOGA, OHIO, AREA

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw my certificate and finding dated July 6, 1943, concerning a recommendation of the Director of the Office of Defense Transportation with respect to the transportation and delivery of flowers and related articles by motor vehicle in Cuyahoga and adjoining counties in Ohio.

DONALD M. NELSON,
Chairman.

APRIL 29, 1944.

[F. R. Doc. 44-6296; Filed, May 3, 1944; 9:47 a. m.]

[Certificate 122,[2] Revocation]

TRANSPORTATION AND DELIVERY OF DAIRY PRODUCTS IN LAMAR, COLO.

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw my certificate and finding dated August 30, 1943, concerning a recommendation of the Director of the Office of Defense Transportation with respect to the transportation and delivery of dairy products by motor vehicle in Lamar, Colorado.

DONALD M. NELSON,
Chairman.

APRIL 29, 1944.

[F. R. Doc. 44-6297; Filed, May 3, 1944; 9:48 a. m.]

[Certificate 131,[1] Revocation]

TRANSPORTATION AND DELIVERY OF LUMBER AND RELATED ARTICLES IN LA JUNTA, COLO.

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw my certificate and finding dated September 13, 1943, concerning a recommendation of the Director of the Office of Defense Transportation with respect to the transportation and delivery by motor vehicle of lumber and related articles in La Junta, Colorado.

DONALD M. NELSON,
Chairman.

APRIL 29, 1944.

[F. R. Doc. 44-6298; Filed, May 3, 1944; 9:47 a. m.]

[Certificate 132,[1] Revocation]

TRANSPORTATION AND DELIVERY OF LAUNDRY AND DRY CLEANING IN LA JUNTA, COLO.

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw my certificate and finding dated September 13, 1943, concerning a recommendation of the Director of the Office of Defense Transportation with respect to the transportation and delivery by motor vehicle of laundry and dry cleaning in La Junta, Colorado.

DONALD M. NELSON,
Chairman.

APRIL 29, 1944.

[F. R. Doc. 44-6299; Filed, May 3, 1944; 9:48 a. m.]

[1] 8 F.R. 7363.
[2] 8 F.R. 7802.

[1] 8 F.R. 9597.
[2] 8 F.R. 12119.

[1] 8 F.R. 12857.

FEDERAL REGISTER

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Washington, Friday, May 5, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter IX—War Food Administration

(Marketing Agreements and Orders)

PART 927—ORDER, AS AMENDED, REGULATING THE HANDLING OF MILK IN THE NEW YORK METROPOLITAN MILK MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISION

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 1940 ed. 601 *et seq.*), hereinafter referred to as the "act", and of the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area, it is hereby determined that the words "in absence of proof of use in a specific class," as contained in § 927.3 (a) (1) (iii) of the order, as amended, do not tend to effectuate the declared policy of the act.

It is, therefore, ordered, That effective as of 12:01 a. m., e. w. t., June 1, 1944, the words "in absence of proof of use in a specific class," as contained in § 927.3 (a) (1) (iii) of the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area, are hereby suspended.

Done at Washington, D. C., this 3d day of May 1944.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 44-6856; Filed, May 4, 1944; 11:19 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 8, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FROZEN DAIRY FOODS AND MIX

War Food Order No. 8, 8 F.R. 4319 (formerly designated as Food Distribution Order No. 8, as originally issued by the Secretary of Agriculture on January 19, 1943, 8 F.R. 953, and as amended, 8 F.R. 12163), is amended as follows:

1. By deleting the provisions of § 1401.31 (a) (6), and inserting, in lieu thereof, the following:

(6) The term "governmental agency" means (i) the Armed Services of the United States (for the purposes of this order, including, but not restricted to, the United States Army Post Exchanges; United States Navy Ships' Service Departments; and the United States Marine Corps Post Exchanges); (ii) the War Shipping Administration; (iii) the Veterans' Administration; and (iv) any other instrumentality or agency designated by the War Food Administrator. The term "governmental agency" also includes any person who, pursuant to a war food order, is entitled to purchase frozen dairy foods or mix subject to this order.

2. By deleting the provisions of § 1401.31 (b) (1) and § 1401.31 (b) (2) and inserting, in lieu thereof, the following:

(b) *Restrictions on production of frozen dairy foods and mix.* (1) During the allocation periods commencing May 1, 1944, and June 1, 1944, respectively, as specified in War Food Order No. 8.1, 9 F. R. 4319 (formerly designated as Food Distribution Order No. 8–1, as issued by the Director on February 1, 1943, 8 F. R. 1330), no processor may utilize in the production of frozen dairy foods or mix more than 75 per centum of the total milk solids used by the respective processor in the production of such products, respectively, during the corresponding portion of the base period, exclusive of all such products processed for, or sold to, a governmental agency by such processor during such corresponding portion of the base period. During each allocation period commencing after June 30, 1944, specified by the Director in said War Food Order No. 8–1, or hereafter specified by the Director, no processor may utilize in the production of frozen dairy foods or mix more than 65 per centum of the total milk solids used by the respective processor in the production of such products, respec-

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

	Page
ANIMAL INDUSTRY BUREAU:	
Livestock, inspection and handling for exportation except to Mexico	4739
MINES BUREAU:	
Gribble, Richard, revocation of licenses, etc.	4787
OFFICE OF PRICE ADMINISTRATION:	
Adjustments:	
Azzara, S. J., et al. (Corr.)	4789
House of Shoemaker, Inc.	4788
Apples, sales except at retail (MPR 426, Am. 27)	4787
Ash, etc., collection services (MPR 165, Am. 37)	4747
Beef and veal carcasses and wholesale cuts (RMPR 169, Am. 41)	4782
Fruits and vegetables, fresh, for table use, sales except at retail (MPR 426, Am. 25, Corr.)	4779
Fuel oil, gasoline, and liquefied petroleum gas (MPR 88, Am. 9)	4779
Hawaii:	
Feed for animals and poultry (MPR 373, Am. 53)	4783
Gasoline rationing (RO 5F, Am. 9)	4779
Ham and apples (MPR 373, Am. 55)	4785
Tire rationing (RO 1E, Am. 8)	4743
Machines and parts, and machinery services (MPR 136, incl. Am. 1–116)	4748
Paperboard products (RMPR 187, Am. 5)	4782
Peppers and cucumbers, sales except at retail (MPR 426, Am. 26)	4786
Records, copies of; delegation of authority to Secretary to authenticate (GO 57)	4789
Regional and district office orders:	
Bananas, Raleigh, N. C., district	4789
Community ceiling price orders, list of orders filed	4790

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

Book 3: Titles 10–17, with index.

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued.
Regional and district office orders—Continued.
Fruits and vegetables: Page
Albany district 4789
Raleigh, N. C., district 4790
Restaurants, New Orleans, La., district 4743
Services excepted from GMPR (SR 11, incl. Am. 1–47) 4775
Tire reliners (Rev. SR 14, Am. 129) 4747
Valves, reconditioned and used (Rev. SR 14, Am. 128) 4747
RURAL ELECTRIFICATION ADMINISTRATION:
Allocation of funds for loans 4788
SECURITIES AND EXCHANGE COMMISSION:
Hearings, etc.:
Atlantic City Electric Co. and American Gas and Electric Co 4797
Buffalo, Niagara and Eastern Power Corp 4798
SECURITIES AND EXCHANGE COMMISSION—Continued.
Hearings, etc.—Continued. Page
Cleveland Stock Exchange 4796
Columbia Gas and Electric Corp., et al 4790
New York, Ontario and Western Railway Co 4796
Virginia Electric and Power Co., et al 4796
TREASURY DEPARTMENT:
U. S. savings bonds, payment or reissue 4787
WAR DEPARTMENT:
Service clubs, hostesses and librarians, miscellaneous amendments 4741
WAR FOOD ADMINISTRATION:
Corn, sale, transportation, and use (WFO 98, Am. 1) 4738
Fish Oil (WFO 60, Am. 1) 4736
Frozen dairy foods and mix (WFO 8, Am. 1) 4735
Milk in N. Y. metropolitan area 4735
WAR PRODUCTION BOARD:
Instruments, valves and regulators used in industrial processes (L–134, Rev.) 4742
Suspension orders, etc.:
Anderson Furniture Co 4798
Bloomfield Mfg. Co 4742
McKay Plumbing Co 4742

[WFO 60, Amdt. 1]

PART 1460—FATS AND OILS

FISH OIL

War Food Order 60 (9 F. R. 2535, 4319), § 1460.16, is amended to read as follows:

§ 1460.16 *Use, consumption, processing, and delivery of fish oil restricted*—(a) *Definitions.* (1) "Fish oil" means oil, other than oil produced solely from the livers or viscera of fish or marine animals, produced by the reduction of the whole or any part of any fish or marine animal of the following species, commonly known as: California sardine or Pacific Coast pilchard (Sardina caerulea), menhaden (Brevoortia tyrannus), Pacific Coast herring (Clupea pallasii), West Coast mackerel (Scomber diego), Tuna and tuna-like fish, salmon (Genus: Oncorhynchus), rose fish (Sebastes marinus), and seal. The term shall include all such oil, whether crude, refined, pressed, sulphonated, or otherwise processed; and all the by-products and derivatives of such oil, including, but not limited to, foots, stearine, and fatty acids, but excluding pitch and glycerine.

(2) "Crude sardine or menhaden oil" means any oil, which has not been refined, or otherwise processed, produced by the reduction of the whole or any part of any fish of the following species, commonly known as: California sardine or Pacific Coast pilchard (Sardina caerulea or menhaden (Brevoortia tyrannus). However, fish oil as defined in paragraph (a) (1) hereof shall include crude sardine or menhaden oil as defined herein.

(3) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(4) "Producer" means any person engaged in the production of crude sardine or menhaden oil.

(5) "Distributor" means any person who purchases and resells fish oil but does not process such oil.

(6) "Tank car" means a quantity of crude sardine or menhaden oil weighing 60,000 pounds.

(7) "Certified order" means a written order given to a producer for one or more tank cars of crude sardine or menhaden oil which has included therein, or attached thereto, a certificate properly filled out and executed in accordance with the provisions of paragraph (b) (3) hereof.

(8) "Set aside oil" means oil originally acquired from a producer pursuant to a certified order or the oil which is substituted for such oil under the applicable provisions of paragraph (b) (3) hereof.

(9) "Essential use" means the use or consumption of fish oil in hot dip tinning, terne plating, or galvanizing, or in the manufacture of any of the following products:

(i) Insulating varnishes,
(ii) Ship bottom paint,
(iii) Alkyd resins,
(iv) Heat resistant paint,
(v) Water-insoluble metallic soaps,
(vi) Lubricants,
(vii) Caulking compounds,
(viii) Mechanical packing,
(ix) Textile sizes, or
(x) Natural or synthetic rubber products.

(10) "Essential processing" means any processing of fish oil which will render it suitable for an essential use.

(11) "Vitamin A feeding oil" means vitamin feeding oil which is sold by the manufacturer thereof with a guarantee of a minimum vitamin A potency.

(12) "Vitamin D feeding oil" means vitamin feeding oil which is sold by the manufacturer thereof with a guarantee of a minimum vitamin D potency.

(13) "Vitamin A and D feeding oil" means vitamin feeding oil that is sold by the manufacturer thereof with a guarantee of a minimum potency of both vitamin A and vitamin D.

(14) "Stock pile oil" means fish oil acquired by a governmental agency under the provisions of Food Distribution Order 59 (8 F.R. 9104).

(15) "Director" means the Director of Distribution, War Food Administration.

(b) *Restrictions on crude sardine or menhaden oil.* (1) Every producer shall set aside for delivery pursuant to certified orders, or as specifically authorized by the Director, the following tank cars of crude sardine or menhaden oil produced by him on or after April 1, 1944, and prior to December 15, 1944, in each plant operated by him, to wit:

(i) The second,
(ii) The fourth, and
(iii) Every third tank car thereafter, that is to say, the seventh, tenth, etc.

However, in making deliveries pursuant to the provisions of this paragraph (b) (1), a producer shall be allowed a tolerance of 3,000 pounds per tank car, and shall be permitted to substitute for any tank car of crude sardine or menhaden oil required to be set aside hereunder a tank car of crude sardine or menhaden oil previously produced in the same plant.

(2) Any tank car of crude sardine or menhaden oil required to be set aside under the provisions of paragraph (b) (1) hereof shall be released from the restrictions of said paragraph, if so ordered by the Director, or, if on the day on which the production of such tank car of crude sardine or menhaden oil is begun, the producer thereof does not have an unfilled certified order which was received by him at least 14 days prior thereto, or has not been specifically authorized by the Director to deliver such tank car of crude sardine or menhaden oil.

(3) No person shall accept delivery of crude sardine or menhaden oil, required to be set aside under the provisions of paragraph (b) (1) hereof, from a producer unless he shall order such oil from the producer in a quantity equal to a tank car or multiples thereof and shall attach to, or incorporate in, such order a duly executed certificate in the following form:

The undersigned hereby certifies to the War Food Administration and to _____ (supplier) that this certificate constitutes a part of an order by him to said supplier for _____ tank cars of crude sardine or menhaden oil and that any such oil delivered to the undersigned pursuant to this order will be subjected to an essential processing or used for an essential use by the undersigned, or in lieu thereof, the undersigned will, upon receipt of the oil ordered herewith, set aside for essential uses or essential processing an equivalent amount of fish oil, other than Pacific Coast herring oil, seal oil, or fish oil delivered pursuant to a certified order. This certificate is given in compliance with WF 60, as amended, the terms of which are familiar to the undersigned.

_____ (Purchaser)

By _____ (Authorized official)

_____ (Date)

No person who receives crude sardine or menhaden oil pursuant to an order certified as herein provided shall subject such oil to any processing other than an essential processing or use or consume such oil for any purpose other than an essential use unless he shall substitute an equivalent amount of fish oil, other than Pacific Coast herring oil, seal oil, or fish oil received pursuant to a certified order, for the amount so received, whereupon the oil so substituted shall be regarded as set aside oil. Upon the delivery of a certified order to a producer the person executing the certificate shall forthwith mail to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO 60, a true copy of such certificate.

(4) No person shall accept delivery of crude sardine or menhaden oil pursuant to certified orders in a total quantity in excess of four tank cars, unless specifically authorized by the Director. An application for such an authorization shall be made by letter to the Director, on or before May 20, 1944. The letter shall set forth:

(i) The number of tank cars which the applicant desires to accept delivery of pursuant to certified orders,

(ii) An estimate of the applicant's requirements for each use set forth in paragraph (a) (9) hereof, during the period from April 1, 1944, to April 1, 1945, and an estimate of his requirements for processing for each use set forth in said paragraph (a) (9), during such period, and

(iii) The amount of fish oil used by the applicant in essential uses or subjected to essential processing by him in the calendar year of 1943.

(c) *Further restrictions on set aside oil.* Except as specifically authorized by the Director:

(1) No person shall deliver set aside oil to any other person without notifying such person, in writing, prior to delivery that such oil is set aside oil;

(2) No person shall deliver set aside oil which has been processed to any person other than a distributor or a person whose business operations include an essential use; and

(3) Subject to the provisions of paragraph (b) (3) hereof, no person shall use or consume set aside oil for any purpose other than an essential use or subject such oil to any processing other than an essential processing.

(d) *Restrictions on feed manufacturers.* Except as specifically authorized by the Director, no feed manufacturer shall use or consume fish oil, as such, in the manufacture of any feed. Nothing in this paragraph shall be construed as prohibiting any person from using or consuming vitamin feeding oil, manufactured in compliance with the provisions of paragraph (e) hereof, in the manufacture of feed for poultry.

(e) *Restrictions on the manufacture of vitamin feeding oils.* Except as specifically authorized by the Director:

(1) No person shall use or consume fish oil in the manufacture of vitamin feeding oils unless such feeding oils are to be used for poultry feeding;

(2) No person shall use or consume any fish oil in the manufacture of any vitamin A feeding oil to be used for poultry feeding;

(3) No person shall use or consume any fish oil in the manufacture of any vitamin D feeding oil to be used for poultry feeding unless the vitamin feeding oil is fortified by him to contain not less than 400 A. O. A. C. units of vitamin D per gram; and

(4) No person shall use or consume any fish oil in the manufacture of vitamin A and D feeding oil to be used for poultry feeding unless the vitamin feeding oil is fortified by him to contain not less than 400 A. O. A. C. units of vitamin D per gram.

(f) *Restrictions on seal oil.* Except as specifically authorized by the Director:

(1) No person shall use or consume seal oil in the manufacture of any product except natural leather; and

(2) No person shall process seal oil except in such a manner as to render it suitable for use or consumption in the manufacture of natural leather.

(g) *Restrictions on Pacific Coast herring oil.* Except as specifically authorized by the Director:

(1) No person shall use or consume Pacific Coast herring oil except in the manufacture of water-insoluble metallic soaps, natural leather, lubricants, or metal-working compounds, other than core oils; and

(2) No person shall process Pacific Coast herring oil except in such a manner as to render it suitable for use or consumption in the manufacture of water-insoluble metallic soaps, natural leather, lubricants, or metal-working compounds, other than core oils.

(h) *Restrictions on stock pile oil.* No person, who after the effective date of this amendment purchases stock pile oil from a governmental agency, shall use, consume, process, or deliver such oil except as specifically authorized by the Director.

(i) *Applications for authorizations.* Every person requiring an authorization to use or consume fish oil shall file an application therefor on Form FDA–478, or such other form or forms as the Director may prescribe, with the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO 60. The Director may prescribe in each authorization the period of time in which the authorization shall be effective. No person shall take any action pursuant

tively, during the corresponding portion of the base period, exclusive of all such products processed for, or sold to, a governmental agency by such processor during such corresponding portion of the base period. The milk solids used in frozen dairy foods or mix manufactured for, or delivered to, or for the account of, a governmental agency, shall be excluded from the amount of milk solids to which the aforesaid percentages are applicable.

(2) During the months of May and June 1944 the maximum total milk solids content of frozen dairy foods manufactured, sold, or delivered by any person shall be 24 per centum (by weight). After June 30, 1944, the maximum total milk solids content of frozen dairy foods manufactured, sold, or delivered by any person, shall be 22 per centum (by weight).

This amendment shall become effective at 12:01 a. m., e. w. t. May 1, 1944. With respect to violations, rights accrued, or liabilities incurred prior to the effective time of this amendment, the provisions of War Food Order No. 8 in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334; 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 1st day of May 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44–6281; Filed, May 2, 1944; 3:17 p. m.]

to, or in reliance on, an authorization which has expired.

(j) *FDO–42.* The restrictions of this order shall be construed as being supplemental to the restrictions of Food Distribution Order 42, as amended.

(k) *Records and reports.* (1) Every person who in any calendar quarter uses or consumes more than 6,000 pounds of fish oil shall:

(i) Fill out and file, for each month of such quarter, Bureau of the Census Form BM–1, or such other form or forms as may be prescribed by the Director, with the Bureau of the Census, Washington 25, D. C. The report for each month shall be filed on or before the fifteenth day of the succeeding month; and

(ii) Fill out and file for such quarter, Bureau of the Census Form BM–2, or such other form or forms as may be prescribed by the Director, with the Bureau of the Census, Washington 25, D. C. The report for each quarter shall be filed on or before the fifteenth day of the second month of the succeeding quarter. Nothing in this paragraph (k) (1) shall be construed as requiring any person to file more than one form BM–1 for any month, or more than one form BM–2 for any quarter. The provisions of Food Distribution Order 37, as amended, shall apply to the filing out of Form BM–1 with respect to sperm oil.

(2) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(3) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in fish oil.

(l) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of fish oil of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(m) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him, may file a petition for relief in writing with the Director, addressed as follows: Director of Food Distribution, War Food Administration, Washington 25, D. C., Ref. WFO 60. Such petition shall set forth all pertinent facts and the nature of the relief sought. The Administrator of this order shall then act upon the petition. In the event that the petitioner is dissatisfied with the action taken by the Administrator of this order, he may request a review of such action by the Director whose decision with respect to the relief sought shall be final.

(n) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using fish oil, or any other material subject to priority or allocation control by any governmental agency. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(o) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(p) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, or otherwise provided herein, be addressed to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO 60.

(q) *Effective date.* This amendment shall become effective 12:01 a. m., e. w. t., May 1, 1944. However, with respect to violations of War Food Order 60, or rights accrued or liabilities incurred thereunder, prior to said date, said War Food Order 60 shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 1st day of May 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44–6280; Filed, May 2, 1944; 3:17 p. m.]

[WFO 98, Amdt. 1]

PART 1468—GRAIN

LIMITATIONS ON SALE, TRANSPORTATION, AND USE OF CORN

War Food Order 98 (9 F.R. 4379), § 1468.8, is amended as follows:

1. By amending (a) (2) thereof to read as follows:

(2) "Corn" means yellow, white, or mixed shelled corn, ear corn, or snap corn, of the dent or flint varieties, whole or crushed or mixed with other whole grains, excluding, however, seed corn, popcorn, grain sorghums, sweet corn, broom corn, corn used for canning purposes, and packaged corn meal, corn grits, or other corn products packaged for human consumption.

2. By amending (b) (2) thereof to read as follows:

(2) No person shall accept corn located in the designated area for transportation or delivery to any person other than Commodity or its designated agent. This provision shall not be construed to prevent any person or his agent from transporting corn owned by him from any point within the designated area to another point within such area: *Provided* Such corn does not at any time move outside of the designated area.

3. By amending (c) (3) thereof to read as follows:

(3) Any feeder, upon application to the County committee for the county where corn owned by him is located, may be authorized by such committee, in writing, to transport such corn to any point within a county adjoining the designated area for the purpose of feeding livestock or poultry owned by him.

4. By amending (i) thereof to read as follows:

(i) *Request for relief from hardship.* Any person located in the designated area who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a request for relief with the County committee for the county in which such person's establishment is located. Any other person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a request for relief with the Chief of the Agricultural Adjustment Agency, Washington 25, D. C. All requests shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. Such requests shall be acted upon by the Chief of AAA or any employee of the Agricultural Adjustment Agency designated by him.

This amendment shall become effective at 12:01 a. m., c. w. t., May 4, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 98 prior to the effective date of this amendment, all provisions of said War Food Order No. 98 in effect prior to this amendment shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 3d day of May, 1944.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 44–6357; Filed, May 4, 1944; 11:19 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry

Subchapter D—Exportation and Importation of Animals and Animal Products

[B. A. I. Order 378]

PART 91—INSPECTION AND HANDLING OF LIVESTOCK FOR EXPORTATION (EXCEPT TO MEXICO)

Under the authority conferred upon the Secretary of Agriculture by the Act of Congress approved May 29, 1884, as amended (21 U.S.C., 1940 ed., Secs. 112–115 and 117–119), the Act of Congress approved August 30, 1890, as amended (21 U.S.C., 1940 ed., Secs. 101–105), the Act of Congress approved March 3, 1891, as amended (45 U.S.C., 1940 ed., Secs. 75–76), and the Act of Congress approved February 2, 1903, as amended (21 U.S.C., 1940 ed., Secs. 111–113, 120–122), Part 91 of Title 9, Chapter I, Subchapter D, Code of Federal Regulations, as amended [B. A. I. Order 322, as amended], is hereby further amended, effective July 1, 1944, to read as follows:

Sec.
91.1 Definitions.
91.2 Animals to be handled in compliance with regulations.
91.3 Ports of export.
91.4 Inspection and certification.
91.5 Diagnostic tests for dairy and breeding cattle.
91.6 Disinfection of cars and other conveyances.
91.7 Rest and inspection before embarkation.
91.8 Accommodations for humane treatment of animals on vessels.
91.9 Headropes and halters.
91.10 Space on vessels.
91.11 Crates and portable stalls.
91.12 Hatches.
91.13 Upper-deck fittings.
91.14 Protection from heat of boilers and engines.
91.15 Ventilation.
91.16 Feed and water.
91.17 Attendants.
91.18 Lighting.
91.19 Alleyways.
91.20 Stanchions.
91.21 Beams.
91.22 Roofs.
91.23 Flooring.
91.24 Footlocks.
91.25 Outside planking.
91.26 Breast, front, and foot boards.
91.27 Rump boards.
91.28 Division boards.
91.29 Troughs and hayracks.
91.30 Defective fittings.
91.31 Cleaning and disinfecting vessels, fittings, utensils, and equipment.

AUTHORITY: §§ 91.1 to 91.31, inclusive, issued under 23 Stat. 32, as amended, 26 Stat. 416, as amended, 32 Stat. 792, as amended; 21 U.S.C. 101–122; 26 Stat. 833, as amended; 46 U.S.C. 466a, 466b.

§ 91.1 *Definitions.* Whenever in these regulations the following words, names, or terms are used they shall be construed as follows:

(a) "Foreign country": Any country other than Mexico.[1]

(b) "Department": The United States Department of Agriculture.

(c) "Bureau": The Bureau of Animal Industry of the Department.

(d) "Chief of Bureau": Chief of the Bureau of Animal Industry.

(e) "Inspector": An inspector of the Bureau.

(f) "Animals": Horses, cattle, sheep, swine, and goats.

(g) "Horses": Horses, mules, and asses.

(h) "Roofing paper": Any saturated roofing paper of a grade known to the trade as 30-pound roofing paper.

(i) "Stanchion": Post or other fixed upright support.

§ 91.2 *Animals to be handled in compliance with regulations.* No animals covered by these regulations shall be exported to a foreign country except in compliance with the provisions thereof.

§ 91.3 *Ports of export.* The following are designated ports of export for animals at which inspection will be maintained: Portland, Me.; Boston, Mass.; New York, N. Y.; Philadelphia, Pa.; Baltimore, Md.; Newport News and Norfolk, Va.; Jacksonville, Port Everglades, and Miami, Fla.; Mobile, Ala.; New Orleans, La.; Galveston and Houston, Tex.; San Diego, Los Angeles, and San Francisco, Calif.; Portland, Oregon; and Seattle and Tacoma, Wash. Other ports may be designated in special cases by the Chief of Bureau.

§ 91.4 *Inspection and certification.* No animals shall be exported to any foreign country until they have been inspected in the manner prescribed by the Chief of Bureau and found to be free from evidence of communicable disease or exposure thereto, and until they have been tested in the manner provided in § 91.5, if they are of a class required by that section to be tested. If, upon inspection, they are found to be free from evidence of communicable disease or exposure thereto, they shall be accompanied with a certificate to that effect, signed by a Bureau inspector.

§ 91.5 *Diagnostic tests for dairy and breeding cattle.* No dairy or breeding cattle shall be exported to a foreign country unless they are shown by proper certificate to have passed a negative test for tuberculosis and, if they are more than 6 months old, a negative blood test for brucellosis (Bang's disease) within 30 days of the date of shipment: *Provided, however,* That the test for brucellosis may be waived in respect to animals that have been officially vaccinated as calves within the previous 12 months: *And provided further,* That either or both of these tests may be waived upon presentation by the exporter to the inspector at the port of embarkation of a written permit by an authorized representative of the foreign government to ship a specified lot of cattle to that particular country without said tests.

The tuberculin test may be applied by a Bureau inspector or by a veterinarian accredited by the Bureau, in which case the certificate shall be endorsed by the inspector in charge of disease-eradication work in the State of origin. Blood tests for brucellosis shall be made in laboratories recognized by the Bureau and State authorities for that purpose, and the certificate shall be issued or endorsed by the inspector in charge of disease-eradication work in the State of origin.

§ 91.6 *Disinfection of cars and other conveyances.* No animals intended for export to a foreign country shall be transported in cars or other conveyances which have been used in the transportation of livestock since they were last cleaned and disinfected: *Provided, however,* That express cars or other conveyances not regularly used for the transportation of livestock need not be so disinfected. If such animals are confined in crates or portable stalls, these either shall be new and previously unused or shall be cleaned and disinfected before receiving such export animals.

§ 91.7 *Rest and inspection before embarkation.* No animals shall be loaded upon a vessel for exportation until they have been allowed at least 5 hours' actual rest in suitable quarters at the port of embarkation: *Provided, however,* That such period of rest will not be required if the animals were transported thereto in cars in which there was opportunity to rest and proper feed and water were provided, or when the animals are to be stowed in box stalls aboard ship.

All animals shall remain at the port of export a sufficient length of time and under conditions to afford proper inspection during daylight. The place of detention for rest and inspection shall be subject to approval of the inspector. Movement of animals from the holding yards, pens, or stables to the transporting vessel, and their loading, storing, and tying, shall be accomplished in a manner satisfactory to the inspector.

§ 91.8 *Accommodations for humane treatment of animals on vessels.* Owners or masters of vessels carrying animals from the United States to a foreign country shall provide for such animals food and water, space, ventilation, fittings, and other facilities as hereinafter set forth: *Provided, however,* That shipments of animals to points in nearby countries involving not more than 72 hours in transit shall be subject only to such requirements as to space, ventilation, fittings, food, and water supply as the Chief of Bureau shall prescribe. Such owners or masters shall not accept for transportation any animal that in the judgment of the inspector is in an unfit condition to withstand the rigors of such transportation.

§ 91.9 *Headropes and halters.* Halters, ropes, or other suitable equipment satisfactory to the inspector shall be provided for the handling and tying of horses and cattle.

§ 91.10 *Space on vessels.* Except as specified in § 91.8, space on vessels for the various species of animals shall be as follows:

(a) *Horses.* Space for horses shall be not less than 6 feet 3 inches from roof or beams overhead to floor underfoot and shall be at least 8 feet in depth, except that upon approval of the inspector

[1] Exportations to Mexico are governed by special regulations contained in another order of this Department.

stalls 7 feet deep may be allowed for medium-sized horses. Single stalls shall be not less than 2½ feet wide. Not less than 20 square feet shall be allowed for each horse loose in pen, and for every large horses there shall be at least 27 square feet.

Subject to the approval of the inspector as many as four horses, or as many as seven horses weighing not more than 500 pounds each, may be shipped in pens not less than 10 by 8 feet in size. Mares in foal and stallions, however, shall be shipped only in separate stalls, which shall be not less than 8 feet deep by 3 feet wide and for mares due to foal en route shall be not less than 8 feet deep by 5 feet wide and readily accessible.

Extra stalls suitably located shall be provided in each compartment or on decks where horses are carried so that adequate hospital space can be made available for any that become sick or disabled aboard ship. The number of such stalls shall be as follows: One for the first 4 to 10 horses shipped, another for any number in excess of 10 up to and including 25, and still another for each additional 25 horses or fraction thereof.

(b) *Cattle.* Space for cattle shall be not less than 8 feet in depth and 6 feet from roof or beams overhead to flooring underfoot, except that where floors are raised over pipes and similar obstructions a height of not less than 5 feet 6 inches may be permitted at the discretion of the inspector. No more than four cattle weighing over 850 pounds each shall be shipped in each pen, except at the ends of rows, where five may be allowed together. In such pens there shall be at least 20 square feet of space for each animal. When any such pen includes stanchions, sounding tubes, ventilators, and other obstructions, there shall be not less than 24 square feet of free space for each animal.

Single stalls for cattle shall be not less than 8 feet in depth by 3 feet in width, and larger stalls shall be provided when required by the inspector for cows in advanced pregnancy and for large dairy or breeding cattle. Cows in advanced pregnancy and bulls shall be shipped only in separate stalls. For cows that are due to calve en route, the stalls or pens shall be not less than 5 by 8 feet in size and so located as to be easily accessible.

Calves and yearlings may be stowed at the discretion of the inspector.

(c) *Sheep, goats, and swine.* Space for these animals shall be not less than 3 feet in height. For each animal the space provided shall be at least 1 foot greater in length and breadth than the animal itself, with a 50-percent increase for animals in advanced pregnancy. Double-deck pens shall not exceed 20 x 8 feet in size. Lambs, kids, and pigs may be stowed at the discretion of the inspector.

§ 91.11 *Crates and portable stalls.* Animals may be carried in crates or portable stalls which meet the space requirements of § 91.10 and are so constructed as to afford comfort and security. All crates and portable stalls shall be equipped for the feeding and watering of the animals carried therein, and when placed on exposed decks the roofs of same shall conform with the requirements of § 91.22. Crates and portable stalls shall be subject in all cases to the approval of the inspector at the port of embarkation.

§ 91.12 *Hatches.* Hatches above animals shall be kept clear at all times, no feed for the animals or freight of any kind being placed thereon.

Animals may be placed on hatches on exposed decks, but the pens or stalls shall be lashed down securely to the satisfaction of the inspector.

Animals may be placed on hatches on underdecks provided the height requirements of § 91.10 can be complied with, but sufficient space shall be left clear on such hatches for passageway across ship and for brow.

On all hatches on which animals are carried and under which hay and feed are stowed, sufficient space shall be left clear for the proper removal and handling of such hay and feed. Such hatches shall be watertight.

§ 91.13 *Upper-deck fittings.* Animals may be carried on upper decks in space abutting the outside rails or bulwarks only if such rails or bulwarks are 3 feet or more in height from the deck and are of sufficient strength to hold the necessary fittings securely, or if the space available is sufficient to permit securing the required fittings to provide the necessary strength. When animals are carried on upper decks, bulkheads shall be erected at all unprotected ends of stalls.

§ 91.14 *Protection from heat of boilers and engines.* No animals shall be stowed along the alleyways by engine and boiler room unless the sides of said engine and boiler rooms are covered by a tongue-and-groove tight sheathing, making a 3-inch air space: *Provided, however,* That on ships powered with internal-combustion engines this sheathing will not be required.

§ 91.15 *Ventilation.* Each underdeck compartment on which animals are being transported shall be equipped with a system of ventilation either natural or mechanical that will furnish a complete change of air in the compartment every 5 minutes. When the latter method is employed, a sufficient number of portable blowers of approved type shall be carried to provide ventilation in case of break-down. Natural ventilation may be procured through ventilators, hatches, doors, and portholes when approved by the inspector.

§ 91.16 *Feed and Water.* For animals embarked for a voyage which on an average is of more than 20 hours' duration, there shall be provided to the satisfaction of the inspector sufficient amounts of suitable feed and fresh water, and proper accommodation shall be provided on board for distribution of the water and for stowage of the feed so that it shall not be unduly exposed to the weather at sea.

§ 91.17 *Attendants.* Each vessel on which livestock are embarked shall carry one man who is experienced in the handling of the particular species and a sufficient number of attendants to insure proper care of the animals.

§ 91.18 *Lighting.* All vessels carrying animals shall be equipped to provide adequate light at all times for the proper attending of all animals.

§ 91.19 *Alleyways.* Alleyways running fore and aft that are used for feeding, watering, and loading animals, including horses in box stalls, shall have a minimum width of 3 feet, but when horses are stowed in other than box stalls the minimum width of alleyways shall be 4 feet: *Provided, however,* That for a distance not to exceed 12 feet at the end of alleyways in bow and stern of ship, and where obstructions less than 3 feet in length occur, the width may be reduced to a minimum of 18 inches. A sufficient number of athwartship alleyways at least 18 inches in width in the clear shall be provided to afford ready access to scuppers and to ends of alleyways running fore and aft except that on exposed decks where scuppers and the ends of fore and aft alleyways are readily accessible athwartship alleyways may be dispensed with.

§ 91.20 *Stanchions.* Stanchions shall be provided for all stalls and pens for horses, cattle, sheep, goats, and swine. Metal stanchions will be acceptable if equal in strength and security as hereinafter provided for wooden stanchions.

(a) *Horses and cattle.* Rail stanchions shall be of not less than 4" x 6" lumber set 5 feet apart on centers secured to ship's rail or bulwark with ⅝" hook bolts or collars, and with heels properly braced to sheer streak, or waterway. Inboard stanchions of the same dimensions shall be set in line with the rail stanchions and properly braced. Stanchions shall be securely fastened to roof beams by means of cleats 2" x 4" x 8" in size butted against both sides of stanchions and also by means of angle braces not less than 1" x 6" x 24" in size properly placed and nailed to secure each stanchion to its beam. Stanchions affixed to bulwarks shall be chucked down with pieces not less than 2" x 3" x 8" lumber. On open-rail ships, spaces between the rails shall be blocked out to permit the affixing of outside planking. If supplementary stanchions are required for rump boards, these shall be not less than 3" x 4" in size properly cleated to beam and deck.

Stanchions on underdecks shall be secured by appropriate bracing, cleating, and wedging and set not more than 7 feet 6 inches apart on centers, except that this spacing may be increased to 10 feet when 3" x 10" breast boards are used.

(b) *Sheep, goats, and swine.* Stanchions for single- or double-tier pens for these animals shall be of not less than 3" x 4" lumber set at no greater distance than 5 feet on centers and secured in the same manner as prescribed in this regulation for horses and cattle.

§ 91.21 *Beams*—(a) *Horses and cattle.* Beams shall be of not less than 3" x 6" lumber. Those at the ends of fittings and each alternate one shall extend across the ship's beam or abut against permanent deck fittings. The intermediate short beams shall not extend beyond the inner edge of the roof.

(b) *Sheep, goats, and swine.* When two tiers of pens are constructed on upper or exposed decks, beams shall be provided as specified in this regulation for horses and cattle. Beams of not less than 3" x 4" lumber bolted to stanchions with ⅝" bolts shall be provided to support the roof of single-tier pens on exposed decks and the floor of double-tier pens on all decks. Beams supporting upper-tier pens shall be braced in centers by uprights of not less than 2" x 4" lumber extending from deck to under side of beams.

§ 91.22 *Roofs.* All pens for carrying animals on exposed decks shall be roofed with not less than 1⅛" lumber, tongued and grooved or square-edged, extending from outside planking to 2 feet beyond the line of breast boards: *Provided, however,* That if square-edged lumber is used, it shall be properly covered with roofing paper.

§ 91.23 *Flooring*—(a) *Horses and cattle.* Flooring shall be laid athwartship and secured by placing ends beneath the under side of foot and rump boards or under a 2" x 2" strip nailed along these boards. Floors may be either of two types, flush or raised. The flush type shall be of not less than 1" lumber laid flat on the deck. The raised type shall be of not less than 2" lumber nailed to scantlings of at least 2" x 3" dimensions laid 2 feet 6 inches apart. If desired, flooring may be laid in portable sections. Flooring will not be required on ships with wooden decks provided footlocks are secured to the deck. Cement or composite material diagonally scored one-half inch deep may be used on iron decks instead of wooden flooring if the footlocks are molded in the same and bolted to the deck.

(b) *Sheep, goats, and swine.* Flooring for these animals shall be the same as prescribed in this regulation for horses and cattle except that raised flooring need not be greater than 1 inch in thickness.

§ 91.24 *Footlocks*—(a) *Horses and cattle.* There shall be four footlocks of 1" x 4" lumber laid fore and aft with flat side down, and so placed as to provide in-between spaces of 12, 14, 26, and 14 inches, beginning at inside of footboard. They shall be well secured with nails of a length that will permit 1-inch clinch in 1-inch flooring and 2-inch penetration in 2-inch flooring.

(b) *Sheep, goats, and swine.* Footlocks for these animals shall be of not less than 1" x 2" lumber, four to each pen, equally distributed and laid in the manner prescribed in paragraph (a) of this section for horses and cattle.

§ 91.25 *Outside planking.* All pens for carrying animals on exposed decks shall be provided with outside planking of not less than 1⅛" tongue-and-groove lumber laid fore and aft of ship driven tightly together and securely nailed to backs of stanchions in a manner to cover all open spaces properly: *Provided, however,* That during warm weather the top-course planking may be left off in order to allow a free circulation of air.

§ 91.26 *Breast, front, and foot boards*—(a) *Horses and cattle.* Except as provided in § 91.8, all stalls and pens shall be equipped with breast boards of not less than 2" x 10" dressed lumber securely nailed to the stanchions. Where butting occurs the joints are to be on the stanchions and shall be covered with metal plates 3" square or 5" in diameter and not less than ¼" in thickness. A ⅝" bolt shall then be passed through the plate, joint, and stanchion and securely fastened with a nut. All breast boards shall have 1" holes bored through them at proper distances for tying animals. Breast boards shall be provided with removable sections in order that animals may be loaded into and removed from stalls and pens. All stalls and pens shall be provided with foot boards of not less than 2" x 10" lumber securely nailed or bolted to stanchions.

(b) *Sheep, goats, and swine.* Front boards shall be of not less than 1" x 6" pieces appropriately spaced and extending to the proper height for these species of animals. Provision shall be made for removing a section of front boards to allow entry of animals into pens and removal therefrom.

§ 91.27 *Rump boards*—(a) *Horses and cattle.* Rump boards shall form a solid wall at least 4 feet 6 inches high and shall be of lumber not less than 1⅛" thick if tongued and grooved or 2" if square-edged. Where deck is clear of obstructions rump boards may be set on inside of rail stanchions. When this is not possible, sections so affected may be brought forward to clear such obstructions and shall be fastened to stanchions provided for this purpose. In lower decks, where ship's construction so justifies, rump boards may be affixed to 2" x 6" wooden pieces set the same as prescribed for stanchions. Rump boards may be formed by filling spaces between cargo battens. Rump boards in stalls or pens built alongside hatches need be carried down only to line of coaming.

(b) *Sheep, goats, and swine.* Pens for these animals on all exposed decks shall be provided with rump boards of the specified size built to a height of 2 feet 6 inches.

§ 91.28 *Division boards*—(a) *Horses and cattle.* Division boards shall be used to separate all stalls and pens and to close the sides of same at the ends of rows. They shall be used in sets of four boards of 2" x 10" dressed lumber separated by 3-inch spacers, shall extend from the rump boards to the inboard stanchions, and shall be fitted into appropriate channels or slots at both ends in a manner that will permit their ready removal.

(b) *Sheep, goats, and swine.* Division boards and those forming ends of pens shall be the same as prescribed for front boards for these animals in § 91.26.

§ 91.29 *Troughs and hayracks.* All stalls and pens shall be equipped with proper troughs for feeding animals as hereinafter provided. Racks or nets furnished for feeding hay shall be of a type acceptable to the inspector.

(a) *Horses and cattle.* Troughs may be of metal or wood either removable or fixed. The space between the first footlock and the footboard may be utilized for feeding cattle provided a 2" x 4" piece is affixed along the top surface of said footlock so that it, together with the footboard and the battens, will form an enclosure: When wooden troughs are used an adequate supply of buckets shall be provided for the proper watering of the animals.

(b) *Sheep, goats, and swine.* Pens for these animals shall have feed troughs not less than 8 inches wide and proper receptacles for watering. Pens for sheep and goats should also have ample hay racks suitable for these animals.

§ 91.30 *Defective fittings.* If previously used fittings are employed, any portion thereof found by the inspector to be worn, decayed, unsound, or otherwise defective shall be replaced.

§ 91.31 *Cleaning and disinfecting vessels, fittings, utensils and equipment.* All parts of vessels, fittings, utensils, and equipment used in the loading, stowing or other handling of animals in compliance with the provisions of this order shall first be thoroughly cleaned and then disinfected with a Bureau approved disinfectant under the supervision of an inspector before being again used for or in connection with the transportation of animals from United States ports. Such disinfection of halters, ropes, and similar equipment used in handling and tying the animals shall be by immersion in the approved disinfectant.

Done at Washington, D. C., this 3d day of May 1944.

Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. D. Doc. 44-6325; Filed, May 3, 1944; 3:12 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter V—Military Reservations and National Cemeteries

PART 57—SERVICE CLUBS, HOSTESSES AND LIBRARIANS

MISCELLANEOUS AMENDMENTS

Sections 57.10, 57.11 (d) (7 F.R. 8628), 57.11a and 57.12 (d) (7 F.R. 8628, 8 F.R. 15927) are amended as follows. These regulations are also contained in Army Regulations 850-80, 26 August 1942, as amended by C 7, 24 April 1944, the par-

ticular paragraphs being shown in brackets at end of sections.

§ 57.10 *Service command headquarters.* Service command librarians may be appointed by commanding generals of service commands, and assigned to duty for the purpose of supervising library personnel and the technical operation of libraries within the service command. [Par. 14]

§ 57.11 *Service club.* Hostesses and librarians may be employed in service clubs and libaries from appropriated funds to the extent available, not to exceed the following:

* * * * *

(d) *Other type service clubs.* Personnel may be allocated to such service club by commanding generals of service commands, not to exceed one hostess (recreational and social) and one librarian. [Par. 15]

§ 57.11a *Library.* The employment of civilian librarians from appropriated funds is authorized to the extent such funds are available for the conduct of library service at:

(a) General hospitals.

(b) Post hospitals and posts, camps, and stations as indicated in subparagraphs (1), (2), and (3) below, on the recommendation of the commanding officer of the post, with the approval of the commanding general of the service command, in accordance with limitations prescribed from time to time by the Commanding General, Army Service Forces, upon the recommendation of the Director, Special Services Division, for librarians employed from appropriated funds. Approval by the commanding general of the service command is not required if payment of the camp librarian is made from nonappropriated funds.

(1) Post hospitals having 1,000 beds or more.

(2) Post, camps, and stations having a total strength of 2,500 men or more, provided no librarian has been appointed under § 57.11.

(3) Posts, camps, and stations where justified by reason of isolation and lack of other recreational facilities.

(c) [Rescinded.]

(d) [Rescinded.] [Par. 15½]

§ 57.12 *Selection and appointment.* * * *

(d) Prior to selecting a hostess or librarian, the commanding general making the selection will satisfy himself as to the loyalty, integrity, and discretion of such hostess or librarian and cause a physical examination to be conducted by an officer of the Medical Department or the Public Health Service to insure fitness for such appointment. [Par. 16]

(R.S. 161; 5 U.S.C. 22)

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44-6360; Filed, May 4, 1944; 11:54 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUPENSION ORDERS

[Suspension Order S-527, Stay of Execution]

BLOOMFIELD MANUFACTURING COMPANY

The Bloomfield Manufacturing Company of Chicago, Illinois, has appealed the provisions of Suspension Order No. S-527, issued April 25, 1944 (§ 1010.527), and has requested a stay on the ground that irreparable harm would be done its business if the suspension order were not stayed. The Chief Compliance Commissioner has directed that the provisions of the suspension order be stayed pending final determination of the appeal or until further order by the Chief Compliance Commissioner. In view of the foregoing,

It is hereby ordered, That: The provisions of Suspension Order No. S-527, issued April 25, 1944, are hereby stayed pending final determination of the appeal or until further order by the Chief Compliance Commissioner.

Issued this 2d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6284; Filed, May 2, 1944; 4:19 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-542]

MC KAY PLUMBING CO.

J. P. McKay, G. H. McKay, and Alice R. McKay are partners, doing business as McKay Plumbing Company, in Jackson, Mississippi. The company deals in various appliances, including refrigerators. In December, 1942, the company purchased and accepted transfer of 49 new domestic mechanical refrigerators in violation of Supplementary Limitation Order L-5-d, which prohibited accepting such transfers. Order L-5-d also required that transfer of new domestic mechanical refrigerators should be made as far as practicable through normal distributive outlets; notwithstanding this, the refrigerators which the company accepted were Stewart-Warner refrigerators, although the company had never been and was not a distributive outlet for Stewart-Warner refrigerators. The company has continued to hold the refrigerators, and has refused and still refuses to transfer them in accordance with the terms of Order L-5-d and as required by the War Production Board. The company was familiar with Order L-5-d, and its failure to comply with it constitutes a wilful violation of the order. In view of the foregoing, it is hereby ordered, that:

§ 1010.542 *Suspension Order No. S-542.* (a) J. P. McKay, G. H. McKay, and Alice R. McKay, individually or as partners, doing business as McKay Plumbing Company, or otherwise, their successors or assigns, shall not sell, lease, trade, deliver, ship, or otherwise transfer, directly or indirectly, any of the 49 new domestic mechanical Stewart-Warner refrigerators acquired and now held by them, or the title to the refrigerators, except as hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve J. P. McKay, G. H. McKay, and Alice R. McKay, individually or as partners, doing business as McKay Plumbing Company, or otherwise, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on May 8, 1944.

Issued this 26th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6324; Filed, May 3, 1944; 4:10 p. m.]

PART 3289—RADIO AND RADAR

[Conservation Order L-134, Revocation]

INSTRUMENTS, VALVES AND REGULATORS USED IN INDUSTRIAL PROCESSES

Section 3289.6 *Conservation Order L-134* is revoked. This revocation, however, does not affect any liability incurred under the order. A manufacturer of products which have been subject to the restrictions of this order may, at his option, supply products made in conformity with the order or products made free of the restrictions of the order in filling purchase orders placed with him before May 3, 1944. If a customer cancels a previous order, and places another order on or after May 3, 1944, the latter is a new order even though it is intended to replace the previous order. Furthermore, if a customer on or after May 3, 1944, changes an existing purchase order so as to call for specifications previously prohibited by Conservation Order L-134, or makes a change in his purchase order which would interrupt or disrupt the manufacturer's production in process or planned production, any such change operates as a cancellation of the old order and the placing of a new order.

Issued this 3d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6323; Filed, May 3, 1944; 4:10 p. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1E,[1] Amdt. 8]

MILEAGE RATIONING: TIRE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 1E is amended in the following respects:

1. Sections 3.2 (a) (2), 4.2, 4.3, 4.4 (a), 4.5 (a) and (b), 6.1, 6.2 (a) and (b), 6.3 (a) and (c), 6.4 (a), (b), (c) (2) and (e), 6.5 (a), (b), and (c), 7.3 (a) and (b), and 7.4 are amended by inserting the word "new" before the word "tube" or "tubes" wherever the word "tube" or "tubes" appears therein.

2. The present section 3.2 (d) is redesignated as 3.2 (d) (1) and section 3.2 (d) (2) is added to read as follows:

(2) No Board may issue a certificate for a used tube.

3. The eligibility table in section 4.2 (c) is amended by deleting the words "150 miles per month or less" and the word "used".

4. Section 4.6 is amended to read as follows:

SEC. 4.6 *Eligibility of recappers for curing tubes.* A recapper may file an application for new tubes to be used solely in recapping. He must establish that he does not have more than one serviceable air bag or tube of the required size for each mold operated by him, and that the new tube applied for is necessary to the operation of the mold.

5. Section 6.2 (c) is amended to read as follows:

(c) *Temporary transfer, mounting and use of used tires.* A person may temporarily transfer, without certificate, used tires to another person who may mount and use them to:

(1) Replace a tire that is being repaired or recapped;

(2) Move a wrecked, disabled or repossessed vehicle to a garage or other place of safety or storage;

(3) Move vehicles held for resale from one sales premises to another;

(4) Move any house trailer or mobile eating establishment to a site for housing or business purposes.

Such tires shall be returned to the transferor within three (3) days after the purpose for which the tires were transferred is accomplished.

6. Section 6.7 (k) is added to read as follows:

(k) *Transfer and mounting of used tubes.* Any person may transfer, acquire, mount, use, alter or change the physical location of used tubes without certificate or authorization.

7. Section 6.8 (c) is amended to read as follows:

(c) *Temporary transfers.* Every person transferring tires temporarily pursuant to section 6.2 (c) shall keep a record showing:

(1) The purpose for which the transfer is made;

(2) The serial number of the tires transferred and the tires temporarily replaced, if any;

(3) The date of such transfer;

(4) The name and address of the person to whom the transfer is made;

(5) The date the tire is returned.

8. Section 7.5 is amended to read as follows:

SEC. 7.5 *Preservation and filing of records.* Any person affected by this order shall keep and file such additional records and reports as the Office of Price Administration may require. Any record required to be kept by this order, notwithstanding any amendment thereto, shall be preserved for not less than two (2) years, except that records of transfers for repair need be preserved only while the tires or new tubes to be repaired are in possession of the repairer. All records relating to tires, tubes or camelback shall be available for inspection by the Office of Price Administration.

This amendment shall become effective May 3, 1944.

NOTE: All record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget as required by the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1-Q, 7 F.R. 9121, General Order No. 48, 8 F.R. 2898)

Issued this 3d day of May, 1944.

MELVIN C. ROBBINS,
Territorial Director,
Territory of Hawaii.

Approved:

JAMES P. DAVIS,
Regional Administrator.
Region IX.

[F. R. Doc. 44-6320; Filed, May 3, 1944; 12:19 p. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Rev. Restaurant MPR 5-9]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN LOUISIANA

Restaurant Maximum Price Regulation No. 5-9 is redesignated Revised Restaurant Maximum Regulation No. 5-9 and is revised and amended to read as follows:

In the judgment of the District Director of the New Orleans District Office of Region No. 5, the prices of food and beverages sold for immediate consumption in the Parishes of Orleans, Jefferson, St. Bernard, Washington, East Baton Rouge, Lafayette, Calcasieu, Beauregard, Vernon, Rapides, St. Mary and Tangipahoa, in the State of Louisiana, have risen and are threatening further to rise to an extent and in a manner inconsistent with the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

In the judgment of the District Director of the New Orleans District Office of Region No. 5, the maximum prices established by this regulation are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the act. So far as practicable, the District Director of the New Orleans District Office of Region No. 5, gave due consideration to prices prevailing between October 1 and 15, 1941, and consulted with the representatives of those affected by this regulation.

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith.

Therefore, in accordance with the direction of the President to take action which will stabilize prices affecting the cost of living, and under the authority therewith delegated by the President pursuant to the act of Congress approved October 2, 1942, entitled "An Act to Aid in Stabilizing the Cost of Living", 77th Congress, Second Session, and under the authority of Executive Order 9250, Executive Order 9328, and the Emergency Price Control Act of 1942, the District Director of the New Orleans District Office of Region No. 5 hereby issues this Revised Restaurant Maximum Price Regulation No. 5-9, establishing as maximum prices for food and drink sold for immediate consumption in the Parishes of Louisiana mentioned above, the prices prevailing therefor during the seven-day period beginning April 4, 1943, and ending April 10, 1943.

§ 1448.409. *Maximum prices for food and drink sold for immediate consumption.* Under the authority vested in the District Director of the New Orleans District Office of Region No. 5 by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, Executive Order 9328, General Order No. 50, issued by the Office of Price Administration, and Region 5 Order No. 48, Revised Restaurant Maximum Price Regulation No. 5-9 (Food and Drink Sold for Immediate Consumption) which is annexed hereto and made part hereof, is issued.

AUTHORITY: § 1448.409 issued under 56 Stat. 23, 765, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, Gen. Order 50, 8 F.R. 4808.

REVISED RESTAURANT MAXIMUM PRICE REGULATION NO. 5-9—FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

CONTENTS

Sec.
1. Sales at higher than ceiling prices prohibited.
2. How you figure ceiling prices for food items and meals you offered in the seven-day period from April 4, 1943, to April 10, 1943.
3. How you figure ceiling prices for food items and meals you did not offer in the seven-day period.
4. How you figure your prices for seasonal items.
5. No ceiling price for any food item or meal to be higher than the highest ceiling price for a food item or meal of the same class in the base period.
6. Substitution of food items in meals.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 12434, 13920, 15378, 17566, 17223; 9 F.R. 727.

Sec.
7. Prohibition against manipulation of meal offerings.
8. Evasion.
9. Rules for new proprietors.
10. Seasonal eating and drinking places.
11. Taxes.
12. Records.
13. Posting.
14. Operation of several places.
15. Relation to other maximum price regulations.
16. Geographical application.
17. Enforcement.
18. Exempt sales.
19. Adjustments.
20. Definitions and explanations.
21. Classes of food items and meals.
22. Special orders.
23. Licensing.
24. Revocation.

SECTION 1. *Sales at higher than ceiling prices prohibited.* If you own or operate a restaurant, hotel, cafe, bar, delicatessen, soda fountain, boarding house, or any other eating or drinking place, you must not offer or sell any "food item" (including any beverage) or "meal" at a price higher than the ceiling price which you figure acording to the directions in the next two sections (sections 2 and 3). You may, of course, sell at lower than ceiling prices.

SEC. 2. *How you figure ceiling prices for food items and meals you offered in the seven-day period from April 4, 1943, to April 10, 1943.* Your ceiling price for any food item or meal which you offered in the seven-day period beginning Sunday, April 4, 1943, and ending Saturday, April 10, 1943, is the highest price at which you offered the same food item or meal in that seven-day period.

SEC. 3. *How you figure ceiling prices for food items and meals you did not offer in the seven-day period.* You must figure your ceiling price for a food item or meal which you did not offer during the seven-day period as follows:

(a) If you offered the same food item or meal at any time during the four weeks from March 7 to April 3, 1943, inclusive, and if you have adequate records of the prices you then charged, take as your ceiling price the highest price at which you offered that food item or meal during that four-week period.

(b) If you did not offer the food item or meal during the five-week period from March 7 to April 10, 1943, inclusive, or if you do not have adequate records of prices charged prior to the seven-day period you must proceed as follows:

(1) Determine the cost of the raw food which you use in preparing the new food item or meal.

(2) From the food items and meals for which you have already established ceiling prices, choose a food item or meal which currently has a raw food cost equal to or less than the raw food cost of the new food item or meal.

(3) Take as your ceiling price for the new food item or meal your ceiling price for the food item or meal chosen for comparison. The food item or meal chosen for such comparison should be of the same class as the new food item or meal. If, however, you can find no food item or meal of the same class, you may use for comparison the most similar food item or meal of another class having a food cost equal to or less than your food cost for the new food item or meal. "Currently" as used herein means current on the day you figure your price.

(c) Once your ceiling price for a food item or meal has been fixed, it may not be changed except as provided in section 4.

SEC. 4. *How you figure your prices for seasonal item.* First, determine your ceiling price for a "seasonal food item" (defined in section 20 (e)) in accordance with the appropriate rule of sections 2 and 3 of this regulation. Thereafter, this price must be varied in proportion to any seasonal change in the raw food cost of the item; *Provided*, That in no event shall the price be higher than the ceiling price as originally determined. If in the past it has been your practice to maintain one price throughout the season, you need not vary your ceiling price according to this rule provided the ceiling price was based upon estimated average raw food cost of the item for the entire season.

SEC. 5. *No ceiling price for any food item or meal to be higher than the highest ceiling price for a food item or meal of the same class in the base period.* Under no circumstances are you permitted to charge a higher price for a food item or a meal than:

(a) Your highest ceiling price for food items or meals of the same class offered in the seven-day period; or

(b) The last price at which you sold the same food item or meal prior to April 4, 1943, provided you first file with the appropriate War Price and Rationing Board a menu or certified copy of a record showing the last price charged.

The provisions of this section shall not apply to seasonal dessert specialties specified in section 21A, Class 24a.

Example 1. If your highest ceiling price for any soup offered by you during the seven-day period is 15 cents, you may not offer any other soup at a higher price than 15 cents.

Example 2. You served sirloin steak in March at $1.50. You did not serve sirloin steak during the base period. The highest price at which you can now serve sirloin steak is $1.50.

SEC. 6. *Substitution of food items in meals.* If you have already determined your ceiling price for a meal you may substitute for any food item other than the entree (or main dish) in that meal any other food item of the same class without refiguring your ceiling price, provided the new food item costs you approximately as much and offers customers about the same value as the food item which it replaces. A meal becomes a "new" meal whenever the entree (or main dish) is changed or a new food item is substituted which costs you less or offers your customers lower value than the food item which it replaces, and you must therefore determine its ceiling price in accordance with the rules established by section 3.

SEC. 7. *Prohibition against manipulation of meal offerings.* You must not manipulate your meal offerings in a manner which will force your customers to pay more than they did during the seven-day period. Among other things you must not

(a) Reduce the number of meals offered at prices equal to or below your "middle price" for meals of the same class without making a corresponding reduction in the number of meals offered at prices above that middle price. By "middle price" is meant the price most nearly at the mid-point of your price range for meals of the same class;

(b) Cease to offer at least as many different meals at or below the lowest price charged by you for meals of the same class on any day you select in the seven-day period, as you did on that day.

Example. If you select Friday, April 9, 1943, to determine the lowest price and the number of week-day meals offered at that price, and if on that day you offered six week-day dinners, of which two were priced at 85 cents, and one each at 90 cents, $1.00, $1.10, $1.15, you must continue to offer two week-day dinners at 85 cents. Note that Sunday meals and week-day meals are meals of a different class.

SEC. 8. *Evasion.* (a) You must not evade or avoid the provisions of this regulation by any scheme or device whatsoever. Some, but not all, practices which will be regarded as evasive are:

(1) Dropping food items from meals, deteriorating quality or reducing quantity without making sufficient reduction in price so as to maintain the raw food cost ratio at least equal to such ratio prior to the deterioration or reduction;

(2) Withdrawing the offer, or increasing the price, of any meal ticket, weekly rate, or other arrangement by which customers may buy food items or meals at less than the prices they must pay when purchasing by item or meal;

(3) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking or other special charges, or making such charges when they were not in effect in the seven-day period except that a cover or minimum charge in effect during the base period may be increased in accordance with customary practice, where it was the practice to vary the charge in accordance with the type of entertainment offered and the increase does not cause the charge to go above the highest charge made during the last twelve-month period;

(4) Requiring as a condition of sale of an item or meal the purchase of other items or meals when such condition was not in effect during the base period;

(5) Reducing the selection of meals offered at table d'hote prices when the food items which you customarily offered in such meals are being offered at a la carte prices which when added together total more than the table d'hote price for the complete meal or give your customers less value for their money.

Example 1. If you customarily offered fish on table d'hote dinners at $1.10, you may not now offer fish a la carte and refuse to offer it on a table d'hote dinner priced at $1.10.

Example 2. If you offered table d'hote dinners during the base period at 85 cents to $1.25, which included dessert and beverage, you may now offer the same food item excluding dessert and beverage at 65 cents to $1.05, providing you also offer dessert and beverage to be served with the meals at prices which do not total more than 30 cents.

(b) However, doing any of the following things will not be considered evading the provisions of this regulation, even though you did not do any of these things during the seven-day period:

(1) You may limit your customers to one pat of butter per meal.

(2) You may reduce the quantity, or eliminate altogether, condiments (such as catsup, chili sauce, etc.) which you may have customarily placed at the disposal of your customers and which now are, or may hereafter be, subject to any rationing order or rationing regulation of the Office of Price Administration.

(3) You may reduce the amount of sugar served with each cup of coffee or tea, or each bowl of cereal, fruit, or other similar food items with which sugar is served, to, but not less than, one teaspoonful, except that less may be given if required by your available supply.

You may not, however, make the curtailment authorized in the foregoing subparagraphs and furnish these curtailed items at an additional charge. For example, if during the seven-day period you furnished catsup, you may not now discontinue furnishing this item free, and at the same time offer to furnish it for an additional charge.

SEC. 9. *Rules for new proprietors.* (a) If you acquire another's business after the effective date of this regulation and continue the business in the same place, you are subject to the same ceiling prices and duties as the previous proprietor. However, before acquiring another's business, you may apply to the Office of Price Administration for permission to price under paragraph (b) of this section. If such permission is granted, it may be subject to such conditions as the Office of Price Administration deems necessary.

(b) If you open an eating or drinking place after the seven-day period, you must fix ceiling prices in line with the ceiling prices of the nearest eating or drinking place of the same type as yours. If the ceiling prices so fixed are too high and threaten to have an inflationary effect on the price of food or drink, the Office of Price Administration may issue an order requiring you to reduce your ceiling prices. You are subject to the record requirements of section 12 and the posting requirements of section 13 immediately upon the opening of your place.

SEC. 10. *Seasonal eating and drinking places*—(a) *Exempt places.* If you are the proprietor of a seasonal eating or drinking place that

(1) Was not open during the base period from April 4 to 10, 1943;

(2) Receives 90 percent or more of its total annual revenue during four calendar months of the year;

(3) Is located in an area for which no maximum rent regulation has been issued:

the prices for food items and meals offered by you in that place are exempt from control.

You must not regard this exemption as relieving you from the obligations imposed upon you by General Order No. 50, and you are still subject to the provisions of section 22 of this regulation. Pursuant to this latter section the District Director will by special order establish maximum prices for any seasonal eating or drinking place which takes undue advantage of the exemption.

(b) *Non-exempt places.* If you are the proprietor of a seasonal eating or drinking place which is not exempt under the terms of paragraph (a), you must figure your ceiling prices as follows:

(1) If the place was in operation during the base period from April 4 to April 10, 1943, use the rules set forth in sections 2, 3 and 4.

(2) If the place was not in operation during the base period from April 4 to April 10, 1943, but another place of the same type and within a reasonable distance was in operation during that period, fix your ceiling prices as a new proprietor under the terms of section 9 (b).

(3) If you cannot price under subparagraphs (1) or (2) above, you must apply for a price to the New Orleans District Office of the Office of Price Administration, 708 Canal Building, New Orleans, Louisiana. Your application must be filed ten days before the date you plan to commence operations and present the following information:

(i) Your name and address.

(ii) A brief description of your business and the manner of operation.

(iii) A list showing the prices you charged during the previous season, as well as the prices you propose to charge during the coming season.

(iv) The date when you plan to commence operations.

(v) The names of two establishments similar to yours.

You may charge the prices listed if they are not disapproved by the Office of Price Administration before the date specified for the commencement of operations. That Office may at any time, after proper investigation and hearing, establish such maximum prices for your business as it deems proper.

SEC. 11. *Taxes.* If in the seven-day period you stated and collected the amount of any tax separately from the price you charged, you may continue to do so. You may also separately state and collect the amount of any new tax or of any increase in the amount of a previous tax on the sale of food or drink or on the business of selling food or drink, if the tax is measured by the number or price of items or meals.

SEC. 12. *Records.* (a) You must observe all the record-keeping and filing requirements of General Order No. 50 which are hereby made a part of this regulation by reference.

(b) *Customary records.* You must preserve all your existing records relating to your price, costs and sales. You must also continue to maintain such records as you ordinarily kept. All such records shall be subject to examination by the Office of Price Administration.

(c) *Records of the seven-day period.* You must make available for examination by any person during ordinary business hours a copy of each menu used by you in the seven-day period. If you did not use menus, you must make available for such examination a list of the highest prices you charged in the seven-day period.

(d) *Filing by new proprietors.* The proprietor of an eating or drinking place which was not open during the seven-day period (including newly-opened places), shall file menus or a price list in accordance with paragraph (a), (General Order No. 50), except that (1) the filing shall be for the seven-day period beginning with the first Sunday that place is open after April 4, 1943, and (2) the filing shall be made within three weeks of such first Sunday.

(e) *Future records.* Beginning with the effective date of this regulation, you must keep, for examination by the Office of Price Administration, two each of the menus used by you each day. If you do not use menus you must prepare in duplicate and preserve for such examination a record of the prices charged by you each day, except that you need not record prices which are the same as, or less than, prices you previously recorded for the same items or meals. Proprietors who operate a number of eating or drinking places in the same city, which have customarily been subject to central control, may keep the records required by this paragraph for these places at a central office or the principal place of business within the city.

SEC. 13. *Posting.* (a) Beginning October 5th, 1943, each menu must have clearly written on or attached to it the following statement:

All prices listed are our ceiling prices or below. By Office of Price Administration regulation, our ceiling prices are based on our highest prices from April 4, 1943, to April 10, 1943. Records of these prices are available for your inspection.

(b) If you made menus available in the seven-day period, you shall continue to make them available.

(c) In addition to the requirements in (a) and (b) you must post in a conspicuous place, preferably at or near the cash register, a sign or poster when furnished by the Office of Price Administration. You must enter after each meal or food item on this list your ceiling price for such meal or food item.

SEC. 14. *Operation of several places.* If you own or operate more than one eating or drinking place, you must do everything required by this regulation for each place separately.

SEC. 15. *Relation to other maximum price regulations.* The provisions of this regulation shall supersede other regulations, including the General Maximum Price Regulation, now or hereafter issued by the Office of Price Administration, insofar as they establish maximum prices for meals and food items sold by eating and drinking places. However, where a price charged during the base period of this regulation exceeded the maximum price established by another regulation applicable at that time, the maximum price under this regulation shall be the maximum price established by the regulation which was applicable at that time.

SEC. 16. *Geographical application.* This Revised Restaurant Maximum Price Regulation No. 5–9 applies to the Parishes of Orleans, Jefferson, St. Bernard, Washington, East Baton Rouge, Lafayette,

Calcasieu, Beauregard, Vernon, Rapides, St. Mary and Tangipahoa, in the State of Louisiana.

SEC. 17. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 18. *Exempt sales.* Sales by the following eating or drinking places are specifically exempt from the provisions of this regulation:

(a) Eating and drinking places located on church premises and operated in connection with special church, Sunday School and other religious occasions.

(b) Hospitals, except for food items and meals served to persons other than the patients when a separate charge is made for such food items and meals.

(c) Eating and drinking places located on board common carriers (when operated as such), including railroad dining cars, club, bar and buffet cars, and peddlers aboard railroad cars traveling from station to station.

(d) Eating and drinking places owned and operated by charitable, religious or cultural organizations, such as the United Service Organization, Red Cross or similar organizations selling food items or meals on a non-profit basis primarily to members of the Armed Forces.

(e) Bona fide fraternity or sorority houses located at a recognized school, college or university insofar as such houses sell only to members and bona fide guest of members. Whenever such houses sell to persons other than members or bona fide guests of members, such houses shall be considered for all sales an eating or drinking place within the meaning of this regulation. No such house shall be considered to be exempt within the meaning of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and it otherwise is operated as a fraternity or sorority house.

(f) Eating and drinking places operated by any school, college or university which is a non-profit institution (that is, where no part of the net earnings inures to the benefit of any private shareholder or individual), which sells food items or meals on a non-profit or cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to students, faculty members and employees of such institution. For purposes of this subparagraph, persons receiving instruction on the premises of such institution by arrangement with the War Department or Department of the Navy shall be considered students.

(g) Eating and drinking places operated on a non-profit basis by the school department of any city or town and serving food items or meals exclusively to pupils and teachers.

(h) Eating cooperatives formed by officers in the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual), which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to officers who are members of the cooperative.

(i) Bona fide private clubs insofar as such clubs sell only to members and bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking place within the meaning of this regulation. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and it otherwise is operated as a private club.

No club organized after the effective date of this regulation shall be exempt unless and until it has filed a request for exemption with the New Orleans District Office of the Office of Price Administration, furnishing such information as may be required, and has received communication from such office authorizing exemption as a private club.

(j) Eating and drinking places operated on a non-profit basis by the State of Louisiana or any agency thereof.

SEC. 19. *Adjustments.* (a) The Office of Price Administration may adjust the maximum prices for any eating establishment under the following circumstances:

(1) The establishment is operating under such hardship as to cause a substantial threat to the continuance of its operation.

(2) It is determined with reasonable certainty that such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all restaurant service or will have to turn to other establishments that present substantial difficulties as to distance, hours of service, selection of meals or food items offered, capacity, or transportation.

(3) By reason of such discontinuance, the same meals or food items will cost the customers of the eating establishment as much or more than the proposed adjusted prices.

(b) If you are the proprietor of an eating establishment which satisfies the requirements specified above, you may apply for an adjustment of your maximum prices by submitting to the New Orleans District Office of the Office of Price Administration, 708 Canal Building, New Orleans, Louisiana, a statement setting forth:

(1) Your name and address.

(2) A description of your eating establishment including: type of service rendered (such as cafeteria, table service, etc.), classes of meals offered (such as breakfast, lunch and dinner), number of persons served per day during the most recent thirty-day period,[1] and such other information that may be useful in classifying your establishment.

(3) The reason why your customers will be seriously inconvenienced if you discontinue operations.

(4) The names and addresses of the three nearest eating places of the same type as yours.

(5) A list showing your present maximum prices and your requested, adjusted prices.

(6) A profit and loss statement for your restaurant business for the most recent three-month accounting period, and a copy of your last income tax return if one was filed separately for your restaurant business.

(7) Any other information requested by the New Orleans District Director.

Applications for adjustment under this section shall be acted upon by the Director of the New Orleans District Office.

SEC. 20. *Definitions and explanations.* (a) "Persons" means individual, corporation, partnership, association or other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions, and any agencies of any of the foregoing.

(b) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast, a blueplate special. Two or more kinds of food which are prepared or served to be eaten together as one dish are not a "meal". Examples of such dishes are: Ham and eggs, bread and butter, apple pie and cheese.

(c) "Offered" means offered for sale and includes the listing or posting of prices for items and meals even though the items and meals so offered were not actually on hand to be sold.

(d) "Food item" means an article or portion of food (including beverages) sold or served by an eating or drinking place for consumption in or about the place or to be taken out for eating without charge in form or additional preparation. It includes two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

(e) "Seasonal food item" means a food item (including beverage) not generally offered for sale throughout the year and normally available in quantity only during certain seasonal production periods of each year. Examples are: certain shell-fish such as oysters; certain fresh fish such as salmon, trout and shad; certain vegetables such as summer squash, and certain fruits such as berries and melons.

(f) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

SEC. 21. *Classes of food items and meals.* (See definition of "food item" and "meal" contained in section 20.)

(a) *The classes of food items.*

BREAKFAST ITEMS

1. Fruits, fruit juices and vegetable juices.
2. Cereals.
3. Entrees: egg and combination egg dishes served at breakfast.
4. Entrees: meat and meat combination dishes served at breakfast.
5. Entrees: all other dishes served at breakfast.
6. Breads, rolls, buns, Danish-pastries, etc., served at breakfast.
7. All other breakfast dishes, including jams, jellies and preserves.

OTHER ITEMS

8. Appetizers, except alcoholic cocktails.
9. Soups, including soups in jelly.
10. Beef, steaks and roasts.
11. Veal; steaks, chops and roasts.
12. Pork; loins, chops, steaks, roasts.
13. Lamb or mutton; chops, roasts.
14. Poultry and fowl.
15. Fish and shell-fish.
16. Game.
17. Miscellaneous and variety meats, including liver and kidneys.
18. Prepared dishes, such as stews, casseroles, ragouts, curries, etc.
19. Egg and cheese dishes and combinations thereof.
20. All other dishes, such as spaghetti and combinations, vegetable platter, baked beans and combinations, chop suey, etc.
21. Vegetables, including potatoes.
22. Salads (except as served as a main course or appetizer course in a meal).
23. Desserts: cakes, cookies, pies, pastries and other baked goods.
24. Desserts: ice creams, sherbets, water ices, including combinations with syrups, creams, fruits and nuts.
24a. Desserts: Seasonal dessert specialties such as watermelon and cantaloupe.
25. Desserts: all others, including fruits, puddings and cheese.
26. Cold sandwiches, including garnishings, salads and vegetables.
27. Hot sandwiches, including garnishings, salads and vegetables.
28. All other food items served in a meal, including mints and preserves.
29. Beverage foods, including coffee, cocoa, chocolate, tea and milk.

BEVERAGES

30. Non-alcoholic beverages, including sparkling and mineral waters.
31. Alcoholic malt beverages, including beer and ale.
32. Wines, including sparkling wines.
33. Liquors, including whiskeys, gins and brandies.
34. Cordials, including fruit liqueurs.
35. All other alcoholic beverages.

(b) *The classes of meals.* For purposes of this regulation there shall be thirteen classes of meals, namely, breakfast, lunch, tea, dinner and supper during week days, and breakfast, lunch, tea, dinner and supper on Sundays, children's breakfast, lunch and dinner.

SEC. 22. *Special orders.* The provisions of this regulation to the contrary notwithstanding, the Office of Price Administration may, from time to time, issue special orders providing for the establishment or reduction of the maximum price of any food item or items or meal or meals sold or offered by any seller or sellers when, in the judgment of the District Director, such action is necessary or desirable to prevent inflation, to stabilize prices affecting the cost of living, or to carry out the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

SEC. 23. *Licensing.* The provisions of Licensing Order No. 1 of the Office of Price Administration, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended. Under Licensing Order No. 1, a license is automatically granted without application by the seller.

SEC. 24. *Revocation and amendment.* (a) This regulation may be revoked, amended or corrected at any time.

(b) You may petition for an amendment of any provision of this regulation (including a petition pursuant to Supplementary Order No. 28) by proceeding in accordance with Revised Procedural Regulation No. 1, except that the petition shall be filed with and acted upon by the District Director.

This regulation shall become effective May 3, 1944.

NOTE: The reporting and record-keeping quirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R. 4808)

Issued this 26th day of April 1944.

GILBERT J. FORTIER,
District Director.

[F. R. Doc. 44—6317; Filed, May 3, 1944; 12:18 p. m.]

[1] In counting the number of persons served, any one who was served more than once is to be counted separately for each occasion he was served.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 128]

RECONDITIONED VALVES AND USED VALVES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 6.33 (b) is amended to read as follows:

(b) *Definitions.* As used herein, the terms:

"Manufacturer's recommended resale price" means the manufacturer's published list price less the applicable published base resale discount (resale sheet) recommended by the manufacturer to be extended by jobbers on sales to consumers during the period October 1 to October 15, 1941.

"Valve" means any manually or motor-operated device designed to regulate, direct, or stop the movement of any liquid, gas, or vapor, in a piping system, tank, or any other restricted area, and includes, but is not limited to, angle, check, cross, gate, globe, or plug valve, or any evolution of these basic types.

"Reconditioned valve" means any used valve which has been subjected to the following reconditioning steps:

(1) The valve has been completely disassembled;

(2) The valve's operating mechanism has been thoroughly examined with particular attention to the seat;

(3) All defective worn parts have been replaced with new, reconditioned, or serviceable used parts;

(4) The valve has been reassembled and painted;

(5) A hydrostatic test at double the rated water working pressure of the valve, but not in excess of the hydrostatic test pressure to which the valve was subjected when originally tested as a new valve by the original manufacturer, has been applied and the valve has been found to be free from leaks, defects, and in free working order.

"Used valve" means any valve which had been, at any time, incorporated into or connected to a piping system, machinery, or operating mechanism, and which has not been reconditioned as set forth above.

"Manufacturer's net maximum price to jobbers" means the manufacturer's published list price less the applicable published ("J" sheet) discount extended by the manufacturer on sales to jobbers during the period October 1 to October 15, 1941.

This Amendment No. 128 shall become effective May 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44—6319; Filed, May 3, 1944; 12:18 p. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14, Amdt. 129]

TIRE RELINERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 6.47 is added to read as follows:

SEC. 6.47 *Passenger car tire reliners made from scrap tires.* The maximum retail price for a passenger car tire reliner made from scrap tires, regardless of size or ply, shall be $2.25, or the maximum retail price fixed pursuant to other provisions of the General Maximum Price Regulation, whichever is higher.

This amendment shall become effective May 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44—6318; Filed, May 3, 1944; 12:18 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165, as Amended,[1] Amdt. 37]

ASH, DEBRIS, GARBAGE OR TRASH REMOVAL SERVICES

A statement of the considerations involved in the issuance of this amend-

[1] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9973, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6364, 8506, 8873, 10671, 10939, 11764, 12023.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.101 (c) (3) is amended to read as follows:

(3) Ash, debris, garbage or trash removal, except when performed by or for Federal, state or local governmental units, or when the rates and charges for these services are fixed or must be approved thereby.

This amendment shall become effective May 8, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6321; Filed, May 3, 1944; 12:19 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,[1] Incl. Amdts. 1-116]

MACHINES AND PARTS, AND MACHINERY SERVICES

This compilation of Maximum Price Regulation 136, as amended, includes Amendment 116, effective May 8, 1944. The text added or amended by Amendment 116 is underscored.

In the judgment of the Price Administrator the prices of machines and parts and machinery services have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of machines and parts and machinery services prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said act. A statement of the considerations[2] involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Price Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

[Above paragraph added by Supplementary Order 70, 8 F.R. 12556, effective 9-11-43]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Revised Procedural Regulation No. 1,[3] issued by the Office of Price Administration, Maximum Price Regulation No. 136, as amended, is hereby issued.

Sec.

1390.1 Definition of "machines and parts" and "machinery services".
1390.2 Exclusions.
1390.3 Prohibition against dealing in machines or parts, machinery services, or the rental of machines or parts at prices above the maximum.
1390.4 Maximum prices: general provisions.
1390.5 Maximum prices: published price lists and established prices.
1390.6 Maximum manufacturers' prices for modified machines or parts.
1390.7 Maximum prices: sales by the manufacturer of machines or parts without list or established prices.
1390.8 Maximum prices: sales by the manufacturer of machines or parts manufactured in new or converted plants.
1390.8a Maximum prices for fixed capacitors of the type and size used for military radio and radar equipment.
1390.9 Maximum prices: machinery services.
1390.10 Maximum prices: sales by sellers other than the manufacturer.
1390.11 Maximum prices: sales of second-hand machines and parts.
1390.12 Maximum prices: leases.
1390.13 New list prices.
1390.14 Reports on cost-plus contracts
1390.15 Emergency service charges.
1390.16 Federal and state taxes.
1390.17 Export sales.
1390.18 Contract prices, renegotiations, price-adjustment agreements, and price increases.
1390.19 Less than maximum prices.
1390.20 Evasion.
1390.21 Developmental contracts and subcontracts.
1390.22 Secret contracts.
1390.23 Emergency purchases.
1390.24 Privileges accorded to certain foreign governments.
1390.25 Petitions for amendment.
1390.25a Adjustments.
1390.26 Records and additional or substituted reports.
1390.27 Sales slips and receipts.
1390.28 Transfer of business or stock in trade.
1390.29 Enforcement.
1390.29a Licensing.
1390.30 Definitions.
1390.31 Effective date.
1390.31a Effective dates of amendments.
1390.32 Appendix A: Machines and parts to which the October 1, 1941, date is applicable.
1390.33 Appendix B: Machines and parts to which the March 31, 1942, date is applicable.
1390.34 Appendix C: Illustrative list of products not covered by this regulation.
1390.35 Appendix D: Table of depreciation rates.
1390.36 Appendix E: Form for application for adjustment.
1390.37 Appendix F: Used equipment and machinery inventory and sales report.

AUTHORITY: §§ 1390.1 to 1390.37, inclusive, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681 and Directive No. 35 of the War Production Board.

§ 1390.1 *Definition of "machines and parts" and "machinery services."* For the purposes of this regulation:

(a) The term "machines and parts" means, and is limited to, products falling within the groups listed in Appendix A and Appendix B. Any other product is subject to the General Maximum Price Regulation,[4] unless excluded therefrom or unless subject to some other specific regulation. For purposes of clarification, a list of certain products related to machinery but not covered by this regulation is contained in Appendix C;

(b) The term "machinery service" means any operation in the processing, machining, welding, treating, finishing, testing, inspecting, adjusting, maintaining, repairing or rebuilding of a "machine or part" owned by another or of a product owned by another which, as a result of such operation, becomes a "machine or part". However; the machining of a gear, pinion, or sprocket in connection with the production thereof, whether or not performed on material furnished by the customer, shall in no event be deemed a "machinery service", but shall in all cases be deemed to constitute the sale of a gear, pinion, or sprocket, respectively. The term "machinery service" also includes any service rendered in connection with the manufacture of automotive parts (as defined in Maximum Price Regulation 452—Manufacturers' Maximum Prices for Automotive Parts).

[Paragraph (b) amended by Am. 62, 7 F.R. 10230, effective 12-11-42 and Am. 101, 8 F.R. 14617, effective 11-4-43]

§ 1390.2 *Exclusions.* This regulation shall not apply to:

(a) Any sale or delivery of a machine or part or any machinery service for which a maximum price is established by any other regulation or order issued by the Office of Price Administration,[5] except the General Maximum Price Regulation;

(b) Any sale or delivery of a machine or part if, prior to July 22, 1942, such machine or part had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to the purchaser;

(c) Any sale or delivery of a machine or part or machinery service performed pursuant to a "developmental" contract or subcontract, as provided in § 1390.21;

(d) Any sale or delivery of a machine or part or any machinery service performed pursuant to a "secret" contract or subcontract, as provided in § 1390.22;

(e) Any sale or delivery of a machine or part or any machinery service performed pursuant to an "emergency purchase", as provided in § 1390.23;

(f) Any sale or delivery at retail of a machine or part by a person other than the manufacturer thereof, except that the sale or delivery at retail of automotive trucks, motorcycles, house and truck trailers, and busses (as described in paragraph (c) of Appendix B) shall not be excluded from, but shall be covered by, this regulation. For the purpose of this exclusion, a sale or delivery is deemed to be "at retail" (1) when made to an ultimate consumer, other than an industrial, commercial, or governmental user, or (2) when made (i) from a store, shop or mail-order house where sales are predominantly made to such ultimate consumers, (ii) at a price ordinarily charged such ultimate consumers (iii) to a purchaser of a class to whom sales were regularly made on or prior to October 1, 1941, at the prices ordinarily charged such ultimate consumers.

[Paragraph (f) amended by Am. 25, 7 F.R. 9712, effective 10-9-42; Am. 96, 8 F.R. 10662, effective 8-12-43 and Am. 116, effective 5-8-44]

(g) Any sale or delivery of a machine or part or any machinery service performed pursuant to a cost-plus-a-fixed-fee or cost-plus-a-percentage-of-cost contract: *Provided*, That a report is filed with the Office of Price Administration as provided in § 1390.14. The exemption granted by this paragraph is not applicable to machines or parts or machinery services for which the manufacturer, seller or machinery service supplier had a published list price or established price in effect on the base date for the machine or part or machinery service. When used in this paragraph the term "established price in effect on the base date" has the same meaning as that given to the term "established price in effect on October 1, 1941" by paragraph (c) of § 1390.5, except that the base date of the machine or part or machinery service shall be substituted for the date October 1, 1941.

[Paragraph (g) amended by Am. 106, 8 F.R. 16132, effective 12-1-43]

(h) Any lease of the following items:

(1) Public address systems.

(2) Electric storage batteries.

(3) Surveying and drafting instruments, and engineering reproduction equipment.

[Paragraph (h) added by Am. 3, 7 F.R. 6425, effective 8-19-42]

(i) Any machinery service performed in connection with the following:

(1) The repairing of public address systems.

(2) The repairing of electric storage batteries (including the charging and recharging thereof).

(3) The repairing of X-ray and electro-therapeutic apparatus.

(4) The repairing of surveying and drafting instruments, and engineering reproduction equipment.

(5) The maintenance, repair or rebuilding of automotive parts, subassemblies or accessories.

[Subparagraph (5) added by Am. 25, 7 F.R. 7912, effective 10-9-42]

[Paragraph (i) added by Am. 3, 7 F.R. 6425, effective 8-19-42]

(j) Any sale of a machine or part pursuant to a rental contract entered into prior to July 22, 1942, which provided for the transfer of title to the machine or part from the lessor to the lessee upon the payment in rentals, over and above a monthly carrying charge, of an amount equal to the valuation of the machine or part, as agreed upon at the time the contract was entered into.

[Paragraph (j) added by Am. 27, 7 F.R. 7944, effective 10-10-42]

(k) Any sale or delivery of second-hand snowplows to the United States Army.

[Paragraph (k) added by Am. 32, 7 F.R. 8479, effective 10-24-42]

(l) Any sale or delivery, until April 1, 1943, of a fixed capacitor designed and sold exclusively for use in military radio or radar apparatus.

[Paragraph (l) added by Am. 36, 7 F.R. 8897, effective 9-26-42 and amended by Am. 64, 8 F.R. 155, effective 1-1-43]

(m) Any sale or delivery to an agency of the United States of any complete plant for the manufacture of rubber tires.

(n) Any sale by any distiller to the Defense Plant Corporation of any still or fractionating column, or part thereof, installed or held as spare operating equipment.

[Paragraphs (m) and (n) added by Am. 56, 7 F.R. 9899, effective 11-26-42]

(o) Any lease of machines and parts by Defense Plant Corporation under a contract of lease which provides that machinery and equipment will be brought within the scope of the lease after purchase by the Defense Plant Corporation or the lessee for the account of Defense Plant Corporation but which contract of lease does not provide for specific rental prices allocable to specific machines or parts.

[Paragraph (o) added by Am. 72, 8 F.R. 3848, effective 4-2-43]

(p) Any sale or delivery by Isolantite, Inc., Belleville, New Jersey, of steatite insulators for the period from March 16, 1943, to October 1, 1943. The following conditions attach to this exclusion:

(1) Isolantite shall, upon each sale and delivery of steatite insulators made by it during the period of exclusion, include on, or attach to, each of its invoices for such sale, a written or printed statement to the effect that the prices charged have not been approved by the Office of Price Administration, but that it has been granted temporary exemption from the provisions of Maximum Price Regulation No. 136, as amended.

(2) Isolantite shall file with the Office of Price Administration, Washington, D. C., within five days after the same are prepared, one copy of all audit reports and profit and loss statements, made by it or for it during the period of exclusion.

[Paragraph (p) added by Am. 86, 8 F.R. 7106, effective 5-31-43 and amended by Am. 98, 8 F.R. 12748, effective 9-15-43]

(q) Any tank or vessel which (1) is installed underground at the time of sale and (2) is purchased for use in its present location.

[Paragraph (q) added by Am. 113, 9 F.R. 3578, effective 4-7-44]

§ 1390.3 *Prohibition against dealing in machines or parts, machinery services, or the rental of machines or parts at prices above the maximum.* (a) On and after July 22, 1942, regardless of the terms of any contract, lease or other obligation:

(1) No person shall sell, deliver, lease, rent or negotiate the sale or lease of any machine or part, or supply or negotiate the supply of any machinery service, at a price higher than the maximum fixed by this regulation.

(2) No person, in the course of trade or business, shall buy, rent, lease or receive any machine or part or machinery service at a price higher than the maximum fixed by this regulation. If the purchaser or lessee receives from the seller or lessor a written statement that the price does not exceed the maximum price, and if the purchaser or lessee has no reason to doubt the validity of this statement, the purchaser or lessee shall be deemed to have complied with this subparagraph.

(3) No person shall agree, offer, solicit or attempt to do any of the acts prohibited by subparagraphs (1) and (2).

(b) The provisions of paragraph (a) (2) of this section shall not be applicable to:

(1) The United States or any agency thereof;

(2) The government, or any agency thereof, of any country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act; or

(3) Any contracting officer of any of the foregoing, and, with respect to purchases made in his official capacity, any such contracting officer or any paying finance officer shall be relieved of any and every liability, civil or criminal, imposed by this regulation or by the Emergency Price Control Act of 1942, as amended.

[§ 1390.3 amended by Am. 89, 8 F. R. 7261, effective 6-3-43 and Am. 106, 8 F.R. 16132, effective 12-1-43]

§ 1390.4 *Maximum prices; general provisions.* (a) The base date for machines and parts set forth in Appendix A, is October 1, 1941; the base date for machines and parts set forth in Appendix B and for all machinery services is March 31, 1942. In applying the provisions of this regulation to the machines and parts set forth in Appendix B, the date March 31, 1942 shall be substituted for the date October 1, 1941 wherever it appears in this regulation. Such substitution, however, shall not be made in § 1390.10 (b) which applies only

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16132.

[2] Statements of considerations are also issued simultaneously with the issuance of amendments. Copies may be obtained from the Office of Price Administration.

[3] 7 F.R. 8961; 8 F.R. 3813, 3583, 6178, 11806; 9 F.R. 1594, 3075.

[4] 9 F.R. 1385.

[5] See for example, Maximum Price Regulation No. 1—Second-Hand Machine Tools (8 F.R. 10116, 13104); Revised Price Schedules No. 67—New Machine Tools (7 F.R. 1337, 2105, 2000, 2472, 2473, 2680, 2996, 3445, 3820, 4176, 5513, 5987, 7239, 7834, 8926, 8948, 9039, 9052, 9053, 11074); No. 82—Wire Cable, and Cable Accessories (7 F.R. 1358, 2133, 7034, 8948); and Maximum Price Regulation No. 134—Construction and Road Maintenance Equipment Rental Prices (8 F.R. 9140).

to machines and parts set forth in Appendix A.

(1) Notwithstanding the foregoing provisions of this paragraph (a) and notwithstanding the title of Appendix A, the base date for gears, pinions, sprockets, and speed reducers, as listed in paragraph (1) of Appendix A, shall be October 15, 1941. In applying the provisions of this regulation to gears, pinions, sprockets, and speed reducers, as listed in paragraph (1) of Appendix A, the date October 15, 1941, shall be substituted for the date October 1, 1941, wherever that date appears. Corresponding changes shall be made in the dates mentioned in paragraph (b) of § 1390.10.

[Subparagraph (1) added by Am. 62, 7 F.R. 10230, effective 12-11-42]

(b) Notwithstanding any provision of this regulation:

(1) The maximum price for the sale or delivery by the manufacturer of any machine or part set forth in Administrative Notice No. 1[*] or any amendments thereto shall be the price provided for therein;

(2) The maximum price for the sale or delivery by a seller other than the manufacturer of any machine or part set forth in Administrative Notice No. 1 or any amendments thereto, for which the manufacturer has published a list price in accordance with Administrative Notice No. 1 or any amendments thereto, shall be such list price, subject to all applicable extra charges, discounts or other allowances which such seller had in effect on October 1, 1941.

§ 1390.5 *Maximum prices; published price lists and established prices*—(a) *Applicability of this section.* This section is applicable to the sale or rental of any machine or part for which the manufacturer, seller or lessor had a published price list or established price in effect on October 1, 1941. However, this section is not applicable to the sale of second-hand machines or parts.

(b) *Prices.* The maximum price for the sale or rental by a manufacturer, seller or lessor of any machine or part covered by this section shall be the price stated in the published price list of the manufacturer, seller or lessor in effect on October 1, 1941, or the established price that he had in effect on that date, adjusted to reflect all applicable extra charges, discounts or other allowances that he had in effect to a purchaser of the same class on October 1, 1941.

(c) *Meaning of "established price in effect on October 1, 1941".* An "established price in effect on October 1, 1941" is:

(1) A price which had been quoted or charged to the same class of purchasers more than twice during the six months' period prior to and including October 1, 1941, and which was not increased on or before that date;

(2) A price which had been quoted or charged to a different class of purchasers more than twice during the six months' period prior to and including October 1, 1941, and which was not increased on or before that date, adjusted to reflect the October 1, 1941, differential between the two classes of purchasers; or

(3) A price which would have been quoted on October 1, 1941, under a system of quoting prices without further cost computation.

(d) *Reports.* On or before December 3, 1943, every manufacturer, seller and lessor subject to this regulation shall file with the Office of Price Administration, Washington, D. C., if he has not already done so, all published price lists and discount sheets in effect on October 1, 1941, for the sale or rental of machines or parts. However, the manufacturer of any machine shall not be required to file list prices in effect on October 1, 1941, for repair parts for such machines or mechanical devices or for tools used in the maintenance and repair of such machines or mechanical devices, unless such filing is specifically required in writing by the Office of Price Administration. Any person who on October 1, 1941, sold, leased or delivered machines or parts at prices based upon price sheets published by any other person subject to this regulation need not file such other person's published price sheets but shall file instead a statement identifying the particular price sheets he used on that date, together with his own discount sheets, if any, and a statement of any prices which constitute exceptions to such practice.

(e) [Revoked]

[§ 1390.5 amended by Am. 56, 7 F.R. 9822, effective 7-22-42; Am. 103, 8 F.R. 14763, effective 11-3-43 and Am. 115, 9 F.R. 4134, effective 4-18-44]

§ 1390.6 *Maximum manufacturers' prices for modified machines or parts*—(a) *Pricing formula.* This section is applicable to any machine or part for which the manufacturer either had a published list price or an established price in effect on the base date, or for which he has established a list price in accordance with § 1390.13. For any such machine or part in which a substantial change in design, specifications, or equipment has been made and for which machine or part as modified a new maximum price has not been previously approved by the Office of Price Administration, the manufacturer's maximum price for the machine or part as modified shall be calculated as follows:

(1) The net increase or decrease in factory costs attributable to the change in design, specifications or equipment shall first be computed by using:

(i) Direct material cost determined by using material and parts prices which are not in excess of maximum prices established by the Office of Price Administration for such materials or parts. Where materials or parts are added and eliminated, prices in effect as of the same date shall be used both for the materials or parts added and the materials or parts eliminated.

(ii) Direct labor cost determined by using labor rates in effect on October 3, 1942. If after October 3, 1942, the manufacturer voluntarily or involuntarily granted a wage increase which was approved by the National War Labor Board, the manufacturer may use that higher wage rate. Also, if the manufacturer's establishment is exempted by the National War Labor Board, he may use current wage rates.

(iii) Factory overhead allocable to such direct material and/or direct labor costs, determined in accordance with the manufacturer's method of accounting and charged at the actual rate or rates in effect in his plant on the base date, or at the standard rate or rates, if any, consistently used by the manufacturer for price determining purposes in the month which includes the base date, whichever is lower.

(2) The net increase or decrease in factory costs so calculated shall then be added to or subtracted from the maximum price to the class of purchasers commanding the lowest net price for the machine or part before modification. This computation provides the new maximum price for the machine or part as modified when sold to the class of purchasers commanding the lowest net price.

(3) The maximum price to every other class of purchasers shall then be calculated by applying to the new lowest net price the same percentage price differential as was in effect between the former lowest net maximum price and the former net maximum price to such other class of purchasers.

(b) *Reports.* Prior to, or within ten days after first quoting a price for any such modified machine or part, the manufacturer shall file a report with the Office of Price Administration, Washington 25, D. C., containing the following:

(1) The maximum price for the machine or part prior to modification.

(2) The maximum prices to jobbers, dealers, industrial users, government purchasers, and all other classes of purchasers as computed in accordance with paragraph (a).

(3) A detailed statement describing the changes in design, specifications or in equipment and explaining the calculation of the proposed maximum prices. The change in direct material costs, direct labor costs, and factory overhead costs due to the modification must be specified separately.

(c) *Approval of prices.* If the Office of Price Administration approves the proposed maximum prices or fails to disapprove them within thirty days after receiving such report, the proposed maximum prices shall become the maximum prices applicable to all subsequent sales and deliveries. However, if the Office of Price Administration later determines that such prices were not calculated in accordance with this section, such prices may be disapproved at any time. This disapproval will not be retroactive as to any deliveries made before the date of such disapproval. If the proposed maximum prices are at any time disapproved by the Office of Price Administration, the manufacturer shall file revised prices computed in accordance with paragraph (a), and the provisions of this section shall apply in all respects to such revised prices. In the event that the Office of Price Administration finds that the manufacturer's production experience does not yet warrant the establishment of a permanent maximum price, it may give temporary approval to a proposed maximum price and require further filing under this section at a later date. If the manufacturer does not file the report required by paragraph (b), the Office of Price Administration may establish a maximum price of its own accord. This price will be in line with the level of maximum prices established by this regulation, and it shall apply to all sales or deliveries of the machine or part to which such price applies made after April 18, 1944.

(d) *Interim pricing.* Prior to receipt of approval by the Office of Price Administration of any proposed price, or prior to the expiration of the thirty-day period after filing the report required in paragraph (b) of this section, the proposed price may be tentatively quoted and/or charged, but no more than 75% of the proposed price may be paid or received until a maximum price has been established, and final settlement shall be made in accordance with the maximum price approved by the Office of Price Administration.

[§ 1390.6 added by Am. 115, 9 F.R. 4134, effective 4-18-44. Former § 1390.6 revoked by Am. 103, 8 F.R. 14763, effective 11-3-43]

§ 1390.7 *Maximum prices; sales by the manufacturer of machines or parts without list or established prices.* This section is applicable to any machine or part for which the manufacturer had no published list price or established price in effect on the base date, and is not a modified machine or part covered by § 1390.6. The maximum manufacturers' price for the sale of any such machine or part to any purchaser shall be computed on the basis of the following:

[Above paragraph amended by Am. 103, 8 F.R. 14763, effective 11-3-43; and Am. 115, 9 F.R. 4134, effective 4-18-44]

(a) *Pricing formula.* (1) The price-determining method which was in use on October 1, 1941, applying the overhead rate, machine hour rates, if any, or other bases of computation which were in use on that date. If no such method was in use on October 1, 1941, the manufacturer shall use the method which would have been used on that date, applying the overhead rate, machine hour rates, if any, or other bases of computation which were in use or would have been used on that date. For the purposes of this subparagraph (1), the method of determining the total price in a cost-plus contract shall not be deemed to be a "price-determining method";

(2) To the extent that the price-determining method includes or is based on direct labor costs, the manufacturer shall use labor rates in effect on October 1, 1941, determined and applied in accordance with the provisions of paragraph (b) below;

(3) To the extent that the price-determining method includes or is based on prices paid for materials, the manufacturer shall use material prices in effect on October 1, 1941, determined and applied in accordance with the provisions of, and subject to the exceptions contained in, paragraph (c) below;

(4) To the extent that the price-determining method includes or is based on prices paid for subcontracted services, whether machinery services or otherwise, the manufacturer shall use actual prices paid or to be paid for such subcontracted services, not in excess of applicable maximum prices;

[Subparagraph (4) amended by Am. 54, 7 F.R. 9729, effective 11-25-42]

(5) To the extent that the price-determining method includes freight rates paid, the manufacturer shall use freight rates in effect on March 31, 1942, or current freight rates, whichever are lower, for outbound shipments for the mode of transportation actually used and for inbound shipments for the mode of transportation actually used and from the actual point of origin.

[Subparagraph (5) amended by Am. 90, 8 F.R. 7767, effective 6-14-43]

(6) For the labor required for installation if the machine or part is sold on an installed basis: labor rates in the area of installation in effect on, or resulting from an agreement concluded or from a grant made or announced on or before April 27, 1942, or, where the wage stabilization agreement issued May 22, 1942 between the Building and Construction Trades Department of the American Federation of Labor and certain agencies of the United States is applicable or where such rates have become the prevailing rates in that area, labor rates in effect on July 1, 1942.

[Subparagraph (6) amended by Am. 83, 8 F.R. 5818, effective 5-8-43]

(7) All applicable extra charges, discounts or other allowances in use on October 1, 1941 to a purchaser of the same class.

(8) To the extent that the price-determining method includes or is based on prices paid for perishable tools, dies, molds, patterns, or work-holding devices, the manufacturer shall use actual prices paid or to be paid for such items, not in excess of maximum prices provided by this regulation, determined in accordance with paragraph (c) (4) below.

[Subparagraph (8) added by Am. 54, 7 F.R. 9729, effective 11-25-42]

(b) *Labor rates.* (1) "Labor rates in effect on October 1, 1941" are the rates in the manufacturer's plant for each classification of labor that either were prevailing on October 1, 1941, or were made retroactive to or before that date by an order of the National War Labor Board. If the manufacturer employs labor of a particular classification not employed in such plant on October 1, 1941, he shall apply the rate prevailing on that date for such classification in the locality in which the manufacturing is to be performed. If labor of such classification was not employed on October 1, 1941 in such locality, the manufacturer shall apply the rate prevailing on that date for the nearest skill in the nearest comparable locality, as accurately as he is able to determine the same by reasonably diligent inquiry.

[Subparagraph (1) amended by Am. 116, effective 5-8-44]

(2) The permitted labor cost to be used in the pricing formula provided in paragraph (a) is to be determined by applying to the clock hours of each classification of labor estimated to be required on the basis of previous production experience, or, where an estimate is not used, to the clock hours actually required, the hourly rate for such classification in effect on October 1, 1941. If on October 1, 1941, an average rate was used, an average rate may be applied: *Provided*, That the labor rates and the method of computing the average in effect on October 1, 1941, are used. If individuals have been or are promoted from one classification to another because of increased efficiency, the higher rates may be used: *Provided*, That such higher rates may not be used if they result in increased prices.

(3) In determining the price for a firm price contract, the amount of overtime estimated to be required in excess of that provided for in the overhead or machine hour rate may be added to the maximum price. Further, the amount of overtime actually required in an unforeseen contingency, over and above the amount estimated, if any, may be added to the maximum price, if the purchaser agrees and it is billed separately. No markup, overhead, or profit shall be applied to that part of the labor cost which is in excess of the straight-time cost. However, no adjustment of the overhead rate or machine hour rate in effect on October 1, 1941, shall be required; and if on October 1, 1941, the manufacturer's price determining method included an amount determined by applying a fixed percentage to straight-time labor costs, he may apply mark-up, overhead or profit to that amount if he did so on October 1, 1941.

[Subparagraph (3) amended by Am. 116, effective 5-8-44]

(c) *Material prices.* (1) The term "material prices" includes the prices for raw materials, and for materials or products which have been processed or fabricated to any degree, including parts and subassemblies.

(2) The permitted material cost to be used in the pricing formula provided in paragraph (a) is to be determined by applying material prices as determined in subparagraph (3) below to the quantities of materials estimated to be required on the basis of previous production experience or, where an estimate is not used, the quantities actually required.

(3) Except as provided in subdivisions (i) and (ii) below, the manufacturer shall use the lower of the following two prices: the price for the material which was or would have been paid by him on October 1, 1941, or the actual price for such material paid or to be paid, not in excess of the applicable maximum price.

(i) For any part or subassembly purchased, the manufacturer shall use the actual price for such part or subassembly paid or to be paid, not in excess of the applicable maximum price. For the purposes of this paragraph, the term "parts and subassemblies" means, in addition to products covered by this regulation, products covered by Revised Price Schedule No. 82—Wire, Cable and Cable Accessories, Maximum Price Regulation No. 119—Original Equipment Tires and Tubes, Maximum Price Regulation No.

[*] 7 F.R. 2984, 3690, 5453, 5688, 7926. Administrative Notice No. 1 sets forth exceptions from the provisions of voluntary price agreements and arrangements.

147—Bolts, Nuts, Screws, and Rivets, and Maximum Price Regulation No. 149—Mechanical Rubber Goods, and materials bought on an installed basis in the process of erection of a machine or part sold on an erected and installed basis.

[Subparagraph (i) amended by Am. 54, 7 F.R. 9729, effective 11-25-42]

(ii) For any material for which the manufacturer is unable by reasonable diligence to determine the price he would have paid on October 1, 1941, the manufacturer shall use the actual price for such material paid or to be paid, not in excess of the applicable maximum price. In no event shall this subdivision (ii) apply if the material had a published price in effect on October 1, 1941, or if the manufacturer purchased such material on or about October 1, 1941, or if the manufacturer's supplier of the material, or one of the manufacturer's suppliers, was selling such material on or about October 1, 1941.

(4) Where the "actual price to be paid" for any material (including any part or subassembly) or machinery service is required or permitted to be used by the provisions of subparagraph (3) above, or of subparagraph (4) of paragraph (a), in calculating such price:

(i) The manufacturer shall use the price estimated by his supplier, if available: *Provided*, That the manufacturer has no reason to believe that the price so estimated exceeds the applicable maximum price; or

(ii) If a price estimated by a supplier is not available at the time he estimates his price, the manufacturer shall use his own estimate of the price to be paid for the material or machinery services: *Provided*, That if the price so estimated exceeds the actual price charged by the supplier, such actual price, not to exceed the supplier's maximum price, shall be substituted in the pricing formula and the manufacturer's maximum price recomputed accordingly. If the price so estimated is less than the actual price charged by the supplier, such actual price, not to exceed the supplier's maximum price, may be substituted in the pricing formula and the manufacturer's maximum price recomputed accordingly.

(d) *Reports.* If the price of any machine or part computed in accordance with the provisions of this section is at any time increased above the price charged on the previous sale or delivery, or is increased above the original contract price by renegotiation or by a price adjustment clause, unless the increase is definitely assignable to a change in specifications or a change in conditions of delivery, the manufacturer thereof shall file the report required by § 1390.18 (f).

§ 1390.8 *Maximum prices; sales by the manufacturer of machines or parts manufactured in new or converted plants.* If the manufacturer is unable to determine the maximum price for any machine or part pursuant to the provisions of § 1390.7 because such machine or part is manufactured in a new or converted plant or for any other reason:

(a) *Price-determining method.* The manufacturer shall establish a price-determining method and rates for use therein (labor rates, machine hour rates, overhead rates, and profit rates, etc.) for the determination of the maximum price for such machine or part, conforming so far as possible to the provisions of § 1390.7. The overhead rate so established shall be a reasonable rate in the light of the operations to be performed, and shall, so far as possible, be based on costs for items of overhead in effect on October 1, 1941. In the case of a newly constructed plant, however, the manufacturer may use as a base date for all purposes the date upon which price quotations were first made or upon which production was started in the plant, whichever is earlier, and shall use the labor rates for each classification of labor prevailing on that date in the locality of the plant, determined in accordance with § 1390.7 (b).

(b) *Reports.* The manufacturer shall file a report with the Office of Price Administration, Washington, D. C., containing (1) the proposed price-determining method and rates used in establishing maximum prices as provided in paragraph (a); (2) a description of the items for which the maximum price is to be computed under such price-determining method; (3) a representative sample of prices computed in accordance with the proposed price-determining method; (4) an explanation of the circumstances necessitating pricing under this section; (5) relevant data bearing on the price-determining method and rates to be used, including evidence that such method and rates were determined as provided in paragraph (a); (6) a statement of whether or not quantity production has been achieved or is anticipated; (7) a brief description of the newly constructed or converted plant; and (8) any other data which the Office of Price Administration may in writing require.

(c) *Maximum prices.* (1) Prices computed in accordance with the proposed method reported under paragraph (b) may be quoted or charged for thirty days prior to filing such report and may be quoted or charged thereafter until the Office of Price Administration disapproves such price in writing or requires a new filing under paragraph (b). If the Office of Price Administration approves the proposed price-determining method and the prices of the machines or parts whose maximum prices are to be computed in accordance therewith, or fails to disapprove them within thirty days after receiving such report, the maximum prices for such machines or parts shall be determined in accordance with the proposed price-determining method until a new price-determining method is proposed and reported either upon the initiative of the manufacturer or as required by the Office of Price Administration.

(2) Within thirty days after receiving such report, the Office of Price Administration may in writing disapprove the proposed price-determining method and the prices resulting from its use, and upon such disapproval the manufacturer shall file a revised price-determining method in accordance with the suggestions and directions contained in such disapproval, and the provisions of this section shall apply in all respects to such revised method. In disapproving any proposed price-determining method, the Office of Price Administration may require the manufacturer to adjust all contracts made at prices determined pursuant to such method and may require that refunds be made as to all deliveries made at prices determined pursuant to such method. Such disapproval and requirement of refunds shall, upon request of the manufacturer, be embodied in an order.

(d) Not later than six months after last filing a price-determining method which was not disapproved by the Office of Price Administration, the manufacturer shall file a report with the Office of Price Administration, Washington, D. C., containing (1) a comparison of his actual direct and indirect costs for the period under review, with the estimates on which the price-determining method being used was based and (2) so far as available, for each of the representative items for which prices were previously filed, the current price being charged, and a comparison of the actual direct and indirect costs with the estimate on which the price previously filed was based.

(e) Any manufacturer may at any time file, and the Office of Price Administration may at any time require the filing of a new or revised price-determining method in accordance with the provisions of this section, together with a representative sample of prices determined in accordance with such method.

[§ 1390.8 amended by Am. 71, 8 F.R. 3370, effective 3-24-43]

§ 1390.8a *Maximum prices for fixed capacitors of the type and size used for military radio and radar equipment.* Notwithstanding any other provisions of this regulation, the maximum prices for fixed capacitors of the type and size used for military radio and radar equipment shall be determined in accordance with the provisions of this section.

(a) *Maximum prices; price lists.* The maximum price for fixed capacitors of the type and size used for military radio and radar equipment shall be the price stated in the price list of the seller in effect on April 1, 1943 less all discounts, allowances and any other deductions from the list price in effect to a purchaser of the same class on that date. This price is subject to the approval of the Office of Price Administration in accordance with the provisions of paragraph (e).

(b) *Maximum prices; formula pricing.* If a fixed capacitor of the type and size used for military radio and radar equipment cannot be priced in accordance with the provisions of paragraph (a), its maximum price shall be determined by using the price-determined method the seller used on April 1, 1943. In applying that price-determining method a manufacturer must use labor rates and materials prices in effect to him on April 1, 1943. The price-determining method used to compute maximum prices under this paragraph is subject to the approval of the Office of Price Administration in accordance with the provisions of paragraph (e).

(c) *Mica capacitors.* Manufacturers of mica capacitors may add to the maximum price determined in accordance with the provisions of paragraph (a) or (b) increases in unit costs due to increases realized subsequent to April 1, 1943, in the cost of block mica and in the cost of splitting and cutting mica film, except that nothing in this paragraph shall permit the addition of an increase in labor rates subsequent to April 1, 1943. Sellers other than manufacturers may increase the prices of mica capacitors by the amount that prices have been increased to them pursuant to the provisions of the preceding sentence.

(d) *New list prices.* (1) Any person who desires or is required in writing by the Office of Price Administration to establish a list price for fixed capacitors of the type and size used for military radio and radar equipment shall file a report pursuant to subparagraph (2) hereof containing a proposed price determined under paragraph (b), and such price shall thereafter be the maximum price: *Provided*, That the Office of Price Administration either approves such price in writing or fails to disapprove it within 30 days after the receipt of the report. Such price may be disapproved only on the ground that it was not computed in accordance with the provisions of paragraph (b) or because the Office of Price Administration finds that a computation at a later date may result in a lower maximum price.

(2) Under the circumstances set forth in subparagraph (1), a report shall be filed with the Office of Price Administration in Washington, D. C., containing the proposed list price, the proposed effective date, the class or classes of purchasers to whom such price is to be quoted, all relevant data used in determining such price, and evidence that such price was determined in accordance with the provisions of paragraph (b).

(e) *Approval of maximum prices*—(1) *Reports.* Every seller of fixed capacitors of the type and size used for military radio and radar equipment shall file with the Office of Price Administration, in Washington, D. C., before April 30, 1943, a report stating the maximum prices established by this section, the method by which he determined those prices, and the discounts, allowances and other price differentials in effect therefor on April 1, 1943. The report filed by sellers other than manufacturers shall be accompanied by a list of the cost prices to such sellers.

(2) *Approval.* Each maximum price and price-determining method reported in the manner just set forth shall be subject to the approval of the Office of Price Administration within 30 days after the receipt of the report. Within five days prior to filing such report, the seller may quote, contract, sell or deliver at the proposed price; but final settlement shall be made in accordance with the action of the Office of Price Administration on the report and, if required by the Office of Price Administration, refunds shall be made.

[§ 1390.8a added by Am. 79, 8 F.R. 4524, effective 4-1-43]

§ 1390.9 *Maximum prices; machinery services*—(a) (1) *Services with list or established prices.* If for any machinery service the supplier had a published machine hour rate, established price or other charge in effect on March 31, 1942, the maximum price to any purchaser for such machinery service shall be the net price which the supplier would have received on that date from a purchaser of the same class. When used in this subparagraph the term "established price in effect on March 31, 1942" has the same meaning as that given to the term "established price in effect on October 1, 1941" by paragraph (c) of § 1390.5, except that the date March 31, 1942, shall be substituted for the date October 1, 1941.

[Subparagraph (1) amended by Am. 106, 8 F.R. 16132, effective 12-1-43]

(2) *Reports.* On or before August 1, 1942, every machinery service supplier subject to this regulation, shall file with the Office of Price Administration, Washington, D. C., if he has not already done so, all his published and confidential machine hour rates, charge sheets, and discount sheets in effect on March 31, 1942, for machinery services.

(b) *Services without list or established prices.* If for any machinery service a supplier had no such published or established rate or charge in effect on March 31, 1942, the maximum price for such machinery service to any purchaser shall be determined in accordance with the applicable provisions of § 1390.7, except that the date March 31, 1942, shall be substituted for the date October 1, 1941.

[Paragraph (b) amended by Am. 106, 8 F.R. 16132, effective 12-1-43]

(c) *New or converted plants.* Notwithstanding the provisions of paragraphs (a) and (b) of this section, if any machinery service is performed in a newly constructed plant or if the supplier is unable to determine the maximum price for any machinery service because it is performed in a converted plant or for any other reason:

(1) *Price.* The maximum price for each sale of such machinery service shall be a price determined so far as possible in accordance with paragraph (b) of this section and reported pursuant to subparagraph (2) below: *Provided*, That the Office of Price Administration either approves such price in writing or fails to disapprove it within thirty days after receipt of the report. Within five days prior to filing such report and during such thirty-day period, the supplier may quote, contract or perform such machinery service at the proposed price, but final settlement shall be made in accordance with the action of the Office of Price Administration on such report and, if required by the Office of Price Administration, refunds shall be made.

(2) *Report.* Such supplier shall file a report with the Office of Price Administration, Washington, D. C., containing the proposed price, the proposed billing date, a statement of whether or not such machinery service had a published or confidential rate or charge in effect on March 31, 1942, all relevant price-determining data including evidence that the proposed price was determined so far as possible in accordance with paragraph (b) of this section, and a brief description of the newly constructed or converted plant. If the supplier desires such price to become the maximum price applicable to such machinery services thereafter performed, a statement that the report is also being filed pursuant to § 1390.13 should be made.

§ 1390.10 *Maximum prices; sales by sellers other than the manufacturer*—(a) *Machines and parts with list or established prices.* If for any machine or part a seller other than the manufacturer thereof had a published list price or established price in effect on October 1, 1941, (as defined in § 1390.5 (c)), the maximum price shall be determined as provided in § 1390.5.

[Paragraph (a) amended by Am. 106, 8 F.R. 16132, effective 12-1-43]

(b) *Certain cases where seller's price is based on lower cost*—(1) *Applicability of this paragraph.* This paragraph is applicable to the sale by a seller other than a manufacturer of a machine or part for which the seller had a list or established price in effect on the base date which was based on a cost lower than the price which his base date supplier had in effect to him on that date. When used in this paragraph the term "base date supplier" means the last person from whom the seller purchased the machine or part before the base date. This paragraph is also applicable to the sale by a seller other than a manufacturer of a machine or part whose cost has been increased to him in accordance with the provisions of this paragraph.

(2) *Price*—(i) *Where seller's base date price was based on price sheets published by another.* Where the seller's list price in effect on the base date was based on price sheets published by another person, the maximum price shall be determined as follows: The seller shall deduct from the published price list, which such other person had in effect on the base date, or which was revised by such other person in accordance with the provisions of this paragraph, all discounts, allowances and any other deductions from the list price which the seller had in effect to a purchaser of the same class on the base date.

(ii) *Where price not based on price sheets published by another.* Where the seller's list or established price in effect on the base date was not based on price sheets published by another person, the seller shall determine the maximum price as follows: The seller shall multiply his selling price in effect on the base date to each class of purchasers by the percentage increase in cost to him either occurring on or before October 1, 1941, or due to an increase in price permitted by this paragraph. This percentage shall be determined as follows: The seller shall divide either the price his supplier had in effect to him on the base date, had he made a purchase, or the increased price this paragraph permits his supplier to charge, by the cost on which his base date selling price was calculated.

(3) *Report and approval of price.* No adjustment may be made under subparagraph (2) until the price which the seller wishes to charge is approved in writing by the Office of Price Administration. A seller, other than a manufacturer, who desires to increase his price for a machine or part in accordance with subparagraph (2) shall file a report with the Office of Price Administration in Wash-

ington, D. C. This report shall contain the following information:

(i) *Where the seller's base date price was based on price sheets published by another.* Where the seller's base date price was based on price sheets published by another person, the report shall contain the following information:

(*a*) The name and address of the immediate supplier, as well as the manufacturer, of the item. If the manufacturer is also the supplier, include a statement to that effect.

(*b*) A description of the machine or part.

(*c*) A copy of the published price sheet which the seller used in determining his base date price, together with all discounts, allowances and any other deductions from that list price which he had in effect on the base date.

(*d*) A copy of the published price sheet which was put in effect either on or before the base date, or in accordance with the provisions of this paragraph.

(*e*) The list price which the seller desires to have approved for his use, together with all applicable discounts, allowances and any other deductions from that list price.

(ii) *Where the seller's base date price was not based on price sheets published by another.* Where the seller's base date price was not based on price sheets published by another person, the report shall contain the following information:

(*a*) The name and address of the immediate supplier, as well as the manufacturer, of the item. If the manufacturer is also the supplier, include a statement to that effect.

(*b*) A description of the machine or part.

(*c*) Where the price to the seller was increased on or before the base date, the price that the seller's supplier would have charged him on the base date, had he made a purchase, and the date that price became effective. Where the price to the seller was increased in accordance with the provisions of this paragraph, the price which has been approved by the Office of Price Administration and the date that approval was given.

(*d*) The cost upon which the seller's base date selling price was calculated, and the period during which such cost was effective.

(*e*) The seller's net price in effect to each class of purchasers on the base date, and the date such price or prices became effective.

(*f*) The maximum price or prices determined in accordance with subparagraph (2) and the class of purchasers to which each price applies.

[Paragraph (b) amended by Am. 95, 8 F.R. 9520, effective 7-23-43; Am. 100, 8 F.R. 13299, effective 10-4-43; and Am. 112, 9 F.R. 3085, effective 3-27-44]

(c) *Machines and parts without list prices.* This paragraph is applicable to any machine or part which either has been modified since the base date or for which the seller had no published list price or established price in effect on October 1, 1941. The maximum price for the sale of any such machine or part by a seller other than a manufacturer to any purchaser shall be the net price determined by applying a margin determined pursuant to subparagraph (2) of this paragraph to:

[Subparagraph (1) amended by Am. 106, 8 F.R. 16132, effective 12-1-43; and Am. 115, 9 F.R. 4184, effective 4-18-44]

(i) The seller's net invoiced cost, if available, not to exceed the applicable maximum price, or

(ii) If actual cost is not available, net invoiced cost as estimated by the seller's supplier: *Provided*, That the seller has no reason to believe that the price so estimated exceeds the applicable maximum price.

(2) The margin to be applied in the circumstances referred to in subparagraph (1) shall be the first of the following which is available:

(i) The weighted average percentage margin over net invoiced cost applied in prices charged by such seller on or about October 1, 1941, for the same machines or parts sold to purchasers of the same class;

(ii) The weighted average percentage margin over net invoiced cost applied in prices charged by such seller on or about October 1, 1941, for all machines and parts of the same class sold to purchasers of the same class;

(iii) The weighted average percentage margin over net invoiced cost applied in prices charged by such seller on or about October 1, 1941, for the same machines or parts sold to purchasers of a different class or, if none were sold, for machines and parts of the same class sold to purchasers of a different class, adjusted to afford the same percentage differential in price between purchasers of such different classes as was customarily made by the seller on or about October 1, 1941, for purchasers of such different classes.

[Paragraph (c) amended by Am. 1, 7 F.R. 5665, effective 7-22-42 and Am. 25, 7 F.R. 7912, effective 10-9-42]

(3) Notwithstanding the provisions of subparagraphs (1) and (2) of this paragraph, where any machine or part listed in § 1390.33, Appendix B, is sold on a delivered basis and delivered by railroad, the maximum price shall be reduced by an amount equal to the difference between railroad freight figured on the basis of rates in effect on March 31, 1942, and freight figured on the basis of current railroad freight rates.

[Subparagraph (3) added by Am. 90, 8 F.R. 7767, effective 6-14-43]

(d) *Machines and parts; new lines.* If for any machine or part a seller other than the manufacturer thereof had no published list price or established price in effect on October 1, 1941, and if such seller sold no machine or part of the same class on or about that date:

[Above paragraph amended by Am. 106, 8 F.R. 16132, effective 12-1-43]

(1) *Price.* The maximum price for such machine or part shall be the price reported pursuant to subparagraph (2), below: *Provided*, That the Office of Price Administration either approves such price in writing or fails to disapprove it within thirty days after receipt of the report. Within five days prior to the filing of such report and during such thirty-day period, such seller may quote, contract, sell or deliver at the proposed price, but final settlement shall be made in accordance with the action of the Office of Price Administration on such report and, if required by the Office of Price Administration, refunds shall be made.

(2) *Reports.* The seller of such machine or part shall file with the Office of Price Administration, Washington, D. C., a report containing the proposed price, the proposed billing date, the net invoiced cost of such machine or part, the date of purchase, a statement of the basis on which such proposed price was determined, and an explanation of the reasons why § 1390.5 and paragraphs (a) and (c) of this section were inapplicable. If such seller desires such price to become the maximum price applicable to all subsequent sales and deliveries of such machine or part, a statement that the report is also being filed pursuant to § 1390.13 should be included.

(e) *Machines and parts completely subcontracted.* If a manufacturer of a machine or part also subcontracts to another the manufacture of the same machine or part which he resells in the form in which it is received from the subcontractor the maximum price for the prime contractor shall be determined as follows:

(1) If for any such machine or part the prime contractor had a published list price or established price in effect on October 1, 1941, the maximum price shall be determined in accordance with § 1390.5; or

(2) If the prime contractor had no such list or established price, the maximum price shall be determined in accordance with the applicable provisions of subparagraphs (1) and (2) of paragraph (d).

[Paragraph (e) amended by Am. 25, 7 F.R. 7912, effective 10-9-42, and Am. 106, 8 F.R. 16132, effective 12-1-43]

(f) *Installed sales.* Nothing in this regulation shall be deemed to establish maximum prices for installation services performed by persons other than the manufacturer or assembler of the machine or part to be installed.

§ 1390.11 *Maximum prices; sales of second-hand machines and parts*—(a) *Definitions.* For the purpose of this section

(1) A "second-hand machine or part" is any machine or part which has previously been used.

(2) A "rebuilt and guaranteed" machine or part is a machine or part (i) in which all worn or missing components which should have been replaced or repaired for satisfactory operation, have been replaced or repaired, (ii) which carries a binding written guaranty of satisfactory operation for a period of not less than 60 days, and (iii) which is expressly invoiced as a rebuilt and guaranteed machine or part or its equivalent, and in addition, in those cases where the machine or part operates under power or pressure, has been tested under power or pressure so as to prove that it has a substantially equivalent performance to that of a new machine or part. In the event of either a sale by a government agency, or a sale for the benefit of creditors where a government agency is the largest creditor a written certificate may be substituted for the guarantee. The certificate must be signed by a qualified person who is not engaged in the business of selling second-hand machines or parts. This certificate must state that such person has inspected the second-hand machine or part and that all worn or missing components which should be replaced or repaired for satisfactory operation, if any, have been replaced or repaired.

[Subparagraph (2) amended by Am. 109, 9 F.R. 2138, effective 2-23-44]

(3) The "new base price", except as provided in paragraph (e) below, means the highest maximum price established by this or any other regulation issued by the Office of Price Administration to any class of purchasers for the nearest equivalent new machine or part, f. o. b. manufacturer's plant.

(b) *Maximum price; rebuilt and guaranteed second-hand machines and parts.* The maximum price for any rebuilt and guaranteed second-hand machine or part shall be the higher of the following:

(1) 85% of the new base price for such machine or part, or

(2) The price determined in accordance with the "depreciation method" provided in paragraph (d), below.

(c) *Maximum price; second-hand machines and parts which are not rebuilt and guaranteed.* The maximum price for any second-hand machine or part which is not rebuilt and guaranteed shall be the higher of the following, but shall not exceed 80% of the new base price for such machine or part:

(1) 55% of the new base price for such machine or part, or

(2) The price determined in accordance with the "depreciation method" provided in paragraph (d), below.

(d) *Maximum price; "depreciation method"*—(1) *When "depreciation method" may be used.* A maximum price may be computed under the "depreciation method" only for those machines or parts listed in Appendix D, "Table of depreciation rates".

(2) *Computation of maximum price.* Under the "depreciation method", the maximum price of any second-hand machine or part listed in Appendix D, "Table of depreciation rates" shall be the new base price for such machine or part less depreciation on the straight line method, at the rate provided for such type of machine or part in that Table, from the date of acquisition by the original purchaser for use of the machine or part when new to the date of sale. In measuring such period of time, a fractional period of a month consisting of 16 days or more shall be regarded as a full month and a fractional period of a month consisting of 15 days or less shall be disregarded. Upon each sale at a price computed under this paragraph, the seller shall deliver to the buyer a signed statement setting forth the name and address of the original purchaser for use of the machine or part when new and the date of acquisition of such machine or part by such purchaser.

[Subparagraph (2) amended by Am. 87, 8 F.R. 7197, effective 6-2-43]

(e) *Maximum prices; second-hand machines or parts sold when new on delivered or installed price basis only*—(1) *Sold when new on delivered price basis only.* Notwithstanding any other provision of this section, if the maximum price for any second-hand machine or part established by this regulation when such machine or part is sold new, is on a delivered price basis only, the new base price upon the sale of such machine or part shall be the highest maximum price to any class of purchasers for the nearest equivalent machine or part when new, delivered to the point where such second-hand machine or part is located at the time of purchase by the seller.

(2) *Sold when new on installed price basis only.* Notwithstanding any other provision of this section, if the maximum price for any second-hand machine or part established by this regulation when such machine or part is sold when new, is on an installed price basis only (that is, a lump sum covering the cost of the machine or part, the cost of transportation, and the cost of installation), the new base price upon the sale of such machine or part shall be the price for the same machine or part when new, installed at the point of original installation.

[Paragraph (e) amended by Am. 96, 8 F.R. 10662, effective 8-12-43]

(f) *Charges and expenses which may or may not be added to the maximum price*—(1) *Items which may not be added.* The following charges and expenses are included within the maximum price for any second-hand machine or part and such charges and expenses may not be paid or received in addition to the maximum price:

(i) Any commission or service charge paid to or for the account of, the seller or any agent of the seller;

(ii) Expense of packing and crating the second-hand machine or part (except where a second-hand machine or part is sold on an "as-is where-is" basis);

(iii) Expense of dismantling and loading the second-hand machine or part for shipment to the purchaser (except where a second-hand machine or part is sold on an "as-is where-is" basis).

(2) *Items which may be added.* The following charges and expenses are not included within the maximum price for any second-hand machine or part and such charges and expenses, not to exceed the maximum price for such charges and expenses established by any applicable regulation or order of the Office of Price Administration, may be paid or received in addition to the maximum price, if billed or invoiced separately.

(i) The actual amount of any tax upon the sale or delivery of the second-hand machine or part;

(ii) The actual cost of transportation of the machine or part from the point of shipment to the purchaser's plant. The point of shipment means the point at which the machine is loaded on a conveyance for transportation directly to the purchaser;

(iii) The actual cost of installing the second-hand machine or part in the purchaser's plant.

(3) *Sales on an "as-is where-is" basis.* If a second-hand machine or part is sold on an "as-is where-is" basis and the sales price plus the actual cost incurred by the purchaser for dismantling and loading exceeds the applicable maximum price for such second-hand machine or part, the seller shall refund to the purchaser the excess over the maximum price or 10% of the maximum price, whichever sum is lower.

(g) *Sales by Defense Plant Corporation, the War Department, or the Department of the Navy.* This paragraph is applicable to the sale by the Defense Plant Corporation, the War Department and the Department of the Navy of any second-hand machine or part which was acquired by the agency in question for the purpose of rental. Notwithstanding any other provisions of this regulation, the maximum price for such a sale shall be the price determined in accordance with the applicable provisions of paragraphs (a) to (f), inclusive, of this section or the price determined in accordance with the applicable provisions of subparagraphs (1) to (3), inclusive, of this paragraph (g), whichever is the higher.

[Above paragraph amended by Am. 111, 9 F.R. 3064, effective 3-27-44.]

(1) *Where the purchaser is the first lessee of the machine or part under an agreement with the Defense Plant Corporation, the War Department, or the Department of the Navy.* The maximum price shall be computed by adding the sum of the following:

(i) The cost of the machine or part to the Defense Plant Corporation, the War Department, or the Department of the Navy, f. o. b. the plant of the manufacturer of the machine or part;

(ii) The freight paid by the Defense Plant Corporation, the War Department, or the Department of the Navy from the plant of the manufacturer of the machine or part to the plant of the purchaser;

(iii) The cost to the Defense Plant Corporation, the War Department, or the Department of the Navy of unloading the machine or part at the plant of the purchaser;

(iv) The cost to the Defense Plant Corporation, the War Department, or the Department of the Navy of the installation of the machine or part in the plant of the purchaser;

(v) Interest on items (i) to (iv), inclusive, at the rate actually charged the purchaser under the agreement of lease between the Defense Plant Corporation, the War Department, or the Department of the Navy and the purchaser, or if no interest rate was specified in such agreement the average rate charged by the Defense Plant Corporation, the War Department, or the Department of the Navy to other lessees of comparable machines and parts, such interest to be computed from the date that each of such items was paid by the Defense Plant Corporation, the War Department, or the Department of the Navy to the date of sale.

(vi) Direct expenses actually incurred by Defense Plant Corporation, the War Department, or the Department of the Navy and normally charged the purchaser under the agreement of lease between Defense Plant Corporation, the War Department, or the Department of the Navy and the purchaser; or, if no provision for direct expenses is specified

in such agreement, direct expenses actually incurred by Defense Plant Corporation, the War Department, or the Department of the Navy and normally charged by Defense Plant Corporation, the War Department, or the Department of the Navy to other lessees of comparable machines and parts.

From the sum of items (i) to (v), inclusive, deduct depreciation on the original total cost of acquisition by Defense Plant Corporation, the War Department, or the Department of the Navy at the rate of eight percent (8%) per annum from the date of initial use after acquisition by Defense Plant Corporation, the War Department, or the Department of the Navy of such machine or part, except that in the event of sale within ninety (90) days after such initial use no depreciation shall be deducted.

(2) *Where the purchaser is a person other than the first lessee of the machine or part.* The maximum price delivered to the plant of the purchaser shall be computed by adding the sum of the following:

(i) The cost of the machine or part to the Defense Plant Corporation, the War Department, or the Department of the Navy, f. o. b. the plant of the manufacturer of the machine or part;

(ii) An allowance equal to the freight charge for transportation of such machine or part from the location of the machine or part at the time of purchase to the plant of the purchaser.

From the sum of items (i) and (ii), deduct depreciation on the original total cost of acquisition by Defense Plant Corporation, the War Department, or the Department of the Navy at the rate of eight percent (8%) per annum from the date of initial use after acquisition by Defense Plant Corporation, the War Department, or the Department of the Navy of such machine or part, except that in the event of sale within ninety (90) days after such initial use no depreciation shall be deducted.

(3) To the maximum price of any second-hand machine or part, as computed in accordance with paragraphs 1 or 2 above, the Defense Plant Corporation, the War Department, or the Department of the Navy may add the amount of any tax upon the sale or delivery of such machine or part and shall bill such tax separately from the price of such machine or part.

[Paragraph (g) amended by Am. 87, 8 F.R. 7197, effective 6-2-43 and Am. 99, 8 F.R. 13124, effective 9-30-43]

(h) *Sales between corporations entitled to file affiliated returns under the Internal Revenue Code*—(1) *Price.* Notwithstanding any other provision of this section, in the case of a second-hand machine or part which is (i) sold by one corporation to another corporation both of which are members of an affiliated group as defined in section 141 of the Internal Revenue Code, and (ii) is acquired by the purchasing corporation for the processing or fabricating of other commodities and not for resale in the same or in a fabricated form, the maximum price shall be the selling corporation's book value of such machine or part less depreciation computed at the rate and in the manner used by the selling corporation in the preparation of its federal income tax return.

(2) *Report.* Within ten days after any sale of a second-hand machine or part at a price determined pursuant to subparagraph (1) above, the selling corporation shall file with the Machinery Branch, Office of Price Administration, Washington, D. C., a report containing a description of the machine or part, the name and address of the purchasing corporation, the date of acquisition of the machine or part by the selling corporation, the selling price, a computation of the maximum price, in accordance with subparagraph (1) and an original statement of the purchasing corporation that the machine or part has been acquired for the processing or fabricating of other commodities and not for resale in the same or in a fabricated form.

(i) *Further regulations or orders.* If the maximum price provisions of this regulation for second-hand machines or parts are not adaptable to the pricing of particular machines or parts, or if they permit the charging of prices in excess of prices which could be obtained if sufficient new machines or parts were available, the Price Administrator may by separate regulation or order establish other maximum prices for the sale or delivery of such second-hand machines or parts.

(j) The maximum price of any second-hand machine or part sold in the Territory of Alaska shall be determined in accordance with the applicable provisions of this section, except that there may be added to the price so determined the amount of the actual cost of transportation of such machine or part from Seattle, Washington to its present location in Alaska.

[Paragraph (j) added by Am. 88, 8 F.R. 7260, effective 6-3-43]

[§ 1390.11 amended by Am. 1, 7 F.R. 5665, effective 7-22-42; Am. 54, 7 F.R. 9729, effective 11-25-42; Am. 76, 8 F.R. 4476, 12793, effective 4-10-43 and as otherwise noted]

§ 1390.12 *Maximum prices; leases.* (a) If for any machine or part the lessor thereof had a published or established rental rate in effect on October 1, 1941, (as defined in § 1390.5 (c)), the maximum rental rate shall be determined as provided in § 1390.5.

[Paragraph (a) amended by Am. 106, 8 F.R. 16132, effective 12-1-43]

(b) If for any machine or part, the lessor thereof had no published or established rental rate in effect on October 1, 1941, the maximum rental rate shall be the rental rate approved in writing by the Office of Price Administration after the lessor has submitted the report required by subparagraph (1). Such rental rate shall be in line with the rental rates charged on October 1, 1941, for the rental of machines or parts the same as, or similar to, the one being rented. Unless the Office of Price Administration shall in writing within 30 days after receipt of the report required by subparagraph (1) disapprove the maximum price as reported, such price shall be deemed to have been approved, subject to disapproval or adjustment at any time by the Office of Price Administration. Within five days prior to the filing of such report and during such 30 day period, such lessor may quote, contract, or lease any such machine or part at the proposed rental and may make delivery, but no rental payment shall be made until a maximum rental rate has been established either by the approval of the Office of Price Administration or its failure to disapprove within 30 days after receipt of the lessor's report. Payment shall be in accordance with the established maximum rental rate. No rental payment shall be received by a person who has leased a machine or part without submitting a report required by this paragraph. The Office of Price Administration may of its own accord set the maximum rental rate for any machine or part which has been delivered under a lease or rental and for which the report required by this paragraph has not been submitted to the Office of Price Administration within five days after delivery. Such a maximum rental rate shall be in line with the level of maximum rental rates authorized by this section.

(1) The lessor of a machine or part shall file a report with the Office of Price Administration, Washington, D. C., containing a description in detail of the machine or part he proposes to rent, including the name of the manufacturer and the model number, the proposed rental rate, the proposed billing date, and the relevant price data used by the lessor in arriving at the proposed rental rate. If such lessor desires such rental to become the maximum rental applicable to subsequent leases and deliveries of such a machine or part, a statement that the report is also filed pursuant to § 1390.13 should be included.

[Paragraph (b) amended by Am. 93, 8 F.R. 8889, effective 7-1-43 and Am. 106, 8 F.R. 16132, effective 12-1-43; subparagraph (b) (2) revoked by Am. 93.

§ 1390.13 *New list prices.* (a) Any person who desires or is required in writing by the Office of Price Administration to establish a list price for any machine or part or machinery service shall file a report pursuant to paragraph (b) hereof, containing a proposed price determined under §§ 1390.7 or 1390.8 (Manufacturer's Sales), 1390.9 (Machinery Services), 1390.10 (Re-seller's Sales), or 1390.12 (Leases), and such price shall thereafter be the maximum price: *Provided,* That the Office of Price Administration either approves such price in writing or fails to disapprove it within thirty days after receipt of the report. Such price may be disapproved only on the ground that it was not computed in accordance with the applicable provisions of this regulation or because the Office of Price Administration finds that a computation at a later date may result in a lower maximum price.

(b) Under the circumstances set forth in paragraph (a), a report shall be filed with the Office of Price Administration, Washington, D. C., containing the proposed list price, the proposed effective date, the class or classes of purchasers to whom such price is to be quoted, all relevant data used in determining such price, and evidence that such price was determined in accordance with the applicable provisions of this regulation.

(c) This section is not applicable to manufacturers' maximum prices for any machine or part that must be priced under § 1390.6.

[Paragraph (c) added by Am. 116, 9 F.R. 4134, effective 4-18-44]

§ 1390.14 *Reports on cost-plus contracts.* Any person who has agreed to sell or deliver any machine or part or to perform any manufacturing service pursuant to a cost-plus-a-fixed-fee or cost-plus-a-percentage-of-cost contract shall on or before August 1, 1942, or within ten days after entering into such contract file a report with the Office of Price Administration, Washington, D. C., containing a copy or a summary of such contract.

§ 1390.15 *Emergency service charges.* Notwithstanding any other provision of this regulation, any manufacturer or machinery service supplier may add to the maximum price for a machine or part or machinery service the extra material cost resulting from his purchasing materials (not including parts and subassemblies), in an emergency and at the request of the customer, from a source more expensive than the current usual source. Also, any manufacturer, other seller, lessor or machinery service supplier may add to the maximum price for a machine or part or a machinery service his extra transportation cost resulting from his shipping the machine or part or materials used in the production of the machine or part or the supplying of the machinery service, in an emergency and at the request of the customer, by means more expensive than the current usual method of shipping. No markup, overhead or profit shall be applied to the extra material or transportation cost. The extra charges allowed by this paragraph shall be billed separately on the invoice, and a copy of the invoice must be immediately forwarded to the Machinery Branch, Office of Price Administration, Washington, D. C.

[§ 1390.15 amended by Am. 106, 9 F.R. 9032, effective 2-26-44.]

§ 1390.16 *Federal and state taxes.* (a) Any tax levied by any statute of the United States or statute or ordinance of any state or subdivision thereof which the seller on October 1, 1941, added to the price paid by the purchaser shall not be included in the maximum price but may be collected by the seller in addition to the maximum price if such tax is stated separately from the purchase price, except that such tax need not be stated separately if it is measured by the seller's cost of such machine or part.

(b) Any tax upon the sale or delivery of a machine or part and any compensating use tax upon a machine or part levied by any statute of the United States or statute or ordinance of any state or subdivision thereof and becoming effective on or after October 1, 1941, may also be collected by the seller making such taxable sale or delivery in addition to the maximum price if such tax is stated separately from the purchase price, unless the seller had increased his price on or before October 1, 1941, to reflect such new or increased tax, except that such tax need not be stated separately if it is measured by the seller's cost of such machine or part.

[Paragraphs (a) and (b) amended by Am. 54, 7 F.R. 9729, effective 11-25-42]

(c) (1) Any separately stated tax paid by a purchaser for resale upon the purchase of a machine or part may be collected by such purchaser in addition to the maximum price upon the resale of such machine or part unless the purchaser's price in effect on October 1, 1941, reflected the amount of such tax.

(2) Any tax paid by a manufacturer upon the purchase of a part which can be delivered separately from the principal assembly of the complete machine may also be collected by the manufacturer upon the sale of the complete machine, as well as upon the sale of the part separately, if such tax is stated separately from the purchase price, unless the manufacturer's price for the machine or for the part in effect on October 1, 1941, reflected the amount of such tax.

§ 1390.17 *Export sales.* The maximum price at which a person may export a machine or part shall be determined in accordance with the methods provided in the Maximum Export Price Regulation[1] issued by the Office of Price Administration. An "export sale" is any sale between a seller in the Continental United States and a purchaser outside thereof in which the commodity sold is transported from the Continental United States to a point outside thereof and includes any sale of a commodity outside the Continental United States by an agent of the exporter or by a corporation owned or controlled by the exporter within a period of two years after the date of shipment of the commodity from the Continental United States.

§ 1390.18 *Contract prices, renegotiations, price-adjustment agreements, and price increases*—(a) *Existing contracts.* Notwithstanding the provisions of § 1390.3, any person may until September 1, 1942, deliver, perform, or receive, or make or receive payment for, any machine or part or machinery service pursuant to a contract entered into prior to July 22, 1942, at the price provided in such contract: *Provided,* That on or before September 1, 1942, the contract price shall be revised so as not to exceed the maximum price computed in accordance with the provisions of this regulation and that refunds or other allowances in accordance with such recomputation are made as to deliveries made or services performed on or after July 22, 1942. In computing the maximum price for purposes of this section, no upward adjustment shall be made, and no downward adjustment need be made, for changes in the clock hours of labor or in the quantities of materials required or estimated to be required, which have occurred since the date of entering into the contract or since the date of the last change in the contract price.

[Paragraph (a) amended by Am. 25, 7 F.R. 7912, effective 10-9-42]

(b) *Prices for deliveries pursuant to a firm-price contract.* Except as provided in § 1390.7 (c) (4), when the maximum price applicable to a firm price contract for the sale and delivery of any machine or part or for machinery services has been determined in accordance with the provisions of this regulation, the maximum price need not be recomputed for any subsequent deliveries pursuant to such contract unless the contract price is revised by renegotiation or adjustment in accordance with paragraphs (c) or (d) of this section.

[Former paragraph (c) amended by Am. 106, 8 F.R. 16132, effective 12-1-43; and revoked by Am. 116, 9 F.R. 4134, effective 4-18-44. Former (d), (e), (f), and (g) redesignated (c), (d), (e), and (f).]

(c) *Renegotiations.* If a contract for the sale and delivery of machines and parts or for machinery services has been or is entered into at a price which does not exceed the maximum price, computed as of the time of entering into such contract, or has been revised in accordance with any of the provisions of this section, the contract price may be reduced at any time without recomputation of the maximum price, and may be increased by renegotiation if the price, as so increased, does not exceed the maximum price computed as of the time of such renegotiation and if a report is made pursuant to paragraph (f) of this section.

(d) *Adjustable pricing.* If the seller, lessor or supplier wishes, he may agree with the buyer or lessee to charge a price which can be increased up to the maximum price in effect at the time of delivery. Where the seller or supplier has filed an application for adjustment under § 1390.25a, he may, in accordance with the provisions of that section, deliver at a price which will be adjusted upwards in accordance with the action taken by the Office of Price Administration on his application. In all other cases, unless authorized by the Office of Price Administration, the seller, lessor or supplier must not deliver at a price which is to be adjusted upwards in accordance with action by the Office of Price Administration after delivery. This authorization will be given only where: (1) a request for a change in the applicable price is pending; (2) authorization is necessary to promote distribution or production; and (3) it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

[Paragraph (d), formerly (e), amended by Am. 104, 8 F.R. 15462, effective 11-9-43]

(e) *New contracts.* Whenever a new contract is entered into for the sale and delivery of machines or parts or for machinery services for which there was no published list price or established price in effect on October 1, 1941, and which has previously been sold or supplied, the applicable maximum price shall be recomputed as of the time of entering into the new contract. For the purposes of this regulation any extension of an existing contract which provides for the delivery of a greater number of machines or parts, or for a greater number of hours or other units of machinery services, than were originally contracted for shall be deemed to be a new contract.

(f) *Price increases.* If the price of any machine or part or machinery service computed in accordance with the provisions of § 1390.7 is at any time increased above the price charged on the

[1] 2d Revision: 8 F.R. 4183, 5087, 7662, 9098, 15193; 9 F.R. 1036.

previous sale or delivery or is increased above the original contract price by renegotiation or by a price adjustment clause, unless the increase is definitely assignable to a change in specifications or a change in conditions of delivery, the seller thereof shall file with the Office of Price Administration, Washington, D. C., within ten days after making any sale or delivery at such increased price, or agreeing upon such increased price, a report containing: (1) a description of the machine or part or machinery service; (2) the price on the sale prior to the price increase, the date of such sale and the name and description of the purchaser; (3) the price charged on October 1, 1941, or on the first sale subsequent thereto, and the date of such sale; (4) the new price; (5) the date of entering into the contract providing the increased price; (6) the name and description of the purchaser; and (7) an explanation of the higher price: *Provided*, That if the price of a machine or part or machinery service has previously been reported pursuant to this paragraph without objection from the Office of Price Administration, the manufacturer shall not be required to report subsequent sales or deliveries at the same or a lower price.

§ 1390.19 *Less than maximum prices.* Lower prices, rentals, or charges than those set forth in this regulation may be charged, demanded, paid or offered.

§ 1390.20 *Evasion.* (a) It shall be a violation of this regulation to effect a price increase above the applicable maximum price in connection with any sale, lease or delivery of any machine or part, or with the supplying of any machinery service by changing discounts or customary price differentials among classes of purchasers; by making minor changes in machines or parts or machinery services having published price lists or established prices in effect on October 1, 1941, (as defined in § 1390.5 (c)); by requiring a customer to furnish material for processing not in accordance with previous practice; by entering into a joint venture with any other person subject hereto for cross-selling, cross-purchasing, or cross-servicing; by reducing the period of any guaranty or warranty of performance; by eliminating or reducing any maintenance, repair or installation service; by undervaluing commodities received in trade; by eliminating or reducing rental credits on purchases; or by any other change in terms or conditions of sale, lease, or contract. It shall also be a violation of this regulation for any person to pay, in connection with the purchase or rental of any machine or part, whether new or used, or the purchase of any machinery service, any fees, commissions, or other compensation, whether for broker's, agent's or finder's services, or otherwise, which, when added to the amount paid by such person for the purchase or rental of such machine or part or the purchase of such machinery service would result in a total sum exceeding the applicable maximum price established by this regulation.

[Paragraph (a) amended by Am. 96, 8 F.R. 10662, effective 8-12-43 and Am. 106, 8 F.R. 16132, effective 12-1-43]

(b) The Office of Price Administration may, upon request, grant written permission to any person subject to this regulation, to change a term or condition of sale, lease or contract in effect on October 1, 1941 where such change is necessitated by orders issued by the War Production Board, the Board of Governors of the Federal Reserve System or any other agency of the United States, or by other conditions caused by the war.

§ 1390.21 *Developmental contracts and subcontracts.* (a) This regulation shall not apply to any sale or delivery of a machine or part or to any machinery service performed pursuant to a contract or subcontract certified in writing to the Office of Price Administration by the United States or any agency thereof as being developmental: *Provided*, That a report is filed pursuant to paragraph (b). For the purposes of this section, a contract is deemed to be "developmental" during the period required for the selection of a product by the purchaser or for the accumulation of sufficient production experience by the manufacturer or supplier to permit a fair estimate of the manufacturing costs, or both. After the Office of Price Administration shall have determined after consultation with the appropriate government agency that the period necessary for development has expired, and has in writing so notified such agency and the manufacturer or machinery service supplier, this regulation shall apply to all subsequent sales and deliveries of such machine or part or to all such machinery services performed thereafter.

(b) Within ten days after entering into any such developmental contract or subcontract the manufacturer or machinery service supplier shall file a report with the Office of Price Administration, Washington, D. C., containing a description of the product or products to be manufactured or the machinery services to be supplied, a summary of the terms of the contract or subcontract including all pricing provisions, a short statement of the production plan of which this contract is a part, and an estimate of the expected duration of such developmental work. For any such contract or subcontract in effect on July 22, 1942 such report shall be filed prior to August 15, 1942.

(c) In the case of a developmental contract or subcontract which is also classified as "confidential" or "restricted" by any agency of the United States, if such agency states that such contract is "confidential" or "restricted" in the certification required by paragraph (a), the provisions of paragraph (b) shall not be applicable.

[Paragraph (c) added by Am. 81, 8 F.R. 5567, effective 5-1-43]

§ 1390.22 *Secret contracts.* This regulation shall not apply to any sale or delivery of a machine or part or to the sale of any machinery service pursuant to a contract or subcontract which is deemed to be a "secret" contract and is so certified to the Office of Price Administration by the United States or any agency thereof. Such certification shall set forth the date of the "secret" contract and its number or other designation. After the Office of Price Administration shall have received notice from the United States or the certifying agency that such contract is no longer deemed to be secret, this regulation shall apply to all subsequent sales and deliveries of such machine or part, or to all such machinery services completed thereafter.

§ 1390.23 *Emergency purchases.* (a) This regulation shall not apply to any sale or delivery pursuant to any emergency purchase by the United States or any agency thereof for immediate delivery of any machine or part or immediate performance of any machinery service: *Provided*, That if the total price exceeds $500, a report is filed pursuant to paragraph (b).

(b) Within ten days after making any such emergency purchase in the amount of more than $500, at a price which is known or suspected by the purchaser to be in excess of the maximum price, any person making such purchase on behalf of the United States or any agency thereof shall file a report with the Office of Price Administration, Washington, D. C., certifying that such purchase was made in a situation in which it was imperative to secure the machine, part, or machinery service immediately and in which it was impossible to secure, or unfair to require, immediate delivery or performance at the applicable maximum price and setting forth (1) the name and address of the seller or supplier; (2) date of purchase; (3) date of delivery or performance; (4) description of the machine or part purchased or machinery service performed; (5) quantity purchased; (6) price at which purchased; and (7) a brief statement of the facts giving rise to the emergency situation which necessitated the purchase at a price higher than the applicable maximum price.

§ 1390.24 *Privileges accorded to certain foreign governments.* The privileges accorded to the United States or any agency thereof by § 1390.21 (Developmental contracts and subcontracts), § 1390.22 (Secret contracts) and § 1390.23 (emergency purchases) shall apply to the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States," or to any agency of any such government.

§ 1390.25 *Petitions for amendment.* (a) *Amendments.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

[Section heading amended by Am. 78, 8 F.R. 4516, effective 4-10-43. Former paragraph (a) amended by Am. 1, 7 F.R. 5665, effective 7-22-42 and revoked by Am. 78. Paragraph (b) revoked by Am. 87, 7 F.R. 9633, effective 12-1-42. Former paragraph (c) amended by Supplementary Order 26, 7 F.R. 9048, effective 11-4-42 and redesignated (a) by Am. 78]

(1) *Mica capacitors.* Notwithstanding any other provisions of this regulation, manufacturers of mica capacitors may add to the maximum price provided herein increases in unit cost due to increases realized subsequent to March 31, 1942, in the cost of block mica and in the cost of splitting and cutting mica film, except that nothing in this subparagraph shall permit the addition of an increase in cost due to an increase in labor rates subsequent to March 31, 1942.

[Subparagraph (1) added by Am. 1, 7 F.R. 5665, effective 7-22-42]

(2) *American Saw Mill Machinery Company.* Notwithstanding the provisions of §§ 1390.5 and 1390.6 the maximum price applicable to the sale to any purchaser of any item of woodworking or sawmill machinery, manufactured and sold by the American Saw Mill Machinery Company, Hackettstown, New Jersey, shall be the list price for such item in effect on October 1, 1941, subject to the discounts in effect to purchasers of the same class on November 1, 1941, and the maximum price applicable to the sale to any purchaser of any radial saw or part thereof manufactured and sold by said Company shall be the list price in effect on October 1, 1941, subject to the discounts in effect to purchasers of the same class on February 20, 1942.

[Subparagraph (2) added by Am. 4, 7 F.R. 6682, effective 8-26-42]

(3) *Monarch Engineering and Manufacturing Company.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum price applicable to the sale of any industrial furnace, oven or ladle heater manufactured and sold by the Monarch Engineering and Manufacturing Company, Baltimore, Maryland, for which such Company had a published or confidential list price in effect on October 1, 1941 shall be the net price determined in accordance with the provisions of § 1390.5, plus an amount equal to 4½% of such net price.

[Subparagraph (3) added by Am. 5, 7 F.R. 6682, effective 8-26-42]

(4) *Middlesex Manufacturing Company.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum price applicable to the sale of any shoe rack or accessory manufactured and sold by the Middlesex Manufacturing Company, Medford, Massachusetts, for which such Company had a published or confidential list price in effect on October 1, 1941, shall be the net price determined in accordance with the provisions of § 1390.5, plus an amount equal to 10% of such net price.

[Subparagraph (4) added by Am. 6, 7 F.R. 6682, effective 8-26-42]

(5) *Petrometer Corporation.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum price applicable to the sale of any mechanical instrument or part manufactured by Petrometer Corporation, Long Island City, New York, shall be determined pursuant to the provisions of § 1390.5, except that the date October 27, 1941 shall be substituted for the date October 1, 1941, wherever that date appears in § 1390.5.

[Subparagraph (5) added by Am. 7, 7 F.R. 6899, effective 9-4-42]

(6) *Select-O-Phone Company, a division of Screw Machine Products Company, Inc.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum price applicable to the sale of any of the private automatic telephones and parts therefor, manufactured and sold by the Select-O-Phone Company, a division of Screw Machine Products Company, Inc., 1012 Eddy Street, Providence, Rhode Island, for which the Select-O-Phone Company had a published or confidential list price in effect on October 1, 1941, shall be the price contained in the January 15, 1942, price lists issued by said Select-O-Phone Company.

[Subparagraph (6) added by Am. 8, 7 F.R. 6964, effective 9-2-42]

(7) *Filtration Engineers, Incorporated.* Notwithstanding the provisions of § 1390.7, the maximum price applicable to the sale by Filtration Engineers, Incorporated of any filter or part for which it had no published or confidential list price in effect on October 1, 1941, shall be determined in accordance with the provisions of § 1390.7, except that the price-determining method in effect on October 1, 1941, shall be modified in that manufacturing or factory overhead shall be calculated as 150% of direct labor cost (instead of 100%).

[Subparagraph (7) added by Am. 9, 7 F.R. 6964, effective 9-2-42]

(8) *International Telephone and Radio Manufacturing Corporation.* Notwithstanding the provisions of §§ 1390.5 and 1390.6 the maximum price applicable to the sale of any selenium rectifier stacks and parts manufactured and sold by the International Telephone and Radio Manufacturing Corporation, East Newark, New Jersey, for which said Corporation had a published or confidential list price in effect on October 1, 1941, shall be the price determined in accordance with the following method: Material costs as of October 1, 1941, plus labor rates in effect on March 31, 1942, plus factory overhead of 100% of direct labor costs at such rates, plus administrative, commercial and developmental expense of 15% of sales, plus a markup of 10% of the aggregate of the aforesaid factors. The discounts which the said corporation may use shall be the discounts filed by it with the Office of Price Administration on or before July 14, 1942. A report of its new list prices computed in accordance with the aforesaid method, shall be filed by the Corporation, pursuant to § 1390.13.

[Subparagraph (8) added by Am. 10, 7 F.R. 6965, effective 9-2-42]

[Subparagraph (9) added by Am. 11, 7 F.R. 6937, effective 8-28-42; amended and redesignated paragraph (n) of § 1390.2 by Am. 56, 7 F.R. 9699, effective 11-26-42]

(10) *Counties of the State of Michigan.* Notwithstanding the provisions of §§ 1390.5 and 1390.12, the maximum price applicable to the rental of any machine or part to the State of Michigan by the Board of County Road Commissioners of any County of the State of Michigan shall be the price agreed upon between the State of Michigan and its Counties on July 21, 1942, as set forth in the rate sheets filed with the Office of Price Administration on August 17, 1942.

[Subparagraph (10) added by Am. 14, 7 F.R. 6978, effective 9-8-42]

(11) *Gilfillan Machine Works, Inc.* Notwithstanding the provisions of § 1390.5, the maximum price applicable to the sale by Gilfillan Machine Works, Inc., of Ebeneser, New York, of its Type DS No. 816 House Service Gas Regulator, shall be $8.00; the maximum price applicable to the sale by said Company of any other machine or part for which a list price was, in effect on October 1, 1941, shall be the maximum price determined in accordance with the provisions of § 1390.5, except that the 2% ten day cash discount may be eliminated.

[Subparagraph (11) added by Am. 17, 7 F.R. 7320, effective 9-21-42]

(12) *Northwestern Motor Company.* Nothwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum price applicable to the sale of any railway motor car manufactured and sold by the Northwestern Motor Company, Eau Claire, Wisconsin, for which the said Company had a published or confidential list price in effect on October 1, 1941, shall be the net price determined in accordance with the provisions of § 1390.5 plus Sixty Dollars ($60), when such car is one of the following series, viz:

No. 561-V8-85.... Extra gang car.
No. 561-HV-8-85. Hump and extra gang car.
No. 581-V8-85.... Power ballast discer.

[Subparagraph (12) added by Am. 18, 7 F.R. 7365, effective 9-16-42]

(13) *Jeff Hunt Road Machinery Company.* Notwithstanding the provisions of § 1390.9, the maximum price applicable to the performance by the Jeff Hunt Road Machinery Company of Columbia, South Carolina, of any of the machinery services listed below shall be $1.75 per hour for straight time and $2.20 per hour for overtime, on the basis of a 56-hour work week:

Services of field serviceman.
Services of serviceman helper.
Travel time (for each man over one).
Painting.
Services of mechanic.
Services of mechanic's helper.
Welding, acetylene or electric.
Services of machinist.
Services of blacksmith.
Cleaning, high-pressure steam.

This paragraph shall not apply to rates for track work on crawler tractors and for removing and replacing track shoes.

[Subparagraph (13) added by Am. 19, 7 F.R. 7509, effective 9-26-42]

(14) *J. A. Lang & Sons Co.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum prices applicable to the sale of any laundry listing machine or part manufactured by J. A. Lang & Sons Co., Boston, Massachusetts shall be determined pursuant to the provisions of § 1390.5, except that the date November 1, 1941, shall be substituted for the date October 1, 1941 wherever that date appears in § 1390.5.

[Subparagraph (14) added by Am. 20, 7 F.R. 7602, effective 9-30-42]

(15) *Micro-Westco, Inc.* Notwithstanding the provisions of § 1390.9 the maximum charge applicable to the servicing of machines by Micro-Westco, Inc., Bettendorf, Iowa, shall be at the rate of $2.65 per hour, including travel-time

when performed during the regular hours of the working day.

[Subparagraph (15) added by Am. 21, 7 F.R. 7739, effective 10-3-42]

(16) *The Electro Motive Manufacturing Company.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, on and after July 22, 1942, the maximum price applicable to the sale and delivery of any capacitor or part manufactured and sold by Philip and Josephine Lauter, doing business under the firm name and style of The Electro Motive Manufacturing Company, Willimantic, Connecticut, for which the company had a published or confidential list price in effect on October 1, 1941, shall be the price for such item filed by the company with the Office of Price Administration as part of price computations accompanying protest docketed as No. 1136-223-P.

[Subparagraph (16) added by Am. 22, 7 F.R. 7744, effective 9-28-42]

(17) *Teesdale Manufacturing Company.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum price applicable to the sale of any automatic pump or automatic force pump manufactured by the Teesdale Manufacturing Company, Grand Rapids, Michigan, shall be determined pursuant to the provisions of § 1390.5, except that the date February 1, 1942 shall be substituted for the date October 1, 1941 wherever that date appears in § 1390.5.

[Subparagraph (17) added by Am. 23, 7 F.R. 7907, effective 10-8-42]

(18) *Brandtjen & Kluge, Inc.* Notwithstanding the provisions of § 1390.11, the maximum price applicable to the sale of a rebuilt Brandtjen & Kluge press by Brandtjen & Kluge, Inc., of St. Paul, Minnesota, guaranteed for one year, shall be 90% of the highest maximum price to any class of purchasers for the nearest equivalent new Brandtjen & Kluge press established by this regulation, the resultant price to be subject to the applicable discount or discounts in effect on October 1, 1941.

[Subparagraph (18) added by Am. 26, 7 F.R. 7945, effective 10-5-42]

(19) *The Parks Woodworking Machine Company.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum price applicable to the sale by The Parks Woodworking Machine Company, Cincinnati, Ohio, of any woodworking machine except the No. 95 12" Heavy Duty Planer shall be determined pursuant to the provisions of § 1390.5, except that the date November 15, 1941, shall be substituted for the date October 1, 1941 wherever that date appears in § 1390.5: *Provided*, That said company shall have notified its dealers that they may not charge prices higher than their maximum prices established by this regulation. The maximum price for the No. 95 12" Heavy Duty Planer shall be determined pursuant to the provisions of § 1390.5.

[Subparagraph (19) added by Am. 29, 7 F.R. 8198, effective 10-15-42]

(20) *Union Fork and Hoe Company.* Notwithstanding the provisions of §§ 1390.5 and 1390.6 the maximum price applicable to the sale of twenty-three (23) #303 Rome Diesel Powered Road Graders manufactured by the Rome Grader and Machinery Division of the Union Fork and Hoe Company, Columbus, Ohio, shall be $5,000.54 net each: *Provided*, That if any such grader is sold to a dealer, the said Company shall notify such dealer that he may not resell such grader at a price in excess of his maximum price for such grader established by this regulation.

[Subparagraph (20) added by Am. 30, 7 F.R. 8198, effective 10-6-42]

(21) *Lead acid storage batteries and parts.* Notwithstanding any other provisions of this regulation, the maximum price applicable to the sale by any person subject to this regulation of any lead acid storage battery or part shall be the higher of the following:

(i) The net price determined in accordance with the applicable provisions of §§ 1390.5, 1390.7 or 1390.10, plus an amount not exceeding one cent for each pound, or major fraction of a pound, of lead contained in such battery or part; or

(ii) The net price determined in accordance with the applicable provisions of §§ 1390.5, 1390.7 or 1390.10, but substituting in such sections the date February 1, 1942, for the date October 1, 1941.

[Subparagraph (21) added by Am. 31, 7 F.R. 8362, 8433, effective 10-15-42 and amended by Am. 61, 7 F.R. 10230, effective 11-7-42, Am. 70, 8 F.R. 3314, effective 3-22-43, and Am. 106, 8 F.R. 16132, effective 12-1-43]

(22) *Elmira Lubricator Company, Inc.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum price applicable to the sale by Elmira Lubricator Company, Inc., Elmira, New York, of any lubricating device manufactured by it shall be determined pursuant to the provisions of § 1390.5, except that the date January 1, 1942 shall be substituted for the date October 1, 1941 wherever that date appears in § 1390.5.

[Subparagraph (22) added by Am. 33, 7 F.R. 8520, effective 10-26-42]

(23) *Hunter Tractor and Machinery Company.* Notwithstanding the provisions of § 1390.9, the maximum charge applicable to any machinery service supplied by Hunter Machinery Company, Milwaukee, Wisconsin, in connection with the repair, rebuilding and maintenance of machines and parts shall be the rate of $2.05 per hour.

[Subparagraph (23) added by Am. 34, 7 F.R. 8652, effective 10-29-42]

(24) *The Tabor Manufacturing Company.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum price applicable to the sale by The Tabor Manufacturing Company, Philadelphia, Pennsylvania of a Jar-Ram, Power Squeeze, Trunnion type, Rollover Machine with 15" diameter squeeze cylinder, electrically operated, shall be $2750 f. o. b. Philadelphia.

[Subparagraph (24) added by Am. 35, 7 F.R. 8707, effective 10-30-42]

(25) *The Topeka Foundry and Iron Works Company.* Notwithstanding the provisions of § 1390.9, the maximum charge applicable to any machinery service supplied by the Topeka Foundry and Iron Works Company, Topeka, Kansas, in connection with the repair, rebuilding and maintenance of machines and parts shall be at the rate of $2.20 per hour.

[Subparagraph (25) added by Am. 38, 7 F.R. 9040, effective 11-10-42]

(26) *American Raw Hide Products Co.* Notwithstanding any other provisions of this regulation, the maximum price applicable to the sale of any loom picker manufactured by American Raw Hide Products Co., Providence, Rhode Island, shall be the price determined in accordance with this regulation, multiplied by 1.4.

[Subparagraph (26) added by Am. 39, 7 F.R. 9040, effective 11-10-42]

(27) *J. F. Kidder Manufacturing Co., Inc.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum price applicable to the sale by J. F. Kidder Manufacturing Co., Inc., of any of the punches and dies listed on page 4, column 1, of its catalogue No. 41 dated September 1, 1941, shall be determined in accordance with the provisions of § 1390.5 except that the 10% discount for such punches and dies when sold in dozen lots may be eliminated.

[Subparagraph (27) added by Am. 40, 7 F.R. 9040, effective 11-4-42]

(28) *Aget Manufacturing Company.* Notwithstanding the provisions of § 1390.5, the maximum price applicable to the sale by Aget Manufacturing Company, Adrian, Michigan, of the "Dustkop" dust collector shall be $85.

[Subparagraph (28) added by Am. 41, 7 F.R. 9040, effective 11-4-42]

(29) *L. H. Cook Research Laboratories, Limited.* Notwithstanding the provisions of § 1390.5, the maximum price applicable to the sale by L. H. Cook Research Laboratories, Limited, of any standard depth pressure recorder shall be the price determined in accordance with § 1390.5 multiplied by 1.1.

[Subparagraph (29) added by Am. 42, 7 F.R. 9041, effective 11-4-42]

(30) *Air Associates, Inc.* Notwithstanding any other provisions of this regulation, the maximum price applicable to a domestic sale by Air Associates, Inc., Bendix, New Jersey, of any Propeller Governor Test Unit-Type 820 shall be $2158.

[Subparagraph (30) added by Am. 43, 7 F.R. 9041, effective 11-4-42]

(31) *John E. Fast & Co.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum price applicable to the sale of any electrostatic condenser #CB-304 manufactured and sold by John E. Fast & Co., Chicago, Illinois to F. R. Mallory & Co., Inc., Indianapolis, Indiana shall be $24.30 per hundred: *Provided*, That John E. Fast & Co. shall notify F. R. Mallory & Co., Inc. that F. R. Mallory & Co., Inc. may not resell such condenser in excess of the maximum price applicable to the sale of such condenser by F. R. Mallory & Co., Inc. established by this regulation.

[Subparagraph (31) added by Am. 44, 7 F.R. 9041, effective 11-4-42]

(32) *Sterling Electrical Motors, Inc.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum price applicable to the sale and delivery to any purchaser, of any electrical motor, generator or industrial control manufactured and sold by Sterling Electrical Motors, Inc., Los Angeles, California for which the Corporation had a published or confidential list price in effect on October 1, 1941 shall be such list price for such item, subject to the discount, to a purchaser of the same class, provided in the Optional Discount Schedule attached as Exhibit A to Administrative Notice No. 1, issued by the Office of Price Administration on April 16, 1942.

[Subparagraph (32) added by Am. 45, 7 F.R. 9041, effective 11-4-42]

(33) *Tempest Products Manufacturing Co.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum price applicable to the sale by Tempest Products Manufacturing Co., Indianapolis, Indiana of its Check-N-Spect machine to Bowes Seal Fast Corporation, Indianapolis, Indiana shall be $16.50 each: *Provided*, That Tempest Products Manufacturing Co. shall notify Bowes Seal Fast Corporation that Bowes Seal Fast Corporation may not charge a price higher than its maximum price established by this regulation.

[Subparagraph (33) added by Am. 46, 7 F.R. 9041, effective 11-4-42]

(34) *John E. Mitchell Co.* Notwithstanding the provisions of § 1390.5, the maximum price applicable to the sale by John E. Mitchell Company, Dallas, Texas, of bristle brushes for use in the Mitchell cotton cleaning machine shall be $2.25.

[Subparagraph (34) added by Am. 47, 7 F.R. 9042, effective 11-4-42]

(35) *Frick-Reid Supply Corporation.* Notwithstanding the provisions of §§ 1390.5 and 1390.10 (a) and (b), the maximum prices applicable to the sale of any of the items listed below by Frick-Reid Supply Corporation, Tulsa, Oklahoma, shall be the price set opposite each such item:

Item	Manufacturer	Maximum prices (manufacturer's list prices in effect October 1, 1941)
Leather Valve Cups.		
Dry Pressed Leather	C. L. & W. W. Auer (Corry, Pa.)	Less 76%.
Dry Pressed and Polished		Less 74%.
Star		Less 55%.
Forged Steel Ring Joint Flange Unions: 2", 2½", 3", 4", 6", 8".	Walworth Co. (New York, N. Y.)	Less 33⅓.
Casing Spiders:		
Solid type:		
4½"–5½" sizes	Larkin Packer Co. (St. Louis, Mo.)	Less 10%.
7" O D size		Less 17–5%.
8¾" O D and larger		Less 7%.
Split Type Spiders		Less 8%.
Slips or Wedges		Less 8%.
Hinderliter-Hildren Tubing Supports:		
4¼" or 5⅝6" x 2" tubing	Hinterliter Tool Co. (Tulsa, Okla.).	
x 2", 2½" or 3" tubing		
6½" or 6⅝6" x 2" tubing		
x 2", 2½" or 3" tubing		
2 4" tubing		
6¼" x 2" x 2", 2½" or 3" tubing		
4" tubing		
Pull Rod Couplings:		
No. 4320 ¾"	Axelson Mfg. Co. (Los Angeles, Calif.).	
No. 4330 ⅞"		
No. 4342 1"		

All the above items are subject to cash discount of 2% 20th Prox.

[Subparagraph (35) added by Am. 48, 7 F.R. 9042, effective 11-4-42]

(36) *A. K. Robins & Company.* Notwithstanding the provisions of § 1390.5, the maximum price applicable to the sale by A. K. Robins & Company, Baltimore, Maryland, of its Improved Stringless Bean Slitter shall be $850, equipped with belt drive, and $950 equipped with motor drive.

[Subparagraph (36) added by Am. 49, 7 F.R. 9053, effective 11-4-42]

(37) *Unique Manufacturing Company.* Notwithstanding the provisions of §§ 1390.4, 1390.5 and 1390.6, the maximum price applicable for the sale of any machine tool attachments manufactured by Unique Manufacturing Company, Omaha, Nebraska, shall be determined pursuant to the provisions of §§ 1390.5 and 1390.6 except that the date April 10, 1942 shall be substituted for the date October 1, 1941 wherever that date appears in §§ 1390.5 and 1390.6.

[Subparagraph (37) added by Am. 50, 7 F.R. 9053, effective 11-4-42]

(38) *AC Spark Plug Division of General Motors Corporation.* Notwithstanding the provisions of § 1390.5, (i) the maximum price applicable to the sale by AC Spark Plug Division of General Motors Corporation of any spark plug for military use for which the replacement price in March, 1942, was $0.28, shall be $0.15, whether sold for original equipment or as a replacement; (ii) the maximum price applicable to the sale by said Company of any patented Air Cleaner for military use for which the price in March, 1942, was $0.965, shall be $1.05.

[Subparagraph (38) added by Am. 51, 7 F.R. 9054, effective 11-4-42]

(39) *Louis Van Dorp Sheet Metal & Roofing Co., Inc.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum price applicable to the sale by Louis Van Dorp Sheet Metal & Roofing Co., Inc., Topeka, Kansas, of the following sizes of its combination water gauge lamp and guard manufactured for the Santa Fe Railway System shall be the price set forth below opposite each size:

	Per dozen
Size No. 3	$42.00
Size No. 4	43.00
Size No. 6	44.00
Size No. 7	48.00

[Subparagraph (39) added by Am. 52, 7 F.R. 9054, effective 11-4-42]

(40) *Machines and parts containing silver*—(i) *Maximum price.* Notwithstanding any other provisions of this regulation, except where another provision of this regulation permits the increase in cost due to the increased price of silver to be reflected in the maximum price (see §§ 1390.7 (c) (3) (i) and 1390.10 (c)), the maximum price for the sale by any seller of any machine or part containing silver shall be determined as follows: The maximum price shall be the sum of the price determined in accordance with all other applicable provisions of this regulation and an amount determined by multiplying the number of fine troy ounces of silver contained in the machine or part by 9.625 cents in the case of foreign silver and by 36.125 cents in the case of domestic or Treasury silver.

(ii) *Definitions.* When used in this paragraph, the term:

(a) "Domestic silver" means silver mined subsequent to July 1, 1939, from natural deposits in the United States or in any place subject to the jurisdiction thereof.

(b) "Treasury silver" means silver sold by the United States Treasury Department pursuant to an Act approved July 12, 1943, entitled "An Act to Authorize The Use for War Purposes of Silver Held or Owned by the United States" (Pub. Law 137, 78th Cong.).

(c) "Foreign silver" means any silver other than domestic or Treasury silver, as defined above.

[Subparagraph (40) added by Am. 53, 7 F.R. 9729, effective 11-25-42 and amended by Am. 108, 9 F.R. 2032, effective 2-26-44]

(41) *Sales of air conditioning and refrigerating equipment pursuant to War Production Board program.* (i) Notwithstanding any other provisions of this regulation, the maximum price applicable to the sale at the direction of the War Production Board of any industrial or commercial air conditioning or refrigerating equipment to the manufacturer of such equipment by a person using such equipment and not engaged in the business of selling such equipment, shall be the installed cost of such equipment to such user, less depreciation at the rate of 5% per year (except as provided in paragraph (b)); the maximum price applicable to the resale of any such equipment by the manufacturer on a reconditioned and guaranteed basis to a new user designated by the War Production Board shall be the total cost of the equipment to the manufacturer, including the cost of inspection, dismantling, and shipment to the manufacturer's plant, estimated if necessary; plus the cost of reconditioning the equipment, of shipment to the purchaser, and of installation, estimated if necessary; plus the amount of any other out-of-pocket expenses incurred in connection with such sale, estimated if necessary; plus a reasonable charge for engineering and a reasonable profit, not upon the cost to the manufacturer, but in the light of the manufacturer's risk and responsibility; *Provided*, That the amount of such profit,

together with a description of the transaction, has been submitted to the Office of Price Administration, Washington, D. C., for its review and that the Office of Price Administration has approved or failed to disapprove the amount of such profit within thirty days after receipt of the information.

(ii) If, upon a sale of industrial or commercial air-conditioning or refrigerating equipment by a state government, or any agency or political subdivision thereof, the War Production Board certifies to the Office of Price Administration prior to such sale that upon the basis of a competent engineering appraisal the 5% rate of depreciation, referred to in paragraph (a), does not fairly reflect the actual depreciation of such equipment to the date of such sale, the rate of depreciation fixed by, and set forth in the certification of, the War Production Board as fairly reflecting such actual depreciation shall be used in the determination of the maximum price of such sale instead of the 5% rate of depreciation.

[Subparagraph (41) added by Am. 55, 7 F.R. 9736, effective 11-27-42 and amended by Am. 68, 8 F.R. 1382, effective 2-5-43]

(42) *Essick Manufacturing Company.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum price applicable to the sale of any portable road roller or auto prime centrifugal pump listed below, manufactured and sold by Essick Manufacturing Company, Los Angeles, California, shall be the net price shown opposite the particular model on the following schedule:

Essick "Economy" Portable Road Roller	$735.00
Essick "Road Hog" Portable Road Roller	1,320.00
Essick 3M Auto Prime Centrifugal Pump	72.00
Essick 7M Auto Prime Centrifugal Pump	130.00
Essick 15M Auto Prime Centrifugal Pump	203.00
Essick 30M Auto Prime Centrifugal Pump	372.00

[Subparagraph (42) added by Am. 59, 7 F.R. 9974, effective 12-4-42]

(43) *Loom picker sticks and other textile machinery parts made of hickory*—(i) *Increase in maximum prices.* Notwithstanding any other provisions of this regulation, the maximum price calculated under this regulation apart from this subparagraph for any loom picker sticks and any other weaving and spinning hardwood parts made of hickory (such as: jack sticks, sweep sticks, binders, crank or pitman arms, skewers, parallel blocks, dobby sheaves, etc.) shall be increased by the amount provided in whichever of the following subdivisions (a) to (c) is applicable:

(a) *Manufacturers who buy picker stick blanks.* The amount to be added by any manufacturer who buys the hickory picker stick blanks from which he manufactures the parts involved shall be the combined dollar amount of the increases in the maximum price of the picker stick blanks going into the production of the picker sticks and other textile machinery parts made of hickory being priced, which became effective April 1, 1943 and April 8, 1943. Those increases shall be the amounts by which Order No. 16 under § 1499.18 (c), as amended, of the General Maximum Price Regulation and Amendment No. 151 to Supplementary Regulation No. 14* to the General Maximum Price Regulation increased the maximum price of hickory picker stick blanks sold or delivered by the manufacturer's supplier to the manufacturer, including any increase due to delivery charges that the supplier is permitted to make.

(b) *Manufacturers who make their own picker stick blanks.* The amount to be added by any manufacturer who makes the hickory picker stick blanks from which he manufactures the parts involved shall be an amount in line with the amounts to be added under (a) by comparable manufacturers who buy their hickory picker stick blanks, specifically authorized in writing by the Office of Price Administration. The manufacturer shall write to the Office of Price Administration, Washington, D. C., for such authorization.

(c) *Sellers other than manufacturers.* The amount to be added by any seller other than a manufacturer shall be the dollar amount by which the maximum price of the seller's supplier has been increased by this subparagraph on sales and deliveries to the seller. If the seller's supplier has notified the seller of the amount of such increase in accordance with subdivision (ii) and if the seller has no reason to doubt the validity of such notification, the amount of which the seller has been so notified shall be deemed to be the proper amount to be added under this subdivision (c).

(ii) *Notification by sellers who sell to purchasers for resale.* Every seller of loom picker sticks and other textile machinery parts made of hickory which are covered by this subparagraph, who sells such items to purchasers who buy for the purpose of resale, shall notify every such purchaser in writing of the amount by which the seller's maximum price to the purchaser has been increased on each such item calculated according to the appropriate provision in subdivision (i).

[Subparagraph (43) added by Am. 82, 8 F.R. 6306, effective 4-20-43]

(44) *Bobbins and spools.* Notwithstanding any other provisions of this regulation, the maximum manufacturers' prices for bobbins and spools calculated under this regulation apart from this subparagraph shall be increased by 6%.

[Subparagraph (44) added by Am. 105, 8 F.R. 15672, effective 11-22-43]

(45) *Machines and parts sold in accordance with Materials Redistribution Program No. 2 of the Petroleum Administrator for War.* Notwithstanding any other provisions of this regulation, the maximum price, f. o. b. the present location, of any new machine or part which is sold in accordance with Materials Redistribution Program No. 2 of the Petroleum Administrator for War, issued July 9, 1943, shall be:

The maximum price at which the seller could purchase the same quantity of the machines or parts being sold from his present supplier, f. o. b. his supplier's place of business, plus the cost of transportation (including trucking or cartage from railroad siding) from the supplier's place of business to the present location of the machine or part being sold. This does not include any storage, handling or other charges paid or incurred after the machine or part is received at the seller's plant or warehouse. For the purposes of this subparagraph, if the seller is notified by his supplier of the maximum price and if the seller has no reason to doubt the validity of such notification, the price of which the seller has been notified shall be deemed to be the maximum price.

[Subparagraph (45) added by Am. 106, 8 F.R. 16132, effective 12-1-43]

§ 1390.25a *Adjustments*—(a) *Application by a seller*—(1) *Who may receive an adjustment.* The maximum price established by this regulation for a machine or part may be adjusted in the case of an essential supplier of an essential machine or part. An "essential machine or part" is one which contributes to the effective prosecution of the war. An "essential supplier" is one whose output or supply of a machine or part cannot be reasonably expected to be replaced at prices lower than the proposed adjusted maximum price. In addition, any person who has entered into, or proposes to enter into, a war contract (as defined in subparagraph (5)), or a subcontract thereunder, is an essential supplier of an essential machine or part.

(2) *When adjustment may be granted*—(i) *In general.* The Office of Price Administration, any regional office, or such other offices as may be authorized by order issued by the appropriate regional office, may adjust the maximum price in the case of an essential supplier of an essential machine or part upon the basis of information submitted by the supplier or of other information. It may make that adjustment whenever it finds that the maximum price of a machine or part is at such a level that (taking into account the cost thereof, the profits position of the supplier and the nature of his business) production or supply of the machine or part is impeded or threatened and that the adjustment would not cause an increase in the cost of living.

(ii) *Factors which may be considered.* (a) The following factors are relevant to the consideration of whether production or supply of the machine or part is impeded or threatened:

(1) Whether, and by what amount, the maximum price is below or above (i) the total unit costs less selling and administrative expenses properly allocable to the internal management of the business in the case of a manufacturer and (ii) the current price being charged the seller in the case of any other seller.

(2) Whether, and by what amount, the maximum price is above total unit costs.

(3) Whether, and by what amount, the supplier's current over-all profits before income and excess profits taxes are greater or less than his average over-all profits during the normal base period, increased by 7% of the additional capital investment contributed entirely by the supplier, or its stockholders, since the normal base period.

(4) Whether the proposed price is higher than the price prevailing in the industry.

(5) Whether the supplier's sales of the machine or part represent only a very small part of his total sales.

(6) Whether the supplier previously sold the machine or part at a price which was below its total unit costs.

(b) The following factors are relevant to the consideration of whether the adjustment would cause an increase in the cost of living:

(1) Whether the machine or part or a commodity in the production of which it is used is of a type sold to civilian consumers other than industrial consumers.

(2) If such is the case, whether the increase in price allowed by the adjustment would be absorbed prior to sale to a non-industrial consumer.

(3) Whether, if the applicant did not produce or supply the machine or part, his output or supply would be replaced by the same or a substitute commodity only at prices equal to or higher than the proposed adjusted maximum price.

(3) *How the seller proceeds in applying for an adjustment*—(i) *In general.* An application for adjustment under this paragraph (a) shall be filed in accordance with Revised Procedural Regulation No. 1 and shall be made on a copy of Form OPA 694-178a, set out in paragraph (a) of Appendix E, incorporated as § 1390.36 of this regulation. Copies of this form may be obtained from any district, state or regional office of the Office of Price Administration. If the seller's total sales of all commodities in the calendar year 1942, or in the fiscal year ending in 1942, exceeded $500,000, the application shall be filed with the Office of Price Administration in Washington, D. C. If the seller's total sales of all commodities during that period did not exceed $500,000, the application shall be filed with the regional office of the Office of Price Administration located in the same region in which the seller's business is located.

(ii) *Application based on proposed wage or salary increase to be authorized by the National War Labor Board.* A seller who believes that the conditions for an adjustment set forth in this paragraph (a), would exist if the National War Labor Board should grant a pending application for wage or salary increase may file an application for adjustment under this paragraph. Applications for adjustment of maximum prices based on wage or salary increases requiring the approval of the National War Labor Board must also comply with Supplementary Order No. 28, which requires, among other things, that an application for adjustment in such case be filed within 15 days after an application for a wage or salary adjustment has been filed with the National War Labor Board, or, in a disputed wage proceeding, within 15 days after the employer receives notification that the National War Labor Board has taken jurisdiction of the dispute.

(4) *Prices for deliveries made pending disposition of the application.* A seller who has filed an application under this paragraph (a) may contract or agree that deliveries made during the pendency of the application shall be at a specific price which is higher than the existing maximum price which the seller wants to have adjusted. However, no payment in excess of that existing maximum price may be received until final disposition is made of the application. Where the application is disposed of by an order issued under this section, the price received for deliveries made subsequent to the filing of the application may not exceed the maximum price as determined by the Office of Price Administration. Where the application is disposed of by an amendment of general applicability, payment in excess of the maximum price in effect at the time of delivery may be made for deliveries made pending disposition of the application, only as expressly authorized by order of the Price Administrator.

[Above paragraph amended by Am. 116, effective 5-8-44]

A seller who wishes to enter into such an arrangement must specifically state to the buyer the following:

(i) The maximum price for the machine or part;

(ii) The fact that an appropriate application for an adjustment of that maximum price has been filed with the Office of Price Administration; and

(iii) The fact that the specific price quoted by the seller is subject to the approval of the Office of Price Administration.

(5) *Definitions*—(i) *Normal base period.* The term "normal base period" means the period 1936-1939. If the seller shall demonstrate to the satisfaction of the Office of Price Administration either (a) that his entire industry was operating during the greater part of such period at an unusually depressed level or (b) that because of unusual conditions prevailing during that period, the seller was operating during that period at an unusually depressed level in comparison to other sellers in the industry and in addition that some other period prior to January 1, 1941, represents a proper "normal base period", such other period may be considered. The mere fact that the rate of production or supply has increased since 1936-1939 will not be deemed evidence that the seller was operating at an "unusually depressed level" during that period. If the seller was not in business prior to January 1, 1941, he shall state that fact in his application.

(ii) *Over-all profits.* The term "over-all profits" means net profit resulting from the operation of all divisions of the seller, before the creation of any reserves, except ordinary reserves for depreciation and bad debts, and before income and excess profit taxes. In the case of a subsidiary wholly owned by a parent corporation, the term "over-all profits" means the consolidated net profit before the creation of any reserves, except ordinary reserves for depreciation and bad debts, and before income and excess profit taxes.

(iii) *Subcontract.* The term "subcontract" means any purchase, order or agreement to perform all or any part of the work, or to make or furnish any commodity, required for the performance of another contract or subcontract.

(iv) *Total unit costs.* (a) In the case of a manufacturer, the term "total unit costs" means the direct unit cost of labor, materials, and subcontracted services, plus a proportion of factory overhead, administrative and other expenses, based on actual operating experience, properly allocable to the production of the machine or part, but does not include provisions for income or excess profits taxes. In evaluating total unit costs, the Office of Price Administration will determine whether the allocation of factory overhead, administrative and other expenses is based on a representative period of continuous, normal production.

(b) In the case of a seller, other than a manufacturer, the term "total unit costs" means the current price the seller is paying for the machine or part plus the handling and administrative expense, normally applicable to the handling of the commodity, properly allocable to the seller's total cost of doing business, but does not include provisions for income or excess profits taxes. In evaluating total unit costs, the Office of Price Administration will determine whether the allocation of administrative and other expenses is based on a representative period of continuous, normal production.

(v) *War contract.* The term "war contract" means any contract with the United States, or any agency thereof, or with the government, or any agency thereof, of any country whose defense the President deems vital to the defense of the United States, under the terms of the Lend-Lease Act, for the sale of a machine or part purchased (a) for the ultimate use of the armed forces of the United States or for lend-lease purposes, or (b) by any government (or agency thereof) of any country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act, or (c) for use in the production or manufacture of any commodity described in (a) or (b).

[Paragraph (a) amended by Am. 92, 8 F.R. 8544, effective 6-25-43]

(b) *Application by a machinery service supplier.* Paragraph (a) applies, insofar as practicable, to adjustments of the maximum prices of machinery services and to application for such adjustments. However, the procedure to be followed in applying for an adjustment differs in the following respects:

(1) The application for adjustment shall be made on Form OPA694-178B, set out in paragraph (b) of Appendix E. Copies of this form may be obtained from any district, state or regional office of the Office of Price Administration.

(2) If the supplier's total sales of machinery services for the calendar year 1942, or for the fiscal year ending in 1942, exceeded $75,000, the application shall be filed in Washington, D. C. If the supplier's total sales of machinery services for that period did not exceed $75,000 the application shall be filed with the nearest regional office of the Office of Price Administration.

(c) *Application by a seller or a machinery service supplier based upon an*

*Superseded by Sec. 6.13 of Revised Supplementary Regulation No. 14, 8 F.R. 9787, effective 7-15-43.

appropriate decrease of other prices—(1) *Who may receive an adjustment under this paragraph.* Adjustments under this paragraph will be granted only in the case of an essential supplier of an essential machine or part or an essential supplier of an essential machinery service. The meaning of these terms is explained in paragraph (a) (1) of this section.

(2) *When adjustment may be granted.* The Office of Price Administration, any regional office, or such other offices as may be authorized by order issued by the appropriate regional office, may make an adjustment of the maximum price in any case in which:

(i) The seller or supplier agrees to make and (simultaneously with any increase in the maximum price that may be authorized under this paragraph (c)) makes a reduction in the selling price of products or services which will equal or exceed the total dollar amount of the adjustment granted under this paragraph; and

(ii) One of the following conditions is met:

(*a*) The increases and decreases in price are made for the purpose of restoring normal price relationships;

(*b*) The increases and decreases in price are effected by changes in the prices charged different classes of purchasers for the same commodity or service; or

(*c*) The increases and decreases in price are made for the purpose of changing the seller's or supplier's price list-discount structure.

An adjustment will not be granted under this paragraph where the increases in price are to be made to civilian purchasers and the decreases in price are to be made to government purchasers.

[Subparagraph (2) amended by Am. 116, effective 5-8-44]

(3) *What an application under this paragraph must show.* An application for price adjustment under this paragraph (c) shall contain information indicating that the applicant is an essential supplier of an essential machine or part or an essential supplier of an essential machinery service and that if the proposed adjustment is granted, the gross dollar amount of sales of the machines or parts or machinery services affected by the adjustment will not be greater than it would have been in the absence of the adjustment. In any case where such an adjustment is granted, the Office of Price Administration will require appropriate reports relating to the commodities or services affected.

(4) *How the seller or supplier proceeds in applying for an adjustment.* An application for adjustment under this paragraph (c) shall be filed in accordance with Revised Procedural Regulation No. 1. If the seller's total sales for the calendar year 1942, or for the fiscal year ending in 1942, exceeded $500,000, the application shall be filed with the Office of Price Administration in Washington, D. C. If the seller's total sales during that period did not exceed $500,000, the application shall be filed with the regional office of the Office of Price Administration located in the same region in which the seller's business is located. If the supplier's total sales of machinery services for the calendar year 1942, or for the fiscal year ending in 1942, exceeded $75,000, the application shall be filed with the Office of Price Administration in Washington, D. C. If the supplier's total sales of machinery services during that period did not exceed $75,000, the application shall be filed with the regional office of the Office of Price Administration located in the same region in which the supplier's business is located.

[Paragraph (c) amended by Am. 92, 8 F.R. 8544, effective 6-25-43]

(d) *Application by a seller or a machinery service supplier under a combination of both paragraphs* (a) *and* (c) *or paragraphs* (b) *and* (c). A seller or a machinery service supplier who desires to apply for an adjustment under paragraph (c) may, at the time he applies under that paragraph, also apply under paragraphs (a) or (b), if the facts of his case entitle him to do so. In such case, the office considering his application will give the adjustment available under paragraphs (a) or (b) before applying paragraph (c).

[Paragraph (d) amended by Am. 92]

(e) No application for adjustment filed after April 9, 1943, under Procedural Regulation No. 6 [9] with respect to commodities and services covered by this regulation will be granted.

[Paragraph (e) amended by Am. 80, 8 F.R. 4788, effective 4-10-43]

(f) *Amendment of general applicability.* Where the Price Administrator deems it appropriate, he may grant the relief which he deems necessary by issuing an amendment of general applicability.

[Former paragraph (f) revoked by Am. 92, 8 F.R. 8544, effective 6-25-43; new paragraph (f) added by Am. 116, effective 5-8-44]

[§ 1390.25a added by Am. 78, 8 F.R. 4516, effective 4-10-43]

§ 1390.26 *Records and additional or substituted reports*—(a) *Records.* Persons subject to this regulation shall keep available for inspection by representatives of the Office of Price Administration records of the following:

(1) *By the manufacturer.* Records of (i) each sale, lease or delivery of a machine or part after the effective date of this regulation, showing the name of the person buying, leasing or receiving such machine or part, the date of the transaction, an identification of the machine or part providing a reference to a price list or to production records, and the net price or rental; (ii) price-determining methods, labor rates, material prices, overhead rates and machine hour rates in effect on October 1, 1941, and (iii) detailed cost-estimate sheets and other data showing the calculations of prices and rentals on transactions covered by this regulation, for which there was no list price or rental in effect on October 1, 1941, or for which no list price or rental is hereafter established.

(2) *By the machinery service supplier.* Records of all machinery services performed after the effective date of this regulation, showing the name of the person for whom such services were performed, the date of the transaction, identification of the services providing a reference to a price list or to production records, and the net charge therefor, and, in addition, records showing as precisely as possible the basis upon which maximum charges for machinery services have been and are determined.

(3) *By a lessor other than the manufacturer.* Records of each lease or delivery of a machine or part after the effective date of this regulation, showing the name of the person leasing or receiving such machine or part, the date of the transaction, the net rental and, in addition, records showing as precisely as possible the basis upon which maximum rentals for machines and parts have been and are determined.

(4) *By a seller other than the manufacturer.* Records of the kind such seller has customarily kept, relating to the prices of machines and parts sold after the effective date of this regulation, and, in addition, records showing as precisely as possible the basis upon which maximum prices for machines and parts have been and are determined.

(b) *Additional or substituted records and reports.* Every person subject to this regulation shall keep such other records and submit such other reports, including periodic financial statements, as the Office of Price Administration may from time to time require in writing, either in addition to or in substitution for records and reports herein required.

(c) *Reports on products brought under this regulation.* Notwithstanding any other provisions of this regulation, whenever the sale or rental of any products or services are brought within the scope of this regulation, after the effective date thereof by amendment or otherwise, the reports required by this regulation, in § 1390.5 (b) shall be filed within thirty days after the effective date of such amendment, and the reports provided for in § 1390.10 (b) may be filed within thirty days after such effective date.

[Paragraph (c) added by Am. 54, 7 F.R. 9729, effective 11-25-42]

§ 1390.26a *Reports of additions to stock and offering and selling prices of certain second-hand machines and parts*—(a) *Who shall file.* Reports of additions to stock and offering and selling prices of the second-hand machines and parts listed in the form set forth in Appendix F must be filed by every person engaged in the business of selling second-hand machines or parts, either on his own behalf or on behalf of another. For example, these reports must be filed by agents, auctioneers, brokers and dealers, and machinery manufacturers who sell second-hand machines or parts.

(b) *Method of filing.* These reports shall be filed on Form OPA-2:10:P1 Revised—Form WPB-2574—(Used Equipment and Machinery Inventory and Sales Report Form) which is set forth in Appendix F of this regulation. Copies of this form may be obtained from any War Production Board District Office. Within five days after the acquisition of such a second-hand machine or part by a person required to report under this section, that person shall file three copies of the information required by items 1 to 16 of the form with the District Office of the War Production Board which is located in the district in which his place of business is located. Within five days after the sale of a second-hand machine or part listed in Appendix F by a person required to report under this section, that person shall file a copy of all the information required by the form with the District Office of the War Production Board which is located in the district in which the seller's place of business is located.

(c) *Records of information filed.* Every person required to file reports under this section shall keep a complete and accurate record of the information contained in these reports for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect.

§ 1390.26b *Notification of auction sales.* Every auctioneer shall file a written notice of every public or private auction sale of second-hand machines or parts at least one week before the sale. This notice shall be sent to the District Office of the Office of Price Administration which is located in the district in which the auction is to be held. The notice shall include the place, date and time of the sale, the classes and types of machines and parts that are to be sold, and a copy of any announcement of the sale.

[§§ 1390.26a and 1390.26b added by Am. 114, 9 F.R. 4020, effective 4-15-44]

§ 1390.27 *Sales slips and receipts.* Any person subject to this regulation, who has regularly furnished customers with invoices, sales slips, receipts or similar documents shall continue to do so. Every person subject to this regulation shall, in any case, upon request of the customer, give such customer a signed receipt showing the date of the transaction, an identification of the machine or part sold or leased or of the machinery service performed, and the price, rental or charge therefor.

§ 1390.28 *Transfer of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after October 1, 1941, and the transferee carries on the business, or continues to deal in the same type of machines or parts or to perform the same type of machinery services, in the same competitive area and in an establishment separate from any establishment which he may previously have owned or operated, the transferee shall be subject to the same maximum prices as those to which his transferor would have been subject under this regulation if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor in such cases shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation.

§ 1390.29 *Enforcement.* (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages or suspension of licenses provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this regulation or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest District, State or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1390.29a *Licensing*—(a) *License granted.* The licensing provisions of Licensing Order No. 1,[9] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(b) *Registration of certain sellers of second-hand machines or parts.* Every person engaged in the business of selling second-hand machines or parts, either on his own behalf or on behalf of another, must register with the Office of Price Administration in accordance with the provisions of Licensing Order No. 3.[10]

[§ 1390.29a added by Am. 37, 7 F.R. 9001, effective 11-9-42 and amended by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43; and Am. 114, 9 F.R. 4020, effective 4-15-44]

§ 1390.30 *Definitions.* (a) When used in this regulation, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Manufacturer" means any person engaged in one or more operations in the fabrication, processing or assembly of a machine or part, and includes subcontractors as well as prime contractors.

(3) "Machinery service supplier" means any person engaged in the performance of a machinery service, and includes subcontractors as well as prime contractors.

(4) "Price" means any consideration in connection with a sale, lease, exchange or other transfer of a machine or part or of a machinery service, and includes prices, rentals, rates, and charges.

(5) "Parts and subassemblies" includes all metallic and nonmetallic component parts, adjuncts, and accessories of products set forth in Appendix A, or in Appendix B, which have been machined or fabricated. The term does not include castings as sold by the foundry, mill steel, raw, unfinished, or scrap materials, or any other materials in such form as to permit their use in the manufacture of products other than those set forth in Appendix A or Appendix B.

(6) "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any agency of any of the foregoing.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this regulation.

§ 1390.31 *Effective date.* This regulation (§§ 1390.1 to 1390.34, inclusive), shall become effective July 22, 1942, except that this regulation shall not apply to sales or deliveries of electric storage batteries until November 7, 1942. [MPR 136, as amended, originally issued June 30, 1942.]

[§ 1390.31 amended by Am. 1, 7 F.R. 5665, effective 7-22-42; Am. 13, 7 F.R. 6937, effective 9-1-42; Am. 28, 7 F.R. 7913, effective 10-1-42; and correction to Am. 31, 7 F.R. 8433]

§ 1390.31a *Effective dates of amendments.* [Effective dates of amendments are shown in notes following the parts affected.]

§ 1390.32 *Appendix A: Machines and parts to which the October 1, 1941, date is applicable*—(a) *Prime movers, etc.*

Diesel engines, except aircraft diesel engines.
Gas engines and gas generators.
Gasoline and kerosene engines for marine, tractor, railway, and stationary use (not including portable outboard motors).
Hydraulic turbines and hydraulic turbine governors.
Steam engines and steam turbines.

[Paragraph (a) amended by Am. 25, 7 F.R. 7912, effective 10-9-42, and Am. 69, 8 F.R. 2270, effective 2-25-43]

(b) *Industrial and marine power apparatus.*

Boilers, industrial and marine.
Oil burners, industrial and marine (burning not less than No. 6 oil).
Power operated industrial and marine soot blowers and tube cleaners.
Stokers, industrial and marine (1,200 lbs. per hour or more).

[Paragraph (b) amended by Am. 74, 8 F.R. 4331, effective 4-8-43]

(c) *Processing machinery and equipment.*

Cement-making machinery.
Ceramics machinery.
Chemical process machinery.
Concrete products machinery and equipment.
Cotton-ginning machinery.
Die-casting machinery.
Electroplating and hot-dip metal coating equipment, including preparatory and finishing equipment used in connection with metal coating processes.
Floor surfacing and floor maintenance machinery (industrial).
Food and beverage machinery, including baking, canning, bottling, confectionery, brewing, grain-milling, meat-packing, edible oil, sugar and dairy machinery and equipment (except dairy farm equipment).
Foundry machinery (including ladles not over 40 ton capacity).
Glass-making machinery.
Hat-making machinery.
Laundry, dry-cleaning, and clothes pressing machinery (except domestic).
Leather-working machinery.

[9] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.

[10] 8 F.R. 13240; 8 F.R. 13241; 9 F.R. 3852.

Packaging, wrapping, filling, and labeling machinery.
Paint-making machinery.
Petroleum-refining machinery.
Pharmaceutical machinery.
Plastics molding and fabricating machinery.
Printing machinery.
Pulp, paper, and paper products machinery.
Rod and wire-working machinery.
Rolling mill machinery and equipment.
Rubber and allied products machinery.
Rubber tire and tube machinery and equipment, including tire recapping and retreading molds and accessory parts (full circle and sectional molds, matrices, etc.), tire buffers, tire spreaders and spot vulcanizers for tubes.
Sewing machines, industrial.
Shoe manufacturing and repairing machinery.
Spring-winding and forming machinery.
Textile preparatory and finishing machinery and equipment (including accessories designed exclusively for use with such machinery).
Tobacco-working machinery.
Woodworking machinery.

[Paragraph (c) amended by Am. 25, 7 F.R. 7912, effective 10-9-42; Am. 54, 7 F.R. 9729, effective 11-25-42; Am. 74, 8 F.R. 4331, effective 4-8-43; Am. 94, 8 F.R. 9139, effective 7-8-43; Am. 101, 8 F.R. 14617, effective 11-1-43; Am. 107, 9 F.R. 1523, effective 2-11-44 and Am. 116, effective 5-8-44]

(d) *Construction and mining machinery, etc.*

Asphalt mixing plant.
Coal preparation equipment.
Concrete mixing, placing, and finishing equipment.
Cranes (overhead, crawler, and locomotive), hoists and derricks.
Crawler and non-agricultural tractors.
Core drilling machinery.
Excavating and earth-moving machinery (including power shovels, ditchers, draglines, and power scrapers).
Dredging machinery.
Heaters, stone, sand, or bitumen.
Masonry saws.
Mining machinery (including mine cars and trucks).
Oil well equipment.
Ore-crushing and concentrating machinery.
Pile drivers.
Road building and maintenance machinery (including graders, pavers, rollers, etc.).
Rock crushers.
Scaffolds.
Snow plows.
Spreaders.
Well-drilling equipment.

[Paragraph (d) amended by Am. 25, 7 F.R. 7912, effective 10-9-42; Am. 101, 8 F.R. 14617, effective 11-1-43 and Am. 107, 9 F.R. 1523, effective 2-11-44]

(e) *Electrical equipment.*

Arresters, lightning.
Batteries, storage, including automotive.
Capacitors, except fixed capacitors of the types and sizes used for military radio and radar equipment.
Carbon, graphite and metal graphite products for electrical uses.
Circuit breakers.
Condensers, synchronous.
Conduit, metallic, at wholesale level only.
Conduit fittings.
Control equipment, industrial, except control devices for domestic installations.
Converters, synchronous.
Distribution boards.
Ducts, metallic and non-metallic, except wooden and asbestos cement conduit.
Electrodes and welding rods for electric or gas welding.
Fuses, for the protection of electrical equipment.
Generators, except automotive.
Heating units and devices, electrical, industrial.
Instruments, electrically or magnetically actuated, for measuring, testing, recording, or indicating electrical or non-electrical quantities, except automotive.
Lighting equipment, electrical:
Airports.
Airways.
Commercial.
Floodlighting.
Industrial.
Marine.
Seadromes.
Street and highway.
Line material, trolley.
Magnetos.
Magnets, lifting, industrial.
Metals and alloys, special electrical (except steel with less than 6% alloy content) in any fabricated form used for electrical resistance, magnetic or glass sealing purposes, including special contact alloys and special coated iron wire.
Motors.
Motor generator sets.
Outlets, metallic.
Panelboards.
Rectifiers, power, industrial.
Regulators, feeder voltage.
Searchlights, except military searchlights.
Signalling apparatus, except railway signals.
Substations, unit.
Switchboxes, metallic.
Switches, knife and enclosed.
Switchgear and switchgear accessories.
Telegraph apparatus.
Telephone apparatus, including sound powered telephone and non-electronic intercommunicating telephone equipment.
Transformers including specialty transformers, except electronic transformers.
Turbine generator sets.
Welding apparatus and supplies, electrical.
Wiring devices.

[Paragraph (e) amended by Am. 1, 7 F.R. 5665, effective 7-22-42; Am. 25, 7 F.R. 7912, effective 10-9-42; Am. 66, 8 F.R. 534, effective 1-18-43; Am. 67, 8 F.R. 1058, effective 1-27-43; and Am. 101, 8 F.R. 14617, effective 11-1-43]

(f) *Railroad equipment (for steam and electric railroads and surface, elevated, and underground railways).*

Freight cars (including all types and sizes of flanged wheel mining and industrial cars).
Passenger cars.
Locomotives and tenders (including mining and industrial).
Car and locomotive parts and specialties, including:
Axles.
Bearings, truck side.
Boilers, fireboxes, front ends, and cabs, fittings, fixtures, devices or appliances mounted thereon.
Brakes and brake gear.
Coupler devices or attachments.
Devices and appliances mounted on locomotives for treatment, distribution, and control of water, fuel, steam, sand, and electricity.
Doors and fixtures (except those subject to Revised Price Schedule No. 40—*Builders' Hardware and Insect Screen Cloth* [11]).
Draft gears, buffers, and attachments.
Driving, foundation, and running gear.
Heating, lighting, ventilating, and air conditioning equipment.
Journal boxes, assembled.
Lubricating devices.
Miscellaneous fittings, fixtures, specialties, devices or appliances designed specifically for use on cars or locomotives (not including artillery or other exclusively military or naval equipment designed for mounting on cars or locomotives).
Safety appliances and warning devices.

[11] 7 F.R. 1260, 2132, 8383, 8948; 8 F.R. 7257; 9 F.R. 1319.

Car and locomotive parts, etc.—Continued.
Sides, roofs, ends, running boards, brake steps.
Spring rigging, snubbers, shock absorbers.
Steel tires.
Train control apparatus.
Trucks, complete.
Underframes.
Wheels, iron and steel.
Machines, tools, devices, and appliances designed specifically for the installation, operation, maintenance, and protection of tracks, yards, signals, rolling stock, and motive power.
Signal equipment, including highway crossing signals.
Stationary plants for handling fuel, sand, water, and cinders.

[Paragraph (f) amended by Am. 74, 8 F.R. 4331, effective 4-8-43 and Am. 116, effective 5-8-44]

(g) *Auxiliary equipment.*

Air-conditioning equipment (25 tons' capacity or over).
Dust collecting equipment, industrial.
Heat exchange equipment, industrial.
Industrial furnaces and ovens (not including space heating furnaces and stoves, blast furnaces, open hearth furnaces, Bessemer converters, soaking pits, coke ovens, and industrial furnaces used solely for the manufacture of pig iron or steel).
Lubricating systems and devices, industrial.
Material handling equipment (including skid platforms; cars and trucks except those equipped with flanged wheels, racks except shelving and stationary storage racks, etc.).
Metal marking and numbering machines.
Refrigerating equipment (25 h. p. or over).
Water softening and purifying equipment, industrial.

[Paragraph (g) amended by Am. 54, 7 F.R. 9729, effective 11-25-42; Am. 74, 8 F.R. 4331, effective 4-8-43; and Am. 77, 8 F.R. 4515, effective 4-12-43]

(h) *Miscellaneous.*

Elevators and conveyors.
Fans and blowers (including domestic hot air furnace fans), except pedestal, portable, and ceiling household and office fans.
Gas welding and cutting equipment, welding rods, welding wire, electrodes, and supplies.
Gyroscopes.
Industrial power-operating devices for applying protective coatings or for the application of metals by spraying methods.
Mechanical instruments for measuring, testing, recording, or indicating, including aircraft, marine, scientific, laboratory, and precision instruments (not including special gages manufactured pursuant to the customer's drawings, carpenters' tools, or surgical, optical, and dental instruments).
Portable heating, melting, burning, and thawing equipment for industrial and transportation purposes (not including mechanic's fire pots and blow torches).
Portable power driven tools, which in normal use are held or guided by hand and not customarily attached to a permanent support.
Power driven tools, primarily designed for use on a bench and for the working of wood, plastics, etc. (except bench tools especially designed for metal working which are subject to Revised Price Schedule No. 67).
Pumps and compressors, except automotive, hand operated, and farm pumps.
Surveying and drafting instruments, and engineering reproduction equipment (not including school, art and office supplies).
Valves, automatic.
Weighing scales, industrial and platform.

[Paragraph (h) amended by Am. 1, 7 F.R. 5665, effective 7-22-42; Am. 3, 7 F.R. 6425, effective 8-19-42; Am. 54, 7 F.R. 9729, effective 11-25-42; Am. 65, 8 F.R. 369, effective 1-13-43; Am. 73, 8 F.R. 4331, effective 4-8-43; and Am. 101, 8 F.R. 14617, effective 11-1-43]

(i) *Miscellaneous parts and subassemblies, etc.*

Antifriction bearings, except automotive.
Bi-metallic thermal strips, fabricated.
Chains, sprocket, and roller and silent, except automotive.
Galvanometer and pyrometer movements.
Industrial clockwork systems used in connection with mechanical instruments.
Industrial power transmission equipment belt tighteners and shifters, clutches, couplings and collars, hangers and brackets, motor bases, pillow blocks and bearing housings, pulleys and sheaves, universal joints, variable-speed drives.
Springs for mechanical instruments set forth in paragraph (h) hereof.

[Paragraph (i) amended by Am. 1, 7 F.R. 5665, effective 7-22-42; Am. 25, 7 F.R. 7912, effective 10-9-42; Am. 54, 7 F.R. 9729, effective 11-25-42; and Am. 91, 8 F.R. 8275, effective 6-21-43]

(j) *Parts and subassemblies of machine tools or of any of the items set forth in paragraphs (a) to (i), inclusive, of this Appendix A when manufactured by the manufacturer of the complete item.* (This paragraph applies to any such part or subassembly, even when it is of a type listed in paragraph (c) of § 1390.33, and even though it may in some cases be incorporated in items other than those set forth in paragraphs (a) through (i) inclusive of this Appendix A).

[Paragraph (j) amended by Am. 54, 7 F.R. 9729, effective 11-25-42 and Am. 106, 8 F.R. 16132, effective 12-1-43]

(k) *Machine tools (except when subject to Revised Price Schedule No. 1* [12] *or Revised Price Schedule No. 67.*[13]

[Paragraph (k) added by Am. 1, 7 F.R. 5665, effective 7-22-42]

(l) *Machines and parts for which October 15, 1941, is the base date.* Gears, pinions, sprockets, and speed reducers, including gear motors and other motorized speed reducers, and variable speed gear drives, but not including the following: (1) automotive or tractor transmissions, transfer cases, power take-offs, differentials, or axle assemblies; (2) any items designed for use in private or commercial motor vehicles or any items specially designed for use in vehicles, aircraft, or equipment used primarily for military purposes; (3) any items sold or delivered pursuant to contracts entered into by the Army, Navy, Defense Plant Corporation, Maritime Commission, Panama Canal, Procurement Division of the Treasury, or any other agency of the United States prior to February 18, 1942; (4) any items covered in paragraph (j) of this section.

[Paragraph (l) added by Amendment 62, 7 F.R. 10230, effective 12-11-42]

[12] Superseded by Maximum Price Regulation No. 1 (8 F.R. 10116, 13104). Establishes maximum prices for second-hand machine tools and extras. Revised Price Schedule No. 67 (7 F.R. 1337, 2000, 2105, 2472, 2473, 2680, 2996, 3445, 3820, 4176, 5513, 5967, 7239, 7834, 8928, 8948, 9039, 9052, 9053, 11074) establishes maximum prices for new machine tools and standard extras. Both of these Regulations remain in effect and are not superseded by this Maximum Price Regulation No. 136 as amended. Chucks, mandrels, collets and machine tool attachments (see Appendix B, § 1390.33) sold by the machine tool manufacturer as standard extras are subject to Revised Price Schedule No. 67; in all other cases they are subject to this Maximum Price Regulation No. 136 as amended. Parts, subassemblies, attachments and accessories, other than standard extras, sold by a subcontractor to a machine-tool manufacturer are subject to this Maximum Price Regulation No. 136 as amended. Rentals of machine tools and the service of repairing and rebuilding machine tools are subject to this Maximum Price Regulation No. 136 as amended.

§ 1390.33 *Appendix B: Machines and parts to which the March 31, 1942, date is applicable.* (a) Any part or subassembly of any item mentioned in Appendix A, except that when the manufacturer also manufactures one or more complete items mentioned in Appendix A and the part or subassembly in question is also in some cases used as a component of such complete item, then the part or subassembly is not included within this section but is included within Appendix A. This paragraph does not include any part or subassembly which is itself covered in Appendix A or which is mentioned in Appendix C.

[Paragraph (a) amended by Am. 25, 7 F.R. 7912, effective 10-9-42]

(b) Any part or subassembly of any item listed in this Appendix B. Also, any industrial machinery, or part or subassembly of any industrial machinery, which is not listed in Appendices A or B. "Industrial machinery" means any machinery or equipment used in the extraction, production or processing of commodities. The term "industrial machinery" does not include farm equipment covered by Maximum Price Regulation 246 [13]—Manufacturers' and Wholesale Prices for Farm Equipment, or any product excluded from the coverage of this regulation by Appendix C.

[Paragraph (b) amended by Am. 1, 7 F.R. 5665, effective 7-22-42 and Am. 107, 9 F.R. 1523, effective 2-11-44]

(c) *Miscellaneous.*

Automotive testing and maintenance equipment, mechanical and electrical (not including any portable tools, machine or hand tools, or mechanical or electrical instruments set forth in § 1390.32).
Battery chargers (except motor generator sets).
Belting, leather.
Blocks and sheaves, tackle.
Brushes, industrial power-driven.
Bushings, porcelain, glass and steatite for electrical uses.
Casters, except those subject to Appendix A of this regulation.
Chain, chain fittings and assemblies (except jewelry chains subject to Maximum Price Regulation 188, cast manganese steel chain subject to Maximum Price Regulation 235, and power transmission chains covered by Appendix A of this regulation).
Cutting tools, including the following illustrative list:
Augers, machine.
Bits, machine.
Blades, hacksaw—all types.
Blades, power driven saw.
Blades, machine, shear, etc.
Broaches.
Chasers.
Chisels, machine.
Counterbores.
Countersinks, machine.

[13] 8 F.R. 17184.

Cutting tools, etc.—Continued.
Cutters, machine.
Dies, cutting and threading.
Drills, twist.
Dressers, abrasive wheel (except diamond dressers).
Extractors.
Files, rasps and burrs.
Form tools.
Hobs.
Knives, machine.
Knurling tools.
Punches, machine.
Reamers.
Rules, creasing, cutting, perforating.
Scraper blades, machine.
Taps.
Tips, tool, tungsten carbide, stellite, etc.
Dies, jigs and fixtures (except when the die is sold or a separate charge is made therefor in connection with the sale of the product in the production of which it is used and the maximum price established for the product includes the price for such die).
Earth and rock anchors.
Electrical wire, cable and cable accessories (except when subject to Revised Price Schedule No. 82, as amended).[14]
Electronic apparatus and parts (regardless of being referred to in Appendix A) for industrial, commercial or government uses, including but not limited to radar and radio transmitting and receiving equipment, other than domestic receivers and other apparatus covered by Revised Price Schedules No. 83 [15] and No. 84.[15] Power Rectifiers are excluded from this classification, being classified under Appendix A.
Fixed capacitors of the type and size used for military radio and radar equipment (these have an April 1, 1943 base date).
Gaskets and packing, except automotive.
Gears, pinions, sprockets and speed reducers specially designed for use in vehicles, aircraft or equipment used primarily for military purposes (except automotive gears, and automotive or tractor transmissions, transfer cases, power take-offs, differentials and axle assemblies).
Glass products, technical, scientific and industrial:
Electrical glassware:
Bulbs (incandescent, fluorescent, indicator, auto lamp, radio, television, X-ray, radar, power tube).
Flares (glass base portion for lighting, radio, television, radar, power tube).
Tubing (electrical, fluorescent).
Bushings.
Insulators.
Coil forms.
Capacitors.
Resistor tubes.
Fuse plugs.
Signal glassware:
Battery jars.
Fresnels.
Roundels.
Front glasses.
Lenses.
Airplane running light.
Obstruction light.
Explosion resisting globe.
Optical ware (color and light filters).
Laboratory and pharmaceutical glassware:
Chemical ware.
Instrument tubing.

[14] 7 F.R. 1358, 2133, 7034, 8948; 8 F.R. 5810, 10656, 17296; 9 F.R. 3821, 2858, 3387.
[15] 7 F.R. 1360, 2000, 2132, 2302, 3125, 3820, 8948.
[16] 7 F.R. 1362, 2000, 2132, 2169, 2303, 2512, 2543, 3821, 6771, 7902, 8948; 8 F.R. 3703, 5632, 15523.

Glass products—Continued.
Laboratory and pharmaceutical glassware—Continued.
Laboratory apparatus tubing.
Apparatus ware.
Pharmaceutical ware.
Industrial glassware:
Glass bulbs.
Flat gauge glasses.
Cylinders.
Gauge cup and oil cup glasses.
Rods, tubing and piping.
Meter and relay covers.
Miscellaneous industrial glassware (that is to be further fabricated by others, or that is to be incorporated as a component part of an industrial product).
Optical glass:
Rough glass blanks for optical, ophthalmic and scientific use.
Governors, engine.
Ground steel stock for punches, dies, jigs, fixtures, etc.
Hand-operated tools, especially designed for manufacture, repair, or maintenance of aircraft, military vehicles or other predominantly military equipment.
Insulators, porcelain, glass and steatite for electrical uses.
Inter-communicating systems, electronic.
Jacks and jack screws, manually operated.
Machine and machine tool attachments and accessories (except when subject to Maximum Price Regulation 1 or Revised Price Schedule No. 67). The term machine and machine tool attachments and accessories means all devices used with, but not an integral part of, machines or machine tools and includes the following illustrative list:
Adapters.
Arbors.
Blocks, machine tool.
Brakes, spindle.
Centers, bench.
Centers, lathe.
Chucks, all types.
Clamps.
Collets.
Cutter heads.
Die heads.
Die sets.
Dogs, work driving.
Edges, straight.
Electric etchers and de-magnetisers.
Fingers, feeding.
Glasses, level.
Grinders.
Guides, adjustable.
Heads, universal dividing.
Holders, tool.
Holders, work.
Mandrels, all types.
Plates, angle.
Plates, bench.
Plates, brick liner.
Plates, face.
Plates, lapping.
Plates, surface.
Plates, wearing.
Posts, tool.
Saw accessories (sets, swages, guides, clamps, bracing tools).
Sockets.
Stops, machine.
Templates.
Wheels, buffing and polishing (except as covered by Maximum Price Regulation No. 816)[17].
Manufacturers' optical processing machinery, other than optical RX laboratory machinery subject to Maximum Price Regulation No. 188[18]—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.
Marine equipment:
Anchors (except those subject to Revised Price Schedule 41 and Maximum Price Regulation 351).
Boat hooks without handles.
Buoys, pontoons and rafts, metallic.
Capstans.
Chocks.
Cleats.
Controls, bulkhead and throttle.
Deck and man-hole plates, machined.
Fog horns and whistles, manually operated.
Gooseneck and boom bands.
Lights, oil.
Marlin spikes and belaying pins, metal.
Mooring and riding bitts.
Port lights.
Pumps, marine, manually operated.
Reels, hawser, manually operated.
Rope guides and leaders.
Rowlocks.
Shackles.
Snaps.
Sockets.
Steering apparatus, manually operated.
Ventilators.
Metal hose and tubing, flexible (except as covered by Maximum Price Regulation No. 149—Mechanical Rubber Goods).
Military searchlights, completely assembled.
Molds and patterns (except when the mold or pattern is sold or a separate charge is made therefor in connection with the sale of the product in production of which it is used and the maximum price established for the product includes the price for such mold or pattern).
Neon indicator attachments.
New automotive trucks, motorcycles, house and truck trailers, and busses, originally designed for use as private or commercial motor vehicles, which are manufactured on or after August 12, 1943, when sold by any person. The foregoing does not include automotive trucks, motorcycles, trailers and busses specially designed for use as military vehicles, nor does it include cars and trucks covered by paragraph (g) of Appendix A as "Material Handling Equipment".
Open tanks and vessels (metal) except field erected tanks or vessels; domestic fuel oil storage tanks; products commonly known as plumbing fixtures, such as flush tanks and laundry trays; products commonly known as pans and cans, such as pails, buckets, non-returnable shipping containers, refuse receptacles, drip receivers, and waste receivers).
Pipe and tube tools, manually operated, including beading, belling, bending, cleaning, cutting, expanding and flaring, and wrenches for operating.
Pole line hardware and line construction specialties.
Power cylinders, hydraulic, pneumatic, and hydro-pneumatic.
Pressure tanks (metal) (except field erected tanks; high pressure cylinders not over 1,000 lbs. water capacity for shipping or storing liquids or gases at pressures up to 3,000 lbs. per square inch; range boilers or expansion tanks not over 192 gal. capacity; made of metal not over 12 BWG gauge).
Public address apparatus.
Replacement units and assemblies for mechanical refrigerators having a refrigerated volume of 16 cubic feet or less.
Rope fittings, manila and wire.
Screw machine products (this shall not include bolts, nuts, screws, and rivets, as defined in Maximum Price Regulation No. 147.[19] The sales of these are subject to Maximum Price Regulation No. 147 or the General Maximum Price Regulation, depending upon the type of seller).
Sharpening and filing equipment.
Siren blowers.
Special gages manufactured pursuant to the customer's drawings (including special purpose plug, ring, snap, height, length, and location gages, but not general purpose graduated or adjustable gages).
Specially designed tools (except those subject to Appendix A of this regulation).
Springs (except springs subject to Appendix A of this regulation, and furniture and bed springs subject to Maximum Price Regulation No. 188, Maximum Price Regulation No. 213,[20] and Maximum Price Regulation No. 380).[21]
Stampings, metal (except forgings, nonferrous mill products, wire goods, steel mill products, or any product for which the manufacturer has issued a catalog or price list). The term "metal stampings" means stamped or pressed metal products which are mechanically processed by the use of dies and upon which further processing or finishing operations may or may not have been performed, when sold unassembled. A metal stamping may consist of two or more pieces which have been permanently joined by methods such as brazing, welding, soldering or riveting.
Steam cleaning equipment, degreasing equipment, and parts washing and cleaning equipment.
Testing sets for electronic equipment.
Tools, manually operated, for the cutting, forming, and punching of metals.
Turnbuckles.
Vises, all types; vise mounts, stands and supports.
Wheels (except those specially designed for military use and those subject to Appendix A of this regulation, Revised Price Schedule No. 6, Maximum Price Regulation No. 246,[22] and Maximum Price Regulation No. 452[23]).
Winches and windlasses, manually operated.
X-ray apparatus.
X-ray and electro-therapeutic apparatus and supplies.

[Paragraph (c) amended by Am. 1, 7 F.R. 5665, effective 7-22-42; Am. 3, 7 F.R. 6425, effective 9-19-42; Am. 12, 7 F.R. 6973, effective 9-8-42; Am. 15, 7 F.R. 7010, effective 9-9-42; Am. 16, 7 F.R. 7246, effective 9-29-42; Am. 24, 7 F.R. 7907, effective 10-8-42; Am. 54, 7 F.R. 9729, effective 11-25-42; Am. 69, 8 F.R. 2270, effective 2-25-43; Am. 77, 8 F.R. 4515, effective 4-12-43; Am. 85, 8 F.R. 6614, effective 5-24-43; Am. 96, 8 F.R. 10662, effective 8-12-43; Am. 97, 8 F.R. 10988, effective 8-5-43; Am. 101, 8 F.R. 14617, effective 11-1-43; Am. 102, 8 F.R. 14619, effective 11-1-43; Am. 106, 8 F.R. 16132, effective 12-1-43; Am. 107, 9 F.R. 1523, effective 2-11-44; Am. 110, 9 F.R. 2791, effective 3-18-44 and Am. 116, effective 5-8-44]

(d) Any part or subassembly of any item mentioned in this section, excluding any part or subassembly which is itself covered in Appendix A or which is mentioned in Appendix C.

[Paragraph (d) added by Am. 25, 7 F.R. 7912, effective 10-9-42]

[17] 8 F.R. 1741, 11385.
[18] 7 F.R. 5872, 7967, 8943, 8948, 10155; 8 F.R. 537, 1815, 1980, 3105, 3788, 3850, 4140, 4931, 6759, 7107, 8751, 8754, 9836, 10433, 10906, 11037, 12406, 12479, 12186, 12668, 14622, 14766, 12696, 17415; 9 F.R. 1912, 2556, 3095.
[19] 7 F.R. 3803; 8 F.R. 8361, 12476.
[20] 2d Revision: 8 F.R. 12470.
[21] 8 F.R. 5929, 7114, 13712.
[22] 8 F.R. 17184.
[23] 9 F.R. 3330.

§ 1390.34 *Appendix C: Illustrative list of products not covered by Maximum Price Regulation No. 136, as amended.*

(NOTE: Maximum prices for the following products are established by the General Maximum Price Regulation or by other price schedules, regulations, or orders issued by the Office of Price Administration)

Abrasive wheels.
Aircraft gasoline and diesel engines.
Bolts, nuts, screws, and rivets (as defined in Maximum Price Regulation No. 147).
Carpenter's tools.
Castings, ferrous and non-ferrous, as sold by the foundry, whether rough or machined.
Christmas tree lighting sets.
Dairy farm equipment.
Diamond dies.
Domestic electrical appliances (except fans and blowers).
Domestic furnaces.
Domestic laundry, dry-cleaning, and clothes pressing machinery.
Domestic radios and phonographs.
Domestic stokers.
Drill pipe, casing and tubing.
Dry batteries.
Electrical control devices used for domestic installations.
Farm pumps.
Flashlights.
Frames, bolsters, couplers, and yokes (the maximum prices of which are established by Revised Price Schedule No. 41—*Steel Castings*.[24]
[Item revoked by Am. 116, effective 5-8-44]
Hand tools, except those listed in Appendices A and B.
Hand-operated pumps (except marine pumps).
Household machines.
Incandescent and fluorescent bulbs and tubes.
Instrument jewel bearings.
Iron and steel products (as defined in Revised Price Schedule No. 6.[25]
Manual valves.
Mechanical rubber goods (the maximum prices of which are established by Maximum Price Regulation No. 149[26]).
Non-ferrous bearings and bushings.
Non-ferrous forgings.
Office machines.
Parts and subassemblies sold for use in farm equipment as defined in § 1361.9 (a) (3) of Maximum Price Regulation No. 133—*Retail Prices for Farm Equipment*.
Photographic equipment.
Portable, pedestal, and ceiling household and office fans.
Portable lamps.
Radio receiving set and phonograph parts not primarily designed for commercial, police, or military use, or for use in the Navy or Merchant Marine (See Revised Price Schedule No. 84—*Radio Receiver and Phonograph Parts*).
Reducing bushings.
[Item revoked by Am. 116, effective 5-8-44]
Rubber belts and belting.
Surgical, optical, and dental instruments.
Washers.
Watches and clocks (except industrial clockwork systems used in connection with mechanical instruments.)

[§ 1390.34 amended by Am. 1, 7 F.R. 5665, effective 7-22-42; Am. 15, 7 F.R. 7010, effective, 9-9-42; Am. 25, 7 F.R. 7912, effective 10-9-42; Am. 66, 8 F.R. 134, effective 1-18-43; Am. 75, 8 F.R. 4331, effective 4-8-43; Am. 84, 8 F.R. 6359, effective 5-19-43; Am. 95, 8 F.R. 9520, effective 7-23-43; Am. 102, 8 F.R. 14619, effective 11-1-43; Am. 107, 9 F.R. 1523, effective 2-11-44 and Am. 116, effective 5-8-44]

§ 1390.35 *Appendix D: Table of depreciation rates.*

[NOTE: The items listed in this table are not fully described. Their scope is to be ascertained from Appendix A and Appendix B. Items listed in this table are listed in the same order as they appear in Appendix A and Appendix B. The maximum price of items not listed in this table may not be ascertained by the depreciation method.]

Items in Appendix A

Machine or part	*Depreciation rate per annum (percent)*
(a) Prime movers, etc.:	
Diesel engines (up to 400 RPM)	7½
Diesel engines (above 400 RPM)	10
Gas engines and gas generators	10
Gasoline and kerosene engines	10
Hydraulic turbines and hydraulic turbine governors	5
Steam engines and steam turbines	5
(b) Industrial and marine power apparatus:	
Boilers (industrial), Up to 50 H. P.	7½
Boilers (industrial), Over 50 H. P.	5
Boilers (marine)	7½
Oil burners	10
Soot blowers and cleaners	10
Stokers	10
(c) Processing machinery and equipment:	
Cement making machinery	5
Ceramics machinery	7½
Chemical process machinery	7½
Cotton ginning machinery	5
Die casting machinery	7½
Electroplating and hot dip metal coating equipment	5
Floor surfacing and floor maintenance machinery (industrial)	10
Food and beverage machinery	6
Dairy machinery	6
Foundry machinery	5
Glass making machinery	7½
Hat making machinery	5
Industrial sewing machines	6
Laundry, dry cleaning, and clothes pressing machinery	6
Leather working machinery	7½
Packaging, wrapping, filling, and labeling machinery	6
Painting and varnish making machinery	5
Petroleum refining machinery	5
Pharmaceutical machinery	5
Plastics molding and fabricating machinery	7½
Printing and publishing machinery	9
Pulp, paper and paper products machinery	6
Rod and wire working machinery	5
Rolling mill machinery	5
Rubber and allied products machinery	6
Shoe manufacturing and repairing machinery	7½
Spring winding and forming machinery	5
Textile preparatory and finishing machinery	7½
Tobacco working machinery	7½
Lumber manufacturing and woodworking machinery	7½

[Paragraph (c) amended by Am. 94, 8 F.R. 9139, effective 7-8-43]

(d) Construction and mining machinery, etc.:	
Asphalt mixing plants	20
Backfillers, powered	20
Batcher plants	10
Bins, steel	10
Brooms, road, powered	20
Buckets, concrete, clamshell, orange peel, cableway, dragline, elevator, etc	20
Bulldozers	10
Clamps, column	20
Concrete carts	20
Concrete finishers, floor	15
Concrete finishers, road	10
Concrete mixers—portable or stationary	20
Concrete mixers—pavers	10

Items in Appendix A—Con.

Machine or part	*Depreciation rate per annum (percent)*
(d) Construction and mining machinery, etc.—Continued.	
Concrete mixers—truck	20
Concrete spreaders, road	10
Conveyors, belt	20
Cranes, crawler	15
Cranes, locomotive	10
Cranes, overhead	5
Cranes, truck	20
Crawler and non-agricultural tractors	20
Crushers, stone	10
Derricks	10
Ditchers	20
Dredgers, clamshell	10
Dredgers, dipper	10
Dredgers, hydraulic	5
Drilling machinery, blast hole or churn	15
Drilling machinery, auger	15
Drilling machinery, core	15
Drilling machinery, drifter	30
Drilling machinery, pneumatic percussion	30
Elevating graders	15
Excavators, dragline	15
Excavators, trencher	25
Graders, blade towed	15
Graders, motor patrol	20
Heaters, stone, sand, bitumen, concrete	20
Hoists, pneumatic, gas, diesel, steam, electric	20
Loaders, front end	20
Loaders, belt or bucket	15
Mining machinery:	
Cars, mine	10
Classifiers	10
Coal cutting machines	10
Convertors, copper	10
Conveyors	10
Crushers	10
Elevators, bucket	10
Flotation machines	10
Furnaces	10
Jigs	10
Mills	10
Ovens, electric	10
Presses, filter	10
Scrapers, slip	30
Scrapers, wheel	10
Screens	10
Separators	10
Skips, hoisting	5
Tables, concentrating	10
Thickeners	5
Tipples	5
Oil well equipment:	
Blowout preventers	30
Core barrels	30
Crown blocks	20
Derricks	10
Drawworks	20
Drill collars	15
Drill pipe	30
Drilling rigs	20
Elevators	15
Gas lift systems	25
Hooks	10
Hydraulic pumping systems	25
Kellys	15
Meters	15
Oil treating plants	20
Oilwell pumps	25
Packers	30
Power takeoffs	20
Pull rods	20
Pumping jacks	10
Pumping powers	10
Pumping units	10
Rotaries	20
Regulators	15
Rotary fishing tools	20
Separators	15
Spudders	20
Submersible elec. pumps	25
Sucker rods	35
Tanks (shop assembled)	15

[24] 8 F.R. 12992, 13846; 9 F.R. 678, 2556, 3458.
[25] 7 F.R. 1215, 2132, 2153, 2299, 2997, 3115, 3941, 4780, 7240, 8948; 8 F.R. 6042, 6440, 7257.
[26] 8 F.R. 10813, 13172, 15255; 9 F.R. 396.

Items in Appendix A—Con.

Machine or part	*Depreciation rate per annum (percent)*
(d) Construction and mining machinery, etc.—Continued.	
Oil well equipment—Continued.	
Tongs	15
Tool joints	30
Traveling blocks	20
Water treating plants	20
Well servicing hoists	20
Pile drivers, drop	5
Pile drivers, steam hammers	5
Plows, snow	10
Portable power driven tools	25
Pneumatic tools; drills, jack hammers, rivet hammers, tampers, chippers, paving breakers	30
Rollers, powered road	10
Rollers, sheepsfoot tamping	10
Scrapers, carry type	15
Screens	20
Shovels, powered	15
Spreaders, material	20
Vibrators	30
(e) Electrical equipment (all items)	5
(f) Railroad equipment (all items)	5
(g) Auxiliary equipment:	
Air conditioning equipment	5
Dust collecting equipment	10
Furnaces	7½
Ovens	10
Heat exchange equipment	7
Lubricating systems and devices	10
Metal marking and numbering machines	10
Material handling equipment	8
Open tanks and vessels	3
Pressure tanks	4
Refrigerating equipment	5
Water softening and purifying equipment	10
(h) Miscellaneous:	
Elevators	5
Conveyors	8
Fans and blowers	10
Gas welding and cutting equipment	10
Gyroscopes	10
Industrial power operated devices for applying protective coatings, etc.	20
Mechanical instruments for measuring, testing, recording or indicating and precision instruments	12½
Portable heating, melting, burning and thawing equipment	10
Pumps and compressors	6
Scientific and laboratory instruments	8
Surveying and drafting instruments	8
Engineering reproduction equipment	7½
Weighing scales	10
Valves	10

Items in Appendix B

Automotive parts, subassemblies and accessories	15
Automotive testing and maintenance equipment	10
Battery chargers	10
Chucks, mandrels, collets and machine-tool attachments	10
Earth and rock anchors	5
Electrical wire, cable and cable accessories	10
Governors, engine	10
Hand operated tools, specially designed for manufacture, repair, or maintenance of aircraft, military vehicles, etc.	10
Neon indicator attachments	10
Pole line hardware and line construction specialties	5
Power cylinders	5
Sharpening and filing equipment	10
Siren blowers	5

[§ 1390.35 added by Am. 76, 8 F.R. 4476, effective 4-10-43, and amended by Am. 106, 8 F.R. 16182, effective 12-1-43. Former § 1390.35 added by Am. 2, 7 F.R. 8908, effective 7-30-42 and revoked by Am. 60, 7 F.R. 10109, effective 12-8-42]

§ 1390.36 *Appendix E: Form for application for adjustment*—(a) *Form for application for adjustment of maximum prices of machines and parts*—(1) *Form.*

Form OPA 694:178a

Form Approved
Budget Bureau No. 08-R388

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
Washington, D. C.

Application for Adjustment of Maximum Prices for Machines and Parts Under Maximum Price Regulation No. 136, as Amended

Company name _____
Address _____
(Street) (City) (State)

The following facts are furnished to the Office of Price Administration in support of this Application:

SCHEDULE A

1. General description of the company's business.

2. Designate and describe product(s) for which price increase is requested.

3. Present the following information for each product listed in Item 2 above.

NOTE: If more than one product is being reported, present the required information on another sheet.

(a) Dollar volume of unfilled orders, $_____

(b) Unit volume of unfilled orders. (Indicate unit used), _____.

(c) Degree of completion of production on unfilled orders, _____%.

(d) Anticipated dollar volume of new orders for the next: 3 months, $_____; 6 months, $_____; 12 months, $_____.

4. Present evidence that the company is an essential supplier of an essential machine or part.

NOTE: If more than one product is being reported, present the required information on another sheet.

(a) For each product designated in Item 2 above, fill in the following if you have entered into, or propose to enter into, a war contract or subcontract for the sale of that product.

(1) Indentification of contract _____
(2) Name of purchaser _____
(3) Address of purchaser _____
(Street) (City) (State)

(b) Present any other information which demonstrates that the seller is an essential supplier of an essential machine or part.

(NOTE: The terms "war contract," "subcontract", "essential supplier", and "essential machine or part" are defined in the adjustment provision under which this report is filed (§ 1390.25a of Maximum Price Regulation No. 136, as Amended).)

5. Are similar machines or parts sold by competitors in your region? _____
(Yes or No)

If yes, give names and addresses of competitors, and their prices for such machines or parts.

SCHEDULE B

Important. If you have submitted any of the following information on Office of Price Administration Financial Report Forms A and B for certain periods or have furnished same on a previous application for adjustment of a maximum price, you may omit those periods in your present report. In the case of a subsidiary wholly owned by a parent corporation consolidated financial statements as well as financial statements for the subsidiary should be submitted.

SCHEDULE B—Continued

1. Submit balance sheets and profit and loss statements for the years 1941 and 1942, and for the most recent accounting period in 1943.

(NOTE: Each profit and loss statement must contain a detailed breakdown of cost of goods sold, administrative expense, selling expenses, the total amount of officers' salaries and bonuses and the number of officers.)

2. Financial data 1936 1940.

(NOTE: The filing of the financial data designated in this item is optional. Should the applicant prefer, this information will be obtained by the Office of Price Administration directly from the Bureau of Internal Revenue.)

Either submit balance sheets and profit and loss statements for the years 1936-1940, or fill in the following condensed table.

	1936	1937	1938	1939	1940
Net sales					
Cost of goods sold					
Administrative expense					
Selling expenses					
Net operating profit					
Other income less other expenses					
Net profit before income taxes					
Debt (except current) at end of year					
Net worth at end of year					
Total assets					

3. As the salaries and wages of all your employees in compliance with the maximum established by the Office for Economic Stabilization? _____
(Yes or No)
If no, state exceptions.

SCHEDULE C

UNIT PRICE AND COST INFORMATION

Designation of Product: _____

NOTE: If more than one product is involved, prepare and file separate reports on this schedule for each product that you consider necessary to convey an adequate understanding of the situation which gave rise to this application.

1. *Price data.*

(a) *Net realized price:*

	Ceiling price, 194—	Current price	Requested price
1. (List) (Gross) price			
2. Less: Trade discounts			
3. Net realized price			
4. Net realized price at maximum discount and/or commissions			

(b) *Analysis of sales of the above designated product:* Sales for _____ (No. of months) month period _____, 1943.
(Month and Day)

	Percentage amount of commission or discounts	Dollar value of sales after discounts
Sales subject to commission of (1)	____%	$____
Sales subject to commission of (2)	____%	____
Sales not subject to commission	XXX	____
Sales subject to discount of (1)	____%	$____
Sales subject to discount of (2)	____%	____
Sales subject to discount of (3)	____%	____
Sales subject to discount of (4)	____%	____
Sales subject to discount of (5)	____%	____
Sales not subject to discount	XXX	____
Total sales of above designated product	XXX	$____

(c) *Total sales for the above designated product only:*

	1940	1941	1942	____ months ending ____ 1943
Total unit volume of sales				
Total dollar volume of sales (net)	$____	$____	$____	$____

(d) Is the price currently charged for the product the same as the maximum price filed with OPA? _____
(Yes or No)

(If answer is "No", state date when increased price was first charged.) Date: _____, 194__.
(Month)

(e) Indicate whether the current maximum price is a list or established price ( ) or a formula price ( ) (Check one). Price used since _____, 194__.
(Month)

(f) State on a separate sheet the reasons for the need of the requested price increase.

2. *Unit Cost Data:*

	Ceiling date costs, ——194—	Costs, October 1942	Current date costs, ——1943
(a) Direct material	$____	$____	$____
(b) Direct labor			
(c) Factory overhead			
(d) Selling expense (do not include discounts and commissions under Price Data above)			
(e) Administrative expense			
(f) Freight out, if any			
(g) Installation expense, if any			
(h) Other expense, specify			
(i) Total cost per unit			

(j) What method is used in allocating factory overhead?

1. Standard ☐; Actual ☐; Other ☐ (Check one).

2. Direct labor cost ☐; Director labor hours ☐; Machine hours ☐; Other ☐.

(Explain separately if "other" or combination.)

AFFIDAVIT

State of _____ }
County of _____ } *ss:*

_____
(Applicant)

By _____
(Title)

The undersigned _____ being first duly sworn according to law, on oath deposes and says:

That he is the person whose name appears subscribed to the above Application for Adjustment; and that he has read the same and knows to his own knowledge that the facts contained therein are true and correct.

_____
(Signature)

Subscribed and sworn to before me this ____ day of _____, 1943.

_____
(Officer administering oath)

(2) *Instructions for the form:*

INSTRUCTIONS FOR THE USE OF ADJUSTMENT APPLICATION FORM FOR MACHINES AND PARTS

In preparing this application, please consider that the form is intended to cover a wide variety of products. Therefore, you will find that some of the questions do not apply to your product. Moreover, you may find that some point that is important in your case is not covered in the form. Adapt the form if this can be done or state the information on a separate sheet if that will be clearer. If any difficulty is experienced in completing this form it may be taken to the nearest OPA district accountant who will give his assistance in its preparation.

Schedule C entitled "Unit Price and Cost Information" is subject to the following explanation:

1. *Price Data:* (a) 1. (*List*) (*Gross*) *Price:* Please indicate whether the price is a list price or a gross price by crossing out the term that does not apply.

(a) 2. *Dealers' Commissions:* Where all dealers receive the same commission, use the full commission rate even if some sales are not subject to any commission. If several different rates affect the machine covered by the application, use the rate that applies to the largest amount of sales.

(a) 3. *Trade Discounts:* Deduct trade discounts at the average rate of discounts prevailing in your company for the product covered by the application.

(b) Use a sufficient number of months prior to the date of the application to give an adequate understanding of the situation. Name the period in the allotted space and fill in commission rates or discounts.

2. *Unit Cost Data:* In presenting unit cost data be sure to include only actual cost.

Material cost must represent actual cost. State separately any charges added to costs of materials. In the case of a seller other than a manufacturer direct material means the price at which the seller purchased the machine or part.

Where standard costs are used, adjust costs for over- or under-absorption during the period to which the costs apply.

The cost data for the ceiling date may be recomputed if the machine or part covered by the application was not manufactured on or about that date. In the recomputation apply the wage rates prevailing in your plant on the ceiling date and material cost of the same date.

Under items (f), (g) and (h) include only costs borne by the seller and not billed separately to the buyer.

[Paragraph (a) amended by Am. 92, 8 F.R. 8544, effective 6-25-43]

(b) *Form for application for adjustment of maximum prices of machinery services.*

Form OPA 694:178b

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON, D. C.

APPLICATION FOR ADJUSTMENT OF MAXIMUM PRICES FOR MACHINERY SERVICES UNDER MAXIMUM PRICE REGULATION NO. 136, AS AMENDED

Company Name _____
Address _____
(Street) (City) (State)

The following facts are furnished to the Office of Price Administration in support of this Application:

1. General description of company's business.

2. Type of machinery service for which price increase is requested.

3. Describe war or civilian need of the service.

4. State, on a separate sheet, the reasons for the requested price increase.

5. State the names and addresses of competitors in your region rendering the same machinery services and state the rates charged by each.

6. State whether you sell any new or used machinery, and if you do, state what it is.

7. If you sell machinery, state whether you perform any machinery services in connection with such sales, and if you do, describe the services and your method of charging for the same.

8. File the following information for the service described in Item 2 above.

(a) Price March 31, 1942 _____ $_____
Present price _____ $_____
Requested price _____ $_____
per _____
Service unit (machine-hour, man-hour, etc.)

(b)

	Year ended ——194—	Year ended ——194—	____ months ending ____ 194—
Total number of service units performed including those not billed			
Number of service units billed			
Dollar amount of service billings			

9. Costs per service

	Ceiling date March 31, 1942	Current date ____ 1943 (month)	Basis of allocation (specify below)
Direct Labor			XXXXXXXX
Shop overhead			
Administrative expense			
Selling expense			
Other expense (specify)			
Total cost per service unit			XXXXXXXX
Average hourly wage rate, exclusive of overtime, for direct labor engaged in this service			XXXXXXXX
Average number of hours worked per man per week (Direct labor only)			XXXXXXXX

Important. If you have submitted any of the following information on Office of Price Administration Financial Report Forms A and B for certain periods or have reported the same on a previous application for adjustment of a maximum price, you may omit those periods in your present report. In the case of a subsidiary wholly owned by a parent corporation, the financial data should be submitted for the parent corporation.

10. Submit balance sheets and profit and loss statements for the years 1941 and 1942, and the most recent accounting period in 1943.

(NOTE: Each profit and loss statement must contain a detailed breakdown of cost of goods sold, administrative expenses, selling expenses and officers' salaries, including the number of officers.)

11. Financial data, 1936-1940

(NOTE: The filing of the financial data designated in this item is optional. Should the applicant prefer, this information will be

obtained by the Office of Price Administration directly from the Bureau of Internal Revenue.)

Either submit balance sheets and profit and loss statements for the years 1936–1940, or fill in the following condensed table.

	1936	1937	1938	1939	1940
Net sales					
Cost of goods sold					
Gross profit					
Administrative expenses					
Selling expense					
Net operating profit					
Other income less other expenses					
Net profit before income taxes					
Debt (except current) at end of year					
Net worth at end of year					
Total assets					

12. Are the salaries and wages of all your employees in compliance with the maximum established by the Office for Economic Stabilization? _____ If "No" state exceptions: _____
Yes or No

_____
Applicant

By _____

_____
Title

AFFIDAVIT

STATE OF _____
County of _____, ss:

The undersigned _____ being first duly sworn according to law, on oath deposes and says:

That he is the person whose name appears subscribed to the above Application for Adjustment, and that he had read the same and knows to his own knowledge that the facts contained therein are true and correct.

_____
Signature

Subscribed and sworn to before me this _____ day of _____ 194__.

_____
Officer Administering Oath

[§ 1390.36 added by Am. 78, 8 F.R. 4516, effective 4-10-43]

§ 1390.37 *Appendix F: Used equipment and machinery inventory and sales report*—(a) *Form.*

Form OPA 2:10:PI Rev. WPB-257 — Form Approved Budget Bureau No. 12-R1014-2

UNITED STATES OF AMERICA
Office of Price Administration
War Production Board

Used Equipment and Machinery Inventory and Sales Report

READ CAREFULLY INSTRUCTIONS ON REVERSE SIDE

If this report is in response to a "Want Call," give the "Want Call" number _____

DATE _____ CODE NO. (Leave Blank) _____

NAME OF REPORTING COMPANY _____

STREET ADDRESS _____

CITY _____ STATE _____

IS THIS REPORT SUBMITTED BY A DEALER
☐ YES ☐ NO

1. Kind of machinery or equipment — 2. Manufacturer

3. Mfr's Model or Style No. — 4. Mfr's Serial No. — 5. Year Built — 6. Capacity — 7. Equipment Identification No.

8. Description (including type of work for which machine is now adapted)

9. Powered by: ☐ None ☐ Electricity ☐ Steam ☐ Gas ☐ Gasoline ☐ Diesel ☐ Air ☐ Other

10. Method of Drive: Individually driven? ☐ Yes ☐ No ☐ Flat-belt ☐ V-belt ☐ Gear ☐ Coupling ☐ Clutch ☐ Other

11. Electrical equipment (Specify manufacturer and name plate rating) — TYPE — SPEED — H-P — VOLTAGE — PHASE — CYCLES

12. Auxiliaries and Accessories (List and give descriptions. Use back of sheet if necessary)

13. Present condition of machine:
☐ Rebuilt and guaranteed
☐ Other _____ (State as per instructions)

14. Offering price: _____ Dollars
a. Rebuilt and guaranteed
b. Other condition
Failure on the part of the OPA to object to an offering price does not imply its approval of such price.

15. Indicate approximate time required to deliver this machine rebuilt and guaranteed:
☐ 10 days or less ☐ 30 days ☐ 90 days ☐ Over 90 days

16. Maximum price of equivalent new machine (Identify by manufacturer's name and model or style number)
$_____

WHEN MACHINE IS SOLD, COMPLETE AND SIGN FORM BELOW

17. Sold to (Name and address) Price Date of Sale Previously reported as inventory? ☐ Yes ☐ No

18. Sold by _____ By _____ OPA License No. _____
Name of Reporting Company — Full Signature of Authorized Official — Title

(b) *Instructions for filling out inventory and sales report form.*

(1) *Who must file.* Every person engaged in the business of selling second-hand machines or parts, either on his own behalf or on behalf of another, is required to report on this form additions to stock and offering and selling prices of the second-hand machines and parts listed on the attached sheet. For example, these reports must be filed by agents, auctioneers, brokers and dealers, and machinery manufacturers who sell second-hand machines and parts. These reports must cover all second-hand machines and parts listed on the attached sheet.

Dealers, brokers, agents and manufacturers are also requested, though not required, to report specific items or classes of items, known to be available though not owned by them, in response to "Want Calls" sent out by the the War Production Board for urgently needed items.

Persons not required to file, who desire aid in disposing of used equipment and machinery, may report such items on this form.

(2) *Method of filing.* Four copies are to be made of the inventory report. Three of these copies must be filed with the District Office of the War Production Board which is located in the district in which the person's place of business is located. These copies must be filed within five days after the acquisition of the machine or part. Inventory is reported by filling in items 1 to 16, inclusive, of the form. The remaining copy of the inventory report must be completed by the person required to file when the item is sold or otherwise disposed of. Within five days of the sale or other disposition of the item, this completed form must also be filed by the person required to file with the District Office of the War Production Board which is located in the district in which the seller's place of business is located. This filing constitutes the sales report. Only one piece of equipment may be reported on a single form, except in the case of identical items. These reports are forwarded to the Office of Price Administration by the War Production Board. Complete and accurate records of the information contained in the reports must be kept by the person filing for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(3) *Item 7.* Under "Equipment Identification No." the person filing the report is to show his stock inventory number for easy reference to any particular piece of equipment or machinery. If there is no stock inventory number, this item does not have to be filled in.

(4) *Item 8.* Give full details on type of equipment or machine and work for which it is adapted.

(5) *Item 13.* Give present condition of machine in detail. The term "rebuilt and guaranteed" is defined in the regulation which covers the machine or part. Under "Other" describe by terms defined as follows:

"Unused" means a machine or part which has been transferred for use but which has never been used. Such a machine or part may be priced as new.

"Serviceable" means that the machine or part is ready for service requiring no maintenance work or repairs before installing.

"Repairable" means that the machine or part can be made ready for service by normal maintenance or minor repairs.

"Poor" means that the machine or part requires major repairs or complete rebuilding before it would be ready for service.

Machines and parts which can not qualify as "rebuilt and guaranteed" under the applicable regulation are priced as "as is" machines or parts.

(6) *Item 15.* If it is necessary to rebuild the machine or part, check approximate time required after receipt of order.

(7) *Item 17.* If the machine or part is not sold but "other disposition" is made, state in item 17 what the disposition was.

LIST OF MACHINES AND PARTS FOR WHICH USED EQUIPMENT AND MACHINERY INVENTORY AND SALES REPORTS MUST BE FILED

Machine or part:	*Regulation to which subject, or appendix of MPR 136 in which listed and base date*
Air-conditioning equipment (25 tons' capacity and over).	Appendix A—October 1, 1941.
Asphalt mixing plants	Appendix A—October 1, 1941.
Automotive testing and maintenance equipment, mechanical and electrical (except portable tools or machine or hand tools).	Appendix B—March 31, 1942.
Battery chargers (except motor generator sets).	Appendix B—March 31, 1942.
Boilers, industrial and marine.	Appendix A—October 1, 1941.
Capacitors (except fixed capacitors of the type and sizes used for military radio and radar equipment).	Appendix A—October 1, 1941.
Car and locomotive parts and specialties, including:	Appendix A—October 1, 1941.
Bearings, truck side.	
Boilers, fireboxes, front ends, and cabs fittings, fixtures, devices or appliances mounted thereon.	
Brakes and brake gear.	
Coupler devices or attachments.	
Devices and appliances mounted on locomotives for treatment, distribution and control of water, fuel, steam, sand and electricity.	
Doors and fixtures (except those subject to Revised Price Schedule No. 40—Builders' Hardware and Insect Screen Cloth).	
Draft gears, buffers, and attachments.	
Driving, foundation and running gear.	
Heating, lighting, ventilating and air conditioning equipment.	
Journal boxes, assembled.	
Lubricating devices.	
Miscellaneous fittings, fixtures, specialties, devices or appliances designed specifically for use on cars or locomotives (not including artillery or other exclusively military or naval equipment designed for mounting on cars or locomotives).	
Safety appliances and warning devices.	
Sides, roofs, ends, running boards, brake steps.	
Spring, rigging, snubbers, shock absorbers.	
Steel tires.	
Train control apparatus.	
Trucks, complete.	
Underframes.	
Wheels, cast iron and spun steel.	
Cement-making machinery.	Appendix A—October 1, 1941.
Ceramics machinery	Appendix A—October 1, 1941.
Chemical processing machinery.	Appendix A—October 1, 1941.
Circuit breakers	Appendix A—October 1, 1941.
Coal preparation equipment.	Appendix A—October 1, 1941.
Concrete mixing, placing and finishing equipment.	Appendix A—October 1, 1941.
Condensers, synchronous	Appendix A—October 1, 1941.
Control equipment, industrial (except control devices for domestic installations).	Appendix A—October 1, 1941.
Converters, synchronous	Appendix A—October 1, 1941.
Core drilling machinery	Appendix A—October 1, 1941.
Cotton-ginning machinery.	Appendix A—October 1, 1941.
Cranes (overhead, crawler and locomotive) hoists and derricks.	Appendix A—October 1, 1941.
Crawler and non-agricultural tractors.	Appendix A—October 1, 1941.
Cutting tools, including the following illustrative list:	Appendix B—March 31, 1942.
Augers, machine.	
Bits, machine.	
Blades, hacksaw — all types.	
Blades, power driven saw.	
Blades, machine, shear, etc.	
Broaches.	
Chasers.	
Chisels, machine.	
Counterbores.	
Countersinks, machine.	
Cutters, machine.	
Dies, cutting and threading.	
Drills, twist.	
Dressers, abrasive wheel (except diamond dressers).	
Extractors.	
Files, rasps and burrs.	
Form tools.	
Hobs.	
Knives, machine.	
Knurling tools.	
Punches, machine.	
Reamers.	
Rules, creasing, cutting, perforating.	
Scraper blades, machine.	
Taps.	
Tips, tool, tungsten carbide, stellite, etc.	
Die-casting machinery	Appendix A—October 1, 1941.
Diesel engines (except aircraft Diesel engines).	Appendix A—October 1, 1941.
Distribution boards, electrical.	Appendix A—October 1, 1941.
Dredging machinery	Appendix A—October 1, 1941.
Dust collecting equipment, industrial.	Appendix A—October 1, 1941.
Electroplating and hot-dip metal coating equipment, including preparatory and finishing equipment used in connection with metal coating processes.	Appendix A—October 1, 1941.
Elevators and conveyors	Appendix A—October 1, 1941.
Fans and blowers (except pedestal, portable and ceiling household and office fans).	Appendix A—October 1, 1941.
Floor surfacing and floor maintenance machinery, industrial.	Appendix A—October 1, 1941.
Food and beverage machinery, including baking, canning, bottling, confectionery, brewing, grain-milling, meat packing, edible oil, sugar and dairy machinery and equipment (except dairy farm equipment).	Appendix A—October 1, 1941.
Foundry machinery, including ladles not over 40 ton capacity.	Appendix A—October 1, 1941.
Freight cars, including all types and sizes of flanged wheel mining and industrial cars.	Appendix A—October 1, 1941.
Gas engines and gas generators.	Appendix A—October 1, 1941.
Gas welding and cutting equipment.	Appendix A—October 1, 1941.

LIST OF MACHINES AND PARTS FOR WHICH USED EQUIPMENT AND MACHINERY INVENTORY AND SALES REPORTS MUST BE FILED—Continued

Machine or part—Con.	*Regulation to which subject, or appendix of MPR 136 in which listed and base date*
Gasoline and kerosene engines for marine, tractor railway and stationery use (except portable outboard motors).	Appendix A—October 1, 1941.
Gears, pinions, sprockets, and speed reducers, but not including the following: (1) automotive or tractor transmissions, transfer cases, power take-offs, differentials or axle assemblies; and (2) any items designed for use in private or commercial motor vehicles or any items specially designed for use in vehicles, aircraft, or equipment used primarily for military purposes.	Appendix A—October 15, 1941.
Generators (except automotive).	Appendix A—October 1, 1941.
Glass-making machinery	Appendix A—October 1, 1941.
Gyroscopes	Appendix A—October 1, 1941.
Hat-making machinery	Appendix A—October 1, 1941.
Heat exchange equipment, industrial.	Appendix A—October 1, 1941.
Heaters, stove, sand or bitumen.	Appendix A—October 1, 1941.
Heating units and devices, electrical, industrial.	Appendix A—October 1, 1941.
Hydraulic turbines and hydraulic turbine governors.	Appendix A—October 1, 1941.
Industrial furnaces and ovens (except space heating furnaces and stoves, blast furnaces, open hearth furnaces, Bessemer converters, soaking pits, coke ovens, and industrial furnaces used solely for the manufacture of pig iron or steel).	Appendix A—October 1, 1941.
Industrial power operating devices for applying protective coatings on for the application of metals by spraying methods.	Appendix A—October 1, 1941.
Instruments, electrically or magnetically actuated, for measuring, testing, recording or indicating electrical or nonelectrical quantities (except automotive).	Appendix A—October 1, 1941.
Laundry, dry cleaning and clothes pressing machinery (except domestic).	Appendix A—October 1, 1941.
Leather-working machinery.	Appendix A—October 1, 1941.
Lighting equipment, electrical:	Appendix A—October 1, 1941.
Airports.	
Airways.	
Commerical.	
Floodlighting.	
Industrial.	
Marine.	
Seadromes.	
Street and highway.	
Locomotives and tenders, including mining and industrial.	Appendix A—October 1, 1941.
Lubricating systems and devices, industrial.	Appendix A—October 1, 1941.
Machines, tools, devices and appliances designed specifically for the installation, operation, maintenance, and protection of tracks, yards, signals, rolling stock, and motive power.	Appendix A—October 1, 1941.
Machine and machine tool attachments and accessories (except those subject to Maximum Price Regulation 1). The term machine and machine tool attachments and accessories means all devices used with, but not an integral part of, machines or machine tools and includes the following illustrative list:	Appendix B—March 31, 1942.
Adapters.	
Arbors.	
Blocks, machine tool.	
Brakes, spindle.	
Centers, bench.	
Centers, lathe.	
Chucks, all types.	
Clamps.	
Collets.	
Cutter heads.	
Die heads.	
Die dets.	
Dogs, work driving.	
Edges, straight.	
Electric etchers and demagnetizers.	
Fingers, feeding.	
Glasses, level.	
Grinders.	
Guides, adjustable.	
Heads, universal dividing.	
Holders, tool.	
Holders, work.	
Mandrels, all types.	
Plates, angle.	
Plates, bench.	
Plates, brick liner.	
Plates, face.	
Plates, lapping.	
Plates, surface.	
Plates, wearing	
Posts, tool.	
Saw accessories (sets, swages, guides, clamps, bracing tools).	
Machine and machine tool attachments and accessories—Con.	Appendix B—March 31, 1942.
Sockets.	
Stops, machine.	
Templates.	
Wheels.	
Magnets, lifting, industrial	Appendix A—October 1, 1941.
Material handling equipment, including skid platforms, cars and trucks (except those equipped with flanged wheels) and racks (except shelving and stationary storage racks).	Appendix A—October 1, 1941.
Mechanical instruments for measuring, testing, recording or indicating, including aircraft, marine, scientific, laboratory and precision instruments (except special gages manufactured pursuant to the customer's drawings, carpenters' tools, or surgical optical and dental instruments).	Appendix A—October 1, 1941.
Military searchlights, completely assembled.	Appendix B—March 31, 1942.
Mining machinery, including mine cars and trucks.	Appendix A—October 1, 1941.
Motors, electrical	Appendix A—October 1, 1941.
Motor generator sets	Appendix A—October 1, 1941.
Oil burners, industrial and marine burning not less than No. 6 oil.	Appendix A—October 1, 1941.
Oil well equipment	Appendix A—October 1, 1941.
Open tanks and vessels, made of metal, not over 12BWG gauge, (except field erected tanks or vessels: domestic fuel oil storage tanks; products commonly known as plumbing fixtures, such as flush tanks and laundry trays; products commonly known as pans and cans, such as pails, buckets, non-returnable shipping containers, refuse receptacles, drip and waste receivers).	Appendix B—March 31, 1942.
Ore crushing and concentrating machinery.	Appendix A—October 1, 1941.
Packaging, wrapping, filling and labelling machinery.	Appendix A—October 1, 1941.
Paint making machinery	Appendix A—October 1, 1941.
Panelboards, electrical	Appendix A—October 1, 1941.
Petroleum refining machinery.	Appendix A—October 1, 1941.
Pharmaceutical machinery.	Appendix A—October 1, 1941.
Pile drivers	Appendix A—October 1, 1941.
Pipe and tube tools, manually operated including beading, belling, bending, cleaning, cutting, expanding, and flaring and wrenches for operating.	Appendix B—March 31, 1942.
Plastics molding and fabricating machinery.	Appendix A—October 1, 1941.
Portable heating, melting, burning and thawing equipment for industrial and transportation uses (except mechanic's fire pots and blow torches).	Appendix A—October 1, 1941.
Portable power driven tools, which in normal use are held or guided by hand and not customarily attached to a permanent support.	Appendix A—October 1, 1941.
Power cylinders, hydraulic, pneumatic and hydro-pneumatic.	Appendix B—March 31, 1942.
Power driven tools primarily designed for use on a bench and for the working of wood, plastics, etc. (except bench tools specially designed for metal working which are subject to Maximum Price Regulation 1).	Appendix A—October 1, 1941.
Power operated industrial and marine soot blowers and tube cleaners.	Appendix A—October 1, 1941.
Pressure tanks, made of metal not over 12BWG gauge; erected tanks; high pressure cylinders not over 1000 pounds water capacity for shipping or storing liquids or gasses at pressures up to 3000 pounds per square inch: range boilers or expansion tanks (not over 192 gal. capacity).	MPR 465. Appendix B—March 31, 1942.
Printing machinery	Appendix A—October 1, 1941.
Public address apparatus	Appendix B—March 31, 1942.
Pulp, paper and paper products machinery.	Appendix A—October 1, 1941.
Pumps and compressors (except automotive, hand operated and farm pumps).	Appendix A—October 1, 1941.
Rectifiers, power, industrial.	Appendix A—October 1, 1941.
Refrigerating equipment, 25 H. P. and over.	Appendix A—October 1, 1941.

LIST OF MACHINES AND PARTS FOR WHICH USED EQUIPMENT AND MACHINERY INVENTORY AND SALES REPORTS MUST BE FILED—Continued

Machine or part—Con.	*Regulation to which subject, or appendix of MPR 136 in which listed and base date*
Regulators, feeder voltage.	Appendix A—October 1, 1941.
Road building and maintenance machinery, including graders, pavers, rollers, etc.	Appendix A—October 1, 1941.
Rock crushers	Appendix A—October 1, 1941.
Rod and wire working machinery.	Appendix A—October 1, 1941.
Rolling mill machinery and equipment.	Appendix A—October 1, 1941.
Rubber and allied products machinery.	Appendix A—October 1, 1941.
Rubber tire and tube machinery, including retreading and recapping machinery.	Appendix A—October 1, 1941.
Searchlights, electrical	Appendix A—October 1, 1941.
Sewing machines, industrial.	MPR 375.
Shoe manufacturing and repairing machinery.	Appendix A—October 1, 1941.
Snow plows	Appendix A—October 1, 1941.
Spreaders	Appendix A—October 1, 1941.
Springs (except furniture and bed springs)	Appendix B—March 31, 1942.
Spring winding and forming machinery.	Appendix A—October 1, 1941.
Steam cleaning and degreasing equipment and parts washing and cleaning equipment.	Appendix B—March 31, 1942.
Stokers, industrial and marine, feeding capacity of 1200 lbs. per hour or more.	Appendix A—October 1, 1941.
Substations, unit	Appendix A—October 1, 1941.
Surveying and drafting instruments, and engineering reproduction equipment (except school, art and office supplies).	Appendix A—October 1, 1941.
Switchgear and switchgear accessories.	Appendix A—October 1, 1941.
Testing sets for electronic equipment.	Appendix B—March 31, 1942.
Textile preparatory and finishing machinery and equipment, including accessories designed exclusively for use with such machinery.	Appendix A—October 1, 1941.
Tobacco working machinery.	Appendix A—October 1, 1941.
Tools, manually operated, for the cutting, forming and punching of metals.	Appendix B—March 31, 1942.
Transformers	Appendix A—October 1, 1941.
Turbine generator sets	Appendix A—October 1, 1941.
Valves, automatic	Appendix A—October 1, 1941.
Vises, all types; vise mounts, stands and supports.	Appendix B—March 31, 1942.
Water softening and purifying equipment, industrial.	Appendix A—October 1, 1941.
Weighing scales, industrial and platform.	Appendix A—October 1, 1941.
Welding apparatus and supplies, electrical.	Appendix A—October 1, 1941.
Well drilling equipment	Appendix A—October 1, 1941.
Woodworking machinery	Appendix A—October 1, 1941.
X-ray and electro-therapeutic apparatus.	Appendix B—March 31, 1942.

[§ 1390.37 added by Am. 114, 9 F.R. 4020, effective 4-15-44.]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 3d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6330; Filed, May 3, 1944; 4:46 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 11[1] to GMPR,[2] incl. Amdts. 1-47]

EXCEPTIONS FOR CERTAIN SERVICES

Section 1499.46 (b) (143) is added by Amendment No. 47 effective May 8, 1944, so that Revised Supplementary Regulation 11 shall read as follows:

A statement of the considerations involved in the issuance of this revised regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.[3] § 1499.46 is amended to read as set forth below:

§ 1499.46 *Exceptions for certain services.* (a) The provisions of the General Maximum Price Regulation, other than § 1499.11 (a), shall not apply to the following services during the period specified:

(1) Until September 1, 1942, to the transportation of property in tank trucks

[1] 7 F.R. 6426.
[2] 9 F.R. 1385.
[3] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

by carriers other than common carriers within the exemption conferred by section 302 (c) (2) of the Emergency Price Control Act of 1942.

(2) From April 10, 1943, to February 1, 1944, inclusive, to the storage of property and services incidental thereto (other than cold storage and other than tank storage of liquid commodities) for the War Department.

[Paragraph (a) amended by Am. 1, 7 F.R. 6965, effective 9-1-42; Am. 17, 8 F.R. 4783, effective 4-10-43; Am. 26, 8 F.R. 8512, effective 6-15-43; Am. 34, 8 F.R. 11434, effective 8-15-43; Am. 37, 8 F.R. 14156, effective 10-15-43 and Am. 41, 8 F.R. 16867, effective 12-15-43.]

(b) The provisions of the General Maximum Price Regulation shall not apply to the rates, fees, charges or compensation for the following services:

(1) Accountants and auditors—fees and charges of.

(2) Actuaries—fees and charges of.

(3) Advertising agencies—rates charged by.

(4) Advertising facilities (outdoor)—rates charged for use of.

(5) Agents: Artists', authors', playwrights', actors'—fees and charges of.

(6) Adjustment agencies—fees and charges of.

(7) Animals—boarding, clipping, shoeing, or rental of.

(8) Arbitration and conciliation services—fees and charges of.

(9) Architects—fees and charges of.

(10) Authors—fees and compensation of.

(11) Boats, ships and vessels—repairs to, when performed for a War Procurement Agency; and the painting of all ocean-going vessels.

[Subparagraph (11) as amended by Am. 39, 8 F.R. 15432, effective 11-15-43.]

(12) Bookkeeping services—compensation for.

(13) Booking agents (theatrical, etc.)—fees and charges of.

(14) Check-cashing services—fees and charges for.

(15) Chemists (consulting)—fees and compensation of.

(16) Cider pressing or grape crushing.

(17) Cigarette lighter repair.

(18) Claim adjusting—charges for.

(19) Clock or watch repair or rental.

(20) Collection bureaus and agencies—fees and rates of.

(21) Correspondents—fees and compensation of.

(22) Court reporting—fees and charges for.

[Subparagraph (22) as amended by Am. 28, 8 F.R. 9066, effective 7-1-43.]

(23) Credit information services—rates and charges for.

(24) Detective agencies—fees and charges of.

(25) Disinfecting.

(26) Dusting or spraying of trees, bushes, or plants.

(27) Efficiency experts—fees and charges of.

(28) Electricity—rates charged for, by companies furnishing as public utilities.

[Subparagraph (28) as amended by Am. 9, 7 F.R. 9195, effective 11-13-42.]

(29) Employment agencies—rates charged by.

(30) Engineers, consulting (civil, electrical, mechanical, marine, etc.), other than engineering firms engaged in the sale of equipment or in contract construction—fees and charges of.

(31) Engrossing of diplomas, resolutions and similar documents.

(32) Entertainers—fees and compensation of.

(33) Express companies and freight forwarders offering their services to the general public as common carriers—rates charged by.

(34) Exterminating.

(35) Electrical logging of oil-well holes—charges for.

(36) Financial services—fees and charges for.

(37) Farm-management services—fees and charges for.

(38) [Revoked]

[Subparagraph (38) revoked by Am. 32, 8 F.R. 10939, effective 8-10-43.]

(39) Fountain pen and mechanical pencil repair.

(40) Fumigating, except the fumigating of feed, grain and seeds.

(41) Gas—rates charged for, by companies furnishing as public utilities through mains.

[Subparagraph (41) as amended by Am. 9, 7 F.R. 9195, effective 11-13-42.]

(42) Grading, inspecting, or licensing fees fixed, approved, or collected by the United States Department of Agriculture.

(43) Grain warehousing services performed for the United States or any agency thereof.

(44) Hunting, fishing, and trapping on preserves—rates charged for.

(45) Incorporation services—fees and charges for.

(46) Insurance—rates charged by any person selling or underwriting.

(47) Investment counselling—fees and charges for.

(48) Jewelry and articles of gold, silver or plated ware, repair and engraving of, and the cutting, polishing and setting of precious or semi-precious stones and pearls. (Storage of such commodities in safe deposit facilities is subject to Maximum Price Regulation No. 165 as amended; storage otherwise than in safe deposit facilities is subject to the General Maximum Price Regulation.)

[Subparagraph (48) as amended by Am. 8, 7 F.R. 9195, effective 11-13-42.]

(49) Lawyers—fees and charges of.

(50) Lecturers—fees and compensation of.

(51) Light, heat, or power—rates charged for, by companies furnishing as public utilities.

[Subparagraph (51) as amended by Am. 9, 7 F.R. 9195, effective 11-13-42.]

(52) Livery stables—renting of horses or horse-drawn vehicles.

(53) Mannequin and modeling services—fees and compensation for.

(54) Marketing forecasting—fees and charges for.

(55) Marine salvage operations, including the leasing or rental of equipment incident thereto.

(56) Merchandising counsel—fees and charges of.

(57) Motion pictures or other theater enterprise—rates charged by.

(58) Musical instruments—repair, maintenance, tuning or rental of.

(59) News syndicates—rates charged by.

(60) Newspapers, periodicals and magazines—rates charged by.

(61) Notary Publics—fees and charges of.

(62) Personnel management services—fees and charges for.

(63) Press association and feature services—rates charged by.

(64) Process servers—fees and charges of.

(65) Public-relation and publicity counsels—fees and charges of.

(66) Radio and television stations—rates charged by.

(67) Services of publishing, printing, typesetting, platemaking, binding or related services in connection with:

(i) Books, magazines, periodicals, newspapers, pamphlets, leaflets, sheet music, music rolls, stamp albums, maps, charts, catalogs, directories, programs, house organs, menus, advertising matter printed on paper (except such articles as containers, labels and book matches, the form of which serves a purpose other than that of advertising), time tables, tariffs, and price lists: *Provided, however*, That this exception shall not include any of such services rendered in connection with any commodity listed in Appendix A (§ 1347.475) to Maximum Price Regulation No. 225;

(ii) All papers and paper products when supplied by persons engaged primarily in the business of rendering such services, whose total gross sales in 1941 of printed papers and printed paper products and services rendered in connection therewith did not exceed $20,000.

[Subparagraph (67) as amended by Am. 3, 7 F.R. 7604, effective 9-29-42.]

(68) Research services (food, investment, laboratory, statistical, marketing, etc.)—fees and charges for.

(69) Saddles, luggage or handbags, whether made of leather or other materials—repair or maintenance of.

(70) Seismographic exploration—rates charged for.

(71) Services rendered in connection with title guaranty, title search, abstracting and surveying—fees and charges for.

(72) Services rendered on the farm in connection with the planting, cultivating, harvesting or preparation for market of agricultural commodities or in connection with the raising or preparation for market of live stock or poultry or live stock or poultry products (but not including repairs to or maintenance of farm buildings and other farm structures, or repairs or maintenance of farm equipment)—rates, charges, and compensation for.

(73) Services the rates for which are regulated by the Department of Agriculture under the Stockyards and Packers Act.

(74) Shoe shining.

(75) Shot-hole drilling—fees and charges for.

(76) Speakers' bureaus—fees and charges of.

(77) Systematizing services—fees and charges for.

(78) Tax consultants—fees and charges of.

(79) Taxidermy.

(80) Telephone service, secretarial—rates charged for.

(81) Telephone services—rates charged for.

(82) Telegraph service—rates charged for.

(83) Tents or flies—repairing, waterproofing, or rental of.

(84) Termite control.

(85) Ticker services—fees and charges for.

(86) Ticket services and agencies for theater, or passenger transportation—fees and charges for.

(87) Tourist agencies and travel bureaus—fees and charges of.

(88) Toys (including, but not limited to, dolls)—repair of.

(89) Traffic consultants—fees and charges of.

(90) Translation services—fees and charges for.

(91) Transportation of commodities by persons offering their services to the general public as common carriers by rail, water, motor, pipe line, or other means of conveyances, rates charged for.

[Subparagraph (91) as amended by Am. 45, 9 F.R. 3331, effective 3-24-44.]

(92) Transportation of persons—rates charged for.

(93) Tree surgery—fees and charges for.

(94) Tricycles, baby carriages, or children's wheel goods—repair or rental of (including, but not limited to, repair of tires or wheels or other parts or accessories).

(95) Umbrellas—repair or rental of.

(96) Veterinarians—fees and charges of.

(97) Wagons—repair, maintenance or rental of.

(98) Watchman services—fees and charges for.

(99) Water—rates charged for, by companies supplying to urban areas as public utilities.

[Subparagraph (99) as amended by Am. 9, 7 F.R. 9195, effective 11-13-42.]

(100) Window display service—fees and charges for.

(101) Stevedoring, and carloading and unloading, when performed under a contract for any War Procurement Agency or for the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 1942, entitled "An Act to Promote the Defense of the United States," or for any agency of such government.

[Subparagraph (101) added by Am. 1, 7 F.R. 6965, effective 9-1-42 and amended by Am. 13, 8 F.R. 2215, effective 2-24-43.]

(102) Loading of trucks by public dock loaders in the port of New York (including ports in New Jersey adjacent to New York Harbor)—rates and charges for.

[Subparagraph (102) added by Am. 2, 7 F.R. 7604, effective 9-29-42.]

(103) Conversion of raw materials supplied by the customer into synthetic rubber: *Provided*, That duly authenticated copies of all contracts entered into after October 5, 1942, involving rates, fees, charges or compensation for the services exempted from General Maximum Price Regulation by this subparagraph, shall be filed by the person performing such services with the Office of Price Administration, Washington, D. C., within fifteen days after the signing of such contracts, except as otherwise authorized in writing by the Price Administrator or persons designated by him.

[Subparagraph (103) added by Am. 4, 7 F.R. 7758, effective 10-5-42; amended by Am. 11, 8 F.R. 130, effective 1-6-43.]

(104) Transportation of liming materials and superphosphate for the Department of Agriculture in the operation of the Agricultural Conservation Program of that Department, when performed by carriers other than common carriers within the exemption conferred by section 302 (c) (2) of the Emergency Price Control Act of 1942.

[Subparagraph (104) added by Am. 5, 7 F.R. 8282, effective 10-16-42.]

(105) Services supplied by the United States Post Office Department—fees and charges for.

[Subparagraph (105) added by Am. 6, 7 F.R. 8431, effective 10-22-42.]

(106) Drilling of oil or gas wells including necessary operations in connection therewith, such as preparation of location, fishing jobs, pulling, salvaging and plugging operations—fees and charges for.

(107) Fire fighting services in connection with oil and gas wells—fees and charges for.

[Subparagraphs (106) and (107) added by Am. 7, 7 F.R. 8810, effective 10-28-42.]

(108) Aircraft—lubrication, maintenance, painting, rental, repair, storage, washing, operation, conversion, modification, or other servicing of (including but not limited to maintenance of or repairs to engines, instruments, accessories, parts, and other equipment used in connection therewith).

[Subparagraph (108) added by Am. 10, 7 F.R. 9894, effective 11-25-42 and amended by Am. 19, 8 F.R. 4978, effective 4-22-43; Am. 22, 8 F.R. 7262, effective 6-3-43; Am. 31, 8 F.R. 10573, effective 8-3-43, and Am. 40, 8 F.R. 16203, effective 12-4-43.]

(109) Snow removal services and rental of equipment used in connection with snow removal, when performed for, or rented to, the United States or any agency thereof, or to any state or territorial government, or any agency or political subdivision thereof.

[Subparagraph (109) added by Am. 12, 8 F.R. 149, effective 1-7-43.]

(110) Toll bridges and toll roads—rates or tolls charged by.

[Subparagraph (110) added by Am. 14, 8 F.R. 3068, effective 3-15-43.]

(111) Milling, smelting, and refining of copper, lead and zinc ores, concentrates, mattes, speiss, bullion or blister. Further, it shall be lawful for any seller of such a service to collect and for any buyer to pay for such services heretofore rendered any sums which the seller was entitled to receive under a contract heretofore entered into even though such sums, either by themselves or together with any sums previously collected by the seller, exeeed the amount which could legally have been collected prior to the date hereof.

[Subparagraph (111) added by Am. 15, 8 F.R. 3372, 3795, effective 3-24-43.]

(112) Cemetery, crematorium and mausoleum services and facilities—rates and charges for: burial plots and their upkeep; grave excavating; interment; incineration and storage of human remains.

[Subparagraph (112) added by Am. 16, 8 F.R. 4139, effective 4-5-43.]

(113) Consuls and consulates of foreign governments—fees and charges of.

[Subparagraph (113) added by Am. 18, 8 F.R. 4521, effective 4-12-43.]

(114) Any manufacturing service performed by a person other than the manufacturer in the production of any product excepted from the General Maximum Price Regulation by section 4.3 (a), (b) or (c) of Revised Supplementary Regulation No. 1 (such excepted products being in the nature of war material and component parts and subassemblies thereof) if all or part of the material on which such service is performed is supplied by the manufacturer.

(115) Any service supplied pursuant to a contract or subcontract certified as "developmental" as specified in, and subject to the provisos of, section 4.4 of Revised Supplementary Regulation No. 1.

(116) Any machinery service as defined in Maximum Price Regulation No. 136, as amended.

(117) Any demolition, wrecking or site-clearance service which is part of and is included within the sale of any temporary building sold apart from the land by the United States or any agency thereof.

[Subparagraphs (114), (115), (116) and (117) added by Am. 19, 8 F.R. 4978, effective 4-22-43.]

(118) Pilotage—fees and charges for.

(119) Steamship agents—fees and charges of.

[Subparagraphs (118) and (119) added by Am. 20, 8 F.R. 5820, effective 5-8-43.]

(120) Transportation of United States mail and parcel post.

[Subparagraph (120) added by Am. 21, 8 F.R. 6673, 7670, effective 5-19-43.]

(121) Any operation performed in the processing, machining, welding, treating, or finishing of a steel valve (or any part or subassembly thereof) for a valve manufacturer who has previously en-

tered into a contract entitled "Contract Between the Navy Department and Valve Manufacturers for Reimbursement of Added Cost on Subcontracted Valves and Valve Parts," or for a subcontractor for the ultimate use of such valve manufacturer, except that if the same kind of service was performed for the same valve manufacturer or subcontractor by the same seller prior to June 7, 1943, the performance of such service by the seller after June 7, 1943, shall not be exempt under this subparagraph (121).

[Subparagraph (121) added by Am. 23, 8 F.R. 7668, effective 6-7-43.]

(122) Mining or concentrating iron ore—fees and charges for.

[Subparagraph (122) added by Am. 24, 8 F.R. 8541, effective 7-1-42. Effective date amended by Am. 35, 8 F.R. 12325, effective 9-10-43.]

(123) Recovery of scrap metal from slag piles.

[Subparagraph (123) added by Am. 25, 8 F.R. 8541, effective 6-24-43.]

(124) Chemical processing of knotted oriental rugs for importers and wholesalers.

[Subparagraph (124) added by Am. 27, 8 F.R. 9025, effective 7-6-43.]

(125) Transportation of petroleum and petroleum products by carriers other than common carriers, in bulk by barge between points on the Gulf Intracoastal Waterway, and its tributaries, for distances under 75 miles.

"Points on the Gulf Intracoastal Waterway" include all points which are or may be served with barge transportation by use of the Gulf Intracoastal Waterway and all points on the Mississippi River south of, and including, North Baton Rouge, Louisiana.

(126) Towage services, by carriers other than common carriers, within harbors and harbor district areas on the U. S. Gulf of Mexico.

[Subparagraph (125) and (126) added by Am. 29, 8 F.R. 9880, effective 7-16-43.]

(127) Gardening and related services (including but not limited to services rendered in connection with the preparation, maintenance, cutting, picking, or harvesting of vegetable and flower gardens, the trimming of hedges, and cutting and maintenance of lawns)—rates and charges for.

[Subparagraph (127) added by Am. 30, 8 F.R. 10573, effective 8-3-43.]

(128) Any service to tanks and military vehicles and engines, parts, accessories, instruments, and other equipment used in connection with tanks and military vehicles when rendered for any War Procurement Agency in connection with preparation for shipment (including but not limited to lubricating, painting, storing, packing, washing, testing, repairing, converting, modifying, maintaining and preparing and restoring the premises, facilities, and equipment used in connection with such services)—rates and charges for.

[Subparagraph (128) added by Am. 31, 8 F.R. 10573, effective 8-3-43.]

(129) Customhouse brokers—fees and charges of.

[Subparagraph (129) added by Am. 33, 8 F.R. 11247, effective 8-17-43.]

(130) Reconditioning of contaminated petroleum products from ocean-going vessels or for the United States or any agency thereof or for the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 1942, entitled "An Act to Promote the Defense of the United States," or for any agency of such government.

[Subparagraph (130) added by Am. 36, 8 F.R. 13302, effective 10-4-43; and amended by Am. 43, 9 F.R. 1531, effective 2-11-44.]

(131) The service of fabricating concrete reinforcing bars owned by the United States government or any agency thereof.

[Subparagraph (131) added by Am. 38, 8 F.R. 14766, effective 11-1-43.]

(132) Air-raid precautionary services dealing with buildings or parts thereof.

(133) Carpentry repairs (shopwork only).

(134) Rental of costumes and dress suits.

(135) Public address systems—maintenance, rental, or repair of.

(136) Signs—maintenance, painting, or repair of.

(137) Sporting goods or recreational equipment or articles (including guns; but not including bowling or billiards and pool equipment, bicycles, canoes and boats) — remodeling, rental, maintenance, repair, and other servicing of.

[Subparagraphs (132, (133), (134), (135), (136), and (137) added by Am. 40, 8 F.R. 16203, effective 12-4-43.]

(138) Detection of flaws in rails by detector cars.

[Subparagraph (138) added by Am. 42, 8 F.R. 17485, effective 1-4-44.]

(139) Storage of property and services incidental thereto (other than cold storage and other than tank storage of liquid commodities) for the War Department, Navy Department, Procurement Division of the Treasury Department and U. S. Commercial Company in the following places:

Atlanta, Ga.
Baltimore, Md.
Boston, Mass.
Buffalo, N. Y.
Charleston, W. Va.
Chattanooga, Tenn.
Chicago, Ill.
Cincinnati, Ohio.
Corpus Christi, Tex.
Dallas, Tex.
Denver, Colo.
Des Moines, Iowa.
Detroit, Mich.
Dubuque, Iowa.
Evansville, Ind.
Fort Dodge, Iowa.
Fort Worth, Tex.
Grand Rapids, Mich.
Huntington, W. Va.
Indianapolis, Ind.
Jacksonville, Fla.
Kansas City, Mo.
Little Rock, Ark.
Los Angeles, Calif.
Louisville, Ky.
Memphis, Tenn.
Milwaukee, Wis.
Minneapolis, Minn.
Nashville, Tenn.
New Orleans, La.
Norfolk, Va.
Oklahoma City, Okla.
Omaha, Nebr.
Philadelphia, Pa.
Pittsburgh, Pa.
Port of New York.
Pueblo, Colo.
Rochester, N. Y.
St. Louis, Mo.
St. Paul, Minn.
San Francisco, Calif.
Savannah, Ga.
Seattle, Wash.
Syracuse, N. Y.
Tampa, Fla.
Toledo, Ohio.

[Subparagraph (139) added by Am. 44, 9 F.R. 1911, effective 2-1-44]

(140) Service of storage or warehousing when performed by a person appropriately classified as a public utility and subject to regulation as such, maximum rates or charges for such service having been established, or otherwise regulated, by a federal, state, or municipal authority having jurisdiction over such rates or charges.

(141) Any service not excepted by other subparagraphs of this supplementary regulation when performed by a person appropriately classified as a public utility and subject to regulation as such, maximum rates or charges for such service having been established, or otherwise regulated, by a federal, state, or municipal authority having jurisdiction over such rates or charges.

[Subparagraphs (140) and (141) added by Am. 45, 9 F.R. 3331, effective 3-24-44.]

(142) Leasing of trucks between carriers pursuant to directions of the Office of Defense Transportation under the provisions of its Administrative Order ODT 10, issued March 10, 1944, General Order ODT 3, Revised, as amended March 10, 1944 and General Order ODT 17, as amended March 10, 1944. This exemption applies only to the compensation charged between carriers for the rental of the truck, and does not extend to any other type of truck rental or to the rates which the lessee may charge the shipper.

The exemption granted by this paragraph shall remain in effect only until July 13, 1944.

[Subparagraph (142) added by Am. 46, 9 F.R. 4030, effective 4-14-44.]

(143) Ash, debris, garbage or trash removal when performed by or for federal, state or local governmental units, or when the rates and charges for these services are fixed or must be approved thereby.

[Subparagraph (143) added by Am. 47, effective 5-8-44.]

Provided, That where, in connection with the supply or offer for supply during March 1942 of any of the services designated in paragraphs (a) and (b) of this Revised Supplementary Regulation No. 11, a commodity was sold or offered for sale, the rates, fees, charges or compensation for the supply of such commodity shall not be excepted from the application of the General Maximum Price Regulation if (i) a separate charge was made during March 1942 for the supply of such commodity, and (ii) if such a commodity when sold separately would otherwise be subject to the General Maximum Price Regulation.

(c) (1) Any person furnishing a service listed in subparagraph (28), (33), (41), (51), (73), (81), (82), (91), (92), (99), (110), (140), or (141) of paragraph (b) of this section shall give notice of any proposed general increase in the rates or charges for such service thirty (30) days before the effective date of the increase. The notice shall be filed with the Transportation and Public Utilities Division of the Office of Price Administration, Washington, D. C., as provided in Procedural Regulation No. 11, as amended, and shall comply with all the applicable requirements of that regulation.

(2) The requirements of subparagraph (1) of this paragraph (c) shall be applicable for a period of only sixty (60) days from March 24, 1944 to any service listed in subparagraph (28), (33), (41), (51), (73), (91), (99), or (110) of paragraph (b) if, in the furnishing of the service, the person so doing is not properly classified as a public utility or is not regulated as such or if maximum rates or charges for the service have not been established, or are not otherwise regulated, by a federal, state, or municipal authority having jurisdiction.

(3) The requirements of subparagraph (1) of this paragraph (c) shall not be applicable to any service listed in subparagraph (81), (82), or (92) of paragraph (b) if, in the furnishing of the service, the person so doing is not properly classified as a public utility or is not regulated as such or if maximum rates or charges for the service have not been established, or are not otherwise regulated, by a federal, state, or municipal authority having jurisdiction.

[Paragraph (c) added by Am. 45, 9 F.R. 3331, effective 3-24-44. Former paragraphs (c) and (d) redesignated (d) and (e).]

(d) *Definitions.* (1) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(2) "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, the War Shipping Administration, the Office of Scientific Research and Development and the Lend-Lease Section of the Procurement Division of the Treasury Department, or any agency of the foregoing.

(3) The definition of "farm equipment" set forth in § 1361.9 (a) (3) of Maximum Price Regulation No. 133 shall apply for the purposes of this regulation.

(4) When used in this Revised Supplementary Regulation No. 11, the term:

(i) "Synthetic rubber" means a material obtained by chemical synthesis, possessing the approximate physical properties of natural rubber, when compared in either the vulcanized or unvulcanized condition, which can be vulcanized with sulphur or other chemicals with the application of heat, and which, when vulcanized, is capable of rapid elastic recovery after being stretched to at least twice its length at temperatures ranging from 0° F. to 150° F. at any humidity.

[Subparagraph (4) added by Am. 11, 8 F.R. 130, effective 1-6-43.]

(e) *Effective date.* (1) Revised Supplementary Regulation No. 11 (§ 1499.46) shall become effective August 19, 1942. [Revised Supplementary Regulation No. 11 originally issued August 13, 1942]

[Effective dates of amendments are shown in notes following the parts affected.]

Issued this 3d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6329; Filed, May 3, 1944; 4:46 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5F,[1] Amdt. 9]

MILEAGE RATIONING: GASOLINE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5F is amended in the following respect:

Section 16.4 (a) is amended to read as follows:

(a) Two and five-tenths (2.5) gallons of gasoline with respect to class "A" book coupons.

This amendment shall become effective as of May 1, 1944.

NOTE: All record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget as required by the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., E.O. 9125, 7 F.R. 562, Supp. Dir. 1-Q, 7 F.R. 9121, General Order No. 48, 8 F.R. 2898)

Issued this 3d day of May 1944.

MELVIN C. ROBBINS,
Territorial Director,
Territory of Hawaii.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-6327; Filed, May 3, 1944; 4:45 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 25]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

Correction

In table 8 of F.R. Doc. 44-5828, appearing at page 4434 of the issue for Wednesday, April 26, 1944, the sixth figure in column 5 should be "32½".

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10742, 10757, 13125, 14155, 15985.

PART 1340—FUEL

[MPR 88,[1] Amdt. 9]

FUEL OIL, GASOLINE, AND LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 88 is amended in the following respects:

1. Section 2.11 (c) is amended to read as follows:

(c) *Central Illinois area.* In the Counties of St. Clair, Madison, Montgomery, Bond, Clinton, Washington, Jefferson, Marion, Fayette, Shelby, Effingham, Clay, Wayne, Hamilton, Christian, White, Edwards, Wabash, Richland, Lawrence, Crawford, and Jasper in the State of Illinois the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
42–44 API grav. w. w. kerosene	5.875
41–43 API grav. w. w. kerosene	5.75
Range or stove oil	5.375
No. 1 prime white distillate (fuel oil)	5.25
No. 1 straw fuel oil	5.125
No. 2 fuel oil	[2] 5.00
No. 3 fuel oil	[2] 4.875

[2] For Lawrence and Crawford Counties add .125.

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7-0-2d	[1] 5.0

[1] For Lawrence and Crawford Counties add .25.

2. Section 2.11 (d) is amended to read as follows:

(d) *Counties of Lake, Cook, DuPage and Will.* In the above counties in the State of Illinois maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
42–44 API grav. w. w. kerosene	6.125
41–43 API grav. w. w. kerosene	6.00
Range or stove oil	5.625
No. 1 prime white distillate (fuel oil)	5.50
No. 1 straw fuel oil	5.375
No. 2 fuel oil	5.25
No. 3 fuel oil	5.125

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7-0-2d	5.375

[1] 9 F.R. 1783, 2405, 2476, 3078, 3230, 3849, 4236, 4395, 4505.

3. Section 2.12 (b) is amended to read as follows:

(b) *Counties of Lake, Porter, and La Porte.* In the above counties in the State of Indiana the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
42–44 API grav. w. w. kerosene	6.125
41–43 API grav. w. w. kerosene	6.00
Range or stove oil	5.625
No. 1 prime white distillate (fuel oil)	5.50
No. 1 straw fuel oil	5.375
No. 2 fuel oil	5.25
No. 3 fuel oil	5.125

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7–0–2d	5.375

4. Section 2.12 (c) is amended to read as follows:

(c) *Counties of Posey, Vanderburgh, Warrick, Spencer, Perry, Crawford, Harrison, Floyd, and Clark.* In the above counties in the State of Indiana the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
41 API grav. and above w. w. kerosene	6.125
No. 1 prime white distillate (fuel oil) range or stove oil and No. 1 fuel oil	5.625
No. 2 fuel oil	5.50
No. 3 fuel oil	5.50

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7–0–2d	5.25

5. Section 2.12 (d) is amended to read as follows:

(d) *Indianapolis area.* In the Indianapolis area comprised of that part of the State of Indiana which is within a radius of 25 miles of the center of Indianapolis, Indiana, maximum prices for the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One or the State of Michigan.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
41 API grav. and above w. w. kerosene	6.125
No. 1 prime white distillate (fuel oil) range or stove oil and No. 1 fuel oil	5.625
No. 2 fuel oil	5.50
No. 3 fuel oil	5.50

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7–0–2d	5.625

6. Section 2.14 (a) is amended to read as follows:

(a) *State of Kansas (except Kansas City area).* In the State of Kansas, except that part of the state which is within a radius of 25 miles of the center of Kansas City, Missouri, the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
42–44 API grav. w. w. kerosene	4.625
41–43 API grav. w. w. kerosene	4.50
Range or stove oil	4.125
No. 1 prime white distillate (fuel oil)	4.00
No. 1 straw fuel oil	3.875
No. 2 fuel oil	3.75
No. 3 fuel oil	3.625

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7–0–2d	4.125

7. Section 2.14 (b) is amended to read as follows:

(b) *Kansas City area.* In that part of the State of Kansas which is within a radius of 25 miles of the center of Kansas City, Missouri, the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
42–44 API grav. w. w. kerosene	5.125
41–43 API grav. w. w. kerosene	5.00
Range or stove oil	4.625
No. 1 prime white distillate (fuel oil)	4.50
No. 1 straw fuel oil	4.375
No. 2 fuel oil	4.25
No. 3 fuel oil	4.125

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7–0–2d	4.625

8. Section 2.15 (a) is amended to read as follows:

(a) *Counties of Union, Henderson, Daviess, Hancock, Breckinridge, Meade, Hardin, Bullitt, Jefferson, and Oldham.* In the above counties in the State of Kentucky the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destination in Petroleum Administration for War District One.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
41 API gravity and above w. w. kerosene	5.5
No. 1 prime white distillate (fuel oil) range or stove oil and No. 1 fuel oil	5.375
No. 2 fuel oil	5.25
No. 3 fuel oil	5.125

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7–0–2d	5.25

9. Section 2.15 (b) is amended to read as follows:

(b) *Counties of Boone, Kenton, Campbell, Pendleton, Bracken, Mason, Lewis, Greenup, and Boyd.* In the above counties in the State of Kentucky the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
41 API gravity and above w. w. kerosene	6.125
No. 1 prime white distillate (fuel oil) range or stove oil and No. 1 fuel oil	[1] 5.625
No. 2 fuel oil	[1] 5.50
No. 3 fuel oil	5.50

[1] For Boyd County add .125.

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7–0–2d	5.625

10. Section 2.20 (a) is amended to read as follows:

(a) *State of Michigan (except Wayne and Monroe Counties).* In the State of Michigan except Wayne and Monroe Counties the maximum prices of the products listed below in bulk lots f. o. b. shipping points shall be as follows:

Products	Cents per gallon
Kerosene and distillate fuel oils:	
46–49 API grav. w. w. kerosene	6.0
41–45 API grav. w. w. kerosene	5.75
No. 1 prime white distillate (fuel oil)	5.50
No. 2 fuel oil	5.25
No. 3 fuel oil	5.00
Range or stove oil	(1)
Diesel fuel (distillate): Navy Department specification 7–0–2d	[2] 5.375

[1] Range or stove oil shall take the maximum price of the product listed above of the same specifications.

[2] Applies only f. o. b. refineries and only on sales to the United States Government or any agency thereof.

11. Section 2.20 (b) (1) is amended to read as follows:

(1) *On shipments to Petroleum Administration of War District One.* In Wayne County in the State of Michigan the maximum prices of the products listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

Products	Cents per gallon
Kerosene and distillate fuel oil:	
46–49 API grav. w. w. kerosene	6.25
41–45 APA grav. w. w. kerosene	6.00
No. 1 prime white distillate (fuel oil)	5.75
No. 2 fuel oil	5.50
No. 3 fuel oil	5.25
Range or stove oil	(1)
Diesel fuel (distillate): Navy Department specification 7–0–2d	[2] 5.625

[1] Range or stove oil shall take the maximum price of the product listed above of the same specifications.

[2] Applies only f. o. b. refineries and only on sales to the United States Government or any agency thereof.

12. Section 2.20 (b) (2) is amended to read as follows:

(2) *On shipments to destinations other than Petroleum Administration for War District One.* In Wayne County in the State of Michigan, the maximum prices of the products listed below in bulk lots f. o. b. refineries for shipment to ultimate destinations other than Petroleum Administration for War District One shall be as follows:

Products	Cents per gallon
Kerosene and distillate fuel oils:	
46–49 API grav. w. w. kerosene	6.25
41–45 API grav. w. w. kerosene	6.05
No. 1 prime white distillate (fuel oil)	5.75
No. 2 fuel oil	5.50
No. 3 fuel oil	5.25
Range or stove oil	(1)
Diesel fuel (distillate): Navy Department specification 7–0–2d	[2] 5.625

[1] Range or stove oil shall take the maximum price of the product listed above of the same specifications.

[2] Applies only on sales to the United States Government or any agency thereof.

13. Section 2.23 (b) is amended to read as follows:

(b) *St. Louis area.* Within the City of St. Louis, Missouri, and that part of the State of Missouri which is within a radius of 25 miles of St. Louis, Missouri, the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
42–44 API grav. w. w. kerosene	5.875
41–43 API grav. w. w. kerosene	5.75
Range or stove oil	5.375
Kerosene and distillate fuel oils—Con.	
No. 1 prime white distillate (fuel oil)	5.25
No. 1 straw fuel oil	5.125
No. 2 fuel oil	5.00
No. 3 fuel oil	4.875

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7–0–2d	5.0

14. Section 2.23 (c) is amended to read as follows:

(c) *Kansas City area.* In that part of the State of Missouri which is within a radius of 25 miles of the center of Kansas City, Missouri, the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
42–44 API grav. w. w. kerosene	5.125
41–43 API grav. w. w. kerosene	5.00
Range or stove oil	4.625
No. 1 prime white distillate (fuel oil)	4.50
No. 1 straw fuel oil	4.375
No. 2 fuel oil	4.25
No. 3 fuel oil	4.125

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7–0–2d	4.625

15. Section 2.33 (a) is amended to read as follows:

(a) *Counties of Cuyahoga, Lorain, Medina, Summit, Stark, Portage, Geauga, Lake, Ashtabula, Trumbull, Mahoning and Columbiana.* In the above counties in the State of Ohio the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One or the State of Michigan.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
41 API gravity and above w. w. kerosene	6.25
No. 1 prime white distillate (fuel oil) range or stove oil and No. 1 fuel oil	[1] 6.125
No. 2 fuel oil	[1] 6.00
No. 3 fuel oil	[1] 6.00

[1] For Stark County deduct .25.

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7–0–2d	5.75

16. Section 2.33 (b) is amended to read as follows:

(b) *Counties of Allen, Hancock, Lucas, Putnam, Wood, and Licking.* In the above counties in the State of Ohio the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to Petroleum Administration for War District One or the State of Michigan.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
41 API gravity and above w. w. kerosene	6.25
No. 1 prime white distillate (fuel oil) range or stove oil and No. 1 fuel oil	5.75
No. 2 fuel oil	5.50
No. 3 fuel oil	5.50
Diesel fuel (distillate): Navy Department specification 7–0–2d	[1] 5.625

[1] Applies only f. o. b. refineries and only on sales to the United States Government or any agency thereof.

(2) *For shipment to destinations other than in Petroleum Administration for War District One or the State of Michigan—(i) For No. 1 prime white distillate, range or stove oil and No. 1 fuel oil.* Maximum prices of No. 1 prime white distillate, range or stove oil and No. 1 fuel oil in bulk lots f. o. b. shipping points in the above counties for shipment to ultimate destinations other than Petroleum Administration for War District One or the State of Michigan shall be as those established under subparagraph (1) above or as determined under other sections of this regulation, whichever may be higher.

(ii) *For certain diesel fuel on sales to the United States Government or any agency thereof.* The maximum price for diesel fuel, Navy Department specification 7–0–2d, f. o. b. refineries in the above counties of the State of Ohio shall be 5.625¢ per gallon.

17. Section 2.33 (c) is amended to read as follows:

(c) *Counties of Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, Gallia, and Meigs.* In the above counties in the State of Ohio the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to Petroleum Administration for War Department One or the State of Michigan.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
41 API gravity and above w.w. kerosene	6.125
No. 1 prime white distillate (fuel oil) range or stove oil and No. 1 fuel oil	5.625
No. 2 fuel oil	5.50
No. 3 fuel oil	5.50

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7–0–2d	5.625

18. Section 2.34 (a) is amended to read as follows:

(a) *State of Oklahoma.* Maximum prices, f. o. b. refineries in the State of Oklahoma, of the products listed below in bulk lots loaded into tank cars and motor transports shall be as follows:

Products	*Cents per gallon*
Kerosene, distillate fuel oils and gas oils:	
42–44 API grav. w. w. kerosene	4.50
41–43 API grav. w. w. kerosene	4.375
Range or stove oil	4.00
No. 1 prime white distillate (fuel oil)	3.875
No. 1 straw fuel oil	3.75
No. 2 fuel oil	3.625
No. 3 fuel oil	3.50
Gas oil zero cold test (32–36 API gravity)	3.375
Gas oil, ordinary	3.00
Diesel fuel (distillate): Navy Department specification 7–0–2d	[1] 4.00

[1] Applies only on sales to United States Government or any agency thereof.

This amendment shall become effective as of May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6328; Filed, May 3, 1944; 4:48 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 187,[1] Amdt. 5]

CERTAIN PAPERBOARD PRODUCTS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 187 is amended in the following respect:

Appendix B is added to read as follows:

APPENDIX B—MAXIMUM PRICES FOR TWO PIECE CORRUGATED GARMENT BOXES

(a) Notwithstanding the previous section 1 (c) and Appendix A of this Revised Maximum Price Regulation No. 187, manufacturer's maximum prices for two piece corrugated garment boxes of the sizes indicated, fabricated in the Metropolitan Area of New York and sold either in or out of such area shall not exceed the following:

(1) *Maximum prices.*

Style:	*Per box*
P. P	$0.105
Single	.12
20–2	.17
20–3	.18
20–4	.195
20–6	.22
20–9	.255
20–12	.63
26–2	.18
26–3	.19
26–4	.215
26–6	.24
26–9	.275
26–12	.27
32–2	.29
32–3	.315
32–4	.42
32–6	.46
32–9	.55
32–12	.63
36–2	.18
36–3	.19
36–4	.215
36–6	.24
36–9	.275
36–12	.27
40–2	.29
40–3	.315
40–4	.42
40–6	.46
40–9	.55
40–12	.63
42–2	.18
42–3	.19
42–4	.215
42–6	.24
42–9	.275
42–12	.27
48–2	.29
48–3	.315
48–4	.42

(2) *Charges for delivery.* Every manufacturer shall continue to sell on a delivered price basis to such purchasers, zones or areas to which he customarily made shipments on a delivered price basis during the period October 1–31, 1941, inclusive.

(i) In the case of shipments to points within a free delivery zone or area within which no charge for delivery was added or would have been added by the manufacturer during the period October 1–31, 1941, inclusive, the manufacturer shall not add to the maximum price established in subparagraph (1) above, any charge for delivery.

(ii) In the case of shipments to points, with the exception of shipments to points described in subdivision (i) above, for which the manufacturer added a charge for delivery, the manufacturer may add to the maximum prices established in subparagraph (1) above, his customary and established delivery charge: *Provided*, That in no instance may the amount of the delivery charge so added exceed the highest charge actually obtained or which would have been obtained for an identical shipment to the same purchaser, zones or areas during the period October 1–31, 1941, inclusive, by the means of transportation customarily employed for shipments to such purchaser, zones or areas, during such period.

(b) For the purposes of this Appendix B, the term:

(1) "Metropolitan area of New York" means any place within a forty mile radius of the New York City Hall.

(2) "Two piece corrugated garment box" means any unprinted two piece non-test corrugated design box of the following inside dimensions for the respective sizes, with a ½" tolerance in any one dimension:

Parcel Post	17	–11	–1⅞
Singles	21	–13½	–2½
20–2	27½	–15½	–2
20–3	27½	–15½	–2½
20–4	27½	–15½	–3½
20–6	27½	–15½	–5
20–9	27½	–15½	–7
20–12	27½	–15½	–10
26–2	33½	–15½	–2
26–3	33½	–15½	–2½
26–4	33½	–15½	–3½
26–6	33½	–15½	–5
26–9	33½	–15½	–7
26–4	39½	–15½	–3½
26–6	39½	–15½	–5
26–9	39½	–15½	–7
26–12	39½	–15½	–10

In no event shall the tolerance in dimensions reduce the board area of the box to less than that provided below for the respective size:

	Square feet per M boxes
P. P	4,300
Singles	6,200
20–3	8,100
20–3	8,900
20–4	10,200
20–5	12,500
20–9	16,200
20–12	22,800
26–2	9,500
26–3	10,200
26–4	12,000
26–5	14,500
26–9	18,300
42–4	13,700
42–6	16,500
42–9	20,700
42–12	28,300

Furthermore, if requested by the purchaser, each box except parcel post and singles must contain at least one string of the customary type and length, properly attached to the box in order to accomplish the purpose for which it is intended.

This amendment shall become effective May 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–6363; Filed, May 4, 1944; 11:54 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 14395, 17367; 9 F.R. 1320.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[RMPR 169,[1] Amdt. 41]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1364.405 (g) is added to read as follows:

(g) *Wholesalers' adjustments affecting frozen boneless beef (Army specifications).* Upon a unanimous finding by the Quartermaster General, War Food Administrator and Price Administrator (1) that the facilities of any wholesaler are essential for the purpose of increasing the total supply of frozen boneless beef (Army specifications), and (2) that the production of frozen boneless beef by such wholesaler will not be accompanied by or cause a decrease in the production of frozen boneless beef (Army specifications) by any other person, and will not therefore increase the cost of prosecuting the war without achieving a greater essential supply; and

Upon a finding by the Price Administrator that the established price of frozen boneless beef impedes or will impede the wholesaler's production of this meat item for war procurement agencies because of increased carcass beef costs due to the payment of transportation and/or local delivery allowances provided in § 1364.454, carcass beef shrinkage occurring during transit of dressed carcasses from the point of origin to the wholesaler's place of business or other handling costs incurred during such transit of dressed carcasses, the Price Administrator may by order adjust the maximum price to offset such added beef carcass costs.

Each wholesaler seeking an adjustment under this paragraph (g) shall file five copies of an application showing: (i) The name and address of each person who is supplying or will supply the applicant with beef carcasses for the purpose of producing frozen boneless beef (Army specifications) for a war procurement agency and the quantity of beef carcasses supplied or to be supplied by such person to the applicant; (ii) on the basis of actual tests made on a lot of no less than 50 dressed beef carcasses (or 100 sides), a detailed test-cost analysis by grades showing the yield, each item of direct cost, indirect cost, overhead and general administrative costs involved in producing frozen boneless beef (Army specifications); (iii) the weight of dressed beef carcasses by grades (used in the test in (ii)) when shipped from each supplier referred to in (i) above, and the weight of such dressed beef carcasses when received at the applicant's place of business; (iv) the transportation and/or local delivery charges which will be incurred in making the purchases enumerated in (i) above and such other handling costs as will be incurred; and (v) the amount of adjustment in frozen boneless beef (Army specifications) prices which will be necessary to offset the increased costs of dressed carcasses due to transportation and/or local delivery payments, shrinkage and/or handling costs.

The Price Administrator shall furnish the Quartermaster General and War Food Administrator each with a copy of the application filed hereunder. The findings required to be made unanimously by the Quartermaster General, War Food Administrator and Price Administrator may be based on such other information as any of them may submit. The Price Administrator may issue temporary or indefinite orders hereunder and may include in the orders such provisions as he deems necessary to effectuate the purposes of this paragraph.

This amendment shall become effective May 4, 1944.

NOTE: The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 756; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6364; Filed, May 4, 1944; 11:51 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 53]

FEED FOR ANIMALS AND POULTRY IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 65 is added to read as follows:

SEC. 65. *Maximum prices for sales of feeds for animals and poultry.*—(a) *What this section covers.* This section establishes maximum prices for sales and deliveries of all feeds for animals and poultry, including sales by manufacturers, wholesalers and retailers.

(b) *Definitions.* When used in this section:

(1) "Feed" means all feed used for the purpose of feeding animals and poultry.

(2) "Straight item" means all unmixed ingredients or single items used for feeding animals or poultry.

(3) "Mixed feeds" for animals and poultry includes "mixed feed" and "mineral mixed feed" as hereinafter defined.

(4) "Mixed feed" is a mixture or blend of more than one feed ingredient for the purpose of feeding animals and poultry, except the following commodities:

(i) Mixed feeds for any house pet birds.

(ii) Cat and dog food for which a ceiling price has been determined under the provisions of sections 40 and 41a of Maximum Price Regulation No. 373, which cat and dog foods shall be and remain subject to said provisions; and

(iii) All other cat and dog foods for which a maximum price has been determined under the provisions of the General Maximum Price Regulation for Hawaii,[2] which cat and dog foods shall remain subject to such provisions.

(5) "Pelleted mixed feed" is a mixed feed further processed into pellets.

(6) "Mineral mixed feed" is a mixed feed at least 60 percent of which consists of a mixture of two or more chemicals or minerals, with or without mixture with other ingredients, and customarily regarded as dietary factors in the feeding of animals and poultry.

(7) "Manufacturer" is one who produces and sells a mixed feed by grinding, mixing or blending, whether by stationary or portable equipment.

(8) A "custom mixer" is one who furnishes to a consumer for a recompense the services of producing mixed feed; either the custom mixer or the consumer or both may furnish the ingredients for the mixed feeds.

(9) A "private brand dealer" is one who resells mixed feed or mineral mixed feed ordered and bought by him from a manufacturer who produced and packed the same in containers bearing the dealer's private brand.

(10) A "wholesaler" is one who buys any feed item and resells the same to:

(i) A retailer, or

(ii) A consumer on a f. o. b. warehouse basis in lots of five tons or over, or on a f. o. b. destination dock basis.

(11) A "wholesale outlet" is a department, branch or unit of a concern or an affiliated group of concerns or organizations performing like functions as a wholesaler, and which concern or affiliated group of concerns or organizations also handles commodities subject to this section at other levels of distribution: *Provided*, That said wholesale outlet must be a place of business separate from any producing plant of such concern, affiliated group of concerns or organizations.

(12) A "retailer" is one who buys a feed and resells it to consumers.

(13) A "retail outlet" is a department, branch or unit of a concern or an affiliated group of concerns or organizations performing like functions as a retailer and which concern or affiliated group of concerns or organizations also handles commodities subject to this section at other levels of distribution: *Provided*, That said retail outlet must be a place of business separate from any producing plant of such concern or affiliated group of concerns or organizations.

(14) "Reasonable market value" shall have the meaning ascribed thereto by law. It is also known in the trade as replacement value.

(15) "L. c. l. quantities" or less than carload lots or quantities, refers to sales or deliveries of quantities less than the stated capacity of any railroad car, whether the shipment is by rail, motor vehicle, water or other means.

(16) A "billing charge" is a charge or entry as a part of the bookkeeping system of debits and credits made between different departments, branches, or units of one concern or between different units of an affiliated group of concerns or organizations for services rendered or commodities produced by one and furnished or delivered by another.

(17) "F. o. b destination dock basis" means the invoice cost of the feed plus an amount equal to the charges for ocean freight, war risk and marine insurance actually incurred not to exceed the rates charged by the War Shipping Administration and Territorial tolls and tonnage taxes shown on the bill of lading.

(18) "FSCC" refers to The Federal Surplus Commodities Corporation.

(19) "Sub-order FSCC basis" refers to a sale made to a purchaser by a seller who has authority to purchase direct from FSCC where the purchaser receives a sub-order from the seller and takes delivery himself directly either from a FSCC warehouse or directly from the dock.

(c) *Maximum prices for manufacturers.* Every manufacturer of mixed feeds shall determine his maximum price per 100 pounds seller's container for l. c. l. quantities for sales of each mixed feed item as follows:

(1) He shall first compute his cost per 100-pound container of the commodity to be priced as follows:

(i) He shall include the cost of every ingredient which is subject to maximum prices prescribed by the Office of Price Administration at the actual cost thereof to him as if purchased at the time of the calculation not exceeding the maximum price thereon to him at said time, for the quantities normally purchased by him.

(ii) He shall include the cost of every other ingredient used which is not sub-

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 15862, 16866, 16997, 17201; 9 F.R. 173, 393.

[2] 8 F.R. 5307, 6362.

ject to the maximum prices prescribed by the Office of Price Administration at the reasonable market value thereof to him when purchased, for the quantities normally purchased by him: *Provided*, That said reasonable market value shall be such value at his producing plant.

(iii) He shall include either the cost of one 100-pound new bag or container for the commodity to be priced at the maximum price thereof to him at the time of the bag or container purchase, where he furnishes such a bag or container; or, in such cases where second hand bags furnished by the seller are used, he may add the reasonable market value of the bags used (not exceeding any maximum prices established thereon by Revised Maximum Price Regulation 55[1]—Second-hand Bags).

(iv) In the case of feeds purchased from the FSCC stocks, he may include an allowance for shrinkage actually incurred on such purchases, not to exceed two (2) per cent.

(2) Then, for sales to wholesalers and for deliveries to his wholesale outlets, he shall add his cost per 100-pound container and the applicable dollar and cent markup set forth below:

Class 1 (except scratch feeds)[1]	$0.38
Class 2[1]	.50
Class 3[1]	.60
Scratch feeds (containing cracked corn purchased by manufacturer)	.30
Scratch feeds (containing whole corn cracked by manufacturer)	.38

[1] Classifications of mixed feeds are set forth in paragraph (e), Table 1.

The resulting price is the maximum price and billing charge at his producing plant. It shall also be known as the manufacturer's list price for sales to wholesalers and for deliveries to his wholesale outlets.

(3) Then, for sales to retailers and for deliveries to his retail outlets, he shall add his cost per 100-pound container and the applicable dollar and cent markup set forth below:

Class 1 (except scratch feeds)[1]	$0.53
Class 2[1]	.65
Class 3[1]	.75
Scratch feeds (containing cracked corn purchased by manufacturer)	.35
Scratch feeds (containing whole corn cracked by manufacturer)	.43

[1] Classifications of mixed feeds are set forth in paragraph (e), Table 6.

The resulting price is the maximum price and billing charge at his producing plant. It shall also be known as the manufacturer's list price for sales to retailers and for deliveries to his retail outlets.

(4) Then, for sales to consumers, he shall add his cost per 100-pound container and the applicable dollar and cent markup set forth below:

Class 1 (except scratch feeds)[1]	$0.78
Class 2[1]	.90
Class 3[1]	1.00
Scratch feeds (containing cracked corn purchased by manufacturer)	.60
Scratch feeds (containing whole corn cracked by manufacturer)	.68

[1] Classifications of mixed feeds are set forth in paragraph (e), Table 1.

The resulting price is the maximum price f. o. b. his producing plant.

(5) For sales in seller's containers of less than 100 pounds, the maximum price shall be the applicable maximum price less any container allowance permitted under paragraph (c) (1) (iii) above, plus the appropriate differential at the rate per ton set forth in the following schedule:

Size of container	Paper bags	Cotton bags	Other container (rate per ton)	Bales
Up to and including 5 pounds	$6.00	$6.00	Reasonable market value of containers at time of sale plus 50¢ per ton.	Reasonable market value of bales at time of sale over opposite differential for small size packages.
Over 5 pounds and up to and including 10 pounds.	5.00	5.00		
Over 10 pounds and up to and including 25 pounds.	1.50	2.50		
Over 25 pounds and up to and including 50 pounds.	1.00	1.25		

(d) *Maximum prices for wholesalers and wholesale outlets of a mixed feed manufacturer.* Every wholesaler and wholesale outlet of a mixed feed manufacturer shall determine his maximum price and billing charge as follows:

(1) For sales of feed per 100-pound container to a retailer store and a retail outlet of a mixed feed manufacturer.

(i) On an f. o. b. destination dock basis or sub-order FSCC basis.

The maximum price shall be the sum of:

(*a*) The actual cost to the seller determined either by the list price of the mixed feed manufacturer or the current FSCC feed price list, and

(*b*) $4.00 per ton or 20¢ per 100-pound container less $1.00 per ton or 5¢ per 100-pound container for cash payment within 10 days after billing.

(ii) On a f. o. b. seller's warehouse basis.

The maximum price shall be the sum of:

(*a*) The actual cost to the seller determined either by the list price of the mixed feed manufacturer or the current FSCC Feed Price list;

(*b*) Transportation costs actually incurred by the seller in hauling to his warehouse, and

(c) $6.60 per ton or 33¢ per 100-pound container less $1.00 per ton or 5¢ per 100-pound container for cash payment within 10 days after billing.

(2) For sales of feed per 100-pound container to consumers.

(i) On a f. o. b. destination dock basis or sub-order FSCC basis: The maximum price shall be the applicable maximum price determined under paragraph (d) (1) (i) above, plus 1¼ %.

(ii) On a f. o. b. seller's warehouse basis, in lots of five tons or more of any feed item: The maximum price shall be the applicable maximum price determined under paragraph (d) (1) (ii) above, plus 1¼ %.

(3) For sales of feed in containers of 50 pounds or less the maximum price shall be the applicable maximum price determined under paragraph (d) (1) or (2) above, plus $1.50 per ton.

(e) *Maximum prices for retailers and retail outlets of a mixed feed manufacturer.* Every retailer and retail outlet of a mixed feed manufacturer shall determine his maximum price for sales of all feeds including mixed feeds as follows:

(1) For sales of all feed items purchased by the retailer from the FSCC, the maximum price shall be the sum of the following:

(i) His FSCC invoice cost.

(ii) All transportation costs actually incurred by the retailer for transportation of the item being priced to his place of business, and

(iii) A maximum markup of $10.00 per ton.

(2) For sales of all other feed items the maximum price shall be the sum of the following:

(i) Either the list price set forth in paragraph (c) (3) above, or the supplier's maximum price set forth in paragraph (d) (1) above, whichever is applicable.

(ii) All transportation costs actually incurred by the retailer for transportation of the item being priced to his place of business, and

(iii) The applicable dollar and cent markup listed in the schedule of the retail markups set forth below.

SCHEDULE OF MARKETS

(a) For sales per 100-pound container.

TABLE 1

Commodity	Maximum markup: Per ton	Maximum markup: Per 100-pound container
Class I—All straight items, and the following mixed feed, all dairy and cattle feeds except calf feeds, all horse and mule feeds, all poultry, duck and turkey feeds except as set forth below	$7.00	$0.35
Class II—All rabbit feeds, all pig and hog feeds, all growing, broiler and laying mashes and pellets for poultry, ducks and turkeys, except (1) flushing mashes, concentrates, and supplements for poultry, ducks and turkeys used for further mixing or feeding with more than 50% of grain and (2) starting mashes and pellets for poultry, ducks and turkeys	8.40	.42
Class III—All pigeon and squab feeds, all mineral mixed feeds, all calf feeds, all poultry, duck and turkey mashes and pellets designed for starting poultry, ducks and turkeys, and flushing mashes, concentrates and supplements for poultry, ducks and turkeys used for further mixing or feeding with more than 50% of grain	11.40	.57

[1] 7 F.R. 10104, 10554, 10585; 8 F.R. 12404.

TABLE 2—MIXED FEED CLASSIFICATION[1]

Commodity	Class
For chickens, turkeys, ducks and geese:	
Chick starter mash	3
All mash chick starter	3
Baby chick mash	3
Baby chick ration (mash)	3
Baby chick food mash	3
Starting feed (mash)	3
All mash chick mash	2
Developing mash	2
Growing mash	2
Egg-producing mash	2
Laying mash	2
Breeder mash	2
Laxative mash (specialty)	3
Egg mash	2
All mash egg food	2
All mash laying food	2
Hen mash	2
All mash growing pullet food	2
All mash growing pullet mash	2
Flushing mash (specialty)	3
Flush tonic mash (specialty)	3
Fattening mash	2
Scratch feed (hen)	1
Scratch feed (pullet and growing)	1
Chick scratch	1
Intermediate grain	1
Developing grains	1
Baby chick grains	1
Pig and hog feeds:	
Pig meal	2
Hog meal	2
Pig and hog feed	2
Calf feeds:	
Calf meal or pellets	3
Calf grower	3
Miscellaneous:	
Dairy feed	1
Horse feed	1
Mule feed	1
Sheep feed	2
Goat feed	2
Pigeon feed	3
All rabbit feeds—mash and pellets	2
All mineral mixed feed	3
Pheasant feeds	3
All purpose or combination mash	2
All straight items	1

[1] Table shows individual classification of feeds in Table 1.

(b) For sales in containers of 50 pounds or less.

Size of container:	Maximum markup per bag
Up to and including 5 pounds	$0.06
Over 5 pounds and up to and including 10 pounds	.10
Over 10 pounds and up to and including 25 pounds	.20
Over 25 pounds and up to and including 50 pounds	.30

(f) *Maximum prices and base period reports for persons doing both wholesale and retail business*—(1) *Maximum prices.* The maximum prices for any person doing both a wholesale and a retail business shall be determined as follows:

(i) For sales as a wholesaler, his maximum price shall be the applicable maximum price set forth in paragraph (d) hereof.

(ii) For sales as a retailer of the percentage of tonnage volume of sales as retailer listed in his base period report, his maximum price shall be the applicable maximum prices set forth in paragraph (d) hereof, plus the appropriate markups set forth below:

	Per ton
Class 1 markup[1]	$3.40
Class 2 markup[1]	5.40
Class 3 markup[1]	7.40

[1] Classifications of mixed feed are set forth in paragraph (e), Table 1.

(iii) For sales as a retailer of any increase in retail sales over the percentage of tonnage volume of sales as a retailer listed in his base period report, his maximum price shall be his invoice cost plus the maximum markup set forth in paragraph (e) (2) above.

(2) *Base period reports.* Any person doing both a wholesale and a retail business shall report to the Office of Price Administration, Iolani Palace, Honolulu, 2, T. H., within two weeks after the effective date of this section, his tonnage volume of sales as a wholesaler and his tonnage volume of sales as a retailer during the immediately preceding week, month, or four months period, whichever he may, at the time of his first calculation of prices, select.

(g) *Delivery charges.* Any seller may add to the maximum prices established by this section the actual transportation costs incurred by him for deliveries from his place of business to the buyer's receiving point, provided such deliveries are made by the usual route and method of transportation.

(h) *Inability to determine maximum prices.* If you are unable to determine the maximum price for any feed item covered by this regulation, you shall apply to the Office of Price Administration, Iolani Palace, Honolulu, 2, T. H., for establishment of a maximum price.

(i) *Rounding of maximum prices.* (1) In ascertaining maximum prices hereunder on a per ton basis round the figure obtained as the maximum price to the nearest even 20 cents.

(2) Notwithstanding the provisions of section 7 of this Maximum Price Regulation 373, in ascertaining maximum prices hereunder on a one 100-pound container basis round the figure obtained as the maximum price to the nearest one cent.

(j) *Dealings between persons of the same class.* No person shall sell feeds including mixed feed or mineral mixed feed bought from a person of the same class to which he belongs at higher than the maximum price at which he may buy the same from such person hereunder.

(k) *Prices to be marked and posted.* Notwithstanding the provisions of section 10 of this Maximum Price Regulation 373, every wholesaler or retailer shall post in his place of business a copy of his maximum prices as computed hereunder.

(l) *Records and reports.* Notwithstanding the provisions of section 10 of this Maximum Price Regulation 373,

(1) Every manufacturer shall keep for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, a complete record of each sale or purchase subject hereto showing the date thereof, the names and addresses of the buyer and seller, the price contracted for, paid or received, and the quantity of the feeds for animals and poultry sold or purchased.

(2) Every wholesaler and retailer shall keep for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, like records of his sales and purchases as he kept during the year 1942.

(2) All sales invoices shall, in addition to the above requirements, specify as a separate item such charges as may be allowed for transportation or delivery.

This amendment shall become effective as of April 1, 1944.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 4th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6371; Filed, May 4, 1944; 11:53 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 55]

HAM AND APPLES IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 373 is amended in the following respects:

1. Section 19a (e) is hereby revoked.

2. Section 19b (h) Table H is amended by changing the price for the item "Ham hocks (less than 4 pounds)" under the category "Ham" from 30¢ per pound to 35¢ per pound.

3. The table following section 21 (d) (1) is amended by changing the prices of one item to read as follows:

	Wholesale maximum price	Retail maximum price
Apples: Winesaps	$5.40 per box	$0.17 per lb

This amendment shall become effective as follows:

(a) As to section 19a, as of March 1, 1944.

(b) As to section 19b, as of April 11, 1944.

(c) As to section 21, as of April 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6372; Filed, May 4, 1944; 11:52 a. m.]

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* *Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15851, 15852, 15862, 16866, 16997, 17201; 9 F.R. 173, 393.

PART 1499—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 26]

PEPPERS AND CUCUMBERS; SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 426 is amended in the following respects:

1. Table 6 of Appendix H, Article III, section 15 is amended to read as follows:

TABLE 6—MAXIMUM PRICES FOR SWEET PEPPERS

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f. o. b. shipping points in Florida and Arizona	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer[1]
1	Sweet peppers in 1½ bushel crates with a net weight of 37 pounds or more.	1½ bushel crates	Jan. 1–May 31	$4.80	Col. 5 price plus freight (including 3% transportation tax) from Pompano, Florida plus 11 cents for protective services[1] for all markets east of and including Chicago, Illinois; and Nogales, Arizona, plus 18 cents for protective services[1] for all markets west of Chicago, Ill.	Col. 6 price plus 90 cents
2			June 1–July 15	$3.65		
3	Sweet peppers in bushel containers with a net weight of 25 pounds or more.	Bushel	Jan. 1–May 31	$3.20	Col. 5 price *plus* freight (including 3% transportation tax) *plus* 8 cents for protective services[1] for all markets east of and including Chicago, Illinois; and Nogales, Arizona *plus* 10 cents for protective services[1] for all markets west of Chicago, Illinois.	Col. 6 price plus 75 cents
4			June 1–July 15	$2.45		
5	Sweet peppers in 1½ bushel crates with a net weight of less than 37 pounds and in bushel containers with a net weight of less than 25 pounds and in all other containers.[2]	Pound	Jan. 1–May 31	11.4 cents per lb	Maximum price above (item 1) divided by 42.	Col. 6 price plus 2¼c cents per pound.
6			June 1–July 15	9.8 cents per lb	Maximum price above (item 2) divided by 42.	Col. 6 price plus 2¼c cents per pound.

[1] For all wholesale receiving points in the States of Florida and Arizona, no allowance shall be added for protective services.
[2] The maximum price for peppers sold in bulk (loose without containers) shall be 1 cent per pound less than the appropriate price per pound listed in column 5, 6 or 7 above.
[3] For the sellers covered by column 7, see general provisions of this appendix.

2. Table 7 of Appendix H, Article III, section 15 is amended in the following respects:

a. Items 1, 2, 3 and 4 in column 6 are amended to read as follows:

Col. 5 price plus freight (including 3% transportation tax) from Wachula, Florida, plus 10 cents for protective services[1] for all markets east of and including Chicago, Illinois; and from Chula Vista, California, plus 10 cents for protective services for all markets west of Chicago, Illinois.

b. Items 5, 6, 7 and 8 in column 6 are amended to read as follows:

Col. 5 price plus freight (including 3% transportation tax) from Wachula, Florida, plus 8 cents for protective services[1] for all markets east of and including Chicago, Illinois; and from Chula Vista, California, plus 8 cents for protective services for all markets west of Chicago, Illinois.

c. Items 13, 14, 15 and 16 in column 6 are amended to read as follows:

Col. 5 price plus express (including 3% transportation tax) from Davenport, Iowa.[2]

d. Items 13, 14, 15 and 16 in column 7 of Table 7 in paragraph (b) are amended to read as follows:

Col. 6 price plus 2½ cents per pound.

3. Items 2 and 4 of the Table in paragraph (c) of Appendix H, Article III, section 15 are amended to read as follows:

TABLE OF MAXIMUM MARKUPS FOR DISTRIBUTIVE SERVICES TO BE ADDED TO MAXIMUM DELIVERED PRICES

(See column 6 of tables in paragraph (b))

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
			Sales by a grower or a country shipper[1]					Sales by a service wholesaler delivered to the premises of any retail store, Government procurement agency, or institutional buyer, within the free delivery zone[1]	
Item No.	Commodity	Unit[2]	Through a broker, shipper's sales agent or commission merchant in carlots or trucklots or through broker, shipper's sales agent, or terminal auction in less-than-carlot or less-than-truckl ot	Through a commission merchant in less than carlots or less than truck-lots	Sales by anyone, other than a grower or country shipper, who has purchased a carlot or truck-lot, and sells such a carlot or truck-lot unbroken	Sales by carlot receivers in less-than-carlots-or less-then-truck-lots. (For sales by carlot receivers through terminal auction the markups named in Col. 4 shall be applied)	Sales by secondary jobbers in any quantity delivered to the premises of the purchaser	Half container or larger	Less than half container
•	•	•	•	•	•	•	•	•	•
2	Peppers	1⅑ bu. crate	$0.14	$0.50	$0.14	$0.50	$0.90	$0.90	
		Bushel	$0.11	$0.40	$0.11	$0.40	$0.75	$0.75	
		Other containers (or in bulk)	3½¢ per lb.	13½¢ per lb.	3½¢ per lb.	13½¢ per lb.	23½¢ per lb.	23½¢ per lb.	33½¢ per lb.
•	•	•	•	•	•	•	•	•	•
4	Cucumbers	(Other than hothouse, bushel	$0.11	$0.40	$0.11	$0.40	$0.75	$0.75	
		Other containers (or in bulk)	3½¢ per lb.	8½¢ per lb.	3½¢ per lb.	8½¢ per lb.	15½¢ per lb.	15½¢ per lb.	25½¢ per lb.
		Hothouse—All containers (or in bulk).	5½¢ per lb.	15½¢ per lb.	5½¢ per lb.	15½¢ per lb.	25½¢ per lb.	25½¢ per lb.	25½¢ per lb.

*Copies may be obtained from the Office of Price Administration.
[1] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2493, 4030, 4086, 4088, 4434.

This amendment shall become effective May 4, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved: April 29, 1944.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 44-6361; Filed, May 4, 1944; 11:53 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 27]

APPLES; SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

In Appendix G of section 15 paragraph (b) (6) is amended by deleting the period at the end of subdivision (ii) and adding the word "plus" and by adding a new subdivision (iii) to read as follows:

(iii) For such apples which have been placed in storage by persons other than growers or country shippers on or before April 25, 1944, the appropriate amount per Northwest apple box containing not less than 40 pounds of apples, as listed below for the month in which the sale is made:

Month	Per box cents
May, 1944	15
June, 1944	20
July, 1944	25
August, 1944	30

This amendment shall become effective May 4, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved: April 29, 1944.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 44-6362; Filed, May 4, 1944; 11:51 a. m.]

*Copies may be obtained from the Office of Price Administration.
[1] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2493, 4030, 4086, 4088, 4434.

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service

Subchapter B—Bureau of the Public Debt

[1944 Dept. Circ. 530, (5th Rev.), Amdt. 5]

PART 315—REGULATIONS GOVERNING UNITED STATES SAVINGS BONDS

PAYMENT OR REISSUE

MAY 1, 1944.

Section 315.32 of Department Circular No. 530, Fifth Revision, dated June 1, 1942 (7 F.R. 5158), as amended by the Cumulative Amendment dated June 17, 1943 (8 F.R. 8744), is hereby further amended to read as follows:

§ 315.32 *Payment or reissue.* A savings bond registered in the names of two persons as coowners in the form "John A. Jones or Mrs. Mary C. Jones", will be paid or reissued as follows:

(a) *Payment during the lives of both coowners.* During the lives of both coowners the bond will be paid to either coowner upon his separate request without requiring the signature of the other coowner; and upon payment to either coowner the other person shall cease to have any interest in the bond. The bond will also be paid to both coowners upon their joint request, in which case payment will be made by check drawn to the order of both coowners in the form "John A. Jones and Mrs. Mary C. Jones", and the check must be endorsed by both payees.

(b) *Reissue during the lives of both coowners.* If one of the coowners is unmarried at the time of issue of the bond and subsequently marries, the bond may be reissued upon the request of both coowners to substitute the husband and wife as coowners. Such request should be on a form provided for that purpose by any Federal Reserve Bank or Branch or by the Treasury Department, Division of Loans and Currency, Merchandise Mart, Chicago 54, Illinois. No other reissue will be permitted in any form during the lives of both coowners except as specifically provided in these regulations.

(c) *Payment or reissue after the death of one coowner.* If either coowner dies without having presented and surrendered the bond for payment to a Federal Reserve Bank or the Treasury Department, the surviving coowner will be recognized as the sole and absolute owner of the bond, and payment will be made only to him: *Provided, however,* That if a coowner dies after he has properly executed the request for payment and after the bond has actually been received by a Federal Reserve Bank or the Treasury Department, payment of the bond, or check if one has been issued, will be made to his estate (see Subpart P hereof). Upon proof of the death of one coowner and appropriate request by the surviving coowner (unless a nonresident alien, in which case see § 315.3) the bond will be reissued in the name of such survivor alone, or in his name with another individual as coowner, or in his name payable on death to a designated beneficiary.

(d) *Payment or reissue on death of both coowners in common disaster.* If both coowners die in a common disaster under such conditions that it cannot be established, either by presumption of law or otherwise, which coowner died first, the bond will be considered as belonging to the estates of both coowners, and payment or reissue will be made accordingly.

(e) *Payment or reissue after the death of the surviving coowner.* If a surviving coowner who became solely entitled to the bond under the provisions of paragraph (c) of this section dies without having submitted the bond for payment or reissue, the bond will be paid or reissued as though it were registered in the name of such last deceased coowner alone. In this case proof of the death of both coowners and of the order in which they died will be required.

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44-6359; Filed, May 4, 1944; 11:30 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

RICHARD GRIBBLE

ORDER REVOKING LICENSES, DIRECTING SURRENDER OF LICENSES AND REQUIRING RECORDS TO BE FURNISHED

In the matter of licensee Richard Gribble, Junction City, Trinity County, California. Proceedings for revocation of licenses.

Based upon the records in this matter, including your answer, I make the following findings of fact:

1. On March 29, 1944, a specification of charges against you setting forth violations of the Federal Explosives Act (55 Stat. 863), as amended, and the regulations pursuant thereto, of which you were accused, was mailed to you giving you notice to mail an answer within 15 days from March 29, 1944, answering the charges against you and requesting an oral hearing if you wished.

2. More than 25 days have elapsed since March 29, 1944. The length of time required for mail to be delivered to the Bureau of Mines, Washington, D. C., from Junction City, California, does not exceed eight days. The only communication received from you is your answer dated April 13, 1944. You have not requested an oral hearing.

3. All of the accusations against you which are set out in the specification of charges are true.

Now, therefore, by virtue of the authority vested in me by the Federal Explo-

sives Act and the regulations thereunder, I hereby order:

1. That all licenses issued to you under the Federal Explosives Act be and they are hereby revoked as of midnight, May 20, 1944.

2. That prior to midnight, May 20, 1944, you shall sell or otherwise dispose of, to properly licensed persons, or destroy, all explosives and ingredients of explosives owned or possessed by you, or consigned to you, or which are in your custody.

3. That after having sold or otherwise disposed of all of the explosives and ingredients of explosives as required by paragraph 2 of this order, you shall, prior to midnight, May 20, 1944, deliver or mail to R. B. Maurer, Engineer in Charge, United States Bureau of Mines, 422 Acheson Building, Berkeley 4, California, a sworn statement of your transactions in and destructions of explosives and ingredients of explosives, beginning with the date of this order and ending with the final sale or other disposition or with the final destruction of the explosives and ingredients of explosives as required above. The statement shall set forth the amount of each kind of explosives and ingredients of explosives which you had on hand at each location at the opening of business on the date of this order, the amount of each kind acquired by you that day and each day thereafter, the dates on which acquired, the names and addresses of the persons from whom acquired, the amount of each kind sold or otherwise disposed of by you, the dates on which sold or otherwise disposed of, the names and addresses and the numbers and dates of Federal explosives licenses of the persons to whom sold or otherwise disposed of, the amount of each kind destroyed by you, the dates on which destroyed and the places where destroyed.

4. That prior to midnight, May 20, 1944, you shall surrender all licenses issued to you under the Federal Explosives Act and all copies thereof by mailing or delivering them to R. B. Maurer, Engineer in Charge, United States Bureau of Mines, 422 Acheson Building, Berkeley 4, California.

Failure to comply with any of the provisions of this order will constitute a violation of the Federal Explosives Act punishable by a fine of not more than $5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

This order shall be published in the FEDERAL REGISTER.

Dated at Washington, D. C., this 29th day of April 1944.

R. R. SAYRES,
Director.

[F. R. Doc. 44-6386; Filed, May 4, 1944; 10:12 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[A. O. 821]

ALLOCATION OF FUNDS FOR LOANS

APRIL 24, 1944.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Illinois 4032C2 McDonough	$50,000
Indiana 4009C3 Marshall	30,000
Indiana 4027C2 Decatur	20,000
Indiana 4033C3 Hendricks	25,000
Iowa 4-2006D2 Carroll	65,000
Iowa 4-2073B2 Adair	75,000
Iowa 4-2074C3 Allamakee	65,000
Louisiana 4008A2 Terrebonne	50,000
Michigan 4028F3 Presque Isle	40,000
Michigan 4045D3 Cass	60,000
Mississippi 4028F4 Hancock	50,000
Mississippi 4036E3 Marion	60,000
Missouri 4-2023C1 Lewis	150,000
Missouri 4-2028C4 Barton	20,000
Nebraska 4059B2 Butler District Public	50,000
Nebraska 4076E3 Southern Nebraska District Public	40,000
Oklahoma 4027C1 Bryan	50,000
South Carolina 4025B3 Berkeley	40,000
South Carolina 4034A2 Newberry	25,000
Texas 4056E3 Lubbock	40,000
Texas 4070C2 Hamilton	60,000
Texas 4087D1 Karnes	40,000
Texas 4125B1 Jasper	50,000
Virginia 4002D2 Craig	15,000
Washington 4030B4 Stevens	35,000
Wisconsin 4047C2 Jackson	40,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-6356; Filed, May 4, 1944; 11:19 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Rev. SR 14, Order 1]

HOUSE OF SHOEMAKER, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 1 under section 6.32 (g) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation. Commodities and services. Approval of maximum prices for sales of Shoemaker hand-hooked cotton rugs.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328, *It is ordered:*

(a) The House of Shoemaker, Inc., 295 Fifth Avenue, New York City, may sell to retail dealers and deliver its line of hand-hooked matching cotton rugs at maximum prices no higher than those set forth below. These maximum prices are the maximum net prices to be paid by the retail dealer, f. o. b. New York, less 4% 10 days, 60 days extra, net 70 days.

	Maximum prices to retailers		
	Oval	Oblong	Circle
Shoemaker matching rugs:			
22" x 36"	$3.11	$3.42	.....
24" x 45"	4.22	4.69	.....
24" x 48"	4.55	4.96	.....
27" x 50"	5.50	5.81	.....
30" x 54"	6.37	7.03	.....
36" x 36"	.....	.....	$5.12
36" x 60"	8.51	9.38	.....
40" x 40"	.....	.....	6.70
48" x 48"	.....	.....	9.65
48" x 72"	13.60	14.94	.....
Shoemaker Motto rugs:			
24" x 36"	3.00	3.30	.....

(b) Any person may sell at retail and deliver Shoemaker hand-hooked cotton rugs at maximum prices no higher than those set forth below. These prices are the maximum net prices to be paid by the consumer and include all services furnished by the seller.

	Maximum prices to consumers		
	Oval	Oblong	Circle
Shoemaker matching rugs:			
22" x 36"	$5.15	$5.65	.....
24" x 45"	7.60	7.80	.....
24" x 48"	7.55	8.23	.....
27" x 50"	9.15	9.65	.....
30" x 54"	10.57	11.67	.....
36" x 36"	.....	.....	$9.00
36" x 60"	14.10	15.57	.....
40" x 40"	.....	.....	11.15
48" x 48"	.....	.....	16.00
48" x 72"	22.60	24.80	.....
Shoemaker motto rugs	5.00	5.50	.....

On retail sales West of the Mississippi River, a freight charge may be added as follows: 10¢ for sizes 24" x 48" or smaller; 20¢ for larger sizes up to, but not including 48" x 72", and 35¢ for sizes 48" x 72".

(c) This Order No. 1 supersedes the provisions of paragraphs (a), (e), and (f) of section 6.32 of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation as it relates to Shoemaker hand-hooked cotton rugs. All other paragraphs of that section remain applicable.

(d) At the time of or prior to the first invoice to each purchaser for resale, the House of Shoemaker, Inc. shall notify the purchaser for resale of the maximum prices and the conditions set by this Order No. 1 for resales by the purchaser. This notice may be given in any convenient form.

(e) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

This Order No. 1 shall become effective on the 3d day of May 1944.

Issued this 2d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6286; Filed, May 2, 1944; 4:20 p. m.]

[Gen. Order 57]

DELEGATION OF AUTHORITY TO SECRETARY OF OFFICE OF PRICE ADMINISTRATION TO AUTHENTICATE COPIES OF RECORDS

Pursuant to the authority conferred upon the Price Administrator by the Emergency Price Control Act of 1942, as amended, and pursuant to the Second War Powers Act of 1942, the following order is prescribed:

The Secretary of the Office of Price Administration is authorized, on behalf of the Administrator and in his name, to authenticate, certify or attest copies of, or entries in, files, documents, records, reports, memoranda and other written material in the control and custody of the Office; or to certify or attest as to the absence or lack thereof.

Issued and effective this 3d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6316; Filed, May 3, 1944; 12:18 p. m.]

[MPR 120, Order 702]

S. J. AZZARA, ET AL.

AUTHORIZATION OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Correction

In the table for the Powell Coal Company, in F.R. Doc. 44-5568, appearing on page 4366 of the issue for Saturday, April 22, 1944, the maximum price for rail shipments, Size Group 3, should be "$3.35."

Regional and District Office Orders.

[Albany Order G-1 Under MPR 426]

FRUITS AND VEGETABLES IN ALBANY, N. Y., DISTRICT

Order No. G-1 under section 8 (a) (7) of Maximum Price Regulation No. 426. Fresh fruits and vegetables for table use, sales except at retail. Amount of freight from basing point to wholesale receiving point allowed for determining maximum prices of certain fruit and vegetable items at points in the Albany District.

For the reasons stated in an opinion issued simultaneously herewith and pursuant to the authority contained in section 8 (a) (7) of Maximum Price Regulation No. 426, this order is hereby issued.

SECTION 1. *What this order does.* This order establishes the amount of freight from basing point to wholesale receiving point which may be added to the maximum basing point price for the purpose of determining maximum selling prices of carrots, snap beans, spinach, cucumbers (except hot house), eggplant, peas, sweet peppers, lettuce, oranges, grapefruit, lemons and tangerines, at Albany, Troy and Schenectady, N. Y. and at the other wholesale receiving points mentioned in section 3 hereof, together with the markets which they serve.

SEC. 2. *Where this order applies.* This order applies in the Counties of Albany, Clinton, Columbia, Essex, Franklin, Fulton, Greene, Hamilton, Montgomery, Rensselaer, Saratoga, Schenectady, Schoharie, Ulster, Warren and Washington.

SEC. 3. *Determination of the amount of freight allowed in establishing maximum selling prices.* (a) The amount of freight from basing point to wholesale receiving point which may be added to the maximum basing point price for the purpose of determining maximum selling prices of carrots, snap beans, spinach, cucumbers (except hot house), eggplant, peas, sweet peppers, lettuce, oranges, grapefruit, lemons and tangerines, at Albany, Troy and Schenectady, N. Y., shall be:

Commodity and package	*Albany, Troy and Schenectady*
Carrots, la crate	$1.34
Carrots, topped, bushel	.82
Snap beans, bushel	.71
Spinach, bushel	.32
Cucumbers (except hot house), bushel	.95
Eggplant, bushel	.75
Eggplant, 1½ bushel	.96
Peas, bushel	.91
Sweet peppers, bushel	.65
Sweet peppers, 1½ bushel	.87
Lettuce, la crate	1.44
Oranges, Fla. and Texas, crate or box	.92
Oranges, Calif., crate or box	1.18
Grapefruit, white, Fla. and Texas, crate or box	.90
Grapefruit, white, Calif., crate or box	1.06
Grapefruit, pink, crate or box	1.17
Lemons, all States, crate or box	1.21
Tangerines, all States, crate or box	.95

(b) The amount of freight from basing point to wholesale receiving point which may be added to the maximum basing point price for the purpose of determining maximum selling prices of carrots, snap beans, spinach, cucumbers (except hot house), eggplant, peas, sweet peppers, lettuce, oranges, grapefruit, lemons and tangerines, at the secondary wholesale receiving points hereinafter named, and in the markets which they serve, shall be:

Commodity	Package	Amsterdam, Caisskill, Gloversville, Hudson, Johnstown, Saratoga, Granville and Cobleskill	Canajoharie, Glens Falls, Kingston and Whitehall	Saranac Lake, Plattsburg and Malone
Carrots	LaCrate	$1.60	$1.64	$1.74
Carrots, topped	Bushel	.98	1.01	1.09
Snap Beans	Bushel	.82	.84	.89
Spinach	Bushel	.38	.39	.42
Cucumbers (except hot house).	Bushel	1.06	1.13	1.24
Eggplant	Bushel	.87	.89	.95
Eggplant	1½ bushel	1.13	1.16	1.25
Peas	Bushel	1.01	1.02	1.07
Sweet Peppers	1½ bushel	1.02	1.03	1.11
Sweet Peppers	Bushel	.74	.75	.80
Lettuce	LA Crate	1.67	1.69	1.82
Oranges, Fla. and Texas.	Crate or box	1.21	1.26	1.41
Oranges, Calif.	Crate or box	1.44	1.48	1.61
Grapefruit, white, Fla. and Texas.	Crate or box	1.16	1.20	1.34
Grapefruit, white, Calif.	Crate or box	1.29	1.33	1.44
Grapefruit, pink	Crate or box	1.43	1.47	1.61
Lemons, All States	Crate or box	1.47	1.51	1.65
Tangerines, All States	Crate or box	1.29	1.28	1.42

(c) The amounts set forth under paragraphs (a) and (b) of this section do not include allowances, if any, for protective and other accessorial services. Allowances for such services are provided in dollars-and-cents and/or are included in the maximum basing point prices in the appropriate appendices of Maximum Price Regulation 426. No allowances for protective and other accessorial services, other than those so established, may be charged or paid under this order.

SEC. 4. *Effective date.* This order shall become effective 12:01 a. m. on the 28th day of April, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; MPR 426, 8 F.R. 16409)

Issued this 25th day of April 1944.

LESTER W. HERZOG,
District Director.

[F. R. Doc. 44-6287; Filed, May 2, 1944; 4:21 p. m.]

[Raleigh Order G-1 Under MPR 285]

FRESH BANANAS IN RALEIGH, N. C., DISTRICT

Order No. G-1 under Maximum Price Regulation 285. Imported fresh bananas, sales except at retail. Adjustment of certain maximum prices of service wholesalers.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the District Director of the Office of Price Administration, Raleigh, North Carolina by Regional Delegation Order No. 25 issued by the Atlanta Regional Office pursuant to § 1351.1254a of Maximum Price Regulation No. 285, as amended, *It is hereby ordered:*

(a) On and after the effective date of this order, the maximum delivered prices of service wholesalers whose places of business are located in the counties of Alamance, Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Caswell, Chatham, Chowan, Columbus, Craven, Cumberland, Currituck, Dare, Duplin, Durham, Edgecombe, Franklin, Gates, Granville, Greene, Halifax, Harnett, Hertford, Hoke, Hyde, Johnston, Jones, Lee, Lenoir, Martin, Moore, Nash, New Hanover, Northampton, Onslow, Orange, Pamlico, Pasquotank, Pender, Perquimans, Person, Pitt, Robeson, Sampson, Scotland, Tyrrell, Vance, Wake, Warren, Washington, Wayne and Wilson, North Carolina, selling the commodities covered by Maximum Price Regulation No. 285, as amended, to retailers, are hereby increased 6¢ per container of less than 40 pounds, gross weight; 12¢ per container of 40 pounds to 60 pounds, gross weight; and 15¢ per container of over 60 pounds, gross weight, over and above the maximum prices established by Maximum Price Regulation No. 285, as amended. These maximum delivered prices shall apply irrespective of the distance involved in making delivery to the purchaser. Less than the maximum delivered prices may always be charged.

(b) If the purchaser elects to take delivery at the service wholesaler's platform there shall be no increase allowed

over the maximum prices as established by Maximum Price Regulation No. 285, as amended.

This order may be revoked or amended at any time.

This order shall become effective April 17, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 15th day of April 1944.

THEODORE S. JOHNSON,
District Director.

Approved:

JAMES H. PALMER,
Regional Director,
Office of Distribution,
War Food Administration.

[F. R. Doc. 44-6288; Filed, May 2, 1944; 4:21 p. m.]

[Raleigh Order G-2 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN RALEIGH, N. C., DISTRICT

Order No. G-2 under Maximum Price Regulation 426. Fresh fruits and vegetables for table use, sales except at retail. Adjustment of certain maximum prices of service wholesalers.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the District Director of the Office of Price Administration, Raleigh, North Carolina by Regional Delegation Orders Nos. 33 and 35 issued by the Atlanta Regional Office pursuant to section 2 of Maximum Price Regulation No. 426 and section (f) of Appendix H and section (g) of Appendix I of that regulation, *It is hereby ordered:*

(a) On and after the effective date of this order, the maximum delivered prices of service wholesalers whose places of business are located in the counties of Alamance, Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Caswell, Chatham, Chowan, Columbus, Craven, Cumberland, Currituck, Dare, Duplin, Durham, Edgecombe, Franklin, Gates, Granville, Greene, Halifax, Harnett, Hertford, Hoke, Hyde, Johnston, Jones, Lee, Lenoir, Martin, Moore, Nash, New Hanover, Northampton, Onslow, Orange, Pamlico, Pasquotank, Pender, Perquimans, Person, Pitt, Robeson, Sampson, Scotland, Tyrrell, Vance, Wake, Warren, Washington, Wayne and Wilson, North Carolina, selling commodities covered by Appendices B, D, H and I of Maximum Price Regulation No. 426, are hereby increased 6¢ per container of less than 40 pounds, gross weight; 12¢ per container of 40 pounds to 60 pounds, gross weight; and 15¢ per container of over 60 pounds, gross weight, over and above the maximum prices established by Appendices B, D, H and I aforesaid. These maximum delivered prices shall apply irrespective of the distance involved in making delivery to the purchaser. Less than the maximum delivered prices may always be charged.

(b) If the purchaser elects to take delivery at the service wholesaler's platform there shall be no increase allowed over the maximum prices as established by Appendices B, D, H and I of Maximum Price Regulation No. 426.

This order may be revoked or amended at any time.

This order shall become effective April 17, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 15th day of April 1944.

THEODORE S. JOHNSON,
District Director.

Approved:

JAMES H. PALMER,
Regional Director,
Office of Distribution,
War Food Administration.

[F. R. Doc. 44-6289; Filed, May 2, 1944; 4:20 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on May 1, 1944.

REGION I

Augusta Order No. 2-F, filed 3:17 p. m.
Concord Order No. 13, filed 3:09 p. m.

REGION II

Altoona Order No. 1-F, Amendment No. 4, filed 3:11 p. m.
District of Columbia Order No. 1-F, Amendment No. 4, filed 3:11 p. m.
Binghamton Order No. 1-F, Amendment No. 4, filed 3:18 p. m.
Buffalo Order No. 1-F, Amendment No. 8, filed 3:16 p. m.
Erie Order No. 11, Amendment No. 2, filed 3:16 p. m.
Erie Order No. 12, Amendment No. 2, filed 3:16 p. m.
Erie Order No. 13, Amendment No. 2, filed 3:16 p. m.
Harrisburg Order No. P-1, Amendment No. 2, filed 3:18 p. m.
Maryland Order No. 1-F, Amendment No. 4, filed 3:11 p. m.
Maryland Order No. 1-W, filed 3:17 p. m.
Newark Order No. 3-F, Amendment No. 1, filed 3:09 p. m.
Philadelphia Order No. 1-F, Amendment No. 3, filed 3:17 p. m.
Scranton Order No. 2-F, Amendment No. 2, filed 3:11 p. m.
Williamsport Order No. 1-F, Amendment No. 4, filed 3:17 p. m.
Williamsport Order No. P-1, Amendment No. 2, filed 3:07 p. m.

REGION III

Charleston Order No. 1-F, Amendment No. 22, filed 3:18 p. m.
Charleston Order No. 3-F, Amendment No. 18, filed 3:18 p. m.
Charleston Order No. 6-F, Amendment No. 11, filed 3:19 p. m.
Charleston Order No. 10-F, Amendment No. 3, filed 3:19 p. m.
Cleveland Order No. 29, Amendment No. 2, filed 3:09 p. m.
Cincinnati Order No. 1-F, Amendment No. 28, filed 3:09 p. m.
Cincinnati Order No. 2-F, Amendment No. 21, filed 3:09 p. m.
Cincinnati Order No. 10, Amendment No. 1, filed 3:12 p. m.
Cincinnati Order No. 11, Amendment No. 1, filed 3:12 p. m.
Columbus Order No. 8-F, Amendment No. 20, filed 3:09 p. m.
Columbus Order No. 7-F, Amendment No. 20, filed 3:12 p. m.
Lexington Order No. 1-F, Amendment No. 27, filed 3:11 p. m.
Lexington Order No. 2-F, Amendment No. 20, filed 3:11 p. m.
Lexington Order No. 3-F, Amendment No. 18, filed 3:10 p. m.
Lexington Order No. 11, Amendment No. 6, filed 3:10 p. m.
Lexington Order No. 12, Amendment No. 5, filed 3:10 p. m.
Louisville Order No. 15, Amendment No. 2, filed 3:13 p. m.
Louisville Order No. 16, Amendment No. 2, filed 3:12 p. m.
Louisville Order No. 17, Amendment No. 2, filed 3:18 p. m.
Indianapolis Order No. 1-W, Amendment No. 1, filed 3:13 p. m.
Indianapolis Order No. 2-W, Amendment No. 1, filed 3:13 p. m.

REGION IV

Jacksonville Order No. 1-F, Revocation, filed 3:14 p. m.
Jacksonville Order No. 2-F, Revocation, filed 3:14 p. m.
Jacksonville Order No. 6-F, filed 3:14 p. m.
Jacksonville Order No. 7-F, filed 3:13 p. m.

REGION V

Arkansas Order No. G-13, Amendment No. 1, filed 3:14 p. m.
Arkansas Order No. G-14, Amendment No. 1, filed 3:14 p. m.
Arkansas Order No. G-15, Amendment No. 1, filed 3:15 p. m.
New Orleans Order No. G-17, Amendment No. 2, filed 3:06 p. m.
New Orleans Order No. G-19 (Revised), Amendment No. 2, filed 3:06 p. m.
Shreveport Order No. G-11, Amendment No. 1, filed 3:06 p. m.
Shreveport Order No. G-12, Amendment No. 1, filed 3:06 p. m.
St. Louis Order No. 1-W, Amendment No. 2, filed 3:07 p. m.
St. Louis Order No. 2-W, Amendment No. 2, filed 3:07 p. m.

REGION VI

Des Moines Order No. 1-F, Amendment No. 13, filed 3:08 p. m.
Des Moines Order No. 2-F, Amendment No. 8, filed 3:07 p. m.
Duluth-Superior Order No. 1-F, Amendment No. 14, filed 3:15 p. m.
Green Bay Order No. 2-F, Amendment No. 12, filed 3:07 p. m.
Green Bay Order No. 3-F, Amendment No. 6, filed 3:07 p. m.

REGION VIII

Fresno Order No. 1-F, Amendment No. 14, filed 3:16 p. m.
Fresno Order No. 2-F, Amendment No. 2, filed 3:15 p. m.
Portland Order No. 1-F, Amendment No. 13, filed 3:16 p. m.
San Diego Order No. 1-F, Amendment No. 33, filed 3:16 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-6326; Filed, May 3, 1944; 4:45 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 59-72]

COLUMBIA GAS & ELECTRIC CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 2d day of May 1944.

The Commission having examined, pursuant to sections 11 (a), 18 (a) and 18 (b) of the Public Utility Holding Company Act of 1935, the corporate structure of Columbia Gas & Electric Corporation (hereinafter referred to as Columbia Gas), a registered holding company, and its subsidiary companies, the relationship among the companies in the holding company system of said Columbia Gas, the character of the interests thereof and the properties owned or controlled thereby, to determine the extent to which the corporate structure of such holding company system and the companies therein may be simplified, unnecessary complexities therein eliminated, voting power fairly and equitably distributed among the holders of securities thereof, and the properties and business of such system confined to those necessary or appropriate to the operations of an integrated public utility system or systems under the standards of section 11 (b) of the act; and said examination having disclosed data establishing or tending to establish the following:

I. 1. Columbia Gas, a registered holding company, is a corporation organized under the laws of the State of Delaware and maintains principal offices for the doing of business in the City of New York, State of New York, and the City of Wilmington, State of Delaware. Columbia Gas is also a subsidiary of The United Corporation, a registered holding company, by virtue of The United Corporation's ownership of 19.39% of its outstanding voting securities.

2. Columbia Gas has 42 subsidiaries, one of which, Atlantic Seaboard Corporation, is a registered holding company and is also engaged in the business of transmitting natural gas; 24 of which are gas companies engaged solely in the production and/or transmission and/or distribution of gas; 5 of which are electric utilities (including one company engaged in the electric, gas and water businesses, two companies engaged in the electric, gas, water and heating business, and one company engaged in the electric and water businesses). The remaining subsidiaries are engaged in such diverse businesses as the production of oil and extraction of gasoline, street railway and bus transportation, coal mining, real estate, servicing and investments.

In addition, Columbia Gas owns, holds or controls with power to vote more than 10% of the outstanding voting securities of American Fuel and Power Company, which owns, holds or controls with power to vote more than 10% of the outstanding voting securities of Inland Gas Corporation, Kentucky Fuel Gas Corporation, Inland Gas Distribution Company, Buckeye Gas Service Company, The Kentucky Drilling Company, The Buckeye Fuel Company and Carbreath Gas Company. All of said companies are direct or indirect subsidiary companies of Columbia Gas within the meaning of the Act,[1] but are involved in bankruptcy reorganization proceedings pending in the United States District Court for the Eastern District of Kentucky. These companies are not at this time being made parties to this proceeding nor are they included in the subsequent allegations herein, except where specifically named.

Columbia Gas also owns securities issued by other companies not referred to above, including 63,005 shares of common stock of American Water Works and Electric Company, Inc., a registered holding company.

3. The subsidiaries of Columbia Gas conduct their operations within fifteen states of the United States, namely, Arkansas, Indiana, Kansas, Kentucky, Maryland, Michigan, New Mexico, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Texas, West Virginia and Virginia. Altogether, one or more services are rendered to a population estimated to exceed 5,000,000 persons residing in more than 1,600 communities and in adjoining suburban and rural areas.

The combined property accounts of Columbia Gas and its subsidiaries at December 31, 1943, including intangibles, and the consolidated gross revenues for 1943 of Columbia Gas' subsidiaries, by classes, were as follows:

	Gross plant [1]		Consolidated gross revenues	
	Amount	Percent of total	Amount	Percent of total
Gas	$412,017,716	68.26	$88,544,262	63.28
Electric	143,519,385	23.78	40,405,920	28.88
Railway and bus	5,533,001	.92	2,735,059	1.95
Oil and gasoline	30,220,462	5.01	6,514,859	4.65
All other	12,261,300	2.03	1,725,363	1.24
Total	603,560,864	100.00	139,925,463	100.00

[1] Excluding construction work in progress of $3,513,622.

4. The names of the subsidiary companies embraced in the holding company system of Columbia Gas as of December 31, 1943, their relationships being indicated by indentation, the states in which such subsidiary companies are incorporated, and the percent of voting securities owned by the system companies, are shown in the following table:

Name of company	State of organization	Percent voting securities owned by system companies
Columbia Gas & Electric Corporation	Delaware	
Atlantic Seaboard Corporation	Delaware	100
Amere Gas Utilities Company	West Virginia	100
Virginia Gas Distribution Corporation	Virginia	100
Virginia Gas Transmission Corporation	Virginia	100
Big Marsh Oil Company	West Virginia	72.5
Binghamton Gas Works	New York	100
Bracken County Gas Company	Kentucky	100
Bridge Gas Company	Ohio	100
Central Kentucky Natural Gas Company	Kentucky	99.9
Cincinnati Gas & Electric Company, The	Ohio	100
Cincinnati Gas Transportation Company	West Virginia	99.5
Cincinnati, Newport and Covington Railway Company, The	Kentucky	97.3
Dixie Traction Company, The	Kentucky	100
Columbia Corporation	Delaware	100
Columbia Engineering Corporation	Delaware	100
Cumberland and Allegheny Gas Company	West Virginia	100
Dayton Power and Light Company, The	Ohio	100
Eastern Pipe Line Company	New Jersey	100
Fayette County Gas Company	West Virginia	100
Gettysburg Gas Company	Pennsylvania	100
Greensboro Gas Company	Pennsylvania	100
Home Gas Company	New York	100
Huntington Development and Gas Company	Delaware	99.7
Keystone Gas Company, Inc., The	New York	100
Manufacturers Gas Company	Pennsylvania	100
Manufacturers Light and Heat Company, The	Pennsylvania	99.9
Miami Development Company, The	Delaware	100
Miami Power Corporation	Indiana	100
Natural Gas Company of West Virginia	West Virginia	100
Ohio Fuel Gas Company, The	Ohio	100
Ohio Fuel Supply Company, The	Ohio	100
Pennsylvania Fuel Supply Company	Pennsylvania	100
Preston Oil Company, The	Ohio	100
Point Pleasant Natural Gas Company	West Virginia	100
Union Gasoline & Oil Corporation	Pennsylvania	100
Union Light, Heat and Power Company, The	Kentucky	97.3
United Fuel Gas Company	West Virginia	100
Viking Distributing Company	West Virginia	100
Virginian Gasoline & Oil Company	West Virginia	100
Warfield Natural Gas Company	Kentucky	100
West Harrison Electric and Water Company, Inc.	Indiana	100
Wood Coal Company [1]	West Virginia	50

[1] All companies listed, except Wood Coal Company, are included in the consolidated financial statements of Columbia Gas and its subsidiaries.

5. The subsidiaries of Columbia Gas, with certain minor exceptions,[2] are geographically segregated for operating purposes into seven groups referred to as The Cincinnati Group; The Dayton Group; The Columbus Group; The Pittsburgh Group; The Binghamton Group; The Charleston Group; and The Seaboard Group, with principal executive offices located respectively in Cincinnati, Dayton and Columbus, Ohio; Pittsburgh,

[1] Columbia Gas states that the charter of American Fuel and Power Company, a Delaware corporation, was repealed for non-payment of franchise taxes, and that its corporate existence has been terminated and its assets are in possession of the trustee; Columbia Gas contends that American Fuel and Power Company and its subsidiaries are not subsidiaries of Columbia Gas.

[2] The exceptions referred to are the five oil and gasoline subsidiaries (Ohio Fuel Supply Company, Preston Oil Company, Union Gasoline and Oil Company, Viking Distributing Company and Virginian Gasoline and Oil Company), Columbia Corporation, Columbia Engineering Corporation, Bridge Gas Company, Big Marsh Oil Company, The Miami Development Company, and Wood Coal Company.

has preference over the common stock

The 6% and 5% Cumulative Preferred

Pennsylvania, Binghamton, New York; and Charleston, West Virginia. Each group has its own complement of executive and operating personnel. The operations of the individual groups are under the supervision of a chief executive officer who is the president of each company in the group and also a member of its board of directors. One of the aforementioned executive officers is also a member of the Board of Directors of Columbia Gas.

Columbia Gas has its own complement of executive personnel, certain of which are also officers and/or directors of the operating subsidiaries. For the year ended December 31, 1943, Columbia Gas' operating expenses were reported to have been $2,042,235, consisting of salaries and pensions of $461,863, legal expenses of $480,688, taxes of $709,280, payment of $122,194 to Columbia Engineering Corporation for services and miscellaneous expenses of $268,210.

6. The subsidiary companies of Columbia Gas which are public-utility companies within the meaning of the Act, the states in which the businesses of such companies are conducted, and the kind of business each conducts, together with the gross property accounts as of December 31, 1943, per books, and their reported gross revenues for the year 1943, are shown in the following table:

Name of company	State of operations	Kind of business	Gross property per books	Gross revenues
Amere Gas Utilities Co.	West Virginia	Gas T-D-A	$1,002,424	$287,479
Binghamton Gas Works	New York	Gas P-D-A	4,053,974	1,489,349
Bracken County Gas Co.	Kentucky	Gas D	3,493	7,137
Central Kentucky Natural Gas Co.	Kentucky	Gas P-T-D	2,608,428	1,429,275
Cincinnati Gas & Electric Co., The	Ohio	Gas P-T-D-A, Elec. G-T-D-A, Heat, Water	118,310,819	34,503,231
Cumberland & Allegheny Gas Co.	West Virginia and Maryland	Gas P-T-D-A	6,487,046	1,454,163
Dayton Power & Light Co., The	Ohio	Elec. G-T-D-A, Gas D-A, Heat, Water, Hot Water	60,427,276	20,592,326
Fayette County Gas Co.	Pennsylvania	Gas P-T-D-A	2,553,727	1,226,912
Gettysburg Gas Corporation	Pennsylvania	Gas T-D-A	539,028	136,878
Greensboro Gas Co.	Pennsylvania	Gas P-T-D-A	13,611,659	1,837,648
Huntington Development & Gas Co.	West Virginia	Gas P-T-D	10,314,354	669,857
Keystone Gas Co., Inc., The	New York and Pennsylvania	Gas P-T-D-A	1,029,681	1,078,076
Manufacturers Gas Co.	Pennsylvania, New York	Gas P T-D-A	5,884,185	1,099,243
Manufacturers Light & Heat Co., The	Pennsylvania, West Virginia and Ohio.	Gas P-T-D-A, Gasoline.	61,056,186	16,685,504
Miami Power Corporation	Indiana and Kentucky	Electric T	537,930	62,792
Natural Gas Co. of West Virginia	West Virginia, Ohio, Pennsylvania	Gas P-T-D-A, Gasoline.	8,593,110	2,908,617
Ohio Fuel Gas Co., The	Ohio	Gas P-T-D-A	117,216,847	35,388,713
Pennsylvania Fuel Supply Co.	Pennsylvania	Gas P-T-D-A	2,956,563	650,859
Point Pleasant Natural Gas Co.	West Virginia	Gas D	74,005	62,326
Union Light, Heat & Power Co., The	Kentucky	Elec. D-A, Gas D-A, Water.	9,282,209	4,760,812
United Fuel Gas Co.	West Virginia, Ohio	Gas P-T-D	99,108,070	24,738,367
Virginia Gas Distribution Corporation	Virginia	Gas D-A	1,353,785	721,627
Warfield Natural Gas Co.	Kentucky	Gas P-T-D	16,337,509	7,493,486
West Harrison Electric & Water Co.	Ohio, Indiana	Elec. D, Water	19,761	16,903

P—Production; G—Generation; T—Transmission; D—Distribution; A—Appliance Sales.

7. The subsidiary companies of Columbia Gas which are not public-utility companies within the meaning of the Act, the states in which their operating properties are located, the nature of the business of each subsidiary company, together with gross property accounts as of December 31, 1943 and gross revenues for the year 1943, are as follows:

	State of operations	Kind of business	Gross property per books	Gross revenues
Atlantic Seaboard Co.	Maryland, West Virginia	Reg. holding company, gas transmission.	$8,463,234	$8,864,978
Big Marsh Oil Co.	West Virginia	Holds gas prop	66,759	
Bridge Gas Co.	Ohio	Gas transmission	29,356	3,780
Cincinnati Gas Transportation Co.	Kentucky, Ohio, West Virginia.	Gas transmission	11,061,347	4,940,852
Cincinnati, Newport & Covington Railway Co., The	Kentucky, Ohio	Street railway and bus transp.	5,290,248	2,400,761
Columbia Corporation		Investments	[1] 5,086,456	[1] 171,172
Columbia Engineering Corporation		Service company	208,581	1,223,966
Dixie Traction Co., The	Kentucky, Ohio	Bus transp	243,114	334,299
Eastern Pipe Line Co.	New Jersey	Gas transmission	720,986	28,588
Home Gas Co.	New York	Gas transmission	3,662,824	1,620,707
Miami Development Co., The	Ohio	Holds real estate	609,525	23,507
Ohio Fuel Supply Co., The	New Mexico, Texas, Kansas, Michigan, Oklahoma, Arkansas.	Oil production	2,867,947	368,600
Preston Oil Co., The	Ohio, Kentucky, West Virginia, Pennsylvania.	Oil and gasoline production.	9,173,186	1,534,113
Union Gasoline & Oil Corporation	Ohio, Kentucky, West Virginia, Pennsylvania.	Oil and gasoline production.	4,457,344	459,698
Viking Distributing Co.	Pennsylvania, Ohio, Kentucky, Maryland, Virginia.	Gasoline and oil distribution.	118,353	1,229,075
Virginia Gas Transmission Corporation.	Virginia	Gas transmission	4,980,944	4,871,842
Virginian Gasoline & Oil Co.	Pennsylvania, Ohio, Kentucky, West Virginia.	Oil and gasoline production.	13,714,826	3,568,474
Wood Coal Co.	West Virginia	Bituminous coal mining		

[1] Consists of investments and securities only and income therefrom.

8. As of December 31, 1943, the public utility subsidiaries of Columbia Gas conducted electric utility operations in over 400 communities having an estimated aggregate population of 1,400,000 in the States of Ohio, Kentucky, and Indiana. As of the same date, the system had electric generating capacity of 777,419 kva and an aggregate of 15,051 circuit miles of electric transmission and distribution lines. During the year ending December, 1943, the system sold 2,527,346,255 kwh to 409,294 electric customers (residential, commercial, industrial, municipal and non-affiliated public utilities), from which it obtained gross revenues of $40,405,920.

The electric properties of said holding company system are shown on the annexed map marked Exhibit "1", which is made a part hereto,[2] as if set out herein in full.

9. As of December 31, 1943, the subsidiaries of Columbia Gas engaged in either the production and/or transmission and/or distribution of natural, manufactured or mixed natural-manufactured gas conducted their operations in more than 1200 communities having an estimated population in excess of 5,000,000 in the States of Kentucky, Maryland, Ohio, New Jersey, New York, Pennsylvania, Virginia and West Virginia. As of the same date, the system had 9,310 wells producing natural gas, gas manufacturing plants with a daily capacity of 35,000,000 cubic feet, and an aggregate of 32,200 miles of field, transmission and distribution pipe lines. During the year 1943 the system sold 187,284,477 Mcf of natural and manufactured gas to 1,240,577 customers (residential, commercial, industrial, wholesale and municipal), from which it obtained gross revenues of $88,544,262. In the year ended December 31, 1943, approximately 47% of the system's natural gas requirements were purchased from others.

Columbia Gas reported that (a) preliminary estimates as of the close of 1942 indicate that the gas reserves in the Appalachian area, available to the Columbia companies, either through leaseholds or purchase agreement, exclusive of off-peak gas which may be available from Panhandle Eastern Pipe Line Company, amounted to 2,759,000,000 Mcf, of which 1,995,000,000 Mcf were in lands classified as proven and 764,000,000 Mcf in lands classified as unproven; and (b) United Fuel Gas Company and The Manufacturers Light and Heat Company, subsidiaries of Columbia Gas, have since entered into contracts with non-affiliated companies for the future delivery of substantial quantities of natural gas to the Columbia system in West Virginia from large reserves located in the southwestern portion of the United States.

The gas properties of said holding company system are shown on the annexed map marked Exhibit "2", which is made a part hereto,[2] as if set out herein in full.

II. 10. The corporate and consolidated capitalization, including surplus, of Columbia Gas of December 31, 1943, is set forth below:

[2] Filed as part of the original document.

	Amount	Percent of total
CORPORATE		
Long-Term Debt:		
25-Year 5% Debenture Bonds, due May 1, 1952	$32,000,000	------
Debenture Bonds, 5% Series, due Jan. 15, 1961	44,914,000	------
Total Long-Term Debt	76,914,000	24.79
Preferred and Preference Stocks:		
Preferred Stock, Cumulative ($100 par) stated at involuntary liquidating values:		
6% Series A, 946,945 shares at $110 per share	104,163,950	------
5% Series, 40,341 shares at $105 per share	4,235,805	------
Preference Stock, 5% Cumulative ($100 par) 123,860 shares	12,386,000	------
Total Preferred and Preference Stock	120,785,755	38.9
Common Stock and Surplus:		
Common Stock, No par, 12,304,282 shares	12,304,282	------
Special Capital Surplus	88,513,730	------
Earned Surplus Since December 31, 1937	11,719,106	------
Total Common Stock and Surplus	112,537,118	36.28
Total Capitalization and Surplus	310,236,873	100.00
CONSOLIDATED		
Subsidiary Companies:		
Long-Term Debt	69,096,460	15.07
Preferred Stock (Stated at Par)	50,000,200	10.90
Minority Interest in Common Stock and Surplus	236,722	.05
Total—Subsidiary Companies	119,333,382	26.02
Columbia Gas & Electric Corporation:		
Long-Term Debt	76,835,000	16.75
Preferred and Preference Stock	119,702,815	26.10
Total Senior Securities	315,871,197	68.87
Common Stock of Columbia Gas & Electric Corporation and Consolidated Surplus:		
Common Stock	12,223,256	------
Special Capital Surplus	89,360,943	------
Surplus Prior to January 1, 1938	14,336,583	------
Earned Surplus Since December 31, 1937	26,830,172	------
Total Common Stock and Consolidated Surplus	142,750,954	31.13
Total Capitalization and Surplus	458,122,151	100.00

11. The 6% and 5% Cumulative Preferred Stocks of Columbia Gas have equal rights except as to dividend rates and redemption premiums; both have a preference as to dividends over the 5% Preference and common stock and, in the event of liquidation, either voluntary or involuntary, have a preference as to distribution of assets over the 5% Preference and common stock to the extent of $110 per share and accumulated and unpaid dividends for the 6% Preferred Stock and $105 per share and accumulated and unpaid dividends for the 5% Preferred. The 6% and 5% Cumulative Preferred are callable upon sixty days' notice, the former at $110 per share and the latter at $105 per share.

The 5% Cumulative Preference Stock has preference as to dividends over the common stock and, in the event of liquidation, either voluntary or involuntary, has preference over the common stock to the extent of $100 per share and accumulated and unpaid dividends. It is callable upon thirty days' notice at $100 per share.

12. Each share of common and Preference Stock of Columbia Gas has the right to one vote per share at all meetings of stockholders. The common stock, represented on the books at $112,537,118 or the equivalent of 36.28% of the total corporate capitalization and surplus, has 12,304,282 votes, or 99% of the total normal voting power. The Preference Stock, represented on the books at $12,386,000 or the equivalent of 3.99% of total corporate capitalization and surplus, has 123,860 votes, or 1% of total normal voting power. No additional voting power is conferred upon the Preference Stock by reason of dividend arrearages.

The 6% and 5% Cumulative Preferred Stocks (946,945 and 40,341 shares respectively), represented on the books at $108,399,755, or the equivalent of 34.9% of total capitalization and surplus, have no voting rights unless and until four quarterly dividends thereon are in default, in which event each share of such Preferred Stock is entitled to one vote.

In the event of four or more quarterly defaults on the Cumulative Preferred Stocks, such Preferred Stocks, voting as a class together with the Preference Stock and cumulating their votes, could not elect any of the nine directors of Columbia Gas.

13. As of December 31, 1943, the investment account of Columbia Gas was stated at $295,034,499,[1] after deducting $17,593,435 of special reserves, as is shown below:

Investments in Subsidiaries Consolidated:		
Bonds	$2,435,500	
Notes and Advances	56,274,602	
Preferred Stocks	2,644,300	
Common Stocks	239,706,907	
	301,061,309	
Less—Reserve	7,156,232	$293,905,077
Other Investments:		
American Water Works & Electric Co. Common Stock, 63,005 shares	5,978,653	
American Fuel and Power Co. & Subs., in receivership—Long-term Debt, advances, common stock, etc	5,308,428	
Others	279,544	
	11,566,625	
Less—Reserve	10,437,203	
		1,129,422
Total		295,034,499

The investment of Columbia Gas in the common stock of American Water Works and Electric Company had an aggregate market value of $425,284 as of December 31, 1943. The claims of Columbia Gas, as the holder of mortgage bonds, debentures, notes and unsecured debts of American Fuel Power Company and two of its subsidiaries, i. e., Inland Gas Corporation and Kentucky Fuel Gas Corporation, which are presently involved in bankruptcy reorganization proceedings, were recently reviewed by the United States District Court for the Eastern District of Kentucky and were disallowed.[1] An appeal from this decision is presently pending before the United States Circuit Court of Appeals for the Sixth District.

The investments of Columbia Gas in its subsidiaries consist of the ownership of substantially all of their outstanding indebtedness, preferred and common stocks, except for The Cincinnati Gas & Electric Company and The Dayton Power and Light Company, each of which has large amounts of mortgage bonds and preferred stocks outstanding in the hands of the public. The aggregate $56,274,602 of notes and advances owing by the subsidiaries to Columbia Gas are payable on demand, and, with one exception, uniformly carry interest rates of 6%.

14. The subsidiaries of Columbia Gas which have outstanding indebtedness and preferred stock as of December 31, 1943, the amount thereof publicly held, the amount held within the system and the common stock and surplus of each said subsidiary are reflected in the following tabulation:

[1] As of December 31, 1943, Columbia Gas had a remaining balance of $88,513,730 of "special capital surplus" available for the removal of "inflationary items or write-ups in its investment account, and also to make such further write-downs as Columbia Gas may find desirable, if not obligatory, to bring its investments into line with the values as hereafter appear as a result of adjustments subsequently made thereon." (Cf. *Columbia Gas & Electric Corporation*, 4 SEC 406) Officials of Columbia Gas have indicated that "substantial charges still remain to be made against this 'special capital surplus'" and that the investment account has not yet been restated to reflect the worth of Columbia Gas' investment in its subsidiaries. (Cf. Columbia Gas & Electric Corporation, File No. 43-160, Tr. p. 5).

	Debt and preferred stock		Common stock and surplus	Total capitalization and surplus
	Publicly held	System held		
Atlantic Seaboard Corporation		$10,665,000	$1,824,252	$12,489,252
Ameex Gas Utilities Co		721,000	50,502	771,502
Big Marsh Oil Co		52,590	20,891	73,480
Binghamton Gas Works		2,297,108	858,363	3,155,471
Bridge Gas Co		27,955	(4,174)	23,781
The Cincinnati G. & E. Co	$40,874,000		14,852,130	95,726,130
	[1] 40,000,000			
Cincinnati Gas Transp. Co		[1] 1,200,000	5,871,588	7,071,588
The Cincinnati, Newport & Covington Railway Co	62,360	1,304,507	3,796,124	5,163,081
Columbia Engineering Corporation		50,000	255,000	305,000
Cumberland & Allegheny Gas Co		2,166,864	2,841,691	5,008,555
The Dayton Power and Light Co	95,147,000		13,987,896	49,134,896
	[1] 10,000,000			
Eastern Pipe Line Co		214,389	216,355	430,694
Gettysburg Gas Corporation		312,500	216,385	528,885
Huntington Development and Gas Co	200	[1] 1,444,300	5,829,428	8,273,928
The Keystone Gas Company, Inc		335,000	194,681	529,681
Manufacturers Gas Co		920,000	3,068,243	3,988,243
The Miami Development Co		565,989	47,406	613,375
Miami Power Corporation		335,000	50,863	385,863
Natural Gas Company of W. Va		2,400,000	4,073,961	6,473,961
The Ohio Fuel Gas Co	1,500,000	5,325,000	81,413,459	88,238,459
Pennsylvania Fuel Supply Co		575,815	1,679,214	2,255,029
Point Pleasant Natural Gas Co		15,500	29,224	44,724
The Union Light, Heat & Power Co		4,997,638	1,945,702	6,943,740
United Fuel Gas Co	1,500,000	14,235,100	39,514,263	55,249,263
Warfield Natural Gas Co		9,790,000	1,280,467	11,070,467
The Ohio Fuel Supply Co		296,584	1,355,059	1,651,643
The Preston Oil Co		965,883	1,934,199	2,900,082
Union Gasoline & Oil Corporation		263,000	1,307,292	1,570,292
Viking Distributing Co		118,188	17,727	135,915
Virginian Gasoline & Oil Co		2,627,973	1,996,934	4,624,907
Virginia Gas Distribution Corporation		988,000	100,249	1,088,249
Virginia Gas Transmission Corporation		3,346,000	726,897	4,072,897
The Dixie Traction Co	13,100	69,500	63,470	146,070
	119,096,660	68,565,702	192,456,621	380,118,983

[1] Preferred.

15. The corporte income of Columbia Gas as reported for the past six years ending December 31, 1943 was derived from the following sources:

	From subsidiaries consolidated		From other investments	Total
	Dividends	Interest		
1943	$12,292,129	$3,804,949	$409,026	$16,506,104
1942	8,465,890	3,581,561	403,425	12,450,876
1941	10,241,084	3,659,004	1,255,770	16,165,858
1940	12,333,553	3,562,999	1,251,973	16,148,525
1939	13,301,774	3,365,561	1,041,758	17,709,093
1938	10,854,515	3,332,357	1,584,746	15,771,618

16. The corporate and consolidated net income, the dividend requirements of Columbia Gas' preferred and preference stocks, the net applicable to its common stock on corporate and consolidated bases, and the common stock dividends paid for each year from 1938 to 1943, are shown in the following table:

	Net income		Dividends on pfd. and pfnce. stk.	Net income applicable to common		Common dividends pd.
	Corporate	Consolidated		Corporate	Consolidated	
1943	$10,071,791	$10,894,428	$6,453,640	$3,618,151	$4,440,788	$1,222,987
1942	5,422,954	8,773,670	6,453,640	(1,030,686)	2,320,030	
1941	8,201,132	10,441,267	6,459,665	1,741,467	3,981,602	[1] 1,322,987
1940	11,218,631	12,940,480	6,459,665	4,753,366	6,480,815	3,668,962
1939	10,651,293	12,068,222	6,459,665	4,191,628	5,608,557	
1938	[1] 9,386,195	10,250,747	6,459,665	2,926,530	3,771,082	

( ) Indicates negative figure.
[1] Includes for comparative purposes dividends of $653,037 declared by subsidiaries out of their Surplus Prior to January 1, 1938.

17. The earnings of the Columbia Gas system may be materially affected by a final determination of pending rate proceedings initiated by the Federal Power Commission in respect of two of the larger subsidiary companies.

18. Columbia Gas reports that, with the exception of Dayton Power and Light Company and The Miami Development Company, its various subsidiaries have made and are now making complete studies to determine the original cost of their properties, and certain of them have filed reports with regulatory commissions having jurisdiction over their property accounts. As of October 31, 1943, original cost studies have been completed by 15 subsidiary companies, and "historical cost studies" (cost to first system company acquiring the property) have been completed by five non-utility subsidiaries. The completed studies are estimated to cover approximately 43%, or $262,500,000, of the total recorded property of the subsidiaries of Columbia Gas. In addition thereto, original cost studies involving approximately $200,000,000 have been substantially completed (exclusive of Dayton Power and Light Company). One of the subsidiaries (Cincinnati Gas and Electric Company) has restated its plant accounts to original cost by a write-off of $29,937,541, pursuant to an order of the Federal Power Commission. Five non-utility subsidiaries (oil and gasoline) have adjusted their property accounts to the basis of historical cost, as defined above. Columbia Gas estimates that, at December 31, 1943, after the write-off by Cincinnati and certain other subsidiaries, there remains in the property accounts of the other subsidiaries about $89,000,000 of excess over original cost.

The incomplete status of the original cost studies and the absence of any determination, voluntary or otherwise, as to the manner of disposing of any excess cost, preclude an accurate appraisal of the ultimate effect thereof upon the Columbia system. If, however, the combined property accounts of the system companies of Columbia Gas were stated at their original cost, as estimated by such companies, less depreciation reserves, the Columbia Gas system's outstanding securities at December 31, 1943 would bear the ratios shown below to the system's combined net property and other assets.

	Per consolidated balance sheet	Percent of property base	Adjustment	As adjustment	Percent of property base
Property Base:					
Combined Property Accts	$607,074,486		$(89,000,000)	$518,074,486	
Less Depr. Reserves	198,905,807			198,905,807	
Net Property	408,168,679		(89,000,000)	319,168,679	
Investment (net)	1,252,185			1,252,185	
Net Current Assets	25,966,018			25,966,018	
Special Funds and Dep	4,281,481			4,281,481	
Total Property Base	439,668,363		(89,000,000)	350,668,363	
Securities:					
Long-term debt of Subs. held by public	69,096,460	15.72		69,096,460	19.70
Preferred stocks of Subs. held by public	50,000,200	11.37		50,000,200	14.26
Minority Int. in Common stock of Subs	236,722	.05		236,722	.07
Debenture bonds of Columbia Gas	76,835,000	17.48		76,835,000	21.91
Total	196,168,382	44.62		196,168,382	55.94
Columbia Gas Capital Stocks:					
Preferred Stock	107,536,015	24.46		107,536,015	30.67
Preference Stock	12,166,800	2.77		12,166,800	3.47
Balance of property base applicable to Common Stock of Columbia Gas	123,797,166	28.15	(89,000,000)	34,797,166	9.92
Total Property Base	439,668,363	100.00	(89,000,000)	350,668,363	100.00

19. The depreciation and depletion reserves of subsidiaries of Columbia Gas, as of December 31, 1943, amounted to $198,905,807, or the equivalent of 32.76% of the subsidiaries' combined gross property accounts, per books. The provisions for retirement and depletion charged to income for the six years 1938–1943, and the ratios of such provisions to combined gross property accounts, are shown in the following tabulation:

	Combined gross property accts. Dec. 31	Provision for retirements and depletion	
		Amount	Percent gross property
1943	$607,074,486	$16,284,064	2.68
1942	571,535,790	14,475,488	2.53
1941	603,574,331	14,326,537	2.37
1940	587,213,148	13,015,999	2.22
1939	571,311,185	11,198,407	1.96
1938	565,718,109	10,119,669	1.79

For the years prior to 1942, the Federal income tax returns of Columbia Gas and its subsidiaries contain deductions for depreciation substantially in excess of the provisions for retirements in the accounts of the companies.

III. It tentatively appearing to the Commission, on the basis of the allegations hereinbefore set forth, that the holding company system of Columbia Gas is not confined in its operations to those of a single integrated public utility system, within the meaning of the Act, or to those of a single integrated public utility system together with such additional integrated public utility systems as meet the requirements of section 11 (b) (1) and such other businesses as can be retained under the standards of section 11 (b) (1), and that proceedings should be instituted under section 11 (b) (1) with respect to Columbia Gas' holding company system; and

It further tentatively appearing to the Commission, on the basis of the allegations hereinbefore set forth, that the corporate structure of Columbia Gas' holding company system is unduly and unnecessarily complicated, that voting power is unfairly and inequitably distributed among the security holders thereof, and that proceedings should be instituted under section 11 (b) (2) with respect to Columbia Gas' holding company system,

Wherefore it is ordered, That Columbia Gas & Electric Corporation and each of its subsidiary companies hereinbefore named (excepting American Fuel and Power Company and its subsidiaries), all of which are hereby made respondents in this proceeding, shall file with the Secretary of the Commission, on or before the 8th day of June 1944, joint or several answers in the form prescribed by Rule U-25, admitting, denying, or otherwise explaining their respective positions as to each of the allegations set forth in Paragraphs 1 through 19 hereof. Such answer may also include a statement by the respondents of their views as to what constitutes the "single integrated public utility system", if any, which they wish to retain, and as to what additional systems and other businesses, if any, they believe can be retained with such system under the applicable standards of section 11 (b) (1). Such answer may also include a statement as to what action respondents deem to be necessary or appropriate, and which they are prepared to take, for the purpose of limiting the operations of their holding company system to a single integrated public utility system, together with such additional systems and other businesses as can be retained under the standards of section 11 (b) (1) of the act. Such answer may also include a statement by the respondents of their views as to what steps are necessary and which respondents are prepared to take to ensure that the corporate structure or continued existence of any company in the holding company system of Columbia Gas does not unduly or unnecessarily complicate the structure, or unfairly and inequitably distribute voting power among security holders, of such holding company system.

IV. *It is further ordered*, That a hearing under the applicable provisions of the act and the Rules of the Commission be held on the 15th day of June, 1944, at 10 A. M., E. W. T., in Room 318 of the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at which time the Commission will hear respondents and any other interested persons with respect to the matters and questions set forth below in paragraphs (a) through (g), and as to any issues raised in and matters presented by respondents' answer, or regarding any other issues which may be present in this proceeding, and will consider the simplification of the issues, the facts and issues that appear to be without substantial basis of controversy, the order of presentation of evidence most conducive to an orderly proceeding, the naming of a trial examiner for the purpose of receiving evidence, and such other matters as may aid in the disposition of the proceeding:

(a) Whether the electric utility assets of The Cincinnati Gas & Electric Company, The Dayton Power and Light Company, The Union Light, Heat and Power Company, Miami Power Corporation, and West Harrison Electric and Water Company constitute more than a single integrated public utility system or systems additional thereto, control of which may be retained by Columbia Gas under section 11 (b) (1) of the act;

(b) Whether the non-utility operations and businesses conducted by the companies named in paragraph (a) above are reasonably incidental and economically necessary or appropriate to the operations of any single integrated system or additional system which the electric utility assets of such companies may constitute;

(c) Whether the gas utility assets, which are used for the distribution at retail of natural or manufactured gas, of the companies listed in paragraph 6 of this notice and order constitute more than a single integrated public utility system and systems additional thereto, control of which may be retained by Columbia Gas under section 11 (b) (1) of the act;

(d) Whether the non-utility businesses and operations of the subsidiaries of Columbia Gas are reasonably incidental and economically necessary or appropriate to the operations of any single integrated public utility system or additional systems thereto as referred to in paragraph (c) above;

(e) Whether under the terms of section 11 (b) (1), and especially clauses (A), (B), and (C) thereof, Columbia Gas can retain any interest in or control over any single integrated public utility system, additional system or incidental businesses as referred to in paragraphs (a) and (b) above, together with any single integrated public utility system, additional systems and incidental businesses as referred to in paragraphs (c) and (d) above;

(f) Generally, what action is necessary to be taken by Columbia Gas and/or its subsidiaries to limit the operations of the holding company system of Columbia Gas to a single integrated public utility system and such additional systems, or other businesses, as are retainable under the standards of section 11 (b) (1) of the act;

(g) What steps are necessary to be taken by Columbia Gas and/or its subsidiaries to ensure that the corporate structure, or the continued existence of

any company in the holding company system, does not unduly or unnecessarily complicate the structure, or unfairly and inequitably distribute the voting power among security holders, of such holding company system.

It is further ordered, That any person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before the 8th day of June, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission. Any such request may state the position of the applicant with respect to the matters hereinbefore set forth and with respect to what action is believed necessary to be taken by any of the respondents to comply with sections 11 (b) (1) and 11 (b) (2) of the act. Nothing herein contained shall be deemed to require any interested person to intervene as a prerequisite to being heard as to matters affecting his interest.

It is further ordered, That jurisdiction be, and hereby is, reserved to separate, either in whole or in part, or for disposition in whole or in part, any of the issues or questions which may arise in these proceedings, or to consolidate these proceedings, or any portion thereof, with any proceedings which may be instituted subsequently under other provisions of said act with respect to Columbia Gas and its subsidiaries, and to take such other action as may appear conducive to an orderly, prompt and economic disposition of the matters involved.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this Notice and Order for Hearing to Columbia Gas & Electric Corporation and its subsidiaries named in paragraph 6, *supra*, to the Trustees of American Fuel and Gas Company and Inland Gas Corporation, The United Corporation, the Public Utility Commissions of the States of Arkansas, Indiana, Kansas, Kentucky, Maryland, Michigan, New Mexico, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Texas, West Virginia and Virginia not less than 20 days prior to the date hereinbefore fixed as the date of the hearing; and that notice of said hearing is hereby given to Columbia Gas & Electric Corporation and its subsidiaries, to their security holders, and to all consumers of the subsidiaries of Columbia Gas & Electric Corporation, to all state municipalities and political sub-divisions of states within which are located any of the physical assets of said companies or under the laws of which any of said companies is incorporated, all State Commissions, State Securities Commissions, and all agencies, authorities and instrumentalities of one or more states, municipalities, or other political sub-divisions having jurisdiction over Columbia Gas & Electric Corporation or its subsidiaries or any of the businesses, affairs or operations of any of them; that such notice shall be given further by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication of this notice and order in the FEDERAL REGISTER not later than 20 days prior to the date hereinbefore fixed as the date of hearing.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Commission.*

[F. R. Doc. 44-6303; Filed, May 3, 1944; 10:46 a. m.]

[File No. 1-1056]

NEW YORK, ONTARIO, AND WESTERN RAILWAY CO.

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At the regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of May, A. D., 1944.

In the matter of New York, Ontario and Western Railway Company, Common Stock, $100 par value.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Common Stock, $100 par value, of the New York, Ontario and Western Railway Company;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Monday, May 29, 1944, at the office of the Securities and Exchange Commission, 120 Broadway, New York, New York, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That William J. Cogan, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-6331; Filed, May 4, 1944; 10:12 a. m.]

[File No. 7-732]

CLEVELAND STOCK EXCHANGE AND WARNER AND SWASEY CO.

ORDER SETTING HEARING ON APPLICATION TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of May, A. D., 1944.

In the matter of application by the Cleveland Stock Exchange to extend unlisted trading privileges to The Warner & Swasey Company, Common Stock, without par value,

The Cleveland Stock Exchange, pursuant to section 12 (f) of the Securities and Exchange Act of 1934, and Rule X-12F-1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the above-mentioned security;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 3:30 p. m. on Friday, May 19, 1944, at the office of the Securities and Exchange Commission, 1370 Ontario Street, Cleveland, Ohio, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine and that general notice thereof be given; and

It is further ordered, That Charles J. Odenweller, Jr., or any other officer or officers of the Commission named by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-6332; Filed, May 4, 1944; 10:12 a. m.]

[File No. 70-846, 70-850]

VIRGINIA ELECTRIC AND POWER CO., ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of April 1944.

In the matter of Virginia Electric and Power Company, Virginia Public Service Company, Engineers Public Service Company, File No. 70-846, and General Gas & Electric Corporation, File No. 70-850.

Virginia Electric and Power Company, a subsidiary company of Engineers Public Service Company, a registered holding company, Virginia Public Service Company, a subsidiary company of General Gas & Electric Corporation, a registered holding company, said Engineers Public Service Company and said General Gas & Electric Corporation, having filed applications and declarations pursuant to sections 6, 7, 9, 10, 11 and 12 of the Public Utility Holding Company Act of 1935 regarding the following transactions:

1. Engineers Public Service Company proposes to acquire from General Gas & Electric Corporation and General Gas & Electric Corporation proposes to sell to Engineers Public Service Company 782,000 shares of the common stock of Virginia Public Service Company, being all of the shares of such stock outstanding, and the claim of General Gas & Electric Corporation to certain escrowed funds in the amount of $1,165,166.67, for an agreed consideration not to exceed $2,500,000, of which $1,000,000 is immediately payable in cash and an additional amount of not to exceed $1,500,000 is payable in the event that the earnings of Virginia Electric and Power Company exceed certain specified amounts.

2. Engineers Public Service Company will surrender to Virginia Public Service Company as contribution to its capital the claim to the escrowed funds.

3. Virginia Public Service Company will thereupon be merged into Virginia Electric and Power Company pursuant to Virginia law and upon the following terms:

(a) Each share of $6 Dividend Preferred Stock of Virginia Electric and Power Company will be converted into one share of $5 Dividend Preferred Stock of Virginia Electric and Power Company and will receive cash for accrued and unpaid dividends on such stock to the date the merger agreement becomes effective;

(b) Each share of 7% Preferred Stock of Virginia Public Service Company, including all rights to accrued and unpaid dividends thereon to the date the merger becomes effective, will be converted into one share of $5 Dividend Preferred Stock of Virginia Electric and Power Company and will receive $24.50 per share in cash, plus additional cash in an amount equal to accrued dividends on said 7% Preferred Stock subsequent to March 31, 1944, to the effective date of the merger;

(c) Each share of 6% Preferred Stock of Virginia Public Service Company, including all rights to accrued and unpaid dividends thereon to the date the merger becomes effective, will be converted into one share of $5 Dividend Preferred Stock of Virginia Electric and Power Company and will receive $19 in cash plus additional cash in an amount equal to accrued dividends on said 6% Preferred Stock subsequent to March 31, 1944, to the effective date of the merger;

(d) The 782,000 shares of common stock of Virginia Public Service Company will be converted into 150,000 shares of common stock of Virginia Electric and Power Company;

(e) The presently outstanding common stock of Virginia Electric and Power Company will continue unchanged.

4. Holders of the Preferred Stock of Virginia Electric and Power Company or Virginia Public Service Company assenting to the merger but not desiring to retain the new $5 Dividend Preferred Stock will be given the opportunity through an underwriting to be arranged by Virginia Electric and Power Company, to sell the new $5 Dividend Preferred Stock to which they may become entitled at the price at which such shares will be initially offered to the public by the underwriters less $1.50 per share and transfer taxes, but such price to the stockholders will not be less than $112.50 per share less transfer taxes. Any stockholders not assenting to the merger who dissent therefrom within three months after the meeting of stockholders at which the merger is approved, will be entitled to receive cash in such amount as may be obtainable under the appraisal rights existing pursuant to Virginia law.

5. In order to consummate the foregoing exchange Virginia Electric and Power Company will issue 289,491 shares of $5 Dividend Preferred Stock. Scrip will be issued in lieu of fractional shares.

6. All of the $10,500,000 aggregate principal amount of Virginia Public Service Company 5% Debentures due 1957 presently outstanding will be assumed by Virginia Electric and Power Company as a result of the merger and will be called for redemption at 104½ and accrued interest and all of the $26,000,000 aggregate principal amount of Virginia Public Service Company 3¾% First Mortgage Bonds due 1972 presently outstanding, also to be assumed by Virginia Electric and Power Company in the merger, will be called for redemption at 111⅛ and accrued interest.

7. For the primary purpose of providing funds to retire the Debentures and First Mortgage Bonds of Virginia Public Service Company, Virginia Electric and Power Company will sell at competitive bidding $23,000,000 aggregate principal amount of its First and Refunding Mortgage Bonds, Series D 3%, due April 1, 1974, and will issue $9,000,000 of short term 2¼% and 2⅝% notes maturing semi-annually commencing February 1, 1945 and ending February 1, 1954. In addition, Virginia Electric and Power Company will receive a cash contribution of $2,500,000 from Enginers Public Service Company.

8. Virginia Electric and Power Company and Virginia Public Service Company will make certain accounting adjustments and, incident to the merger, Virginia Electric and Power Company will reduce the capital representing the shares of its common stock to the sum of $13,546,555.

9. Virginia Electric and Power Company and Virginia Public Service Company will solicit proxies from their respective stockholders in connection with special meetings of stockholders called for the purpose of voting upon the foregoing transactions.

Public hearings having been held upon the foregoing matters after appropriate notice, briefs having been filed and oral argument having been had, and the Commission having considered the record in this matter and having made and filed its findings herein:

It is ordered, That said applications, as amended, be and the same hereby are granted and said declarations, as amended, be and the same hereby are permitted to become effective forthwith subject, however, to the terms and conditions contained in Rule U-24 and subject also to the following terms and conditions and reservations:

1. That a copy of the Commission's report adopted concurrently herewith be sent to all stockholders of Virginia Electric and Power Company and Virginia Public Service Company in connection with the solicitation material requesting proxies for the special meetings called for the purpose of voting upon the merger and related transactions.

2. That the proposed issuance and sale of the $23,000,000 aggregate principal amount of First and Refunding Mortgage Bonds, Series D 3%, Due April 1, 1974 by Virginia Electric and Power Company shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order shall contain further terms and conditions as may then be deemed appropriate, jurisdiction being reserved for the imposition thereof in connection with the proposed transactions;

3. That no solicitation of proxies shall be made by the Dealer Managers or soliciting dealers until the fifth day after the day upon which the written solicitation material is mailed to their respective stockholders by Virginia Public Service Company and Virginia Electric and Power Company;

4. That jurisdiction be and the same hereby is reserved with respect to all legal fees incurred or to be incurred in connection with the consummation of the various transactions.

It is ordered, That, to the extent that the issue and sale of new $5 Dividend Preferred Stock of Virginia Electric and Power Company may be subject to Rule U-50, exemption therefrom be and the same hereby is granted.

It is further ordered, That the accompanying report be and the same hereby is adopted as the report of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-6333; Filed, May 4, 1944; 10:12 a. m.]

[File No. 70-874]

ATLANTIC CITY ELECTRIC CO. AND AMERICAN GAS AND ELECTRIC CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION FOR LEGAL FEES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 2d day of May, A. D. 1944.

The Commission having on April 1, 1944 issued its order herein under section 6 (b) of the Public Utility Holding Company Act of 1935 granting and permitting to become effective a joint application and declaration, as amended, of American Gas and Electric Company, a registered holding company, and its subsidiary, Atlantic City Electric Company, with respect, inter alia, to the issuance and sale by Atlantic City of 55,000 shares of Cumulative Preferred Stock, to purchasers selected by competitive bidding in conformity with Rule U-50 promulgated under the act; and

The Commission having in said order reserved jurisdiction over the price to be paid to the company for such preferred stock, the dividend rate thereon; the underwriters' spread and its allocation, and all legal fees and expenses to be paid in connection with the proposed transactions; and

The Commission having on April 12, 1944 issued its order granting the appli-

cation and permitting the declaration to become effective in respect of all matters as to which jurisdiction had been theretofore reserved except legal fees to be paid in connection with the proposed transactions as to which matter the reservation of jurisdiction was continued; and

The Commission now finding no basis for imposing terms and conditions with respect to said legal fees and finding the same not to be unreasonable:

It is ordered, That jurisdiction heretofore reserved over the legal fees to be paid in connection with the proposed transaction be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-6334; Filed, May 4, 1944; 10:13 a. m.]

[File No. 70-883]

BUFFALO, NIAGARA, AND EASTERN POWER CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 2d day of May 1944.

Buffalo, Niagara and Eastern Power Corporation, a subsidiary of Niagara Hudson Power Corporation, in turn a subsidiary of The United Corporation, a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935 and the rules promulgated thereunder with respect to the following transaction:

Buffalo Niagara, having made cash advances from time to time, on open account, to its wholly-owned subsidiary, The Lockport and Newfane Power and Water Supply Company, on which an unpaid balance is owing in the amount of $285,000, now proposes, subject to a satisfactory closing agreement with the Commissioner of Internal Revenue, to forgive all obligations arising out of said indebtedness. Upon the elimination of said indebtedness, Buffalo Niagara then proposes to increase the carrying value of its investments in the common stocks of subsidiary companies by a like amount.

Said declaration having been filed on April 8, 1944, and the last amendment thereto having been filed on April 21, 1944, and notice of said filing having been duly given in the form and manner provided by Rule U-23, promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration within the period provided in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of section 12 (b) of the act and Rule U-45 promulgated thereunder are satisfied, and that no adverse findings are necessary, and deeming it appropriate, in the public interest and in the interests of investors and consumers, to permit said declaration to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act, and subject to the terms and conditions in Rule U-24, that said declaration be, and hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-6335; Filed, May 4, 1944; 10:13 a. m.]

WAR PRODUCTION BOARD.

ANDERSON FURNITURE COMPANY

CONSENT ORDER

Anderson Furniture Company of Dallas, Dallas County, Texas is engaged in the general furniture business. It admits receipts of consumers goods with a cost value of approximately $35,680 in excess of the allowable receipts of the company under the provisions of paragraph (b) of Order L-219 during April, May, and June, 1943, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Anderson Furniture Company, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Anderson Furniture Company, its successors or assigns, shall not receive either directly or indirectly in the second quarter of 1944, any consumers goods in excess of $76,250, computed at cost in accordance with the provisions of Limitation Order L-219.

(b) Nothing contained in this order shall be deemed to relieve the Anderson Furniture Company from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on issuance and shall expire on the first day of July, 1944.

Issued this 3d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6322; Filed, May 3, 1944; 4:10 p. m.]

MAY 8 '44

FEDERAL REGISTER

VOLUME 9 NUMBER 91

Washington, Saturday, May 6, 1944

The President

PROCLAMATION 2614

FLAG DAY, 1944

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

For many years June 14 has been set aside as Flag Day, observed throughout the Nation as a day of earnest rededication to those high principles of humanity and civilization which constitute the foundations of the Republic.

It is not necessary to recite that the stars and stripes of our flag symbolize the patriotic and loyal unity of one hundred and thirty-five million people in a widely diversified land. Nor is it necessary to dwell on the struggles through which we have marched, under that flag, to our present great part in the world's affairs. What we are, and what we do, speak of these things far more eloquently than any words.

Ours is a flag of battles. On the ships of our Navy, in the vanguard of our soldiers and marines, it is carrying liberation and succor into stricken lands. It is carrying our message of promise and freedom into all corners of the world.

Ours is also a flag of peace. Under its protection, men have found refuge from oppression. Under its promise, men have found release from hatreds and prejudice, from exploitation and persecution. It is the flag under which men and women of varied heritage, creed, and race may work and live or, if need be, fight and die together as only free men and women can.

Let us then display our flag proudly, knowing that it symbolizes the strong and constructive ideals—the democratic ideals—which we oppose to the evil of our enemies. Let us display our flag, and the flags of all the United Nations which fight beside us, to symbolize our joint brotherhood, our joint dedication, under God, to the cause of unity and the freedom of men.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby ask that on Flag Day, June 14, 1944, the people of our Nation honor especially the members of the armed forces—men and women equally—whose unfaltering devotion to our national ideals has given the Nation's flag a new and hopeful meaning for those struggling against oppression in lands still held by our enemies.

I direct the officials of the Federal Government and I request the officials of the State and local governments to have our colors displayed on all public buildings on Flag Day, and I urge the people of the United States on that day to fly the American flag from their homes, and to arrange, where feasible, for joint displays of the emblems of the freedom-loving United Nations without whose staunch collaboration we could not have hoped for victory.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 3rd day of May, in the year of our Lord nineteen hundred and forty-four, and of the Independence of the United States of America the one hundred and sixty-eighth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-6428; Filed, May 5, 1944; 11:50 a. m.]

Regulations

TITLE 4—ACCOUNTS AND BUDGET[1]

Chapter II—Bureau of the Budget

PART 250—FELLOWSHIPS IN PUBLIC ADMINISTRATION FOR REPRESENTATIVES FROM OTHER AMERICAN REPUBLICS

Pursuant to the following authority and official recommendations and subject to appropriations available, fellowships in public administration will be awarded to qualified applicants from the other American republics:

[1] Formerly Title 4—Accounts.

(Continued on next page)

CONTENTS

THE PRESIDENT

PROCLAMATION: Page
Flag Day, 1944 4799

REGULATIONS AND NOTICES

ALIEN PROPERTY CUSTODIAN:
Vesting orders:
Emura, Kenziro 4831
German Railroads Information Office 4830
Gunze Silk Corporation 4830
Himstedt, Emil 4831
Hornbach, John 4831
Japanese Government Raw Silk Intelligence Bureau 4829
Keller, Beatrice 4832
Kletsch, Ernest 4832
Luca, Peter N 4832
Okumura, Shotaro 4829
Rusch, William H 4833
Schafer, Anna Marie 4833
Schilling, Margaretha 4834
Schnyder, Charles 4835
Schroeder, Pauline 4834
Tiepolt, Paul 4834
Vittorio Emanuele III War Veterans' Foundation, Inc 4829
Wisler, Sam 4835
Wunsch, Oscar 4835
BUDGET BUREAU:
Fellowships in public administration for representatives from other American republics 4799
CIVIL AERONAUTICS BOARD:
Charter trips and special services by air carriers holding certificates of public convenience and necessity 4803
COAST GUARD:
Lifesaving appliances, amendment; approval and withdrawal of approval of equipment 4825
FEDERAL POWER COMMISSION:
Hearings, etc.:
El Paso City Lines, Inc 4826
Interstate Natural Gas Co., Inc 4827
FEDERAL TRADE COMMISSION:
Cease and desist orders:
Auerbach, Alexander, etc 4804
Park, Philip R., et al 4803
Liquid Tight Paper Container Assn., et al., hearing 4827

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

	Page
INTERSTATE COMMERCE COMMISSION:	
Refrigeration permits, etc.:	
Citrus fruits:	
Bayview, Tex.	4827
Elsa, Tex. (2 documents)	4828
Grapefruit, St. Louis, Mo.	4827
Oranges, California	4827
Potatoes:	
Alabama	4828
Louisiana	4828
NATIONAL WAR LABOR BOARD:	
Automotive repair industry employees, California, Nevada, and Arizona	4805
OFFICE OF DEFENSE TRANSPORTATION:	
Oaths and affirmations, employees authorized to administer (A. O. 25)	4825
Passenger train operations (G. O. 24 (Gen. Permit 9))	4826
OFFICE OF PRICE ADMINISTRATION:	
Adjustments:	
Langenfelder Mining Co.	4836
National Pressure Cooker Co.	4836
Ryan Bros., Inc., et al. (Corr.)	4837
OFFICE OF PRICE ADMINISTRATION—Continued.	
Adjustments—Continued.	
Sexton and Blankenship Coal Co., et al. (Corr.)	4836
Fish and seafood, fresh (MPR 418, Am. 30)	4821
Foods, processed (Rev. RO 13, Am. 29)	4818
Handbags, purses and pocketbooks, women's and children's (Rev. SR 14, Am. 130)	4822
Hawaii:	
Meat and dairy products, mainland (MPR 373, Am. 56)	4819
Molasses (MPR 373, Am. 54)	4821
Meat, fats, fish and cheeses (RO 16, Am. 135)	4818
Puerto Rico:	
Grocery items and liquors (RMPR 183, Am. 32)	4820
Nails (RMPR 183, Am. 33)	4821
U. S. EMPLOYEES COMPENSATION COMMISSION:	
Medical benefits outside continental U. S., authorization to Office of War Information	4837
WAGE AND HOUR DIVISION:	
Puerto Rico, acceptance of resignation from and appointment to special industry committee	4826
WAR FOOD ADMINISTRATION:	
Agricultural commodities, public announcement (1944) with respect to support prices	4837
Butter, reports required from certain producers and authorized receivers (WFO 2–3, Am. 1)	4802
Cincinnati, Ohio, marketing area, hearing on handling of milk	4837
Fats and oils, restrictions on use (WFO 42, Am. 1)	4802
Peas in certain California counties, workers' wages (2 documents)	4805
WAR PRODUCTION BOARD:	
Acrylic monomer and resin (M–260, Rev.; M–300, Schedule 17) (2 documents)	4809, 4813
Chemicals and allied products (M–300, Am. 4)	4812
Fire apparatus, motorized (L–43)	4817
Glycols (M–215, Rev.; M–300, Schedule 15) (2 documents)	4806, 4811
Medical and surgical furniture, etc. (L–214, Schedule 3)	4809
Motor vehicles, production of replacement parts (L–158)	4806
Polystyrene and polydichlorostyrene (M–300, Schedule 19)	4814
Sodium, metallic (M–357, Rev.; M–300, Schedule 16) (2 documents)	4812, 4815
Styrene (M–170, Rev.; M–170–a, Rev.; M–300, Schedule 18) (3 documents)	4806, 4814
Tin plate, terne plate and tin mill black plate (M–21–e)	4815

(a) Public Law 355, 76th Congress, approved August 9, 1939 (53 Stat. 1290), authorizing the President to utilize the services of the Departments, agencies and independent establishments of the Government of the United States for the purpose of rendering closer and more effective the relationship between the American Republics: (See Resolution No. 81 adopted at the Eighth International Conference of American States held at Lima, Peru, December 9–27, 1938, recommending scientific and technical research by institutes, laboratories, and men of science recommended by the American Governments);

(b) The Department of State Appropriation Act, 1944, approved July 1, 1943, appropriating funds for tuition, compensation, monthly allowances and enrollment, laboratory, insurance, and other fees incident to training, including traveling expenses in the United States and abroad in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, of educational, professional, and artistic leaders and professors, students, internes, and persons possessing special scientific or other technical qualifications, who are citizens of the United States or the other American republics; and

(c) Title 5, U.S.C., sec. 22 (R.S., sec. 161) authorizing the head of each department to prescribe regulations for the government of his department and the performance of its business; the Budget and Accounting Act, 1921 (31 U.S.C. ch. I) establishing the Bureau of the Budget under a Director and vesting therein the function of the preparation of the Budget and other functions under the direction of the President relative to the efficient administration of the Departments and agencies of the Government.

Fellowships will be awarded, subject to the following regulations:

Sec.
250.1 Type of fellowship.
250.2 Qualifications.
250.3 Award of fellowships.
250.4 Allowances and expenses.
250.5 Progress reports.
250.6 Duration of fellowships.
250.7 Official notification.

AUTHORITY: §§ 250.1 to 250.7, inclusive, issued under R.S. 161, 53 Stat. 1290; 42 Stat. 20; 57 Stat. 271; 5 U.S.C. 22, 22 U.S.C. 501 et seq., 31 U.S.C. 1 et seq.

§ 250.1 *Type of fellowship.* Fellowships shall be of the intern-training and training in research type, in the field of public administration, and may include advance university instruction in related subjects at colleges and universities, or in private institutions selected by the Bureau of the Budget, and practical training and observation in governmental Departments and agencies, under the direction of the Bureau of the Budget.

§ 250.2 *Qualifications.* Each applicant selected for a fellowship shall be:

(a) A citizen of an American republic other than the United States;

(b) In possession of a certificate of medical examination issued by a licensed physician within 60 days of the date of application, describing the applicant's physical condition and stating that he is free from any communicable disease, physical deformity, or disability that would interfere with the proper pursuit of studies, research, or any other activity or work incident to the fellowship;

(c) Able to speak, read, write and understand the English language;

(d) Of good moral character and possessing intellectual ability and suitable personal qualities;

(e) In possession of acceptable evidence that he has completed a standard four-year university or college course, or its equivalent, or that he has equivalent practical experience in the field of public administration or management either in the administration of operating programs or in staff work, including budgeting, finance, personnel, procurement, planning, and related services; and

(f) An employee of the government by which nominated or attached to such government in a consultative capacity in any of the fields enumerated in paragraph (e) above.

§ 250.3 *Award of fellowships.* Fellowships shall be awarded by the Director of the Bureau of the Budget with the approval of the Secretary of State, or the duly authorized representative of the Secretary of State. Each application shall be transmitted to the Secretary of State by the government of the American republic of which the applicant is a citizen through the American diplomatic mission accredited to that government.

§ 250.4 *Allowances and expenses.* An applicant awarded a fellowship may be granted any or all of the following, upon recommendation of the Director of the Bureau of the Budget:

(a) *Monthly allowances.* Monthly allowances for quarters and subsistence during the entire period spent in the United States, or its Territories or Possessions, in pursuance of a fellowship, beginning on the date of arrival at his initial headquarters and ending on the date of departure for his home, as follows: (1) Not exceeding $180 per month while under assignment to headquarters in a Department or agency of the Federal or a local government, or a private institution (other than a university or college) in a city of more than 100,000 population; or not exceeding $150 per month while under such assignment in a city of less than 100,000 population; and (2) not exceeding $135 per month while under assignment to receive training at colleges or universities and residing in quarters usually occupied by students in attendance thereat or in similar quarters, irrespective of the population of the city wherein the institution is located.

(b) *Transportation expenses.* Transportation expenses from the home of the applicant (or place in which appointment is accepted) to the place or places in the United States, its Territories, or Possessions, where the studies and research are to be pursued, and return to the home of the applicant (or point of departure), including travel via Washington, D. C., en route to the place of study or research, and from the place of study or research to Washington, D. C., and return to that place, if necessary, for consultation with reference to the fellowship, and between places of study and research in the United States, its Territories or Possessions, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, in which connection claim for reimbursement may be made only for items in the following schedule and contingent upon prior authorization:

(1) Rail fare:[1] First-class fare. If travel is performed on an extra-fare train, expenses in excess of the first-class fare must be borne by the traveler. No receipts are necessary. (Government transportation requests are to be used, if practicable, within the United States.)

(2) Pullman fare: Lower berth or parlor car seat. No receipts are necessary if Government transportation requests are used. If purchased with cash the Pullman stub must be attached to the reimbursement voucher.

(3) Steamer fare:[1] Not exceeding the lowest minimum first-class fare of the ship on which travel is performed. American vessels must be used if available (section 901 of the Merchant Marine Act of 1936, 49 Stat. 2015. This provision has been suspended with regard to appropriations for fiscal year 1944 according to sec. 302, Pub. Law 216, 78th Congress, Dec. 23, 1943) No receipts are necessary.

(4) Airplane fare:[1] Transportation by air will be allowed regardless of the cost when authorized by the Director of the Bureau of the Budget. When air travel has not been specifically authorized, the traveler may proceed by air with the understanding that he may claim reimbursement therefor only in an amount not exceeding what it would have cost had the travel been performed by public conveyance over land or water. No receipts are necessary.

(5) Taxicab: At the beginning and termination of the journey and at all points where a change of conveyance is necessary while in a direct travel status. No receipts are necessary.

(6) Excess baggage charges: For personal effects (not household furniture) which are not carried free by the transportation company. Receipts are necessary and they should indicate that the traveler has availed himself of the free allowance, if such an allowance is granted.

(7) Drayage or transfer of baggage: For the hauling of personal effects from home to the station or dock, et cetera. Receipts are not necessary but should be submitted where possible. Charges by porters for handling bags or baggage will not be allowed.

(8) Rental of steamer rug and steamer chair: Receipts are necessary. Charges for rental of steamer cushions will not be allowed.

[1] In all cases round trip tickets must be purchased if possible. In the event the return portion of the ticket cannot be used, it should be returned to the Bureau of the Budget for refund.

(9) Tips and gratuitous fees: Will not be allowed.

(c) *Per diem.* Per diem in lieu of subsistence while in travel status proceeding from, and to, his home at the following rates: $6.00 over land and by air in and outside of the United States, and $4.00 aboard vessels outside of the United States. No per diem will be allowed concurrently with monthly allowances, but per diem may be substituted therefor at the rate of $6.00 per day for any period of authorized travel.

(d) *Other expenses.* Enrollment fees, tuition, medical and infirmary fees, laboratory fees, cost of textbooks and rental of equipment, payable to the institution, person, firm or corporation that may have rendered the services or furnished the supplies, upon prior authorization of the Director of the Bureau of the Budget. Such expenses may be billed directly to the Bureau of the Budget, and shall bear the signature of the fellow receiving the services or using the supplies. However, should that procedure not be practicable, the fellow may pay the bill, if authorized to do so, and render an appropriate account to the Bureau of the Budget.

§ 250.5 *Progress reports.* Applicants awarded fellowships under these regulations shall submit written reports of progress in studies and research at such intervals as the Director of the Bureau of the Budget may direct.

§ 250.6 *Duration of fellowship.* Fellowships may be awarded for periods not exceeding twelve months of actual study and research, and may be extended for not exceeding the same periods in the manner prescribed under § 250.3 and subject to the availability of appropriations. Fellowships may be cancelled for cause by the Director of the Bureau of the Budget with the approval of the Secretary of State, or the duly authorized representative of the Secretary of State.

§ 250.7 *Official notification.* Each applicant selected by the Bureau of the Budget and approved by the Secretary of State, or the duly authorized representative of the Secretary of State, shall be notified of his award through diplomatic channels. The notification shall state the duration and type of fellowship and the allowances authorized: *Provided, however,* That the Director of the Bureau of the Budget may subsequently amend the course of studies and duration of the fellowship if in his opinion such action would be in the interest of obtaining better instruction, or research better suited to the needs and capabilities of the fellow than those prescribed in the notification. The amount originally authorized for monthly allowances and other expenses may also be amended, if necessary, with the approval of the Secretary of State, or the duly authorized representative of the Secretary of State.

Issued this 2d day of March 1944.

HAROLD D. SMITH,
Director.

Approved: May 1, 1944.

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-6398; Filed, May 5, 1944; 10:24 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 2-3, Amdt. 1]

PART 1401—DAIRY PRODUCTS

REPORTS REQUIRED FROM CERTAIN PRODUCERS AND AUTHORIZED RECEIVERS OF BUTTER

War Food Order No. 2-3, 9 F.R. 4319 (formerly designated as Food Distribution Order No. 2-3, as issued by the Director of Food Distribution on September 30, 1943, 8 F.R. 13378), is amended to read as follows:

§ 1401.16 *Reports*—(a) *Definitions.* (1) "War Food Order No. 2" means War Food Order No. 2, 9 F.R. 4319 (formerly designated at Food Distribution Order No. 2, as issued by the Secretary of Agriculture on January 5, 1943, 8 F.R. 253, and as amended, 9 F.R. 3623).

(2) Each term defined in War Food Order No. 2 shall, when used herein, have the same meaning as set forth for such term in said War Food Order No. 2, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof.

(b) *Reporting requirements.* (1) Each person who produced more than 12,000 pounds of butter in any calendar month from April 1943 to March 1944, inclusive, shall correctly complete form "Dairy Products Report No. 2—Butter (Creamery Set-aside Butter Report)" for April 1944 and for each subsequent calendar month thereafter during which such person has in his possession, or is obligated to have in his possession, any butter required to be set aside pursuant to the provisions of War Food Order No. 2, regardless of the quantity of butter produced by him during and after April 1944. Each such completed form shall be mailed to the United States Department of Agriculture, Box 6910-A, Chicago, Illinois, not later than the tenth day of the month next succeeding the month for which such report is made.

(2) Each person who did not produce more than 12,000 pounds of butter in any calendar month from April 1943 to March 1944, inclusive, but who produces more than 12,000 pounds of butter in April 1944 or any subsequent calendar month shall correctly complete form "Dairy Products Report No. 2—Butter (Creamery Set-aside Butter Report)" for each calendar month thereafter during which such person has in his possession, or is obligated to have in his possession, any butter required to be set aside pursuant to the provisions of War Food Order No. 2, regardless of the quantity of butter produced by the respective person during each such calendar month. Each such completed form shall be mailed to the United States Department of Agriculture, Box 6910-A, Chicago, Illinois, not later than the tenth day of the month next succeeding the month for which such report is made.

(3) Each person authorized to serve as an authorized butter receiver shall correctly complete form "Authorized Receiver's Report—Butter" for the calendar month during which he was first so authorized and for each calendar month thereafter while such authorization remains in effect and during any additional period during which the respective person has in his possession, or is obligated to have in his possession, or receives any butter required to be set aside pursuant to the provisions of War Food Order No. 2. Each such completed form shall be mailed to the United States Department of Agriculture, Box 6910-A, Chicago, Illinois, not later than the fifteenth day of the month next succeeding the month for which such report is made.

(4) After the effective time of this order each producer of butter shall correctly complete form "Dairy Products Report No. 1" (U. S. D. A. Form No. O.E. 9-119), for each calendar month and shall mail such completed form to the United States Department of Agriculture, Box 6910-A, Chicago, Illinois, not later than the tenth day of the next succeeding calendar month.

This amendment shall become effective at 12:01 a. m., e. w. t., May 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 2-3 prior to the effective time of this amendment, all of the provisions of said War Food Order No. 2-3 in effect prior to the effective time of this amendment shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, appeal, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 2, 8 F.R. 253, 5696, 9 F.R. 3623, 4319)

Issued this 4th day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-6375; Filed, May 4, 1944; 3:34 p. m.]

[WFO 42, Amdt. 1]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE

War Food Order No. 42 (9 F.R. 2971, 3832, 4319), § 1460.1, is amended as follows:

1. By deleting the provisions of paragraph (a) (7) thereof and inserting in lieu thereof the following:

(7) "Principal ingredient" means the largest single ingredient by weight subject to the qualification that mayonnaise, salad dressing, and other foods for human consumption which, under the terms of section 1.1 of Ration Order 16, as amended, issued by the Office of Price Administration, are not foods covered by said Ration Order 16, as amended, but in the manufacture of which rationed fats and oils, as defined in said Ration Order 16, as amended, are used, are to be considered products of which fats and oils are not the principal ingredient, regardless of the composition thereof.

2. By deleting the provisions of Schedule A of paragraph (b) (1) thereof and inserting in lieu thereof the following:

SCHEDULE A

Class of use	*Permitted percentage*
Manufacture of margarine in any calendar quarter	167
Manufacture of other edible finished products, including shortening, in any calendar quarter	83
Manufacture of package and bar soap in any calendar quarter	90
Manufacture of bulk package soap in any calendar quarter	110
Manufacture of abrasive hand soap in any calendar quarter	150
Manufacture of paints, varnishes, lacquers, and other protective coatings in any calendar quarter	70
Manufacture of linoleum, oilcloth (for floor coverings), and felt base floor coverings in any calendar quarter	70
Manufacture of oilcloth (for all purposes other than floor coverings) and all other coated fabrics in any calendar quarter	70
Manufacture of paint containing not more than one pound of fats and oils per gallon of paint (by a manufacturer of paste water paint, dry casein paint, or dry protein paint, as such, in the base period), in any calendar quarter	70

3. By deleting the figure "10,000" in paragraph (b) (5) (i) thereof and inserting in lieu thereof the figure "15,000".

4. By inserting immediately after paragraph (b) (10) thereof the following:

(11) Notwithstanding the other provisions of this order, the oil content of any product which is listed in a class of use under Schedule A hereof and which is purchased from the Army, Navy, Marine Corps, or Coast Guard of the United States; the Office of Distribution, War Food Administration (including, but not restricted to the Federal Surplus Commodities Corporation); or the War Shipping Administration shall not be charged against the quota of any manufacturer, if such product is used or consumed by him in the same class of use.

This amendment shall become effective at 12:01 a. m., e. w. t. May 4, 1944. However, with respect to violations of War Food Order No. 42, or rights accrued, or liabilities incurred thereunder, prior to said date, said War Food Order No. 42 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 4th day of May 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-6374; Filed, May 4, 1944; 3:34 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regulations, Serial No. 3050]

PART 239—CHARTER TRIPS AND SPECIAL SERVICES

CHARTER TRIPS AND SPECIAL SERVICES BY AIR CARRIERS HOLDING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 2d day of May 1944.

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 401 (f) thereof, and deeming its action necessary to carry out the provisions of said Act and to exercise its powers and perform its duties thereunder, hereby makes and promulgates the following regulation:

Effective May 2, 1944, § 239.1 of the Economic Regulations is amended in its entirety to read as follows:

§ 239.1 *Charter trips and special services*—(a) *Approval required for special service.* No air carrier holding a certificate of public convenience and necessity shall operate any charter trip or other special service (except flights originating and terminating in the territory comprised of Mexico, Central America, South America, and the countries and islands in the Caribbean area) either between points named in its certificates or otherwise, unless it shall have first secured approval thereof by the Board or its designee, or unless authorized by such further regulations as the Board may from time to time promulgate.

(b) *Exceptions.* The provisions of paragraph (a) shall not apply to any charter trip or special service which is (1) operated at the request of, and in aircraft owned by, the Navy Department, or (2) an emergency military mission.

(52 Stat. 984, 988; 49 U.S.C., 425 (a), 481 (f))

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-6429; Filed, May 5, 1944; 12:07 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4504]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PHILIP R. PARK, INC., ET AL.

§ 3.6 (t) *Advertising falsely or misleadingly; qualities or properties of product or service:* § 3.6 (x) *Advertising falsely or misleadingly; results.* In connection with offer, etc., of "ManAmar" or "Cattle ManAmar" livestock feeds or feed supplements, or other similar product, and among other things, as in order set forth, disseminating, etc., any advertisements by means of United States mails, or in commerce, or by any means, etc., to induce, etc., directly or indirectly, purchase in commerce, etc., of respondents' product, which advertisements represent, directly or through inference, (1) that respondents' product has any therapeutic value in the treatment of any germ or infectious disease of cattle or that its use is of any value in the prevention of any such disease or condition; (2) that respondents' product has any therapeutic value or beneficial effect in the treatment of any breeding disorder of cattle or is of any value in preventing such disorder; or (3) that respondents' product has any therapeutic value or beneficial effect in the treatment of retained placenta or that its use will have any value in preventing such condition; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C. sec. 45i) [Modified cease and desist order, Philip R. Park, Inc., et al., Docket 4504, April 20, 1944]

§ 3.6 (a 10) *Advertising falsely or misleadingly; comparative data or merits:* § 3.6 (t) *Advertising falsely or misleadingly; qualities or properties of product or service:* § 3.6 (x) *Advertising falsely or misleadingly; results:* § 3.6 (ff 10) *Advertising falsely or misleadingly; unique nature or advantages.* In connection with offer, etc., in commerce, of "ManAmar" or "Cattle ManAmar" livestock feeds or feed supplements, or other similar product, and among other things, as in order set forth, representing that respondents' product (1) will have any therapeutic value in the treatment of mastitis or that its use is of any value in the prevention of such condition; (2) has any therapeutic value in the treatment of any germ or infectious disease of cattle or that its use is of any value in the prevention of any such disease or condition; (3) has any therapeutic value or beneficial effect in the treatment of any breeding disorder of cattle or that its use is of any value in preventing such disorder; (4) has any therapeutic value in the treatment of retained placenta, infectious abortion, or Bang's disease, or that its use will have any beneficial effect upon such conditions or any value in preventing such conditions; or (5) is a better supplement to feeds or constitutes a better feed for cattle than all other feed or feed supplements on the market; or representing (6) that the use of respondents' product will eliminate the necessity of veterinary treatment: prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45i) [Modified cease and desist order, Philip R. Park, Inc., et al., Docket 4504, April 20, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of April, A. D. 1944.

In the Matter of Philip R. Park, Inc., a Corporation; Philip R. Park, Harrison H. Havner, John S. Hunt, and Philip E. Iversen, Individually, and as Officers of Philip R. Park, Inc., a Corporation.

This proceeding coming on for further hearing before the Federal Trade Commission, and it appearing that on April 27, 1943, the Commission made its findings as to the facts herein and concluded therefrom that the respondents had violated the provisions of the Federal Trade Commission Act, and issued and subsequently served its order to cease and desist upon the respondents; and it further appearing that respondents thereafter filed their petition to review and set aside the said order to cease and desist in the Circuit Court of Appeals for the Ninth Circuit; that thereafter by stipulation signed by counsel for the Commission and counsel for respondents dated December 24, 1943, it was agreed that subparagraph 5 of the second part of said order should be modified in certain respects as specifically set out in said stipulation and that the Court should enter its decree modifying said order to cease and desist in said particulars and affirming and enforcing said order as so modified; that on January 6, 1944, the said Circuit Court issued its decree modifying, affirming and enforcing the said order to cease and desist in conformity with said stipulation.

Now, therefore, pursuant to the provisions of subsection (i) of section 5 of the Federal Trade Commission Act, the Commission issues this, its modified order to cease and desist in conformity with said decree:

It is ordered, That the respondent Philip R. Park, Inc., a corporation, its officers, representatives, agents, and employees, and respondents Philip R. Park, John S. Hunt, Philip E. Iversen, and Harrison H. Havner, individually and as officers and directors of Philip R. Park, Inc., a corporation, and their respective representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, or distribution of livestock feeds or feed supplements for cattle and other livestock known as "ManAmar" or "Cattle ManAmar," or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents directly or through inference,

a. That respondents' product has any therapeutic value in the treatment of any germ or infectious disease of cattle or that its use is of any value in the prevention of any such disease or condition.

b. That respondents' product has any therapeutic value or beneficial effect in the treatment of any breeding disorder of cattle or is of any value in preventing such disorder.

c. That respondents' product has any therapeutic value or beneficial effect in the treatment of retained placenta or that its use will have any value in preventing such condition.

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce directly or in-

directly the purchase in commerce as "commerce" is defined in the Federal Trade Commission Act of respondents' product, which advertisement contains any of the representations prohibited in paragraph 1 hereof and the respective subdivisions thereof.

It is further ordered, That the respondent Philip R. Park, Inc., a corporation, its officers, representatives, agents, and employees, and respondents Philip R. Park, John S. Hunt, Philip E. Iversen, and Harrison H. Havner, individually and as officers of Philip R. Park, Inc., a corporation, and their respective representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of livestock feeds or feed supplements for cattle and other livestock known as "ManAmar" or "Cattle ManAmar," or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing:

1. That respondents' product will have any therapeutic value in the treatment of mastitis or that its use is of any value in the prevention of such condition.

2. That respondents' product has any therapeutic value in the treatment of any germ or infectious disease of cattle or that its use is of any value in the prevention of any such disease or condition.

3. That respondents' product has any therapeutic value or beneficial effect in the treatment of any breeding disorder of cattle or that its use is of any value in preventing such disorder.

4. That respondents' product has any therapeutic value in the treatment of retained placenta, infectious abortion, or Bang's disease, or that its use will have any beneficial effect upon such conditions or any value in preventing such conditions.

5. That respondents' product is a better supplement to feeds or constitutes a better feed for cattle than all other feeds or feed supplements on the market.

6. That the use of respondents' product will eliminate the necessity of veterinary treatment.

It is further ordered, That the respondents shall, within thirty (30) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-6396; Filed, May 5, 1944; 10:38 a. m.]

[Docket No. 5025]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ALEXANDER AUERBACH, ETC.

§ 3.66 (a 7) *Misbranding or mislabeling; composition; Wool Products Labeling Act:* § 3.66 (k) *Misbranding or mislabeling; source or origin; maker or seller; Wool Products Labeling Act;* § 3.71 (a) *Neglecting, unfairly or deceptively, to make material disclosure; composition; Wool Products Labeling Act.* I. In connection with offer, etc., in commerce, of "shoddy" or other "wool products," as such products are defined in the Wool Products Labeling Act of 1939, or other textile fiber materials, (1) representing to purchasers and prospective purchasers that wool products, as such products are defined in the Wool Products Labeling Act of 1939, not composed exclusively of "wool," as wool is defined in said act, are "wool," "100% wool," or "all wool," or composed of "wool"; (2) representing to purchasers and prospective purchasers that wool products, as such products are defined in the Wool Products Labeling Act of 1939, may be labeled in accordance with the provisions of said act and the rules and regulations promulgated thereunder as "reprocessed wool," unless such products are composed exclusively of wool or reprocessed wool as those terms are defined in the said act; and (3) misrepresenting or concealing, through the use of fictitious names or otherwise, the identity of respondent or his business; and II. In connection with the introduction or manufacture for introduction into commerce, or the sale, transportation, or distribution in commerce, misbranding "shoddy" or other "wool products," as defined in and subject to aforesaid act, which contain, purport to contain, or in any way are represented as containing "wool," "reprocessed wool," or "reused wool," as those terms are defined therein, by failing to securely affix to or place on each of such products a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner (a) the percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers; (b) the maximum percentage of the total weight of such wool product of any non-fibrous loading, filling, or adulterating matter; (c) the name of the manufacturer of such wool product, or the manufacturer's registered identification number and the name of a seller of such wool product, or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939; prohibited; subject to the proviso, however, that in the case of a product composed in part of "reprocessed wool," this order shall not be construed as prohibiting respondent from representing that such term may be used to designate such reprocessed wool content if the percentage of such content be stated; and subject to the further proviso that the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939; and that nothing contained in this order shall be construed as limiting any applicable provision of said act or the rules and regulations promulgated thereunder. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b; 54 Stat. 1128; 15 U.S.C., sec. 68) [Cease and desist order, Alexander Auerbach, etc., Docket 5025, April 18, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 18th day of April, A. D. 1944.

In the Matter of Alexander Auerbach, an Individual Trading in His Own Name and as Frank Corwin, Frank Corwin Company, Frank Cohen, David Demerer, and Hanover Wool Stock Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in the complaint and states that he waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act and the provisions of the Wool Products Labeling Act of 1939:

It is ordered, That the respondent, Alexander Auerbach, individually and trading in his own name and as Frank Corwin, Frank Corwin Company, Frank Cohen, David Demerer, and Hanover Wool Stock Company, or trading under any other name, and his representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of "shoddy" or other "wool products," as such products are defined in the Wool Products Labeling Act of 1939, or other textile fiber materials, do forthwith cease and desist from:

1. Representing to purchasers and prospective purchasers that wool products, as such products are defined in the Wool Products Labeling Act of 1939, not composed exclusively of "wool," as wool is defined in said act, are "wool," "100% wool," or "all wool," or composed of "wool."

2. Representing to purchasers and prospective purchasers that wool products, as such products are defined in the Wool Products Labeling Act of 1939, may be labeled in accordance with the provisions of said act and the rules and regulations promulgated thereunder as "reprocessed wool," unless such products are composed exclusively of wool or reprocessed wool as those terms are defined in the said act: *Provided, however*, That in the case of a product composed in part of "reprocessed wool," this order shall not be construed as prohibiting respondent from representing that such term may be used to designate such reprocessed wool content if the percentage of such content be stated.

3. Misrepresenting or concealing, through the use of fictitious names or otherwise, the identity of respondent or his business.

It is further ordered, That the respondent, Alexander Auerbach, individually and trading in his own name and as Frank Corwin, Frank Corwin Company, Frank Cohen, David Demerer, and Hanover Wool Stock Company, or trading under any other name, and his representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the sale, transportation, or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding "shoddy" or other "wool products," as defined in and subject to the Wool Products Labeling Act of 1939, which contain, purport to contain, or in any way are represented as containing "wool," "reprocessed wool," or "reused wool," as those terms are defined in said Act, by failing to securely affix to or place on each of such products a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers.

(b) The maximum percentage of the total weight of such wool product of any non-fibrous loading, filling, or adulterating matter.

(c) The name of the manufacturer of such wool product, or the manufacturer's registered identification number and the name of a seller of such wool product, or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939.

Provided, That the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939: *And provided, further*, That nothing contained in this order shall be construed as limiting any applicable provisions of said act or the rules and regulations promulgated thereunder.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-6397; Filed, May 5, 1944; 10:38 a. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

[G. O. 4]

PART 803—GENERAL ORDERS

EMPLOYEES IN AUTOMOTIVE REPAIR INDUSTRY IN CALIFORNIA, NEVADA, AND ARIZONA

§ 803.4 *General Order No. 4.* • • •

(d) • • •

The National War Labor Board, under this paragraph, has approved the following exceptions to the exemption provided for in paragraph (a) of this order:

• • • • • •

(18) All employees engaged in the automotive repair industry in the Tenth Region of the National War Labor Board, embracing the states of California, Nevada, and Arizona, other than gasoline stations, tire and vulcanizing services.

(E.O. 9250, 7 F.R. 7871)

Approved, April 25, 1944.

THEODORE W. KHEEL, *Executive Director.*

[F. R. Doc. 44-6394; Filed, May 5, 1944; 10:38 a. m.]

Chapter IX—War Food Administration (Agricultural Labor)

[Specific Wage Ceiling Reg. 5]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN PICKING OF FRESH MARKET PEAS IN SAN MATEO AND SAN FRANCISCO COUNTIES, CALIF.

§ 1102.5 *Wages of workers engaged in picking of fresh market peas in coastal area west of Skyline Highway of San Mateo and San Francisco counties, State of California.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139, 16702) and to the Regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), entitled "specific wage ceiling regulations" and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking of fresh market peas in the coastal area west of Skyline Highway of the counties of San Mateo and San Francisco, State of California, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139) as amended on December 9, 1943 (8 F.R. 16702).

(b) *Wage rates; maximum wage rates for picking of fresh market peas.*

1. Piece work rate—65¢ per container of 28 lbs. net weight of peas carried to field weigh station. Where other than a container of 28 lbs. net weight of peas is used as a unit of measure, the rate paid must not exceed the equivalent of the above maximum rate.

2. Hourly rate—70¢ per hour.

The above rates are exclusive of any payment to labor contractors.

(c) *Administration.* The California WFA Wage Board located at 2288 Fulton Street, Berkeley, California, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831).

(d) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 5 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) and any violation of this Specific Wage Ceiling Regulation No. 5 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. 961 et seq.; Pub. Law 34, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702; regulations of the War Food Administrator, 9 F.R. 655, 9 F.R. 831)

Issued this 4th day of May 1944.

WILSON R. BUIE, *Acting Director, Office of Labor, War Food Administration.*

[F. R. Doc. 44-6399; Filed, May 5, 1944; 11:19 a. m.]

[Specific Wage Ceiling Reg. 6]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN PICKING OF FRESH MARKET PEAS IN CERTAIN CALIFORNIA COUNTIES

§ 1102.6 *Wages of workers engaged in picking of fresh market peas in the counties of Sacramento, Yolo, and portions of the counties of San Joaquin, Contra Costa and Solano, State of California.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139, 16702) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), entitled "specific wage ceiling regulations" and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking of fresh market peas in the counties of Sacramento, Yolo, that portion of San Joaquin county lying north of the Mt. Diablo base line, that portion of Contra Costa county lying east of the town of Antioch and north of the main line of the Santa Fe Railroad, and that portion of Solano

county lying east of the Mt. Diablo meridian, State of California, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139) as amended on December 9, 1943 (8 F.R. 16702).

(b) *Wage rates; maximum wage rates for picking of fresh market peas.*

1. Piece work rate—60¢ per filled bushel container of sorted peas at the checking station.

Where other than a filled bushel container is used as a unit of measure, the rate paid must not exceed the equivalent of the above maximum prate.

2. Hourly rate—75¢ per hour.

The above rates are exclusive of any payment to labor contractors.

(c) *Administration.* The California WFA Wage Board located at 2288 Fulton Street, Berkeley, California, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831).

(d) *Applicability of specific wage ceiling regulations.* This Specific Wage Ceiling Regulation No. 6 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) and any violation of this Specific Wage Ceiling Regulation No. 6 shall constitute a violation of such specific wage ceiling regulations.

(e) *Termination.* This Specific Wage Ceiling Regulation No. 6 shall expire at 11:59 p. m. Pacific war time July 15, 1944: *Provided, however,* That the provisions of this specific wage ceiling regulation No. 6, after that time, shall continue to remain in full force and effect for the purpose of allowing or sustaining any suit, action, prosecution, or administrative or other proceeding theretofore or thereafter commenced with respect to any violation committed or right or liability accruing under or pursuant to the terms of those provisions of this Specific Wage Ceiling Regulation No. 6.

(56 Stat. 765, 50 U.S.C. App. 961 et seq.; Pub Law 34, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702; regulations of the War Food Administrator, 9 F.R. 655, 9 F.R. 831)

Issued this 4th day of May 1944.

WILSON R. BUIE,
Acting Director, Office of Labor, War Food Administration.

[F. R. Doc. 44-6400; Filed, May 5, 1944, 11:19 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1273—STYRENE

[Allocation Order M-170, Revocation]

Section 1273.1 *Allocation Order M-170* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Styrene is subject to allocation under General Allocation Order M-300, Appendix B, Schedule 18, together with dichlorostyrene.

Use, delivery and acceptance of delivery of styrene prior to June 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M-170.

Issued this 5th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6403; Filed, May 5, 1944; 11:32 a. m.]

PART 1273—STYRENE

[Supplementary Order M-170-a, Revocation]

Section 1273.2 *Supplementary Order M-170-a* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Polystyrene is subject to allocation under General Allocation Order M-300, Appendix A, Schedule 19, together with polydichlorostyrene.

Use, delivery and acceptance of delivery of polystyrene prior to June 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M-170-a.

Issued this 5th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6404; Filed, May 5, 1944; 11:32 a. m.]

PART 3060—GLYCOLS

[Allocation Order M-215, Revocation]

Section 3060.1 *Allocation Order M-215* is hereby revoked, effective when glycols become subject to allocation under General Allocation Order M-300, Appendix C, Schedule 15.

This revocation does not affect any liabilities incurred under the order.

Use, delivery and acceptance of delivery of glycols prior to June 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M-215.

Issued this 5th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6405; Filed, May 5, 1944; 11:31 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-158, as Amended May 5, 1944]

PRODUCTION OF REPLACEMENT PARTS FOR MOTOR VEHICLES

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of aluminum, chromium, copper, nickel, and other materials required for the production of replacement parts for passenger automobiles, light, medium and heavy motor trucks, truck trailers, passenger carriers, off-the-highway motor vehicles and motorized fire equipment for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3292.46 *Limitation Order L-158*—(a) *Definitions.* For the purpose of this order: (1) "Replacement parts" for passenger automobiles, light, medium and heavy motor trucks, truck-trailers, passenger carriers, off-the-highway motor vehicles and motorized fire equipment means only the following enumerated items, and the components entering into such items, which are produced for use in the repair, maintenance or improvement of such vehicles, but does not include any parts specially designed for military vehicles:

(i) For all vehicles: (1) engines, less starting, ignition and fuel systems, (2) clutches, (3) transmissions, (4) propeller shafts, (5) universal joints, (6) axles, (7) braking systems, (8) wheels, (9) tire valve assemblies, (10) starting apparatus, (11) frame and spring suspension assemblies, except spring covers and spring clip spacer tubes, (12) shock absorbers, (13) speedometers, (14) driving mirrors, (15) windshield wiper assemblies, (16) steering apparatus, (17) exhaust systems, (18) cooling system, including radiator shells supporting radiator cores, (19) fuel systems, but not locking-type gas caps, (20) bulk tubing for fuel, oil, brake and door-actuating lines, (21) lubricating system, including fittings, (22) electrical systems including generators, motors, lamps (but not bulbs), signal horns, and bulk and spool (a) primary wire (b) spark plug wire and (c) battery cable, the last three items only in lengths of 100 ft. maximum, (23) safety glass and channels, (24) hood, door, window and rear deck actuating mechanisms, (25) front fenders, but only types which house or hold headlights, (26) windshield defrosters (components only), (27) heater hose.

(ii) In addition, but only for medium and heavy motor trucks, truck-trailers, passenger carriers, off-the-highway motor vehicles and motorized fire equipment: (28) power dividers and take offs, (29) governors, (30) transfer cases, (31) coupling devices, (32) trailer landing gears, (33) cabs and seats, (34) front fenders without limitation as to type, (35) hoods, (36) truck refrigeration units, (37) liquid measuring gauges, (38) body mechanical and hydraulic hoists (component parts only), (39) tachometers, (40) doors and door hardware, (41) marker, clearance and identification lamps, spot lamps (internally controlled only), fog lamps and back-up lamps, (42) fusees and flares, (43) signaling devices, (44) reflex reflectors, (45) windshield defrosters, (46) truck and bus traction sanders.

(iii) In addition, but only for passenger carriers and motorized fire equipment: (47) body structural repair parts, (48) sash, (49) destination signs, (50) fare boxes, (51) guards and grab rails, (52) door-operating mechanisms, (53) heating and ventilating equipment.

(2) "Rebuilt or reconditioned parts" means any replacement parts (defined in paragraph (a) (1) above) which have been used and restored for use through rebuilding or reconditioning operations.

(3) "Parts consumed in use" means those parts whose function in the operation of the vehicle results in a dissipation or deterioration of material, either in whole or in part, so that the residue has little or no salvage value.

(4) "Ignition contacts" means tungsten tipped parts such as screws, rivets, levers, arms or discs which are components of ignition circuit breaker assemblies.

(5) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs propelled by an internal combustion engine and having a seating capacity of less than eleven (11) persons.

(6) "Light truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis therefor.

(7) "Medium and heavy motor truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor.

(8) "Truck trailer" means a complete semi-trailer or full trailer designed for transportation of property or persons, or the chassis therefor.

(9) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than eleven (11) persons.

(10) "Off-the-highway motor vehicle" means a motor truck, truck-tractor or trailer, operating off the public highway, normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects, or the chassis therefor.

(11) "Motorized fire equipment" means the chassis of a passenger automobile, light, medium or heavy motor truck, truck-tractor or trailer, used for the transportation of fire-fighting personnel or equipment.

(12) "Producer" means any individual, partnership, association, corporation, or other form of business enterprise engaged in the manufacture of replacement parts, as defined in paragraph (a) (1) above.

(13) "Supplier" means a person who supplies a producer with materials or component parts for the production or assembly of replacement parts.

(14) "Distributor" means any person not a producer or supplier whose business consists, in whole or in part, of the sale of replacement parts, as defined in paragraph (a) (1) above, from inventory. Distributor includes wholesalers, jobbers, dealers, retailers and other persons performing a similar function including garages and service stations.

(15) "Consumer" means the owner or operator of the automotive vehicle for which replacement parts are required, or the user of such replacement parts for any other purpose, not including the Army or Navy of the United States, the United States Maritime Commission, and other agencies listed in paragraph (p) (1) below.

(16) "Inventory" means a stock of new replacement parts held by a distributor for his own account. Inventory does not include any new replacement parts held on consignment or any "as is", rebuilt, reconditioned or reconditionable parts.

Provisions Relating to Production

(b) *Production of certain parts to be made as if orders were rated AA-1 and others AA-2X.* Notwithstanding the provisions of Priorities Regulation No. 1, Part 944, replacement parts, for medium and heavy motor trucks, truck trailers, passenger carriers, off-the-highway motor vehicles and motorized fire equipment, enumerated in paragraph (a) (1), except items (41) to (46) inclusive, must be produced as if the orders therefor bore a preference rating of AA-1. Replacement parts, for passenger automobiles and light trucks, enumerated in paragraph (a) (1) and also items (41) to (46) inclusive, must be produced as if the orders therefor bore a preference rating of AA-2X.

(c) *Special provision for production of truck and bus replacement parts.* (1) To provide for production of automotive replacement parts (except parts for passenger automobiles) on orders for civilian use and on other orders to make automotive parts as Class B products, Priorities and CMP Regulations may be disregarded to the following extent: A producer of automotive parts whose facilities scheduled to produce a particular part are scheduled 95% or more for Class A production during a month, may schedule up to 5% of those facilities during the month for production of that part (or any other parts) to fill Class B orders for civilian or other use. In computing the 5% of the facilities referred to above, the term "facilities" means productive man-hours or productive machine-hours, or both. The calculation may be made on the basis of calendar months or of any successive periods of one month each beginning at any time.

(2) Whenever it appears to a producer that production under this paragraph (c) will result in serious interference with the production of orders for the Armed Services, he shall immediately notify the Automotive Division, War Production Board, in order that adjustments may be at once considered.

(3) No production under this paragraph (c) shall be allowed to interfere with any "frozen" schedule of Component Consumption Requirements issued under Order L-1-e or any other "frozen" schedule, as defined in Priorities Regulation No. 18.

(4) As the purpose of this paragraph (c) is primarily to secure additional critical replacement parts for commercial or civilian use, production must be made of those parts which are actually critical, against back orders where they exist.

(d) *Correction of critical shortages.* Whenever the War Production Board determines that a critical shortage exists in respect to replacement parts, the Board may order any producer or supplier to schedule and deliver his production in such manner as will relieve the shortage; and in addition, may direct any producer or distributor to deliver or sell to any other person, at regularly established prices and terms, such quantities of replacement parts available for civilian distribution as the War Production Board may determine.

(e) *Production restricted to enumerated replacement parts; use of critical materials.* (1) No producer shall manufacture any parts for use in the repair, maintenance or improvement of passenger automobiles, light, medium and heavy trucks, truck trailers, passenger carriers, off-the-highway motor vehicles or motorized fire equipment except the items, and their components, enumerated in paragraph (a) (1) above as items (1) to (53) inclusive.

(2) In the production of such parts no materials shall be used which are prohibited by any orders, regulations or other restrictions on the use of critical materials now or hereafter issued by the War Production Board.

Standardization and Simplification Provisions

(f) *Pistons and bearings.* On and after November 15, 1943, producers shall make replacement pistons, piston pins, piston rings and engine bearings as components of engines, only according to the following standards:

(1) Pistons as components of engines only in standard sizes and the following oversizes: .005, .020, .030, .040, .060 and semi-finished.

(2) Piston pins as components of engines only in standard sizes and the following oversizes: .003, .005, .010.

(3) Piston rings as components of engines only in standard sizes and the following oversizes: .005, .020, .030, .040, .060; and in addition, for medium and heavy trucks and busses, .080, .100.

(4) Engine bearings as components of engines only in standard sizes and the following undersizes: .002, .010, .020, .030, .040, .060, .090 and semi-finished. In addition, connecting rod bearings with oversize outside diameter, and the "special length Ford main bearings".

(g) *Ignition contacts.* On and after December 1, 1943, all discs cut from tungsten contact rod for ignition contacts for all vehicles shall be cut to a thickness not exceeding .030 inch, plus a tolerance of .002 inch.

Provisions Relating to Distributors' Inventories

(h) *Restrictions on distributors' inventories.* (1) No distributor of replacement parts whose place of business is located in the eastern or central war time zone shall accept delivery of new replacement parts which, in combination with his existing inventory of new replacement parts, measured in total dollar cost value, will exceed a sixty-day (60) supply. Sixty-day supply means a supply in dollar cost value equal to the distributor's total sales, at his cost, of such new parts in the preceding two months period.

(2) No distributor of replacement parts whose place of business is located in any other war time zone shall accept delivery of new replacement parts which, in combination with his existing inventory of new replacement parts, measured in total dollar cost value, will exceed a ninety-day (90) supply. Ninety-day supply means a supply in dollar cost value equal to the distributor's total sales, at his cost, of such new parts in the preceding three months period.

(3) Irrespective of the restrictions in subparagraphs (1) and (2) above, a distributor may accept delivery of specific items of replacement parts even though his inventory then exceeds, or will by reason of such acceptance exceed, his maximum permissible inventory as specified in subparagraphs (1) and (2) above. The quantity of such specific items in dollar cost value shall not exceed the dollar cost value of his sales of such items during the preceding thirty days or the last thirty-day period in which a sale was made if the distributor is located in the eastern or central war time zones, and forty-five days in all other zones.

(i) *Return of new replacement parts.* New replacement parts, returned by a distributor to another distributor, if not included in the inventory of the person receiving the parts during the calendar quarter in which received shall be included in his inventory in the next succeeding calendar quarter.

(j) *Disposition of traded-in used parts.* No distributor may keep in his inventory, in his possession or under his control any used replacement parts which have been traded in and cannot be reconditioned for a period of more than thirty (30) days after they have been determined to be unserviceable, but he must dispose of them through customary disposal or scrap channels. Traded-in parts which can be reconditioned must be reconditioned, or returned to be reconditioned, as quickly as minimum quantities will permit.

(l) *Traded-in ignition contact points to be reclaimed.* As tungsten is a highly critical material, traded-in ignition contact points must be saved for possible reclamation. Therefore, they may not be scrapped. Where distributors can not reclaim the tungsten contacts for reuse, they must return them through normal trade channels to producers or suppliers for reclamation.

Provisions Relating to Distribution

(k) *No preference ratings required for delivery of replacement parts for resale.* No producer or distributor shall require any preference ratings for the purchase or the delivery of finished replacement parts for resale as such, except on Army, Navy, Maritime Commission and War Shipping Administration orders as provided in paragraph (m). All deliveries of such parts for resale or to consumers may be made as if the orders therefor bore the preference ratings assigned to their production in paragraph (b), and without regard to orders bearing a lower rating. In addition, the provisions of this paragraph are applicable to orders for finished parts required for rebuilding or reconditioning operations.

(l) *Parts for emergency repairs*—(1) *How to order parts.* Notwithstanding the provisions of paragraph (h) above, a distributor may order and accept delivery of replacement parts which he does not have in stock when required by a consumer for the emergency repair of a particular vehicle which cannot be operated without such parts. In such emergency, a distributor must file with his order to the producer a certificate in the following form:

CERTIFICATE FOR EMERGENCY REPAIR ORDER

AUTOMOTIVE REPLACEMENT PARTS

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that the replacement parts specified in the attached order are essential for the repair of the following vehicle, which cannot now be operated without such parts:

Make_____ Engine number_____

Signed_____
(Firm, partnership or corporation)

By_____
(Name and title of individual)

Dated: _____ _____
Address of firm, partnership or corporation.

A copy of the certificate must be retained by the distributor issuing it as a part of his records.

(2) *Emergency repair orders take preference.* A producer receiving an order accompanied by a Certificate for Emergency Repair must give such order precedence in shipment over other orders not of an emergency nature.

(3) *Use of certificate restricted.* The Certificate for Emergency Repair may be used only to secure essential replacement parts for emergency repairs as described in this paragraph (l). It must not under any circumstances be used by a distributor to replenish his stock.

(m) *Preference ratings of AA-2X or higher required on sales by distributors to army, navy and maritime commission.* Irrespective of the provisions of this order, no distributor shall sell or deliver any replacement parts, as enumerated in paragraph (a) (1) above, to the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration except upon receipt of an order bearing a preference rating of AA-2X or higher.

(n) *Additional provisions for army orders.* Purchase orders for replacement parts (except parts for "post exchange" vehicles) submitted to distributors by the Army must specify, in accordance with War Department instructions, the type, manufacturer, model and United States Army registration number of vehicles covered by the purchase order; and must carry a certification that such vehicles are "dead-lined" for emergency repair. Delivery by distributors of replacement parts against such orders for the Army must be limited to replacement parts in distributors' inventory available for immediate delivery.

(n) *Restrictions on sales to consumers*—(1) *No sale of new parts where old part can be rebuilt or reconditioned.* No new replacement part shall be sold or delivered to a consumer to replace a part which the producer or distributor can rebuild or recondition by use of available local reconditioning facilities.

(2) *Used part to be turned in.* No producer or distributor shall sell or deliver any replacement part either new, used or rebuilt, to a consumer unless the consumer turns in to the producer or distributor, concurrently with his purchase, a used replacement part of similar kind and size for each such replacement part delivered to the consumer. However, a used replacement part need not be turned in in the following cases:

(i) Where the used part has been consumed in use, lost or stolen;

(ii) Where the used part is a cab assembly;

(iii) Where the consumer is a Federal or Territorial Department, Bureau or Agency, or a State or political subdivision thereof, which is forbidden by law from making such disposal of replacement parts;

(iv) Where the new or rebuilt part is ordered by telephone, telegraph or mail, or is to be installed by the purchaser.

(v) Where the new part to be purchased by the consumer will improve the efficiency of the vehicle, its capacity or usefulness, such parts being as follows: for all vehicles—oil filters; for medium and heavy trucks, truck trailers, passenger carriers, off-the-highway motor vehicles and motorized fire and police equipment — auxiliary springs, trailer connections, brakes, fifth wheels, auxiliary fuel tanks, governors, landing gears, heavy duty generators, auxiliary transmissions, power take-offs, heavy duty trailer axles, wheels and rims which do not increase tire sizes, marker, clearance and identification lamps, spot lamps (internally controlled only), fog lamps and backup lamps, signaling devices, reflex reflectors, windshield defrosters, truck and bus traction sanders.

(3) *Use of consumer's certificates.* In any of the cases provided for in subparagraphs (2) (i), (ii), (iv), and (v) above, in which the consumer is not required to turn in a used part, he must sign and deliver to the producer or distributor concurrently with each purchase, or on the written confirmation thereof if the order is placed by telephone or telegraph, a Consumer's Certificate in the following form:

CONSUMER'S CERTIFICATE

AUTOMOTIVE REPLACEMENT PARTS

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that: (a) the replacement parts covered by this certificate are essential for the maintenance, repair or improvement of equipment he now owns or operates; (b) these parts will be used to replace parts which, to the best of his knowledge, cannot be rebuilt or reconditioned by use of available facilities; and (c) he will, within thirty days after receiving the parts, dispose of the old parts, if any through scrap channels.

(Signed)_____
Vehicle owner or operator.

Date: _____ Address _____

The foregoing Consumer's Certificate must be retained by the producer or distributor making the sale to the consumer as part of his records.

(4) *Emergency stocks for truck and passenger carrier fleet operators.* On and after December 31, 1943, any owner or operator of a fleet of twenty-five (25) or more medium or heavy trucks, passenger carriers or off-the-highway motor vehicles may, without turning in a similar used part or filing a Consumer's Certificate, purchase engines, less starting, ignition and fuel systems; transmission assemblies; and rear axle assemblies; in quantities not exceeding one each such part for every twenty-five (25) vehicles, or multiples of twenty-five (25) which he maintains in service currently licensed.

Miscellaneous Provisions

(o) *Applicability of War Production Board regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time except where otherwise stated.

(p) *Exceptions to applicability of this order.* (1) The terms and restrictions of this order, except as provided for in paragraph (d) and (m) above, shall not apply to any replacement parts sold to or produced under contracts or orders for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Offices of Scientific Research and Development.

(2) The terms and restrictions of this order entitled Provisions Relating to Distributors' Inventories and Provisions Relating to Distribution shall not apply to any person located outside of the forty-eight (48) states and the District of Columbia.

(q) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(r) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate with the Field Office of the War Production Board nearest the appellant's place of business, referring to the particular provision appealed from and stating fully the grounds for appeal.

(s) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington 25, D. C., Ref.: Order L-158.

Issued this 5th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

RESIZING OF ENGINE PISTONS AND BEARINGS BY PRODUCERS' BRANCHES

The question of resizing engine pistons and bearings in the field to sizes other than those specified in paragraphs (f) (1) and (f) (4), respectively, of § 3292.46. Limitation Order L-158, has been the subject of some uncertainty in the industry. In order to clarify the order, with respect to the intent of these paragraphs, the following interpretation is hereby issued:

Producers' direct factory branches of warehouses, wholly owned or controlled by them, may finish engine pistons and bearings to any intermediate sizes not specified in paragraphs (f) (1) and (f) (4), respectively, of Limitation Order L-158, when ordered from the factory branch by a customer for immediate use in a specific engine. None of these intermediate sizes may be ordered from a factory branch for stock or to be held in inventory. A certificate for emergency order, as provided for in Order L-158, paragraph (l), should accompany each order placed with the factory branch for the intermediate sizes other than those specified in the paragraphs mentioned above, as a means of identifying the need for the part in a specific vehicle. (Issued Oct. 1, 1943.)

INTERPRETATION 2

PRODUCTION OF DECORATIVE HUB CAPS, WHEEL CAPS AND WHEEL TRIM RINGS NOT PERMITTED UNDER ORDER L-158

Hub caps, wheel caps and wheel trim rings which serve only as ornamental or decorative items are not considered components of wheels, Item (8), paragraph (a) (1) (i) of Limitation Order L-158, as amended November 13, 1943. Consequently, they may not be produced. However, hub caps which serve as grease retainers are considered components of wheels and may be produced. (Issued Dec. 29, 1943.)

INTERPRETATION 3

REPLACEMENT PARTS FOR ARMY DELIVERED FROM INVENTORY

Paragraph (m) (1) of the order (which was paragraph (L) (1) before the amendment of April 12, 1944) permits delivery on certain Army orders of replacement parts "in distributors' inventory available for immediate delivery". This means that the parts must be in inventory at the time the order is received from the Army. It is not sufficient that they are in inventory immediately before delivery. (Issued Apr. 26, 1944.)

[F. R. Doc. 44-6407; Filed, May 5, 1944; 11:32 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-260, Revocation]

ACRYLIC MONOMER AND ACRYLIC RESIN

Section 3293.356 *Allocation Order M-260* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Acrylic monomer and acrylic resin are subject to allocation under General Allocation Order M-300, Appendix B, Schedule 17.

Use delivery and acceptance of delivery of these materials prior to June 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M-260.

Issued this 5th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6408; Filed, May 5, 1944; 11:31 a. m.]

PART 3109—MEDICAL EQUIPMENT AND SUPPLIES SIMPLIFICATION

[General Limitation Order L-214, Schedule 3, as Amended May 5, 1944]

MEDICAL AND SURGICAL FURNITURE AND RELATED EQUIPMENT

§ 3109.4 *Schedule 3 to General Limitation Order L-214*—(a) *Definitions.* For the purposes of this schedule:

(1) "Medical and surgical furniture and related equipment" means the following items but includes such items only when they are designed for use in hospitals or similar institutions or in the offices of physicians, surgeons, dentists, osteopaths, chiropractors, or chiropodists:

Anesthetist's stools.
Anesthetist's tables.
Arm immersion stands.
Autopsy tables.
Back rests.
Bassinets.
Bed cradles.
Bed feeding and reading trays.
Bedpan and urinal racks.
Bedside panel screens.
Bedside tables.
Bed trays.
Blanket warming cabinets.
Bowl stands.
Bronchoscopic tables.
Cabinets and stands for sterilizers.
Cabinets for diathermy units.
Cabinets for galvanic, faradic and sinusoidal generators.
Cabinets for specialist's outfits.
Cabinets for suction and pressure pumps.
Cabinets for suction pumps.
Chart desks.
Chart holders.
Chart racks.
Chiropody chairs.
Chiropractic adjustment tables.
Combination bedside table and overbed tables.
Commodes, except receptacle.
Couch tables.
Dental instrument cabinets.
Dressing cabinets.
Dressing trucks, carts and carriages.
Dressing stands.
Emergency examining tables.
Emergency operating tables.
Emergency tables.
Examining and treatment tables.

Examining chairs.
Examining tables.
Foot stools.
Fracture tables (non-portable).
Glove racks.
Heated utility cabinets.
Hospital benches.
Incubators.
Infant conveyors.
Infant dressing stands and tables.
Instrument cabinets.
Instrument stands.
Instrument tables.
Irrigator and solution stands.
Laundry bag conveyors.
Leg dressing stands.
Needle cabinets.
Neuro-surgical tables.
Nose and throat chairs.
Nurse's desks.
Nurse's work tables.
Nursery dressing stands and tables.
Obstetrical tables.
Operating tables.
Operator's stools.
Ophthalmic chairs.
Orthopedic and fracture carts, trucks and carriages.
Orthopedic tables (non-portable).
Osteopathic tables.
Overbed and swing overbed tables.
Proctological tables.
Solution cabinets.
Solution stands.
Solution warming cabinets.
Specialist's chairs.
Sponge racks.
Stands for sterilizer dressing drums and containers.
Sterilizer cabinets.
Sterilizer dressing drums and containers.
Supply and treatment cabinets.
Thermometer baskets.
Treatment cabinets.
Treatment chairs.
Urological tables.
Utensil racks.
Utility cabinets.
Veterinary operating tables.
Wall shelf stands.
Waste receptacles and kick bucket carriages.
Wheel stretchers.

The term includes any item serving the same function as any of the above-named items, whether or not such item is listed by any manufacturer under a different name.

The term shall not include:

(i) Any of the above-named items when such items are designed and produced for use overseas, in the field or on shipboard by the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or by the military forces of any country entitled to receive deliveries pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act). (An item shall be deemed to be designed and produced for use overseas, in the field or on shipboard, only when the purchase order or contract under which the item is produced specifically states that the item is for use overseas, in the field or on shipboard. A purchase order or contract for Lend-Lease shall be deemed to be for the military forces of a Lend-Lease country only when the purchase order or contract specifically so states.);

(ii) Any parts or material for the repair or maintenance of any of the above-named items; nor

(iii) Any accessories for use in connection with any of the above-named items; nor

(iv) Any recessed cabinet.

(2) "Manufacturer" means any person engaged in the manufacturing, fabricating or assembling of medical and surgical furniture and related equipment.

(b) *Restrictions on items and models of medical and surgical furniture and related equipment.* (1) No manufacturer shall manufacture or continue the manufacture of any items of medical and surgical furniture and related equipment other than the items listed on List A, attached to this schedule, and the listed items shall be manufactured only in the number of models specified in the left hand column of the list and shall conform with the descriptions set forth in the right hand column of the list.

(2) Notwithstanding the provisions of subparagraph (1) of this paragraph (b), a manufacturer may manufacture any number of models of any item of medical and surgical furniture and related equipment not listed on List A and any number of models of the items listed on List A in excess of the number specified thereon: *Provided*, (i) That such models contain no metal other than iron and carbon steel, and (ii) That the weight of such metal comprises not more than 25 per cent of the total weight of the model.

(c) *Restrictions on the use of certain materials in the manufacture of medical and surgical furniture and related equipment.* (1) No manufacturer shall incorporate any nickel in the manufacture of any medical and surgical furniture and related equipment except for the following uses:

(i) Nickel may be used for plating to the extent permitted under the terms of Conservation Order M–6–b;

(ii) Nickel may be used in alloy steel for any item permitted in List A.[1]

(2) No manufacturer shall incorporate any monel metal, copper or copper base alloy in the manufacture of any medical and surgical furniture and related equipment except to the extent permitted in the right-hand column and the footnote of List A.

(3) No manufacturer shall incorporate any aluminum in the manufacture of any medical and surgical furniture and related equipment except to the extent permitted by Supplementary Order M–1–i or by any specific authorization under that order.

(d) *Exception for furniture and equipment in process.* Notwithstanding the provisions of paragraphs (b) (1) and (c) of this schedule, a manufacturer may complete the manufacture of any medical and surgical furniture and related equipment which was partially fabricated on July 13, 1943: *Provided*, That such manufacture is completed on or before August 13, 1943.

(e) *Filing of pictures and accompanying information.* On or before August 2, 1943, each manufacturer shall file with the War Production Board, Safety and Technical Equipment Division (Ref: L–214), a photograph or catalog cut, in duplicate, of each model of the permitted items which he elects to manufacture under this schedule. Each photograph or cut shall be mounted on suitable backing 8½" x 11" in size with the following information entered clearly thereon:

(1) The name of the item, as listed on List A.

(2) A brief identification of the model, if more than one model of the item is permitted under List A.

(3) The manufacturer's catalog number.

(4) A brief description, including size and material specifications and any other pertinent information, showing that the model comes within the description of the permitted item as set forth in List A.

(f) [Deleted, Oct. 9, 1943]

NOTE: This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of May 1944.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

NOTE: List A amended May 5, 1944.

Subject to the provisions of this schedule each manufacturer may manufacture only the permitted number of models of the permitted items of medical and surgical furniture and related equipment set forth below, and such permitted models of the permitted items shall conform with the description set forth in the right hand column of the list. (Different sizes of permitted items are regarded as different models; for example, it is not permissible to manufacture two sizes of an anesthetist's stool because the two sizes are regarded as two models.)

Permitted number of models	Permitted items	Description of permitted items*
1	Anesthetist's stool	
1	Anesthetist's table	Not more than one drawer.
1	Autopsy table	Non-hydraulic type.
2	Bassinet	Both models may be open framework type, or one may be open framework type and the other of a type having cabinet space in the frame; each model shall hold one basket only.
2	Bed cradle	
2	Bedpan and urinal rack	
3	Cabinet for suction and/or pressure pumps.	
1	Dressing truck, cart or carriage	Wheels shall not exceed 10" in diameter; drawers and compartments are prohibited; basin and pail attachments may be used.
2	Examining and treatment table	Both models adjustable.
1	Eye, ear, nose and throat chair table	Hydraulic-base.
1	Foot stool	
1	Fracture table	Non-portable; fluoroscopic type.
2	Incubator	Copper or copper base alloy may be used in heating elements; in water-jacketed types, copper base alloy may be used to the extent required for efficient operation.
*		
1	Infant conveyor	
4	Instrument cabinet	Not to exceed 50" in width.
1	Instrument stand	Mayo type, using "T" handle type of set-screw lock.
2	Instrument table	One model shall not exceed approximately 16" x 20", and have not more than one drawer; one model shall not exceed 24" x 36", and have not more than three drawers; both shall be rectangular.
	Irrigator and solution stand	Each model shall have "T" handle set-screw locks; bowl and tray attachments are prohibited.
1	Laundry bag conveyor	Open metal framework for use with removable bags.
1	Leg dressing stand	
2	Obstetrical table	Not more than one model with a hydraulic base.
3	Operating table	One major hydraulic base table; one minor hydraulic-base table; and one tubular framework table; monel metal may be used for table tops.
1	Operator's stool	Adjustable.
1	Orthopedic and fracture cart, truck and carriage.	
1	Proctological table	
1	Solution stand	May be single or double style.
3	Sterilizer cabinet	
4	Treatment cabinet	All models restricted to not more than 25" in depth and 36" in width.
2	Treatment chair	One model adjustable, designed for eye, ear, nose, and throat operating, and treatment; one model non-adjustable, designed for first aid operating and treatment, with attachments for treatment of limbs; each model limited to 95 lbs. weight; neither model shall have hydraulic lift.
2	Urological table	Both models X-ray type; one hydraulic model; one non-hydraulic model; copper and copper-base alloy may be used in drainage drawers and filters
1	Wall shelf stand	
2	Waste receptacle	One open-top model, minimum height 24"; and one kick-about model.
2	Wheel stretcher	Both models non-hydraulic; one non-adjustable model; one tilting model; wheels on each model shall have a maximum diameter of 10".

*In all permitted tables brass may be used to the extent required in gears. In all permitted hydraulic-base tables copper and copper base alloy may be used to the extent required in the hydraulic pumps. Copper and copper-base alloy may be used in the electrical circuit or electrical connections of any of the permitted items.

[1] The War Production Board is at present restricting the types and grades of alloy steel, other than National Emergency Triple Alloy Steel (nickel-chromium-molybdenum), that may be produced for particular end uses. If a manufacturer desires to have alloy steel of a restricted type or grade produced for him, the matter should be discussed with the Steel Division of the War Production Board, Washington 25, D. C. It is the intention of the War Production Board to continue to allow the production of alloy steel containing nickel up to 9% by weight for table tops on autopsy tables and operating tables.

[F. R. Doc. 44-6406; Filed, May 5, 1944; 11:31 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 15]

GLYCOLS

§ 3293.1015 *Schedule 15 to General Allocation Order M–300*—(a) *Definition.* "Glycols" means ethylene glycol, propylene glycol, diethylene glycol, triethylene glycol and physical mixtures of such glycols.

(b) *General provisions.* Glycols are subject to the provisions of General Allocation Order M–300 as Appendix C materials. The initial allocation date is October 1, 1942, when glycols were first put under allocation by Order M–215 (revoked). The allocation period is the calendar month. The small order exemption per person per month is each and all of the following:

	Pounds
Ethylene glycol	5,000
Propylene glycol	950
Diethylene glycol	1,000
Triethylene glycol	600
Mixed glycols	1,000

Customers must furnish use certificates when ordering glycols in amounts described in paragraph (g) and must file on Form WPB–2945 when ordering glycols in amounts described in paragraph (f).

(c) *Special interim provisions.* Use, delivery and acceptance of delivery prior to June 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M–215 (revoked).

(d) *Special anti-freeze provisions.* The restrictions of Order M–300 and of this schedule shall govern the use of glycols by any supplier in the manufacture of anti-freeze or motor coolant preparations, provided that:

(1) Any supplier may deliver completed anti-freeze or motor coolant preparations containing glycols without specific authorization under this order; and

(2) Nothing contained in this order shall be construed to permit the manufacture of anti-freeze in violation of General Limitation Order L–51 (§3293.11).

(e) *Supplier's applications on Form WPB–2947.* Each supplier seeking authorization to deliver glycols shall file application on Form WPB–2947 (formerly PD–602). The filing date is the 19th of the month preceding the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M–300–15. The unit of measure is pounds. File a separate set of forms for each kind of glycol. A consolidated set of forms for each kind of glycol may be filed for all plants. In Table I, first list in Column 1 the names of customers who have filed WPB–2945 forms with the applicant and in Column 1a specify "WPB–2945"; second, list in Column 1 the names of customers who have filed use certificates with the applicant and in Column 1a transcribe the uses stated in such certificates; third, specify in Column 1 "aggregate small deliveries" and leave Column 1a blank; fill in other columns as indicated. Leave columns blank relating to rolling stock requirements. Fill in Table II as indicated. Inventory of glycol previously allocated for the supplier's own manufacturing use should not be reported on Form WPB–2947 (but should be reported in Table II of Form WPB–2945).

(f) *Customers' applications for authorization on WPB–2945.* Each person seeking delivery of glycols in excess of the following amounts shall file application for authorization on Form WPB–2945:

	Pounds
Ethylene glycol	75,000
Propylene glycol	10,000
Diethylene glycol	7,500
Triethylene glycol	2,600
Mixed glycols	5,000

The filing date is the 12th of the month preceding the month for which allocation is requested. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M–300–15, one copy (reverse side blank) to the supplier and retain one copy. The unit of measure is pounds. File a separate set of forms for each kind of glycol. In Column 3 specify primary product according to the following classifications:

Anti-freeze (specify military or civilian in Col. 4)
Air for gas dehydration
Brake, hydraulic and de-icer fluids
Cellophane plasticizer
Coolant (specify in Col. 4 military or industrial)
Cosmetics
Cutting oils
Dentifrices and mouth washes
Drugs
Dynamite
Foods and flavors
General plasticizer (specify in Col. 4: cork crowns, cork gaskets, adhesives, coatings, glue or other)
General textile manufacture (specify in Col. 4: coupling agent, soluble oil, dye solvent, softener, rayon yarn processing, or other)
Molding and binder
Radio condenser fluid
Synthetic resin or chemical manufacture (identify product in Col. 3 and use in Col. 4)
Tobacco humectant
Wood stain
Export (as glycol)
Inventory (as glycol)
Miscellaneous (describe briefly in Col. 4)
Resale (as glycol)

Leave Column 4 blank except as noted above.

Fill in Table II as indicated, specifying inventory on a physical basis regardless of authorizations or exemptions. However, a supplier who keeps separate inventories of glycol, both physically and

on his books, for the purpose of sale and for his own manufacturing use, shall report in Table II only his inventory for his own use. Leave Tables III, IV and V blank.

(g) *Certified uses with purchase orders.* Each person placing purchase orders for delivery of glycols between the following amounts per month in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use in the form prescribed in Appendix D of General Allocation Order M-300, and describing proposed use as shown in paragraph (f), above:

	Pounds
Ethylene glycol	5,000–75,000
Propylene glycol	950–10,000
Diethylene glycol	1,000– 7,500
Triethylene glycol	600– 2,600
Mixed glycols	1,000– 5,000

(h) *Approval of reporting requirements.* Forms WPB-2947 and 2945, and the instructions in this schedule and in the appendices of Order M-300 for applications, certifications and reports concerning glycols, have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(i) *Communications to War Production Board.* Reports and communications concerning this schedule shall, unless otherwise directed, be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M-300-15.

Issued this 5th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 16]

METALLIC SODIUM

§ 3293.1016 *Schedule 16 to General Allocation Order M-300*—(a) *Definition.* "Metallic sodium" means the element sodium in its metallic state.

(b) *General restrictions.* Metallic sodium is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is December 1, 1943, when metallic sodium was first put under allocation by Order M-357 (revoked). The allocation period is the calendar month and the small order exemption is 100 pounds per person per month.

(c) *Suppliers' applications on Form WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). The filing date is the 20th day of the month before the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M-300-16. The unit of measure is the pound. An aggregate quantity may be requested, without specifying customers' names, for delivery on small orders of 100 pounds or less per customer per month. Fill in Table II.

(d) *Customers' applications for authorization on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 10th day of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M-300-16, and one copy (reverse side blank) to the supplier. File separate sets of forms for each different supplier. The unit of measure is the pound. In column 3 specify each primary product, or specify "Resale", "Export", or "Inventory", if the metallic sodium is to be resold, exported, or held in inventory as such. Fill in the other columns of Table I, and fill in Tables II and III, as indicated. Leave Tables IV and V blank.

(e) *Budget Bureau approval.* Forms WPB-2945 and 2946, and the instructions in this schedule and the appendices of Order M-300 for applications and reports concerning metallic sodium, have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Communications to War Production Board.* Address reports and communications concerning this schedule to: War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M-300-16.

Issued this 5th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 3293—CHEMICALS

[General Allocation Order M-300, as Amended Mar. 16, 1944, Amdt. 4]

CHEMICALS AND ALLIED PRODUCTS

Appendices A, B and C of § 3293.1000 *General Allocation Order M-300* are amended to read as follows:

APPENDIX A—ALLOCATION USING FORMS WPB-2945 AND WPB-2946 (FORMERLY PD-600 AND 601)

(NOTE: Materials under Schedules 8, 9, 10, 11, 12, 14, 16 and 19 added since Mar. 16, 1944)

Material	Schedule	Customers' filing date (WPB-2945)	Suppliers' filing date (WPB-2946)	Small order exemption (per allocation period. ("u" indicates use restriction in schedule; "c" indicates small order certificate required by schedule.)	Report on Form WPB-3442	Initial allocation date and allocation period. ("Indicates user's stocks frozen.)
1	2	3	4	5	6	7
Nicotinic acid	1 (Issued 2-11-44)	15th	20th	1 kilogram	None	5-4-43, month.
Anhydrous hydrofluoric acid	4 (Issued 2-11-44)	15th	20th	500 lbs	None	3-1-44, month.
Benzaldehyde	7 (Issued 3-10-44)	15th	20th	50 lbs	None	4-1-44, month
Hide glue, extracted bone glue and green bone glue	8 (Issued 3-22-44)	15th	20th	1200 lbs. of hide and extracted bone glue, and 6000 lbs of green bone glue	Yes	4-1-44, month.
Formaldehyde Paraformaldehyde	9 (Issued 4-6-44)	15th—(10th if supplier is dealer).	20th	10,000 lbs. (37% sol.) 3,000 lbs.	None	3-1-43, month.
Hexamethylene-tetramine	10 (Issued 4-6-44)	15th	20th	10,000 lbs	None	3-1-43, month.
Pentaerythritol	11 (Issued 4-6-44)	15th	20th	100 lbs	None	3-1-43, month.
Isopropyl alcohol	12 (Issued 4-14-44)	15th	20th	270 gals	None	7-1-42, month.
Pine tar	14 (Issued 4-18-44)	15th	20th	5 gals	None	5-1-44, month.
Metallic sodium	16 (Issued 5-5-44)	10th	20th	100 lbs	None	12-1-43, month.
Polystyrene and polydichlorostyrene.	19 (Issued 5-5-44)	15th	25th	100 lbs 5 lbs	None	5-1-43, 6-1-44, month.

APPENDIX B—ALLOCATION USING SUPPLIERS' FORM WPB-2947 (FORMERLY PD-602) WITH CUSTOMERS' USE CERTIFICATES

(NOTE: Materials under Schedules 18, 17 and 18 added since Mar. 16, 1944)

Material	Schedule	Suppliers' filing date (WPB-2947)	Small order exemption per allocation period—No certificate required. ("n" indicates use restriction in schedule)	Report on Form WPB-3442	Initial allocation date and allocation period
1	2	3	4	5	6
Riboflavin	2 (Issued 2-11-44)	20th	100 grams	None	4-1-43, month.
Peroxygen chemicals: Hydrogen peroxide Sodium peroxide Sodium perborate	5 (Issued 3-28-44)	20th	600 lbs 75 lbs 25 lbs	Yes	4-1-44, month.
Dipentene	13 (Issued 4-17-44)	20th	5 gals	Yes	5-1-44, month.
Acrylic monomer and resin	17 (Issued 5-5-44)	15th	Cast sheet 50 square feet Molded sheet 50 square feet Molding powder 100 pounds Cast shapes 50 pounds Tube 25 pounds Rod 25 pounds Solution 400 pounds (1 bbl.) Emulsion 400 pounds (1 bbl.) Monomer 10 gallons (80 lbs.) Granular polymers 100 lbs	None	1-1-43, month.
Styrene and dichlorostyrene	18 (Issued 5-5-44)	20th	375 lbs 5 lbs	None	6-1-42, 6-1-44, month.

APPENDIX C—ALLOCATION USING FORM WPB-2947 (FORMERLY PD-602) FOR SUPPLIERS, AND CUSTOMERS' FORM WPB-2945 (FORMERLY PD-600) FOR LARGE ORDERS AND USE CERTIFICATES FOR INTERMEDIATE ORDERS

(NOTE: Glycols, under Schedule 15, added since Mar. 16, 1944)

Material	Schedule	Customers' Applications: On Form WPB-2945, filing date and quantities per allocation period from all suppliers.	Customers' Applications: Use certificate quantities per allocation period from all suppliers	Small order exemption per allocation period. ("u" indicates use restriction in schedule; "c" indicates small order certificate required by schedule)	Suppliers' filing date (WPB-2947)	Report On Form WPB-3442	Initial allocation date and allocation period
1	2	3	4	5	6	7	8
Thiamine hydrochloride	3 (Issued 2-11-44)	15th—more than 2,000 grams.	Between 100–2,000 grams.	100 grams	20th	None	5-4-43, month.
Citric acid	6 (Issued 3-28-44)	1st—15,000 pounds or more.	Between 440–15,000 pounds.	440 pounds per quarter.	10th	On Form WPB-2772 instead.	7-1-43, quarter.
Glycols: Ethylene glycol Propylene glycol Diethylene glycol Triethylene glycol Mixed glycols	15 (Issued 5-5-44)	12th—more than: 75,000 lbs 10,000 lbs 75,000 lbs 2,600 lbs 5,000 lbs	Between 5,000–7,500 lbs. 950–10,000 lbs 1,000–7,500 lbs 600–2,600 lbs 1,000–5,000 lbs	5,000 lbs 950 lbs 1,000 lbs 600 lbs 1,000 lbs	19th	None	10-1-42, month.

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WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 17]

ACRYLIC MONOMER AND ACRYLIC RESIN

§ 3295.1017 *Schedule 17 to General Allocation Order M-300*—(a) *Definitions.* For the purpose of this schedule and Order M-300:

(1) "Acrylic monomer" means the first grade unpolymerized forms of the methyl and higher esters of acrylic and methacrylic acids.

(2) "Acrylic resin" means the first grade polymerized form of the methyl and higher esters of acrylic and methacrylic acids, in the following forms:

First grade cast sheet (unfabricated) not including pieces having an area of less than three square feet produced as a by-product of normal casting or fabricating operations.
First grade molded sheet (unfabricated).
First grade molding powder.
First grade rod.
First grade tube.
First grade solution.
First grade emulsion.
First grade cast primary shapes.
First grade acrylic denture-base material.
First grade granular polymers.

(3) "Supplier" of acrylic monomer and acrylic resin means any person who: (i) Synthesizes monomer from raw materials; or (ii) Manufactures acrylic monomer by de-polymerization of acrylic resin; or (iii) Manufactures acrylic resin by polymerization of acrylic monomer; or (iv) Purchases acrylic monomer or acrylic resin for the purpose of resale without further fabrication, processing or admixing.

(b) *General provisions.* Acrylic monomer and acrylic resin are subject to allocation under General Allocation Order M-300 as Appendix B materials. The initial allocation date is January 1, 1943, the date when these materials first became subject to allocation under Order M-260 (revoked). The allocation period is the calendar month. The small order exemption per person per month, without use certificate, is each and all the following:

Cast sheet	50 square feet
Molded sheet	50 square feet
Molding powder	100 pounds
Cast shapes	50 pounds
Tube	25 pounds
Rod	25 pounds
Solution	400 pounds (1 barrel)
Emulsion	400 pounds (1 barrel)
Monomer	10 gallons (80 pounds)
Granular polymers	100 pounds

Small order quantities may be received in addition to allocated quantities for experimental use and also to complete current jobs for which acrylic monomer or resin has been allocated, notwithstanding paragraph (p) (2) of Order M-300.

(c) *Special interim provisions.* Use, delivery and acceptance of delivery prior to June 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M-260 (revoked).

(d) *Special dental exception.* A supplier who delivers acrylic monomer and acrylic resin exclusively for dental use may make such deliveries, and his customers may order and accept delivery for

dental use, without restriction under this order.

(e) *Special exception for suppliers' intra-company deliveries.* In the case of any group of suppliers under common ownership and control who produce both acrylic monomer and acrylic resin for general purposes, the monomer producing units may deliver acrylic monomer to the resin producing units to the extent necessary to produce resin to fill authorized orders, and the resin producing units may receive and use the monomer for this purpose, without application or specific authorization.

(f) *Suppliers' applications on WPB–2947.* Each supplier (as defined in paragraph (a) (3) above) seeking authorization to use or deliver shall file application on Form WPB–2947 (formerly PD–602). The filing date is the 15th day of the month before the proposed use or delivery month. Send three certified copies to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M–300–17. File a separate set of applications for each plant and for each different grade or type of acrylic monomer or acrylic resin as set forth in paragraph (a) (2) above. An aggregate quantity may be requested, without specifying customers' names, for delivery on uncertified small orders. Purchase orders or releases against purchase orders for aircraft glazing sheet shall not be listed individually, but totals shall be listed. Fill in Table II.

(g) *Military emergency shipments.* A supplier may make application on Form WPB–2947 for authorization to expedite shipments against anticipated emergency war orders from the Armed Services or their contractors. Column 1 shall read "Emergency shipments against Government contracts". Column 4 shall show the aggregate quantity of the proposed shipments. From the quantity allocated on this application the supplier may make such shipments without further authorization. Subsequently, on the first WPB–2947 form filed after the end of the month, the supplier shall report his emergency shipments by listing in the usual manner the customers, end uses and quantities. An entry shall be made in Column 7 for each such customer to show that the material was expedited and that shipment was made in the preceding month, as, for example, "Expedited—May". In the case of emergency shipments to contractors, suppliers must obtain written or telegraphic certification from the Armed Service involved, stating that an emergency exists. Any unused material in the "emergency pool" at the end of the month shall be returned to inventory.

(h) *Certified uses with purchase orders.* Each person placing purchase orders for delivery of more than the small order exemption quantity shall furnish each supplier with a certified statement of proposed use, in the form prescribed in Appendix D of General Allocation Order M–300. Examples of and uses are: "Aircraft radio lens", "Industrial steamgauge lens", "Military denture-base material" or "Civilian denture-base material". Military items are those which are being produced against a prime or sub-contract for the Armed Services. Confidential end uses may be described in general terms but the prime contract number must be specified.

(i) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Communications to the War Production Board.* Communications concerning this schedule shall, unless otherwise directed, be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M–300–17.

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WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 18]

STYRENE AND DICHLOROSTYRENE

§ 3293.1018 *Schedule 18 to General Allocation Order M–300—(a) Definitions.* (1) "Styrene" means styrene (vinyl benzene) in any form and from whatever source derived.

(2) "Dichlorostyrene" means dichlorostyrenes in any form and from whatever source derived.

(b) *General provisions.* Styrene and dichlorostyrene are subject to the provisions of General Allocation Order M–300 as Appendix B materials. The initial allocation date for styrene is June 1, 1942, when styrene first became subject to allocation under Order M–170 (revoked), and the initial allocation date for dichlorostyrene is June 1, 1944. The allocation period is the calendar month. The small order exemption without use certificate is 375 pounds of styrene and 5 pounds of dichlorostyrene per person per month.

(c) *Special interim provision.* Use, delivery, and acceptance of delivery of styrene prior to June 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M–170 (revoked).

(d) *Rubber Reserve Company exemption for styrene.* Subject to any special directions issued by the War Production Board pursuant to this order:

(1) Rubber Reserve Company and each operator, pursuant to contract with Rubber Reserve Company, of any plant owned by any department or agency of the United States Government, may use styrene for the production of synthetic rubber, or may deliver styrene to, or accept delivery of styrene from, Rubber Reserve Company or any other such operator, without application or specific authorization under this order.

(2) Any supplier may, pursuant to contract with Rubber Reserve Company, deliver styrene to, and such delivery may be accepted by, Rubber Reserve Company or any operator of a plant owned by any department or agency of the United States Government, for use in the production of synthetic rubber, without application or specific authorization under this order: *Provided, however,* That no supplier shall make any such delivery which would prevent completion of other deliveries of styrene specifically authorized or directed to be made by such supplier during the same calendar month.

(e) *Suppliers' applications on WPB–2947.* Each supplier seeking authorization to use or deliver shall file application on Form WPB–2947 (formerly PD–602). The filing date is the 20th day of the month preceding the proposed delivery month. File separate sets of forms for styrene and dichlorostyrene. Send four certified copies to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M–300–18. The unit of measure is pounds. An aggregate quantity may be requested without specifying customers' names for delivery on uncertified exempt small orders. Fill in Table II.

(f) *Certified statements of use.* Each person placing a purchase order for delivery of more than 375 pounds of styrene or 5 pounds of dichlorostyrene per month in the aggregate from all suppliers shall furnish each supplier with a certified statement of proposed use, in the form prescribed in Appendix D of General Allocation Order M–300. End use may be specified as "non oil resistant synthetic rubber subject to Order R–1", "polystyrene subject to Order M–300–19", or as any other specified use. Proposed use may also be specified as "for authorized resale", "for resale on exempt small orders", and "for export" (specify destination and export license number).

(g) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications to War Production Board.* Communications concerning this schedule shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M–300–18.

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PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 19]

POLYSTYRENE AND POLYDICHLOROSTYRENE

§ 3293.1019 *Schedule 19 to General Allocation Order M–300—(a) Definitions.* (1) "Polystyrene" means the polymers of styrene (vinyl benzene), but does not include the copolymers of styrene with other monomers such as butadiene or methyl methacrylate. The term "Polystyrene" does not include fabricated forms of polystyrene such as sheets, rods, tubes, molded parts or coated fabric, and does not include polystyrene scrap or polystyrene consisting entirely of reprocessed scrap.

(2) "Polydichlorostyrene" means the polymers of dichlorostyrenes, but does not include the copolymers of dichlorostyrenes with other monomers such as butadiene or methyl methacrylate. The term "polydichlorostyrene" does not include fabricated forms of polydichlorostyrene such as sheets, rods, tubes, molded parts or coated fabric, and does not include polydichlorostyrene scrap or polydichlorostyrene consisting entirely of reprocessed scrap.

(b) *General provisions.* Polystyrene and polydichlorostyrene are subject to the provisions of General Allocation Order M–300 as Appendix A materials. The initial allocation date for polydichlorostyrene is June 1, 1944, and for polystyrene is May 1, 1943, when polystyrene first became subject to allocation under Order M–170–a (revoked). The allocation period is the calendar month, and the small order exemption per person is 100 lbs. of polystyrene and 5 lbs. of polydichlorostyrene.

Small order quantities may be received in addition to allocated quantities for experimental use and also to complete current jobs for which polystyrene or polydichlorostyrene has been allocated, notwithstanding paragraph (p) (2) of Order M–300. There shall be no limitations on duration of authority for use under this schedule, notwithstanding paragraph (v) of Order M–300.

(c) *Special interim provisions for polystyrene.* Use, delivery and acceptance of delivery of polystyrene prior to June 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M–170–a (revoked).

(d) *Suppliers' applications on Form WPB–2946.* Each supplier seeking authorization to deliver polystyrene or polydichlorostyrene shall file application on Form WPB–2946 (formerly PD–601). The filing date is the 22nd day of the month before the proposed delivery month. Send three certified copies to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M–300–19. File separate sets of forms for polystyrene and polydichlorostyrene. The unit of measure is pounds. Specify grade or physical form as stated in the customer's application. An aggregate quantity may be requested, without specifying individual customers' names for delivery on exempt small orders. Fill in Table II.

(e) *Customers' applications on Form WPB–2945.* Each person seeking authorization to use or accept delivery of polystyrene or polydichlorostyrene shall file application on Form WPB–2945 (formerly PD–600). Fling date is the 15th day of the month before the requested allocation month. Send three certified copies to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M–300–19, and one copy (reverse side blank) to the supplier if any. File separate sets of forms for polystyrene and polydichlorostyrene, and for each different supplier. The unit of measure is pounds.

In Column 3 specify each primary product, or specify "resale" or "Exports", if the polystyrene or polydichlorostyrene is to be resold or exported as such. In Column 4 specify the end use of each primary product, giving military contract numbers if practicable. In the case of exports specify the country of destination and export license number. Fill in the balance of Table I and fill in Tables II and III as indicated. Leave Tables IV and V blank.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M–300–19.

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By J. JOSEPH WHELAN,
Recording Secretary.

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PART 3293—CHEMICALS

[Allocation Order M–357, Revocation]

METALLIC SODIUM

Section 3293.561 *Allocation Order M–357* is hereby revoked, effective when metallic sodium becomes subject to allocation under General Allocation Order M–300, Appendix A, Schedule 16. This revocation does not affect any liabilities incurred under the order.

Use, delivery and acceptance of delivery of these materials prior to May 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M–357.

Issued this 5th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6413; Filed, May 5, 1944; 11:32 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[Supplementary Order M–21–e, as Amended May 5, 1944]

TIN PLATE, TERNE PLATE AND TIN MILL BLACK PLATE

§ 3294.101 *Supplementary Order M–21–e.* (a) *Definitions.* For the purposes of this order:

(1) "Tin plate" means steel sheets coated with tin (including primes, seconds, and waste-waste) and includes:

(i) "Electrolytic tin plate," in which the tin coating is applied by electrolytic deposition, and

(ii) "Hot dipped tin plate," in which the tin coating is applied by immersion in molten tin.

(2) "Terne plate" means steel sheets coated with terne metal (including primes, seconds, and waste-waste) and includes:

(i) "Short ternes," meaning steel sheets coated with terne metal on tin mill coating machines, and

(ii) "Long ternes," meaning steel sheets coated with terne metal on sheet mill coating machines.

(3) "Reconditioned tin plate or terne plate" means damaged tin plate or terne plate which has been put into useable condition by recoating.

(4) "Terne metal" means the lead-tin alloy used as the coating for terne plate, but does not include lead recovered from secondary sources which contains not more than 2½% residual tin.

(b) *Restrictions on use of tin plate and terne plate.* Except to the extent specified in Schedule A:

(1) No person shall use tin plate or terne plate in the production of any item or part thereof.

(2) No person shall use hot dipped tin plate with a pot yield in excess of 1.25 pounds per base box except in gauges heavier than 112 pounds per base box, which have been coated with the minimum practicable weight of tin.

(3) No person shall use electrolytic tin plate with a tin coating (as determined by average spot coating tests) in excess of .50 pound per base box.

(4) No person shall use short ternes with a pot yield in excess of 1.30 pounds per base box.

(5) No person shall use long ternes with a pot yield in excess of 4 pounds per base box.

(c) *Restrictions on use of terne metal.* Unless specifically authorized in writing by the War Production Board:

(1) No person shall use terne metal containing over 15% tin in tin mill coating machines.

(2) No person shall use terne metal containing over 10% tin in sheet mill coating machines.

(d) *Restrictions on production, sale, and delivery of tin plate and terne plate.* No person shall produce, sell, or deliver tin plate or terne plate to or for the account of any person if he knows or has reason to believe that such material will be used in violation of the terms of this order or any other or further order or direction of the War Production Board.

(e) *Exceptions.* The provisions of paragraph (b) shall not apply to the materials listed in Schedule B, except that no person shall use such materials in the production of any items, or parts thereof, other than those items in the production of which iron or steel is permitted by other existing or future orders of the War Production Board.

(f) *Substitution of material with lower tin content.* Wherever Schedule A permits use of tin plate or terne plate in any grade, tin plate or terne plate coated with less tin per base box may be used.

(g) *Special directions.* The War Production Board may from time to time issue special directions as to production, sale, delivery, and use of tin plate, terne plate and tin mill black plate, which may include directions as to the tin or lead content of tin plate and terne plate.

(h) [Deleted May 5, 1944]

(i) *Applicability of other orders.* Insofar as any other order of the War Production Board may have the effect of limiting to a greater extent than herein provided the use of any material in the production of any item, the limitation of such order shall be observed.

SCHEDULE A—Continued

Permitted uses	Permitted materials	Maximum permitted coating of tin or of terne metal
18. (a) Fuel tanks, except for automotive equipment	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
(b) Fuel tanks, for automotive equipment	Short ternes	1.30 lbs. per base box.
	Long ternes	6 lbs. per base box.
	Reconditioned terne plate	
19. Gas mask canisters	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
20. Gas meters	Hot dipped tin plate	3.30 lbs. per base box (2A charcoal).
	Electrolytic tin plate	0.50 lbs. per base box.
	Reconditioned tin plate	
	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
21. Heat exchangers	Short ternes	1.30 lbs. per base box
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
22. Integral parts of signal cells—but only for current collectors and baskets.	Hot dipped tin plate	1.25 per base box.
	Electrolytic tin plate	0.50 lbs. per base box.
	Reconditioned tin plate	
23. Lining of drying chambers for silk and egg dehydration	Hot dipped tin plate	11 lbs. per base box.
	Reconditioned tin plate	
24. Maple syrup evaporators	Hot dipped tin plate	11 lbs. per base box.
	Reconditioned tin plate	
25. Oilers	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
26. Oil lanterns	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
27. Roofing—but only for repair purposes	Short ternes	4 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
28. Safety cans for inflammable liquids	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
29. Sprayers, hand, for disinfectant and pest control; Bodies, pumps and siphon tubes	Electrolytic tin plate	0.50 lbs. per base box.
	Reconditioned tin plate	
30. Textile spinning cylinders, card screens, spools and bobbins	Electrolytic tin plate	1.20 lbs. per base box.
	Reconditioned tin plate	0.50 lbs. per base box.
31. Torpedoes (or oil and gas well shooting	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
32. Vaporizing liquid fire extinguishers	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
33. Wick holders for oil stoves	Short ternes	1.20 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
34. Closures for steel drums	Hot dipped tin plate	1.25 lbs. per base box.
	Electrolytic tin plate	0.50 lbs. per base box.
	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Hot dipped terne plate	1.25 lbs. per base box.
35. Repair parts for domestic laundry equipment	Electrolytic tin plate	0.50 lbs. per base box.
	Reconditioned tin plate	

SCHEDULE B

1. Hot dipped tin plate waste-waste outside the gauge range from 60 to 107 lbs. per base box.
2. Electrolytic tin plate waste-waste.
3. Short terne waste-waste outside the gauge range from 80 to 107 lbs. per base box.
4. Furnace pipe and fitting materials which were in inventory on May 16, 1942, but only for sale or delivery on orders for maintenance and repairs regardless of rating or for sale or delivery on orders for defense housing to the extent specified in the Defense Housing Critical List.
5. Materials in inventory (other than materials referred to in item 4 of Schedule B above) which were put into process, painted, lacquered, lithographed, or enameled on or before May 16, 1942.
6. Materials outside the gauge range from 75 to 112 lbs. per base box which were in inventory on May 16, 1942.

(j) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(l) *Communications.* All reports to be filed hereunder and communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Steel Division, Washington 25, D. C., *Ref.*: M-21-c.

Issued this 5th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

NOTE: Items 6, 12, 18, and 27 amended; items 34 and 35 added May 5, 1944.

Permitted uses	Permitted materials	Maximum permitted coating of tin or of terne metal
1. Articles to be purchased by or for the account of the Army of the U. S.	As specified (including performance specifications).	
2. Articles to be purchased by or for the account of the Navy of the U. S.	As specified (including performance specifications).	
3. Articles to be purchased by or for the account of the U. S. Maritime Commission.	As specified (including performance specifications).	
4. Articles to be purchased by or for the account of the War Shipping Administration.	As specifically authorized by or pursuant to Conservation Order M-9c, as amended.	
5. Cans	As specifically authorized by or pursuant to Limitation Order L-103-b, as amended.	
6. Closures	Hot dipped tin plate	1.25 lbs. per base box.
	Electrolytic tin plate	0.50 lb. per base box.
	Reconditioned tin plate	
7. Baking pans for institutions and commercial bakers	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
8. Brushes, power driven	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
9. Outside non-explosive emergency lights	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
10. Chaplets, skimgates and tin forms for foundry use	Hot dipped tin plate	1.25 lbs. per base box.
	Electrolytic tin plate	0.50 lbs. per base box.
	Reconditioned tin plate	
	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
11. Cheese vats	Hot dipped tin plate	11 lbs. per base box.
	Reconditioned tin plate	
12. Component parts for: Internal combustion engines including air cleaners, cooling systems, fuel pumps, manifolds, and intake silencers, but only when essential material is impractical because of corrosion or solderability.	Short ternes	1.30 lbs. per base box.
13. Cylinder liners for lard and fruit presses	Hot dipped tin plate	1.25 lbs. per base box.
14. Dairy ware and equipment, including dairy pails, kettles, setter or cream cans, weigh cans, measures and test ware, bottle conveyors, ice cream freezers, milk filters, receiving tanks, separators, strainers, upper and lower couplings and covers for sugar-type boilers and coolers, and testing equipment	Hot dipped tin plate	2.20 lbs. per base box (2A charcoal).
	Electrolytic tin plate	0.50 lbs. per base box.
	Reconditioned tin plate	
15. Diamond cutting wheels	Electrolytic tin plate	0.80 lbs. per base box.
	Reconditioned tin plate	
16. Dusters, hand, for disinfectant and pest control; parts requiring solderable coatings	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	
17. Electrical equipment parts requiring solderable coatings	Short ternes	1.30 lbs. per base box.
	Long ternes	4 lbs. per base box.
	Reconditioned terne plate	

7. Any item of less than 5 net tons of tin plates, short ternes, or long ternes in the inventory of a person not regularly engaged in the sale of such material which is different from all other items of tin plates, short ternes, or long ternes in such inventory by reason of one or more of its specifications such as length, width, thickness, temper, base steel analysis, coating, method of manufacture, etc.

8. Hot dipped tin plate, electrolytic tin plate, and terne plate where total annual consumption of all of these grades does not exceed 100 base boxes.

[F. R. Doc. 44-6411; Filed, May 5, 1944; 11:32 a. m.]

PART 3296—SAFETY AND TECHNICAL EQUIPMENT

[General Limitation Order L-43, as Amended May 5, 1944]

MOTORIZED FIRE APPARATUS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of the materials entering into the manufacture of motorized fire apparatus for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3296.6 *General Limitation Order L-43*—(a) *Definitions.* For the purposes of this order:

(1) "Motorized fire apparatus" means self-propelled motorized fire apparatus and auxiliary pumping units of fire apparatus, and includes accessories therefor and equipment thereon.

The term shall not include second hand apparatus nor parts or materials for the repair or maintenance of existing apparatus.

(2) "Sedan" means self-propelled motorized fire apparatus of which more than 50% of the area behind the windshield is enclosed.

(3) "Service ladder truck" means self-propelled motorized fire apparatus on which the equipment carried consists of service or ground ladders, miscellaneous equipment, and tools.

(4) "Squad car" means self-propelled motorized fire apparatus designed to carry men.

(5) "Salvage car" means self-propelled motorized fire apparatus designed to carry canvas covers, life nets, and similar equipment.

(6) "Rescue car" means self-propelled motorized fire apparatus designed to carry first aid equipment.

(7) "Hose truck" means self-propelled motorized fire apparatus designed to carry fire hose.

(8) "Pumper" means self-propelled motorized fire apparatus carrying a booster tank, a pump, and hose, which is designed primarily to pump water from sources other than its own booster tank.

(9) "Tank truck" means self-propelled motorized fire apparatus carrying a water tank, a pump, and hose, which is designed primarily to pump water from its own water tank rather than from outside sources. The term shall include, but not by way of limitation, so-called "crash trucks".

(10) "Aerial ladder truck" means self-propelled motorized fire apparatus on the chassis of which are combined an aerial ladder and any or all of the following equipment: (i) a complement of service or ground ladders, (ii) fire hose, (iii) a booster tank, (iv) a pump. An aerial ladder truck may also carry miscellaneous equipment.

(11) "Auxiliary pumping unit" means the following types of fire apparatus:

(i) A pump designed to be mounted on the front or side of a self-propelled vehicle and designed to receive its pumping power from the motor of the self-propelled vehicle;

(ii) A pump and motor designed to be mounted on a trailer, skid, or other type of support; and

(iii) A vehicle or other support carrying a pump or a pump and motor of the types described in the preceding subparagraphs of this paragraph (a) (11).

The term does not include any pumps covered by Limitation Order L-192 or L-123, or Schedule VII to Limitation Order L-217.

(12) "Copper base alloy" means any alloy in the composition of which the weight of copper equals or exceeds 40 per cent of the weight of all metal in the alloy.

(13) "Specification of the War Production Board" means the specification for 500 and 750 g. p. m. pumpers on file at the offices of the Safety and Technical Equipment Division of the War Production Board, Washington, 25 D. C. (Copies of this specification may be obtained by addressing a communication to the address indicated in paragraph (k) of this order.)

(14) "Manufacturer" means any person engaged in the business of manufacturing, fabricating or assembling motorized fire apparatus.

(15) "Distributor" means any person engaged in the business of purchasing and reselling motorized fire apparatus without further fabrication of such apparatus.

(16) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(b) *Restrictions on manufacture of motorized fire apparatus.* Except as permitted by paragraph (c) of this order, no manufacturer shall take any action to commence, continue or complete the manufacture of:

(1) Any sedan, service ladder truck, squad car, salvage car, rescue car, or hose truck;

(2) Any chassis for use in connection with a pumper carrying a centrifugal pump of 500 g. p. m. capacity, as rated by the National Board of Fire Underwriters, unless such pumper is being manufactured for delivery to or for the account of the Navy of the United States, Lend-Lease, or any person to whom an export license covering the specific equipment has been issued by the Foreign Economic Administration;

(3) Any 1½ ton chassis for use in connection with a tank truck, unless such tank truck is being manufactured for delivery to or for the account of the Navy of the United States or Lend-Lease;

(4) Any pumper except the following types:

(i) Pumpers which carry centrifugal pumps of either 500 or 750 g. p. m. capacities, as rated by the National Board of Fire Underwriters, and which conform to the "Specification of the War Production Board", and

(ii) Pumpers which carry centrifugal pumps of 1000 or 1250 g. p. m. capacity, as rated by the National Board of Fire Underwriters: *Provided, however,* That the manufacture of such pumpers shall not be commenced until the specifications therefor have been submitted to the War Production Board and have been specifically approved by the War Production Board;

(5) Any tank truck except one having a pump capacity of not more than 400 g. p. m. and carrying a water tank of a capacity of 250 gallons or more, *Provided, however,* That the restrictions set forth in this subparagraph (5) shall not apply to the manufacture of tank trucks for delivery to or for the account of the Army or Navy of the United States or Lend-Lease:

(6) Any aerial ladder truck except one carrying

(i) An extension ladder of not less than 65 feet nor more than 100 feet in length;

(ii) Not more than 500 feet of 2½ inch fire hose, if hose is required;

(iii) A booster tank of not less than 100 gallon nor more than 200 gallon capacity, if a booster tank is required; and (iv) A pump having a capacity of not more than 100 g. p. m., if a pump is required.

(c) *Exceptions.* (1) Notwithstanding the restrictions set forth in paragraph (b) of this order any motorized fire apparatus in the process of manufacture on April 16, 1943, may be completed to fill purchase orders bearing preference ratings which had been assigned to the person placing the order prior to April 16, 1943. Deliveries of such apparatus may be made and accepted without further authorization under paragraph (e) (5) (iii) of this order.

(2) The provisions of paragraphs (b) (2) and (b) (3) of this order shall not be construed to prohibit any alteration or further fabrication of chassis which have been obtained under the provisions of General Conservation Order M-100.

(d) *Restrictions on use of materials in motorized fire apparatus.* Except as specifically authorized by the War Production Board, no manufacturer shall incorporate in the manufacture of any motorized fire apparatus, or of any component part thereof, any aluminum, cadmium, copper, copper base alloy, chromium, nickel, tin, rubber or synthetic rubber, except to the extent permitted in Appendix A, attached to this order.

(e) *Restrictions on sale and delivery of motorized fire apparatus.* (1) No manufacturer or distributor shall install a bell on any motorized fire apparatus,

and no person shall sell or deliver any bell which he knows or has reason to believe will be used in connection with motorized fire apparatus;

(2) No manufacturer or distributor shall install any new or used rubber tires on any auxiliary pumping unit, and no person shall sell or deliver any new or used rubber tires which he knows or has reason to believe will be used on an auxiliary pumping unit, except to fill "government orders" as defined in Rubber Order R–1.

(3) No manufacturer or distributor shall sell, deliver, or otherwise supply:

(i) Any accessories or equipment for use in connection with new motorized fire apparatus other than the types and kinds permitted for pumpers by paragraph D–20 of the "Specification of the War Production Board."

(ii) Any intercooler for use in connection with any auxiliary pumping unit, except where it is to be used in place of a radiator.

(iii) Any tachometer for use in connection with motorized fire apparatus, except tachometers which were completed and in the possession of manufacturers or distributors on April 16, 1943.

(4) No person shall sell or deliver any suction hose for use in connection with motorized fire apparatus except to fill purchase orders bearing preference ratings of AA–5 or higher;

(5) No person shall sell or deliver any pumper, tank truck, aerial ladder truck, or auxiliary pumping unit, except to or for the account of:

(i) The Army or Navy of the United States;

(ii) Any agency of the United States Government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act); or

(iii) Any other person who has been authorized by the War Production Board on Form WPB–1319 to receive the specific motorized fire apparatus and has delivered to his supplier a copy of such form signed in the name of the War Production Board.

(6) No person shall purchase or accept delivery of any material if he knows or has reason to believe that the sale or delivery of such material is prohibited by the terms of subparagraphs (1), (2), (3), (4) or (5) of this paragraph (e).

(f) *Authorizations on Form WPB–1319.* (1) [Deleted February 16, 1944.]

(2) Any authorization by the War Production Board on Form WPB–1319 may be granted subject to any conditions which the War Production Board deems necessary. Such conditions may include the requirement that a different size or type of apparatus be obtained, or any other condition. The War Production Board may also assign a preference rating on Form WPB–1319 if such rating is deemed necessary.

(g) [Deleted May 5, 1944.]

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(k) *Correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Safety and Technical Equipment Division, Washington (25), D. C., Ref: L–43.

Issued this 5th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

In accordance with paragraph (d) of this order, the materials named in that paragraph may be incorporated in the manufacture of motorized fire apparatus, or of component parts thereof, to the extent indicated below, unless any of the uses specified herein shall conflict with the provisions of any other limitation ("L") or conservation ("M") order, in which case the more restrictive order shall control:

NOTE: Former subparagraphs (1), (2), (4) and (9) deleted; former subparagraphs (3), (5), (6), (7) and (8) redesignated (1), (3), (4), (5), and (7); a new subparagraph (2) added May 5, 1944.

(1) Aluminum, only to the extent permitted by Supplementary Order M–1–l or by any specific authorization under that order;

(2) Cadmium, only to the extent permitted by General Preference Order M–65 or by any relief granted on appeal taken under that order;

(3) Chromium, in alloy steel for any part; [1] and in plating to the extent essential to the efficient functioning of the parts plated;

(4) Copper or copper base alloy (of the lowest type and grade which is practical for the particular application), in automotive parts; intercoolers; suction tube caps; discharge valve caps; valves (not including the handles); relief valves; impellers, rings and rotors; and in fire pumps, but the alloy for the body of the pump shall not contain more than 74% copper and 2% tin;

(5) Nickel, in alloy steel for any part; [1]

(6) Rubber or synthetic rubber, only to the extent permitted by Rubber Order R–1 or by any relief granted on appeal taken under that order;

(7) Tin, in copper base alloys (where no tin-free alloy can be used); and in soldiers and babbitts to the extent permitted by Preference Order M–43.

[F. R. Doc. 44–6412; Filed, May 5, 1944; 11:32 a. m.]

[1] The War Production Board is at present restricting the types and grades of alloy steel, other than National Emergency Triple Alloy Steel (nickel—chromium—molybdenum), that may be produced for particular end uses. If a manufacturer desires to have alloy steel of a restricted type or grade produced for him, the matter should be discussed with the Steel Division of the War Production Board, Washington 25, D. C.

Chapter XI—Office of Price Administration

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 29]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[*]

Section 9.11 is amended by adding a new paragraph (i) to read as follows:

(i) *Sales by certain activities of Army, Navy, Marine Corps or Coast Guard.* The Army, Navy, Marine Corps or Coast Guard may, in accordance with arrangements made with the Washington Office, authorize army exchanges, post exchanges, ships' service departments ashore, sales commissaries and commissary stores to sell, at less than their full point value, processed foods which cannot be sold at their full point value because they are in imminent danger of spoilage.

This amendment shall become effective May 9, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 4th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6377; Filed, May 4, 1944; 4:04 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 135]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[*]

Ration Order 16 is amended in the following respects:

1. Section 6.10 is amended by adding a new paragraph (i) to read as follows:

(i) The Army, Navy, Marine Corps or Coast Guard may, in accordance with arrangements made with the Washington Office, authorize army exchanges, post exchanges, ships' service departments ashore, sales commissaries and commissary stores to sell, at less than their full point value, foods covered by this order which cannot be sold at their full point value because they are in imminent danger of spoilage.

2. Section 10.11 is amended by adding a new paragraph (i) to read as follows:

(i) *Sales by certain activities of Army, Navy, Marine Corps or Coast Guard.* The Army, Navy, Marine Corps or Coast Guard may, in accordance with arrangements made with the Washington Office, authorize army exchanges, post exchanges, ships' service departments ashore, sales commissaries and commissary stores to sell, at less than their full point value, foods covered by this order which cannot be sold at their full point value because they are in imminent danger of spoilage.

This amendment shall become effective May 9, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 4th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6378; Filed, May 4, 1944; 4:04 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 56]

MAINLAND MEAT AND DAIRY PRODUCTS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneouly herewith, has been filed with the Division of the Federal Register.[*]

Maximum Price Regulation 373 is amended in the following respects:

1. Section 19 (j) is amended to read as follows:

(j) *Calculation of the base price.* (1) Except in the case of purchases from the Federal Surplus Commodities Corporation, the base price shall be an amount not in excess of the items described in subdivisions (i) through (ix) below. If any of the items have been absorbed by the seller, they may not again be added.

(i) An amount equal to the lower of either the amount the wholesaler paid the mainland supplier less all discounts and allowances except the discount for cash or prompt payment and before the addition of any premium or other charge permitted under the Second Revised Maximum Export Price Regulation,[2] or the mainland suppliers maximum price permitted under the following mainland maximum price regulations, whichever governs the sale of the commodity in question: Maximum Price Regulation 169[3] (Beef and Veal Carcasses and Wholesale Cuts), Maximum Price Regulation 239[4] (Lamb and Mutton Carcasses and Cuts at Wholesale and Retail), Maximum Price Regulation 148[5] (Dressed Hogs and Wholesale Pork Cuts), Maximum Price Regulation 269[6] (Poultry). However, if the mainland supplier processes or otherwise prepares the commodity for shipment and bills the wholesaler for this service as a separate item on the invoice, the wholesaler may add the amount of any such charge actually incurred.

(ii) If the wholesaler must process or prepare the commodity for shipment at his own expense subsequent to purchase from the mainland supplier, an amount equal to such charges actually incurred.

(iii) An amount equal to the transportation charges, if any, actually incurred by the wholesaler for transportation from the mainland point at which the wholesaler received delivery to the mainland port of shipment, including such charges in connection therewith as were theretofore customarily included, such as icing charges, switching, demurrage, and the like.

(iv) An amount equal to the actual cold storage charges, and insurance in connection therewith at point of shipment actually incurred by the wholesaler.

(v) An amount computed at the rate of 12¢ per 100 pounds net weight to cover cartage from warehouse to dock at point of shipment, except that for eggs the rate shall be 5¢ per case.

(vi) The amount actually incurred for ocean freight, war risk and marine insurance, which, however, shall not be higher than the following:

	Per 100 pounds net weight
Refrigerated:	
Beef, veal, pork, lamb and mutton carcasses and wholesale cuts, bone in, in cloth or burlap	$3.50
All meat cuts, boneless or bone in, in containers, weighing over 15# per 100# net weight of content	4.00
All meat cuts, boneless or bone in, in containers, weighing from 10# to 15# per 100# net weight of content	3.90
All meat cuts, boneless or bone in, in containers, weighing under 10# per 100# net weight of content	3.80
Variety meats (in boxes):	
Liver and sweetbreads	4.10
Tongue, hearts, kidneys, brains, cooked tripe, etc	3.90
Variety meats (in pails):	
Liver and sweetbreads	4.20
Tongue, hearts, kidneys, tails, etc	4.00
Fresh or smoked sausage or ready-to-eat meats (typical items are frankfurters, bologna and meat loaves)	3.90
Refrigerated—Continued.	
Poultry (except turkeys):	
Regular dressed	$3.90
Eviscerated	4.10
Turkeys	4.26
Canned eggs:	
Whites, naked tins	3.70
Whites, tins, in cartons	3.90
Whole naked tins	3.80
Whole tins in cartons	4.00
Sugared yolks, naked tins	3.90
Sugared yolks, tins in cartons	4.10
Butter	3.40
Shelled eggs (per case)	1.95
Unrefrigerated:	
Smoked meats (typical items are ham, bacon, picnics, etc.)	1.40
Dry salt bellies	1.00
Dry sausage (typical items are salami, cervelat)	1.55
Pork and beef cuts in brine	1.40
Fresh and smoked sausage or ready-to-eat meats	1.50
Cheese	1.15
Powdered milk	1.20
Shelled eggs, per case	.90
Gelatin (bulk)	1.90

NOTE: For commodities other than those listed above the amounts to be added for ocean freight and insurance in connection therewith, shall be the charges actually incurred.

(vii) An amount for cartage charges from dock to warehouse computed at a rate of 12¢ per 100# net weight, except that for eggs the rate shall be 5¢ per case. These cartage charges may be added only if the commodity is moved from the dock at the wholesaler's expense.

(viii) An amount equal to cold storage charges actually incurred by the wholesaler in the Territory after the first 30 days but not exceeding 90 days. A wholesaler who operates his own storage plant may add an amount equal to customary public cold storage rates. All storage charges for products that are in storage for 30 days or less shall be absorbed by the wholesaler.

(ix) On sales to other islands, an amount for cartage charges from warehouse to dock at the rate of 12¢ per 100# net weight, except that for eggs the rate shall be 5¢ per case. These cartage charges may be added only if the commodity is moved to the dock at the wholesaler's expense.

2. Section 19 (k) is amended by adding a new undesignated paragraph to read as follows:

However, the provisions of this paragraph as applied to certain commodities subject thereto may be modified by Order of the Territorial Director of the Office of Price Administration.

3. Section 19 (l) (4) (v) is hereby revoked.

This amendment shall become effective as of April 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6381; Filed, May 4, 1944; 4:05 p. m.]

[*] Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240.

[1] 8 F.R. 13128, 13394; 13980, 14399, 14623, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 106, 220, 403, 677, 695, 849, 1054, 1532, 1581, 1728, 1818, 1909, 2235, 2240, 2406.

[1] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036.

[2] 9 F.R. 1121, 2023, 2135, 3424.

[3] 9 F.R. 2894.

[4] 9 F.R. 1996, 3083, 4099.

[5] 8 F.R. 13818, 14016, 15258, 14854, 15190, 16793; 9 F.R. 95, 612, 902, 96, 1036, 1941, 3233, 3345, 4356.

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 183,[1] Amdt. 32]

GROCERY ITEMS AND LIQUORS IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 183 is amended in the following respects:

1. Section 20 Table 3 is amended by adding new items to read as follows:

Items and brand names	Unit—Case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Fruit Cocktail: Sweet Life.	24/#2½ can		$8.75	$0.47
Pears, Bartlett halves: Supreme.	24/#2½ can		8.75	.47
Peaches, Yellow Cling halves:				
Supreme	24/#2½ can		7.60	.40
Flotill	24/#2½ can		7.50	.40
Plums, Purple fancy: Sweet Life.	6/#10 can		4.75	1.00

2. Section 20 Table 3a is amended by adding new items to read as follows:

Items and brand names	Unit—Case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Apple Jelly: Spencer	24/#1 jar		$4.55	$0.26
Fig Jam: Tropic Treat	12/35 oz. jar		6.35	.60
Plum Jam: Spencer	24/1# jar		5.75	.31
Marmalade, Grapefruit: Spear.	12/2# jar		4.00	.43
Marmalade, Grapefruit and Orange: Acme.	12/2# jar		4.00	.43
Marmalade, Orange: Spear.	24/1# jar		4.65	.25

3. Section 21 Table 4 is amended by adding news items to read as follows:

Items and brand names	Unit—Case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Pear Nectar: Chevy Chase	100/5½ oz. tin		$6.30	$0.08
Heart's Delight	48/#1 tall tin		6.85	.18
Apple Juice: Motts	12 quarts		3.25	.35

4. Section 22 Table 6a is amended by adding new items to read as follows:

Items and brand names	Unit—Case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Potted Meat: Libby	36/5½ oz		$3.45	$0.13
Luncheon Tongue: Hormel	12/6# tins		$0.465 lb	$0.63 lb.
Liverwurst: Stahl Meyer	48/6 oz. tins		$3.10	$0.20

5. Section 24 Table 8 is amended by adding new items to read as follows:

Items and brand names	Unit—Case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Sauce:				
Sacramento	72/8 oz. tins		$4.80	$0.08
Above Par	72/8 oz. tins		4.65	.08
Sunblest	48/11 oz. tins		3.80	.10
Blue Row	48/10½ oz tins		4.00	.10
Blue Sky	72/8 oz. tins		4.80	.08
Puree: Sweet Life	24/2½ tin		5.20	.27

6. Section 25 Table 10 is amended by adding new items to read as follows:

Items and brand names	Unit—Case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Asparagus, center cuts: Deerfield.	24/#2 can		$5.20	$0.28
Asparagus Spears: Rialto.	24/#2 can		8.75	.47
Beans, green cut #3 sieve: Exquisite.	24/#2 can	$3.70	4.25	.23
Beans, green cut #4 sieve: Exquisite.	24/#2 can	3.60	4.15	.22
Beans, green French style: Exquisite.	24/#2 can	3.60	4.15	.22
Pork and Beans:				
Hurff	24/17 oz. can	2.50	2.85	.15
Hurff	24/20 oz. can	3.00	3.40	.18
Van Camp	24/#300 (20 oz. can)	2.95	3.40	.18
Van Camp	48/10 ¼ oz. can	3.45	4.00	.11
Nor East	24/22 oz. can		3.55	.19
Beans, Red Kidney: Iten Fac.	24/#1 can		3.35	.18
Beets, diced: Supreme.	24/#2 can		3.75	.20
Peas, sweet: Supreme.	24/#2 can		5.10	.26
Mixed Vegetables: Supreme.	24/#2 can		4.25	.23

7. Section 32 Table 18a is amended by adding new items to read as follows:

Brand	Container size and unit	To wholesaler	At wholesale	At retail
Olive Oil: Torino	36/12 oz. bot		$19.25	$1.00
Vegetable:				
Top Flight	36/1 oz. bot	$1.25	1.40	1.05
Sayola	6/½ gal. jug	4.90	5.30	1.10
Arcola	24/6 oz. bot		3.25	.16
Ricercata	6/1 gal. tin		12.55	2.00
Fiorella	24/4 oz. bot		2.30	.12
Fiorella	24/6 oz. bot		3.00	.15

[1] Or two for 9 cents.

8. Section 33 Table 19 is amended by adding a new item to read as follows:

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per pound	*Price per pound*	*Price per pound*
Pilchards in brine	$0.11	$0.1225	$0.16

9. Section 33a Table 19a is amended by adding new items and by changing the price of one item to read as follows:

Items and brand names	Unit—Case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Salmon:				
Chum	48/8 oz. tin	$6.00	$6.60	$0.16
Keta	48/8 oz. tin	6.00	6.60	.1[illegible]
Pilchards: Tomato	48/#1 oval tin	5.50	6.05	.15

10. Section 36 Table 23 is amended by changing the prices of certain items and by adding certain items to read as follows:

Items and brand names	Unit—Case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Quaker:				
Farina	12/28 oz pkg	$2.45	$2.70	$0.[illegible]
Hominy Grits	24/24 oz. pkg	2.40	2.65	.11
White Cornmeal	24/24 oz. pkg	2.40	2.65	.11
Yellow Cornmeal	24/24 oz. pkg	2.40	2.65	.11
General Foods:				
Grape Nuts	50/1 oz. pkg	1.20	1.35	1.04
Grape Nuts Flakes.	50/1 oz. pkg	1.20	1.35	1.04
Post Toasties	50/1 oz. pkg	1.20	1.35	1.04
Kellogg: Pep	36/8 oz. pkg	4.30	4.80	.17

[1] Or two for 7 cents.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9532, 10763, 10906, 11437, 11847, 12549, 10937, 12632, 13165, 13847, 14090, 14765, 15195.

16. Section 65 is added to read as follows:

SEC. 65. *Maximum price for cane blackstrap molasses sold or delivered in the Territory of Puerto Rico*—(a) *Definition.* When used in this section 65, the term:

(1) Cane blackstrap molasses means the final by-product from sugar manufacturing after the extraction of all commercially available sucrose.

(b) On or after May 9, 1944, the maximum price for molasses shall be 13.6¢ per gallon delivered at the mill.

This amendment shall become effective May 9, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6383; Filed, May 4, 1944; 4:05 p. m.]

PART 1384—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 418,[1] Corr. to Amdt. 30]

FRESH FISH AND SEAFOOD

Amendment 30 to Maximum Price Regulation No. 418 is corrected in the following respects:

1. The first sentence in Item 1 is corrected to read "1. That part of section 4 (b) preceding 4 (b) (1) is amended to read as follows:".

2. The first sentence in Item 2 is corrected to read "2. That part of section 4 (c) preceding 4 (c) (1) is amended to read as follows:".

3. Footnotes 15, 16 and 17 are corrected by deleting the "and" before the number "37" and by inserting the phrase "and 39" after the number "37".

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

[1] 8 F.R. 9366, 10086, 10513, 10939, 11734, 11687, 12468, 12233, 13297, 13182, 13302, 14049, 14475, 14617, 15287, 15430, 16131, 16293, 16296; 9 F.R. 90, 1325, 1632, 1675, 2138, 2408, 2691, 3038, 3388, 3578, 3940, 4350.

Issued this 4th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6383; Filed, May 4, 1944; 4:05 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 54]

MOLASSES IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 66 is added to read as follows:

SEC. 66. *Maximum prices for molasses.* (a) The maximum prices for sales of molasses produced from sugarcane for alcohol purposes shall be $14.25 per ton, delivered at Oahu Railroad and Land Depot, Honolulu.

This amendment shall become effective as of March 13, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6380; Filed, May 4, 1944; 4:05 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 183,[2] Amdt. 33]

NAILS IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 66 is added to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5388, 6359, 6649, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 15862, 16688, 16997, 17201; 9 F.R. 173, 303.

[2] 8 F.R. 9532, 10763, 10906, 11437, 11817, 12549, 10937, 12532, 13165, 13847, 14090, 14765, 15195.

11. Section 40 Table 29 is amended to read as follows:

TABLE 29—MAXIMUM PRICES FOR CHEESE

Items and brand names	Unit—Case of—	Price to wholesaler	Price at wholesale	Retail price
Kraft Cheddar Cheese	12/5# tins	$3.70	$4.00	$0.42 per unit.
Neufchatel cheese	144/1½ oz.		12.00	.12 per unit.
Natural American Cheddar		33 lb.	35 lb.	.45 lb.
Processed Cheddar, loaves weighing more than two pounds each		36 lb.	38 lb.	.46 lb.

12. Section 40 Table 30 is amended to read as follows:

TABLE 30—MAXIMUM PRICES FOR EVAPORATED MILK

Items and brand names	Unit—Case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Evaporated Milk	72/0 oz. can	$3.65	$3.85	$0.06
Evaporated Milk	48/14½ oz. can	4.39	4.62	.11

13. Section 42 Table 33d is amended by adding new items as follows:

Items and brand names	Unit—case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Table Salt:				
Cerebos Evaporated Salt	36/11-oz pkg	$1.45	$1.65	$0.06
Watkins	24/26 pkg	1.70	1.90	.10

14. Section 42 Table 33j is added to read as follows:

TABLE 33j—MAXIMUM PRICES FOR PACKAGED RAISINS

Item and brand names	Unit	Price at wholesale	Retail price (per unit)
Raisins: Trojan	Case of 48/15 oz. pkgs.	$7.25	$0.21

SEC. 66. *Maximum prices for nails sold or delivered in the Territory of Puerto Rico.*

TABLE 58—MAXIMUM WHOLESALE PRICES FOR WIRE NAILS

[Per hundred pounds]

Gauge	⅜	5/16	1	2	3	4	5	6	7	8	9	10
Length:												
½″												
⅝″												
¾″												
⅞″												6.35
1″								6.15	6.15	6.15	6.15	6.25
1⅛″								6.05	6.05	6.05	6.05	0.15
1¼″								6.00	6.00	6.00	6.00	6.00
1½″							5.80	5.70	5.70	5.70	5.70	5.75
1¾″							5.70	5.60	5.55	5.55	5.55	5.65
2″					5.60	5.60	5.60	5.50	5.50	5.50	5.50	5.50
2¼″					5.45	5.45	5.45	5.40	5.40	5.40	5.40	5.45
2½″					5.40	5.40	5.40	5.30	5.30	5.30	5.30	5.40
2¾″				5.30	5.30	5.30	5.30	5.25	5.30	5.30	5.30	5.30
3″	5.45	5.45	5.45	5.30	5.30	5.30	5.30	5.25	5.30	5.30	5.30	5.30
3¼″	5.45	5.45	5.45	5.30	5.30	5.30	5.30	5.25	5.25	5.25	5.30	
3½″	5.45	5.45	5.45	5.30	5.30	5.30	5.30	5.25	5.25	5.25	5.30	
4″	5.45	5.45	5.45	5.30	5.30	5.30	5.30	5.25	5.25	5.10	5.30	
4½″	5.30	5.30	5.30	5.25	5.25	5.25	5.25	5.10	5.10	5.10	5.30	
5″	5.30	5.50	5.30	5.25	5.25	5.25	5.25	5.10	5.10	5.10		
5½″	5.30	5.30	5.30	5.25	5.25	5.25	5.25	5.10				
6″	5.30	5.30	5.30	5.25	5.25	5.25	5.25	5.10				
7″	5.30	5.30	5.30	5.25								
8″	5.30	5.30										
9″	5.50	5.50										
10″	5.50	5.50										
11″	5.50	5.50										
12″	5.50	5.50										

Gauge	10¼	10½	11	11½	12	12½	13	13½	14	14½	15	16	17	18	19	20
Length:																
½″												12.95	14.00	15.10	17.30	19.50
⅝″					7.05	7.15	7.25	7.30	7.45	7.70	7.95	11.85	12.25	13.60	14.85	17.30
¾″			6.55	6.85	6.90	6.95	7.05	7.15	7.25	7.30	7.55	10.30	10.95	12.25	14.00	16.20
⅞″	6.35	6.35	6.45	6.55	6.60	6.75	6.90	7.00	7.15	7.15	7.35	9.40	10.30	10.70	13.15	15.55
1″	6.25	6.25	6.30	6.40	6.80	6.50	6.75	6.80	6.95	7.00	7.25	8.75	9.65	10.30	12.50	15.00
1⅛″	6.15	6.15	6.20	6.25	6.25	6.25	6.60	6.85	6.85	6.85	7.55	8.55	9.65	10.30	12.50	
1¼″	6.00	6.00	6.10	6.10	6.15	6.25	6.40	6.65	6.65	6.70	6.95	8.30	9.40			
1½″	5.75	5.75	5.85	5.80	5.90	5.90	5.90	6.25	6.25	6.45	6.65	8.15	9.20			
1¾″	5.65	5.65	5.70	5.70	5.80	5.80	5.90	6.15	6.15	6.15	6.55	8.15	8.20			
2″	5.50	5.55	5.65	5.65	5.75	5.90	5.85	6.00	6.00		6.30	8.55				
2¼″	5.45	5.45	5.50	5.50	5.45	5.80	5.80	5.85	5.85							
2½″	5.40	5.40	5.45	5.65	5.50	5.55	5.70									
2¾″	5.30	5.30	5.40	5.55	5.65	5.70	5.70									
3″																
3¼″																
3½″																
4″																
4½″																
5″																
5½″																
6″																
7″																
8″																
9″																
10″																
11″																
12″																

TABLE 59—MAXIMUM RETAIL PRICES FOR WIRE NAILS

[Price per pound]

Gauge	⅜	5/16	1	2	3	4	5	6	7	8	9	10
Length:												
½″												
⅝″												
¾″												
⅞″												.09
1″								.09	.09	.09	.09	.09
1⅛								.09	.09	.09	.09	.09
1¼″								.09	.09	.09	.09	.09
1½″							.09	.09	.09	.09	.09	.09
1¾″							.08	.08	.08	.08	.08	.08
2″					.08	.08	.08	.08	.08	.08	.08	.08
2¼″					.08	.08	.08	.08	.08	.08	.08	.08
2½″					.08	.08	.08	.08	.08	.08	.08	.08
2¾″				.08	.08	.08	.08	.08	.08	.08	.08	.08
3″	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
3¼″	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08	
3½″	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08	
4″	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
4½″	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08	
5″	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08		
5½″	.08	.08	.08	.08	.08	.08	.08	.08				
6″	.08	.08	.08	.08	.08	.08	.08	.08				
7″	.08	.08	.08	.08								
8″	.08	.08										
9″	.08	.08										
10″	.08	.08										
11″	.08	.08										
12″	.08	.08										

Gauge	10¼	10½	11	11½	12	12½	13	13½	14	14¼	15	16	17	18	19	20
Length:																
½″												.19	.21	.22	.26	.29
⅝″					.11	.11	.11	.11	.11	.12	.12	.18	.18	.20	.22	.28
¾″			.10	.10	.10	.10	.11	.11	.11	.11	.11	.15	.16	.18	.21	.24
⅞″	.09	.09	.10	.10	.10	.10	.10	.11	.11	.11	.11	.14	.15	.16	.16	.23
1″	.09	.09	.09	.09	.10	.10	.10	.10	.10	.11	.11	.13	.14	.15	.19	.22
1⅛	.09	.09	.09	.09	.09	.09	.10	.10	.10	.10	.11	.13	.15	.15	.19	
1¼″	.09	.09	.09	.09	.09	.09	.10	.10	.10	.10	.10	.12	.14			
1½″	.09	.09	.09	.09	.09	.09	.09	.09	.09	.10	.10	.12	.14			
1¾″	.08	.08	.09	.09	.09	.09	.09	.09	.09	.09	.10	.12	.12			
2″	.08	.08	.08	.08	.09	.09	.09	.09	.09		.09	.13				
2¼″	.08	.08	.08	.08	.08	.09	.09	.09	.09							
2½″	.08	.08	.08	.08	.08	.08	.09									
2¾″	.08	.08	.08	.08	.08	.09	.09									
3″																
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3½″																
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4½″																
5″																
5½″																
6″																
7″																
8″																
9″																
10″																
11″																
12″																

TABLE 60—MAXIMUM PRICES FOR GALVANIZED NAILS

Galvanized staples	Sales at wholesale (per hundred pounds)	Sales at retail (per pound)
¾″ to 2½″ x No. 7 Ga.	$6.20	$0.09
¾″ to 2½″ x No. 8 Ga.	6.20	.09
¾″ to 2½″ x No. 9 Ga.	6.20	.09
¾″ to 2½″ x No. 10 Ga.	6.65	.10
¾″ to 2″ x No. 11 Ga.	6.90	.10
⅝″ to 2″ x No. 12 Ga.	7.20	.11
⅝″ to 1¾″ x No. 13 Ga.	7.65	.11
½″ to 1½″ x No. 14 Ga.	8.40	.12
½″ to 1½″ x No. 15 Ga.	9.20	.14
½″ to 1″ x No. 16 Ga.	10.50	.16
2/8 x 8 Lick Proof Roofing Nails	10.00	.15

This amendment shall become effective May 9, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6384; Filed, May 4, 1944; 4:05 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 180]

MANUFACTURERS' MAXIMUM PRICES FOR WOMEN'S AND CHILDREN'S HANDBAGS, PURSES AND POCKETBOOKS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new section 3.14 is added to read as follows:

SEC. 3.14 *Handbags, purses and pocketbooks*—(a) *Ceiling prices fixed by this section.* (1) This section applies to you only if you make manufacturers' sales of women's or children's handbags, purses or pocketbooks. If you make manufacturers' sales of these articles, you must establish your ceiling prices under the General Maximum Price Regulation[1] except that on and after June 15, 1944,

*Copies may be obtained from the Office of Price Administration.
[1] 9 F.R. 1385.

you may not establish a ceiling price, or sell or deliver at a price, which exceeds your "highest price line limit." Your "highest price line limit" is explained in paragraph (b), below.

(2) A manufacturer's sale is a sale of a handbag (other than to an ultimate consumer) by a person (i) who fabricated the handbag, or (ii) who sold or consigned to the fabricator any of the principal materials from which the handbag was fabricated.

A manufacturer's sale also includes a sale by a person described in (i) or (ii) above to a department, establishment or business which is directly or indirectly owned or controlled by (or which directly or indirectly owns or controls) such person.

(3) The women's and children's handbags, purses and pocketbooks which are covered by this section are divided into groups or categories, according to the material from which they are made, and each group is identified by a category number. The categories are listed in paragraph (h) near the end of this section. You are required to find a separate highest price line limit for each category.

From here on, in this section, instead of repeating the phrase, "women's and children's handbags, purses and pocketbooks," the word "handbag" or "handbags" will be used.

(b) *How to find your highest price line limits.* Your highest price line limits are fixed on the basis of your own experience in delivering handbags during your "base period."

If you delivered handbags during October or November, 1942, your base period" is October 1 through November 30, 1942. However, if you also delivered handbags in October or November, 1941, you may, at your option, take as your base period October 1 through November 30, 1941, *Provided*, That you use that base period for all categories.

If you did not deliver any handbags during October or November, 1942, but delivered handbags at any time between December 1, 1942, and December 31, 1943, your "base period" is the two month period, beginning on the first day that you delivered a handbag between December 1, 1942, and December 31, 1943.

If you made no deliveries of handbags between October 1, 1942, and December 31, 1943, you have no "base period" under this section, and must apply to the Office of Price Administration for authorization of highest price line limits according to the instructions in paragraph (d).

(1) *Rule 1: Highest price line limits for categories which you delivered during your base period.* Your highest price line limit for any category which you delivered during your base period is the highest price, properly established under the General Maximum Price Regulation, at which you delivered a handbag of that category in the normal and regular course of your trade or business during your "base period."

There are three exceptions to this rule:

(i) In any category in which the highest price at which you delivered a handbag during your "base period" was lower than $1.00 per unit, you may establish a highest price line limit up to $1.31¼ per unit.

(ii) In any category in which the highest price at which you delivered a handbag during your "base period" was between $1.00 and $1.87½ per unit, both inclusive, you may establish a highest price line limit up to $1.87½ per unit.

(iii) If the highest price at which you delivered a handbag during your "base period" in category 4, 6, 7 or 8 was between $1.77 11/12 and $3.00 per unit, both inclusive, and if you also delivered a handbag in category 4, 6, 7 or 8 between $1.77 11/12 and $3.00 per unit, both inclusive, during 1941, then you may establish a highest price line limit in category 4 or 6 up to $3.00 per unit.

For the purposes of this rule, the prices at which sample deliveries and accommodation deliveries were made are not to be considered.

(2) *Rule 2: Highest price line limits for categories which you did not deliver during your "base period."* Your highest price line limit for any category which you did not deliver during your "base period" is determined according to the instructions given in paragraph (j) near the end of this section.

(c) *Records and reports*—(1) *Highest prices line chart for all sellers under Rules 1 and 2.* You must file on or before May 25, 1944, with the OPA district office having jurisdiction over your area, two copies of a chart signed by you showing (i) your name and address, (ii) the highest price at which you delivered a handbag in each category in the normal and regular course of trade or business during your base period, (iii) the name and address of a purchaser to whom delivery was made at that price, (iv) the terms of sale, and (v) the date of the delivery. If you qualify under exception (iii) to Rule 1, you must also enter under the proper category the name and address of a purchaser to whom delivery was made in 1941, the delivered price, the terms of sale, and the date delivery was made at that price. Highest price line limits established by any of the exceptions stated in Rule 1 are not to be entered.

After filling out your chart as outlined above, you must complete your chart by listing any category which you did not deliver during your base period and your highest price line limits set forth in paragraph (j) for each such category.

An example of a highest price line chart is set forth in paragraph (k) at the end of this section.

On and after June 15, 1944, you may not sell or deliver any handbags unless you have received acknowledgment from the Office of Price Administration of the filing of your chart. An additional copy of the chart must be retained by you.

The prices listed on your chart are your highest price line limits, except in those categories in which your highest price line limits are established by any of the exceptions stated in Rule 1. If you subsequently find that an entry on your chart is incorrect, you must file two copies of an application to amend your chart with the OPA district office with which you filed your original chart. The application must state the reason why your requested price line did not appear on your original chart, and if the request is to amend your chart with respect to a category which you delivered during your base period, your application must be accompanied by a copy of an invoice, shipping ticket or other evidence showing a delivery at the requested price. Until you receive authorization from the Office of Price Administration to amend your chart, you may not sell or deliver any handbag at higher price lines than those correctly determined under this section.

(2) *Report for sellers whose base periods begin after November 30, 1942, and prior to January 1, 1944.* If your base period begins after November 30, 1942, and prior to January 1, 1944, then, together with the chart required by subparagraph (1) of this paragraph, you must report to the district office of the Office of Price Administration having jurisdiction over your area the date of commencement of business and the date of your first delivery of handbags. In addition, you must file two copies of a report containing the following information:

(i) The section of the General Maximum Price Regulation under which the price for a style of handbag at your highest delivered price in each category was established. If you priced under section 2 (b), give the name and address of the competitor selected under that section for each such style and identify the competitor's handbag against which you priced yours. This identification must conform to the record kept under section 12 of the General Maximum Price Regulation (Current Records).

(ii) Method of operation:

(*a*) Type of trade to which you sell the handbags (e. g., retail stores, mail order houses, etc.);

(*b*) Method of manufacturing (e. g., contractors, inside shop, etc.; machine work, handcraft, etc.);

(*c*) Method of distribution (e. g., showroom sales, salesmen, advertising, etc.).

(iii) The names and addresses of your three most closely competitive sellers of the same class. The selected competitors must have the same manufacturing and distribution methods and must sell to the same type of trade as the seller reporting under this rule.

(3) *Invoices.* In connection with every sale of handbags, you must deliver to the purchaser an invoice showing: (i) the date, (ii) your name and address, (iii) the name and address of the purchaser, (iv) terms of sale, (v) the style number or other designation of each different style of handbag sold, (vi) the quantities of each different style of handbag sold, and (vii) the price charged by you for each different style of handbag sold.

You must keep available, for the inspection of the Office of Price Administration, a duplicate copy of each invoice delivered.

(d) *Authorization of highest price line limits.* (1) If you did not deliver handbags between October 1, 1942, and December 31, 1943, or for any other reason cannot determine your highest price line limits under Rules 1 and 2, you may not

sell or deliver handbags after June 15, 1944, unless the Office of Price Administration has authorized your highest price line limits. Three copies of an application for highest price line authorization shall be filed with the Office of Price Administration at the district office having jurisdiction over your area. The application shall contain the following information:

(i) Name and address of applicant;

(ii) Names and addresses of all owners, officers or principals of the applicant, and their previous business connections;

(iii) Category numbers to be offered for sale;

(iv) Highest price line limit requested in each category.

These price lines must be taken from any group up to and including Group K of paragraph (j), except in the case of persons to whom the use of such price line limits would constitute substantial hardship. Such persons, in applying for authorization of highest price line limits above Group K, shall also state in detail the reasons why substantial hardship would result from the use of these price line limits.

(v) Proposed method of operation:

(*a*) Type of trade to which handbags are to be distributed (e. g., retail stores, mail order houses, etc.);

(*b*) Methods of manufacturing (e. g., contractors, inside shop, etc.; machine work, handcraft, etc.);

(*c*) Method of distribution (e. g., showroom sales, salesmen, advertising, etc.)

(vi) The names and addresses of your three most closely competitive sellers of the same class. The selected competitors must have the same manufacturing and distribution methods and must sell to the same type of trade as the seller applying under this pargaraph.

(2) If you have received an order under this paragraph (d) authorizing your highest price line limits in any category, you may not sell or deliver handbags in any additional category not listed in the order of authorization until your highest price line limits in such additional categories have been authorized. Three copies of an application for authorization of highest price line limits for additional categories must be filed with the district office of the OPA which issued the original order, setting forth the following:

(i) Applicant's name and address;

(ii) Additional categories desired to be sold;

(iii) Highest price line limit desired for each category listed in (ii);

(iv) If the competitors named in the original application do not manufacture handbags in the categories now desired, a list of your three most closely competitive sellers of the same class who do manufacture those categories.

(3) If you have received an order under this paragraph (d) authorizing your highest price line limits in any category, you must report any change in ownership to the district office of the OPA which granted the order. This report shall include the names of any new owners or principals and their previous business connections.

(4) The highest price line limits which will be authorized by the Office of Price Administration under this pargraph will be those price lines which are in line with the general level of prices prevailing in the industry during October and November 1942 among the applicant's most closely competitive sellers of the same class, or are in line with the applicant's previous business connections.

(e) *Posting of highest price line limits.* Within 5 days after receipt of acknowledgment of the filing of your chart, or within 5 days after receipt of authorization under paragraph (d), you must display a poster or sign in a prominent place in your showroom which lists (1) each category which you are offering for sale, (2) description of each category as it is described in paragraph (h), and (3) your highest price line limit for each category, established under Rules 1 and 2 and the exceptions to Rule 1, or by specific authorization.

(f) *Records of General Maximum Price Regulation.* You must maintain all records required by the record provisions of the General Maximum Price Regulation.

(g) *Adjustment of price lines.* All price lines reported under paragraph (c) (2) or authorized under paragraph (d) of this section shall be subject to adjustment at any time on written notice from the Office of Price Administration. Adjustments may be made whenever a reported or authorized highest price line does not conform to the general level of prices prevailing in the industry during October and November 1942. Previous business connections of an applicant and the price lines established under the General Maximum Price Regulation by competitors of an applicant or of a person reporting under paragraph (c) (2) shall determine the standards by which price line limits shall be adjusted.

(h) *Commodities covered by this section.* This section covers all women's and children's handbags, purses and pocketbooks. Luggage, billfolds, coin purses, sewing kits, waterproof bags, knitting bags and cosmetic kits are excluded.

Category Number:

1. Fur. When outside surface of the handbag is made of two principal materials (excluding frame and fittings), value of fur must be greater than value of the other principal component material; when outside surface of the handbag is made of three or more principal component materials, fur must be the material of greater value than any other single component material taken separately.

2. Alligator, crocodile and ostrich.

3. Reptile and aquatic leathers: Snake, lizard, frog, top grain seal, walrus, and shark.

4. All leather other than those listed in categories 2 and 3.

5. Corde, sequins, beads (other than wood), hand embroidery and hand crochet:

(a) "Corde" includes only handbags of which 70% of the outside surface is made of textile strings sewn together on a "Bonnaz" type machine or on a hand loom.

(b) "Sequins", "beads" and "hand embroidery" includes only handbags of which 50% of the outside surface of the handbag is covered with sequins, beads or hand embroidery.

6. 100% wool broadcloth and 100% wool felt.

7. Textiles: Woven and knitted cotton, wool (except wool listed in category 6), rayon and other synthetic fibers.

8. All others: String, cord, cordette, plastic, metal, straw, grass, wood, imitation leather, etc.

Except where the materials listed in a category have been specifically defined, if the outside surface of a handbag is made of two or more principal component materials, the handbag is included in the category listed the material which constitutes 70% or more of the outside surface. If no principal material constitutes 70 % or more of the outside surface, the handbag is included in the category listing the principal material of lower unit value. (Value is determined by a comparison of pieces of equal size of the materials involved).

(j) *How sellers pricing under Rule 2 find their highest price line limits for new categories.* The table in subparagraph (2) of this paragraph is divided into groups. Each group contains, for every category, a series of price lines which would customarily have been made during the base period by a seller operating in that group.

(1) To find your highest price line limit for handbags of a category which you did not deliver during your base period, you start with the highest price line for that category listed in the table in subparagraph (2) and run your finger across the table until you come to the first group which contains your price line limit for a category which you delivered during your base period. Your highest price line limits in all new categories are the price lines shown in that group. Highest price line limits established by any of the exceptions stated in Rule 1 may not be used in determining the group which gives you the highest price line limit for a new category. However if a price line shown in the proper group is below the price line allowed you under any of the exceptions to Rule 1 you may use the price line limit allowed by the exceptions.

For example, suppose that you are a manufacturer who in your base period produced only alligator (Category No. 2) and calf (Category No. 4) handbags. The highest price line limits listed on your price line chart are $6.25 for alligator handbags (Category No. 2) and $3.50 for leather handbags (Category No. 4). You now decide to produce faille handbags (Category No. 7). To find your highest price line limit for faille handbags, start with the $20.00 price line for textile handbags (Category No. 7) and run your finger across the table until you come to the first group which contains your price line limit for a category which you delivered in the base period. In your case, the first group is Group G since that is the group in which you delivered a $3.50 calf handbag (Category No. 4). Accordingly, your highest price line limit for your faille handbags is $3.50. You may not go higher than $3.50 for faille handbags since none of the groups above Group G includes a price line limit for a category which you delivered during your base period.

If you should also decide to sell reptile handbags (Category No. 3) your highest price line limit would be $5.00. In other words, for all new categories you must find your highest price line limit in Group G. You may, of course, sell handbags in new categories at any price lower than those listed in Group G.

There are two exceptions: (i) If the highest price line at which you delivered a handbag in a category during the base period is not listed in the table, you use the group containing the nearest price line listed in the table to determine the highest price line limit for any new category.

For example, if in the above example, your highest price line limit for leather handbags was $4.00, you still use Group G, since Group G contains a $3.50 price line for leather handbags, and $3.50 is the price nearest to $4.00 in that category.

Similarly, if you are a manufacturer of expensive leather handbags, and you want to sell textile handbags, you cannot go beyond Group R, even though you delivered leather handbags during the base period at price lines higher than $20.00.

(ii) If the price line for an old category which gives you the highest price line limit for the new category appears in more than one group, you use the lowest group.

For example, suppose that the highest price line which you delivered during your base period in Category No. 3 was $4.75. You use Group E, which gives you, for example, a textile handbag price of $2.33⅓. You cannot use Group F, although reptile handbags at $4.75 appears in Group F, because Group E is lower.

(2) *Table of highest price line limits for new categories.* All prices listed in this subparagraph are per unit prices.

Category	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
1. Fur	$1.87½	$2.33⅓	$3.00	$4.75	$6.25	$6.25	$7.50	$8.50	$10.50	$12.50	$15.00	$18.50	$20.00	$21.50	$25.00	$30.00	$35.00	$37.50
2. Alligator, crocodile and ostrich	3.00	3.00	4.75	4.75	6.25	6.25	7.50	8.50	10.50	12.50	15.00	18.50	20.00	21.50	25.00	30.00	35.00	37.50
3. Reptile and aquatic	1.87½	1.87½	1.87½	3.00	4.75	4.75	5.00	6.25	7.50	8.50	10.50	12.50	13.50	15.00	18.00	20.00	22.50	25.00
4. Other leathers	.64⅜12	1.00	1.31¼	1.87½	2.33⅓	3.00	3.50	4.75	6.25	7.50	8.50	10.50	12.50	13.50	15.00	16.50	18.50	20.00
5. Corde, sequins	1.31¼	1.31¼	1.87½	3.00	3.50	4.75	5.00	6.25	7.50	8.50	10.50	12.50	13.50	15.00	16.50	18.00	20.00	22.50
6. 100 percent wool broadcloth and wool felt	.64⅜12	1.00	1.31¼	1.87½	2.33⅓	3.00	3.50	4.75	6.25	7.50	8.50	10.50	12.50	13.50	15.00	16.50	18.50	20.00
7. All other textiles	.64⅜12	1.00	1.31¼	1.87½	2.33⅓	3.00	3.50	4.75	6.25	7.50	8.50	10.50	12.50	13.50	15.00	16.50	18.50	20.00
8. All others	.64⅜12	1.00	1.31¼	1.87½	2.33⅓	3.00	3.50	4.75	6.25	7.50	8.50	10.50	12.50	13.50	15.00	16.50	18.50	20.00

(k) *Example of a price line chart.* This is an example of a chart showing highest price line limits for a manufacturer who delivered handbags in Category Nos. 2 and 4 during October and November, 1942.

CHART SHOWING HIGHEST PRICE LINES FOR HANDBAGS

Category No.	Price per Unit	Purchaser's name and address	Terms	Date of delivery
1	$7.50	Price Line Limit taken from section 3.14 (j).		
2	6.25	A B C Co., 15 W. Crawford St., Chicago, Ill.	3/10 EOM	Oct. 26, 1942
3	5.00	Price Line Limit taken from section 3.14 (j).		
4	3.50	X Y Z Corp., 710 40th St., Portsmouth, Ohio	3/10 EOM	Nov. 1, 1942
5	5.00	Price Line Limit taken from section 3.14 (j).		
6	3.50	Price Line Limit taken from section 3.14 (j).		
7	3.50	Price Line Limit taken from section 3.14 (j).		
8	3.50	Price Line Limit taken from section 3.14 (j).		

Submitted by:

X Y Z Bag Co., Inc.,
102 E. Madison,
New York City.
By: WALTER JONES, *President.*

This amendment shall become effective May 9, 1944.

NOTE: The records and reports provision of this amendment have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6379; Filed, May 4, 1944; 4:04 p. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

Subchapter J—Rivers: General Rules and Regulations

PART 113—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

AMENDMENT TO REGULATIONS, APPROVAL AND WITHDRAWAL OF APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4481, 4488, 4491, as amended, 49 Stat. 1544, 54 Stat. 163–167, 1028 (46 U.S.C. 375, 391a, 404, 474, 481, 489, 367, 526–526t, 463a), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendment, approval and withdrawal of approval of equipment are prescribed:

Section 113.7 *Wooden surfboat or seine boat* is amended by changing the reference "§113.12" to "§113.14".

EQUIPMENT APPROVED

BUOYANT CUSHIONS FOR MOTORBOATS

15" x 15" x 2" Typha filled buoyant cushion, type S. T. C. 2 (Dwg. No. S. M. B. C. 44, dated 6 April, 1944), approval No. B–221, manufactured by Seaway Manufacturing Co., Inc., 213 N. Peters Street, New Orleans, Louisiana. (For use on motorboats of Classes A, 1, and 2 not carrying passengers for hire, for the duration of the National Emergency and six months thereafter.)

15" x 15" x 2" Typha filled buoyant cushion (Dwg. No. 4644, dated 6 April, 1944), approval No. B–219, manufactured by Atlantic-Pacific Mfg. Corp., 124 Atlantic Avenue, Brooklyn 2, New York. (For use on motorboats of Classes A, 1, and 2 not carrying passengers for hire, for the duration of the National Emergency and six months thereafter.)

FIRE EXTINGUISHER

Model 85 S. O. S. Fire Guard, one-quart, carbon tetrachloride fire extinguisher (Assembly Dwg. No. BF–100, dated 8 November, 1943), manufactured by General Pacific Corp., 1800 So. Hooper Ave., Los Angeles, Calif.

FIRING ATTACHMENT FOR LINE-THROWING GUNS

Croton Cartridge Firing Attachment, Model A (Dwg. No. 013, dated 17 April, 1944, submitted by the Hawley Smith Machinery Company, Croton Falls, New York.

HAND DISTRESS SIGNAL

Hand distress signal, submitted by the Bear Manufacturing and Chemical Co., Inc., Bear, Delaware.

LIFE PRESERVERS

Adult kapok life preserver, removable pads (Dwg. No. 4–3–44, dated 3 April, 1944), approval No. B–220, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, New York. (For general use and not for use in conjunction with rubber lifesaving suits.)

Adult kapok life preserver, Model N–1 (Navy Standard type 23P12, with body strap), approval No. B–218, manufactured by H. D. Gihon, Inc., 21 Muirhead Avenue, Trenton, New Jersey. (For general use and not for use with rubber lifesaving suits.)

WITHDRAWAL OF APPROVAL

LINE-THROWING GUNS

Line-throwing guns, two types, manufactured by the Steward Davit and Equipment Corporation, New York, N. Y. (Originally approved in 1919.) (Any on board ship in good condition may remain in service.)

R. R. WAESCHE,
Vice Admiral, USCG,
Commandant.

MAY 4, 1944.

[F. R. Doc. 44-6388; Filed, May 5, 1944; 9:08 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[A. O. ODT 25]

PART 503—ADMINISTRATION

DESIGNATION OF EMPLOYEES AUTHORIZED TO ADMINISTER OATHS AND AFFIRMATIONS

Pursuant to the National War Agencies Appropriation Act, 1944, the Act of May

31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, 9156, 9214, and 9294, and War Production Board Directive 21, and in order to provide for the administration of oaths and affirmations by designated employees of the Office of Defense Transportation, it is hereby ordered, that:

§ 503.440 *Employees designated to administer oaths and affirmations.* The following employees of the Office of Defense Transportation are hereby designated and authorized to administer to or take from any person an oath, affirmation, or affidavit, when such instrument is required in connection with the performance of the functions or activities of the Office of Defense Transportation:

(a) Head administrative officer, assistant administrative officer, regional administrative officers;

(b) Regional directors, assistant regional directors, transportation specialists, district managers, assistant district managers, examiners, and local allocation officers of the Division of Motor Transport;

(c) Regional directors, regional assistants, and transportation specialists of the Division of Local Transport;

(d) Regional director, assistant regional directors, assistant to the regional director, transportation specialist, and dispatchers of the Division of Puerto Rican Transport, Puerto Rico;

(e) Regional director and assistant regional director, Hawaii;

(f) The Alaskan representative; and

(g) Attorneys of the Office of the General Counsel.

§ 503.441 *Procedure; termination of designation; instructions.* The following provisions shall apply to the administering or taking of oaths, affirmations, and affidavits by the employees designated in § 503.440 of this order:

(a) Any employee who administers to or takes from any person any oath, affirmation, or affidavit under the authority of this order, in signing the jurat, shall append to his signature his official title and official station. It shall not be necessary to affix a seal.

(b) All oaths and affirmations made under the authority contained in this order shall be administered without charge or fee.

(c) The authority of a designated employee pursuant to the provisions of this order shall expire at the termination of the employee's service with the Office of Defense Transportation, unless sooner terminated by administrative action.

(d) The head administrative officer is authorized to issue such instructions as he may deem necessary to implement the provisions of this order.

This Administrative Order ODT 25 shall become effective May 4, 1944.

(National War Agencies Appropriation Act, 1944, Pub. Law 139, 78th Cong.; Act of May 31, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 U.S.C. 631 through 645a; E.O. 8989, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221; WPB Directive 21, 8 F.R. 5834)

Issued at Washington, D. C., this 4th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-6389; Filed, May 5, 1944; 9:50 a. m.]

[General Permit ODT 24-9]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS AND PERMITS

PASSENGER TRAIN OPERATIONS

Pursuant to § 500.42 of General Order ODT 24, as amended, it is hereby authorized, that:

§ 520.608 *Certain operations authorized.* (a) Notwithstanding the provisions of § 500.41 of General Order ODT 24, as amended, any rail carrier when necessary to provide transportation for accredited delegates, alternate delegates and persons representing the press, radio, and newsreel, traveling to and from the Republican and Democratic National Conventions, may operate (1) extra or special passenger trains or passenger trains which are not scheduled, or (2) extra sections to scheduled passenger trains; or (3) passenger trains the consist of which includes a car chartered or the use of which by prior arrangements is restricted, to a number of persons traveling together as a group: *Provided, however,* That such operations are in conformity with paragraph (b) hereof.

(b) No car shall be exclusively used for parlor or lounge purposes. Each extra train, section, and exclusive occupancy car shall be restricted to persons who have been issued a certificate by the Office of Defense Transportation. Each rail carrier at the time sleeping car space is purchased or coach space is assigned shall detach from the certificate the appropriate coupon and endorse thereon a notation identifying the space, car and train to be used by the holder. All coupons shall be mailed to the Office of Defense Transportation, Washington, 25, D. C., within 10 days thereafter. Special trains, extra sections and extra cars on regularly scheduled trains from states or portions of states which have regularly scheduled train service to Chicago in 6½ hours or less shall consist of day coaches only. Equipment used in the service contemplated by this permit shall not be occupied in Chicago for living or sleeping quarters. Each rail carrier furnishing service contemplated by this permit shall within one week after the service is performed make a report in writing to the Office of Defense Transportation, Washington 25, D. C., giving the number of extra trains operated, the extra sections operated, and the exclusive occupancy cars furnished. Full occupancy of all equipment shall be required to the maximum extent possible. No service shall be provided for the Republican National Convention prior to June 17, 1944, or later than one week after the close of such convention. No service shall be provided for the Democratic National Convention prior to July 10, 1944, or later than one week after the close of such convention.

NOTE: The recording and reporting requirements of this General Permit have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; General Order ODT 24, as amended, 7 F.R. 7814, 10484)

Issued at Washington, D. C., this 5th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-6390; Filed, May 5, 1944; 9:50 a. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

[A. O. 335-A]

PUERTO RICO

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO SPECIAL INDUSTRY COMMITTEE

Acceptance of resignation from and appointment to Special Industry Committee No. 3 for Puerto Rico.

The administrative order which was published in the FEDERAL REGISTER of April 11, 1944 on page 3865, should be designated as Administrative Order No. 335-A.

Signed at New York, New York, this 2d day of May 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-6387; Filed, May 4, 1944; 4:27 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5887]

EL PASO CITY LINES, INC.

NOTICE OF APPLICATION

MAY 1, 1944.

Notice is hereby given that on April 27, 1944, El Paso City Lines, Inc. of El Paso, Texas, filed an application pursuant to the provisions of section 202 (c) of the Federal Power Act (16 U.S.C. 791-825r), for authority to export electric energy to operate streetcars in Ciudad de Juarez, Chihuahua, Mexico, and between that city and El Paso, Texas.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 22nd day of May, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations under the Federal Power Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-6391; Filed, May 5, 1944; 10:28 a. m.]

[Docket No. G-544]

INTERSTATE NATURAL GAS COMPANY, INC.

NOTICE OF APPLICATION

MAY 4, 1944.

Notice is hereby given that on April 29, 1944, Interstate Natural Gas Company, Inc. (hereinafter called "Applicant") filed with the Federal Power Commission an application seeking authority under section 7 of the Natural Gas Act, as amended, to construct and operate two additional gas compressors of 1,000 horsepower each and appurtenant facilities at Applicant's existing De Siard compressor station located at Fowler, Ouachita Parish, Louisiana.

The Applicant states that the additional compressors are required to maintain the maximum productivity of its wells in the Monroe gas field, in which field there has been a sharp decline in rock pressures.

Any person desiring to be heard or to make any protest with reference to this application should, on or before May 20, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-6392; Filed, May 5, 1944; 10:28 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4675]

LIQUID TIGHT PAPER CONTAINER ASSOCIATION, ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 3d day of May, A. D. 1944.

In the matter of Liquid Tight Paper Container Association, an unincorporated association; George J. Lincoln, Jr., as secretary and manager of Liquid Tight Paper Container Association; Boothby Fibre Can Company, a corporation; Gordon S. Smith and George T. Hynes, copartners, doing business under the firm name Champion Container Company: Fonda Container Company, Inc., a corporation; Menasha Products Company, a corporation; Minkoff & Rosenfield Brothers, Inc., doing business under the firm name Miro Container Company: Russell Box Company, a corporation; Sealright Company, Inc., a corporation; and Sutherland Paper Company, a corporation.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John L. Horner, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, May 16, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 3056, William Penn Annex, 9th and Market Streets, Philadelphia, Pennsylvania.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-6395; Filed, May 5, 1944; 10:38 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 164, Special Permit 42]

REFRIGERATION OF CITRUS FRUIT FROM BAYVIEW, TEX.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164, of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord stop-off for partial unloading under standard refrigeration to NP 90452, shipped May 1 from Bayview, Texas, originally consigned to Kansas City, diverted to Ottawa, Kansas, stop at Emporia for partial unloading, routed MP-Santa Fe.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6421; Filed, May 5, 1944; 11:37 a. m.]

[S. O. 164, Special Permit 43]

REICING OF GRAPEFRUIT AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord one reicing to FGE 34489 on Terminal Railroad at St. Louis, Missouri, car contains grapefruit originating in Florida consigned to A. Florita.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6422; Filed, May 5, 1944; 11:37 a. m.]

[S. O. 164, Special Permit 44]

REICING OF NAVEL ORANGES ORIGINATING IN CALIFORNIA

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once to full bunker capacity the following cars of navel oranges:

	At	*Railroad*
FGEX 44346, Pittsburgh, Pa.		PRR.
PFE 43622, Pittsburgh, Pa.		PRR.
PFE 42646, Columbus, Ohio		B&O.
PFE 16597, Badaxe, Mich.		Grand Trunk.

Shipped from California by California Fruit Growers Exchange to be diverted to eastern markets.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6423; Filed, May 5, 1944; 11:37 a. m.]

[S.O. 164, Special Permit 45]

REFRIGERATION OF CITRUS FRUITS FROM ELSA, TEX.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord stop-off for partial unloading and to accord standard refrigeration to PFE 50081 originating Elsa, Texas, May 2, consigned East St. Louis, Illinois, diverted to Salina, Kansas, stop for partial unloading at Topeka Kansas, routed SP-Frisco-Kansas City-MP.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6424; Filed, May 5, 1944; 11:37 a. m.]

[S. O. 164, Special Permit 46]

REFRIGERATION OF CITRUS FRUITS FROM ELSA, TEX.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to PFE 93350, originated May 2 at Elsa, Texas, consigned to East St. Louis, diverted to Hutchinson, Kansas, stop-off for partial unloading at Topeka, Kansas, routed SP-Frisco-CRI&P.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6425; Filed, May 5, 1944; 11:37 a. m.]

[S. O. 200, General Permit 1]

REICING OF POTATOES ORIGINATING IN ALABAMA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes originating at any point in Alabama, after the first or initial icing at an icing station not beyond Atlanta, Georgia, or Jackson, Memphis or Nashville, Tennessee, to reice once in transit to full bunker capacity at the first regular icing station enroute beyond the station where car was initially iced.

This general permit shall become effective at 12:01 p. m., May 4, 1944, and the reicing authorized herein may be accorded on such refrigerator cars moving at that time. This general permit shall expire at 12:01 a. m., June 10, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6426; Filed, May 5, 1944; 11:37 a. m.]

[S. O. 200, General Permit 2]

REICING OF POTATOES ORIGINATING IN LOUISIANA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide one reicing in transit to full bunker capacity, after the first or initial icing, on any refrigerator car loaded with potatoes originating at any point in the State of Louisiana.

This general permit shall become effective at 12:01 a. m., May 4, 1944, and shall expire at 12:01 a. m., June 10, 1944. The reicing authorized herein may be accorded cars rolling on the effective date hereof.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6427; Filed, May 5, 1944; 11:37 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 2905]

SHOTARO OKUMURA

In re: Six rugs owned by Shotaro Okumura.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Shotaro Okumura is 692 Hakkoda, Sumiyoshi, Hyogo Protecture, Japan, and that he is a citizen and resident of Japan and a national of a designated enemy country (Japan);

2. That Shotaro Okumura is the owner of the property described in paragraph 3 hereof;

3. That the property described as follows: Six Persian rugs, particularly described in Exhibit A, attached hereto and by reference made a part hereof, now in the possession of Yamanaka & Co., Inc., in liquidation under the supervision of the Alien Property Custodian, 680 Fifth Avenue, New York City,

is the property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in paragraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Rug, Design and Size

Khorassan, Feraghan, 13 x 9.
Tabriz, very poor, 7¾ x 5.
Tabriz, red with central medallion, 12¾ x 9¾.
Tabriz, Ispahan, 12¾ x 9¼.
Tabriz, Senna-Kurd, 9¾ x 7¼.
Khorassan, European with good design, 8¼ x 5¼.

[F. R. Doc. 44-6350; Filed, May 4, 1944; 11:02 a. m.]

[Vesting Order 3199]

JAPANESE GOVERNMENT RAW SILK INTELLIGENCE BUREAU

In re: Furniture, exhibits, a typewriter and a bank account owned by the Japanese Government Raw Silk Intelligence Bureau.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the Japanese Government Raw Silk Intelligence Bureau is an agent of the Japanese Government and is a national of a designated enemy country (Japan);

2. That the Japanese Government Raw Silk Intelligence Bureau is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Four cases, numbered 1 to 4 inclusive, believed to contain furniture and exhibits, stored in the name of T. Uyeda, in the warehouse of Baker & Williams, 513–535 West 20th Street, New York, New York, and further identified as the property stored under Custom House Bond No. 82394, and

b. One Royal typewriter, Model KHM, Serial No. 2131783, in the custody of Royal Typewriter Co., Inc., 2 Park Avenue, New York, New York, and

c. That certain bank account in the National City Bank of New York, 5th Avenue and 28th Street, New York, New York, which is due and owing to, and held for the Japanese Government Raw Silk Intelligence Bureau, in the name of Syokiti Mogami, including but not limited to all security rights in and to any and all collateral for all or part of such account, and the right to enforce and collect such account,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraph 3–c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3–a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-6351; Filed, May 4, 1944; 11:02 a. m.]

[Vesting Order 3345]

VITTORIO EMANUELE III WAR VETERANS' FOUNDATION, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Vittorio Emanuele III War Veterans' Foundation, Inc., a membership corporation organized and doing business under the laws of the State of New York, is a business enterprise within the United States and is controlled by the Federation of the Italian World War Veterans in the United States of America, Inc., which is a part of the Associazione Nazionale Combattenti Italiani;

2. That the Associazione Nazionale Combattenti Italiani, located in Italy and composed of nationals of Italy, is an official agency of the Italian Government and is a part of Partito Nazionale Fascista (National Fascist Party) and is a national of a designated enemy country (Italy);

3. That Partito Nazionale Fascista, located in Italy, is composed of nationals of Italy and is controlled by the Italian Under-Secretary of State for Foreign Affairs;

and determining:

4. That Vittorio Emanuele III War Veterans' Foundation, Inc., is controlled by and/or acts for or on behalf of Partito Nazionale Fascista and of a designated enemy country (Italy) and is a national of said designated enemy country;

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United

States requires that such persons be treated as nationals of a designated enemy country (Italy);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to Vittorio Emanuele III War Veterans' Foundation, Inc., and the interests therein of any and all of the members of Vittorio Emanuele III War Veterans' Foundation, Inc., to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on March 20, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–6852; Filed, May 4, 1944; 11:03 a. m.]

[Supplemental Vesting Order 3399]

GUNZE SILK CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order No. 156, dated September 21, 1942, that Gunze Silk Corporation, a New York Corporation, is a business enterprise within the United States and a national of a designated enemy country (Japan);

2. Finding that Gunze Silk Corporation, Ltd., Kobe, Japan, has a claim against Gunze Silk Corporation, which claim, as of September 1, 1942, amounted to $37,196.38, subject, however, to any accruals or deductions subsequent thereto and represents an interest in Gunze Silk Corporation;

3. Finding that Gunze Silk Corporation, Ltd., whose last known address is Kobe, Japan, is a national of a designated enemy country (Japan);

and determining:

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the interest of Gunze Silk Corporation, Ltd., in Gunze Silk Corporation amounting to $37,196.38 and represented on the balance sheet of Gunze Silk Corporation as an account payable, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6853; Filed, May 4, 1944; 11:03 a. m.]

[Vesting Order 3403]

GERMAN RAILROADS INFORMATION OFFICE

In re: Steel filing cabinets, records, films, and office furniture and equipment owned by German Railroads Information Office.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That German Railroads Information Office, which formerly maintained offices at 331 North Michigan Avenue, Chicago, Illinois, is an agency of the German Government, and on October 6, 1938, was registered with the Department of State of the United States as a German propaganda agency;

2. That German Railroads Information Office has since April 10, 1940, been acting or purporting to act directly or indirectly for the benefit or on behalf of a designated enemy country (Germany) and that it is a national of a designated enemy country (Germany);

3. That German Railroads Information Office is the owner of the property described in subparagraph 4 hereof;

4. That the property described as follows:

Steel filing cabinets, records, films, and office furniture and equipment more particularly described in Exhibit A attached hereto and by reference made a part hereof, stored in the name of German Railroad Information Office in the warehouse of Werner Bros.-Kennelly Company at 2815 Broadway, Chicago, Illinois,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that German Railroads Information Office is controlled by or acting for or on behalf of a designated enemy country (Germany), or a person within such country, and is a national of a designated enemy country (Germany);

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Number:	*Article*
1	12-Foot Counter.
2	Desk.
3	Desk.
4	Desk.
5	Desk.
6	Swivel Chair.
7	Swivel Chair.
8	Swivel Chair.
9	Electric Fan.
10	Stand for Adding Machine.
11	Steel filing cabinet and records.
12	Steel filing cabinet and records.
13	Steel filing cabinet and records.
14	Steel filing cabinet and records.
15	Gate for Counter.
16	Wall rack for map.
17	Wall rack for map.
18	18 show cards.
19	Stand for show cards.
20	Bundle 2 Desk Pads and Cushion.
21	Large Radiator cover.
22	Rubber mat.
23	Steel Locker with films.
24	Carton with Film cases—Empty.
25	Carton with Film cases—Empty.
26	Large Box Containing Films.
27	2 Desk Tops—Glass.
28	3 Counter tops "Glass".
29	Stand for Reel.

[F. R. Doc. 44–6855; Filed, May 4, 1944; 11:03 a. m.]

[Vesting Order 3429]

KENZIRO EMURA

In re: Personal property owned by Kenziro Emura.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Kenziro Emura is Japan, and that he is a citizen and resident of Japan, and a national of a designated enemy country (Japan);

2. That Kenziro Emura is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

All the personal property owned by Kenziro Emura presently stored in the warehouse of the Gosho Concentration and Compress Company, 4601 Avenue E, Galveston, Texas, consisting of one wardrobe trunk, two steamer trunks marked Nos. "1" and "2", six suitcases marked Nos. "3" to "8" inclusive, and one cardboard carton marked No. "9", together with all the contents thereof, one golf bag and clubs marked No. "10" and one Philco radio,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan); and

Having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property, or the proceeds thereof, in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on April 5, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6354; Filed, May 4, 1944; 11:03 a. m.]

[Vesting Order 3525]

EMIL HIMSTEDT

In re: Estate of Emil Himstedt, deceased; File D–28–2209; E. T. sec. 2989.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Chase National Bank of the City of New York, as executor, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Marie Lehmann, Germany.
Richard Himstedt, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Marie Lehmann and Richard Himstedt, and each of them in and to the Estate of Emil Himstedt, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6337; Filed, May 4, 1944; 11:00 a. m.]

[Vesting Order 3526]

JOHN HORNBACH

In re: Estate of John Hornbach, deceased; File D–66–1546; E. T. sec. 9743.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Edward C. Kistner and John J. Guerin, Executors, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Jacob Hornbach, Germany.
Frantz Nager, Germany.
Two older granddaughters of Philip Trunk of Pfortsheim, Germany, Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Jacob Hornbach, Frantz Nager and two older granddaughters of Philip Trunk of Pfortsheim, Germany, and each of them in and to the estate of John Hornbach, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6338; Filed, May 4, 1944; 11:00 a. m.]

[Vesting Order 3527]

BEATRICE KELLER

In re: Trust under agreement of Beatrice Keller, otherwise known as Erna Bea Koischwitz or Mrs. Max Otto Koischwitz; File F–28–2753; E. T. sec. 298.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by Burton A. McGann, 1416 F Street, N. W., Washington, D. C., Substituted Trustee, acting under the judicial supervision of the District Court of the United States for the District of Columbia;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Stella Beatrice Koischwitz, Germany.
Helen Elizabeth Koischwitz, Germany.
Renata Martha Koischwitz, Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Stella Beatrice Koischwitz, Helen Elizabeth Koischwitz and Renata Martha Koischwitz, and each of them, in and to the trust estate created by Trust Agreement, dated February 21, 1940, between Beatrice Keller (otherwise known as Erna Bea Koischwitz or Mrs. Max Otto Koischwitz) and Stella Randolph,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6339; Filed, May 4, 1944; 11:00 a. m.]

[Supplemental Vesting Order 3528]

ERNEST KLETSCH

In re: Estate of Ernest Kletsch, deceased; File D–28–2245; E.T. sec. 3242.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by the Registry of the Probate Court, acting under the judicial supervision of the United States District Court for the District of Columbia, Washington, D. C.;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Karl Kletsch, deceased, Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Karl Kletsch, and each of them, in and to the estate of Ernest Kletsch, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6340; Filed, May 4, 1944; 11:00 a. m.]

[Vesting Order 3529]

PETER N. LUCA

In re: Estate of Peter N. Luca, deceased, File No. D–28–3764; E.T. sec. 6362.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by Harry L. Hedger, County Treasurer, as depositary, acting under the judicial supervision of the Surrogate's Court, Nassau County, New York; and
(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

William Luca, Germany.
Erna Meyer, Germany.
Emil Luca, Germany.
George Luca, Germany.
Helene Trimpf, Germany.
Emma Bohack, Germany.
Heinrich Kopf, Germany.
Rudolph Kopf, Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of William Luca, Erna Meyer, Emil Luca, George Luca, Helene Trimpf, Emma Bohack, Heinrich Kopf and Rudolph Kopf, and each of them, in and to the Estate of Peter N. Luca, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6341; Filed, May 4, 1944; 11:00 a. m.]

[Vesting Order 3531]

WILLIAM H. RUSCH

In re: Trust under the will of William H. Rusch, deceased; File No. D–28–2359; E.T. sec. 3301.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by Henry Iselin, as substituted trustee, acting under the judicial supervision of the Prerogative Court of New Jersey, Trenton, New Jersey; and
(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Carl Hans Ringwald, Germany.
Ernst Willy Ringwald, Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Carl Hans Ringwald and Ernst Willy Ringwald, and each of them, in and to the Trust created under the Will of William H. Rusch, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6342; Filed, May 4, 1944; 11:00 a. m.]

[Vesting Order 3532]

ANNA MARIE SCHAFER

In re: Estate of Anna Marie Schafer, deceased; File No. D–28–6617; E.T. sec. 4867.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by Victor N. Lasher, administrator, acting under the judicial supervision of the Surrogate's Court, Ulster County, New York,
(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely "John" Schafer, first name being fictitious, whose last known address is Germany,
And determining that—
(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of "John" Schafer, first name being fictitious, in and to the estate of Anna Marie Schafer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6343; Filed, May 4, 1944; 11:00 a. m.]

[Vesting Order 3533]

MARGARETHA SCHILLING

In re: Estate of Margaretha Schilling, deceased; File D–28–7951; E. T. sec. 8822.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Leo Brand, as Executor of the Estate of Margaretha Schilling, deceased, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York; and

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Carolina Achenbach, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Carolina Achenbach in and to the Estate of Margaretha Schilling, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6344; Filed, May 4, 1944; 11:01 a. m.]

[Vesting Order 3534]

PAULINE SCHROEDER

In re: Trust under the will of Pauline Schroeder, deceased; File No. D–28–6585; E.T. sec. 5214.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Brooklyn Trust Company, as trustee, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Carl William Schroeder, and his issue, names unknown, Germany.

Kundri Schroeder, and her issue, names unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Carl William Schroeder, and his issue, names unknown, and Kundri Schroeder, and her issue, names unknown, and each of them, in and to a trust created under the will of Pauline Schroeder, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6345; Filed, May 4, 1944; 11:01 a. m.]

[Vesting Order 3535]

PAUL TIEPOLT

In re: Estate of Paul Tiepolt, deceased; File D–28–8478; E.T. sec. 9833.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Vernon Silvershield, Administrator with the Will Annexed, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Sonoma;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Mrs. Hedwig Hornig, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mrs. Hedwig Hornig, in and to the estate of Paul Tiepolt, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6346; Filed, May 4, 1944; 11:01 a. m.]

[Vesting Order 3537]

SAM WISLER

In re: Estate of Sam Wisler, deceased; File D–34–580; E. T. sec. 6519.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Eva Pollack, Administratrix, acting under the judicial supervision of the Surrogate's Court, County of New York, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Heinrich Wisler, Hungary.
Emanuel Wisler, Hungary.
Isadore Wisler, Hungary.
Fannie Wisler Klein, Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Heinrich Wisler, Emanuel Wisler, Isadore Wisler and Fannie Wisler Klein, and each of them, in and to the estate of Sam Wisler, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6347; Filed, May 4, 1944; 11:01 a. m.]

[Vesting Order 3538]

OSCAR WUNSCH

In re: Estate of Oscar Wunsch, deceased; File D–28–7987; E. T. sec. 8900.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The San Francisco Bank, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Fanny Mattig, or her surviving issue, Germany.

Anna Hunger, or her surviving issue, Germany.

Ella Hensel, or her surviving husband, name unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Fanny Mattig, or her surviving issue; Anna Hunger, or her surviving issue; Ella Hensel, or her surviving husband, name unknown, and each of them, in and to the estate of Oscar Wunsch, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 24, 1944.

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6348; Filed, May 4, 1944; 11:02 a. m.]

[Vesting Order 3539]

CHARLES SCHNYDER

In re: Estate of Charles Schnyder, deceased; File No. D–28–2019; E. T. sec. 2095.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The German Society of the City of New York, as Executor, acting under the judicial supervision of the Surrogate's Court, County of New York, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Dr. Georg Schneider, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $3,768.90, now held by The German Society of the City of New York, as executor of the last will and testament of Charles Schnyder, deceased, pursuant to a stipulation dated January 25, 1943 and filed in a proceeding entitled In the Matter of Proving the Last Will and Testament of Charles Schnyder,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts,

pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 26, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6349; Filed, May 4, 1944; 11:02 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 743]

LANGENFELDER MINING CO.

ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MAXIMUM PRICES

Order No. 743 under Maximum Price Regulation No. 120. Bituminous coal delivered for mine or preparation plant. Establishing price classifications and maximum prices for the Langenfelder Mining Company.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Hecla No. 1 Mine of the Langenfelder Mining Company is hereby assigned Mine Index No. 4056, and is classified in Railroad Fuel Price Group No. 6.

(b) The price classifications for coals produced by the Langenfelder Mining Company from its Hecla No. 1 Mine, Mine Index No. 4056 in District No. 2, are hereby established as follows, and such coals may be sold or purchased at per net ton maximum prices not exceeding the following:

	Size Group No.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	E	E	C	C	C	D	D	D	D		
Rail shipment	$3.10	$3.10	$3.10	$3.10	$3.10	$2.90	$2.70	$2.70	$2.45		
Truck shipment	4.15	4.15	4.15	3.95	3.65	3.85	3.65	3.05	2.85	$2.85	$2.55
Railroad fuel	3.10	3.10	3.10	3.10	3.10	2.90	2.70	2.70	2.45	2.45	

(c) The maximum prices established herein are f. o. b. the mine for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad fuel.

(d) This order may be revoked or amended at any time.

(e) All prayers of applicant not granted herein are hereby denied.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective May 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6365; Filed, May 4, 1944; 11:53 a. m.]

[MPR 120, Order 703]

SEXTON AND BLANKENSHIP COAL CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Correction

The designation of F.R. Doc. 44–5569, appearing at page 4366 of the issue for Saturday, April 22, 1944, should read as set forth above. In the table for Harvey Bishop, the price for truck shipments, Size Group 7, should be "$2.30".

[MPR 188, Order 1555]

NATIONAL PRESSURE COOKER CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1555 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of three new canners manufactured by the National Pressure Cooker Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales of three new aluminum pressure canners manufactured by the National Pressure Cooker Company, Eau Claire, Wisconsin, and described in its application as Model Nos. 7, 7A, and 14.

(1) For sales by the manufacturer, the maximum prices are those set forth below, f. o. b. Eau Claire, Wisconsin, subject to a cash discount of 2% for payment within ten days, net thirty days.

	Model No. 7 with insert pans, wire basket and book	Model No. 7A with wire basket and book	Model No. 14 with wire basket and book
To jobbers	$8.90	$8.38	$
To retailers:			
In quantities of 2,000 or more	10.18	9.59	
In quantities of 100 to 1,999	10.68	10.06	
In quantities of less than 100	11.87	11.17	

(2) For sales by jobbers, the maximum prices are those set forth below, f. o. b. seller's city, subject to cash discount and terms no less favorable than those customarily granted by the seller:

	Model No. 7 with insert pans, wire basket and book	Model No. 7A with wire basket and book	Model No. 14 with wire basket and book
In Western zone	$12.47	$11.77	$
In Eastern zone	11.87	11.17	

(3) For sales at retail, the maximum prices are those set forth below:

	Model No. 7 with insert pans, wire basket and book	Model No. 7A with wire basket and book	Model No. 14 with wire basket and book
In Western zone	$18.70	$17.65	$
In Eastern zone	17.80	16.75	

(b) To every aluminum pressure canner shipped to a purchaser for resale on and after May 5, 1944, the manufacturer shall attach a tag or label containing the following statement with the blanks properly filled in:

Eastern zone retail ceiling price_____ $_____
Western zone retail ceiling price_____ $_____

This tag shall not be removed until the canner is delivered to the purchaser.

(c) At the time of the first invoice after May 4, 1944, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser. This order establishes maximum prices for sales by all jobbers including sales by jobbers to jobbers and jobbers to retailers. Each jobber who resells any commodity covered by this order must notify his purchaser of the maximum prices established by this order for sales by the purchaser. This written notice may be given in any convenient form.

(d) The Western Zone includes the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, and the following counties in Texas: El Paso, Hudspeth, Culberson, Jeff Davis, Presidio, Brewster, Terrell, Pecos and Reeves. The rest of the country is in the Eastern Zone.

(e) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(f) This order may be revoked or amended by the Price Administrator at any time.

This Order No. 1555 shall become effective on the 5th day of May 1944.

Issued this 4th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6366; Filed, May 4, 1944; 11:52 a. m.]

[MPR 120, Order 705]

RYAN BROS., INC., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES

Correction

In F.R. Doc. 44–5643, appearing at page 4368 of the issue for Saturday, April 22, 1944, in the third table on page 4369, the prices in Size Group 2 for rail shipment, truck shipment, and R. R. locomotive fuel should read, respectively, "$3.35", "3.40", and "3.20".

UNITED STATES EMPLOYEES' COMPENSATION COMMISSION.

[Administrative Order 7]

MEDICAL BENEFITS FOR CERTAIN EMPLOYEES OUTSIDE CONTINENTAL UNITED STATES

AUTHORIZATION TO OFFICE OF WAR INFORMATION

By virtue of the authority vested in the United States Employees' Compensation Commission by the Employees' Compensation Act of September 7, 1916, as amended (sec. 42, 56 Stat. 725; 5 U.S.C. Sup. 793), the Office of War Information is authorized to arrange and provide for the initial furnishing of medical and other benefits as authorized by section 9 of such act of September 7, 1916, as amended, and pursuant to the regulations of the Commission promulgated thereunder (20 CFR, Chap. I, Subchapter A), and such supplementary instructions as may from time to time be issued by the Commission, in cases of civilian employees of the United States, employees of the Office of War Information, who are injured while in the performance of their duties for the United States in employment outside continental United States, at places where no facilities for the authorization of medical benefits have been established locally by or under the Commission.

As used herein, the phrase "to arrange and provide for the initial furnishing of medical and other benefits as authorized by section 9" of such act, means the initial furnishing of such medical and other benefits at a cost not to exceed $250.00 in any such case.

The action of the Office of War Information in any case, and the payments made under this authority, are subject to final review by the Commission and readjustment if found necessary.

Order approved by the Commission April 28, 1944.

WILLIAM MCCAULEY,
Secretary.

[F. R. Doc. 44–6373; Filed, May 4, 1944; 2:39 p. m.]

WAR FOOD ADMINISTRATION.

[Docket No. AO 166–A 2]

CINCINNATI, OHIO, MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to the tentatively approved marketing agreement and order, as amended, regulating the handling of milk in the Cincinnati, Ohio, Marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), and in accordance with the applicable rules of practice and procedure (7 CFR Cum. Supp., 900.1 et seq.), notice is hereby given of a hearing to be held in the Gibson Hotel, Cincinnati, Ohio, beginning at 10 a. m., e. s. t. May 10, 1944, with respect to proposed amendments to the tentatively approved marketing agreement and to the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area. These amendments have not received the approval of the War Food Administrator.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendments or any modification thereof, which are hereinafter set forth. The amendments which have been proposed are set forth below:

Proposed by the Milk Producers Union, the K. I. O. Milk Producers Association, and the Cooperative Pure Milk Association

(1) Delete from § 965.6 (a) (1) the amount $3.55 and substitute therefor the amount $4.00.

(2) Delete from § 965.6 (a) (2) the amount of $3.10 and substitute therefor the amount $3.55.

Proposed by the Dairy and Poultry Branch, War Food Administration

Review §§ 965.6 (a) (3) and 965.6 (b) for the purpose of determining whether the prices set forth in the aforesaid sections should be changed, in view of current marketing conditions.

Copies of this notice of hearing, of the tentatively approved marketing agreement, and of the order, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

MAY 4, 1944.

[F. R. Doc. 44–6402; Filed, May 5, 1944; 11:19 a. m.]

CERTAIN AGRICULTURAL COMMODITIES

PUBLIC ANNOUNCEMENT (1944) WITH RESPECT TO SUPPORT PRICES

Public announcement has heretofore been made (6 F.R. 4644; 7 F.R. 422, 9986; 8 F.R. 12524) pursuant to the provisions of section 4 (a) of the act approved July 1, 1941, 55 Stat. 498, as amended by the act approved October 2, 1942, 56 Stat. 768, that it was necessary to encourage the expansion of the production of the agricultural commodities named below, with the exception of sweet potatoes, for which announcement is hereby made. Therefore, the War Food Administrator, in accordance with such act and section 2 of the act approved February 28, 1944, 58 Stat. 105, hereby announces, for the periods specified herein, the following support prices for the benefit of eligible producers of such commodities. Such support prices are subject to adjustment, where applicable, for season, location, type, grade, and class. Such adjustments, the conditions of eligibility for such price support, and the periods during which price support operations will be carried out, other than those specified herein, will be as specified in announcements issued in connection with particular price support operations.

COMMODITY, AND LEVEL AND PERIOD OF PRICE SUPPORT

Hogs: 90 percent of the parity price, but during the period October 1, 1944, to March 31, 1945, not less than $12.50 per cwt. average for good to choice butcher hogs weighing 200 to 240 pounds, at Chicago, with appropriate differentials for other markets.

Eggs: 90 percent of the parity price, but in no event less than specified prices to be announced from time to time.

Chickens (excluding chickens weighing less than three pounds live weight and all broilers) and turkeys: 90 percent of the parity price, but in no event less than specified prices to be announced from time to time.

Milk and butterfat: 90 percent of the parity price, but in any event returns to producers during the period ending December 31, 1944, not less than 30 cents per cwt. for whole milk or 4 cents per pound for butterfat above returns to producers reflected by the following: A price for U. S. Grade A or No. 1 American cheddar cheese of 27 cents per pound, Plymouth, Wisconsin, basis; a price for spray-dried skim milk of 14½ cents per pound and for roller-dried skim milk of 12½ cents per pound, U. S. extra grade, basis f. o. b. Midwest plants; and a price for U. S. Grade A or 92 score butter of 46 cents per pound, Chicago basis.

The 1944 crop of dry peas of the varietal types Alaska, Bluebell, Scotch Green, First and Best, White Canada, Colorado White, and Marrowfat: 90 percent of the comparable price calculated as of the beginning of the marketing year (August 1), but in no event less than $5.65 per cwt. for U. S. No. 1 peas and $5.40 per cwt. for U. S. No. 2 peas, cleaned and bagged, in carload lots, f. o. b. cars at country shipping points.

The 1944 crop of dry edible beans of the varietal types Pea, Medium White, Great Northern, Small White, Flat Small White, Pink, Pinto, Small Red, Cranberry, Lima, Baby Lima, Light Red Kidney, Dark Red Kidney, Western Red Kidney; 90 percent of the parity price calculated as of the beginning of the marketing year (September 1), but in no event less than $6.50 per cwt. for U. S. No. 1 and $6.35 per cwt. for

U. S. No. 2 Pea, Medium White, Great Northern, Small White, Flat Small White, Pink, Pinto, Small Red, and Cranberry, $7.50 per cwt. for U. S. No. 1 and $7.35 per cwt. for U. S. No. 2 Lima and Baby Lima, and $8.00 per cwt. for U. S. No. 1 and $7.85 per cwt. for U. S. No. 2 Light Red Kidney, Dark Red Kidney, and Western Red Kidney, cleaned and bagged, in carload lots, f. o. b. cars at country shipping points.

The 1944 crop of soybeans for oil: 90 percent of the comparable price calculated as of the beginning of the marketing year (October 1), but in no event less than $2.04 per bushel for Yellow or Green Soybeans, and $1.84 per bushel for Brown, Black or Mixed Soybeans, U. S. Grade No. 2 or better and 14 percent moisture content, delivered to country elevator or other normal producer delivery point, with appropriate quality premiums and discounts.

The 1944 crop of peanuts for oil: 90 percent of the comparable price calculated as of the beginning of the marketing year (September 1), but in no event less than $160 per ton for Virginia type peanuts of a sound, mature kernel content of 65 percent, Spanish type peanuts of a sound, mature kernel content of 70 percent, and Valencia type peanuts of a sound kernel content of 65 percent, and $145 per ton for runner type peanuts of a sound, mature kernel content of 65 percent, delivered to warehouse or other normal producer delivery point, with appropriate premiums and discounts for other qualities.

The 1944 crop of flaxseed for oil: 90 percent of the parity price calculated as of the beginning of the marketing year (June 1), but in no event less than $2.85 per bushel for U. S. No. 1 flaxseed and $2.90 per bushel for U. S. No. 2 flaxseed, basis Minneapolis, with appropriate differentials for flaxseed at other locations.

The 1944 crop of American-Egyptian cotton: 90 percent of the parity price calculated as of the beginning of the marketing year (August 1).

The 1944 crop of potatoes: 90 percent of the parity price calculated as of January 1, 1944, for early and intermediate potatoes and as of July 1, 1944, for other potatoes, but in no event less than specified prices for certain grades of potatoes in specified commercial areas to be announced from time to time.

The 1944 crop of sweet potatoes (when properly cured): 90 percent of the parity price calculated as of the beginning of the marketing year (July 1), but in no event less than the following prices per bushel for U. S. No. 1 or better cured sweet potatoes: $1.50 in December, $1.55 in January, $1.75 in February, packed in standard crates, baskets or hampers, in lots of 1,000 bushels or more, f. o. b. cars or local storage warehouse. The support price for U. S. No. 2 cured sweet potatoes containing at least 75 percent U. S. No. 1 quality cured sweet potatoes, will be 15 cents less per bushel than the support price for U. S. No. 1 cured sweet potatoes.

(The prices specified in this announcement, to the extent that they exceed 90 percent of the parity or comparable price, are applicable only to commodities marketed during the periods specified above, or during the periods specified in connection with the announcements of particular loan, purchase, or other operations, and, with respect to the commodities produced on an annual crop basis, are applicable only to the 1944 crop of such commodities. After the close of the periods specified herein or in connection with such announcements and for crops produced subsequent to the 1944 crop, price support for the commodities listed above will be continued during the period prescribed by the act of October 2, 1942, 56 Stat. 768, at not less than 90 percent of the parity or comparable prices. However, the precise level of such support, to the extent that it may exceed 90 percent of the parity or comparable price, and any conditions of eligibility for price support (including conditions relating to acreage or production requirements) will be covered in subsequent announcements.

The provisions of this announcement shall prevails in the event of any conflict between them and provisions of any announcement heretofore made.

Done at Washington, D. C., this 4th day of May 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-6401; Filed, May 5, 1944; 11:19 a. m.]

THE NATIONAL ARCHIVES OF THE UNITED STATES 1934

FEDERAL REGISTER

VOLUME 9 NUMBER 92

Washington, Tuesday, May 9, 1944

The President

EXECUTIVE ORDER 9439

ESTABLISHING A UNIFORM MONTHLY RATE OF PAY FOR STUDENT NURSES TRANSFERRED TO FEDERAL HOSPITALS

By virtue of and pursuant to the authority vested in me by section 11 (b) of the act of June 15, 1943 (Public Law 74, 78th Congress), as amended by the act of March 4, 1944 (Public Law 248, 78th Congress), student nurses transferred to any Federal hospital in the continental United States, exclusive of Alaska, pursuant to subsections (e) and (f) of section 2 of the said act of June 15, 1943, shall be paid a stipend at the monthly rate of sixty dollars for that period of training requisite to graduation: *Provided*, that the period of training in no case shall extend beyond the period required for graduation by the institution from which the student nurse was transferred, but may be terminated at any time prior thereto as the interests of the service may require.

This order shall be published in the FEDERAL REGISTER.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
May 4, 1944.

[F. R. Doc. 44-6491; Filed, May 6, 1944; 2:47 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter X—War Food Administration
(Production Orders)

[WPO 9-9]

PART 1220—FEED

SET ASIDE REQUIREMENTS FOR PROCESSORS OF OILSEED FOR JUNE, 1944

Pursuant to the authority vested in me by War Food Order No. 9 (8 F.R. 16960, 9 F.R. 4319), issued on December 18, 1943, and to effectuate the purposes of such order pertaining to set aside requirements for oilseed meal produced by processors, and to secure an equitable distribution of such oilseed meal, it is hereby ordered, that:

§ 1220.12 *Set aside requirements for processors of oilseed for June 1944*—(a) *Amount to be set aside.* Each processor shall set aside at each processing plant operated by him 20 percent of his production of cottonseed, soybean, linseed and peanut oil meal, cake or pellets (hereinafter called "oilseed meal"), during June 1944. The amount of production upon which the quantity of oilseed meal set aside is based shall not include any oilseed meal produced for the Commodity Credit Corporation under the provisions of contracts designated "CCC Soybean Form 106, 1943 Crop," and this order shall not apply to oilseed meal produced under such contracts.

(b) *Sale and delivery of oilseed meal set aside.* (1) Oilseed meal set aside pursuant to this order shall not be sold or delivered by any processor except to a buyer named in a Certificate of Designated Buyer issued by the Agricultural Conservation Committee for the State or county in which the buyer's farm or establishment is located or by the Chief of the Feed and Livestock Branch, Office of Production, War Food Administration. The certificate shall be in substantially the following form:

CERTIFICATE OF DESIGNATED BUYER

---------- is authorized to purchase and accept delivery of -------- (tons-pounds) of oilseed meal from amounts set aside by ---------- of ----------
(Name of Processor) (Address of Processor)
----------, pursuant to the order of the Director of Food Production. (If, for any reason, delivery of oilseed meal cannot be made, this certificate shall be returned by the processor to the issuing Agricultural Conservation Committee with the reasons why delivery was not made.)

FOOD PRODUCTION ADMINISTRATION,
---------- Agricultural Conservation Committee of

(Address)

J. B. Hutson, Director
By----------
(Chairman)

Expiration Date ----------

(2) Agricultural Conservation Committees may commence issuing Certificates of Designated Buyers pursuant to this order during May 1944, and processors may commence delivery of oilseed meal pursuant to such certificates during May 1944. A processor shall be en-

(Continued on p. 4841)

CONTENTS

THE PRESIDENT

EXECUTIVE ORDER: Page
Student nurses transferred to Federal hospitals, establishment of uniform monthly rate of pay 4839

REGULATIONS AND NOTICES

CIVIL AERONAUTICS BOARD:
Air traffic rules; foreign flight authorization 4857
Charter trips and special services by air carriers holding certificates of public convenience and necessity (Corr.) 4858
Cuba and certain portions of Mexico, official missions of Civil Air Patrol; noncompliance with requirements 4858
Pan American Airways Corp., hearing 4905
COAST GUARD:
Passengers on ocean and coastwise vessels, monthly reports; waiver of navigation and vessel inspection regulations 4904
FEDERAL COMMUNICATIONS COMMISSION:
Radiocommunications systems, establishment and use in railroad operations; hearing 4905
FEDERAL TRADE COMMISSION:
Ferro Enamel Corp., et al., hearing 4906
GENERAL LAND OFFICE:
Alaska, land withdrawal for use of War Department 4904
INTERIOR DEPARTMENT:
Colonial National Historical Park, transfer of jurisdiction to Navy Department 4905
INTERNAL REVENUE BUREAU:
Gift tax:
Discretionary trusts 4858
Powers of appointment, extension of time in connection with release 4859
INTERSTATE COMMERCE COMMISSION:
Explosives, transportation of; miscellaneous amendments 4904
NATIONAL PARK SERVICE:
Fees; Yellowstone National Park 4903

(Continued on p. 4840)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

NATIONAL WAR LABOR BOARD: Page
Procedure, dispute cases 4860
OFFICE OF DEFENSE TRANSPORTATION:
Common carriers, coordinated operations:
Bridgeport and Waterbury, Conn 4909
McAllen and Roma, Tex 4908
Missouri 4908
Taxicab operators, coordinated operations:
Columbia, S. C 4910
Morganfield, Corydon, and Henderson, Ky 4909
Nashville, Tenn 4910
OFFICE OF PRICE ADMINISTRATION:
Adjustments, etc.:
B-Line Mfg. Co 4912
Bennett, Gordon 4913
Columbia Art Mfg. Co 4913
Electromatic Distributors, Inc 4914
Granite Lumber and Furniture Co 4912
Mills Furniture Mfg. Co 4912

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued. Page
Adjustments, etc.—Continued.
Northern Furniture Co 4913
Porter Elkhorn Coal Co., et al. (Corr.) 4912
Bakery products (RMPR 319, Am. 1) 4882
Bread and bakery products (SR 14B, Am. 2) 4896
Building materials, etc., manufacturers' maximum prices (MPR 188, Am. 34) 4882
Cane sugars, raw (RPS 16, Am. 6) 4880
Cotton goods, fine (MPR 11, Am. 16) 4879
Delegation of authority; hearing administrator and commissioners (Rev. Gen. Order 46) 4911
Ethyl alcohol (MPR 28, Am. 7) 4883
Excelsior, baled southern pine wood (Rev. SR 14, Am. 131) 4896
Food rationing for institutional users (Gen. RO 5, Am. 59, 63) (2 documents) 4873
Food rations, temporary (Gen. RO 9, Am. 6) 4874
Foods, processed (Rev. RO 13, Am. 30, 31; 2d Rev. Supp. 1, Am. 12, 14) (4 documents) 4876, 4881, 4883
Forest products, western primary (RMPR 284, incl. Am. 1–3) 4883
Fruits and vegetables, fresh; sales except at retail (MPR 426, Am. 28) 4877
Fuel oil (Rev. RO 11, Am. 4) 4874
Logging services, western contract (MPR 503, Am. 1) 4882
Meat, fats, fish and cheeses (RO 16, Am. 136, 137; Rev. Supp. 1, Am. 28) (3 documents) 4876, 4877, 4881
Military uniforms, altering and repairing services in San Diego area 4878
Piece goods, finished (MPR 127, Am. 2) 4879
Plywood, Douglas fir (2d Rev. MPR 13, Am. 1) 4882
Prohibitions, penalties and conditions, general (Gen. RO 8, Am. 8) 4878
Regional and district office orders:
Abalone, imported canned, San Francisco region 4915
Community ceiling price orders, lists of orders filed (3 documents) 4915, 4916
Firewood, Yakima County, Wash 4914
Rubber, scrap (RPS 87, Am. 11) 4879
Spices and spice seeds, raw (MPR 231, Am. 2) 4883
Sugar (Rev. RO 3, Am. 13) 4880
Surplus commodities, sales by U. S. Government (Supp. Order 87) 4879
Tanning materials, vegetable (MPR 531) 4893
PETROLEUM ADMINISTRATION FOR WAR:
Petroleum products, supply in District 1 (Dir. 59, Am. 2) 4897

CONTENTS—Continued

SECURITIES AND EXCHANGE COMMISSION: Page
Hearings, etc.:
Cities Service Co., et al 4920
Continental Cushion Spring Co 4922
Dallas Railway and Terminal Co 4917
Georgia Power and Light Co., et al 4918
Indiana Hydro-Electric Power Co., et al 4921
Mississippi River Power Co., et al 4919
North American Co 4917
Northern Indiana Public Service Co 4922
SELECTIVE SERVICE SYSTEM:
Conscientious objector camps, organization, etc.; operated by:
National Service Board for Religious Objectors 4861
U. S. Government 4863
Records, handling outside continental U. S., delegation of authority 4922
STATE DEPARTMENT:
Blocked nationals, proclaimed list 4858
WAGE AND HOUR DIVISION:
Needlework industries in Puerto Rico, home workers 4860
WAR DEPARTMENT:
Bills and accounts, payments under contracts, formal and informal 4841
Contracts, termination for convenience of Government 4851
Medical and dental attendance, subsistence charges 4841
Procurement of military supplies and animals:
Bonds and insurance 4843
Contracts 4842
Interbranch and interdepartmental purchases 4843
Labor 4844
Renegotiation and price adjustment 4846
WAR FOOD ADMINISTRATION:
Delegation of authority:
Director of Distribution 4922
Regional directors of distribution 4923
Oilseed, June 1944 set aside requirements for processors (WFO 9–9) 4839
WAR PRODUCTION BOARD:
Aluminum ingot, acceptance of orders and shipment (CMP Reg. 1, Dir. 49) 4869
Certificates:
Dallas, Tex., transportation and delivery of flowers, etc. (Certificate 161, Rev.) 4924
Durango, Colo., transportation and delivery of dairy products (Certificate 134, Rev.) 4924
Keokuk, Iowa, transportation and delivery of milk (Certificate 187, Rev.) 4924
Milwaukee County, Wis., transportation and delivery of drugs (Certificate 138, Rev.) 4924

(Continued on next page)

CONTENTS—Continued

WAR PRODUCTION BOARD—Cont. Page
Certificates—Continued.
New York City area, transportation and delivery of newspapers (Certificate 185, Rev.) 4924
Petroleum products in District 1, approval of PAW directive (Certificate 158, Am. 2) 4923
Recommendation of Petroleum Coordinator for War (Certificate 24, Rev.) 4924
Topeka, Kans., transportation and delivery of food products (Certificate 117, Rev.) 4924
Farm supplies (PR 19) 4866
Iron and steel products (M–21) 4871
Signal and alarm equipment (Dir. 24, Supp. 1) 4865
Suspension orders, etc.:
Amalgamated Steel Co 4924
Georgian Furniture Co., Inc 4923
Walton Industries, Inc 4869
Wetherill, C. S., Jr 4865
Tobacco flue sheets (CMP Reg. 4, Dir. 2) 4869
Water heaters (L–188) 4870
Wax paper rolls in cutter boxes, household (L–120, Schedule X) 4869
Wool (M–73) 4872
WAR SHIPPING ADMINISTRATION:
"Benson," vessel ownership determination 4924

titled to credit such deliveries made in May 1944 against the quantity of oilseed meal which he is required to set aside in June 1944, if he makes the report provided for in paragraph (d) (1) hereof.

(3) Shipment of any oilseed meal, set aside pursuant to this order must be made by a processor within twelve days of the receipt of any such certificate.

(4) The original and the processor's copy of appropriately executed certificates shall be sent by the person responsible for their issuance directly to the processor and a copy shall be sent to the designated buyer. The designated buyer and the processor shall arrange the details of transfer of materials designated on the certificate, using such intermediary parties as the processor may designate. The processor who delivers such oilseed meal pursuant to a certificate shall file such certificate as required under the provisions of paragraph (d) (2).

(5) No processor shall be required to honor a Certificate of Designated Buyer unless the designated buyer furnishes the processor or his agent, before midnight of June 20, 1944, with (i) shipping instructions, and, in the case of designated buyers other than feeders, (ii) the statement required by paragraph (h) of War Food Order No. 9. If a processor elects not to honor a Certificate of Designated Buyer under the provisions of this paragraph, he shall return such certificate to the issuing office and he may dispose of the oilseed meal covered by the certificate free from the restrictions of this order.

(c) *Existing contracts.* If this order makes it impossible for a processor to fill all of his contracts for the delivery of oilseed meal, which are in existence on the date of the issuance of this order, he shall not, by reason of this order, refuse to make delivery of more than 20 percent of the oilseed meal covered by any such contract.

(d) *Processor's reports*—(1) *Report of tonnage for May delivery for credit against June set aside.* If a processor wishes to make deliveries of oilseed meal pursuant to this order in May 1944 for credit against his set aside in June 1944, he must report to the Director in writing (or by telegraph) not later than May 25, 1944, the estimated tonnage of each kind of oilseed meal which will be available at each of his processing plants for delivery in May 1944 for such credit. Each processor may also submit such additional information as he deems pertinent to the allocation or distribution of oilseed meal to be set aside under this order.

(2) *Report of tonnage set aside and deliveries made.* Each processor subject to this order shall file a report with the Director on FPA Form 2 not later than July 10, 1944, for each plant operated by him. Certificates of Designated Buyers, pursuant to which oilseed meal has been delivered, shall be attached to and made a part of FPA Form 2.

(e) *Certificates issued by County Agricultural Conservation Committees.* No County Agricultural Conservation Committee shall issue Certificates of Designated Buyers unless authorized to do so by its State Agricultural Conservation Committee.

(f) *Communications.* All reports required to be filed hereunder and all communications concerning this order, unless instructions to the contrary are issued, shall be addressed to the Director of Production, War Food Administration, Washington 25, D. C., Ref: WFO 9–9.

NOTE: The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423, E.O. 9392, 8 F.R. 14783; WFO 9, 8 F.R. 16960, 9 F.R. 4319)

Issued this 6th day of May 1944.

J. B. HUTSON,
Director of Production.

[F. R. Doc. 44-6492; Filed, May 6, 1944; 3:16 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 35—PAYMENT OF BILLS AND ACCOUNTS

PAYMENTS UNDER CONTRACTS, FORMAL AND INFORMAL

In § 35.8 (f) (9 F.R. 1843) subparagraph (3) is amended as follows:

§ 35.8 *Adjustments.* * * *

(f) *Delay in performance.* * * *

(3) *When liquidated damages provided for in contract.* (i) Whenever, under a contract containing a liquidated damages clause, the contractor fails to perform within the stipulated period and the time is not extended or the liquidated damages waived, the disbursing officer will withhold from payment and, when final payment is made under the contract, will deduct the maximum amount of liquidated damages for which the contractor may be liable and claim credit for the net amount only, crediting the amount so deducted to the open allotment and project account No. 1–970 P 970–13, Reserve for Settlement of Claims, subject to final adjustment by the General Accounting Office. Except as provided in subdivision (v) below, amounts withheld on account of liquidated damages will not again become available for obligation or for payment by disbursing officers, and settlement thereof may only be authorized by the General Accounting Office. Any protests made by the contractor against the deductions of liquidated damages will be forwarded, together with a statement of all payments made, citations to all vouchers and a detailed statement from the contracting officer, through the Fiscal Director, Headquarters, Army Service Forces, The Pentagon, Washington 25, D. C., to the General Accounting Office. See 16 Comp. Gen. 374, and Procurement Regulations No. 308–E. (§ 81.308e of this title).

* * * * *

(v) In the event that liquidation damages are withheld and credited to account No. 1–970 P 970–13 and subsequently it is determined that such amounts were withheld erroneously or are otherwise found to be due to the contractor, by reason of changes in the contract terms or by reason of any other procedures approved by appropriate authority providing for repayments of amounts so withheld, the amounts so determined to be payable may be certified on a payment voucher and charged to account No. 1–970 P 970–13 under the applicable appropriation. (R.S. 161; 5 U.S.C. 22) [Par. 5*f*, AR 35–6040, Feb. 1, 1944, as amended by C1, Apr. 27, 1944]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44-6485; Filed, May 6, 1944; 12:45 p. m.]

Chapter VII—Personnel

PART 77—MEDICAL AND DENTAL ATTENDANCE

SUBSISTENCE CHARGES

Subparagraph (1) of § 77.18 (a) (8 F.R. 3664) is amended as follows:

§ 77.18 *Subsistence and other charges for patients*—(a) *Subsistence charges; rates.* * * *

(1) For officers, Army nurses, militarized female personnel of the Medical Department on an officer status, and officers of the Women's Army Corps, warrant officers, and aviation cadets, $1 a day, except in mobile hospital units, where the rate will be an amount equal to the commutation rate prescribed in Army regulations. Cadets of the United States Military Academy will be charged not to exceed the amount per day appropriated for their subsistence by Congress. Retired enlisted men who have been advanced on the retired list to commissioned or warrant grades under the provisions of the act of Congress ap-

proved 7 May 1932 will be subsisted as officers patients unless they elect to be subsisted on enlisted status. See subparagraph (4) of this paragraph. (R.S. 161; 5 U.S.C. 22) [Par. 12a, AR 40-590, Feb. 2, 1942, as amended by W.D. Cir. 170, May 1, 1944]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44-6486; Filed, May 6, 1944; 12:46 p. m.]

Chapter VIII—Procurement and Disposal of Equipment and Supplies

[Procurement Regs. 3, 4, 6, 9, 12, and 15]

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following amendments and additions to the regulations contained in Parts 81 and 88 are hereby prescribed. These regulations are also contained in War Department Procurement Regulations dated 5 September 1942 (7 F.R. 8082) as amended by Change 33, 28 April 1944,[1] the particular regulations amended being Nos. 3, 4, 6, 9, 12, and 16.

In section numbers the figures to the right of the decimal point correspond with the respective paragraph numbers in the procurement regulations.

AUTHORITY: Section 5a, National Defense Act, as amended, 41 Stat. 764; 54 Stat. 1225; 10 U.S.C. 1193-1195, and the First War Powers Act 1941, 55 Stat. 838; 50 U.S.C. Sup. 601-622.

[Procurement Reg. 3]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

CONTRACTS

In § 81.303 paragraph (f) is amended as follows:

§ 81.303 *General requirements for contracts.* • • •

(f) *Partial payments.* It is to be noted that any type of contract, including the purchase order, may provide for partial payments upon completion of the delivery of one or more complete units called for under the contract, or upon the completion of one or more distinct items of service called for thereunder. Any existing contracts which provide for a single payment may be amended to provide for such partial payments. Likewise, prior to delivery, payments may be made on work in progress for the Government, provided that the contract contains a clause similar to one of the contract clauses set forth in §§ 81.330 and 81.331. Contracts (including purchase orders) under which it is contemplated that more than one payment will be involved must, of course, be numbered as required by § 81.309 (a) and distributed in accordance with § 81.316.

[1] For previous changes see 7 F.R. 9268, 10184, 10906; 8 F.R. 3339, 5210, 6576, 7526, 8629, 8918, 9908, 11609, 12043, 13083, 13791, 14512, 16009, 16100, 17464; 9 F.R. 1344, 2975 and 4066.

In § 81.308b (a) (1) (iii) inferior subdivisions (a), (b) and (c) are amended as follows:

§ 81.308b *Correction of mistakes.* (a) • • •

(1) • • •

(iii) • • •

(a) The notice of the mistake must have been given by the contractor to the contracting officer before completion of performance and before the giving of notice of termination of the contract; *Provided,* That in case of contracts for sale of government property, such notice must be given by the purchaser to the contracting officer before completion of deliveries by the government or before final payment by the purchaser, whichever is later.

(b) The charge involved must not result in an adjustment in excess of $50,000; and

(c) Where the contract was made as a result of a formal or informal invitation to bid the change must not result, in the case of contracts for the sale of government property, in the payment by the contractor of a sum less than the amount of any bid submitted by any other bidder upon substantially the same terms and conditions, and in the case of other contracts, in the payment to the contractor of a sum in excess of the amount of any bid submitted by any other bidder upon substantially the same terms and conditions, except that, in either case, if the contract was not originally placed on a basis of competition as to price but primarily on the basis of other considerations the limitation contained in this inferior subdivision (c) shall not be applicable.

• • • • •

Section 81.308f is amended as follows:

§ 81.308f *Amendment of contracts after final administrative determination of amount due.* The authority granted to the chiefs of the technical services pursuant to §§ 81.308b (a) (1), 81.308e (a), 81.379 and 81.380 will not be exercised (a) in the case of contracts for the sale of government property, after the completion of delivery by the government or final payment by the contractor, whichever is later or (b) in the case of other contracts, after the contracting officer has administratively determined the final amount due under the contract by communicating his determination to the contractor or by the approval of a final voucher therefor, except that if the contracting officer's determination is, by the terms of the contract, subject to review by the Secretary of War, or his duly authorized representative, such authority may be exercised at any time prior to final action on such review if the contractor perfects his right to such review. Attention is directed to the provisions of § 81.308g.

In § 81.309 paragraphs (a) and (b) (3) are amended:

§ 81.309 *Numbering contracts*—(a) *When required.* (1) Every contract involving the receipt or expenditure of public moneys will be numbered when:

(i) The actual or estimated amount involved is $5,000 or more, or

(ii) It is contemplated that more than one payment (or receipt) will be involved, regardless of the amount involved.

(2) The provisions of subparagraph (1) are not applicable to delivery orders evidencing interbranch or interdepartmental purchases (see § 81.605a and §§ 81.606-81.614). Such delivery orders need only to be given such designation as may be prescribed by the chiefs of the technical services. If, however, it is contemplated that any such order will involve more than one payment, it must be numbered in accordance with paragraph (b) of this section or § 81.318b (e) unless the procedure prescribed in subparagraph (3) of paragraph (a) of § 81.318 is followed.

(b) *System.* • • •

(3) The letter or letters representing the technical service. No approved letter symbol may be changed, nor may any new letter symbol be adopted, unless approval therefor is first obtained from the Office of the Fiscal Director, Headquarters, Army Service Forces, which, before granting any such approval is required to obtain formal approval of the Comptroller General of the United States.

• • • • •

Paragraph (e) is added to § 81.317.

§ 81.317 *Unnumbered contracts.* • • •

(e) *Payments for partial deliveries under unnumbered contracts.* A contract may be entered into under which it was anticipated that delivery would be completed in a single shipment but due to subsequent unforeseen conditions and circumstances the contractor is precluded from completing such delivery and instead makes partial shipments in order to fulfill his obligation as expeditiously as practical. Under such circumstances payments, not to exceed five (5) in number on any given contract, may be made with respect to partial deliveries under unnumbered contracts: *Provided,* That the original signed contract is attached to the first payment voucher and cross references thereto noted on successive partial and final payment vouchers. Such cross references will include the following information as to the first payment voucher: the date and the disbursing officer's name and voucher number.

In § 81.318b paragraph (e) (1) (ii) is amended.

§ 81.318b *Contract procedure.* • • •

(e) *Numbering of service command contracts.* (1) • • •

(ii) The station number, that is, the station or office as published in the War Department Fiscal Code. There may be added to the station number a capital letter or other designation to indicate the branch by which the contract was executed. The following symbols will be used to designate the respective branches set opposite each symbol:

Q—Quartermaster.
S—Signal.
T—Transportation.
O—Ordnance.
E—Engineer.
M—Medical.
C—Chemical.
U—Repairs & Utilities Branch.
Tng—Training Branch.
AST—Army Specialized Training Branch.

No symbol other than those enumerated in the preceding sentences will be used unless approval for such use is obtained from the Legal Branch, Office of Director of Material, Headquarters, Army Service Forces. Any request for such approval should specify the reason why additional symbols are required. The Legal Branch will advise the Contract Service Section, Audit Division, General Accounting Office, Washington, D. C., of any approvals granted for the use of such additional symbols. It is to be emphasized that the use of the additional symbols authorized by this subdivision (ii) is for the convenience of the post, camp or station and, accordingly, is optional. The use of these branch symbols may be dispensed with or, if desired, a single branch symbol (and one series of contracts) may be used for more than one, but less than all, branches at a given post, camp or station.

In § 81.321 paragraph (d) is amended as follows:

§ 81.321 *Advance payments.* • • •

(d) *Security*—(1) *Requirements.* Advance payments shall be authorized only upon the furnishing of adequate security by the contractor. The security to be furnished will be that required under the provisions of the standard clauses or standard forms of supplemental agreements referred to in paragraph (k) of this section. A guarantee by, or bond of, a parent corporation is desirable if the subsidiary corporation has limited financial responsibility, especially in the case of a newly formed subsidiary corporation. Whether guarantees, subordination agreements or other security devices should be required, in connection with advance payments, is within the discretion of the person having authority to approve the authorization of advance payments. Advance payment bonds will be required only in the most exceptional circumstances (see §§ 81.406 (d) and 81.407 (a)).

(2) *Release of security upon liquidation of advance payments.* The execution, upon the liquidation of advance payments, of releases and agreements to release mortgages, guarantors in guaranty agreements, sureties on advance payment bonds, and other security devices, which may be required in connection with advance payments, will facilitate the prosecution of the war. Accordingly, such releases and agreements to release may be executed pursuant to Title II of the First War Powers Act, 1941, and Executive Order 9001, by the chief of a technical service or his duly authorized representative, or by the person to whom he may delegate such authority, in those cases where such security devices have been given to secure a specific advance payment or advance payments and no other obligations to the Government, and such advance payment or advance payments have been fully liquidated.

In cases where releases or agreements to release security devices, given in connection with advance payments, cannot be executed pursuant to the authority above granted, proposed releases or agreements to release, together with recommendations as to action requested, should be submitted to the Advance Payment and Loan Branch, Office of the Fiscal Director, for prior approval and execution by the Fiscal Director or his duly authorized representative to whom authority to execute such releases and agreements to release is granted pursuant to Title II of the First War Powers Act, 1941, and Executive Order 9001.

• • • • •

In § 81.342 paragraph headnotes are corrected to read as follows:

§ 81.342 *Articles governing statutory renegotiation.* • • •

(a) *Form I.* • • •

(b) *Form II.* • • •

(c) *Form III.*

[Form III] Renegotiation pursuant to the Renegotiation Act: Form for supplemental agreements.

Article ------ *Renegotiation.* • • •

In § 81.351 paragraph (d) is amended and paragraph (e) is deleted, as follows:

§ 81.351 *Price adjustment articles.* • • •

(d) *Article for use in contracts for the purchase of lumber; coal; or basic steel products from steel mills (Schedule I of CMP Regulation 1, as amended from time to time).*

Article ------ Escalation in relation to OPA ceiling prices. The contractor represents and warrants that the prices shown herein are not in excess of the maximum prices established by the Office of Price Administration, or other authorized government agency, and in effect upon the date hereof for the supplies to be furnished hereunder. In the event such maximum price applicable to any item is increased or decreased the price payable for any subsequent delivery of such item made in accordance with the provisions of the contract, shall be increased, or decreased, by the same number of cents, or fraction thereof, per unit, that such maximum price may be increased, or decreased, up to and including the date of delivery.

NOTE: Where the foregoing article is used, the following clause may be added:

Price adjustment in relation to other factors. In the event that the establishment and maintenance by the Office of Price Administration or other Government agency of maximum prices for the type of [lumber] [coal] [steel] covered by this contract is terminated during the contract period, and if during the remainder of such period changes should occur in working hours, wage scales, or other conditions of employment, which changes are a part of the general revision of such conditions [within the producing district where the coal is mined], the parties hereto, upon the request in writing of one to the other within 30 days after the effective date upon which any such change occurs, may redetermine by negotiation the unit price affected: *Provided,* That pending such negotiation the contractor shall continue deliveries hereunder. Any price redetermination as herein provided shall be applicable to all deliveries after the effective date upon which the change occurs permitting redetermination as herein provided.

(e) *Article for use only in long term contracts (six months or more) for the purchase of coal.* [Deleted] See paragraph (d).

• • • • •

[Procurement Reg. 4]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

BONDS AND INSURANCE

Section 81.490 (d) and (e) are amended as follows:

§ 81.490 *Settlement under the War Department insurance rating plan.* • • •

(d) The insurance carriers will be notified to submit simultaneously (1) to the technical service concerned the number of properly completed copies of final settlement forms required by it and (2) directly to the Contract Insurance Branch, Special Financial Services Division, Office of the Fiscal Director, Headquarters, Army Service Forces one (1) properly completed copy of such settlement form. The technical service concerned will promptly submit to the Contract Insurance Branch any information which it believes to be pertinent to the negotiations for settlement with the insurance carrier. The Contract Insurance Branch will take appropriate action to examine the final settlements, reach agreements with the carriers concerning the adjustment of losses and premiums, and secure Comprehensive Insurance Rating Plan Releases. If no changes are made in the settlement statement as submitted by a carrier, the Contract Insurance Branch will notify the technical service concerned of approval. In the event revised settlement statement is required, the Contract Insurance Branch will secure the necessary properly executed forms from the carrier and forward them to the technical service with the Contract Insurance Branch's approval of the settlement. When advised of approval by the Contract Insurance Branch, the technical service will take appropriate steps to close the account on the basis of the approved statement. The procedure prescribed in this paragraph will be followed on and after 29 April 1944.

(e) All appropriate action will be taken by the Contract Insurance Branch, Special Financial Services Division, Office of the Fiscal Director, Headquarters, Army Service Forces, with respect to the valuation and adjustment of losses and claims.

[Procurement Reg. 6]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

INTERBRANCH AND INTERDEPARTMENTAL PURCHASES

In § 81.606 (g) certain items under mandatory schedules are amended.

§ 81.606 *Purchases under contracts of Procurement Division, Treasury Department.* • • •

(g) *Mandatory schedules.* • • •

Description of item	Schedule of supplies	Period
• • •	• •	• •
Automotive storage batteries	17, Supp. No. 2 (Revised)	Mar. 16 to Sept. 15, 1944.
• • •	• •	• •
Floor and window coverings	27	Apr. 1 to Sept. 30, 1944.
• • •	• •	• •
Airplane tires and tubes	83	Apr. 24 to June 30, 1942 (extended to Aug. 31, 1944): opportunity

In § 81.608 paragraph (d) is added:

§ 81.608 *Purchases from Federal Prison Industries Inc., Department of Justice.* • • •

(d) *Attaching clearances to vouchers.* It is to be noted that it is no longer necessary to attach a copy of the clearance to the contract or voucher. It is sufficient to make reference on either the contract or the voucher to Clearance No. C-23445.

[Procurement Reg. 9]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

LABOR

In § 81.917 (b) (14) subdivision (ii) is added as follows:

§ 81.917 *Applicability.* • • •

(b) • • •

(14) (i) The following Article has been added to the aforementioned rulings and interpretations:

ART. 1102 *Toleration for Handicapped Workers.*

• • • • •

(ii) The Administrator of the Wage and Hour and Public Contracts Division has authorized the Vocational Rehabilitation Officers and the Acting Vocational Rehabilitation Officers of the Veterans' Administration to sign and issue temporary certificates authorizing the employment of veterans handicapped by a service incurred disability (as determined by the Veterans' Administration) under any vocational rehabilitation program administered by the Veterans' Administration, at sub-minimum wage rates pursuant to Section 14 of the Fair Labor Standards Act of 1938 and Section 524.14 of Part 524, as amended, of the regulations issued thereunder, and Article 1102, as amended, of Regulations No. 504 issued under Walsh-Healey Public Contracts Act.

• • • • •

In § 81.941 an undesignated paragraph is added at the end of paragraph (a).

§ 81.941 *Furniture industry.* • • •

(a) *Metal furniture branch.* • • •

It has been determined that the manufacture of steel fabric springs for metal folding cots, when to be supplied on government contracts subject to the Public Contracts Act, is covered by the Metal Furniture Branch of the Furniture Manufacturing Industry Minimum wage determination (Cir. Let. No. 4-44, 25 March 1944, Dept. of Labor).

• • • • •

In § 81.977ll paragraphs (i), (j), (m), and (n) are amended as follows:

§ 81.977ll *Functions and jurisdictions of the Salary Stabilization Unit and its regional offices.* • • •

(i) *Conferences.* The head of the regional office having jurisdiction of an application, or any of his legal or technical assistants, may grant a conference to the applicant or his representative when deemed advisable or when requested by the applicant but only after the applicant has complied with the provisions of paragraphs (d), (e), (f) and (h) of this section. At any such conference the applicant may be represented by a responsible officer or a duly authorized regular employee whose salary is not covered by the application. Any other representative must submit a power of attorney authorizing him to represent the applicant on salary stabilization matters and must also submit evidence of enrollment in accordance with the Conference and Practice Requirements of the Bureau, as revised February 1942. If additional facts are brought out at a conference they must be reduced to writing and sworn to as provided in paragraph (h) before they will be considered as a basis for a decision.

(j) *Authority of heads of regional offices.* The head of the regional office having jurisdiction of any application will have authority to approve or disapprove it for the Commissioner, wholly or in part, and his decision shall be deemed to be the Commissioner's determination under § 4001.4 of the general regulations of the Economic Stabilization Director (§ 81.976d of this chapter) (§§ 1002.10 and 1002.11 of the Salary Stabilization Regulations (§§ 81.977m and 81.977n of this chapter)), unless and until modified or reversed as provided in paragraphs (m) and (n) of this section; but any such decision may be set aside by the Commissioner if he finds that it has been arrived at through fraud, collusion, or misrepresentation of a material fact.

• • • • •

(m) *Reconsideration and review of decisions.* (1) If an application is disapproved wholly or in part and the applicant believes that all the facts in the case have not been fully presented and considered, he may submit a request for reconsideration to the head of the regional office having jurisdiction. Every such request shall be submitted in triplicate, shall be executed under oath in the manner provided by paragraph (h) of this section, and shall set forth fully all the additional facts on which the applicant relies. The regional office having jurisdiction will examine every such request and may grant a conference thereon, if deemed advisable or if requested by the applicant, under the conditions set forth in paragraph (i) of this section; but no such conference will be arranged until the regional office has had opportunity to consider the additional facts set forth in the request for reconsideration. On reconsideration the head of the regional office may modify his prior decision if he finds that the facts warrant such action.

(2) An applicant may request that the decision of the head of the regional office be reviewed by the Deputy Commissioner. If the applicant relies on additional facts as the basis for such a review, he shall submit with his request a full statement of such facts in triplicate, duly sworn to as provided in paragraph (h) hereof. If the applicant does not wish to present additional facts as a basis for review, he shall so state in his request for review. If, on examination of any additional facts submitted, the head of the regional office finds grounds for considering the case further, he may proceed as provided in paragraph (n) of this section. Otherwise, he will forward the file promptly to the Deputy Commissioner with a concise statement of the reasons for disapproval or partial disapproval of the application.

(n) *Review of application.* On receipt in the Deputy Commissioner's office, every such request for review will be examined to determine whether or not it makes a prima facie showing of error on the part of the regional office. If in the Deputy Commissioner's judgment it does not do so, the request will be denied. In cases in which a prima facie showing of error has been made, a conference may be granted, if deemed advisable or if requested by the applicant, under the conditions set forth in paragraph (i) of this section; but no such conference will be arranged until the Deputy Commissioner or his representative has had an opportunity to examine the file and determine whether further consideration of the case is warranted.

• • • • •

In § 81.979 paragraphs (a) (2) (iii), (b), (c), (i) (2), (1) (4), (m), (n), (o), and (r) (3) are amended as follows:

§ 81.979 *Jurisdiction and procedure of Regional War Labor Boards.* • • •

(a) *Constitution of regions and regional War Labor Boards.* • • •

(2) • • •

(iii) Representatives of the public, four of whom are to be available for service with the regional war labor board at any given time. There is a chairman and one or more vice-chairmen, designated by the National War Labor Board from among full-time members.

• • • • •

(b) *Procedure in dispute cases not involving wages or salaries.* (1) If the National War Labor Board refers a labor dispute over which it has obtained jurisdiction to a regional war labor board, the regional war labor board to which the case is referred will be notified and a formal certification, together with all other available data and reports, will be transmitted to it.

(2) Upon receipt of the certification, the case will be considered by a New Case Committee of the regional war labor board, composed of the chairman or vice-chairman, one industry, and one labor member, and the disputes director. The New Case Committee, in determining what action to take, will consult with the regional representative of the Conciliation Service. If the committee does not consider the case ready for a hearing, it may refer the case back to the parties for further negotiation or to the regional representative of the Conciliation Service for further information or further investigation or conciliation. If the case is deemed ready for a hearing, the committee will designate a tripartite panel to hear the case, unless the parties agree to have the case heard by a single person, in which event the regional war labor board will designate one of the public panel members or some other suitable person to hear the case. Wherever the term "panel" is hereafter used, it will be deemed to include a single hearing officer in the cases just mentioned.

(3) If a case is assigned to a panel, the panel shall advise the parties that they may if they so desire, submit their evidence and argument in writing. If the parties mutually agree in writing to such a presentation, the disputes director shall transmit to them any request for information required by the panel and shall advise them of the procedure to be followed in submitting their case. If the parties do not agree to present their case in writing, a public hearing shall be held in accordance with the Rules of Procedure of the National War Labor Board.

(4) Any member of the regional board who in a particular case serves as a hearing officer or on a panel shall be disqualified from participating in any other capacity in any further proceedings in the case.

(5) If the panel's report is unanimous, the regional war labor board will not, save in exceptional cases, hear argument upon the matter but will proceed to a decision. If the report is not unanimous, the regional war labor board may in its discretion hear argument upon the case before reaching a decision.

(6) Any regional war labor board may certify to the National War Labor Board any case, or any question in any case, upon which it desires the National War Labor Board's decision; but the National War Labor Board may in its discretion reject such certification and require the regional war labor board to decide the case or the particular question, with or without a subsequent review by the National War Labor Board.

(7) At any time before its decision of a dispute case, the regional board may, upon the request of a party or upon its own motion, order a further hearing to be held before the board or a panel for the purpose of receiving evidence not introduced at any prior hearing in the case. The conduct of such hearing shall be governed by the Rules of Procedure of the National War Labor Board.

(c) *Procedure in dispute cases and in arbitration proceedings involving wages or salaries.* The procedure will be the same as in other dispute cases (see paragraph (b) of this section), except as follows:

(1) If an agreement between the parties calling for a wage or salary adjustment is brought about, the conciliator assigned to the dispute or the panel chairman or the hearing officer, as the case may be, will file the agreement directly with the appropriate regional wage stabilization director together with a completed application Form 10, which he will assist the parties in preparing. Conciliators, through the regional representative and panels will be at liberty in all cases to consult the regional wage stabilization director in advance of any settlement regarding the application to the particular situation of the Board's wage stabilization policy.

(2) If an agreement to refer the wage or salary question to arbitration is brought about, whether as a result of conciliation or without it, and the arbitrator's award provides for a wage or salary adjustment, a copy of the award, together with all of the information submitted to the arbitrator relating to the wage or salary issue, shall be filed by the arbitrator directly with the regional board at the same time that it is issued to the parties. Arbitrators shall consult the regional wage stabilization director, in advance of any award, regarding the application to the particular situation of the Board's wage stabilization policy.

(3) If an agreement calling for an adjustment has been reached the procedure therefor will be the same as in voluntary wage and salary adjustment cases. If the case has resulted in an arbitration award, the procedure will be that set forth in the Arbitration Policy of the National War Labor Board. A ruling of the National Board approving, modifying, or disapproving the award shall have the same effect, and be subject to the same provisions for stay and review, as similar rulings of the National Board on an application for the approval of a voluntary wage or salary adjustment. In all cases the conciliator, hearing officer, or panel chairman should remind the employer that he should promptly upon receiving the award or report (and without waiting for the Board's decision) apply to the Office of Price Administration for price relief if he intends to make any order requiring increased payment of wages and salaries the basis for asking such relief.

• • • • •

(l) *Disposition of applications for approval of wage or salary increases in which the application indicates that no price relief will be sought if approval is granted.* • • •

(2) If the regional wage stabilization director disapproves the application (or approved a lesser increase than that requested), the applicant, or any applicant if there be more than one, may within ten days after the date of the issuance of the ruling file with the regional war labor board a petition for a review by that board of the action of the regional wage stabilization director. Upon receipt of such a petition the regional board shall rule upon the application on the basis of the entire record of the case and such other information as may be available to it.

• • • • •

(l) *Applications for approval of voluntary wage or salary adjustments.* • • •

(4) Rulings of the Regional Board on voluntary applications for approval of wage or salary adjustments shall take effect when issued to the parties. Such rulings may be issued to the parties when made unless two or more public members of the Regional Board who dissent from a ruling request that the issuance of the ruling or any specified portion thereof be stayed and at the same time state the reasons for their request. In such event the ruling or the specified portion thereof and the accompanying request shall immediately be transmitted by the Regional Board to the National War Labor Board and may be issued to the parties only upon the expiration of ten days after its receipt in Washington, unless (i) the ruling is earlier approved by the Board or (ii) within such ten-day period the National War Labor Board sets the case down for review. In the latter event the Executive Assistant to the National War Labor Board shall communicate the National Board's action to the Regional Board, and the requested stay shall continue in effect until the case is finally disposed of. If only a specified portion of a ruling is asked to be stayed, as herein provided, the Regional Board may, in its discretion, issue to the parties any other unrelated provisions of the ruling at any time after the ruling made.

(m) *Directive orders in dispute cases.* (1) Regional War Labor Boards are authorized to issue directive orders in dispute cases in conformity with the policy of the National War Labor Board. Each such directive order shall bear the date of its actual issue and shall be issued to the parties when made. If after the issuance of such an order no timely petition for review is filed (as provided in paragraph (n) of this section), and if the National War Labor Board within such a period does not review the order on its motion, the order shall on the day following the last day for filing such a petition stand confirmed as the order of the National War Labor Board and shall immediately be effective according to its terms: *Provided*, That the National War Labor Board may at any time prior to the expiration of the time for the filing a petition for review make such an order, or any part thereof, immediately effective pending any further proceedings. If a timely petition for review of a directive order of a Regional Board is filed by a party, or if the National War Labor Board reviews such an order on its own motion, the entire order shall be suspended, unless and until the National War Labor Board directs, or has directed, otherwise, or unless the parties otherwise agree. However, the date of expiration of the escape period fixed in a directive order of a Regional Board granting a maintenance of membership provision shall not be affected by the filing of a petition for review of this or any other

provision of the order. If only a part of the order is sought to be reviewed, any party may petition the National War Labor Board to make the rest of the order immediately effective according to its terms. The parties may in any case mutually agree upon the date when the order, or any part thereof, shall take effect, except that where a wage or salary adjustment is made subject to the approval of the Economic Stabilization Director, the parties may not by their agreement make such adjustment effective prior to the date of such approval.

(2) Copies of all directive orders and of any accompanying opinions (together with such other material as the Wage Stabilization Division may require) shall, when issued, be filed with the National War Labor Board.

(n) *Petitions for review.* Within fourteen days after a regional board mails to a party a ruling denying or modifying a voluntary application for approval of a wage or salary adjustment, or remits to him a directive order in a dispute case, such party to the case may mail to the Board at Washington, D. C., an original and four copies of a petition, including supporting documents, seeking review by the Board of such ruling or directive order. The petition shall (1) state the petitioner's reasons for believing that one or more of the criteria set forth below is satisfied, (2) set forth fully and in detail the contentions of the petitioner with respect to the merits of each issue raised by the petition, with specific references to any pertinent portions of the record in the case, and (3) state that a copy of the petition has been served upon the other parties to the case and upon the Regional Board whose ruling or order is sought to be reviewed and the dates of each such service. No such petition shall be granted unless the petitioner has demonstrated by substantial proof that (1) the order exceeds the National War Labor Board's justification, or (2) the order contravenes the established policies of the National War Labor Board, or (3) a novel question is involved of such importance as to warrant national action, or (4) the procedure resulting in the order was unfair to the petitioner and has caused substantial hardship. The party filing a petition shall at the same time serve a copy thereof, together with any supporting documents, upon each of the other parties to the proceeding and upon the Regional Board.

(o) *The answer.* Within fourteen days after a copy of a petition for review is mailed by the petitioning party to any other party to the case, such other party may mail to the National War Labor Board an answer to the petition. An original and four copies of the answer shall be transmitted to the National War Labor Board in Washington, D. C., a copy shall at the same time be served upon the Regional Board and upon each of the other parties to the case. Such an answer shall include a statement that a copy thereof has been served as required above, and shall show the date of such service. An answer may not contain a request for review of an order or any part thereof; such a request must be filed, if at all, in the form of a petition for review in the manner and within the time limit provided in paragraph (n) of this section. Each answer should state fully but concisely the respondent's reason for believing (1) that the petition ought not to be entertained, and (2) that, if the National War Labor Board decides to entertain the petition, the petition should be denied on the merits. The Regional Board may, within the same period, file comment on the petition with the National War Labor Board, copies of which shall be served upon the parties.

* * * * *

(r) *Reconsideration of directive orders and rulings.* * * *

(3) The Regional Board shall not act on any petition for reconsideration of a directive order or ruling unless (i) the petition is mailed to the Regional Board within fourteen days after the mailing by the Regional Board of the order or ruling in question and sets forth with particularity the the grounds upon which the petition is based, or, (ii) the petition is filed promptly upon the petitioner's discovering material and substantial evidence which the petitioner was unable, despite due diligence, to discover in time to present to the Regional Board before it issued its order or ruling, and sets forth with particularity such evidence, or (iii) the petition is filed promptly upon the occurrence of events after the date of the order or ruling which make the order or ruling harsh or unfair, and set forth with particularity such events. If a petition for reconsideration is filed under subdivision (ii) or (iii) of this subparagraph, and the Regional Board deems that the evidence submitted warrants reconsideration of the directive order or ruling, it shall provide the parties a hearing on such new matters.

* * * * *

Section 81.980d is amended as follows, paragraphs (a) and (b) as previously published having been deleted:

§ 81.980d *General Order No. 4.*

General Order No. 4. (a) Wage adjustments made by employers who, at the time the adjustment is agreed to, or if not made by agreement, at the time it is placed into effect, employ a total of not more than eight individuals in all their plants or units are exempted from the provisions of Executive Order No. 9250 of October 3, 1942, and Executive Order No. 9328 of April 8, 1943.

(b) Unless expressly exempted, the exemption granted by this order shall not apply to employers whose employees' wages, hours, or working conditions have been established or negotiated on an industry, association, area, or other similar basis, by a master contract or similar or identical contracts.

The National War Labor Board has, under this paragraph, approved the extension of the exemption provided for in paragraph (a) of this order to:

(1) Employees of barber shops (May 19, 1943).

(2) Employees of beauty shops and the like (May 28, 1943).

(c) The exemption granted by this order shall not apply to an employer who, during any given year following October 3, 1942, in the case of wages, or October 27, 1942, in the case of salaries, has made adjustments affecting eight specific employees.

(d) The Regional War Labor Boards may recommend to the National War Labor Board such exceptions to the provisions of this order as are necessary to effectuate the wage stabilization policies of the National War Labor Board, which exception, if approved by the National War Labor Board, shall, unless otherwise specified, apply only within the territorial jurisdiction of the Regional Board recommending them.

The National War Labor Board, under this paragraph, has approved the following exceptions to the exemption provided for in paragraph (a) of this order:

(1) Tool and die industry (General Order 4–A, October 23, 1942).

(2) Shoe repair industry in California (April 10, 1943).

(3) Tool and die industry in Region I (May 31, 1943).

(4) Logging, sawmill, and planing mill operations in California, Oregon, Washington, Idaho and Western Montana (General Order 4–C, June 26, 1943).

(5) Dental technicians, garage employees, and seed industry workers in Region XII (August 3, 1943).

(6) Cotton-ginning employees in Region VIII (August 17, 1943).

(7) Hotel and restaurant industry in Region X (October 2, 1943).

(8) Retail coal distributors in Region IX (October 29, 1943).

(9) Photo engravers (November 13, 1943).

(10) Schiffli embroidery industry in Region II (November 13, 1943).

(11) Grocery stores and meat markets in Region IX (November 13, 1943).

(12) Operators in the lumber and pulp industry in Region I (January 8, 1944).

(13) Retail lumber establishments in Regions VI, VII, IX, and XII (January 17, 1944).

(14) Retail butcher shops in Louisville, Ky., area, whether exclusively or in conjunction with or as a part of some other retail business (February 5, 1944).

(15) Employers engaged in the business of window cleaning in the Greater Cleveland Area (February 8, 1944).

(16) Employers in the rig-building branch of the petroleum industry in the area where uniform wage brackets have been set as provided in the order of the Board of March 3, 1944 (27 states in mid-continent area, in Regions IV, V, VI, VII, IX, and XI, inclusive).

(17) All employers in Cuyahoga County, Ohio, who are engaged in the business of repairing and/or rebuilding gasoline operated motor vehicles and/or trailers, both bodies and chassis, for others.

(a) *General Order No. 4–A.* [Deleted]

(b) *General Order No. 4–C.* [Deleted]

[Procurement Reg. 12]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

RENEGOTIATION AND PRICE ADJUSTMENT

Section 81.1200 is amended as follows:

§ 81.1200 *Scope of regulation*—(a) *General.* This Procurement Regulation No. 12 deals with policies and contract provisions of all types relating to the adjustment of prices under contracts with the War Department and subcontracts thereunder. Sections 81.1201–81.1214 deal with the contract provisions and procedure for statutory renegotiation under those provisions of the Renegotiation Act pertaining to fiscal years ending after June 30, 1943. Sections 81.1220–81.1247 discuss various optional clauses providing for price adjustment independently of statutory renegotiation. Sections 81.1250–81.1252 discuss the adjustment of prices under the First War Powers Act in order to adapt contracts to changing conditions and to relieve contractors from hardship. These contract clauses and policies are intended to carry out the general purchase policies stated in Procurement Regulation No. 2. (§ 81.201 et seq.)

(b) *Regulations rescinded.* Temporary Procurement Regulations 10–T and 17–T, issued April 30, 1942 and May 11, 1942, by Headquarters, Army Service Forces, and all directives and instructions relating to contract provisions for revision and renegotiation of contract prices, issued prior to 1 July 1942 have been rescinded (see § 81.104).

STATUTORY RENEGOTIATIONS

Section 81.1201 is amended as follows:

§ 81.1201 *Definitions; scope*—(a) *Definitions.* As used in this Procurement Regulation No. 12, the following terms have the meaning set forth below:

(1) "Renegotiation Act of 1943"; "1943 Act." These terms mean section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942 (Public Law 528, 77th Congress, approved April 28, 1942) as amended by section 701 of the Revenue Act of 1943 (Public Law 235, 78th Congress enacted February 25, 1944) and as effective with respect to fiscal years ending after June 30, 1943.

(2) "Renegotiation Act of 1942"; "1942 Act". These terms mean section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended through July 14, 1943, and as further amended by those provisions of section 701 of the Revenue Act of 1943 which are made effective as if they had been a part of section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended, on the date of its enactment. (See Public Law 235, 78th Congress, sec. 701 (d).)

(3) "Statutory renegotiation". This term means renegotiation pursuant to the provisions of the Renegotiation Act of 1943.

(4) "Departments". This term means the War, Navy, and Treasury Departments, the Maritime Commission, the War Shipping Administration, the Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation and Rubber Reserve Company.

(5) "Secretary". This term means the Secretary of the War, Navy and Treasury Departments, the Chairman of the Maritime Commission, the Administrator of the War Shipping Administration, and the Boards of Directors of the Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation and Rubber Reserve Company.

(6) "War Contracts Board. This term means the War Contracts Price Adjustment Board established by the Renegotiation Act of 1943.

(b) *Scope.* Sections 81.1201–81.1214 discuss the various aspects of statutory renegotiation, in three parts. Sections 81.1202 to 81.1205 deal with the provisions of the Renegotiation Act of 1943 (paragraph (a) (1) of this section) and the exemptions and exclusions therefrom. Sections 81.1207 to 81.1210 discuss the contract articles for statutory renegotiation and their use. Sections 81.1213 and 81.1214 deal generally with the policies and procedures governing statutory renegotiation. Renegotiation pursuant to the Renegotiation Act of 1942 (paragraph (a) (2) of this section) is not discussed herein. For the text of the 1942 Act and the procedures, policies and interpretations thereunder, reference is made to the Joint Renegotiation Manual and the Army Renegotiation Manual which are applicable to fiscal years ending before 30 June 1943.

Sections 81.1202 to 81.1205 are amended as follows:

§ 81.1202 *Statutory provisions*—(a) *Renegotiation Act of 1943.* For the complete text of the 1943 Act reference is made to the renegotiation regulations to be issued by the War Contracts Board.

(b) *Section 3806 of the Internal Revenue Code.* Section 3806 of the Internal Revenue Code referred to in subsection (c) (2) of the 1943 Act provides that the amount of federal income and excess profits taxes paid or payable with respect to any excessive profits must be credited against the amount of such profits in computing the amount to be refunded by the contractor or subcontractor, or otherwise recovered.

§ 81.1203 *Effect of 1943 Act*—(a) *Coverage.* (1) The 1943 Act applies to all contracts made by the Departments and subcontracts thereunder, with the exceptions stated under paragraph (d) of this section and §§ 81.1204 and 81.1205. With those exceptions the 1943 Act directs the War Contracts Board to renegotiate with every contractor with a Department, and every subcontractor under a contract with a Department, whenever in its opinion the profits received or accrued under such contracts or subcontracts may reflect excessive profits, whether or not the contract or subcontract contains a renegotiation article (subsection (c) (1)).

(2) Subcontracts as defined in the 1943 Act include purchase orders or agreements to perform all or any part of the work, or to make or furnish any article, material, part, assembly, machinery, equipment or other personal property (except office supplies), required for the performance of another contract or subcontract, and any agreements to procure such contracts or subcontracts. Such subcontracts are not limited to those made by the prime contractor but include those made by subcontractors and lower tiers of subcontractors unless specifically exempt (subsection (a) (5)).

(b) *Contract articles.* With certain exceptions discussed under §§ 81.1204 and 81.1205, the 1943 Act requires that each prime contract over $100,000 contain a contract article dealing with renegotiation. (See §§ 81.1207–81.1210 and 81.342.) As stated in paragraph (a) of this section, contracts or subcontracts which do not include a renegotiation article are nevertheless subject to the 1943 Act unless such contracts or subcontracts are expressly excluded.

(c) *Administration of renegotiation.* In connection with the provisions of the 1943 Act relating to its administration and the application of such provisions, reference is made to the renegotiation regulations to be issued by the War Contracts Board and the supplementary instructions issued thereunder.

(d) *Exclusions.* (1) The 1943 Act is inapplicable to any contract or subcontract on which final payment was made before April 28, 1942.

(2) The 1943 Act is inapplicable if the aggregate amount received or accrued by the contractor or subcontractor and all persons under the control of or controlling or under common control with it under contracts with the Departments and subcontracts thereunder during its fiscal year ending after June 30, 1943, will not exceed $25,000 from subcontracts for procuring contracts or subcontracts or $500,000 from all other contracts with the Departments or subcontracts thereunder.

(3) Certain contracts or subcontracts are exempt or may be exempted from the provisions of the 1943 Act under subsection (i) of such act. These exemptions are discussed in §§ 81.1204 and 81.1205.

(e) *Expiration of the act.* Subsection (h) of the 1943 Act provides that it shall apply only to profits from contracts and subcontracts which are attributable to performance prior to the "termination date" of the act. Reference is made to subsection (h) of the 1943 Act and to the renegotiation regulations to be issued by the War Contracts Board for the definition of "termination date" and the determination of the profits which are deemed attributable to performance prior to such date.

§ 81.1204 *Mandatory exemptions from statutory renegotiation*—(a) *Contracts with governmental agencies.* (1) In this paragraph the term "other Government Agency" includes (i) any department, bureau, agency or governmental corporation of the United States, (ii) any territory, possession or state or any agency thereof, and (iii) any foreign government or any agency thereof.

(2) The 1943 Act does not apply to (i) any contract between a Department and any other Government agency; (ii) any contract between a contractor with a Department or a subcontractor thereunder, and any other Government agency; (iii) any contract made by the other Government agency in connection with a contract with one of the Departments, or one of their contractors, or subcontractors, unless the other Government agency is acting merely as an agent for the Department concerned (subsection (i) (1) (A) of the 1943 Act).

(3) Accordingly, no article for statutory renegotiation under the 1943 Act will be included in any such contract or subcontract.

(4) With respect to contracts with War Supplies Limited see § 81.509 (h).

(b) *Contracts and subcontracts for products of natural deposits and timber.*

(1) By subsection (i) (1) (B), the 1943 Act does not apply to

(B) any contract or subcontract for the product of a mine, oil or gas well, or other mineral or natural deposit, or timber, which has not been processed, refined, or treated beyond the first form or state suitable for industrial use.

(2) Contracts hereafter made with the War Department solely for the product of a mine, oil or gas well, or other mineral or natural deposit or timber, should include the standard renegotiation article, if otherwise required, unless it is clear that the product is exempt under this subsection. If the application of this exemption is uncertain, the following provision may be added at the end of the article:

If any regulation issued pursuant to subsection (i) (2) of the Renegotiation Act interprets and applies subsection (i) (1) (B) to exempt from the provisions of said Act, contracts for any product or products covered by this contract, then the contract price for such product or products, if separately stated herein, shall not be subject to renegotiation under this article.

(3) Prior to the enactment of the 1943 Act, precisely the same language now contained in subsection (i) (1) (B) of the 1943 Act was interpreted as set forth in § 81.1290. Such interpretation will serve as a guide as to the inclusion or exclusion of a contract article dealing with statutory renegotiation pending action of the War Contracts Board.

(c) *Contracts and subcontracts for agricultural commodities.* (1) By subsection (i) (1) (C), the 1943 Act does not apply to—

(C) any contract or subcontract for an agricultural commodity in its raw or natural state, or if the commodity is not customarily sold or has not an established market in the raw or natural state, in the first form or state, beyond the raw or natural state, in which it is customarily sold or in which it has an established market. The term "agricultural commodity" as used herein shall include but shall not be limited to:

(i) commodities resulting from the cultivation of the soil such as grains of all kinds, fruits, nuts, vegetables, hay, straw, cotton, tobacco, sugarcane, and sugar beets;

(ii) natural resins, saps and gums of trees;

(iii) animals such as cattle, hogs, poultry, and sheep, fish and other marine life, and the produce of live animals, such as wool, eggs, milk and cream.

(2) Contracts hereafter made with the War Department solely for an agricultural commodity should include the standard renegotiation article, if otherwise required, unless it is clear that the commodity is exempt under this subsection. If the application of this exemption is uncertain, the following provision may be added at the end of the article:

If any regulation issued pursuant to subsection (i) (2) of the Renegotiation Act interprets and applies subsection (i) (1) (C) to exempt from the provisions of said Act, contracts for any product or products covered by this contract, then the contract price for such product or products, if separately stated herein, shall not be subject to renegotiation under this article.

(d) *Contracts and subcontracts with certain religious, charitable and educational organizations.* (1) Subsection (i) (1) (D) provides that the 1943 Act shall not apply to

(D) Any contract or subcontract with an organization exempt from taxation under section 101 (6) of the Internal Revenue Code.

(2) Contracts hereafter made by the War Department with any charitable, religious or educational organization should include the standard renegotiation article, if otherwise required. If the contracting organization claims the benefit of this exemption, the following provision may be added at the end of the article:

This article shall be inapplicable if it is determined that the Contractor is exempt from the provisions of the Renegotiation Act by reason of subsection (i) (1) (D) of said Act.

(e) *Construction contracts awarded as a result of competitive bidding.* (1) By subsection (i) (1) (E), the 1943 Act does not apply to—

(E) Any contract with a Department, awarded as a result of competitive bidding, for the construction of any building, structure, improvement, or facility.

(2) This exemption applies to any contract for the construction of a building, structure, improvement, or similar facility, if such contract was entered into after advertisement and was awarded to the lowest qualified bidder of two or more independent and qualified contractors who competed for the contract.

(3) Accordingly, no renegotiation article will be inserted in any construction contract which meets the conditions set forth in subparagraph (2) of this paragraph. If the application of this exemption is uncertain, the renegotiation article should be inserted in the contract although the following provisions may be added:

If by regulation issued pursuant to subsection (i) (2) of the Renegotiation Act, subsection (i) (1) (E) is interpreted and applied to exempt this contract from the provisions of said Act, then the contract price stated herein shall not be subject to renegotiation under this article.

(f) *Subcontracts under exempt contracts or subcontracts.* (1) Subsection (i) (1) (F) provides that the 1943 Act shall not apply to—

(F) any subcontract, directly or indirectly under a contract or subcontract to which this section does not apply by reason of this paragraph.

(2) Accordingly, it is not necessary to insert in a contract or subcontract which is exempt by reason of subsection (i) (1) of the 1943 Act (paragraphs (a) to (e) inclusive) a provision requiring a renegotiation article to be inserted in subcontracts made thereunder.

(3) If a renegotiation article is inserted in a contract or subcontract and the application of subsection (i) (1) to such contract or subcontract is uncertain, the renegotiation article, if otherwise required, should be inserted by the contractor or subcontractor in all subcontracts made by him. However, the provisions set forth in § 81.1209 may be added at the end of the article.

(g) *Subcontracts for office supplies.* The definition of "subcontract" contained in subsection (a) (5) (A) of the 1943 Act specifically excludes therefrom subcontracts for office supplies.

(h) *Interpretation and application of mandatory exemptions.* Subsection (i) (2) of the 1943 Act provides that the War Contracts Board is authorized to interpret and apply the exemptions discussed in paragraphs (a), (b), (c), (e) and (f) of this section with respect to fiscal years ending after June 30, 1943.

§ 81.1205 *Discretionary power to exempt certain contracts and subcontracts.*—(a) *Statutory provisions.* Subsection (i) (4) of the 1943 Act provides that the War Contracts Board, in its discretion, may exempt from some or all of the provisions of such Act individually or by general classes or types:

(1) Any contract or subcontract to be performed outside the United States or in Alaska;

(2) Any contracts or subcontracts, the profits from which can be determined with reasonable certainty when the contract price is established;

(3) Any contract or subcontract to the extent that the contract provisions are otherwise adequate to prevent excessive profits;

(4) Any contract or subcontract for a standard commercial article if competitive conditions with respect to the making of such contract or subcontract will reasonably protect the Government against excessive prices. The term "standard commercial article" is defined by subsection (a) (7) of the 1943 Act;

(5) Any contract or subcontract if there is effective competition with respect to the contract or subcontract price;

(6) Any subcontract or group of subcontracts if it is not administratively feasible to segregate the profits attributable to the subcontract or group of subcontracts from profits on business not subject to renegotiation.

(b) *Discretionary power to exempt certain contracts and subcontracts by general classes or types.* The authority to exempt by general classes or types contracts and subcontracts of the kind described in subsection (i) (4) of the 1943 Act is vested in the War Contracts Board and has not been delegated by it.

(c) *Discretionary power to exempt certain individual contracts or subcontracts.* (1) The Director, Purchases Division, Headquarters, Army Service Forces, may exempt from statutory renegotiation any individual contract or subcontract of the types specified in paragraph (a) of this section in connection with the placement of such contract or subcontract or any amendment or revision thereof.

(2) The chief of a technical service may exempt any such individual contract or subcontract from statutory renegotiation only where express authority to do so is granted (i) by the provisions of Procurement Regulations (see e. g. paragraphs (d) (1), (e), (f), (h) of this section), or (ii) by special delegation from the Director, Purchases Division, Headquarters, Army Service Forces. Except as otherwise provided in these regulations or by any such special delegation of authority, the chief of the technical service may not redelegate any such authority to exempt individual contracts or subcontracts from renegotiation to officers or civilian employees of the War Department under his directoin unless (iii) he prescribes standards for the exercise of the authority or discretion so redelegated and (iv) such standards and redelegations are approved in writing by the Director, Purchases Division, Headquarters, Army Service Forces.

(3) When an individual contract is to be exempted from renegotiation pursuant (i) to subparagraphs (1) and (2) above or other provisions of Procurement Regulations, or (ii) to any special delegation of authority, the renegotiation article (Form II) described in § 81.342 (b) will be used in the contract so exempted, unless all subcontracts thereunder have also been so exempted. Each contract or subcontract so exempted must contain an explicit statement to that effect and also a statement showing the extent of the exemption, by whom it was granted and the provision of the 1943 Act upon which it is based, with appropriate findings of the existence of facts necessary to support the exemption.

(4) When a prime contract is exempted from renegotiation the statement in the contract as to the exemption will contain a statement whether or not and to what extent subcontracts thereunder are to be exempted from renegotiation.

(5) A written report of each exemption granted will be made to the Director, Renegotiation Division, Headquarters, Army Service Forces (through the Director, Purchases Division) giving:

(i) The name of the contractor or subcontractor;

(ii) The number and date of the contract or subcontract;

(iii) The contract price;

(iv) The nature of the work, supplies, or other items furnished under the contract or subcontract.

(d) *Contracts and subcontracts outside of the United States.* (1) The chief of a technical service is authorized, in his discretion, to exempt from some or all of the provisions of the 1943 Act any individual contract with his technical service, or any subcontract thereunder, which is to be performed outside of the territorial limits of the continental United States, or in Alaska. This authority applies to contracts and subcontracts heretofore or hereafter made or performed.

(2) Circular No. 43, War Department, 1943, delegated to each commanding general outside of the United States or in Alaska, like authority with respect to contracts made or administered under his authority, and subcontracts thereunder.

(3) When a contract is exempted under this paragraph, Form II (§ 81.342 (b)), will be inserted in it, unless all subcontracts thereunder have also been exempted.

(e) *Patent licenses.* (1) The chief of a technical service may exempt from some or all of the provisions of the Renegotiation Act of 1943 any individual contract or subcontract granting a license under a patent or patent application or transferring a patent or patent application to the Government, or to a contractor or subcontractor, if the aggregate royalty payable under the contract or subcontract for its duration or for any stated period is either (i) a fixed amount determinable at the time of the execution of the contract, or (ii) limited by contract to a maximum amount determinable at the time of the execution of the contract, and if, in his opinion, the fixed amount or maximum amount will not yield excessive profits to the contractor or subcontractor.

(2) No renegotiation article will be included in any contract exempted pursuant to this paragraph. (See, however, paragraph (c) (3)) (See also § 81.112).

(f) *Exemption from renegotiation in connection with periodic adjustment of prices.* Sections 81.1240 to 81.1247 of this Procurement Regulation No. 12 authorize the use under certain conditions of contract articles providing for periodic readjustment of price and corresponding exemption from renegotiation. Where these contract articles are used, the contracting officer in charge of the individual contract is authorized in his discretion, in connection with the placement of such contract or any amendment or revision thereof, to grant exemption from renegotiation in accordance with the contract provisions and the related Procurement Regulations.

(g) *Exemption of short-term, fixed price contracts from renegotiation.* (1) With the written approval of the Director, Purchases Division, Headquarters, Army Service Forces, any individual contract or the subcontracts thereunder or any individual subcontract which meets the following conditions may be exempted by the contracting officer from statutory renegotiation in connection with the placement of such contract.

(i) The contract or subcontract fixes the price and contains no provision for price adjustment except provisions for equitable adjustment of the price in case of changes in specifications, deliveries, rate of production, or increased expenses resulting from allocations or other Government action (see § 81.351);

(ii) The contract or subcontract provides for full performance within six months or less;

(iii) The contractor or subcontractor has had previous experience in producing the same or substantially similar articles;

(iv) The total costs of performance of the contract or subcontract can be determined with reasonable certainty at the time the contract or subcontract is made;

(v) The price contains substantially no allowance or charges for contingencies, and any remaining allowances or charges for contingencies are segregated, identified and explained;

(vi) The price is fair and reasonable in the circumstances of the particular procurement; and

(vii) The estimated profit and margin of profit are relatively low.

(2) Every request for the approval of an exemption shall contain

(i) An opinion that the contractor's or subcontractor's cost accounting system is adequate for the purpose of meeting the requirements of the exemption, such opinion to be given by a qualified representative of the technical service submitting the request;

(ii) An analysis of past and prospective costs sufficient to show that the particular contract or subcontract meets the requirements specified in subparagraph (1) of this paragraph, and

(iii) An adequate showing that all the other conditions set forth in subparagraph (1) are satisfied.

(h) *Exemptions of individual contracts within stated classifications where profits can be determined with reasonable certainty when the contract price is established.* (1) In connection with the placement, revision or amendment of any contract or subcontract falling within a classification set forth below, the chief of each technical service is authorized to exempt from statutory renegotiation (pursuant to section (i) (4) of the 1943 Act) any individual contract falling within such classification or the subcontracts thereunder or any individual subcontract falling within such classifications:

(i) Purchase or lease of property and leases: Contracts and subcontracts for the purchase or lease of any interest in real property.

(ii) Public utility contracts: Contracts (but not subcontracts) with public utilities to furnish gas or electric energy, involving an estimated expenditure not in excess of $50,000 in any one fiscal year, or with common carriers to furnish transportation (regardless of the amount involved) when made in either case at published rates or charges, fixed, approved or subject to regulation by a public regulatory body; and contracts and subcontracts for commodities, the minimum price for the sale of which has been fixed by a public regulatory body.

(iii) Foods: Contracts and subcontracts for such types of foods as the Quartermaster General may from time to time determine to be perishable (see § 81.1291).

(iv) Clothing and equipage: Contracts and subcontracts for clothing and equipage, including footwear.

(v) Textiles or textile products: Contracts and subcontracts for textiles or textile products.

(2) Such an exemption will be granted only where the chief of the technical service is of the opinion in the individual case, in the light of the circumstances then known to him:

(i) That the profits to be derived from any such contract or subcontract can be determined with reasonable certainty when the contract price is established;

(ii) That negotiations fixing the price under any contract or subcontract to be exempted have taken place or will take place in general consistently with the pricing principles set forth in Army Service Manual M-601 (if and so far as applicable); and

(iii) That the price set or to be set is fair and reasonable.

(3) Except as stated in the next sentence of this subparagraph (3), any redelegation, or authorization of successive redelegations, by the chief of a technical service of the authority given under sub-

paragraphs (1) and (2) above to grant exemption with respect to individual contracts and subcontracts thereunder or with respect to individual subcontracts is subject to the provisions of paragraph (c) (2) of this section. The authority to grant exemption with respect to individual contracts and subcontracts thereunder and with respect to individual subcontracts for perishable foods, clothing and equipage, or textile products (see subparagraphs (1) (i), (1) (iv), and (1) (v) above) may be redelegated with authorization of successive redelegations, without the approval of the Director, Purchases Division, Headquarters, Army Service Forces.

(4) Attention is directed to the fact that this paragraph (h) does not authorize the chief of any technical service to exempt all contracts of the types listed herein as a class or by groups. It merely authorizes the exemption of individual contracts and the subcontracts thereunder or individual subcontracts falling within the above mentioned classifications. The provisions of the memorandum formerly quoted in § 81.1204 (h) (as amended 12 November 1943) are no longer in effect.

Section 81.1213 is amended as follows:

§ 81.1213 *Administration of statutory renegotiation*—(a) *Agencies responsible.* Statutory renegotiation under the 1942 and 1943 Acts, and under contract provisions inserted pursuant to such Acts, is conducted by the War Contracts Board, Price Adjustment Boards or Price Adjustment Sections and not by contracting officers.

(b) *Procedure and principles.* The procedure and principles to be followed in renegotiation pursuant to the 1943 Act, pertaining to fiscal years ending after June 30, 1943, are prescribed by the War Contracts Board and the Chairman, War Department Price Adjustment Board and will be published respectively as "Renegotiation Regulations"[1] and "Army Renegotiation Manual, Part II".

Section 81.1214 is amended as follows:

§ 81.1214 *Effect of statutory renegotiation on price adjustments by contracting officers*—(a) *Restrictions during and after statutory renegotiation.* While renegotiation pursuant to the 1943 Act is in progress or after it has been concluded with respect to a fiscal period of a contractor, contracting officers will not accept or seek price reductions or refunds in lieu thereof, which will affect the sales or earnings of the contractor for such fiscal period without the prior consent of the Price Adjustment Board or section which is conducting or has conducted such statutory renegotiation.

(b) *Inquiry by contracting officers regarding statutory renegotiation.* Before accepting price reductions or refunds in lieu thereof and before initiating or continuing negotiations seeking reductions or refunds from a contractor, and at reasonable intervals during the continuance of such negotiations, contracting officers will make inquiry of the contractor or of the Price Adjustment Board or Section to whom the contractor is assigned for statutory renegotiation to determine whether such renegotiation is in progress or has been concluded with respect to the fiscal period of the contractor which will be affected by the reductions or refunds proposed.

(c) *When statutory renegotiation is in progress.* Statutory renegotiation shall be deemed to be in progress for a fiscal period of a contractor upon the mailing of the notice of time and place of a conference to be held with respect thereto as required by subsection (c) (1) of the 1943 Act.

(d) *Price adjustments not restricted.* Nothing herein contained shall preclude a contracting officer from at any time:

(1) Proposing and arranging adjustments in prices or fees in individual contracts containing express provision for redetermination or renegotiation of prices or fees, other than a provision for statutory renegotiation, or

(2) Making price adjustments to compensate for changes made by the Government in specifications, design, quantities to be delivered, delivery schedules, or similar matters, or

(3) Accepting the benefit of the price reductions resulting from maximum price regulations of the Office of Price Administration or orders of other Government price fixing agencies, or

(4) Negotiating with respect to the prices to be included in new contracts in connection with the making thereof, or

(5) Proposing and arranging price reductions or refunds in lieu thereof which will not affect the sales or earnings of the contractor for any fiscal period for which statutory renegotiation is in progress or has been previously concluded.

(e) *Provision in supplemental agreements making price adjustment.* The contract price as renegotiated or redetermined by the contracting officer or as voluntarily reduced will still be subject to statutory renegotiation under the 1943 Act and any contract article pursuant thereto. The supplemental agreement or other instrument affecting the adjustment in price or fixed-fee will therefore include a provision substantially as follows:

The adjustment hereby made in the contract price is without prejudice to the determination of any excessive profits of the contractor upon subsequent renegotiation under the Renegotiation Act, or any contract article inserted pursuant to that Act.

In § 81.1232 paragraph (d) is amended:

§ 81.1232 *Escalation.* • • •

(d) *Escalation in relation to OPA ceiling prices; lumber, coal, steel and gasoline.* Escalation in relation to OPA ceiling prices is not permitted, except that escalation articles may be included in contracts for the purchase of certain basic commodities to the extent and in the form set forth in § 81.351 (d) (lumber; coal; basic steel products on Schedule I of CMP Regulation 1, as amended from time to time), and § 81.351 (f) (gasoline and fuel oils).

Section 81.1240 is amended:

§ 81.1240 *Articles authorized.* Alternative contract articles providing for periodic readjustment of the contract price, and for exemption from statutory renegotiation under the Renegotiation Act under certain conditions, are set forth in paragraphs (a) and (b) of § 81.360, (Form II). These articles are approved for use in lump sum or fixed price contracts in accordance with this section. Except as expressly authorized in this section or subsequent instructions, deviations from the standard articles will not be used.

Section 81.1241 is amended:

§ 81.1241 *Effect of articles.* Both articles divide performance under the contract into specified periods for the purpose of adjusting the contract price. Under paragraph (a) of § 81.360 the original contract price is exempt from statutory renegotiation for the first period of performance, but under paragraph (b) of § 81.360 the price for the first period will be adjusted at the end of that period and appropriate credit or refund made, and this adjusted price may be exempted from statutory renegotiation by the contracting officer, as hereafter described. Under both aticles the contracting officer and contractor will negotiate at the end of each period on the basis of cost experience and other data, and the contracting officer, at his discretion, may exempt the price so fixed from statutory renegotiation, if he believes that the cost data are sufficiently accurate and that the price is fair to the Government and will not result in excessive profits to the contractor.

In § 81.1251 (a) subparagraphs (2) and (3) are amended:

§ 81.1251 *Amendments with consideration*—(a) *Price adjustment upward.* • • •

(2) Whenever the amendment restricts or modifies the right of the contractor to perform the contract as he sees fit or on the basis most advantageous to him. Examples are cases where a contractor, who is not bound to do so by his existing contract, agrees to use particular methods of manufacture, substitute materials, specified or costlier sources of supply or subcontractors, or other specified methods or devices to conform with Government policy. (See, for example, paragraph (f) of § 81.225).

(3) Wherever the amendment modifies the volume or rate of production so as to affect adversely the contractor's cost (see, for example, §§ 81.227 and 81.307).

• • • • • •

APPENDIX

Sections 81.1290, 81.1291 and 81.1292 are superseded by the following §§ 81.1290 and 81.1291.

§ 81.1290 *Joint regulation interpreting and applying subsection (i) (1) (ii) of section 403, the Sixth Supplemental National Defense Appropriation Act, 1942, as amended by section 801 of the Revenue Act of 1942.* The following interpretation of section (i) (1) (ii) of the 1942 Act is herewith republished because until further action of the War Contracts Board (see § 81.1201 (a)) this ruling furnishes a general guide to the types of items, contracts for the purpose of which are exempt from renegotiation in accordance with § 81.1204 (b) (see especially subparagraph (3) thereof). It is emphasized that the foregoing list is merely a general guide to whether certain contracts for products of natural deposits and timber are excluded from the application of the 1943 Act pursuant to subsection (i) (1) (B) of that Act. Definitive and final interpretations of such subsection (i) (1) (B) will be made by the War Contracts Board.

1. The term "exempted product", as used in this regulation, shall mean any of the following products:

Aggregates consisting of washed or screened sand, gravel or crushed stone.

Aluminum ingots and pigs; alumina; calcinated or dried bauxite; crude bauxite.

Antimony ore, crude; antimony ore, concentrated; antimony metal; antimony oxide.

Arsenic powder; arsenious oxide (white arsenic).

Asbestos fibre.

Bismuth.

Cement.

Chromium ore and ferrochrome not processed beyond the form or state suitable for use as an alloy or refractory in the manufacture of steel; bichromates; chromic acid.

China clay; kaolin clay; fire clay; brick and tile made from clays other than kaolin, china or fire clay.

Coal, prepared; run of mine coal.

Copper ore, crude; copper ore, concentrated; copper billets, cathodes, cakes, ingots, ingot bars, powder, slabs and wirebars.

Fluorspar ore; fluorspar fluxing gravel; lump ceramic ground fluorspar; acid grades of fluorspar.

Crude iron ore; pig iron.

Gas, natural, not processed or treated further than the processing or treating customarily occurring at or near the well.

Gypsum, crude; calcined gypsum.

Lead ore; refined lead bars, ingots and pigs; antimonial lead bars, ingots and pigs.

Lime.

Magnesite; dead burned magnesite.

Metallic magnesium pigs and ingots.

Manganese ore; ferromanganese; silicomanganese.

Oil, crude, not processed or treated further than the processing or treating customarily occurring at or near the well.

Phosphate rock; superphosphate.

Ferromolybdenum; calcium molybdate; molybdenum oxide.

Rock salt; common salt of all grades.

Refined silver bars, shot, powder and grains.

Stone, rough dimension.

Sulphur, crude.

Refined pig tin.

Standing timber, logs, logs sawed into lengths, and logs with or without bark.

Tungsten ore and concentrates; ferrotungsten; tungsten powder.

Vanadium ore and concentrates; ferrovanadium; vanadium pentoxide.

Zinc anodes, balls, oxides, powder and slabs.

2. Subsection (i) (1) (ii) of section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended, is interpreted to mean that each of the exempted products is "the product of a mine, oil or gas well, or other mineral or natural deposit, or timber, which has not been processed, refined or treated beyond the first form or state suitable for industrial use". The provisions of said Section 403, as amended, shall not apply to contracts or subcontracts for the exempted products.

3. In cases where a contractor or subcontractor (a) processes, refines or treats a product to bring it up to the form or state of an exempted product and, (b) further refines, processes or treats such exempted product beyond the first form or state suitable for industrial use in order to perform his contract or subcontract, then in such cases the exempted product in its first form or state suitable for industrial use shall be considered, for the purposes of renegotiation, under Section 403, as amended, as an item of cost at its established sale or market price.

4. This regulation may be amended from time to time, revising the list of exempted products contained in paragraph 1 of this regulation.

February 1, 1943.

(Signed) ROBERT P. PATTERSON,
Robert P. Patterson,
Under Secretary of War.

(Signed) FORRESTAL,
James Forrestal,
Under Secretary of the Navy.

(Signed) CLIFTON E. MACK,
Clifton E. Mack,
Director of Procurement,
Treasury Department.

(Signed) EMORY S. LAND,
Emory S. Land,
Chairman, Maritime Commission.

§ 81.1291 *Determination by the Quartermaster General of perishable commodities.* The following is the full text of a memorandum issued by The Quartermaster General under date of 13 April 1944.

1. Pursuant to the authority conferred upon me by paragraph 1205.8[1] of Procurement Regulations concerning the exemption of individual contracts and subcontracts for certain types of perishable foods from renegotiation under the Renegotiation Act (referred to in the Procurement Regulations as the 1943 Act), it is hereby determined that the foods enumerated on the list attached hereto and designated as Exhibit "A" [see paragraph 1291.1][2] are perishable.

2. This memorandum shall become effective upon publication in the Procurement Regulations.

(S) E. B. GREGORY,
E. B. Gregory,
Major General,
The Quartermaster General.

(a) *Exhibit "A".* The following is a list of foods, individual contracts and subcontracts for the purchase of which may be exempted from statutory renegotiation pursuant to paragraph (h) of § 81.1205 of Procurement Regulations under the conditions therein stated:

Fresh fruits. Apples, apricots, bananas, berries (blue and black), cantaloupes, cherries, cranberries, grapes, grapefruit, honeydew melons, lemons, limes, oranges, pears, peaches, plums, strawberries, tangerines, watermelons, and other miscellaneous fresh fruits.

Fresh vegetables. Asparagus, beans, lima; beans, string; beets, broccoli, cauliflower, corn, cucumbers, egg plant, endive (chicory), greens (collards, etc.), kale, lettuce, onions, green; onions, dry; parsley, parsnips, peas, peppers, green; potatoes, Irish; potatoes, sweet; radishes, spinach, squash, tomatoes, turnips and rutabagas, mushrooms, rhubarb, and other miscellaneous fresh vegetables.

Dairy products. Butter (except canned), cheese (except processed canned), ice cream, fresh fluid milk, and fresh fluid cream.

Poultry. Chicken (except canned), turkey (except canned), and other poultry (except canned).

Meats. Beef (except canned and dehydrated), pork (except canned and dehydrated), lamb and mutton (except canned and dehydrated), veal (except canned and dehydrated), smoked or processed meats (except canned and dehydrated), other meats (except canned and dehydrated), lard and lard substitutes and offals (except canned and dehydrated).

Fish and sea foods. Fresh or frozen, and salted or smoked (except canned).

Frozen vegetables.

Frozen fruits.

Bread and other bakery products (except biscuits, crackers, cracker meal, breakfast cereals, hard bread and zwieback).

Potato chips.

Compressed yeast.

Shell eggs.

Margarine.

[1] For "Renegotiation Regulations" see Chapter XIV, Title 32, 9 F.R. 4135.

[1] § 81.1205 (h) of this chapter.

[2] § 81.1291 (a) of this chapter.

[Procurement Reg. 15]

PART 88—TERMINATION OF CONTRACTS

TERMINATION FOR CONVENIENCE OF THE GOVERNMENT

Section 88.15–488 is added:

§ 88.15–488 *Infraction of C. M. P. regulations.* The War Production Board polices C. M. P. regulations and may impose applicable penalties for deliberate infractions, but it does not look for enforcement of such regulations to the contracting officers charged with settling terminated contracts. Contracting officers, therefore, may reach a decision, in accordance with the principles set forth in this Procurement Regulation 15, as to the materials allocable to a contract in process of termination, without deciding whether such materials are in excess of any amount permitted by C. M. P. regulations of the War Production Board.

REMOVAL OF PROPERTY FROM CONTRACTORS' PLANTS UPON TERMINATION AT THE OPTION OR FOR THE CONVENIENCE OF THE GOVERNMENT

Sections 88.15–850 to 88.15–868, inclusive, are added as follows:

§ 88.15–850 *Introductory.* (a) §§ 88.15–850 to 88.15–868 incorporate government policies which have been made effective with respect to the prompt removal and disposition of property from the plants of contractors upon termination of their contracts. They also contain instructions with respect to procedures to be followed in carrying out these policies pending final development of regulations with the Surplus War Property Administrator. The instructions apply generally in the case of all terminated fixed-price supply contracts and are designed primarily to implement the prescribed policy for prompt clearance of a contractor's plant prior to final settlement.

(b) In addition, certain instructions have been included with reference to the application of the policy and procedures to the removal of property from the plants of fixed-price subcontractors under terminated fixed-price or cost-plus-a-fixed-fee prime supply contracts (§ 88.15–864) and with reefrence to the removal of property from plants of cost-plus-a-fixed-fee prime or subcontractors (§ 88.15–867).

(c) Special instructions have also been prescribed with reference (1) to the removal or storage of property which is to be taken over at the time of the execution of the final settlement agreement and (2) to the certification of final payment vouchers insofar as property which has been removed or stored is concerned (§§ 88.15–865—88.15–866).

(d) The provisions of these sections are not applicable to government-owned facilities (§ 88.15–868).

(e) These sections do not cover the handling in the final settlement agreement of property which for any reason cannot be removed or stored with the contractor at the time of the execution of that agreement.

GENERAL POLICIES AND PROCEDURES WITH RESPECT TO FIXED-PRICE PRIME CONTRACTS

§ 88.15–851 *Government policy on prompt plant clearance.* The report of Messrs. Baruch and Hancock on war and post-war adjustment policies released by the Office of War Mobilization on 15 February 1944, recommends the prompt clearance of property from contractors' plants not later than sixty days after the filing of inventory lists. The report also incorporates a statement of the policy of the Joint Contract Termination Board as to removal and disposition of property from the plants of contractors in connection with termination of their contracts, in which it is provided that:

(a) As soon as possible after receipt of notice of termination of any contract, the contractor should submit partial or complete inventory lists of property furnished by the government or to which the government is entitled and which is no longer required for the performance of the contract;

(b) The contractor may, unless the contract otherwise provides, at any time after receipt of notice of termination, remove such property and store it at his own risk, and the government with his consent may remove and dispose of any such property prior to final settlement;

(c) The portion of this property not disposed of within sixty days after delivery by the contractor of such an inventory list, upon demand of the contractor and unless the contract otherwise provides, be removed from his premises by the procuring agency unless it may have previously determined that such property is not chargeable to the government or does not belong to the government; and

(d) Any such property not so removed upon demand may be stored by the contractor at the expense and risk of the procuring agency either on his premises or, if he determines that space is not available for that purpose, then elsewhere, provided in either case the contractor takes reasonable precautions for the protection of the property and notifies the procuring agency of the action.

These policies have been made effective, and, pending development of regulations with the Surplus War Property Administrator, the instructions set forth in these §§ 88.15–850 to 88.15–868 will be observed by the technical services in handling the removal and disposition of property involved in the terminated portions of War Department fixed-price supply contracts, whether the property is owned by the contractor and claimed by him to be allocable to the terminated contract, or has been furnished to him by the government. Where it is determined prior to final settlement that the government has removed or disposed of property which is not allocable to the terminated portion of the contract, then the government in arriving at the amount of the final settlement will take into account either the disposal value of the property at the time of removal or the proceeds realized from the disposal of the property, or will return the property to the contractor at government expense, all at the election of the government; and after final settlement the contractor will have no claim against the government by reason of any such removal or disposition.

§ 88.15–852 *Prompt disposition of property.* In order to make the property available for other production use at the earliest possible moment after termination, contractors and contracting officers upon termination and without waiting for the expiration of the sixty-day period (see § 88.15–851 (c)) will make every effort to dispose of the property with reasonable dispatch and as advantageously as is reasonably possible. This policy with respect to prompt disposition of property upon termination to or through contractors, as set forth in §§ 88.15–350 to 88.15–376 of this Procurement Regulation 15, will continue in full force and effect and is to be vigorously pursued. The prompt disposition of certain items of property may be important either to the contractor or the government. To expedite disposition in such cases, contractors should be encouraged to submit promptly after receipt of termination notice inventory lists (see § 88.15–856) of that portion of the inventory to be disposed of and without waiting to obtain more complete information than that necessary to meet the minimum requirements for property disposition.

§ 88.15–853 *Removal of property upon demand of the contractor.* Property not disposed of as provided in the preceding section within sixty days after it is first reported on an inventory list, will, upon demand of the contractor accompanied by tender of title (see § 88.15–863) and inventory lists (see § 88.15–856) and unless the contract otherwise provides, be promptly removed or a storage agreement entered into with him. Wherever this is not accomplished, the chief of the technical service concerned will promptly notify the Director, Readjustment Division, Headquarters, Army Service Forces, of the circumstances.

§ 88.15–854 *Arrangements for storage of property.* Property taken over from contractors and not otherwise disposed of may be stored (a) with the contractors concerned under a storage agreement entered into by the technical service terminating the contract; (b) in government-owned or leased installations available, or which are made available, to the technical services for storage purposes; (c) in commercial warehouses or other storage space under contracts to be negotiated by the technical service terminating the contract; or (d) in premises leased for storage purposes under current regulations. It is recognized that available warehouse space is wholly insufficient to store the large volume of property which may be involved in contract termination, and that appropriate contractual arrangements in most cases will have to be made for the storage of such property by the contractors whose contracts are terminated. The technical services are authorized to enter into contracts for the storage of property with such contractors, and where this cannot be accomplished and suitable government-owned or leased installations are not available, they are authorized to enter into contracts for commercial warehouse services. Any contract involving the acquisition of an interest in real estate will be executed by the Division Engineer in accordance with existing regulations. At Regional Quartermaster and Army Service Forces Depots there are commercial warehouse officers who are familiar with available storage space, prevailing storage rates in various areas and commercial warehousing practices. These officers will be available for advice on all storage matters and the technical services will consult with them before entering into service contracts with commercial warehouses solely for the purpose of storage, provided that such action will not unduly delay clearance of the contractor's plant. The Storage Branch, Storage and Distribution Division, Office of the Quartermaster General, Washington, D. C., will furnish the name and address of any or all of the commercial warehouse officers upon request. Both the contracts executed with contractors and those for warehouse services will be financed from funds available to the technical services concerned. To the extent, if any, that the provisions thereof are in conflict with ASF Circulars No. 65 (section VIII) and No. 71 (section III), 1944, the provisions hereof shall govern. Open storage will be utilized wherever consistent with the proper care and preservation of the property. Transportation and drayage costs will be kept to a minimum.

§ 88.15–855 *Scrap determination prior to removal.* To preclude unwarranted record keeping and physical handling of property, it is imperative that a determination be made prior to the removal of the property from the contractor's plant as to whether it is scrap and if so, the property should be classified as scrap and handled accordingly.

§ 88.15–856 *Inventory lists to be submitted by contractors.* (a) In addition to the inventory lists submitted in the first instance after receipt of notice of termination (see paragraph (a) in § 88.15–851), the contractor will be required to submit with his demand for removal inventory lists of the property requested to be removed. Each of these inventory lists, including those referred to in paragraph (a) in § 88.15–851, will be prepared on Inventory Schedules Numbers C–1, C–2, and C–3 (Forms, W. D., A. G. O. 247, 248 and 249) and will be certified as prescribed thereon adding to the certificate, in the case of lists submitted with the demand for removal, a statement that the property listed is on hand on the date thereof. In order to avoid unnecessary duplication of work, contractors should be encouraged to prepare these forms in as many copies as is anticipated will be needed by both the government and themselves in the termination proceedings.

(b) The contracting officer will require the contractor to submit with his demand for removal as many copies of the inventory lists as is anticipated will be needed to meet reasonable government requirements. As a minimum, five copies of the lists will normally be required for property disposition and property accounting purposes. The contracting officer will retain one copy for filing in the War Department's permanent file relating to the contract termination settlement and will furnish the other four copies to the designated accountable property officer for use as follows: One copy for use by government personnel in checking the accuracy of the lists and for filing in the accountable property officer's jacket file (see § 88.15–858 (a)); where required, one copy to be receipted in accordance with the provisions of § 88.15–860 (b) and returned to the contractor for retention by him; and two copies for forwarding to the appropriate government agencies charged with disposal of property.

(c) Where several contracts with the same contractor are grouped for termination settlement purposes, the inventory lists need not segregate contractor-owned property by contracts, but only by locations.

§ 88.15–857 *Accountable property officers.* (a) Subject to such procedures as the chiefs of the technical services may prescribe for purposes of uniformity, commanding officers of procurement districts or similar agencies terminating contracts will designate accountable property officers to be charged with the assumption and maintenance of accountability, as herein prescribed for the property under such terminated contracts, provided that in any event:

(1) Accountable property officers so designated must be stationed at the same location where other records with respect to the termination settlement are maintained, and

(2) If such a designation results in the activation of a new property account, a copy of the pertinent order will be sent to the Fiscal Director of the service command in which the new account is located.

(b) Neither accountable property officers nor contracting officers have responsibility, within the meaning of Army Regulations, for property in the possession of contractors or commercial warehousemen.

§ 88.15–858 *Property accounting records.* (a) Except for government property furnished to the contractor under a War Department contract and for which accountability has previously been established, accountability for all property taken over from the contractor or stored with him pursuant to an agreement will be established in the first instance by the accountable property officer designated in accordance with the provisions of § 88.15–857 (a). Accountable property officers involved are authorized to establish and maintain "jacket file accountability". Under this system a file will be established for each terminated contract, or group of contracts where they are so treated (see paragraph (c) of § 88.15–856, and in it will be included all documents pertaining to the assumption of and relief from accountability. Such files will be controlled by the contract number(s) to which they relate. Accountable documents pertaining to terminated contracts will be assigned property voucher numbers and recorded in a voucher register as prescribed in AR 35–6700. In those cases where an accountable property officer who is presently maintaining a property account is also charged with the duty of establishing and maintaining accountability for property under terminated contracts, accountable documents relating to the terminated contracts will be included in the established series of property voucher numbers for the account and will in each case bear reference to the terminated contract number(s) prefixed by the letter "T" or other appropriate symbol to clearly establish that the document pertains to termination transactions. This information will also be shown in the voucher register.

(b) In lieu of establishing individual stock record cards for each item of the inventory lists, accountable property officers are authorized to use their copy of the lists as work sheets for the purpose of reflecting the ultimate disposition of property. Under this procedure as an item is disposed of, the quantity involved together with the assigned credit voucher number of the document covering the disposition will be entered opposite the particular item on the list. Where numerous transactions with respect to a given item are involved, auxiliary records (stock record cards or other suitable forms) will be established or disposition will be recorded on the lists in a manner which will provide an accurate and complete record of disposition of the original balance of the item involved.

(c) At War Department storage installations receiving property from contractors' plants, usual War Department regulations with respect to property accountability will be observed and stock record cards will be maintained. In this connection, attention is invited to the simplified inventory adjustment procedure prescribed in Circular 94, War Department, 1944.

SPECIAL INSTRUCTIONS WITH RESPECT TO FIXED-PRICE PRIME CONTRACTS

§ 88.15–859 *Introductory.* Detailed procedures are hereinafter set forth in these §§ 88.15–859 to 88.15–863 with respect to (a) property which will be removed from the contractor's premises by the technical service, (b) property which will be stored with the contractor pursuant to a storage agreement made with him by the technical service, and (c) property which is neither removed nor stored pursuant to such an agreement but is held by the contractor at the expense and risk of the government and for the protection of which the contractor is required to take reasonable precautions and to notify the contracting officer concerned of the action taken.

§ 88.15–860 *Procedures with respect to property removed from the contractor's premises.*—(a) *Check of quantities.* Contracting officers are instructed to waive 100% verification of the quantities of property at the time of removal from the contractor's plant by the government in all cases except those in which the contracting officer has reason to believe that complete verification is necessary. Taking into consideration the size of the inventory, nature of the property involved and past experience with the contractor, the contracting officer will prescribe the extent of selective checks of quantities to be made by government personnel. The quantities and weights stated in the inventory lists will ordinarily be accepted for all purposes if they are determined by such checks to be within reasonable plus or minus tolerances in accordance with good commercial practice. Government personnel making the selective check will be required to make suitable notation on the copy of the lists to be returned to the accountable property officer as to items selected for count and the results of their counts. If the position of an item on the production line at the time of the suspension of production is an important factor in a determination of allocability or extent of completion, an agreement should be reached as to these facts, where possible, prior to the removal of the item and while it is in place on the production line.

(b) *Acknowledgment of receipt.* Based on the procedures set forth in paragraph (a) of this section, technical service personnel charged with the supervision of removal of the property from the contractor's premises will furnish the contractor with appropriate acknowledgment of the physical receipt of property as removed. This receipt is executed prior to final settlement agreement, unless otherwise specifically directed by the contracting officer, will be without prejudice to any determination of allocability of contractor-owned property to the terminated portion of the contract and will expressly so provide. The receipt will otherwise be unconditional. Where feasible such receipt will be accomplished on copies of the lists to be retained by the contractor. When the property is removed from the contractor's premises in lots, copies of the covering shipping documents may be used for this purpose or reference may be made in the receipt to item identification numbers on the inventory lists. A suggested form of receipt for contractor-owned property is set forth in § 88.15–950.

(c) *Accountability.* Accountability for property removed from the contractor's plant, unless previously established, will vest in the accountable property officer designated pursuant to the provisions of § 88.15–857 (a) when he is advised that

acknowledgment of receipt of the property by the government (see paragraph (b) of this section) has been furnished to the contractor. The accountable property officer will be relieved from accountability in such cases by means of the covering Vendor's Shipping Document, War Department Shipping Document or Shipping Ticket, whichever is in current use at the installation concerned; and where the shipment is made in connection with a sale by the War Department, the provisions of Section II, AR 35–6660 with respect to sales of property will be observed. Inasmuch as copies of the acknowledgment of receipt and of the covering shipping document normally should be received by the designated accountable property officer at the same time, the assumption of and relief from accountability under the "jacket file" procedure in most cases will occur simultaneously.

(d) *Shipping documents.* The prescribed certificates on the Vendor's Shipping Document normally required to be executed for purposes of payment of a vendor, will be deleted when this form is used for purposes herein prescribed inasmuch as payment to the contractor will be supported by the termination settlement agreement and not by the Vendor's Shipping Document. In all cases, distribution of copies of the shipping document forms (regardless of type) will be the same as is prescribed for the War Department Shipping Document. It is pointed out that this distribution does not require the forwarding of copies to Finance Officers for property audit or any other purpose. Where practicable, in lieu of duplicating the listing of property on the shipping document, a copy of the inventory list or applicable portions thereof will be appended.

(e) *Discrepancies incident to shipments.* Wherever discrepancies or damages are disclosed by a War Department consignee upon receipt of property removed and shipped from a contractor's plant, the following action will be taken:

(1) Where it is obvious that the delivering common carrier or other delivering transportation agency is not liable for the shortage or damage, or where there is an overage, the discrepancies will be listed for record purposes on W. D., Q. M. C. Form No. 445 (Over, Short and Damaged Report) prepared in duplicate. One copy will be attached to the receiving voucher in support thereof and the other copy appropriately marked "Information Copy" will be forwarded to the contracting officer under the terminated contract for his advice. In the event of recurring or abnormal shortages the contracting officer will (i) direct that government personnel intensify their check of quantities as removed from the contractor's plant (see paragraph (a) of this section), (ii) consider the advisibility of requesting an investigation of the conduct of the contractor, or (iii) initiate such other action as he may deem advisable.

(2) Where it appears that the common carrier or other transportation agency may be liable for shortages or damage disclosed upon receipt of a shipment, the report of survey procedure prescribed in paragraph 4, AR 35–6640, paragraph 28e, AR 55–150 and Circulars No. 147 (Section IV) and No. 295 (Section V), War Department, 1943, notwithstanding the provisions of the first two lines of paragraph 1 of Circular No. 295 will be observed.

§ 88.15–861 *Procedures with respect to property stored with the contractor pursuant to storage agreement*—(a) *Form of storage agreement.* Agreements with contractors for the storage of property will be executed substantially in the form set forth in § 88.15–951.

(b) *Check of quantities.* Prior to execution of the storage agreement by the government, the contracting officer for the terminated contract will make appropriate arrangements with the contractor for a joint check of quantities by representatives of both the contractor and the government. The extent and character of the checks to be required of both the contractor and government representatives will be prescribed by the contracting officer who in this connection will observe the instructions contained in § 88.15–860 (a).

(c) *Acknowledgment of receipt.* Acknowledgment of receipt of the property by the government is covered in the form of storage agreement and no further or other action in this respect is necessary.

(d) *Accountability.* Unless previously established, accountability for property placed in storage with contractors will vest in the accountable property officer designated pursuant to the provisions of § 88.15–857 (a) upon receipt by him from the contracting officer of a conformed copy of the storage agreement. It will be noted that under the form of storage agreement set forth in § 88.15–951 the contractor is responsible for the care and safekeeping of the property.

(e) *Relief from accountability in connection with shipments.* Relief of the designated accountable property officer from accountability for property removed and shipped from storage by a contractor will be accomplished by use of the Vendor's Shipping Document, War Department Shipping Document or Shipping Ticket, whichever is in current use at the installation concerned. In this connection, the provisions of § 88.15–860 (d) hereof with respect to deletion of inapplicable certificates on the Vendor's Shipping Document and distribution of completed documents, will be observed. The shipping document will be prepared by the accountable property officer upon receipt of instructions from appropriate authority to move the property and all copies must bear the notation "Shipped from Contractor Storage". Copies of the document will be used as an order directing the contractor to release the property for shipment. The contractor will be instructed to return one copy of the document bearing his certification that quantities listed have been shipped as directed. This copy will serve as an acceptable credit voucher to the accountable property officer's account for the property shipped; and where the shipment is made in connection with a sale by the War Department, the provisions of Section II, AR 35–6660 with respect to sales of property will be observed.

(f) *Relief from accountability and related action with respect to losses in storage.* Instances of losses of or damage to property which may occur while in storage will be reported to the contracting officer under the storage agreement for appropriate action with respect to the liability, if any, of the contractor under the terms of the storage agreement. The contracting officer will advise the accountability property officer in writing of the amount of the loss involved, his findings with respect to the contractor's liability, if any, the amount of liability assumed by the contractor, and a statement as to action initiated to collect amounts which may be due the government. In all cases an extra copy of the written advice will be prepared and held by the contracting officer for service command property auditors. The written advice received from the contracting officer will in all cases and regardless of the nature of the findings, serve as an acceptable credit voucher to the accountable property officer's account for the property involved.

(g) *Discrepancies incident to shipments.* Whenever shortages or damage are disclosed by a War Department consignee upon receipt of property which has been removed and shipped from storage by a contractor, the following action will be taken:

(1) Report of Survey procedure prescribed in paragraph 4, AR 35–6640, paragraph 28e, AR 55–150 and Circulars No. 147 (section IV) and No. 295 (section V), War Department, 1943, notwithstanding the provisions of the first two lines of paragraph 1 of Circular No. 295, will be observed; and

(2) Where it has been determined in the survey proceeding that the shortages or damage are not the delivering carrier's responsibility, W. D., Q. M. C. Form No. 445 (Over, Short and Damaged Report) will be prepared and forwarded to the contracting officer under the storage agreement requesting his statement of findings with respect to the liability, if any, of the storage contractor under the terms of the storage agreement for the shortages or damage and any action taken to effect settlement of amounts which may be due from the contractor. This statement will be attached as an exhibit to the Report of Survey.

§ 88.15–862 *Procedures with respect to property neither removed from the contractor's premises nor stored with him pursuant to agreement.* (a) Where property owned by the contractor and claimed by him to be allocable to the terminated contract is neither removed from his premises upon demand nor stored with him pursuant to agreement, accountability will not be established until such time as the property is removed, a storage agreement is executed or the government by other means accepts the property.

(b) Considering the nature and utility value of the property, the technical services will take appropriate steps to determine that the contractor is taking reasonable precautions for the protection of all the property in which the government has an interest.

§ 88.15–863 *Transfer of title to the government.* While it is considered that the formal demand of the contractor for removal of property owned by him and claimed to be allocable to the contract is in effect a tender of title, the demand must specifically include or be accompanied by a statement that title is tendered to the government free and clear of all liens and encumbrances. Unless otherwise expressly agreed between the contracting officer and contractor, the following instructions will be observed in connection with the transfer of title to such property to the government:

(a) In the case of property removed from the contractor's premises by the technical service (see § 88.15–860), title will be transferred to the government at the time of removal and receipt for such property. The provisions of the suggested form of receipt set forth in § 88.15–950, together with the tender of title accompanying the contractor's demand for removal, are considered adequate for this purpose in the normal case.

(b) In the case of property stored with the contractor pursuant to a storage agreement made with him by the technical service (see § 88.15–861), provision is made in the form of storage agreement set forth in § 88.15–951 for transfer of title to the government.

(c) The contracting officer may rely upon the statement of the contractor in the demand or in the storage agreement that the title to such property is free and clear of all liens and encumbrances.

(d) In the case of property which is neither removed from the contractor's plant nor stored with him pursuant to agreement (see § 88.15–862), title will not be transferred to the government unless and until the property is removed, a storage agreement is executed, or the government by other means agrees to accept title.

POLICIES AND PROCEDURES WITH RESPECT TO FIXED-PRICE SUBCONTRACTS

§ 88.15–864 *Property in the hands of fixed-price subcontractors.* (a) The foregoing policies and procedures with respect to fixed-price prime supply contracts are applicable to property in the hands of fixed-price subcontractors of any level under War Department fixed-price or cost-plus-a-fixed-fee prime supply contracts (when the property is not to be retained or disposed of by the prime contractor or a subcontractor) to the extent that whenever a subcontractor's required inventory lists (accompanied by a certificate of the prime contractor as hereinafter provided or other satisfactory evidence of allocability) are submitted to the contracting officer of the applicable prime contract, together with the subcontractor's demand for removal, every effort will be made by the technical service promptly to remove the property from the subcontractor's plant or to enter into a storage agreement with him, substantially in the form set forth in § 88.15–951, observing the instruction therein with respect to modifications. Such certificate of the prime contractor involved shall be to the effect that the subcontract had been terminated by reason of the termination of the prime contract and that the property involved is believed to be properly allocable to the prime contract, i. e., includible in the settlement of the prime contractor's claim. The lists must be forwarded to the prime contractor by the interseted subcontractor through intermediate subcontractors, if any, unless the contracting officer otherwise directs.

(b) In no case will the property be removed or a storage agreement entered into without such physical check of the accuracy of the lists by representatives of the government as the contracting officer under the terminated prime contract deems necessary in accordance with policies expressed in § 88.15–860 (a) hereof. In determining what physical check of the accuracy of a subcontractor's lists shall be made by representatives of the government, the contracting officer shall give due consideration to the checks made by the superior subcontractor or by the prime contractor.

(c) The privilege of contractors under paragraph (d) in § 88.15–851 to store property not removed on demand at the expense and risk of the procuring agency has not been extended to subcontractors. Thus the government does not assume risk of loss or expense of storage of subcontractor's property unless and until it is removed by the government or a storage agreement entered into, and in the latter case only to the extent, if any, provided in such agreement.

FINAL SETTLEMENT MATTERS

§ 88.15–865 *Storage or removal of property in connection with final settlement.* (a) To the extent applicable, the foregoing procedures with respect to removal or storage of property and the accounting therefor may also be employed in connection with any property which the fixed-price prime contractor still has on hand at the time of the execution of the final settlement agreement and which is to be taken over by the government at that time. The procedures may also be employed in connection with property which a fixed-price sub-contractor still has on hand at the time of a final settlement with him which is approved by the contracting officer; and the form of storage agreement, with appropriate notifications (including deletion of the provisions by which the government reserves the right to contest allocability to the contract) may be executed directly with the subcontractor, without liability of the prime contractor with respect to the subcontractor's performance of his obligations under the storage agreement.

(b) These §§ 88.15–850 to 88.15–868 do not cover the handling in the final settlement agreement of property which for any reason cannot be removed or stored at the time of the execution of that agreement.

§ 88.15–866 *Certification of vouchers in connection with payments under final settlement agreement.* Officers charged with the certification for payment of Public Vouchers, Standard Form No. 1034, covering a contractor's termination settlement are authorized to rely upon the statement of property shown on the inventory lists or other documents in the quantities for which acknowledgment of receipt has been furnished to the contractor (see § 88.15–860 (b)), or, in the case of property stored with a contractor pursuant to an agreement, in the quantities stated on the lists of property annexed to the storage agreement (see § 88.15–861).

POLICIES AND PROCEDURES WITH RESPECT TO COST-PLUS-A-FIXED-FEE SUPPLY CONTRACTS

§ 88.15–867 *Removal of property under terminated cost-plus-a-fixed-fee supply contracts.* In the case of cost-plus-a-fixed-fee supply contracts, title to the property acquired in connection with performance of the contract is already vested in the government; accountability has been established; and procedures for taking joint inventories upon termination by both the contractor and the government and for relief from accountability have been prescribed in the War Department Industrial Property Accounting Manual, 16 February 1943, as amended. In order to carry out the underlying policy of prompt clearance of property from contractors' plant upon termination of their contracts, the policies and procedures set forth in these §§ 88.15–850 to 88–15–868 are applicable to property involved in terminated War Department cost-plus-a-fixed-fee supply contracts to the following extent:

(a) Government-owned property not otherwise disposed of within sixty days after it is first reported by the contractor on a certified inventory list as prescribed in § 88.15–856 to the extent that it is located in a plant or portion of a plant not owned by the government will, unless the terminated contract otherwise provides, be removed or a storage agreement entered into with the contractor for its storage promptly after demand accompanied by the prescribed certified list of the property so requested to be removed: *Provided*, That the property will not be removed or a storage agreement entered into unless the joint inventory by the government and the contractor as prescribed in section X of the War Department Industrial Property Accounting Manual shall have been accomplished. Where the property is to be removed or a storage agreement entered into with the contractor within a reasonable period after termination, then for purposes of convenience to both the government and the contractor the joint inventory prescribed in the Manual may be delayed until the date that the property is removed or the storage agreement is executed.

(b) The provisions of §§ 88.15–854, 88.15–855, 88.15–860 and 88.15–861 will be applicable in the case of such removal or storage. Where the property is to be stored with the contractor, an agreement substantially in the form set forth in § 88.15–951 may be used provided the recitals are suitably modified and the provisions with respect to transfer of title and allocability to the contract are deleted. In the case of property removed

from the contractor's premises, the acknowledgment of receipt provided for in § 88.15–860 (b) will be appropriately modified, will not be qualified as to allocability and will omit reference to transfer of title. If it is later determined that property of the contractor was removed by mistake, an adjustment should be made in arriving at the amount of the final settlement which will allow the contractor the current disposal value of the property at the time of removal, or the government may return the property in kind.

(c) In the case of property removed or stored with the contractor pursuant to agreement, and where such action will simplify the task of record keeping, the accountable property officer is authorized to establish and maintain "jacket file accountability" as described in § 88.15–858 (a). In such cases the inventory lists covering the property removed or stored will serve both as a credit voucher to the established property account and as a debit voucher to the "jacket file" account.

(d) If property which the contractor is entitled to have removed by the government under the provisions of paragraph (a) of this section, is not removed or stored with him pursuant to agreement, the contractor, unless the contract otherwise provides, may store such property at the expense and risk of the government either on his premises or if he determines that space is not available for that purpose then elsewhere, provided in either case the contractor, regardless of any terms of the terminated contract providing for a lesser degree of responsibility for the care and preservation of property during performance of the contract, takes reasonable precautions for the protection of the property and notifies the contracting officer of the action taken.

(e) At any time after the joint inventory has been taken and agreed upon, the contractor may, unless the contract otherwise provides, remove such property and store it at his own risk and expense.

(f) The principles set forth in this § 88.15–867 are also applicable to cost-plus-a-fixed-fee subcontracts under cost-plus-a-fixed-fee prime supply contracts.

§ 88.15–868 *Government-owned facilities.* The provisions of these §§ 88.15–850 to 88.15–868 are not applicable to government-owned facilities in the custody or possession of contractors under facilities contracts and facilities clauses of terminated contracts. When removal and disposal policies as to these facilities have been determined, appropriate instructions will be issued.

FORM WITH RESPECT TO THE REMOVAL OF PROPERTY FROM CONTRACTORS' PLANTS UPON TERMINATION

Sections 88.15–950 and 88.15–951 are added as follows:

§ 88.15–950 *Suggested form of receipt.*

The United States of America (government) hereby acknowledges receipt from ---------- ---------- (contractor) of the property listed ----------*, and claimed by the contractor to be allocable to terminated war contract(s) number(s) ---------- and title to which has been tendered by the contractor free and clear of all liens and encumbrances. Title has been accepted by the government in compliance with the contractor's demand that the property be removed from his plant(s) pursuant to Procurement Regulation No. 15. The execution of this receipt is without prejudice to any determination of the allocability of the property to the terminated portion(s) of said contract(s). If it is determined prior to final settlement that any of said property is not so allocable, then the government, in arriving at the amount of the final settlement will take into account either the disposal value of such property at the time of removal or the proceeds realized from the disposal of such property, or will return the property to the contractor at government expense, all at the election of the government; and after final settlement the contractor will have no claim against the government by reason of such property.

Date ----------

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§ 88.15–951 *Contract with war contractor for storage and service.*

Contract No. ----------

CONTRACT WITH WAR CONTRACTOR FOR STORAGE AND SERVICE

This Contract entered into pursuant to the First War Powers Act and Executive Order No. 9001 this ------ day of ----------, 194-- by and between The United States of America (hereinafter referred to as the Government), represented by the Contracting Officer executing this contract and --------

---

*a corporation organized and existing under the laws of the State of ---------- *a partnership consisting of ----------

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*an individual trading as a ----------

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of the city of ---------- in the State of ---------- (hereinafter called the Contractor); Witnesseth:

Whereas,[1] Contract(s) was (were) entered into between the Contractor and the Government numbered as follows: ----------; and

Whereas,[1] said contract(s) provide(s) for termination of such contract(s) at the convenience (option) of the Government and the Government has issued notice of termination thereof; and

Whereas,[1] the Contractor has submitted to the Government an inventory of property in Schedule "A" attached hereto which it certifies is allocable to the aforementioned terminated contract(s) or has been furnished to the Contractor by the Government in connection therewith and has requested that the Government take and remove said property; and

Whereas, the Contractor is willing to store the property for the Government, and the Government has agreed to such storage at the Government's expense;

Now, therefore, in consideration of the mutual promises of the parties hereto, it is agreed as follows:

ARTICLE 1. *Transfer of Title.* The Contractor (without prejudice to any right which the Contractor may have to compensation for such property in connection with the termination settlement of said terminated contract(s) does hereby transfer to the Government, free and clear of all liens and encumbrances, title to the property set forth in said Schedule "A", as it may from time to time be amended (hereinafter referred to as the property), which is not already Government-owned; and in furtherance thereof the Contractor agrees to furnish to the Contracting Officer such evidences of ownership and other instruments of transfer as the Contracting Officer may reasonably require; provided, however, that pursuant to Article 7 hereof and except as therein specified otherwise, the Government reserves the right to contest the allocability of any or all of the property to the terminated portion(s) of said contract(s).

ART. 2. *Services.* The Contractor agrees to perform all the services necessary in the handling, storage, and preservation of the property in the quantities and conditions set forth in said Schedule "A" for the consideration of $---------- per month.** The property is on the date hereof in the possession of the Contractor in the quantities and conditions set forth in said Schedule "A". With the consent of the parties Schedule "A" may be amended from time to time by the addition of other property. In the event property is so added or deliveries are made pursuant to Article 11 hereof, the compensation to be paid to the Contractor shall be equitably adjusted by mutual agreement of the parties hereto. If the parties fail to agree upon the adjustment to be made, the dispute shall be determined as provided in Article 21 (Disputes) hereof.

ART. 3. *Contract Period.* (a) The Contractor agrees to perform the services described in Article 2 hereof beginning on ---------- ---------- until this contract shall be terminated either by party hereto giving to the other 30 days' previous notice in writing.

(b) Storage charges are per month. Any fraction of a month shall be deemed a full month. A storage month shall extend from a date in one calendar month to, but not including, the same date of the next succeeding calendar month; but if there be no corresponding date in the next succeeding calendar month, it shall extend to and include the last day of the month. When the last day of a final storage month falls on Sunday or a legal holiday, the storage month shall be deemed to expire at midnight on the next succeeding business day.

ART. 4. *Location of Storage Space.* The property shall be stored at the following premises: ----------

ART. 5. *Inspection.* The Government reserves the right to inspect at any time the Contractor's storage space and the property stored hereunder.

ART. 6. *Segregation of Property.* All the property shall be kept separate from all other property whether or not such property may, by law or by custom, be considered fungible. This does not require, however, that the property be stored in separate rooms, on different floor levels from other similar property, or in a particular space.

ART. 7. *Allocability.* (a) Except as otherwise specifically provided in this Article, as it may from time to time be amended, or in any other agreement, the Government does not concede, and may contest, the allocability of any of the property to the terminated portion(s) of said contract(s). If it is determined prior to final settlement of the terminated contract(s) that any of the property is not allocable to the terminated portion(s) thereof, then the Government, in arriving at the amount of the final settlement, will take into account either the disposal value of the property at the time of removal or the proceeds realized from the disposal of the property, or will return the property to the contractor at government expense, all at the election of the Government; and after final settlement the contractor will have no claim against the Government by reason of such removal or disposition.

(b) The parties hereto agree that the property identified as below indicated is allocable to the afore mentioned terminated contract(s):* ----------

ART. 8. *Revision of Storage Charges.* In the event it is determined that all or any part of the property is not allocable to the terminated portion(s) of said contract(s), the amount of consideration set forth in Article 2 hereof shall by mutual agreement of the parties hereto be revised downward retroactively to and including the month in which such property was first stored hereunder. The revised amount of consideration shall continue in effect until a subsequent revision in accordance with the terms of this Article or adjustment pursuant to Article 2 hereof. If the parties fail to agree upon the revision to be made, the dispute shall be determined as provided in Article 21 (Disputes) hereof. Any revised amount of consideration shall be embodied in a supplemental agreement to this contract. If the Contractor has already been paid for the month or months as to which the amount of consideration is revised, the Government shall be entitled to a credit on all payments thereafter due the Contractor for the excess paid; or if so ordered by the Contracting Officer, the Contractor shall immediately refund to the Government the amount of such excess.

ART. 9. *Watchmen or Guards—Plant Protection.* In addition to the requirements for the care of the property contemplated by Article 14 hereof, the Contractor shall maintain in and about the storage space such adequate plant protective devices and shall employ such watchmen, guards and other personnel as the Contracting Officer may direct in writing, to prevent espionage, sabotage, and other malicious destruction or damage. If, pursuant to the Contracting Officer's written direction the Contractor incurs any additional expenses during the period the property is stored pursuant to this contract, the Contractor shall be paid a reasonable amount therefor. If the parties are unable to agree on an amount, the dispute shall be determined as provided in Article 21 (Disputes) hereof.

ART. 10. *Payments.* The Contractor shall submit monthly to the Contracting Officer a properly certified invoice for all accrued charges under this contract for the preceding storage month. Recognition is given to the fact that the Government fiscal year ends on 30 June. Payment for charges accruing hereunder after that date shall be contingent upon the availability of appropriations therefor.

ART. 11. *Deliveries.* Deliveries of all, or from time to time part, of the property from storage space to the Government at the storage site or to its designated carrier to transfer agent will be accomplished by the Contractor on receipt of a written order from the Government. Plus or minus tolerances of quantities and weights within reasonable limits in accordance with good commercial practice will be accepted. The Contractor shall be paid a reasonable amount for any charges for drayage to the said designated carrier or transfer agent incurred at the direction of the Contracting Officer. In the event that the parties fail to agree upon the reasonable amount to be paid for drayage charges, the dispute shall be determined as provided in Article 21 (Disputes) hereof.

ART. 12. *Waiver of Lien.* It is understood and agreed that the Contractor has no warehouseman's lien on the property and will not assert any warehouseman's lien thereon.

ART. 13. *Transfer for Administration.* This contract may be transferred by the Government at any time, in whole or in part, to any Government department or governmental agency for administration purposes.

ART. 14. *Liability for Care of Goods.* The Contractor shall be liable for any loss or injury to the property caused by his failure to exercise such care in regard to it as a reasonably careful owner of similar goods would exercise, but he shall not be liable for any loss or injury to the property which could not have been avoided by the exercise of such care.

ART. 15. *Records of Government-Owned Property.* ---------- ---------- is designated as the officer to maintain the necessary property records in connection with this contract.

ART. 16. *Federal, State and Local Taxes.* (a) The consideration provided herein includes all applicable Federal, state and local taxes in effect at the date of this contract except that it does not include any taxes on the property stored under this contract.

(b) If after the date of this contract the Federal Government or any state or local Government shall impose, remove or change (including any change by the removal by statute of an exemption available to the contractor for the purposes of this contract) any tax or charge upon the transportation of storage or privilege of storing, the property, which tax or charge must be borne by the Contractor because of a specific contractual obligation or by operation of law; and, if in case of an increase in such an existing tax or the imposition of such a new tax, the Contractor has paid such tax or charge to the Federal Government or to a state or local government, or any other person; or, in case of a decrease or elimination of any such tax, and the Contractor is relieved to that extent; then the consideration named herein will be increased or decreased accordingly, and any amount due to the Contractor as a result of such change will be charged to the Government and entered on vouchers (or invoices) as a separate item: *Provided, however,* That the Government reserves the right to issue to the Contractor in lieu of such payment a tax exemption certificate or certificates acceptable to the Federal Government or state or local government, as the case may be. The amount of any adjustment pursuant to this paragraph (b) may be determined by a written agreement between the parties hereto. Nothing contained herein shall be construed as requiring the Government to reimburse the Contractor for any Federal, state, or local income taxes, income surtaxes or excess profits taxes or any state or local property taxes, except as provided in paragraph (c) hereof.

(c) If after the date of this contract the Contractor incurs any state or local property tax with respect to the property allocable to the aforementioned terminated contract(s), the consideration will be increased in the manner set out in paragraph (b) hereof.

(d) In the case of any state or local tax or charge which the Contractor contends is chargeable to the Government because of the provisions of this Article, or any other provision of this contract, the Contractor agrees to refrain from paying such tax or charge upon the direction of the Contracting Officer (in which event the Government will save the Contractor harmless from penalties and interest incurred through compliance with the direction of the Contracting Officer not to pay such tax), to take such steps as may be directed by the Government to cause such tax or charge to be paid under protest; to preserve, and, if so directed by the Contracting Officer, to cause to be assigned to the Government any and all rights to the abatement or refund of such tax or charge; if so requested, to permit the Government to prosecute any claim, litigation or proceeding for the refund of such tax in the name of the Contractor, and to furnish to the Government all reasonable assistance and cooperation requested by the Government in any litigation or proceeding for the recovery of such tax or charges.

ART. 17. *Eight-Hour Law.* (§ 81.346)

ART. 18. *Anti-Discrimination.* (§ 81.325)

ART. 19. *Officials Not to Benefit.* (§ 81.322)

ART. 20. *Covenant Against Contingent Fees.* (§ 81.323)

ART. 21. *Disputes.* (§ 81.326)

ART. 22. *Assignment of Rights Hereunder.* (§ 81.355)

ART. 23. *Definitions.* (a) The term "Secretary of War" as used herein shall include the Under Secretary of War, and the term "his duly authorized representative" shall mean any person or board authorized by the Secretary of War to act for him other than the Contracting Officer.

(b) Except for the original signing of this contract, and except as otherwise stated herein, the term "Contracting Officer" as used herein shall include his duly appointed successor or his authorized representative, or in the event of transfer pursuant to Article 13 hereof, the person designated as Contracting Officer by the Government department or governmental agency to which this contract is transferred.

ART. 24. *Alterations.* The following changes were made in this contract before it was signed by the parties hereto: ---------- ----------

In witness whereof, the parties hereto have executed this contract on the day and year first above written.

THE UNITED STATES OF AMERICA,
By ----------

(Contracting Officer)

(Contractor)

Witnesses as to signature of the Contractor.
(1) ----------

(Address)
(2) ----------

(Address)

NOTE: When in the opinion of the Contracting Officer the circumstances so require, special articles may be added to this contract to provide for particular methods of storing, handling or preserving the property. Such articles may specify that certain items or groups of items may be placed in outside storage or should receive special maintenance. It may also be desirable in some cases to specify particular arrangements of the property—for example, between aisles or otherwise in order to permit ready access to, and visible inspection of, each lot of property, in a particular type of stacks so as to protect property or insure maximum use of storage space; or in accordance with necessary safety requirements.

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44–6393; Filed, May 5, 1944; 10:28 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 60–6]

PART 60—AIR TRAFFIC RULES

FOREIGN FLIGHT AUTHORIZATION

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 3d day of May 1944.

*Insert appropriate reference.

**Where practicable storage rates may be computed on a square or cubic foot basis.

*Delete all lines which do not apply.

[1] NOTE: Where this contract is entered into with subcontractors, appropriate modifications and additions will be necessary in and to the "Whereas" clauses.

*Delete if inapplicable.

Effective May 3, 1944 § 60.94 of the Civil Air Regulations is amended by striking paragraphs (b) and (c).

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

[SEAL] FRED A. TOOMBS, *Secretary.*

[F. R. Doc. 44-6534; Filed, May 8, 1944; 11:38 a. m.]

[Regulations, Serial No. 305]

PART 239—CHARTER TRIPS AND SPECIAL SERVICES

CHARTER TRIPS AND SPECIAL SERVICES BY AIR CARRIERS HOLDING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

Correction

The serial number of the regulations appearing on page 4803 of the issue for Saturday, May 6, 1944, should read as set forth in brackets above.

[Regs., Serial No. 307]

OFFICIAL MISSIONS OF CIVIL AIR PATROL WITHIN CUBA AND CERTAIN PORTION OF MEXICO

SPECIAL CIVIL AIR REGULATION

Noncompliance with the requirements of § 60.94 of the Civil Air Regulations with respect to aircraft of the Civil Air Patrol flying on official missions.

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 3d day of May 1944.

The following Special Civil Air Regulation is made and promulgated to become effective May 3, 1944:

Aircraft flying on official missions of the Civil Air Patrol may operate within the Republic of Cuba and within that portion of the Republic of Mexico lying within 100 miles of the territorial limits of the United States without the foreign flight authorization required by § 60.94 of the Civil Air Regulations.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Secretary.*

[F. R. Doc. 44-6533; Filed, May 8, 1944; 11:38 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

[Rev. VII. Cumulative Supp. 2]

ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Administrator of Foreign Economic Administration, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F. R. 3555), Cumulative Supplement 2 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision VII of March 23, 1944 (9 F. R. 3285), is hereby promulgated.[1]

By direction of the President:

[SEAL] CORDELL HULL, *Secretary of State.*
JESSE H. JONES, *Secretary of Commerce.*
HERBERT E. GASTON, *Acting Secretary of the Treasury.*
LEO T. CROWLEY, *Administrator, Foreign Economic Administration.*
FRANCIS BIDDLE, *Attorney General.*
NELSON A. ROCKEFELLER, *Coordinator of Inter-American Affairs.*

MAY 5, 1944.

[F. R. Doc. 44-6484; Filed, May 6, 1944; 12:41 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter B—Estate and Gift Taxes

[T. D. 5365]

PART 85—GIFT TAX UNDER THE REVENUE ACT OF 1932, AS AMENDED

CERTAIN DISCRETIONARY TRUSTS

In order to conform Regulations 79 (1936 Edition) [Part 85, Title 26, Code of Federal Regulations] to section 502 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding article 1 [§ 85.1] the following:

SEC. 502. CERTAIN DISCRETIONARY TRUSTS IN CONNECTION WITH GIFT TAX. (Revenue Act of 1943, Title V, enacted February 25, 1944.)

* * * * *

(b) *Amendment of Revenue Act of 1932.* Section 501 of the Revenue Act of 1932 (imposing a gift tax) is amended by inserting at the end thereof the following:

(c) *Certain discretionary trusts.* In the case of property in a trust created prior to January 1, 1939, if on and after January 1, 1939, no power to revest title to such property in the grantor could be exercised either by the grantor alone, or by the grantor in conjunction with any other person not having a substantial adverse interest in the disposition of such property or the income therefrom, then a relinquishment by the grantor on or after January 1, 1939, and prior to January 1, 1940, of power or control with respect to the distribution of such property or the income therefrom by an exercise or other termination of such power or control shall not be deemed a transfer of property for the purposes of this title. If such property was transferred in trust, the grantor not retaining such power to revest title thereto in himself, or if such power to revest title to such property in the grantor was relinquished, while a law was in effect imposing a tax upon the transfer of property by gift, this subsection shall apply only if (1) gift tax was paid with respect to such transfer or relinquishment, and not credited or refunded, or a gift tax return was made within the time prescribed on account of such transfer or relinquishment but no gift tax was paid with respect to such transfer or relinquishment because of the deductions and exclusions claimed on such return, and (2) the grantor consents, in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, for all purposes of this title to treat such transfer or relinquishment in the calendar year in which effected, and for all periods thereafter, as having been a transfer of property subject to tax under this title. This subsection shall not apply to any payment or other disposition of income occurring prior to the termination of power or control with respect to the future disposition of income from the trust property.

(c) *Interest on overpayments.* No interest shall be allowed or paid on any overpayment resulting from the application of this section.

PAR. 2. Article 3 [§ 85.3], as amended by Treasury Decision 5010, approved September 19, 1940, is further amended by changing the last paragraph to read as follows:

Section 501 (c), as added by section 502 of the Revenue Act of 1943, provides in the case of property transferred in trust before January 1, 1939, under which the grantor, on and after such date, retained no power to revest title to such property in himself, exercisable by the grantor alone or in conjunction with any other person not having a substantial adverse interest in the disposition of such property or the income therefrom, that the relinquishment by the grantor on or after January 1, 1939 and prior to January 1, 1940, by an exercise or other termination, of a power to change the disposition of the trust property, which completes the gift thereof, shall not be treated as a gift for the purposes of the gift tax statute. However, if the property had been transferred in trust without the grantor retaining power to revest title to the property in himself, or if such power previously retained had been relinquished, while a Federal gift tax statute was in effect, the exemption provided by section 501 (c) shall apply only if (1) gift tax had been paid with respect to such prior transfer or relinquishment, and not credited or refunded, or a gift tax return had been filed within the time prescribed on account of such prior transfer or relinquishment but no gift tax paid because of deductions or exclusions claimed on such return, and (2) the grantor agrees in writing to continue to treat such prior transfer or relinquishment as completing the gift for all purposes of the gift tax statute except as hereinafter indicated with respect to income. Upon submission of such written agreement, the Commissioner may make any necessary redetermination of the amount of the net gifts for such prior year, and, unless assessment is barred by statutory limitations or rule of law, assert any resulting deficiency tax. The exemption provided by section 501 (c) shall not apply to any payment or other disposition of income while the grantor retains the power of disposition of the future income from the trust property. For example, if a donor created a trust in 1930, reserving a power to change the beneficiaries and their proportionate interests with respect to principal and income, but without retaining the power to revest the property in himself, and terminates his reserved power in 1939, so that he is no longer able to change the beneficiaries or their respective interests, the interim payment of income to any beneficiary or other surrender by the donor of control over such income prior to such termination is nevertheless a taxable gift and to be treated accordingly. The same result follows if a similar trust was created while a gift tax law was in effect and the donor, prior to January 1, 1940, terminates the aforesaid reserved power, consenting to treat the original transfer in trust in the calendar year in which effected and for all periods thereafter as having been a transfer subject to gift tax. No interest shall be allowed or paid on any overpayment resulting from the application of the exemption provided by section 501 (c).

(Secs. 501 and 530 of the Revenue Act of 1932 (47 Stat. 245, 259), approved June 6, 1932, and section 502 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.), enacted Feb. 25, 1944)

[SEAL] JOSEPH D. NUNAN, Jr., *Commissioner of Internal Revenue.*

Approved: May 5, 1944.

JOHN L. SULLIVAN, *Acting Secretary of the Treasury.*

[F. R. Doc. 44-6468; Filed, May 6, 1944; 10:18 a. m.]

[T. D. 5366]

PART 86—GIFT TAX UNDER CHAPTER 4 OF INTERNAL REVENUE CODE, AS AMENDED

POWER OF APPOINTMENT

In order to conform Regulations 108 [Part 86, Title 26, Code of Federal Regulations, Cum. Supp.] to sections 502 and 505 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 86.1 the following:

SEC. 502. CERTAIN DISCRETIONARY TRUSTS IN CONNECTION WITH GIFT TAX. (Revenue Act of 1943, Title V, enacted February 25, 1944.)

(a) *Amendment of the Internal Revenue Code.* Section 1000 of the Internal Revenue Code (imposing the gift tax) is amended by inserting at the end thereof the following:

(e) *Certain discretionary trusts.* In the case of property in a trust created prior to January 1, 1939, if on and after January 1, 1939, no power to revest title to such property in the grantor could be exercised either by the grantor alone, or by the grantor in conjunction with any other person not having a substantial adverse interest in the disposition of such property or the income therefrom, then a relinquishment by the grantor on or after January 1, 1940, and prior to January 1, 1945, of power or control with respect to the distribution of such property or the income therefrom by an exercise or other termination of such power or control shall not be deemed a transfer of property for the purposes of this chapter. If such property was transferred in trust, the grantor not retaining such power to revest title thereto in himself, or if such power to revest title to such property in the grantor was relinquished, while a law was in effect imposing a tax upon the transfer of property by gift, this subsection shall apply only if (1) gift tax was paid with respect to such transfer or relinquishment, and not credited or refunded, or a gift tax return was made within the time prescribed on account of such transfer or relinquishment but no gift tax was paid with respect to such transfer or relinquishment because of the deductions and exclusions claimed on such return, and (2) the grantor consents, in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, for all purposes of this chapter to treat such transfer or relinquishment in the calendar year in which effected, and for all periods thereafter, as having been a transfer of property subject to tax under this chapter. This subsection shall not apply to any payment or other disposition of income occurring prior to the termination of power or control with respect to the future disposition of income from the trust property.

* * * * *

(c) *Interest on overpayments.* No interest shall be allowed or paid on any overpayment resulting from the application of this section.

SEC. 505. EXTENSION OF TIME IN CONNECTION WITH RELEASE OF POWERS OF APPOINTMENT. (Revenue Act of 1943, Title V, enacted February 25, 1944.)

* * * section 452 (c) of the Revenue Act of 1942 is amended to read as follows:

(c) *Release before January 1, 1945.* (1) A release of power to appoint before January 1, 1945, shall not be deemed a transfer of property by the individual possessing such power.

(2) This subsection shall apply to all calendar years prior to 1945.

PAR. 2. Section 86.2 (b) is amended as follows:

(A) By changing the second sentence of the first paragraph to read as follows:

The release before January 1, 1945, of a power to appoint created on or before October 21, 1942, the date of enactment of the Revenue Act of 1942, is excepted from the application of the tax by reason of the express provisions of section 452 (c) of the Revenue Act of 1942, as amended by section 505 of the Revenue Act of 1943.

(B) By changing the first part of the second paragraph preceding subparagraph (1) to read as follows:

During the calendar year 1943 and any calendar year thereafter, section 1000 (c) as added by the Revenue Act of 1942, applies, subject, however, to section 452 (c) of such act, as amended by section 505 of the Revenue Act of 1943. That is, during such years an exercise or release of a power of appointment (other than a release prior to January 1, 1945 of a power of appointment created on or before October 21, 1942) without an adequate and full consideration in money or money's worth (including a power to appoint exercisable in conjunction with another person) constitutes a gift by the individual possessing such power, except in the case of the following:

(C) By striking out "March 1, 1944." wherever it appears in subparagraph (3) of the second paragraph and in the next to the last paragraph, and by inserting in lieu thereof "January 1, 1945."

PAR. 3. Section 86.3 is amended by changing the last paragraph to read as follows:

Section 1000 (e), as added by section 502 of the Revenue Act of 1943, provides in the case of property transferred in trust before January 1, 1939, under which the grantor, on and after such date, retained no power to revest title to such property in himself, exercisable by the grantor alone or in conjunction with any other person not having a substantial adverse interest in the disposition of such property or the income therefrom, that the relinquishment by the grantor on or after January 1, 1940 and prior to January 1, 1945, by an exercise or other termination, of a power to change the disposition of the trust property, which completes the gift thereof, shall not be treated as a gift for the purposes of the gift tax statute. However, if the property had been transferred in trust without the grantor retaining power to revest title to the property in himself, or if such power previously retained had been relinquished, while a Federal gift tax statute was in effect, the exemption provided by section 1000 (e) shall apply only if (1) gift tax had been paid with respect to such prior transfer or relinquishment, and not credited or refunded, or a gift tax return had been filed within the time prescribed on account of such prior transfer or relinquishment but no gift tax paid because of deductions or exclusions claimed on such return, and (2) the grantor agrees in writing to continue to treat such prior transfer or relinquishment as completing the gift for all purposes of the gift tax statute except as hereinafter indicated with respect to income. Upon submission of such written agreement, the Commissioner may make any necessary redetermination of the amount of the net gifts for such prior year, and, unless assessment is barred by statutory limitations or rule of law, assert any resulting deficiency tax. The exemption provided by section 1000 (e) shall not apply to any payment or other disposition of income while the grantor retains the power of disposition of the future income from the trust property. For example, if a donor created a trust in 1930, reserving a power to change the beneficiaries and their proportionate interests with respect to principal and income, but without retaining the power to revest the property in himself, and terminates his reserved power in 1944, so that he is no longer able to change the beneficiaries or their respective interests, the interim payment of income to any beneficiary or other surrender by the donor of control over such income prior to such termination is nevertheless a taxable gift and to be treated accordingly. The same result follows if a similar trust was created while a gift tax law was in effect

[1] Filed with the Division of the Federal Register in The National Archives. Requests for printed copies should be addressed to the Federal Reserve Banks or the Department of State.

and the donor, prior to January 1, 1945, terminates the aforesaid reserved power, consenting to treat the original transfer in trust in the calendar year in which effected and for all periods thereafter as having been a transfer subject to gift tax. No interest shall be allowed or paid on any overpayment resulting from the application of the exemption provided by section 1000 (e).

(Secs. 1000, 1029 and 3791 of the Internal Revenue Code (53 Stat. 144, 157, 487; 26 U. S. C. 1000, 1029, 3791), and secs. 502 and 505 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.), enacted Feb. 25, 1944)

[SEAL] GEO. J. SCHOENEMAN,
Acting Commissioner of Internal Revenue.

Approved: May 5, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-6469; Filed, May 6, 1944; 10:18 a. m.]

§ 545.11 Piece rates established in accordance with § 545.7.

* * * * * * *

SCHEDULE A

Operation	Cotton Underwear and Infants' Underwear Division		Infants' Wear Division	Silk (Except Infants') Underwear Division	Wearing Apparel Division		Unit of Payment
	Rayon and infants' silk underwear	Cotton underwear			Women's blouses and dresses	Children's wear	
	1	2	3	4	5	6	
I. SEWING	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	
1. Knitted loops—¼"	1.56	1.40	1.56	1.87	2.50	2.50	Per dozen loops.
2. Knitted loops—1" up to 1¼"	2.63	2.37	2.63	3.16	4.21	4.21	Per dozen loops.
3. Sewing of button—two to three stitches using double thread	1.63	1.47	1.63	1.96	2.61	2.61	Per dozen buttons.
4. Sewing of ribbon	1.71	1.54	1.71	2.05	2.74	2.74	Per dozen ribbons.
5. Pin tucks—up to 7" in length stamped	4.12	3.71	4.12	4.94	6.59	6.59	Per dozen tucks.
6. Tucks ⅛" to ¼" wide—up to 6" in length stamped	2.91	2.62	2.91	4.09	6.26	6.26	Per dozen tucks.
7. Flat roll	3.79	3.41	3.79	4.55	6.06	6.06	Per yard.
8. Half roll	4.10	3.69	4.10	4.92	6.56	6.56	Per yard.
9. Basting for faggotting	1.13	1.02	1.13	1.36	1.81	1.81	Per yard.
10. Rolling armholes and Reboques	6.39	5.75	6.39	7.67	10.22	10.22	Per yard.
11. Buttonholes—⅝" long	5.39	4.85	5.39	6.47	8.62	8.62	Per dozen buttons.
12. French seams—9 to 12 stit. per inch [1]	2.08	1.85	2.08	2.47	3.30	3.30	Per yard.
13. Ordinary running stit. on hems 12 stit. per inch up to 1"	3.36	3.02	3.36	4.03	5.38	5.38	Per yard.
14. Overcasting seams	2.66	2.39	2.66	3.19	4.26	4.26	Per yard.
15. Flat fell seam [1]	4.88	4.39	4.88	5.86	7.81	7.81	Per yard.
16. Patches sewed on w/sgle. pt. ture	8.30	-------	8.30	9.96	13.28	13.28	Per dozen inches.
17. Sewing of laces-ord. running stitch	3.32	-------	3.32	3.98	5.31	5.31	Per yard.

[1] First seam by machine.

NOTE: Columns 1, 2, and 3 based on hourly rate of 12½ cents. Column 4 based on hourly rate of 15 cents. Columns 5 and 6 based on hourly rate of 20 cents.

[F. R. Doc. 44-6432; Filed, May 5, 1944; 2:08 p. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 545—HOME WORKERS IN THE NEEDLEWORK INDUSTRIES IN PUERTO RICO

By virtue of the authority vested in me by section 6 (a) (5) of the Fair Labor Standards Act (52 Stat. 1060), as amended (Pub. Res. No. 88, 76th Cong.), I hereby amend the regulations, Part 545 (Regulations Relating to Home Workers in the Needlework Industries in Puerto Rico), as follows:

Section 545.11, Schedule A (6 F.R. 3634, 6103), is amended by deleting therefrom Operation 13, Cutting of Threads, and Operation 18, Patches—Sewed on w/bld. hemstit., under the heading designated as I. Sewing.

These amendments shall become effective 90 days after the date of publication thereof in the FEDERAL REGISTER.

Signed at New York this 3d day of May 1944.

L. METCALFE WALLING,
Administrator.

Chapter VI—National War Labor Board

PART 802—RULES OF PROCEDURE

DISPUTE CASES

The following sections of the Rules of Procedure have been amended to read as follows:

§ 802.52 *Procedure in dispute cases not involving wages or salaries.* * * *

(b) Upon receipt of the certification, the case will be considered by a New Case Committee of the Regional War Labor Board, composed of the Chairman or Vice-Chairman, one industry and one labor member, and the Disputes Director. The New Case Committee, in determining what action to take, will consult with the Regional Representative of the Conciliation Service. If the Committee does not consider the case ready for a hearing, it may refer the case back to the parties for further negotiation or to the Regional Representatives of the Conciliation Service for further information, or further investigation or conciliation. If the case is deemed ready for a hearing, the Committee will designate a tri-partite panel to hear the case. The Labor representative on the Panel shall be of the same affiliation (AFL or CIO) as the union involved. If an independent union is involved, the labor representative on the panel shall be associated with another independent union. If the parties agree to have the case heard by a single person, the Regional War Labor Board will designate one of the public panel members, or some other suitable person, to hear the case. Wherever the term "panel" is hereafter used, it will be deemed to include a single hearing officer in the cases just mentioned.

§ 802.57 *Authority of Regional War Labor Boards.* * * *

(b) *Directive orders in dispute cases.* (1) Regional War Labor Boards are authorized to issue directive orders in dispute cases in conformity with the policy of the National War Labor Board. Each such directive order shall bear the date of its actual issue, and shall be issued to the parties when made. The issuance of any provision of a directive order, however, which relates to a wage or salary adjustment, may be stayed if two or more public members of the Regional Board dissent from the provision and request that its issuance be stayed. In such event a copy of the directive order and the request for the stay, together with a statement of the reasons for such request, shall be immediately transmitted to the National War Labor Board. The provision so sought to be stayed shall not be issued to the parties until the expiration of ten days after receipt in Washington of the request for the stay, unless (i) the issuance of such provision is earlier approved by the National War Labor Board or (ii) within such ten-day period the National War Labor Board sets the case down for review. In the latter event, the Executive Assistant to the National War Labor Board shall communicate the Board's action to the Regional Board, and the stay shall continue in effect until the case is finally disposed of.

(2) If after the issuance of a directive order no timely petition for review is filed within the period provided in paragraph (c) below, and if the National War Labor Board within such a period does not review the order on its own motion, the order shall on the day following the last day for filing such a petition stand confirmed as the order of the National War Labor Board and shall immediately be effective according to its terms: *Provided*, That the National War Labor Board may at any time prior to the expiration of the time for the filing of a petition for review make such an order, or any part thereof, immediately effective pending any further proceedings. If a timely petition for review of a directive order of a Regional Board is filed by a party in accordance with the provisions of paragraph (c) below, or if the National War Labor Board reviews such an order on its own motion, the entire order shall be suspended, unless and until the National War Labor Board directs, or has directed, otherwise, or unless the parties otherwise agree. However, the date of expiration of the escape period fixed in a directive order of a Regional Board granting a maintenance of membership provision shall not be affected by the filing of a petition for review of this or any other provision of the order. If only a part of the order is sought to be reviewed, any party may petition the National War Labor Board to make the rest of the order immediately effective according to its terms. The parties may in any case mutually agree upon the date when the order, or any part thereof, shall take effect, except that where a wage or salary adjustment is made subject to the approval of the Economic Stabilization Director, the parties may not by their agreement make such adjustment effective prior to the date of such approval.

(3) Copies of all directive orders and of any accompanying opinions (together with such other material as the Wage Stabilization Division may require) shall, when issued, be filed with the National War Labor Board.

(c) *Petitions for review.* (1) Within fourteen days after a Regional Board mails to a party a directive order in a dispute case, or a ruling denying or modifying an application for approval of a voluntary wage or salary adjustment, such party may mail to the Regional Board an original and four copies of a petition, including supporting documents, seeking review by the National War Labor Board of such ruling or directive order. The petition shall (i) state the petitioner's reasons for believing that one or more of the criteria set forth below is satisfied, (ii) set forth fully and in detail the contentions of the petitioner with respect to the merits of each issue raised by the petition, with specific references to any pertinent portions of the record in the case, and (iii) state that a copy of the petition has been served upon the other parties to the case, and the date of such service.

No such petition seeking review by the National War Labor Board of a ruling or directive order of a Regional Board shall be granted unless the petitioner has demonstrated by substantial proof that (i) the ruling or order exceeds the National War Labor Board's jurisdiction, or (ii) the ruling or order contravenes the established policies of the National War Labor Board, or (iii) a novel question is involved of such importance as to warrant national action, or (iv) the procedure resulting in the ruling or order was unfair to the petitioner, and has caused substantial hardship. The party filing a petition shall at the same time serve a copy thereof, together with any supporting documents, upon each of the other parties to the proceeding.

(2) Within fourteen days after a copy of such a petition for review is mailed by the petitioning party to any other party to the case, such other party may mail an answer to the petition to the Regional Board which issued the directive order or ruling. An original and five copies of the answer shall be transmitted to the Regional Board and a copy shall at the same time be served upon each of the other parties to the case. Such an answer shall include a statement that a copy thereof has been served as required above, and shall show the date of such service. An answer may not contain a request for review of any order or any part thereof; such a request must be filed, if at all, in the form of a petition for review in the manner and within the time limit provided in subparagraph (1) above. Each answer should state fully but concisely the respondent's reasons for believing (i) that the petition ought not to be entertained, and (ii) that, if the National War Labor Board decides to entertain the petition, the petition should be denied on the merits.

(d) *Reconsideration of directive orders and rulings.* * * *

(2.) The party petitioning for reconsideration shall serve a copy of the petition on all other parties at the same time that it is filed with the Regional Board. The filing of such petition does not preclude the filing of a petition for review, but shall not extend the time for filing a petition for review nor change the date when the directive order takes effect.

* * * * * * *

(5) If the ruling or directive order issued by the Regional Board is modified by the Regional Board in response to a petition for reconsideration or upon its own motion, the Regional Board shall issue to the parties such ruling or order, as modified, in the same manner and with the same effect as is provided in paragraphs (a) and (b) of this section. The order or ruling as modified shall be subject to review in accordance with the provisions of paragraph (c) of this section, except that the period prescribed therein for filing a petition for review or answer thereto shall be seven instead of fourteen days.

(E.O. 9017, 7 F.R. 237, E.O. 9250, 7 F.R. 7871, War Labor Disputes Act, P.L. 89, 78th Cong.)

Adopted April 4, 1944.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-6470; Filed, May 6, 1944; 10:08 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 222]

PART 691—REGULATIONS FOR CAMPS OPERATED BY THE NATIONAL SERVICE BOARD FOR RELIGIOUS OBJECTORS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend Part 691 in its entirety to read as follows:

ORGANIZATION

Sec.
691.1 Camp responsibility.
691.2 Camp overhead.

CARE, WELFARE, AND DISCIPLINE

691.11 Subsistence.
691.12 Clothing.
691.13 Medical care and hospitalization.
691.14 Welfare and recreation.
691.15 Education.
691.16 Furloughs and liberty.
691.17 Discipline.

WORK PROGRAM

691.21 Allowable project work.
691.22 Hours of work.
691.23 Assignees in supervisory positions.
691.24 Records and reports.
691.25 Safety program and accident reports.

ORGANIZATION

§ 691.1 *Camp responsibility.* (a) The National Service Board for Religious Objectors will appoint the camp director. The camp director is responsible for all phases of camp operations, including maintenance of the camp and its environs and watchman service in accordance with standards acceptable to the technical agency directing the work project. He is also responsible for the reception, feeding, housing, clothing, recreation, education, health and camp life of the assignees.

(b) The technical agency responsible for the work project will provide a project superintendent and such other personnel as may be necessary. Such personnel will be governed by the laws and regulations governing the personnel of such agency. The project superintendent of the technical agency is responsible for all phases of job planning and direction, the direction of technicians detailed to the camp, job training, and the safety program while assignees are under his direction. The project superintendent of the technical agency will issue drivers' permits for the operation of government owned vehicles in accordance with the regulations established by his agency.

§ 691.2 *Camp overhead.* The camp director is authorized to relieve assignees not in excess of the number authorized by the Director of Selective Service from the work project and to detail them to the performance of administrative and housekeeping duties of the camp.

CARE, WELFARE, AND DISCIPLINE

§ 691.11 *Subsistence.* The feeding of assignees at the camp is the responsibility of the camp director. Standard specifications for foods as supplied in the Army or Navy will be applicable. Balanced rations will be provided. Menus will be prepared and posted in the mess hall at least 10 days in advance and a record will be kept of the number of persons and quantities of food served each day. Representatives of the technical agency personnel and of the Director of Selective Service using the camp mess will pay the camp director for meals at the rate of 25 cents for a single meal or not to exceed the average monthly per capita cost of meals for the camp when they are assigned to and live in the camp on a permanent basis.

§ 691.12 *Clothing.* (a) No uniforms for assignees are prescribed.

(b) The camp director will see that every assignee is provided with sufficient and proper clothing to perform his duties. The project superintendent of the technical agency will refuse to take men for work who are not properly pro-

tected against the weather and the hazards of the work. Unsatisfactory clothing will be reported by the project superintendent of the technical agency through his official channels to the Director of Selective Service.

§ 691.13 *Medical care and hospitalization.* (a) In each camp adequate services of a physician will be provided by the religious organization which operates the camp. This physician will be responsible for the medical care of the assignees. The religious organization which operates the camp will make arrangements with the nearest suitable local hospital for admission, on order of the camp physician, of assignees who require hospitalization.

(b) All assignees should receive immunization treatments against smallpox, typhoid, tetanus and against such other diseases as local conditions may require. Assignees who object will not be required to submit to immunization treatments but in lieu thereof will be required to sign a statement to the effect that they were offered such treatments and refused them. Such refusal will not exempt assignees from compliance with State and local health laws. Proper notations will be made on the assignee's camp record of the immunization treatments he has received. The standards for vaccinations and inoculations will be the same as those prescribed for the United States Army.

(c) The camp director, under the supervision of the camp physician, shall be responsible for holding the daily sick call. The camp director is responsible for the preparation, accuracy, and submission of such medical reports and records relating to the sick call, illness or injury of assignees as may be required from time to time by the Director of Selective Service. The camp director, with the advice of the camp physician, shall be responsible for camp sanitation and the camp shall be subject to inspection from time to time by representatives of the United States Public Health Service or the Director of Selective Service. The camp physician shall be available at all times for emergency calls.

(d) Assignees shall be instructed in and shall obey the rules of health, sanitation, and safety prescribed for the camp.

§ 691.14 *Welfare and recreation.* The welfare and recreation of assignees is the responsibility of the camp director. Such motor vehicles as are assigned to the camp may be used to provide transportation to the assignees for educational, religious, or recreational purposes under such rules as the technical agency operating the project and the Director of Selective Service may prescribe.

§ 691.15 *Education.* The educational program for assignees is the responsibility of the camp director. He may avail himself of such volunteer services as may be provided by members of the technical agency staff attached to the camp. On-the-job training is the responsibility of the project superintendent of the technical agency.

§ 691.16 *Furloughs and liberty.* (a) The camp director, with the concurrence of the project superintendent of the technical agency, may grant furloughs to an assignee at such times as he may be spared from his duties. No assignee may receive a furlough or furloughs in excess of a total of 30 days in any one year. Such furloughs shall include weekends and holidays falling within the furlough period. At the request of the project superintendent of the technical agency based upon unusual conditions such as fire hazards, emergency farm work, or short working season, the camp director will restrict or suspend the granting of furloughs to any or all men assigned to the camp. Such action may be taken by the camp director upon his own initiative whenever in his opinion circumstances render such restrictions or suspensions desirable. The number of assignees on furlough at any one time will not exceed 15% of the total number of assignees in a camp unless the authorization of the Director of Selective Service is first obtained.

(b) The camp director may grant liberty or leave to assignees during the hours outside of work hours. The camp director may restrict or suspend liberty or leave whenever in his opinion circumstances render such action desirable. A sufficient number of assignees will remain at the camp at all times to provide for watchman service and fire protection.

(c) The Director of Selective Service or the camp director may issue regulations governing furlough, liberty, and leave. The duty is hereby imposed on each assignee to abide by and obey such furlough, liberty, or leave regulations.

§ 691.17 *Discipline.* (a) An assignee who fails to perform the duties outlined in § 653.12 or whose conduct amounts to a violation of local, State, or Federal criminal statutes or to violation of these regulations or camp rules issued under the authority of these regulations, or to a violation of furlough, liberty, or leave regulations, will be subject to such restriction of privileges, extra duty, reclassification under the Selective Service Regulations, or prosecution under the Selective Training and Service Act of 1940, as amended, as the case may warrant.

(b) If an assignee is sought for violation of local, State, or Federal criminal statutes, he will be delivered to the appropriate authority upon proper warrant for his arrest being exhibited to the camp director. The camp director will make a full and immediate report to the Director of Selective Service through regular channels of all such arrests and the disposition of the matter. Upon receipt of the facts concerning such arrests and disposition, the Director of Selective Service will determine whether to submit such information to the assignee's local board with a request that the assignee's case be reopened and his classification considered anew under the Selective Service Regulations.

(c) If, after reporting to camp, an assignee departs or absents himself from the camp without authority, the Director of Selective Service will be notified not later than the 11th day following such departure or absence. The Director of Selective Service may take the necessary steps to report the assignee to the proper United States Attorney as a violator of the Selective Training and Service Act of 1940, as amended. In addition, forfeiture of 3 days of furlough time for each day of unauthorized absence is mandatory.

(d) Refusal to work or perform other assigned duties, counseling or inciting others to refuse to work or perform assigned duties, or failure to abide by the rules and regulations promulgated by the camp director or the Director of Selective Service constitutes a violation of these regulations. A full and immediate report of any violation of such rules and these regulations will be made to the Director of Selective Service through regular chanels. If the reported conduct indicates that the assignee may have been improperly classified, the Director of Selective Service may take the necessary steps to submit the information to the assignee's local board with a request that the assignee's case be reopened and his classification considered anew under the Selective Service Regulations or the Director of Selective Service may report the assignee to the proper United States Attorney as a violator of the Selective Training and Service Act of 1940, as amended.

(e) Loss of time of over 24 hours because of the assignee's absence without leave, sickness or injury due to his own misconduct, confinement by civil authorities following conviction, or willful failure to perform duties must be made up; *Provided*, That no assignee may be retained in camp longer than his maximum period of service as prescribed by law.

(f) Subject to the approval of the Director of Selective Service, the camp director may make and enforce such additional rules as he may deem appropriate for the operation of his camp and the carrying out of these regulations, and he has wide latitude in imposing such additional disciplinary action as he may deem necessary.

(g) Representatives of the technical agency having difficulties with assignees will refer all such cases to the camp director for appropriate action. If the camp director does not take appropriate action to correct the situation, the camp superintendent may report the case through the usual channels of his technical agency to the Director of Selective Service.

WORK PROGRAM

§ 691.21 *Allowable project work.* An assignee at a camp may be employed on any authorized work of the technical agency involved in the work program of the camp, including farm labor and overhead and maintenance of the camp. Work priority shall be determined by the technical agency.

§ 691.22 *Hours of work.* While there is no legal limitation of the number of hours that an assignee may be required to work in any given day or week, the usual hours will be determined from time to time by the Director of Selective Service. In addition, assignees will be subject to emergency calls by the project superintendent of the technical agency on any day or night at any hour for the purpose of fighting forest fires or other emergencies affecting life or property.

§ 691.23 *Assignees in supervisory positions.* The project superintendent of the technical agency may designate such assignees as foremen and key men as he considers necessary for the operation of the project. Assignees so designated will be exempt from any rotation of duty system, will be trained to act as supervisors of other assignees, and will be responsible to the project superintendent of the technical agency for carrying out his orders and instructions.

§ 691.24 *Records and reports.* In accordance with instructions issued from time to time, the project superintendent of the technical agency will prepare such records and reports covering the work project as may be required. These reports will be forwarded to the Director of Selective Service through the technical agency concerned. They will be prepared so as to provide the Director of Selective Service with information as to the personnel available for the project work and a record of the work accomplished.

§ 691.25 *Safety program and accident reports.* (a) The applicable provisions of the Safety Manual formerly used by the Civilian Conservation Corps, with such modifications and additions as the Director of Selective Service may prescribe, are adopted for use as a safety program within the camp. A safety committee shall be organized as soon as a camp is placed in operation. This committee shall consist of the camp director, the project superintendent of the technical agency or his representative, and an assignee selected by the other members of the safety committee. The safety committee will hold meetings at stated intervals and will be responsible for the safety program.

(b) Any death or serious personal injury and any serious damage to either public or private property shall, within 24 hours of its occurrence, be reported by telegram to the Director of Selective Service, Washington, D. C. This report shall be made by the person charged with the duty of investigating and reporting the incident. The project superintendent of the technical agency is charged with the duty of investigating and reporting all such incidents involving assignees while under his supervision, and all such incidents connected with the work project or Government-owned vehicles. The camp director is charged with the duty of reporting all other such incidents.

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MAY 4, 1944.

[F. R. Doc. 44-6437; Filed, May 5, 1944; 3:06 p. m.]

PART 692—RULES FOR GOVERNMENT-OPERATED CAMPS

[Amdt. 223]

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend Part 692 in its entirety to read as follows:

ORGANIZATION

Sec.
692.1 Camp responsibility.
692.2 Camp overhead.

CARE, WELFARE, AND DISCIPLINE OF ASSIGNEES

692.11 Subsistence.
692.12 Clothing.
692.13 Medical care and hospitalization.
692.14 Welfare and recreation.
692.15 Education.
692.16 Furloughs and liberty.
692.17 Discipline.

WORK PROGRAM

692.21 Allowable work project.
692.22 Hours of work.
692.23 Assignees in supervisory positions.
692.24 Records and reports.
692.25 Safety program and accident reports.
692.26 Camp rules.

ORGANIZATION

§ 692.1 *Camp responsibility.* The camp director will be appointed by the technical agency operating the camp. The camp director is responsible for all phases of camp operations; the work program, including maintenance of the camp and its environs; the protection of Government property; the maintenance of discipline; and the reception, food, clothing, shelter, allowances, recreation, health, education, and welfare of assignees.

§ 692.2 *Camp overhead.* The camp director is authorized to relieve assignees not in excess of the number authorized by the Director of Selective Service from the work project and to detail them to the performance of administrative and housekeeping duties of the camp.

CARE, WELFARE, AND DISCIPLINE OF ASSIGNEES

§ 692.11 *Subsistence.* (a) The feeding of assignees is the responsibility of the camp director who will comply with such instructions as to balance, variety, and preparation of food as may be prescribed. Food will be provided without cost to the assignees. Basically, the ration will be the Army ration and its allowable substitutes as prescribed in AR 30-2210 (March 15, 1940) with such modifications as may be prescribed. Standard specifications for food as supplied for the Army or Navy will be applicable to such modifications. Ration-saving privileges may be allowed and the monetary value of the ration will be prescribed monthly.

(b) Representatives of the technical agency and of the Director of Selective Service who are fed at the camp will be charged for meals but not to exceed the value of the camp ration on a monthly basis of more than 25 cents for a single meal. Persons not officially connected with the camp will pay 25 cents per meal.

§ 692.12 *Clothing.* (a) No uniforms for assignees are prescribed.

(b) Each assignee will be provided with sufficient and proper clothing to perform his duties.

§ 692.13 *Medical care and hospitalization.* (a) The camp director is responsible for maintaining healthful and sanitary conditions within the camp and for providing assignees with proper medical, surgical and dental treatment. The maintenance of appropriate medical records is also the responsibility of the camp director. The technical agency operating the camp will provide a camp physician on a contract basis who, under the supervision of the camp director, will be responsible for the medical and surgical treatment of assignees and for their physical examinations and immunization treatments. The camp physician will also be responsible, under the supervision of the camp director, for maintaining the medical records at the camp. The services of qualified assignees may be used to assist the camp physician in the performance of any or all of his duties. The technical agency will make arrangements with the nearest suitable local hospital for the admission, on order of the camp director, of assignees who require hospitalization.

(b) All assigness should receive immunization treatments against smallpox, typhoid, tetanus and against such other diseases as local conditions may require. Assignees who object will not be required to submit to immunization treatments but in lieu thereof will be required to sign a statement to the effect that they were offered such treatments and refused them. Such refusal will not exempt assignees from compliance with State and local health laws. Proper notations will be made on the assignee's camp record of the immunization treatments he has received. The standards for vaccinations and inoculations will be the same as those prescribed for the United States Army.

(c) Assignees will be instructed in and shall obey the rules of health, sanitation, and safety prescribed for the camp.

§ 692.14 *Welfare and recreation.* (a) The welfare and recreation of assignees is the responsibility of the camp director.

(b) Ministers or other recognized representatives of religious organizations having members at the camp, as well as friends and relatives of assignees, should be allowed to visit freely, subject only to such restrictions as the proper operation of the camp and work project may require.

(c) A chaplain or educational advisor approved by the Director of Selective Service may live at the camp to assist and supplement the educational, welfare, and recreational program. He may be provided with quarters and subsistence at no greater cost than that paid by the administrative personnel attached to the camp. His activities must have the approval of the camp director and he must conform to the general rules for the conduct of the camp.

(d) Motor vehicles assigned to the camp may be used to provide transportation of the assignees for educational, recreational, or religious purposes under such rules as the technical agency operating the camp and the Director of Selective Service may prescribe.

§ 692.15 *Education.* The camp director is responsible for training in first-aid, health and sanitation, safety, disaster and rescue work, and job training. All technical agency personnel will be available for use in connection with the educational program. All assignees will be required to take part and the services of qualified assignees may be used. The camp director should assist and encourage the formation of volunteer classes according to the needs and desires of the assignees.

§ 692.16 *Furloughs and liberty.* (a) The camp director may grant furloughs to an assignee at such times as he may be spared from his duties. No assignee may receive a furlough or furloughs in excess of a total of 30 days in any one year. Such furloughs shall include weekends and holidays falling within the furlough period.

(b) The camp director may temporarily restrict or suspend the granting of furloughs to any or all assignees whenever, in his opinion, the circumstances render such restrictions or suspensions desirable. The number of assignees on furlough at any one time will not exceed 15% of the total number of assigneees in a camp unless the authorization of the Director of Selective Service is first obtained.

(c) The camp director may grant liberty or leave to assignees during the hours outside of work hours. The camp director may restrict or suspend liberty or leave whenever in his opinion circumstances render such action desirable. A sufficient number of assignees will remain at the camp at all times to provide for watchman service and fire protection.

(d) The Director of Selective Service or the camp director may issue regulations governing furlough, liberty, and leave. The duty is hereby imposed on each assignee to abide by and obey such furlough, liberty or leave regulations.

§ 692.17 *Discipline.* (a) An assignee who fails to perform the duties outlined in § 653.12 or whose conduct amounts to a violation of local, State, or Federal criminal statutes or to violation of these regulations or camp rules issued under the authority of these regulations, or to a violation of furlough, liberty, or leave regulations, will be subject to such restriction of privileges, extra duty, reclassification under the Selective Service Regulations, or prosecution under the Selective Training and Service Act of 1940, as amended, as the case may warrant.

(b) If an assignee is sought for violation of local, State, or Federal criminal statutes, he will be delivered to the appropriate authority upon proper warrant for his arrest being exhibited to the camp director. The camp director will make a full and immediate report to the Director of Selective Service through regular channels of all such arrests and the disposition of the matter. Upon receipt of the facts concerning such arrests and disposition, the Director of Selective Service will decide whether to submit such information to the assignee's local board with a request that the assignee's case be reopened and his classification considered anew under the Selective Service Regulations.

(c) If, after reporting to camp, an assignee departs or absents himself from camp without authority, the Director of Selective Service will be notified not later than the 11th day following such departure or absence. The Director of Selective Service may take the necessary steps to report the assignee to the proper United States Attorney as a violator of the Selective Training and Service Act of 1940, as amended. In addition, forfeiture of three days of furlough time for each day of unauthorized absence is mandatory.

(d) Refusal to work or perform other assigned duties, counseling or inciting others to refuse to work or perform assigned duties, or failure to abide by the rules and regulations promulgated by the camp director or the Director of Selective Service constitutes a violation of these regulations. A full and immediate report of any violation of such rules and these regulations will be made to the Director of Selective Service through regular channels. If the reported conduct indicates that the assignee may have been improperly classified, the Director of Selective Service may take the proper steps to submit the information to the assignee's local board with a request that the assignee's case be reopened and his classification considered anew under the Selective Service Regulations or the Director of Selective Service may report the assignee to the proper United States Attorney as a violator of the Selective Training and Service Act of 1940, as amended.

(e) Loss of time of over 24 hours because of the assignee's absence without leave, sickness or injury due to his own misconduct, confinement by civil authorities following conviction, or willful failure to perform duties must be made up: *Provided*, That no assignee may be retained in camp longer than the maximum period of service prescribed by law.

(f) After compliance with paragraph (g) of this section, the camp director has the following punitive powers which he may exercise singly or in combination:

(1) Admonition.

(2) Suspension of privileges.

(3) Assignment of extra work outside of usual working hours.

(4) Cancellation of furlough privileges subject to the approval of the Director of Selective Service.

(5) Forfeiture of three days of furlough time for each day of unauthorized absence. This provision is mandatory in every case where unauthorized absence is established.

(g) Before exercising any of the punitive powers under paragraph (f) of this section, the following procedure will be had:

(1) The charge and any evidence in support thereof will be placed in written form, dated and signed by the person making the charge or furnishing the evidence, and copies delivered or read to the accused assignee. The original charge and such evidence will be inserted in the Camp Punishment Book in which will be noted also the date and time at which a copy of the charge and evidence were delivered or read to the accused assignee. Within 24 hours of the time when a copy of the charge and evidence were delivered or read to the accused assignee, he may file with the camp director a written answer to the charge and written statements of any witnesses in support of his answer. The answer and written statements shall be inserted in the Camp Punishment Book. Promptly after the expiration of such 24-hour period, the camp director shall render judgment on the charge and answer, if any, shall reduce the judgment to writing, and shall insert the written judgment in the Camp Punishment Book. The judgment shall be read to or a copy delivered to the accused assignee. The camp director shall make a notation in the Camp Punishment Book of the date and time at which the judgment was read to or a copy was delivered to the accused assignee.

(2) The assignee may appeal from the judgment of the camp director to the Director of Selective Service. Such appeal may be taken at any time within three days of the day on which a copy of the judgment was delivered or read to him. The appeal shall be in writing but need not be in any particular form and shall be delivered to the camp director. When such appeal is taken by the accused assignee, he may at the same time file with the camp director such additional information as he wishes to call to the attention of the Director of Selective Service. The camp director will promptly forward any appeal to the Director of Selective Service and will attach thereto copies of the following documents: The charge, any evidence in written form in support of the charge, the answer if any, any evidence in written form in support of the answer, any additional information which the assignee may have filed with the appeal, and the judgment. The camp director will also forward to the Director of Selective Service a transcript of all other entries made in the Camp Punishment Book concerning the matter and the accused assignee.

(3) The judgment of the camp director shall not be carried out during the time afforded the accused assignee to take an appeal to the Director of Selective Service or during the time such appeal is pending.

(h) A brief summary of the information entered in the Camp Punishment Book, as provided in the foregoing paragraph, will be made and initialed by the camp director in the assignee's camp record.

(i) The forfeiture of furlough time will in all cases be promptly reported by the camp director to the Director of Selective Service.

WORK PROGRAM

§ 692.21 *Allowable work project.* An assignee at a camp may be employed on any authorized work of the technical agency involved in the work program of the camp, including farm labor and the overhead and maintenance of the camp. Work priority shall be determined by the technical agency.

§ 692.22 *Hours of work.* While there is no legal limitation on the number of hours an assignee may be required to work in any given day or week, the usual hours of work will be determined from time to time by the Director of Selective Service. In addition, assignees will be subject to emergency calls by the camp director on any day or night at any hour for the purpose of fighting forest fires or other emergencies affecting life or property.

§ 692.23 *Assignees in supervisory positions.* The camp director may designate such assignees as foremen and key men as he considers necessary for the operation of the camp or project. Assignees so designated will be responsible to the camp director and shall carry out his orders and instructions.

§ 692.24 *Records and reports.* The camp director will be responsible for the preparation and forwarding of such records and reports covering the operation of the camp and project as may be required from time to time by either the technical agency operating the camp or by the Director of Selective Service. Normally, these reports will be made through the regular channels of such technical agency with such exceptions as the Director of Selective Service may find necessary.

§ 692.25 *Safety program and accident reports.* The applicable provisions of the Safety Manual formerly used by the Civilian Conservation Corps with such modifications and additions as the Director of Selective Service may prescribe shall be used in the safety program within the camp. The same duties and responsibilities as are assigned to the company commander or camp superintendent in the Safety Manual of the Civilian Conservation Corps are imposed upon the camp director who is responsible for the safety program. A safety committee will be organized on which is imposed the same duties and responsibilities as are assigned to a safety committee in a camp in the Safety Manual of the Civilian Conservation Corps. Such committee shall consist of the camp director, the two chief administrative assistants, the camp physician, and one assignee to be chosen by the other members of the committee. The Director of Selective Service has the same duties and responsibilities concerning the safety program at a camp as were assigned to the director of the Civilian Conservation Corps in the Safety Manual of the Civilian Conservation Corps.

§ 692.26 *Camp rules.* Rules promulgated by the camp director for the administration of his camp will constitute rules issued pursuant to these regulations when notice has been duly given by posting the same on the camp bulletin board for a period of not less than 24 hours.

The foregoing amendment to the Selective Service Regulations shall be effective within the Continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the Continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MAY 4, 1944.

[F. R. Doc. 44-6436; Filed, May 5, 1944; 3:06 p. m.]

Chapter IX—War Production Board

Subchapter A—General Provisions

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 903—DELEGATIONS OF AUTHORITY

[Directive 24, Supplement 1, as Amended May 5, 1944]

SIGNAL AND ALARM EQUIPMENT

The following supplement to Directive 24 is issued pursuant to the authority vested in me by Executive Order No. 9024 of January 16, 1942, Executive Order No. 9125 of April 7, 1943, and War Production Board Regulation No. 1 as amended December 31, 1943, and is to facilitate the protection of War Housing projects.

§ 903.36a *Supplement 1 to Directive 24*—(a) *Purpose.* General Limitation Order L-39 as amended February 16, 1944, contains the provision, among others, that no person shall sell, deliver or install any signal or alarm equipment costing $50.00 or more except to or for the account of any person who has been specifically authorized by the War Production Board on Form WPB-1319 to receive the specific equipment. The purpose of this delegation is to enable the Federal Public Housing Authority to issue in the name of the War Production Board certain authorizations contemplated by the provisions of Order L-39.

(b) *Delegation of authority.* The Director of the Priorities Division of the Federal Public Housing Authority may issue in the name of the War Production Board on Form WPB-1319 authorizations to receive signal or alarm equipment (as defined in Order L-39) for use in projects under the jurisdiction of the Federal Public Housing Authority, subject to the following conditions:

1. A copy of every authorization on Form WPB-1319 shall be transmitted immediately after issuance to the Safety and Technical Equipment Division of the War Production Board.

2. The issuance of such authorizations shall be subject to any instructions in writing from the Program Vice Chairman of the War Production Board.

3. Such authorizations on Form WPB-1319 shall be signed substantially as follows:

WAR PRODUCTION BOARD,
By ----------,
(Title) ----------
of the Federal Public Housing Authority.

(c) *Redelegation.* The Director of the Priorities Division of the Federal Public Housing Authority may exercise the authority delegated in this supplement through such officials as he may determine, but not more than two officials in each Region established by the Federal Public Housing Authority.

(d) *Expiration.* The authority delegated by this supplement or redelegated pursuant to its provisions shall expire at the end of the sixtieth day after March 24, 1944, but the expiration shall not affect the validity of any prior actions properly taken.

(E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of May 1944.

C. E. WILSON,
Executive Vice Chairman.

[F. R. Doc. 44-6463; Filed, May 5, 1944; 4:45 p. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDER

[Suspension Order S-541]

C. S. WETHERILL, JR.

C. S. Wetherill, Jr., of Bristol, Pennsylvania is engaged in the wholesale and retail lumber and building material supply business. During the period from July 7, 1943, to November 16, 1943, he accepted orders for, and sold, delivered or caused to be delivered, material to John Polombo of Bristol, Pennsylvania, for two construction jobs, one at Edgley, Pennsylvania, and the other at 821 Pond Street, Bristol, Pennsylvania, at an estimated cost of construction of $1,811.71 and $769.58, respectively; he knew or had reason to believe that the materials were to be used in violation of Conservation Order L-41. These acts constituted wilful violations of Conservation Order L-41. During the period from July 7, 1943, to September 17, 1943, he made seventeen

deliveries of softwood lumber as defined in Conservation Order M-208 to John Polombo of Bristol, Pennsylvania. At the time of making these deliveries, respondent had reason to believe that the lumber was to be used in violation of Conservation Order M-208; the making of these deliveries constituted wilful violation of Conservation Order M-208.

These violations of Conservation Orders L-41 and M-208 have diverted scarce materials to uses not authorized by the War Production Board, and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered that:

§ 1010.541 *Suspension Order No. S-541.* (a) Deliveries of material to C. S. Wetherill, Jr., his successors or assigns, shall not directly or indirectly be accorded priority over deliveries under any other contract or order, and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, shall be made directly or indirectly to C. S. Wetherill, Jr., his successors or assigns, of any material or product the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve C. S. Wetherill, Jr., from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on May 5, 1944, and shall expire on July 5, 1944.

Issued this 28th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6462; Filed, May 5, 1944; 4:45 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 19, as Amended May 6, 1944]

FARM SUPPLIES

§ 944.40 *Priorities Regulation No. 19*—(a) *What this regulation does.* This regulation tells how a farmer gets a priority to buy farm supplies from a dealer for use in his farm work and how a dealer gets a priority to maintain his stock of farm supplies. The kinds of farm supplies which are covered by this regulation are only those listed in paragraph (m) of this regulation.

(b) *How a farmer gets farm supplies from his dealer.* (1) Whenever a farmer orders farm supplies on the list from a dealer who has them in stock, the dealer must fill the order if the farmer gives him a signed certificate as follows:

I certify to the War Production Board that I am a farmer and that the supplies covered by this order are needed now and will be used for other than household purposes in the operation of a farm.

The dealer may sell the supplies to the farmer without a certificate, but the dealer must get a certificate at the time he sells if he wants to use it to get a priority for replacing the supplies in his inventory, as explained in paragraph (d) and paragraph (e) below.

(2) If a farmer wants to use the above certificate to get farm supplies which are not in the dealer's stock, except items on the list marked "*", he may do so by giving the dealer his order and a certificate. In that case the dealer may accept the certificate, and use it to get a priority on his own order for the supplies the farmer wants, as explained in paragraph (d). Supplies obtained in this way by the dealer must be sold first to those farmers who left their orders with him and gave him their certificates.

(3) A farmer may also use this certificate at a repair shop to get a priority on the use of its equipment in repairing his farm equipment.

(4) A farmer's order for repair services or for farm supplies listed in paragraph (m) (1) and supported by a certificate is the same as an order rated AA-2x. A farmer's order for farm supplies listed in paragraph (m) (2) and supported by a certificate is the same as an order rated AA-3.

(c) *Farmers' certificates must be approved by rationing committees in the case of large purchases.* If a farmer wants to use a certificate to buy more than $50 worth at one time of any item on the list, he must first get his certificate approved in writing by the County Farm Rationing Committee.

(d) *How a dealer gets his stock of farm supplies.* (1) A dealer can use the farmers' certificates which he collects to get priority on his own orders for listed farm supplies. Paragraph (e), below, tells how to get supplies on the list marked "*". A dealer can get a priority on 75 cents worth of other supplies on the list, ordered by him from suppliers at wholesale prices, for each dollar's worth of supplies bought or ordered from him at retail prices by farmers who gave him certificates. (If he buys direct from the manufacturer, he may proceed only as explained in paragraph (f).) When the dealer orders supplies to replace what he has sold, he does not need to use the certificates to get the same kind of supplies he sold, but can use them to get any kind of farm supplies on the list except those marked "*". If the dealer sends for supplies to fill farmers' orders on hand, he can use his certificates only to get the supplies which the farmers have ordered.

(2) To get the priority, the dealer signs the following statement on the purchase order which he places with his supplier:

I certify, subject to criminal penalties for misrepresentation, that the dollar amount of this order is not more than 75% of the sales price of farm supplies which I have sold or for which I have received orders under Priorities Regulation No. 19 against farmers' certificates now in my possession, and that I have not used the same certificates as the basis for getting a priority on any other order.

(3) In the special case of a dealer, such as a farmers' cooperative, a creamery, a milk-receiving station, or a dairy processing plant, all of whose sales of listed farm supplies are made at cost or at a mark-up not exceeding 3% of cost, the provisions of paragraph (d) (1) apply except that such a dealer can get priority on supplies on a dollar-for-dollar basis using the following certificate in place of that provided in paragraph (d) (2):

I certify, subject to criminal penalties for misrepresentation, that the dollar amount of this order is not more than the sales price of farm supplies which I have sold or for which I have received orders at cost or within 3% of cost under Priorities Regulation No. 19 against farmers' certificates now in my possession and that I have not used the same certificates as the basis for getting a priority on any other order.

(4) Each dealer must keep for at least two years all farmers' certificates which he receives, and whenever he uses a certificate as a basis for a priority he must mark the certificate to show which of his own orders he has used it for.

(5) An order for farm supplies bearing one of the above certifications by the dealer placing the order must be filled by the supplier with whom it is placed, unless he is a manufacturer of those supplies. (Paragraph (f) explains how to get supplies from a manufacturer.) Certified dealers' orders for farm supplies listed in paragraph (m) (1) are to be filled as if they were rated AA-2x. Certified dealers' orders for farm supplies listed in paragraph (m) (2) are to be filled as if they were rated AA-3. However, these are technically not preference ratings, and suppliers may not extend them.

(6) [Deleted May 6, 1944]

(e) *Dealers use different methods in getting certain items.* (1) A dealer may not use the method explained in paragraph (d) above to get the steel items which are marked "*" on the list in paragraph (m), because these are things which the War Production Board handles as "controlled materials." If the item is marked "*", and he has sold it to fill orders accompanied by farmers' certificates, he can get it replaced by an equal quantity of the same or other basic steel products under Order M-21-b-1, or Order M-21-b-2. A dealer handling these items should become familiar with these orders, or his supplier should explain them to him.

(2) The War Production Board may issue orders or regulations making priorities inapplicable to certain items. If any items on the list become subject to these special rules, the dealer's supplier cannot recognize the dealer's certificate as giving him a priority on them. Farmers' certificates can still be used to buy such items from the dealer and the dealer can use the certificates as a basis for a priority for buying other items on the list under paragraph (d) above. For example, Priorities Regulation No. 3 restricts the use of ratings for items on List A of that regulation, but the restrictions of List B (regarding maintenance, repair and operating supplies) do not apply to orders for farm supplies under this regulation.

(f) *How to get farm supplies from manufacturers.* Suppliers, and dealers who buy direct from manufacturers, can get farm supplies from manufacturers either by placing unrated orders, or by using any ratings given them on Form WPB-547 or under other orders and regulations of the War Production Board. They may not extend an AA-2x or AA-3 rating to a manufacturer on the basis of farmers' certificates or dealers' certificates. The War Production Board may sometimes use special ways to get farm supplies to suppliers or direct buying dealers, including the following:

(1) In cases of urgent need the War Production Board may tell manufacturers of farm supplies, other than those marked "*," to make part of their production available only to suppliers and direct buying dealers who show that they serve the farm trade. Whenever this is done, it will be publicly announced by the War Production Board. Farm suppliers and dealers will be told at that time how to get these supplies from the manufacturers, and how they must distribute the supplies in order to meet urgent farm requirements.

(2) Sometimes the War Production Board may decide to give special help on Form WPB-547 to suppliers and direct buying dealers serving the farm trade. The way to ask for help and the kind of help to be given them will be publicly announced at the proper time. Usually they will have to give the War Production Board some sort of special certification or special information on their WPB-547 applications. Until the way to get special help is announced, they can file their WPB-547 applications as usual.

(g) *Effect of this regulation on ordinary sales of farm supplies.* Suppliers and dealers may sell farm supplies not only to persons furnishing certificates under this regulation but also to other persons, as long as certified orders are given the priority to which they are entitled. Moreover, suppliers and dealers may extend in the usual way any preference ratings received from their customers for farm supplies.

NOTE: Paragraphs (h), (i) and (j), formerly paragraphs (f), (g) and (h), redesignated May 6, 1944.

(h) *Penalty for violations.* Any person who makes a false statement in a certificate to get a priority on farm supplies is guilty of a crime and may be punished by a fine or imprisonment.

(i) *What is meant by "farmer".* As used in this regulation, "farmer" means a person who engages in farming as a business, by raising crops, livestock, bees or poultry. It also includes a custom operator who uses farm supplies in performing services for farmers. It does not include a person who just has a "victory garden" or raises food or other agricultural products entirely for his own use.

(j) *What is meant by "dealer".* "Dealer" means any person engaged in the business of selling farm supplies directly to farmers, including a mail order house.

(k) *What is meant by "supplier".* "Supplier" means any person engaged in the business of selling farm supplies, which he does not manufacture himself, to dealers.

(m) *What farm supplies are covered.* This regulation covers only new farm supplies of the kinds listed in this paragraph which are needed and will be used by a farmer in farm work. It does not cover supplies bought for household use, for use on the farm house, or for use in any construction job for which the farmer has been given other priorities to get the materials required.

NOTE: Lists amended May 6, 1944.

(1) Farmers and dealers can get a priority equivalent to AA-2x for the following:

Agricultural containers, wooden, for "on farm" use only (excluding containers required for shipping or delivery purposes):
- Baskets
- Boxes
- Field crates
- Cases
- Hampers

Axes
Barn door hangers
Barn door track
Bars:
- Crow
- Wrecking

Dry batteries for the following devices:
- Flashlights
- Electric fence controllers
- Telephones
- Ignitions

Belts for power transmission
Belt fasteners, metal, for power transmission belts
Bit braces
Bits:
- Auger, solid center, hand operated
- Drill, carbon steel blacksmith
- Drill, carbon steel straight shank
- Plane
- Screwdriver

Blow torches
Blowers, forge, hand operated
Boilers, agricultural
Bolts and nuts, including heel and wedge
Brooms, barn type
Brushes:
- Cleaning
- Motor and generator repair
- Paint and varnish
- Cream separator
- Wire

Buckles, binder canvas
Bush hooks
- *Cable, hay stacker (wire rope)

Cans, five gallon kerosene and gasoline
Caps:
- Fence post driving
- Well pipe driving

Chains:
- Drill cover
- Halter and cow tie
- Harness
- Hooks
- Log
- Malleable detachable
- Repair links
- Steel detachable
- Tractor tire
- Welded coil

Chisels:
- Cold
- Wood

Clevises and swivels
Clippers, bolt
Coils, spark
Combs, curry
Compound:
- Pipe joint
- Valve grinding

Concrete block machines, hand operated
Corn hooks
Cotter pins
Countersinks
Dibbles
Drills, manually operated:
- Breast
- Hand
- Post
- Push

Extinguishers, fire:
- Back pack type
- Pump tank type
- 1 quart and 1½ quart vaporizing liquid type.

Fencing:
- Crib and silo
- *Woven or welded wire

Files
*Flashing
Flashlights
Fluxes:
- Soldering
- Welding

Forges, portable type, hand operated
Forks, agricultural, except harpoon and grapple hay forks
Funnels
Fuses, electric
Gauges, tire pressure
Gloves, canvas
Goggles
Grab hooks
Grease fittings and oil cups
Grease guns, hand operated
Grinders for sharpening tools (excluding grinders equipped with electric motors)
Grinding wheels
Grindstones
Grub hoes
Hack saw blades
Hack saw frames
Hammers
Hand cultivators, not wheel type

Hand sprayers, under 1 quart
Handles:
  Small tool
  Steel goods
Hardies
Hardware, builders
Hardware cloth
Harness
Harness repair tools
Hatchets
Heaters, hot water, for dairy use
Hoes
Hoists, hand operated
Horse collars
Horseshoe tongs
Hose, lawn or garden
Jacks, truck or machinery
Knives:
  Beet topping
  Boning
  Butcher
  Corn
  Draw
  Grafting
  Hay
  Hoof
  Pocket
  Pruning
  Putty
  Skinning
  Sticking
  Stockmen's
  Tobacco
Ladders:
  Extension
  Fruit picking or orchard
  Step
  Straight taper
Lanterns:
  Liquid fuel
  Electric
Levels:
  Carpenters'
  Farm
  Line
Light controls, poultry house
*Line shafting
Line shaft fittings:
  Bearings
  Collars
  Couplings
  Hangers
Load binders
Mattocks
Mauls
Measures:
  Dry
  Liquid
Mixers, concrete, less than 3½ cubic feet batch capacity
Motors, electric, under 1 H. P.
*Nails including horseshoe nails (excluding tacks, wire shoe nails, copper and copper base alloy nails)
Neckyoke irons
Nippers, hoof
Oilers, farm machine
Packing, mechanical
Pads, collar
Padlocks
Pails, galvanized
Peavies
Picks:
  Coal
  Ice
  Railroad
Pincers:
  Blacksmiths'
  Carpenters'
Pins:
  Blanket
  Clevis
*Pipe:
  Standard black and galvanized 4" O. D. and smaller
  Well casing (fabricated by pipe mills)
*Pipe couplings
Pipe fittings, cast or malleable iron
Pipe reamers
Planes, hand operated
Pliers:
  Fence
  Slip joint
  Wire cutting
*Posts, fence, metal
Post hole diggers, hand operated
Potato hooks
*Poultry flooring, metal
*Poultry netting
Pruners:
  Shrub or bush
  Tree
Pulleys:
  Hay fork
  Power transmission
Pumps:
  Barrel
  Dispensing, hand rotary
  Tire
Punches:
  Center
  Drift
  Leather
  Machine
  Pin
Rakes, hand
Rasps:
  Hoof
  Wood
Repair parts for electric motors and generators
Repair parts for tools
Respirators
*Ridge roll
Rivets and rivet washers
*Rods, reinforcing
*Roofing, metal
Rope, 1 inch and smaller (not wire rope)
Saddles, stock
Saw blades
Saw fitting tools:
  Clamps
  Sets
  Swages
Saw mandrels
Saws, hand operated
Scales, portable platform (costing less than $50.00)
Scoops:
  Grain
  Potato
Scrapers:
  Barn
  Poultry house
Screen, fly
Screwdrivers
Screws
Scythe blades
Scythes
Sediment tester discs
Shears:
  Pruning
  Sheep, hand
Shovels and spades including snow shovels
Sickle cones
Singletree irons
Snaths
Snips, tin
Solder
Soldering coppers, non-electric
Sprockets
Squares, carpenters':
  Combination
  Steel
  Try
Staple pullers, fence
*Staples, fence and netting
Sterilizing preparations
Stones, sharpening
Strainer flannels
Strainer discs
Stretchers, fence
*Structural steel shapes such as I-beams, channel irons, angle irons, flat rods, square rods, round rods, etc.
Switches, electric:
  Motor control
  Safety
Tackle blocks
Tanks, wooden water storage (not stock watering tanks)
Tarpaulins
Thermometers:
  Brooder
  Dairy
  Hot bed
  Outdoor
  Seed treating
  Syrup
Thermostats
Threading equipment:
  Dies
  Tap and die holders
  Taps
Tire irons
*Tobacco flue sheets
Tongs
  Blacksmiths'
  Ice
Tubes, drill
Turnbuckles
V-belt drives
*Valley tin
Valves:
  Brass, bronze, or iron body gate, globe, angle or check.
  Relief, for water systems, up to and including 1¼".
Ventilating equipment:
  Barn
  Poultry house
Vises
Washers:
  Lock
  Wrought
Washing preparations, soapless
Webbing, harvester
Wedges
Welding rods and electrodes including hard surfacing rods
Wheel pullers
Wheelbarrows:
  Steel, for dairy use only
  Wooden
Window materials, glass substitute
Window glass
*Wire, barbed
*Wire bale ties
*Wire mesh, reinforcing
Wiring materials and fixtures not including bare and insulated copper wire other than fixture wire incorporated in fixtures
Wood preserving materials
Wrenches

(2) Farmers and dealers can get a priority equivalent to AA–3 for the following:

Blocks, building
Brick
Cement, portland
Insulating materials:
  Bat or blanket type
  Board type
  Fill type
Lumber substitutes:
  Cement-asbestos board (¼" or less)
  Structural board
  Insulating board
Roofing and siding:
  Cement-asbestos
  Composition
  Slate
  Tile
Tile:
  Field drain
  Flue
  Structural

Issued this 6th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1: Superseded May 6, 1944.

[F. R. Doc. 44–6471; Filed, May 6, 1944; 11:00 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–543]

WALTON INDUSTRIES, INC.

Walton Industries, Inc., is a corporation doing business at 30 Ionia Avenue, S. W., Grand Rapids, Michigan. During the period from January 1, 1944, to April 5, 1944, it violated General Limitation Order L–81 in that it processed, fabricated, worked on and assembled between 6,000 and 10,000 toys in the form of wagons. These wagons were on four wheels with a box or body approximately twenty-eight inches by thirteen inches by three and one-half inches, and with a handle approximately twenty-six inches long; they were made of wood, steel and rubber, and were toys as defined in General Limitation Order L–81. The responsible officers of Walton Industries, Inc., were aware of General Limitation Order L–81 and these actions must be deemed to constitute wilful violations of General Limitation Order L–81.

These violations of General Limitation Order L–81 have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.543 *Suspension Order No. S–543.* (a) Walton Industries, Inc., its successors and assigns, shall not directly or indirectly process, fabricate, work on, or assemble any four wheel wagons (or parts thereof) containing any material prohibited by General Limitation Order L–81 with a body or box approximately twenty-eight inches by thirteen inches by three and one-half inches, or any wagons (or parts thereof) of this type or similar thereto, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Walton Industries, Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on May 6, 1944.

Issued this 29th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6493; Filed, May 6, 1944; 4:31 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 49]

ACCEPTANCE OF ORDERS AND SHIPMENT OF ALUMINUM INGOT (INCLUDING PIG, BILLETS, SLABS AND SIMILAR RAW FORMS)

The following direction is issued pursuant to CMP Regulation 1:

(a) This direction explains the conditions under which aluminum ingot producers and smelters may accept orders for and make shipment of aluminum ingot, and the method of reporting such shipments on Form WPB-2593 (formerly CMP–23). The term "ingot", as used in this direction includes pig, slabs, billets, shot and similar other raw forms. It does not include powder, flake, paste or pigment.

(b) Aluminum ingot may be delivered only to fill authorized controlled material orders and "AM" orders as follows:

(1) *Authorized Controlled Material Orders.* (i) Placed by the War Department only and bearing the symbol "W" or "O". The War Department will order ingot only for use in their own establishments.

(ii) For export under a program of the Foreign Economic Administration. These orders for aluminum ingot will bear allotment numbers in the "E" or "L" series and may be placed by the United States Treasury Department, or by another person on the basis of an export license.

(iii) Bearing CMP allotment numbers of which the first four digits follow in the series S–2950 through S–2975. Allotments are made in this series only for destructive or similar direct use of aluminum. Application for allotments for these purposes should be made on Form WPB–2360 to the War Production Board, Washington 25, D. C.

(iv) Bearing the CMP allotment symbols "MRO–P–43" or "V–9". These symbols are used by persons purchasing aluminum ingot for experimental and research work under Order P–43.

(v) For use in casting patterns by foundries which do not have AM authorization numbers. Such orders should be designated "MRO patterns".

No other CMP allotment symbols are acceptable as authority for shipment of aluminum ingot. In any instance, in which the consumer wishes to purchase aluminum ingot under the MRO symbol, except for those uses permitted under paragraphs (b) (1) (iv) and (b) (1) (v), above, he should be referred to the Ingot Section of the Aluminum and Magnesium Division.

(2) "AM" orders bearing a number in the series listed below:[1]

AM–0100 through AM–0499 usable by producers and smelters of aluminum ingot.

AM–0500 through AM–0599 usable by aluminum powder manufacturers.

AM–1000 through AM–1099 usable by producers of aluminum rolled rod and bar.

AM–1100 through AM–1199 usable by producers of aluminum rolled structural shapes.

AM–3000 through AM–3999 usable by aluminum forge shops.

AM–4000 through AM–4099 usable by producers of aluminum extruded products.

AM–6000 through AM–6099 usable by producers of aluminum sheet, strip and plate.

AM–7000 through AM–9499 usable by aluminum foundries and die casting plants.

No other "AM" authorization numbers are acceptable for the shipment of aluminum ingot. An "AM" order placed with an ingot producer as provided above must be accepted and filled as though it were an authorized controlled material order.

(c) In reporting shipments of ingot on Form WPB–2593, show the full CMP allotment number if it falls in the S–2950 to S–2975 series. Only the abbreviated CMP allotment number (Claimant Agency letter and first program number) need be shown for shipments on allotment numbers in the "E", "L", "O", or "W" series. For shipments on "AM" numbers show the full "AM" authorization number.

(d) Any questions concerning authorization for the movement of aluminum ingot should be addressed to the attention of the Ingot Section, Aluminum and Magnesium Division, War Production Board, Washington 25, D. C.

(e) This direction supersedes aluminum directive P–8, dated October 1, 1943, and any previous instructions or directives relative to the acceptance of orders for shipment of aluminum ingot, and paragraph (t) (3) (i) of CMP Regulation No. 1. Aluminum Directive No. P–3, dated July 15, 1943, to "approved" aluminum smelters is hereby revoked.

Issued this 8th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6531; Filed, May 8, 1944; 11:17 a. m.]

[1] (See paragraph (b) (2)). Footnote: Orders for aluminum ingot are identified by authorization numbers preceded by the symbol "AM". These numbers are assigned to aluminum producers, smelters, fabricators, and foundries as authority to purchase of aluminum ingot or other raw material stock for further fabrication into other forms of aluminum controlled materials. If a person or firm wishes to purchase aluminum ingot for such fabrication and does not have such an authorization number, he should be referred to the Ingot Section, Aluminum and Magnesium Division, War Production Board.

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, Direction 2]

TOBACCO FLUE SHEETS

The following direction is issued pursuant to CMP Regulation 4:

Distributors of hot rolled carbon steel sheets must accept orders until June 30, 1944 for Tobacco Flue Sheets which can be filled out of their stock bearing the following certification:

The undersigned represents to the seller and to the War Production Board that the sheet steel specified on this purchase order is to be used only for the manufacture of flues, used in the process of curing tobacco, and such sheets when fabricated will only be sold for such purpose.

----------(Signature)
----------(Title)
----------(Company)

Tobacco Flue Sheets, sold on such certifications, may not be replaced in stock, under the provisions of Order M–21–b–1 except as provided by special direction of the War Production Board.

Issued this 8th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6530; Filed, May 8, 1944; 11:17 a. m.]

PART 3281—PULP AND PAPER[1]

[Limitation Order L–120, Schedule X, as Amended May 8, 1944]

HOUSEHOLD WAX PAPER ROLLS IN CUTTER BOXES

§ 3281.26[1] *Schedule X to Limitation Order L–120*—(a) *Standard ream count.* Basis weights for wax paper used in household rolls for enclosure in cutter boxes shall be calculated by reference to a standard ream of 500 sheets 24" x 36",

[1] Formerly Part 1223, § 1223.11.

with a tolerance of 7½%, after waxing, over or under the specified weight, instead of by reference to the ream of 480 sheets 24" x 36" heretofore used.

(b) *Restrictions on basis weight, width and length.* Except as provided in paragraph (f) of this schedule, no person shall manufacture waxed paper household rolls for enclosure in cutter boxes:

(1) Out of paper of any basis weight except 18# and/or 21#, after waxing, calculated according to the provisions of paragraph (a) of this schedule;

(2) In any width greater than 12 inches, subject to a tolerance of 5%;

(3) In any length less than 125 feet;

(4) In more than two different lengths.

Each manufacturer shall immediately select the two particular lengths (neither less than 125 feet) in which he proposes to manufacture such rolls, shall furnish such information concerning his selection as may be requested from time to time, shall keep records and samples of his selection readily available for inspection by representatives of the War Production Board, and hereafter shall not without specific authorization by the War Production Board, manufacture such rolls in any other lengths. Specific authorization to change the original selection may be applied for by letter, in triplicate, describing the lengths originally selected, the proposed new length or lengths, and the reason why the change is necessary.

NOTE: Former paragraph (c) deleted; former paragraph (d), (e) and (f) redesignated (c), (d), and (e) May 8, 1944.

(c) *Restrictions on weight of cores, size and type of cutter boxes, and number of cutter boxes per shipping case.* (1) No manufacturer shall wind waxed paper household rolls for enclosure in cutter boxes on cores or tubes which in weight exceed 25 lbs. per 1000 rolls, or package any such rolls in cutter boxes made in violation of the provisions of Table III of Schedule IV to Limitation Order L–239. For convenience, a copy of this table is included, as follows:

TABLE III—WAXED PAPER CUTTER BOXES

(a) No person shall manufacture any cutter boxes for packaging rolls of waxed paper excepting in accordance with the following maximum specifications:

(1) Box dimensions: $2\frac{11}{16}$" x $2\frac{11}{16}$" x $12\frac{5}{8}$".

(2) Quality of paperboard, no higher than bleached manila lined news, basis 70 sheets per 30 lb. bundle.

(2) When packing such rolls for shipment each manufacturer shall pack the same in multiples of a dozen, with a minimum of 36 per shipping case, except that cutter boxes containing rolls of 200 feet or more in length may be packed a minimum of 24 per shipping case.

(d) *Prohibition of new designs and brands.* No manufacturer or distributor of waxed paper household rolls in cutter boxes shall use on or in connection with the cutter boxes for such rolls any trade design or brand the original plates for which were not in existence on or before February 20, 1943.

(e) [Deleted May 8, 1944]

Issued this 8th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6527; Filed, May 8, 1944; 11:17 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L–185, as Amended May 8, 1944]

WATER HEATERS

§ 3288.51 *General Limitation Order L–185*—(a) *Definitions.* (1) "Fuel oil" means any liquid petroleum classified as grade No. 1, 2, 3, 4, 5, or 6, including Bunker "C" fuel oil, kerosene, range oil, gas oil and any other liquid petroleum product used for the same purpose as the above designated grades.

(2) "Direct fired water heater" means any device for the direct transference of heat produced by the combustion of coal, wood, fuel oil or gas, or derived from solar rays, to the water of a domestic hot water supply system. The term includes, but is not limited to, coils, side-arm water heaters, bucket-a-day stoves, laundry stoves, dome type water heaters, service water tank heaters, automatic storage water heaters, instantaneous or continuous flow water heaters, underfired storage water heaters, and solar water heaters. The term does not include any tank used in conjunction with any direct fired water heater, the manufacture of which is governed by Limitation Order L–199, any low pressure cast iron boiler designed for the purpose of heating water to provide heat for the interior of a building by means of circulating steam or hot water.

(3) "Indirect water heater" means any device to which steam or hot water is piped for the transference of the heat of such steam or hot water to the water of a hot water supply system, or the water of a hot water space heating system. The term includes, but is not limited to, coils, side arm water heaters, storage water heaters, submerged type water heaters, hot water generators, and preheaters, also instantaneous or continuous flow water heaters having coil bundles 12 inches in diameter or less, (if other than circular in cross section and the internal cross section area is 113 square inches or less). The term does not include any heat exchanger having coil bundles greater than 12 inches in diameter, or any tank used in conjunction with any indirect water heater, the manufacture of which is governed by Limitation Order L–199. It is not intended by the foregoing definition to include any product which is controlled by Orders L–172 or M–293.

(4) "Hot water supply system" means any system of supplying hot water used in whole or in part for bathing, washing, cleaning, cooking or other similar purposes. The term does not include any system for supplying hot water solely for specialized industrial or agricultural purposes.

(5) "Hot water space heating system" means any system which is designed for the purpose of heating the interior of a building or other structure (including ships) by utilizing the heat of hot water.

(6) "Metal jacket" means any metal covering, lining, or portion thereof (but not any metal band two inches or less in width used to support a jacket which holds dry insulation) for any direct fired or indirect water heater, except any metal covering, lining, or portion thereof which conducts flue gases, water, or steam through and to the outside of a direct fired or indirect water heater, and except any ferrous metal wire netting used as a base for the wet application of insulating material.

(7) "Copper base alloy" means any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(8) "Producer" means any person who manufactures, fabricates or assembles new direct fired or indirect water heaters.

(b) *Manufacture and installation of metal jackets.* No producer shall manufacture or fabricate any metal jackets except:

(1) From materials in his inventory on May 8, 1944, or obtained from frozen, idle and excess inventories; or

(2) From allotted material when used to manufacture metal jackets to be installed pursuant to a specific contract or purchase order in any aircraft or vessel other than a pleasure craft, or to be installed on any direct-fired water heater using fuel oil as fuel.

(c) *Use of copper in manufacture.* No person shall use in the manufacture, fabrication or assembly of any direct fired or indirect water heater any copper or copper base alloy, except

(1) For repair or replacement parts;

(2) For temperature, pressure, vacuum or electrical controls, safety devices or valves;

(3) To fill a specific contract, subcontract or purchase order for use in the laundry, bakery or hospital projects of the Army, Navy, War Shipping Administration or Maritime Commission of the United States;

(4) For use as part of the equipment of any aircraft or any vessel for delivery to or for the account of the Army, Navy, War Shipping Administration or Maritime Commission of the United States;

(5) For use by the Army or Navy of the United States outside the forty-eight States and the District of Columbia; or

(6) For coils and tubular units built of tubing of 1½" inside diameter or less for indirect water heaters only. However, the shells, heads, tube plates, spacer plates, terminal outlets and other cast parts of indirect water heaters shall be of ferrous metal or non-metallic materials.

(d) *Use of copper in installation or repair and replacement parts.* (1) No person shall, in any repair or replacement, use or install parts containing in the aggregate more than two pounds of copper or copper base alloy if the weight of the copper or copper base alloy so used or installed exceeds by more than one pound the weight of copper and copper base alloy replaced.

(2) All copper and copper base alloy replaced in any repair shall be delivered by the person making the repair to a scrap dealer or other person specified under Supplementary Order M–9–b.

(e) *Restriction on production.* (1) During the period from July 1, 1943 to June 30, 1944 inclusive, no person shall manufacture, fabricate or assemble units of direct fired or indirect fired water heaters as herein defined, in excess of the percentage of his 1941 unit production of the same classification of hot water heaters, which is indicated in Schedule A hereto attached.

(2) The restrictions of paragraph (e) (1) do not apply to the manufacture, fabrication or assembly of direct fired or indirect water heaters for delivery to or for the account of the Army, Navy, War Shipping Administration or Maritime Commission of the United States.

(f) [Deleted Jan. 20, 1944]

(g) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB–1477 (formerly PD–500) with the field office of the War Production Board, for the district in which is located the plant or branch of the appellant to which the appeal relates.

(h) *Communications.* All communications concerning this order shall, unless otherwise directed be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Reference L–185.

(i) *Reports.* Each producer shall execute and file with the War Production Board such reports as the War Production Board may specify from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 8th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A: PERMITTED PERCENTAGES OF 1941 UNIT PRODUCTION

	Percent
A. Direct fired water heaters:	
1. Underfired water heaters	65
2. Coal and wood fired water heaters	70
3 Side-arm heaters and waterbacks	70
4. All others	90
B. Indirect water heaters	20

[F. R. Doc. 44–6528; Filed, May 8, 1944; 11:17 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M–21, as Amended May 8, 1944]

§ 3294.71 *General Preference Order M–21*—(a) *Purpose and scope.* This is the basic order covering the distribution of steel and iron products. Other rules for distribution, as well as for production and use, are contained in other War Production Board orders and regulations, which must also be complied with, except to the extent that their provisions are inconsistent with this order. With respect to steel, attention is called particularly to the various CMP regulations and to other orders in the M–21 series.

(b) *Definitions.* For the purposes of this order:

(1) The word "steel" means carbon steel (including wrought iron) and alloy steel in the forms and shapes listed in Schedule I of CMP Regulation No. 1. The term includes material sorted or salvaged from scrap and sold for other than remelting purposes. The term also includes all types of rejected or second quality material and shearings except:

(i) When sold as scrap for remelting; or

(ii) When sold as scrap to a scrap dealer for sorting, processing or salvaging, or for resale for remelting.

The term does not include material which has been in use or service.

(2) "Iron products" means cast iron pipe (except cast iron soil pipe and cast iron soil pipe fittings) and all other iron castings, gray and malleable (rough as cast), including all items of ferrous foundry manufacture not classified as steel.

(3) "Producer" means any person who produces steel or iron products.

(c) *Deliveries of iron products and steel forgings.* Iron products and carbon or alloy steel forgings may not be delivered except:

(1) On orders bearing a preference rating of AA-5 or higher; or

(2) As permitted under Priorities Regulation No. 13; or

(3) As specifically authorized or directed in writing by the War Production Board.

(d) *Deliveries of other steel.* Other steel may not be delivered except:

(1) As permitted under CMP Regulation No. 1 or CMP Regulation No. 4; or

(2) As permitted under Priorities Regulation No. 13 or Priorities Regulation No. 19; or

(3) To distributors as permitted under Order M–21–b–1 or M–21–b–2; or

(4) As specifically authorized or directed in writing by the War Production Board.

(e) *Iron products and steel forgings.* Iron products and carbon and alloy steel forgings are obtained on preference rated orders, and purchase orders for these products must be accompanied by a certification of the applicable rating in substantially the form set forth in Priorities Regulation No. 7.

(f) *Special directions.* The War Production Board may from time to time issue special directions to any person or persons as to the type, description, amount, source, or destination of steel or iron products to be produced, delivered, or acquired by such person or persons.

(g) *Producers' reports.* Each producer shall file with the War Production Board, Washington 25, D. C., Reference: M21, reports at such times and on such forms as may from time to time be prescribed, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

NOTE: Paragraphs (h), (i) and (j), formerly (g), (h) and (i), redesignated May 8, 1944.

(h) *Violations.* Any person who willfully violates any provision of this order

or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priorities control and may be deprived of priorities assistance.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by letter referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to Steel Division, War Production Board, Washington 25, D. C., Ref: M–21.

Issued this 8th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE 1: Deleted May 8, 1944.

INTERPRETATION 1: Deleted May 8, 1944.

[F. R. Doc. 44–6529; Filed, May 8, 1944; 11:17 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M–73, as Amended May 6, 1944]

WOOL

§ 3290.286 *Conservation Order M–73*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* In this order:

(1) "Wool" means the fiber from the fleece of the sheep or lamb, or the hair of the Angora goat (mohair) or the Cashmere goat, camel, alpaca, llama, vicuna, and related fibers, including carpet wool, but does not include noils, waste, tanners' wool waste, reprocessed or reused wool, or yarn or cloth;

(2) "Waste" means the by-product resulting from carding, combing, spinning and subsequent operations on any system, but does not include the by-product resulting from scouring and carbonizing operations;

(3) "Put into process" means:

(i) On the worsted system, the first operation of drawing after combing;

(ii) On any other system using tops, cut tops or broken tops, the first operation of cutting, breaking, picking or carding, as the case may be;

(iii) On the woolen, felt, or any other system not using tops, the first operation after scouring, carbonizing, dusting or similar cleaning or preparatory process;

(4) [Deleted Nov. 19, 1943]

(c) *Restrictions.* (1) No person shall put into process any wool other than carpet wool or mohair for the manufacture of any floor covering.

(2) No person shall put into process or use any alpaca or tops therefrom (except alpaca seconds, llama, huarizo, pieces, low offsorts or locks), except for the manufacture of yarns or cloth to be delivered to or for the account of, or to be physically incorporated into material or equipment to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

(3) No spinner shall deliver on an unrated order any knitting yarn which he puts into process in the period from May 13, 1944, through July 15, 1944. He shall in that period produce at least the same proportion of knitting yarn to all other Bradford yarn as he produced in the first calendar quarter in 1944.

In this subparagraph "yarn" means yarn containing any wool, produced on spinning, twister or roving frames on the Bradford system, "spinner" means a person who in the first calendar quarter in 1944 produced such knitting yarn for use by himself or others, and calculations are in pounds.

(d) *Prohibition against sales or deliveries.* No person shall sell, deliver, or accept any material if he knows, or has reason to believe, such material is to be used in violation of this order.

(e) *General exceptions.* The restrictions of this order shall not apply to any person to the extent that such person puts wool into process for the making of wool products entirely by hand, including the spinning and weaving of the cloth.

(f) *Equitable distribution.* It is the policy of the War Production Board that wool, noils, waste, tanners' wool waste, and reprocessed or reused wool, and yarns, cloth, felts and products containing any of the foregoing, not required to fill rated orders, shall be distributed equitably. In making such distribution due regard shall be given to essential civilian needs, and there should be no discrimination in the acceptance or filling of orders as between persons who meet the seller's regularly established prices and terms of sale or payment. Under this policy every seller of such items, so far as practicable, should make available an equitable proportion of his merchandise to his customers periodically without prejudice because of their size, location or relationship as affiliated outlets. It is not the intention to interfere with established channels and methods of distribution unless necessary to meet war or essential civilian needs. If voluntary observance of the policy outlined is inadequate to achieve equitable distribution, the War Production Board may issue specific directions to named concerns. A failure to comply with a specific direction shall be deemed a violation.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Reports.* Every person classified below, to whom the form is sent by the War Production Board or by the Bureau of the Census, shall, within the period specified in the reporting form, file with the War Production Board, or the Bureau of the Census, whichever is specified in the form, each form applicable to him, giving the information required, as follows:

Who shall file:	Form Number
1. A person in the business of putting into process wool or wool tops, or who has wool or wool tops put into process by another for his account.	WPB–2857 (formerly PD–274).
2. A person in the business of operating woolen, worsted or felting machinery.	WPB–2857, WPB–1420.
3. An owner, or a consignee from a grower, of wool, noils, waste, tanners' wool waste, reprocessed or reused wool.	WPB–295, WPB–370.

(j) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, in writing, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Reference: M–73.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6494; Filed, May 6, 1944; 4:31 p. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 59]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. Section 22.1 is amended by inserting the following definition between the definition of "ration credits" and definition of "rationed food".

"Ration evidence" means any written or printed document authorizing the transfer, delivery or acquisition of rationed commodities or the transfer of ration credits, and includes stamps, coupons, certificates and ration checks.

2. New sections 25.3 and 25.4 are added to read as follows:

SEC. 25.3 *Institutional users who cease serving military or naval personnel.* (a) An institutional user who has fed Army, Navy, Marine Corps or Coast Guard personnel in the manner described in section 25.1 and who ceases feeding such personnel in that manner, must account for all rationed foods and ration credits for feeding such personnel which he has on hand.

(b) He must file a statement with the board prior to June 1, 1944, or within thirty (30) days after ceasing to feed such military or naval personnel, whichever is later, showing:

(1) The quantities and kinds of rationed foods on hand when he ceased feeding such personnel which had not been previously reported to the board under any provisions of this order;

(2) The point value at the time of filing the statement of each kind of processed foods or foods covered by Ration Order 16 included in the statement; and

(3) The amounts of any unexpended ration credits or ration evidences on hand at such time which were acquired in the manner described in section 25.1.

(c) At the time of filing that statement he must, in addition, turn over to the Board all unexpended ration credits and ration evidences described in the statement.

(d) After filing the statement, he must:

(1) Sell or transfer the rationed foods listed therein for ration evidences in the same way that a retailer is permitted to sell or transfer such foods. (NOTE: Such transfers may not be made in exchange for tokens.) Within five (5) days after the sale or transfer, he must surrender to the Board all ration evidences received and account for any foods sold at less than full point value; or

(2) Retain all or part of the food for institutional use at his establishment, and issue to the Board a certified ration check (or surrender ration evidences if he has no ration bank account) for the amount of the food retained.

(e) Thirty (30) days after filing the statement he shall be charged with excess inventory of sugar, processed foods and foods covered by Ration Order 16, each computed separately, in the following way:

(1) The total amount of ration credits or ration evidences surrendered to the Board is determined;

(2) If he sold or transferred any processed foods or foods covered by Ration Order 16 at less than their full point value, the difference between the point value of those foods and the number of points received by him for those foods is determined;

(3) The figures obtained in (1) and (2) are added, and the sum is deducted from the total of the value (in pounds for sugar, in points for processed foods and foods covered by Ration Order 16) of the foods and unexpended ration credits and evidences reported on his statement; and

(4) The difference is charged as excess inventory.

SEC. 25.4 *Disposing of excess stocks by institutional users feeding military or naval personnel.* (a) An institutional user who feeds Army, Navy, Marine Corps or Coast Guard personnel in the manner described in section 25.1 and who has a stock of rationed foods for that purpose which is not charged to excess inventory may dispose of any part of those foods although he will continue to feed such personnel. He may dispose of those foods in the following way:

(1) He must obtain the permission of the officer in command (or other authorized officer) to sell or transfer such foods or to use them for service other than to Army, Navy, Marine Corps or Coast Guard personnel messed in the manner described in section 25.1; and

(2) Upon obtaining such permission, he may sell or transfer those foods in the same way that a retailer is permitted to sell or transfer such foods. Within five (5) days after the sale or transfer he must surrender to the officer in command all ration evidences received. He must also account to the officer in command for any foods transferred for which he did not receive ration evidences. If he wishes to retain such foods for institutional use in his establishment for service other than to Army, Navy, Marine Corps or Coast Guard personnel messed in the manner described in section 25.1, he must surrender to the officer in command ration credits or ration evidences in an amount equal to the value of the foods retained by him for such service. Any ration credits or ration evidences so surrendered shall be deposited in the ration bank account maintained for the use of the officer in command.

This amendment shall become effective May 10, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1–E, 1–M and 1–R, 7 F.R. 562; 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 5th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6449; Filed, May 5, 1944; 3:50 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 63]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. A new section 5.7 is added to read as follows:

SEC. 5.7 *Reduction of allotments for Ration Order 16 foods.* (a) The meal service allotment under sections 6.2, 7.3, 7.6, 7.9, 26.1 and 31.1, and Article XI, for foods covered by Ration Order 16 for all institutional users for the allotment period May–June, 1944, shall be reduced by fifty percent (50%). If the allotment for that period has already been issued, the amount of this reduction in the allotment shall be charged as excess inventory. An institutional user may not, after May 3, 1944, use foods covered by Ration Order 16 which have a point value if, between May 1 and May 3, 1944, he used such foods up to the amount of that reduced allotment plus any unused parts of his prior allotments, or if the use of those foods would cause his total use of such foods in points during the allotment period May–June, 1944, to exceed that reduced allotment plus any unused parts of his prior allotments.

(b) Any institutional user other than a Group I user who, after April 30, 1944, acquired for points foods covered by Ration Order 16 which have a zero point value beginning May 4, 1944 from his reserve allotment or from points issued to him for the allotment period May–June 1944, may apply for an adjustment in the amount by which his allotment is reduced under paragraph (a) of this section. (An institutional user who on April 30, 1944, had points on hand or in his ration bank account is considered to have acquired foods covered by Ration Order 16 which have a zero point value beginning May 4, 1944, from his reserve allotment or from points issued to him for the allotment period May–June 1944,

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10002, 11676, 11380, 11479, 23483, 12557, 12403, 12744, 14473, 15488, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2287, 2252, 2476, 2789, 3080, 3075, 3340, 3704, 3677, 4196.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10002, 11676, 11480, 11479, 12383, 12557, 12403, 12744, 14472, 15488, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2287, 2252, 2476.

only to the extent that the point value of such foods he acquired after April 30, 1944 exceeds the points he had on hand and in his ration bank account, less his reserve allotment, on that date.) Application shall be made on OPA Form R–315 to the Board and must state, with respect to each such acquisition:

(1) The point value of foods covered by Ration Order 16 which have a zero point value beginning May 4, 1944, which he acquired for points after April 30, 1944, from his reserve allotment or from points issued to him for the allotment period May–June 1944;

(2) The types and quantities of such foods acquired with these points;

(3) The dates on which such foods were acquired; and

(4) The names and addresses of the persons from whom such foods were acquired.

(c) If the Board finds the statements made in the application are true, it shall grant the application and increase his allotment by the number of points which he used between May 1 and May 3, 1944, inclusive, from his reserve allotment or from points issued to him for the allotment period May–June 1944, to acquire foods covered by Ration Order 16 which have a zero point value beginning May 4, 1944. If he has been charged with excess inventory under paragraph (a), that excess inventory shall be reduced by the amount of the increase in his allotment.

2. Section 12.4 is amended by inserting after the word "meat" in the first sentence the words "other than those which have a zero point value"; and by inserting before the word "meat" wherever it appears in the remainder of that section the word "such".

This amendment shall become effective 12:01 a. m. May 4, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1–E, 1–M and 1–R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 3d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6367; Filed, May 4, 1944; 11:52 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 9,[1] Amdt. 6]

TEMPORARY FOOD RATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 7107, 10079, 12796, 15878, 16115; 9 F.R. 4348

General Ration Order No. 9 is amended in the following respects:

1. Section 1305.65 (c) is amended by amending the second sentence to read as follows:

The certificates or other ration evidences shall be for 8 points of processed foods and 4 points of foods covered by Ration Order 16 for each nine (9) meals (or fraction thereof) which he will eat at such place during the period of time stated on the application.

2. The second sentence of § 1305.65a (c) is amended by amending the phrase "15 points of foods covered by Ration Order 16" to read "8 points of foods covered by Ration Order 16".

This amendment shall become effective 12:01 a. m., May 4, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Sec. of Agr. War Food Order No. 56, 8 F.R. 2005; War Food Order No. 58, 8 F.R. 2251; War Food Order No. 59, 8 F.R. 3471; War Food Order No. 61, 8 F.R. 3471, War Food Order No. 64, 8 F.R. 7093)

Issued this 3d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6370; Filed, May 4, 1944; 11:51 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11[1], Amdt. 4]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5001 (a) (16) is amended by adding after the period at the end of the subparagraph the sentence "The term '1944–45 heating year' means the period from September 1, 1944 through August 31, 1945."

2. The text of § 1394.5330 is amended to read as follows:

§ 1394.5330 *The limitation area is divided into zones.* The limitation area is divided into ten (10) zones as follows:

3. Section 1394.5353 (c) is deleted.

4. An undesignated center headnote is added preceding § 1394.5360, to read as follows: "Renewal of Heat and Hot Water Rations for the 1944–45 Heating Year."

5. Sections 1394.5360 to 1394.5369 are added, as follows:

§ 1394.5360 *Who may apply for a renewal.* (a) An application to renew a ration for heat or hot water, or both, (other than an interim ration) for the 1944–45 heating year (i. e., from September 1, 1944 through August 31, 1945) may be made by the person to whom the ration was issued, or by any member of the family, or by someone acting for either of them. The application must be made on OPA Form R–1167 (Revised). However, a ration may not be renewed if it has expired for any of the reasons specified in § 1394.5502.

(b) No application for a renewal may be made after September 30, 1944.

PRIVATE DWELLINGS

(Heat by central heating equipment; hot water by any equipment)

§ 1394.5361 *How the renewed heat ration for a private dwelling using central heating equipment is figured.*—(a) *General.* The renewed ration for heating a private dwelling by means of central heating equipment shall be the amount specified as the annual heat ration for the 1943–44 heating year in § 1394.5317 (a) (1).

(b) *Children's allowance.* If one or more children under six (6) years of age regularly live in the dwelling, the renewed ration shall be increased by:

(1) 125 gallons, in Zones A–1, A–2, and A–3;

(2) 100 gallons, in Zones B–1, B–2, and B–3;

(3) 75 gallons, in Zones C–1, C–2 and C–3;

(4) 50 gallons, in Zone D.

§ 1394.5362 *How the renewed hot water ration for a private dwelling is figured.* (a) The renewed ration for domestic hot water in a private dwelling (other than a house trailer), shall be figured as follows:

(1) *Central heating equipment or separate water heating equipment.* Where the hot water is furnished by means of central heating equipment or separate water heating equipment, the ration shall be two-thirds (⅔) of the figure obtained by adding twenty (20) gallons for the first person plus five (5) gallons for each additional person regularly living in the dwelling, and multiplying that sum by the number of months for which the ration is needed.

RESIDENTIAL PREMISES, INCLUDING PRIVATE DWELLINGS, USING SPACE HEATERS (EXCLUDING HOUSE TRAILERS)

§ 1394.5363 *How the renewed heat ration is figured for all residential premises (other than a house trailer) using space heaters.* (a) The rules for figuring the renewed ration for heating any residential premises (other than a house trailer) by means of one or more space heaters will be added by subsequent amendments to this order.

§ 1394.5364 *How the renewed hot water ration is figured for residential premises (other than a private dwelling) using space heaters or cooking equipment.* (a) The rules for figuring the renewed ration for domestic hot water in residential premises (other than a private dwelling), furnished by means of an attachment to a space heater or to cooking equipment, will be added by subsequent amendments to this order.

[1] 9 F.R. 3957.

HOUSE TRAILERS

§ 1394.5365 *How the renewed heat or hot water ration for a house trailer is figured.*—(a) *Heat.* The renewed ration for heating a house trailer by means of a space heater shall be the amount specified as the annual heat ration for the 1943–44 heating year in § 1394.5321 (a) (1).

(b) *Hot water.* The renewed ration for domestic hot water for a house trailer furnished by means of separate water heating equipment shall be figured according to § 1394.5321 (b).

OTHER PREMISES

(Residential using central heating; non-residential using any equipment)

§ 1394.5366 *How the renewed heat or hot water ration is figured for residential premises (other than a private dwelling) using central heating or separate water heating equipment or for non-residential premises using any equipment.* (a) The renewed ration for the 1944–45 heating year for furnishing heat or hot water, or both, to residential premises (other than a private dwelling) by means of central heating equipment or separate water heating equipment, or to non-residential premises by means of any heating or water heating equipment shall be figured as follows:

(1) If a renewed ration for the purpose was granted to the applicant for the 1943–44 heating year, the renewed ration (for the 1944–45 heating year) shall be the same amount as that ration.

(2) If a ration for the purpose for the 1943–44 heating year was granted to the applicant as a new applicant under Section 21 Appendix A, the renewed ration shall be the amount of fuel oil that the applicant was entitled to use for that year (excluding all additional rations).

(3) If a ration for the purpose for the 1943–44 heating year was granted to the applicant as a late applicant under § 1394.5332, the renewed ration shall be two-thirds (⅔) of the amount of fuel oil consumed for the purpose (adjusted to normal according to section 9 (c) of Appendix A) during the base period (i. e., from June 1, 1942 through May 31, 1943.) However, if fuel oil was not used for the purpose during the base period, or if for any reason (other than weather conditions) the fuel oil consumption during the base period is not representative of normal fuel oil requirements during the 1944–45 heating year, or if the consumption during the base period cannot be determined, the renewed ration shall be two-thirds (⅔) of the amount of fuel oil needed to meet the normal fuel oil requirements of the premises for such purpose.

RATION EVIDENCES FOR RENEWALS

§ 1394.5367 *The renewed ration will be evidenced by coupon sheets or fuel oil deposit certificates.*—(a) *When Class 3 coupon sheets will be issued.* Class 3 coupon sheets (OPA Forms R–1107 through R–1110) will be issued where the amount of fuel oil which the applicant may acquire for heat or hot water, or both, for the 1944–45 heating year is three hundred (300) gallons or less.

(b) *When Class 4A, 5A and 6A coupon sheets will be issued.* Class 4A, 5A and 6A coupon sheets (OPA Forms R–1137A through R–1166A) will be issued where the amount of fuel oil which the applicant may acquire for heat or hot water, or both, for the 1944–45 heating year is more than three hundred (300) gallons.

(1) All unit value coupons will be issued on the basis of ten (10) gallons per unit.

(2) If the gallonage for which coupons are to be issued is not a multiple of the value (at ten (10) gallons per unit) of the unit value coupons of the coupon sheets to be issued, coupons may be issued to the next highest multiple of the value of such unit value coupons.

(c) *When fuel oil deposit certificates will be issued.* If the amount of fuel oil which the applicant may acquire for heat or hot water, or both, for the 1944–45 heating year is twenty thousand (20,000) gallons or more, fuel oil deposit certificates will be issued, instead of coupons, upon request of the applicant. However, if fuel oil deposit certificates evidenced the previous ration for the purpose issued to the applicant, fuel oil deposit certificates only will be issued.

(1) The gallonage value of the first fuel oil deposit certificate issued to the applicant will equal one-third (⅓) of the amount of the fuel oil he may acquire and will include the first validity period. A certificate, representing the allocable part of the ration for each subsequent validity period, will be issued after the value of the unit value coupons for the period and zone has been fixed. If the value of the Class 4A, 5A and 6A unit value coupons for any validity period is changed from ten (10) gallons, a proportionate adjustment will be made in the amount of the fuel oil deposit certificate issued for that period.

§ 1394.5368 *Class 4A, 5A and 6A coupon sheets.*—(a) *They have both unit and fixed value coupons.* Class 4A, 5A and 6A coupon sheets have coupons with a value of one (1), five (5) and twenty-five (25) units, respectively, as well as coupons of definite gallonage value.

(b) *When and where unit value coupons may be used by consumers.* Fuel oil may be transferred to a consumer in exchange for a unit value coupon only during the validity period and in the zone printed on the coupon. (The zones are described in § 1394.5330.) There will be five (5) validity periods all extending through August 31, 1945. The date on which each period will begin for each zone will be added by subsequent amendments to this order.

(c) *When unit value coupons may be used by dealers and primary suppliers.* Fuel oil may be transferred to a dealer or primary supplier in exchange for a unit value coupon on and after the first date when the coupon may be used for a transfer of fuel oil to a consumer. The coupon may not be used in any zone for any purpose (as for example, for obtaining an exchange certificate or for deposit in a ration bank account) after September 30, 1945.

(d) *When and where fixed value coupons may be used by consumers.* Fuel oil may be transferred to a consumer in exchange for a fixed value coupon from a Class 4A, 5A or 6A coupon sheet only during the validity period of the coupon sheet.

(e) *When fixed value coupons may be used by dealers and primary suppliers.* Fuel oil may be transferred to a dealer or primary supplier in exchange for a fixed value coupon from a Class 4A, 5A or 6A coupon sheet only on and after the first date on which the coupon may be used for a transfer of fuel oil to a consumer, but not after September 30, 1945.

§ 1394.5369 *Application for, determination and issuance of, renewed rations for heat and hot water for use outside the limitation area.* Regardless of any provisions of this order:

(a) Application for a renewed ration for heat or hot water, or both, for use without the limitation area shall be made to the nearest Board in the thermal subzone nearest the premises in which the renewed ration is to be used.

(b) The Board shall, in such case, figure the renewed ration and issue coupons for a fuel oil deposit certificate in the same manner as if such premises were located in the thermal subzone in which the application is made.

6. Section 1394.5452 is amended to read as follows:

§ 1394.5452 *Notations on coupon sheets.* At the time of issuing a coupon sheet, the Board shall enter thereon the name of the person to whom it is issued, the address of the place where the ration is to be used, and the total gallonage value of the coupons attached to the coupon sheet. In the case of a Class 3 coupon sheet issued as a ration other than for domestic cooking or lighting, the Board shall also enter on it the first day when the coupons attached to the sheet may be used for acquiring fuel oil.

7. Section 1394.5455 (b) is added as follows:

(b) An applicant to whom a Class 4A, 5A or 6A coupon sheet has been issued shall, in addition to signing the coupon sheet, enter on it the date he received it from the Board. No coupon from any such sheet shall be valid until the coupon sheet to which it is attached has been signed and dated as required.

8. Section 1394.5458 is amended by substituting for the phrase "Class 4, 5 or 6 coupon sheet" the phrase "coupon sheet containing unit value coupons."

9. Section 1394.5462 (a) is amended by adding after the period at the end of the paragraph the following sentence: "The issuance of such certificates as renewed rations for heat or hot water for the 1944–45 heating year is covered by § 1394.5368 (d)."

10. The text of § 1394.5653 is amended to read as follows:

§ 1394.5653 *Transfers to consumers in exchange for coupons.* Fuel oil may

be transferred to consumers (and consumers may accept such transfers) in exchange for currently valid coupons attached to coupon sheets on the following conditions:

11. Section 1394.5653 (c) is amended to read as follows:

(c) Transfers may be made only during the period of validity noted on the coupon sheet (or in the case of a coupon sheet containing unit value coupons, only during the valid period of the coupon in exchange for which the transfer is made), and only in exchange for coupons valid in the zone in which the transfer is made.

This amendment shall become effective on May 10, 1944.

NOTE: All reporting and record keeping requirements of this amendment to Revised Ration Order 11 have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1–0, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 5th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6451; Filed, May 5, 1944; 3:50 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 30]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The third sentence of section 4.2 (b) is amended by deleting the word "state," and substituting therefor the words "county (or in an area larger than a single county if he applies to, and receives authorization from, the 'Washington Office' to do so. The Washington Office will authorize a wholesaler to combine on a single inventory report all his establishments in an area larger than a single county if it finds that those establishments are located in a single marketing area.)"

This amendment shall become effective May 10, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 5th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6450; Filed, May 5, 1944; 3:50 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 137]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 7.6 (j) is added to read as follows:

(j) *Reduction of allotment and adjustments for meat (including canned fish) having a zero point value.* (1) The allotment for the second allotment period of 1944 of any industrial user who used meat (including canned fish) during the second quarter of his base period, shall be reduced by two-thirds of the amount which represents that use. The amount of the reduction shall be treated as excess inventory. He may not, after May 3, 1944, use foods covered by this order which have a point value, if, before that date, he used such foods up to the amount of that reduced allotment plus any unused parts of his prior allotments or if such use of foods covered by this order would cause his total use, in points, during the second allotment period to exceed that reduced allotment plus any unused parts of his prior allotments.

(2) An industrial user who acquired meat (including canned fish) for points after March 15, 1944, from points issued to him for the second allotment period, may apply for an adjustment of his excess inventory. (An industrial user who, on March 15, 1944, had points on hand or in his ration bank account is considered to have acquired meat (including canned fish) from points issued to him for his second allotment period only to the extent that the point value of the meat (including canned fish) he acquired after March 15, 1944, exceeds the points he had on hand and in his ration bank account on that date.) Application shall be made on OPA Form R–315 to the board with which he is registered and must state, with respect to each such acquisition:

(i) The point value of meat (including canned fish) acquired for points after March 15, 1944, from points issued to him for the second allotment period;

(ii) The types and quantities of meat (including canned fish) acquired, with these points;

(iii) The dates on which such foods were acquired; and

(iv) The names and addresses of the persons from whom such foods were acquired.

(3) If the board finds the statements made in the application are true, it shall grant the application and reduce his excess inventory by the number of such points which he used to acquire meat (and canned fish) between March 16 and May 3, 1944, inclusive. His excess inventory may not, however, be reduced by more than two-thirds of his allotment based on his use of meat and canned fish.

(4) An industrial user who, during the second quarter of his base period, used meat which on May 4, 1944, has a point value may apply for an allotment covering such meat. The application shall be made on OPA Form R–315, and must estimate the number of pounds of such meat, separately for "bone in and separated suet" and for "boned and boneless," which he used during the second quarter of his base period. The board may grant the application if it finds that the industrial user used, during the second quarter of his base period, meat which on May 4, 1944, has a point value, and shall determine the amount of his allotment for the balance of the second allotment period of 1944 in the following way:

(i) The number of pounds of meat (having a point value on May 4, 1944) in the class "Bone in and separated suet" which he used during the second quarter of his base period is multiplied by the factor 2.6;

(ii) The number of pounds of meat (having a point value on May 4, 1944) in the class "Boned and Boneless" which he used during the second quarter of his base period is multiplied by the factor 3.4;

(iii) The resulting figures are added together and represent his allotment for the balance of the second allotment period of 1944 for meat having a point value on May 4, 1944. (Section 7.6 (d) applies in determining whether an industrial user who receives an adjustment under this subparagraph is entitled to a certificate, and determining the amount of the certificate.)

However, there shall be deducted from the allotment granted under this subparagraph (4) the amount of any adjustment obtained under subparagraph (3).

This amendment shall become effective 12:01 a. m., May 4, 1944.

NOTE: All reporting and record-keeping requirements of the amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 3d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6369; Filed, May 4, 1944; 11:52 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 28 to Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Revised Supplement 1 to Ration Order 16 is amended in the following respects:

1. The Official Table of Consumer Point Values (No. 14), referred to in § 1407.3027 (a) is amended in the following respects:

a. The third sentence of the instructions appearing at the top of the table (beginning with the words "the same point value") is deleted.

b. The point value of all items listed on the table, except "steaks" and "roasts" items under the classification "beef" and except the items listed under the classification "Fats, Oils and Dairy Products", is reduced to zero. In addition, the point value of "Flank Steaks", under the classification "beef", is reduced to zero.

c. The text, under the heading "Hamburger", is amended to read as follows:

Hamburger: Beef of all grades ground from necks, flanks, heel of round, briskets, plates, miscellaneous beef trimmings, and beef fat. It also includes beef ground from the skeletal portions of Grade "D" dressed carcass (but not including head meat).

2. The Official Table of Consumer Point Values for Kosher Meats (No. 14), referred to in § 1407.3027 (a) is amended in the following respects:

a. The point value of all items listed on the table, except "Rib" and "Chuck" items under the classification "Beef", is reduced to zero. In addition, the point value of "Short ribs (flank)" and "Boneless neck", under the classification "Beef" is reduced to zero.

b. The text, following the item "Hamburger", under the classification "Beef", is amended by deleting the words "C and" from the second sentence.

c. The text, under the item "Tongue, slices", under the classification "Ready-to-eat-meats" is amended by deleting the word "If" in the second sentence and by substituting the following therefor: "If the uncooked item does not have a zero point value and if------".

3. The Official Table of Trade Point Values (No. 14), referred to in § 1407.3027 (a) is amended in the following respects:

a. The point value of all items listed on the table under "Section B—Fish" is reduced to zero.

b. The point value of all items listed on the table under "Section A—Meats" is reduced to zero except the items listed below, which shall have the point values indicated below:

Beef (including kosher)	*Points per lb.*
Carcass or side (K and S in):	
Grades AA, A, B, and C; also stags and block bulls	5.0
Primal cuts:	
Forequarter	3.3
Hindquarters—K and S in, flank on	6.9
Hindquarters—K and S out, flank off	8.2
Chuck (regular square)	4.4
Rib	6.7
Round	7.4
Sirloin (loin end)	9.2
Trimmed full loin—K and S out	9.5
Trimmed short loin—K and S out	9.8
Arm chuck (square chuck and foreshank)	3.8
Back	5.0
Crosscut chuck	3.2
Triangle or rattle	2.6
Boneless beef:	
Carcass meat (all grades except cutters, canners, and bologna bulls)	7.1
Hindquarter—(excluding cutters, canners, and bulls)	9.9
Tenderloin—(all grades, excluding cutters, canners, and bologna bulls)	12.0
Fabricated beef cuts (excluding cutters, canners, and bologna bulls):	
Boneless rump (butt)	11.0
Chuck—boneless (neck on)	5.4
Clod	8.0
Rib—boneless	10.0
Rib—oven prepared	8.8
Rib (regular roll or rib eye)	15.0
Rib—(Spencer roll)	10.0
Round—boneless	11.6
Round—gooseneck	10.8
Round—rump and shank off	9.5
Knuckle	11.0
Top round (insides)	13.0
Bottom round (outsides)	13.0
Sirloin butt—boneless	13.0
Sirloin bottom butt—boneless	13.0
Sirloin top butt—boneless	13.0
Steaks (short loin)	12.0
Strip—bone in, 10" cut	13.3
Strip—boneless, 10" cut	16.8
Tenderloin (whole or part)—(all grades excluding cutters, canners and bologna bulls)	12.0

c. The text of paragraph 2 of the instructions on the table is amended by deleting the word "If" in the second sentence and by substituting the following therefor: "If the uncooked item does not have a zero point value and if------".

d. The text of paragraph 3 of the instructions on the table is amended by substituting a comma for a period at the end of the first sentence and then adding the following to the end of the first sentence: "if such fresh cut does not have a zero point value".

e. The second sentence of footnote 1 (Hamburger) is amended by deleting the words "and forequarter of Grade C beef."

4. Section 1407.3027 (c) (2) (i) is amended to read as follows:

(i) Meats:	
(a) Bone in and separated suet—all	0.0
(b) Boned and boneless (and canned meat and canned fish)—all	0.0
(c) Hearts, tongues, livers, and sweetbreads (pancreas and thymus)—all	0.0

5. Sections 1407.3027 (c) (2) (iii) (d) and (e) are amended to read as follows:

(d) Shortening—all	0.0
(e) Cooking and salad oils—all	0.0

6. Section 1407.3027 (e) (7) is amended to read as follows:

(7) V8, U8 and W8 are valid beginning June 4, 1944.

This amendment shall become effective at 12:01 a. m., May 4, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4321)

Issued this 3d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6368; Filed, May 4, 1944; 11:51 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 28]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 426 is amended in the following respects:

1. In Item 4 of columns 5 and 6 of Table 4 in paragraph (b) of Appendix H, Article III, section 15 the figure "$2.70" is amended to read "$3.00" in each column.

2. In Item 9 of column 5 of Table 4 in paragraph (b) of Appendix H, Article III, section 15 the figure "9.6" is amended to read "11.0".

3. In Item 3 of column 5 of Table 7 in paragraph (b) of Appendix H, Article III, section 15 the figure "$3.40" is amended to read "$4.20".

4. In Item 7 of column 5 of Table 7 in paragraph (b) of Appendix H, Article III, section 15 the figure "$2.00" is amended to read "$2.45".

5. In Item 11 of column 5 of Table 7 in paragraph (b) of Appendix H, Article III, section 15 the figure "7.1" is amended to read "8.7".

This amendment shall become effective May 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of May 1944.

CHESTER BOWLES,
Administrator.

Approved: May 4, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44–6376; Filed, May 4, 1944; 4:04 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2284, 2240, 2440, 2567, 2791.

[1] 8 F.R. 13128, 13394, 13980, 14399, 14623, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 106, 220, 403, 677, 695, 849, 1054, 1582, 1581, 1738, 1818, 1909, 2235, 2240, 2406.

[1] 8 F.R. 16834, 16893, 17278, 17306, 17372; 9 F.R. 105, 184, 731, 1181, 1819, 2091, 2007, 2788, 2477, 2553, 2948, 2830, 2789, 3092, 3707, 3581, 4107, 3581, 4107, 4605, 4607.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16409, 16294, 16519, 16423, 17272; 9 F.R. 790, 902, 1581, 2008, 2023, 2991, 3193, 4030, 4086, 4088, 4434.

PART 1499—COMMODITIES AND SERVICES

[MPR 165[1] as Amended, Supp. Service Reg. 28]

SERVICES OF ALTERING AND REPAIRING MILITARY UNIFORMS IN SAN DIEGO AREA

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 28 has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Orders Nos. 9250 and 9328, Supplementary Service Regulation No. 28 is hereby issued. The specifications and standards set forth in this supplementary service regulation are those which, prior to the issuance of the regulation, were in general use by the trade in the affected area.

§ 1499.2259 *Services of altering and repairing military uniforms in San Diego Area.* (a) Dollars-and-cents maximum prices established for the services of altering and repairing military uniforms by persons located in the San Diego Area.

(1) The maximum prices established by Maximum Price Regulation No. 165, as amended (services) for the services of altering and repairing military uniforms when sold and supplied other than in connection with the sale of a military uniform, by persons located in the San Diego area, are hereby modified and shall henceforth be the prices set forth in Appendix A.

(2) *Definitions.* As used in this regulation the term:

San Diego area" means San Diego and Imperial Counties, California.

(3) *Posting requirements.* Within 30 days after the issuance of this regulation every person selling the services of altering and repairing military uniforms in the San Diego area shall post on his premises in a place and manner so that it is plainly visible to the purchasing public a placard, setting forth the maximum prices established in Appendix A.

(4) *Other services supplied by persons altering or repairing military uniforms.* Alteration and repair services not listed in Appendix A which are performed on military uniforms by persons covered by this regulation shall be governed by Maximum Price Regulation No. 165, as amended.

(5) *Less than maximum prices.* Lower prices for any of the services covered by this supplementary service regulation may be charged, offered, demanded or paid.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6528, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9973, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6364, 8873, 10671, 10939, 11754, 12023.

APPENDIX A—SERVICES OF ALTERING AND REPAIRING MILITARY UNIFORMS

Service	Maximum price
A. Sailor blue uniforms:	
1. New stars (machine), each	$0.25
2. New stars (hand), each	.40
3. Taking in pants waist (darts)	.50
4. Shortening or lengthening pants (machine)	.50
5. Shortening or lengthening pants (hand)	.75
6. Taking in waist and seat to crotch seam	1.25
7. Taking in waist and seat to crotch seam and resetting eyelets	2.25
8. Taking in or letting out seat and thigh	1.75
9. Belling pants by taking in at inseam only	.75
10. Belling pants by taking in at inseam only where rebinding necessary	1.00
11. Spiking and belling pants (where two piece gusset inserted)	2.00
12. Sewing on rates double stitched (where rates furnished by customer)	.25
13. Sewing on service stripes (where service stripes furnished by customer)	.25
14. Cross stitching by hand rates or service stripes (where service stripes furnished by customer)	.50
15. Sewing on seaman's or fireman's watch mark including material	.25
16. Shortening Pea Coat, with binding replaced and lining turned under	2.00
17. Shortening Pea Coat sleeves	1.00
18. Taking in and letting out jumper sides	1.00
19. Shortening jumper	.75
20. Narrowing sleeves, using felled seam	.75
21. Shortening sleeves	1.00
22. Narrowing and shortening sleeves	1.50
23. Taping jumper collar and cuffs, including material	1.50
24. Retaping cuffs, including material—two stripes	.35
25. Retaping cuffs, including material, three stripes	.50
26. Removing tape and taping collar and cuffs, including material	2.50
27. Changing undress jumper to dress, where all necessary operations are performed, including: narrowing sleeves, adjusting length of sleeves, if needed, making and attaching cuffs, taking in or letting out sides, shortening jumper to desired length, taping collar and cuffs, embroidering stars on collar either by hand or machine, including tape and buttons and button holes	4.75
28. Changing undress jumper to dress where same operations as described in 26 above are made without alterations	3.50
B. Marine and Army enlisted men's uniforms:	
1. Shortening Marine dress coat	2.50
2. Shortening Marine Green coat	1.75
3. Taking in or letting out army coat sides	1.50
4. Taking in or letting out Marine coat sides	2.00

APPENDIX A—SERVICES OF ALTERING AND REPAIRING MILITARY UNIFORMS—Continued

Service	Maximum price
B. Marine and Army enlisted men's uniforms—Continued.	
5. Shortening or lengthening Marine green or dress coat sleeves	$1.50
6. Shortening or lengthening Army coat sleeves	1.00
7. Shortening Army coats	1.75
8. Shortening or lengthening collar Marine Dress blue coat—by removing collar	1.50
9. Shortening or lengthening collar Marine Dress blue coat—without removing collar	.50
10. Shortening lapel collars	1.50
11. Padding shoulders, material furnished by tailor	.75
12. Taking in or letting out sides of Marine Overcoat	2.00
13. Taking in or letting out sides of Army Overcoat	1.50
14. Pleating overcoat, including pressing pleats	1.00
15. Raising or lowering pockets (maintaining same size)	1.25
16. Shortening pockets without resetting	.65
17. Sewing on chevrons or regimental patches (where furnished by customer)	.25
18. Sewing red stripes on Marine pants, both sides (material extra)	1.50
19. Taking in or letting out pants waist	.50
20. Taking in or letting out pants waist, crotch and thigh	1.50
21. Shortening pants (machine)	.50
22. Shortening pants (hand)	.75
23. Taking in or letting out military shirt sides	.75
24. Shortening sleeves of military shirts, and narrowing where necessary	.50

This Supplementary Service Regulation No. 28 shall become effective May 10, 1944.

Issued this 5th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6452; Filed, May 5, 1944; 3:50 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 8,[1] Amdt. 8]

GENERAL PROHIBITIONS, PENALTIES AND CONDITIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4.1 of General Ration Order 8 is amended to read as follows:

SEC. 4.1 *Suspension orders.* (a) Any person who sells or transfers or offers or attempts to sell or transfer, or in the course of trade or business buys or receives or offers or attempts to buy or receive, any rationed commodity at a price in excess of the applicable maximum price established for that commodity by the Office of Price Administration or who violates a ration order may, by administrative suspension order, be prohibited from receiving any transfer or delivery of, or from selling, using or otherwise disposing of, any rationed commodity. Proceedings for suspension orders shall be in accordance with the provisions of Revised Procedural Regulation No. 4 of the Office of Price Administration.

This amendment shall become effective May 5, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R.10179; WPB Directive 1, 7 F.R. 562; Sec. of Agr. War Food Order No. 56, 8 F.R. 2006, War Food Order No. 58, 8 F.R. 2251, War Food Order No. 59, 8 F.R. 3471, War Food Order No. 61, 8 F.R. 3471, War Food Order No. 64, 8 F.R. 7093)

Issued this 5th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6448; Filed, May 5, 1944; 3:47 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 3783, 5677, 9626, 15455; 9 F.R. 402, 1325, 2746, 4196.

PART 1316—COTTON TEXTILES

[MPR 11,[1] Amdt. 16]

FINE COTTON GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 11 (Fine Cotton Goods) is amended by adding exception (*i*) to § 1316.3 (b) (1) to read as follows:

(*i*) Grey goods sold by the manufacturer for use by prime contractors in fulfilling contracts with the Philadelphia Quartermaster Depot under procurement directive P–T–265 (44) (Clo.) dated April 17, 1944 and/or the Jeffersonville Quartermaster Depot under procurement directive J–T–1–A (44), calling for delivery prior to October 1, 1944, of any of the following finished fabrics:

(1) Cloth, Cotton, Wind Resistant, Oxford, 6.5 oz., OD #2, Water Repellent, (Type I).

(2) Cloth, Cotton, Wind Resistant, Oxford, 7 oz., OD #2, Water Repellent, (Type II).

(3) Cloth, Cotton, Wind Resistant, Oxford, 7.5 oz., OD #2, Water Repellent, (Type III).

(4) Cloth, Cotton, Wind Resistant, Oxford, 8.5 oz. to 9.5 oz., Mineral Dyed, OD #7, Water Repellent, (Type IV).

This amendment shall become effective this 5th day of May 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6446; Filed, May 5, 1944; 3:47 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 2661, 3577.

PART 1400—TEXTILE FABRICS, COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[MPR 127,[1] Amdt. 21]

FINISHED PIECE GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 127 (Finished Piece Goods) is amended in the following respect:

To the list in § 1400.78a (a), item (15) is added to read as follows:

(15) Deliveries made prior to October 1, 1944, pursuant to contracts with the Philadelphia Quartermaster Depot under procurement directive P–T–265 (44) (Clo.) dated April 17, 1944, and/or the Jeffersonville Quartermaster Depot under procurement directive J–T–1–A (44), of any of the following finished fabrics:

(i) Cloth, Cotton, Wind Resistant, Oxford, 6.5 oz., OD #2, Water Repellent, (Type I).

(ii) Cloth, Cotton, Wind Resistant, Oxford, 7 oz., OD #2, Water Repellent, (Type II).

(iii) Cloth, Cotton, Wind Resistant, Oxford, 7.5 oz., OD #2, Water Repellent, (Type III).

(iv) Cloth, Cotton, Wind Resistant, Oxford, 8.5 oz. to 9.5 oz., Mineral Dyed, OD #7, Water Repellent, (Type IV).

This amendment shall become effective May 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6447; Filed, May 5, 1944; 3:47 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 87]

SALES OF SURPLUS COMMODITIES BY THE UNITED STATES GOVERNMENT OR ITS AGENCIES

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1305.115 *Sales of surplus commodities by the United States Government or its agencies*—(a) *Purpose of this supplementary order.* This order is a temporary measure intended to facilitate the movement of surplus goods at fair and equitable prices pending the issuance by the Office of Price Administration of a comprehensive order governing prices of surplus goods sold by Government agencies.

For the purposes of this order: "Surplus commodities" shall include all commodities, except food, that are in new condition (that is, have not been used, damaged or become deteriorated) and that were originally purchased for use; "Government agency" shall include the United States Government or any department, agency, commission, corporation, or other such instrumentality of the United States Government.

(b) *Maximum prices at which Government agencies may sell.* In the case of any surplus commodity for which no price regulation establishes maximum prices in terms of dollars and cents or by incorporating published price lists by specific reference, any Government agency may sell at a price not to exceed its cost of acquisition. Such price shall be "where is" or f. o. b. point of shipment, whichever is the current practice of the selling agency with respect to the commodity being sold. This supplementary order does not limit any Government agency to cost of acquisition in any case in which an exemption from price control is otherwise provided in any price regulation or order issued by the Office of Price Administration, and further, any Government agency may use alternative methods of establishing maximum prices provided in any such regulation or order.

"Cost of acquisition" means actual delivered cost, or if actual delivered cost is unknown, the estimated average delivered cost to the Government. All other expenses, including handling, warehousing, costs of trans-shipment, and contract termination allowances by the Government agency are excluded.

"Price regulation" means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, as amended, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any order issued pursuant to any such regulation or schedule.

This Supplementary Order No. 87 shall become effective May 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6482; Filed, May 6, 1944; 11:47 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RPS 87,[1] Amdt. 11]

SCRAP RUBBER

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The last sentence in § 1315.1251 is amended to read as follows:

Provided further, That this schedule shall not apply to any rubber articles or materials which are acquired for the purpose of repairing or reconditioning them, or of reselling them to be repaired or reconditioned, to make them reusable for

[1] 9 F.R. 2464, 3081, 4099.

[1] 7 F.R. 4781, 5177, 6002, 8700, 8948; 8 F.R. 4628, 5986, 8844.

their original purpose, except that sales of such articles or materials mixed with scrap rubber covered by this schedule shall be considered sales of scrap rubber subject to this schedule unless such articles or materials are segregated from the scrap.

This amendment shall become effective this 11th day of May 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6474; Filed, May 6, 1944; 11:45 a. m.]

PART 1334—SUGAR, CONFECTIONARY AND SOFT DRINKS

[RPS 16,[1] Amdt. 6]

RAW CANE SUGARS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 16 is amended in the following respects:

1. Section 1334.9 (a) (4) is amended to read as follows:

(4) United States Pacific Coast ports, 8.74 cents.

2. Section 1334.9 (a) (6) is amended to read as follows:

(6) Except, by contract, provision may be made for a maximum price to be:

(i) An amount which may be adjusted later, up to but not to exceed the maximum price in effect at the time of putting the raw sugar being priced by the contract into the refiner's melt, or

(ii) An average of the prices not to exceed an average of the maximum prices of raw cane sugar at the specified port of arrival which prevail during the period of the contract, or

(iii) A consideration which includes performance of services by the buyer, if the maximum prices specified above are lowered by an amount at least equal to the reasonable money value of such services to the seller; provided a copy of such contract and an explanation of the services are submitted to the Office of Price Administration, Washington, D. C., at least thirty days before the contract is to become effective. The Price Administrator may adjust the price set out in such contract by issuance of an order within thirty days after its receipt, otherwise it will be considered as complying with this schedule as to maximum prices.

3. Section 1334.16 is amended to read as follows:

§ 1334.16 *Adjustable pricing.* When a request for a change in the applicable maximum price is pending, an authorization may be given by the Price Administrator for a price to be adjusted upward after the raw sugar being priced is put into the refiners melt, if the Price Administrator deems such authorization necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act, as amended.

This amendment shall become effective May 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E. O. 9328, 8 F.R. 4681)

Issued this 6th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6477; Filed, May 6, 1944; 11:45 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 13]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respects:

1. Section 1407.21 (c) (2) is amended to read as follows:

(2) "The Board" means a War Price and Rationing Board (established by the Office of Price Administration) or the War Price and Rationing Board with which the consumer, industrial user establishment, or registering unit is registered, as the context indicates.

2. Section 1407.83 is added to read as follows:

§ 1407.83 *Industrial users' place of registration may be changed by district office.* (a) Any district office, with the consent of the regional office, may require that any Board located in its district transfer the registration of industrial users registered with it to another Board or to the district office. The transfer shall be made by forwarding the registration file and all other records of the industrial users to the designated Board or to the District Office.

(b) Where an industrial user's registration is transferred under this section to a District Office, the word "Board", wherever used in this order to refer to the Board with which an industrial user is registered, shall be deemed to refer to the district office where that industrial user is registered.

3. Section 1407.163 is amended to read as follows:

§ 1407.163 *New establishments and ineligible establishments desiring sugar.* (a) Any person desiring to get sugar for a wholesaler or retailer establishment, not eligible for registration under this order, may petition the Board for the place at which the principal business office of the establishment is, or will be, located for registration and assignment to such establishment of an allowable inventory.

(b) Any person desiring to get sugar for an industrial user establishment, not eligible for registration under General Ration Order 16, may petition for registration and assignment to him of a base, allotment, or provisional allowance, as the case may be. The petition shall be filed as follows:

(1) With the Board (or District Office) authorized to keep the files of industrial users for the place where the petitioner's industrial user establishment is, or will be, located, if:

(i) He does not have a registered establishment and the petition covers only one establishment;

(ii) The petitioner has more than one establishment which are registered separately; or

(iii) The petitioner has one establishment already registered and he wishes to register the ineligible establishment separately.

(If the petitioner desires to register more than one establishment and desires to register them separately, a separate petition should be filed for each such establishment.)

(2) With the Board (or District Office) authorized to keep the files of industrial users for the place where the petitioner's principal office is, or will be, located if:

(i) The petition covers more than one establishment and the petitioner desires to register such establishments together; or

(ii) If he has more than one establishment already registered and they are registered together; or

(iii) If he has one establishment already registered and wishes to register the ineligible establishment with it.

(c) The petition must be made on OPA Form R-315. The Board may not pass upon the petition but must forward it, together with all information received therewith, to the District Office. The Board may attach its recommendation as to the action to be taken. Where the petitioner wishes to use sugar for experimental, educational, or testing purposes, the District Office may permit the applicant to register (on OPA Form R-1200) and grant him an allotment if it finds it in the public interest to do so. In all other cases, the District Office shall send the file to the Washington Office for decision or take such other action as the Washington Office may authorize or direct.

(d) Establishments referred to in this section include those which commenced operations using sugar after April 20, 1942.

This amendment shall become effective May 7, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005; Food Dir. 8, 8 F.R. 7093)

Issued this 6th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6479; Filed, May 6, 1944; 11:46 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 31]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. Section 6.2 (f) is added to read as follows:

(f) *Industrial users' place of registration may be changed by district office.* (1) Any district office, with the consent of the regional office, may require that any board located in its district transfer the registration of industrial users registered with it to another board or to the district office. The transfer shall be made by forwarding the registration file and all other records of the industrial users to the designated board or to the district office.

(2) Where an industrial user's registration is transferred under this section to a district office, the word "board", wherever used in this order to refer to the board with which an industrial user is registered, shall be deemed to refer to the district office where that industrial user is registered.

2. Section 12.4 (b) is amended to read as follows:

(b) The application must be made on OPA Form R-315 and must be filed as follows:

(1) With the board (or district office) authorized to keep the files of industrial users for the place where the applicant's industrial user establishment is or will be located, if:

(i) He does not have a registered industrial user establishment and the application covers only one establishment; or

(ii) He has more than one industrial user establishment which are already registered separately; or

(iii) He has one industrial user establishment which is already registered and he wishes to register the new establishment separately.

(If the applicant wishes to open more than one industrial user establishment which are to be registered separately, a separate application must be filed for each such establishment.)

(2) With the board (or district office) authorized to keep the files of industrial users for the place where the applicant's principal business office is or will be located, if:

(i) The application covers more than one industrial user establishment and the applicant wishes to register such establishments together; or

(ii) He has more than one industrial user establishment which are already registered together; or

(iii) He has one industrial user establishment which is already registered and he wishes to register the new establishment with it.

3. Section 12.4 (d) is redesignated (e).

4. Section 12.4 (c) is redesignated (d).

5. Section 12.4 (c) is added to read as follows:

(c) The application must show:

(1) The product the applicant will make;

(2) The size of the establishment;

(3) The amount he has invested or intends to invest in it;

(4) The market to be supplied;

(5) The kinds and point value of any processed foods he may have for that establishment;

(6) The amount of the allotment requested.

This amendment shall become effective May 7, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 6th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6480; Filed, May 6, 1944; 11:46 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 136]

MEATS, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 7.2 (f) is added to read as follows:

(f) *Industrial users' place of registration may be changed by district office.* (1) Any district office, with the consent of the regional office, may require that any board located in its district transfer the registration of industrial users registered with it to another board or to the district office. The transfer shall be made by forwarding the registration file and all other records of the industrial users to the designated board or to the district office.

(2) Where an industrial user's registration is transferred under this section to a district office, the word "board", wherever used in this order to refer to the board with which an industrial user is registered, shall be deemed to refer to the district office where that industrial user is registered.

2. Section 13.3 (b) is amended to read as follows:

(b) The application must be made on OPA Form R-315 and must be filed as follows:

(1) With the board (or district office) authorized to keep the files of industrial users for the place where the applicant's industrial user establishment is or will be located, if:

(i) He does not have a registered industrial user establishment and the application covers only one establishment; or

(ii) He has more than one industrial user establishment which are already registered separately; or

(iii) He has one industrial user establishment which is already registered and he wishes to register the new establishment separately. (If the applicant wishes to open more than one industrial user establishment which are to be registered separately, a separate application must be filed for each such establishment.)

(2) With the board (or district office) authorized to keep the files of industrial users for the place where the applicant's principal business office is or will be located, if:

(i) The application covers more than one industrial user establishment and the applicant wishes to register such establishments together; or

(ii) He has more than one industrial user establishment which are already registered together; or

(iii) He has one industrial user establishment which is already registered and he wishes to register the new establishment with it.

3. Section 13.3 (d) is redesignated (e).

4. Section 13.3 (c) is redesignated (d).

5. Section 13.3 (c) is added to read as follows:

(c) The application must show:

(1) The product the applicant will make;

(2) The size of the establishment;

(3) The amount he has invested or intends to invest in it;

(4) The market to be supplied;

(5) The kinds and point value of any foods covered by this order he may have on hand for that establishment;

(6) The amount of the allotment or provisional allowance requested.

This amendment shall become effective May 7, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in ac-

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1239, 2133, 2132, 8948; 8 F.R. 6842, 16991; 9 F.R. 95, 2406.

[1] 9 F.R. 1433, 1534, 2888.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13128, 13394, 13980, 14399, 14623, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 106, 220, 403, 677, 695, 849, 1054, 1532, 1581, 1728, 1818, 1909, 2235, 2240, 2406.

cordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 6th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6481; Filed, May 6, 1944; 11:46 a. m.]

PART 1413—SOFTWOOD LUMBER PRODUCTS

[2d Rev. MPR 13,[1] Amdt. 1]

DOUGLAS FIR PLYWOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Second Revised Maximum Price Regulation 13 is amended in the following respects:

1. A new sentence is added at the end of section 2 (a) as follows: "This regulation also covers plywood made of other softwood species, but does not cover any plywood which contains one or more laminations of hardwood veneer."

2. Section 6 is amended to read as follows:

SEC. 6. *Maximum prices for items not specifically priced*—(a) *Pricing method for cut-backs, rejects, and plywood produced from short length veneers.* This paragraph (a) applies to plywood which has been rejected by grading process, reclaimed plywood of odd sizes developed by cutting back rejects, and plywood produced from short length veneers developed because of defects in logs. The maximum price is as follows:

The price per thousand feet specified in Appendices A or B for the grade and thickness in the size next lower than the developed size. Where, as in the case of plywall, plyscord, and plyform, the price tables do not carry differentials down to a 24" width, the differentials established for plypanel Sound Two Sides shall be used. For example, if a piece of 5/16" plyscord in a 28" width is developed, the price of $29.70 must be reduced by $1.10, since in 5/16" plypanel the differential between 36" width, which is the narrowest plyscord size, and 24" width is $1.10. Similarly, for 5/16" plywall in a width of 40" the price would be $33.00 less $2.05, since that is the differential between 48" width and 36" width, which is the next narrower width in 5/16" plypanel. For rejects in widths of 24 inches and lower, the 24 inch standard width price shall apply as a yardstick.

(b) *All other grades, services and extras not listed.* If a seller wishes to sell a grade or species of plywood which is not specifically priced in the price tables, or wishes to make an addition for special workings, specifications, services, or other extras for which additions are not specifically permitted (except as provided in paragraph (a) above), he must apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for a maximum price. He must provide the following information:

(1) The requested price;

(2) A complete description of the item to be priced;

(3) The price differential between it and the most comparable item in the price tables between January 1 and August 1, 1941, from the seller's own records or if that is impossible, from the experience of the trade. If no established price differential existed, a detailed analysis of comparative value should be furnished.

(4) A true copy of the order or of customer's inquiry on the basis of which the application has been submitted.

(5) A statement by the purchaser that none of the grades specifically priced in the regulation will serve the purpose for which the stock is intended to be used, which purpose is to be stated; and that it has been his custom or that it is now necessary to purchase plywood on such special specifications.

In each case where a special price is approved, an authorization number will be assigned which must appear on all final invoices covering shipments at such special price. Quotations and deliveries may not be made at the requested price until the price has been approved. Action on the request may be by letter or telegram.

Prior to May 31, 1944, the Lumber Branch will assign authorization numbers for each special price previously approved and thereafter such authorization numbers must appear on all invoices covering shipments at such special prices. Special prices are subject to cancellation by letter or telegram at any time.

3. In section 4 (a), the first sentence in Item II is amended by adding a semicolon and the following words "except that in sales in the primary market the inbound transportation shall be computed at a rate of 10½ cents per hundred pounds".

4. In section 5, the last sentence in paragraph (a) is amended by adding after the closing parenthesis the following words "except that in sales in the primary market the inbound transportation shall be computed at a rate of 10½ cents per hundred pounds".

This amendment shall become effective May 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6476; Filed, May 6, 1944; 11:48 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 12887.

PART 1499—COMMODITIES AND SERVICES

[MPR 188,[1] Amdt. 34]

BUTCHER CHOPPING BLOCKS AND TOPS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 188 is amended in the following respect:

Section 1499.167 (Appendix B) of Maximum Price Regulation No. 188 is amended by adding the following additional commodities:

Hardwood butcher chopping and meat blocks.

Laminated hardwood butcher cutting tops.

This amendment shall become effective on the 11th day of May 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6475; Filed, May 6, 1944; 11:45 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 508,[2] Corr. to Amdt. 1]

WESTERN CONTRACT LOGGING SERVICES

In Amendment 1, issued March 20, 1944, in the change designated No. 2 the reference to section 8 (b) is corrected to read "section 6 (b)".

Issued this 6th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6478; Filed, May 6, 1944; 11:46 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 319,[1] Amdt. 1]

CERTAIN BAKERY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 319 is amended in the following respects:

Section 9 is amended to read as follows:

SEC. 9. *Maximum prices of producers for sales to ultimate consumers.* (a) Except as otherwise provided in paragraphs (b) and (c) of this section, the maximum price of the producer for the sale of any commodity listed in Appendix A to ultimate consumers shall be his maximum price which he last calculated and reported for such a sale under the provisions of Maximum Price Regulation 319, subject to the provisions of section 13 of this regulation relating to recalculating and reporting.

(b) The maximum price for sales to ultimate consumers for any commodity listed in Appendix A for which the maximum price has not been calculated and reported, as provided in paragraph (a), shall be determined in accordance with the provisions of section 12 hereof.

(c) When a producer sells the same product both to retailers for sales to ultimate consumers and directly to ultimate consumers he may make sales directly to ultimate consumers at the maximum prices provided by section 11 for sales by such retailers to ultimate consumers.

This amendment shall become effective May 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6538; Filed, May 8, 1944; 11:45 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5872, 7967, 8943, 10155; 8 F.R. 537, 1815, 1960, 3105, 3788, 3850, 4140, 4931, 5759, 7107, 8751, 8754, 9836, 10433, 10907, 11037, 12406, 12479, 12186, 12668, 14622, 14766, 16298, 17415; 9 F.R. 1912, 2556, 3095.

[2] 9 F.R. 303, 3705.

[1] 9 F.R. 3705, 4224.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 12 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (c) (7) is added to read as follows:

(7) For the reporting period beginning June 4, 1944, and ending July 1, 1944—3

This amendment shall become effective this 12th day of May 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 8th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6539; Filed, May 8, 1944; 11:46 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 14 to 2d Rev. Supp. 1]

PROCESSED FOODS

The Official Table of Point Values (No. 15) referred to in § 1407.1102 (a) is amended by adding the words "(except puree)" after the word "Tomatoes" under the heading "Vegetables".

[1] 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2830, 2947, 3580, 3707, 4542, 4606, 4607.

This amendment shall become effective May 8, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320)

Issued this 8th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6540; Filed, May 8, 1944; 11:46 a. m.]

PART 1412—SOLVENTS

[MPR 28,[1] Amdt. 7]

ETHYL ALCOHOL (EXCLUDING WEST COAST ETHYL ALCOHOL)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1412.263 (h) (1) is amended by inserting after the first sentence thereof a sentence to read as follows:

The maximum price specified in the preceding sentence shall apply to deliveries after November 1, 1943, to Defense Supplies Corporation by Publicker Commercial Alcohol Company of ethyl alcohol of 190 proof produced after November 1, 1943, in its Bigler Street plant during such periods as this plant simultaneously produces ethyl alcohol from grain and from molasses.

This amendment shall become effective May 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6541; Filed, May 8, 1944; 11:45 a. m.]

PART 1424—IMPORTED AND PACKAGED FOODS

[MPR 231,[2] Amdt. 2]

RAW SPICES AND SPICE SEEDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1424.1 is amended to read as follows:

§ 1424.1 *Prohibition against sales of raw spices and spice seeds above maximum prices.* On and after October 7, 1942, or the effective date thereof, as to any amendment to this regulation, regardless of any contract, agreement, lease or other obligation:

No person shall sell, offer to sell, attempt to sell, deliver or transfer raw spices or spice seeds at higher prices than the maximum prices hereinafter established by this regulation, and

No person shall buy, offer to buy, attempt to buy, receive or import in the course of trade or business raw spices or spice seeds at prices higher than the maximum prices hereinafter established by this regulation.

This amendment shall become effective May 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6542; Filed, May 8, 1944; 11:45 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2339, 4256, 4852, 8016, 12879; 9 F.R. 2668.

[2] 7 F.R. 7844, 9130.

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[RMPR 284,[1] incl. Amdts. 1-3]

WESTERN PRIMARY FOREST PRODUCTS

This compilation of Revised Maximum Price Regulation 284 includes Amendment 3, effective May 13, 1944. The text added or amended by Amendment 3 is underscored.

A statement of the considerations involved in the issuance of this revised regulation has been prepared, issued simultaneously herewith, and has been filed with the Division of the Federal Register.[2]

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

[Above sentence added by Supplementary Order 61, 8 F.R. 12552, effective 9-11-43]

§ 1426.151 *Maximum prices for Western primary forest products.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, Revised Maximum Price Regulation No. 284 (Western Primary Forest Products), which is annexed hereto and made a part hereof, is hereby issued.

REVISED MAXIMUM PRICE REGULATION NO. 284—WESTERN PRIMARY FOREST PRODUCTS

CONTENTS

Sec.
1. Sales of Western primary forest products at higher than maximum prices prohibited.
2. Products, species and transactions covered.
3. Basic maximum prices.
4. Transportation addition.
5. Treatment addition.
6. Tie contractors' addition.

[1] 8 F.R. 6544.

[2] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

Sec.
7. Definitions of territories.
8. Prohibited practices.
9. Purchasing commissions.
10. Adjustable pricing.
11. Special pricing.
12. Petitions for adjustment and amendment.
13. Records.
14. Enforcement and licensing.
15. Exports.
16. Appendix A: Maximum prices for Western mine materials.
17. Appendix B: Maximum prices for railroad ties.
18. Appendix C: Maximum prices for poles and piling.
19. Appendix D: Maximum prices for miscellaneous primary forest products.

AUTHORITY: § 1426.151, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

SECTION 1. *Sales of Western primary forest products at higher than maximum prices prohibited.* (a) On and after May 22, 1943, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Western primary forest products at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 2. *Products, species and transactions covered.* This regulation covers all sales and purchases of the primary forest products listed below when produced in the territory described, except as provided in paragraph (d) below.

(a) *Products covered.* (1) Western mine pit posts and stulls, whether peeled or unpeeled and whether processed or unprocessed, Western mine ties, timbers, blocks, cross bars, caps, lagging, and wedges, and any other wooden mine material.

(2) Western railroad cross ties and switch ties.

(3) Poles and piling.

[Subparagraph (3) amended by Am. 1, 8 F.R. 10560, effective 8-2-43]

(4) Miscellaneous primary forest products.

[Subparagraph (4) added by Am. 3, effective 5-13-44]

(b) *Species covered.* Ponderosa pine (Pinus ponderosa), Idaho white pine (Pinus monticola), sugar pine (Pinus lambertiana), Douglas fir, (Pseudotsuga taxifolia), West Coast hemlock (Tsuga heterophylla, Tsuga mertensiana), true firs (Abies), larch (Larix occidentalis), Engelmann spruce (Picea), incense cedar (Libocedrus decurrens), tamarack (Larix lyallii), redwood (Sequoia sempervirens), lodgepole pine (Pinus contorta), Western red cedar (Thuja plicata), and all other species produced in the territory described below.

(c) *Territory covered.* Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming; Cimarron, Texas and Beaver Counties, Oklahoma; those counties in Texas west of the east line of Lipscomb, Hemphill, Wheeler, Collingsworth, Childress, Cottle, King, Stonewall, Fisher, Nolan, Coke, Tom Green, Schleicher, Sutton, Edwards, Kinney, and Maverick Counties; Mexico; and Canada.

(d) *Excepted products and species.* Sawn railroad ties of the Redwood species (Sequoia sempervirens) are not covered by this regulation but remain subject to Maximum Price Regulation No. 253.[2] Railroad ties of Redwood species are subject to this Revised Maximum Price Regulation No. 284 only when they are split or hewn. Wooden mine materials of Redwood, Douglas fir, hemlock or true firs, produced in Oregon and Washington west of the crest of the Cascade Mountains, are not subject to this regulation but to Maximum Price Regulation No. 26[4] or Maximum Price Regulation No. 253.

SEC. 3. *Basic maximum prices.* The basic maximum prices for Western mine materials are set out in section 16, Appendix A; for Western railroad ties in section 17, Appendix B; and for Western poles and piling in section 18, Appendix C; and for miscellaneous primary forest products in section 19, Appendix D. These maximum prices are all f. o. b. the railroad loading-out point or towable waters, nearest the mill or point of production in the normal direction of delivery to the point of destination.

[Sec. 3 amended by Am. 1, 8 F.R. 10560, effective 8-2-43, and Am. 3, effective 5-13-44]

SEC. 4. *Transportation addition.* Except as otherwise provided in paragraph (c) of this section applying to poles and piling (other than lodgepole pine) and in footnotes to Tables 5 and 8, the transportation charges set forth below may be added to the maximum f. o. b. railroad loading-out point or towable water prices when the seller makes delivery to the destination. Transportation from the mill or point of production to the railroad loading-out point or booming and rafting ground must, in every instance, be provided on the seller's account. All additions for transportation must be shown separately on the invoice.

[Sec. 4 amended by Am. 1, 8 F.R. 10560, effective 8-2-43; and Am. 2, 8 F.R. 15906, effective 11-27-43]

(a) *Common or contract carrier.* (1) When estimated weights or guaranteed mean diameters are used, the appropriate published rate times the estimated weight or mean diameter is the proper transportation charge, even though the estimated weights or diameters may be higher than actual. Estimated weights higher than those set forth in the appendices may not be used. The estimated weight must be taken from the appendices for the exact type of product actually ordered. To compute mean diameters add 1" to the top or butt diameter, whichever is the controlling factor, and increase or decrease that figure by 1" for each 10 lineal feet. Add the top and butt diameters thus determined and divide by two to find the mean diameter. The charge for transportation shall be evened out to the nearest quarter-dollar per MBM, quarter cent per lineal foot, or five cents per pole, whichever is applicable.

[Subparagraph (1) amended by Am. 1, 8 F.R. 10560, effective 8-2-43]

(2) When estimated weights are not used, the amount added for transportation must not be more than the amount actually paid to the common or contract carrier.

(b) *Private truck.* (1) When shipment is by truck owned or controlled by the seller, the maximum permissible addition (on hauls involving any point outside of metropolitan areas) shall be computed as 5 cents per 100 pounds for hauls of not over 10 miles, 7 cents per 100 pounds for hauls of more than 10 but not over 20 miles, 9 cents per 100 pounds for hauls of more than 20 but not over 30 miles, and for each mile over 30 miles, two tenths of a cent per 100 pounds to be added to the 30-mile charge. No addition is allowed for the return trip.

(2) A "metropolitan area" includes all territory within 10 miles of the city limits of any city having a population of 250,000 or more according to the Census of 1940. On shipment by private truck entirely within a metropolitan area, the amount added for transportation may not be more than the published motor common carrier rate for such haul times the estimated weight or other unit of measure used. If there is no published rate, then the actual cost of trucking may be added, that is, the seller's out-of-pocket expense in making delivery. In the case of poles and piling only, if the order and shipment are for less than a truckload, a minimum charge for 10,000 pounds may be made."

[Paragraph (b) amended by Am. 1, 8 F.R. 10560, effective 8-2-43; and Am. 2, 8 F.R. 15906, effective 11-27-43]

(c) *Rail shipments of poles and piling (other than lodgepole pine.)* (1) On eastbound shipments by rail the transportation addition for all shippers may be computed as the estimated weights shown in the appropriate table times the rail freight rate from Seattle, Washington.

(2) On southbound shipments by rail or combined water and rail in the case of poles and piling produced in Canada to destinations covered in Pacific Freight Tariff Bureau Tariff No. 80-H or appropriate intrastate tariffs the transportation addition may be computed as the estimated weights shown in the appropriate table times the rail freight rate arrived at as follows:

(i) When the published rail rate is greater than the Seattle, Washington rate, the Bellingham, Washington published rate may be used; on shipments of poles or piling produced in Canada the Bellingham rate may be used regardless of the location of rail shipping point.

(ii) When the published rail rate is greater than the Portland, Oregon rate but not greater than the Seattle, Washington published rate, the Seattle, Washington published rate may be used.

(iii) When the shipping point is North of the California-Oregon State line and takes a published rail rate not greater than the Portland rate, the Portland published rate may be used.

(iv) When the shipping point is in the State of California the published rate from Arcata, California may be used.

(3) On shipments of Western red cedar poles and piling from points in Idaho, Montana, and that part of Washington east of the crest of the Cascade Mountains to points for which there is no published through railroad freight rate via the Minnesota Transfer-Twin Cities Gateway, the transportation addition may be computed on the basis of the local freight rate or rates from the original loading-out point to destination.

(4) Regardless of the foregoing provisions of this paragraph (c), if a milling-in-transit rate is applicable and results in a lower total cost of transportation, the milling-in-transit rate must be used.

[Paragraph (c) amended by Am. 2, 8 F.R. 15906, effective 11-27-43]

(d) For other means of transportation, where there are no published rates the actual cost of such transportation may be charged, that is, the out-of-pocket cost to the seller whether public or private means of transportation are used.

[Paragraph (c) and (d) added, former (c) redesignated (e) by Am. 1, 8 F.R. 10560, effective 8-2-43]

(e) *Averaging-out.* (1) When a single order, for which a single flat delivered price was quoted and accepted, is shipped from two or more railroad loading-out points to a single destination on varying freight rates, the seller may average out the transportation charges applying from the railroad loading-out point to the destination.

(2) In order that no single invoice shall appear to be false or over the ceiling, the seller must write on each invoice that the particular shipment is part of a larger order. Then, when shipment has been completed, he must render a final invoice which shows the individual prices, loading-out point, the amount shipped from each loading-out point, each destination, the freight charge for each shipment, and a reconciliation of the total amount so computed with the agreed delivered sale price and also with the maximum price permitted by this regulation.

SEC. 5. *Treatment addition.* An addition for preservative treatment other than treatment specifically priced in this regulation may be made at prices not higher than those permitted by the General Maximum Price Regulation[5] or any other applicable maximum price regulation of the Office of Price Administration.

[Sec. 5 amended by Am. 1, 8 F.R. 10560, effective 8-2-43]

SEC. 6. *Tie contractors' addition.* (a) In Table No. 5, Appendix A, a "tie contractors' addition" is provided. It applies to cross ties (not switch ties) produced in the Fringe Area (as defined in the following section) of Western pine and the associated species listed in Table 5.

(b) The term "tie contractor" is used to describe a person who, prior to October 1, 1942, was engaged in the business of supplying Western railroad cross ties to ultimate users of ties (such as railroads, street railways, industrial plants maintaining track facilities), to contractors engaged in building or maintaining track for war projects, or to persons purchasing ties for resale, and who can meet the following specific requirements:

(1) He must have maintained a concentration yard with necessary supervisory employees at which ties were bought for resale, or he must have operated producing units on timber owned or controlled by him which were primarily engaged in the production of Western railroad cross ties;

(2) During one calendar month of any of the 12 months preceding October 1, 1942, he must have either purchased or produced not less than 200,000 board feet of Western railroad cross ties; and

(3) During the entire 12 months preceding October 1, 1942, he must have successfully fulfilled a contract for the supply of at least 1,000,000 board feet of Western railroad cross ties.

(c) The Lumber Branch of the Office of Price Administration, Washington, D. C., may by letter or telegram authorize any person not meeting these qualifications to act as a tie contractor upon presentation of proof that the granting of this authorization will supply a service needed by tie users by increasing production and availability of cross ties in the area covered by this regulation.

SEC. 7. *Definitions of territories.* (a) The term "North and West Area" means the States of California, Idaho, Montana, and Nevada, and those parts of Oregon and Washington east of the crest of the Cascade Mountains; and Canada.

(b) The term "Fringe Area" means the States of North Dakota, South Dakota, Utah, Wyoming, Colorado, Arizona, and New Mexico; Cimarron, Texas, and Beaver Counties, Oklahoma; and those counties in Texas west of the east line of Lipscomb, Hemphill, Wheeler, Collingsworth, Childress, Cottle, King, Stonewall, Fisher, Nolan, Coke, Tom Green, Schleicher, Sutton, Edwards, Kinney, and Maverick Counties; and Mexico.

(c) The term "Western Schedule" as used in section 18, Table 10, refers to sales of treated poles shipped from treating plants or concentration yards located in California or in those parts of Oregon, Washington, and Canada west of the crest of the Cascade Mountains (regardless of the location of the original loading-out point), and to sales of untreated poles shipped from original loading-out points or from concentration yards in that same territory.

(d) The term "Eastern Schedule", as used in section 18, Table 10A, refers to sales of treated poles shipped from treating plants or concentration yards located outside the area described in paragraph (c), regardless of the location of the original loading-out point. It applies also to sales of untreated poles shipped from original loading-out points or from concentration yards located outside the area described in paragraph (c).

[Paragraphs (c) and (d) added; section heading amended by Am. 1, 8 F.R. 10560, effective 8-2-43]

SEC. 8. *Prohibited practices.*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings, and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Getting the effect of a higher price by changing credit practices or cash discounts from what they were on April 1, 1942. The cash and credit periods recognized by the seller on April 1, 1942, shall not be reduced.

(2) Refusing to sell on a loading-out point basis and insisting on selling on a delivered basis.

(3) Quoting a gross price above the maximum price, even if accompanied by a discount, the effect of which is to bring the net price below the maximum.

(4) Making the buyer take something he does not want in order to get what he does want.

SEC. 9. *Purchasing commissions.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling or locating Western primary forest products, or for any related service (such as "expediting") which does not involve actual physical handling of those products, if the commission plus the purchase price results in a total payment by the buyer which is higher than the maximum price of the products. For purposes of this regulation, a commission is any service charge or payment which is figured either directly or indirectly on the basis of the quantity, price or value of the products in connection with which the service is performed.

SEC. 10. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contem-

[2] 7 F.R. 9230, 10848; 8 F.R. 4136, 4720, 7197, 1169, 11479.

[4] Revised: 9 F.R. 1016, 3513.

[5] 9 F.R. 1385.

plated revision will be the granting of an individual application for adjustment.

[Sec. 10 amended by Supplementary Order 50, 8 F.R. 10568, 14310 effective 7-27-43]

SEC. 11. *Special pricing.* Grades, specifications, lengths, sizes, species and extras of Western primary forest products not specifically priced in the appendices are nevertheless subject to this regulation. Maximum prices for these products will be determined as follows:

[Above paragraph amended; former subparagraphs (1) and (2) redesignated (a) and (b) and amended by Am. 1, 8 F.R. 10560, effective 8-2-43]

(a) The seller should check his records to determine the highest prices at which he sold, during the first month prior to November 1, 1941, both the item to be priced and the most comparable item of Western primary forest products priced in the regulation, which shall be the "yardstick" grade for this computation.

(b) He shall ascertain the difference between the prices of the "yardstick" grade and the item to be priced, and shall determine the tentative maximum price for the item to be priced by adding the difference to the maximum price established for the "yardstick" grade if the item is of greater value than the "yardstick", or subtracting it, if of lesser value. The tentative price obtained by application of the method of computation outlined above shall be submitted to the Lumber Branch, Office of Price Administration, Washington, D. C., within 10 days of the use of the price, together with copies of the invoices of the sales which were used to determine the maximum price. If, within 30 days after the receipt of the request for approval, the Office of Price Administration does not adjust or require further justification of the maximum price, it shall be considered approved and shall thereafter be the maximum price for that seller for that item. Pending action by the Office of Price Administration, the seller may deliver the item and receive payment, subject to the condition that a refund will be made if the price is in excess of that finally approved by the Office of Price Administration.

(c) For any grade, specification, length, size, species, or extra for which a maximum price is not provided in the appendices, or which cannot be priced according to paragraphs (a) and (b) above, the maximum price shall be the price established by the Lumber Branch of the Office of Price Administration, Washington, D. C., after full facts have been submitted in support of a request for the establishment of a maximum price. The maximum price may be established by letter or telegram. The period allowed for consideration by the Lumber Branch, and the seller's rights pending disposition of his application, are the same as set out in paragraph (b) above.

SEC. 12. *Petitions for adjustment and amendment.* (a) *Government contracts.* See Procedural Regulation No. 6 [6] for adjustment provisions on certain government contracts or subcontracts.

[Paragraph (a) amended by Supplementary Order 83, 9 F.R. 973, effective 2-1-44]

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[7] issued by the Office of Price Administration.

SEC. 13. *Records.* All sellers of Western primary forest products must keep records which will show a complete description of the item sold, the name and address of the buyer, the date of the sale, and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought 5,000 board feet or the equivalent in other measure of Western primary forest products. The records must be kept for two years for inspection by the Office of Price Administration.

[Sec. 13 amended by Am. 1, 8 F.R. 10560, effective 8-2-43]

SEC. 14. *Enforcement and licensing.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by the regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

(c) The provisions of Licensing Order No. 1,[8] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Paragraph (c) amended by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43; and Am. 2, 8 F.R. 15906, effective 11-27-43]

SEC. 15. *Exports.* The maximum price for export sales of Western primary forest products is governed by the Second Revised Maximum Export Price Regulation.[9]

SEC. 16. *Appendix A: Maximum prices for Western mine materials.* All maximum prices set forth below are f. o. b. the railroad loading-out point nearest the mill or point of production in the normal direction of delivery to the point of destination. These maximum prices do not include treatment.

The species covered by this Appendix A are: Lodgepole pine, Ponderosa pine, larch, Tamarack, Douglas fir, Engelmann spruce and related species, or any combination of these species, except sawn mine materials of Douglas fir, hemlock and true firs produced in Oregon and Washington west of the crest of the Cascade Mountains.

TABLE NO. 1—WESTERN MINE PIT POSTS AND STULLS

Diameter at small end	Lengths up to and including 8' net. Per lineal ft.	Lengths over 8' Per lineal ft.	Estimated weights per lineal ft. Green	Dry
Up to 6", incl	$0.0525	$0.0625	9.0	7.0
Over 6" to 8", incl	.08	.09	16.5	12.5
Over 8" Up to 10", incl	.11	.12	24.0	18.0
Over 10" Up to 12", incl	.1275	.1375	34.0	25.0
Over 12" Up to 14", incl	.165	.175	46.0	35.0
Over 14" Up to 16", incl	.225	.235	58.0	45.0
Over 16" Up to 18", incl	.285	.295	70.0	54.0
Over 18" Up to 20", incl	.36	.37	86.0	67.0
Over 20" Up to 22", incl	.46	.47	104.0	80.0

Deductions for unpeeled Western mine pit posts and stulls:

	Per lineal foot
Up to 12", incl	$0.0075
Over 12", Up to 18", incl	.01
Over 18", Up to 22", incl	.0125

TABLE NO. 2—WESTERN MINE TIES

Area	Mining grade per M' BM	No. 1 mining grade per M' BM	Estimated weights per M' BM Green	Dry
Up to 6" x 6", 7' and shorter				
North and West Area (See section 7 (a))	$23.50	$28.50	3,800	3,200
Fringe Area (See section 7 (b))	28.50	33.50	3,800	3,200

TABLE NO. 3—WESTERN MINE TIMBERS BLOCKS, CROSS BARS AND LAGGING

	Mining grade per M' BM	No. 1 mining grade per M' BM	Estimated weights per M' BM Green	Dry
All sizes, up to 20' in length				
North and West Area (See section 7 (a))	$23.50	$28.50	3,800	3,200
Fringe Area (See section 7 (b))	28.50	33.50	3,800	3,200

NOTE: For specified lengths longer than 20' add $2.00 per M' BM.

TABLE NO. 4—WESTERN MINE WEDGES AND CAP PIECES

Size	Maximum prices per piece	Estimated weights per M' BM Green	Dry
0" x 2" x 4" x 12" wedge	$0.015	3,800	3,200
0" x 2" x 6" x 20" wedge	.035	3,800	3,200
0" x 3" x 6" x 16" wedge	.04	3,800	3,200
1" x 3" x 6" x 18" wedge	.0625	3,800	3,200
2" x 4" x 6" x 30" wedge	.15	3,800	3,200
2" x 6" x 4" x 30" wedge	.15	3,800	3,200
4" x 6" x 30" cap	.175	3,800	3,200

NOTE: For any size wedge not specifically priced above, a tentative maximum price of $40.00 per M' BM is established. The use of this maximum price is conditional on the filing of copies of the invoices showing a complete description of the odd sized wedge so priced within 15 days of the use of it. This tentative maximum price may be adjusted by the Lumber Branch, Office of Price Administration, by letter or telegram, within 30 days after it is filed with that Branch. If not adjusted within that time, it shall become the maximum price for that seller.

[Table amended by Am. 2, 8 F.R. 15906, effective 11-27-43]

SEC. 17. *Appendix B: Maximum prices for railroad ties.* All maximum prices set forth below are f. o. b. cars at the railroad loading-out point nearest the mill or point of production in the normal direction of delivery to the point of destination. These maximum prices do not include treatment.

[Above paragraph amended by Am. 1, 8 F.R. 10560, effective 8-2-43]

TABLE NO. 5—WESTERN PINE, ETC., RAILROAD TIES

(Species: Lodgepole pine, tamarack, Ponderosa pine, larch, Douglas fir, Engelmann spruce and related species, or any combination of these species, except Douglas fir, hemlock and true firs produced in Oregon and Washington west of the crest of the Cascade Mountains; and California and Canada. Specifications: The maximum prices specified below apply to untreated cross ties manufactured in accordance with the specifications of the American Railway Engineering Association.)

Area	Cross ties per M'BM	Switch ties per M'BM	Estimated weights per M'BM Green	Dry
North and West Area (See section 7(a))	$28.50	$31.50	3,800	3,200
Fringe Area (See section 7(b))	28.50	35.50	3,800	3,200

1. In the Fringe Area, but *not* in the North and West Area, a tie contractor may add $5.00 per M'BM on Western railroad cross ties. No tie contractor addition is allowed on switch ties. See Sec. 6 for definition of tie contractor.

2. For railroad ties of Western pine and associated species produced in Arizona, New Mexico, or Colorado and sold f. o. b. mill or point of production, the maximum price shall be $22.50 per M'BM. On delivered sales, additions for transportation may be made in accordance with section 4 (a) and (b), the charges to be computed for the entire haul from mill to destination, but in no case to exceed $10.00 per M'BM.

[Note redesignated footnote 1, footnote 2 added by Am. 2, 8 F.R. 15906, effective 11-27-43]

TABLE NO. 6—DOUGLAS FIR, ETC., RAILROAD TIES

(Species: Douglas fir and other West Coast species produced in Oregon and Washington west of the crest of the Cascade Mountains; and California and Canada. Graded under A. R. E. A. rules or W. C. L. A. Rules No. 12.)

	Cross ties per M'BM		Switch ties per M'BM 8'6"-17'	
A. R. E. A. or select Par. 205	$28.50		$31.50	
No. 1, Par. 206	26.00		29.00	
No. 2, Par. 207	23.00		26.00	
	Green	Dry	Green	Dry
Estimated weights:				
Fir	3,500	3,100	3,300	2,900
Hemlock	4,000	3,200	3,800	3,000

1. No additions for odd or fractional thicknesses, widths, or lengths, except as provided in footnote 5 below.

2. Hemlock and true firs: deduct $1.00 per M'BM.

3. F. O. H. C. ties, add $1.50 per M'BM.

4. For switch ties longer than 17' use timber schedule in Maximum Price Regulation 26—Douglas Fir and Other West Coast Lumber.

5. For 8'6" and 9' cross ties, add $2.00 per M'BM.

[Footnotes 1 and 3 amended and 5 added by Am. 2, 8 F.R. 15906, effective 11-27-43]

TABLE NO. 7—WESTERN RED CEDAR RAILROAD CROSS TIES

[Grades as provided in A. R. E. A. or Par. 727, W. C. L. A. Rules No. 12]

	Per M'BM	Estimated weights Green	Dry
A. R. E. A. or select Par. 205	$32.00	3,000	2,800
No. 1, Par. 206	30.00	3,000	2,800
No. 2, Par. 207	25.50	3,000	2,800

NOTE 1: No additions for odd thicknesses, widths or lengths.

TABLE NO. 8—SPLIT OR HEWN REDWOOD CROSS TIES

[Grades as provided in A. R. E. A. or Standard Specifications for Grades of Redwood Lumber, Rev. Dec. 1942]

	Per M' BM	Estimated weight per M' BM
A. R. E. A. or Par. 172	$38.50	4,000

1. When split redwood ties are delivered by truck from a production or concentration point to any place other than a railroad loading-out point, the maximum price shall be computed on the basis of $32.50 per M'BM f. o. b. the truck loading point, and to this price may be added the trucking charges provided in section 4 (a) or (b), computing the addition for the truck mileage from the truck loading point to destination.

2. When split redwood ties are delivered by truck from the production or concentration point to a railroad loading-out point other than the nearest railroad loading-out point, the maximum price shall be computed on the basis of $32.50 per M'BM f. o. b. the truck loading-out point, and to this price may be added the trucking charges provided in section 4 (a) or (b), computing the addition by multiplying the railroad mileage from the nearest loading point to destination by the applicable trucking rate.

[Footnotes 1 and 2 added by Am. 2, 8 F.R. 15906, effective 11-27-43]

SEC. 18. *Appendix C: Maximum prices for poles and piling.* (a) All maximum prices set forth below are f. o. b. cars at the railroad loading-out point or dumped, boomed, and rafted on towable waters nearest the point of production in the normal direction of delivery to the point of destination.

[Paragraphs (a) amended, (c) (formerly (b)) added by Am. 1, 8 F.R. 10560, effective 8-2-43]

(b) *Averaging inbound transportation charges from multiple basing points.* The addition for inbound transportation may be calculated by multiplying the estimated weight of the material by the local freight rate from the basing point of the untreated poles or piling. If the untreated material is received from more than one basing point, an average rate of all inbound freight may be used. The average must be determined by the following formula:

(1) The total inbound freight charges on all receipts during the preceding three months of the type and species of the item to be priced—divided by—

(2) The total weight of all receipts of such items during the three-month period, regardless of whether inbound freight actually was involved, but excluding any material sold f. o. b. original loading-out point.

This average rate may be used in computing the "inbound freight" addition on all sales f. o. b. treating plant made during the quarter next following that on which the average is based. The average may also be used in selling on a delivered basis as provided in section 4, except that where treating-in-transit rates are available, the entire addition for transportation (including inbound) must be figured on the through rate from the loading-out point indicated on the freight bills surrendered in connection with the outbound shipment. The transit charge itself may be added.

[Paragraph (b) added; former (h) redesignated (c) by Am. 2, 8 F.R. 15906, effective 11-27-43]

(c) *Quantity discounts on treated poles.* When the seller takes a firm order for treated poles, he must make discounts for quantity as follows:

	Percent
For 3,000 to 4,999 poles	2½
For 5,000 poles or more	5

For purposes of this paragraph a "firm order" is one requiring shipment from time to time over a period of 12 months, as ordered by the buyer, with guarantee of payment for any poles not ordered shipped at the end of the 12-month period, and covering at least 5 lengths with 3 classes in each length. The maximum price for treated poles subject to this discount is the sum of the appropriate untreated price taken from Table 9, 10, 10A, or 11 and the additions for treatment and services made according to Table 10C or section 5, excluding any addition for transportation.

[Sec. 18 amended by Am. 1, 8 F.R. 10560, effective 8-2-43, and as otherwise noted]

TABLE NO. 9—LODGEPOLE PINE POLES AND PILING

[Specifications: The maximum prices specified below apply to Lodgepole pine poles manufactured in accordance with the specifications of the American Standards Association]

Length	Class	Estimated weight per pole shipping dry	Maximum price for each pole
		Lbs.	
16'	6	155	$1.70
	7	135	1.50
	8	120	1.15
	9	110	.90
20'	5	300	2.95
	6	225	2.20
	7	200	1.75
	8	180	1.55
	9	135	1.10
	10	125	.90
28'	1	850	5.15
	2	720	4.95
	3	600	4.45
	4	480	4.25
	5	400	3.95
	6	320	2.85
	7	250	2.45
	8	225	2.20
	9	200	1.70

[7] F.R. 1215, 1836, 2132, 2153, 2299, 2997, 3115, 3941, 4780, 6385, 7240, 8948; 8 F.R. 6042, 7257, 6440.

[7] F.R. 8961; 8 F.R. 3313, 3588, 6173, 11806; 9 F.R. 1594, 3075.

[8] 8 F.R. 13240.

[9] 8 F.R. 6132, 5987, 7662, 9998, 15193; 9 F.R. 1036.

TABLE NO. 9—Continued

Length	Class	Estimated weight per pole shipping dry	Maximum price for each pole
		Lbs.	
30'	1	1,000	$5.50
	2	850	5.10
	3	730	4.90
	4	610	4.70
	5	500	4.45
	6	420	3.80
	7	350	3.60
	8	325	3.40
	9	250	2.55
35'	1	1,200	7.00
	2	1,000	6.80
	3	850	6.60
	4	750	6.40
	5	650	5.80
	6	560	5.00
	7	470	4.00
	8	450	3.80
40'	1	1,500	8.05
	2	1,300	7.65
	3	1,100	7.45
	4	900	7.20
	5	800	6.80
	6	700	6.15
45'	1	1,800	9.90
	2	1,550	9.45
	3	1,300	9.00
	4	1,150	8.40
	5	1,000	7.90
50'	1	2,000	13.55
	2	1,800	12.00
	3	1,550	10.90
	4	1,400	10.20
	5	1,300	9.50
55'	1	2,300	24.00
	2	2,000	19.70
	3	1,750	14.70
	4	1,600	12.10
	5	1,450	11.40
60'	1	2,600	29.45
	2	2,200	24.00
	3	2,000	19.00
	4	1,900	15.20

1. The maximum prices for Lodgepole pine piling shall be the maximum price established in this Table 9 for the most nearly equivalent A. S. A. size pole of the same length.

[Table heading amended and footnote 1 added by Am. 1, 8 F.R. 10560, effective 8-2-43]

TABLE NO. 10—MAXIMUM PRICES FOR WESTERN RED CEDAR POLES—WESTERN SCHEDULE

[See section 7 (c). F.o.b. Cars Loading-out point or dumped, boomed, rafted and prepared for towing in towable waters]

A. S. A. Length in feet	Class	Estimated weight in pounds per pole	Maximum price, each
16	5	230	$3.00
	6	190	2.20
	7	135	1.80
	8	105	1.70
	9	105	1.30
	10	85	1.05
18	3	440	4.60
	4	350	3.85
	5	265	3.20
	6	185	2.30
	7	175	1.95
	8	160	1.85
	9	120	1.45
	10	90	1.15
20	1	615	5.65
	2	530	5.40
	3	440	4.95
	4	350	4.10
	5	265	3.35
	6	200	2.45
	7	175	2.30
	8	160	1.85
	9	120	1.45
	10	90	1.25
22	1	750	5.90
	2	635	5.50
	3	530	5.05
	4	425	4.75
	5	350	4.35
	6	280	3.50
	7	220	3.25
	8	205	2.50
	9	180	1.90
	10	120	1.85

TABLE NO. 10—Continued

A. S. A. Length in feet	Class	Estimated weight in pounds per pole	Maximum price, each
25	1	750	$5.90
	2	635	5.50
	3	530	5.05
	4	425	4.75
	5	350	4.35
	6	280	3.50
	7	220	3.25
	8	205	2.50
	9	180	1.90
	10	120	1.85
30	H. D.	1,285	13.00
30" Top	1	1,120	11.15
	1	880	7.00
30" Top	2	960	10.75
	2	750	6.75
	3	645	6.45
	4	540	6.10
	5	440	5.80
	6	370	5.25
	7	310	4.95
	8	295	4.85
	9	225	4.10
35	H. D.	1,460	15.95
30" Top	1	1,385	13.00
	1	1,055	9.45
30" Top	2	1,180	12.40
	2	880	9.15
	3	750	8.75
	4	660	8.40
	5	570	7.65
	6	495	7.00
	7	415	5.95
	8	445	5.85
40	H. D.	1,725	24.35
30" Top	1	1,560	15.95
	1	1,320	11.15
30" Top	2	1,400	14.50
	2	1,145	10.75
	3	970	10.10
	4	790	9.55
	5	705	8.65
	6	615	8.05
	7	615	7.90
45	H. D.	1,990	28.40
30" Top	1	1,825	24.35
	1	1,585	13.00
30" Top	2	1,575	20.80
	2	1,365	12.40
	3	1,145	11.50
	4	1,010	10.75
	5	880	9.90
	6	880	9.70
50	H. D.	2,515	36.45
30" Top	1	2,080	28.40
	1	1,760	15.95
30" Top	2	1,750	25.85
	2	1,585	14.50
	3	1,365	13.25
	4	1,230	12.20
	5	1,145	10.95
	6	1,145	10.95
55	H. D.	2,870	43.50
30" Top	1	2,615	36.45
	1	2,025	24.35
30" Top	2	2,015	30.35
	2	1,750	20.80
	3	1,540	15.75
	4	1,410	12.75
	5	1,410	12.20
60	H.D.	3,395	48.50
30" Top	1	2,970	43.50
	1	2,200	28.40
30" Top	2	2,455	37.90
	2	1,935	25.85
	3	1,760	20.30
	4	1,670	16.30
65	H.D.	4,100	64.65
30" Top	1	3,495	48.50
	1	2,815	36.45
30" Top	2	2,985	44.00
	2	2,300	30.35
	3	2,025	25.60
	4	1,935	21.05
70	H.D.	4,540	82.65
30" Top	1	4,300	64.65
	1	3,170	43.50
30" Top	2	3,510	58.05
	2	2,640	37.90
	3	2,375	31.40
	4	2,290	27.05
75	1	3,695	48.50
	2	3,170	44.00
	3	2,730	38.20
	4	2,640	32.85
80	1	4,400	64.65
	2	3,695	58.05
	3	3,170	50.75
	4	3,080	46.40
85	1	4,840	82.65
	2	3,960	72.60
	3	3,520	61.80
	4	3,520	60.45
90	1	5,810	100.70
	2	4,620	95.60
	3	4,225	90.60

[Table No. 10 amended by Am. 2, 8 F.R. 15906, effective 11-27-43]

TABLE NO. 10A—MAXIMUM PRICES WESTERN RED CEDAR POLES—EASTERN SCHEDULE

[See section 7 (d). F. o. b. Cars Loading-out point of dumped, boomed, rafted and prepared for towing in towable waters]

A. S. A. Length in feet	Class	Estimated weight in pounds per pole	Maximum price, each
16	5	230	$3.00
	6	190	2.20
	7	135	1.80
	8	105	1.70
	9	105	1.30
	10	85	1.05
18	3	400	4.60
	4	320	3.85
	5	240	3.20
	6	180	2.30
	7	160	1.95
	8	160	1.85
	9	120	1.45
	10	90	1.15
20	1	560	5.65
	2	480	5.40
	3	400	4.90
	4	320	4.10
	5	240	3.35
	6	180	2.45
	7	160	2.05
	8	160	1.85
	9	120	1.45
	10	90	1.25
22	1	680	5.90
	2	575	5.50
	3	480	5.05
	4	385	4.75
	5	320	4.35
	6	255	3.15
	7	200	2.95
	8	205	2.50
	9	180	1.90
	10	120	1.85
25	1	680	5.90
	2	575	5.50
	3	480	5.05
	4	385	4.75
	5	320	4.35
	6	255	3.15
	7	200	2.95
	8	205	2.50
	9	180	1.90
	10	120	1.85
30	H. D.	1,200	11.55
30" Top	1	1,000	9.60
	1	800	6.40
30" Top	2	855	9.20
	2	680	6.25
	3	585	6.05
	4	490	6.05
	5	400	5.80
	6	335	4.70
	7	280	4.30
	8	295	4.10
	9	225	3.10
35	H. D.	1,440	14.50
30" Top	1	1,240	11.05
	1	960	8.95
30" Top	2	1,055	10.50
	2	800	8.05
	3	680	8.55
	4	600	8.40
	5	520	7.65
	6	450	6.40
	7	375	5.00
	8	405	4.75
40	H. D.	1,690	24.35
30" Top	1	1,400	11.30
	1	1,200	9.95
30" Top	2	1,255	13.30
	2	1,040	9.45
	3	880	9.15
	4	720	8.90
	5	640	8.40
	6	560	7.65
	7	560	7.55
45	H.D.	1,840	28.40
30" Top	1	1,640	24.35
	1	1,440	11.55
30" Top	2	1,415	20.80
	2	1,240	11.00
	3	1,040	10.50
	4	920	9.95
	5	800	8.95
	6	800	8.80
50	H.D.	2,090	36.45
30" Top	1	1,880	28.40
	1	1,600	14.30
30" Top	2	1,575	25.85
	2	1,440	13.30
	3	1,240	11.80
	4	1,120	10.95
	5	1,040	9.95
	6	1,040	9.95

TABLE NO. 10A—MAXIMUM PRICES WESTERN RED CEDAR POLES—EASTERN SCHEDULE—Continued

[See section 7 (d). F. o. b. Cars Loading-out point or dumped, boomed, rafted and prepared for towing in towable waters]

A. S. A. Length in feet	Class	Estimated weight in pounds per pole	Maximum price, each
55	H. D.	2,560	$43.50
30" Top	1	2,360	36.45
	1	1,840	24.35
30" Top	2	1,815	30.25
	2	1,600	20.80
	3	1,400	15.75
	4	1,280	12.75
	5	1,280	12.20
60	H. D.	2,880	48.50
30" Top	1	2,680	43.50
	1	2,080	28.40
30" Top	2	2,215	37.90
	2	1,760	25.85
	3	1,600	20.30
	4	1,520	16.30
65	H. D.	3,360	64.65
30" Top	1	3,160	48.50
	1	2,560	36.45
30" Top	2	2,695	44.00
	2	2,000	30.35
	3	1,840	25.60
	4	1,760	21.05
70	H. D.	4,000	82.65
30" Top	1	3,800	64.65
	1	2,880	43.50

TABLE NO. 10A—MAXIMUM PRICES WESTERN RED CEDAR POLES—EASTERN SCHEDULE—Continued

[See section 7 (d). F. o. b. Cars Loading-out point or dumped, boomed, rafted and prepared for towing in towable waters]

A. S. A. Length in feet	Class	Estimated weight in pounds per pole	Maximum price, each
70—Continued.			
30" Top	2	3,175	$58.05
	2	2,400	37.90
	3	2,160	31.40
	4	2,080	27.05
75	1	3,360	48.50
	2	2,880	44.00
	3	2,480	38.20
	4	2,400	32.85
80	1	4,000	64.65
	2	3,360	58.05
	3	2,880	50.75
	4	2,800	46.40
85	1	4,400	82.65
	2	3,600	72.60
	3	3,200	61.80
	4	3,200	60.45
90	1	5,280	100.70
	2	4,480	95.60
	3	3,840	90.00

[Table 10A amended by Am. 2, 8 F.R. 15906, effective 11-27-43]

TABLE NO. 10B—MAXIMUM PRICES FOR WESTERN RED CEDAR AND DOUGLAS FIR RE-INFORCING STUBS—ANCHOR LOGS—SHORT ROUND MATERIAL OTHER THAN MINE PIT POSTS AND STULLS—PROCESSING AND NON-PRESSURE TYPE PRESERVATIVE TREATMENT OF SAME—EASTERN OR WESTERN SCHEDULE

[F. o. b. Cars Loading-out point or dumped, boomed, rafted and prepared for towing in towable waters]

Minimum diameter small end	Minimum circumference small end	Estimated weight in pounds per lineal ft.	Maximum price for each lineal ft. or fraction thereof	Maximum charge for roofing each piece	Maximum Charge for Preservative Treatment Spec. ½" Pen.	
					5' butt treatment	Each additional foot or fraction thereof
5 inch	15 inch	6#	$0.07½	$0.06	$1.00	$0.09
6 inch	18½ inch	8#	.10	.09	1.30	.11
7 inch	22 inch	10#	.11½	.10	1.55	.14
8 inch	25 inch	15#	.15	.12	1.80	.18
9 inch	28 inch	20#	.18	.13	2.00	.22
10 inch	31 inch	25#	.20	.15	2.40	.25
11 inch	34 inch	30#	.21	.16	2.70	.29
12 inch	38 inch	35#	.23	.18	3.35	.36
13 inch	41 inch	40#	.25	.19	4.05	.43
14 inch	44 inch	45#	.26	.21	4.75	.50
15 inch	47 inch	50#	.28	.23	5.30	.58
16 inch	50 inch	55#	.30	.25	6.10	.65

GENERAL NOTES APPLYING TO TABLES 10, 10A, AND 10B

1. These prices include all production costs before processing and treating such as yarding and inspection.

2. *Piling.* The maximum price for Western Red Cedar piling shall be the price for the closest equivalent A. S. A. size pole in the same length.

3. On orders to established concentration, distribution or treating plant yards for less than carload minimum weight as established by railroad tariffs, and where the invoice value at maximum prices for the untreated poles or other round material does not exceed $300.00 on items 50 feet and shorter, or $450.00 where 50 percent of the items are more than 50 feet in length, the seller may add a service charge of not more than 25% of the total invoice value of the treated or untreated material not including transportation but including the treating and processing additions provided in Table 10C. The transportation addition on "less than carload sales" must not exceed that permitted by section 4 for transportation from the point of origin to the concentration, distribution or treating plant yard from which the shipment is made. The service charge may be made only on sales, f. o. b. seller's yard, with transportation outbound for the buyer's account.

4. *Cut back allowance.* When requirements of the buyer exceed the available supply of the seller for one or more classes or lengths of poles for delivery required, the seller may cut back the most similar class pole in the five foot longer length and may charge the maximum price for the class and length pole actually used. The additions for transportation, treatment, processing, etc., on such cut back poles, shall be those additions applicable to the class and length pole ordered by the buyer, plus an addition for inbound freight computed at the difference in estimated weights times the freight rate to the concentration yards. No addition may be made for the labor included in such cutting back operations. The seller shall keep a record of such sales and show this charge as a separate item on the invoice.

5. *Inspection service.* On shipments where the buyer requests special inspection service, furnished by an approved inspection

agency, an addition may be made to cover the actual cost of such service. This charge must be shown separately on the invoice.

6. *Branding and marking.* The manufacturer's brand showing year mark, class, and length of pole may be branded on the face of butt treated poles at no extra charge. For any additional branding or marking on butt treated poles, and for all branding on untreated poles, an addition of not more than 7½ cents may be made for each additional branding or marking operation required by the buyer and performed with one iron.

[Table heading and footnotes 3 and 6 amended by Am. 2, 8 F.R. 15906, effective 11-27-43]

7. *Heavy duty and 30" top poles.* On sales of heavy duty and 30" top #1 and #2 poles an addition for inbound freight may be added computed at the difference in estimated weights between the pole as sold and the pole cut back times the freight rate to the concentration yard.

8. *Untreated poles, stubs, anchor logs and short round material.* On shipments from treating plant yards of untreated poles, stubs, anchor logs and short round material, the seller may add a charge of not more than $.075 per cwt. times the estimated weight for that length and size in the appropriate table.

9. *Storage.* When the buyer requires storage of treated poles until released for shipment as required, the seller may add a yarding charge of not more than $.05 per cwt. times the estimated weight for the same class and length in the appropriate table.

10. *Specifications not priced.* To price any specification of pole other than American Standard Association, the seller shall determine the size A. S. A. pole of the same length having the same or nearest larger circumference 6' from the butt, and this price is the tentative maximum price for the specification to be priced. The tentative price so determined and any price for other lengths or extras not specifically priced shall be submitted to the Lumber Branch, Office of Price Administration, Washington, D. C. as provided in section 11.

TABLE NO. 10C—MAXIMUM PRICE ADDITIONS TO POLE PRICE FOR NONPRESSURE TYPE TREATMENT AND PROCESSING WESTERN RED CEDAR POLES

A. S. A.		Butt treated, incised, ½" guaranteed penetration creosote treatment[1]	Full length creosote or other preservative without separate butt treatment		Roof only	Roof and one gain	Each additional gain	Staining or painting	Machine or hand shave full length	Reduced sapwood addition to shaving price[4]
Length in feet	Class		Incised ground line area and treated over 2 hours and under 8 hours hot or cold[2]	Incised ground line area and 8 hours minimum hot followed by cold treatment[2 3]						
16	5	$1.15	$1.00	$1.35	$0.11	$0.19	$0.08	$0.75	$0.40	$0.05
	6	1.05	.90	1.20	.11	.19	.08	.70	.40	.05
	7	.90	.80	1.05	.11	.19	.08	.70	.35	.05
	8	.75	.75	.95	.11	.19	.08	.65	.35	.05
	9	.65	.65	.90	.07	.15	.08	.45	.35	.05
	10	.50	.60	.85	.07	.15	.08	1.10	.75	.05
18	3	1.60	1.65	2.20	.15	.22	.08	1.05	.60	.05
	4	1.40	1.55	2.05	.11	.19	.08	.85	.55	.05
	5	1.20	1.20	1.60	.11	.19	.08	.75	.45	.05
	6	1.15	1.00	1.30	.11	.19	.08	.75	.45	.05
	7	1.00	.90	1.20	.11	.19	.08	.75	.45	.05
	8	.85	.80	1.05	.11	.19	.08	.70	.40	.05
	9	.75	.75	.95	.07	.15	.08	.50	.30	.05
	10	.65	.65	.90	.07	.15	.08	.75	.75	.05
20	1	2.10	2.10	2.90	.15	.22	.08	1.15	.75	.05
	2	1.90	1.85	2.50	.15	.22	.08	1.15	.75	.05
	3	1.75	1.75	2.35	.15	.22	.08	1.15	.75	.05
	4	1.50	1.60	2.15	.11	.19	.08	1.00	.60	.05
	5	1.30	1.40	1.90	.11	.19	.08	.90	.55	.05
	6	1.15	1.30	1.75	.11	.19	.08	.80	.45	.05
	7	1.00	1.20	1.60	.11	.19	.08	.80	.45	.05
	8	.85	1.00	1.35	.11	.19	.08	.80	.45	.05
	9	.75	.90	1.20	.07	.15	.08	.75	.40	.05
	10	.65	.75	1.00	.07	.15	.08	.55	.30	.05
22	1	2.35	2.25	2.05	.18	.26	.08	1.20	.95	.05
	2	2.15	2.00	2.70	.18	.26	.08	1.20	.85	.05
	3	1.95	1.85	2.80	.15	.23	.08	1.10	.70	.05
	4	1.70	1.75	2.35	.15	.23	.08	1.00	.60	.05
	5	1.50	1.50	2.05	.11	.19	.08	.90	.55	.05
	6	1.35	1.40	1.85	.11	.19	.08	.85	.45	.05
	7	1.30	1.25	1.70	.11	.19	.08	.80	.45	.05
	8	1.30	1.10	1.45	.11	.19	.08	.80	.45	.05
	9	1.15	1.10	1.30	.07	.15	.08	.75	.45	.05
	10	1.10	.90	1.15	.07	.15	.08	.75	.45	.05
25	1	2.35	2.40	3.20	.18	.26	.08	1.30	.95	.05
	2	2.15	2.20	2.95	.18	.26	.08	1.20	.85	.05
	3	1.95	1.95	2.60	.15	.23	.08	1.10	.70	.05
	4	1.70	1.85	2.45	.15	.23	.08	1.00	.60	.05
	5	1.50	1.60	2.15	.11	.19	.08	.90	.55	.05
	6	1.35	1.45	1.95	.11	.19	.08	.85	.45	.05
	7	1.30	1.35	1.80	.11	.19	.08	.80	.45	.05
	8	1.30	1.25	1.65	.11	.19	.08	.80	.45	.05
	9	1.15	1.20	1.60	.07	.15	.08	.75	.45	.05
	10	1.10	1.10	1.45	.07	.15	.08	.75	.45	.05
30	H. D.	4.00	3.55	4.70	.30	.41	.11	1.80	1.35	.30
30" Top	1	3.55	3.10	4.15	.26	.37	.11	1.70	1.20	.30
30" Top	1	3.65	3.20	4.25	.22	.30	.08	1.45	1.05	.15
	2	3.20	2.85	3.75	.26	.37	.11	1.60	1.15	.25
	2	2.40	2.70	3.60	.22	.30	.08	1.25	.85	.10
	3	2.20	2.55	3.35	.18	.26	.08	1.10	.70	.10
	4	1.95	2.25	3.00	.15	.22	.08	1.00	.70	.10
	6	1.75	2.05	2.75	.11	.19	.08	.95	.65	.10
	6	1.60	1.90	2.55	.11	.19	.08	.90	.60	.10
	7	1.50	1.75	2.35	.11	.19	.08	.90	.55	.10
	8	1.30	1.70	2.25	.11	.19	.08	.90	.55	.10
	9	1.30	1.55	2.05	.07	.15	.08	.90	.55	.10

Footnotes at end of table.

TABLE NO. 10C—MAXIMUM PRICE ADDITIONS TO POLE PRICE FOR NONPRESSURE TYPE TREATMENT AND PROCESSING WESTERN RED CEDAR POLES—Continued

A. S. A.		Butt treated, incised, ½" guaranteed penetration creosote treatment[1]	Full length creosote or other preservative without separate butt treatment		Roof only	Roof and one gain	Each additional gain	Staining or painting	Machine or hand shave full length	Reduced sapwood addition to shaving price
Length in feet	Class		Incised ground line area and treated over 2 hours and under 8 hours hot or cold[2]	Incised ground line area and 8 hours minimum hot followed by cold treatment[2 3]						
35	H. D.	$4.60	$4.15	$5.55	$0.30	$0.41	$0.11	$1.95	$1.50	$0.40
30" Top	1	4.00	3.75	4.95	.30	.41	.11	1.80	1.35	.40
	1	3.10	3.55	4.75	.26	.37	.11	1.60	1.20	.15
30" Top	2	3.75	3.35	4.50	.26	.37	.11	1.75	1.30	.40
	2	2.75	3.20	4.25	.26	.34	.08	1.45	1.05	.15
	3	2.60	2.95	3.95	.22	.30	.08	1.35	1.00	.15
	4	2.30	2.75	3.65	.18	.26	.08	1.30	.90	.15
	5	2.10	2.50	3.35	.18	.26	.08	1.20	.85	.15
35	6	1.80	2.30	3.10	.15	.23	.08	1.15	.75	.15
	7	1.65	2.10	2.85	.15	.23	.08	1.15	.70	.15
	8	1.65	1.95	2.60	.15	.23	.08	1.15	.70	.15
40	H. D.	5.05	5.10	6.80	.34	.45	.11	2.10	1.75	.40
30" Top	1	4.50	4.45	5.95	.30	.41	.11	1.95	1.50	.40
	1	3.55	4.25	5.65	.26	.37	.11	1.70	1.20	.40
30" Top	2	4.25	4.25	5.65	.30	.41	.11	1.90	1.50	.40
	2	3.20	3.90	5.20	.26	.37	.11	1.60	1.15	.40
	3	2.80	3.60	4.80	.23	.34	.11	1.45	1.05	.35
	4	2.60	3.30	4.40	.19	.30	.11	1.40	1.00	.30
	5	2.30	3.00	4.00	.19	.30	.11	1.30	.95	.25
	6	2.05	2.70	3.60	.19	.30	.11	1.30	.95	.20
	7	2.05	2.60	3.45	.19	.30	.11	1.30	.95	.15
45	H. D.	5.80	6.70	8.95	.34	.45	.11	2.25	1.90	.60
30" Top	1	5.05	5.90	7.85	.34	.45	.11	2.10	1.75	.60
	1	4.00	5.60	7.45	.30	.41	.11	1.80	1.35	.55
30" Top	2	4.60	5.45	7.30	.30	.41	.11	2.00	1.70	.40
	2	3.75	5.20	6.95	.26	.37	.11	1.75	1.30	.50
	3	3.25	4.75	6.35	.23	.34	.11	1.60	1.25	.40
	4	2.95	4.45	5.95	.23	.34	.11	1.60	1.20	.40
	5	2.50	4.05	5.40	.23	.34	.11	1.60	1.15	.30
	6	2.50	3.90	5.20	.23	.34	.11	1.60	1.15	.25
50	H. D.	6.55	7.70	10.25	.34	.45	.11	2.40	2.40	1.20
30" Top	1	5.80	6.70	8.95	.34	.45	.11	2.25	1.90	.85
	1	4.80	6.40	8.55	.30	.41	.11	1.95	1.60	.50
30" Top	2	5.10	6.30	8.40	.30	.41	.11	2.05	1.90	.45
	2	4.25	6.00	7.80	.30	.41	.11	1.90	1.50	.45
	3	3.65	5.55	7.40	.26	.37	.11	1.75	1.30	.40
	4	3.30	5.25	7.00	.26	.37	.11	1.70	1.35	.40
	5	2.70	4.85	6.45	.26	.37	.11	1.70	1.25	.40
	6	2.70	4.75	6.35	.26	.37	.11	1.70	1.20	.40
55	H. D.	7.10	8.75	11.70	.34	.45	.11	2.55	2.25	1.85
30" Top	1	6.55	7.65	10.20	.34	.45	.11	2.40	2.40	1.20
	1	5.65	7.30	9.75	.34	.45	.11	2.10	1.75	.75
30" Top	2	5.55	7.08	9.45	.30	.41	.11	2.20	2.30	1.20
	2	4.60	6.75	9.00	.30	.41	.11	2.00	1.70	.65
	3	4.10	6.25	8.35	.26	.37	.11	1.85	1.65	.45
	4	3.60	5.90	7.85	.26	.37	.11	1.80	1.55	.45
	5	3.30	5.60	7.45	.26	.37	.11	1.80	1.45	.45
60	H. D.	8.00	9.80	13.05	.34	.45	.11	2.70	2.90	1.70
30" Top	1	7.10	8.55	11.40	.34	.45	.11	2.55	2.65	1.45
	1	5.80	8.15	10.85	.34	.45	.11	2.25	2.20	1.20
30" Top	2	6.25	7.95	10.55	.30	.41	.11	2.65	2.35	1.50
	2	5.10	7.60	10.15	.30	.41	.11	2.05	2.10	1.10
	3	4.50	7.05	9.40	.26	.37	.11	1.95	2.00	1.00
	4	3.95	6.70	8.95	.26	.37	.11	1.95	1.90	1.00
65	H. D.	9.80	11.20	14.95	.34	.45	.11	2.85	3.10	1.70
30" Top	1	8.00	9.80	13.10	.34	.45	.11	2.70	2.80	1.80
	1	6.55	9.35	12.45	.34	.45	.11	2.40	2.40	1.50
30" Top	2	7.10	8.70	11.65	.34	.45	.11	2.55	2.60	1.80
	2	5.55	8.30	11.08	.30	.41	.11	2.20	2.20	1.40
	3	5.05	7.85	10.45	.26	.37	.11	2.10	2.20	1.30
	4	4.70	7.45	9.95	.26	.37	.11	2.10	2.10	1.20
70	H. D.	9.90	11.35	15.15	.34	.45	.11	3.00	3.20	2.10
30" Top	1	9.80	10.80	14.40	.34	.45	.11	2.85	3.10	1.80
	1	7.10	10.30	13.75	.34	.45	.11	2.55	2.65	1.95
30" Top	2	8.05	9.75	13.00	.34	.45	.11	2.70	2.80	1.80
	2	6.35	9.30	12.40	.30	.41	.11	2.35	2.35	1.75
	3	5.80	8.75	11.65	.26	.37	.11	2.25	2.20	1.65
	4	5.00	8.35	11.15	.26	.37	.11	2.25	2.10	1.45
75	1	8.00	11.50	15.35	.34	.45	.11	2.70	2.90	2.00
	2	7.10	10.60	14.15	.34	.45	.11	2.55	2.50	1.90
	3	6.55	9.70	12.95	.34	.45	.11	2.40	2.40	1.80
	4	5.60	9.30	12.40	.34	.45	.11	2.40	2.30	1.70
80	1	9.80	12.95	17.25	.34	.45	.11	2.85	3.10	2.20
	2	8.05	11.75	15.65	.34	.45	.11	2.70	2.80	2.10
	3	7.20	10.80	14.40	.34	.45	.11	2.55	2.40	2.00
	4	5.80	10.45	13.93	.34	.45	.11	2.55	2.25	2.00
85	1	9.90	14.15	18.85	.34	.45	.11	3.00	3.20	2.50
	2	8.80	12.90	16.80	.34	.45	.11	2.85	3.00	2.30
	3	7.80	11.75	15.65	.34	.45	.11	2.70	2.80	2.10
	4	7.30	11.65	15.55	.34	.45	.11	2.70	2.60	2.00
90	1	10.90	15.85	21.15	.34	.45	.11	3.15	3.60	2.90
	2	9.75	14.35	19.15	.34	.45	.11	3.00	3.40	2.80
	3	8.60	13.30	17.75	.34	.45	.11	2.85	3.20	2.70

[1] On poles treated west of the crest of the Cascade Mountains or in California these prices may be increased by 5%. If poles are not incised no increase to these prices is allowed.

[2] If the buyer does not require ground-line incising with this type of treatment deduct 5½ from the price of under 8 hours' treatment.

[3] Where guaranteed penetration at the ground line area is required in this type of treatment add to these prices the ½" guaranteed penetration butt treating addition for the same length and class of pole.

[4] This addition is permitted when the sapwood is reduced in machine shaving to less than ½" average thickness.

[Table heading, box headings, and footnotes 1 and 3 amended by Am. 2, 8 F.R. 15906, effective 11-27-43]

1. *Additional height butt treatment:* An additional charge may be made for creosote butt treatment of one foot or portion thereof in excess of the standard height, but the total charge must not be more than the maximum charge for creosote butt treatment of the same class pole five feet longer.

2. *Extended incised area:* When the buyer requires an extended ground-line incised area greater than 3 feet, the maximum charge for creosote butt treatment shall not exceed the maximum charge for the next larger class pole in the five foot longer length to provide for this service and any additional height treatment.

3. *Bolt holes and step holes:* For the first boring in any plane of a pole, stub, anchor log or other short round material add $0.05. For each additional boring in that same plane add $0.03.

4. *Continuous slag gain:* An addition may be made for each 12 inches or part thereof of continuous slab gain not to exceed the charge for "Each Additional Gain."

5. *Full length immersion of butt treated poles:* For butt treated poles immersed full length in creosote, stain or other preservative, under 2 hours the seller may add to the butt treated price the staining and painting charge for the same length and class of pole.

6. *Push braces.* For framing and boring on push brace poles, an addition of $0.50 may be made to the maximum price for class and length of pole used.

[Footnote 5 amended; 6 added; and former 6 redesignated 7 by Am. 2, 8 F.R. 15906, effective 11-27-43]

7. *Specifications not priced:* For any specification of treating or processing not priced in this table a maximum price addition may be determined in accordance with section 11.

TABLE NO. 11—MAXIMUM PRICES CLEAN PEELED DOUGLAS FIR POLES, AMERICAN STANDARD ASSOCIATION SPECIFICATIONS

[F. O. B. Cars Loading-out point or dumped, boomed, rafted and prepared for towing in towable waters]

Length in feet	Class	Weight in pounds: Each	Weight in pounds: Per linear foot	Price: Each	Price: Per linear foot
16-18-20	10	200	10	$1.60	$0.08
	9	220	11	1.70	.085
	8	260	13	1.80	.09
	7	310	15.5	1.90	.095
	6	350	17.5	2.00	.10
	5	400	20	2.10	.105
	4	440	22	2.20	.11
	3	490	24.5	2.40	.12
	2	530	26.5	2.60	.13
	1	580	29	3.00	.15
22-25	10	250	10	2.25	.09
	9	300	12	2.38	.095
	8	350	14	2.50	.10
	7	400	16	2.63	.105
	6	463	18.5	2.75	.11
	5	525	21	3.00	.12
	4	575	23	3.25	.13
	3	600	24	3.50	.14
	2	650	26	3.75	.15
	1	700	28	4.25	.17
30	9	390	13	3.00	.10
	8	450	15	3.15	.105
	7	480	16	3.30	.11
	6	510	17	3.60	.12
	5	600	20	3.90	.13
	4	690	23	4.20	.14
	3	810	27	4.50	.15
	2	930	31	5.10	.17
	1	1,110	37	5.70	.19
35	8	560	16	3.85	.11
	7	595	17	4.20	.12
	6	665	19	4.90	.14
	5	770	22	5.25	.15
	4	875	25	5.60	.16
	3	1,085	31	6.30	.18
	2	1,260	36	6.65	.19
	1	1,435	41	7.70	.22
40	7	680	17	5.20	.13
	6	800	20	5.60	.14
	5	920	23	6.40	.16
	4	1,120	28	7.20	.18
	3	1,320	33	8.00	.20
	2	1,560	39	8.80	.22
	1	1,760	44	9.20	.23

TABLE NO. 11—MAXIMUM PRICES CLEAN PEELED DOUGLAS FIR POLES, AMERICAN STANDARD ASSOCIATION SPECIFICATIONS—Continued

[F. O. B. Cars Loading-out point or dumped, boomed, rafted and prepared for towing in towable waters]

Length in feet	Class	Weight in pounds: Each	Weight in pounds: Per linear foot	Price: Each	Price: Per linear foot
45	7	810	18	$6.30	$0.14
	6	945	21	7.20	.16
	5	1,125	25	8.10	.18
	4	1,350	30	9.00	.20
	3	1,575	35	9.45	.21
	2	1,845	41	10.35	.23
	1	2,070	46	11.25	.25
50	7	950	19	7.80	.15
	6	1,100	22	8.06	.16
	5	1,300	26	9.50	.19
	4	1,600	32	10.60	.21
	3	1,850	37	11.50	.23
	2	2,150	43	12.50	.25
	1	2,500	50	13.00	.26
55	6	1,320	24	11.00	.20
	5	1,540	28	11.63	.21
	4	1,815	33	12.10	.22
	3	2,145	39	13.20	.24
	2	2,475	45	14.30	.26
	1	2,860	52	14.80	.27
60	5	1,740	29	13.20	.22
	4	2,040	34	14.40	.24
	3	2,460	41	15.60	.26
	2	2,820	47	16.20	.27
	1	3,360	56	16.80	.28
65	5	2,015	31	14.95	.23
	4	2,340	36	16.25	.25
	3	2,795	43	17.55	.27
	2	3,250	50	18.85	.29
	1	2,835	59	19.50	.30
70	5	2,340	32	16.80	.24
	4	2,590	37	18.20	.26
	3	3,080	44	19.60	.28
	2	3,640	52	21.00	.30
	1	4,340	62	21.70	.31
75	4	2,925	39	20.25	.27
	3	3,450	46	21.75	.29
	2	4,050	54	23.25	.31
	1	4,800	64	24.00	.32
80	4	3,200	40	22.40	.28
	3	3,760	47	24.00	.30
	2	4,400	55	25.60	.32
	1	5,340	65.5	26.40	.33
85	3	4,165	49	27.20	.32
	2	4,930	58	28.90	.34
	1	5,780	68	29.75	.35
90	3	4,950	55	30.60	.34
	2	5,400	60	32.40	.36
	1	6,300	70	33.30	.37

1. To price any specification of pole other than American Standard Association, the seller shall determine the size A. S. A. pole of the same length having the same or nearest larger circumference 6' from the butt and this price is the tentative maximum price for the specification to be priced. The tentative price so determined and any price for other lengths or extras not specifically priced, such as roofing or framing, shall be submitted to the Lumber Branch, Office of Price Administration, Washington, D. C., as provided in section 11.

For length specifications

All additions allowed by the following footnotes must be shown separately on the invoice.

In all the specified length groups below, the lengths shall be evenly distributed.

2. For specified length groups, 5 or more consecutive lengths in A. S. A. multiples: No addition.

3. For specified length groups, of 4 consecutive lengths in A. S. A. multiples: add $.005 per lin. ft.

4. For specified length groups, of 3 consecutive lengths in A. S. A. multiples: add $.01 per lin. ft.

5. For specified length groups, of 2 consecutive lengths in A. S. A. multiples: add $.015 per lin. ft.

6. For specified single length: add $.02 per lin. ft.

7. For random length orders when the purchaser specifies restricted loading, the seller may add ⅓ of the appropriate specified length addition above.

Winter or bark stuck peeling

8. For clean peeled poles which are delivered during the winter peeling or bark stuck season (October 1 to February 28 or 29, inclusive): add $.02 per lin. ft.

9. For rough peeled poles which are delivered during the winter peeling or bark stuck season (October 1 to February 28 or 29, inclusive): add $.01 per lin. ft.

10. *Butt treating.* When fir poles are sold butt-treated, the seller may apply, in accordance with section 11, for authorization of an addition to the untreated fir pole price.

11. *Less than carload sales.* On orders to established concentration, distribution or treating plant yards for less-than-carload minimum weights as established by railroad tariffs and where the invoice value at maximum prices for the untreated poles or other round material does not exceed $175.00 on items 50 feet and shorter, or $250.00 where 50 percent of the items are more than 50 feet in length, the seller may add a service charge of not more than 25% of the total invoice value of the butt treated or untreated material not including transportation but including the treating additions provided in footnote 10 above. The transportation addition on "less-than-carload sales" must not exceed that permitted in section 4 for transportation from the point of origin to the concentration, distribution or treating plant yard from which the sale is made. The service charge may be made only on sales f. o. b. seller's yard, with transportation outbound for the buyer's account.

12. *Cut back allowance.* When requirements of the buyer exceed the available supply of the seller for one or more classes or lengths of poles for delivery required, the seller may cut back the most similar class pole in the five foot longer length and may charge the maximum price for the class and length pole actually used. The additions for transportation, treatment, processing, etc., on such cut back poles, shall be those additions applicable to the class and length pole ordered by the buyer, plus an addition for inbound freight computed at the difference in estimated weights times the freight rate to the concentration yard. No addition may be made for the labor included in such cutting-back operations. The seller shall keep a record of such sales and show this charge as a separate item on the invoice.

13. *Inspection service.* On shipments where the buyer requests special inspection service, furnished by an approved inspection agency, an addition may be made to cover the actual cost of such service. This charge must be shown separately on the invoice.

14. *Branding and marking.* The manufacturer's brand showing year mark, class, and length of pole may be branded on the face of butt treated poles at no extra charge. For any additional branding or marking on butt treated poles, and for all branding on untreated poles, an addition of not more than 7½ cents may be made for each additional branding or marking operation required by the buyer and performed with one iron.

15. *Untreated poles, stubs, anchor logs, and short round material.* On shipments from treating plant yards of untreated poles, stubs, anchor logs and short round material, the seller may add a charge of not more than $.075 per cwt. times the estimated weight for that length and size in the appropriate table.

16. *Storage.* When the buyer requires storage of butt treated poles for a minimum of 30 days until released for shipment as required, the seller may add a yarding charge of not more than $.05 per cwt. times the estimated weight for the same class and length in the appropriate table.

[Footnotes 10 through 16 added by Am. 2, 8 F.R. 15906, effective 11-27-43]

TABLE NO. 12—CLEANEDPEELED DOUGLAS FIR PILIN G, NAVY SPECIFICATION 39P—14a CLASS 2

[F. O. B. Cars Producer's Loading-out Point or Dumped, Boomed, Rafted and Prepared for Towing in Towable Waters]

Diameters	8" Min. Butt including 8'–1' to 8'–6'		9" Min. Butt including 9'–1' to 9'–6'		10" Min. Butt including 10'–1' to 10'–6'		11" Min. Butt including 11'–1' to 11'–6'		12" Min. Butt including 12'–1' to 12'–6'		13" Min. Butt including 13'–1' to 13'–6'		14" Min. Butt including 14'–1' to 14'–6'		15" Min. Butt including 15'–1' to 15'–6'		16" Min. Butt including 16'–1' to 16'–6'		17" Min. Butt including 17'–1' to 17'–6'	
Lengths	Weight pounds per lin. foot	Price per lin. foot	Weight pounds per lin. foot	Price per lin. foot	Weight pounds per lin. foot	Price per lin. foot	Weight pounds per lin. foot	Price per lin. foot	Weight pounds per lin. foot	Price per lin. foot	Weight pounds per lin. foot	Price per lin. foot	Weight pounds per lin. foot	Price per lin. foot	Weight pounds per lin. foot	Price per lin. foot	Weight pounds per lin. foot	Price per lin. foot	Weight pounds per lin. foot	Price per lin. foot
15' to 17' incl	19	$0.10	23	$0.12	29	$0.14	35	$0.16	41	$0.18	48	$0.21								
18' to 22' incl	18	.10	22	.12	28	.14	33	.16	39	.18	46	.21								
23' to 27' incl	18	.10	21	.12	26	.14	32	.16	38	.18	45	.21								
28' to 32' incl	18	.10	20	.12	25	.14	30	.16	36	.18	43	.21	50	$0.23						
33' to 37' incl	18	.11	20	.13	24	.15	29	.16	35	.18	41	.21	48	.23						
38' to 42' incl	18	.11	20	.13	23	.15	28	.17	33	.19	40	.22	46	.24						
43' to 47' incl	18	.11	20	.13	23	.15	26	.17	32	.19	38	.22	45	.24	52	$0.25	60	$0.26	68	$0.28
48' to 52' incl	18	.11	20	.13	23	.15	25	.17	31	.19	37	.22	43	.24	50	.25	58	.26	66	.28
53' to 57' incl			20	.14	23	.16	25	.17	29	.19	35	.22	42	.24	48	.25	55	.26	64	.28
58' to 62' incl			20	.14	23	.16	25	.17	28	.19	34	.22	40	.24	47	.25	54	.26	62	.28
63' to 67' incl					23	.17	25	.19	28	.21	33	.23	39	.25	45	.26	53	.27	61	.29
68' to 72' incl					23	.18	25	.20	28	.21	31	.23	37	.25	43	.26	51	.27	59	.29
73' to 77' incl							26	.21	28	.22	31	.24	36	.25	41	.26	49	.27	57	.29
78' to 82' incl							26	.22	28	.23	31	.24	34	.25	40	.26	48	.27	55	.29
83' to 87' incl									28	.24	31	.25	34	.26	39	.27	46	.28	53	.30
88' to 92' incl									28	.25	31	.26	34	.27	38	.29	44	.30	52	.31
93' to 97' incl											31	.27	34	.28	38	.30	43	.31	50	.32
98' to 102' incl											33	.28	36	.29	40	.31	42	.32	49	.33
103' to 107' incl													36	.30	40	.32	42	.34	47	.35
108' to 112' incl													38	.31	42	.33	44	.35	46	.36
113' to 117' incl															44	.34	46	.36	48	.38
118' to 122' incl															46	.35	48	.37	50	.39

1. If a top diameter only is specified, or where the top diameter controls, the butt size shall be determined by adding 1 inch for each 10 feet or fraction thereof.

Specifications not covered

2. For all lengths butt or top specifications, and other extras not specifically priced, such as sniping and boring, price according to section 11.

Unpeeled piling

3. For unpeeled piling, deduct: $.025 per lin. ft.

Length specifications

Additions allowed by the following footnotes must be shown separately on the invoice.

In all specified length groups below, the lengths will be evenly distributed in consecutive lengths within the group.

4. For specified length groups of one size of 20' or more spread: No addition.

5. For specified length groups of one size of over 10' but less than 20' spread: add $.005 per lin. ft.

6. For specified length groups of one size of over 5' but less than 11' spread, for example, 48' to 53': add $.01 per lin. ft.

7. For specified length groups of one size of not over 5' spread, for example, 64'—65'—66'—67'—68': add $.02 per lin. ft.

8. For specified length groups of one size of not over 3' spread, for example, 79'—80'—81': add $0.025 per lin. ft.

9. For specified single lengths: add $.03 per lin. ft.

10. For random length orders where the purchaser specifies restricted loading the seller may add ⅔ of the proper specified length addition above.

Winter or bark stuck peeling

11. For cleaned peeled piling which is *delivered* during the winter or bark stuck peeling season (October 1 to February 28 or 29, inclusive): add $.02 per lin. ft.

12. For rough peeled piling which is *delivered* during the winter or bark stuck peeling season (October 1 to February 28 or 29, inclusive): add $.01 per lin. ft.

13. *Less than carload sales.* On orders to established concentration, distribution or treating plant yards for less than carload minimum weight as established by railroad tariffs and where the invoice value at maximum prices for the untreated piling or other round material does not exceed $175.00 on items 50 feet and shorter or $250.00 where 50 percent of the items are more than 50 feet in length, the seller may add a service charge of not more than 25% of the total invoice value not including transportation. The transportation addition on "less than carload sales" must not exceed that permitted by section 4 for transportation from the point of origin to the concentration, distribution or treating plant yard from which the sale is made. The service charge may be made only on sales f. o. b. seller's yard, with transportation outbound for the buyer's account.

[Footnote 13 added by Am. 2, 8 F.R. 15906, effective 11-27-43]

[Tables 10; 10 A, 10 B, 10 C, 11, and 12 added by Am. 1, 8 F.R. 10560, effective 8-2-43]

SEC. 19. *Appendix D—Maximum prices for miscellaneous primary forest products.* All maximum prices set forth below are f. o. b. cars at the railroad loading-out point nearest the point of production in the normal direction of delivery to the point of destination.

TABLE NO. 13.—SPLIT CEDAR HOP-POLES

[F. O. B. CARS LOADING-OUT POINT]

	Estimated weight in pounds per pole	Maximum price each
6" min. face 20' long split hop-poles	140	$1.00

[Sec. 19 added by Am. 3, effective 5-13-44]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6543; Filed, May 8, 1944; 11:44 a. m.]

PART 1441—TANNING MATERIALS

[MPR 531]

IMPORTED VEGETABLE TANNING MATERIALS

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Part 1441—Chemical Tanning Materials, is amended to read Part 1441—Tanning Materials.

§ 1441.3 *Maximum prices for Imported Vegetable Tanning Materials.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 531 (Imported Vegetable Tanning Materials) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1441.3 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 531—IMPORTED VEGETABLE TANNING MATERIALS

CONTENTS

Sec.
1. Definitions.
2. Prohibition against purchases and sales of imported vegetable tanning materials at higher than maximum prices.
3. Less than maximum prices.
4. Adjustable pricing.
5. Relationship of this regulation to the General Maximum Price Regulation and the Maximum Import Price Regulation.
6. Geographical applicability.
7. Maximum prices for imported vegetable tanning materials.
8. Records and reports.
9. Evasion.
10. Enforcement.
11. Licensing.

*Copies may be obtained from the Office of Price Administration.

2	1.560	39	8.80	.22	
1	1.760	44	9.20	.23	length addition above.

Sec.
12. Petitions for amendment.
Appendix A—Maximum prices for sales by importers of quebracho extract and wattle extract and bark.
Appendix B—Maximum prices for sales by grinders and liquefiers of quebracho extract and wattle extract and bark.

SECTION 1. *Definitions.* (a) When used in this regulation, the term:

(1) "Imported vegetable tanning materials" means the following:

(i) "Solid quebracho extract" made from the heartwood of the red quebracho tree and imported from South America in two grades:

(a) "Ordinary, basis 63 per cent tannin," hot water soluble extract.

(b) "Clarified, basis 64 per cent tannin," cold water soluble extract.

(ii) "Ground or powdered clarified quebracho extract, basis 70 per cent tannin," produced in the United States from solid quebracho extracts.

(iii) "Ground or powdered quebracho extract, no tannin basis" produced in the United States from solid quebracho extract and used in oil well drilling.

(iv) "Liquid quebracho extract, basis 35 per cent tannin," liquefied in the United States from solid quebracho extract.

(v) "Wattle bark," also called "mimosa bark," derived from the mimosa tree and imported from South and East Africa.

(a) "South African chopped prime" means extra heavy or thick well-dried mature wattle bark of good external appearance and fracture, graded and marked "SA/CP" by the government of South Africa.

(b) "South African chopped average" means well-dried mature wattle bark of average thickness, color and homogeneity, graded and marked "SA/CA" by the government of South Africa.

(c) "South African chopped merchantable" means well-dried wattle bark of good color, graded and marked "SA/CM" by the government of South Africa.

(vi) "Solid wattle extract," also called "mimosa extract," guaranteed 62 per cent tannin when imported from South Africa and 61 per cent tannin when imported from East Africa, manufactured from wattle bark in South or East Africa and imported into the United States.

(vii) "Ground or powdered wattle extract, basis 66 per cent tannin," produced in the United States from wattle bark or solid wattle extract.

(viii) "Liquid wattle extract, basis 35 per cent tannin," liquefied in the United States from wattle bark or solid wattle extract.

(ix) Any quebracho extract or wattle extract or wattle bark not defined above.

(2) "Basis ____ per cent tannin" means the percentage of tannin content of any imported vegetable tanning material upon which the maximum price per pound of each lot is calculated.

(3) "Guaranteed ____ per cent tannin" means the minimum percentage of tannin content of any imported vegetable tanning material in specific lots as guaranteed by the shipper.

(4) "Importer" means any person in the United States:

(i) Who purchases imported vegetable tanning materials directly from a foreign seller whose place of business is located outside the United States; or

(ii) Who acts as selling agent of such foreign seller; or

(iii) Who imports vegetable tanning materials of his own manufacture for sale in the United States.

(5) "Grinders and liquefiers" means persons who buy or receive imported vegetable tanning materials and convert same into ground, powdered or liquid extracts.

(6) "Distributor" means any person who buys or receives imported vegetable tanning materials from importers, grinders or liquefiers for the purpose of resale without altering the form of the material.

(7) "Original package" means the following for the various commodities covered by this regulation:

(i) Solid quebracho extract, bags of approximately 106 pounds.

(ii) Solid wattle extract, bags of approximately 112 pounds.

(iii) Ground or powdered quebracho extract, bags of 100 pounds.

(iv) Ground or powdered wattle extract, bags of 100 pounds.

(v) Wattle bark, compressed bales of approximately 200 pounds.

(vi) Liquid extract (quebracho or wattle), barrels of 500 to 550 pounds.

(8) "Carload" of either solid, ground or powdered extract (quebracho or wattle) means a car containing a minimum of 600 bags per car.

(9) "Tank car" of liquid extract (quebracho or wattle) means a tank car containing at least six thousand gallons.

(10) "Tank truck" of liquid extract (quebracho or wattle) means a tank truck containing at least 10,000 pounds.

(11) "United States" means the forty-eight states of the United States and the District of Columbia.

(12) "Total insurance" means both marine risk and war risk insurance. Marine risk insurance includes marine extension clause, and covers strikes, riots and civil commotions. War risk insurance includes extended transshipment coverage, but the premium shall not exceed War Shipping Administration premium at the time of shipment, or commercial underwriters' premium, whichever is lower.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

SEC. 2. *Prohibition against purchases and sales of imported vegetable tanning materials at higher than maximum prices.* On and after May 13, 1944, regardless of any contract, agreement, lease, or other obligation:

(a) No person in the United States who deals directly with a foreign seller or with his selling agent, shall buy or receive any imported vegetable tanning material in the course of trade or business at higher prices than the maximum prices established under this regulation for sales by importers.

(b) No person shall sell, deliver, or transfer any imported vegetable tanning materials at higher prices than the maximum prices established under this regulation.

(c) No person shall buy or receive any such imported vegetable tanning materials in the course of trade or business at higher prices than the maximum prices established under this regulation.

(d) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

SEC. 3. *Less than maximum prices.* Prices lower than the maximum prices prescribed herein may be charged and paid.

SEC. 4. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 5. *Relationship of this regulation to the General Maximum Price Regulation and the Maximum Import Price Regulation.* The provisions of this regulation supersede the provisions of the General Maximum Price Regulation and the Maximum Import Price Regulation, and their amendments, with respect to sales and deliveries of imported vegetable tanning materials for which maximum prices are established by this regulation.

SEC. 6. *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight states of the United States and the District of Columbia.

SEC. 7. *Maximum prices for imported vegetable tanning materials.* The maximum prices established under this regulation for each seller of imported vegetable tanning materials shall be subject to the same discounts, credit terms, freight allowances, and all other deductions and trade practices as prevailed on his sales of such materials during the month of March 1942.

(a) *Maximum prices for quebracho extract and wattle extract and bark.* The maximum prices of commercial grades and types of quebracho extract and wattle extract and bark in original packages by importers, liquefiers and grinders are set out in Appendices A and B of this regulation. Such maximum prices are subject to the following adjustments:

(1) *Less than original packages.* For sales in lots totalling less than the quantity in an original package, the following may be added to the maximum prices for sales in the smallest quantity listed in Appendix B:

(i) 25 pounds or more, but less than an original package—3 cents per pound.

(ii) Less than 25 pounds—10 cents per pound.

(2) *Variations in basic tannin content.* The maximum prices designated in the schedules for commodities "basis ____ per cent tannin" shall be adjusted up or down in proportion to variations in actual tannin content from that base as determined in accordance with sampling and analysis methods approved by the American Leather Chemists' Association.

(3) *Variations in guaranteed tannin content.* The maximum prices designated in the schedules for commodities guaranteed to contain a given percentage of tannin, shall be adjusted downward in proportion to variations in actual tannin content as determined by sampling and analysis methods approved by the American Leather Chemists' Association. No additional charge shall be made for any percentage or fraction thereof of tannin content found in excess of the guaranteed minimum percentage.

(4) *Sales by importers of material landed off the Atlantic seaboard.* In the case of sales ex warehouse by importers of material landed at ports off the Atlantic seaboard and at which no warehouse is maintained, the seller may add to the maximum prices designated in Appendix A the actual freight charges (not in excess of applicable tariffs) from dock to warehouse. Such additional charge and the method of calculating same, shall be shown separately on the invoice and a copy thereof furnished the Office of Price Administration on request.

(5) *Sales by liquefiers and grinders of material received from abnormally distant ports.* In the event of sales of ground, powdered or liquefied extract produced from quebracho or wattle landed at a port from which such grinder or liquefier received less than 25 per cent of his shipments in the six months period immediately preceding April 1, 1944, he may add to the maximum prices established by Appendix B the amount by which the actual freight charges to his plant from such port exceeds the actual freight charges from the port supplying at least 75 percent of his supply during said period. The amount of such additional charge and the method of calculating same shall be shown separately on the invoice and a copy thereof furnished the Office of Price Administration on request.

(b) *Maximum prices for special sales of quebracho extract and wattle extract and bark.* Maximum prices for all sales by distributors and for sales by all sellers of grades or types of quebracho extract or wattle extract or bark, not listed or defined in section 1 of this regulation, and for which no maximum prices are specified in Appendices A or B (or shipped from points not designated therein), shall be the maximum prices authorized by the Office of Price Administration in response to an application therefor filed by the seller and in line with the level of maximum prices established by this regulation.

Applications for the establishment of such maximum prices shall be submitted by registered mail to the Chemicals and Drugs Price Branch, Office of Price Administration, Washington, D. C., prior to sale, and shall be accompanied by a description of the particular quebracho extract or wattle extract or bark and the nature of the transaction involved, the seller's maximum price under the General Maximum Price Regulation or the Maximum Import Price Regulation, the current selling price and the maximum price proposed. Sales may be made at such proposed price after the date of mailing such application subject, however, to approval by the Price Administrator. If, at the expiration of 20 days from the date of receipt thereof, the Office of Price Administration has not in writing disapproved or modified the proposed maximum price, such proposed price, shall be considered as authorized.

SEC. 8. *Records and reports.* (a) Every person making sales of imported vegetable tanning materials after May 12, 1944, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records of each purchase or sale, showing the date thereof, the name and address of the buyer and the seller, the price contracted for or received and the quantity of each type and grade of such imported vegetable tanning material purchased or sold.

(b) Such persons shall keep such other records and shall submit such other reports to the Office of Price Administration in addition to or in place of the records required in paragraph (a) of this section or the reports mentioned in section 7 hereof as the Office of Price Administration may from time to time require.

SEC. 9. *Evasion.* Price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to imported vegetable tanning materials, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, discount, premium, or other privilege, or other trade understanding, or otherwise.

SEC. 10. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

SEC. 11. *Licensing.* The provisions of Licensing Order No. 1,[1] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 12. *Petitions for amendment.* Any person seeking an amendment to any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

[1] 8 F.R. 13240.

APPENDIX A.—MAXIMUM PRICES FOR SALES BY IMPORTERS OF QUEBRACHO EXTRACT AND WATTLE EXTRACT AND BARK

(For adjustments which may be made in these prices see section 7 of this regulation).

(a) *Solid quebracho extract.* Maximum prices for sales of solid quebracho extract are established as follows:

[Cents per pound, ex dock, U. S. port of arrival]

	Carload	Less than carload
Solid Ordinary, basis 63 per cent tannin	4.875	5.125
Solid Clarified, basis 64 per cent tannin	5.375	5.625

These maximum prices are based upon the gross landed weight at United States port of arrival and include bags with a tare allowance of 1¾ pounds per bag. They are based on an ocean freight rate of $12.00 and total insurance of $1.00 per ton of 2,240 pounds gross shipping weight, any increase or decrease for buyer's account. Duty is for buyer's account.

(1) *Deliveries from warehouses.*

[Cents per pound, f. o. b. seller's warehouse]

	Carload	Less than carload
Solid Ordinary, basis 63 per cent tannin	6.25	6.50
Solid Clarified, basis 64 per cent tannin	6.875	7.125

These maximum prices include duty and bags with a tare allowance of 1¾ pounds per bag.

(b) *Wattle bark.* Maximum prices for sales of wattle bark in compressed bales are established as follows:

	Per ton of 2,000 pounds, ex dock, U. S. port of arrival
South African chopped prime	$55.00
South African chopped average	52.50
South African chopped merchantable	50.00
East African chopped, all grades	50.00

These maximum prices are based upon gross landed weight at United States port of arrival and on an ocean freight rate of $11.70 and total insurance of $2.00 per ton of 2,240 pounds gross shipping weight, any increase or decrease for buyer's account.

(c) *Solid wattle extract.* Maximum prices for sales of Solid Wattle Extract are established as follows:

[Cents per pound, ex dock, U. S. port of arrival]

	Carload	Less than carload
South African, guaranteed 62 per cent tannin	5.35	5.60
East African, guaranteed 61 per cent tannin	5.225	5.475

These maximum prices are based upon gross landed weight at United States port of arrival, and include bags with a tare allowance of one pound per bag. They are based on an ocean freight rate of $20.00 and total insurance of $2.50 per ton of 2,240 pounds gross shipping weight, any increase or decrease for buyer's account. Duty is for buyer's account.

(1) *Deliveries from warehouses.*

[Cents per pound, f. o. b. seller's warehouse]

	Carload	Less than Carload
South African, guaranteed 62 per cent tannin	6.75	7.00
East African, guaranteed 61 per cent tannin	6.60	6.85

These maximum prices include duty and bags with a tare allowance of one pound per bag.

[2] 7 F.R. 3961; 8 F.R. 3315, 3638, 6173.

APPENDIX B—SALES BY GRINDERS AND LIQUEFIERS

(The following maximum prices are f. o. b. seller's plant or warehouse at the points indicated. For adjustments which may be made in these prices see section 7 of this regulation.)

(a) *Quebracho extracts.* (1) Ground or powdered clarified quebracho extract, basis 70 per cent tannin.

[Cents per pound, gross for net]

	Carload	Less than carload	Less than 20 bags
F. o. b. Staten Island, N. Y. and Newark, N. J.	8.25	8.50	8.75
F. o. b. Peabody and Salem, Mass. and Chester, Pa.	8.50	8.75	9.00
F. o. b. Baltimore, Md. and Chicago, Ill.	8.75	9.00	9.25

These maximum prices include bags and duty.

(2) Ground or powdered quebracho extract, no tannin basis (for oil well drilling purposes).

[Cents per pound, gross for net]

	Carload	Less than carload	Less than 20 bags
F. o. b. Azusa, Calif. and Kansas City, Mo.	9.00	9.25	9.50
F. o. b. Houston, Tex.	8.50	8.75	9.00
F. o. b. New Orleans, La.	8.00	8.25	8.50

These maximum prices include bags and duty.

(3) Liquid quebracho extract, basis 35 per cent tannin.

[Cents per pound net]

	Tank cars or tank trucks	Barrels: Minimum 50 bbls.	Barrels: Minimum 10 bbls.	Barrels: Less than 10 bbls.
F. o. b. Newark, N. J. and Staten Island, N. Y.	3.625	4.125	4.375	4.625
F. o. b. Camden, N. J., Salem & Peabody, Mass., and Baltimore, Md.	3.75	4.25	4.50	4.75
F. o. b. Chicago, Ill.	3.875	4.375	4.625	4.875
F. o. b. Chester, Pa.	4.50	5.00	5.25	5.50

These maximum prices include barrels if shipped in barrels.

(b) *Wattle extract.*—(1) Ground or powdered wattle extract, basis 66 per cent tannin.

[Cents per pound, gross for net]

	Carload	Less than carload	Less than 20 bags
F. o. b. Newark, N. J. and Staten Island, N. Y.	8.75	9.00	9.25
F. o. b. Chester, Pa., Camden, N. J., Peabody and Salem, Mass.	9.00	9.25	9.50

These maximum prices include bags and duty.

(2) Liquid wattle extract, basis 35 per cent tannin.

[Cents per pound net]

	Tank cars or tank trucks	Barrels: Minimum 50 bbls.	Barrels: Minimum 10 bbls.	Barrels: Less than 10 bbls.
F. o. b. Staten Island, N. Y. and Newark, N. J.	4.50	5.00	5.25	5.50
F. o. b. Chester, Pa., Camden, N. J., Salem & Peabody, Mass.	5.00	5.50	5.75	6.00

These maximum prices include barrels if shipped in barrels.

This regulation shall become effective May 13, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6544; Filed, May 8, 1944; 11:44 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 131]

BALED SOUTHERN PINE WOOD EXCELSIOR

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In section 6.35, paragraphs (c) and (d) are redesignated (d) and (e), respectively, and a new paragraph (c) is added to read as follows:

(c) *Maximum prices for sales by jobbers or distributors of baled southern pine wood excelsior manufactured in the States of Delaware, Maryland, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Arkansas, Louisiana, Texas and Tennessee.* (1) The maximum price per net ton for sales by jobbers or distributors of baled southern pine wood excelsior produced in the States of Delaware, Maryland, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Arkansas, Louisiana, Texas and Tennessee shall be the net price determined by applying to the seller's net invoice cost of baled southern pine wood excelsior, not to exceed the applicable maximum price, the average dollars and cents markup, weighted by volume of sales, over net invoice cost realized during March 1942 for all baled southern pine wood excelsior of the same class sold by the seller to purchasers of the same class during March 1942, or, if no such sales were made during March 1942, during the first month preceding March 1942 in which such sales were made.

(2) If a jobber or a distributor cannot compute a maximum price for baled southern pine wood excelsior in accordance with subparagraph (1) above, he shall apply to the Lumber Branch of the Office of Price Administration, Washington, D. C. for authorization to establish a maximum price pursuant to a pricing method proposed in writing by the jobber or distributor.

This amendment shall become effective May 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6545; Filed, May 8, 1944, 11:45 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14B[1] to GMPR,[2] Amendment 2]

BREAD AND BAKERY PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Supplementary Regulation 14B is amended in the following respects:

1. Section 2 is amended to read as follows:

SEC. 2. *Weight increases.* (a) Except as otherwise provided in paragraph (b) of this section, whenever the weight of any product subject to this regulation is increased over its weight as produced in March 1942, such product shall be deemed a new product and the maximum price of every seller of such new product must be determined under § 1499.2 (b) or § 1499.3 of the General Maximum Price Regulation or under Order No. 375 under § 1499.3 (b) of the General Maximum Price Regulation.

(b) If a producer increases the weight of his loaf of bread or sales unit of rolls not more than 25 percent over the weight of his loaf of bread or sales unit of rolls, as produced in March 1942, he may elect to determine his maximum price therefor pursuant to this paragraph, in which case he must increase his maximum price therefor proportionately per ratio of weight, but so calculated as to result in an increase in price of one cent or a multiple thereof, and all other sellers of such increased loaf of bread or sales unit of rolls must increase their maximum prices by an amount in cents equal to the increase herein provided for the producer: *Provided*, That increased unpackaged rolls shall not be sold at the increased prices, herein provided, until the producer has filed a report with the District Office of the Office of Price Administration in the district in which such unpackaged rolls are produced, showing the weights and maximum prices of the rolls in question both as produced in March 1942, and when increased in size as herein provided.

2. Section 6 is amended to read as follows:

SEC. 6. *Orders of other governmental agencies.* No increase or decrease in the maximum price for the sale of any product subject to this regulation shall be made by reason of an order of another government agency unless such increase or decrease in maximum price is specifically required by some provision of this regulation or of some other regulation or order of the Office of Price Administration.

3. Section 7 (b) is hereby revoked.

4. Section 9 (a) (4) is hereby revoked.

5. Article V is added to read as follows:

ARTICLE V—GENERAL PROVISIONS

SEC. 10. *Adjustment of maximum prices.*—(a) *Producer's maximum prices.* The Office of Price Administration may, either on application for adjustment in accordance with the provisions of Revised Procedural Regulation No. 1,[1] or on its own motion, adjust the maximum prices of a producer of any commodity subject to this regulation where

(1) The producer's maximum price is below the general price level prevailing for similar products, and

(2) The producer is or will be unable to maintain his production at his maximum price or prices, and

(3) The loss of his production would result in consumers having to pay higher prices for the most nearly similar substitute product available, and

(4) An increase in his maximum price or prices will enable him to continue production, and

(5) The Administrator is of the opinion that an increase in his maximum price or prices would, under all the circumstances, be in furtherance of the purposes of the Emergency Price Control Act, as amended.

The maximum price increase that may be granted under the provisions of this section shall not cause his price to exceed the general price level prevailing for similar products. Subject to this limitation, (i) an increase may be granted not to exceed the total cost of the product, or (ii) if the applicant's earnings from all operations before income and excess profits taxes are low in comparison with those of a "representative peace-time period", adjusted for subsequent changes in investment, and if in view of such over-all earnings a small margin of profit is reasonably necessary to permit production, an increase may be allowed estimated to yield such a profit margin.

A "representative peace-time period" means the period of the years 1936 to 1939, inclusive. When 1936 to 1939 does not represent a reasonably normal prewar (December 7, 1941) period, some other period may be used but its use must be positively justified in the application.

(b) *Maximum prices of wholesalers and retailers.* If a product for which the producer's maximum price is increased pursuant to the provisions of paragraph (a) of this section is also sold by wholesalers or retailers or both but is not subject to the provisions of Maximum Price Regulations 421, 422 or 423 as to such sales the Office of Price Administration may increase the maximum prices for sales by wholesalers or retailers or both in an amount not to exceed the increase provided for the producer.

(c) *Filing of applications for adjustment.* All applications for adjustment submitted pursuant to this section shall be filed with the Office of Price Administration in Washington, D. C., except applications for adjustment of maximum prices for bread and rolls which shall be filed with the regional office of the Office of Price Administration for the region in which the bread or rolls are produced.

SEC. 11. *Notification of change in maximum prices.* With the first delivery of any commodity (except bread and rolls) subject to this regulation, after the maximum price for such commodity has been changed by any provision of this regulation, the producer shall:

(a) Supply each wholesaler and retailer who purchases from him with written notice as set forth below:

(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item by kind, variety, brand and container type and size) has been changed by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulation No. 421, 422 or 423, you must refigure your ceiling price for this item on the first delivery of it to you from your customary type of supplier containing this notification after (insert date of change in maximum price). You must refigure your ceiling price following the rules in section 6 of Maximum Price Regulation No. 421, 422 or 423, whichever is applicable to you.

For a period of 60 days after making such change in the maximum price of an item, and with the first shipment after the 60-day period to each person who has not made a purchase within that time, the producer shall include in each case or carton containing the item the written notice set forth above.

(b) Notify each purchaser of the item from him who is a distributor, other than a wholesaler and retailer, of such change in maximum price by written notice attached to or written on the invoice issued in connection with his first transaction with such purchaser as follows:

(Insert date)

NOTICE TO DISTRIBUTORS OTHER THAN WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item by kind, variety, brand and container type and size) has been changed from $---- to $---- under the provisions of Supplementary Regulation 14B. You are required to notify all wholesalers and retailers for whom you are the customary type of supplier, purchasing the item from you of any allowable change in your maximum price. This notice must be made in the manner prescribed in section 11 of Supplementary Regulation 14B.

SEC. 12. *Adjustment of fraction of a cent.* If the figure resulting from the calculation of any maximum price pursuant to this regulation contains a fraction of one-half cent or more it shall be adjusted to the next higher cent and if it contains a fraction of less than one-half cent to the next lower cent.

This amendment shall become effective May 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6546; Filed, May 8, 1944; 11:44 a. m.]

Chapter XIII—Petroleum Administration for War

[Petroleum Dir. 59, as Amended Dec. 1, 1943, Amdt. 2[1]]

PART 1510—SUPPLY

The fulfillment of the requirements for the defense of the United States has created a shortage of facilities for the transportation of petroleum and shortages in the supply of petroleum and petroleum products, and the following operating directive is deemed necessary for the prosecution of the war.

Sec.
1510.27 Definitions.
1510.28 Supply and demand programs and statements.
1510.29 Determination of zone sales positions.
1510.30 District One supply program.
1510.31 Distribution of available supplies.
1510.32 Maximum price formula.
1510.33 Inventory and sales adjustments.
1510.34 General provisions.

AUTHORITY: § 1510.27 to 1510.34, inclusive, issued under E.O. 9276, 7 F.R. 10091, E.O. 9319, 8 F.R. 3687.

§ 1510.27 *Definitions.* (a) "Principal petroleum products" means (1) automotive gasoline (other than war products, as specified by the Petroleum Administration for War), (2) kerosene (including range oil, stove oil, and No. 1 distillate fuel oil), (3) distillate fuel oil (other than kerosene as defined, but including light gas oil and light and heavy Diesel fuel oil), and (4) residual fuel oil and crude oil used for purposes other than refining, except that any petroleum product when used as a fuel in the operation of refineries shall not be included as a principal petroleum product. In order to provide for a more equitable distribution of any class of principal petroleum products as herein defined or to conserve, for essential uses, supplies of a product in which a shortage is threatened, this definition may be changed from time to

[1] See Certificate 158, Amdt. 2, War Production Board, *infra*.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16794; 9 F.R. 584.

[2] 8 F.R. 3096, 3849, 4347, 4486, 4724, 4987, 4948, 6047, 6962, 8511, 9025, 9991, 11955, 13724.

[1] 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594.

time by subdividing any classification herein named into two or more classifications, such change to be effected by a letter signed by the Director in Charge, District One, Petroleum Administration for War, addressed to the affected committees and to each original supplier, setting forth the new classifications.

(b) "Original supplier" means any person designated as such for the zone in question on Exhibit A attached hereto: *Provided*, That if such a person is engaged in business, part of which is included in the definition of an intermediate supplier under § 1510.27 (c) (2), then he shall be considered as an original supplier only as to that portion of his business not included within such definition and as an intermediate supplier for the balance of his business.

(c) "Intermediate supplier" means any person who in 1941 (1) regularly imported into District One from any point outside District One any principal petroleum product or products for sale or resale in District One and who does not qualify as an original supplier under paragraph (b) hereof, or (2) regularly received principal petroleum products in District One from an original supplier in other intermediate supplier for redelivery to others: *Provided*, That the term shall not include a service station, peddler, or other retail outlet, or a transporter of principal petroleum products to the extent that he is engaged merely in such transportation for others.

(d) "Unassigned inventory" means that portion of the inventory of any principal petroleum product in a supply terminal which was not taken into account in the inventory adjustment made under § 1510.33 (a) and which has not been distributed by the committee pursuant to § 1510.31 (a) or (c) hereof.

(e) "Person" means any individual, partnership, association or business trust, corporation, Governmental corporation or agency, or any organized group of persons whether incorporated or not.

(f) "Committee" means the Distribution and Marketing Committee of District One, and "Supply and Transportation Committee" means the Supply and Transportation Committee for District One.

(g) "Zone" means any one of the zones shown on Exhibit B hereof.

(h) "Supply terminal area" means the area served by a supply terminal, as shown on the schedule prepared under § 1510.30 (b).

(i) "Supply area" means the area for which no supply terminal is designated, as shown on the schedule prepared under § 1510.30 (b).

(j) "Storage facility" means one or more tanks or other facilities, used for the storage of principal petroleum products, which are normally operated as a single unit.

§ 1510.28. *Supply and demand programs and statements*—(a) Supply and *demand program for Districts One, Two and Three.* Petroleum Administration for War shall prepare monthly and forward to the general committees of districts One, Two and Three statements showing the petroleum supply and demand programs for such districts for the period of three months succeeding the month in which issued, or for such other period as may be determined.

(b) *Source of supply.* The appropriate committees or subcommittees for Districts Two and Three shall prepare at designated times and submit to the Petroleum Administration for War such statements as may be required under applicable petroleum directives, showing the sources and amount of principal petroleum products available for shipment into District One and such other information as may be required.

§ 1510.29 *Determination of zone sales positions.* The committee shall prepare a suggested schedule, in collaboration with a staff representative of the Petroleum Administration for War designated for the purpose, showing for each zone the 1941 sales position of each original supplier for each class of principal petroleum products and expressed as a percentage of the total sales of each of such products made within such zone by all original suppliers. Principal petroleum products consumed by an original supplier shall be considered as a sale. In computing the sales position, the committee shall deduct from the total 1941 sales of each original supplier the following purchases or sales made by such original supplier in 1941, within District One: (1) purchases in its capacity as an intermediate supplier; (2) sales to another original supplier which do not constitute purchases as an intermediate supplier on the part of the buyer; (3) sales of product exported from District One; (4) sales to the Army, the Navy, the Coast Guard, the War Shipping Administration, the United States Maritime Commission, and the Foreign Economic Administration, and (5) sales made pursuant to contracts entered into with the Treasury Procurement Office. Adjustments shall likewise be made in the case of each principal petroleum product for any complete or substantial voluntary discontinuance of any class of business in any zone since January 1, 1942. If the Petroleum Administration for War notifies the committee that within any supply terminal area or supply area the Navy will, during the next succeeding calendar month, supply 20% or more of the amount of the distillate and residual fuel required to bunker ocean going vessels, then sales of like fuel oil for such use made in 1941 by each original supplier within the affected area shall be deducted from the 1941 sales of such original supplier to the following extent: (1) if the Navy is to supply 80% or more of the amount required, there shall be excluded all sales made for this purpose within the affected area; (2) if the Navy is to supply less than 80% but more than 20% of the amount required, there shall be excluded the same percentage of the sales made for this purpose within the affected area as the percentage of the principal petroleum products involved which are to be supplied by the Navy, provided no change shall thereafter be made in the percentage of sales to be deducted unless the amount to be supplied by the Navy changes by at least 10%; (3) if the Navy is to supply less than 20% of the amount required, then no deduction shall be made.

§ 1510.30 *District One supply program*—(a) *Crude petroleum and principal petroleum products to be imported or manufactured in District One.* The Supply and Transportation Committee of District One shall obtain from the Refining Committee for District One a monthly statement showing: (1) the crude petroleum and other products to be used at each District One refinery in manufacturing and (2) the net amount of principal petroleum products expected to be manufactured at each refinery. The Supply and Transportation Committee of District One shall thereupon prepare a suggested schedule, in collaboration with a staff representative of the Petroleum Administration for War designated for the purpose, containing this information and also showing the amount of principal petroleum products expected to be imported into each zone.

(b) *Terminal and storage facilities.* The Supply and Transportation Committee shall prepare a suggested schedule, in collaboration with a staff representative of the Petroleum Administration for War designated for the purpose, showing for each zone the terminals and storage facilities (hereinafter referred to as supply terminals) and a description of the supply terminal areas and the supply areas. The plants included in each supply terminal shall be those which are so equipped and so located as will provide for a receipt within the area of the maximum amount of principal petroleum products and, to the extent consistent therewith, which will permit the efficient use of transportation equipment in distributing products therefrom to customers or to other bulk plants. The schedule shall show the location of the supply terminals and supply areas, the area to be served thereby, the original suppliers operating therein, the plants included in each supply terminal, name of railroad serving such terminal, its storage capacity for each principal petroleum product, its daily loading and unloading capacity for each method of transportation, and the thru-put rates (including in-transit storage and shipping losses) for receiving, handling and delivering principal petroleum products at each supply terminal, provided the amount covering losses shall be shown separately from the other items making up the thru-put rates. Upon issuance of the schedule, pursuant to § 1510.34 (c), the supply terminals specified therein shall, unless otherwise directed by the Petroleum Administration for War, be used for all principal petroleum products imported by original suppliers into the area served thereby, and the rates charged for any principal petroleum product put through each supply terminal shall not exceed the applicable rate specified in such schedule. The owner of principal petroleum products and the operator of the plant within a supply terminal, if he be other than the owner of the products, shall account for unassigned inventory and no part of such inventory shall be removed from the plant or disposed of in any way except pursuant to § 1510.31 (a) and (c), or by authority of the Petroleum Administration for War. Refineries shall be deemed supply terminals with respect to the principal petroleum products they produce.

(c) *Shipment of crude and principal petroleum products into and within District One.* The Supply and Transportation Committee after consulting with the Refining Committee for District One, shall prepare a suggested schedule, in collaboration with a staff representative of the Petroleum Administration for War designated for the purpose, assigning to original suppliers the duty of arranging for the shipment of crude petroleum to be imported for purposes other than refining, and principal petroleum products from origins outside District One to destinations within District One and arranging for infra-district shipments from and to designated points. Principal petroleum products required for infra-district shipment may be made available by the Committee, in collaboration with a staff representative of the Petroleum Administration for War designated for the purpose, to the original supplier who has been assigned the duty of making such shipment by assignment issue by the committee and such principal petroleum products shall be transferred, unless the parties otherwise agree, by sale and purchase at a price mutually agreed upon by the parties but not to exceed the price as determined pursuant to § 1510.32, and the amount of such principal petroleum products shall, upon such assignment, be deducted from unassigned inventory at the point of origin and added to unassigned inventory in the area at point of destination. Insofar as practicable the suggested schedule shall be arranged to provide (1) each supply terminal area and supply area with the principal petroleum products required to meet the expected demand after providing for inventory changes deemed advantageous to the overall supply position; and (2) for the efficient use of facilities and for shipment into District One of the maximum amount of crude petroleum and principal petroleum products. Subject to the foregoing, the duty of importing principal petroleum products shall be assigned as nearly as practicable among original suppliers, in proportion to their zone sales position. Principal petroleum products manufactured at a District One refinery shall be deemed to have been imported by the refiner. Upon issuance of such schedule pursuant to § 1510.34 (c), each original supplier shall make every effort to increase the volume of products available for distribution within District One and shall perform the duties assigned to him, except that any original supplier may arrange to have another original supplier, willing to assume such responsibility, perform such duties, and notice of any such arrangement or any change or modification thereof shall be given immediately to the Supply and Transportation Committee. When in the opinion of the committee and the original suppliers affected, the transfer of the ownership of a principal petroleum product at a supply terminal to another original supplier will facilitate the administration of this directive, the product shall be transferred without losing its character as unassigned inventory. Any such transfer, unless the parties otherwise agree, shall be by sale and purchase at a price mutually agreed upon by them but not to exceed the price as determined pursuant to § 1510.32. The Petroleum Administration for War shall, from time to time, acting through appropriate governmental agencies, arrange for necessary adjustments to be made in the use of transportation facilities when required to facilitate the carrying out of assignments made hereunder. In making such adjustments, consideration shall first be given to the carrying capacity available to each original supplier by tanker, pipe line, barge, or any form of transportation other than tank car, and insofar as possible, any original supplier's deficit of carrying capacity shall be made up by the allotment of tank cars. Wherever necessary, the Petroleum Administration for War may arrange for the specific use of any transportation facility without regard to the provisions of any schedule issued in connection herewith. The Supply and Transportation Committee shall review the use of all supply terminals and transportation available for shipment of products into or within District One to determine whether the maximum efficient use (including the movement of loaded tank cars, return of empty tank cars in trainload lots, and the distribution of products from the supply terminals) is being attained, and in that connection such committee shall recommend to the persons, committees or subcommittees affected and the Petroleum Administration for War that such action be taken as will, in its opinion, improve the efficient use of transportation and increase the volume of principal petroleum products available for distribution in District One.

§ 1510.31 *Distribution of available supplies*—(a) *Supply of principal petroleum products for specified government uses.* Petroleum Administration for War shall notify the Supply and Transportation Committee for District One as far in advance as is practicable of the quantities of principal petroleum products required for sale and delivery under contracts which, subsequent to April 24, 1943, have been or will be entered into with the Treasury Procurement Office, and to the extent not contracted for by the Treasury Procurement Office, for sale and delivery to the Army, the Navy, the Coast Guard, the War Shipping Administration, the United States Maritime Commission, and the Foreign Economic Administration. Whenever possible the notice shall specify the time and the supply terminal areas and supply areas where such products are to be delivered. Principal petroleum products needed to make deliveries under the above contracts or to the above government agencies will be assigned by the Committee from unassigned inventory to original suppliers who have assumed or whose customers have assumed the obligation to make such deliveries. Distribution shall be effected by the committee issuing assignments directing the owner of unassigned inventory to transfer a designated amount of such inventory to the original supplier in whose favor the assignment is drawn, and unless the parties otherwise agree, such transfer shall be made by sale and purchase at a price mutually agreed upon by the parties, but not to exceed the price as determined pursuant to § 1510.32. Unless the operator of the plant in which the unassigned inventory is stored and the assignee make other arrangements, the assignee shall remove such product within ten days or within such other period as the committee designates. It shall be the duty of each original supplier on behalf of intermediate suppliers buying from him to obtain promptly an assignment of principal petroleum products and make such products available to such intermediate suppliers in the amount necessary to meet the intermediate suppliers' commitments for delivery under such contracts or to such government agencies. Each original supplier who has or whose customers have contracts with any such government agency shall promptly notify the committee thereof and of the amount of each principal petroleum product which will be required for delivery thereunder and the time and place of delivery. Monthly statements shall be submitted by each original supplier to the committee setting forth the quantities of principal petroleum products actually delivered under such contracts or to such agencies during the preceding month.

(b) *Distribution of principal petroleum products among supply terminals and supply areas.* The committee shall prepare a monthly statement showing each original supplier's proportionate part of each principal petroleum product expected to be available for distribution within each zone as shown on the schedule prepared pursuant to § 1510.30 (a). Each original supplier's proportionate part shall be computed by applying his zone sales position percentage to the total amount of each principal petroleum product expected to be available within each zone, after deduction of the amount of principal petroleum products which it is estimated will be required for delivery under § 1510.31 (a). Upon receipt of such statement each original supplier shall promptly notify the committee of the portion of its proportionate part of principal petroleum products which will be required at each supply terminal or supply area, the distribution among the supply terminals and supply areas to be made in such a manner as will permit such supplier to meet as nearly as possible its obligations. The committee shall thereupon issue to all original suppliers a statement showing, for each supply terminal area and supply area, the percentage distribution to be made among the original suppliers of the principal petroleum products available at each such terminal or area.

(c) *Distribution of unassigned inventory.* After meeting the requirements specified in § 1510.31 (a), all or any part of the principal petroleum products remaining in unassigned inventory shall be distributed by the committee among original suppliers, in accordance with

the percentage specified in § 1510.31 (b), subject to adjustments being made from time to time so as to provide each original supplier with an amount equal to his zone sales position percentage of the total principal petroleum products available for distribution within the zone after making such changes as are required under § 1510.33. Except for deliveries of principal petroleum products made by tank truck directly from a bulk depot outside of District One to consumers or retailers who were receiving deliveries in this manner in the calendar year 1942, receipt of any principal petroleum products by an original supplier or for its account, not accounted for in unassigned inventory, shall be considered as receipts by such original supplier pursuant to an assignment from unassigned inventory. Distribution of unassigned inventory shall be made to transfer a designated amount of such inventory to the original supplier in whose favor the assignment is drawn, and unless the parties otherwise agree, such transfer shall be made by sale and purchase at a price mutually agreed upon by the parties, but not to exceed the price as determined pursuant to § 1510.32. Such principal petroleum products shall thereupon become the property of the assignee and shall not be subject to further assignment hereunder, except as provided in § 1510.31 (d). Unless the operator of the plant in which the unassigned inventory is stored and the assignee make other arrangements, the assignee shall remove such product within ten days of the date of assignment, or within such other period as the committee designates. If, within such period, an original supplier fails, except for causes beyond its control, to accept title to and remove or make other arrangements for such product as may be assigned to it, then such original supplier shall forfeit its right to such quantity or to any future assignment thereof, and such quantity shall be deemed as having been received by such original supplier under an assignment, but the amount thereof shall be returned to unassigned inventory. The committee shall obtain from each original supplier a report, at such times and in such forms as it may prescribe, with the approval of the Petroleum Administration for War, of all principal petroleum products received from outside District One by such original supplier or for its account (including principal petroleum products manufactured in District One), excluding only those deliveries made by tank truck directly from a bulk depot outside of District One to consumers or retailers who were receiving deliveries in this manner in the calendar year 1942.

(d) *Redistribution of supplies.* If, within any zone, the amount of any principal petroleum product available to any original supplier is insufficient to meet the rationed demand of persons currently buying from it, then such original supplier may apply to the committee for a reassignment to it of additional supplies of such principal petroleum product. The application shall be in writing and shall contain the following information: (1) the estimated amount of additional product needed; (2) the inventory of such principal petroleum product in storage facilities within the zone, having a capacity of 5,000 barrels or more, which are owned or controlled by the applicant or by intermediate suppliers receiving all or a portion of their supplies from the applicant; (3) a statement explaining the shortage; and (4) such other information as may from time to time be requested. If the committee, after taking into account supplies available for distribution within the zone and the relative requirements of all other original suppliers therein, determines that the applicant should be awarded additional supplies to enable it to make deliveries to its customers in the same proportion as deliveries are generally being made in the area to like persons, then, the committee shall assign, with the approval of the Petroleum Administration for War, to the applicant the amount of such product or products required by the applicant as is determined is needed for such purpose and is fair and equitable under the circumstances. Reassignment shall be made from the inventory of principal petroleum products belonging to other original suppliers or from principal petroleum products thereafter assigned to other original suppliers under § 1510.31 (c), which supplier or suppliers appear, after taking into account expected receipts, their existing inventory, the inventory of intermediate suppliers supplied by them and such other factors as may be pertinent, to have a greater proportion of such principal petroleum products than will be required to meet the rationed demand of their customers in the same proportionate amount as deliveries are generally being made in the area to like persons. Redistribution shall be effected by the committee directing the owner or owners of the product for which a reassignment is issued to transfer a designated amount of such product to the original supplier in whose favor the reassignment is drawn, and such original supplier shall thereupon immediately remove such product or make other arrangements with respect thereto. The parties to any such reassignment shall endeavor to agree upon a price at which such reassignment is to be made. In the event such parties are unable to agree upon such price, it shall be determined by the Director in Charge, Petroleum Administration for War; District One, or by such person or persons as such Director may designate. In determining such price, such Director, or the person selected by him, shall be guided by the principle that the price is to be the average amount at which the product is sold to consumers thereof, less an appropriate amount for cost of marketing and distribution incurred by the purchasing original supplier and subsequent owners other than the ultimate consumer. The price determined by such Director or by the person designated by him shall not in any event be less than the selling original supplier's maximum price, permitted to be charged by the Office of Price Administration, for the product reassigned at the place of delivery, for the type of delivery employed. If the price for such reassignment determined as hereinabove provided is in excess of the price permitted to be charged by the Office of Price Administration, then the maximum price permitted to be charged by such Office shall be the price charged for reassignments. The delivery shall be made by the method specified by the buyer, if physically possible, and if the means selected constitutes an efficient use of the available transportation facilities. Any dispute over the method of delivery shall be referred to the Petroleum Administration for War for such action as may be directed.

(e) *Comparative statement showing supply position.* The Committee shall issue to all orjginal suppliers a monthly statement showing assignments and reassignments made under § 1510.31 (a), (c), and (d), and the zone percentage supply position of each original supplier as compared to its zone sales position.

§ 1510.32 *Maximum price formula.* The terms of any purchase and sale made pursuant to §§ 1510.30 (c), 1510.31 (a) or (c), or 1510.33 (a) shall be negotiated between the parties thereto: *Provided:*

(a) *Sales made in Zones One, Two, Three, Four, or Five.* If delivery under the sale is made in Zones One, Two, Three, Four, or Five, then no price agreed upon shall exceed the applicable maximum price established under any maximum price regulation, as amended or supplemented, or other order of the Price Administrator, or the sum of the following items, whichever is lower:

(1) The value of the product at the normal origin as provided in Petroleum Compensatory Adjustments Regulation No. 1, as amended or revised, issued by the Defense Supplies Corporation.

(2) Except as provided in (3) below, the cost of transporting the product from the normal origin to the specific point and facility at which the seller delivers the same to the buyer, such cost to be by the facilities which would have been used by the seller under the Normal Method of Transportation as defined and determined under Petroleum Compensatory Adjustments Regulation No. 1, as amended or revised, or if the seller has no such normal method of transportation, there shall be used in lieu of such normal method the transportation method which would most probably be used by the seller, assuming that in the absence of a tanker shortage the seller would transport the products from the normal origin via tanker or tanker in combination with other transportation means through an eastern seaboard terminal to the specific point and facility at which the seller delivers to the buyer: *Provided*, That, if the normal method of transportation which would be used in computing a claim under Petroleum Compensatory Adjustments Regulation No. 1, as amended or revised, terminates before reaching the point of delivery, then a charge for transportation from such point of termination to the specific point and facility at which delivery is made (such charge to be equal to the applicable current rate generally prevailing for such transportation, or in the absence of such a rate, then the actual cost of the movement) shall be added to the cost of the normal method of transportation to the extent that it is not recoverable by the seller under such Petroleum Compensatory Adjustments Regulation No. 1, as amended or revised. In determining the cost of the normal method of transportation (or the most probable tanker method used in lieu of the normal method of transportation), the normal cost of in-transit handling incurred under the normal method of transportation shall be computed at the rate of 4¢ per barrel at each place at which in-transit handling occurs by the normal method of transportation, except that no in-transit handling charge shall be included with respect to handling at any District One refinery of product manufactured at such refinery, unless such charge is recoverable under Petroleum Compensatory Adjustments Regulation No. 1, as amended or revised, or unless the product delivered from such refinery is transported directly to a point other than a tanker terminal of the receiving original supplier.

(3) If the product sold has been imported from an actual origin in District Three and the cost of transporting the product from the actual origin to the point of delivery by the facilities used (including the substitute cost of in-transit handling) is less than the total sum determined under the preceding subparagraph (2), such actual cost shall be used in lieu of the sum determined under such paragraph (the actual origin and the cost of transportation and in-transit handling being determined in accordance with Petroleum Compensatory Adjustments Regulation No. 1, as amended, or revised).

(4) Reasonable storage and handling charges (exclusive of product losses) actually incurred by the seller at the point from which the product is delivered to the buyer for which no recovery may be had under Petroleum Compensatory Adjustments Regulation No. 1, as amended or revised: *Provided, however*, That such charges shall not exceed and applicable thru-put rates which may be established and approved pursuant to § 1510.30 (b), less the amount shown on the schedule for product losses included in making up the thru-put rates, or, if there is no such applicable rate at a particular point, the sum of 10½¢ per barrel; *And provided further*, That no handling charge shall be included with respect to handling at any District One refinery of product manufactured at such refinery, unless such charge is recoverable under Petroleum Compensatory Adjustments Regulation No. 1, as amended or revised, or unless the product delivered from such refinery is transported directly to a point other than a tanker terminal of the receiving original supplier.

(5) The amount of revenue resulting from any increase in the maximum price of the product sold which must be accounted for and paid by the seller under Petroleum Compensatory Adjustments Regulation No. 1, as amended or revised, or under the plan for the equitable sharing of revenues and extra transportation expenses, as amended, approved under Recommendation No. 12.

(6) Any and all Governmental taxes and fees which the seller is required to pay with respect to the sale of the product sold or the transportation either of such product or of the crude petroleum from which such product is manufactured, for which taxes no recovery may be had under Petroleum Compensatory Adjustments Regulation No. 1, as amended or revised. The committee shall prepare a suggested schedule, in collaboration with a staff representative of the Petroleum Administrator for War designated for the purpose, establishing a reasonable charge for each supply terminal area and supply area covering transportation taxes for shipments into such areas. Upon issuance of the schedule pursuant to § 1510.34 (c), the charges specified therein shall be used in lieu of any other charge or sum for taxes imposed with respect to transportation, regardless of point of origin or method of shipment.

7. The cost of any losses of product including, but not by way of limitation, losses due to shrinkage or evaporation (including pipe line deductions) actually incurred by the seller for which no recovery may be had under Petroleum Compensatory Adjustments Regulation No. 1, as amended or revised: *Provided, however*, That charges for such losses shall not exceed any applicable rates shown on the schedule prepared pursuant to § 1510.30 (b).

If the parties to any purchase and sale cannot agree upon a price pursuant to this subparagraph (a), the dispute shall be referred to the Petroleum Administration for War for such action as may be directed.

(b) *Sales made in Zone Six.* If delivery be made in Zone Six, the price agreed upon by the parties shall allow for a reasonable margin below the prices generally prevailing for sales to other classes of resellers and shall not exceed the applicable maximum price established under any maximum price regulation or other order of the Price Administrator. If the parties cannot agree upon a fair and reasonable price hereunder, the dispute shall be referred to the Petroleum Administrator for War for such action as may be directed.

(c) *Sales made pursuant to this section shall not be deemed to be discriminatory.* Sales between original suppliers made at or below the maximum price formula set forth in § 1510.32 (a) or determined in accordance with §§ 1510.31 (d) or 1510.32 (b), and which are made pursuant to §§ 1510.30 (c), 1510.31 (a), (c), or (d) or 1510.33 (a) shall not be deemed to effect any discrimination against any buyer (including any original supplier) to whom any other sale is made at any higher or different price.

§ 1510.33 *Inventory and sales adjustments*—(a) *Inventory adjustments.* The committee shall determine for each principal petroleum product in each zone each original supplier's share of the net inventory as of November 30, 1943, by multiplying the total net inventory for such zone by each original supplier's zone sales position percentage for the product for which the determination is being made. In any case where an original supplier's share of the net inventory is greater or less than his actual net inventory as of such date, the actual net inventory shall be adjusted, either by assignments of actual net inventories or by adjustments in the proportionate part of such principal petroleum product which such original supplier is or will be entitled to receive under § 1510.31 (c), or by a combination of both. If the product be transferred by assignment then, unless the parties otherwise agree, such product shall be transferred by sale and purchase at a price mutually agreed upon by the parties but not to exceed the price as determined pursuant to § 1510.32. The committee in collaboration with a staff representative of Petroleum Administration for War, designated for the purpose may, prior to determining the final adjustments to be made in net inventory, determine preliminary adjustments, and the committee may make assignments to carry such preliminary adjustments into effect subject to such limitations as may be imposed by the Petroleum Administration for War to prevent any exceptional and unreasonable hardship. The net inventory for each zone shall be determined as follows: The committee shall obtain from each original supplier a report showing for each zone in District One, as of November 30, 1943, or as of the last day of the month in which this revised directive becomes effective, whichever time first occurs, (1) the total physical inventory of each principal petroleum product within each zone owned or controlled by such original supplier in all storage facilities having a gross storage capacity for principal petroleum products of 5,000 barrels or over; (2) the amounts of such inventories which are unavailable for distribution by reason of being tank bottoms, pipe line fills or are otherwise unusable; (3) the amounts of such inventories specifically set aside for delivery exclusively to the Army, the Navy, or the Foreign Economic Administration; and (4) a statement showing the amounts of each principal petroleum product then due to or from such original supplier in each zone as a result of loans and exchanges made with other original suppliers, and the names of the original suppliers from which or to which each of such amounts is due. Any portion of that inventory reported under (2) or (3) hereof, which subsequently becomes available for a use other than that for which it is earmarked, shall be promptly reported to the committee by the owner thereof, and shall be transferred to unassigned inventory. Upon receipt of such reports, the committee shall determine for each principal petroleum product in each zone the actual net inventory of each original supplier by deducting from such original supplier's total physical inventory, as reported under (1) hereof, the amount of unavailable inventory, as reported under (2) hereof, and the amount of inventory set aside for the Army, the Navy, or the Foreign Economic Administration, as reported under (3) hereof, and by adding the net amount due to, or by deducting the net amount due from such original

supplier as reported under (4) hereof. The total net inventory in each zone shall be deemed to be the sum of the net inventories in the zone of all original suppliers as determined hereunder.

(b) *Sales adjustments.* (1) The committee shall obtain from each original supplier a report for the period which shall commence October 1, 1942, and end November 30, 1943; which report shall show by calendar month for each zone, and for each principal petroleum product: (i) total sales other than of products exported from District One (principal petroleum products consumed other than as a fuel in the operation of a refinery shall be considered as a sale); (ii) purchases made as an intermediate supplier; (iii) sales made to another original supplier which were not made as intermediate sales; (iv) sales made to Federal Governmental departments or agencies for which products were made available under Amendment No. 2 to Petroleum Directive No. 59, as amended, dated April 24, 1943, or under § 1510.31 (a) hereof; (v) sales made to bunker ocean going vessels when such fuel oil was furnished by the Navy; and (vi) such adjustments as, in the opinion of the original suppliers, should be made to allow for directives or instructions issued by the Petroleum Administration for War, which provide for increasing the amount of Principal Petroleum Products such supplier is entitled to receive under Petroleum Directive No. 59, or for action taken pursuant to the appeal section of Petroleum Directive No. 59.

(2) Upon receipt of the above reports, the committee shall prepare and submit to the Petroleum Administration for War a statement summarizing, for each original supplier, the adjustments which the supplier claims should be made as shown in (vi) of the above report, together with the comments and recommendations of the committee with respect thereto. To the extent that the directives or instructions issued or action taken require a modification of the amount of principal petroleum products to which an original supplier is entitled under Petroleum Directive No. 59, the Petroleum Administration for War shall direct the Committee as to what adjustments are to be made. Directives or instructions issued by the Petroleum Administration for War to provide for preferential deliveries under Petroleum Administrative Order No. 1 shall not be taken into account for purposes of this adjustment. The committee shall thereupon compute the total net adjusted sales made within each zone by each original supplier in his capacity as an original supplier, by deducting from its total domestic sales shown in (i) the amount of purchases made as an intermediate supplier as shown in (ii), sales to other original suppliers as shown in (iii), sales to the Federal Government as shown in (iv), sales made to bunker ocean going vessels as shown in (v), and adjustments as directed by the Petroleum Administration for War. The adjusted total principal petroleum products sold in each zone shall be deemed to be the sum of the net adjusted sales made by all original suppliers therein after taking into account any other adjustments that may be required by the Petroleum Administration for War.

(3) The committee shall prepare a suggested schedule, in collaboration with a staff representative of the Petroleum Administration for War designated for the purpose, showing for each principal petroleum product in each zone the amount by which the net adjusted sales of each original supplier made during the above adjustment period exceeded or was less than its proportionate part of the adjusted total amount of such product sold in the zone by all original suppliers during the same period. Each original supplier's proportionate part shall be ascertained by multiplying the adjusted total volume of each principal petroleum product sold by all original suppliers in the zone, by such original supplier's applicable zone sales position percentage which, for the purpose of this calculation, shall be determined as provided in § 1510.29, except that deductions for sales made to the Army, the Navy, the Coast Guard, the War Shipping Administration, the United States Maritime Commission, the Foreign Economic Administration, and pursuant to contracts entered into with the Treasury Procurement Office, shall include only sales made in the months of May, June, July, August, and September, 1941, and, in any case where a deduction is to be made on account of bunker fuel oil furnished by the Navy, the amount of the deduction shall be limited to sales made during the month in 1941 which corresponds to the month in 1942 or 1943 for which the Navy was supplying such fuel oil.

(4) Upon approval and issuance of the schedule by the Petroleum Administration for War, the original supplier within each zone shall confer with each other and endeavor to adjust their over and under sales by any means acceptable to both parties, including a financial adjustment. Upon the first day of the second month following the month in which such schedule is issued each original supplier shall notify the committee what adjustments, if any, have been made with other original suppliers. The committee shall thereupon deduct from each over-selling supplier's proportionate part of principal petroleum products which it is entitled to receive under § 1510.31 (c) the amount of over-sales for which a voluntary adjustment could not be made, and adding to each under-selling original supplier's proportionate part of principal petroleum products the amount of under-sales for which a voluntary adjustment could not be made: *Provided, however,* That the entire adjustment applicable to any original supplier need not be made in any one month if, in the opinion of the Petroleum Administration for War, it would result in a serious disruption of the supply program, or of the original supplier's current supply position.

§ 1510.34 *General provisions*—(a) *Minimum specifications.* Petroleum Administration for War, may, from time to time, establish minimum specifications for one or more of the several petroleum products included within the definition of Principal Petroleum Products. Petroleum products imported into or produced in District One shall meet these specifications if any be established, and any person in District One shall accept products conforming to such minimum specifications for all deliveries required under this directive, except that, if there be any variation in the quality of products at any supply terminal, each original supplier shall insofar as practicable be given an equal opportunity to obtain a proportionate part of the products of like quality.

(b) *Schedules, programs, statements, and communications.* The schedules, programs, and statements prepared pursuant to this directive as amended, shall be submitted at such times and for such periods and shall be in such form and include such information in addition to that specified as Petroleum Administration for War may determine. Copies of all the issued schedules, programs, and statements prepared by committees or subcommittees shall be forwarded to the appropriate committees and subcommittees and to all original suppliers. All communications or other matters pertaining to this directive which are for the attention of the Petroleum Administration for War, and all schedules called for herein, shall, unless otherwise directed, be addressed to the Director in Charge, District One, Petroleum Administration for War, 122 East 42d Street, New York 17, New York, Ref: P. D. 59. All communications relating to this directive which are for the attention of the committee or to a functional committee shall, unless otherwise directed, be addressed to the appropriate committee or subcommittee, 122 East 42d Street, New York 17, New York.

(c) *Effectuation of schedules.* No schedule provided for hereunder shall become effective until it has been approved by the Chief Counsel, or District Counsel designated by him, Petroleum Administration for War, and issued by the Petroleum Administrator for War, or the Deputy Administrator, or person designated by him. Upon such approval and issuance of any such schedule, copies thereof shall be forwarded to the appropriate persons, committees, and subcommittees, and all persons, committees, and subcommittees affected thereby shall carry it into effect according to its terms, conditions, and intent. Should any person refuse to comply with any issued schedule, this fact shall be immediately reported by the appropriate committee to the Petroleum Administration for War.

(d) *Verification and records.* All reports and information submitted hereunder by original suppliers shall be subject to verification, and the Petroleum Administration for War may from time to time require any original supplier to submit an opinion of a certified public accountant as to the accuracy of any report or information submitted hereunder and whether such report or information conforms to the requirements established therefor. The Petroleum Administration for War may also require an independent audit of any report or information submitted hereunder, and for this purpose the original supplier affected shall permit such auditors or other representative of the Petroleum Administration for War to have access to its plants, books, and records to the extent necessary to verify such reports and information.

(e) *Surveys and investigations.* The several committees designated in this directive shall make such surveys and investigations and shall obtain and analyze such facts, figures, and other data as may be necessary or appropriate in connection with the performance of the functions and duties with which such Committees are charged: *Provided, however,* That wherever available, such facts, figures, and other data shall be obtained from other appropriate committees or subcommittees rather than by new surveys or investigations.

(f) *Administration.* In carrying out their functions under this directive, the committees (including persons employed or designated by them to act as their representatives or in their behalf) and persons affected shall hold meetings and shall consult with each other and with other committees and subcommittees to the extent that may be necessary or desirable to effectuate the terms, conditions, and intent of this revised directive or for the purpose of considering any proposed modification or amendment hereof. All committees, subcommittees, and persons shall supply the committees having the function of carrying any part of this directive into effect with such information, material, and assistance as may be necessary to carry out their functions under this directive. Each of the committees herein referred to shall maintain such staff and appoint such persons as may be necessary to carry out its responsibilities, duties, and functions under this directive. Operating expenses of such committees shall be met as provided in § 1500.7 (j) of this chapter, as amended or supplemented, or as provided in any other recommendation, directive, or order of the Petroleum Administration for War, which may be issued as a substitute therefor.

(g) *Activities of committees.* All action taken hereunder by any committee or subcommittee shall be subject to the supervision of the Petroleum Administration for War. The committees or subcommittees designated in this Directive shall also perform their functions hereunder pursuant to the general supervision and direction of the General Committee.

(h) *Appeals.* (1) Any person not included in Exhibit A shall be added thereto upon application to Petroleum Administration for War, showing that such person (i) during the calendar year 1941 produced or manufactured any principal petroleum product or products in District One; or (ii) during the calendar year 1941 maintained within District One at least one storage facility of 5,000 barrels or more for each principal petroleum product for which the determination as original supplier is being made, and imported regularly into said storage facility from any point outside District One such principal petroleum product or products for sale or resale in District One; or (iii) in 1941 regularly purchased for sale supplies of petroleum or principal petroleum product in District One by tanker and received such principal petroleum products in ocean terminals, owned or controlled by him, such terminals having adequate facilities to accommodate the berthing and unloading of tankers delivering petroleum or principal petroleum products; or (iv) who, in the opinion of the Petroleum Administration for War, can thereby contribute to the war program.

(2) Any person, natural or artificial, affected by this directive or by any schedule provided for hereunder, who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, may appeal to the Director in Charge, District One, Petroleum Administration for War, setting forth the pertinent facts and the reasons why he considers himself entitled to relief, who shall act promptly upon such appeal and render a decision thereon within a period of 15 days. If dissatisfied with the decision of the District Director in Charge, such person may appeal within 15 days after receipt of notice of the District Director's decision to the Deputy Petroleum Administrator for War or such representative as he may designate.

Issued this 1st day of May 1944.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

EXHIBIT A—ORIGINAL SUPPLIERS LISTED PURSUANT TO § 1510.27 (b)

Zone 1: American Bitumuls Co., American Mineral Spirits Co., Atlantic Refining Co., Cities Service Oil Co., Crown Central Petroleum Corporation, Gulf Oil Corporation, Hartol Products Corporation, Jenny Manufacturing Co., Jones & Co., Inc., Maritime Petroleum Corporation, Pacific Oil Co., Pan American Petroleum & Transport Co., Petroleum Heat & Power Co., Inc., Quincy Oil Co., Richfield Oil Corporation of New York, Royal Petroleum Corporation, Shell Oil Co., Inc., Sinclair Refining Co., Socony-Vacuum Oil Co., Inc., Standard Oil Co. of New Jersey, State Fuel Co., Sun Oil Co., Texas Co., Tide Water Associated Oil Co., Valvoline Oil Co., White Fuel Corporation, Whatt, Inc.

Zone 2: Allegany Refiners, Inc., Allied Oil Co., Inc., American Mineral Spirits Co., Ashland Oil & Refining Co., Asiatic Petroleum Corporation, Atlantic Refining Co., Bradford Penn Refining Corporation, Central Petroleum Corporation, Cities Service Oil Co., Continental Oil Co., Crown Central Petroleum Corporation, Economy Gasoline Corporation, First National Oil Corporation, Frontier Fuel Oil Corporation, Gulf Oil Corporation, Hambleton Terminal Corporation, Hartol Products Corporation, Hess, Inc., Home Fuel Oil Co., Maritime Petroleum Corporation, Pan American Petroleum & Transport Co., Patterson & Co., Inc., Pennsylvania Refining Co., Pennzoil Co., Petrol Corporation, Petroleum Heat & Power Company, Inc., Pure Oil Co., Quaker State Oil Refining Corporation, Richfield Oil Corporation, Royal Petroleum Corporation, Shell Oil Co., Inc., Sinclair Refining Co., Socony-Vacuum Oil Co., Inc., Sonneborn Sons, Inc., Standard Oil Co., Sun Oil Co., Texas Co., Tide Water Associated Oil Co.

Zone 3: American Bitumuls Co., Arkansas Fuel Oil Co., Ashland Oil & Refining Co., Atlantic Refining Co., Cities Service Co., Continental Oil Co., Elk Refining Co., Gulf Oil Corporation, Pan American Petroleum & Transport Co., Patterson & Co., Inc., Petrol Corporation, Petroleum Heat & Power Co., Inc., Pure Oil Co., Republic Oil Refining Co., Richfield Oil Corporation of New York, Shell Oil Co., Inc., Sinclair Refining Co., Standard Oil Co. of New Jersey, Sun Oil Co., Texas Co., Tide Water Associated Oil Co., Viking Distributing Co., James River Oil Co.

Zone 4: Arkansas Fuel Oil Co., Atlantic Refining Co., Continental Oil Co., Elk Refining Co., Gulf Oil Corporation, Pan American Petroleum & Transport Co., Pure Oil Co., Republic Oil Refining Co., Richfield Oil Corporation of New York, Riverside Terminal Co., Shell Oil Co., Inc., Standard Oil Co. of New Jersey, Texas Co., Sinclair Refining Co.

Zone 5: Arkansas Fuel Co., Atlantic Refining Co., Belcher Oil Co., Continental Oil Co., Gulf Oil Corporation, Grange State Oil Co., Pan American Petroleum & Transport Co., Pure Oil Co., Republic Oil Refining Co., Shell Oil Co., Inc., Sinclair Refining Co., Southeastern Oil Co., Standard Oil Co. of Kentucky, Sun Oil Co., Texas Co.

Zone 6: Allegany Refiners, Inc., Allied Oil Co., Inc., Ashland Oil & Refining Co., Atlantic Refining Co., Bradford Penn Refining Corporation, Canfield Oil Co., Carbide & Carbon Chemical Corporation, Cities Service Oil Co., Continental Oil Co., Continental Refining Co., Elk Refining Co., Freedom Oil Co., Frontier Fuel Oil Corporation, Gulf Oil Corporation, Hambleton Terminal Corporation, Kendall Refining Co., Pan American Petroleum & Transport Co., Pennsylvania Refining Co., Pennzoil Co., Pure Oil Co., Quaker State Oil Refining Corporation, Republic Oil Refining Co., Richfield Oil Corporation of New York, Shell Oil Co., Inc., Sinclair Refining Co., Socony-Vacuum Oil Co., Inc., Sonneborn Sons, Inc., Standard Oil Co. of New Jersey, Sun Oil Co., Texas Co., Tide Water Associated Oil Co., United Oil Manufacturing Co., United Refining Co., Valvoline Oil Co., Viking Distributing Co., Waverly Oil Works Co., Wolf's Head Oil Refining Co., Inc., James River Oil Co.

EXHIBIT B

The six zones of District One are as follows:

Zone 1: The States of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island.

Zone 2: The entire eastern part of the State of New York up to and including the Counties of Cayuga, Tompkins, and Chemung; the entire eastern part of the State of Pennsylvania up to and including the Counties of Bradford, Sullivan, Columbia, Montour, Northumberland, Dauphin, and York; and the States of New Jersey and Delaware.

Zone 3: The States of Maryland and Virginia and the District of Columbia.

Zone 4: The States of North Carolina and South Carolina.

Zone 5: The States of Georgia and Florida.

Zone 6: That part of the States of New York and Pennsylvania not included in Zone 2, and the State of West Virginia.

[F. R. Doc. 44-6420; Filed, May 5, 1944; 11:34 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

PART 2—GENERAL RULES AND REGULATIONS

PART 20—SPECIAL REGULATIONS

FEES; YELLOWSTONE NATIONAL PARK

Paragraph (p) *Admissions tax, of* § 2.55 *Fees,* is amended by deleting "section 541

of the Revenue Act of 1941", and substituting therefor "section 302 of the Revenue Act of 1943."

Paragraphs (a) and (b) of § 20.13 are amended to read as follows:

§ 20.13 *Yellowstone National Park*—(a) *Fishing; open season; special areas.* The fishing season shall be from sunrise on May 30 to sunset on October 15, except in special areas as follows:

(1) All streams emptying into Yellowstone Lake, including the mouths of the streams, and the Yellowstone River and its tributaries from a point 150 yards above Fishing Bridge to the Upper Falls at Canyon, are open to fishing from July 1 to October 15, inclusive.

(2) The Madison River for its entire length within the park is open to fishing from May 30 to September 30, inclusive.

(b) *Closed waters.* The following waters are closed to fishing:

Indian Creek.
Panther Creek.
Gardiner River for its entire length above the Mammoth water supply intake.
The Mammoth water supply reservoir.
Riddle Lake.
Duck Lake.
All streams trapped for egg taking purposes are closed from the mouths of the streams to a distance of three miles above the traps during the spawning season.

(39 Stat. 535; 16 U.S.C. 3)

Issued this 22d day of April 1944.

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 44-6434; Filed, May 5, 1944; 2:55 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Public Land Order 227 [1]]

ALASKA

WITHDRAWING PUBLIC LANDS FOR USE OF WAR DEPARTMENT

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943 (8 F.R. 5516, 3 CFR Cum. Supp. p. 1274), it is ordered as follows:

Subject to valid existing rights, the public lands within the following-described area are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department for aviation purposes:

Beginning at corner No. 1, identical with corner No. 11, M. S. 1339, Arthur Broncho, from which U. S. L. M., No. 1C bears S. 73°33' W., 1110 feet, approximate latitude 64°31' N., longitude 165°23' W.
From the initial point,
S. 14°13' W., 1317.5 feet, to corner No. 2, identical with corner No. 12, M. S. 1339;
S. 23°54' W., 300 feet, to corner No. 3;
N. 71°53' W., 470 feet, to corner No. 4;
N. 5°32' E., 800 feet, to corner No. 5;
N. 18°47' W., 350 feet, to corner No. 6;
N. 67°15' W., 400 feet, to corner No. 7;
S. 70°30' W., 330 feet, to corner No. 8;
S. 75°30' W., 660 feet, to corner No. 9;
S. 79°07' W., 600 feet, to corner No. 10;
N. 84°18' W., 890 feet, to corner No. 11;
N. 48°14' W., 780 feet, to corner No. 12;
N. 41°46' E., 1,120 feet, to corner No. 13, a point on line C–D, Civil Aeronautics Administration Tract as described in lease recorded June 21, 1941, in Book 219 of Leases, Page 238, Instrument No. 81955, Cape Nome Recording Precinct, Territory of Alaska;
N. 28°50' W., 110 feet, to corner No. 14, identical with corner D, Civil Aeronautics Administration Tract;
N. 19°51' E., 293.73 feet, to corner No. 15, identical with corner E, Civil Aeronautics Administration Tract;
N. 70°09' W., 2,100 feet, to corner No. 16, identical with corner F, Civil Aeronautics Administration Tract;
N. 19°51' E., 450 feet, to corner No. 17, a point on line F–G, Civil Aeronautics Administration Tract;
N. 87°12' E., 230 feet, to corner No. 17A, a point on line G–H, Civil Aeronautics Administration Tract;
S. 70°09' E., 1,890 feet, to corner No. 18, identical with corner H, Civil Aeronautics Administration Tract;
N. 78°20' E., 130 feet, to corner No. 19, on line H–I, Civil Aeronautics Administration Tract;
N. 50°30' E., 2,000 feet, to corner No. 20;
N. 41°46' E., 1,810 feet, to corner No. 21;
S. 48°14' E., 300 feet, to corner No. 22;
S. 41°46' W., 1,880 feet, to corner No. 23;
S. 2°27' E., 850 feet, to corner No. 24;
S. 22°30' E., 180 feet, to corner No. 25;
S. 7°06' E., 370 feet, to corner No. 26;
N. 75°55' E., 740 feet, to corner No. 27, a point on line 1–2, M. S. 1142, Skookum Placer;
S. 49°15' E., 340 feet, to corner No. 28, identical with corner No. 5, M. S. 1142, Skookum Placer;
S. 19°43' W., 1,265 feet, to corner No. 29, a point on line 10–11, M. S. 1339;
S. 71°35' E., 830 feet, to the place of beginning.

The area described, including both public and non-public lands, aggregates 241.4 acres.

The jurisdiction granted by this order shall cease at the expiration of the six months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). Thereupon, jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior, and any other Department or agency of the Federal Government according to their respective interests then of record. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

ABE FORTAS,
Acting Secretary of the Interior.

APRIL 27, 1944.

[F. R. Doc. 44-6466; Filed, May 6, 1944; 10:08 a. m.]

[1] Appendix.

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

MONTHLY REPORTS OF NUMBER OF PASSENGERS CARRIED ON OCEAN AND COASTWISE PASSENGER VESSELS

WAIVER OF NAVIGATION AND VESSEL INSPECTION REGULATIONS

Vessels engaged in business connected with the conduct of the war.

The Acting Secretary of the Navy having by order dated 1 October, 1942 (7 F.R. 7979) waived compliance with the Navigation and Vessel Inspection laws administered by the United States Coast Guard, in the case of any vessel engaged in business connected with the conduct of the war to the extent and in the manner that the Commandant, United States Coast Guard, shall find to be necessary in the conduct of the war; and

The Army Transport Service having indicated that the efficient prosecution of the war would be impeded by the application to certain ocean and coastwise passenger vessels of certain inspection regulations requiring monthly reports of the number of passengers carried;

Now therefore, upon request of the Army Transport Service, I hereby find it to be necessary in the conduct of the war that there be waived compliance with Vessel Inspection Regulation administered by the United States Coast Guard, 46 CFR 62.18 (g) (2), to the extent that the Master of any ocean or coastwise passenger vessel which (1) is operated by or allocated to the Army or the Navy, or (2) which carries passengers under the direction of military authorities, shall not be required to submit a monthly report of the number of passengers carried as provided by the aforesaid regulation.

Dated: May 5, 1944.

R. R. WAESCHE,
Vice Admiral, U. S. C. G., Commandant.

[F. R. Doc. 44-6505; Filed, May 8, 1944; 10:01 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[No. 3666]

PARTS 71–85—TRANSPORTATION OF EXPLOSIVES [1]

MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of April, A. D. 1944.

In the matter of regulations for transportation of explosives and other dangerous articles.

It appearing that pursuant to section 233 of the Transportation of Explosives Act approved March 4, 1921, (41 Stat. 1445), and Part II of the Interstate Commerce Act, the Commission has formulated and published certain regulations for transportation of explosives and other dangerous articles;

It further appearing that in applications received we are asked to amend the aforesaid regulations as set forth in provisions made part hereof;

And it further appearing that amendments involved in said applications, having been considered and found to be in accord with the best-known practicable means for securing safety in transit and with the need therefor for promoting safety of operation and standards of equipment used in the transportation of said dangerous articles:

It is ordered, That the aforesaid regulations for transportation of explosives and other dangerous articles be, and they are hereby, amended as follows:

Appendix to Part 3—Shipping Container Specifications (CFR 72)

Amending paragraph 3, spec. 36A, order Aug. 16, 1940, as follows (add):

NOTE: Because of the present emergency and until further order of the Commission, cloth of 40-inch width—2.11 yards per pound may be used, provided creped paper is of two-way stretch construction.

Part 7—Regulations Applying to Shipments Made by Way of Common, Contract, or Private Carriers by Public Highway (CFR 85)

Superseding and amending footnote a of chart, section 825, order Nov. 8, 1941, to read as follows:

a Blasting caps or electric blasting caps in quantities not exceeding 1,000 caps may also be loaded and transported with all articles named except those in columns b, c, e, and f. Blasting caps and/or electric blasting caps may be transported in the same motor vehicle with high explosives or nitroglycerin in conformity with sec. 824 of these regulations.

It is further ordered, That this order amending the aforesaid regulations shall be effective on and after April 27, 1944, and shall remain in full force and effect and be observed until further order of the Commission;

And it is further ordered, That a copy of this order be served upon all the parties of record herein; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 233, 41 Stat. 1445, sec. 204, 49 Stat. 546, sec. 4, 52 Stat. 1232, sec. 20, 54 Stat. 922, 56 Stat. 176; 18 U.S.C. 383, 49 U.S.C. 304)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-6473; Filed, May 6, 1944; 11:19 a. m.]

[1] Appendix to Part 3 and Part 7 in this order appear in CFR as Parts 72 and 85.

Notices

DEPARTMENT OF THE INTERIOR.

Office of the Secretary.

COLONIAL NATIONAL HISTORICAL PARK

TRANSFER OF JURISDICTION FROM INTERIOR DEPARTMENT TO NAVY DEPARTMENT

By virtue of the authority vested in me by the act of December 24, 1942, 56 Stat. 1085, it is ordered as follows:

Subject to existing leases, licenses, and easements, the following-described land constituting a portion of the Colonial National Historical Park, Yorktown, Virginia, is hereby transferred to the control and jurisdiction of the Department of the Navy:

Beginning at the point where the east boundary of the Naval Mine Depot area (west boundary of the Colonial National Historical Park area) intersects the north right-of-way line of the public road in square O–18.

From the initial point, courses and distances being approximate,

N. 74°30' E., 550 ft. along north right-of-way line of public road;
N. 15°35' E., 570 ft.;
N. 47°30' E., 690 ft. to the center line of Ballards Creek;
Westerly upstream along the center line of Ballards Creek, 950 ft. to the east boundary of Naval Mine Depot area;
S. 15°35' W., 1220 ft., along the east boundary of Naval Mine Depot area to the place of beginning.

The tract as shown on Section of Map of Naval Mine Depot No. D3–131–Square O–18–P. W. Dwg. 4194, dated January 20, 1941, on file in the office of the Superintendent, Colonial National Historical Park, Yorktown, Virginia, contains approximately 16 acres.

[SEAL] ABE FORTAS,
Acting Secretary of the Interior.

APRIL 22, 1944.

[F. R. Doc. 44-6435; Filed, May 5, 1944; 2:56 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 1351]

PAN AMERICAN AIRWAYS CORP.

NOTICE OF HEARING

In the matter of the application of Pan American Airways, Inc., and Pan American Airways Corporation for orders approving the acquisition of stock of China National Airways Corporation, if such approval is necessary, under section 408 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 408 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on June 6, 1944, at 10 a. m. (eastern war time), in Room 5042 Commerce Building, 14th Street and Constitution Avenue N.W., Washington, D. C., before Examiner Albert F. Beitel.

Dated Washington, D. C., May 6, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-6532; Filed, May 8, 1944; 11:38 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6593]

RADIOCOMMUNICATIONS SYSTEMS IN RAILROAD OPERATIONS

ORDER DIRECTING INVESTIGATION OF ESTABLISHMENT AND USE

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of May 1944,

Whereas the use of radio for safety purposes in connection with the operation of railroads has become a matter of increasing interest and importance and the Commission has recently received a number of applications for experimental authorizations for use of radio in connection with railroad operation; and

Whereas it appears to be in the public interest to undertake an investigation and to hold such hearings as may be necessary to develop full information concerning the use of radio for safety and other purposes in railroad operation; and

Whereas the Commission is authorized to conduct such an investigation under the Communications Act of 1934, as amended, sections 4 (o), 303 (g) and 303 (k) of which, in particular, provide in this respect as follows:

4 (o) For the purpose of obtaining maximum effectiveness from the use of radio and wire communications in connection with safety of life and property, the Commission shall investigate and study all phases of the problem and the best methods of obtaining the cooperation and coordination of these systems.

SEC. 303. Except as otherwise provided in this act, the Commission from time to time, as public convenience, interest, or necessity requires, shall:

(g) Study new uses for radio, provide for experimental uses of frequencies, and generally encourage the larger and more effective use of radio in the public interest;

(k) Have authority to exclude from the requirements of any regulations in whole or in part any radio station upon railroad rolling stock, or to modify such regulations in its discretion;

It is ordered, That an investigation be undertaken to ascertain the facts and to develop information regarding the use of radio in connection with the operation of railroads, as an aid in the protection of life and property, or otherwise; and

It is further ordered, That hearings with respect to such investigation may be held at such times and places as may be designated; and

It is further ordered, That a copy of this order shall be served upon the Interstate Commerce Commission, the Office of Defense Transportation, the Board of War Communications, the Secretary of War, the Secretary of the Navy, the Association of American Railroads, the Institute of Radio Engineers, the Radio Manufacturers Association, the Radio Technical Planning Board, the Railway Labor Executives Association; and

It is further ordered, That the abovenamed persons, organizations and governmental authorities be, and they are hereby, given leave to participate fully in any hearings that may be held herein; and that any other person or organization desiring to participate in such hearings shall so inform the Commission in writing.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-6526; Filed, May 8, 1944; 11:09 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5155]

FERRO ENAMEL CORP., ET AL.

ISSUANCE OF COMPLAINT AND NOTICE OF HEARING

In the matter of Ferro Enamel Corporation, Pemco Corporation, the O. Hommel Company, a corporation, Chicago Vitreous Enamel Product Co., a corporation, Ingram-Richardson Mfg. Co. of Indiana, Inc., and Stevenson, Jordan & Harrison, a corporation; and Harry L. Moody, an individual.

Complaint

Count I. Pursuant to the provisions of the Federal Trade Commission Act and by virtue of the authority vested in it by said act, the Federal Trade Commission, having reason to believe that Ferro Enamel Corporation, Pemco Corporation, The O. Hommel Company, a corporation, Chicago Vitreous Enamel Product Co., a corporation, Ingram-Richardson Mfg. Co. of Indiana, Inc., Stevenson, Jordan & Harrison, a corporation, and Harry L. Moody, an individual, hereinafter referred to as respondents, have violated the provisions of section 5 of the said act, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, hereby issues its complaint stating its charges in that respect as follows:

PARAGRAPH 1. Respondent Ferro Enamel Corporation, sometimes hereinafter referred to as respondent Ferro, is a corporation organized under the laws of the State of Ohio with its principal office and place of business located at 4150 East 56th Street in the City of Cleveland in said State.

Respondent Pemco Corporation, sometimes hereinafter referred to as Pemco, is a corporation organized under the laws of the State of Maryland with its principal office and place of business located at Eastern and Pemco Avenues in the City of Baltimore in said State. It is a successor to Porcelain Enamel & Manufacturing Co. of Baltimore.

Respondent The O. Hommel Company, sometimes hereinafter referred to as respondent Hommel, is a corporation organized under the laws of the State of Pennsylvania with its principal office and place of business located at Carnegie in said State.

Respondent Chicago Vitreous Enamel Product Co., sometimes hereinafter referred to as respondent Chicago Vitreous is a corporation organized under the laws of the State of Illinois with its principal office and place of business located at 1427 South 55th Court in the City of Cicero in said State.

Respondent Ingram-Richardson Mfg. Co. of Indiana, Inc., sometimes hereinafter referred to as respondent Ing-Rich, of Indiana, is a corporation organized under the laws of the State of Indiana with its principal office and place of business located at Frankfort in said State.

PAR. 2. The respondent corporations named in paragraph one hereof, hereinafter referred to collectively as respondent manufacturers, are all engaged in manufacturing, compounding or smelting of chemicals used in the manufacture of porcelain enamel, popularly known and sometimes hereinafter referred to as "frit" (which is the porcelain enamel in its raw state), and in the sale of said product to manufacturers and fabricators of porcelain enamel products, such as table tops, kitchen tables, drain boards, bath tub covers, also parts for stoves, refrigerators, store fixtures, wall coverings and porcelain enamel signs, and cause said product, when so sold, to be shipped and transported from their respective places of business and factories in the States of Ohio, Maryland, Pennsylvania, Illinois and Indiana, as aforesaid, to the purchasers thereof located in the several States of the United States other than the States of origin of the shipments. Said respondent manufacturers in the course and conduct of their said businesses manufacture and sell approximately 96% of all the commercial "frit" manufactured and sold in the United States. Prior to the adoption of the practices hereinafter described, said respondent manufacturers were in active and substantial competition with each other and with other members of the industry in making and seeking to make sales of their said product in commerce between and among the several States of the United States and in the District of Columbia, and but for the practices hereinafter described such active and substantial competition would have continued until the present, and said respondent manufacturers would now be in active and substantial competition with each other and with other members of the industry.

PAR. 3. Respondent Stevenson, Jordan & Harrison, sometimes hereinafter referred to as respondent S. J. & H., is a corporation organized, existing and doing business under the laws of the State of New York, having its principal office and place of business located at 19 West 44th Street in the City of New York in said State. Said respondent is engaged in business management and business engineering, specializing in management of trade associations.

Respondent Harry L. Moody, at all times hereinafter mentioned was a director of respondent S. J. & H. in charge of the activities of the respondent manufacturers and is named as respondent herein individually and as director of respondent S. J. & H.

PAR. 4. Respondent manufacturers, acting in cooperation with each other and with respondent S. J. & H. and respondent Moody, for more than three years last past have been engaged in an understanding, agreement, combination, and conspiracy to hinder and suppress competition in the manufacture and interstate sale and distribution of "frit" or porcelain enamel in its raw state, to purchasers thereof; and to create and maintain a monopoly in the manufacture and interstate sale and distribution of said product in the said respondent manufacturers. Pursuant to said understanding, agreement, combination, conspiracy and in furtherance thereof, the respondents have acted in concert and in cooperation with each other or have followed a planned or prearranged common course of action in doing, among others, the following acts, practices and things:

(a) Respondent manufacturers have fixed minimum and identical prices f. o. b. their respective plants for the sale of various grades or coats of "frit" or porcelain enamel in its raw state, sold and distributed by them.

(b) For the purpose and with the effect of equalizing and making identical to any given purchaser at any given destination the delivered costs from all of respondent manufacturer's plants and of neutralizing the differences in freight costs from their respective plants as a factor in price competition, respondent manufacturers have established and utilized a program or system of so-called freight equalization. Under such program or system each manufacturer having the greatest freight disadvantage with reference to any given destination is enabled to quote and sell to any purchaser at the same delivered cost as the manufacturer having the greatest freight advantage. The accomplishment of such purpose, effect, program and system is conditioned upon each manufacturer reciprocally and in alternation adopting the equivalent of each other's f. o. b. plant price in their respective freight advantage territories; upon each manufacturer refusing to permit purchasers to take possession f. o. b. plant and provide their own transportation, and upon each ignoring differences in their respective costs of production, of selling and of overhead. Said freight equalization program is in effect an undertaking by all respondent manufacturers to make no delivered price at any place that will preclude the most disadvantaged of their number from matching it.

(c) Respondent manufacturers have classified their respective customers according to the total annual volume of "frit" purchased by each of them from all sources and make identical delivered prices and discounts on all sales of said product to all such customers according to such classification.

(d) Respondent manufacturers file with the respondent S. J. & H. and respondent Moody price lists containing the quoted prices and discounts on each grade or coat of said product to each class of customer; and copies of invoices and orders covering the sales of their said product, each invoice to contain the name of the purchaser, the quantity sold of each grade and coat and the price and discount of same for each class of customer; and said respondent S. J. & H. and respondent Moody disseminate among the respondent manufacturers the prices and discounts so filed, with the understanding that respondent manufacturers will maintain the said prices and discounts and will notify said respondent S. J. & H. and respondent Moody of any changes in price or discount already in effect or new grades or coats of said product; and that said respondent S. J. & H. and respondent Moody will disseminate to the respondent manufacturers information as to price and discount changes and new products put on the market by any respondent manufacturer.

(e) Respondent manufacturers file with said respondent S. J. & H. and respondent Moody credit reports setting forth the names of the customers receiving credit and the credit limit allowed, said credit information being disseminated by said respondent S. J. & H. and respondent Moody to other respondent manufacturers in a composite credit report with the understanding that any customer who is in arrears beyond a fixed credit limit cannot purchase from any other respondent manufacturer on open account nor be sold by the respondent manufacturer to whom he is indebted on open account, but shall be required to purchase on a c. o. d. basis in the future until he has paid up his account in arrears.

(f) Respondent manufacturers file from time to time with respondent S. J. & H. and respondent Moody "credit memoranda" disclosing the nature of credit given their respective customers and respondent S. J. & H. and respondent Moody circulate among the respondent manufacturers a bulletin showing the information contained in said "credit memoranda" filed by respondent manufacturers.

(g) Respondent manufacturers file with respondent S. J. & H. and respondent Moody monthly reports of shipments of "frit" to their customers, both gross and net, and respondent S. J. & H. and respondent Moody disseminate among the respondent manufacturers a composite statement of the total volume of shipments of "frit" by the respondent manufacturers during each month.

(h) Respondent manufacturers have adopted the practice of declining to sell "frit" on consignment; and also of declining to perform certain services for their customers such as mounting the product on skids or pallet for carload shipments; also of declining to give certain extra demonstrations of their product in the places of business of their customers; also of declining to make special inducements to take customers away from each other.

(i) Respondent manufacturers from time to time hold and attend meetings in cooperation with each other and under the auspices of respondent S. J. & H. and respondent Moody, at which meetings the various acts and practices and things hereinbefore set forth are discussed, including various reports received by respondent S. J. & H. and respondent Moody from the respondent manufacturers, also complaints of respondent manufacturers with respect to the maintenance or non-observance by respondent manufacturers of the acts, practices and understandings hereinbefore mentioned.

(j) The respondent S. J. & H. and respondent Moody cooperate with and assist said respondent manufacturers in the enforcement and observance of the foregoing acts, practices and understandings by disseminating monthly volume reports showing the industry and each respondent manufacturer's total volume in pounds and dollars and percentages of each manufacturer in pounds and dollars for current month and year to date; monthly report showing industry and each respondent manufacturer's freight equalization charges for the month and year to date; monthly reports in pounds and dollars showing the industry and each respondent manufacturer's volume by classification, grade and type, and price per pound for the industry and for each respondent manufacturer and each manufacturer's percentage of the total industry volume and the percent of the average per pound price; other periodical reports showing volume in pounds and dollars of each customer's purchases from the industry, and by checking up on the respondent manufacturers to determine whether or not they are living up to or maintaining the said acts, practices and understandings and reporting at said meetings or otherwise to the respondent manufacturers any deviations therefrom or violations thereof to the end that said acts, practices and understandings shall be uniformly and universally observed by the respondent manufacturers.

PAR. 5. The acts, practices and things performed by the respondents as hereinabove alleged are all to the prejudice of the public; have a dangerous tendency to and have actually hindered and prevented price competition between and among respondent manufacturers in the sale of "frit", porcelain enamel in its raw state, in commerce, within the intent and meaning of the Federal Trade Commission Act; have placed in respondent manufacturers the power to control and enhance prices in said product; have created in the respondent manufacturers a monopoly in the sale of said product in such commerce; have unreasonably restrained such commerce in said product; and constitute unfair methods of competition in commerce within the intent and meaning of section 5 of the Federal Trade Commission Act.

Count II. The Federal Trade Commission having reason to believe that Ferro Enamel Corporation, Pemco Corporation, The O. Hommel Company, a corporation, Chicago Vitreous Enamel Product Co., a corporation, Ingram-Richardson Mfg. Co. of Indiana, Inc., hereinbefore referred to as respondent manufacturers, have violated and are now violating the provisions of section 2 of the act of Congress entitled "An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes approved October 15, 1914, (The Clayton Act) as amended by the Robinson-Patman Act (U. S. C. Title 15, sec. 13)" hereby issues this its complaint against said respondents and states its charges with respect thereto as follows; to-wit:

PARAGRAPH 1. For its charges in this paragraph of this count, said Commission relies upon the matters and things set out in paragraph one of Count I of this complaint to the same extent and as though the allegations of said paragraph of said Count I were set out in full herein and said paragraph one of said Count I is therefore incorporated herein by reference and made a part of the allegations of this count.

PAR. 2. For its charges in this paragraph of this count, said Commission relies upon the matters and things set out in paragraph two of Count I of this complaint to the same extent and as though the allegations of said paragraph of said Count I were set out in full herein and said paragraph two of said Count I is therefore incorporated herein by reference and made a part of the allegations of this count.

PAR. 3. For its charges in this paragraph of this count, said Commission relies upon the matters and things set out in paragraph three of Count I of this complaint to the same extent and as though the allegations of said paragraph of said Count I were set out in full herein and said paragraph three of said Count I is therefore incorporated herein by reference and made a part of the allegations of this count.

PAR. 4. In the course and conduct of their said businesses as described in paragraphs one and two of Count I of this complaint, said respondent manufacturers have been for more than three years last past and are now discriminating in price between different purchasers buying "frit", porcelain enamel in its raw state by selling their said product to some of their customers at lower prices than they sell said product of like grade and quality to other of their customers, many of which customers are competitively engaged one with another throughout the several States of the United States, in the sale of manufactured and fabricated products containing said "frit" as an important and substantial part thereof. The respondents during the said period of time have engaged in the following discriminatory practices and methods in determining the prices at which they sell their said product to their said customers;

(1) Respondent manufacturers classify their customers according to the annual dollar volume of purchases of "frit" from all sources and grant discounts to each customer based upon such classification;

(2) Respondent manufacturers furnish respondent S. J. & H. and respondent Moody with regular periodical reports of annual dollar volume of sales of said product to their respective customers and respondent S. J. & H. and respondent Moody disseminate among respondent manufacturers a volume report containing a summary of all sales of said product by all respondent manufacturers each month;

(3) Respondent manufacturers utilize the said customer volume reports disseminated by the respondent S. J. & H. and respondent Moody to determine the classification of any customer and the amount of discount to be allowed from list prices, said classification being adjusted from time to time in accordance with said customer volume report;

(4) Pursuant to such classification and determination the respondent manufacturers have, during said period of time, followed and maintained the following schedule of discounts from list prices based on total purchases from all sources:

Classification	Amount of purchase	Discount
		Percent
A	$5,000 per year	Base
B	$5,000 to $10,000	5
C	$10,000 to $20,000	10
D	$20,000 to $29,000	12½
E	$29,000 to $40,000	15
F	Over $40,000	20

PAR. 5. The effect of the said discriminations in price mentioned in paragraph four hereof has been or may be substantially to lessen competition in the line of commerce in which said respondents are engaged and to injure, destroy and prevent competition between and among the said respondents and to injure, destroy and prevent competition between the customers of said respondents in the sale and distribution of products containing said "frit" as a substantial component part and has been and may be to tend to create a monopoly in said commerce in the various localities or trade areas in the United States in which said respondents and their customers are engaged in the sale and distribution of said product.

PAR. 6. The foregoing acts and practices of respondents are violations of subsection 2 (a) of section 1 of the said act of Congress approved June 1, 1936, entitled "'An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes', approved October 15, 1914, as amended (U. S. C., title 15, sec. 13), and for other purposes."

Wherefore the premises considered, the Federal Trade Commission on this 29th day of April A. D., 1944, issues its complaint against said respondents.

Notice

Notice is hereby given you, Ferro Enamel Corporation, Pemco Corporation, The O. Hommel Company, a corporation, Chicago Vitreous Enamel Product Co., a corporation, Ingram-Richardson Mfg. Co. of Indiana, Inc., and Stevenson, Jordan and Harrison, a corporation and Harry L. Moody, an individual, respondents herein, that the 2d day of June A. D., 1944, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The rules of practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

* * * * *

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 29th day of April, A. D., 1944.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-6467; Filed, May 6, 1944; 10:08 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 79, Revocation]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN MISSOURI

Upon consideration of an application for revocation of Supplementary Order ODT 3, Revised-79 (8 F.R. 13963), filed with the Office of Defense Transportation by the parties subject thereto, and good cause appearing therefor, *It is hereby ordered*, That Supplementary Order ODT 3, Revised-79 be, and it hereby is, revoked.

Issued at Washington, D. C., this 8th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-6511; Filed, May 8, 1944; 10:22 a. m.]

[Supp. Order ODT 3, Rev. 234]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN M'ALLEN AND ROMA, TEX.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective May 12, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Red Arrow Freight Lines, Inc., Houston, Tex.
Jones Motor Freight Lines, Inc., Harlingen, Tex.

[F. R. Doc. 44-6509; Filed, May 8, 1944; 10:22 a. m.]

[Supp. Order ODT 3, Rev. 237]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN BRIDGEPORT AND WATERBURY, CONN.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective May 12, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Laskas Motor Lines., Inc., Waterbury, Conn.
Bernard Marra, doing business as Marra Transportation Company, Bridgeport, Conn.

[F. R. Doc. 44-6508; Filed, May 8, 1944; 10:22 a. m.]

[Supp. Order ODT 20A-109]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN MORGANFIELD, CORYDON, AND HENDERSON, KY., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Morganfield, Corydon, and Henderson, Kentucky, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials

[1] Filed as part of the original document.

[1] Filed as part of the original document.

and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Evansville, Indiana, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–109" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Evansville, Indiana.

8. This order shall become effective May 16, 1944 and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Marshall W. Gathof, dba City Cab Co., Morganfield, Ky.
Robert Shoekley, dba 319 Cab Co., Morganfield, Ky.
Arlynn Lofton, dba 55 Cab Co., Morganfield, Ky.
Chester McGrew, dba Blue Top Cab Co., Morganfield, Ky.
Clarence Eaton, dba 500 Cab Co., Morganfield, Ky.
Roy Waller, Morganfield, Ky.
J. W. Hughes, dba Corydon Cab Co., Corydon, Ky.
Cox Taxi Co., Henderson, Ky.
Dixie Cab Co., Henderson, Ky.

[F. R. Doc. 44–6506; Filed, May 8, 1944; 10:22 a. m.]

[Supp. Order ODT 20A–110]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN NASHVILLE, TENN., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Nashville, Tennessee, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Nashville, Tennessee, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–110" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Nashville, Tennessee.

8. This order shall become effective May 16, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

O. D. Jenkins, Manager, General Cab Co., Nashville, Tenn.
J. R. Reynolds, Deluxe Cab Co., Nashville, Tenn.
O. D. Jenkins, Vice President, Consolidated Cab Co., Nashville, Tenn.

[F. R. Doc. 44–6507; Filed, May 8, 1944; 10:22 a. m.]

[Supp. Order ODT 20A–111]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN COLUMBIA, S. C., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Columbia, South Carolina, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Columbia, South Carolina, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–111" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Columbia, South Carolina.

8. This order shall become effective May 16, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Isaih Allen, 12 Science Alley, Columbia, S. C.
Henry Middleton, 730 Laurel Street, Columbia, S. C.
Willie Pope, 2130 Senate Street, Columbia, S. C.
Frank Boyd, 2511 Youman Street, Columbia, S. C.
Robert Mikle, Apt. O–7, Benedict Court, Columbia, S. C.
Louis Mikle, 2216 Gervais Street, Columbia, S. C.
Chris Cantey, 2225½ Senate Street, Columbia, S. C.
Arthur Wright, Route 2, Box 180, Columbia, S. C.
Mose McDaniel, 2120 Barhanville Road, Columbia, S. C.
Thomas L. Ruff, 2431 Read Street, Columbia, S. C.
John A. Clay, 81 Blossom Street, Columbia, S. C.
Paul W. Griffin, 2354 Washington Street, Columbia, S. C.
Mose Masone, 909½ Devine Street, Columbia, S. C.
George A. Elmore, 907 Tree Street, Columbia, S. C.
Frank Bowman, R–1, Box 8, West Columbia, S. C.
E. C. Stewart, 526 Sumter Street, Columbia, S. C.
Joseph L. Hope, 2020 Heidt Street, Columbia, S. C.
W. P. Smith, 1024 Washington Street, Columbia, S. C.
Ernest Frazier, 2508 Pendleton Street, Columbia, S. C.
Ulysses Gilliam, 2451 Senate Street, Columbia, S. C.
Cromer Ware, 2476 Senate Street, Columbia, S. C.
Preston Davis, R 1, Box 29–73, Columbia, S. C.
Rev. David King, 617 Palmetto Avenue, Columbia, S. C.
Eddie J. Bentley, Apt. Z–4, Benedict Court, Columbia, S. C.
Aaron Jenkins, 320 Pickens Street, Columbia, S. C.
Rev. E. L. Blair, 421 Taylor Street, Columbia, S. C.
Jessie Fox, 1816 Heidt Street, Columbia, S. C.
Jessie Grant, R–3, Box 5, Columbia, S. C.
James Benson, 1606 Oak Street, Columbia, S. C.
George Carpenter, Apt. K–6, Benedict Court, Columbia, S. C.
Wilhemenia Dial, 1519 Hugar Street, Columbia, S. C.
John Edmons, 1000 Washington Street, Columbia, S. C.
Haskell Elkins, 979 Heidt Street, Columbia, S. C.
John Goldston, 11 Green Street, Columbia, S. C.
John Northrup, 1727 Williams Street, Columbia, S. C.
Albert Richardson, 614 Blanding Street, Columbia, S. C.
Lena Roof, 2126 Elmwood Avenue, Columbia, S. C.
Moses P. Ruff, 2308 Read Street, Columbia, S. C.
Pervis Shepard, 2348 Washington Street, Columbia, S. C.
Ben Taylor, 2238 Luzon Street, Columbia, S. C.
Henry Thompson, 2438 Washington Street, Columbia, S. C.
Willie Thompson, 2516 Gervais Street, Columbia, S. C.
Jessie Weston, 209 Marion Street, Columbia, S. C.
Virgin Wise, 1521 Rice Street, Columbia, S. C.
George Young, 23 Railroad Avenue Columbia, S. C.

[F. R. Doc. 44–6510; Filed, May 8, 1944; 10:23 a. m.]

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[1] Filed as part of the original document.

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[Rev. Gen. Order 46]

HEARING ADMINISTRATOR AND HEARING COMMISSIONERS

DELEGATION OF AUTHORITY

General Order 46 is redesignated Revised General Order 46 and is revised and amended to read as follows:

Pursuant to the authority conferred upon the Administrator by Executive Order 9125, Executive Order 9280, War Production Board Directive No. 1, as supplemented, and the Food Distribution Administration Food Directive No. 3, and Food Directive No. 4, the following order is prescribed:

(a) The Hearing Administrator, the Deputy Hearing Administrator, the Assistant Hearing Administrators, and the several Hearing Commissioners are authorized:

(1) To determine whether any person has violated any regulation or order heretofore issued by the Office of Price Administration or the Administrator pursuant to War Production Board Directive No. 1, as heretofore or hereafter supplemented, or pursuant to any Food Directive heretofore or hereafter issued to the Office of Price Administration or the Administrator, by the Secretary of Agriculture or the War Food Administrator, or whether any person sold or transferred or offered or attempted to sell or transfer, or in the course of trade or business has bought or received or offered or attempted to buy or receive, any rationed commodity at a price in excess of the applicable maximum price established for that commodity by the Office of Price Administration; and upon such determination to issue such suspension orders and take such other action as may be appropriate in the premises.

(2) To administer oaths and affirmations, to hold and preside over suspension order hearings and to exercise any

discretion necessary or appropriate to the conduct of such hearings;

(3) To sign and issue subpoenas requiring any person to appear and testify or to appear, and produce books or records or any other documentary or physical evidence, or both, at any suspension order hearing;

(4) To exercise any power, authority or discretion conferred by paragraph (a) (2) of Revised General Order No. 46 through such officer or employee of the Office of Price Administration as the Hearing Administrator, the Deputy or any Assistant Hearing Administrator, or any Hearing Commissioner may designate for such purpose.

(b) The Hearing Administrator is authorized to consider and determine all petitions for reconsiderations of or appeals from suspension orders heretofore or hereafter issued, to issue such orders and take such action thereon as may be appropriate in the premises. Whenever the Hearing Administrator shall declare himself personally disqualified or shall for any other reason be unable or consider it impracticable personally to exercise the authority delegated in this paragraph, then the Deputy or Assistant Hearing Administrators are authorized to perform the functions set forth in this paragraph.

(c) Any decision made, order issued or action taken by the Hearing Administrator, the Deputy Hearing Administrator, the Assistant Hearing Administrators, or by any Hearing Commissioner pursuant to this Revised General Order No. 46, shall have the same force and effect as if made, issued or taken by the Administrator.

(d) This Revised General Order No. 46 shall take effect on the 6th day of May 1944.

Issued this 5th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6441; Filed, May 5, 1944; 3:49 p. m.]

[MPR 120, Order 706]

PORTER ELKHORN COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES

Correction

In F.R. Doc. 44-5652, appearing at page 4369 of the issue for Saturday, April 22, 1944, the maximum price in the third table on page 4370 for rail shipments and R. R. fuel, Size Group 18, should be "$3.00".

[MPR 188, Order 1556]

GRANITE LUMBER & FURNITURE CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1556 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two chairs and a table manufactured by Granite Lumber & Furniture Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by Granite Lumber & Furniture Company, Granite Falls, North Carolina, of articles of furniture of its manufacture, as described in its application, after such articles became subject to Maximum Price Regulation No. 188 are those as set forth below:

	To jobbers	To dealers
Chair No. 10	$3.17	$3.95
Chair No. 15	2.44	3.05
Table No. 25	8.23	10.25

These maximum prices are f. o. b. factory.

(b) Any person may sell and deliver at wholesale the articles of furniture manufactured by Granite Lumber & Furniture Company to dealers at maximum prices no higher than those set forth below:

Chair No. 10	$3.95
Chair No. 15	3.05
Table No. 25	10.25

These maximum prices are f. o. b. shipping point.

(c) At the time of or prior to the first invoice to each purchaser for resale, Granite Lumber & Furniture Company shall notify the purchaser for resale of the maximum prices and conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 6th day of May 1944.

Issued this 5th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6442; Filed, May 5, 1944; 3:47 p. m.]

[MPR 188, Order 1557]

MILLS FURNITURE MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1557 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a sewing cabinet manufactured by Mills Furniture Mfg. Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by Mills Furniture Manufacturing Company, 1960 West Harrison Street, Chicago, Illinois, of the sewing cabinet of its manufacture, as described in its application, after such article became subject to Maximum Price Regulation No. 188 is $4.50 to jobbers who sell against the manufacturer's stock and $5.30 to dealers. These maximum prices are net f. o. b. factory.

(b) On and after the effective date of this order, the maximum price for all sales and deliveries at wholesale by jobbers and any other persons from the manufacturer's stock of the sewing cabinet described in paragraph (a) above shall be $5.30 per unit, net f. o. b. shipping point.

(c) At the time of or prior to the first invoice to each purchaser for resale, Mills Furniture Manufacturing Company shall notify the purchaser for resale of the maximum prices and conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(3) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 6th day of May 1944.

Issued this 5th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6443; Filed, May 5, 1944; 3:48 p. m.]

[MPR 188, Order 1558]

B-LINE MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1558 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a high chair manufactured by B-Line Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by B-Line Manufacturing Company, Box 975, Chattanooga, Tennessee, of the high chair of its manufacture, as described in its application, after such article became subject to Maximum Price Regulation No. 188 are those as set forth below:

	To jobbers who sell against the manufacturer's stock	To dealers
Unfinished	$2.65	$2.88
Finished	2.75	3.23

These maximum prices are net f. o. b. factory.

(b) Any person may sell and deliver at wholesale the high chair manufactured by B-Line Manufacturing Company to dealers at maximum prices no higher than $2.88 unfinished, $3.23 finished, net f. o. b. shipping point.

(c) At the time of or prior to the first invoice to each purchaser for resale, B-Line Manufacturing Company shall notify the purchaser for resale of the maximum prices and conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 6th day of May 1944.

Issued this 5th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6444; Filed, May 5, 1944; 3:48 p. m.]

[MPR 188, Order 1559]

GORDON BENNETT

APPROVAL OF MAXIMUM PRICES

Order No. 1559 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of an infant's play pen, Model 52, manufactured by Gordon Bennett, Brooklyn, N. Y.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) The maximum price for all sales and deliveries by Gordon Bennett, 52 Underhill Avenue, Brooklyn, New York of the infant's play pen of its manufacture, Model No. 52, as described in its application, after such article became subject to Maximum Price Regulation No. 188 is $4.93 to jobbers and $5.80 to dealers.

(b) Any person may sell and deliver at wholesale the infant's play pen, Model No. 52 manufactured by Gordon Bennett, to dealers at a maximum price no higher than $5.80 per unit, f. o. b. shipping point.

(c) At the time of or prior to the first invoice to each purchaser for resale, Gordon Bennett shall notify the purchaser for resale of the maximum prices and conditions set by this Order No. 1559 for resale by the purchaser. This notice may be given in any convenient form.

(d) This Order No. 1559 may be revoked or amended by the Price Administrator at any time.

This Order No. 1559 shall become effective on the 6th day of May 1944.

Issued this 5th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6445; Filed, May 5, 1944; 3:48 p. m.]

[MPR 188, Order 1560]

NORTHERN FURNITURE CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1560 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of twelve new tables manufactured by Northern Furniture Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by Northern Furniture Company, 1105 West Pike Street, Goshen, Indiana, of twelve new tables of its manufacture, as described in its application dated April 5, 1944, after the effective date of Maximum Price Regulation No. 188 shall be as follows:

Table No.	To jobbers who sell against manufacturer's stock	To dealers
43 finished	$1.05	$1.31
43 unfinished	.95	1.10
44 finished	1.50	1.80
44 unfinished	1.40	1.70
45 finished	1.50	1.80
45 unfinished	1.40	1.70
48 finished	1.50	1.80
48 unfinished	1.40	1.70
26 finished	1.95	2.45
26 unfinished	1.80	2.30
28 finished	1.95	2.45
28 unfinished	1.80	2.30

These maximum prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days.

(b) On and after the effective date of this order, the maximum price for all sales and deliveries at wholesale by jobbers and any other persons from the manufacturer's stock of the tables described in paragraph (a) above shall be those set forth below, f. o. b. shipping point, subject to a cash discount of 2% for payment within 10 days:

43 finished	$1.31
43 unfinished	1.10
44 finished	1.80
44 unfinished	1.70
45 finished	1.80
45 unfinished	1.70
48 finished	1.80
48 unfinished	1.70
26 finished	2.45
26 unfinished	2.30
28 finished	2.45
28 unfinished	2.30

(c) At the time of or prior to the first invoice to each purchaser for resale, Northern Furniture Company shall notify the purchaser for resale of the maximum prices and conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 6th day of May 1944.

Issued this 5th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6438; Filed, May 5, 1944; 3:48 p. m.]

[MPR 188, Order 1567]

COLUMBIA ART MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1567 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of new smoking stands manufactured by the Columbia Art Manufacturing Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by Columbia Art Manufacturing Company, 1474 W. Hubbard Street, Chicago, Illinois, of new smoking stands of its manufacture, as described in its application dated April 7, 1944, since the effective date of Maximum Price Regulation No. 188 are as follows:

Article	Model No.	To jobbers who sell against mfr.'s stock	To dealers
Smoking stand	101	$1.10	$1.38
Smoking stand	102	1.30	1.63
Smoking stand	103	1.65	2.05
Smoking stand	104	2.35	2.94
Smoking stand	201	1.10	1.38
Smoking stand	202	1.30	1.63
Smoking stand	203	1.65	2.05
Smoking stand	204	2.35	2.94

These maximum prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days.

(b) On and after the effective date of this order, the maximum price for all sales and deliveries at wholesale by jobbers and any other persons from the manufacturer's stock of the smoking stands described in paragraph (a) above shall be those set forth below, f. o. b. shipping point, subject to a cash discount of 2% for payment within 10 days:

Article	Model No.	Maximum price
Smoking stand	101	$1.38
Smoking stand	102	1.63
Smoking stand	103	2.06
Smoking stand	104	2.94
Smoking stand	201	1.38
Smoking stand	202	1.63
Smoking stand	203	2.06
Smoking stand	204	2.94

(c) At the time of or prior to the first invoice to each purchaser for resale, Columbia Art Manufacturing Company shall notify the purchaser for resale of the maximum prices and conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 6th day of May 1944.

Issued this 5th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6439; Filed, May 5, 1944; 3:48 p. m.]

[RPS 83, Order 8]

ELECTROMATIC DISTRIBUTORS, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 8 under § 1336.53 (b) of Revised Price Schedule No. 83. Radio receivers and phonographs. Approval of maximum prices for sales of a replacement type model radio manufactured by Electromatic Distributors, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for all sales of a five tube A. C.-D. C. Table Model radio manufactured by Electromatic Distributors, Inc., 88 University Place, New York, New York, and designated in its application as a "Cuban Model."

(1) The maximum price for all sales and deliveries of the Cuban five tube A. C.-D. C. Table Model radio to retailers since the effective date of Revised Price Schedule No. 83 by Electromatic Distributors, Inc. is $17.03, inclusive of Federal Excise Tax, f. o. b. New York, New York.

(2) The maximum price for all sales and deliveries at retail of the Cuban Model radio manufactured by Electromatic Distributors, Inc. is $27.30 per set inclusive of the Federal Excise Tax.

(b) On and after May 6, 1944, the manufacturer is required to notify in writing, at the time of or prior to the first invoice, each person who purchases the Cuban Model five tube A. C.-D. C. Table Model radio from it for resale, of the maximum retail prices established by this order for resales by the purchaser. This written notice may be given in any convenient form.

(c) On each radio shipped to a purchaser for resale, the manufacturer shall firmly attach a tag or label which plainly states the maximum retail price.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 6, 1944.

Issued this 5th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6440; Filed, May 5, 1944; 3:49 p. m.]

Regional and District Office Orders.

[Seattle Order G-1 Under 18 (c), Amdt. 1]

FIREWOOD IN YAKIMA COUNTY, WASH.

Amendment No. 1 to Order No. G-1 under § 1499.18 (c) as amended of the Washington.
General Maximum Price Regulation. Certain firewood sold in Yakima County,

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Seattle District Office of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation and Order of Delegation No. 34 under General Order No. 32 and paragraph (d) of Order No. G-1 under § 1499.18 (c) as amended of the General Maximum Price Regulation, *It is hereby ordered*, That Order No. G-1 under § 1499.18 (c) as amended of the General Maximum Price Regulation be amended in the following particulars:

1. The title of the order shall be amended to read "Certain Firewood Sold in Yakima County, Washington."

2. Paragraph (b) is amended to read as follows:

(b) The maximum prices for sales of green and/or dry mill wood, mill run, mill slab, and/or mixed mill run, and/or mixed mill wood or mixed slab, fir, pine, or hemlock, in lengths and types of sales specified below by any retail dealer whose place of business is located within the County of Yakima, Washington, shall be as follows:

(1) Retail sales (sales to the ultimate user except industrial or commercial user):

Source of supply	Delivery conditions	Lengths of wood	Maximum price per cord
(i) For the kinds of wood specified above produced in the area outside the counties of Yakima and Kittitas, except that produced by mills located in the communities of Buckley, Wash., and Enumclaw, Wash.	Delivered from dealer's yard to the premises of consumer in Yakima County.	16 inches or less	$12.25
(ii) For the kinds of wood specified above produced in the area outside the counties of Yakima and Kittitas, except that produced by mills located in the communities of Buckley, Wash., and Enumclaw, Wash.	Sold either f. o. b. the dealer's yard or delivered from the rail car directly to premises of consumer in Yakima County.	16 inches or less	10.25
(iii) For the kinds of wood specified above produced by mills located in the county of Yakima, except that portion within the city limits of the city of Yakima, Wash.; Kittitas County, Wash.; and in the communities of Buckley, Wash., and Enumclaw, Wash.	Delivered from dealer's yard to the premises of consumer in Yakima County.	16 inches or less	11.75
(iv) For the kinds of wood specified above produced by mills located in the county of Yakima, except that portion within the city limits of the city of Yakima, Wash.; Kittitas County, Wash.; and in the communities of Buckley, Wash., and Enumclaw, Wash.	Sold either f. o. b. the dealer's yard or delivered from the rail car directly to premises of consumer in Yakima County.	16 inches or less	9.75

(2) Sales to industrial or commercial users:

Source of supply	Delivery conditions	Lengths of wood	Maximum price per cord
(i) For the kinds of wood specified above produced in the area outside the counties of Yakima and Kittitas, except that produced by mills located in the communities of Buckley, Wash., and Enumclaw, Wash.	Delivered from dealer's yard to the premises of industrial or commercial user in Yakima County.	4-foot	$9.25

(ii) For sales of carload quantities delivery shall be deemed to have been made to the premises of the industrial or commercial user if the car is switched to the nearest rail siding adjacent to the plant of the industrial or commercial user.

3. Paragraph (e) is added to read as follows:

(e) As used herein, the term "cord" shall mean 128 cubic feet of stacked wood or 192 cubic feet of loose wood.

This amendment shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7851 and E.O. 9328, 8 F.R. 4681)

Issued this 6th day of April 1944.

R. E. MORGAN,
Acting District Director.

[F. R. Doc. 44-6386; Filed, May 4, 1944; 4:06 p. m.]

[Region VIII Order G-92 Under 18 (c)]

IMPORTED CANNED ABALONE IN SAN FRANCISCO REGION

Order No. G-92 under § 1499.18 (c) of the General Maximum Price Regulation. Imported canned abalone.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation; *It is hereby ordered:*

(a) The adjusted maximum price at which any importer may sell canned abalone, imported from the Republic of Mexico, f. o. b. San Diego, California, shall be $14.75 per case of 48 16-oz. No. 1 tall cans.

(b) The adjusted maximum price at which any person other than an importer, wholesaler, or retailer may sell imported canned abalone shall be $15.75 per case plus actual freight or transportation costs from San Diego, California, to the seller's customary receiving point.

(c) Any importer of canned abalone, in connection with the first sale of imported canned abalone made after May 1st, 1944, shall attach to each case the following notice:

The Office of Price Administration has authorized us to inform you that if you are a wholesaler or a retailer pricing this item under Maximum Price Regulations Nos. 421 or 422 or 423, you must recalculate your maximum price for this item under Section 6 of Maximum Price Regulations Nos. 421, 422 or 423, as the case may be. If you are a seller other than a wholesaler or retailer under Maximum Price Regulation No. 421 or Maximum Price Regulations Nos. 422 or 423, your maximum price shall be $15.75 per case, plus actual freight or transportation costs from San Diego to your customary receiving point. This recalculation shall apply only on your first purchase of this item after May 1st, 1944.

(d) *Definitions.* (1) "Importer" means any person who buys canned abalone in the Republic of Mexico and resells in the United States.

(2) "Wholesaler" shall have the same meaning as in Maximum Price Regulation No. 421.

(3) "Retailer" shall have the same meaning as in Maximum Price Regulations Nos. 422 and 423.

(e) This order shall apply in the States of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River, and the following Counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce and Shoshone.

(f) Order No. G-30 under § 1499.18 (c) of the General Maximum Price Regulation is hereby revoked.

(g) This order shall become effective May 1st, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 28th day of April 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-6385; Filed, May 4, 1944; 4:06 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on May 3, 1944.

REGION I

Augusta Order No. 1-F, filed 2:16 p. m.
Connecticut Order No. 2-F, Amendment No. 5, filed 4:13 p. m.
Providence Order No. 1-F, Amendment No. 2, filed 4:13 p. m.
Providence Order No. 2-F, Amendment No. 2, filed 4:13 p. m.

REGION II

District of Columbia Order No. 8, Amendment No. 2, filed 4:02 p. m.
Harrisburg Order No. 17, filed 4:14 p. m.
Harrisburg Order No. 18, filed 1:56 p. m.
Maryland Order No. 3-W, filed 2:21 p. m.
Maryland Order No. 17, Amendment No. 3, filed 4:02 p. m.
Trenton Order No. 1-F, Amendment No. 3, filed 2:21 p. m.
Trenton Order No. 2-F, filed 2:21 p. m.

REGION III

Detroit Order No. 1-F, Amendment No. 12, filed 2:16 p. m.
Detroit Order No. 11, Amendment No. 1, filed 3:56 p. m.
Cleveland Order No. 1-F, Amendment No. 1, filed 2:13 p. m.
Columbus Order No. 3-F, Amendment No. 19, filed 1:52 p. m.
Columbus Order No. 7-F, Amendment No. 19, filed 1:59 p. m.
Charleston Order No. 1-W, filed 2:14 p. m.
Charleston Order No. 2-W, filed 2:14 p. m.
Charleston Order 4-W, filed 2:15 p. m.
Charleston Order No. 7-F, Amendment No. 2, filed 1:57 p. m.
Charleston Order No. 7-F, Amendment No. 3, filed 1:57 p. m.
Charleston Order No. 7-F, Amendment No. 4, filed 2:10 p. m.
Charleston Order No. 8-F, Amendment No. 2, filed 1:59 p. m.
Charleston Order No. 8-F, Amendment No. 3, filed 1:59 p. m.
Charleston Order No. 8-F, Amendment No. 4, filed 2:10 p. m.
Charleston Order No. 9-F, Amendment No. 3, filed 2:10 p. m.
Charleston Order No. 9-F, Amendment No. 2, filed 2:02 p. m.
Charleston Order No. 9-F, Amendment No. 1, filed 2:02 p. m.
Charleston Order No. 10-F, Amendment No. 1, filed 1:59 p. m.
Charleston Order No. 10-F, Amendment No. 2, filed 2:02 p. m.
Charleston Order No. 30, Amendment No. 2, filed 2:12 p. m.
Charleston Order No. 32, Amendment No. 2, filed 2:12 p. m.
Charleston Order No. 37, Amendment No. 2, filed 2:10 p. m.
Grand Rapids Order No. F-14-A, Amendment No. 15, filed 4:03 p. m.
Grand Rapids Order No. F-14-B, Amendment No. 15, filed 4:03 p. m.
Saginaw Order No. 2-F, Amendment No. 15, filed 1:57 p. m.

REGION IV

Birmingham Order No. 1-W, Amendment No. 2, filed 2:13 p. m.
Charlotte Order No. 12, Amendment No. 3, filed 2:13 p. m.
Jackson Order No. 2-F, Amendment No. 8, filed 1:52 p. m.
Memphis Order No. 4-F, Amendment No. 30, filed 1:52 p. m.
Nashville Order No. 5-F, Amendment No. 18, filed 1:54 p. m.
Nashville Order No. 12, Amendment No. 4, filed 2:13 p. m.
Roanoke Order No. 1-F, Amendment No. 12, filed 1:52 p. m.
Savannah Order No. 1-W, Amendment No. 1, filed 1:55 p. m.
Savannah Order No. 14, Amendment No. 1, filed 1:55 p. m.

REGION V

Fort Worth Order No. 1-F, Amendment No. 14, filed 1:55 p. m.
Fort Worth Order No. 2-F, Amendment No. 14, filed 156 p. m.
Fort Worth Order No. 3-F, Amendment No. 14, filed 1:57 p. m.
Fort Worth Order No. 4-F, Amendment No. 14, filed 2:02 p. m.
Fort Worth Order No. 5-F, Amendment No. 14, filed 2:03 p. m.
Fort Worth Order No. 6-F, Amendment No. 3, filed 2:03 p. m.
Houston Order No. 12, Amendment No. 2, filed 3:56 p. m.
Houston Order No. 13, Amendment No. 2, filed 3:56 p. m.
Kansas City Order No. 1-W, Amendment No. 1, filed 2:04 p. m.
Kansas City Order No. 15, Amendment No. 1, filed 2:06 p. m.
Kansas City Order No. 16, Amendment No. 1, filed 2:06 p. m.
Shreveport Order No. 2-F, Amendment No. 11, filed 2:04 p. m.
Shreveport Order No. 3-F, filed 2:04 p. m.

REGION VI

La Crosse Order No. 1-F, Amendment No. 13, filed 2:08 p. m.
La Crosse Order No. 3-F, Amendment No. 9, filed 2:08 p. m.
La Crosse Order No. 4-F, Amendment No. 9, filed 2:08 p. m.
La Crosse Order No. 5-F, Amendment No. 9, filed 2:07 p. m.
Milwaukee Order No. 1-F, Amendment No. 2, filed 2:08 p. m.
Milwaukee Order No. 2-F, Amendment No. 11, filed 4:11 p. m.
Milwaukee Order No. 3-F, Amendment No. 11, filed 2:09 p. m.
Milwaukee Order No. 5-F, Amendment No. 10, filed 4:11 p. m.

REGION VII

Montana Order No. 3-W, Amendment No. 1, filed 4:08 p. m.
Montana Order No. 18-F, filed 4:12 p. m.
Montana Order No. 24-F, Amendment No. 1, filed 4:08 p. m.
Montana Order No. 29-F, filed 4:12 p. m.
Montana Order No. 37, Amendment No. 4, filed 4:08 p. m.
Montana Rev. Order 13, Amendment No. 4, filed 4:11 p. m.
Montana Rev. Order 15, Amendment No. 4, filed 4:09 p. m.
Montana Rev. Order 16, Amendment No. 4, filed 4:09 p. m.
Montana Rev. Order 20, Amendment No. 4, filed 4:09 p. m.
Montana Order No. 22, Amendment No. 4, filed 4:09 p. m.
Montana Order No. 25, Amendment No. 4, filed 4:09 p. m.
Montana Order No. 34, Amendment No. 4, filed 4:03 p. m.
New Mexico Order No. 6, Amendment No. 6, filed 3:56 p. m.
New Mexico Order No. 7, Amendment No. 7, filed 3:57 p. m.
New Mexico Order No. 8, Amendment No. 4, filed 3:57 p. m.
New Mexico Order No. 9, Amendment No. 3, filed 3:59 p. m.
New Mexico Order No. 10, Amendment No. 3, filed 3:58 p. m.
New Mexico Order No. 11, Amendment No. 3, filed 3:58 p. m.
New Mexico Order No. 12, Amendment No. 3, filed 3:58 p. m.
New Mexico Order No. 14, Amendment No. 3, filed 3:59 p. m.
New Mexico Order No. 15, Amendment No. 2, filed 3:59 p. m.

New Mexico Order No. 16, Amendment No. 4, filed 3:59 p. m.
New Mexico Order No. 17, Amendment No. 4, filed 3:59 p. m.
Utah Order No. F-1, Amendment No. 7, filed 4:06 p. m.
Utah Order No. F-2, Amendment No. 6, filed 4:07 p. m.
Utah Order No. F-3, Amendment No. 5, filed 4:07 p. m.
Utah Order No. F-4, Amendment No. 5, filed 4:07 p. m.
Utah Order No. F-5, Amendment No. 5, filed 4:07 p. m.
Utah Order No. F-6, Amendment No. 5, filed 4:06 p. m.
Wyoming Order No. 24, Cor. to Amend. 2, filed 4:01 p. m.

REGION VIII

Phoenix Order No. 1-W, Amendment No. 1, filed 4:04 p. m.
Phoenix Order No. 3-F, Amendment No. 16, filed 4:03 p. m.
San Francisco Order No. 1-F, Amendment No. 11, filed 4:00 p. m.
San Francisco Order No. 2-F, Amendment No. 4, filed 4:00 p. m.
San Francisco Order No. 3-F, Amendment. No. 3, filed 4:00 p. m.
San Francisco Order No. 4-F, Amendment No. 2, filed 4:00 p. m.
San Francisco Order No. 5-F, Amendment No. 1, filed 4:00 p. m.
Seattle Order No. 1-F, Amendment No. 13, filed 4:01 p. m.
Seattle Order No. 2-F, Amendment No. 11, filed 4:01 p. m.
Seattle Order No. 3-F, Amendment No. 13, filed 4:01 p. m.
Seattle Order No. 4-F, Amendment No. 13, filed 4:01 p. m.
Seattle Order No. 5-F, Amendment No. 11, filed 4:01 p. m.
Spokane Order No. 1-F, Amendment No. 6, filed 4:04 p. m.
Spokane Order No. 1-F, Amendment No. 7, filed 4:05 p. m.
Spokane Order No. 2-F, Amendment No. 3, filed 4:05 p. m.
Spokane Order No. 2-F, Amendment No. 4, filed 4:05 p. m.
Spokane Order No. 6-F, Amendment No. 2, filed 4:05 p. m.

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on May 4, 1944.

REGION III

Cincinnati Order No. 1-W, Amendment No. 1, filed 9:45 a. m.
Cincinnati Order No. 2-W, Amendment No. 1, filed 9:44 a. m.
Cincinnati Order No. 3-F, Amendment No. 5, filed 9:44 a. m.
Cincinnati Order No. 10, Amendment No. 2, filed 9:44 a. m.
Cincinnati Order No. 11, Amendment No. 2, filed 9:44 a. m.
Charleston Order No. 13, Amendment No. 1, filed 9:39 a. m.
Louisville Order No. 1-F, Amendment No. 26, filed 9:46 a. m.
Louisville Order No. 2-F, Amendment No. 22, filed 9:46 a. m.
Louisville Order No. 3-F, Amendment No. 15, filed 9:46 a. m.

REGION IV

Birmingham Order No. 1-F, Amendment No. 7, filed 9:40 a. m.
Jackson Order No. 1-W, Amendment No. 2, filed 9:38 a. m.
Jackson Order No. 2-F, Amendment No. 9, filed 9:38 a. m.
Jackson Order No. 3-F, Amendment No. 2, filed 9:45 a. m.
Jackson Order No. 9, Amendment No. 2, filed 9:45 a. m.
Jackson Order No. 9, Amendment No. 3, filed 9:45 a. m.
Jackson Order No. 9, Amendment No. 4, filed 9:45 a. m.
Raleigh Order No. 6-F, filed 9:38 a. m.
Raleigh Order No. 11, Amendment No. 4, filed 9:39 a. m.
South Carolina Order No. 3-F, Amendment No. 6, filed 9:40 a. m.
South Carolina Order No. 3-F, Amendment No. 7, filed 9:42 a. m.
South Carolina Order No. 3-F, Amendment No. 8, filed 9:41 a. m.
South Carolina Rev. Order 1-F, Amendment No. 2, filed 9:41 a. m.
South Carolina Rev. Order 1-F, Amendment No. 3, filed 9:41 a. m.
South Carolina Rev. Order 1-F, Amendment No. 4, filed 9:42 a. m.
South Carolina Rev. Order 2-F, Amendment No. 2, filed 9:41 a. m.
South Carolina Rev. Order 2-F, Amendment No. 3, filed 9:40 a. m.
South Carolina Rev. Order 2-F, Amendment No. 4, filed 9:41 a. m.

REGION VI

La Crosse Order No. 1-F, Amendment No. 14, filed 9:40 a. m.
La Crosse Order No. 3-F, Amendment No. 10, filed 9:39 a. m.
La Crosse Order No. 4-F, Amendment No. 10, filed 9:40 a. m.
La Crosse Order No. 5-F, Amendment No. 10, filed 9:40 a. m.
North Platte Order No. 10, Amendment No. 1, filed 9:42 a. m.
North Platte Order No. 11, Amendment No. 1, filed 9:42 a. m.
North Platte Order No. 12, Amendment No. 1, filed 9:42 a. m.
North Platte Order No. 13, Amendment No. 1, filed 9:43 a. m.
North Platte Order No. 14, Amendment No. 1, filed 9:43 a. m.
North Platte Order No. 15, Amendment Uo. 1, filed 9:43 a. m.
North Platte Order No. 16, Amendment No. 1, filed 9:43 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-6501; Filed, May 6, 1944; 4:47 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on May 4, 1944.

REGION I

Augusta Order No. 16, Revocation, filed 4:22 p. m.
Augusta Order No. 17, Revocation, filed 4:22 p. m.
Connecticut Order No. 2-F, Amendment No. 6, filed 4:23 p. m.

REGION II

Buffalo Order No. 2-F, Amendment No. 3, filed 4:23 p. m.
New York Order No. 1-F, Amendment No. 5, filed 4:23 p. m.
Wilmington Order No. 2-F, Amendment No. 2, filed 4:23 p. m.

REGION III

Saginaw Order No. 2-F, Amendment No. 16, filed 4:23 p. m.
Escanaba Order No. 9-F, Amendment No. 9, filed 4:24 p. m.
Escanaba Order No. 10-F, Amendment No. 9, filed 4:24 p. m.
Escanaba Order No. 11-F, Amendment No. 9, filed 4:24 p. m.
Escanaba Order No. 12-F, Amendment No. 8, filed 4:24 p. m.
Escanaba Order No. 13-F, Amendment No. 8, filed 4:24 p. m.
Escanaba Order No. 14-F, Amendment No. 8, filed 4:25 p. m.
Escanaba Order No. 15-F, Amendment No. 8, filed 4:25 p. m.
Escanaba Order No. 16-F, Amendment No. 8, filed 4:25 p. m.
Escanaba Order No. 17-F, Amendment No. 7, filed 4:25 p. m.
Escanaba Order No. 21, Amendment No. 1, filed 4:23 p. m.
Escanaba Order No. 22, Amendment No. 1, filed 4:24 p. m.
Escanaba Order No. 24, Amendment No. 1, filed 4:24 p. m.
Escanaba Order No. 26, Amendment No. 1, filed 4:24 p. m.
Escanaba Order No. 27, Amendment No. 1, filed 4:24 p. m.

REGION IV

Jacksonville Order No. 3-F, Amendment No. 5, filed 4:21 p. m.
Jacksonville, Order No. 17, Amendment No. 2, filed 4:21 p. m.
Jacksonville Order No. 18, Amendment No. 2, filed 4:21 p. m.
Jacksonville Order No. 19, Amendment No. 2, filed 4:22 p. m.
Jacksonville Order No. 20, Amendment No. 2, filed 4:22 p. m.
Jacksonville Order No. 21, Amendment No. 2, filed 4:22 p. m.
Memphis, Order No. 4-F, Amendment No. 31, filed 4:21 p. m.
Memphis Order No. 14, Amendment No. 2, filed 4:20 p. m.
Memphis Order No. 15, Amendment No. 3, filed 4:20 p. m.
Montgomery Order No. 5-F, Amendment No. 7, filed 4:20 p m.
Montgomery Order No. 8-F, Amendment No. 8, filed 4:20 p. m.
Montgomery Order No. 15, Amendment No. 3, filed 4:20 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-6500; Filed, May 6, 1944; 4:47 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on May 5, 1944.

REGION IV

Atlanta Order No. 12, Amendment No. 2, filed 4:37 p. m.
Roanoke Order No. 1-W, Amendment No. 1, filed 4:37 p. m.
Roanoke Order No. 1-F, Amendment No. 13, filed 4:37 p. m.
Roanoke Order No. 2-F, Amendment No. 5, filed 4:37 p. m.
Roanoke Order No. 11, Amendment No. 2, filed 4:37 p. m.

REGION V

Arkansas Order No. 2-F, Amendment No. 10, filed 4:33 p. m.
Arkansas Order No. 3-F, Amendment No. 9, filed 4:33 p. m.
Arkansas Order No. 4-F, Amendment No. 12, filed 4:33 p. m.
Arkansas Order No. 5-F, Amendment No. 10, filed 4:33 p. m.

Arkansas Order No. 6-F, Amendment No. 12, filed 4:33 p. m.
Dallas Order No. 1-F, Amendment No. 14, filed 4:32 p. m.
Dallas Order No. G-14, Amendment No. 1, filed 4:38 p. m.
Dallas Order No. G-15, Amendment No. 1, filed 4:38 p. m.
Kansas City Order No. 2-F, Amendment No. 8, filed 4:32 p. m.
New Orleans Order No. 2-F, Amendment No. 15, filed 4:32 p. m.
Oklahoma City Order No. 3-F, Amendment No. 15, filed 4:32 p. m.

REGION VI

Milwaukee Order No. 2-F, Amendment No. 12, filed 4:35 p. m.
Milwaukee Order No. 3-F, Amendment No. 12, filed 4:34 p. m.
Milwaukee Order No. 4, Amendment No. 2, filed 4:35 p. m.
Milwaukee Order No. 5-F, Amendment No. 11, filed 4:34 p. m.
Milwaukee Order No. 11, Amendment No. 1, filed 4:34 p. m.
Moline Order No. 2-F, Amendment No. 11, filed 4:33 p. m.
Sioux City Order No. 2-F, Amendment No. 12, filed 4:36 p. m.
Sioux City Order No. 13, Amendment No. 1, filed 4:35 p. m.
Twin Cities Order No. 1-F, Amendment No. 10, filed 4:34 p. m.

REGION VII

Montana Order No. 2-W, filed 4:37 p. m.
Montana Order No. 2-W, Amendment No. 1, filed 4:36 p. m.
Montana Order No. 4-W, Amendment No. 1, filed 4:36 p. m.
Montana Order No. 4-W, Amendment No. 2, filed 4:36 p. m.

REGION VIII

Phoenix Order No. 16, filed 4:39 p. m.
Los Angeles Order No. L.A.-5, Amendment No. 13, filed 4:38 p. m.
Los Angeles Order No. L.A.-6, Amendment No. 13, filed 4:38 p. m.
Los Angeles Order No. L.A.-7, Amendment No. 13, filed 4:38 p. m.
Los Angeles Order No. L.A.-8, Amendment No. 13, filed 4:39 p. m.
Los Angeles Order No. L.A.-10, Amendment No. 2, filed 4:39 p. m.
Los Angeles Order No. L.A.-11, Amendment No. 1, filed 4:39 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-6549; Filed, May 8, 1944; 11:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-890]

THE NORTH AMERICAN COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 4th day of May 1944.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The North American Company, a registered holding company.

Notice is further given that any interested person may, not later than May 19, 1944, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said declaration or application, as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Street, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

The North American Company proposes to pay on July 1, 1944, a dividend to its holders of common stock of record on June 3, 1944. Such dividend will be payable in the common stock of Pacific Gas and Electric Company having a par value of $25 per share, owned by The North American Company, at the rate of one share of common stock of Pacific Gas and Electric Company on each 100 shares of the common stock of The North American Company outstanding. No certificates will be issued for fractions of shares of stock of Pacific Gas and Electric Company, but, in lieu thereof, cash will be paid at the rate of 31 cents for each 1/100th of a share of stock of Pacific Gas and Electric Company, this rate being based on the approximate market price as of April 25, 1944, the date the proposed dividend was declared. The North American Company estimates that the payment of the above-mentioned dividend will involve the distribution of not more than 75,000 shares of the 1,712,802 shares of common stock of Pacific Gas and Electric Company owned by it and use of not more than $410,000 of cash; and that the payment of such dividend will result in a charge of approximately $2,800,000 to earned surplus.

The North American Company has requested that the Commission enter an order permitting said declaration to become effective or granting said application on or before May 27, 1944.

By the Commission

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-6430; Filed, May 5, 1944; 12:38 p. m.]

[File No. 70-891]

DALLAS RAILWAY & TERMINAL COMPANY

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Penna., on the 4th day of May, A. D. 1944.

Notice is hereby given that an application has been filed with this Commission under the Public Utility Holding Company Act of 1935 and particularly under section 6 (b) and Rule U-50 promulgated thereunder by Dallas Railway & Terminal Company ("Dallas"), a non-utility subsidiary of Electric Power & Light Corporation, a registered holding company.

All interested persons are referred to said document which is on file in the offices of the Commission for a statement of the transactions therein proposed, which are summarized as follows:

Dallas will issue and sell at public sale, pursuant to the competitive bidding provisions of Rule U-50, $3,000,000 principal amount of First Mortgage Serial Bonds to mature annually in various amounts from June 1, 1945 to June 1, 1959, the bid or bids for such bonds to fix the interest rate and the price to be paid to the company (which shall not be less than 100% of the principal amount). The proceeds of the sale of such bonds are to be applied, together with treasury cash, to redeem all of Dallas' First Mortgage Gold Bonds, 6% Series, due 1951 in the principal amount of $3,587,700 at the redemption price of 102% of the principal amount thereof plus accrued interest to the date of redemption.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application and that said application shall not be granted except pursuant to further order of the Commission:

It is ordered, That a hearing on said application under the applicable provisions of the act and the rules of the Commission thereunder be held on May 18, 1944 at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 15th and Locust Streets, Philadelphia 3, Pennsylvania. On such day, the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Allen MacCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve, by registered mail, a copy of this order on the City of Dallas and on the applicant herein; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings, or proposing to intervene herein, shall file with the Secretary of the Commission on or before May 16, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That, without limiting the scope of issues presented by said application, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed issue and sale of Serial Mortgage Bonds by Dallas

is solely for the purpose of financing the business in which it is engaged.

(2) What terms and conditions, if any, are necessary or appropriate in the public interest or the interest of investors or consumers to insure compliance with the requirements of the Public Utility Holding Company Act of 1935, or any rules, regulations, or orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-6431; Filed, May 5, 1944; 12:38 p. m.]

[File Nos. 54-95, 59-62, 70-641]

GEORGIA POWER AND LIGHT CO., ET AL.

NOTICE OF FILING OF PLAN, ETC.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 3d day of May 1944.

In the matter of Georgia Power and Light Company, Florida Power Corporation, General Gas & Electric Corporation, File No. 54-95; in the matter of Georgia Power and Light Company, General Gas & Electric Corporation, File No. 59-62; in the matter of General Gas & Electric Corporation, Florida Power Corporation, Florida Public Service Company, Sanford Gas Company, Sante Fe Land Company, Georgia Power and Light Company, File No. 70-641.

Notice of filing of plan under Section 11 (e) of the Act and applications-declarations to effectuate related transactions, order consolidating with pending proceedings pursuant to Section 11 (b) (2), order for hearing on consolidated matters, and order granting request for withdrawal of portion of previous filing.

Notice is hereby given that filings under the Public Utility Holding Company Act of 1935 (the act) have been made by General Gas & Electric Corporation (Gengas), a registered holding company, and two of its direct public utility subsidiaries, Florida Power Corporation (Florida) and Georgia Power and Light Company (Georgia).

All interested persons are referred to said documents which are on file in the offices of this Commission for a treatment of the transactions therein proposed, which are summarized below:

1. Gengas, Florida, and Georgia have jointly filed a "Plan of Recapitalization of Georgia Power and Light Company", in which it is proposed that:

(a) Gengas will sell to Florida, for $75,600 in cash, 4,200 shares of Georgia's $6 Series, no par value, cumulative preferred stock; and Gengas will donate to Florida $310,600 in cash and all of the common stock of Georgia, consisting of 21,650 shares of common stock, no par value.

(b) Florida will donate to Georgia $1,400,000 in cash, the 4,200 shares of Georgia's preferred stock previously acquired from Gengas, and 600 shares of Georgia's common stock.

(c) Georgia will discharge its publicly held preferred stock, consisting of 6,327 shares, by a payment in cash of $150 for each share, this payment to be in full settlement for all claims of such preferred stockholders, including dividend arrears to June 30, 1944. The filing indicates that this proposed settlement is based on the liquidation value of $100 per share, plus the discounted value of the arrears in dividends (which arrears will amount to $62.25 per share at June 30, 1944), the computation of the discounted value being based on a 6% discount rate applied to an estimate that the dividend arrears can be eliminated from available earnings in eight to nine years.

2. Florida has filed a declaration to issue and sell, at competitive bidding, 40,000 shares of preferred stock. The proceeds from the sale of these securities are to be used to redeem presently outstanding preferred stock of Florida consisting of 5,940 shares of 7% cumulative preferred, par value $50 per share (call price $52.50 per share), and 28,762 shares of Series A 7% cumulative preferred, par value $100 per share (call price $110 per share) and to raise part of the cash proposed to be donated to Georgia.

3. Georgia is to reduce its outstanding indebtedness by redeeming $527,500 principal amount of its First Mortgage Bonds, 5% Series, due June 1, 1978, and restate its capital, surplus, and other accounts to reflect the consummation of the transactions above outlined.

The consummation of the "Plan of Recapitalization of Georgia Power and Light Company" is made contingent upon: (a) Approval of the plan by the Securities and Exchange Commission, together with the granting of applications and permitting declarations to become effective which are related to the consummation of the plan; (b) a determination by the Securities and Exchange Commission that the proposed transactions are necessary or appropriate to the integration or simplification of the holding company system of which Georgia is a member, all in accordance with the meaning and requirements of the Internal Revenue Code; (c) the entry of an appropriate decree by the United States District Court for the District of Georgia finding the plan fair and equitable and directing its consummation; and (d) the obtaining by the Trustees of Associated Gas and Electric Corporation, direct parent of Gengas, of an order of the United States District Court for the Southern District of New York authorizing the Trustees to acquiesce in the consummation of the plan.

Sections 7, 9, 10, 11 (e) (12 (b), 12 (c), 12 (d), and 12 (f) of the act and Rules U-42, U-43, U-44, and U-50 have been designated as being applicable to these proposed transactions.

It appearing to the Commission that it is proper and in the public interest and in the interest of investors and consumers that a hearing be held with respect to said plan and the applications-declarations, and that said plan should not be effectuated, said applications should not be granted, or that said declarations should not become effective, except pursuant to further order of the Commission; and

These same applicants-declarants having heretofore made filings with this Commission concerned with, among other things, the merger into Florida of certain of its associate companies, namely, Florida Public Service Company, Sanford Gas Company and Santa Fe Land Company, and the transfer of the controlling interest in Georgia from Gengas to Florida (File No. 70-641), the Commission having issued a notice of and order for hearing pursuant to section 11 (b) (2) of the act with respect to Georgia and consolidating the hearing thereon with the merger proceedings (File No. 59-62); in granting the applications and permitting the declarations to become effective regarding the merger, the Commission having expressly reserved jurisdiction over the section 11 (b) (2) proceedings, the proposed transfer of Georgia, and related transactions; the instant filings stating that they supersede that portion of the previously filed applications-declarations concerned with the acquisition by Florida of the controlling interest in Georgia and related transactions; and a request to withdraw that portion of the previous filings having been made:

It is hereby ordered, That the portion of the application-declaration in File No. 70-641 not heretofore granted or permitted to become effective be, and hereby is, permitted to be withdrawn pursuant to the request of applicants-declarants.

It is further ordered, That the proceedings on the instant plan, applications-declarations, and the pending proceedings under section 11 (b) (2) of the act directed to Georgia be, and the same hereby are, consolidated.

It is further ordered, That a hearing be held upon such matters on June 1, 1944, at 10 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why the applications-declarations should be granted and permitted to become effective. All persons desiring to be heard or wishing to participate otherwise in the proceeding should notify the Commission in the manner provided by Rule XVII of its rules of practice on or before May 29, 1944.

It is further ordered, That Allen MacCullen, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matters. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented in the consolidated proceeding, attention will be directed at the public hearing to the following matters and questions:

1. Whether the plan, as proposed or as modified, is necessary to effectuate the provisions of section 11 (b) of the act and is, in all respects, fair and equitable to the persons affected thereby.

2. Whether the provisions for the consummation of the plan are fair and equitable and in accordance with applicable law.

3. The propriety of the proposed accounting treatment on the books of applicants-declarants.

4. Whether the proposed issuance of securities by Florida meets the relevant standards of the act.

5. Whether, and if so, to what extent, the holdings of preferred stock of Florida by associate companies of Florida should be permitted to participate in the proceeds of the refunding of such preferred stocks.

6. Generally, whether the proposed plan and all transactions incidental thereto are, in all respects, in the public interests and in the interest of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder, or, if not, whether and what modifications and what terms and conditions should be required or imposed to satisfy the statutory standards.

It is further ordered, That notice of this hearing be given applicants-declarants and all other interested persons, notice to be given to Gengas, Florida, and Georgia by registered mail and to all other interested persons by general release of this Commission which shall be distributed to the press and mailed to all persons on the mailing list for the releases issued under the Public Utility Holding Company Act of 1935 and by publication in the FEDERAL REGISTER.

It is further ordered, That either Gengas or Georgia give notice of this hearing by mailing a copy of this order and a copy of the "Plan of Recapitalization of Georgia Power and Light Company" to each of the public security holders of Georgia (insofar as the identity of such security holders is known or available to either Gengas or Georgia) to his last known address, at least fifteen days prior to the date of this hearing.

It is further ordered, That jurisdiction be and hereby is reserved to separate, whether for hearing in whole or in part, or for disposition in whole or in part, any of the issues, questions, or matters embraced by this proceeding, or to consolidate with these proceedings other filings or matters pertaining to said consolidated proceedings, or to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-6487; Filed, May 6, 1944; 12:45 p. m.]

[File No. 54-96]

MISSISSIPPI RIVER POWER CO., ET AL

NOTICE OF FILING AND ORDER FOR HEARING ON PLAN AND ON APPLICATIONS AND DECLARATIONS

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 5th day of May 1944.

In the matter of Mississippi River Power Company, Union Electric Company of Missouri, Iowa Union Electric Company, and Union Electric Company of Illinois, File No. 54-96.

Notice is hereby given that Mississippi River Power Company, a subsidiary of Union Electric Company of Missouri, a registered holding company which is a subsidiary of The North American Company, also a registered holding company, has filed a plan pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, and that Union Electric Company of Missouri and its wholly-owned subsidiaries, Iowa Union Electric Company and Union Electric Company of Illinois, have filed applications and declarations pursuant to other applicable sections of the act relating to transactions incident to the plan of Mississippi River Power Company and other matters. The purpose of the plan and the transactions covered by said applications and declarations is the simplification of the structure of the holding company system of Union Electric Company of Missouri by the elimination of Mississippi River Power Company and Iowa Union Electric Company; if the plan and other proposed transactions are consummated, the holding company system of Union Electric Company of Missouri will consist solely of that company and Union Electric Company of Illinois. All interested persons are referred to said documents which are on file in the offices of the Commission for a statement of the transactions therein proposed which may be summarized as follows:

1. Mississippi River Power Company (hereinafter sometimes referred to as Mississippi) proposes to reduce its common capital by the amount of $4,800,000 by changing the par value of its 160,000 shares of outstanding common stock from $100 to $70 per share; the capital surplus so created together with a capital surplus of $9,560,000 to be created by a capital contribution by Union Electric Company of Missouri (hereinafter sometimes referred to as Union Missouri [1]) will provide for the aggregate charge of $14,360,000 to capital surplus to eliminate, in compliance with orders recently issued by the Federal Power Commission and the Illinois Commerce Commission, certain inflationary items in Mississippi's plant account.

2. Mississippi proposes, after making other accounting adjustments in compliance with the last-mentioned orders and otherwise, to transfer all of its physical properties, except properties, consisting principally of transmission lines, located in the State of Missouri and certain current assets and liabilities, to Iowa Union Electric Company (hereinafter sometimes referred to as Iowa Union) and to acquire, in exchange therefor, 461,000 shares of common stock, without par value, of Iowa Union. (Prior to such transfer Mississippi will have called for redemption on July 1, 1944, all of its outstanding First Mortgage Five Per Centum Forty Year Bonds in the aggregate principal amount of $15,161,900, representing all of its funded debt. Most of the funds for such redemption will be supplied by the capital contribution referred to in paragraph numbered 1 above and by the payment of an open account indebtedness in the approximate amount of $5,700,000 owing by Union Missouri to Mississippi.)

3. Mississippi proposes thereafter to merge into Union Missouri by (a) transferring all of its then assets to Union Missouri, (b) converting each share of its outstanding 82,344¾ shares of 6% cumulative preferred stock into one share of Preferred Stock, $4.50 Series, of Union Missouri, and (c) converting each share of its 408 shares of common stock, held by others than Union Missouri, into three-fourths of a share of said Preferred Stock, $4.50 Series. (No certificates for fractional shares of the $4.50 Series, Preferred Stock, will be issued, but in lieu thereof, fractional scrip will be issued. Said scrip, during the period of one year will be exchangeable in combination with other similar scrip for full shares. At the expiration of one year, the scrip will be paid off in cash on the basis of the average closing prices of the New York Stock Exchange during the five-day period immediately following the expiration date.)

4. Mississippi proposes, coincident with the merger, to accept for cancellation the remaining 159,592 shares of its common stock owned by Union Missouri and to dissolve;

5. Mississippi proposes to effect said merger under the applicable statutes of the States of Maine and Missouri, to submit the merger agreement to the stockholders of Mississippi and Union Missouri, and to submit the reduction of its capital and the transfer of its properties to Iowa Union to the stockholders of Mississippi.

6. Union Missouri proposes to acquire the properties of Mississippi located in the State of Missouri, certain current assets and liabilities of Mississippi, and the 461,000 shares of the common stock of Iowa Union to be issued for the purpose set forth in paragraph numbered 2 above;

7. Union Missouri proposes to issue approximately 82,650 additional shares of its Preferred Stock, $4.50 Series, without par value, upon conversion of the 82,344¾ shares of 6% Cumulative Preferred Stock and 408 shares of the common stock of Mississippi as set forth in paragraph numbered 3 above;

8. Union Missouri proposes to surrender for cancellation the 159,592 shares of the common stock of Mississippi now owned by it;

[1] See Holding Company Act Release No. 5005.

9. Iowa Union proposes to issue 461,000 shares of its common stock to Mississippi and to acquire in exchange therefor the physical properties of Mississippi, other than those located in the State of Missouri, and certain current assets which are subject to certain current liabilities;

10. Iowa Union proposes, after the acquisitions mentioned in the last preceding paragraph, to merge with Union Electric Company of Illinois (hereinafter sometimes referred to as Union Illinois) by transferring all of its then assets, subject to all liabilities, to Union Illinois and, in connection therewith, to convert the 492,000 shares of its then outstanding common stock into common stock of Union Illinois on the basis of nine shares of the common stock of Union Illinois for each four shares of the common stock of Iowa Union, and to then dissolve;

11. Union Illinois proposes, in connection with the proposed merger with Iowa Union, to acquire all of the latter company's assets, subject to all liabilities, and to issue approximately 1,107,000 additional shares of its common stock, of the par value of $20 per share to Union Missouri in conversion of the 492,000 shares of the common stock of Iowa Union;

12. Union Missouri proposes to acquire, as a result of the conversion referred to in the last two preceding paragraphs, aproximately 1,107,000 additional shares of the common stock of Union Illinois and to pledge said common stock with the Trustee under its mortgage as additional security for the outstanding bonds of Union Missouri.

The Commission being required by the provisions of section 11 (e) of said act, before approving any plan thereunder, to find after notice and opportunity for hearing, that the plan of Mississippi River Power Company, as submitted or as modified, is necessary to effectuate the provisions of section 11 (b) and is fair and equitable to the persons affected by such plan; and

It being appropriate that notice be given and a hearing held with respect to the applications and declarations of Union Electric Company of Missouri, Iowa Union Electric Company, and Union Electric Company of Illinois and that said applications and declarations shall not become effective or granted except pursuant to the further order of the Commission; and

It appearing that the common issues of fact and law arising in connection with the plan of Mississippi River Power Company and the applications and declarations of Union Electric Company of Missouri, Iowa Union Electric Company, and Union Electric Company of Illinois make it appropriate that the hearings thereon be consolidated; *It is hereby ordered*: (a) That the hearings on the plan of Mississippi River Power Company and on the declarations and applications of Union Electric Company of Missouri, Iowa Union Electric Company, and Union Electric Company of Illinois be consolidated, subject to a reservation of jurisdiction to separate, whether for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters hereinbefore set forth or which may arise in these proceedings, or to consolidate with these proceedings other filings or matters pertaining to said plan or take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved;

(b) That the consolidated hearings be held on the 8th day of June, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in Room 318. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by its rules of practice, Rule XVII, on or before the 31st day of May 1944.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That notice of this hearing be given to Mississippi River Power Company, Union Electric Company of Missouri, Iowa Union Electric Company, Union Electric Company of Illinois, Illinois Commerce Commission, and Public Service Commission of Missouri, and to all other persons; such notice to be given to Mississippi River Power Company, Union Electric Company of Missouri, Iowa Union Electric Company, Union Electric Company of Illinois, Illinois Commerce Commission, and Public Service Commission of Missouri by registered mail and to all other persons by publication in the FEDERAL REGISTER, and by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under said act; and

It is further ordered, That Mississippi River Power Company mail a copy of the plan filed pursuant to section 11 (e) of the act together with a copy of this notice and order to each of its stockholders at his last known address at least twenty days prior to the 8th day of June 1944.

It is further ordered, That without limiting the scope of the issues presented by the plan and by the applications and declarations, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the plan of Mississippi River Power Company as proposed or as modified is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected thereby;

2. Whether the accounting entries proposed in connection with the plan and applications and declarations are appropriate and in accordance with sound accounting principles and practice;

3. Generally, whether the proposed transactions of Union Electric Company of Missouri, Iowa Union Electric Company, and Union Electric Company of Illinois are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder, and, if not, what modification should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-6486; Filed, May 6, 1944; 12:45 p. m.]

[File No. 59-24]

CITIES SERVICE CO., ET AL.

ORDER REQUIRING DIVESTITURE BY HOLDING COMPANIES AND SUBSIDIARIES IN HOLDING COMPANY SYSTEM

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of May, A. D. 1944.

In the matter of Cities Service Company and its subsidiary companies, File No. 59-24.

The Commission having instituted proceedings under section 11 (b) (1) of the Public Utility Holding Company Act of 1935 respecting Cities Service Company and its subsidiary companies; the said companies having filed answers, and hearings having been held, requests for findings of fact and briefs in support thereof having been filed and exchanged, oral argument having been heard; and the Commission being advised in the premises and having this day issued its findings and opinion herein, and having determined that Cities Service Company should be limited in its operations to those of the single integrated gas utility system of Kansas City Gas Company, The Wyandotte County Gas Company, and The Gas Service Company, having determined that section 11 (b) (1) does not permit the retention of any additional integrated public-utility system together with the said single integrated system, and having determined that Cities Service Company may retain, as reasonably incidental, or economically necessary or appropriate to the said system the natural gas production and transmission properties of Cities Service Gas Company.

It is ordered, That Cities Service Company shall sever its relationship with the companies named hereafter by disposing or causing the disposition, in any appropriate manner not in contravention of the applicable provisions of the said act or the rules and regulations promulgated thereunder, of its direct and indirect ownership, control, and holding of securities issued and properties owned, controlled, or operated by the following companies:

Arkansas Pipeline Corporation.
Arkansas Fuel Oil Company.
Arkansas Natural Gas Corporation.
Arkana Transit Company.
Orange State Oil Company.
Pen Wyo. Trust, The.
Atlantic Oil Company, The.
Phebus Oil Company, The
Columbus Oil Company, The.

Arkansas Louisiana Gas Company.
Lisbon Gasoline Company, Inc.
Transark Oil & Gas Company.
Brightman Manufacturing Company.
Chesebrough Building Company.
No. 8 State Street Realty Corporation.
South Ferry Company, Inc.
Cia de Gas y Combustible "Imperio", S. A.
Cia de Terrenos Petroliferos "Imperio", S. A.
Cities Service Oil Company (France).
Cities Service Oil Company, Limited (Ontario).
Cities Service Oil Company (Pennsylvania).
Cia Petrolera del Agwi.
Crew Levick Company.
Forward Process Company.
Mexican Atlas Petroleum Company.
Swiftite Aircraft Corporation.
Cities Service Power & Light Company.
Alliance Public Service Company.
Stark Transit, Inc.
Electric Building Company, The.
Benton County Utilities Corporation.
City Light & Traction Company.
Community Traction Company, The.
Maumee Valley Transportation Company.
Danbury and Bethel Gas and Electric Light Co., The.
Doniphan County Light & Power Co., The.
East Tennessee Light & Power Co.
Empire District Electric Company, The.
Federal Light & Traction Company.
Albuquerque Gas and Electric Company.
Deming Ice and Electric Co.
Electric Land Company, The.
Federal Advisers, Inc.
Federal Realty Company.
Las Vegas Light and Power Co., The.
New Mexico Power Co.
Rawlins Electric Co.
Sheridan County Electric Co.
Springfield Gas and Electric Co.
Stonewall Electric Co.
Trinidad Electric Transmission, Railway and Gas Co., The.
Tucson Gas, Electric Light & Power Co.
Tucson Rapid Transit Co.
Twin City Transit Co.
Knoxville Gas Co., The.
Lawrence County Water, Light & Cold Storage Co.
Ohio Public Service Co., The.
Arvada Electric Company, The
Cheyenne Light, Fuel and Power Co.
Colorado-Wyoming Gas Co.
Eastern Colorado Power and Irrigation Co., The.
Green and Clear Lakes Co.
Hillcrest Ditch and Reservoir Co., The.
East Boulder Ditch Co.
St. Joseph Railway, Light, Heat & Power Co.
Spokane Gas & Fuel Co.
Toledo Edison Company, The.
Toledo & Indiana Realty Co., The.
Consolidated Cities Light, Power & Traction Company.
Dominion Natural Gas Company, Limited.
United Fuel Investments, Ltd.
Hamilton By-Products Coke Ovens, Ltd.
United Gas and Fuel Company of Hamilton, Ltd.
Wentworth Gas Company, Ltd., The.
United Suburban Gas Company, Ltd., The.
Empire Gas and Fuel Company.
American Pipeline Company.
Cities Service Oil Company (Delaware).
Empire Pipeline Company.
Kaw Pipeline Company.
Wilbarger Water Company.
Empire Oil and Refining Company.
Indian Territory Illuminating Oil Company.
Texas-Empire Pipeline Company, The.
Texas-Empire Pipeline Company of Texas.
Texas-New Mexico Pipeline Company.
Empire Pipeline Company of Mexico, S. A., The.
Gulf Coast Corporation.
Manufacturers Natural Gas Company, Ltd., The.
Mexico-Eastern Oil Company.
Mexico-Texas Petrolene and Asphalt Company.
Natural Gas Pipeline Company of America.
Ozark Utilities Company.
Penn-York Natural Gas Corporation.
Quadrangle Gas Company.
Republic Light, Heat and Power Company, Inc.
Richfield Oil Corporation.
Sabino-Gordo Petroleum Corporation.
Southern Fuel & Refining Company.
Tampico Texas Petroleum Corporation.
Texoma Natural Gas Company.
Cities Service Oil Company—Argentina.
Cities Service Defense Corporation.
Home Gas & Electric Co.
Hydro Patents Co.
Sinclair-Panama Oil Corp.
Mountain & Plains Irrigation Co.
Pueblo Gas & Fuel Co.
Guayaquil & Quito Railway Co.
New York World's Fair, Inc.
Lake Shore Coach Co.
Tri-City Gas Company.
Electric Advisers, Inc.
Gas Advisers, Inc.
Petroleum Advisers, Inc.

and any other security, operation or interest, direct or indirect, not found by the Commission in its findings and opinion herein to be retainable by Cities Service Company.

The Commission desiring to afford to Cities Service Company an opportunity to indicate its preference for limitation to any other single integrated public-utility system within its control, and such other utility and non-utility operations as may properly be attendant thereto, as set forth in the opinion of the Commission this day issued;

It is ordered, That, notwithstanding the provisions of Rule XII (d) of the Commission's rules of practice, Cities Service Company may, within fifteen days of the date of this order, petition for leave to indicate a desire to be limited otherwise than indicated herein and on the basis of a single system and retainable attendant operations as set forth in the opinion of the Commission herein; and the Commission retains jurisdiction to consider the said request and to make such amendment or modifications hereof and such other and further orders as may be necessary in the premises; and

2. The Commission having determined that Arkansas Natural Gas Corporation should be limited to the properties of Arkansas Louisiana Gas Company, and having determined that Arkansas Natural Gas Corporation may not retain any other properties in connection therewith; on the basis of the findings and opinion herein this day issued;

It is ordered, That Arkansas Natural Gas Corporation shall sever its relationships with the companies named hereafter by disposing or causing the disposition, in any appropriate manner not in contravention of the applicable provisions of the said act or the rules and regulations promulgated thereunder, of its direct and indirect ownership, control, and holding of securities issued and properties owned, controlled, or operated by the following companies:

Arkansas Fuel Oil Company.
Arkansas Pipeline Corporation.
Arkana Transit Company.
The Penn Wyo. Trust.
The Atlantic Oil Company.
The Phebus Oil Company.
The Columbus Oil Company.
Lisbon Gasoline Company, Inc.
Transark Oil & Gas Company.
Petroleum Advisers, Inc.
Gas Advisers, Inc.
Orange State Oil Company.

and any other security, operation or interest, direct or indirect, not found by the Commission in its findings and opinion herein to be retainable by Arkansas Natural Gas Corporation.

It is provided, With respect to the findings, opinion and order herein, in their entirety, and with respect to the entry, publication, and service thereof that they shall be without prejudice to the right of the Commission to enter such other and further appropriate orders from time to time as the Commission may deem necessary to secure compliance by the respondents with the provisions of the Act and the pertinent rules and regulations thereunder and to carry out the provisions of this order; and

It is further provided, That jurisdiction is reserved to the Commission, notwithstanding this order, or its entry, publication, and service, to conduct such investigations, hearings, or other proceedings involving any or all of the respondents herein and to make such orders as it shall deem necessary or appropriate under section 11 (b) (2) or any other provision of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-6489; Filed, May 6, 1944; 12:45 p. m.]

[File Nos. 70-793, 54-64, 59-60]

INDIANA HYDRO-ELECTRIC POWER CO., ET AL.

ORDER APPROVING PLAN, GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 4th day of May 1944.

In the matter of Indiana Hydro-Electric Power Company, Northern Indiana Public Service Company, File No. 70-793; Indiana Hydro-Electric Power Company, File No. 54-64; Indiana Hydro-Electric Power Company Hugh M. Morris, Trustee of the Estate of Midland United Company, File No. 59-60.

Indiana Hydro-Electric Power Company (Hydro), a subsidiary of Hugh M. Morris, Trustee of the Estate of Midland United Company (United), a registered holding company, having filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of an amended plan for the merger of Hydro into Northern Indiana Public Service Company (Northern); and

Northern and United having filed applications and declarations pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (b), 7 (e),

12 (c) and 12 (f) thereof, and Rules U-42, U-43 and U-44 thereunder for authorization for particular transactions constituting component parts of such plan, including: (1) the assumption by Northern of Hydro's First Mortgage 5% Bonds, in the principal amount of $2,604,000; (2) the exemption from the provisions of section 6 (a) of the act pursuant to the provisions of section 6 (b) thereof of the issuance by Northern of 11,400 shares of its 5% Cumulative Preferred Stock of the par value of $100 per share in exchange for 7% Cumulative Preferred Stock of Hydro; (3) alteration of rights of preferred stockholders of Northern; (4) transfer to Hydo by Northern and United of such preferred and common stock of Hydro as is owned by them; (5) acquisition and cancellation of the preferred stock of Hydro and Northern owned by dissenting stockholders.

A public hearing having been held on the applications and declarations as amended; the Commission having considered the record in this matter and having made and filed its findings and opinion herein;

It is ordered, That said plan, as amended, be, and the same is hereby approved, and that the said applications and declarations, as amended, be, and the same are hereby granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations promulgated pursuant to the Public Utility Holding Company Act of 1935 and to the following additional condition:

That in addition to the dividend restriction contained in the agreement of merger of Hydro into Northern, so long as any shares of preferred stock are outstanding, Northern will not declare or pay dividends in any calendar year on its common stock in excess of 75% of the net income of the company for the preceding calendar year available for such stock, unless the sum of the capital applicable to the common stock of Northern plus the surplus of the company, after giving effect to such dividends, exceeds 25% of total capitalization including surplus. In computing net income and the ratio of common stock and surplus to total capitalization, for the purpose of applying the dividend restrictions contained in the agreement of merger and in this condition, Northern shall use its audited statement of income and shall give effect to the accounting adjustments embodied in the orders of the Federal Power Commission and the Public Service Commission of Indiana relating to the disposition of the amount reclassified as Plant Adjustments (Account 107).

It is further ordered, That jurisdiction be and hereby is reserved over the legal expenses of Indiana Hydro-Electric Power Company in connection with the plan.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F R. Doc. 44-6490; Filed, May 6, 1944; 12:45 p. m.]

[File No. 1-2000]

CONTINENTAL CUSHION SPRING COMPANY

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of May, A. D. 1944.

The Board of Trade of the City of Chicago pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Capital Stock, $1.00 Par Value, of the Continental Cushion Spring Company;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Monday, May 22, 1944, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Chas. S. Lobingier, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-6503; Filed, May 8, 1944; 10:01 a. m.]

[File No. 70-882]

NORTHERN INDIANA PUBLIC SERVICE CO.

ORDER DENYING EXCEPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of May, A. D. 1944.

Applications and declarations having been filed by Northern Indiana Public Service Company under the Public Utility Holding Company Act of 1935 with respect to various transactions including the proposed issue and sale by said company of 220,078 shares of new cumulative 5% dividend preferred stock, $100 par value;

Said company having requested that such issue and sale be excepted from the provisions of Rule U-50 of the general rules and regulations promulgated under said act; the Commission having duly considered the matter and having this day issued its opinion herein;

In accordance with said opinion, and pursuant to the applicable provisions of said act and Rule U-50,

It is ordered, That said request for exception be and hereby is denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-6504; Filed, May 8, 1944; 10:01 a. m.]

SELECTIVE SERVICE SYSTEM.

[Operations Order 30]

HANDLING OF RECORDS OUTSIDE CONTINENTAL U. S. AND ITS POSSESSIONS

DELEGATION OF AUTHORITY

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby order:

That any officer, employee or representative of the Department of State or of the Panama Canal is authorized to receive, handle, examine, transmit and perform administrative actions with regard to the records of any registrant who during the process of his registration, classification or induction is outside the continental United States, the Territory of Alaska, the Territory of Hawaii, Puerto Rico or the Virgin Islands of the United States whenever and to the extent requested to do so by an officer of the Selective Service System. The words "administrative actions" as used herein shall include determination of the time and place, or either of them, at which such a registrant may appear for physical examination or induction in lieu of reporting at the office of his local board.

LEWIS B. HERSHEY, *Director.*

MAY 5, 1944.

[F. R. Doc. 44-6472; Filed, May 6, 1944; 11:19 a. m.]

WAR FOOD ADMINISTRATION.

DIRECTOR OF DISTRIBUTION

DELEGATION OF AUTHORITY WITH RESPECT TO PRICING OF FRESH FRUITS AND VEGETABLES

Pursuant to the authority vested in me as War Food Administrator, there is hereby delegated to the Director of Distribution, War Food Administration, authority to consider and approve the maximum prices for fresh fruits and vegetables, governed by Maximum Price Regulation No. 376, as adjusted, from time to time, by any regional office of the Office of Price Administration in accordance with said Maximum Price Regulation No. 376.

The authority delegated herein may be redelegated by the Director of Distribution to any employee of the United States Department of Agriculture.

When used herein, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

The term "Maximum Price Regulation No. 376" means Maximum Price Regulation No. 376 (8 F.R. 5487), issued by the Price Administrator, Office of Price Administration, on April 24, 1943, as amended at the time the authority delegated herein is exercised.

The term "fresh fruits and vegetables" shall have the same meaning as that which it has when used in said Maximum Price Regulation No. 376.

The term "regional office of the Office of Price Administration" includes each field office of the Office of Price Administration to which authority to act has been delegated, in accordance with Maximum Price Regulation No. 376, by the appropriate regional office of the Office of Price Administration.

(56 Stat. 23, 50 U.S.C., 1940 ed., Sup. II, 901 *et seq.*; 56 Stat. 765, 50 U.S.C., 1940 ed., Sup. II, 961 *et seq.*; E.O. 9250, 7 F.R. 7871; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of May 1944.

MARVIN JONES, *War Food Administrator.*

[F. R. Doc. 44-6464; Filed, May 5, 1944; 3:22 p. m.]

REGIONAL DIRECTORS OF DISTRIBUTION

DELEGATION OF AUTHORITY WITH RESPECT TO PRICING OF FRESH FRUITS AND VEGETABLES

Pursuant to the authority vested in me by the War Food Administrator, there is hereby delegated to each Regional Director of Distribution, Office of Distribution, War Food Administration, authority to consider and approve the maximum prices for fresh fruits and vegetables, governed by Maximum Price Regulation No. 376, as adjusted, from time to time, by any regional office of the Office of Price Administration in accordance with said Maximum Price Regulation No. 376, which are applicable within the area (8 F.R. 15764) served by the respective Regional Director.

When used herein, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

The term "Maximum Price Regulation No. 376" means Maximum Price Regulation No. 376 (8 F.R. 5487), issued by the Price Administrator, Office of Price Administration, on April 24, 1943, as amended at the time the authority delegated herein is exercised.

The term "fresh fruits and vegetables" shall have the same meaning as that which it has when used in said Maximum Price Regulation No. 376.

The term "regional office of the Office of Price Administration" includes each field office of the Office of Price Administration to which authority to act has been delegated, in accordance with Maximum Price Regulation No. 376, by the appropriate regional office of the Office of Price Administration.

(56 Stat. 23, 50 U.S.C., 1940 ed., Sup. II, 901 *et seq.*; 56 Stat. 765, 50 U.S.C., 1940 ed., Sup. II, 961 *et seq.*; E.O. 9250, 7 F.R. 7871; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of May 1944.

C. W. KITCHEN, *Acting Director of Distribution.*

[F. R. Doc. 44-6465; Filed, May 5, 1944; 3:23 p. m.]

WAR PRODUCTION BOARD.

[Certificate 158, Amdt. 2]

PRINCIPAL PETROLEUM PRODUCTS IN DISTRICT ONE

APPROVAL OF PAW DIRECTIVE

The ATTORNEY GENERAL.

Referring to Certificate No. 158 issued pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), on November 11, 1943, and to Amendment No. 1 thereto issued January 29, 1944, I submit herewith Amendment No. 2[1] to Petroleum Directive 59 as amended December 1, 1943, of the Petroleum Administration for War.

For the purposes of the statute cited, I approve the amendment; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Petroleum Directive 59 as amended is requisite to the prosecution of the war.

DONALD M. NELSON, *Chairman.*

MAY 1, 1944.

[F. R. Doc. 44-6410; Filed, May 5, 1944; 11:34 a. m.]

GEORGIAN FURNITURE CO., INC.

CONSENT ORDER

Georgian Furniture Co., Inc., a corporation which was located at 307 East 53d Street, New York, New York, and which was engaged in the upholstery business, was charged by the War Production Board on February 25, 1944, with having substantially and with gross negligence violated Limitation Order L-135, as of September 30, 1942, in that during the period beginning on or about November 1, 1942, through May 25, 1943, it violated Limitation Order L-135 by processing, fabricating, working on and assembling in excess of 370 pieces of wood upholstered furniture containing steel springs and coils, although Limitation Order L-135 provided that on and after November 1, 1942, no new wood upholstered furniture manufacturer should process, work on or assemble any new wood upholstered furniture which contained any iron or steel other than joining hardware. It was further charged that Georgian Furniture Co., Inc., formerly located at 307 East 53d Street, New York, New York, submitted to the War Production Board misleading information regarding the extent to which it was complying with Limitation Order L-135, thereby subjecting itself to administrative action under the provisions of Priorities Regulation No. 1 issued by the War Production Board.

Georgian Furniture Co., Inc., subsequent to the date of the violations charged as above, assigned its assets and business to William Rinn and Jack Rinn, a partnership, doing business as Georgian Furniture Company, located at 307 East 53d Street, New York, New York. William Rinn and Jack Rinn were the principal officers, directors and stockholders of the corporation. Subsequent to this assignment, the corporation was dissolved.

Georgian Furniture Co., Inc., and the above described William Rinn and Jack Rinn admit the violations as charged and have consented to the issuance of this order. Wherefore, upon the agreement and Consent of Georgian Furniture Co. Inc. and the above described William Rinn and Jack Rinn, the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered:*

That (a) Georgian Furniture Co., Inc., and William Rinn and Jack Rinn, a partnership, doing business as Georgian Furniture Company, their successors or assigns, during the three months period beginning April 1, 1944, and ending June 30, 1944, shall not consume in the production of furniture (other than for preferred orders) essential metal parts having a total cost value of more than eleven per cent (11%) of the total cost value of essential metal parts consumed by it in the production of furniture during its metal parts base period (other than for preferred orders); and during the three months period beginning July 1, 1944, and ending September 30, 1944, Georgian Furniture Co., Inc., and William Rinn and Jack Rinn, a partnership, doing business as Georgian Furniture Company, their successors or assigns, shall not consume in the production of furniture (other than for preferred orders) essential metal parts having a total cost value of more than eleven percent (11%) of the total cost value of essential metal parts consumed by it in the production of furniture during its metal parts base period (other than for preferred orders).

(b) Nothing contained in this order shall be deemed to relieve Georgian Furniture Co., Inc., and William Rinn and Jack Rinn, a partnership, doing business as Georgian Furniture Company, their successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 1, 1944, and shall expire on September 30, 1944.

Issued this 6th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN, *Recording Secretary.*

[F. R. Doc. 44-6495; Filed, May 6, 1944; 4:31 p. m.]

[1] *Supra.*

AMALGAMATED STEEL CO.

CONSENT ORDER, AMDT.

H. S. Meshorer, doing business as Amalgamated Steel Company, located at 7835 Broadway Avenue, Cleveland, Ohio, has requested relief, upon the grounds of hardship, from the terms of the consent order entered into by him with the War Production Board on December 17, 1943, and issued January 1, 1944, by the War Production Board.

The Regional Compliance Chief, the Regional Attorney, and the Compliance Commissioner have reviewed the case and concluded, on April 28, 1944, that undue hardship would result unless the consent order were modified.

Wherefore, upon the agreement and consent of H. S. Meshorer, doing business as Amalgamated Steel Company, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

The consent order herein referred to, issued January 1, 1944, be, and hereby is, amended by the substitution of the following paragraph (d) for the present paragraph (d):

(d) This order shall take effect upon the date of issuance, and shall expire on May 1, 1944.

Issued this 5th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6409; Filed, May 5, 1944; 11:32 a. m.]

[Certificate 24, Revocation]

RECOMMENDATION OF PETROLEUM COORDINATOR FOR WAR

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw my certificate and finding dated December 1, 1942 (7 F.R. 10089), concerning recommendation No. 58 of the Petroleum Coordinator for War.

DONALD M. NELSON,
Chairman.

MAY 3, 1944.

[F. R. Doc. 44-6519; Filed, May 8, 1944; 11:06 a. m.]

[Certificate 117, Revocation]

TRANSPORTATION AND DELIVERY OF FOOD PRODUCTS IN TOPEKA, KANS.

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw my certificate and finding dated August 21, 1943 (8 F.R. 11775), concerning a recomendation of the Director of the Office of Defense Transportation with respect to the transportation and delivery of food products in Topeka, Kansas, including North Topeka and those districts known as Oakland and Highland Park.

DONALD M. NELSON,
Chairman.

MAY 4, 1944.

[F. R. Doc. 44-6520; Filed, May 8, 1944; 11:06 a. m.]

[Certificate 134, Revocation]

TRANSPORTATION AND DELIVERY OF DAIRY PRODUCTS IN DURANGO, COLO.

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw my certificate and finding dated September 14, 1943 (8 F.R. 12858), concerning a recommendation of the Director of the Office of Defense Transportation with respect to the transportation and delivery of dairy products by motor vehicle in Durango, Colorado.

DONALD M. NELSON,
Chairman.

MAY 3, 1944.

[F. R. Doc. 44-6521; Filed, May 8, 1944; 11:06 a. m.]

[Certificate 138, Revocation]

TRANSPORTATION AND DELIVERY OF DRUGS IN MILWAUKEE COUNTY, WIS.

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw my certificate and finding dated September 21, 1943, (8 F.R. 13360), concerning a recommendation of the Director of the Office of Defense Transportation with respect to the transportation and delivery of drugs by motor vehicle in Milwaukee County, Wisconsin.

DONALD M. NELSON,
Chairman.

MAY 3, 1944.

[F. R. Doc. 44-6522; Filed, May 8, 1944; 11:06 a. m.]

[Certificate 161, Revocation]

TRANSPORTATION AND DELIVERY OF FLOWERS AND RELATED ARTICLES IN DALLAS, TEX., AREA

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw my certificate and finding dated November 12, 1943 (8 F.R. 15725), concerning a recommendation of the Director of the Office of Defense Transportation with respect to the transportation and delivery by motor vehicle of flowers and related articles in the Dallas, Texas, area.

DONALD M. NELSON,
Chairman.

MAY 3, 1944.

[F. R. Doc. 44-6523; Filed, May 8, 1944; 11:06 a. m.]

[Certificate 185, Revocation]

TRANSPORTATION AND DELIVERY OF NEWSPAPERS IN NEW YORK CITY AREA

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw my certificate and finding dated November 18, 1943 (8 F.R. 16068), concerning a recommendation of the Director of the Office of Defense Transportation with respect to the transportation and delivery by motor vehicle of newspapers in the New York City area.

DONALD M. NELSON,
Chairman.

MAY 4, 1944.

[F. R. Doc. 44-6524; Filed, May 8, 1944; 11:06 a. m.]

[Certificate 187, Revocation]

TRANSPORTATION AND DELIVERY OF MILK IN KEOKUK, IOWA

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw my certificate and finding dated November 18, 1943 (8 F.R. 16088), concerning a recommendation of the Director of the Office of Defense Transportation with respect to the transportation and delivery of milk by motor vehicle in Keokuk, Iowa.

DONALD M. NELSON,
Chairman.

[F. R. Doc. 44-6525; Filed, May 8, 1944; 11:06 a. m.]

WAR SHIPPING ADMINISTRATION.

"BENSON"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the Act approved March 24, 1943, (Public Law 17, 78th Congress).

Whereas on May 29, 1942, title to the vessel "Benson," Off. No. undocumented (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the Act approved March 24, 1943, (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however,* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, EMORY S. LAND, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisititoned, for all purposes, as of the date of the original taking.

Dated: May 4, 1944.

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 44-6433; Filed, May 5, 1944; 2:19 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 93

Washington, Wednesday, May 10, 1944

Regulations

TITLE 12—BANKS AND BANKING

Chapter III—Federal Deposit Insurance Corporation

PART 309—VOLUNTARY TERMINATION OF INSURED STATUS

Sec.

309.1 Steps to be taken and records to be furnished the Corporation by an insured nonmember bank in liquidation.

309.2 Steps to be taken and records to be furnished the Corporation by a member bank in liquidation (both State and national).

309.3 Steps to be taken and records to be furnished the Corporation where deposits are assumed by another insured bank.

AUTHORITY: §§ 309.1 to 309.3, inclusive, issued under 12 U.S.C. 264 (j), (h) and (i).

§ 309.1 *Steps to be taken and records to be furnished the Corporation by an insured nonmember bank in liquidation.* (a) Whenever a nonmember bank goes into liquidation and its insured status has not been terminated by the board[1] and its deposit liabilities are not assumed by another insured bank, it shall terminate its status as an insured bank in accordance with the provisions of paragraph (1), subsection (i) of section 12B of the Federal Reserve Act, as amended.[2] To effect such termination the bank shall adopt a resolution in form substantially as follows:

RESOLVED: (1) that the status of the ----------
(Name of bank)
---------- ----------
(City or town) (State)
as an insured bank under the provisions of section 12B of the Federal Reserve Act, as amended, shall terminate ninety (90) days from the date of the receipt by the Federal Deposit Insurance Corporation of a copy of this resolution;[3]

(2) That ----------
(Cashier or other officer)
is hereby directed to immediately forward a certified copy of this resolution to the Federal Deposit Insurance Corporation, Washington, D. C., which shall constitute the notice of termination prescribed in paragraph (1), subsection (i) of said section 12B.

Upon receipt of a certified copy of the aforesaid resolution the Corporation will promptly advise the bank of the date of the receipt thereof, and confirm the date of the termination of its insured status.

Thereupon, and prior to the termination date, the bank shall give notice to its depositors of the termination of its insured status. Such notice shall be (1) mailed to each depositor at his last address of record as shown upon the books of the bank; (2) published in not less than two issues of a local newspaper of general circulation, and (3) in form substantially as follows:

(Date)

NOTICE TO DEPOSITORS:

PLEASE BE ADVISED that the status of the ---------- ---------- ----------
(name of bank) (city or town) (State)
as an insured bank under the provisions of section 12B of the Federal Reserve Act, as amended, will terminate on the ------ day of ----------, 19----.

YOU ARE FURTHER ADVISED that your insured deposits in this bank on the date of termination will continue to be insured within the limitations provided by law.

(Name of bank)

(Address)

[1] Board means board of directors of the Federal Deposit Insurance Corporation.

[2] The Federal Deposit Insurance Act (12 U.S.C. 264) provides in subsection (i) (1), in part, as follows: "Any insured bank (Except a national member bank or State member bank) may, *upon not less than ninety days' written notice to the Corporation*, and to the Reconstruction Finance Corporation if it owns or holds as pledgee any preferred stock, capital notes, or debentures of such bank, terminate its status as an insured bank • • • After the termination of the insured status of any bank • • • the insured deposits of each depositor in the bank on the date of such termination, less all subsequent withdrawals from any deposits of such depositor, shall continue for a period of two years to be insured, and the bank shall continue to pay to the Corporation assessments as in the case of an insured bank during such period. • • • [Italics supplied]

[3] If the bank desires to fix a later date of termination, it may do so as the law prescribes only the minimum notice period which is 90 days.

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

	Page
ALIEN PROPERTY CUSTODIAN:	
Proceeding for allowance of claim; Meehanite Metal Corp., et al	4953
Vesting orders:	
Fortuna-Werke A. G	4955
Horikoshi, Z., and Co., Inc	4954
Lunsmann, H. A	4954
Metrowatt A. G	4955
Miwa, J. S., and Co., Ltd	4954
Nakayama, Yemiko and Akira	4953
CIVIL AERONAUTICS ADMINISTRATION:	
Civil airway designation; San Antonio, Tex., to Big Spring, Tex. (Blue 30)	4930
Control airport designation:	
Melbourne Naval Air Station, Fla	4930
Pueblo Municipal Airport, Colo	4930
Radio fix redesignation:	
San Antonio, Tex., to Big Spring, Tex. (Green 3)	4930
San Francisco, Calif., to New York, N. Y. (Blue 30)	4930
COAL MINES ADMINISTRATION:	
Thornbottom Coal and Coke Co., et al., termination of Government possession	4950
FEDERAL DEPOSIT INSURANCE CORPORATION:	
Insured status, voluntary termination	4927
FOREIGN ECONOMIC ADMINISTRATION:	
Commodities, applications to export	4931
Exportations, prohibited	4930
Gifts to prisoners of war and internees, general license	4931
Jute bags, license for export to Cuba and Dominican Republic	4931
GENERAL LAND OFFICE:	
Alaska, land withdrawal for classification (2 documents)	4949
Utah, modification of grazing districts	4950
INDIAN AFFAIRS OFFICE:	
Colville Irrigation Project, Wash., operation and maintenance charges	4930

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

	Page
INTERIOR DEPARTMENT. *See also* General Land Office; Indian Affairs Office.	
Nevada, revocation of land withdrawal for proposed grazing district	4950
INTERSTATE COMMERCE COMMISSION:	
Refrigeration permits, etc.:	
Ice, Bakersfield, Calif.	4953
Malting barley, Duluth, Minn.	4952
Potatoes, Alabama	4953
OFFICE OF DEFENSE TRANSPORTATION:	
Common carriers, coordinated operations:	
Hastings and Omaha, Nebr.	4956
New York, N. Y., and Boston, Mass.	4955
New York, N. Y., and Waterbury, Conn.	4956
OFFICE OF PRICE ADMINISTRATION:	
Adjustment; Smalley-General Co.	4957

CONTENTS—Continued

	Page
OFFICE OF PRICE ADMINISTRATION—Continued.	
Building materials, etc., manufacturers' maximum prices (MPR 188, 2d Rev. Order A–3, Order 10)	4957
Coal carbonization and carburated water gas by-products, certain sales (Rev. SR 1, Am. 55)	4948
Fruits and vegetables, fresh (MPR 376, Am. 3)	4948
Gasoline rationing (RO 5C, Am. 121)	4945
Iron or steel products, resale (RPS 49, Am. 23)	4944
Legume and grass seeds (MPR 471, Am. 4)	4948
Regional and district office orders:	
Bananas, Detroit, Mich., district	4958
Beer and ale, Albuquerque, N. Mex., district (3 documents)	4961, 4964
Butter:	
Franklin County, Ohio	4959
Wayne, Macomb and Oakland Counties, Mich.	4963
Citrus fruit, Boston, Mass. (2 documents)	4962
Community ceiling price orders, list of orders filed	4964
Fluid milk:	
Franklin County, Ohio	4963
Pine Township, Mercer County, Pa.	4962
Fruits and vegetables:	
Memphis, Tenn., district	4960
Trenton, N. J., district	4958
Poultry, Cleveland, Ohio, region	4959
Solid fuels:	
Boone, Campbell, and Kenton Counties, Ky.	4960
Hamilton County and Milford City, Ohio	4960
Parkersburg, W. Va.	4959
Warren, Ohio	4959
Tire mileage (MPR 414, Am. 1)	4945
Tobacco, Maryland (MPR 532)	4942
SELECTIVE SERVICE SYSTEM:	
Designation for conscientious objectors:	
Independence State Hospital Project, Iowa	4965
Skillman Project, N. J.	4965
SOLID FUELS ADMINISTRATION FOR WAR:	
Producers, commercial dock operators, and lake or tidewater forwarders; notice concerning form	4951
WAGE AND HOUR DIVISION:	
Embroidery industry, employment of home workers	4952
Learner employment certificates, issuance to various industries (2 documents)	4951, 4952
WAR FOOD ADMINISTRATION:	
Toohey, John J., designation to hold hearings, etc.	4965
WAR MANPOWER COMMISSION:	
Minimum wartime workweek:	
Akron, Ohio	4966
Bridgeton, N. J.	4965

CONTENTS—Continued

	Page
WAR MANPOWER COMMISSION—Con.	
Minimum wartime workweek—Continued.	
Canton, Ohio	4966
Cleveland, Ohio	4966
Columbus, Ohio	4966
Dayton, Ohio (2 documents)	4967
Fremont-Port Clinton, Ohio	4967
Lima, Ohio	4967
Lorain, Ohio	4968
Newark, Ohio	4968
Sidney-Piqua-Troy, Ohio	4968
Toledo, Ohio	4969
WAR PRODUCTION BOARD:	
Certificate; Lexington, Ky., retail merchants' joint action plan (No. 143, Rev.)	4969
Cinchona bark and alkaloids (M–131)	4936
Jute and jute products (M–70)	4931
Phenolic resins and resin molding compounds (M–246)	4938
Sanitary napkins (L–95)	4933
Sun glasses (L–238)	4941
Textile, clothing and related products, special programs (M–328B; Schedule A) (2 documents)	4934

(There may be included in such notice any additional information or advice the bank may deem desirable.)

(b) The bank shall furnish to the Corporation the following records and information:

(1) An affidavit of the mailing and an affidavit of the publication of the notice to depositors. The affidavit of mailing should be executed by the person mailing the notice and should state (i) the date of mailing, (ii) that it was mailed to each depositor at his last address of record as shown on the books of the bank and (iii) that a copy of the notice as mailed is attached.

(2) A certified copy of the resolutions pursuant to which the bank was placed in liquidation and/or any other document or instrument required by law to place the bank in liquidation.

(3) The bank shall continue to file certified statements and pay assessments thereon for the period its deposits are insured, as provided by the Federal Deposit Insurance Law:[4] *Provided*, That after the bank shall have paid in full its deposit liabilities and the assessment to the Corporation required to be paid for the semiannual period in which its deposit liabilities are paid in full, and after it shall under applicable law have ceased to have authority to transact a banking business and to have existence except for the purpose of, and to the extent permitted by law for winding up its affairs, it shall not be required to file further certified statements nor to pay further assessments.

(4) When the deposit liabilities of the bank shall have been paid in full, the bank shall furnish to the Corporation an affidavit executed by two of its officers,

[4] See footnote 2.

which affidavit shall state the fact that the deposit liabilities have been paid in full and give the date of the final payment thereof.[5]

(5) Where the bank has unclaimed deposits the affidavit to be furnished pursuant to the preceding paragraph, shall further state the amount of such unclaimed deposits and the disposition made of the funds to be held to meet such claims. For assessment purposes, the following will be considered as payment of such unclaimed deposits, viz:

(i) The transfer of cash funds in an amount sufficient to pay such unclaimed and unpaid deposits to the public official authorized under the law to receive the same; or

(ii) If no provision is made by law for the transfer of funds to a public official, the transfer of cash funds or compensatory assets to an insured bank in an amount sufficient to pay the unclaimed and unpaid deposits in consideration of such insured bank assuming the payment thereof: *Provided*, That, prior to such transfer, the liquidating bank shall have given notice, as hereinafter provided, to the owners of the unclaimed deposits of the intended transfer and a reasonable time shall have elapsed after the giving of such notice to enable the depositors to obtain their deposits. Such notice shall be mailed to each depositor and shall be published in a local newspaper of general circulation. The notice shall advise such depositors of the liquidation of the bank; shall request them to call for and accept payment of their deposits; and shall state the disposition to be made of their deposits upon their failure to promptly claim the same.

If such unclaimed and unpaid deposits are disposed of as provided in (i) above, a certified copy of the public official's receipts issued for such funds shall be furnished to the Corporation. If such unclaimed and unpaid deposits are disposed of as provided in (ii) above, an affidavit of the publication and of the mailing of the notice to depositors, together with a copy of such notice, and a certified copy of the contract of assumption shall be furnished to the Corporation.

(6) The liquidating bank shall advise the Corporation of the date on which the authority or right of the bank to do a banking business shall have terminated and the method or means whereby such termination shall have been effected, that is, whether such termination has been effected by the surrender of its charter, by the cancellation of its authority or license to do a banking business by the supervisory authority, or otherwise.[6]

[5] The issuance of a draft or officer's check does not constitute the discharge of a deposit liability or relieve the bank of assessment until such draft or other evidence of payment has been duly presented for payment and has been paid.

[6] As the governing law of the various jurisdictions is not uniform in this respect, it is suggested that the applicable statute be consulted and that this Corporation be advised of the manner in which the termination or cancellation of such authority has been effected.

§ 309.2 *Steps to be taken and records to be furnished the Corporation by a member bank in liquidation (both State and national).* (a) Whenever a bank which is a member of the Federal Reserve System goes into liquidation and its insured status has not been terminated by the board[7] and its deposit liabilities are not assumed by another insured bank, it shall notify its depositors of the date of the termination of its insured status.[8] Such notice shall be given in the form prescribed in the preceding section and shall be given at the time and in the manner therein provided.

(b) The bank shall furnish to the Corporation the records and information mentioned in, and comply with the requirements of, paragraph (b) of the preceding section.

§ 309.3 *Steps to be taken and records to be furnished the Corporation where deposits are assumed by another insured bank.*[9] (a) Whenever the deposit liabilities of an insured bank are assumed by another insured bank, the bank whose deposits are assumed or the assuming bank as its agent shall give notice to its depositors of such assumption. Such notice shall be (1) mailed to each depositor at his last address of record as shown upon the books of the bank; (2) published in not less than two issues of a local newspaper of general circulation, and (3) in form substantially as follows:

_____
(Date)

NOTICE TO DEPOSITORS:

PLEASE BE ADVISED that the deposit liabilities shown on the books of the undersigned bank as of the close of business on _____, 19____ have been assumed by the

_____
(Name of assuming bank)

_____
(City or town) (State)

and that the status of the undersigned bank as an insured bank will therefore terminate as provided in section 12B (i) (4) of the Federal Reserve Act, as amended.

YOU ARE FURTHER ADVISED that _____
(Name of _____ is an insured bank and assuming bank)
that your deposits will continue to be insured by the Federal Deposit Insurance Corporation in the manner and to the extent provided in said Act.

_____[10]
(Name of bank)

_____
(Address)

(There may be included in such notice any additional information or advice the bank may deem desirable.)

The bank shall furnish to the Corporation an affidavit of mailing and an affidavit of publication of the notice to depositors. The affidavit of mailing should be in the form prescribed in § 309.1 (b) (1).

(b) The liquidating bank shall continue to file certified statements and pay assessments thereon for the period its deposits are insured, as provided by the Federal Deposit Insurance Law: *Provided*, That if the liquidating bank, or the assuming bank as its agent, has given the requisite notice to the depositors of the assumption of the deposit liabilities within thirty days after such assumption takes effect, then the liquidating bank shall file a final certified statement, which statement shall be executed to reflect its average daily deposit liabilities for the semiannual period in which its deposit liabilities are assumed and shall pay to the Corporation the normal assessment thereon.[11]

(c) The Corporation will consider receipt of the following as satisfactory evidence of such assumption:

(1) A certified copy of the resolution (i) duly authorizing the bank's officers to enter into a contract for the sale of the bank's assets to another insured bank upon the consideration of the assumption by it of the deposit liabilities, and (ii) duly placing the bank in liquidation.

(2) A certified copy of the assumption agreement, provided it contains an express undertaking by an insured bank to pay the deposit liabilities of the bank going into liquidation.

(d) The bank shall furnish to the Corporation the information called for in paragraph (b) (6) of § 309.1.

Adopted March 17, 1944.

[SEAL] FEDERAL DEPOSIT INSURANCE CORPORATION,
By E. F. DOWNEY,
Secretary.

[F. R. Doc. 44–6563; Filed, May 8, 1944; 3:12 p. m.]

[7] See footnote 1.

[8] Said subsection (i) (2) provides, in part, as follows: "Whenever a member bank shall cease to be a member of the Federal Reserve System, its status as an insured bank shall, without notice or other action by the board of directors, terminate on the date the bank shall cease to be a member of the Federal Reserve System, with like effect as if its insured status had been terminated on said date by the board of directors after proceedings under paragraph (1) of this subsection." Section 10, subsection (c) of Regulation H of the Board of Governors of the Federal Reserve System provides, in part, as follows: "A bank's withdrawal from membership in the Federal Reserve System is effective on the date on which the Federal Reserve bank stock held by it is duly canceled."

[9] Said subsection (i) (4) provides, in part, as follows: "Whenever the liabilities of an insured bank for deposits shall have been assumed by another insured bank or banks, the insured status of the bank whose liabilities are so assumed shall terminate on the date of receipt by the Corporation of satisfactory evidence of such assumption with like effect as if its insured status had been terminated on said date by the board of directors after proceedings under paragraph (1) of this subsection: *Provided*, That if the bank whose liabilities are so assumed gives to its depositors notice of such assumption within thirty days after such assumption takes effect by publication or by any reasonable means, in accordance with regulations to be prescribed by the board of directors, the insurance of its deposits shall terminate at the end of six months from the date such assumption takes effect, and such bank shall thereupon be relieved of all future obligations to the Corporation, including the obligation to pay future assessments."

[10] If this notice is given by the assuming bank as agent for the liquidating bank, it may add its own name designating itself as agent.

[11] See § 302.3 of this chapter.

TITLE 14—CIVIL AVIATION

Chapter II—Office of the Administrator of Civil Aeronautics, Department of Commerce

[Amdt. 45]

PART 600—DESIGNATION OF CIVIL AIRWAYS

SAN ANTONIO, TEX., TO BIG SPRING, TEX.

MAY 1, 1944.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the regulations of the Administrator of Civil Aeronautics as follows:

1. By adding a new § 600.10329 *Blue civil airway No. 30 (San Antonio, Tex., to Big Spring, Tex.,* to read as follows:

§ 600.10329 *Blue civil airway No. 30 (San Antonio, Tex., to Big Spring, Tex.)* From the San Antonio, Tex., (Alamo) radio range station via the intersection of the center lines of the on course signals of the west leg of the San Antonio, Tex., (Alamo) radio range and the northwest leg of the San Antonio, Tex., (Kelly) radio range; the intersection of the center lines of the on course signals of the northwest leg of the San Antonio, Tex., (Kelly) radio range and the southeast leg of the San Angelo, Tex., radio range and the San Angelo, Tex., radio range station to the intersection of the center lines of the on course signals of the northwest leg of the San Angelo, Tex., radio range and the east leg of the Big Spring, Tex., radio range.

This amendment shall become effective 0001 e. w. t. May 5, 1944.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-6579; Filed, May 9, 1944; 10:05 a. m.]

[Amdt. 68]

PART 601—DESIGNATION OF CERTAIN CONTROL AIRPORTS

MELBOURNE NAVAL AIR STATION, FLA.

APRIL 25, 1944.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and § 60.21 of the Civil Air Regulations, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

By amending section 601.3 so as to include in the proper alphabetical order the designation of the following airport as a control airport:

City:	*Name of Airport*
Melbourne, Fla.	Melbourne Naval Air Station

This amendment shall become effective 0001 e. w. t., April 30, 1944.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-6580; Filed, May 9, 1944; 10:05 a. m.]

[Amdt. 69]

PART 601—DESIGNATION OF CERTAIN CONTROL AIRPORTS

SAN FRANCISCO, CALIF., TO NEW YORK, N. Y., RADIO FIX

APRIL 25, 1944.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

By striking in § 601.4003 *Green civil airway No. 3 (San Francisco, Calif. to New York, N. Y.)* the following: "the intersection of the center lines of the on course signals of the north leg of the Burlington, Iowa radio range and the west leg of the Moline, Ill., radio range;" and substituting in lieu thereof the following: "Iowa City, Iowa, radio marker station."

This amendment shall become effective 0001 e. w. t. May 1, 1944.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-6581; Filed, May 9, 1944; 10:05 a. m.]

[Amdt. 70]

PART 601—DESIGNATION OF CERTAIN CONTROL AIRPORTS

PUEBLO, COLO., MUNICIPAL AIRPORT

APRIL 25, 1944.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and § 60.21 of the Civil Air Regulations, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

By amending § 601.3 so as to include in the proper alphabetical order the designation of the following airport as a control airport:

City:	*Name of Airport*
Pueblo, Colorado	Municipal Airport

This amendment shall become effective 0001 e. w. t., April 30, 1944.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-6582; Filed, May 9, 1944; 10:05 a. m.]

[Amdt. 71]

PART 601—DESIGNATION OF CERTAIN CONTROL AIRPORTS

SAN ANTONIO, TEX., TO BIG SPRING, TEX.; RADIO FIX

MAY 1, 1944.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

1. By adding a new § 601.40330 *Blue civil airway No. 30 (San Antonio, Tex., to Big Spring, Tex.)* to read as follows:

§ 601.40330 *Blue civil airway No. 30 (San Antonio, Tex., to Big Spring, Tex.)* The intersection of the center lines of the on course signals of the west leg of the San Antonio, Tex., (Alamo) radio range and the northwest leg of the San Antonio, Tex., (Kelly) radio range; the San Angelo, Tex., radio range station.

This amendment shall become effective 0001 e. w. t., May 5, 1944.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-6583; Filed, May 9, 1944; 10:05 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs

Subchapter I—Irrigation Projects, Operation and Maintenance

PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

COLVILLE INDIAN IRRIGATION PROJECT, WASH.

The first sentence of the second paragraph of § 130.9 of Part 130, Title 25, as amended by the Assistant Secretary of the Interior on April 13, 1942 (7 F.R. 3025), is hereby further amended as follows:

§ 130.9 *Charges.* • • •

The per acre per annum rates for the following units are: Nespelem Unit $1.75; Little Nespelem Unit $1.75; Hall Creek-Twin Lakes Unit $2.

(38 Stat. 583, 45 Stat. 210; 25 U.S.C. 385, 387) [Regs., Asst. Sec. Int., April 13, 1942, 7 F.R. 3025, as amended Asst. Sec. Int., April 24, 1944]

OSCAR L. CHAPMAN,
Assistant Secretary.

APRIL 24, 1944.

[F. R. Doc. 44-6575; Filed, May 9, 1944; 10:04 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 168]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the column headed "General License Group" the group and country designations assigned to the commodities listed below, at every place where said commodities appear in said section, are hereby amended to read as follows:

Commodity and Department of Commerce No.:	*General license group*
Wheat flour, wholly of U. S. wheat, 1073.00	V
Wheat flour, other, 1074.00	V

Shipments of the above commodities which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment, may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. This amendment shall be effective May 1, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: May 3, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-6600; Filed, May 9, 1944; 10:59 a. m.]

[Amdt. 167]

PART 802—GENERAL LICENSES

EXPORT OF JUTE BAGS TO CUBA AND DOMINICAN REPUBLIC

Part 802, General Licenses, is hereby amended by adding thereto § 802.28 as follows:

§ 802.28 *General license "GJB".* A general license designated "GJB" is hereby granted authorizing the exportation to Cuba and the Dominican Republic of jute bags, purchased from the United States Commercial Company or Defense Supplies Corporation: *Provided,* That a certification in the following form is endorsed on each Shipper's Export Declaration filed with the United States Collector of Customs for each shipment made under this general license:

I hereby certify that the jute bags in this shipment were purchased from the United States Commercial Company, or Defense Supplies Corporation (state which) under contract No. ------ and are being exported in accordance with the provisions of general license "GJB".

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: May 3, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-6599; Filed, May 9, 1944; 11:00 a. m.]

[Amdt. 169]

PART 802—GENERAL LICENSES

GIFTS TO PRISONERS OF WAR AND INTERNEES

Subparagraph (8) of paragraph (a) of § 802.16 *General license, gifts to prisoners of war and internees* is hereby amended by revising the commodity description of "Tea • • •" under the heading "Food Items" to read as follows:

Tea—bulk, (loose) in bags or cardboard boxes—not in excess of one-half (½) pound.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: May 3, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-6601; Filed, May 9, 1944; 10:59 a. m.]

[Amdt. 170]

PART 804—INDIVIDUAL LICENSES

APPLICATIONS TO EXPORT CERTAIN COMMODITIES

Section 804.7 *Special provisions concerning applications to export certain commodities* is hereby amended by deleting therefrom paragraph (g) *Rubber and rubber manufactures.*

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: May 3, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-6602; Filed, May 9, 1944; 10:59 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 3290—TEXTILE, CLOTHING AND LEATHER[1]

[Conservation Order M-70, as Amended May 9, 1944]

JUTE AND JUTE PRODUCTS

§ 3290.271[1] *Conservation Order M-70—(a) Control and allocation.* No processor shall make or accept delivery of, or use or put into process raw or scrap jute, jute products or scrap jute manufactured products in violation of directions of the War Production Board issued pursuant to this paragraph. The War Production Board may from time to time allocate the supply of raw and scrap jute, jute products and scrap jute manufactured products, and specifically direct the time, manner and quantities in which deliveries to or by particular processors shall be made or withheld. It may also direct or prohibit particular uses of raw and scrap jute, jute products and scrap jute manufactured products.

(b) *Restrictions on processing, sale and use.* (1) (i) No person shall use or put into process any raw jute, except for the manufacture of the products listed in List A.

(ii) No person shall use any product listed in List A, except for the uses there specified.

(iii) No person shall use any imported jute product listed in List C, except for the uses there specified.

(iv) Where restrictions on sale are listed in List A or C, no person shall sell any product covered by such restrictions, except in conformity with those restrictions.

NOTE: Subparagraphs (2) and (3), formerly (3) and (4), redesignated May 9, 1944.

(2) No processor shall put into process in any calendar month more raw jute than is necessary to meet his required deliveries of jute products and to maintain a practicable minimum working inventory. The term "practicable minimum working inventory" is to be strictly construed as meaning the minimum inventory which will permit of economical operation of plant and will depend, in each case, upon the practicability of changing a spinning system from the manufacture of one product to another.

[1] Formerly Part 1051, § 1051.1.

(3) Whether he uses jute or any other fiber, no person shall use any soft fiber carding, drawing, roving or spinning machinery in the manufacture of any products other than products specifically permitted in this order, or in any other conservation order of the War Production Board specifically regulating the end uses for which fiber may be processed. This subparagraph does not apply to machinery normally used for processing scrap jute.

(c) *Restrictions on delivery.* No person shall sell or deliver any product controlled by this order if he knows or has reason to believe that the person who is buying or accepting delivery of the product will use it in a manner which this order, including Lists A and C, does not permit. He should satisfy himself as to this in some reasonable manner before making delivery. He may, but need not, require a statement in writing showing the specific purpose or use for which the item is ordered.

(d) *Importations.* The importation of jute and jute products shall be made in conformity with the provisions of General Imports Order M–63, as amended from time to time.

(e) *Restrictions on the use of damaged jute and damaged jute products.* Any processor, person or dealer who has in his possession damaged jute defined in paragraph (f) (13), or jute products defined in paragraph (f) (3) that are damaged, shall report to the War Production Board the nature of the damage and the quantity not suitable for the manufacture of the products, or for the end uses, permitted by this order. The report shall be by letter setting forth all pertinent facts, including a statement of the portion of each bale or package actually damaged. After making that report and receiving from the War Production Board an acknowledgement which does not object to his claim of damage, he may then use or dispose of the portion of each bale or package, actually damaged and so reported, free from the restrictions of this order excepting the restrictions in paragraph (b) (3).

NOTE: Paragraphs (a) through (e), formerly (b) through (f), and paragraph (f), formerly (a), redesignated May 9, 1944.

(f) *Definitions.* For the purposes of this order:

(1) "Raw jute" means unprocessed jute, including butts, meshta, urena lobata of all grades (commonly called congo jute) and punga.

(2) "Scrap jute" means the material commonly called scrap jute, including millrun bagging, and sugar cloth; and burlap, excepting roofing bagging, which has been used as a container or cover, but which cannot be reclaimed for use as a container or cover by mending or other means.

(3) "Jute product" means any product processed from raw jute, either alone or in combination with other material, including but not limited to yarn, roving, rope, twine, scrim, webbing, brattice cloth, linoleum burlap, woven jute fabric, imported jute bags, sacking cloth, interlinings, and new or rewoven bale covering containing raw jute for covering raw cotton. The term shall not include burlap as defined in Conservation Order M–47, as amended, or sugar sacking for sugar areas in the Western Hemisphere.

(4) "Scrap jute manufactured product" means any end product manufactured from scrap jute either alone or in combination with other material including, but not limited to, new or rewoven jute bale covering for covering raw cotton, carded or garnetted jute felt or jute sliver, oakum and twisted jute packing and punched jute felts.

(5) "Domestic jute product" means any jute product processed in the continental United States.

(6) "Imported jute product" means any jute product, excepting burlap as defined in Order M–47, imported into the continental United States in the processed form.

(7) "Woven jute fabric" means fabric woven from jute and weighing not more than 6 ounces per yard, basis forty inches wide, excepting scrim.

(8) "Scrim" means a woven fabric composed of single yarns, not exceeding 10 threads per inch, counting the warp and filling, and weighing not more than 3.6 ounces per yard, basis forty inches wide.

(9) "Webbing" means a woven fabric, with fast edges, not exceeding 12 inches in width.

(10) "Processor", as applied to raw jute, means any person who puts into process in the continental United States raw jute, by performing any operation up to or through the manufacture of roving or yarn; as applied to scrap jute, it means any person who puts into process in the continental United States scrap jute for any purpose.

(11) "Put into process", as applied to raw jute, means placing it upon a processing machine; as applied to scrap jute, it means reclamation either by mending, by converting into fiber, or by placing scrap jute or the fiber resulting from such conversion upon a processing machine.

(12) "Dealer" means any person who purchases jute or jute products for resale but does not include a person who sells only at retail.

(13) "Damaged jute" means jute that has been rejected by Defense Supplies Corporation, or jute upon which an adjustment has been made by an insurance adjuster as a result of any kind of damage making a given bale or bales unsuitable, wholly or in part, for use in the manufacture of products permitted by this order.

(14) "Continental United States" means the forty-eight states and the District of Columbia.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(h) *Reports.* Each person classified below must within the period specified in the reporting form, file with the War Production Board each form applicable to his operations, giving the information required, as follows:

Who shall file	*Form number*
A person in the business of receiving, processing, owning or controlling raw jute.	WPB–914 (Formerly PD–469); WPB–2901, Part III.
A person in the business of processing scrap jute.	WPB–3713.

(i) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Reference M–70.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with The Federal Reports Act of 1942.

Issued this 9th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

(1) Single or plied yarn or roving for use in, or as:

(i) Fuses.

(ii) Electric cable or electric appliances, whether such yarn or roving is treated or untreated.

(iii) Packing material, braided or twisted, to fill orders bearing a preference rating of AA–5 or higher.

(iv) New or rewoven bale covering for covering raw cotton: *Provided, however,* That no raw jute except butts shall be used in the manufacture of such roving or yarn.

(v) Jute centers for wire rope and wire cable.

(vi) Webbing, to fill orders bearing a preference rating of AA–5 or higher.

(vii) Webbing, for purposes other than those specified in subparagraph (1) (vi) of this List A in an amount in any calendar month not in excess of 20% of his average monthly shipments during the calendar year 1941.

(viii) Twine or rope, for any purpose not prohibited by any conservation order of the War Production Board.

(2) Single yarn or scrim for use in reinforced paper.

(3) Oakum or twisted jute packing rope, *Provided, however,* That no raw jute except butts shall be used.

(4) Carded jute or jute sliver for use in insulating material, *Provided, however,* That no raw jute except butts shall be used in the manufacture of such carded jute or jute sliver.

(5) Any other products not specifically elsewhere provided for in this order to fill orders of and to the extent approved under the specifications of the Army or Navy of the United States, the Maritime Commission or the War Shipping Administration.

LIST B: Deleted May 9, 1944.

LIST C

(1) Brattice cloth, treated or untreated, for use in the control of air flow in mines.

(2) Bale covering, for covering raw cotton.

(3) Scrim, for the manufacture of reinforced paper.

(4) Linoleum burlap, for supplying to or for physical incorporation into products to fill orders for the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, but only to the extent that the use of such linoleum burlap is specifically required by the terms of the prime contract involved, or to accumulate stocks of linoleum, within the limits permitted by § 944.14 of Priorities Regulation No. 1 for sale exclusively to any of the agencies mentioned herein.

(5) Woven jute fabric, to fill orders bearing a preference rating of AA–5 or higher.

(6) Webbing, to fill orders bearing a preference rating of AA–6 or higher.

(7) Webbing, for purposes other than those specified in paragraph (6) of this List C, in an amount in any calendar month not in excess of 20% of his average monthly sales or use during the calendar year 1941.

(8) Jute bags for purposes permitted under Conservation Order M–221, as it may be amended from time to time.

(9) Single or plied jute yarn or roving for use in manufacture of rope.

[F. R. Doc. 44–6609; Filed, May 9, 1944; 11:23 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER [1]

[Limitation Order L–95, as Amended May 9, 1944]

SANITARY NAPKINS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cotton gauze and wood cellulose for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.111 [1] *Limitation Order L–95*—(a) *Definitions.* For the purposes of this order:

(1) "Sanitary napkin" means any napkin manufactured and sold for consumer use but not including so called hospital type napkins sold in bulk for hospital use.

(2) "Gauze wrapper" means any woven sanitary napkin cover which wraps around the filler.

(3) "Knitted wrapper" means any sanitary napkin cover which is knitted in seamless circular form.

(4) "Cellulose filler" means any sanitary napkin filler made principally of wood cellulose either in layer or shredded form.

(5) "Cotton filler" means any sanitary napkin filler made entirely of cotton material.

(b) *General restrictions.* (1) After 20 days from April 9, 1942, no person shall manufacture any sanitary napkin with a gauze wrapper or knitted wrapper of a length greater than 19 inches.

(2) After 60 days from April 9, 1942, no person shall manufacture:

(i) Any sanitary napkin of a size other than super, of the cellulose filler type, with a gauze wrapper of a width greater than 8¾ inches;

(ii) Any sanitary napkin of a size other than super, of the cotton filler type, with a gauze wrapper of a width greater than 9 inches;

(iii) Any sanitary napkin of super size, of either the cellulose filler or cotton filler type, with a gauze wrapper of a width greater than 9⅜ inches;

(iv) Any sanitary napkin with a gauze wrapper having more than 18 warp threads per inch or more than 14 filling threads per inch.

(3) No person shall manufacture during any calendar year more sanitary napkins of super or large size, by percentage of total production, than he manufactured in 1940.

(c) *Restrictions on the packaging of sanitary napkins.* On and after July 21, 1943, any person packaging sanitary napkins for shipment and sale shall compress them into the smallest practicable container, but in no instance shall the dimensions of the container provide a space of more than 13.75 cubic inches for each sanitary napkin packed therein.

(d) *Avoidance of excessive inventories.* No producer of sanitary napkins shall accumulate for use in the manufacture of such sanitary napkins inventories of raw materials, semi-processed materials or finished parts in quantities in excess of the minimum amount necessary to maintain production of sanitary napkins in the quantities permitted by this order.

(e) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provisions hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(f) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(g) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Reports.* Every person manufacturing sanitary napkins shall, within thirty days from April 9, 1942, report by letter the following data: (1) his production of sanitary napkins of super or large size, by aggregate number of units, in 1940; (2) his production of sanitary napkins of all sizes, including super, by aggregate number of units, in 1940. All persons affected by this order shall execute and file with the War Production Board such other reports and questionnaires as said Board shall from time to time prescribe.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, may be prohibited from receiving further deliveries of any material subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under section 35 (a) of the Criminal Code (18 U.S.C. 80).

[1] Formerly Part 1185, § 1185.1.

(j) *Appeal.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him, may appeal to the War Production Board, setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(k) *Communications.* All reports required to be filed hereunder, or communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C. (Ref: L-95).

Issued this 9th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6612; Filed, May 9, 1944; 11:24 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B]

SPECIAL PROGRAMS: TEXTILE, CLOTHING AND RELATED PRODUCTS

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of textiles, clothing, leather and related products for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3290.120 *Conservation Order M-328B*—(a) *Definitions.* "Special program" means a program approved by the War Production Board for the production with priority assistance and for distribution of any item on Schedule A.

"*Priority assistance*" includes preference ratings, allocations and directions.

(b) *Applications to participate in special programs.* Any person proposing to manufacture an item on a special program may apply for the priority assistance applicable to that program on the form and within the time stated, all as specified for the item on Schedule A.

(c) *Priority assistance.* The War Production Board may assign ratings, make allocations or issue specific directions to carry out special programs, subject to such terms and conditions as may be specified. Directions issued under paragraph (c) of General Conservation Order M-328 may be made applicable to such program.

(d) *Rules applicable to granting assistance.* So far as practicable, the following rules shall apply in granting priority assistance:

(1) Applications will be granted with respect to a particular item on Schedule A only to persons who were regularly engaged in the production of the item in the year 1943, if the applications from such persons are sufficient to carry out the program.

(2) If the applications exceed the quantity of production of a particular item required by the program, the grants of priority assistance will conform as near as may be to the production of the item by the applicant in the year 1943.

(3) When it appears that the requirements for a particular item can be met without priority assistance, all applications for the item under the special program may be denied.

(4) When the applications are insufficient to meet requirements, the applications generally will be granted in full and the War Production Board may issue orders to obtain additional production.

(5) The application of any person who in the past has failed to fulfill his portion of any special program may be denied.

(6) Other rules may be specified with respect to a particular program in Schedule A. If the rules set forth in Schedule A differ from the above, the provisions of the schedule shall govern.

(e) *Directions.* The War Production Board must be able to rely on the actual production of the items for which applications are made and granted. Therefore, persons to whom priority assistance is granted will be directed to produce specific quantities of the item under the special program. These directions may include a requirement to produce more of the item than the amount for which priority assistance is requested or granted. They may require that the applicant report in writing monthly to the War Production Board the quantities of material covered by the special program for which orders have been placed and accepted, the names and addresses of the suppliers with whom the orders were placed, the date of delivery promised by the suppliers, and any factors which might prevent the applicant from carrying out the directions on schedule, and such other data as may be covered in the direction.

All data requested in the directions shall be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(f) *Equitable distribution.* Every applicant who is granted priority assistance under special program must to the extent of at least 75% of his production of the item fill orders for the item that are placed with him by persons who purchased from him during the year 1943. Each person who purchased from him in 1943 shall be entitled to have his orders filled for a pro rata share of this production based on his 1943 purchases from the applicant. Further specific directions may be issued as to the distribution of items.

The above provisions are in addition to the provisions of paragraph (d) of General Conservation Order M-328.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, and General Conservation Order M-328, as amended from time to time.

(h) *Appeals.* Any appeal from the provisions of this order or of any direction issued under it shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. Any person who receives a direction to produce an item on Schedule A without his having made an application to participate in a special program and who claims that the direction would require him to produce items which he could not sell in the normal course of his business, may appeal for relief from the direction.

(i) *Violations.* Any person who willfully violates any provision of this order or of any direction issued under it, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Reference: M-328B.

Issued this 9th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6607; Filed, May 9, 1944; 11:22 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule A]

§ 3290.120a *Conservation Order M-328B, Schedule A.* The following Schedule A is issued pursuant to Conservation Order M-328B.

Application forms can be obtained at nearest field office or from the War Production Board—Clothing, Knit Goods and Equipage Division, Washington 25, D. C. All applications must be mailed to War Production Board—Clothing, Knit Goods and Equipage Division, Washington 25, D. C., not later than the date specified.

CHILDREN'S SNOW SUITS PLAN No. 1

CHILDREN'S WOOL AND PART WOOL SNOW SUITS, SKI SUITS, AND LEGGINGS SETS

Item No.	Item	Sizes	
1	Snow or ski suits—Toddlers'.	1 to 4 years	Application Form WPB-3601. Filing date—April 15, 1944.
2	Snow or ski suits—Children's.	2 to 6 years or 3 to 8	
3	Snow or ski suits	7 to 14 years	These items are required to be produced during the period May 1 to October 15, 1944.
4	Legging sets or coat and ski pants sets—Toddlers'.	1 to 4 years	Applications heretofore filed may be withdrawn by applicant before May 15, 1944.
5	Legging sets or coat and ski pants sets.	2 to 6 years or 3 to 8	
6	Legging sets or coat and ski pants sets.	7 to 14 years	
7	Separate ski pants—Children's.	2 to 6 years or 3 to 8	
8	Separate ski pants	7 to 14 years	60% of requirements are in manufacturers' price ranges—$8.75 or lower for suits, and $3.25 or lower for separate pants.

Materials for which priorities assistance will be given:

Body cloth: Meltons or Fleeces (wool or part wool; no others). Linings: rayon, kasha, wool. Interlinings: cotton. Wristlets and Anklets: Cotton.

Manufacturers will be required to place their orders for materials not later than May 25, 1944, for equal monthly deliveries during June, July, August and September, 1944.

Rules applicable to granting assistance:

1. Applications will be granted only to persons who were regularly engaged in the production of the items in 1942 or 1943, if the applications from such persons are sufficient to carry out the program.

2. If the applications exceed the quantity of production of a particular item required, grants of priority assistance will be made on the basis of the percentage of applications needed to fill the requirements.

3. Applications to produce suits in manufacturer's price ranges higher than $12.75, and separate pants in manufacturer's price ranges higher than $4.50 will be denied.

4. Applications that do not contain all the information requested may be denied.

Manufacturers of wristlets and anklets may apply on Form WPB-2042 for priority assistance to obtain cotton yarn to make wristlets and anklets to fill rated orders received by them from persons to whom assistance has been granted under the above program.

CHILDREN'S APPAREL PLAN No. 2

Item No.	Item	Size range	Minimum yards per dozen required	Price ranges up to and including
1	Creepers, rompers, crawlers	6 mos.-2 yrs.	11	$3.50
	Flannelette nightwear			
2	Two-piece button-on pajamas with feet	1 to 4	17	9.00
3	Two-piece button-on pajamas with extra pants	1 to 4	25	10.50
4	Gowns	1 to 3	12	4.50
5	One-piece pajamas with feet	2 to 8	18	9.00
6	One-piece pajamas without feet	2 to 8	17	8.50
7	Two-piece jacket type pajamas	8 to 8	26	10.50
8	Gowns	2 to 8	16	7.50
9	Jacket type pajamas	8 to 16	32	12.00
10	Gowns	8 to 16	28	10.50
11	Infants' gowns	Infants	8	4.50
12	Infants' kimonos	Infants	8	4.50
13	Infants' gertrudes	Infants	6	3.75
	Plisse crepe nightwear			
14	Two-piece button-on pajamas	1 to 3	22	10.50
15	Gowns	1 to 3	14	6.00
16	One-piece pajamas	2 to 8	19	8.50
17	Jacket type pajamas	3 to 8	26	10.50
18	Gowns	2 to 8	17	7.50
19	Jacket type pajamas	8 to 16	35	13.50
20	Gowns	8 to 16	31	12.00
21	Kimonos	Infants	10	4.50
22	Gowns	Infants	10	4.50
23	Gertrudes	Infants	7½	4.50
24	Infants' dresses	0 to 1 yr	10	9.75
25	Toddlers' dresses	1 to 3	12	10.50
26	Children's dresses	3 to 6x	18	10.50
27	Overalls and coveralls	1 to 4	10½	9.00
28	Overalls and coveralls	1 to 4	10½	10.50
29	Overalls and coveralls	2 to 8	12½	9.00
30	Overalls and coveralls	2 to 8	12½	10.50
31	Children's sun suits	1 to 6x	8	8.50
32	Boys' wash suits, toddlers'	1 to 4	18	9.25
33	Boys' wash suits, juvenile	2 to 6x	15½	9.25
34	Underwear, girls' panties	2 to 12	6½	3.75
	Slips, toddlers	1 to 3	6½	3.75
35	Slips, girls' (gertrude type)	2 to 14	10	6.75
36	Slips, girls' (shoulder strap)	10 to 16	16	9.75
37	Girls' blouses	1 to 6	8	8.50
38	Girls' blouses	7 to 14	12½	9.75
39	Boys' shirts and blouses	1 to 6	8½	7.50
40	Boys' shirts and blouses	8 to 10	12	8.50
41	Boys' shirts, neck-band sizes	11 to 14½	20	10.50
42	Boys' pants, short	4 to 10	12	10.50
43	Boys' pants, long	4 to 18	18	13.50
44	Boys' underwear, shorts	6 to 16	9¼	3.25

Materials Minimum Constructions Allowed

Item No.

1. Carded broadcloth 100 x 60—Carded poplin 100 x 44
2. Flannelette
3. Flannelette
4. Flannelette
5. Flannelette
6. Flannelette
7. Flannelette
8. Flannelette
9. Flannelette
10. Flannelette
11. Flannelette
12. Flannelette
13. Flannelette
14. Plisse crepe yardage based on 29 in. width material
15. Plisse crepe
16. Plisse crepe
17. Plisse crepe
18. Plisse crepe
19. Plisse crepe
20. Plisse crepe
21. Plisse crepe
22. Plisse crepe
23. Plisse crepe
24. Carded broadcloth 100 x 60—Carded poplin 100 x 44—Combed sheer goods
25. Carded broadcloth 80 x 60—Carded poplin 100 x 44—Print cloth 68 x 64
26. Carded broadcloth 80 x 60—Carded poplin 100 x 44—Print cloth 68 x 64
27. Sport denim 36 in. Suiting
28. Twills and drills
29. Sport denim 36 in. Suiting
30. Twills and drills
31. Carded broadcloth 100 x 60—Carded poplin 100 x 44
32. Carded broadcloth 112 x 56 Slub—Carded poplin 100 x 44
33. Carded broadcloth 112 x 56 Slub—Carded poplin 100 x 44
34. Carded broadcloth 80 x 60—Combed sheers
35. Carded broadcloth 80 x 60—Combed sheers
36. Carded broadcloth 80x 60—Combed sheers
37. Carded broadcloth 80 x 60—Combed sheers
38. Carded broadcloth 100 x 60—Carded poplin 100 x 44—Dimities
39. Carded broadcloth 100 x 60—Carded poplin 100 x 44—Dimities
40. Carded broadcloth 80 x 60—Print cloth 68 x 64—Carded poplin 100 x 44
41. Carded broadcloth 80 x 60—Print cloth 68 x 64—Carded poplin 100 x 44
42. Carded broadcloth 80 x 60—Print cloth 68 x 64—Carded poplin 100 x 44
43. Twills and drills
44. Twills and drills
45. Carded broadcloth 80 x 60—Print 64 x 56 Application Form WPB 3488. Filing date May 25, 1944.

These items are required to be produced during June, July and August, 1944.

Priorities assistance will be given only for materials specified above, with respect to each item.

Manufacturers will be required to present their orders for materials not later than June 24, 1944.

Applicants should base their estimated production on their present labor and machinery.

Rules applicable to granting assistance:

If the applications exceed the quantity of production of a particular item required, grants of priority assistance will be made on the basis of the percentage of applications needed to fill the requirements.

Applications that are not completely and accurately filled out may be denied.

Issued this 9th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6608; Filed, May 9, 1944; 11:23 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-131, as Amended May 9, 1944]

CINCHONA BARK AND CINCHONA ALKALOIDS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cinchona bark and cinchona alkaloids for the war effort, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the war effort:

§ 3293.131 *(Conservation Order M-131)*—(a) *Definitions.* For the purposes of this order:

(1) "Cinchona alkaloids" means any of the alkaloids or their salts obtained from cinchona bark whether alone or in combination with other alkaloids from cinchona bark, including, but not limited to quinine, totaquine, cinchonine, cinchonidine, quinidine, quinine sulfate, etc., and such alkaloids in standard dosage forms (pills, tablets, capsules, ampoules, etc.) or totaquine in packages of one-half ounce or less.

(2) "Quinine" means quinine alkaloid obtained from cinchona bark and its salts and derivatives.

(3) "Cinchonine" means cinchonine alkaloid obtained from cinchona bark, and its salts and derivatives.

(4) "Cinchonidine" means cinchonidine alkaloid obtained from cinchona bark, and its salts and derivatives.

(5) "Quinidine" means quinidine alkaloid obtained from cinchona bark, and its salts and derivatives.

(6) "Totaquine" means a mixture of alkaloids obtained from cinchona bark.

(7) "Cinchona bark" (also known as Calisaya, Peruvian or Jesuit's bark) means the bark obtained from Cinchona succirubra P. et K., C. Calisaya W., C. Ledgeriana M. et T. and from its hybrids.

(8) "Anti-malarial agent" means any product or material which according to modern medical opinion is recognized as a specific for suppression, alleviation or cure of malarial infections.

(9) "Producer" means any person who produces or imports cinchona bark or cinchona alkaloids or has cinchona alkaloids produced for him pursuant to toll agreement.

(10) "Distributor" means any person who buys cinchona alkaloids for resale without further processing.

(11) "Supplier" means a producer or distributor.

(b) *Restrictions on deliveries and use.* No person other than Defense Supplies Corporation or any other corporation organized under section 5 (d) of the RFC Act, as amended, or any duly authorized agent of such corporation, shall deliver, accept delivery of, or use cinchona bark or cinchona alkaloids unless specifically authorized by War Production Board, on Forms WPB 2945 or WPB 2946, whichever is appropriate. However, the U. S. Army, Navy, the U. S. Maritime Commission and War Shipping Administration need not apply for authorization to accept delivery of and use cinchona bark or cinchona alkaloids, but their supplier must list the proposed deliveries, and contract numbers on his application Form WPB 2946, and such supplier shall not make delivery until authorized by War Production Board. Such authorization will also constitute authorization to those services and agencies named to accept delivery of and to use the cinchona bark or cinchona alkaloids.

(c) *Exceptions to restrictions on delivery and use.* Nothing contained in this order shall prohibit the following transactions:

(1) *Deliveries of uncompounded cinchona alkaloids under toll agreement.* Any person may, without authorization from War Production Board, accept delivery of cinchona alkaloids pursuant to toll agreement for the purpose of compounding into standard dosage forms, and thereafter redeliver the same to the owner thereof, provided the person making the delivery in the first instance has received specific authorization to use the cinchona alkaloids and retains title to such cinchona alkaloids and to the products made therefrom.

(2) *Small deliveries of cinchona alkaloids.* Any person may, without authorization from War Production Board, accept small deliveries of cinchona alkaloids for the purpose of resale to licensed physicians, veterinarians or to ultimate consumers, or for the purpose of compounding into dosage form and thereafter reselling the same in such form, provided that small deliveries do not exceed in any calendar month:

(i) 8 ounces of totaquine (uncompounded), 4 ounces of cinchonine or its salts in the aggregate (uncompounded), 4 ounces of cinchonidine or its salts in the aggregate (uncompounded), 4 ounces of quinine or its salts in the aggregate (uncompounded).

(ii) 2 ounces of quinidine or its salts in the aggregate (whether compounded or in standard dosage form), unless acceptance of delivery of this amount, taken together with such person's stock of quinidine on hand the delivery date exceeds 4 ounces of quinidine or its equivalent in standard dosage form.

No authorization from War Production Board is required for the compounding of such cinchona alkaloids or for any subsequent delivery, acceptance of delivery, or use of such cinchona alkaloids, whether in compounded form or otherwise. However, the appropriate certification referred to in paragraph (d) of this order is required for all small deliveries unless the small delivery is made to an ultimate consumer. Deliveries of quinidine to an ultimate consumer may only be made upon a physician's prescription as explained in paragraph (e) of this order.

(3) *Deliveries of totaquine, quinine, cinchonine and cinchonidine in standard dosage forms.* Any person may, without authorization from the War Production Board, accept deliveries of totaquine in packages of one-half ounce or less, or quinine, cinchonine or cinchonidine in standard dosage forms. No authorization from War Production Board is required for any subsequent delivery, acceptance of delivery or use of such cinchona alkaloids. However, the certification referred to in paragraph (d) of this order is required for all such deliveries in standard dosage forms, unless the delivery is made to an ultimate consumer.

(4) *Delivery and use of cinchona bark on hand April 30, 1942.* Any person may deliver, accept delivery of or use, without authorization from War Production Board, any stock of cinchona bark consisting of less than 50 pounds and which was physically located at any one place on April 30, 1942.

(5) *Delivery and use of cinchona bark or cinchona alkaloids previously compounded.* Any person may deliver, accept delivery of, or use, without authorization from War Production Board:

(i) Any quinine which had been combined or compounded with other medicinal agents on or before April 4, 1942;

(ii) Any totaquine or cinchona bark which had been combined or compounded with other medicinal agents on or before April 30, 1942;

(iii) Any quinine and urea hydrochloride (USP) or quinine hydrochloride and urethane which had been combined or compounded with other medicinal agents on or before January 9, 1943;

(iv) Any cinchonine, cinchonidine or quinidine which had been combined or compounded with other medicinal agents on or before June 19, 1942.

(v) Any anti-malarial agent manufactured on or before January 9, 1943, pursuant to the provisions of this order as in effect up to that date; provided that the certification for "quinine, cinchonine, cinchonidine and totaquine" referred to in paragraph (d) of this order as now amended is required for all deliveries of such anti-malarial agents, unless delivery is made to an ultimate consumer.

(d) *Certification required.* No person shall deliver cinchona alkaloids pursuant to paragraphs (c) (2), (c) (3) and (c) (5) (v) of this order except upon receipt of a certificate in substantially the form shown below (whichever is appropriate), signed manually by a duly authorized official or as provided in Priorities Regulation No. 7. The quantity of material delivered should be specified on the reverse side of the certificate. A certificate is not required in those cases where delivery is made to an ultimate consumer.

CERTIFICATE FOR QUININE, CINCHONINE, CINCHONIDINE OR TOTAQUINE

The undersigned hereby certifies to War Production Board and to _____ (insert name of _____ that the quinine, cinchonine, cinchonidine or totaquine (or product containing cinchonine or cinchonidine) ordered hereby (specify quantity on reverse side) is for use as an anti-malarial agent and will not be sold, transferred or delivered by the undersigned for any other purpose. This certification is made in accordance with the terms of Conservation Order M-131 with which the undersigned is familiar.

Name _____

Date _____ By _____

CERTIFICATE FOR QUINIDINE

The undersigned hereby certifies to the War Production Board and to _____ (name of seller or supplier) that the quinidine (or product containing quinidine) ordered hereby (specify quantity on reverse side) is for use in the treatment of cardiac disorders and will not be sold, transferred or delivered by the undersigned for any other purpose and if any part of this purchase order of quinidine is sold to an ultimate consumer it will only be sold upon a physician's prescription as provided in paragraph (e) of Conservation Order M-131; and the undersigned further certifies that acceptance of delivery of this order will not increase his inventory of quinidine on hand on the delivery date in excess of 4 ounces of quinidine or its equivalent in standard dosage form. This certification is made in accordance with terms of Conservation Order M-131 with which the undersigned is familiar.

_____
Name of purchaser

By _____
Name and title of duly authorized official

_____
(Date)

(e) *Restrictions on all deliveries of quinidine to ultimate consumers.* Any person who wishes to get quinidine for consumption and not for resale must furnish the supplier with a physician's prescription. This paragraph applies to all deliveries of quinidine to the ultimate consumer. No person shall deliver quinidine to an ultimate consumer except upon receipt of a written prescription signed by a physician licensed to practice medicine, which shall state either that the quinidine prescribed is to be used for the treatment of cardiac disorders or "Pursuant to War Production Board Order M-131, paragraph (e)". No quinidine shall be delivered pursuant to a prescription which is written for more than fifty 3-grain tablets or capsules or for the equivalent of 150 grains of quinidine in other dosage forms. No delivery of quinidine shall be made pursuant to a prescription which is used a second time to obtain additional quantities.

NOTE: Paragraphs (f) through (m), formerly (e) through (l), redesignated May 9, 1944.

(f) *Applications for authorization to accept delivery or use.* A person requiring authorization to accept delivery or to use cinchona bark or cinchona alkaloids during any calendar month shall file application on Form WPB 2945 (formerly PD-600) with the Chemicals Division, War Production Board, Washington 25, D. C., on or before the 15th of the preceding month. However, applications for November delivery or use should be filed as soon as possible after November 4, 1943. Instructions for filling out this form are set out in Appendix A. One copy of Form WPB 2945 will be returned to the sender, on which War Production Board will indicate the quantity and type of cinchona alkaloids which he is authorized to acquire or use.

(g) *Applications for authorization to deliver.* A supplier desiring authorization to deliver cinchona bark or cinchona alkaloids during any calendar month shall file application on Form WPB 2946 (formerly PD-601) with the Chemicals Division, War Production Board, Washington 25, D. C., on or before the 20th day of the preceding month. However, applications for November delivery should be filed as soon as possible after November 4, 1943. Instructions for filling out this form are set out in Appendix B. One copy of Form WPB 2946 will be returned to the supplier on which the War Production Board will indicate the quantity and type of cinchona bark or cinchona alkaloids which he is authorized to deliver.

(h) *Inventory report—quinine, quinidine.* Every producer or distributor who, on November 4, 1943, has in his possession or under his control, ten ounces or more of uncompounded quinine, or four ounces or more in the aggregate of quinidine, whether uncompounded or in standard dosage forms, shall file a letter with the Chemicals Division, War Production Board, on or before November 15, 1943, stating the quantity of such material on hand as of November 4, 1943. This letter need not be filed by any supplier who files an application for authorization on Form WPB 2945 on or before November 15, 1943, or on WPB 2946 on or before November 20, 1943, for the reason that such forms require an inventory report of these materials on hand.

(i) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time, except to the extent that any provisions hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(j) *Inability to deliver.* If a producer or distributor is authorized or directed by War Production Board to deliver cinchona bark or cinchona alkaloids to any specific customer or group of customers, but is unable to make the delivery either because of receipt of notice of cancellation or otherwise, he must immediately notify the War Production Board, Chemicals Division, Washington 25, D. C., Ref: M-131, and shall not deliver the material to anyone else, or use it, until he receives further instructions.

(k) *Appeals.* Appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(l) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(m) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref: M-131.

Issued this 9th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

INSTRUCTIONS FOR FILING APPLICATIONS ON FORM WPB 2945[1] (FORMERLY PD-600) FOR SPECIFIC AUTHORIZATION TO ACCEPT DELIVERY AND USE CINCHONA BARK OR CINCHONA ALKALOIDS

(1) *Who should file.* Specific authorization by War Production Board is required for acceptance of all deliveries of cinchona alkaloids, unless the deliveries fall within the exceptions provided in paragraph (c) of the order. Any producer desiring permission to use part or all of his own production shall also file this application. This form need not be filed by the U. S. Army, Navy, Coast Guard, the U. S. Maritime Commission or War Shipping Administration.

(2) *Where forms may be obtained.* Copies of Form WPB 2945 may be obtained at local field offices of War Production Board.

(3) *Number of copies.* Five copies shall be prepared, of which three shall be forwarded to War Production Board, Chemicals Division, Washington 25, D. C., Ref: M-131, one forwarded to the supplier with whom applicant's order is placed, and the fifth retained for applicant's file. At least one of the copies filed with War Production Board shall be signed by applicant by a duly authorized official. Where the application is solely for authorization to use from inventory, no copy need be prepared for suppliers.

(4) *Special instructions for filling out form.* Follow the instructions on the form except where they conflict with the specific instructions given below:

(a) *Heading.* Under "Name of chemical", specify either "Cinchona bark" or "Cinchona alkaloids", using a separate set of forms for each. Under "WPB Order No.", specify "M-131", under "Unit of Measure", specify "Pounds" in the case of cinchona bark and "Ounces" in the case of cinchona alkaloids.

(b) *Column 1.* In applying for authorization to receive or to use cinchona bark, specify in Column 1 the grade or variety. In applying for authorization to accept delivery or to use cinchona alkaloids, specify in Column 1 the name of each alkaloid or the salt of the alkaloid; for example, quinine alkaloid, quinine sulfate, totaquine, quinidine alkaloid, quinidine sulfate, etc. (It is not necessary to use a separate set of forms for each alkaloid or salt of alkaloid requested).

(c) *Column 2.* Specify the quantity (in pounds) for cinchona bark and (in ounces) for each type of cinchona alkaloid.

(d) *Column 3.* In Column 3 "Primary product" specify the exact name of the product or products in the manufacture or preparation of which the cinchona bark or the cinchona alkaloids will be used or incorporated. Distributors ordering cinchona bark or cinchona alkaloids for resale will specify "Resale". If purchase is for inventory, specify "Inventory".

(e) *Column 4.* In Column 4 specify ultimate use to be made of the primary product, for example, "Anti-malarial" or "cardiac", and if the purpose is to fill Army, Navy, Lend-Lease or other government agencies' contracts, state the contract number. If

[1] The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

purpose is for export, the WPB 2945 must first be sent to Foreign Economic Administration together with application for an export license. If the export license is granted, Foreign Economic Administration will then affix the export license number to Form WPB 2945 and forward the document to War Production Board.

APPENDIX B

INSTRUCTIONS FOR FILING SUPPLIER'S APPLICATION ON FORM WPB 2946 [1] (FORMERLY PD-601) FOR SPECIFIC AUTHORIZATION TO DELIVER CINCHONA BARK OR CINCHONA ALKALOIDS

(1) *Who should file.* All suppliers (except Army, Navy, etc.—as listed in paragraph (b)), must obtain specific authorization before delivering cinchona bark or cinchona alkaloids.

(2) *Where forms may be obtained.* Copies of Form WPB 2946 may be obtained at local field offices of War Production Board.

(3) *Number of copies.* Four copies shall be prepared, of which three shall be forwarded to War Production Board Chemicals Division, Washington 25, D. C., Ref: M-131, the fourth to be retained by the supplier. Each producer who has filed application on Form WPB 2945 specifying himself as his supplier, shall list his own name as customer on Form WPB 2946 and shall list his request for allocation in the manner prescribed for other customers.

(4) *Special instructions for filling out form.* Follow the instructions on the form except where they conflict with the specific instructions given below:

(a) *Heading.* In the heading under "Name of chemical", specify "Cinchona bark" or "Cinchona alkaloids", as the case may be, using a separate set of forms for each. Under "WPB Order No.", specify "M-131"; under "Unit of measure", specify "Pounds" in the case of cinchona bark and "Ounces" in the case of cinchona alkaloids.

(b) *Column 1.* Specify the names of customers. A producer requiring permission to use a part or all of his own production of cinchona bark or cinchona alkaloids shall list his own name in Column 1 as customer. After completing the list of customers, insert "Total small order deliveries (estimated)" for each alkaloid or salt delivered pursuant to paragraph (c) (2) of this order.

(c) *Column 3.* List each alkaloid or salt (and in the case of cinchona bark, the variety) for which orders for delivery during the applicable month have been received as indicated in the Forms WPB 2945 filed with him by his customers.

(d) *Column 4.* Specify total quantity to be delivered to each customer named in Column 1, and total estimated quantity to be delivered on the "Small order deliveries" mentioned in Column 1.

(e) *Table II.* Each producer will report production, deliveries and stocks as required by Table II, Columns 8 to 16, inclusive. Distributors and importers will enter in Columns 9, 11 and 14 "Receipts" instead of "Production". In Column 8 the supplier will specify in the case of cinchona bark the variety and in the case of cinchona alkaloids each alkaloid or salt of alkaloid for which orders for delivery during the applicable month have been received, as indicated in the Forms WPB 2945 filed with him by his customers.

[F. R. Doc. 44-6610; Filed, May 9, 1944; 11:23 a. m.]

[1] The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

PART 3293—CHEMICALS

[General Preference Order M-246, as Amended May 9, 1944]

PHENOLIC RESINS AND PHENOLIC RESIN MOLDING COMPOUNDS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of phenolic resins and phenolic resin molding compounds for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.341 *General Preference Order M-246*—(a) *Definitions.* For the purposes of this order:

(1) "Phenolic reactant" means:

(i) Any of the synthetic phenols except resorcinol, of all grades and from whatever source derived.

(ii) Phenolic acids, either in pure or crude form, comprised in whole or in part of one or more of the following: phenol, ortho cresol, meta cresol, para cresol, xylenols and commercial grades of higher boiling cresylic acids, from whatever source derived.

(iii) Any of the substituted phenols, including para phenyl phenol, para tertiary butyl phenol, para tertiary amyl phenol and bis-phenol.

(2) "Aldehyde" means any organic compound containing the monovalent —CHO radical.

(3) "Phenolic resin" means any synthetic reaction product of a phenolic reactant with an aldehyde or a derivative of an aldehyde such as, for example, formaldehyde, furfural, para formaldehyde or hexamethylenetetramine. Such term includes, but is not limited to phenolic resins, modified or otherwise in liquid, lump, spray dried, cast or pulverized form and in solutions commonly termed laminating varnishes and resin solutions as well as resin dispersions, emulsions and cement. The term does not include any reaction product of resorcinol, lignin, cashew nut shell liquid or cardinol unless enriched with another phenolic reactant.

(4) "Phenolic resin molding compound" means any combination of phenolic resin and bulk filler such as, for example, wood flour, asbestos, mica, cotton fibres, or macerated fabrics, which can be molded. Such term includes, but is not limited to, molding compound, molding board and molding blanks.

(5) "Producer" means any person engaged in the production of any phenolic resin or phenolic resin molding compound, and includes any person who has any such material produced for him pursuant to toll agreement.

(6) "Toll agreement" means any agreement by which title to material remains vested in a person other than the one processing the material.

(7) "Distributor" means any person who purchases phenolic resin or phenolic resin molding compound for resale as phenolic resin or phenolic resin molding compound.

(8) "Supplier" means a producer or distributor.

(9) "Products made from or treated with phenolic resin or phenolic resin molding compound" mean the following products when made from or treated with phenolic resin or phenolic resin molding compound:

(i) Molded products;

(ii) Protective coatings (other than resins used by protective coatings manufacturers in the formulation of protective coatings);

(iii) Plywood (including shaped plywood and shaped impregnated wood);

(iv) Laminates (sheets, rods, tubes and molded shapes); and

(v) Specialties which shall include all other products, such as abrasive wheels, friction elements and resin bonded insulating batting.

(10) "Product manufacturer" means any person who manufactures any product defined above in paragraph (a) (9).

(b) *Restrictions applicable to suppliers only.* (1) No supplier shall deliver any phenolic resin or phenolic resin molding compound to any other person (except pursuant to a toll agreement) without (i) the specific authorization in writing of the War Production Board to make the particular delivery or (ii) general authorization to deliver specific amounts as provided in paragraph (b) (2) hereof. The term "other person" when used in the previous sentence, includes a branch, division or section of the same enterprise as that of the supplier unless the branch, division or section accepting delivery accepts it for the purpose of producing phenolic resin or phenolic resin molding compound, or unless the branch, division or section accepting delivery normally keeps the same inventory as the branch, division, or section making the delivery. Application by a supplier for authorizations to deliver shall be made pursuant to Appendix A.

(2) Each supplier shall be entitled to deliver against general authorizations amounts of phenolic resin or phenolic resin molding compound not exceeding in the aggregate the amount authorized for such purposes in writing by the War Production Board, as follows:

(i) Against purchase orders marked "Small Order", deliveries aggregating not more than five pounds of resin containing any para phenyl phenol or resin in which para tertiary butyl phenol is the sole phenolic reactant in any one calendar month to any one customer; [1] and against purchase orders marked "Small Order", deliveries aggregating not more than 50 pounds in the case of all other phenolic resins or phenolic resin molding compounds to any one customer [1] in any one calendar month.

(ii) Against orders marked "Previously Authorized" an amount not exceeding 2,000 pounds in any one month to any one customer.[1] This provision shall, however, not be applicable to cast phenolic resins or to phenolic resins containing tung oil or para phenyl phenol, or to resins in which para tertiary butyl phenol is the sole phenolic reactant.

(iii) Against orders marked "For experimental purposes only", and as free samples for experimental purposes, deliveries aggregating not more than ten pounds in any one calendar month to any one customer of resins containing any para phenyl phenol or resins in which para tertiary butyl phenol is the sole phenolic reactant, and deliveries aggregating not more than 110 gallons in any one calendar month to any one customer in the case of all other phenolic resins or phenolic resin molding compounds.

(3) Each supplier shall comply with such directions as may be given from time to time by the War Production Board with respect to the production, use, or delivery of any phenolic resin or any phenolic resin molding compound. If the War Production Board stamps or writes the word "Defer" in Column 7 of a supplier's Form WPB-2946 (formerly Form PD-601), the supplier shall not produce, use, or deliver any phenolic resin or any phenolic resin molding compound to fill the orders described on the lines so marked if its production, use, or delivery interferes in any way with the production, use or deliveries necessary to fill on time all other orders which the supplier is entitled to fill.

(c) *Restrictions on accepting deliveries from suppliers and restrictions on use.* (1) (i) No person (except a person acting pursuant to a toll agreement) shall accept delivery of phenolic resin or phenolic resin molding compound from a supplier without the specific authorization in writing of the War Production Board, or except as provided in paragraph (c) (2) below. The term "no person" when used in the previous sentence, includes a branch, division, or section of the same enterprise as that of the supplier, unless the branch, division, or section accepting delivery accepts it for the purpose of producing phenolic resin or phenolic resin molding compound, or unless the branch, division or section accepting delivery normally keeps the same inventory as the branch, division, or section making the delivery.

(ii) No person shall use phenolic resin or phenolic resin molding compound to manufacture products made from or treated with phenolic resin or phenolic resin molding compound (except pursuant to a toll agreement), without the specific authorization in writing of the War Production Board or except as provided in paragraph (c) (2) below.

(iii) No person shall cause another person to use phenolic resin or phenolic resin molding compound pursuant to a toll agreement to manufacture products made from or treated with phenolic resin or phenolic resin molding compound, unless he has himself been specifically authorized in writing by the War Production Board to make the particular product or except as provided in paragraph (c) (2) below.

(iv) Applications for specific authorization to accept delivery of phenolic resin or phenolic resin molding compound from a supplier should be made pursuant to Appendix B, as should all applications for specific authorization to use phenolic resin or phenolic resin molding compound to manufacture products made from or treated with phenolic resin or phenolic resin molding compound.

(2) In addition to being able to accept delivery from a supplier and use phenolic resin or phenolic resin molding compound pursuant to the specific authorization of the War Production Board,

(i) During any calendar month, a product manufacturer [1] may accept from all suppliers deliveries aggregating not more than 2,000 pounds of phenolic resin or phenolic resin molding compound for use in previously authorized end uses, and a product manufacturer may use in any calendar month, and cause others to use pursuant to a toll agreement, not in excess of 2,000 pounds of phenolic resin or phenolic resin molding compound for previously authorized end uses. A product manufacturer placing a purchase order under the provisions of the last sentence should mark his order "Previously Authorized." A "previously authorized use" of a particular manufacturer is an end use described by him on his Form PD-600 or Form WPB-2945 filed under Order M-246 for phenolic resin or phenolic resin molding compound, which end use has been approved in writing by the War Production Board for the particular manufacturer at any time after September 30, 1943. This 2,000 pound provision does not apply to cast phenolic resins or phenolic resins containing tung oil or para phenyl, phenol, or to resins in which para tertiary butyl phenol is the sole phenolic reactant.

(ii) During any calendar month, a product manufacturer [1] may accept from all suppliers, deliveries aggregating not more than 5 pounds of resin containing any para phenyl phenol or resin in which para tertiary butyl phenol is the sole phenolic reactant, and a product manufacturer may use in any calendar month, and cause others to use pursuant to a toll agreement, not in excess of 5 pounds of such resin. In addition, during any calendar month, a product manufacturer [1] may accept deliveries aggregating not more than 50 pounds in the case of all other phenolic resins or phenolic resin molding compounds, and may use in any calendar month, and cause others to use pursuant to a toll agreement, not in excess of 50 pounds of each other material. A product manufacturer placing a purchase order under the provisions of either of the last two sentences should mark his order "Small Order".

(iii) A product manufacturer may accept, as free samples and as deliveries against orders, phenolic resins or phenolic resin molding compounds, solely for use for experimental purposes and subject to the other conditions stated in this subparagraph. Any phenolic resins or phenolic resin molding compounds so accepted may be used at any time for experimental purposes only. In the case of resins containing any para phenyl phenol or resins in which para tertiary butyl phenol is the sole phenolic reactant, not more than ten pounds may be accepted from any one supplier in any one calendar month. In the case of all other phenolic resins or phenolic resin molding compounds not more than 110 gallons may be accepted from all suppliers in any one calendar month. A product manufacturer placing a purchase order under the provisions of this subparagraph (iii) should mark his order "For Experimental Purposes Only".

(3) No product manufacturer who has received a specific authorization from the War Production Board covering a quarterly period which authorization permits him to acquire during any one calendar quarter 20,000 pounds or more in the aggregate of phenolic resin or phenolic resin molding compound, shall place orders specifying the delivery of more than 40% of the total amount authorized by that authorization in any one month.

(4) If the War Production Board stamps or writes the word "Defer" in Column 10 of a product manufacturer's Form WPB-2945 (formerly Form PD-600), the product manufacturer shall not produce or deliver to his customer the products made from or treated with phenolic resin or phenolic resin molding compound described on the lines so marked, if their production or delivery interferes in any way with the production or delivery on time of other products which the product manufacturer is entitled to make.

(5) Each product manufacturer receiving phenolic resin or phenolic resin molding compound pursuant to an authorization of the War Production Board, must use it solely for the purposes specified in writing in the authorization. However, despite the provisions of Form WPB-2945 and Form PD-600, a product manufacturer may include in the 2000 pounds of phenolic resin or phenolic resin molding compound which he may use in any calendar month for previously authorized end uses (as that term is defined in paragraph (c) (2) (i), material which he was specifically authorized by the War Production Board to accept for a different purpose.

(d) *Sales by a product manufacturer of frozen or excessive inventories.* No product manufacturer shall sell any frozen or excessive stocks of phenolic resin or phenolic resin molding compound

[1] In accordance with Interpretation 8 of Priorities Regulation No. 1, the provisions of paragraph (b) (2) (i), (b) (2) (ii), (c) (2) (i), and (c) (2) (ii), shall be available to each operating unit of the same company which does its own buying of phenolic resin or phenolic resin molding compound.

[1] See footnote 1, p. 4938.

except in compliance with Priorities Regulation No. 13. In general that regulation prohibits him from selling, without the specific authorization in writing of the War Production Board, to any person other than a supplier.

(e) *Disposition by product manufacturers of primary products which may not be delivered or used for allocated end uses.* If a product manufacturer has on hand any product made from or treated with phenolic resin or phenolic resin molding compound which he cannot dispose of for the specific end use for which the phenolic resin or phenolic resin molding compound was allocated, he shall not deliver or use the product without first receiving the specific written authorization of the War Production Board to do so. This paragraph (e) applies to, but is not limited to, products which do not meet specifications, or products for which military contracts have been cancelled.

Application for specific authorization to dispose of the products should be made by letter in triplicate directed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-246, setting forth the material facts.

(f) *Restrictions on persons acquiring products made from or treated with phenolic resin or phenolic resin molding compound.* (1) Each person placing or seeking to place a purchase order with a product manufacturer for products made from or treated with phenolic resin or phenolic resin molding compound shall furnish with his order a certificate specifying the end use of the product ordered. Such certificate may be placed on or attached to the purchase order and shall be in substantially the following form, signed manually or as provided in Priorities Regulation No. 7:

DESCRIPTION OF END USE

Pursuant to Allocation Order M-246, the undersigned hereby certifies to the seller and to the War Production Board that the product covered by the accompanying purchase order will be used solely for the purposes listed above.

(Purchaser)	(Address)
By	
(Signature and title of duly authorized officer)	(Date)

(2) Notwithstanding the provisions of paragraph (f) (1) above, no purchaser of such products shall be required to file a certified description of end use for the purpose of this order, if the end use is apparent to the product manufacturer from his own observation and experience (for example, in the case of the sale of a molded distributor head). However, where the purchase is by or for the account of one of the Armed Services, the product manufacturer must receive and retain in his files written evidence of that fact even if the end use is apparent.

(3) In the event that two or more end uses are involved in a single purchase order for products, the amount of the product required for each different use shall be listed as a separate item in the certificate. Each item shall bear an identifying number so that it will be possible for the product manufacturer to advise his customers, by purchase order number and item number, as to the action taken by the War Production Board on his application for the phenolic resin or phenolic resin molding compound needed to make the product ordered by the customer.

(4) Each product manufacturer is requested to notify each customer as soon as possible of a denial, in whole or in part, by the War Production Board of any item or items for which application has been made by such customer.

(5) Any product manufacturer may accept and rely upon any certified description of end use furnished pursuant to this paragraph (f) unless he knows or has reason to believe it to be false.

(6) Each person furnishing a certified description of end use with a purchase order pursuant to paragraphs (f) (1) and (f) (3), shall use the products delivered on such purchase order only for the purpose specified in such certificate, except as otherwise specifically authorized in writing by the War Production Board. Application for such authorization may be made by letter in triplicate directed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-246, setting forth the material facts.

(f) *Reports.* The reporting provisions of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942. Each supplier and each product manufacturer shall file such other reports as may be required from time to time by the War Production Board, subject to the approval of the Bureau of the Budget.

(g) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(2) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priorities control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-246.

Issued this 9th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A—INSTRUCTIONS FOR SUPPLIERS' APPLICATIONS FOR AUTHORIZATION TO DELIVER

Each supplier seeking authorization to deliver phenolic resins or phenolic resin molding compound shall file application on FORM WPB-2496 (formerly Form PD-601) in the manner prescribed therein, subject to the following instructions:

Form WPB-2946 (formerly Form PD-601). Copies may be obtained at local field offices of the War Production Board.

Time of filing. Applications shall be filed in time to ensure that copies will have reached the War Production Board on or before the 23d day of the month preceding the month for which allocation is required.

Number of copies. The signed original application and one copy shall be sent to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-246.

Number of sets. A separate set of forms shall be submitted for each of the six classes of products described in Appendix B, under the heading "Number of Sets"—namely, molded products, protective coatings A, protective coatings B, plywood, laminates, and specialties. In case of doubt as to how to classify a particular end use, be guided by the Forms PD-601 and WPB-2946 previously returned to you by the War Production Board. Even where deliveries are to be made from more than one producing plant, only one set of forms shall be submitted for each class of use.

Monthly or quarterly forms. A supplier shall always file monthly on Form WPB-2946.

Heading. Under "Name of Chemical" specify "Phenolic resin" or "Phenolic resin molding compound"; under "WPB Order No.", specify "M-246"; under "This schedule is for deliveries to be made during the month of", specify "Delivery month"; under "Unit of measure", specify "Pounds (net)"; and otherwise fill in as indicated.

Table I. The application need only cover the request for a general authorization to make deliveries in any one of the following categories: (1) "Small orders"; (2) "Previously authorized"; (3) "Experimental purposes—orders and samples". The supplier will list in Column 1 any one or more of the foregoing categories against which he desires to make deliveries, and in each case will enter in Column 4, as one lump sum, the total quantity proposed to be delivered during the month covered by the application. All orders not included in one of the foregoing categories should be individually listed. The War Production Board will issue to suppliers specific authorization to make deliveries against individually listed orders on the basis of information furnished by the customers of the suppliers to the War Production Board.

Rolling stock. Leave blank columns at end of Table I relating to rolling stock requirements.

Table II. Fill out Table II on each set of Form WPB-2946 filed by you. The instructions as to filling out this table contained in the letter of the Director General for Operations of the War Production Board dated November 10, 1942, are hereby revoked.

In lieu of a listing of each separate grade in Column 8, one listing should ordinarily be made to cover all grades. There are two exceptions to this. List separately any grade or sub-class where manufacturing capacity or some other specific limitation exists which prevents the supplier from fulfilling all demands placed upon him. Also list separately by grade number each grade of protective coating resin containing any para phenyl phenol and of any other protective coating resin in which para tertiary butyl phenol is the sole phenolic reactant. Fill out all columns.

On the last two lines of Table II, write in the following captions: "Total small orders delivered last month"; "Total previously authorized orders delivered last month"; and "Total deliveries for experimental purposes last month"; and fill in the respective figures.

APPENDIX B—INSTRUCTIONS FOR APPLICATIONS FOR AUTHORIZATION TO ACCEPT DELIVERY AND APPLICATIONS FOR AUTHORIZATION TO USE

General. Each person seeking specific authorization to use or accept delivery of phenolic resin or phenolic resin molding compound shall file application on Form WPB-2945 (formerly Form PD-600) in the manner described therein, subject to the following instructions:

Form WPB-2945 (formerly PD-600). Copies may be obtained at local field offices of the War Production Board.

Time of filing. Applications shall be made in time to ensure that copies will have reached the supplier and the War Production Board on or before the 18th day of the month preceding the period for which authorization for use or acceptance of delivery is sought.

Number of copies. One copy of Form WPB-2945 shall be sent to the supplier and on this copy, Tables II, III and IV may be left blank. The original and three copies shall be sent to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-246. The original shall be completely filled out, but on the copies, Tables II, III, and IV may be left blank. Attention of applicants is called to the fact that a copy of each application may be sent to the supplier named on it. The original must be signed.

Number of sets. If the applicant has more than one operating unit which does its own buying of phenolic resin or phenolic resin molding compound, each such unit shall be treated as a separate company for the purposes of determining how many sets of Form WPB-2945 shall be filed. An applicant who wishes phenolic resin or phenolic resin molding compound for the manufacture of two or more of the six classes of products specified below shall file a separate set of WPB-2945 forms for each. A separate set of Forms WPB-2945 shall also be filed if the applicant is seeking permission to use material for an end use other than that for which it was originally acquired or for permission to use material obtained for inventory subject to further authorization. All applicants, whether or not manufacturing more than one class of product, shall indicate the product covered by the application on the right side of the upper margin (using only the appropriate italicized word or words):

Molded Products

Protective coatings A (coatings to contain any resin made with any para-phenyl phenol or to contain any other resin in which para-tertiary butyl phenol is the sole phenolic reactant).

Protective coatings B (coatings other than the above).

Plywood—Laminates

Specialties (which include all other products).

Monthly or quarterly forms. Applications shall be monthly or quarterly as follows, unless the product manufacturer has been authorized by the War Production Board to do otherwise:

Monthly

Manufacturers of molded products.

Manufacturers of protective coatings A and B.

Quarterly

Manufacturers of plywood (including shaped plywood and shaped impregnated wood).

Manufacturers of laminates.

Manufacturers of all other products (specialties).

Heading. Under "Name of chemical" specify "Phenolic resin" and/or "Phenolic resin molding compound"; under "WPB Order No.", specify "M-246"; under "Unit of measure", specify "Pounds, net"; and otherwise fill in as indicated. If the application is for permission to use material for an end use other than the one for which it was obtained, or for permission to use material obtained for inventory subject to further authorization, insert the words "From inventory" under the heading "Your supplier's name".

Table I. Specify in the heading the calendar month or quarter for which authorization for use or acceptance of delivery is sought.

Column 1. Specify supplier's grade number or other identifying symbol or words.

Column 2. Specify separately the quantities (in pounds, net) required for each primary product and each end use specified in Columns 3 and 4.

Column 3. In the case of a manufacturer of molded products, describe the product to be produced and identify by giving its function. For example, specify "aircraft radio condenser" not merely "aircraft", "radio" or "condenser".

In the case of a manufacturer of protective coatings, indicate the primary product by its code number used in WPB-I-217 (primary Products and End Use List) prepared by the Protective Coating Section, Chemicals Bureau, War Production Board.

In the case of a manufacturer of plywood (including shaped plywood and shaped impregnated wood) specify "Plywood".

In the case of a manufacturer of laminates, specify "sheets, rods, tubes, and molded shapes".

In the case of a specialty manufacturer, describe the product to be produced and identify by giving its function. For example, specify "brake-lining" not "friction material".

All manufacturers may insert the word "inventory" when they wish to acquire material to be kept in inventory in the original form. Distributors should insert the word "resale".

Column 4. Opposite each primary product listed in Column 3, specify in Column 4, end use as stated in certified description of use, or, in the absence of such certificates, on the basis of the applicant's own observation and experience. Indicate that governing contract is by or for the account of the Armed Services if you have written evidence of that being the case.

Manufacturers of protective coatings shall use the End Use List (WPB-I-217) to give information as to the specific end use to which the coating is to be put by the ultimate user.

Opposite "resale" or "inventory" in Column 3, write in Column 4 "subject to further authorization".

Columns 9 and 10. Leave blank.

Table II. Make one listing in Column 11 covering the total of material acquired from all suppliers of "All grades" subject to this order which fall into this particular broad class (molding, specialty, etc.) under which application is being made. Then specify separately in Column 17, each grade listed in Column 1 of the application. In all cases, leave Columns (15a), (15b), and (15c) blank.

Where applications are being made on a quarterly basis, list figures for the quarters indicated below. In Columns 13, 14, and 15, strike out the words "Last month" and indicate the quarters (which are not calendar quarters) in these columns as follows:

Quarter Number:	*Period covered*
DJF	Dec. 1 to Feb. 28, inclusive.
MAM	Mar. 1 to May 31 inclusive.
JJA	June 1 to Aug. 31, inclusive.
SON	Sept. 1 to Nov. 30, inclusive.

Even when application is on a quarterly basis, fill in Column 16 as indicated on the form.

Table III. Fill in Column 17 and 18 as indicated, and leave Column 19 blank.

Table IV. Leave blank.

II. *Special instructions for laminators.* Laminators may use this variation of the General procedure given above as desired. When it is not practicable for a laminator to give product end use in Column 4 of his Form WPB-2945, he should write "subject to further authorization" in this column.

The laminator shall then apply on a Form WPB-2947 (formerly Form PD-602) for authorization to deliver the sheets, rods, tubes, and molded shapes for specific end uses, and may not make delivery unless authorized in writing to do so by the War Production Board.

[F. R. Doc. 44-6611; Filed, May 9, 1944; 11:23 a. m.]

PART 3296—SAFETY AND TECHNICAL EQUIPMENT

[General Limitation Order L-238, as Amended May 9, 1944]

SUN GLASSES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of materials entering into the production of sun glasses and sun glasses cases; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3296.76 *General Limitation Order L-238*—(a) *Definitions.* For the purposes of this order:

(1) "Sun glasses" means spectacles or goggles designed primarily to protect the wearer's eyes from sun-glare and other harmful or discomforting rays of the sun.

(2) "Sun glasses case" means a case or container designed for carrying sun glasses when not being worn.

(3) "Aviation sun glasses" means sun glasses designed for use in aircraft by pilots, observers and other aircraft personnel.

(4) [Revoked May 9, 1944]

(b) *Restrictions on the use of metals.* Except as provided in paragraph (c) of this order, no person shall incorporate any metal in the manufacture of sun glasses or any part thereof or sun glass cases or any part thereof.

(c) *Exceptions to paragraph* (b). (1) The provisions of paragraph (b) of this order shall not apply to the manufacture of sun glasses or sun glasses cases which are manufactured:

(i) [Revoked May 9, 1944]

(ii) From metal to the extent permitted by Appendix A, attached to this order.

(2) The provisions of paragraph (b) of this order shall not apply to the manufacture of aviation sun glasses which are manufactured pursuant to a contract or purchase order for delivery to or for the account of (i) the Army or Navy of the United States, or (ii) any agency of the United States Government for delivery to or for the account of the Government of any country pursuant to the Act of March 11, 1941, entitled, "An

Act to Promote the Defense of the United States" (Lend-Lease Act), provided that the specifications of such contract or purchase order specify aviation sun glasses which cannot be manufactured within the limitations of paragraph (b) and (c) (1) of this order. Notwithstanding the provisions of Priorities Regulation 17, the foregoing provisions of this paragraph (c) (2) shall not apply to any contract or purchase order for delivery to or for the account of any United States Army or Marine Corps Post Exchange or any United States Navy Ship's Service Department. Aviation sun glasses which are manufactured in accordance with the foregoing provisions of this paragraph (c) (2) shall be sold or delivered only to the Army or Navy of the United States (not including United States Army or Marine Corps Post Exchanges or United States Navy Ship's Service Departments), or the appropriate agency of the United States Government for Lend-Lease purposes.

(d) *Quota restrictions.* (1) No person shall manufacture more sun glasses, in any calendar quarter, than ninety per cent of the number of sun glasses that he manufactured during the corresponding calendar quarter of 1942.

(2) Purchase orders or contracts for sun glasses placed by the Army or Navy of the United States, or of any Agency of the United States Government for Lend-Lease purposes, shall not be charged against the quota permitted by paragraph (d) (1). Notwithstanding the provisions of Priorities Regulation No. 17, purchase orders or contracts for delivery of sun glasses to or for the account of any United States Army or Marine Corps Post Exchange or any United States Navy or Coast Guard Ship's Service Department shall be charged against the quota permitted by paragraph (d) (1), to the extent of seventy-five per cent of the number of sun glasses included in such orders and contracts.

(e) *Applicability of regulations.* Except as otherwise provided herein, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(f) *Violations and false statements.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Communications.* All reports to be filed hereunder and communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Safety and Technical Equipment Division, Washington 25, D. C., Ref: L-238.

Issued this 9th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

Pursuant to the provisions of paragraph (b) and paragraphs (c) (1) (ii) of this order, a person may incorporate the following materials in the manufacture of sun glasses to the extent indicated:

(1) Steel for:

(i) Core wire in plastic temples.

(ii) Spring clips in slip-over type sun glasses;

(iii) Hinges, hinge pins, and rivets; and

(iv) Snaps for sun glasses cases.

(2) Brass for barrel-hinges, hinge pins, rivets, and screws to fill orders bearing preference ratings of AA-5 or higher.

(3) Copper (strike), zinc, silver, gold and palladium for electroplating.

(4) [Deleted May 9, 1944]

[F. R. Doc. 44-6613; Filed, May 9, 1944; 11:24 a. m.]

Chapter XI—Office of Price Administration

PART 1358—TOBACCO

[MPR 532]

MARYLAND TOBACCO

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for Maryland tobacco by a maximum price regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are generally fair and equitable and will effectuate the purposes of, and comply with, the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328. So far as practicable, the Price Administrator has advised and consulted with the members of the industry which will be affected by this regulation.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected, or have previously been promulgated and their use lawfully required by another government agency.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

§ 1358.258 *Maximum prices for Maryland tobacco.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, Maximum Price Regulation No. 532 (Maryland Tobacco) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1358.258 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION No. 532—MARYLAND TOBACCO

CONTENTS

Sec.
1. Explanation of this regulation.
2. Compliance with this regulation.
3. General pricing provision.
4. Records and reports.
5. Export sales.
6. Petitions for amendment.
7. Geographical applicability.
8. Meaning of certain terms.

SECTION 1. *Explanation of this regulation.* This regulation establishes maximum prices that may be paid by a dealer, manufacturer or other purchaser for Maryland tobacco. It also establishes maximum prices that may be charged for certain resales of that tobacco.

"Maryland tobacco" means United States Type No. 32 tobacco (as specified in Regulatory Announcement No. 118 of the Bureau of Agricultural Economics, United States Department of Agriculture) of the 1943 crop, and of previous crops, purchased or delivered after May 7, 1944.

SEC. 2. *Compliance with this regulation—(a) No buying or selling above maximum prices.* On and after May 8, 1944, regardless of any contract, lease or other obligation, no dealer or other purchaser shall buy or receive, or agree, offer, solicit or attempt to buy or receive, and no person, maximum prices for whose sales of Maryland tobacco are established by this regulation, shall sell or deliver, or agree, offer, solicit or attempt to sell or deliver any Maryland tobacco at prices higher than the appropriate maximum price established by this regulation. However, lower prices may be charged, paid, offered and received.

(b) *Evasion—(1) In general.* The price limitations in this regulation shall not be evaded, directly or indirectly, whether by commission, service, transportation or other charge or discount, premium or other privilege; or by tying agreement, by any change in manner of packing, or any business practice or trade understanding or in any other way.

(2) *Specific practices which are evasions.* Specifically, but not exclusively, the following practices are evasions:

(i) In the case of a dealer, making a separate charge for warehousing or for services in the purchase of Maryland tobacco on direct order or otherwise where no practice of separate charge has previously existed.

(ii) In the case of a dealer, reduction or elimination by the dealer of his customary discounts or initial credit terms allowed on his most recent sale of the 1941 crop to the same purchaser, or if he made no sales of the 1941 crop to the purchaser, reduction or elimination of his customary discounts or initial credit terms allowed on his most recent sales of the 1941 crop to purchasers of the same class, except where accompanied by a compensating reduction in his maximum price.

"Intial credit terms" means terms fixing the time for payment of the purchase price agreed to by the dealer and buyer at or prior to delivery of the tobacco.

(c) *Penalties for violations.* Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

(d) *Licensing.* The provisions of Licensing Order No. 1,[1] licensing al persons who make sales under price control, apply to dealers buying and selling Maryland tobacco. A seller's license may be suspended for violations of the license or of one or more applicable price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 3. *General pricing provisions—(a) Maximum prices for dealer's sales of Maryland tobacco purchased on the loose leaf or hogshead markets—(1) Tobacco purchased on direct order.* For Maryland tobacco purchased on the loose leaf or hogshead markets on direct order by dealers, the dealer's maximum price shall be an amount figured as follows:

(i) Divide his highest selling price per pound in his similar sales of the 1941 crop to purchasers of the same class by his purchase price per pound of the tobacco thus sold.

(ii) Multiply his purchase price per pound farm weight for the tobacco being priced by the figure obtained in (i) above. The resulting figure is the dealer's maximum price.

NOTE: Definitions of "selling price" and "purchase price" follow subparagraph (2) below.

(2) *Tobacco purchased other than on direct order.* For a dealer's sales of Maryland Tobacco purchased on the loose leaf or hogshead markets (other than on direct order) the dealer's maximum price shall be an amount figured as follows:

(i) The dealer shall ascertain his average purchase price per pound for his purchases of the 1941 crop by dividing the number of pounds he purchased of that crop by the purchase price he paid therefor.

(ii) The dealer shall ascertain his average selling price per pound for his sales of stemmed tobacco of the 1941 crop by dividing the number of pounds of stemmed tobacco of that crop he sold by his total selling price therefor.

(iii) The dealer shall ascertain his average selling price per pound for his sales of unstemmed tobacco of the 1941 crop by dividing the number of pounds of the unstemmed tobacco of that crop he sold by his total selling price therefor.

(iv) The dealer shall then ascertain his markup factor for sales of stemmed tobacco by dividing the resulting figure at (ii) by the resulting figure at (i), and his markup factor for his sales of unstemmed tobacco by dividing the resulting figure at (iii) by the resulting figure at (i).

(v) The dealer shall then multiply .52 cents per pound farm weight of the Maryland tobacco being priced or his purchase price therefor per pound farm weight (whichever price is the lower) by the appropriate markup factor obtained at (iv) according to whether the tobacco being priced is to be sold as stemmed or unstemmed tobacco. The resulting figure is the dealer's maximum price.

"Selling price" means the net amount paid the dealer for the tobacco plus any discount allowed to the purchaser for prompt payment but exclusive of any transportation expense paid by the dealer for the account of the purchaser. Amounts received for tobacco purchased by the dealer on direct order shall not be included.

"Purchase price" means the price actually paid by the dealer in his purchase in the loose leaf or hogshead markets plus any discounts allowed to him for prompt payment but exclusive of any transportation expenses paid by him. Amounts paid by the dealer for tobacco purchased on direct order shall not be included.

(b) *Maximum prices that may be paid for Maryland tobacco.* The weighted average purchase price paid by any purchaser for Maryland tobacco purchased on and after May 8, 1944, on the loose leaf or hogshead markets or otherwise (except tobacco purchased from dealers in sales for which maximum prices are established under paragraph (a) (2) above) shall not exceed $52.00 per hundred-weight.

NOTE 1: All buyers are cautioned that in paying more than $52.00 per hundred-weight for Maryland tobacco they do so at their peril, and inability to make subsequent purchases of Maryland tobacco at prices which will reduce their own weighted average purchase price to the maximum weighted average purchase price fixed by this regulation will not constitute a defense to a charge of having violated this regulation.

NOTE 2: A purchase price paid by a dealer buying on direct order is to be included in figuring the weighted average purchase price paid by the buyer for whose account the dealer purchases, but is not to be included in figuring the dealer's own weighted average purchase price. A purchase price paid to a dealer in sales for which maximum prices are established by paragraph (a) (2) is not to be included in figuring the purchaser's weighted average purchase price, but the purchase price paid for such tobacco by the dealer is to be included in figuring the dealer's weighted average purchase price.

(c) *Dealers unable to determine maximum prices under paragraph (a).* If a dealer is unable to determine a maximum price under paragraph (a) above for a particular sale of Maryland tobacco purchased by him on the loose leaf or hogshead markets, he shall apply by letter to the Office of Price Administration, Washington, D. C., requesting that a maximum price, or a method for determining a maximum price for that sale be established. The letter shall set forth:

(1) The name and address of the dealer making the request.

(2) A description of the tobacco he wishes to sell, including a statement of the manner in which he has acquired it, its location, the quantity of tobacco involved, and the purchase price he has paid for it.

(3) The name and address of the buyer who proposes to purchase the tobacco.

(4) Any other pertinent information which the dealer desires to submit.

After receipt of the letter, the Office of Price Administration will by order establish a maximum price for such sale found to be in line with maximum prices established under paragraph (a) for similar sales of other dealers, or prescribe a method for determining such maximum price. Until a maximum price, or a method of determining a maximum price, is thus established, the dealer may deliver the tobacco but may not receive payment for it.

SEC. 4. *Records and reports.* (a) Every purchaser of Maryland tobacco shall make and preserve for examination by the Office of Price Administration for as long as the Emergency, Price Control Act of 1942, as amended, remains in effect, records setting forth with respect to each purchase of such tobacco (1) the name of the seller and the date of purchase, (2) the total number of pounds purchased, (3) the purchase price paid, and (4) any other records of the same kind as he has customarily kept, relating to the prices he pays for Maryland tobacco after the effective date of this regulation.

(b) Every dealer for whose sales of Maryland tobacco maximum prices, or a method determining maximum prices, are prescribed by this regulation, must make and keep available for inspection by the Office of Price Administration, for as long as the Emergency Price Control Act of 1942, as amended, remains in effect, records of the same kind as he has customarily kept relating to the prices he charges for and the persons to whom he sells that tobacco.

(c) Within 20 days after the close of the 1944 marketing season for Maryland tobacco, but in no event later than October 15, 1944, every purchaser of Maryland tobacco shall file with the Office of Price Administration, Tobacco Section, Washington, D. C., a statement showing the total number of pounds of that tobacco purchased by him between May 8, 1944, and the date on which the statement is filed, the portion thereof purchased at maximum prices determined under sections 3 (a) and 3 (c), and the amount paid for that portion of his purchases, and the total amount paid for all his purchases of that tobacco.

(d) Every dealer or purchaser of Maryland tobacco must submit to the Office of Price Administration any reports based on the records required to be kept by this section as may later be required, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SEC. 5. *Export sales.* The maximum price at which a person may export Maryland tobacco shall be determined in accordance with the Second Revised

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13240.

Maximum Export Regulation,[1] issued by the Office of Price Administration.

SEC. 6. *Petitions for amendment.* Any person seeking a general modification of this regulation may file a petition for amendment in accordance with Revised Procedural Regulation No. 1[2] issued by the Office of Price Administration.

SEC. 7. *Geographical applicability.* The provisions of this regulation are applicable in the forty-eight states of the United States and the District of Columbia.

SEC. 8. *Meaning of certain terms.* (a) When used in this regulation, the term:

(1) "Person" includes an individual, corporation, partnership, association or any other organized group of persons or the legal successor or representative of any of the foregoing, and includes the United States Government or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(2) "1941 crop" means Type No. 32 tobacco grown during the 1941 growing season and sold and delivered during 1942.

(3) "1943 crop" means Type No. 32 tobacco grown during the 1943 growing season and sold or delivered after May 7, 1944.

(4) "Weighted average purchase price" means the total purchase price paid for all Maryland tobacco purchased after May 7, 1944, divided by the total number of pounds of such tobacco purchased after that date.

(5) "Dealer" means any person who engaged in the business of buying Maryland tobacco on the loose-leaf or hogshead markets for his own account or on direct order.

(6) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for sales to different purchasers or kinds of purchasers (for example, manufacturer, jobber, government agency, consumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, apply to other terms used in this regulation.

This regulation shall become effective May 8, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of May 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved May 6, 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-6565; Filed, May 8, 1944; 4:37 p. m.]

[1] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036.

[2] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1504, 3075.

PART 1306—IRON AND STEEL

[RPS 49,[1] Amdt. 23]

RESALE OF IRON OR STEEL PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 49 is amended in the following respects:

1. Section 1306.156 (c) (2) is amended to read as follows:

(2) That circumstances such as the withdrawal of special competitive prices by the mill, the granting of amendment or exception under Revised Price Schedule No. 6 by the Office of Price Administration to the supplying mill, the use of the emergency basing point by the mill etc., have led to the inadequacy of a gross spread (except that inadequacy of gross spread resulting from the purchase of excess stock in transactions where no maximum price is applicable shall not be considered as grounds for relief under this paragraph); and

2. Section 1306.159 (k) (7) is revoked.

3. Section 1306.166 is added to read as follows:

§ 1306.166 *Appendix H: Maximum prices for sales of excess stock of iron or steel products.* The maximum prices for domestic sales of excess stock of iron or steel products by any person shall be those set forth in this Appendix H. The maximum prices for export sales of excess stock of iron or steel products shall be determined by the Second Revised Maximum Export Regulation.

(a) *Relationship to other regulations.* This Appendix H supersedes Revised Maximum Price Regulation No. 204 (Special Sales of Industrial Materials) and all other maximum price regulations and price schedules issued by the Office of Price Administration establishing maximum prices for domestic sales of excess stock of iron or steel products. It also supersedes Supplementary Order No. 87 (Sales of Surplus Commodities by the United States Government or Its Agencies) but does not supersede any other Supplementary Order issued by the Office of Price Administration.

(b) *Definitions.* When used in this Appendix H, the term:

(1) "Excess stock" means any iron or steel product purchased for any purpose other than resale in substantially the same form as received and which is resold by the holder in such form. It also includes any iron or steel product which was purchased for export but which is sold for delivery within the continental limits of the United States. Once material has been resold by the holder, it shall be considered excess stock through all subsequent sales: *Provided,* That in the case of a holder who is both a fabricator (or manufacturer) and distributor of iron or steel products, material of the same product group and type which the holder is permitted to purchase from a producer or other distributors for resale under the provisions of War Production Board orders M-21-b-1, in effect on August 16, 1943, and M-21-b-2, in effect on November 4, 1943, shall not be considered excess stock.

(2) "Holder" means any person who acquires iron or steel products for any purpose other than resale in substantially the same form as received, but who, nevertheless, resells such products in such form. It includes the United States or any agency thereof and any other Government or any of its political subdivisions or any agency of any of the foregoing.

(c) *Transfers to Government upon termination of contracts.* There shall be no maximum price for the sale or transfer of iron or steel products by contractors or subcontractors to the United States Government or any of its agencies in connection with the cancellation of such contracts with the United States Government or any of its agencies.

(d) *Maximum price for sales by the holder.* The maximum delivered price for a sale of excess stock by the holder shall be the delivered base price set forth in subparagraph (1) below, adjusted for differentials as set forth in subparagraph (2) below: *Provided,* That there shall be no maximum price for the sale of that portion of exeess stock by a holder to a person acquiring it for resale for which the holder has not received a firm offer to buy at the full maximum price from a person acquiring it for use.

(1) *Delivered base price.* The delivered base price shall be the aggregate of:

Mill base price to a consumer;

Rail rate of freight for the quantity sold, from governing basing point to holder's location of material. "Governing basing point", in this instance, means that established basing point the use of which results in the lowest delivered price at the holder's location of material; and

Actual transportation costs paid for delivery from holder's location of material to destination. "Destination" means the place at which the material is required for the buyer's operation.

(2) *Differentials.* Extras permitted by this paragraph may be added to and deductions provided in this paragraph shall be made from the delivered base price established in subparagraph (1) above:

(i) *Quantity differentials.* Quantity extras shall not exceed the mill quantity extras established by Revised Price Schedule 6. Quantity deductions shall not be less than mill quantity deductions established by Revised Price Schedule 6. Quantity differentials (extras or deductions) shall be determined by the total quantity ordered in one day from the holder by one person for shipment to one destination. Any quantity differentials paid by the holder to his source of supply at the time of purchase shall be disregarded.

(ii) *Other differentials.* Other extras shall not exceed the mill extras established by Revised Price Schedule 6. An extra may be added only if such extra was paid to the holder's source of supply and the holder can identify the material sold as that for which he paid the extra. Other deductions shall not be less than the mill deductions established by Revised Price Schedule 6.

(e) *Maximum prices for sales by resellers.*—(1) *Warehoused material.* The maximum delivered price for the sale of excess stock by persons other than the holder shall be the maximum delivered price established in § 1306.159 Appendix A, § 1306.164 Appendix F, or § 1306.165 Appendix G of Revised Price Schedule 49 for the material involved when all of the following requirements are met:

(i) It has been purchased for resale in substantially the same form as received and has been removed, after such purchase, from the holder's location.

(ii) It has been delivered, before receipt of any order or acceptance of any offer for the specific lot of material or any portion thereof, to premises regularly maintained and operated by an owner of this material for the assembling of iron or steel products from several sources for resale in substantially the same form as received; and

(iii) It has been put through the operations commonly known as the warehousing of iron or steel products (as defined in § 1306.157 (s)) by a person not connected directly or indirectly, with the holder.

(2) *Unwarehoused material.* The maximum delivered price for all other sales of excess stock by a person other than the holder shall be the delivered base price set forth in subdivision (i) below, adjusted for differentials as set forth in subdivision (ii) below.

(i) *Delivered base price.* The delivered base price shall be the aggregate of:

Mill base price; and

Rail rate of freight, for the quantity, from governing basing point to destination. "Governing basing point", in this instance, means that established basing point the use of which results in the lowest delivered price at destination. "Destination" means the place at which the material is required for the buyer's operation.

(ii) *Differentials.* Extras permitted by this paragraph may be added to and deductions provided in this paragraph shall be made from the delivered base price established in subdivision (i) above.

(a) *Quantity differentials.* Quantity extras shall not exceed the mill quantity extras established by Revised Price Schedule 6. Quantity deduction shall not be less than mill quantity deductions established by Revised Price Schedule 6. Quantity differentials (extras or deductions) shall be determined by the total quantity ordered in one day by one person for shipment to one destination.

(b) *Other differentials.* Other extras shall not exceed the mill extras established by Revised Price Schedule 6. Other extras may be charged only if (1) the material can be identified as that upon which the producer is permitted to charge such extra, (2) the invoices issued in connection with the purchase of the material by the reseller specified the extras, and (3) the extras are specified by the buyer as a requirement of his purchase. Other deductions shall not be less than the mill deduction established by Revised Price Schedule 6.

(f) *Special invoicing and record keeping requirements.* (1) Every seller of excess stock, including the holder, shall mark the invoice issued in connection with the sale of such material with one of the following phrases: "Excess Stock," "Idle or Surplus Stock," or "Idle and Excess Stock."

(2) Every holder shall indicate upon his invoice "for resale" when the material is being sold for resale. It shall be the responsibility of any buyer of excess stock to indicate on his purchase bid or offer whether he intends to use or resell the material. This indication to the holder constitutes a representation to the holder and the Office of Price Administration and relieves the holder of responsibility in the determination unless he has knowledge that the representation is false.

(3) All other invoice and record keeping requirements set forth in § 1306.154 shall be observed.

This amendment shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6614; Filed, May 9, 1944; 11:32 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4606, 4542, 7257, 7595, 7769, 7909, 9750, 9530, 13553, 13669; 9 F.R. 604, 1054, 3640, 4390.

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 414,[1] Amdt. 1]

TIRE MILEAGE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The fourth sentence in Appendix A (d) is amended to read as follows:

The rates set forth in Tables I and II apply to the supplying of 100-level tires of the sizes and prices set forth in such tables. 100-level tires means cotton fabric tires of the seller's brand which during March 1942, in the case of passenger car tires, had a maximum retail price for the 6.00-16, four ply tire nearest $14.75 for a manufacturer's brand or $13.25 for a private brand; in the case of motorcycle tires, the seller's brand which during March 1942 had a maximum retail price for the 4.50-18, four ply tire nearest $10.80; and in the case of truck and bus tires, the seller's brand which during March 1942 had a maximum retail price for the 8.25-20, ten ply, standard highway tread tire nearest $67.65.

This amendment shall become effective May 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6615; Filed, May 9, 1944; 11:33 a. m.]

[1] 7 F.R. 8854.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 121]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. The center headnote "Registration of place of business" immediately preceding § 1394.8201, and §§ 1394.8201, 1394.8202, 1394.8204, and 1394.8205 are revoked.

2. In § 1394.8207 (a) (1) the phrase "except as provided in § 1394.8209" is amended to read "except as provided in subparagraph (4) of this paragraph and in § 1394.8209", and the phrase "coupons which bear the notations required by paragraphs (d) and (e) of § 1394.8004, paragraph (c) of § 1394.8006" is amended to read "coupons which bear the notations required by paragraph (e) of § 1394.8004."

3. In § 1394.8207 (a) (2) the phrase "except as provided in § 1394.8209" is amended to read "except as provided in subparagraph 4 of this paragraph and in § 1394.8209."

4. Section 1394.8207 (a) (4) is added to read as follows:

(4) The gasoline on hand at a place of business of a dealer or distributor at the time of a bona fide transfer of such place of business to a dealer or distributor may be transferred to and acquired by the transferee of the place of business, without an exchange of a ration check, coupons or other evidences.

5. Section 1394.8216 (a) is amended to read as follows:

(a) *Replenishment of shortages*—(1) *General.* Dealers and intermediate distributors may apply for replenishment for losses or shortages of gasoline through evaporation, handling, accident, or other extraordinary circumstances, and for unavoidable loss or shortage of coupons or other evidences. Except for an application made on or before July 12, 1944, applications must be made

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15937.

within three months after the loss occurs.

(2) *How application is made.* Application shall be made by certification of shortage on Form OPA R–549 Revised to the Board having jurisdiction over the area where the place of business incurring the shortage or loss is located. The application shall be prepared in duplicate, or in triplicate if two copies are required by the Board, shall show the nature and quantity of the loss or shortage with a full explanation of the reasons therefor and must contain, among other things, the following information:

(i) The period covered by the certification;

(ii) The applicant's storage capacity as shown on his certificate of registration;

(iii) The gallonage value of all gasoline deposit certificates, coupons and other evidences on hand;

(iv) The quantity of ration credits on deposit in a ration bank account;

(v) The gallonage value of all evidences due from others for deliveries already made;

(vi) The gallonage value of evidences owing by the applicant to others;

(vii) The quantity of gasoline on hand at the beginning of the period covered by the certification;

(viii) The quantity of gasoline received during the period covered by the certification;

(ix) The quantity of gasoline on hand at the close of the period covered by the certification; and

(x) The total quantity of gasoline transferred by the applicant during the period covered by the certification.

(3) *Action by the Board and District Office on the application.* If the Board finds that the applicant has incurred the shortages claimed, that such shortages were not incurred as a result of any acts performed in violation of this order, and that the claimed shortages or any part are reasonable, the Board shall file the certification and issue to the applicant inventory coupons (or a gasoline deposit certificate, if the applicant is an intermediate distributor), equal to the amount of the shortages allowed. This, however, is subject to the following two exceptions:

(i) A shortage attributed to a loss, theft or destruction of evidence or a theft of gasoline must not be allowed unless the application has first been approved by the District Director or a person designated by him for that purpose or unless the District Director instructs the Board that it may act without such prior approval. The shortage shall in no event be allowed if it occurred because of the applicant's failure to use reasonable care in safeguarding the gasoline or evidences.

(ii) The District Director may, in his discretion, require the Board to refer any application or applications of any type to him or to some person designated by him for that purpose. An application referred in this manner shall be considered and acted upon by the District Director or the person designated by him for that purpose in the same manner in which the Board considers and acts upon applications which are not referred in this manner.

(4) No allowance of loss or shortage made under this paragraph shall operate as a waiver of any violation of this order.

4. Section 1394.8216 (b) is amended by inserting a headnote before the text to read: "*Disposal of Invalidated Coupons and Evidences.*"

7. In § 1394.8217 (a) subparagraphs (1), (2), (3) and (4) are amended to read as follows:

(1) Any shortage of gasoline which the dealer or distributor has incurred within the preceding three months (or for which he has applied to the Board for replenishment by July 12, 1944) for which he may be able to account by reason of evaporation, handling, contraction, accident, theft, absentee deliveries made pursuant to § 1394.8209, deliveries made under the conditions enumerated in § 1394.8153 (c) (1) (i), (ii) or (iii), or other extraordinary circumstances;

(2) Any excess of gasoline which the dealer or distributor has accumulated within the preceding three months (or which he has reported to the Board by July 12, 1944) for which he may be able to account by reason of expansion, deliveries made to him pursuant to § 1394.8209, or other extraordinary circumstances;

(3) Any shortage of ration credits, gasoline deposit certificates, coupons or other evidences which the dealer or distributor has incurred within the preceding three months (or for which he has applied to the Board for replenishment by July 12, 1944), for which he may be able to account by reason of theft or unavoidable loss, or by a surrender of coupons or a ration check or other evidences pursuant to § 1394.8209 in advance of a transfer of gasoline, or by a failure to receive inventory coupons or gasoline deposit certificates having a gallonage value equal to the number of gallons of gasoline which would be required to fill the storage capacity of such place of business at the time of registration, or other extraordinary circumstances;

(4) Any excess of ration credits, gasoline deposit certificates, coupons or other evidences which the dealer or distributor has accumulated within the preceding three months (or which he has reported to the Board by July 12, 1944) for which he may be able to account by reason of delivery to consumers of less gasoline than the unit value of a coupon, in accordance with § 1394.8153 (a), by absentee deliveries made to him, or by coupons, ration checks or other evidences surrendered to him in advance of transfers of gasoline, pursuant to § 1394.8209, or by other extraordinary circumstances.

Every dealer and intermediate distributor who acquires an excess of gasoline or evidences shall, by July 12, 1944 or within three months after getting the excess, report this fact to the Board with which his place of business is registered or to a representative of the District, Regional, or National Offices of the Office of Price Administration and surrender to the Board or representative evidences equal to the excess.

8. The center headnote immediately preceding § 1394.8220 is amended to read as follows: "*New Registration, Reregistrations and Cessation of Business.*"

9. Sections 1394.8220, 1394.8221, 1394.8222, 1394.8223, 1394.8224, 1394.8225 and 1394.8226 are revoked.

10. New §§ 1394.8220, 1394.8221, 1394.8222, 1394.8223 and 1394.8224 are added to read as follows:

§ 1394.8220 *Current registration is required.* (a) No dealer or distributor shall acquire or transfer gasoline at or from any place of business unless the place of business is currently registered by him pursuant to the provisions of Ration Order 5A or 5C, with the Board having jurisdiction over the area in which it is located. (Sections 1394.8221 through 1394.8226 explain the procedure and requirements for currently registering a place of business and the circumstances under which a place of business already registered must be registered again to be considered currently registered.)

§ 1394.8221 *Reregistration*—(a) *When a place of business must be reregistered.* Application must be made to reregister a place of business already registered with a Board under any of the following circumstances:

(1) The place of business is transferred for continued operation.

(2) The registrant ceases to operate the place of business as a licensed distributor but desires to operate it as a dealer or intermediate distributor.

(3) The registrant ceases to operate the place of business as a dealer or intermediate distributor but wishes to operate it as a licensed distributor.

(4) The total gasoline storage capacity of the place of business of a dealer or intermediate distributor is altered in any manner.

If application for reregistration of a place of business is required, the place is treated as not currently registered until application is made and granted in accordance with §§ 1394.8222 and 1394.8223.

(b) *When a place of business may be reregistered.* A place of business registered pursuant to the provisions of Ration Order 5A or 5C may be reregistered for the purpose of correcting an error in the last previous registration.

§ 1394.8222 *Application for registration*—(a) *General.* Application for registration shall be made by filing Form OPA R–545 with the Board having jurisdiction over the area in which the place of business is located. A separate application must be submitted for each place of business and must contain the following information:

(1) The applicant's name, firm name, business address, and type of business.

(2) The total gasoline storage capacity of the place of business.

(3) The total inventory of gasoline on hand at the place of business, at the time the application is filed, as determined by a physical inventory.

(4) The unfilled storage capacity at that time.

(5) Whether the place of business was transferred to the applicant or whether a dealer or distributor establishment preceding it at the same location was closed by a person; if so, the names of the transferor and of such person.

(6) Whether the transferor or such person referred to in subparagraph (5) controls or shares in the control of the place of business.

(7) A statement describing and explaining any relationship by blood, marriage or adoption existing between the applicant and the transferor or such person referred to in subparagraph (5); whether applicant is a creditor, debtor, employer or employee of the transferor or such person; whether the transferor or such person has any financial or proprietary interest in the business; and, if the applicant is a corporation, whether the transferor or such person holds or owns any bonds or shares of stocks issued by it.

(8) A certification as to the truth of the information disclosed by the application.

A licensed distributor or consignee of a licensed distributor desiring to operate a place of business, which, under the terms of § 1394.7551 (a) (56), is deemed to be a part of the facilities of a licensed distributor, shall omit Items 2, 3 and 4 from his application and shall state instead that the place of business is operated by a licensed distributor or by such a consignee. If the applicant will operate as such a consignee, he shall also note the name of the licensed distributor.

(b) *Additional requirements where the place of business has been transferred to the applicant*—(1) *Additional requirements for all transfers.* At the time of the transfer of the place of business the applicant must obtain from the transferor and the transferor must surrender to him the certificate of registration (Part A of Form OPA R–545), if any, for the place of business. The applicant shall endorse his name upon the certificate and deliver it to the Board with his application for registration. He must also endorse his name upon the duplicate copy of the transferor's certificate of registration on file with the Board.

(2) *Additional requirements where the transferor is a dealer or intermediate distributor.* At the time the place of business is transferred to the applicant by a dealer or intermediate distributor the applicant must obtain from the transferor and the transferor must surrender to him all gasoline deposit certificates, coupons and other evidences on hand and ration credits on deposit for the place of business. If the transferor is an intermediate distributor, he must surrender the ration credits by delivering to the applicant a check issued to the Office of Price Administration for the net balance in the ration bank account for such place of business after deducting the gallonage value of all outstanding checks. The applicant must surrender to the Board with his application the evidences thus received. He must endorse on the copies of the transferor's certificate of registration the gallonage value of these evidences.

(c) *Additional requirements upon change of status of a place of business.* A person who wishes to change his place of business from a licensed distributor establishment to a dealer or intermediate distributor establishment shall treat the change as a transfer within the meaning of paragraph (b) (1). A person who wishes to change his place of business from a dealer or intermediate distributor establishment to a licensed distributor establishment shall treat the change as a transfer from a dealer or intermediate distributor within the meaning of paragraph (b) (1) and (2).

(d) *Additional requirements upon change of storage capacity of a place of business of a dealer or intermediate distributor.* If a dealer or intermediate distributor changes the total gasoline storage capacity of his place of business, he must, at the time of making application to the Board, surrender to it, for cancellation, the certificate of registration issued to him, and the Board shall attach to its copy of the new certificate both copies of the cancelled certificate. If the total gasoline storage capacity is decreased, the applicant shall surrender to the Board evidences equal in gallonage value to the amount of the decrease.

§ 1394.8223 *Action on application*—(a) *Approval or disapproval of application.* If the Board finds that the information submitted by the applicant is correct and that he in good faith intends to engage in business as a dealer or distributor at the place of business described in the application, the Board shall approve the application. However, if the place of business or a dealer or distributor establishment preceding it at the same location was registered in the name of a person against whom an administrative suspension order applying to that place of business or establishment is outstanding, the Board shall not act upon the application but shall transmit it to the District Director. If the District Director or any person designated by him to consider and act upon the application finds that the person against whom the administrative suspension order is outstanding controls or shares in the control of the place of business, he shall direct the Board to: (1) disapprove the application and deny registration, if the applicant is a dealer; or (2) limit approval of the application and registration to transfers to persons other than consumers, if the applicant is a distributor.

(b) *Issuance of certificate of registration.* If the Board approves the application for a place of business, the Board shall, by authorized signature, approve the certificates, file part B thereof, and return Part A to the applicant. The applicant shall retain it at that place of business and shall present it as an identification at the time of transacting business with any Board. If the Board gives only limited approval to the application of a distributor, the Board shall note on both copies of the certificate that the applicant is probihited from making any transfers to consumers. A distributor receiving a certificate of limited registration for a place of business shall not make any transfers of gasoline from there to consumers.

(c) *Issuance of inventory coupons.* The Board shall not issue inventory coupons or a gasoline deposit certificate to a registrant of a place of business of a licensed distributor or a facility of a licensed distributor. Otherwise, the Board shall, at the time it issues the certificate of registration to the applicant, also issue to him inventory coupons (or a gasoline deposit certificate, if he is an intermediate distributor) in a gallonage value equal to the number of gallons, if any, by which the total registered gasoline storage capacity for the place of business exceeds the total inventory of gasoline on hand. However, this is subject to the following three exceptions:

(1) If the applicant is a dealer and he acquired the place of business from a dealer or intermediate distributor who did not transfer to him gasoline and evidences at least equal in gallonage value to the total registered gasoline storage capacity of the place of business, the Board shall issue to the applicant evidences equal in amount to the evidences surrendered to him by the transferor of the place of business and report these facts to the District Director. The District Director shall determine whether the remaining evidences shall be issued. He may designate the Board or another person to make this determination. The remaining evidences shall not be issued if the District Director (or his designee) finds that the transferor of the place of business controls or shares in the control of the place of business.

(2) Even though the place of business was not transferred to the applicant but instead a dealer or intermediate distributor establishment immediately preceding that place of business at the same location was closed by a person and such person did not surrender to the Board evidences at least equal in gallonage value to the total registered gasoline storage capacity of the place of business or establishment, the Board shall issue to the applicant inventory coupons for the gallonage value of the evidences surrendered to the Board by such person and report these facts to the District Director. The District Director shall determine whether the remaining evidences shall be issued. He may designate the Board or another person to make this determination. The remaining evidences shall not be issued if the District Director (or his designee) finds that the operator of the predecessor establishment controls or shares in the control of the applicant.

(3) If a place of business is reregistered because of a change in its total storage capacity, the Board shall only issue to the registrant inventory coupons (or a gasoline deposit certificate, if he is an intermediate distributor) equal in gallonage value to the amount of the unfilled storage capacity which is added.

(d) If an application for registration is denied or is given only limited approval, pursuant to paragraph (a), or evidences are not issued, pursuant to paragraph (c) (1) or (2), because the transferor of the place of business or the operator of a predecessor establishment controls or shares in the control of the place of business, the application may be granted in full and the remaining evidences issued when the applicant shows to the satisfaction of the District Director or his designee that the transferor or the operator of the predecessor establishment does not, and will not, any longer control or share in the control of the place of business of the applicant.

(e) No action taken under this section shall operate as a waiver of any violation of this order.

§ 1394.8224 *What constitutes gasoline on hand.* (a) The registrant shall register all gasoline on hand whether in storage tanks, tank trucks, tank cars delivered to railroad sidings, drums or other containers, except gasoline in the fuel tank of a motor vehicle.

11. Section 1394.8203 is redesignated § 1394.8225.

12. A new section 1394.8226 is added to read as follows:

§ 1394.8226 *Inventory in excess of storage capacity.* (a) In any case in which the total inventory of gasoline on hand at the time of registration exceeds the total registered gasoline storage capacity at the registrant's place of business, the registrant must surrender to the Board at the earliest possible moment consumer coupons or other evidences for the difference.

13. Section 1394.8227 is redesignated § 1394.8235; the center headnote, "Inspections", preceding former § 1394.8227 is transferred to precede § 1394.8235; and a new section 1394.8227 is added to read as follows:

§ 1394.8227 *Cessation of business.* (a) Any dealer or intermediate distributor who ceases to operate as such, disposes of his stocks of gasoline, and closes his place of business without transferring it to another for continued operation, shall, at the time of final closing, deliver to the Board having jurisdiction of the area in which his place of business is located for cancellation, the certificate of registration of that place of business and a quantity of coupons or other evidences (or, if he is an intermediate distributor, shall issue to the Board a check) equal in gallonage value to the total capacity of the gasoline storage facilities of the place of business plus the gallonage value of any other coupons or other evidences deposited or on hand for that place of business (except those issued to him as a ration by a Board).

14. Section 1394.8206 is redesignated § 1394.8228.

15. Section 1394.8235 (c) is added to read as follows:

(c) Representatives of Boards, District, Region and National Offices of the Office of Price Administration are authorized to receive the surrender of any gasoline deposit certificates, coupons, or other evidences in the hands of any dealer or distributor in excess of those he is required to have on hand for his place of business under the provisions of §§ 1394.8217 (a) and 1394.8218 (b) relating to the accountability of dealers and distributors for such certificates, coupons and evidences, and invalid coupons in the hands of any dealer or distributor.

This amendment shall become effective May 13, 1944.

NOTE: The reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 807, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 9th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6616; Filed, May 9, 1944; 11:32 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 376,[1] Amdt. 3]

CERTAIN FRESH FRUITS AND VEGETABLES

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 4 (a) is amended by adding a sentence to read as follows:

Each regional administrator, and such state or district directors as may be authorized by the appropriate regional administrator, are authorized to act upon such applications.

This amendment shall become effective May 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved: May 2, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-6617; Filed, May 9, 1944; 11:33 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 471,[2] Amdt. 4]

LEGUME AND GRASS SEEDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 471 is amended in the following respects:

1. Section 2.7 (d) is added to read as follows:

(d) The prices set forth in paragraphs (a) and (b) may be increased at the rate of $3.00 per 100 pounds of seed for the sale of Pioneer and Kansas Common State Certified improved varieties of processed central alfalfa seed.

2. Section 2.8 (d) is added to read as follows:

(d) The prices set forth in paragraphs (a) and (b) may be increased at the rate of $3.00 per 100 pounds of seed for the sale of Hairy Peruvian, Arizona Chilean, Cimarron, New Mexico Common, and Texas Southwestern Common State Certified improved varieties of processed southern alfalfa seed.

3. Section 4.8 (e) is added to read as follows:

(e) The prices set forth in paragraphs (a) and (b) may be increased at the rate of $3.00 per 100 pounds of seed for the sale of Common Biennial White State Certified variety of processed sweet clover seed.

This amendment shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved: May 2, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-6618; Filed, May 9, 1944; 11:33 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR, Amdt. 55]

CERTAIN SALES OF SPECIFIED COAL CARBONIZATION AND CARBURATED WATER GAS BY-PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 3.2 (o) is added to read as follows:

(o) Sales and deliveries to buyers for further processing pursuant to sliding-scale contracts (as defined in subparagraph (2) hereof) of the coal carbonization and carburated water-gas by-products hereinafter listed and defined in subparagraph (1): *Provided*, That within 30 days following the close of each price adjustment period established by the contract, but in no case less frequently than once every calendar year the buyer shall submit a written report to the Chemicals and Drugs Branch, Office of Price Administration, Washington, D. C., containing the information required by subparagraph (3) hereof.

(1) *Commodities covered* (In no event shall the following be construed to include products obtained from petroleum alone):

(i) "Crude light oil" meaning an oil recovered from gases produced from coal or from coke and petroleum or from distillation of tar containing high percentages of benzol, toluol and xylols.

(ii) "Carbolate or sodium phenolate" meaning an aqueous solution of the sodium salts of tar acids produced when oils or other coal carbonization by-products containing tar acids are treated with caustic soda.

(iii) "Tar acid oil or carbolic oil" meaning a distillate containing tar acids, naphthalenes, and other coal tar chemicals distilling largely below 350 degrees centigrade and having a specific gravity below 1.060 at 15.5 degrees centigrade.

(iv) "Crude pyridine bases or crude tar bases" which are crude mixtures of organic nitrogen compounds such as pyridine, quinoline, and their homologues which are recovered from coal carbonization gases or liquors or from coal tar distillates.

(2) "Sliding-scale contract" means either or both of the following:

(i) A participating contract whereby the seller's price for the commodities listed in subparagraph (1) varies according to the revenue obtained by the buyer from the sale of derivatives produced by him and listed in such participating contract; or

(ii) A contract under which the seller's price for the commodities listed in subparagraph (1) varies according to the amount of the constituents derived from the crudes and referred to in such contract.

(3) Information required in reports:

(i) The name of each seller and the location of each seller's plant from which the products listed in subparagraph (1) were obtained.

(ii) The total amount, in gallons, for each of such products purchased from each seller during the preceding price adjustment period established by the contract or most recent calendar year as the case may be, and the maximum price per gallon on each sale under the provisions of the General Maximum Price Regulation.

(iii) The price per gallon for each of the commodities listed in subparagraph (1) purchased during such adjustment period as determined under the provisions of the applicable sliding-scale contract.

This amendment shall become effective May 15, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6619; Filed, May 9, 1944; 11:33 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5467, 7391; 9 F.R. 2492.

[2] 8 F.R. 13051, 13333, 16006; 9 F.R. 1946.

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office[1]

[Public Land Order 225]

ALASKA

WITHDRAWING PUBLIC LANDS FOR CLASSIFICATION

By virtue of the authority vested in the President by the act of June 25, 1910, c. 421, 36 Stat. 847, as amended by the act of August 24, 1912, c. 369, 37 Stat. 497 (U.S.C., title 43, secs. 141–143), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights and the provisions of outstanding withdrawals, the public lands within the following-described areas in Alaska are hereby temporarily withdrawn from settlement, location, sale, or entry, for classification:

BIRCH LAKE

Latitude 64°19' N., Longitude 146°40' W.
All lands within one-half mile of Birch Lake, including all islands, embracing among other lands the following surveyed subdivisions:

FAIRBANKS MERIDIAN

T. 7 S., R. 5 E.,
Sec. 13;
Sec. 14, lots 2, 3, and NE¼;
Sec. 24, NW¼NE¼ and NE¼NW¼;

The areas described aggregate approximately 2,300 acres, including 2,188 acres of public land and 112 acres of nonpublic land.

SUMMIT LAKE

Latitude 63°07' N., Longitude 145°32' W.
All lands within one-half mile of Summit Lake, including all islands.
The areas described aggregate approximately 11,000 acres.

PAXSONS LAKE

Latitude 62°55' N., Longitude 145°30' W.
All lands within one-half mile of Paxsons Lake, including all islands.
The areas described aggregate approximately 8,000 acres.

MENTASTA LAKE

Latitude 62°55' N., Longitude 143°47' W.
All lands within one-half mile of Mentasta Lake, including all islands.
The areas described aggregate approximately 4,100 acres.

GLACIER POINT

A tract of land on Glacier Point in latitude 61°48' N., longitude 147°40'30" W., described as follows:
Beginning at a point on the right bank of Caribou Creek at intersection with the south boundary of the right of way of the Glenn Highway; thence
Southerly and westerly along the Glenn Highway approximately 1½ miles;
South approximately 0.1 mile to the Matanuska River;
Southeasterly and northerly along the right bank of the Matanuska River to the mouth of Caribou Creek;
Northwesterly along the right bank of Caribou Creek to the point of beginning.
The tract described contains approximately 600 acres.

[1] Appendix.

Executive Order No. 4747 of October 24, 1927, withdrawing a portion of the land at Birch Lake for townsite purposes, is hereby revoked.

ABE FORTAS,
Acting Secretary of the Interior.

APRIL 21, 1944.

[F. R. Doc. 44-6577; Filed, May 9, 1944; 10:04 a. m.]

[Public Land Order 226]

ALASKA

WITHDRAWING PUBLIC LANDS FOR CLASSIFICATION

By virtue of the authority vested in the President by the act of June 25, 1910, c. 421, 36 Stat. 847, as amended by the act of August 24, 1912, c. 369, 37 Stat. 497 (U.S.C., title 43, secs. 141–143), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the public lands within the following-described areas in Alaska are hereby temporarily withdrawn from settlement, location, sale, or entry, for classification:

All lands on the north banks of the Klehini and Chilkat Rivers, within one-half mile of the center line of the highway from Haines, Alaska, in secs. 26 and 27, T. 30 S., R. 59 E., Copper River Meridian, to a point on the International Boundary between the United States and Canada, in sec. 14, T. 28 S., R. 53 E., approximately 40 miles, embracing, among other lands, the following-described surveyed subdivisions:

COPPER RIVER MERIDIAN

T. 28 S., R. 53 E.,
Secs. 13, 14, and 24.
T. 28 S., R. 54 E.,
Secs. 22, 23, and 24.
T. 28 S., R. 55 E.,
Secs. 19, 22, 23, and 25 to 30 inclusive.
T. 28 S., R. 56 E.,
Secs. 29 and 30;
Sec. 31, lots 1, 2, and 3;
Secs. 32, 33, and 34.
T. 29 S., R. 57 E.,
Sec. 6, lot 1;
Sec. 15, all;
Sec. 16, E½NE¼;
Sec. 22, NE¼ and NE¼SE¼;
Secs. 23 and 25;
Sec. 26, lots 1 to 7 inclusive, SE¼NW¼, SE¼;
Sec. 35, all.
T. 30 S., R. 58 E.,
Secs. 6, 7, 8, 14, and 24.
T. 30 S., R. 59 E.,
Secs. 19 and 27 to 30, inclusive.

The withdrawal made by this order shall be subject to the reservation of a sixty-foot strip on the International Boundary between the United States and Canada made by Proclamations No. 810 of June 15, 1908, and No. 1196 of May 3, 1912, and the reservation for the use of the Alaska natives residing at the village of Klukwan made by Executive Order No. 1764 of April 21, 1913, as conformed to the legal subdivisions of the public-land

surveys by Executive Order No. 3673 of May 15, 1922.

ABE FORTAS,
Acting Secretary of the Interior.

APRIL 21, 1944.

[F. R. Doc. 44-6578; Filed, May 9, 1944; 10:04 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Coal Mines Administration.

[Order CMA-26]

THORNBOTTOM COAL AND COKE CO., ET AL.

ORDER TERMINATING GOVERNMENT POSSESSION

I have been advised that the coal mines of the mining companies listed in Appendix A have been worked out, abandoned, or otherwise have become inactive. Based on such advice, after consideration of all of the circumstances, I find that possession by the Government of such mines is not required for the furtherance of the war program.

Accordingly, I order and direct that the possession by the Government of the mines of the mining companies listed in Appendix A, which is attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines, be, and it is hereby terminated, and that there be conspicuously displayed at those mining properties copies of a poster to be supplied by the Coal Mines Administration, and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Nothing contained herein shall be deemed to preclude the Government from requiring the submission of information relating to operations during the period of Government possession, for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9393 (8 F.R. 14877) may be concluded in an orderly manner, except as those requirements may have been waived in accordance with the provisions of section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712, 11344, 17339).

Dated: May 8, 1944.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

APPENDIX A

Name of Mining Company and Address

1. Thornbottom Coal & Coke Company, Star Route, Box 35, Connelsville, Pa.
2. R. & O. Coal Company, R. D. No. 8, New Castle, Pennsylvania.
3. The Mine "B" Coal Company, Box 311, Springfield, Illinois.
4. Carbon Gas Coal Company, Inc., Thompson Building, Kittanning, Pennsylvania.
5. Metro Coal & Limestone, Inc., Belden Avenue, Southeast, P. O. Box No. 48, Canton, Ohio.
6. Henrietta Coal Company, Inc., P. O. Box 11, Houtsdale, Pennsylvania.
7. Ivywood Coal Company, 948 S. Main Street, Butler, Pennsylvania.
8. Ottawa Mining Co., 289 W. Wood Street, Paris, Illinois.

[F. R. Doc. 44-6626; Filed, May 9, 1944; 11:43 a. m.]

General Land Office.

UTAH

MODIFICATION OF GRAZING DISTRICTS

Under and pursuant to the provisions of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315 et seq.), and subject to the limitations and conditions therein contained, Utah Grazing Districts Nos. 2, 3, and 4 are modified as follows.

The following-described lands are excluded from Grazing District No. 2 and added to Grazing District No. 3:

UTAH

SALT LAKE MERIDIAN

T. 16 S., R. 1 W.,
Secs. 30 and 31, those parts south and west of Sevier River.
T. 17 S., R. 1 W.,
Sec. 6, that part south of Sevier River;
Sec. 7.
T. 14 S., R. 2 W.,
Sec. 31, that part south of Sevier River.
T. 15 S., R. 2 W., partly unsurveyed,
Secs. 6, 7, and 8, those parts west of Sevier River;
Secs. 14, 15, 16, and 17, those parts south of Sevier River;
Secs. 18 to 21, inclusive;
Secs. 22, 23, 26, and 27, those parts south and west of Sevier River;
Secs. 28 to 33, inclusive;
Sec. 34, that part west of Sevier River.
T. 16 S., R. 2 W.,
Sec. 3, that part west of Sevier River;
Secs. 4 to 9, inclusive;
Secs. 10, 11, 14, and 15, those parts west of Sevier River;
Secs. 16 to 21, inclusive;
Secs. 22, 23, 26 and 27, those parts west of Sevier River;
Secs. 28 to 34, inclusive;
Secs. 35 and 36, those parts west and south of Sevier River.
T. 17 S., R. 2 W.,
Secs. 1 and 2, those parts south of Sevier River;
Secs. 3 to 18, inclusive;
Secs. 22, 23, and 24.
T. 15 S., R. 3 W.,
Secs. 1 and 2;
Sec. 10, E½NE¼ and S½;
Secs. 11 to 16, inclusive;
Sec. 17, E½E½;
Sec. 20, NE¼NE¼;
Sec. 21, lot 1, NW¼NE¼, and N½NW¼;
Sec. 22, NE¼, N½NW¼, and E½SE¼;
Secs. 23, 24, and 25;
Sec. 26, NE¼, N½NW¼, and SE¼NW¼;
Sec. 27, NE¼NE¼;
Sec. 36.
T. 16 S., R. 3 W.,
Sec. 1, E½;
Sec. 12, E½;
Secs. 13, 24, and 25;
Sec. 26, E½;
Sec. 35, E½;
Sec. 36.
T. 17 S., R. 3 W.,
Sec. 1;
Sec. 2, E½;
Sec. 11, E½;
Secs. 12 and 13;
Sec. 14, E½.

The following-described lands are excluded from Grazing District No. 4 and added to Grazing District No. 3:

T. 31 S., R. 8 W.,
Sec. 4, lots 3, 4, 5, 6, 11, 12, N½SW¼, and SW¼SW¼;
Secs. 5, 6, and 7;
Sec. 8, NE¼, W½, and NW¼SE¼;
Sec. 17, N½NW¼, SW¼NW¼, and NW¼SW¼;
Sec. 18;
Sec. 19, lot 1, N½NE¼, and NE¼NW¼.
T. 31 S., R. 9 W.,
Secs. 1 to 9, inclusive;
Sec. 10, N½ and N½S½;
Sec. 11, N½, N½SW¼, SE¼SW¼, and SE¼;
Sec. 12;
Sec. 13, N½, N½SW¼, and SE¼;
Sec. 14, NE¼ and NE¼NW¼;
Sec. 16, N½NW¼ and SW¼NW¼;
Sec. 17, N½, SW¼, N½SE¼, and SW¼SE¼;
Sec. 18;
Sec. 19, NE¼, W½, N½SE¼, and SW¼SE¼;
Sec. 20, N½NW¼ and SW¼NW¼;
Sec. 30, lots 1, 2, 3, 4, NW¼NE¼, and E½NW¼;
Sec. 31, lot 1.
T. 31 S., R. 10 W.,
Secs. 1 to 30, inclusive;
Sec. 31, N½NE¼, SE¼NE¼, and NE¼NW¼;
Sec. 32, N½, N½SE¼, and SE¼SE¼;
Secs. 33, 34, and 35;
Sec. 36, N½NE¼, SW¼NE¼, NW¼, and N½SW¼.
T. 32 S., R. 10 W.,
Sec. 2, lot 4;
Sec. 3, lots 1 to 4, inclusive, S½NW¼, and N½SW¼;
Sec. 4, N½ and N½SE¼;
Sec. 5, lot 1.
T. 31 S., R. 11 W.,
Secs. 1 to 18, inclusive;
Sec. 19, N½, NE¼SW¼, and N½SE¼;
Secs. 20 to 26, inclusive;
Sec. 27, N½, N½SW¼, N½SE¼, and SE¼SE¼;
Sec. 28, N½;
Sec. 29, N½NE¼ and NE¼NW¼;
Sec. 35, N½N½.
T. 31 S., R. 12 W.,
Secs. 1 to 16, inclusive;
Sec. 21, N½N½;
Sec. 22, N½N½ and SE¼NW¼;
Sec. 23, N½N½ and SE¼NE¼;
Sec. 24, NE¼ and N½NW¼.

ABE FORTAS,
Acting Secretary of the Interior.

MAY 1, 1944.

[F. R. Doc. 44-6584; Filed, May 9, 1944; 10:04 a. m.]

Office of the Secretary.

NEVADA

ELIMINATION FROM PROPOSED GRAZING DISTRICT

Under and pursuant to the provisions of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269) as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315) the order of the Secretary of the Interior of November 24, 1937, withdrawing lands in Nevada for a proposed grazing district, is hereby revoked as to the hereinafter described lands. This revocation is made because of certain equities involved in the desert-land application, Carson City 020893, of Reuben James Kelly for this land:

NEVADA

MOUNT DIABLO MERIDIAN

T. 10 S., R. 47 E., sec. 31, W½NE¼, SE¼NE¼

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

APRIL 21, 1944.

[F. R. Doc. 44-6585; Filed, May 9, 1944; 10:04 a. m.]

Solid Fuels Administration for War.

PRODUCERS, COMMERCIAL DOCK OPERATORS AND LAKE OR TIDEWATER FORWARDERS

NOTICE CONCERNING REPORT FORM

Form SFA No. 79 has been revised in order to provide for the reporting of certain essential information required by § 602.175 of Solid Fuels Administration for War Revised Regulation No. 10. A copy of the revised form, which has been approved by the Bureau of the Budget, is attached hereto.[1] Persons who have on hand a supply of the previous SFA Form No. 79 may utilize that supply by making corrections to conform with the newly revised form.

Part A, as revised, will henceforth be used for reporting all shipments, regardless of method of movement, when the name of the industrial consumer or railroad is known and the tonnage shipped has been earmarked or segregated for such industrial consumer or railroad.

Part B, as revised, will be used for reporting waterborne shipments for which the name of the commercial dock operator and dock is known, but when the name of the ultimate consumer or railroad is not known.

In order to facilitate the rapid tabulation of necessary data, producers in District No. 8 are hereby required to file Form SFA No. 79 in duplicate with the Area Distribution Manager for that district.

In connection with the filing of SFA Form No. 79, the following offices should be substituted, where appropriate, for those shown in Appendix A to SFAW Revised Regulation No. 10:

Producers in District No. 7 shall file Form SFA No. 79 with the Solid Fuels Administration for War, Washington 25, D. C.

Producers in District No. 12 shall file the form with J. C. Fitzpatrick, 1161 Merchandise Mart Building, Chicago 54, Illinois.

Producers in Districts Nos. 16, 17 and 18 shall file the form with R. B. Griffith, 718-721 Boston Building, Denver 2, Colorado.

Producers in Districts Nos. 19, 20 and 22 shall file the form with J. E. Parker, Room 457, Union Pacific Building Annex, 19 W. S. Temple Street, Salt Lake City, Utah.

Producers in District No. 23 shall file the form with E. C. Ferguson, 6630 Henry Building, Seattle, Washington.

Dated: April 28, 1944.

C. J. POTTER,
Deputy Administrator.

[F. R. Doc. 44-6572; Filed, April 28, 1944; 11:59 a. m.]

[1] Filed as part of the original document.

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

APPAREL INDUSTRY

Wilkes-Barre Cap Manufacturing Company, 88 E. Northampton Street, Wilkes-Barre, Pennsylvania; miners' caps and helmets, work caps, miners' goggles; 2 learners (T); effective May 8, 1944, expiring May 7, 1945.

Irvin U. Yoder, Reinerton, Pennsylvania; U. S. Government Marine shorts; 5 learners (T); effective May 6, 1944, expiring May 5, 1945.

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

American Sportswear Company, 71 South Main Street, Brigham City, Utah; leather work clothes; 20 learners (AT); effective May 9, 1944, expiring November 8, 1944.

Boreva Sportswear Incorporated, Cottage Grove, Wisconsin; slacks, skirts, bobby suits, play suits; 10 learners (T); effective May 3, 1944, expiring May 2, 1945.

The Brunner Company, Cleveland Avenue, Ashtabula, Ohio; defense slacks, slack suits and dresses, women's and misses' day time apparel; 10 learners (T); effective May 6, 1944, expiring May 5, 1945.

City Shirt Company, 19-21 West Vine Street, Mahanoy City, Pennsylvania; men's shirts; 10 percent (T); effective May 2, 1944, expiring May 1, 1945.

Home Manufacturing Company, 741 East Eldorado Street, Decatur, Illinois; wash dresses; 10 percent (T); effective May 7, 1944, expiring May 6, 1945.

Kleeson Company, Jefferson Avenue, Moundsville, West Virginia; work and dress pants; 25 learners (AT); effective May 3, 1944, expiring November 2, 1944.

Lenoir Shirt Company, Caswell Street, Kinston, North Carolina; men's cotton dress shirts; 10 percent (T); effective May 6, 1944, expiring May 5, 1945.

S. Liebovitz & Sons, Inc., Duplan Building, Hazleton, Pennsylvania; sport shirts; 10 percent (T); effective May 3, 1944, expiring May 2, 1945.

Lin Dol Dress Company, First National Bank Building, Patton, Pennsylvania; children's cotton dresses; 10 learners (T); effective May 6, 1944, expiring May 5, 1945.

I. Lindenberg, 28 N. Sixth Street, Philadelphia, Pennsylvania; dresses; 5 learners (T); effective May 2, 1944, expiring May 1, 1945.

Nite Kraft Corporation, Third and Race Streets, Sunbury, Pennsylvania; U. S. A. cotton drawers, shorts and pajamas, nightwear for men, women and children; 10 percent (T); effective May 6, 1944, expiring May 5, 1945.

Rice-Stix Dry Goods Company, Factory #3, Blytheville, Arkansas; men's and boys' woven underwear, work and dress shirts, pajamas; 20 percent (AT); effective May 6, 1944, expiring November 5, 1944.

Shawnee Garment Manufacturing Company, 115½ North Bell Street, Shawnee, Oklahoma; pants, overalls, shirts, coats; 10 learners (AT); effective May 4, 1944, expiring September 1, 1944.

Steelton Apparel Company, 709 South Second Street, Steelton, Pennsylvania; dresses; 10 learners (T); effective May 1, 1944, expiring April 30, 1945.

Stone Manufacturing Company, 25 East Court Street, Greenville, South Carolina; ladies' slips, children's sunsuits, underwear, and sleepers, nurses' and work aprons; 10 percent (T); effective May 3, 1944, expiring May 2, 1945.

Tex-Son Company, 3021 West Martin Street, San Antonio, Texas; boys' sportwear, children's cotton garments; 10 learners (T); effective May 8, 1944, expiring May 7, 1945.

Thurmond Manufacturing Company, Rutledge, Georgia; work pants; 10 learners (T); effective May 8, 1944, expiring May 7, 1945.

Wm. S. Wismer Clothing Factory, Main Street, Sliverdale, Pennsylvania; men's trousers; 5 learners (T); effective May 2, 1944, expiring May 1, 1945.

GLOVE INDUSTRY

Alma Knitting Mills, Inc., 11 East Pine Street, Gloversville, New York; knit wool gloves and mittens; 5 learners (T); effective May 7, 1944, expiring May 6, 1945.

The Boss Manufacturing Company, Leavenworth, Kansas; work gloves; 35 learners (E); effective May 5, 1944, expiring November 4, 1944.

The Boss Manufacturing Company, Chillicothe, Missouri; work gloves; 40 learners (E); effective May 5, 1944, expiring November 4, 1944.

HOSIERY INDUSTRY

Albany Manufacturing Company, Inc., Slappey Drive, Albany, Georgia; full-fashioned hosiery; 10 percent (AT); effective May 8, 1944, expiring November 7, 1944.

Douglas Silk Products Company, Douglas, Georgia; full-fashioned hosiery; 5 learners (T); effective May 3, 1944, expiring May 2, 1945.

Farmers Mill, Carrollton, Georgia; seamless hosiery; 5 learners (T); effective May 6, 1944, expiring May 5, 1945.

K. W. Knitting Mill, Mohnton, Pennsylvania; seamless hosiery; 5 learners (T); effective May 7, 1944, expiring May 6, 1945.

Phoenix Hosiery Company, 320 East Buffalo Street, Milwaukee, Wisconsin; seamless and full-fashioned hosiery; 10 percent (AT); effective May 8, 1944, expiring November 7, 1944.

Rutledge Hosiery Mill Company, Rutledge, Tennessee; seamless hosiery; 10 learners (AT); effective May 6, 1944, expiring November 5, 1944.

Spalding Knitting Mills, Broad Street, Griffin, Georgia; seamless hosiery; 15 percent (AT); effective May 3, 1944, expiring November 2, 1944.

Waldensian Hosiery Mills, Inc., Valdese, North Carolina; full-fashioned and seamless hosiery; 10 percent (AT); effective May 2, 1944, expiring November 1, 1944.

TEXTILE INDUSTRY

Belton Mills, Belton, South Carolina; cotton and rayon; 8 learners (T); effective May 1, 1944, expiring April 30, 1945.

Juliette Milling Company, Juliette, Georgia; cotton yarn and twine; 5 percent (AT); effective May 3, 1944, expiring November 2, 1944.

National Fabrics Corporation, Buena Vista, Virginia; thrown and broad rayon; 8 learners (AT); effective May 8, 1944, expiring November 7, 1944.

Oconee Mills, Inc., Westminster, South Carolina; cotton yarn, cotton sheet blankets; 6 percent (AT); effective May 3, 1944, expiring November 2, 1944.

J. W. Sanders Cotton Mill, Incorporated, Starkville, Mississippi; cotton chambrays; 15 learners (AT); effective May 3, 1944, expiring November 2, 1944.

Signed at New York, N. Y., this 6th day of May 1944.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-6550; Filed, May 8, 1944; 2:44 p. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Bristol Paper Box Company, Inc., 1305 W. State Street, Bristol, Virginia; converted paper products; 2 learners (T); staying and ending, stripping and topping for a learning period of 240 hours at 35 cents per hour; effective May 9, 1944, expiring November 9, 1944.

Camark Pottery, Pottery Road, Camden, Arkansas; pottery; 2 learners (T); washer trimmer for a learning period of 160 hours at 35 cents per hour; effective May 4, 1944, expiring November 4, 1944.

Rio Grande Button Factory, 410 Illinois Street, Mercedes, Texas; buttons; 6 learners (T); cutter for a learning period of 480 hours at 30 cents per hour for the first 320 hours and 35 cents per hour for the next 160 hours; effective May 12, 1944, expiring November 13, 1944.

M. W. Smith Lumber Company, Jackson, Alabama; Lumber; 13 learners (T); band ripsaw operator, cut-up sawyer, lumber and shook grader for a learning period of 160 hours at 35 cents per hour; effective May 8, 1944, expiring November 8, 1944.

The Times-Reporter Printing Company, Box Q, Adams, Wisconsin; printing; 1 learner (T); printer for a learning period of 480 hours at 30 cents per hour; effective May 7, 1944, expiring November 6, 1944.

Signed at New York, this 6th day of May 1944.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-6551; Filed, May 8, 1944; 2:44 p. m.]

EMPLOYMENT OF HOMEWORKERS IN EMBROIDERIES INDUSTRY

POSTPONEMENT OF EFFECTIVE DATE OF REGULATIONS

In the matter of the postponement of the effective date of the provisions in the wage order for and the regulations applicable to the employment of home workers in the embroideries industry, Title 29, Chapter V, Code of Federal Regulations, Part 633 and § 633.100.

Whereas the Administrator of the Wage and Hour Division of the United States Department of Labor on August 21, 1943 issued: (1) a wage order establishing a minimum wage rate of 40 cents an hour for the Embroideries Industry effective September 20, 1943, and prescribing terms and conditions applicable to industrial home work employment in such industry effective November 15, 1943 and (2) regulations applicable to industrial home work employment in the embroideries industry, pursuant to such wage order and sections 8 (f) and 11 (c) of the Fair Labor Standards Act of 1938; and

Whereas the Acting Administrator issued an order on March 4, 1944 (8 F.R. 2269) postponing the effective date of the terms and conditions relating to home work and the regulations to May 15, 1944; and

Whereas petitions for review of the terms and conditions of such wage order have been filed pursuant to section 10 (a) of the Fair Labor Standards Act in the United States Circuit Court of Appeals for the Second Circuit; and

Whereas the Administrator has determined that the effective date of the industrial home work provisions in the wage order for and regulations applicable to the employment of home workers in the embroideries industry shall be postponed pending a decision by the court upon the petitions;

Now, therefore, it is hereby ordered, That the effective date of the industrial home work provisions in the wage order for and regulations applicable to the employment of home workers in the embroideries industry is extended to June 26, 1944.

Signed at New York, New York, this 4th day of May 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-6552; Filed, May 8, 1944; 2:44 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 103, Special Permit 9]

MOVEMENT OF CANADIAN MALTING BARLEY FROM DULUTH, MINN., TO MEXICO

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.4, 8 F.R. 572) of Service Order No. 103 of January 12, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 103 insofar as it applies to the acceptance and movement by railroad of 20 carloads of Canadian malting barley shipped by the Russell-Miller Milling Company, Duluth, Minnesota, to destination in Mexico, at the rate of three cars a day provided shipper will advise car numbers and dates of shipment of each car.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of May 1944.

V. C. CLINGER,
Director, Bureau of Service.

[F. R. Doc. 44-6535; Filed, May 8, 1944; 11:48 a. m.]

[S. O. 200, Amended, General Permit 1]

REICING OF POTATOES FROM ALABAMA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes originating at any point in Alabama, after the first or initial icing at an icing station not beyond Atlanta, Georgia, or Jackson, Memphis or Nashville, Tennessee, to reice once in transit to full bunker capacity at the first regular icing station en route beyond the station where car was initially iced; except that on cars routed through Atlanta, Georgia, the one reicing authorized may be ordered by the shipper and accorded by the carrier at the first regular icing station en route beyond Atlanta.

This general permit shall become effective at 12:01 p. m., May 5, 1944, and the reicing authorized herein may be accorded on such refrigerator cars moving at that time. This general permit shall expire at 12:01 a. m., June 10, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of May 1944.

V. C. CLINGER,
Director, Bureau of Service.

[F. R. Doc. 44-6536; Filed, May 8, 1944; 11:48 a. m.]

[S. O. 201, Special Permit 1]

TRANSPORTATION OF ICE TO INYOKERN, CALIF.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.338, 9 F.R. 4480) of Service Order No. 201 of April 25, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 201 insofar as it applies to the transportation of ice in not to exceed six RS type refrigerator cars per week from Bakersfield, California, to Inyokern, California, served by the Southern Pacific Company.

This permit shall become effective May 2, 1944, and shall expire with October 31, 1944. The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of May, 1944.

V. C. CLINGER,
Director, Bureau of Service.

[F. R. Doc. 44-6537; Filed, May 8, 1944; 11:48 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

MEEHANITE METAL CORP., ET AL.

NOTICE OF SUMMARY PROCEEDING FOR ALLOWANCE OF CLAIMS

In the matter of the claims of: Meehanite Metal Corporation, APC-17 re Patent No. 1,887,453 et al., vested by Vesting Order No. 201; The Firestone Tire and Rubber Company, APC-17 re Patent No. 1,730,441, vested by Vesting Order No. 201; Rene Tampier, APC-16 re Patent No. 2,192,872 et al., vested by Vesting Order No. 666; Coro, Inc., formerly Cohn & Rosenberger, Inc., APC-17 re Patent No. 1,798,867, vested by Vesting Order No. 666; Chemipulp Process, Inc., APC-17 re Patent No. 1,576,970 et al., vested by Vesting Order 201; Emil Zipper, APC-16 re Patent Application Serial No. 336,290 and Patent No. 2,242,986 et al., vested by Vesting Orders Nos. 205, 201 and 666; Freydberg Bros.-Strauss, Inc., APC-17 re Patent No. 1,990,849, vested by Vesting Order No. 666; and Precise Products Corporation, APC-17 re Patent No. 2,170,036 et al., vested by Vesting Order No. 201.

The Alien Property Custodian having by the vesting orders above identified vested the above described property as property of nationals of a foreign country; and each claimant above identified having filed a notice of claim alleging that said claimant is the owner of the property described in each notice of claim respectively and that said claimant is not a national of a designated enemy country; and recommendation for allowance of each of said claims having been submitted:

Notice is hereby given, pursuant to § 501.1 (h) of the regulations of the Office of Alien Property Custodian (8 Fed. Reg. 16709), that copies of the said vesting orders, claims and recommendations are available for public inspection in Room 633, Office of Alien Property Custodian, National Press Building, 14th and F Streets, N. W., Washington, D. C., and that any person asserting any objection to allowance of the claims shall on or before May 20, 1944, file with the undersigned at the above address an application for a hearing accompanied by a statement of the reasons therefor.

The foregoing characterizations of the claims are for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE,
JOHN C. FITZGERALD,
Chairman.
MICHAEL F. KRESKY.
NUGENT DODDS.

MAY 6, 1944.

[F. R. Doc. 44-6518; Filed, May 8, 1944; 10:50 a. m.]

[Vesting Order 3480]

YEMIKO AND AKIRA NAKAYAMA

In re: Guardianship estate of Yemiko Nakayama and Akira Nakayama, minors; File: D-66-1611; E. T. sec. 10026 (H-179).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Arthur E. Restarick, Guardian, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Yemiko Nakayama, Japan.
Akira Nakayama, Japan.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Yemiko Nakayama and Akira Nakayama, and each of them, in and to the Guardianship Estate of Yemiko Nakayama and Akira Nakayama, Minors, in the possession of Arthur E. Restarick, Guardian,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return

such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6514; Filed, May 8, 1944; 10:50 a. m.]

[Vesting Order 3530]

H. A. LUNSMANN

In re: Estate of H. A. Lunsmann, also known as Herman A. Lunsmann, Herman Lunsmann and Hermann A. Lunsmann, deceased; File: D–28–7497; E. T. sec. 7828.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Adolf Lunsmann and George H. Hauerken, Administrators, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Anna Catherine Meyer, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anna Catherine Meyer, in and to the Estate of H. A. Lunsmann, also known as Herman A. Lunsmann, Herman Lunsmann and Hermann A. Lunsmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arrising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6515; Filed, May 8, 1944; 10:50 a. m.]

[Supplemental Vesting Order 3566]

Z. HORIKOSHI & COMPANY, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found in Vesting Order Number 196, dated September 30, 1942, that Z. Horikoshi & Company, Inc., is a business enterprise within the United States and a national of a designated enemy country (Japan);

2. Finding that Hajimu Horikoshi has a claim against Z. Horikoshi & Company, Inc., which claim as of September 30, 1943, amounted to $1,835 subject, however, to any accruals or deductions subsequent thereto and represents an interest in Z. Horikoshi & Company, Inc.;

3. Finding that Hajimu Horikoshi, whose last known address is Japan, is a national of a designated enemy country (Japan);

and determining:

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the interest of Hajimu Horikoshi in Z. Horikoshi & Company, Inc., represented on the books and records of Z. Horikoshi & Company, Inc., as an account payable, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6516; Filed, May 8, 1944; 10:51 a. m.]

[Supplemental Vesting Order 3567]

J. S. MIWA & COMPANY, LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order Number 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found in Vesting Order Number 2783, dated December 15, 1943, that J. S. Miwa & Company, Ltd., and J. S. Miwa are nationals of a designated enemy country (Japan);

2. Finding that of the outstanding stock of J. S. Miwa & Company, Ltd., a corporation organized and doing business under the laws of the Territory of Hawaii and a business enterprise within the United States, consisting of 826 shares of capital stock having a par value of $100 a share, three shares (0.37%) are registered in the names of the following in the number opposite each name and are evidence of an interest in said business enterprise:

Name	Number of shares
Kazuichi Kodama	1
Hanako Yano	1
Shigeru Omori	1
Total	3

and determining:

3. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification,

and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian three shares of the capital stock of J. S. Miwa & Company, Ltd., represented by certificates 12, 13 and 14, registered in the names of Kazuichi Kodama, Hanako Yano and Shigeru Omori, respectively, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6517; Filed, May 8, 1944; 10:51 a. m.]

[Vesting Order 2827, Amdt.]

FORTUNA-WERKE A. G.

In re: Fortuna-Werke splitting machine and 14 spare parts owned by Fortuna-Werke A. G., of Stuttgart, Germany.

Vesting Order Number 2827, dated December 18, 1943, is hereby amended as follows and not otherwise:

By deleting the words "and electric motor" appearing in paragraph 3 thereof.

All other provisions of said Vesting Order Number 2827 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof, are hereby ratified and confirmed.

Executed at Washington, D. C., on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6512; Filed, May 8, 1944; 10:50 a. m.]

[Vesting Order 2904, Amdt.]

METRAWATT, A. G.

In re: Exposure meters and claim owned by Metrawatt, A. G. of Nuernberg, Germany.

Vesting Order Number 2904, dated January 7, 1944, is hereby amended as follows and not otherwise:

By deleting subparagraph 3–a of said vesting order and substituting a new subparagraph to be known as subparagraph 3–a, with the following language:

(3–a) Exposure meters, amplifiers and leather cases consisting of:

352 Eos with leather cases.
124 Tempiphots meters (77 without cases, 47 with leather cases).
28 Tempiphot amplifiers (26 without cases, 2 with leather cases).
17 Horves (10 without cases, 7 with leather cases).
28 Horves amplifiers (12 without cases, 16 with leather cases).

now in the possession of American Bolex Company, Incorporated, 521 Fifth Avenue, New York, New York, and

All other provisions of said Vesting Order Number 2904 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof, are hereby ratified and confirmed.

Executed at Washington, D. C., on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6513; Filed, May 8, 1944; 10:50 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 233]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN NEW YORK, N. Y., AND BOSTON, MASS., AND BETWEEN POINTS IN MASSACHUSETTS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writ-

[1] Filed as part of the original document.

ing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective May 13, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 9th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Allied Freightways, Inc., Boston, Massachusetts.
2. Cooper's Express, Inc., Lawrence, Massachusetts.

[F. R. Doc. 44-6605; Filed, May 9, 1944; 11:21 a. m.]

[Supp. Order ODT 3, Rev. 235]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN HASTINGS AND OMAHA, NEBR.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any terms of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective May 13, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 9th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Highway Motor Freight, Inc., Omaha, Nebraska.
R. E. Blickenstaff, doing business as Ideal Truck Line, Norton, Kansas.

[F. R. Doc. 44-6606; Filed, May 9, 1944; 11:21 a. m.]

[Supp. Order ODT 3, Rev. 236]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN NEW YORK, N. Y., AND WATERBURY, CONN.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective May 13, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 9th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Crowe & Co., Inc., Waterbury, Connecticut.
2. Laskas Motor Lines, Inc., Waterbury, Connecticut.
3. Blake Motor Lines, Incorporated, Torrington, Connecticut.

[F. R. Doc. 44-6604; Filed, May 9, 1944; 11:21 a. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 10 Under 2d Rev. Order A-3]

MASSILLON WIRE BASKET CO.

ORDER GRANTING ADJUSTMENT

Order No. 10 under 2d Revised Order No. A-3 issued under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) This order permits the manufacturer, Massillon Wire Basket Campany, Massillon, Ohio and its distributors to add the amounts specified below to their established maximum prices for sales of wire baskets for commercial use.

(1) *Manufacturers' prices.* On and after May 9, 1944 the maximum prices for sales of the wire baskets described below by Massillon Wire Basket Company, Massillon, Ohio, shall be the Massillon Wire Basket Company's established maximum prices less discounts, allowances and terms customarily granted by it increased by the amounts listed below:

Catalog No.	Approx. capacity	Top diam.	Bottom diam.	Permitted increase
		Inches	*Inches*	*Per dozen*
2-x-B	2 pecks	15	10	$3.75
3-x	3 pecks	17	11	4.35
4-x	4 pecks	18	12	5.25
8-x	8 pecks	22½	16	8.75
10 Peck Lobster	10 pecks	23	17	13.65
1 Bushel Shrimp	1 bushel	18	14½	9.10
2 Bushel Shrimp	2 bushels	22½	16¾	12.25

(2) *Distributors' prices.* If you are a distributor, you calculate your maximum prices for wire baskets manufactured by Massillon Wire Basket Company and described in this order by adding to your properly established maximum price, the increase to Massillon Wire Basket Company permitted by this order. The Massillon Wire Basket Company is required to notify you of the amounts by which you may increase your maximum prices provided for in this order at or before the time of its first shipment.

(b) *Notification.* The Massillon Wire Basket Company at the time it sends the first invoice to each purchaser after May 8, 1944 on sales of the wire baskets covered by this order, must send to each purchaser a written notice listing the catalog number, the capacity, the top and bottom diameters, the maximum price before the increase allowed by this order, the new maximum price and the increase permitted by this order. A statement in the following form will be sufficient:

The Office of Price Administration has granted relief to the Massillon Wire Basket Company on sales of wire baskets. Each distributor may add to his maximum price the exact amount of the increase granted the Massillon Wire Basket Company. Listed below is the information you will need to determine your new maximum prices.

Catalog No.	Approx. capacity	Top diam.	Bottom diam.	Max. prices before increase	Permitted increase

(List the appropriate information)

(c) This Order No. 10 may be revoked or amended by the Price Administrator at any time.

This Order No. 10 shall become effective on the 9th day of May 1944.

Issued this 8th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6564; Filed, May 8, 1944; 4:37 p. m.]

[RPS 67, Amdt. 1 to Order 16]

SMALLEY-GENERAL CO.

ESTABLISHMENT OF MAXIMUM PRICES

Amendment 1 to Order No. 16 under Revised Price Schedule 67. New machine tools. Smalley-General Company; Docket No. 3067-48.

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order No. 16 is amended in the following respects:

1. Paragraph (a) is amended to read as follows:

(a) (1) The maximum prices for sales and deliveries of the following thread millers by Smalley-General Company, Bay City, Michigan, during the period June 23, 1942, to January 8, 1943, inclusive, shall be as follows:

Model:	*Maximum price*
20-MB	$8,000
27-MB	8,040
27-MB-1	9,840

(2) The maximum prices for sales and deliveries of the following tread millers

by Smalley-General Company, Bay City, Michigan, after January 8, 1943, shall be as follows:

Model:	*Maximum price*
20–MB	$8,000
27–MB	9,850
27–MB–1	10,340

2. Paragraph (b) is revoked.

This amendment shall become effective May 9, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–6624; Filed, May 9, 1944; 11:34 a. m.]

Regional and District Office Orders.

[Trenton Order G–1 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN DESIGNATED NEW JERSEY CITIES

Order No. G–1 under section 8 (a) (7) of Maximum Price Regulation No. 426. Fresh fruits and vegetables for table use, sales except at retail. Amount of freight from basing point to wholesale receiving point allowed for determining maximum prices of certain fresh fruits and vegetables at Trenton, N. J., New Brunswick, N. J., Perth Amboy, N. J., Red Bank, N. J., Freehold, N. J., and Asbury Park, N. J.

For the reasons stated in an opinion issued simultaneously herewith and pursuant to the authority contained in section 8 (a) (7) of Maximum Price Regulation No. 426, this order is hereby issued.

SECTION 1. *What this order does.* This order establishes the amount of freight from basing point to wholesale receiving point which may be added to the maximum basing point price for the purpose of determining maximum selling prices of the fresh fruits and vegetables listed in the appendix, annexed hereto and made a part hereof, at the wholesale receiving points listed in said appendix and the markets which each wholesale receiving point so listed serves.

SEC. 2. *Where this order applies.* This order applies in the counties of Mercer, Hunterdon, Ocean, Middlesex, Monmouth, Somerset and Warren in the State of New Jersey.

SEC. 3. *Determination of the amount of freight allowed in establishing maximum selling prices.* The amount of freight from basing points to wholesale receiving point which may be added to the maximum basing point price for the purpose of determining maximum selling prices of any fresh fruit or vegetable item listed in the appendix annexed hereto at the wholesale receiving point in the appendix annexed hereto and in the markets which said wholesale receiving point serves, shall be the amount stated in the said appendix in the column thereof headed by the name of said wholesale receiving point and opposite the fresh fruit and vegetable item listed in the said appendix.

This amount does not include allowances, if any, for protective and other accessorial services. Allowances for such services are provided in dollars and cents in Appendices H and I of section 15 to Maximum Price Regulation No. 426, and are included in the maximum basing point price established in Appendices A, B and D of section 15 to Maximum Price Regulation No. 426.

SEC. 4. *Effective date.* This order shall become effective 12:01 a. m. on May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, MPR 426, 8 F.R. 16409)

Issued this 1st day of May 1944.

RALPH W. HACKETT,
District Director.

APPENDIX—FREIGHT FROM BASING POINT TO MARKETS IN THE TRENTON, NEW JERSEY, DISTRICT

Commodity	Unit	Basing point	To Trenton, N. J.	To Perth Amboy, N. J., or New Brunswick, N. J.	To Red Bank, N. J., and Freehold, N. J.	To Asbury Park, N. J.
Lettuce: Iceberg in L. A. or Salinas crates containing not less than 48 heads with a minimum net weight of 60 lbs.	Per crate	Salinas, Calif.	$1.73	$1.74	$1.79½	$1.81
Cabbage (to May 31, 1944) 50-pound bag	50 lb. bag	Brookhaven, Miss.	.65	.65	.65	.65
	Per pound	Brookhaven, Miss.	.013	.013	.013	.013
Table grapes: Lug boxes with a minimum weight of 28 pounds	Per lug box	Bakersfield, Calif.	.61½	.62	.64½	.66½
Carrots (To June 1, 1944): Bunched carrots, full tops in L. A. crates containing 72 bunches or more with a minimum net weight of 1 pound per bunch.	Per L. A. crate	El Centro, Calif.	1.55	1.55½	1.58½	1.60½
Spinach: In bushel containers with a net weight of 18 pounds or more	Per bushel	Crystal City, Tex.	.42½	.44	.45½	.46
Green peas: In bushel containers with a net weight of 28 pounds or more	Per bushel	Santa Barbara, Calif.	.74½	.75	.77½	.79½
Snap beans (green or wax): In bushel containers with a net weight of 28 pounds or more.	Per bushel	Pompano, Fla.	.49½	.55	.57½	.59½
Egg plant (To July 15, 1944):						
In 1½ bushel crates with a net weight of 45 pounds or more	Per 1½ bu. crate	Fort Myers, Fla.	.84½	.86½	.92½	.94
In bushel containers with a net weight of 30 pounds or more	Per bushel	Fort Myers, Fla.	.57½	.60	.62½	.63½
Sweet peppers:						
In 1½ bushel crates with a net weight of 30 pounds or more	Per 1½ bu. crate	Pompano, Fla.	.64½	.71½	.75	.76
In bushel containers with a net weight of 26 pounds or more	Per bushel	Pompano, Fla.	.47½	.50	.52½	.53
Cucumbers:						
Except hothouse cucumbers in bushel containers with a net weight of 48 pounds or more.	Per bushel	Wachula, Fla.	.82½	.86½	.89½	.90½
In lug boxes with a net weight of 28 pounds or more	Per lug	Wachula, Fla.	.47½	.50½	.52	.52½
Hothouse cucumbers in any container	Per pound	Davenport, Iowa	.036	.038	.0390	.0390
Oranges: (produced in Florida, Texas and all other States, except California and Arizona): Place packed in standard containers of 1⅘ bushel contents.	1⅘ bu. standard container.	Homestead, Fla.	1.27	1.29	1.37	1.40
Oranges (produced in California and Arizona): Packed in standard containers of 1⅘ bushel contents.	1⅘ bu. standard container.	Los Angeles, Calif.	1.85	1.86	1.63	1.66
Grapefruit (produced in Florida, Texas, and all other States, except California and Arizona): Place packed in standard containers of 1⅘ bushel contents.	1⅘ bu. standard container.	Homestead, Fla.	1.17	1.18	1.25	1.28
Grapefruit (produced in California and Arizona): Packed in standard containers of 1⅘ bushel contents.	1⅘ bu. standard container.	Los Angeles, Calif.	1.43	1.44	1.51	1.54
Lemons (produced in all States): Packed in standard containers of 1⅘ bushel contents.	1⅘ bu. standard container.	Los Angeles, Calif.	1.58	1.59	1.66	1.69
Tangerines (produced in all States except California and Arizona): Place packed in standard containers of 1⅘ bushel contents.	1⅘ bu. standard container.	Homestead, Fla.	1.27	1.29	1.37	1.40

[F. R. Doc. 44–6460; Filed, May 5, 1944; 3:53 p. m.]

[Detroit Order G–1 Under MPR 285]

BANANAS IN DETROIT DISTRICT

Order No. G–1 under Maximum Price Regulation No. 285 as amended. Adjustment of maximum prices for wholesalers and jobbers for sales of imported bananas.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.1254 (a) of Maximum Price Regulation No. 285, as amended, and by him delegated to the Detroit District Director by Delegation Order No. 1–A, Revised, this Order No. G–1 under Maximum Price Regulation No. 285, as amended, is hereby issued.

SECTION 1. *What this order does.* This order fixes the transportation and handling adjustment that may be made for covered sales in the Detroit District of imported fresh bananas by banana wholesalers.

SEC. 2. *Transportation and handling adjustment.* For sales by banana wholesalers who do not purchase bananas at port of entry, 35¢ per cwt. may be added to the maximum price for the particular sale as otherwise determined under Maximum Price Regulation No. 285 as amended, as follows:

(a) When transported from one wholesale receiving point to another such point or to the premises of retail stores or of institutional users;

(b) When transported between a wholesaler's customary receiving point and his place of business or his ripening facilities;

No sale of bananas may include more than one transportation adjustment and no sale of bananas may include any transportation adjustment when the transportation herein specified has not been performed.

SEC. 3. *Definitions.* Wholesale receiving point means any place at which a wholesaler receives bananas.

Unless otherwise defined or designated herein, all terms shall have the same meaning as defined in Maximum Price Regulation No. 285, as amended.

This order may be revoked, amended or corrected at any time.

This order shall become effective the 3d day of May 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 2d day of May 1944.

W. E. FITZGERALD,
District Director.

[F. R. Doc. 44–6461; Filed, May 5, 1944; 3:53 p. m.]

[Region III Order G–1 Under RMPR 269, Amdt. 1]

POULTRY IN CLEVELAND REGION

Amendment No. 1 to Order No. G–1 under Revised Maximum Price Regulation No. 269. Poultry. Uniform maximum base prices for certain live poultry items.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1429.14 (d) of Revised Maximum Price Regulation No. 269, *It is hereby ordered:*

(a) That Appendix A of said Order No. G–1 under Revised Maximum Price Regulation No. 269 be, and the same is, hereby amended by the addition of the following footnote (1) thereto:

[1] The above prices for live poultry items shall be in force for the months of July, August, September, October, November, and December. For from April 21, 1944, to the end of June, 1944, and for the months of January through June of succeeding years, the following additions shall be made to each of the above prices for live poultry items:

Month:	*Cents per pound*
January	0.8
February	1.0
March	1.4
April	1.8
May	2.2
June	1.0

These additions shall not be added cumulatively, but rather, each addition establishes the total amount which may be added for sales and deliveries during the month indicated.

This amendment shall become effective April 21, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 28, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44–6454; Filed, May 5, 1944; 3:51 p. m.]

[Region III Order G–2 Under MPR 289]

BUTTER IN FRANKLIN COUNTY, OHIO

Order No. G–2 under Maximum Price Regulation No. 289. Dairy products. Allowance of retail route sellers of butter, Franklin County, Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.1520 (c) (2) of Maximum Price Regulation No. 289, *It is hereby ordered:*

(a) Retail route sellers as defined in § 1351.1520 (c) (1) of Maximum Price Regulation No. 289 in the area affected by this order shall be allowed the sum of $0.08 per pound for making sales of butter at retail on retail routes.

(b) Except as provided herein, retail route sellers shall continue to be subject to all provisions of Maximum Price Regulation No. 289, as amended.

(c) The applicability of this order is limited to Franklin County, Ohio.

This order may be amended, modified, or revoked at any time by the Office of Price Administration.

This order shall become effective April 28, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 28, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44–6453; Filed, May 5, 1944; 3:51 p. m.]

[Region III Order G–18 Under RMPR 122, Amdt. 2]

SOLID FUELS IN PARKERSBURG, W. VA., AREA

Amendment No. 2 to Order No. G–18 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Parkersburg, West Virginia, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Order No. G–18 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) The description contained in the heading of paragraph (a), Part I under Column I of the price schedule in section (c) is amended to read as follows:

(a) Size Group No. 1 (lump and double-screened coals bottom size larger than 2") Mine price classifications D through G.

(b) Paragraph (b) of Part I of the price schedule in section (c) is amended to read as follows:

Column I	Column II	Column III
• • •	•	•
(b) Size Group No. 2 (lump and double screened coals bottom size 2" and smaller)—Mine price classifications D through G:		
Orders and deliveries in lots of one ton	*Per ton* $5.65	*Per ton* $5.15
Orders and deliveries in lots of two tons	5.75	5.15
Orders and deliveries in lots of three tons	5.65	5.15
Orders and deliveries in lots of four tons	5.55	5.15

This amendment to Order No. G–18 under Revised Maximum Price Regulation No. 122 shall become effective April 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 26, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44–6458; Filed, May 5, 1944; 3:52 p. m.]

[Region III Order G–19 Under RMPR 122, Amdt. 3]

SOLID FUELS IN WARREN, OHIO, AREA

Amendment No. 3 to Order No. G–19 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Warren, Ohio, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of

the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Part II of the price schedule in section (c) of Order No. G–19 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	*Column II*
II. High volatile bituminous coals from producing district No. 3 (northwestern West Virginia excepting Panhandle) excluding coals produced in Preston County, W. Va.:	
A. Size Group No. 1 (lump and double-screened coals bottom size larger than 2")—Mine price classification A	$8.50
B. Size Group Nos. 1 and 2 (lump and double-screened coals bottom size larger than Mine Run and Resultants)—Mine price classifications D through G:	
1. Mine Index No. 136 (until July 1, 1944)	7.10
2. All other mines	7.00

This Amendment No. 3 to Order No. G–19 under Revised Maximum Price Regulation No. 122 shall become effective April 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 26, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44–6457; Filed, May 5, 1944; 3:52 p. m.]

[Region III Order G–30 Under RMPR 122, Amdt. 2]

SOLID FUELS IN HAMILTON COUNTY AND MILFORD, OHIO

Amendment No. 2 to Order No. G–30 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in Hamilton County, Ohio, and in the City of Milford, Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.254 and 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Order No. G–30 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

a. Paragraph D of Part I of the price schedules in section (c) (1) is amended to read as follows:

Column I	Column II	Column III
• • •	•	•
D. Screenings, Size Group No. 20 (larger than ¾" x 0 not exceeding 2" x 0) excepting coal from Mine Index No. 25 in District 8, and yard screenings		$5.80

b. The general description of the heading contained in Part II under Column I of the price schedules in section (c) (1) is amended to read as follows:

Column I	Column II	Column III
II. Low volatile bituminous coals from producing district Nos. 7 and 8 (Southern West Virginia, Western Virginia, Northeastern Tennessee, and Eastern Kentucky) excepting Mine Index Nos. 28 and 73 in District 7 and 391 in District 8		

This amendment shall become effective April 24, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 24, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–6456; Filed, May 5, 1944; 3:52 p. m.]

[Region III Order G–45 Under RMPR 122, Amdt. 2]

SOLID FUELS IN BOONE, CAMPBELL, AND KENTON COUNTIES, KY.

Amendment No. 2 to Order No. G–45 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in Boone, Campbell, and Kenton Counties, Kentucky.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.254 and 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Order No. G–45 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) Paragraph D of Part I of the price schedules in section (c) (1) is amended to read as follows:

Column I	Column II	Column III
• • •	•	•
D. Screenings, Size Group No. 20 (larger than ¾" x 0 not exceeding 2" x 0) excepting coal from Mine Index No. 25 in District 8, and yard screenings		$5.45

b. The general description of the heading contained in Part II under Column I of the price schedules in section (c) (1) is amended to read as follows:

Column I

II. Low volatile bituminous coals from producing district Nos. 7 & 8 (Southern West Virginia, Western Virginia, Northeastern Tennessee, and Eastern Kentucky) excepting Mine Index Nos. 28 and 73 in District 7, and 391 in District 8.

This Amendment No. 2 to Order No. G–45 under Revised Maximum Price Regulation No. 122 shall become effective April 24, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E. O. 9328, 8 F.R. 4681)

Issued April 24, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–6455; Filed, May 5, 1944; 3:51 p. m.]

[Memphis Order G–2 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN MEMPHIS DISTRICT

Order No. G–2 under Maximum Price Regulation No. 426, as amended. Fresh fruits and vegetables for table use, sales except at retail. Adjustment of maximum charges for delivery of certain fresh fruits and vegetables.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Memphis District Office of the Office of Price Administration by paragraph (f) (1) of Appendix H, paragraph (g) (1) of Appendix I, and the ultimate paragraph of section (2) (b) of Maximum Price Regulation No. 426, and Regional Delegation Orders No. 33 and 35, *It is hereby ordered:*

SECTION 1. *What this order does.* This order establishes a maximum delivery charge, as given below, for the delivery by any service wholesaler or secondary jobber located in the Memphis District Office area, when delivering snap beans, peppers, egg plants, cucumbers, spinach, carrots, green peas, oranges, grapefruit, lemons, tangerines, cabbage and table grapes to the premises of any purchaser located outside the free delivery zone of that service wholesaler or secondary jobber:

	Cents per container
For containers of less than 40 pounds, gross weight	10
For containers of 40 pounds to 60 pounds, gross weight	20
For containers of more than 60 pounds, gross weight	25

SEC. 2. *Maximum charges for delivery by service wholesalers and secondary jobbers beyond the free delivery zone.* Any service wholesaler or secondary jobber located within the area served by the Memphis District Office, handling any of the fresh fruits and vegetables heretofore listed, may add to their proper maximum prices for these fruits and vegetables a charge in an amount not to exceed the rates given above to cover transportation costs outside their free delivery zone. In no event shall any additions to the maximum prices, as stated in Appendices B, D, H and I of Maximum Price Regulation 426, be made by any service wholesaler or secondary jobber, for delivery of any of the fresh fruits and vegetables enumerated above, within the free delivery zone.

SEC. 3. *Geographical applicability.* This order shall apply only to deliveries made outside the free delivery zones by service wholesalers and secondary jobbers, whose place of business is located within the Memphis District Office area.

SEC. 4. *Free delivery zones.* Free delivery zones of such service wholesalers and secondary jobbers, located within the Memphis District Office area, shall be as follows:

Location of Service Wholesaler or Secondary Jobber and Free Delivery Zone
Memphis, Tenn.: The area embraced within the County of Shelby.
Shelbyville, Tenn.: The area embraced within the County of Bedford.
Dickson, Tenn.: The area embraced within the Counties of Dickson, Humphreys, Cheatham, Hickman, Perry and Lewis.
Jackson, Tenn.: The area embraced within the Counties of Madison, Gibson, Crockett, Hardeman, Hardin, McNairy, Chester and Henderson.
Dyersburg, Tenn.: The area embraced within the Counties of Dyer, Lake, Obion, Crockett and Lauderdale.
Union City, Tenn.: The area embraced within the Counties of Obion and Weakley.
Trenton, Tenn.: The area embraced within the Counties of Gibson, Crockett, Obion, Dyer and Hickman.
Columbia, Tenn.: The area embraced within the Counties of Maury, Marshall, Giles, Lawrence, Lewis, Perry and Hickman.

The free delivery zones for all wholesalers or secondary jobbers not enumerated in this order shall be the county in which the wholesaler or secondary jobber is located.

SEC. 5. *Definitions—Service wholesaler.* "Service wholesaler" means a person who maintains a store or warehouse at which the listed commodity being priced is stored, or warehoused, who receives the commodity at the premises of his store or warehouse, who maintains at such store or warehouse facilities for cold storage, ripening, trimming, sorting, washing, packing and other handling of the listed commodity, who employs salesmen to call on the trade in the city or country points which he services, and who sells to retail stores, government procurement agencies or institutional buyers.

Secondary jobber. "Secondary jobber" means a person other than a retailer who for his own account and profit purchases the listed commodity being priced in less-than-carlots or less-than-trucklots and resells it in any quantities.

SEC. 6. *Applicability of Maximum Price Regulation No. 426, as amended.* All sales for which the maximum prices are not adjusted by this order shall be subject to Maximum Price Regulation No. 426, as amended.

SEC. 7. *Revocation.* This order may be revoked, amended, or corrected at any time by the District Director.

SEC. 8. *Effective date.* This order shall become effective at 12:01 a. m. on the 1st day of May 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this the 29th day of April 1944.

ROBERT C. HUNTING,
Acting District Director.

Approved:

W. K. MCPHERSON,
Acting Regional Director,
Office of Distribution,
War Food Administration.

[F. R. Doc. 44–6459; Filed, May 5, 1944; 3:53 p. m.]

[Albuquerque Order 1 Under 2d Rev. Rest. MPR 7–1]

BEER AND ALE IN ALBUQUERQUE, N. MEX., DISTRICT

Order No. 1 under 2d Revised Restaurant Maximum Price Regulation No. 7–1. Food and drink sold for immediate consumption. Maximum prices for sales of beer and ale by dispensers.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the New Mexico District Office of the Office of Price Administration by General Order No. 50, 2d Revised Restaurant Maximum Price Regulation No. 7–1 and Region VII Revised Delegation Order No. 15, it is hereby ordered:

SECTION 1. *Prohibition.* No person shall sell or serve any beer or ale item listed in section 4 hereof at a price higher than the maximum price established by this order for such beer or ale item. This order does not establish maximum prices for package sales of beer or ale items sold for consumption away from the seller's place of business. Maximum prices for such sales are controlled by other price regulations and must not exceed the prices established thereby.

SEC. 2. *Lower prices may be charged.* This order establishes maximum prices only. Prices lower than those established herein may, of course, be charged.

SEC. 3. *Exceptions.* (a) Maximum prices for beer and ale items not listed in section 4 hereof and for draught beer in glasses other than 9 oz. glasses are controlled by other price regulations and must not exceed the prices established thereby.

(b) The maximum prices established by this order shall not apply to sales made at any place of business which is in operation for a period of less than ten days during the calendar year, nor shall it apply to sales made on railroad trains. Maximum prices for such sales remain subject to other applicable price regulations.

SEC. 4. *Maximum prices established by this order.* (a) The maximum prices for sales of the beer and ale items listed below by sellers located in Colfax, San Miguel, Santa Fe, Bernalillo, Valencia, McKinley, Dona Ana, Chavez or Eddy Counties, New Mexico, are as follows:

Brand	Size	Price
Bottled beer:		
Blatz, Old Heidelberg	12 oz.	$0.21
Budweiser	12 oz.	.21
Canadian Ace	12 oz.	.21
Country Club	12 oz.	.21
Koenig Brau	12 oz.	.21
Pabst	12 oz.	.21
Schlitz	12 oz.	.21
Acme	12 oz.	.16
Coors	11 oz.	.16
Falstaff	12 oz.	.16
Grand Prize	12 oz.	.16
Harry Mitchell	12 oz.	.16
Manhattan	12 oz.	.16
Rosebud	12 oz.	.16
Tivoli	12 oz.	.16
Walters	12 oz.	.16
Carta Blanca	12 oz.	.35
Carta Blanca	7 oz.	.21
Bottled ale: Ballantine	12 oz.	.30
Draught beer: All brands	9 oz. glass	.10

(b) The maximum prices for sales of the beer and ale items listed below by sellers located in Union, Taos, Rio Arriba, San Juan, Sandoval, Mora, Harding, Quay, Guadalupe, Torrance, Socorro, Catron, Lincoln, De Baca, Curry, Roosevelt, Lea, Otero, Sierra, Luna, Hidalgo or Grant Counties, New Mexico, are as follows:

Brand	Size	Price
Bottled beer:		
Blatz, Old Heidelberg	12 oz.	$0.23
Budweiser	12 oz.	.23
Canadian Ace	12 oz.	.23
Country Club	12 oz.	.23
Koenig Brau	12 oz.	.23
Pabst	12 oz.	.23
Schlitz	12 oz.	.23
Acme	12 oz.	.18
Coors	11 oz.	.18
Falstaff	12 oz.	.18
Grand Prize	12 oz.	.18
Harry Mitchell	12 oz.	.18
Manhattan	12 oz.	.18
Rosebud	12 oz.	.18
Tivoli	12 oz.	.18
Walters	12 oz.	.18
Carta Blanca	12 oz.	.35
Carta Blanca	7 oz.	.23
Bottled ale: Ballantine	12 oz.	.30
Draught beer: All brands	9 oz. glass	.10

(c) A night club employing a band of 4 or more musicians may, between the hours of 8 p. m. and closing time, charge 5 cents per bottle more than the appropriate maximum price listed above for the area in which such night club is located. This additional charge may be made only during such time as said band is on duty. No addition may be made to the prices listed above for draught beer.

(d) The prices listed above include all taxes, local, state and federal, in effect on the date of issuing this order and no additional charge may be made on account of such taxes.

SEC. 5. *Evasion.* No person shall evade the provisions of this order by means of tying agreement, service charge, cover charge, or by any other method, except that any seller may continue to make any cover charge permitted under the provisions of Second Revised Restaurant Maximum Price Regulation No. 7–1.

SEC. 6. *Definitions.* The definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This order shall become effective September 18, 1943.

or country shippers through a commission merchant in less-than-carlots or less-than-trucklots, the maximum price in each case is the maximum delivered price for the kind of citrus fruit being priced, as named in Column 6 of the applicable table in paragraph (c), plus the actual commission or fee charged for the particular sale (not to exceed the maximum allowable commission or fee which such selling agent may charge under Maximum Price Regulation No. 165) or the applicable mark-up (for ex-car or ex-store sales, as the case may be, named in Columns 6 and 7 of the table in paragraph (d), or for sales ex-terminal sales platform, named in Column 4 of the following table), whichever is lower.

Item No.	Col. 1	Col. 2 Commodity	Col. 3 Unit	Col. 4 Sales by a grower or country shipper through a commission merchant in less-than-carlots or less-than-trucklots at terminal sale platform
1	Oranges	Standard container		$0.35
		Cal. standard container loose pack		.35
		Other containers or bulk:		
		Cal., per pound		5/16 cent
		All other, per pound		5/16 cent
2	Grapefruit	Standard container		.25
		Cal. standard container loose pack		.25
		Other container or bulk:		
		Cal., per pound		5/16 cent
		All other, per pound		5/16 cent
3	Lemons	Standard container		.35
		California standard container loose pack		.35
		Other containers or bulk: All, per pound		5/16 cent
4	Tangerines, Temples, King Oranges, Clementines, Tangelos, Satsumas	Standard container		.44
		Other containers or bulk:		
		California, per pound		5/16 cent
		All other per pound		5/16 cent

(b) This order applies to sales or deliveries in the City of Boston, Commonwealth of Massachusetts.

(c) Lower prices than those established by this order may be charged. This order may be revoked, amended or corrected at any time. This order shall become effective on April 26, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of April, 1944.

ELDON C. SHOUP,
Regional Administrator.

Approved:

F. D. CRONIN,
Regional Director of Food Distribution.

[F. R. Doc. 44-6497; Filed, May 6, 1944; 4:35 p. m.]

[Region II Order G-14 Under MPR 329]

FLUID MILK IN PINE TOWNSHIP, MERCER COUNTY, PA.

Order G-14 under Maximum Price Regulation No. 329, as Amended.

Purchases of milk from producers for resale as fluid milk. Adjustment of the maximum prices for purchases of milk from producers for resale as fluid milk in Pine Township, Mercer County, Pennsylvania.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, of the Office of Price Administration by § 1351.408 of Price Administration by § 1351.408 of MPR 329, as amended, *It is hereby ordered:*

(a) The maximum price at which a purchaser in the course of trade or business may purchase or receive from a producer Class I fluid milk which is thereafter sold as such in Pine Township, Mercer County, Pennsylvania, shall be the higher of either of the following:

(1) The maximum price established for such purchaser under MPR 329, as amended, or

(2) $3.66 per cwt. for Grade A Class I fluid milk having a butterfat content of 3.5% f. o. b. purchaser's receiving or processing plant, plus or minus 5¢ for each 1/10 of 1% of butterfat content in excess or below 3.5% as the case may be, plus a premium of 25¢ per cwt. if such Grade A Class I fluid milk shows an average monthly bacteriological count of 10,000 bacteria or less per cc., or a premium of 15¢ per cwt. if such average monthly bacteriological count is more than 10,000 but less than 50,000 bacteria per cc.

(b) The maximum price at which a purchaser in the course of trade or business may purchase or receive from a producer Grade A Class I fluid milk which is thereafter sold as such in Pine Township, Mercer County, Pennsylvania, shall be the higher of either of the following:

(1) The maximum price established for such purchaser under MPR 329, as amended, or

(2) $3.66 per cwt. for Grade A Class I fluid milk having a butterfat content of 3.5% f. o. b. purchaser's receiving or processing plant, plus or minus 5¢ for each 1/10 of 1% of butterfat content in excess or below 3.5% as the case may be, plus a premium of 25¢ per cwt. if such Grade A Class I fluid milk shows an average monthly bacteriological count of 10,000 bacteria or less per cc., or a premium of 15¢ per cwt. if such average monthly bacteriological count is more than 10,000 but less than 50,000 bacteria per cc.

(c) The maximum price at which a purchaser in the course of trade or business may purchase or receive Jersey, Guernsey, Holstein or Ayershire fluid milk from a producer of such type of milk which is thereafter sold as such in Pine Township, Mercer County, Pennsylvania, shall be the higher of either of the following:

(1) The maximum price established for such purchaser under MPR 329, as amended, or

(2) $3.66 per cwt. for such Jersey, Guernsey, Holstein or Ayershire fluid milk having a butterfat content of 3.5% f. o. b. purchaser's processing or receiving plant, plus or minus 5¢ for each 1/10 of 1% of butterfat content in excess or below 3.5% as the case may be, plus an amount equal to the differential existing in Pine Township, Mercer County, Pennsylvania, between the highest price which such purchaser paid to such producer for such type of Class I fluid milk during the period February 1, 1943 to February 13, 1943, and any other type of Class I fluid milk (other than Grade A) having the same butterfat content.

(d) This order may be revoked, corrected or amended at any time.

(e) The maximum prices established herein shall replace and supersede the maximum prices established in Regional Order No. G-1 issued May 13, 1943 under § 1351.408 of MPR 329, as amended, insofar as said Order G-1 establishes maximum prices for the purchase of Class I fluid milk, Grade A Class I fluid milk and Jersey, Guernsey, Holstein or Ayershire Class I fluid milk from a producer for resale in Pine Township, Mercer County, Pennsylvania.

(f) *Definitions.* When used in this order the term:

(1) "Class I fluid milk" means cow's milk in a raw unprocessed state produced and sold for human consumption in liquid form.

(2) "Guernsey fluid milk" means Class I fluid milk produced from pure-bred Guernsey cows.

(3) "Jersey fluid milk" means Class I fluid milk produced from pure-bred Jersey cows.

(4) "Holstein fluid milk" means Class I fluid milk produced from pure-bred Holstein cows.

(5) "Ayershire fluid milk" means Class I fluid milk produced from pure-bred Ayershire cows.

(6) "Grade A Class I fluid milk" shall have the meanings prescribed for such type of milk by the appropriate statute, order or regulation of the Commonwealth of Pennsylvania unless such definition is superseded by statute, order or regulation of that political subdivision of the Commonwealth of Pennsylanvia within which such type of milk is produced, sold or delivered.

(7) "Average monthly bacteriological count" shall have the meaning ascribed thereto in Official General Order No. A-7, issued May 24, 1937, by the Commonwealth of Pennsylvania Milk Control Commission, and shall be determined in accordance with the provisions of such order.

(8) "F. O. B. purchaser's receiving or processing plant" means delivered at or to a receiving or processing plant designated by the purchaser located nearest the producer's farm.

(9) Unless the context manifestly otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and Maximum Price Regulation 329, as amended, issued by the Office of Price Administration, shall apply to other terms herein.

(g) *Geographical applicability.* This order applies to all purchases of Class I fluid milk, Grade A Class I fluid milk, Guernsey, Jersey, Holstein, and Ayershire fluid milk pursuant to which a purchaser receives physical delivery within the geographical limits of Region II, and which is thereafter sold as Class I fluid milk, Grade A Class I fluid milk, Guernsey, Jersey, Holstein and Ayershire fluid milk by such purchaser within Pine Township, Mercer County, Pennsylvania.

(h) This Order No. G-14 shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of April 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

Approved:

GEORGE ST. LOUIS,
Acting Regional Director, Office of Distribution, Northeast Region, War Food Administration.

[F. R. Doc. 44-6502; Filed, May 6, 1944; 4:47 p. m.]

[Region III Order G-1 Under MPR 289]

BUTTER IN WAYNE, MACOMB AND OAKLAND COUNTIES, MICH.

Order No. G-1 under Maximum Price Regulation No. 289. Dairy products. Allowance of retail route sellers of butter, Wayne, Macomb and Oakland Counties, Michigan.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.1520 (c) (2) of Maximum Price Regulation No. 289; *It is hereby ordered:*

(a) Retail route sellers as defined in § 1351.1520 (c) (1) of Maximum Price Regulation No. 289 in the area affected by this order shall be allowed the sum of $0.08 per pound for making sales of butter at retail on retail routes.

(b) Except as provided herein, retail route sellers shall continue to be subject to all provisions of Maximum Price Regulation No. 289, as amended.

(c) The applicability of this order is limited to Wayne, Macomb and Oakland Counties, Michigan.

This order may be amended, modified or revoked at any time by the Office of Price Administration.

This order shall become effective April 28, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 28, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-6498; Filed, May 6, 1944; 4:35 p. m.]

[Region III Order G-9 Under MPR 329, Amdt. 2]

FLUID MILK IN FRANKLIN COUNTY, OHIO

Amendment No. 2 to Order No. G-9 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk, county of Franklin in the State of Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.408 (c) of Maximum Price Regulation No. 329, *It is hereby ordered:*

(a) Section (a) of Order No. G-9 under Maximum Price Regulation No. 329 "Purchases of Milk from Producers for Resale", be, and the same is, hereby amended to read as follows:

(a) Any milk distributor in the County of Franklin in the State of Ohio may pay producers an amount not in excess of $3.30 per cwt. for "milk" of 4% butterfat content, plus 5¢ per cwt. for each 1/10 of 1% butterfat variation over 4% and minus 5¢ per cwt. for each 1/10 of 1% under 4%, provided that such milk distributors shall also be subject to the express restrictions and provisions of § 1351.402 (b) (c) (d) (e) and (f) of Maximum Price Regulation No. 329.

This amendment shall be effective as of April 1, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 26, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-6499; Filed, May 6, 1944; 4:35 p. m.]

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R. 4808)

Issued this 11th day of September 1943.

JOHN D. BINGAMAN,
District Director.

[F. R. Doc. 44-6483; Filed, May 6, 1944; 11:47 a. m.]

[Region I Rev. Order G-3 Under MPR 426]

CITRUS FRUIT IN BOSTON, MASS.

Revised Order No. G-3 under Maximum Price Regulation 426, Article III, section 15, Appendix I (g) (2). Citrus fruit adjustment of maximum prices under Article III, section 15, Appendix I (f) (3) (1), Boston, Massachusetts.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by Article III, section 15, Appendix I, (g) (2) of Maximum Price Regulation No. 426; *It is hereby ordered:*

(a) The maximum prices for sales of citrus fruit as established by Article III, section 15, Appendix I (f) (3) (1) of Maximum Price Regulation No. 426 are modified by increasing the maximum markups appearing in Column 9 of the Table in Paragraph (d) so that they will read as follows:

Item No.	Col. 1	Col. 2 Commodity	Col. 3 Unit	Col. 9 Sales by carlot receivers in less-than-carlots or less-than-trucklots at auction
1	Oranges	Standard container		$0.35
		Cal. Standard container loose pack		.35
		Other containers or bulk:		
		Cal., per pound		5/16 cent
		All other, per pound		5/16 cent
2	Grapefruit	Standard container		.32
		Cal. standard container loose pack		.25
		Other container or bulk:		
		Cal., per pound		5/16 cent
		All other, per pound		5/16 cent
3	Lemons	Standard container		.44
		California standard container loose pack		.35
		Other containers or bulk: All, per pound		5/16 cent
4	Tangerines, Temples, King Oranges, Clementines, Tangelos, Satsumas	Standard container		.44
		Other containers or bulk:		
		California, per pound		5/16 cent
		All other per pound		5/16 cent

(b) This order applies to sales or deliveries in the City of Boston, Commonwealth of Massachusetts.

(c) Lower prices than those established by this order may be charged. This order may be revoked, amended or corrected at any time. This order shall become effective on April 19, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of April 1944.

ELDON C. SHOUP,
Regional Administrator.

Approved:

F. D. CRONIN,
Regional Director, Food Distribution.

[F. R. Doc. 44-6496; Filed, May 6, 1944; 4:35 p. m.]

[Region I Order G-5 under MPR 426]

CITRUS FRUIT IN BOSTON, MASS.

Order No. G-5 under Maximum Price Regulation No. 426, article III, section 15, Appendix I (g) (3). Citrus fruit adjustment of maximum prices under Article III, Section 15, Appendix I (e) (2) (ii), Boston, Massachusetts.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by Article III, section 15, Appendix I (g) (3) of Maximum Price Regulation No. 426; *It is hereby ordered:*

(a) The maximum prices for sales of citrus fruit as established by Article III, section 15, Appendix I (e) (2) (ii) of Maximum Price Regulation No. 426 are modified, so that for sales by growers

[Albuquerque Order 1 Under 2d Rev. Restaurant MPR 7-1, Amdt. 1]

BEER AND ALE IN ALBUQUERQUE, N. MEX.

Amendment No. 1 to Order No. 1 under 2d Revised Restaurant Maximum Price Regulation No. 7-1. Food and drink sold for immediate consumption. Maximum prices for sales of beer and ale by dispensers.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the New Mexico District Office of the Office of Price Administration by General Order No. 50, 2d Revised Restaurant Maximum Price Regulation No. 7-1 and Region VII Revised Delegation Order No. 15, *It is hereby ordered*, That Order No. 1 under 2d Revised Restaurant Maximum Price Regulation No. 7-1 be amended in the following respects:

1. Section 3 (b) is amended to read as follows:

(b) The maximum prices established by this order shall not apply to sales made on railroad trains. Maximum prices for such sales remain subject to other applicable price regulations.

2. Section 4 (a) is amended by adding to the list set out under the caption "Bottled beer" the following line:

Coors, 12 oz.	.16

3. Section 4 (b) is amended by adding to the list set out under the caption "Bottled beer" the following line:

Coors, 12 oz.	.18

4. Section 4 (c) is amended to read as follows:

(c) A night club employing a band of four or more musicians may, between the hours of 8 P. M. and closing time, charge 5 cents per bottle more than the appropriate maximum price listed above for the area in which such night club is located. This additional charge may be made only during such time as said band is on duty. No addition may be made to the prices listed above for draught beer. Persons selling beer or ale items at state or county fairs may, for sales of beer or ale made on the fairgrounds, charge 5 cents per bottle more than the prices listed above for the area in which such fair is held.

5. This Amendment No. 1 shall become effective at noon, October 4, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R. 4808)

Issued this 29th day of September 1943.

JOHN D. BINGAMAN,
District Director.

[F. R. Doc. 44-6548; Filed, May 8, 1944; 11:46 a. m.]

[Albuquerque Order 1 Under 2d Rev. Restaurant MPR 7-1, Amdt. 2]

BEER AND ALE IN ALBUQUERQUE, N. MEX.

Amendment No. 2 to Order No. 1 under 2d Revised Restaurant Maximum Price Regulation No. 7-1. Food and drink sold for immediate consumption. Maximum prices for sales of beer and ale by dispensers.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the New Mexico District Office of the Office of Price Administration by General Order No. 50, 2nd Revised Restaurant Maximum Price Regulation 7-1, and Region VII Revised Delegation Order No. 15, *It is hereby ordered*, That Order No. 1 under 2nd Revised Restaurant Maximum Price Regulation No. 7-1 be amended in the following respect:

Section 4 (c) is amended to read as follows:

(c) A night club employing a band of 3 or more musicians may, between the hours of 8 P. M. and closing time, charge 5 cents per bottle more than the appropriate maximum price listed above for the area in which such night club is located. This additional charge may be made only during such time as said band is on duty. No addition may be made to the prices listed above for draught beer. Persons selling beer or ale items at state or county fairs, may, for sales of beer or ale made on the fairgrounds, charge 5 cents per bottle more than the prices listed above for the area in which such fair is held.

This amendment shall become effective October 15, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R. 4808)

Issued this 15th day of October 1943.

JOHN D. BINGAMAN,
District Director.

[F. R. Doc. 44-6547; Filed, May 8, 1944; 11:46 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on May 8, 1944.

REGION I

Boston Order No. G-3, Amendment No. 1, filed 3:07 p. m.
Boston Order No. 4-F, Amendment No. 1, filed 3:07 p. m.

REGION II

Binghamton Order No. 1-F, Amendment No. 5, filed 2:58 p. m.
Buffalo Order No. 2-F, Amendment No. 4, filed 2:59 p. m.
District of Columbia Order No. 1-F, Amendment No. 5, filed 3:03 p. m.
District of Columbia Order No. 1-W, filed 2:59 p. m.
Erie Order No. 2-F, filed 3:08 p. m.
Pittsburgh Order No. 1-F, filed 2:54 p. m.
Pittsburgh Order No. 1-F, Amendment No. 1, filed 2:54 p. m.
Pittsburgh Order No. 1-F, Amendment No. 2, filed 2:49 p. m.
Pittsburgh Order No. 1-F, Amendment No. 3, filed 2:49 p. m.
Pittsburgh Order No. 1-F, Amendment No. 4, filed 2:58 p. m.
Philadelphia Order No. 1-F, Amendment No. 4, filed 2:59 p. m.
Syracuse Order No. 1-F, Amendment No. 3, filed 3:06 p. m.
Syracuse Order No. 1-F, Amendment No. 4, filed 2:52 p. m.
Trenton Order No. 1-F, Amendment No. 4, filed 3:09 p. m.
Trenton Order No. 2-F, Amendment No. 1, filed 3:09 p. m.
Trenton Order No. 3-F, filed 3:09 p. m.
Williamsport Order No. 1-F, Cor. to Amend. 2, filed 2:55 p. m.
Williamsport Order No. 1-F, Amendment No. 5, filed 2:59 p. m.
Wilmington Order No. 2-F, Amendment No. 3, filed 2:52 p. m.

REGION III

Cleveland Order No. 1-W, filed 2:54 p. m.
Charleston Order No. 1-F, Amendment No. 23, filed 2:56 p. m.
Charleston Order No. 3-F, Amendment No. 19, filed 2:56 p. m.
Charleston Order No. 6-F, Amendment No. 12, filed 2:57 p. m.
Charleston Order No. 7-F, Amendment No. 5, filed 2:57 p. m.
Charleston Order No. 8-F, Amendment No. 5, filed 2:57 p. m.
Charleston Order No. 9-F, Amendment No. 4, filed 2:57 p. m.
Charleston Order No. 10-F, Amendment No. 4, filed 2:58 p. m.
Elcanaba Order No. 23, Amendment No. 1, filed 3:01 p. m.
Lexington Order No. 1-F, Amendment No. 28, filed 3:01 p. m.
Lexington Order No. 2-F, Amendment No. 21, filed 3:02 p. m.
Lexington Order No. 3-F, Amendment No. 19, filed 3:02 p. m.

REGION IV

Charlotte Order No. 1-W, Amendment No. 1, filed 2:49 p. m.
Charlotte Order No. 2-F, Amendment No. 3, filed 2:58 p. m.
Charlotte Order No. 12, Amendment No. 4, filed 2:49 p. m.
Cleveland-III Order No. 29, Amendment No. 3, filed 3:00 p. m.
Cleveland-III Order No. 29, Amendment No. 4, filed 3:01 p. m.
Roanoke Order No. 1-F, Amendment No. 14, filed 2:49 p. m.
Nashville Order No. 5-F, Amendment No. 14, filed 1:34 p. m.
Savannah Order No. 1-F, Amendment No. 33, filed 1:32 p. m.
Savannah Order No. 2-F, Amendment No. 28, filed 1:33 p. m.
Savannah Order No. 3-F, Amendment No. 26, filed 1:33 p. m.
Savannah Order No. 4-F, Amendment No. 25, filed 1:33 p. m.
Savannah Order No. 5-F, Amendment No. 6, filed 1:33 p. m.

REGION V

Arkansas Order No. 1-W, Amendment No. 1, filed 3:05 p. m.
Houston Order No. 12, Amendment No. 3, filed 3:05 p. m.
Houston Order No. 13, Amendment No. 3, filed 3:05 p. m.
Kansas City Order No. 1-F, Amendment No. 5, filed 2:51 p. m.
Kansas City Order No. 2-F, Amendment No. 10, filed 2:50 p. m.
St. Louis Order No. 2-F (Revised), Amendment No. 4, filed 2:51 p. m.
Tulsa Order No. 5-F, Amendment No. 4, filed 1:34 p. m.
Tulsa Order No. 6-F, Amendment No. 4, filed 1:34 p. m.
Tulsa Order No. G-8, Amendment No. 2, filed 3:06 p. m.
Tulsa Order No. G-9, Amendment No. 1, filed 3:06 p. m.

REGION VI

Des Moines Order No. 1-F, Amendment No. 14, filed 1:36 p. m.
Des Moines Order No. 2-W, filed 1:34 p. m.
Des Moines Order No. 3-W, filed 1:36 p. m.

Des Moines Order No. 4-W, filed 1:36 p. m.
Green Bay Order No. 3-F, Amendment No. 7, filed 2:52 p. m.
Peoria Order No. 1-F, Amendment No. 8, filed 1:36 p. m.
Peoria Order No. 3, Amendment No. 9, filed 1:30 p. m.
Peoria Order No. 5, Amendment No. 7, filed 1:30 p. m.
Peoria Order No. 6, Amendment No. 5, filed 1:38 p. m.
Peoria Order No. 7, Amendment No. 3, filed 1:38 p. m.
Peoria Order No. 8, Amendment No. 4, filed 1:37 p. m.
Peoria Order No. 9, Amendment No. 3, filed 1:37 p. m.
Sioux City Order No. 2-F, Amendment No. 13, filed 2:52 p. m.
Sioux Falls Adopting Order 1, filed 2:53 p. m.
Sioux Falls, Adopting Order 2, filed 2:53 p. m.
Sioux Falls Order No. 1-B, filed 2:53 p. m.
Green Bay Order No. 2-F, Amendment No. 13, filed 2:51 p. m.

REGION VII

Wyoming Order No. 4-F, filed 1:31 p. m.

REGION VIII

Fresno Order No. 1-F, Amendment No. 15, filed 3:05 p. m.
Fresno Order No. 2-F, Amendment No. 3, filed 2:05 p. m.
Los Angeles Order No. 1-F, Amendment No. 9, filed 1:31 p. m.
Los Angeles Order No. 1-F, Amendment No. 10, filed 1:30 p. m.
Phoenix Order No. 4-F, Amendment No. 8, filed 1:32 p. m.
San Francisco Order No. 1-F, Amendment No. 12, filed 3:04 p. m.
San Francisco Order No. 2-F, Amendment No. 5, filed 3:04 p. m.
San Francisco Order No. 3-F, Amendment No. 4, filed 3:04 p. m.
San Francisco Order No. 4-F, Amendment No. 3, filed 3:03 p. m.
San Francisco Order No. 5-F, Amendment No. 2, filed 3:03 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-6625; Filed, May 9, 1944; 11:33 a. m.]

SELECTIVE SERVICE SYSTEM.

[Camp Order 136]

SKILLMAN PROJECT, N. J.

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, I hereby order:

1. That the Skillman Project is designated as work of national importance and shall be known as Civilian Public Service Camp No. 136. Said project, located at Skillman, Somerset County, New Jersey, will be the base of operations for work at the New Jersey State Village for Epileptics, a specialized mental hospital for the treatment of epilepsy, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

2. That the men assigned to said Skillman Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, New Jersey State Village, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the New Jersey State Village. Administrative and directive control shall be under the Office of the Assistant Director of Selective Service in charge of Camp Operations.

LEWIS B. HERSHEY,
Director.

MAY 8, 1944.

[F. R. Doc. 44-6573; Filed, May 9, 1944; 9:20 a.m.]

[Camp Order 137]

INDEPENDENCE STATE HOSPITAL PROJECT, IOWA

ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, I hereby order:

1. That the Independence State Hospital Project is designated as work of national importance, to be known as Civilian Public Service Camp No. 137. Said project, located at Independence, Buchanan County, Iowa, will be the base of operations for work at the Independence State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

2. That the men assigned to said Independence State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Independence State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Independence State Hospital. Administrative and directive control shall be under the Office of the Assistant Director of Selective Service in charge of Camp Operations.

LEWIS B. HERSHEY,
Director.

MAY 8, 1944.

[F. R. Doc. 44-6574; Filed, May 9, 1944; 9:20 a.m.]

WAR FOOD ADMINISTRATION.

JOHN J. TOOHEY

DESIGNATION TO HOLD HEARINGS, TO SIGN AND ISSUE SUBPENAS, AND TO ADMINISTER OATHS OR AFFIRMATIONS

The name of John J. Toohey is hereby added to the list of persons appearing in paragraph (a) of the "Designation of Persons to Hold Hearings, to Sign and Issue Subpenas, and to Administer Oaths or Affirmations", issued by the Secretary of Agriculture and the Assistant War Food Administrator on October 25, 1943 (8 F.R. 14592); and the said John J. Toohey is authorized to perform any acts and to exercise any powers specified in such designation.

Done at Washington, D. C., this 8th day of May 1944.

CLAUDE R. WICKARD,
Secretary of Agriculture.
WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-6603; Filed, May 9, 1944; 11:16 a. m.]

WAR MANPOWER COMMISSION.

BRIDGETON, N. J., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Bridgeton, New Jersey Labor Market Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. III by § 903.2 of War Manpower Commission Regulation No. 3 "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Bridgeton, New Jersey Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Bridgeton, New Jersey Area shall include:

Cumberland and Salem Counties; Newfield Borough, Franklin Township (south of Newfield) in Gloucester County; and Landisville, Minatola and South Buena in Buena Vista Township in Atlantic County.

II. The effective date of this designation is June 1, 1944.

III. Not later than the effective date, each employer in the Bridgeton New Jersey Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such

workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: May 6, 1944.

FRANK L. MCNAMEE,
Regional Director, Region III.

[F. R. Doc. 44-6586; Filed, May 9, 1944; 10:11 a. m.]

AKRON, OHIO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Akron Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F. R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Akron Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Akron Area shall include:

Summit County (all), Portage County (western half), Medina County (all) and Wayne County (2 townships only—Chippewa, Milton).

II. The effective date of this designation is April 1, 1943.

III. Not later than the effective date, each employer in the Akron Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker.

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: February 28, 1943.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-6587; Filed, May 9, 1944; 10:11 a. m.]

CANTON, OHIO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Canton, Ohio, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Canton, Ohio, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Canton Area shall include:

Stark County (all), Tuscarawas County (all), Carroll County (all), and Mahoning County (Smith Township only).

II. The effective date of this designation is September 23, 1943.

III. Not later than the effective date, each employer in the Canton Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: August 5, 1943.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-6588; Filed, May 9, 1944; 10:11 a. m.]

CLEVELAND, OHIO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Cleveland Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Cleveland Area as subject to the provisions of Executive Order No. 9301,

I. For the purposes of this designation, the Cleveland Area shall include:

Cuyahoga County (all), Lake County (all), and Geauga County (5 townships only—Chardon, Chester, Russell, Bainbridge, Munson).

II. The effective date of this designation is May 16, 1943.

III. Not later than the effective date, each employer in the Cleveland Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: April 11, 1943.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-6589; Filed, May 9, 1944; 10:12 a. m.]

COLUMBUS, OHIO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Columbus, Ohio, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Columbus, Ohio Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Columbus Area shall include:

Delaware County (all), Franklin County (all), Madison County (all), Pickaway County (all) and Union County (all).

II. The effective date of this designation is January 1, 1944.

III. Not later than the effective date, each employer in the Columbus Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a Minimum Wartime Workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: November 17, 1943.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-6590; Filed, May 9, 1944; 10:12 a. m.]

DAYTON, OHIO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Dayton Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Dayton Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Dayton Area shall include:

Montgomery County (all), Greene County (1 township only-Bath) and Clark County (all).

II. The effective data of this designation is April 1, 1943.

III. Not later than the effective date, each employer in the Dayton Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: February 10, 1943.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-6591; Filed, May 9, 1944; 10:12 a. m.]

[Amdt. 1]

DAYTON, OHIO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Dayton Area as subject to Executive Order No. 9301.

The designation of the Dayton Area, dated February 10, 1943 (8 F.R. 7225) as subject to Executive Order No. 9301 is hereby amended to read as follows:

I. For the purposes of this designation, the Dayton Area shall further be deemed to include:

Preble County (all), Champaign County (all) and Greene County (except Bath township).

II. The effective date of this amendment is September 26, 1943.

III. Not later than the effective date, each employer in Preble County, Champaign County, and Greene County (except Bath township) shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: August 26, 1943.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-6592; Filed, May 9, 1944; 10:12 a. m.]

FREMONT-PORT CLINTON, OHIO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Fremont-Port Clinton, Ohio, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Fremont-Port Clinton, Ohio Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Fremont-Port Clinton Area shall include:

Sandusky County (all) and Ottawa County (8 townships only—Carroll, Erie, Bay, Salem, Portage, Danbury, Catawba Island, Put-in-Bay).

II. The effective date of this designation is January 10, 1944.

III. Not later than the effective date, each employer in the Fremont-Port Clinton Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: December 2, 1943.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-6593; Filed, May 9, 1944; 10:13 a. m.]

LIMA, OHIO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Lima, Ohio Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R.

7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Lima, Ohio Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Lima Area shall include:

Allen County (all), Putnam County (all), Van Wert County (all) and Auglaize County (Wapakoneta only).

II. The effective date of this designation is May 1, 1943.

III. Not later than the effective date, each employer in the Lima Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: April 2, 1943.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-6594; Filed, May 9, 1944; 10:13 a. m.]

LORAIN, OHIO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Lorain, Ohio Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Lorain, Ohio Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Lorain Area shall include:

Lorain County (all).

II. The effective date of this designation is June 1, 1943.

III. Not later than the effective date, each employer in the Lorain Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: April 20, 1943.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-6595; Filed, May 9, 1944; 10:13 a. m.]

NEWARK, OHIO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Newark, Ohio, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Newark, Ohio, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Newark Area shall include:

Licking County (all).

II. The effective date of this designation is January 3, 1944.

III. Not later than the effective date, each employer in the Newark Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: November 30, 1943.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-6596; Filed, May 9, 1944; 10:13 a. m.]

SIDNEY-PIQUA-TROY, OHIO, AREA

Designation of the Sidney-Piqua-Troy Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Sidney-Piqua-Troy Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Sidney-Piqua-Troy Area shall include:

Shelby County (all), Miami County (all), Darke County (all), Mercer County (all), Logan County (all) and Auglaize County (St. Marys, Jackson, and German Townships only).

II. The effective date of this designation is May 1, 1943.

III. Not later than the effective date, each employer in the Sidney-Piqua-Troy Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: April 2, 1943.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-6597; Filed, May 9, 1944; 10:14 a. m.]

TOLEDO, OHIO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Toledo, Ohio Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Toledo, Ohio Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Toledo Area shall include:

Lucas County (all) and Wood County (Ross and Perrysburg Townships only).

II. The effective date of this designation is September 1, 1943.

III. Not later than the effective date, each employer in the Toledo Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: July 27, 1943.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-6598; Filed, May 9, 1944; 10:14 a. m.]

WAR PRODUCTION BOARD.

[Certificate 143, Revocation]

LEXINGTON, KY., RETAIL MERCHANTS

APPROVAL OF JOINT ACTION PLAN

The ATTORNEY GENERAL:

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw by certificate and finding dated September 27, 1943 (8 F.R. 13546), concerning a Recommendation of the Director of the Office of Defense Transportation with respect to the transportation and retail delivery of merchandise by motor vehicle in Lexington, Kentucky.

DONALD M. NELSON,
Chairman.

MAY 5, 1944.

[F. R. Doc. 44-6576; Filed, May 9, 1944; 10:03 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 94

Washington, Thursday, May 11, 1944

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

[Civil Service Rule VII, Amdt.]

PART 7—CERTIFICATION

PROBATIONARY APPOINTMENT

To the amendment appearing at 9 F. R. 4127 of § 7.2 (a) (3) this sentence should be added, following the text of § 7.2 (a) (3) and immediately before the tabulation:

§ 7.2 *Original appointment and competitive promotion procedure.* (a) • • •

(3) *Probationary appointment.* • • •

A probationer separated from the service without delinquency or misconduct may be restored to the register of eligibles in the discretion of the Commission for the remainder of any period of eligibility thereon.

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

MAY 9, 1944.

[F. R. Doc. 44-6679; Filed, May 10, 1944; 10:07 a. m.]

TITLE 7—AGRICULTURE

Chapter I—War Food Administration (Standards, Inspections, Marketing Practices)

Subchapter C—Regulations Under the Farm Products Inspection Act

PART 65—OFFICIAL UNITED STATES STANDARDS FOR PALATABILITY SCORES FOR DRIED WHOLE EGGS

PREPARATION OF SAMPLES, AND SCORES FOR DRIED WHOLE EGGS

Pursuant to the provisions of the Department of Agriculture Appropriation Act, 1944, approved July 12, 1943 (Pub. L. No. 129, 78th Cong., 1st Sess., 57 Stat. 421), and by virtue of the authority vested in the War Food Administrator, the following revision of Official United States Standards for Palatability Scores for Dried Whole Eggs (Title 7, Chapter I, Subchapter C, Part 65, Code of Federal Regulations), published in the FEDERAL REGISTER on February 8, 1944 (9 F.R. 1499), is hereby promulgated:

§ 65.1 *Preparation of samples for palatability test.* Reconstitute 30 grams of dried whole egg powder as completely as possible with 90 grams of distilled water in a 250 to 400 ml. pyrex beaker by adding a third of the water, mixing until smooth and then adding the remainder of the water slowly while stirring. Place the beaker in gently boiling water and stir the reconstituted egg while coagulation takes place. When coagulated to the consistency of scrambled eggs, the sample is ready for palatability test.

§ 65.2 *Palatability scores for dried whole eggs.* The palatability score of the prepared sample shall be determined by a panel of officially qualified graders of dried eggs of War Food Administration.

Score	*Description of quality*
8	No detectable off flavor, comparable to high quality fresh shell egg.
7½	Very slight off flavor.
7	Slight but not unpleasant off flavor.
6½	Definite but not unpleasant off flavor.
6	Pronounced off flavor (slightly unpleasant).
5	Unpleasant off flavor.
4	Definite unpleasant off flavor.
3	Pronounced unpleasant off flavor.
2	Repulsive flavor.
1	Definite repulsive flavor.
0	Pronounced repulsive flavor.

The foregoing revision shall become effective at 12:01 e. w. t., May 11, 1944.

(Pub. L. No. 129, 78th Cong., 1st Sess., 57 Stat. 421; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334; 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 9th day of May 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-6716; Filed, May 10, 1944; 11:35 a. m.]

CONTENTS

REGULATIONS AND NOTICES

	Page
CIVIL SERVICE COMMISSION:	
Certification; probationary appointment	4971
COAL MINES ADMINISTRATION:	
Sheidy, William B., et al., termination of Government possession	4989
COMMERCE DEPARTMENT:	
Montgomery Ward and Co., termination of Government possession	4989
COMMODITY CREDIT CORPORATION:	
Peanuts, 1944 crop (WFO 100)	4974
IMMIGRATION AND NATURALIZATION SERVICE:	
Bonds, approval, etc	4975
INTERNAL REVENUE BUREAU:	
Income tax:	
Annual returns of information for accounting periods, Dec. 31, 1942, to Apr. 1, 1944; extension of time for filing	4975
Cost-of-living allowances paid to civilian employees of Government outside continental U. S., exclusion from gross income	4976
INTERSTATE COMMERCE COMMISSION:	
Agent to issue permits for movement of grain, appointment	4988
Carriers by water, uniform system of acoounts; inventories of material and supplies	4988
Potatoes, transportation	4988
Refrigeration permits, etc.:	
Bananas, Mexico	4989
Beans, Chicago, Ill	4989
Cheese, Freeport, Ill	4991
Citrus fruits:	
California or Arizona	4989
Edinburg, Tex. (2 documents)	4992, 4993
Codfish, dried salted, New Orleans, La	4991
Freight cars:	
Edinburg, Tex	4990
Elsa, Tex	4990
Mission, Tex	4990

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

	Page
INTERSTATE COMMERCE COMMISSION—Continued.	
Refrigeration permits, etc.—Continued.	
Ice, transportation in RS type refrigerator cars (5 documents)	4992, 4993
San Jose, Calif.	4993
Oranges:	
Akron, Ohio	4992
Buffalo, N. Y. (2 documents)	4990
Lake Hamilton, Fla.	4990
Potatoes:	
Alabama	4991
Chicago, Ill.	4992
California	4991
Florida	4993
Gaylord, Mich.	4991
OFFICE OF PRICE ADMINISTRATION:	
Adjustments, etc.:	
Gardetto, B. A., Inc.	4995
Hancock Brick and Tile Co.	4994
Maurer, G. M., and Sons, et al.	4994
Alaska; egg noodles (MPR 288, Am. 22)	4985
OFFICE OF PRICE ADMINISTRATION—Continued.	
Asbestos-cement building materials (MPR 466, Am. 3)	4985
Cans, packers' tin (MPR 350, Am. 2)	4982
Containers, wooden; slack staves, heading and cooperage (MPR 481, Am. 3)	4985
Flint clay, refractory (MPR 188, Order A–1, Am. 35)	4994
Lumber and products:	
"General manager type" grain doors and certain box car doors (MPR 483, Am. 2)	4985
Logs and bolts; ash special logs (MPR 348, Am. 48)	4983
Milk and milk products, Atlanta region (SR 14A, Am. 15)	4985
Superphosphates, Searsport, Maine (Rev. SR 14, Am. 132)	4985
SECURITIES AND EXCHANGE COMMISSION:	
Commonwealth Utilities Corp., et al., hearing	4995
WAR COMMUNICATIONS BOARD:	
Telegraph messages essential to war effort or public safety, precedence	4986
WAR FOOD ADMINISTRATION. *See also* Commodity Credit Corporation.	
Agricultural labor in California, salaries and wages; workers in potatoes in San Joaquin and Cuyama Valleys	4976
Cashew nut shell liquid, use and delivery (WFO 36, Rev.)	4974
Castor oil, use and distribution (WFO 32, Rev.)	4973
Dried whole eggs, official U. S. standards for palatability scores; preparation of samples and scores	4971
Linseed oil, delivery (WFO 63, Rev.)	4974
Livestock slaughter and delivery of meat (WFO 75, Am. 1)	4973
Milk in Greater Boston, Mass., area	4972
Oiticica oil, use, processing, consumption and delivery (WFO 31, Rev.)	4973
Sperm oil, use (WFO 37, Am. 1)	4974
WAR PRODUCTION BOARD:	
Cotton textile production (L–99, Am. 1)	4982
Refrigerating and air conditioning machinery and equipment, industrial and commercial (L–38)	4978
Suspension orders, etc.:	
American Furniture Co.	4996
Elliott, Joe and Clara	4976
Marsam Novelty Corp.	4977
Tire retreading, recapping and repair equipment (L–61)	4977
WAR SHIPPING ADMINISTRATION:	
"City of Sacramento," vessel ownership determination	4997
Contracts with vessel owners and rates of compensation:	
Time charters for tank vessels	4987
Uniform time charter	4987

Chapter IX—War Food Administration (Marketing Agreements and Orders)

PART 904—MILK IN THE GREATER BOSTON, MASSACHUSETTS, MARKETING AREA

Order amending the order, as amended, regulating the handling of milk in the Greater Boston, Massachusetts, Marketing Area.

Findings. Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure covering the formulation of marketing agreements and milk orders (7 CFR, Cum. Supp., 900.1–900.17; 7 F.R. 3550; 8 F.R. 2815), a public hearing was held upon certain proposed amendments to the tentatively approved marketing agreement and to the order as amended regulating the handling of milk in the Greater Boston, Massachusetts, marketing area. Upon the basis of evidence introduced in such hearing and the record thereof, it is hereby found that:

(1) The order regulating the handling of milk in the said marketing area, as amended and as hereby amended, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in said marketing area a purchasing power equivalent to the purchasing power of such milk, as determined pursuant to sections 2 and 8 (e) of the act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk. The minimum prices specified in the said order, as amended and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order, as amended and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in the tentatively approved marketing agreement upon which a hearing has been held.

Determinations. It is hereby determined that handlers of at least 50 percent of the volume of milk which is marketed within the said marketing area refused or failed to sign the tentatively approved marketing agreement regulating the handling of milk in the said marketing area; and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign such tentatively approved marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order further amending the aforesaid order, as amended, is the only practical means pursuant to the declared policy of the act to advance the interests of the producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order further amending the aforesaid order, as amended, is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of the approval of the order, and who during the determined representative period, were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is, therefore, ordered that, from and after the effective date hereof, the handling of milk in the Greater Boston, Massachusetts, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended; and the aforesaid order, as amended, is hereby further amended in the following respects:

1. Revise § 904.3 (a) (9) to read as follows:

The "delivery period" means the current marketing period from the first to and including the last day of each month.

2. In § 904.6 (a) (3) revise the last clause to read as follows:

• • • and then that milk, including skim milk and buttermilk, which was shipped from the nearest plant located more than 40 miles from the State House in Boston, including milk received at such plant pursuant to § 904.8 (b).

3. In § 904.6 (b) (2) (iii) delete the words "• • • except April, May, and June," and delete § 904.6 (b) (2) (iv).

4. Add two new paragraphs to § 904.6 as follows:

(e) *Butter and cheese adjustment.* Until the termination of each of Food Distribution Orders numbered 8, 13, 79, and 92, including amendments thereto or other similar orders supplementing or superseding such orders, in lieu of application of § 904.6 (b) (3), in the case of butterfat made into butter, Cheddar cheese, American Cheddar cheese, Colby cheese, washed curd cheese, or part skim Cheddar cheese, during April to September, inclusive, of each year, at a plant of the first handler of such butterfat or at a plant of a second person to which such butterfat is moved, the value of milk computed pursuant to § 904.9 (a) shall be reduced by a value computed for such delivery period as follows:

(1) From the average price for the delivery period as reported by the United States Department of Agriculture (or by such other Federal agency as may be authorized to perform this function) for 92 score butter at wholesale in the New York market, deduct 5 cents and add 20 percent;

(2) Divide the value determined pursuant to § 904.6 (b) (2) (i) or (ii), whichever applies, by 3.7, and subtract therefrom the value determined in (1) hereof; and

(3) Multiply the value determined pursuant to § 904.10 (d) by 10, and subtract therefrom the value determined in (1) hereof.

(4) Multiply the number of pounds of butterfat by the value determined in (2) hereof, except that for butter or cheese manufactured from milk of more than 3.7 percent butterfat content, the quantity of butterfat represented in the excess over 3.7 percent butterfat content of such milk, shall be multiplied by the value determined in (3) hereof.

(f) *Casein differential.* In the case of skim milk manufactured into casein during April, May, and June, the value of a handler's milk computed pursuant to § 904.9 (a) shall be adjusted by a value determined by multiplying the number of hundredweight of skim milk used in the manufacture of such casein by a differential computed for each delivery period as follows:

(1) Divide the value determined pursuant to § 904.6 (b) (2) (iii) by .9075;

(2) Compute the average of all quotations (using midpoint of any range as one quotation) published during the delivery period in the *Oil, Paint, and Drug Reporter*, for domestic, acid-precipitated casein in bags, 100 bags or more, shipment point, subtract 6.6¢ and multiply this result by 2.42; and

(3) Subtract the value determined in (2) from the value determined in (1) hereof.

5. In § 904.6 (c) add 10 zones to the table as follows:

A	B	C
301–310	51.0	28.0
311–320	51.0	28.0
321–330	52.0	28.0
331–340	52.0	28.0
341–350	52.5	28.0
351–360	52.5	28.5
361–370	52.5	28.5
371–380	53.0	28.5
381–390	53.0	28.5
391–400	53.0	28.5

6. Revise § 904.7 (f) (3) to read as follows:

(3) Make such examination of records, operations, equipment, and facilities as the market administrator deems necessary for the purpose specified in this paragraph.

7. In § 904.9 (a) add a third paragraph as follows:

(3) Adjust the value determined in (2) hereof as provided in §§ 904.6 (e) and (f).

8. Revise § 904.10 (i) to read:

(i) *Adjustment of overdue accounts.* Any balance due pursuant to this section, for any delivery period since August 1, 1937, to or from the market administrator on the 10th day of any month, for which remittance has not been received in, or paid from, his office by the close of business on that day, shall be increased one-half of 1 percent, effective the 11th day of such month.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 601 et seq.)

Issued at Washington, D. C., this 5th day of May 1944, to be effective on and after the 13th day of May 1944.

GROVER B. HILL,
First Assistant
War Food Administrator.

Approved: May 6, 1944.

FRED M. VINSON,
Director of Economic
Stabilization.

[F. R. Doc. 44-6678; Filed, May 9, 1944; 4:08 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 75, Amdt. 1]

PART 1410—LIVESTOCK AND MEATS

SLAUGHTER OF LIVESTOCK AND DELIVERY OF MEAT

War Food Order No. 75 (8 F.R. 11119; 9 F.R. 4319, § 1410.15, is amended by striking the figure "200, in the first sentence of (1) (i) and inserting in lieu thereof the figure "180".

This amendment shall become effective at 12:01 a. m., e. w. t., May 15, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 75, prior to the effective date of this amendment, all provisions of said War Food Order No. 75 in effect prior to this amendment shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 8th day of May 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-6566 Filed, May 8, 1944; 4:53 p. m.]

[WFO 31, Revocation]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE, PROCESSING, CONSUMPTION AND DELIVERY OF OITICICA OIL

War Food Order 31 (8 F.R. 3471; 9 F.R. 365, 4319), is hereby revoked and terminated.

This order shall become effective at 12:01 a. m., e. w. t., May 1, 1944. However, with respect to violations of said War Food Order 31, or rights accrued, or liabilities incurred, prior to said date, said War Food Order 31 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R., 14783)

Issued this 8th day of May 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-6568; Filed, May 8, 1944; 4:53 p. m.]

[WFO 32, Revocation]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE AND DISTRIBUTION OF CASTOR OIL

War Food Order 32 (8 F.R. 3473, 13434, 16643; 9 F.R. 2078, 4319), is hereby revoked and terminated.

This order shall become effective at 12:01 a. m., e. w. t., May 8, 1944. How-

ever, with respect to violations of said War Food Order 32, or rights accrued, or liabilities incurred, prior to said date, said War Food Order 32 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 8th day of May 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-6569; Filed, May 8, 1944; 4:53 p. m.]

[WFO 36, Revocation]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE AND DELIVERY OF CASHEW NUT SHELL LIQUID

War Food Order 36 (8 F.R. 3480; 9 F.R. 367, 4319), is hereby revoked and terminated.

This order shall become effective at 12:01 a. m., e. w. t., May 8, 1944. However, with respect to violations of said War Food Order 36, or rights accrued, or liabilities incurred, prior to said date, said War Food Order 36 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 8th day of May 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-6570; Filed, May 8, 1944; 4:53 p. m.]

[WFO 37, Amdt. 1]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE OF SPERM OIL

War Food Order 37 (9 F.R. 2078, 4319), § 1460.8, is amended as follows:

By deleting the provisions of paragraph (a) (1) thereof and inserting in lieu thereof the following:

(1) The term "sperm oil" means that oil obtained from the sperm whale, including, but not limited to, head oil, body oil, or combined head and body oil. The term also includes sperm oil which has been winterized, pressed, distilled, deodorized, sulphonated, sulphurized, sulfo-chlorinated, sulphated, blown, or otherwise physically or chemically treated, excluding crude and refined spermaceti, and sulphated or non-sulphated technical oleyl alcohol derived from sperm oil.

This amendment shall become effective at 12:01 a. m., e. w. t. May 8, 1944. However, with respect to violations of said War Food Order 37, or rights accrued, or liabilities incurred thereunder, prior to said date, said War Food Order 37 shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 8th day of May 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-6567; Filed, May 8, 1944; 4:53 p. m.]

[WFO 63, Revocation]

PART 1460—FATS AND OILS

RESTRICTIONS ON DELIVERY OF LINSEED OIL

War Food Order 63 (8 F.R. 16316, 17398; 9 F.R. 3479, 4319), is hereby revoked and terminated.

This order shall become effective at 12:01 a. m., e. w. t., May 8, 1944. However, with respect to violations of said War Food Order 63, or rights accrued, or liabilities incurred, prior to said date, said War Food Order 63 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 8th day of May 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-6571; Filed, May 8, 1944; 4:53 p. m.]

Chapter XII—War Food Administration (Commodity Credit Orders)

[WFO 100]

PART 1600—OILSEEDS

PURCHASE, SALE AND USE OF PEANUTS OF 1944 CROP

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of peanuts for defense, for private account and for export; and the foNowing order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1600.8 *Purchase, sale and use of peanuts restricted*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not, including the States of the United States, their political subdivisions and agencies.

(2) "Corporation" means the Commodity Credit Corporation.

(3) "Farmers' stock peanuts" means picked or threshed peanuts in the shell which have been produced in the calendar year 1944 in the continental United States and which have not been cleaned, shelled, crushed, or otherwise changed from their natural state after picking or threshing.

(4) "Producer" means a person who grows, harvests, or threshes peanuts in the continental United States for purposes of sale.

(5) "Handler" means a person, other than a designated agency, who has entered into a contract with the Corporation to purchase, sell, or deliver peanuts.

(6) "Designated agency" means a cooperative association of producers which has entered into a contract with the Corporation to purchase, sell, or deliver peanuts.

(7) "Crush" means to press, expel, or extract oil from peanuts.

(8) "Clean and shell" means to remove the dirt, stems, and other foreign material from the shells of farmers' stock peanuts, or to remove the shells therefrom, other than in connection with the crushing of such peanuts. "Cleaning and shelling" shall be construed accordingly.

(9) "Purchase" includes contracts to purchase.

(10) "Sell" and "sale" include contracts to sell.

(11) "Deliver" and "delivery" include contracts to deliver.

(b) *Restrictions on purchases, sales, and deliveries of farmers' stock peanuts.* No person shall sell or deliver farmers' stock peanuts, and no person shall purchase or accept delivery of farmers' stock peanuts, except as provided in paragraph (c) hereof or as specifically authorized by the President of the Corporation in order to assure a proper distribution and use of peanuts for defense, for private account, and for export.

(c) *Permissible purchases, sales, and deliveries of farmers' stock peanuts.* The following purchases, sales and deliveries of farmers' stock peanuts are not restricted:

(1) Purchases or acceptances of deliveries by, and sales or deliveries to (i) the Corporation, (ii) a handler or designated agency purchasing pursuant to the terms of a handler's or designated Agency's contract with the Corporation, or (iii) a producer for planting by or for him.

(2) Sales or deliveries by, and purchases or acceptances of deliveries from, the Corporation, or handler or designated agency pursuant to the terms of a handler's or designated agency's contract with the Corporation.

(d) *Restrictions on crushing, cleaning, shelling, and otherwise changing farmers' stock peanuts from their natural state.* No person shall crush, clean, shell, or otherwise change farmers' stock peanuts from their natural state, except in such quantities as may be specifically authorized by the President of the Corporation in order to assure a proper distribution and use of peanuts for defense, for private account, and for export, *Provided, That* (1) Any producer, or any person in behalf of such producer, may clean and shell for planting by or for such producer farmers' stock peanuts owned by such producer; and (2) any producer, or any person in behalf of such producer, may, on the farm where produced, clean or shell for sale a quantity not in excess of 500 pounds of farmers' stock peanuts produced by such producer.

(e) *Audits and inspections.* The President of the Corporation shall be entitled to make such audit or inspection of the books, records, and other writings, premises or stock of peanuts of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(f) *Records and reports.* (1) The President of the Corporation shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary, or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the President of the Corporation may designate), maintain an accurate record of his transactions in peanuts.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the President of the Corporation, setting forth in such petition all pertinent facts and the nature of the relief sought. The President of the Corporation may thereupon take such action as he deems appropriate, which action shall be final.

(h) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using peanuts, or any other material subject to priority or allocation control by any government agency. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(i) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the President of the Corporation. The President of the Corporation is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the President of the Corporation, be addressed to the President of Commodity Credit Corporation, War Food Administration, Washington 25, D. C., Ref. WF-100.

(k) *Territorial scope.* The provisions of this order shall apply within the forty-eight states and the District of Columbia.

(l) *Effective date.* This order shall become effective 12:01 a. m., e. w. t., May 10, 1944.

NOTE: All record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 9th day of May 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-6717; Filed, May 10, 1944; 11:35 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 90—DEPARTMENTAL ORGANIZATION AND AUTHORITY

PART 110—PRIMARY INSPECTION AND DETENTION

APPROVAL OF BONDS, ETC.

APRIL 29, 1944.

Section 90.17 (d) (7 F.R. 6753) is hereby amended to read as follows:

§ 90.17 *General Counsel; powers and duties.* * * *

(d) To examine as to legal form and execution bonds and appurtenant documents required with respect to aliens in connection with the administration of the immigration laws, to approve and accept such bonds and documents on behalf of the Government, and if such bonds have been declared breached, to handle any matters relating to their disposition through compromise or judicial enforcement, except that this paragraph shall not authorize the examination, approval, and acceptance of bonds and appurtenant documents in cases where field officers have such authority;

Section 110.21 is hereby amended to read as follows:

§ 110.21 *Approval, cancellation, and violation of public charge bonds generally.* All bonds, including agreements covering deposits of cash or postal money orders, given as a condition of the admission of an alien under section 21 of the Immigration Act of 1917 (39 Stat. 891; 8 U. S. C. 158) shall be executed on Form 554 entitled "Bond That Alien Shall Not Become a Public Charge". The officers in charge of the several ports or districts are authorized, either directly or through officers or employees designated by them, to approve bond Form 554, regardless of the section of law under which the alien is admitted; to approve any power of attorney or assignment a surety executes authorizing the delivery to some other person or concern of United States bonds or notes deposited as collateral security with such bonds after the collateral security is released; and to approve any power of attorney or assignment a depositor executes authorizing the delivery to some other person or concern of deposits in the United States Postal Savings Bank after the deposit is released. All bond Forms 554 shall be retained at the respective ports or districts. In the event of the permanent departure from the United States, the naturalization, or the death of the alien admitted under such bond, bond Form 554 may be canceled by any officer or employee mentioned in this section. Notice of such cancellatiton shall be forwarded to the Central Office in cases where the admission had been reported to the Central Office. If proofs are submitted that the alien is no longer likely to become a public charge or is no longer afflicted with a physical disability, or if the conditions of the bond are violated, such bond with its appurtenant documents shall be forwarded to the Central Office with an appropriate recommendation. (Sec. 21, 39 Stat. 891; 8 U. S. C. 158)

L. PAUL WININGS,
Acting Commissioner of Immigration and Naturalization.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 44-6695; Filed, May 10, 1944; 11:10 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T. D. 5368]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

EXTENSION OF TIME FOR FILING CERTAIN ANNUAL RETURNS

Extension of time for filing annual returns of information for accounting periods beginning after December 31, 1942 and ending prior to April 1, 1944, by organizations exempt from taxation.

In the case of organizations exempt from taxation under section 101 of the Internal Revenue Code which are required under section 54 (f) of the Internal Revenue Code, as added by section 117 of the Revenue Act of 1943, or under § 29.101-1 of Regulations 111, to file annual returns of information for accounting periods beginning after December 31, 1942 but ending prior to April 1, 1944, an extension of time up to and including August 15, 1944, is hereby granted for making and filing such returns for such accounting periods.

(Sec. 62, Internal Revenue Code (53 Stat. 32, 26 U.S.C., 1940 ed., 62); sec. 117, Revenue Act of 1943 (Pub. Law 235, 78th Cong.), enacted Feb. 25, 1944)

JOSEPH D. NUNAN, JR.,
Commissioner of Internal Revenue.

Approved: May 9, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-6677; Filed, May 9, 1944; 4:34 p. m.]

[T. D. 5367]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

EXCLUSION FROM GROSS INCOME OF CERTAIN COST-OF-LIVING ALLOWANCES

Regulations 111 amended to conform to section 125 of the Revenue Act of 1943, relating to exclusion from gross income of certain cost-of-living allowances paid to civilian officers and employees of the Government stationed outside continental United States.

In order to conform Regulations 111 (Part 29, Title 26, Code of Federal Regulations, Cum. Supp.) to section 125 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 29.116–1 the following:

SEC. 125. EXCLUSION FROM GROSS INCOME OF CERTAIN COST-OF-LIVING ALLOWANCES PAID TO CIVILIAN OFFICERS AND EMPLOYEES OF THE GOVERNMENT STATIONED OUTSIDE CONTINENTAL UNITED STATES. (Revenue Act of 1943.)

(a) *In general.* Section 116 (relating to exclusions from gross income) is amended by adding at the end thereof a new subsection to read as follows:

(j) In the case of a clerk or employee in the Foreign Service of the United States, amounts received as cost-of-living allowances under authority of section 3, as amended, of the Act of February 23, 1931; and in the case of an ambassador, minister, diplomatic, consular, or Foreign Service officer, amounts received as post allowances under the authority of section 12, as amended and renumbered, of the Act of May 24, 1924; and in the case of other civilian officers or employees of the Government of the United States stationed outside continental United States, amounts received as cost-of-living allowances in accordance with regulations approved by the President.

(b) *Taxable years to which applicable.* The amendment made by subsection (a) shall be applicable with respect to taxable years beginning after December 31, 1942.

PAR. 2. There is inserted immediately after § 29.116–3 the following new section:

§ 29.116–4 *Exclusion of certain cost-of-living allowances.* For taxable years beginning after December 31, 1942, certain cost-of-living allowances and post allowances of Government civilian personnel stationed outside continental United States are, by the provisions of section 116 (j), excluded from gross income. Cost-of-living allowances and post allowances, excluded from gross income pursuant to the provisions of section 116 (j), shall be considered as retaining their characteristics under the subsection notwithstanding any possible combination thereof with any other allowance, such as a quarters allowance, as, for example, in a "living and quarters allowance", whether or not such other allowance is excluded from gross income.

For the purposes of section 116 (j) the term "continental United States" includes only the States of the Union and the District of Columbia.

(Sec. 62, Internal Revenue Code (53 Stat. 32; 26 U.S.C. 62); sec. 125, Revenue Act of 1943 (Pub. Law 235, 78th Cong.))

GEO. J. SCHOENEMAN,
Acting Commissioner of Internal Revenue.

Approved: May 9, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44–6676; Filed, May 9, 1944; 4:34 p. m.]

TITLE 29—LABOR

Chapter IX—War Food Administration (Agricultural Labor)

[Specific Wage Ceiling Reg. 3, Amdt. 1]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS IN POTATOES IN SAN JOAQUIN AND CUYAMA VALLEYS, CALIF.

Section 1102.3 (9 F.R. 4170) is hereby amended as set forth below:

The title of § 1102.3 is amended to read as follows:

§ 1102.3 *Wages of workers engaged in the picking up and loading and hauling of early potatoes in the San Joaquin and Cuyama Valleys, State of California.*

Paragraph (a) is revised and amended to read as follows:

(a) *Areas, crops, and classes of workers.* Persons engaged in the picking up and loading and hauling of early potatoes in those portions of the counties of Kern, Kings, Tulare, Fresno, Madera and Merced, State of California, which lie within the San Joaquin Valley proper and in those portions of the counties of Santa Barbara, San Luis Obispo, Ventura and Kern counties, State of California, which lie within the Cuyama Valley proper, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702).

Paragraph (b) is revised and amended to read as follows:

(b) *Wage rates; maximum wage rates for harvesting early potatoes.* (1) Wage rates for picking up and loading and hauling of early potatoes:

(i) Picking up early potatoes:

(*a*) *Piece-work rate*—12¢ per hundred pounds net weight of potatoes.

(*b*) *Hourly rate*—70¢ per hour.

(ii) Loading and hauling:

(*a*) With haul from field to shed, not in excess of 8 miles—90¢ per ton divided equally among persons so engaged.

(*b*) With haul from field to shed in excess of 8 miles but not to exceed 12 miles—$1.05 per ton divided equally among persons so engaged.

(*c*) With haul from field to shed in excess of 12 miles—$1.20 per ton divided equally among persons so engaged.

(56 Stat. 765, 50 U.S.C. App. 961 et seq.; Pub. Law 34, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702; regulations of the War Food Administrator, 9 F.R. 655, 9 F.R. 831)

Issued this 9th day of May 1944.

WILSON R. BUIE,
Acting Director, Office of Labor, War Food Administration.

[F. R. Doc. 44–6716; Filed, May 10, 1944; 11:35 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–546]

JOE ELLIOTT AND CLARA ELLIOTT

Joe Elliott and Clara Elliott of Stockyards Station, Adams County, Colorado, in November, 1943, began construction on Lot 43, Northwest Quarter, Section 2, Township 3, Range 68 West, Adams County, Colorado, without authorization from the War Production Board. Their purpose was to construct a celery farm comprising a farm residence, a celery-processing house, and a pipe line trench, at a cost of more than $7,000, which exceeded the limit of $1,000, permitted by Conservation Order L–41 and was in violation of that order. They applied to the War Production Board on Form PD–200–C on November 2, 1943, for authority to begin construction; this application was denied on December 2, 1943, but construction was continued until February 21, 1944. Joe Elliott and Clara Elliott were aware of War Production Board restrictions on construction, and doing this construction without authorization constituted wilful violations of Conservation Order L–41.

These violations of Conservation Order L–41 have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing; it is hereby ordered, that:

§ 1010.546 *Suspension Order No. S–546.* (a) Neither Joe Elliott nor Clara Elliott, their successors or assigns, nor any other person, shall do any construction on their premises on Lot 43, Northwest Quarter, Section 2, Township 3, Range 68 West, Adams County, Colorado, including putting up or altering any structure or construction, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Joe Elliott and Clara Elliott, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on May 9, 1944.

Issued this 2d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6673; Filed, May 9, 1944; 4:33 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–547]

MARSAM NOVELTY CORPORATION

Marsam Novelty Corporation, 90 Grand Street, New York City, is a manufacturer of toys. During the period September 1, 1942, through September 30, 1943, the company consumed 25,000 pounds of steel in the assembly of toys. This was a violation of Limitation Order L–81, which prohibited the assembly of toys containing steel. The company was aware of the terms of Order L–81, and its violation of the order was wilful. As a result of this violation, critical material has been diverted to uses not authorized by the War Production Board, and the war effort of the United States has been hampered and impeded. In view of the foregoing, it is hereby ordered, that:

§ 1010.547 *Suspension Order No. S–547.* (a) Deliveries of material to Marsam Novelty Corporation, its successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, shall be made to Marsam Novelty Corporation, its successors or assigns, of any material or product the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Marsam Novelty Corporation, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on May 9, 1944, and shall expire August 9, 1944.

Issued this 2d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6674; Filed, May 9, 1944; 4:32 p. m.]

PART 1114—TIRE RETREADING, RECAPPING AND REPAIR EQUIPMENT

[General Limitation Order L–61, as Amended May 10, 1944]

The fulfillment of requirements for the national defense has created a shortage in the supply of certain critical materials used in the manufacture of retreading, recapping and repair equipment for the national defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1114.1 *General Limitation Order L–61*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or any organized group of persons, whether incorporated or not.

(2) "Retreading, recapping or repair equipment" means any mechanical device used in connection with applying uncured rubber (in the form of camelback, patching rubber or otherwise) to rubber casings or innertubes for the purpose of renewing or repairing a rubber casing or innertube. The term includes, but is not limited to; full circle molds, full circle matrices, holders, tables, steam chambers, kettle curing devices, curing rings, curing bands, pressure plates, spacer rings, curing rims, sectional molds, sectional matrices, tire and tube repair and spot equipment, tire spreaders, tire buffers, mechanical stitchers, mechanical rollers, regroovers. It does not include, however, small tools such as knives, hand rollers, hand stitchers, jacks, shears, and other miscellaneous shop tools and supplies.

(3) "Delivery" means any physical delivery of any item of retreading, recapping or repair equipment, or parts of such equipment to other persons.

(4) "Approved order" means an order for new retreading, recapping or repair equipment authorized on Form WPB–1319, which bears the certification in paragraph (d). It also means any order for new retreading, recapping or repair equipment which the War Production Board has authorized under Order L–61 before March 23, 1944, to be produced or delivered.

(b) *Restrictions on production and delivery.* (1) No person shall manufacture or deliver any item of new retreading, recapping or repair equipment having a retail value of more than $85, or curing rings, full circle and sectional matrices, regardless of retail value, except to fill approved orders.

No person shall manufacture or deliver new parts except for the maintenance and repair of existing equipment or to fill approved orders. Any order for curing rings, full circle and sectional matrices (new items only) must be an approved order even though the items are for the maintenance or repair of existing equipment.

Any person engaged in the business of retreading, recapping or repairing tires may purchase parts for the maintenance and repair of his equipment under CMP Regulation 5. That regulation assigns a rating of AA–2 for this purpose. Single items of retreading, recapping or repair equipment having a retail value of $85 or less other than curing rings, full circle and sectional matrices may also be purchased under the provisions of CMP Regulation 5. The regulation may not, however, be used for new items of equipment for which an approved order is required.

(2) Facilities which can be used in the production of items of retreading, recapping or repair equipment in more than one of the groups of the following production pattern are called interchangeable facilities in this paragraph. For the purpose of the production pattern, "molds and matrices" include curing rings, curing tables, steam chambers and kettle curing devices.

PRODUCTION PATTERN

Group	*Type of Equipment*
1	Airplane, full circle tire molds and matrices.
2	Tractor-implement rear wheel full circle tire molds and matrices.
3	Earth-mover and road grader full circle molds and matrices.
4	Repair parts for retreading, recapping or repair equipment produced after December 7, 1941
5	Tractor front wheel full circle tire molds and matrices.
6	Truck-bus full circle tire molds and matrices.
7	Sectional molds and matrices, all types.
8	Repair parts for retreading, recapping or repair equipment produced prior to December 7, 1941.
9	Inner tube repair equipment.
10	Buffers and tire spreaders.
11	Passenger tire full circle molds and matrices and miscellaneous equipment not specifically covered in groups 1 to 10 inclusive.
12	Any discontinued or obsolete types of retreading, recapping or repair equipment which the manufacturer is unable to produce without loss of production.

Interchangeable facilities must be used to produce orders for new retreading, recapping or repair equipment or for parts in the sequence established by the above production pattern. This means that a manufacturer must use interchangeable facilities to produce orders classified in each higher group before he may use the same facilities to fill orders in any lower group. If he is using interchangeable facilities for a lower group and is required by the production pattern to divert those facilities to unfilled orders in a higher group, he may postpone the diversion of facilities to the higher group for not more than 15 days after receipt of an order in the higher group.

Preference ratings for retreading, recapping or repair equipment or for parts of equipment shall have no effect upon the use of interchangeable facilities to fill orders in different groups. Orders classified in the same group, however, shall be produced and shipped in accordance with Priorities Regulation No. 1.

(c) *How approval is obtained.* Any person who wishes to purchase any item of new retreading, recapping or repair equipment having a retail value of more than $85, or curing rings, full circle and sectional matrices regardless of retail value, must make his application on Form WPB–1319. The form together with instructions for its use and filing may be obtained from the nearest War Production Board Field Office.

If the application is granted by the War Production Board, the form will be returned to the applicant authorizing the production or delivery of all or part of the items requested and a preference rating or ratings may be assigned.

(d) *Purchaser's certification to supplier.* The person receiving authorization by the War Production Board on Form WPB–1319 may serve an approved order upon his supplier for the items of equipment authorized on the form by making certification to his supplier and to the War Production Board in substantially the following form:

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

Date of authorization under Order L–61 ------.

Form WPB–1319, Serial Number ------.

(Authorized Official)

The above standard form of certification is set forth in Priorities Regulation No. 7. The information added to this certification consists of the date and serial number of the authorization on Form WPB 1319.

(e) [Deleted Mar. 23, 1944]

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* Except as otherwise provided in paragraph (b), this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board Office of Rubber Director, Washington 25, D. C., Ref.: L–61.

(4) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Records.* Each manufacturer or distributor of new retreading, recapping and repair equipment affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales of such equipment.

Issued this 10th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6697; Filed, May 10, 1944; 11:15 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L–38, as Amended May 10, 1944]

INDUSTRIAL AND COMMERCIAL REFRIGERATING AND AIR CONDITIONING MACHINERY AND EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of steel, copper, and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.6 *Limitation Order L–38*—(a) *Purpose and scope.* This order tells how to get new refrigerating or air conditioning "systems" and "parts". With certain exceptions, these may be delivered only for essential uses as explained in Lists B and C, and pursuant to an "approved order" rated AA–5 or higher. In some cases a purchaser is allowed to apply his MRO or other ratings without any special authorization, but in other cases he must apply to the War Production Board for approval. The order also states how much a producer may manufacture during any calendar quarter. It will be noted that certain types of equipment, such as domestic refrigerators, are not included in this order, since they are covered by other orders of the War Production Board.

Definitions

(b) *Definitions.* For the purpose of this order:

(1) "System" means any refrigerating or air conditioning system, consisting of an assembly or combination of machinery, equipment, or other apparatus designed primarily to lower temperature or remove water vapor, directly or indirectly, by mechanical, chemical or physical means. The term does not include a domestic mechanical refrigerator, a domestic ice refrigerator, or heat exchanger equipment, as defined, respectively, in paragraphs (b) (5), (b) (6) and (b) (9) of this order; or coils or low sides which are incorporated into "food processing machinery" (as defined in Order L–292).

(2) "Parts" includes any assemblies of parts, equipment, insulated enclosures and cold storage doors (except insulation materials used therein), accessories, implements or devices designed or intended for incorporation or use in a system or for installation therewith in causing it to perform its functions, except the following materials:

Liquid or gaseous refrigerants
Oil or other lubricants
Cleaning fluids or other solvents
Anti-freeze fluids
Drying agents
Paints, enamels, varnishes, thinners and seam fillers
Wax polishes and rust preventives
Soldering and brazing fluxes and welding rods
Non-metallic filters
Belts and belting
Gaskets
Packing
Insulation materials
Small hardware, such as nuts, bolts, washers, screws and cotter pins

(3) "Producer" means any person to the extent that he is engaged in the manufacture, fabrication, or assembly of new systems or parts, or industrial type extended surface heating equipment, or industrial type humidifying equipment. The term does not include any sales or distribution outlet of a producer.

(4) "Deliver" means: (i) to transfer physical possession, title, or ownership; or (ii) to install for use (but not including a temporary installation solely for the purpose of testing the system or part, or the moving of an installed system from one point on the owner's property to another); or (iii) to place in the hands of any carrier or otherwise in transit for transfer of possession to another person; (regardless of whether such transfer, installation, or shipment is for the purpose of sale, trade, loan, lease, consignment, or other type of transaction).

(5) "Domestic mechanical refrigerator" means any refrigerator for household use which operates either by compression or absorption and which has a net capacity of 16 cubic feet or less (National Electric Manufacturing Association rating), but does not include any low temperature mechanical refrigerator designed for the storage of frozen foods or for the quick freezing of food where the low temperature compartment customarily operates at a temperature of not higher than 15 degrees above zero Fahrenheit and contains 75% or more of the total refrigerating space in the refrigerator.

(6) "Domestic ice refrigerator" means any non-mechanical ice chest or ice box for home use.

(7) "Industrial type extended surface heating equipment" means any apparatus employing a heat transfer element and designed primarily to increase the temperature of gaseous matter, in connection with the operation of any refrigerating or air conditioning system.

(8) "Industrial type humidifying equipment" means any apparatus designed primarily to add water vapor to gaseous matter, in connection with the operation of any industrial or commercial refrigerating or air conditioning system, or for any purpose other than the health or comfort of persons.

(9) "Heat exchanger equipment" means an assembly, bundle or nest of bare or finned tubes installed in a shell or pressure vessel, and designed for the transfer or exchange of heat between two or more fluids (liquids, gases, or vapors), without the use, as a refrigerant, of (i) ammonia, carbon dioxide, methyl chloride, sulphur dioxide, or chlorinated hydro-carbon refrigerants (trichloromonofluoromethanes, dichlorodifluoromethane, dichloromonofluoromethane, trichlorotrifluoroethane, and dichlorotetrafluoroethane), or (ii) brine or water which has been cooled by the use of ice or any of such refrigerants.

(10) "For direct use by the Army, Navy, Maritime Commission or War Shipping Administration" means for direct use by the regular personnel or regular employees of such an agency only (or "for military exchanges or service departments" under Priorities Regulation 17), but regardless of whether delivery is made by the producer or dealer directly to such an agency, or through or to an intermediate dealer or contractor. The term does not mean for use in any privately operated plant or shipyard financed by, or controlled by, any of such agencies, or operated on a cost-plus-fixed-fee basis.

Deliveries: Approved Orders

(c) *Restrictions on deliveries*—(1) *No deliveries except on approved orders.* No person shall deliver, and no person shall accept delivery of, any new system or new parts except pursuant to an approved order, as defined in paragraph (d). Exceptions to this general rule are stated in paragraph (e). Additional restrictions on delivery are stated below in subparagraphs (c) (2), (3), (4) and (5).

(2) *List B items.* No person shall knowingly deliver, and no person shall accept delivery of, any new item on List B, (i) unless the item is for direct use by the ultimate consumer and for the specified use, if any, as shown on that list, or (ii) unless delivery is otherwise permitted pursuant to an approved order of a kind specified in subparagraphs (d) (1) or (d) (4).

(3) *Items for a use permitted by List C.* No person shall knowingly deliver, and no person shall accept delivery of, any new system or parts not shown on Lists A or B, unless the system or parts are to be used by the ultimate consumer for an essential purpose specified on List C. This subparagraph (c) (3) does not affect the delivery of parts for the maintenance or repair of any existing system.

(4) *Parts for items performing List A functions.* No person shall knowingly deliver, and no person shall accept delivery of, any new parts for assembly into any item to perform the same functions as an item on List A. For example, a new condensing unit, low-side, refrigerant connections, or valves, etc., may not be acquired (together or separately) for assembly into or with an insulated enclosure to perform the functions of a "farm freezer" or "frozen food cabinet."

(5) *Heating or humidifying equipment.* No person shall deliver, and no person shall accept delivery of, any new industrial type extended surface heating equipment or industrial type humidifying equipment, except pursuant to an approved order.

(d) *Approved orders.* The following types of purchase orders for delivery of any new system or parts, or industrial type extended surface heating equipment or industrial type humidifying equipment, when rated AA–5 or higher, are "approved orders":

(1) Orders for direct use by the Army, Navy, Maritime Commission, or War Shipping Administration.

(2) Orders by a person and for a direct use, if any, as shown on List B. These orders, when not otherwise rated, are hereby assigned a preference rating of AA–5 within the limited uses specified in List B. The rating may be applied and extended in accordance with Priorities Regulation No. 3.

(3) Orders placed in accordance with any CMP Regulation (including CMP Regulation 1), any preference rating order of the War Production Board (including P–126), or Priorities Regulation 9.

(4) Other orders specifically rated and authorized as follows by the War Production Board on application of the proposed purchaser. The appropriate application form is indicated below:

Resale: Forms WPB–541 (PD–1A) or WPB–547 (PD–1X). These forms may be used by dealers or others who are not producers and who are purchasing for inventory or resale. The correct form depends on the nature of the purchase and of the buyer's business.

Export: Form WPB–541 (PD–1A). This form may be used where the applicant desires to export or acquire for export. Delivery of items by the exporter is subject to the restrictions of List C (see paragraph (c) (3)).

Large installation by ultimate consumer: Form WPB–617. This form is to be used if installation of a system is involved and the cost of the construction (exclusive of the cost of the prime mover, compressor (condensing unit), condenser, receiver, evaporator surface (low-side), controls, indirect cooling units, and cooling tower) is more than $5,000. The applicant should apply for the whole project, including the system, on this form.

All other applications by ultimate consumer: Forms WPB–1319 or 2449. These forms are to be used in all cases other than those above specified. Form WPB–2449 is to be used when the system or parts are required for use in any cold storage warehouse, industrial or commercial ice plant, frozen food locker plant, food processing plant (except equipment having a capacity of 5 H. P. or 5 tons (A. S. R. E. specifications) or less), industrial processing of products other than food, refrigeration equipment for stratospheric chambers, refrigerated railroad car, truck or ship, or any air conditioning installation of any size except evaporative coolers ("desert" coolers) of all sizes. For all other uses, Form WPB–1319 is the correct form and is to be filed in accordance with the WPB–1319 instructions manual. (Applications on Form WPB–2448 will continue to be accepted by the War Production Board until May 25, 1944 only, although any order authorized on this form continues to be an approved order.) If authorization is granted on either of these applications, it will be accompanied by any necessary permission to "begin construction" under Conservation Order L–41, and no separate application for that purpose need be made under that order.

Frozen food locker plants. An applicant for a frozen food locker plant, or for an addition to an existing plant, should first go to his local County Agricultural Conservation (AAA) Committee for instructions as to how to meet requirements prescribed by the War Food Administration concerning the persons who will rent the lockers in the plant. He must comply with these before his application may be filed with the War Production Board. When he has satisfied the AAA Committee that such requirements have been met, it will furnish him a certificate showing that fact, and he must file this certificate with his application, which cannot be considered unless this is done. Applications will be considered in sequence in which filed, in accordance with the rules of the War Food Administration, and whose other rules will also be applied, as well as those of the War Production Board.

Where applications are to be filed. All applications on Form WPB–1319 and all applications for a frozen food locker plant or an addition to an existing locker plant, are to be filed in duplicate with the Field Office of the War Production Board for the District in which the equipment is to be installed. Applications on Form WPB–617 are to be filed in accordance with Order L–41. All other applications are to be filed in Washington.

Exemptions

(e) *Exemptions*—(1) *List A items.* An approved order under paragraph (c) (1) is not necessary for the delivery of any complete item on List A which is fabricated and in stock, or which may be produced in accordance with paragraph (g).

(2) *Loans not exceeding thirty days.* An approved order is not necessary for the lease or loan of a new system or parts for a period not to exceed thirty days pending the performance of maintenance and repair service to a used system or parts, nor for the redelivery of the leased or loaned system to the lessor.

(3) *Bankruptcy, etc.* An approved order is not necessary for the transfer (to a trustee or receiver for the benefit of creditors) of title to, and/or delivery of, any new system or parts, through voluntary act or by operation of law in bankruptcy, receivership or assignment.

(4) *"Upstream" deliveries.* An approved order is not necessary for the return of unused systems or parts to the person from whom they were purchased.

Utilization of Replaced Parts

(f) *Required utilization of replaced parts.* (1) When any part is delivered for maintenance or repair to any person acquiring the same for use, he must dispose of the replaced used part, if it is made of metal, through regular scrap channels, within thirty (30) days after installation of the new part, unless he returns the same to his supplier (for such reconditioning or disposition as the latter may make). All replaced parts thus obtained by a dealer or producer during any calendar quarter must be either repaired and placed in his inventory, or returned to his supplier of new parts, or disposed of through regular scrap channels, during or within thirty (30) days after the end of that quarter. No block tin pipe shall be replaced unless an equal quantity thereof is returned to the supplier.

(2) The provisions of the preceding subparagraph (f) (1) shall not apply:

(i) Where parts are delivered for installation in any system located outside of the continental United States at the time of such delivery; or

(ii) Where the system requiring repair is being used directly by the Army, Navy, Maritime Commission, or War Shipping Administration; or

(iii) Where the system requiring repair is owned by any Federal, State, or local governmental agency, bureau, department, or political subdivision which is prohibited by law from disposing of such replaced parts in the manner explained in the preceding subparagraph (f) (1).

Restrictions on Production

(g) *List A items.* No producer shall manufacture or assemble any item on List A, unless (1) 75% (by weight) of the total material to be incorporated in the item was fabricated and in the producer's inventory prior to April 6, 1943, and (2) the material cannot be used in the assembly of any system or parts not shown on List A. The manufacture and assembly of these List A items is subject also to all applicable provisions of Order L–126 and all other applicable orders of the War Production Board.

(h) *Other items.* During the calendar quarter starting January 1, 1944, and during each later calendar quarter, no producer shall manufacture or assemble more of any "class" of new systems and parts (other than parts for maintenance and repair) as shown on List D, than his quota for that class. This quota for any class is in terms of aggregate dollar volume (producer's sales price at the factory, exclusive of installation charges), and is the greater of the following two quantities:

(1) His dollar volume of all unfilled orders on hand rated AA–5 or higher for that class of new systems and parts, or

(2) One-sixteenth of the aggregate dollar volume of that class of new systems and parts (other than items on List A) manufactured by him during the calendar year 1940, in addition to his current production required to fill all orders for direct use by the Army, Navy, Maritime Commission or War Shipping Administration.

Producers may manufacture and assemble parts for maintenance and repair without reference to these restrictions, and should not include them in the above quotas.

Miscellaneous Provisions

(i) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board, as amended from time to time, unless this order states otherwise.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

(3) *Appeals.* Any appeal from the provisions of this order (or of Conservation Orders M–9–c or M–126 applicable to any systems, parts, or other equipment subject to the terms of this order) shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. This letter must be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(4) *Communications.* All reports to be filed and other communications concerning this order (except appeals), unless otherwise directed, should be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref: L–38.

Issued this 10th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

Delivery of the following items may be made without an "approved order" (see paragraph (e) (1)); however, their production is prohibited for any purpose, except in accordance with paragraph (g).

1. Beer pre-coolers.
2. Beverage dispensers.
3. Bottled beverage coolers, mechanical.
4. Bottled beverage coolers, non-mechanical.
5. Counter and back bar refrigerators.
6. Display cases, single duty, refrigerated.
7. Display cases, double duty, refrigerated.
8. Display cases, florist, refrigerated.
9. Display cases, frosted food, refrigerated.
10. Display cases, full vision, refrigerated.
11. Display cases, vegetable, refrigerated.
12. Display cases, all other types, refrigerated.
13. Dough retarding refrigerators.
14. Draft beer equipment.
15. Drinking water coolers, non-mechanical.
16. Drinking water coolers, mechanical, bottle type.
17. Drinking water coolers, mechanical, pressure type, capacity less than 5 gals. per hour, 80° to 50° with 80° ambient temperature.
18. Evaporative coolers, less than 2,000 c. f. m.
19. Farm freezers (for the freezing and storing of food on a farm).
20. Florist boxes.
21. Fountainettes.
22. Frozen food cabinets, low temperature, not designed for use aboard ship or for use in mobile hospital units.
23. Ice cream cabinets, not designed for use aboard ship.
24. Ice cube makers, self-contained cabinet type.
25. Salad coolers (Bain Marie), mechanical.
26. Self-contained air conditioning units, 2 h. p. or less.
27. Soda fountains, not designed for use aboard ship.
28. Wall type display cases, refrigerated.

NOTE: In no case shall the name or description of any equipment as listed above, include any fixture or item which is not within the meaning of that name or description as customarily used within the trade or industry, even though a particular fixture or item (not within such meaning) could be used for the same or a similar purpose. For example, a "walk-in refrigerator" may not be delivered unrestricted on the ground that it is to be, or could be, used as a "beer pre-cooler" since it is not generally recognized in the trade as being within the meaning of a "beer pre-cooler".

LIST B—ITEMS WHICH MAY BE DELIVERED FOR SPECIAL USES

NOTE: Under paragraph (c) (2), deliveries of the following items may be made for use by the persons and under the conditions specified below. These persons are assigned a rating of AA–5 under paragraph (d) (2) unless their orders are otherwise rated. Deliveries of these items to other persons are permitted only if they can place approved orders of the kinds specified in subparagraphs (d) (1) or (d) (4).

Type of equipment:	*Deliveries permitted for direct use by*
1. Drinking water coolers, mechanical, designed for use aboard ship.	Army, Navy, Maritime Commission, or War Shipping Administration, for use aboard ship.

LIST B—ITEMS WHICH MAY BE DELIVERED FOR SPECIAL USES—Continued

Type of equipment—Continued.	*Deliveries permitted for direct use by*
7. Mortuary refrigerators	Army, Navy, Maritime Commission, War Shipping Administration, institutions or hospitals.
8. Portable bulk ice makers	Army, Navy, Maritime Commission, or War Shipping Administration.
9. Soda fountains, designed for use aboard ship.	Army, Navy, Maritime Commission, or War Shipping Administration, for use aboard ship.
10. Ice cream freezers, commercial, 20 quart capacity or less.	Army or Navy, for use aboard ship or in advance bases (outside the 48 states and District of Columbia).

LIST C—ESSENTIAL USES

NOTE: Acquiring parts for assembly into List A items is prohibited by paragraph (c) (4).

Systems and parts (other than items on Lists A and B) may be delivered only on approved orders and for the following purposes, in accordance with paragraph (d) (3):

Part 1. Applications to materials, production or facilities. Mining, industrial, scientific and technical processes and operations where lowering of temperature, or removing water vapor, or freedom from dust and other impurities, are necessary for production, storage, transportation, operation or repair of materials or products, or precision functioning thereof, when, and to the extent essential for any of the following purposes:

1. Abrasives—production.
2. Aerial topography rooms aboard ship
3. Airplanes and parts—production and repair
4. Airport control towers
5. Altitude and low temperature test chambers and laboratories
6. Ammunitions and explosives—production, storage, and transportation
7. Blood plasma—processing, storage, and transportation
8. Blast furnaces (dry blast)—operation
9. Ceramics, electric and dielectric—production
10. Chemicals, including acids, gases, pigments and plastics, where new, additional or continuous productive capacity is essential—production
11. Dairy products—processing, storage, dispensing and transportation
12. Duplicating processes: such as, photographic, photostatic and lithographic—processing and storage
13. Communications products—production and operation of relay stations and exchanges
14. Films, photographic, for military purposes—production and storage
15. Fire control calculation rooms, underground fortifications plotting—switchboard rooms, mine casemates, command posts, and seacoast battery service magazines
16. Foods—processing, storage, dispensing and transportation
17. Fur cloth for military purposes—storage
18. Gloves, leather, for military purposes—production
19. Ice—production and storage
20. Laboratories—research, analytical, and testing
21. Navigation instruments—production, storage and repair
22. Optical goods; such as bomb and gun sights, range finders, telescopes, and microscopes—production, storage and repair
23. Ordnance; precision parts—production
24. Parachute and balloon—production and storage
25. Pharmaceuticals, drugs and biological products—production, storage and transportation
26. Petroleum products—production, natural gasoline recovery, transportation, refining and marketing
27. Plants and factories—where excessive temperatures, contamination of air, or variations in temperature or humidity would seriously impair the effective use or production of precision instruments, tools or products and materials to fill a "defense order" as defined in Section 944.1 of Priorities Regulation No. 1
28. Precision instruments, tools or products—production storage, operation and repair
29. Synthetic critical products—production
30. Test cells, engine

Part 2. Applications affecting human life or physical capacity. a. Plants and factories—producing equipment and materials to fill a "defense order" as defined in § 944.1 of Priorities Regulation 1, where excessive temperature or contamination of air would be dangerous to health or result in working conditions unfit for human occupancy. The application shall exclude offices, conference rooms, drafting rooms, cafeterias, restaurants, dispensaries, first aid, change and rest rooms, except in "blackout" or "windowless" buildings or any sealed or interior space, where mechanical ventilation will not suffice.

LIST B—ITEMS WHICH MAY BE DELIVERED FOR SPECIAL USES—Continued

Type of equipment—Continued.	*Deliveries permitted for direct use by*
2. Drinking water coolers, mechanical, pressure type, capacity 5 gals. per hour and over, and from 80° to 50° with 80° ambient temperature.	Army, Navy, Maritime Commission, War Shipping Administration, hospitals, petroleum operators engaged in refining or natural gasoline recovery (as defined in Order P–98–b), or industrial plants (excluding offices, rest rooms and recreation rooms) manufacturing any product or conducting any business or activity listed on Schedule I of CMP Regulation 5: *Provided*, That no existing water cooler shall be replaced except for maintenance and repair as defined in CMP Regulation 5; and that the maximum inlet water temperature is in excess of 70° F. In the case of new installations, a cooler may not be acquired unless it is intended that no less than the following number of people will be served per gallon of water cooled per hour for each cooler installed (including new and existing coolers):
	No. of persons served per gal. of water cooled per hour
Installation:	
In Army, Navy, Maritime Commission or War Shipping Administration installations, or in manufacturing, refining or natural gasoline recovery plants.	10 (bubbler service).
In steel mills, foundries, forge shops and smelting plants.	5 (bubbler service).
In industrial plant cafeterias.	16 (cup service).
In hospitals (military or civilian).	16 (cup service).
3. Evaporative coolers 2,000 c. f. m. and larger.	Army, Navy, Maritime Commission, War Shipping Administration, National Housing Administration, or any person acquiring the cooler for any essential use shown on List C; provided that the installation is to be made in a desert area.
4. Refrigeration systems for farm milk coolers.	Any person who has a purchase certificate from a County Farm Rationing Committee, pursuant to applicable orders of the War Food Administration; also any producer of farm milk coolers operating under Orders L–257 or L–257–a, who may use the ratings assigned to his production schedule.
5. Frozen food cabinets, low temperature, designed for use aboard ship or for use in mobile hospital units.	Army, Navy, Maritime Commission, or War Shipping Administration, for use aboard ship or for use in mobile hospital units, including but not limited to hospital cars.
6. Ice cream cabinets, designed for use aboard ship.	Army, Navy, Maritime Commission, or War Shipping Administration, for use aboard ship.

LIST C—ESSENTIAL USES—Continued

b. Celestial navigation trainers.

c. Hospital rooms, stationary or portable, military or civilian, for surgical operations or critical convalescent treatment (excluding normal hospitalization), X-ray rooms and Flight Surgeons Clinics.

d. Link trainer rooms.

e. Naval vessels of all types.

f. Tanks, combat.

g. Underground mines, communication rooms, air raid shelters, and plants and factories producing essential materials, where excessive temperature or contamination of air would be dangerous to health or result in working conditions unfit for human occupancy; and then only to the minimum extent required.

h. Waller gunnery trainers.

i. "Jam Handy" and instrument trainer buildings, for military use.

LIST D—CLASSES OF SYSTEMS AND PARTS

NOTE: No item on List A is deemed within any of these classes.

The following classes of systems and parts are to be used in figuring the permitted quotas for any quarter under paragraph (h). If the producer's quota for any class would be greater under paragraph (h) (1), he can fill all unfilled orders on hand rated AA-5 or higher for that class. If it would be greater under (h) (2) for the quarter, his quota for the class is one-sixteenth of the dollar volume of that class made by him in 1940. This one-sixteenth quantity for any class may be made in addition to all orders for direct use by the Army, Navy, Maritime Commission and War Shipping Administration. Parts for maintenance and repair are not counted in the quotas.

1. High-sides (condensing units and compressors).
2. Low-sides (coils and unit coolers).
3. Reach-in and walk-in refrigerators.
4. Drinking water coolers, mechanical, pressure type, capacity 5 gals. per hour and over, and from 80° to 50° with 80° ambient temperature.
5. Condensers.
6. All other systems and parts (other than those on List A).

[F. R. Doc. 44-6696; Filed, May 10, 1944; 11:15 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Limitation Order L-99, as amended April 11, 1944, Amdt. 1]

COTTON TEXTILE PRODUCTION

Section 3290.46 *Limitation Order L-99* is amended as follows:

Add paragraphs (d) (3), (4) and (5) to read:

(3) No person shall operate in the period from June 1, 1944, through August 31, 1944, at a rate which will result in the production of less Army tent twill (U. S. Army specification JQD-48) than the aggregate lineal yardage of the drills, twills and sateens listed below, delivered by him on unrated orders in the period from January 1, 1944 through March 31, 1944, viz:

All drills 30" to 36" inclusive (6 oz. sq. yd. or heavier).
All four leaf twills 29" to 36" inclusive.
All sateens 30" to 36" inclusive.

This requirement shall not prevent the production of any cotton textile for orders rated AA-2X or higher which were accepted before May 10, 1944.

(4) Each loom which on April 1, 1944, produced or was assigned to the production of bed ticking and which is now required (Schedule E Group 1) to produce Army tent twill shall be operated at least as many hours per week as the loom which is operated the most hours per week at the same plant.

(5) Army tent twill (excepting cuts shorter than 25 yards produced in the normal course of manufacture) may be delivered only to the Army or Navy of the U. S., unless it has been rejected in writing after having been offered in the gray state to the Office of the Quartermaster General, Procurement Division, Washington, D. C.

In paragraph (g), delete the "(2)" after the reference to "paragraph (d)".

Add a Schedule E as follows:

SCHEDULE E

Column I	Column II	Column III	Column IV	Column V
Group	Looms producing or assigned to produce the constructions listed below on April 1, 1944, and which may produce only the construction specified in Column IV	Percentage to be applied to the number of looms producing or assigned to produce the construction specified in Column II. Such percentage of looms shall produce the construction specified in Column IV	Construction to be produced by looms specified	Effective date
1	Bed tickings (constructions designated in line 124 of Form WPB-658-B (3-17-44)).	30 per cent	Army tent twill (U. S. Army spec. JQD-48).	June 10, 1944.

Issued this 10th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6698; Filed, May 10, 1944; 11:15 a. m.]

Chapter XI—Office of Price Administration

PART 1306—IRON AND STEEL

[MPR 350, Amdt. 2]

PACKERS' TIN CANS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 350 is amended in the following respects:

1. The title of the regulation is amended to read "Packers' Tin Cans and Condensed Milk Cans".

2. A new definition is added to paragraph (a) of § 1306.501 reading as follows:

"Condensed milk cans" means any new soldered container made of hot dip or electrolytic tin plate manufactured for the packing of evaporated or condensed milk.

3. Section 1306.502 is amended to read as follows:

§ 1306.502 *Maximum prices.* Regardless of any contract, lease or other obligation:

(a) No producer shall sell packers' tin cans at prices higher than the maximum prices set forth in Appendix A of this regulation or condensed milk cans at prices higher than the maximum prices set forth in Appendix B of this regulation;

(b) No person shall buy or receive from a producer, in the course of trade or business, any packers' tin cans at prices higher than the maximum prices set forth in Appendix A of this regulation or condensed milk cans at prices higher than the maximum prices set forth in Appendix B of this regulation;

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing.

4. Wherever the words "packers' tin cans" are used in §§ 1306.504, 1306.506 and 1306.508 they are amended to read "packers' tin cans and condensed milk cans".

5. The heading of paragraph (c) of Appendix A is amended to read as follows: *"Sales of packers' tin cans for which maximum prices are not established by paragraphs* (a) or (b)."[1]

6. A new paragraph (c) (3) is added to Appendix A to read as follows:

(3) *Sales for which maximum prices are not established by subparagraphs (1) and (2).* The selling producer shall request the Office of Price Administration,[2] Washington, D. C. in writing to establish a maximum price for such can. Such request must include a description of the can, its use, the cost of production, the circumstances under which it will be sold, a requested price, and such other information as the producer may wish to submit in support of his request. The Office of Price Administration shall act on such a request within a reasonable time and establish a maximum price. Pending such action the producer may invoice at the requested price subject to adjustment in accordance with whatever maximum price is established pursuant to the request. Action by the Office of Price Administration pursuant to this paragraph shall be by order, letter or telegram and any conditions or limitations as may seem to the Office of Price Administration just and proper may be imposed in connection with such action.

7. Appendix B is added to read as follows:

Appendix B—Maximum prices for condensed milk cans. (a) Maximum prices per thousand cans manufactured from 80 pound tin plate, f. o. b. seller's plant, of the sizes and styles listed in this paragraph, when sold to be packed in:

(1) *Territory No. 1.* The District of Columbia and any state lying east of the western boundary of Montana, Wyoming, Colorado and New Mexico except that part of western Colorado which is customarily included in Territory No. 2:

	Price per 1000 cans
6 oz. baby size (208 x 206)	$6.89
6 oz. baby size (208 x 208)	7.01
14½ oz. tall can (215 x 315)	10.90

Provided, That such prices shall be adjusted in accordance with the provisions of paragraphs (e), (f), (g) and (h) of Appendix A.

(2) *Territory No. 2.* The State of Utah and those parts of southern Idaho and western Colorado customarily known in the industry as the territory surrounding the State of Utah:

	Price per 1000 cans
6 oz. baby size (208 x 206)	$7.50
14½ oz. tall can (300 x 315)	12.16

Provided, That such prices shall be adjusted in accordance with the provisions of paragraphs (e), (f), (g) and (h) of Appendix A.

(3) *Territory No. 3.* Those states lying west of the western boundaries of Montana, Wyoming, Utah and New Mexico, except that part of southern Idaho which is customarily included in Territory No. 2:

	Price per 1000 cans
6 oz. baby size (208 x 206)	$7.57
14½ oz. tall can (215 x 315)	12.11

Provided, That such prices shall be adjusted in accordance with the provisions of paragraphs (e), (f), (g) and (h) of Appendix A.

(b) *Sales for which maximum prices are not established by paragraph* (a).[1] Maximum prices for each producer shall be the highest prices in effect for such producer in March 1942.

Where a producer had no March 1942 prices the maximum price shall be established in the following manner: The selling producer shall request the Office of Price Administration,[2] Washington, D. C. in writing to establish a maximum price for such can. Such request must include a description of the can, its use, the cost of production, the circumstances under which it will be sold, a requested price, and such other information as the producer may wish to submit in support of his request. The Office of Price Administration shall act on such a request within a reasonable time and establish a maximum price. Pending such action the producer may invoice at the requested price subject to adjustment in accordance with whatever maximum price is established pursuant to the request. Action by the Office of Price Administration pursuant to this paragraph shall be by order, letter or telegram and any conditions or limitations as may seem to the Office of Price Administration just and proper may be imposed in connection with such action.

This amendment shall become effective May 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6705; Filed, May 10, 1944; 11:31 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] Paragraph (c) applies to sales not covered by paragraphs (a) or (b) as well as sizes. For example, if a No. 1 tall salmon can (301 x 411) were sold to be packed in Territory No. 1 paragraph (c) would be applicable.

[2] Requests should be addressed in care of the Iron and Steel Branch to assure prompt receipt.

[1] Paragraph (b) covers sizes other than those listed in paragraph (a), for example, the 8 lb. gallon size and the 14 oz. sweet milk can. It also covers sales of cans listed in paragraph (a) but for which sales no maximum prices are established in paragraph (a). For example, if the 14½ oz. tall can (300 x 315) were sold to be packed outside of Territory No. 2, paragraph (b) would apply.

[2] Requests should be addressed in care of the Iron and Steel Branch to assure prompt receipt.

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 348,[1] Amdt. 48]

LOGS AND BOLTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 348 is amended by the addition of Appendix M, Tables 1, 2, and 3.

APPENDIX M—ASH SPECIAL LOGS

This appendix covers only ash logs specially cut or selected for use in the manufacture of implement handles and other ash specialty items. For ash logs produced or purchased in conjunction with other species, see the general log prices set forth in Appendices A through F.

Ash special logs must be of a texture, toughness, resiliency, and weight suitable for manufacture of implement handles, boat oars, and similar ash specialty items, must show at least 3 annual rings per inch, and must weigh at least 15 lbs. per cubic foot.

TABLE 1

Area. The New England States by zones as follows:

Zone 1: The State of Maine.

Zone 2: The States of Vermont, New Hampshire, Massachusetts, Connecticut and Rhode Island.

Species. White ash special logs of the species Fraxinus Americana.

Scaling and grading rules—Scale rule. International ¼" Log Rule.

Length. As specified by the buyer. Trim allowance must be provided by cutting logs over length as follows: 8 feet and longer, 6 inches; under 8 feet in length, 3 inches. Logs not meeting the requirement for trim allowance shall be reduced in scale to the next lower standard length. No charge shall be made for trim allowance.

Diameter. 8" minimum. Diameter to be measured at average of the small end, inside the bark. Fractions of an inch ½ and less shall be eliminated; fractions over ½ inch may be counted as a full inch.

Defects. An ash log containing a doty heart extending over the entire length of the log is not acceptable.

All unsound and unusable wood must be eliminated from the scale by deduction in measurement. The defects for which full allowance must be made includes hollows, or large holes, rot, dote, windshake, large and excessive worm holes, damage in felling by drawn splinters, bends and crooks. Sound knots will also be considered with respect to the reduction caused in the possible handle production from the log and logs having defects (either sound or unsound) to the extent that 25% of the log is unusable, shall be rejected.

Maximum prices—Zone 1: $30.50 per M feet log scale (International Rule) at roadside available to truck.

$35.50 per M feet log scale (International Rule) f. o. b. rail cars at rail siding or delivered to the mill by truck from within 20 miles. If delivered to the mill by truck from a distance greater than 20 miles, the buyer may add to the above ceiling prices, 10 cents per thousand feet log scale per load mile, for each additional load mile in excess of 20.

Zone 2: $35.00 per M feet log scale (International Rule) at roadside available to truck. $40.00 per M feet log scale (International Rule) f. o. b. rail cars at rail siding or delivered to the mill by truck from within 20 miles. If delivered to the mill by truck from a distance greater than 20 miles, the buyer may add to the above ceiling prices, 10 cents per thousand feet log scale per load mile, for each additional load mile in excess of 20.

General provisions. (a) The maximum prices herein established apply to logs produced in the zones described regardless of the location of the buying plant or delivery point.

(b) Buying plants who desire to purchase Ash special logs on the basis of a scale rule other than the International rule may do so upon submitting a written statement to that effect to Lumber Branch, Office of Price Administration, Washington 25, D. C. Such buying plant will be limited to the use of only one rule. The other log rules which may be used are the Vermont Log Rule and the Bangor Log Rule. If the Vermont Log Rule is used by the buying plant, the prices per thousand feet log scale shall be the same as those set forth above for the International Log Scale. If the Bangor Log Rule is used by the buying plant, the prices per thousand feet log scale shall be 95 percent of the prices set forth above for the International Log Rule.

(c) In Zone 1, Ash Special Logs 4 feet or less in length, may be purchased on the basis of a cord of 128 cubic feet. In such case the maximum price shall be $18.25 per cord of 128 cubic feet at roadside available to truck, or $21.25 per cord of 128 cubic feet f. o. b. rail cars at a rail siding or delivered to mill within 20 miles. If delivered to the mill by truck from a distance in excess of 20 miles, the buyer may add $0.06 per cord of 128 cubic feet for each additional load mile in excess of 20 miles.

TABLE 2

Area: Part or all of the States of Michigan, Illinois, Indiana, Maryland, Ohio, New York, New Jersey, Pennsylvania, West Virginia, Delaware, Virginia, and Kentucky by Zones as listed below:

Zone 1: All of the Southern (Lower) Peninsula of Michigan.

The entire State of Indiana.

*Copies may be obtained from the Office of Price Administration.

[1] 6 F.R. 16115, 16198, 16304, 16297; 9 F.R. 220, 392, 843, 402, 450, 538, 676, 682, 792, 1317, 1571, 1572, 1717, 2088, 2088, 2135; 9 F.R. 2561, 2856, 3345, 3337, 3385, 3577, 4104, 4599.

In the State of Ohio—the counties of Lucas, Fulton, Williams, Defiance, Henry, Wood, Hancock, Putnam, Paulding, Van Wert, and Allen.

Zone 2: In the State of Illinois, all counties north of and including the Counties of Monroe, St. Clair, Washington, Jefferson, Hamilton, and White.

Zone 3: In the State of Illinois, all counties south of and including the Counties of Randolph, Perry, Franklin, Saline, and Gallatin.

Zone 4: In the State of Ohio, all counties except the counties of Lucas, Fulton, Williams, Defiance, Henry, Wood, Hancock, Putnam, Paulding, Van Wert, Allen, Brown, Adams, Pike, Scioto, Lawrence, Jackson, Gallia, Meigs, Vinton, Athens, Morgan, Washington, Noble and Monroe.

Zone 5: In the State of Ohio, the counties of Brown, Adams, Pike, Scioto, Lawrence, Jackson, Gallia, Meigs, Vinton, Athens, Morgan, Washington, Noble and Monroe.

All of the State of West Virginia except the counties of Wyoming, Logan, Raleigh, Mercer, Summers, Monroe, Greenbrier, Mingo and McDowell.

Zone 6: The entire State of New York.

Zone 7: The entire State of Pennsylvania and the entire State of New Jersey.

Zone 8: The entire State of Maryland; The entire State of Delaware;

In the State of Virginia, the counties north of and including the counties of Bath, Augusta, Albemarle, Orange, Culpeper and Stafford and including Northampton and Accomac Counties.

Zone 9: In the State of West Virginia, the counties of Wyoming, Logan, Raleigh, Mercer, Summers, Monroe, Greenbrier, Mingo and McDowell.

In the State of Kentucky that portion of the State included north and east of a line formed by the western boundary of the counties of Breckinridge and Grayson and the southern boundary of Grayson, Hardin, La Rue, Nelson, Washington, Mercer, Jessamine, Fayette, Clark, Montgomery, Menifee, Morgan, Johnson and Martin.

Zone 10: In the State of Virginia, that part of the state included south and west of a line formed by the eastern boundary of the counties of Halifax, Charlotte, Appomatox and Buckingham, and the northern boundary of the counties of Buckingham, Nelson, Rockbridge and Alleghany.

In the State of Kentucky that part of the state included south and east of a line formed by the north boundary of the Counties of Pike, Floyd, Magoffin, Wolfe, Powell, Estill, Madison, Garrard, Boyle, Marion, Taylor, Green, Hart and Edmonson and the west boundary of the counties of Edmonson, Barren, and Monroe.

Species. White Ash Special logs of the species Fraxinus Americana.

Scaling and grading rules.—Scale rule. Doyle Log Rule.

Length. As specified by the buyer. Trim allowance must be provided by cutting logs overlength as follows: 8 feet and longer, 6 inches; under 8 feet in length, 3 inches. Logs not meeting the requirement for trim allowance shall be reduced in scale to the next lower standard length. No charge shall be made for the trim allowance.

Diameter.—8" Minimum. Diameter to be measured at small way of small end, inside bark. Fractions of an inch ½ and less shall be eliminated; fractions over ½ inch may be counted as a full inch.

Defects. An Ash log containing a doty heart extending over the entire length of the log is not acceptable.

All unsound and unusable wood must be eliminated from the scale by deduction in measurement. The defects for which full allowance must be made includes hollows, or large holes, rot, dote, windshake, large and excessive worm holes, damage in felling by drawn splinters, benda and crooks. Sound knots will also be considered with respect to the reduction caused in the possible handle production from the log and logs having defects (either sound or unsound) to the extent that 25% of the log is unusable, shall be rejected.

MAXIMUM PRICES

[Per M feet log scale]

Zone Number	Delivered at roadside available to truck	F. o. b. rail cars at rail siding
1	$52.50	$62.50
2	47.50	57.50
3	42.50	50.00
4	47.50	57.50
5	42.50	52.50
6	50.00	60.00
7	47.50	55.00
8	42.50	50.00
9	40.00	47.50
10	37.50	45.00

(a) The maximum prices herein established apply to logs produced in the zones described regardless of the location of the buying plant or delivery point.

(b) The price for Ash Special logs delivered to the mill by truck from within 20 miles of the plant shall be the same as the f. o. b. rail cars at rail siding price. If Ash Special logs are delivered to the mill by truck from a distance in excess of 20 miles, the buyer may add 12½ cents per thousand feet for each load mile in excess of 20 miles.

(c) In the event that Ash Special logs are purchased from mine prop producers in the following counties of Pennsylvania (Zone 7), namely Tioga, Wayne, Luzerne, Sullivan, Bradford, Pike, Lackawanna, Columbia, Susquehanna, Monroe and Wyoming, and in the State of New York (Zone 6) Chemung County, Tioga County, that portion of Broome County west of U. S. Highway No. 11 north of Binghamton, and all area south of New York State Highway No. 17; that portion of Delaware County south of New York State Highway No. 10 and that portion of Sullivan County north of New York State Highway No. 52, the buyer may pay such mine prop producers $10.00 per ton for Ash Special logs delivered to the buyer's plant. If delivery of Ash Special logs produced by mine prop producers is taken at any point other than at the buyer's plant, the buyer must deduct the cost of transporting the logs to his plant.

TABLE 3

Area: Part or all of the States of Arkansas, Oklahoma, Texas, Louisiana, Missouri, Kentucky, Mississippi, Tennessee, Alabama, Georgia, South Carolina, North Carolina, Florida and Virginia by zones as follows:

Zone 1: The entire State of Texas.

The entire State of Oklahoma.

In the State of Louisiana the parishes west of and including the parishes of Union, Ouachita, Caldwell, and La Salle, and north of and including Rapides and Vernon.

In Arkansas, that part of the state south of the Arkansas River.

Zone 2: In the State of Arkansas, the counties north of the Arkansas River west of and including the Counties of Arkansas, Monroe, St. Francis, Cross, Poinsett, Craighead, Greene and Clay.

The entire State of Missouri.

Zone 3: In the State of Arkansas the counties of Mississippi, Crittenden, Lee, Phillips and that portion of Desha county north of the Arkansas River.

In the State of Kentucky the counties west of and including the counties of Hancock, Ohio, Butler, Warren, and Allen.

In the State of Tennessee, the counties west of and including the counties of Robertson, Davidson, Williamson, Maury and Giles.

In the State of Mississippi, all counties north of and including the Counties of Bolivar, Sunflower, Le Flore, Carroll, Montgomery, Choctaw, Oktibbeha and Lowndes.

In the State of Alabama, the counties of Lauderdale, Limestone, Colbert, Lawrence, Morgan, Franklin, Marion, Winston, Cullman, Jefferson, Walker, Fayette, Lamar, Pickens and Tuscaloosa.

Zone 4: In the State of Louisiana, all counties east of and including the Counties of Morehouse, Richland, Franklin, Catahoula, Avoyelles, Evangeline, Allen, Beauregard, Calcasieu, and Cameron.

In the State of Mississippi, that portion of the State included in the area formed a line starting at the northwest corner of Washington county, then south along the Mississippi River to the southwest corner of Wilkinson County, then along the south boundary of the counties of Wilkinson, Amite, Pike and Walthall to the southeast corner of Walthall County, then north along the eastern border of Walthall, southeastern boundary of Lawrence County, and eastern boundaries of Jefferson Davis, Simpson and Rankin Counties to the Southwest corner of Scott County, thence east along the south boundary of Scott, Newton, and Lauderdale counties to the southeast corner of Lauderdale County, then north along the eastern boundary of Lauderdale, Kemper and Noxubee Counties to the northeast corner of Noxubee County, then west along the northern boundary of Noxubee, Winston, Attala, Holmes, Humphreys and Washington Counties to the northwest corner of Washington County.

In the State of Alabama the Counties of Sumter and Greene.

Zone 5: In the State of Mississippi the Counties of Smith, Jasper, Clarke, Covington, Jones, Wayne, Marion, Lamar, Forrest, Perry, Greene, Pearl River, Stone, George, Hancock, Harrison and Jackson.

In the State of Alabama the Counties of Mobile, Washington, Choctaw, Clarke and Baldwin.

Zone 6: In the State of Alabama, the entire State exclusive of the Counties of Mobile, Washington, Choctaw, Clarke, Baldwin, Lauderdale, Limestone, Colbert, Lawrence, Morgan, Franklin, Marion, Winston, Cullman, Jefferson, Walker, Fayette, Lamar, Pickens, and Tuscaloosa.

In the State of Tennessee that portion of the State east of and including the counties of Sumner, Wilson, Rutherford, Marshall, and Lincoln.

The entire State of Georgia.

The entire State of South Carolina.

In the State of Florida, all counties north of and including the Counties of Hillsboro, Polk, Osceola, and Brevard.

In the State of North Carolina all counties west of and including the Counties of Ashe, Watauga, Caldwell, Burke and Rutherford.

Zone 7: In the State of North Carolina all counties east of and including the counties of Alleghany, Wilkes, Alexander, Catawba, and Cleveland.

In the State of Virginia, all counties east of and including the Counties of Mecklenburg, Lunenburg, Prince Edward, Cumberland, Fluvanna, Louisa, Spotsylvania, and King George.

Species: White Ash Special Logs of the species Fraxinus Americana.

Scaling and grading rules—Scale rule: Doyle Log Rule.

Length. As specified by the buyer. Trim allowance must be provided by cutting logs over length as follows: 8 feet and longer, 6 inches; under 8 feet in length, 3 inches. Logs not meeting the requirement for trim allowance shall be reduced in scale to the next lower standard length. No charge shall be made for the trim allowance.

Diameter. 8" minimum. Diameter to be measured at the small way of the small end, inside the bark. Fractions of an inch shall be eliminated.

Defects. An ash log containing a doty heart extending over the entire length of the log is not acceptable.

All unsound and unusable wood must be eliminated from the scale by deduction in measurement. The defects for which full allowance must be made includes hollows, or large holes, rot, dote, windshake, large and excessive worm holes, damage in felling by drawn splinters, bends and crooks. Sound knots will also be considered with respect to the reduction caused in the possible handle production from the logs and logs having defects (either sound or unsound) to the extent that 25% of the log is unusable, shall be rejected.

MAXIMUM PRICES:

[Per M feet log scale]

Zone:	*F. o. b. rail cars at rail siding, or f. o. b. barge or raft when delivered by water*
1	$32.50
2	37.50
3	47.50
4	50.00
5	37.50
6	45.00
7	40.00

The above maximum prices shall also apply to logs delivered to the mill by truck from within 20 miles of the plant. If delivered to the mill by truck from a distance in excess of 20 miles, the buyer may add 12½ cents per thousand feet for each load mile in excess of 20 miles.

If delivery of Ash Special logs is taken at any point other than at the mill or f. o. b. rail cars at rail siding, the buyer must deduct from the maximum price either:

(a) The cost to the buyer of bringing the logs to the rail siding and loading on cars if delivery to the mill is by rail car; or

(b) The cost to the buyer of bringing the logs to the mill if delivery to the mill is by truck.

In Zone 6, short logs 4' and less in length can be purchased on the basis of cord measurement. Maximum price per cord of 128 cubic feet shall be $16.50 f. o. b. rail cars at rail siding or for logs delivered to buying plant from within 20 miles. If delivered from a distance greater than 20 miles, the buyer may add—5 cents per cord of 128 cubic feet for each additional load mile in excess of 20 miles.

This amendment shall become effective May 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6706; Filed, May 10, 1944; 11:31 a. m.]

PART 1346—BUILDING MATERIALS

[MPR 466[1], Amdt. 3]

ASBESTOS-CEMENT BUILDING MATERIALS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Paragraph (c) of section 4.3 of Maximum Price Regulation No. 466 is amended by inserting the following subparagraph immediately following the second subparagraph now contained in paragraph (c):

In the case of truckload shipments of asbestos-cement wallboard, the seller may charge the actual cost of transportation to the destination.

This Amendment No. 3 shall become effective May 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6707; Filed, May 10, 1944; 11:32 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 288, Corr. to Amdt. 22[2]]

EGG NOODLES IN ALASKA

Amendment 22 to Maximum Price Regulation 288 is corrected by changing the price of Egg Noodles, B & W Krinkled 16 oz.—Carton, Fairbanks, from "$0.35" to "$0.33".

This correction shall become effective as of April 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6710; Filed, May 10, 1944; 11:30 a. m.]

PART 1413—SOFTWOOD LUMBER PRODUCTS

[MPR 483,[3] Amdt. 2]

"GENERAL MANAGER TYPE" GRAIN DOORS AND TEMPORARY COAL DOORS FOR BOX CARS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The table in section 10 (a) is amended to read as follows:

"General Manager Type" grain doors (size)	Hemlock or other northern softwoods or hardwoods	Ponderosa pine	Douglas fir or other western softwoods	Southern pine	Cypress, basswood or other southern or eastern softwood or hardwood
7'0" x 20" x 1⅜"	$1.35	$1.23	$1.19	$1.395	$1.31
7'0" x 10" x 1⅜"	.81	.74	.715	.835	.785

This amendment shall become effective May 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6709; Filed, May 10, 1944; 11:33 a. m.]

PART 1377—WOODEN CONTAINERS

[MPR 481,[4] Corr. to Amdt. 3]

SLACK STAVES, HEADING AND COOPERAGE

In section 4, the part of Table IV—Wooden Hoops entitled "Headliners" is corrected to read as follows:

HEADLINERS

Length:	*Arkansas and Louisiana*
12"	$1.50
18"	1.75

This correction shall become effective May 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6708; Filed, May 10, 1944 11:33 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 132]

SUPERPHOSPHATES AT SEARSPORT, MAINE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 4.4 (a) (1) (i) of Revised Supplementary Regulation 14 is amended so as to include a new point of production and maximum price to read as follows:

Searsport, Maine	$0.82

This amendment shall become effective May 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6711; Filed, May 10, 1944; 11:32 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14A[5] to GMPR, Amdt. 15]

MILK AND MILK PRODUCTS, ATLANTA REGION

A statement of the considerations involved in the issuance of this amend-

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 12612; 9 F.R. 964, 2821.

[2] 9 F.R. 4029.

[3] 8 F.R. 14151, 15380.

[4] 8 F.R. 14312, 16790; 9 F.R. 2946, 3512.

[5] 8 F.R. 9835, 9885, 10514, 12793, 13060, 13724, 15259, 15705, 16604, 16428, 16919, 17199; 9 F.R. 343, 1328, 2176, 3655.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplementary Regulation 14A is amended in the following respects:

1. The third undesignated paragraph of § 1499.73a (a) (1) (viii) (b) (*1*) beginning with the caption "Where the plant of the seller is located outside the Atlanta regional area" is amended to read as follows:

Where the plant of the seller is located outside the Atlanta regional area. An amount equal to the seller's maximum wholesale price for the area wherein the seller's plant is located, for any class of wholesale purchasers established under the General Maximum Price Regulation or any applicable supplementary or adjustment order issued by the Office of Price Administration, plus (*i*) a premium of one-half cent per quart; or (*ii*) at the election of such seller, the actual transportation costs from the seller's plant to point of delivery not to exceed the lowest common carrier rates: *Provided*, That any seller making sales or deliveries pursuant to this paragraph, regardless of the method of computation used by him, shall, within ten days after entering into an Army or Navy contract providing for deliveries within the Atlanta regional area, or, after the making of the first delivery to an Army or Navy destination within such area, file with the Atlanta Regional Office of the Office of Price Administration, Candler Building, Atlanta, Georgia, a statement setting forth: The price established; the transportation charges added, if any, together with the method of computation of the price established and the transportation charges; location of seller's plant; and the place of delivery of such milk. (This report should be in letter form—no specific form being required.)

2. A fourth undesignated paragraph is added to § 1499.73a (a) (1) (viii) (b) (*1*) immediately following the above described paragraph, to read as follows:

Plant. For the purposes of this § 1499.73a (a) (1) (viii) (b) (*1*), "plant" means the physical premises of a bottling or processing plant owned or operated by the seller.

This amendment shall become effective May 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6712; Filed, May 10, 1944; 11:32 a. m.]

Chapter XV—Board of War Communications

[Order 27-C]

PART 1722—PRECEDENCE FOR TELEGRAPH MESSAGES ESSENTIAL TO THE WAR EFFORT OR PUBLIC SAFETY

Whereas, The Board of War Communications has determined that the national defense and security and the successful conduct of the war demand that certain telegraph messages relating to the war effort and public safety be given preferred handling:

Now, therefore, by virtue of the authority vested in the Board by Executive Order No. 8964 (6 F.R. 6367) of December 10, 1941, prescribing regulations governing the preference and priority of communications, and by Executive Order No. 9089 (7 F.R. 1777) of March 6, 1942, prescribing regulations governing the use, control, supervision and closing of stations and facilities for wire communications:

It is hereby ordered as follows:

Sec.
1722.1 Precedence.
1722.2 Procedure for indicating priorities.
1722.3 Other messages.
1722.4 Definition of domestic message.
1722.5 Priorities procedures.
1722.6 Violations.

AUTHORITY: §§ 1722.1 to 1722.6, inclusive, issued under E.O. 8964, 6 F.R. 6367; E.O. 9089, 7 F.R. 1777.

§ 1722.1 *Precedence.* Effective February 15, 1943, all wire-line telegraph, cable and radiotelegraph carriers shall upon specific designation by the sender give precedence in the handling of telegraph, cable, and radiotelegraph messages in accordance with the provisions of and in the order set forth below:

(a) *"US Urgent."* To apply to domestic and international messages filed by the War and Navy Departments and to international messages filed by the State Department and the Federal Bureau of Investigation of the Department of Justice.

(b) *"OP Priority."* To apply to domestic and international messages filed only by the War and Navy Departments.

(c) *"Priority."* To apply to domestic and international messages filed by the State, War, or Navy Departments, the Federal Bureau of Investigation of the Department of Justice, the Office of War Information, and the United Nations Relief and Rehabilitation Administration, and to any other domestic message requiring immediate transmission for war purposes or to safeguard life or property and which relates to one or more of the following matters:

Immediate dangers due to the presence of the enemy.
Emergency communications in connection with actual military or naval requirements.
Hurricane, flood, earthquake, or other disaster.

Messages designated "US Urgent," "OP Priority," and "Priority" shall interrupt the transmission of all telegraph messages of lower precedence.

(d) *"Rapid."* To apply to any domestic message which requires prompt transmission and delivery for the national defense and security, the successful conduct of the war, or to safeguard life or property and which involves matters of the following type:

Important governmental functions.
Machinery, tools, or raw materials for war plants.
Production, movement, and diversion of essential supplies.
Maintenance of essential public services.
Supply, movement, and diversion of food.
Civilian defense or public health and safety.

§ 1722.2 *Procedure for indicating priorities.* The priority indicators "US Urgent", "OP Priority", "Priority", and "Rapid" should be written by the sender in the "To" space immediately before the address on messages being transmitted over commercial circuits. They are to be transmitted in plain language.

§ 1722.3 *Other messages.* Messages not designated with one of the foregoing priorities shall be handled in accordance with legally established classifications and tariffs on file with the Federal Communications Commission.

§ 1722.4 *Definition of domestic messages.* As used in this order, domestic message means any telegraph message originating in the continental United States and destined to a point in the continental United States, Canada or Mexico.

§ 1722.5 *Priorities procedures.* The Federal Communications Commission is hereby requested and authorized in cooperation with the carriers concerned to evolve procedures and routines to effectuate the precedence and requirements set forth in this order.

§ 1722.6 *Violations.* Any sender of a telegraph message who wilfully obtains or attempts to obtain priority for a telegraph message by fraudulently designating such message as a priority message or by furnishing false information to any telegraph carrier for the purpose of obtaining a priority, shall be subject to appropriate governmental action.

Subject to such further order as the Board may deem appropriate.

BOARD OF WAR COMMUNICATIONS.
JAMES LAWRENCE FLY,
Chairman.

Attest: 28 April 1944.

E. M. WEBSTER,
Acting Secretary,
Captain, U. S. Coast Guard.

[F. R. Doc. 44-6684; Filed, May 10, 1944; 10:50 a. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[G. O. 11, Supp. 3, Corrections]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

UNIFORM TIME CHARTER

1. Article V of Schedule A—Insurance, Indemnity and Waiver Program as prescribed by § 302.50, published in the FEDERAL REGISTER for Saturday, April 8, 1944, at page 3781 is corrected by striking out the words "Noon (EWT)" wherever such words appear in said clause, and inserting in lieu thereof, "12:01 AM", so that said clause will read:

V. ATTACHMENT OF INSURANCE

This Schedule shall be effective simultaneously with the effective date of this Amended Charter (Addendum) to which it is affixed, and the insurance to be provided by the Charterer hereunder, shall attach as of 12:01 AM of such effective date.

If an Owner who has elected Valuation Option II thereafter elects Valuation Option I in accordance with the terms of the Amended Charter (Addendum), then the insurance provided by the Charterer under Insurance Plan II shall terminate as of the effective date and hour that Valuation Option I becomes effective and the insurance provided by the Charterer under Insurance Plan I shall attach simultaneously therewith.

Pending an election by the Owner of Valuation Option I or II, as the case may be, as provided in Clause D of Part I of this Amended Charter (Addendum), Insurance Plan I of this Schedule shall be effective unless and until the Owner shall thereafter, in accordance with the provisions of said Clause D, elect Valuation Option II and shall notify the Charterer of his election and of the placing of marine hull insurance with the Syndicate as provided in subparagraph (a) of Clause 1A of this schedule, in which event Insurance Plan II shall be effective retroactively to 12:01 a. m. of the effective date of this Amended Charter (Addendum), notwithstanding that prior to the date of said election the Vessel or its Owner may have sustained loss, damage, or expense covered by the insurance provided by the Charterer under said Insurance Plan I.

Reference heretofore or hereafter made to Schedule A of the above mentioned Insurance, Indemnity and Waiver Program shall be deemed to refer to said Schedule A as corrected above.

2. Warshipreq Policy, as prescribed by § 302.50, published in the FEDERAL REGISTER for Saturday, April 8, 1944, at page 3781, is amended by striking out the comma after the word "Managers" on page 3783, so that said clause will read:

This insurance also specially to cover (subject to the Average Warranty) loss of or damage to hull or machinery directly caused by the following: Accidents in loading, discharging or handling cargo, or in bunkering or in taking in fuel; Explosions on Shipboard or elsewhere; Bursting of boilers; breakage of shafts or any latent defect in the machinery or hull (Excluding, however, the cost and expense of repairing or renewing the defective part); Contact with Aircraft; Negligence of Master, Charterers, Mariners, Engineers, or Pilots: *Provided*, Such loss or damage has not resulted from want of due diligence by the Owners of the Vessel, or any of them, or by the Managers. Masters, Mates, Engineers, Pilots, or Crew not to be considered as part owners within the meaning of this clause should they hold shares in the vessel.

Reference heretofore and hereafter made to Warshipreq Policy shall be deemed to refer to said Warshipreq Policy as corrected above.

[SEAL] A. J. WILLIAMS,
Secretary.

MAY 5, 1944.

[F. R. Doc. 44-6680; Filed, May 10, 1944; 10:35 a. m.]

[G. O. 11, Supp. 4, Corrections]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

TIME CHARTERS FOR TANK VESSELS

1. Clause J of Part I of the Time Charter for Tank Vessels as prescribed by § 302.55, published in the FEDERAL REGISTER for Saturday, April 8, 1944, at page 3788 is corrected by striking out the date "May 5, 1944" and inserting in lieu thereof the date "May 15, 1944," so that said clause will read:

CLAUSE J. *Effective date of this amended charter.* Unless otherwise agreed this Amended Charter (Addendum) shall be effective upon completion of discharge of the Vessel in a port in the Continental United States, excluding Alaska, on the voyage current on May 15, 1944, or if the Vessel be in a port in the Continental United States, excluding Alaska, on May 15, 1944, then effective May 15, 1944, or if the Vessel has not returned to a port in the Continental United States, excluding Alaska, prior to July 15, 1944 then effective July 15, 1944, if the Vessel be in any port at that date, otherwise effective upon the Vessel's safe arrival at the Vessel's next port of call.

Reference heretofore or hereafter made to Part I of the above-mentioned Time Charter for Tank Vessels shall be deemed to refer to said Part I as corrected above:

2. Clause 30 of Part II of the Time Charter for Tank Vessels as prescribed by § 302.55, published in the FEDERAL REGISTER for Saturday, April 8, 1944, at page 3792 is corrected by inserting the word "wages," between the words "for bonuses" so that said clause will read:

CLAUSE 30. The Charterer shall reimburse the Owner for all expenses for wages, bonuses and subsistence of the Master and crew and other out-of-pocket costs incurred by the Owner subsequent to the date of and arising from an actual or constructive total loss of the Vessel to the extent not recovered or reimbursed under any insurance on the Vessel, or under this Charter or otherwise. If the extent of the damage or injury is not sufficient to entitle the Owner to collect for an actual or constructive total loss under the provisions of any insurance on the Vessel in the absence of a declaration by the Charterer, then in addition to reimbursement of expenses as aforesaid, the Owner shall be entitled: (a) to charter hire at the rate of 3½ percent per annum on the then current valuation of the Vessel under valuation Option II, commencing with the date when charter hire would otherwise terminate and ending four months thereafter or on the date of such declaration, whichever date is earlier; and (b), if the Vessel is declared a constructive total loss more than four months after the date charter hire would otherwise terminate, then to charter hire in an amount equal to the use rate payable under Part I from the end of such four months until the date of such declaration.

Reference heretofore or hereafter made to Part II of the above-mentioned Time Charter for Tank Vessels shall be deemed to refer to said Part II as corrected above.

3. Article V of Schedule A—Insurance, Indemnity and Waiver Program as prescribed by § 302.55, published in the FEDERAL REGISTER for Saturday, April 8, 1944, at page 3798 is corrected by striking out the words "Noon (EWT)" wherever such words appear in said clause, and inserting in lieu thereof, "12:01 AM", so that said clause will read:

V. ATTACHMENT OF INSURANCE

This Schedule shall be effective simultaneously with the effective date of this Amended Charter (Addendum) to which it is affixed, and the insurance to be provided by the Charterer hereunder, shall attach as of 12:01 AM of such effective date.

If an Owner who has elected Valuation Option II thereafter elects Valuation Option I in accordance with the terms of the Amended Charter (Addendum), then the insurance provided by the Charterer under Insurance Plan II shall terminate as of the effective date and hour that Valuation Option I becomes effective and the insurance provided by the Charterer under Insurance Plan I shall attach simultaneously therewith.

Pending an election by the Owner of Valuation Option I or II, as the case may be, as provided in Clause D of Part I of this Amended Charter (Addendum), Insurance Plan I of this Schedule shall be effective unless and until the Owner shall thereafter, in accordance with the provisions of said Clause D, elect Valuation Option II and shall notify the Charterer of his election and of the placing of marine hull insurance with the Syndicate as provided in subparagraph (a) of Clause 1A of this schedule, in which event Insurance Plan II shall be effective retroactively to 12:01 AM of the effective date of this Amended Charter (Addendum), notwithstanding that prior to the date of said election the Vessel or its Owner may have sustained loss, damage, or expense covered by the insurance provided by the Charterer under said Insurance Plan I.

Reference heretofore or hereafter made to Schedule A of the above-mentioned Insurance, Indemnity and Waiver Program shall be deemed to refer to said Schedule A as corrected above.

4. Warshipreq Policy, as prescribed by § 302.55, published in the FEDERAL REGISTER for Saturday, April 8, 1944 at page 3793, is amended by striking out the comma after the word "Managers" on page 3794, so that said clause will read:

This insurance also specially to cover (subject to the Average Warranty) loss of or damage to hull or machinery directly caused by the following: Accidents in loading, discharging or handling cargo, or in bunkering or in taking in fuel; Explosions on Shipboard or elsewhere; Bursting of boilers; breakage of shafts or any latent defect in the machinery or hull (excluding, however, the cost and expense of repairing or renewing the defective part); Contact with Aircraft; Negligence of Master, Charterers, Mariners, Engineers, or Pilots: *Provided*, Such loss or damage has not resulted from want of due diligence by the Owners of the Vessel, or any of them, or by the Managers. Masters, Mates, Engineers, Pilots, or Crew not to be

considered as part owners within the meaning of this clause should they hold shares in the vessel.

Reference heretofore and hereafter made to Warshipreq Policy shall be deemed to refer to said Warshipreq Policy as corrected above.

[SEAL] A. J. WILLIAMS,
Secretary.

MAY 5, 1944.

[F. R. Doc. 44-6681; Filed, May 10, 1944; 10:35 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 22—CARRIERS BY WATER: UNIFORM SYSTEM OF ACCOUNTS

INVENTORIES OF MATERIALS AND SUPPLIES

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 28th day of April, A. D. 1944.

The matter of waiving the provisions of Note B to account 113, "Material and supplies," in the "Uniform System of Accounts for Carriers by Water, First Revised Issue," relating to the taking of inventories of material and supplies annually, being under consideration.

And it appearing that due to an acute shortage of experienced personnel necessary for the taking of inventories of material and supplies, requests have been received to omit such inventories for the year 1944,

It is ordered, That the requirements of Note B to account 113, "Material and supplies," relating to inventories of material and supplies be, and they are hereby waived for the year 1944.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-6627; Filed, May 9, 1944; 11:38 a. m.]

[S. O. 80, Amdt. 17]

PART 95—CAR SERVICE

APPOINTMENT OF AGENT TO ISSUE PERMITS FOR MOVEMENT OF GRAIN

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 6th day of May, A. D. 1944.

Upon further consideration of the provisions of Service Order No. 80, as amended (codified as § 95.19);

It is ordered, That Roy E. Rife, General Manager of the Cincinnati Board of Trade, Inc., is hereby designated and appointed as agent of the Commission to issue permits for the movement of grain (including rice) under the terms of this order in the market area of Cincinnati, Ohio. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this amendment shall become effective May 15, 1944, that copies of this amendment be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement; and that notice of this amendment be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-6685; Filed, May 10, 1944; 11:07 a. m.]

[Rev. S. O. 197]

PART 95—CAR SERVICE

TRANSPORTATION OF POTATOES

Vacates Service Order No. 197 (9 F.R. 4033).

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of May, A. D. 1944.

It appearing that Marvin Jones, War Food Administrator of the War Food Administration, has certified to the Office of Defense Transportation that an emergency exists in the marketing of old potatoes, other than sweet, and that the transportation and movement of low grade and cull potatoes, other than sweet, for other than manufacturing and livestock feed will result in a wasteful transportation; and the Office of Defense Transportation recommends that this Commission cooperate with it to prevent such wasteful transportation; the Commission is of the opinion that an emergency exists requiring immediate action to prevent wasteful transportation and congestion of traffic; *It is ordered*, That:

§ 95.336 (a) *Use of railroad freight cars or refrigerator cars prohibited for transporting potatoes, other than sweet, below prescribed grade.* No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation or move any railroad freight car or refrigerator car loaded with potatoes, other than sweet, grading below U. S. Commercial or below eighty percent (80%) U. S. No. 1 quality from any point in the States of Connecticut, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, North Dakota, Pennsylvania, Rhode Island, South Dakota, Vermont, or Wisconsin, nor shall accept for transportation or move any railroad freight car or refrigerator car loaded with potatoes, other than sweet, grading below U. S. No. 2 grade 1⅞ inch minimum, from any point in the States of California, Colorado, Idaho, Montana, Nebraska, Nevada, Oregon, Utah, Washington, or Wyoming, except as provided in paragraph (b) hereof.

(b) (1) *Use of refrigerator cars for transporting potatoes, other than sweet, of the prescribed minimum grade or above the prescribed minimum grade.* No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation or move any refrigerator car loaded with potatoes, other than sweet, of the minimum grade or above the minimum grade prescribed in paragraph (a) of this section from any point in the States set forth therein unless or until the shipper or consignor thereof surrenders with the bill of lading to the carrier's agent a Federal State Inspection Certificate or, in the event a Federal State Shipping Point Inspection Certificate is not procurable, a written assurance that such shipment of potatoes is of the minimum grade or above the minimum grade prescribed in paragraph (a) of this section.

(2) *Use of railroad freight cars for transporting potatoes, other than sweet, below the prescribed minimum grade.* No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation or move any railroad freight car loaded with potatoes, other than sweet, grading below the minimum grade prescribed in paragraph (a) of this section from any point in the States set forth therein unless such shipment is consigned to a manufacturing plant for manufacturing purposes only or to livestock feeders or feed processors for use as livestock feed and unless or until the shipper or consignor thereof endorses upon the bill of lading a written endorsement "For manufacturing only" or "For livestock feed only", as the case may be.

(c) *Exemption.* The provisions of this order shall not be construed to prohibit the acceptance for transportation or movement from any point in the States set forth in paragraph (a) of this section of any railroad freight cars, including refrigerator cars, loaded with potatoes, other than sweet, of any grade for seed purposes: *Provided*, The sacks containing the potatoes are tagged with the respective state certified or war approved seed tags: *And provided further*, That the state certified seed certificate or war approved seed certificate is surrendered to the carrier's agent at the time the bill of lading is executed or accepted by said agent.

(d) *Application.* (1) The provisions of this order shall apply to intrastate as well as interstate traffic.

(2) The provisions of this order shall not apply to railroad freight cars or refrigerator cars completely loaded, or accepted for transportation, or moving, prior to the effective date of this order.

(e) *Tariff provisions suspended.* The operation of all tariff rules and regulations insofar as they conflict with the provisions of this order is hereby suspended.

(f) *Announcement of suspension.* Each of such railroads, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby announcing the suspension of any of the provisions therein.

(g) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances. Any permits issued under authority of Service Order No. 197, in effect at 12:01 a. m., May 9, 1944, shall be continued in effect as though issued under the authority delegated in this paragraph. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a. m., May 9, 1944, and shall supersede Service Order No. 197 on the effective date hereof; that a copy of this order and direction shall be served upon each State Commission enumerated in the first ordering paragraph of this order; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-6686; Filed, May 10, 1944; 11:07 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Coal Mines Administration.

[Order CMA-27]

WILLIAM B. SHEIDY, ET AL.

ORDER TERMINATING GOVERNMENT POSSESSION

Order revoking Order No. 1888 as to certain companies.

On November 1, 1943, by virtue of the authority vested in me by the President of the United States, I signed Order No. 1888 (8 F.R. 15199), taking possession of anthracite and bituminous coal mines in which I found from the available information that a strike or work stoppage had occurred or was threatened. It now appears, however, that the companies listed in the Appendix attached hereto did not operate any coal mines as of November 1, 1943.

Accordingly, Order No. 1888 is hereby revoked so far as it affects the companies listed in the Appendix attached hereto and made a part hereof.

Dated: May 8, 1944.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

APPENDIX A

Name of Mining Company and Address

William B. Sheidy, 304 Peoples Trust Bldg., Tamaqua, Pa.

Knappan Coal Co., Carbondale, Pa.

C. & M. Mining Co., 1018 Acker Avenue, Scranton, Pa.

W. T. Payne, 612 Central Bldg., Wilkes-Barre, Pa.

The Indian Head Mining Company, Inc., Bulan, Ky.

R. T. Davis Coal Company, Inc., Jackson, Ky.

The Cullen Coal Company, Guarantee Trust Bldg., Mount Carmel, Pa.

[F. R. Doc. 44-6683; Filed, May 10, 1944; 10:39 a. m.]

DEPARTMENT OF COMMERCE.

Office of the Secretary.

[Order No. 305]

MONTGOMERY WARD AND COMPANY

ORDER TERMINATING POSSESSION, CONTROL AND OPERATION BY UNITED STATES

Whereas under Executive Order No. 9438 of the President of April 25, 1944, I was directed to take possession of the plants and facilities of Montgomery Ward and Company located at Chicago, Illinois; to avoid existing and threatened interruption of operations as a result of labor disturbances arising from the failure of Montgomery Ward and Company to comply with the orders of the National War Labor Board requiring the maintenance of previous contractual relations with the Union pending an election to determine the representative status of the Union,

Whereas, an election to determine the Union's status has been held by and under the direction of the National Labor Relations Board, and

Whereas I find that the purpose for which the possession of the plants and facilities of the Montgomery Ward and Company located at Chicago was taken under Executive Order No. 9438 has been accomplished and that the productive efficiency of such plants and facilities prevailing prior to the existing and threatened interruptions of production has been restored,

Therefore, in accordance with the authority vested in me by paragraph 5 of the President's Executive Order No. 9438 of April 25, 1944, I do hereby terminate the possession, control and operation by the United States of the plants and facilities under such Executive Order, and do hereby return the said plants and facilities to the said Company, such termination and return to become effective at 7:00 p. m., May 9, 1944, Central War Time.

[SEAL] JESSE H. JONES,
Secretary of Commerce.

MAY 9, 1944.

[F. R. Doc. 44-6719; Filed, May 10, 1944; 12:29 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 236]

RECONSIGNMENT OF BEANS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, May 5, 1944, by Lino-Meyer Company, of car ART 18626, beans, now on the Chicago Produce Terminal to Boston, Massachusetts.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6635; Filed, May 9, 1944; 11:38 a. m.]

[S. O. 117, Special Permit 3]

TRANSPORTATION OF BANANAS FROM MEXICO

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.9, 8 F.R. 14224) of Service Order No. 117 of April 13, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accept and move five carloads of bananas originating in Mexico to be moved through the United States all rail to points in Canada consigned to Gray Fruit and Produce, London, Ontario. Cars originate on Missouri Pacific Lines at Laredo.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6636; Filed, May 9, 1944; 11:38 a. m.]

[S. O. 164, General Permit 19]

REFRIGERATION OF CITRUS FRUITS FROM CALIFORNIA OR ARIZONA

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491)

of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to any refrigerator car loaded with citrus fruits originating in California or Arizona.

This permit shall become effective at 12:01 a. m., May 6, 1944, and shall apply to cars loaded or moving at that time.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6637; Filed, May 9, 1944; 11:38 a. m.]

[S. O. 164, Special Permit 47]

STANDARD REFRIGERATION FOR FREIGHT CAR FROM EDINBURG, TEX.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to PFE 73914, shipped from Edinburg, Texas, May 2 originally billed to Kansas City, Missouri, diverted to Grand Island, Nebraska, stop-off at Hastings, Nebraska, for partial unloading, routed SP-Frisco-UP.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6638; Filed, May 9, 1944; 11:38 a. m.]

[S. O. 164, Special Permit 48]

REFRIGERATION OF ORANGES FROM LAKE HAMILTON, FLA.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to one car Valencia oranges to be shipped May 4 or 5 from Lake Hamilton, Florida, on A. C. L. to Omaha, Nebraska.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6639; Filed, May 9, 1944; 11:38 a. m.]

[S. O. 164, Special Permit 49]

STANDARD REFRIGERATION FOR FREIGHT CAR FROM MISSION, TEX.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to ERDX 3009, originated Mission, Texas, May 3, consigned to Kansas City, diverted to McCook, Nebraska, stop-off for partial unloading Hastings, Nebraska, routed Missouri Pacific-CBQ.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6640; Filed, May 9, 1944; 11:38 a. m.]

[S. O. 164, Special Permit 50]

STANDARD REFRIGERATION FOR FREIGHT CAR FROM ELSA, TEX.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to PFE 98141, originated Elsa, Texas, May 3, consigned to East St. Louis diverted to Salina, Kansas. Stop-off for partial unloading Topeka, Kansas, routed SP-Frisco-MP.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6641; Filed, May 9, 1944; 11:38 a. m.]

[S. O. 164, Special Permit 51]

REICING OF ORANGES AT BUFFALO, N. Y.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once at Buffalo, New York, to full bunker capacity, not later than May 6, 1944, car SFRD 25138, navel oranges, for account of R. C. Neill, California Fruit Growers Exchange. (Car now on Erie Railroad.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6642; Filed, May 9, 1944; 11:39 a. m.]

[S. O. 164, Special Permit 52]

REICING OF ORANGES AT BUFFALO, N. Y.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the movement of two refrigerator cars of dried salted codfish from Pelican Cold Storage Company, on Southern Railway, at New Orleans to New Orleans port of embarkation on Public Belt for export.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6643; Filed, May 9, 1944; 11:39 a. m.]

[S. O. 178, Special Permit 122]

TRANSPORTATION OF DRIED SALTED CODFISH FROM NEW ORLEANS, LA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with cheese and spread in glass and bulk cheese by Kraft Cheese Company at Freeport, Illinois, and the movement of the one car so loaded from that point not later than May 9, 1944, to Jersey City, New Jersey. (C. M. St. P. & P.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6644; Filed, May 9, 1944; 11:39 a. m.]

[S. O. 178, Special Permit 123]

LOADING OF CHEESE AT FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with cheese and spread in glass and bulk cheese by Kraft Cheese Company at Freeport, Illinois, and the movement of the one car so loaded from that point not later than May 9, 1944, to Jersey City, New Jersey. (C. M. St. P. & P.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6628; Filed, May 9, 1944; 11:39 a. m.]

[S. O. 200, 2d Amended General Permit 1]

REICING OF POTATOES FROM ALABAMA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes originating at any point in Alabama, after the first or initial icing at an icing station not beyond Atlanta, Georgia, or Jackson, Memphis or Nashville, Tennessee, to reice once in transit to full bunker capacity at the first regular icing station enroute beyond the station where car was initially iced; except that on cars routed through Atlanta, Georgia, the one reicing authorized may be ordered by the shipper and accorded by the carrier at the first regular icing station enroute beyond Atlanta; and except that on cars routed through Cincinnati, Ohio, the one reicing authorized may be ordered by the shipper and accorded by the carrier at the first regular icing station enroute beyond Nashville, Tennessee.

This general permit shall become effective at 12:01 a. m., May 6, 1944, and the reicing authorized herein may be accorded on such refrigerator cars moving at that time. This general permit shall expire at 12:01 a. m., June 10, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6629; Filed, May 9, 1944; 11:40 a. m.]

[S. O. 200, 2d Amended Special Permit 2]

LOADING OF POTATOES FROM CALIFORNIA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes in California to reice once in transit when destined west of the Mississippi River and to reice twice in transit when destined east of the Mississippi River, at stations designated by shippers or, at carriers' option, at the first icing station west or east of such designated station.

This special permit shall become effective 12:01 a. m., May 11, 1944 and shall expire with July 15, 1944.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6630; Filed, May 9, 1944; 11:40 a. m.]

[S. O. 200, Special Permit 8]

REICING OF POTATOES FROM GAYLORD, MICH.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To move ART 16938 potatoes, from Gaylord, Michigan, to Key West, Florida, via NYC-Southern-FEC-Overseas Transportation Company with one reicing on NYC and one on Southern Railway.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car

service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6631; Filed, May 9, 1944; 11:40 a. m.]

[S. O. 201, Amended General Permit 2]

TRANSPORTATION OF ICE IN RS TYPE REFRIGERATOR CARS

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.338, 9 F.R. 4480) of Service Order No. 201 of April 25, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 201 insofar as it applies to the transportation of ice in RS type refrigerator cars (owned or leased by the Pacific Fruit Express Company), from, to or between points on the Southern Pacific Company, the Union Pacific Railroad Company, The Western Pacific Railroad Company, and the Texas and New Orleans Railroad Company, when shipped by the Pacific Fruit Express Company, or when consigned to the Pacific Fruit Express Company onto any one of the four railroads named herein.

This general permit shall become effective at 12:01 a. m., May 6, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6632; Filed, May 9, 1944; 11:40 a. m.]

[S. O. 201, General Permit 3]

TRANSPORTATION OF ICE IN RS TYPE REFRIGERATOR CARS

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.338, 9 F.R. 4480) of Service Order No. 201 of April 25, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 201 insofar as it applies to the transportation of ice in ART refrigerator cars of RS type to Rio Grande Valley-Robstown-Corpus Christi Section and to the Winter-garden and Laredo Districts on Missouri Pacific System Lines.

This general permit shall become effective May 5, 1944, and shall expire with June 30, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6633; Filed, May 9, 1944; 11:40 a. m.]

[S. O. 201, Special Permit 3]

TRANSPORTATION OF ICE IN RS TYPE REFRIGERATOR CARS

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.338, 9 F.R. 4480) of Service Order No. 201 of April 25, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 201 insofar as it applies to the transportation of ice in RS type refrigerator cars, one loaded at Willows on Southern Pacific and one loaded at Colusa on Sacramento Northern May 3 for Union Ice Company, Richmond, California.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6634; Filed, May 9, 1944; 11:40 a. m.]

[S. O. 70-A, Special Permit 287]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, May 6, 1944, by S. Friedman Sons of car ART 21383, potatoes, now on the Chicago Produce Terminal to Leshinsky Company, Milwaukee, Wisconsin.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6667; Filed, May 10, 1944; 11:07 a. m.]

[S. O. 164, Special Permit 53]

REICING OF ORANGES AT AKRON, OHIO

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once to full bunker capacity at Akron, Ohio, not later than May 7, 1944, car PFE 20356, navel oranges, now on the Baltimore and Ohio Railroad, for account of the California Fruit Growers Exchange.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6688; Filed, May 10, 1944; 11:07 a. m.]

[S. O. 164, Special Permit 54]

REFRIGERATION OF CITRUS FRUIT FROM EDINBURG, TEX.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration on car PFE 41711, citrus fruit, shipped from Edinburg, Texas, May 5, 1944, to Kansas City, Missouri, now reconsigned to Hutchinson, Kansas, with stop at Topeka, Kansas, to partly unload. (Routed Southern Pacific-Frisco-Missouri Pacific.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6689; Filed, May 10, 1944; 11:07 a. m.]

[S. O. 164, Special Permit 55]

REFRIGERATION OF CITRUS FRUIT FROM EDINBURG, TEX.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration on car PFE 41711, citrus fruit, shipped from Edinburg, Texas, May 5, 1944, to Kansas City, Missouri, now reconsigned to Hutchinson, Kansas, with stop at Topeka, Kansas, to partly unload. (Routed Southern Pacific-Frisco-Missouri Pacific.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6690; Filed, May 10, 1944; 11:07 a. m.]

[S. O. 200, General Permit 3]

REICING OF POTATOES FROM FLORIDA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide one reicing in transit to full bunker capacity, after the first or initial icing, on any refrigerator car loaded with potatoes originating at any point in the State of Florida.

This general permit shall become effective at 12:01 a. m., May 10, 1944, and shall expire at 12:01 a. m., June 10, 1944. The reicing authorized herein may be accorded cars rolling on the effective date hereof.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6691; Filed, May 10, 1944; 11:08 a. m.]

[S.O. 201, 2d Amended General Permit 2]

TRANSPORTATION OF ICE IN RS TYPE REFRIGERATOR CARS

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.338, 9 F.R. 4480) of Service Order No. 201 of April 25, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 201 insofar as it applies to the furnishing for loading with ice and the transportation when loaded with ice of car PFE 14591, loaded May 6, 1944, and one other refrigerator car to load May 7, 1944, shipped by the Security Ice and Cold Storage Company from San Jose, California, consigned to the U. S. Government at Camp Roberts, California. (Sou. Pac.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6692; Filed, May 10, 1944; 11:08 a. m.]

[S. O. 201, Special Permit 4]

TRANSPORTATION OF ICE IN RS TYPE REFRIGERATOR CARS

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.338, 9 F.R. 4480) of Service Order No. 201 of April 25, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 201 insofar as it applies to the transportation of ice in RS type FGE refrigerator cars to Union Ice Company, Richmond, California, four to be loaded at Willows on Southern Pacific Railway and four at Colusa, on Sacramento Northern, each week until June 30.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6693; Filed, May 10, 1944; 11:08 a. m.]

[S. O. 201, Special Permit 5]

LOADING AND TRANSPORTATION OF ICE FROM SAN JOSE, CALIF.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.338, 9 F.R. 4480) of Service Order No. 201 of April 25, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 201 insofar as it applies to the furnishing for loading with ice and the transportation when loaded with ice of car PFE 14591, loaded May 6, 1944, and one other refrigerator car to load May 7, 1944, shipped by the Security Ice and Cold Storage Company from San Jose, California, consigned to the U. S. Government at Camp Roberts, California. (Sou. Pac.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6694; Filed, May 10, 1944; 11:08 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Amdt. 35 to Order A–1]

REFRACTORY FLINT CLAY

MODIFICATION OF MAXIMUM PRICES

Amendment No. 35 to Order No. A–1 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) (12) (i) (c) is amended to read as follows:

(c) The non-volatile portion of the vehicle shall pass a 200 per cent kauri reduction test at 25° C.

This amendment shall become effective May 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–6623; Filed, May 9, 1944; 11:34 a. m.]

[MPR 188, Order 1570]

HANCOCK BRICK AND TILE CO.

ORDER GRANTING ADJUSTMENT

Order No. 1570 Under § 1499.161 (a) (2) of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. The Hancock Brick and Tile Company.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.161 (a) (2) of Maximum Price Regulation No. 188, *It is hereby ordered:*

(a) Specific authority is hereby granted to the Hancock Brick and Tile Company, Findlay, Ohio, to increase its presently established maximum prices for clay or shale drain tile by adding an amount per thousand feet not in excess of the amount set forth below opposite the following sizes and weights:

Size	Weight per foot	Adjustment per M feet
	Pounds	
3 inches	4	$2.30
4 inches	6	3.40
6 inches	12	6.80
8 inches	18	10.30
10 inches	28	16.00
12 inches	36	20.50
15 inches	56	31.90
18 inches	78	44.50
20 inches	85	48.50
22 inches	107	61.00
24 inches	120	68.40

(b) The amount by which the Hancock Brick and Tile Company's maximum prices are increased pursuant to paragraph (a) hereof, shall be stated separately on the invoice with the following notation:

Increases permitted by the Office of Price Administration to maintain supply.

In addition the Hancock Brick and Tile Company shall furnish to each buyer purchasing its products for resale, on or before it makes the first delivery at the adjusted price, a written statement as follows:

The Office of Price Administration has granted an adjustment in price for drain tile manufactured by the Hancock Brick and Tile Company. The amount of the price increase is shown separately on the invoice in per-thousand feet.

You are permitted to add the actual amount of this price increase to your existing maximum prices on drain tile purchased from the Hancock Brick and Tile Company provided you specify the amount of the increase on your invoice given to the purchaser.

(c) Any person purchasing clay or shale drain tile manufactured by the Hancock Brick and Tile Company, Findlay, Ohio, for the purposes of resale may increase his present maximum prices established by Maximum Price Regulation No. 188, as amended, by an amount not in excess of the actual dollars-and-cents increase in cost incurred by such person by reason of this adjustment; *Provided*, Such amount is shown separately on the invoice given to the purchaser.

(d) Discounts and other price differentials and other terms and conditions of sale shall be at least as favorable to purchasers as those which were in effect by each seller to his several classes of purchasers during March 1942.

This Order No. 1570 shall become effective May 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–6620; Filed, May 9, 1944; 11:32 a. m.]

[MPR 120, Order 747]

G. M. MAURER & SONS, ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 747 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 1. The location of each mine is given by county and State. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

G. M. MAURER & SONS, SIPESVILLE, PENNSYLVANIA. MAURER MINE, E SEAM, MINE INDEX NO. 1724, SOMERSET COUNTY, PENNSYLVANIA, SUB-DISTRICT #36, RAIL SHIPPING POINT: ANKENY SIDING, PENNSYLVANIA. DRIFT MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment	$3.55	$3.35	$3.35	$3.15	$3.15
R. R. locomotive fuel	3.20	3.20	3.05	2.95	2.95
Truck shipment	3.65	3.40	3.40	3.30	3.20

WALTER MEANS, PARK AVE., PUNXSUTAWNEY, MEANS MINE, LOWER FREEPORT (D) SEAM, MINE INDEX NO. 5051, JEFFERSON COUNTY, PENNSYLVANIA, SUB-DISTRICT #6, RAIL SHIPPING POINT: ANITA, PENNSYLVANIA. DRIFT MINE

Price classification	E	E	E	E	E
Rail shipment	$3.55	$3.35	$3.25	$3.15	$3.15
R. R. locomotive fuel	3.20	3.20	3.05	2.95	2.95
Truck shipment	3.65	3.40	3.40	3.30	3.20

MENNETTI BROTHERS, ANITA, PENNSYLVANIA, MENNETTI MINE, LOWER FREEPORT SEAM, MINE INDEX NO. 5049, JEFFERSON COUNTY, PENNSYLVANIA, SUB-DISTRICT #6, RAIL SHIPPING POINT: ANITA, PENNSYLVANIA. DRIFT MINE

Price classification	E	E	E	E	E
Rail shipment	$3.55	$3.35	$3.25	$3.15	$3.15
R. R. locomotive fuel	3.20	3.20	3.05	2.95	2.95
Truck shipment	3.65	3.40	3.40	3.30	3.20

MITCHELL COAL CO., OHIOPYLE, PENNSYLVANIA, POTTER MINE, D SEAM, MINE INDEX NO. 5043, FAYETTE COUNTY, PENNSYLVANIA, SUB-DISTRICT #33, RAIL SHIPPING POINT: OHIOPYLE, PENNSYLVANIA, DRIFT MINE

Price classification	F	F	F	F	F
Rail shipment	$3.35	$3.35	$3.35	$3.05	$3.05
R. R. locomotive fuel	3.20	3.20	3.05	2.95	2.95
Truck shipment	3.60	3.35	3.35	3.25	3.15

FINDLEY RUN COAL COMPANY, 708 JOHNSTOWN BANK AND TRUST BLDG., JOHNSTOWN, PENNSYLVANIA. FINDLEY RUN #1 MINE, B SEAM, MINE INDEX NO. 5112, INDIANA COUNTY, PENNSYLVANIA, SUB-DISTRICT #29, RAIL SHIPPING POINT: SEWARD, PENNSYLVANIA, STRIP MINE

Price classification	G	G	G	G	G
Rail shipment	$3.30	$3.30	$3.15	$3.05	$3.05
R. R. locomotive fuel	3.20	3.20	3.05	2.95	2.95
Truck shipment	3.55	3.30	3.30	3.20	3.10

J. A. HANNA, R. D. HOMER CITY, PENNSYLVANIA, HANNA #1 MINE, UPPER FREEPORT (E) SEAM, MINE INDEX NO. 5061, INDIANA COUNTY, PENNSYLVANIA, SUB-DISTRICT #12, RAIL SHIPPING POINT: GLEN CAMPBELL, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	G	G	G	G	G
Rail shipment	$3.30	$3.30	$3.15	$3.05	$3.05
R. R. locomotive fuel	3.20	3.20	3.05	2.95	2.95
Truck shipment	3.55	3.30	3.30	3.20	3.10

KEPHART BROS., INC., R. F. D. BOX NO. 145, OSCEOLA MILLS, PENNSYLVANIA, VICTORY MINE, A SEAM, MINE INDEX NO. 5072, CLEARFIELD COUNTY, PENNSYLVANIA, SUB-DISTRICT #13, RAIL SHIPPING POINT: FAUNCE, PENNSYLVANIA, DRIFT MINE.

Price classification	H	H	H	H	H
Rail shipment	$3.30	$3.30	$3.10	$2.85	$2.85
R. R. locomotive fuel	3.20	3.20	3.05	2.95	2.95
Truck shipment	3.50	3.25	3.25	3.15	3.05

W. A. KEYS COAL CO., P. O. BOX 161, BROCKWAY, PENNSYLVANIA, PENFIELD MINE, UPPER FREEPORT (E) SEAM, MINE INDEX NO. 5006, JEFFERSON COUNTY, PENNSYLVANIA, SUB-DISTRICT #5, RAIL SHIPPING POINT: BRECHTON, PENNSYLVANIA, DRIFT MINE.

Price classification	G	G	G	G	G
Rail shipment	$3.30	$3.30	$3.15	$3.05	$3.05
R. R. locomotive fuel	3.20	3.20	3.05	2.95	2.95
Truck shipment	3.55	3.30	3.30	3.20	3.10

MOORE & CONRAD, P. O. BOX 422, PUNXSUTAWNEY, PENNSYLVANIA, C & M MINE, LOWER FREEPORT (D) SEAM, MINE INDEX NO. 5050, JEFFERSON COUNTY, PENNSYLVANIA, SUB-DISTRICT #6, RAIL SHIPPING POINT: ANITA, PENNSYLVANIA, STRIP MINE

Price classification	E	E	E	E	E
Rail shipment	$3.55	$3.35	$3.35	$3.15	$3.15
R. R. locomotive fuel	3.20	3.20	3.05	2.95	2.95
Truck shipment	3.65	3.40	3.40	3.30	3.20

W. W. REED COAL CO., DUDLEY, PENNSYLVANIA, HILLSIDE MINE, BARNETT AND/OR FULTON SEAM, MINE INDEX NO. 5055, HUNTINGDON COUNTY, PENNSYLVANIA, SUB-DISTRICT #39, RAIL SHIPPING POINT: NEAR BROAD TOP CITY, PA., DEEP MINE

Price classification	B	B	B	B	C
All methods of transportation and all uses	$4.25	$4.25	$3.90	$3.65	$3.50
Smithing coal (any size)		4.75			

This order shall become effective May 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9326, 8 F.R. 4681)

Issued this 9th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–6622; Filed, May 9, 1944; 11:34 a. m.]

[MPR 120, Order 746]

B. A. GARDETTO, INC.

ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MAXIMUM PRICES

Order No. 746 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing price classifications and maximum prices for B. A. Gardetto, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Roxbury Mines of B. A. Gardetto, Inc., operating in the Nos. 5 and 6 Seams of Subdistrict No. 6 of District No. 4, are hereby assigned Mine Index Nos. 4044 and 4045, respectively, and classified in the Crooksville Freight Origin Group and Railroad Fuel Price Group No. 102.

(b) Coal produced by B. A. Gardetto, Inc., from its Roxbury Mines, Mine Index Nos. 4044 and 4045 in District No. 4, may be sold and purchased for the indicated uses and movements at per net ton prices not exceeding the following:

	Size group										
	1	2	3	4	5	6	7	8	9	10	12
Rail shipment	$3.35	$3.25	$2.85	$2.85	$2.85	$2.75	$2.45	$2.45	$2.50	$2.10	$2.50
Truck shipment	3.65	3.55	3.45	3.20	3.15	2.65	2.30	2.20			
Railroad fuel	3.33	3.25	2.85	2.85	2.85	2.75	2.45	2.45	2.50	2.20	2.60

(c) The maximum prices established herein are f. o. b. the mine for truck shipments, and f. o. b. the rail shipping point for rail shipments for railroad fuel.

(d) This order may be revoked or amended at any time.

(e) All prayers of applicant not granted herein are hereby denied.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(g) This order shall become effective May 10, 1944.

(56 Stat. 23, 765; Pub. Law 151; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–6621; Filed, May 9, 1944; 11:32 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70–888, 70–889]

COMMONWEALTH UTILITIES CORP., ET AL.

NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of May 1944.

In the matters of Commonwealth Utilities Corporation, the Arizona Power Corporation, File No. 70–888; James C. Tucker, File No. 70–889. Notice of filing and notice of and order for hearing and order of consolidation.

Notice is hereby given that Commonwealth Utilities Corporation (C. U. C.), a subsidiary of The United Gas Improvement Company (U. G. I.), both registered holding companies, The Arizona Power Corporation (Arizona), a subsidiary of C. U. C., and James C. Tucker (Tucker), an affiliate of Arizona Electric Power Corporation, have filed with this Commission applications and declarations pursuant to sections 6, 7, 9, 10, and 12 of the Act and Rules U-44, U-50, and U-62 and any other applicable sections of the Act or rules thereunder with respect to various proposed transactions, all as more particularly hereinafter described.

All interested persons are referred to said documents, which are on file in the offices of this Commission, for a full statement of the transactions therein proposed, which are summarized below:

Pursuant to an agreement dated November 24, 1943, C. U. C. proposes to sell and Tucker proposes to buy all of C. U. C.'s holdings of stock of Arizona consisting of 14,920.15 shares of common stock without par value and 200 shares of preferred stock without par value for the sums of $999,650.05 for the common stock and $15,400.00 for the preferred stock. In addition, Tucker is obligated to purchase for $67 per share any additional shares of the common stock of Arizona which C. U. C. or other persons may deliver to Tucker simultaneously with the 14,920.15 shares of common stock now owned by C. U. C. Tucker proposes to consolidate Arizona with Arizona Electric Power Corporation (Electric) and The Arizona Power Company (the latter company owning no utility assets, but having been recently organized for the purpose of continuing as the consolidated company). Under the proposed agreement of consolidation, the outstanding funded debt of Arizona and of Electric is to be called for re-

demption. Holders of the preferred and common stocks of Arizona and of Electric are to exchange such stock for 4% mortgage bonds, 5½% cumulative preferred stock and common stock of the consolidated company as follows:

For each share held	Securities of consolidated company to be received
Arizona preferred	1 share preferred stock.
Arizona common	.968 bonds; .56 shs. common stock.
Electric preferred (all held by Tucker)	.882 bonds; .4274875 shs. common stock.
Electric common (all held by Tucker)	$15.1067 bonds; .188 shs. common stock.

Arizona proposes to solicit proxies from its preferred and common stockholders for the adoption or rejection of the agreement of consolidation. The obligation of Tucker to purchase is conditioned upon the delivery, simultaneously with the common shares, of proxies and consents of holders of not less than 70% of Arizona's outstanding preferred stock to vote in favor of the adoption of the consolidation agreement.

The preferred and common stockholders of Arizona dissenting from the proposed consolidation will be entitled to receive cash as provided by Arizona law. The application states that arrangements have been made, subject to certain conditions and limitations, for the sale by the consolidated company of securities not delivered to stockholders, and that the consolidated company is to receive for such undelivered common and preferred stock the par value thereof.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said matters, and that said declarations shall not become effective nor said applications be granted except pursuant to further order of this Commission; and

It further appearing to the Commission that the issues presented by the declarations and applications of C. U. C. and Arizona (File No. 70-868) and by Tucker (File No. 70-869) involve common questions of law and fact and should be consolidated and heard together:

It is ordered, That the proceedings in both matters be, and they hereby are, consolidated and that a consolidated hearing under the applicable provisions of the act and rules of the Commission promulgated thereunder be held on May 23, 1944, at 10 a. m., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as the hearing room clerk in room 318 will at that time advise. All persons desiring to be heard or otherwise wishing to participate in the proceeding shall file with the Commission on or before May 18, 1944, a written request relative thereto, as provided by Rule XVII of the rules of practice of the Commission; and

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under the Commission's rules of practice; and

It is further ordered, That, without limiting the scope of the issues presented by said declarations and applications otherwise to be considered in this proceedings, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the considerations to be received, including all fees, commissions, and other remuneration to whomsoever paid in connection with the proposed transactions, are fair and reasonable;

2. Whether the acquisitions involved comply with the requirements of the applicable provisions of section 10 of the Act and particularly section 10 (c) (2) thereof;

3. Whether the proposed sale of the securities of Arizona is subject to the provisions of Rule U-30 with regard to competitive bidding, and if so, whether an exemption should be granted;

4. Whether the proposed solicitation of proxies by Arizona complies with the standards of section 12 (e) of the Act and Rule U-62 promulgated thereunder;

5. Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms and conditions in respect of the proposed transactions, and if so, what the terms and conditions should be;

6. Generally, whether the proposed transactions are detrimental to the public interest and to the interests of investors or consumers or will tend to circumvent any provisions of the Act or the rules, regulations or orders promulgated thereunder.

It is further ordered, That notice of the hearing aforesaid be given to the declarants and applicants and to all other persons; said notice to be given to the declarants and applicants and to the Arizona Corporation Commission by registered mail and to all other persons by general release of this Commission, which shall be distributed to the press and mailed to the mailing list for releases issued under the act, and by publication in the FEDERAL REGISTER.

It is further ordered, That jurisdiction be, and is hereby reserved to separate, whether for hearing in whole or in part, or for disposition in whole or in part, any of the issues, questions or matters hereinbefore set forth or which may arise in this proceeding, or to consolidate with this proceeding other filings or matters pertaining to the subject matter of this proceeding and to take such other action as may appear conducive to an ordinary, prompt and economical disposition of the matters involved.

By the Commission.

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-6645; Filed, May 9, 1944; 12:41 p. m.]

WAR PRODUCTION BOARD.

AMERICAN FURNITURE COMPANY

CONSENT ORDER

Arthur Sauerbrunn, Phillip Beis and Sidney Kriger, operating a partnership under the name of American Furniture Company, 725 Florida Street, Memphis, Tennessee, are engaged in the business of manufacturing furniture. Said partnership is charged by the War Production Board with having consumed during the year 1943 essential metal parts in excess of its quota established under the provisions of General Limitation Order L-260. Said partnership admits the violation as charged, and agrees that because of the violation it used more lumber in the manufacture of furniture in the year 1943, than it would have used had the violation not occurred. The partners have consented to the issuance of this order.

Wherefore, upon the agreement and consent of Arthur Sauerbrunn, Phillip Beis and Sidney Kriger, doing business as American Furniture Company, the Regional Compliance Manager and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) During the year 1944, Arthur Sauerbrunn, Phillip Beis, and Sidney Kriger, doing business as American Furniture Company, shall figure their permitted usage of wood in the manufacture of furniture on the basis of a use of wood in the year of 1943 of 993,639 board feet of lumber.

(b) Nothing contained in this order shall be deemed to relieve Arthur Sauerbrunn, Phillip Beis and Sidney Kriger, individually, or doing business as American Furniture Company, their successors or assigns, from any restriction, prohibition or provisions contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on May 9, 1944, and shall expire on December 31, 1944.

Issued this 2d day of May 1944.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6675; Filed, May 9, 1944; 4:32 p. m.]

WAR SHIPPING ADMINISTRATION.

"CITY OF SACRAMENTO"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress).

Whereas on May 25, 1942, title to the vessel "City of Sacramento" (107848), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the Act approved March 24, 1943 (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-Seventh Congress)), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

[SEAL] E. S. LAND,
Administrator.

MAY 9, 1944.

[F. R. Doc. 44-6682; Filed, May 10, 1944; 10:30 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 95

Washington, Friday, May 12, 1944

The President

EXECUTIVE ORDER 9440

AUTHORIZING THE RECONSTRUCTION FINANCE CORPORATION TO PLACE ORDERS WITH OTHER AGENCIES FOR MATERIALS OR SERVICES TO BE OBTAINED BY CONTRACT OR OTHERWISE

By virtue of the authority vested in me by the Constitution and the Statutes of the United States, particularly by Title I of the First War Powers Act, 1941, as President of the United States and as Commander in Chief of the Army and Navy, it is hereby ordered as follows:

The functions, powers, and duties, with respect to placing orders for materials, supplies, equipment, work, or services, of any kind that any requisitioned Federal agency may be in a position to supply, or to render or to obtain by contract, which are vested in the War Department, Navy Department, Treasury Department, Civil Aeronautics Administration and the Maritime Commission under section 7 (a) of the act of May 21, 1920 (41 Stat. 613), as amended by section 601 of the act of June 30, 1932 (47 Stat. 417), and the act of July 20, 1942 (56 Stat. 661, 31 U.S.C., 686), and which are also vested in the War Food Administration by virtue of Executive Order 9418 of January 29, 1944, may be exercised also by the Reconstruction Finance Corporation, and by any constituent, subsidiary or controlled agency or corporation thereof designated by the Reconstruction Finance Corporation. Any provision of any Executive order or proclamation conflicting with this order is superseded to the extent of such conflict.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
May 9, 1944.

[F. R. Doc. 44-6729; Filed, May 10, 1944; 2:55 p. m.]

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 73—APPOINTMENT OF COMMISSIONED OFFICERS, WARRANT OFFICERS, AND CHAPLAINS

OFFICERS APPOINTED IN THE ARMY OF THE UNITED STATES UNDER THE PROVISIONS OF THE ACT OF 22 SEPTEMBER 1941

Section 73.222 is added as follows:

§ 73.222 *Appointment of former officers and R. O. T. C. graduates who previously were found physically disqualified.* (a) Former commissioned officers of any component of the Army of the United States who were honorably discharged from their commissions because of physical disqualification only, subsequent to 31 August 1940, and are inducted into the Army will, if found physically qualified for retention in the military service, be appointed in the Army of the United States in the grade formerly held, and given appropriate assignment in the arm or service to which formerly assigned.

(b) Individuals who have successfully completed the Reserve Officers' Training Corps course and were denied a commission because of physical disqualification only and are inducted into the Army within 5 years subsequent to their graduation from Reserve Officers' Training Corps will, if found physically qualified for retention in the military service, be appointed as second lieutenants in the Army of the United States in the arm or service in which enrolled while in Reserve Officers' Training Corps.

(c) Eligible persons referred to in the above paragraphs desiring appointment as officers in the Army of the United States will submit their applications

(Continued on next page)

CONTENTS

THE PRESIDENT

EXECUTIVE ORDER: Page

Reconstruction Finance Corporation, authorization to place orders with other agencies for materials or services to be obtained by contract or otherwise------ 4999

REGULATIONS AND NOTICES

COAL MINES ADMINISTRATION:
Hart, E. M., and Son, termination of Government possession---------- 5014

COMMERCE DEPARTMENT:
Cotton, cottonseed, and their products, mailing of statistical reports---------- 5014

FEDERAL POWER COMMISSION:
Union Electric Co. of Missouri, hearing ---------- 5014

FOREIGN ECONOMIC ADMINISTRATION:
Exportations, prohibited------- 5001

INTERSTATE COMMERCE COMMISSION:
Reconsignment permits, etc.:
Citrus fruit, Mission, Tex---- 5015
Ice, Richmond, Calif-------- 5015
Onions:
Chicago, Ill---------- 5014
Toledo, Ohio ---------- 5014
Potatoes, Center, Colo------- 5015

OFFICE OF DEFENSE TRANSPORTATION:
Taxicab operators, coordinated operations in Wilson, N. C-- 5015

OFFICE OF PRICE ADMINISTRATION:
Adjustments, etc.:
American Woodcraft Co---- 5018
Goldie Mfg. Co---------- 5017
Howson Cabinet and Millwork Co---------- 5018
Lifton, Harold, Co---------- 5018
Monticello Novelty Co------- 5019
Naylor Pattern Co---------- 5017
Paulis, H., Plastics Co------- 5017
Peerless Woodworking Corp... 5016
Tippet, J. L---------- 5019

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued. Page
Defense-rental areas; tourist camps, etc.:
(Rent Reg. for Hotels and Rooming Houses, Am. 19) 5002
(Miami, Am. 3) 5003
(New York City, Am. 8) 5003
Furniture, adjustment of maximum prices (MPR 188, Order 1052, Am. 4, 5) (2 documents) 5016
Meat, fats, fish and cheeses, producers; order modifying suspensions (Suspension Order 249) 5019

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued. Page
Regional and district office orders:
Automobile motors, rebuilt, Atlanta, Ga., region 5021
Fluid milk:
Colorado, certain areas 5027
Connecticut 5019
Fremont, Nebr 5024
Hemingford, Nebr 5026
Illinois, designated counties 5027
Nehawka, Nebr 5026
New Hampshire 5020
Sleepy Eye, Minn 5025
Storm Lake and Alta, Iowa 5025
Wausau, Wis 5025
Plumbing services, Westfield, Mass 5020
Poultry, New York region 5020
Solid fuels:
Denver, Colo., region 5028
New York region (2 documents) 5020
Norfolk and Princess Anne Counties, Norfolk and Portsmouth, Ga 5021
St. Joseph, Mo 5022
Toccoa, Ga 5021
Work gloves, staple (RMPR 506) 5004
SECURITIES AND EXCHANGE COMMISSION:
Hearings, etc.:
Associated Gas and Electric Co. and Associated Gas and Electric Corp 5030
Connecticut River Conservation Co., et al 5029
Middle West Corp., et al 5029
New Jersey Power and Light Co., and NY PA NJ Utilities Co 5029
WAR DEPARTMENT:
Bridge regulations, Camden, Ark 5014
Personnel:
Commissioned officers, warrant officers, and chaplains; appointment 4999
U. S. Military Academy, physical requirements for admission 5000
WAR FOOD ADMINISTRATION:
Soybean oil meal, shipments into designated areas (WFO 9–4, Am. 1) 5001
WAR PRODUCTION BOARD:
Army Program W–2 and W–4, consolidation (CMP Reg. 1, Dir. 50) 5002
Bathtubs, cast iron (L–42, Dir. 2) 5001
Blue print materials (CMP Reg. 5, Dir. 19) 5002
Miniature Precision Bearing Co. radial type bearings, use (M–293, Table 12, Dir. 2) 5002
Sun glasses, assembly (L–238, Int. 1) 5002

through channels to The Adjutant General. Report of final type physical examination on W.D., A.G.O. Form No. 63 will accompany the application. This procedure constitutes an exception to the provisions of § 73.06 (c) (1) which ordinarily requires appearance before a board of officers. (Act of 22 September 1941, 55 Stat. 728; 10 U.S.C. Sup. 484) [Sec. II, W.D. Cir. 172, 2 May 1944]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44–6725; Filed, May 10, 1944, 2:43 p. m.]

PART 75—ADMISSION TO THE UNITED STATES MILITARY ACADEMY

PHYSICAL REQUIREMENTS

Sections 75.20 (b) and 75.22 (c) (2) and (d) are amended as follows:

§ 75.20 *Preliminary physical examination.* • • •

(b) A preliminary physical examination will be authorized by the War Department only upon specific request. Any candidate who holds a letter of appointment issued by the War Department may apply to the office of The Adjutant General, War Department, Washington 25, D. C., for permission to undergo a preliminary examination, and the necessary instructions setting forth the place of examination will be issued. Any prospective candidate may obtain authority for a preliminary physical examination if such examination is authorized by the member of Congress who intends to select him for nomination with a view to appointment. The member of Congress or the candidate will be informed of the result. (R. S. 161; 5 U. S. C. 22) [Par. 38, Information Relative to Appointment and Admission of Cadets to the U. S. Military Academy, 1944, as amended by C1, 28 March 1944].

§ 75.22 *Physical requirements.* • • •

(c) *Teeth.* (1) No candidate will be accepted unless he has a minimum of 8 serviceable vital masticating teeth (bicuspids and molars) above and 6 below serviceably opposing and also 4 serviceable vital incisor teeth (incisors and cuspids) above and 4 below serviceably opposing. Therefore, the minimum requirement consists of a total of 12 masticating teeth and 8 incisor teeth, all of which must be so opposed as to serve the purpose of incision and mastication. In cases in which insufficiency of teeth may be remedied by the eruption of third molars, if an X-ray of the third molar region determines a normal third molar properly positioned and developed, it may be assumed that it will have a normal eruption, and the candidate may be credited with possession of this tooth.

• • • • •

(3) A tooth will not be considered serviceable if it is a deciduous tooth or if it fails to enter into serviceable occlusion with an opposing tooth, if it has an unfilled cavity, if it supports a defective filling or crown, if it is nonvital, or if there is destruction of the supporting tissues of the tooth, such as results from chronic gingivitis, pyorrhea, etc.

• • • • •

(d) *Physical proportions for height, weight, and chest measurements for all candidates except Filipinos.* The requirements of the following tables of physical proportions are for growing youths and are for guidance in connection with the other data of the examination, a consideration of all of which will determine the candidate's physical eligibility. Mere fulfillment of the requirements of the standard tables does not determine eligibility.

Height, inches	Weight, pounds		Minimum chest measurement at expiration inches
	Minimum	Maximum	
66	120	170	30.50
67	124	175	30.50
68	128	180	31.00
69	132	185	31.50
70	136	190	32.00
71	140	195	32.00
72	144	201	32.50
73	148	208	32.50
74	152	214	33.00
75	156	220	33.00
76	160	226	33.50

NOTE: Fractions greater than ½ inch in height will be considered as an additional inch, but candidates must be at least 66 inches in height. Height to be taken without shoes and weight without clothes.

(R.S. 161; 5 U.S.C. 22) [Par. 41, Information Relative to Appointment and Admission of cadets to the U. S. Military Academy, 1944, as amended by C1, 28 March 1944]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44–6726; Filed, May 10, 1944; 2:43 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 171]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the column headed "General License Group" the group and country designations assigned to the commodities listed below, at every place where said commodities appear in said section, are hereby amended to read as follows:

Commodity and Department of Commerce No.	*General license group*
Animal products, edible:	
Egg products, frozen, 0093.07	K
Egg products, otherwise preserved, 0093.98	K
Eggs, in the shell, 0092.00	K
Coffee:	
Coffee, extracts and substitutes, 1513.00 (include chicory, dried and roasted)	K
Coffee, green, 1511.00	K
Coffee, roasted (include decaffeinated), 1512.00	K
Photographic and projection goods:	
Box type (set focus) cameras, 9003.00	K
Cameras, other (includes cameras of types usually used by amateur photographers, 9005.00	K
Camera parts, except lenses, 9006.00	K
Dry plates, 9127.00	K
Motion-picture cameras, substandard ga. (8 mm.), 9001.50	K
Motion-picture film, sensitized, not exposed negative (16 mm.), 9117.40	K
Motion-picture film, sensitized, not exposed negative (8 mm.), 9117.60	K
Motion-picture film, sensitized, not exposed, positive (16 mm.), 9117.30	K
Motion-picture film, sensitized, not exposed, positive (8 mm.), 9117.50	K
Motion-picture projectors, substandard ga. (16 mm.) silent, 9008.30	K
Motion-picture projectors, substandard ga. (8 mm.) silent, 9008.50	K
Photographic paper, 9129.00	K
Sensitized film, not exposed, cartridge or rolls, 9125.00	K
Sensitized films, not exposed, packs of sheets, X-ray, 9126.10	K
Sensitized films, not exposed, other, 9126.90	K
Stereopticons, magic lanterns, and other projection apparatus, 9112.00	K
Photographic apparatus and supplies, other, n. e. s., 9140.00	K

(54 Stat. 676, 55 Stat. 226, 56 Stat. 176; E.O. 9280; 7 F.R. 10179; E.O. 9322; 8 F.R. 3807; E.O. 9334; 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 9, 8 F.R. 16960, 9 F.R. 3475, 4319)

Issued this 10th day of May 1944.

J. B. HUTSON,
Director of Production.

[F. R. Doc. 44–6771; Filed, May 11, 1944; 11:26 a.m.]

TITLE 7—AGRICULTURE

Chapter X—War Food Administration (Production Orders)

[WFO 9–4, Amdt. 1]

PART 1220—FEED

SHIPMENTS OF SOYBEAN OIL MEAL INTO DESIGNATED AREAS

War Food Order No. 9–4 issued January 13, 1944 (9 F.R. 561, 4319), pursuant to the authority contained in War Food Order No. 9 (8 F.R. 16960; 9 F.R. 3475, 4319), is hereby amended effective June 1, 1944 to exclude the following States from the provisions of War Food Order No. 9–4: Arkansas, Louisiana, Oklahoma, Texas, New Mexico, Arizona, Nevada, California and Tennessee: *Provided, however,* That said order shall be deemed to be in full force and effect in the States hereby excluded for the purpose of sustaining any suit, action or other proceeding with respect to any violation of said order, or right accrued or liability incurred thereunder.

(54 Stat. 676, 55 Stat. 226, 56 Stat. 176; E.O. 9280; 7 F.R. 10179; E.O. 9322; 8 F.R. 3807; E.O. 9334; 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 9, 8 F.R. 16960, 9 F.R. 3475, 4319)

Issued this 10th day of May 1944.

J. B. HUTSON,
Director of Production.

[F. R. Doc. 44–6771; Filed, May 11, 1944; 11:26 a.m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1076—PLUMBING AND HEATING SIMPLIFICATION

[Limitation Order L–42, Direction 2, as Amended May 11, 1944]

CAST IRON BATHTUBS

The following direction is issued pursuant to Limitation Order L–42:

(a) *What this direction does.* The War Production Board having determined upon a program of production of metal bathtubs for the remainder of the year 1944, has authorized the production of 50,000 bathtubs for the second quarter. This direction tells by whom and for what purposes bathtubs may be made in order to produce the required 50,000 metal bathtubs, without utilizing labor in critical labor areas.

(b) *Production of bathtubs.* Prior to July 1, 1944, in addition to the bathtubs authorized by Direction #1 to Limitation Order L–42, the following manufacturers may produce at their plants at the addresses indicated, recess type cast iron bathtubs, no longer than those commercially known as five foot, and in quantities not exceeding the number indicated opposite their names:

NOTE: List amended May 11, 1944.

American Radiator & Standard Sanitary Corp., Louisville, Ky	10,500
Crane Company, Chattanooga, Tenn	10,500
Eljer Company, Salem, Ohio	8,000
Kohler Company, Kohler, Wisconsin	10,500
Richmond Radiator Company, Uniontown, Pa	10,500

(c) *Sale of bathtubs.* These bathtubs may be delivered only to fill orders of or for ultimate delivery to the Army or Navy, or for export authorized by the Foreign Economic Administration, or for approved installation in projects rated in the P–19 series authorized by GA–1456 and in the P–55 series authorized by WPB–2896. This does not mean that a jobber or dealer may get these tubs to replace in his inventory tubs or other equipment he has previously delivered to fill such orders. It means that delivery to a jobber or dealer may be made to enable him to deliver the tubs to fill an actual order for an authorized project or building with a specified completion date, to or for the account of the Army or Navy, or for installation in a project rated by orders in the P–19 or P–55 series. Shipments for export may be made only if a license has actually been issued by the Foreign Economic Administra-

tion. A manufacturer may not accept a rating alone as evidence of his authority to deliver to a dealer, but must obtain, in addition to the standard certification accompanying the extension of the rating, applicable information of the following nature:

1. For delivery to the Army or Navy, the contract, purchase order, or rating certificate number.

2. For delivery to an authorized project of the P–19 or P–55 series, the number and location of the project.

3. For export authorized by the Foreign Economic Administration, the export license number.

(d) *Crating.* No manufacturer may use better than No. 3 quality grades of lumber in crating these bathtubs.

(e) *Reports.* Each manufacturer named in paragraph (b) shall report by letter on or before the 10th day of each month to the Plumbing and Heating Division, War Production Board, Washington 25, D. C., by size, the number of bathtubs produced and the number shipped under this direction during the preceding month. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Effect of other orders.* The restriction of Schedule X–II to Order L–42 are superseded to the extent necessary to give effect to this direction.

Issued this 11th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6766; Filed, May 11, 1944; 11:17 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 50]

CONSOLIDATION OF ARMY PROGRAM W–2 AND W–4

The following direction is issued pursuant to CMP Regulation 1:

(a) The War Department has combined the two programs formerly identified by the major program numbers W–2 and W–4. After this, allotments for both of these programs will be identified by the allotment number W–4.

(b) Consumers may combine allotments identified by the allotment numbers W–2 and W–4 in a single allotment account. Orders charged against this account must be identified by the allotment number W–4. However, orders already placed bearing the allotment number W–2 need not be changed to W–4.

Issued this 11th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6767; Filed, May 11, 1944; 11:17 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, Direction 19]

BLUE PRINT MATERIALS

The following direction is issued pursuant to CMP Regulation 5:

Commercial blue print and allied reproduction establishments may use the rating assigned by CMP Regulation No. 5 to get materials they use regardless of whether or not under a particular person's accounting practice the materials are charged as operating supplies. This direction applies to all types of commercial blue printing and allied reproduction establishments, including the production of white prints, and all intermediate processes, and photocopy reproduction (Photostat, Rectigraph, etc.) but not to persons producing photographic prints for amateurs, or to commercial photographers, or to the mass production of photograph copies for business or professional purposes.

Issued this 11th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6769; Filed, May 11, 1944; 11:17 a. m.]

PART 3296—SAFETY AND TECHNICAL EQUIPMENT DIVISION

[L–238, Interpretation 1]

ASSEMBLY OF SUN GLASSES

The following interpretation is issued with respect to L–238:

The use of certain material in the manufacture of sun glasses or parts and the number of sun glasses which may be manufactured are prohibited or restricted by the terms of General Limitation Order L–238, with certain exceptions stated in the order.

Such provisions also apply to the assembly of sun glasses. Thus, any person who assembles or combines parts of sun glasses, such as frames and lenses, is manufacturing sun glasses and is governed by the terms of General Limitation Order L–238.

Issued this 11th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6770; Filed, May 11, 1944; 11:17 a. m.]

Chapter XI—Office of Price Administration

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses,[1] Amdt. 19]

TOURIST CAMPS, ETC.

Rent Regulation for Hotels and Rooming Houses is amended in the following respects:

1. Section 2 (b) (4) is amended to read as follows:

(4) *Monthly term of occupancy in tourist camps, etc.* Where, since October 1, 1942, a room, cabin, or similar accommodations in a tourist camp, cabin camp, auto court or similar establishment has been or is hereafter rented to the same tenant for a continuous period of 60 days or longer on a daily basis, the landlord shall offer such room, cabin or other accommodations for rent for a monthly term of occupancy, regardless of the provisions of subparagraph (2) of this paragraph. The room, cabin or other accommodations shall be offered for rent on a monthly basis for each number of occupants for which it is offered by the landlord for any other term of occupancy. Any tenant of such room, cabin or other accommodations on a daily or weekly basis shall on request be permitted by the landlord to change to a monthly term of occupancy.

2. Section 2 (b) (6) is added to read as follows:

(6) *Weekly or monthly terms of occupancy less than 25%.* A landlord who is required to rent for weekly or monthly terms of occupancy less than 25% of the rooms in an establishment, under subparagraphs (2) and (4) of this paragraph, may petition the Administrator to be relieved of such requirement. Upon issuance of an order granting such petition, the provisions of subparagraphs (2), (3) and (4) of this paragraph no longer shall apply to the rooms in the establishment; but the maximum rent for a weekly term of occupancy shall apply where, after the date of issuance of the order, a tenant remains in occupancy for a continuous period of more than 10 days, and the maximum rent for a monthly term of occupancy shall apply where, after the date of issuance of the order, a tenant remains in occupancy for a continuous period of more than 30 days, regardless of whether the tenant occupies the same room in the establishment during the specified period. The maximum rent on a weekly or monthly basis, as the case may be, shall apply from the date of issuance of the order or the date on which occupancy commenced, whichever is the later.

The order of the Administrator granting the landlord's petition may fix maximum rents for weekly and monthly terms of occupancy and for different numbers of occupants for those terms pursuant to section 4 (g). Immediately upon issuance of the order the landlord shall post maximum rents established for weekly and monthly terms of occupancy in the manner provided by section 7 (b).

[1] 9 F.R. 2165, 3231, 3421, 4194, 4541.

3. Section 4 (g) is added to read as follows:

(g) *Rent fixed by order of Administrator.* For a room for a particular term or number of occupants for which no maximum rent has been established under any other provision of this regulation, the rent fixed by order of the Administrator as provided in this paragraph (g).

The Administrator at any time on his own initiative or on petition of the landlord may enter an order fixing the maximum rent and specifying the minimum services for a room for a particular term or number of occupants for which no maximum rent has been established prior to issuance of the order under any other provision of this regulation. Such maximum rent shall be fixed on the basis of the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date.

This amendment shall become effective May 12, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765)

Issued this 11th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–6773; Filed, May 11, 1944; 11:25 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses, Miami,[1] Amdt. 3]

TOURIST CAMPS, ETC.

Rent Regulation for Hotels and Rooming Houses in the Miami Defense-Rental Area is amended in the following respects:

1. Section 2 (b) (4) is amended to read as follows:

(4) *Monthly term of occupancy in tourist camps, etc.* Where, since October 1, 1942, a room, cabin, or similar accommodations in a tourist camp, cabin camp, auto court or similar establishment has been or is hereafter rented to the same tenant for a continuous period of 60 days or longer on a daily basis, the landlord shall offer such room, cabin or other accommodations for rent for a monthly term of occupancy, regardless of the provisions of subparagraph (2) of this paragraph. The room, cabin or other accommodations shall be offered for rent on a monthly basis for each number of occupants for which it is offered by the landlord for any other term of occupancy. Any tenant of such room, cabin or other accommodations on a daily or weekly basis shall on request be permitted by the landlord to change to a monthly term of occupancy.

2. Section 2 (b) (5) is added to read as follows:

(5) *Weekly or monthly terms of occupancy less than 25%.* A landlord who is required to rent for weekly or monthly terms of occupancy less than 25% of the rooms in an establishment, under subparagraphs (2) and (4) of this paragraph, may petition the Administrator to be relieved of such requirement. Upon issuance of an order granting such petition, the provisions of subparagraphs (2), (3) and (4) of this paragraph no longer shall apply to the rooms in the establishment; but the maximum rent for a weekly term of occupancy shall apply where, after the date of issuance of the order, a tenant remains in occupancy for a continuous period of more than 10 days, and the maximum rent for a monthly term of occupancy shall apply where, after the date of issuance of the order, a tenant remains in occupancy for a continuous period of more than 30 days, regardless of whether the tenant occupies the same room in the establishment during the specified period. The maximum rent on a weekly or monthly basis, as the case may be, shall apply from the date of issuance of the order or the date on which occupancy commenced, whichever is the later.

The order of the Administrator granting the landlord's petition may fix maximum rents for weekly and monthly terms of occupancy and for different numbers of occupants for those terms pursuant to section 4 (g). Immediately upon issuance of the order the landlord shall post maximum rents established for weekly and monthly terms of occupancy in the manner provided by section 7 (b).

[1] 8 F.R. 14043, 16033; 9 F.R. 3422.

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses, N. Y. C.,[1] Amdt. 8]

TOURIST CAMPS, ETC.

Rent Regulation for Hotels and Rooming Houses in the New York City Defense-Rental Area is amended in the following respects:

1. Section 2 (b) (4) is amended to read as follows:

(4) *Monthly term of occupancy in tourist camps, etc.* Where, since March 1, 1943, a room, cabin, or similar accommodations in a tourist camp, cabin camp, auto court or similar establishment has been or is hereafter rented to the same tenant for a continuous period of 60 days or longer on a daily basis, the landlord shall offer such room, cabin or other accommodations for rent for a monthly term of occupancy, regardless of the provisions of subparagraph (2) of this paragraph. The room, cabin or other accommodations shall be offered for rent on a monthly basis for each number of occupants for which it is offered by the landlord for any other term of occupancy. Any tenant of such room, cabin or other accommodations on a daily or weekly basis shall on request be permitted by the landlord to change to a monthly term of occupancy.

2. Section 2 (b) (5) is added to read as follows:

(5) *Weekly or monthly terms of occupancy less than 25%.* A landlord who is required to rent for weekly or monthly terms of occupancy less than 25% of the rooms in an establishment, under subparagraphs (2) and (4) of this paragraph, may petition the Administrator to be relieved of such requirement. Upon issuance of an order granting such petition, the provisions of subparagraphs (2), (3) and (4) of this paragraph no longer shall apply to the rooms in the establishment; but the maximum rent for a weekly term of occupancy shall apply where, after the date of issuance of the order, a tenant remains in occupancy for a continuous period of more than 10 days, and the maximum rent for a monthly term of occupancy shall apply where, after the date of issuance of the order, a tenant remains in occupancy for a continuous period of more than 30 days, regardless of whether the tenant occupies the same room in the establishment during the specified period. The maximum rent on a weekly or monthly basis, as the case may be, shall apply from the date of issuance of the order or the date on which occupancy commenced, whichever is the later.

The order of the Administrator granting the landlord's petition may fix maximum rents for weekly and monthly terms of occupancy and for different numbers of occupants for those terms pursuant to section 4 (g). Immediately upon issuance of the order the landlord shall post maximum rents established for weekly and monthly terms of occupancy in the manner provided in section 7 (b).

[1] 8 F.R. 15581, 16219, 16893; 9 F.R. 2066, 3422.

3. Section 4 (g) is added to read as follows:

(g) *Rent fixed by order of Administrator.* For a room for a particular term or number of occupants for which no maximum rent has been established under any other provision of this regulation, the rent fixed by order of the Administrator as provided in this paragraph (g).

The Administrator at any time on his own initiative or on petition of the landlord may enter an order fixing the maximum rent and specifying the minimum services for a room for a particular term or number of occupants for which no maximum rent has been established prior to issuance of the order under any other provision of this regulation. Such maximum rent shall be fixed on the basis of the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date.

This amendment shall become effective May 12, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765)

Issued this 11th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6774; Filed, May 11, 1944; 11:25 a. m.]

PART 1389—APPAREL

[RMPR 506]

FOR STAPLE WORK GLOVES

Maximum Price Regulation 506 (Manufacturers' Prices For Staple Work Gloves) is redesignated Revised Maximum Price Regulation 506 (Maximum Prices For Staple Work Gloves) and is revised and amended to read as set forth below.

A statement of the considerations involved in the issuance of this Revised Maximum Price Regulation No. 506 has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

§ 1389.604 *Maximum prices for staple work gloves.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and No. 9328, Revised Maximum Price Regulation No. 506 (Maximum Prices for Staple Work Gloves) which is annexed hereto, and made a part hereof, is hereby issued.

*Copies may be obtained from the Office of Price Administration.

AUTHORITY: § 1389.604 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

REVISED MAXIMUM PRICE REGULATION NO. 506—MAXIMUM PRICES FOR STAPLE WORK GLOVES

CONTENTS

Sec.
1. Scope of this regulation.
2. How to find retail ceiling prices.
3. How to find wholesale ceiling prices.
4. How to find manufacturers' ceiling prices.
5. When taxes may be added.
6. Marking of gloves.
7. Disclosure.
8. Records and reports.
9. Excessive prices forbidden.
10. Adjustable pricing agreements.
11. Licensing and enforcement.
12. Relation to other regulations.
13. How this regulation may be amended.
Appendix A—Tables of ceiling prices for sales by manufacturers and sales at wholesale.
Appendix B—Table of ceiling prices for sales at retail.
Appendix C—Suggested form to be used by manufacturers in applying for ceiling prices under section 4 (b).

SECTION 1. *Scope of this regulation—*(a) *Kinds of work gloves covered.* The specified staple work gloves covered by this regulation are work gloves of the following kinds:

(1) Single thickness canton flannel gloves.

(2) Canton flannel gloves with double thickness palm.

(3) Fully-lined canton flannel gloves.

(4) Two-thumbed canton flannel gloves.

(5) Jersey gloves.

(6) Combination leather and canton flannel or jersey gloves. However, grain leather palm gloves are not covered by this regulation.

For the purposes of this regulation (except Appendix A) "gloves" means both gloves and mittens.

(b) *Kinds of sales covered.* This regulation applies to all sales including sales at retail, sales at wholesale and sales by manufacturers. These kinds of sales are defined as follows:

(1) *Sales at retail.* All sales to individual consumers are "sales at retail." Such sales may, of course, be made by someone who is primarily a wholesaler or a manufacturer.

Sales to industrial, commercial, governmental, and charitable institutions which do not resell are also considered "sales at retail" if made by a person who sells principally to individual consumers, and only incidentally to institutions of these kinds. If not made by such a person, sales to these institutions are considered sales at wholesale or sales by manufacturers.

(2) *Sales at wholesale.* A sale at wholesale is any sale which is neither a sale at retail as explained in (1) nor a sale by a manufacturer as explained in (3). For example, a sale by a jobber, who buys work gloves from a manufacturer and resells them to a retailer or to an industrial user, is a sale at wholesale. Sales from jobber to jobber, and from retailer to retailer are also sales at wholesale, but are called "special sales", as explained in section 3.

(3) *Sales by a manufacturer.* A sale by a manufacturer is a sale of work gloves by a person:

(i) Who fabricated the gloves sold; or

(ii) Who sold or consigned to the fabricator of the gloves any of the principal materials from which they were made; or

(iii) Whose business is under the same ownership or control as the person who fabricated the gloves.

(c) *Where this regulation applies.* This regulation covers sales in the 48 states and the District of Columbia.

SEC. 2. *How to find retail ceiling prices.* Ceiling prices for sales at retail are listed in the table in Appendix B. The ceiling prices in the table are not given by the kind of glove, but by the supplier's net ceiling price. The table shows the retail ceiling price which corresponds to each different supplier's net ceiling price. Before using this table, the retailer must find his supplier's net ceiling price according to the following instructions. Retailers should also pay particular attention to section 6 (Marking of gloves).

(a) *Where retailer does not know the supplier's ceiling price.* If the retailer does not know the ceiling price of the manufacturer or wholesaler who supplies him, he may inquire of the supplier, who is required to disclose his ceiling price. Moreover, if the gloves to be priced are those specified in Appendix A, the retailer can find the ceiling prices for manufacturers in column (a) of the tables in Appendix A, and the ceiling prices for wholesalers in column (b) of these tables.

(b) *Where retailer's suppliers have different ceiling prices.* Some manufacturers have two ceiling prices for the same number—a Group I ceiling and a Group II ceiling. If the retailer pays the Group I ceiling price (or less), he takes that ceiling to figure his retail price; but if he pays the manufacturer a higher price, he takes the Group II ceiling. If, however, he buys gloves with the identical manufacturer's lot number or brand name at different prices, making one purchase at or below the Group I ceiling and another above, he must use the Group I ceiling to figure his retail price on all gloves of this lot number or brand name. Moreover, if he buys gloves with the identical manufacturer's lot number or brand name from a wholesaler and also from a manufacturer, he must take the manufacturer's ceiling, not the wholesaler's ceiling, to figure his retail ceiling price for this number.

Example. Retailer B buys work gloves of lot number 903, manufactured by the X Company, for $1.50 per dozen, which is the manufacturer's ceiling. Later he gets more gloves of lot number 903 from a wholesaler, who charges him $1.80 per dozen, the wholesaler's ceiling.

In figuring his retail ceiling for work gloves of this lot number, B takes $1.50 as his supplier's ceiling price, and finds $.17 per pair as his ceiling price for this lot number.

(c) *Where gloves are bought at a "special sale".* Sales which are neither sales by a manufacturer nor "regular sales" at wholesale are called "special sales". These include sales by retailers to retailers, sales by brokers, commission merchants, job-lot dealers or like persons and sales of other types. (The difference between "regular" and "special" sales is more fully explained in section 3.)

If the retailer has bought a glove at a "special sale", he does not figure his ceiling price by taking the price of his own supplier. Instead, he takes the ceiling price of the supplier of the person who made the "special sale". If a succession of special sales has been made, he takes the ceiling price of the supplier of the person who made the first of these special sales. Thus, the retail ceiling price of a pair of gloves is the same as if the retailer had bought directly from the original supplier, without any special sale intervening.

Example 1. C, a retail chain, buys one dozen 8 oz. canton flannel gloves from a manufacturer at $1.50, which is the manufacturer's ceiling. C sells them to D, another retail chain, at $1.60 (which is equal to C's cost plus freight actually paid by him).

In figuring his retail ceiling D assumes his supplier's ceiling price to be $1.50 (the ceiling of C's supplier) not $1.60 (the price D actually paid). Consequently, D's retail ceiling is $.17 per pair (not $.19).

Example 2. E, an independent retailer buys one dozen 18 oz. double palm cotton flannel gloves from a jobber at $2.72½ a dozen (the jobber's ceiling). He decides to liquidate and sells them to an auctioneer for $2.30 a dozen. The auctioneer resells them to F, another retailer, for $2.90 (this being the price paid by E, plus transportation charges incurred by the auctioneer).

In figuring his retail ceiling, F takes $2.72½ as his supplier's ceiling price, so that his retail ceiling is $.31 (not $.34).

(d) *Where retail sale is made by manufacturer.* Where a sale at retail is made by a manufacturer, the retail ceiling is found from the table in Appendix B, as in other cases. But since the manufacturer has no "supplier", he takes the Group I manufacturers' ceiling for these gloves (found in column (a) of the tables in Appendix A) and uses this as his "supplier's ceiling price".

SEC. 3. *How to find wholesale ceiling prices.* Under this regulation, there are two kinds of sales at wholesale. They are called "regular sales" and "special sales", and are explained in this section. Different methods of pricing are provided for these two kinds of sales.

(a) *Regular sales at wholesale—*(1) *What is a regular sale.* A "regular sale" is a sale by a wholesaler to a person who sells principally at retail or is an industrial user, and whose business is not under the same ownership and control as the seller's.

A "wholesaler" is a person or business organization to which all the following statements apply:

(i) It sells goods to retailers in general, and not primarily to a single retailer, or to a group of retailers which are under common ownership.

(ii) It buys and sells goods in "wholesale quantities", as understood in the trade, and sells through traveling salesmen or circulated catalogs.

(iii) It carries at all times at its principal place of business a representative stock of work gloves, and makes at least 50% of its work glove deliveries from stock (as opposed to drop shipments).

(iv) It is not under the same ownership or control as the person who fabricates the work gloves which it sells.

(v) It extends credit, and carries its own accounts. It may, of course, entrust or assign its delinquent accounts to others for collection.

(vi) It is not (*a*) a buying office or other agency representing retailers, (*b*) a stock-carrying affiliate of retailers, (*c*) a central office or warehouse for stores which are commonly owned or controlled, (*d*) a drop shipper, (*e*) a broker, (*f*) a commission-merchant, (*g*) a selling-agent, or (*h*) a job-lot dealer.

A person who wishes to qualify as a "wholesaler" but was not such a wholesaler in 1942, must, before making any sales at ceilings for regular sales at wholesale, send a statement by registered mail to the Office of Price Administration ("Men's Clothing Section"), Washington 25, D. C. The statement must give the "wholesaler's" name and address, and the date on which he commenced business as a wholesaler.

(2) *Ceiling prices for "regular sales".* For the work gloves specified in Appendix A, ceiling prices for regular sales at wholesale are those stated in column (b) of the tables in that Appendix.

For work gloves not specifically priced in Appendix A and which a wholesaler had in stock on the effective date of this regulation, the ceiling prices for regular sales at wholesale are those established under the prior applicable price regulation (either the General Maximum Price Regulation [1] or Maximum Price Regulation 210 [2]).

In some cases, the Office of Price Administration may establish by individual order manufacturers' ceiling prices for work gloves not specifically priced in Appendix A. The individual order will also establish ceiling prices for regular sales at wholesale of these gloves and will require the manufacturer to notify the wholesaler of his maximum resale prices.

(b) *Special sales.* Sales at wholesale which are not "regular sales" as explained in paragraph (a) are "special sales". They include (but are not confined to) sales by wholesalers to wholesalers, sales by retailers to retailers, and all sales by brokers, commission merchants, job-lot dealers, and like persons.

(1) *Ceiling prices for special sales.* The ceiling prices for a "special sale" is the net price actually paid by the seller (not exceeding the ceiling price), plus any charges for transportation actually paid by him. Moreover, any person who buys at a special sale and resells at another special sale must figure his ceiling price by taking the price paid by the seller in the first special sale.

Example 1. G, a large retailer, buys a dozen 8 oz. canton flannel gloves from a manufacturer at $1.50 per dozen, the manufacturer's ceiling price, and pays 10¢ per dozen for freight. He now wants to resell them to H, a second retailer.

[1] 9 F.R. 1385.

[2] 7 F.R. 6789, 7318, 7178, 7912, 8651, 8930, 8937, 8948, 9614, 1019; 8 F.R. 973, 6359, 16170.

G's ceiling price for this sale is $1.60—his cost plus freight.

Example 2. L, a wholesaler, buys a dozen hot mill gloves from a manufacturer at $3.50 per dozen, the manufacturer's ceiling price. L now liquidates and resells the gloves to auctioneer M for $3.00 per dozen. Now M wants to resell the gloves to another wholesaler.

In figuring his price for this second special sale, M takes as his cost $3.50 (the price paid by L) and adds freight paid by him. If M pays 7¢ for freight, M's ceiling is $3.57.

(2) *Disclosure in special sales.* In any special sale, the seller must mark the bill or invoice with the words "special sale", and must disclose any information required by the provisions of section 7 (a).

SEC. 4. *How to find manufacturers' ceiling prices—*(a) *Work gloves specified in Appendix A.* For the work gloves specified in Appendix A, ceiling prices for sales by manufacturers are those stated in column (a) of the tables in that Appendix. Column (a), however, states two manufacturers' ceiling prices for each glove specified—a Group I ceiling and a Group II ceiling. Some manufacturers must use the Group I ceiling only, some may use the Group II ceiling only, and some may use both, according to the rules stated in the following subparagraphs (1), (2), and (3).

(1) *How a manufacturer finds his "wholesale percentage".* (i) In order to find what proportion of his sales must be made at Group I prices, a manufacturer must find the percent of his 1941 deliveries which were made at wholesale prices. This is called the manufacturer's "wholesale percentages". A "wholesale price" means (*a*) any price at or below which a manufacturer, during 1941, normally supplied wholesalers, or any other large volume purchaser (e. g., chain stores and mail order houses) commonly known or regarded as "wholesale trade;" (*b*) any price at which industrial users or other purchasers (e. g., independent retailers) were supplied during 1941, if, during this period, the manufacturer's price to them was no higher than his price to "wholesale trade;" (*c*) any price during 1941 at which a manufacturer, who did not sell to "wholesale trade" during this period, normally supplied industrial users or other purchasers, if this price was no higher than the prices at which manufacturers supplying "wholesale trade" sold to such trade during 1941. In determining whether certain sales were made at "wholesale prices," allowance must be made for differences in gloves sold.

Example 1. During 1941, W, a work glove manufacturer, supplied only wholesalers, chain stores, and mail order houses. For the purposes of this regulation, all of the prices at which W sold these purchasers are "wholesale prices."

Example 2. During 1941, Y, a work glove manufacturer, supplied only wholesalers and industrial users. He sold the same gloves to both types of purchasers at the same prices. For the purposes of this regulation, all of the prices at which Y sold these purchasers are "wholesale prices."

Example 3. During 1941, Z, a work glove manufacturer, supplied only wholesalers and independent retailers. He sold the same

gloves to independent retailers as he sold to wholesalers, but at higher prices. Only the prices at which Z sold to wholesalers are "wholesale prices."

Example 4. During 1941, V, a work glove manufacturer, supplied wholesalers and independent retailers. He sold a number to wholesalers at $4.75 a dozen. He also sold to independent retailers at $5.00 a dozen, a number which was similar except for an extra feature that was worth 25¢ a dozen. Both the $4.75 and the $5.00 sales would be considered sales at "wholesale prices."

(ii) A manufacturer will figure his "wholesale percentage" as follows:

(*a*) Find the number of dozens of staple work gloves covered by this regulation delivered to all purchasers in 1941.

(*b*) Find the number of these which were delivered at wholesale prices.

(*c*) Divide the number delivered at wholesale prices by the total of all deliveries (divide (*b*) by (*a*)). The resulting figure, expressed as a percent, is the manufacturer's "wholesale percentage".

Example 1. P, a work glove manufacturer, delivered 10,000 dozen staple work gloves in 1941. All these were delivered at prices generally charged to independent retailers, and none at "wholesale prices."

P's "wholesale percentage" is zero.

Example 2. R, a work glove manufacturer, delivered 100,000 dozen staple work gloves in 1941. All these deliveries were made to volume purchasers including jobbers, chain stores and industrial users and none were delivered at higher prices.

R's "wholesale percentage" is 100%.

Example 3. S, a work glove manufacturer, delivered 50,000 dozen staple work gloves in 1941. 20,000 of these were delivered to his volume trade at "wholesale prices", and 30,000 to independent retailers at higher prices.

S's "wholesale percentage" is 40% (20,000 divided by 50,000).

(2) *How a manufacturer uses his wholesale percentage.* Each manufacturer who delivered staple work gloves at "wholesale prices" in 1941 must, during the remainder of 1944 and each subsequent calendar year, make a certain quota of his deliveries of staple work gloves at Group I prices. This quota is that percentage of his total annual deliveries which is equal to his "wholesale percentage" (found under (1)). For example, if a manufacturer's "wholesale percentage" is 40%, and he delivers 300,000 dozen staple work gloves during the remainder of 1944, 120,000 dozen must be delivered at Group I prices. If, at the end of a year, a manufacturer fails to meet his quota, he has exceeded his ceiling prices to the extent of the deficiency, and will be liable to civil and criminal penalties accordingly. In calculating the annual quota of deliveries which must be made at Group I prices, follow these instructions:

(i) *What deliveries are counted in finding the quota.* In figuring the quota of deliveries which must be made at Group I prices in 1944, the manufacturer takes all deliveries made from May 16, 1944, to December 31, 1944, inclusive. In any subsequent year, all deliveries for the entire calendar year will be included.

Example 1. In 1941 the ABC Company sold 70% of its staple work gloves at "wholesale prices" and 30% at higher prices. Its "wholesale percentage" is 70%. From May 16, 1944, to December 31, 1944, its anticipated deliveries of work gloves are 250,000 dozen.

The ABC Company will determine its obligation as follows:

	Dozen
Anticipated deliveries	250,000
Quota to be delivered at Group I prices (70% of 250,000)	175,000
Remainder which may be sold at Group II prices	75,000

For convenience in meeting the quota of deliveries which must be made at Group I prices, it is suggested that a manufacturer keep a current record of deliveries at Group I and Group II prices made after May 16, 1944, in this form:

Date	Number of dozens delivered at Group I prices	Number of dozens delivered at Group II prices	Total number of dozens delivered

At periodic intervals (e. g., at the end of each month), the manufacturer should total deliveries at Group I prices and all deliveries. He should then divide the former total by the latter. If the proportion of deliveries at Group I prices is below his wholesale percentage, it would be advisable for him to ship only at his Group I ceilings until the proportion of deliveries at Group I prices equals the wholesale percentage. This procedure should be repeated for subsequent periods, until the end of the year.

Example 2. In 1941 the X Company sold all of its staple work gloves at "wholesale prices". Its "wholesale percentage" is thus 100%. In 1944, all of its deliveries must be made at Group I prices.

Example 3. In 1941 the Z Company sold none of its staple work gloves at "wholesale prices". Its "wholesale percentage" is thus zero. In 1944, all of its deliveries may be made at Group II prices.

(ii) *Sales to particular purchasers not required.* A manufacturer who may make deliveries at Group II prices may make these deliveries to any class of purchaser. Likewise, a manufacturer may make deliveries at Group I prices to any class of purchaser. Moreover, a manufacturer who delivers the required proportion of his work gloves at Group I prices may deliver as many more at Group I prices as he wishes.

(iii) *Calculating and filing the "wholesale percentage."* Every manufacturer of staple work gloves must keep available for inspection by the Office of Price Administration the records and the tabulation or work sheets which he used in figuring his "wholesale percentage". He is also required to file a statement of his wholesale percentage, as provided in section 8 (c) (2).

(3) *New manufacturers.* Any manufacturer who sells staple work gloves but did not do so in 1941, may apply to the Office of Price Administration (Men's Clothing Section), Washington 25, D. C. for the authorization of a "wholesale percentage." This application must set forth: (i) the manufacturer's name and address; (ii) the date when he commenced business; and (iii) the total number of dozens of staple work gloves delivered to each class of purchaser during the first 12 months of business, or, if the manufacturer does not have one year's experience, during such other portion of time as he has been in business. Until this authorization is granted the manufacturer must make all deliveries at or below Group I ceiling prices.

(b) *Other work gloves covered by this regulation.* For work gloves covered by this regulation but not specified in Appendix A, a manufacturer's ceiling prices are those authorized by the Office of Price Administration, on application by the manufacturer.

An application for the fixing of a ceiling price must be filed with the Office of Price Administration (Men's Clothing Section) Washington 25, D. C. The application must contain information in the detail indicated by the suggested form in Appendix C, and must be accompanied by a sample of the glove.

Pending action on such an application a person must not sell or deliver the glove except in accordance with the provisions of section 10 (b) (Adjustable pricing agreements).

SEC. 5. *When taxes may be added.* When a tax on a particular sale or delivery is imposed by a statute or ordinance which permits stating the tax separately from the price, the tax may be separately charged or collected in addition to the ceiling price. This applies only to sales taxes, gross receipt or gross proceeds taxes, and compensating use taxes, and does not apply to any tax imposed on a prior sale or delivery.

SEC. 6. *Marking of gloves*—(a) *Marking required at retail.* On and after June 21, 1944, every person is forbidden to sell or offer to sell at retail or display in a retail store any pair of staple work gloves which is not marked as required by this section. The marking must contain the following elements:

(1) The manufacturer's lot number or brand name for the glove.

(2) The retail ceiling price.

(3) Defects (if any).

If any part of the required marking has not been performed by the manufacturer, it must be supplied by the retailer.

(b) *Marking and information required of manufacturers.* On and after June 6, 1944, every manufacturer is forbidden to deliver any pair of work gloves which does not contain markings (1) and (3) listed in the preceding paragraph. Moreover, each manufacturer must supply each retail purchaser with a list of retail ceiling prices for staple work gloves supplied him. If the gloves are distributed through wholesalers, the manufacturer must supply the wholesaler who in turn must supply each retailer. This list must be forwarded by the manufacturer or wholesaler not later than the first invoicing or billing of any pair of staple work gloves covered by this regulation, or before June 6, 1944 (whichever is later). The manufacturer or wholesaler must keep this list up to date thereafter by sending supplemental lists to each retailer at the time of shipment of any new numbers subsequently sold. The list must be in substantially the following form:

RETAIL CEILING PRICE LIST

AS REQUIRED BY THE OFFICE OF PRICE ADMINISTRATION

(Retail ceiling prices for ABC Company staple work gloves [1]—for work gloves bought from manufacturers at Group I prices [2])

Mfrs' lot No. or brand name	Description of glove	Appendix A, RMPR 506, No.[3] (if any)	Retail price per pair
903	8 oz. Men's single thickness canton flannel gloves, knit wrist	Table 1	$0.17
607	Double palm, canton flannel gloves, men's 18 oz. palm, 8 oz. stripe back, knit wrist.	Table 2	.27
XYZ brand	Gunn pattern, men's split palm, ¾ leather thumb, leather pull, leather knuckle strap, 8 oz. canton flannel back, waterproof safety cuff.	Table 12, 14B	.65

NOTICE: Each pair of gloves must be marked with the ceiling price. A pair of gloves must not be sold above the ceiling price, but may be sold for less. This list must be promptly displayed to any person on request during regular business hours.

[1] The gloves may be identified by trade-mark, or by manufacturer's or distributor's name.

[2] In appropriate cases, the list would be entitled "for work gloves bought from wholesalers" or "for work gloves bought from manufacturers at Group II prices".

[3] The number of the table, and the place in the table where the glove is described in Appendix A of RMPR 506. If the glove is not specified in Appendix A, write "none".

(c) *Elements of marking.* The elements required to be marked are explained in this paragraph.

(1) *Lot number or brand name.* The lot number or brand name must be different for each pair of gloves having a different manufacturer's ceiling price.

(2) *Ceiling price.* This must be the correct ceiling price for the circumstances in which the pair of gloves is offered for sale at retail.

(3) *Defects, if any.* If the pair of gloves is a "second" or imperfect, it must be so marked.

(d) *Manner of marking.* The required markings must be attached to at least one glove of each pair. The required marking must be attached by stitching, adhesive, pins or staples, or stamped on the glove itself, except where some other method is authorized. The required markings may be in one or more parts, and may be accompanied by other information, but all portions must be clearly visible to the purchaser.

EXAMPLE OF MARKING

LOT NO. 903
RETAIL CEILING 17¢

SEC. 7. *Disclosure*—(a) *Description of gloves.* Any person who has sold for resale any staple work gloves may be required to supply any subsequent buyer with any information needed by him for the marking and pricing of these gloves. This information must be furnished in writing promptly upon receipt of a written request from the buyer. Unless he has reason to believe it is erroneous, the buyer may rely on the information so furnished. If the buyer does have reason to believe the information is erroneous, he may nevertheless act on it, providing he immediately sends to a district or state office of the Office of Price Administration a statement of the circumstances and a request for a determination of the facts.

(b) *Sales slips and receipts.* Any seller who has customarily given a purchaser a sales slip, receipt or similar evidence of purchase must continue to do so. Upon request from a purchaser any seller, regardless of previous custom, must give the purchaser a receipt showing the date, the name and address of the seller, the type of gloves sold, and the price received for it.

(c) *Retail ceiling price list.* Any retailer who has received from his supplier a "retail ceiling price list" must display it promptly to any person who requests to see it during regular business hours. If the retailer sells through more than one department or selling establishment, a copy of the list must be made available in each separate unit where staple work gloves are sold.

(d) *Invoices.* Every manufacturer selling staple work gloves and every person selling these gloves at wholesale, must give the purchaser an invoice showing: (1) The name and address of the purchaser; (2) the manufacturer's lot number or brand name for each different pair of gloves sold; (3) a description of each pair of gloves bearing a different lot number or brand name, in detail similar to the descriptions in Appendix A; (4) the quantity sold and the selling price of each different lot number or brand name; and (5) the terms of sale (e. g., 2/20 net 40, freight prepaid to city of destination).

SEC. 8. *Records and reports*—(a) *Records to be kept by retailers.* Every person who sells staple work gloves governed by this regulation at retail must keep the following records, and make them available on request, to the Office of Price Administration.

(1) Invoices and other documents received by the seller showing costs, descriptions and sources of work gloves sold by him.

(2) Such records as he has customarily kept showing prices charged by him for work gloves sold at retail.

(b) *Records to be kept and filed by persons selling at wholesale.* Every person who sells work gloves covered by this regulation at wholesale must keep the following records, and make them available on request to the Office of Price Administration:

(1) Invoices and other documents received by the seller showing costs, descriptions and sources of work gloves sold by him.

(2) Copies of invoices and other documents showing prices and identification by name, trademark, lot number, etc., of work gloves sold by him at wholesale.

Moreover, every person who wishes to qualify as a "wholesaler" under section 3 (a) (1), but was not such a wholesaler in 1942, must file the statement therein described before making any sales at ceilings for regular sales at wholesale.

(c) *Records to be prepared, kept, and filed by manufacturers*—(1) *Price list.* Every manufacturer of staple work gloves must prepare a list of all staple work glove items which he delivers on or after May 16, 1944. This list must show the lot number of each such work glove, and, following each lot number, a description of the glove and the manufacturer's ceiling price. If the lot number is sold at Group I prices, the list must show whether it is sold to retailers or to wholesalers or to both. The description, like the descriptions in Appendix A, should specify cut or pattern, weight, and kind of materials used, thickness of glove, type of wrist, additional features (if any), and size classification. This record must be prepared on or before June 6, 1944, and must be kept up to date thereafter by adding any new numbers or any changes in the description of old numbers. This list must be kept and made available on request to the Office of Price Administration, but need not be filed.

(2) *Records and statement of wholesale percentage.* Every manufacturer of staple work gloves must keep the records and work sheets from which he found his "wholesale percentage" as provided in section 4 (a) (1). These records must include a list showing: (i) each lot number of staple work gloves covered by this regulation delivered during 1941; (ii) a description of each such number, in detail similar to descriptions in Appendix A; (iii) each class of purchaser (e. g., jobbers, chain stores, mail order houses, industrial users, independent retailers) to which each number was delivered; (iv) the quantity (in dozens) delivered to each class of purchaser, and (v) the prices at which delivery was made to each class of purchaser. The records required by this subparagraph must be prepared on or before June 6, 1944, and thereafter must be kept and made available on request to the Office of Price Administration. Further, the manufacturer must file with the Office of Price Administration (Men's Clothing Section) Washington 25, D. C., on or before June 6, 1944, a statement showing the total number of dozens of staple work gloves delivered by him in 1941, and the number delivered at wholesale prices.

SEC. 9. *Excessive prices forbidden.* On and after the effective date of this regulation, the following practices are forbidden regardless of any contract or other obligation:

(a) *Charging more than ceiling price.* Every person is forbidden to sell or deliver any staple work gloves at a price higher than the ceiling price set by this regulation. A lower price may, of course, by charged.

(b) *Buying for more than the ceiling price.* Every person is forbidden to buy or receive any staple work gloves, in the course of trade or business, at a price higher than the price set by this regulation.

(c) *Combination sales.* Every person is forbidden to require any purchaser to buy or agree to buy any other article, service, package or wrapper, in connec-

tion with the sale or delivery of any staple work gloves. But any seller may refuse to sell less than a minimum quantity of any one style number, if this minimum has been customary for the seller.

(d) *Indirect price increases.* Every person is forbidden to do any other act which directly or indirectly increases above the ceiling price the consideration paid by the purchaser for any staple work gloves. Any practice which is a device to secure the effect of a higher than ceiling price is as much a violation as outright raising of the ceiling price. This applies to devices making use of commissions, services, transportation charges, premiums, taxes, special provisions, tying agreements, trade understandings and all similar practices.

(e) *Indirect violations.* Every person is forbidden to offer, attempt or agree to do any of the acts forbidden by this section.

(f) *Stating prices above the ceiling price.* Every person is forbidden to state a gross price above the ceiling price, except where the seller customarily allows a percentage discount on all sales to one or more classes of customers. To customers of these classes, a seller may state a price which gives the net ceiling price after deducting the percentage discount. Wherever such a gross price is stated, the seller must also state expressly the discount allowed, the net ceiling price and the retail ceiling price. The amount actually collected or paid must never exceed the net ceiling price.

Example: X, a jobber, customarily grants terms of 2% 10 days to all its customers. In selling a pair of gloves with a ceiling of $1.80, it may prepare the invoice as follows:

Terms: 2% 10 days.

Lot No.	Quantity	Description	Price	Amount
903	50 dozen	Men's 8 oz., single thickness canton flannel gloves, knit wrist, $1.80 per dozen. Retail ceiling price 17¢ per pair.	$1.836	$91.80

SEC. 10. *Adjustable pricing agreements.* Adjustable pricing agreements may be entered into notwithstanding the provisions of section 9, to the extent permitted by this section.

(a) *When regulation fixes a ceiling price.* In cases where this regulation fixes a ceiling price, a person may sell at that ceiling price, subject to an agreement with the buyer to charge a higher price if it becomes the legal ceiling price by the time of delivery. But one must never charge a price which is higher than the maximum price in effect at the time of delivery. Moreover, unless specifically authorized by the Office of Price Administration, a person must not deliver or agree to deliver at a price which is to be adjusted upward in accordance with action by the Office of Price Administration after delivery.

(b) *Where regulation does not fix a ceiling price.* In cases where a ceiling price is not fixed by the regulation, a person must not make any contract or sale unless the price is expressly subject to adjustment in accordance with any action which may be taken by the Office of Price Administration. Moreover, unless specifically authorized by the Office of Price Administration, a person must not make any delivery until a ceiling price has been fixed by the Office of Price Administration.

(c) *When specific authorization will be given.* Specific authorization to deliver or agree to deliver at a price which is to be adjusted in accordance with action by the Office of Price Administration after delivery will be given only where:

(1) A request for the fixing or changing of a ceiling price has been filed; and

(2) The authorization is necessary to promote distribution or production; and

(3) It will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

This authorization may be given by the Administrator or by any other official of the Office of Price Administration to whom the power to grant such authorization has been delegated, and may be given by order, letter or telegram.

SEC. 11. *Licensing and enforcement.* (a) *Licensing.* The provisions of Licensing Order No. 1,[8] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or this regulation. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(b) *Penalties.* Any person who violates any provisions of this regulation is subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

SEC. 12. *Relation to other regulations.* (a) *Regulations superseded.* The coverage of this regulation is stated in section 1. Where this regulation applies, it supersedes (except as indicated in section 3 (a) (2), the provisions of the following regulations:

(1) General Maximum Price Regulation.

(2) Section 3.5 of Revised Supplementary Regulation No. 14 (formerly § 1499.73 (a) (37) of Amendment 49 to Supplementary Regulation 14).

(3) Maximum Price Regulation 210 (Retail and Wholesale Prices for Fall and Winter Seasonal Commodities).

(b) *Contractors' services.* This regulation does not apply to charges for contractors' services, which are governed by Maximum Price Regulation 172[9] (Charges of Contractors in the Apparel Industry).

"Contractor" is defined in § 1389.52 of that regulation.

(c) *War procurement agencies.* This regulation does not apply to sales of work gloves made according to military specifications, when the sales are made to any war procurement agency as defined in Maximum Price Regulation 157[10] (Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes).

(d) *Export sales.* This regulation does not apply to export sales of work gloves. Such sales are covered by the Second Revised Maximum Export Price Regulation.[11]

(e) *Import sales.* The provisions of this regulation do not apply to deliveries made from points outside the 48 states and the District of Columbia. Such sales and deliveries are governed by the provisions of the Maximum Import Price Regulation.[12] This regulation does, however, apply to domestic sales when the articles sold were originally imported.

SEC. 13. *How this regulation may be amended.* (a) Any person who seeks a modification of any provision of this regulation may file a petition for amendment of general applicability in accordance with Revised Procedural Regulation No. 1[13] issued by the Office of Price Administration.

(b) Pending an amendment, a person must not sell or deliver work gloves at prices other than those fixed in the regulation except in accordance with the provisions of section 10 (Adjustable pricing agreements).

APPENDIX A—TABLES OF CEILING PRICES FOR SALES BY MANUFACTURERS AND SALES AT WHOLESALE

(a) *Instructions for manufacturers.* 1. In using the following tables, bear in mind the rules for pricing by manufacturers which are stated in section 4 (How to find manufacturers' ceiling prices).

2. Prices are stated in column (a), per dozen pair of gloves. On shipments weighing 100 pounds, or more, the seller must prepay or allow transportation costs to the city of destination. However, where such shipments are made at transportation rates higher than freight rates, the seller is required to allow or prepay only that portion of the transportation cost which is equal to the freight cost on such shipments. On less than 100 pound shipments, the seller need not allow or prepay any transportation costs.

3. All prices are net 40 days, less 2% in 20 days. If the seller wishes, he may extend more favorable terms. But no seller may change these terms if the change would result under any circumstances in a higher net price.

(b) *Instructions for wholesalers.* 1. In using the following tables, bear in mind the rules for wholesale pricing in section 3 (How to find wholesale ceiling prices). Notice especially that these prices apply only to "regular sales", not to "special sales".

2. Prices are stated in column (b), per dozen pair of gloves, f. o. b. seller's place of business.

3. Terms for sales at wholesale are net 30 days. If the seller wishes, he may extend more favorable terms. But no seller may change these terms if the change would result under any circumstances in a higher net price.

[8] 8 F.R. 13240.

[9] 7 F.R. 4882, 6684, 8351, 8948, 10864; 8 F.R. 8063.

[10] 7 F.R. 4273, 4541, 4618, 5180, 5716, 6004, 6424, 8948; 8 F.R. 3948, 7507, 16605, 17374; 9 F.R. 1456.

[11] 8 F.R. 4132, 5987, 7662, 9998, 15193.

[12] 8 F.R. 11681, 12287.

[13] 7 F.R. 8961; 8 F.R. 3313, 3583, 6173; 9 F.R. 3075.

TABLE 1—WHITE AND UNBLEACHED CANTON FLANNEL GLOVES, WITH SINGLE THICKNESS BACK AND PALM

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Clute pattern:			
Knit wrist: [1]			
6 oz. Men's	$1.35	$1.47½	$1.62½
6 oz. Women's	1.32½	1.45	1.60
6 oz. Small Women's	1.30	1.42½	1.57½
8 oz. Men's	1.50	1.62½	1.80
8 oz. Women's	1.47½	1.60	1.77½
10 oz. Men's	1.67½	1.82½	2.02½
10 oz. Women's	1.65	1.80	2.00
12 oz. Men's	1.85	2.02½	2.22½
12 oz. Extra large men's	1.97½	2.15	2.37½
Band top: [7]			
8 oz. Men's	1.50	1.62½	1.80
8 oz. Women's	1.47½	1.60	1.77½
10 oz. Men's	1.70	1.85	2.05
12 oz. Men's	1.90	2.07½	2.30
Double gauntlet: [4]			
10 oz. Men's	2.35	2.55	2.82½
12 oz. Men's	2.50	2.72½	3.00
12 oz. Men's, with turtle neck [4] not less than 10 oz.	2.55	2.77½	3.07½
Gunn or fourchette pattern:			
Knit wrist: [1]			
8 oz. Men's	1.52½	1.65	1.82½
8 oz. Men's, reversible	1.52½	1.65	1.82½
10 oz Men's	1.67½	1.82½	2.02½
10 oz. Men's, reversible	1.67½	1.82½	2.02½
12 oz. Men's	1.85	2.02½	2.22½
Double gauntlet: [4]			
10 oz. Men's	2.35	2.55	2.82½
12 oz. Men's	2.50	2.72½	3.00
12 oz. Men's, with turtle neck [4] not less than 10 oz.	2.55	2.77½	3.07½

TABLE 2—CANTON FLANNEL GLOVES, WITH DOUBLE THICKNESS NAP OUT PALM AND SINGLE THICKNESS BACK

	Column A—Manufacturers' prices		Column B Wholesalers' prices
	Group I ceiling	Group II ceiling	
Quilted palm:			
Knit wrist: [1]			
Men's 14½ oz. palm, 8 oz. stripe back	$2.15	$2.35	$2.60
Men's 18 oz. palm, 8 oz. stripe back	2.30	2.50	2.77½
Women's 18 oz. palm, 8 oz. stripe back	2.27½	2.47½	2.75
Men's 18 oz. palm, 10 oz. white back	2.35	2.55	2.82½
Women's 18 oz. palm, 10 oz. white back	2.32½	2.52½	2.80
Double safety: [4]			
Men's 18 oz. palm, 8 oz. stripe back	2.62½	2.85	3.17½
Men's 18 oz. palm, 8 oz. stripe back, with turtle neck [4] not less than 10 oz.	2.70	2.95	3.25
Men's 18 oz. palm, 10 oz. white back	2.67½	2.92½	3.22½
Men's 18 oz. palm, 10 oz. white back, with turtle neck [4] not less than 10 oz.	2.75	3.00	3.32½
Double gauntlet: [4]			
Men's 18 oz. palm, 8 oz. stripe back	2.87½	3.12½	3.47½
Men's 18 oz. palm, 8 oz. stripe back, with turtle neck [4] not less than 10 oz.	2.95	3.22½	3.55
Men's 18 oz. palm, 10 oz. white back	2.92½	3.20	3.52½
Men's 18 oz. palm, 10 oz. white back, with turtle neck [4] not less than 10 oz.	3.00	3.27½	3.62½
Processed palm:			
Knit wrist: [1]			
Men's 14½ oz. material palm, 8 oz. stripe back	2.20	2.40	2.65
Men's 18 oz. material palm, 8 oz. stripe back	2.35	2.55	2.82½
Women's 18 oz. material palm, 8 oz. stripe back	2.32½	2.52½	2.80
Men's 18 oz. material palm, 10 oz. white back	2.40	2.62½	2.90
Women's 18 oz material palm, 10 oz. white back	2.37½	2.60	2.85
Double safety: [4]			
Men's 18 oz. material palm, 8 oz. stripe back	2.67½	2.92½	3.22½
Men's 18 oz. material palm, 8 oz. stripe back, with turtle neck [4] not less than 10 oz.	2.75	3.00	3.32½
Men's 18 oz material palm, 10 oz. white back	2.72½	2.97½	3.27½
Men's 18 oz. material palm, 10 oz. white back, with turtle neck [4] not less than 10 oz.	2.80	3.05	3.37½
Double gauntlet: [4]			
Men's 18 oz. material palm, 8 oz. stripe back	2.92½	3.20	3.52½
Men's 18 oz. material palm, 8 oz. stripe back, with turtle neck [4] not less than 10 oz.	3.00	3.27½	3.62½
Men's 18 oz. material palm, 10 oz. white back	2.97½	3.25	3.57½
Men's 18 oz. material palm, 10 oz. white back, with turtle neck [4] not less than 10 oz.	3.05	3.32½	3.67½

(See p. 5013 for footnotes.)

TABLE 3—HOT MILL GLOVES (INSEAM OR OUTSEAM, NAP IN OR NAP OUT)

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Quilted palm:			
Knit wrist,[1] Men's 12 oz. palm, 12 oz. lining, 12 oz. back, 10 oz. knuckle strap	$3.12½	$3.40	$3.77½
Band top,[2] Men's 12 oz. palm and pull, 12 oz. lining, 12 oz. back, 10 oz. knuckle strap	3.50	3.82½	4.22½
Band top,[2] Men's 12 oz. palm, 12 oz. lining, 12 oz. back, 10 oz. knuckle strap	3.30	3.60	3.97½
Double gauntlet,[3] Men's 12 oz. palm and pull, 12 oz. lining, 12 oz. back, 10 oz. knuckle strap	3.85	4.20	4.65
Double gauntlet,[3] Men's 12 oz. palm, 12 oz. lining, 12 oz. back, 10 oz. knuckle strap	3.65	3.97½	4.40

TABLE 4—WHITE FLANNEL GLOVES, WITH DOUBLE THICKNESS PALM AND SINGLE THICKNESS BACK, NAP IN

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Quilted palm:			
Knit wrist,[1] Men's 18 oz. palm, 10 oz. back	$2.30	$2.50	$2.77½
Band top,[2] Men's 18 oz. palm, 10 oz. back	2.35	2.55	2.82½
Double gauntlet,[3] Men's 18 oz. palm, 10 oz. back	2.87½	3.12½	3.47½

TABLE 5—DOUBLE THROUGHOUT, NAP OUT FLANNEL "CHORE" GLOVES

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Quilted material:			
Knit wrist: [1]			
Men's 12–13½ oz	$2.25	$2.45	$2.70
Men's extra large 12–13½ oz	2.35	2.55	2.82½
Women's 12–13½ oz	2.22½	2.42½	2.67½
Men's 14½ oz	2.32½	2.52½	2.80
Men's extra large 14½ oz	2.42½	2.65	2.92½
Women's 14½ oz	2.30	2.50	2.77½
Men's 16 oz	2.42½	2.65	2.92½
Men's extra large 16 oz	2.52½	2.75	3.05
Women's 16 oz	2.40	2.62½	2.90
Men's 18 oz	2.60	2.82½	3.12½
Men's extra large 18 oz	2.72½	2.97½	3.27½
Double safety: [3]			
Men's 12–13½ oz	2.55	2.77½	3.07½
Men's 14½ oz	2.65	2.90	3.20
Men's 16 oz	2.75	3.00	3.32½
Processed material:			
Knit wrist: [1]			
Men's 12–13½ oz. material	2.32½	2.52½	2.80
Men's extra large 12–13½ oz. material	2.42½	2.65	2.92½
Women's 12–13½ oz. material	2.30	2.50	2.77½
Men's 14½ oz. material	2.40	2.62½	2.90
Men's extra large 14½ oz. material	2.50	2.72½	3.00
Women's 14½ oz. material	2.37½	2.60	2.85
Men's 16 oz. material	2.50	2.72½	3.00
Men's extra large 16 oz. material	2.60	2.82½	3.12½
Women's 16 oz. material	2.47½	2.70	2.97½
Men's 18 oz. material	2.70	2.95	3.25
Men's extra large 18 oz. material	2.80	3.05	3.37½
Double safety: [3]			
Men's 12–13½ oz. material	2.65	2.90	3.20
Men's 14½ oz. material	2.72½	2.97½	3.27½
Men's 16 oz. material	2.82½	3.07½	3.40

TABLE 6—GUNN OR FOURCHETTE PATTERN, TWO-THUMB (NOT REINFORCED), WHITE NAP OUT SINGLE THICKNESS CANTON FLANNEL GLOVES ("HUSKING" GLOVES)

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Knit wrist: [1]			
Men's 8 oz	$1.67½	$1.82½	$2.02½
Women's 8 oz	1.65	1.80	2.00
Men's 10 oz	1.87½	2.05	2.25
Women's 10 oz	1.85	2.02½	2.22½
Men's 12 oz	2.07½	2.25	2.50

(See p. 5018 for footnotes.)

TABLE 7—TWO-THUMB, WHITE NAP OUT SINGLE THICKNESS CANTON FLANNEL WELT SEAM MITTENS

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Knit wrist: [1]			
Men's 12 oz. palm and thumb, with 6 oz. thumb reinforcement	$2.20	$2.40	$2.65
Women's 10 oz. palm and thumb, with 6 oz. thumb reinforcement	1.85	2.02½	2.22½

TABLE 8—"CHORE" AND SMELTER MITTENS

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Double throughout, nap-out flannel "chore" mittens:			
Knit wrist: [1]			
Men's 14½ oz	$2.12½	$2.32½	$2.55
Men's 16 oz	2.27½	2.47½	2.75
Men's 20 oz	2.40	2.62½	2.90
Double throughout, nap out canton flannel "smelter" mitten:			
Open top, Men's 20 oz	2.60	2.82½	3.12½

TABLE 9—SINGLE THICKNESS PLAIN JERSEY GLOVES

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Knit wrist: [1]			
Men's 8 oz	$1.55	$1.70	$1.87½
Men's 9 oz	1.70	1.85	2.05
Women's 9 oz	1.67½	1.82½	2.02½
Small Women's 9 oz	1.65	1.80	2.00
Men's 10½ oz	1.82½	2.00	2.20
Women's 10½ oz	1.80	1.95	2.17½
Men's 13 oz	2.02½	2.20	2.45

TABLE 10—FULL LINED JERSEY GLOVES, OPEN WRIST ("SLIP ON")

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Men's 13½–14 oz. plain shell	$2.40	$2.62½	$2.90
Men's extra large 13½–14 oz. plain shell	2.50	2.72½	3.00
Women's 13½–14 oz. fleece in or out plain shell	2.20	2.40	2.65
Men's 13½–14 oz. cut presser fancy shell	2.52½	2.75	3.05

TABLE 11—CHILDREN'S SINGLE THICKNESS JERSEY GLOVES

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Knit wrist:			
Ages up to 5, 9 oz. plain	$1.35	$1.47½	$1.62½
Ages 5 to 10, 9 oz. plain	1.37½	1.50	1.65
Ages 10 to 15, 9 oz. plain	1.40	1.52½	1.67½
Ages up to 5, 9 oz. plain mitten	1.10	1.20	1.32½
Ages 5 to 10, 9 oz. plain mitten	1.12½	1.22½	1.35
Ages 10 to 15, 9 oz. plain mitten	1.15	1.25	1.37½
Gauntlet:			
Ages up to 5, 9 oz. plain	1.80	1.95	2.17½
Ages 5 to 10, 9 oz. plain	1.90	2.07½	2.30
Ages 10 to 15, 9 oz. plain	2.00	2.17½	2.40

(See p. 5018 for footnotes.)

TABLE 12—LEATHER COMBINATION GLOVES (LINED LEATHER PALM, 8 OZ. CANTON FLANNEL BACK)

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
No. 12. Clute pattern—split palm,[1] 5 oz. or heavier lining, without leather finger tips, not more than ¾ leather thumb:			
A. Men's knit wrist [1]	$3.25	$3.55	$3.92½
B. Women's knit wrist [1]	3.15	3.45	3.80
C. Men's single ply safety (not less than 2¾" finished)	3.35	3.65	4.02½
D. Men's single ply gauntlet (not less than 4½" finished)	3.45	3.75	4.15
E. Women's single ply gauntlet (not less than 4" finished)	3.35	3.65	4.02½
No. 12/1. Clute pattern—split palm,[1] 5 oz. or heavier lining, without leather finger tips, not more than ¾ leather thumb, 6 oz. canton flannel back:			
A. Men's knit wrist [1]	3.15	3.45	3.80
B. Women's knit wrist [1]	3.05	3.30	3.67½
C. Men's single ply safety (not less than 2¾" finished)	3.25	3.55	3.92½
D. Men's single ply gauntlet (not less than 4½" finished)	3.35	3.65	4.02½
E. Women's single ply gauntlet (not less than 4" finished)	3.25	3.55	3.92½
No. 13. Gunn pattern—knit wrist,[1] 6 oz. or heavier palm lining, leather finger tips:			
A. Men's split palm,[2] ¾ leather thumb	4.60	5.00	5.55
B. Men's side split palm,[2] ¾ leather thumb	5.45	5.95	6.57½
B/1. Men's heavy side split palm,[2] ¾ leather thumb	5.65	6.15	6.80
C. Men's heavy side split palm,[2] full leather thumb, forefinger and little finger, leather wrist pull	6.50	7.10	7.82½
D. Men's side split palm,[2] full leather thumb and forefinger	5.70	6.20	6.87½
D/1. Men's heavy side split palm,[2] full leather thumb and forefinger	5.90	6.45	7.10
E. Men's side split palm,[2] ¾ leather thumb, 10½ oz. seal jersey back	5.40	5.90	6.50
E/1. Men's heavy side split palm,[2] ¾ leather thumb, 10½ oz. seal jersey back	5.60	6.10	6.75
No. 13/1. Gunn patteru—split palm,[2] 6 oz. or heavier lining, ¾ leather thumb, leather finger tips:			
A. Men's single safety (not less than 2½" finished)	4.70	5.10	5.65
B. Men's double safety [3]	4.90	5.35	5.90
C. Men's single gauntlet (not less than 4½" finished)	4.80	5.25	5.77½
D. Men's double gauntlet (not less than 4½" finished)	5.15	5.60	6.20
No. 14. Gunn pattern—6 oz. or heavier palm lining, leather finger tips, waterproof safety:[4]			
A. Men's split palm,[2] ¾ leather thumb	4.95	5.40	5.95
Women's split palm,[2] ¾ leather thumb	4.85	5.30	5.85
B. Men's split palm,[2] ¾ leather thumb, leather pull, leather knuckle strap	5.60	6.10	6.75
C. Men's side split palm,[2] full leather thumb, leather pull, leather knuckle strap	6.50	7.10	7.82½
Women's side split palm,[2] full leather thumb, leather pull, leather knuckle strap	6.40	7.00	7.70
C/1. Men's heavy side split palm,[2] full leather thumb, leather pull, leather knuckle strap	6.75	7.35	8.12½
Women's heavy side split palm,[2] full leather thumb, leather pull, leather knuckle strap	6.65	7.25	8.00
D. Men's side split palm,[2] full leather thumb and forefinger, leather pull, leather knuckle strap	6.70	7.30	8.07½
D/1. Men's heavy side split palm,[2] full leather thumb and forefinger, leather pull, leather knuckle strap	6.95	7.60	8.37½
E. Men's side split palm,[2] full leather thumb and forefinger, leather pull, ⅞ length leather back	6.95	7.60	8.37½
E/1. Men's heavy side split palm,[2] full leather thumb and forefinger, leather pull, ⅞ length leather back	7.20	7.85	8.67½
G. Men's side split palm,[2] full leather thumb and forefinger, leather pull, ¾ length leather back	7.15	7.80	8.62½
G/1. Men's heavy side split palm,[2] full leather thumb and forefinger, leather pull, ¾ length leather back	7.45	8.10	8.97½
H. Men's heavy side split palm,[2] full leather thumb and finger backs, leather pull, leather knuckle strap	7.45	8.10	8.97½
Men's heavy side split palm,[2] full leather thumb and finger backs, leather pull	7.25	7.90	8.72½
H/1. Clute pattern—Men's heavy side split palm,[2] full leather thumb and finger backs, leather pull, leather knuckle strap	7.35	8.00	8.85
Clute pattern—Men's heavy side split palm,[2] full leather thumb and finger backs, leather pull	7.15	7.80	8.62½
No. 15. Gunn pattern—6 oz. or heavier palm lining, leather finger tips, waterproof gauntlet:			
A. Men's split palm,[2] ¾ leather thumb, gauntlet cuff [10]	5.40	5.90	6.50
Women's split palm,[2] ¾ leather thumb, gauntlet cuff [10]	5.30	5.80	6.37½
B. Men's split palm,[2] ¾ leather thumb, leather pull, leather knuckle strap, gauntlet cuff [10]	6.05	6.60	7.30
C. Men's side split palm,[2] full leather thumb, leather pull, leather knuckle strap, gauntlet cuff [10]	6.95	7.60	8.37½
Women's side split palm,[2] full leather thumb, leather pull, leather knuckle strap, gauntlet cuff [10]	6.85	7.45	8.25
C/1. Men's heavy side split palm,[2] full leather thumb, leather pull, leather knuckle strap, gauntlet cuff [10]	7.20	7.85	8.67½
Women's heavy side split palm,[2] full leather thumb, leather pull, leather knuckle strap, gauntlet cuff [10]	7.10	7.75	8.55
D. Men's side split palm,[2] full leather thumb and forefinger, leather pull, leather knuckle strap, gauntlet cuff [10]	7.15	7.80	8.62½
D/1. Men's heavy side split palm,[2] full leather thumb and forefinger, leather pull, leather knuckle strap, gauntlet cuff [11]	7.45	8.10	8.97½
E. Men's side split palm,[2] full leather thumb and forefinger, leather pull, ⅞ length leather back, gauntlet cuff [10]	7.40	8.05	8.92½
E/1. Men's heavy side split palm,[2] full leather thumb and forefinger, leather pull, ⅞ length leather back, gauntlet cuff [11]	7.70	8.40	9.27½
G. Men's side split palm,[2] full leather thumb and forefinger, leather pull, ¾ length leather back, gauntlet cuff [11]	7.80	8.90	9.15
G/1. Men's heavy side split palm,[2] full leather thumb and forefinger, leather pull, ¾ length leather back, gauntlet cuff [11]	7.95	8.65	9.57½
H. Men's heavy side split palm,[2] full leather thumb and finger backs, leather pull, leather knuckle strap, gauntlet cuff [11]	7.96	8.65	9.87½
Men's heavy side split palm,[2] full leather thumb and finger backs, leather pull, gauntlet cuff [11]	7.75	8.45	9.32½
H/1. Clute pattern—Men's heavy side split palm,[2] full leather thumb and finger backs, leather pull, leather knuckle strap, gauntlet cuff [11]	7.85	8.55	9.45
Clute pattern—Men's heavy side split palm,[2] full leather thumb and finger backs, leather pull, gauntlet cuff [11]	7.65	8.35	9.23½

(See p. 5013 for footnotes.)

APPENDIX B—TABLE OF CEILING PRICES FOR SALES AT RETAIL

Instructions. **Ceiling prices for staple work gloves are not given by kind of glove, but by the supplier's net ceiling price. This price must be found according to the rules in section 2 (How to find retail ceiling prices). Read this section before using the table.**

When you have found your supplier's net ceiling price, look in column 1 for the bracket in which this price belongs. Then look at the figure opposite in column 2; this is your retail ceiling price per pair of gloves.

For example, suppose your supplier's net ceiling price is $1.50. Follow down column 1 until you find the bracket $1.43–$1.51+. Opposite these figures, in column 2, you find the retail ceiling of 17¢. If your supplier's ceiling price had been $1.51½, your price would still be 17¢, since $1.51+ includes any fractional cent over $1.51.

RETAIL CEILING PRICES

Column 1—Supplier's ceiling price (per doz.)	Column 2—Retail ceiling price (per pair)	Column 1—Supplier's ceiling price (per doz.)	Column 2—Retail ceiling price (per pair)	Column 1—Supplier's ceiling price (per doz.)	Column 2—Retail ceiling price (per pair)
1.00–1.07+	$0.12	5.06–5.14+	$0.59	9.03–9.11+	$01.05
1.08–1.16+	.13	5.15–5.22+	.60	9.12–9.20+	1.06
1.17–1.25+	.14	5.23–5.31+	.61	9.21–9.28+	1.07
1.26–1.33+	.15	5.32–5.39+	.62	9.29–9.37+	1.08
1.34–1.42+	.16	5.40–5.48+	.63	9.38–9.46+	1.09
1.43–1.51+	.17	5.49–5.57+	.64	9.47–9.54+	1.10
1.52–1.59+	.18	5.58–5.65+	.65	9.55–9.63+	1.11
1.60–1.68+	.19	5.66–5.74+	.66	9.64–9.71+	1.12
1.69–1.77+	.20	5.75–5.83+	.67	9.72–9.80+	1.13
1.78–1.85+	.21	5.84–5.91+	.68	9.81–9.89+	1.14
1.86–1.94+	.22	5.92–6.00+	.69	9.90–9.97+	1.15
1.95–2.03+	.23	6.01–6.09+	.70	9.98–10.06+	1.16
2.04–2.11+	.24	6.10–6.17+	.71	10.07–10.15+	1.17
2.12–2.20+	.25	6.18–6.26+	.72	10.16–10.23+	1.18
2.21–2.28+	.26	6.27–6.35+	.73	10.24–10.32+	1.19
2.29–2.37+	.27	6.36–6.43+	.74	10.33–10.41+	1.20
2.38–2.46+	.28	6.44–6.52+	.75	10.42–10.49+	1.21
2.47–2.54+	.29	6.53–6.60+	.76	10.50–10.58+	1.22
2.55–2.63+	.30	6.61–6.69+	.77	10.59–10.67+	1.23
2.64–2.72+	.31	6.70–6.78+	.78	10.68–10.75+	1.24
2.73–2.80+	.32	6.79–6.86+	.79	10.76–10.84+	1.25
2.81–2.89+	.33	6.87–6.95+	.80	10.85–10.93+	1.26
2.90–2.98+	.34	6.96–7.04+	.81	10.93–11.01+	1.27
2.99–3.06+	.35	7.05–7.12+	.82	11.02–11.10+	1.28
3.07–3.15+	.36	7.13–7.21+	.83	11.11–11.18+	1.29
3.16–3.23+	.37	7.22–7.30+	.84	11.19–11.27+	1.30
3.24–3.32+	.38	7.31–7.38+	.85	11.28–11.36+	1.31
3.33–3.41+	.39	7.39–7.47+	.86	11.37–11.44+	1.32
3.42–3.49+	.40	7.48–7.55+	.87	11.45–11.53+	1.33
3.50–3.58+	.41	7.56–7.64+	.88	11.54–11.62+	1.34
3.59–3.67+	.42	7.65–7.73+	.89	11.63–11.70+	1.35
3.68–3.75+	.43	7.74–7.81+	.90	11.71–11.79+	1.36
3.76–3.84+	.44	7.82–7.90+	.91	11.80–11.87+	1.37
3.85–3.93+	.45	7.91–7.99+	.92	11.88–11.96+	1.38
3.94–4.01+	.46	8.00–8.07+	.93	11.97–12.05+	1.39
4.02–4.10+	.47	8.08–8.16+	.94	12.06–12.13+	1.40
4.11–4.19+	.48	8.17–8.25+	.95	12.14–12.22+	1.41
4.20–4.27+	.49	8.26–8.33+	.96	12.23–12.31+	1.42
4.28–4.36+	.50	8.34–8.42+	.97	12.32–12.39+	1.43
4.37–4.44+	.51	8.43–8.51+	.98	12.40–12.48+	1.44
4.45–4.53+	.52	8.52–8.59+	.99	12.49–12.57+	1.45
4.54–4.62+	.53	8.60–8.68+	1.00	12.58–12.65+	1.46
4.63–4.70+	.54	8.69–8.76+	1.01	12.66–12.74+	1.47
4.71–4.79+	.55	8.77–8.85+	1.02	12.75–12.83+	1.48
4.80–4.88+	.56	8.86–8.94+	1.03	12.84–12.91+	1.49
4.89–4.96+	.57	8.95–9.02+	1.04	12.92–13.00+	1.50
4.97–5.05+	.58				

[1] Knit wrist—Maximum weight of tubing: 12 yards per pound. Minimum wrist length: men's, 2½" finished; women's and small women's 2¼" finished; men's extra large, 2¾" finished.
[2] Band top—Same weight material as glove. Minimum wrist length: men's, 1¾" finished; women's and small women's, 1½" finished.
[3] Gauntlet cuff—Double, 2 ply, thickness, not less than 5" finished.
[4] Gauntlet cuff—Double, 2 ply, thickness, not less than 4½" finished.
[5] Safety cuff—Double, 2 ply, thickness, not less than 2¼" finished.
[6] Safety cuff—Waterproofed. Minimum length of cuff: Men's, 2½" finished; women's 2" finished. Weight of cuff material not less than 23 oz. per square yard.
[7] Average minimum weight of palm leather 2¼ oz. per square foot. Either cow or horse side split.
[8] Average minimum weight of palm leather 3 oz. per square foot. Either cow or horse side split.
[9] Safety cuff—Waterproofed. Minimum length of cuff: Men's, 4½" finished; women's, 4" finished. Weight of cuff material not less than 23 oz. per square yard.
[10] Gauntlet cuff—Waterproofed. Minimum length of cuff: men's, 4½" finished; women's, 4" finished. Weight of cuff material not less than 23 oz. per square yard.
[11] Gauntlet cuff—Waterproofed, not less than 5" finished. Weight of cuff material not less than 23 oz. per square yard.

APPENDIX C—SUGGESTED FORM TO BE USED BY MANUFACTURERS IN APPLYING FOR CEILING PRICES UNDER SECTION 4 (n).

APPLICATION FOR AN AUTHORIZED CEILING PRICE

This is a suggested form. Copies will not be supplied by the Office of Price Administration.

Firm Name ..... Address .....
Type of trade customarily sold to (Check)— Chain stores or mail order houses ( ) Other Retailers ( ) Jobbers ( )
Glove Description:
Cut or pattern .....
Thickness ..... Size Classification .....
Type of wrist .....
Additional features (if any) .....
Material Description:
Glove fabric ..... Weight .....
Cuff fabric ..... Weight .....
Lining fabric ..... Weight .....
Leather ..... Grade .....

Item	Yards per dozen	Current ceiling price	Cost per dozen
Material Cost:			
Glove fabric		Per yd.	
Cuff fabric		Per yd.	
Lining fabric		Per yd.	
Leather		Per sq. ft.	
Freight in			
Total Material Cost			
Deduct Discount on Purchases			
Net Material Cost			
Trimming Cost:			
Thread			
Boxes and cartons			
Labels			
Others (specify)			
Total Trimming Cost			
Total Material and Trimming Cost			
Direct Labor Excluding Make-up, Overtime and Social Security:			
Cutting			
Sewing			
Put-up			
Inspection			
Total Direct Labor			

Submitted by:
Name .....
Title .....
Date .....

Effective date. **This regulation shall become effective for sales by manufacturers and sales at wholesale on May 16, 1944, and for sales at retail on June 6, 1944. Prior to the effective date, any person may sell and deliver either at prices determined under existing regulations, or at prices determined under Revised**

NOTE: **The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.**

Issued this 11th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6772; Filed, May 11, 1944; 11:24 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

BRIDGE NEAR CAMDEN, ARK.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the regulations governing the operation of the St. Louis Southwestern Railway Lines Bridge across Ouachita River, near Camden, Arkansas, are hereby amended as follows:

§ 203.556 *Mississippi River and all its navigable tributaries and outlets; bridges where constant attendance of draw tenders is not required.* • • •

(f) The bridges to which these regulations apply, and the advance notice required in each case, are as follows:

• • • • • •

Ouachita River, Ark.; St. Louis Southwestern Railway Lines Bridge near Camden, Ark. (At least forty-eight hours' advance notice required.) (28 Stat. 362; 33 U.S.C. 499) [Regs. 18 November 1943, as amended by Regs. 29 April 1944, CE 823 (Ouachita R.—Camden, Ark.—Mile 353)—SPEWR]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44-6727; Filed, May 10, 1944; 2:43 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Coal Mines Administration.

[Order CMA-26]

E. M. HART & SON

ORDER TERMINATING GOVERNMENT POSSESSION

I have been advised that no strikes or stoppages have occurred since October 26, 1943, or are threatened in the coal mine of E. M. Hart & Son, 51 Water St., Wellsboro, Pennsylvania. Based on such advice, and after consideration of all the circumstances, I find that the possession by the Government of such mine is not required for the furtherance of the war program.

Accordingly, I order and direct that the possession by the Government of the mine of the said mining company, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mine be, and it is hereby, terminated and that there be conspicuously displayed at those mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Instruments of agreement and certification having heretofore been executed and filed with the Coal Mines Administration by this company, the appointment of the operating manager for the United States for its mine is terminated, as provided by section 25 (f), as amended, of the Regulations for the Operation of Coal Mines under Government Control.

Dated: May 9, 1944.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 44-6734; Filed, May 11, 1944; 10:52 a. m.]

DEPARTMENT OF COMMERCE.

Office of the Secretary.

[Order 306]

STATISTICAL REPORTS OF COTTON AND COTTONSEED AND THEIR PRODUCTS

ORDER LIMITING MAILING

MAY 10, 1944.

Pursuant to the provisions of section 1401 of the Second War Powers Act, 1942, approved March 27, 1942, 56 Stat. 186, 50 U.S.C. 644, and the directions and regulations of the President contained in Executive Order 9152, dated April 29, 1942 (7 F.R. 3257); *It is hereby ordered:*

That the mailing of copies of statistical reports of cotton and cottonseed and their products by the Director of the Census under the Acts of August 7, 1916 (39 Stat. 436) and April 2, 1924 (43 Stat. 31) shall be limited to those who make written request therefor.

[SEAL] JESSE H. JONES,
Secretary of Commerce.

[F. R. Doc. 44-6735; Filed, May 11, 1944; 11:07 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5857]

UNION ELECTRIC COMPANY OF MISSOURI

ORDER FIXING DATE OF HEARING

MAY 9, 1944.

Upon consideration of the application filed on October 4, 1943, as thereafter amended, by Union Electric Company of Missouri, a Missouri corporation having its principal place of business at St. Louis, Missouri, pursuant to section 203 of the Federal Power Act, seeking an order authorizing the acquisition by merger, of electric facilities owned or operated by Laclede Power & Light Company, a Missouri corporation having its principal place of business at St. Louis, Missouri; and

It appearing to the Commission that:

(1) Informal discussions between representatives of this Commission and of the applicant, relating to certain accounting problems, indicate the necessity for disposition of this matter at an early date;

(2) Upon petition therefor, the Commission by order, on April 7, 1944, permitted Roy McKittrick, Attorney General of the State of Missouri, to intervene in this proceeding;

The Commission orders that:

(A) A public hearing be held commencing on May 29, 1944, at 9:45 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., respecting the matters involved and the issues presented in this proceeding;

(B) Interested State Commissions may participate in this hearing as provided in § 39.4 of the rules of practice and regulations.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-6733; Filed, May 11, 1944; 10:50 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 238]

RECONSIGNMENT OF ONIONS AT TOLEDO, OHIO

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Toledo, Ohio, May 9, 1944, by Wesco Foods of car PFE 50715, onions, now on the Nickle Plate Railroad, to Wesco Foods, Detroit, Michigan (Michigan Central).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6777; Filed, May 11, 1944; 11:50 a. m.]

[S. O. 70-A, Special Permit 239]

RECONSIGNMENT OF ONIONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, May 9, 1944, by J. Lerner Sons of car PGE 35716, onions, now on the Chicago Produce Terminal to General Distributors, Buffalo, New York.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6778; Filed, May 11, 1944; 11:50 a. m.]

[S. O. 164, Special Permit 56]

REFRIGERATION OF CITRUS FRUIT FROM MISSION, TEX.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration on car MDT 146345, citrus fruit, shipped from Mission, Texas, May 6, 1944, destined to Great Bend, Kansas, with stop at Hutchinson, Kansas, to partly unload (M. P.—Santa Fe delivery).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6779; Filed, May 11, 1944; 11:50 a. m.]

[Rev. S. O. 197, Special Permit 6]

TRANSPORTATION OF POTATOES FROM CENTER, COLO.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.336) of First Revised Service Order No. 197 of May 8, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of First Revised Service Order No. 197 insofar as it applies to the acceptance for transportation and movement of three (3) railroad freight cars loaded with below grade potatoes shipped by the McClure Potato Company from Center, Colorado, not later than May 13, 1944, consigned, one to Griffin Wholesale Company, Tulsa, Oklahoma (San Luis Central-D & RGW-Santa Fe), one to Bill Arnold, Tulsa, Oklahoma (San Luis Central-D & RGW-Santa Fe), and one to Phillips Produce Company, Oklahoma City, Oklahoma. (San Luis Central-D & RGW-Mo. Pac. Frisco.)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6780; Filed, May 11, 1944; 11:50 a. m.]

[S. O. 201, Corrected Special Permit 4]

TRANSPORTATION OF ICE TO RICHMOND, CALIF.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.338, 9 F.R. 4480) of Service Order No. 201 of April 25, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 201 insofar as it applies to the transportation of ice in RS type PFE refrigerator cars to Union Ice Company, Richmond, California, four to be loaded at Willows on Southern Pacific Railway and four at Colusa, on Sacramento Northern, each week until June 30.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6781; Filed, May 11, 1944; 11:50 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 20A-112]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN WILSON, N. C., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Wilson, North Carolina, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provi-

[1] Filed as part of the original document.

sions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Raleigh, North Carolina, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-112" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Raleigh, North Carolina.

8. This order shall become effective May 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Ambrose Floyd, 1214 E. Washington Street, Wilson, N. C.
Hugh T. Foster, 508 E. Nash Street, Wilson, N. C.
James Nicholson, 103 N. Vick Street, Wilson, N. C.
Ed. Nicholdson, 103 N. Vick Street, Wilson, N. C.
James Cannon, 701 E. Viola Street, Wilson, N. C.
George Vick, 1109½ Washington Street, Wilson, N. C.
Lemore Hannah, 540 East Nash Street, Wilson, N. C.
Tom Ford, 1008 Mercer Street, Wilson, N. C.
Essie Smith, 410 N. Reed Street, Wilson, N. C.
Marie Howard Bullard, Faison Street, Wilson, N. C.

[F. R. Doc. 44-6732; Filed, May 11, 1944; 10:32 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Amdt. 4 to Order 1052]

FURNITURE

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 4 to Order No. 1052, under § 1499.159b of Maximum Price Regulation No. 188—Manufacturers' maximum prices for specified building material and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328, Order No. 1052 under Maximum Price Regulation No. 188 is amended in the following respects:

1. At the end of paragraph (b) the following sentence is added: "This order covers frames for upholstered furniture only under the conditions and subject to the limitations set forth in paragraph (d), (2), (ii) of this order."

2. Paragraph (c) (10) is deleted.

3. Paragraph (d) (2) (ii) is added to read as follows:

(ii) *Adjustable pricing by manufacturers of frames for upholstered furniture.* If you are a manufacturer of frames for upholstered furniture, on and after May 9, 1944, you may offer to sell, enter into contracts, and deliver the frames at your existing maximum prices plus the 5% adjustment charge mentioned in paragraph (d) (1) above provided that you separately state and bill the adjustment charge at all times. You may not collect and the buyer may not pay the whole or any part of the adjustment charge until an amendment to this paragraph has been made authorizing the collection and the payment of the whole or such part of the adjustment charge.

This amendment shall become effective May 9, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9250, 8 F.R. 4681)

Issued this 9th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6668; Filed, May 9, 1944; 4:28 p. m.]

[MPR 188, Order 1052, Amdt. 5]

FURNITURE

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 5 to Order No. 1052 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Order No. 1052 under Maximum Price Regulation No. 188 is amended in the following respect:

A new paragraph (g) is added to read as follows:

(g) This paragraph permits a manufacturer of household furniture who has incurred a wage increase and whose furniture operations are currently being conducted at a loss to apply to the Office of Price Administration, Washington, D. C. for a price adjustment.

(1) *Who may apply.* An application for adjustment will be entertained only in the case of a producer of articles listed in paragraph (b) who can satisfy all of the following criteria:

(i) The applicant has incurred a wage increase which has been approved by the National War Labor Board since October 3, 1942.

(ii) The applicant's operations in the manufacture of furniture covered by this Order No. 1052 are currently being conducted at a loss, or will be within thirty days after the wage increase is put into effect.

(2) *Amount of adjustment.* (i) *Manufacturer.* Any adjustment granted under this paragraph will not exceed the lower of the following:

(a) An amount sufficient to cover the increase in direct costs resulting from the wage adjustment, or

(b) An amount sufficient to eliminate the applicant's loss on his furniture operations.

(ii) *Purchasers for resale.* An order granting a price adjustment under this paragraph may also provide for an adjustment to the extent of the exact dollar and cents amount granted the manufacturer, in the maximum prices of persons who purchase the article for resale.

(3) *Filing.* Applications for adjustment under this paragraph shall be filed in accordance with the provisions of Revised Procedural Regulation No. 1.

This amendment shall become effective May 11, 1944.

Issued this 10th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6699; Filed, May 10, 1944; 11:28 a. m.]

[MPR 188, Order 1569]

PEERLESS WOODWORKING CORP.

APPROVAL OF MAXIMUM PRICES

Order No. 1569 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two unfinished chest of drawers manufactured by Peerless Woodworking Corporation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator, by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by Peerless Woodworking Corporation, 713 Connecticut Boulevard (Rear), East Hartford, Connecticut, of two unfinished chests of drawers of its manufacture, as described in its application, after such articles became subject to Maximum Price Regulation No. 188, are those as set forth below:

	To jobbers	To dealers
5-drawer Chest 14" x 24" x 40" BX-524	$10.20	$12.00
4-drawer Chest 14" x 24" x 32" BX-424	9.35	11.00

These maximum prices are net f. o. b. factory.

(b) Any person may sell and deliver at wholesale the articles of furniture manufactured by Peerless Woodworking Corporation to dealers at maximum prices no higher than those set forth below:

5-drawer Chest 14" x 24" x 40" BX-524 $12.00
4-drawer Chest 14" x 24" x 32" BX-424 11.00

These maximum prices are net f. o. b. shipping point.

(c) At the time of or prior to the first invoice to each purchaser for resale, Peerless Woodworking Corporation shall notify the purchaser for resale of the maximum prices and conditions set by this Order for resale by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 10th day of May 1944.

Issued this 9th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6666; Filed, May 9, 1944; 4:28 p. m.]

[MPR 188, Order 1578]

H. PAULIS PLASTICS CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 1578 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Maximum prices for sales of a sink strainer manufactured by H. Paulis Plastics Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales of a new sink strainer manufactured by the H. Paulis Plastics Company, 215 East Washington Boulevard, Los Angeles 15, California.

1. For sales by the manufacturer to jobbers the maximum price is $.19 each, f. o. b. factory, subject to a cash discount of 2 percent for payment within 10 days.

2. For sales by jobbers to retailers, the maximum price is $.2375 each, f. o. b. seller's city, subject to discounts, allowances and terms no less favorable than those customarily granted by the seller.

3. For sales at retail, the maximum price is $.40 each.

(b) To every sink strainer shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price.

(c) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from it of the maximum price established by this order for resales by the purchaser. This order establishes maximum prices for sales by all jobbers to jobbers and retailers. Each jobber who resells any commodity covered by this order must notify his purchaser of the maximum price established by this order for sales by the purchaser. The written notice may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 11th day of May 1944.

Issued this 10th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6714; Filed, May 10, 1944; 11:30 a. m.]

[MPR 188, Order 1579]

NAYLOR PATTERN CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1579 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of an infant's training chair manufactured by Naylor Pattern Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by Naylor Pattern Company, Holts Summit, Missouri, of an infant's training chair of its manufacture, as described in its application dated April 7, 1944, since the effective date of Maximum Price Regulation No. 188 are as follows:

	To jobbers who sell against manufacturer's stock	To dealers
Training chair	$2.00	$2.50

These maximum prices are net, f. o. b. factory.

(b) On and after the effective date of the order, the maximum price for all sales and deliveries at wholesale by jobbers and any other persons from the manufacturer's stock of the infant's training chair described in paragraph (a) above shall be $2.50, net, f. o. b. shipping point.

(c) At the time of or prior to the first invoice to each purchaser for resale, Naylor Patten Company shall notify the purchaser for resale of the maximum prices and conditions set by this Order for resale by the purchaser. This notice may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 10th day of May 1944.

Issued this 9th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6687; Filed, May 9, 1944; 4:28 p. m.]

[MPR 188, Order 1582]

GOLDIE MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1582 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a new Adirondack chair manufactured by Goldie Manufacturing Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) The maximum prices for all sales and deliveries by Goldie Manufacturing Company, Rear of 441 K Street, N. W., Washington, D. C., of a new Adirondack chair of its manufacture, as described in its application, after such article became subject to Maximum Price Regulation No. 188 are as follows:

	To jobbers who sell against manufacturer's stock	To dealers
Adirondack Chair	$2.87	$3.38

These maximum prices are net, f. o. b. factory.

(b) Any person may sell against the manufacturer's stock and deliver at wholesale the Adirondack chair manufactured by Goldie Manufacturing Company to dealers at a maximum price no higher than $3.38, f. o. b. shipping point.

(c) At the time of or prior to the first invoice to each purchaser for resale, Goldie Manufacturing Company shall notify the purchaser for resale of the maximum prices and conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in

§ 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 11th day of May 1944.

Issued this 10th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6700; Filed, May 10, 1944; 11:29 a. m.]

[MPR 188, Order 1583]

HOWSON CABINET AND MILLWORK CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1583 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of fifteen models of unfinished chests of drawers manufactured by Howson Cabinet and Millwork Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328: *It is ordered:*

(a) The maximum prices for all sales and deliveries by Howson Cabinet and Millwork Company, 2318 S. 1st Street, Yakima, Washington, of the fifteen models of unfinished chests of drawers of its manufacture, as described in its application dated September 24, 1943, after the effective date of Maximum Price Regulation No. 188, shall be as follows:

Model No.	To jobbers who sell against manufacturer's stock	To dealers
6-30	$8.20	$9.65
5-30	7.72	9.08
5-26	7.25	8.53
5-22	6.77	7.96
5-18	6.30	7.41
5-15	5.94	6.99
4-30	7.23	8.51
4-26	6.76	7.95
4-22	6.29	7.40
4-80	5.82	6.85
4-15	5.46	6.42
3-26	6.28	7.39
3-22	5.80	6.82
3-18	5.33	6.27
3-15	4.98	5.86

These maximum prices were net f. o. b. factory.

(b) On and after the effective date of the order, the maximum prices for all sales and deliveries at wholesale by jobbers and any other persons from the manufacturer's stock of the unfinished chests of drawers described in paragraph (a) above shall be those set forth below, net f. o. b. shipping point:

Model No.:	
6-30	$9.65
5-30	9.08
5-26	8.53
5-22	7.96
5-18	7.41
5-15	6.99
4-30	8.51
4-26	7.95
4-22	7.40
4-80	6.85
4-15	6.42
3-26	7.39
3-22	6.82
3-18	6.27
3-15	5.86

(c) At the time of or prior to the first invoice to each purchaser for resale, Howson Cabinet and Millwork Company shall notify the purchaser for resale of the maximum prices and conditions set by this Order for resale by the purchaser. This notice may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.-20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 11th day of May 1944.

Issued this 10th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6701; Filed, May 10, 1944; 11:28 a. m.]

[MPR 188, Order 1584]

AMERICAN WOODCRAFT CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1584 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a new child's training chair manufactured by American Woodcraft Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by American Woodcraft Company, Cannon Falls, Minnesota, of a new child's training chair of its manufacture, as described in its application, after such article became subject to Maximum Price Regulation No. 188 are as follows:

	To jobbers who sell against manufacturer's stock	To dealers
Child's training chair Model No. 103	$2.76	$3.25

These maximum prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days.

(b) Any person may sell against the manufacturer's stock and deliver at wholesale the child's training chair manufactured by American Woodcraft Company to dealers at a maximum price no higher than $3.25, f. o. b. shipping point, subject to a cash discount of 2% for payment within 10 days.

(c) At the time of or prior to the first invoice to each purchaser for resale, American Woodcraft Company shall notify the purchaser for resale of the maximum prices and conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 11th day of May 1944.

Issued this 10th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6715; Filed, May 10, 1944; 11:30 a. m.]

[MPR 188, Order 1585]

HAROLD LIFTON CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1585 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a kitchen utility cabinet manufactured by Harold Lifton Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) The maximum price for all sales and deliveries by Harold Lifton Company, 114 East 32nd Street, New York 16, New York, of the kitchen utility cabinet of its manufacture, as described in its application, after such article became subject to Maximum Price Regulation No. 188 is $10.80 to jobbers and $12.95 to dealers. These maximum prices are net, f. o. b. factory.

(b) Any person may sell against the manufacturer's stock and deliver at wholesale the kitchen utility cabinet manufactured by Harold Lifton Company to dealers at a maximum price no higher than $12.95 per unit, f. o. b. shipping point.

(c) At the time of or prior to the first invoice to each purchaser for resale, Harold Lifton Company shall notify the purchaser for resale of the maximum prices and conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 11th day of May 1944.

Issued this 10th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6702; Filed, May 10, 1944; 11:29 a. m.]

[MPR 188, Order 1586]

J. L. TIPPET

APPROVAL OF MAXIMUM PRICES

Order No. 1586 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a new three-piece lawn set manufactured by J. L. Tippet, Franklin, N. C.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) The maximum prices for all sales and deliveries by J. L. Tippet, Franklin, North Carolina, of a new three-piece lawn set of its manufacture, as described in its application, after such articles became subject to Maximum Price Regulation No. 188 are as follows:

	To jobbers who sell against manufacturer's stock	To dealers
Three-piece lawn set	$6.00	$7.06

These maximum prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days.

(b) Any person may sell and deliver at wholesale the three-piece lawn set manufactured by J. L. Tippet to dealers at a maximum price no higher than $7.06, f. o. b. shippoing point. This maximum price is subject to a cash discount of 2% for payment within 10 days.

(c) At the time of or prior to the first invoice to each purchaser for resale, J. L. Tippet shall notify the purchaser for resale of the maximum prices and conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 11th day of May 1944.

Issued this 10th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6703; Filed, May 10, 1944; 11:28 a. m.]

[MPR 188, Order 1587]

MONTICELLO NOVELTY CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 1587 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by Monticello Novelty Company, Flora, Indiana, of a new smoking stand and wall bracket of its manufacture, as described in its application, after such articles became subject to Maximum Price Regulation No. 188 are those as set forth below:

	To dealers	To non-stock jobbers
Smoking stand: Less than 12 units.	*Each* $2.50	$2.25 each 99 or less. $2.00 each 100 or more.
Wall bracket: Less than 12 units.	1.45	$1.35 each 99 or less. $1.25 each 100 or more.

These maximum prices are f.o.b. factory and are subject to a cash discount of 2% for payment within 10 days.

(b) Any person may sell and deliver at wholesale the smoking stand and wall bracket manufactured by Monticello Novelty Company, Flora, Indiana, to dealers at maximum prices no higher than those set forth below, f. o. b. shipping point and subject to a cash discount of 2% for payment within 10 days.

	Each
Smoking stand, less than 12 units	$2.50
Wall bracket, less than 12 units	1.45

(c) At the time of or prior to the first invoice to each purchaser for resale, Monticello Novelty Company shall notify the purchaser for resale of the maximum prices and conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 11th day of May 1944.

Issued this 10th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6704; Filed, May 10, 1944; 11:29 a. m.]

[Suspension Order 249]

HANDLERS OF MEAT, FATS, FISH AND CHEESE

ORDER MODIFYING SUSPENSION ORDERS

Order modifying all outstanding suspension orders affecting commodities rationed under Ration Order 16.

Pursuant to the authority conferred upon the Hearing Administrator by Revised General Order 46 and Revised Procedural Regulation No. 4, *It is hereby ordered*, That:

(a) All suspension orders heretofore issued by the Hearing Administrator, the Deputy Hearing Administrator, or any of the several Hearing Commissioners, suspending any respondent from acquiring, receiving, selling, transferring, delivering, using or consuming any of the foods covered by Ration Order 16 (meats, fats, oils, fish, etc.) and which continue in effect after 12:01 a. m., May 4, 1944, be, and same hereby are, modified and amended by inserting therein the following proviso:

Nothing herein contained shall prevent respondent from acquiring, receiving, selling, transferring, delivering, using or consuming any foods covered by Ration Order 16 which have a zero point value during any period or periods that such foods have a zero point value.

(b) Any terms used in this Suspension Order No. 249 that are defined in Ration Order 16 shall have the meaning therein given them.

(Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong.; and by Pub. Law 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. No. 1, 7 F.R. 562, as supplemented; Food Dir. No. 3, 8 F.R. 2005; Food Dir. No. 5, 8 F.R. 2251; Food Dir. No. 6, 8 F.R. 3471, and Food Dir. No. 7, 8 F.R. 3471)

Issued and effective this 10th day of May 1944.

CHARLES L. FERGUSON,
Acting Hearing Administrator.

[F. R. Doc. 44-6713; Filed, May 10, 1944; 11:30 a. m.]

Regional and District Office Orders.

[Region I Order G-1 Under MPR 329, Corr. to Amdt. 2]

FLUID MILK IN CONNECTICUT

Correction to Amendment No. 2 to Order No. G-1 under § 1351.408 of Maximum Price Regulation No. 329. "Purchases of fluid milk from producers for resale as fluid milk." Fluid milk purchased from producers by dealers in the State of Connecticut.

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment No. 2 to Order No. G-1 under § 1351.408 of Maximum Price Regulation No. 329. The approval of the Regional Director, Food Distribution Administration, is added to read as follows:

Approved as of October 9, 1943.

F. D. CRONIN,
Regional Director,
Food Distribution Administration.

This correction shall become effective as of October 10, 1943, at 12:01 a. m.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6646; Filed, May 9, 1944; 2:47 p. m.]

[Region I Order G-4 Under MPR 251]

PLUMBING SERVICES IN WESTFIELD, MASS., AREA

Order No. G-4 under Maximum Price Regulation 251. Plumbing services in Westfield, Massachusetts, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1397.68 (b) of Maximum Price Regulation No. 251; *It is ordered:*

(a) Any seller making sales of plumbing services which are subject to Maximum Price Regulation No. 251 may increase his maximum price under the regulation for such sales by an amount not in excess of the difference between his labor cost computed on the basis of hourly rates in effect on July 1, 1942, and labor cost computed on the basis of the hourly rate of $1.26 established for plumbers by the National War Labor Board in WLB Case No. 1-9456, when the following conditions have been met:

(1) The seller performs the work described above within the Westfield, Massachusetts area;

(2) The seller employs members of the union granted a wage adjustment in WLB Case No. 1-9456; and

(3) The seller actually pays the hourly rate specified above.

(b) Any person determining maximum prices under this order shall submit such reports as the Office of Price Administration from time to time may require.

(c) This Order No. G-4 may be amended or revoked at any time.

(d) This Order No. G-4 shall become effective May 3, 1944.

(56 Stat. 23, 765; Pub. Law 15, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6560; Filed, May 8, 1944; 2:44 p. m.]

[Region I Order G-19 Under SR 15, MPR 280, MPR 329, Amdt. 9]

FLUID MILK IN NEW HAMPSHIRE

Amendment No. 9 to Order No. G-19 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280 and § 1351.408 of Maximum Price Regulation 329 (formerly General Order 19). Fluid milk in New Hampshire.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, as amended, by § 1351.807 of Maximum Price Regulation No. 280, and § 1351.408 of Maximum Price Regulation No. 329, Order No. G-19 is hereby amended in the following respects:

1. In paragraph (b) (2) the item "(59)—Northfield and Tilton" is eliminated from the subdivision designated as Zone 3 and the item "(62)—Franconia" is eliminated from the subdivision designated as Zone 6 and inserted in the subdivision designated as Zone 5 immediately following the item "(63)—Haverhill:".

2. In paragraph (d) the item "#59—The Towns of Tilton and Northfield, exclusive of that part of Tilton heretofore included in Market Area #25" is eliminated from subparagraph (3) and added at the end of subparagraph (2), and the item "#62—The Town of Franconia" is eliminated from subparagraph (6) and added to subparagraph (5) immediately following item "#76—The Town of Rumney".

3. A new subparagraph (9) is added to paragraph (1) to read as follows:

(9) Amendment No. 9 shall become effective April 27, 1944 at 12:01 a. m.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of May 1944.

GORDON K. CREIGHTON,
Acting Regional Administrator.

Approved: May 1, 1944.

F. D. CRONIN,
Regional Director, Food Distribution Administration.

[F. R. Doc. 44-6664; Filed, May 9, 1944; 2:45 p. m.]

[Region II Order G-1 Under MPR 422]

POULTRY SOLD BY GROUP 3 AND 4 STORES IN NEW YORK REGION

Correction

In F.R. Doc. 44-5967, apearing on page 4552 of the issue for Saturday, April 29, 1944, in the table for section 3, the Group 4 percentage for item (a) (3) should be "15."

[Region II Rev. Order G-21 Under RMPR 122, Amdt. 1]

BITUMINOUS COAL IN NEW YORK REGION

Amendment No. 1 to Revised Order No. G-21 under Revised Maximum Price Regulation No. 122. Sales of emergency bituminous coal.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-21 is amended in the following respects:

1. The preamble to the order is amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, and for the period commencing with the effective date of this order and expiring on April 30, 1945, it is hereby ordered:

2. Paragraph (d) is amended to read as follows:

(d) This order, which may be revoked, amended, or corrected at any time shall, unless earlier revoked or replaced, expire on April 30, 1945.

This Amendment No. 1 to Revised Order No. G-21 shall become effective April 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of April 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-6659; Filed, May 9, 1944; 2:47 p. m.]

[Region II Rev. Order G-28 Under RMPR 122, Amdt. 2]

SOLID FUELS IN NEW YORK REGION

Amendment No. 2 to Revised Order No. G-28 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Emergency sales of coke.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259 (a) (1) and Rule 4 under § 1340.254 of Revised Maximum Price Regulation No. 122, Revised Order No. G-28 is amended in the following respects:

1. The preamble to the order is amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259 (a) (1) and Rule 4 under § 1340.254 of Revised Maximum Price Regulation No. 122, and for the period commencing with the effective date of this order and expiring on midnight April 30, 1945, *It is hereby ordered:*

2. Paragraph (i) is amended to read as follows:

(i) This order, which may be revoked, amended, or corrected at any time shall, unless earlier revoked or replaced, expire on midnight April 30, 1945.

This Amendment No. 2 to Revised Order No. G-28 shall become effective April 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of April 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-6660; Filed, May 9, 1944; 2:48 p. m.]

[Region IV Order G-1 Under MPR 452]

REBUILT AUTOMOBILE MOTORS IN ATLANTA REGION

Order No. G-1 under Maximum Price Regulation No. 452. Manufacturers' maximum prices for automotive parts. Adjustment of maximum prices for the sale of rebuilt automobile motors in Region IV.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Atlanta Regional Office, Region IV, Office of Price Administration, by section 16 (b) of Maximum Price Regulation No. 452, *It is hereby ordered:*

(a) On and after the effective date of this order no motor rebuilder whose principal place of business is located in the States of Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia shall sell or offer for sale a reconditioned or rebuilt used automobile motor at prices in excess of those provided by this order. Lower prices may be charged or offered.

(1) The maximum prices established by this order, subject to the provisions of Section (b) hereof, shall be the present maximum ceiling prices of a particular rebuilder, as determined under Maximum Price Regulation No. 452, plus an amount not to exceed $15.00 per reconditioned or rebuilt used automobile motor.

(b) The following conditions must be complied with by the rebuilder before using the maximum prices authorized in paragraph (a) hereof and are conditions precedent to the use of the adjusted maximum prices.

(1) The rebuilder must file with this office a statement showing his previous maximum prices; if applicable, net f. o. b. prices; outright prices; exchange allowances; the method for charging both excise tax and freight; suggested resale prices; and all discounts and other allowances and credits.

(2) Said statement shall likewise include a statement of the seller's proposed new maximum prices showing the same information as required in subparagraph (1).

(3) Before using the prices reported, the seller must receive the written approval of the adjusted maximum prices from this office.

(4) No maximum prices established under the provisions of this order shall result in an increase to any purchaser of more than $15.00 per motor.

(c) All discounts and allowances presently applicable to the sales of the motors covered hereby shall be maintained by the rebuilder and such discounts, if applicable to a given sale, shall be calculated after the addition of the increase permitted herein.

(d) After a rebuilder has filed his request for authority to use the increase permitted by this order, and in accordance with the terms of paragraph (b) hereof, and has received the written approval of this office of such prices, he shall immediately notify his customers of the new maximum resale prices.

(e) *Definitions.* (1) A motor "rebuilder", as used in this order, means a person who reconditions a used motor to which he has title, to make it a rebuilt part as defined in section 21 (f) of Maximum Price Regulation No. 452. He is a manufacturer under said regulation. This order is not applicable to the physical reconditioning performed on a motor to which the rebuilder does not have title, as such operation is considered a service within the terms of, and is covered by, Maximum Price Regulation No. 165.

(2) Except as otherwise provided herein, and unless the context otherwise requires, the definitions set forth in Maximum Price Regulation No. 452 shall apply to the terms used herein.

(f) Except as otherwise provided herein, all transactions subject to this order shall remain subject to all the provisions of Maximum Price Regulation No. 452, together with all amendments, and orders that heretofore have been, or hereafter may be, issued.

(g) This order may be revoked, amended, or corrected at any time.

(h) This order shall become effective May 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 4th day of May 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44-6672; Filed, May 9, 1944; 4:30 p. m.]

[Region IV Order G-17 Under RMPR 122, Amdt. 14]

SOLID FUELS IN TOCCOA, GA., AREA

Amendment No. 14 to Order No. G-17 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers, Appendix L Maximum prices for solid fuels in the City of Toccoa and certain adjacent territory in the State of Georgia.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (e) of Order No. G-17, *It is hereby ordered*, That paragraph (m) (1) (i) of said Order No. G-17 be amended to read as set forth below:

(i) "Direct delivery or domestic" basis:

HIGH VOLATILE BITUMINOUS COALS FROM DISTRICT No. 8

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Block	$9.50	$4.75	$2.50
Egg	9.15	4.58	2.41
Stoker	8.25	4.13	2.19

This amendment No. 14 to Order No. G-17 shall become effective April 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 25, 1944.

W. E. HOLCOMB,
Acting Regional Administrator.

[F. R. Doc. 44-6561; Filed, May 8, 1944; 2:45 p. m.]

[Region IV Order G-17 Under RMPR 122, Amdt. 15]

SOLID FUELS IN NORFOLK-PRINCESS ANNE-PORTSMOUTH, VA., AREA

Amendment No. 15 to Order No. G-17 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers, Appendix XI. Maximum prices for solid fuels in Norfolk and Princess Anne Counties and the independent cities of Norfolk and Portsmouth in the State of Virginia.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (e) of Order No. G-17, *It is hereby ordered*, That paragraph (m) of said Order No. G-17 be amended by adding a new subparagraph thereto, designated (m) (11), to read as set forth below:

(11) *Appendix XI: Maximum prices for specified solid fuels in Norfolk and Princess Anne Counties and the independent cities of Norfolk and Portsmouth in the State of Virginia.* The maximum prices for specified solid fuels sold and delivered within the boundaries of Norfolk and Princess Ann Counties and within the corporate limits of the independent cities of Norfolk and Portsmouth, in the State of Virginia, shall be as follows:

(i) *"Direct delivery or domestic" basis.*

LOW VOLATILE BITUMINOUS COALS FROM DISTRICT No. 7

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.
Egg (top size larger than 3", bottom size no limit in Price Classifications A, B, C, D, E, and F)	$12.15	$6.33
Stove (top size larger than 1¼" but not exceeding 3", bottom size smaller than 3") in Price Classifications A, B, and C	12.15	6.33
Nut (top size larger than ¾" but not exceeding 1¼", bottom size smaller than 1¼") in Price Classification A	11.15	5.83
Stoker Pea (top size not exceeding ¾", bottom size smaller than ¾") in Price Classification A	10.55	5.53
Screened (Domestic) Run-of-Mine in Price Classifications A through D	10.65	5.56
Straight (Industrial) Run-of-Mine in Price Classifications A and B	8.25	-------

HIGH VOLATILE BITUMINOUS COALS FROM DISTRICT No. 8

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.
Splint egg (top size larger than 5" but not exceeding 6", bottom size larger than 2" but not exceeding 3") in Price Classifications G through K	$10.60	$5.55
Splint stove (top size larger than 2" but not exceeding 3", bottom size 2" and smaller) in Price Classifications B through H	10.60	5.55

YARD SLACK (DISTRICT 7 AND 8 COALS)

Yard slack	$7.20	$3.85

PENNSYLVANIA ANTHRACITE

Nut, stove, and egg	$16.25	$8.38
Pea	15.00	7.75

BRIQUETTES

Pennsylvania briquettes	$14.05	$7.28
Briquettes from District No. 7	13.15	6.83

(ii) *Special sales and services.* (a) Wheel service: When customer requests such service, dealer may charge not more than 75¢ per ton for wheeling in with wheelbarrow.

(b) Carry service: When customer requests such service, dealer may charge not more than $1.00 per ton for carrying in in canvas bags. For carrying above first floor, dealer may charge an additional 25¢ per ton per floor.

(c) Sack coal: For coal delivered in burlap bags, dealer may add not more than $3.50 per ton, with the bag becoming the property of the buyer.

(d) Yard sales: When the buyer picks up coal at the dealer's yard, the dealer must reduce the price 50¢ per ton.

On sales to peddlers or hucksters at the yard, dealer must reduce price $1.00 per ton below cash price.

On sales to other coal dealers at seller's yard, the dealer must reduce the price $2.00 per ton below cash price, with the exception of yards located in the City of Portsmouth, Virginia. Portsmouth dealers will follow their custom of deducting not less than $1.50 per ton from the cash price on sales at seller's yard to other dealers.

(e) Quantity: On carload deliveries, dealer must reduce the price $1.00 per ton, except on Run-of-Mine and Stoker Pea Coals.

(f) Terms: The dealer must reduce the price on all coals with the exception of Straight (Industrial) Run-of-Mine $1.00 per ton if customer pays within five days from the date of the invoice.

(g) Delivery zone: The dealer may make no extra charge for delivery within the corporate limits or within ten miles from the corporate limits of such city or town in which the dealer's yard is located. For deliveries beyond the free delivery zone thus described, but with the area described in (m) (11) above, the dealer may charge not more than 10¢ per ton per mile with a minimum charge of 50¢ for such delivery.

This Amendment No. 15 to Order No. G–17 shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued April 27, 1944.

W. E. HOLCOMB,
Acting Regional Administrator.

[F. R. Doc. 44–6562; Filed, May 8, 1944; 2:45 p. m.]

[Region V Order G–5 Under RMPR 122]

SOLID FUELS IN ST. JOSEPH, MO.

Order No. G–5 under Revised Maximum Price Regulation No. 122. Maximum prices for solid fuels sold in the City of St. Joseph, Missouri.

Pursuant to the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122 and for reasons stated in the opinion issued herewith, it is ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels within the corporate limits of the City of St. Joseph, Missouri, as established by city ordinance.

The prices set forth in this order are the highest prices that any dealer may charge when he sells or delivers any of such fuels at or to a point within the area set forth above.

(1) *Solid fuels not covered by this order.* There are a few kinds and sizes of solid fuels covered by Revised Maximum Price Regulation No. 122 sold and delivered in the area covered by this order which are not included in and for which prices are not established by this order. The maximum prices of such solid fuels when sold by any person covered by this order shall continue to be the maximum prices for such fuels established by Revised Maximum Price Regulation No. 122, as amended. Such sales shall in all respects be governed by the provisions of Revised Maximum Price Regulation No. 122, as amended.

(b) *What this order prohibits.* Regardless of any obligation no person shall:

(1) Sell, or in the course of trade or business buy, solid fuels at prices higher than the maximum prices set by this Order No. G–5; but less than the maximum prices may at any time be charged, paid or offered,

(2) Obtain higher than maximum prices by:

(i) Charging for a service unless such service is expressly requested by the buyer and unless specifically authorized to do so by this order;

(ii) Charging a price higher than the schedule price for a service;

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him; or

(iv) Using any other device by which a higher than maximum price is obtained directly or indirectly.

(c) *Price schedule.* (1) Below and a part of this paragraph is the maximum price schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds and quantities of solid fuels.

ST. JOSEPH, MISSOURI, MAXIMUM PRICE SCHEDULE

Description of fuel	Maximum price per ton
I. High Volatile Bituminous Coal from District 10 (Illinois):	
(A) Southern Illinois—Sub-District (Price Groups 1 & 2):	
(1) Lump (larger than 4") or Egg (top size 5" or larger, bottom size larger than 4")	$9.35
(2) Household Stoker (top size 1½"—bottom ⅜")	7.70
(B) Central Illinois—Sub-District (Price Groups 12 & 20):	
(1) Lump (larger than 4") or Egg (top size 5" or larger, bottom size larger than 4")	8.25
(2) Household Stoker (top size 1½"—bottom ⅜")	6.85
(C) Belleville Illinois—Sub-District (Price Group 19):	
(1) Lump (larger than 4") or Egg (top size 5" or larger, bottom larger than 4")	7.95
II. Low Volatile Bituminous Coal from District 14 (Arkansas and Oklahoma):	
(A) Production Group 1: The following maximum prices are for specified sizes of "Arkansas Anthracite" coal produced at mines in Pope County and in the Spadra field of Johnson County, Arkansas:	
(1) Grate or Furnace, from Mine Index No. 21, the Collier-Dunlap Mine of the West Spadra Coal Company (double-screened coal—bottom size larger than 2½")	13.00
(2) Baseburner (Nut; top size 2½", to larger than 1½," bottom size larger than ⅜" but not larger than 1½") in Price Classification A	13.95
(B) Production Groups 2 & 3: The following maximum prices are for specified sizes of low volatile coal produced at mines in the Denning-Coal Hill and Altus fields of Franklin and Johnson Counties, mines in the Philpott field of Johnson and Franklin Counties, mines in the Paris field of Logan County, and mines in Franklin County located in the Paris Basin, all in the State of Arkansas:	
(1) Lump, machine cut, in Price Classification A (bottom size 2½" and larger)	13.00
(2) Household Stoker (top size 1½"—bottom ⅜")	8.75
(C) Production Groups 5, 6, 7, & 8: The following maximum prices are for specified sizes of low volatile coal produced at mines in the Panama, Bokoshe, Milton, Poteau, and Wister fields in LeFlore County, Oklahoma; the McCurtin field of Haskell County and all mines in Sequoyah County, Oklahoma, and mines in Sebastian County, Arkansas:	
(1) Lump, machine cut, in Price Classifications D, E, & F (bottom size 2½" and larger)	12.20

ST. JOSEPH, MISSOURI, MAXIMUM PRICE SCHEDULE—Continued

Description of fuel	Maximum price per ton
III. High Volatile Bituminous Coal from District 15 (Missouri, Kansas, and Oklahoma):	
(A) Production Group 1: The following maximum prices are for specified sizes of bituminous coal produced at mines in Cherokee, Crawford, Bourbon, Neosho, Labette and Wilson Counties, Kansas; and Barton, Jasper, Dade, Cedar, and that portion of Vernon County lying south of an east and west line drawn through the town of Nevada, Missouri:	
(1) Lump (bottom size 2" and larger)	$8.25
(2) No. 2 Nut; double-screened coal (top size 2" to larger than 1¼")	7.75
(3) Household Stoker (top size 1¼" and smaller—bottom ⅜" to larger than ¼")	6.70
(B) Production Group 2: The following maximum prices are for specified sizes of bituminous coal produced at mines in Linn County, Kansas; Bates, Henry, St. Clair, Miller, Morgan, Pettis and Johnson Counties, and that portion of Vernon County lying north of an east and west line drawn through the town of Nevada in Missouri:	
(1) Lump (bottom size 2" and larger)	7.50
(2) Standard Nut (top size 3" to larger than 2"—bottom size 1¼" and smaller)	7.00
(C) Production group 3: The following maximum prices are for specified sizes of bituminous coal produced at mines in Boone, Callaway, Audrain, Randolph, Clark, Macon, Moniteau, Linn, Grundy, Harrison, Adair, Chariton, Schuyler, Putnam, Cole, Howard, Monroe, Warren, Lincoln, Sullivan and Ralls Counties, Missouri:	
(1) Lump (bottom size 2" and larger)	7.20
(2) Household Stoker (top size 1¼" and smaller—bottom ¾" to larger than ¼")	5.95
(D) Production Group 11: The following maximum prices are for specified sizes of bituminous coal produced at mines in Craig, Roger, Tulsa, and Wagoner Counties, Oklahoma, and of that part of Muskogee County, Oklahoma, north of a line drawn straight east and west across Muskogee County, along the southern limits of the town of Perum, Oklahoma:	
(1) Lump (bottom size 2" and larger)	8.70
(2) Household Stoker (top size 1¼" and smaller—bottom size ¾" to larger than ¼")	7.30
IV. Briquettes:	
(1) Produced in Kansas City, Missouri, consisting of 70% "Arkansas Anthracite" and 30% Semi-Anthracite from District 14	12.80

(2) The prices set forth in the foregoing schedule are on a per ton basis (2000 pounds to the ton). No dealer may add to the schedule prices any additional charge for the extension of credit.

(3) The prices set forth in the foregoing schedule are for raw coal, i. e., coal which has not been treated. On all sales of treated coal, whether oil, paraffin, or calcium chloride treatment and regardless of whether such treatment was applied at the mine or by the dealer, the dealer may charge an amount not to exceed 10¢ per ton in addition to the schedule price.

(4) A deduction from the prices set forth in the foregoing schedule of not less than 25¢ per ton must be made on all sales made for cash on one ton or more of solid fuels covered by this order. "Sales made for cash," for the purposes of this order, means all sales in which payment is made on or before delivery.

(5) A deduction from the prices set forth in the foregoing schedule of not less than 50¢ per ton must be made on yard sales of solid fuels covered by this order in quantities of one or more tons. If the sale is made for cash, as the term is used and defined in the foregoing subparagraph (4), this deduction on yard sales must be made in addition to the deduction for sales made for cash as provided for in subparagraph (4) above. "Yard sales," for the purposes of this order, means sales in which the buyer takes delivery at the dealer's yard.

(6) The maximum price on all sales of small lots in quantities of less than one ton put into the buyer's car or other conveyance at the dealer's yard shall be 45¢ per hundredweight for high volatile fuels and 65¢ per hundredweight for low volatile fuels. In sales of this kind the buyer may be required to furnish the container. If the buyer does not possess a container, the dealer may require a deposit charge equivalent to the replacement cost when such container is furnished.

(7) An addition not to exceed 25¢ may be added to the fractional per net ton price set out in the foregoing schedule when the dealer sells and delivers ½ ton.

(d) *Service charges.* (1) Below and as a part of this paragraph (d) is a schedule that sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under preceding paragraph (c). These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. The prices for such services shall be separately stated in the dealer's invoice or bill of sale.

(i) A service charge not to exceed 75¢ per ton may be charged for the "carry in" service. The "carry in" service means the service of carrying in solid fuel from the curb or point nearest and most accessible to the buyer's bin or storage space to the buyer's fuel bin window. This service does not include the service of carrying fuel up or down stairs.

(ii) An amount not to exceed $1.25 per ton may be charged for the "double carry in" service. The "double carry in" means the service of carrying in solid fuel from the curb or point nearest and most accessible to the buyer's bin or storage space and up or down one flight of stairs to the buyer's fuel bin.

(iii) Where a dealer is requested to perform "carry in" services in addition to the services defined in subdivisions (i) and (ii), the maximum price for such additional services shall not exceed the price charged by the dealer for such services during December, 1941.

(iv) An amount not to exceed 25¢ per ton may be charged for the service of "trimming." Trimming means the arranging and placing of the fuel in the buyer's bin. This service charge for trimming shall be applicable only to the amount of the fuel actually handled.

(e) *Ex Parte 148 freight rate increase; transportation tax; Missouri State sales tax*—(1) *The freight rate increase.* Since the ex parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealers' freight rates are the same as those of December, 1941. Therefore, no dealer may increase any schedule price on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set out by this Order provided the dealer states it separately from the price of the fuel and lists it separately on any sales slip or receipt given to the buyer. This tax need not be stated separately on sales to the United States or any agency thereof, the State government or any political subdivision thereof (See § 1340.265 (b) of Revised Maximum Price Regulation No. 122). No part of this tax may be collected in addition to maximum prices on sales of ¼ ton or lesser quantities.

(3) *The Missouri State sales tax.* The seller may add to the prices listed in the schedule in paragraph (c) the sales tax required to be collected by the laws of the State of Missouri. This tax shall be separately stated in the dealer's invoice, sales slip or receipt.

(f) *Addition of increase in supplier's price prohibited.* (1) The maximum prices set out by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereof; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(g) *Power to amend or revoke.* (1) The Price Administrator or the Regional Administrator of Region V may amend, revoke, or rescind this order, or any provisions thereof, at any time.

(h) *Petitions for amendment.* (1) Any person seeking an amendment to this order may file a petition for amendment in accordance with Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *License.* (1) Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72. This provides in brief that a license is required of all persons selling at retail commodities for which maximum prices are established. A license may be suspended for violation in connection with

the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(j) *Records and reports.* (1) Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the price charged and the kind and size of fuel sold. The fuel shall be identified in the manner in which the fuel is described in this order. The record shall also state separately each service rendered and the charge made for it.

(k) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all of the maximum prices set by it for all types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel.

(2) In the case of all sales covered by this order every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. In any case if a buyer requests a receipt, the seller shall furnish the buyer with a receipt showing the name and address of the seller, the kind, sizes, and quantity of the solid fuel sold to the buyer and the price or prices charged.

(l) *Enforcement.* (1) Persons violating any provisions of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Kansas City, Missouri District Office of the Office of Price Administration.

(m) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but if this is unfeasible, because of the absence of a regular driveway free from all foreign matter which might damage trucks and tires, then direct delivery means discharging the solid fuel from the seller's truck directly at the street curb or at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Production group" and "production groups", as used in this order, refer to the production groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(6) "Price groups", as used in this order refers to the price groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "High volatile bituminous coal" means coal produced in the high volatile sections of the producing districts specified in this order.

(9) "Low volatile bituminous coal" means coal produced in the low volatile sections of the producing districts specified in this order.

(10) "Solid fuel" (or "solid fuels") means all solid fuel except wood and wood products, including all kinds of anthracite and semi-anthracite; bituminous and semi-bituminous and cannel coal; lignite; all coke, including low temperature coke (except by-product foundry and blast furnace coke, and beehive oven furnace coke produced in the State of Pennsylvania); briquettes made from coke or coal; and sea coal used for foundry facings.

(11) "Egg, nut," etc., sizes of bituminous coal refer to the sizes of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of the Interior, and in effect (or established) as of midnight, August 23, 1943.

Where the minimum price schedules do not make specific mention of any size designated in this order, such size designations shall refer to the sizes of bituminous coal sold as such in the area subject to this order during December, 1941.

(12) Except as otherwise specifically provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein.

(n) *Effect of this order on Revised Maximum Price Regulation 122.* (1) To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

(2) This Order No. G–5 shall become effective the 8th day of May, 1944.

NOTE: The provisions in this order which require approval by the Bureau of the Budget in accordance with the Federal Reports Act of 1942 have been approved by the Bureau of the Budget.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this the 3d day of May 1944.

MAX MCCULLOUGH,
Regional Administrator.

[F. R. Doc. 44–6671; Filed, May 9, 1944; 4:29 p. m.]

[Region VI Order G–33 Under MPR 329]

MILK IN FREMONT, NEBR.

Order No. G–33 under § 1351.408 (a) of Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk. Producers' milk prices in Fremont, Nebraska.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (a) of Maximum Price Regulation No. 329. *It is ordered:*

(a) *Maximum producer prices.* The maximum price which distributors in Fremont, Nebraska may pay to producers for milk sold for human consumption in fluid form shall be $3.00 per cwt. for milk having a butterfat content of 3.8% plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 3.8% and minus not less than 5¢ for each 1/10 of a pound of butterfat below 3.8%.

(b) *Applicability of producer prices.* Section (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within Fremont, Nebraska, or who sell within that city 50% or more of the milk sold by them. Prices provided in section (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased milk during the period from January 1, 1944 to March 31, 1944; and such prices are not applicable to purchases from producers who did not during that period sell to any Fremont, Nebraska, distributors covered by this order.

(c) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk than he paid on deliveries during January, 1943. Except as modified by this order, the provisions of the Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during that month.

(d) *Definitions.* Unless the context otherwise requires, the definition set forth in Maximum Price Regulation No. 329, and the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order has been approved by the Regional Administrator of the War Food Administration.

This order shall be effective the 14th of April 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 14th day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–6553; Filed, May 8, 1944; 2:47 p. m.]

[Region VI Order G–34 Under MPR 329]

MILK IN SLEEPY EYE, MINN.

Order No. G–34 under § 1351.408 (a) of Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk. Producers' milk prices in Sleepy Eye, Minnesota.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (a) of Maximum Price Regulation No. 329, *It is ordered:*

(a) *Maximum producer prices.* The maximum price which distributors in Sleepy Eye, Minnesota may pay to producers for milk sold for human consumption in fluid form shall be $2.70 per cwt. for 3.5% milk f. o. b. the purchasing dairy, plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 3.5% and minus not less than 5¢ for each 1/10 of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Section (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within Sleepy Eye, Minnesota, or who sell within that city 50% or more of the milk sold by them. Prices provided in section (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased milk during the period from August 1, 1943, to January 31, 1944; and such prices are not applicable to purchases from producers who did not during that period sell to any Sleepy Eye, Minnesota distributors covered by this order.

(c) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of the Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during that month.

(d) *Definitions.* Unless the context otherwise requires, the definitions set forth in Maximum Price Regulation No. 329, and the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order has been approved by the Regional Administrator of the War Food Administration.

This order shall be effective the 24th of April 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–6554; Filed, May 8, 1944; 2:47 p. m.]

[Region VI Order G–35 Under MPR 329]

MILK IN WAUSAU, WIS.

Order No. G–35 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk. Producers' milk prices in Wausau, Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration under § 1351.408 (b) of Maximum Price Regulation No. 329, *It is hereby ordered:*

(a) *Maximum producer prices.* The maximum prices which distributors may pay to producers for milk sold for human consumption in fluid form shall be 75¢ per pound of butterfat content in whole milk.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of the town Wausau, Wisconsin, or who sell within that town 50% or more of the milk sold by them. Maximum prices provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased fluid milk during the period from January 1, 1944 to March 31, 1944 and are not applicable to purchasers from producers who did not in that period sell to distributors covered by this order.

(c) *Definitions.* Unless the context otherwise requires the definitions set forth in § 1351.404 of Maximum Price Regulation No. 329, and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk than he paid on deliveries during January 1943. Except as modified by this order, the provisions of the Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order has been approved by the Regional Director of the War Food Administration.

This order shall become effective May 4, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 2d day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–6555; Filed, May 8, 1944; 2:47 p. m.]

Region VI Order G–47 Under SR 15, MPR 280, MPR 329]

MILK IN STORM LAKE AND ALTA, IOWA

Order No. G–47 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under Maximum Price Regulation No. 280, maximum prices for specific food products, and under Maximum Price Regulation No. 329, purchases of milk from producers for resale as fluid milk. Adjustment of fluid milk prices for Storm Lake, Iowa and Alta, Iowa.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation No. 280 and § 1351.408 (a) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk for human consumption in fluid form shall be 70¢ per pound of butterfat in whole milk.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of fluid milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of the communities of Storm Lake, Iowa, and Alta, Iowa, or who sell within those communities 50% or more of the milk sold by them. The maximum price provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased during January, February, and March of 1944, and are not applicable to purchases from producers who did not, in that period, sell to distributors located in the communities of Storm Lake, Iowa, and Alta, Iowa.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of fluid milk at wholesale and retail in Storm Lake, Iowa, and Alta, Iowa shall be the maximum price determined under Maximum Price Regulation No. 280 or under the General Maximum Price Regulation, whichever is appropriate for the type of sale being made, or the following prices, whichever shall be the higher:

Standard butterfat content fluid milk	Wholesale	Retail
	Cents	*Cents*
Gallon (in bulk)	37	
Gallon	37	45
Quart	10	12
Half-pint	3	5

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

(1) One-half cent per quart or a proportionate amount for a part of a quart.

(2) The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Storm Lake and Alta, Iowa area shall mean:

(1) All sales made within the city limits of Storm Lake and Alta, Iowa, and all sales at or from an establishment located in Storm Lake and Alta, Iowa.

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Storm Lake and Alta, Iowa.

(f) *Definitions.* (1) Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, restaurants, schools, hospitals, prisons, and other institutions.

(3) Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk from producers than he paid on deliveries during January, 1943. Except as modified by this order, the provisions of Maximum Price Regulation No. 280, of Maximum Price Regulation No. 329, and of the General Maximum Price Regulation shall remain in full force and effect, and shall not be evaded by any change in business or trade practices.

(h) *Revocability.* This order may be revoked, amended or corrected at any time. The portion of this order which applies to prices which may be paid to producers has been approved by the Regional Director of the War Food Administration.

This order shall be effective April 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-6556; Filed, May 8, 1944; 2:45 p. m.]

[Region VI Order G-48 Under SR 15, MPR 280]

MILK IN HEMINGFORD, NEBR.

Order No. G-48 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.807 of Maximum Price Regulation 280. Adjustment of fluid milk prices in Hemingford, Nebraska.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 of Maximum Price Regulation 280, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption at wholesale and retail in Hemingford, Nebraska, shall be the maximum prices determined under the General Maximum Price Regulation and under Maximum Price Regulation 280, or the following prices whichever shall be the higher:

Standard butterfat content fluid milk	Wholesale	Retail
Gallon (in bulk)	$0.37	
Gallon	.37	$0.45
Half gallon	.19	.23
Quart	.10	.12
Pint	.05½	.06½
Half pint	.03	.04½

Where the maximum price set forth is expressed in terms of ½¢ the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container plus whichever of the following provisions is the higher:

(1) One-half cent per quart or a proportionate amount for a part of a quart.

(2) The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Hemingford, Nebraska, area shall mean:

(1) All sales made within the city limits of Hemingford, Nebraska, and all sales at or from an establishment located in Hemingford, Nebraska.

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Hemingford, Nebraska.

(d) *Definitions.* (1) Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, hotels, restaurants, schools, hospitals, prisons, and other institutions.

(3) Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of the General Maximum Price Regulation and the Maximum Price Regulation 280 shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective April 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-6557; Filed, May 8, 1944; 2:45 p.m.]

[Region VI Order G-49 Under SR 15]

MILK IN NEHAWKA, NEBR.

Order No. G-49 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation. Adjustment of fluid milk prices in Nehawka, Nebraska.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption at retail by distributors located in Nehawka, Nebraska, shall be the maximum prices determined under the General Maximum Price Regulation or the following prices, whichever shall be the higher:

Standard butterfat content fluid milk:	*Retail*
Gallon	$0.45
½ gallon	.23
Quart	.12
Pint	.06½
½ pint	.03½

Where the maximum price set forth is expressed in terms of ½¢, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Definition.* Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(c) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective April 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-6558; Filed, May 8, 1944; 2:46 p. m.]

[Region VI Order G-50 Under SR 15, MPR 280]

MILK IN CERTAIN COUNTIES IN ILLINOIS

Order No. G-50 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.807 (a) of Maximum Price Regulation 280. Adjustment of fluid milk prices in Crawford, Richland, Edwards, Wayne, Wabash, Lawrence and Clay Counties, Illinois, and in Grayville, White County, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 (a) of Maximum Price Regulation 280, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption at wholesale and retail in Crawford, Richland, Edwards, Wayne, Wabash, Lawrence and Clay Counties, Illinois, and in the town of Grayville, White County, Illinois, shall be the maximum prices determined under the General Maximum Price Regulation and under Maximum Price Regulation 280, whichever shall be applicable for the type of sale being made, or the following prices whichever shall be the higher:

CRAWFORD, RICHLAND, LAWRENCE, WABASH AND EDWARDS COUNTIES, ILLINOIS, AND THE TOWN OF GRAYVILLE IN WHITE COUNTY, ILLINOIS

	Standard butterfat content fluid milk		Chocolate milk		Buttermilk	
	Wholesale	Retail	Wholesale	Retail	Wholesale	Retail
Gallons (bulk)	$0.40					
Gallons (bottled)	.40	$0.46			$0.30	$0.36
½ gallons	.21	.24				
Quarts	.11	.13	$0.11	$0.13	.08	.10
Pints	.06	.07	.06	.07	.05	.06
½pints	.03	.05	.03	.05	.03	.05

WAYNE AND CLAY COUNTIES, ILLINOIS

Gallons (bulk)	$0.38					
Gallons (bottled)	.38	$0.45				
½ gallons	.20	.23				
Quarts	.10½	.12½	$0.10½	$0.12½	$0.08	$0.10
Pints	.06	.07	.06	.07	.05	.06
½ pints	.03	.05	.06	.06	.03	.05

Where the maximum price set forth is expressed in terms of ½¢ the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container plus whichever of the following provisions is the higher:

(1) One-half cent per quart or a proportionate amount for a part of a quart.

(2) The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the area covered by this order shall mean all sales and deliveries made within the county limits of Crawford, Richland, Lawrence, Wabash, Edwards, Wayne and Clay Counties in Illinois and within the town limits of Grayville in White County, Illinois and all sales and deliveries made at or from an establishment located in such listed counties and the town limits of Grayville in White County, Illinois.

(d) *Definitions.* (1) Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, hotels, restaurants, schools, hospitals, prisons and other institutions.

(3) Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(e) *Revocation of previous order issued by the Office of Price Administration regulations.* Except as modified by this order, the provisions of the General Maximum Price Regulation and the Maximum Price Regulation 280 shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective May 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-6559; Filed, May 8, 1944; 2:46 p. m.]

[Region VII 2d Rev. Order G-7 Under SR 15, Amdt. 3]

FLUID MILK IN COLORADO

Second Revised Order No. G-7 under Supplementary Regulation No. 15 to the General Maximum Price Regulation, Amendment No. 3. Adjusted maximum prices for fluid milk sold at wholesale and at retail in certain areas in the State of Colorado.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.75 (a) (9) (i) (*a*) (*I*) (*iv*) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 3 is issued.

1. Paragraph (b) is amended by adding thereto a new area designated Area 8, and specific maximum prices are established therefor as follows:

AREA 8

Size of glass or paper container	Wholesale delivered	Retail out-of-store or home-delivered
	(*Cents*)	(*Cents*)
½ pints	3½	5
Pints	5	7
Quarts	10½	12½
½ gallons	20	22
Gallons	38	44

2. Paragraph (c) (2) is amended by inserting immediately after the word "Alamosa" in the second line thereof, the following: "(except the municipality of Alamosa and a distance of five miles beyond the corporate limits thereof at all points)".

3. Paragraph (c) as amended by Amendment No. 2 is hereby further amended by designating the last subparagraph thereof (9), and by adding a new subparagraph designated (8) to follow immediately after subparagraph (7), and reading as follows:

(8) "Area 8" means all that area contained within the municipality of Alamosa, and a distance of five miles beyond the corporate limits thereof at all points.

4. *Limitation.* The specific maximum prices established for Area No. 8 by this Amendment No. 3 are available to those sellers only who are producers of the milk sold; or who have purchased the milk sold from a producer or producers to whom they have paid the full maximum price authorized by 2d Revised Order No. G–10 under Maximum Price Regulation No. 329; or who have purchased milk from a distributor who certifies on the invoice or other written memorandum of the transaction that the producers of the milk sold were paid the full maximum price authorized by 2d Revised Order No. G–10 under Maximum Price Regulation No. 329. If the producer of the milk in question has not been paid therefor the full maximum price authorized by 2d Revised Order No. G–10 under Maximum Price Regulation No. 329, then the seller's maximum prices shall be the Area 2 prices as set forth in paragraph (b).

5. *Certification as to price paid producer.* A person other than a producer who sells milk at wholesale for resale in glass bottles or paper containers in Area 8 by the purchaser thereof shall at the time of the transaction deliver to the purchaser a written invoice or other memorandum of the transaction upon which the seller shall certify that the producer of the milk sold was or was not, as the case may be, paid the full maximum price authorized by 2d Revised Order No. G–10 under Maximum Price Regulation No. 329.

6. *Penalty for false certificate.* A false certificate made by any person pursuant to paragraph 5 above shall constitute a violation of this regulation and subject the maker thereof to the penalties provided by the Emergency Price Control Act of 1942, as amended, for such offense.

7. *Effective date.* This Amendment No. 3 shall become effective on the 29th day of April, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of April 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44–6670; Filed, May 9, 1944; 4:29 p. m.]

[Region VII Order G–24 Under RMPR 122, Amdt. 9]

SOLID FUELS IN DENVER REGION

Order No. G–24 under Revised Maximum Price Regulation No. 122, Amendment No. 9. Solid fuels sold and delivered by dealers. Adjustment of specific maximum prices of dealers in Region VII to compensate for increases in supplier's price under Amendment 74 to Maximum Price Regulation No. 120.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1340.-260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 9 is issued.

1. Subparagraph (1) of paragraph (d), "Appendix A," as set forth in Amendment No. 2, is hereby revised and amended to read as follows:

Mines operated by—	District	Subdistrict	Index No.	Amount	Effective date
(1) The Colorado Fuel and Iron Corporation:				*Cents*	
Crested Butte	17	11	25	20	4-13-44
Rockvale No. 3	17	2	68	20	4-13-44
Frederick	17	8	32	42	12-30-43
Morley	17	8	52	45	12-30-43

2. Subparagraph (2) of paragraph (d), "Appendix A," is amended to read as follows:

Mines operated by—	District	Subdistrict	Index No.	Size	Amount	Effective date
(2) Hi-Heat Coal Co.: Rains #2	20	1	17	{1 through 9 10 through 15	*Cents* 40 80	4-5-44 4-5-44

3. Subparagraph (3) of paragraph (d), "Appendix A," is amended and rewritten to read as follows:

Mines operated by—	District	Subdistrict	Index No.	Size	Amount	Effective date
(3) Crested Butte Coal Co.: Buckley #2	17	11	16	{13 through 16 17 and 19	*Cents* 30 20	4-10-44 4-10-44

4. Subparagraph (5) of paragraph (d), "Appendix A," as amended and rewritten by Amendment No. 3, is hereby further amended by deleting therefrom the increase of 35¢ per ton authorized for Arrowhead Mine, effective January 12, 1944.

5. Subparagraph (16) of paragraph (d), "Appendix A," as added by Amendment No. 1, is amended and rewritten to read as follows:

Mines operated by—	District	Subdistrict	Index No.	Size	Amount	Effective date
(16) Rock Springs Fuel Co.: Kleen Fyre No. 1	19	2	13	1 through 17	*Cents* 35	4-5-44

6. Subparagraph (18) of paragraph (d), "Appendix A," as added by Amendment No. 3, is amended and rewritten to read as follows:

Mines operated by—	District	Sub district	Index No.	Size	Amount	Effective date
(18) Butte Valley Coal Co.: Butte Valley	17	1	17	1 through 12 14 through 16 17 19	*Cents* 10 30 25 10	4-10-44 4-10-44 4-10-44 4-10-44

7. Subparagraph (20) of paragraph (d), "Appendix A," as added by Amendment No. 5, is amended and rewritten to read as follows:

Mines operated by—	District	Subdistrict	Index No.	Size	Amount	Effective date
(20) Gunn Quealy Coal Co.: Sweetwater No. 2	19	2	29	18	*Cents* 15	3-29-44

8. Paragraph (d), "Appendix A," is amended by adding thereto a new subparagraph designated (21), to read as follows:

Mines operated by—	District	Subdistrict	Index No.	Amount	Effective date
(21) Ramsey Coal Co.:				*Cents*	
Ramsey No. 1	17	5	210	20	4-20-44
Ramsey No. 2	17	5	24	20	4-20-44

9. *Effective date.* This Amendment No. 9 shall become effective on the 22d day of April, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 22d day of April 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44–6669; Filed, May 9, 1944; 4:29 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70–885]

NEW JERSEY POWER & LIGHT COMPANY AND NY PA NJ UTILITIES COMPANY

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 8th day of May 1944.

New Jersey Power & Light Company and its direct parent, NY PA NJ Utilities Company, a registered holding company, having filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6, 7, and 12 thereof, regarding (1) the issuance and sale at competitive bidding, pursuant to Rule U-50, of $9,000,000 principal amount of First Mortgage Bonds, due March 1, 1974, and 30,000 shares of Cumulative Preferred Stock, par value $100 per share, of New Jersey Power & Light Company; (2) the donation by New Jersey Power & Light Company to Northern New Jersey Gas Company, a direct subsidiary of New Jersey Power & Light Company, of $16,000 principal amount of the latter company's 5% First Mortgage Bonds, due 1952; (3) the reduction in the stated value of the 87,500 shares of no par value common stock of New Jersey Power & Light Company, and the conversion of the presently outstanding 33,060 shares of cumulative preferred stock of New Jersey from no par value stock to stock with a par value of $100 per share; (4) the effectuation of certain accounting adjustments, as at February 29, 1944, to reflect the results of the proposed transactions and related matters; and (5) the redemption, at full redemption price, of 33,060 shares of the presently outstanding $6 Cumulative Preferred Stock of New Jersey Power & Light Company, of which 12,068 shares are owned by NY PA NJ Utilities Company;

A public hearing having been held, after appropriate notice, and the Commission having considered the record and having made and filed its Findings and Opinion herein;

It is ordered, That said joint application-declaration, as amended, be, and hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions contained in Rule U-24, and to the following terms and conditions:

1. The approval by the New Jersey Board of Public Utility Commissioners of the amended mortgage indenture prior to the public distribution of the mortgage bonds;

2. That the proposed issuance and sale of the $9,000,000 aggregate principal amount of First Mortgage Bonds, due March 1, 1974, and 30,000 shares of cumulative preferred stock, aggregate par value $3,000,000, shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order shall contain further terms and conditions as may then be deemed appropriate, jurisdiction being reserved for the imposition thereof in connection with the proposed transaction; and

3. That jurisdiction be reserved with respect to all legal fees incurred or to be incurred in connection with the consummation of the various transactions.

It is further ordered, That the ten-day period for inviting bids, as provided by Rule U-50, be shortened to a period of not less than six days.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–6723; Filed, May 10, 1944; 2:43 p. m.]

[File No. 70–880]

CONNECTICUT RIVER CONSERVATION CO., ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of May 1944.

In the matter of Connecticut River Conservation Company, Essex Storage Electric Company, Inc., and Mascoma River Improvement Company.

Connecticut River Conservation Company, a sub-holding company of New England Power Association, a registered holding company, and its two subsidiaries, Essex Storage Electric Company, Inc., and Mascoma River Improvement Company, having filed a joint application-declaration and amendments thereto pursuant to sections 9, 10 and 12 of the Public Utility Holding Company Act of 1935 and Rules U-42, U-45 and U-46 promulgated thereunder, with respect to the following transactions: (1) Essex Storage Electric Company, Inc., proposes to liquidate and dissolve, and its assets, subject to liabilities, are to be transferred to Connecticut River Conservation Company, its sole stockholder, (2) Connecticut River Conservation Company proposes to surrender to Mascoma River Improvement Company its holdings (about 75%) of the capital stock of Mascoma River Improvement Company, which stock will be retired and cancelled, (3) Mascoma River Improvement Company proposes to liquidate and dissolve, and its assets, subject to liabilities, are to be transferred to its sole remaining stockholder, Granite State Electric Company, a public utility subsidiary of New England Power Association, and (4) thereafter, Connecticut River Conservation Company proposes to liquidate and dissolve, and its assets, subject to liabilities, are to be transferred to New England Power Association; and

Said joint application-declaration having been filed on March 31, 1944, and the last amendment thereto having been filed on April 26, 1944, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23, and the Commission not having received a request for hearing with respect to said joint application-declaration within the period prescribed in said notice, or otherwise, and not having had a hearing thereon, the companies having requested acceleration of the effective date; and

The Commission finding that all applicable statutory requirements are satisfied, and deeming it appropriate in the public interest and for the protection of investors and consumers to grant said joint application, as amended, and to permit said joint declaration, as amended, to become effective, and finding that the effective date should be accelerated;

It is hereby ordered, pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid joint application, as amended, be and the same hereby is granted forthwith and that the aforesaid joint declaration, as amended, be and the same hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–6722; Filed, May 10, 1944; 2:43 p. m.]

[File No. 59–5]

MIDDLE WEST CORP., ET AL.

ORDER ON PETITION FOR REHEARING AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of May, A. D. 1944.

In the matter of the Middle West Corporation and its subsidiary companies, Respondent, File No. 59–5.

The Commission having entered an order with respect to The Middle West Corporation and its subsidiary companies in proceedings under section 11 (b) (1) of the Public Utility Holding Company Act

of 1935; a petition for rehearing having been filed by certain of the companies affected; the Commission having been duly advised and having this day issued and filed its memorandum opinion herein;

It is ordered, That the said petition be and the same hereby is denied, except insofar as hereinafter set forth:

The petition of The Middle West Corporation, Central and South West Utilities Company, the American Public Service Company and the principal subsidiary companies affected for leave to introduce further evidence respecting the retainability under section 11 (b) (1) of the gas, water and ice businesses of Public Service Company of Oklahoma, Southwestern Light & Power Company, Southwestern Gas and Electric Company, Central Power and Light Company, and West Texas Utilities Company and the sewerage business of West Vernon Sewer Company is hereby granted.

The petition of The Middle West Corporation and Oklahoma Power and Water Company for leave to introduce further evidence with respect to the retainability under section 11 (b) (1) of the gas and water businesses of Oklahoma Power and Water Company is hereby granted.

The petition of The Middle West Corporation, Central and South West Utilities Company and the American Public Service Company and the principal subsidiary companies affected for leave to introduce evidence of certain additional facts occurring subsequent to the period covered by the record in the previous hearing and pertinent to the determination of the application of section 2 (a) (29) (A) to the electric properties of Central Power and Light Company, West Texas Utilities Company, Southwestern Light & Power Company, Public Service Company of Oklahoma, and Southwestern Gas and Electric Company is hereby granted.

The petition of Central and South West Utilities Company for leave to introduce further evidence with respect to the retainability under section 11 (b) (1) of the electric utility assets of Central Power and Light Company in the Pleasanton area is hereby granted.

The petition of Arkansas-Missouri Power Corporation for leave to introduce further evidence with respect to the retainability under section 11 (b) (1) of the electric utility properties in and around Piedmont, Missouri, and between Arcadia and Old Mines, Missouri, and the ice and water properties of the company is hereby granted.

It is further ordered, That the effectiveness of the order of January 24, 1944, hereinbefore referred to, is and the same shall be stayed, pending further order, only as respects those properties hereinabove designated as to which leave to introduce further evidence has been granted and in all other respects shall continue in full force and effect.

It is further ordered, That a hearing with respect to the issues described above as to which leave to introduce further evidence has been granted, under the applicable provisions of said act and rules promulgated thereunder, be held on May 24, 1944 at 10 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as the hearing room clerk in Room 318 may designate.

It is further ordered, That any person desiring to be heard in connection with these proceedings, or proposing to intervene herein, shall file with the Secretary of the Commission on or before May 17, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Willis E. Monty, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of this Commission shall serve notice of the aforesaid hearing by mailing a copy of this order to Central and South West Utilities Company, American Public Service Company, Central Power and Light Company, West Texas Utilities Company, Southwestern Light & Power Company, Public Service Company of Oklahoma, Southwestern Gas and Electric Company, The Middle West Corporation, Oklahoma Power and Water Company, and Arkansas-Missouri Power Corporation by registered mail; and that notice of said hearing is hereby given to the security holders of said companies and to consumers of said companies, states, municipalities and political subdivisions of states within which are located any of the utility assets of such companies or under the laws of which any of such companies are incorporated, all state commissions, state securities commissions, and all agencies, authorities, judicial bodies, or instrumentalities of the United States of America and of one or more states, municipalities or other political subdivision having jurisdiction over such companies or over any of the businesses, affairs, or operations of any of them; that such notice shall be given further by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-6724; Filed, May 10, 1944; 2:43 p. m.]

[File No. 52-22]

ASSOCIATED GAS AND ELECTRIC CO., ET AL.

ORDER APPROVING FORMAL AMENDMENT AND DENYING REHEARING ON PLAN OF REORGANIZATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of May, A. D. 1944.

In the matter of Stanley Clarke, trustee of Associated Gas and Electric Company, Denis J. Driscoll and Willard L. Thorp, trustees of Associated Gas and Electric Corporation, File No. 52-22.

The Commission having on April 14, 1944, entered its findings, opinion and order approving the plan of reorganization, as amended, of the trustee of Associated Gas and Electric Company and the trustees of Associated Gas and Electric Corporation;

The said trustees having on April 18, 1944, filed an amendment to said plan of reorganization, designated as Amendment No. 3, eliminating certain exhibits and introductory statements from the original plan, as amended, in order to facilitate printing and mailing to creditors of the two estates in accordance with the provisions of the Bankruptcy Act;

The Commission having given notice of the filing of Amendment No. 3 under date of April 22, 1944, announcing that any interested person might, not later than April 29, 1944, request the Commission to hold a hearing on such matter, setting forth the reasons for such request and the nature of his interest;

Sparta Fritz, Jr., a security holder, having on April 29, 1944, filed with the Commission a document in which he objected to the approval of the said plan of reorganization, as amended, and requested the holding of a hearing to reconsider the Commission's findings, opinion, order and approval of the said plan of reorganization and to hear reasons why the said plan should be modified, altered or rejected;

The Commission finding that Amendment No. 3 makes no change in the substance of the said plan, as amended, and deeming approval thereof to be in the interest of the two estates, appropriate for the expedition of the reorganization proceedings, and not detrimental to the public interest or the interest of creditors; and

The Commission having considered the objection and application of said Sparta Fritz, Jr., and finding that it raises no substantial issue which has not already been given full consideration, and that it discloses no meritorious reason for holding a hearing on Amendment No. 3 or a rehearing on said Plan of Reorganization;

It is ordered, That Amendment No. 3 to the plan of reorganization of the trustee of Associated Gas and Electric Company and the trustees of Associated Gas and Electric Corporation be, and it hereby is, approved; and

It is further ordered, That the request of Sparta Fritz, Jr., for a rehearing upon said Plan of Reorganization be, and it hereby is, denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-6730; Filed, May 11, 1944; 9:50 a. m.]

FEDERAL REGISTER

THE NATIONAL ARCHIVES OF THE UNITED STATES 1934 LITTERA SCRIPTA MANET

VOLUME 9 NUMBER 96

Washington, Saturday, May 13, 1944

Regulations

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary

PART 2—AWARD OF FELLOWSHIPS TO APPLICANTS FROM OTHER AMERICAN REPUBLICS

Pursuant to the following authority and official recommendations and subject to appropriations available, fellowships in agricultural economics, extension work and soil conservation in the Department of Agriculture will be awarded to qualified applicants from the other American republics:

(a) Public Law 355, 76th Congress, approved August 9, 1939 (53 Stat. 1290) authorizing the President to utilize the services of the Departments, agencies and independent establishments of the Government of the United States for the purpose of rendering closer and more effective the relationship between the American republics; (See Resolution No. 81 adopted at the Eighth International Conference of American States held at Lima, Peru, December 9-27, 1938, recommending scientific and technical research by institutes, laboratories and men of science recommended by the American Governments);

(b) The Department of State Appropriation Act, 1944, approved July 1, 1943, appropriating funds for tuition, compensation, monthly allowances and enrollment, laboratory, insurance, and other fees incident to training, including traveling expenses in the United States and abroad in accordance with the standardized Government Travel Regulations and the Act of June 3, 1926, as amended, of educational, professional, and artistic leaders and professors, students, internes, and persons possessing special scientific or other technical qualifications, who are citizens of the United States or the other American republics;

(c) Title 5, U.S.C., sec. 22 (R.S., sec. 161) authorizing the head of each Department to prescribe regulations for the government of his Department and the performance of its business; and

(d) Title 5, U.S.C., sec. 511 (R.S., sec. 520) establishing the Department of Agriculture and indicating its purposes.

Fellowships will be awarded, subject to the following regulations:

Sec.
2.1 Type of fellowship.
2.2 Qualifications.
2.3 Award of fellowships.
2.4 Allowances and expenses.
2.5 Duration.
2.6 Official notification.
2.7 Definitions.

AUTHORITY: §§ 2.1 to 2.7, inclusive, issued under R.S. 161, 5 U.S.C. 1940 ed. 22; 53 Stat. 1290, 22 U.S.C. 1940 ed. 501 and 502; R.S. 520, 5 U.S.C. 1940 ed. 511; Pub. Law 105, 78th Cong., 1st Sess., approved July 1, 1943.

§ 2.1 *Type of fellowship.* Fellowships shall be of the interne-training type, consisting of instruction by the respective bureaus of the Department of Agriculture as follows:

Bureau of Agricultural Economics (Option I): (1) Agricultural economics, (2) agricultural program formulation and administration, (3) agricultural statistics, (4) rural sociology, and (5) technological research in agriculture or more specialized application in dairy industry, animal husbandry, entomology or plant industry and soils.

Agricultural Extension Service (Option II): Methods and techniques for adult education in agriculture, homemaking and rural life, and 4-H Club work.

Soil Conservation Service (Option III): Agronomy, forestry, biology, range management, climatology, sedimentation, hydrology, agricultural and civil engineering.

§ 2.2 *Qualifications.* Each applicant selected for a fellowship shall be:

(a) A bona fide citizen of any of the American republics other than the United States;

(b) In possession of a certificate of medical examination issued by a licensed physician within sixty days of the date of application, describing the applicant's physical condition, and stating that he is free from any communicable disease or disability that would interfere with the proper pursuit of studies or research or the performance of any activity incident to the fellowship;

(c) Able to speak, read, write and understand the English language;

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

AGRICULTURE DEPARTMENT. *See also* War Food Administration. Page
Fellowships, award to applicants from other American republics 5031
ALIEN PROPERTY CUSTODIAN:
Vesting orders:
Back, Heinrich 5085
Becker, Ernst 5085
Dahnke, Dorothea 5086
Desebrock, Hanna 5091
Eggeling, Albert A 5086
Ferigo, Joseph 5091
Flehmig, Clara 5086
Furuya, Riichiro 5087
Furuya, Satoshi, et al 5087
Goehrke, Elise 5081
Gottgetreu, Ida 5088
Graf, Anna C 5081
Harder, Lina 5081
Harnischfeger, Henry 5088
Hein, George 5088
Hermann, Adele 5089
Kern, Helene 5089
Klein, Emil 5090
Koch, George H 5090
Liedke, Christian 5082
Metzger, Friederike Susanne 5082
Meyran, Marie H 5091
Noetzel, William 5083
Osborne, Blanche Jacobs 5083
Polasky, Charles N 5083
Proske, Adolf Josef 5084
Rolker, Charles M 5084
Uyeda, Kamejiro 5080
Von Stulpnagel, Martha Clara 5090
Williams, Robert W., et al 5085
CIVIL AERONAUTICS BOARD:
Scheduled air carrier rules, altitude recording device 5035
COAST GUARD:
Lifesaving appliances, approval of equipment 5076
COMMERCE DEPARTMENT:
Training of pilots, mechanics, etc., revocation of appointment order 5080
COMMODITY CREDIT CORPORATION:
Dairy producers, offer to make production payments 5099

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

	Page
CUSTOMS BUREAU:	
Invoices to cancel bond obligations, triplicate or quadruplicate copies	5035
FISHERIES COORDINATOR:	
Alaska salmon industry, operating schedule amended	5078
GENERAL LAND OFFICE:	
Colorado, withdrawal of public lands	5079
Utah, modification of grazing districts	5079
INTERSTATE COMMERCE COMMISSION:	
Rail service, emergency substitution for truck service	5077
Refrigerator cars, use for transporting ice	5078
Transportation permit	5080
Rerouting of freight cars, etc.:	
Baltimore, Md	5078
Vincennes, Ind	5080
JUSTICE DEPARTMENT:	
Foreign Agents Registration Act, administration	5035
OFFICE OF DEFENSE TRANSPORTATION:	
Common carriers, coordinated operations between Chicago, Ill., and New York, N. Y.	5092
Taxicab operators, coordinated operations in Kankakee, Bradley, and Bourbonnais, Ill.	5092
OFFICE OF PRICE ADMINISTRATION:	
Bituminous coal delivered from mine or preparation plant (MPR 120, incl. Am. 1–97)	5042
Food products, packed (MPR 306, incl. Am. 20)	5075
Food rationing for institutional users (Gen. RO 5, Am. 62)	5041
Foods, processed (RO 13, Am. 33)	5074
Hogs, live (MPR 469, Am. 6)	5075
Insecticide sprayers (Rev. SR 14, Am. 133)	5076
Meat, fats, fish and cheeses (RO 16, Am. 138)	5074
Regional and district office orders:	
Fluid milk:	
Massachusetts (6 documents)	5094, 5095
New Hampshire (2 documents)	5095
Rhode Island	5095
Ice, Hancock and Shelby Counties, Ind	5092
Lumber services, Memphis and Shelby County, Tenn	5093
Poultry, New York region (Corr.) (2 documents)	5094, 5096
Solid fuels, Twin Cities, Minn., area (Corr.)	5094
Sweet potatoes, North Georgia district	5094
Solid fuels, miscellaneous, delivered from producing facilities (MPR 121, incl. Am. 1–31)	5069
Vegetable seeds (MPR 496, Am. 3)	5076
SURPLUS WAR PROPERTY ADMINISTRATION:	
Federal agencies, disposal of surplus property; establishment of forms and procedures	5096
WAR DEPARTMENT:	
Surplus property, sale of salvage	5034
WAR FOOD ADMINISTRATION. *See also* Commodity Credit Corporation.	
Fatty acids, restrictions on inventories (WFO 87, Am. 1)	5033
Puerto Rico, chemical fertilizer (WFO 41, Am. 1)	5033
WAR PRODUCTION BOARD:	
Chemicals, miscellaneous (M–340)	5040
Electronic equipment (P–133, Int. 1)	5036
Suspension order; National Supply Corp	5036
Work gloves (M–375)	5036
WAR SHIPPING ADMINISTRATION:	
Charter hire, values and rates	5077
"Ketchikan," deposit of just compensation	5100

CONTENTS—Continued

	Page
WAR SHIPPING ADMINISTRATION—Continued.	
Panamanian flag vessels, employment cards for issuance to seamen	5077
"Paul L.," vessel ownership determination	5100

(d) Of good moral character and possessing intellectual ability and suitable personal qualities;

(e) In possession of acceptable evidence of studies indicating the completion of the equivalent of a four-year college course in agriculture, economics, engineering or related science at a recognized institution of learning, or a minimum of two years of such education accompanied by at least four years of experience in the field of his option.

§ 2.3 *Award of fellowships.* Fellowships will be awarded by the Secretary of Agriculture of the United States, upon the recommendation of the heads of the respective bureaus, and with the approval of the Secretary of State of the United States, or the duly authorized representative of the Secretary of State. No applicant will be considered in awarding fellowships unless his application shall have been transmitted by the government of the American republic of which the applicant is a citizen, through the diplomatic mission of the United States of America accredited to that republic.

§ 2.4 *Allowances and expenses.* An applicant awarded a fellowship may be granted any or all of the following, upon recommendation of the head of the respective bureau:

(a) *Monthly allowances.* Monthly allowances for quarters and subsistence during the entire period spent in the United States, or its Territories or Possessions, in pursuance of a fellowship, beginning on the date of arrival at his initial headquarters and ending on the date of departure for his home, as follows: (1) Not exceeding $180 per month while under assignment to headquarters in a Department or agency of the Federal or a local government in a city of more than 100,000 population; or not exceeding $150 per month while under such assignment in a city of less than 100,000 population; and (2) not exceeding $135 per month while under assignment to receive training at colleges or universities and residing in quarters usually occupied by students in attendance thereat or in similar quarters, irrespective of the population of the city wherein the institution is located.

(b) *Transportation expenses.* Transportation expenses from the home of the applicant (or place in which appointment is accepted) to the place or places in the United States, its Territories, or Possessions, where the studies and research are to be pursued, and return to the home of the applicant (or point of departure), including travel via Washington, D. C., en route to the place of study or research and from the place of study or research to Washington, D. C., and return to that place, if necessary, for consultation with reference to the fellowship, and between places of study and research in the United States, its Territories or Possessions, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, in which connection claim for reimbursement may be made only for items in the following schedule and contingent upon prior authorization:

(1) Rail fare: [1] First-class fare. If travel is performed on an extra-fare train, expenses in excess of the first-class fare must be borne by the traveler. No receipts are necessary. (Government transportation requests are to be used, if practicable, within the United States.)

(2) Pullman fare: [1] Lower berth or parlor car seat. No receipts are necessary if Government transportation requests are used. If purchased with cash the Pullman stub must be attached to the reimbursement voucher.

(3) Steamer fare: [1] Not exceeding the lowest minimum first-class fare of the ship on which travel is performed. American vessels must be used if available (section 901 of the Merchant Marine Act of 1936, 49 Stat. 2015. This requirement has been suspended with respect to appropriations for the fiscal year 1944 by section 302 of Public Law 216—78th Congress, approved December 23, 1943). No receipts are necessary.

(4) Airplane fare: [1] Transportation by air will be allowed regardless of the cost when authorized by the head of the respective bureau. When air travel has not been specifically authorized, the traveler may proceed by air with the understanding that he may claim reimbursement therefor only in an amount not exceeding what it would have cost had the travel been performed by public conveyance over land or water. No receipts are necessary.

(5) Taxicab: At the beginning and termination of the journey and at all points where a change of conveyance is necessary while in a direct travel status. No receipts are necessary.

(6) Excess baggage charges: For personal effects (not household furniture) which are not carried free by the transportation company. Receipts are necessary and they should indicate that the traveler has availed himself of the free allowance, if such an allowance is granted.

(7) Drayage or transfer of baggage: For the hauling of personal effects from home to the station or dock, et cetera. Receipts are not necessary but should be submitted if possible. Charges by porters for handling the bags of baggage will not be allowed.

(8) Steamer rug and steamer chair: Receipts are necessary. Charges for steamer cushions will not be allowed.

(9) Tips and gratuitous fees: Will not be reimbursed.

[1] In all cases, round trip tickets must be purchased if possible. In the event that the return portion of the ticket cannot be used, it should be returned to the respective bureau for collection of the refund.

(c) *Per diem.* Per diem in lieu of subsistence while in travel status proceeding from, and to, his home at the following rates: $6 over land and by air in and outside of the United States, and $4 aboard vessels outside of the United States. No per diem will be allowed concurrently with monthly allowances, but per diem may be substituted therefor at the rate of $6 per day for any period of authorized travel.

§ 2.5 *Duration of fellowships.* Fellowships will be awarded for periods not exceeding one year each, and may be extended for not exceeding the same periods in the manner prescribed under § 2.3 and subject to the availability of appropriations. Fellowships may be cancelled for cause by the Secretary of Agriculture on the recommendation of the appropriate bureau head, and with the approval of the Secretary of State, or the duly authorized representative of the Secretary of State.

§ 2.6 *Official notification.* Each applicant recommended for a fellowship by the head of a bureau and approved by the Secretary of Agriculture and the Secretary of State, or the duly authorized representative of the Secretary of State, shall be notified of his award through diplomatic channels. The notification shall name the option in which the award is granted, state the duration and type of fellowship, and the allowances authorized; and shall describe in general terms the program of studies: *Provided, however,* That the head of the bureau concerned may in his discretion subsequently amend the course of studies and duration of the fellowship within the broad outlines of the prescribed option in order to develop a program better suited to the needs and capabilities of the individual fellow.

§ 2.7 *Definitions.* As used in these regulations, the term "bureau" includes the Bureau of Agricultural Economics, the Extension Service, and the Soil Conservation Service of the United States Department of Agriculture. The term "heads of the respective bureaus" includes the Chief of the Bureau of Agricultural Economics, the Director of the Extension Service, and the Chief of the Soil Conservation Service.

Issued this 17th day of March 1944.

H. R. TOLLEY,
Chief,
Bureau of Agricultural Economics.
M. L. WILSON,
Director,
Extension Service.
H. H. BENNETT,
Chief,
Soil Conservation Service.

Approved: March 17, 1944.

CLAUDE R. WICKARD,
Secretary of Agriculture.

Approved: May 1, 1944.

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-6829; Filed, May 12, 1944; 11:21 a. m.]

Chapter X—War Food Administration (Production Orders)

[WFO 41, Amdt. 1]

PART 1206—FERTILIZER

CHEMICAL FERTILIZER IN PUERTO RICO

Paragraph (j) of § 1206.501 (9 F.R. 1073, 4319) is hereby amended to read as follows:

(j) *Fertilizer requirements for tobacco.* Each tobacco grower's requirement for chemical fertilizer for use on any tobacco crop shall be the product of his tobacco acreage, which shall be determined by the Farm Rationing Committee, and 800 pounds of chemical fertilizer in any formula prescribed by the Farm Rationing Committee. The Farm Rationing Committee shall determine such tobacco acreage on the basis of the land, labor and equipment available for the production of tobacco, crop rotation practices, soil and other physical factors affecting the production of tobacco.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 11th day of May 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-6828; Filed, May 12, 1944; 11:21 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 87, Amdt. 1]

PART 1460—FATS AND OILS

RESTRICTIONS ON INVENTORIES OF FATTY ACIDS

War Food Order 87 (9 F.R. 54, 4319), § 1460.31 is amended to read as follows:

§ 1460.31 *Restrictions on inventories of fatty acids.* (a) *Definitions.* (1) The term "fatty acids" means all grades and qualities of fatty acids, whether distilled or undistilled, produced from animal, vegetable, fish, or marine animal fats and oils, excluding crude and refined tall oil; raw or acidulated foots produced in the refining of animal, vegetable, fish, or marine animal fats and oils; pitch; and fatty acids which have been processed to the extent that they no longer exist as such by reason of chemical changes or compounding with non-fatty materials.

(2) The term "person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(3) The term "user" means any person who engages in the manufacturing of any product by any process which requires the use of fatty acids, without regard to whether or not fatty acids are incorporated in the product.

(4) The term "inventory" means the total quantity of fatty acids owned by any user at any particular time, excluding fatty acids which were produced by

such user, or delivered to him pursuant to a specific authorization by the Director.

(5) The term "maximum unit" means, with respect to any user, the largest, single, segregate, commercial quantity of fatty acids which such user accepted delivery of, from other persons, during the period beginning on January 1, 1943 and ending on December 31, 1943. For example, such a unit might be one, but not more than one, of the following: a tank car, or fraction thereof; a tank truck, or fraction thereof; a carload, or fraction thereof, of packages; or a truckload, or fraction thereof, of packages.

(6) The term "Director" means the Director of Distribution, War Food Administration.

(b) *Inventory limitations.* Except as provided for in (c) hereof, no user shall accept delivery of any fatty acids from any other person, if such acceptance of delivery will cause his inventory to exceed a quantity equal to a 60-day supply at his current rate of consumption.

(c) *Exceptions.* Notwithstanding the provisions of (b) hereof:

(1) Any user may accept delivery of his maximum unit of fatty acids, if at the time of such acceptance of delivery his inventory does not exceed a quantity equal to a 30-day supply at his current rate of consumption.

(2) Any user may accept delivery of fatty acids, if such acceptance of delivery will not cause his inventory to exceed 12,000 pounds.

(d) *Restrictions on delivery.* No user shall accept delivery of more than 50 pounds of fatty acids in any calendar month unless and until he shall have properly filled out, executed, and delivered to the person making delivery of such fatty acids a certificate in the following form:

The undersigned hereby certifies to the War Food Administration and to_____
_____that he
(name of supplier)
is familiar with the provisions of War Food Order No. 87, and all amendments, if any, thereto, and that the acceptance of delivery by him of _____ pounds of fatty acids, from said supplier, in connection with which this certificate is furnished, will not be in violation of the provisions of said War Food Order No. 87, or any amendment thereto.

_____
(Name of deliveree)
By_____
(Authorized official)
_____
(Date)

No person shall deliver more than 50 pounds of fatty acids in any calendar month to any user without receiving such a certificate.

(e) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in fatty acids, and retain all certificates received by him pursuant to (d) hereof.

(f) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of fatty acids of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him, may file a petition for relief in writing with the Director, addressed as follows: Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WF 87. Such petition shall set forth all pertinent facts and the nature of the relief sought. The Administrator of this order shall then act upon the petition. In the event that the petitioner is dissatisfied with the action taken by the Administrator of this order, he may request a review of such action by the Director whose decision with respect to the relief sought shall be final.

(h) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using fatty acids, or any other material subject to priority or allocation control by any governmental agency. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(i) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WF–87.

(k) *Territorial extent.* This order shall apply only in the forty-eight States of the United States, and the District of Columbia.

(l) *Effective date.* This amendment shall become effective 12:01 a. m. e. w. t., May 9, 1944. However, with respect to violations of said War Food Order 87, or rights accrued, or liabilities incurred thereunder, prior to said date, said War Food Order 87 shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 9th day of May 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–6721; Filed, May 10, 1944; 1:28 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment of Supplies

PART 83—DISPOSITION OF SURPLUS AND UNSERVICEABLE PROPERTY

SALE OF SALVAGE

Sections 83.4 to 83.10 are rescinded and the following §§ 83.4 to 83.9 are substituted therefor. The regulations in these sections are also contained in Army Regulations No. 700–25, 26 April 1944, the particular paragraphs being shown in brackets at end of sections.

Sec.
83.4 Authorized methods of sale.
83.5 Bids from certain persons prohibited.
83.6 Making of awards.
83.7 Bid deposits to guarantee fulfillment.
83.8 Suspension of sale; when authorized.
83.9 Amount due United States to be paid before shipment.

AUTHORITY: §§ 83.4 to 83.9, inclusive, issued under R.S. 161; 5 U.S.C. 22.

§ 83.4 *Authorized methods of sale.* (a) The authorized methods of sale are:

(1) Formal sealed bid procedure contemplated by section 3709, Revised Statutes, with respect to purchases.

(2) Securing of informal written bids.

(3) Securing of bids by telephone or oral negotiation.

(4) By auction.

(5) Retail.

(b) The sealed bid procedure will be used only when directed by the Commanding General, Army Service Forces.

(c) Unless otherwise authorized or directed by the Commanding General, Army Service Forces, the commanding general of the Appropriate service command, or the chief of the technical service having jurisdiction, all sales will be made upon informal written bids solicited from as many bidders as may be practicable under the circumstances and in no case less than three bidders. Such bids will be obtained by issuing written invitations for informal bids on forms prescribed in applicable technical manuals.

(d) Sales may be made upon bids obtained by telephone or oral negotiation.

(1) Upon specific authorization of the commanding general of the appropriate service command or the chief of the technical service having jurisdiction;

(2) Where the sale is to be made to an Army exchange; or

(3) When sale is made by allocation, pursuant to orders of the War Production Board.

(e) Sales may be made by auction, and professional auctioneers may be employed upon the specific authorization of the Commanding General, Army Service Forces. [Par. 17]

§ 83.5 *Bids from certain persons prohibited.* On all sales of Government-owned property, except as provided in AR 30–2290,[1] other War Department publications, and § 83.20 of this chapter, all officials and employees of the War Department, officers, enlisted men, and civilian employees of the Army will be excluded from the field of bidders, and bids from any of said persons will not be considered or accepted. [Par. 18]

§ 83.6 *Making of awards.* (a) Written invitations for bids will specify a time for submitting bids thereon which will be not less than 15 days from the date of the invitation unless a shorter period has been authorized by the commanding general of the appropriate service command or the chief of the technical service having jurisdiction.

(b) Award will be made normally to the highest bidder, but if it is considered to be in the best interests of the Government, award may be made to other than the highest bidder, either at his bid price or another price arrived at by further negotiation. [Par. 19]

§ 83.7 *Bid deposits to guarantee fulfillment.* Invitations for bids will specify that at least 20 percent of the entire amount of the bid, in the form of a certified check drawn in favor of the Treasurer of the United States, bond, or legal tender, will accompany the bid as a guaranty of fulfillment. The provisions of this paragraph may be waived in special cases by the commanding general of the appropriate service command or chief of the technical service having jurisdiction. [Par. 20]

§ 83.8 *Suspension of sale; when authorized.* Whenever, prior to the acceptance of a bid, in the opinion of the officer making the sale, the prices offered are not in keeping with market values, and fair prices cannot be arrived at by further negotiation, he will suspend the sale and request new bids. [Par. 21]

§ 83.9 *Amount due United States to be paid before shipment.*—(a) *Property sold.* No property sold will be delivered or shipped to the buyer until the amount due the United States therefor has been paid, except as authorized by the chief of the technical service having jurisdiction, or the commanding general of the appropriate service command. When such authority is given, title will not pass until final payment has been made. Payment will be made only in cash, or by certified check, bank draft, postal money order, or irrevocable letter of credit drawn in favor of the Treasurer of the United States. Drafts or checks of any kind drawn under a letter of credit will be made payable to the Treasurer of the United States.

(b) *Shipment on Government bills of lading.* No shipment will be made on Government bills of lading without express authority therefor from either;

(1) The Commanding General, Army Service Forces;

(2) The commanding general of the appropriate service command, or

(3) The chief of the technical service having jurisdiction. [Par. 22]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44–6786; Filed, May 11, 1944; 2:55 p. m.]

[1] Administrative regulations of the War Department pertaining to sale of supplies and services.

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs. Serial No. 308]

PART 61—SCHEDULED AIR CARRIER RULES

ALTITUDE RECORDING DEVICE

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 10th day of May 1944.

Effective May 10, 1944, the effectiveness of § 61.341[1] of the Civil Air Regulations is suspended for a period of 30 days from this date.

(52 Stat. 984, 1007 49; U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44–6801; Filed, May 12, 1944; 10:47 a. m.]

[1] 7 F.R. 3070, 8 F.R. 9181.

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51057]

PART 8—LIABILITY FOR DUTIES, ENTRY OF IMPORTED MERCHANDISE

INVOICES

Section 8.10 (b), Customs Regulations of 1943, relating to the acceptance of triplicate or quadruplicate copies of invoices to cancel bond obligations for the production of certified invoices, amended.

Section 8.10 (b), Customs Regulations of 1943 (19 CFR 8.10 (b)), is hereby amended to read as follows:

(b) The quadruplicate copy of the certified invoice, bearing a consular notation that the original was stamped, presented by the principal on the entry bond within six months from the date of entry of the merchandise covered thereby may be accepted to cancel the bond obligation for the production of the certified invoice. The triplicate copy of the certified invoice, bearing a consular notation that the original was stamped, may also be used for such purpose upon the request of the principal, provided satisfactory evidence of his inability to produce the original or the quadruplicate copy is presented to the collector. (See § 8.14 (b).) (Sec. 484, 46 Stat. 722, sec. 12, 52 Stat. 1083, sec. 624, 46 Stat. 759; 19 U.S.C. 1484, 1624.)

W. R. JOHNSON,
Commissioner of Customs.

Approved: May 10, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44–6789; Filed, May 11, 1944; 3:59 p. m.]

TITLE 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Order 3695, Supp. 4]

PART 5—ADMINISTRATION OF THE FOREIGN AGENTS REGISTRATION ACT

MISCELLANEOUS AMENDMENTS

MAY 9, 1944.

Pursuant to authority vested in me by the Foreign Agents Registration Act of 1938, as amended, 56 Stat. 248, 22 U. S. C. 611, the rules and regulations under the act are amended as follows:

I. Section 5.1 is amended to read as follows:

§ 5.1 *Administration of act assigned to Foreign Agents Registration Section.* The administration of the act is assigned to the Foreign Agents Registration Section of the War Division of the Department of Justice. Communications with respect to the Act should be addressed to the Chief of the Foreign Agents Registration Section, War Division, Department of Justice, Washington 25, D. C.

Copies of the act, the rules and regulations, and the forms may be obtained upon request without charge.

II. All references in the rules and regulations under the act to the Special War Policies Unit are deleted, and all references therein to the Chief of the Special War Policies Unit are amended to refer to the Chief of the Foreign Agents Registration Section.

III. Section 5.6 is amended to read as follows:

§ 5.6 *Final supplemental statements.* Every person who has filed a registration statement pursuant to section 2 of the act and every person with respect to whom a statement has been furnished pursuant to section 3 (f) of the act shall, within 30 days after the termination of the agency which necessitated the filing of the statement, furnish a supplemental statement, in the appropriate form prescribed therefor, for the final period of the agency not covered by the previous statement or statements.

IV. The following new § 5.401 is hereby prescribed under section 4 of the act:

§ 5.401 *When political propaganda "caused" to be transmitted within meaning of section 4.* (a) An agent of a foreign principal who is required to register

under the provisions of the act shall be deemed to cause political propaganda to be transmitted in the United States mails or by a means or instrumentality of interstate or foreign commerce, within the meaning of section 4 of the act, if such propaganda is disseminated or caused to be disseminated by the agent, knowing, intending or having reason to believe that it will be, and thereafter it actually is, so transmitted in whole or in part either in the same or in a different form by any person.

(b) Notwithstanding paragraph (a), where the person by whom the political propaganda is so transmitted is not directly or indirectly affiliated or associated with, or supervised, directed, controlled, financed or subsidized in whole or in part by, the agent or any foreign principal of the agent, and the transmission of the propaganda is not subject to the direct or indirect supervision, direction or control of, and no compensation or remuneration therefor is paid directly or indirectly by, the agent or any foreign principal of the agent, the agent shall be deemed to have complied with section 4 if:

(1) The political propaganda is duly labeled to comply with section 4 of the act at the time it is disseminated or caused to be disseminated by the agent; and,

(2) Copies of the political propaganda are duly filed by the agent in accordance with section 4 of the act and § 5.400 thereunder.

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 44-6783; Filed, May 11, 1944; 12:29 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-468, Revocation]

NATIONAL SUPPLY CORPORATION

Suspension Order No. S-468 was issued against Joseph Goldberg and Sidney E. Goldberg, doing business as National Supply Corporation, effective December 28, 1943. A petition for rehearing was filed by respondent, and on January 6, 1944, the Chief Compliance Commissioner directed that the case be reopened for further hearing and the admission of additional evidence, and the Chief Compliance Commissioner ordered a stay of execution of the suspension order. A further hearing was held before the Chief Compliance Commissioner, as a result of which on May 6, 1944, the Chief Compliance Commissioner directed that Suspension Order S-468 be revoked forthwith. In view of the foregoing, *It is hereby ordered*, That: § 1010.468 *Suspension Order S-468* be revoked.

Issued this 11th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6790; Filed, May 11, 1944; 4:18 p. m.]

PART 3289—RADIO AND RADAR

[Preference Rating Order P-133, Interpretation 1]

ELECTRONIC EQUIPMENT

The following interpretation is issued with respect to Preference Rating Order P-133:

Some things which cannot be bought under this order as maintenance, repairs or operating supplies: It appears that some persons who are entitled to use the priorities assistance given by Order P-133 for maintenance, repair and operating supplies have been applying those ratings for the purchase of items which are capitalized repairs, capital equipment or capital replacements. The following things are not items of maintenance, repair or operating supplies under Order P-133:

1. Recording or reproducing turntables.
2. Amplifiers.
3. Microphones.
4. Speech input consoles.
5. Transmitters.
6. Relay racks or cabinets.
7. Jack panels.
8. Frequency monitors.
9. Antenna towers.

This is not an all-inclusive list of products which are not MRO items under P-133, but simply includes those things about which questions have been raised.

The ratings assigned by Order P-133 must not be applied for the purchase of the things listed above; and any P-133 ratings which have been applied to purchase orders for those items have been improperly applied and should be cancelled at once. This does not mean, however, that necessary parts to maintain or repair those things may not be purchased with P-133 ratings.

How to distinguish the business of radio communication or radio broadcasting from other businesses of the kinds described in paragraph (a) (4): Persons engaged in the business of operating and maintaining electronic systems for the distribution of sound which are not radio communication or radio broadcasting systems are entitled only to use the AA-5 rating assigned by paragraph (a) (4) of Order P-133. The question has been asked as to how to distinguish between these businesses. No person is engaged in the business of radio communication or radio broadcasting who has not been licensed by the Federal Communications Commission to operate a radio transmitter. No person who has not been licensed by the Federal Communications Commission to operate a radio transmitter may use the AA-1 rating assigned by paragraphs (a) (1) and (a) (2) of Order P-133 for the businesses of radio communication and radio broadcasting.

Issued this 12th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6824; Filed, May 12, 1944; 11:34 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-375]

WORK GLOVES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of work gloves for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.336 *General Conservation Order M-375*—(a) *Definitions.* For the purpose of this order:

(1) "Work gloves" means any of the following gloves and mittens customarily graded as men's, women's and children's:

Canton flannel gloves and mittens.
Jersey gloves and mittens
Leather combination gloves and mittens.

"Gloves" means both gloves and mittens.

(2) "Put into process" means the first cutting of material in the manufacture of gloves and mittens.

(3) All terms used in this order shall have their usual and customary trade meanings unless stated otherwise.

(b) *General exceptions.* The provisions of this order shall not apply to orders for the delivery of work gloves to the United States Army, Navy, Maritime Commission or War Shipping Administration, or to other persons pursuant to authorization by the Maritime Commission on Form WPB-646.

(c) *General restrictions on processing and manufacturing of work gloves.* (1) No person shall, after May 15, 1944, manufacture work gloves or put into process or cause to be put into process by others for his account any material for the manufacture of work gloves with:

(i) Canton flannel other than 4 harness construction.

(ii) Thumb seam welts or welts at thumb crotch seam, or thumb straps, on other than side split leather or grain leather construction.

(iii) Pairs tacked, stapled or otherwise fastened together.

(iv) Rider tickets.

(v) Imprints on hand portion other than manufacturer's trade mark.

(2) No person shall, after May 15, 1944, manufacture work gloves, or put into process or cause to be put into process by others for his account any material for the manufacture of work gloves, of any style, type and construction not listed in Schedule A of this order, or more numbers of any style than is specified in Schedule A.

Each person who manufactures work gloves or puts into process materials for the manufacture of work gloves shall, within 15 days after May 15, 1944, file with the War Production Board a list of the specific numbers of each style of gloves listed in Schedule A which he intends to produce. The numbers shall be listed in the sequence of Schedule A, and each number fully identified to conform with Schedule A. For example: only one number may be selected in Class 2 Men's Safety Cuff. The selection made should be stated in this form: "Class 2, Men's Safety Cuff, 8 oz. palm, 10 oz. lining, without turtle neck, white back, quilted." If this is the number selected no other number of this style may be made. No person may make any number not set forth on his list filed with the War Production Board, or change from the production of any number of any style set forth in his list to any other number of that style, unless he is authorized by the War Production Board in writing to do so.

(3) The War Production Board may on written application authorize the production and sale of work gloves, other than those enumerated in Schedule A, for specific occupational requirements.

(4) No person shall, after May 15, 1944, manufacture work gloves or put into process or cause to be put into process by others for his account any material for the manufacture of work gloves except in accordance with the specifications set forth in Schedules A and B.

(5) *Exceptions.* The provisions of paragraph (c) shall not apply to:

(i) Work gloves put into process or manufactured prior to May 15, 1944.

(ii) Work gloves made and sold to conform with state, county and municipal safety laws, codes and regulations and in effect on May 15, 1944, and specifically requiring the use of work gloves made otherwise than as specified in this order.

(iii) Work gloves manufactured in the home except when made for sale or for a contractor or jobber or other person who sells the work gloves.

(iv) Work gloves made from materials and supplies in the inventory of a glove manufacturer on May 12, 1944, or purchased by him prior to May 12, 1944, provided such materials and supplies are consumed in the manufacture of gloves before June 30, 1944. However, such gloves may be sold and delivered only before July 31, 1944.

(d) *Restrictions on sales and deliveries.* (1) No person shall sell or deliver work gloves which he knows or has reason to believe were manufactured or the material for which was put into process contrary to the provisions of paragraph (c) of this order.

(2) No manufacturer of work gloves may deliver work gloves packed less than one dozen pairs to a package.

(3) No person shall sell, deliver or accept delivery of any hot mill flannel gloves, except upon a preference rated order, or pursuant to allocation or direction of the War Production Board. However, these restrictions do not apply to sales or deliveries of hot mill flannel gloves by an employer to his own employees, or by a retail establishment from its stocks on hand.

(4) Unless specifically authorized by the War Production Board, no person who purchases work gloves for distribution or sale to his own employees shall accept delivery of work gloves if by virtue of such acceptance his inventory of work gloves will be in excess of the minimum amount of work gloves required to supply the needs of his employees for a period of 30 days.

(e) *Assignment and use of ratings.* (1) The War Production Board may assign preference ratings for, or allocate, or direct the delivery of work gloves pursuant to application on Form WPB-541 filed with the nearest Field Office of the War Production Board. The War Production Board, in assigning a preference rating for work gloves may specify that the rating shall be valid only to obtain delivery from a designated manufacturer or supplier; in such case the manufacturer or supplier so designated may not reject the order on the ground that he has not in the past accepted or filled orders from that particular class of customer.

(2) No person shall apply, extend or give any effect to any preference rating for work gloves unless the preference rating has been assigned on Form WPB-541, and the order contains the certification required by Priorities Regulation 3 and, in addition, a notation substantially as follows:

This rating was assigned on Form WPB-541 Serial No. ----------
(fill in)

In the case where a specific source of supply has been designated the preference rating form must accompany and be attached to the order.

(The above requirements must be met regardless of Priorities Regulation 3. When this is done the requirements of M-328 are met, and it is unnecessary to use any other notation.)

(3) No person who is assigned a rating for more than 10 dozen pairs of work gloves may apply it to get any of them at retail prices. This does not prevent purchase at retail of more than 10 dozen pairs of gloves on an unrated order.

(4) Preference ratings for work gloves will be assigned on Form WPB-541 only to persons operating industrial plants, mines or lumber camps and to such other classes of persons as the War Production Board may from time to time designate. Each applicant for a preference rating must show:

(i) That the gloves are desired by the applicant for distribution or sale only to his own employees for use in their occupations.

(ii) That he has in effect or will put into effect the plan approved by the War Production Board to screen his orders and requisitions for work gloves and to eliminate unnecessary and wasteful use of such gloves. The plan will include a provision requiring each employee to turn in a worn-out pair of gloves before obtaining a replacement, and a provision requiring that soiled work gloves be washed or cleaned and used until they are worn-out. The Field Offices of the War Production Board will on request furnish the applicant with a copy of the approved plan and will assist applicants in working out practicable methods of conserving work gloves.

(iii) In the case of hot mill flannel gloves, the applicant must show that the gloves are required for his employees handling hot metals or ladles or other extremely hot materials requiring heavy insulation for handling and for which purposes other types of work gloves may not be practicably substituted. He must show the actual number of his employees so engaged.

(5) Any person to whom a rating has been assigned, applied or extended for work gloves who has difficulty getting his order accepted and filled, may apply by letter to the War Production Board, stating the facts, for a designation of supplier or direction.

(f) *Obligations with respect to rated orders.* (1) Each person who manufactures work gloves or puts into process materials for the manufacture of work gloves shall in each calendar quarter accept and fill rated orders for leather combination gloves, or set aside for later delivery on rated orders, in a total quantity that shall be not less than 40% of his total production of leather combination gloves. Production for and deliveries on orders of the U. S. Army, Navy, Maritime Commission and War Shipping Administration shall not be included in computing the above percentage.

(2) The War Production Board may from time to time establish minimum quantities of specific types of work gloves that each manufacturer of work gloves shall be required to produce.

(3) The War Production Board may from time to time establish percentages with respect to the maximum amount of rated orders that each manufacturer of work gloves is required to accept and fill, and the minimum amount of work gloves that each manufacturer must deliver on or set aside for delivery on rated orders.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(h) *Reports.* Each manufacturer of gloves shall report monthly his production and deliveries of work gloves on WPB Form 3548. This reporting requirement has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(i) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed in writing, be addressed to: War Production Board, Textile, Clothing, and Leather Bureau, Washington (25), D. C., Reference M-375.

Issued this 12th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

WORK GLOVES—PERMITTED STYLES

Only the following styles of work gloves may be manufactured or put into process. No person may manufacture or put into process more numbers of any style than specifically permitted by this schedule. For example: Class 2, Men's Double Palm Safety Cuff—a manufacturer may make only one number. The option is given to use the construction of 8 ounce palm with 10 ounce lining or 10 ounce palm with 8 ounce lining, but not both. The construction chosen may be made either with or without turtle neck, but not both. The construction chosen may be made either with white back or striped back, but not both, and with palm parts either quilted or processed, but not both. Accordingly, a selection might be made as follows: "Class 2, Men's Safety Cuff 8 ounce palm with 10 ounce lining, without turtle neck, with white back, quilted." Any variation from this would constitute another number. This principle follows throughout the schedule.

Where ounces weight of Jersey cloth is specified it means ounces per square yard of material. Where ounces weight of flannel cloth is specified it means ounces per linear yard of cloth 34" wide.

1. *White canton flannel knit wrist, band top and gauntlet.*[1]—(A) *Clute pattern—knit wrist:*

Men's: 6-, 8-, 10-, 12-ounce. (4 numbers only).

Extra large: 12 ounces (1 number only).

Women's: 6-, 8-, 10-ounce (3 numbers only).

Small women's: 6 ounce (1 number only).

(B) *Clute pattern—band top:*

Men's: 8-, 10-, 12-ounce—optional as to weight (2 numbers only).

Women's: 8 ounce (1 number only).

(C) *Gauntlet—Double (2 ply) thickness cuff:*

Men's: 10 ounce without turtle neck (1 number only).

Men's: 12 ounce with or without turtle neck, not both (1 number only). Turtle neck 10 ounce minimum.

(D) *Gunn or fourchette pattern (optional) knit wrist:*

Men's: 8-, 10-, 12-ounce (3 numbers only).

Men's reversible 8 ounce or 10 ounce—optional (1 number only).

2. *Canton flannel gloves with double thickness nap out palm and single thickness back.*

Men's: *knit wrist:* 8 ounce palm, 10 ounce lining or 10 ounce palm, 8 ounce lining. (2 numbers only).

Women's: *knit wrist:* 8 ounce palm, 10 ounce lining or 10 ounce palm, 8 ounce lining. (1 number only).

Men's: *safety cuff*—double (2 ply) thickness cuff: 8 ounce palm, 10 ounce lining or 10 ounce palm, 8 ounce lining with or without turtle neck (optional). Turtle neck 10 ounce minimum. (1 number only).

Men's: *gauntlet*—Double (2 ply) thickness cuff: 8 ounce palm, 10 ounce lining or 10 ounce palm, 8 ounce lining; with or without turtle neck. Turtle neck 10 ounce minimum. (2 numbers only—to match knit wrist numbers).

NOTE: Backs may be either 10-ounce or 8-ounce stripe flannel with matching cuffs but not both.

Two-ply palm parts may be either quilted or processed.

3. *Hot mill Canton flannel gloves—nap out palm.*

Men's: *Band top*: 12-ounce palm and pull, 12-ounce lining, 12-ounce back, 12-ounce band, 10-ounce knuckle strap. *Inseam.* (1 number only.)

Men's: *Band top*: 12-ounce palm without pull, 12-ounce lining, 12-ounce back, 12-ounce band, 10-ounce knuckle strap. *Inseam.* (1 number only.)

Men's: *Band top*: 12-ounce palm and pull, 12-ounce lining, 12-ounce back, 12-ounce band, 10-ounce knuckle strap. *Outseam.* (1 number only.)

Men's: *Gauntlet*: Double (2-ply) thickness cuff. 12-ounce palm and pull, 12-ounce lining, 12-ounce back, 10-ounce knuckle strap. *Inseam.* (1 number only.)

Men's: *Gauntlet*: Double (2-ply) thickness cuff, 12-ounce palm without pull, 12-ounce lining, 12-ounce back, 10-ounce knuckle strap. *Inseam.* (1 number only.)

Men's: *Knit wrist*: 12-ounce palm, 12-ounce lining, 12-ounce back, 10-ounce knuckle strap. *Inseam.* (1 number only.)

NOTE: Two-ply palm parts quilted only. In addition to above band-top inseam may be produced nap-in palm on special order only, when necessary for specific occupational requirements.

4. *White Flannel Gloves, nap-in-double thickness palm and single thickness back.*

Men's: *Knit wrist*: 10-ounce palm, 8-ounce lining, 10-ounce back (1 number only).

Men's: *Gauntlet:* Double (2-ply) thickness cuff: 10-ounce palm, 8-ounce lining, 10-ounce back (1 number only.)

NOTE: Two-ply palm parts quilted only. Band wrist in lieu of gauntlet, optional.

5. *Double throughout: Nap-out-flannel "chore" gloves.*

Men's: *Knit wrist*: 6-ounce or 8-ounce shell, 6½-ounce or 8-ounce lining, or 10-ounce shell, 8-ounce lining. (2 numbers only.) Quilted or processed.

Extra Large *Knit Wrist*: Same as above. (1 number only).

Women's: *Knit Wrist*: 6-ounce or 8-ounce shell, 6½-ounce or 8-ounce lining. Quilted or processed. (1 number only.)

Men's: *Safety Cuff*: (2-ply cuff): 6-ounce or 8-ounce shell, 6½ or 8-ounce lining. Quilted or processed. (2 numbers only).

6. *Gunn or fourchette pattern two-thumb knit wrist Canton flannel husking gloves, white only, single thickness.*

Men's: *Knit wrist:* 8-ounce nap-out (1 number only).

Men's: *Knit wrist*: 10-ounce nap-out (1 number only).

Men's: *Knit wrist*: 12-ounce nap-out (1 number only).

Women's: *Knit wrist*: 8-ounce or 10-ounce optional (1 number only).

Men's: *Knit wrist*: 12-ounce nap-out palm and thumb with 8-ounce white or colored, outside thumb patch. (1 number only).

Men's: *Knit wrist*: 12-ounce nap-out palm. 12-ounce white or colored, double throughout thumb with 8-ounce liner. (1 number only.)

7. *Two-thumb welt seam single thickness Canton flannel back and palm mittens, white only.*

Men's: *Knit wrist*: 12-ounce nap-out palm and thumb, 6-ounce thumb reinforcement. (1 number only.)

Women's: *Knit wrist*: 10-ounce nap-out palm and thumb, 6-ounce thumb reinforcement. (1 number only.)

Men's: *Knit wrist*: 12-ounce nap-out palm and thumb with 8-ounce white or colored outside thumb patch. (1 number only.)

8. *"Chore", Smelter's and Tick Mittens.*

(A) Men's: *Knit Wrist:* "Chore" Mittens, double throughout, nap-out flannel, 8 ounce shell, 6½ or 8 ounce lining, or 12 ounce shell, 8 ounce lining (1 number only).

(B) Men's: *Open Top:* Smelter Mitten, double throughout canton flannel, 10 ounce nap-out shell, 10 ounce lining (1 number only).

(C) Men's: *Knit Wrist:* 6½ to 8 ounce tick shell or 8 ounce flannel shell. Fleece-lined, with or without cotton wadding (1 number only).

8/1. *Women's Industrial Glove.*

Double-nap cloth band top style, one size only (1 number only).

9. *Jersey Gloves, single thickness.*

Men's: *Knit Wrist:* (A) 9 ounce; (B) 10½ ounce; (C) 13 ounce, plain (3 numbers only).

Small Women's: *Knit Wrist:* 9 ounce plain (1 number only).

Women's: *Knit Wrist:* 9 ounce, 10½ ounce, plain (2 numbers only).

10. *Full lined open wrist "slip-on" Jersey Gloves.*

Men's: 8 ounce plain shell, 5½ to 6 ounce lining (1 number only).

Men's Extra Large: same as above. (1 number only).

Women's: 8 ounce fleece-in or fleece-out, plain shell, not more than 3 colors, assorted, 5½ to 6 ounce lining (1 number only).

Men's: 8 ounce cut presser fancy shell, 5½ to 6 ounce lining (1 number only).

11. *Children's single thickness Jersey Gloves and Mittens.*

Gloves: Knit Wrist. Ages up to 15: 9 ounce plain, not more than 3 colors assorted (1 number only).

Mittens: Knit Wrist. Ages up to 15: 9 ounce plain, not more than 3 colors assorted (1 number only).

Gloves: Gauntlet. Ages up to 15: 9 ounce plain (1 number only).

LEATHER COMBINATION GLOVES

12. *Clute pattern, without tips, 8 ounce canton flannel back, 5 ounce or heavier palm lining.*

(A) Men's: *Knit Wrist:* Lined split leather palm (1 number only). Women's: *Knit Wrist:* same as above (1 number only).

(B) Men's: *Single ply safety cuff*, lined split leather palm (1 number only).

(C) Men's: *Single Ply Gauntlet:* Lined split leather palm (1 number only).

Women's: *Single Ply Gauntlet*, Lined split leather palm (1 number only).

NOTE: The above may be made with either continuous or set-in thumb (not more than ¾ thumb), but not both. Leather colors optional and may be used in interchangeably when necessary, but not to duplicate numbers.

13. *Gunn pattern, knit wrist, continuous or set-in thumb, finger tips, 8 ounce flannel back; 6 ounce or heavier palm lining.*

One style of thumb only, not both.

(A) Men's: Lined split leather, ¾ thumb. (1 number only).

(B) Men's: Lined side split leather, ¾ thumb. (1 number only).

(C) Men's: Lined heavy side split leather. Full leather thumb, forefinger and little finger; separate wrist pull; with or without full length thumb strap (optional) for loggers and lumbermen). (1 number only).

(D) Men's: Lined heavy side split leather. Full leather thumb and forefinger. (1 number only).

(E) Men's: Lined side split leather. ¾ thumb, 10½ ounce plain Jersey back. (1 number only).

13/1. *Double (2 ply) thickness gauntlet and safety cuff; 6 ounces or heavier palm lining.*

(A) Men's: Lined split leather, ¾ thumb, Gauntlet. (1 number only).

(B) Men's: Lined split leather ¾ thumb, Safety Cuff. (1 number only).

14. *Gunn pattern, safety cuff, finger tips, continuous or set-in thumb, waterproof cuff, 8 ounce flannel back; 6 ounce or heavier palm lining.*[2]

One style of thumb only, not both.

(A) Men's: Lined split leather, ¾ thumb. (1 number only).

Women's: Lined split leather, ¾ thumb. (1 number only).

(B) Men's: Lined split leather, ¾ thumb with pull and knuckle strap. (1 number only).

(C) Men's: Lined side split leather with pull and knuckle strap, full leather thumb—thumb crotch seam protection optional. (1 number only).

Women's: Lined side split leather with pull and knuckle strap, full leather thumb—thumb crotch seam protection optional. (1 number only).

(D) Men's: Lined side split leather with pull and knuckle strap with full leather thumb and full leather forefinger—thumb crotch seam protection optional. (1 number only).

(E) Men's: Lined side split leather palm, pull, full leather thumb and forefinger, ⅞ length leather back—thumb crotch seam protection optional. (1 number only).

(F) Men's: Lined Grain Leather; full leather thumb and forefinger, pull, knuckle strap—thumb crotch seam protection optional. (1 number only).

(G) Men's: Lined heavy side split leather, full leather thumb and forefinger, ¾ length leather back, welted thumb seam optional. Can be made only one way. (1 number only).

(H) Men's: Lined heavy side split leather palm. Full leather fingers, thumb, pull and knuckle strap. Thumb crotch seam protection optional. Gunn or Clute pattern optional. (1 number only).

15. *Gunn pattern, gauntlet style, finger tips, continuous or set-in thumb, waterproof cuff, 8 ounce flannel back; 6 ounce or heavier palm lining.*[2]

One style of thumb only, not both.

(A) Men's: Lined split leather, ¾ thumb. (1 number only).

Women's: Lined split leather, ¾ thumb. (1 number only).

(B) Men's: Lined split leather, ¾ thumb with pull and knuckle strap (1 number only).

(C) Men's: Lined side split leather with pull and knuckle strap, full leather thumb—thumb crotch seam protection optional. (1 number only).

Women's: Lined side split leather with pull and knuckle strap, full leather thumb—thumb crotch seam protection optional. (1 number only).

(D) Men's: Lined side split leather with pull and knuckle strap with full leather thumb and full leather forefinger—thumb crotch seam protection optional. (1 number only.)

(E) Men's: Lined side split leather palm, pull, full leather thumb and forefinger, ⅞ length leather back—thumb crotch seam protection optional. (1 number only.)

(F) Men's: Lined Grained Leather; full leather thumb and forefinger, pull, knuckle strap—thumb crotch seam protection optional. (1 number only.)

(G) Men's: Lined heavy side split leather, full leather thumb and forefinger, ¾ length leather back, welted thumb seam optional. Can be made only one way. (1 number only.)

(H) Men's: Lined heavy side split leather palm. Full leather fingers, thumb, pull and knuckle strap. Thumb crotch seam protection optional. Gunn or Clute pattern optional. (1 number only.)

16. *Gunn pattern, slip-on or driver's style, fingers tipped, full leather thumb, with or without draw strap on back optional.*

Side split or horse split leather, 8 ounce back. (1 number only.)

[1] Any four of the above numbers may be produced nap out for use in territories where such items have proved to be most satisfactory for special uses and are now in demand.

[2] In the event that waterproof cuff material becomes unobtainable, double (2 ply) thickness cuffs may be used as alternate for Classes 14 and 15. Weight of waterproof cuff material shall be not less than 23 ounces per square yard.

SCHEDULE B

Class	Maximum			Minimum measurement							
	Yards	Pounds	Feet	1	2	3	4	5	6	7	8
				Inch	*Inch*	*Inch*	*Inch*	*Inch*	*Inch*	*Inch*	*Inch*
1 Men's	3.00	------	------	7½	5	2½	5	7	5	2½	1¾
Men's with turtle neck	3.00	------	------	7¾	5	2½	4½	------	------	------	1¾
Men's extra large	3.40	------	------	8¼	5½	2¾	------	------	------	------	------
Women's	2.50	------	------	7¼	4½	2¼	------	------	------	------	------
Small, women's	2.00	------	------	6¾	4½	2¼	------	------	------	------	1¼
2 Men's	4.85	------	------	7⅞	5	2¾	5	7	5	2½	------
Men's with turtle neck	4.85	------	------	7⅞	5	2¾	4½	7	5	2½	------
Women's	3.85	------	------	7¼	4½	2¼	------	------	------	------	------
3 Men's	5.40	------	------	7⅞	5	2¾	5	7	5¼	------	2¼
4 Men's	4.85	------	------	7⅞	5	2¾	5	7	5	------	1¾
5 Men's	6.25	------	------	7⅞	5¼	2¾	------	------	------	2½	------
Men's extra large	6.50	------	------	8¼	5½	2¾	------	------	------	------	------
Women's	5.25	------	------	7¼	4¾	2¼	------	------	------	------	------
6 Men's	4.45	------	------	7⅞	5	2½	------	------	------	------	------
Women's	2.85	------	------	7	4½	2¼	------	------	------	------	------
7 Men's	4.00	------	------	8	5	2½	------	------	------	------	------
Women's	3.25	------	------	7½	4½	2¼	------	------	------	------	------
8 (A) Men's	5.25	------	------	8	5	2¾	------	------	------	------	------
8 (B) Men's	6.50	------	------	10¼	5	------	------	------	------	------	------
8 (C) Men's	7.50	------	------	8	5	2¾	------	------	------	------	------
8/1 Women's	4.00	------	------	7½	4	------	------	------	------	------	2¼
9 (A) Men's	------	1.50	------	7½	4¾	2½	------	------	------	------	------
Women's	------	1.15	------	6½	3½	2¼	------	------	------	------	------
Small	------	.90	------	6	3¼	2¼	------	------	------	------	------
9 (B) Men's	------	1.70	------	7½	4¾	2½	------	------	------	------	------
Women's	------	1.30	------	6½	3½	2¼	------	------	------	------	------
9 (C) Men's	------	2.10	------	7½	4¾	2½	------	------	------	------	------
10 Men's	------	2.50	------	9	4¾	------	------	------	------	------	------
Men's extra large	------	2.85	------	9½	4¾	------	------	------	------	------	------
Women's fleece in or out	------	2.25	------	8½	3⅝	------	------	------	------	------	------
11 Children's	2.70	------	14.50	7	5	2½	4½	6¾	5	2½	------
12 Men's	2.40	------	13.50	7⅞	4¾	2¾	4	7¾	4¼	------	------
Women's	2.45	------	18.00	7½	5	2½	------	------	------	------	------
13 (A) Men's	2.45	------	18.00	7½	5	2½	------	------	------	------	------
13 (B) Men's	2.45	------	25.00	7⅞	5	2¾	------	------	------	------	------
13 (C) Men's	2.45	------	21.00	7⅞	5	2¾	------	------	------	------	------
13 (D) Men's	------	1.70	18.00	7½	4¾	2¾	------	------	------	------	------
13 (E) Men's	2.45	------	18.00	7½	5	------	4½	7	5	2½	------
13/1 Men's	2.45	------	18.00	7½	5	------	------	------	------	2½	------
14 (A) Men's	2.15	------	16.25	7¼	4¼	------	------	------	4¼	2	------
Women's	2.45	------	22.00	7½	5	------	------	------	------	2½	------
14 (B) Men's	2.45	------	23.50	7½	5	------	------	------	------	2½	------
14 (C) Men's	2.15	------	21.75	7¼	4¼	------	------	------	4¼	2	------
Women's	2.45	------	25.00	7½	5	------	------	------	------	2½	------
14 (D) Men's	2.45	------	28.00	7½	5	------	------	------	------	2½	------
14 (E) Men's	2.45	------	27.00	7½	5	------	------	------	------	2½	------
14 (F) Men's	2.45	------	28.00	7½	5	------	------	------	------	2½	------
14 (G) Men's	2.45	------	27.00	7½	5	------	------	------	------	2½	------
14 (H) Men's	2.50	------	26.00	7¼	5	------	------	------	------	2½	------
15 (A) Men's	2.45	------	18.00	7½	5	------	4½	7	5	------	------
Women's	2.15	------	16.25	7¼	4¼	------	4	7¾	4¼	------	------
15 (B) Men's	2.45	------	22.00	7½	5	------	4½	7	5	------	------
15 (C) Men's	2.45	------	23.50	7½	5	------	4½	7	5	------	------
15 (C) Women's	2.15	------	21.75	7¼	4¼	------	4	7¾	4¼	------	------
15 (D) Men's medium Leather	2.45	------	25.00	7½	5	------	4½	7	5	------	------
15 (D) Men's heavy Leather	2.45	------	25.00	7½	5	------	5	7	5	------	------
15 (E) Men's medium Leather	2.45	------	28.00	7½	5	------	4½	7	5	------	------
15 (E) Men's heavy Leather	2.45	------	28.00	7½	5	------	5	7	5	------	------
15 (F) Men's	2.45	------	28.00	7½	5	------	5	7	5	------	------
15 (G) Men's	2.45	------	27.00	7½	5	------	5	7	5	------	------
15 (H) Men's	2.50	------	26.00	7¼	5	------	5	7	5	------	------
16 Men's	1.25	------	21.00	9¼	4½	------	------	------	------	------	------

1. "Class" refers to the various classes or categories of gloves and mittens as customarily described in the industry, as they are listed in the order designated in Schedule A. "Gloves" means both gloves and mittens.

2. "Maximum yards" refers to linear yards of material used per dozen pairs in the hand portion of gloves below the wrist or cuff seam. "Maximum pounds" refers to pounds of Jersey cloth per dozen pairs of jersey gloves. "Maximum feet" refers to square feet of leather per dozen pairs of leather combination gloves.

Yards, poundage, or feet specified to the dozen pairs shall mean maximum average yardage, poundage, or footage consumed in the cutting of each respective style of gloves and mittens.

3. "Minimum measurements" refers to the dimensions of gloves finished and ready for shipment: (1) length of hand from wrist seam to end of second finger; (2) width across palm measured just below thumb crotch; (3) knit wrist length measured from wrist seam; (4) gauntlet length measured from turtle neck or wrist seam; (5) gauntlet width measured at top; (6) gauntlet width measured at bottom where joins hands; (7) safety cuff length measured from turtle neck or wrist seam; (8) length of band wrist measured from wrist seam.

4. Jersey cloth when steamed and pressed to remove wrinkles and bring to a uniform width shall not be stretched to finish wider than original mill width of the finished material.

5. Tubings for knit wrists shall be for (1) Men's: not less than 12 yards per pound, 2¼" width; (2) Women's: not less than 16 yards per pound, 2" width; (3) Children's: not less than 17 yards per pounds, 1¾" width.

6. Where split leather is specified it means shoulders and other pound stock (except middle splits).

Where heavy side split leather is specified the minimum average weight of palm leather shall be not less than 3 ounces per square foot.

Medium side split leather means side leather weighing not less than 2¼ ounces per square foot and not more than 3 ounces per square foot.

Where side split leather is specified it means either medium or heavy palm leather. Only one weight may be used for any one style.

Side split cattlehide or horsehide of fairly equivalent weight and quality may be used interchangeably, but not to duplicate numbers. Colors of leather are optional and may be used interchangeably but not to duplicate numbers.

7. Where ounces weight of jersey cloth is specified, it means ounces per square yard of material. Where ounces weight of flannel cloth is specified, it means ounces per linear yard of cloth 34" wide.

8. Double (two-ply) thickness gauntlet and safety cuffs shall be not less than a combination of:

Covering material: 2.85 37" twill or 6 ounce 37" flannel.

Lining material: 2.95 36" to 37" osnaberg or 3 yard duck: or similar covering and lining materials of fairly equivalent quality and value. Materials may be combined by either processing or quilting.

[F. R. Doc. 44-6825; Filed, May 12, 1944; 11:34 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-340 as Amended May 12, 1944]

MISCELLANEOUS CHEMICALS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of the chemicals subject to this order for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.491 *Allocation Order M-340*—(a) *Definitions.* (1) "Subject chemical" means any chemical listed in Appendix A, as therein defined.

(2) "Producer" means any person engaged in the production of any subject chemical and includes a person who imports any subject chemical or has it produced for him pursuant to toll agreement.

(3) "Distributor" means any person who buys any subject chemical for the purpose of resale without further processing and without changing the form thereof.

(4) "Supplier" means a producer or distributor.

(b) *Restrictions on deliveries.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall deliver a subject chemical to any person except as specifically authorized or directed in writing by War Production Board. No person shall accept delivery of a subject chemical which he knows or has reason to believe is delivered in violation of this order.

(2) Authorization or directions as to deliveries to be made by suppliers in each calendar month will generally be issued by War Production Board prior to the beginning of such month, but may be issued at any time. They will normally be issued on Form WPB-2947 (formerly PD-602) which is to be filed by the supplier with War Production Board as explained in paragraph (g) below.

(3) If a supplier is authorized or directed by War Production Board to deliver a subject chemical to any specific customer or group of customers, but is unable to make the delivery either because of receipt of notice of cancellation or otherwise, the subject chemical shall revert to inventory, and shall not be delivered, or used, without further instructions.

(c) *Exceptions for small deliveries.* (1) Specific authorization in writing of War Production Board is not required for delivery by any supplier to any person in any calendar month of a subject chemical in a quantity not exceeding the quantity stated in Column 3 of Appendix B.

(2) The aggregate quantity of a subject chemical which any supplier may deliver in any calendar month pursuant to paragraph (c) (1), shall not exceed:

(i) The quantity which he has been specifically authorized, upon application pursuant to Appendix D, to deliver on small orders; or

(ii) If he is a distributor, the quantity which he acquired upon certification that it was required to fill small orders or the quantity which he acquired himself on such a small order, or

(iii) If he is a distributor who customarily delivers exclusively on small orders, any quantity.

(d) *Exceptions for deliveries for other reasons.* Specific authorization in writing of War Production Board is not required for delivery of a subject chemical by any supplier to any other person for a purpose stated in Column 4 of Appendix B.

(e) *Restrictions on use.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall use a subject chemical except as specifically authorized or directed in writing by War Production Board.

(2) Each person who with an order for a subject chemical furnishes a certificate required by paragraph (f) shall use the subject chemical delivered on such order only as specified on such certificate except as otherwise specifically authorized or directed in writing by War Production Board.

(3) War Production Board may from time to time issue directions with respect to the use or uses which may or may not be made of a subject chemical to be delivered to, or then in inventory of the prospective user.

(f) *Supplier to obtain from customer a certificate of use.* No supplier shall in any calendar month (beginning in the case of each subject chemical with the calendar month in which the order becomes effective as to that chemical as stated in Appendix A) deliver to any person a greater quantity of such subject chemical than is stated in Column 3 of Appendix B unless he shall have received from such person a certificate as to the use for which such person is ordering such subject chemical. Such certificate shall be substantially in the form and shall be subject to the instructions stated in Appendix C and shall be in the hands of the supplier not later than the 15th day of the month preceding the month in which delivery is to be made. It need not be filed with War Production Board. A supplier must not deliver a subject chemical where he knows or has reason to believe the purchaser's certificate is false, but in the absence of such knowledge or reason to believe he may rely on the certificate

(g) *Applications by suppliers for leave to deliver or use.* (1) Each supplier requiring authorization to make delivery of, or to use, a subject chemical during any calendar month shall file application on or before the 20th day of the preceding month. The application should be made on Form WPB-2947 (formerly PD-602) in the manner set forth in the general instructions appearing on that form, subject to the special instructions contained in Appendix D. If there is an inconsistency between the general and special instructions, the special instructions must be followed.

(2) War Production Board may issue to any supplier other and further directions with respect to preparing and filing Form WPB-2947 (formerly PD-602).

(h) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref: M-340.

Issued this 12th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

Chemicals subject to this order. (1) "Acetaldol" means the chemical known by that name and by the names aldol, beta hydroxy butyric aldehyde oxybutanol, 3-hydroxy butanal.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(2) "ST-115" means the preparation known by that trade name, as defined and specified in Appendix to Regulation No. 3 (1942 Revision) of the Bureau of Internal Revenue.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(3) "Dehydrol-O" means the chemical known by that trade name as defined and specified in Appendix to Regulation No. 3 (1942 Revision) of the Bureau of Internal Revenue.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(4) "G. C.-78" means the chemical known by that trade name.

Effective date—August 1, 1943 Comes in the following grades: no grades.

(5) "By-product—phosphoric acid" means phosphoric acid obtained as a by-product in the manufacture of methyl methacrylate.

Effective date—September 1, 1943. Comes in the following grades: no grades.

(6) "Oxidized petrolatum" means high paraffinic petrolatum oxidized and processed to contain aliphatic ketones, and which is suitable for use as a base in the manufacture of rust preventive compounds or corrosion inhibitors meeting specification Nos. AXS-673, 52-C-18 and AN-C-52, such as those petrolatums known by the trade marks Par-Al-Ketone, Alox 707, Alox 701 and Alox 600.

Effective date—October 9, 1943. Comes in the following grades: no grades.

(7) "Vinsol" resin and "Truline" binder means the resins known by those registered trade marks or any similar resin obtained from the oleo-resin of pine wood and having the following properties:

Maximum solubility in petroleum naphtha 20%; complete solubility in lower alcohols; toluene insoluble 10 to 30 per cent; methoxy content 4 to 6 per cent; acid number 90 to 110, softening point (ASTM ball and ring method) 103° to 118° Centigrade.

Effective date—October 9, 1943. Comes in the following grades: no grades.

(8) [Deleted Mar. 27, 1944]

(9) [Deleted Mar. 27, 1944]

(10) [Deleted Oct. 22, 1943.]

(11) "DDT" means the chemical 2, 2-bis (para chlorophenyl) 1, 1, 1-tri-chloroethane, and is also known by the trade name "Neocid".

Effective date—January 1, 1944. Comes in the following grades: no grades.

(12) "Enamel wire naphtha" (also known as E. W. naphtha) means a mixture of aromatic solvents derived from coke oven light oil, drip oil or coal tar, distilling between 150 and 290° C., with at least 15 per cent distilling above 200° C. and containing 20 to 60 per cent monomeric polymerizable constituents of the cumorone-indene type. The term does not include aromatic material for the production of E. W. naphtha, or for the production of cumorone-indene resin, or for the production of other chemicals or intermediates, or for use as solvents in the crude state.

Effective date—February 1, 1944. Comes in the following grades: no grades.

(13) "Methyl Bromide" means the chemical CH_3Br.

Effective date—March 1, 1944. Comes in the following grades: no grades.

(14) "Precipitated calcium carbonate" means ultra fine particle calcium carbonate such as the chemical known as Kalvan, Witcarb R and Multifex.

Effective date—April 1, 1944. Comes in the following grades: no grades.

(15) "Pyronate" means the pyroligneous alcohol known by that trade name which is produced as a by-product of the destructive distillation of hardwood.

Effective date—May 1, 1944. Comes in the following grades: No grades.

APPENDIX B

1 Name of chemical	2 Unit of measure	3 Maximum quantity deliverable to any one person in any calendar month without specific authorization and without certificate required by paragraph (f)	4 Purpose for which delivery may be made without specific authorization, regardless of quantity. (See par. (d).)
(1) Acetaldol	Gallon	54 gallons	None.
(2) ST-115	Gallon	54 gallons	None.
(3) Dehydrol-O	Gallon	54 gallons	None.
(4) G. C.-78	Gallon	54 gallons	None.
(5) By-product phosphoric acid.	Ton	5 tons	None.
(6) Oxidized petrolatum.	Pound	25 pounds	None.
(7) Vinsol resins.	Pound	500 pounds	None.
(8) [Deleted Mar. 27, 1944.]			
(9) [Deleted Mar. 27, 1944.]			
(10) [Deleted Oct. 22, 1943.]			
(11) DDT	Pound	1 pound	None.
(12) E.W. Naphtha.	Gallons	54 gallons	None.
(13) Methyl Bromide.	Pound	10 pounds	None.
(14) Precipitated calcium carbonate.	Pound	50 pounds	None.
(15) Pyronate	Gallon	54 gallons	None.

APPENDIX C—CUSTOMER'S CERTIFICATE OF INTENDED USE

The undersigned purchaser hereby certifies to War Production Board and to his supplier, pursuant to Order No. M-340, that the _____ (specify subject chemical) ordered for delivery in _____ Month 194-- will be used by him for the manufacture or preparation of the following product(s), and that such product(s) will be put to the following end use(s):

	Quantity	Primary product	End use
(A)			
(B)			

_____
Name of purchaser

_____ By _____ _____
Date Duly authorized official Title

Instructions for customer's certificate. (1) The certificate shall be signed by an authorized official of the purchaser, either manually or as provided in Priorities Regulation No. 7.

(2) Where a purchaser wishes to receive more than the exempted quantity of each of two or more subject chemicals, a separate certificate shall be obtained as to each.

(3) The purchaser will specify under "Primary product", the exact product or products in the manufacture or preparation of which the subject chemical will be used or incorporated A distributor ordering the subject chemical for resale as such will specify "resale" or, if ordering exclusively for resale on exempt small orders, will specify "small orders of _____ or less" (specify quantity stated in Column 3 of Appendix B). If purchase is for inventory state "inventory."

(4) Under "End use", purchaser will specify the ultimate or end use to which the primary product will be put. He will also indicate whether civilian, Lend-Lease, other export or military, and if the product is for uses falling in two or more such categories, the percentage falling in each. Also, he will give contract numbers in the case of military use or Lend-Lease, and in the case of export, export license numbers. A distributor ordering the subject chemical for resale as such will leave blank the "End Use" column.

APPENDIX D—SPECIAL INSTRUCTIONS FOR SUPPLIER'S FORM WPB-2947 (FORMERLY PD-602)

(1) *Obtaining forms.* Copies* of Form WPB-2947 (formerly Form PD-602) may be obtained at local field offices of the War Production Board.

(2) *Number of copies.* Prepare an original and three copies. File original and two copies with War Production Board, Chemicals Division, Washington 25, D. C., Ref.: M-340, retaining the third copy for your files. The original filed with the War Production Board shall be manually signed by a duly authorized official.

(3) *Separate set for each chemical.* Where the supplier's application relates to deliveries of two or more subject chemicals, he will file a separate set of Form WPB-2947 (formerly Form PD-602) for each.

(4) *Information at top of form.* In the heading, under "Name of Material", specify the subject chemical to which the Form WPB-2947 (formerly Form PD-602) relates; under "Grade", specify grade stated in Appendix A, or if no grade specified, leave blank; under "WPB Order No.", specify "M-340"; indicate month and year during which deliveries covered by the application are to be made; under "Unit of Measure", specify unit of measure stated in Column 2 to Appendix B; under name of company, specify your name and the address of the plant or warehouse from which shipment will be made.

(5) *Listing of customers.* In Column 1 (except for small orders as explained in (7) below) list the name of each customer from whom an order for delivery of the subject chemical during the applicable month has been received. If it is necessary to use more than one sheet to list customers, number each sheet in order and show the grand total on last sheet which is the only one that need be certified.

(6) *Primary product and end use.* In Column 1-a (except for small orders as explained in (7) below) specify the product or products in the manufacture or preparation of which the subject chemical will be used by your customer, the end use to which such product or products will be put, and military or Lend-Lease contract numbers, and export license numbers, all as indicated by the certificate obtained under paragraph (f) of this order. The quantity of the subject chemical used in the manufacture or preparation of each primary product for each product use shall be shown separately. If the subject chemical ordered by a customer is for two or more uses, indicate each use separately and indicate the quantity of the subject chemical ordered for each use.

(7) *Small orders.* The supplier need not list the name of any customer to whom he is to deliver in the applicable month a quantity of the subject chemical not exceeding the maximum quantity (indicated in Column 3 of Appendix B) which he is permitted to deliver to any one person in any calendar month without specific authorization. Also, in the case of any such delivery, he need not show the name of the product or the end use. Instead, he must write in Column 1 "Total small order deliveries (estimated)" and in Column 4, must specify the total estimated quantity of the subject chemical to be delivered on such orders.

(8) *Use by producers.* A producer requiring permission to use a part or all of his own production of the subject chemical shall list his own name as customer in Column 1 on Form WPB-2947 (formerly Form PD-602) specifying quantity required and product manufactured. Written approval of War Production Board on such Form WPB-2947 (formerly Form PD-602) shall constitute authority to the producer to use the subject chemical in the quantity and for the purposes indicated in such approved form.

(9) *Table II.* Each producer will report production, deliveries and stocks as required by Table II, Columns 9 to 16, inclusive. Distributors will fill out only Columns 10, 12 and 13. Producers and distributors will show in Column 8 Grade, as stated in Appendix A, or if no Grade is there specified, will leave Column 8 blank.

[F. R. Doc. 44-6826; Filed, May 12, 1944; 11:34 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 62]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. Section 22.1 is amended by changing the definition of "Army, Navy, Marine

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2287, 2252, 2476, 2789, 3075, 3030, 3340, 3704, 3577, 4196, 4393.

Corps and Coast Guard personnel" to read as follows:

"Army, Navy, Marine Corps and Coast Guard personnel" means Army, Navy, Marine Corps and Coast Guard personnel of the United States or of any Allied Nation, State Maritime Academy cadets of the War Shipping Administration, and United States Army Specialized Training Program Reservists." Wherever "Army, Navy, Marine Corps and Coast Guard personnel" appear in the order, "prisoners of war" shall be deemed to be added at the end thereof."

2. Section 25.1 (a) is amended by inserting the words "and an officer authorized by the War Shipping Administration in connection with the feeding of State Maritime Academy Cadets" between the words "an officer authorized by the Army, Navy, Marine Corps, or Coast Guard" and the words "may issue ration checks."

This amendment shall become effective May 15, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1–E, 1–M and 1–R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471 respectively)

Issued this 11th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6795: Filed, May 11, 1944; 4:32 p. m.]

PART 1340—FUEL

[MPR 120,[1] Incl. Amdts. 1–97]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

This compilation of Maximum Price Regulation 120 includes Amendment 97, which amendment is effective March 16, 1944 with certain exceptions in §§ 1340.219 (b) and 1340.222 (b) as indicated by notes. The text added or amended by Amendment 97 is underscored with the exception of redesignations, deletions and changes in tables, which are indicated by notes.

In the judgment of the Price Administrator the prices of bituminous coal are threatening to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of bituminous coal prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. At the request of the Price Administrator the Bituminous Coal Division, United States Department of the Interior, has cooperated with the Price Administrator in the formulation of the maximum prices established by this regulation in accordance with the arrangement effectuated by the letters, dated March 9 and March 13, exchanged between the Price Administrator and the Secretary of the Interior. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.[2]

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected and have been previously promulgated and their use lawfully required by another Government agency.

[Preamble amended by Am. 62, 8 F.R. 12557, effective 9–11–43]

Therefore, under the authority vested in the Price Administrator, and in accordance with Procedural Regulation No. 1,[3] issued by the Office of Price Administration, Maximum Price Regulation No. 120 is hereby issued.

Sec.
1340.201 Maximum prices for bituminous coal delivered from mine or preparation plant.
1340.202 Less than maximum prices.
1340.203 Adjustable pricing.
1340.204 Evasion.
1340.205 Records and reports.
1340.206 Enforcement.
1340.206a Licensing.
1340.207 Petitions for amendment and applications for adjustment.
1340.208 Definitions.
1340.209 Provision for specific ceiling prices.
1340.210 Maximum price instructions.
1340.211 Effective date of Maximum Price Regulation No. 120.
1340.211a Effective dates of amendments.
1340.212 Appendix A: Maximum prices for bituminous coal produced in District No. 1.
1340.213 Appendix B: Maximum prices for bituminous coal produced in District No. 2.
1340.214 Appendix C: Maximum prices for bituminous coal produced in District No. 3.
1340.215 Appendix D: Maximum prices for bituminous coal produced in District No. 4.
1340.216 Appendix E: Maximum prices for bituminous coal produced in District No. 5.
1340.217 Appendix F: Maximum prices for bituminous coal produced in District No. 6.
1340.218 Appendix G: Maximum prices for bituminous coal produced in District No. 7.
1340.219 Appendix H: Maximum prices for bituminous coal produced in District No. 8.
1340.220 Appendix I: Maximum prices for bituminous coal produced in District No. 9.
1340.221 Appendix J: Maximum prices for bituminous coal produced in District No. 10.
1340.222 Appendix K: Maximum prices for bituminous coal produced in District No. 11.
1340.223 Appendix L: Maximum prices for bituminous coal produced in District No. 12.
1340.224 Appendix M: Maximum prices for bituminous coal produced in District No. 13.
1340.225 Appendix N: Maximum prices for bituminous coal produced in District No. 14.
1340.226 Appendix O: Maximum prices for bituminous coal produced in District No. 15.
1340.227 Appendix P: Maximum prices for bituminous coal produced in District No. 16.
1340.228 Appendix Q: Maximum prices for bituminous coal produced in District No. 17.
1340.229 Appendix R: Maximum prices for bituminous coal produced in District No. 18.
1340.230 Appendix S: Maximum prices for bituminous coal produced in District No. 19.
1340.231 Appendix T: Maximum prices for bituminous coal produced in District No. 20.
1340.232 Appendix U: Maximum prices for bituminous coal produced in District No. 22.
1340.233 Appendix V: Maximum prices for bituminous coal produced in District No. 23.

AUTHORITY: §§ 1340.201 to 1340.233, inclusive, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1340.201 *Maximum prices for bituminous coal delivered from mine or preparation plant.* On and after May 18, 1942, regardless of the terms of any contract, agreement, lease, or other obligation, no person who is a producer or a distributor shall sell or dispose of bituminous coal for delivery from a mine or a preparation plant operated as an adjunct of a mine or mines and no person shall, in the course of trade or business, buy or receive bituminous coal so delivered by a producer or distributor, at prices higher than the maximum prices set forth in Appendices A to V, inclusive, hereof, incorporated herein as § 1340.212 to § 1340.233; and no such person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That the provisions of this Maximum Price Regulation No. 120, and maximum prices set forth in said Appendices A to V, inclusive, (§ 1340.212 to § 1340.233, inclusive) shall not apply to the sale of any bituminous coal for direct use as bunker fuel at points on the Great Lakes and their connecting tributary waters, and at tidewater, defined in § 1340.308 (a) (5) and (6) of Maximum Price Regulation No. 189,[4] as follows:

(a) "Points on the Great Lakes and their connecting or tributary waters" means any port, point, or place on Lakes Superior, Michigan, Huron, Erie, and Ontario, the waters connecting those lakes, the St. Lawrence River, and those tributaries of the enumerated lakes which are not included in the inland waterways system;

(b) "Points at tidewater" means any tidewater port, point, or place on the Atlantic and Pacific coasts of continental United States, and the coast of continental United States on the Gulf of Mexico.

[§ 1340.201 amended by Am. 12, 7 F.R. 5835, effective 8–1–42]

[1] 7 F.R. 3168.

[2] Statements of considerations are also issued simultaneously with the issuance of amendments. Copies may be obtained from the Office of Price Administration.

[3] Revised: 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 3075.

[4] 8 F.R. 2973, 5566, 6444, 6842, 8504, 8680, 10936, 11143, 11690, 11846.

§ 1340.202 *Less than maximum prices.* Lower prices than those set forth in Appendices A to V, inclusive (§§ 1340.212 to 1340.233, inclusive) may be charged, demanded, paid or offered.

[§ 1340.202 amended by Am. 59, 8 F.R. 11689, effective 8–21–43]

§ 1340.203 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

[§ 1340.203 amended by Am. 57, 8 F.R. 10936, effective 8–10–43]

§ 1340.204 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 120 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to bituminous coal alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or by the making of excessive charges for trucking or otherwise.

§ 1340.205 *Records and reports.* (a) Every producer and distributor making a sale of bituminous coal and every person making a purchase of bituminous coal from a producer or distributor in the course of trade or business, on and after May 18, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than two years complete and accurate records of each such sale or purchase showing the date thereof, the name and address of the buyer and of the person making the sale, the size, brand or trade name and quantity of the bituminous coal sold or purchased together with the name of the mine at which it originated and the mine index number of such mine; the method of transportation employed in the delivery thereof, and the price received or paid therefor.

[Paragraph (a) amended by Am. 16, 7 F.R. 6272, effective 8–17–42]

(b) Not later than June 1, 1942, every producer and distributor of bituminous coal shall file with the Bituminous Coal Division, United States Department of the Interior, Washington, D. C., a statement setting forth: (1) the rate of interest, if any, charged on delinquent accounts or on any note, trade acceptance or other evidence of indebtedness accepted in payment of an account during the period October 1–15, 1941, inclusive; and (2) the charges, if any, made for any special services during the period October 1–15, 1941, inclusive, together with a description of the special service rendered. Statements filed with the Bituminous Coal Division of the Department of the Interior pursuant to this section prior to 12:01 a. m., August 24, 1943, shall be deemed to have been filed with the Office of Price Administration.

[Paragraph (b) amended by Am. 59, 8 F.R. 11689, effective 8–21–43]

(c) Persons affected by Maximum Price Regulation No. 120 shall submit such other reports and keep such other records as the Office of Price Administration may from time to time require.

(d) Persons subject to this Maximum Price Regulation No. 120 shall not be required to observe the provisions of paragraph (b) of § 1499.13 of the General Maximum Price Regulation.[5]

[Paragraph (d) added by Am. 16, 7 F.R. 6272, effective 8–17–42]

(e) Except where previously filed with the Bituminous Coal Division, every producer operating any mine the daily average capacity of which exceeds 50 net tons, shall for such mine file with the Solid Fuels Branch, Office of Price Administration, Washington, D. C., Form B. C. D. Nos. 288 and 350, issued by the Bituminous Coal Division, for each of the months April to July, 1943, inclusive.

Every producer for each such mine shall also file with the Solid Fuels Branch, OPA Form No. 653•499—Report of Operating Data Bituminous Coal Mines, issued by the Office of Price Administration, for the month of August 1943, and for each month thereafter, within thirty days after the close of the month for which the form is filed.

[Paragraph (e) added by Am. 60, 8 F.R. 11755, effective 8–23–43; amended by Am. 65, 8 F.R. 13175, effective 10–1–43]

§ 1340.206 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 120 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 120 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

[Paragraph (b) amended by Am. 59, 8 F.R. 11689, effective 8–21–43]

§ 1340.206a *Licensing.* The provisions of Licensing Order No. 1,[6] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1340.206a added by Supplementary Order 72, 8 F.R. 13244, effective 10–1–43]

§ 1340.207 *Petitions for amendment and applications for adjustment.* (a) The Administrator may by order grant an adjustment of maximum prices to any producer who shows to the satisfaction of the Administrator that the sale of its mine's entire production at the maximum prices would return a realization less than the mine's representative costs of production.

(b) Any person seeking relief, for which no provision is made in the foregoing paragraphs of this section, from a maximum price established under this Maximum Price Regulation No. 120 may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Revised Procedural Regulation No. 1 as amended, and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant, together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 120 to eliminate the danger of inflation. No application for adjustment filed after November 25, 1942, will be granted under this paragraph (b). But an application may be granted if filed prior to December 31, 1943 and if based upon hardship resulting from the fact that minimum prices established and in effect as of 12:01 a. m. August 24, 1943 by the Bituminous Coal Division prior to the expiration of the Bituminous Coal Act of 1937, as amended, were higher than the maximum prices established by this regulation.

[Paragraph (b) amended by Am. 69, 8 F.R. 14560, effective 10–30–43]

(c) The Office of Price Administration or any regional office thereof after clearance with the Solid Fuels Branch in Washington, D. C., may adjust any maximum price established under this regulation for bituminous coal in the case of any producer with a capacity of less than 50 tons a day or group of such producers when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of bituminous coal which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such producer and of like producers for such bituminous coal; and

(3) That such adjustment will not create or tend to create a shortage or a need for increase in prices in another locality and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[Paragraph (c) added; former paragraphs (c) and (d) redesignated (d) and (e) by Am. 72, 8 F.R. 15456, effective 11–15–43]

[5] 9 F.R. 1385.

[6] 8 F.R. 13240.

(d) (1) In petitions filed pursuant to the provisions of this § 1340.207, the petitioner should submit and the Office of Price Administration will consider all relevant cost and realization data and the necessity, in terms of the war effort, for the granting of such adjustment or exception. Where cost of production varies from month to month or does not conform to average cost as indicated by monthly reports filed with the Bituminous Coal Division prior to 12:01 a. m., August 24, 1943, petitioner must indicate which cost is regarded as representative and the reasons therefor, and also the reasons for the fluctuations.

(2) The Office of Price Administration may require in connection with any such application, filed under the provisions of this section, full data on costs, profits and other relevant factors. Applications for adjustment or exception pursuant to this § 1340.207 shall be filed in accordance with Revised Procedural Regulation No. 1 as amended, issued by the Office of Price Administration.

(e) [Revoked]

[Paragraph (e) added and former (e) redesignated (f) by Am. 74, 8 F.R. 16419, effective 12-3-43. Paragraph (e) revoked by Am. 85, 9 F.R. 1721, effective 2-14-44]

(f) Persons seeking any modification of this Maximum Price Regulation No. 120 or the addition of an adjustment category not included therein may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration. The petitioners should submit and the Office of Price Administration will consider all relevant data with respect to costs and realizations and the necessity of the Amendment in view of the war effort and of the policy of the Emergency Price Control Act of 1942, as amended, and this Maximum Price Regulation No. 120, to eliminate the danger of inflation, and such other data that should be considered in connection with the proposed modification or the proposed addition of an adjustment category.

[§ 1340.207 amended by Am. 17, 7 F.R. 6523, effective 8-22-42; Am. 26, 7 F.R. 9783, effective 11-26-42; Am. 28, 7 F.R. 10581, effective 12-22-42; Am. 42, 8 F.R. 2501, effective 3-4-43; Am. 51, 8 F.R. 4717, effective 4-14-43; Am. 59, 8 F.R. 11689, effective 8-21-43 and as otherwise noted]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1340.208 *Definitions.* (a) When used in this Maximum Price Regulation No. 120 the term:

(1) "Person" includes an individual, corporation, partnership, association, or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Producer" means a person engaged in the business of mining bituminous coal or preparing bituminous coal at a preparation plant which is an adjunct of a mine or mines, and any person acting as an agent of a producer in the sale of bituminous coal.

(3) "Distributor" means a person who purchases bituminous coal for resale, and resells the same in not less than cargo or railroad carload lots, all as more fully defined in the Bituminous Coal Act of 1937, as amended, and rules and regulations issued thereunder, in effect as of midnight, August 23, 1943, and any person acting as an agent of such distributor in the sale of bituminous coal.

(4) "Bituminous coal" means Bituminous coal, as used in the Bituminous Coal Act of 1937, as amended, in effect as of midnight, August 23, 1943 and includes all bituminous, semibituminous, and subbituminous coal and shall exclude lignite, which is defined as a lignite coal having calorific value in British thermal units of less than seven thousand six hundred per pound and having a natural moisture content in place of the mine of 30 per centum or more.

(5) "Bituminous Coal Division" means the Bituminous Coal Division, United States Department of the Interior as established pursuant to the Bituminous Coal Act of 1937, as amended, and the President's Second Reorganization Plan of 1939 and as in effect as of midnight, August 23, 1943.

[Subparagraphs (3), (4) and (5) amended by Am. 59, 8 F.R. 11689, effective 8-21-43]

[Subparagraphs (6) and (7) revoked and former (6) redesignated (6) and amended by Am. 59]

(6) "District Nos. 1 to 20, inclusive, 22 and 23" mean the geographical bituminous coal producing districts as defined in the Bituminous Coal Act, as amended, and as they have been modified as of midnight, August 23, 1943.

[Subparagraph (9) added by Am. 12, 7 F.R. 5835, effective 8-1-43 and redesignated (7) by Am. 59, 8 F.R. 11689, effective 8-21-43]

(7) "Bunker fuel" means bituminous coal used aboard a vessel for consumption thereon.

(8) Underground mine means a mine that takes its coal entirely from underground seams from which the overburden is not removed and does not include a mine taking any coal from the ground by the stripping method.

[Subparagraph (8) added by Am. 73, 8 F.R. 16280, effective 11-29-43]

(b) Where reference is made to maximum prices for shipment by a particular method of transportation (e. g., "shipment by rail," "truck or wagon shipments") this does not include such shipments made for special uses to which special maximum prices are applicable (e. g., railroad fuel shipments) unless the reference so specifies.

[Paragraph (b) added and former (b) redesignated (c) by Am. 25, 7 F.R. 8650, effective 8-18-42]

(c) Unless the context otherwise requires, the definitions set forth in Section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1340.209 *Provision for specific ceiling prices.* In establishing prices for coals by an area ceiling order or where prices have been established by such an order issued under § 1340.260 of Revised Maximum Price Regulation No. 122[1] the Office of Price Administration or any regional office thereof may also establish maximum area prices for deliveries of coal made subject to this regulation from a mine or adjunct preparation plant to consumers in the same area and also for services in connection with the preparation of such coals and their delivery. The prices so established may be the same prices as are provided for similar deliveries made subject to Revised Maximum Price Regulation No. 122 or they may be such as will avoid diversions of supply which would disrupt an orderly pattern of distribution of coals in that area and areas nearby.

[Former § 1340.209 revoked by Am. 59, 8 F.R. 11689, effective 8-21-43; new § 1340.209 added by Am. 71, 8 F.R. 15455, effective 11-15-43]

§ 1340.210 *Maximum price instructions.* (a) The following maximum price instructions are applicable to the maximum prices set forth in §§ 1340.212 to 1340.233, inclusive (Appendices A to V, inclusive).

(1) Where the effective minimum price now or hereafter established by the Bituminous Coal Division for any shipment of coals to any particular destination or market area or for any particular use, or for movement by any particular method of transportation is higher than the maximum price provided in this Maximum Price Regulation No. 120 for such a shipment, the particular shipment may be made at not more than the applicable minimum price, in effect midnight, August 23, 1943: *Provided*, That no such shipments shall be made after December 31, 1943 at higher than the maximum price established by this regulation, except that such shipments may be made until April 30, 1944 if the coal is produced in District Nos. 8, 19 and 20.

[Subparagraph (1) amended by Am. 59, 8 F.R. 11689, effective 8-21-43; Am. 70, 8 F.R. 15256, effective 10-30-43; Am. 80, 9 F.R. 794, effective 1-26-44; and Am. 90, 9 F.R. 2237, effective 3-2-44]

(2) The maximum prices established herein apply to all sales by a producer or a distributor at, or for delivery from, a mine or a preparation plant operated as an adjunct of a mine or mines to destinations in Continental United States, the Territories of Alaska and Hawaii, the District of Columbia and the Dominion of Canada: *Provided however*, That subject to such future regulation as may be appropriate, the maximum prices established herein shall not apply to the resale of United States bituminous coal by Canadian distributors who import such coal from the United States into the Dominion of Canada and resell it for consumption in the Dominion of Canada: *And provided further*, That maximum prices established herein do not apply to the sales of any bituminous coal for direct use as bunker fuel at points on the Great Lakes and their connecting or tributary waters or at tidewater as defined in § 1340.308 (a) (5) and (6) of Maximum Price Regulation No. 189, and set forth in § 1340.201, above. The provisions of this Maximum Price Regulation No. 120 shall apply, however, to the sale or delivery of bituminous coal to another person who resells the same for use as bunker fuel, even though the resale by such other person may be subject to the provisions of Maximum Price Regulation No. 189, Bituminous Coal Sold for Direct Use as Bunker Fuel, except that, where a supplier of bunker fuel does not have such fuel readily available (in storage or transportation facilities) to fuel a vessel at a particular port, and purchases the same from another bunker supplier who has such fuel available at that port, the sale by each supplier shall be subject to the maximum prices applicable under Maximum Price Regulation No. 189 to a direct sale by the particular supplier to the vessel in question.

[Subparagraph (2) amended by Am. 12, 7 F.R. 5835, effective 8-1-42; Am. 19, 7 F.R. 6744, effective 8-29-42; Am. 55, 8 F.R. 8504, effective 6-18-43; and Am. 69, 8 F.R. 14560, effective 10-30-43]

(3) All designations or definitions of classifications, price groups, size groups, mine index numbers, mine names, freight origin group numbers, subdistricts, seams, market areas, and other terms used in § 1340.212 to 1340.233 (Appendices A to V, inclusive) and in any order or authority issued under this regulation since May 18, 1942, are, unless otherwise specifically provided, the same designations or definitions of such matters set forth in the schedules of effective minimum prices for the same district, as established by the Bituminous Coal Division and as in effect midnight, August 23, 1943. References to classifications, price groups and size groups in §1340.212 to 1340.233 (Appendices A to V, inclusive) are to classifications, price groups and size groups in the schedule of effective minimum prices for the same district in respect to coal shipped all-rail for general commercial use, unless otherwise specifically noted. Thus, special classifications or size groups in the schedule of effective minimum prices for coal moving to a special use or by a particular method of transportation are not applicable, unless otherwise specifically stated.

In addition to references to minimum prices which were in effect on April 1, 1942, and October 1, 1942, wherever a minimum price is a necessary element in the determination of a maximum price established by this Regulation, then such minimum price as established by the Bituminous Coal Division and effective as of midnight, August 23, 1943, is hereby adopted for such purpose.

[Subparagraph (3) amended by Am. 59, 8 F.R. 11689, effective 8-21-43; and Am. 78, 9 F.R. 573, effective 1-18-44]

(4) Where bituminous coal is delivered from a mine or preparation plant in any transportation facilities owned or subject to the control of the producer or a distributor or subsidiary or affiliate of the producer or distributor, or in any transportation facilities hired by the producer or a distributor, there may be added to the applicable maximum prices established herein a sum not in excess of the actual transportation costs incurred, determined in a reasonable manner, but in no event to exceed the lowest common carrier rate for a haul between the same points: *Provided*, That where deliveries are made in river transportation facilities owned or subject to the control of the producer or distributor, or a subsidiary or affiliate of the producer or distributor, via the Kanawha and/or Ohio Rivers and from mines or preparation plants located in District No. 8, there may be added to the applicable maximum price established herein a sum not in excess of the average charge made by the producer or distributor concerned, or by his subsidiary or affiliate during October 1941 for the same transportation service, or, in the case of a service which was not supplied in October 1941, the offering price therefor in October 1941: *And provided further*, That there may also be added by a producer or distributor, to the applicable maximum price established herein, an amount not in excess of the transportation tax imposed by section 620 of the Revenue Act of 1942 if said producer or distributor incurred such tax, and if he separately states the amount of the tax in sales to all purchasers except the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

[Subparagraph (4) amended by Am. 8, 7 F.R. 5059, effective 7-2-42; Am. 20, 7 F.R. 6896, effective 5-18-42; Am. 27, 7 F.R. 10470, effective 12-1-42; Am. 61, 8 F.R. 12659, effective 9-20-43; and Am. 78, 9 F.R. 573, effective 1-18-44]

(5) In the event of the mixture of two or more sizes or classifications of coal to which different maximum prices are applicable, the maximum price for such mixture shall be not more than the weighted average of the maximum prices for each of the component sizes or classifications of coal in said mixture, on a per net ton basis.

(6) Prior to the sale of bituminous coal for which price classifications or maximum prices have not been established, the producer thereof shall file with the Price Administrator an application for specific maximum prices or price classifications, or both. The producer shall state the mine index number, if any, and the classifications, if any, assigned by the Bituminous Coal Division to the mine and coals involved, along with the name, location and mine index number of the nearest mine in the same seam, the coals of which are classified and sold subject to specific maximum prices, along with such classifications and prices. If there is no such mine in the same seam, the same comparative information shall be given for the nearest mine in a substantially similar seam.

For thirty days after filing the application, such coals shall be sold at temporary maximum prices no higher than the maximum prices established by this regulation for the coals which are produced at the nearest mine in the same seam or in a substantially similar seam and which are classified and sold subject to specific maximum prices. After thirty days from the filing of the application, if no prior action has been taken by the Price Administrator, the classifications and prices as requested in the application shall be the classifications or maximum prices, or both, for such coals.

[Subparagraph (6) amended by Am. 59, 8 F.R. 11689, effective 8-21-43, and Am. 63, 8 F.R. 12933, effective 9-27-43]

(7) If no specific maximum price is established for a particular size of coal, the maximum price therefor shall be determined as follows:

(i) If the particular unpriced size is a lump size, the maximum price shall be not more than the lowest maximum price established for any size of lump coal for the same mine.

(ii) If the particular unpriced size is a double screened coal, the maximum price shall be not more than the lowest maximum price established for any double screened size of the same mine.

(iii) If the particular unpriced size is a resultant (slack or screening) size, the maximum price shall be not more than the lowest maximum price for any resultant (slack or screening) size of the same mine.

(8) (i) Except as otherwise specifically provided in this section or in §§ 1340.212 to 1340.233, inclusive, (Appendices A to V, inclusive) wherever lump, double screened coal, or mine-run coals (and coals of the same size group as mine-run coals) are crushed, the applicable maximum price shall be the maximum price for the size to which the coal is crushed, irrespective of whether the crushing is done by the producer for his own account or for the buyer's account.

(ii) Where a higher maximum price than is above provided for crushed coals is necessary to maintain or increase essential production of resultant screening sizes, a producer may file an application containing the information hereinafter set forth, requesting permission from the Office of Price Administration to sell crushed coal at straight run-of-mine prices. An original and two copies of such application shall be filed with the Office of Price Administration, Solid Fuels Branch, Washington, D. C. Immediately upon such filing, the producer has permission to charge maximum prices for crushed coal as is hereinafter provided. Such permission will terminate for failure to file the monthly reports as required in § 1340.210 (a) (8) (iv), below, or may be terminated at any time in the discretion of the Administrator. On deliveries of bituminous coal made after such filing, (a) where the applicant's lump coals, double screened coals, or mine-run coals (and coals of the same size group as mine-run coals) are mechanically crushed to sizes normally sold by the applicant as screenings, and such resultant sizes are not screened, altered or modified (exclusive of mechanical cleaning or preparation), the maximum price applicable thereto shall be the maximum price for the coal produced at the mine involved which is classified as straight run-of-mine coal; (b) where mine-run coals

[1] 8 F.R. 440, 1900, 3524, 4510, 5652, 6543, 7198, 8179, 8754, 1338, 11143, 11690, 12659.

(and coals of the same size group as mine-run coal) are separated into two or more sizes and only the larger sizes are crushed, the smaller uncrushed sizes shall have the maximum price established under this regulation for the particular sizes involved; but if such smaller uncrushed sizes are re-assembled with the crushed sizes and shipped as re-assembled, the maximum price applicable to such re-assembled product shall be the maximum price for that coal produced at the mine involved which is classified as straight run-of-mine coal.

(iii) Such application shall include, in affidavit form:

(*a*) A complete identification of the applicant, including business name and address, mine name, mine index number, and number of producing district;

(*b*) A statement of the manner in which the requested permission will facilitate the economical and efficient production of slacks or screenings.

(*c*) For each month from October 1, 1941 to and including the month prior to the month when the application is filed, a statement of:

(*1*) The tonnages of lump coals, double screened coals, mine-run coals (or coals of the same size group as mine-run coals) crushed and shipped in a crusher-run state, without subsequent rescreening, alteration or modification (exclusive of mechanical cleaning or preparation), which were shipped from the applicant's mine during each such month—indicating in each case the specific sizes before crushing and the specific sizes as shipped, the total tonnage of crushed coal shipped during the month and the percentage relation which this total tonnage bears to the total of all shipments of all sizes made during the month;

(*2*) The tonnages of each size of coal not crushed which were shipped from the applicant's mine during each such month;

(*3*) An estimate of the data specified in (*1*) and (*2*) for 30 days subsequent to the actual date on which the application is filed.

(iv) On or before the 20th day of the month following that in which the application was filed, and monthly thereafter, an original and 3 copies of a monthly report, in affidavit form, containing the information hereinafter set forth, shall be filed with the Solid Fuels Branch, Office of Price Administration, Washington, D. C. Such monthly reports shall contain:

(*a*) A complete identification of the reporting producer including business name and address, mine name, mine index number, and number of producing district, and a statement of the date or dates on which the aforesaid application was filed by the reporting producer;

(*b*) A statement of why continued permission to sell crushed coal as previously requested is necessary;

(*c*) For the month in which the application was filed and for each full month thereafter, a statement of:

(*1*) The tonnages of crushed coals which were shipped at prices in excess of the maximum prices applicable to natural screenings of the same top sizes (i. e., screenings not produced by crusher);

(*2*) The tonnages shipped of each size of coal not crushed;

(*3*) The same details with respect to such tonnages of crushed and uncrushed coals as are called for in § 1340.210 (a) (8) (iii) (c) above; and

(*4*) An estimate of the foregoing data specified in (*1*), (*2*) and (*3*) for 30 days subsequent to the actual date on which the report is filed.

[Subparagraph (8) amended by Am. 22, 7 F.R. 7670, 7914, effective 9–26–42 and Am. 59, 8 F.R. 11689, effective 8–21–43]

(9) The rate of interest on overdue accounts or on a note, trade acceptance or other form of indebtedness accepted in payment of an account shall not exceed the rate charged by the seller on similar transactions during the period of October 1–15, 1941, inclusive.

[Subparagraph (9) amended by Am. 59, 8 F.R. 11689, effective 8–21–43]

(10) The charges made for any special service, including (specifically but not exclusively) calcium chloride treatment, specially prepared sizes, split cars (containing more than one size), box car loading, truck loading from pockets at the mine, bags and bagging, and the making of local or retail deliveries from the mine or preparation plant, shall not exceed the charges made for the same service during the period October 1–October 15, 1941, inclusive, except as is otherwise provided in subdivisions (i) and (ii) below.

[Above paragraph amended by Am. 87, 9 F.R. 1905, effective 2–23–44]

No person may pay and no person may receive a service charge over the maximum prices otherwise established by this regulation for the services rendered in the obtaining of supplies of coal or in handling shipments of coal by water unless the Administrator grants permission in writing to do so. Provision is made in subdivisions (i) and (ii) below for the obtaining of such permission; subdivision (i) states how and by what persons such permission may be obtained with regard to shipments other than those by lake and tidewater and subdivision (ii) states the same with regard to lake and tidewater shipments.

[Above paragraph added by Am. 87]

(i) With regard to shipments other than those by lake and tidewater a distributor may obtain such permission where the requirements of (*a*) below are met by filing two copies of a signed application containing the information required in (*b*) below with the Solid Fuels Branch, Office of Price Administration, Washington 25, D. C.

(*a*) *Conditions under which permission to pay a service charge will not be granted.* In no event will a service charge be permitted to be paid or received where:

(*1*) The distributor is or at any time since May 18, 1942 has been related to the producer or his sales agent directly or indirectly by ownership control or affiliation of any kind.

(*2*) In general the tonnage requirements of the person desiring to purchase from the distributor exceed 10,000 net tons per year, or the situation of the customer is such that the services of a distributor are not required.

(*3*) The coal to be procured by the distributor will be obtained from the same mine or the same producer or an affiliate of the same producer as the mine, producer or affiliate which supplied the customer of the distributor at any time since May 18, 1942. This condition shall not, however, be applicable where the customer of the distributor is operating a manufacturing plant which was converted from oil to coal since January 1, 1942 and such customer has since that date been supplied coal by a distributor, or where the customer of the distributor is in New England and is now receiving via all-rail transportation part or all of the coal requirements he formerly received by tidewater or where the customer's requirements are supplied by a distributor under a direction issued by the Solid Fuels Administration for War.

(*b*) *Information which the distributor's application should contain.* A signed application filed in duplicate with the Solid Fuels Branch shall disclose:

(*1*) The kind, size, tonnage, distributor's f. o. b. mine purchase price of coal which the customer of the distributor needs, the service charge the distributor proposes to make and to which the customer agrees, and the method of shipment of the coal.

(*2*) A brief statement of the kind, size and tonnage of coal as well as total tonnage purchased by the customer of the distributor since January 1, 1943 from each source of supply together with the name and address of each supplier. The source of supply shall be identified as producer or distributor and by the names, mine index numbers of, and the producing district in which the mines from which the coals are to be shipped are located.

(*3*) A brief statement as to why applicant's services are necessary to his customer in the proposed transaction.

(*4*) A statement from the distributor's customer that it will not base any request for an increase in its maximum price for any commodity or service in whole or in part upon the added cost of the service charge and if customer is a reseller of coal subject to Revised Maximum Price Regulation No. 122 that it understands that the service charge it proposes to pay to the distributor may not be added to its maximum price in the resale of the coal and if customer is a person eligible for compensation under Revised Compensatory Adjustment Regulation No. 1 such service charge shall not be included in the current delivered cost of coal.

(*5*) Any other data deemed relevant by the applicant.

(*c*) *Records to be kept by the distributor receiving permission to make a service charge.* If such permission to make a service charge is granted, the distributor making such service charge shall maintain records for the effective period of this subdivision (i) in connection with any transaction on which such a service charge is made. The records shall disclose:

(*1*) The distributor's source of coal supply, including the name and address of each supplier, an identification of these suppliers as distributor or producer and the names, mine index numbers of, and the producing district in which the mines from which the coals are to be shipped are located.

(*2*) The tonnage of coal shipped the customer, maximum f. o. b. mine price; the purchase price the distributor paid f. o. b. the mine; the amount and kind of all special service charges made in the sale of the coal by the producer and distributor and the amount of the service charge made by the distributor under the Administrator's authorization granted pursuant to this subdivision (i).

(*d*) Permission to pay a service charge of not more than 17 cents per net ton may be granted by the Administrator by letter or telegram with respect to individual transactions on transactions of a continuing nature for either individual distributors or groups of distributors. In all cases the amount of the service charge shall be separately identified in the invoice for the coal.

[Subparagraph (i) added, former (i) redesignated (ii) by Am. 87, 9 F.R. 1905, effective 2–23–44]

(ii) The following special rule shall govern the compensation for distributors' service rendered in connection with lake or tidewater shipments of bituminous coal:

(*a*) Services rendered by a distributor in connection with bituminous coal shipments by lake or tidewater (e. g. assembling cargoes, chartering vessels, etc.) shall be deemed to constitute special services within the meaning of this paragraph, only if:

(*1*) The service charge does not exceed the weighted average of service charges made by him during October 1941 for similar transactions (e. g. for similar f. a. s., or f. o. b. dock or f. o. b. vessel transactions, as the case may be), or (if he had no similar transactions during that month) does not exceed the service charge which has been authorized pursuant to this subparagraph (10) (i) for similar transactions of a competing distributor.

(*2*) The distributor has filed with the Office of Price Administration, Solid Fuels Branch, Washington, D. C., two copies of an application for permission to make a service charge for such transactions and has received such permission, and

(*3*) The distributor separately identifies in his invoice the amount of the service charge authorized pursuant to this paragraph.

(*b*) The Office of Price Administration may approve, reject or modify a service charge proposed in an application filed pursuant to this paragraph (10) (i); approval shall be effective for all similar transactions of the applicant. Such application shall include on a form copied from the sample Form reproduced below:

(*1*) The purchase costs (showing discounts, allowances, or commissions), resale prices and service charges in October 1941 for the tonnages involved, such tonnages to be specifically identified by origin, grade, size, and name and address of persons from whom purchased; and the type of transaction (e. g., f. a. s., f. o. b. dock, f. o. b. vessel), and the capacity in which each transaction was handled by the applicant and the person selling to him;

(*2*) The weighted average service charge per ton for each type of transaction; and

(*3*) A breakdown, for each type of transaction, of the service elements involved in the total service rendered, together with a cents-per-ton allocation, insofar as practicable, of the total service-charge to each such service element:

Form approved
Budget Bureau No. 08-R34

OFFICE OF PRICE ADMINISTRATION

APPLICATION FOR PERMISSION TO MAKE A SERVICE CHARGE ON LAKE OR TIDEWATER SHIPMENTS

BITUMINOUS COAL DISTRIBUTORS

Distributor's Name: _____ Date: _____

Address: _____

Lake and Tidewater Shipments

PART A—PRICE, SERVICE CHARGE & TYPE OF TRANSACTION—BITUMINOUS COAL HANDLED, OCTOBER 1941
(All units per net ton)

Line No.	FOB mine prior to resale		Resale price fob mine	Total tons sold	Service charge per ton	Total service charge (Col. 4 times Col. 5)	Type of transaction
	Price before any discounts, allowances, commissions	Amount of discounts, allowances, commissions					
	1	2	3	4	5	6	7
1							
2							
•							
•							
•							
8							
9							
•							
•							
•							

PART B—IDENTITY OF OCTOBER 1941 BITUMINOUS COAL TRANSACTIONS[1]

Line No.	Origin of coal purchased			Grade and size[2]	Name and address of persons from whom tonnage was purchased as reported on each numbered line of PART A	Capacity in which handled	
	Mine district No.	Mine name	Mine index No.			By person from whom purchased	By applicant
	1	2	3	4	5	6	7
1							
2							
•							
•							
•							
8							
9							
•							
•							
•							

[1] The entries should correspond line for line with the entries in Part A.
[2] Give specific size dimensions in inches and fractions of inches or mesh including both top and bottom size of double screened coals.

PART C—WEIGHTED AVERAGE SERVICE CHARGE PER TON—OCTOBER 1941

F. A. S._____: F. O. B. Dock_____: F. O. B. Vessel_____: Other (specify)_____

NOTE: For each type of transaction shown in PART A, Column 7, compute the weighted average service charge by dividing the total of the service charges for each type as shown in PART A, Column 6, by the total net tons sold for such transactions as shown in PART A, Column 4.

PART D—ALLOCATION OF SERVICE CHARGES

Line No.	Service Elements and Charges by Type of Transaction[1]								
	Service elements	F. A. S. transactions	Charges	F. O. B. dock transactions	Charges	F. O. B. vessel transactions	Charges	Others (Specify)	Charges
1	Assembling cargoes								
2	Chartering vessels								
•									
•									
•									
8									
9									
•									
•									
•									
	Total:[2]	XXXX		XXXX		XXXX			

[1] Under each type of transaction check (x) the appropriate Service Elements and enter the charges therefor.
[2] The total charge for each type of transaction should not exceed the weighted average shown in PART C for each type of transaction.

[Subparagraph (10) amended by Am. 46, 8 F.R. 2873, effective 3–6–43 and as otherwise noted.]

(11) Any distributor selling smithing coal for shipment direct from the mine to the purchaser may add to the maximum prices established for such coal in this Maximum Price Regulation No. 120 an amount not in excess of the weighted average margin realized by such distributor on similar sales or deliveries of smithing coal during the period October 1 to December 31, 1941. If such distributor made no sales or deliveries of smithing coal during said period then such distributor may use the weighted average margin realized during the next preceding three months' period in 1941 in which such sales were made. Such weighted average margin shall be determined by subtracting the average purchase price f. o. b. mine, weighted by tonnage, paid by such distributor for the smithing coal so sold or delivered by him in the period October 1 to December 31, 1941 from the average sale price, weighted by tonnage, but exclusive of transportation costs, which he received therefor: *Provided*, That not later than September 7, 1942, each distributor of smithing coal shall report the average margin obtained on sales of smithing coal during the period October 1 to December 31, 1941, determined in accordance with the provisions of this paragraph (a) (11) of § 1340.210 to the Bituminous Coal Division of the Department of the Interior of the United States at 734 Fifteenth Street NW., Washington, D. C.

[Subparagraph (11) added by Am. 11, 7 F.R. 5827, effective 7-27-42; amended by Am. 59, 8 F.R. 11689, effective 8-21-43]

(12) Any amounts which by order or amendment are permitted to be added to maximum prices cannot be added to Bituminous Coal Division minimum prices which are higher than maximum prices and which may be charged under § 1340.210 (a) (1) or § 1340.226 (b) (1) (i).

(13) Any purchaser, lessee, or transferee of a mine for which maximum prices or price classifications have been established will take the maximum prices or price classifications previously assigned to the mine or to the seller, lessor, or transferor thereof.

[Subparagraph (12) and (13) added by Am. 73, 8 F.R. 16280, effective 11-29-43]

(14) A producer may receive a direction from the Solid Fuels Administration for War requiring him to rescreen his mine's "resultant coals" to increase production of double screened coals. "Resultant coals", as used in this paragraph (14), refers to coals which were given the same price classification and permitted to be sold at the same minimum price as mine run coals under the minimum price schedules for the respective producing Districts Nos. 1 and 3 through 8, except that, as to high volatile coals produced in Districts Nos. 7 and 8, the term refers also to coals in Size Group No. 17. The rescreening of "resultant coals" will result in an increase in the tonnage of screenings in excess of that normally produced by him at the mine involved in the direction. This paragraph (14) provides a formula for pricing such excess production of screenings for such mines if in any of Districts Nos. 1 and 3 through 8; it is not applicable to screenings normally produced; or to any increased production of screenings resulting from causes other than compliance with the direction, or to a mine in any other District.

If the producer complies with the direction in whole or in part and if compliance requires a change in his screening practices from those in effect at the mine prior to such compliance, the increase in production of screenings may be sold at no more than the applicable maximum price plus an amount necessary to return to the mine the total realization which the mine would have obtained on sale at maximum prices of the original "resultant coals"; except, that where the maximum price for the double screened size is less than the maximum price for the "resultant coals", the latter price shall be the maximum price for both the double-screened coals and the screenings: *Provided*, That the producer shall have reported the following information to the Solid Fuels Price Branch, Office of Price Administration, Washington 25, D. C. before selling screenings at maximum prices computed under this paragraph (14):

First. The number of the direction of the Solid Fuels Administration for War;

Second. The tonnages of double screened sizes and screenings, if any, shipped from each mine involved in the direction during each of the three calendar months immediately preceding the month in which the direction was received;

Third. The tonnages of double screened coals, apart from the direction, which the producer has committed himself to ship from each mine involved in the direction during the period in which the direction will be effective;

Fourth. An estimated percentage yield of double-screened coals obtainable from the mine's original "resultant coals", along with the top size of such "resultant coals";

Fifth. The maximum price applicable to the mine's "resultant coals," and to its double screened coals and screenings computed without the benefit of this paragraph (14);

and,

Provided, however, That the producer shall report within 20 days after the end of the effective period of the direction the total tonnages of double-screened coals and the excess tonnage of screenings produced in compliance with the direction, and the amount by which the maximum prices of the latter were increased, and

Provided, further, That the producer, when computing a price for screenings or double screened sizes or both under this paragraph, shall state on his invoice that he has computed his maximum price for the coals involved under § 1340.210 (a) (14) of Maximum Price Regulation No. 120.

[Subparagraph (14) added by Am. 82, 9 F.R. 1181, 2237, effective when the first direction to increase production of double-screened coals is issued by Solid Fuels Administration for War but not later than February 5, 1944 nor before January 30, 1944]

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions, the addition of special packing expenses to maximum prices on sales to procurement agencies of the United States.]

(15) There may be added to the applicable maximum price, the amount of any sales, gross receipts, gross proceeds or use tax, levied by any statute or ordinance, under which the tax is measured by gross proceeds or units of sale, only if the statute or ordinance permits or requires the seller to state the tax separately and the seller does state it separately on his invoice or other memorandum of sale.

[Subparagraph (15) added by Am. 97, effective 5-16-44]

§ 1340.211 *Effective date of Maximum Price Regulation No. 120.* This Maximum Price Regulation No. 120 (§§ 1340.201 to 1340.233, inclusive) shall become effective May 18, 1942. [MPR 120 originally issued April 28, 1942]

§ 1340.211a *Effective dates of amendments.* [Effective dates of amendments are shown in notes following the parts affected.]

§ 1340.212 *Appendix A: Maximum prices for bituminous coal produced in District No. 1.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses (including railroad fuel for uses other than locomotive fuel use) and by all methods of transportation, except as otherwise specifically provided in this appendix.*

Price classifications	Prices and size group Nos.				
	1	2	3	4	5
A	355	340	330	315	.....
B	350	340	320	310	.....
C	340	335	315	300	290
D	330	310	305	295	285
E	325	305	305	285	285
F	305	305	305	275	275
G	300	300	285	275	275
H	300	300	280	255	255
J	.....	.....	.....	255	255
K	.....	.....	.....	255	255

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 65 cents for all size groups.

(3) *Maximum prices in cents per net ton for railroad fuel (exclusive of railroad fuel for other than locomotive fuel use).* The maximum prices for such railroad fuel shall be the applicable effective minimum prices as of October 1, 1942, for all-rail shipment, plus a sum not exceeding 50¢ per net ton.

(i) *Special price instructions.* (a) The maximum price for coals in Size Group 3 produced in Cambria County, Pennsylvania, by producers having no direct physical connections with the Conemaugh & Black Lick Railroad Company but with a rail shipping point on said railroad, at Johnstown, Pennsylvania, and whose coal is trucked to the railroad's locomotive coaling station at that point shall be $3.65 per net ton.

[Subparagraph (i) added by Am. 45, 8 F.R. 2997, effective 3-15-43]

(b) Maximum prices for Size Group 3 coals for railroad fuel use purchased by the Huntingdon and Broad Top Mountain Railroad and Coal Company and produced at mines in the Broad Top region of District No. 1 shall be $3.05 per net ton for coal produced in the Kelly seam and $3.20 per net ton for coal produced in the Barnett and Fulton seams.

[Subparagraph (b) added by Am. 56, 8 F.R. 9018, effective 7-6-43]

(4) *Maximum prices in cents per net ton for Smithing Coal.* The maximum prices from all mines in all size groups for Smithing Coal shall not exceed 425 cents per net ton.

(5) In the event any specific maximum price has been adjusted prior to February 14, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (1), (2), (3), and (4) above, but must be computed by adding to such adjusted price the following sum:

(i) For methods of shipment and uses indicated in (1) above:

	Cents
Size groups 1 and 2	20
Size groups 3, 4, and 5	25

Exception: Classes E and F in size group 2 may increase 25 cents.

(ii) For method of shipment and uses indicated in (2) above:

	Cents
Size groups 1 to 5, inclusive	25

(iii) For use indicated in (3) above:

25 cents, *Provided, however*, That where relief has been granted prior to January 31, 1943, making railroad fuel prices equal to the commercial prices, the maximum prices applying shall be increased as indicated in subparagraph 5 (i) above.

(iv) For use indicated in (4) above:

25 cents.

[Paragraph (b) amended by Am. 13, 7 F.R. 6169, effective 8-11-42; Am. 21, 7 F.R. 7777, effective 10-5-42; and Am. 36, 8 F.R. 1679, 2713, effective 2-4-43]

(6) The prices established by subparagraphs (1), (2), (3), (4) and (5) of this paragraph (b) or by orders issued on or after February 14, 1943 and prior to December 1, 1943 may be increased by no more than 30 cents per ton.

[Subparagraph (6) added by Am. 78, 8 F.R. 16280, effective 11-29-43]

§ 1340.213 *Appendix B: Maximum prices for bituminous coal produced in District No. 2.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Underground mines* — (i) *Maximum prices for coals produced at underground mines with the following designated price classifications.* These prices are for shipment to all destinations by all methods of transportation, except by truck or wagon, and for all uses, except all railroad fuel uses and smithing coal.

PRICES AND SIZE GROUP NUMBERS

Price classification	1, 2—lump and double-screened coals, bottom size larger than 2"	3, 4, 5—lump and double-screened coals, bottom size 2" and smaller	6—mine run and resultants larger than 2"	7, 8—screenings larger than ¾" but not exceeding 2"	9, 10—screenings ¾" and smaller
A	355	335	325	300	285
B	350	335	325	300	285
C	350	335	325	300	280
D	335	325	315	295	270
E	335	305	295	275	260
F	310	300	290	275	260
G	310	300	290	270	255
H	310	295	285	260	250
J	310	275	265	260	250
K	305	.....	.....	245	235
L	300	.....	.....	.....	.....
Exceptions:					
Mine index number:					
84	360	345	335	320	285
145	350	350	340	300	280
224	365	365	360	345	290

(ii) The maximum prices for coals for all railroad fuel uses shall be the maximum price for the grade and size shipped as set forth in (i) above; or the applicable effective minimum price as of October 1, 1942 for railroad fuel use for all-rail shipment, plus 75 cents per net ton, whichever is higher.

(iii) The maximum price for smithing coal shall be 455 cents per net ton.

(2) *Strip mines.* The maximum price for coals produced at any mine by the stripping method shall be the same as that for the grade, size and use of the coal shipped as set forth in subdivisions (i) and (ii) of this paragraph (b) (1) minus 25 cents per net ton.

(3) *Special price instructions.* (i) An underground mine is one which takes its coal entirely from underground seams from which the overburden is not removed and is not a mine taking any coal from the ground by the stripping method.

(ii) A strip mine is one producing coal by the stripping method and taking its entire production from the ground after removing all overburden.

(iii) If coals from an underground mine and from a strip mine are mixed, the maximum price for the mixture shall be the weighted average of the maximum prices for each of the mixed coals; the calculation shall be made in a reasonable manner on a per net ton basis.

(4) *Specific descriptions of size group numbers referred to in subparagraph (1) of this paragraph (b).*

Size Group Nos:	Description
1 and 2	All single-screened lump coals and double-screened egg coals with bottom size larger than 2".
3 and 4	All single-screened lump coals with a bottom size 2" and smaller, and all double-screened coals with a bottom size 2" and smaller, and top size larger than 2".
5	All double-screened, nut, pea and stoker coals with a top size not exceeding 2".
6	Straight mine run, all mine run resultants larger than 2", and any mine run altered by the removal of any intermediate size.
7 and 8	Screenings larger than ¾" x 0 but not exceeding 2" x 0.
9 and 10	Screenings, top size not exceeding ¾".

(5) *Maximum prices for shipment by truck or wagon to all destinations for all uses.*

Coals produced at all mines in the following counties	Price group No.	1, 2, 3—lump and double-screened coals bottom size larger than 2"	4—lump and double-screened coals bottom size larger than 1¼" but not exceeding 2"	5, 6, 7—lump bottom size 1¼" and smaller and double-screened coals top size not exceeding 2"	8—mine run and resultants larger than 2"	9, 10—screenings larger than ¾" but not exceeding 2"	11—screenings ¾" and smaller
		PRICES AND SIZE GROUP NUMBERS					
Allegheny	5	425	360	360	325	285	270
Exception:							
Mine Index No. 224	5	430	405	380	330	305	280
Armstrong	10	395	365	360	285	275	255
Beaver	4	415	400	375	305	265	245
Butler	2	435	415	405	320	290	270
Exceptions:							
Mine Index No. 84	2	450	415	405	320	290	270
Mine Index No. 858	2	600	440	420	390	380	315
Mine Index No. 904	2	600	440	420	393	380	315
Mine Index No. 934	2	600	440	420	390	380	315
Mine Index No. 1488	2	600	440	420	390	380	315
Mine Index No. 1628	2	600	440	420	390	380	315
Mine Index No. 923	2	600	440	420	390	380	315
Crawford	1	465	440	435	370	280	265
Fayette	7	415	385	375	310	290	265
Greene	11	380	360	340	280	290	240
Indiana	9	395	365	355	300	280	260
Lawrence	3	435	400	395	320	265	240
Mercer							
Venango							
Washington	6	425	385	375	325	290	255
Westmoreland	8	415	395	365	305	285	295

[Table amended by Am. 97, effective 5-16-44]

(6) *Specific descriptions of size group numbers referred to in subparagraph (5) of this paragraph (b).*

Size Group Nos.:	Description
1 to 3, incl.	All single-screened lump coals and all double-screened egg coals with a bottom size larger than 2".
4	All single-screened lump coals bottom size larger than 1¼" but not exceeding 2", and all double-screened egg coals, bottom size larger than 1¼" but not exceeding 2", and top size larger than 5".
5 to 7, incl.	All single-screened lump coals, bottom size 1¼" and smaller, all forked coals, all double-screened egg coals, bottom size larger than 1¼" but not exceeding 2", and top size larger than 2" but not exceeding 5", all double-screened egg coals, bottom size 1¼" and smaller and top size larger than 4", all double-screened nut, pea and stoker coals, top size not exceeding 2".
8	Straight mine run, all mine run resultants larger than 2", and any mine run altered by the removal of any intermediate size.
9 and 10	Screenings, larger than ¾" x 0 but not exceeding 2" x 0.
11	Screenings, top size, not exceeding ¾".

(7) A charge of no more than 10 cents per net ton may be made for a chemical, oil or waxing treatment to allay dust or to prevent freezing.

[§ 1340.213 amended by Am. 1, 7 F.R. 3901, effective 5-25-42; Am. 14, 7 F.R. 4540, effective 6-17-42; Am. 14, 7 F.R. 6218, effective 8-14-42; Am. 15, 7 F.R. 6265, effective 8-15-42; Am. 34, 8 F.R. 1388, effective 1-30-43; Am. 73, 8 F.R. 16280, effective 11-29-43; Am. 83, 9 F.R. 1395, effective 2-3-44; and as otherwise noted]

(c) Adjustments computed on Form OPA No. 653-638 and in accordance with § 1340.207 (e), added by Amendment No. 74 to this regulation, and all orders of adjustment issued prior to February 3, 1944 shall be void as of February 3, 1944.

[Paragraph (c) added by Am. 91, 9 F.R. 2746, effective 3-16-44]

Price classifications	Prices and size group numbers				
	1	2	3	4	5
	Lump and double-screened coals bottom size larger than 2"	Lump and double-screened coals bottom size 2" and smaller	Mine Run and resultants larger than 2" x 0	Screenings top size over ¾" x 0 but not exceeding 2" x 0	Screenings top size ¾" and smaller
A	385	345	325	310	310
D and E [1]	285	280	270	265	260
F [1]	275	275	260	250	240
G	275	275	270	270	265
H	265	260	250	250	240
J	260	260	250	245	230
All mines in Preston County, West Virginia, except as stated hereinafter	300	300	290	285	280

[1] If a mine is classified "DF" in any size group, the "D" classification shall apply to all coals from such mine having a sulphur content of 1.35% or under, irrespective of the use for which they are sold. If the sulphur content of the coals in any size group from such a mine is in excess of 1.35%, the "F" classification indicated in the applicable minimum price schedule for that particular size group shall apply.

§ 1340.214 *Appendix C: Maximum prices for bituminous coal produced in District No. 3.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices for coals produced at mines with the following designated price classifications.* These prices are for shipment to all destinations, by all methods of transportation, except by truck or wagon, and for all uses.

Exceptions: (Letters appearing in this table instead of prices designate price classifications; in these instances, the maximum prices are those set forth in subparagraph (1) above for the classification stated).

Mine index	Producer	Mine name	Prices, classifications and size group numbers				
			1	2	3	4	5
136	Bethlehem-Fairmont Coal Co.	Scott No. 2	295	290	290	270	270
2	Buckhannon River Coal Co.	Adrian	305	305	295	275	265
247-1378	Clark Coal Co.	Junior Nos. 4 and 7	300	290	290	275	270
82	Fallon, John T.	Junior	J	J	265	H	H
682	Jones, Doy M.	Miller	285	280	270	265	260
1226	McCartney Coal Co.	Mon-Ark	F	F	275	F	F
53	Miller Todd Coal Co.	Ella	F	F	270	F	F
5	Pardee & Curtin Lumber Co.	Arthur No. 1	290	290	270	260	250
[1]119	Pursglove Coal Mining Co.	No. 15	295	295	285	265	255
133	Rose Valley Coal Co.	Rosemont	290	290	275	260	260
59	Simpson Creek Colliery Co.	Galloway No. 2	280	280	265	255	245
85	Virginia & Pittsburgh Coal & Coke Co.	Kingmont	295	290	285	270	260
108	Virginia & Pittsburgh Coal & Coke Co.	Morgan	295	295	280	265	255
48	Waddell Fuel Co.	Delmar No. 1	305	305	295	275	275
112	West Virginia Coal and Coke Corporation.	Norton	J	J	255	H	H

[1] The exception for Mine Index No. 136 shall be void on and after July 1, 1944. Maximum prices for price classification F for Size Groups 1, 2, and 3 and classification F for Size Groups 4 and 5 will govern thereafter.

[1] The exception for Mine Index No. 119 shall be void on and after October 1, 1944. Maximum prices for price classification F will govern thereafter.

Exceptions for Sewall Seam mines in price classification A in West Virginia.

Mine index No.	Producer	Mine name	Prices and size group numbers				
			1	2	3	4	5
435	Alpena Coal Co.	Alpena No. 1	420	380	360	345	345
1276-1277	Bowden Coal Co.	Big Knob Nos. 1 and 2	420	380	360	345	345
137	Green, W. H. (Green Smokeless Coal Co.).	Shaver	420	380	360	345	345
180	Harnick, Jesse	Faulkner	420	380	360	345	345
723	Hiner, R. M. (Alpena Coal Co.)	Alpena	420	380	360	345	345
766	Martin Sewell Coal Co.	Martin No. 1	420	380	360	345	345
780	Reda Coal Co.	Reda No. 2	420	380	360	345	345
945	Shavers Mountain Coal Co.	Coberly	420	380	360	345	345
19	Walker Coal Mining Co.	Big Sewell No. 1	420	380	360	345	345
1272	Walker Coal Mining Co.	Big Sewell No. 2	420	380	360	345	345
[1]795	Roaring Creek Coal Co.	Hart No. 1	410	370	350	335	335
91	Lilly Coal Co.	Lilly	485	445	425	410	410

Exceptions for No. 5 Block seam mines in Nicholas County, West Virginia, price classification D.

Mine index No.	Producer	Mine name	Prices and size group numbers				
			1	2	3	4	5
173	Tioga Coal Corporation	Tioga No. 1	310	290	290	275	275
1326-267	R. C. Catlette	Brown No. 2 Catlette	310	290	290	275	275
260	Nicholas-Webster Coal Corporation	Tioga No. 5	310	290	290	275	275

Exceptions for mines in Preston County, West Virginia.

Mine index No.	Producer	Mine name	Prices and size group numbers				
			1	2	3	4	5
188	Albright Coal Co.	Vivian	325	325	325	325	325
608	George-Kefover Coal Co.	Kefover No. 1	300	300	310	285	285
1101	Hartman Coal Co.	Maplewood	300	300	295	285	285
105	Marrara, Domenick	Miller No. 5	310	305	305	285	285
204	Marrara, Domenick	Marrara	335	330	330	285	285
33-72-1285	Preston County Coke Co.	Cascade Hawley No. 1 Bull Run	300	300	300	290	285
1338	Princess Pat Coal Co.	Princess Pat	335	335	335	335	335
47-1333-1334	Ruthbell Coal Co.	Deep Hollow Nos. 1, 2 and 3.	305	305	305	305	305
169-206-213	Shay Coal Co.	Shay Nos. 2, 4 and 5	300	300	300	300	300
10-11	Stanley Coal Co.	Banner Nos. 1 and 2	300	300	300	300	285

[Subparagraph (1) amended by Am. 95, 9 F.R. 4219, effective 4-24-44]

(2) Adjustments computed on Form OPA No. 653-638 and in accordance with § 1340.207 (e), added by Amendment No. 74 to this regulation, and all orders of adjustment issued prior to April 24, 1944, shall be void as of April 24, 1944, insofar as such adjustments and orders affect maximum prices for rail shipments of coals for all uses.

[Subparagraph (2) added, former (2) redesignated (3), former (3) revoked by Am. 95, 9 F.R. 4219, effective 4-24-44]

(3) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, *plus* a sum not exceeding 40 cents for all size groups.

(4) In the event any specific maximum price has been adjusted prior to January 31, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (1), (2), and (3) above, but must be computed by adding to such adjusted price the following sum:

(i) For methods of shipment and uses indicated in (1) above:

	Cents
Size group 2, Class F and G	5
Size group 3, Class D, E, and F	5
Size group 3, Class G	10
Size group 4, Class D and E	5
Size group 4, Class F, G, and J	10
Size group 5, Class D, E, G, H, and J	10
Size group 5, Class F	20
Size groups 6, 7, 8, 9, 10, all classes	20

(ii) For method of shipment and uses indicated in (2) above:

	Cents
Size groups 1 to 7, inclusive	20

(iii) For use indicated in (3) above:

20 cents: *Provided, however,* That where relief has been granted prior to January 31, 1943, making railroad fuel prices equal to the commercial prices, the maximum prices applying shall be increased as indicated in subparagraph 4 (i) above.

[Paragraph (b) amended by Am. 4, 7 F.R. 4342, effective 6-6-42; Am. 13, 7 F.R. 6169, effective 8-11-42; Am. 15, 7 F.R. 6265, effective 8-15-42; Am. 32, 7 F.R. 11012, effective 12-26-42; and Am. 36, 8 F.R. 1679; effective 2-4-43]

(5) The prices established by subparagraphs (3) and (4) insofar as the latter relates to maximum prices for truck shipments or by orders in effect and issued after January 30, 1943, and prior to December 1, 1943, may be increased by no more than 15 cents per net ton.

[Subparagraph (5) added by Am. 78, 8 F.R. 16280, effective 11-29-43, and amended by Am. 96, 9 F.R. 4686, effective 4-24-44]

§ 1340.215 *Appendix D: Maximum prices for bituminous coal produced in District No. 4.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses, and by all methods of transportation, except as otherwise specifically provided in this appendix.*

For shipment from all mines in freight origin districts	Prices and size group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	12
Ohio No. 8	290	285	285	285	260	240	215	205	240	190	185	240
Cambridge	290	285	285	285	285	240	215	205	240	190	.....	240
Hocking	330	325	285	285	285	235	235	225	255	225	.....	255
Pomeroy	315	305	285	285	265	255	225	225	230	190	.....	230
Crooksville	315	305	285	285	265	255	225	225	230	190	.....	230
Jackson	330	325	285	285	295	255	235	225	255	225	.....	255
Middle	310	305	280	275	270	260	230	230	260	215	.....	260
Leetonia	310	305	280	275	270	260	230	230	260	215	.....	260
Ohio Middle	290	285	265	265	245	245	245	235	245	210	.....	245

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, *plus* a sum not exceeding 45 cents for Size Groups 1, 2, 3, 4 and 5; 30 cents for Size Group 6; and 25 cents for Size Groups 7 and 8.

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for Railroad Fuel (including Lake Cargo Railroad Fuel) shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipment plus a sum not exceeding 25 cents per net ton.

(4) In the event any specific maximum price has been adjusted prior to January 31, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (1), (2), or (3), above, but must be computed by adding to such adjusted price the following sum:

(i) For the methods of shipment and uses indicated in (1) above; fifteen (15) cents in Size Groups 1 to 4, inclusive; Twenty (20) cents in Size Groups 5 to 12, inclusive.

(ii) For the methods of shipment and uses indicated in (2) above; Twenty (20) cents in all size groups.

(iii) For use indicated in (3) above; Twenty (20) cents.

[Paragraph (b) amended by Am. 12, 7 F.R. 5835, effective 8-1-42; Am. 15, 7 F.R. 6265, effective 8-15-42; and Am. 36, 8 F.R. 1679, 2713, effective 2-4-43]

(5) The prices established by subparagraphs (1), (2), (3) and (4) or by orders issued on or after February 14, 1943 and prior to December 1, 1943 may be increased by no more than 20 cents per ton.

[Subparagraph (5) added by Am. 73, 8 F.R. 16280, 17184, effective 11-29-43]

(6) Notwithstanding the provisions of subparagraphs (1), (3), (4) and (5) of this paragraph (b), or of any order issued prior to February 14, 1944, the maximum prices for coals shipped for railroad fuel use from any mine in the Hocking, Pomeroy, Crooksville, Jackson, Middle, Leetonia, and Ohio Middle freight origin districts, in Size Group Nos. 1 to 10 inclusive, and in Size Group No. 12, shall in no case be less than the maximum prices for coals in such respective size groups for any other use.

[Subparagraph (6) added by Am. 86, 9 F.R. 1721, effective 2-14-44]

§ 1340.216 *Appendix E: Maximum prices for bituminous coal produced in District No. 5.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

FOR SHIPMENTS FROM ALL MINES

	Prices and size group Nos.									
	1	2	3	4	5	6	7	8	9	10
R	560	555	550	520	505	485	410	455	400	250
W	.....	.....	.....	545	530	510	435	.....	425	325

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.*

FOR SHIPMENTS FROM ALL MINES

	Prices and size group Nos.									
	1	2	3	4	5	6	7	8	9	10
R	610	605	580	570	555	525	460	505	450	300
W	.....	.....	.....	595	580	550	485	.....	475	375

Explanation of symbols used:
R = Raw
W = Washed or otherwise mechanically cleaned.

at the mine or preparation plant from which delivery is made:

DISTRICT NO. 7—LOW VOLATILE COALS

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

Price classifications	Prices and size group Nos.									
	1	2	3	4	5	6	7	8	9	10
A	410	420	365	330	320	305	225	295	290	255
B	370	380	370	345	300	315	245	295	290	255
C	370	380	375	315	300	300	265	290	285	260
D	345	365	355	315	300	300	265	280	280	270
E	345	360	350	310	275	330	.....	270	270	260
F	340	360	.....	.....	.....	.....	.....	275	270	260
G	.....	.....	.....	.....	.....	.....	.....	275	270	260
H	.....	.....	.....	.....	.....	.....	.....	275	270	260
I	.....	.....	.....	.....	.....	.....	.....	275	270	260
J	.....	.....	.....	.....	.....	.....	.....	275	.....	.....
Mine Index No. 316	475	485	470	415	385	460	360	535	.....	.....
Mine Index No. 289	.....	.....	.....	.....	.....	.....	.....	275	.....	.....
Mine Index No. 703	.....	.....	.....	.....	.....	.....	.....	275	.....	.....

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* (i) The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 90 cents per ton.

(ii) The maximum prices from Mine Index No. 316 shall not exceed the following:

	Size groups				
	1	2	3	4	5	6
Price	495	495	435	390	345	345

(3) *Maximum prices in cents per net ton for railroad locomotive fuel.* The maximum prices for railroad locomotive fuel (including lake and tidewater cargo) shall be the applicable effective minimum prices as of October 1, 1942, for all-rail-on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 70 cents per net ton.

(4) *Maximum prices in cents per net ton for Smithing Coal.* The maximum prices from all mines in all size groups of Smithing Coal shall not exceed 350 cents per net ton.

(5) In the event any specific maximum price has been adjusted prior to February 9, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (1) and (2) above, but must be computed by adding to such adjusted price the following sum:

(i) For methods of shipment and uses indicated in (1) above;

5 cents to all classifications in Size Groups 1 and 2.

10 cents to classifications A to C, inclusive, and 15 cents to classifications D and E in Size Group 3.

15 cents to all classifications in Size Group 4.

10 cents to classification A and 5 cents to classifications B to E, inclusive, in Size Group 5.

20 cents to all classifications in Size Group 6.

25 cents to classification A and 40 cents to classifications B to D, inclusive, in Size Group 7.

35 cents to classifications A to C, inclusive, 45 cents to classification D, 40 cents to classification E and 35 cents to classifications F to J, inclusive, in Size Group 8.

35 cents to classifications A and B, 30 cents to classification C, 40 cents to classifications D and E and 35 cents to classifications F to J, inclusive, in Size Group 9.

35 cents to classifications E and 35 cents to classifications F to J, inclusive, in Size Group 10.

(ii) For use indicated in (2) above; twenty (20) cents in all size groups.

(iii) For use indicated in (3) above; twenty (20) cents.

[Paragraph (b) amended by Am. 15, 7 F.R. 6265, effective 8-15-42 and Am. 36, 8 F.R. 1679, effective 2-4-43]

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for railroad fuel (including lake cargo railroad fuel) shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipment plus a sum not exceeding 25 cents per net ton.

(4) In the event any specific maximum price has been adjusted prior to January 31, 1943, the effective maximum price in such case shall not be determined by reference to subparagraph (1), (2), or (3) above, but must be computed by adding to such adjusted price the following sum:

(i) For the methods of shipment and uses indicated in (1) above; fifteen (15) cents in size groups 1 to 3, inclusive, twenty (20) cents in size groups 4 to 12, inclusive.

(ii) For the methods of shipment and uses indicated in (2) above; twenty (20) cents in all size groups.

(iii) For use indicated in (3) above; twenty (20) cents.

[Paragraph (b) amended by Am. 15, 7 F.R. 6265, effective 8-15-42 and Am. 36, 8 F.R. 1679, effective 2-4-43]

(5) The prices established by subparagraphs (1), (2), (3) and (4) of this paragraph (b) or by orders issued on or after February 14, 1943 and prior to December 1, 1943 may be increased by no more than 50 cents per ton.

[Subparagraph (5) added by Am. 73, 8 F.R. 16280, 17184, effective 11-29-43]

§ 1340.217 *Appendix F: Maximum prices for bituminous coal produced in District No. 6.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made.

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

	Prices and size group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	12
For shipments from all mines	290	285	260	255	255	255	220	210	240	190	.....	240

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, *plus* a sum not exceeding 45 cents for size groups 1, 2, 3, 4 and 5; 30 cents for size group 6; and 25 cents for size groups 7 and 8.

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for railroad fuel (including lake cargo railroad fuel) shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipment plus a sum not exceeding 25 cents per net ton.

(4) In the event any specific maximum price has been adjusted prior to January 31, 1943, the effective maximum price in such case shall not be determined by reference to subparagraph (1), (2), or (3) above, but must be computed by adding to such adjusted price the following sum:

(i) For the methods of shipment and uses indicated in (1) above; fifteen (15)

(ii) For the methods of shipment and uses indicated in (2) above;
25 cents to Sizes Group 1 to 6, inclusive.

DISTRICT No. 7—HIGH VOLATILE COALS

(6) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix*—(1) *Special price classifications.* These prices are for shipment to all destinations, by all methods of transportation, except by truck or wagon, and for all uses, except as otherwise specifically provided in this paragraph (b).

(i) Price classifications and Size Group Numbers 1 to 10, inclusive, and 15 to 23, inclusive, referred to below are the price classifications as set forth in the Schedule of Effective Minimum Prices as established by the Bituminous Coal Division and as in effect at midnight, August 23, 1943, for shipments to all destinations other than the Great Lakes and for maximum price purposes for shipments to all destinations.

Price classification	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21	22	23
A	415	390	415	395	375	350	315	285	265	265	265	265	265	280	265	245
B	415	390	375	360	360	325	290	285	260	250	260	260	260	260	260	240
C	395	375	375	360	350	325	290	285	260	250	260	260	260	260	260	240
D	395	375	375	360	350	325	290	285	260	250	260	260	260	260	260	240
E	375	365	345	345	350	320	290	285	275	250	260	260	260	260	245	225
F	365	360	345	345	350	320	290	285	275	250	260	260	260	260	245	225
G	365	360	345	345	350	320	290	285	275	250	260	260	260	260	245	225
H	360	345	345	345	350	320	290	285	275	250	260	260	260	260	245	225
J	345	340	340	340	325	315	290	285	275	250	260	260	260	260	245	225
K	350	340	340	340	325	315	290	285	275	250	260	260	260	260	245	225
L	345	340	330	330	325	315	290	285	275	250	260	260	260	260	245	225
M	330	330	325	325	320	300	290	285	275	250	260	260	260	260	245	225
N	330	330	325	325	320	300	290	285	275	250	260	260	260	260	245	225
O	325	325	305	305	290	290	270	270	270	250	260	260	260	260	245	225
P	310	305	305	300	290	290	270	270	270	250	260	260	260	260	245	225
Q	310	305	305	300	290	290	270	270	270	250	260	260	260	260	245	225
R	310	305	305	300	290	290	270	270	270	250	260	260	260	260	245	225
S	310	305	305	300	290	290	270	270	270	250	260	260	260	260	245	225

(7) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 65 cents for Size Groups 1, 2, and 3; 40 cents for Size Groups 4, 5, and 6.

(8) *Maximum prices in cents per net ton for railroad locomotive fuel.* The maximum prices for railroad locomotive fuel (including lake and tidewater cargo) shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 40 cents per net ton.

(9) In the event any specific maximum price has been adjusted prior to February 9, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (6) and (7) above, but must be computed by adding to such adjusted price the following sum:

(i) For the methods of shipment and uses indicated in (6) above;
15 cents to Size Groups 1 to 8, inclusive, and Size Group 10.
25 cents to Size Group 9, and Size Groups 16 to 23, inclusive.

(ii) For the methods of shipment and uses indicated in (7) above;
25 cents to Size Groups 1 to 6, inclusive.

[Paragraph (b) amended by Am. 13, 7 F.R. 6169, effective 8-11-42 and Am. 40, 8 F.R. 2030, 2273, effective 2-13-43]

(10) The prices established by subparagraphs (1) through (9), both inclusive, of this paragraph (b) or by orders issued on or after February 9, 1943 and prior to December 1, 1943 may be increased by no more than 25 cents per ton.

[Subparagraph (10) added by Am. 73, 8 F.R. 16260, effective 11-29-43]

§ 1340.219 *Appendix H: Maximum prices for bituminous coal produced in District No. 8.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

Mine index	Producers	Mine name	Subdist.	Prices, classifications and size group Nos. 1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21	22	23
8	Allburn Collieries Co	Allburn	8	355	350	340	340	340	340	340	335	335	G	335	330	330	330	----	----
13	Alma Fuel Co	Alma	8	O	O	O	O	L	L	K	O	E	G	B	C	311	----	----	----
662	Anchor Coal Co	Anchor #6	4	L	L	L	L	F	F	E	C	E	C	350	G	E	335	----	----
27	Bell Coal Co	Bell	6	445	445	390	385	405	400	360	345	315	395	315	310	315	310	295	----
681	Benedict Coal Corp	Virglow	7	450	450	450	425	405	380	375	360	330	395	310	305	295	290	265	275
405	Black Band Coal Co	Reynolds	4	415	410	400	400	360	360	345	335	335	380	340	335	325	320	----	----
4	Blue Bird Mining Co	Blue Bird	3	O	O	O	O	M	M	L	J	G	J	310	295	290	290	290	----
74	Buffalo Coal Co	Buffalo	6	345	345	325	325	325	325	310	305	305	355	310	290	275	295	----	----
142 & 419	Cambria Coal Co	Cross Mountain & Royal	6	390	385	370	370	390	380	355	350	340	390	345	340	325	325	290	----
890	Central Elkhorn Coal Co	#3	1	F	F	F	F	D	355	350	350	350	380	350	350	350	350	350	----
104, 105, 106	Christian Colliery Co	#1, 2, 3	4	365	365	360	360	360	350	325	320	C	385	320	320	320	315	----	----
698	Clover Darby Coal Co	Jubilee	2	475	475	475	455	435	410	390	375	345	445	345	335	330	330	290	----
123	Clover Splint Coal Co	Clover Splint	2	A	A	A	A	A	A	A	A	C	C	340	330	F	325	K	----
413	Coalburg-Kanawha Mng. Co	Belmont #6	4	430	415	405	405	390	380	355	350	340	390	345	340	330	325	----	----
8674	Coal Processing Corp	Diviana	7	390	390	J	J	405	H	330	D	C	390	A	B	B	B	B	----
638, 3612	Columbia Coal & Mng. Co	Tom's Creek, Turner Branch.	1	440	430	430	415	405	375	345	340	335	405	340	330	320	315	275	----
194	Columbus Mining Co	#3	3	385	385	375	375	370	360	335	330	325	370	350	345	335	330	----	----
196	Columbus Mining Co	#5	3	360	360	355	355	330	325	315	J	305	350	315	310	300	295	----	----
127	Columbus Mining Co	#6	3	385	385	375	375	370	360	335	330	325	370	335	330	325	325	----	----
921	Crystal Block Mining Co	#2	8	O	O	O	O	L	L	H	G	E	C	G	320	C	C	C	----
753	Dalton, A. J	Low Ash	1	K	K	K	K	J	H	J	G	E	C	G	310	310	300	295	----
151	Dark Fork Coal Co	Dark Fork	3	K	K	K	K	J	J	H	H	315	315	G	315	300	295	295	----
499	Dixport Coal Co	Star Slope	4	450	440	430	425	400	390	365	360	355	425	360	350	345	345	300	----
1210	Draper Mining Co	Draper	5	R	R	R	R	L	L	K	H	F	F	306	H	H	H	----	----
873	Elcomb Coal Co	Elcomb	2	P	P	P	P	N	N	M	H	F	F	E	290	290	290	250	----
187, 725	Elk Creek Coal Co	Elk Creek #1 and #2	5	345	340	335	335	335	335	325	325	320	345	320	320	320	320	260	----
266	Elkhorn Coal Co	King Kona #2	1	410	405	390	390	375	365	340	335	330	400	335	330	330	330	235	----
196	Elkhorn Coal Corp	#28	1	F	F	F	F	F	355	330	330	330	C	345	345	330	330	270	----
254	Etna Coal & Coke Co	Nurex	6	460	460	460	440	420	395	375	360	330	395	330	310	305	305	----	----
396	Fisher Coal Co	Fisher	6	----	----	----	----	----	----	----	----	----	----	350	----	----	----	----	----
288	Fleming, Robert, & Co	Fleming	7	360	360	355	355	355	345	330	330	325	380	325	315	305	300	----	----
207	Fourseam Coal Corp	Fourseam	3	380	375	365	365	360	350	325	320	315	360	330	315	310	310	270	----
404	Francis Rex Coal Co	Rex #2	6	445	405	405	405	405	355	340	330	330	385	310	280	280	280	220	----
213	Gatliff Coal Co	Gatliff	6	435	425	415	410	410	385	350	345	340	410	340	335	325	320	270	----
3605	Gatliff Coal Co	Gatliff #4	6	475	475	475	455	435	410	390	375	345	410	345	325	320	320	----	----
10	Gibson Fuel Co	Calvin	7	M	M	M	M	K	K	J	G	E	G	C	310	305	300	290	----
364	Gibson Fuel Co	Pardee	7	425	425	C	390	380	365	A	340	A	C	A	305	305	305	----	----
219	Glen Alum Coal Co	Glen Alum	8	370	370	355	355	350	350	335	325	325	355	330	325	320	320	----	----
3629	Hager Hill Coal Co	Hager Hill	1	425	415	415	400	390	360	330	325	320	390	325	315	305	300	260	----
232	Harlan Central Coal Co	Harlan Central	1	390	380	355	355	345	340	340	340	340	380	325	320	320	320	280	----
235	Harold Fuel Co	Harold	1	H	H	K	H	H	345	G	E	C	E	315	310	305	305	----	----
46	Hatcher, James, Land Co	Big Shoal	1	K	K	K	K	H	H	G	E	C	C	311	306	296	291	266	----
870	Hatfield-Campbell Creek Coal Co.	Point Lick #4	4	400	390	380	380	355	345	335	335	325	385	335	330	325	325	280	----
111	Hi-Hat Elkhorn Mining Co	Hi-Hat	1	F	F	F	F	F	F	E	E	C	C	350	F	F	F	K	----
28	Hutchinson Coal Co	Argyle	5	350	350	0	0	325	325	335	G	E	C	C	320	320	320	----	----
262	Imperial Colliery Co	#2	4	365	365	360	360	390	375	345	340	335	405	340	335	335	335	----	----
169	Jeanne Francis Coal Co	Jeanne Francis	3	M	M	M	M	M	H	H	G	F	D	F	D	K	D	300	----
3539	Lyburn Mines, Inc	Lyburn #1	5	Q	Q	Q	Q	L	L	F	E	F	D	F	307	D	D	----	----
231, 232	Milburn By-Products Coal Co	Milburn #1 and #2	4	L	L	L	L	F	F	E	E	C	C	E	320	320	320	315	----
3687	New Long Ridge Coal Co	Long Ridge	6	345	340	325	325	335	330	325	310	305	365	335	280	275	270	----	----
3, 3704	New Southland Coal Corp	#1 and #2	6	435	425	420	420	420	400	370	365	360	430	360	325	315	315	----	----
26	North-East Coal Co	Auxier #7	1	450	450	450	430	410	365	365	350	A	420	330	315	315	315	265	----
668	North-East Coal Co	Theatka #3	1	420	410	410	395	385	355	325	320	C	385	330	310	305	305	255	----
252	Norton Coal Co	#11	7	O	O	O	O	K	J	H	G	F	C	E	306	G	300	----	----
211	O & W Coal Company	Zenith	6	480	480	480	480	445	435	410	405	420	470	400	365	360	355	----	----
67	Peerless Darby Coal Co	Darby	2	430	430	430	405	395	365	335	330	325	430	330	320	315	315	----	----
3851	Pewee Coal Co	Pewee	6	485	485	485	465	445	420	400	385	355	420	358	345	335	330	290	----
7811	Pewee Coal Co	Red Ash	6	445	435	425	420	420	395	380	355	345	395	350	335	330	330	280	----
573	Premier-Jellico Coal Corp	Premier	8	355	355	345	345	340	330	330	----	----	----	330	330	310	305	----	----
330	Puritan Coal Corp	Puritan #1	8	Q	330	325	325	315	315	315	315	315	L	300	295	295	295	----	----
135, 230	Raleigh-Wyoming Mining Co	Edwight #1, Hazy #8	4	380	380	380	380	380	375	345	340	335	345	345	345	345	345	----	----
287	Red Ash Smokeless Coal Co	Red Ash	8	H	H	355	H	D	D	C	K	A	A	A	345	310	305	305	280
84	Red Jacket Coal Corporation	#6	6	O	O	O	O	L	L	K	J	G	D	330	320	C	325	325	G
258	Ridgeway-Darby Coal Co	Ridgeway	2	380	380	355	335	K	L	K	J	G	D	330	315	310	305	305	280
446	Ruth Elkhorn Coals, Inc	Steinman	7	K	K	K	K	E	E	D	K	320	320	E	320	320	320	320	----
36	Sandlick Coal Co	Belcraft	3	M	M	M	M	L	L	K	J	G	J	310	305	290	290	250	----
635	Scuddy Mining Co	Scuddy	3	365	365	360	360	360	350	350	350	D	D	F	345	340	330	325	295
285	Southern Mining Co	Insull	3	J	J	J	J	H	H	G	F	D	C	E	315	310	305	305	----
37	Splash Dam Smokeless Coal Corporation.	Lonesome Branch	7	M	M	M	M	H	H	G	E	D	C	E	315	306	300	300	----
246	Standard Banner Coal Corporation.	Honey Creek	7	365	365	360	360	355	355	340	340	338	385	326	320	320	320	----	----
413	Stone Coal, Incorporated	Laurel	4	M	M	M	M	M	L	L	K	H	F	H	315	310	305	305	305
23	Tennessee-Jellico Coal Co	Anthras	6	495	495	495	495	400	400	380	355	350	345	415	345	340	340	340	280
140	Turner Fuel Co	Turner Darby	2	O	O	O	O	360	D	D	D	D	B	A	A	305	F	----	----
63	War Eagle Coals, Inc	War Eagle	8	360	365	370	370	365	365	350	340	340	385	345	340	335	335	----	----

[1] Each of these max. prices for mine index Nos. 7051 and 608 shall be reduced by 20 cents 180 days after Feb. 18, 1944.

[The following items in the above table are amended by Am. 97: Mine index 921, price classifications in size groups 18–21; Mine index 207, prices in size groups 1–10; mine index 413, price in size group 8, effective 9-24-44; mine index 753, prices in size groups 18, 19, 20 are substituted for price classifications, effective 5-16-44]

Maximum prices for coals produced at all mines in Subdistrict No. 6 (Southern Appalachian) shall be the above prices plus 15 cents per net ton.

Exceptions: (Letters appearing on this table, instead of prices, designate price classifications; in these instances, the maximum prices are the same as those set forth in this subparagraph (1) (i).)

(ii) *Maximum price in cents per net ton for all railroad fuel uses.* (a) The maximum prices for coals in Size Groups 1 to 10, inclusive, for all railroad fuel uses shall be the maximum price for the grade and size shipped as set forth in subparagraph (1) (i) above, or $3.10 per ton, whichever is higher; and the maximum prices for coals in Size Groups 15 to 23, inclusive, for all railroad fuel uses shall be the maximum prices for the grade and size shipped as set forth in subparagraph (1) (i) above.

(b) Mines within Freight Origin Groups 61, 63, 64, 123, 124, 128, 150 may ship coal to the C & O Railway Company, screened to order, for use for all on-line railroad fuel uses at the maximum price for run of mine coals: *Provided*, That within a period of time, previously specified in a single purchase order or contract, but not in excess of 12 months, the shipments of any size of coal which will pass through a 2¾" round hole screen shall not exceed the amount specified in the single purchase order or contract which shall be based upon the previously determined screening percentages of the mine or mines involved. The Solid Fuels Branch of the Office of Price Administration shall be notified of the screening percentage determination in effect as of March 24, 1944, for all mines and as redetermined or established from time to time.

The maximum price for the excess coal over the determined percentage passing through a 2¾" round hole screen shall be the maximum price for the actual size and grade shipped.

Purchase orders or contracts shall apply to a specific producer and to one mine in order that percentages of plus and minus 2¾ inch coal supplied on the order or contract will be related to the percentages of such sizes actually being produced. *Provided, however*, That any producer with two or more mines may fulfill a single purchase order or contract from any or all of his mines where the screening percentages are the same and where the mines maximum prices are the same or the purchase price is based on the mine with the lowest maximum price.

Each producer or his agent and each distributor selling coal at prices computed under this subparagraph shall state on all his invoices that the price charged has been computed under § 1340.219 (b) (1) (ii) of Maximum Price Regulation No. 120.

(iii) Specific description of size group numbers referred to in subparagraph (1) (i) of this paragraph (b).

Size Group Nos.:	*Description*
1	All single-screened block, bottom size larger than 5".
2	All single-screened lump, bottom size larger than 3", but not exceeding 5". All double-screened egg coals, top size larger than 6" and bottom size larger than 3", but not exceeding 4". All double-screened coals, top size 5" and larger, and bottom size larger than 4".
3	All single-screened lump, bottom size larger than 2", but not exceeding 3". All double-screened egg coals, top size larger than 3" but not exceeding 6" and bottom size larger than 3" but not exceeding 4".
4	All single-screened lump, bottom size larger than ¾", but not exceeding 2". All double-screened egg coals, top size larger than 6", and bottom size larger than 2" but not exceeding 3".
5	All double-screened egg coals, top size larger than 5", but not exceeding 6", and bottom size larger than 2", but not exceeding 3", and top size larger than 6", and bottom size 2" and smaller.
6	All double-screened egg coals, top size larger than 5", but not exceeding 6", and bottom size 2" and smaller, and top size 3" and larger but not exceeding 5", and bottom size larger than 2", but not exceeding 3".
7	All double-screened egg coals, top size larger than 3" but not exceeding 6" and bottom size 2" and smaller.
8	All double-screened stove coals, top size larger than 2", but not exceeding 3", and bottom size 2" and smaller.
9	All double-screened nut coals, top size larger than 1¼", but not exceeding 2", and bottom size smaller than 2".
10	All double-screened stoker coals, top size not exceeding 1¼", and bottom size less than 1¼".
15	Screen run of mine, bottom size ¾" or smaller.
16	Straight run of mine. Altered run of mine (straight run of mine from which any intermediate size has been removed, but no coal smaller than ⅜" shall be removed). Resultant run of mine larger than 6" x 0. Altered resultant run of mine (straight resultant run of mine larger than 6" x 0 from which any intermediate size has been removed, but no coal smaller than ⅜" shall be removed).
17	Straight resultant run of mine (larger than 2¾" x 0, but not exceeding 6" x 0). Altered resultant run of mine (straight resultant run of mine larger than 2¾" x 0, but not exceeding 6" x 0 from which any intermediate size has been removed, but no coal smaller than ⅜" shall be removed).
18	Dedusted screenings, top size 2" and smaller and bottom size larger than 100 mesh, but not exceeding 10 mesh. Modified screenings (top size not exceeding 2" total consist containing not less than 15% ⅜" x 0 screenings).
19	Screenings larger than 2" x 0, but not exceeding 2¾" x 0.
20	Screenings larger than ¾" x 0, but not exceeding 2" x 0.
21	Screenings larger than ⅜" x 0, but not exceeding ¾" x 0.
22	Screenings ⅜" x 0 and smaller.
23	Low grade reject; separated at the tipple or loaded separately in the mine.

[Subparagraph (1) amended by Am. 93, 9 F.R. 3035, effective 3-24-44]

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses (exclusive of Cannel Coal).* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 65 cents for Size Groups 1, 2, 3, 4 and 5; 40 cents for Size Groups 6, 7 and 8.

Stoker double screened coal with top size not exceeding 1¼" and bottom size less than 1¼" which is now included in Size Group No. 5 in the Effective Minimum Price Schedule for District No. 8 for truck shipment, may be sold at maximum prices not exceeding those applicable to Size Group No. 10 coal which is now included in the Schedule of Effective Minimum Prices for District No. 8 for rail shipment from the same mine.

(3) *Maximum prices in cents per net ton for Cannel coal.* The maximum prices for rail, truck or wagon shipments to all destinations shall be as follows:

Cannel coal—All subdistricts

Lump	435
Egg	385
Chips	335
Machine cuttings	235

[Subparagraph (3) amended by Am. 73, 8 F.R. 16280, effective 11-29-43; Am. 79, 9 F.R. 693, effective 1-22-44; Am. 89, 9 F.R. 2008, effective 2-25-44; and Am. 93, 9 F.R. 3035, effective 3-24-44]

(4) Orders of adjustment issued prior to March 24, 1944, and adjustments computed on OPA Form No. 653-638 under § 1340.207 (e) (added by Amendment No. 74 to this regulation) shall be void as of March 24, 1944, insofar as maximum prices of District No. 8 mines for rail shipments and shipments of coals for all railroad locomotive fuel uses are affected by such orders and adjustments.

[Subparagraph (4) amended by Am. 93, 9 F.R. 3035, 3590, effective 3-24-44. Former subparagraph (5) invoked, subparagraphs (6), (7), (8), (9), and (10) redesignated (5), (6), (7), (8), and (9) by Am. 93]

DISTRICT NO. 8—LOW VOLATILE COALS

(5) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

Price classifications	Prices and size group numbers									
	1	2	3	4	5	6	7	8	9	10
A	410	420	385	330	320	355	325	295	290	2[illegible]
B	370	380	375	315	300	355	325	295	290	2[illegible]
C	370	380	375	315	300	350	295	295	280	2[illegible]
D	348	365	355	315	300	350	295	280	275	2[illegible]
E	345	360	350	310	275	330	.....	275	270	2[illegible]
F	340	360	.....	.....	.....	.....	.....	275	270	2[illegible]
G	.....	.....	.....	.....	.....	.....	.....	275	270	2[illegible]
H	.....	.....	.....	.....	.....	.....	.....	275	270	2[illegible]
I	.....	.....	.....	.....	.....	.....	.....	275	270	2[illegible]
J	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

(6) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* (a) The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 90 cents per ton.

(7) *Maximum prices in cents per net ton for Railroad Locomotive Fuel.* The maximum prices for Railroad Locomotive Fuel (including lake and tidewater cargo) shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 70 cents per net ton.

(8) *Maximum prices in cents per net ton for Smithing Coal.* The maximum prices from all mines in all size groups for Smithing Coal shall not exceed 350 cents per net ton.

(9) In the event any specific maximum price has been adjusted prior to February 9, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (5) and (6) above, but must be computed by adding to such adjusted price the following sum:

(i) For the methods of shipment and uses indicated in (5) above:

5 cents to all classifications in Size Groups 1 and 2.

10 cents to classifications A to C, inclusive, and 15 cents to classifications D and E in Size Group 3.

15 cents to all classifications in Size Group 4.

10 cents to classification A and 5 cents to classifications B to E, inclusive, in Size Group 5.

20 cents to all classifications in Size Group 6.

25 cents to classification A and 40 cents to classifications B to D, inclusive, in Size Group 7.

35 cents to classifications A to C, inclusive, 45 cents to classification D, 40 cents to classification E and 35 cents to classifications F to J, inclusive, in Size Group 8.

35 cents to classifications A and B, 30 cents to classification C, 40 cents to classifications D and E and 35 cents to classifications F to J, inclusive, in Size Group 9.

35 cents to classifications A to D, inclusive, 40 cents to classification E and 35 cents to classifications F to J, inclusive, in Size Group 10.

(ii) For the methods of shipment and uses indicated in (6) above:

25 cents to Size Groups 1 to 8, inclusive.

[Paragraph (b) amended by Am. 18, 7 F.R. 8524, effective 10-19-42; Am. 29, 7 F.R. 10780, effective 12-26-42; Am. 32, 7 F.R. 11012, effective 12-26-42; Am. 40, 8 F.R. 2030, 2273, effective 2-13-43 and as otherwise noted]

(10) The prices established by subparagraphs (5) through (9) of this paragraph (b) or by orders relating to low volatile coal and issued on or after February 9, 1943, and prior to December 1, 1943, may be increased by no more than 20 cents per net ton.

[Subparagraph (10), formerly (11), redesignated and amended by Am. 97, effective 3-24-44]

§ 1340.220 *Appendix I: Maximum prices for bituminous coal produced in District No. 9.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices for shipment to all destinations, for all uses (including railroad fuel) and by all methods of transportation, except by truck or wagon.*

General description	Group Nos.	Coals produced at any and all mines from the following seams: 14th and stray seams (maximum price group No. 1)	6th seam (maximum price group No. 2)	9th, 11th and all other seams (maximum price group No. 3)
Lump and egg	1 to 6, incl.	345	320	320
Mine run	7	325	295	310
Stove, nut and pea:				
Raw	8 to 12, incl.	320	310	320
Washed or air-cleaned	17 to 22, incl.	280	.....	280
Screenings:				
Raw	13 and 14	185	245	195
Washed or air-cleaned	23 and 24	200	.....	210
Dry dedusted	26 to 29, incl.	180	280	190
Carbon and dust:				
Raw	15 and 16	135	140	145
Washed or air-cleaned	25	175	.....	185

Specific description of size group numbers referred to in this paragraph (1).

Size Group Nos., and Description

1 to 6, incl.—All single-screened lump coals and all double-screened raw, washed or air-cleaned egg coals, top size larger than 2".

7—Straight mine run—no fines removed. Mine run, modified by the removal of any intermediate size or sizes—no fines removed. All mine run resultants larger than 2"—no fines removed.

8 to 12, incl.—All double-screened raw or washed stove coals, top size larger than 1¼" but not exceeding 2" and bottom size larger than ¾". All raw double-screened nut, stoker and pea top size not exceeding 2" and bottom size larger than 10 mesh or ⅜2".

13 and 14—All raw screening larger than ⅜"x0, but not exceeding 2"x0.

15 and 16—All raw screenings (carbon and dust) top size not exceeding ⅜".

17 to 22, incl.—All washed or air-cleaned, double screened nut, stoker and pea top size not exceeding 2"; dedusted washed screenings bottom size larger than 1 millimeter and top size not exceeding 2".

23 and 24—All washed or air-cleaned screenings larger than ⅜"x0 but not exceeding 2"x0.

25—All washed or air-cleaned screenings (carbon and dust) top size not exceeding ¾".

26 to 29, incl.—All dry dedusted screenings (including carbon) top size not exceeding 2".

(2) *Maximum prices for shipment by truck or wagon to all destinations for all uses.*

Description:	*Coals produced at any and all mines from all seams*
All single-screened lump coals, bottom size larger than 1½" and all double-screened raw, washed or air cleaned coals, bottom size larger than 1½"	380
All single-screened lump coals, bottom size 1½" and smaller, and all double screened coals, bottom size 1½" and smaller	245
Mine run, modified mine run and mine run resultants larger than 2"	235
Screenings, top size not exceeding 2"	200

(3) A charge of no more than 10 cents per net ton may be made for a chemical, oil or waxing treatment to allay dust or to prevent freezing.

[§ 1340.220 amended by Am. 41, 8 F.R. 2284, effective 2-20-43; Am. 73, 8 F.R. 16280, effective 11-29-43; and Am. 81, 9 F.R. 973, effective 1-28-44]

(c) Adjustments computed on Form OPA 653-638 and in accordance with § 1340.207 (e), added by Amendment No. 74 to this regulation and all orders of adjustment issued prior to January 26, 1944 shall be void as of January 26, 1944.

[Paragraph (c) added by Am. 91, 9 F.R. 2746, 4540, effective 3-16-44]

§ 1340.221 *Appendix J: Maximum prices for bituminous coal produced in District No. 10.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

For shipment from all mines in price groups shown below	Prices and size group numbers																									
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
No.																												
1-2	335	330	330	300	300	275	290	275	255	245	255	255	215	205	155	105	260	225	265	270	305	295	245	235	215	200	200	200
3	295	295	295	290	270	255	280	255	255	245	245	245	215	205	155	105	260	225	265	270	305	295	245	235	215	200	200	200
4	295	295	295	290	270	255	280	255	255	245	245	245	215	205	155	105	260	225	265	270	305	295	245	235	215	200	200	200
5	290	290	290	285	265	250	275	250	250	240	240	240	210	200	150	100	255	220	260	265	300	290	240	230	210	195	195	195
6	280	280	280	275	255	240	265	240	240	230	230	230	200	190	140	90	245	210	250	255	290	280	230	220	200	185	185	185
7	255	255	255	250	230	215	240	215	215	205	205	205	175	165	115	65	220	185	225	230	265	255	205	195	175	160	160	160
8, 16-17-18-19-20-21-22	245	240	240	210	195	180	205	180	180	170	170	170	140	130	80	30	185	150	190	195	230	220	170	160	140	125	125	125
11-13-23	245	240	240	210	195	180	205	180	180	170	170	170	140	130	80	30	185	150	190	195	230	220	170	160	140	125	125	125
12-14-25	300	300	300	245	230	215	240	215	215	205	205	205	175	165	115	65	220	185	225	230	265	255	205	195	175	160	160	160
24-26-28	245	240	240	210	195	180	205	180	180	170	170	170	140	130	80	30	185	150	190	195	230	220	170	160	140	125	125	125
27	290	290	290	285	265	250	275	250	250	240	240	240	210	200	150	100	255	220	260	265	300	290	240	230	210	195	195	195
29	280	280	280	275	255	240	265	240	240	230	230	230	200	190	140	90	245	210	250	255	290	280	230	220	200	185	185	185

(4) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum price as of October 1, 1942, plus a sum not exceeding 80 cents per net ton.

(5) *Maximum prices in cents per net ton for railroad locomotive fuel except as otherwise specifically provided herein.* The maximum prices for all railroad locomotive fuel shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipments (without adjustments on account of price exceptions and freight differentials, but with application of railroad locomotive fuel Price Instructions A, B, C, D, and E), plus a sum not exceeding 35¢ per net ton: *Provided*, That the maximum price on screenings (as defined in railroad locomotive fuel Price Instruction C of the Effective Minimum Price Schedule for District No. 10) for all railroad fuel uses for shipment from all mines in Price Groups 12 and 13, shall be the maximum railroad locomotive fuel price for such screenings.

(i) *Special price instructions.* (aa) Maximum prices for railroad locomotive fuel shall not exceed:

Mine	Producer	Mine Index No.	Maximum price
			Size: 6" x 1¼" egg; Mine run; Screenings
Beckemeyer	Beckemeyer Coal Co.	6	$2.25
East	Citizens Coal Co., Frank B. Mierman, Trustee, Breese, Ill.	1947	2.20
North	Clinton County Mining Co., Breese, Ill.	1948	1.85
Eureka No. 2	Joseph Carterville Coal Co., St. Louis, Mo.	168	
Eureka Sole	Joseph Rodgers Coal Co.	1965	
Richland	Groom Coal Co., Belleville, Ill.	1966	
Lenzburg	Lenzburg Coal Co., Lenzburg, Ill.	1967	
New National	New National Coal & Mining Co., Belleville, Ill.	1968	
Muren No. 6	North Side Coal Co., Belleville, Ill.	170	
Wiggins Mine	Wiggins Coal Co., Belleville, Ill.	1969	
Winkel Coal Co.	Winkel Coal Co. of Belleville, Belleville, Ill.	1970	
Okay Mine	Smith Coal Co. of Mariea, Ill.	1971	
Little Oak Mine	Masconiah Coal & Mining Co.	1972	
Bullock Mine	Bornwell Coal Co.	1973	

[Subparagraph (i) added by Am. 80, 8 F.R. 4258, effective 4-1-43; amended by Am. 66, 8 F.R. 12288, effective 10-4-43; and Am. 68, 8 F.R. 14009, effective 10-18-43]

be increased by no more than 20 cents per ton.

[Subparagraph (5) added by Am. 73, 8 F.R. 16280, effective 11-29-43]

(6) The maximum prices for shipments of coals in Size Group Nos. 1 through 6, and 8 for other than locomotive fuel use shall in no case be less than the maximum prices for shipments from the same mine of 6" x 1¼" egg, modified mine run or mine run, whichever price is the highest.

[Subparagraph (6) added by Am. 66, 9 F.R. 2009, effective 2-19-44; amended by Am. 97, 9 F.R. 2945, effective 3-22-44]

§ 1340.222 *Appendix K. Maximum prices for bituminous coal produced in District No. 11.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made.

(1) *Maximum prices for shipment to all destinations for all uses except for railroad locomotive fuel use and by all methods of transportation, except by truck or wagon.*

PRICES AND SIZE GROUP NUMBERS

Consolidated price groups	Specific price group numbers intended	1, 2, 3 All lump and egg coals bottom size larger than 2", washed or raw	4, 5, 6, 8 All lump, egg and stove coals bottom size 2" and smaller, washed or raw	7 Straight mine run, modified mine run and resultants larger than 2" x 0, washed or raw	9 to 12, incl.[1] Raw nut and pea bottom size larger than 10 mesh or 3/32"	13, 14 Raw screenings larger than 3/4" x 0 but not exceeding 2" x 0	15 Raw carbon 3/4" x 0 and smaller	16 Raw dust top size not exceeding 10 mesh or 3/32"	28 Raw breaker screenings
A	1 to 4, incl.	240	240	200	215	175	135	105	155
B	5 to 12, incl.	240	240	200	215	180	140	110	160
C	7, 18 and 19	265	260	200	215	180	140	110	
D	8, 13 and 20	300	275	260	255	205	165	135	175
E	14, 16	330	275	265	245	200	160	130	
F	6	360	300	265	300	210	165	130	185
G	14	360	290	265	295	210	145	130	185
Exceptions:									
Mine Index No. 88 (P. G. 17)		365	365	355	335	200	160	130	
Mine Index No. 70 (P. G. 19)		300	275	250	255	220	180	150	190
Mine Index No. 115 (P. G. 19-A)		255	240	210	235	175	130	110	175

[1] When a washed or air-cleaned coal is being priced, sizes of coal with a bottom size larger than one millimeter shall be included in this column of prices and service charges. [Footnote added by Am. 97, effective 3-27-44]

SCHEDULE OF MAXIMUM SERVICE CHARGES FOR SERVICES RENDERED IN CONNECTION WITH WET OR DRY MECHANICAL CLEANING

Washing or air-cleaning, Size Group Nos. 17 to 25 incl. and 34			15	[2]25	35	40
Water dedusting, Size Group Nos. 26 to 32, incl.				20	25	
Dry dedusting, Size Group Nos. 26 to 29, incl.				[2]15	20	

Only one service charge listed above can be made in connection with the sale of any coal.

[1] Exception: 30 cents for mines in Price Group Nos. 1 and 8.
[2] Exception: 20 cents for mines in Price Group Nos. 15 and 16.

(i) *Maximum prices for railroad fuel.* (a) The maximum prices for mine run, modified mine run and all lump and double-screened coals for railroad locomotive fuel use shall be $2.40 per net ton; and for screenings, top size not exceeding 2", the maximum price shall be $1.85 per net ton: *Provided, however*, That the maximum prices for Mine Index No. 70 shall be the above prices, plus 20 cents per net ton.

(b) Modified mine run shipped for railroad locomotive fuel use shall contain 15%, with a tolerance of 2% up or down, of coal that will pass through screens with round hole openings 1¼" in diameter, or other shaped openings equivalent in area (1¼" screenings), and large lumps may be broken down; or modified mine run may be 6" x 1¼" egg coal with 15%, with a tolerance of 2% up or down, of 1¼" screenings, as described above.

(c) The maximum prices for coal sold to railroads for other than locomotive fuel use are those set forth in this paragraph (b) (1) for the size and grade shipped.

(d) An amount not exceeding 15 cents per net ton may be added to the maximum prices for railroad locomotive fuel use when railroad locomotives are coaled at the mine tipple.

(ii) The maximum prices for coals produced at any underground mine loading coal entirely by hand without the aid of any mechanical means, such as loading machines or conveyors inside the mine, shall be the specific prices for the grade and size and use of coal shipped as set forth in this paragraph (b), plus 15 cents per net ton. This paragraph (b) (1) (ii) shall be void on and after June 1, 1944.

(iii) *Special price instructions.* Coals in Size Group Nos. 17 to 25, inclusive, produced at the Chinook Mine, Mine Index No. 121, of the Ayrshire Potoka Collieries Corporation and the Victory Mine, Mine Index No. 1354 of the Pyramid Coal Corporation may be priced under Price Group No. 8 in lieu of Price Group No. 1.

[Subparagraph (iii) added by Am. 97, effective 3-27-44]

[Subparagraph (1) amended by Am. 94, 9 F.R. 3299, effective 3-27-44]

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum price as of October 1, 1942, plus a sum not exceeding 65 cents per net ton.

(3) Adjustments computed on Form OPA No. 653-638 and in accordance with § 1340.207 (e), added by Amendment No. 74 to this regulation, and all orders of adjustment issued prior to March 27, 1944, shall be void as of March 27, 1944 insofar as such adjustments and orders affect maximum prices for rail shipments of coals for all uses.

[Former subparagraph (3) revoked, new (3) added by Am. 94, 9 F.R. 3299, effective 3-27-44]

(4) In the event any specific maximum price has been adjusted prior to March 15, 1943 (except the adjustments made in Amendment No. 7, effective June 22, 1942 to Maximum Price Regulation No. 120 in Price Groups 5 and 10) the effective maximum price in such case shall not be determined by reference to subparagraphs (1), (2) and (3) above, but must be computed by adding to such adjusted price the following sum:

(i) [Revoked]

(ii) For the methods of shipment and uses indicated in (2) above; Twenty (20) cents in all Size Groups.

(iii) [Revoked]

[Subdivisions (i) and (iii) revoked by Am. 94, 9 F.R. 3299, effective 3-27-44]

[Paragraph (b) amended by Am. 7, 7 F.R. 4700, effective 6-27-42; Am. 30, 7 F.R. 10098, effective 5-18-42; Am. 48, 8 F.R. 8216, effective 3-18-43 and as otherwise noted]

(5) The prices established by subparagraphs (2) and (4) of this paragraph (b) or by orders issued on or after March 15, 1943 and prior to December 1, 1943 for coals produced at a mine which is either (i) an underground truck mine without a rail siding or connection or (ii) an underground mine loading coal entirely by hand without the aid of any mechanical means such as loading machines or conveyors inside the mine may be increased by no more than 20 cents per ton. The prices of all other mines may be increased by no more than 5 cents per ton.

[Subparagraph (5) added by Am. 73, 8 F.R. 16280, effective 11-29-43; amended by Am. 76, 8 F.R. 16998, effective 12-16-43, and Am. 97, effective 3-27-44]

(6) [Revoked]

[Subparagraph (6) added by Am. 76, 8 F.R. 16998, effective 12-16-43, revoked by Am. 97, effective 5-16-44]

§ 1340.223 *Appendix L: Maximum prices for bituminous coal produced in District No. 12.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.* The maximum prices for shipments by all methods of transportation (including truck or wagon) shall be:

The applicable effective minimum prices as of April 1, 1942, plus, for Size Groups 1, 2, 3, 4, 6 and 7, no more than 60 cents; and, for Size Groups 5, 8, 9 and 10, no more than 40 cents.

For Size Group 7–A, the applicable effective minimum price as of June 12, 1943, plus no more than 55 cents.

[Subparagraph (1) amended by Am. 64, 8 F.R. 12934, effective 9–27–43]

(2) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for railroad fuel shall be the applicable effective minimum prices as of April 1, 1942 (without adjustments on account of price exceptions, freight differentials and substitutions), plus a sum not exceeding 30 cents per net ton: *Provided*, That where a mine is on-line to more than one railroad, the highest minimum price shall be applicable in determining the maximum price.

[Subparagraph (2) amended by Am. 69, 8 F.R. 14560 effective 10–30–43]

(3) The prices established by subparagraph (1) and (2) of this paragraph (b) or by orders issued prior to December 1, 1943, except Order No. 290, may be increased by no more than 60 cents per ton.

(4) The maximum prices established by Order No. 290 applying to Appanoose County, Iowa, may be increased by no more than 30 cents per ton.

[Subparagraphs (3) and (4) added by Am. 78, 8 F.R. 16280, effective 11–29–43]

§ 1340.224 *Appendix M: Maximum prices for bituminous coal produced in District No. 13.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices for shipment to all destinations, for all uses (including railroad fuel and excepting smithing coal) by all methods of transportation except by truck or wagon from mines in Subdistrict No. 1.*

PRICES AND SIZE GROUP NUMBERS

Subdistrict No. 1 (Alabama) coals produced at any and all mines in the following price group numbers	All lump and double-screened egg coals (size groups 1 to 5, incl.)	Nut and chestnut size groups—		Mine run and re sultants over 3", size groups—		Resultants and screenings 3" and under size groups—	
	Washed or raw	6, 8, 10, washed	7, 9, 11, raw	12, 14, 15, 16, washed	13, 19, 20, 21, raw	17, 18, washed	22, 23, raw
1	350	350	340	345	335	340	330
2	365	365	355	365	355	365	355
3	375	376	365	375	365	365	355
4	420	410	400	400	390	390	380
5	415	415	405	415	405	405	395
6	530	480	470	390	380	370	360
7	560	510	500	435	425	425	415
8	660	550	540	460	450	420	410
9	480	455	445	405	395	395	385
Exceptions:							
Mine Index No. 11	550	500	490	410	400	400	390
Mine Index No. 13	540	490	480	390	380	400	390
Mine Index No. 21	590	510	500	435	425	435	425
Mine Index No. 35	375	375	365	370	360	365	355
Mine Index No. 53	370	370	360	365	355	340	330
Mine Index No. 56	450	440	430	430	420	420	410
Mine Index No. 68	380	380	370	380	370	380	370
Mine Index No. 69	495	465	455	495	395	410	400
Mine Index No. 219	550	500	490	405	400	390	380
Mine Index No. 1492				405	395		
Mine Index No. 1733	560	510	500	460	450	425	415

The maximum prices for blacksmithing coal shall not exceed 500 cents per net ton.

(2) *Maximum prices for shipment by truck or wagon to all destinations for all uses from mines in Subdistrict No. 2.*

PRICES AND SIZE GROUP NUMBERS

Subdistrict No. 2 (Alabama) coals produced at any and all mines in the following truck price group numbers	All lump and double-screened egg coals (size groups 1 to 5, incl.)	Nut and chestnut size groups—		Mine run and re sultants over 3", size groups—		Resultants and screenings 3" and under, size groups—	
	Washed or Raw	6, 8, 10, washed	7, 9, 11, raw	12, 14, 15, 16, washed	13, 19, 20, 21, raw	17, 18, washed	22, 23 raw
1	525	475	455	440	430	415	405
2	505	475	455	425	415	400	365
3	495	485	465	435	425	415	405
4	485	455	435	410	400	400	390
5	455	460	450	415	405	410	380
6	430	425	415	395	385	400	380
7	420	435	415	380	370	375	340
Exceptions:							
Mine Index No. 3	555	490	455	455	450	400	365
Mine Index No. 4	570	490	455	455	450	400	365
Mine Index Nos. 7, 9, 11, 12, 1420	533	475	455	440	435	400	365
Mine Index Nos. 15, 21	550	490	455	440	430	425	405
Mine Index Nos. 6, 8	605	500	455	425	415	400	365
Mine Index No. 17	535	490	455	425	415	415	365
Mine Index No. 510	545	495	475	425	415	400	340
Mine Index No. 1543	540	490	455	425	415	405	365
Mine Index Nos. 22, 23, 1806, 1672	550	500	455	440	430	430	405
Mine Index No. 69	510	485	465	425	415	415	365

(3) *Specific descriptions of size group numbers referred to in subparagraphs (1) and (2) of this paragraph (b).*

Size Group Nos.:	Description
1 to 5, inclusive	All single-screened lump coals and all double-screened raw, washed or air-cleaned egg coals, bottom size larger than ½", and top size larger than 3".
6, 8 and 10	All double-screened washed or air-cleaned nut and chestnut coals top size not exceeding 3".
7, 9 and 11	All double-screened raw, nut and chestnut coals, top size not exceeding 3".
12, 14, 15 and 16	Washed or air-cleaned straight mine run; no fines removed. Washed or air-cleaned mine run, modified by the removal of any intermediate size or sizes; no fines removed. All washed or air-cleaned mine run resultants larger than 3"; no fines removed.
13, 19, 20 and 21	Raw straight mine run; no fines removed. Raw mine run, modified by the removal of any intermediate size or sizes; no fines removed. All raw mine run resultants larger than 3"; no fines removed.
17 and 18	All washed or air-cleaned mine run resultants and screenings, top size not exceeding 3".
22 and 23	All raw mine run resultants and screenings, top size not exceeding 3".

(4) *Maximum prices for shipment to all destinations, for all uses (including railroad fuel and excepting smithing coal) by all methods of transportation, except by truck or wagon from mines in Subdistricts Nos. 3 and 5.*

Special price instruction. The prices listed herein are for raw coals. Maximum prices for coals mechanically cleaned or washed shall be those listed herein, *plus* 10 cents per ton.

PRICES AND SIZE GROUP NUMBERS

Subdistricts Nos. 3 and 5 (Tenn. and Ga.) Coals produced at any and all mines in the following price group numbers	1, 2, 3 all lump and double-screened egg coals	4, 5, 6 all double-screened nut, pea, and stoker	7, 8, 9 mine run and resultants over 2"	10, 11, 12 screenings larger than ¾" but not exceeding 2"	13, 14 screenings ¾" and smaller
10	400	350	340	320	280
Exception:					
Mine Index No. 92	465	465	410	410	410
Mine Index No. 95	415	365	360	360	295

The maximum prices for smithing coal shall be 535 cents per net ton.

(5) *Maximum prices for shipment by truck or wagon to all destinations, for all uses from mines in Subdistrict No. 4.*

PRICES AND SIZE GROUP NUMBERS

Subdistrict No. 4 (Tenn., Ga., and White County, Tenn.) Coals produced at any and all mines in the following truck price group numbers	1, 2, 3 all lump and double-screened egg coals	4, 5, 6 all double-screened nut, pea, and stoker	7, 8, 9 mine run and resultants over 2"	10, 11, 12 screenings larger than ¾" but not exceeding 2"	13, 14 screenings ¾" and smaller
1	480	400	375	345	315
9	455	400	375	345	340
10	455	400	375	365	345
11	445	390	375	345	330
12	465	410	375	345	330
From mines in White County, Tenn.					
10	360	335	335	275	270

(6) *Specific descriptions of size group numbers referred to in subparagraphs (4) and (5) of this paragraph (b), including White County, Tenn.*

Size Group Nos.:	Description
1 to 3, inclusive	All single-screen lump coals and all double-screen egg coals, top size larger than 2".
4 to 6, inclusive	All double-screened nut, pea and stoker coals, top size not exceeding 2".
7 to 9, inclusive	Straight mine run; no fines removed. Mine run, modified by the removal of any intermediate size or sizes; no fines removed. All mine run resultants larger than 2"; no fines removed.
10 to 12, inclusive	Screenings, larger than ¾" but not exceeding 2".
13 and 14	Screenings, top size not exceeding ¾".

(7) The charge for a chemical, oil or waxing treatment to allay dust or prevent freezing shall not exceed: 10 cents per net ton on coals produced at and shipped from a mine in Tennessee or Georgia; 15 cents per net ton for coals produced at and shipped from a mine in Alabama.

A charge of no more than $2.50 per car may be made if more than one size is shipped in the same railroad car.

(8) *Identification by mine index number of mines in the price group numbers specified in subparagraphs (1) and (4) of this paragraph (b).* Following is a statement on the mines in each such price group. A seller of coal produced at a mine identified by mine index number shall first determine the price group number applicable to the mine. He shall then use the maximum prices applicable to the mines in the same price group number, as set forth in this paragraph (b), unless otherwise specifically provided herein.

Mine Index Nos. 30 through 54, 82, 104, 118, 127, 155, 165, 215, 238, 303, 331, 573, 616, 621, 755, 1122, 1133, 1156, 1226, 1249, 1274, 1275, 1338, 1366, 1389, 1390, 1391, 1393, 1394, 1395, 1407, 1410, 1411, 1413, 1417, 1425, 1427, 1431, 1445, 1454, 1456, 1457, 1459, 1460, 1472, 1494, 1514, 1522, 1523, 1527, 1531, 1557, 1581, 1582, 1584, 1585, 1591, 1595, 1624, 1660, 1662, 1663, 1666, 1667, 1674, 1684, 1701, 1714, 1748, 1749, 1752, 1760, 1762, 1766, 1771, 1775, 1782 are in Price Group No. 1.

Mine Index Nos. 67, 68, 1465, 1492, 1690 are in Price Group No. 2.

Mine Index Nos. 59, 61 through 66, 71, 72, 73, 114, 115, 199, 283, 299, 310, 311, 313, 332, 357, 362, 371, 381, 383, 852, 1039, 1105, 1106, 1162, 1203, 1250, 1288, 1289, 1351, 1375, 1376, 1377, 1412, 1418, 1419, 1496, 1526, 1533, 1569, 1570, 1571, 1622, 1657, 1661, 1706, 1709, 1755, 1773 are in Price Group No. 3.

Mine Index Nos. 55, 56, 57, 70, 81, 142, 571, 641, 649, 658, 749, 751, 1136, 1137, 1224, 1231, 1256, 1261, 1278, 1293, 1396, 1436, 1437, 1438, 1439, 1440, 1453, 1464, 1470, 1484, 1502, 1510, 1546, 1635, 1742 are in Price Group No. 4.

Mine Index Nos. 74 through 78, 83, 113, 136, 142, 173, 193, 194, 196, 198, 213, 221, 229, 298, 301, 314, 317, 326, 339, 342, 356, 367, 385, 386, 390, 744, 1059, 1128, 1215, 1271, 1276, 1287, 1309, 1313, 1340, 1354, 1357, 1360, 1362, 1372, 1373, 1374, 1379, 1402, 1408, 1406, 1416, 1433, 1466, 1520, 1521, 1525, 1532, 1547, 1561, 1567, 1640, 1650, 1652, 1653, 1660, 1670, 1683, 1687, 1693, 1704, 1721, 1722, 1744, 1746, 1747, 1756, 1757, 1758, 1759, 1767, 1769, 1786 are in Price Group No. 5.

Mine Index Nos. 1, 2, 7, 9, 10 through 15, 17, 29, 103, 111, 128, 130, 135, 139, 166, 171, 212, 318, 509, 514, 564, 565, 568, 569, 624, 677, 678, 680, 683, 684, 686, 781, 804, 805, 808, 855, 902, 910, 984, 994, 1001, 1077, 1095, 1180, 1181, 1192, 1213, 1243, 1257, 1258, 1259, 1273, 1331, 1350, 1415, 1420, 1424, 1447, 1471, 1491, 1512, 1513, 1516, 1528, 1529, 1534, 1586, 1630, 1645, 1646, 1676, 1694, 1740, 1765, 1778, 1779, 1780, 1786 are in Price Group No. 6.

Mine Index Nos. 16, 18, 19 through 24, 106 through 110, 121, 122, 123, 124, 133, 144, 150, 151, 152, 158, 157, 182, 183 through 191, 241, 247, 249, 253, 404, 408, 411, 418, 421, 422, 424, 426, 427, 434 through 439, 450, 453, 455, 459, 460, 462, 466, 472, 480, 484, 485, 488, 489, 491, 492, 500, 519, 522, 538, 541, 557, 565, 570, 574, 577, 579, 581, 582, 583, 584, 586, 591, 592, 594, 595, 597, 600, 608, 609, 610, 612, 617, 622, 627, 629, 631, 632, 636 through 640, 643 through 648, 650, 657, 658, 664, 665, 670, 687, 763, 764, 765, 768, 780, 786, 790, 792, 793, 795, 838, 865, 867, 881, 897, 911, 922, 926, 949, 963, 965, 972, 985, 987, 1007, 1008, 1010, 1013, 1015, 1022, 1023, 1038, 1074, 1075, 1076, 1078, 1126, 1164, 1166, 1167, 1174, 1229, 1254, 1291, 1295, 1306, 1308, 1317 through 1330, 1333, 1334, 1369, 1381, 1383 through 1387, 1426, 1442, 1444, 1449, 1455, 1458, 1467, 1476, 1478, 1479, 1481, 1482, 1498, 1518, 1519, 1539, 1543, 1547, 1549, 1551, 1555, 1558, 1572 through 1576, 1578, 1583, 1587, 1604, 1607 through 1618, 1641, 1642, 1647, 1648, 1649, 1654, 1665, 1673, 1678, 1685, 1686, 1731 through 1735, 1777 are in Price Group No. 7.

Mine Index Nos. 3, 4, 5, 8, 195, 359, 1599, 1623 are in Price Group No. 8.

Mine Index Nos. 5, 58, 69, 80, 222, 233, 262, 263, 266 through 271, 512, 517, 968, 1072, 1232, 1544, 1545, 1556, 1598 are in Price Group No. 9.

All mine index numbers in Subdistrict Nos. 3 and 5 (Tennessee and Georgia) shipping coal by rail or river are in Price Group No. 10.

(9) *Identification by counties and seams of mines in the price group members specified in subparagraphs (2) and (5) of this paragraph* (b). Following is a table of counties seams and price group numbers. A seller of coal produced at a mine from any seam in these counties shall first determine the price group number applicable to the mine, as indicated in this table. He shall then use the maximum prices applicable to the mines in the same price group number, as set forth in this paragraph (b), unless otherwise specifically provided herein.

County, seam, and price group number

ALABAMA—SUBDISTRICT NO. 2

Bibb, Blue Gould, Clark, Gibson, Gould, Thompson, Wadsworth, Woodstock, and Youngblood, 2; all seams not named, 7.

Blount, Berry Mountain, 2; Black Creek and Taite Gap, 3; Underwood, 4; all seams not named, 7.

Cherokee, all seams, 5.

Cullman, all seams, 1.

De Kalb, Black Creek, Lookout Mountain and Payne, 1; all seams not named, 3.

Etowah, all seams, 4.

Fayette, Corona, 5; Cobb, 6; all seams not named, 7.

Jackson, all seams, 5.

Jefferson, Black Shale, Buck, Clark, Gould, Harkness, Hartley, Helena, Helena No. 3, Henery Ellen, Leaf, Lower Helena, Ratliff, Thompson, Upper Gould and Wadsworth, 2; Black Creek and Jefferson, 3.

Jefferson, Pratt and Pratt-America, 5; America, Blue Creek, Harkness (Mine Index No. 751 only) and Nickle Plate, 6; Bragg, Gwin, Jagger, Lower Nunnally, Mary Lee, Mt. Carmel, Upper Helena, Upper Nunnally and all seams not named, 7.

Madison, all seams, 5.

Marion, all seams, 1.

Saint Clair, Helena, Henery Ellen (Mine Index No. 1556 only), and Wadsworth, 2; Broken Arrow, Hammond, Harkness, and Marion, 5; Henry Ellen, 7.

Shelby, Buck, Clark-Gholson, Dogwood, Harkness, Helena, Maylene-Climax, Montevallo, Moyle, Underwood, upper Dogwood, and Wadsworth, 2; all seams not named, 7.

Tuscaloosa, Black Creek and Chambers, 1; Bowers, Carter, Johnson, Millidale, North River, Perkins, River View, Weaver, and Woodstock-North River, 3; Brookwood, Jagger, Millidale-Brookwood, and all seams not named, 7.

Walker and Winston, Black Creek, Blue Creek, and Jefferson, 1; Corona and Pratt, 5; America, 6, all seams not named, 7.

TENNESSEE—SUBDISTRICT NO. 4

Bledsoe, Battle Creek, 8; all seams not named, 9.

Franklin and Grundy, all seams, 9.

Hamilton, Sewanee and Soddy No. 7, 9; all seams not named, 11.

Marion, Battle Creek, Top (Mine Index No. 814 only), 8; Bluff, Bolton, Etna, Etna No. 3, Etna No. 7, Sewanee, Sewanee No. 7, 9, and 10 and Soft Bottom and Top, 9; all seams not named, 11.

Rhea, Nelson, Nelson No. 2 and Nelson-Sewanee, 12; all seams not named, 11.

Sequatchie, Sewanee, Sewanee No. 2, 9; all seams not named, 11.

Van Buren, Battle Creek, 8; all seams not named, 9.

Warren, all seams, 9.

White, all seams, 13.

GEORGIA—SUBDISTRICT NO. 4

Dade and Walker, all seams, 10.

[§ 1340.224 amended by Am. 3, 7 F.R. 4230, effective 6-6-42; Am. 12, 7 F.R. 5635, effective 8-1-42; Am. 13, 7 F.R. 6169, effective 8-11-42; Am. 29, 8 F.R. 926, effective 1-29-43; Am. 40, 8 F.R. 3956, effective 3-27-43; Am. 54, 8 F.R. 6442, effective 5-15-43; Am. 56, 8 F.R. 11606, effective 9-30-43; Am. 73, 8 F.R. 16260, effective 11-29-43; Am. 77, 9 F.R. 396, effective 11-29-43; Am. 94, 9 F.R. 1454, 2127, effective 2-8-44 and as otherwise noted]

(c) Adjustments computed on Form OPA No. 653-638 and in accordance with § 1340.207 (e), added by Amendment No. 74 to this regulation and all orders of adjustment issued prior to February 3, 1944 shall be void as of February 3, 1944.

[Paragraph (c) added by Am. 91, 9 F.R. 2746, effective 3-16-44]

Price classifications	Prices and size group Nos.																			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
A	525	500	500	575	460	575	575	590	545	600	600	600	550	285	285	285	285	485	215	400
B	----	----	475	560	455	555	575	575	470	580	580	580	530	170	170	170	----	480	----	----
C	----	----	460	555	----	550	570	570	470	500	465	----	350	----	160	130	----	470	----	----
D	----	----	460	545	----	540	555	540	470	490	450	----	380	----	----	----	----	450	----	----
E	----	----	460	525	----	535	540	540	470	480	450	----	----	----	----	----	----	425	----	----
F	----	----	445	525	----	515	515	515	470	480	450	----	----	----	----	----	----	420	----	----
G	----	----	----	505	----	515	515	515	470	470	435	----	----	----	----	----	----	400	----	----
H	----	----	----	505	----	515	515	515	470	460	435	----	----	----	----	----	----	395	----	----
I	----	----	----	500	----	510	510	510	470	435	435	----	----	----	----	----	----	385	----	----
J	----	----	----	490	----	505	505	505	460	430	430	----	----	----	----	----	----	380	----	----
K	----	----	----	470	----	505	505	505	460	415	415	----	----	----	----	----	----	375	----	----
L	----	----	----	470	----	500	500	500	455	405	----	405	----	----	----	----	----	370	----	----
M	----	----	----	----	----	500	500	500	450	385	----	----	----	----	----	----	----	365	----	----
N	----	----	----	----	----	490	490	460	----	370	----	----	----	----	----	----	----	360	----	----
O	----	----	----	----	----	480	480	450	----	----	----	----	----	----	----	----	----	350	----	----
P	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	330	----	----
Q	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	320	----	----

(1) *Special price instructions.* (a) The maximum price for lump coal (solid shot) with a bottom size larger than 2½", when produced at mines in Production Groups 2 to 9, inclusive, shall be the maximum price which is applicable generally under § 1340.225 (b) (1) for Size Group 3 plus 15 cents per net ton.

[Subparagraph (1) added by Am. 56, 8 F.R. 5477, effective 4-29-43]

(2) *Maximum prices in cents per net ton for shipment by truck or wagon, to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 55 cents per net ton.

(3) *Maximum prices in cents per net ton for railroad fuel (exclusive of railroad fuel for other than locomotive fuel use).* The maximum prices for such railroad fuel shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 5 cents per net ton.

(4) In the event any specific maximum price has been adjusted prior to February 1, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (1), (2) and (3), but must be computed by adding to such adjusted price the following sum:

(i) For methods of shipment and use indicated in (1) above:

20 cents per net ton

(ii) For methods of shipment and uses indicated in (2) above:

20 cents per net ton

(iii) For use indicated in (3) above:

20 cents per net ton

[Paragraph (b) amended by Am. 10, 7 F.R. 5607, effective 7-21-42, and Am. 37, 8 F.R. 1747, effective 2-6-43]

(5) The prices established by subparagraphs (1), (2), (3) and (4) of this paragraph (b) or by orders issued on or after February 1, 1943 and prior to December 1, 1943 may be increased by no more than 40 cents per ton.

[Subparagraph (5) added by Am. 73, 8 F.R. 16260, effective 11-29-43]

§ 1340.226 *Appendix O: Maximum prices for bituminous coal produced in District No. 15.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment from other than underground mines to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix* (*Underground mine prices are set forth in subparagraph (4) of this appendix*)—(i) *Special price instruction.*

(a) [Revoked]

[Subparagraph (a) amended by Am. 73, 8 F.R. 16738, effective 12-10-43; Am. 88, 9 F.R. 794, effective 1-26-44; revoked by Am. 90, 9 F.R. 2237, effective 3-2-44]

Production group No.	Prices and size group Nos.														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
1	320	320	320	320	325	305	300	275	270	270	270	255	200	170	140
2	285	285	285	285	285	285	275	260	265	265	245	210	200	165	140
3	280	280	280	280	265	270	255	245	230	220	255	225	205	160	140
4	335	335	335	335	310	295	280	275	335	270	270	255	------	205	140
5	330	330	330	330	305	290	275	270	330	265	265	250	------	200	140
6	385	385	385	385	----	----	----	----	----	375	375	375	------	----	----
7	575	575	575	520	------	450	------	285	370	240	----	----	------	135	------
8	500	500	500	440	------	400	------	260	325	200	----	----	------	140	------
9	500	500	500	440	------	400	------	260	325	200	----	----	------	140	------
10	340	340	340	330	------	305	------	250	270	175	260	----	------	145	------
11	330	330	330	315	------	300	------	255	295	215	255	----	------	155	150
12	380	380	380	380	------	----	------	----	380	290	----	----	------	----	----

[Table amended by Am. 90, 9 F.R. 2237, effective 3-2-44]

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses from other than underground mines.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 65 cents per net ton.

(3) *Maximum prices in cents per net ton for railroad locomotive fuel from other than underground mines.*

Sizes of Coal	Prices and production group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Railroad locomotive fuel (any size not specifically listed below)	270	270	270	310	310	285	270	270	270	270	270
3" x ¼" unwashed	----	----	----	----	----	----	----	----	----	----	260
2" x 0 washed or 2" x ¼" unwashed	260	----	----	----	----	----	----	----	----	----	----
2" x 0 stoker screenings with ½ of fines removed	----	255	----	----	----	----	----	----	----	----	----
2" x ¼" unwashed	----	----	----	----	----	----	----	----	----	----	245
2' x 0 washed or 2' x ¼" unwashed	245	----	----	----	----	----	----	----	----	----	----
2" x 0 washed or unwashed	----	230	230	----	----	----	----	----	----	----	----
1¼" x 0 washed or 1¼" x ¼" unwashed	230	----	----	----	----	----	----	----	----	230	220
1¼" x 0 unwashed	----	----	----	----	----	----	----	----	----	----	----

[Headings of subparagraphs (1), (2) and (3) amended by Am. 97, effective 5-6-44]

(4) *Coals produced at underground mines*—(i) *Maximum prices in cents per net ton for coals produced at underground mines of the respective production groups for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this subparagraph* (4).

[Subparagraph (4), formerly (5), redesignated and amended by Am. 97, effective 5-16-44]

Prod. group No.	Prices and size group numbers												
	1, 2, 3	4	5	6	7	8	9	10	11	12	13	14	15
1	385	385	360	345	330	335	345	320	295	280	280	260	160
2	400	400	375	360	345	340	360	335	335	320	320	300	185
3	370	370	355	345	335	335	350	320	325	310	310	290	185
4	450	450	440	420	410	385	450	370	385	370	------	290	200
5	450	450	440	420	410	385	450	370	385	370	------	290	200
6	500	500	----	----	----	----	500	490	490	490	------	----	----
7	540	500	------	510	------	335	420	225	----	----	------	190	------
8, 9	590	510	------	460	------	335	420	285	----	----	------	190	------
10—Rail	440	395	------	350	------	288	315	240	285	----	------	170	------
10—Truck	480	415	------	370	------	290	335	260	270	----	------	215	------
11	530	500	------	470	------	360	420	340	350	----	------	315	------
13	500	500	------	----	------	----	500	490	490	490	------	----	------
Exceptions:													
Mine Index No. 24	425	425	410	400	390	380	405	375	380	365	365	305	240
Mine Index No. 48	465	465	455	435	425	400	465	385	400	385	------	305	215
Mine Index No. 447	400	400	385	375	365	355	380	350	355	340	340	280	215

[Table amended by Am. 90, 9 F.R. 2237 effective 3-2-44]

(ii) *Maximum prices in cents per net ton for railroad locomotive fuel.*

	Prices and production group numbers							
	1	2	3	4, 5	6	7, 8, 9	10	11
Railroad locomotive fuel (applicable to any size coal)	320	345	335	400	365	320	315	395

(iii) *Maximum prices in cents per net ton for Oklahoma smithing coal from Production Group No. 12 to all destinations and by all methods of transportation.*

Crushed mine run—Bulk	645
Crushed mine run—Sacked	795
Lump—Over 2½"	695

Any producer whose prices are increased by this amendment and who starts to charge the increased prices must immediately notify the Solid Fuels Branch, Office of Price Administration, Washington 25, D. C. stating the name of the operator of the mine for which the prices are increased, the name of

the mine, the mine index number, the production group number in which it is located and whether it is an underground mine within the meaning of § 1340.208 (a) (8) of this regulation. Such producer shall also include a statement on all invoices in connection with the sale of coal priced under this order that the price charged includes an adjustment granted under Amendment No. 75 to Maximum Price Regulation No. 120.

[Subparagraph (5) amended by Am. 75, 8 F.R. 16736, effective 12–10–43]

(6) [Revoked]

[Subparagraph (6) added by Am. 73, 16280, effective 11–29–43; revoked by Am. 75, 8 F.R. 16736, effective 12–10–43]

[Paragraph (b) amended by Am. 2, 7 F.R. 3901, effective 5–25–42; Am. 31, 7 F.R. 11008, effective 12–31–42; Am. 44, 8 F.R. 2920, effective 3–6–43] and as otherwise noted]

§ 1340.227 *Appendix P: Maximum prices for bituminous coal produced in District No. 16.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

	Prices and size group Nos.											
	1	2	3	4	5	6	8	9	10	11	12	13
Subdistrict No. 1, all mines	510	480	480	460	435	410	320	278	215	205	185	355
Subdistrict No. 2, all mines	500	450	445	470	445	420	325	275	215	205	185	330
Subdistrict No. 4, all mines	485	435	435	460	435	420	320	265	215	205	185	315
Subdistrict No. 6, all mines	440	390	390	415	390	370	315	270	215	205	185	305
Subdistrict No. 8, all mines	430	380	380	405	380	360	315	265	215	205	185	305
Subdistrict No. 9, all mines	440	380	380	405	380	360	315	265	215	205	185	280
Subdistrict No. 10, all mines	410	380	380	385	360	340	305	266	215	205	185	280
Subdistrict No. 11, all mines	305	255	255	270	245	----	----	----	135	----	----	250

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of April 1, 1942, plus a sum not exceeding 30 cents in all size groups.

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for railroad fuel shall be the applicable effective minimum prices as of April 1, 1942, plus a sum not exceeding 10 cents per net ton.

(4) The maximum prices established by this paragraph (b) shall be:

(i) Those set forth in subparagraph (1), plus: for Size Group Nos. 1 through 7, a sum not exceeding 45 cents per net ton; for Size Group No. 8, a sum not exceeding 35 cents per net ton and, for Size Group Nos. 9 through 13, 55 cents per net ton.

(ii) Instead of those determined pursuant to subparagraph (2), the applicable effective minimum prices as of April 1, 1942, plus; for Size Group Nos. 1 through 7, a sum not exceeding 75 cents per net ton; for Size Group No. 8, a sum not exceeding 65 cents per net ton and for Size Group Nos. 9 through 13, a sum not exceeding 85 cents per net ton.

(iii) Instead of those determined pursuant to subparagraph (3), the applicable effective minimum prices as of April 1, 1942, plus a sum not exceeding 65 cents per net ton.

[Subparagraph (4) added Am. 73, 8 F.R. 16280, effective 11–29–43]

§ 1340.228 *Appendix Q: Maximum prices for bituminous coal produced in District No. 17.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made.

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

From all mines—	Prices and size group Nos.																	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	19
Subdistrict No.:																		
1	515	510	495	475	455	435	480	----	390	360	315	315	235	----	180	145	355	355
2	530	525	520	495	470	450	445	----	405	360	335	325	245	----	235	205	355	320
3	465	455	455	455	430	435	430	----	380	340	315	305	245	----	205	175	355	320
4	520	515	510	495	470	435	420	----	395	335	310	300	235	----	205	200	355	320
5	465	465	450	460	435	405	395	----	365	340	315	315	215	----	205	200	355	320
6	460	450	440	440	410	410	390	----	370	345	----	----	245	230	225	205	355	320
7	450	440	440	440	370	370	360	----	365	345	----	----	255	230	225	185	355	320
8	400	390	390	390	345	345	335	----	395	355	----	----	270	250	245	205	355	320
9*	440	430	430	430	420	420	340	380	380	355	305	----	265	245	240	250	355	325
*Exception for Sugarite Mine	490	480	480	480	470	445	365	----	390	380	----	----	265	245	240	270	355	325
10	490	480	480	480	470	445	365	----	390	380	----	----	265	245	240	270	355	325
11	475	465	440	440	395	385	385	----	335	300	----	----	240	225	215	175	355	315
12	425	425	415	385	360	370	355	----	350	315	----	----	235	230	220	180	355	290
15	425	415	395	395	370	335	320	----	370	330	240	----	235	230	220	180	355	290
16	390	380	360	360	335	300	285	----	335	320	----	----	230	225	215	175	345	280
18	450	440	420	420	395	360	355	----	405	370	----	----	240	235	225	185	355	290
19 and 20	495	485	465	465	440	405	360	----	415	330	----	----	265	255	245	210	370	305

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942 (without adjustments on account of price exceptions), plus a sum not exceeding 35 cents in all size groups.

(3) *Maximum prices in cents per net ton for railroad locomotive fuel except as otherwise specifically provided herein.* The maximum prices for railroad locomotive fuel shall be the applicable effective minimum prices as of October 1, 1942, for all-rail, on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 55 cents per net ton; *Provided,* That where a mine is on-line to more than one railroad, the highest minimum price shall be applicable in determining the applicable maximum price; *Provided, further,* That when railroads purchase coals for railroad locomotive fuel use in sizes which are not included in size groups specifically priced in the effective minimum price schedule for railroad locomotive fuel, or purchase coal for any use other than railroad locomotive use, the maximum price for such railroad fuel shall be the all-rail maximum price for the grade and size shipped, as specified in (1) above.

(4) *Maximum prices in cents per net ton for Smithing Coal.* The maximum prices from all mines in all size groups for Smithing Coal shall not exceed 605 cents per net ton.

[Paragraph (b) amended by Am. 5, 7 F.R. 4404, effective 5–18–42 and Am. 43, 8 F.R. 2497, effective 2–25–43]

(5) The prices established by subparagraphs (1), (2), (3) and (4) of this paragraph (b) or by orders issued prior to December 1, 1943 for coals produced at an underground truck mine without a rail siding or connection may be increased by no more than 20 cents per ton.

[Subparagraph (5) added by Am. 73, 8 F.R. 16280, effective 11–29–43; amended by Am. 77, 9 F.R. 396, effective 11–29–43]

§ 1340.229 *Appendix R: Maximum prices for bituminous coal produced in District No. 18.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

From all mines	Prices and size group Nos.															
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Subdistrict No. 1	565	530	----	520	----	470	445	405	340	----	310	260	225	----	425	455
Subdistrict No. 2	540	515	505	490	505	480	450	420	350	----	300	280	240	425	425	----
Subdistrict No. 3	----	450	----	----	----	----	----	365	265	----	235	----	185	----	----	----
Subdistrict No. 4	535	485	----	----	----	----	----	----	----	----	245	----	----	----	335	335
Subdistrict No. 5	----	565	----	----	----	----	----	535	----	385	----	285	----	----	425	----
Subdistrict No. 6	----	485	----	----	----	435	----	365	300	----	335	250	235	----	435	----
Subdistrict No. 7	----	455	----	----	----	----	----	385	300	----	275	255	210	----	----	----
Subdistrict No. 8	----	335	----	----	----	----	----	----	235	185	135	----	----	----	285	----

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 110 cents in all size groups.

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for railroad fuel shall be those shown in subparagraph (1) above for Size Group No. 16: *Provided,* That where no maximum price is specified therein for a particular subdistrict, or where the size of coal involved is not included in Size Group No. 16 the maximum price for such railroad fuel shall be the commercial all-rail maximum price for the grade and size involved.

Exception to (2) above: Sub-District No. 2.

Producer	Mine	Mine index	Movement	Prices and size group Nos.														
				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Albuquerque & Cerrillos Coal Co.	Jones	11	Truck	555	----	520	505	520	495	465	435	365	----	315	295	255	450	----	----

[Paragraph (b) amended by Am. 39, 8 F.R. 2023, effective 2–12–43]

(4) The maximum prices established by subparagraphs (1), (2) and (3) of this paragraph (b) or by orders issued prior to December 1, 1943 may be increased by no more than 50 cents per ton.

[Subparagraph (4) added by Am. 73, 8 F.R. 16280, effective 11–29–43]

§ 1340.230 *Appendix S: Maximum prices for bituminous coal produced in District No. 19.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

From all mines—	Prices and size group Nos.															
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Subdistrict No.:																	
1	445	445	430	415	430	395	355	330	315	290	290	350	----	----	235	235	200
2	415	415	390	390	390	340	320	315	300	320	315	285	----	----	270	270	170
3	325	325	325	325	300	300	300	300	260	225	----	260	250	----	205	205	130
4	----	400	400	325	----	----	----	290	----	200	----	260	----	235	----	----	----
5	505	505	505	495	495	495	470	415	340	285	275	310	225	----	210	210	210
6	310	310	----	----	340	340	340	290	240	240	----	285	245	190	190	190	----
7	285	285	285	----	255	285	255	265	245	245	----	250	225	225	210	230	----
8	225	225	----	200	----	----	----	200	195	----	----	180	----	140	140	140	----
9	----	360	----	290	290	290	270	270	175	175	----	200	----	175	175	150	100

[Table amended by Am. 78, 9 F.R. 573, effective 1-18-44]

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 75 cents in all size groups.

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for all railroad fuel shall be the applicable effective minimum prices as of October 1, 1942 for all-rail on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 30 cents per net ton: *Provided,* That where a mine is on-line to more than one railroad, the highest minimum price shall be applicable in determining the maximum price: *Provided, further,* That where a producer, or a subdistrict, does not have an established minimum price for railroad fuel, the maximum price for such coal shall be the all-rail maximum price for the grade and size shipped, as specified in (1) above.

(4) In the event any specific maximum price has been adjusted prior to February 15, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (1), (2) or (3) above, but must be computed by adding to such adjusted price the following sum:

		Prices and size group Nos.														
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Subdistrict No. 1	All mines	395	395	375	370	375	370	310	290	260	245	245	225	310	285	265
Subdistrict No. 2 and Subdistrict No. 3	All mines	385	350	340	330	330	335	275	230	----	200	205	----	260	240	230

(i) For the methods of shipment and uses indicated in (1) above; Thirty (30) cents in all size groups.

(ii) For the methods of shipment and uses indicated in (2) above; Thirty (30) cents in all size groups.

(iii) For use indicated in (3) above; Fifteen (15) cents.

[Paragraph (b) amended by Am. 43, 8 F.R. 2497, effective 2-25-43]

(5) The maximum prices established by subparagraphs (1), (2), (3) and (4) of this paragraph (b) or by orders issued on and after February 15, 1943 and prior to December 1, 1943 may be increased by no more than 20 cents per ton.

[Subparagraph (5) added by Am. 73, 8 F.R. 16280, effective 11-29-43]

§ 1340.231 *Appendix T: Maximum prices for bituminous coal produced in District No. 20.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, *plus* a sum not exceeding 55 cents for Size Groups 1, 2, 3, 4, 5, 6, 7, 8 and 9; and 65 cents for Size Groups 10, 11, 12, 13, 14 and 15.

(i) *Special price instruction.* (a) The maximum prices for shipment by truck or wagon for the Williams Mine (Mine Index No. 167) of L. J. Williams & Sons (L. J. Reed and Ross Williams) shall be as follows:

Size groups:	*Maximum prices*
3	$3.85
4	3.75
7	3.05
8	2.70
10	2.20
11	2.15
15	2.55

and the maximum prices for shipment by truck or wagon from all other mines in Iron County, Utah, in District No. 20 shall be as follows:

Size groups:	*Maximum prices*
3	$5.10
4	5.00
7	4.30
8	3.95
10	3.00
11	2.95
15	3.35

[Subparagraph (i) added by Am. 52, 8 F.R. 4718, effective 4-14-43]

[Paragraph (b) amended by Am. 38, 8 F.R. 1747, effective 2-6-43]

(3) The prices established by subparagraphs (1) and (2) of this paragraph (b) or by orders issued prior to December 1, 1943 may be increased by no more than 10 cents per ton: *Provided, however,* That if the coal is produced at an underground truck mine without a rail siding or connection the prices may be increased by no more than 20 cents per ton.

[Subparagraph (3) added by Am. 73, 8 F.R. 16280, effective 11-29-43]

§ 1340.232 *Appendix U: Maximum prices for bituminous coal produced in District No. 22.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

[From all mines]

	Prices and size group Nos.												
	1	2	3	4	5	6	7	8	9	10	11	12	15
Subdistrict No. 1	440	440	440	430	425	375	325	295	300	190	155	130	270
Subdistrict No. 2	440	440	440	405	400	345	295	275	245	185	155	130	255
Subdistrict No. 7	435	435	410	385	385	360	335	260	185	----	135	115	----
Subdistrict No. 8	----	435	----	----	----	----	260	----	185	135	----	----	----
Subdistrict No. 9	440	440	440	430	425	375	325	----	270	205	----	130	----
Subdistrict No. 12	435	----	----	----	360	----	----	----	185	----	----	----	----

[Subparagraph (1) amended by Am. 67, 8 F.R. 13706, effective 10-9-43]

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 85 cents for Size Group 9, and 35 cents for Size Groups 1, 2, 3, 4, 5, 6, 7, 8, 10, 11 and 12.

Exception to (2) above:

Producers	Mine	Mine index	Movement	Prices and size group Nos.											
				1	2	3	4	5	6	7	8	9	10	11	12	15
SUBDISTRICT NO. 2																
Nye Coal Co. (S. R. Tandy)	Nye Coal Co.	247	Truck	450	450	450	---	400	---	300	278	250	160	145	125	---
SUBDISTRICT NO. 6																
Miller Bros.	Miller	201	Truck	---	500	---	---	---	---	---	---	---	---	280	---	---
SUBDISTRICT NO. 12																
Bennett, James N.	Oertel	215	Truck	---	700	---	---	---	---	---	---	350	150	---	---	---
Thorman, Albert H.	Kellogg	175	Truck	---	700	---	---	---	---	---	---	350	150	---	---	---

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for all railroad fuel shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), *plus* a sum not exceeding 30 cents per net ton: *Provided,* That where a mine is on-line to more than one railroad, the highest minimum price shall be applicable in determining the maximum price: *Provided, further,* That where a producer, or a sub-district, does not have an established minimum price for railroad fuel, the maximum price for such coal shall be the commercial all-rail maximum price for the grade and size shipped.

[Paragraph (b) amended by Am. 35, 8 F.R. 1629, effective 2-3-43]

(4) The prices established by subparagraphs (1), (2), and (3) of this paragraph (b) or by orders issued prior to December 1, 1943 may be increased by no more than 10 cents per ton: *Provided, however,* That if the coal is produced at an underground truck mine without a rail siding or connection the prices may be increased by no more than 20 cents per ton.

[Subparagraph (4) added by Am. 73, 8 F.R. 16280, effective 11-29-43]

§ 1340.233 *Appendix V: Maximum prices for bituminous coal produced in District No. 23.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

[From all mines except as listed below]

Subdistrict	Producer	Mine	Mfbtu lb-day	Movement	Prices and size group numbers																					
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
Subdistrict A		Roslyn Field																										
Subdistrict B		Kittitas County																										
Subdistrict C		Southwestern Washington																										
Subdistrict D		Bellingham Field				585	575	545		560		580		560		530	500			450			490	490	430	405	365	370	
Subdistrict E		McKay, Lawson Field				585	585	545		560		580		560		530	500			450			490	490	430	440	365	370	
Subdistrict F		Renton Field				495	495	460	445	415	520	415	400	415	405	360	315	415	415	345	345	415	330	330	325	330	260	335	335
Subdistrict G		Cumberland Field, Alaska				555	545	510	445	415	520	415	400	415	405	360	315	415	415	345	345	415	330	330	325	330	260	335	335
Subdistrict H		Eska River Field, Alaska																										
Subdistrict I		All Other Mines, Alaska				670	670	625		635		655	635	635	635	575	575	635	635	575	575	635	575	575	485	505	485	420	395
Subdistrict J		Riverton Field, Oreg				585	585	545		560		580	560	560	560	530	500	560	560	500	500	560	500	500	430	435	415	370	345
Subdistrict K		Marshfield Field, Oreg				585	585	545		560		580	560	560	560	530	500	560	560	500	500	560	500	500	430	435	415	370	345
Subdistrict L		Marion and Clackamas Counties, Oreg				585	585	545		560		580	560	560	560	530	500	560	560	500	500	560	500	500	430	435	415	370	345
		Excluded from Price Schedule																										
						520								370			220												
						520								430			220												
						460	455	460		415		415		380		300	315			345			335	325	325	330	270	335	

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 85 cents for Size Groups 1 to 25, inclusive, except 18, and 110 cents for Size Group 18, except as otherwise shown below.

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for all sizes of railroad fuel shall be the commercial all-rail maximum price for the grade and size shipped.

Exceptions to (1) and (2) above:

Subdistrict	Producer	Mine	Mfbtu lb-day	Movement	Prices and size group numbers																					
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
	SUBDISTRICT D																									
Bellingham Coal Mines		Bellingham #1	3	Rail	555	545	510	445		590	490		490	505		460	425	415		415								
				Truck	575	625	625	550		685	585	585	560		585	500	485			460								
Pacific Coast Coal Co.	SUBDISTRICT E	Black Diamond Mine	32	Rail		720						700	690	680		680		(590			(590	590						
				Truck		770						700	690	680		680		590			590	590						
Continental Coal Co., c/o James S. Ramage		McKay	9	Rail		770						690	690	685		675		600			570	570						
	SUBDISTRICT F			Truck		770						685	685	660		650		600			570	570						
				Rail	585	585	585	585	535	560	560	560	560	495	475	475	435	435	435	435	435	435	435	435	335	335	275	275	275
Springbrook Mining Co. (A. F. Plant)		Springbrook	33	Truck	600	600	600	560	560	560	560	560	560	495	510	510	470	470	470	470	470	470	470	470	385	385	310	310	310
Renton Mining Co., Inc. (c/o John S. Methven)		Talbot	150	Rail	585	585	585	585	535	560	560	560	560	495	475	475	435	435	435	435	435	435	435	435	335	335	275	275	275
Consolidated Coal Mines, Inc.		Cedar Mountain #2	160	Truck	600	600	600	560	560	560	560	560	560	495	510	510	470	470	470	470	470	470	470	470	385	385	310	310	310
				Rail	590	590	590	590	535	565	565	565	565	500	475	475	435	435	435	435	435	435	435	435	335	335	275	275	275
	SUBDISTRICT G			Truck	625	625	625	585	535	565	565	565	565	500	510	510	470	470	470	470	470	470	470	470	385	385	310	310	310
				Rail	585	585	585	585	535	560	560	560	560	495	475	475	435	435	435	435	435	435	435	435	335	335	275	275	275
Franklin Gem Coal Co. (Geo. T. Wake, Jr.)		Franklin Gem	162	Truck	600	600	600	560	560	560	560	560	560	495	510	510	470	470	470	470	470	470	470	470	385	385	310	310	310
				Rail	585	585	585	585	535	560	560	560	560	495	475	475	435	435	435	435	435	435	435	435	335	335	275	275	275
Hyde Mines, Inc.		Hyde #2	161	Truck	600	600	600	560	560	560	560	560	560	495	510	510	470	470	470	470	470	470	470	470	385	385	310	310	310

[1] When sold to Superior Portland Cement Co., Concrete, Skagit County, Wash., and Olympic Portland Cement Co., Bellingham, Whatcom County, Wash.

[2] For all other sales for rail shipment.

[Paragraph (b) amended by Am. 9, 7 F.R. 5560, effective 7-17-42; and Am. 35, 8 F.R. 1029, 2873, effective 2-3-43]

(4) The prices set forth in subparagraphs (1), (2) and (3) of this paragraph (b) or by orders issued prior to December 1, 1943 may be increased by no more than 35 cents per ton.

[Subparagraph (4) added by Am. 73, 8 F.R. 16280, effective 11-29-43]

NOTE: The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 11th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6791; Filed, May 11, 1944; 4:31 p. m.]

PART 1340—FUEL

[MPR 121,[1] Incl. Amdts. 1–31]

MISCELLANEOUS SOLID FUELS DELIVERED FROM PRODUCING FACILITIES

This compilation of Maximum Price Regulation 121 includes Amendment 31, effective May 16, 1944. The text added by Amendment 31 is underscored.

In the judgment of the Price Administrator the prices of miscellaneous solid fuels are threatening to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has given due consideration to the prices of miscellaneous solid fuels prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[2]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[3] issued by the Office of Price Administration, Maximum Price Regulation No. 121 is hereby issued.

Sec.

1340.241 Maximum prices for miscellaneous solid fuels delivered from producing facilities.
1340.242 Less than maximum prices.
1340.243 Adjustable pricing.
1340.244 Evasion.
1340.245 Records and reports.
1340.246 Enforcement.
1340.246a Licensing.
1340.247 Petitions for amendment.
1340.247a Applications for adjustment.
1340.247b Provisions for specific ceiling prices.
1340.248 Definitions.
1340.249 Appendix A: Maximum prices for miscellaneous solid fuels delivered from producing facilities.
1340.250 Effective date.
1340.250a Effective dates of amendments.

AUTHORITY: §§ 1340.241 to 1340.250a, inclusive, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1340.241 *Maximum prices for miscellaneous solid fuels delivered from producing facilities.* On and after May 18, 1942, regardless of any contract, agreement, lease, or other obligation, no person who is a producer or a distributor of miscellaneous solid fuels shall sell or dispose of miscellaneous solid fuels, at or for delivery from a mine or preparation plant operated as an adjunct of a mine or mines, or briquette plant, and no person shall, in the course of trade or business, buy or receive miscellaneous solid fuels so delivered, at prices higher than the maximum prices set forth in Appendix A hereof; incorporated herein as § 1340.249; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of miscellaneous solid fuels to a purchaser, if prior to May 18, 1942, such solid fuel had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

[§ 1340.241 amended by Am. 26, 8 F.R. 10662, effective 12-8-43]

§ 1340.242 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1340.249) may be charged, demanded, paid or offered.

§ 1340.243 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

[§ 1340.243 amended by Am. 18, 8 F.R. 8065, effective 6-18-43]

§ 1340.244 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 121 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to miscellaneous solid fuels, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

(b) The price limitations set forth in this Maximum Price Regulation No. 121 shall not be evaded by deterioration in the quality of miscellaneous solid fuels, in the form of substitution of a lower quality solid fuel for a higher quality product, or otherwise.

§ 1340.245 *Records and reports.* (a) On and after May 18, 1942, every producer and distributor making a sale of any miscellaneous solid fuel and every person making a purchase of miscellaneous solid fuels from a producer or distributor in the course of trade or business shall keep for inspection by the Office of Price Administration for a period of not less than two years complete and accurate records of each such sale or purchase, showing the date thereof; the name and address of the buyer and seller; the size, kind, quality, brand or trade name and quantity of the solid fuel sold, together with the name of the mine or plant at which it originated, the method of transportation employed in the delivery thereof; and the price paid or received therefor.

[Paragraph (a) amended by Am. 4, 7 F.R. 6002, effective 8-5-42]

(b) Not later than June 1, 1942, except where additional time may be granted by the Office of Price Administration in individual cases, every producer and distributor of miscellaneous solid fuels shall file with the Office of Price Administration in Washington, D. C., a statement setting forth:

(1) The last price circular, list or schedule issued by the same producer or distributor on or before December 31, 1941 and in effect during any portion of the period December 15–31, inclusive, 1941;

(2) Any "average price" used to determine any maximum price of such person, as provided in § 1340.249 (b) of this Maximum Price Regulation No. 121;

(3) The rate of interest, if any, charged by such person on delinquent accounts or on any note, trade acceptance or other evidence of indebtedness accepted in payment of an account during the period December 15–31, inclusive, 1941;

(4) The charges, if any, made by such person for any special services during the period December 15–31, 1941, inclusive, together with a description of the special service rendered; and

(5) The cash and quantity discounts and other allowances (except freight rate absorptions) which such person actually made, or made available, to purchasers during the period December 15–31, inclusive, 1941.

(c) Persons affected by this Maximum Price Regulation No. 121 shall submit such other reports to the Office of Price Administration and keep such other records as it may from time to time require.

(d) Persons subject to this Maximum Price Regulation No. 121 shall not be required to observe the provisions of paragraph (b) of § 1499.13 of the General Maximum Price Regulation.[4]

[Paragraph (d) added by Am. 4, 7 F.R. 6002, effective 8-5-42]

§ 1340.246 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 121 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 121 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a viola-

[1] 7 F.R. 3237.

[2] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[3] Revised: 7 F.R. 8961; 8 F.R. 3313, 8533, 6178, 11806; 9 F.R. 1594, 3075.

[4] 9 F.R. 1385.

tion are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

§ 1340.246a *Licensing.* The provisions of Licensing Order No. 1,[1] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1340.246a added by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

§ 1340.247 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 121 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[§ 1340.247 amended by Supplementary Order No. 26, 7 F.R. 8948, effective 11-4-42]

§ 1340.247a *Applications for adjustment.* The Office of Price Administration, or any duly authorized representative thereof, may adjust any maximum price established under this Maximum Price Regulation No. 121 in the following cases:

(a) In the case of any seller of miscellaneous solid fuels who shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of miscellaneous solid fuels; and

(2) Establishing for him a maximum price, bearing a normal relationship to the maximum prices established for competitive sellers of miscellaneous solid fuels, will not cause or threaten to cause an increase in the level of retail prices of miscellaneous solid fuels.

No application for adjustment filed after November 15, 1942, will be granted under this paragraph (a).

(b) In the case of any seller of miscellaneous solid fuels when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of a miscellaneous solid fuel which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such miscellaneous solid fuel; and

(3) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Each regional administrator is authorized to make adjustments or act upon applications for adjustments under this paragraph (b).

[Paragraph (b) amended by Am. 16, 8 F.R. 6957, effective 5-24-43]

(c) The Office of Price Administration, or any regional office thereof, after clearance with the Solid Fuels Branch in Washington, D. C., may by order grant an adjustment of maximum prices to any producer of a miscellaneous solid fuel, when it is established that the sale of its mine's or plant's entire production at existing maximum prices would not return a realization equal to its total costs of production.

[Paragraph (c) added by Am. 16, 8 F.R. 6957, effective 5-24-43; and amended by Am. 20, 8 F.R. 10358, effective 7-28-43]

(d) In connection with any application for adjustment filed under the provisions of this section, full data on costs, profits, price history and other relevant factors are required. The following forms must be used for filing the required data. Applicants operating a mine must use OPA Form No. 653-331, applicants operating a briquette or packaged fuel plant must use OPA Form No. 653-330. Two copies of each form used must be filed with each application. Copies of these forms may be obtained from the Office of Price Administration or any regional office thereof.

[Paragraph (d) added by Am. 16, 8 F.R. 6957, effective 5-24-43; amended by Am. 20, 8 F.R. 10358, effective 7-28-43; Am. 26, 8 F.R. 16662, effective 12-8-43; and Am. 27, 9 F.R. 455, effective 1-11-44]

(e) Applications for adjustment pursuant to this section shall be filed in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

[Paragraph (e) added by Am. 16, 8 F.R. 6957, effective 5-24-43]

[§ 1340.247a added by Am. 3, 7 F.R. 5041, effective 7-31-42; and amended by Am. 7, 7 F.R. 8521, effective 10-20-42; Am. 8, 7 F.R. 8938, effective 11-4-42; and as otherwise noted]

[NOTE: Procedural Regulation No. 6 (7 F.R. 4087, 5665; 8 F.R. 6173, 6174) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1340.247b *Provision for specific ceiling prices.* In establishing prices for solid fuels by an area ceiling order or where prices have been established by such an order issued under § 1340.260 of Revised Maximum Price Regulation No. 122[2] the Office of Price Administration or any regional office thereof may also establish maximum area prices for deliveries of miscellaneous solid fuels made subject to this regulation from a mine, adjunct preparation plant, briquette plant, or other producing facility, to consumers in the same area and also for services in connection with the preparation of such solid fuels and their delivery. The prices so established may be the same prices as are provided for similar deliveries made subject to Revised Maximum Price Regulation No. 122 or they may be such as will avoid diversions of supply which would disrupt an orderly pattern of distribution of coals in that area and areas nearby.

[§ 1340.247b added by Am. 25, 8 F.R. 15706, effective 11-28-43]

§ 1340.248 *Definitions.* (a) When used in this Maximum Price Regulation No. 121, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political sub-divisions, or any agency of any of the foregoing.

(2) "Miscellaneous solid fuels" or "miscellaneous solid fuel" means anthracite other than that produced in the State of Pennsylvania; semi-anthracite; lignite; petroleum coke when sold by a distributor for use as fuel; briquettes made from coke or coal; packaged fuel; and sea coal used for foundry facings.

[Subparagraph (2) amended by Am. 1, 7 F.R. 3989, effective 5-27-42; Am. 11, 8 F.R. 2756, effective 3-3-43; Am. 12, 8 F.R. 4179, effective 4-6-43; Am. 14, 8 F.R. 6361, effective 5-18-43; Am. 21, 8 F.R. 10432, effective 7-12-43; Am. 26, 8 F.R. 16662, effective 12-8-43; and Am. 27, 9 F.R. 455, effective 1-11-44]

(3) "Producer" means (i) a person engaged in the business of mining miscellaneous solid fuel or preparing miscellaneous solid fuel at a preparation plant operated as an adjunct of a mine or mines, and (ii) a person engaged in the business of manufacturing briquettes or packaged fuel, (iii) any person acting as an agent of such a producer in the sale of miscellaneous solid fuel.

[Subparagraph (3) amended by Am. 26, 8 F.R. 16662, effective 12-8-43; and Am. 27, 9 F.R. 455, effective 1-11-44]

(4) "Distributor" means a person who purchases miscellaneous solid fuel at or for delivery from a mine or preparation plant operated as an adjunct of a mine or mines, or briquette or packaged fuel plant, for resale, and resells the same in not less than cargo or railroad carload lots, without physically handling such

[1] 8 F.R. 13240.

[2] 9 F.R. 2128.

miscellaneous solid fuel, and any person acting as an agent of such distributor in the sale of miscellaneous solid fuel.

[Subparagraph (4) amended by Am. 26, 8 F.R. 16662, effective 12-8-43; and Am. 27, 9 F.R. 455, effective 1-11-44]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1340.249 *Appendix A: Maximum prices for miscellaneous solid fuels delivered from producing facilities.* The maximum prices established in this Maximum Price Regulation No. 121 are applicable to solid fuel delivered at destinations in the continental United States, the District of Columbia, the territories of Alaska and Hawaii, the Dominion of Canada and Newfoundland.

(a) The maximum price for the sale of miscellaneous solid fuel by a producer or distributor thereof shall be the price specified in the last price circular, list or schedule issued by such person on or before December 31, 1941, and in effect during any portion of the period December 15–31, inclusive, 1941. This shall be the price so specified for the sale of:

(1) The same size, kind and quality of solid fuel;

(2) In quantities taking the same price per ton;

(3) To purchasers of the same general class (e. g. domestic, commercial, industrial);

(4) By the same method of delivery (e. g. truck, rail, etc.); and

(5) Under the same terms of delivery (e. g. delivered to the purchaser or f. o. b. transportation facilities at the mine, preparation plant, or briquette plant, etc.).

[Subparagraph (5) amended by Am. 26, 8 F.R. 16662, effective 12-8-43]

(b) If the maximum price cannot be determined under paragraph (a) of this section, the maximum price for the sale of miscellaneous solid fuel by a producer or distributor thereof shall be the "average price" charged by the same person during the period December 15–31, inclusive, 1941. This "average price" shall be determined by dividing into the aggregate of the prices charged by such person during December 15–31, inclusive, 1941 (before the deduction of any allowances or discounts or the addition of any special service charges), the aggregate of the tonnage sold by such person during December 15–31, inclusive, 1941, on sales of:

(1) The same size, kind and quality of solid fuel;

(2) In similar quantities;

(3) To purchasers of the same general class (e. g. domestic, commercial, industrial);

(4) By the same method of delivery (e. g. truck, rail, etc.); and

(5) Under the same terms of delivery (e. g. delivered to purchaser or f. o. b. transportation facilities at the mine, preparation plant, or briquette plant, etc.).

[Subparagraph (5) amended by Am. 26, 8 F.R. 16662, effective 12-8-43]

[Paragraph (b) amended by Am. 5, 7 F.R. 6386, effective 8-18-42]

(c) (1) [Revoked]

[Subparagraph (1) amended by Am. 2, 7 F.R. 4483, effective 6-16-42; Am. 5, 7 F.R. 6386, effective 8-18-42; and revoked by Am. 23, 8 F.R. 12314, effective 9-10-43]

(2) [Revoked]

[Subparagraph (2) added by Am. 2, 7 F.R. 4483, effective 6-16-42; and revoked by Am. 23, 8 F.R. 12314, effective 9-10-43]

(3) If the maximum price cannot be determined under paragraph (a) or (b) of this section, the maximum price for the sale of miscellaneous solid fuel by a producer or distributor shall be the price set by the Office of Price Administration in line with the level of maximum prices established for competitive miscellaneous solid fuels. The producer or distributor shall apply by letter to Office of Price Administration, Washington, D. C., for the establishment of such a maximum price, setting forth (i) a description of the miscellaneous solid fuel for which a maximum price is to be established; (ii) the reasons why such price cannot otherwise be determined; (iii) the maximum price requested by the applicant and a detailed explanation of how such price was determined; and (iv) the reasons why the applicant believes such price to be in line with the level of maximum prices otherwise established for competitive miscellaneous solid fuels. The Office of Price Administration may require the applicant to furnish additional relevant information, if necessary, and may approve, disapprove, or make adjustments in the maximum price requested. Any maximum price established pursuant to this subparagraph (3) shall be subject to adjustment at any time.

[Subparagraph (3) added by Am. 19, 8 F.R. 9992, effective 7-16-43; and amended by Am. 23, 8 F.R. 12314, effective 9-10-43]

(4) The maximum price of a producer or distributor for the sales of a miscellaneous solid fuel that has been determined by reference to a competitor's price or the price established by such person for the most nearly similar sale of a miscellaneous solid fuel under former paragraph (c) (1) or (c) (2) of this section shall remain as so established and such producer or distributor may not make application for the establishment of a new maximum price for sales of such miscellaneous solid fuels under the provisions of subparagraph (3) above.

[Subparagraph (4) added by Am. 23, 8 F.R. 12314, effective 9-10-43]

(d) (1) A producer of briquettes or packaged fuel may redetermine his maximum price established by the Office of Price Administration and in effect on November 23, 1943 in the manner and subject to the conditions hereinafter set forth:

(i) There may be added to the maximum price in effect on November 23, 1943 the increase in the cost of solid fuel, f. o. b. mine, preparation plant or producing facility used in the manufacture of briquettes or packaged fuel actually incurred by the producer on or after November 24, 1943, except where such price has been adjusted by order of a regional office of the Office of Price Administration and reflects such increase in the cost of solid fuel: *Provided*, That the increase in the cost of Pennsylvania anthracite f. o. b. mine or preparation plant used in the manufacture of briquettes or packaged fuel shall not exceed the sum of 50 cents per net ton.

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions the addition of extra packing expenses to maximum prices on sales to procurement agencies of the United States.]

(ii) If a mixture of solid fuels is used in the manufacture of briquettes or packaged fuel the increase shall be determined according to the percentage of each solid fuel used in the mixture as computed on OPA Form No. 653-432, hereinafter set forth.

(iii) There must be deducted from the maximum price in effect on November 23, 1943, or as redetermined under this paragraph or former paragraph (d) (4) the exact amount of any decrease actually incurred by a producer in the cost of the solid fuel f.o.b. mine, preparation plant or producing facility, used in the manufacture of briquettes or packaged fuel, *Provided however*, a producer's maximum price need not be decreased if he incurs a decrease in the cost of solid fuel by reason of substituting a percentage of Pennsylvania anthracite in the mixture of solid fuels used in the manufacture of briquettes or packaged fuel where, prior to November 23, 1943, only bituminous coal fines were used.

[Proviso added by Am. 31, effective 5-16-44]

(iv) Each producer whose maximum price in effect on November 23, 1943 has been increased under the provisions of this paragraph (d) (1) or former paragraph (d) (4) of this section as in effect prior to January 11, 1944, must report his redetermined maximum price and his method of computation on OPA Form 653-432 set forth below. The completed forms must be filed in duplicate with the Office of Price Administration on or before February 29, 1944, or within 30 days after a producer has redetermined his maximum price, whichever period is longer. Such report must be filed each time a producer redetermines his maximum price pursuant to this paragraph. Copies of these forms may be obtained from the Office of Price Administration or any regional or district office thereof.

[Subparagraph (iv) amended by Am. 29, 9 F.R. 2552 effective 3-10-44]

OPA Form 653-432 (12-43)
Form Approved
Budget Bureau No. 08-R767

United States of America
Office of Price Administration
Solid Fuels Price Branch
Washington 25, D. C.

SCHEDULE FOR COMPUTING REDETERMINED MAXIMUM PRICES FOR BRIQUETTES OR PACKAGED FUEL

(Under Amendment No. 27 to MPR 121)

Name of Company

Address—Number and Street

Trade, or Brand Name of Product (if not sold under a name, describe briefly)

PART I—INSTRUCTIONS

An original and one copy of this report must be filed with the Solid Fuels Branch of the Office of Price Administration, Washington 25, D. C., for each fuel (briquettes or packaged fuel) for which an increase in price is computed as a result of increased costs of solid fuel ingredients. The increase in price as computed on this schedule may be charged immediately after the schedule is filed, and will remain in effect unless later modified.

In Part IIA of this form list the kind and origin of each solid fuel used in making the product. In Columns 1 to 4 identify the solid fuel as to kind (anthracite, bituminous, coke, lignite, etc.), size and origin of the fuel. In Column 5 enter the percent of each kind of solid fuel used in the product; in Column 6 enter the F. O. B. mine or plant price per ton; and in Column 7 the cost of each solid fuel ingredient per ton of product. In Columns 8, 9, and 10 enter the current data for each fuel used in the product.

NOTE: Changes in solid fuel ingredients used may occur. The ingredients used previous to November 24, 1943, should be listed followed by the fuels used currently.

In Part IIB record the increase, or decrease, permitted by § 1340.249 (d).

In Part III record the increase, or decrease, as it affects the maximum price of the producer for each class of purchaser.

The list of methods of determining the original maximum prices is given below. This list is to be used in connection with Part III to indicate how your maximum prices were determined.

LIST OF METHODS OF DETERMINING ORIGINAL MAXIMUM PRICES

(a) Under paragraph (a) § 1340.249 of MPR 121, "The maximum price . . . shall be the price specified in the last price circular, list or schedule issued by such person on or before December 31, 1941, and in effect during any portion of the period December 15-31, inclusive, 1941."

(b) Under paragraph (b) "If the maximum price cannot be determined under paragraph (a) . . . the maximum price for the sale of miscellaneous solid fuel . . . shall be the 'average price' charged by the same person during the period December 15-31, inclusive, 1941."

(c) (1) Under paragraph (c) (1) "If the maximum price cannot be determined under paragraphs (a) or (b) the maximum price shall be the price of any other producer or distributor of miscellaneous solid fuel, as specified in any price circular, list or schedule issued prior to December 31, 1941, and in effect for any portion of the period December 15-31, 1941, inclusive."

(c) (2) Under paragraph (c) (2) if the maximum price cannot be determined under paragraphs (a), (b) or (c) (1) above, the maximum price shall be the price for the most similar sale of miscellaneous solid fuels.

Other. In addition to these four methods the maximum price may have been determined by an order. (Check Column 7 of Part III.)

PART IIA—WORK SHEET FOR COMPUTING THE AMOUNT BY WHICH THE PRODUCER OF BRIQUETTES OR PACKAGED FUEL MAY INCREASE, OR MUST DECREASE, MAXIMUM PRICES AFTER NOVEMBER 24, 1943

Kind and origin of fuels used in the manufacture of briquettes or packaged fuel				Latest cost previous to November 24, 1943			Current solid fuel costs			Freight cost per ton, point of origin to producer's plant
Kind of solid fuel	Screen size or size group	Origin of fuel: Producing district No.	Origin of fuel: Mine index No. or name [1]	Percent each solid fuel used	F. o. b. mine price per ton [2]	Solid fuel cost per ton of product	Percent each solid fuel used	F. o. b. mine price per ton [2]	Solid fuel cost per ton of product	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Total fuel cost per ton of product				100.0	X X X		100.0	X X X		X X X

PART IIB—COMPUTATION OF AMOUNT OF INCREASE OR DECREASE IN MAXIMUM PRICES

1	Total of entries in Part IIA—Column 10	
2	Total of entries in Part IIA—Column 7	
3	Difference—Increase (or decrease) in Solid Fuel cost per ton of product	

NOTE: If the total of the entries in Column 10, Part IIA, is greater than the total of the entries in Column 7, the amount of the difference may be added to the November 24th, 1943 maximum prices. If the entry in Column 10 is smaller than the entry in Column 7 the difference must be subtracted from the November 24th, 1943 maximum prices.

[1] For coke or other processed solid fuel enter the producer's name and location of facility.
[2] For coke or other processed solid fuel enter the F. O. B. price at producer's facility.

PART III—SCHEDULE OF REDETERMINED MAXIMUM PRICES

Class of purchaser (as determined by type of purchase and quantity purchased as shown in column 2)	Quantity purchased	Method of determining maximum price (check one) under sec. 1340.249: Paragraph MPR 121 (a)	(b)	(c) (1)	(c) (2)	Other (give order No.)	Maximum price: Original maximum price	On Nov. 24, 1943 [1]	Increase or decrease (Part II B-3)	New maximum price [2]	Discount or allowance [3]
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)

[1] If the November 24, 1943 price is greater than the original maximum price explain on an attached sheet.
[2] The entry in Column 11 is the new maximum price that may be charged immediately after the filing of this report.
[3] Discounts and allowances made during December 15-31, 1941 must be deducted from the maximum prices. See Sec. 1340.249 (b).

APPROVED AND CERTIFIED CORRECT

Signature of company official. Title. Date.

OPA Form 652-432 (12-43) Back

(v) The maximum prices as redetermined under this paragraph (d) (1) or under former paragraph (d) (4) of this section may be charged and received by the producer immediately after redetermination unless notified to the contrary by the Office of Price Administration: *Provided*, That the maximum price of a producer who fails to report his determined maximum price in the manner and within the time specified in subparagraph (iv) above shall be the price he had in effect on November 23, 1943. A producer who fails to file such report but nevertheless charges higher prices than those he had in effect on November 23, 1943, shall be subject to the penalties set forth in § 1340.246 of this regulation.

[Subparagraph (v) amended by Am. 29, 9 F.R. 2552, effective 3-10-44]

[Subparagraph (1), formerly (4), added by Am 11, 8 F.R. 2756, effective 3-3-43; amended by Am. 17, 8 F.R. 6957, 7599, effective 5-24-43; and Am. 27, 9 F.R. 455, effective 1-11-44]

(2) A producer of briquettes or packaged coal whose maximum price has been established by order pursuant to § 1340.249 (c) (3) of this regulation, after November 23, 1943 may add to such price the increase in the purchase cost of solid fuel, f. o. b. mine, preparation plant or producing facility, used in the manufacture of briquettes or packaged fuel actually incurred by him on or after the effective date of the order establishing such price, in the manner and subject to the conditions set forth in paragraph (d) (1) above. Such redetermined maximum price must be reported to the Office of Price Administration on OPA Form No. 563-432 set forth in paragraph (d) (1) (iv) of this section within thirty days after he has computed the same. If such producer fails to report his redetermined maximum price in the manner and within the time specified above he may not charge higher prices than those he had in effect prior to redetermination under this paragraph.

[Subparagraph (2) added by Am. 27, 9 F.R. 455, effective 1-11-44]

(3) [Revoked]

[Subparagraph (3) added by Am. 10, 8 F.R. 1895, effective 2-10-43; and revoked by Am. 26, 8 F.R. 16662, effective 12-8-43]

(e) (1) Where a miscellaneous solid fuel is sold f. o. b. a mine or preparation plant operated as an adjunct of a mine or mines, or briquette or packaged fuel plant, and is delivered therefrom in any transportation facilities owned or subject to the control of the producer or a distributor thereof, or in any transportation facilities hired by the producer or a distributor thereof, there may be added to the maximum prices established by this Maximum Price Regulation No. 121 a sum not exceeding the actual transportation costs incurred, determined in a reasonable manner, but in no event to exceed the lowest common carrier rate for a haul between the same points.

[Subparagraph (1), formerly (d) (1), added by Am 5, 7 F.R. 6386, effective 8-18-42; amended by Am. 9, 7 F.R. 10529, effective 12-1-42; Am. 26, 8 F.R. 16662, effective 12-8-42; redesignated (e) (1) and amended by Am. 27, 9 F.R. 455, effective 1-11-44]

(2) There may be added to the maximum prices established herein an amount not in excess of four cents per net ton if incurred by a producer or distributor of miscellaneous solid fuels under section 620 of the Revenue Act of 1942, and if said producer or distributor separately states the amount of the tax in the sale to his purchaser except the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

[Subparagraph (2), formerly (d) (2), added by Am. 9, 7 F.R. 10529, effective 12-1-42; redesignated (e) (2) by Am. 27, 9 F.R. 455, effective 1-11-44; and amended by Am. 36, 9 F.R. 573, effective 1-18-44]

(3) If the maximum price of a producer for sales of a miscellaneous solid fuel under this section, or under any order of adjustment under Maximum Price Regulation No. 121, or as authorized under § 1499.3 (b) of the General Maximum Price Regulation is greater than that of a distributor for sales of the same miscellaneous solid fuel, the distributor may adjust his maximum price to equal the applicable maximum price of the producer.

[Subparagraph (3), formerly (d) (5), added by Am. 17, 8 F.R. 6957, effective 5-24-43; and redesignated (e) (3) by Am. 27, 9 F.R. 455, effective 1-11-44]

(4) There may be added to the applicable maximum price established under this regulation, the amount of any sales, gross receipts, gross proceeds or use tax, levied by any statute or ordinance, under which the tax is measured by gross proceeds or units of sale, only if the statute or ordinance permits or requires the seller to state the tax separately and the seller does state it separately on his invoice or other memorandum of sale.

[Subparagraph (4) added by Am. 31, effective 5-16-44]

(f) *Cash discounts, credit terms and special services.* (1) There shall be deducted from the maximum prices established in paragraphs (a), (b), (c) and (d) of this section the cash and quantity discounts and other allowances (other than freight rate absorptions) which the same producer or distributor actually made, or made available to, purchasers during the period December 15-31, inclusive, 1941.

[Subparagraph (1) amended by Am. 27, 9 F.R. 455, effective 1-11-44]

(2) The rate of interest on overdue accounts or on a note, trade acceptance

or other form of indebtedness accepted in payment of an account shall not exceed the rate charged by the same producer or distributor on similar transactions during the period December 15–31, inclusive, 1941.

(3) The charge made for any special service (including, specifically but not exclusively, bags and bagging, specially prepared sizes, split cars containing more than one size, box car loading and truck loading from any producing facility) shall not exceed:

(i) The charge made by the same person for the same special service supplied during the period December 15–31, 1941; or

(ii) In the case of a special service which was not supplied during the period December 15–31, 1941, the offering price which the same person then had in effect for the supply of the same special service; or

(iii) If, during the period December 15–31, 1941, the same person neither supplied nor had in effect an offering price for the same special service, then the charge made by such person during the period December 15–31, 1941, for the similar service most nearly like it.

[Subparagraph (3) added by Am. 6, 7 F.R. 8587, effective 10–28–42]

[Paragraph (f), formerly paragraph (e), redesignated (f) by Am. 27, 9 F.R. 455, effective 1–11–44. Former (f) added by Am. 13, 8 F.R. 5756, effective 5–7–43; and revoked by Am. 26, 8 F.R. 16662, effective 12–8–43]

(g) [Revoked]

[Paragraph (g) added by Am. 15, 8 F.R. 6951, effective 5–28–43; and revoked by Am. 26, 8 F.R. 16662, effective 12–8–43]

(h) *Maximum prices for semi-anthracite produced in the State of Virginia.* Notwithstanding the provisions of paragraphs (a) and (b) of this section the following maximum prices are established for semi-anthracite produced in the State of Virginia (also known as Virginia anthracite) f. o. b. transportation facilities at the mine:

(1)

Size	Price per net ton to and including Mar. 31, 1945	Price per net ton on and after Apr. 1, 1945
Egg, stove, and nut	$4.80	$4.60
Pea	3.55	3.35
Buckwheat	3.05	2.85
Rice	2.30	2.10
Culm	1.10	1.10
Special prepared ¼" by ⅞" crusher run of mine	4.05	3.85

(2) For truck or wagon shipment there may be added to the maximum prices established by subparagraph (1) above the sum of 25 cents per net ton on all sizes except special prepared ⅛" by ⅞" crusher run of mine.

(3) For rail shipment, a discount of 10 cents per net ton for cash payment or payment within 15 days from date of invoice must be deducted from the maximum prices established by subparagraph (1) above.

[Paragraph (h) added by Am. 22, 8 F.R. 10936, effective 8–10–43; and amended by Am. 30, 9 F.R. 3966, effective 4–12–44]

(i) **Maximum prices for semi-anthracite produced in the Bernice Basin, Sullivan County, Pennsylvania.**

Notwithstanding anything to the contrary contained in this regulation, the following maximum prices and size descriptions are established for semi-anthracite produced in the Bernice Basin, Sullivan County, Pennsylvania (also known as Bernice anthracite) f. o. b. railroad cars or trucks at mine for shipment to all destinations and for all uses.

Size	Top size description	Bottom size description	Per net ton
Stove	2⅛" but not exceeding 2⅜"	1⅝" but not exceeding 1⅞"	$6.80
Nut	1⅝" but not exceeding 1⅞"	1³⁄₁₆" but not exceeding 1⅜"	6.50
Pea	1³⁄₁₆" but not exceeding 1⅜"	⅞" but not exceeding 1⅛"	5.50
Buckwheat #1	⅝" but not exceeding ⅞"	⅜" but not exceeding ⅝"	3.75
Rice (Buckwheat #2)	⅜" but not exceeding ⅝"	³⁄₁₆"	2.75
Screenings	⅝"	0"	1.95
Run of mine			3.10

[Paragraph (i) added by Am. 24, 8 F.R. 12791, effective 9–17–43]

§ 1340.250 *Effective date.* (a) This Maximum Price Regulation No. 121 (§§ 1340.241 to 1340.250, inclusive) shall become effective May 18, 1942. [MPR 121 originally issued April 29, 1942]

§ 1340.250a *Effective dates of amendments.* [Effective dates of amendments are shown in notes following the parts affected]

NOTE: The reporting provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1943.

Issued this 11th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6792; Filed, May 11, 1944; 4:31 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 33]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. The last sentence of section 2.3 (a) is amended to read as follows: "Moreover, consumers may acquire, transfer, or use, without limitation or restriction, processed foods which have a zero point value at the time of the acquisition, transfer, or use, respectively."

2. Section 9.2 (e) is added to read as follows:

(e) The limitations or restrictions on acquisitions, transfers, or use of processed foods do not apply to processed foods which have a zero point value at the time of the acquisition, transfer, or use, respectively, except where the provisions of the limitation or restriction are stated to apply to processed foods which have a zero point value.

This amendment shall become effective May 12, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320)

Issued this 11th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–6793; Filed, May 11, 1944; 4:31 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 138]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 2.2 (a) is amended by adding the following sentence at the end of the paragraph: "Moreover, consumers may acquire, transfer, or use, without limitation or restriction, foods covered by this order which have a zero point value at the time of the acquisition, transfer, or use, respectively."

2. Section 10.1 (h) is added to read as follows:

(h) The limitations or restrictions on acquisitions, transfers, or use of foods covered by this order do not apply to such foods which have a zero point value at the time of the acquisition, transfer, or use, respectively, except where the provisions of the limitation or restriction are stated to apply to foods covered by this order which have a zero point value.

3. Section 11.2a is added to read as follows:

SEC. 11.2a *Foods which have a zero point value may be transferred without points.* (a) No points need be given up for a "transfer" of foods covered by this order which have a zero point value at the time of the transfer.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13128, 13394, 13980, 14399, 14523, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 106, 220, 405, 677, 695, 849, 1054, 1532, 1561, 1728, 1818, 1909, 2235, 2240, 2406.

This amendment shall become effective May 12, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9820, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 8 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 11th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–6794; Filed, May 11, 1944; 4:31 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 306,[1] Incl. Amdt. 20, Correction]

CERTAIN PACKED FOOD PRODUCTS

The collation to Maximum Price Regulation No. 306, including Amendment 20 which was issued December 16, 1943, is corrected in the following respects:

In the list of vegetables in Group I in § 1341.585 (a) the phrase "(packed from fresh stock)" is added after the item "Pickles" so that the listing will read "Pickles (packed from fresh stock)", and the item "Fresh cucumbers" is deleted therefrom.

The correction to Maximum Price Regulation No. 306, including Amendment 20, shall become effective as of December 22, 1943.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 12th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6830; Filed, May 12, 1944; 11:43 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 469,[2] Amdt. 6]

LIVE HOGS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 469 is amended in the following respects:

1. Section 2 (a) is amended to read as follows:

(a) The ceiling price for any live hog sold depends on the weight of the hog and on the location of the scales upon which the hog is weighed for sale. All hogs sold must be weighed at a terminal market, interior market, or buying station.

2. Section 3 (b) is amended to read as follows:

(b) Second, refer to Appendix A (Section 13) for the ceiling price of live hogs weighing not more than 240 pounds each. For the ceiling price of live hogs weighing more than 240 pounds each, refer to the prices listed in Appendix A (Section 13) and subtract 75 cents per hundredweight from such prices.

(1) The ceiling prices for live hogs weighing not more than 240 pounds each which are weighed at a terminal market for sale are found in Schedule I of Appendix A (Section 13). The ceiling prices for live hogs weighing more than 240 pounds each which are weighed at a terminal market for sale shall be the prices listed in Schedule I of Appendix A (Section 13) minus 75 cents per hundredweight.

(2) The ceiling prices for live hogs weighing not more than 240 pounds each which are weighed at an interior market for sale are found in Schedule II of Appendix A (Section 13). The ceiling prices for live hogs weighing more than 240 pounds each which are weighed at an interior market for sale shall be the prices listed in Schedule II of Appendix A (Section 13) minus 75 cents per hundredweight.

(3) The ceiling prices for live hogs weighing not more than 240 pounds each which are weighed at a buying station for sale are found in Schedule III of Appendix A (section 13). The ceiling prices for live hogs weighing more than 240 pounds each which are weighed at a buying station for sale shall be the prices listed in Schedule III of Appendix A (section 13) minus 75 cents per hundredweight.

3. Section 7 (d) is amended to read as follows:

(d) The person weighing each live hog or lot of live hogs sold shall write on the invoice of such sale or the receipt evidencing such sale (1) the weight and number of hogs weighing not more than 240 pounds each, (2) the weight and number of hogs weighing more than 240 pounds each, (3) his name, and (4) the place and date of weighing.

4. Section 8 (b) is redesignated section 8 (c).

5. A new section 8 (b) is added to read as follows:

(b) On and after May 15, 1944, in place of the records required to be kept by paragraph (a) of this section, every person who sells, or in the course of trade or business buys or receives live hogs, and every agent of such a person for sale or purchase shall make and preserve for so long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records of each such sale or purchase, showing (1) the date, (2) the name and address of the buyer and the seller, (3) the place at which the live hogs sold were weighed, (4) the weight and number of hogs weighing not more than 240 pounds each, and the price charged or received or paid therefor, and (5) the weight and number of hogs weighing more than 240 pounds each and the price charged or received or paid therefor.

6. Section 12 (a) is amended to read as follows:

(a) Every person selling live hogs shall furnish the buyer with an invoice or accept from the buyer a receipt, or both, showing (1) the name and address of the buyer and seller, (2) the place at which the hogs sold were weighed, (3) the weight and number of hogs sold weighing not more than 240 pounds each, (4) the weight and number of hogs sold weighing more than 240 pounds each, and (5) the price charged or received therefor, separately stated for hogs weighing not more than 240 pounds each, and for hogs weighing more than 240 pounds each, including all allowances and payments for all services rendered in connection with the sale.

7. Section 12 (b) is amended to read as follows:

(b) The invoice shall be delivered to the buyer or the receipt shall be delivered to the seller on the day of weighing of the hogs sold or on the day of delivery of the hogs to the buyer, whichever day is later; and no invoice shall be delivered to the buyer or receipt delivered to the seller until the person weighing the hogs has endorsed on the invoice or receipt (1) the weight and number of hogs weighing not more than 240 pounds each, (2) the weight and number of hogs weighing more than 240 pounds each, (3) his name, and (4) the place and date of weighing.

8. The table headings of Schedules I, II and III of section 13 are amended to read respectively as follows:

Schedule I.—Ceiling prices for live hogs weighing not more than 240 pounds each which are weighed at terminal markets for sale.

Schedule II.—Ceiling prices for live hogs weighing not more than 240 pounds each which are weighed at interior markets for sale.

Schedule III.—Ceiling prices for live hogs weighing not more than 240 pounds each which are weighed at buying stations for sale.

This amendment shall become effective May 15, 1944.

NOTE: The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of May 1944.

CHESTER BOWLES,
Administrator.

Approved: May 8, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44–6833; Filed, May 12, 1944; 11:44 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16896, 17224, 17295, 17482; 9 F.R. 287, 96, 1710, 2237.

[2] 8 F.R. 12562, 12741, 13847; 9 F.R. 694, 1522, 2654.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 496,[1] Amdt. 3]

VEGETABLE SEEDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 496 is amended in the following respects:

1. Section 4 (a) (4) is amended to read as follows:

(4) A commercial grower is a person who:

(i) Contracts with a farmer-producer to grow vegetable seeds for him or who grows vegetable seeds in his own farming operations; and

(ii) Cleans, hand picks, purifies, tests in a laboratory and sacks vegetable seeds; and

(iii) Labels the same pursuant to all applicable State or Federal seed laws;

(iv) Sells peas, beans and sweet corn seeds to processors.

A person shall not be deemed to be a commercial grower with respect to a particular lot of seeds, if with respect to such lot he qualifies hereunder as a wholesaler or retailer.

2. The first sentence in section 4 (a) (6) is amended to read as follows:

(6) "Wholesaler" means, with respect to any particular lot, a person who (including a commercial grower):

(i) Sells beet, cabbage, carrot, cauliflower, Swiss chard, cucumber, lettuce, mangel, onion, rutabaga and turnip seeds to processors in any quantity; or

(ii) Sells vegetable seeds to retailers in any quantity; or

(iii) Sells vegetable seeds to planters in the following quantities:

3. Section 4 (a) (7) is amended to read as follows:

(7) "Retailer" means, with respect to any particular lot a person who sells vegetable seeds to planters in quantities less than that required for a sale by a wholesaler.

4. Section 4 (a) (10) is added to read as follows:

(10) Whenever a provision in this regulation permits the addition of premiums for particular varieties of a kind of vegetable seeds, such provision is hereby amended to permit the addition of premiums determined in like manner for special strains.

5. Section 4 (c) is added to read as follows:

(c) Notwithstanding any other provision of this regulation, from the effective date of this amendment to June 30, 1944, the maximum price of any person who does not meet the terms of the definition of a commercial grower for a sale of bean seeds and sweet corn seeds to a processor shall be the wholesaler's maximum price, and the maximum price of such processor in reselling the same to planters shall be the wholesaler's maximum price.

6. Section 5 (d) is amended to read as follows:

(d) For beet, carrot, onion, rutabaga and turnip:

(1) The maximum prices for the sale or delivery of the varieties of beet, carrot, onion, rutabaga and turnip seeds which are specified in a memorandum from E. J. Murphy, Chief, Grain Products Branch of the Food Distribution Administration to Commercial Vegetable Seed Growers, and dated October 30, 1943, by a farmer-producer (except as provided in subparagraphs (2) and (3) hereof) shall be the prices as specified in said memorandum on or prior to the date of the issuance of this regulation which commercial seed growers are required to pay farmer seed growers per pound for such varieties of vegetable seeds in order to be eligible to sell or deliver the same to the Federal Surplus Commodities Corporation, plus transportation charges from the farm where grown to the buyer's receiving point by a usual route and method of transportation.

(2) When carrot seeds are produced by a farmer-producer in the State of California from roots furnished by him, the maximum prices for the sale or delivery of such seeds by such farmer-producer shall be as follows:

Variety:	*Maximum price per pound*
Nantes	$0.57
Other	.52

plus transportation charges from the farm where grown to the buyer's receiving point by a usual route and method of transportation.

(3) For other varieties of each kind of vegetable seed mentioned in subparagraph (1) of this paragraph, the farmer-producer shall determine his maximum price by adding to or subtracting from the maximum price for the variety most nearly similar thereto for which a maximum price is established under said subparagraph (1) the premium or discount, as the case may be, in dollars and cents normal to the trade during the period January 1 to May 31, 1943, for the variety to be priced in relation to said most nearly similar variety; and the resultant figure shall be his maximum price for the variety in question.

7. The figure 10.00 in column 3 of the table in section 5 (f) (1) is amended to read 18:00.

This amendment shall become effective May 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved: May 5, 1944.

MARVIN JONES.
War Food Administrator.

[F. R. Doc. 44-6834; Filed, May 12, 1944; 11:44 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16210; 9 F.R. 1715, 3094.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 133]

INSECTICIDE SPRAYER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 6.43 (b) (1) of Revised Supplementary Regulation No. 14 is amended to read as set forth below:

(b) (1) For sales by the Gulf Oil Corporation, Gulf Building, Pittsburgh, Pennsylvania, the maximum prices for sales of the insecticide sprayer are those set forth below:

(1) For sales of the insecticide sprayer at retail the maximum price is $.55 per unit.

(2) For sales of the insecticide sprayer only, or as part of the sale of assorted specialties in the quantities listed below:

	Per dozen
For sales to retailers in less than ½ gross lots	$4.82
For sales to retailers in lots of ½ gross to one gross	4.58
For sales to retailers in lots of over one gross and less than two gross	4.34
For sales to retailers in lots of over two gross and less than three gross	4.10
For sales to retailers in lots of three gross and over	3.86
For sales to jobbers, minimum sale of one gross	3.86

This Amendment No. 133 shall become effective on the 17th day of May 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6835; Filed, May 12, 1944; 11:45 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

AMENDMENT TO REGULATIONS AND APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4481, 4488, 4491, as amended, 49 Stat. 1544 (46 U.S.C. 375, 391a, 404, 474, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendments to the regulations and approval of equipment are prescribed:

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

PART 153—BOATS, RAFTS AND LIFESAVING APPLIANCES; REGULATIONS DURING EMERGENCY

SIGNALING MIRRORS

Section 153.6 (u) is deleted and the following substituted in its stead:

§ 153.6 *Additional equipment for lifeboats on self-propelled ocean and coastwise vessels.* * * *

(u) *Signaling mirrors.* Two stainless steel or other suitably polished mirrors which shall be wrapped and kept in a waterproof container plainly marked "Signaling Mirrors." All signaling mirrors supplied as new or replacement equipment shall be of an approved type.

Section 153.7 (i) is deleted and the following substituted in its stead:

§ 153.7 *Additional equipment for life rafts approved prior to March 15, 1943, for ocean and coastwise vessels.* * * *

(i) *Signaling mirrors.* Two stainless steel or other suitably polished mirrors which shall be wrapped and kept in a waterproof container plainly marked "Signaling Mirrors." All signaling mirrors supplied as new or replacement equipment shall be of an approved type.

ITEMS OF EQUIPMENT APPROVED

DISENGAGING APPARATUS FOR LIFEBOATS

Rottmer Type releasing gear, Assembly "A" (Arrangement and Assembly Dwg. No. 882-1-23, dated 5 April 1944) (Maximum working load of 6,200 pounds per hook, 12,400 pounds per set), submitted by the Imperial Lifeboat & Davit Co., Inc., Athens, New York.

EMERGENCY FISHING KIT

Emergency fishing kit, Model No. 10, submitted by the Peerless Furniture Co., 819 Seventh St. NW., Washington, D. C.

LIFEBOAT

24' x 9' x 3'6½" metallic motor-propelled semi-inclosed lifeboat (Willy's lifeboat) (458 cu. ft. capacity, gross) (Construction Plan No. 4), submitted by the Pennsylvania Aircraft Syndicate Ltd., Wilford Building, Philadelphia 4, Pa.

LIFE FLOAT

20- and 25-person rectangular metal life floats, Type D (Dwg. No. 1738, revised 18 April 1944), manufactured by L. A. Young Spring and Wire Corp., 900 High Street, Oakland, Calif.

LIFE PRESERVER LIGHT

Life preserver light, Type A-2050-P (Dwg. No. A-2050-P, dated 10 January 1944), submitted by the Delta Electric Company, Marion, Indiana.

R. R. WAESCHE,
Vice Admiral, USCG,
Commandant.

MAY 12, 1944.

[F. R. Doc. 44-6796; Filed, May 12, 1944; 9:50 a. m.]

Chapter III—War Shipping Administration

[G. O. 37,[1] Supp. 1]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

VALUES AND RATES OF CHARTER HIRE

Section 302.103 *Vessels built during and after 1935* is amended as follows:

In the table appearing in subparagraph (1) of paragraph (b), the words "14.6–15 knots (both inclusive)" are stricken out, and the following words inserted in lieu thereof: "14.6–15.9 knots (both inclusive)".

In the table appearing in subparagraph (2) of paragraph (c) the words "But the aggregate monthly hire shall not exceed:" are stricken out, and the following words inserted in lieu thereof: "But the aggregate monthly service rate shall not exceed:".

Section 302.104 *Vessels built during the period 1914–1934* is amended as follows:

In the table appearing in subparagraph (2) of paragraph (c) the words "But the aggregate monthly hire shall not exceed:" are stricken out, and the following words inserted in lieu thereof: "But the aggregate monthly service rate shall not exceed:".

Section 302.105 *Vessels built during or after 1935* is amended as follows:

In the table appearing in subparagraph (2) of paragraph (c) the words "But the aggregate monthly hire shall not exceed:" are stricken out, and the following words inserted in lieu thereof: "But the aggregate monthly service rate shall not exceed:".

Section 302.106 *Vessels built during the period 1914–1934* is amended as follows:

In paragraph (a), third sentence, the words "in the United States" are stricken out.

In the table appearing in subparagraph (2) of paragraph (c) the words "But the aggregate monthly hire shall not exceed:" are stricken out, and the following words inserted in lieu thereof: "But the aggregate monthly service rate shall not exceed:".

Section 302.107 *Values and rates* is amended as follows:

In the table appearing in subparagraph (2) of paragraph (c) the words "But the aggregate monthly hire shall not exceed:" are stricken out, and the following words inserted in lieu thereof: "But the aggregate monthly service rate shall not exceed:".

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

MAY 11, 1944.

[F. R. Doc. 44-6797; Filed, May 12, 1944; 10:11 a. m.]

[G. O. 41,[1] Supp. 1]

PART 304—LABOR

EMPLOYMENT CARDS FOR ISSUANCE TO SEAMEN EMPLOYED OR TO BE EMPLOYED ON PANAMANIAN FLAG VESSELS OWNED BY OR UNDER CHARTER TO THE WAR SHIPPING ADMINISTRATION

Section 304.62 *United States Coast Guard to issue* is amended by striking out the period at the end thereof, inserting in lieu thereof, a comma, and adding the following:

Provided, however, That alien seamen, Masters and officers who are citizens, subjects, or nationals of allied nations specified in General Order 5, Supplement 2, Revised, dated July 31, 1943 (§ 304.8), and Supplements and amendments thereto, who have not served on Panamanian flag vessels prior to the dates specified for the various nationalities shall not be issued employment cards without a letter of clearance from the Recruitment and Manning Organization and satisfactory evidence of a Consular release.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

MAY 11, 1944.

This foregoing Supplement 1 to General Order 41, concurred in this 12th day of May 1944.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 44-6798; Filed, May 12, 1944; 10:11 a. m.]

[1] 9 F.R. 3806.

[1] 9 F.R. 4108.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

[Emergency Order M-5]

PART 187—FREIGHT RATE TARIFFS, SCHEDULES, AND CLASSIFICATIONS

EMERGENCY SUBSTITUTION OF RAIL FOR TRUCK SERVICE

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 8th day of May, A. D. 1944.

The Commission having under consideration the urgent need in the present war emergency to conserve the existing motor vehicle facilities for the transportation of property, and

It appearing, that the substitution of rail service for the motor vehicle service of motor common carriers in some areas or between some points will contribute to the conservation and a more efficient utilization of the transportation facilities of the nation and will prevent and alleviate traffic congestion: *It is ordered,* That:

§ 187.102 *Emergency substitution of rail for truck service*—(a) *Publication of tariff rule on short notice.* Upon the certification by the Director of the Office of Defense Transportation that the substitution of rail transportation for that of motor common carriers in any particular area, between any points, or from or to any points will not adversely affect the transportation of freight by railroad and will aid in conserving motor carrier transportation facilities, motor common carriers are hereby authorized to published in their freight tariffs, filed with this Commission, effective on not less than one-day's notice, a rule reading substantially as follows:

Unless the shipper specifies motor carrier service in the bill of lading, the rates and charges in this tariff, as amended, will apply for the through service whenever any originating, intermediate, or delivering motor carrier, party hereto, substitutes at its option rail service for its own road-haul motor

vehicle service between or from and to the following points:

Motor carrier	*Between*	*And*
Motor carrier	*From*	*To*

This tariff rule is filed pursuant to Emergency Order No. M–5 of the Interstate Commerce Commission and Certificate No. ----[1] of the Director of the Office of Defense Transportation

(b) *Cancelation or modification of rule on short notice.* The tariff rule provided in the preceding paragraph shall be canceled or modified coincident with the withdrawal in whole or in part by the Director of the Office of Defense Transportation of the certificate referred to in the preceding paragraph, and that the cancelation or modification of the tariff rule is hereby authorized to be made effective on not less than one day's notice.

(c) *Payment of rail tariff rates.* When rail service is substituted for truck service under the rule provided in the foregoing paragraph, motor common carriers shall pay the railroads the railroad tariff rates for the rail service.

(d) *Bills of lading.* The freight shall be tendered to the railroads by the motor common carriers on railroad bills of lading.

(e) *Limitations on substitution of service.* Rail service may be substituted for motor carrier service only between points between which the substituting motor carrier or carriers are authorized to transport and between which they continue to provide road-haul motor vehicle service.

(f) *Liability of carriers.* Nothing in this order shall be construed as relieving motor common carriers from their responsibility to the owner of the property as provided by law.

(g) *Effective period.* This order shall become effective May 26, 1944, and shall remain in effect until December 31, 1944, unless otherwise ordered. (49 Stat. 560–561; 56 Stat. 176; 49 U.S.C. 304, 317)

It is further ordered, That copies of this order be served on all common carriers of property by motor vehicle subject to part II of the Interstate Commerce Act; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44–6776; Filed, May 11, 1944; 11:50 a. m.]

[1st Rev. S. O. 301]

PART 95—CAR SERVICE

USE OF REFRIGERATOR CARS FOR TRANSPORTING ICE

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 11th day of May, A. D. 1944.

It appearing that the transportation of ice in refrigerator cars delays the movement of such cars and causes undue damage thereto, thereby impeding the use of such cars acutely needed for the transportation of perishable freight; in the opinion of the Commission an emergency exists requiring immediate action to prevent a shortage of refrigerator cars: *It is ordered,* That:

§ 95.338 *Refrigerator cars; use for transporting ice.* (a) (1) No common carrier by railroad subject to the Interstate Commerce Act shall furnish an RS, RA, RAM or RSM type refrigerator car for loading with ice or shall accept for transportation or move any RS, RA, RAM or RSM type refrigerator car loaded with ice except as provided in paragraph (a) (2).

(2) *Exception.* Refrigerator cars may be furnished for loading with ice and refrigerator cars may be transported or moved when loaded with ice; *Provided,* That prior to such loading and transportation, the permission of the owners of such car or cars has been obtained for the use of such car or cars to ship ice therein.

(b) *Application.* The provisions of this order shall apply to intrastate transportation as well as interstate transportation.

(c) *Tariff provisions suspended.* The operation of all tariff rules, regulations, or charges insofar as they conflict with the provisions of this order is hereby suspended.

(d) *Announcement of suspension.* Each of such railroads or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, announcing the suspension of any of the provisions therein.

(e) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by Charles W. Taylor, Manager, Refrigerator Car Section, Car Service Division, Association of American Railroads, 59 East Van Buren Street, Chicago, Illinois, as Agent of the Interstate Commerce Commission and Charles W. Taylor is hereby appointed as Agent of the Interstate Commerce Commission, subject to the direction of the Director of the Bureau of Service, and authorized to issue permits for the movement of ice in refrigerator cars, to meet specific needs or exceptional circumstances. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective at 12:01 a. m., May 15, 1944, and shall supersede Service Order No. 201 on the effective date hereof; that a copy of this order and direction shall be served upon each State Commission; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44–6822; Filed, May 12, 1944; 11:23 a. m.]

[S. O. 170–A]

PART 97—ROUTING OF TRAFFIC

REROUTING OF FREIGHT CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 11th day of May, A. D. 1944.

Upon further consideration of Service Order No. 170 (8 F.R. 17488) of December 27, 1943, and good cause appearing therefor: *It is ordered,* That:

Service Order No. 170 (8 F.R. 17488) of December 27, 1943, 49 CFR § 97.9, requiring rerouting of empty and loaded freight cars to relieve congestion and to increase the supply of cars on the Baltimore and Ohio Railroad in the vicinity of Baltimore, Md., be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 54 Stat. 911; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective immediately; that copies of this order and direction shall be served upon the Reading Company, The Baltimore and Ohio Railroad Company, and the Western Maryland Railway Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44–6823; Filed, May 12, 1944; 11:23 a. m.]

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Order 1925, Amdt. 1]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

SALMON CANNING INDUSTRY IN ALASKA

Section 401.1, *salmon canning industry in the Territory of Alaska,* of Order No. 1925 of the Secretary of the Interior, dated March 1, 1944 (9 F.R. 2495), is hereby amended by making the following changes and additions in Schedule A, Salmon Cannery Operating Schedule, 1944 in paragraph (c) of the order, all changes in labor quotas and salmon canning licenses therein having been approved by the War Manpower Commission in a telegram dated April 28, 1944, to the Area Coordinator for Alaska:

West Coast District: The name "Hydaburg Canning Company" is amended to read "Hydaburg Cooperative Association."

Western District: The name "Pyramid Packing Company" is amended to read "Pyramid Fisheries Inc."

Eastern District: Pacific American Fisheries, Inc., Petersburg, to operate in consolidation with Oscar Nicholson (same plant).

Prince William Sound District: Dayville Packing Company to operate 1 line at Valdez, Alaska. War Manpower Commission labor quota: 47 residents; 0 non-residents.

Cook Inlet District: The name "Nakiska Bay Packing Company" is amended to read "Tikishka Bay Packing Company."

The name "Reilly & Wilman's Cannery" is amended to read "Trading Bay Packers."

Pacific American Fisheries, Inc. to operate in consolidation with Snug Harbor Packing Company (same plant).

Mitchell & Keck Packing Company, McKenzie Point, to operate 1 line. War Manpower Commission labor quota: 6 residents; 0 non-residents.

Polar Sea Foods Company, Ninilchik, Alaska, to operate 1 line. War Manpower Commission labor quota: 10 residents; 0 non-residents.

Chignik District: Pacific American Fisheries, Inc. to operate in consolidation with the Chignik Packing Company and Alaska Packers Association.

Port Moller District: Fidalgo Island Packing Company to operate in consolidation with the Peninsula Packing Company and Pacific American Fisheries, Inc. The cannery authorized to operate in this consolidation is the floating cannery "La Merced" of the Peninsula Packing Company.

Issued this 8th day of May 1944.

HAROLD L. ICKES, *Secretary of the Interior.*

[F. R. Doc. 44–6785; Filed, May 11, 1944; 2:55 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Public Land Order 228]

COLORADO

UNDER REVOKING WITHDRAWAL OF PUBLIC LANDS

Revocation of Executive Order No. 5894 of July 26, 1932, withdrawing public lands.

By virtue of the authority contained in section 1 of the act of June 25, 1910, c. 421, 36 Stat. 847 (43 U.S.C. 141), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 5894 of July 26, 1932, withdrawing public lands in Colorado, pending a resurvey, and heretofore partially revoked, is hereby revoked as to the remainder of the lands affected thereby.

This order shall become effective upon the date of the official filing of the plats of resurvey of the lands involved.

MICHAEL W. STRAUS, *Acting Secretary of the Interior.*

MAY 6, 1944.

[F. R. Doc. 44–6788; Filed, May 11, 1944; 2:55 p. m.]

UTAH

MODIFICATION OF GRAZING DISTRICTS

Under and pursuant to the provisions of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U. S. C. 315 et seq.), and subject to the limitations and conditions therein contained, Utah Grazing Districts Nos. 3, 4, and 5 are modified as follows:

The following-described lands are excluded from Grazing District No. 3 and added to Grazing District No. 4:

UTAH

SALT LAKE MERIDIAN

T. 29 S., R. 6 W.,
Sec. 18, that part south of Beaver River;
Secs. 19, 30, 31, and 32.
T. 30 S., R. 6 W.,
Secs. 5 to 9, secs. 16 to 21, and secs. 28 to 33, inclusive.
T. 29 S., R. 7 W.,
Secs. 13, 21, 22, 23, and 24, those parts south of Beaver River;
Secs. 25, 26, and 27;
Secs. 28, 29, and 30, those parts south of Beaver River;
Secs. 31 to 36, inclusive.
T. 30 S., R. 7 W.
T. 29 S., R. 8 W.,
Secs. 25 to 31, those parts south of Beaver River;
Sec. 32;
Secs. 33 to 36, those parts south of Beaver River.
T. 30 S., R. 8 W., unsurveyed,
Secs. 1 to 6, inclusive;
Sec. 7, N½, N½SW¼, and SE¼;
Secs. 8 to 16, inclusive;
Sec. 17, NE¼ and E½SE¼;
Sec. 20, NE¼NE¼;
Sec. 21, E½, E½W½, and NW¼NW¼;
Secs. 22 to 27, inclusive;
Sec. 28, E½, E½W½, and SW¼SW¼;
Sec. 33, E½ and E½W½;
Secs. 34, 35, and 36.
T. 29 S., R. 9 W.,
Sec. 36, that part south of Beaver River.
T. 30 S., R. 9 W.,
Sec. 1, E½, E½SW¼, and those parts of lot 3 and SE¼NW¼ east of Beaver River;
Sec. 12, N½NE¼, SE¼NE¼, and NE¼SE¼.
T. 29 S., R. 18 W.,
Sec. 6, lots 5, 6, 7, E½SW¼, and S½SE¼;
Sec. 7;
Sec. 8, W¼NW¼, SE¼NW¼, SW¼, W½SE¼, and SE¼SE¼;
Secs. 17 to 20, and secs. 29 to 32, inclusive.
T. 30 S., R. 18 W.,
Sec. 4, lot 4, SW¼NW¼, SW¼, and SW¼SE¼;
Secs. 5 to 8, inclusive;
Sec. 9, W½NE¼, W¼, W½SE¼, and SE¼SE¼;
Sec. 16, SE¼NW¼ and W½SW¼;
Secs. 16 to 21, inclusive;
Sec. 22, W½W½;
Sec. 27, W½W½;
Secs. 28 to 33, inclusive;
Sec. 34, W½NW¼ and SW¼.
T. 26 S., R. 19 W.,
Sec. 19, lots 2, 3, 4, S½NE¼, SE¼NW¼, E½SW¼, and SE¼;
Sec. 20, S½NW¼ and S½;
Sec. 21, SW¼ and S½SE¼;
Sec. 22, S½SW¼;
Sec. 26, W½SW¼;
Sec. 27, W½NE¼, SE¼NE¼, W½, and SE¼;
Secs. 28 to 34, inclusive;
Sec. 35, W½W½.
T. 27 S., R. 19 W.,
Secs. 3 to 10, inclusive;
Sec. 14, SW¼NW¼ and SW¼;
Secs. 15 to 22, inclusive;
Sec. 23, W½NE¼, W½, and SE¼;
Secs. 26 to 35, inclusive;
Sec. 36, W½W½ and SE¼SW¼.
T. 28 S., R. 19 W.,
Sec. 1, W½;
Secs. 2 to 11, inclusive;
Sec. 12, W½NW¼ and NW¼SW¼;
Sec. 13, W½W½;
Secs. 14 to 23, inclusive;
Sec. 25, W½NW¼, SW¼, and SW¼SE¼;
Secs. 26 to 35, inclusive;
Sec. 36, W½NE¼, W½, and SE¼.
Tps. 29 and 30 S., R. 19 W.
T. 26 S., R. 20 W.,
Secs. 23 to 26, inclusive;
Secs. 35 and 36.
Tps. 27 to 30 S., R. 20 W.

The following-described lands are excluded from Grazing District No. 3 and added to Grazing District No. 5:

Tps. 22 and 23 S., R. 1 W.
T. 24 S., R. 1 W.,
Secs. 1 to 18, secs. 20 to 29, and
Secs. 32 to 36, inclusive.
T. 25 S., R. 1 W.,
Secs. 1 to 4, inclusive;
Sec. 8, E½;
Secs. 9 to 16, inclusive;
Secs. 22 to 27, inclusive;
Secs. 35 and 36.
T. 26 S., R. 1 W.,
Secs. 1, 2, 11, 12, 13, and 14:
Sec. 22, E½;
Secs. 23 to 27, inclusive;
Sec. 33, E½;
Secs. 34, 35, and 36.
T. 21 S., R. 2 W.,
Sec. 22:
Sec. 23, NW¼NW¼, S½NW¼, SW¼, NW¼SE¼, and S½SE¼;
Sec. 25, NW¼NW¼, S½NW¼, SW¼, NW¼SE¼, and S½SE¼;
Sec. 26;
Sec. 27, NE¼, E½NW¼, SW¼SW¼, E½SW¼, and SE¼;
Sec. 33, E½E½;
Secs. 34, 35, and 36.
T. 22 S., R. 2 W.,
Secs. 1 and 2;
Sec. 3, lots 1, 2, and 6;
Secs. 11 to 14, inclusive;
Sec. 15, SE¼;
Secs. 22 to 27, inclusive;
Sec. 28, o½;
Secs. 32 to 36, inclusive.
T. 23 S., R. 2 W.,
Secs. 1 to 5, inclusive;
Sec. 7, NE¼, SE¼NW¼, and S½;
Secs. 8 to 36, inclusive.
T. 24 S., R. 2 W.,
Secs. 1 to 21, inclusive;
Secs. 29 and 30.
T. 27 S. R. 2½ W.,
Sec. 32.
T. 28 S., R. 2½ W.,
Sec. 4, W½;
Secs. 5, 8, and 9;
Sec. 15, W½;
Secs. 16, 17, 20, and 21;
Sec. 22, W½;
Sec. 27, W½;
Secs. 28, 29, 32, 33, and 34.
T. 29 S., R. 2½ W.,
Secs. 2 to 5, inclusive;
Secs. 8, 9, 10, 16, 17, 20, 21, 28, and 29;
Secs. 32 to 36, inclusive.
T. 30 S., R. 2½ W.,
Secs. 1 to 5, secs. 8 to 17, and secs. 20 to 29, inclusive.
T. 23 S., R. 3 W.,
Sec. 13, NE¼ and S½;
Sec. 23, E½;
Secs. 24, 25, 26, 34, 35, and 36.
T. 24 S., R. 3 W.,
Secs. 1, 2, and 3;
Sec. 9, NE¼ and S½;
Secs. 10 to 16, inclusive;
Sec. 17, E½;
Sec. 19, SE¼;
Secs. 20 to 36, inclusive.
T. 25 S., R. 3 W.,
Secs. 2 to 11, inclusive;
Sec. 14, W½;
Secs. 15 to 22, and secs. 27 to 34, inclusive.

T. 26 S., R. 3 W.,
Secs. 4 to 9, secs. 16 to 21, and secs. 29 and 30.
T. 27 S., R. 3 W.
T. 28 S., R. 3 W.,
Secs. 1 to 17, inclusive;
Sec. 18, N½ and SE¼;
Sec. 19, E½;
Secs. 20 to 29, and secs. 32 to 36, inclusive.
T. 29 S., R. 3 W.,
Secs. 1 to 5, and secs. 7 to 36, inclusive.
T. 30 S., R. 3 W.
T. 31 S., R. 3 W.,
Secs. 3 to 9, and secs. 16 to 19, inclusive.
T. 24 S., R. 4 W.,
Sec. 35, S½;
Sec. 36.
T. 25 S., R. 4 W.,
Secs. 1 and 2;
Sec. 3, lots 1, 2, S½NE¼, and S½;
Sec. 9, SE¼;
Secs. 10 to 16, inclusive;
Sec. 20, SE¼;
Secs. 21 to 36, inclusive.
T. 26 S., R. 4 W.
T. 27 S., R. 4 W.,
Secs. 1 and 2;
Secs. 11 to 14, and secs. 23 to 26, inclusive;
Secs. 35 and 36.
T. 29 S., R. 4 W.,
Sec. 36.
T. 30 S., R. 4 W.,
Secs. 1 and 2;
Secs. 10 to 15, and secs. 22 to 27, inclusive;
Secs. 34, 35, and 36.
T. 31 S., R. 4 W.,
Secs. 1 to 33, inclusive.
T. 22 S., R. 1 E.,
Sec. 6.
T. 24 S., R. 1 E.,
Sec. 19;
Secs. 30 to 36, inclusive.
T. 25 S., R. 1 E.,
Secs. 1 to 12, inclusive;
Sec. 13, N½;
Sec. 14, N½;
Sec. 15, N½;
Secs. 16 to 20, inclusive;
Sec. 21, W½;
Sec. 28, W½;
Secs. 29 to 32, inclusive.
T. 26 S., R. 1 E.,
Sec. 4, W½;
Secs. 5 to 8, inclusive;
Sec. 9, W½;
Sec. 16, W½;
Secs. 17 to 20, inclusive;
Sec. 21, W½;
Secs. 28 to 34, inclusive.

ABE FORTAS,
Acting Secretary of the Interior.

MAY 2, 1944.

[F. R. Doc. 44-6787; Filed, May 11, 1944; 2:55 p. m.]

DEPARTMENT OF COMMERCE.

Office of the Secretary.

[Order No. 307]

TRAINING OF PILOTS, ETC.

REVOCATION OF APPOINTMENT ORDER

MAY 11, 1944.

Department Order No. 258 of January 21, 1943, "Placing R. McLean Stewart, Executive Director of Training, in charge of training of civilian pilots and technicians and mechanics, and pilots for the armed forces," is revoked, effective as of May 15, 1944.

[SEAL] JESSE H. JONES,
Secretary of Commerce.

[F. R. Doc. 44-6819; Filed, May 12, 1944; 11:22 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S.O. 199-A]

REROUTING OF TRAFFIC AT VINCENNES, IND.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 11th day of May, A. D. 1944.

Upon further consideration of Service Order No. 199 (9 F.R. 4251) of April 18, 1944, and good cause appearing therefore; *It is ordered*, That:

Service Order No. 199 (9 F.R. 4251) of April 18, 1944, directing The New York Central Railroad Company to reroute traffic over its line because of damage to bridge abutments caused by flood conditions at Vincennes, Indiana, be, and it is hereby, vacated and set aside. (40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

It is further ordered, That this order shall become effective immediately; that copies of this order and direction shall be served upon The New York Central Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-6820; Filed, May 12, 1944; 11:23 a. m.]

[S. O. 201, Gen. Permit 4]

LOADING AND TRANSPORTATION OF ICE

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.338, 9 F.R. 4480) of Service Order No. 201 of April 25, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 201 insofar as it applies to the loading and transportation of ice in a refrigerator car; *Provided*, That prior to such transportation the permission of the owners of such car has been obtained for the use of such car to ship ice.

This general permit shall become effective at 12:01 p. m., May 10, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6821; Filed, May 12, 1944; 11:23 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3536]

KAMEJIRO UYEDA

In re: Estate of Kamejiro Uyeda, deceased; File: D-39-1394; E. T. sec. 10068 (H-164).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Robert K. Murakami, Administrator, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Masa Uyeda, Japan.
Irma Chiyoko Nishimawa, Japan.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Masa Uyeda and Irma Chiyoko Nishimawa, and each of them, in and to the Estate of Kamejiro Uyeda, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6736; Filed, May 11, 1944; 10:59 a. m.]

[Vesting Order 3541]

ELISE GOEHRKE

In re: Estate of Elise Goehrke, deceased; File D-28-2592; E. T. sec. 4438.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Livingston Platt, as executor, acting under the judicial supervision of the Surrogate's Court, Richmond County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Kurt Melcher, Germany.
Otto Goehrke, Germany.
Kurt Goehrke, Jr., Germany.
Otto Goehrke, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Kurt Melcher, Otto Goehrke, Kurt Goehrke, Jr. and Otto Goehrke, and each of them, in and to the Estate of Elise Goehrke, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 2, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6737; Filed, May 11, 1944; 10:59 a. m.]

[Vesting Order 3542]

ANNA C. GRAF

In re: Trust under will of Anna C. Graf, deceased; File D-28-2560; E. T. sec. 4478.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Emil Hamburg, 15 Sharon Way, Yonkers, Westchester County, State of New York, as Executor and Trustee of the Last Will and Testament of Anna C. Graf, deceased, acting under the judicial supervision of the Surrogate's Court, Queens County, State of New York; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

William Graf, Germany.
Henrich Graf, Germany.
Karl Graf, Germany.
Karoline Doether, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of William Graf, Henrich Graf, Karl Graf and Karoline Doether, and of each of them, in and to the trust estate created under the Last Will and Testament of Anna C. Graf, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 2, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6738; Filed, May 11, 1944; 10:59 a. m.]

[Vesting Order 3543]

LINA HARDER

In re: Trust under will of Lina Harder, deceased; File No. F-28-968; E. T. sec. 167.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Maxim Birnkrant, 1501 Broadway, New York City, Trustee, acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for the county of Queens; and

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Marion Caroline Recknagel (nee Harder), Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Marion Caroline Recknagel (nee Harder), in and to the Trust created under the Last Will and Testament of Lina Harder, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 2, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6739; Filed, May 11, 1944; 10:59 a. m.]

[Vesting Order 3544]

CHRISTIAN LIEDKE

In re: Trust under the will of Christian Liedke, deceased; File D–28–3780; E. T. sec. 3718.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Henry T. Gullmann, 1201 Chestnut Street, Philadelphia, Pennsylvania, and Charles Fred Miller, 1201 Chestnut Street, Philadelphia, Pennsylvania, Substituted Trustees, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Reinhold Liedtke, Germany.
Marie Mix, Germany.
Auguste Abrams, Germany.
Justine Jordan, Germany.
Wilhelmine Sonntag, Germany.
Otto Krause, Germany.
Antonie Zuchowski, Germany.
Friedrich Liedtke, Germany.
Wilhelmine Liedtke, Germany.
Anna Loehnert, Germany.
Ernst Liedtke, Germany.
Anna Dunitza, Germany.
Gertrud Dunitza, Germany.
Walter Dunitza, Germany.
Wilhelm Liedtke, Germany.
Walter Liedtke, Germany.
Martha Klimmeck, Germany.
Johanna Sorge, Germany.
Charlotte Liedtke, Germany.
Hermann Liedtke, Germany.
Karl Liedtke, Germany.
Ernst Fuchs, Germany.
Gert-Georg Fuchs, Germany.
Frieda Fuchs, Germany.
Liselotte Fuchs, Germany.
Harry Fuchs, Germany.
Helga Fuchs, Germany.
Ingeborg Fuchs, Germany.
Anna Charrass, Germany.
Bernhard Janowski, Germany.
Bernhard Janowski, Germany.
Maria Janowski, Germany.
Martha Janowski, Germany.
Albert Janowski, Germany.
Erich Janowski, Germany.
Pauline Schuls, Germany.
Marie Zimmerman, Germany.
Kathe Poerschke, Germany.
Helga Poerschke, Germany.
Heinrich Schidlowski, Germany.
Rudolf Schidlowski, Germany.
Irmtraut Schidlowski, Germany.
Berta Preuss, Germany.
Hermann Friese, Germany.
Auguste Borkowski, Germany.
Wilhelm Friese, Germany.
Gustav Friese, Germany.
August Friese, Germany.
Frieda Baumgarth, Germany.
Friedrich Friese, Germany.
Children and issue of deceased children, names unknown, of Mrs. Martin Liedtke (Henriette Liedtke), deceased, Germany.
Children and issue of deceased children, names unknown, of Friedrich Liedtke (Frederick Liedke), deceased, Germany.
Children and issue of deceased children, names unknown, of Gottfried Liedtke (Gottfried Liedke), deceased, Germany.
Children and issue of deceased children, names unknown, of Wilhelmine Botticher (Wilhelmina Boettcher), deceased, Germany.
Children and issue of deceased children, names unknown, of Auguste Janowski (August Yanowsky), deceased, Germany.
Children and issue of deceased children, names unknown, of Luise Spitzki (Louisa Spitzke), deceased, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Reinhold Liedtke, Marie Mix, Auguste Abrams, Justine Jordan, Wilhelmine Sonntag, Otto Krause, Antonie Zuchowski, Friedrich Liedtke, Wilhelmine Liedtke, Anna Loehnert, Ernst Liedtke, Anna Dunitza, Gertrud Dunitza, Walter Dunitza, Wilhelm Liedtke, Walter Liedtke, Martha Klimmeck, Johanna Sorge, Charlotte Liedtke, Hermann Liedtke, Karl Liedtke, Ernst Fuchs, Gert-Georg Fuchs, Frieda Fuchs, Liselotte Fuchs, Harry Fuchs, Helga Fuchs, Ingeborg Fuchs, Anna Charrass, Bernhard Janowski, Bernhard Janowski, Maria Janowski, Martha Janowski, Albert Janowski, Erich Janowski, Pauline Schuls, Marie Zimmerman, Kathe Poerschke, Helga Poerschke, Heinrich Schidlowski, Rudolf Schidlowski, Irmtraut Schidlowski, Berta Preuss, Hermann Friese, Auguste Borkowski, Wilhelm Friese, Gustav Friese, August Friese, Frieda Baumgarth, Friedrich Friese, children and issue of deceased children, names unknown, of Mrs. Martin Liedtke (Henriette Liedtke), deceased; children and issue of deceased children, names unknown, of Friedrich Liedtke (Frederick Liedke), deceased; children and issue of deceased children, names unknown, of Gottfried Liedtke (Gottfried Liedke), deceased; children and issue of deceased children, names unknown, of Wilhelmine Botticher (Wilhelmina Boettcher), deceased; children and issue of deceased children, names unknown, of Auguste Janowski (August Yanowsky), deceased; children and issue of deceased children, names unknown, of Luise Spitzki (Louisa Spitzke), deceased, and each of them, in and to the trust estate created under the Last Will and Testament of Christian Liedke, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 2, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6740; Filed, May 11, 1944; 10:59 a. m.]

[Vesting Order 3545]

FRIEDERIKE SUSANNE METZGER

In re: Estate of Friederike Susanne Metzger, also known as Friederike Susanne Sattes, deceased; File D–66–1070; E. T. sec. 7358.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as depositary, acting under the judicial supervision of the Surrogate's Court, Bronx County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Frieda Hirsch, Germany.
Charlotte Metzger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Frieda Hirsch and Charlotte Metzger, and of each of them, in and to the Estate of Friederike Susanne Metzger, also known as Friederike Susanne Sattes, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 2, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6741; Filed, May 11, 1944; 10:59 a. m.]

[Vesting Order 3546]

WILLIAM NOETZEL

In re: Estate of William Noetzel, deceased; File No. D–28–2311; E.T. sec. 3404.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William J. Topken, as substituted-administrator, acting under the judicial supervision of the Surrogate's Court, Hudson County, New Jersey; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Margarete Noetzel, Germany.
Emma Noetzel, Germany.
Toni Noetzel, Germany.
Otto Noetzel, Germany.
Helene Walter, nee Noetzel, Germany.
Ida Fritschke, nee Noetzel, Germany.
Minna Weber, nee Noetzel, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Margarete Noetzel, Emma Noetzel, Otto Noetzel, Toni Noetzel, Helen Walter, nee Noetzel, Ida Fritschke, nee Noetzel, and Minna Weber, nee Noetzel, and each of them, in and to the estate of William Noetzel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 2, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6742; Filed, May 11, 1944; 11:00 a. m.]

[Vesting Order 3547]

BLANCHE JACOBS OSBORNE

In re: Trust under the will of Blanche Jacobs Osborne, deceased; File No. D–28–3835; E. T. sec. 4174.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Herbert H. Maass, as trustee acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national, of a designated enemy country, Germany, namely, Kurt Riegele, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Kurt Riegele, in and to the trust created under the will of Blanche Jacobs Osborne, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 2, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6743; Filed, May 11, 1944; 11:00 a. m.]

[Vesting Order 3548]

CHARLES N. POLASKY

In re: Estate of Charles N. Polasky, deceased; File D–34–110; E. T. sec. 3603.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and

pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Emil Heller and John Polachek, as Co-Executors, acting under the judicial supervision of the Prerogative Court of New Jersey, Trenton, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Amanda Polgar, now known as Amanda Polgar Sandorne, Hungary.

Paul Pollacsek, also known as Pal Pollacsek, Hungary.

Gizella Roth, Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Amanda Polgar, now known as Amanda Polgar Sandorne, Paul Pollacsek, also known as Pal Pollacsek and Gizella Roth, and each of them, in and to the estate of Charles N. Polasky, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 2, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6744; Filed, May 11, 1944; 11:00 a. m.]

[Vesting Order 3549]

ADOLF JOSEF PROSKE

In re: Estate of Adolf Josef Proske, deceased; File F–28–6603; E. T. sec. 5269.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William J. Topken, as Administrator, acting under the judicial supervision of the Hudson County Orphans' Court, Jersey City, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Valentin Waletzko, domiciliary administrator of Adolf Josef Proske, deceased, Germany.

The heirs, next of kin and distributees, whose names are unknown, of Adolf Josef Proske, deceased, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Valentin Waletzko, domiciliary administrator of Adolf Josef Proske, deceased, and the heirs, next of kin and distributees, whose names are unknown, of Adolf Josef Proske, deceased, and each of them, in and to the estate of Adolf Josef Proske, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 2, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6745; Filed, May 11, 1944; 11:00 a. m.]

[Vesting Order 3550]

CHARLES M. ROLKER

In re: Trust under the will of Charles M. Rolker, deceased; File No. D–28–6559; E. T. sec. 4610.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Chase National Bank of the City of New York, as trustee, acting under the judicial supervision of the Surrogate's Court, New York County, New York; and

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Calista Marie Pabst, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Calista Marie Pabst in and to the trust created under the will of Charles M. Rolker, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 2, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6746; Filed, May 11, 1944; 11:01 a. m.]

[Vesting Order 3551]

ROBERT W. WILLIAMS, ET AL. VS. JEROME N. C. BONAPARTE, ET AL.

In re: Robert W. Williams, et al. vs. Jerome N. C. Bonaparte, et al.; File D–19–233; E. T. sec. 7067.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Baltimore National Bank, Baltimore, and Light Streets, Baltimore, Maryland, Trustee, acting under the judicial supervision of the Circuit Court of Baltimore City, Maryland;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Rumania, namely,

National and Last Known Address

Eller de Moltke Huitfeldt, Rumania.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Rumania;

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Eller de Moltke Huitfeldt in and to the trust estate created by Decree of the Circuit Court of Baltimore City, Maryland, dated July 21, 1938, in proceedings entitled "Robert W. Williams, et al. vs. Jerome N. C. Bonaparte, et al."—Docket 68A, Folio 30,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 2, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6747; Filed, May 11, 1944; 11:01 a. m.]

[Vesting Order 3578]

HEINRICH BACK

In re: Estate of Heinrich Back, deceased; File No. D–28–7502; E. T. sec. 7749.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by H. Bissell Carey, Jr., administrator, d. b. n., acting under the judicial supervision of the Court of Probate, District of Hartford, State of Connecticut;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

The heirs-at-law, next of kin, legatees, devisees, legal representatives and assigns of Margaret Back, late of Bad Durkheim, Germany, deceased, Bad Durkheim, Germany.

Johanna Back, Bad Durkheim, Germany.

Anna Herrfurth, Bad Durkheim, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of the heirs-at-law, next of kin, legatees, devisees, legal representatives and assigns of Margaret Back, late of Bad Durkheim, Germany, deceased, Johanna Back and Anna Herrfurth, and each of them, in and to the estate of Heinrich Back, late of Bad Durkheim, Germany, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6748; Filed, May 11, 1944; 11:02 a. m.]

[Vesting Order 3579]

ERNST BECKER

In re: Mortgage Participation Certificate No. 64880 in Mortgage F–1087 issued by Bond and Mortgage Guarantee Company under Guarantee No. 185,908, to Ernst Becker, in the amount of $6,838.39, File F–28–2070; E.T. sec. 885.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Manufacturer's Trust Company, 55 Broad Street, New York City, Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Ernst Becker, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ernst Becker, in and to the Mortgage Participation Certifi-

cate No. 64880 in Mortgage F-1067, in the amount of $6,838.39, issued by Bond and Mortgage Guarantee Company under Guarantee No. 185,908,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6749; Filed, May 11, 1944; 11:02 a. m.]

[Vesting Order 3580]

DOROTHEA DAHNKE

In re: Estate of Dorothea Dahnke, deceased; File D–28–2159; E. T. sec. 2694.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Otto A. Hoecker, Administrator with the Will Annexed, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Alameda;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Johann Dahnke, or his wife and children, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Johann Dahnke, or his wife and children, and each of them, in and to the estate of Dorothea Dahnke, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6750; Filed, May 11, 1944; 11:02 a. m.]

[Vesting Order 3581]

ALBERT A. EGGELING

In re: Estate of Albert A. Eggeling, also called Albert Eggeling and Alb. Eggeling, deceased; File D–28–3969; E. T. sec. 9121.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Phil C. Katz, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Lilly Timmermann, Germany.
Helene Noltemeyer, Germany.
Martha Wilhelm, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Lilly Timmermann, Helene Noltemeyer, Martha Wilhelm, and each of them, in and to the estate of Albert A. Eggeling, also called Albert Eggeling and Alb. Eggeling, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6751; Filed, May 11, 1944; 11:03 a. m.]

[Vesting Order 3582]

CLARA FLEHMIG

In re: Estate of Clara Flehmig, deceased; File F–28–9721; E. T. sec. 9091.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ben H. Brown, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Helene Agnes Emmy Hofman, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Helene Agnes Emmy Hofman, in and to the estate of Clara Flehmig, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6752; Filed, May 11, 1944; 11:03 a. m.]

[Vesting Order 3583]

RIICHIRO FURUYA

In re: Estate of Riichiro Furuya, deceased; File: F–39–80; E. T. sec. 9551 (H–116).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described in subparagraph (a) are property which is in the process of administration by Theo Furuya, Administratrix, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests described in subparagraph (a) are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

George Furuya, Japan.
Satoshi Furuya, Japan.
Tomoe Furuya, Japan.
Kiyoshi Furuya, Japan.
Sachie Furuya, Japan.

(3) The property and interests described in subparagraph (b) are property within the United States owned by nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

George Furuya, Japan.
Satoshi Furuya, Japan.
Tomoe Furuya, Japan.
Kiyoshi Furuya, Japan.
Sachie Furuya, Japan.

And determining that—

(4) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

(a) All right, title, interest and claim of any kind or character whatsoever of George Furuya, Satoshi Furuya, Tomoe Furuya, Kiyoshi Furuya and Sachie Furuya, and each of them, in and to the Estate of Riichiro Furuya, deceased,

(b) An undivided five-seventh's interest in two parcels of land near Aala Street at Kaliu, Honolulu, T. H., being Lot One (1), area 6,082 square feet and Lot Two (2), area 24 square feet; together with easements for right of way to be used in common with others over Lot Three (3) and Lot Four (4) as shown on Map 2, Land Court Application No. 731 and being all of the land described in Transfer Certificate of Title No. 28,414;

Together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to recorded liens and encumbrances and other rights of record,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian, a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6753; Filed, May 11, 1944; 11:03 a. m.]

[Vesting Order 3584]

SATOSHI FURUYA, ET AL.

In re: Guardianship Estate of Satoshi Furuya, Tomoe Furuya, Kiyoshi Furuya and Sachie Furuya, minors; File: D–66–1484; E. T. sec. 9550 (H–117).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Robert K. Murakami, Guardian, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Satoshi Furuya, Japan.
Tomoe Furuya, Japan.
Kiyoshi Furuya, Japan.
Sachie Furuya, Japan.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Satoshi Furuya, Tomoe Furuya, Kiyoshi Furuya and Sachie Furuya, and each of them, in and to the Guardianship Estate of Satoshi Furuya, Tomoe Furuya, Kiyoshi Furuya and Sachie Furuya, Minors, in the possession of Robert K. Murakami, Guardian,

to be held, used, administered, liquidated, sold or otherwise dealt with in interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custo-

dian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6754; Filed, May 11, 1944; 11:03 a. m.]

[Vesting Order 3585]

IDA GOTTGETREU

In re: Trust under the will of Ida Gottgetreu, deceased; File D–28–2617; E. T. sec. 4385.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of New York, as trustee, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hugo Obst, Jr., Germany.
The descendants of Hugo Obst, Jr., whose names are unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Hugo Obst, Jr. and his descendants, whose names are unknown, and each of them, in and to the trust created under the will of Ida Gottgetreu, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6755; Filed, May 11, 1944; 11:03 a. m.]

[Vesting Order 3586]

HENRY HARNISCHFEGER

In re: Trust under the will of Henry Harnischfeger, deceased; File D–28–1941; E. T. sec. 1849.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by Marie E. Harnischfeger, 2685 North Terrace Avenue, Milwaukee, Wisconsin, Walter Harnischfeger, 4400 West National Avenue, Milwaukee, Wisconsin, and Rene von Schleinitz, 2411 North Terrace Avenue, Milwaukee, Wisconsin, Trustees (First Wisconsin Trust Company, 735 North Water Street, Milwaukee, Wisconsin, Agent), acting under the judicial supervision of the County Court of Milwaukee County, State of Wisconsin;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Heinrich Harnischfeger, Germany.
Person or persons, names unknown, surviving issue of said Heinrich Harnischfeger, Germany.
Adam Harnischfeger, Germany.
Person or persons, names unknown, surviving issue of said Adam Harnischfeger, Germany.
Josephine Schoeppner, Germany.
Person or persons, names unknown, surviving issue of said Josephine Schoeppner, Germany.
Margarethe Betz, Germany.
Person or persons, names unknown, surviving issue of said Margarethe Betz, Germany.
Joseph Zoeller, Germany.
Person or persons, names unknown, surviving issue of said Joseph Zoeller, Germany.
Anna Liese Zoeller, Germany.
Person or persons, names unknown, surviving issue of said Anna Liese Zoeller, Germany.
Johanna Zoeller, Germany.
Person or persons, names unknown, surviving issue of said Johanna Zoeller, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such person be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Heinrich Harnischfeger, Adam Harnischfeger, Josephine Schoeppner, Margarethe Betz, Joseph Zoeller, Anna Liese Zoeller, and Johanna Zoeller, and person or persons, names unknown, surviving issue of Heinrich Harnischfeger, Adam Harnischfeger, Josephine Schoeppner, Margarethe Betz, Joseph Zoeller, Anna Liese Zoeller and Johanna Zoeller, and each of them, in and to the trust created by the will of Henry Harnischfeger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6756; Filed, May 11, 1944; 11:03 a. m.]

[Vesting Order 3587]

GEORGE HEIN

In re: Estate of George Hein, deceased; File D–28–3483; E. T. sec. 9903.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Herman E. Hein, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Marin;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Julie Hein, Germany.
Carl Hein, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Julie Hein and Carl Hein, and each of them, in and to the estate of George Hein, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6757; Filed, May 11, 1944; 11:03 a. m.]

[Vesting Order 3588]

ADELE HERMANN

In re: Estate of Adele Hermann, also known as Adele Herman, deceased; File D–28–7605; E. T. sec. 8017.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Karl Herman, also known as Karl Herrmann, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Alameda;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Otto Hermann, Germany.
Rheinhart Hermann, Germany.
Matthias Hermann, Germany.
Philip Hermann, Germany.
Wilhelm Kiefer, Germany.
Mrs. Shular, sister of Adele Hermann, deceased, Germany.
Mrs. Menner, sister of Adele Hermann, deceased, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Otto Hermann; Rheinhart Hermann, Matthias Hermann, Philip Hermann, Wilhelm Kiefer, Mrs. Shular, sister of Adele Hermann, deceased, and Mrs. Menner, sister of Adele Hermann, deceased, and each of them, in and to the estate of Adele Hermann, also known as Adele Herman, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6758; Filed, May 11, 1944; 11:04 a. m.]

[Vesting Order 3589]

HELENE KERN

In re: Estate of Helene Kern, deceased; File D–28–8211; E. T. sec. 9225.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Bank of America National Trust & Savings Association, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Alameda;

(2) Such property, and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely.

Nationals and Last Known Address

Herman Harms, Germany.
Christoph Harms, Germany.
Adolf Harms, Germany.
Helene Harms Luberstad, Germany.
Erma Wolff, Germany.
Sophy Kern, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Herman Harms, Christoph Harms, Adolf Harms, Helene Harms Luberstad, Erma Wolff, and Sophy Kern, and each of them, in and to the estate of Helene Kern, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6759; Filed, May 11, 1944; 11:04 a. m.]

[Vesting Order 3590]

EMIL KLEIN

In re: Mortgage Participation Certificate No. N 105925 in Mortgage F 1241 issued by Bond and Mortgage Guarantee Company under Guarantee No. 210,425 to Emil Klein, in the amount of $11,154.24; File F-28-2763; E. T. sec. 4962.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Manufacturers Trust Company, 55 Broad Street, New York City, Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, County of Kings, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Emil Klein, Adolf Hitler Strasse #30 Hanau A/M, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Emil Klein, in and to the Mortgage Participation Certificate No. N 105925 in Mortgage F 1241 in the amount of $11,154.24 issued by Bond and Mortgage Guarantee Company under Guarantee No. 210,425,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6760; Filed, May 11, 1944; 11:04 a. m.]

[Vesting Order 3591]

GEORGE H. KOCH

In re: Estate of George H. Koch, deceased; File D-28-2550; E. T. sec. 4989.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Clerk of the Bergen County Orphans' Court, New Jersey, as depositary, acting under the judicial supervision of the Bergen County Orphans' Court, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, a political subdivision of a designated enemy country, Germany, namely,

City of Alsfeld, Hesse, Darmstadt, Germany.

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of the City of Alsfeld in and to the Estate of George H. Koch, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6761; Filed, May 11, 1944; 11:04 a. m.]

[Vesting Order 221, Amdt.]

MARTHA CLARA VON STULPNAGEL

In re: Real property in Bellows Falls, Vermont, and a checking account in the Boston Safe Deposit and Trust Company, Boston, Massachusetts, owned by Martha Clara von Stulpnagel.

Vesting Order Number 221, dated October 9, 1942, is hereby amended to read as follows:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That last known address of Martha Clara von Stulpnagel is Potsdam, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Martha Clara von Stulpnagel is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. The undivided one-fourth interest in and to that certain real property situated in the Village of Bellows Falls, Town of Rockingham, County of Windham, State of Vermont, particularly described as follows: A certain piece or parcel of land situated on the westerly side of the square in said Village of Bellows Falls and bounded easterly on said square forty-nine and two hundredths feet; northerly by other lands one hundred sixty-two and three-tenths feet; and westerly by other lands forty-nine and five-tenths feet; and southerly by other lands one hundred fifty-seven and twenty-hundredths feet, be all said measurements more or less or howsoever otherwise bounded, the same being shown upon a "Plan of property, Harriet H. Bingham estate and others, owners. Formerly Pettis property, Bellows Falls, Vt. Surveyed by G. V. White, Lawrence, Mass., May 4, 1907", and

b. That certain checking account maintained with the Boston Safe Deposit and Trust Company, Boston, Massachusetts, which is due and owing to and held for and in the name of, Martha Clara von Stulpnagel, and any and all security rights in and to any and all collateral for all or part of such account, and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, filed with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6762; Filed, May 11, 1944; 11:01 a. m.]

[Vesting Order 398, Amdt.]

JOSEPH FERIGO

In re: Assets of the business enterprise owned by Joseph Ferigo.

Vesting Order Number 398, as amended, dated January 15, 1944, is hereby further amended as follows and not otherwise:

By deleting the words "New York County Register's" where such words appear in subparagraph (c) (i) of Exhibit A attached to and by reference made a part of said vesting order, and substituting therefor the words "Bronx County Register's".

All other provisions of said Vesting Order Number 398 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on May 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6763; Filed, May 11, 1944; 11:01 a. m.]

[Vesting Order 1982, Amdt.]

HANNA DESEBROCK

In re: Real property situated in Travis County, Texas, and a bank account owned by Hanna Desebrock.

Vesting Order Number 1982, dated August 12, 1943, is hereby amended to read as follows:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Hanna Desebrock is Mittleweg 120, Hamburg, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Hanna Desebrock is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in Travis County, Texas, particularly described as Lots Seven (7), Eight (8), and Nine (9) of Block Eighteen (18), Christian and Fellman Addition, in the City of Austin, Texas, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. Real property situated in Travis County, Texas, particularly described as Lots Eight (8) and Nine (9), Block Nineteen (19), Christian and Fellman Addition, in the City of Austin, Texas, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

c. All right, title, interest and claim of any name or nature whatsoever of Hanna Desebrock, and of every other national of a designated enemy country, in and to any and all obligations contingent or otherwise and whether or not matured owing to her by American National Bank, Austin, Texas, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect such obligations and including particularly the account in said bank which is due and owing to and held for Hanna Desebrock in the name of Mrs. Hanna Desebrock, by Frederick G. von Rosenberg, Agent,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3-a and 3-b hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraphs 3-a and 3-b hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6764; Filed, May 11, 1944; 11:01 a. m.]

[Vesting Order 3143, Amdt.]

MARIE H. MEYRAN

Whereas pursuant to Vesting Order Number 3143 of February 15, 1944, the Alien Property Custodian purported to vest all right, title, interest and claim of any kind or character whatsoever of "Liese-Lotte Herrose" in and to the Estate of Marie H. Meyran, deceased; and

Whereas the name "Liese-Lotte Herrose" appears in such vesting order as "Liese-Lotte;"

Now, therefore, Vesting Order Number 3143 is hereby amended by substituting the name "Liese-Lotte Herrose" for "Liese-Lotte" in such vesting order.

All other provisions of said Vesting Order Number 3143 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on May 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6765; Filed, May 11, 1944; 11:01 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supplementary Order ODT 20A-113]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN AREA OF KANKAKEE, BRADLEY, AND BOURBONNAIS, ILL.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Kankakee, Bradley, and Bourbonnais, Illinois, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Danville, Illinois, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A113" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Danville, Illinois.

8. This order shall become effective May 19, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Red Top Cab Company, 181 N. 5th Street, Kankakee, Ill.
Yellow Cab Company, 133 E. Merchant Street, Kankakee, Ill.

[F. R. Doc. 44-6803; Filed, May 12, 1944; 10:36 a. m.]

[Special Order ODT B-9, Amdt. 3]

CERTAIN COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN CHICAGO, ILL., AND NEW YORK, N. Y.

Upon further consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers and amendments thereof, filed with this Office by All American Bus Lines, Inc., Chicago, Illinois, and Northern Trails, Inc., Chicago, Illinois, pursuant to § 501.49 of General Order ODT 11, as amended, (7 F.R. 4389 and 11099; 8 F.R. 12028); *It is hereby ordered*, That:

1. Special Order ODT B-9, as amended (7 F.R. 5926; 8 F.R. 1160 and 11000) be, and it hereby is, amended by deleting the words May 15, 1944, where they appear in paragraph 3 thereof and substituting therefor the words September 1, 1944.

This amendment shall become effective on May 12, 1944.

Issued at Washington, D. C., this 12th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-6802; Filed, May 12, 1944; 10:36 a. m.]

OFFICE OF PRICE ADMINISTRATION.

Regional and District Office Orders.

[Indianapolis Order G-2 Under MPR 154]

ICE IN HANCOCK AND SHELBY COUNTIES, IND.

Order No. G-2 under § 1393.8 (e) of Maximum Price Regulation No. 154. Temporary order and opinion adjusting maximum prices for ice sold in Hancock and Shelby Counties, in the State of Indiana.

For the reasons set forth in this order and opinion made pursuant to the provisions of §1393.8 (e) of Maximum Price Regulation No. 154, and by virtue of the authority delegated to the District Director of the Indianapolis District Office of Price Administration, by the Regional Administrator, Region III, under Delegation Order No. 1-A, Revised, *It is hereby ordered*, That the prices of ice sold in Shelby County and Hancock County, Indiana, be adjusted in accordance with the schedule hereinafter filed and for the reasons hereinafter stated.

Notice has come to this office that the Greenfield Ice Company, heretofore manufacturing artificial ice in the City of Greenfield, Indiana, and making distribution in Hancock County, has definitely decided to cease operations and will not manufacture ice during the year 1944. The manager has stated that he could not afford to manufacture ice at a price of 60¢ per hundred pounds, which is the highest ceiling price for ice that has been granted by the Indianapolis District Office. It appears that an effort has been made to obtain ice from other sources. Two persons, heretofore employed by the Greenfield Ice Company in the delivery of ice manufactured by it, have equipment for ice delivery, if the ice can be procured so that they may operate on the same margin of profit that they secured in delivering it for the Greenfield Ice Company.

One of the parties proposes to secure his supply of ice from the Irvington Ice & Fuel Company, Indianapolis, and the other from the DePrez Ice Manufacturing Company at Shelbyville. Neither of the suppliers has sufficient capacity to meet all the needs of Greenfield. The DePrez Ice Manufacturing Company at Shelbyville has petitioned for a price increase. The prices requested are 60¢ per hundred pounds on cash sales to domestic consumers; 55¢ per hundred pounds on coupon sales to domestic consumers; and 50¢ per hundred pounds on sales to commercial establishments.

Certain data has been furnished this office which indicates that the cost figures submitted by the DePrez Ice Company will probably justify the granting of a price adjustment, but sufficient information is not yet at hand to make a final determination of the question, and additional time is required to obtain such information.

This office now has under consideration adjustment in the prices of ice in several cities in the State of Indiana, and contemplates the issuance of an area order covering said cities, but has not yet obtained sufficient data and information from which to issue such final order.

The season for the requirement of ice is at hand and a critical local shortage now exists in Hancock and Shelby Counties, in the State of Indiana, and an emergency exists for the granting of temporary relief to said counties until proper maximum prices can be determined. It is therefore believed to be indispensably necessary, to meet the wants of the users of ice in such territory, that an emergency temporary order should be issued immediately, without delay.

It is therefore ordered, By the Office of Price Administration, Indianapolis District, that the maximum prices at which ice may be sold in Hancock and Shelby Counties shall be as follows:

	Cents per hundred pounds
Delivered cash sales to domestic consumers	60
Delivered coupon sales to domestic consumers	55
Cash or coupon sales to establishments such as stores or restaurants	50

and that sales in quantities less than 100 pounds shall bear a price proportionate to the 100-pound prices put into effect by this order, or based on prices now in effect, whichever is the higher, and adjusted upward to the next nearest cent.

It is further ordered, That this temporary order shall be effective until June 1, 1944, unless revoked or modified before that time.

It is the opinion of this office that the prices fixed in this temporary order are justified and that the solution here suggested is equitable and in line with the requirements of Executive Order 9328, and that the effect of such order will not result in an inflationary trend, nor tend to create a shortage or need for increase of prices in any other locality.

This order shall become effective immediately.

The above order may be revoked or rescinded at any time.

(56th Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued May 1, 1944.

JAMES D. STRICKLAND,
District Director.

[F. R. Doc. 44-6658; Filed, May 9, 1944; 2:52 p. m.]

[Memphis Order G-1 Under MPR 165]

CUSTOM RE-SAWING, SURFACING AND KILN-DRYING OF LUMBER IN MEMPHIS AND SHELBY COUNTY, TENN.

Order No. G-1 issued under Maximum Price Regulation 165. Services. Adjustment of maximum prices for custom re-sawing, surfacing and kiln-drying of lumber in Memphis and Shelby County, Tennessee.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Memphis District Office of the Office of Price Administration by Regional Delegation Order No. 41, issued April 17, 1944, and by § 1499.114 (d) of MPR 165, *It is hereby ordered:*

(a) Regardless of any contract, agreement, or other obligation, no person shall sell or offer to sell and deliver any or all of the services of custom re-sawing, surfacing and kiln-drying in the Memphis-Shelby County Area at a price higher than the maximum prices permitted by this order. Neither shall any person agree, offer, solicit or attempt to sell any custom re-sawing, surfacing and kiln-drying services within the above named area at prices higher than those permitted under this order. The price limitations of this order shall not be evaded by direct or indirect methods, by means of or in connection with any offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to services in connection with custom re-sawing, surfacing and kiln-drying, alone or in conjunction with any other commodity, or by way of or in connection with any commission, service, transportation, or other charge or discount, premium, or privilege, tying agreement, trade understanding, or any change in any business or trade practice. Lower prices may be charged, demanded, or offered.

(1) The maximum prices for re-sawing, surfacing, and kiln-drying established in the Memphis-Shelby County Area under this order are as follows:

PRICES FOR KILN-DRYING LUMBER—CUSTOM WORK ONLY

	5/8 per M′	8/4 per M′	4/4 per M′	5/4 per M′	6/4 per M′	8/4 per M′	10/4 per M′	12/4 per M′	16/4 per M′
1. Cottonwood, Elm, Locust, Magnolia, Poplar, Soft Maple, Willow	$5.00	$5.50	$6.00	$7.00	$7.50	$8.50	$10.00	$12.00	$15.00
2. Ash, Basswood, Beech, Birch, Qtd. Black Gum, Butternut, Cherry, Chestnut, Cypress, Hackberry, Plain and Qtd. Sap Gum, Sycamore, Tupelo	5.50	6.00	7.00	8.00	9.00	10.00	12.00	14.00	16.00
3. Mahogany, Red Gum	6.50	7.00	7.50	8.50	10.00	11.00	15.00	17.00	19.00
4. Cedar, Hickory, Hard Maple, Plain Oak, Walnut	6.00	7.00	8.00	9.00	11.00	13.00	17.00	21.00	-------
5. Quartered Oak	7.00	8.00	8.50	10.00	12.00	16.00	21.00	26.00	-------

	4/4 & 5/4 per M′	6/4 & 8/4 per M′
Resaw one cut	$4.00	$3.50
Resaw two cuts	7.00	6.50
S1S or S2S	3.50	3.00
S4S, Shiplap, Centermatch 6" and Wider	5.00	5.00

The following provisions and restrictions are applicable hereto:

(i) Lumber must be reasonably air dried. Any excess of moisture content over 25 per cent which necessitates additional drying time may be charged at a sufficiently higher rate to cover the added cost of drying.

(ii) The mills shall be insurers of customers' lumber while in their kilns. In case of loss by fire each customer shall receive his pro rata of amount collected.

(iii) Mills shall exercise due care in kiln-drying.

(iv) All lumber shall be kiln-dried to not over six percent (6%) moisture content, unless otherwise specified. The company shall guarantee this percentage of moisture content when lumber is taken from the kiln, but shall not be responsible for the dryness upon reaching destination.

(v) Millwork prices apply on carload lots, average run of widths and lengths. Extra narrow or short stock and less than carload lots, 50¢ per M extra. All prices include both unloading and reloading of cars.

(vi) The above prices include unloading and reloading.

(vii) Minimum charge on millwork—$2.50.

(b) Except as otherwise provided herein, all transactions subject to this order shall remain subject to all provisions of Maximum Price Regulation 165, together with all amendments, supplementary regulations and orders which have been heretofore or may be hereafter issued, and all definitions set forth in such regulations or orders shall be applicable herein, unless otherwise provided.

(c) The prices set by this order shall be the maximum prices governing all sales in the Memphis-Shelby County area. The Memphis-Shelby County Area is defined as all parts of Shelby County, Tennessee, and including the City of Memphis, in Shelby County, Tennessee.

(d) Under this order, "custom re-sawing, surfacing and kiln-drying" means only the operations specifically included under section (a) (1) performed, as a service for others, upon lumber in which the person performing these services has no financial interest.

(e) This order may be revoked, amended, or corrected at any time.

(f) This order shall become effective at 12:01 a. m. on May 3, 1944.

[1] Filed as part of the original document.

(Pub. Laws 421 and 729, 77th Congress; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this the 1st day of May 1944.

ROBERT C. HUNTING,
Acting District Director.

[F. R. Doc. 44-6657; Filed, May 9, 1944; 2:45 p. m.]

[Region VI Order G-5 Under RMPR 122, Amdt. 4]

SOLID FUELS IN TWIN CITIES AREA

Correction

In F.R. Doc. 44-5718, appearing at page 4496 of the issue for Thursday, April 27, 1944, the following changes should be made in the table appearing on page 4496:

The first line of item II 5 should read: "5. Screenings 1¼" and not exceeding 2" x 0:"

For item II 5 B, the price under column 7 should be "8.10."

Item VII 3 should read: "3. Stove, 2" x 1¼"."

Item VII 5 should read: "5. Screenings 1¼" and not exceeding 2" x 0".

For item XIII A 1, the price under column 1 should be "10.95".

The introductory paragraph of item XIV A should read: "A. Linton-Sullivan subdistrict, 4th vein, in Consolidated Price Group D (including Price Group No. 13):"

[Atlanta Order G-1 Under MPR 376, Revocation]

SWEET POTATOES IN NORTH GEORGIA AREA

Revocation of Order No. G-1 under Maximum Price Regulation No. 376, as amended. Certain fresh fruits and vegetables. Adjustment of maximum prices for the sale of sweet potatoes at retail in the North Georgia District Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Atlanta District Office of Region IV by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, Executive Order 9328, section 4 (c) of Maximum Price Regulation No. 376, as amended, and Regional Delegation Order No. 34, this revocation is hereby issued.

(1) *Revocation of Order No. G-1 under Maximum Price Regulation No. 376, as amended; certain fresh fruits and vegetables.* Order No. G-1 under Maximum Price Regulation No. 376, as amended, is hereby revoked subject to the provisions of Supplementary Order No. 40. This revocation, however, of Order No. G-1 under Maximum Price Regulation No. 376, as amended, shall not have the effect of releasing or extinguishing any penalty or liability incurred under such order or any cause of action or right of action arising out of the failure of anyone subject to that order to comply with the provisions of that order. The order shall be treated as remaining in force for the purpose of allowing or sustaining any proper suit, action, prosecution, or proceeding with respect to any penalty or liability incurred by any person under said order and for the purpose of allowing any person to institute a suit or action based on any cause of action arising, prior to this revocation, out of failure of any person subject to that order to comply with the provisions and requirements of the order.

(2) *Effective date.* This revocation shall become effective on and after May 2, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 2d day of May 1944.

E. A. THORNWELL,
District Director.

[F. R. Doc. 44-6720; Filed, May 10, 1944; 12:48 p. m.]

[Region II Order G-1 Under MPR 423]

POULTRY SOLD IN GROUP 1 AND GROUP 2 STORES IN NEW YORK REGION

Correction

In F.R. Doc. 44-5968, appearing at page 4552 of the issue for Saturday, April 29, 1944, the table under section 3 should be changed as follows:

The percentage for item (a) (4) under the Group 1 column should be "21", and under the Group 2 column, the percentage for item (c) (2) should be "33".

[Region I Order G-16 Under 18 (c), MPR 280, MPR 329, Corr. to Amdt. 7]

FLUID MILK IN MASSACHUSETTS

Correction to Amendment No. 7 to Order G-16 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280, and § 1351.408 of Maximum Price Regulation 329. Fluid milk in the Commonwealth of Massachusetts (formerly General Order 16).

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment No. 7 to Order G-16 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation No. 280 and § 1351.408 of Maximum Price Regulation No. 329. The approval of the Regional Director, Food Distribution Administration, is added to read as follows:

Approved as of November 4, 1943.

J. D. CRONIN,
Regional Director,
Food Distribution Administration.

This correction shall become effective as of November 5, 1943, at 12:01 a. m.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6647; Filed, May 9, 1944; 2:46 p. m.]

[Region I Order G-16 Under 18 (c), MPR 280, MPR 329, Corr. to Amdt. 8]

FLUID MILK IN MASSACHUSETTS

Correction to Amendment 8 to Order G-16 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280, and § 1351.408 of Maximum Price Regulation 329. Fluid milk in the Commonwealth of Massachusetts (formerly General Order 16).

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment 8 to General Order No. 16 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280, and § 1351.408 of Maximum Price Regulation 329. Approval of the Regional Director, Food Distribution Administration, is added to read as follows:

Approved as of November 18, 1943

F. D. CRONIN,
Regional Director,
Food Distribution Administration.

This correction shall become effective as of November 14, 1943, at 12:01 a. m.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6648; Filed, May 9, 1944; 2:46 p. m.]

[Region I Order G-16 Under 18 (c), MPR 280, MPR 329, Corr. to Amdt. 9]

FLUID MILK IN MASSACHUSETTS

Correction to Amendment No. 9 to Order G-16 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280, and § 1351.408 of Maximum Price Regulation 329. Fluid milk in the Commonwealth of Massachusetts.

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment No. 9 to Order G-16 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation No. 280 and § 1351.408 of Maximum Price Regulation No. 329. The approval of the Regional Director, Food Distribution Administration, is added to read as follows:

Approved as of December 4, 1943.

F. D. CRONIN,
Regional Director,
Food Distribution Administration.

This correction shall become effective as of December 6, 1943 at 12:01 a. m.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6649; Filed, May 9, 1944; 2:46 p. m.]

[Region I Order G-16 Under SR 15, MPR 280, and MPR 329, Corr. to Amdt. 10]

FLUID MILK IN MASSACHUSETTS

Correction to Amendment No. 10 to Order G-16 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280, and § 1351.408 of Maximum Price Regulation 329. Fluid milk in the Commonwealth of Massachusetts.

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment No. 10 to Order G-16 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280 and § 1351.408 of Maximum Price Regulation 329. The approval of the Regional Director, Food Distribution Administration, is added to read as follows:

Approved as of December 11, 1943.

F. D. CRONIN,
Regional Director,
Food Distribution Administration.

This correction shall become effective as of December 12, 1943 at 12:01 a. m.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6650; Filed, May 9, 1944; 2:47 p. m.]

[Region I Order G-16 (as Corrected) Under SR 15, MPR 280, and MPR 329, Corr. to Amdt. 10]

FLUID MILK IN MASSACHUSETTS

Correction to Amendment No. 10 to Order G-16 (as corrected) under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280, and § 1351.408 of Maximum Price Regulation 329. Fluid milk in the Commonwealth of Massachusetts.

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment No. 10 to Order G-16 (as corrected) under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280 and § 1351.408 of Maximum Price Regulation 329. The approval of the Regional Director, Food Distribution Administration, is added to read as follows:

Approved as of December 13, 1943.

GEORGE ST. LOUIS,
Acting Regional Director,
Food Distribution Administration.

This correction shall become effective as of December 13, 1943 at 12:01 a. m.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6661; Filed, May 9, 1944; 2:47 p. m.]

[Region I Order G-16 Under SR 15, MPR 280, and MPR 329, Corr. to Amdt. 11]

FLUID MILK IN MASSACHUSETTS

Correction to Amendment No. 11 to Order G-16 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, §1351.807 of Maximum Price Regulation 280, and § 1351.408 of Maximum Price Regulation 329. Fluid milk in the Commonwealth of Massachusetts.

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment No. 11 to Order G-16 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280 and § 1351.408 of Maximum Price Regulation 329. The approval of the Regional Director, Food Distribution Administration, is added to read as follows:

Approved as of December 18, 1943.

F. D. CRONIN,
Regional Director,
Food Distribution Administration.

This correction shall become effective as of December 19, 1943 at 12:01 a. m.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6662; Filed, May 9, 1944; 2:45 p. m.]

[Region I Order G-19 Under SR 15, MPR 280, and MPR 329, Corr. to Amdt. 8]

FLUID MILK IN NEW HAMPSHIRE

Correction to Amendment No. 8 to Order No. G-19 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280, and § 1351.408 of Maximum Price Regulation 329 (formerly General Order 19).

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment 8 to Order No. G-19 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280 and § 1351.408 of Maximum Price Regulation 329. The approval of the Regional Director, Food Distribution Administration, is added to read as follows:

Approved as of December 29, 1943.

F. D. CRONIN,
Regional Director,
Food Distribution Administration.

This correction shall become effective as of January 1, 1944 at 12:01 a. m.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6663; Filed, May 9, 1944; 2:47 p. m.]

[Region I Order G-19 Under 18 (c), MPR 280, and MPR 329, Corr. to Amdt. 7]

FLUID MILK IN NEW HAMPSHIRE

Correction to Amendment No. 7 to Order No. G-19 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280, and § 1351.408 of Maximum Price Regulation 329 (formerly General Order 19).

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment 7 to Order No. G-19 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280 and § 1351.408 of Maximum Price Regulation 329. The approval of the Regional Director, Food

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[Region I Order G-20 Under 18 (c), MPR 280, and MPR 329, Corr. to Amdt. 3]

FLUID MILK IN RHODE ISLAND

Correction to Amendment 3 to Order Number G-20 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280, § 1351.408 of Maximum Price Regulation 329. Fluid milk in the State of Rhode Island.

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment 3 to Order Number G–20 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280 and § 1351.408 of Maximum Price Regulation 329. The approval of the Regional Director, Food Distribution Administration, is added to read as follows:

Approved as of November 23, 1943.

F. D. CROMIN,
Regional Director,
Food Distribution Administration.

This correction shall become effective as of November 24, 1943 at 12:01 a. m.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–6665; Filed, May 9, 1944; 2:46 p. m.]

[Region II Order G–1 Under RMPR 269, Amdt. 1]

POULTRY, EXCEPT DUCKS, IN NEW YORK REGION

Correction

In F. R. Doc. 44–5969, appearing on page 4553 of the issue for Saturday, April 29, 1944, the following changes should be made:

In the table for section 3 (a) (2) the maximum base price opposite raw poultry fat, Drawn, should be "54.0".

In the table for section 3 (c) (2) the price for Government inspected raw poultry fat, Drawn, should be "58.8".

SURPLUS WAR PROPERTY ADMINISTRATION.

[Reg. 1]

DISPOSAL OF SURPLUS PROPERTY BY FEDERAL AGENCIES

ESTABLISHMENT OF FORMS AND PROCEDURES

Scope of regulation. This first regulation is designed primarily to advise Federal agencies which possess or control property which is in excess of their needs as to the forms and procedures to be followed in declaring such property surplus and as to the relative duties and responsibilities of such agencies and of the disposal agencies with respect to property so declared surplus. It does not deal in detail with the methods and policies to be followed by the disposal agencies, either in redistributing the property to other Federal agencies or in disposing of it elsewhere, nor with the financial and accounting responsibilities of the disposal agencies.

This regulation by its terms is applicable to all Federal agencies and to all property possessed or controlled by them which they determine to be surplus. However, because of the urgency and magnitude of the problems involved in the disposition of surplus war property of the War and Navy Departments and the Maritime Commission, including termination inventories, this regulation is primarily directed at those problems and is being made effective at this time because of the urgent need for action with respect thereto. This regulation is therefore being made effective at the present time with respect only to surplus war property of the War and Navy Departments and of the Maritime Commission.

Other owning agencies will continue practices heretofore existing under Executive Order No. 9235 with respect to the declaration and disposition of surplus property, until such time as this regulation shall be made effective with respect to them. Because of the large number of agencies and the wide variety of types of property involved, the Surplus War Property Administration may vary or supplement this regulation in making it effective in the future with respect to surplus war property of agencies other than the War and Navy Departments and the Maritime Commission.

This regulation shall become effective with respect to surplus war property of the War and Navy Departments and of the United States Maritime Commission on May 15, 1944.

Definitions. As used in regulations of the Surplus War Property Administration, unless otherwise therein stated,

(a) "Agency" means any executive department, independent establishment, agency, commission, board, bureau, division, administration, office, service, independent regulatory commission or board of the Federal Government, and any corporation owned or controlled by the Federal Government.

(b) "Surplus war property" means any property, real or personal, including but not limited to plants, facilities, equipment, machines, accessories, parts, assemblies, products, commodities materials, and supplies in the possession of or controlled by any agency, whether new or used, in use or in storage, which are in excess of the needs of such agency or are not required for the performance of the duties and functions of such agency and which are determined, subject to the authority of the Office of War Mobilization, to be surplus by such agency.

(c) "Owning agency" means the agency having possession or control of surplus war property at the time when it is determined to be surplus by such agency.

(d) "Disposal agency" means the agency to which, by this regulation or by other action of the Surplus War Property Administration, surplus war property of a specified class is assigned for disposition.

(e) "Administration" means the Surplus War Property Administration established by Executive Order No. 9425 dated February 19, 1944.

(f) "Continental United States, its territories and possessions" shall include Alaska, Hawaii, Puerto Rico, the Philippine Islands, the Virgin Islands and the Panama Canal Zone.

I. *Designation of disposal agencies—*

A. *Procurement Division, Treasury Department.* There is hereby assigned to the Procurement Division of the Treasury Department for disposition all surplus war property of the classes set forth under its name in Exhibit I to this regulation. Such classes of property are herein called consumer goods and are the only classes of property which the Administration deems it feasible so to assign.

B. *Reconstruction Finance Corporation.* There is hereby assigned to the Reconstruction Finance Corporation for disposition all surplus war property of the following classes:

(1) All industrial real property of every character other than that disposed of under part IC, IE or IF hereof, including buildings and fixtures.

(2) Such personal property, including machinery and other equipment, materials, and products finished or in process as are reported as surplus to Reconstruction Finance Corporation by the owning agency as an integral whole in conjunction with the plant or other real property where they are located, and as should in the judgment of Reconstruction Finance Corporation be disposed of as a unit. If not so disposed of, such personal property is hereby assigned to the disposal agency otherwise appropriate hereunder.

(3) The classes set forth under its name in Exhibit I to this regulation.

The foregoing classes of property are herein called capital and producers' goods. In disposition, Reconstruction Finance Corporation may act directly or through any of its subsidiary corporations, created pursuant to section 5d (3) of the Reconstruction Finance Act, as amended, designated by it. Except as above stated, the Administration does not deem it feasible to assign property for disposition to a subsidiary of Reconstruction Finance Corporation.

C. *United States Maritime Commission and Navy Department.* There is hereby assigned to the Maritime Commission for disposition all surplus war property of the following classes:

(1) Shipyards, repair yards, marine terminals and similar marine real property including buildings and fixtures. If, however, the Maritime Commission shall determine that any such property should not be disposed of for the purpose of making it available for use in connection with building, repair, or operation of ships, such property shall constitute industrial real property and be assigned to Reconstruction Finance Corporation.

(2) Such personal property, including machinery and other equipment, materials and products finished or in process as are reported as surplus to the Maritime Commission by the owning agency as an integral whole in conjunction with the maritime real property where they are located, and as should in the judgment of the Maritime Commission be disposed of as a unit for maritime use. If not so disposed of, such personal property is hereby assigned to the disposal agency otherwise appropriate hereunder.

(3) The classes set forth under its name in Exhibit I to this regulation, except as set forth in the next succeeding paragraph.

The foregoing classes of property are herein called ships and maritime property. The Administration does not deem it feasible to assign to the Maritime Commission, and therefore assigns to the Navy Department, for disposition (a) ships under the cognizance of the Navy Department which fall into the categories of combat ships or naval auxiliaries, other than those based on commercial designs or susceptible of commercial usage, and (b) such property of classes set forth under the name of the Maritime Commission in Exhibit I to this regulation as appertains to or forms an integral part of a ship disposed of by the Navy Department.

D. *War Food Administration.* There is hereby assigned to the War Food Administration for disposition all surplus war property of the classes set forth under its name in Exhibit I to this regulation. Such classes of property are herein called food and are the only classes of property which the Administration deems it feasible so to assign.

E. *National Housing Agency.* There is hereby assigned to the National Housing Agency for disposition all surplus war property of the class of housing property (including such community facilities financed through the Federal Works Agency as are located on the sites of housing projects) other than that under the control and jurisdiction of the War Department or the Navy Department.

F. *Federal Works Agency.* There is hereby assigned to the Federal Works Agency for disposition all surplus war property of the class of community facilities financed through such Agency, other than those located on the sites of housing projects.

G. *Foreign Economic Administration.* There is hereby assigned to the Foreign Economic Administration for disposition all surplus war property, of whatsoever nature, located outside the continental United States, its territories and possessions.

H. *Property unassigned.* Surplus war property not covered by the foregoing assignments, including in particular real property not covered by parts IB, IC, IE and IF, will be assigned by subsequent regulation. Pending such regulations owning agencies are authorized to exercise existing powers of disposition, keeping the Administration currently advised of their plans, policies and procedures with respect to such disposition.

I. *Exceptions.* There is excepted from the foregoing assignments all surplus war property of which, by part III of this regulation or by other regulation or policy statement of the Administration, owning agencies are authorized to make disposition.

J. *Transfers.* By arrangements authorized or approved by the Administration, property initially assigned to one disposal agency hereunder may be reassigned to another for disposition.

II. *Procedures for reporting surpluses—*A. *Property to be reported.* Except as to unassigned property and surplus war property of which, by part III of this regulation or by other regulation or policy statement of the Administration, owning agencies are authorized to make disposition, all property of any agency which is determined by such agency to be surplus, as provided in Executive Order No. 9425, shall be reported as herein set forth.

B. *When reports filed.* All such surplus war property will be reported as herein set forth immediately upon the determination by the owning agency that such property is surplus.

C. *Where reports filed—*(1) *Real property.* (a) All surplus real property assigned in part I of this regulation, including plants, buildings and fixtures, will be reported to the disposal agency designated in part I for the disposition thereof. Reports to the Maritime Commission will be reported to the appropriate office of that agency listed in Exhibit II to this regulation. Reports to any other disposal agency for real property, including Reconstruction Finance Corporation, will be sent to its central office in Washington, D. C.

(b) In reporting as surplus real property, or properties comprising both realty and personalty which, in the judgment of the owning agency, can best be disposed of as an integral whole, the owning agency shall submit for each unit a completely itemized and descriptive inventory docket within which the personal property involved shall be fully described and listed in conformity with the major groups (two digits) of the Standard Commodity Classification set forth in Exhibit I to this regulation. Brief preliminary reports, presenting the major characteristics of such properties, should be submitted as far in advance of their actually becoming surplus as is possible.

(c) Whenever a property unit comprising both real and personal property has been reported pursuant to paragraph (b) above, and the disposal agency for the real property determines that any of the personal property can best be disposed of separately, such disposal agency will report such personal property to the disposal agency designated therefor under part I.

(2) *Personal property—*(a) *Where reports filed.* With the exception of personal property included in reports of real estate under paragraph 1 (b) above, all surplus personal property will be reported to the appropriate office of the disposal agency designated therefor in part I, for the region in which the property is located; Exhibit II to this regulation lists all such offices and the regions covered by them; *Provided, however,* That where it proves impracticable to make a sufficiently complete segregation of the various classes of property involved in termination inventories or supply property of the Army or Navy to permit the reporting of each such class to the proper disposal agency, this regulation shall be deemed to be complied with if termination inventory property is reported to the appropriate regional office of Reconstruction Finance Corporation and supply property to the appropriate regional office of the Procurement Division of the Treasury Department, where any necessary segregation and forwarding to another disposal agency will take place; all such reports shall nevertheless comply with the requirements of paragraph 2 (b) below. Pending further regulations, reports of surpluses located abroad shall be made to the central office of the Foreign Economic Administration in Washington, D. C., or elsewhere as agreed upon by that administration and the owning agency.

(b) *Forms.* All reports of surplus war property which is personal property shall, except as set forth in part II C (1) (b), be made on Forms SWPA–1 and SWPA–1 (a) set forth in Exhibit III to this regulation. Such forms shall be used in the manner set forth in the instructions forming a part of such Exhibit.

III. *Responsibilities of owning agencies—*A. *Maintenance of inventories.* Owning agencies are urged to establish as promptly as practicable and maintain currently their inventory records in accordance with the Standard Commodity Classification described in Exhibit I.

B. *Determination of surplus.* Each owning agency will determine what property in its possession or control is surplus, until and unless the Office of War Mobilization shall exercise the applicable authority referred to in Executive Order No. 9425. Particularly during the current phase of the war, owning agencies are urged to exercise the utmost diligence in ascertaining the existence of surpluses and declaring them promptly for disposition. Accordingly, it shall be the responsibility of each owning agency to hold only such property as may be essential for the prosecution of its programs. Through agency procedures inventories shall be reduced to these required levels by declaring as surplus all unneeded items not hereby authorized to be sold by the owning agency.

C. *Sales by owning agencies.* To the extent that surplus war property coming within the scope of this regulation is involved therein, owning agencies are authorized to dispose, or authorize contractors to dispose, of property without declaring it as surplus, in the following situations, to the full extent that such disposition is provided for or permitted by law:

(1) *Termination inventories.* Termination inventories may be disposed of during the course of the termination proceedings, in accordance with the policies set forth in the Administration's letter to the major procuring agencies and Statement of Policies to be Followed by Government Agencies in the Sale of Contract Termination Inventories, both dated April 21, 1944.

(2) *Nominal quantities.* Owning agencies may sell single items or groups of items, when the cost of all substantially similar items which are surplus at any one location does not exceed $1,000.

(3) *Scrap and salvage.* Pending the issuance of specific regulations governing scrap sales of property other than termination inventories, property which

is damaged beyond economical repair, and waste, scrap, salvage and other comparable items, may be sold by owning agencies. Such sales shall be made in conformity with the policies and procedures set forth in part IV of the Administration's Statement of Policies to be Followed by Government Agencies in the Sale of Contract Termination Inventories, dated April 21, 1944, where applicable, or in conformity with established salvage procedures or manuals of the owning agencies, if such procedures or manuals have been filed with the Administration. Sales of scrap by owning agencies shall be reported to the appropriate regional office of Reconstruction Finance Corporation (whether or not such scrap constitutes termination inventory) in such manner and at such times as that corporation shall direct. That corporation shall promptly advise the Administration of any situation in which scrap sales in any area are at such unsatisfactory price levels that sales should be stopped. That corporation shall likewise, at the earliest possible moment, provide a system of local or regional consultants upon whom the representatives of the owning agencies can call for advice and assistance on questions concerning the scrapping of property and the marketing of scrap.

(4) *Property located outside the United States*—(a) *In active theaters of operation.* Military and naval commanders in active theaters of operation may sell or otherwise dispose of any surplus property within their control.

(b) *General.* Owning agencies, pending further regulations, may sell surplus property in localities outside the continental United States, its territories and possessions where the Foreign Economic Administration has no local representative, and in localities in the territories and possessions of the United States where the appropriate disposal agency has no local representative.

(5) *Advance clearance.* Where special circumstances, such as danger of deterioration or sanitary or other hazard, make immediate sales by owning agencies desirable without surplus declaration, advance clearance may be obtained from the Administration or such agency as it may designate for the purpose.

D. *Reports to disposal agencies*—(1) *Regional basis of reporting.* Owning agencies will establish and maintain such organizations and procedures as are necessary to enable them to make reports of surplus property to the disposal agencies on a regional basis, in accordance with the procedures established in part II of this regulation.

(2) *Withdrawal of property reported.* After reporting property to a disposal agency, the owning agency will hold the property subject to disposition instructions from the disposal agency. When property has been reported as surplus, the disposal agency shall thereupon have the exclusive right and obligation to make disposition thereof for the United States. Where unforeseen circumstances arise, however, the owning agency may, with the consent of the disposal agency, withdraw such property for its own use or other disposition prior to its disposition by the disposal agency.

(3) *Limitations on power of disposal.* Owning agencies will accompany each report of surplus with a statement clearly indicating what, if any, legal restrictions exist as to their power to dispose of the property in question. In the absence of any such statement, disposal agencies shall conclusively assume that they have unrestricted power to dispose of the property for the United States, subject to the applicable regulations of the Administration.

E. *Storage, packing and shipping*—(1) *Future policy.* The Administration recognizes the desirability of having a single responsibility for both the sale and the storage, packing and shipping of each class of surplus property. Manpower and facilities shortages prevent this from being effected at the present time. Every effort will be made, however, to provide for the requisite transfer from owning to disposal agencies as soon as these conditions permit, and certainly at some stage between the ending of the first phase of the war and conclusion of the war.

(2) *Present operations.* (a) The owning agency will provide storage for property reported to the disposal agency pending removal or disposal by the disposal agency. At the request of the disposal agency the owning agency will permit reasonable inspection of the property. Upon receipt of shipping instructions from the disposal agency, the owning agency will prepare the property for shipment and will ship in accordance with such instructions.

(b) Pending further regulations, accountability for surplus property will pass to the Procurement Division of the Treasury Department, as to property assigned to it under part I of this regulation, to the same extent and in the same manner as has heretofore been the case under Executive Order 9235, but accountability for all other surplus property will remain in the owning agency until the property is delivered upon the order of the disposal agency.

IV. *Responsibility of disposal agencies*—A. *Disposal.* Disposal agencies shall have the exclusive right and obligation to make disposition, subject to the regulations of the Administration, of all property declared to them as surplus. They shall conclusively assume, unless otherwise notified by the owning agency, that property declared as surplus by an owning agency is property of the United States and that they have unrestricted power to dispose thereof for the United States, subject to the applicable regulations of the Administration. The exclusive responsibilities of disposal agencies shall include determining methods of sale, identity of purchasers and price, execution of all necessary documents in connection with disposal, including any necessary documents of title, and the collection and proper treatment of all proceeds. The military agencies, if they so request in conjunction with the report of surplus, will be consulted prior to the sale of any tactical equipment reported by them.

B. *Inventories.* Disposal agencies will establish and maintain, in each region in which they receive reports of surplus, inventories of all surplus war property reported to them. Such inventories will be maintained in accordance with the Standard Commodity Classification described in Exhibit I.

C. *Storage, packing and shipping.* Disposal agencies will proceed as promptly as is practicable so to organize their activities and personnel as to carry out the policy set forth in part III E (1) of this regulation.

V. *Interagency cooperation.* While there shall be strict adherence to the basic principle of Executive Order No. 9425 that there shall be a single disposal agency for each class of property, disposal agencies will make use, to the extent practicable, of facilities of other agencies which can assist them in their task, and will in turn, through the organization of regional consultants and coordinating and advisory committees and otherwise, render all possible assistance to owning agencies in connection with dispositions made by or under the authority of the owning agencies. Conversely other agencies will make available to the disposal agencies all assistance and facilities which the disposal agencies may reasonably request.

VI. *Sales policies.* All sales of surplus war property, whether made by disposal agencies or by or under the authority of owning agencies, will be made in accordance with the policies, regulations or directions of the Administration or, with its authority, of the disposal agencies. In the absence of specific directions, such as those heretofore issued with respect to sales of termination inventories, sales may be made in such manner as the selling agency shall deem advisable, adhering to the primary principle that a reasonable test of the market, having due regard for the nature, condition, quantity and location of the property, is a necessary prerequisite to any sale.

VII. *Accounting procedures.* Pending specific regulations on the subject, accounting and fiscal procedures and practices of the disposal agencies shall be conducted by the disposal agencies in such manner as they deem appropriate in order to conform to existing laws and regulations.

VIII. *Redistribution within Government.* Disposal agencies will so organize their activities that information as to the availability of surplus war property will at all times be readily obtainable by all agencies. Information as to stocks will be interchanged between offices of the disposal agencies in order that large quantities of scarce items reported in one region may be made available to other regions for distribution, where appropriate. Pending the issuance of more specific instructions, both the procuring agencies and the disposal agencies will take all practical steps to assure as full utilization within Government of available surplus property as is consistent with (a) the nature of the item, (b) timely procurement by the procuring agencies, and (c) prompt disposal by the disposal agencies.

W. L. CLAYTON,
Administrator.

MAY 8, 1944.

[F. R. Doc. 44-6784; Filed, May 11, 1944; 1:57 p. m.]

WAR FOOD ADMINISTRATION.

Commodity Credit Corporation.

DAIRY PRODUCERS

OFFER TO MAKE PRODUCTION PAYMENTS

In an effort to maintain and increase the production of Eligible Dairy Products, the War Food Administration through Commodity Credit Corporation (herein called "Commodity"), a corporate agency of the United States, pursuant to announcement heretofore made, hereby offers to make dairy production payments to eligible producers for the period beginning May 1, 1944 and ending March 31, 1945, all in the manner and subject to the terms and conditions specified in this offer, such payments being intended to offset increases, since September 1942, in the cost of milk production.

1. *Eligible producers.* Payments under this offer shall be available, upon compliance with the terms and conditions specified herein, to the following (herein called "eligible producers"): (a) Dairy farmers who sell eligible dairy products during the terms of this offer; and (b) distributors and processors of eligible dairy products in respect of eligible dairy products produced from their own herds during the term of this offer.

2. *Eligible dairy products.* The term "eligible dairy products", as used herein, shall mean whole milk, butterfat, butter, and cream produced in any of the 48 States of the United States or the District of Columbia by the eligible producer who applies for payment hereunder in respect thereof, but shall not include goat's milk or goat's milk products.

3. *Rates of payment.* The rate of the payment hereunder shall be that specified in Schedule A, attached hereto and by this reference made a part hereof, as applicable to the period covered by such payment for the area in which the farm on which such eligible dairy products were produced is located.

4. *Measure of payment.* Payments in respect of eligible dairy products, pursuant hereto, shall be based upon the quantity of whole milk or butterfat: (1) Produced by eligible producers and sold by them; or (2) in the case of eligible producers who are distributors or processors handling also dairy products produced by others, produced from their own herds, during the period covered by the application for payment. For the purpose of any such payment for the period covered by the application for payment: (a) The quantity of whole milk shall be rounded to the nearest hundredweight; (b) the quantity of butter shall be converted to pounds of butterfat on the basis of eight-tenths (0.8) pound of butterfat per pound of butter; (c) the quantity of cream sold (or in the case of eligible producers who are processors or distributors, earmarked) for consumption as cream shall be converted to pounds of butterfat on the basis of four-tenths (0.4) pound of butterfat per quart of cream; (d) the quantity of butterfat shall be rounded to the nearest pound; and (e) the quantity of milk sold by liquid measure shall be converted to pounds of whole milk on the basis of 2.15 pounds per quart. To the extent that eligible producers deliver whole milk and do not recover their skim milk, payments hereunder shall be made on the basis of the applicable whole milk rates regardless of the basis on which they are paid for their product. To the extent that eligible producers deliver cream or butter, or deliver milk as whole milk and recover their skim milk, payments hereunder shall be made at the applicable butterfat rate.

5. *Prerequisites to payment.* This offer shall be deemed to be accepted by, and payments hereunder will be made to, eligible producers who: (a) File applications for payment, in such form as shall be approved by Commodity, with the County AAA Committee in the county in which the eligible dairy products covered thereby were produced not later than sixty (60) calendar days after the last calendar day of the payment period for which the application for payment is submitted and during which the eligible dairy products, for which the application for payment is submitted, were produced (the respective payment periods shall be designated by the Agricultural Adjustment Administration), and (b) supply, with such applications for payment, evidence satisfactory to such County AAA Committee with respect to their eligibility, compliance with this offer, and the proper amounts of such payments. Milk statements or sale receipts issued by cooperatives, dairies, creameries, and others, showing the amount of whole milk or butterfat purchased, the date of purchase, and the names of the seller and buyer will be considered satisfactory evidence of sales. If an eligible producer is unable to furnish satisfactory extrinsic written evidence of sale, his personal certification of the amount sold, number of cows milked, amount and type of feed used, and customers served, may, in the discretion of the County AAA Committee, and subject to such rules as Commodity prescribes, be accepted as sufficient if such certification is consistent with the County AAA Committee's knowledge of the eligible producer's business and is made in accordance with rules as prescribed by Commodity. In the event an eligible producer is also a distributor only of eligible dairy products produced by him, sales of eligible dairy products in the course of such distribution may be totaled for the purpose of recording on the application for payment.

6. *Payment.* Payment hereunder, on the basis of each such application for payment which has been approved by the applicable County AAA Committee, shall, unless Commodity prescribes a different method of payment, be made by such County AAA Committee by a non-interest-bearing draft drawn on Commodity and payable at any Federal Reserve Bank or branch thereof. If the amount of payment to which the eligible producer would otherwise be entitled, as computed by the County AAA Committee, is less than one dollar ($1.00), no payment shall be made. Such draft shall be made payable to the person shown in the corresponding application for payment to be the eligible producer, except in the case of death, incompetency, or disappearance of such person. Each draft shall be given a serial number and shall be prepared in duplicate. The original thereof shall be delivered to the eligible producer and the copy retained in the County AAA office. The making of any payment on the basis of an approved application for payment filed hereunder shall not constitute final acceptance of the validity or amount of the claim represented thereby. In the event of a subsequent finding that any such claim is invalid, defective, or incorrectly computed, Commodity shall have the right to require restitution of any such payment or any part thereof, such right being in addition to any and all other rights of Commodity in the premises.

7. *Assignment and set-off.* Payments due or to become due hereunder shall not be assignable in whole or in part. Payments hereunder shall be subject to set-offs for indebtedness of the eligible producer to United States of America or any agency or corporation thereof recorded on any County AAA office debt register and this offer is expressly made subject to such provision for set-offs.

8. *Death, incompetency, or disappearance.* In case of death, incompetency, or disappearance of an eligible producer, application for any payment hereunder may be made by any person who, under the regulations contained in Agricultural Adjustment Administration Form ACP-122, would be entitled to payment. In any such case, the person filing the application shall execute Agricultural Adjustment Administration Form ACP-103 and file such executed form, attached to the application for payment hereunder, with the County AAA Committee.

9. *Lost, stolen, or destroyed drafts.* In the event any executed draft shall be lost, stolen, or destroyed the fact of such loss, theft, or destruction shall be reported immediately to the office of the applicable County AAA Committee and, in such event, the issuance of a duplicate draft shall be subject to such conditions as Commodity shall, from time to time, prescribe.

10. *Right to declare applications for payment invalid.* Commodity, acting through the applicable County AAA Committee, or otherwise, shall have the right to declare invalid, in whole or in part, any application for payment hereunder in the event the applicant does not qualify as an eligible producer hereunder or such application for payment is not in conformity with this offer.

11. *Instructions and interpretations.* Commodity shall have the right to supplement or clarify any provision or provisions of this offer or alter any procedure contained herein at any time by

the issuance of instructions or interpretations in connection therewith.

12. *Revocation or amendment.* Commodity may amend or revoke this offer at any time, but no such amendment or revocation shall be applicable to eligible dairy products produced prior to the effective time of such amendment or revocation.

[SEAL] COMMODITY CREDIT CORPORATION,
LEE MARSHALL,
Vice President.

Attest:
M. L. BRENNER,
Assistant Secretary.

SCHEDULE A—DAIRY PRODUCTION PAYMENT SCHEDULE

State	Counties	Rate per cwt—milk delivered: May through August	Rate per cwt—milk delivered: September through March
		Cents	*Cents*
Alabama	Baldwin, Mobile	65	90
	All other counties	45	70
Arizona	All counties	45	70
Arkansas	do	45	70
California	Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, Ventura	55	80
	All other counties	45	70
Colorado	All counties	45	70
Connecticut	do	55	80
Delaware	do	45	70
District of Columbia		45	70
Florida	All counties	65	90
Georgia	do	65	90
Idaho	Bennewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, Shoshone	45	70
	All other counties	35	60
Illinois	All counties	35	60
Indiana	do	35	60
Iowa	do	35	60
Kansas	do	35	60
Kentucky	do	35	60
Louisiana	do	45	70
Maine	do	45	70
Maryland	do	45	70
Massachusetts	do	55	80
Michigan	do	35	60
Minnesota	do	35	60
Mississippi	do	45	70
Missouri	do	35	60
Montana	do	35	60
Nebraska	do	35	60
Nevada	do	45	70
New Hampshire	do	45	70
New Jersey	do	55	80
New Mexico	do	45	70
New York	do	45	70
North Carolina	do	65	90
North Dakota	do	35	60
Ohio	do	35	60
Oklahoma	do	45	70
Oregon	do	45	70
Pennsylvania	do	45	70
Rhode Island	do	55	80
South Carolina	do	65	90
South Dakota	All counties	35	60

SCHEDULE A—DAIRY PRODUCTION PAYMENT SCHEDULE—CONTINUED

State	Counties	Rate per cwt—milk delivered: May through August	Rate per cwt—milk delivered: September through March
		Cents	*Cents*
Tennessee	Fayette, Shelby	45	70
	All other counties	35	60
Texas	All counties	45	70
Utah	do	45	70
Vermont	do	45	70
Virginia	do	45	70
Washington	do	45	70
West Virginia	do	45	70
Wisconsin	do	35	60
Wyoming	do	35	60

The rate of payment on butterfat deliveries is the same for all sections of the country. In May through August it will be 6 cents a pound. In September, October, November, December, January, February, and March it will be 10 cents a pound.

[F. R. Doc. 44-6728; Filed, May 10, 1944; 3:19 p. m.]

WAR SHIPPING ADMINISTRATION.

"KETCHIKAN"

NOTICE OF DEPOSIT OF JUST COMPENSATION FOR REQUISITIONED VESSEL

Notice is hereby given that the sum of $15,352.00 was deposited with the Treasurer of the United States on May 5, 1944, pursuant to the provisions of section 902 of the Merchant Marine Act, 1936, as amended (57 Stat. 45), and Executive Order 9054, February 7, 1942 (7 F.R. 837), as just compensation for title to the vessel "Ketchikan" Official Number 204442, which was requisitioned by the United States of America, represented by the War Shipping Administrator on December 17, 1942.

By order of the War Shipping Administrator.

A. J. WILLIAMS,
Secretary.

MAY 11, 1944.

[F. R. Doc. 44-6799; Filed, May 12, 1944; 10:11 a. m.]

"PAUL L."

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the Act approved March 24, 1943 (Public Law 17, 78th Congress).

Whereas on August 14, 1942, title to the vessel "Paul L." (225418), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the Act approved March 24, 1943 (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however,* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

[SEAL] E. S. LAND,
Administrator.

MAY 11, 1944.

[F. R. Doc. 44-6800; Filed, May 12, 1944; 10:11 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 97

Washington, Tuesday, May 16, 1944

The President

EXECUTIVE ORDER 9441

SUSPENSION OF EIGHT-HOUR LAW AS TO LABORERS AND MECHANICS EMPLOYED BY THE VETERANS' ADMINISTRATION ON PUBLIC WORK WITHIN THE UNITED STATES

WHEREAS the Veterans' Administration is engaged in public-work activities within the United States (including, but not confined to, construction, alteration, repair, maintenance and operation of Veterans' Administration facilities needed for the care and treatment of war veterans) which are essential to the prosecution of the war; and

WHEREAS there exists an acute shortage of laborers and mechanics; and

WHEREAS the efficient and speedy accomplishment of such activities requires that laborers and mechanics therefor be employed in excess of eight hours a day; and

WHEREAS by section 1 of the act of August 1, 1892, 27 Stat. 340, as amended by the act of March 3, 1913, 37 Stat. 726 (U.S.C., title 40, sec. 321), the services of all laborers and mechanics employed by the Government of the United States upon any public work of the United States is limited to eight hours in any one calendar day, except in case of extraordinary emergency; and

WHEREAS I find that by reason of the foregoing an extraordinary emergency exists:

NOW, THEREFORE, by virtue of the authority vested in me by section 1 of the said act of August 1, 1892, as amended by the said act of March 3, 1913, and as President of the United States, I hereby suspend for the duration of the emergencies proclaimed by me on September 8, 1939, and May 27, 1941, the above-mentioned provisions of law prohibiting more than eight hours of labor in any one day by laborers and mechanics employed by the Government of the United States as to all work performed by laborers and mechanics employed by the Veterans' Administration on any public work within the United States which is essential to the prosecution of the war: *Provided,* That the wages and overtime pay of all laborers and mechanics so employed by the Veterans' Administration shall be computed in accordance with the provisions of existing law.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
May 11, 1944

[F. R. Doc. 44-6842; Filed, May 12, 1944; 2:52 p. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

[FCA Order 406 (1)]

PART 70—LOAN INTEREST RATES AND SECURITY

INTEREST RATE ON LOANS SECURED BY COMMODITY CREDIT CORPORATION LOAN DOCUMENTS

Interest rate on loans made pursuant to provisions of subsection (a) of section 8 of the Agricultural Marketing Act, as amended, upon the security of Commodity Credit Corporation loan documents.

Section 70.81–50, Title 6, Code of Federal Regulations, is hereby amended to read as follows:

§ 70.81–50 *Interest rate on loans secured by Commodity Credit Corporation loan documents.* The rate of interest on loans made on or after May 10, 1944, by any district bank for cooperatives or the Central Bank for Cooperatives to eligible farmers' cooperatives, upon the security of the following types of Commodity Credit Corporation loan documents, shall be 1.00 per centum per annum:

(a) Those representing loans made by such farmers' cooperatives as lending agents pursuant to agreements entered into with Commodity Credit Corporation and which are evidenced by notes of their producer members or farmer patrons, and qualified for purchase by and sale to Commodity Credit Corporation;

(b) Those representing cotton qualified for loans from Commodity Credit

(Continued on p. 5103)

CONTENTS

THE PRESIDENT

EXECUTIVE ORDER: Page
Eight-hour law, suspension as to laborers and mechanics employed by Veterans' Administration on public work within U. S. 5101

REGULATIONS AND NOTICES

AGRICULTURE DEPARTMENT. *See also* War Food Administration.
Oil and gas leases, lands under jurisdiction of Department 5103

ALIEN PROPERTY CUSTODIAN:
Hearing; Batzouroff & Cie 5181
Vesting orders:
Fukuda, J. 5182
Iwakami, Konosuke, et al 5181
Kopta, Emilie 5183
Kuerschner, Esle 5187
Lindemann, Verona 5184
Loewe, F. W. 5185
Mitamura, Chizu 5182
Moeller, Ottilie 5185
Perret, Anna 5185
Schmid, Kathrine 5186
Singer, Sarah 5186
Sitz, Paul G. 5187
Staar, Marie Elisabeth Gubsch 5187
Suyehiro, Umetaro 5184
Swernofsky, Elsie 5188
Tersan, John 5188
Wagner, Elsie 5189
Weniger and Company 5189
Wilson, Florence, Ellsworth 5190
Witmark, Isidore 5190

FARM CREDIT ADMINISTRATION:
Loan policies; lending limits for each district bank for cooperatives 5103
Loans secured by Commodity Credit Corporation loan documents, interest rate 5101

FEDERAL COMMUNICATIONS COMMISSION:
Emergency services; municipal and marine fire stations 5174
Frequency allocations, Appendix B amended 5174
Hearings:
Albuquerque Broadcasting Co. (KOB) 5178
Independent Merchants Broadcasting Co. (WLOL) 5178

(Continued on p. 5102)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

FEDERAL POWER COMMISSION: Page
Hearings, etc.:
Arkansas Power and Light Co. 5179
Interstate Natural Gas Co., Inc. 5179
Northern Natural Gas Co. 5179
FEDERAL TRADE COMMISSION:
Cease and desist orders:
All-Winter Anti-Freeze Co. 5108
American Chemical Co. 5108
General Baking Co. 5109
National Crepe Paper Assn. of America, et al. 5107
FISH AND WILDLIFE SERVICE:
Alaska commercial fisheries; areas open to salmon traps, closed seasons in certain areas 5175
GENERAL LAND OFFICE:
Wyoming, stock driveway withdrawal 5176

CONTENTS—Continued

INTERNAL REVENUE BUREAU: Page
Income tax:
Adjustment of basis as result of cancellation of indebtedness 5110
Mutual fire insurance companies issuing perpetual policies 5109
Net income, computation 5110
INTERSTATE COMMERCE COMMISSION:
Coal, unloading at Patchogue, Riverhead, and Bayport, L. I., N. Y. 5180
Reconsignment permits, etc.:
Citrus fruit:
Minneapolis, Minn. 5180
Mission, Tex. 5180
Potatoes, California or Arizona 5180
Rerouting of freight traffic; Ohio, Missouri, and Mississippi river valleys 5175
OFFICE OF DEFENSE TRANSPORTATION:
Coal, movement on Great Lakes (ODT 9A–1A) 5175
OFFICE OF WAR MOBILIZATION:
Contract terminations:
Price policies in disposal of supplies, equipment, etc.; delegation of authority to Surplus War Property Administration 5192
Statements of policy by Joint Contract Termination Board:
Government organizations for settlement of contracts, and review of settlements 5193
Uniform termination article 5192
OFFICE OF PRICE ADMINISTRATION:
Adjustment; General Construction Co., et al. 5191
Alaska; milk (MPR 288, Am. 24) 5168
Commodities, unclaimed or abandoned, sold at auction by Customs Bureau, exemption (Supp. Order 88) 5156
Commodities and services, miscellaneous; maximum prices (GMPR, Am. 61) 5169
Cotton goods, fine (MPR 11, Am. 17) 5162
Dairy products (RMPR 289) 5140
Feedingstuffs, animal product (RMPR 74, Am. 6) 5162
Fish and seafood:
Fresh, retail ceiling prices (MPR 507, Am. 4) 5163
Frozen (MPR 364, Am. 18) 5163
Fuel oil (Rev. RO 11, Am. 5) 5165
Gasoline rationing (RO 5C, Am. 122) 5165
Hawaii; frozen fish (MPR 373, Am. 57) 5168
Logs, West Coast (RMPR 161, Am. 13) 5165
Logs and bolts (MPR 348, Am. 49) 5155
Oil burners, services (MPR 165, Am. 38) 5174
Pig iron (RPS 10, Am. 9) 5156

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued. Page
Puerto Rico:
Gasoline rationing (RO 5E, Am. 5) 5165
Shoes (RMPR 183, Am. 36) 5167
Pulpwood, Minnesota, Michigan, and Wisconsin (RMPR 257, Am. 2) 5155
Regional and district office orders:
Fluid milk:
Maine (4 documents) 5191, 5192
Vermont 5192
Rent and price subpoenas and inspection requirements, delegation to sign and issue (Rev. Gen. Order 53) 5191
Solid fuels, Washington, D. C., area and Alexandria, Va. (RMPR 122, Rev. Order 47, Am. 9) 5190
Sugar (Rev. RO 3, Am. 17) 5166
Underwear, fall and winter knitted; manufacturers' prices (MPR 221, Am. 5) 5174
Virgin Islands, rationing:
Food (RO 10, Am. 19) 5166
Tires (Rev. RO 1C) 5156
RAILROAD RETIREMENT BOARD:
Midland Railway Co. of Manitoba, hearing 5194
RURAL ELECTRIFICATION ADMINISTRATION:
Allocation of funds for loans 5176
SECURITIES AND EXCHANGE COMMISSION:
Hearings, etc.:
Cities Service Co. 5195
Cushman's Sons, Inc. 5196
Interbanc Investors, Inc. 5196
Public Service Corp. of New Jersey 5195
Shawmut Assn. 5195
WAGE AND HOUR DIVISION:
Learner employment certificates, issuance to various industries (2 documents) 5176, 5177
WAR DEPARTMENT:
Personnel; decorations for individuals 5107
WAR FOOD ADMINISTRATION:
Beef required to be set aside (WFO 75–2, Am. 1) 5107
Feed, mixed; use of Vitamin A (WFO 99) 5106
Fluid milk and cream:
Los Angeles, Calif. 5106
San Diego, Calif. 5106
WAR PRODUCTION BOARD:
Aluminum pigment and aluminum composition (M–1–g; Int. 1) (2 documents) 5119, 5121
Bituminous materials maintenance units (L–217, Schedule XIII) 5122
Cane spirits, beverage (M–374) 5116
Copper (M–9–c, Am. 1) 5121
Glass container and closure quotas (L–103–b; Int. 3) (2 documents) 5123, 5131
Metal signs and accessories, use of metal in (L–29, Int. 1) 5117
Paper cups and food containers (PR 3, Dir. 2) 5121
Penicillin (M–338) 5137
Power, water, gas, and central steam heat (U–1–c) 5139

(Continued on next page)

CONTENTS—Continued

WAR PRODUCTION BOARD—Con. Page
Preference rating authority:
Army and Navy Munitions Board (Dir. 31) 5111
U. S. Maritime Commission and War Shipping Administration (Dir. 32) 5113
Scrap, tinned and detinned (M–325) 5115
Silver (M–199) 5131
Suspension orders, etc.:
Aquadro and Cerutti 5117
Bailey, M. C., and Co., Inc. 5119
Elwell and Chenet 5118
Federal Home Heating Co. 5196
Hayward, H. T., Co. 5122
Hines, Earl J. 5118
King, Warner N. 5118
Skinner and Kennedy Stationery Co. 5113
Suriner and McBreen 5117
Voisine Steel Co. (2 documents) 5117, 5119
Tank car heaters and pumping boosters or circulators (L–217, Schedule IX) 5122
Tools, hand service (E–6) 5113
Typewriters (L–54–a) 5138
Wool (M–73) 5136

Corporation to such farmers' cooperatives pursuant to agreements entered into with Commodity Credit Corporation, with the exception of the certification that such cotton has been classed by a Board of Examiners of the U. S. Department of Agriculture, provided that such cotton has been received from producer members or farmer patrons of the cooperative.

(Sec. 8, 46 Stat. 14, as amended; 12 U.S.C. 1141f)

[SEAL] I. W. DUGGAN, *Acting Governor.*

MAY 10, 1944.

[F. R. Doc. 44–6913; Filed, May 15, 1944; 11:19 a. m.]

[FCA Order 406 (4)]

PART 71—LOAN POLICIES

LENDING LIMITS FOR EACH DISTRICT BANK FOR COOPERATIVES

Section 71.3 of Title 6, Code of Federal Regulations, is hereby amended to read as follows:

§ 71.3 *Lending limits of district banks for cooperatives.* Except with the written approval of the Cooperative Bank Commissioner, the lending limits of each district bank for cooperatives are hereby fixed so that loans to any one borrower outstanding at any time may not exceed the following percentages of the bank's combined capital, surplus, and reserve for contingencies:

1. Facility loans, 10 percent;
2. Operating capital loans, 15 percent;
3. Commodity loans (excluding loans secured by Commodity Credit Corporation documents), 25 percent;
4. The sum of facility and operating capital loans, 15 percent;
5. The sum of facility, operating capital, and commodity loans (excluding loans secured by Commodity Credit Corporation documents), 25 percent.

(Sec. 38, 48 Stat. 264, as amended; 12 U.S.C. 1134j)

[SEAL] I. W. DUGGAN, *Acting Governor.*

MAY 10, 1944.

[F. R. Doc. 44–6912; Filed, May 15, 1944; 11:19 a. m.]

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

PART 4—OIL AND GAS LEASES

Sec.
4.1 Oil and gas rights to which these regulations apply.
4.2 Policy as to development.
4.3 Right to reject bids and applications and to waive informality in bids and applications.
4.4 Maximum aggregate acreage of oil and gas leases.
4.5 Compensation to the United States for oil and gas leases.
4.6 Leasing of oil or gas resources in proved territory, or in unproved territory where competitive interest in leasing is evident.
4.7 Leasing of oil and gas resources in unproved territory where competitive interest in leasing is not evident.
4.8 Leasing of undivided fractional interests to co-owners.
4.9 Future interests.
4.10 Qualifications of lessees.
4.11 Drainage.
4.12 Assignment of oil and gas leases or interests therein.
4.13 Inclusion of leased lands in unitization programs.
4.14 Bond requirements.
4.15 Leases on same land for minerals other than oil and gas.
4.16 Non-discriminatory employment policies.
4.17 Right to extract helium.
4.18 Officer in charge.
4.19 Lease forms and operating regulations.
4.20 Delegation to Land Use Coordinator and Director of Finance.
4.21 Effective date.

AUTHORITY: §§ 4.1 to 4.21, inclusive, issued under 39 Stat. 1134, 1150, 16 U.S.C. 520; 50 Stat. 522, 7 U.S.C. 1000–1039; sec. 5, 49 Stat. 116, 118; sec. 206, 48 Stat. 195, 205, 40 U.S.C. 406; 55 Stat. 795; ch. 594, 56 Stat. 796; ch. 595, 56 Stat. 797; title II, 56 Stat. 838, 839, 50 U.S.C. App., Supp. 2, 611; E.O. 6910, dated July 21, 1963; E.O. 7027 and 7028, Apr. 30, 1935; E.O. 7041, May 15, 1935; E.O. 7200, Sept. 26, 1935; E.O. 7330, 2 F.R. 7; E.O. 7557, 2 F.R. 343; E.O. 9001, 6 F.R. 6787; E.O. 9023, 7 F.R. 302; 40 Ops. Att'y Gen. No. 7, Apr. 2, 1941.

§ 4.1 *Oil and gas rights to which these regulations apply.* The regulations herein promulgated are applicable to oil and gas rights owned by the United States and under the jurisdiction of the Department of Agriculture or any agency thereof. They are not applicable to oil and gas rights in (a) lands reserved from the public domain or acquired by exchange pursuant to the Act of March 20, 1922 (42 Stat. 465, 16 U.S.C. 485, 486), as such lands are subject to the mineral laws applicable to the public domain and the authority to execute such laws is vested in the Secretary of the Interior, or (b) to lands acquired in satisfaction of a loan from any agency under the supervision of the Farm Credit Administration.

§ 4.2 *Policy as to development.* Oil and gas leases will be issued by the Secretary of Agriculture or his representative, when one or both of the following conditions are found to exist:

(a) Well established necessity for the production of additional supplies of oil and gas, or for the development of additional oil and gas reserves, in order to meet war needs.

(b) Where the actual or impending development of oil or gas resources of non-Federal lands may, without adequate compensation to the United States, drain the oil and gas resources of the lands administered by the Secretary.

§ 4.3 *Right to reject bids and applications and to waive informality in bids and applications.* The Secretary reserves the right to reject any or all bids and applications and to waive any informality in bids and applications.

§ 4.4 *Maximum aggregate acreage of oil and gas leases.* (a) To prevent monopoly or concentration of control of oil and gas resources owned by the United States, no person, firm, association, or corporation shall be granted, nor will approval be given to an assignment or transfer of, a lease or leases by this Department of an acreage which, combined with the acreage held by such lessee on lands of the United States under other leases or with a proportionate share in such acreage as described hereinafter in this subsection, will exceed a maximum of 2,560 acres within the geologic structure of the same producing oil or gas field or a maximum of 7,680 acres in any single State, except as provided in paragraph (c). Where the United States owns only an undivided fractional interest in the oil and gas resources of the lands involved, the area charged against the limits above prescribed shall be that part of the total acreage involved in the lease which is proportionate to the ownership by the United States of the oil and gas resources therein: *Provided*, That the total acreage of lands of the United States leased for oil and gas production to any person, firm, association, or corporation, where the United States owns undivided interests in the oil and gas deposits, shall not exceed 5,120 acres within the geologic structure of the same producing oil or gas field, or 15,360 acres within any single State.

(b) When a bidder or other applicant for a lease owns common stock of a corporation or is a member of a company or association, holding other oil or gas leases issued by the United States, a part of the leased acreage, proportionate to the applicant's ownership of the stock of the corporation or the applicant's interest in the company or association, shall be included in the applicant's aggregate acreage. When the applicant is a corporation whose common stock is owned by a holder of an oil or gas lease issued by the United States, or when the applicant is a company or association, a member of which holds such a lease, a part of the leased acreage, pro-

portionate to the stockholder's ownership of common stock in the corporation of the member's interest in the company or association, shall be included in the applicant's aggregate acreage.

(c) In the interest of conservation of oil and gas resources, leased lands operated in conformity with a cooperative or unit plan of development covering a pool, field, or area, which plan has been approved by the Department of Agriculture or another Federal department, will not be subject to or included within the acreage limitations above prescribed.

§ 4.5 *Compensation to the United States for oil and gas leases.* Oil and gas leases will be granted only on the basis of payment to the United States of an equitable compensation, which will normally be made in the three following forms:

(a) A bonus, to be paid for the issuance of an oil and gas lease. Such bonus will be the determining factor in the award of a lease when the lease is to be issued on the basis of competitive bidding.

(b) A rental, to be paid annually and in advance, for each acre or fraction thereof in the amount of 25¢ for the first lease year, 50¢ for the second lease year, 75¢ for the third lease year, and $1.00 for the fourth and each subsequent lease years: *Provided*, That if prior to the issuance of a lease a valuable deposit of oil or gas shall have been discovered within the limits of the geologic structure upon which all or a part of the leased lands are situated, the annual rental shall be $1.00 per acre or fraction thereof. If such a deposit shall be discovered after the issuance of a lease, the rental shall be $1.00 per acre or fraction thereof for each lease year beginning after such discovery.

If the interest of the United States in the oil and gas resources of the leased lands shall be less than the total or complete interest, the proportion of the rentals payable on account of each acre or fraction thereof shall be the same as the proportion which the interest of the United States in the oil and gas resources bears to the total interest.

The rental paid for any one lease year shall be credited on the royalty for that year.

(c) A royalty, consisting of a stipulated percentage of the total volume or value of the oil and gas produced from the leased lands, which percentage shall be computed in the manner hereinafter stated in this paragraph (c): *Provided*, That if the interest of the United States in the oil and gas resources of the leased lands shall be less than the total or complete interest, the proportion of production of oil and gas upon which the stipulated royalty shall be due and payable shall be the same as the proportion which the interest of the United States in the oil and gas resources bears to the total interest.

(1) When the price of oil used in computing royalty value is $1 or more per barrel, the per centum of royalty shall be as follows:

When the average production for the calendar month in barrels per well per day is:

Not over 50, the royalty shall be 12.5 percent.
Over 50 but not over 60, the royalty shall be 13 percent.
Over 60 but not over 70, the royalty shall be 14 percent.
Over 70 but not over 80, the royalty shall be 15 percent.
Over 80 but not over 90, the royalty shall be 16 percent.
Over 90 but not over 110, the royalty shall be 17 percent.
Over 110 but not over 130, the royalty shall be 18 percent.
Over 130 but not over 150, the royalty shall be 19 percent.
Over 150 but not over 200, the royalty shall be 20 percent.
Over 200 but not over 250, the royalty shall be 21 percent.
Over 250 but not over 300, the royalty shall be 22 percent.
Over 300 but not over 350, the royalty shall be 23 percent.
Over 350 but not over 400, the royalty shall be 24 percent
Over 400 but not over 450, the royalty shall be 25 percent.
Over 450 but not over 500, the royalty shall be 26 percent.
Over 500 but not over 750, the royalty shall be 27 percent.
Over 750 but not over 1,000, the royalty shall be 28 percent.
Over 1,000 but not over 1,250, the royalty shall be 29 percent.
Over 1,250 but not over 1,500 the royalty shall be 30 percent.
Over 1,500 but not over 2,000, the royalty shall be 31 percent.
Over 2,000 the royalty shall be 32 percent.

When the price of oil used in computing royalty value is less than $1 per barrel, the per centum of royalty shall be the foregoing multiplied by the ratio of said price to a price of $1 per barrel: *Provided, however*, That the percentum of royalty shall never be less than 12.5.

If the United States shall take its royalty in oil, the price received by the lessee as well as that received by the lesser shall be considered in determining the price to govern the per centum of royalty, unless both prices are $1 or more per barrel.

(2) On gas, including inflammable gas, carbon dioxide and all other natural gases and mixtures thereof, and on natural or casinghead gasoline and other liquid products obtained from gas, the royalty shall be:

When the average production of gas per well per day for the calendar month does not exceed 5,000,000 cubic feet, 12½ percent of the amount or value of the gas and liquid products produced; and when said production of gas exceeds 5,000,000 cubic feet, 16⅔ percent; said amount or value of such liquid products to be net after an allowance for the cost of manufacture: *Provided*, That the allowance for cost of manufacture may exceed two-thirds of the amount or value of any product only on approval by the Secretary and that said value of gas and of liquid products shall be as determined by the Secretary.

(3) The average production per well per day for oil and for gas shall be determined under rules and regulations approved by the Secretary.

The foregoing to the contrary notwithstanding, during the period of the national emergency proclaimed by the President on May 27, 1941 (Proclamation numbered 2487), upon a determination by the Secretary of Agriculture that a new oil or gas field or deposit has been discovered by virtue of a well or wells drilled within the boundaries of lands described in a lease issued under these regulations, the royalty obligation to the United States of the lessee who drills such well or wells as to such new field or deposit shall be limited for a period of ten years following the date of such discovery to a flat rate of 12½ per centum. Any sand or zone situated at a stratigraphic level higher or lower than the known productive sands within the area of any geologic trap shall be deemed upon discovery to be a new deposit. The discovery of a new oil or gas field or deposit shall not affect the rate of royalties on production from deposits previously known to exist.

§ 4.6 *Leasing of oil or gas resources in proved territory, or in unproved territory where competitive interest in leasing is evident.* In territory proved by prior development of producing oil or gas wells or by geologic determination, or in unproved territory where competitive interest in leasing is evident, and where the United States is the full owner of the oil and gas resources in the lands involved or where the undivided fractional interest of the United States in the oil and gas resources is such that its separate disposal is practicable and equitable, oil and gas leases will be issued only after due publicity through advertisements in newspapers of local circulation and trade journals, posting of notices of interest in appropriate public places, and written announcements to persons known to be interested in the development of such resources, followed by the receipt and consideration of formal sealed bids. The award will be made to the qualified bidder who offers the largest sum of money as a bonus for the issuance of a lease.

§ 4.7 *Leasing of oil and gas resources in unproved territory where competitive interest in leasing is not evident.* In territory which has not been proved by prior development of producing oil or gas wells or by geologic determination and where competitive interest in leasing is not evident, on lands in which the United States is full owner of the oil and gas resources or where the undivided fractional interest of the United States in these resources is such that its separate disposal is practicable and equitable, oil and gas leases may be issued to a qualified applicant on the basis of negotiation without the requirement of competitive bidding, but under such terms and conditions as are found by the Secretary to be in the public interest. Applications for such leases shall be submitted on standard Departmental forms, obtainable from representatives of the Secretary in the field or in Washington, D. C., and shall be mailed or personally delivered to the Division of Purchase, Sales and Traffic, Department of Agriculture, Washington, D. C. An application so received shall be held for a period of ten working days following its receipt. If during such period other applications for leases on any or all of the same lands are received, or the Department is otherwise apprised of a competitive interest in leasing the lands involved, all applications will be rejected, and the procedure prescribed by § 4.6 will be followed. Otherwise, if the applicant is qualified, the application will be recognized, at the expiration of the tenth working day following the day of its receipt, as affording the applicant priority in the issuance of a lease upon such terms and conditions as the Secretary may deem to be in the public interest; competitive bids will not be solicited nor will any application subsequently received be given precedence over the first application filed in the manner herein prescribed.

§ 4.8 *Leasing of undivided fractional interests to co-owners.* Where the United States is the owner of an undivided fractional interest in oil and gas resources and the disposal of such interest to persons other than the co-owner or co-owners thereof is not practicable or equitable, leases may be granted to such co-owner or co-owners or their lessees on the basis of negotiation without the requirement of competitive bidding and regardless of any other application which may be filed, but under such terms and conditions as are found by the Secretary to be in the public interest.

§ 4.9 *Future interests.* Where the United States owns a future interest in oil or gas, the Secretary may, where it is deemed in the public interest, enter into an agreement for the issuance of an oil and gas lease at some future time.

§ 4.10 *Qualifications of lessees.* In order to obtain an oil and gas lease, the prospective lessee must prove to the satisfaction of the Secretary that he is a citizen of the United States, that he has the legal capacity to enter into the lease, and that he has the financial ability to carry out the provisions of the lease. Proof of other qualifications may be required, in accordance with § 4.20.

§ 4.11 *Drainage.* When the Secretary determines that wells drilled upon lands not owned by the United States are draining oil or gas from lands or deposits owned in whole or in part by the United States and administered by him, he may negotiate agreements whereby the United States, or the United States and its lessees, shall be compensated for such drainage, such agreements to be made with the consent of all the lessees affected thereby. Steps leading to the negotiation of such agreements may be initiated in the Department or by application of interested parties. The precise nature of any agreement negotiated will depend on all the conditions and circumstances involved.

§ 4.12 *Assignment of oil and gas leases or interests therein.* No oil and gas leases issued by or under the authority of the Secretary or any interest therein shall be assigned either by operating agreement, working or royalty interest, or otherwise, nor shall any portion of the leased premises be sublet, except (a) with the consent in writing of the Secretary obtained prior to the assignment, or (b) subject to the assignment being submitted to the Secretary within thirty days of the date of its execution and to his approval. All assignments must be submitted in triplicate and must contain all of the terms and conditions agreed upon by the parties thereto. If the assignment fails to describe the true consideration, an accompanying affidavit which describes the consideration in full detail must be submitted. Such affidavit will be treated as confidential and not for public inspection. No assignment will be recognized as valid which, exclusive of the royalty payable to the United States, shall create overriding royalty interests in the lease aggregating in excess of five percent. No assignment providing for other payments out of production which constitute a burden upon lease operations prejudicial to the interests of the United States will be approved.

§ 4.13 *Inclusion of leased lands in unitization programs.* The development and operation of any area, field, or pool under a Federally-approved cooperative or unit plan is favored in principle, and where the details of operation of such cooperative or unit plan are acceptable to the Secretary all lands within the limits thereof which are covered by oil and gas leases issued by him shall be subject to the provisions of such cooperative or unit plan.

§ 4.14 *Bond requirements.* Within fifteen days after the Secretary has sent to the lessee an oil and gas lease executed by all parties thereto or has notified the lessee that the lease has become effective, the lessee shall file with the designated representative of the Secretary and thereafter maintain a bond in the sum of $1,000 with acceptable surety to guarantee compliance with the terms of the lease, but prior to the initiation by the lessee of drilling operations the lessee shall substitute for that bond, and at all times thereafter maintain as required by the lessor, a bond in such penal sum as shall be stipulated in the lease, with approved corporate surety, or with deposit of United States bonds as surety therefor, conditioned upon compliance with the terms of the lease. The bond of any surety company approved by the Secretary of the Treasury will be accepted as security for performance of the lease.

§ 4.15 *Leases on same land for minerals other than oil and gas.* The granting of a lease for the development or production of oil or gas will not preclude the issuance of other leases or permits on the same land for the mining of other minerals, where not incompatible with the development of the oil and gas resources, with suitable stipulations for joint occupancy by the holders of such leases or permits, to the end that the full development of the mineral resources may be secured.

§ 4.16 *Non-discriminatory employment policies.* All oil and gas leases shall stipulate that the lessee, in the performance of the lease, shall not discriminate against any employee or applicant for employment because of race, creed, color or national origin, and that the lessee shall include in all subcontracts a provision imposing a like obligation on subcontractors.

§ 4.17 *Right to extract helium.* Each oil and gas lease shall stipulate that the United States shall have the right to extract helium from all gas produced on the lands covered by the lease, provided that the said extraction shall be accomplished without substantial delay and shall not otherwise reduce the sale value of the gas; and each lessee must release to the United States any rights which he may have, or may acquire in the future, in said helium through ownership of, or contract with reference to, undivided interests in the oil and gas deposits underlying said lands.

§ 4.18 *Officer in charge.* A representative of the Secretary, to be designated by and to be under the direction of the chief of the bureau charged with the administrative responsibility for the leased property, will supervise and direct operations under each lease. He will be referred to in all leases, agreements, and regulations as the Officer in Charge. Each lessee will be advised as to who is the officer in charge of his particular lease.

§ 4.19 *Lease forms and operating regulations.* Leases will be issued on forms to be prescribed as provided in § 4.20 and shall include provisions and operating regulations for the sound development of the oil and gas resources and for the protection of the surface uses of the land.

§ 4.20 *Delegation to Land Use Coordinator and Director of Finance.* The Land Use Coordinator and the Director of Finance shall jointly have the power to prescribe detailed procedures, forms, and operating regulations in accordance with these regulations.

§ 4.21 *Effective date.* These regulations shall be effective 30 days after they are published in the FEDERAL REGISTER.

Issued at Washington, D. C., this 13th day of May 1944.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

I concur:

GROVER B. HILL,
First Assistant
War Food Administrator.

[F. R. Doc. 44-6915; Filed, May 15, 1944; 11:20 a. m.]

Chapter X—War Food Administration (Production Orders)

[WFO 99]

PART 1220—FEED

USE OF VITAMIN A IN MIXED FEED

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of vitamin A for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1220.11 *Use of vitamin A in mixed feed*—(a) *Restrictions on the use of vitamin A in mixed feed.* No person shall use, deliver, sell, manufacture or prepare any mixed feed that contains more vitamin A supplied by or derived from fish oil, fish-viscera oil or fish-liver oil than the following quantities:

	U. S. P. XII units per pound
(1) Starting feeds for chickens and other poultry, except turkeys	1,500
(2) Other starting feeds for chickens and other poultry, except turkeys (in the form to be consumed)	1,500
(3) All-mash starting feeds for turkeys	3,000
(4) Other starting feeds for turkeys (in the form to be consumed)	3,000
(5) All-mash broiler feeds	1,500
(6) Other broiler feeds (in the form to be consumed)	1,500
(7) All-mash growing feeds for chickens and other poultry, except turkeys	1,800
(8) Other growing feeds for chickens and other poultry, except turkeys (in the form to be consumed)	1,800
(9) All-mash growing feeds for turkeys	3,000
(10) Other growing feeds for turkeys (in the form to be consumed)	3,000
(11) All-mash laying and breeding feeds for chickens and all other poultry, including turkeys	3,000
(12) Other laying and breeding feeds for chickens and all other poultry, including turkeys (in the form to be consumed)	3,000
(13) Mixed feed for calves (in the form to be consumed)	4,000
(14) Mixed feed for dogs and fur-bearing animals (in the form to be consumed)	3,000
(15) All other mixed feed (in the form to be consumed)	2,000

The restrictions of this paragraph shall not apply to any mixed feed manufactured or prepared prior to the publication of this order in the FEDERAL REGISTER.

(b) *Records and reports.* Each feed manufacturer, feed mixer, custom feed mixer, feed distributor or feed dealer who purchased, or used, or sold or had on hand any fish oil, fish-viscera oil or fish-liver oil in the first five months of 1944 shall make a report to the Director on Form FP 7, on or before June 15, provided the quantity of such oil exceeds 400 pounds (or approximately 52 gallons). In addition, the Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(c) *Definitions.* For the purposes of this order:

(1) "Vitamin A" means pre-formed vitamin A, and does not mean the provitamins A such as the carotenes and cryptoxanthin.

(2) "Fish oil" means any oil containing vitamin A derived, extracted or processed from fish, including whole-fish oil and fish-body oil, but not including fish-viscera oil or fish-liver oil.

(3) "Fish-viscera oil" means any oil containing vitamin A derived, extracted or processed from the viscera of fish.

(4) "Fish-liver oil" means any oil containing vitamin A derived, extracted or processed from the livers of fish.

(5) "Mixed feed" means any mixture or combination of two or more natural or artificial feedstuffs used or intended for use in feeding livestock, poultry, furbearing or other animals.

(6) "Feedstuff" means any material or substance used or intended for use in the feeding of livestock, poultry, furbearing animals or other animals for any purpose whatever.

(7) "Director" means the Director of Production, War Food Administration.

(d) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of vitamin A supplied by or derived from fish oil, fish-viscera oil or fish-liver oil, of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

(f) *Violations.* In accordance with the applicable procedure, any person who violates any provision of this order may be prohibited from receiving, making any deliveries of, or using vitamin A supplied by or derived from fish oil, fish-viscera oil or fish-liver oil or any other material subject to priority or allocation control by any government agency. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(g) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Production, War Food Administration, Washington 25, D. C., Ref. WFO 99.

NOTE: All reporting and record keeping requirements of this order have been approved by, and subsequent reporting and record keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 15th day of May 1944.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 44-6914; Filed, May 15, 1944; 11:19 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 79-73, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SAN DIEGO, CALIF., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79-73 (8 F.R. 14367, 9 F.R. 4319), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the San Diego, California, milk sales area, is hereby amended by deleting therefrom the numeral "0.005" in § 1401.85 (o) and inserting, in lieu thereof, the numeral "0.00".

The provisions of this amendment shall be effective as of 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said War Food Order No. 79-73, rights accrued, or liabilities incurred prior to the effective time of this amendment, said War Food Order No. 79-73 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783, WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 11th day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-6836; Filed, May 12, 1944; 1:20 p. m.]

[WFO 79-75, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN LOS ANGELES, CALIF., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79-75 (8 F.R. 14370, 9 F.R. 4319), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Los Angeles, California, metropolitan milk sales area, is hereby amended by deleting therefrom the numeral "0.005" in § 1401.87 (o) and inserting, in lieu thereof, the numeral "0.00".

The provisions of this amendment shall be effective as of 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said War Food Order No. 79-75, rights accrued, or liabilities incurred prior to the effective time of this amendment, said War Food Order No. 79-75 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 11th day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-6837; Filed, May 12, 1944; 1:20 p. m.]

[WFO 75-2, Amdt. 1]

PART 1410—LIVESTOCK AND MEATS

BEEF REQUIRED TO BE SET ASIDE

War Food Order No. 75-2 (8 F.R. 11325, 9 F.R. 4319), § 1410.18 is amended by striking the figure "40" in (b) (1) (i) and (b) (1) (ii) and inserting in lieu thereof the figure "35".

This order shall become effective at 12:01 a. m., e. w. t., May 15, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 75-2 prior to the effective date of this amendment, all provisions of War Food Order No. 75-2 in effect prior hereto shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 8 F.R. 11119, 9 F.R. 4319)

Issued this 10th day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-6782; Filed, May 11, 1944; 12:21 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 78—DECORATIONS, MEDALS, RIBBONS, AND SIMILAR DEVICES

DECORATIONS FOR INDIVIDUALS

Section 78.2 (h) (1) (8 F.R. 15482, 9 F.R. 3417) is amended as follows:

§ 38.2 *To whom decorations awarded.* • • •

(h) *Purple Heart.* (1) (i) • • •

(ii) In connection with the definition of "wound" above, the word "element" refers to weather and permits award to personnel severly frostbitten while actually engaged in combat. Trench foot will not be considered as meriting award. The phrase "at the same instant" is intended to prevent duplicate awards of the Purple Heart for two or more injuries or wounds received from one missile, force, explosion, or agent. A wounded soldier's unsupported statement may be accepted in unusual or extenuating circumstances when, in the opinion of the officer making the award, no corroborative evidence is obtainable. However, the statement will be substantiated if possible. (40 Stat. 870-872, 41 Stat. 398, 44 Stat. 789; 10 U.S.C. 1403, 1409, 1411, 1429) [Par. 16, AR 600-45, 22 Sept. 1943, as amended by C 4, 25 May 1944]

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[SEAL] ROBERT H. DUNLOP,
Brigadier General, Acting The Adjutant General.

[F. R. Doc. 44-6859; Filed, May 13, 1944; 10:59 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4606]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

NATIONAL CREPE PAPER ASSOCIATION OF AMERICA, ET AL.

§ 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices.* In connection with offer, etc., in commerce of crepe paper, and on the part of respondent Association, its secretary and manager, eight corporate manufacturers, members or former members thereof, and their officers, etc., entering into, continuing, cooperating in, or carrying out any planned common course of action, agreement, understanding, combination, or conspiracy between or among any two or more of said respondents, or between any one or more of said respondents and others not parties to the proceeding, to (1) establish or maintain uniform prices for crepe paper, or in any manner agreeing upon, fixing, or maintaining any prices at which crepe paper is to be sold; (2) establish or maintain delivered price zones or price differentials between or among such zones; (3) establish or maintain classifications of customers or prospective customers for pricing purposes; (4) adopt or maintain uniform standards governing creping ratios, sizes, or weights of crepe paper, or the sale of seconds or close-outs, with the purpose or effect of establishing or maintaining, or assisting in the establishing or maintaining of, uniform prices for crepe paper; (5) file with respondent Association or respondent George J. Lincoln, Jr., or with any other agency or person, copies of invoices, or price lists showing current or future prices for crepe paper; or (6) engage in any act or practice substantially similar to those set out in this order with the purpose or effect of establishing or maintaining uniform prices for crepe paper; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, National Crepe Paper Association of America, et al., Docket 4606, April 22, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of April, A. D. 1944.

In the Matter of National Crepe Paper Association of America, an Unincorporated Trade Association; George J. Lincoln, Jr., as Secretary and Manager of National Crepe Paper Association of America; American Tissue Mills, a Corporation, Charles T. Bainbridge's Sons, a Corporation, Fort Howard Paper Company, a Corporation, The Papyrus Company, a Corporation, C. A. Reed Company, a Corporation, and The Tuttle Press Company, a Corporation, All Members, Respectively, of National Crepe Paper Association of America; Dennison Manufacturing Company, a Corporation; and The Reyburn Manufacturing Company, a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of respondents, testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, and briefs in support of and in opposition to the complaint (oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, National Crepe Paper Association of America, an unincorporated association, George J. Lincoln, Jr., as Secretary and Manager of said Association, American Tissue Mills, Charles T. Bainbridge's Sons, Fort Howard Paper Company, The Papyrus Company, C. A. Reed Company, The Tuttle Press Company, Dennison Manufacturing Company, and The Reyburn Manufacturing Company, corporations, and respondents' officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of crepe paper in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out any planned common course of action, agreement, understanding, combination, or conspiracy between or among any two or more of said respondents, or between any one or more of said respondents and others not parties to this proceeding, to do or perform any of the following acts or things:

1. Establishing or maintaining uniform prices for crepe paper, or in any manner agreeing upon, fixing, or main-

taining any prices at which crepe paper is to be sold.

2. Establishing or maintaining delivered price zones or price differentials between or among such zones.

3. Establishing or maintaining classifications of customers or prospective customers for pricing purposes.

4. Adopting or maintaining uniform standards governing creping ratios, sizes, or weights of crepe paper, or the sale of seconds or close-outs, with the purpose or effect of establishing or maintaining, or assisting in the establishing or maintaining of, uniform prices for crepe paper.

5. Filing with respondent National Crepe Paper Association of America or respondent George J. Lincoln, Jr., or with any other agency or person, copies of invoices, or price lists showing current or future prices for crepe paper.

6. Engaging in any act or practice substantially similar to those set out in this order with the purpose or effect of establishing or maintaining uniform prices for crepe paper.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-6855; Filed, May 13, 1944; 11:00 a. m.]

[Docket No. 4958]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

AMERICAN CHEMICAL COMPANY

§ 3.6 (a 10) *Advertising falsely or misleadingly—Comparative data or merits:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (y) *Advertising falsely or misleadingly—Safety.* In connection with offer, etc., in commerce, of respondent's "Flexo", or any other similar product, representing directly or by implication that said product (1) is a safe or dependable anti-freeze preparation for use in the cooling systems of automobile engines; (2) is a superior type of anti-freeze preparation; (3) will protect the cooling systems of automobile engines against corrosion, rust, or other deterioration; (4) will not cause rust, corrosion, or other damage to the cooling systems of automobile engines or damage to such engines or to radiators or hose connections or the exterior finish of automobiles; (5) will not evaporate in use or clog passages in the cooling systems of automobile engines; and (6) will not injure, rust, or corrode aluminum, brass, copper, iron, or other metals, or injure the rubber parts of the cooling systems of automobile engines; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, American Chemical Company, Docket 4956, April 25, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of April, A. D. 1944.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of the respondent, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, and brief in support of the complaint (no brief having been filed by the respondent and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, American Chemical Company, a corporation, and its officers, representatives, agents, and employees directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of its product designated "Flexo" or any other product of substantially similar composition, whether sold under the same name or under any other name, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing directly or by implication:

1. That said product is a safe or dependable anti-freeze preparation for use in the cooling systems of automobile engines.

2. That said product is a superior type of anti-freeze preparation.

3. That said product will protect the cooling systems of automobile engines against corrosion, rust, or other deterioration.

4. That said product will not cause rust, corrosion, or other damage to the cooling systems of automobile engines or damage to such engines or to radiators or hose connections or the exterior finish of automobiles.

5. That said product will not evaporate in use or clog passages in the cooling systems of automobile engines.

6. That said product will not injure, rust, or corrode aluminum, brass, copper, iron, or other metals, or injure the rubber parts of the cooling systems of automobile engines.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-6856; Filed, May 13, 1944; 11:00 a. m.]

[Docket No. 5016]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ALL-WINTER ANTI-FREEZE COMPANY

§ 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (y) *Advertising falsely or misleadingly—Safety:* § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure—Safety:* § 3.96 (a) *Using misleading name—Goods—Nature.* In connection with offer, etc., in commerce, of respondent's "All-Winter Anti-Freeze" and "Chem-A-Cool," or any other similar product, (1) using the term "Anti-Freeze," or any other term of similar import, to designate, describe, or refer to respondent's product; or otherwise representing, directly or by implication, that respondent's product is an effective anti-freeze solution; (2) representing, directly or by implication, that respondent's product affords protection to automotive cooling systems or engines against freezing; (3) representing, directly or by implication, that respondent's product is dependable or safe for use; and (4) advertising, offering for sale, or selling respondent's product without clearly and conspicuously disclosing that the use of said product in an automotive vehicle may cause serious corrosion of parts of the cooling system and motor; stoppage of water passages, particularly in the radiator, with resultant overheating; and a short circuit in the ignition system, necessitating the replacement thereof; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, All-Winter Anti-Freeze Company, Docket 5016, April 25, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of April, A. D. 1944.

In the Matter of D. E. Hamiel, an Individual Trading as All-Winter Anti-Freeze Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission (no answer having been filed by respondent), testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, and brief in support of the complaint (no brief having been filed by respondent and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, D. E. Hamiel, individually and trading as All-Winter Anti-Freeze Company, or trading under any other name, and his agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondent's product designated "All-Winter Anti-Freeze" and "Chem-A-Cool," or any other product of substantially similar composition, do forthwith cease and desist from:

1. Using the term "Anti-Freeze," or any other term of similar import, to designate, describe, or refer to respondent's product; or otherwise representing, directly or by implication, that respondent's product is an effective anti-freeze solution.

2. Representing, directly or by implication, that respondent's product affords protection to automotive cooling systems or engines against freezing.

3. Representing, directly or by implication, that respondent's product is dependable or safe for use.

4. Advertising, offering for sale, or selling respondent's product without clearly and conspicuously disclosing that the use of said product in an automotive vehicle may cause serious corrosion of parts of the cooling system and motor; stoppage of water passages, particularly in the radiator, with resultant overheating; and a short circuit in the ignition system, necessitating the replacement thereof.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-6857; Filed, May 13, 1944; 11:00 a. m.]

[Docket No. 5115]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

GENERAL BAKING COMPANY

§ 3.45 (c) *Discriminating in price—Direct discrimination—Compensatory payments.* In connection with the distribution and sale in commerce, of "Bond Bread" or any other brand, type, or grade of bakery bread or other bakery products, paying, giving, allowing, or contracting to pay, give, or allow anything of value to or for the benefit of some of respondent's customers for advertising services furnished by such customers without making such payments or allowances available to all competing customers on proportionally equal terms; prohibited. (Sec. 2 (d), 49 Stat. 1527; 15 U.S.C., sec. 13d) [Cease and desist order, General Baking Company, Docket 5115, April 26, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of April, A. D. 1944.

In the Matter of General Baking Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the respondent's answer, and the Commission having made its findings as to the facts and its conclusion that the respondent has violated and is violating the provisions of subsection (d) of section 2 of the Clayton Act as amended by the Robinson-Patman Act:

It is ordered, That the respondent, General Baking Company, a corporation, and its officers, representatives, agents, and employees, in connection with the distribution and sale in commerce, as "commerce" is defined in the Clayton Act, of "Bond Bread" or any other brand, type, or grade of bakery bread or other bakery products, do forthwith cease and desist from:

Paying, giving, allowing, or contracting to pay, give, or allow anything of value to or for the benefit of some of its customers for advertising services furnished by such customers without making such payments or allowances available to all competing customers on proportionally equal terms.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-6858; Filed, May 13, 1944; 11:01 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T.D. 5369]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

MUTUAL FIRE INSURANCE COMPANIES ISSUING PERPETUAL POLICIES

Regulations 111, amended to conform to section 135 of the Revenue Act of 1943, relating to mutual fire insurance companies issuing perpetual policies.

In order to conform Regulations 111 (Part 29, Title 26, Code of Federal Regulations, Cum. Supp.) to section 135 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 29.204-1 the following:

SEC. 135. MUTUAL FIRE INSURANCE COMPANIES ISSUING PERPETUAL POLICIES. (Revenue Act of 1943, Title I.)

(a) *Taxability under section 204.* Section 204 (a) (relating to tax on insurance companies other than life or mutual) is amended as follows:

(1) By inserting in paragraph (1) after "every mutual marine insurance company" the following: "and every mutual fire insurance company exclusively issuing either perpetual policies, or policies for which the sole premium charged is a single deposit which (except for such deduction of underwriting costs as may be provided) is refundable upon cancellation or expiration of the policy";

(2) By inserting in paragraph (2) after "a foreign mutual marine insurance company" the following: "and a foreign mutual fire insurance company described in paragraph (1) of this subsection"; and

(3) By inserting in paragraph (3) after "foreign mutual marine insurance companies" the following: "and foreign mutual fire insurance companies described in paragraph (1) of this subsection".

(b) *Gross income.* Section 204 (b) (1) (relating to a definition of gross income) is amended by inserting after the semicolon at the end thereof, the following: "except that in the case of a mutual fire insurance company described in paragraph (1) of subsection (a) of this section, the amount of single deposit premiums paid to such company shall not be included in gross income;".

(c) *Dividends.* Section 204 (c) (11) (relating to deduction of dividends paid or declared) as amended by striking out the period at the end of the first sentence thereof, and inserting the following: ", except in the case of a mutual fire insurance company described in paragraph (1) of subsection (a) of this section.".

* * * * *

(f) *Taxable years to which applicable.* The amendments made by this section shall apply with respect to taxable years beginning after December 31, 1941.

PAR. 2. The heading and the first sentence of § 29.204-1 are amended to read as follows:

§ 29.204-1 *Tax on insurance companies other than life or mutual and mutual marine insurance companies and mutual fire insurance companies issuing perpetual policies.* All insurance companies, other than life or mutual or foreign insurance companies not carrying on an insurance business within the United States, and all mutual marine insurance companies and mutual fire insurance companies exclusively issuing either perpetual policies, or policies for which the sole premium charged is a single deposit which, except for such deduction of underwriting costs as may be provided, is refundable upon cancellation or expiration of the policy, are subject to the tax imposed by section 204.

PAR. 3. The heading and the first sentence of § 29.204-2 are amended to read as follows:

§ 29.204-2 *Gross income.* Gross income as defined in section 204 (b) means the gross amount of income earned during the taxable year from interest, dividends, rents, and premium income, computed on the basis of the underwriting and investment exhibit of the annual statement approved by the National Convention of Insurance Commissioners, as well as the gain derived from the sale or other disposition of property, and all other items constituting gross income under section 22, except that in the case of a mutual fire insurance company described in § 29.204-1 the amount of single deposit premiums received, but not assessments, shall be excluded from gross income.

PAR. 4. Section 29.204-3 is amended as follows:

(A) The heading is amended to read as follows: "*Deductions.*"

(B) The seventh, eighth and ninth sentences of the first paragraph are amended to read as follows:

The deduction is the same as that allowed mutual insurance companies subject to the tax imposed by section 207, see section 207 (b) (4) (F) and the regulations thereunder. Insurance companies, other than mutual fire insurance companies described in § 29.204–1, are also allowed a deduction for dividends and similar distributions paid or declared to policyholders in their capacity as such. The deduction is otherwise the same as that allowed mutual insurance companies subject to the tax imposed by section 207, see section 207 (b) (3) and the regulations thereunder.

PAR. 5. There is inserted immediately preceding § 29.207–1 the following:

SEC. 135. MUTUAL FIRE INSURANCE COMPANIES ISSUING PERPETUAL POLICIES. (Revenue Act of 1943, Title I.)

* * * * *

(d) *Nontaxability under section 207.* Section 207 (a) (relating to tax on mutual insurance companies other than life or marine) is amended by inserting after "other than a life or a marine insurance company" and after "other than a life or marine insurance company", wherever appearing therein, the following: "or a fire insurance company subject to the tax imposed by section 204".

(e) *Real estate; bond premium and discount.* Subsections (c) and (d) of section 207 are amended by striking out "other than life and marine", wherever appearing therein, and inserting in lieu thereof the following: "subject to the tax imposed by this section".

(f) *Taxable years to which applicable.* The amendments made by this section shall apply with respect to taxable years beginning after December 31, 1941.

PAR. 6. Section 29.207–1 is amended as follows:

(A) The heading and the first sentence of the first paragraph are amended to read as follows:

§ 29.207–1 *Tax on mutual insurance companies other than life or marine or fire insurance companies subject to the tax imposed by section 204.* All mutual insurance companies, including foreign insurance companies carrying on an insurance business within the United States, not taxable under sections 201 or 204 and not specifically exempt under the provisions of section 101 (11), are subject to the tax imposed by section 207 (a) on their investment income or on their gross income, whichever tax is the greater, except interinsurers and reciprocal underwriters which are taxed only on their investment income.

(B) The second, third and fifth paragraphs are amended by striking out "other than life or marine" wherever appearing therein, and inserting in lieu thereof the following: "subject to the tax imposed by section 207".

(C) The fourth paragraph is amended by striking out "other than life or marine".

(D) Example (3) is amended by inserting after "a mutual fire insurance company" the following: "subject to the tax imposed by section 207".

PAR. 7. Section 29.207–4 is amended as follows:

(A) Paragraph (a) is amended by striking out "other than life or marine" wherever appearing therein, and inserting in lieu thereof the following: "subject to the tax imposed by section 207".

(B) Paragraph (b) is amended by striking out "of a mutual insurance company other than life or marine".

(C) Example (1) is amended by inserting after "a mutual fire insurance company" the following: "subject to the tax imposed by section 207".

PAR. 8. Section 29.207–5 is amended by striking out "other than life or marine" and inserting in lieu thereof the following: "subject to the tax imposed by section 207".

PAR. 9. Section 29.207–6 is amended by striking out "other than life or marine" wherever appearing therein, and inserting in lieu thereof the following: "subject to the tax imposed by section 207".

(Sec. 135, Revenue Act of 1943 (Pub. Law 235, 78th Cong.), enacted Feb. 25, 1944, and sec. 62, Internal Revenue Code (53 Stat. 32; 26 U.S.C., 1940 ed., 62))

JOSEPH D. NUNAN, Jr.
Commissioner of Internal Revenue.

Approved: May 11, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44–6839; Filed, May 12, 1944; 1:50 p. m.]

[T. D. 5370]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

ADJUSTMENT OF BASIS AS RESULT OF CANCELLATION OF INDEBTEDNESS

Amending Regulations 111 to conform to section 122 of the Revenue Act of 1943, relating to adjustment of basis as result of cancellation of indebtedness in a proceeding under section 77B of the Bankruptcy Act, as amended.

In order to conform Regulations 111 (Part 29, Title 26, Code of Federal Regulations, Cum. Supp.) to section 122 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately after § 29.113 (b) (3)–2 the following:

SEC. 122. REORGANIZATION BY ADJUSTMENT OF CAPITAL STRUCTURE PRIOR TO SEPTEMBER 22, 1938. (Revenue Act of 1943.)

(a) *In general.* Section 113 (b) (relating to adjustments to the basis of property) is amended by inserting at the end thereof the following:

(4) *Adjustment of capital structure prior to September 22, 1938.* Where a plan of reorganization of a corporation, approved by the court in a proceeding under section 77B of the National Bankruptcy Act, as amended, is consummated by adjustment of the capital or debt structure of such corporation without the transfer of its assets to another corporation, and a final judgment or decree in such proceeding has been entered prior to September 22, 1938, then the provisions of section 270 of the National Bankruptcy Act, as amended, shall not apply in respect of the property of such corporation. For the purposes of this paragraph the term "reorganization" shall not be limited by the definition of such term in section 112 (g).

(b) *Taxable years to which applicable.* A provision having the effect of the amendment made by subsection (a) shall be deemed to be included in the revenue laws respectively applicable to taxable years beginning after December 31, 1935.

§ 29.113 (b) (4)–1 *Adjusted basis: Exception to section 270 of the Bankruptcy Act, as amended.* The adjustment to basis provided by section 270 of the Bankruptcy Act of 1898, as amended, and §§ 29.113 (b) (1)–2 and 29.113 (b) (1)–3 of these regulations shall not be made if, in a proceeding under section 77B of such act, indebtedness was canceled in pursuance of a plan of reorganization which was consummated by adjustment of the capital or debt structure of the insolvent corporation, and the final judgment or decree in such proceeding was entered prior to September 22, 1938. Section 113 (b) (4) and this section do not apply if the plan of reorganization under section 77B was consummated by the transfer of assets of the insolvent corporation to another corporation.

PAR. 2. Regulations 103 and prior income tax regulations are amended by incorporating therein the provisions of § 29.113 (b) (4)–1 of Regulations 111 to the extent necessary to accord with section 122 of the Revenue Act of 1943 as applicable to years beginning prior to January 1, 1942, and after December 31, 1935.

(Sec. 62, Internal Revenue Code (53 Stat. 32; 26 U.S.C., 1940 ed., 62), corresponding provisions of prior revenue laws, and sec. 122, Revenue Act of 1943 (Pub. Law 235, 78th Cong.))

JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: May 11, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44–6840; Filed, May 12, 1944; 1:50 p. m.]

[T. D. 5371]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

COMPUTATION OF NET INCOME

Regulations 111 amended to conform to sections 109, 111, 114, and 115 of the Revenue Act of 1943, relating to exclusion from gross income of certain mustering-out payments, denial of deduction for certain Federal excise taxes, deduction for corporate contributions to veterans' organizations, and special deduction for the blind.

In order to conform Regulations 111 (Part 29, Title 26, Code of Federal Regulations, Cum. Supp.) to sections 109, 111, 114, and 115 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately after § 29.22 (b) (13)–1 the following:

SEC. 109. EXCLUSION FROM GROSS INCOME OF MUSTERING-OUT PAYMENTS FOR MILITARY AND NAVAL PERSONNEL. (Revenue Act of 1943, Title I.)

Section 22 (b) (relating to exclusions from gross income) is amended by inserting at the end thereof the following:

(14) *Mustering-out payments for military and naval personnel.* Amounts received during the taxable year as mustering-out payments with respect to service in the military or naval forces of the United States.

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1943, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1943.

§ 29.22 (b) (14)–1 *Mustering-out payments of military and naval forces.* The exclusion from gross income under section 22 (b) (14) of mustering-out payments with respect to service in the military and naval forces applies only with respect to taxable years beginning after December 31, 1943. For the purposes of such exclusion mustering-out payments are payments made to any recipients pursuant to the provisions of the Mustering-Out Payment Act of 1944.

PAR. 2. There is inserted immediately preceding § 29.23 (c)–1 the following:

SEC. 111. DENIAL OF DEDUCTION FOR FEDERAL EXCISE TAXES NOT DEDUCTIBLE UNDER SECTION 23 (a). (Revenue Act of 1943, Title I.)

Section 23 (c) (1) (relating to deduction of taxes in computing net income) is amended (a) by striking out "and" at the end of subparagraph (D); (b) by striking out the period at the end of subparagraph (E) and inserting in lieu thereof "; and"; and (c) by inserting at the end thereof the following:

(F) Federal import duties, and Federal excise and stamp taxes (not described in subparagraph (A), (B), (D), or (E)), but this subsection shall not prevent such duties and taxes from being deducted under subsection (a).

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1943, Title I.

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1943.

PAR. 3. Section 29.23 (c)–2 is amended as follows:

§ 29.23 (c)–2 *Federal duties and excise taxes.* Federal import or tariff duties, business, license, privilege, excise, and stamp taxes, not described in subparagraph (A), (B), (D), or (E) of section 23 (c), paid or accrued within the taxable year are deductible as taxes, except for taxable years beginning after December 31, 1943, provided they are not added to and made a part of the expenses of the business or the cost of articles of merchandise with respect to which they are paid, in which case they cannot be separately deducted. The fact that such taxes are not deductible as taxes under section 23 (c) for taxable years beginning after December 31, 1943, does not prevent a deduction therefor under section 23 (a) provided they represent ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, or, in the case of an individual, for the production or collection of income, or for the management, conservation, or maintenance of property held for the production of income. (See § 29.23 (a)–1.)

PAR. 4. There is inserted immediately preceding § 29.23 (q)–1 the following:

SEC. 114. CORPORATE CONTRIBUTIONS TO VETERANS' ORGANIZATIONS. (Revenue Act of 1943, Title I.)

Section 23 (q) (relating to charitable and other contributions by corporations) is amended (a) by inserting "veteran rehabilitation service," after "scientific," in paragraph (2), (b) by inserting "or" at the end of paragraph (2), and (c) by inserting after paragraph (2) the following new paragraph:

(3) Posts or organizations of war veterans, or auxiliary units of, or trusts or foundations for, any such posts or organizations, if such posts, organizations, units, trusts, or foundations are organized in the United States or any of its possessions, and if no part of their net earnings inure to the benefit of any private shareholder or individual;

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1943, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1943.

PAR. 5. Section 29.23 (q)–1 is amended by striking the first sentence and inserting in lieu thereof the following:

A corporation may, subject to the limitations provided by section 23 (q), deduct from its gross income contributions or gifts to organizations described in section 23 (q), except in computing net income for taxable years beginning before January 1, 1944, contributions or gifts to organizations organized and operated exclusively for veterans' rehabilitation services, or posts or organizations of war veterans, or auxiliary units of, or trusts or foundations for, any such posts or organizations are not deductible unless such contributions qualify as deductions under section 23 (q) prior to its amendment by section 114 of the Revenue Act of 1943. (See § 29.22 (b) (4)–1 for definition of "political subdivision".)

PAR. 6. There is inserted immediately after § 29.23 (x)–1 the following:

SEC. 115. SPECIAL DEDUCTION FOR BLIND. (Revenue Act of 1943, Title I.)

Section 23 (relating to deductions in computing net income) is amended by inserting after section 23 (x) the following:

(y) *Special deduction for blind individuals*—(1) *In general.* In the case of a blind individual, $500. For the purposes of this subsection, the status of the individual, insofar as it effects the application of this subsection to such individual, shall be determined as of July 1 of the taxable year, unless the taxable year does not include July 1, in which case such status shall be determined as of the last day of the taxable year.

(2) *Definition.* For the purposes of this subsection, the term "blind individual" means an individual whose central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or whose visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1943, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1943.

§ 29.23 (y)–1 *Special deduction for blind individuals.* For taxable years beginning after December 31, 1943, a special deduction from gross income of $500 is allowed under the provisions of section 23 (y) to all blind individuals who qualify as such at any time on July 1 of the taxable year or, if the taxable year does not include July 1, on the last day of such taxable year. The term "blind individual" is defined in section 23 (y) (2). The deduction is allowable only if the taxpayer himself is the blind individual and is not allowable, e. g., in respect of a dependent who is blind. In the case of a joint return, if both husband and wife are blind individuals, a deduction of $1,000 is allowable, but if only the husband or wife is a blind individual, only $500 may be deducted. The special deduction provided in section 23 (y), however, is in addition to the personal exemption, the credit for dependents, and all other allowable deductions.

An individual claiming the special deduction provided in section 23 (y) should, if not totally blind as of the status determination date, that is, as of July 1 of the taxable year or, if the taxable year does not include July 1, as of the last day of such taxable year, attach to his return a certificate from a physician skilled in the diseases of the eye or a registered optometrist showing in detail the condition of his eyes as of the status determination date. If he is totally blind as of the status determination date, that is, if he cannot distinguish light from darkness, he should attach to his return a statement setting forth such fact.

(Sec. 62, Internal Revenue Code (53 Stat. 32; 26 U.S.C., 1940 ed., 62) and secs. 109, 111, 114, and 115, Revenue Act of 1943 (Pub. Law 235, 78th Cong.))

JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: May 11, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44–6841; Filed, May 12, 1944; 1:50 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

AUTHORITY: Regulations in this subchapter issued under sec 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 903—DELEGATIONS OF AUTHORITY

[Directive 31, as Amended May 15, 1944]

PREFERENCE RATING AUTHORITY OF THE ARMY AND NAVY MUNITIONS BOARD

§ 903.44 *Directive 31*—(a) *Purpose.* The purpose of this directive is to delegate to and define the authority of the Army and Navy Munitions Board with

respect to the assignment of preference ratings.

(b) *Priorities Directives of the Army and Navy Munitions Board.* The Army and Navy Munitions Board, with the concurrence of the War Production Board, may establish schedules of preference ratings within limits prescribed by WPB Program Determinations in the form of ANMB Priorities Directives covering contracts, purchase orders and other similar procurement documents for the delivery of materials to or for the account of:

(1) The Army (including the Panama Canal) and the Navy (including the Marine Corps and the Coast Guard). This does not include material procured by any of the above under the Act of March 11, 1941 (Lend-Lease Act) which is not for the direct use of the armed services of a foreign country.

(2) U. S. Army and Marine Corps Post Exchanges; U. S. Navy and Coast Guard Ship's Service Departments; War Shipping Administration Training Organization Ship's Service activities.

(3) The following agencies of the Federal Government: Coast and Geodetic Survey; National Advisory Committee on Aeronautics; Civil Aeronautics Administration; Selective Service System; Office of Scientific Research and Development; Office of Strategic Services; Maritime Commission; War Shipping Administration; Weather Bureau; U. S. Soldiers Home (Washington, D. C.).

(4) American Red Cross and United Service Organizations, Inc., activities directly connected with military personnel.

(5) Foreign governments, for the procurement of material on a cash basis for the use of their armed services.

(6) Appropriate State officials, for the purchase of State Guard uniforms.

(7) Institutions and schools training military personnel under supervision of the military.

(8) Units of the Reserve Officers Training Corps, for the purchase of uniforms for trainees.

(c) *Deliveries which may be rated.* The Army and Navy Munitions Board may assign preference ratings to:

(1) Deliveries in fulfillment of contracts and purchase orders of the kinds described in paragraph (b), including deliveries of material to be incorporated in command construction, Engineers Corps construction, Panama Canal construction or CAA construction (see subparagraphs (3), (4), (5) and (6) below).

(2) Deliveries of machine tools or other capital equipment to prime contractors or subcontractors to produce items being procured under a prime Army or Navy contract. Directive 23 (§ 903.35) requires War Production Board approval of ratings assigned for machine tools and other capital equipment.

(3) Command construction; that is, the following types of projects ordered built by either the Chief of Staff, U. S. Army, or the Chief of Naval Operations, U. S. Navy: air fields; military housing; alien housing; facilities for the repair of finished items of munitions; overseas or theatre of operations construction; seacoast fortifications; ports and depots; camouflage and other passive defense projects (whether or not owned and operated by the Army or Navy); emergency flood control projects having a value of less than $100,000; military hospitals; maneuver, training and staging areas and proving grounds.

(4) Engineers Corps construction; that is, projects which (i) have been determined by the War Production Board to be essential, (ii) are built by or under the supervision of the Corps of Engineers (and where appropriate, completed by the Army Air Forces) in accordance with a design directive approved by an authorized representative of the War Production Board and (iii) will be owned, leased, maintained or operated by or under the direction of the War Department, and financed by War Department funds.

(5) Panama Canal construction; that is, projects (other than command construction) which are owned by the Panama Canal.

(6) CAA construction; that is, (i) projects for the construction of airports financed under the appropriation for "Development of Landing Areas for National Defense" (Public Law 528, 77th Congress, 2nd Session) and which (a) have been determined by the War Production Board to be essential, (b) are built under the supervision of the Army, Navy or Civil Aeronautics Administration, and (c) are built in accordance with specifications of the Bureau of Yards and Docks, U. S. Navy, or the Corps of Engineers, U. S. Army; and (ii) projects for the construction of the following airway facilities requested by the Army or Navy and financed from Civil Aeronautics Administration, Army or Navy appropriations: (a) Intermediate landing fields to be operated by and situated on property owned or leased by the U. S. Government; (b) airway lighted aids, that is, automatically operated lighted aids to contact flight operations on a designated flying route between airfields; (c) radio facilities, that is, radio transmitting stations producing identifying signals received by aircraft in flight; and (d) communication facilities, that is, facilities to collect and disseminate weather reports and maintain two-way communications with aircraft in flight or with other stations.

(7) Maritime MRO; that is (i) deliveries of materials and equipment immediately required for the maintenance, repair and operation of ships and other property directly related to ships and shipping, including all watercraft, other than pleasure craft, stevedoring equipment, equipment used in the operation of marine terminals, plant equipment of shipyards and ship repair yards and facilities; and (ii) deliveries of materials immediately required for maintenance, repair and operating supplies for neutral ships in ports of the United States, after clearance of the vessels' status has been made with the Foreign Economic Administration.

(d) *Redelegation of authority to assign ratings.* The authority delegated to the Army and Navy Munitions Board in paragraph (c) may be redelegated by that Board, either directly or through channels, to procurement, contracting and inspecting officials or other authorized officials of the Army and Navy and to the agencies enumerated in paragraph (b) and officials thereof. However, the authority delegated in subparagraph (c) (7) may be redelegated by the Army and Navy Munitions Board only to the United States Maritime Commission or War Shipping Administration and officials thereof. Any general instructions regarding the assignment of ratings which are issued by the Army and Navy Munitions Board shall be approved before issuance by the War Production Board. Approval of specific adjustments made by ANMB within the limits prescribed by WPB Program Determinations is not required.

(e) *Method of assigning ratings.* (1) A preference rating assigned to a production schedule at the time that allotments are made and the schedule is authorized under the Controlled Materials Plan shall be assigned on an allotment form, on Form WPB-542 (formerly PD-3A), or as prescribed in subparagraph (3) below.

(2) All other preference ratings assigned under this directive shall be assigned on Form WPB-542 (formerly PD-3A) or as prescribed in subparagraph (3) below.

(3) When any government agency mentioned in paragraph (b) assigns a preference rating to deliveries to be made to it or for its account, it may do so by placing the rating on the purchase order or contract and endorsing the order or contract with a certification substantially as follows: "By authority of the War Production Board the preference ratings indicated are assigned to the deliveries on this purchase order or contract." This certification may be placed on a purchase order or contract by means of a rubber stamp or printed on the order or contract form. The certification need not be signed separately if the purchase order or contract is signed by an official who is authorized to assign ratings on behalf of the agency which is placing the order or contract. This method of assigning a rating may not be used when machine tools or capital equipment are ordered by prime or subcontractors, even if the delivery is for the account of the government agency assigning the rating. All provisions of War Production Board orders or regulations applicable to Form WPB-542 (formerly PD-3A) including approval of ratings required by Directive 23, shall be applicable to purchase orders and contracts rated under this subparagraph.

(4) Reratings may be issued or effected within WPB program determinations in the manner prescribed by Priorities Regulation 12.

NOTE: Paragraph (5) formerly (4), redesignated May 15, 1944.

(5) Every rating assigned under this directive on a form or certificate shall be assigned in the manner prescribed therein without attaching any further conditions or qualifications.

(f) *Application and extension of ratings.* Ratings assigned under this directive may be applied and extended only in accordance with applicable regulations of the War Production Board.

(g) *Directives and administrative orders superseded.* This directive supersedes Division Administrative Order No. 1 of the Division of Industry Operations, War Production Board, issued February 23, 1942, all amendments thereof and memoranda supplemental thereto, and all delegations of authority to assign preference ratings which have been heretofore issued to the Army and Navy Munitions Board or to any Service of the Army, to the Army Air Forces, or to any Bureau of the Navy.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696)

Issued this 15th day of May 1944.

WAR PRODUCTION BOARD,
By C. E. WILSON,
Executive Vice Chairman.

[F. R. Doc. 44-6924; Filed, May 15, 1944; 11:36 a. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Directive 32]

PREFERENCE RATING AUTHORITY OF THE UNITED STATES MARITIME COMMISSION AND WAR SHIPPING ADMINISTRATION

§ 903.45 *Directive 32* — (a) *Purpose.* The purpose of this directive is to delegate to and define the authority of the United States Maritime Commission and War Shipping Administration with respect to the assignment of preference ratings for procurement of inventory other than for the direct account of the Maritime Commission or War Shipping Administration.

(b) *Assignment of preference ratings for inventory purposes.* The United States Maritime Commission and War Shipping Administration may assign preference ratings which are specifically prescribed by a Program Determination of the War Production Board, on Form WPB-646 (PD-300) to deliveries of material for inventory purposes (not exceeding a 90-day inventory) to ship repair yards; to ships in service; to ship repair facilities; to river and harbor maintenance facilities; to ship chandlers and other distributors of marine supplies; and to sales and distribution outlets of manufacturers of marine supplies.

(c) *General provisions.* (1) Form WPB-646 (PD-300) assigning preference ratings pursuant to this directive shall be issued in the name of the War Production Board and countersigned by a duly authorized official of the United States Maritime Commission or War Shipping Administration.

(2) The United States Maritime Commission or War Shipping Administration may exercise the authority delegated in this directive through such of its officials as the Chairman of the United States Maritime Commission or Administrator of the War Shipping Administration may determine.

(3) Preference ratings assigned pursuant to this directive may be applied or extended only in accordance with applicable regulations of the War Production Board.

(4) A true copy of every Form WPB-646 (PD-300) on which a rating is assigned pursuant to this directive shall be maintained by the United States Maritime Commission and the War Shipping Administration for inspection by a representative of the War Production Board at any time.

(d) *Revocation of Priorities Directive No. 1.* Priorities Directive No. 1, September 18, 1942, is revoked.

Issued this 15th day of May 1944.

WAR PRODUCTION BOARD,
By C. E. WILSON,
Executive Vice Chairman.

[F. R. Doc. 44-6925; Filed, May 15, 1944; 11:36 a. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-548]

SKINNER & KENNEDY STATIONERY CO.

Skinner & Kennedy Stationery Company, 416 North Fourth Street, St. Louis, Missouri, is a Missouri corporation, engaged in the business of manufacturing calendars. In May, 1943, it applied Preference Rating AA-2 MRO to the purchase, and thereafter accepted delivery of 28,000 pounds of steel sheets. This material was to be used, and was carried on the company's books, as production materials and not as operating supplies. This constituted a violation of CMP Regulation No. 5 and Priorities Regulation No. 3. In accepting delivery of the steel sheets, the company's inventory of controlled material became much greater than the quantity of such item of controlled material it was required by its current practices to put into use during the succeeding sixty-day period. This was a violation of CMP Regulation No. 2. The company was familiar with the regulations of the War Production Board, and its violations must be deemed willful. These violations have interfered with the controls established by the War Production Board for the distribution of critical materials. In view of the foregoing, it is hereby ordered, that:

§ 1010.548 *Suspension Order No. S-548.* (a) Deliveries of steel sheets or steel calendar slides to Skinner & Kennedy Stationery Company, its successors or assigns, shall not be accorded priority over deliveries of such materials under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, shall be made to Skinner & Kennedy Stationery Company, its successors or assigns, of any steel sheets or steel calendar slides, the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Skinner & Kennedy Stationery Company, its successors or assigns, shall not receive or accept delivery of any steel sheets or calendar slides, nor shall any person or firm deliver steel sheets or steel calendar slides to Skinner & Kennedy Stationery Company, its successors or assigns, unless hereafter specifically authorized in writing by the War Production Board.

(d) Nothing contained in this order shall be deemed to relieve Skinner & Kennedy Stationery Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on May 12, 1944.

Issued this 5th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6838; Filed, May 12, 1944; 1:57 p. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[General Preference Order E-6, as Amended May 13, 1944]

HAND SERVICE TOOLS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of hand service tools and of alloy steel used in their manufacture, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3274.51 *General Preference Order E-6—(a) Definitions.* For the purposes of this order:

(1) "Mechanic's hand service tool" means any tool listed on Exhibit A hereto attached which is used by hand, and is made of iron or steel or has a principal component part made of iron or steel.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(3) "Producer" means any person engaged in the production of mechanics' hand service tools.

(4) "WPB–547 order" means any order for mechanics' hand service tools now or hereafter placed with a producer by any person acquiring such tools for his own inventory or shelf stock pursuant to a rating assigned on Form WPB–547 (formerly PD–1X).

(5) "Other order" means any purchase order for mechanics' hand service tools except WPB–547 orders.

(6) "Total monthly production" means either.

(i) The total dollar value of each kind of mechanic's hand service tool listed on Exhibit A hereto attached, scheduled to be produced in any given month by a producer, including both special and standard tools of that kind; or

(ii) The total number of units of each kind of mechanic's hand service tool listed on Exhibit A hereto attached, scheduled to be produced in any given month by a producer.

(b) *Restriction on use of steel.* No producer shall manufacture any mechanics' hand service tools out of any alloy steel except those which are in the series specified in Exhibit B hereto attached or except pursuant to specific permission of the War Production Board.

(c) *Allocation of production between WPB–547 orders and other orders.* Commencing with the month of July 1943 and each month thereafter, each producer shall schedule his total monthly production and the delivery thereof as follows:

(1) To the extent that he has WPB–547 orders on hand, he shall schedule between 20 and 25 percent of his total monthly production of each kind of mechanic's hand service tool specified in Exhibit A hereto attached for delivery against WPB–547 orders requiring delivery in such month. No producer shall schedule any order pursuant to this paragraph (c) (1) unless it clearly appears from such order that the rating applied thereto was assigned on Form WPB–547 (formerly PD–1X).

The sequence of deliveries on WPB–547 orders within the percentage limitation thereon which may be delivered in any given month shall be scheduled according to applicable War Production Board regulations.

(2) To the extent that he has other orders on hand, he shall schedule between 75 and 80 percent of his total monthly production of each kind of mechanic's hand service tool specified in Exhibit A hereto attached for delivery against other orders requiring delivery in such month.

The sequence of deliveries on other orders within the percentage limitation thereon which may be delivered in any given month shall be scheduled according to applicable War Production Board regulations.

(3) Any portion of the percentage allocated to WPB–547 orders which has not been taken up by such orders on or before the fifteenth day of the month preceding the month being scheduled, shall be scheduled for delivery against other orders, and vice versa.

(d) *Necessity for preference ratings and authorizations to place orders.* Notwithstanding any other provisions of this order:

(1) No producer shall sell or deliver any mechanics' hand service tools pursuant to any purchase order placed prior to June 12, 1943 unless such order bears a preference rating of A–9 or higher, nor shall any producer sell or deliver any mechanics' hand service tools pursuant to any purchase order placed subsequent to June 12, 1943 unless such order bears a preference rating of AA–5 or higher, or except pursuant to specific permission of the War Production Board.

(2) [Deleted Feb. 19, 1944]

NOTE: Specific authorization to purchase certain types of mechanics' hand service tools is now required by Table 12 under General Scheduling Order M–293.

(e) *Restrictions on inventory.* On and after June 12, 1943, no person purchasing more than ten mechanics' hand service tools of any kind specified on Exhibit A shall accept delivery of any such tools the delivery of which will effect an increase in his inventory beyond a supply required by his current practices for use or for resale during a sixty-day period. In the event that the provisions of Suppliers' Inventory Limitation Order L–63 as applied to any supplier as defined in that order are more restrictive, such provisions shall govern. The restrictions on inventory contained in this paragraph (e) shall not apply to the following designated types of purchase orders:

(1) Purchase orders for mechanics' hand service tools made pursuant to the purchaser's special design or specifications which are not standard items in the producer's production schedules.

(2) Purchase orders placed by the Army, Navy, or Maritime Commission for mechanics' hand service tools required for bases or supply depots outside the continental United States (comprising the several States and the District of Columbia), or for bases or supply depots within the continental United States which are maintained for emergency purposes, or to supply such bases or supply depots outside the continental United States.

(3) Any other purchase order specifically excepted from this restriction by the War Production Board.

(f) *Repair parts.* Nothing in this order shall be construed to prevent the sale and delivery of repair parts for mechanics' hand service tools in accordance with applicable regulations and orders of the War Production Board concerning repair parts.

(g) [Revoked Feb. 19, 1944]

(h) *Applicability of General Scheduling Order M–293.* Those mechanics' hand service tools which are listed on the schedule attached to General Scheduling Order M–293 are also subject to the terms and provisions of that order.

(i) *Reports.* Each producer shall execute and file with the War Production Board Form WPB–2057 and such other reports and questionnaires as said Board may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(j) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board.

(l) *Communications.* All reports, appeals, and other communications concerning this order shall be addressed to: War Production Board, Tools Division, Washington 25, D. C., Ref.: E–6.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 13th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A

Mechanics' cold chisels and punches.
Metal cutting files.
Machinists' ball pein hammers.
Metal cutting snips and shears.
Pliers, slip joint.
Pliers, solid joint.
Metalworking punches, lever type.
Screw drivers, all types.
Wrenches, socket and driving units.
Wrenches, open end and combination box
Wrenches, adjustable, 22½° angle.
Wrenches, box.
Wrenches, adjustable auto.
Wrenches, monkey.
Wrenches, pipe.

NOTE: Tools subject to L–53 b are not included herein.

EXHIBIT B

NE 1000 Series with or without Boron or Vanadium addition agents
NE 1300 Series
NE 8600 Series
NE 8700 Series
NE 9200 Series
NE 9400 Series

[F. R. Doc. 44–6860; Filed, May 13, 1944; 11:14 a. m.]

PART 3278—SALVAGE

[Conservation Order M–325, as Amended May 13, 1944]

TINNED AND DETINNED SCRAP

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of tin and of iron and steel scrap, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3278.1 *Conservation Order M–325—*(a) *Definitions.* For the purposes of this order:

(1) "Tinned scrap" means scrap consisting of tin plate, whether clippings, used tin cans, or in any other form, but excluding used crown or screw caps or similar closures for tin cans or other containers.

(2) "Detinned scrap" means tinned scrap which has been treated by a chemical or electro-chemical detinning process so that it contains not more than 3/10 of one per cent of tin by weight.

(3) "Tin plate clippings" means tinned scrap consisting of new or reclaimed tin plate, generated in the manufacture of cans, closures, or other articles.

(4) "Flat tinned scrap" means any form of tinned scrap other than used tin cans and tin plate clippings, but includes tin plate sheets recovered from used tin cans or from other articles.

(5) "Tin plate" and "terne plate" shall have the same meanings as in Supplementary Order M–21–e, as amended.

(6) "Official salvage committee" means a municipal or county committee organized to stimulate, supervise and engage in the collection of salvable materials (including tinned scrap) in accordance with policies and programs established from time to time by the Salvage Division of the War Production Board.

(7) "Prepared used tin cans" means tin cans from which the contents have been emptied, the labels and ends removed, have been thoroughly cleaned so as to remove all organic matter, and have their sides flattened.

(b) *Restrictions on tinned scrap and used cans made of terne plate.* Except with specific permission of the War Production Board:

(1) *Iron and steel producers.* No person shall deliver tinned scrap, tinned wire or used cans made of terne plate to a producer of steel or iron products (as defined in Order M–21, as amended), and no such producer shall accept delivery of tinned scrap, tinned wire or used cans made of terne plate.

(2) *Tin plate clippings.* No person shall deliver or accept delivery of tin plate clippings except where delivery is made to an official salvage committee, a detinning plant, or to a broker or dealer for delivery by him in the same form in which he receives them to an official salvage committee or detinning plant.

(3) *Flat tinned scrap.* No person shall use flat tinned scrap in any manufacturing operation; and no person shall deliver or accept delivery of flat tinned scrap except where delivery is made to or for the account of:

(i) A detinning plant or a plant engaged in the precipitation of copper; or

(ii) An official salvage committee or other person for delivery in the same form in which it is received to or for the account of a detinning plant or a plant engaged in the precipitation of copper.

(4) *Used tin cans.* No person shall deliver or accept delivery of used tin cans except where delivery is made to or for the account of a municipal department or agency, an official salvage committee, a shredding or detinning plant, a plant engaged in the precipitation of copper, a smelter engaged in the recovery of tin, or a person regularly engaged in the collection of rubbish or trash. Any person regularly engaged in the collection of rubbish and trash who receives used tin cans, shall either deliver them to one of the persons or agencies listed above, or place them in a dump or other established refuse disposal point.

Permission to acquire used tin cans may be granted to other persons by the War Production Board upon such terms and conditions as it may impose. Application for such permission shall be made on Form WPB 2825, or on such other form as may be specified by the War Production Board.

The restrictions of this paragraph (b) (4) shall not apply to deliveries of used tin cans to or for the account of any person for reuse in packing any product.

(5) *Collection, segregation and disposal of used tin cans in counties on Schedule A.* No person (including a municipal department or agency) in any of the counties listed in Schedule A, who is regularly engaged in collecting rubbish or trash shall:

(i) Reject any used tin cans offered him in the usual course of his collection of rubbish or trash;

(ii) Mingle any used tin cans which were segregated at the time of their collection with any other refuse, rubbish or trash;

(iii) Dispose of any segregated used tin cans, collected by him in any manner, other than by delivering such cans to or for the account of:

(a) A shredding or detinning plant, a plant engaged in the precipitation of copper or a smelter engaged in the recovery of tin; or

(b) A municipal department or agency for delivery by such department or agency to a shredding or detinning plant, to a plant engaged in the precipitation of copper or a smelter engaged in the recovery of tin.

(6) *Collection, segregation and disposal of prepared used tin cans in areas on Schedule B.* No person (including a municipal department or agency) who is regularly engaged in collecting rubbish or trash, within any municipality having a population of 25,000 or more located in any of the areas listed on Schedule B, shall:

(i) Reject any prepared used tin cans offered him in the usual course of his collection of rubbish or trash;

(ii) Mingle any prepared used tin cans which were segregated at the time of their collection with any other refuse, rubbish or trash;

(iii) Dispose of any such segregated and prepared tin cans in any other manner than by delivering such cans to or for the account of a detinning plant.

NOTE: Paragraph (c), formerly (d), redesignated and former paragraph (c) deleted May 13, 1944.

(c) *Miscellaneous provisions—*(1) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(2) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Salvage Division, Washington 25, D. C., Ref: M–325.

(4) *Authorizations terminated.* All authorizations under Order M–72–a, which were continued in force as authorizations under this order by the terms of the revocation of M–72–a issued June 16, 1943, are terminated and cancelled as of June 1, 1944. Holders of such authorizations should apply for new authorizations under this order.

Issued this 13th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

California: Alameda, Contra Costa, Fresno, Imperial, Kern, Los Angeles, Marin, Merced, Monterey, Orange, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, San Joaquin, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma, Stanislaus, Ventura, Yolo, Yuba.

New York: Bronx, Kings, New York, Queens, Richmond.

SCHEDULE B

Alabama.
Arkansas.
Connecticut.
Delaware.
District of Columbia.
Florida.
Georgia.
Illinois.
Indiana.
Iowa.

Kansas.
Kentucky.
Louisiana.
Maine.
Maryland.
Massachusetts.
Michigan.
Minnesota.
Mississippi.
Missouri.
New Hampshire.
New Jersey.
New York (other than New York City).
North Carolina.
Ohio.
Oklahoma.
Pennsylvania.
Rhode Island.
South Carolina.
Tennessee.
Vermont.
Virginia.
West Virginia.
Wisconsin.

NOTE: Schedule C deleted May 13, 1944.

[F. R. Doc. 44-6861; Filed, May 13, 1944; 11:14 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-374 as Amended May 13, 1944]

BEVERAGE CANE SPIRITS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of industrial alcohol and of sugar, molasses, and grain, and facilities for the production of industrial alcohol, for defense, for private account and for export. The use of such raw materials as sugar, molasses and grain is necessary to the production of industrial alcohol for the manufacture of synthetic rubber and munitions. It is therefore deemed necessary and appropriate in the public interest and to promote the national defense, to allocate facilities for the production of beverage cane spirits (as defined in this order), and to control the importation of beverage cane spirits so as to prevent further uncontrolled diversion of sugar and molasses to the production of these spirits:

§ 3293.616 *Conservation Order M-374* — (a) *Definitions.* (1) "Beverage cane spirits" means ethyl alcohol of 50 proof or higher made from molasses, sugar, sugar cane or sugar cane juice, and produced for beverage purposes or tax paid for beverage purposes. The term includes any solution, compound or mixture containing ethyl alcohol of 50 proof or higher made from molasses, sugar, sugar cane or sugar cane juice, such as, for example, rum, cordials or gin.

(2) "Producer" means any person engaged in the production of beverage cane spirits.

(3) "Import" means to transport in any manner into the continental United States or into Puerto Rico, the Virgin Islands of the United States, or the territories of Hawaii and Alaska, from any foreign country, or from any territory or possession of the United States other than those mentioned above. It includes shipments into a free port, free zone or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for trans-shipment to Canada, Mexico or any other foreign country.

(4) Beverage cane spirits shall be deemed "in transit" if it is afloat, if an on-board ocean bill of lading has actually been issued with respect to it, or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States.

(b) *Restrictions on production of beverage cane spirits.* On and after March 15, 1944, no person shall produce beverage cane spirits except as specifically authorized by the War Production Board. The provisions of this paragraph shall be applicable to the continental United States, Puerto Rico, the Virgin Islands of the United States and the territories of Hawaii and Alaska.

(c) *Restrictions on imports of beverage cane spirits.* On and after March 15, 1944, no person shall import, attempt to import, purchase for import, or make any contract or other arrangement for the importing of any beverage cane spirits without first having obtained authorization to do so from the War Production Board. This paragraph applies to the importation of beverage cane spirits regardless of the existence on March 15, 1944, or thereafter, of any contract or other arrangement for importation.

(d) *Applications for authorization to produce or import.* Any person requiring authorization to produce or import beverage cane spirits may apply by letter, in triplicate, to the War Production Board, stating the amount, by calendar quarter, of beverage cane spirits applicant desires to produce or import. Applicant must also state the amount of beverage cane spirits he has produced or imported, by calendar quarters, during the years 1940, 1941, 1942, 1943 and 1944. All quantities should be expressed in terms of proof gallons. It will be the policy of the War Production Board to permit production or importation of beverage cane spirits to the extent consistent with the fulfillment of requirements of sugar, molasses and industrial alcohol for the defense of the United States.

(e) *Exceptions.* Paragraphs (c) and (d) of this order do not apply:

(1) To beverage cane spirits which, on or before March 15, 1944, were in transit to a point within the continental United States; or

(2) To beverage cane spirits consigned as gifts or as samples, or for use as samples, or imported for personal use, where the quantity of each consignment or shipment is not more than two proof gallons. No person shall split up a single order of beverage cane spirits into smaller orders for the purpose of coming within this exception.

(3) To shipments of beverage cane spirits in bond into the continental United States for trans-shipment to Canada, Mexico or any other foreign country.

(4) To any bank or other person who participates, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation after March 15, 1944 of beverage cane spirits, provided such bank or person either has received a copy of the authorization issued by the War Production Board under the provisions of paragraph (d), or is satisfied from known facts that the proposed transaction comes within the exceptions set forth in this paragraph (e).

(f) *Special directives.* The War Production Board may from time to time issue special directives to producers concerning the kind of raw materials which may be used for the production of beverage cane spirits. This paragraph applies only to the continental United States, Puerto Rico, the Virgin Islands of the United States and the territories of Hawaii and Alaska.

(g) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(h) *Reports.* No beverage cane spirits, which are imported after March 15, 1944, shall be entered through the United States Bureau of Customs for any purpose (other than pursuant to paragraphs (e) (2), (e) (3), and (e) (4) of this order) whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file with the entry a certificate in duplicate, stating the following information: (1) Name of importer; (2) Date of bill of lading (this is only necessary if the beverage cane spirits were in transit on or before March 15, 1944); (3) Date and number of importer's WPB authorization; (4) Quantity of beverage cane spirits covered by the entry; (5) Port of entry; (6) Port of origin of shipment. The certificate shall be signed manually by a duly authorized official of the importer or as provided by Priorities Regulation No. 7. The standard form of certification provided in Priorities Regulation No. 7 may not be used instead of the certificate described above. The filing of such certificate a second time shall not be required upon any subsequent entry of the same shipment of beverage cane spirits through the United States Bureau of Customs for any purpose; nor shall the filing of such certificate be required upon the withdrawal of any beverage cane spirits from bonded custody of the United States Bureau of Customs, regardless of the date when such material was first transported into the continental United States. Both copies of the certificate shall be promptly transmitted by the Collector of Customs to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-374.

(i) *Bureau of the Budget Approval.* The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any person may be prohibited from making or obtaining further deliveries of or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Communications.* All communications concerning this order shall be addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-374.

Issued this 13th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6864; Filed, May 13, 1944; 11:14 a. m.]

PART 3302—SERVICE EQUIPMENT

[Limitation Order L-29, Interpretation 1]

USE OF METAL IN METAL SIGNS AND ACCESSORIES

The following interpretation is issued with respect to Limitation Order L-29:

The provisions of paragraph (b) (3) of Order L-29 prohibit any manufacturer from using metal to produce metal signs or accessories. However, because of the definition in paragraph (a) (7) of the order, the use of metal is restricted only when it is subjected to sign manufacturing operations for the first time. Therefore, Order L-29 does not prohibit using fabricated metal parts and materials in manufacturing metal signs and accessories if they were fabricated for that purpose, but it does prohibit both the use of unfabricated metals and the use of parts or materials which were manufactured for other purposes or for general use. For example, a manufacturer of metal street markers may have in his inventory a supply of sheet metal. Some of that stock may be in the form it was originally purchased from the mill or warehouse, while some may have been stamped, cut to size, punched, or enameled as a step in the manufacturing of street markers. Order L-29 forbids him to use the stock which has not been processed beyond its basic form, but does not restrict his use of the stock which has been partially processed to make street markers. This same manufacturer may also have a stock of ordinary joining hardware (such as screws, nuts and bolts), sign accessories, and some other products made for use in the production and assembly of metal street markers. So far as Order L-29 is concerned, he may use both the accessories, and the products which were made for the production of street markers. He may not use the ordinary screws, nuts and bolts because they were manufactured for general use and have not yet been put into the production of signs.

Furthermore, L-29 does not limit the reuse of metal salvaged from old signs and accessories. It does not matter whether the person who reuses the metal is the same person who originally made the old signs, or someone else.

The restriction on the use of metal in paragraph (b) (3) of Order L-29 relates only to the production of metal signs or accessories and not to other activities of sign manufacturers, such as maintenance, repair, relocation and installation of signs or accessories. For instance, mere repair of a metal sign or accessory is not production; therefore, Order L-29 does not forbid the use of metal for repair purposes. Similarly, installation, such as putting up a sign, or putting an accessory in place, is not considered production and so far as Order L-29 is concerned, metal may be used on the site in the course of installation. It makes no difference whether the person who installs the sign or accessory is also the person who produced it.[1] The use of metal in the alteration of a sign is also not restricted by Order L-29 unless the alteration is so extensive that it results in the production of a new sign.

In accordance with § 944.10 of Priorities Regulation No. 1, other orders of the War Production Board may also limit the production of metal signs and accessories and may restrict them in other ways. If more than one order is applicable to the same subject matter, the most restrictive provision or combination of provisions governs.

Issued this 13th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6863; Filed, May 13, 1944; 11:14 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-526, Revocation]

VOISINE STEEL COMPANY

Section 1010.526 *Suspension Order No. S-526* is hereby revoked, being superseded by Suspension Order No. S-549, effective May 13, 1944.

Issued this 6th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6890; Filed, May 13, 1944; 4:23 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-535]

AQUADRO & CERUTTI

Mario Aquadro and Oscar J. Cerutti, co-partners, are contractors in Northampton, Massachusetts, doing business as Aquadro & Cerutti. Beginning about June 27, 1943, they participated in the construction of buildings on the fair grounds of the Hampshire, Franklin & Hampden Agricultural Society, a place of public and private amusement and entertainment, in Northampton; the total cost of the project was approximately $31,600. The work, including that done by Aquadro & Cerutti, was done without authorization from the War Production Board, in violation of Conservation Order L-41, which placed a limit of $200 on such construction. Oscar J. Cerutti, who acted for the partnership, was aware of War Production Board restrictions on construction, and participating in this construction without authorization constituted a wilful violation of Order L-41.

[1] For awhile there was a restriction in L-29 on the use of iron and steel for the installation of metal signs and new accessories, but this was effective only from March 25, 1942, to June 30, 1942.

This violation of Order L-41 diverted critical materials to uses not authorized by the War Production Board and has hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.535 *Suspension Order No. S-535.* (a) Deliveries of material to Mario Aquadro and Oscar J. Cerutti, doing business as Aquadro & Cerutti, or otherwise, their successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, shall be made to Mario Aquadro and Oscar J. Cerutti, doing business as Aquadro & Cerutti, or otherwise, their successors or assigns, of any material or product the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Mario Aquadro and Oscar J. Cerutti, doing business as Aquadro & Cerutti, or otherwise, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on May 13, 1944, and shall expire July 13, 1944.

Issued this 6th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6891; Filed, May 13, 1944; 4:22 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-536]

SURINER & M'BREEN

Ralph Suriner and Harry L. McBreen, co-partners, doing business as Suriner & McBreen, are in the electrical contracting business in Northampton, Massachusetts. Beginning about July 16, 1943, they did electrical wiring in a new toilet building and other electrical work constituting construction on the fair grounds of the Hampshire, Franklin & Hampden Agricultural Society, a place of public and private amusement and entertainment in Northampton; the total cost of the project was approximately $31,600. The work, including that done by Suriner & McBreen, was done without authorization from the War Production Board, in violation of Conservation Order L-41, which placed a limit of $200 on such construction. Harry L. McBreen, who acted for the partnership, was aware of War Production Board re-

strictions on construction, and participating in this construction without authorization constituted a grossly negligent violation of Order L–41.

This violation of Order L–41 diverted critical materials to uses not authorized by the War Production Board and has hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.536 *Suspension Order No. S–536.* (a) Deliveries of material to Ralph Suriner and Harry L. McBreen, doing business as Suriner & McBreen, or otherwise, their successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, shall be made to Ralph Suriner and Harry L. McBreen, doing business as Suriner & McBreen, or otherwise, their successors or assigns, of any material or product the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Ralph Suriner and Harry L. McBreen, doing business as Suriner & McBreen, or otherwise, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on May 13, 1944, and shall expire July 13, 1944.

Issued this 6th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6892; Filed, May 13, 1944; 4:22 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–537]

ELWELL AND CHENET

James M. Elwell and Roland Chenet, co-partners, doing business as Elwell & Chenet, are plumbers in Northampton, Massachusetts. Beginning about July 7, 1943, they participated in the construction of buildings on the fair grounds of the Hampshire, Franklin & Hampden Agricultural Society, a place of public and private amusement and entertainment in Northampton; the total cost of the project was approximately $31,600. The work, including that done by Elwell & Chenet, was done without authorization from the War Production Board, in violation of Conservation Order L–41, which placed a limit of $200 on such construction. Roland Chenet, who acted for the partnership, was aware of War Production Board restrictions on construction, and participating in this construction without authorization constituted a grossly negligent violation of Order L–41.

This violation of Order L–41 diverted critical materials to uses not authorized by the War Production Board and has hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.537 *Suspension Order No. S–537.* (a) Deliveries of material to James M. Elwell and Roland Chenet, doing business as Elwell & Chenet, or otherwise, their successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, shall be made to James M. Elwell and Roland Chenet, doing business as Elwell & Chenet, or otherwise, their successors or assigns, of any material or product the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve James M. Elwell and Roland Chenet, doing business as Elwell & Chenet, or otherwise, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on May 13, 1944, and shall expire July 13, 1944.

Issued this 6th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6893; Filed, May 13, 1944; 4:23 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–538]

WARNER N. KING

Warner N. King, of Northampton, Massachusetts, sells paint and is a painting contractor. Beginning about August 3, 1943, he painted the grand stand, horse barn, a fence around the race track, and otherwise participated in the construction of buildings on the fair grounds of the Hampshire, Franklin & Hampden Agricultural Society, a place of public and private amusement and entertainment in Northampton; the total cost of the project was approximately $31,600. The work, including that done by Warner N. King, was done without authorization from the War Production Board, in violation of Conservation Order L–41, which placed a limit of $200 on such construction. Mr. King was aware of War Production Board restrictions on construction, and participating in this construction without authorization constituted a grossly negligent violation of Order L–41.

This violation of Order L–41 diverted critical materials to uses not authorized by the War Production Board and has hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.538 *Suspension Order No. S–538.* (a) Deliveries of material to Warner N. King, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, shall be made to Warner N. King, his successors or assigns, of any material or product the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Warner N. King, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on May 13, 1944, and shall expire July 13, 1944.

Issued this 6th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6894; Filed, May 13, 1944; 4:23 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–539]

EARL J. HINES

Earl J. Hines is a lumber dealer in Conway, Massachusetts. Beginning about July 5, 1943, he sold and delivered approximately $7,000 worth of lumber to the Hampshire, Franklin & Hampden Agricultural Society, for the construction of buildings on its fair grounds, a place of public and private amusement and entertainment in Northampton, Massachusetts. The total cost of the construction was approximately $31,600, and it was done without authorization from the War Production Board, in violation of Conservation Order L–41, which placed a limit of $200 on such construction. Mr. Hines knew that the lumber was to be used in the construction of buildings on the fair grounds, he was familiar with Order L–41, and he furnished the lumber with knowledge that no permission for the construction had been granted by the War Production Board and that the lumber would be used in violation of the terms of the order. This was a wilful violation of Order L–41.

This violation of Order L–41 diverted critical materials to uses not authorized by the War Production Board and has hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.539 *Suspension Order No. S–539.* (a) Deliveries of material to Earl J. Hines, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, shall be made to Earl J. Hines, his successors or assigns, of any material or product the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Earl J. Hines, his successors or assigns from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on May 13, 1944, and shall expire July 13, 1944.

Issued this 6th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6895; Filed, May 13, 1944; 4:23 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–540]

M. C. BAILEY & CO., INC.

M. C. Bailey & Co., Inc., a corporation, is a lumber dealer in Northampton, Massachusetts. Beginning about July 8, 1943, it sold and delivered approximately $2,200 worth of lumber to the Hampshire, Franklin & Hampden Agricultural Society, for the construction of buildings on its fair grounds, a place of public and private amusement and entertainment in Northampton. The total cost of construction was approximately $31,600, and it was done without authorization from the War Production Board, in violation of Conservation Order L–41, which placed a limit of $200 on such construction. The company knew that the lumber was to be used in the construction of buildings, including a new jockey club building on the fair grounds. It knew of Order L–41, and it had reason to believe that the lumber would be used in violation of the terms of the order. Furnishing lumber under the circumstances constituted a wilful violation of Order L–41.

This violation of Order L–41 diverted critical materials to uses not authorized by the War Production Board and has hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.540 *Suspension Order No. S–540.* (a) Deliveries of material to M. C. Bailey & Co., Inc., its successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other order or regulation of the War Production Board unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, shall be made to M. C. Bailey & Co., Inc., its successors or assigns, of any material or product the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve M. C. Bailey & Co., Inc., its successors or assigns, from any restrictions, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on May 13, 1944, and shall expire July 13, 1944.

Issued this 6th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6896; Filed, May 13, 1944; 4:22 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–549]

VOISINE STEEL CO.

W. W. Voisine, J. Lipschutz and M. Lipschutz, partners, doing business as Voisine Steel Company, operate a steel warehouse at 2423 McKinstry Avenue, Detroit, Michigan. In March 1943, the partnership delivered 7660 pounds of hot-rolled sheets upon an order bearing no preference rating, in violation of Supplementary Order M–21–b. The partnership failed to reject orders for delivery and made delivery of steel, other than rails, as follows: 40,570 pounds on May 20, 1943; 41,110 pounds on August 5, 1943; and 60,660 pounds on August 6, 1943. Each order called for delivery and delivery was made to one person at one time at one destination in violation of CMP Regulation 4 restricting said deliveries to not more than 40,000 pounds. On May 10, 1943, the partnership delivered 81,040 pounds of sheet steel to one customer, at one destination, and in one quarter, in violation of CMP Regulation 4 which limited such delivery to 6,000 pounds. The partnership failed to keep and preserve accurate and complete records of inventories, of materials, and of details of transactions in those materials, in violation of Priorities Regulation 1. The partnership made no attempt to comply with the orders and regulations of the War Production Board, and these violations must be deemed wilful.

These violations of Supplementary Order M–21–b, CMP Regulation 4, and Priorities Regulation 1 have diverted scarce materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.549 *Suspension Order No. S–549.* (a) W. W. Voisine, J. Lipschutz and M. Lipschutz, individually or as co-partners, doing business as Voisine Steel Company or under any other name, their successors or assigns, shall not directly or indirectly, operate as a steel warehouse, as defined in General Preference Order M–21–b, or as defined in any order amending or superseding General Preference Qrder M–21–b–1, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve W. W. Voisine, J. Lipschutz and M. Lipschutz, individually or as co-partners, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on May 13, 1944.

Issued this 6th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6898; Filed, May 13, 1944; 4:22 p. m.]

PART 921—ALUMINUM AND MAGNESIUM

[Supplementary Order M–1–g, as Amended May 15, 1944]

ALUMINUM PIGMENT AND ALUMINUM COMPOSITION

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of aluminum for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 921.9 *Supplementary Order M–1–g—*(a) *Definitions.* For the purpose of this order.

(1) "Aluminum pigment" means any material containing aluminum which is manufactured, acquired, or disposed of for use, or which is used in making paint, ink, or other coatings, or liquid welding compound.

(2) "Aluminum composition" means any paint, ink, or other coating, or liquid welding compound, in the making of which aluminum pigment is used.

(3) "Producer" means the department of Aluminum Company of America, Reynolds Metals Company, Metals Disintegrating Company, Aluminum Bronze Powder Company, Premier Bronze Powder Works, Malone Bronze Powder Works, Inc., U. S. Bronze Powder Works, Inc., Magna Manufacturing Company, which produces aluminum pigment, and any other person who may be so designated by the War Production Board.

(4) "Distributor" means any person engaged in the business of purchasing aluminum pigment or aluminum composition and re-selling it without further processing it.

(b) *Restrictions upon delivery of aluminum pigment by a producer.* No producer shall deliver any aluminum pigment except pursuant to an order endorsed with a CMP allotment number in the S–2955 series or V–9 and the form of certification provided in either CMP Regulation No. 1 or 7 or in Order P–43. Such an order is an authorized controlled material order under CMP Regulations. Persons seeking to obtain aluminum pigment from a producer should apply to the War Production Board, Aluminum and Magnesium Division, on Form WPB–2360 (formerly Form CMP–13), except that where aluminum pigment is to be acquired for research, developmental or experimental activities under Order P–43, no application is necessary. A producer may refuse to accept an order for less than 100 lbs.

(c) *Deliveries of aluminum pigment and aluminum composition by any person other than a producer.* No person other than a producer shall, without the specific authorization in writing of the War Production Board, deliver to any other person any aluminum composition or aluminum pigment except to fill an order rated AA–5 or higher. However, during the period beginning May 15, 1944, and ending June 30, 1944, delivery by a person other than a producer may be made to any distributor even if the order placed by the distributor is unrated or rated lower than AA–5; and a distributor may at any time deliver to a consumer on unrated orders or orders rated lower than AA–5 if the aluminum composition or aluminum pigment being delivered was in the inventory of the distributor on March 15, 1944.

(d) *Other restrictions on delivery.* Notwithstanding the provisions of paragraphs (b) or (c), no person shall deliver aluminum pigment or aluminum composition if he knows or has reason to believe it is to be used in a manner forbidden by paragraph (e) of this order.

(e) *Restrictions on consumer of aluminum pigment and aluminum composition.* No person (except (1) a distributor purchasing aluminum pigment or aluminum composition during the period beginning May 15, 1944, and ending June 30, 1944, (2) a consumer purchasing this material from a distributor which was or which the distributor states was in his inventory on March 15, 1944, or (3) a person purchasing directly from a producer on an authorized controlled material order as described in paragraph (b) above) shall purchase aluminum pigment or aluminum composition except on a purchase order rated AA–5 or higher. In addition, no person shall use aluminum pigment or aluminum composition in manufacturing, maintenance, repair or construction operations, without the specific authorization in writing of the War Production Board, except as follows:

(1) In the manufacture, maintenance or repair of products and equipment when they are being produced for or used by the Army or the Navy of the United States, the Maritime Commission or the War Shipping Administration, or when they are combat end products being produced for any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(2) On ship engine rooms and equipment and for repair and maintenance thereof.

(3) On trainer, civilian and commercial aircraft.

(4) For sealing of bituminous coated surfaces, unless he knows or has reason to believe that the bituminous coated surface was put on since January 1, 1944.

(5) For interior use in industrial and utility plants and for industrial and utility company equipment and for use in boiler rooms of institutions and commercial establishments, but in each case only where excessive moisture, fumes or temperatures prevail.

(6) For surfaces in the interior of dairies, milk bottling plants, food processing plants, cold storage plants and walk-in refrigerators. The term "dairy" means the portion of a structure in which milk is cooled or pasteurized.

(7) For outdoor storage tanks used for petroleum products and volatile chemicals.

(8) On hospital equipment.

(9) On caskets and casket hardware.

(10) For bridges, highway guard rails and steel transmission towers, but in each case only where already painted with aluminum.

(11) For movable farm equipment and farm implements.

(12) On railway signal equipment and railway signal towers.

(13) For research, developmental or experimental activities.

(14) For underwater protection of steel and iron.

(15) Vehicle license plates.

(16) For automotive busses, trucks and trailers, and for automotive repair parts.

(17) For coating electric light reflectors.

(18) For coating the exterior and interior of new cans and of new can and jar closures, if made of black plate or chemically treated steel. Notwithstanding the other provisions of this paragraph (e), a printing shop may use in printing and lithographing, any aluminum composition in its possession on May 15, 1944, or which it purchases from a distributor and which was or is stated by the distributor to have been in the distributor's inventory on March 15, 1944; and an individual acting in his private capacity and not engaged in work for which he is compensated, may use for his own needs any aluminum pigment or aluminum composition.

(f) *Applications for authorization.* A person who seeks authorization to use aluminum pigment or aluminum composition for a purpose other than one specified in paragraph (e) of this order, shall apply by letter to the War Production Board, Aluminum and Magnesium Division, Washington 25, D. C., Ref: M–1–g, setting forth:

(1) The pounds of aluminum pigment or the gallons of aluminum composition for which authorization to use is requested;

(2) Type of equipment or surface to be painted;

(3) Reason why aluminum composition is required and why the use of other material is impracticable;

(4) Rating which applicant is entitled to apply to his purchase order; and

(5) Person from whom it is to be acquired.

Special consideration will be given to requests for authorization to use aluminum pigment or composition for industrial purposes where it can be shown that its use is materially more advantageous than less critical material. The War Production Board will not grant authorizations to use aluminum pigment or composition on hydrants, lamp posts, household equipment, or in dwellings, offices, apartments, churches, or institutions, whether for internal or external use.

(g) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Aluminum and Magnesium Division, Washington 25, D. C., Ref: M–1–g.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(i) *Violations.* Any person who willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 15th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6931; Filed, May 15, 1944; 11:34 a. m.]

PART 921—ALUMINUM AND MAGNESIUM

[Supplementary Order M–1–g, Interpretation 1, Revocation]

Interpretation 1, issued with respect to Order M–1–g, is hereby revoked because of the amendment of the provision in paragraph (c) of the order to which it applied.

Issued this 15th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6930; Filed, May 15, 1944; 11:34 a. m.]

PART 933—COPPER

[Conservation Order M–9–c as Amended April 4, 1944, Amdt. 1]

Section 933.4, *Conservation Order M–9–c*, is hereby amended by amending the item on the Combined List under the heading "Building Supplies and Hardware (Excluding supplies and hardware for ships, boats and aircraft)" which now reads:

Unit heaters, unit ventilators, and convectors, space or local heaters, and blast heating coils, or any apparatus using such coils as part of its construction (except when the only copper products or copper base alloy products used are for valves, controls and parts necessary for conducting electricity).

to read as follows:

Unit heaters, unit ventilators, and convectors, space or local heaters, and blast heating coils, or any apparatus using such coils as part of its construction (except that any copper products or copper base alloy products may be used for valves, controls, or parts necessary for conducting electricity, copper strip may be used for fins, copper tube may be used for water courses and headers, and cast brass also may be used for headers if the copper content of the cast brass does not exceed 62% and the tin content 3½%).

Issued this 15th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6932; Filed, May 15, 1944; 11:34 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, Direction 2, as Amended May 15, 1944]

PAPER CUPS AND PAPER FOOD CONTAINERS

The following direction is issued pursuant to Priorities Regulation 3:

(a) *Purpose.* This direction provides an exception to the provisions of List B of Priorities Regulation No. 3, which prohibits the use of MRO ratings to obtain paper cups and paper food containers. By the terms of this direction, MRO ratings may be used to obtain paper cups and paper food containers but only to the extent specified herein.

(b) *Definitions.* For the purpose of this direction:

(1) "Paper cups and paper food containers" means all empty open nested paper cups and round nested paper food containers with or without lids. The term does not include flat envelope types of cup, wedge-shaped food pails or nested paper plates.

(2) "In-plant feeding" means the serving of food, drink or refreshments on the premises of a plant or business activity to its employees when the food or drink is prepared on the premises of the plant or business activity, or when the food, or drink prepared in bulk (such as coffee or soup), is brought to the plant or business activity and served in paper cups or paper food containers on the premises. It shall also include the serving of food, drink and refreshments by (1) military exchanges and service departments (as defined in Priorities Regulation No. 17), (2) hospitals serving their patients, (3) welfare organizations such as USO, Red Cross, etc., serving servicemen and their guests, and (4) persons engaged in serving passengers on trains and in planes.

(3) "A caterer or concessionnaire" means a person who has an agreement with an operator of a plant or business activity to regularly provide in-plant feeding for its employees, and who prepares his food or drink on the premises of the plant, or brings his food, or drink prepared in bulk (such as coffee or soup), to the plant and serves it on the premises. It does not include persons supplying food or drink in paper cups or paper food containers from outside the plant.

Use of Preference Ratings

(c) Any person may use the blanket MRO rating assigned to him by any regulation of the War Production Board (including CMP Regulation No. 5, CMP Regulation No. 5A and orders in the P, T, or U Series) to buy paper cups and paper food containers for in-plant feeding.

(d) A person, such as a caterer or concessionnaire, may use his customer's blanket MRO rating to buy paper cups and paper food containers for use in providing in-plant feeding to employees of the customer. In such a case, the customer must include the cost of the paper cups and paper food containers (but need not include the cost of the food contained in them or any other charge in connection with the in-plant feeding) in his own MRO expenditures for the purpose of figuring whether he is within any quota limitation (such as paragraph (f) of CMP Regulation No. 5) imposed by the regulation or order assigning the MRO rating.

(e) *Ratings on application.* Preference ratings for users not included above and preference ratings differing from those assigned may be assigned on application by any person on Form WPB 541 (formerly PD–1A) and the use of the rating may be conditioned upon the placement of orders with specified suppliers. The assignment of a rating to an applicant on this form will permit him to use that rating to get only the specific quantities and items applied for. Where any person making such application justifies his need for a rating upon the ground that he provides eating facilities patronized principally by workers engaged in a nearby plant, he shall accompany his application with a statement from a responsible official of the plant certifying to his workers' dependence upon the applicant's eating facilities.

(f) *Certificate.* The ratings assigned pursuant to or permitted to be used by this order may be applied or extended only by use of a certificate in substantially the form prescribed by Priorities Regulation No. 7.

(g) *Extension of ratings.* Ratings applied or extended to get paper cups or paper food containers may not be extended to obtain materials for use in their manufacture.

Restrictions

(h) *Inventory.* No person shall accept delivery of any paper cups and paper food containers which will increase his inventory of any size and type to more than his reasonably anticipated requirements for the ensuing thirty days, except that the minimum standard commercial packing case quantity may be purchased, whenever the purchaser's inventory is less than a 30-days' supply.

(i) *Equipment for use of chinaware.* No person may use his blanket MRO rating to purchase paper cups or paper food containers for the serving of hot food or beverages if such person has equipment for using chinaware or other containers. In the event that such equipment can only serve a portion of his needs, he may order only the quantity of paper cups or paper food containers required in excess of such equipment.

(j) *Paper cups as shipping containers.* Attention is called to the fact that persons buying paper cups and paper food containers for use in packaging food or other products for shipment or delivery are not permitted to use blanket MRO ratings for this purpose.

(k) *Persons not using paper cups before October 29, 1943.* Any person who did not use paper cups or paper food containers for in-plant feeding before October 29, 1943 may not use his blanket MRO rating to obtain them unless he files an appeal by letter in triplicate with the appropriate field office of the War Production Board and such appeal is granted. The granting of the appeal shall constitute authority to use his blanket MRO rating for his future requirements of paper cups and paper food containers for in-plant feeding. This provision shall not apply to military exchanges or service departments.

(l) *Prohibited uses.* No person shall sell or deliver the following types of paper cups if he knows or has reason to believe that they will be used for the purposes stated, and no person shall use such paper cups for those purposes: (1) packages of cups for commercial retail sales, (2) hot drink cups for serving cold foods and beverages and (3) paper cups to be served with individual bottled beverages. The above prohibition against delivering paper cups in packages to be used for commercial retail sales shall not apply to stocks already made up on January 29, 1944.

(m) *Appeals.* Any appeal from the provisions of this direction shall be made by filing a letter in triplicate with the appropriate field office of the War Production Board. The appeal should refer to the particular provision appealed from, state clearly the relief desired and explain fully the grounds for appeal.

(n) *Reports.* Any person affected by this direction shall file such reports and questionnaires as the War Production Board may request from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(o) *Termination date.* The provisions of this direction shall terminate and be void after June 1, 1944 unless previously extended. Any rating applied to an order to paper cups and paper food containers not shipped by that date shall be deemed void.

(p) *Communications.* All inquiries relating to this direction shall be addressed to: War Production Board, Containers Division, Washington 25, D. C., reference Direction 2 to Priorities Regulation No. 3.

Issued this 15th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6926; Filed, May 15, 1944; 11:36 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-544, Stay of Execution]

H. T. HAYWARD CO.

The H. T. Hayward Co. of East Douglas, Massachusetts, has appealed the provisions of Suspension Order No. S-544, issued May 8, 1944 (§ 1010.544) and has requested a stay on the ground that irreparable harm would be done its business if the Suspension Order were not stayed. The Chief Compliance Commissioner has directed that the provisions of the Suspension Order be stayed pending final determination of the appeal, or until further order by the Chief Compliance Commissioner. In view of the foregoing, *It is hereby ordered*, That:

The provisions of Suspension Order No. S-544, issued May 8, 1944, are hereby stayed pending final determination of the appeal, or until further order by the Chief Compliance Commissioner.

Issued this 13th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6897; Filed, May 13, 1944; 4:22 p. m.]

PART 1157—CONSTRUCTION MACHINERY AND EQUIPMENT [1]

[Limitation Order L-217, Schedule IX, as Amended May 15, 1944]

TANK CAR HEATERS AND PUMPING BOOSTERS OR CIRCULATORS

§ 1157.29 [1] *Schedule IX to Limitation Order L-217*—(a) *Definitions.* For the purpose of this Schedule IX:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of tank car heaters or pumping boosters or circulators.

(3) "Tank car heater" means a mechanical device consisting of a steam boiler (with adjustable low pressure oil burner and a type of closed circuit return condensation system), designed for raising the temperature of bituminous materials in railroad tank cars to permit proper temperature applications thereof.

(4) "Pumping booster," otherwise known as a "circulator," means a mechanical device consisting of a direct fired heating unit with asphalt pump and engine assembly equipment and adjustable low pressure oil burner system, designed for the heating, circulating, and pumping of bituminous materials to a distributor or other unit.

(5) "Repair part" means any part manufactured for use in the repair of tank car heaters or pumping boosters or circulators.

(6) "The military" means the Army, Navy, Maritime Commission, or War Shipping Administration.

(b) *Limitation on production.* (1) On and after April 30, 1943, no producer shall put into process any materials for the manufacture of tank car heaters or pumping boosters or circulators which do not conform to the sizes and types established in paragraphs (c) and (d) hereof. Nothing in this paragraph (b) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on April 5, 1943.

(2) No person who is not actively engaged in the current production of tank car heaters or pumping boosters or circulators, as indicated on any Form PD-697 filed by him prior to March 31, 1943, pursuant to Order L-192, shall enter into the production of any tank car heaters or pumping boosters or circulators.

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on sizes and types of tank car heaters.* Producers are limited to one model in each of the following sizes and types of tank car heaters:

(1) Two car size of 26-36 boiler H. P. at not less than 125 pounds per square inch working pressure, two wheel trailer mounted.

(2) Three car size of 40-55 boiler H. P. at not less than 125 pounds per square inch working pressure, two wheel trailer mounted.

(d) *Limitations on sizes and types of pumping boosters or circulators.* Producers are limited to one model of pumping booster or circulator, which shall be of a size capable of raising the temperature of a 10,000 gallon tank car 50 degrees per hour when pumping and unloading, at 175 gallons per minute, bituminous materials of a viscosity less than penetration asphalt; this size may be two or four wheel trailer mounted or truck or skid mounted.

(e) [Deleted May 15, 1944]

(f) *Limitation Order L-192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L-192.

Issued this 15th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6933; Filed, May 15, 1944; 11:35 a. m.]

[1] Formerly Part 3115, § 3115.10.

PART 1157—CONSTRUCTION MACHINERY AND EQUIPMENT [1]

[Limitation Order L-217, Schedule XIII, as Amended May 15, 1944]

BITUMINOUS MATERIALS MAINTENANCE UNITS

§ 1157.33 [1] *Schedule XIII to Limitation Order L-217*—(a) *Definitions.* For the purposes of this Schedule XIII:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of bituminous materials maintenance units or pumps.

(3) "Bituminous materials maintenance unit", otherwise known as a sprayer, utility, or tank unit, means a wheel or truck mounted mechanical unit, consisting of a tank and pump, one or more spray attachments, and with or without tank heating system and spraybar, designed for spraying light bituminous materials.

(4) "Pump" means a rotary, positive displacement type pump, designed for use on bituminous materials maintenance units.

(5) "The Military" means the Army, Navy, Maritime Commission, or War Shipping Administration.

(6) "Repair part" means any part manufactured for use in the repair of bituminous materials maintenance units or pumps.

(b) *Limitation on production.* (1) On and after April 30, 1943, no producer shall put into process any materials for the manufacture of bituminous materials maintenance units or pumps which do not conform to the sizes and types established in paragraphs (c) and (d) hereof. Nothing in this paragraph (b) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on April 5, 1943.

(2) No person who is not actively engaged in the current production of bituminous materials maintenance units or pumps, as indicated on any Form PD-697 filed by him prior to March 31, 1943, pursuant to Order L-192, shall enter into the production of any bituminous materials maintenance units or pumps.

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on sizes and types of bituminous materials maintenance units.* Producers are limited to one model in each of the following sizes of bituminous materials maintenance units:

(1) 120 gallon capacity, two wheel mounted.

(2) 300 gallon capacity, two wheel mounted.

(3) 600 gallon capacity, two wheel mounted.

[1] Formerly Part 3115, § 3115.14.

(d) *Limitation on types of pumps.* Producers are limited to pumps of the following specifications only:

The rated capacity of the pump shall be not more than 100 gallons per minute.

(e) [Deleted May 15, 1944]

(f) *Limitation Order L-192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L-192.

Issued this 15th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6934; Filed, May 15, 1944; 11:35 a. m.]

PART 3270—CONTAINERS

[Supplementary Order L-103-b, as Amended May 15, 1944]

GLASS CONTAINER AND CLOSURE QUOTAS

§ 3270.36 *Supplementary Order L-103-b.* This order lists the only products which may be commercially packed in new machine-made, glass containers or with new metal closures. It specifies closure materials and sets forth the number of glass packages and metal closures which may be used for each listed product. In addition, some restrictions are placed upon the manufacture of closures.

The order limits "commercial packs" only. Although there are certain manufacturing restrictions, the use of glass containers or metal closures for home canning purposes is not affected.

Likewise, the provisions of this order cover only new glass containers and closures. Used containers or closures are not limited. However, closures which are fabricated from used closures—that is, where the used closures are a production material—are regarded as new closures made of "waste" and are governed by the pertinent provisions of this order.

Definitions of the various terms used in this order appear in paragraph (x) hereof.

Restrictions on Use of Glass Containers and Closures

(Note exceptions from these restrictions in paragraphs (p) through (v)).

(a) *Prohibited acceptances and uses of glass containers and closures.* No packer shall accept delivery of or use any new glass container, or any new metal closure for packing any product not listed in a schedule of this order.

(b) *Limitations on acceptance and use of glass containers and closures.* Likewise, during any calendar year beginning with 1944, no packer shall accept delivery of or use, for packing any product which is listed in a schedule of this order, more new glass containers or more new metal closures (other than closures made from waste) than his quota for that product. However, jobbers or retailers may obtain closures and glass containers and resell them in conformity with the provisions of this order.

(c) *Closure materials.* No packer shall accept delivery of or use, for packing any product, new metal closures made of any material except those permitted for that product in the schedules of this order. However, blackplate (including rejects) may be used wherever tinplate or terneplate is specified, and frozen plate may be used wherever tinplate, terneplate or blackplate is specified. Likewise, closures made of waste may be used in accordance with the following paragraph:

(d) *Closures made of waste.* Closures made of waste shall not be used for packing any product not listed in the schedules attached to this order. Closures made of waste may be used in addition to specified quotas for listed products.

(e) *Home canning jars.* No packer shall pack any commodity in a home canning jar. (Note that the use of these jars for home canning is not restricted).

Quotas

(f) *General.* Closure and glass quotas are stated separately in the attached schedules, and are not necessarily the same for any given product.

Quotas are not interchangeable as between listed products. That is, a packer who packs two products, product A and product B, must compute his quota (in the manner described in the following paragraph (g)) for each product separately. He cannot allot any portion of his quota for product A to product B, even if he does not pack his full quota of product A.

Furthermore, quotas may not be transferred from one packer to another except as provided in Priorities Regulation 7A.

(g) *Computation of quotas.* In most cases where this order provides a quota for the packing of any product, it does so, in the attached schedules, by stating a percentage figure followed by a calendar year—for instance, 100% 1943. Where this appears in the "glass quota" column opposite a product, it means, unless otherwise specified, that a packer's glass container quota for that product during 1944 and subsequent calendar years is computed as follows:

(1) He takes the number of new glass containers which he used for packing that product during the named base year.

(2) He subtracts the number of new glass containers which he used for packing that product during the named base year and which were quota exempt under the provisions of any prior order of the War Production Board or under any previous amendment of this order.

(3) He multiplies the resulting figure by the applicable percentage.

Identical rules apply to the computation of closure quotas, except that unless otherwise specified they are based on the number of new metal closures used during the specified base period.

The schedules of this order provide that the quotas for some products are based on the number of new metal closures or new glass containers accepted rather than those used during the specified base period. Here again, the method of computation, described in this paragraph, applies, except that the word "accepted" should be substituted for the word "used" in steps 1 and 2 above. Only the new metal closures or the new glass containers which a packer actually accepted delivery of and those which were invoiced to him during the applicable base period may be included in his quota base in such cases. But, for the purpose of making charges against quota, a packer must include the new metal closures and the new glass containers which he actually accepts delivery of, and those which are set aside for him or held by another party for his account—whether or not they are actually invoiced to him.

In a few cases, the schedules of this order set forth special rules, not covered by the above, for the computation of quotas for particular products. Such rules must be followed, and supersede the general statements contained in this paragraph (g) to the extent that they conflict with them.

(h) *Use of quotas.* As indicated above, most quotas are based on past use. The word "use" refers only to the actual filling operation in the case of glass and the actual capping operation in the case of closures. Therefore, to the extent that a person did not do this directly during the base period, he has no quota, despite the fact that he may have supplied the actual packer with the product, closures, containers, etc. After December 31, 1943, any packing done for him must be within the quota of the person performing the actual filling and capping operation.

In the case of products whose quotas are based upon acceptances, a person is deemed to have "accepted" glass containers or closures (for the purpose of computing quotas) only to the extent that he himself actually took possession of them or had them invoiced to him. If he did not do this during the base period, he has no quota, and the rules stated in the preceding paragraph of this paragraph (h) apply.

Packers who use or accept new glass containers or metal closures for packing products for the account of others, as well as for their own account, must conduct both operations within their own quotas. Without a special appeals grant under this order, they cannot regard their use or acceptances of glass containers and metal closures for the account of others as an addition to their quotas. This is true even where the other person may represent to the packer that he has a quota which he is not using himself.

On the other hand, packers are entitled to include, in their own quota bases, their use or acceptances of new glass containers or new metal closures, for the account of others during the specified base periods.

Restrictions on Sale and Delivery of Glass Containers and Closures

(i) *General restrictions.* No person shall sell or deliver any glass containers or closures which he knows, or has reason to believe, will be accepted or used in violation of any provision of this order.

(j) *Export deliveries.* During any calendar year, no person shall deliver more empty new glass containers or more new metal closures to any person outside of the 48 States of the United States and the District of Columbia than he delivered to that person during 1943.

(k) *Certificates.* No person shall sell or deliver any new glass containers or new metal closures except under a purchase order or contract validated by the delivery to such person of a purchaser's certificate, signed manually, or as provided in Priorities Regulation 7.

This certificate shall be in substantially the form attached hereto as Exhibit A in the case of sales or deliveries of all glass containers, and of all metal closures except malt and non-alcoholic beverage closures. Attention is called to the fact that this certificate, once filed by a purchaser with a supplier, covers all future deliveries from that supplier to that purchaser.

The certificate should be in substantially the form attached hereto as Exhibit B, where sales or deliveries of malt or non-alcoholic beverage closures are concerned. This certificate differs from Exhibit A in that it must be filed with each purchase order for beverage closures in order to validate the order.

Jobbers as well as packers must file certificates in accordance with this paragraph (k). However, in Exhibit B, jobbers need only supply the information called for in sections (b) and (d) of that certificate.

(l) *Outstanding certificates.* Certificates previously filed with a supplier under any previous amendment of this order, shall remain valid insofar as sales or deliveries of glass containers are concerned. Exhibit A certificates previously filed under order M-104, shall remain valid insofar as closure (other than malt or non-alcoholic beverage), deliveries are concerned. In either of the above cases, no new certificate need be filed by any purchaser to validate his orders placed with the supplier to whom the previous certification was made.

(m) *Cases where certificates need not be filed.* No certificates shall be required for the sale or delivery of the following:

(1) Home canning jars
(2) Home canning closures
(3) Returnable glass containers for packing products listed in item 66 of Schedule I
(4) Prescription bottles and ointment jars for prescription use
(5) Closures for prescription and ointment jars for prescription use
(6) Glass containers or closures of any kind to retailers for resale empty or unused or to persons purchasing them from retailers.

(n) *Standard certifications.* The standard certification provided for in paragraph (d) of Priorities Regulation 7, cannot be used in place of the certifications provided by this order; nor may the certifications provided by this order be waived in accordance with paragraph (f) of Priorities Regulation 7.

Restrictions Relating Solely to Manufacture of Closures

(o) *Closure material.* (1) No person shall use any zinc, aluminum, tinplate, terneplate, blackplate, frozen plate, waste-waste or waste for the manufacture of the following types of closures:

(i) Cover caps which serve as a protective or decorative closure in addition to any original sealing medium (other than paraffin) such as another closure.

(ii) Double shell or semi-double shell caps.

(iii) Two-piece closures when both pieces are made of metal, except as permitted in paragraph (o) (2).

(2) No person shall use any zinc, aluminum, tinplate, terneplate, blackplate, or wire for the manufacture of any closure of the home canning type, except as, and to the extent permitted in Schedule VII attached to this order. No closure manufactured pursuant to Schedule VII shall knowingly be sold to, or used by, any person for packing any product for sale.

(3) No person shall use any tinplate, terneplate or blackplate heavier than 90 pounds per base box for the manufacture of crown caps. This restriction does not apply to rejects, frozen plate waste-waste, or waste.

(4) No person shall use for the manufacture of closures, any tinplate with a tin coating in excess of 0.50 pound per base box except as follows: 1.50 tinplate may be used to make closures for packing items 1 to 46, inclusive, in Schedule I. However, even in the case of these items all persons are urged to use 0.50 tinplate whenever possible.

(5) No person shall use any wire for the manufacture of paperboard disc plug caps, having a diameter of two inches or less, for milk bottles.

Exceptions Pertaining to Both Glass Containers and Closures

(p) *Deliveries to certain agencies and persons.* Nothing in this order shall prohibit the purchase, acceptance of delivery, or use (such use to be in addition to any quota specified in the schedules attached to this order) of glass containers or closures by any of the following persons or by any person for packing any product to be delivered to or for the account of any of the following persons:

(1) Army, Navy, Marine Corps, Maritime Commission, or War Shipping Administration of the United States (including persons operating vessels for such Administration or Commission for use thereon).

(2) Any person for packing products for retail sale or distribution through post-exchanges, sales commissaries, officers' messes, servicemen's clubs, ship service stores, or outlets; provided same are located at Army or Navy Camps, are not operated for private profit and are established primarily for the use of Army or Navy personnel within Army or Navy establishments or on Army or Navy vessels.

(3) American Red Cross, United Service Organizations, or such other nonprofit Defense Recreation Committees, engaged in the operation of recreation centers in the 48 States of the United States or the District of Columbia solely for military personnel, as are certified to be within the exemption provided by this paragraph (p) (3) by the Office of Defense Health and Welfare Services, OEM.

(4) Any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(q) *Special provisions in schedules relative to exempt deliveries to certain agencies and persons.* The schedules of this order contain certain limitations on the exception provided by the preceding paragraph (p) in the case of certain products—as, for instance, ice cream mix and malt and nonalcoholic beverages. In such cases, the provisions of the schedules are controlling and supersede paragraph (p) to the extent that they conflict therewith.

Exceptions Relative to Glass Containers Only

(r) *Small users.* The restrictions of this order which pertain to glass containers shall not apply to any person, who was a packer before January 1, 1944, during any calendar year in which he accepts no more than a total of five hundred ($500.00) dollars worth (cost price to him) of empty new glass containers for all products.

(s) *Large size glass containers.* The restrictions of this order which pertain to glass containers shall not apply to any glass container with a capacity larger than 140 fluid ounces.

(t) *Glass containers of non-permitted sizes manufactured prior to January 4, 1944.* A packer may accept and use, for packing any product listed in the schedules of this order, any glass container which was manufactured before January 4, 1944, even though the container is of a size which is not permitted for that product by the schedules. Such acceptance and use must be in accordance with the quota provisions of this order and with the provisions of Order L-103.

(u) *Quota status of glass containers in inventory as of January 1, 1944.* Glass containers in the possession of a packer as of January 1, 1944, may be used by him for packing any listed product as follows:

(1) Quota free, if accepted for packing a product which had a limited quota in 1943, (unless "borrowed" as described in point 3 of this paragraph).

(2) Within quota, if accepted for packing a product which had an unlimited quota in 1943.

(3) Within quota, if borrowed against anticipated 1944 use as permitted in paragraph (e) of this order as amended November 1, 1943.

Exceptions Pertaining to Closures Only

(v) *Small users.* The restrictions of this order which pertain to closures shall not apply to any person during any calendar year in which he accepts no more than five thousand new metal closures for all products.

Prior Appeals

(w) *Appeals granted prior to December 31, 1943 under Order M-104 and Order L-103-b.* All appeals granted prior to December 31, 1943 under orders L-103-b and M-104 are cancelled and shall be ineffective on and after January 1, 1944. Therefore, after that date, no person shall accept delivery of or use or shall manufacture, sell or deliver any new glass container or any new metal closure except in accordance with the provisions of this order—unless he receives a new grant on appeal after January 1, 1944.

Definitions

(x) *Definitions.* For the purposes of this order:

(1) "Glass container" means any empty new machine-made bottle, jar or tumbler, with a capacity of 140 fluid ounces or less, which is made of glass and which is suitable for packing any product. It shall not include ampoules or vials made from glass tubing.

(2) "Packer" means any person who uses glass containers or closures for commercially packing any product in the continental United States (the 48 States and the District of Columbia).

(3) "Home canning jar" means a glass container which is specifically made for use as a home canning jar (that is, for the purpose of packing or preserving food or food products in the home) and which carries some lettering or other marking identifying it as such.

(4) "Closure" means any new sealing or covering device affixed or to be affixed to a glass container for the purpose of retaining the contents within the container. The term shall not include bulbs or droppers for medicinal bottles.

(5) "Metal closure" means any closure which is made of zinc, aluminum, tinplate, terneplate, blackplate, frozen plate, waste-waste, or waste.

(6) "Tinplate" means sheet steel coated with tin, and includes "primes", "seconds", and all other forms of tinplate except waste and waste-waste.

(7) "Terneplate" means sheet steel coated with a lead-tin alloy, and includes "primes", "seconds", and all other forms of terneplate except waste and waste-waste.

(8) "Blackplate" means any sheet steel, other than tinplate or terneplate, and includes "rejects", and all other forms of blackplate except waste.

(9) "Frozen plate" means only tinplate, terneplate or blackplate which, since before August 9, 1943, has been held in the owner's inventory because, for any reason, it was not suitable for manufacture by the owner into articles permitted the use of steel under the provisions of War Production Board orders.

(10) "Waste-waste" means hot dipped or electrolytic tin coated steel sheets which have been rejected during processing by the producer because of imperfections which disqualify such sheets from sale as primes or seconds.

(11) Tinmill blackplate "rejects" means steel sheets rejected during processing by the producer because of imperfections which disqualify such sheets for sale as prime blackplate.

(12) "Waste", means:

(i) Used closures made of tinplate, terneplate or blackplate;

(ii) Used cans made of tinplate, terneplate or blackplate;

(iii) Tinplate, terneplate or blackplate discs produced in the ordinary course of manufacturing screw bands for home canning closures;

(iv) Slitter or shear trimmings, or lithographing lay sheets, produced in the ordinary course of manufacturing closures or cans.

(13) The term "0.50 tinplate" wherever used in this order, includes "menders" arising in the production of such tinplate which have been hot dipped with a maximum tin coating of 1.25 pounds per base box.

Miscellaneous

(y) *Multiple unit users.* Any commercial user who uses glass containers at more than one plant may choose to compute and apply a separate quota for each plant (or group of plants) or a collective quota for all such plants. Any organization which consists of a parent corporation and one or more wholly-owned subsidiary corporations may consider itself as a single commercial user for purposes of this paragraph.

(z) *Applicability of regulation.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(aa) *Appeals.* Appeals from this order shall be filed by addressing a letter to the War Production Board, Containers Division, Washington 25, D. C. Ref: L-103-b.

The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in undue and excessive hardship, and such other statistical and narrative information as may be pertinent.

(bb) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Containers Division, Washington (25), D. C., Ref.: L-103-b.

(cc) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 15th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A—PURCHASER'S CERTIFICATE FOR ALL GLASS CONTAINER DELIVERIES AND ALL CLOSURE DELIVERIES EXCEPT MALT AND NON-ALCOHOLIC BEVERAGE CLOSURES

One copy of this certificate is to be delivered to each person from whom purchases of new glass containers or new metal closures (other than malt and non-alcoholic beverage closures) are made. Such certificate shall cover all purchases present and future.

The undersigned purchaser hereby certifies to the seller and to the War Production Board that he is familiar with Limitation Order L-103-b and that he will not use or sell any glass containers or any closures purchased from _____
Name of seller
_____
Address of seller
pursuant to this or future purchase orders or contracts in violation of the terms of such order.

Date _____

_____
Legal name of purchaser
By _____
Authorized official
_____
Title of official
_____
Address of purchaser

Section 35 (A) of the U. S. Criminal Code (18 U. S. C. A. 80) makes it a criminal offense to make a false statement or representation as to any matter within the jurisdiction of any department or agency of the United States.

EXHIBIT B

Certificate required by Order L-103-b to validate each purchase of new metal closures for malt or non-alcoholic beverages. Execute in duplicate, one copy to be retained by the purchaser, and one to be filed with the seller.

INVENTORY

(a) Permitted inventory (30% of the 1944 quota of closures for packing malt or non-alcoholic beverages) _____ gross.

(b) Inventory on date of this certification (Exclusive of Closures made from waste) _____ gross.

(c) Permitted delivery as of date of this certification from all sellers. Line (a) minus Line (b) _____ gross.

(d) Requested delivery from _____
Seller
_____ gross.

The undersigned purchaser hereby certifies to the seller and to the War Production Board that he is familiar with Limitation Order L-103-b, that the foregoing statements of inventory are true and correct, and that he will not use or sell any closures for malt beverages or non-alcoholic beverages received from the seller pursuant to the

above-described "requested delivery" in violation of the terms of such order.

Date _____

_____
Legal name of purchaser

By _____
Authorized official

_____
Title of official

_____
Address of purchaser

Section 35 (A) of the U. S. Criminal Code (18 U. S. C. A. 80) makes it a criminal offense to make a false statement or representation as to any matter within the jurisdiction of any department or agency of the United States.

Schedules—General Explanation

Schedules I through VI list the only products which may be packed in new glass containers or with new metal closures. Schedule VII relates to the manufacture of home canning closures.

The data set forth in the two "quota" columns, opposite each product, indicate the number of new glass containers and new metal closures (determined in accordance with the general rules set forth in paragraph (g) of Order L-103-b), which may be used for packing that product. However, any special quota provisions which these schedules make applicable to any product, are controlling to the extent that they conflict with paragraph (g).

The "X" mark which appears opposite each product in one of the columns headed "closure material" indicates that, except as listed hereafter, only closures made of the specified material may be used to pack that product. The general exceptions from this rule are:

(i) Closures made of blackplate (including rejects) may be used, within quotas, wherever tinplate or terneplate is specified.

(ii) Closures made of frozen plate may be used, within quota, wherever either tinplate, terneplate or blackplate is specified.

(iii) Closures made of waste may be used in addition to specified quotas for listed products.

All special provisions of these schedules relating to closure materials for specific products must be followed, and control to the extent that they conflict with the above.

All size specifications for glass containers set forth in these schedules must be followed in addition to the provisions of Order L-103 and its schedules.

Attention is called to paragraphs (p) through (v) of Order L-103-b which establish limited exceptions to the provisions of this order. Here again, any special provisions which these schedules contain relative to quota exemptions—as in the case of ice cream mix and certain beverages—must be observed.

Schedule I—Foods

Note: Items 33, 51, 60 and 75 amended; items 49a, 49b, 49c, 56a, 60a, 75a and 92 added May 15, 1944.

No product packed in a can shall be repacked for sale in a glass container by the same or a different person, in the same or a different form, except as follows (or as otherwise specifically permitted in this schedule):

(i) When required for the packing of other products, pineapple may be repacked from No. 10 cans. Grape juice, grape pulp, citrus peel and pulp may be repacked from reusable cans, 5-gallons or larger. Apricots and peaches, solid pie pack, may be repacked from No. 10 cans or larger. No. 10 cans cut under this provision must be properly cleaned and returned to the nearest detinning plant.

(ii) Tomato paste, tomato pulp or puree, and tomato sauce may be repacked from No. 10, or from 5-gallon or larger reusable cans when required for packing other products, or for repacking in different form (other than in the form of tomato paste or tomato pulp or puree), but none may be repacked in the same form. No. 10 cans cut under this provision must be properly cleaned and returned to the nearest detinning plant.

(iii) Closures made of aluminum may be used for any product listed in this schedule for which aluminum closures were used in 1939, 1940 or 1941. However, all aluminum closures must be used within, and charged to, the quotas established by this schedule.

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material: Tinplate	Closure material: Blackplate
Fruit and Fruit Products				
1. Apples including crab apples, whole apples not to be packed	100% 1943	100% 1943	X	
2. Apple cider, gallons only	100% 1943 (see note)	100% 1943	X	
Note: Only new glass containers of one-half gallon and larger may be included for the purpose of computing quota under paragraph (g).				
3. Apple juice, not to be packed in containers smaller than 1 pint capacity	100% 1943	100% 1943	X	
4. Applesauce including sauce from crab apples	100% 1943	100% 1943	X	
5. Apricots, fresh	Unlimited	Unlimited	X	
6. Blackberries, black raspberries, blueberries or huckleberries, red raspberries, boysen berries, loganberries, and youngberries when packed as berries	Unlimited	Unlimited	X	
7. Cherries, red sour pitted and sweet	100% 1943	100% 1943	X	
8. Cranberries	Unlimited	Unlimited	X	
9. Figs—(Kadota)	Unlimited	Unlimited	X	
10. Fruit cocktail—consisting of any combination of fruits listed in this Schedule I and grapes; provided that the combination, by drained weight, shall consist of not less than 50 percent peaches and pears, and may consist of not to exceed 10 percent grapes. Pineapple may be repacked from No 10 or larger cans, to the extent of 10 percent of the fruit cocktail	Unlimited	Unlimited	X	
10a. Mixed fruits—consisting of any combination of fruits listed in this Schedule I (with or without grapes) provided the combination by drained weight shall consist of not less than 55 percent nor more than 65 percent diced peaches, and not less than 35 percent nor more than 45 percent diced pears; or a combination of not less than 50 percent nor more than 60 percent diced peaches and not less than 30 percent nor more than 40 percent diced pears with not less than 6 percent nor more than 10 percent grapes. Such peaches or pears shall be peeled, pitted, or cored and diced to a size such that no more than 20 percent of the units will pass through a 5/16" standard sieve, and no more than 30 percent of the units will have a greater edge dimension than ¾", and so as to leave not more than 1 square inch of peel per pound of product on a drained weight basis. Not more than 10 percent of the grapes shall be cracked or crushed or have attached cap stems. No fruit may be packed under this item until the packer has packed and set aside his full quota for that fruit as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	Unlimited	Unlimited	X	
11. Fruit butters, minimum size (excluding tumblers) ¾ pound. At least 70 percent of containers packed to be 1½ pounds or larger.	100% 1943	100% 1943	X	
12. Fruits crushed, fountain fruits and ice cream toppings	Unlimited	Unlimited	X	
13. Fruit conserves, jams, marmalades and preserves. At least 10 percent of the number of containers packed with these products, excluding tumblers, to be 2 pounds or larger.	Unlimited	Unlimited	X	
14. Fruit jellies	100% 1943	100% 1943	X	
15. Fruit juices, other than grape, apple, or apple cider, or mixtures of fruit juices (undiluted except for the addition of sweetening). Minimum size 1 pint.	Unlimited	Unlimited	X	
16. Grape juice, minimum size 1 pint	100% 1943	100% 1943	X	
17. Fruit concentrates, liquid, when concentrated on a ratio 5 or more to 1	100% 1943	100% 1943		X
18. Fruit concentrates, dry	100% 1943	100% 1943	X	
19. Fruit nectars, minimum size 1 pint	Unlimited	Unlimited	X	
20. Olives, ripe and green ripe	Unlimited	Unlimited	X	
21. Peaches, halves, slices or cubes	Unlimited	Unlimited	X	
22. Pears—whole pears, except seckel pears, not to be packed	Unlimited	Unlimited		X
23. Pectin, liquid	Unlimited	Unlimited	X	
24. Plums	Unlimited	Unlimited	X	
25. Prunes, fresh Italian				
Vegetables and Vegetable Products				
26. Asparagus, all-green or culturally bleached	Unlimited	Unlimited	X	
27. Beans, with or without pork	100% 1943	100% 1943	X	
28. Beans, fresh, all varieties	Unlimited	Unlimited	X	
29. Beets—whole beets over 1½" diameter not to be packed	Unlimited	Unlimited	X	
30. Carrots—whole carrots not to be packed	Unlimited	Unlimited	X	
31. Peas and carrots—fresh green peas only. Carrots not to exceed 40 per cent of total drained weight. No vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.				

Schedule I—Foods—Continued

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material: Tinplate	Closure material: Blackplate
Vegetables and Vegetable Products—Continued				
32. Corn, fresh, sweet cut only	Unlimited	Unlimited	X	
33. Mixtures of vegetables (except succotash, and peas and carrots) 90 percent of this mixture by drained weight must consist of vegetables listed in this schedule, celery and onions: *Provided*, That the combination, by drained weight, shall consist of not more than 60 percent of any one vegetable; and, *Provided further*, That no vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	Unlimited	Unlimited	X	
34. Mushrooms	100% 1943	100% 1943	X	
35. Okra, including tomatoes and okra	100% 1943	100% 1943	X	
36. Peas, green	Unlimited	Unlimited	X	
37. Peppers, sweet, including pimientos. Minimum size container 6 fluid ounces	100% 1943	100% 1943	X	
38. Pumpkin and squash	100% 1943	100% 1943	X	
39. Spinach, and other green leafy vegetables limited to beet, collard, dandelion, kale, mustard, poke and turnip greens.	100% 1943	100% 1943	X	
40. Succotash, fresh vegetables only	Unlimited	Unlimited	X	
41. Tomatoes	Unlimited	Unlimited	X	
42. Tomato catsup and chili sauce, containing not less than 10.8 percent (specific gravity 1.046) by weight of dry tomato solids.	Unlimited	Unlimited	X	
43. Tomato paste from fresh tomatoes, containing not less than 25 percent by weight of dry tomato solids	Unlimited	Unlimited	X	
44. Tomato pulp or puree from fresh tomatoes, containing not less than 10.8 percent (specific gravity 1.046) or more than 25 percent, by weight of dry tomato solids.	Unlimited	Unlimited	X	
45. Tomato sauce, including spaghetti sauce, containing not less than 8.7 percent (specific gravity 1.037) by weight of dry tomato solids, and not less than 10.0 percent (specific gravity 1.042) by weight of total dry solids, salt free. In addition to salt, the contents may contain pepper, spice, oils, and other flavoring ingredients.	Unlimited	Unlimited	X	
46. Vegetable juices, or mixtures thereof, undiluted, except for the addition of sweetening or seasoning, minimum size 1 pint.	Unlimited	Unlimited	X	
Meat and Meat Products				
47. Beef, dried—tumblers and caps for tumblers may be used in addition to quota	100% 1943	100% 1943	X	
48. Beef extract	100% 1943	100% 1943	X	
49. Chicken, boned	100% 1943	100% 1943	X	
49a. Chicken and turkey a la king, containing not less than 20 percent meat and skin; skin and giblets not to exceed natural proportions.	100% 1943	100% 1943	X	
49b. Chicken and turkey egg noodles, containing not less than 12 percent meat and skin; skin and giblets not to exceed natural proportions.	100% 1943	100% 1943	X	
49c. Turkey, boned	100% 1943	100% 1943	X	
50. Corned beef hash	100% 1943	100% 1943	X	
51. Mince meat. No containers holding less than one pound net weight of mince meat to be packed	100% 1943	100% 1943	X	
52. Pigs feet and cutlets, pickled. No containers of a capacity less than one pint to be packed	200% 1943	200% 1943	X	
53. Scrapple (Philadelphia type)	50% 1943	50% 1943	X	
54. Tamales	100% 1943	100% 1943	X	
55. Chili con carne, with or without beans (only when packed in accordance with F. D. A. standards)	100% 1943	100% 1943	X	
56. Meat spreads, including ham, tongue, liver, beef and sandwich spreads. When packed as a spread, the chopped products shall contain not less than 65 percent meat, by cooked weight, with added cereal or other products. When packed as deviled ham or deviled tongue, the product shall consist of chopped meat without added cereal or other products.	100% 1943	100% 1943	X	
56a. Meat loaf containing not less than 90 percent meat, by uncooked weight and no added water. When packed as a chopped product, meat loaf may contain not more than 10 percent of the following ingredients: cereal, whole milk, eggs and seasonings.	100% 1943	100% 1943	X	
57. Chopped luncheon meats, consisting of chopped, seasoned meat with not to exceed 3 percent added water, by weight.	100% 1943	100% 1943	X	
58. Sausage in casings, Vienna style, containing no cereal or similar substances and not to exceed 10 percent added water by weight.	100% 1943	100% 1943	X	
59. Tongue	200% 1943	200% 1943	X	
Fish and Shellfish				
60. Any person who packed fish or shellfish products in 1943 may pack the same products other than clam broth in 1944 or any subsequent year.	150% 1943	150% 1943	X	
60a. Clam broth	100% 1943	100% 1943	X	
Milk and Dairy Products				
61. Cheese spreads, processed or unprocessed. Tumblers and caps for tumblers may be used in addition to quota.	125% 1943	125% 1943	X	
62. Milk, cultured, as classified herein refers only to those cultured or fermented milk or skim milk products which develop pressure within the container (glass bottles) due to fermentation which is produced by the addition of certain materials to milk or skim milk such as sugar, yeast, cultures, and the like.	100% 1943	100% 1943		X
63. Milk, fluid with or without flavoring	Unlimited	Unlimited		X
64. Dry milk, malted milk, (including chocolate milk), and milk fortifiers	100% 1943	100% 1943		X
65. Ice cream mix, dry—notwithstanding the provision of paragraph (p) of this Supplementary Order L-103-b, packing quota includes pack required to be set aside by any order of the War Production Board, the Food Distribution Administrator, the Department of Agriculture for purchase by Government agencies. Containers and closures used for such packs must be charged to quotas for this product.	100% 1943	100% 1943	X	
66. Miscellaneous dairy products packed in returnable glass containers, including but not limited to fluid milk, cultured milk, liquid modifications of milk, sweet cream, sour cream and cottage cheese	Unlimited	None		
Syrups and Honey				
67. Syrups—blended, cane, corn, maple, molasses, sorghum. Containers under 1 gallon capacity only to be packed.	150% 1943 (see note).	Unlimited		X
Note: Only new glass containers under 1 gallon capacity to be included for purpose of computing quota in accordance with paragraph (g).				
68. Syrups—bottlers, malt, and fountain syrups	100% 1943	Unlimited		X
68a. Syrup—chocolate	100% 1943	Unlimited	X	
69. Honey	Unlimited	Unlimited		X
Olives, Pickles, Relishes, Condiments & Sauces				
70. Pickles, piccalilli and relishes	125% 1943	125% 1943	X	
71. Horseradish	100% 1943	100% 1943	X	
72. Mustard	100% 1943	100% 1943	X	
73. Green Olives	100% 1943	100% 1943	X	
74. Sauces—beefsteak, cooking, soya, pepper and Worcestershire	100% 1943	100% 1943	X	
Edible Oils and Dressings				
75. Dressings—Mayonnaise, Russian, salad, Thousand Island. At least 60 percent of the containers used by any person to pack any or all of these products must be pints or larger.	125% 1943	125% 1943		X
75a. Tartar Sauce and sandwich spreads (other than meat or cheese spreads)	125% 1943	125% 1943		X
76. French dressing	100% 1943	100% 1943	X	

Schedule I—Foods—Continued

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material: Tinplate	Closure material: Blackplate
Edible Oils and Dressings—Continued				
77. Oil, edible, liquid	125% 1943 (see note).	100% of quota glass containers.		X
Note: Both new glass containers and new metal cans packed during base period to be included for purpose of computing quota under paragraph (g).				
No containers other than quarts and pints may be packed, with the following exceptions: (i) Olive oil may be packed in quarts, pints and smaller sizes. (ii) Any person who packed liquid edible oils prior to January 1, 1942 in glass containers larger than one quart may continue to do so in 1944 and subsequent calendar years.				
78. Shortenings	100% 1943	None		
Miscellaneous Foods				
79. Baby foods. Consisting of food products of small particle size or in liquid or semi-liquid form made from the following ingredients: fruits (except dried apricots, dried pears, dried peaches, dried or dehydrated apples); vegetables; meats; poultry products; dairy products; sugar; salt or seasoning; yeast or yeast derivatives. Frozen fruits and vegetables may be used. Potatoes and cereals may be used only in combination with other permitted products, and only provided the combined potato and cereal content does not exceed 12 percent, by weight, of the total product. Formulas—dry and liquid.	150% 1943	150% 1943	X	
81. Cherries, maraschino	100% 1943	100% 1943	X	
82. Coffee, not including soluble coffee	75% 1941 (see note).	80% quota glass containers. (See note.)		X
Note: Glass quotas for coffee are based on the capacity of new glass containers and metal cans accepted, rather than on the number of those used during 1941. Therefore, after computing his quota base in accordance with steps 1 and 2 of paragraph (g), on this basis, a coffee packer is permitted to accept and use enough new glass containers (of any size), to enable him to pack 75 percent of the capacity of new metal cans and jars resulting from such computation. No more than 40 percent of yearly glass quota may be accepted in period May 1 through October 31. New metal caps used in any one month shall not exceed 50 percent of the number of new glass containers packed in that month.				
83. Coffee, soluble	150% 1943	150% 1943		X
84. Baking powder	100% 1943	100% 1943		X
85. Dyes, certified colors, liquid	100% 1943	100% 1943	X	
86. Flavoring extracts	100% 1943	100% 1943		X
87. Malt, dry	150% 1943	150% 1943		X
88. Nut butters including soybean butter. To be packed in 1 pound, 1½ pound, 2 pounds and larger containers only, except for tumblers which may be used subject to provisions of L–103. At least 10 percent of containers used to be 2 pounds or larger.	100% 1943	100% 1943	X	
89. Spices and seasonings	100% 1943	100% 1943	X	
90. Vinegars. At least 70 percent of the containers packed must be quarts or larger. No containers less than pint capacity to be packed.	(See note)	(See note)	(See note)	(See note)
91. Special foods for human consumption only, limited to foods other than usual table foods.	100% 1943	100% 1943	X	
92. Soup mix, dehydrated and paste				
Note: Quota—no person shall pack any special food product unless he packed the product in substantially the same form in 1943, and unless he obtains prior permission upon application to the War Production Board.				

Schedule II—Drug Products

[Products for medicinal purposes only]

Note: Item 7a added and Note 1 amended May 15, 1944.

Closures made of aluminum may be used for any product listed in this schedule for which aluminum closures were used in 1939, 1940 or 1941. However, all aluminum closures must be used within, and charged to, the quotas established by this schedule.

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material: Tinplate	Closure material: Blackplate
1. Alcohol, rubbing or medicated	Note 1	Note 1		X
2. Anesthetic solutions	Unlimited	Unlimited	X	
3. Biological preparations	Unlimited	Unlimited	X	
4. Blood plasma	Note 1	Note 1		X
5. Capsules, pills, tablets, troches, lozenges	Unlimited	Unlimited	X	
6. Chemicals, dry or liquid	Note 1	Note 1		X
7. Citrate of magnesia	Unlimited	Unlimited	X	
7a. Dental supplies packed exclusively for use in the practice of dentistry	Note 1	Note 1		X
8. Elixirs	Note 1	Note 1		X
9. Emulsions	Note 1	Note 1		X
10. Extracts, dry or liquid	Note 1	Note 1		X
11. Glycerine	Note 1	Note 1	X	
12. Glycerites	Note 1	Note 1		X
13. Jellies, aqueous	Note 1	Note 1		X
14. Liniments	Note 1	Note 1	X	
15. Liniments of ammonia	Note 1	Note 1		X
16. Lotions, medicinal only	Note 1	Note 1	X	
17. Magmas	Note 1	Note 1		X
18. Oleoresins	Note 1	Note 1	X	
19. Oils, fixed, volatile or medicated	Note 1	Note 1		X
20. Ointments, cerates, petrolatum pastes	Note 1	Note 1	X	
21. Ointments, ophthalmic	Note 1	Note 1		X
22. Powders	Unlimited	Unlimited	X	
23. Prescriptions	Note 1	Note 1		X
24. Proprietary preparations	Note 1	Note 1		X
25. Salts, effervescent, hygroscopic, efflorescent only	Note 1	Note 1	X	
26. Soaps, medicinal only	Note 1	Note 1	X	
27. Solutions, aqueous	Note 1	Note 1	X	
28. Solutions, other than aqueous	Unlimited	Unlimited	X	
29. Solutions, parenteral	Note 1	Note 1		X
30. Spirits	Note 1	Note 1	X	
31. Spirits of ammonia, aromatic	Note 1	Note 1	X	
32. Spirit of ether compound and spirit of ether	Unlimited	Unlimited		X
33. Sulfonamide preparations	Note 1	Note 1		X
34. Suppositories	Note 1	Note 1		X
35. Syrups	Unlimited	Unlimited		X
36. Tinctures	Unlimited	Unlimited	X	
37. Tincture of iodine	Note 1	Note 1		X
38. Waters laxative, purgative or medicinal	Note 1	Note 1		X
39. Other drug products	Note 1	Note 1		X
40. Turpentine, maximum size 8 ounces	Note 1	Note 1		X

Note 1: The total number of new metal closures and new glass containers which may be used, during any calendar year, for packing all of the products referring to this note is 100 percent of the number of new metal closures or new glass containers, respectively, a person used for said purpose during 1943, after deducting the quota exempt closures or containers used, in accordance with the provisions of paragraph (g). This quota may be used for any one or more of said products.

Schedule III—Chemicals

Note: Item 9 deleted; item 15a added May 15, 1944.

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material: Tinplate	Closure material: Blackplate
1. Adhesives, glue, mucilages and pastes	100% 1943	100% 1943		X
2. Alcohol, liquid or solidified (excluding anti-freeze)	100% 1943	100% 1943		X
3. Ammonia, household, and/or household liquid cleaners. No containers of less than 1 quart capacity may be packed.	100% 1943	100% 1943	X	
4. Aromatic chemicals used for their odoriferous and/or flavoring properties	Unlimited	Unlimited	X	
5. Automotive maintenance or repair items, liquid or paste	100% 1943	100% 1943		X
6. Bluings	100% 1943	100% 1943	X	
7. Bleaches, liquid. No containers of less than 1 quart capacity may be packed	100% 1943	Unlimited	X	
8. Cements—dry, paste or liquid	100% 1943	100% 1943		X
9. [Deleted May 15, 1944]				
10. Chemicals, dry, not elsewhere specified	80% 1943	80% 1943		X
11. Chemicals, liquid, not elsewhere specified	80% 1943	80% 1943	X	
12. Chemicals for food sanitation purposes only	150% 1943	150% 1943		X
13. Chemicals, reagent	200% 1943	200% 1943	X	
14. Cleaners—dry, paste or liquid, not including liquid household cleaners	100% 1943	100% 1943		X
15. Compounds for grinding, polishing, or sealing	100% 1943	100% 1943		X
15a. Dental supplies packed exclusively for use in the practice of dentistry	Unlimited	Unlimited	X	
16. Deodorants—dry, not for use on human body	100% 1943	100% 1943		X
17. Deodorants—liquid or paste, not for use on human body	100% 1943	100% 1943	X	
18. Dressings for industrial purposes Belt dressings and similar preparations	100% 1943	100% 1943		X
19. Dyes	100% 1943	100% 1943	X	
20. Essential oils, distilled or cold pressed	Unlimited	Unlimited		X
21. Embalming fluid	100% 1943	100% 1943		X
22. Fire extinguisher fluids	100% 1943	100% 1943		X
23. Fumigants	100% 1943	100% 1943		X
24. Fungicides, insecticides, disinfectants and livestock or agricultural solutions or sprays No containers larger than 1 quart to be packed	150% 1943 (see note)	100% quota glass containers.		
Note: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota in accordance with paragraph (g).				
26. Germicides	125% 1943	125% 1943	X	
26. Graphite with liquid	100% 1943	100% 1943		X
27. Glycerine	100% 1943	100% 1943		X
28. Hand protective compounds (industrial protective only and only when packed in 8 oz. container or larger).	150% 1943	150% 1943		X
29. Hypochlorite powders	125% 1943	125% 1943	X	
30. Inks	100% 1943	100% 1943	X	
31. Ink eradicators	100% 1943	100% 1943		X
32. Paints, clear (including shellac) except nitro-cellulose base paints; containers limited to quarts and smaller	100% 1943 (see note)	100% quota glass containers		
Note: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota in accordance with paragraph (g).				
33. Paints, pigmented except nitro-cellulose base paints; containers limited to one-half pints and smaller	100% 1943 (see note).	100% quota glass containers		X
Note: Only new glass containers of one pint capacity and smaller may be included in computing quota under paragraph (g).				
34. Paint thinner, including turpentine, paint and varnish removers and linseed oil; excluding thinners for nitro-cellulose products; quart, pint and half-pint containers only.	100% 1943 (see note).	100% quota glass containers.		X
Note: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota under paragraph (g).				
35. Phenols	100% 1943	100% 1943	X	
36. Photographic supplies	100% 1943	100% 1943	X	
37. Poisons	100% 1943	100% 1943		X
38. Polishes, liquid. Furniture, auto, metal and floor polishes, quart and smaller containers only	100% 1943 (see note).	100% quota glass containers.		X
Note: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota under paragraph (g).				
39. Putty	100% 1943 (see note)	100% quota glass containers.		X
Note: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota under paragraph (g).				
40. Polishes not otherwise specified	75% 1943	75% 1943		X
41. Shoe and leather polishes, waxes, dyes, stains and dressings not including liquid or cream shoe white	125% 1943	125% 1943		X
42. Shoe white, liquid or cream	100% 1943	100% 1943		X
43. Soap, liquid or paste	100% 1943	100% 1943		X
44 Solvents—organic solvents and petroleum distillates	100% 1943	100% 1943		X
45. Synthetic resins	100% 1943	100% 1943		X
46. Waxes	100% 1943	100% 1943		X
47. Wood preservatives and/or fillers	100% 1943	100% 1943		X

Schedule IV—Cosmetics and Toiletries

Note: Items 3 and 4 amended May 15, 1944.

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material: Tinplate	Closure material: Blackplate
1. Cosmetics, solid and semisolid types; such as face creams, hand creams, vanishing creams, deodorant and anti-perspirant creams and cream rouge	100% 1943	85% quota glass containers.		X
2. Cosmetics and toileteries, fluid or powder; such as deodorants, antiperspirants, shampoos, hair tonics, hair dyes, wave solutions, hair rinses, oral antiseptics, tooth pastes, tooth powders, liquid dentifrices, after shave lotions, liquid soaps, perfumes, toilet waters, face and hand preparations, lotions, fingernail preparations	100% 1943	50% quota glass containers.		X
3. Soaps, hand	100% 1943	100% quota glass containers.		X
4. Shaving cream	100% 1943	100% quota glass containers.		X

Pursuant to Executive Order No. 9240, dated Jan. 4, 1944, ... issued in accordance with U. S. Gen... pliers in semi-fabricating operations may...

SCHEDULE V—MISCELLANEOUS PRODUCTS

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material	
			Tinplate	Blackplate
1. Artist supplies	100% 1943	100% quota glass containers.		X
2. Candle tumblers	Unlimited	None		
3. Dental floss	100% 1943	100% 1943		X
4. Lighter fluids	100% 1943	100% 1943		X
5. Oils, lubricating and machine. Motor oils to be packed in quarts only	100% 1943	100% 1943		X
6. Tobacco and snuff not including cigars and cigarettes	100% 1943	None		

SCHEDULE VI—BEVERAGES

(The rules set forth in this Schedule are controlling wherever they conflict with any other provisions of Order L–103–b. However, except as modified herein, all provisions of Order L–103–b are applicable)

MALT BEVERAGES

Product: Malt beverages, including only beer, ale, porter, near beer and mixtures thereof.

Glass Containers

(a) *Glass container quota.* 100% of the number of new returnable glass containers which the packer accepted delivery of for malt beverages during 1943—less the number of quota exempt returnable glass containers which were accepted during the period between July 1, 1943 and December 31, 1943.

(b) *Exceptions from glass quota provisions.* In addition to his quota of glass containers for malt beverages, any packer may accept delivery of the following portion of the number of new or used glass containers used, or actually to be used, during the then current calendar year for delivering malt beverages to or for any of the persons listed under paragraph (p) of this order:

(1) *Export shipment.* The full amount of glass containers for delivering malt beverages to or for any such person for shipment to points outside the continental United States.

2. *Domestic consumption.* 8% of the full amount of glass containers for delivering malt beverages to or for any such person for use or distribution within the continental United States.

Closures

(c) *Closure quota (See Note 3).* 115% of the number of new metal closures used for non-alcoholic beverages during 1943. (Quota exempt closures may not be included in base.)

(d) *Closure material.* (See Note 1) Blackplate (including rejects) as allocated; electrolytic waste-waste, and frosen plate. Hot dipped waste-waste may be used only to make malt beverage closures which are to be exported unused. The export of unused malt beverage closure is exempted from the limitations of paragraph (j) of this order.

No closures made of waste may be used in addition to quota, pursuant to paragraph (d) of Order L–103–b, except as follows:

(1) Closures made of used cans.

(2) Closures made of used closures and of discs produced in the ordinary course of manufacturing home canning screw bands.

NON-ALCOHOLIC BEVERAGES

Product. Non-alcoholic beverages, including only carbonated soft drinks; non-carbonated soft drinks; unflavored carbonated waters and unflavored naturally carbonated and still waters (See Note 2); drinks consisting of fruit juices, vegetable juices and combinations thereof, where less than 85% by weight of such drinks is pure fruit juice, vegetable juice, or a mixture thereof; and sterilized milk drinks made with powdered milk.

Glass Containers

(a) *Glass container quota.* 80% of the number of new glass containers which the packer accepted delivery of for non-alcoholic beverages during 1941.

(b) *Exceptions from glass quota provisions.* In addition to his quota of glass containers for non-alcoholic beverages, any packer may accept delivery of the following portion of the number of new or used glass containers used, or actually to be used, during the then current calendar year for delivering non-alcoholic beverages to or for any of the persons listed in paragraph (p) of this Order.

(1) *Export shipment.* The full amount of glass containers for delivering non-alcoholic beverages to or for any such person for shipment to points outside the continental United States.

(2) *Domestic consumption.* 8% of the full amount of glass containers for delivering non-alcoholic beverages to or for any such person for use or distribution within the continental United States.

Closures

(c) *Closure quota (See Notes 2 and 3).* 115% of the number of new metal closures used for non-alcoholic beverages during 1943 (Quota exempt closures are not to be included in base).

(d) *Closure material (See Note 1).* Blackplate (including rejects) as allocated; electrolytic waste-waste, and frosen plate. Hot dipped waste-waste may be used only to make non-alcoholic beverage closures which are to be exported unused. The export of unused non-alcoholic beverage closures is exempted from the limitations of paragraph (j) of this order.

No closures made of waste may be used in addition to quota, pursuant to paragraph (d) of Order L–103–b except as follows:

(1) Closures made of used cans.

(2) Closures made of used closures and of discs produced in the ordinary course of manufacturing home canning screw bands.

WINES

Product. Wines.
Glass container quota. 100% of 1943.
Closure quota. 50% quota glass containers.
Closure material. Blackplate.

DISTILLED SPIRITS

Product. Distilled spirits, including cordials.
Glass container quota. 100% of 1943.
Closure quota. 50% quota glass containers.
Closure material. Blackplate.

NOTE 1: Permission to accept delivery of used cans made of tinplate or of sheets recovered from such cans or of tinplate slitter or shear trimmings, lithographing lay sheets and discs must be obtained in accordance with Conservation Order M–325.

NOTE 2: Except with regard to items listed in Schedule II, no new metal closures shall be affixed to glass containers smaller than 12 fl. oz. for packing unflavored carbonated natural or mineral waters unless such glass containers were manufactured on or before June 1, 1942.

NOTE 3: No person other than a jobber purchasing for resale shall accept delivery of malt beverage or non-alcoholic beverage closures which would increase his inventory beyond 30% of his 1944 quota of such closures. This inventory shall include closures to be used as described in paragraph (p) of this order but not closures made of waste materials described in paragraphs (d) (1) and (2) of this schedule. No separate inventory is permitted for uses described in paragraph (p).

SCHEDULE VII—HOME CANNING CLOSURES

No manufacturer of glass containers shall ship any jars with 70 mm. screw finish, intended for home canning unless at least 40% of such jars shipped during each calendar month are delivered as a unit, consisting of the jar and a "glass lid closure" packed together. A "glass lid closure" is one consisting of a glass lid, a screw band and a top seal jar ring.

Description of closure	Manufacturer's quota	Closure material indicated by X			
		0.50 tinplate	Wire bails	Zinc	Blackplate
1. Top seal metal lids, 70 mm	Unlimited	X			
2. Bands for 70 mm. top seal metal lids	Unlimited	X			
3. Bands for use with 70 mm. glass lids	Unlimited		X		
4. Lightning type	Unlimited	X			
5. Top seal metal lids, smaller than 70 mm	Unlimited	X			
6. One piece metal closures, 70 mm. shoulder seal type.	Unlimited	X			
7. One piece metal closures, 70 mm. top seal type	From October 1, 1943 to September 30, 1944—9% of production of 70 mm. lids from October 1, 1942 to September 30, 1943.	X			
8. Bands for top seal metal lids larger than 70 mm	25% of 1944 quota for top seal metal lids larger than 70 mm.				
8a. Bands for top seal metal lids larger than 70 mm	60% 1941 production	X			
9. Zinc Mason P/L closures, 70 mm	Unlimited			X	
10. Jelly glass lids					X

INTERPRETATION 1: Revoked Jan. 4, 1944.

INTERPRETATION 2

GLASS CONTAINER AND CLOSURE QUOTAS

Paragraph (g) sets forth the method for computing a packer's quota of new glass containers or new metal closures. The first step in the process (subparagraph (1) of paragraph (g)) is to take the number of new glass containers or new metal closures used or accepted for packing that product during the named base period. In arriving at this number a packer may not include more containers or closures than he was permitted to accept or use under the provisions of the applicable order in existence at the time. New glass containers or new metal closures accepted or used pursuant to the grant of an appeal are properly included in making the computation. (Issued Apr. 3, 1944.)

[F. R. Doc. 44–6921; Filed, May 15, 1944; 11:35 a. m.]

PART 3270—CONTAINERS

[Supplementary Order L–103–b, Interpretation 3]

GLASS CONTAINER AND CLOSURE QUOTAS

The following interpretation is issued with respect to Supplementary Order L–103–b:

A caterer or restaurateur, who fills glass containers with food which is ready for consumption, for the purpose of delivering it to a plant to be served in in-plant feeding operations, is not a packer within the meaning of the term as defined in paragraph (x) (2) of this order and therefore not subject to the restrictions contained in it. He may properly use the certification contained in Exhibit A in placing his purchase orders if the glass containers are to be used for this purpose only.

Issued this 15th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6927; Filed, May 15, 1944; 11:35 a. m.]

PART 3286—MISCELLANEOUS MINERALS

[Conservation Order M–199, as Amended May 15, 1944]

SILVER

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of silver for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3286.51 *Conservation Order M–199*—(a) *Definitions.* For the purposes of this order:

(1) "Silver" means silver bullion, semi-fabricated forms of silver, silver scrap and other secondary forms of silver, and any alloy, compound, salt, or mixture containing more than one-half of one percent of silver by weight. The term does not include alloyed gold produced in accordance with U. S. Commercial Standards CS 51–35 and CS 67–38. The term includes, however, all metal combinations, such as rolled gold plate or gold filled stock, containing more than one-half of one per cent of silver by weight exclusive of the silver content of the karat gold, if any. The term does not include finished silver products except where such products after processing are to be used in a form or style or for a purpose different from that for which they were originally designed or intended. For example, a finished piece of silverware, or jewelry, or a silver coin may be delivered, accepted, and used without further processing for the purpose for which originally designed or intended without restriction under this order. However, if such articles are to be melted down or otherwise processed for different uses, then they must be treated for the purposes of this order as "silver" (as distinguished from finished products) of the particular kind (foreign, domestic, or Treasury) from which the product was originally made. Articles containing silver which have been discarded from the use for which they were originally designed or intended because of obsolescence, defects, or other reasons shall be deemed to be scrap or secondary silver and not finished silver products. Silver findings, including chain, are considered finished silver products. The following items, as well as all other primary and semi-fabricated forms and partially fabricated parts, containing more than ½ of 1 per cent of silver by weight, are not considered finished silver products but are considered silver: ingots, bars, rods, shot, grain, leaf, powder, sheet, wire, strip, tubing, circles, anodes, salts, compounds, mixtures, brazing alloys, and solders. Silver salts, compounds, or mixtures, which are prepared for sale at retail for the personal use of the purchaser and not for use in the manufacture of a product or in a process for commercial sale, are considered finished silver products.

(2) "Domestic silver" means any silver which has been produced since July 1, 1939, from mines situated inside of the territorial limits of the United States, its territories and possessions.

(3) "Treasury silver" means any silver which has been held or owned by the United States and has been sold pursuant to the provisions of Public Law 137, approved July 12, 1943.

(4) "Foreign silver" means any silver except that which is either domestic silver or Treasury silver. Scrap generated by manufacturers from the processing of domestic silver or Treasury silver shall also be considered to be foreign silver if it does not remain in the ownership of the manufacturer whose processing operations produced it: *Provided, however,* That domestic silver scrap or Treasury silver scrap produced by suppliers in semi-fabricating operations may be sold by such suppliers to manufacturers as domestic silver casting metal or Treasury silver casting metal.

(5) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of or under common control with or available for the use of such person.

(6) "Manufacturer" means any person who uses silver by incorporating it physically in the finished products or parts thereof which he manufactures or who uses or consumes silver in any manufacturing, testing, laboratory, plating, or repairing process. The term shall include any person who furnishes silver to a manufacturer under toll agreement to be processed and returned in semi-processed or finished form.

(7) "Supplier" means any person regularly engaged in the business of importing, smelting, or refining silver, or in the business of selling silver to manufacturers and other suppliers. The term includes any person who may import, smelt, or refine silver for his own use as a manufacturer.

(8) "Put into process" means the first change by the manufacturer in the form of the material from that form in which it was received by him. Putting into process does not include minor initial operations such as marking and does not include any alloying, shearing, cutting, trimming, or other operation unless such initial operations are part of a continuous fabricating or assembling operation. Nor does it include operations such as inspection and testing, nor segregation or earmarking for a specific job or operation. The term also does not include the reclaiming and reforming of scrap.

(9) "Process" means cut, draw, machine, stamp, melt, mix, compound, cast, forge, roll, turn, spin, or otherwise shape or change in form or chemical composition. It also means assemble. The term does not include sand-bobbing, buffing, or polishing an assembled article.

(10) The term "assemble" shall not be deemed to include the putting together of an article after delivery to a sales outlet or consumer in knock-down form pursuant to an established custom. The term "assemble" shall also not be deemed to include adding finished parts to an otherwise finished article when the placing of one or more finished parts or the size or type of one or more finished parts is determined by the use to which the ultimate consumer is to put the article. In all other cases, the term "assemble" shall be deemed to include adding parts, whether of silver or of any other material, to an article of silver, where such article is not deemed complete and ready for immediate sale or use until such parts have been added, including adding gems, stones, or glass jewels or beads to articles or parts of silver, and adding brushes, combs, knives, forks, or other utensils to backs or handles of silver.

(11) The term "deliver" shall not be deemed to include a redelivery of silver to the owner thereof, who is a manufacturer, by a person to whom such owner delivered such silver to be alloyed or processed and returned to such owner for further processing; nor does it include the delivery under the same circumstances by the owner to the person who alloys or processes the silver for the owner.

(12) The term "accept delivery" shall not be deemed to include acceptance of delivery of silver by the owner thereof, who is a manufacturer, from a person to whom such owner delivered such silver to be alloyed or processed and returned to such owner for further processing; nor does it include acceptance of delivery under the same circumstances from the owner by the person who alloys or processes the silver for the owner.

(b) *Restrictions upon sale or delivery of silver by suppliers.* (1) No supplier shall sell or deliver any kind of silver (foreign, Treasury, or domestic) except to

(i) Another supplier; or

(ii) A manufacturer; or

(iii) The United States; or

(iv) Metals Reserve Company or any other corporation organized under section (5) (d) of the Reconstruction Finance Corporation Act as amended.

(2) No supplier shall sell or deliver foreign silver to a manufacturer except to fill orders for uses on List A.

(3) No supplier shall sell or deliver Treasury silver to a manufacturer except to fill orders for uses on List C.

(4) No supplier shall sell or deliver any kind of silver (foreign, Treasury, or domestic) to any person if he knows or has reason to believe such silver is to be received or used in violation of the terms of this order.

(c) *Restrictions upon sale or delivery of silver by manufacturers.* No manufacturer shall sell or deliver any kind of silver (foreign, Treasury, or domestic) except to:

(1) A supplier; or

(2) The United States; or

(3) Metals Reserve Company or any other corporation organized under section (5) (d) of the Reconstruction Finance Corporation Act as amended.

(d) *Restrictions upon purchase, acceptance of delivery, and processing of foreign silver by manufacturers.*

(1) *Uses on List A.* On and after July 29, 1943, no manufacturer shall purchase, accept delivery of, put into process, or process any foreign silver for any use other than a use on List A.

(2) *Temporary exception.* Notwithstanding the foregoing provisions of this paragraph (d), a manufacturer may continue the processing of any foreign silver which on July 29, 1943, he had already put into process for any use on List B to fill orders rated A–1–e or higher; also, a manufacturer may put into process and process to completion for a List C use any foreign silver owned by him on July 29, 1943, and he may complete the processing of any foreign silver already put into process by him on such date for any such use: *Provided*, That on and after September 6, 1943, no manufacturer may put into process any foreign silver in the manufacture of brazing alloys or solders, but he may complete the processing of any foreign silver already put into process by him on September 6, 1943, for any such use: *Provided, further*, That on and after May 15, 1944, no manufacturer may put into process any foreign silver owned by him on July 29, 1943, in the manufacture of official articles (item 2, List C) except to fill specific approved orders or contracts received and accepted by him prior to May 15, 1944, which call for delivery of a specified number of articles at a fixed price.

(3) *Temporary exception for List D uses.* Notwithstanding the limitations of paragraph (d) (1), a manufacturer may continue the processing of any foreign silver which on May 15, 1944, he had already put into process for any use on List D to fill orders rated AA–5 or higher; and he may purchase, accept delivery of, put into process, and process to completion for any use on List D any foreign silver required to fill specific orders rated AA–5 or higher received and accepted by him prior to May 15, 1944, which call for delivery of a specified number of articles at a fixed price.

(e) *Restrictions upon purchase, acceptance of delivery, and processing of Treasury silver by manufacturers.* No manufacturer shall purchase, accept delivery of, put into process, or process Treasury silver except for a use on List C.

(f) *Authorization to purchase Treasury silver from the United States.* Purchases of Treasury silver from the United States pursuant to Public Law 137, approved July 12, 1943, shall be made only upon specific authorization of the War Production Board. Any supplier or manufacturer desiring such authorization may apply by letter to the War Production Board, Miscellaneous Minerals Division, Washington 25, D. C., Reference: M–199, not later than the 15th day of the month preceding the month in which delivery of the Treasury silver is desired. In such letter the applicant, in addition to other pertinent information, shall state the nature of his business and the intended use of the silver in terms of the uses specified on List C.

(g) (1) *Restrictions upon the purchase, acceptance of delivery, and processing of domestic silver for List B uses.* In any calendar quarter after July 1, 1943, until further notice, no manufacturer shall purchase, accept delivery of, or put into process domestic silver for uses on List B in excess of ⅓ of the aggregate amount by weight of all silver (foreign and domestic), computed on the basis of the fine silver content thereof in troy ounces, put into process by such manufacturer for List B uses and for item 2 of List C uses (official articles) during the calendar year 1941 or the calendar year 1942, whichever year is the greater: *Provided, however*, That such manufacturer, in computing his quota of domestic silver under the foregoing provision, shall deduct from the said aggregate amount put into process by him for List B uses and for item 2 of List C uses (official articles) for the year 1941 or 1942, as the case may be, the aggregate amount by weight of silver (fine silver content, troy ounces) put into process by him in such year for List B uses and for item 2 of List C uses (official articles) to fill orders rated A–3 or higher, and the aggregate amount by weight (fine silver content, troy ounces) of sales made by him in such year of silver scrap or silver waste material resulting from the processing of silver for List B uses and for item 2 of List C uses (official articles), exclusive of orders rated A–3 or higher.

(2) *Quota restrictions under toll agreements.* In any case where prior to January 1, 1943, a manufacturer furnished silver to another manufacturer under toll agreement to be processed and returned in semi-processed or finished form, the manufacturer who furnished the silver, and not the manufacturer who did the processing under toll agreement, shall be considered, for the purpose of computation of domestic silver quotas under the provisions of paragraph (g) (1), as having put into process the silver involved. On and after November 10, 1943, where one person furnishes silver to another under toll agreement to be processed and returned, the same considerations shall apply in determining whose quota should be charged as between the person who furnishes the silver and the one who processes it: that is, the quota of the person who furnishes the silver shall be charged and not that of the toll processor.

(3) *Assignability of quotas.* Domestic silver quotas may not be assigned except as provided in § 944.28, Priorities Regulation No. 7A.

(4) *No quota restrictions on domestic silver for other than List B uses.* A manufacturer may purchase, accept delivery of, put into process, and process domestic silver without regard to the quota limitations of paragraph (g) (1) for any use on List A, any use on List C, any use on List D or any unlisted use.

(h) *Special exception as to domestic silver.* The restrictions of this order as to the purchase, acceptance of delivery, and processing of domestic silver for List B uses shall not apply to any manufacturer:

(1) Who is a hand-tool manufacturer. For the purpose of this exception, the term "hand-tool manufacturer" means a manufacturer who, insofar as his manufacturing activities are concerned, is engaged exclusively in the manufacture of silver products and who neither manufactures nor sells any silver products except those products all the silver parts of which (including findings, such as chain, if any) he himself has manufactured completely, performing all of the processing operations from the primary raw material form to the finished product in his own plant, using hand tools exclusively at each and every stage of the processing (that is, without the use of dies, jigs, or molds, or any mechanical apparatus whatsoever, such as mechanically operated spinning or turning wheels or lathes, presses, grinders, jig saws, band saws, or cutters, whether operated by hand, foot, or other power). The term "primary raw material form" means and includes only the following: ingot, bar, rod, sheet, wire and strip. It does not include so-called "blanks" in any form. This exception is subject to each and all of the following further restrictions:

(i) This exception shall not apply to any person unless he was a manufacturer of silver products using hand tools exclusively within the limitations of paragraph (h) (1) as in effect prior to May 15, 1944, throughout at least six months of 1943;

(ii) No hand-tool manufacturer may purchase, accept delivery of, or put into process any domestic silver under this exception for the period between May 15, 1944, and July 1, 1944, and in any calendar quarter thereafter in excess of the following quota: either 500 troy ounces or 25 percent of the aggregate amount by weight of all domestic silver, computed on the basis of the fine silver content thereof in troy ounces, purchased by such hand-tool manufacturer in the calendar year 1943, for use by him in the manufacture of List B items, using hand tools exclusively, whichever is the smaller amount; concerns which are owned, controlled or financed by the same person, or substantially the same person or persons, shall be deemed to be a single manufacturer entitled only to a single quota;

(iii) No hand-tool manufacturer may process silver for others under toll agreement nor may he have any of the manufacturing operations on his own products performed for him by others under toll agreement; except that toll manufacturing operations, using hand tools exclusively, on domestic silver already in process may be continued to completion or July 1, 1944, whichever is earlier;

(iv) No manufacturer, whether or not a "hand-tool manufacturer", who has more than 300 troy ounces (fine silver content) domestic silver in process on May 15, 1944, which silver was put in process for List B uses under the provisions of paragraph (h) (1) as in effect prior to May 15, 1944, shall continue the processing of any such in process silver after June 30, 1944, unless such manufacturer has an available quota of domestic silver for the calendar quarter beginning July 1, 1944, under paragraphs (g) (1), (h) (1) (ii), or (h) (2) (iv) and deducts from such quota any amount of such in process silver he continues to process after June 30, 1944; or

(2) Who meets each and all of the following requirements:

(i) He was engaged in the silver manufacturing business throughout the year 1941;

(ii) His gross receipts in the year 1941 from the sale of silver products did not exceed $25,000;

(iii) He continues to engage in the silver manufacturing business, and to have at all times not more than five persons at one time, excluding all clerical employees, working in such business, each of which persons is either over the age of 50 years or is physically incapacitated from performing ordinary factory labor; and

(iv) His gross sales of silver products for the calendar year 1943 and for each calendar year thereafter do not exceed $35,000 per year, *Provided, however*, That in no event shall he purchase, accept delivery of, or put into process domestic silver for List B uses in any calendar quarter under this exception (h) (2) in excess of 25 per cent of the aggregate amount by weight of all silver (foreign and domestic), computed on the basis of the fine silver content thereof in troy ounces, put into process by him for List B uses during the calendar year 1941.

For a manufacturer to be engaged in the "silver manufacturing business" as the term is used in paragraph (h) (2), at least 75% of the gross receipts of such manufacturer in the year 1941 and succeeding years from products of all kinds sold by him (including products sold but not manufactured by him) shall have been derived from the sale of silver products manufactured by him. A silver product is one in which silver is physically incorporated and in which the amount of contained silver is greater either in weight or in value than any other single material, excluding precious or semi-precious stones, contained in such products.

The exceptions set forth in paragraphs (h) (1) and (h) (2) are intended for the benefit only of manufacturers who operate on a small scale, making and selling a limited number of products all of the List B variety. Accordingly, a manufacturer who purchases, accepts delivery of, or puts into process silver for any use other than a List B use is not entitled to purchase, accept delivery of, or put into process any silver under either of these exceptions. Furthermore, no manufacturer shall be entitled to operate under either of these exceptions and at the same time to purchase, accept delivery of, and put into process silver under the quota provided in paragraph (g) (1). Finally, these exceptions themselves are mutually exclusive: a hand-tool manufacturer, who purchases and uses silver under paragraph (h) (1), cannot also purchase and use silver under paragraph (h) (2), even though he can meet the requirements of paragraph (h) (2); and conversely, a manufacturer, who purchases and uses silver under paragraph (h) (2), cannot purchase and use silver under paragraph (h) (1) even though he meets the qualifications of a hand-tool manufacturer.

(i) *Special directions as to distribution of foreign, Treasury, and domestic silver.* From time to time the War Production Board may issue special directions to individual suppliers and manufacturers, specifying the sources, destinations, and amounts of silver (foreign, Treasury, or domestic) to be delivered or acquired by them.

(j) *Restrictions on holding of scrap silver.* (1) No manufacturer shall purchase or accept delivery of silver of any kind (foreign, domestic, or Treasury) if he has on hand more than a thirty days' accumulation of scrap silver, exclusive of wastes, such as mirror wastes, polishings, and sweepings, whether foreign, Treasury, or domestic, or any combination thereof, unless such accumulation aggregates less than 1,000 ounces, fine silver content.

(2) No manufacturer shall have scrap melted, reformed, and redelivered to him under toll agreement if by such redelivery his inventory of silver will be in excess of a minimum practicable working inventory, taking into consideration the orders on his books requiring use of silver and the limitations placed upon the use of silver by this order.

(k) *Fungibility of silver stocks recognized.* Although this order deals with three kinds of silver (foreign, Treasury, and domestic) which are separately defined, and imposes restrictions which vary in their application as among these kinds of silver, it is recognized that all three kinds of silver are physically identical. Accordingly, nothing in this order shall be deemed to require any person holding two or more kinds of silver to keep the various kinds physically segregated. It is also understood that a person who holds only one kind of silver at a particular moment may be called upon to deliver or to use another kind of silver. In such cases, the person holding the one kind of silver may change part or all of his stock of such silver to silver

of another kind simply by selling part of his stock to a supplier, ordering an equivalent amount, silver content, of the different kind of silver required for his purposes and paying or receiving the difference in price. For the purposes of this order, physical delivery to the supplier of the silver being sold and physical delivery by the supplier of the different kind of silver being purchased are not required in order to change the character of the silver involved from the kind in stock to the kind being purchased. The form of the silver can also be disregarded. For example, a manufacturer with partially processed stocks of foreign silver which he cannot finish for List B uses under the restrictions of the order, can purchase domestic silver bars having a silver content equal to the silver content of the partially processed silver, sell those same bars back to the supplier as foreign silver, pay the difference in price, and then consider that the partially processed silver is domestic silver and may be further processed for List B uses as permitted by the order. Any purchasing or processing of domestic silver under the provisions of this paragraph for uses on List B must, however, be within the quota limitations of paragraph (g) hereof. Furthermore, at no time shall any person sell silver of any kind in excess of the amount of silver of that kind, fine silver content, owned by him. For the purposes of this order, silver owned by a person shall be deemed to include, in the case of suppliers only, silver which such supplier has contracted to purchase under a firm written contract calling for the delivery of a specific amount of silver of a specific kind within a specific period, not exceeding five months from the date of the contract.

(l) *Use certificate.* No supplier shall deliver any silver (foreign, Treasury, or domestic) to any manufacturer, and no manufacturer shall accept delivery of any silver from any supplier, unless the manufacturer shall have furnished the supplier with a certificate specifying the end use of such silver in terms of the uses specified on List A, List B, List C, and List D. Such certificate may be placed on or attached to the purchase order, and shall be in substantially the following form, signed manually or as provided in Priorities Regulation No. 7:

Pursuant to Conservation Order M-199, the undersigned hereby certifies to the supplier and the War Production Board that the silver covered by the accompanying order (and all silver purchased from the supplier under orders placed in the future) shall be used solely for the following purposes: _____

_____

_____

_____

(Name of purchaser)

Date_____ By_____

(Signature and title of duly authorized officer)

In appropriate cases one certificate may cover the use of silver to be delivered under orders to be placed with such supplier in the future. Such certificate shall constitute a representation to, but shall not be filed with, the War Production Board. The supplier shall be entitled to rely on such representation, unless he knows or has reason to believe it to be false.

(m) *Exceptions*—(1) *United States Government.* None of the restrictions in this order as to sale, purchase, delivery, acceptance of delivery, or use of silver shall be applicable to the United States Government or any of its departments or agencies: *Provided, however*, This exception shall not be deemed to extend to a manufacturer who manufactures items for delivery to or for the account of the United States Government or any of its departments or agencies. An item is not deemed removed from the list of restricted uses simply because it is to be manufactured for delivery to or for the account of the United States Government or any of its departments or agencies.

(2) *Repair.* The restrictions of this order as to the putting into process and the processing of foreign, Treasury, or domestic silver shall not apply to a person repairing a used article on or off the premises of the owner, if the person making the repair does not use silver weighing in the aggregate more than 3 ounces and if any putting into process or processing done by such person is for the purpose of making the specific repair. The term "repair" as used in this paragraph shall include the replating of used articles, provided the article was originally made of silver or silver-plated material.

(n) *Limitations of inventories.* No manufacturer shall accept delivery of silver, in the form of raw materials, semi-processed materials, finished parts, or sub-assemblies, nor shall he put into process any raw material, in quantities which in either case shall result in an inventory of raw, semi-processed, or finished material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the use of silver by this order.

(o) *Restrictions on sale and purchase of manufactured products*— (1) *General.* No person whether manufacturer, wholesaler, jobber, distributor, dealer, retailer, or consumer, shall sell, purchase, deliver, or accept delivery of any article made in whole or in part of silver if he knows or has reason to believe that it was made, assembled, or delivered contrary to the restrictions contained in this order.

(2) *Official articles.* Notwithstanding § 944.11 of Priorities Regulation No. 1, no manufacturer shall sell or deliver official articles except to the person from whom the manufacturer received the order or contract on which the articles were manufactured. However, if any manufacturer holds any official articles which he is unable to deliver to such person, because of cancellation or cut-back of the order or contract, or because of over-run, or rejection, such manufacturer, if he has a domestic silver quota under paragraph (g) (1), following the procedure described in paragraph (k), may convert the identity of the silver content of the articles into domestic silver within the limitations of such quota, and thereafter dispose of them without restriction as List B items.

NOTE: Paragraphs (p) and (q), formerly (o) and (p), redesignated May 15, 1944.

(p) *Reports.* Each supplier and each manufacturer and every other person affected by this order shall file such reports as may be requested from time to time by the War Production Board, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(q) *Miscellaneous provisions*—(1) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal.

(2) [Deleted May 15, 1944]

(3) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board regulations as amended from time to time.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Division, Washington 25, D. C. Ref: M-199.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 15th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A: *Permitted uses of foreign silver under Conservation Order M-199—these are the only uses permitted for foreign silver; domestic silver is also permitted for these uses without limit; Treasury silver (except in the form of brazing alloys or solders) is not permitted at all for these uses:*

1. Manufacture of medicines and health supplies, including, without limitation, dental, surgical, veterinary, and optical (including spectacle frames) instruments, appliances, and equipment.

2. Manufacture of photographic film, photographic papers, and photographic chemicals, and use in any photographic process.

3. Manufacture of electrical contacts and other silver products or parts used for electrical current carrying purposes.

4. Manufacture of any product or use in any process to fill orders bearing a preference rating of AA-5 or higher, except uses on List B, List C, or List D.

5. Use of brazing alloys or solders manufactured of foreign silver prior to July 29, 1943, or manufactured since that date pursuant to the temporary exception set forth in paragraph (d) (2), for any purpose except a use on List B.

6. Use by a laboratory. "Laboratory" means any person engaged in the business of carrying on scientific or technological investigation, testing, development or experimentation, to the extent that he is so engaged. The term includes research laboratories, production control laboratories, testing laboratories, analytical laboratories, clinical laboratories, and instructional laboratories. It does not include any person to the extent that he is engaged in the manufacture of products for commercial sale, even though the place in which the products are manufactured may be called a laboratory.

LIST B: *Restricted uses of silver under Conservation Order M-199—regardless of rated orders, only domestic silver is permitted for these uses and then only within the quota limitations of paragraph (g) (1); foreign silver and Treasury silver are not permitted at all for these uses:*

1. Manufacture of silverware, including, without limitation, knives, forks, spoons, plates, platters, dishes, pitchers, vases, cups, candlesticks, and all other kinds of flatware and hollow ware and table, kitchen, and decorative utensils and objects, including silver deposit china or glassware, except glass liners or fillers for vacuum jugs and bottles.

2. Manufacture of watch cases and jewelry, including, without limitation, costume jewelry, blackout jewelry, and other articles of personal adornment, except push-pins for wrist watches. The term jewelry also includes personal accessories of all kinds such as bags, compacts, vanity cases, cigarette cases, cigarette holders, lighters, souvenirs, cuff links, pins, and clasps.

3. Manufacture of articles of identification, including discs, chains, and cords, and emblems, badges, and insignia other than official articles. What is meant by "official articles" is set forth in item 2 of List C.

4. Manufacture of church goods as defined in General Limitation Order L-136.

5. Manufacture of slide fasteners, hooks and eyes, snaps, buttons, clips (except for fountain pens and mechanical pencils), buckles, and fasteners of every description.

6. Manufacture of closures for containers.

7. Manufacture of pens and pencils, except the nibs, interior tubes, filling mechanisms, clips, and reinforcing cap-rings or bands of fountain pens, and the tips, interior operating mechanisms, clips, and reinforcing bands of mechanical pencils.

8. Manufacture of toilet articles and picture frames.

9. Manufacture of musical instruments, except strings for stringed instruments.

10. Electroplating and all other kinds of silver deposit processes, silver inlay work, and all other processes for the covering of another material in whole or in part with silver, except where essential for the operation or functioning of the part or article to which the silver is applied.

11. Manufacture of findings, including chain, for any List B use.

LIST C: *Permitted uses of Treasury silver under Conservation Order M-199—these are the only uses permitted for Treasury silver; domestic silver without regard to quota limitations of paragraph (g) (1) is also permitted for these uses; foreign silver (except as temporarily permitted under paragraph (d) (2) is not permitted at all for these uses:*

1. Manufacture of bearing material, bearings, and parts of bearing assemblies.

2. Manufacture of official articles. The term "official articles" means:

(a) Metallic insignia designating rank, branch of service, and "U. S." manufactured in accordance with official regulations on approved orders or contracts;

(b) Embroidered insignia, lace, stripes, or braid manufactured in accordance with official regulations, on approved orders or contracts, or on orders or contracts placed by producers of officers' uniforms, as the term "producer" is defined in Preference Rating Order P-131, as amended, for use as provided in P-131; and

(c) Decorations, medals, badges, and qualification bars (including jump rings) manufactured in accordance with official regulations, on approved orders or contracts bearing preference ratings of AA-5 or higher.

(d) Identification neck-chains manufactured on orders or contracts for the Navy Department, on Navy orders or contracts, or on orders or contracts placed by Ship's Service Stores, each article having a total length of 28 inches and a total weight, including hooks and fasteners but excluding identification tags, of not to exceed one-half troy ounce.

For the purposes of this item 2 of List C, the term "approved orders or contracts" means orders or contracts for:

(i) War Department, placed by the Quartermaster General;

(ii) Navy Department, on Navy orders or contracts, or on orders or contracts placed by Ship's Service Stores, Naval Uniform Service, Inc., or Women's Naval Uniforms, Inc., or by such other outlets as the War Production Board shall specify from time to time under Limitation Order L-131 at the request of the Bureau of Supplies and Accounts of the Navy Department.

(iii) U. S. Marine Corps, placed by the Headquarters Exchange Officer of the United States Marine Corps or by Marine Corps Post Exchanges, when authenticated by the Headquarters Exchange Officer;

(iv) Coast Guard, placed by the Coast Guard Supply Depot;

(v) U. S. Coast and Geodetic Survey, placed by the Director of the U. S. Coast and Geodetic Survey or by the Division of Purchases and Sales of the Department of Commerce;

(vi) U. S. Public Health Service, placed by the U. S. Service Exchange of the U. S. Public Health Service;

(vii) The War Shipping Administration, placed by the Chief Procurement Officer of the Training Organization of the War Shipping Administration.

3. Manufacture of brazing alloys.

4. Manufacture of solders.

5. Use of brazing alloys or solders manufactured of Treasury silver for any purpose except a use on List B.

6. [Deleted Nov. 10, 1943]

LIST D: Ex-quota uses of domestic silver under Conservation Order M-199—regardless of rated orders, only domestic silver is permitted for these uses but the quota limitations of paragraph (g) (1) do not apply; foreign silver, except on a temporary basis (paragraph (d) (3)), and Treasury silver are not permitted at all for these uses:

1. Manufacture of mirrors.

2. Manufacture of glass liners or fillers for vacuum jugs and bottles.

3. Manufacture of push-pins for wrist watches.

4. Manufacture of nibs, interior tubes, filling mechanisms, clips, reinforcing caprings or bands of fountain pens and tips, interior operating mechanisms, clips, and reinforcing bands of mechanical pencils.

5. Manufacture of strings for musical instruments.

INTERPRETATION 1

Conservation Order M-199 imposes certain quota limitations upon the amount of domestic silver which a manufacturer may put into process for List B uses. In many silver manufacturing processes, a manufacturer starts with a certain amount of silver in primary shapes and ends the operation with a large part of such silver in the form of scrap. It is customary for the manufacturer in these cases to have this scrap melted, rolled, or otherwise processed so as to return it to a primary shape in which it can again be subjected to manufacturing processes. This reforming of the silver scrap in some instances is done by the manufacturer himself, in other instances the work is done by others under toll agreement. The question has been presented under these quota limitations as to whether the processing of this reformed scrap must be considered as coming within this meaning of the term "put into process" or whether such processing of reformed scrap shall be considered as only the continuation of a processing operation which began when the manufacturer processed for the first time in any form for a List B use the specific amount of silver from which such scrap was produced.

It is hereby determined that for the purposes of the quota limitations of Order M-199, the term "put into process" shall be deemed to cover only the manufacturer's first processing for a List B use of a given amount of silver. It shall not be deemed to cover the subsequent processing of reformed scrap produced therefrom, whether such reforming is done by the manufacturer himself or by others for him under toll agreement. The term shall be deemed to cover, however, the first processing for a List B use of reformed scrap which was produced from putting silver into process for a use which is not on List B.

This interpretation supersedes Interpretation 1 of Conservation Order M-199 issued September 1, 1942. (Issued Nov. 10, 1943.)

INTERPRETATION 2

(a) It is customary for many silver manufacturers to ship the scrap they produce to a supplier under toll agreement for reforming and return. As suppliers and manufacturers are bound by the restrictions of the order as to the amount of silver, foreign, domestic, and Treasury, they may sell, purchase, deliver, and accept delivery of, for the various uses listed in the order, and as these toll transactions are in effect excepted from such restrictions, it is important that the amount of silver shipped by the supplier, which purports to be the return of silver reclaimed from the scrap, have a real relation to the amount of scrap sent in by the manufacturer. However, much time would be lost if the supplier were required to wait until he has reclaimed, refined, and reformed the scrap before returning anything to the manufacturer.

Accordingly, it is hereby determined that a supplier may ship the estimated silver content of the scrap to a manufacturer immediately upon his receipt of the scrap, without waiting for the scrap to be reclaimed, refined, and reformed. Furthermore, it is recognized that in cases where a manufacturer makes frequent shipments of scrap to a sup-

plier, it is impossible as a practical matter for the supplier to know at all times that he has not shipped to that manufacturer more silver than the silver content of the scrap the manufacturer has shipped to him. In such cases it will be sufficient if the supplier will check his accounts at least once every 30 days and make sure that his total shipments of silver to any such manufacturer against scrap received have not exceeded the silver content of the scrap received from such manufacturer.

(b) Under the provisions of paragraph (m) (1), the United States Government, its departments and agencies are excepted from the restrictions of the order as to the sale, purchase, delivery, acceptance of delivery, and use of silver. This exception applies to the requirements of paragraph (1) dealing with the "use certificate." Such certificate is not required in the case of silver deliveries by a supplier to the United States Government or one of its departments or agencies.

In this same connection, a question has been raised as to whether or not this exception will permit brazing alloys and solders ordered by the Government or one of its departments or agencies to be made out of foreign silver contrary to the restrictions of paragraph (d). This exception is designed to relieve only the Government from the restrictions of the order—not the persons who manufacture items for delivery to the Government. Hence manufacturers of brazing alloys and solders are not relieved from the restrictions of paragraph (d) even though such alloys and solders are to be delivered to the Government. (Issued Nov. 10, 1943.)

[F. R. Doc. 44-6928; Filed, May 15, 1944; 11:34 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-73, as Amended May 13, 1944]

WOOL

§ 3290.286 *Conservation Order M-73*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* In this order:

(1) "Wool" means the fiber from the fleece of the sheep or lamb, or the hair of the Angora goat (mohair) or the Cashmere goat, camel, alpaca, llama, vicuna, and related fibers, including carpet wool, but does not include noils, waste, tanners' wool waste, reprocessed or reused wool, or yarn or cloth;

(2) "Waste" means the by-product resulting from carding, combing, spinning and subsequent operations on any system, but does not include the by-product resulting from scouring and carbonizing operations;

(3) "Put into process" means:

(i) On the worsted system, the first operation of drawing after combing;

(ii) On any other system using tops, cut tops or broken tops, the first operation of cutting, breaking, picking or carding, as the case may be;

(iii) On the woolen, felt, or any other system not using tops, the first operation after scouring, carbonizing, dusting or similar cleaning or preparatory process;

(4) [Deleted Nov. 19, 1943]

(c) *Restrictions.* (1) No person shall put into process any wool other than carpet wool or mohair for the manufacture of any floor covering.

(2) No person shall put into process or use any alpaca or tops therefrom (except alpaca seconds, llama, huarizo, pieces, low offsorts or locks), except for the manufacture of yarns or cloth to be delivered to or for the account of, or to be physically incorporated into material or equipment to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

(3) No spinner shall deliver on an unrated order any knitting yarn which he puts into process in the period from May 21, 1944 through July 30, 1944. He shall in that period produce at least the same proportion of knitting yarn to all other Bradford yarn as he produced in the first calendar quarter in 1944.

In this subparagraph "yarn" means yarn containing any wool, produced on spinning, twister or roving frames on the Bradford system, "spinner" means a person who in the first calendar quarter in 1944 produced such knitting yarn for use by himself or others, and calculations are in pounds.

(d) *Prohibition against sales or deliveries.* No person shall sell, deliver, or accept any material if he knows, or has reason to believe, such material is to be used in violation of this order.

(e) *General exceptions.* The restrictions of this order shall not apply to any person to the extent that such person puts wool into process for the making of wool products entirely by hand, including the spinning and weaving of the cloth.

(f) *Equitable distribution.* It is the policy of the War Production Board that wool, noils, waste, tanners' wool waste, and reprocessed or reused wool, and yarns, cloth, felts and products containing any of the foregoing, not required to fill rated orders, shall be distributed equitably. In making such distribution due regard shall be given to essential civilian needs, and there should be no discrimination in the acceptance or filling of orders as between persons who meet the seller's regularly established prices and terms of sale or payment. Under this policy every seller of such items, so far as practicable, should make available an equitable proportion of his merchandise to his customers periodically without prejudice because of their size, location or relationship as affiliated outlets. It is not the intention to interfere with established channels and methods of distribution unless necessary to meet war or essential civilian needs. If voluntary observance of the policy outlined is inadequate to achieve equitable distribution, the War Production Board may issue specific directions to named concerns. A failure to comply with a specific direction shall be deemed a violation.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Violations.* Any person who willfully violates any provision of this order, or who in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Reports.* Every person classified below, to whom the form is sent by the War Production Board or by the Bureau of the Census, shall, within the period specified in the reporting form, file with the War Production Board, or the Bureau of the Census, whichever is specified in the form, each form applicable to him, giving the information required, as follows:

Who shall file:	*Form Number*
1. A person in the business of putting into process wool or wool tops, or who has wool or wool tops put into process by another for his account.	WPB-2857 (formerly PD-274).
2. A person in the business of operating woolen, worsted or felting machinery.	WPB-2857, WPB-1420.
3. An owner, or a consignee from a grower, of wool, noils, waste, tanners' wool waste, reprocessed or reused wool.	WPB-295, WPB-370.

(j) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, in writing, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Reference: M-73.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 13th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6862; Filed, May 13, 1944; 11:14 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-338, as Amended May 15, 1944]

PENICILLIN

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of penicillin for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.486 *Allocation Order M-338*—(a) *Definitions.* For the purpose of this order:

(1) "Penicillin" means a chemo-therapeutic agent isolated from Penicillium notatum. The term includes penicillin in any medicinal tablet, ampoule or other dosage form as well as crude penicillin in any form.

(2) "Supplier" means any person who produces penicillin, imports penicillin, or purchases penicillin for resale as penicillin, but shall not include any retail pharmacist, hospital or physician.

(b) *Restrictions on delivery and use.* (1) Any supplier must obtain specific written authorization of the War Production Board to use or deliver penicillin, except in the case of (i) deliveries of samples to the Food and Drug Administration, Washington, D. C., and (ii) use by any producer of samples of his own production for making production control and standardization tests solely for potency, sterility, toxicity, pyrogens, moisture and stability. No person shall accept delivery of any penicillin which he knows, or has reason to believe, is delivered in violation of this order.

(2) The War Production Board at its discretion may at any time issue special directions with respect to use, delivery or production of penicillin by any person.

(c) *Applications and reports.* (1) Each supplier seeking authorization to use or deliver penicillin shall file application on Form WPB-2947 (formerly PD-602), as provided in the instructions in Exhibit A annexed hereto. This reporting form has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(2) Normally the War Production Board will issue its authorizations and directions with respect to use or deliveries of penicillin on Form WPB-2947 and will, so far as practicable, return such form containing its authorization or direction prior to the beginning of the month for which authorization to use or deliver is sought.

(3) In the event that any person shall be unable, for any reason, to use or deliver penicillin in accordance with the authorization or direction of the War Production Board, such person shall immediately give notice to the War Production Board, and shall not, in the absence of further specific authorization or direction from the War Production Board use or dispose of the penicillin.

(4) Each producer shall file an additional report, also on Form WPB-2947 as provided in the instructions in Exhibit B annexed hereto. This report is for the purpose of advising the War Production Board as to the exact distribution which has been made of penicillin produced during the preceding calendar month. This reporting requirement has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(5) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, and may issue special instructions to any such person with respect to preparing and filing Form WPB-2947 (formerly PD-602).

(d) *Penicillin for civilians.* From the total supply of penicillin each month the War Production Board in Washington may allocate an aggregate quantity from each supplier for delivery for general civilian distribution, subject to further allocation to specific customers by the War Production Board from the Regional Office in Chicago. This suballocation will usually be from the suppliers to hospitals. Hospitals shall submit application on Form WPB-3725 to the Civilian Penicillin Distribution Unit, WPB Regional Office, 226 West Jackson Blvd., Chicago 6, Illinois, and these applications will be screened and transmitted to the suppliers with a War Production Board authorization for shipment. Shipments will then be made accordingly by the suppliers from the aggregate quantities allocated by the War Production Board in Washington for civilian distribution.

NOTE: Paragraph (e), formerly (d), redesignated May 15, 1944.

(e) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable War Production Board regulations, as amended from time to time.

(2) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* (i) Communications to the Civilian Penicillin Distribution Unit shall, unless otherwise directed, be addressed to: Civilian Penicillin Distribution Unit, WPB Regional Office, 226 West Jackson Blvd., Chicago 6, Illinois.

(ii) All other communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M-338.

Issued this 15th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A

INSTRUCTIONS TO SUPPLIERS FOR PREPARING AND FILING APPLICATIONS

Form WPB 2947 (formerly PD-602). Copies of Form WPB 2947 (formerly PD-602) may be obtained at local field offices of the War Production Board.

Time. Applications on Form WPB-2947 (formerly PD-602) shall be filed in time to ensure that copies will have reached the War Production Board on or before the 25th day of the month preceding the month for which authorization to use or deliver is requested.

Number of copies. Four copies shall be prepared, of which one shall be retained by the applicant supplier and three copies (one certified) shall be filed with the War Production Board, Chemicals Division, Washington, D. C., Ref.: M-338.

Number of sets. If a supplier requires authorization for delivery or use of both crude penicillin and penicillin in dosage forms, a separate set of applications shall be filed for each.

Heading. Under name of material specify either "crude penicillin in any form" or "penicillin in dosage forms", as the case may be; under War Production Board order number, specify "M-338"; leave grade space blank; specify the month and year for which delivery or use is sought; specify the unit of measure as "Oxford Units"; and otherwise fill in as indicated.

Table I. List each customer in Column 1. In the case of Army, Navy, Maritime Commission, War Shipping Administration, Lend-Lease or export purchase orders, specify in Column 1a the contract or export license number. In the case of other purchase orders, specify briefly in Column 1a whether the customer requires the penicillin for research, resale, or treatment, and, if for treatment, specify the condition to be treated and the urgency of the case. Fill in other columns as indicated.

Leave blank columns relating to rolling stock.

Table II. Fill in as indicated, leaving Column 8 blank.

EXHIBIT B

INSTRUCTIONS TO SUPPLIERS FOR PREPARING AND FILING MONTH-END REPORTS AS TO ACTUAL DISTRIBUTION

Time. The month-end delivery report on Form WPB-2947 shall be forwarded to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-388, in time to reach the War Production Board not later than the 5th day of the month succeeding the month for which the report is made.

Number of copies. Only a single copy, properly signed, need be filed with the War Production Board, but the supplier should retain a duplicate copy.

Number of sets. If a supplier produces or delivers both crude penicillin and penicillin in dosage forms in any month, a separate report shall be filed for each.

Heading. The same information shall be given as specified in Appendix A with respect to the heading of the form filed for authorization to use or deliver except that under the heading "This schedule is for deliveries to be made during the month/quarter ending ---------, 19 ", strike out the words "to be" and "quarter" and specify the month and year for which the report is made.

Table I. Change the heading of column 4 to read "quantity delivered". In column 1, list each customer, (including the supplier, with respect to any penicillin which the War Production Board has specifically authorized him to retain or use) to whom deliveries were made during the month covered by the report and in column 4 indicate the quantity actually delivered to each such customer. No listing need be given for deliveries made to the Food and Drug Administration or for quantities used by the supplier for making production control and standardization tests as permitted by paragraph (b) (1) of this order. In all other respects Table I may be left blank.

Table II. This table may be left blank.

[F. R. Doc. 44-6929; Filed, May 15, 1944; 11:34 a. m.]

PART 3302—SERVICE EQUIPMENT

[Limitation Order L-54-a, as Amended May 15, 1944]

TYPEWRITERS

Conversion Order L-54-a, as amended April 22, 1944, is redesignated Limitation Order L-54-a, and is amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of the materials and facilities used in the production of typewriters for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3302.6 *Limitation Order L-54-a*—(a) *Definitions.* For the purpose of this order:

(1) "Manufacturer" means any person manufacturing typewriters, including sales and distribution outlets controlled by such a person.

(2) "Dealer" means any wholesaler, retailer or other distributor of typewriters, other than sales and distribution outlets controlled by a manufacturer.

(3) "Importer" means any person who imports typewriters into the United States for sale and distribution in the United States.

(4) "Typewriter" unless expressly otherwise stated, means non-portable and portable typewriters (including noiseless and electric types), and unless expressly otherwise stated, refers only to new typewriters. The term shall not include: billing machines (accounting principle); continuous forms handling machines, typewriter principle, having carbon paper handling devices constructed as an integral part of the machine; shorthand writing machines; telegraphically controlled typewriters; braille typewriters; toy typewriters; office composing machines, linotype machines or monotype machines. The term "new typewriters" means any typewriter which has never been delivered to a person acquiring it for use. This does not include rebuilt typewriters.

(5) "Sets of parts" means parts for typewriters fabricated at plants in the United States for shipment to foreign countries for assembly into typewriters.

(6) "Repair parts" means typewriter parts produced by a manufacturer to use or sell for repairing and servicing of typewriters.

(b) *Restrictions on production.* Manufacturers may produce typewriters or sets of parts only in accordance with written instructions from the War Production Board. Production will be authorized so that the total production will not exceed the approved War Production Board program and so that the production in any one plant, or labor requirements therefor, will not interfere with war production in that plant or in any other plant located in the same area.

(c) *Restrictions on delivery.* Manufacturers may deliver new typewriters only to persons who are authorized by the War Production Board in writing to receive them. Importers may deliver imported new non-portable typewriters only to persons who are authorized in writing to receive them. Persons who want authorization to receive new typewriters for export should submit Form WPB-1319 to the Foreign Economic Administration, Washington 25, D. C. Non-military agencies of the United States Government which want authorization to receive new typewriters should submit Form WPB-1319, to the Procurement Division of the United States Treasury. All other non-military applicants should submit Form WPB-1319 to the nearest field office of the War Production Board. Instead of using Form WPB-1319, the Army of the United States, the Navy of the United States, and the United States Maritime Commission should continue to use the same method of requesting authorization to receive new typewriters which they were using when this order was amended on May 15, 1944.

Applications on Form WPB-1319 should be made in accordance with the official instructions for the use of the form. These instructions can be obtained from any War Production Board office. In the alternative, until June 1, 1944, applications may be submitted to the War Production Board at Washington on Form WPB-1688 instead of Form WPB-1319. These forms of application have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

When a person has been authorized to receive delivery of a new typewriter, the manufacturer or importer of the typewriter may make delivery to him either directly or through a dealer.

In the past the delivery of second-hand typewriters and some new typewriters has been controlled by the Office of Price Administration. Control of deliveries of new typewriters owned by dealers, and of deliveries of all second-hand typewriters, including rebuilt typewriters, has been discontinued. Deliveries of new typewriters by manufacturers will continue to be controlled by the orders of the War Production Board instead of the orders of the Office of Price Administration.

(d) *Sequence of deliveries.* Regardless of Priorities Regulation No. 1, when authorized pursuant to the preceding paragraph, deliveries of each model of typewriter must be made in the order indicated by the delivery dates specified in the approval forms or other authorizations, unless the War Production Board specifically tells a manufacturer or importer in writing to do something else. If a manufacturer or importer receives two or more authorizations requesting the same delivery date for the same model of typewriter, and cannot make all deliveries on time, he must deliver them in the order in which the authorizations were received by him. If an authorization requests delivery before the date on which the authorization is received by the manufacturer or importer, the order must be treated as if the delivery date requested was the day when the authorization was received by the manufacturer or importer.

(e) *Shipment of sets of parts by manufacturers.* Manufacturers may ship sets of parts to foreign countries only in accordance with written instructions from the War Production Board. Those who wish to make such shipments may apply by letter to the War Production Board for authorization to do so.

(f) *Inventories of repair parts.* No manufacturer may produce more repair parts than he needs to produce in order to maintain a practicable minimum working inventory of them. This is the only restriction in this order which applies to repair parts.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(h) *Applicability of regulations.* This order and all transactions affected thereby, are subject to all applicable regulations of the War Production Board, as amended from time to time, with the exception of those provisions of Priorities Regulation No. 1 inconsistent with paragraph (d).

(i) *Appeals.* A request for relief from the provisions of this order may be made by filing a letter referring to the pertinent provisions of the order and stating fully the grounds for the request.

(j) *Communications.* All communications concerning this order should be addressed to the War Production Board, Service Equipment Division, Washington 25, D. C., Ref: L-54-a.

Issued this 15th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6922; Filed, May 15, 1944; 11:35 a. m.]

Subchapter C—Director, Office of War Utilities

AUTHORITY: Regulations in this subchapter issued under sec 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3896; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Supplementary Utilities Order U-1-c as Amended May 15, 1944]

§ 4500.4 *Supplementary Utilities Order U-1-c*—(a) *Permission to build certain extensions.* In accordance with the provisions of paragraph (i) of Utilities Order U-1, extensions of electric facilities may be made or connected by producers to permit the operation of farm production equipment when all of the following conditions are satisfied:

(1) The prospective consumer possesses one of the following types of electric farm equipment of sufficient capacity for the use contemplated, or can obtain such equipment without priorities assistance, or a preference rating of AA-5 or better has been assigned to deliveries of such equipment to him:

(i) Water pump for livestock.
(ii) Milking machine.
(iii) Milk cooler.
(iv) Incubator.
(v) Brooder.
(vi) Feed grinder.
(vii) Milk sterilizer.

(2) There is no other means of operating such equipment on the premises.

(3) The length of such extension, including any part built by or for the consumer, will not exceed 100 feet per animal unit, determined in accordance with Schedule I annexed hereto.

(4) The prospective consumer will use electric service to operate equipment for farm production and has livestock on hand aggregating not less than five animal units, determined in accordance with Schedule I of this order.

(5) Primary and secondary lines and service drops will be constructed of the following types and sizes of conductor:

(i) Any type or size having conductivity equal to or less than that of No. 6 AWG copper, or

(ii) Any type or size of conductor which can be obtained from the excess inventory of any producer.

(6) The prospective consumer's application for service is accompanied by a certification from his County Agricultural Conservation Committee in substantially the following form:

(To the Utility Addressed):

Mr. ----------, who has livestock on hand aggregating not less than five animal units is eligible for an electric connection of -------- feet under the terms of Supplementary Utilities Order U-1-c. In the opinion of this County Agricultural Conservation Committee this connection will result in a substantial increase in farm production, or a substantial saving of farm labor, and is in accord with the spirit, as well as the letter, of Supplementary Utilities Order U-1-c.

(For County Agricultural Conservation Committee)

(7) The length of any continuous extension built in any calendar quarter, including any part built by or for the consumer, does not exceed 5,000 feet, and the cost of material for such extension, excluding the cost of material for any part built by or for the consumer, does not exceed $1500.

(8) No other producer can render the same service with lesser amounts of critical material.

(b) *Exception for certain extensions.* Extensions which would have been permitted by Supplementary Utilities Order U-1-c prior to the amendment of April 6, 1944, may be made or connected if both of the following conditions are satisfied:

(1) The prospective consumers' request for a certification by the County Agricultural Conservation Committee was filed with such committee on or before April 20, 1944; and

(2) A certification, in the form required by Supplementary Utilities Order U-1-c prior to the amendment of April 6, 1944, has been issued by the County Agricultural Conservation Committee to the prospective consumer on or before June 1, 1944.

Issued this 15th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I—EQUIVALENT ANIMAL UNITS

Livestock on hand:	
1 milk cow	One unit.
10 beef cattle (all cattle, including calves, other than milk cows and cattle in feed lot)	One unit.
20 cattle (in feed lot)	One unit.
30 breeding ewes	One unit.
160 lambs (in feed lot)	One unit.
3 brood sows	One unit.
30 feeder pigs	One unit.
75 laying hens	One unit.
600 chickens (broilers)	One unit.
250 chickens (not laying hens or broilers)	One unit.
40 turkeys or geese (in laying flock)	One unit.
125 turkeys or geese (not in laying flock)	One unit.
6 milk goats	One unit.
30 goats (other than milk goats)	One unit.
160 kids	One unit.

[F. R. Doc. 44-6923; Filed, May 15, 1944; 11:36 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 289]

DAIRY PRODUCTS

Maximum Price Regulation 289 is redesignated Revised Maximum Price Regulation 289 and is revised and amended to read as follows:

A statement of the considerations involved in the issuance of this Revised Maximum Price Regulation 289 has been issued and filed with the Division of the Federal Register.*

Such specifications and standards as are used in this Revised Regulation were, prior to such use, in general use in the trade or industry affected or had previously been promulgated and their use lawfully required by another government agency.

§ 1351.1501 *Maximum prices for sales of dairy products.* Under the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Executive Orders Nos. 9250 and 9328, Revised Maximum Price Regulation 289 (Dairy Products) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1351.1501 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681.

REVISED MAXIMUM PRICE REGULATION 289—DAIRY PRODUCTS

CONTENTS

Sec.
1. Products covered.
2. Exempt sales.
3. Prohibition against dealing in listed dairy products above maximum prices.
4. Less than maximum prices.
5. Records and reports.
6. Evasion.
7. Enforcement.
8. Licensing.
9. Export sales.
10. Imports.
11. Applicability of Maximum Price Regulation No. 280.
12. Applicability of certain provisions of Supplementary Regulations and Orders.
13. Geographical applicability.
14. Transfers of business or stock in trade.
15. Petitions for amendment.
16. Adjustable pricing.
17. Taxes.
18. Definitions.
19. Maximum prices for cheddar cheese.
20. Maximum prices for butter.
21. Maximum prices for evaporated and British Standard evaporated milk.
22. Maximum prices for bulk powdered skim milk for human consumption, bulk powdered buttermilk for human consumption and packaged powdered skim milk (spray process) for human consumption.
23. Maximum prices for industrial casein (inedible).
24. Maximum prices for whey powder (except that which is for human consumption).
25. Maximum prices for milk sugar.
26. Maximum prices for condensed milk, condensed skim milk and condensed products containing milk solids, in bulk or bulk packed, and canned sweetened condensed milk.

*Copies may be obtained from the Office of Price Administration.

SECTION 1. *Products covered.* This Revised Maximum Price Regulation 289 establishes the maximum prices at which the following dairy products referred to below as "listed dairy products" may be sold and delivered.

(a) Cheddar cheese and processed cheddar cheese.

(b) Butter.

(c) Evaporated milk and British Standard evaporated milk.

(d) Bulk powdered skim milk for human consumption, bulk powdered buttermilk for human consumption, and packaged powdered skim milk (spray process) for human consumption.

(e) Industrial casein (inedible).[1]

(f) Whey powder (except that which is for human consumption).[1]

(g) Milk sugar.

(h) Condensed milk, condensed skim milk, and condensed products containing milk solids, in bulk or bulk packaged, and canned sweetened condensed milk.

NOTE: Insofar as this regulation does not establish a maximum price for any particular sale of any "listed dairy product", the maximum price for that sale shall be determined by Maximum Price Regulation 280.

SEC. 2. *Exempt sales.* The provisions of this Revised Maximum Price Regulation 289 shall not apply to any sale or delivery which is specifically exempted from the operation of this regulation.

SEC. 3. *Prohibition against dealing in listed dairy products above maximum prices.* (a) On and after December 30, 1942, or the effective date of any amendment fixing maximum prices for additional listed dairy products or affecting the maximum price of any listed dairy product, regardless of any contract, agreement, or other obligation, no person shall sell or deliver a listed dairy product, and no person in the course of trade or business, shall buy or receive a listed dairy product at a price higher than the maximum price permitted by this Revised Maximum Price Regulation 289, and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

The provisions of this section shall not apply to sales and deliveries of a "listed dairy product" which has been received for shipment to the purchaser by a carrier which is not owned or controlled by the seller, prior to December 30, 1942, or the effective date of any applicable amendment to this regulation subjecting a "listed dairy product" to the provisions of this regulation for the first time.

SEC. 4. *Less than maximum prices.* Lower prices than those established by this Revised Maximum Price Regulation 289 may be charged, demanded, paid, or offered.

SEC. 5. *Records and reports.* (a) Every sale of a listed dairy product covered by this Revised Maximum Price Regulation 289, except as hereafter provided in this regulation, shall be invoiced by the seller. The original invoice shall be delivered to the buyer and shall state (1) the date of purchase, (2) the names and addresses of the buyers and sellers, (3) the quantity, grade, and type of package of each listed dairy product sold, (4) the price, per unit of sale and in total, and (5) the geographical place for which the price is calculated.

(b) Every buyer of any listed dairy product shall preserve for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, the original, and every seller of any listed dairy product shall similarly preserve a copy, of each invoice required to be furnished by paragraph (a) of this section.

(c) Every person subject to this regulation shall keep such other records and shall submit such reports as the Office of Price Administration may from time to time request in writing, either in addition to or in substitution for records and reports herein required.

SEC. 6. *Evasion.* The price limitations set forth in this regulation shall not be evaded, either by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt, of or relating to any of the listed dairy products, alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

SEC. 7. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damage provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 8. *Licensing.* The provisions of Licensing Order No. 1,[2] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 9. *Export sales.* The maximum prices at which a person may export a "listed dairy product" shall be determined in accordance with the Revised Maximum Export Price Regulation.[3]

SEC. 10. *Imports.* On and after May 17, 1944, no person in the course of trade or business shall import, or agree, offer, solicit, or attempt to import, a "listed dairy product" at a price in excess of the maximum prices established by this regulation. Where this regulation fixes maximum prices for a domestically produced "listed dairy product" f. o. b. producer's plant or factory, such f. o. b. price shall be the maximum price, including duty, which may be paid for the imported listed dairy product f. o. b. port of entry.

"Import" means to buy, receive, or in any manner pay for a commodity pursuant to or in connection with any transaction, contract, agreement, or other obligation whereby the commodity is transported or is to be transported to the several states of the United States or the District of Columbia from any place outside the several states of the United States and the District of Columbia regardless of whether the importer deals directly with the seller, or deals through an agent, broker or other intermediary acting for either party, in or outside the United States, its territories or possessions, or the District of Columbia, and regardless of whether such importation is for use or for resale.

[1] Casein and whey powder which are manufactured for human consumption and casein which is especially prepared and packed for laboratory purposes shall be priced pursuant to Maximum Price Regulation 280.

SEC. 11. *Applicability of maximum price regulations.* This regulation supersedes the provisions of Maximum Price Regulation 280, as amended, and any other maximum price regulation with respect to any sale of a "listed dairy product" for which maximum prices are established by this regulation. Insofar as this regulation does not establish a maximum price for any particular sale of a "listed dairy product", the provisions of Maximum Price Regulation 280 or any other applicable maximum price regulation remain in effect.

SEC. 12. *Applicability of certain provisions of supplementary regulations and orders.* (a) The following provisions of the following supplementary regulations and orders shall be applicable to all agreements, sales, and deliveries covered by this Revised Maximum Price Regulation 289 unless otherwise provided in subsequent sections of this regulation.

(1) Revised Supplementary Regulation No. 1,[4] section 4.3 (Emergency Purchases).

(2) Revised Supplementary Regulation No. 1,[4] section 4.4 (Developmental Contracts).

(3) Supplementary Order No. 42, Amendment 1,[5] § 1305.57 (Secret Contracts).

(4) Supplementary Order No. 27,[6] § 1305.32 (Sales or deliveries of the War Department or the Navy Department through such department's sales stores).

(5) Revised Supplementary Order No. 34,[7] (Addition of extra export packaging expenses on sales to procurement agencies of the United States).

(6) Supplementary Order No. 31,[8] (Treatment of 3% transportation tax imposed by section 620 of Revenue Act of 1942).

(7) Supplementary Order No. 81,[10] (establishing maximum prices for sales by United States government agencies and exempting certain of such sales from price control).

(8) Supplementary Order No. 84,[11] (Describing conditions under which a marketing cooperative may pay a patronage dividend).

SEC. 13. *Geographical applicability.* The provisions of this Revised Maximum Price Regulation 289 shall be applicable only to the 48 states of the United States and the District of Columbia.

SEC. 14. *Transfers of business or stock in trade.* If the business or stock in trade of a manufacturer or wholesaler of a "listed dairy product" is sold or otherwise transferred on or after December 30, 1942, and the transferee continues the business, the maximum prices of the transferee shall be the same as those which the transferor would have been subject to if no transfer had taken place, and his obligation to keep records sufficient to verify these prices shall be the same. The transferor shall either preserve and make available, or shall turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions contained in this regulation.

SEC. 15. *Petitions for amendment.* Any person seeking an amendment of any provision of this Revised Maximum Price Regulation 289 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

SEC. 16. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery, but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 17. *Taxes.* If any statute of the United States or ordinance of any state or subdivision of any state imposes a tax upon the sale or delivery of any "listed dairy product" covered by this regulation and does not prohibit the seller from stating and collecting the tax separately from the purchase price, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of the tax paid by any prior vendor and separately stated and collected by the vendor from whom he purchased such listed dairy product, *Provided, however,* That:

(a) The seller states and collects the tax separately from the purchase price; and

(b) If the tax was in effect prior to the effective date of this regulation, the seller's customary business practice was to state and to collect the tax separately from the purchase price of the listed dairy product; and

(c) Appropriate records are kept indicating the amount of the tax, by which governmental authority the tax was imposed, to whom the tax was paid (the prior vendor or the government), to what specific listed dairy product the tax applies, and to whom the products were sold.

In no other case may the amount of a tax be added to the maximum prices established by this regulation.

SEC. 18. *Definitions.* (a) When used in this regulation, the term:

(1) "Person" means an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other Government or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sale at wholesale" means a sale by a person who receives delivery of a commodity and resells it, without substantially changing its form, to any person other than the ultimate consumer.

(3) "Sale at retail" means a sale to an ultimate consumer other than an industrial, commercial, institutional or governmental user.

(b) Unless the context otherwise requires, the definitions of the General Maximum Price Regulation, as amended, and of section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

Cheddar Cheese

SEC. 19. *Maximum prices for cheddar cheese*—(a) *Sales of cheddar cheese by manufacturers and assemblers*—(1) *Sales by a cheese factory or cheesemaker*—(i) *In Wisconsin.* The maximum price for the sale of cheddar cheese by a cheese factory or cheesemaker delivered at any place in Wisconsin shall be as set forth in Table A below (except as provided in subparagraph (2) below for "cheddars," "twins," "flats," and larger styles of 37.7% or less moisture content).

TABLE A

Maximum price (cents per pound)	Styles	Approximate weight (pounds)
23¼	Cheddars, Twins and Larger.	70 or more.
23½	Flats	35.
23¾	Double Daisies	44.
23¾	Triple Daisies	66.
24¼	Single Daisies	22.
24¼	Longhorns	12.
24¼	Young Americas	12.
24½	Picnics and Midgets	12.
24½	Square Prints	10.
24½	Natural Loaf and Smaller Styles.	5 or less.

(ii) *Outside Wisconsin.* The maximum price for the sale of ceddar cheese by a cheese factory or cheesemaker delivered at any place outside Wisconsin shall be the appropriate price set forth in Table A above plus a "transportation factor."

(iii) The prices in the preceding subdivisions (i) and (ii) are prices for unparaffined, ungraded, bulk cheddar cheese of 39% or less moisture content

[2] 6 F.R. 13240.

[3] 2d Revision: 8 F.R. 4132, 5987, 7662, 9996, 15193.

[4] 8 F.R. 4978.

[5] 8 F.R. 11951.

[6] 7 F.R. 9229.

[7] 8 F.R. 12404, 14078.

[8] 7 F.R. 9894; 8 F.R. 1312, 3702, 9521.

[10] 9 F.R. 310.

[11] 9 F.R. 1721.

packed in boxes customarily employed for the particular styles listed in Table A.

(iv) *Marking of date and place of manufacture.* On and after the effective date of this regulation every person engaged in the manufacture of cheddar cheese shall mark plainly and conspicuously on the side of such cheese before it leaves the cheese factory, with dark colored vegetable ink, the name of the state in which the cheese has been manufactured and the day, month, and year of manufacture.

(2) *Maximum prices for "cheddars", "twins", "flats", and larger styles of 37.7% or less moisture content.* The maximum price for the sale of "cheddars", "twins", "flats", or larger styles of cheddar cheese of a moisture content of 37.7% or less by a cheese factory or cheesemaker to an assembler, or by any person to a cheese processor, a food processor, or to the United States Government or any agency thereof, shall be as provided in subdivisions (i) and (ii) of this subparagraph.

(i) Where delivery is made at any place in Wisconsin the maximum price shall be as set forth in Table B below.

(ii) Where delivery is made at any place outside Wisconsin the maximum price shall be the appropriate price set forth in Table B below, plus a "transportation factor."

TABLE B

Moisture content	Maximum price (cents per pound)	
	For cheddars, twins, and larger styles	For flats
33.2% or less	25.54	25.79
Over 33.2% but not over 33.7%	25.35	25.60
Over 33.7% but not over 34.2%	25.16	25.41
Over 34.2% but not over 34.7%	24.97	25.22
Over 34.7% but not over 35.2%	24.77	25.02
Over 35.2% but not over 35.7%	24.58	24.83
Over 35.7% but not over 36.2%	24.39	24.64
Over 36.2% but not over 36.7%	24.20	24.45
Over 36.7% but not over 37.2%	24.01	24.26
Over 37.2% but not over 37.7%	23.82	24.07

(iii) No purchaser designated in paragraph (d) (2) of this section shall be deemed an agency of the United States Government within the meaning of this paragraph (a) (2).

(3) *Transportation charges; cheese factory to assembler.* (i) In addition to the maximum prices established in subparagraphs (1) and (2) of this paragraph, a cheese assembler may compensate any cheese factory, cheesemaker, or other person who hauls cheese from the cheese factory to the assembler's warehouse for such hauling services. The maximum price which may be paid by a cheese assembler or charged by a cheese factory or hauler or other carrier for this service may not exceed the appropriate price set forth in Table C below. This price must be based on the actual distance from the cheese factory to the assembler's warehouse. The distance between the cheese factory and the assembler's warehouse shall be computed via the nearest publicly traveled route.

TABLE C

Miles (one way) not over	Cents per 100 pounds net weight	Miles (one way) not over	Cents per 100 pounds net weight
5	17	120	46
10	18	130	47
15	20	140	49
20	21	150	51
25	23	160	53
30	24	170	55
35	26	180	56
40	27	190	58
45	29	200	60
50	30	210	62
55	31	220	63
60	32	230	65
65	34	240	66
70	35	250	68
75	36	260	69
80	37	270	71
85	38	280	72
90	40	290	74
100	42	Over 290	75
110	44		

(ii) *Provided,* That if the hauling service is performed by a common or a contract carrier, the maximum price for such hauling service shall be the appropriate published rate of such carrier.

(iii) An assembler who, either with his own truck or by other means, performs the hauling service from the factory to the assembling warehouse, may not pay the allowable hauling charge or any portion thereof to any person not actually performing the service; and no person, including factory, cheesemaker, trustee, or any agent thereof, may charge or accept any payment for such service which is in fact performed by the assembler or his agent.

(4) *Assembling costs.* (i) Whenever assembling operations are performed by an "authorized cheese assembler", ¾ cents per pound may be added to the maximum prices established in subparagaphs (1) and (2) of this paragraph for each pound of cheddar cheese so assembled. An "authorized cheese assembler" means a cheese assembler authorized by the War Food Administration of the United States Department of Agriculture pursuant to Food Distribution Order No. 15—Cheddar Cheese, issued by the United States Department of Agriculture.

(ii) *Provided, however,* That where the assembled cheddar cheese is cheese which has been set aside for sale to the United States Government as cheddar cheese pursuant to Food Distribution Order No. 15, or similar orders issued by the War Food Administrator, the assembly allowance which may be added on sales to the United States Government shall be 1 cent per pound.

(iii) For the purpose of this subparagraph, no person shall be entitled to the additional assembling allowance unless he performs all the following functions: accumulates cheese; grades it in accordance with legal requirements, or, in the absence of such requirements, in accordance with customary industry practices; paraffins it (if not already paraffined) weighs it; stores it in a refrigerated space; and customarily ships it in carload lots. For the purpose of this subparagraph paraffining means a covering of all surfaces of the cheese by dipping in paraffin having a temperature of not less than 240° Fahrenheit. The cheese, before paraffining, must have dry, clean surfaces free of mold and be not less than 3 days old at time of dipping.

(iv) This assembly allowance shall include transportation costs, if any, from the cheese factory to the assembling warehouse, whether the assembling warehouse is located inside or outside the State of Wisconsin.

(b) *Sales of processed cheddar cheese by manufacturers*—(1) *In Wisconsin.* The maximum price for the sale of "processed cheddar cheese" by a manufacturer delivered at any place in Wisconsin shall be as set forth in Table D below.

TABLE D

Weight of package	Cents per pound
Half pound or less (for example the ½ pound and ¼ pound size)	29.75
Over half pound to 2 pounds inclusive (for example, the 2-pound size)	28.00
Over 2 pounds (for example, the 5-pound size)	27.00

(2) *Outside Wisconsin.* The maximum price for the sale of "processed cheddar cheese" by a manufacturer delivered at any place outside Wisconsin shall be the appropriate price set forth in Table D above plus a "transportation factor".

(c) *Sales of cheddar cheese and "processed cheddar cheese" by a wholesaler*—(1) *Sales by a "primary wholesaler"*—(i) *Definition.* A "primary wholesaler" is a person who sells to a wholesaler or to a retailer distributing warehouse. (No assembler, however, shall be considered a primary wholesaler as to any cheese sold to a processor for processing.)

(ii) *In Wisconsin.* The maximum price for the sale of any "cheese item" by a "primary wholesaler" delivered at any place in Wisconsin shall be as set forth in Table E below.

TABLE E

	Cents per pound
Cheddars, Twins or Larger Styles	24.48
Flats	24.73
Double or Triple Daisies	24.99
Single Daisies, Longhorns, or Young Americas	25.5
Picnics, Midgets, Square Prints, or Natural Loaf or Smaller Styles	25.75
Processed Cheddar Cheese:	
Package weighing ½ pound or less	30.34
Package weighing over ½ pound but not over 2 pounds	28.56
Package weighing over 2 pounds	27.54

(iii) *Outside Wisconsin.* The maximum price for the sale of any "cheese item" by a "primary wholesaler" delivered at any place outside Wisconsin shall be the appropriate price set forth in Table E above plus a "transportation factor".

(2) *Sales by a "service wholesaler"*—(i) *Definition.* A "service wholesaler" is a person who sells to, and makes delivery to the physical premises of, an individual retail store or an individual commercial, industrial, institutional, or non-federal governmental user. No person shall be deemed a "service wholesaler" unless he owns or maintains a warehouse in the marketing area in which the physical premises of the above described purchaser are located. The physical premises of an individual retail store means the place where "cheese items" are sold to ultimate household users. The physical premises of an individual commercial, industrial, institutional, or non-federal governmental user means the place where "cheese items" are consumed by such user.

(ii) *In Wisconsin.* The maximum price for the sale of any "cheese item" by a "service wholesaler" delivered to the physical premises of a purchaser, (designated in subdivision (i) of this subparagraph) at any place in Wisconsin shall be as set forth in Table F below.

TABLE F

	Cents per pound
Cheddars, Twins or Larger Styles	26.64
Flats	26.91
Double or Triple Daisies	27.19
Single Daisies, Longhorns, or Young Americas	27.75
Picnics, Midgets, Square Prints, or Natural Loaf or Smaller Styles	28.02
Processed Cheddar Cheese:	
Package weighing ½ pound or less	33.76
Package weighing over ½ pound but not over 2 pounds	31.08
Package weighing over 2 pounds	29.97

(iii) *Outside Wisconsin.* The maximum price for the sale of any "cheese item" by a service wholesaler delivered to the physical premises of a purchaser (designated in subdivision (i) of this subparagraph), at any place outside Wisconsin shall be the appropriate price set forth in Table F above plus a "transportation factor".

(iv) The maximum prices established in subdivisions (ii) and (iii) of this subparagraph shall not apply to any sale by a cheese factory or association of cheese factories to any purchaser whose physical premises are located:

(a) At a point on or east of the 99th meridian and more than 50 miles from the place where the cheese factory is located, or

(b) At a point west of the 99th meridian and more than 100 miles from the place where the cheese factory is located

where the sale or delivery is made by, through, or with the assistance of any agent, commission salesman, or trucking or hauling agent or contractor. For any such sales, the maximum price shall not exceed the maximum price in that place for a sale by a cheese factory of the particular style of Cheddar cheese sold as established in paragraph (a) (1) of this section, plus an assembling allowance of ¾ cent per pound (if the cheese has been assembled by an "authorized cheese assembler"), plus the total of the exact sums paid by the cheese factory or association to the agent, commission salesman, and trucking or hauling agent or contractor for making the sale to the purchaser, and for performing "local transportation services". *Provided, however,* That in no case may the maximum price exceed the maximum price established in Table E of paragraph (c) (1) of this section, or, in the event a cheese factory, cheese maker or association owns or maintains a warehouse in the marketing area, in no case may the maximum price exceed the maximum price established in Table F of this subparagraph (2). "Local transportation services" means and is limited to, the actual distance traversed from the railroad siding in, or point of entrance to, the city, town, village, or hamlet in which the physical premises of the purchaser are located to such physical premises.

(3) *Sales by a cash and carry wholesaler*—(i) *Definition.* A "cash and carry wholesaler" is a person who sells to and does not make delivery to the physical premises of an individual retail store or to an individual commercial, industrial, institutional or non-federal governmental user. No person shall be deemed a "cash and carry wholesaler" unless he owns or maintains a warehouse within a distance of 50 miles from the physical premises of the above described purchaser. The physical premises of an individual retail store means the place where "cheese items" are sold to ultimate household users. The physical premises of an individual commercial, industrial, institutional, or non-federal governmental user means the place where "cheese items" are consumed by such user.

(ii) *In Wisconsin.* The maximum price for the sale of any "cheese item" by a "cash and carry wholesaler" delivered at any place in Wisconsin shall be as set forth in Table G below.

TABLE G

	Cents per pound
Cheddars, Twins, or Larger Styles	25.68
Flats	25.94
Double or Triple Daisies	26.21
Single Daisies, Longhorns, or Young Americas	26.75
Picnics, Midgets, Square Prints, or Natural Leaf or Smaller Styles	27.01
Processed Cheddar Cheese:	
Package weighing ½ pound or less	31.83
Package weighing over ½ pound but over 2 pounds	29.96
Package weighing over 2 pounds	28.89

(iii) *Outside Wisconsin.* The maximum price for the sale of any "cheese item" by a "cash and carry wholesaler" delivered at any place outside Wisconsin shall be the appropriate price set forth in Table G above plus a "transportation factor."

(4) *Reference to assembling allowance.* (i) The maximum prices established in subparagraphs (1), (2), and (3) of this paragraph (c) for sales by the specified types of wholesalers are for cheddar cheese which has been assembled by an "authorized cheese assembler" in accordance with the requirements of paragraph (a) (4) of this section.

(ii) The maximum price for the sale of cheddar cheese by a wholesaler which has not been assembled by an "authorized cheese assembler" in accordance with the requirements of paragraph (a) (4) of this section shall be the appropriate maximum price established in subparagraphs (1), (2), or (3) of this paragraph (c) minus ¾¢ per pound.

(d) *Sales to U. S. Government*—(1) *In general*—(i) *In Wisconsin.* The maximum price for the sale of any "cheese item" to the United States Government or any of its agencies delivered at any place in Wisconsin shall be as set forth in Table H below

TABLE H

	Cents per pound
Cheddars, Twins, or Larger Styles	24.25
Flats	24.50
Double or Triple Daisies	24.75
Single Daisies, Longhorns or Young Americas	25.25
Picnics, Midgets, Square Prints or Natural Loaf or Smaller Styles	25.50
Processed Cheddar Cheese:	
Package weighing ½ pound or less	29.75
Package weighing over ½ pound but not over 2 pounds	28.00
Package weighing over 2 pounds	27.00

(ii) *Outside Wisconsin.* The maximum price for the sale of any "cheese item" to the United States Government or any of its agencies delivered at any place outside Wisconsin shaH be the maximum price set forth in Table H above plus a "transportation factor."

(iii) *Low moisture cheese.* The sale of low moisture cheese to the United States Government and its agencies may be made under the provisions of paragraphs (a) (2) and (a) (4) of this section in lieu of at the maximum prices of this paragraph (d) (1).

(2) *Sales and deliveries to individual army posts, naval bases, or Federal hospitals, schools, or penal institutions*—(i) *In Wisconsin.* Notwithstanding subparagraph (1) of this paragraph the maximum price for the sale of any "cheese item" where delivery is made to the physical location of, an individual army post or naval base, or a Federal hospital, school, or penal institution located at any place in Wisconsin shall be as follows:

(a) For sales and deliveries of quantities of less than carload lots but more than 5,000 pounds, the maximum prices set forth in Table I below:

TABLE I

	Cents per pound
Cheddars, Twins, or Larger Styles	24.73
Flats	24.99
Double or Triple Daisies	25.24
Single Daisies, Longhorns, or Young Americas	25.75
Picnics, Midgets, Square Prints or Natural Loaf or Smaller Styles	26.01
Processed Cheddar Cheese:	
Package weighing ½ pound or less	30.34
Package weighing over ½ pound but not over 2 pounds	28.56
Package weighing over 2 pounds	27.54

(b) For sales and deliveries of quantities of 5,000 pounds or less, the maximum prices set forth in Table J below:

TABLE J

	Cents per pound
Cheddars, Twin or Larger Styles	25.94
Flats	26.21
Double or Triple Daisies	26.48
Single Daisies, Longhorns, or Young Americas	27.01
Picnics, Midgets, Square Prints, or Natural Loaf or Smaller Styles	27.28
Processed Cheddar Cheese:	
Package weighing ½ pound or less	31.83
Package weighing over ½ pound but not over 2 pounds	29.96
Package weighing over 2 pounds	28.89

(ii) *Outside Wisconsin.* The maximum price for the sale of any "cheese item"

made to, and delivery made to the physical premises of, an individual army post or naval base, or a Federal hospital, school, or penal institution located at any place outside Wisconsin shall be the appropriate price in either Table I or Table J above, whichever is applicable, plus a "transportation factor".

(3) *Reference to assembling allowance and food distribution order.* (i) The maximum prices established in subparagraphs (1) and (2) of this paragraph (d) for "sales to the United States Government" are for cheddar cheese which has been assembled by an "authorized cheese assembler" in accordance with the requirements of paragraph (a) (4) of this section and which has been set aside for sale to the United States Government pursuant to Food Distribution Order No. 15, or similar orders issued by the War Food Administrator.

(ii) The maximum price for the sale to the United States Government of any cheddar cheese which has not been assembled by an "authorized cheese assembler" in accordance with the requirements of paragraph (a) (4) of this section shall be the appropriate maximum price established in subparagraphs (1) and (2) of this paragraph (d) minus 1¢ per pound.

(iii) The maximum price for the sale to the United States Government of any cheddar cheese which has not been set aside for sale to the United States Government pursuant to Food Distribution Order No. 15 or similar orders issued by the War Food Administrator shall be the appropriate maximum price established in subparagraphs (1) and (2) of this paragraph (d) minus ¼¢ per pound.

(4) *Special provisions for sales to certain United States Goverment purchasers.* In addition to the maximum prices established in foregoing subparagraphs of this paragraph (d), a manufacturer or "authorized assembler" of Cheddar cheese, or a manufacturer of processed Cheddar cheese may charge 3.8 cents per pound on sales to the following agencies of the United States Government: War Food Administration and any agency thereof (including Dairy Products Marketing Association, Inc., acting for the War Food Administration); U. S. Army Quartermaster Market Centers (including Field Headquarters) and U. S. Army Quartermaster Depots; U. S. Navy Market Offices.

(e) *Calculations.* All calculations of any "transportation factor" and of any maximum price established by this section shall be made on a cents per pound basis and shall be carried to the second decimal point. The price per pound carried to the second decimal point shall be multiplied by the number of pounds sold and the total price then adjusted to the nearest cent, or the next higher cent where the total price ends with a decimal of .50.

(f) *Discounts and allowances.* The maximum prices established in the foregoing paragraphs of this section must be reduced by the customary discounts or allowances for cash or prompt payment. However, any change in customary discounts, allowances or other price differentials may always be made when it results in a lower price than would the customary discounts or allowances.

(g) *Evasive practices prohibited*—(1) *Used cheese boxes.* The maximum prices established by this section shall not be evaded by the selling or furnishing of used cheese boxes at less than their true economic value by any buyer of a "cheese item" or his agent or affiliate to any seller of a "cheese item" or his agent or affiliate. Any sale of used cheese boxes by a buyer of a "cheese item", his agent or affiliate to a seller of a "cheese item", his agent or affiliate at any price less than the prices established in Table K below shall be considered prima facie evidence of an evasion of the maximum prices established by this section.

TABLE K

Used boxes for	F. o. b. assembling warehouse	Delivered to cheese factory
	Cents	*Cents*
Twins and Cheddars	20	21
Single Daisies	12	13
Longhorns	17	18
Flats	14	15

(2) *Supplies.* No buyer of a "cheese item", his agent or affiliate, shall sell, lend, or otherwise transfer supplies or equipment, except cheese hoops, to a seller of a "cheese item", his agent or affiliate at less than the true value of such supplies and equipment. Any sale or transfer contrary to the provisions of this subparagraph is an evasion of paragraphs (a) (1) and (a) (2) of this section and is hereby prohibited.

(3) The practices described in subparagraphs (1) and (2) of this paragraph as evasions of this regulation are in addition to any evasive practices prohibited by section 6 of this regulation.

(h) *Special provisions for records and reports.* The provisions of section 5 shall apply to all sales of processed cheddar cheese and all sales of cheddar cheese other than those by a cheese factory or cheese maker to an assembler. However, for all such latter sales the cheese factory or cheese maker shall preserve for inspection by the Office of Price Administration for so long as the Emergency Price Control Act, as amended, remains in effect, remittance statements furnished to the cheese factory or cheese maker by the assembler.

(i) *Maximum prices in places not on railroad line or siding.* The maximum price for the sale of any "cheese item" delivered in a place not on a railroad line or siding shall be the maximum price for a similar sale of that "cheese item" in the nearest place that is located on a railroad line or siding: *Provided, however,* Where the latter place is more than 50 miles from the place of delivery, transportation costs from that place to the place of delivery, not to exceed the lowest common carrier rate where one exists may be added.

(j) *Maximum prices for sales at retail by manufacturers, processors, and wholesalers.* (1) The maximum price for the sale at retail of any "cheese items" delivered at any place by a manufacturer, processor, or wholesaler, shall be the maximum price established in that place for a sale of that "cheese item" by a retail store classified in Group 1 under Maximum Price Regulation No. 423. (A Group 1 retail store is any independent retail store having a gross sales volume during 1942 of less than $50,000.)

(2) No sale of a quantity in excess of 5 pounds shall be considered a sale at retail.

(k) *Maximum prices for "cut" cheddar cheese.* (1) Whenever any style of cheddar cheese prior to its sale or delivery is cut or sliced into pieces, cuts, or slices, the maximum price for the sale of any such pieces, cuts, or slices shall be the same as the maximum price for that style of cheddar cheese from which the pieces, cuts, or slices are made.

(l) *Maximum prices for sales not already provided for.* (1) The maximum price for the sale or delivery in any place of any "cheese item" for which a maximum price is not established by any of the foregoing paragraphs of this section shall be as follows:

(i) For sales of any style of cheddar cheese, the maximum prices established for sales by a cheese factory of that style in that place by paragraph (a) (1) of this section plus (where the requirements of paragraph (a) (4) of this section are satisfied) an assembling allowance of ¾ cent per pound.

(ii) For sales of "processed cheddar cheese", the maximum prices established for delivery in that place by paragraph (b) of this section.

(m) *Definitions*—(1) *Cheddar cheese.* "Cheddar cheese", frequently called "American cheese", means "cheddar cheese" as defined in the "Standards of Identity for Cheddar Cheese, Cheese Washed Curd Cheese, Colby Cheese" promulgated by the Food and Drug Administration and published in the FEDERAL REGISTER of January 9, 1941, page 195. It contains not more than 39% of moisture and its solids contain not less than 50% of milk fat.

(2) *Processed cheddar cheese.* "Processed cheddar cheese" is cheddar cheese which has been graded, cleaned, blended, ground, pasteurized, and packaged. It shall contain not more than 40% of water, and in the water free substance not less than 50% of milk fat.

(3) *Transportation factor.* A "transportation factor" means the lowest published railroad carlot freight rate per pound gross weight from Plymouth, Wisconsin, to the place of delivery multiplied by 1.15. In calculating transportation charges referred to in the foregoing paragraphs, the 3% transportation tax imposed by section 620 of the Revenue Act of 1942 shall be included.

(4) *Cheese item.* "Cheese item" means any of the particular styles and sizes of cheddar cheese and of processed cheddar cheese listed in Tables E, F, G, H, I, and J of this section.

(5) *"Delivered at any place."* The phrase, "delivered at any place" comprehends all sales whether made on the basis of actual delivery to the point of shipping destination or on the basis of f. o. b. shipping point or some other point. Any cheese item sold f. o. b. any point shall be considered "delivered" at that point.

(6) *Place.* "Place" means any city, town, village, or hamlet within the 48 States of the United States and the District of Columbia.

(7) *Retailer distributing warehouse.* A "retailer distributing warehouse" is a place where cheese is received and held for disposition to retail stores. Chain store warehouses and retailer owned cooperative warehouses are included in the meaning of "retailer distributing warehouse".

Butter

SEC. 20. *Maximum prices for butter*—(a) *Bulk butter*—(1) *Definition.* "Bulk butter" means unprinted butter packed solid in unused fibre or corrugated boxes furnished by the seller.

(2) *Sales by a creamery or manufacturer of butter.* The maximum price for any of the following sales of bulk butter by a creamery or manufacturer of butter shall be as set forth in subdivisions (i) to (xii) inclusive, of this subparagraph: A sale to any purchaser on the basis of f. o. b. the creamery or premises of manufacture; a sale for delivery to a primary distributor, jobber, or retailer distributing warehouse; a sale in carload lots to any purchaser or combination of purchasers. Any sale by any person on the basis of f. o. b. the creamery or premises of manufacture shall be deemed a sale by a creamery and the maximum price for such sale shall be as set forth in the following subdivisions (i) to (xii) inclusive, of this subparagraph.

(i) The maximum price for bulk butter of the following scores or grades delivered in the cities of Chicago (and all of Cook County, Illinois), New York, and San Francisco shall be as follows:

TABLE A

	Chicago	New York	San Francisco
	Cents per lb.	*Cents per lb.*	*Cents per lb.*
U. S. grade AA or U. S. 93 score	41½	42¾	43
U. S. grade A or U. S. 92 score	41	41¾	42½
U. S. grade B or U. S. 90 score	40¾	41½	42¼
U. S. grade C or U. S. 89 score	40¼	41	41¾
U. S. cooking grade	39	39¼	40½
No grade	35	35¼	36½

(ii) The maximum price for any particular score or grade of bulk butter delivered at any place east of a line running south from the Canadian border along the eastern shore of Lake Michigan, the Illinois-Indiana state line the Illinois-Kentucky state line, and south along the eastern bank of the Mississippi River to the Louisiana state line to the Gulf to Mexico, shall be the maximum price in Chicago for that particular score or grade of butter, as stated in Table A above, plus the lowest published railroad carlot freight rate per pound gross weight from Chicago to the place of delivery with no adjustment allowed for tare or icing.

(a) *Provided, however,* That in any place in the states of Virginia, West Virginia, Maryland, Delaware, Pennsylvania, New Jersey, and New York, and the District of Columbia, the maximum price shall not exceed the maximum price in New York City for that particular score or grade of butter as stated in Table A above.

(iii) The maximum price for any particular score or grade of bulk butter delivered at any place in Minnesota, Wisconsin, the upper peninsula of Michigan, Iowa, Missouri, and Illinois (except the city of Chicago and Cook County) shall be the maximum price in New York City for such score or grade of butter, as stated in Table A above, less transportation charges from that place to New York City. Transportation charges shall be the lowest published railroad carlot freight rate per pound, gross weight, from that place to New York multiplied by 1.15.

(iv) The maximum price for any particular score or grade of bulk butter delivered at any place in the state of Oregon or in the following counties of Washington: Whatcom, Skagit, San Juan Island, Snohomish, King, Kitsap, Clallam, Jefferson, Grays Harbor, Mason, Thurston, Pierce, Lewis, Pacific, Wahkiakim, Cowlitz, Clark, Skamania, and Klickitat shall be as follows:

	Cents per pound
U. S. Grade AA or U. S. 93 score	42¾
U. S. Grade A or U. S. 92 score	42¼
U. S. Grade B or U. S. 90 score	42
U. S. Grade C or U. S. 89 score	41½
U. S. Cooking Grade	40¼
No Grade	36¼

(v) The maximum price for any particular score or grade of bulk butter delivered at any place in the states of California, Nevada, and Arizona, shall be as follows:

	Cents per pound
U. S. Grade AA or U. S. 93 score	43
U. S. Grade A or U. S. 92 score	42½
U. S. Grade B or U. S. 90 score	42¼
U. S. Grade C or U. S. 89 score	41¾
U. S. Cooking Grade	40½
No Grade	36½

(vi) The maximum price for any particular score or grade of bulk butter delivered at any place in the state of Arkansas and in the following places in the state of Texas: Bowie county, Fort Worth and Dallas, shall be as follows:

	Cents per pound
U. S. Grade AA or U. S. 93 score	41½
U. S. Grade A or U. S. 92 score	41
U. S. Grade B or U. S. 90 score	40¾
U. S. Grade C or U. S. 89 score	40¼
U. S. Cooking Grade	39
No Grade	35

(vii) The maximum price for any particular score or grade of bulk butter delivered at any place in Louisiana or at any place in Texas except that area lying north of the line formed by the southern boundaries of the following counties: Andrews, Martin, Howard, Mitchell, Noland, Taylor, Callahan, Eastland, Palo Pinto, Parker, Wise, Denton, Collin, Lamar, Fannin, Red River and Bowie, shall be the maximum price for that particular score or grade stated in foregoing subdivision (vi) of this subparagraph plus transportation charges from Fort Worth, Texas, to that place. Transportation charges shall be the lowest published railroad carlot freight rate per pound, gross weight, from Fort Worth to that place times 1.15.

(viii) The maximum price for any particular score or grade of bulk butter delivered at any place in the following counties of the state of Washington: Okanogan, Ferry, Stevens, Pend Oreille, Spokane, Lincoln, Grant, Douglas, Chelan, Kittitas, Adams, Whitman, Asotin, Garfield, Columbia, Walla Walla, Franklin, Benton, and Yakima; or in the following counties in the state of Idaho: Boundary, Bonner, Kootenai, Benew, Shoshone, Latah, Clearwater, Nez Perce, Lewis, and Idaho; or in the following counties in the state of Montana: Toole, Pondera, Teton, Cascade, Lewis and Clark, Jefferson, Silver Bow, Beaverhead, Glacier, Flathead, Lincoln, Sanders, Lake, Mineral, Missoula, Powell, Ravalli, Granite, and Deer Lodge: shall be the maximum price for that particular score or grade in Table B of this subdivision minus transportation charges from that place to Seattle, Washington. Transportation charges shall be the lowest published railroad carlot freight rate gross weight from that place to Seattle multiplied by 1.15:

TABLE B

	Cents per pound
U. S. Grade AA or U. S. 93 score	43
U. S. Grade A or U. S. 92 score	42½
U. S. Grade B or U. S. 90 score	42¼
U. S. Grade C or U. S. 89 score	41¾
U. S. Cooking Grade	40½
No Grade	36½

(ix) The maximum price for any particular score or grade of bulk butter delivered at any place in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Utah, that part of Texas not included in the foregoing subdivisions (vi) and (vii) of this subparagraph, and that part of Montana and Idaho not included in the foregoing subdivision (viii) of this subparagraph shall be the maximum price for that particular score or grade in San Francisco, as stated in Table A above, less transportation charges from that place to San Francisco. Transportation charges shall be the lowest published railroad carlot freight rate per pound, gross weight, from that place to San Francisco, multiplied by 1.15.

(x) The maximum price for any particular score or grade of bulk butter delivered at any place in the state of New Mexico; in the counties of Carbon, Albany, and Laramie in the state of Wyoming; or in the state of Colorado, except in the counties of Sedgwick, Phillips, Yuma, Washington, Kit Carson, Cheyenne, Kiowa, Prowers, and Baca shall be as follows:

	Cents per pound
U. S. Grade AA or U. S. 93 score	41¾
U. S. Grade A or U. S. 92 score	41¼
U. S. Grade B or U. S. 90 score	41
U. S. Grade C or U. S. 89 score	40½
U. S. Cooking Grade	39¼
No Grade	35¼

(xi) The maximum price for any particular score or grade of bulk butter delivered at any place in the counties of Uinta, Lincoln, and Sweetwater in the state of Wyoming, shall be as follows:

	Cents per pound
U. S. Grade AA or U. S. 93 score	42¼
U. S. Grade A or U. S. 92 score	41¾
U. S. Grade B or U. S. 90 score	41½
U. S. Grade C or U. S. 89 score	41
U. S. Cooking Grade	39¾
No Grade	35¾

(xii) The maximum price for any particular score or grade of bulk butter delivered at any place in the counties of Sedgwick, Phillips, Yuma, Washington, Kit Carson, Cheyenne, Kiowa, Prowers, and Baca in the state of Colorado and at any place in the state of Wyoming except in the counties of Uinta, Lincoln, Sweetwater, Carbon, Albany, and Laramie shall be as follows:

	Cents per pound
U. S. Grade AA or U. S. 93 score	41¼
U. S. Grade A or U. S. 92 score	40¾
U. S. Grade B or U. S. 90 score	40½
U. S. Grade C or U. S. 89 score	40
U. S. Cooking Grade	38¾
No Grade	34¾

(xiii) The maximum prices established in the foregoing subdivisions (i) to (xii) inclusive, of this subparagraph, are for sales of bulk butter delivered to the purchaser at any place. Bulk butter sold f. o. b. any place shall be considered "delivered" to the purchaser at that place.

(xiv) The maximum prices established in the foregoing subdivisions (i) to (xii) inclusive of this subparagraph are for sales of bulk butter packed solid in new fibre or corrugated boxes furnished by the seller. When unprinted butter is packed in the following containers, the following deductions must be made from the maximum prices established in subdivisions (i) to (xii) inclusive, of this subparagraph:

⅛¢ per pound for used or reconditioned boxes.
⅛¢ per pound for parchment lined Kraft paper bags in a wire container.

When unprinted butter is packed in the following containers, the following additions may be made to the maximum prices established in subdivisions (i) to (xii) inclusive, of this subparagraph:

½¢ per pound unused wooden tubs.
¼¢ per pound used or reconditioned wooden tubs.

(3) *Sales by a primary distributor*—(i) *Definition.* A "primary distributor" is a person who customarily buys and physically receives butter from a creamery or manufacturer of butter and who sells to other primary distributors, to jobbers, retailer distributing warehouses, non-federal governmental users, or to commercial, institutional, or industrial users. A branch warehouse of a creamery or manufacturer of butter shall be deemed a primary distributor if such branch warehouse is located in a town or city other than the town or city in which the butter sold by it is manufactured.

(ii) The maximum price for the sale of any particular score or grade of bulk butter by a primary distributor delivered to the purchaser at any place shall be the maximum price for "sales by a creamery" of that particular score or grade in that place established in subparagraph (2) of this paragraph, plus ½¢ per pound.

(4) *Sales by a jobber*—(i) *Definition.* A "jobber" means anyone who sells to, and makes delivery to the physical premises of, an individual retail store, a non-federal governmental user (such as a state or municipal hospital) an individual commercial user (such as a restaurant, hotel, or club), an individual institutional user (such as a hospital or school), or an individual industrial user (such as a baker or other food processor who uses butter in his manufacturing process). No one shall be deemed a jobber unless he owns or maintains a warehouse in the marketing area in which the physical premises of the above described purchaser are located.

(ii) No sale shall be deemed a sale by a jobber within the meaning of this subparagraph unless delivery is made to the physical premises of a purchaser designated in subdivision (i) of this subparagraph. The physical premises of an individual retail store means the place where butter is sold to ultimate household consumers. The physical premises of an individual non-Federal governmental, commercial, institutional or industrial user means the place where butter is consumed by such users.

(iii) The maximum price for the sale of any particular score or grade of bulk butter delivered to the purchaser at any place by a jobber shall be the maximum price for "sales by a creamery" of that particular score or grade in that place as established in subparagraph (2) of this paragraph, plus the following allowances:

2¢ per pound for deliveries of 1–1,500 pounds inclusive.
¾¢ per pound for deliveries of over 1,500 pounds but not over 5,000 pounds.

Provided, however, That these allowances shall not apply to sales and deliveries of quantities of 32 pounds or less to any retail store which is classified in Group 1 under Maximum Price Regulation No. 423 [1] or to any commercial user (such as a restaurant, hotel, or club). For any such sale and delivery the allowance shall be 2½ cents per pound. (A Group 1 retail store is any independent retail store having a gross sales volume during 1942 of less than $50,000.)

(iv) The maximum prices established in subdivision (iii) of this subparagraph shall not apply to any sale by a creamery, butter manufacturer, or association of creameries or butter manufacturers to any purchaser whose physical premises are located:

(*a*) At a point on or east of the 99th meridian and more than 50 miles from the place where the creamery or butter manufactory is located, or

(*b*) At a point west of the 99th meridian and more than 100 miles from the place where the creamery or butter manufactory is located

where the sale or delivery is made by, through, or with the assistance of any agent, commission salesman, or trucking or hauling agent or contractor. For any such sales, the maximum price shall not exceed the maximum price in that place for a "sale by a creamery" of the particular score or grade of butter sold as established in paragraph (a) (2) of this section, plus the total of the exact sums paid by the creamery manufacturer or association to the agent, commission salesman, and trucking or hauling agent or contractor for making the sale to the purchaser and for performing "local transportation services". *Provided, however,* That in no case may the sum which may be added for such sale and delivery exceed the appropriate allowance established in subdivision (iii) of this subparagraph for the quantity sold and delivered. "Local transportation services" means and is limited to, the actual distance traversed from the railroad siding in, or point of entrance to, the city, town, village, or hamlet in which the physical premises of the purchaser are located to such physical premises.

(5) *Particular sales not already provided for.* (i) The maximum price for sales of bulk butter to individual retail stores, non-federal governmental users, or to individual commercial, institutional, or industrial users where the quantity sold is over 5,000 pounds or where delivery is not made to the physical premises of the individual retail store, non-federal governmental user, commercial user, industrial user, or institutional user, shall be determined in accordance with the provisions of paragraph (a) (3) of this section establishing maximum prices for "sales by a primary distributor"; *Provided, however,* That for any such sales the seller must qualify as a "primary distributor" within the meaning of paragraph (a) (3) (i) in order to obtain the maximum price established for "sales by a primary distributor" by paragraph (a) (3) (ii). If a seller does not so qualify, the maximum price for any sale described in this subdivision of this subparagraph (5) made by him shall be determined in accordance with paragraph (a) (2) of this section establishing maximum prices of "sales by a creamery".

(ii) *Provided, however,* That subdivision (i) of this subparagraph (5) shall in no case apply to any sale by anyone made on the basis of f. o. b. the creamery or place of manufacture, or to any sale by a creamery or manufacturer of butter to any purchaser or combination of purchasers in carload lots.

(6) *Sales to the United States Government.* (i) The maximum price for the sale of any particular score or grade of bulk butter in any place to the United States Government or any agency thereof shall be determined in accordance with paragraph (a) (2) of this section establishing maximum prices for "sales by a creamery."

(ii) *Provided, however,* That this maximum price for sales to the United States Government or any agency thereof may be increased by the following amounts where a sale is made to, and delivery made to the physical location of, an individual military or naval establishment, or a federal hospital, school, or penal institution:

2¢ per pound for deliveries of 1–1,500 pounds inclusive.
¾¢ per pound for deliveries of over 1,500 pounds but not over 5,000 pounds.

However, where delivery is not made to the physical location of the purchaser, or where the sale is of a quantity greater than 5,000 pounds, no amount may be added to the maximum price established in subdivision (i) of this subparagraph.

(b) *Butter in prints or packages*—(1) *Maximum prices.* (i) The maximum price for sale of any particular score or grade of butter in prints or cartons delivered at any place shall be the maximum price for bulk butter of that score or grade in that place by that type of seller to that type of purchaser, as determinable from the provisions of paragraph (a) of this section, plus the appropriate following sum:

TABLE C

1¼¢ per pound for ½-pound or 1-pound prints or rolls, individually wrapped in parchment.
1¾¢ per pound for ½-pound or 1-pound, individually parchment wrapped prints in cartons.
1½¢ per pound for ¼-pound prints individually wrapped in parchment.
2¢ per pound for ¼-pound individually parchment wrapped prints in cartons.
3¢ per pound for butterettes, chiplets, or similar types of restaurant cut butter.
1¢ per pound for all other packages designed for use by householders.

The above prices are for butter in prints or cartons packed in unused fibre or corrugated boxes.

(ii) For any butter in prints or cartons packed in the following containers, the following deductions must be made from the maximum prices established in paragraph (b) (1) (i) above.

⅛¢ per pound for used or reconditioned boxes.
⅛¢ per pound for parchment lined Kraft paper bags in a wire container.

(2) *Use by creamery of printing equipment of another.* Regardless of any contract, agreement or other obligation, any creamery or manufacturer of butter who prints or cartons butter on equipment rented, leased or as to which it has a license to use shall not sell such printed or cartoned butter to any person at a price higher than the maximum price established by paragraph (a) of this section for sales of bulk butter by creameries or manufacturers of butter plus the exact cost of printing or cartoning, not to exceed in any event the allowance established in Table C for the particular print and/or carton sold. This section shall apply to a lease, rental, or license heretofore or hereafter made or obtained whether directly by the creamery or manufacturer of butter or indirectly through an agent or association or by any other means.

(3) *Custom printing for creameries.* Regardless of any contract, agreement, or other obligation, any creamery or manufacturer of butter who either directly or indirectly through an agent or association has another person print or carton butter manufactured by it may not sell such printed or cartoned butter to any person at a price higher than the maximum price established by paragraph (a) of this section for sales of bulk butter by creameries or manufacturers of butter to such persons plus the exact sum paid by the creamery or manufacturer for such printing and cartoning: *Provided, however,* That in no case may the sum which may be added exceed the appropriate allowance for printing or cartoning established in Table C of this section.

(4) *Packaging in barrels for export.* The maximum price in any place for the sale, for consumption outside the 48 States of the United States and the District of Columbia, of any particular score or grade of butter in the form of one-pound prints or rolls, parchment-wrapped and immersed in salt brine in paraffined barrels lined with a cotton bag, shall be the maximum price for that score or grade established by paragraph (a) of this section for that particular sale, plus the appropriate following sum:

Barrels containing:	*Cents per pound*
Not over 30 pounds	8
Over 30 pounds but not over 50 pounds	7¼
Over 50 pounds but not over 60 pounds	6¾
Over 60 pounds but not over 100 pounds	6¼
Over 100 pounds but not over 112 pounds	6
Over 112 pounds	5¾

(c) *Sales at retail by retail route-seller*—(1) *Definition.* A "retail route-seller" is a person who customarily makes sales of butter directly from a truck or wagon operated by a driver-salesman over a regular route. A "retail route-seller" shall include a dairy company operating delivery routes through driver-salesmen, but shall not include a grocery store or meat market which delivers butter.

(2) *Maximum price.* The maximum price for any particular score or grade and form of butter sold at retail in any place by a retail route-seller shall be the maximum price for that particular score or grade established for "sales by a creamery" in paragraph (a) (2) of this section, plus the appropriate sum for that particular form as determinable from the provisions of Table C of paragraph (b) of this section plus an allowance for making retail sales on retail routes. This allowance shall be determined and established for any particular community by the regional administrator of the Office of Price Administration in whose jurisdiction the community lies. Such regional administrators are hereby authorized to establish for the several communities within their jurisdictions appropriate allowances for making sales at retail over retail routes, not to exceed in any event 8 cents per pound. Until such time as the respective regional administrators have established for any community within their respective jurisdiction specific allowances for sales at retail by retail route-sellers, the allowance which may be added for that function shall be 7 cents per pound.

(d) *Sales at retail by a creamery or manufacturer of butter.* (1) The maximum price for any particular score or grade and form of butter sold at retail in any place by a creamery or manufacturer of butter shall be the maximum price for that particular score or grade established for "sales by a creamery" in paragraph (a) (2) of this section, plus the appropriate sum from Table C of this section for that particular form, plus 6¢ per pound.

(2) For the purposes of this paragraph, no sale of butter to a purchaser in excess of 5 pounds shall be considered a sale at retail.

(e) *Maximum prices for any sale not provided for.* (1) The maximum price for the sale of any particular score or grade of butter by any person to another for which a maximum price has not been established by the foregoing paragraphs shall be:

(i) The maximum price for that particular score or grade established for "sales by a creamery" in paragraph (a) (2) of this section if such butter is in bulk.

(ii) The maximum price for that particular score or grade established for "sales by a creamery" in paragraph (a) (2) of this section plus the appropriate sum designated in Table B of paragraph (b) (1) of this section if such butter is in prints or packages.

(f) *Maximum price in places not on a railroad line or siding.* The maximum price for any sale of butter by any person to a purchaser in any place not located on a railroad line or siding shall be the maximum price established by the provisions of this section for a sale by such person to a purchaser of the same type in that closest place which is located on a railroad line or siding and which is in the same area, as determinable from the provisions of subdivisions (i) to (xii) inclusive of paragraph (a) (2) of this section. *Provided, however,* That where the latter place is more than 50 miles from the place of delivery transportation costs from that place to the place of delivery, not to exceed the lowest common carrier rate where one exists, may be added.

(g) *Reference to Food Distribution Order No. 2.* The Dairy Products Marketing Association shall be considered an agency of the United States Government for purposes of purchasing butter set aside by a creamery for sale to the United States Government. The Dairy Products Marketing Association or any other agency of the United States Government may compensate any "authorized receiver" of butter for services rendered in assembling unprinted butter in an amount not to exceed ½ cent per pound for each pound of butter assembled and sold in unprinted form. An "authorized receiver" for the purposes of this paragraph means an authorized receiver as defined in Food Distribution Order No. 2 issued by the Food Distribution Administration of the United States Department of Agriculture.

(h) *Process butter*—(1) *Definition.* "Process butter" is butter, as defined in Bureau of Dairy Industry Order No. 1 Revised, issued December 24, 1936, by the United States Department of Agri-

[1] 8 F.R. 9407, 10670, 10988, 12443, 12611, 13294, 14854, 15587, 15607, 16081, 17371; 9 F.R. 95.

culture, which has been subjected to any process by which it is melted, clarified, or refined and made to resemble natural butter. It does not include adulterated butter as defined in section 4 of the Act of May 9, 1902 (32 Stat. 195).

(2) The maximum price for any sale of process butter shall be determined in accordance with the appropriate provisions of this section establishing a maximum price for sales of butter of "no grade."

(i) *Calculations.* (1) In calculating transportation charges referred to in the foregoing paragraphs, the 3% transportation tax imposed by section 620 of the Revenue Act of 1942 shall not be included. All calculations of transportation charges shall be made on a cents per pound basis and shall be carried to the second decimal point.

(2) All maximum prices for butter of any score or grade or form shall be calculated as follows: In sales of quantities of 1 pound or less, the fractional price per pound shall be adjusted to the nearest cent, or the next higher cent where the fractional price is ½ cent. In multiple pound sales, the fractional price per pound shall be multiplied by the number of pounds sold and the total price then adjusted to the nearest cent, or the next higher cent where the total price ends with the fraction of ½ cent. Sales at retail by retail route-sellers shall be deemed multiple pound sales unless separate collections are made for each single delivery of 1 pound or less.

(j) *Special provisions for records and reports.* The provisions of section 5 of this regulation shall apply to all sales of butter except sales at retail by creameries, manufacturers of butter, or retail route-sellers. Any retail route-seller or creamery or manufacturer of butter selling at retail which has customarily given a purchaser a sales slip, receipt, or similar evidence of purchase shall continue to do so and upon request from a purchaser, regardless of previous custom, shall give the purchaser such a receipt. This receipt shall state those facts required by section 5 of this regulation to be stated on an invoice.

(k) *Exempt sales.* The provisions of this section shall not be applicable to sales of butter at retail except as provided above in paragraphs (c) and (d) of this section with respect to sales and deliveries at retail by route-sellers and sales at retail by creameries or manufacturers of butter.

(l) *Definitions*—(1) *Butter.* "Butter" means the food product, commonly known as butter, which is made exclusively from milk or cream, or both, with or without the addition of common salt or coloring matter, and containing not less than 80% by weight of milk fat, all tolerance being allowed for. Such percentage of milk fat requirement shall equal that determined by the method prescribed in official and tentative methods of analysis of the Association of Official Agricultural Chemists, fifth edition, 1940:

(2) *Score or grade of butter.* "Score or grade or butter" means the quality of butter determined in accordance with the Official United States Standards for U. S. Grades of Creamery Butter issued in January 1943 by the United States Department of Agriculture and effective February 1, 1943.

(3) *Form of butter.* "Form of butter" means the form in which it is sold and delivered, namely, bulk, prints, or packages.

(4) *Place.* "Place" means any city, town, village, or hamlet in the 48 States of the United States and the District of Columbia.

(5) *Retailer distributing warehouse.* A "retailer distributing warehouse" is a place where butter is received and held for distribution to retail stores, or retail route-sellers. Chain store warehouses, retailer owned cooperative warehouses, and dairy companies operating retail routes or retail stores are included within the meaning of "retailer distributing warehouses."

Evaporated Milk

SEC. 21. *Maximum prices for evaporated and British Standard evaporated milk*—(a) *Sales and deliveries by manufacturers*—(1) *Carload lots.* (i) The maximum prices for sales and deliveries of evaporated milk by manufacturers thereof in carload lots delivered to the buyer's customary receiving point shall be as set forth in Table A below:

TABLE A

If delivered in	Carton of 48 14½-oz. cans (per carton)	Carton of 48 13-oz. cans (per carton)	Carton of 48 6-oz. cans (per carton)	Carton of 96 6-oz. cans (per carton)	Carton of 6 8-lb. cans (per carton)
Zone 1	$4.10	$3.85	$2.05	$4.10	$4.10
Zone 2	4.20	3.95	2.10	4.20	4.20
Zone 3	4.20	3.95	2.10	4.20	4.20

(ii) The maximum prices for sales and deliveries of British Standard evaporated milk by manufacturers thereof in carload lots delivered to the buyer's customary receiving point shall be as set forth in Table B below:

TABLE B

If delivered in—	Carton of 48 14½-oz. cans (per carton)	Carton of 48 6-oz. cans (per carton)	Carton of 96 6-oz. cans (per carton)	Carton of 6 8-lb. cans (per carton)
Zone 1	$4.60	$2.30	$4.60	$4.60
Zone 2	4.70	2.35	4.70	4.70
Zone 3	4.70	2.35	4.70	4.70

(iii) The zones designated in Tables A and B of this paragraph are:

Zone 1. Virginia (except the city of Alexandria), West Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee, Kentucky, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Texas, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, Colorado, New Mexico, Wyoming; and Armstrong, Allegheny, Beaver, Butler, Fayette, Greene, Mercer, Lawrence, Washington, Bedford, Blair, Cambria, Clarion, Clearfield, Crawford, Elk, Erie, Forest, Indiana, Jefferson, Somerset, Venango, and Westmoreland Counties of Pennsylvania; and Allegany and Garrett Counties of Maryland.

Zone 2. District of Columbia, Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, all of the counties of Pennsylvania and Maryland not included in Zone 1, and the City of Alexandria, Virginia.

Zone 3. Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, and Washington.

(iv) If evaporated milk is delivered by the manufacturer to the buyer's customary receiving point at the following points within zones 1 and 3, the maximum price shall be the appropriate price in Table A, plus 10¢ per carton for cartons of 48 14½-oz. cans, 48 13-oz. cans, 96 6-oz. cans, and 6 8-lb. cans and 5¢ per carton for cartons of 48 6-oz. cans.

Deliveries in zone 1 to all of New Mexico except Clayton, Dawson, Eaton, Artesia, Carlsbad, Roswell and Hobbs; and deliveries to Sheridan, Greybull and Worland in Wyoming.

Deliveries in zone 3 to all of Arizona, except Yuma; deliveries to Needle, El Portal and Alturas in California; deliveries to Montana; and deliveries to Boulder City, Ely, McGill and Las Vegas in Nevada.

(2) *Less than carload lots*—(i) *Sales and deliveries to retail stores and to food processors.* The maximum price for sales of evaporated milk or British Standard evaporated milk by manufacturers in less than carload lots where delivery is made by the manufacturer to the physical premises of a retail store or to the physical premises of a food processor shall be the appropriate price established by subparagraph (1) of this paragraph for sales and deliveries in carload lots plus the following:

15¢ per carton for cartons of 48 14½-ounce cans, 96 6-ounce cans and 6 8-pound cans.

7½¢ per carton for cartons of 48 6-ounce cans.

This subdivision shall not apply to sales where delivery is made to the warehouse of the retail store.

(ii) *Other sales and deliveries.* The maximum prices for all other sales and deliveries of evaporated milk or British Standard evaporated milk by manufacturers in less than carload lots delivered to the buyer's customary receiving point shall be the appropriate price in subparagraph (1) of this paragraph plus the following:

5¢ per carton for cartons of 48 14½-ounce cans, 48 13-ounce cans, 96 6-ounce cans, and 6 8-pound cans.

2½¢ per carton for cartons of 48 6-ounce cans.

(3) *Discounts and allowances.* All maximum prices established under subparagraphs (1) and (2) of this paragraph must be reduced by the seller's customary discounts or allowances for cash or prompt payment. However, any discount, allowance, or other price differential may always be given where it results in a price less than the maximum price.

(b) *Exempt sales.* The provisions of this section shall not be applicable to sales of evaporated milk or British Standard evaporated milk at wholesale or at retail. Sales at wholesale shall be priced under the provisions of Maximum Price Regulation No. 421;[1] sales at retail shall be priced under the provisions of Maximum Price Regulations Nos. 422[2] and 423.

[1] 8 F.R. 9388, 10569, 10987, 13293, 15250, 15607, 17367, 17368; 9 F.R. 2562.

(c) *Definitions*—(1) *Evaporated milk.* "Evaporated milk" means evaporated milk as defined in "Standards of Identity of Evaporated Milk" promulgated by the Food and Drug Administration and published in the FEDERAL REGISTER of July 2, 1940, 5 F.R. 2444. It shall contain not less than 7.9 percent of milk fat and not less than 25.9 percent of total milk solids.

(2) *British Standard evaporated milk.* "British Standard evaporated milk" means evaporated milk as defined in "Statutory Rules and Orders, 1923, No. 509 Public Health, England. The Public Health (Condensed Milk) Regulations 1923, dated May 1, 1923. Made by the Minister of Health." It shall contain not less than 9 percent milk fat and not less than 31 percent of total milk solids.

(3) *Customary receiving point.* "Customary receiving point" is that place in the town or city where the buyer's place of business is located at which the buyer customarily takes possession of evaporated milk or British Standard evaporated milk. It may be either a railroad siding or the buyer's warehouse in that town or city. For sales to the United States Government or any agency thereof, and in no other case, sales made f. o. b. the manufacturer's plant or warehouse shall be considered delivered to the buyer's customary receiving point.

Powdered Skim Milk

SEC. 22. *Maximum prices for bulk powdered skim milk for human consumption, bulk powdered buttermilk for human consumption, and packaged powdered skim milk (spray process) for human consumption.* (a) The maximum prices for sales and deliveries of bulk powdered skim milk for human consumption and bulk powdered buttermilk for human consumption shall be as follows:

(1) By manufacturers and wholesalers to the United States Government or any agency thereof, f. o. b. manufacturer's plant, located:

	Spray process (cents per pound)	Roller process (cents per pound)
In Zone A	14½	14
In Zone B	14¾	14¼
In Zone C	15	14½
In Zone D	15¼	14¾

(2) In addition to the maximum prices established in subparagraph (1) of this paragraph (a) any manufacturer or wholesaler who is designated as an "authorized receiver" of bulk powdered skim milk by the Food Distribution Administration, may charge ⅝ cents per pound on sales of carlot quantities.

(3) By wholesalers and by manufacturers for deliveries to any consumer other than the United States Government or any agency thereof:

For deliveries in	Spray process (cents per pound)				Roller process (cents per pound)			
	Carload	Less than carload			Carload	Less than carload		
		25 barrels or more	5 to 24 barrels inclusive	1 to 4 barrels inclusive		25 barrels or more	5 to 24 barrels inclusive	1 to 4 barrels inclusive
Zone A	15½	16	16¼	16½	15	15½	15¾	16
Zone B	15¾	16¼	16½	16¾	15¼	15¾	16	16¼
Zone C	16	16½	16¾	17	15½	16	16¼	16½
Zone D	16¼	16¾	17	17¼	15¾	16¼	16½	16¾

(4) By manufacturers to wholesalers "for deliveries" to wholesalers the prices named in subparagraph (2) above, less 3 per cent.

(5) *Definition of zones.*

(i) Zone A shall be all states not included in Zones B, C, or D.

(ii) Zone B shall be Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Delaware, District of Columbia, Virginia, and West Virginia.

(iii) Zone C shall be Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, and Texas.

(iv) Zone D shall be Florida.

(6) *Discounts.* All maximum prices named in this section must be reduced by the seller's customary discounts, or allowances for cash or prompt payment. However, any discount, allowances or other price differential may always be given when it results in a price less than the maximum price.

(7) *Packing costs and allowances.* (i) These prices are for bulk powdered skim milk or bulk powdered buttermilk packed in barrels double crepe lined. They shall be reduced for any less expensive packing by the net difference in packing costs, between the double crepe lined barrels and the less expensive packing.

(ii) These prices shall be increased ½ cent per pound for all bulk powdered skim milk or bulk powdered buttermilk packed in customary 95 or 100 pound containers. These prices shall be increased 1 cent per pound for all bulk powdered skim milk or bulk powdered buttermilk packed in customary 5 to 50 pound containers.

(b) The maximum prices for sales and deliveries of packaged powdered skim milk (spray process) by manufacturers or packers to the wholesale and chain store warehouse trade and to commercial, industrial, institutional, and governmental users shall be as listed in the following Table A:

TABLE A

For deliveries in	Price per dozen packages		
	7 ounces	12 ounces	16 ounces
Zone A	$1.08	$1.78	$2.34
Zone B	1.09	1.80	2.37
Zone C	1.10	1.82	2.40
Zone D	1.11	1.84	2.43

(1) *Differentials and discounts.* If the manufacturer or packer has established differentials for quantity purchasers or for any other class of purchasers he shall continue such differentials. The differentials to such other classes of purchasers shall be determined by adding to or subtracting from the maximum prices fixed herein for such zone, as the case may be, the difference between the seller's customary price to wholesalers and his customary price to such class of purchasers. All other customary discounts and allowances including those for prompt payment shall likewise be continued.

(2) *Definition of zones.* The zones referred to are the same as those defined in paragraph (a) (5) of this section.

(3) *Manufacturer's or packer's maximum prices for packaged powdered skim milk (spray process) packed in container sizes other than those for which maximum prices are fixed by this paragraph.* (i) The following pricing method applies only to those new packages whose weight is 50% greater or smaller than the weight of the package for which maximum prices are fixed herein, i. e. those packages which are not less than 3½ oz. nor more than 24 oz. In the case of all other package sizes, i. e. those less than 3½ oz. and those more than 24 oz. but not more than 80 oz. inclusive, the packer shall apply to the Office of Price Administration for a maximum price. He shall include in his application a statement giving the weight of the proposed package, and the cost to him of the ingredients, packaging material, carton, labor, and overhead.

(ii) Where the packer may price pursuant to this subparagraph (3) he shall proceed as follows:

(a) *Determine the base container.* He shall first determine the size of the package for which a maximum price is fixed herein which is closest in net weight to the size which he desires to pack, i. e., if he desires to pack a 9 oz. package he shall use the 7 oz. package as the base container.

(b) *Determine the base price.* The base price is determined by dividing the maximum delivered price fixed in Table A above for a dozen of each container sizes, in each of the 4 zones established therein, by 12.

(c) *Deduct the container cost.* Taking his base price, the packer shall then subtract the direct cost of the base container. "Direct cost of the container" means the net cost, at the packer's plant, of the container, label, and the proportionate part of the outgoing shipping wrapper or carton, but it does not include the cost of filling, closing, labeling, or packing.

[2] 8 F.R. 9395, 10569, 10987, 12443, 12611, 13294, 15251, 14853, 15586, 15607, 17369, 17370; 9 F.R. 95.

(d) *Adjust the difference in contents.* The figure gotten by the deduction shall then be adjusted for the size change by dividing it by the number of ounces in the base container and multiplying the result by the number of ounces in the new container.

(e) *Add the new container cost to get the maximum price for the zone.* Next, the packer shall add to the adjusted figure the "direct cost of the container" in the new size. He shall then multiply the resulting figure by twelve to determine his maximum delivered price per dozen in the new size container, in the zone for which he is making the computation. The packer shall make similar computations for each zone in which he desires to sell such new size container and adjust the prices pursuant to subparagraph (1) for the different classes of purchasers to whom he desires to sell such new size container.

(f) *Computations and fractions of a cent.* In making computations pursuant to this subparagraph (3), the packer shall carry all calculations to the second decimal of a cent. If this maximum price per dozen resulting from such computation ends in a fraction he shall adjust the price to the next higher cent where the fraction is ½ cent or more, and to the next lower cent if the resulting fraction is less than ½ cent.

(iii) *Records.* Every manufacturer or packer who computes maximum prices pursuant to this subparagraph (3) shall keep records showing how he figured each maximum price established hereunder.

(c) *Definitions.* (1) "Powdered skim milk", also known as "dried skim milk" or "skim milk powder" means powdered skim milk for human consumption as defined in the "Standards of Identity for Dried Skim Milk, Powdered Skim Milk, Skim Milk Powder" promulgated by the Food and Drug Administration and published in the FEDERAL REGISTER of July 12, 1940, 5 F.R. 2543.

(2) "Powdered buttermilk" means the product prepared for human consumption by the removal of water from clean, sound buttermilk which buttermilk conforms in all respects to requirements of applicable federal and state laws and regulations. It shall contain not less than 4% butterfat and shall contain not more than 5% moisture.

(3) "Bulk" when used in conjunction with "powdered skim milk" or "powdered buttermilk" means all "powdered skim milk", or "powdered buttermilk", other than "packaged powdered skim milk" or "packaged powdered buttermilk". "Packaged" means packaged for sale at retail in a container of any sort holding 5 pounds or less regardless of where the packaging was done.

(4) The phrase "for deliveries" refers to deliveries at the buyer's customary receiving point. In the case of deliveries to wholesalers, it shall also include direct deliveries to the customary receiving point of any person designated by the wholesaler to receive delivery.

(d) *Reference to maximum price regulations covering powdered skim milk and powdered buttermilk not covered in this Revised Maximum Price Regulation 289.* (1) All sales of packaged powdered skim milk and packaged buttermilk not covered by paragraph (b) of this section are covered by Maximum Price Regulation 280.[14] Specifically, paragraph (b) of this section fixes dollar and cents prices for packaged powdered skim milk (spray process) for human consumption in the 7-, 12-, and 16-ounce packages and provides a method whereby other size packages of such packaged powdered skim milk may be priced.

(2) Packaged powdered skim milk (spray process) except that which is packed in a tin container in an inert gas is governed by Maximum Price Regulation 421 as to sales at wholesale, and by Maximum Price Regulations 422 and 423 as to sales at retail.

(3) All sales of powdered skim milk for animal feed and of powdered buttermilk for animal feed are covered by Maximum Price Regulation 280.

Industrial Casein

SEC. 23. *Maximum prices for industrial casein (inedible)*—(a) *Definitions.* (1) "Casein" means the chemical compound which is precipitated from skim milk by the action of rennet or of one of several acids customarily selected as a precipitating agent. For the purpose of this amendment, the curd resulting from the precipitation shall not be deemed "industrial casein" unless it is prepared for the purpose of ultimate utilization in one or more manufactured commodities that are not consumed as edible products by human beings. Nor shall casein which is especially prepared and packaged for laboratory use be deemed "industrial casein".

(2) "Processed acid-casein", means acid-precipitated "industrial casein" which is dried, ground, screened and blended with other individual quantities of such casein in such manner as to produce a product of uniform quality that will meet the needs of individual consumers. Such processed acid-casein shall be cream or light yellow in color, be nearly odorless with no more than a trace of sourness, have a moisture content of not more than 10%, contain not more than 2.25% fat (moisture-free basis) or less than 14.2% nitrogen (moisture-, fat-, and ash-free basis) or more than 4.0% ash (moisture-free basis), and the total acidity shall not be more than 10.5 c. c. of N/10 alkali per gram.

(3) "Processed rennet-casein", means rennet-precipitated "industrial casein" which is dried, ground, screened, and blended with other individual quantities of such casein in such manner as to produce a product of uniform quality that will meet the needs of individual consumers. Such processed rennet-casein shall be light cream or cream in color, be nearly odorless with no more than a trace of sourness, have a moisture content of not more than 10%, contain not more than 1% fat (moisture-free basis) or less than 14.2% nitrogen (moisture-, fat-, and ash-free basis) or less than 7.5% ash (moisture-free basis), and the total acidity shall not be more than 2.5 c. c. of N/10 alkali per gram.

(4) "Dry acid-casein", means acid-precipitated "industrial casein", the curd of which has been dried but has not been ground, or screened, or blended.

(5) "Dry rennet-casein", means rennet-precipitated "industrial casein", the curd of which has been dried but has not been ground, or screened, or blended.

(6) "Wet curd acid-casein", means acid-precipitated "industrial casein" which has not been dried, or ground, or screened, or blended.

(7) "Wet curd rennet-casein", means rennet precipitated "industrial casein" which has not been dried, or ground, or screened, or blended.

(8) "Bag" means the burlap or other container holding approximately 100 pounds in which casein is customarily packed by the manufacturer or blender. It may or may not be lined with paper or another similar substance.

(b) *Maximum prices for processed acid-casein and processed rennet-casein.* Maximum prices for processed acid-casein and processed rennet-casein as defined in paragraphs (a) (2) and (a) (3) of this section, to any person shall be those listed in the following Table A.

TABLE A

Quantity	Cents per pound	
	Acid	Rennet
10,000 lbs. or more	24	25½
2,000 lbs. or over but less than 10,000 pounds	24¼	25¾
Less than 2,000 pounds	24½	26¼

(1) The above prices are on a "gross-for-net" basis when the seller furnishes the bag in which the casein is sold. For sales in containers other than bags the prices are on a net weight basis and the seller may add to such prices an amount not in excess of the actual cost of such container: *Provided*, That such container becomes the property of the purchaser.

(2) The above maximum prices shall be f. o. b. the seller's plant, warehouse, or other place from which the casein is shipped to the buyer. Where the seller produces the casein in several plants and then transports it to a warehouse before shipping it to the buyer the casein shall be sold f. o. b. such warehouse and not f. o. b. the plant where it was produced.

(3) If the sale is made on a delivered basis, then the maximum delivered price shall be the f. o. b. price listed for each type in Table A above plus the lowest available freight rate from the shipping point to the purchaser's receiving point, but charges for freight shall in no case exceed the amount actually paid by the seller for the given shipment.

(c) *Maximum prices for wet curd acid-casein, wet curd rennet-casein, dry acid-casein and dry rennet-casein.* Maximum prices for sales and deliveries of wet curd acid-casein, wet curd rennet-casein, dry acid-casein, and dry rennet-casein to any person in any quantity shall be the prices listed in the following Table B; except that a seller who customarily extended a quantity discount shall continue to do so as provided in paragraph (e):

TABLE B

Type of casein:	Cents per pound
Wet curd acid-casein, dry basis	18
Wet curd rennet-casein, dry basis	19½
Dry acid-casein	21
Dry rennet-casein	22½

(1) The above maximum prices shall be f. o. b. the seller's plant, warehouse, or other place from which the casein is shipped to the buyer. Where the seller produces the casein in several plants and then transports it to a warehouse before shipping it to the buyer the casein shall be sold f. o. b. such warehouse, and not f. o. b. the plant where it was produced.

(2) If the sale is made on a delivered basis, the maximum delivered price shall be the f. o. b. price listed for each type in Table B above plus the lowest available freight rate from the shipping point to the purchaser's receiving point, but charges for freight shall in no case exceed the amount actually paid by the seller for the given shipment.

(3) If the purchaser requests that the seller grind the casein to meet his specifications and requirements, the seller may add ½ cent per pound to the maximum price established in Table B above for dry acid and dry rennet-casein. Thus the maximum price for ground acid-casein shall be 21½ cents per pound and for ground rennet-casein it shall be 23 cents per pound.

(d) *Quality differentials.* The maximum prices established in this section for each type of casein shall not be increased by any charge for a special mesh, viscosity, or any other process or treatment in manufacturing. In no case shall the seller charge more per pound than the prices provided in this section. Where, however, the casein does not meet the standards set forth in the definitions for each type of casein, the maximum prices set forth herein shall be reduced to reflect the customary differential between the price for casein which meets the standards set forth herein and such substandard casein.

(e) *Discounts and allowances.* The maximum prices established by this section shall not be increased by brokerage fees, commissions or other charges. However, the maximum prices shall be decreased to reflect the seller's customary discounts and allowances including those for prompt payment.

(f) *Evasion.* Specifically, the provisions of this section shall not be evaded by any requirement by the seller or agreement between the buyer and seller that a seller may ship or a buyer receive casein in smaller quantity than that which was actually ordered or would have been ordered but for the attempted evasion. Furthermore, no person shall evade the provisions of this section by agreeing to receive unground "industrial casein" from a seller without taking title thereto, for the purpose of grinding or processing said casein for an amount which is less than the margin allowed herein for such grinding or processing, and then buy the ground or processed product at a price which is higher than the sum of the price listed for the unground casein plus the charge made for grinding or processing. Nor shall any person enter into any contract of a nature similar to that described above which will result in a maximum price to the seller of unground or unprocessed casein which is in excess of the price listed herein for such unground or unprocessed casein.

Whey Powder

SEC. 24. *Maximum prices for whey powder (except that which is for human consumption)* — (a) *Definitions.* (1) "Whey powder", means the substance which is derived from the reduction of the moisture content of liquid whey. It is a byproduct of the manufacture of cheese or casein or both. The dried product shall contain at least 65% lactose (milk sugar) and shall otherwise meet specifications set forth on page 22 of "Official Publication" published by the Association of American Feed Control Officials Incorporated.

(2) "Bag" means the burlap or other container holding approximately 100 pounds in which whey powder is customarily packed by the manufacturer or blender. It may or may not be lined with paper or another similar substance.

(3) "Wholesaler" means any person who buys whey powder, unloads his purchase into a warehouse and resells the same in the original container without mixing it.

(4) "Retailer" means any person who buys whey powder and resells the same, without mixing it, to the consumer in lots of 5 bags or less.

(5) "Consumer" means any person who buys whey powder for the purpose of actually feeding it to animals or poultry.

(b) *Maximum prices for sales and deliveries of whey powder by manufacturers.* Maximum prices for sales and deliveries of whey powder by a manufacturer or any person other than a wholesaler or a retailer, to any person shall be the prices listed in the following Table A.

TABLE A

Quantity:	Cents per pound
100 bags or more	8
6 to 99 bags inclusive	8⅛
5 bags or less	8¼

(1) The above maximum prices shall be f. o. b. the seller's plant, warehouse, or other place from which the whey powder is shipped. Where the seller produces the whey powder in several plants and then transports it to a warehouse before shipping it to the buyer, the whey powder shall be sold f. o. b. such shipping point and not f. o. b. the plant where it was produced.

(2) If the sale is made on a delivered basis, the maximum delivered price shall be the f. o. b. price listed for each quantity in Table A above, plus the lowest available freight rate from the shipping point to the purchaser's receiving point, but charges for freight shall in no case exceed the amount actually paid by the seller for the given shipment.

(c) *Maximum prices for sales and deliveries of whey powder by wholesalers.* The maximum price in cents per pound that any wholesaler may charge for whey powder shall be:

¼¢ (maximum profit margin) over the price listed in Table A for whey powder in quantities of 100 bags or more, which is 8¢ per pound, plus all applicable transportation charges actually paid for moving such whey powder to his place of business at the lowest available freight rate.

Transportation charges to be added shall be determined by dividing the total charge for a shipment by the number of pounds shipped. If, on the other hand, the wholesaler buys whey powder on a delivered basis, he shall determine his cost for such whey powder by dividing the cost to him of the whey powder delivered by the number of pounds delivered and than add ¼¢ per pound (maximum profit margin) to determine his maximum price.

Where the wholesaler delivers the whey powder he may add to the maximum prices established pursuant to this paragraph, the lowest of the following delivery charges:

(1) His actual cost for transporting the whey powder from his shipping point to buyer's receiving point.

(2) His customary delivering charge, if he had an established charge for such deliveries prior to the effective date of this paragraph.

(3) The published common carrier rate for shipping a like quantity of whey powder from his shipping point to buyer's receiving point.

(d) *Maximum prices for sales and deliveries of whey powder by retailers.* The maximum price in cents per pound that any retailer may charge for whey powder shall be:

½ cent per pound (maximum profit margin) for sales of 1 to 5 bags, inclusive, and ¾ cent per pound (maximum profit margin) for sales of less than 1 bag.

over the maximum price paid by him in cents per pound to his supplier, plus all applicable transportation charges actually paid for moving such whey powder to his place of business at the lowest available freight rate. Transportation charges to be added shall be determined by dividing the total charge for a shipment by the number of pounds shipped. If, on the other hand, the retailer buys whey powder on a delivered basis, he shall determine his cost for such whey powder by dividing the cost to him of the whey powder delivered by the number of pounds delivered and then add his appropriate differential (½ cent or ¾ cent per pound as the case may be) to determine his maximum price.

Where the retailer delivers the whey powder he may add to the maximum prices established pursuant to this paragraph, the lower of the following delivery charges:

(1) His actual cost for transporting the whey powder from his shipping point to buyer's receiving point.

(2) His customary delivering charge, if he had an established charge for such deliveries prior to the effective date of this paragraph.

[14] 8 F.R. 5165, 7566, 6957, 7196, 7599, 7670, 8065, 8180, 9521, 9886, 9883, 10513, 11811, 13060, 13721, 16296, 16597, 16795; 9 F.R. 343, 753, 1622, 2238, 2176.

(e) *Method of computation and fractions of a cent.* In computing maximum prices pursuant to this amendment, the wholesaler or retailer shall carry all calculations to the third decimal of a cent to arrive at his maximum price per pound. He shall then multiply this price (carried to the third decimal of a cent) by the number of pounds he is selling in each individual sale. The result arrived at by this multiplication shall be his maximum price for the sale. Any fractions of a cent resulting from such multiplication shall be adjusted to the next higher cent if they are one-half cent or more, and to the next lower cent if they are less than one-half cent.

(f) *Discounts and allowances.* The maximum prices established by this section shall not be increased by brokerage fees, commissions or other charges. However, the maximum prices shall be decreased to reflect the seller's customary discounts and allowances including those for prompt payment.

(g) *Evasion.* Specifically, the provisions of this section shall not be evaded by any requirement by the seller or agreement between the buyer and seller that a seller may ship or a buyer receive whey powder in smaller quantity than that which was actually ordered or would have been ordered but for the attempted evasion.

Milk Sugar

SEC. 25. *Maximum prices for milk sugar*—(a) *Definitions.* (1) "Milk sugar" (lactose) means the sugar which is obtained from cow's milk. The term includes any such sugar whether it is sold in powdered or crystalline form.

(2) "Refined milk sugar" means milk sugar, U. S. P.; that is, it conforms to all of the standards for milk sugar set forth in the latest edition of the United States Pharmacopoeia.

(3) "Technical milk sugar" means milk sugar which equals milk sugar, U. S. P. in all respects, except that its solution in water may be straw color and its ash content may be 1.0 percent.

(4) "Crude milk sugar" means milk sugar which is neither refined milk sugar nor technical milk sugar.

(5) "Producer" means any person who produces refined, technical, or crude milk sugar.

(6) "Packager" means a person (other than a producer) who buys milk sugar and packs it into containers.

(7) "Wholesaler" means a person who buys milk sugar in a container and sells it in the same container to persons other than household consumers. A person may be a wholesaler with respect to certain sales and a packager with respect to other sales, depending on whether or not he packed the milk sugar into a container.

(8) "Retailer" means a person who buys milk sugar in a container and sells it in the same container to household consumers.

(9) "Item" means a particular unit of sale of a particular brand and type of milk sugar in a particular container size.

(10) "Barrel" means a wooden barrel costing approximately 1 cent per pound of milk sugar.

(b) *Producer prices.* (1) Sales made in "barrels." The producer's maximum prices f. o. b. plant for milk sugar sold in barrels to any class of purchaser shall be those listed in the following Table A.

TABLE A

Quantity	Cents per pound (f. o. b. plant)			
	Refined	Technical	Crude sold for laboratory use	Crude sold for further refinement
1 to 9 barrels, inclusive	27¼	25¼	19	17
10 to 149 barrels, inclusive	26¾	24¾	19	17
150 barrels or more	26	24	19	17

(2) *Sales made in containers other than barrels.* The producer's maximum prices f. o. b. plant for milk sugar sold in containers other than barrels shall be those listed in the following Table B, plus the actual cost of container.

TABLE B

Quantity	Cents per pound (f. o. b. plant)			
	Refined	Technical	Crude sold for laboratory use	Crude sold for further refinement
Less than 1,800 lbs.	26¼	24¼	18	16
1,800 lbs. to 30,000 lbs. inclusive	25¾	23¾	18	16
Over 30,000 lbs.	25	23	18	16

(3) *Discounts and allowances.* The maximum prices established for producers shall not be increased by brokerage fees, commissions, or other charges. However, the maximum prices shall be decreased to reflect the producer's customary discounts and allowances, including those given for prompt payment, but not including the discount based solely on quantity of purchase.

(4) *F. o. b. and delivered prices.* The producer's prices are f. o. b. the producer's plant. If the sale is made on a delivered basis, the maximum delivered price shall not exceed the applicable f. o. b. price plus the actual freight charges incurred from the producer's plant to the purchaser's receiving point; such freight charges in no event to exceed the lowest established rate for the mode of transportation employed.

(5) *Evasion.* Specifically, the producer prices shall not be increased by any arrangement between the buyer and seller whereby a seller is to ship or sell, and the buyer receive or buy, a smaller quantity of milk sugar than that which was actually ordered, or would have been ordered but for the attempted evasion.

(c) *The packager's prices.* Packager maximum prices for each item of milk sugar shall be the maximum prices established pursuant to Maximum Price Regulation 280, plus the following:

(1) The difference between the "old cost" of the milk sugar in the item and the "new cost" of the milk sugar in the item. The "old cost" is the packager's delivered cost (price paid supplier, less all discounts except the discount for prompt payment; plus transportation charges, if any, to his place of business) for his latest purchase of a customary quantity of the milk sugar ingredient from a customary supplier occurring prior to November 15, 1943. The "new cost" is the packager's delivered cost (price paid supplier less all discounts, except the discount for prompt payment, plus transportation charges, if any, to his place of business) for the first purchase of milk sugar ingredient in a customary quantity from a customary supplier, occurring after November 14, 1943.

(i) If at any time after establishing a "new cost" the packager's source of supply changes resulting in a decrease in the cost of milk sugar, he must recalculate his prices by reestablishing a "new cost" based on the first purchase of a customary quantity from the new supplier. Where the source of supply changes, resulting in an increase in the cost of milk sugar, he may recalculate his prices by reestablishing a "new cost" based on the first purchase of a customary quantity from the new supplier.

NOTE: The packager's maximum prices remain as established under Maximum Price Regulation 280 until such time as the packager has a new cost and is able to compute his prices under this paragraph. Thereupon, the new prices so established apply only to those items containing milk sugar which was purchased at the changed cost.

(d) *The wholesaler's prices.* The wholesaler's maximum prices for each item of milk sugar shall be the maximum prices established pursuant to Maximum Price Regulation 280, plus the following:

(1) The difference between the "old cost" of the item and the "new cost" of the item. The "old cost" is the wholesaler's delivered cost (price paid supplier less all discounts, except the discount for prompt payment; plus transportation charges, if any, to his place of business) for the latest purchase of the item in a customary quantity from a customary supplier occurring prior to November 15, 1943. The "new cost" is the delivered cost (price paid supplier less all discounts, except the discount for prompt payment; plus transportation charges, if any, to his place of business) for the first purchase of the item in a customary quantity from a customary supplier, occurring after November 14, 1943.

(i) If at any time after establishing a "new cost" the wholesaler's source of supply changes resulting in a decrease in the cost of the items, he must recalculate his prices by reestablishing a "new cost" based on the first purchase of a customary quantity from the new supplier. Where the source of supply changes, resulting in an increase in the cost of the items, he may recalculate his prices by reestablishing a "new cost" based on the first purchase of a customary quantity from the new supplier.

NOTE: The wholesaler's maximum prices remain as established under Maximum Price Regulation 280 until such time as the wholesaler has a "new cost" and is able to compute his prices under this paragraph. Thereupon, the new prices apply only to that part of his inventory upon which the price change has been experienced.

(e) *Retailer's prices.* A retailer's maximum prices for each item of milk sugar shall be his "delivered cost" (price paid supplier less all discounts, except the discount for prompt payment; plus transportation charges, if any, to his place of business); plus the dollar and cents markup which he customarily applied to such items, not to exceed the highest markup used during the period March 1, 1942, through October 2, 1943.

NOTE: A retailer cannot, of course, use a markup which was based on a price in excess of the price allowed by Maximum Price Regulation 280.

(f) *Reports*—(1) *Producer reports.* Producers establishing maximum prices for sales in containers other than barrels, must within 30 days after establishing such prices, file with the Manufactured Dairy Products Section, Office of Price Administration, Washington, D. C., a statement showing the following:

(i) The producer's name and address,

(ii) The prices established pursuant to paragraph (b) (2) of this section for sales in containers other than barrels.

(iii) The cost of the container and a description thereof.

(2) *Packager reports.* Packagers establishing maximum prices for items which they pack must within 30 days after establishing such prices, file with the Manufactured Dairy Products Section, Office of Price Administration, Washington, D. C., a statement showing the following:

(i) The packager's name and address,

(ii) The maximum prices established pursuant to Maximum Price Regulation 280 for each item which they pack,

(iii) The "old cost" and the "new cost" as determined pursuant to paragraph (c) (1) of this section, and

(iv) The maximum prices established pursuant to paragraph (c) of this section.

(g) *Calculations.* In calculating the price of a particular quantity of milk sugar whether it be for a pound, carload, dozen, etc., calculations shall be carried to the second decimal point of a cent. If the final price for the quantity results in a price which includes a fraction of a cent, the price shall be adjusted to the next higher cent where the fraction is one-half cent or more, and to the next lower cent where the fraction is less than one-half cent.

Condensed Milk, Etc.

SEC. 26. *Maximum prices for condensed milk, condensed skim milk and condensed products containing milk solids, in bulk or bulk packed, and canned sweetened condensed milk*—(a) *Sales by processors, in bulk or bulk packed.* (1) Maximum prices for sales to any class of purchasers shall be those listed in Items 1 and 2 of Table A, f. o. b. processor's plant, subject to the composition adjustments set forth in Item 3 of Table A.

TABLE A

Product	Composition percentage (exclusive of moisture)			Cents per liquid pound (f. o. b. plant)	
	Milk fat	MSNF	Sugar	In wooden barrels	In containers (except wooden barrels) and in tank cars or tank trucks
ITEM 1					
Plain condensed skim milk	0	29	0		4.06
Super-heated condensed skim milk	0	29	0		4.39
ITEM 2					
Plain condensed milk	8	22	0		8.28
Super-heated condensed milk	8	22	0		8.61
Sweetened condensed skim milk	0	29	42	5.08	7.33
Sweetened condensed milk	8½	19½	42	12.28	11.53

ITEM 3. *Adjustments.* (i) The maximum prices for products listed in Item 1 of Table A, in bulk or bulk packed, shall be adjusted up or down by adding or deducting $ .0014 per pound for each change of 1% in the composition percentage of milk solids not fat in the finished product, and fractions of 1% shall be adjusted proportionately.

(ii) The maximum prices for products listed in Item 2 of Table A and for any "miscellaneous condensed product", in bulk or bulk packed, shall be adjusted up or down by the amounts stated below for each change of 1% in the composition percentage of the ingredients in the comparable finished product, and fractions of 1% shall be adjusted proportionately. (See examples.)

Ingredient:	Add or deduct per pound
Milk solids not fat	$0.00145
Milk fat	.0065
Sugar	.0006

Example A. If a product contains only 7% fat and 18% MSNF it is not "plain condensed milk". However, if a processor wishes to supply such a "miscellaneous condensed product" he would figure his maximum price as follows:

Find the price in Table A for the comparable finished product (plain condensed milk) which is 8.28¢. Since the butterfat is 1% less and MSNF are 4% less than the stated composition of plain condensed milk, he will deduct $ .0065 for reduction in fat and $ .0058 ($ .00145 x 4) for reduction in MSNF, resulting in a price of 7.05¢ per pound for the "miscellaneous condensed product".

Example B. If "plain condensed milk" should contain 8½% fat and 20% MSNF the price is figured by adding to the price in Table A, $ .00325 (½ of $ .0065) for ½% increase in fat and deducting $ .0029 ($ .00145 x 2) for 2% decrease in MSNF to obtain a price of 8.315¢ instead of 8.28¢ per pound.

(2) "*Dry solids*" means the number of pounds of dry milk solids not fat in a condensed liquid product.

(3) *Records.* The invoice which the seller is required to deliver to the buyer under section 5 of this regulation shall also state the total net weight of the finished product together with the percentage content of dry solids not fat.

(4) *F. o. b. and delivered prices.* The processor's prices are f. o. b. the processor's plant, however, sales may be made on a delivered basis. If a sale is made on a delivered basis, the maximum delivered price, when delivery is made by a common or contract carrier, shall not exceed the f. o. b. price plus the established transportation charge of such carrier, and actual icing charge if any, incurred from the processor's plant to the buyer's receiving point. If the delivery is made by a vehicle owned or controlled by the processor, the transportation charge shall not exceed the lowest available published rate for contract or common carrier for such delivery. However, instead of the maximum delivered price as stated above, the processor may use, as a maximum delivered price on a delivery to the buyer's place of business, the f. o. b. price for the particular product plus $.0015 per liquid pound.

(5) *Allowances and fees.* The maximum prices established for processors shall not be increased by brokerage fees, commissions, or other charges.

(6) *Calculations.* Fractions of a cent remaining after the total price for the quantity sold has been calculated shall be dropped if less than ½ cent and increased to the next higher cent if ½ cent or more.

(b) *Sales by or through brokers, jobbers, and other persons, in bulk or bulk packed.* (1) The maximum prices on sales of condensed milk products, in bulk and bulk packed, by or through brokers, jobbers, and other persons to any class of purchasers shall not exceed the maximum prices set forth in paragraph (a) for processors, except that,

(i) In the case of a jobber, as defined in subparagraph (iv), who resold condensed milk products, in bulk or bulk packed, before April 28, 1942, his maximum price (f. o. b. his place of business) shall be the appropriate price set forth in paragraph (a) f. o. b. processor's plant, plus the actual transportation charge and actual icing charge, if any, to the jobber's place of business plus the appropriate markup (in cents per liquid pound) as follows:

	Cents
Plain condensed skim milk	3/8
Super-heated condensed skim milk	3/8
Plain condensed milk:	
When sold in original container	3/8
When repacked by jobber and sold in lots of less than 50 pounds	1/2
Super-heated condensed milk	3/8
Sweetened condensed skim milk	3/10
Sweetened condensed milk	3/10
Miscellaneous condensed product	3/10

(ii) In the case of a jobber, as defined in subparagraph (iv), who did not resell condensed milk products, in bulk or bulk packed, before April 28, 1942, his maximum price (f. o. b. his place of business) shall be the appropriate price set forth in paragraph (a) f. o. b. processor's plant, plus the actual transportation charge and actual icing charge, if any, to the jobber's place of business.

(iii) In the event a sale is made on a delivered basis by a jobber, as defined in subparagraph (iv), his maximum price shall be increased by the cost of transportation (exclusive of icing cost, if any) from the jobber's place of business to the buyer's customary receiving point computed in the same manner as delivery charges by a processor are computed in paragraph (a) (4).

(iv) The term "jobber" as used in subdivision (i), (ii), and (iii) above means and is limited to a person who purchases from a processor all bulk condensed milk products he sells (for his own account) and customarily receives shipment, in large or carload lots, at a warehouse owned or leased and maintained by him and not owned or controlled by any processor of condensed milk products or by any of the jobber's customers and whose daily sale to any customer of any of the bulk condensed milk products listed in subdivision (i) above, does not exceed 1,350 pounds.

(v) "Jobber's place of business" means the place where the jobber's warehouse described in subdivision (iv) above, is located.

(c) *Sales by processors of canned sweetened condensed milk in cartons.* (1) Maximum prices for sales and deliveries by a processor of sweetened condensed milk (as defined in paragraph (d) (15) and containing 42% sugar), in cans, packed in cartons shall be either (i) the prices listed in Table B subject to adjustments for variations in composition and can weights as set forth in (c) (2) below, or (ii) the maximum prices to purchasers (other than the United States Government, or any agency thereof) established by processors under § 1499.2 of the General Maximum Price Regulation [1] which ever shall be the higher:

TABLE B

PRICES ARE SUBJECT TO THE PROVISIONS OF PARAGRAPHS (a) (5) AND (a) (6)

[In dollars and cents per carton]

If delivered in—	Carton of 48 14-ounce cans	Carton of 24 14-ounce cans	Carton of 48 15-ounce cans	Carton of 24 15-ounce cans
Carloads to the United States Government or any agency thereof, f. o. b. processor's plant or warehouse	$6.25	$3.12½	$6.59	$3.29½
Carloads to the customary receiving point of buyers other than the United States Government or any agency thereof	6.25	3.12½	6.59	3.29½
Less carloads to physical premises of a retail store or of a food processor	6.40	3.20	6.74	3.37
Less carloads to the customary receiving point of other buyers	6.30	3.15	6.64	3.32

(2) *Composition adjustments.* (i) The maximum prices for cartons of 48 cans listed in Table B above shall be adjusted up or down for variations in the composition percentage of net weight per can of the finished product as set forth below:

Composition or can weight:	*Per carton of 48 cans*
Milk fat, for each ½% variation.	14¢ (add).
Milk solids not fat, for each 1% variation.	6¢ (add or deduct).
Sugar, for each 1% variation.	2½¢ (add or deduct).
Can weight, for each ½ ounce variation in net weight per can with standard composition as described in (c) (1).	17¢ (add or deduct).

(ii) Where a product contains added milk fat and increased or decreased milk solids and the net weight of the can is above or below 14 ounces the processor's maximum prices shall be figured as follows:

Find the price per carton of 48—14 ounce cans, with the varied ingredients in (c) (1) and (c) (2) above and adjust the total amount for each ½ ounce variation above or below the 14 ounce can weight by adding or deducting,

- 5/8¢ for each ½% of milk fat.
- ¼¢ for each 1% of milk solids not fat.

(iii) The price for cartons of 24 cans shall be ½ of the price for cartons of 48 cans; other quantities in proportion.

(3) Where canned sweetened condensed milk is sold f. o. b. or delivered to any point other than the buyer's customary receiving point, the maximum prices established in paragraphs (c) (1) and (c) (2), shall be reduced by the cost of transportation between that point and the buyer's customary receiving point, computed in the same manner as delivery charges are computed in paragraph (a) (4).

(d) *Definitions.* (1) "Milk" means cows' milk.

(2) "Skim milk" means cows' milk from which substantially all of the milk fat has been removed.

(3) "MSNF" means milk solids not fat.

(4) "Sugar", except where otherwise specifically limited, means refined sugar (sucrose) or any combination of refined sugar (sucrose) and refined corn sugar (dextrose), or corn sirup.

(5) "Barrel" means a tight wooden barrel costing approximately 1 cent per pound of bulk sweetened condensed milk or of sweetened condensed skim milk.

(6) "Bulk" or "bulk packed" means packed or shipped in any form other than in hermetically-sealed containers of one gallon capacity or smaller.

(7) "Buyer's place of business" means the place at which a buyer conducts his principal business operations. This place may be the buyer's warehouse, his manufacturing plant, or his wholesale or retail store, depending on the nature of his business.

(8) "Customary receiving point" means that place, in the town or city where the buyer's place of business is located, at which the buyer customarily takes possession of condensed milk products. It may be either a railroad siding or the buyer's warehouse in that town or city.

(9) "Processor" means a person who manufactures for sale any of the products described in this section.

(10) "Plain condensed skim milk, concentrated skim milk" is the product resulting from the evaporation of a considerable portion of the moisture from skim milk, and contains not less than 20 percent of the solids of milk or skim milk.

(11) "Super-heated plain condensed skim milk" is plain condensed skim milk in which live steam has been introduced at a stage of processing.

(12) "Plain condensed milk, concentrated milk" is the liquid food made by evaporating sweet milk to such point that it contains not less than 7.9 percent of milk fat and not less than 25.9 percent of total milk solids. It conforms to the definition and standard of identity for plain condensed milk, concentrated milk, promulgated by the Food and Drug Administration and published in the FEDERAL REGISTER of July 2, 1940, 5 F.R. 2444.

(13) "Super-heated plain condensed milk" is plain condensed milk in which live steam has been introduced at a stage of processing.

(14) "Sweetened condensed skim milk is the liquid or semi-liquid product resulting from the evaporation of a considerable portion of the moisture from skim milk to which refined sugar (sucrose) or a combination of refined sugar (sucrose) and refined corn sugar (dextrose) has been added. It contains not less than 24 percent of the solids of milk or skim milk.

(15) "Sweetened condensed milk" is the liquid or semi-liquid food made by evaporating a mixture of sweet milk and refined sugar (sucrose) or any combination of refined sugar (sucrose) and refined corn sugar (dextrose) to such point that the finished sweetened condensed milk contains not less than 28.0 percent of total milk solids and not less than 8.5 percent of milk fat. The quantity of refined sugar (sucrose) or any combination of sugar and refined corn sugar (dextrose) used is sufficient to prevent spoilage. It conforms to the definition and standard of identity for sweetened condensed milk promulgated by the Food and Drug Administration and published in the FEDERAL REGISTER of July 2, 1940, 5 F.R. 2445.

(16) "Miscellaneous condensed product" means a condensed or concentrated liquid product, sold in bulk, which is not specifically named in and covered by this section 26, or by some other maximum price regulation, and the composition of which (exclusive of sugar and moisture) includes more than one-half (by weight or volume) of the solids of milk or skim milk.

[1] 9 F.R. 1385.

(e) Reference to other maximum price regulations governing sales of canned sweetened condensed milk:

(1) Sales at wholesale shall be priced under the provisions of Maximum Price Regulation No. 421 and at retail under the provisions of Maximum Price Regulations Nos. 422 and 423.

(f) *Notification of new maximum price.* With the first delivery of canned sweetened condensed milk after April 8, 1944, in any case where the seller's new maximum price is different from the maximum price he previously had for the same item, he shall:

Supply each wholesaler and retailer who purchases from him with written notice as set forth below:

(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for canned sweetened condensed milk (describe item by kind, variety, grade, brand, style of pack, and container type and size) has been changed by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulations Nos. 421, 422, or 423, you must refigure your ceiling price for this item on the first delivery of it to you from your customary type of supplier containing this notification after April 8, 1944. You must refigure your ceiling price following the rules in section 6 of Maximum Price Regulations Nos. 421, 422, or 423, whichever is applicable to you.

For a period of 60 days after determining the new maximum price for the item, and with the first shipment after the 60-day period to each person who has not made a purchase within that time, each seller shall include in each case, carton, or other receptacle containing the item, the written notice set forth above, or securely attach it to the outside. However, for sales direct to any retailer, the seller may supply the notice by attaching it to, or stating it on, the invoice covering the shipment, instead of providing it with the goods.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This regulation shall become effective May 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6832; Filed, May 12, 1944; 11:43 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 257,[1] Amdt. 2]

PULPWOOD PRODUCED IN MINNESOTA, MICHIGAN AND WISCONSIN

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 257 is amended in the following respects:

1. In Appendix A (a) (1), the table of prices is amended to read as follows:

Species	Rough	Peeled or rossed
Spruce wood	$15.00	$18.00
	[1] 15.90	[1] 19.10
Balsam wood	13.00	16.00
	[1] 13.80	[1] 17.00
Jack pine wood	11.50	14.00
Hemlock wood	11.00	13.50
Poplar wood	9.00	11.50
		[2] 13.00
White birch wood	9.00	11.50

[1] For 133 cubic feet of properly piled wood in 50" lengths produced in Cook County of the State of Minnesota.
[2] For 147 cubic feet of properly piled wood in 55" lengths.

2. In section 8 (a), subparagraph (15) is amended to read as follows:

(15) "Dealer" means any person who sells to consumers pulpwood not cut or prepared by such person, but purchased by such person in the condition in which it is to be delivered to the consumer and who sold and delivered not less than 8,000 cords of cordwood (pulpwood, box bolts, excelsior bolts or insulation short logs or any combination thereof) to consumers in the 1943–1944 operating seasons or who shall sell and deliver not less than 8,000 cords of cordwood to consumers in any subsequent operating season: *Provided, however,* That no dealer shall receive a commission on pulpwood sold and delivered during the 1943–1944 operating season unless such dealer has during such operating season sold and delivered at least 8,000 cords of pulpwood. "Operating season" means the period between the first day of May in one year and the last day of April in the next succeeding year;

3. In Appendix A (c) (2), subdivision (v) is amended to read as follows:

(v) The dealer's or trader's commission in such transactions is shown as a separate item on the settlement sheet. This settlement sheet must contain a statement that the dealer or trader has had no part in the preparation of the pulpwood, and that the charges are not in excess of Revised Maximum Price Regulation No. 257;

This amendment shall become effective May 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6845; Filed, May 12, 1944; 4:30 p. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 348,[1] Amdt. 49]

LOGS AND BOLTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 348 is amended in the following respects:

1. Appendix J, Table 1, is revised so that the maximum prices read as follows:

MAXIMUM PRICES

[Per unit of 147 cubic feet]

	Peeled	Unpeeled
Poplar	$13.25	$10.25
Basswood	13.25	10.25

(2). In Appendix K, Table 1, the area, species, grade or specification provision, and the table of maximum prices are amended to read as follows:

Area. The States of Minnesota, Wisconsin, and Michigan.

Species or type. Short logs or bolts suitable for manufacture into insulation materials. Must be freshly cut, green timber of Aspen (poplar), Jack Pine, Norway and White Pine, Balsam fir or Spruce.

Grade or specification. Insulation short logs or bolts shall be piled so that the cord volume can be accurately measured. All existing trade practices and customs with respect to allowances for culls, for fire kills, or for defective wood of any kind must be observed. The unit of measurement shall be a cord of not less than 128 cubic feet nor more than 133 cubic feet. In the event that insulation short logs or bolts are purchases to specifications other than the 128–133 cubic feet specification, the conversion of price must be based upon the 133 cubic feet basis.

No change in paragraph headed "*Definitions*".

MAXIMUM PRICES

[Per cord of 133 cubic feet]

Species	Rough	Peeled
Aspen (Poplar)	$9.00	$11.50
Jack Pine	11.50	-------
Norway and White Pine	11.50	-------
Balsam Fir	13.00	-------
Spruce	15.00	-------

This amendment shall become effective May 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6843; Filed, May 12, 1944; 4:30 p. m.]

[1] 8 F.R. 11037, 12479.

[1] 8 F.R. 16115, 16198, 16204, 16297; 9 F.R. 220, 392, 343, 402, 450, 538, 574, 682, 792, 1317, 1571, 1572, 1717, 2088, 2135, 2561, 2856, 3345, 3385, 3337, 3577, 4104, 4686, 4599, 4983.

PART 1305—ADMINISTRATION

[Supp. Order 88]

EXEMPTION OF UNCLAIMED OR ABANDONED COMMODITIES SOLD AT AUCTION BY THE BUREAU OF CUSTOMS

A statement to accompany this Supplementary Order No. 88 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is hereby ordered that:

§ 1305.116 *Exemption of seized, unclaimed and abandoned commodities sold at auction by the Bureau of Customs.* (a) No provision of any price regulation shall apply to the sale of seized, unclaimed, or abandoned commodities by the Bureau of Customs if the aggregate quantity of all lots of such commodities of one general class or kind offered for sale by the collector of a customs district at a single auction sale has a domestic value of less than $500. An auction sale shall be considered a single auction sale although it continues over a period of more than one day. This exemption shall not apply to sales of distilled spirits or wine in any quantity.

(b) *Definitions.* As used in this Supplementary Order No. 88.

(1) The term "price regulation" means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any amendment thereto or order thereunder.

(2) The terms "distilled spirits" and "wine" shall be defined as provided in Maximum Price Regulation No. 445 or any amendment or revision thereof.

(3) The term "general class or kind" refers to commodities within a general commercial class, e. g., "raw wool", which includes all unspun wool, whatever the grade, and whether in the grease, washed, scoured, or carbonized.

(4) The term "domestic value" means the value determined in accordance with section 20.5 (b) or 23.12 (b) of the Customs Regulations of 1943.

(c) This Supplementary Order No. 88 shall become effective May 18, 1944.

Issued this 13th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6886; Filed, May 13, 1944; 11:53 a. m.]

PART 1306—IRON AND STEEL

[RPS 10,[1] Amdt. 9]

PIG IRON

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The first paragraph of § 1306.52 is amended to read as follows:

§ 1306.52 *Maximum prices on sales of pig iron.* On and after June 24, 1941, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive, pig iron at prices in excess of the maximum prices established by this schedule, and no person shall agree, offer, solicit or attempt to do any of the foregoing.

This amendment shall become effective May 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6844; Filed, May 12, 1944; 4:30 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Rev. RO 1C]

TIRE RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

Ration Order 1C is redesignated Revised Ration Order 1C and is revised and amended to read as follows:

Preamble. Significant overall changes in the rubber situation plus the inability of the Virgin Islands' motorist to obtain recapping services for his tires, and the absence of adequate supplies of other than new tires, have necessitated a realistic revision of Ration Order 1C to suit local needs. This Revised Ration Order 1C will assure the maintenance of essential needs and at the same time will remove certain unworkable features previously developed in the Virgin Islands as a result of the changing rubber scene.

§ 1315.15 *Tire rationing regulations for the Virgin Islands.* Under the authority vested in the Office of Price Administration and the Price Administrator by Executive Order 9125, issued by the President on April 7, 1942, by Directive 1 and Supplementary Directive 1-Q of the War Production Board issued January 24, 1942 and November 6, 1942 respectively, and under the authority vested in me by Second Revised General Order 21 of the Price Administrator, issued August 3, 1943, this Revised Ration Order 1C (Tire Rationing Regulations for the Virgin Islands), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1315.15 issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1-Q, 7 F.R. 9121; 2nd Rev. Gen. Order 21, 8 F.R. 9243.

REVISED RATION ORDER NO. 1C—TIRE RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

ARTICLE I—SCOPE

Sec.
1.1 Territorial limitations.
1.2 Effect on other ration orders.

ARTICLE II—DEFINITIONS

2.1 Definitions.

ARTICLE III—ADMINISTRATION, JURISDICTION AND QUOTA

3.1 Administration and personnel.
3.2 Jurisdiction of boards.
3.3 Quotas.

ARTICLE IV—PROOF OF NEED AND ELIGIBILITY

4.1 General proof of need.
4.2 Eligibility. Classification—List A.
4.3 Eligibility. Classification—List B.
4.4 Eligibility. Classification—List C.
4.5 Allotments to dealers.
4.6 Turn-in tires and tubes.

ARTICLE V—APPLICATIONS AND CERTIFICATES

5.1 Applications—Who may execute and file.
5.2 Filing of applications.
5.3 Applications by dealers.
5.4 Certification by inspector prior to filing of application.
5.5 Investigation of facts by Boards.
5.6 Notation of reasons for action.
5.7 Form of certificates to be issued.
5.8 Certificates non-transferable.
5.9 Execution and issuance of certificate.
5.10 Action by certificate holders.
5.11 Action by suppliers.
5.12 Splitting of certificates.
5.13 Refusal of certificates.

ARTICLE VI—PROHIBITED AND PERMITTED TRANSACTIONS

6.1 Prohibitions.
6.2 Mounting or use of tires and tubes.
6.3 Transfers to certificate holders.
6.4 Dealer transfers.
6.5 Acquisition for retransfer purposes.
6.6 Transfers without certificates, special authorization or notice.
6.7 Transfers to certain Government agencies.

ARTICLE VII—OTHER PROHIBITED ACTS

7.1 Offenses.

ARTICLE VIII—RECORDS AND REPORTS

8.1 Posting names of successful applicants.
8.2 Disposition of parts of certificates and receipts.
8.3 Records to be kept by dealers.
8.4 Records to be filed by dealers.
8.5 Inventories of sellers of tires and tubes or vehicles.

ARTICLE IX—APPEALS

9.1 Decision of Board.
9.2 Who may appeal.
9.3 Procedure.

ARTICLE X—ENFORCEMENT

10.1 Criminal prosecutions.
10.2 Suspension orders.

ARTICLE I—SCOPE

SECTION 1.1 *Territorial limitations.* This order shall apply to the Virgin Islands of the United States. It supersedes Ration Order 10[1] insofar as applicable to the Virgin Islands of the United States, subject to section 5.1 of General Ration Order 8,[2] issued by the Office of Price Administration.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1236, 2482, 4627, 12014, 14152, 15255.

[1] 8 F.R. 10927.

[2] 8 F.R. 3783.

SEC. 1.2 *Effect on other ration orders.* This order shall not be construed to permit any act which would be in violation of any other ration order issued by the Office of Price Administration.

ARTICLE II—DEFINITIONS

SEC. 2.1 *Definitions.* (a) For the purpose of this order:

(1) "Acquire" means to accept a transfer.

(2) "Board" means a War Price and Rationing Board established by the Office of Price Administration.

(3) "Bus" means any motor vehicle, other than a station wagon or suburban carryall, built or rebuilt primarily for the purpose of carrying passengers, licensed by a Municipality of the Virgin Islands to carry passengers for hire, and having a rated seating capacity of eight or more persons.

(4) "Certificate", unless the context requires otherwise, means a certificate issued by the Office of Price Administration authorizing the acquisition of any tire or tube.

(5) "Consumer" means any person who holds or acquires a tire or tube for use and not for resale.

(6) "Dealer" means any person, other than a manufacturer, engaged in the business of selling tires or tubes.

(7) "Director" means the person acting as Director of the Office of Price Administration for the Virgin Islands.

(8) "Implement tire" means a tire which has the word "Implement" or the name of a type of farm equipment, other than a tractor or combine, molded into the sidewall of the tire by the manufacturer.

(9) "Manufacturer" means any person engaged in the business of manufacturing tires or tubes.

(10) "New", as applied to tires and tubes, means a tire or tube that has been used less than 1,000 miles.

(11) "Passenger automobile" means any motor vehicle (other than an ambulance, hearse or taxicab), built primarily for the purpose of transporting persons and having a rated seating capacity of seven or less persons, including any motorcycle, station wagon or suburban carryall.

(12) "Passenger-type tire" means a tire primarily designed for use on a passenger automobile.

(13) "Person" means any individual, partnership, corporation, association, government, government agency, or subdivision, or any other organized group or enterprise.

(14) "Rubber" means any form or type of natural, reclaimed, or synthetic rubber, or other similar materials.

(15) "Serial Number" means the serial number either on the sidewall or on the inner surface of a tire or, if no such number appears on a tire, the brand name.

(16) "Tire" means any solid or pneumatic rubber tire or casing capable of being used, or capable of being repaired for use, on a passenger automobile, bus, truck or farm implement.

(17) "Transfer" means any change in right, title, interest, possession or control, including but not limited to, sale, purchase, lease, loan, trade, exchange, gift, deliver, shipment and hypothecation.

(18) "Tube" means any rubber tube capable of being used, or capable of being repaired for use, within a tire casing on a passenger automobile, bus, truck or farm implement.

(19) "Truck" means any vehicle, other than a motorcycle, built or rebuilt primarily for the purpose of transporting or hauling property or equipment, including earth-movers, roadgraders, and similar off-the-road equipment.

(20) "Used", as applied to tires and tubes, means a tire or tube that has been run 1,000 miles or more and includes all tires and tubes, other than new tires and tubes as defined in paragraph (a) (10) of this section.

(b) Where the context so requires, words in the singular shall include the plural, words in the plural shall include the singular, and the masculine gender shall include the feminine and neuter.

ARTICLE III—ADMINISTRATION, JURISDICTION AND QUOTA

SEC. 3.1 *Administration and personnel*—(a) *Personnel.* This order shall be administered by the Office of Price Administration through its War Price and Rationing Boards and such other personnel as it may select. The persons appointed to administer this order shall have such powers and duties as are herein described and as the Office of Price Administration has delegated, and may from time to time delegate.

(b) *Self interest shall disqualify officials.* No person participating in the administration of this order shall act officially in any matter arising thereunder as to which he has any interest, by reason of business connection or relationship by blood, marriage, or adoption.

SEC. 3.2. *Jurisdiction of boards.* A board shall have jurisdiction to receive and act upon applications with respect to vehicles normally stationed or garaged within the area served by the board, and to perform such functions as are granted herein or delegated to it by the Office of Price Administration.

SEC. 3.3 *Quotas*—(a) *Quota not to be exceeded by boards.* No board shall issue a certificate for the acquisition of tires or tubes in excess of its quota established by the Office of Price Administration.

(b) *Basis for board consideration.* If a board has before it eligible applications in excess of its quota, the board shall, in determining which of the competing applications are to be granted, be governed by the relative importance of each applicant to the war effort, public health, public safety or the community. The board shall base its determination upon the application for a certificate and all other information which comes to its knowledge. The board shall at all times serve the objectives sought to be accomplished by the tire rationing program and allot certificates for the most vital civilian uses and for uses essential to the war effort.

ARTICLE IV—PROOF OF NEED AND ELIGIBILITY

SEC. 4.1 *General proof of need.* No board shall grant a certificate authorizing any person to acquire a tire or tube, and no person shall accept such certificate, unless the applicant is eligible under sections 4.2, 4.3 or 4.4 and in addition meets each of the following conditions:

(a) *Immediate need.* That the tire or tube for which application is made is to equip a vehicle held for use and not for resale, and is, except where the vehicle is required by reason of the nature of its use to operate at high rates of speed:

(1) To replace a tire or tube that cannot be used or repaired for further use, but not as a result of applicant's abuse; or

(2) To replace a lost or stolen tire or tubes; or

(3) To equip a vehicle which requires tires or tubes because of alteration or reconstruction; or

(4) To replace a tire or tube delivered as original equipment upon a vehicle, if the tire or tube is not serviceable for the use to which the vehicle is to be put.

(b) *No abuse or neglect.* The Board in passing upon an application should make certain that the applicant has not in any manner abused or neglected or permitted to be abused or neglected the tire or tube which he seeks to replace. The Board may consider among other things, as evidences of tire abuse, whether the vehicle for which a certificate is sought has been operating in excess of the applicable speed limit; or for purposes not permitted by this order, or operating while overloaded or with underinflated tires.

(c) *Ply construction.* That, if the application is for a certificate for a new passenger-type tire of six or more ply construction, the vehicle upon which the tire is to be mounted cannot be operated satisfactorily in the use to which it is to be put with a tire of less than six-ply construction.

(d) *No available tire or tube.* That the applicant, other than a Federal, Insular, Municipal or foreign Government or Government agency, the American Red Cross, or a person required by reason of the nature of his services to operate a vehicle at high rates of speed, does not own or control a tire or tube other than tires or tubes mounted upon vehicles in current use (including one spare for each size wheel per vehicle) which can be used or repaired for use, in lieu of the tire or tube sought to be replaced. In computing the number of tires or tubes owned or controlled, applicant need not include tires or tubes reported on OPA Form VIR-17 or R-17 (revised).

(e) *Condition of vehicle.* If an applicant is applying for a new tire or tube he must satisfy the Board that the vehicle on which the tire or tube is to be mounted is in such physical and mechanical condition as to permit the efficient operation of said vehicle for a period of time substantially equal to the normal life of such tire or tube.

(f) *Comparative need.* That the issuance of the certificate to the applicant will not deprive other applicants of tires or tubes needed to perform functions deemed by the Board to be more essential to the war effort, public health or safety than the functions performed by the applicant.

(g) *Passenger-type tires unavailable.* That, if application is made for a truck-type tire, a passenger-type tire of suitable size is not available.

(h) *No other vehicle available.* That the vehicle for which application is made cannot be replaced by another vehicle owned or operated by the applicant, and which is already equipped with serviceable tires.

SEC. 4.2 *Eligibility—List A.* A certificate authorizing the purchase or acceptance of delivery of new or used tires or tubes, at applicant's option, may be granted, but only to the extent provided in section 4.1 (General Proof of Need) and otherwise provided in this order, to equip the following vehicles:

(a) A vehicle which is operated by a licensed physician, farm veterinary, nurse, midwife, dentist or assistant dentist, whose professional practice is to make regular calls outside his office, and which is used principally for making such professional calls.

(b) A vehicle which is operated by a regularly practicing minister of any religious faith and which is used principally in, and is necessary to the performance of his religious duties.

(c) A vehicle operated principally for one or more of the following purposes:

(1) An ambulance or hearse which is specially designed or equipped as such.

(2) Transportation of mail by or on behalf of the United States.

(3) Maintenance of fire-fighting services.

(4) Maintenance of public police services and other necessary law enforcement services engaged in the protection of the public health or safety.

(5) Maintenance of garbage disposal and other sanitation services.

(6) Transportation of students, teachers or other school employees to or from school, provided that alternative means of transportation are not adequate.

(7) Transportation of foods, farm produce and supplies to and from the farm by passenger automobile, if the applicant does not possess a truck or other practicable means of transportation.

(8) Transportation of the following persons: *Provided*, That alternative means of transportation are not adequate: workers to, from, within, or between any industrial, extractive, military, naval or hospital establishment, power generation or transmission facilities, transport or communication facilities, construction project, fishery or farm; disabled members of the armed forces to or from any hospital where their disabilities are treated.

(9) Transportation on official business of Federal, Territorial, local or foreign Government employees, or employees of the American Red Cross engaged in the performance of Government or organizational functions essential to the public health, safety, or the war effort. Any applicant hereunder who operates a privately-owned vehicle must satisfy the board that:

(i) He is a regularly employed and paid worker of the Government or Red Cross;

(ii) He is being compensated for the use of his vehicle on a mileage or similar basis;

(iii) That the services which applicant renders cannot be performed efficiently without the use of such vehicle.

(10) Transportation of members of the armed forces of the United States between residence and post of duty, or on official business, where no military vehicle is available.

(11) Transportation of persons to enable them to render construction or mechanical, structural, highway maintenance, or repair services, or to supervise and maintain agricultural production.

(d) Transportation of passengers as part of the services rendered to the public by a regular transportation system along regular routes or with regular schedules, from which the general public may obtain service upon the payment of a standard fare.

(e) Transportation of persons by taxicab.

(1) No certificate shall be issued to any taxicab under this paragraph, even though registered in the municipality as a taxicab, unless the Board is satisfied that the vehicle to be equipped is:

(i) Regularly operated as a bona fide taxicab and available to the general public as such at an established stand or call station;

(ii) Is conspicuously marked as a taxicab;

(iii) Does not cruise for the purpose of seeking fares; and

(iv) Is not used for sightseeing purposes.

(2) Taxicabs not eligible under this paragraph may be considered under section 4.3 or 4.4.

(f) A truck operated principally for one or more of the purposes stated above or for one or more of the following purposes: (1) Transportation of ice and fuel.

(2) Transportation of persons, materials and equipment for construction or for mechanical, structural or highway maintenance or repair.

(3) Transportation of freight by a common carrier furnishing services to the general public at standard rates.

(4) Transportation of raw materials, semi-manufactured goods, and finished products, including farm products, foods and supplies.

(g) Tractors, farm implements and construction equipment including earth-movers, road graders and similar off-the-road equipment for the operation of which tires or tubes are essential.

SEC. 4.3 *Eligibility—List B.* A certificate authorizing the purchase or acceptance of delivery of new or used tires or tubes may be granted, but only to the extent provided in section 4.1 (General Proof of Need) and otherwise provided in this order, to equip any other vehicle found by the Board to be essential to the community and there are no pending applications for vehicles eligible under section 4.2 (List A) above.

SEC. 4.4 *Eligibility—List C.* A certificate authorizing the purchase or acceptance of delivery of only used or recapped tires or a new or used tube may be granted at any time but only to the extent provided in section 4.1 (General Proof of Need) and otherwise provided in this order, to equip any vehicle, including animal-drawn vehicles, not included in section 4.2 (List A) above.

SEC. 4.5 *Allotments to dealers.* (a) Certificates authorizing dealers, or persons who in good faith intend to become dealers, to acquire or increase inventories of tires and tubes may be issued by the Director in such amounts as he shall determine necessary to meet the needs of essential vehicles in the Virgin Islands. The Director may refuse the allotment if granting it will in his judgment impair or defeat the effectiveness or policies of this order.

SEC. 4.6 *Turn-in tires and tubes.* (a) Except as provided in paragraph (b) of this section, applicants need not turn in tires or tubes in exchange for replacements as heretofore. Any used tire or tube owned by a dealer and previously acquired as a turn-in may be transferred, but only in exchange for a certificate authorizing such transfer. Such tires and tubes and accompanying Parts B of OPA Form R–2 shall now be reported (see section 8.4) as part of present inventories upon OPA Form VIR–17 (revised).

(b) *Trade-ins required.* An applicant who is a Federal, Insular, municipal or other Government or Government agency, the American Red Cross or a person whose services require him to operate at high rates of speed must trade in the tires or tubes which are to be replaced. The requirement of this paragraph with respect to the trading in of tires and tubes shall not apply if the applicant can establish to the satisfaction of the Board that he has no tires or tubes to turn in because they have been stolen, or if the applicant is a Government agency forbidden by law to make such disposition of Government property, or for similar reasons.

(c) *Notation on certificate.* Where the applicant is required to trade in tires or tubes under paragraph (b) above, the Board shall prior to granting the certificate make a proper notation thereon, and no dealer shall accept such certificate unless accompanied by the tires or tubes indicated thereon to be traded in.

ARTICLE V—APPLICATIONS AND CERTIFICATES

SEC. 5.1 *Applications; who may execute and file.* (a) The registered owner of a motor vehicle or his duly authorized agent having personal knowledge of the facts may file with the Board having jurisdiction an application on OPA Form R–1 (revised October 1, 1942) for a certificate authorizing the acquisition of tires or tubes; but no member or employee of the Board to which application is made and no authorized tire inspector shall act as agent of an applicant. The Board may require that principal and agent or owner and operator join in an application.

(b) *Contents of application.* Each applicant shall set forth (1) facts showing jurisdiction of the Board, (2) facts showing need and eligibility for the tires or tubes for which application is made; and (3) such additional information and commitments as may be required by the application or by the Board.

(c) *Declaration of tires.* All tires and tubes held by an applicant and capable of being used upon a vehicle eligible under sections 4.2, 4.3 or 4.4 above must be truthfully declared on OPA Form VIR–534 (revised) prescribed by the Director and filed with the Board, unless such information has already been filed. The Board shall refuse to act upon any application until such information has been truthfully and accurately filed.

(d) *Certification by applicant.* The applicant shall, in his application, state the true and complete facts required by the application or the Board to be set forth therein, and shall certify such facts. If an application is made by an agent, both the principal and agent shall be bound by and deemed to have knowledge of all statements set forth in the application.

SEC. 5.2 *Filing of applications.* (a) Applications for certificates authorizing the acquisition of tires or tubes shall be filed with the Board having jurisdiction under section 3.2. A separate application must be filed on OPA Form R–1 (revised October 1, 1942) for each vehicle.

SEC. 5.3 *Applications by dealers.* Applications for allotments to dealers shall be made by the dealer, or his duly authorized agent, in writing to the Director and shall set forth such information as the Director may require in order to provide for the needs of essential vehicles in the Virgin Islands.

SEC. 5.4 *Certification by inspector prior to filing of application—(a) Inspection of tires and tubes.* No person may file an application for a certificate and no such application shall be considered by a Board, until an Inspector authorized and appointed by the Director has currently inspected the tires or tubes to be replaced and has executed and signed the "Certification by Inspector" contained in OPA Form R–1. This paragraph shall not apply when application is made to acquire a tire or tube necessary to equip an altered or reconstructed vehicle, or a vehicle not equipped with the number of tires permitted in section 4.1 (d), or to replace a lost or stolen tire or tube.

(b) *Thorough inspection required.* No inspector may certify on OPA Form R–1 any fact concerning the condition of a tire or tube unless he has made adequate inspection to determine such fact.

(c) *Compensation to inspector.* No inspector may charge more than twenty-five cents (25¢) per vehicle for replacement inspection, except that sums not in excess of those set forth in the following schedule may be paid the Inspector or to any other person for their service in removing and replacing a tire when such service is necessary for inspection purposes:

Type of tire:	*Maximum fee*
Passenger car tires, each	$0.50
½ ton truck tires, each	.50
Larger than ½ ton truck tires, each	1.00
Additional charge for removing inside dual truck tires, each	.50

SEC. 5.5 *Investigation of facts by Boards—(a) Power of the Board.* Before issuing a certificate the Board may require such assurances and proof of such facts as it may deem necessary to determine whether an applicant should be issued a certificate. For this purpose the Board may make inquiries and investigations and may require an applicant to appear in person or by agent at the office of the Board at a designated time and supply such additional evidence and information and furnish such records and affidavits as may relate to the application.

(b) *Additional information.* If the applicant is applying for new tires or tubes to be mounted on a vehicle which has less than the number of tires and tubes permitted by section 4.1 (d) and which he has purchased or contracted to purchase, the Board shall require him to submit together with his application an affidavit from the vendor of the vehicle stating in full reasons why the vehicle is not equipped with a sufficient number of tires or tubes. The Board must be satisfied from such an affidavit before it may grant a certificate that the vendor is not responsible for the lack of a sufficient number of tires or tubes for such vehicle.

SEC. 5.6 *Notation of reasons for action.* (a) Whenever the Board acts upon an application, it shall note the reasons for its action upon the application. If the application is granted, the number and type of tires or tubes shall be noted upon the application; and if the applicant is required to trade in tires or tubes (see section 4.6) the number, type and serial numbers of the trade-in tires and the number and size of the trade-in tubes shall be noted on the application and upon the certificate.

SEC. 5.7 *Form of certificates to be issued—(a) By a Board.* The Board may issue to an applicant who has established need and eligibility under this order a certificate on OPA Form R–2 authorizing an applicant to acquire new tires or tubes. A separate certificate shall be issued for tires and tubes.

(b) *By the Director.* The Director may issue Parts B of OPA Form R–2 for allotments to dealers or to persons who in good faith intend to become dealers.

SEC. 5.8 *Certificate non-transferable.* No certificate or any part thereof may be transferred except as authorized by this order or by the Office of Price Administration, or in exchange for tires or tubes.

SEC. 5.9 *Execution and issuance of certificate—(a) Execution of certificates.* It shall be the responsibility of the Board prior to issuing any certificate to fill in Parts A and B of the certificate setting forth the information required and, if trade-ins are required, to make the proper notation thereon (see sections 4.6 and 5.6). It shall also be the responsibility of the Board to indicate on Parts C and D of the certificate the number of the Board and its address. No certificate shall be valid unless Part A is signed by the issuing officer of the Board, who may be either the Chairman or a member of the Tire Panel. The Board shall indicate on the certificate the exact number, type and wheel or rim size of the new tires or tubes which may be acquired in exchange for the certificate.

(b) *Issuance of certificates.* The Board shall issue the certificate by delivering or mailing it to the applicant or his agent. If the certificate to be issued by the Board is for implement tires, the Board shall mark Part B thereof "good for implement or tractor tires only."

SEC. 5.10 *Action by certificate holders—(a) Use of certificate.* A certificate properly executed and issued may be used by the person to whom it was issued within the time and for the purpose specified thereon. After the expiration date thereon, the certificate shall be void and the applicant shall surrender it to the issuing Board.

(b) *Signing of certificates.* The applicant or his agent shall sign and execute the appropriate portions of the certificate in accordance with the instructions thereon, prior to acquiring the tires or tubes specified thereon. The same person shall sign Parts B, C, and D of OPA Form R–2 where the signature of the certificate holder is required. No member or employee of the Board issuing the certificate, no authorized tire inspector, and no dealer shall act as agent of the applicant in signing Parts A, B, C or D of OPA Form R–2.

(c) *Where trade-ins required.* If the certificate bears a notation indicating that the tire or tube being replaced must be traded in (see section 4.6 (b)—Trade-ins required) the applicant shall, before acquiring from a dealer any tire or tube in exchange for the certificate, trade in the tire or tube to be replaced to such dealer, except in the case of purchase by mail. If such applicant acquires a tire or tube by mail, he shall within five days thereafter transfer the replaced tire or tube to a dealer.

SEC. 5.11 *Action by suppliers.* (a) In cases where the certificate bears a notation indicating that the applicant is required by section 4.6 to turn in tires or tubes, no dealer shall transfer any tire or tube pursuant to the certificate until the applicant has turned in to him the tires or tubes to be replaced, except in the case of purchase by mail.

(b) *Certificate to be completed.* No dealer shall transfer tires or tubes to a consumer until both he and the applicant have properly signed and executed the certificate in accordance with the instructions thereon.

(c) *Delivery pursuant to certificate.* If the foregoing requirements have been fulfilled, the dealer to whom the certificate has been surrendered, shall deliver to the person indicated thereon, or to his agent, no more than the exact number, type and wheel or rim size of tires or tubes set forth on the certificate.

SEC. 5.12 *Splitting of certificates.* The holder of a certificate or part of a certificate who is unable to acquire from one supplier all the tires or tubes which he has been authorized to acquire may return the certificate to the issuing Board and the Board shall thereupon cancel the returned certificate and issue as many certificates as are necessary to permit the acquisition of such tires or tubes from several suppliers.

SEC. 5.13 *Refusal of certificate.* If a Board or other agent designated by the Office of Price Administration finds after due notice and hearing that an applicant has violated any provision of this order or of Ration Order No. 8 (Gasoline Rationing Regulations for the Virgin Islands), the Board may refuse to issue a certificate to the applicant and may declare that he shall not be eligible to receive a certificate for such period of time as it shall deem appropriate in the interest of the public health, safety, or the war effort, subject to review as provided in section 8.2. In such case, the Board or such other agent shall serve upon the applicant a written statement of the grounds upon which the certificate was refused and the period for which he is declared ineligible.

ARTICLE VI—PROHIBITED AND PERMITTED TRANSACTIONS

SEC. 6.1 *Prohibitions.* Notwithstanding the terms of any contract, agreement or other obligation, regardless of when made, no person, unless permitted by this order or by an order, authorization or regulation issued by the War Production Board, shall:

(a) Make or offer to make, accept or offer to accept, or solicit a transfer of any usable tire or tube as defined herein;

(b) Use, alter, or change the physical location of any such tire or tube; or

(c) Mount any such tire or tube upon a wheel or rim.

SEC. 6.2 *Mounting or use of tires and tubes*—(a) *Generally.* Any person may change the physical location of, use or mount usable tires or tubes as defined herein which were owned and physically possessed by him prior to October 1, 1942, or acquired on certificate issued by a Board or a receipt, provided no change in ownership, possession or control occurs, and provided further that such tire or tube has been declared as required by section 5.1 (c).

(b) *By dealers.* A dealer shall not mount or use tires or tubes taken from his stock upon a vehicle owned by him unless he has obtained a certificate authorizing such mounting or use.

SEC. 6.3 *Transfers to certificate holders*—(a) *By dealers.* A dealer may, in exchange for a certificate, transfer new or used tires or tubes to the holder of such certificate or his duly authorized agent, *Provided*, That no new tire or tube shall be transferred unless the certificate clearly and plainly so specifies.

(b) *No tire in stock.* A dealer who does not have in stock a tire or tube ordered by a certificate holder may, with such holder's permission, transfer the replenishment portion of a certificate or receipt to a supplier and obtain the number of tires or tubes authorized thereby for transfer to such holder.

(c) *Recappable tires or tires requiring repair.* A dealer but no other person may transfer to a certificate holder in exchange for a certificate a usable tire even though such tire is in need of repair or is capable of being recapped.

SEC. 6.4 *Dealer transfers*—(a) *Changes in location.* A manufacturer or dealer may change the location of new tires or tubes within a single establishment or the location of the establishment itself, including the entire stock of tires or tubes contained therein; *Provided*, That no change in ownership, possession or control occurs.

(b) *Tires or tubes*—(1) *Restrictions on transfer of Parts B.* No person shall transfer Part B of OPA Form R–2 and no person shall accept such transfer, unless the transferor first endorses his name and address thereon. A supplier may, without endorsement, return a Part B to the dealer from whom he received it, if he is unable to supply the new tires or tubes specified thereon.

(2) *Premitted replenishment of tires or tubes.* Any dealer may, in exchange for a properly endorsed replenishment portion (Part B) of a certificate or receipt, transfer to another dealer the exact number, type and wheel or rim size of new or used tires or tubes as the case may be, authorized by the certificate or receipt. A dealer may also replenish his stock from suppliers in Puerto Rico or in the continental United States.

(3) *Transfers by dealers without certificates.* Any dealer may, without certificate, transfer tires or tubes to his supplier only for the following purposes:

(i) To return tires or tubes of a size, type or quality other than that ordered by him, and his supplier may, without certificate, transfer to him in exchange therefor tires or tubes of the wheel or rim size, type or quality ordered;

(ii) To effect adjustments between the dealer and his supplier pursuant to a contract or sales agreement.

(c) *Transfer or dealer's business.* Any dealer may, without certificate, transfer as a unit his entire stock of tires or tubes together with any replenishment portions (Part B) of certificates or receipts to other dealers who may acquire such stock for resale: *Provided*, That the transferor shall file a statement, containing the name and address of the transferee and an inventory of the tires, tubes and replenishment portions (Part B) to be transferred, with the Director at least ten (10) days before making such transfer.

(d) *Transfer to dealer's warehouse.* Any dealer may, without certificate, transfer tires or tubes for the purpose of storage to any warehouse owned or operated by him if no change in ownership or control of such tires or tubes is thereby effected. Any dealer may, without certificate, withdraw the tires or tubes stored in such warehouse.

SEC. 6.5 *Acquisition for retransfer purposes*—(a) *Persons who may acquire.* Tires or tubes may be acquired, without certificate, in the following cases:

(1) *Exercise of governmental rights or powers.* The United States or the Government of the Virgin Islands may acquire from any person any tire or tube in the exercise of governmental rights or powers against such tire or tube.

(2) *Judicial process.* Any person may acquire any tire or tube pursuant to judicial process or under the supervision of a court of competent jurisdiction.

(3) *Salvage.* A person who is engaged principally and primarily in the business of adjusting losses, or reconditioning and selling damaged commodities, and who takes possession of such commodities on the occurrence or imminence of casualties, or in direct connection with the adjustment of losses resulting from such casualties, may acquire any tire or tube that has been damaged or that is in imminent danger of being damaged or destroyed.

(4) *Subrogation upon payment of claim.* A common or contract carrier or any person duly authorized by law to engage in the insurance business may acquire any tire or tube in consequence of the right of subrogation or in consequence of the payment of a claim.

(5) *Security transfers.* The Government of the Virgin Islands, the United States or any agency thereof, or any person duly licensed to engage in the business of making loans upon collateral and regulated in conducting such business may, without certificate, acquire tires or tubes for security purposes and may, without certificate, transfer such tires or tubes to the debtor upon release or extinguishment of the debt so secured. Any person may, without certificate, acquire a lien created by operation of law on tires or tubes and may satisfy or release such lien. Such security interest or lien may be enforced in the manner provided by applicable laws, and subject to the provisions of this section, transfers necessary to such enforcement may be made.

SEC. 6.6 *Transfers without certificates, special authorization or notice*—(a) *Transfers to Defense Supplies Corporation.* A person may, without certificate, transfer tires or tubes to the Reconstruction Finance Corporation or any representative designated to receive tires or tubes on its behalf.

(b) *Changes in location.* Any person other than a dealer may, without certificate, change the location of tires or tubes if no change in ownership, possession or control results.

(c) *By persons to a dealer.* A person, other than a dealer or manufacturer, may, without certificate, transfer tires or tubes to a dealer.

(d) *Transfers on vehicles.* A person may, without certificate, transfer a tire or tube as part of the equipment of a vehicle provided such transfer is not prohibited by any order or regulation issued by the Office of Price Administration or the War Production Board.

(e) *Transfers for repair, mounting or inspection.* A person may, without certificate, temporarily transfer tires or tubes to any person engaged in the business of repairing tires or tubes, for purposes of inspection, mounting or repair, and may, without certificate, acquire such tires or tubes after such mounting, repair or inspection.

(f) *Return of lost or stolen tires or tubes.* A person may, without certificate, transfer tires or tubes which have been lost, stolen or otherwise wrongfully or mistakenly acquired to the person rightfully entitled thereto.

(g) *Exchange of new tires or tubes.* A consumer who in exchange for a certificate acquires any new tire or tube that is of a size or type different from that ordered may, without certificate, but only within 30 days after its acquisition, exchange it with the transferor for the size or type ordered, if such tire or tube has not been used by the person.

(h) *Trade-in of tires or tubes to be replaced.* A person holding a certificate authorizing the purchase of a tire or tube which bears a notation indicating that he is required to trade in the tire or tube being replaced, shall transfer such tire or tube being replaced to a dealer. The dealer may thereafter transfer such traded-in tire or tube only in exchange for a certificate; he may, however, retain and use the accompanying Part B for replenishment purposes.

(i) *Transfers for recapping.* (1) A person may transfer a tire to a dealer for recapping service but only if accompanied by a certificate authorizing the purchase of a used tire, a recapped tire or recapping service.

(2) A dealer may transfer a tire for recapping to a recapper if accompanied by Part B of a certificate authorizing the purchase of a used or recapped tire or recapping service, and the recapper may transfer a used or recapped tire or recapping service in exchange for such Part B.

(j) *Transfers to and from carriers.* A person may, without certificate transfer tires or tubes to a common or contract carrier for shipment, and such tires or tubes may be transferred by such carrier to the consignee in the regular course of business.

(k) *Change overs.* A dealer may transfer new tires or tubes to a rebuilder or dealer in vehicles in exchange for new tires or tubes mounted on a new or rebuilt vehicle as part of its original equipment, upon authorization in writing from the Director or Assistant Director.

(l) *Temporary transfers, mounting and use of tires and tubes.* Any person may, for a period not to exceed 24 hours, temporarily transfer without certificate a tire or tube to be mounted and used on a passenger automobile, truck or bus, but solely as an emergency aid in removing such passenger automobile, truck or bus from the highway.

SEC. 6.7 *Transfers to certain Government agencies*—(a) *Transfers.* A person may transfer tires or tubes to or for the account of the Army, Navy, Marine Corps, or Coast Guard of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, but not to or for the account of any officer, member, or employee of any of the foregoing for use on a privately owned vehicle, regardless of the extent to which such vehicle is used on official business, nor to or for the account of any post exchange, ships' service store, commissary, or similar agency or organization, except for use on vehicles operated by it.

(b) *Receipt.* A dealer who makes any transfer pursuant to paragraph (a) shall obtain a receipt from the purchaser upon OPA Form R–12 (Revised).

ARTICLE VII—OTHER PROHIBITED ACTS

SEC. 7.1 *Offenses*—(a) *Mutilation and forgery of certificates.* No person shall without lawful authority wilfully deface, mutilate, or destroy any certificate, receipt, authorization (whether issued or unissued), or any part thereof, and no person shall counterfeit or forge any such instrument or any part thereof.

(b) *Illegal transfer of certificates.* No person shall transfer or assign and no person shall accept any transfer or assignment of any certificate, receipt, authorization (whether issued or unissued), or any part thereof, except in accordance with the provisions of this order.

(c) *Illegal use and possession of certificates.* No person shall use, possess, or control any certificate, receipt, authorization, or any part thereof, except the person or the agent of the person to whom such certificate, receipt, authorization (whether issued or unissued), or any part thereof, was issued or by whom it was acquired in accordance with the provisions of this order.

(d) *Possession of forged certificates.* No person shall without lawful authority transfer or accept a transfer of or have in his possession or under his control any forged, altered, or counterfeited certificate, receipt, authorization (whether issued or unissued), or any part thereof.

(e) *Illegal possession or use of tires.* No person shall possess, use or permit the use of any tires or tubes acquired in violation of this order, and no person shall possess, use or permit the use of tires or tubes acquired under this order for any purpose other than one for which a tire or tube may be obtained under this order.

(f) *Abuse of tires.* No person shall, without lawful authority, abuse, damage or neglect any tire or tube in his possession or control.

(g) *Speed limitation.* No person shall use or permit the use of tires or tubes in the operation of a motor vehicle at any rate of speed in excess of the applicable speed laws. This restriction shall not apply to the operation of a motor vehicle by the Army, Navy, Marine Corps, Coast Guard or where necessary to meet an emergency involving serious threat to life, health, or safety: *Provided*, That this paragraph shall not be construed to authorize any such motor vehicle to be driven at a rate of speed in excess of that which is reasonable under the circumstances.

(h) *Declaration of tires.* No person shall use or permit the use of tires or tubes on a rubber-borne vehicle unless he has declared all tires and tubes held by him as required in section 5.1 (c).

(i) *Illegal use of gasoline.* No person shall use or permit the use of tires or tubes upon a motor vehicle for which gasoline has been obtained in violation of Ration Order No. 8 or for which gasoline or other fuel is used in violation of that order.

(j) *False statements.* No person shall, in any application, record, report, certificate or other document made pursuant to or required by the terms of this order, make any untrue statement of any fact, or omit to state any fact required to be stated therein or necessary to make the statements therein not misleading.

(k) *Attempts.* No person shall solicit, offer, attempt, or agree to do, either directly or indirectly, any act in violation of this order.

(l) *Discrimination by dealers.* Except as otherwise provided in this order, no dealer shall discriminate in the transfer of tires or tubes among any consumers lawfully entitled to acquire tires or tubes under the provisions of this order by selling only to favored consumers or classes of consumers or only to regular customers, or by refusing to sell to others who are entitled to acquire tires or tubes under the provisions of this order.

ARTICLE VIII—RECORDS AND REPORTS

SEC. 8.1 *Posting names of successful applicants.* Following each Board meeting, a list of the names of the recipients of certificates for new tires and tubes issued since the previous meeting shall be posted at the Office of Price Administration for public inspection and shall be released to the press. This requirement shall not apply to certificates issued to Army, Navy or government intelligence officers whose work requires secrecy.

SEC. 8.2 *Disposition of parts of certificates and receipts*—(a) *Certificates or receipts for tires or tubes.* A transferor of tires or tubes to whom a certificate is surrendered by an applicant, or who receives an OPA Form R–12 receipt shall complete all the parts thereof and dispose of them as follows:

(1) Part A—Part A of OPA Form R–2 shall be retained by the transferor as his record; Part A of OPA Form R–12 shall be sent to the Director within three days from the end of each calendar month in which deliveries have been made.

(2) Part B—Parts B not used for replenishment must be retained by the dealer as his record.

(3) Part C—Part C of OPA Form R–2 shall within three days of the date of transfer of the tires or tubes, be sent to the issuing Board which shall retain it as its record. Part C of OPA Form R–12 shall be retained by the transferor as his record.

(4) Part D—Part D of OPA Form R–2 and OPA Form R–12 shall be retained by the transferee as his record.

(b) *By manufacturers' outlets.* Every manufacturer keeping a stock of tires or tubes upon premises located within the Virgin Islands pursuant to authorization of the Office of Price Administration, Washington, D. C., or the individual designated as his agent to be responsible for such stock of tires or tubes, shall at the end of each month surrender to the Director or Assistant Director, along with the monthly inventory report required by section 8.4, all replenishment portions (Parts B) of certificates received during the month for which such report is made.

SEC. 8.3 *Records to be kept by dealers.* (a) Each dealer shall preserve and maintain for inspection by the Office of Price Administration a file of all Parts A of OPA Form R–2 and Parts C of OPA Form R–12 which he has received and which must be completely filled out.

SEC. 8.4 *Records to be filed by dealers—*(a) *Transfer of dealer's business.* A transferor of a dealer's business under section 6.4 (c) shall file with the Director at least ten (10) days before making such transfer a statement setting forth the name and address of the person to whom such business is to be transferred and an inventory of all tires, tubes and Parts B involved in such transfer.

SEC. 8.5 *Inventories of sellers of tires and tubes or vehicles.* Every person engaged in the business of selling or holding for sale tires, tubes or vehicles, and every person extending credit to another upon the security of a vehicle under an agreement permitting the creditor to take possession of the vehicle shall:

(a) At the close of business on the last day of each month take an inventory of all unmounted tires and tubes in his possession or control, including all tradeins acquired by him prior to the effective date of this order and accompanying Parts B (see section 4.6), and keep a record thereof. Such inventory shall be based upon a physical count.

(b) File a report on OPA Form VIR–17 in accordance with the instructions thereon for the month ending March 31, 1944, and monthly thereafter, setting forth all unmounted tires and tubes in his possession or control on the last day of such month, including all turn-ins or trade-ins acquired by him and accompanying Parts B, and all transfers of tires and tubes made during such month. Transfers permitted by section 6.6 (e) relating to transfers for repair, mounting or inspection need not be recorded hereunder. A separate report for each establishment where tires or tubes are located, whether such establishment is used for sale or storage, shall be filed with the Director or Assistant Director on or before the fifth day of the succeeding month.

ARTICLE IX—APPEALS

SEC. 9.1 *Decision of Board.* After acting upon an application the Board shall, within three (3) days, notify the applicant of its decision and, if the application is denied in whole or in part, shall state the reasons for its decision.

SEC. 9.2 *Who may appeal.* Any applicant for a certificate, part of a certificate, or authorization, whose application has been denied in whole or in part by the action of a Board, may appeal from such action to the Director.

SEC. 9.3 *Procedure.* An appeal shall be taken only in accordance with the provisions of Procedural Regulation No. 9, and amendments thereto, issued by the Office of Price Administration.

ARTICLE X—ENFORCEMENT

SEC. 10.1 *Criminal prosecutions.* (a) Any person who knowingly falsifies an application or any other record, report or certificate made pursuant to or required by the terms of this order, or who otherwise knowingly furnishes false information to a Board, inspector, or any other agent, employee or officer of the Office of Price Administration, or falsifies or conceals or covers up by any trick, scheme or device a material fact, or makes or causes to be made any false or fraudulent statements, or representations, in any matter within the jurisdiction of the Office of Price Administration, may upon conviction be fined not more than $10,000 or imprisoned for not more than ten years, or both, and shall be subject to such other penalties or action as may be prescribed by law. Any person who conspires with another person to perform any of the foregoing acts or to violate any provision of this order may upon conviction be fined not more than $10,000 or imprisoned for not more than two years, or both, and shall be subject to such other penalties or action as may be prescribed by law.

(b) Any person who wilfully performs any act prohibited, or wilfully fails to perform any act required, by any provision of this order, may upon conviction be fined not more than $10,000 and imprisoned for not more than one year, or both, and shall be subject to such other penalties or action as may be prescribed by law.

SEC. 10.2 *Suspension orders.* Any person who violates this order may by administrative suspension order be prohibited from receiving any transfers or deliveries of, or selling or using or otherwise disposing of any tires, tubes, or gasoline in accordance with the provisions of Procedural Regulation No. 4 and amendments thereto, issued by the Office of Price Administration.

Effective date. Revised Ration Order No. 1C shall become effective as of May 1, 1944.

Issued this 13th day of May 1944.

JACOB A. ROBLES,
Territorial Director,
Virgin Islands.

Approved:

JAMES P. DAVIS,
Regional Administrator.
Region IX.

[F. R. Doc. 44–6877; Filed, May 13, 1944; 11:46 a. m.]

PART 1316—COTTON TEXTILES

[MPR 11,[1] Amdt. 17]

FINE COTTON GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 11 is amended in the following respects:

1. In § 1316.4 Table I under the heading "lawns" reference No. AB 43 is added to read as follows:

AB 43 39'' 96 x 72 5.75	15.70

2. In § 1316.4 Table I under the heading "poplin" reference No. AO 15 is added to read as follows:

AO 15 37½'' 102 x 48 3.15 (ply warp and filling)	31.12

3. In § 1316.4 Table I under the heading "printer's blanket fabric" reference Nos. BD 12, BD 13, BD 14 and BD 15 are added to read as follows:

BD 12 74'' 46/92 x 60 1.41 (ply warp)	90.82
BD 13 82'' 46/92 x 60 1.27 (ply warp)	100.23
BD 14 95'' 46/92 x 60 1.09 (ply warp)	114.54
BD 15 54'' 52 x 44 1.46 (ply yarn)	63.37

4. Under § 1316.4 Table I the title "warp clip fabric" and reference No. BX 1 and BX 2 are added to read as follows:

WARP CLIP FABRICS

BX 1 39.5'' 60/68 x 48 7.00 unclipped weight (natural)	17.53
BX 2 39.5'' 60/68 x 48 7.00 unclipped weight (colored)	18.43

5. In § 1316.4 the second paragraph of Table II is amended by changing the number "37" to read "36", and by adding after the word "sley" the following parenthetical phrase "(including cords if used but exclusive of salvage ends)".

This amendment shall become effective May 18, 1944.

(56 Stat. 23, 765; Public Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6872; Filed, May 13, 1944; 11:48 a. m.]

PART 1363—FEEDINGSTUFFS

[RMPR 74, Amdt. 6]

ANIMAL PRODUCT FEEDINGSTUFFS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 74 is amended in the following respects:

1. Section 3 is amended by adding a new definition to read as follows:

"Conversion plant" means any place where dry rendered tankage, wet rendered tankage or dried blood is converted into meat scraps, digester tankage, blood meal or blood flour.

2. Section 4 (b) is amended to read as follows:

(b) The maximum price for the sale of imported dry rendered tankage, per ton, bulk, by any person shall be at the rate of $1.25 for each percentage of protein therein, delivered at any conversion plant in the 48 States or the District of Columbia of the United States.

3. Section 5 (b) is amended to read as follows:

(b) The maximum price for the sale of imported wet rendered tankage and dried blood, per ton, bulk, by any person shall be at the rate of $5.53 for each percentage of ammonia therein delivered at any conversion plant in the 48 States or the District of Columbia of the United States.

This amendment shall become effective May 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6879; Filed, May 13, 1944; 11:49 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 364,[1] Amdt. 18]

FROZEN FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 364 is amended in the following respects:

1. Section 2 is amended by inserting after the sentence "If the processor freezes the fish or seafood in any place other than that port where the species is landed ex-vessel or shipped in by a producer, he may add as transportation allowance to the listed base price the actual per pound transportation cost, not to exceed the carload rail freight rate per pound for fresh fish, where such rate is available, from the port of entry to the freezing point, excluding any charges for local trucking, hauling and handling." the sentence "However, no such transportation allowance may be added to the base price listed for Schedule No. 11 (g) (Petrale sole—Pacific), 17 (Lingcod—Pacific), 40 (Dover sole), 40A (English sole), 40B (Sand sole), 40C (Turbot sole), 62 (Flounder—Pacific) or 67 (Rex sole), if any of these varieties has been landed fresh ex-vessel at any of the following ports of entry in California: Half Moon Bay, Point Reyes, Bodega Bay, Crescent City, Trinidad or Shelter Cove, and it is frozen in California, Washington or Oregon."

2. That part of section 3 (b) preceding 3 (b) (1) is amended to read as follows:

(b) *Net cost.* The wholesaler's "net cost" is the amount he paid for the particular item of frozen fish or seafood delivered at his established place of doing business, plus or minus any package differentials listed in section 13, less all discounts allowed him except the discount for prompt payment, and excluding any charges for local trucking, hauling and handling. Except that for sales of halibut, the wholesaler's "net cost" shall not exceed the lowest amount determined by the application of this paragraph of section 3 (b) and subparagraph (1) of this section 3 (b). After May 31, 1944, in the case of sales of frozen fish listed in Schedule Nos. 11 (g) (Petrale sole—Pacific), 17 (Lingcod—Pacific), 25 (Red cod—Pacific Coast), 40 (Dover sole), 40A (English sole), 40B (Sand sole), 40C (Turbot sole), 61 (True cod), 62 (Flounder—Pacific) and 67 (Rex sole) in the table of base prices in section 14, and after May 19, 1944, in the case of sales of any other frozen fish or seafood listed in the table of base prices in section 14, the wholesaler's "net cost" must not exceed the sum of the following: (1) the base price listed for the species in the table of base prices in section 14 on May 20, 1944, plus or minus (2) any package differentials listed in section 13 added or subtracted by previous handlers of the fish or seafood, plus (3) allowable transportation costs added by previous handlers of the fish or seafood, plus (4) the appropriate mark-up allowed his supplier in section 3 (d) (1) if his supplier is a primary wholesaler, plus or minus (5) any package differentials listed in section 13 for packaging changes, if any, made by the wholesaler, plus (6) allowable transportation costs for delivery of the frozen fish or seafood to the established place of doing business of the wholesaler from his supplier's place of business, exclusive of local trucking, hauling and handling. Any wholesaler who buys frozen fish or seafood and processes it by a style of processing for which a price is listed in the table of base prices in section 14 may include as part of his "net cost" the difference between the price listed in the table for the frozen fish or seafood in the condition in which it is purchased by the wholesaler and the price listed in the table for the fish or seafood in the condition it is after processing by the wholesaler.

3. Section 3 (d) (5) is amended to read as follows:

(5) *Broken lots.* An allowance of 10 percent may be added to the mark-up for the classes of sales specified in the regulation by a processor or wholesaler who sells frozen fish or seafood, other than fillets or steaks, in broken lots to retailers or purveyors of meals: *Provided,* That no such allowance may be added for fish or seafood sold or delivered from the place where it has been frozen. A sale of a broken lot of fish or seafood is a sale of a partial lot of fish or seafood which the processor or wholesaler has broken or separated from the original content of the immediate container in which the product had been packed by the processor and which partial lot the processor or wholesaler sells and delivers to a customer apart from the remainder of the original content of the immediate container.

4. In the table of base prices in section 14, Schedule Nos. 11 (g), 17, 25, 40, 40A, 40B, 40C, 61, 62, and 67 are amended to read as follows:

Schedule No.	Name	Item No.	Style of processing	Size	Base price per pound
11	(g) Sole, Petrale—Pacific	1	Round	All sizes	$0.08½
		2	Dressed	All sizes	.10½
		3	Dressed and skinned	All sizes	.12¾
		4	Fillets	All sizes	.25½
17	Lingcod—Pacific (Ophiodon elongatus).[2]	1	Dressed	All sizes	.11½
		2	Fillets	All sizes	.23½
25	Red cod or Rock cod—Pacific (Sebastodes species).	1	Round	All sizes	.07
		2	Dressed	All sizes	.10½
		3	Fillets	All sizes	.23
40	Sole, Dover—Pacific	1	Round	All sizes	.07
		2	Dressed	All sizes	.08½
		3	Dressed and skinned	All sizes	.10½
		4	Fillets	All sizes	.23½
40A	Sole, English—Pacific	1	Round	13 in. and over	.06
		2	Round	11½ to 13 in	.06½
		3	Dressed	13 in. and over	.09¼
		4	Dressed	11½ to 13 in	.07½
		5	Dressed and skinned	All sizes	.10½
		6	Fillets	All sizes	.23½
40B	Sole, Sand—Pacific	1	Round	All sizes	.07½
		2	Dressed	All sizes	.09¼
		3	Dressed and skinned	All sizes	.11
		4	Fillets	All sizes	.28½
40C	Sole, Turbot—Pacific	1	Round	All sizes	.07
		2	Dressed	All sizes	.08½
		3	Skinned	All sizes	.10½
		4	Fillets	All sizes	.23½
61	Cod, True—Pacific (Gadus macrocephalus).	1	Round	All sizes	.08
		2	Dressed	All sizes	.09½
		3	Fillets	All sizes	.19¾
62	Flounder—Pacific	1	Round	All sizes	.07
		2	Dressed	All sizes	.08½
		3	Fillets	All sizes	.23½
67	Sole, Rex—Pacific	1	Round	All sizes	.04½
		2	Dressed and skinned	All sizes	.10½

This amendment shall become effective May 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6846; Filed, May 12, 1944; 4:31 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 507,[1] Amdt. 4]

CEILING PRICES OF CERTAIN FRESH FISH AND SEAFOOD SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 2661, 3577.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4640, 5566, 7592, 11175, 12023, 12446, 12792, 14079, 15191, 15562, 16998, 9 F.R. 183, 946, 2023.

[1] 9 F.R. 607, 3511, 3512, 4540.

has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 507 is amended in the following respects:

1. Section 5 is amended to read as follows:

SEC. 5. *Prices which you must post.* At all times, you must have your current selling price for each item covered by this regulation clearly shown at the place where you offer the item for sale. Of course, this posted price must never exceed your ceiling price.

2. A new section 12 (a) is added to read as follows:

(a) Effective May 25, 1944, this regulation requires that the year 1943 be used as the basis for figuring your annual gross sales instead of the year 1942. If you find that as a result of that change, your store is in a different group from the one it was in before, you must, by the opening of business on Thursday, June 15, 1944, refigure all of your ceiling prices. You must use as your "net cost" the same "net cost" you would have used in refiguring your ceiling price on that Thursday under section 3 of this regulation.

3. A new section 12a is added to read as follows:

SEC. 12a. *Delegation to Regional Administrator for Region VIII.* The Regional Aministrator for Region VIII may, by order, fix cents-per-pound mark-ups over "net cost" for sales by retail stores, retail route sellers and wagon retailers of those species of fresh fish and seafood for which no mark-ups have been established in Maximum Price Regulation No. 507 and for which the Regional Administrator, under the authority of section 20 (a) of Maximum Price Regulation No. 418,[1] has by order fixed maximum prices for sales at other levels of distribution: *Provided, however,* That the mark-ups so established shall not exceed those generally prevailing during 1942.

The Regional Administrator for Region VIII shall issue with each order an opinion setting out that the above conditions have been satisfied. Each order shall include all of the provisions of general applicability in Maximum Price Regulation No. 507. Any order issued pursuant to this section shall apply to the area designated by the Regional Administrator, but in no event shall the order extend beyond the limits of Region VIII.

4. In section 17 (c), the date June 24, 1944, is substituted for the date March 1, 1944.

5. Section 18 is amended to read as follows:

SEC. 18. *Applications for adjustment.* Any Regional Office of the OPA, or such offices as may be authorized by order issued by the appropriate Regional Office, may act on all applications for adjustment under the provisions of this regulation, and may deny any application filed under section 17 or revoke any order granting adjustment under that section if denial of such application would not cause the applicant a substantial financial hardship. Applications for adjustment are governed by Revised Procedural Regulation No. 1.[1]

6. Section 19 is amended to read as follows:

SEC. 19. *How you find the "annual gross sales" of your store.* (a) To find your "annual gross sales", take your total sales for the calendar year 1943. Include all sales as shown on your books, except sales by a restaurant in conjunction with your store. You can use your Federal Income Tax Return to get your gross sales for all or part of the calendar year 1943 which is covered by such return. If you own more than one store, figure the sales for each store separately, treating each as a separate retailer.

(b) If you were not in business during the entire year 1943, you must divide your total sales from the time you began operation up to January 26, 1944, by the number of weeks you were in business. This will get you your weekly average sales. Multiply the figure by 52, and the result is your "annual gross sales".

7. In section 20 (b), the first sentence is amended to read as follows: "If you open a retail store after January 26, 1944, you may consider yourself a Group 1 store if you are an 'independent' store, or a Group 3 store if you are not an 'independent' store."

8. In section 26, Table A is amended to read as follows:

CENTS-PER-POUND MARK-UPS OVER "NET COST" ALLOWED TO RETAILERS FOR FRESH FISH AND SEAFOOD COVERED BY THIS REGULATION, BY SPECIES, FOR THE MONTHS OF MAY, JUNE, JULY, AUGUST, AND SEPTEMBER

	Whole fish, sold on gross weight basis and prepared to customer's order [1]		Fillets, cuts and steaks sold as purchased [1]	
	Groups I and II	Groups III and IV	Groups I and II	Groups III and IV
I. FRESH FISH — KIND OF FISH	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
1. Alewives	7	5		
2. Blackback	8	6	10	7
3. Codfish, Atlantic	9	7	10	7
4. Cusk	8	6	9	6
5. Dab, Sea	8	6	10	7
6. Haddock	8	6	10	7
7. Hake	8	6	9	6
8. Hake, Mud	7	5		
9. Herring, Atlantic	7	5		
10. Pollock	8	6	9	6
11. Rosefish	8	6	9	6
12. Sole, Grey	8	7	11	9
13. Sole, Lemon	9	7	11	10
14. Swordfish			11	10
15. Whiting	8	6	9	7
16. Wolffish	9	8	10	7
17. Yellowtail, Atlantic	8	6	10	7
18. Bonito	9	7	9	7
19. Cod, True, Pacific	8	6	9	6
20. Flounder, Pacific	8	6	10	7
21. Halibut	10	8	10	7
22. Ling Cod, Pacific	8	7	10	7
23. Rock (Red) Cod, Pacific	8	6	10	7
24. Sablefish	9	7	9	7
25. Salmon, Chinook, King	10	8	10	8
26. Salmon, Silver	10	8	10	7
27. Salmon, Pink	9	7	9	7
28. Salmon, Fall	9	7	9	7
29. Sauger, Sand Pike	9	7	10	8
30. Smelt, Silver, Pacific	9	7		
31. Sole, Dover	8	6	10	7
32. Sole, English	8	6	10	7
33. Sole, Petrale	8	6	10	7
34. Sole, Sand	8	6	10	7
35. Sole, Turbot	8	6	10	7
36. Tuna, Albacore			11	9
37. Tuna, Bluefin			10	7
38. Tuna, Skipjack, Striped			10	7
39. Tuna, Yellowfin			10	7
40. Yellowtail, Pacific	9	7	9	7
41. Lake Trout, Canadian	10	8	12	11
42. Pickerel, Canadian	9	8	10	8
43. Whitefish, Canadian	11	9	12	11
44. Yellow Pike, Canadian	11	9	12	10
45. Yellow Perch, Canadian	9	7		

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9366, 10066, 10513, 10939, 11734, 11687, 12468, 12233, 12688, 13297, 13182, 13302, 14049, 14475, 14616, 15257, 15430, 16131, 16298, 16296; 9 F.R. 90, 1325, 1532, 1575, 2133, 2408, 2691, 3038, 3388, 3578, 3940, 4350.

[1] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 3075.

Fresh Seafood Sold or Purchased [1]

	Groups I and II	Groups III and IV
II. FRESH SEAFOOD — KIND OF SEAFOOD	*Cents per pound*	*Cents per pound*
1. Scallops, Bay	14	13
1. Scallops, Sea	12	11
1. Shrimp, and Prawn	10	8

[1] Retailers processing items prior to offering for sale at retail, who price in accordance with section 15 (a) (2) or section 15 (b) (2) shall use these tables.

This amendment shall become effective May 25, 1944, except insofar as it relates to sections 12a and 26, for which it shall become effective May 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6873; Filed, May 13, 1944; 11:49 a. m.]

PART 1381—SOFTWOOD LUMBER

[RMPR 161,[1] Amdt. 13]

WEST COAST LOGS

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 161 is amended in the following respects:

1. Section 1381.152 is amended to read as follows:

§ 1381.152 *What logs are covered.* This regulation covers under the name of "West Coast Logs" all logs produced in those parts of Oregon, Washington and Canada, West of the crest of the Cascade Mountains and in Skamania and Klickitat counties in Washington and Hood River and Wasco in Oregon, of the following species: Douglas fir (Pseudotsuga taxifolia), western hemlock (Tsuga merstensiana, Tsuga heterophylla), Sitka spruce (Picea sitchensis), western white fir (Abies grandis, Abies amabilis, Abies magnifica, Abies lasiocarpa), noble fir (Abies nobilis), western white pine (Pinus monticola), western red cedar (Thuya plicata), and ponderosa pine (Pinus ponderosa).

2. Section 1381.153 (e) (3) is amended to read as follows:

(3) Columbia River District consists of the counties of Wahkiakum, Cowlitz, Clark, Skamania and Klickitat in Washington and Benton, Clackamas, Clatsop, Columbia, Hood River, Linn, Marion, Multnomah, Polk, Wasco, Washington, and Yamhill counties in Oregon.

3. Section 1381.154 is amended by the deletion of the item "Ponton logs" from Table A and of "Aircraft Grade" from Table F, together with the corresponding prices in the tables.

4. Section 1381.154 is amended by the addition of a new Table K to read as follows:

TABLE K—PONDEROSA PINE

	Puget Sound District	Willapa Bay-Grays Harbor District	Columbia River District	Southern Oregon-Tillamook District
No. 1	$27.00	$27.00	$27.00	$25.00
No. 2	21.00	21.00	21.00	19.00
No. 3	19.00	19.00	19.00	17.00
Camp-run (ungraded)	19.00	19.00	19.00	17.00

5. Appendix A, section (a) *Grading rules,* is amended by the deletion of the grade descriptions headed "Douglas Fir Ponton Logs" and "Aircraft Grades—Noble Fir and Hemlock", and by the addition of the following sentence at the conclusion of the paragraph headed "Other Species". Ponderosa pine logs shall be scaled and graded on the basis of the above rules for hemlock logs.

This amendment shall become effective May 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E. O. 9250, 7 F. R. 7871; E. O. 9328, 8 F. R. 4681)

Issued this 13th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6876; Filed, May 13, 1944; 11:46 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1117, 2992, 5678, 6619, 9381, 10660, 11509, 16602, 16603, 17327; 9 F.R. 694.

[1] 8 F.R. 15937.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 122]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.8206a (a) is amended to read as follows:

(a) Every licensed distributor, who handles gasoline in such a manner as to be required by § 1394.8218 (a) to remit a ration check with his State tax report, shall, on and after January 27, 1943, open at least one account, in the manner provided by General Ration Order No. 3A. If a licensed distributor has more than one place of business he may open a separate account for each place of business or any group of places. In addition, a licensed distributor may open an account in connection with the operation of any accounting office maintained by him. An account for a facility of a licensed distributor may be opened and maintained either in the name of such licensed distributor or in the name of the consignee or other person who has charge of the operation and management of such place of business, provided the signature card of such account shows the name and address of the licensed distributor who furnishes gasoline to such place of business.

2. Section 1394.8206b (a) (5) is revoked.

This amendment shall become effective May 17, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1Q, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 13th day of May 1944

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6870; Filed, May 13, 1944; 11:47 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5E,[1] Amdt. 5]

MILEAGE RATIONING: GASOLINE REGULATIONS FOR PUERTO RICO

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5E is amended in the following respect:

Section 7.1 (b) is amended by changing the phrase "8 a. m." to read "6 a. m."

This amendment shall become effective as of May 10, 1944.

(Pub. Law 871, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong., E.O. 9250, 7 F.R. 7871, W.P.B. Dir. 1, Supp. Dir. 1-J, 7 F.R. 562)

Issued this 13th day of May 1944.

JORGE L. CORDOVA,
Territorial Director,
Puerto Rico.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-6881; Filed, May 13, 1944; 11:49 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[2] Amdt. 5]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5151 (a) (2) is amended by adding after the semicolon at the end of the subparagraph, the following: "ex-

[1] 8 F.R. 9975, 16033; 9 F.R. 397, 1321.

[2] 9 F.R. 2357, 3358, 4099, 4391.

cept as provided in §§ 1394.5318 (b) and 1394.5353 (a) (1);"

2. Section 1394.5318 (b) is added as follows:

(b) On or after May 15, 1944, a ration may be issued for fuel oil burning equipment designed to furnish domestic hot water even though there is available for this purpose central heating or cooking equipment, using an alternate fuel. In that event, the allowable ration determined in accordance with paragraph (a) of this section, shall be for a period ending not later than September 30, 1944.

3. Section 1394.5353 (a) (1) is added as follows:

(1) On or after May 15, 1944, a ration may be issued for fuel oil burning equipment designed for domestic cooking even though there is available a standby facility which can be used as a substitute for such equipment. In that event, the allowable ration for domestic cooking shall be the amount of fuel oil needed (within the maximum provided in paragraph (b) of this section) for a period ending not later than September 30, 1944.

This amendment shall become effective on May 15, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Directive 1, 7 F.R. 562, Supp. Dir. 1–O, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 13th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6869; Filed, May 13, 1944; 11:47 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 17]

SUGAR

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respects:

1. Section 1407.71 (a) is amended by deleting the second sentence and inserting in place thereof the following: "However, a consumer may not obtain, during the 1944 home canning season (March 1, 1944 to February 28, 1945), ration coupons for more than twenty pounds of sugar".

2. Section 1407.71 (b) is amended to read as follows:

(b) *When application may be made.* Each District Office shall fix two periods during which consumers who live within the district may apply for sugar to be used, during the 1944 home canning season, for the purposes covered by this section. The times when such periods shall begin and end for any district will be determined in the discretion of the District Office.

3. Section 1407.71 (c) is amended to read as follows:

(c) *Application and issuance during the first period.* (1) A consumer may apply, during the first period fixed by the District Office, in person or by mail, on OPA Form R–323, for the sugar he needs for the purposes covered by this section, but not for more than ten pounds. Application shall be made to the Board for the place where the applicant lives. One application may be made covering more than one consumer, if they all live at the same address, but the name of each shall be listed on the application. (The consumer signing the application must, however, be authorized to apply for each person he lists.) The applicant shall give the information required by OPA Form R–323 and shall attach to his application Spare Stamp No. 37 from the War Ration Book Four of each consumer on whose behalf the application is made. (Since each "ration coupon" authorizes the delivery of five pounds of sugar, application for each consumer must be made for either 5 or 10 pounds of sugar.) If the Board finds that the facts stated in the application are true and that a Spare Stamp No. 37 for each person for whom application is made is attached thereto, it shall grant the application in the amount needed for the purpose specified in paragraph (a), but not to exceed ten pounds per person. It shall issue "ration coupons" for the amount of sugar granted.

4. Sections 1407.71 (d) and 1407.71 (e) are redesignated §§ 1407.71 (e) and 1407.71 (f), respectively, and a new § 1407.71 (d) is added to read as follows:

§ 1407.71 (d) *Application and issuance during the second period.* (1) A consumer who has not obtained, during the 1944 home canning season, ration coupons (or other evidences) under this section and who needs sugar for the purposes covered by this section, may apply for such sugar to the Board, during the second period fixed by the District Office, on OPA Form R–323. The application shall be made in the same way as one made under paragraph (c) and the Board shall grant the application under the same conditions as set forth in that paragraph, except that the consumer may apply for and the Board may issue ration coupons in an amount not to exceed twenty pounds per person.

(2) A consumer who, during the 1944 home canning season, has obtained from the Board ration coupons (or other evidences) under this section for less than twenty pounds of sugar, and who needs sugar for the purposes covered by this section, may apply, during the second period fixed by the District Office, on OPA Form R–323, at the same Board and obtain ration coupons for the additional amount of sugar he needs, up to the twenty pound maximum permitted by paragraph (a). The consumer's Spare Stamp No. 37 need not be attached to such application, but the consumer shall state on the back of the application whether he has used the coupons (or other evidences) issued him under this section in accordance with the provisions of this section, and if not, whether he still has such coupons (or other evidences) or the sugar obtained therewith. If the Board finds that the facts stated in the application are true, and that the consumer has used sugar obtained under this section in accordance with its provisions or still has the ration coupons (or other evidences) or the sugar obtained therewith, it shall grant the application and issue ration coupons, for the amount of sugar needed, subject to the twenty pound maximum provided in paragraph (a).

This amendment shall become effective May 13, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005; War Food Order No. 64, 8 F.R. 7093)

Issued this 13th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6885; Filed, May 13, 1944; 11:52 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 10,[1] Amdt. 19]

FOOD RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 10 is amended in the following respects:

1. The table in § 1407.687 is amended to read as follows:

Ration period	Stamp valid during ration period (Book 1)	Weight value of stamp (pounds of cornmeal)
#5 April 24 to April 30	15	1
#6 May 1 to May 6	16	1
#7 May 8 to May 14	17	1
#8 May 15 to May 21	18	1
#9 May 22 to May 28	19	1
#10 May 29 to June 4	20	1
#21 June 5 to June 11	21	1
#22 June 12 to June 18	22	1
#23 June 19 to June 25	23	1
#24 June 26 to July 2	24	1
#25 July 3 to July 9	25	1
#26 July 10 to July 16	26	1
#27 July 17 to July 23	27	1
#28 July 24 to July 30	28	1

2. Section 1407.704 (a) is amended by changing the phrase "eight (8)" to read "four (4)".

This amendment shall become effective as of April 24, 1944.

(Pub. Law 671. 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9250, 7 F.R. 7671; W.P.B. Dir. No. 1, E.O. 9280, 7 F.R. 10179; F.D. No. 3, 8 F.R. 2005; F.D. No. 9, 8 F.R. 9600)

Issued this 13th day of May 1944.

JACOB A. ROBLES,
Territorial Director,
Virgin Islands.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44–6882; Filed, May 13, 1944; 11:51 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 183,[1] Amdt. 36]

SHOES IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 67 is added to read as follows:

SEC. 67. *Maximum prices for imported shoes sold or delivered in the Territory of Puerto Rico*—(a) *Definitions.* When used in this section 67, the term:

(1) "Shoes" means all types of covering for the human feet except hosiery.

(2) "Job lot" means a single purchase of a group of shoes all of which in trade terms are "seconds," "imperfects," "close outs," "sub-standards," "discontinued models" or "samples."

(3) "Shoe reference book" means a book containing the seller's descriptive entries of the shoes which he is offering for sale and the maximum prices authorized for them by this section.

(4) "Reference stock number" means the numbers employed by the manufacturer or supplier and the seller to identify a pair of shoes.

(5) A "price line of shoes" means a group of styles of footwear offered by a seller at the same price for each style in the group.

(6) "Group A" refers to all women's, misses' and growing girls' shoes which cost $3.00 or less per pair f. o. b. port of shipment and all shoes other than women's, misses' and growing girls' which cost $4.00 or less per pair f. o. b. port of shipment.

(7) "Group B" refers to all women's, misses' and growing girls' shoes which cost more than $3.00 per pair f. o. b. port of shipment and all shoes other than women's, misses' and growing girls' which cost more than $4.00 per pair f. o. b. port of shipment.

(b) *Maximum prices for imported shoes.* Except as otherwise specified in paragraph (c) a seller's maximum prices for imported shoes sold or delivered in the Territory of Puerto Rico shall be:

(1) For shoes which have been imported by the seller and which were not received as a part of a job lot, the cost per pair f. o. b. port of shipment multiplied by:

Group	Sales at wholesale	Sales at retail
A	1.25	1.60
B	1.28	1.67

(2) For shoes which have not been imported by the seller and which were not received by him as a part of a job lot, the price paid to the importer multiplied by:

Group:	*Sales at retail*
A	1.28
B	1.30

(3) For a job lot of shoes sold intact, the cost of the job lot, f. o. b. point of shipment, multiplied by 1.25. This markup may be taken only once, regardless of the number of sellers.

(4) For each pair of shoes received in a job lot, the price fixed by the seller: *Provided*, That the total of the prices charged for each pair of shoes within the job lot in which the shoes were received, shall not exceed the cost of the lot f. o. b. port of shipment multiplied by 1.25 at wholesale and 1.60 at retail on sales by importers, and the price paid to the importer multiplied by 1.28 on sales at retail by a merchant other than the importer.

(5) For shoes purchased in a job lot, part of which job lot has been sold prior to the effective date of this regulation, the price established and filed with the War Price and Rationing Boards in accordance with the requirements of the General Maximum Price Regulation.[3] The seller's maximum price for shoes from a broken job lot which cannot be established by reference to such a price list shall be a maximum price, in line with the level of maximum prices established by this regulation, as determined by the Director of the Office of Price Administration at San Juan, Puerto Rico, on application of the seller.

(c) *Duty.* On all shoes on which duty is payable, the seller may add to the price of each pair of shoes the charge for duty which he has paid on them. The duty shall not be included in the cost price either by the importer or by the retailer for purposes of computing the markup to which the seller is entitled. Sales of imported shoes at wholesale on which duty has been paid shall be so invoiced as to state the amount of duty separately from the price charged for the shoes.

(d) *Trade practices.* The markups authorized herein are gross markups which shall not be exceeded regardless of any additional, unexpected, or unusual costs which the seller may have incurred or of the number of sellers handling the shoes. No seller shall change his customary allowances, discounts or other price differentials unless such change results in a lower net price.

(e) *Prohibited practices.* It shall be unlawful for any seller to improperly classify a pair of shoes for the purpose of evading the pricing provision applicable to the sale of such shoes. It shall likewise be unlawful for any seller to revise the price entered in his shoe reference book for any pair of shoes except as otherwise provided in paragraph (h) (2).

(f) *Notification to OPA on sales of job lots.* Within five days of his first sale of a pair of shoes from a job lot the seller shall file a statement with the Territorial Office of the Office of Price Administration, San Juan, Puerto Rico, a copy with his local War Price and Rationing Board and retain a copy for his own files, which statement shall show:

(1) The name and address of the person from whom the lot was purchased;

(2) A description of the job lot;

(3) The number of pairs of shoes included within each price line;

(4) The reference stock number assigned as provided in paragraph (a);

(5) The f. o. b. port of shipment cost of the job lot to the seller, if imported by the seller, or the price paid to the importer for the job lot if not imported by the seller;

(6) The amount of duty, if any, paid by the importer;

(7) The selling price of each pair of shoes as determined in accordance with the pricing provision of paragraph (b) of this section; and

(8) Over-all markup taken by the seller on the job lot.

(g) *Identification of shoes.* Every seller shall assign a separate reference stock number to each price line of shoes and shall clearly mark on each pair of shoes the stock number by use of a label, tag, slip, sticker, mark, or other similar appropriate marking.

(h) *Shoe reference book.* (1) Every person selling shoes shall prepare a shoe reference book which he shall keep and make available for examination by the Office of Price Administration or by any person duly authorized by the Territorial Director of the Office of Price Administration, in which shall be entered prior to the time shoes are sold or offered for sale, the following information for each price classification of shoes in the seller's stock:

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* Copies may be obtained from the Office Price Administration.

[1] 9 F.R. 1433, 1534, 2233, 2826, 2838, 3081, 3513, 3579, 3847, 3944, 4099.

[1] 7 F.R. 6887, 8523, 8607, 10707; 8 F.R. 1394, 3315, 3843, 4190, 4892, 5268, 7017; 9 F.R. 2233, 2478, 2656, 2746, 3653.

* Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9532, 10763, 10906, 11437, 11847, 12549, 10937, 12532, 13165, 13847, 14090, 14765, 15195

[3] 8 F.R. 5307, 6362, 14765, 15585.

(i) The reference stock numbers;
(ii) A description of the units included;
(iii) The name and address of the supplier;
(iv) The date received;
(v) The cost to the seller or the price paid to the importer, whichever price is material in accordance with the pricing provision utilized, the duty if any paid by the importer;
(vi) The multiplier used in computing the maximum price; and
(vii) The selling price at wholesale or at retail depending upon the level at which the shoes are offered for sale.

(2) The maximum price charged by each seller and entered in his shoe reference book shall in no instance be altered except that should the seller have erroneously computed the price for an item entered in such book, the seller's Local War Price and Rationing Board may, after having received a written statement of the fact from the seller, if satisfied that the entry was the result of a miscalculation, authorize such seller to change the entry to correspond with the maximum price which he is authorized to charge in accordance with this regulation.

(3) All entries in the shoe reference book shall be made in numerical sequence. Shoes received by the seller which are identical to others earlier entered into the reference book shall be re-entered under a new reference stock number.

(i) *Notification to customers.* Every person selling shoes, except at retail, shall with each delivery supply the purchaser with a statement, which may be included in and made a part of the seller's invoice, specifying with respect to each price classification delivered:

(1) The seller's reference stock number;
(2) A notation of the pricing provision employed;
(3) The number and description of units sold;
(4) The price charged; and
(5) The duty paid, if any.

The provisions of this paragraph (i) supersede section 11 (b) (1) of Revised Maximum Price Regulation 183 with respect to sales of shoes.

This amendment shall become effective June 1, 1944.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6871; Filed, May 13, 1944; 11:47 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 288,[1] Amdt. 24]

MILK IN ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 288 is amended in the following respects:

1. The text of § 1418.363 (g) Table VII is amended to read as follows:

(g) Table VII: *Maximum prices for milk sold in certain communities in the Territory of Alaska*—(1) *Definitions.* When used in this table, the term:

(i) "Milk" means cow's milk sold raw or pasteurized in fluid form as whole milk.

(ii) "Wholesale" refers to the sale by any person of milk in bottles or other containers to any person other than the ultimate consumer, and includes sales to stores, restaurants, institutions, and the Army or Navy.

(iii) "Restaurant" means any establishment operating as a restaurant, hotel, cafe, bar, soda fountain, or other eating or drinking place.

(2) *Maximum prices in Juneau and Douglas.*

[In cents]

	Quart	Pint	Half-Pint
Wholesale	18½	9¾	6
Retail out-of-store	22	12	------
Retail home-delivered	23	13	------
Restaurant when consumed on premises	------	------	10

2. Subparagraph (3) is added to § 1418.363 (g) Table VII to read as follows:

(3) *Maximum prices in Ketchikan:*

[In cents]

	Quart	Pint	Half-Pint
Wholesale	19	10	6
Retail out-of-store	23	12	------
Retail home-delivered	24	13	------
Restaurant when consumed on premises	------	------	10

(NOTE: A seller may charge a deposit for bottles of any size not to exceed ten cents per bottle, the deposit to be refunded in full upon the return of the undamaged bottle.)

This amendment shall become effective May 18, 1944.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10581, 11012; 8 F.R. 23, 567, 2158, 2445, 6964, 3844, 8184, 12549, 13166, 13305, 16514, 16626, 16627, 16865, 16986, 16793; 9 F.R. 301, 849, 1715.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6883; Filed, May 13, 1944; 11:51 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 57]

IMPORTED FROZEN FISH IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 20a is added to read as follows:

SECTION 20a. *Wholesalers' and retailers' maximum prices for sales of imported frozen fish on the Island of Oahu*—(a) *Scope of this section.* This section fixes the maximum prices at which wholesalers and retailers may sell imported frozen fish on the Island of Oahu. Paragraph (c), below, lists the various species of salt water fish, shell fish and mollusks for which specific dollars and cents maximum prices are established by this section together with the maximum prices. It also sets forth the procedure for establishing the maximum prices for sales at wholesale and retail of all other varieties of imported frozen fish covered by this section. Maximum wholesale and retail prices for frozen shrimp and prawn, however, continue to be fixed under section 55 of this regulation.

(b) *Definitions.* As used in this section 20a, the term:

(1) "Cleaned" refers to fish from which the viscera or entrails have been removed.

(2) "Dressed" refers to fish from which the viscera and head have been removed.

(3) "Fillet" means the heavy-meated section or strip of fish cut from along the backbone and outside the rib-bone, extending from the nape and gills to the tail.

(4) "Frozen fish" means fish that are naturally or artificially frozen.

(5) "Frozen Seafood" means shellfish and mollusks that are naturally or artificially frozen.

(6) "Landed costs" shall include only actual invoice costs plus freight, mainland storage charges, wharf fees, cartage and insurance, and shall include credit for any rebates or commissions.

(7) "Round fish" means fish as it comes from the water.

(8) "Steak" means a cross section cut from a dressed fish.

[1] 8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 15862, 16866, 16997, 17201; 9 F.R. 173, 393.

(c) *Maximum prices—Island of Oahu only.*

Name and description	Style of processing	Size	Maximum prices for sales at wholesale per net lb.	Maximum prices for sales at retail per net lb.
Albacore (Pacific Coast)	Round or Cleaned	All sizes	$0.375	$0.60
Albacore (Pacific Coast)	Steaks			.65
Halibut (Chicken & Medium)	Dressed	Under 40 pounds	.37	.60
Halibut (Chicken & Medium)	Steaks			.60
Mackerel (Pacific Coast)	Round	All sizes	.21	.38
Mackerel (Pacific Coast)	Fillets	All sizes	.44	.58
Mullet	Round	1 pound & up	.27	.36
Mullet	Fillets	All sizes	.50	.67
Perch (Atlantic Coast)	Round	All sizes	.30	.40
Perch (Pacific Coast)	Fillets	All sizes	.56	.67
Squid (Pacific Coast)	Any	All sizes	.22	.30
Salmon (Pacific Silver)	Dressed	All sizes	.375	.60
Salmon (Pacific Silver)	Steaks	All sizes		.60
Salmon (Pacific Fall)	Dressed	All sizes	.325	.45
Salmon (Pacific Fall)	Steaks	All sizes		.55
King Fish	Round	All sizes	.21	.38
Butter Fish	Round	All sizes	.30	.40
Herring (Sea)	Round	All sizes	.19	.25
Black Cod	Dressed	All sizes	.35	.45
Black Cod	Fillets			.60
Salted Fish			1.05	2.17

[1] Per pound over landed cost.
[2] "Net cost" is the amount paid your supplier after deducting all discounts and allowances.

NOTE: All cuts other than steaks or fillets may be sold at prices not to exceed the maximum price per pound of the round, cleaned or dressed fish from which such cuts are derived.

(d) In the case of a sale at wholesale or at retail of any imported frozen fish item not listed in paragraph (c) (except frozen shrimp and prawn, for which maximum prices are established under section 55 of this regulation) the maximum price shall be the price authorized by the Territorial Director of the Office of Price Administration, upon the written application of the seller to the Office of Price Administration, Iolani Palace, Honolulu 2, T. H. Such authorization will be given in the form of an order prescribing a specific maximum price or a method of determining the maximum price for the applicant, or, in case the applicant is a wholesaler, for sellers of the commodity generally, including purchasers for resale, or for a class of such sellers. The application should contain:

(1) The name of the imported frozen fish item for which a maximum price is sought.

(2) A statement of the maximum price permitted the mainland primary wholesaler under Maximum Price Regulation 364, and

(3) A separate statement of the charges actually incurred by the seller in computing his landed cost.

(e) *Retailers' maximum prices for sales to eating places.* The maximum prices for sales to hotels, restaurants, institutions and other eating places are the maximum prices for sales at wholesale fixed under paragraph (c) of this section. Nevertheless, if you are a retailer, you may, during any month, use the maximum prices for sales at retail fixed under such paragraph in selling to eating places if 80% or more of your total dollar sales of the imported frozen fish items covered by this section during the previous calendar month were retail sales to consumers; that is, persons who buy these items to be eaten by themselves or their families off your premises.

(f) *Posting requirements for retailers.* Notwithstanding the provisions of section 10 (b) of this regulation, if you are a retailer, you must, not later than April 20, 1944, post at your store your "Official OPA List of Retail Maximum Prices for Imported Frozen Fish." It must be put on or at the counter of the fish department of your store at one or more places where your customers may easily examine and read it. You must get your official copies of your price list for posting or copying from your War Price and Rationing Board or from your district Office of Price Administration office. If you display any imported frozen fish item covered by this section, you must post on or near it your selling price for that item.

This amendment shall become effective as of April 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6884; Filed, May 13, 1944; 11:52 a. m.]

PART 1499—COMMODITIES AND SERVICES

[GMPR,[1] Amdt. 61]

MAXIMUM PRICES FOR COMMODITIES AND SERVICES WHICH CANNOT BE PRICED UNDER § 1499.2

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The General Maximum Price Regulation is amended in the following respects:

1. Section 1499.3 is amended to read as follows:

§ 1499.3 *Maximum prices for commodities and services which cannot be priced under § 1499.2.* A seller's maximum price for a commodity or service which cannot be priced under § 1499.2 and for which a maximum price or pricing method has not been otherwise established by the Office of Price Administration shall be a maximum price in line with the level of maximum prices established by this regulation and shall be determined in the following manner:

(a) In the case of a sale at wholesale or retail of a commodity the seller shall (1) find the most comparable commodity for which he then has a maximum price under § 1499.2 (a); (2) divide this price by the net unit replacement cost of such commodity; and (3) multiply the percentage so obtained by his net unit cost (which may not exceed his supplier's maximum price) for the commodity being priced. The resulting figure shall be his maximum price for the commodity. All customary allowances, discounts, or other price differentials and all practices relating to the payment of transportation charges in effect with respect to the most comparable commodity shall apply to the commodity being priced.

The "most comparable commodity" under this paragraph (a) must meet all of the following tests:

(1) It must be currently offered for sale by the seller.

(2) It must belong to the narrowest trade category which includes the commodity being priced.[2]

(3) Both it and the commodity being priced must have been purchased from the same class of supplier.

(4) Both it and the commodity being priced must belong to a class of commodities to which, according to the seller's practice in March, 1942, an approximately uniform percentage markup would have been applied.

If more than one commodity meets all the above tests, the one whose net unit replacement cost is nearest to the net unit cost of the commodity being priced shall be the "most comparable commodity."

"Net unit replacement cost," as used above, means the net price which the seller would have to pay per unit, at the time he applies this pricing method, to purchase the comparable commodity in the regular course of business from a supplier who belongs to the same class as the supplier of the commodity being priced. A commodity not currently replaceable has no "net unit replacement cost" and may not be used as the "most comparable commodity".

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1385.

[2] *Example:* If you are pricing a man's soft fur felt hat the narrowest trade category would be men's soft fur felt hats, but if you have none from which you can select the comparable commodity, you then go to the next narrowest trade category, men's soft felt hats; if you have none of these from which to choose, the next narrowest trade category would be men's felt hats; finally, if you have no men's felt hats, the narrowest trade category available would be men's hats in general.

The maximum price determined for the commodity being priced under this paragraph (a) shall, before the commodity is offered for sale, be reported by the seller to the District Office of the Office of Price Administration for each District in which he operates as a separate seller, unless he has been otherwise directed by a uniform pricing order. The report shall be made upon a form copied from Appendix A of this regulation.[3] A maximum price so reported may not be changed by the seller even though the cost of the commodity increases.

(b) In the case of a sale other than at wholesale or retail of a commodity:

(1) The seller shall (i) find the most comparable commodity for which he then has a maximum price under § 1499.2 (a) (1); (ii) divide this price by the current unit direct cost of such commodity; and (iii) multiply the percentage so obtained by his current unit direct cost for the commodity being priced. The resulting figure shall be his maximum price for the commodity. All customary allowances, discounts, or other price differentials and all practices relating to the payment of transportation charges in effect with respect to the most comparable commodity shall apply to the commodity being priced.

The "most comparable commodity" under this paragraph (b) (1) must meet all of the following tests:

(1) It must belong to the narrowest trade category which also includes the commodity being priced.[4]

(2) It must have a current unit direct cost varying from that of the commodity being priced by not more than 25% of the latter cost.

(3) It must be currently produced by the seller or, if he is not currently producing a comparable commodity, it must have been produced by him within the twelve months preceding his use of this pricing method.

If more than one commodity meets all the above tests, the one whose current unit direct cost is nearest to the current unit direct cost of the commodity being priced shall be the "most comparable commodity".

"Current unit direct cost," as used above, means the sum of the amounts (not higher than permitted by law) which it costs the seller, or if he is not currently producing it, would cost him, for direct labor and materials to produce the commodity at the time he uses this pricing method.

The maximum price determined for the commodity under this paragraph (b) (1) shall, before such commodity is offered for sale, be reported by the seller to the District Office of the Office of Price Administration for the District in which his main office is located. The report shall be made in duplicate upon a form copied from Appendix C of this regulation.[5] A maximum price so determined and reported may not be redetermined by the seller even though his costs increase.

(2) If the seller is unable to determine a maximum price for a commodity under paragraph (b) (1), he shall file an application with the Office of Price Administration, Washington, D. C., for approval of a proposed maximum price for the commodity. This application shall contain all facts regarding the commodity to be priced which are required by the form set forth in Appendix C (that form may be used if desired) and shall also contain a full explanation of the reasons why he cannot price the commodity under § 1499.2 or under paragraph (b) (1) of this section, the method used in figuring the proposed maximum price, and the reasons he believes the proposed price is in line with the level of maximum prices otherwise established by this regulation. He must also furnish any additional information which the Office of Price Administration may require.

A commodity for which a maximum price is proposed under this paragraph (b) (2) may not be sold (except as provided in § 1499.20 (r)) until that price has been approved by the Office of Price Administration, but the proposed price shall be deemed to be approved twenty days after mailing the application (or all additional information which may have been requested) unless, within that time, the Office of Price Administration notifies the seller that his proposed price has been disapproved.

(c) If a seller at wholesale or retail is unable to determine a maximum price for a commodity under paragraph (a) of this section, he shall file an application with the District Office of the Office of Price Administration for each District in which he operates as a separate seller (unless otherwise directed by a uniform pricing order) for approval of a proposed maximum price for the commodity. This application shall contain all facts regarding the commodity to be priced which are required by the form set forth in Appendix A (that form may be used if desired) and shall also contain a full explanation of the reasons why he cannot price the commodity under § 1499.2 or under paragraph (a) of this section, the method used in figuring the proposed maximum price, and the reasons he believes the proposed price is in line with the level of maximum prices otherwise established by this regulation. He must also furnish any additional information which the Office of Price Administration may require.

A commodity for which a maximum price is proposed under this paragraph (c) may not be sold (except as provided in § 1499.20 (r)) until that price has been approved by the Office of Price Administration, but the proposed price shall be deemed to be approved 20 days after mailing the application (or all additional information which may have been requested) unless, within that time, the Office of Price Administration notifies the seller that his proposed price has been disapproved.

(d) In the case of a sale of a commodity the price for which includes the supply of a service of substantial value and which cannot be priced under paragraphs (a) or (b) (1) of this section, or in the case of a sale of a service, the maximum price shall be a price determined by the seller in accordance with Maximum Price Regulation No. 165, as amended or revised.

(e) (1) The Price Administrator, or any Regional Administrator or any State or District Director so authorized by his Regional Administrator, may at any time approve, disapprove or revise maximum prices reported, proposed or established under paragraphs (a), (b) (1), or (c) of this section so as to bring them into line with the level of maximum prices otherwise established by this regulation.

(2) Any Regional Administrator may issue orders establishing maximum prices or pricing methods for sale or resale by any seller within the region whose maximum price would otherwise be established under paragraphs (a) or (c) of this section.

(3) The Price Administrator may at any time approve, disapprove, or revise maximum prices proposed or established under paragraph (b) (2) of this section so as to bring them into line with the level of maximum prices otherwise established by this regulation and may, either in connection therewith or otherwise, issue orders establishing maximum prices or pricing methods for sale or resale of any commodity subject to this regulation.

(f) Orders heretofore issued under this section shall remain in full force and effect unless specifically modified or revoked.

2. Section 1499.20 (n) is revoked.

3. Appendix A to § 1499.24 is amended to read as follows:

[3] Copies of this form may be obtained from any office of the Office of Price Administration.

[4] See example in note 2 above.

[5] Copies of this form may be obtained from any office of the Office of Price Administration.

§ 1499.24 *Appendix A: Form for reporting maximum price under § 1499.3 (a).*

OPA Form 620-759 (3-44) This form may be reproduced without change UNITED STATES OF AMERICA OFFICE OF PRICE ADMINISTRATION REPORT OF WHOLESALER'S OR RETAILER'S MAXIMUM PRICE COMPUTED UNDER SECTION 1499.3 (a) OF THE GENERAL MAXIMUM PRICE REGULATION	Name of Seller Reporting Address—Number and Street City and Postal Zone Number State Date of Report

INSTRUCTIONS

This form is to be used for reporting a maximum price for sale at wholesale or retail determined under § 1499.3 (a) of the General Maximum Price Regulation. You may price under that section only those commodities which you cannot price under § 1499.2, i.e., which are neither the same as nor similar to commodities sold or offered for sale by you or your competitor during March, 1942. Commodities for which maximum prices at wholesale or retail are established by specific price regulations or by orders issued by the Office of Price Administration or for which maximum prices have heretofore been determined under this or any other maximum price regulation or order may not be priced under § 1499. 3 (a).

You must file this form with the District Office of the Office of Price Administration for each district in which you operate as a separate seller before the commodity may be offered for sale therein.

All data specified in the form must be furnished. The following specific instructions, keyed to the numbers of items in the form, explain the information desired:

1. The new commodity for which a maximum price is reported should be described with sufficient fullness to enable any representative of OPA to identify it. The description should include such matters as model, manufacturer's list name or number, use, trade category (e.g., food, hardware, men's clothing, etc.), principal materials of which constructed, unit in which priced, size, weight, packaging, brand or manufacturer's name and any other pertinent information. An illustration should be furnished where possible.

4. Indicate how the commodity for which a maximum price is reported differs from other commodities sold by you or by competitive sellers of the same class during March, 1942. If you or any competitive seller sold similar, though not identical, items during March, 1942, the maximum price may not be established under § 1499.3 (a) but must be determined under § 1499.2 of the General Maximum Price Regulation.

5. The most comparable commodity must be described with the same fullness as specified above for item 1. It must be one for which you already have a maximum price established under § 1499.2 (a) on the basis of your own sale or offer of the same or similar commodity for delivery in March, 1942, and must meet all of the following tests:

(a) It must be currently offered for sale by you.

(b) It must belong to the narrowest trade category which also includes the commodity being priced. Example: If you are pricing a man's soft fur felt hat the narrowest trade category would be men's soft fur felt hats, but if you have none from which you can select the comparable commodity, you then go to the next narrowest trade category, men's soft felt hats; if you have none of these from which to choose, the next narrowest trade category would be men's felt hats; finally, if you have no men's felt hats, the narrowest trade category available would be men's hats in general.

(c) You must have purchased both commodities from the same class of supplier.

(d) Both commodities must belong to a category to which an approximately uniform percentage mark-up would have been applied according to your practice in March, 1942.

(e) If more than one commodity meets all of the above tests, you must use the one with the nearest net unit replacement cost to that of the one you are pricing.

8. Section 1499.3 (a) defines "net unit replacement cost" as meaning "the net price which the seller would have to pay per unit, at the time he applies this pricing method, to purchase the comparable commodity in the regular course of business from a supplier who belongs to the same class as the supplier of the commodity being priced. A commodity not currently replaceable has no 'net unit replacement cost, and may not be used as the 'most comparable commodity'."

11. The net unit cost is your actual cost per unit after deducting all discounts which you received and adding transportation and delivery charges which you paid. This cost of course may not exceed your supplier's ceiling price.

12. The price reported at this point is the maximum price you may charge for the new commodity which is the subject of this report. You must allow the same discounts and differentials for different quantities or for sales to different classes of purchasers which you allow with respect to the most comparable commodity.

14. The terms "sale at retail" and "sale at wholesale" are defined in the General Maximum Price Regulation, § 1499.20 (o) and (p).

1	Name and description of new commodity for which a maximum price is reported.	6	Name of Manufacturer of most comparable commodity Address
2	Name of Manufacturer of above commodity Address	7	Name of Supplier of most comparable commodity Address
3	Name of Supplier of above commodity Address	8	Net unit replacement cost of most comparable commodity (see instruction 8) $
		9	Reporting seller's maximum price per unit for most comparable commodity $
4	Reasons why maximum price could not be determined on the basis of same or similar commodity handled by the reporting seller or by a competitive seller during March, 1942.	10	Maximum price of most comparable commodity expressed as percentage of cost (item 9 ÷ item 8) %
		11	Net unit cost of new commodity for which maximum price is reported $
		12	Maximum price reported per unit for new commodity (item 11 x item 10) $
5	Name and description of the most comparable commodity selected in accordance with Instruction 5.	13	Unit of pricing above commodities (each, dozen, pound, gallon, etc.)
		14	Maximum price reported is for sale at ☐ Retail ☐ Wholesale

I hereby certify that the statements and figures contained in this report are to the best of my knowledge and belief correct

(Name of Company)

Sign here (Name of Seller or Authorized Agent)

(Official Position)

A False Certification is a Criminal Offense

4. Appendix C is designated § 1499.25 (a) and is amended to read as follows:

§ 1499.25 (a) *Appendix C: Form for reporting maximum price under § 1499.3 (b) (1).*

OPA Form 620-760 (3-44) This form may be reproduced without change UNITED STATES OF AMERICA—OFFICE OF PRICE ADMINISTRATION REPORT OF MANUFACTURER'S MAXIMUM PRICE COMPUTED UNDER SECTION 1499.3 (b) (1) OF THE GENERAL MAXIMUM PRICE REGULATION	Name of Manufacturer Reporting Address of Main Office: Number and Street City and Postal Zone Number
Read instructions on other side before filling in this form	State / Date of Report

NEW COMMODITY BEING PRICED

1	Name of commodity being priced					
2	Description of commodity being priced (send sample, illustration or photograph)					
3	Unit of production used in the calculations					
4	Major Materials and Parts Used in the Product:					
	Name of Material (List)	Quality, Grade and Specifications	Unit (Gallon, Dozen, Etc.)	Current Cost Per Unit	Quantity Used Per Unit of Product	Current Cost per Unit of Product
	A			$		$
	B					
	C					
	D					
	E					
	F					
	G All Materials except those listed above					
5	Total unit direct material cost					
6	Total unit direct labor cost					
7	Total unit direct cost (item 5+item 6)					

MOST COMPARABLE COMMODITY HAVING A MAXIMUM PRICE ESTABLISHED UNDER § 1499.2 (a) (1) OF THE GENERAL MAXIMUM PRICE REGULATION

8	Name of most comparable commodity
9	Catalog number of most comparable commodity
10	Description of most comparable commodity (Send sample, illustration or photograph)
11	If most comparable commodity is not being currently produced, state when and why production was discontinued.
12	Give reasons for development of the new commodity, whether because of material shortages or limitations, import restrictions, or any other reason
13	In what way does the manufacturing process for the new commodity differ from that used for the most comparable commodity?

14	Major Materials and Parts used in the Most Comparable Commodity:					
	Name of Materials (List)	Quality, Grade and Specifications	Unit (Gallon, Dozen, Etc.)	Current Cost Per Unit	Quantity Used Per Unit of Product	Current Cost Per Unit of Product
	A			$		$
	B					
	C					
	D					
	E					
	F					
	G All materials except those listed above					
15	Total unit direct material cost of most comparable commodity					$
16	Total current unit direct labor cost of most comparable commodity					$
17	Total current unit direct cost (item 15+item 16)					$
18	Maximum selling price of comparable commodity to Class of Customer					$
19	Maximum Price of most comparable commodity expressed as percentage of cost (item 18÷item 17)					%
20	Maximum Price of the new commodity (item 7×item 19)					$
21	Estimated production of the new commodity per month (number of units)					
22	Last three months' production of comparable commodity (number of units)					
23	Approximate percentage of last three months' dollar volume represented by comparable commodity					%

I Hereby certify that the statements and figures contained in this report are to the best of my knowledge and belief correct

(Name of Company)

SIGN HERE (Name of Manufacturer or Authorized Agent)

(Official Position)

A false certification is a criminal offense

INSTRUCTIONS

This form is to be used by manufacturers for reporting maximum prices computed under §1499.3 (b) (1) of the General Maximum Price Regulation. You may price under that section only those commodities which you cannot price under § 1499.2, i. e., which are neither the same as nor similar to commodities delivered or offered for delivery by you or your competitor during March, 1942. Commodities for which manufacturers' maximum prices are established by specific price regulations or by any orders issued by the Office of Price Administration or for which maximum prices have heretofore been determined under this or any other price regulation or order may not be priced under § 1499.3 (b).

You must file this form in duplicate with the District Office of the Office of Price Administration for the district in which your main office is located.

All data specified in the form must be furnished. The following specific instructions, keyed to the numbers of items in the form, explain the information desired.

1. State physical name of the commodity (men's shoes, smoking tobacco, etc.) and model or catalog designation.

4. List the information required for all raw materials which combined make up a minimum of 90 per cent of the total material cost of the new commodity. If semi-finished or finished parts purchased from other firms are used, the numbers of parts included in each unit of the commodity, the price paid per part, and the names of the suppliers are to be attached to the report. All material costs are to be your actual costs not exceeding your supplier's maximum prices. List cost per unit for the remainder of the material in (g). If additional space is necessary, attach a supplementary sheet to the report.

6. State the total wage bill paid per unit of product for manual labor expended directly in the production of the commodity. This total must not include inspection, instruction, supervision, or other indirect labor, or factory burden. If necessary for a clear understanding, a breakdown of this item should be attached to the report. In computing unit direct labor cost, use the current wage rates for each class of labor. Wage rates may not be higher than those of October 3, 1942, unless approved by the War Labor Board.

8. Find the most comparable commodity for which you already have a maximum price established under § 1499.2 (a) (1) by your own sale or offer of this particular commodity for delivery in March, 1942. It must meet all of the following tests:

(a) It must belong to the narrowest trade category which also includes the commodity being priced.

(b) Its current unit direct cost may not vary from that of the commodity you are pricing by more than 25% of the latter cost.

(c) If you are currently producing a commodity which meets all the above tests, you must use it; otherwise you may use one which you produced within the last twelve months.

(d) If more than one commodity meets all of the above tests, you must use the one with the nearest current unit direct cost to that of the one you are pricing.

9. Give your catalog or list number and model name or number.

10. If a catalog is not now on file with OPA containing a full description of the commodity, such a catalog or description of the commodity must accompany the report. A sample should be submitted where practicable; otherwise an illustration or photograph.

11. Cost shown for materials used in the most comparable commodity must be current costs—that is, the amounts which it would cost you to buy them at the time you apply this pricing method—and may not exceed your suppliers' maximum prices. Instruction 4, above, should be followed in other respects.

16. Follow instruction 6, above. Labor costs must be figured at current wage rates.

18. The maximum price shown here must be that established for sales to that class of customer to which you sold the largest volume of the most comparable commodity.

20. The price here reported is the maximum price you may charge the class of customer named in answering item 18. Maximum prices to other classes of customers must be determined by applying the same discounts and differentials as applied in determining maximum prices for the most comparable commodity to such classes.

This amendment shall become effective June 1, 1944.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 13th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6875; Filed, May 13, 1944; 11:46 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165, as Amended,[1] Amdt. 38]

OIL BURNER SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.101 (c) (41) is amended to read as follows:

(41) Oil burners burning number 5 oil and lighter-maintenance, rental or repair of.

This Amendment No. 38 shall become effective May 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328; 8 F.R. 4681)

Issued this 13th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6880; Filed, May 13, 1944; 11:49 a. m.]

PART 1389—APPAREL

[MPR 221,[2] Amdt. 5]

MANUFACTURERS' PRICES FOR FALL AND WINTER KNITTED UNDERWEAR

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 221 is amended in the following respects:

Paragraph (e) of § 1389.302 is revoked and in place thereof a new paragraph (e) is added to read as follows:

(e) *Adjustments for certain manufacturers of specified garments.* Any manufacturer may apply to the Office of Price Administration, Washington 25, D. C., for an adjustment of his maximum price for any article of men's and boys' knitted underwear listed in paragraphs (a), (b), (c) and (d) of § 1389.314. Such application will be granted if it is found by the Office of Price Administration that:

(1) The maximum price of the garment is less than the manufacturer's total unit cost thereof,

(2) The manufacturer's cost for the underwear is not substantially out of line with generally prevailing costs of competitive manufacturers of comparable garments, and

(3) The entire operations of the manufacturer are being conducted at a loss or will be conducted at a loss within 90 days.

Any adjustment made will establish as the maximum price for the garment a price not in excess of the manufacturer's total unit costs thereof.

This amendment shall become effective May 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6874; Filed, May 13, 1944; 11:45 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 2—GENERAL RULES AND REGULATIONS

FREQUENCY ALLOCATIONS; AMENDMENT OF APPENDIX

The Commission on May 9, 1944, effective June 23, 1944, amended Appendix B (7 F.R. 11087) as follows:

APPENDIX B—FREQUENCY ALLOCATIONS

Frequency (kilocycles):	Allocation
• • • • •	
1,628 1,630	Municipal fire.
1,632 • • • • •	
35,580	Municipal fire.
• • • • •	
37,740	Municipal fire.
• • • • •	
117,550	Municipal fire.
• • • • •	

(Secs. 4 (i), 48 Stat. 1066, 47 U.S.C. 154 (i)—303 (c), 48 Stat. 1082, 47 U.S.C. 303 (c))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-6852; Filed, May 13, 1944; 10:40 a. m.]

PART 10—RULES GOVERNING EMERGENCY RADIO SERVICES

MUNICIPAL AND MARINE FIRE STATIONS

The Commission on May 9, 1944, effective June 23, 1944, made the following changes in Part 10:

Section 10.6 was amended to read as follows:

§ 10.6 *Municipal fire station.* The term "municipal fire station" means a radio station licensed in the emergency radio services, operated by a municipality[1] and used for emergency communication relating directly to official fire department activities.

Paragraph (b) of § 10.81 *Licensed period* was amended to read:

(b) For forestry and municipal fire stations, the 1st of December.

Section 10.22 *Marine fire stations,* § 10.45 *Marine fire stations,* § 10.211 *Power,* and § 10.212 *Service which may be rendered,* were deleted.

The following new sections were adopted:

MUNICIPAL FIRE STATIONS

Eligibility for License

§ 10.301 *Municipal fire stations.* Authorizations for municipal fire stations will be granted only to municipalities[2] serving an area having a population in excess of 150,000 persons[3] unless other cogent circumstances warranting such grant are shown.

Frequencies, Power and Emissions

§ 10.311 *Frequencies available.*[4] (a) The following frequencies are allocated for assignment to municipal fire stations:

1630 kc. 35580 kc. 37740 kc.

(b) Only one very high frequency normally will be assigned to a municipality. Requests for additional very high frequencies must be supported by a satisfactory showing of need which shall include a statement specifying and describing the area to be served, number of radio mobile units to be served, peak message traffic load, and such other facts and circumstances which, in the opinion of the applicant, show the need for the additional frequencies requested.

§ 10.312 *Power.* The power authorized for a municipal fire station shall be no more than the minimum required for satisfactory technical operation commensurate with the size of the area to be served and the local conditions which affect radio transmission and reception and normally shall not exceed 250 watts. Requests for authorization of power in excess of 250 watts must be supported by a satisfactory showing of the need therefor, including a map showing the size of the area to be served, the proposed distribution of associated radio stations, and local conditions which, in the opinion of the applicant, show the need for the higher power requested.

§ 10.313 *Type of emission.* The following types of emission may be authorized for municipal fire stations:

(a) A-1, A-2, and A-3 on the frequency 1630 kilocycles.

(b) A-1, A-2, A-3, A-4 and special emission for frequency modulation on the frequencies 35580 and 37740 kilocycles.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6428, 6956, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6364, 8508, 8873, 10671, 10939, 11754, 12023, 12710, 13302, 13472, 14990; 9 F.R. 1819.

[2] 7 F.R. 7316, 9615, 10719, 8 F.R. 4514, 13847.

[1] Includes cities, towns, counties, etc. Applications for municipal police radio authorizations should be signed on behalf of a municipality by the chief executive of the appplicant, e. g., mayor, city manager, first selectman, chairman of the town council, chairman of the board of county commissioners, etc. No other person is empowered to sign such applications unless he has been expressly authorized in writing to do so by the actual applicant, or by the chief executive thereof, in which case such express written authorization should be filed with the Commission.

[2] Municipalities proposing to serve an area having a population of less than 150,000 persons will be expected to obtain coordinated radio communication service from a municipal police radio station, or stations, in the area to be served.

[3] Based on the latest official U. S. Census or other satisfactory evidence.

[4] The frequency 117550 kc. allocated in Appendix B of Part 2 of the Rules and Regulations for municipal fire stations may be assigned on an experimental basis only.

Scope of Service

§ 10.321 *Permissible communications.* Municipal fire stations may be used only for the transmission of communications of an emergency nature directly relating to official activities of the municipal fire department of the station licensee.

§ 10.322 *Points of communication.* In accordance with the provisions of §§ 10.321 and 10.323, municipal fire stations may:

(a) Intercommunicate with other licensed municipal fire stations of the same licensee;

(b) Transmit messages to mobile units used for emergency purposes in coordination with the official activities of the fire department;

(c) Intercommunicate with other licensed stations in the emergency radio service, or communicate with fixed receiving points, only in those instances where emergency and temporary cooperation or coordination is necessary for the performance of the official duties of the fire department of the station licensee.

§ 10.323 *Limitations on point-to-point and one-way transmissions.* Intercommunication between land stations or transmission of messages from any municipal fire station to radio receivers at fixed locations, as provided in § 10.322, is permitted only when:

(a) Other means of communication are impracticable or temporarily unavailable.

(b) Interference is not caused to any mobile radio service.

(c) The points of communication are not within the same local telephone exchange area, unless the messages transmitted are of immediate importance to mobile units, or wire communication facilities between the local points involved are not immediately available.

(d) The points of communication are within the reliable daytime communication range of the transmitting stations involved.

(Sec. 4 (i), 48 Stat. 1066; 47 U. S. C. 154 (i))

By the Commission,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-6853; Filed, May 13, 1944; 10:40 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 204-A]

PART 97—ROUTING OF TRAFFIC

REROUTING OF FREIGHT TRAFFIC IN OHIO, MISSOURI AND MISSISSIPPI RIVER VALLEYS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 13th day of May, A. D. 1944.

Upon further consideration of Service Order No. 204 (9 F.R. 4613) of April 28, 1944, and good cause appearing therefor: *It is ordered,* That:

Service Order No. 204 (9 F.R. 4613) of April 28, 1944, 49 CFR § 97.13, directing all common carriers by railroad subject to the Interstate Commerce Act operating within the following river valleys; Ohio, Missouri, Mississippi Rivers and their tributaries to reroute traffic having origin or destination in, or ordinarily moving through such territory via routes most available to expedite its movement and prevent congestion because of flood conditions, be, and it is hereby, vacated and set aside. (40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, That this order shall become effective immediately; that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-6909; Filed, May 15, 1944; 11:05 a. m.]

Chapter II—Office of Defense Transportation

[Suspension Order ODT 9A-1A]

PART 522—DIRECTION OF TRAFFIC MOVEMENT; EXCEPTIONS, SUSPENSIONS AND PERMITS

MOVEMENT OF COAL ON GREAT LAKES

Pursuant to Executive Order 8989, as amended, it is hereby ordered, that:

§ 522.605 *Suspension of provisions of General Order ODT 9A.* All provisions of General Order ODT 9A (8 F.R. 6381), shall be and the same are hereby suspended until July 15, 1944.

Suspension Order ODT 9A-1 (9 F.R. 2494) issued on March 3, 1944, shall be and the same is hereby revoked.

(E.O. 8989, 6 F.R. 6725 and 8 F.R. 14163)

Issued at Washington, D. C., this 13th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-6864; Filed, May 13, 1944; 10:47 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

Subchapter Q—Alaska Commercial Fisheries

AREAS OPEN TO SALMON TRAPS: CLOSED SEASONS IN CERTAIN AREAS

PART 205—ALASKA PENINSULA AREA FISHERIES

Effective only through December 31, 1944, § 205.17 *Areas open to salmon traps* is hereby amended as follows:

Paragraphs (c), (l), and (n) (2) are hereby suspended, and paragraph (a) is amended to read as follows:

(a) Unimak Island: Along the coast on the west and south sides of Ikatan Bay (1) from a point on False Pass (Isanotski Strait) at 54 degrees 48 minutes 54 seconds north latitude, 163 degrees 22 minutes 18 seconds west longitude, to a point at 54 degrees 46 minutes 44 seconds north latitude, 163 degrees 21 minutes 32 seconds west longitude, (2) from a point at 54 degrees 45 minutes 18 seconds north latitude, 163 degrees 17 minutes 30 seconds west longitude, to a point at 54 degrees 45 minutes 15 seconds north latitude, 163 degrees 16 minutes west longitude, (3) from a point at 54 degrees 46 minutes 6 seconds north latitude, 163 degrees 11 minutes 42 seconds west longitude, to a point on Louisiana Cove at 54 degrees 45 minutes 58 seconds north latitude, 163 degrees 8 minutes 52 seconds west longitude.

PART 207—CHIGNIK AREA FISHERIES

In § 207.16 *Areas open to salmon traps,* paragraph (f) is hereby suspended effective only through December 31, 1944.

PART 222—SOUTHEASTERN ALASKA AREA, ICY STRAIGHT DISTRICT, SALMON FISHERIES

Effective only through December 31, 1944, § 222.16 *Areas open to salmon traps,* is hereby amended as follows:

Paragraph (m) is hereby suspended, and paragraphs (b) and (l) are amended to read as follows:

(b) Inian Islands: Along the coast (1) within 2,500 feet of a point at 58 degrees 16 minutes 18 seconds north latitude, 136 degrees 20 minutes 27 seconds west longitude, and (2) within 2,500 feet of a point on the northwestern island at 58 degrees 15 minutes 34 seconds north latitude, 136 degrees 23 minutes 35 seconds west longitude.

• • • • •

(l) Chicagof Island: Northeastern coast from 135 degrees 20 minutes west longitude to 135 degrees 11 minutes 11 seconds west longitude.

PART 223—SOUTHEASTERN ALASKA AREA, WESTERN DISTRICT, SALMON FISHERIES

Effective only through December 31, 1944, § 223.19 *Areas open to salmon traps,* is hereby amended as follows:

Paragraph (j) is hereby amended to read as follows:

(j) Admiralty Island: West coast (1) from 57 degrees 38 minutes 7 seconds

north latitude to 58 degrees 38 minutes 45 seconds north latitude, (2) from 57 degrees 40 minutes 47 seconds north latitude to 57 degrees 43 minutes 45 seconds north latitude, (3) from 57 degrees 50 minutes 2 seconds north latitude to 57 degrees 51 minutes 7 seconds north latitude, (4) from 57 degrees 54 minutes 30 seconds north latitude to 57 degrees 55 minutes 30 seconds north latitude, and (5) from 57 degrees 58 minutes north latitude to 58 degrees 2 minutes 7 seconds north latitude.

PART 225—SOUTHEASTERN ALASKA AREA STIKINE DISTRICT, SALMON FISHERIES

Section 225.4 is hereby amended to read as follows:

§ 225.4 *Closed seasons, salmon fishing; exception.* Commercial fishing for salmon is prohibited during the period from 6 o'clock antemeridian June 1 to 6 o'clock antemeridian July 1, and, with the exception of trolling, for the remainder of each calendar year after 6 o'clock antemeridian September 23.

PART 227—SOUTHEASTERN ALASKA AREA CLARENCE STRAIT DISTRICT, SALMON FISHERIES

Effective only through December 31, 1944, § 227.15 *Areas open to salmon traps,* is hereby amended as follows:

Paragraph (j) is hereby suspended and paragraph (t) is amended to read as follows:

(t) Prince of Wales Island: East coast from 55 degrees 20 minutes 15 seconds north latitude to 55 degrees 20 minutes 56 seconds north latitude to 55 degrees 20 minutes 56 seconds north latitude, 132 degrees 9 minutes 38 seconds west longitude.

PART 228—SOUTHEASTERN ALASKA AREA SOUTH PRINCE OF WALES ISLAND DISTRICT, SALMON FISHERIES

Section 228.8 is hereby amended to read as follows:

§ 228.8 *Closed seasons, salmon fishing.* Commercial fishing for salmon other than trolling, is prohibited prior to 6 o'clock antemeridian July 25, from 6 o'clock postmeridian August 29 to 6 o'clock antemeridian October 5, and for the remainder of each calendar year after 6 o'clock postmeridian October 25: *Provided,* That this prohibition shall not apply to the use of purse seines west of a line from Cape Muzon northwesterly to Cape Ulitka, thence due north to the southern boundary of the Sumner Strait district from 6 o'clock postmeridian July 20 to 6 o'clock antemeridian July 25.

(Sec. 1, 44 Stat. 752; 48 U. S. C. 221)

OSCAR L. CHAPMAN,
Assistant Secretary.

MAY 10, 1944.

[F. R. Doc. 44-6906; Filed, May 15, 1944; 9:32 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

WYOMING

ORDER WITHDRAWING PUBLIC LANDS

Stock Driveway Withdrawal No. 144, Wyoming No. 18, modified. Stock Driveway Withdrawal No. 189, Wyoming No. 32, redesignated and included in Stock Driveway Withdrawal No. 144, Wyoming No. 18.

By virtue of the authority contained in section 7 of the act of June 28, 1934, 48 Stat. 1272, as amended by the act of June 26, 1936, 49 Stat. 1976 (43 U.S.C. 315f), and in section 10 of the act of December 29, 1916, 39 Stat. 865, as amended by the act of January 29, 1929, 45 Stat. 1144 (43 U.S.C. 300), it is ordered as follows:

The following-described public lands in Wyoming are hereby classified as necessary and suitable for the purpose and, excepting any mineral deposits therein, are withdrawn from all disposal under the public-land laws and reserved subject to valid existing rights, for the use of the general public as an addition to Stock Driveway Withdrawal No. 144, Wyoming No. 18:

SIXTH PRINCIPAL MERIDIAN

T. 37 N., R. 84 W.,
Sec. 7, SW¼NE¼;
Sec. 17, SW¼NE¼ and NW¼SE¼;
Sec. 21, SW¼NW¼ and S½SW¼.
T. 37 N., R. 85 W.,
Sec. 1, S½NW¼, NE¼SW¼, W½SE¼, and SE¼SE¼;
Sec. 2, SE¼NE¼;
Sec. 12, N½NE¼.
T. 38 N., R. 85 W.,
Sec. 27, W½SW¼;
Sec. 28, E½E½ and NW¼NE¼;
Sec. 34, N½N½, S½NE¼, and SE¼NW¼;
Sec. 35, SW¼NW¼, N½SW¼, SE¼SW¼, W½SE¼, and SE¼SE¼.

The areas described aggregate 1440 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and existing regulations.

The orders of the First Assistant Secretary of April 20, 1921, and February 3, 1928, establishing Stock Driveway Withdrawal No. 144, Wyoming No. 18, and modifying Stock Driveway Withdrawal No. 18, Wyoming No. 32, are hereby revoked so far as they affect the following-described lands:

SIXTH PRINCIPAL MERIDIAN

T. 37 N., R. 84 W.,
Sec. 6, W½;
Sec. 7, W½SW¼ and SE¼SW¼;
Sec. 21 NW¼SE¼.
T. 37 N., R. 85 W.,
Sec. 1, N½NE¼ and NE¼NW¼;
Sec. 2, NW¼NE¼ and N½NW¼;
Sec. 3, N½N½;
Sec. 4, NE¼.
T. 38 N., R. 85 W.,
Sec. 33, E½.

The areas described aggregate 1354.69 acres.

Stock Driveway Withdrawal No. 189, Wyoming No. 32, as established and modified by the orders of the First Assistant Secretary and the Assistant Secretary of the Interior, of February 3 and May 2, 1928, February 18, 1931, July 22, 1940, March 7 and December 19, 1941, and by this order, and now consisting of the following-described lands, is hereby redesignated as a part of Stock Driveway Withdrawal No. 144, Wyoming No. 18:

SIXTH PRINCIPAL MERIDIAN

T. 34 N., R. 80 W.,
Sec. 5, lots 3 and 4.
T. 35 N., R. 80 W.
Sec. 32, SW¼NE¼, SW¼, and W½SE¼.
T. 37 N., R. 84 W.,
Sec. 8, SE¼SW¼ and S½SE¼;
Sec. 17, E½E½;
Sec. 20, E½NE¼ and NE¼SE¼;
Sec. 21, N½SW¼ and SW¼SE¼;
Sec. 27, E½W½ and W½NW¼;
Sec. 28, N½NE¼;
Sec. 34, E½NW¼.

The areas described aggregate 1278.50 acres.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

MAY 4, 1944.

[F. R. Doc. 44-6903; Filed, May 15, 1944; 9:32 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 822]

ALLOCATION OF FUNDS FOR LOANS

MAY 2, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Missouri 4-2018E1 Texas	$145,000
Missouri 4-2031D1 Mississippi	114,000
Missouri 4-2038D1 Reynolds	118,000
Missouri 4058A1 Ste. Genevieve	1,268,886
Missouri 4-2058A2 Ste. Genevieve	441,114

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-6911; Filed, May 15, 1944; 11:19 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 30, 1941 (6 F.R. 3763).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

APPAREL INDUSTRY

Alabama Textile Products Corporation, Crestview, Florida; cotton drawers and shorts, O. D.; 10 percent (AT); effective May 12, 1944, expiring November 11, 1944.

Union Underwear Company, Inc., Frankfort, Kentucky; men's and boys' cotton woven shorts; 10 percent (AT); effective May 13, 1944, expiring November 12, 1944.

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Bilt-Well Manufacturing Company, Inc., 20 Elm Street, Nashua, New Hamshire; dungarees, one-piece overall suits, aprons; 5 learners (T); effective May 13, 1944, expiring May 12, 1945.

Croyden Manufacturing Company, Hall and Peabody Streets, Staunton, Virginia; pajamas; 40 learners (E); effective May 12, 1944, expiring November 11, 1944.

The Hallmark Manufacturing Corporation, Clinton, South Carolina; men's cotton shirts; 10 percent (T); effective May 18, 1944, expiring May 17, 1945.

The Hercules Trouser Company, Wellston, Ohio; men's and boys' single pants, 10 percent (T); effective May 8, 1944, expiring May 7, 1945.

Augustine Lore, 55 Pike Street, Port Jervis, New York; slips, infants' and children's underwear; 10 learners (T); effective May 10, 1944, expiring May 9, 1945.

R. Lowenbaum Manufacturing Company, East Broadway, Sparta, Illinois; junior dresses; 35 learners (AT); effective May 16, 1944, expiring November 15, 1944.

Monte Manufacturing Company, 903 East St. Louis Street, West Frankfort, Illinois; Work clothing, washable service apparel; 50 learners (E); effective May 10, 1944, expiring November 9, 1944.

Phillips-Jones Corporation, 823 E. Mauch Chunk Street, Pottsville, Pennsylvania; civilian shirts, pajamas, sport shirts, officer's shirts; 10 percent (T); effective May 13, 1944, expiring May 12, 1945.

Primo Pants Company, Versailles, Missouri; men's and boys' pants; 20 learners (E); effective may 16, 1944, expiring October 26, 1944.

Wear Well Garment Company, 1st and German Streets North, New Ulm, Minnesota; men's trousers; 8 learners (T); effective May 16, 1944, expiring May 15, 1945.

GLOVE INDUSTRY

Fox River Glove Company, Inc., Ripon, Wisconsin; work gloves; 3 learners (T); effective May 14, 1944, expiring May 13, 1945.

Morris Manufacturing Company, Main Street, Newbern, Tennessee; work gloves; 10 learners (AT); effective May 8, 1944, expiring November 7, 1944.

HOSIERY INDUSTRY

Charles H. Bacon Company, Lenoir City, Tennessee; seamless hosiery; 10 percent (AT); effective May 13, 1944, expiring November 12, 1944.

Bisher Hosiery Mill, Denton, North Carolina; seamless hosiery; 15 learners (AT); effective May 13, 1944, expiring November 12, 1944.

Brown Bros. Hosiery Mills, 1028 Second Street, Hickory, North Carolina; seamless hosiery; 10 percent (AT); effective May 13, 1944, expiring November 13, 1944.

DeKalb Hosiery Mills, Inc., Fort Payne, Alabama; seamless hosiery; 5 percent (T); effective May 15, 1944, expiring May 14, 1945.

Industrial Hosiery Mills, Inc., 424 Guilford Street, Lebanon, Pennsylvania; seamless hosiery; 5 learners (T); effective May 13, 1944, expiring May 12, 1945.

Industrial Hosiery Mills, Inc., Summit and Chestnut Streets, Mohnton, Pennsylvania; seamless hosiery; 4 learners (T); effective May 13, 1944, expiring May 12, 1945.

Sox, Inc., Mt. Gilead, North Carolina; seamless hosiery; 5 learners (T); effective May 10, 1944, expiring May 9, 1945.

Walker County Hosiery Mills, La Fayette, Georgia; seamless hosiery; 10 percent (AT); effective May 13, 1944, expiring November 12, 1944.

TEXTILE INDUSTRY

Castile Silk Company, Main Street, Castile, New York; parachute cloth, broad goods; 3 learners (T); effective May 10, 1944, expiring May 9, 1945.

CIGAR INDUSTRY

General Cigar Company, 7th and Poplar Streets, Benton, Kentucky; cigars; 193 learners (E); cigar machine operating for a learning period of 320 hours at 30 cents per hour; cigar packing, hand stripping, stripping machine operating for a learning period of 160 hours at 30 cents per hour; effective May 22, 1944, expiring August 21, 1944.

Signed at New York, N. Y., this 13th day of May 1944.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-6907; Filed, May 15, 1944; 10:56 a. m.]

LEARNER EMPLOYMENT CERTIFICATE

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item thereof.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for, in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Forde Printing Inc., 120 South Front Street, Mankato, Minnesota; printing and stationery; 2 learners (T); pressman, bindery work, printer's devil for a learning period of 480 hours at 30 cents per hour for the first 320

hours and 35 cents per hour for the next 160 hours; effective May 15, 1944, expiring November 14, 1944.

The Runkle Company, 901 S. Wayne Street, Kenton, Ohio; candy; 11 learners (T); candy strokers, fancy chocolate packers for a learning period of 240 hours at 35 cents per hour; effective May 16, 1944, expiring November 16, 1944.

O. L. Shackelford and Company, Greenville, North Carolina; garnishing and degarnishing camouflage nets; 100 learners (E); hand weaving for a learning period of 160 hours at 35 cents per hour; effective May 8, 1944, expiring July 31, 1944.

O. L. Shackelford and Company, Kinston, North Carolina; garnishing and degarnishing camouflage nets; 100 learners (E); hand weaving for a learning period of 160 hours at 35 cents per hour; effective May 8, 1944, expiring July 31, 1944.

Signed at New York, New York, this 13th day of May 1944.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-6908; Filed, May 15, 1944; 10:56 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[File No. B4-P-3570]

INDEPENDENT MERCHANTS BROADCASTING CO.

NOTICE OF HEARING

In re application of Independent Merchants Broadcasting Company, (WLOL); Docket No. 6582. Date filed: January 19, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Minneapolis, Minnesota; operating assignment specified: Frequency, 1330 kc; power, 5 kw; and hours of operation, unlimited (DA-day and night).

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine the areas and populations which may be expected to gain primary service should Station WLOL operate as proposed, and what other broadcast service is available to those areas and populations.

2. To determine the extent of any interference which would result from the simultaneous operation of Station WLOL as proposed and Stations KFH, KALE, WHBL, WFBC and KROC.

3. To determine the areas and populations which may be expected to lose primary service from stations KFH, KALE, WHBL, WFBC and KROC should Station WLOL operate as proposed and what other broadcast services are available to those areas and populations.

4. To determine (1) whether the operation of Station WLOL as proposed would be consistent with the Standards of Good Engineering Practice, particularly as to population residing within the predicted 250 mv/m contour ("blanket area"); (2) whether interference would be expected if Station WLOL operated as proposed and (3) whether the applicant will assume full responsibility for and can promptly and satisfactorily adjust all reasonable complaints arising from excessively strong signals from the applicant's station.

5. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942, or as modified by supplemental statements thereto.

6. To determine whether Station WLOL operating as proposed would provide primary service to (a) the business districts; (b) the residential districts; and (c) the metropolitan district of Minneapolis-St. Paul as contemplated by the Standards of Good Engineering Practice.

7. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of section 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of section 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Independent Merchants Broadcasting Company, Radio Station WLOL, 1730 Hennepin Avenue, Minneapolis 3, Minnesota.

Dated at Washington, D. C., May 9, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-6850; Filed, May 13, 1944; 10:40 a. m.]

[File Nos. B5-MP-1736; B5-L-1799, B5-Z-1583]

ALBUQUERQUE BROADCASTING CO.

NOTICE OF HEARING

In re application of Albuquerque Broadcasting Company (KOB); docket No. 6584; date filed, February 3, 1944; for modification of construction permit; class of service, broadcast; class of station, broadcast; location, Albuquerque, New Mexico; operating assignment specified: Frequency, 770 kc, power, 50 kw, and hours of operation, unlimited.

In re application of Albuquerque Broadcasting Company (KOB); docket No. 6585; dated filed, February 3, 1944; for license to cover construction permit (B5-P-2783) as modified and authority to determine operating power by direct measurement; class of service, broadcast; class of station, broadcast; location, Albuquerque, New Mexico; operating assignment specified: Frequency, 770 kc, power, 50 kw, and hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described applications and has designated the matters for hearing for the following reasons:

1. To determine the areas and populations which would receive primary as well as secondary service from Station KOB operating with either 10 kw or 50 kw on 1030 kc, as well as what other broadcast services are available to those areas and populations.

2. To determine the areas and populations which receive primary as well as secondary service from Station KOB operating with 25 kw—50 kw-LS on 770 kc as well as what other broadcast services are available to those areas and populations.

3. To determine the areas and populations which would receive primary as well as secondary service from Station KOB operating with 50 kw on 770 kc as well as what other broadcast services are available to those areas and populations.

4. To determine the areas and populations which would be prevented from receiving primary or secondary service particularly from Station WBZ should Station KOB operate with either 10 kw or 50 kw on 1030 kc, as well as what other broadcast services are available to those areas and populations.

5. To determine the areas and populations which are prevented from receiving primary or secondary service particularly from Station WJZ as the result of Station KOB operating with 25 kw—50 kw-LS on 770 kc, as well as what other broadcasting services are available to those areas and populations.

6. To determine the areas and populations which would be prevented from receiving primary or secondary service particularly from Station WJZ should Station KOB operate with 50 kw on 770 kc as well as what other broadcast services are available to those areas and populations.

7. To determine whether § 3.25 of the Commission's rules should be amended so as to permit the operation of Station KOB as proposed in application B5-MP-1738.

8. To determine whether the granting of these applications would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

The applications involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Albuquerque Broadcasting Company, Radio Station KOB, 424 West Gold Avenue, Albuquerque, New Mexico.

Dated at Washington, D. C., May 9, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-6851; Filed, May 13, 1944; 10:40 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-501, G-533, G-535 and G-539]

NORTHERN NATURAL GAS CO.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

MAY 11, 1944.

Upon consideration of the following applications filed by Northern Natural Gas Company (Applicant) for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended:

(a) Application filed October 15, 1943, in Docket No. G-501, for authority (1) to construct and operate 6.84 miles of 8⅝ inch O. D. pipe line, including 0.27 mile of 8⅝ inch O. D. pipe line undercrossing the Missouri River, together with appurtenances thereto, from a point of connection with Applicant's Council Bluffs, Iowa, town border station situated in the NW¼ of section 20, T. 74 N., R. 43 W., Pottawattamie County, Iowa, and extending in a northwesterly direction to a point in the SW¼ of Section 23, T. 15 N., R. 13 E., Douglas County, Nebraska; (2) construct and operate a measuring station and appurtenant facilities to be located at the terminus of such pipe line;

(b) Application filed March 24, 1944, in Docket No. G-533, for authority (1) to construct and operate 0.7 mile of 4½ inch O. D. pipe line, together with appurtenances thereto, from a point of interconnection with Applicant's 10-inch Ames lateral line in Boone County, Iowa, and extending in a northerly direction to the measuring station to be constructed in Boone County, Iowa; (2) construct and operate such measuring station at the terminus of the aforesaid pipe line;

(c) Application filed March 29, 1944, in Docket No. G-535, for authority to construct and operate a 5200 horsepower natural gas compressing station on Applicant's 24-inch main transmission line in Beaver County, Oklahoma, and one additional 1000 horsepower compressor unit at Applicant's Skellytown, Texas, compressing station;

(d) Application filed April 10, 1944, in Docket No. G-539, for authority (1) to construct and operate approximately 1600 feet of 8⅝ inch O. D. pipe line, together with appurtenances thereto, beginning at a point on the eastern side of the Missouri River, Pottawattamie County, Iowa, where such line will connect with Applicant's 8⅝ inch O. D. pipe line now serving the Farm Crops Processing Corporation, and extending in a northwesterly direction to a point at the eastern end of the Douglas Street Bridge, across the Missouri River, where such line will tie in with the 14-inch and 16-inch pipe line of Applicant extending across the Douglas Street Bridge to the plant of American Smelting and Refining Company; (2) construct and operate a regular station to be located at the terminus of the existing line crossing the Douglas Street Bridge; and

It appearing to the Commission that:

(1) The above-docketed proceedings may involve substantially similar issues and facts;

(2) Good cause exists for consolidating the above matters for the purpose of hearing thereof;

The Commission orders that:

(A) The above-docketed proceedings be and they are hereby consolidated for purposes of hearing;

(B) A public hearing be held commencing on June 5, 1944, at 10:00 a. m., c. w. t., in Customs Court Room, U. S. Customhouse, 610 South Canal Street, Chicago, Illinois, respecting the matters involved and the issues presented in these proceedings;

(c) Interested State commissions may participate in the hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-6905; Filed, May 15, 1944; 9:32 a. m.]

[Docket Nos. G-531 and G-544]

INTERSTATE NATURAL GAS CO., INC.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

MAY 12, 1944.

Upon consideration of the following applications filed by Interstate Natural Gas Company, Inc. (Applicant) pursuant to section 7 of the Natural Gas Act, as amended:

(a) Application filed March 15, 1944, in Docket No. G-531, for authority to abandon the northern 40,840 feet of its 16-inch pipe line extending in a southerly direction from Perryville, Ouachita Parish, Louisiana, for approximately twenty-two miles to a point near Alto, Richland Parish, Louisiana, designated Applicant's line T-9; and

(b) Application filed April 29, 1944, in Docket No. G-544, for a certificate of public convenience and necessity authorizing applicant to construct and operate two additional gas compressors of 1,000 horsepower each and appurtenant facilities at applicant's existing De Siard compressor station located at Fowler, Ouachita Parish, Louisiana; and

It appearing to the Commission that:

(1) The above-docketed proceedings may involve substantially similar issues and facts;

(2) Good cause exists for consolidating the above matters for the purposes of hearing;

The Commission orders that:

(A) The above-docketed proceedings be and they are hereby consolidated for purposes of hearing;

(B) A public hearing be held commencing on May 24, 1944, at 9:45 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C., respecting the matters involved and the issues presented in these proceedings;

(C) Interested state commissions may participate in the hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc 44-6904; Filed, May 15, 1944; 9:32 a. m.]

[Docket No. IT-5829]

ARKANSAS POWER & LIGHT COMPANY

ORDER POSTPONING HEARING

MAY 13, 1944.

It appearing to the Commission that:

It is appropriate to postpone the hearing in the above matter, heretofore set by order of April 10, 1944, for May 17, 1944, at 9:45 a. m. (c. w. t.) in Little Rock, Arkansas;

The Commission orders that:

The hearing in the above-entitled matter, now ordered for May 17, 1944, in Little Rock, Arkansas, for the purpose of determining the issues raised by the Commission's order of June 15, 1943, in this proceeding and the above named company's response thereto, be and it

hereby is postponed pending further order of the Commission.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-6935; Filed, May 15, 1944; 11:40 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 240]

RECONSIGNMENT OF CITRUS FRUIT AT MINNEAPOLIS, MINN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Minneapolis, Minnesota, May 10, 1944, by Mutual Orange Distributors of car PFE 34395, citrus, now on the Chicago, Milwaukee, St. Paul and Pacific, to Thief River Falls (Great Northern).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car servic and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6866; Filed, May 13, 1944; 11:45 a. m.]

[S. O. 164, Special Permit 57]

REFRIGERATION OF CITRUS FRUIT FROM MISSION, TEX.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to car ART 18121, citrus, shipped from Mission, Texas, May 9, 1944, to Kansas City, Missouri, reconsigned to Hutchinson, Kansas, with stop at Topeka, Kansas, to partly unload (Routed MP to Kansas City-CRI&P).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6867; Filed, May 13, 1944; 11:45 a. m.]

[S. O. 206]

UNLOADING OF COAL AT PATCHOGUE, RIVERHEAD, AND BAYPORT, L. I., N. Y.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 12th day of May, A. D. 1944.

It appearing that eight (8) cars containing coal at Patchogue, L. I., one (1) car at Riverhead, L. I., and one (1) car at Bayport, L. I., on The Long Island Railroad Company consigned to Leon Bituminous Coal Sales, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an amergency exists requiring immediate action; it is ordered, that:

Coal at Patchogue, Riverhead, and Bayport, Long Island, N. Y., to be unloaded. (a) The Long Island Railroad Company, its agents or employees, shall unload forthwith the following cars containing coal, PRR 187593, PRR 741663, PRR 186381, PRR 165678, PRR 185629, PRR 924883, PRR 730583 and N&W 27061 on hand at Patchogue, L. I. PRR 901575 at Riverhead, L. I., and PRR 261932 at Bayport, L. I., New York.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carloads of coal have been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17) 15 (2))

It is further ordered, That this order shall become effective immediately, and that a copy of this order and direction shall be served upon The Long Island Railroad Company and upon the Association of American Railroads, Car Service Division as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-6865; Filed, May 13, 1944; 11:45 a. m.]

[S. O. 200, General Permit 4]

REICING OF POTATOES FROM CALIFORNIA AND ARIZONA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes in California, or Arizona to reice once in transit when destined west of the Mississippi River and to reice twice in transit when destined east of the Mississippi River, at stations designated by shippers or, at carrier's option, at the first icing station west or east of such designated station. This general permit shall apply to all such cars billed or moving on the effective date hereof.

This general permit shall become effective 12:01 a. m., May 20, 1944, and shall expire with July 15, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-6910; Filed, May 15, 1944; 11:05 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

BATZOUROFF AND CIE

NOTICE OF HEARING

Order for and notice of hearing before Vested Property Claims Committee in the matter of Dragio Batzouroff, Batzouroff & Cie.

Whereas, by Vesting Order No. 1583, dated May 29, 1942 (8 F.R. 9076), the Alien Property Custodian vested, among other things, the following described property:

All property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, or held on behalf of, or on account of, or owing to said Batzouroff & Cie.

Whereas, Dragio Batzouroff has filed a notice of claim, No. 1737, which claim appears to assert that the said Dragio Batzouroff is the owner and entitled to the immediate possession thereof and that he is not a national of a designated enemy country.

Now, therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended (8 F.R. 16709), that a hearing on said claim be held before the Vested Property Claims Committee or any member or members thereof, on Tuesday, May 23, 1944, at 10:00 a. m. Eastern War Time, at the Office of the Alien Property Custodian, 120 Broadway, New York City, New York, to continue thereafter at such time and place as the Committee may determine.

It is further ordered, That copies of this notice of hearing be served by registered mail upon the claimant and upon the person designated in paragraph 2 of the said notice of claim and upon Edward V. Killeen, and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claim may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets NW., Washington (25), D. C., on or before May 20, 1944.

The foregoing characterization of the claim is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claim. Copies of the claim and of the said vesting orders are available for public inspection at the address last above stated.

Dated: May 12, 1944.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE.
JOHN C. FITZGERALD,
Chairman.
MICHAEL F. KRESKY.
NUGENT DODDS.

[F. R. Doc. 44-6827; Filed, May 12, 1944; 11:32 a. m.]

KONOSUKE IWAKAMI, ET AL.

[Vesting Order 3405]

In re: Real property, claim, fire insurance policy and bank account owned by Konosuke Iwakami and others.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the persons whose names and last known addresses are set forth below are residents of Japan and are nationals of a designated enemy country (Japan);

Names and Last Known Addresses

Konosuke Iwakami, Japan.
Junko Iwakami, Yokohama, Japan.
Kotaro Iwakami, Yokohama, Japan.
Yoshiko Iwakami, Yokohama, Japan.
Taiji Iwakami, Yokohama, Japan.

2. That Konosuke Iwakami, Junko Iwakami, Kotaro Iwakami, Yoshiko Iwakami and Taiji Iwakami are the owners of the property described in subparagraphs 4-a and 4-b hereof;

3. That Konosuke Iwakami is the owner of the property described in subparagraph 4-c hereof;

4. That the property described as follows:

a. Real property situated at Kamakela, Honolulu, City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, including particularly, but not limited to, that certain rent claim against the United States Army arising by reason of its occupancy of the premises described herein pursuant to authorization granted by Masaji Marumoto, administrator of the estate of Koh Iwakami, deceased, and attorney in fact for Konosuke Iwakami,

b. All right, title and interest of the persons whose names appear in subparagraph 1 hereof in and to Fire Insurance Policy No. 7502857 issued by the Northern Assurance Co., Ltd., London, England, which policy covers the improvements to the real property described in subparagraph 4-a hereof, and

c. The sum of $500 constituting a portion of that certain bank account maintained with the Bank of Hawaii, Honolulu, T. H., which account is due and owing to, and held for and in the name of Konosuke Iwakami, and any and all security rights in and to any and all collateral for all or part of such sum, and the right to enforce and collect the same,

is property within the United States owned or controlled by nationals of a designated enemy country (Japan);

And determining that the property described in subparagraphs 4-b and 4-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 4-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 4-a hereof, subject to recorded liens, encumbrances and other rights of record, held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 4-b and 4-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All of that certain piece or parcel of land, situate, lying and being at Kamakela, Honolulu, City and County of Honolulu, Territory of Hawaii, being a portion of L. C. Aw. 853 to Poo, a portion of L. C. Aw. 8547 to Kaiwai and being a portion of L. C. Aw. 111029 to J. Stevensen, and being Lot Number Seven (7) of the subdivision of the former St. Louis College premises situated on the Northwest side of College Walk, and more particularly described as follows:

Beginning at the East corner of this lot, being also the South corner of Lot 6, on the Northwest side of College Walk, the coordinates of said point of beginning referred to Government Survey Monument set at an angle in Kukui Street about 200 feet Northwesterly from Nuuanu Stream, being 247.47 feet South and 155.90 feet West, and thence

running by azimuths measured clockwise from true South:

1. 55°05'30" 65.17 feet along the Northwest side of College walk;
2. 146°10' 140.03 feet along Lot C;
3. 235°05'30" 62.54 feet along Lot 8;
4. 325°05'30" 140.00 feet along Lot 6 to the point of beginning and containing an area of 8,940 square feet, or thereabouts.

And being the same premises conveyed to Koh Iwakami and Suyeyoshi Murakami (Grantor herein), copartners doing business under the name and style of "Iwakami Company" by deed of Tsunetaro Itano dated December 22, 1938, and recorded in the office of the Registrar of Conveyances at Honolulu, in Liber 1479, pages 107–108.

[F. R. Doc. 44–6804; Filed, May 12, 1944; 11:03 a. m.]

[Vesting Order 3408]

CHIZU MITAMURA

In re: Real property, household furniture and furnishings, property insurance policies and claims owned by Chizu Mitamura.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Chizu Mitamura is Yokohama, Japan, and that she is a resident of Japan and a national of a designated enemy country (Japan);
2. That Chizu Mitamura is the owner of the property described in subparagraph 3 hereof;
3. That the property described as follows:

a. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All the household furniture and furnishings, and garden ornaments, owned by Chizu Mitamura, located in the dwelling and on the premises of the property described as the First Parcel of Land in Exhibit A, attached hereto,

c. All right, title and interest of Chizu Mitamura in and to fire insurance policy No. 5525 issued by the California Insurance Company of San Francisco, insuring the premises described as the First Parcel of Land in Exhibit A, attached hereto, and fire insurance policy No. 989554 issued by the Potomac Insurance Company of the District of Columbia, insuring the premises described as the Second Parcel of Land in Exhibit A, attached hereto.

d. All right, title, interest and claim of any name or nature whatsoever of Chizu Mitamura in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Chizu Mitamura by the Cooke Trust Co., Ltd. arising out of the management of the property described as the First Parcel of Land in Exhibit A, attached hereto, and represented on the books of the Cooke Trust Co., Ltd. as a credit balance due Chizu Mitamura, including but not limited to all security rights in and to any and all collateral for any and all of such obligations, and the right to enforce and collect such obligations, and

e. All right, title, interest and claim of any name or nature whatsoever of Chizu Mitamura in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Chizu Mitamura by the National Mortgage & Finance Co., Ltd., arising out of the management of the property described as the Second Parcel of Land in Exhibit A, attached hereto, and represented on the books of the National Mortgage & Finance Co., Ltd. as a credit balance due Chizu Mitamura, including but not limited to all security rights in and to any and all collateral for any and all of such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraphs 3–c, 3–d, and 3–e hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3–a and 3–b hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3–a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3–b, 3–c, 3–d and 3–e hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

First parcel of land. All of those certain parcels of land situate on the Southeast side of Eleventh Avenue, City and County of Honolulu, Territory of Hawaii, described as follows:

Lots Numbered Seventeen (17), area 15,291.0 square feet and Eighteen (18), area 19,878.0 square feet, as shown and delineated on subdivision Map or Plan accompanying Land Court Application No. 704 of Lam Quon, and being all of the lands described in transfer Certificate of Title Number 6172 issued to the said—Chizu Mitamura—, an unmarried woman, on July 2nd, 1927.

Second parcel of land. All of that certain parcel of land situate at Waikiki, City and County of Honolulu, Territory of Hawaii, described as follows:

Lot Number Nine–A (9–A), in Block Number Two (2) of the McCully Tract, as shown and delineated upon a subdivision map of said McCully Tract (Petition No. 279) approved by the Land Court November 15, 1916, and being all of the land described in Transfer Certificate of Title Number 1423 issued to the said—Chizu Mitamura—(w), divorced, on March 1st, 1920.

[F. R. Doc. 44–6805; Filed, May 12, 1944; 11:03 a. m.]

[Vesting Order 3520]

J. (JINZO) FUKUDA

In re: Real property, property insurance policies and a bank account owned by J. (Jinzo) Fukuda.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of J. (Jinzo) Fukuda is Kanaya, Imamoto, Miyako, Fukuoka, Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);
2. That J. (Jinzo) Fukuda is the owner of the property described in subparagraph 3 hereof;
3. That the property described as follows:

a. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements, and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title and interest of J. (Jinzo) Fukuda in and to insurance policy No. 508752, issued by the American Insurance Company of Newark, New Jersey, insurance policy No. 2,673,514, issued by the Law Union and Rock Insurance Company, Limited, of London, England, and insurance policy No. 7,502,732, issued by the Northern Assurance Company, Limited, of London, England, which policies insure the improvements to the premises described in subparagraph 3–a hereof, and

c. The sum of $500, constituting a portion of that certain bank account with the Bishop National Bank, Honolulu, T. H., which account is due and owing to, and held for, J. (Jinzo) Fukuda, in the name of J. (Jinzo) Fukuda, Harry C. Koga, trustee, and any and all security rights in and to any and all collateral for all or part of such sum, and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraphs 3–b and 3–c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3–a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3–a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3–b and 3–c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All of that certain parcel of land (portion of the land described in Royal Patent Number 1985, Land Commission Award Number 6245, Apana 1 to Kalaeokekoi) situate, lying and being at Kamakela, Honolulu, City and County of Honolulu, Territory of Hawaii, and thus bounded and described:

Commencing at the North corner of this parcel on makai side of road 25 feet wide; and running:

S. 53°30' W., true, 211 feet along Lot 14;
S. 45°50' E., true, 7.5 feet along Lane 5 feet wide;
N. 5°30' E., true, 33 feet;
S. 34°3' E., true, 70 feet;
N. 53°5' E., true, 179.5 feet along Lot 16; thence
N. 36°10' W., true, 75 feet along road to initial point.

Containing an Area of 305/1000 of an acre, or thereabouts, and being the same parcel of land that was conveyed to the said J. Fukuda by Catherine E. Steward, unmarried, by Deed dated June 17th, A. D. 1930 and recorded in the Office of the Registrar of Conveyances at Honolulu, in Liber 1068 on Pages 493–494 on June 19th, 1930 at 10:30 O'clock A. M.

[F. R. Doc. 44–6806; Filed, May 12, 1944; 11:03 a. m.]

[Vesting Order 3521]

EMILIE KOPTA

In re: Real property and property insurance policies owned by Emilie Kopta.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Emilie Kopta is Maaschwitz No. 3 near Colditz, Saxony, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);
2. That Emilie Kopta is the owner of the property described in paragraph 3 hereof;
3. That the property described as follows:

a. Real property situated in the Borough of Brooklyn, County of Kings, City and State of New York, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title and interest of Emilie Kopta in and to fire insurance policy No. 940, issued by Pacific Fire Insurance Company of New York, Platt and Gold Streets, New York, New York, insuring the premises described in subparagraph 3–a hereof,

c. All right, title and interest of Emilie Kopta in and to war damage policy No. 506–54–5224, issued by War Damage Corporation through Pacific Fire Insurance Company of New York, Platt and Gold Streets, New York, New York, insuring the premises described in subparagraph 3–a hereof, and

d. All right, title and interest of Emilie Kopta in and to public liability insurance policy No. LF–22793, as renewed by renewal certificate No. RC–49166, issued by Sun Indemnity Company of New York, 55 Fifth Avenue, New York, New York, insuring the premises described in subparagraph 3–a hereof,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3–b, 3–c and 3–d hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3–a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3–a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3–b to 3–d hereof, inclusive,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All that certain lot, piece or parcel of land with the buildings and improvements thereon erected, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, bounded and described as follows:

Beginning at a point on the Easterly side of East 94th Street distant 439 feet 9 inches Northerly from the corner formed by the intersection of the Northerly side of Foster Avenue with the Easterly side of East 94th Street; running thence Easterly at right angles to East 94th Street and part of the distance through a party wall 100 feet; thence Northerly and parallel with East 94th Street 22 feet; thence Westerly at right angles to East 94th Street 100 feet to the Easterly side of East 94th Street; and thence Southerly along the said Easterly side of East 94th Street, 22 feet to the point or place of beginning.

Together with an easement over the most Southerly 3 feet 6 inches of the premises immediately adjoining on the North for use as a driveway to and from a garage to be built in the rear of the premises herein described for pleasure vehicles only. Subject to an easement over the most Northerly 3 feet 6 inches of the premises herein described for

use as a driveway to and from a garage to be built in the rear of the premises immediately adjoining on the North for pleasure vehicles only.

[F. R. Doc. 44-6807; Filed, May 12, 1944; 11:03 a. m.]

UMETARO SUYEHIRO

[Vesting Order 3522]

In re: Real property and property insurance policies owned by Umetaro Suyehiro, also known as Umetaro Suehiro.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Umetaro Suyehiro, also known as Umetaro Suehiro, is Otake, Saiki-gun, Hiroshima, Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That Umetaro Suyehiro, also known as Umetaro Suehiro, is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title and interest of Umetaro Suyehiro, also known as Umetaro Suehiro, in and to insurance policies Nos. 696019 and 696020, issued by the Eagle Star Insurance Company, Limited, 90 John Street, New York, New York, which policies insure the improvements to the premises described in subparagraph 3-a hereof,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All of those certain parcels of land (portions of the land described in and covered by Royal Patent Grant Number 161 to William H. Rice, Trustee for Kanakaiki, et al.), situate, lying and being at Kolowalu, in Manoa Valley, Honolulu, City and County of Honolulu, Territory of Hawaii, and thus bounded and described:—

Lot Number One (1):—Beginning at a pipe at the North corner of this Lot, on the Southwest side of Kahaloa Road, the co-ordinates of said point of beginning referred to Government Survey Triangulation Station "Akaka" being 2,566.3 feet South and 1,286.1 feet West, and running by true azimuths:—

1. 307°42' 69.75 feet along the Southwest side of Kahaloa Road to a stake;
2. 32°55' 100.00 feet along Lot 2 to a stake;
3. 127°42' 69.75 feet along Lot 5 to a stake;
4. 212°55' 100.00 feet along Mahele Award 40 to D. Kalanikahua to the point of beginning.

Containing an Area of 6,951 Square Feet, or thereabouts.

Lot Number Two (2):—Beginning at a stake at the North corner of this lot, being also the East corner of Lot 1, on the Southwest side of Kahaloa Road, the true azimuth and distance from a pipe at the North corner of Lot 1 being 307°42' 69.75 feet and the co-ordinates of said pipe at the North corner of Lot 1 referred to Government Survey Triangulation Station "Akaka" being 2,566.3 feet South and 1,283.1 feet West and running by true azimuths from the above described initial point:—

1. 307°42' 69.75 feet along the Southwest side of Kahaloa Road to a stake;
2. 32°55' 100.00 feet along the Northwest side of 20 foot Road to a stake;
3. 127°42' 69.75 feet along Lot 5 to a stake;
4. 212°05' 100.00 feet along Lot 1 to the point of beginning.

Containing an Area of 6,951 Square Feet, or thereabouts.

Lot number five (5). Beginning at a stake at the North corner of this lot, being also the West corner of Lot 1, the true azimuth and distance to a pipe at the North corner of Lot 1 being 212°55' 100.00 feet; and the co-ordinates of said pipe at the North corner of Lot 1 referred to Government Survey Triangulation Station "Akaka" being 2566.3 feet South and 1283.1 feet West, and running by true azimuths from the above described initial point:—

1. 307°42' 139.5 feet along Lots 1 and 2 to a stake;
2. 32°55' 50.00 feet along the Northwest side of 20 Foot Road to a stake;
3. 127°42' 139.50 feet along Lot 7 to a stake;
4. 212°55' 50.00 feet along stone wall along Mahele Award 40 to D. Kalanikahua to the point of beginning.

Containing an Area of 6,951 Square Feet, or thereabouts.

Together with a right of way for 20-foot road over and upon the following strip of land, being a portion of the said Grant 161 to William H. Rice, Trustee for Kanakaiki, et al, to-wit:

Beginning at a stake at the North corner of this piece of land being also the East corner of Lot 2, on the Southwest side of Kahaloa Road, the true azimuth and distance from a pipe at the North corner of Lot 1 being 307°42' 139.5 feet; and the co-ordinates of said pipe at the North corner of Lot 1 referred to Government Survey Triangulation Station "Akaka" being 2566.30 feet South and 1283.1 feet West, and running by true azimuths from the above described initial point:

1. 307°42' 20.0 feet along the Southwest side of Kahaloa Road to a stake;
2. 32°55' 320.0 feet along Lots 3, 6, 8, 10, 12 and 14 to a stake;
3. 127°42' 20.0 feet along Lots 14 and 13 to a stake;
4. 212°55' 20.0 feet along Lot 13 to a stake;
5. 127°42' 15.0 feet along Lot 13 to a stake;
6. 212°55' 20.0 feet along Lot 11 to a stake;
7. 307°42' 15.0 feet along Lot 11 to a stake;
8. 212°55' 280.0 feet along Lots 11, 9, 7, 5 and 2 to the point of beginning.

Containing an Area of 6,677 Square Feet, or thereabouts.

Said above described premises having been conveyed to the said -Umetaro Suyehiro- (K), by -American Japanese Investment Company, Limited-, a Hawaiian corporation, by Deed dated August 15th, A. D. 1923 and recorded in the Office of the Registrar of Conveyances at Honolulu in Liber 682 on Pages 181-184, on August 24, 1923 and 9:15 O'clock A. M.

[F. R. Doc. 44-6808; Filed, May 12, 1944; 11:04 a. m.]

[Vesting Order 3592]

VERONA LINDEMANN

In re: Estate of Verona Lindemann, also known as Veronica Lindemann and Vilmosne Lindemann, deceased; File D-34-700; E.T. sec. 8754.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Helen Bezegh, Administratrix, acting under the judicial supervision of the Surrogate's Court, County of Queens, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely, Marie Tobias whose last known address is Hungary;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests,

All right, title, interest and claim of any kind or character whatsoever of Marie Tobias, in and to the estate of Verona Lindemann, also known as Veronica Lindemann and as Vilmosne Lindemann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6809; Filed, May 12, 1944; 11:04 a. m.]

[Vesting Order 3593]

FREDERICK W. LOEWE

In re: Trust created by Decree of the Superior Court of the State of California, in and for the County of San Mateo, in the Matter of the Estate of F. W. Loewe, also known as Frederick William Loewe, Frederick W. Loewe and F. William Loewe, deceased; File: D-28-2298; E. T. sec. 3161.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Huida Loewe, Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of San Mateo;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Ella Maune, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ella Maune, in and to the trust created by Decree of the Superior Court of the State of California, in and for the County of San Mateo, entered on or about December 28, 1942, in the Matter of the Estate of F. W. Loewe, also known as Frederick William Loewe, Frederick W. Loewe and F. William Loewe, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6810; Filed, May 12, 1944; 11:04 a. m.]

[Vesting Order 3594]

OTTILIE MOELLER

In re: Estate of Ottilie Moeller, also known as Tillie Moeller, deceased; File D-28-4040; E. T. sec. 7006.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Mary McCutcheon, Administratrix, acting under the judicial supervision of the Middlesex County Orphans' Court, New Brunswick, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Anna Moeller, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Moeller, in and to the estate of Ottilie Moeller, also known as Tillie Moeller, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6811; Filed, May 12, 1944; 11:05 a. m.]

[Vesting Order 3595]

ANNA PERRET

In re: Estate of Anna Perret, deceased, and trust under the will of Anna Perret; File D-28-8431; E. T. sec. 9856.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and

pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by George W. Beehler, Jr., 820 W. Lehigh Avenue, Philadelphia, Pennsylvania, Executor and Trustee, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Emilie Reisig, Germany.
Otto Wentz, Germany.
Gustav Wentz, Germany.
Helmuth Wentz, Germany.
Three children, names unknown, of August Herman, Germany.
The issue, names unknown, of Otto Wentz, Gustav Wentz, Helmuth Wentz, and of the three children, names unknown, of August Herman, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Emilie Reisig, Otto Wentz, Gustav Wentz, Helmuth Wentz; three children, names unknown, of August Herman; the issue, names unknown, of Otto Wentz, Gustav Wentz, Helmuth Wentz, and of the three children, names unknown, of August Herman, and each of them, in and to the estate of Anna Perret, deceased; and

All right, title, interest, and claim of any kind or character whatsoever of Emilie Reisig in and to the trust created under Paragraph Tenth of the Will of Anna Perret, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6812; Filed, May 12, 1944; 11:05 a. m.]

[Vesting Order 3596]

KATHRINE SCHMID

In re: Estate of Kathrine Schmid also known as Katherine Schmid, Katie Schmid, Kathrin Schmid and Katharine Schmid, deceased; File D–28–3683; E. T. sec. 6077.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Nicholas A. Heymsfeld, as executor, acting under the judicial supervision of the Surrogate's Court of Westchester County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

National and Last Known Address

"Jane" Schmid (first name fictitious), Germany.
"Mary" Schmid (first name fictitious), Germany.
Maria Schmid, Germany.
Julius Rein, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of "Jane" Schmid (first name fictitious), "Mary" Schmid (first name fictitious), Maria Schmid and Julius Rein, and each of them in and to the estate of Katherine Schmid also known as Katherine Schmid, Katie Schmid, Kathrin Schmid and Katharine Schmid, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6813; Filed, May 12, 1944; 11:06 a. m.]

[Vesting Order 3597]

SARAH SINGER

In re: Trust created under the will of Sarah Singer, deceased; File D–27–2500; E. T. sec. 3689.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Citizens National Trust & Savings Bank of Los Angeles, Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Emma Einstein, Germany.
Caroline Einstein, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Emma Einstein and Caroline Einstein, and each of them, in and to the Trust created under the Will of Sarah Singer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6814; Filed, May 12, 1944; 11:05 a. m.]

[Vesting Order 3598]

PAUL G. SITZ

In re: Estate of Paul G. Sitz, deceased; File D–28–7705; E. T. sec. 8224.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that —

(1) The property and interests hereinafter described are property which is in the process of administration by Paul W. Sitz, Marion, North Dakota, Administrator, acting under the judicial supervision of the County Court of La Moure County, North Dakota;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Otto Sitz, Germany.
Bruno Sitz, Germany.
Frau Louise Wichmann, Germany.
Martha Krause, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Otto Sitz, Bruno Sitz, Frau Louise Wichmann, and Martha Krause, and each of them, in and to the estate of Paul G. Sitz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6815; Filed, May 12, 1944; 11:06 a. m.]

[Vesting Order 3599]

MARIE ELISABETH GUBSCH STAAR

In re: Estate of Marie Elisabeth Gubsch Staar, also known as Elisabeth Staar, deceased; File D–28–3872; E. T. sec. 6614.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Mrs. Emil Holtz, Executrix, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Ludwig Bahlsen, Germany.
Miss Clara Knuepfer, Germany.
Mrs. Otto Fritzsche, Germany.
Mrs. Heinrich Kornding, Germany.
Mrs. Greta Gary, Germany.
Mrs. Lena Winkelman, Germany.
Mrs. Paul Zenner, Germany.
Martha Haus, Germany.
Mrs. Gretl Roth, Germany.
Mrs. Minna Richter, Germany.
Miss Alwine Fritze, Germany.
Miss Tilla Sauerland, Germany.
Mrs. Roschen Koch, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ludwig Bahlsen, Miss Clara Knuepfer, Mrs. Otto Fritzsche, Mrs. Heinrich Kornding, Mrs. Greta Gary, Mrs. Lena Winkelman, Mrs. Paul Zenner, Martha Haus, Mrs. Gretl Roth, Mrs. Minna Richter, Miss Alwine Fritze, Miss Tilla Sauerland, Mrs. Roschen Koch, and each of them, in and to the Estate of Marie Elisabeth Gubsch Staar, also known as Elisabeth Staar, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6816; Filed, May 12, 1944; 11:06 a. m.]

[Vesting Order 3600]

ELSE KUERSCHNER

In re: Assignment for the benefit of creditors, George Steinweg to Jacob Newhouse; File D–28–3608; E. T. sec. 5849.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as Depositary, acting under the judicial supervision of Supreme Court of the State of New York, in and for the County of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Else Kuerschner, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All the property and estate of Else Kuerschner, of any nature whatsoever, in the possession of the City Treasurer of the City of New York, Municipal Building, Chambers Street, New York, New York,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6817; Filed, May 12, 1944; 11:06 a. m.]

[Vesting Order 3601]

ELSIE SWERNOFSKY

In re: Estate of Elsie Swernofsky, deceased; File D–28–7904; E. T. sec. 8636.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Harris Swernofsky, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Laura Lewin, Germany.
Lina Hirsch, Czechoslovakia.

And determining that—

(3) Lina Hirsch, a citizen or subject of a designated enemy country, Germany, and within enemy occupied area, Czechoslovakia, is a national of a designated enemy country, Germany;

(4) To the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Laura Lewin and Lina Hirsch, and each of them, in and to the Estate of Elsie Swernofsky, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6818; Filed, May 12, 1944; 11:06 a. m.]

[Vesting Order 3602]

JOHN TERSAN

In re: Estate of John Tersan, deceased; File: D–28–3895; E. T. sec. 6654.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Theodore A. Kohler, Jr., Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Nevada;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Louise Sinko, (Austria), Germany.
Marie Tersan, (Austria) Germany.
Rosa Gollesch, Jugoslavia.

And determining that—

(3) Rosa Gollesch, a citizen or subject of a designated enemy country, Germany, and within enemy occupied area, Jugoslavia, is a national of a designated enemy country, Germany;

(4) To the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Louise Sinko, Marie Tersan and Rosa Gollesch, and each of them, in and to the Estate of John Tersan, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6916; Filed, May 15, 1944; 11:22 a. m.]

[Vesting Order 3603]

ELSIE WAGNER

In re: Estate of Elsie Wagner, also known as Elsie Wagner Spiegeleire, deceased; File D–28–3478; E. T. sec. 5488.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Marie C. Arth, Executrix of the estate of Elsie Wagner, also known as Elsie Wagner Spiegeleire, deceased, acting under the judicial supervision of the Surrogate's Court of Nassau County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Lotta Kahl, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Lotta Kahl, in and to the estate of Elsie Wagner, also known as Elsie Wagner Spiegeleire, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6917; Filed, May 15, 1944; 11:22 a. m.]

[Vesting Order 3604]

WENIGER AND COMPANY

In re: Weniger and Company in bankruptcy File D–66–418; E. T. sec. 2784.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Albert A. Drucker, Emil Reutlinger and Otto H. Kaupp, Liquidating Trustees, acting under the judicial supervision of the United States District Court for the Eastern District of Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mr. Ernst Fischer, pr A. Klein, Germany.
Mr. John Losem, Germany.
Mrs. John Losem, Germany.
Mr. Martin Arfmann, Germany.
Mr. Richard Baier, Germany.
Mrs. Richard Baier, Germany.
Mr. Ernst Beilharz, Germany.
Mrs. Ernst Beilharz, Germany.
Mr. Bernhard Max Brunner, Germany.
Mrs. Ida Buhner Lang, Germany.
Mr. Wilhelm Burkhardt, Germany.
Mrs. Wilhelm Burkhardt, Germany.
Mr. Friedrich Dietz, Germany.
Mr. George Engelhard, Germany.
Mr. Ernst Feddrich, Germany.
Mr. Joseph Fischer, Germany.
Mr. Emil Fleischmann, Germany.
Franckh'sche Verlagshandlung, Germany.
Mrs. Elsa Friedhammer, Germany.
Mr. Rudolf Gohlke, Germany.
Mrs. Rudolf Gohlke, Germany.
Mr. Bruno Haeberer, Germany.
Mrs. Bruno Haeberer, Germany.
Mr. Karl Hausner, Germany.
Mr. Ernst Hochstein, Germany.
Mrs. Martha Kirsten Hoffmueller, Germany.
Miss Anna Jennerich, Germany.
Miss Marie Jennerich, Germany.
Mr. Joseph Kappen, Germany.
Mrs. Joseph Kappen (Franziska Kappen), Germany.
Anna Kappler, Germany.
Mr. Helmut Klauke, Germany.
Miss Wally Klose, Germany.
Mrs. Selma Kubein, Germany.
Mrs. Olga Kuelper, Germany.
Mr. Paul Kunz, Germany.
Mr. August Lauber, Germany.
Mrs. August Lauber, Germany.
Mr. Eugene Hoerner, assignee of Fritz O. Evers, executor of will of Erdmann Laufmann; deceased, Germany.
Else Rosa Lenk, Germany.
Mr. Eduard Lesch, Jr., Czecho-Slovakia.
Mr. Eduard Lesch, Sr., Czecho-Slovakia.
Mr. Jack Lohner, Czecho-Slovakia.
Mr. Emil Lorenz, Germany.
Mrs. Emil Lorenz, Germany.
Mr. Richard Lorenz, Germany.
Mrs. Mina Wahl Maier, Germany.
Mr. Wilhelm Mattern, Germany.
Mrs. Wilhelm Mattern, Germany.
Mrs. Anna Mattern, Germany.
Mr. Georg Mauer, Germany.
Mrs. Georg Mauer, Germany.
Mr. Karl Mauer, ermany.
Mr. Otto Mellen, Germany.
Mrs. Otto Mellen, Germany.
Betty Nagl, Germany.
Mrs. Lina Neu, Germany.
Mr. Alfred Neuhauser, Germany.
Mrs. Alfred Neuhauser, Germany.
Mrs. Marie Jauss Madsen, Germany.
Anna Pfaff, Germany.
Luise Roth, Germany.
Mr. Victor Schusterbauer, Germany.
Mr. Gustav Adolf Stenger, Germany.
Mr. Julius Stenger, Germany.
Mr. Konrod Stenger, Germany.
Mr. Ernst Thieme, Germany.
Mr. Peter Tjaden, Germany.
Mr. Joseph Walter, Germany.
Mr. Arthur Wendler, Germany.

And determining that—

(3) Eduard Lesch, Jr., Eduard Lesch, Sr., Jack Lohner and Mrs. Marie Jauss Madsen, citizens or subjects of a designated enemy country, Germany, and within enemy occupied areas, Czecho-Slovakia and Denmark, are nationals of a designated enemy country, Germany;

(4) To the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Mr. Ernst Fischer pr A. Klein, Mr. John Losem, Mrs. John Losem, Mr. Martin Arfmann, Mr. Richard Baier, Mrs. Richard Baier, Mr. Ernst Beilharz, Mrs. Ernst Beilharz, Mr. Bernhard Max Brunner, Mrs. Ida Buhner Lang, Mr. Wilhelm Burkhardt, Mrs. Wilhelm Burkhardt, Mr. Friedrich Dietz, Mr. George Engelhard, Mr. Ernst Feddrich, Mr. Joseph Fischer, Mr. Emil Fleischmann, Franckh'sche Verlagshandlung, Mrs. Elsa Friedhammer, Mr. Rudolf Gohlke, Mrs. Rudolf Gohlke, Mr. Bruno Haeberer, Mrs. Bruno Haeberer, Mr. Karl Hausner, Mr. Ernst Hochstein, Mrs. Martha Kirsten Hoffmueller, Miss Anna Jennerich, Miss Marie Jennerich, Mr. Joseph Kappen, Mrs. Joseph Kappen (Franziska Kappen), Anna Kappler, Mr. Helmut Klauke, Miss Wally Klose, Mrs. Selma Kubein, Mrs. Olga Kuelper, Mr. Paul Kunz, Mr. August Lauber, Mrs. August Lauber, Mr. Eugen Hoerner, Assignee of Fritz O. Evers, Executor of Will of Erdmann Laufmann, deceased, Else Rosa Lenk, Mr. Eduard Lesch, Jr., Mr. Eduard Lesch, Sr., Mr. Jack Lohner, Mr. Emil Lorenz, Mrs. Emil Lorenz, Mr. Richard Lorenz, Mrs. Mina Wahl Maier, Mr. Wilhelm Mattern, Mrs. Wilhelm Mattern, Mrs. Anna Mattern, Mr. Georg Maurer, Mrs. Georg Maurer, Mr. Karl Maurer, Mr. Otto Mellen, Mrs. Otto Mellen, Betty Nagl, Mrs. Lina Neu, Mr. Alfred Neuhauser, Mrs. Alfred Neuhauser, Mrs. Marie Jauss Madsen, Anna Pfaff, Luise Roth, Mr. Victor Schusterbauer, Mr. Gustav Adolf Stenger, Mr. Julius Stenger, Mr. Konrod Stenger, Mr. Ernst Thieme, Mr. Peter Tjaden, Mr. Joseph Walter and Mr. Arthur Wendler, and each of them, in and to the property and estate of Weniger and Company, Bankrupt,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6918; Filed, May 15, 1944; 11:22 a. m.]

[Vesting Order 3605]

FLORENCE ELLSWORTH WILSON

In re: Trust under Will of Florence Ellsworth Wilson, deceased; File D–28–7852; E. T. sec. 8481.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Morris Henry Frank, 60 East 42nd Street, New York City, R. Thornton Wilson, 1 Sutton Place South, New York City, and Duncan S. Ellsworth, 1 Sutton Place South, New York City, as Executors and Trustees of the Estate of Florence Ellsworth Wilson, deceased, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York; and

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Theodore R. Heye, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Theodore R. Heye, in and to the trust estate created under the last will and testament of Florence Ellsworth Wilson, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6919; Filed, May 15, 1944; 11:23 a. m.]

[Vesting Order 3606]

ISIDORE WITMARK

In re: Estate of Isidore Witmark, deceased; File D–28–3666; E.T. sec. 6425.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Jay Witmark and Harry Zalkin, as Executors of the Estate of Isidore Witmark, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Franziska Bendan, Kenghanastrasse, I/I Dresden, Alstadt, Germany.

Flora Bendan, Kenghansstrasse, I/I Dresden, Alstadt, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Franziska Bendan and Flora Bendan, and each of them, in and to the estate of Isidore Witmark, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–6920; Filed, May 15, 1944; 11:23 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 122, Amdt. 9 to Rev. Order 47]

SOLID FUELS IN THE WASHINGTON AREA AND ALEXANDRIA, VA.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 9 to Revised Order No. 47 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in the opinion issued herewith and in accordance with § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, *It is ordered*, That Revised Order No. 47 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

1. In paragraph (c) (1), the table of prices is amended by changing the prices for the pea size of Low Volatile bituminous coal from District No. 7 to read as follows:

Per ton		Per ½ ton	
Gross	Net	Gross	Net
$9.30	$8.27	$5.15	$4.64

2. In paragraph (d), the table of prices is amended by changing the prices for the pea size of Low Volatile bituminous Coal from District No. 7 to read as follows:

Consumer prices			Dealer prices	
Gross 2,240 lbs.	Net 2,000 lbs.	Per 100 lbs.	Gross 2,240 lbs.	Net 2,000 lbs.
$8.30	$7.38	$0.70	$8.05	$7.15

This amendment to Revised Order No. 47 shall become effective May 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6831; Filed, May 12, 1944; 11:44 a. m.]

[MPR 120, Order 758]

GENERAL CONSTRUCTION CO. AND JOHN GABOR

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 758 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 4. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

GENERAL CONSTRUCTION CO., 337 S. HIGH STREET, COLUMBUS, 15, OHIO, RHODES #2 MINE, NO. 6 SEAM, MINE INDEX NO. 4088, PERRY COUNTY, OHIO, SUB-DISTRICT 6, RAIL SHIPPING POINT: SALTILLO, OHIO, STRIP MINE, PRICE CLASSIFICATION: CROOKSVILLE FREIGHT ORIGIN GROUP AND RAILROAD FUEL PRICE GROUP NO. 111

	Size group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	12
Rail shipment	335	325	285	285	285	275	245	245	250	210	-----	250
Railroad fuel	335	325	285	285	285	275	245	245	260	220	-----	260
Truck shipment	365	355	345	320	315	265	230	220	-----	-----	-----	-----

GENERAL CONSTRUCTION CO., 337 S. HIGH STREET, COLUMBUS, 15, OHIO, RHODES #1 MINE, NO. 5 SEAM, MINE INDEX NO. 4037, PERRY COUNTY, OHIO, SUBDISTRICT 6, RAIL SHIPPING POINT: SALTILLO, OHIO, STRIP MINE, PRICE CLASSIFICATION: CROOKSVILLE FREIGHT ORIGIN GROUP AND RAILROAD FUEL PRICE GROUP NO. 111

	Size group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	12
Rail shipment	335	325	285	285	285	275	245	245	250	210	-----	250
Railroad fuel	335	325	285	285	285	275	245	245	250	220	-----	260
Truck shipment	365	355	345	320	315	265	230	220	-----	-----	-----	-----

JOHN GABOR, MCARTHUR, OHIO, JOHN GABOR MINE, WINTERS SEAM, MINE INDEX NO. 4033, VINTON COUNTY, OHIO, SUB-DISTRICT NO. 7, RAIL SHIPPING POINT: MCARTHUR, OHIO, STRIP MINE, PRICE CLASSIFICATION: JACKSON FREIGHT ORIGIN GROUP AND RAILROAD FUEL PRICE GROUP NO. 104.

	Size group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	12
Rail shipment and railroad fuel	350	345	305	305	305	275	255	245	275	245	-----	275
Truck shipment	380	370	360	335	330	265	230	220	-----	-----	-----	-----

This order shall become effective May 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6868; Filed, May 13, 1944; 11:48 a. m.]

[Rev. Gen. Order 53]

REGIONAL ADMINISTRATORS AND DISTRICT DIRECTORS

DELEGATION TO SIGN AND ISSUE RENT AND PRICE SUBPOENAS AND INSPECTION REQUIREMENTS

General Order 53 is amended and revised to read as follows:

Pursuant to the authority conferred upon the Administrator by the Emergency Price Control Act of 1942 as amended, the following order is prescribed:

(a) *Order delegating authority to sign and issue subpoenas and inspection requirements in rent and price investigations.* In connection with any investigation related to the administration or enforcement of the Emergency Price Control Act of 1942 as amended, or any regulation or order issued thereunder, the several Regional Administrators and the several District Directors of the Office of Price Administration are each authorized within their respective regions, or districts to sign and issue: (1) subpoenas requiring any person to appear and testify or to appear and produce documents, or both, at any designated place; (2) inspection requirements requiring any person who is engaged in the business of dealing with any commodity, or who rents or offers for rent or acts as broker or agent for the rental of any housing accommodation, to permit the inspection and copying of records and any other documents and to permit the inspection of inventories or defense-rental area housing accommodations, or both.

(b) The terms used herein shall have the same meaning as in the Emergency Price Control Act.

Issued and effective this 13th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6878; Filed, May 13, 1944; 11:52 a. m.]

Regional and District Office Orders.

[Region I Order G–21 Under 18 (c), MPR 280, and MPR 329, Corr. to Amdt. 5]

FLUID MILK IN MAINE

Correction to Amendment No. 5 to Order G–21 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280, and § 1351.408 of Maximum Price Regulation 329. Fluid milk in the State of Maine.

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment No. 5 to Order G–21 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280 and § 1351.408 of Maximum Price Regulation 329. The approval of the Regional Director, Food Distribution Administration, is added to read as follows:

Approved as of November 6, 1943.

F. D. CRONIN,
Regional Director,
Food Distribution Administration.

This correction shall become effective as of November 1, 1943 at 12:01 a. m.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–6652; Filed, May 9, 1944; 2:46 p. m.]

[Region I Order G–21 Under 18 (c), MPR 280, and MPR 329, Corr. to Amdt. 6]

FLUID MILK IN MAINE

Correction to Amendment No. 6 to Order G–21 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280, § 1351.408 of Maximum Price Regulation 329. Fluid milk in the State of Maine.

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment No. 6 to Order G–21 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280 and § 1351.408 of Maximum Price Regulation 329. The approval of the Regional Director, Food Distribution Administration, is added to read as follows:

Approved as of December 3, 1943.

F. D. CRONIN,
Regional Director,
Food Distribution Administration.

This correction shall become effective as of December 1, 1943 at 12:01 a. m.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6653; Filed, May 9, 1944; 2:45 p. m.]

[Region I Order G-21 Under SR 15, MPR 280, and MPR 329, Corr. to Amdt. 7]

FLUID MILK IN MAINE

Correction to Amendment No. 7 to Order G-21 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, §1351.807 of Maximum Price Regulation 280, and § 1351.408 of Maximum Price Regulation 329. Fluid milk in the State of Maine.

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment No. 7 to Order G-21 under §1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280 and § 1351.408 of Maximum Price Regulation 329. The approval of the Regional Director, Food Distribution Administration, is added to read as follows:

Approved as of December 17, 1943.

F. D. CRONIN,
Regional Director,
Food Distribution Administration.

This correction shall become effective as of December 18, 1943 at 12:01 a. m.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6654; Filed, May 9, 1944; 2:47 p. m.]

[Region I Order G-21 Under SR 15, MPR 280, and MPR 329, Corr. to Amdt. 8]

FLUID MILK IN MAINE

Correction to Amendment No. 8 to Order G-21 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280, and § 1351.408 of Maximum Price Regulation 329. Fluid milk in the State of Maine.

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment No. 8 to Order G-21 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280 and § 1351.408 of Maximum Price Regulation 329. The approval of the Regional Director, Food Distribution Administration, is added to read as follows:

Approved as of January 1, 1944.

F. D. CRONIN,
Regional Director,
Food Distribution Administration.

This correction shall become effective as of January 1, 1944 at 12:01 a. m.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6655; Filed, May 9, 1944; 2:47 p. m.]

[Region I Order G-22 Under 18 (c), MPR 280 and MPR 329, Corr. to Amdt. 4]

FLUID MILK IN VERMONT

Correction to Amendment 4 to Region I Order Number G-22 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280, and § 1351.408 of Maximum Price Regulation 329. Fluid milk in the State of Vermont.

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment 4 to Region I Order Number G-22 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280 and § 1351.408 of Maximum Price Regulation 329. The approval of the Regional Director, Food Distribution Administration, is added to read as follows:

Approved as of December 24, 1943.

F. D. CRONIN,
Regional Director,
Food Distribution Administration.

This correction shall become effective as of December 26, 1943 at 12: 01 a. m.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6656; Filed, May 9, 1944; 2:45 p. m.]

OFFICE OF WAR MOBILIZATION.

[Directive Order 3]

PRICE POLICIES IN DISPOSAL OF SUPPLIES, EQUIPMENT, ETC.

DELEGATION OF AUTHORITY TO SURPLUS WAR PROPERTY ADMINISTRATION

The following resolution passed by the Joint Contract Termination Board is hereby made effective:

The Joint Contract Termination Board, acting by agreement among its members and pursuant to Executive Order 9347, dated May 27, 1943, is concerned with all aspects of the termination of war contracts and the subsequent settlement with war contractors, including the rapid disposition of property by or to contractors in connection therewith. It recognises, however, that the price policies employed in the disposition of termination inventories by owning agencies or by contractors, prior to their declaration as surplus, bear an important relation to the price policies to be employed in the disposition of similar property which has been or may be declared surplus, and that a single agency should coordinate such price policies. Accordingly, the Joint Contract Termination Board hereby delegates to the Surplus War Property Administration all authority possessed by the former to determine, and to promulgate by regulation or otherwise, price policies to be followed by Government agencies or by contractors under their authority in the disposal of any article, commodity, machinery, equipment, accessory, part, component, assembly, work in process, or any product of any kind, allocable to a terminated war contract and of any machinery or equipment owned by the Government becoming available for disposition in connection with contract terminations.

JAMES F. BYRNES,
Director.

MAY 2, 1944.

[F. R. Doc. 44-6847; Filed, May 12, 1944; 3:40 p. m.]

[Directive Order 4]

UNIFORM TERMINATION ARTICLE FOR GOVERNMENT FIXED PRICE WAR SUPPLY CONTRACTS

POLICY DETERMINATIONS APPROVED BY JOINT CONTRACT TERMINATION BOARD

The Uniform Termination Article for Government Fixed Price war supply contracts was made effective by directive order from this office dated January 8, 1944 (9 F.R. 478). To the end of securing uniformity and certainty in the interpretation and operation of the Article, the following general policy determinations, with respect to it, which have been approved by the Joint Contract Termination Board, are hereby made effective:

1. Paragraph (b) (4) of the Article provides that the prime contractor shall assign to the Government, in the manner and to the extent directed by the contracting officer, all of the right, title and interest of the prime contractor under the orders or subcontracts terminated by reason of their relationship to the work terminated by the termination notice. This provision was designed to assure the Government's right to require the transfer to it of the property and rights under the subcontract or order acquired by the prime contractor from his subcontractors through payments for which the prime contractor is reimbursed by the Government. Accordingly, paragraph (b) (4) is not to be construed as requiring transfer to the Government of other rights of the prime contractor against the subcontractor (such as set-offs or counterclaims) for which no Government reimbursement is made to the prime contractor. In this connection, it was recognised in the preparation of the Article that uniform provisions could not be drawn which would provide adequately in all cases for the disposition of patent rights involved in prime contracts or subcontracts, and the Article is not intended to forbid the inclusion in contracts of separate provisions covering the disposition of such rights on termination.

2. Paragraph (d) (1) of the Article provides that, in the case of a formula settlement, the contractor will be paid in accordance with the price or prices specified in the contract for completed articles delivered to and accepted by the Government (or sold or retained by the contractor under the provisions of the contract). Paragraph (b) (6) requires the contractor to transfer title and deliver to the Government, in the manner, to the extent and at the times directed by the contracting officer, completed work and other property; and paragraph (b) (7) requires the contractor to use his best efforts to sell any such property in the manner, to the extent, at the time and at the price or prices directed or authorized by the contracting officer.

It was the intent of these provisions, considered together, to require the Government, at times determined by the contracting officer in accordance with applicable regulations, to accept delivery of all articles (which do not represent unreasonable anticipation of production schedules) completed in accordance with the provisions of the contract which the contractor had not previously sold or agreed to retain. In the case of a formula settlement, therefore, all such completed articles will be paid for at the contract price in accordance with the provisions of paragraph (d) (1), rather than at their cost in accordance with the provisions of paragraph (d) (2).

3. Paragraphs (b) (3) and (b) (5) of the Article require the contractor to terminate all orders or subcontracts to the extent that they relate to the performance of any work terminated by the notice of termination; and to settle all claims arising out of such termination of orders and subcontracts, with the approval or ratification of the contracting officer to the extent that he may require, which approval or ratification shall be final for all purposes of the Article. Paragraph (d) (2) (ii) then provides that the Government shall pay to the contractor, among other amounts, the cost of settling and paying claims arising out of the termination of work under subcontracts and orders as provided in paragraph (b) (5).

The Article does not include any provision (corresponding to those occasionally used by one or more of the contracting agencies prior to the effective date of the Article) that, under certain circumstances, final judgments secured by subcontractors against prime contractors in courts of competent jurisdiction were to be regarded as determinations, binding upon the Government, of the amount of the obligation owing by the prime contractor to the subcontractor. The omission of such a provision was not intended to detract from the binding effect of such judgments. In the case of any subcontract which does not contain unusual termination provisions unreasonably increasing the common law rights of the subcontractor, and in which the prime contractor, after making unsuccessful efforts to settle with his subcontractor, is sued in a court of competent jurisdiction, gives prompt notice to the contracting agency involved and offers to the agency control of the defense of the suit, the agency should accept any final judgment as determining the amount of the obligation between the parties to the suit, and as fixing the amount of the Government's obligation to reimburse the prime contractor, to the extent that the subcontract is properly allocable to the prime contract. The propriety of this allocation remains for the determination of the contracting agency.

4. Paragraph (e) (2) of the Article provides that the obligation of the Government to make payments under the Article shall, with certain exceptions, be subject, in the discretion of the contracting officer, to deduction in respect of the amount of any claim of any subcontractor or supplier whose subcontract or order shall have been terminated. The purpose of this provision was to permit the withholding of sums owing by the prime contractor to his subcontractors, in order to assure their receipt by the subcontractor. In any case in which use is made of this provision, the prime contractor is entitled to have the withheld sum applied for his benefit in such a way as to exonerate him, to that extent, from the claim of the subcontractor.

JAMES F. BYRNES,
Director.

MAY 2, 1944.

[F. R. Doc. 44-6848; Filed, May 12, 1944; 3:40 p. m.]

[Directive Order 5]

GOVERNMENT ORGANIZATIONS FOR SETTLEMENT OF CONTRACTS, AND REVIEW OF SETTLEMENTS

STATEMENTS OF POLICY BY JOINT CONTRACT TERMINATION BOARD

The statements of policy adopted by the Joint Contract Termination Board as to Government Organizations for Settlement of Terminated War Contracts, and as to Review of Contract Termination Settlements are hereby made effective for use by the War, Navy and Treasury Departments, the Maritime Commission, Smaller War Plants Corporation, Defense Plant Corporation, Defense Supplies Corporation, Metals Reserve Company, Rubber Reserve Company and Foreign Economic Administration. Other departments or agencies of the Government administering the settlement of terminated war contracts will follow the statements of policy to the extent they deem it practicable to do so.

JAMES F. BYRNES,
Director.

MAY 2, 1944.

STATEMENT OF POLICY AS TO GOVERNMENT ORGANIZATIONS FOR SETTLEMENT OF TERMINATED WAR CONTRACTS

PART I—GENERAL PRINCIPLES

1. Simplification and perfection of procedures will not alone suffice to bring about speedy and fair settlements of terminated war contracts. The Government and industry must have organizations adequate, both quantitatively and qualitatively, to handle termination settlements, and the Government in particular must establish means for coordinating the activities of its various agency organizations.

2. Within the Government the principle must obtain that each settlement organization should freely utilize the services and facilities of other settlement organizations better situated to do particular jobs. Each organization should also have access to information obtained by other organizations in their settlement activities. Maximum and most effective utilization of the Government's settlement organizations as a whole requires a high degree of cooperation among the several agencies and of coordination within each agency.

3. There must be constant surveillance by each agency of the operations of its own organization. There must likewise be a continuing effort, through a central body, to maintain uniform policies and procedures of general application and to promote the joint utilization of personnel, information, and experience of all agency organizations. Only in these ways can satisfactory results be assured.

PART II—PROCURING AGENCY ORGANIZATION

4. *Control organizations.* Each procuring agency should establish a supervisory organization within the agency, or should designate for the purpose responsible officials of the agency, to be charged in either case with the responsibility for seeing that the policies established for all procuring agencies are carried out. The functions of such organization or officials should be to supervise the termination activities within the agency to the extent necessary to insure prompt and equitable settlement of terminated contracts, to maintain close contact with the Joint Contract Termination Board, to submit to the Board problems of the agency which involve policies of major importance to the Government or as to which uniformity of action on the part of the several procuring agencies is desirable, and to implement the regulations of the Board by the issuance of detailed regulations governing the termination of contracts and their settlement within the agency.

5. *Collection of information.* It should be the responsibility of the designated organization or officials to maintain current information as to the termination settlements in process within the agency, the personnel available for any work incident to such settlements, and the progress made from time to time in terms of settlements effected. Information as to available personnel should be maintained in such manner as to facilitate the temporary assignment of technical personnel to related work in connection with other settlements within the agency or by other agencies, and such information should be made available to other agencies upon request as needs arise.

PART III—ORGANIZATION AT THE NEGOTIATING LEVEL

6. *Contracting officers and technical staffs.* In all contract relations the Government must act through an agent, usually called the contracting officer, who signs settlemept agreements and other documents on behalf of the Government. In Government corporations, which operate through officers and agents responsible to boards of directors, the

formalities differ somewhat. In both types of organization, however, there is an individual or a group of individuals who must have the primary responsibility for the prompt and equitable settlement of terminated contracts. Such responsible officials must have assistance in all cases from technical staffs, consisting ordinarily of legal, accounting, property disposal, and other specialists. It is the responsibility of each procuring agency to see that adequate technical assistance of this kind is afforded to the responsible officials and is utilized by them.

7. *Joint utilization of technical staffs.* In a number of instances it will be feasible to assign technical personnel directly to the plants or companies having major termination problems, to work with such plants or companies on a full-time basis and to report to responsible settlement officers. All agencies should utilize such assigned personnel to the greatest practicable extent to avoid duplication. There should be similar utilization of personnel not regularly assigned on a full-time basis but already engaged in making other settlements with the same plant or company, where common elements of claims or other factors offer advantages.

8. *Use of procurement organizations.* Full use of the personnel of procurement organizations, including that of procurement offices in the field, should be made to the greatest extent feasible without interference with procurement operations. Such use is especially important in cases where a new contract will take the place of one that has been terminated, so as to integrate the two transactions.

9. *Property disposal organizations.* The settlement of terminated contracts and the disposition of property allocable thereto are related but separate functions requiring operating personnel experienced in widely different fields. Whether property disposal specialists are to operate under the control of contracting officers or under separate organizations within the procuring agency is to be determined by the agency concerned and depends largely upon the volume of property involved, the magnitude of the problems presented, and the requirements of good administration.

10. *Decentralization.* Many of the operations preliminary to the negotiation of settlement agreements will necessarily be performed by field personnel. In deciding to what extent authority for termination settlements should be decentralized, each procuring agency must consider not only the convenience of contractors and the interests of speedy settlement but the judicious use of its qualified personnel.

Approved: May 2, 1944.

JAMES F. BYRNES,
Director,
Office of War Mobilization.

STATEMENT OF POLICY AS TO REVIEW OF CONTRACT TERMINATION SETTLEMENTS

GENERAL PRINCIPLES

1. The policy of the Joint Contract Termination Board is to encourage the fullest practicable use of negotiation as the method of settling terminated contracts in the interest of speed in settlement and fairness to both parties. Each procuring agency shall make every reasonable effort to arrive at negotiated settlements and shall endeavor at all times to guard against the failure of negotiations because of arbitrary or erroneous decisions by individuals authorized to represent the agency in settlement negotiations. Settlement agreements once made should be final and not subject to reopening except for fraud.

2. A proper degree of control over such settlements must, however, be provided for the protection of the Government's interests. The review procedure set forth below is designed to provide the minimum standards to be observed by all procuring agencies. To the extent that it may be feasible to do so without materially slowing the settlement process, procuring agencies may extend the controls afforded by the review procedure beyond the requirements of these minimum standards. The primary objective of promptness in settlement must not be lost sight of, and review of smaller settlements must not be required at the expense of that objective.

SCOPE AND APPLICABILITY

3. The terms "procuring agency" and "agency", as used in this statement of policy, refer specifically to the War, Navy and Treasury Departments, the Maritime Commission, Defense Plant Corporation, Defense Supplies Corporation, Metals Reserve Company, Rubber Reserve Company, and Foreign Economic Administration.

4. The policies and procedures set forth herein shall apply to war contracts terminated other than for default. Any agency, however, may exempt from such policies and procedures contracts in any of the following categories:

(a) Contracts with instrumentalities of the Government or with States, Territories or possessions of the United States or instrumentalities thereof;

(b) Contracts with a foreign government;

(c) Contracts to be substantially performed outside the territorial limits of the continental United States.

ADMINISTRATIVE REVIEW

5. Each procuring agency shall establish one or more settlement review boards, which shall be decentralized to the maximum practicable extent. No negotiated settlement agreement providing for payment to any prime contractor, or to any subcontractor, of an amount in excess of $50,000, as determined in paragraph 6 below, shall be permitted to become binding upon the Government until the proposed settlement has been reviewed and approved by such a board or, in the event of its disapproval, until approved by the head of the procuring agency or such representative as he may designate for that purpose. More than one such approval shall not be required generally with respect to any settlement agreement, but this shall not prevent any procuring agency from providing such headquarters review as it may deem desirable in the case of exceptionally large settlements. Contracting officers may be permitted to submit for such review and approval as the procuring agency may specify any proposed settlement agreements which they consider doubtful. Property disposal boards, if established within the agency, may be utilized in lieu of settlement review boards for the review of property disposal transactions involved in settlements.

6. In determining for review purposes whether any proposed settlement of a prime contract or of a subcontract exceeds $50,000, any amounts credited on account of the disposition of property shall not be deducted from the amount of the settlement, but there shall be excluded (1) amounts payable for completed articles or work at the contract price, and (2) amounts payable for the discharge of all claims of subcontractors or suppliers under such prime contract or subcontract, as the case may be.

7. In the case of terminated cost plus fixed fee prime contracts and terminated cost plus subcontracts where reimbursement of the costs is made after appropriate audit, the foregoing rules will be inapplicable. Each procuring agency shall, however, prescribe such requirements in respect to the review of adjustments in fixed fees as it deems desirable.

8. It shall be the function of settlement review boards to determine the over-all reasonableness of proposed settlements from the standpoint of protecting the Government's interests. Such boards may act upon records submitted by contracting officers or may require the submission of additional information.

Approved May 2, 1944.

JAMES F. BYRNES,
Director,
Office of War Mobilization.

[F. R. Doc. 44-6849; Filed, May 12, 1944; 3:40 p. m.]

RAILROAD RETIREMENT BOARD.

[Jurisdictional Docket 26]

MIDLAND RAILWAY CO. OF MANITOBA

NOTICE OF HEARING

In the matter of the status under the Railroad Unemployment Insurance Act of the Midland Railway Company of Manitoba and of the individuals performing service in its operations.

Pursuant to regulations under the Railroad Unemployment Insurance Act (45 U.S.C. secs. 351-367), Par 319, §§ 319.42 et seq. (7 F.R. 4777), the following order has been issued:

Order Awarding Benefits on the Basis of Compensation Earned for Service Rendered in the Operations of the Midland Railway Company of Manitoba; Reopening General Counsel's Initial Determination With Respect to Such Service, for Further Proceedings; and Designating Examiner

Whereas the General Counsel, on June 30, 1939, made a determination that the Midland Railway Company of Manitoba is an "employer" under the Railroad Unemployment Insurance Act, and that the individuals performing service in the operations of the Midland Railway Company of Manitoba are covered "employees" under the act; and

Whereas the Midland Railway Company of Manitoba has denied that the Railway Company or the individuals performing service in its operations are covered by the Railroad Unemployment Insurance Act, and has not complied with the provisions of the act; and

Whereas no benefits under the Railroad Unemployment Insurance Act have heretofore been awarded in accordance with the General Counsel's determination of June 30, 1939;

Now, therefore, pursuant to the authority vested in me by Part 319 of the regulations of the Board governing proceedings under section 5 (c) of the Railroad Unemployment Insurance Act, I hereby order and direct that:

(1) Benefits be, and they hereby are, awarded in accordance with the General Counsel's determination of June 30, 1939, to all individuals whose compensation earned for service rendered in the operations of the Midland Railway Company of Manitoba exclusively or in addition to compensation earned in other employee service for covered employers, is $150 or more in the applicable base year, such benefits to be determined in accordance with section 2 (a) of the Railroad Unemployment Insurance Act by including compensation earned for service rendered in the operations of the Midland Railway Company of Manitoba, and to be payable for any days of unemployment established in accordance with the Railroad Unemployment Insurance Act and applicable regulations: *Provided, however,* That all benefits paid pursuant to this award shall be paid subject to a right of recovery thereof as provided in section 5 (c) of the Railroad Unemployment Insurance Act; and

(2) The General Counsel's determination of June 30, 1939, be, and it hereby is, reopened for further consideration and proceedings in accordance with Part 319 of the regulations; and for the conduct of such proceedings, Mr. Jacob Abrahamson is designated to serve as examiner, with all powers, duties and functions accruing to such examiner pursuant to such designation under Part 319 of the said regulations. The examiner shall arrange for a hearing at the earliest date meeting the convenience of parties in interest, and shall notify all parties properly interested in any issue involved in the proceeding of their right to participate in the proceeding and to present evidence and argument.

Dated: January 31, 1944.

JOSEPH H. FREEHILL,
General Counsel.

Pursuant to the above order, notice is hereby given that a hearing will be held Wednesday, May 31, 1944, at 10:00 a. m., in Courtroom No. 3, Uptown Station and Federal Courts Building, St. Paul, Minnesota, on the following questions:

(1) Has the Midland Railway Company of Manitoba ever been a carrier, within the meaning of the Railroad Unemployment Insurance Act?

(2) Has the Midland Railway Company of Manitoba ever been directly or indirectly owned or controlled by, or under common control with, one or more carriers, within the meaning of the Railroad Unemployment Insurance Act?

(3) Has the Midland Railway Company of Manitoba ever operated any equipment or facilities (other than casual operation of equipment or facilities) or performed any service (other than trucking service or casual service) in connection with the transportation of passengers or property by railroad, or the receipt, delivery, elevation, transfer in transit, refrigeration or icing, storage, or handling of property transported by railroad, within the meaning of the Railroad Unemployment Insurance Act?

(4) Have the individuals engaged in the performance of service in the operations of the Midland Railway Company of Manitoba been, and are they, subject to the continuing authority of the Great Northern Railway Company, or the Northern Pacific Railway Company, or both, to supervise and direct the manner of rendition of their service, so as to have been, and to be, with respect to such service, employees of the Great Northern Railway Company, or the Northern Pacific Railway Company, or both, within the meaning of the Railroad Unemployment Insurance Act?

The Midland Railway Company of Manitoba, the Great Northern Railway Company, the Northern Pacific Railway Company, the individuals who have been awarded benefits on the basis of pay earned for service rendered in the operations of the Midland Railway Company of Manitoba, and all other parties properly interested may participate in the hearing and will be afforded an opportunity to present evidence and to make arguments before the examiner.

In preparation for, and in the conduct of, said hearing, the examiner is authorized to require and compel the attendance of witnesses, administer oaths, take testimony, and make all necessary investigations. A record will be kept of all evidence and arguments presented, orally or in writing, at said hearing. The evidence presented orally will be under oath. Parties offering exhibits to be admitted in evidence at the hearing may be required to furnish copies of the same to all other parties participating or entering an appearance in the proceeding.

[SEAL] JACOB ABRAMSON,
Examiner.

MAY 13, 1944.

[F. R. Doc. 44-6900; Filed, May 15, 1944; 9:11 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-512]

CITIES SERVICE COMPANY

ORDER PERMITTING WITHDRAWAL

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of May, A. D. 1944

Cities Service Company, a registered holding company, having filed a declaration under section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42 thereunder regarding the proposed expenditure of $5,000,000 to acquire its outstanding 5% debentures held by the public; and

Cities Service Company having now requested an order of the Commission permitting withdrawal of such declaration; and

The Commission finding that an order permitting withdrawal of such declaration would not be detrimental to the public interest or the interest of investors or consumers; *It is ordered,* That such declaration be permitted to be withdrawn.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-6888; Filed, May 13, 1944; 2:59 p. m.]

[File No. 1-2177]

SHAWMUT ASSOCIATION

ORDER GRANTING APPLICATION AND IMPOSING TERMS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 12th day of May, A. D. 1944.

Shawmut Association having filed an application, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 adopted thereunder, to withdraw its common stock from listing and registration on the Boston Stock Exchange; a hearing having been held after appropriate notice, a trial examiner's report having been filed, exceptions thereto taken, briefs filed and oral argument heard, the Commission being duly advised and having this day issued its findings and opinion herein;

On the basis of said findings and opinion and pursuant to section 12 (d) of said act, *It is hereby ordered,* That said application be and hereby is granted: *Provided, however,* That withdrawal shall not become effective until ten days after the date when the applicant shall have filed with the Commission a certificate showing:

1. That the applicant has submitted the proposal to withdraw to the holders of record of its outstanding shares for their consent through solicitations which comply with section 14 of the act and the rules and regulations thereunder, which solicitations shall set forth in full that part of the opinion herein headed "Conclusions" and shall include a clear and complete summary of the facts set forth in the findings of the Commission, in this proceeding; and

2. That within 120 days from the date of our order herein, a majority of the holders of record of the applicant's outstanding stock, and the holders of record of a majority of the shares of such stock, have consented, either by vote (in person or by proxy) at a meeting, or in writing without a meeting, to the withdrawal of such stock from listing and registration.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-6887; Filed, May 13, 1944; 2:59 p. m.]

[File No. 70-886]

PUBLIC SERVICE CORP. OF NEW JERSEY

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 11th day of May 1944.

Public Service Corporation of New Jersey, a holding company and a subsidiary of The United Corporation, a registered holding company, having filed a declaration pursuant to section 12 of the Public Utility Holding Company Act of 1935 and Rule U-43 promulgated thereunder with respect to the following transactions:

Public Service Corporation of New Jersey proposes to deliver, pursuant to a general call for redemption, $135,000 principal amount of New Jersey and Hudson River Railway and Ferry Company First Mortgage 4% Fifty-year Bonds assumed on June 28, 1940 by Public Service Coordinated Transport, a subsidiary of Public Service Corporation of New Jersey. In connection therewith, Public Service Corporation of New Jersey proposes to contribute to Public Service Coordinated Transport $43,496.25 cash, representing the difference between the redemption price of 105% and the cost of the bonds to Public Service Corporation of New Jersey purchased in the open market for $98,253.75; and

Said declaration having been filed on April 14, 1944 and notice of said filings having been duly given in the form and manner prescribed by Rule U-23, and the Commission not having received a request for a hearing with respect to said declaration within the period prescribed in said notice or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of section 12 (d) of the act and Rule U-43 thereunder are satisfied, and deeming it appropriate in the public interest and in the interests of investors and consumers to permit said declaration to become effective:

It is hereby ordered, pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-26, that the aforesaid declaration be, and hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-6889; Filed, May 13, 1944; 2:59 p. m.]

[File No. 811-358]

INTERBANC INVESTORS, INC.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of May, A. D. 1944.

An application having been filed by Interbanc Investors, Inc., pursuant to section 8 (f) of the Investment Company Act of 1940 for an order declaring that the applicant has ceased to be an investment company within the meaning of said act;

It is ordered, pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on May 29, 1944, at 10:00 a. m., eastern war time, in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania.

It is further ordered, That Henry C. Lank, Esquire, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-6901; Filed, May 15, 1944; 9:34 a. m.]

[File No. 1-48]

CUSHMAN'S SONS, INC.

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of May, A. D. 1944.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the $8 Cumulative Preferred Stock, No Par Value, of Cushman's Sons, Inc.;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Monday, June 5, 1944, at the office of the Securities and Exchange Commission, 120 Broadway, New York, New York, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That William J. Cogan, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-6902; Filed, May 15, 1944; 9:34 a. m.]

War Production Board.

FEDERAL HOME HEATING CO.

CONSENT ORDER

Ferdinand J. Kirschofer is the sole owner and proprietor of Federal Home Heating Co. and is a heating contractor doing business at 187 Delaware Avenue, Buffalo, New York. On March 29, 1944, he was charged by the War Production Board with a violation of Preference Rating Order P-94 in that he improperly applied preference ratings to secure heating equipment which he sold and installed over a period of about one year without obtaining customers' certifications as required in paragraph (d) (1) in said order as amended.

Ferdinand J. Kirschofer trading as Federal Home Heating Co. admits numerous violations of Preference Rating Order P-94 as charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Ferdinand J. Kirschofer trading as Federal Home Heating Co., the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Deliveries of material to Ferdinand J. Kirschofer trading as Federal Home Heating Co., his successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating orders, preference rating certificates, general preference orders, or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to Ferdinand J. Kirschofer trading as Federal Home Heating Co., his successors or assigns, of any material, the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) If through lack of knowledge or information, inadvertence, mistake or otherwise, such deliveries of material are attempted, or such allocation, application or extension is made the said Ferdinand J. Kirschofer trading as Federal Home Heating Co., his successors and assigns are hereby prohibited from accepting any materials thereunder, or from undertaking any installations in which such materials are in any manner used.

(d) Nothing contained in this order shall be deemed to relieve the said Ferdinand J. Kirschofer trading as Federal Home Heating Co., his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on May 13, 1944, and shall expire September 13, 1944.

Issued this 6th day of May 1944

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6899; Filed, May 13, 1944; 4:22 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 98

Washington, Wednesday, May 17, 1944

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VI—Organized Reserves

PART 64—ENLISTED RESERVE CORPS

CURRENT PROCEDURES GOVERNING ENLISTMENTS, ETC.

Section 64.20 is added as follows. This section supersedes notice published in the FEDERAL REGISTER 30 March 1944 (9 F.R. 3417).

§ 64.20 *Current procedures pertaining to the Enlisted Reserve Corps.* The following current procedures govern the enlistment in, transfer to, call to active duty from, discharge from, and reports of status of, the Enlisted Reserve Corps:

(a) *Enlistments in Enlisted Reserve Corps.* All enlistments in the Enlisted Reserve Corps will be in the seventh grade only. Army serial numbers will be assigned at the time of enlistment from blocks allotted for use by the Regular Army. All men in the enlisted Reserve Corps must be qualified for general military service.

(1) *Enlisted Reserve Corps, unassigned.* (i) Any man who has attained his seventeenth birthday but has not attained his eighteenth birthday may be enlisted in the Enlisted Reserve Corps, unassigned, provided consent of his parents or guardian is obtained. Included in this category are successful applicants in the Army-Navy College Qualifying Tests.

(ii) Applicants for the Enlisted Reserve Corps unassigned (which includes candidates for AST Reserve Training) must be physically examined and found qualified for general military service prior to enlistment. When necessary, applicants who are otherwise qualified may be transported from the recruiting station to the nearest station where a physical examination may be given, and return, at Government expense.

(2) *Air Corps Enlisted Reserve (ACER).* (i) Any man who has attained his seventeenth birthday but has not attained his eighteenth birthday may be enlisted in the Air Corps Enlisted Reserve, provided he has previously qualified for aviation cadet training under current standards and provided the consent of his parents or guardian is obtained.

(ii) An applicant for air crew training who has been otherwise qualified may, when necessary, be transported from the station at which the examining board is located to the nearest station where a physical examination for flying may be given, and return, at Government expense. See §§ 74.1 to 74.7 and § 71.10 of this title.

(b) *Transfers to enlisted reserve components.* No enlisted person will be released from active service and transferred to the Enlisted Reserve Corps, unassigned, or to the Air Corp Enlisted Reserve without authority of the War Department, except as follows:

(1) Voluntary induction and transfer to the Air Corps Enlisted Reserve of instructors and mechanics employed by civilian contract flying schools under contract with the War Department to train aviation cadets is authorized.

(2) United States citizens of Japanese ancestry who are inducted in the Army under normal induction procedures will be transferred to the Enlisted Reserve Corps, unassigned, to await call to active duty.

(3) Women at the time of enlistment in the Women's Army Corps may be transferred to the Enlisted Reserve Corps, unassigned, to await call to active duty.

(4) Enlisted men, except former members of the National Guard, over 38 years of age serving overseas and having applied for release under the provisions of Circular No. 92, War Department, 1943, and whose applications have not been processed may be released and transferred to the Enlisted Reserve Corps, unassigned, or the Air Corps Enlisted Reserve, whichever is appropriate upon return to the continental limits of the United States.

(c) *Call to active duty.* (1) Men enlisted under the authority contained in paragraph (a) (1) and (2) of this section will not be ordered to active duty until

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

	Page
COAST GUARD:	
Approval of equipment	5288
FEDERAL COMMUNICATIONS COMMISSION:	
Doughty and Welch Electric Co., Inc., and Fall River Broadcasting Co., Inc.; hearing	5275
FEDERAL TRADE COMMISSION:	
Washington Institute, et al., cease and desist order	5199
FISH AND WILDLIFE SERVICE:	
Alaska; game animals, etc	5270
INTERSTATE COMMERCE COMMISSION:	
Canton and Carthage Railroad Co., rerouting of freight traffic	5277
Reconsignment permits, etc.:	
Carrots, Kansas City, Mo	5276
Citrus fruits, Mission, Tex	5276
Grapefruit or mixed citrus fruits, Texas	5276
Onions, Chicago, Ill	5275
Potatoes:	
California	5276
Chicago, Ill. (3 documents)	5275, 5276
Fallsburgh, N. Y	5276
OFFICE OF DEFENSE TRANSPORTATION:	
Common carriers, coordinated operations:	
Chicago, Ill., and Sioux City, Iowa	5277
Nebraska	5277
Taxicab operators, coordinated operations:	
Cambridge, Ohio	5279
International Falls, Minn	5278
OFFICE OF PRICE ADMINISTRATION:	
Adjustment; Appalachian Mills Co	5279
Bituminous coal sold for direct use as bunker fuel (MPR 189, Am. 21)	5216
Cordwood:	
Chemical (MPR 535-7)	5250
Chestnut (MPR 535-5)	5249
Lake States (MPR 535-2)	5246
New England (MPR 535-4)	5248
Food rationing for institutional users (Gen. RO 5, Am. 64)	5232
Foods, processed (Rev. RO 13, Am. 32)	5254

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued. Page
Fuel oil (Rev. RO 11, Am. 6, 7) (2 documents) 5219, 5253
Ice boxes, new (MPR 399, incl. Am. 1–14) 5258
Logs:
Black walnut (MPR 534–1) 5241
Central (MPR 533–1) 5233
Hickory and ash, etc. (MPR 534–2) 5243
Northeastern (MPR 533–5) 5238
Red Cedar (RMPR 348) 5232
Southern (MPR 533–4) 5235
Lumber, southern hardwood (RMPR 97, incl. Am. 1–13) 5223
Puerto Rico:
Grocery items and alcoholic beverages (RMPR 183, Am. 34, 37) (2 documents) 5255, 5256
Prices for comparable varieties of commodities (RMPR 183, Am. 35) 5221
Radio receiver tubes (Rev. SR 14, Am. 134) 5221
Ration stamps and coupons, surrender and deposit (Gen. RO 7, Am. 8) 5216
Regional and district office orders:
Charcoals, San Francisco region 5286
Community ceiling price orders, lists of orders filed (3 documents) 5280, 5281
Cordwood:
Boise, Idaho 5286
Nampa, Idaho 5286
Crates and boxes, fruit and vegetable, Denver, Colo. 5284
Firewood:
Colorado 5285
Montana 5284
New Mexico 5285
Fluid milk:
California 5286
Houston, Miss. 5283
Montana (2 documents) 5283, 5284
Fruits and vegetables, fresh, Albany, N. Y., district 5282
Furniture, rebuilt household, Charleston, W. Va., district 5281
Lettuce, New York region 5282
Solid fuels:
Boston, Mass. 5282
Denver, Colo. 5284
Sprinkler trucks, San Francisco region 5287
Turkeys, custom dressed, San Francisco region 5287
Shoes (RO 17, Am. 59, 60) (2 documents) 5254
Stumpage, logs and pulpwood (Rev. SR 1, Am. 56) 5268
Sugar (Rev. RO 3, Am. 14, 15, 16) (3 documents) 5220, 5254
Virgin Islands; rationing:
Food (RO 10, Am. 20) 5220
Gasoline (RO 8, Am. 7, 8) (2 documents) 5219
Washing machines, used domestic (MPR 372, Am. 1) 5217
SELECTIVE SERVICE SYSTEM:
Classification:
Minister or divinity student 5202
Miscellaneous amendments 5200
Procedure, miscellaneous amendments 5202
Reopening and considering anew 5203
Delivery and induction, registrants requesting immediate induction and delinquents 5205
Hawaii and Alaska, boards of transfer; mandatory transfer for preinduction physical examination and for induction 5206
Induction calls:
Registrants inducted without calls 5205
Requisitions and calls, allocation; definition of "father" 5204

CONTENTS—Continued

SELECTIVE SERVICE SYSTEM—Con. Page
Physical examination:
Local board examination, miscellaneous amendments 5203
Request for immediate induction 5204
Registration cards, grouping and serial numbering; registrants outside local board area 5200
WAR DEPARTMENT:
Baggage, authorized; transportation 5199
Enlisted Reserve Corps, current procedures governing enlistments, etc 5197
WAR PRODUCTION BOARD:
Cans (M–81; Int. 2) (2 documents) 5209, 5216
Nickel (M–6–b; Dir. 1) (2 documents) 5207, 5208
Suspension orders, etc.:
All State Pipe Supply Co. 5206
Engvall, Theodore H. 5207
Hayward, H. T. Co. 5207
Kohler, LeRoy A. 5288
WAR SHIPPING ADMINISTRATION:
Vessel owners, contracts with and rates of compensation relating thereto; time charter hire 5268

they have attained their eighteenth birthday but in every instance will be ordered to active duty within 6 months after attaining such age, *Provided*, That:

(i) Students in colleges and secondary schools may, upon their own application, be deferred from call to active duty to complete the semester, quarter, or trimester in which they reach their respective eighteenth birthdays. *Provided further*, That no such student will be deferred more than 6 months after reaching his eighteenth birthday.

(ii) Students in the Army Specialized Training Reserve Program will not be called to active duty until the end of the term in which they reach their respective eighteenth birthdays.

(2) United States citizens of Japanese ancestry who have been inducted and transferred to the Enlisted Reserve Corps, unassigned, will be called to active duty for training in groups as determined by the needs of the service.

(3) Enlisted personnel transferred to the Enlisted Reserve Corps, unassigned, or to the Air Corps Enlisted Reserve to accept employment in essential industry, including agriculture or other essential civilian employment, may be recalled to active duty:

(i) At the expiration of the deferment period.

(ii) Upon failure to remain employed in essential industry.

(iii) Upon recommendation of the State Director of Selective Service or the employer concerned, with the approval of the War Department.

(4) Members of the Air Corps Enlisted Reserve placed in such category by reason of their employment in key positions with the civilian flying schools under contract with the War Training Service (CPT), Civil Aeronautics Administration, civilian flying training schools under contract with the War Department to train aviation cadets, when released from such employment by reason of personnel reduction or for other causes beyond control of the individual, will be given an opportunity to express a preference for either call to active duty for service in an enlisted status with the Army Air Forces, or for discharge from the Air Corps Enlisted Reserve. If, however, the release of such Reservists is not occasioned by causes beyond their control, they will be called to active duty in enlisted status for service with the Army Air Forces. Air Corps Enlisted Reservists employed by the Air Transport Command, or by civilian airlines under contract with the Government, will be called to active duty at the request of the Commanding General, Army Air Forces, upon notification by the employer of the individuals concerned of their separation from such employment, or sooner if the military situation requires.

(5) Preprofessional students (premedical, predental, and preveterinary) who are members of the Enlisted Reserve Corps, unassigned, and who have upon their own application continued on an inactive status to complete preprofessional work at their own expense under the authority contained in Memorandum No. W150–10–43, 4 June 1943, will be called to active duty upon completion of minimum requirements for admission to schools of medicine, dentistry, or veterinary medicine, or upon the initiation of ASTP preprofessional training at the institutions which they are attending.

(6) *Voluntary requests for call to active duty.* (i) Members of the Enlisted Reserve Corps, unassigned, may be called to active duty upon submission in writing of their formal request to the commanding general of the service command of residence.

(ii) Members of the Air Corps Enlisted Reserve may be called to active duty upon their own request subject to the approval of the Commanding General, Army Air Forces.

(7) Members of the Signal Corps Enlisted Reserve assigned to the Electronics Training Group, Office of the Chief Signal Officer, will be called to active duty at such time as they have completed the prescribed course of training at the institutions where they are receiving training. Students who fail to maintain satisfactory scholastic averages will be discharged from the Signal Corps Enlisted Reserve.

(8) Women enlisted in the Women's Army Corps and transferred to the Enlisted Reserve Corps, unassigned, will be called to active duty consistent with the time specified on their orders and the needs of the service. This period will not exceed 30 days, except that in individual cases under exceptional circumstances when the commanding general of the service command of residence may grant a reasonable extension.

(d) *Discharges.* (1) Members of Enlisted Reserve Corps components may be discharged:

(i) By order of the President or the Secretary of War.

(ii) Members of the Air Corps Enlisted Reserve may be discharged for reasons not included in (iii) below by direction of the commanding general of a service command upon the recommendation of the Commanding General, Army Air Forces.

(iii) By direction of the commanding general of a service command, or such officers who may be designated by him for that purpose:

(*a*) On account of physical disability.

(*b*) Upon acceptance of a commission in the Armed Forces.

(*c*) Upon conviction and sentence by a civil court for the commission of a crime or crimes as enumerated in Army Regulations.

(*d*) Because of inaptness or failure to possess the required degree of adaptability for military service, or because of evidence of habits or traits of character which render retention in the service undesirable.

(2) *Members of National Guard units.* Upon being relieved from active duty in the military service of the United States all individuals who were members of the National Guard of the United States ordered into the active military service will revert to their National Guard status.

(e) *Conflict with other regulations.* In instances where this section is in conflict with §§ 64.1 to 64.13 of this part, the provisions of this section will govern. (39 Stat. 195; 41 Stat. 780; 44 Stat. 705; 10 U.S.C. 421, 423–427) [W.D. Cir. 117, 1944 as amended by W.D. Cir. 178, 5 May 1944]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44–7012; Filed, May 16, 1944; 9:54 a. m.]

Chapter IX—Transport

PART 93—TRANSPORTATION OF INDIVIDUALS

TRANSPORTATION OF AUTHORIZED BAGGAGE

Section 93.8 is amended as follows:

§ 93.8 *Transportation of authorized baggage*—(a) *When shipment authorized*—(1) *Disabled enlisted personnel.* Any enlisted person of the first, second, third, or fourth grade, from his last duty station to his home, who having 10 or more years' service in the Army is discharged on account of disability incurred in the line of duty, but no excess weight will be shipped. See sec. 1, act 29 August 1916 (39 Stat. 633; 10 U.S.C. 823).

(2) *Upon decease.* The effects of officers, including officers of the Army of the United States; Reserve officers; Women's Army Corps officers; officers of the National Guard of the United States; Army nurses; dietitians, physical therapy aides, and commissioned technical and professional female personnel of the Medical Department; warrant officers; flight officers; cadets, United States Military Academy; aviation cadets; or enlisted personnel; or civilian employees who die in the service may be shipped from their last duty stations and/or places of storage to such places as may be the homes of their legal heirs. The term "die in the service" as used in this subparagraph includes also death within the period of 1 year after date of retirement of such persons, excepting civilian employees, whose effects had not been previously shipped in connection with their retirement. The term "effects" as used in this subparagraph means household goods and other personal property, including personal effects, and professional books and papers, but without limitation as to weight; but it does not include automobiles. Shipment will not be made in separate lots to any one heir from any one shipping point. (R.S. 161; 41 Stat. 604; 49 Stat. 421; 5 U.S.C. 22; 10 U.S.C. 756, 756b) [Par. 14*a* and *b*, AR 55–160, 26 April 1943, as amended by C5, 29 April 1944]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44–7011; Filed, May 16, 1944; 9:54 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4890]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

WASHINGTON INSTITUTE, ET AL.

§ 3.6 (a) *Advertising falsely or misleadingly; business status, advantages or connection of advertiser; individual or private business as educational, religious or research institution:* § 3.6 (f) *Advertising falsely or misleadingly; demand or business opportunity:* § 3.6 (y 10) *Advertising falsely or misleadingly; scientific or other relevant facts:* § 3.96 (b) *Using misleading name; vendor; individual or private business being educational, religious or research institution.* In connection with the offer, etc., in commerce of courses of study and instruction intended for preparing students thereof for examinations for Civil Service positions under the United States Government or any similar courses of study, (1) using the word "Institute" or any abbreviation or simulation thereof as part of said respondent's trade name or as part of the name of respondent's school; or otherwise representing directly or by implication that respondent's school is an institute; (2) representing directly or by implication that the number of positions available in the United States Civil Service or in any branch thereof is greater than is actually the fact; (3) representing directly or by implication that examinations for positions in the United States Civil Service are held at more frequent intervals than is actually the fact or that appointments to positions are made within a shorter period of time after the examination than is actually the fact; (4) representing directly or by implication that certain specified Civil Service positions are open and available to students of said respondent's courses when in fact such positions are not open and available or when such positions are such that students of respondent's courses cannot

properly qualify; and (5) misrepresenting in any manner the possibilities or opportunities for employment in Civil Service positions of students of said respondent's course of study; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Washington Institute, et al., Docket 4890, April 26, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 26th day of April, A. D. 1944.

In the Matter of Washington Institute, a Corporation, Arthur F. Johnstone and Jorene Johnstone, Individually and as Officers of Washington Institute

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of respondents, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, and brief in support of the complaint (no brief having been filed by the respondents and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondent Washington Institute, a corporation, has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent Washington Institute, a corporation, and its officers, representatives, agents, and employees in connection with the offering for sale, sale, and distribution in commerce as "commerce" is defined in the Federal Trade Commission Act of courses of study and instruction intended for preparing students thereof for examinations for Civil Service positions under the United States Government of any similar courses of study, do forthwith cease and desist from:

1. Using the word "Institute" or any abbreviation or simulation thereof as part of said respondent's trade name or as part of the name of respondent's school; or otherwise representing directly or by implication that respondent's school is an institute.

2. Representing directly or by implication that the number of positions available in the United States Civil Service or in any branch thereof is greater than is actually the fact.

3. Representing directly or by implication that examinations for positions in the United States Civil Service are held at more frequent intervals than is actually the fact or that appointments to positions are made within a shorter period of time after the examination than is actually the fact.

4. Representing directly or by implication that certain specified Civil Service positions are open and available to students of said respondent's courses when in fact such positions are not open and available or when such positions are such that students of respondent's courses cannot properly qualify.

5. Misrepresenting in any manner the possibilities or opportunities for employment in Civil Service positions of students of said respondent's courses of study.

It is further ordered, That the complaint herein be, and it hereby is, dismissed as to the individual respondents, Arthur F. Johnstone and JoRene Johnstone.

It is further ordered, That the respondent Washington Institute shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-7017; Filed, May 16, 1944; 10:15 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 234]

PART 614—GROUPING AND SERIAL NUMBERING REGISTRATION CARDS

REGISTRANTS RESIDING OUTSIDE LOCAL BOARD AREA

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (b) of § 614.5 to read as follows:

§ 614.5 *Registrants residing outside local board area; Disposition of Registration Cards.* • • •

(b) If the place of residence shown on line 2 of any Registration Card (Form 1) is nonexistent or is outside of the continental United States, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, and the Virgin Islands of the United States, the local board in whose area the registrant registered shall retain such card and if such card has been or is forwarded to another local board or the State Director of Selective Service, it shall be returned to the local board in whose area the registrant registered.

The foregoing amendment to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, *Director.*

MAY 15, 1944.

[F. R. Doc. 44-7010; Filed, May 15, 1944; 4:25 p. m.]

[Amdt. 224, 2d Ed.]

PART 622—CLASSIFICATION

MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (a) of § 622.15 to read as follows:

§ 622.15 *Class I–C: Member of land or naval forces of United States.* (a) In Class I–C shall be placed or retained:

(1) Every registrant who is, or who by induction, enlistment, or appointment becomes a commissioned officer, warrant officer, field clerk, pay clerk, or enlisted man of the Regular Army, the Navy, the Marine Corps, the Coast Guard, the federally recognized active National Guard, the Officers' Reserve Corps, the Army of the United States, the Regular Army Reserve, the Enlisted Reserve Corps, the Naval Reserve, the Marine Corps Reserve, the Coast Guard Reserve (other than temporary), or any other branch or component of the land or naval forces; or

(2) Every registrant who is a cadet of the United States Military Academy, a midshipman of the United States Naval Academy, or a cadet of the United States Coast Guard Academy; or

(3) Every registrant who has been separated from the land or naval forces by death at any time; or

(4) Every registrant who has been separated from the land or naval forces by honorable discharge based on physical or mental disability. A registrant placed in Class I–C under the provisions of this subparagraph shall be retained in Class I–C so long as the registrant qualifies for classification in any deferred class. If at any time the local board determines that the registrant does not qualify for classification in any deferred class, the registrant shall nevertheless be retained in Class I–C unless after the local board has complied with such procedures for the reconsideration of the registrant's physical and mental condition as the Director of Selective Service has heretofore or may hereafter prescribe, the registrant has been forwarded for preinduction physical examination and has been accepted for general military service.

2. Amend § 622.21 to read as follows:

§ 622.21 *Class II–A: Man supporting the national health, safety, or interest.* (a) In Class II–A shall be placed any registrant age 18 through 25:

(1) Who is found to be "necessary to and regularly engaged in" an activity in support of the national health, safety, or interest and who meets all the conditions for deferment which have been established by the Director of Selective Service for registrants in this age group, or

(2) Who is found to be disqualified for any military service or to be qualified for limited military service only and to be "regularly engaged in" an activity in support of the national health, safety, or interest.

(b) In Class II–A shall be placed any registrant age 26 through 29:

(1) Who is found to be "necessary to and regularly engaged in" an activity in support of the national health, safety, or interest, or

(2) Who is found to be disqualified for any military service or to be qualified for limited military service only and to be "regularly engaged in" an activity in support of the national health, safety, or interest.

(c) In Class II–A shall be placed any registrant age 30 through 37 or age 38 through 44 who is found to be "regularly engaged in" an activity in support of the national health, safety, or interest.

3. Amend § 622.22 to read as follows:

§ 622.22 *Class II–B: Man in war production.* (a) In Class II–B shall be placed any registrant age 18 through 25:

(1) Who is found to be "necessary to and regularly engaged in" an activity in war production and who meets all conditions for deferment which have been established by the Director of Selective Service for registrants in this age group or,

(2) Who is found to be disqualified for any military service or to be qualified for limited military service only and to be "regularly engaged in" an activity in war production.

(b) In Class II–B shall be placed any registrant age 26 through 29:

(1) Who is found to be "necessary to and regularly engaged in" an activity in war production, or

(2) Who is found to be disqualified for any military service or to be qualified for limited military service only and to be "regularly engaged in" an activity in war production.

(c) In Class II–B shall be placed any registrant age 30 through 37 or age 38 through 44 who is found to be "regularly engaged" in an activity in war production.

4. Amend paragraph (b) of § 622.22–2 to read as follows:

§ 622.22–2 *Length of deferments in Class II–A and Class II–B.* • • •

(b) At the expiration of the period of a registrant's deferment in Class II–A or Class II–B, his classification shall be reopened and he shall be classified anew. The registrant should be continued in Class II–A or Class II–B for a further period of six months or less if such classification is warranted. The same rules shall apply when classifying a registrant at the end of each successive period for which he has been classified in Class II–A or Class II–B.

5. Amend the regulations by deleting § 622.24 in its entirety.

6. Amend § 622.25–1 to read as follows:

§ 622.25–1 *Class II–C: Man in agriculture.* (a) In Class II–C shall be placed any registrant age 18 through 25 or age 26 through 29:

(1) Who is found to be "necessary to and regularly engaged in" an agricultural occupation or endeavor essential to the war effort and for whom a satisfactory replacement cannot be obtained, or

(2) Who is found to be disqualified for any military service or to be qualified for limited military service only and to be "regularly engaged in" an agricultural occupation or endeavor essential to the war effort.

(b) In Class II–C shall be placed any registrant age 30 through 37 or age 38 through 44 who is found to be "regularly engaged in" an agricultural occupation or endeavor essential to the war effort.

7. Amend paragraph (b) of § 622.25–2 to read as follows:

§ 622.25–2 *Length of deferments in Class II–C.* • • •

(b) At the expiration of the period of a registrant's deferment in Class II–C, his classification shall be reopened. The registrant should be continued in Class II–C for a further period of six months or less if such classification is warranted. A registrant, age 18 through 29 (other than a registrant who has been found to be disqualified for any military service or to be qualified for limited military service only), shall not be continued in Class II–C unless the local board is satisfied that a satisfactory replacement cannot be obtained. The same rules shall apply when again classifying a registrant at the end of each successive period for which he has been classified in Class II–C.

8. Amend § 622.41 to read as follows:

§ 622.41 *Class IV–A: Man deferred by reason of age.* In Class IV–A shall be placed every registrant liable for training and service who has attained the forty-fifth anniversary of the day of his birth and (1) who has not been inducted into the land or naval forces, or (2) who after being inducted into the land or naval forces has been separated therefrom under circumstances which require his reclassification; *Provided* That if and when the Director of Selective Service advises the local board that such a registrant is acceptable to the land or naval forces, such registrant may file with his local board a written request that he be inducted, in which case he shall be classified without reference to his age, and if he is not placed in a deferred classification, he may be inducted.

9. Amend § 622.43 to read as follows:

§ 622.43 *Class IV–C: Registrants not acceptable for training and service because of nationality or ancestry, neutral aliens requesting relief from training and service, aliens not acceptable to the armed forces or to the Director of Selective Service, and aliens who have departed and are not residing in the United States.* In Class IV–C shall be placed any registrant:

(a) Who is an alien and, because of his nationality or ancestry, is within a class of persons not acceptable under any circumstances to the land or naval forces for training and service or to the Director of Selective Service for work of national importance under civilian direction. The Director of Selective Service will advise local boards which classes of registrants are not acceptable under any circumstances.

(b) Who is an alien and who is a citizen or subject of a neutral country (see § 601.2) and who, at any time prior to (1) his induction into the land or naval forces of the United States, or (2) his assignment to work of national importance under civilian direction, files with his local board an Application by Alien for Relief from Military Service (Form 301) executed in duplicate. The local board shall forward the original of such form to the Director of Selective Service through the State Director of Selective Service and shall retain the duplicate in the registrant's Cover Sheet (Form 53).

(c) Who because he is an alien or because of his ancestry is, under procedure prescribed by the Director of Selective Service, found by the land or naval forces to be unacceptable for training and service or by the Director of Selective Service to be unacceptable for work of national importance under civilian direction.

(d) Who is an alien and has departed from and is no longer residing in the United States. Such alien shall be classified in Class IV–C even though he is a delinquent, but this classification shall in no way relieve him from liability for prosecution for violation of the selective service law. If any registrant so classified under this paragraph returns to the United States to reside therein, his classification shall be reopened and he shall be classified anew.

Provided, That if the local board finds that any such registrant is "regularly engaged in" an agricultural occupation or endeavor essential to the war effort (§ 622.25–1), in an activity in war production (§ 622.22), or in an activity in support of the national health, safety, or interest (§ 622.21), he shall not be classified in Class IV–C but shall be classified in Class II–C, Class II–B, Class II–A, as the case may be.

10. Amend paragraph (a) of § 622.61 to read as follows:

§ 622.61 *Class IV–F: Morally unfit.* (a) In Class IV–F shall be placed every registrant who, under procedures and standards prescribed by the land and naval forces, is found to be morally unacceptable for training and service or, under procedures and standards prescribed by the Director of Selective Service, is found to be morally unacceptable for assignment to work of national importance; *Provided*, That if the local board finds that any such registrant is "regularly engaged in" an agricultural occupation or endeavor essential to the war effort (§ 622.25–1), in an activity in war production (§ 622.22), or in an activity in support of the national health, safety, or interest (§ 622.21), he shall not be classified in Class IV–F but shall be classified in Class II–C, Class II–B, or Class II–A, as the case may be.

11. Amend § 622.62 to read as follows:

§ 622.62 *Class IV–F: Physically or mentally unfit.* In Class IV–F shall be placed any registrant who is found to be physically or mentally unfit for service; *Provided*, That (1) if the local board finds that such registrant has been separated from the land or naval forces by Honorable Discharge based on physical or mental disability, he shall not be placed in Class IV–F but shall be classified in Class I–C under § 622.15, or (2) if the local board finds that any such registrant (other than a registrant separated from the land or naval forces by honorable discharge based on physical or mental disability) is "regularly engaged in" an agricultural occupation or endeavor essential to the war effort (§ 622.25–1), in an activity in war production (§ 622.22), or in an activity in support of the national health, safety, or

interest (§ 622.21), he shall not be classified in Class IV–F but shall be classified in Class II–C, Class II–B, or Class II–A, as the case may be.

12. Amend the regulations by deleting § 622.84 in its entirety.

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MAY 13, 1944.

[F. R. Doc. 44–6969; Filed, May 15, 1944; 3:54 p. m.]

[Amdt. 233]

PART 622—CLASSIFICATION

MINISTER OR DIVINITY STUDENT

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 622.44 to read as follows:

§ 622.44 *Class IV–D: Minister of religion or divinity student.* (a) In Class IV–D shall be placed any registrant:

(1) Who is a regular minister of religion, or

(2) Who is a duly ordained minister of religion, or

(3) Who is a student preparing for the ministry in a theological or divinity school which has been recognized as such for more than one year prior to the date of enactment of the Selective Training and Service Act of 1940 (September 16, 1940), or

(4) Who has been accepted for admittance to a theological or divinity school referred to in subparagraph (3) above and who, on a full-time and accelerated basis under the general direction of such theological or divinity school, is pursuing a course of study required by the theological or divinity school in which he has been accepted for admittance and who has been formally accepted as a candidate for the ministry by the highest authority governing ordination of a recognized church, religious sect, or religious organization.

(b) A "regular minister of religion" is a man who customarily preaches and teaches the principles of religion of a recognized church, religious sect, or religious organization of which he is a member, without having been formally ordained as a minister of religion; and who is recognized by such church, sect, or organization as a minister.

(c) A "duly ordained minister of religion" is a man who has been ordained in accordance with the ceremonial ritual or discipline of a recognized church, religious sect, or religious organization, to teach and preach its doctrines and to administer its rites and ceremonies in public worship; and who customarily performs those duties.

The foregoing amendment to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MAY 13, 1944.

[F. R. Doc. 44–6978; Filed, May 15, 1944; 3:56 p. m.]

[Amdt. 225]

PART 623—CLASSIFICATION PROCEDURE

MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 623.21 to read as follows:

§ 623.21 *Order in which classes are to be considered.*—(a) Upon undertaking to classify any registrant, consideration shall be given to the following classes in the order listed and the registrant shall be classified in the first class for which grounds are established:

Class I–C.	Class II–B.
Class IV–A.	Class II–A.
Class IV–D.	Class III–D.
Class IV–B.	Class IV–C.
Class II–C.	Class IV–F (Moral).

(b) If the registrant is not classified in one of the classes set forth in paragraph (a) above, he shall be classified in Class I–A; provided, if he claims to be a conscientious objector, the claim shall be determined; and, if he is found to be a conscientious objector to combatant military service only, he shall be classified in Class I–A–O or, if he is found to be a conscientious objector to both combatant and noncombatant military service, he shall be classified in Class IV–E.

2. Amend § 623.31 to read as follows:

§ 623.31 *Manner in which registrants are to be examined.* Physical examination of registrants classified in Class I–A, Class I–A–O, or Class IV–E will be accomplished under the provisions of Part 629.

3. Amend the regulations by deleting § 623.51 in its entirety.

4. Amend § 623.53 to read as follows:

§ 623.53 *Registrant disqualified for service.* Whenever a man is found to be disqualified for any military service or qualified for limited service only under Part 629, or when a man is found disqualified for any military service when he is forwarded for induction under Part 633, or when he is separated from the land or naval forces, his classification shall be reviewed and if, under the provisions of Part 622, he should be placed in some other class, his classification shall be reopened and he shall be classified anew.

5. Amend the regulations by deleting § 623.54 in its entirety.

6. Amend § 623.55 to read as follows:

§ 623.55 *Reclassification of separated or disqualified men.* When a registrant has been separated from service or has been found to be disqualified for service, the local board should not thereafter place him in a class available for service unless and until the local board has complied with such procedures applicable to him as the Director of Selective Service has heretofore or may hereafter prescribe.

7. Amend § 623.61 to read as follows:

§ 623.61 *Classification and change of classification.* (a) As soon as practicable after the local board has classified or changed the classification of a registrant, it shall mail a notice thereof on a Notice of Classification (Form 57) to the registrant. (The date on which the deferment of the registrant terminates will be shown if he is classified in Class II–A, Class II–B, or Class II–C.) The local board shall also mail a Notice of Classification (Form 57) to the registrant who is retained or placed in Class I–C after separation from the land or naval forces by honorable discharge based on physical or mental disability.

(b) As soon as practicable after the local board has classified or changed the classification of a registrant, it shall mail a notice thereof on a Classification Advice (Form 59) to the persons specified below. (The date on which the deferment of the registrant terminates will be shown if he is classified in Class II–A, Class II–B, or Class II–C.) The local board will also mail to the persons specified below Classification Advices (Form 59) concerning each registrant who is retained or placed in Class I–C after separation from the land or naval forces by honorable discharge based on physical or mental disability.

(1) Every person whose signed Affidavit—Occupational Classification (Form 42) or Affidavit—Occupational Classification (Form 42A) is on file in the registrant's Cover Sheet (Form 53);

(2) Every person whose signed affidavit of Dependent Over 18 Years of Age (Form 40A) is on file in the registrant's Cover Sheet (Form 53); and

(3) Any other person authorized to request the reopening of the registrant's classification under the provisions of § 626.2 and whose request that the registrant's classification be reopened is on file in the registrant's Cover Sheet (Form 53).

(c) After each local board meeting, a copy of the Local Board Action Report (Form 110), listing the registrants who have been classified or whose classifications have been changed, shall be posted and kept permanently posted in a conspicuous place in the office of the local board. A copy shall also be sent to the government appeal agent. When a person is unable to ascertain the current classification of a registrant from the posted copy of the Local Board Action Report (Form 110), an employee of the local board, upon request, shall consult the Classification Record (Form 100) and furnish to the person making inquiry the current classification of such registrant.

(d) When the local board classifies or changes the classification of a registrant, it shall record such classification on the Selective Service Questionnaire (Form 40) and the Classification Record (Form 100).

(e) When the Notice of Classification (Form 57) or Classification Advice (Form 59) is mailed, the date of mailing such notice shall be entered on the Classification Record (Form 100), and, in addition, the date of mailing such notice or advice and the persons to whom they are mailed shall be entered on the Selective Service Questionnaire (Form 40).

8. Amend paragraph (a) of § 623.71 to read as follows:

§ 623.71 *Steps to be taken by registrant and local board.* (a) The Director of Selective Service will advise local boards that certain registrants' acceptability for service in the armed forces must be determined because they are citizens or subjects of certain countries. When, under the provisions of § 623.21, the local board is considering whether such registrant should be placed in Class IV–C, an Alien's Personal History and Statement (Form 304) shall be forwarded to such registrant.

9. Amend paragraph (a) of § 623.75 to read as follows:

§ 623.75 *Steps to be taken by local board after action by armed forces.* (a) When the local board receives from the State Director of Selective Service the original and one copy of the Alien's Personal History and Statement (Form 304) which bears the endorsement of the armed forces showing the registrant "is, if otherwise qualified," acceptable to the armed forces, or one copy of the Alien's Personal History and Statement (Form 304) which bears the endorsement of the armed forces showing the registrant "is not" acceptable to the armed forces, it shall take the following action:

(1) Complete the registrant's classification in the same manner as in the case of any other registrant, if the registrant "is, if otherwise qualified," acceptable to the armed forces; or

(2) Reopen the registrant's classification and classify him anew under the provisions of § 622.43 if the registrant "is not" acceptable to the armed forces.

10. Amend the regulations by adding a new section to be known as § 623.85 to read as follows:

DUTY OF REGISTRANT

§ 623.85 *Compliance with order.* It shall be the duty of the registrant (1) to comply with any directions given by the local board in carrying out the instructions of the Director of Selective Service concerning the registrant's examination or reexamination, (2) to report to and be examined by a member or members of the medical advisory board when directed to do so by the local board, and (3) to report to and be examined by the local board or the local board examining physician when directed to do so by the local board and to comply with such directions and to submit to such examinations as the member or members of the medical advisory board, the local board examining physician, the local board, or representatives of the armed forces shall deem necessary to make a complete determination or redetermination of the registrant's proper classification.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MAY 9, 1944.

[F. R. Doc. 44–6970; Filed, May 15, 1944; 3:54 p. m.]

[Amdt. 226]

PART 626—REOPENING AND CONSIDERING ANEW REGISTRANT'S CLASSIFICATION

CLASSIFICATION ANEW

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend § 626.11 to read as follows:

§ 626.11 *When classification reopened, it shall be considered anew.* When the local board reopens the registrant's classification, it shall consider the new information which it has received and shall again classify the registrant in the same manner as if he had never before been classified. Such classification shall be and have the effect of a new and original classification even though the registrant is again placed in the class that he was in before his classification was reopened.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MAY 9, 1944.

[F. R. Doc. 44–6971; Filed, May 15, 1944; 3:56 p. m.]

[Amdt. 232]

PART 629—PHYSICAL EXAMINATION

MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 629.4 to read as follows:

§ 629.4 *Local board physical examination authorized for certain registrants.* (a) When the local board is of the opinion that a registrant has a disqualifying defect which is manifest as listed in the List of Defects (Form 220), it may order the registrant to present himself for examination at the office of the local board or at the office of the examining physician at the time specified by the local board.

(b) When a registrant believes that he has a disqualifying defect which is manifest, as listed in the List of Defects (Form 220), he may present himself for examination at the office of the local board at any time. If the registrant claims that he has a disqualifying defect which is manifest, as listed in the List of Defects (Form 220), the member or clerk of the local board to whom such registrant presents himself shall, from the information received from the registrant, complete (a) and (b) of Item 18 of Section II of the registrant's Report of Physical Examination and Induction (Form 221) and the registrant shall certify to the correctness of such entries in (c) and (d) of Item 18. The member or clerk of the local board shall then refer the registrant to the local board examining physician for examination.

(c) When the registrant is referred to the local board examining physician under paragraphs (a) and (b) of this section, the examining physician shall make only such examination as is necessary to determine whether the registrant has one or more of the defects listed in the List of Defects (Form 220). No laboratory work will be authorized except as provided in §§ 629.33 and 629.34. It shall be the duty of the registrant to present himself to the local board examining physician at the time and place designated by the member or clerk of the local board and to submit to such examination by the local board examining physician herein authorized.

(d) When, because of a physical defect, a registrant is unable to personally present himself for examination, a reputable physician may file an affidavit, or an authorized representative of a Federal or State agency may file an official statement with the local board, stating (1) the character of the defect, (2) that the physician has personal professional knowledge thereof, or that the representative has official knowledge thereof, and (3) that the registrant is unable to personally present himself for examination due to the character of the defect. The local board shall refer any affidavit or official statement which it receives under the provisions of this paragraph to the local board examining physician for review.

(e) The local board examining physician shall (1) examine each registrant who presents himself for examination pursuant to the direction of a member or clerk of the local board, and (2) review each affidavit of a reputable physician or official statement of a representative of a Federal or State agency referred to him by the local board. From such examination or review, the local board examining

physician shall determine whether the registrant has one of the defects listed in the List of Defects (Form 220) and will record his findings in Item 19 of the Report of Physical Examination and Induction (Form 221).

(f) When no local board examining physician is available, the local board, to the extent that it is capable of doing so, shall make the examination, review, and finding provided for in paragraph (e) of this section.

(g) If the local board determines that the registrant has a defect which disqualifies him for military service, it shall:

(1) Review his classification and, if under the provisions of Part 622 he should be placed in some other class, reopen his classification and classify him anew and immediately mail him a Notice of Classification (Form 57), and

(2) Cancel any Order to Report—Preinduction Physical Examination (Form 215) which the local board has mailed to him and advise him in writing of such cancelation, and

(3) Note in column 3 of the Physical Examination List (Form 217) the fact that he has been found disqualified for service and also the classification in which he has been retained or placed.

2. Amend § 629.21 to read as follows:

§ 629.21 *Duty of registrant to report for and submit to preinduction physical examination.* (a) When the local board mails to a registrant an Order to Report—Preinduction Physical Examination (Form 215), it shall be the duty of the registrant to report for such examination at the time and place fixed in such order unless, after the date the Order to Report—Preinduction Physical Examination (Form 215) is mailed and prior to the time fixed therein for the registrant to report for his preinduction physical examination, the local board cancels such Order to Report—Preinduction Physical Examination (Form 215) or postpones the time when such registrant shall so report and advises the registrant in writing of such cancelation or postponement.

(b) If the time when the registrant is ordered to report for preinduction physical examination is postponed, it shall be the continuous duty of the registrant to report for preinduction physical examination upon the termination of such postponement and he shall report for preinduction physical examination at such time and place as may be fixed by the local board. Regardless of the time when or the circumstances under which a registrant fails to report for preinduction physical examination when it is his duty to do so, it shall thereafter be his continuous duty from day to day to report for preinduction physical examination to his local board and to each local board whose area he enters or in whose area he remains.

(c) Upon reporting for preinduction physical examination, it shall be the duty of the registrant: (1) To follow the instructions of a member or clerk of the local board as to the manner in which he will be transported to the location where his preinduction physical examination will take place, (2) to obey the instructions of the leader or assistant leaders appointed for the group being forwarded for preinduction physical examination, (3) to appear for and submit to such examination as the commanding officer of the induction station shall direct, and (4) to follow the instructions of a member or clerk of the local board as to the manner in which he will be transported on his return trip from the place where his preinduction physical examination takes place.

3. Amend § 629.35 to read as follows:

§ 629.35 *Action when it is found that the registrant is disqualified for service.* If, in carrying out the provisions of § 629.33 or § 629.34, it is determined as a result of a spinal fluid survey that a registrant has cerebrospinal syphilis or as a result of other examinations that a registrant has cardiovascular or visceral syphilis and, in either case, a statement to that effect is filed with the local board by a Public Health Officer, State Medical Officer, or a local board examining physician, or if, for any other reason, the registrant is found to be completely disqualified for service, the local board shall review his classification and, if under the provisions of Part 622 he should be placed in some other class, reopen his classification and classify him anew and immediately mail him a Notice of Classification (Form 57).

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MAY 10, 1944.

[F. R. Doc. 44-6977; Filed, May 15, 1944; 3:55 p. m.]

[Amdt. 227]

PART 629—PHYSICAL EXAMINATION

REQUEST FOR IMMEDIATE INDUCTION

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend paragraph (a) and add paragraph (d) to § 629.23 to read as follows:

§ 629.23 *Request for immediate induction.* (a) A registrant who is being forwarded for preinduction physical examination may be inducted into service at the induction station upon being found qualified for service, *Provided*, That (1) before being forwarded he signs and files with his own local board a Request for Immediate Induction (Form 219), (2) he is in Class I–A or Class I–A–O, (3) an appeal is not pending in his case, and (4) the period during which an appeal may be taken in his case has expired. If a registrant is forwarded to the induction station for induction under the provisions of this paragraph, he will be listed on a Delivery List (Form 151) and his name will be crossed off any Physical Examination List (Form 217) on which it appears.

* * * * *

(d) If a registrant in Class I–A or Class I–A–O who has been given a preinduction physical examination within the preceding 90 days and accepted by the Army or the Navy signs and files with his own local board a Request for Immediate Induction (Form 219), he shall be forwarded for induction to the Army Reception Center or the Navy Recruiting Station, as the case may be, under the provisions of § 632.6.

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MAY 9, 1944.

[F. R. Doc. 44-6972; Filed, May 15, 1944; 3:54 p. m.]

[Amdt. 229]

PART 632—INDUCTION CALLS

ALLOCATION OF REQUISITIONS AND CALLS; DEFINITION OF "FATHER"

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 632.3 to read as follows:

§ 632.3 *Manner of allocating requisitions and calls.* The requisitions of the Secretary of War and of the Secretary of the Navy and the calls of the Director of Selective Service and of the State Directors of Selective Service shall, notwithstanding the provisions of section 4 (b) of the Selective Training and Service Act of 1940, as amended, be allocated on the basis of the best information available at the time of allocating calls, without affecting the usual regular and orderly flow of the nation's manpower into the armed forces as required for service therein, and in accordance with the provisions of the Selective Training and Service Act of 1940, as amended, so that registrants shall, on a nation-wide basis within the nation and a State-wide basis within each State, be ordered for induction in such a manner that registrants who are fathers as defined in § 632.7 will be inducted after the induction of other registrants not deferred, exempted, relieved from liability, or postponed from induction under selective service law who are available for induction and who have been found to be acceptable to the Army or to the Navy.

2. Amend the regulations by adding a new section to be known as § 632.7 to read as follows:

§ 632.7 *The term "father" defined.* The term "father" shall include only a person who was married prior to December 8, 1941, who has maintained a bona fide family relationship with his family since that date, and who has a child as defined in this section. The term "child," except as used in § 322.32, means a legitimate child born prior to September 15, 1942, a step-child, adopted child, foster child, or a person who is in the relationship of child to the registrant, who became such prior to December 8, 1941, who is less than 18 years of age, or who by reason of mental or physical defects is incapable of self-support, who is unmarried, and with whom the registrant has maintained a bona fide family relationship in their home since December 7, 1941, or since the date of birth if such date is later than December 7, 1941.

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

[F. R. Doc. 44-6974; Filed, May 15, 1944; 3:55 p. m.]

[Amdt. 228]

PART 632—INDUCTION CALLS

CERTAIN REGISTRANTS INDUCTED WITHOUT CALLS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend § 632.6 to read as follows:

§ 632.6 *Certain registrants inducted without calls.* (a) Any man ages 18 through 37 who has not been given a preinduction physical examination within the preceding 90 days and accepted by the Army or the Navy and who (1) signs a Request for Immediate Induction (Form 219) and is in a class available for service, provided an appeal is not pending in such registrant's case and the period during which such an appeal may be taken has expired, or (2) is a delinquent and is ordered to report for induction under Part 642, may be forwarded to the induction station for induction at the time the local board is forwarding men for preinduction physical examination, or at any other time when special arrangements have been made with the induction station, without any call being made for the delivery of such man.

(b) Any man ages 18 through 37 who has been given a preinduction physical examination within the preceding 90 days and accepted by the Army or the Navy and who (1) signs a Request for Immediate Induction (Form 219) and is in a class available for service, provided an appeal is not pending in such registrant's case and the period during which such an appeal may be taken has expired, or (2) is a delinquent who is ordered to report for induction under Part 642, may be forwarded to the Army Reception Center or the Navy Recruiting Station, as the case may be, for induction at the time the local board is forwarding men for induction, or at any other time when special arrangements have been made with the Army Reception Center or the Navy Recruiting Station, without any call being made for the delivery of such man.

(c) Under special procedures prescribed by the Director of Selective Service, men ages 18 through 37 may enlist or be inducted outside of the United States.

(d) When any registrant referred to in paragraphs (a), (b), or (c) of this section is inducted or enlisted, his local board will be advised that he was inducted or enlisted either in the Army or in the Navy (the term "Navy" includes the Marine Corps and the Coast Guard). Such registrant shall then be counted toward the filling of the next call of the Army or of the Navy, as the case may be.

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MAY 9, 1944.

[F. R. Doc. 44-6973; Filed, May 15, 1944; 3:54 p. m.]

[Amdt. 230]

PART 633—DELIVERY AND INDUCTION

REGISTRANTS REQUESTING IMMEDIATE INDUCTION AND DELINQUENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (c) of § 633.1 to read as follows:

§ 633.1 *Place where deliveries are to be made.* * * *

(c) Men who sign a Request for Immediate Induction (Form 219) and delinquents ordered to report for induction under the provisions of Part 642 will be delivered to the armed forces' induction station, except that any such men who have been accepted by the Army or the Navy after preinduction physical examination within the preceding 90 days will be delivered to the Army Reception Center or to the Navy Recruiting Station, as the case may be.

2. Amend paragraph (a) of § 633.23 to read as follows:

§ 633.23 *Induction procedures for registrants requesting immediate induction and for delinquents.* (a) The records to be forwarded to the induction station, the Army Reception Center or the Navy Recruiting Station, as the case may be, with registrants who have signed a Request for Immediate Induction (Form 219) or who, being delinquent, have been ordered to report for induction under Part 642, shall be the same as those required under § 633.22 for registrants forwarded for induction to an Army Reception Center or to a Navy Recruiting Station.

3. Amend paragraphs (a) and (b) of § 633.24 to read as follows:

§ 633.24 *Registrants inducted because of request for immediate induction, or delinquency, or outside United States to be listed on Delivery List (Form 151).* (a) When the local board receives a Delivery List (Form 151) from the induction station or the Army Reception Center showing that a registrant who has signed a Request for Immediate Induction (Form 219) or a delinquent who has been ordered to report for induction under Part 642 has been inducted into the Army without a call, or when the local board receives a Delivery List (Form 151) or other information showing that a registrant has enlisted or has been inducted into the Army outside the United States, it shall (1) list such registrant on the Delivery List (Form 151) for the next group selected to report for induction at the Army Reception Center to fill a call for the Army and opposite the name of each such registrant under "Remarks" in column 3 enter the fact that such registrant has been inducted at the induction station or the Army Reception Center or has enlisted or has been inducted outside the United States, the date of such induction or enlistment, and the fact that such induction resulted from the registrant's signing a Request for Immediate Induction (Form 219), from the registrant's being a delinquent, or from the registrant's enlisting or being

inducted outside the United States, and (2) count such registrant toward filling such call for the Army.

(b) When the local board receives a Delivery List (Form 151) from the induction station or the Navy Recruiting Station showing that a registrant who has signed a Request for Immediate Induction (Form 219) or a delinquent who has been ordered to report for induction under Part 642 has been inducted into the Navy (or Marine Corps or Coast Guard) without a call, or when the local board receives a Delivery List (Form 151) or other information showing that a registrant has been enlisted or has been inducted into the Navy (or Marine Corps or Coast Guard) outside the United States, it shall (1) list such registrant on the Delivery List (Form 151) for the next group selected to report for induction at a Navy Recruiting Station to fill a call for the Navy and opposite the name of each such registrant under "Remarks" in column 3 enter the fact that such registrant has been inducted at the induction station or the Navy Recruiting Station or has enlisted or has been inducted outside the United States, the date of such induction or enlistment, and the fact that such induction resulted from the registrant's signing a Request for Immediate Induction (Form 219), from the registrant's being a delinquent, or from the registrant's enlisting or being inducted outside the United States, and (2) count such registrant toward filling such call for the Navy.

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MAY 9, 1944.

[F. R. Doc. 44-6975; Filed, May 15, 1944; 3:55 p. m.]

[Amdt. 231]

PART 663—BOARDS OF TRANSFER IN TERRITORY OF HAWAII AND IN TERRITORY OF ALASKA

MANDATORY TRANSFER FOR PREINDUCTION PHYSICAL EXAMINATION AND FOR INDUCTION

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (a) of § 663.4 to read as follows:

§ 663.4 *Transfer for preinduction physical examination mandatory.* (a) Transfer for preinduction physical examination is mandatory for each registrant located in the Territory of Hawaii whose own local board is located elsewhere and for each registrant located in the Territory of Alaska whose own local board is located elsewhere. Such transfer for preinduction physical examination shall be made by the registrant's own local board in the manner provided by § 629.12. The papers and documents described in § 629.12 of a registrant who is transferred for preinduction physical examination to a local board in the Territory of Hawaii or in the Territory of Alaska shall be forwarded to the State Director of the Territory of Hawaii or the State Director of the Territory of Alaska, as the case may be, for transmission by him to such local board of transfer as he may designate. The local board so designated shall cause the registrant to be given a preinduction physical examination and shall take the other actions provided for in paragraphs (f) and (g) of § 629.11.

2. Amend paragraph (a) of § 663.5 to read as follows:

§ 663.5 *Transfer for induction mandatory.* (a) Transfer for induction is mandatory for each registrant located in the Territory of Hawaii whose own local board is located elsewhere and for each registrant located in the Territory of Alaska whose own local board is located elsewhere. Such transfer for induction shall be made by the registrant's own local board in the manner provided by § 633.12. The papers and documents described in § 633.12 of a registrant who is transferred for induction to a local board in the Territory of Hawaii or in the Territory of Alaska shall be forwarded to the State Director of the Territory of Hawaii or the State Director of the Territory of Alaska, as the case may be, for transmission by him to such local board of transfer as he may designate. Unless the transfer of the registrant for induction is cancelled under paragraph (d) of § 633.12, the local board so designated shall cause the registrant to be delivered for induction to the Army Reception Center, the Navy Recruiting Station, or the induction station, as the case may be, and shall take the other actions provided for in paragraph (g), (h), and (i) of § 633.11.

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

APRIL 28, 1944.

[F. R. Doc. 44-6976; Filed, May 15, 1944; 3:55 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-534]

ALL STATE PIPE SUPPLY CO.

Samuel Fletcher and Rose Fletcher, doing business as All State Pipe Supply Co., at 616 North Myrtle Avenue, Jacksonville, Florida, are dealers in pipe, plumbing, and other supplies. The company, during the months of February through June, 1943, delivered to customers quantities of soil pipe, which are iron products, on orders which did not bear preference ratings and which were not authorized; such deliveries violated General Preference Order M-21. During the months of April, May, and June, 1943, the company ordered and accepted deliveries of merchandise to which it had extended preference ratings, although the extensions to such deliveries were not authorized by Priorities Regulation 3. The company was aware of the orders and regulations of the War Production Board governing its business, but was sufficiently inattentive and grossly negligent in regard to Order M-21 and Priorities Regulation 3, as to be deemed a wilful violator of Order M-21 and Priorities Regulation 3. These violations have interfered with the controls established by the War Production Board for the distribution of critical materials. In view of the foregoing, it is hereby ordered, that:

§ 1010.534 *Suspension Order No. S-534.* (a) Deliveries of material to Samuel Fletcher and Rose Fletcher, doing business as All State Pipe Supply Co., or otherwise, their successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, shall be made to Samuel Fletcher and Rose Fletcher, doing business as All State Pipe Supply Co., or otherwise, their successors or assigns, of material or product the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) The provisions of this order shall not apply to deliveries to Samuel Fletcher and Rose Fletcher, doing business as All State Pipe Supply Co., or otherwise, their successors or assigns, of material ordered by, or required to fill any order of or contract with, the Army, Navy, Maritime Commission, or any other governmental department or agency of the United States.

(d) Nothing contained in this order shall be deemed to relieve Samuel Fletcher and Rose Fletcher, doing business as All State Pipe Supply Co., or otherwise, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on May 15, 1944, and shall expire on August 15, 1944.

Issued this 8th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7005; Filed, May 15, 1944; 4:27 p. m.]

PART 1010—SUSPENSION ORDER

[Suspension Order S-545]

THEODORE H. ENGVALL

Theodore H. Engvall, of Shrewsbury, Massachusetts, is a building contractor. In November, 1943, he began and thereafter continued construction of an addition to a mill owned and operated by H. T. Hayward Company, in Manchaug, Massachusetts, at an estimated cost of approximately $21,000, and furnished material therefor, without permission of the War Production Board. This was a violation of Conservation Order L-41, which placed a limit of $5,000 on such construction. Theodore H. Engvall was familiar with Order L-41, and constructing this addition and furnishing the material therefor was a grossly negligent violation of the order. This violation interfered with the controls established by the War Production Board for the distribution of critical materials. In view of the foregoing, it is hereby ordered, that:

§ 1010.545 *Suspension Order No. S-545.* (a) Deliveries of material to Theodore H. Engvall, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, shall be made to Theodore H. Engvall, his successors or assigns, of any material or product the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Theodore H. Engvall, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on May 15, 1944, and shall expire on August 15, 1944.

Issued this 8th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7007; Filed, May 15, 1944; 4:27 p. m.]

PART 1010—SUSPENSION ORDER

[Suspension Order S-544]

H. T. HAYWARD COMPANY[1]

H. T. Hayward Company, of Manchaug, Massachusetts, is a corporation engaged in the manufacture of woolen goods. In November, 1943, it began and thereafter continued construction, without permission of the War Production Board, of an addition to a mill, at an estimated cost of approximately $21,000. This was a violation of Conservation Order L-41, which placed a limit of $5,000 on such construction. In connection with this construction an affiliated corporation, acting for the benefit of H. T. Hayward Company, and at the instance of its president, obtained lumber and some iron and copper products by the use of AA-2 ratings and the symbol MRO. This was a violation of CMP Regulation 5. The company had sufficient information about restrictions on construction to make its violations grossly negligent. These violations have interfered with the controls established by the War Production Board for the distribution of critical materials. In view of the foregoing, it is hereby ordered, that:

§ 1010.544 *Suspension Order No. S-544.* (a) H. T. Hayward Company, its successors and assigns, shall not put into process any wool except to fill orders rated AA-4 or higher, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve H. T. Hayward Company, its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on May 15, 1944, and shall expire on August 15, 1944.

Issued this 8th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7006; Filed, May 15, 1944; 4:27 p. m.]

[1] For stay of execution of this suspension order see 9 F.R. 5122.

PART 927—NICKEL

[Conservation Order M-6-b, as amended May 16, 1944]

Whereas national defense requirements have created a shortage of nickel for the combined needs of defense, private account, and export; and the supply now is and will be insufficient for defense and essential civilian requirements unless its use in the manufacture of many products where such use is not absolutely necessary for the defense or essential civilian requirements is curtailed or prohibited as hereinafter provided:

Now, therefore, it is hereby ordered, That:

§ 927.3 *Conservation Order M-6-b—*

(a) *Prohibited uses of nickel, secondary nickel and nickel scrap.* No nickel, secondary nickel or nickel scrap shall be used in the manufacture of any item (or part therefor, including repair parts) on List A attached to this order.

(b) *Restricted uses of nickel, secondary nickel and nickel scrap.* (1) Nickel may be used in the manufacture of articles omitted from List A, or for purposes specified on List A as being excepted from its prohibitions, only as follows:

(i) For any purpose for which nickel is allocated to the user by the War Production Board, but subject to any specific directions issued in connection with the allocation.

(ii) For any purpose specifically authorized in writing by the War Production Board, regardless of whether or not the nickel to be used was allocated to him by the War Production Board.

(2) Nickel scrap and secondary nickel may be used where not prohibited by paragraph (a) and List A, but only to fill a purchase order to which a preference rating of AA-5 or higher has been assigned.

(c) *Exceptions.* The prohibitions and restrictions contained in paragraphs (a) and (b) of this order shall not apply to the use of nickel, secondary nickel or nickel scrap in the manufacture of:

(1) "Implements of war," as defined in this order, which are being produced for the Army or the Navy of the United States, the United States Maritime Commission, the War Shipping Administration or for any foreign government pursuant to the act approved March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), where the use of nickel, secondary nickel or nickel scrap to the extent employed is required by the latest issue of government specifications including performance specifications, unless otherwise directed by the War Production Board applicable to the contract, subcontract or purchase order; or

(2) Such other articles or products being produced for any of the foregoing services, agencies or foreign governments, as may be from time to time approved and designated by the War Production Board by means of supplemen-

tary orders or specific directions pursuant to certification to it by the Army and Navy Munitions Board that the use of nickel, secondary nickel or nickel scrap as required by the pertinent government specifications (including performance specifications) for the particular article, is essential to the successful prosecution of the war. Any person who uses nickel, secondary nickel or nickel scrap in order to meet performance specifications in the manufacture of any article or product covered by subparagraph (1) or (2) of this paragraph (c) shall furnish such information with respect to such article or product and the specifications applicable thereto, as may be from time to time requested by the War Production Board.

(d) *Prohibitions against sales or deliveries.* No person shall hereafter sell or deliver nickel, secondary nickel or nickel scrap to any person if he knows, or has reason to believe, such material is to be used in violation of the terms of this order.

(e) *Limitation of inventories.* No manufacturer shall receive delivery of nickel, secondary nickel or nickel scrap or products thereof, in the form of raw materials, semi-processed materials, finished parts or sub-assemblies, nor shall he put into process any nickel, secondary nickel or nickel scrap in the form of raw material, in quantities which in either case shall result in an inventory of such raw, semi-processed or finished material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the production of nickel products by this order.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all regulations of the War Production Board as amended from time to time.

(2) *Appeals.* Any appeals from the provisions of this order should be made by filing a letter stating fully the grounds of the appeal with the Ferro-Alloys Branch of the Steel Division, War Production Board, Washington 25, D. C., Reference M–6–b.

(3) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to the use of material in all items or articles hereafter manufactured irrespective of whether such items or articles are manufactured pursuant to a contract made prior or subsequent to October 3, 1942 or pursuant to a contract supported by a preference rating. Insofar as any other order of the War Production Board may have the effect of limiting or curtailing to a greater extent than herein provided the use of nickel in the production of any item or article, the limitations of such other order shall be observed.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Definitions.* For the purposes of this order:

(1) "Nickel" means:

(i) Any primary metallic nickel, either alloyed or unalloyed, ferro-nickel, and nickel matte of any description;

(ii) Any solutions, concentrates, residues or speiss containing nickel (commercially recoverable); and

(iii) Nickel salts, oxides, and carbonates.

(2) "Secondary nickel" means any nickel or alloy containing nickel prepared by any process of melting or otherwise treating nickel scrap for re-use as a raw material.

(3) "Nickel scrap" means all materials, ferrous and non-ferrous, containing 1% or more of nickel by weight, which are the by-product or waste of industrial operations, or which have been discarded on account of obsolescence, failure or other reason. It does not include scrap consisting of any alloy, the principal ingredient of which, by either weight or volume, is metallic alluminum or consisting of any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40% of all the metals, such scraps being controlled, respectively, by Orders M–1–d and M–9. It also does not include scrap consisting of such iron and steel alloys as are covered by Supplementary Order M–21–a.

NOTE: Subparagraphs (4) through (8), formerly (2) through (6), redesignated May 16, 1944.

(4) "Manufacture" means to fabricate, assemble, melt, cast, extrude, roll, turn, spin, coat, produce, or process in any other way, but does not include installations of a finished product for the ultimate consumer on the consumer's premises.

(5) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of or under common control with or available for the use of such person.

(6) "Use" means both (1) the act of putting nickel, secondary nickel and nickel scrap into process in the manufacture of any item and (2) the act of completing the manufacture of any such item.

(7) "Put into process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

(8) "Implements of war" means combat end-products complete for tactical operations (including but not limited to, aircraft, ammunition, armament, weapons, ships, tanks and military vehicles), and any parts, assemblies, and materials to be incorporated in any of the foregoing items. This term does not include facilities or equipment used to manufacture the foregoing items.

(h) *Communications to War Production Board.* All reports to be filed hereunder, appeals and other communications concerning this order, shall, unless otherwise directed, be addressed to the Ferro-Alloys Branch, Steel Division, War Production Board, Washington 25, D. C., Reference M–6–b.

Issued this 16th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

The use of nickel in the items classified below and in all component parts thereof is prohibited except to the extent permitted by the foregoing conservation order, or as specified on this list.

Transportation equipment.[1]

Building supplies, hardware, and ornamental metal work.

Plumbing, heating, and air conditioning supplies, and domestic and institutional appliances and equipment (excluding valve seats, pressure, thermostatic and vacuum controls and safety devices and further excluding domestic and commercial electrical appliances and domestic ranges and parts therefor, to the extent of necessary resistance material.

Clothing accessories.

Furnishings and furniture (domestic, office and institutional).

Commercial and industrial appliances and equipment and parts thereof.[1]

Jewelry, toilet articles, accessories, souvenirs, novelties, games, toys, art objects, and musical instruments.

Plating.[1]

Containers of all types.[1]

Branding, marking and labeling devices.

Fire fighting apparatus and equipment.[1]

Lighting equipment.[1]

Non-operating or decorative uses or parts of installations and mechanical equipment, including frames, bases, standards and supports.

Photographic and art equipment and supplies.

Sporting goods and pleasure boat fittings and hardware.

Saddlery and harness hardware and fittings.

[F. R. Doc. 44–7023; Filed, May 16, 1944; 11:10 a. m.]

PART 927—NICKEL

[Conservation Order M–6–b, Direction 1, as Amended May 16, 1944]

The following direction is issued pursuant to Conservation Order M–6–b:

To all holders of nickel plating solutions who have had the solutions in their inventories since March 30, 1942, and to any persons who may acquire such solutions after February 9, 1944:

Notwithstanding the provisions of General Preference Order M–6–a, any holder of nickel plating solutions who has held such solutions in his inventory since March 30, 1942, is hereby given authorization (1) to deliver those solutions to any person (unless he knows or has reason to believe the person accepting delivery intends to use the solutions in violation of the restrictions of this direction), or (2) to use them for plating subject to the restrictions of this direction.

Notwithstanding the provisions of Conservation Order M–6–b, the solutions may be used by any person holding them on February 9, 1944, who had acquired them on or before March 30, 1942, or by any person who acquires them after February 9, 1944, for any purpose whatsoever, if (1) no nickel anodes (scrap or otherwise) are used in the plating process and (2) no additional nickel salts are added to the solutions. If nickel anodes are used, or salts are added to the solutions, the solutions may be used without further authorization from the War Production Board to fill any purchase order rated AA–5 or higher unless the order calls for plating prohibited by paragraph (a) and List A of Order M–6–b or unless specific restrictions were placed on the use of the anodes or salts at the time of their allocation by the War Production Board.

This direction covers only those solutions in inventory on or before March 30, 1942, and does not apply to solutions subsequently allocated to platers for specific uses by the War Production Board. Your attention is further called to the fact that there are many limitation orders of the War Production Board restricting nickel plating in addition to Order M–6–b, and the provisions of any such order apply when they are more restrictive than this direction.

Issued this 16th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7024; Filed, May 16, 1944; 11:10 a. m.]

[1] Except where necessary for operational purposes.

PART 3270—CONTAINERS

[Conservation Order M–81, as Amended May 16, 1944]

CANS

§ 3270.31 *Conservation Order M–81*—(a) *Prohibitions on purchase, acceptance and use of cans.* No person shall purchase, accept delivery of or use any can for any other purpose than for packing a product listed in a schedule attached to this order.

(b) *Restrictions on purchase, acceptance and use of cans.* No person shall, during any calendar year (or any seasonal year when packing quota is based on a seasonal year in the schedules), purchase, accept delivery of or use for packing any product which is listed in a schedule attached to this order, more cans than his packing quota for that product. However, jobbers or retailers may obtain and sell cans in conformity with the provisions of this order.

(c) *Restrictions on cans for War Shipping Administration.* No person shall sell or deliver any product packed in cans for use on vessels under the direction of the War Shipping Administration unless authorization to acquire the cans has been obtained on Form WPB 646 (formerly PD–300).

(d) *Restrictions on use of cans made of waste.* Attention is called to the fact that cans made of waste (other than those specified in paragraph (h) (4)) are now covered by the provisions of this order. Such cans may only be made or used contrary to the restrictions of this order pursuant to the grant of an appeal. Appeals for this purpose shall state: (1) the product to be packed, (2) the number and type of cans to be used and (3) the type of waste to be used.

(e) *Restrictions on can material and sizes.* No person shall purchase, accept delivery of or use for packing any listed product, cans made of any kind of plate or of any size except those permitted for that product in the schedules of this order. He may, however, use a can larger than the largest permitted size for packing a listed product. Wherever the can size is specified by weight, the weight referred to shall be net weight of the contents of the can.

When tinplate is specified for the manufacture of cans for packing a particular product, the coating indicated represents the maximum weight of tin coating per single base box. The term "0.50 tinplate" or "0.75 tinplate" wherever used in this order includes menders arising in the production of such tinplate which have been hot-dipped with a maximum tin coating of 1.25 pounds per base box, and hot-dipped waste-waste. When SCMT is specified, special coated manufacturers' terneplate is referred to.

(f) *Prohibition against repacking.* No product packed in a can shall be repacked for sale in a can or any other container by the same or different person in the same or different form except to the extent specifically permitted in the schedules attached to this order or pursuant to Order L–103–b.

(g) *Prohibition against packing dried or frozen fruits or vegetables.* No dried or frozen fruits or vegetables shall be packed in a can except to the extent specifically permitted in the schedules attached to this order.

(h) *Restrictions on food packing.* The foods listed in Schedules I and II are limited to those which are intended and suitable for human consumption. Canning of foods for animals and pets is not permitted.

Restrictions on Manufacture, Sale and Delivery

(i) *General restriction.* No person shall manufacture, sell or deliver any cans which he knows, or has reason to believe, will be accepted or used in violation of any prohibition or restriction of this order.

(j) *Certificate.* No person shall manufacture, sell or deliver any cans except under a purchase order or contract validated by a delivery to him of a purchaser's certificate, signed manually by the purchaser as provided in Priorities Regulation No. 7. This certificate shall be in substantially the form attached hereto as Exhibit A. This certificate, once filed by a purchaser with a supplier, covers all future deliveries to him from that supplier. No certificate shall be required from a retailer who buys for resale, or from persons purchasing from retailers.

Exceptions

(k) *Exceptions to restrictions on purchase, acceptance or use.* The restrictions imposed by this order shall not apply to the purchase, acceptance of delivery or use of the following cans:

(1) Cans (other than for samples distributed for the purpose of advertising or promoting the sale of a product) for packing any product which is not to be sold in the same or different form. However, cans packed by federal or state institutions for their own consumption shall be controlled by the can size and material restrictions.

(2) Fibre cans with ends made of waste-waste or blackplate rejects for packing the following products: any food product for human consumption, antiseptic or medicinal powders, dental plastics and impression materials, dentifrice powders including denture cleaners and adhesives, insecticides and rodent poisons, seed disinfectants and inoculants, cements, photographic chemicals, cleansing powders, wallpaper cleaner and inner-tube repair kits.

(3) Fibre cans with ends made of sheets recovered from used cans. Permission to accept delivery of used cans or sheets recovered from used cans for this purpose must be obtained under Conservation Order M–325.

(4) Fibre cans with ends made of waste.

(5) Cans for packing any products not listed in Schedules I or II attached to this order when such cans are to be delivered either (a) packed or empty to the Army, Navy, Marine Corps, Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such Commission or Administration for use thereon), pursuant to a letter of intent approved by or a purchase order or contract negotiated for or with any of these agencies, or (b) to other persons pursuant to authorization by the Maritime Commission under Form WPB 646 (formerly PD–300).

(l) *Inventory exceptions*—(1) *Schedules I and II.* The restrictions concerning can materials and sizes contained in paragraph (e) shall not apply to cans made of tinplate which was either in process at the tin mill, in the inven-

tory of the tin mill for the account of the manufacturer, or in the inventory of the can manufacturer, on or before January 3, 1944, for packing products listed in Schedules I or II.

(2) *Schedule III.* The restrictions concerning can materials and sizes contained in paragraph (e) shall not apply to cans made of terneplate or blackplate which was either in process at the tin mill, in the inventory of the tin mill for the account of the manufacturer, or in the inventory of the can manufacturer, on or before January 3, 1944 for packing products listed in Schedule III.

(3) *Change of specifications.* Whenever the size and can material specifications for a product are changed by amendment, a can manufacturer must continue to manufacture, sell and deliver cans for that product in accordance with the superseded specifications (before making any cans conforming to the new specifications) as long as there is available to him plate made for that product which was in process at the tin mill, in the inventory of the tin mill for his account, or in his inventory, on the date of the change. Packers of that product must accept and use (within quota) such cans for packing that product.

(m) *Small user.* Nothing in this order shall prohibit any person, who, during the calendar year 1942, used cans requiring for their manufacture less than 25 base boxes from purchasing, accepting delivery of, or using during any subsequent calendar year without restriction an aggregate of cans requiring for their manufacture not more than 25 base boxes. If the product is listed in the schedules it must be packed in cans of the size and material specified for that product.

Definitions

(n) For the purpose of this order:

(1) "Can" means any unused container which is made in whole or in part of tinplate, terneplate, blackplate, or waste, and which is suitable for packing any product. The term includes all pails and drums made from blackplate, 29 gauge or lighter (except stripper drums having a capacity of 30 pounds or greater) and any container closure or fitting made in whole or in part of tinplate, terneplate, blackplate, or waste, but does not include a closure or fitting to be used on or as a part of a glass container or fiber or steel drum (as defined in Orders L-103, M-313 and L-197). The term does not include fluid milk shipping containers as defined in Conservation Order M-200.

(2) "Tin plate" means steel sheets coated with tin (including primes, seconds and hot-dipped waste-waste), and includes (i) electrolytic tinplate in which the tin coating is applied by electrolytic deposition, and (ii) hot-dipped tinplate in which the tin coating is applied by immersion in molten tin. The term does not include waste.

(3) "Terneplate" means steel sheets coated with terne metal (including primes, seconds, and waste-waste). The term does not include waste.

"Terne Metal" means the lead-tin alloy used as the coating for terneplate, but does not include lead recovered from secondary sources which contains not more than 2½% residual tin.

(4) "Blackplate" means steel sheets 29-gauge or lighter other than tinplate or terneplate. The term includes "blackplate rejects," "electrolytic waste-waste" and chemically treated blackplate (CTB). The term does not include waste.

(5) "Waste" means scrap tinplate, terneplate and blackplate (including strips and circles) produced in the ordinary course of manufacturing cans, and also tinplate and terneplate strips produced in the ordinary course of manufacturing tinplate and terneplate.

(6) "Pack" unless otherwise specified, means the quantity, by area measurement of tinplate, terneplate, and blackplate required for the manufacture of all sized cans used by a person for packing a particular product during the base period specified.

(7) "Packing quota" unless otherwise specified, means the quantity by area measurement of tinplate, terneplate or blackplate that a person may use for packing a particular product during any calendar year (or any seasonal year when the packing quota is based on a seasonal year in the schedules).

(8) "Seasonal year" means the twelve-month period for packing a particular product beginning in one calendar year and ending in the next.

(9) "Frozen tinplate, terneplate or blackplate" means only tinplate, terneplate or blackplate which, since prior to January 3, 1944, has been held in the inventory of a can manufacturer (or in the inventory of a supplier of such plate having been produced for the account of a can manufacturer) because it had been so processed, or was of such size, gauge or grade, that it was not suitable for the manufacture of cans for which tinplate, terneplate or blackplate are specified.

Miscellaneous

(o) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(p) *Appeals.* Appeals from this order shall be filed by addressing a letter to the War Production Board, Containers Division, Washington 25, D. C. Ref: M-81.

The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in undue and excessive hardship, and such other statistical and narrative information as may be pertinent.

(q) *Communications.* All communications concerning this order shall unless otherwise directed, be addressed to: Containers Division, War Production Board, Washington 25, D. C., Ref: M-81.

(r) All can manufacturers shall file a monthly report on Form WPB 2707 in accordance with the instructions in that form. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. All persons affected by this order shall execute and file with the War Production Board such other forms and questionnaires as said Board shall, from time to time, request subject to the approval of the Bureau of the Budget.

(s) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further delivery of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 16th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A

PURCHASER'S CERTIFICATE

One copy of this certificate is to be delivered to each person from whom purchases are made of cans made in whole or in part of tinplate, terneplate, or blackplate. Such certificate shall cover all purchases present and future so long as Conservation Order M-81, in its present form or as it may be amended from time to time, remains in effect.

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order M-81 of the War Production Board, and that all purchases from you of items regulated by that order, and the use of the same by the undersigned, will be in compliance with the order, as amended from time to time.

Date _____

_____
(Legal name of Purchaser)

By _____
(Authorized Official)

_____
(Title of Official)

_____
(Address of Purchaser)

SCHEDULE I—FOOD CANS

The packing quota specified in this Schedule I indicates total packs of the respective products listed, for all purposes including cans required by any order of the War Production Board, the Department of Agriculture, or the Director of Food Distribution, to be set aside for purchase by a Government agency. The designation FDO-22 indicates that cans may be used for packing only the quantity of product required to be set aside by Food Distribution Order No. 22 and orders supplementary thereto, as same may be amended from time to time. Such quantity is sometimes referred to as "set aside quotas".

SCHEDULE I—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
FRUITS AND FRUIT PRODUCTS				
1. Apples, including crabapples. Whole apples not to be packed	100% 1942-43	10	1.50 tin	0.50 tin.
2. Apple sauce, including sauce from crabapples	100% 1942-43	2-10	1.50 tin	0.50 tin.
3. Apricots. Whole apricots may be packed only when fully ripe and not less than 10 or more than 18 to the pound.	Unlimited	2½-10	1.50 tin	1.50 tin.
4. Blackberries, black raspberries, red raspberries, boysenberries, loganberries, youngberries, blueberries, and huckleberries when packed as berries.	Unlimited	2-2¼-10	1.50 tin	1.50 tin.
5. Cherries	Unlimited	2-2½-10	1.50 tin	1.50 tin.
6. Cherries, RSP—frozen only	50% of total frozen tonnage packed in all containers in 1942.	1½ of pack in 30 lb. cans; ½ of pack in 50 lb. cans.	0.50 tin	0.50 tin.
7. Cranberries, including Cranberry Sauce	Total pack in 1944 in cans and glass not to exceed by weight 100% of 1942 pack.	300	1.50 tin	1.50 tin.
8. Figs—(Kadota)	Unlimited	2½-10	1.50 tin	0.50 tin.
9. Fruit cocktail—consisting of any combination of fruits listed in this Schedule I and grapes; provided that the combination, by drained weight, shall consist of not less than 50 percent peaches and pears, and may consist of not to exceed 10 percent grapes. Pineapple may be repacked from No. 10 or larger cans, to the extent of 10 percent of the fruit cocktail.	Unlimited	2½-10	1.50 tin	0.50 tin.
10. Mixed fruits—consisting of any combination of fruits listed in this Schedule I (with or without grapes) provided the combination by drained weight shall consist of not less than 55 percent nor more than 65 percent Diced Peaches, and not less than 35 percent nor more than 45 percent Diced Pears; or a combination of not less than 50 percent nor more than 60 percent Diced Peaches and not less than 30 percent nor more than 40 percent Diced Pears with not less than 5 percent nor more than 10 percent Grapes. Such peaches or pears shall be peeled, pitted, or cored, and diced to a size such that no more than 20 percent of the units will pass through a ⅜" standard sieve, and no more than 20 percent of the units will have a greater edge dimension than ¾", and so as to leave not more than 1 square inch of peel per pound of product on a drained weight basis. Not more than 10 percent of the grapes shall be cracked or crushed or have attached cap stems. No fruit may be packed under this item until the packer has packed and set aside his full quota for that fruit as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	Unlimited	2½-10	1.50 tin	0.50 tin.
11. Grapefruit, segments	FDO-22	2	1.25 tin	1.25 tin.
12. Grapefruit juice	Unlimited	2-3 cyl-10	1.25 tin	1.25 tin.
13. Orange juice	Unlimited	2-3 cyl-10	1.25 tin	1.25 tin.
14. Orange-grapefruit juice blended (50% orange—50% grapefruit)	Unlimited	2-3 cyl-10	1.25 tin	1.25 tin.
15. Lemon juice	50% 1941	6 oz.-8 oz. Tall-2-10	1.25 tin	1.25 tin.
16. Olives—ripe and green-ripe	25% 1941-42	10	1.50 tin	1.50 tin.
17. Peaches, halves, slices or cubes	Unlimited	2½-10	1.50 tin	1.50 ton.
18. Pears, halves, slices, or cubes	Unlimited	2½-10	1.50 tin	0.50 tin.
19. Pineapple, slices, chunks, crushed or tidbits. Spears not to be packed	Unlimited	2-2½-3 cyl-10	1.25 tin	1.25 tin.
20. Pineapple juice	Unlimited	2-3 cyl-10	1.25 tin	1.25 tin.
21. Plums	Unlimited	2½-10	1.50 tin	1.50 tin.
22. Prunes, fresh Italian	100% 1943	2½-10	1.50 tin	1.50 tin.
VEGETABLES AND VEGETABLE PRODUCTS				
23. Asparagus, all-green or culturally bleached	Unlimited	2-2¼-10	1.25 tin	1.25 tin.
24. Beans, green or wax	Unlimited	2-2½-10	1.25 tin	0.50 tin.
25. Fresh shelled beans (whether referred to as beans or peas), including but not limited to Lima Beans, black-eyed peas or beans, field peas, soy beans.	Unlimited	2-2¼-10	0.50 tin	CTB.
26. Beans, with or without pork or tomato sauce (from dried beans)	Total pack in 1944 in cans and glass not to exceed by weight 50% 1941.	300	0.50 tin	CTB.
27. Beets. Whole beets over 1¾" diameter not to be packed	150% 1942	2-2¼-10	1.25 tin	1.25 tin.
28. Carrots. Whole carrots not to be packed	200% 1942	2-2½-10	1.25 tin	CTB.
29. Corn, fresh, sweet, cut cream style or whole kernel	Unlimited	2-2 vacuum (307 x 306) for vacuum pack-10.	0.50 tin	CTB.
30. Peas and carrots—fresh green peas only. Carrots not to exceed 40 percent of total drained weight. Frozen carrots may be used. No vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	Unlimited	2-2¼-10	1.25 tin	CTB.
31. Succotash—Provided, that no vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	Unlimited	2-2¼-10	0.50 tin	CTB.
32. Mixtures of vegetables (except succotash, and peas and carrots): 95% of this mixture by drained weight must consist of the following: vegetables listed in this schedule, celery and onions. Provided, that the combination by drained weight shall not contain more than 60% of any one vegetable. Provided further, that no vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order #22 and orders supplementary thereto.				
a. Without tomatoes	Unlimited	2-2 vacuum (307 x 306)-2½-10.	1.25 tin	CTB.
b. With tomatoes	Unlimited	2-2 vacuum (307 x 306)-2½-10.	1.25 tin	0.50 tin.
33. Mushrooms	50% 1941-42	2 oz-4 oz-8 oz	1.25 tin	0.50 tin.
34. Okra	100% 1943	2-2¼-10	1.25 tin	0.50 tin.
35. Tomatoes and okra	100% 1943	2-2½-10	1.25 tin	1.25 tin.
36. Peas, green	Unlimited	2-2 vacuum (307 x 306) for vacuum pack-10.	0.50 tin	CTB.
37. Pumpkin and squash	100% 1943	2¼	1.25 tin	0.50 tin.
38. Sauerkraut	FDO-22	2½-10	1.50 tin	1.50 tin.
38a. Sweet potatoes—including yams	150% 1943	2½-3 vacuum	1.25 tin	CTB.
39. Soups: Limited to the below-listed kinds of seasonal and nonseasonal soups containing, in the case of all soups except mushroom and bean, no less than the specified percentage, by weight, of dry solids from dairy products in any form, poultry or poultry products in any form, fresh, brined, or frozen meats, fish, vegetables, and other products of the kinds listed in Schedules I and II. Mushroom or bean soups shall contain no less than the specified percentage of salt free solids.				

SCHEDULE I—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
VEGETABLES AND VEGETABLE PRODUCTS—Continued				
39. Soups—Continued.				
a. Seasonal soups	Unlimited	1 picnic	1.25 tin	0.50 tin.
Kinds and minimum solids: Asparagus, 7% dry solids. Pea, 7% dry solids. Spinach, 7% dry solids. Tomato, 7% dry solids. Mushroom, 18½% salt-free solids.				
b. Non-seasonal soups	100% of total 1942 pack of specified non-seasonal soups.	1 picnic	1.25 tin	0.50 tin.
Kinds, minimum solids: Chicken, chicken gumbo, chicken noodle, gumbo creole, consomme, bouillon, chicken broth, 6% dry solids. Clam or fish, 8% dry solids, chowders, turtle. Scotch broth, vegetable, vegetable-vegetarian, pepper pot, oxtail, mock turtle, country style chicken, and corn chowder, 10% dry solids. Beef and vegetable beef, 12% dry solids. Bean (from dried beans), 23% salt-free solids.			1.25 tin	0.50 tin
40. Green Leafy vegetables	100% 1942	2-2½-10		
Spinach	100% 1942	2-2½-10		
Other green leafy vegetables limited to beet, collard, dandelion, kale, mustard, poke, and turnip greens.	50% 1942	2¼-10	1.25 tin	0.50 tin.
	Unlimited	2-2¼-10	1.25 tin	1.25 tin.
41. Pimientos and sweet peppers	FDO-22	2½-3 cyl-10	1.25 tin	1.25 tin.
42. Tomatoes	Unlimited	2-3 cyl-10	1.25 tin	0.50 tin.
43. Tomato Catsup, not less than 25 percent (specific gravity 1.11), by weight of total dry solids.	Unlimited	2-3 cyl-10	1.25 tin	1.25 tin.
44. Tomato juice, containing no other vegetable juices	Unlimited	{2-10 / 5 gal. reusable}	1.25 tin	1.25 tin.
45. Tomato juice, containing not more than 30% of other vegetable juices	125% 1942 pack sizes 8Z and 1 picnic.	{8Z / 1 picnic}	1.25 tin	1.25 tin.
46. Tomato sauce, including spaghetti sauce, containing not less than 8.7 percent (specific gravity 1.037), by weight of dry tomato solids and not less than 10.0 percent (specific gravity 1.042) by weight of total dry solids, salt free. In addition to salt, the contents may contain pepper, spice oils, and other flavoring ingredients.	Unlimited	{2¼-10-12 / 5 gal. reusable}	1.25 tin	1.25 tin.
47. Tomato paste from fresh tomatoes, containing not less than 25 percent, by weight of dry tomato solids.	125% 1942 pack of size 6Z	8Z	1.25 tin	1.25 tin.
48. Tomato pulp or puree, from fresh tomatoes, containing not less than 10.7 percent (specific gravity 1.045) or more than 25 percent, by weight of dry tomato solids.	Unlimited	{2-2½-10 / 5 gal. reusable}	1.25 tin	1.25 tin.
NOTE: Tomato paste, tomato pulp or puree and tomato sauce, may be repacked from No. 10, or from 5 gal. or larger reusable cans when required for packing other products, or for repacking in different form (other than in the form of tomato paste, or tomato pulp or puree) but none may be repacked in the same form. No. 10 cans cut under this provision must be properly cleaned and returned to the nearest detinning plant.	125% 1942 pack of size 1 picnic.	1 picnic	1.25 tin	1.25 tin.
FISH AND SHELLFISH				
(Processed, and in hermetically sealed cans)				
49. Clams, soft, hard or razor	Unlimited	½ flat (307 x 200.25) (307 x 201.25) 1 picnic (211 x 400)–1 tall (301 x 411)–2 (307 x 409)–10 (603 x 700).	0.50 tin	0.50 tin.
50. Crabmeat	Unlimited	½ flat (307 x 201.25)	0.50 tin	0.50 tin.
51. Fish flakes. Dried fish flakes not to be packed	Unlimited	300 (300 x 407)–2 (307 x 09).	0.50 tin	0.50 tin.
52. Ground fish, containing no filler and packed for human consumption only	Unlimited	300 (300 x 407)	0.50 tin	0.50 tin.
53. Fish livers and fish liver oils	Unlimited	5 gal. reusable	1.25 tin	1.25 tin.
54. Fish roe	Unlimited	300 (300 x 407) ½ oval (513 x 307 x 103).	0.50 tin	0.50 tin
55. Herring, Atlantic Sea, by whatever name known, including sardines	Unlimited	¼ drawn (300.5 x 404 x 014.5)–¾ drawn (304 x 508 x 106)–¾ three piece (308 x 412 x 112)–300 (300 x 407).		
Oblong or round cans:			0.50 tin	0.50 tin.
Packed in brine			0.50 tin	CTB.
Packed in oil			1.25 tin	0.50 tin.
Packed in mustard or tomato sauce				
Oval cans:			1.25 tin	1.25 tin.
Packed in brine			1.25 tin	1.25 tin.
Packed in oil			1.25 tin	1.25 tin.
Packed in mustard or tomato sauce	Unlimited	1 tall (301 x 411)		
56. Herring, Pacific Sea				
Round cans:			0.50 tin	0.50 tin.
Packed in brine			0.50 tin	0.50 tin.
Packed in oil			1.25 tin	0.50 tin.
Packed in mustard or tomato sauce			0.50 tin	0.50 tin.
57. Herring, river (alewives)	Unlimited	300 (300 x 407)–2 (307 x 409)	0.50 tin	0.50 tin.
58. Mackerel	Unlimited	300 (300 x 407)	0.50 tin	0.50 tin.
59. Menhaden	Unlimited	300 (300 x 407)	0.50 tin	0.50 tin.
60. Mullet	Unlimited	300 (300 x 407)	0.50 tin	0.50 tin.
61. Mussels	Unlimited	1 picnic (211 x 400)–2 (307 x 409)–10 (603 x 700).	0.50 tin	0.50 tin
62. Oysters. No. 1 picnic cans shall contain not less than 7¼ ounces of oysters by cut-out drained weight; No. 2 cans 14 ounces; and other permitted size cans shall contain a fill correspondingly proportionate to the No. 1 picnic can.	Unlimited	1 picnic (211 x 400)–1 tall (301 x 411)–2 (307 x 409).		
63. Pilchards, by whatever name known including sardines	Unlimited	8Z short (211 x 300)–½ oblong (304 x 508 x 103)–(306 x 510 x 104)–300 (300 x 407)–1 oval (507 x 406 x 108).		
Round cans:			0.50 tin	0.50 tin.
Packed in brine			0.50 tin	0.50 tin.
Packed in oil			1.25 tin	0.50 tin.
Packed in mustard or tomato sauce				
Oval cans:			1.25 tin	1.25 tin.
Packed in brine			1.25 tin	1.25 tin.
Packed in oil			1.25 tin	1.25 tin.
Packed in mustard or tomato sauce				
Oblong cans:			1.50 tin	1.25 tin.
Packed in brine			1.50 tin	CTB.
Packed in oil			1.50 tin	1.25 tin.
Packed in mustard or tomato sauce				

SCHEDULE I—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
FISH AND SHELLFISH—Continued				
64. Salmon	Unlimited	½ flat (307 x 200.25) (307 x 201.25)–1 flat (401 x 410.5) (401 x 211)–1 tall (301 x 411).		
Collapsed cans			1.25 tin	0.50 tin.
Non-collapsed cans			0.50 tin	0.50 tin.
65. Shad	Unlimited	300 (300 x 407)	0.50 tin	0.50 tin.
66. Shrimp	Unlimited	1 picnic (211 x 400)–5 (302 x 410).	0.50 tin	0.50 tin.
67. Squid	Unlimited	300 (300 x 407)	0.50 tin	0.50 tin.
68. Tuna, bonito, and yellowtail	Unlimited	½ tuna (307 x 113)–1 tuna (401 x 205.5) 4 lb. tuna (603 x 408).	0.50 tin	0.50 tin.
69. Turtle	Unlimited	300 (300 x 407)	0.50 tin	0.50 tin.
DAIRY PRODUCTS				
70. Condensed milk, as defined by the Federal Security Administrator, Federal Register, July 2, 1940—18.526, page 2444 and 18.530, page 2445, as amended, Federal Register August 8, 1941, pages 3973 and 3974.	100% 1942	14 oz		
Until September 30, 1944			1.25 tin	1.25 tin.
After September 30, 1944			0.75 tin	0.75 tin.
71. Evaporated milk as defined by the Federal Security Administrator, Federal Register, July 2, 1940—18.520, page 2444.	Unlimited	8 lb		
	95% 1942 pack of 14½ oz. size	14½ oz		
	95% 1942 pack of 6 oz. size	6 oz		
Until September 30, 1944			1.25 tin	1.25 tin.
After September 30, 1944			0.75 tin	0.75 tin.
72. Liquid modifications of milk, for human consumption only, including only milk treated or mixed with other edible substances, provided the packet packed the product in substantially the same form in 1942.	95% 1942 pack size 14½ oz	14½ oz		
	95% 1942 pack size 6 oz	6 oz		
Until September 30, 1944			1.25 tin	1.25 tin.
After September 30, 1944			0.75 tin	0.75 tin.

SCHEDULE II—FOOD CANS

Packing quotas specified in this Schedule II indicate permitted packs of the respective products listed for all purposes except for the Army, Navy, Marine Corps, Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such commission or Administration for use thereon), or for any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941 entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act). While restrictions pertaining to can sizes and can materials are applicable to such cans, cans used for packing the respective products listed shall be in addition to the specified quotas, when delivered either (a) pursuant to a letter of intent approved by or a contract or purchase order negotiated with or for, any of the foregoing agencies, or (b) to other persons pursuant to authorization by the Maritime Commission under Form WPB 646 (formerly PD-300). The word "none" indicates that no cans shall be used for packing the applicable product except for the above mentioned agencies. When determining a quota for packing a product listed in this Schedule II, cans packed during the specified base period for the above mentioned agencies shall be excluded.

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
MEAT AND MEAT PRODUCTS				
(Processed and in hermetically sealed cans)				
1. Bacon	None	24 oz	0.50 tin	CTB.
		14 lb	1.25 tin	Btm. 0.50 tin. Top 1.25 tin.
2. Beef, veal, mutton, and pork (including tushonka); corned, roast, or boiled, and containing not less than 85 percent meat by cooked weight.	None			
Cans with all seams soldered		Any size	1.25 tin	1.25 tin.
Cans with only side seams soldered		Any size	0.50 tin	CTB.
3. Brains	125% 1942	10½ oz	0.50 tin	CTB.
4. Meat products as follows:	125% 1942.			
a. Meat loaf, containing not less than 90 percent meat, by uncooked weight, and no added water. When packed as a chopped product, meat loaf may contain not more than 10 percent of the following ingredients: cereal, whole milk, eggs, and seasoning.		7 oz	0.50 tin	CTB.
b. Meat spreads, including ham, tongue, liver, beef, and sandwich spreads. When packed as a spread, the chopped product shall contain not less than 65 percent meat, by cooked weight, with added cereal or other products. When packed as deviled ham or deviled tongue, the product shall consist of chopped meat without added cereal or other products.		3 oz	0.50 tin	CTB.
c. Sausage in casings, containing no cereal or similar substance and not to exceed 10 percent added water, by weight, except pork sausage, which may be prepared with not to exceed 3 percent added water by weight:				
Vienna sausage, pork sausage		4 oz	0.50 tin	CTB.
Sausage in oil, lard or rendered pork fat		No. 5	0.50 tin	CTB.
d. Bulk sausage meat, containing not to exceed 3¼ percent cereal and not to exceed 3 percent added water, by weight.		24 oz	0.50 tin	CTB.
e. Chopped luncheon meats, consisting of chopped, seasoned meat with not to exceed 3 percent added water, by weight.		12 oz	0.50 tin	CTB.
f. Potted meat, consisting of chopped meat or hy-products of meat, without added cereal or similar substance, and labeled as a potted or deviled meat product.		3¼ oz	0.50 tin	CTB.
5. Whole Hams	75% 1941	Any size	1.25 tin	1.25 tin.
6. Corned beef hash, when packed according to Food Distribution Administration standards.	Total pack in 1944 in cans and glass not to exceed by weight 50% of 1941 pack.	300	0.50 tin	CTB.
7. Chili Con Carne with or without beans when packed according to Food Distribution Administration standards.	Total pack in 1944 in cans and glass not to exceed by weight 50% of 1941 pack.	300	0.50 tin	0.50 tin.
8. Tongue	125% 1942	6 oz	0.50 tin	CTB.
9. Turkey, boned, and chicken, boned	50% 1941	12 oz	0.50 tin	CTB.

SCHEDULE II—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
MISCELLANEOUS FOODS				
10. Baby foods:				
a. Consisting of food products of small particle size or in liquid or semi-liquid form made from the following ingredients: fruits, vegetables, meats, poultry products, dairy products, sugar, salt, or seasoning, yeast or yeast derivatives. Dried prunes may be included and frosen fruits and vegetables may be used. Potatoes and cereal products may be used only in combination with other permitted products, and only provided the combined potato and cereal content does not exceed 12 percent, by weight, of the total product. Pineapple may be repacked from No. 10 or larger cans.	125% 1943	202 BF (202 x 214)	1.50 tin	1.50 tin.
b. Milk formulas, liquid	125% 1942	14½ oz.	1.25 tin	1.25 tin.
Until September 30, 1944			0.75 tin	0.75 tin.
After September 30, 1944	125% 1942	300	1.25 tin	0.50 tin.
c. Soybean milk, liquid	Unlimited	1 lb	0.50 tin	CTB.
d. Milk formulas, dry or powdered				
No person shall pack any milk formulas unless he packed the product in substantially the same form in 1942.	None	10	0.50 tin	CTB.
11. Dehydrated vegetables		5 gal	0.50 tin	0.50 tin.
12. Grape juice and grape pulp	100% 1942	5 gal. reusable	1.50 tin	1.50 tin.
13. Citrus pulp and citrus peel	150% 1942	5 gal. reusable	1.25 tin	1.25 tin.
14. Honey	Unlimited	60 lb. reusable	1.25 tin	1.25 tin.
15. Goat's milk	100% 1942	14½ oz.	1.25 tin	1.25 tin.
16. Milk, skimmed, dry or powdered	None	50 lb	0.50 tin	0.50 tin.
17. Milk, whole, dry or powdered	100% 1942	1 lb.-2½ lb., 5 lb.	0.50 tin	CTB.
		25 lb.-50 lb.	0.50 tin	0.50 tin.
18. Liquid edible oils, including only animal, vegetable, olive, fish and other marine animal and edible blends of such oils.	150% 1943 pack of size 5 gal.	5 gal. reusable	1.25 tin	1.25 tin.
	125% 1943 pack of 1 gal. size in cans and glass.	1 gal	0.50 tin	0.50 tin.
NOTE: Any liquid edible oil packed in 1-gallon glass in 1944 shall be charged to the above quotas.				
19. Citrus concentrates	Unlimited			
a. Orange		2–10	1.25 tin	1.25 tin.
32° Brix or higher		6 oz.–2–2½–10	1.25 tin	1.25 tin.
Over 65° Brix		10	1.25 tin	1.25 tin.
b. Grapefruit, lemon 32° Brix and over		10	1.25 tin	1.25 tin.
c. Blended Orange and Lemon 32° Brix and over				
NOTE: Concentrates of 32° brix must contain as a minimum equivalent 2½ volumes of single strength juice; concentrates of 65° brix must contain as a minimum equivalent 5 volumes of single strength juice.				
20. Butter and oleomargarine	None	10	0.50 tin	0.50 tin.
21. Syrups—cane, maple, molasses, sorghum, and corn syrup, including blends.	150% 1943 pack of No. 10 size or larger in cans and glass.	10 or 10 lb	1.25 tin	1.25 tin.
22. Chocolate Syrup	100% 1943 pack of No. 10 size or larger in cans and glass.	10 or 10 lb	0.50 tin	0.50 tin.
NOTE: Any syrups included in items 21 and 22 packed in No. 10 or larger glass containers during 1944 shall be charged to the above quotas.				
23. Pectin, liquid only	Unlimited	5 gal. reusable	1.50 tin	1.50 tin.
24. Beer, packed for U. S. Army export or U. S. Navy off-shore use only	None	12-oz	0.50 tin	0.50 tin.
25 Salted Nuts, U. S. Army export or U. S. Navy off-shore use only	None	8-oz	0.50 tin	CTB.
FISH AND SHELLFISH				
(For refrigerated shipment, fresh)				
26. Oysters, fresh-shucked	Unlimited	1-gal	CTB	CTB.
	100% 1941 pack of 1-pt. size	1-pint	CTB	CTB.
27. Clams, fresh-shucked	Unlimited	1-gal	CTB	CTB.
28. Mussels, fresh-shucked	Unlimited	1-gal	CTB	CTB.
29. Fillets & Steaks, fresh	Unlimited	20-lb	CTB	CTB.
30. Crabmeat, fresh-cooked	Unlimited	1-lb	CTB	CTB.
31. Lobster meat, fresh-cooked	Unlimited	1-lb	CTB	CTB.
32. Shrimp, fresh-cooked	Unlimited	1-gal	CTB	CTB.
Other than Alaska		10	1.25 tin	0.50 tin.
Alaska only				

SCHEDULE III—NON-FOOD CANS

(a) Packing quotas specified in this Schedule III indicate permitted packs of the respective products listed for all purposes except for the Army, Navy, Marine Corps, Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such Commission or Administration for use thereon), or for any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act). Cans used for packing the respective products listed shall be in addition to the specified quotas, when delivered either (1) pursuant to a letter of intent approved by, or a contract or purchase order negotiated with or for any of the foregoing agencies, or (2) to other persons pursuant to authorization by the Maritime Commission under Form WPB 646 (formerly PD-530). When determining a quota for packing a product listed in this Schedule III, cans packed during the specified base period for the above mentioned agencies shall be excluded.

(b) Wherever blackplate is specified for making the body or ends of a can for packing a product listed in this Schedule III, special coated manufacturers' terneplate (SCMT) may be substituted for making any part or fitting of the can which is required to be soldered. Wherever blackplate is specified chemically treated black plate (CTB) may be used. Wherever special coated manufacturers' terneplate (SCMT) is specified, blackplate or chemically treated blackplate (CTB) may be used.

(c) If a person has a packing quota for any product under this schedule, and also has one in glass containers in Order L-103-b, his combined pack of that product in cans and glass containers may not exceed his quota under this order, or that under Order L-103-b, whichever is larger.

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: End (5)
1. Acid nitro-hydrochloric (outer Container)	100% 1942	1-lb	Blackplate	Blackplate.
2. Alcohol (excluding Anti-freeze)	100% 1940			
Pharmaceutical and chemically pure		1-gal	1.25 tin	1.25 tin.
Industrial		1-gal	SCMT	Blackplate.
3. Aniline	100% 1942	5-lb	1.25 tin	1.25 tin.
4. Anti-freeze, ethylene glycol type	100% 1941	1-gal	SCMT	Blackplate.
5. Bee feeder cans for use in shipping bees	Unlimited	Any size	0.50 tin	CTB.

SCHEDULE III—NON-FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: End (5)
6. Benzol, naphtha, toluene, and xylene	100% 1942	1-gal	SCMT	Blackplate.
7. Blood plasma	Unlimited	Any size	0.50 tin	CTB.
8. Calcium carbide	100% 1942	2-lbs., 10-lb	Blackplate	Blackplate.
9. Carbon bisulfide	100% 1942	1-lb	SCMT	SCMT.
10. Caulking Compound	75% 1940	1-lb., 1-qt., 1-gal	Fibre	Blackplate.
11. Caustic soda, lye, drain cleaners	100% 1942	12-oz	Blackplate	Blackplate.
12. Cements and dressings, limited to belting, furnace, linoleum, pipe joint, and radiator. Not to be packed dry.	100% 1942	Any size	Blackplate	Blackplate.
13. Cements; rubber, solvent, or latex	100% 1942	1-qt., 1-gal	1.25 tin	1.25 tin.
14. Chloroform and ether	100% 1942	Any size	SCMT	SCMT.
15. Chlorplerin, bromacetone, monochloroacetone, and acrolein	100% 1942	1-lb	Blackplate	Blackplate.
16. Chromic acid (outer container)	100% 1942	¼-lb., 1-lb	Blackplate	Blackplate.
17. Chromium trioxide	100% 1942	25-lb	SCMT	Blackplate.
18. Cleaning fluids, inflammable	100% 1940	½-pt., 1-qt., 1-gal	SCMT	Blackplate.
19. Creosote and wood preservatives	100% 1942	1-gal	SCMT	Blackplate.
20. Cyanide, calcium, potassium sodium, and mixtures (including cyanide-chloride mixtures).	100% 1942	1-lb., 2½-lbs	SCMT	Blackplate.
21. Disinfectants and germicides, liquid	100% 1941	1-qt., 1-gal	Blackplate	Blackplate.
22. Film cans	100% 1940	Any size	SCMT	SCMT.
23. Fire extinguisher fluid, limited to chlorinated hydrocarbon type, and foam powder extinguisher charges.	100% 1942	1-qt., 1-gal	Blackplate	Blackplate.
24. Gasket assembling compounds	100% 1942	1-qt., 1-gal	SCMT	SCMT.
25. Glues and adhesives, liquids	100% 1942	1-gal	SCMT	SCMT.
26. Grain fumigant, liquid	100% 1942	1-qt., 1-gal	Blackplate	Blackplate.
27. Graphite, with liquid content	100% 1942	1-lb., 5-lb., 10-lb., 25-lb.	Blackplate	Blackplate.
28. Greases, lubricating	100% 1943	Any size	Blackplate	Blackplate.
29. Grinding and buffing compounds, industrial. Not to be packed dry	100% 1940	1-qt., 1-gal	SCMT	SCMT.
30. Hydraulic brake fluid	100% 1942	3¾ lbs., 5-lbs	SCMT	Blackplate.
31. Hypochlorite powders	80% 1942	8-oz., 1-lb., 2-lb., 5-lb., 10-lb.	Blackplate	Blackplate.
32. Inks, printing, duplicating, and lithographing	100% 1942	5-gal	SCMT	SCMT.
33. Ink, spirit aniline and rotogravure	Unlimited	1-gal	SCMT	Blackplate.
34. Insecticides and fungicides, liquid	150% of 1943 pack of 1-qt. size in cans and glass.	1-qt	SCMT	Blackplate.
35. Lubricating oils (excluding Motor Oil)	100% 1940	1-gal	SCMT	Blackplate.
36. Motor Oil	25% 1940	1-qt., 5-qt	Blackplate	Blackplate.
NOTE: Wherever practicable, a fibre body may be substituted for blackplate.				
37. Nicotine sulphate	100% 1943	5-lb	1.50 tin	1.50 tin.
38. Nitric acid, fuming (outer Container)	100% 1942	¾-lb., 1-lb	Blackplate	Blackplate.
39. Oils, essential: distilled or cold pressed	100% 1942	1-qt	1.25 tin	1.25 tin.
40. Oils, transformer	100% 1942	1-gal	0.50 tin	0.50 tin.
41. Ointment and salve	125% 1940	Any size	Blackplate	Blackplate.
42. Paints, copper bottom or antifouling	150% 1943	1-gal	1.25 tin	1.25 tin.
43. Paint products as follows	75% 1940			
(a) Pigmented Oil or Oleoresinous, Ready-Mixed, Semi-Paste and Paste, including but not limited to white lead in oil and colors in oil.		1-qt., 1-gal	Fibre	Blackplate.
		¼-pt., ½-pt., 1-pt., ½ gal., 1½ gal., 14 oz., 24 oz.	SCMT	Blackplate.
(b) Paste Water Paints including Resin Emulsion		½-pt., 1-pt., 1-qt., 1-gal.	SCMT	SCMT.
(c) Varnishes—Varnish Stain, Oil Stain, Shingle Stain, and Lacquer Thinners.		¼-pt., ½-pt. 1-pt., 1-qt., 1-gal.	SCMT	Blackplate.
		½ gal., 1½ gal., 14 oz., 24 oz.	SCMT	Blackplate.
(d) Lacquer, Clear and Pigmented		¼-pt., ½-pt. 1-pt., 1-qt., 1-gal.	SCMT	Blackplate.
(e) Aluminum Paint		1-qt., 1-gal		
NOTE: Wherever practical a fibre body may be substituted for SCMT.				
44. Polishes and waxes:				
Liquid	100% 1940	1-pt., 1-qt., 1-gal	SCMT	Blackplate.
Paste	100% 1940	½-lb., 1-lb	SCMT	Blackplate.
45. Putty	100% 1940	1-lb	Blackplate	Blackplate.
46. Phenol	100% 1942	5-lb	1.50 tin	1.50 tin.
47. Phosphoric acid meta sticks	100% 1942	25-lb	Blackplate	Blackplate.
48. Phosphorus	100% 1942	1-oz., ¼ lb., 1 lb	1.25 tin	1.25 tin.
49. Potassium hydroxide	100% 1942	25-lb	Blackplate	Blackplate.
50. Potassium permanganate, reagent grade	100% 1942	5-lb	1.25 tin	1.25 tin.
51. Potassium sulfide	100% 1942	25-lb	Blackplate	Blackplate.
52. Liquid and Plastic Roof Cements, Fibrous and Non-Fibrous Roof Coatings (Excluding Lap Cement).	75% 1940			
Other than tar base		1-lb., 1-qt., 1-gal	Fibre	Blackplate.
Tar base		1-lb., 1-qt., 1-gal	SCMT	Blackplate.
53. Lap Cement	100% 1940	1-pt	Tinplate or terneplate waste—waste or blackplate rejects.	Tinplate or terneplate waste—waste or blackplate rejects.
54. Shellac	100% 1942	1-qt., 1-gal	8# Terneplate	8# Terneplate.
55. Shoe and leather polishes, waxes, dyes, dressings, stains and saddle soap.	125% 1942	Any size	Blackplate	Blackplate.
56. Soap paste (including paste cleaners)	125% 1942	10-oz	Blackplate	Blackplate.
57. Sodium and potassium metals	100% 1942	1-oz., ¼-lb., 1-lb	1.25 tin	1.25 tin.
58. Sodium peroxide	100% 1942	1-oz., ¼-lb., 1-lb	Blackplate	Blackplate.
59. Sodium sulfide	100% 1942	25-lb	Blackplate	Blackplate.
60. Soldering pastes, soldering and welding fluxes, and boiler sealing compounds.	100% 1942	Any size	Blackplate	Blackplate.
61. Toilet bowl cleaner, limited to cleaners containing not less than 70% bisulphate of soda.	30% 1942	10-oz	Fibre	Blackplate.
	50% 1942	10-oz	Blackplate	Blackplate.
62. Turpentine	100% 1940	1-gal	SCMT	SCMT.
63. Varnish and Paint Removers	100% 1942	¼-pt., 1-qt., 1-gal	SCMT	SCMT.
64. Zinc Chloride	100% 1942	25-lb	Blackplate	Blackplate.
65. Dangerous chemicals for shipment in compliance with Interstate Commerce Commission regulations when a metal can is required by such regulations and no alternate package is permitted.	100% 1942	Any size	Blackplate	Blackplate.

INTERPRETATION 1

CANS

(a) Several items in the schedules of this order require that the quantity of product packed in glass containers during 1944 must be deducted from the quantity of the product permitted to be packed in cans. To compute the quantity of product permitted to be packed in cans, the following method shall be used:

(1) Determine the area of plate (base boxes) in packing quota.

(2) Using largest listed size allowed for the product as a basis, convert to quantity (gallonage or pounds) of product which may be packed.

(3) Deduct quantity (gallonage or pounds) of product packed in glass containers.

(4) Convert remainder (gallonage or pounds) of product to area of plate (base boxes) based on largest listed size used in step (2).

The remaining area of plate (base boxes) resulting from step (4) represents the balance of metal quota which may be used for packing the product in cans of sizes permitted for that product.

Example. Supposing a person packing paint products as permitted under Item 43 of Schedule III determined that 75 percent of the area of plate used by him in 1940 for these products was 1,200 base boxes. The largest listed size for products in Item 43 is 1-gallon which requires 10 base boxes per thousand cans. Therefore, using the largest listed size (1-gal.) as a basis, this person could pack 120,000 gallons of paint products. Assume that this person packs in glass containers during 1944 a total in terms of gallonage of 15,000 gallons of paint products. Deducting 15,000 from 120,000 will leave 105,000 gallons, which if converted to base boxes (again using 10 base boxes per thousand as a conversion factor) will result in 1,050 base boxes. These 1,050 base boxes represent the area of plate which may be used for packing paint products as listed in Item 43 in any of the sizes permitted for those products.

(b) Under Item 55 of Schedule III, shoe and leather polishes, waxes, dyes, dressings, stains and saddle soap, the quantity packed in 1944 in glass containers to be deducted from the quantity permitted to be packed in cans refers only to the quantity of paste products packed in glass containers in 1944. (Issued Jan. 24, 1944.)

[F. R. Doc. 44-7019; Filed, May 16, 1944; 11:10 a. m.]

PART 3270—CONTAINERS

[Conservation Order M-81, Interpretation 2, Revocation]

CANS

Section 3270.31 *Interpretation 2 to Conservation Order M-81,* issued February 29, 1944 is hereby revoked. This interpretation is being incorporated in an amendment to Order M-81 which is being issued simultaneously with this revocation.

Issued this 16th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7020; Filed, May 16, 1944; 11:10 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 7,[1] Amdt. 8]

METHOD OF SURRENDER AND DEPOSIT OF RATION STAMPS AND COUPONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 7 is amended in the following respects:

1. Section 1.1 (a) is amended to read as follows:

(a) Whenever any Ration Order of the Office of Price Administration (other than Ration Order 5C and Revised Ration Order 11) requires that stamps or coupons be affixed to gummed sheets or cards (OPA Form R-120A and R-140), and that stamps or coupons be surrendered or deposited only in that form, the requirement shall be deemed satisfied if the procedure set forth in this order for enclosing them in sealed envelopes is followed.

2. Section 1.2 (a) is amended to read as follows:

(a) Any person who is required to affix stamps or coupons to gummed sheets or cards for transfer, surrender or deposit, may enclose them in sealed envelopes instead, under the following conditions:

(1) OPA Form R-132 (the official envelope), or if that form is unavailable, any substantially similar envelope, may be used for enclosing the following number of stamps or coupons:

(i) No more than 500 ration coupons; or

(ii) No more than 500 special shoe stamps; or

(iii) Not less than 250 nor more than 1,000 War Ration Book stamps.

(2) Any sealed envelope which is approximately nine (9) inches by twelve (12) inches in size may be used for enclosing the following number of stamps or coupons:

(i) 1,000 to 5,000 ration coupons in exact multiples of one thousand; or

(ii) 1,000 to 5,000 special shoe stamps in exact multiples of one thousand; or

(iii) 2,000 to 10,000 War Ration Book stamps in exact multiples of one thousand.

(3) Any envelope used for enclosing 2,000 or more stamps or 1,000 or more coupons or 1,000 or more special shoe stamps must be of 24 substance Kraft stock or its equivalent.

3. Section 1.2 (c) is amended to read as follows:

(c) Stamps or coupons may be enclosed in sealed envelopes only during the period in which they are valid for transfer, surrender or deposit by the person enclosing them. Only stamps or coupons of one rationing program and of the same value may be enclosed in any one envelope. Neither coupons nor special shoe stamps may be enclosed in the same envelope with War Ration Book stamps.

4. Section 1.2 (d) is added to read as follows:

(d) An envelope may be transferred, surrendered or deposited through June 20, 1944, even though the stamps or coupons were not enclosed in accordance with the changes in the requirements of this section effective June 1, 1944, if they were enclosed in accordance with the provisions of this section as it read on May 31, 1944. However, the person who enclosed stamps or coupons in such an envelope may not thus transfer, surrender or deposit that envelope if he enclosed the stamps or coupons after May 31, 1944, and no person who knows or has reason to believe that they were enclosed after that date may accept the envelope from him.

5. The first sentence of section 1.3 (a) is amended by deleting the phrase "except that in case strips or blocks of stamps are enclosed, the word 'strip' shall be written in place of the individual value" and by substituting a period for the comma after the word "values".

6. Section 1.9 is revoked.

This amendment shall become effective June 1, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9334, 8 F.R. 5423; WPB Dir. 1, 7 F.R. 562; Sec. of Agr. Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251, Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471; Food Dir. 8, 8 F.R. 7093)

Issued this 15th day of May 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-6936; Filed, May 15, 1944; 12:02 p. m.]

PART 1340—FUEL

[MPR 189,[1] Amdt. 21]

BITUMINOUS COAL SOLD FOR DIRECT USE AS BUNKER FUEL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In § 1340.313, a new paragraph (f) is added to read as follows:

(f) *Maximum prices for bituminous coal sold in New York Harbor for direct use as bunker fuel*—(1) *This subparagraph sets forth a table of maximum prices for ex-lighter or ex-barge deliveries of bunker coal to cargo or passenger vessels (except excursion steamers bunkering through pockets at loading piers).* (i) Maximum prices in the table are in cents per gross ton and are f. a. s. (free alongside) the vessel to be bunkered. Such prices are not inclusive of costs incurred because of detention of men or equipment before placing the coal alongside the vessel; when such cost is incurred by the bunker supplier, it may be collected by him in addition to the applicable f. a. s. maximum price.

The maximum prices per gross ton are:

Grade	A	B	C
Foreign vessels	740	730	720
Domestic vessels	750	740	730

(ii) If the coal is transported by steam lighter alongside the vessel to be bunkered, the supplier shall reduce the above prices by at least 29 cents if the coal is delivered from a lower pier, or by at least 24 cents if the coal is delivered from an upper pier. To such reduced price, the supplier shall add the steam lighterage charge to obtain the applicable f. a. s. maximum price, or the supplier may sell the coal at a maximum f. o. b. steam lighter price not in excess of such reduced price.

(iii) *Permissible additions to f. a. s. prices.* In general, the supplier may also add to the applicable maximum f. a. s. price, all costs incurred in placing the coal aboard the vessel. Such costs include stevedoring, detention of men, overtime, workmen's compensation insurance and social security taxes on the preceding three items, running lines, bunkering in steam, lighterage charges for hauling or towing less than the lighter's minimum quantity, detention of equipment, etc. Lighterage charges for lightering outside the "free harbor limits" may be added to the maximum price. The supplier may make no addition to the applicable maximum f. a. s. price for administrative or selling expenses, costs of coal or transportation, except as provided in this paragraph (f).

(2) *This subparagraph sets forth maximum prices in cents per net ton for deliveries of bunker coal to tugboats, including ocean-going tugs, steam lighters and other floating equipment, (except vessels indicated in subparagraph (1)) for consumption thereon.* Such maximum prices are:

District Nos.	Grade A	Grade B	Grade C
1 through 8	705	695	685

The charge for extra trimming shall not exceed the effective and applicable published carrier rate approved by the Interstate Commerce Commission.

(3) *Maximum prices for t. i. b. deliveries at St. George Coal Piers.* The maximum prices in cents per gross ton for t. i. b. (trimmed in bunker) deliveries of bunker fuel made directly at and from the St. George Coal Piers, Staten Island, New York, are:

Grade	A	B	C
Foreign vessels	740	730	720
Domestic vessels	750	740	730

In addition to such prices, the bunker supplier may add charges for: bunkering outside regular working hours at 30 cents per ton; detention of men at current longshoremen's wages; wheeling and carrying at 42 cents per gross ton plus incurred compensation insurance and social security taxes on the preceding items; extra trimming at 21 cents per gross ton; running lines at $5.00 per vessel.

(4) *Formula for addition of excess coal and transportation costs to base delivered cost.* When the delivered cost f. o.b. cars of any grade of bunker coal exceeds $6.70 per gross ton at a lower loading pier or $6.75 per gross ton at an upper loading pier on sales to foreign vessels; or $6.81 per gross ton at a lower loading pier or $6.86 per gross ton at an upper loading pier on sales to domestic vessels, the supplier may add the excess to the applicable maximum price on a weighted average basis. Delivered cost includes only the applicable maximum f. o. b. mine price per gross ton, plus the rail rate to the loading pier and delivered into the barge or lighter; the trimming charge is not included.

(5) *Definitions of terms used in this paragraph (f).* (i) Terms used in this paragraph such as run of mine, price classification, producing district, etc., shall have the same meaning as those and other terms when used in the Minimum Price Schedules for the various producing districts (as in effect at midnight August 23, 1943); in the Bituminous Coal Act of 1937, as amended, and in Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant.

(ii) "Grade" refers to the price classification of the coal produced at mines in the various producing Districts as follows:

In District Nos. 1, 2, 3 and 6, the grade is based upon the price classification of the run of mine coal; but any size may be applied on such basis, as follows:

	District No. 1	District No. 2
Grade A	A, B, C, D	A, B, C, D, E, F.
Grade B	E, F	All others.
Grade C	G, H	

	District No. 3	District No. 6
Grade A	A	
Grade B	D, E, F, G	
Grade C	All others	All coals.

In Districts Nos. 7 and 8, the grade is based upon the price classification of Size Group No. 20 high volatile coals; but any size may be applied on such basis, as follows:

Grade:	*District Nos. 7 and 8*
A	A, B, C
B	D, E, F
C	G or under

All low volatile coal produced in District Nos. 7 and 8 are in Grade A.

(iii) "Free harbor limits" include those points within New York Harbor to which other than steam lighters lighter bunker coal at the standard rates without additional towing charge.

(iv) "Lower piers" are: South Amboy, Perth Amboy, Port Reading, Elizabethport and St. George.

(v) "Upper piers" are: Cornwall, Edgewater, Guttenberg, Hoboken, Harsimus Cove, Port Liberty, Pier 18 and Greenville.

(vi) A "foreign vessel" is one destined to a port outside the United States and Canada; all other vessels are "domestic." The supplier shall not charge more than the applicable maximum foreign price if the coal supplied may be shipped from the mine at the freight rate and charges authorized by the Interstate Commerce Commission for export sales of bunker fuel.

(6) *Conversions.* Conversions from gross ton to net ton, or vice versa, shall be made to the nearest cent, as shall computations of an excess made under paragraph (f) (1) (i) on a weighted average basis.

Conversions from any applicable maximum price, as f. o. b., f. a. s. or t. i. b., set forth herein, specifically or by formula, shall be made so that the applicable f. o. b., f. a. s. or t. i. b. maximum price shall not be evaded by increasing the cost of bunker coal to the purchaser, or by any other means, direct or indirect, such as charging a vessel or its owners for a tonnage or grade of bunker coal ordered but actually delivered only in part to such vessel.

(7) Only to the extent to which this paragraph (f) of § 1340.313 is inconsistent with other provisions of this regulation shall this paragraph supersede other provisions of this regulation.

This amendment shall become effective May 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6937; Filed, May 15, 1944; 12:04 p. m.]

PART 1380—HOUSEHOLD AND SERVICE INDUSTRY MACHINES

[MPR 372,[1] Amdt. 1]

USED DOMESTIC WASHING MACHINES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 372 is amended in the following respects:

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2858, 2997, 4840, 6965, 11738.

[1] 8 F.R. 15317, 16520; 9 F.R. 2692.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5533.

1. Paragraph (a) of section 1 is amended to read as follows:

(a) Regardless of any contract or other obligation, no person shall sell, rent, or deliver a used domestic washing machine to any other person, and, in the course of trade or business, no person shall buy, or accept the rental or delivery of a used domestic washing machine, at prices or rates higher than the maximum prices or rates fixed by this regulation, and no person shall agree, offer or attempt to do any of these things.

2. Section 2 is amended to read as follows:

SEC. 2. *To what products, transactions and persons this regulation applies*—(a) *What products are covered by this regulation.* This regulation covers sales, purchases, and rentals of used domestic washing machines. For the purpose of this regulation, a domestic washing machine is a mechanically operated machine designed for washing clothes or other household fabrics in the home (other than a "baby" portable washer having a maximum operating capacity of six gallons of water, or two pounds of dry clothes); and a used domestic washing machine is one which has been used (except for free demonstrations) or which is rented, or which has been in the possession of one or more consumers for more than 90 days, or which is a model of the year 1940 or earlier.

(b) *What transactions are covered by this regulation.* This regulation covers all sales and deliveries, all purchases made in the course of trade or business, and all rentals of used domestic washing machines, by any person, including sales by a consumer who is selling his own washing machine, and sales by dealers or auctioneers. For the purpose of this regulation, a rental is the leasing of a washing machine to a user or users for a price, except where the owner of the machine regularly maintains a business establishment in which the washing machine is located and operated.

(c) *What persons are covered by this regulation.* This regulation applies to all persons. The word "person" includes: an individual, corporation, or any other organized group; their legal successors or representatives; the United States, or any Government, or any political subdivision or agency of the foregoing.

3. Section 3 (c) is amended by adding the following sentence at the end thereof:

In the case of consumer to consumer sales, the guaranty requirement may be satisfied by giving a written agreement to pay for all parts, labor, materials or other services needed to fulfill the guaranty.

4. Section 3 (d) is amended by adding a new (13) to read as follows:

(13) The maximum price for the sale of a used washing machine which does not fall within any of the twelve classes described above, shall be the price, in line with the prices established in this regulation, specifically approved in writing by the Office of Price Administration, Washington, D. C.

5. Section 7 is amended to read as follows:

SEC. 7. *Credit, delivery and other charges*—(a) *Credit charges.* Credit charges for the extension of credit may be added to the retail ceiling prices established by this regulation only to the extent permitted by this section.

(1) Sellers who in March 1942 collected a separately stated additional charge for the extension of credit on sales of used domestic washing machines or similar types of articles, may collect a charge for the extension of credit on sales under this regulation, not exceeding such charge in March 1942 on a similar sale on similar terms to the same class of purchaser. Sellers who did not so state and collect an additional charge, may collect a charge for the extension of credit only on installment-plan sales; and the charge shall not exceed the separately stated additional charge collected for the extension of credit on a similar sale on similar terms to the same class of purchaser in March 1942 by the seller's closest competitor who made such a separately stated charge.

An installment-plan sale as used in the above paragraph means a sale where the unpaid balance is to be paid in installments over a period of either (i) six weeks or more from the date of sale in the case of weekly installments, or (ii) eight weeks or more in the case of other than weekly installments.

(2) All charges for the extension of credit shall be quoted and stated separately.

(3) No seller may require as a condition of sale that the purchaser must buy on credit.

(b) *Delivery and other charges.* Any charge which is not quoted and billed separately shall for the purposes of this regulation be considered to be part of the selling price of the washing machine. Charges for delivery or other services may be added to the maximum retail price set forth in this regulation, only if: (1) the seller during March 1942, made a separate charge for delivery or those other services, the amount of which was separately quoted and billed to the purchaser, (2) the amount charged for delivery or other services is not in excess of the charge in effect during March 1942 upon sales of used domestic washing machines, and (3) such charges are quoted and billed separately. No seller may require the acceptance of any services as a condition of sale.

6. Section 8 is amended to read as follows:

SEC. 8. *Maximum prices for the rental of domestic washing machines*—(a) *Meter-equipped washers.* Rental rates for meter-equipped washers shall not exceed the highest rates charged by the lessor during March 1942. Lessors of meter-equipped washers who did not rent meter-equipped washers during March 1942 may not charge more than 10 cents for each 30 minutes of use. These prices include all incidental services and charges.

(b) *Non-meter-equipped washers.* The maximum prices for the rental of a non-meter-equipped washing machine shall be as set forth below for the specified periods and types of use. These prices include delivery, pick-up, and all other incidental services and charges.

(1) *For periods of one week or longer (which include renewals of shorter periods totalling one week or longer) but less than one month.* $1.50 for the first week, and $1.00 for each week thereafter. No addition may be made to these rates for concurrent use by more than one but less than four family units at the same location.

(2) *For periods of one month or longer (which include renewals of shorter periods totalling one month or longer).* $4.50 for the first month and $3.50 for each month thereafter. No addition may be made to these rates for concurrent use by more than one but less than four family units at the same location.

(3) *For multiple family use.* Any Regional Office of the Office of Price Administration or other office authorized by the appropriate Regional Office, upon application by a lessor located within its jurisdiction, may, by order, fix maximum prices in line with the level of maximum prices established by this regulation, for rentals of non-meter-equipped domestic washing machines for concurrent use by four or more family units at the same location.

(4) *Other rental periods and rental practices.* On and after May 20, 1944, no person may rent any non-meter-equipped washing machine for a period or under conditions different from those specifically set forth in this section, unless maximum prices for such rentals have been fixed by the Office of Price Administration. Any Regional Office of the Office of Price Administration or other office authorized by the appropriate Regional Office, upon application by a lessor located within its jurisdiction may, by order, fix the maximum rental rates for such different rental periods and rental practices, in line with the level of maximum prices established by this regulation.

7. Paragraph (a) of section 11 is amended to read as follows:

(a) Any practice or device which has the effect of getting a higher than ceiling price without actually raising the dollars and cents price, is as much violation of this regulation as an outright over-ceiling price.

8. Section 12 is amended by adding a new paragraph to read as follows:

The tag required by this section shall be attached to the washing machine itself and not to its lid or tub cover.

9. Section 13 is amended by adding the following sentence at the end thereof:

Any charge which is not quoted and billed separately shall, for the purposes of this regulation, be considered to be part of the selling price of the washing machine.

10. Section 15 is amended to read as follows:

SEC. 15. *Registration and licensing.* (a) The registration provision of § 1499.15 of the General Maximum Price Regulation [1] applies to every person subject to this regulation selling used domestic washing machines at retail.

(b) The provisions of Licensing Order No. 1 [2] licensing all persons who make sales under price control are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more price schedules or regulations. A person whose license is suspended may not, during the period of suspension make any sale for which his license has been suspended.

11. Section 17 is amended to read as follows:

SEC. 17. *Relation to the General Maximum Price Regulation and other regulations.* On and after the effective date of this regulation, the provisions of the General Maximum Price Regulation and Maximum Price Regulation No. 165 shall not apply to sales, deliveries, purchases, and rentals for which maximum prices are established by this Maximum Price Regulation No. 372. The General Maximum Price Regulation shall continue to apply to sales, purchases, and deliveries of "baby" portable washers having a maximum operating capacity of six gallons of water, or two pounds of dry clothes; and Maximum Price Regulation No. 165 shall continue to apply to services involving the use of a washing machine which are not rentals as defined in paragraph (b) of section 2, as for example, the washing of clothes in a washing machine located and operated in a business establishment regularly maintained by the owner of the machine.

This amendment shall become effective on the 20th day of May 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6938; Filed, May 15, 1944; 12:01 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 8,[1] Amdt. 7]

GASOLINE RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order No. 8 is amended in the following respects:

1. The last sentence in § 1394.3703 (b) is deleted.

2. Section 1394.4013 is revoked and a new § 1394.4013 is added to read as follows:

§ 1394.4013 *Notation by ration holder.* (a) Immediately upon receipt of any ration coupons each person to whom such coupons are issued shall write, stamp, or print clearly and in ink or shall write or print clearly in indelible pencil on the face of the coupons issued to him the following information:

(1) In the case of Class A, B, and C coupons, license number of the vehicle for which such ration was issued.

(2) In the case of Class R books issued as non-highway rations, the initials of the ration holder and the municipality in which the vehicle or machine is normally kept.

3. Section 1394.4202 (a) (3) is amended to read as follows:

(3) Transfer may be made only during the period of validity of the coupon in exchange for which the transfer is to be made, and only if such coupon is properly endorsed by the ration holder. (See § 1394.4013.)

4. The text of § 1394.4202 (b) is amended by inserting the words "properly endorsed" between the word "for" and the word "coupons".

5. Section 1394.4202 (b) (2) is amended to read as follows:

(2) No transfer in exchange for coupons in a Class R Book may be accepted or made into a fuel tank of a licensed motor vehicle or a motor vehicle held by a dealer for sale.

6. A new paragraph (d) is added to § 1394.4202 to read as follows:

(d) Transfer may be made only in exchange for coupons bearing the notations thereon required by this section.

This amendment shall become effective as of May 1, 1944.

NOTE: All record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget as required by the Federal Reports Act of 1942.

(Pub. Laws 671, 76th Cong., 89, 421, 507, 729, 77th Cong., W. P. B. Dir. 1, Supp. Dir. 1-J, 7 F.R. 562, 5043)

Issued this 15th day of May 1944.

JACOB A. ROBLES,
Territorial Director
Virgin Islands.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-6939; Filed, May 15, 1944; 12:01 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 8,[1] Amdt. 8]

GASOLINE RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order No. 8 is amended in the following respects:

1. Section 1394.3652 is amended to read as follows:

§ 1394.3652 *Basic ration books.* (a) Class A Coupon Books shall be issued as basic rations for passenger automobiles and motorcycles. Each basic ration book shall contain twenty-four (24) coupons when issued for passenger automobiles, and twelve (12) coupons when issued for a motorcycle. The coupons contained in Class A, B, C, and R books, issued pursuant to this order, shall be valid for the transfer of gasoline to the holder thereof only during the periods indicated below:

Coupons numbered:	Valid period
1	May 1–May 15
2	May 16–May 31
3	June 1–June 15
4	June 16–June 30
5	July 1–July 15
6	July 16–July 31
7	August 1–August 15
8	August 16–August 31
9	September 1–September 15
10	September 16–September 30
11	October 1–October 15
12	October 16–October 31

2. The table in paragraph (a) of § 1394.3951 is amended to read as follows:

Class:	Gallons
A	2
B	4
C	2
R	1

This amendment shall become effective as of May 1, 1944.

(Pub. Laws 671, 76th Cong., 89, 421, 507, 729, 77th Cong., WPB Dir. 1, Supp. Dir. 1J, 7 F.R. 562, 5043)

Issued this 15th day of May 1944.

JACOB A. ROBLES,
Territorial Director,
Virgin Islands.

Approved:

JAMES P. DAVIS.
Regional Administrator
Region IX.

[F. R. Doc. 44-6940; Filed, May 15, 1944; 12:00 m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 6]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5327 (b) (3) (i) is added as follows:

(i) Any consumer who has a Class 4, 5 or 6 coupon sheet which contains one or more period 4, period 5 or definite value coupons (which are not owing to a dealer or primary supplier for an ab-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6871, 7100, 8356, 10110, 10379, 10706.

[2] 9 F.R. 1385.

[1] 8 F.R. 13240.

[1] 7 F.R. 6871, 7100, 8356, 10110, 10379, 10706.

[1] F.R. 2357, 3353, 4350, 4391.

sentee delivery under § 1394.5653 (b)) may, at any time during the period October 1, 1944, through October 31, 1944, surrender the coupon sheet to his Board and obtain in exchange a Class 3 coupon sheet containing coupons, valid for the 1944–45 heating year, equal in gallonage value to the period 4, period 5 and definite value coupons which have not been detached from the coupon sheet. However, such exchange shall not be made for a consumer who is not entitled to use fuel oil for the purpose and at the premises for which the coupon sheet was issued to him.

2. Section 1394.5368 (b) is amended to read as follows:

(b) *When and where unit value coupons may be used by consumers.* Fuel oil may be transferred to a consumer in exchange for a unit value coupon only during the validity period and in the zone printed on the coupon. (The zones are described in § 1394.5330.) There are five (5) validity periods, all extending through August 31, 1945. The date on which each period begins for each zone is as follows:

(1) In Zones A–1, B–1 and C–1:

Coupon number and beginning date
1—July 1, 1944
2—December 18, 1944
3—January 15, 1945
4—February 5, 1945
5—March 1, 1945

(2) In Zones A–2, B–2 and C–2:

Coupon number and beginning date
1—July 1, 1944
2—December 18, 1944
3—December 18, 1944
4—February 5, 1945
5—February 5, 1945

(3) In Zones A–3, B–3 and C–3:

Coupon number and beginning date
1—July 1, 1944
2—December 11, 1944
3—January 8, 1945
4—February 5, 1945
5—March 5, 1945

(4) In Zone D:

Coupon number and beginning date
1—July 1, 1944
2—December 18, 1944
3—December 18, 1944
4—January 29, 1945
5—January 29, 1945

3. Section 1394.5402 (a) is amended to read as follows:

(a) The person controlling the use of any fuel oil burning equipment used for a necessary purpose not otherwise specified in this order, or any person requiring fuel oil for any necessary purpose other than the operation of oil burning equipment may obtain a ration for such purpose. However, a person shall be deemed not to require fuel oil for the purpose if an adequate supply of a substitute material other than a refined petroleum product, is available to him at reasonable cost.

4. Section 1394.5405 (d) is amended by deleting the last sentence in the paragraph.

5. Section 1394.5782 is amended to read as follows:

§ 1394.5782 *Valid period of coupons.* The Washington Office may from time to time, by amendment to this order, change the valid period of unit value coupons.

This amendment shall become effective on May 19, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Directive 1, 7 F.R. 562, Supp. Dir. 1–O, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 15th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–6941; Filed, May 15, 1944; 12:02 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 14]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respect:

Section 1407.86c is amended to read as follows:

§ 1407.86c *Increased allotments for certain industrial users for the period beginning April 1, 1944.* (a) An industrial user may apply to the Board for an increase in his allotments for the period beginning April 1, 1944, for the production of the products listed in Classes 14 and 15 of § 1407.92 (a).

(b) Application must be made prior to June 15, 1944, on OPA Form R–315. The Board shall grant the increase requested in the application. However, the increase in allotments granted to the industrial user must not exceed 25% of the amount of his sugar base for the second quarterly period for the products listed in Classes 14 and 15 of § 1407.92 (a).

This amendment shall become effective May 19, 1944.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005; War Food Order No. 64, 8 F.R. 7093)

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6942; Filed, May 15, 1944; 12:03 p. m.]

*Copies may be obtained from the Office of Price Administration.
[1] 9 F.R. 1433, 1534, 2233.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 16]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Ration Order 3 is amended in the following respect:

Section 1407.142 (b) is amended to read as follows:

(b) A registering unit or primary distributor to which stamps are surrendered by a consumer must paste the stamps on OPA Form R–120–A (Ration Stamp or Coupon Sheet), or upon a similar sheet; only stamps bearing the same number may be affixed to the sheet. The information required on the face of the sheet shall be filled in by the registering unit before it surrenders such sheet for the purpose of authorizing a delivery of sugar to it, and the name and address of the registering unit, Collector of Customs, or primary distributor to whom the sheet is being surrendered shall be written on the back of the sheet by the registering unit surrendering the sheet. Before a sheet may be surrendered for the purpose of deposit, the person surrendering the sheet shall, if he affixed the stamps to the sheet, fill in the information required on the face of the sheet, or, if he received the sheet with stamps affixed, endorse it by writing his name on its back.

This amendment shall become effective June 1, 1944.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005; Food Dir. 8, 8 F.R. 7093)

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6943; Filed, May 15, 1944; 12:01 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 10,[2] Amdt. 20]

FOOD RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 10 is amended in the following respects:

1. The table in § 1407.687 is amended by changing the weight value of stamps for all ration periods commencing with ration period 16 from 1 pound of cornmeal to 2 pounds of cornmeal.

2. Section 1407.704 (a) is amended by changing the phrase "four (4)" to read "eight (8)".

This amendment shall become effective as of May 1, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9250, 7 F.R. 7671; W.P.B. Dir. No. 1, E.O. 9280, 7 F.R. 10179; F.D. No. 3, 8 F.R. 2005; F.D. No. 9, 8 F.R. 9600)

Issued this 15th day of May 1944.

JACOB A. ROBLES,
Territorial Director,
Virgin Islands.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44–6944; Filed, May 15, 1944; 12:01 p. m.]

*Copies may be obtained from the Office of Price Administration.
[1] 9 F.R. 1433, 1534, 2233.
[2] 7 F.R. 6887, 8523, 8607, 10707; 8 F.R. 1394, 3315, 3843, 4190, 4892, 5268, 7017; 9 F.R. 2233, 2478, 2656, 2746.

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 183,[1] Amdt. 35]

PRICES FOR COMPARABLE VARIETIES OF COMMODITIES IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 3 is amended by the addition of a new paragraph (d) to read as follows:

(d) *Prices for comparable varieties.* The prices established in this regulation are intended to apply to all varieties of the commodities named and without regard to country of origin, unless the provisions with regard to such commodity limit the applicability of the prices to named brands, sizes, styles, packagings, point of origin, or other determinants of variety. Where a commodity, of a variety different from that priced herein, bears a normal and customary trade relation to a variety of the commodity for which maximum prices have been fixed in this regulation or is similar or comparable to such variety or differs from such variety only in the matter of size or packaging, the Director of the Office of Price Administration for the Territory of Puerto Rico may prescribe a maximum price for such commodity, which price shall be in line with the markups and maximum prices fixed on the varieties of the commodity herein regulated.

This amendment shall become effective May 15, 1944.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Public Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6945; Filed, May 15, 1944; 12:00 p. m.]

*Copies may be obtained from the Office of Price Administration.
[1] 8 F.R. 9532, 10763, 10906, 11437, 11847, 12549, 10937, 12532, 13165, 13847, 14090, 14765, 15195.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 134]

RADIO RECEIVER TUBES

A statement of considerations accompanying this Amendment No. 134 to Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new section 6.48 is added as follows:

SEC. 6.48 *Radio receiver tubes.* This section establishes maximum prices for all sales of new standard radio receiver tubes by all persons other than manufacturers, as defined and covered by Revised Price Schedule No. 84.

For the purposes of this section: (a) standard tubes are tubes originally sold as such by the manufacturer, (b) radio receiver tubes are tubes that are used generally, but not exclusively, in home, auto, and portable radios and phonographs. Sub-standard tubes and used tubes are not covered by this amendment.

(a) *Maximum prices for sales at wholesale.* When used in this section, a sale at wholesale is a sale by a person who buys a radio receiver tube and resells it without substantially changing its form, to any person other than the ultimate consumer. The term also includes any sale to an industrial, commercial, governmental, or institutional user.

(1) *Tubes listed in paragraph (k).* The maximum prices inclusive of the manufacturers' Federal excise tax, for sales at wholesale of radio receiver tubes listed in paragraph (k), are set forth in the table below.

Column I of the table arranges in ascending order all the maximum retail prices which are set forth in paragraph (k).

Columns II, III, IV, V and VI list the corresponding maximum wholesale prices for all the tubes to which the Column I retail prices apply. The quantity which determines the applicable wholesale price column is the total quantity of tubes of all types involved in the sale.

These maximum wholesale prices are f. o. b. point of shipment, and are subject to a discount of 2% if paid in ten days, net thirty days. The seller is required to continue the same guarantee or guarantee allowance extended by him on sales of tubes during March 1942. If the seller was not in business during March 1942, he is required to give the same guarantee or guarantee allowance extended by his most closely competitive seller of the same class to the same class of purchaser.

Column I	Maximum wholesale prices				
Maximum retail prices for tubes as listed in paragraph (k)	Column II Quantities of 1 to 5	Column III Quantities of 6 to 49	Column IV Quantities of 50 to 100	Column V Quantities of 101 to 500	Column VI Quantities over 500
$0.70	$0.41	$0.37	$0.35	$0.33	$0.31
$0.75	.45	.41	.38	.36	.34
$0.80	.48	.43	.40	.38	.37
$0.85	.51	.46	.43	.41	.39
$0.90	.54	.49	.46	.43	.41
$1.00	.60	.54	.51	.48	.46
$1.10	.67	.61	.57	.54	.51
$1.30	.80	.72	.67	.65	.61
$1.60	.99	.90	.83	.80	.76
$1.85	1.21	1.10	1.02	.97	.92
$2.35	1.46	1.32	1.23	1.17	1.12
$2.85	1.78	1.61	1.50	1.43	1.36

The above prices include the manufacturers' Federal excise taxes. Lower prices may be charged.

(2) *Tubes not listed in paragraph (k).* To determine the maximum price for a tube not listed in paragraph (k), the wholesaler shall find the suggested retail price from the manufacturer's last schedule published prior to March 31, 1942, in which the tube is listed. The wholesaler shall then take the nearest maximum retail price shown in Column I of the table above and shall determine his maximum wholesale price in accordance with paragraph (a) (1).

(b) *Maximum prices for sales at retail.* When used in this amendment, a sale at retail means a sale to an ultimate consumer other than an industrial, commercial, governmental, or institutional user.

(1) *Maximum prices for sales by all retailers except those who purchased tubes from a manufacturer in March 1942.* The maximum prices for sales by all retailers, except those who purchased tubes from a manufacturer in March 1942, shall be those set forth below:

(i) *Tubes listed in paragraph (k).* The maximum price, inclusive of the manufacturers' Federal excise tax for a sale at retail of a radio receiver tube listed in paragraph (k), whether sold separately or in connection with the servicing of a radio or phonograph, shall be the price set forth in paragraph (k) for that tube.

(ii) *Tubes not listed in paragraph (k).* The maximum price, inclusive of the

manufacturers' Federal excise tax, for a sale at retail of a radio receiver tube not listed in paragraph (k), whether sold separately or in connection with the servicing of a radio or phonograph, shall be the suggested retail price shown in the manufacturer's last schedule published prior to March 31, 1942, in which the tube is listed.

(2) *Maximum prices for sales by any retailer who in March 1942 purchased radio receiver tubes from the manufacturer.* When used in this amendment, a private brand radio receiver tube means a brand which is not offered by the manufacturer to his general trade but is manufactured for resale by a particular retail seller or sellers. A national brand radio receiver tube is any radio receiver tube other than a private brand tube.

The maximum price, inclusive of the manufacturers' Federal excise tax, for a sale at retail of a private brand radio receiver tube, by a retailer who purchased radio receiver tubes from the manufacturer in March 1942, shall be the highest price charged by the seller during March 1942 for a private brand tube of that type. The maximum price, inclusive of the manufacturers' Federal excise tax, for a sale at retail of a national brand radio receiver tube, by a retailer who purchased radio receiver tubes from the manufacturer in March 1942, shall be the highest price charged by the seller during March 1942 for any national brand tube of the same type. Maximum prices determined under this paragraph (b) (2), however, may not exceed the maximum prices listed in paragraph (k) and shall apply whether the tube is sold separately or in connection with the servicing of a radio or phonograph.

(c) *Other maximum prices.* The maximum price for any sale of a tube covered by this section which cannot be determined under the previous paragraphs shall be a price in line with the level of prices so determined, which has been specifically established by order of the Price Administrator. Applications for the establishment of a maximum price under this paragraph shall be made to the Office of Price Administration, Washington, D. C.

(d) *Service charges.* On and after the effective date of this amendment, the maximum prices for service charges established by this paragraph, supersede the provisions of Maximum Price Regulation No. 165. No charge may be made for testing radio receiver tubes brought to the seller's establishment by a customer. A maximum charge of $.50 may be made for removing, testing, and replacing all of the radio receiver tubes contained in the portable or table model radio or phonograph brought to the seller's establishment by the customer, if the radio tubes can be removed, tested, and replaced without detaching the chassis mechanism from the cabinet of the radio or phonograph. A maximum charge of $1.00 may be made for removing, testing, and replacing all of the radio receiver tubes contained in the portable or table model radio or phonograph brought to the seller's establishment by the customer, if the chassis mechanism must be detached from the cabinet before the radio tubes can be removed, tested, and replaced. All other service charges remain under Maximum Price Regulation No. 165.

(e) *Guarantee.* The maximum price for a sale to an ultimate consumer of a radio receiver tube, shall include the standard guarantee against defects extended by the manufacturer of that tube. In no case shall the guarantee be for a period less than 90 days from the date of sale. If a tube subject to guarantee cannot be replaced within a reasonable period of time, the retailer shall give the consumer full credit, or refund the purchase price.

(f) *Federal, State, and local taxes.* Federal excise taxes levied after April 1, 1944, and state and local taxes imposed upon the sale of radio receiver tubes may be added to the maximum prices established under this section, provided they are separately stated and collected.

(g) *Posting.* A seller offering radio receiver tubes for sale at retail shall post and keep conspicuously posted, at the place in his business establishment where radio receiver tubes are offered for sale, whether offered separately or in connection with the servicing of a radio or phonograph, a copy of the table of maximum prices contained in paragraph (k) of this section together with the statement of guarantee and service charges contained therein.

A seller who establishes his prices under paragraph (b) (2) shall post these maximum prices in accordance with the preceding paragraph.

(h) *Sales slips, receipts, and invoices.* After May 19, 1944, every person making a sale at wholesale of a standard radio receiver tube shall furnish the purchaser with a sales slip, receipt, invoice, or other similar written evidence of purchase showing the name and address of the seller and the purchaser, the date of sale, the quantity, types, and prices charged for the radio receiver tubes. This sales slip, receipt, or invoice or other written evidence of purchase shall be kept by the purchaser, and a carbon copy of it kept by the seller for inspection by the Office of Price Administration.

(i) *Credit charges for sales at retail.* (1) Charges for the extension of credit may be added to the maximum (ceiling) retail prices established by this section only to the extent permitted by and subject to the requirements of this paragraph. (i) Sellers who in March 1942 collected a separately stated additional charge for the extension of credit on sales of radio receiver tubes may collect a charge for the extension of credit on sales under this section, not exceeding such charge in March 1942 on a similar sale on similar terms to the same class of purchaser. (ii) Sellers who did not so state and collect an additional charge may collect a charge for the extension of credit only on instalment-plan sales; and the charge shall not exceed the separately stated additional charge collected for the extension of credit on a similar sale on similar terms to the same class of purchaser in March 1942 by the seller's closest competitor who made such a separately stated charge.

(2) An instalment-plan sale, as used in the above paragraph, means a sale where the unpaid balance is to be paid in instalments over a period of either (i) six weeks or more from the date of sale in the case of weekly instalments, or (ii) eight weeks or more in the case of other than weekly instalments.

(3) All charges for the extension of credit shall be quoted and stated separately. Any charge which is not quoted and stated separately, or which otherwise does not conform to this paragraph, shall, for the purposes of this section, be considered to be part of the price charged for the article sold or services rendered.

(4) No seller may require as a condition of sale that the purchaser must buy on credit.

(j) *Applicability.* The provisions of this section shall be applicable to the forty-eight states of the United States and to the District of Columbia.

(k) *Table of maximum prices for sales to consumers.* (Lower prices than those listed below may be charged.)

Type	Maximum retail price	Type	Maximum retail price
00A	$2.25	2A6	$1.00
01A	.85	2A7	1.10
01A-G	1.95	2B7	1.30
0Z4	1.60	2E5	1.30
0Z4G	1.60	2V3G	2.85
1A4P	1.60	2X2/879	2.35
1A5G	1.60	3A5GT	2.35
1A8GT	1.10	3Q5GT	1.60
1A6	1.30	3S4	1.60
1A7G	1.60	5T4	1.95
1A7GT	1.30	5U4G	1.00
1B4P	1.30	5V4G	1.60
1B5/25S	1.30	5W4	1.10
1B7GT	1.30	5W4GT	.90
1C5G	1.60	5X4G	1.10
1C5GT	1.30	5Y3G	.70
1C6	1.30	5Y4G	.75
1C7G	1.30	5Z3	1.10
1D5GP	1.30	5Z4	1.00
1D5GT	1.30	6A3	1.95
1D7G	1.60	6A4/LA	1.60
1D8GT	1.95	6A5G	2.85
1E4G	1.30	6A6	1.60
1E5GP	1.60	6A7	1.00
1E7G	2.35	6A8	1.00
1F4	1.30	6A8G	1.00
1F5G	1.30	6A8GT	1.00
1F6	1.00	6AB5/6N5	1.10
1F7GH	1.60	6AB7/1853	1.95
1G4G	1.30	6AC5G	1.30
1G4GT	1.30	6AC5GT	1.10
1G5G	1.30	6AC7/1852	2.35
1G6G	1.00	6AD6G	1.60
1G6GT	1.00	6AD7G	1.60
1H4G	1.00	6AE5GT	1.30
1H5G	1.30	6AE6G	1.30
1H5GT	1.10	6AE7GT	1.30
1H6G	1.30	6AF6G	2.35
1J5G	1.95	6AG7	1.95
1J6G	1.30	6AH4G	1.95
1LA4	2.35	6AH5	1.95
1LA6	2.35	6AH6G	1.30
1LB4	2.35	6AH7	1.95
1LH4	2.35	6AH8	1.30
1LN5	2.35	6AH8G	1.10
1N5G	1.60	6AK5	1.10
1N5GT	1.30	6AL5G	1.00
1N6G	1.30	6AL5GT	1.00
1P5GT	1.60	6AQ6	1.60
1Q5GT	1.60	6AS6G	1.00
1R5	1.60	6AU6	1.95
1S4	1.60	6AU8G	1.95
1S5	1.60	6AV6	1.95
1T4	1.60	6AV6G	1.10
1T5GT	1.60	6AV8	1.30
1V	1.00	6AV8G	1.00
2A3	1.60	6AW8	1.95
2A4G	2.35	6AW8G	1.30
2A5	1.00	6AX4GT	.90

Table of maximum prices for sales to consumers—Continued

Type	Maximum retail price	Type	Maximum retail price
6F7	$1.60	12A6GT	$1.95
6F8G	1.30	12A8GT	1.00
6G6G	1.30	12B8GT	1.60
6H6GT	1.95	12C8	1.95
6J5	1.10	12F5GT	1.00
6H6G	1.10	12J5GT	1.00
6H6GT	1.10	12J7GT	1.10
6J5	.90	12K7GT	1.00
6J5G	1.00	12K8GT	1.30
6J5GT	.90	12Q7GT	.90
6J7	1.30	12SA7	1.00
6J7G	1.10	12SA7GT	1.30
6J7GT	1.10	12SC7	1.30
6K6	1.60	12SF5	1.10
6K6G	1.10	12SF5GT	1.10
6K6GT	1.10	12SH7GT	1.30
6K6GT-*	1.00	12SJ7	1.10
6K7	1.10	12SJ7GT	1.10
6K7G	1.10	12SK7	1.00
6K7GT	1.00	12SK7GT	1.10
6K8	1.30	12SL7GT	1.55
6K8G	1.30	12SN7GT	1.30
6K8GT	1.30	12SQ7	1.00
6L5G	1.10	12SQ7GT	1.10
6L6	1.95	12SR7	1.30
6L6G	1.95	12SR7GT	1.30
6L7	1.60	12Z3	1.00
6L7G	1.60	14A7/12B7	1.95
6N5	1.60	14H7	1.95
6N8G	2.35	15	1.95
6N7	1.60	19	1.30
6N7G	1.60	20	2.85
6P5G	.85	22	2.35
6P5GT	.80	24A	.90
6P7G	2.30	25A6	1.95
6Q7	1.30	25A6G	1.10
6Q7G	.90	25A6GT	1.10
6Q7GT	.90	25A7G	1.60
6R7	1.60	25A7GT	1.60
6R7G	1.10	25AC5GT	1.60
6R7GT	.90	25AC5G	1.60
6S7	1.60	25B6G	1.95
6S7G	1.60	25B8GT	1.95
6SA7	1.00	25C6G	1.95
6SA7GT	1.10	25L6	1.60
6SC7	1.30	25L6G	1.30
6SD7GT	1.30	25L6GT	1.10
6SF5	1.00	25Y5	2.35
6SF5GT	1.00	25Z5	1.00
6SF7	1.30	25Z6	1.30
6SG7	1.30	25Z6G	1.00
6SH7GT	1.30	25Z6GT	1.00
6SJ7	1.10	26	.75
6SJ7GT	1.10	27	.70
6SK7	1.00	30	1.00
6SK7GT	1.10	31	1.00
6SL7GT	1.55	32	1.30
6SN7GT	1.30	32L7GT	1.95
6SQ7	1.00	33	1.30
6SQ7GT	1.10	34	1.30
6SR7	1.10	35	1.00
6T7G	1.30	35A5	1.30
6U5/6G5	1.30	35L6GT	1.00
6U6GT	1.30	35Z3	1.30
6U7G	1.00	35Z4GT	.80
6V6	1.95	35Z5GT	.85
6V6G	1.95	35Z6G	1.30
6V6GT	1.10	36	1.00
6V7G	1.30	37	.85
6W5G	1.95	38	1.10
6W7G	1.60	39/44	1.00
6X5	1.00	40	1.60
6X5G	1.10	41	.85
6X5GT	1.00	42	.85
6Y6G	1.60	43	1.10
6Y7G	1.60	45	.80
6Z5G	1.95	45Z5GT	1.10
6ZY3G	1.30	46	1.10
7A4	1.30	47	1.10
7A5	1.30	48	2.85
7A6	1.30	49	1.30
7A7	1.30	50	2.35
7A8	1.30	50C6G	1.95
7B4	1.30	50L6GT	1.10
7B5	1.30	50Y6GT	1.10
7B6	1.30	50Z7G	1.30
7B7	1.30	52	2.85
7B8	1.30	53	1.60
7C5	1.30	55	1.10
7C6	1.30	56	.80
7C7	1.30	57	.90
7E6	1.30	58	.90
7E7	1.60	59	1.60
7F7	1.60	70A7GT	2.35
7G7/1232	1.95	70L7GT	1.95
7H7	1.95	71A	.90
7J7	1.95	75	.85
7K7	1.95	76	.90
7L7	1.95	77	.90
7N7	1.95	78	.90
7Q7	1.30	79	1.60
7R7	1.95	80	.70
7Y4	1.30	81	1.95
10	2.85	82	1.30
12A	1.00	83	1.30
12A5	2.35	83V	1.95

Table of maximum prices for sales to consumers—Continued

Type	Maximum retail price	Type	Maximum retail price
84/6Z4	$1.10	485	$1.95
85	.90	950	1.95
89	1.00	XXD	1.60
V99	2.85	XXL	1.60
X99	2.85	VR90-30	2.35
117L7GT	2.35	VR105-30	2.35
117N7GT	2.35	VR150-30	2.35
117Z6GT	1.60	Majestic	2.35

Standard radio receiver tubes are guaranteed against defects for a period of ninety (90) days from the date of sale. No extra charge for testing detached radio tubes. Maximum charge of $.50 for testing all radio tubes in a set if they can be removed from the radio without detaching the radio mechanism from the cabinet. Maximum charge of $1.00 for testing all radio tubes in a set if the radio mechanism must be removed from the cabinet to test the tubes. These maximum charges apply to portable or table model radios or phonographs brought to this establishment.

This amendment shall become effective on the 20th day of May 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9238, 8 F.R. 4681)

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6946; Filed, May 15, 1944; 12:03 p. m.]

PART 1382—HARDWOOD LUMBER

[RMPR 97,[1] Incl. Amdts. 1-13]

SOUTHERN HARDWOOD LUMBER

This compilation of Revised Maximum Price Regulation 97 includes Amendment 13, effective May 20, 1944. The text amended by Amendment 13 is underscored.

In the judgment of the Price Administrator, the prices of Southern hardwood lumber have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of Southern hardwood lumber prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[2]

[1] 8 F.R. 13728.

[2] Statements of considerations are also issued simultaneously with the issuance of amendments. Copies may be obtained from the Office of Price Administration.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

[Preamble amended by Supplementary Order 61, 8 F.R. 12552, effective 9-11-43]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, Revised Maximum Price Regulation No. 97—Southern Hardwood Lumber, is hereby issued.

Sec.

1382.101 Sales of Southern hardwood lumber at higher than maximum prices prohibited.
1382.102 To what transactions, products, and persons this regulation applies.
1382.103 How to figure delivered prices; and mixed car charges.
1382.104 What the invoice must contain.
1382.105 Prohibited practices.
1382.106 Grades, specifications and extras not specifically priced.
1382.107 Petitions for adjustment and amendment.
1382.108 Records and reports.
1382.109 Enforcement and licensing.
1382.110 Relation to other regulations.
1382.111 Effective date.
1382.112 Appendix A: Maximum prices for Southern hardwood lumber in standard or near-standard grades.
1382.113 [Revoked.]
1382.114 Appendix B: Description of Southern hardwood area.

AUTHORITY: §§ 1382.101 to 1382.114, inclusive, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1382.101 *Sales of southern hardwood lumber at higher than maximum prices prohibited.* (a) On and after January 7, 1943, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any southern hardwood lumber for direct-mill shipment at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer or attempt to do any of these things. The maximum f. o. b. mill prices are set forth in Appendix A.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

[§ 1382.101 amended by Am. 5, 8 F.R. 8860, effective 7-2-43 and Am. 8, 8 F.R. 11690, effective 8-21-43. Paragraph (b) revoked and former (c) redesignated (b) by Am. 9, 8 F.R. 13278, effective 10-11-43]

§ 1382.102 *To what transactions, products, and persons this regulation applies*—(a) *What transactions are covered*—(1) *Direct-mill shipments.* This ceiling applies to all shipments originating at a mill, no matter who the seller is, and no matter whether he usually is known as a mill, wholesaler, retailer or anything else. It does not apply to sales out of distribution yard stock. A shipment is regarded as originating at a mill if the lumber reaches the purchaser without ever becoming an integral part of the stock of a distribution yard. A sale is considered a sale out of distribution yard stock only if the lumber was a part of regular yard stock at the time the sale was made.

(2) *How to tell a mill from a distribution yard*—(i) *General tests.* The term "mill", as used here, covers what are known in the trade as sawmills, planing mills and concentration yards. Three types of establishments are described below: the first, (a), a typical sawmill or planing mill; the second, (b), a typical concentration yard; and the third, (c), a typical distribution yard. An establishment which resembles a typical sawmill or planing mill or a typical concentration yard more than it does a typical distribution yard is considered a mill; and one which resembles a typical distribution yard more than it does a typical sawmill or planing mill or a typical concentration yard is considered a distribution yard.

(a) A "typical sawmill or planing mill" is an establishment which is chiefly engaged in manufacturing lumber from logs or rough lumber by sawing or planing; which is located in or near a lumber producing area; which makes and sells chiefly Southern hardwood or softwood lumber.

(b) A "typical concentration yard" is an establishment which concentrates and prepares lumber for commercial shipment; which keeps in stock mostly Southern hardwood lumber; which has its lumber brought in chiefly in rough green form by truck from small local sawmills and sells chiefly for rail shipment; and which has been located at its particular site to be near the lumber producing area.

(c) A "typical distribution yard" is a wholesale or retail lumber yard which gets lumber from mills or other yards; unloads, sorts, stores, and resells or redistributes it; which regularly maintains a varied stock of lumber from different regions; which gets its lumber mostly by rail and sells mostly for truck shipment; which is equipped to make quick deliveries of many different items of lumber; and which has been located at its particular site in order to be near a lumber consuming area.

(ii) *New yards.* In order to prevent violation of this regulation by unnecessarily routing through yards, the Office of Price Administration will not recognize distribution yards set up after January 1, 1943, unless the new yard writes to the Office of Price Administration, Washington, D. C., and proves that it satisfies the requirements of the definition and that the purpose is not to get around this regulation by means of unnecessary yard business. Until approval is received, the new yard cannot consider itself a distribution yard for the purpose of this regulation.

(iii) *Retail type sales excepted.* A "retail type" direct-mill sale is not subject to this regulation. A "retail type" direct-mill sale means a sale of not more than 2,000 feet of lumber in which the purchaser requests delivery to a point not more than 20 miles from the mill at which the shipment originates. It includes only sales of lumber to contractors or consumers for use in construction, remodeling, repair, maintenance, fabrication, or remanufacture, and it does not include sales for resale in substantially the same form.

(b) *What products are covered.* (1) This regulation covers all Southern hardwood lumber, whether the grades, sizes and specifications are specifically named in the price tables in Appendix A or not. All grade terms have the meaning given in the "Rules for the Measurement and Inspection of Hardwood Lumber," issued by the National Hardwood Lumber Association, effective January 1, 1943.

(2) This regulation covers all lumber produced from the following botanical species, and processed into lumber at mills located in the Southern hardwood region: sap sweet gum and red sweet gum (Liquidambar styraciflua), tupelo (Nyssa aquatica), black gum (Nyssa sylvatica), tough ash (Fraxinus americana), yellow poplar (Liriodendron tulipifera), beech (Fagus americana), sycamore (Platanus occidentalis), soft maple (Acer rubrum); and the botanical species included in the genera of red oak and white oak (Quercus), magnolia (Magnolia), elm (Ulmus), cottonwood (Populus), willow (Salix), hackberry (Celtis), hickory (Hicoria), basswood (Tilia), ash (Fraxinus), and all other hardwood species.

(3) The Southern hardwood area is described by exact boundary lines in Appendix C.

(4) Some of the things which this regulation does not cover are: glued stock, moulding, risers, step treads, thresholds, hand rails, bevel and drop siding, flooring, switch, cross and mine ties, mine material, navy oak ship stock (see Maximum Price Regulation 281),[1] small dimension stock, and lath.

[Paragraph (b) amended by Am. 5, 8 F.R. 8860, effective 7-2-43]

(c) *What persons are covered.* Any person who makes the kind of sale or purchase covered by this regulation is subject to it. The term "person" includes: an individual, corporation, partnership, association, or any other organized group; their legal successors or representatives; the United States, or any government, or any of its political subdivisions; or any agency of any of the foregoing.

§ 1382.103 *How to figure delivered prices; and mixed car charges*—(a) *Transportation addition.* The transportation charges set forth below may be added to the maximum f. o. b. mill prices set forth in Appendix A.

(1) *Common or contract carrier.* When shipment is by common or contract carrier, the following rules govern:

(i) When estimated weights are used, the rate times the estimated weight is the proper transportation charge. Estimated weights may be used only if they have been filed with the Office of Price Administration, Washington, D. C. The weights must be the weights used by the seller during the period October 1 to October 15, 1941. The estimated weight must be the weight for the exact kind of lumber actually shipped; for example, green weights may not be used if dry lumber is shipped. The transportation charge may be evened out to the nearest quarter-dollar per M.

(ii) When estimated weights are not used, the amount added for transportation must not be more than the amount actually paid to the common or contract carrier, evened out to the nearest quarter-dollar per M.

(2) *Private truck.* When shipment is by truck owned or controlled by the seller, the amount added for transportation may not be more than the actual cost to the seller of delivery by truck; and, no matter what the actual cost is, the amount added may not be more than the railroad charge at the carload rate for the most similar haul. However, if this railroad charge is less than $1.50, and if the actual cost of delivery is more than $1.50, a transportation charge of $1.50 may be made.

(3) *Trucking to railhead.* When a truck haul precedes rail shipment, as when a mill located away from a railhead hauls lumber by truck to the railhead, no addition may be made for the truck haul. However, in the following two cases a mill may apply for special permission to make an addition:

[Subparagraph (3) amended by Am. 11, 8 F.R. 17375, effective 1-4-44.]

(i) Where the mill was located away from rail connections because it specialized in water-borne lumber, and where shortage of shipping has forced it to operate by rail;

[Subdivision (ii) revoked and former (iii) redesignated (ii) by Am. 9, 8 F.R. 13728, effective 10-11-43]

(ii) Where a mill's rail connection has been abandoned since September 5, 1941.

The application should be made by letter to the Lumber Branch of the Office of Price Administration, Washington, D. C. The addition may not be made on quotations or sales until permission has been received.

(4) *Truck delivery after rail haul.* When truck delivery follows a rail haul, the actual cost of truck delivery may be added.

(5) *All-truck haul.* When an all-truck haul ends in delivery to the job site, no special addition may be made above the charges provided in subparagraphs (1) and (2) of this paragraph, since in this case delivery to the job site involves no extra expense.

(b) *Mixed cars.* The following additions per M may be made where the purchaser (or purchasers, in the case of a pool car) orders an item consisting of one species, thickness and grade, in the following quantities:

Quantity ordered:	Addition per M
3,000 to 4,000 ft.	$1.00
2,000 to 2,999 ft.	2.00
1,000 to 1,999 ft.	2.50
999 ft. and less	3.00

§ 1382.104 *What the invoice must contain*—(a) *General.* Because of the large number of possible additions to the basic f. o. b. mill prices, it is necessary that some of them be separately shown on the invoice. Otherwise the purchaser and the Office of Price Administration could not tell in many cases whether a price which appeared to be above the selling was proper or not.

Failure to invoice properly is just as much a violation of this regulation as charging an excessive price.

(b) *Basic price.* All invoices must contain a sufficiently complete description of the lumber to show whether the price is proper or not. Any working, specification, quantity, or extra which affects the maximum price must be mentioned in the description. The amount added for these does not have to be separately shown, except in a few special cases which are specifically mentioned later.

(c) *Transportation charges.* In delivered sales, the invoice must contain the:

(1) Point of origin of shipment,

(2) Destination,

(3) Rail or truck rate (or, if shipment is by private truck, the amount added for transportation),

(4) The words "Direct-Mill Shipment."

(d) *Delivery, and custom kiln-drying and milling charges.* Any separate charge which the seller is permitted to make for the following must be separately shown on the invoice;

(1) Truck delivery after rail haul;

(2) Custom kiln-drying or milling: the invoice of the custom kiln or milling establishment must be attached to the lumber invoice of the seller.

[Paragraph (d) amended by Am. 4, 8 F.R. 5479, effective 4-29-43]

§ 1382.105 *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-in agreements, trade understandings and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Getting the effect of a higher price by changing credit practices from what they were in October 1941. This includes decreasing credit periods, or making greater charges for extension of credit. In any case, on sales made through the Office of the Chief of Engineers, War Department, terms of 30 days net may be used. In all cases, if the sale is on cash terms, the maximum price must be reduced by the same amount as the sale price would have been reduced for similar cash terms on October 1, 1941. For example, if the maximum price without cash discount is $40.00, and if in sales of this item on October 1, 1941 to purchasers of a certain class, the seller reduced sales prices 2 per cent for cash within 10 days, the ceiling cash price in sales to purchasers of this class is $39.20.

(2) Refusing, without good reason, to ship except in small quantities, or in specified or restricted random lengths, or under other circumstances which bring the seller an extra return.

(3) Refusing, without good reason, to ship lumber in standard grades and in grade-rule range widths and lengths.

(4) Grading as a special grade lumber which normally is graded by the seller as a standard grade; or wrongly grading or invoicing lumber in any other way.

(5) Refusing to sell on an f. o. b. mill basis, and insisting on selling on a delivered basis.

(6) Unnecessarily routing lumber through a distribution yard.

(7) Quoting a gross price above the maximum price, even if accompanied by a discount, the effect of which is to bring the net price below the maximum.

(c) *Waiver of moisture content.* Under this regulation lumber is either green, partially dry, or dry. If it does not actually meet this regulation's moisture-content requirements for dry lumber, it cannot be sold at the dry price, even if the moisture requirement is waived.

(d) It is unlawful for any person to charge, receive or pay a commission for the service of procuring (including buying, selling, or locating lumber, or for any related service such as "expediting") which does not involve actual physical handling of lumber, if the commission plus the purchase price results in a total payment by the buyer of lumber which is higher than the maximum price of the lumber. For purposes of this regulation, a commission is any compensation, however designated, which is paid for the procurement of lumber. This prohibition has no application to the case of a bona fide employer-employee relationship where the employee serves only one employer, insofar as lumber procurement is concerned, and where the compensation paid by the employer is a fixed salary and is not based directly or indirectly on the quantity, price or value of the lumber in connection with which the service is rendered.

[Paragraph (d) amended by Supplementary Order 37, 8 F.R. 2192, effective 2-23-43; and Supplementary Order 77, 8 F.R. 14310, effective 10-26-43]

(e) *Combination grades.* Lumber sold on combination or special inspection grades, for which no maximum price has been established in this regulation, such as log run, mill run, or No. 1 Common and Better, may not be sold at above the maximum price for the lowest grade actually included in the special inspection grade. For example, the maximum price for No. 2 Common and Better is that set for No. 2 Common. Of course, the amount of the different grades included can be quoted and invoiced separately at the individual prices for those grades.

(f) *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

[Paragraph (f) amended by Supplementary Order 50, 8 F.R. 10568, effective 7-27-43 and Am. 1 thereto, 8 F.R. 14310, effective 10-20-43]

§ 1382.106 *Grades, specifications and extras not specifically priced.* (a) Southern hardwood lumber, sold on special grades or specifications or with special services or other extras not specifically mentioned in Appendix A, is nevertheless subject to this regulation. The maximum price is a price which bears the October 1941 relation to the most comparable standard item. The seller should find his price difference between the special item and this most comparable standard item in October 1941 or the first month before that in which he had sales of both items, or if this is impossible, the price differential he would have used. This difference is then added to or subtracted from the maximum price of the comparable standard grade, and the result is the maximum price for the special grade. This price must be reported to the Office of Price Administration, Washington, D. C., on OPA Form 197:3, given in paragraph (c) below. It may be ordered reduced, if it is found excessive. But if the price is not disapproved within 30 days of the receipt of the report, it is approved. Applications for approval of maximum prices for special grades and items under this section will be considered only when accompanied by (1) a true copy of the order or of customer's inquiry on the basis of which the application has been submitted; and (2) a statement certified to be true by the purchaser or prospective purchaser to the effect that none of the grades specifically priced in the regulation will serve the purpose for which the stock is intended to be used, which purpose is to be stated; that it has been his custom to purchase lumber on such special specifications. Approval of the price will be conditional on a finding that the purpose for which the special grade item is to be used is classified by the WPB as essential to the war effort. Prices, when approved, for such special grades or items will be based on the price differential previously established between the particular special item requirement and the related grade rule specification.

[Paragraph (a) amended by Amendment 5, 8 F.R. 8860, effective 7-2-43 and Amendment 9, 8 F.R. 13728, effective 10-11-43]

(b) A seller using this pricing section can go ahead with delivery of the lumber and collection of the price he has computed or requested. But he must tell the buyer that the price is subject to revision within the thirty-day period,

[1] 7 F.R. 10290; 8 F.R. 2107, 8678, 17415.

and, if the price is ordered reduced, must refund any excess over the final approved price.

(c) OPA Form 197:3 is as follows:

OFFICE OF PRICE ADMINISTRATION

LUMBER BRANCH

Hardwood Section

Report of Sales of Southern Hardwood Lumber in Special Items or Special Grades (other than Combination Grades), or Prepared with Special Workings, Treatments or Services.

Company_____
Address_____
Mill location_____

Sales of special stocks of lumber

(As defined in § 1382.106 of Revised Maximum Price Regulation No. 97)

This report must be filed with the Lumber Branch of the Office of Price Administration, Washington, D. C., within 30 days of the date on which the producing mill enters into a contract for the sale of Southern hardwood lumber in a special item or special grade (other than a combination grade) or prepared with a special working, treatment, or service.

Date of order_____
Origin of shipment_____
Order No._____
Destination of shipment_____
Purchaser _____
(Name and address)
F. o. b. Mill Price_____
(Including discounts or commissions, if any)

_____ _____ _____ _____
(Species) (Thickness) (Widths) (Lengths)

_____
(Designation of grade, item, working, treatment or service)

Differential in relation to most comparable standard grade or item which was employed or would have been employed during October 1–15, 1941_____

_____

Most comparable standard grade or item to which differential is applied_____

_____

Complete description of special grade, item, working, treatment, or service (including a statement whether the lumber is rough or machined and is air dried, kiln dried, or green) _____

_____

_____

Detailed explanation of how maximum price was computed or built up_____

_____

_____ _____
(Name) (Office or title)

(d) *Existing authorizations.* (1) Any reports filed prior to January 7, 1943, with the Office of Price Administration under any of the former special grade provisions of Maximum Price Regulation 97 shall be considered as reports filed under paragraph (c) just above.

(2) Maximum prices for special grades or items, other than No. 1 construction boards approved before January 7, 1943, by the Office of Price Administration shall continue in effect as the maximum prices for these special grades or items produced at the mill which obtained the approval. With respect to these special grades or items, the producing mill need not file the report required in paragraph (c) of this section.

§ 1382.107 *Petitions for adjustment and amendment*—(a) *Government contracts.* See Procedural Regulation No. 6 [4]

[4] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.

for adjustment provisions on certain government contracts or subcontracts.

[Paragraph (a) amended by Supplementary Order 83, 9 F.R. 978, effective 2–1–44]

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this Revised Maximum Price Regulation 97 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[5]

[Paragraph (b) amended by Supplementary Order 26, 8 F.R. 8948, effective 11–4–42]

(c) In treating with petitions for amendment or adjustment, consideration will not be given to log and bolt costs which are higher than the applicable maximum purchase prices for logs and bolts established in Revised Maximum Price Regulation 161 [6]—West Coast Logs, or Maximum Price Regulations 313 [7]—Prime Grade Hardwood Logs and 348 [8]—Logs and Bolts, or any revision or amendment of these regulations. This rule shall be followed regardless of whether the petitioner gets logs and bolts by purchasing them, logging his own standing timber, contracting for the logging of his own timber, or any other means. All petitions in any way based on the cost of logs or bolts must show the actual cost to the petitioner of logs and bolts received at his plant during the three months immediately prior to filing the petition, and the cost which would have been incurred by the petitioner if all of these logs and bolts had been purchased by him at ceiling prices. To figure these ceiling prices the petitioner should refer to the regulation which fixes the maximum prices for purchases and sales of the kinds of logs and bolts received at his plant.

[Paragraph (c) added by Supplementary Order 47, 8 F.R. 5808, effective 5–8–43]

§ 1382.108 *Records and reports*—(a) *Records.* All sellers of Southern hardwood lumber must keep records which will show a complete description of the item of lumber sold, the name and address of the buyer, the date of the sale and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought $500.00 worth or more of Southern hardwood lumber. They must be kept for two years, for inspection by the Office of Price Administration. Any records which the Office of Price Administration later requires must also be kept.

(b) *Reports.* Any reports that the Office of Price Administration requires must be submitted.

[5] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594.

[6] 7 F.R. 4426, 5360, 7008, 7839, 8948, 9429, 11070; 8 F.R. 1117, 2992, 5678, 6619, 9381, 11509, 17327; 9 F.R. 694, 973.

[7] 8 F.R. 1453, 2208, 2992, 5564, 6359, 10625; 9 F.R. 695.

[8] 8 F.R. 16115, 16198, 16204, 16297; 9 F.R. 220, 392, 343, 402, 450, 588, 574, 682, 792, 978, 1317, 1571, 1572, 1717, 2066, 2155; 9 F.R. 2561, 2856.

§ 1382.109 *Enforcement and licensing.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

(d) *Licensing.* The provisions of Licensing Order No. 1 [9] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Paragraph (d) amended by Supplementary Order 72, 8 F.R. 12244, effective 10–1–43]

§ 1382.110 *Relation to other regulations*—(a) *General Maximum Price Regulation.*[10] Any sale or delivery covered by Revised Maximum Price Regulation 97 is not subject to the General Maximum Price Regulation.

(b) *Revised Maximum Export Price Regulation.*[11] The maximum price for export sales of Southern hardwood lumber is governed by the Revised Maximum Export Price Regulation.

§ 1382.111 *Effective date.* (a) This regulation (§§ 1382.101 to 1382.113, inclusive) shall become effective January 7, 1943.

(b) If lumber has been received before January 7, 1943, by a carrier, other than one owned or controlled by the seller, for shipment to a buyer, that shipment is not subject to this regulation. It remains subject to the terms of any regulation, whether the General Maximum Price Regulation or earlier version of this regulation, which covered it at the time the lumber was turned over to the carrier.

[RMPR 97 originally issued January 1, 1943]

[Effective dates of amendments are shown in notes following the parts affected]

§ 1382.112 *Appendix A: Maximum prices for Southern hardwood lumber in standard or near-standard grades*—(a) *Application of Appendix A.* Appendix A applies to all Southern hardwood lumber of the species and grades named, when sold on grade-rule-range widths and lengths, or widths and lengths substantially the same as grade-rule-range widths and lengths, or on specified average widths or specified average lengths which are substantially run-of-the-log.

[9] 8 F.R. 13240.

[10] 9 F.R. 1385.

[11] Second Revision: 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036.

(b) *Basic maximum prices.* The maximum f. o. b. mill price for 1,000 feet of Southern hardwood lumber in a rough air-dried condition shall be as follows:

(1) TOUGH ASH

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1	$76.00	$46.00	$25.00	$22.00
1¼	81.00	51.00	28.00	23.00
1½	86.00	61.00	37.00	23.00
2	96.00	71.00	38.00	24.00
2½	111.00	76.00	39.00	----------
3	121.00	86.00	41.00	----------

(i) Where tough ash lumber is shipped to the purchaser out of the stocks of a tough ash specialty establishment, rather than directly from the mill which produced the lumber from the log, an addition of $15.00 per thousand on FAS, $10.00 per thousand on No. 1 Common and Selects or No. 1 Common, and $5.00 on No. 2 Common may be made to the prices of all thicknesses.

(ii) A tough ash specialty establishment is an operation:

(a) Which does not manufacture any species of Southern hardwood lumber from the log;

(b) Which maintains a yard that receives more than 50,000 feet of tough ash lumber each month;

(c) Which usually obtains tough ash lumber without specifying to the supplier thicknesses, widths or lengths;

(d) Which is usually in a position to furnish tough ash lumber in a wide range of grades and specifications (thicknesses, widths, and lengths) and maintains an inventory during each month of more than 50,000 feet of tough ash lumber; and

(e) Which has been certified by the Office of Price Administration as a "tough ash specialty establishment" by publication of its name in the FEDERAL REGISTER. Certification may be revoked on failure to maintain the above qualifications. Moreover, certification may be revoked if the tough ash specialty establishment, either directly or by connivance with an affiliated corporation or business, attempts to induce suppliers of tough ash lumber to sell to him by arranging reciprocal shipments of other kinds of lumber to the tough ash lumber supplier, or by the sale of other kinds of lumber from any source to the tough ash lumber supplier at other than customary terms of payment.

Failure of a tough ash specialty establishment, which is affiliated with any sawmill operation, to preserve a complete segregation of its business activities from the affiliated sawmill company will also be considered grounds for revocation.

(iii) The following establishments have qualified as tough ash specialty establishments:

Bankston Lumber and Export Company, Savannah, Georgia.

Dudley Hardwood Company, New Orleans, Louisiana.

Thompson-Kats Lumber Company, Memphis, Tennessee.

Lamson Lumber Company, Inc., New Orleans, Louisiana.

Dixie Lumber Company, Charleston, South Carolina.

Maurice W. Grundy, 8201 Fig Street, New Orleans, Louisiana.

Southern Lumber Company, 200 Block, Octavia Street, New Orleans, Louisiana.

Southern Lumber Company, Donaldsonville, Louisiana.

[Subparagraphs (ii) and (iii) amended by Am. 13, effective 5–20–44]

[Subparagraph (1) amended by Am. 2, 8 F.R. 3530, effective 3–26–43; Am. 3, 8 F.R. 5177, effective 4–24–43; Am. 9, 8 F.R. 13728, effective 10–11–43 and as otherwise noted]

(2) ASH (OTHER THAN TOUGH ASH)

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1	$82.00	$60.00	$34.00	$28.00
1¼	84.00	41.00	35.00	24.00
1½	84.00	41.00	35.00	24.00
2	86.00	43.00	36.00	25.00
2½	87.00	44.00	36.00	----------
3	90.00	47.00	37.00	----------

(3) BASSWOOD

1	$65.00	$45.00	$35.00	$23.00

(4) BEECH

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 2A Common	Box Grade	No. 2B Common
1	$39.00	$32.00	$26.00	----------	----------	----------
1¼	44.00	36.00	29.00	----------	----------	----------
1½	49.00	40.00	32.00	----------	----------	----------
2	56.00	46.00	36.00	$30.00	$25.00	$21.00
2½	58.00	48.00	37.00	31.00	26.00	22.00
3	60.00	50.00	38.00	32.00	27.00	22.00
3½	64.00	53.00	40.00	33.00	28.00	23.00

(5) COTTONWOOD

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1	$26.00	$21.00	$27.00	----------
1¼	30.00	24.00	30.00	----------
1½	43.00	35.00	33.00	----------
2	50.00	44.00	37.00	$22.00
2½	52.00	46.00	39.00	24.00
3	52.00	46.00	39.00	24.00
3½	52.00	46.00	39.00	24.00
1 (13" & wider)	56.00	----------	----------	----------

(6) SOFT ELM

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1	$34.00	$27.00	$25.00	----------
1¼	38.00	31.00	28.00	----------
1½	43.00	34.00	30.00	----------
2	49.00	39.00	34.00	$23.00
2½	51.00	41.00	35.00	24.00
3	51.00	41.00	36.00	24.00
3½	53.00	43.00	36.00	25.00
4	54.00	44.00	36.00	----------
5	57.00	47.00	37.00	----------

(7) BLACK GUM—QUARTERED

1	$59.00	$49.00	$36.00	$23.00
1¼	61.00	51.00	37.00	24.00
1½	63.00	53.00	37.00	24.00
2	66.00	56.00	39.00	25.00
2½	76.00	61.00	44.00	----------
3	81.00	66.00	47.00	----------

(8) BLACK GUM—PLAIN

1	$46.00	$36.00	$25.00	----------
1¼	47.00	37.00	27.00	----------
1½	56.00	46.00	34.00	$23.00
2	66.00	48.00	36.00	24.00
2½	61.00	51.00	36.00	24.00
3	66.00	56.00	39.00	25.00

(9) RED GUM—QUARTERED

1	$102.00	$57.00	$40.00	$22.00
1¼	106.00	66.00	41.00	24.00
1½	108.00	69.00	41.00	24.00
2	109.00	71.00	45.00	25.00
2½	111.00	76.00	----------	----------
3	116.00	81.00	----------	----------

(10) RED GUM—PLAIN

1	$71.00	$44.00	$29.00	----------
1¼	81.00	48.00	34.00	----------
1½	98.00	53.00	40.00	$23.00
2	101.00	63.00	40.00	24.00
2½	101.00	64.00	40.00	24.00
3	103.00	66.00	44.00	25.00

(11) SAP GUM—QUARTERED

1	$66.00	$52.00	$36.00	$22.00
1¼	71.00	59.00	37.00	24.00
1½	73.00	60.00	37.00	24.00
2	76.00	61.00	41.00	25.00
2½	81.00	67.00	44.00	----------
3	84.00	71.00	49.00	----------

(12) SAP GUM—PLAIN

1	$48.00	$39.00	$27.00	----------
1¼	52.00	41.00	29.00	----------
1½	62.00	48.00	34.00	$23.00
2	66.00	53.00	35.00	24.00
2½	69.00	56.00	35.00	24.00
3	74.00	58.00	38.00	25.00
1 (13" & wider)	66.00	----------	----------	----------
1¼ (13" & wider)	73.00	----------	----------	----------

(13) HACKBERRY

Thickness (inch)	Log Run	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1	$30.00	----------	----------	----------	----------
1¼	34.00	----------	----------	----------	----------
1½	41.00	$49.00	$30.00	$34.00	$23.00
2	42.00	51.00	41.00	35.00	24.00
2½	43.00	51.00	41.00	36.00	24.00
3	44.00	53.00	43.00	36.00	25.00
3½	----------	54.00	44.00	36.00	----------
4	----------	57.00	47.00	37.00	----------

(14) HICKORY

Thickness (inch)	Log run	FAS	No. 1 Common	No. 2 Common	No. 3 Common
1	$41.00	$62.00	$43.00	$30.00	$22.00
1¼	43.00	64.00	45.00	31.00	23.00
1½	45.00	67.00	49.00	39.00	28.00
2	49.00	72.00	50.00	39.00	24.00

(15) MAGNOLIA

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1	$75.00	$53.00	$42.00	$23.00
1¼	79.00	56.00	44.00	24.00
1½	79.00	56.00	44.00	24.00
2	82.00	57.00	45.00	25.00
2½	87.00	62.00	46.00	----------
3	92.00	67.00	47.00	----------

(16) SOFT MAPLE—WHAD

½	$46.00	$39.00	$26.00	----------
⅝	52.00	44.00	29.00	----------
¾	58.00	49.00	32.00	----------
1	67.00	57.00	36.00	$23.00
1¼	69.00	59.00	38.00	24.00
1½	72.00	62.00	38.00	24.00
2	75.00	65.00	41.00	25.00
2½	77.00	67.00	41.00	----------
3	82.00	72.00	42.00	----------

(17) SOFT MAPLE—WHND

½	$38.00	$31.00	$26.00	----------
⅝	43.00	35.00	29.00	----------
¾	48.00	39.00	32.00	----------
1	55.00	45.00	36.00	$23.00
1¼	58.00	48.00	38.00	24.00
1½	60.00	50.00	38.00	24.00
2	64.00	54.00	41.00	25.00
2½	69.00	59.00	41.00	----------
3	75.00	65.00	42.00	----------

(18) RED OAK—QUARTERED

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	Sound Wormy	No. 3A Common	No. 3B Common
½	$48.00	$33.00	$27.00	$23.00	$22.00	$16.00
⅝	55.00	38.00	30.00	26.00	25.00	18.00
¾	61.00	42.00	33.00	28.00	27.00	19.00
1	71.00	48.00	38.00	32.00	31.00	21.00
1¼	81.00	53.00	40.00	38.00	31.00	21.00
1½	86.00	57.00	41.00	40.00	31.00	21.00
2	96.00	62.00	42.00	44.00	31.00	21.00

(19) RED OAK—PLAIN

½	$45.00	$32.00	$27.00	$23.00	$22.00	$16.00
⅝	51.00	36.00	30.00	26.00	25.00	18.00
¾	57.00	40.00	33.00	28.00	27.00	19.00
1	70.00	50.00	38.00	32.00	31.00	21.00
1¼	77.00	52.00	40.00	38.00	31.00	21.00
1½	79.00	52.00	41.00	40.00	31.00	21.00
2	86.00	54.00	42.00	44.00	31.00	21.00
2½	106.00	66.00	----------	----------	----------	----------
3	121.00	76.00	----------	----------	----------	----------
4	136.00	89.00	----------	----------	----------	----------

(20) WHITE OAK—QUARTERED

½	$68.00	$42.00	$27.00	$23.00	$22.00	$16.00
⅝	77.00	47.00	31.00	26.00	25.00	18.00
¾	87.00	53.00	34.00	28.00	27.00	19.00
1	106.00	66.00	39.00	32.00	31.00	21.00
1¼	111.00	66.00	41.00	38.00	31.00	21.00
1½	116.00	71.00	42.00	40.00	31.00	21.00
2	131.00	81.00	44.00	44.00	31.00	21.00
2½	141.00	91.00	----------	----------	----------	----------
3	156.00	101.00	----------	----------	----------	----------

(21) WHITE OAK—PLAIN

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	Sound Wormy	No. 3A Common	No. 3B Common
½	$55.00	$33.00	$27.00	$23.00	$22.00	$16.00
⅝	62.00	38.00	30.00	26.00	25.00	18.00
¾	70.00	42.00	33.00	28.00	27.00	19.00
1	85.00	52.00	38.00	32.00	31.00	21.00
1¼	97.00	54.00	40.00	38.00	31.00	21.00
1½	104.00	54.00	41.00	40.00	31.00	21.00
2	116.00	56.00	42.00	44.00	31.00	21.00
2½	136.00	73.00	----------	----------	----------	----------
3	151.00	88.00	----------	----------	----------	----------
4	166.00	103.00	----------	----------	----------	----------

(22) SWEET PECAN

Thickness (inch)	FAS	No. 1 Common	No. 2 Common	No. 3 Common
1	$61.00	$42.00	$29.00	$22.00
1¼	63.00	44.00	30.00	23.00
1½	66.00	48.00	28.00	23.00
2	71.00	49.00	38.00	24.00

(23) YELLOW POPLAR—QUARTERED

Thickness (inch)	FAS	Saps and Selects	No. 1 Common and Selects or No. 1 Common	No. 2A Common	No. 2B Common	No. 3 Common
1	$77.00	$64.00	$52.00	$41.00	$35.00	$23.00
1¼	82.00	70.00	53.00	44.00	36.00	24.00
1½	87.00	72.00	56.00	45.00	36.00	24.00
2	97.00	75.00	62.00	47.00	39.00	25.00

(24) YELLOW POPLAR—PLAIN

¾	$57.00	$52.00	$37.00	$27.00	$24.00	----------
¾	64.00	55.00	41.00	34.00	26.00	----------
1	72.00	59.00	49.00	41.00	35.00	$23.00
1¼	77.00	64.00	52.00	44.00	36.00	24.00
1½	82.00	67.00	55.00	45.00	36.00	24.00
2	92.00	70.00	59.00	47.00	39.00	25.00

(25) SYCAMORE—QUARTERED

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
¾	$54.00	$44.00	$36.00	----------
¾	54.00	44.00	36.00	----------
1	59.00	49.00	41.00	$23.00
1¼	61.00	51.00	41.00	24.00
1½	62.00	52.00	41.00	24.00
2	67.00	55.00	41.00	25.00

(26) SYCAMORE—PLAIN

¾	$46.00	$38.00	$29.00	----------
¾	48.00	38.00	29.00	----------
1	53.00	43.00	32.00	$23.00
1¼	55.00	45.00	34.00	24.00
1½	57.00	47.00	34.00	24.00
2	61.00	50.00	34.00	25.00

[Subparagraph (26) amended by Am. 1, 8 F.R. 3580, effective 3-26-43]

(27) TUPELO—QUARTERED

1	$59.00	$49.00	$36.00	$23.00
1¼	61.00	51.00	37.00	24.00
1½	63.00	53.00	37.00	24.00
2	68.00	58.00	39.00	25.00
2½	76.00	61.00	44.00	----------
3	81.00	66.00	47.00	----------

(28) TUPELO—PLAIN

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
¾	$46.00	$36.00	$25.00	----------
¾	47.00	37.00	27.00	----------
1	56.00	46.00	34.00	$23.00
1¼	58.00	48.00	36.00	24.00
1½	61.00	51.00	36.00	24.00
2	66.00	56.00	39.00	25.00

(29) WILLOW

1	$61.00	$47.00	$36.00	$23.00
1¼	63.00	49.00	37.00	24.00
1½	67.00	52.00	37.00	24.00
2	69.00	52.00	37.00	25.00

(30) BOX BOARDS

Species	Thickness (inch)	Width (inches)	
		13–17	9–12
Sap Gum	1	$68.00	$62.00
Cottonwood	1	62.00	54.00

(31) STRIPS

Species	Manufacture	Thickness (inch)	Width (inches)	Grade	
				Clear	No. 1 Common
White Oak	Quartered	1	2 to 5½	$68.00	$46.00
Red Oak	Quartered	1	2 to 5½	51.00	40.00

(32) CONSTRUCTION BOARDS

No. 1 Construction Boards (Rough, random widths) ---------- $34.00
No. 2 Construction Boards (Rough, random widths) ---------- 28.00
No. 3 Construction Boards (Rough, random widths) ---------- $17.00

NOTE: For construction boards machined to dressed widths as set out in NHLA Rules for the Measurement and Inspection of Hardwood Lumber issued January 1, 1943, $1.00 per M'BM may be added in addition to the appropriate allowance for machining as established in this regulation. This addition, however, may be made only when the purchaser specifies, and the seller furnishes, stock meeting this requirement.

In connection with each shipment of No. 1 Construction Boards, the invoice must be accompanied by an inspection certificate issued by the NHLA, certifying that the shipment meets the grade of No. 1 Construction Boards. Unless this is done, the maximum price for No. 2 Construction Boards shall be applicable to the shipment.

[Paragraphs deleted by Am. 6, 8 F.R. 10762, effective 8-7-43]

(33) FIGURED WOOD

Species	Manufacture	Thickness	Grade	
			FAS	No. 1 Common and Selects or No. 1 Common
Red Gum	Quartered	1	$111.00	$59.00
Red Gum	Plain	1	101.00	54.00

(34) PANEL AND WIDE NO. 1

Species	Width (inch)	Price
Sap Gum	15 and wider	$71.00
Cottonwood	15 and wider	79.00

[Subparagraphs (1) through (34) amended by Am. 9, 8 F.R. 13726, effective 10-11-43]

Deduction for mixed hardwoods. For Mixed Hardwood—Structural Stock or Sound Square Edge, deduct $4.00 from the maximum price for White Oak or Red Oak—Structural Stock or Sound Square Edge in the same size in above schedule.

The maximum prices set forth above supersede the maximum prices for like material authorized for individual sellers under the special pricing provisions of this regulation.

[Above paragraph added by Am. 11, 8 F.R. 17375, effective 1-4-44]

(36) WHITE OAK OR RED OAK—FREIGHT CAR STOCK, COMMON DIMENSION, MINE CAR LUMBER

Size (inches)	Lengths (feet)									
	10 to 16	18	20	22	24	26	28	30	32	36
2 x 6	$80	$55	$61	$67	$74	$85	$85	$85	$85	$85
2 x 8	80	55	61	67	74	85	85	85	85	85
2 x 10	80	55	61	67	74	85	85	85	85	85
2 x 12	80	55	61	67	74	85	85	85	85	85
2 x 14	80	55	61	67	74	85	85	85	85	85
2 x 16	80	55	61	67	74	85	85	85	85	85
3 x 6	80	55	61	67	74	85	85	85	85	85
3 x 8	80	55	61	67	74	85	85	85	85	85
3 x 10	80	55	61	67	74	85	85	85	85	85
3 x 12	80	55	61	67	74	85	85	85	85	85
3 x 14	80	55	61	67	74	85	85	85	85	85
3 x 16	80	55	61	67	74	85	85	85	85	85
4 x 6	80	55	61	67	74	85	85	85	85	85
4 x 8	80	55	61	67	74	85	85	85	85	85
4 x 10	80	55	61	67	74	85	85	85	85	85
4 x 12	80	55	61	67	74	85	85	85	85	85
4 x 14	80	55	61	67	74	85	85	85	85	85
4 x 16	80	55	61	67	74	85	85	85	85	85
6 x 6	80	55	61	67	74	85	85	85	85	85
6 x 8	80	55	61	67	74	85	85	85	85	85
6 x 10	80	55	61	67	74	85	85	85	85	85
6 x 12	80	55	61	67	74	85	85	85	85	85
6 x 14	80	55	61	67	74	85	85	85	85	85
6 x 16	80	55	61	67	74	85	85	85	85	85
8 x 8	80	55	61	67	74	85	85	85	85	85
8 x 10	80	55	61	67	74	85	85	85	85	85
8 x 12	80	55	61	67	74	85	85	85	85	85
8 x 14	80	55	61	67	74	85	85	85	85	85
8 x 16	80	55	61	67	74	85	85	85	85	85
10 x 10	80	55	61	67	74	85	85	85	85	85
10 x 12	80	55	61	67	74	85	85	85	85	85
10 x 14	80	55	61	67	74	85	85	85	85	85
10 x 16	80	55	61	67	74	85	85	85	85	85
10 x 18	80	55	61	67	74	85	85	85	85	85
12 x 12	80	55	61	67	74	85	85	85	85	85
12 x 14	80	55	61	67	74	85	85	85	85	85
12 x 16	80	55	61	67	74	85	85	85	85	85
12 x 18	80	55	61	67	74	85	85	85	85	85
12 x 20	80	55	61	67	74	85	85	85	85	85
14 x 14	80	55	61	67	74	85	85	85	85	85
14 x 16	80	55	61	67	74	85	85	85	85	85
14 x 18	80	55	61	67	74	85	85	85	85	85
14 x 20	80	55	61	67	74	85	85	85	85	85
14 x 22	80	55	61	67	74	85	85	85	85	85
14 x 24	80	55	61	67	74	85	85	85	85	85
14 x 26	80	55	61	67	74	85	85	85	85	85
15 x 18	80	55	61	67	74	85	85	85	85	85
15 x 20	80	55	61	67	74	85	85	85	85	85
16 x 16	80	55	61	67	74	85	85	85	85	85
16 x 18	80	55	61	67	74	85	85	85	85	85
16 x 20	80	55	61	67	74	85	85	85	85	85
16 x 22	80	55	61	67	74	85	85	85	85	85
16 x 24	80	55	61	67	74	85	85	85	85	85
16 x 26	80	55	61	67	74	85	85	85	85	85
18 x 18	80	55	61	67	74	85	85	85	85	85
18 x 20	80	55	61	67	74	85	85	85	85	85
18 x 22	80	55	61	67	74	85	85	85	85	85
18 x 24	80	55	61	67	74	85	85	85	85	85
18 x 26	80	55	61	67	74	85	85	85	85	85

(35) WHITE OAK OR RED OAK—STRUCTURAL STOCK OR SOUND SQUARE EDGE

Size (inches)	Lengths (feet)									
	10 to 16	18	20	22	24	26	28	30	32	36
2 x 6	$43	$46	$50	$54	$59	$65	$65	$65	$65	$65
2 x 8	43	46	50	54	59	65	65	65	65	65
2 x 10	43	46	50	54	59	65	65	65	65	65
2 x 12	43	46	50	54	59	65	65	65	65	65
2 x 14	43	46	50	54	59	65	65	65	65	65
2 x 16	43	46	50	54	59	65	65	65	65	65
3 x 6	43	46	50	54	59	65	65	65	65	65
3 x 8	43	46	50	54	59	65	65	65	65	65
3 x 10	43	46	50	54	59	65	65	65	65	65
3 x 12	43	46	50	54	59	65	65	65	65	65
3 x 14	43	46	50	54	59	65	65	65	65	65
3 x 16	43	46	50	54	59	65	65	65	65	65
4 x 6	43	46	50	54	59	65	65	65	65	65
4 x 8	43	46	50	54	59	65	65	65	65	65
4 x 10	43	46	50	54	59	65	65	65	65	65
4 x 12	43	46	50	54	59	65	65	65	65	65
4 x 14	43	46	50	54	59	65	65	65	65	65
4 x 16	43	46	50	54	59	65	65	65	65	65
6 x 6	43	46	50	54	59	65	65	65	65	65
6 x 8	43	46	50	54	59	65	65	65	65	65
6 x 10	43	46	50	54	59	65	65	65	65	65
6 x 12	43	46	50	54	59	65	65	65	65	65
6 x 14	43	46	50	54	59	65	65	65	65	65
6 x 16	43	46	50	54	59	65	65	65	65	65
8 x 8	43	46	50	54	59	65	65	65	65	65
8 x 10	43	46	50	54	59	65	65	65	65	65
8 x 12	43	46	50	54	59	65	65	65	65	65
8 x 14	43	46	50	54	59	65	65	65	65	65
8 x 16	43	46	50	54	59	65	65	65	65	65
10 x 10	43	46	50	54	59	65	65	65	65	65
10 x 12	43	46	50	54	59	65	65	65	65	65
10 x 14	43	46	50	54	59	65	65	65	65	65
10 x 16	43	46	50	54	59	65	65	65	65	65
10 x 18	43	46	50	54	59	65	65	65	65	65
12 x 12	43	46	50	54	59	65	65	65	65	65
12 x 14	43	46	50	54	59	65	65	65	65	65
12 x 16	43	46	50	54	59	65	65	65	65	65
12 x 18	43	46	50	54	59	65	65	65	65	65
12 x 20	43	46	50	54	59	65	65	65	65	65
14 x 14	43	46	50	54	59	65	65	65	65	65
14 x 16	43	46	50	54	59	65	65	65	65	65
14 x 18	43	46	50	54	59	65	65	65	65	65
14 x 20	43	46	50	54	59	65	65	65	65	65
14 x 22	43	46	50	54	59	65	65	65	65	65
14 x 24	43	46	50	54	59	65	65	65	65	65
14 x 26	43	46	50	54	59	65	65	65	65	65
15 x 18	43	46	50	54	59	65	65	65	65	65
15 x 20	43	46	50	54	59	65	65	65	65	65
16 x 16	43	46	50	54	59	65	65	65	65	65
16 x 18	43	46	50	54	59	65	65	65	65	65
16 x 20	43	46	50	54	59	65	65	65	65	65
16 x 22	43	46	50	54	59	65	65	65	65	65
16 x 24	43	46	50	54	59	65	65	65	65	65
16 x 26	43	46	50	54	59	65	65	65	65	65
18 x 18	43	46	50	54	59	65	65	65	65	65
18 x 20	43	46	50	54	59	65	65	65	65	65
18 x 22	43	46	50	54	59	65	65	65	65	65
18 x 24	43	46	50	54	59	65	65	65	65	65
18 x 26	43	46	50	54	59	65	65	65	65	65

Notes on White Oak or Red Oak—Structural Stock or Sound Square Edge

Random widths; In 2", 3" and 4" thicknesses—$43.00.

Free of heart; In 2", 3" and 4" thicknesses—add $6.00 to maximum price for same thickness, width and length in above schedule.

Prices for specific sizes not in schedule: The maximum price for material of length not included in this schedule shall be determined by adding to the maximum price for the next shorter length the proportionate amount of the difference between the maximum price of such next shorter length and the maximum price of the next longer length in above schedule.

Notes on White Oak or Red Oak—Freight Car Stock, Common Dimension, Mine Car Lumber.

Random widths; in 2" and 3" thicknesses—$50.00.

Free of heart; in 2" and 3" thicknesses—add $8.00 to maximum price for same thickness, width and length in above schedule.

Prices for specific sizes not in schedule:

The maximum price for material of a length not included in this schedule shall be determined by adding to the maximum price for the next shorter length the proportionate amount of the difference between the maximum price of such next shorter length and the maximum price of the next longer length.

In the case of any item for which the thickness or the width is not included in the schedule, the maximum price shall be the maximum price for the material of the next greater thickness or width.

The maximum prices set forth above supersede the maximum prices for like material authorized for individual sellers under the special pricing provisions of this regulation.

Deduction for mixed hardwoods. For Mixed Hardwoods—Freight Car Stock, Common Dimension, Mine Car Lumber, deduct $4.00 from the maximum price for White Oak or Red Oak—Freight Car Stock, Common Dimension, Mine Car Lumber, in the same size in above schedule.

[Above paragraph added by Am. 11, 8 F.R. 17375, effective 1-4-44]

[Subparagraphs (35) and (36) added by Am. 5, 8 F.R. 8860, effective 7-2-43]

(37) MIXED HARDWOODS NO. 1 DIMENSION

Thickness and width (inches)	Lengths (feet)										
	4	6	8	9	10	12	14	16	18	20	22 and 24
2 x 2	$27.50	$27.50	$34.50	$35.50	$34.50	$34.50	$35.50	$36.50	$38.00	$39.00	$44.50
2 x 3	26.50	26.50	33.50	34.50	33.50	33.50	34.50	35.50	37.00	38.00	43.50
2 x 4	25.50	25.50	32.50	33.50	32.50	32.50	33.50	34.50	36.00	37.00	42.50
2 x 5	25.50	25.50	32.50	33.50	37.50	37.50	37.50	38.50	42.00	44.00	48.50
2 x 6	29.00	29.00	36.00	38.50	32.50	32.50	33.50	34.00	36.00	37.00	42.50
2 x 8	25.50	25.50	32.50	33.50	32.50	32.50	33.50	34.00	36.00	37.00	42.50
2 x 10	25.50	25.50	32.50	33.50	37.50	37.50	37.50	38.50	42.00	44.00	48.50
2 x 12	29.00	29.00	36.00	38.50	39.50	39.50	39.50	40.50	44.00	46.00	50.50
	31.00	31.00	38.00	40.50							

(38) MIXED HARDWOODS NO. 2 DIMENSIONS

Thickness and width (inches)	Lengths (feet)										
	4	6	8	9	10	12	14	16	18	20	22 and 24
2 x 2	$25.50	$25.50	$31.50	$32.50	$31.50	$31.50	$32.50	$33.50	$35.00	$36.00	$41.50
2 x 3	24.50	24.50	30.50	31.50	30.50	30.50	31.50	32.50	34.00	35.00	40.50
2 x 4	23.50	23.50	29.50	30.50	29.50	29.50	30.50	31.50	33.00	34.00	39.50
2 x 5	24.00	24.00	30.00	34.00	33.00	32.00	32.00	32.00	35.50	37.50	43.00
2 x 6	22.50	22.50	28.50	29.50	28.50	28.50	29.50	30.00	32.00	33.00	38.50
2 x 8	22.50	22.50	28.50	29.50	28.50	28.50	29.50	30.00	32.00	33.00	38.50
2 x 10	24.00	24.00	30.00	34.00	33.00	32.00	32.00	32.00	35.50	37.50	43.00
2 x 12	26.00	26.00	32.00	34.00	33.00	33.00	33.00	34.00	37.50	38.50	44.00

[Subparagraphs (37), (38), and (39) added by Am. 10, 8 F.R. 15430, effective 11-15-43. Subparagraph (39) deleted by Am. 12, 9 F.R. 1454, effective 2-8-44]

(c) *Maximum prices for dunnage.* (1) The maximum rail-delivered price for 1,000 feet of dunnage lumber shall be as follows:

Delivered at:	Maximum delivered price
Baltimore, Maryland	$32.00
Beaumont, Texas	22.00
Boston, Massachusetts	36.00
Charleston, South Carolina	23.00
Corpus Christi, Texas	23.00
Galveston, Texas	23.00
Gulfport, Mississippi	22.00
Houston, Texas	23.00
Jacksonville, Florida	23.00
Lake Charles, Louisiana	22.00
Mobile, Alabama	22.00
Morgan City, Louisiana	22.00
Newark, New Jersey	34.00
New Orleans, Louisiana	22.00
New York, New York	34.00
Pensacola, Florida	23.00
Philadelphia, Pennsylvania	33.00
Port Arthur, Texas	23.00
Portsmouth, Virginia	26.00
Savannah, Georgia	28.00
Tampa, Florida	25.00

(2) The maximum price for dunnage delivered at the above ports by water shall be the rail-delivered price as above set forth less the difference between the rail transportation charge from the point of shipment to the particular port, computed by multiplying the applicable rail rate by the weight of the lumber based on 3500 pounds per M'BM, and the actual water transportation charge from the point of shipment to the particular port.

(3) The term "dunnage" as used above means lumber of any hardwood species, of standard widths and lengths, but poorer in quality than the lowest standard grade in the particular species.

(d) *Deduction for green.* For lumber shipped in a "green" condition, deduct from the maximum prices for air-dried lumber established in this Appendix "A", 10 percent of the maximum price for rough, air-dried material in the same specifications.

This deduction shall not apply to special sawn timbers, Tough Ash lumber, or to lumber customarily used without air seasoning, but it shall apply to any lumber which requires further air seasoning by the purchaser before being placed in the kiln for kiln-drying, or before fabrication if not kiln-dried.

The mere fact that the lumber is not used immediately, but is stored on the purchaser's yard, does not necessarily mean that green lumber has been shipped, but in case of dispute any lumber which weighs 25% or more in excess of the air-dried weight as published in the Rules for the Measurement and Inspection of Hardwood Lumber, issued by the National Hardwood Lumber Association, January 1, 1943, or for weights filed with the Office of Price Administration by the individual shippers, shall be considered to be "green".

Any purchaser who accepts "green" lumber at prices applicable to "dry" lumber is guilty of violation of the regulation to the same extent as the seller.

[Paragraphs (c) and (d) amended by Am. 5, 8 F.R. 8860, effective 7-2-43 and Am. 9, 8 F.R. 13728, effective 10-11-43]

(e) *Additions for kiln drying.* (1) To a moisture content not exceeding 9 percent at the time the lumber leaves the kiln.

	Thickness (inch)							
	½ & ⅝	¾	⅞	1"	1¼	1½	1¾	2"
Cottonwood, Elm, Hackberry, Yellow Poplar, Magnolia, Maple, Sycamore, Willow, Basswood	$4.00	$4.50	$5.00	$6.00	$6.50	$7.00	$9.00	$11.00
Ash, Beech, Black Gum, Tupelo, Plain and Quartered Sap Gum	4.50	5.00	6.00	7.00	8.00	9.00	11.00	13.00
Hickory, Plain Oak, Red Gum, Sweet Pecan	5.00	5.50	6.50	8.00	9.50	12.00	15.00	20.00
Quartered Oak	5.00	6.00	7.50	9.00	11.00	15.00	20.00	25.00

(2) To a moisture content between 9 and 20 percent at the time the lumber leaves the kiln.

	Thickness (inch)							
	½ & ⅝	¾	⅞	1"	1¼	1½	1¾	2"
Cottonwood, Elm, Hackberry, Yellow Poplar, Magnolia, Maple, Sycamore, Willow, Basswood	$2.50	$3.00	$3.50	$4.00	$4.50	$5.00	$6.00	$7.50
Ash, Beech, Black Gum, Plain and Quartered Sap Gum	3.50	3.50	4.00	5.00	5.50	6.00	7.50	9.00
Hickory, Plain Oak, Red Gum, Sweet Pecan	3.00	4.00	4.50	5.50	6.50	8.00	10.00	13.50
Quartered Oak	3.50	4.00	5.00	6.00	7.50	10.00	13.50	18.50

(3) If, at the request of the purchaser, the seller inspects, grades, and measures after kiln-drying, a further addition of 5 percent of the f. o. b. mill price of the lumber in a rough air-dried condition may be made.

(4) [Revoked]

[Subparagraph (4) revoked by Am. 4, 8 F.R. 5479, effective 4-29-43]

(f) *Mill working additions.*

	Less than 1", 1" and 1¼" thick	1¼" to 2" thick
Resawing 1 line	$3.00	$2.80
Resawing 2 lines	5.50	4.50
Surfacing 1 or 2 sides	2.50	2.25
Surfacing 2 sides and Resawing	5.00	4.25
Resawing and Surfacing 1 or 2 Sides	5.50	4.75
Surfacing 3 or 4 sides, or 1 side and 1 edge	4.00	3.50

[Paragraph (f) amended by Am. 5, 8 F.R. 8860, effective 7-2-43]

(g) *Miscellaneous additions.* (1) Anti-stain treatment: 50 cents per M.

(2) Stenciling on the face of each piece in a manner which will permit identification and segregation of a particular shipment: 50 cents. (This addition cannot be made for stenciling a trade mark on each piece.)

(3) Marking on each piece the surface measure and/or board measure and/or width and/or length of the piece: 50 cents per M.

(4) Bundling: $2.00 per M.

(5) End racking or band sawing: No addition.

(6) Where the purchaser requests an inspection by, and an inspection certificate issued by, the National Hardwood Lumber Association, the seller may make an added charge which does not exceed the inspection fees and expenses charged by the Association to the seller and shown on the certificate.

(h) *Custom kiln-drying and milling.* Where Southern hardwood lumber is kiln-dried or milled for the seller by a custom kiln or milling establishment, and the custom kiln or milling establishment is not owned or operated by, or connected with, the sawmill, the seller may add the actual cost of this custom kiln-drying or milling. The amount added may not be higher than the maximum price established by Maximum Price Regulation 165, as amended,[11] Services, for the custom kiln or milling establishment applicable to the sale of the services of custom kiln-drying or milling.

[Paragraph (h) added by Am. 4, 8 F.R. 5479, effective 4-29-43]

§ 1382.113 [Revoked]

[§ 1382.113 added by Am. 5, 8 F.R. 8860, effective 7-2-43 and revoked by Am. 7, 8 F.R. 11161, effective 8-14-43. Former § 1382.113 redesignated § 1382.114 by Am. 8]

§ 1382.114 *Appendix B: Description of Southern hardwood area.* (a) The Southern hardwood area includes the states of Alabama, Arkansas, Florida, Louisiana, Mississippi, Texas and Oklahoma, and the counties of Tipton, Haywood, Shelby, Fayette, Lauderdale and Hardeman in the State of Tennessee, and those portions of North Carolina, South Carolina, Virginia, and Georgia not included in the "Appalachian hardwoods area".

The "Appalachian hardwoods area" is that area circumscribed by a line beginning at the intersection of the western line of the State of West Virginia and the western line of the State of Pennsylvania; thence southwesterly on the western line of West Virginia to the western boundary of Boyd County, Kentucky; thence extending southwesterly through Kentucky along the generally northwestern boundaries of the following counties: Boyd, Carter, Rowan, Menifee, Powell, Estill, Jackson, Rockcastle, Pulaski, Wayne, and Clinton to the Tennessee state line; thence westerly along said state line to the western boundary of Pickett County, Tennessee; thence southerly in Tennessee along the western boundaries of Pickett, Fentress, Morgan, Roane, Rhea, and Hamilton Counties to the intersection of the western boundary of Hamilton County and the Nashville, Chattanooga, and St. Louis Railroad; thence easterly along said railroad through Chattanooga to the intersection of said railroad and the Georgia state line; thence easterly along said state line to the western boundary of Fannin County, Georgia; thence southeasterly in Georgia along the southwestern boundaries of Fannin County and Lumpkin County; thence generally easterly in Georgia along the southeastern boundary of Lumpkin County, the southern boundary of White County, and the southern and eastern boundaries of Habersham County to the South Carolina state line; thence southeasterly along said line to the southeastern boundary of Oconee County, South Carolina; thence in a generally northeasterly direction through South Carolina along the southeastern boundaries of Oconee and Pickens Counties, and the western, southern, and eastern boundaries of Greenville County to the North Carolina state line; thence easterly along the southern line of North Carolina to the eastern boundary of Cleveland County, North Carolina; thence northerly in North Carolina along the eastern boundaries of Cleveland and Burke Counties; thence continuing generally northeasterly in North Carolina along the eastern or southern boundaries of Alexander, Wilkes, and Surry Counties to the Virginia state line; thence east on said state line to the eastern boundary of Patrick County, Virginia; thence northeasterly through Virginia, following the eastern boundary of Patrick County and the southeastern boundaries of Franklin, Bedford, Amherst, Nelson, Albemarle, Greene, Madison, and Rappahannock Counties, turning southerly along the southwestern boundary of Fauquier County, and resuming a generally northerly direction along the eastern boundaries of Fauquier and Loudoun Counties to the Maryland state line; thence northwesterly along said state line to the eastern boundary of Frederick County, Maryland; thence northerly through Maryland along the eastern boundary of Frederick County to the Pennsylvania state line; thence westerly and thence northerly along said state line to the starting point. All sawmills on the boundary line of the Appalachian hardwoods area shall be deemed to be outside the Appalachian hardwoods area, except that mills in West Virginia and Maryland on the lines touching Pennsylvania and Ohio shall be deemed to be in the Appalachian area.

(b) Any sawmill located in the Southern hardwoods area, which satisfies all of the following requirements can sell its red oak and white oak lumber at the maximum prices established in § 1382.64 (b) (21), (22), (23), (24) and (25) of Maximum Price Regulation No. 155" (Central Hardwood Lumber).

(1) The mill must certify in a letter to the Lumber Branch of the Office of Price Administration, Washington, D. C., that (i) during the previous calendar month more than 45 percent of the hardwood lumber produced by the mill (either from logs or from rough lumber) was red and/or white oak and at least 85 percent of the oak logs and lumber received at the mill were obtained from logging operations or concentration yards located in the South Central hardwoods area (as defined in § 1382.58 (a) (4) (ii) of Maximum Price Regulation No. 155) and the counties of Tennessee not included in that area; (ii) the mill agrees to maintain these proportions during each calendar month in the future; (iii) the mill agrees not to purchase in the future, either directly or indirectly, any red or white oak stumpage or logs in the Southern hardwoods area at prices higher than the prices paid by the mill for the most comparable stumpage or logs purchased during March 1942; and (iv) the mill agrees that any oak lumber purchased by it in the future, either directly or indirectly, in the Southern hardwoods area will not be resold by it at prices higher than the maximum prices established in this Revised Maximum Price Regulation No. 97.

(2) The mill has been approved and certified by the Office of Price Administration as having qualified under this paragraph and the certification and the firm name and location of the mill have been published in the FEDERAL REGISTER.

(3) The mill agrees to and does certify to the Lumber Branch of the Office of Price Administration at the end of each following calendar month that during that month the mill satisfied all the requirements mentioned above.

The Office of Price Administration may at any time withdraw its approval and certification.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7000; Filed, May 15, 1944; 4:08 p. m.]

[11] 7 F.R. 4734, 5028, 5567, 6428, 6966, 8239, 8431, 8798, 8943, 8946, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6364, 8506, 8673, 10671, 10939, 11754, 12023, 12710, 13302, 13472, 14999; 9 F.R. 1819.

[11] 8 F.R. 13007, 14343, 16430, 17414; 9 F.R. 1454.

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 64]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The second and third sentences of section 17.1 (d) are amended to read as follows: "Also, for each week during which the person who turned over the book lives in his establishment (or in the premises maintained in connection with it) for seven (7) consecutive days or more and takes eight (8) or more meals there, he must remove ten (10) points of stamps currently valid for processed foods. For each ten days during which that person lives in his establishment the institutional user must remove ten (10) points of stamps currently valid for foods covered by Ration Order 16."

This amendment shall become effective May 17, 1944.

(Pub Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. 1–E, 1–M and 1–R, 7 F.R. 562, 2965, 7234, respectively; War Food Orders 56, 58, 59, 61, 74, 9 F.R. 4219, 4320, 4321)

Issued this 16th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7036; Filed, May 16, 1944; 11:34 a. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[RMPR 348]

RED CEDAR LOGS

Maximum Price Regulation No. 348 is redesignated Revised Maximum Price Regulation No. 348 and is revised and amended to read as set forth herein. In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1312.401 *Maximum prices for Red Cedar logs.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Revised Maximum Price Regulation No. 348 (Red Cedar Logs), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1312.401, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2287, 2252, 2476, 2789, 3030, 3030, 3075, 3340, 3704, 3577, 4196.

REVISED MAXIMUM PRICE REGULATION NO. 348—RED CEDAR LOGS

CONTENTS

Sec.
1. Coverage.
2. Over-ceiling prices prohibited.
3. Items not listed.
4. Billing and records.
5. Prohibited practices.
6. Adjustable pricing.
7. Adjustments and petitions.
8. Enforcement.
9. Licensing.
10. Maximum prices.

SECTION 1. *Coverage.* The coverage of this regulation is as follows:

(a) *Geographical.* Red Cedar logs produced in Alabama, Georgia, Kentucky, Louisiana, Mississippi, North and South Carolina, Tennessee, Virginia, West Virginia, Arkansas, Texas, Oklahoma, Missouri, Kansas, Iowa and Nebraska.

(b) *Kind of logs.* All commercial Red Cedar logs (Juniperus Virginiana) whether sold as logs or cordwood.

SEC. 2. *Over-ceiling prices prohibited*—(a) *General.* On and after May 15, 1944, regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive, Red Cedar logs at prices higher than those in this regulation; and no person shall offer or attempt to do any of these things.

(b) *Prices.* The maximum prices are set forth in section 10.

(c) *Lower prices.* Prices under ceiling may, of course, be charged and paid.

(d) *Terms.* The maximum price cannot be increased for the extension of credit. The maximum price does not have to be reduced where the buyer purchases on cash terms.

SEC. 3. *Items not listed.* The maximum price for Red Cedar logs produced in an area not listed is the "September-October 1942 price", as it was frozen by Maximum Price Regulation 348. If, for any reason, you cannot determine what the ceiling is, write to the Lumber Branch, Office of Price Administration, Washington, D. C., for determination of the price.

SEC. 4. *Billing and records.* You must make a two-copy billing covering every sale. Each buyer and seller must keep one copy as a record. It must contain enough specifications and details to show whether the price is proper or not. One billing may cover all logs delivered in a period of not over two weeks.

SEC. 5. *Prohibited practices*—(a) *In general.* Any practice which gets the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Up-grading, up-scaling, or allowing a greater net scale footage than the actual contents.

(2) Increasing the price of logs by failing to make an effort in good faith to collect advances to loggers. An advance to a logger is to be considered part of the price of the logs.

(3) Adding to the maximum prices a charge for grading, scaling or inspection.

(c) *Purchases of stumpage and payments to loggers.* It is a violation of this regulation to sell or purchase stumpage and contract for the seller to cut the stumpage if the total amount paid for the stumpage and the logging is higher than the ceiling for the logs.

(d) *Purchasing commissions.* Purchasing commissions cannot be added to the ceiling. By purchasing commission is meant any payment for buying, selling, or locating logs, if the amount is in any way related to the quantity of logs involved.

SEC. 6. *Adjustable pricing.* You may agree to sell at a price which can be increased to the ceiling at time of delivery, but not beyond.

SEC. 7. *Adjustments and petitions*—(a) *Government contracts.* (See Procedural Regulation No. 6.)[1]

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[1]

SEC. 8. *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided for by the Emergency Price Control Act of 1942.

SEC. 9. *Licensing.* The provisions of Licensing Order No. 1,[2] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or applicable price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 10. *Maximum prices.* The maximum prices for Red Cedar logs are set forth below:

Area. Part of the Eastern United States by zones as follows:

Zone 1. Alabama, Georgia, Kentucky, Louisiana east of the Mississippi River, Mississippi, North Carolina, South Carolina, Tennessee, Virginia and West Virginia.

Zone 2. Arkansas, Louisiana west of the Mississippi River, Texas, Oklahoma, Missouri, Kansas, Iowa and Nebraska.

Scaling and grading rules—Scale rule. Logs shall be measured on a board foot basis. The Cedar Log Scale (Two-thirds Rule) shall be used as the basis for board foot measurement of all logs up to 16" in diameter and the Doyle Log Rule shall be used for logs larger than 16" in diameter.

Diameter. Minimum diameter—4 inches. The diameter shall be measured at the small end of the log, inside the bark, at the smallest diameter with all fractions of an inch counted back to the next lower full inch.

Length. Logs shall be cut into 8 foot lengths plus normal trim allowance (but not less than 2"). A maximum of 10 percent of the log shipment may be less than 8 feet in length. No charge can be made for the trim allowance.

[1] 7 F.R. 5087, 6554; 8 F.R. 6173, 6174, 12024.
[2] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 3075.
[3] 8 F.R. 13240.

General requirements. Logs must be sound at both ends with sound knots. All knots should be trimmed smooth with the body of the tree. Ends must be sawed, not chopped. Logs must be reasonably straight.

Culls. Any log not meeting the above specifications shall be classed as a cull. If more than 10 percent of the logs are less than 8 feet in length, the quantity over 10 percent shall be classed as cull logs.

Maximum prices—(a) *To producer.*

Zone 1. $55.00 per M feet log scale.

Zone 2. $50.00 per M feet log scale.

Delivery. These prices are f. o. b. cars at rail siding common carrier railroad or delivered to the mill by truck from within 25 miles of the buying plant. If Red Cedar logs are delivered to the mill by truck from a distance in excess of 25 miles, the buyer may add to the above ceiling price 10 cents per thousand feet log scale for each additional load mile.

If the buyer takes delivery of the logs at some place other than on cars or at his plant, the maximum price must be reduced by either:

(1) The cost per M feet log scale to the buyer of trucking logs to the rail siding and loading on cars, if delivery to the mill is by rail, or

(2) The cost per M feet log scale to the buyer of trucking logs to his plant, if logs are delivered to his plant by truck.

(b) *To concentrator.* Where Red Cedar logs are bought from producers and resold to consumers in carload quantities, the buyer may apply to the Lumber Branch, Office of Price Administration, Washington, D. C., for permission to add 15 percent to the producer price of those logs. The application must contain the names and addresses of the concentrators and the locations where they operate. This addition must be shown separately on the invoice. It must not be made on the seller's own production, and no part of the 15 percent may be passed on to the producer. The permission will be withdrawn if it appears that it has been used to evade this regulation.

(c) *Special pricing.* Buying plants who have customarily purchased cedar logs on a basis other than the board foot may apply in writing to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for the approval of a price on a basis other than the board foot. The application must contain an adequate description of the area from which cedar logs have been purchased on a basis other than the board foot, the type of seller from whom they buy (i. e., producer or concentrator) as well as information showing the level of price paid to the producer or concentrator during the period of from January 1, 1944, to March 31, 1944.

This regulation shall become effective May 15, 1944.

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7003; Filed, May 15, 1944; 4:06 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 533–1]

CENTRAL LOGS

In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1312.102 *Maximum prices for Central logs.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 533–1—Central logs, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1312.102, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 533–1—CENTRAL LOGS

CONTENTS

Sec.
1. Coverage.
2. Over-ceiling prices prohibited.
3. Billing and records.
4. Prohibited practices.
5. Adjustable pricing.
6. Adjustments and petitions.
7. Enforcement.
8. Licensing.
9. Maximum prices.
10. Specific price option.
11. Rules applicable to specific prices.
12. Maximum prices—Zone 1.
13. Maximum prices—Zone 2.
14. Conditional exemptions.
15. Specific prices in Zone 3 (Part of Ohio).

SECTION 1. *Coverage.* The coverage of this regulation is as follows:

(a) *Geographical.* The area covered by this regulation is, with one exception, the same as that covered by Maximum Price Regulation 155, Central Hardwood Lumber. The exception is that the State of Missouri south of the Missouri River is not included. (The individual zone descriptions in section 10 show the exact coverage by states and counties.)

(b) *Kind of logs.* This regulation covers all commercial hardwood and softwood logs of all species except the high grade veneer logs in Revised Maximum Price Regulation 313, Veneer Logs.

SEC. 2. *Over-ceiling prices prohibited*—(a) *General.* On and after May 15, 1944, regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive, Central logs at prices higher than those in this regulation; and no person shall offer or attempt to do any of these things.

(b) *Prices.* The maximum prices are set forth in sections 9 to 15.

(c) *Lower prices.* Prices under ceiling may, of course, be charged and paid.

(d) *Terms.* The maximum price cannot be increased for the extension of credit. The maximum prices does not have to be reduced where the buyer purchases on cash terms.

SEC. 3. *Billing and records.* You must make a two-copy billing covering every sale. Each buyer and seller must keep one copy as a record. It must contain enough specifications and details to show whether the price is proper or not. One billing may cover all logs delivered in a period of not over two weeks.

SEC. 4. *Prohibited practices*—(a) *In general.* Any practice which gets the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Up-grading, up-scaling, or allowing a greater net scale footage than the actual contents.

(2) Increasing the price of logs by failing to make an effort in good faith to collect advances to loggers. An advance to a logger is to be considered part of the price of the logs.

(3) Adding to the minimum prices a charge for grading, scaling or inspection.

(4) Paying for logs on the basis of end product prices less a charge for custom-sawing or other services.

(c) *Purchases of stumpage and payments to loggers.* It is a violation of this regulation to sell or purchase stumpage and contract for the seller to cut the stumpage, if the total amount paid for the stumpage and the logging is higher than the ceiling for the logs.

(d) *Purchasing commissions.* Purchasing commissions cannot be added to the ceiling. By purchasing commission is meant any payments for buying, selling, or locating logs, if the amount is in any way related to the quantity of logs involved.

SEC. 5. *Adjustable pricing.* You may agree to sell at a price which can be increased to the ceiling at the time of delivery, but not beyond.

SEC. 6. *Adjustments and petitions*—(a) *Government contracts.* (See Procedural Regulation No. 6.)[1]

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

SEC. 7. *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided for by the Emergency Price Control Act of 1942.

SEC. 8. *Licensing.* The provisions of Licensing Order No. 1,[3] licensing all persons who makes sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of applicable price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 9. *Maximum prices; Zones 1 and 2 only* (not Zone 3; see section 12). The maximum price for logs produced in that portion of the Central log area covered in Zones 1 and 2 (defined below) is the

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8067, 5664; 8 F.R. 6173, 6174, 12024.
[2] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 3075.
[3] 8 F.R. 13240.

buyer's highest legal price on January 12, 1944.

This price is either:

(a) If the buyer did not have an exemption under an area pricing petition under section 9 of Maximum Price Regulation 348, the September–October 1942 price as it was frozen by Maximum Price Regulation 348; or

(b) If the buyer had an exemption under an area pricing petition, the lower of the following:

(1) The buyer's actual prices in effect on January 12, 1944, as established by a contract, firm commitment, or offer to buy at stated prices (only if these prices were lower than the petition prices); or

(2) The price for which the buyer petioned in his area pricing petition filed under section 9 of Maximum Price Regulation 348.

SEC. 10. *Specific price option.* In any case, any buyer, whether he is under paragraph (a) or (b) of section 9, may pay up to the woods run prices in sections 12 and 13 for logs produced in Zones 1 and 2.

SEC. 11. *Rules applicable to specific prices.* The following rules apply whereever the specific ceiling prices in sections 12, 13, and 15 are used.

(a) *General scaling rules.* All logs are to be scaled according to the Doyle Log Rule. The diameter of the log shall be measured at the small end of the log, inside the bark, at the average diameter. Fractions of an inch ½ and less must be counted back to the next lower inch. Fractions of an inch above ½ inch may be counted as the next higher diameter.

All logs are to be cut to lengths specified by the buyer. All logs 8' and longer must be cut 4 inches over length to allow for trim. Logs less than 8' must be cut 3" over length to allow for trim. Logs not cut sufficiently over length to allow for trim must be reduced in scale to the next lower standard length.

All unsound and unusable wood must be eliminated from the scale by deduction in measurement. The defects for which full deduction in scale must be made include hollows or large holes, rot, dote, windshake, large or excessive worm holes, damage in falling by drawn splinters, and crooks.

(b) *General grading rules.* Woods run grade shall consist of hardwood and cypress logs 10" and up in diameter, as produced from the forest, that are better than culls, and from which no selection of large-sized or high-quality logs has been made. If any large-sized or high-quality logs have been removed from the run of logs, the specific price tables may not be used.

A cull shall be considered any log whose net board foot scale, after deductions have been made for defects, is less than 50 percent of the gross board foot scale.

(c) *General delivery provisions.* The prices are for logs f. o. b. cars at rail sidings; f. o. b. barge at towable waters; or delivered to mill by truck from within a distance of 25 miles. If logs are delivered to the mill from a distance greater than 25 miles, a sum not to exceed 10 cents per thousand feet may be added for every additional load mile.

If the buyer takes delivery of logs at siding, f. o. b. barge at towable waters or at his mill, the buyer must deduct from any place other than f. o. b. cars at a rail his ceiling price either:

(1) The cost of delivering logs to a rail siding and loading on cars, if delivery to mill is by rail;

(2) The cost of delivering logs to towable waters and loading on barges, if delivery to mill is by water;

(3) The cost of trucking logs to the mill, if delivery to mill is by truck.

SEC. 12. *Maximum prices; Zone 1*—(a) *Area.* Logs produced in:

Kentucky. All counties west of and including the counties of Henderson, McClean, Muhlenburg, Butler, Warren and Allen.

Tennessee. All counties west of but not including the counties of Pickett, Fentress, Morgan, Roane, Rhea and Hamilton counties, except the counties of Shelby, Fayette, Hardeman, Haywood, Tipton and Lauderdale; but including that portion of Hamilton county lying south of the Nashville, Chattanooga and St. Louis Railroad.

Illinois. That portion of the state south of a line running from East St. Louis, Illinois, in St. Clair County, along the tracks of the Louisville and Nashville Railroad through the cities of Belleville, Mt. Vernon, and Eldorado, Illinois to their intersection with the eastern boundary of Saline County, thence along the eastern boundary of that county to its intersection with the northern boundary of Hardin County, thence east along the northern boundary to that county to the Ohio River.

Missouri. North of the Missouri River.

(b) *Maximum prices.* (Zone 1 logs)

TABLE 1

(Per M feet log scale)

Species:	Woodsrun grade
White Oak	$27.50
Red Oak	26.00
Poplar	27.00
Magnolia	25.00
Sweet Gum	26.00
Black Gum	24.00
Tupelo Gum	24.00
Cypress	24.00
Maple	24.00
Cherry	25.00
Tough Ash [1]	27.00
Other Ash	20.00
Beech	23.00
Sycamore	22.00
Elm	22.00
Hackberry	22.00
Cottonwood	23.00
Hickory [1]	25.00
Walnut [1]	35.00
Birch	23.00
Basswood	24.00
Other species	20.00

[1] If sold in conjunction with other species. Ceiling prices are established in separate regulations for Walnut, Ash and Hickory when purchased on an individual selection basis.

SEC. 13. *Maximum prices; Zone 2*—(a) *Area.* Logs produced in:

Illinois. That part of the State north of a line starting at the Junction of the tracks of the Louisville and Nashville Railroad with the western boundary of the State in East St. Louis; thence along the tracks of the Louisville and Nashville Railroad through the cities of Belleville, Mt. Vernon, and Eldorado, Illinois to the intersection of said tracks with the eastern boundary of Saline County; thence, south along the eastern boundary of Saline County to the northern boundary of Hardin County; thence easterly along the north boundary of Hardin County to the eastern boundary of the state.

Kentucky. The counties of Daviess, Ohio, Hancock, Breckinridge, Grayson, Edmonson, Meade, Hardin, Hart, Barren, Monroe, Cumberland, Metcalfe, Green, Larue, Jefferson, Bullitt, Nelson, Washington, Marion, Taylor, Adair, Russell, Spencer, Shelby, Oldham, Trimble, Carroll, Henry, Owen, Gallatin, Franklin, Anderson, Mercer, Boyle, Casey, Lincoln, Garrard, Jessamine, Woodford, Scott, Grant, Fayette, Madison, Clark, Bourbon, Harrison, Pendleton, Boone, Kenton, Campbell, Bracken, Robertson, Nicholas, Montgomery, Bath, Fleming, Mason, Lewis, Greenup.

Indiana. The entire State.

Ohio. The entire State except the counties of Cuyahoga, Geauga, Lake, Ashtabula, Trumbull, Summit, Portage, Mahoning, Lorain, Medina, Wayne, Ashland, Erie, Huron, Seneca, Richland, Knox, Sandusky, Wood, Lucas, Ottawa and Crawford.

(b) *Maximum prices; Zone 2 Logs.*

TABLE 2

Species:	Woodsrun grade
White Ash [1]	$30.00
Other Ash	25.00
Basswood	35.00
Beech	28.00
Cherry	35.00
Cottonwood	25.00
Elm	24.00
Sweet Gum	25.00
Other Gum	23.00
Hackberry	24.00
Hickory [1]	25.00
Hard Maple	36.00
Soft Maple	30.00
Red Oak	30.00
White Oak	36.00
Poplar	35.00
Sycamore	25.00
Other species	24.00
Walnut [1]	40.00

[1] If sold in conjunction with other species. Ceiling prices are established in separate regulations for Walnut, Ash and Hickory when purchased on an individual selection basis.

SEC. 14. *Conditional exemptions.* Any buyer wishing to get an exemption from the January 12, 1944, price in section 9 may file an application with the Lumber Branch, Office of Price Administration, Washington 25, D. C., containing the following information:

(a) Name and location of the buying plant.

(b) Actual prices paid on January 12, 1944, and prices you expect to pay (by species and by grade if so purchased).

(c) The area in which the buying price is to be used.

(d) The total volume of all species and all grades of logs purchased in M'BM log scale, and the total dollars paid for these logs for the month preceding the month of application.

(e) A statement to the effect that the buyer recognizes the need for keeping log prices at a minimum and that the expected price is not a price which will be used to obtain a buying advantage over a competitive log buying plant.

(f) A statement by the buyer that he will furnish the Lumber Branch of the Office of Price Administration a report by the 25th of each month, containing the following information for the preceding month.

(1) The total footage, log scale, of purchased logs of hardwood species, and total dollars paid for these logs f. o. b. mill.

(2) The total footage, log scale, of purchased logs of softwood species, and total dollars paid for these logs f. o. b. mill.

(3) The total footage, log scale, of purchased logs of high grade veneer, and total dollars paid for these logs f. o. b. mill.

(4) The total footage, log scale, of high grade veneer logs sold during the same month, and total dollars received for these logs f. o. b. mill.

If in the judgment of the Admihistrator the application for exemption is reasonable (based upon prices paid and expected to be paid) and is made in good faith, approval will be given by letter or telegram addressed to the applicant at the place of business designated in the application. The exemption takes effect when the approval is received by the buyer and will continue in effect unless the buyer fails to make his monthly report, or, unless the Lumber Branch finds that the prices paid by the buying plant are excessive for the area and tend to create a buying advantage for that particular plant over competitive buyers. If the exemption is removed, the buying plant's maximum price for logs reverts to the price established in sections 9 through 13.

SEC. 15. *Specific prices in Zone 3 (Part of Ohio)*—(a) *Area.* Logs produced in:

Ohio: The counties of Cuyahoga, Geauga, Lake Ashtabula, Trumbull, Summit, Portage, Mahoning, Lorain, Medina, Wayne, Ashland, Erie, Huron, Seneca, Richland, Knox, Sandusky, Wood, Lucas, Ottawa and Crawford.

(b) *Scaling rules.* All logs are to be scaled according to the Doyle Log Rule. The diameter shall be measured at the small end of the log, inside the bark, at the smallest diameter. Fractions of an inch ½ and less must be counted back to the next lower inch. Fractions of an inch above ½ inch may be counted as of the next higher inch.

All logs are to be cut to lengths specified by the buyer. The lowest acceptable length shall be 8'. All logs must be cut 4" over length to allow for trim. Logs that are not cut at least 4 inches over length shall be reduced in scale to the next standard lower length.

All unsound and unusable wood must be eliminated from the scale by deduction in measurement. The defects for which full deduction in scale must be made include hollows or large holes, rot, dote, windshake, large or excessive worm holes, damage in felling by drawn splinters, and crooks.

(c) *Grading rules*—(1) *No. 1 or veneer grade.* This grade shall include all logs 12 inches and up in diameter that do not have more than two standard 5-inch knots or comparable defect for each 16-feet of length. A center rot or dote in the butt end of the log will be permitted up to 25 percent of the log diameter for logs up to 24" in diameter and up to 6" for logs in excess of 24" in diameter without degrading the log; however, full deduction in scale for the defect must be made when scaling the log.

(2) *No. 2 grade.* This grade shall consist of all logs 8 inches and up in diameter that are better than culls and which do not grade as a No. 1 or Veneer logs.

(3) *Woodsrun grade* shall consist of logs 8 inches and up in diameter as produced from the forest that are better than culls and from which no selection of high-quality (No. 1 or Veneer Grade) logs has been made. If any high-quality logs have been removed from the run of logs, the remaining logs must be sold at prices no higher than the No. 2 grade price if ungraded, or at the applicable grade price if graded. When any low-quality logs have been removed from the run of logs, the remaining logs may still be sold at the woodsrun price.

(4) A cull log shall be one where the net board foot scale after deductions have been made for defect is less than 50 percent of the gross scale.

(d) *Delivery provisions.* These prices apply f. o. b. cars, or for logs delivered to the mill by truck from within 25 miles. If logs are delivered to a mill from a distance in excess of 25 miles, the buyer may add to the above ceiling prices 10 cents per thousand feet log scale for every load mile in excess of 25 miles.

If delivery of logs is taken at any point other than f. o. b. cars or at the mill by truck, the buyer must deduct:

(1) The cost of hauling logs to the rail siding and the cost of loading on cars, if logs are delivered to the mill by rail cars; or

(2) The cost of trucking logs to the mill if logs are delivered to the mill by truck.

(e) *Maximum prices, Zone 3.*

NOTE: These are the only applicable maximum prices in this zone. Sections 9, 10 and 14 do not apply to this zone.

TABLE 3

[Per M feet log scale]

Species	No. 1 grade	No. 2 grade	Woodsrun grade
White Oak	$55.00	$25.00	$35.00
Basswood	55.00	25.00	35.00
Hard Maple	55.00	25.00	35.00
Poplar	55.00	25.00	35.00
Ash [1]	50.00	22.50	30.00
Beech	50.00	22.50	30.00
Elm	50.00	22.50	30.00
Soft Maple	50.00	22.50	30.00
Red Oak and Black Oak	50.00	22.50	30.00
Cherry	50.00	22.50	30.00
Hickory	50.00	22.50	30.00
Cottonwood	45.00	20.00	25.00
Sycamore	45.00	20.00	25.00
Other hardwoods	45.00	20.00	25.00

[1] The above prices for ash will prevail for ash logs purchased in conjunction with other species and not on an individual selected basis.

This regulation shall become effective May 15, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8985; Filed, May 15, 1944; 8:56 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 533-4]

SOUTHERN LOGS

In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1312.105 *Maximum prices for Southern logs.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 533–4—Southern Logs, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1312.105, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 533–4—SOUTHERN LOGS

CONTENTS

Sec.
1. Coverage.
2. Over-ceiling prices prohibited.
3. Billing and records
4. Prohibited practices.
5. Adjustable pricing.
6. Adjustments and petitions.
7. Enforcement.
8. Licensing.
9. Maximum prices.
10. Specific price option.
11. Conditional exemptions.

SECTION 1. *Coverage.* The coverage of this regulation is as follows:

(a) *Geographical.* The area covered by this regulation is, with two exceptions, the same as the area covered by Revised Maximum Price Regulation 97, Southern Hardwood Lumber. The two exceptions are the exclusion of Florida and the inclusion of that part of Missouri south of the Missouri River. (The individual zone descriptions in section 10 show the exact coverage by states and counties.)

(b) *Kind of logs.* This regulation covers all commercial hardwood and softwood logs of all species, except the high-grade veneer logs in Revised Maximum Price Regulation 313, Veneer logs.

SEC. 2. *Over-ceiling prices prohibited*—(a) *General.* On and after May 15, 1944, regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive, southern logs at prices higher than those in this regulation; and no person shall offer or attempt to do any of these things.

(b) *Prices.* The maximum prices are set forth in section 9.

(c) *Lower prices.* Prices under ceiling may, of course, be charged and paid.

(d) *Terms.* The maximum price cannot be increased for the extension of credit. The maximum price does not

*Copies may be obtained from the Office of Price Administration.

have to be reduced where the buyer purchases on cash terms.

SEC. 3. *Billing and records.* You must make a two-copy billing covering every sale. Each buyer and seller must keep one copy as a record. It must contain enough specifications and details to show whether the price is proper or not. One billing may cover all logs delivered in a period of not over two weeks.

SEC. 4. *Prohibited practices*—(a) *In general.* Any practice which gets the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Up-grading, up-scaling, or allowing a greater net scale footage than the actual contents.

(2) Increasing the price of logs by failing to make an effort in good faith to collect advances to loggers. An advance to a logger is to be considered part of the price of the logs.

(3) Adding to the maximum prices a charge for grading, scaling or inspection.

(4) Paying for logs on the basis of end-product prices less a charge for custom-sawing or other services.

(c) *Purchases of stumpage and payments to loggers.* It is a violation of this regulation to sell or purchase stumpage and contract for the seller to cut the stumpage, if the total amount paid for the stumpage and the logging is higher than the ceiling for the logs.

(d) *Purchasing commissions.* Purchasing commissions cannot be added to the ceiling. By purchasing commission is meant any payment for buying, selling or locating logs, if the amount is in any way related to the quantity of logs involved.

SEC. 5. *Adjustable pricing.* You may agree to sell at a price which can be increased to the ceiling at time of delivery, but not beyond.

SEC. 6. *Adjustments and petitions*—(a) *Government contracts.* (See Procedural Regulation No. 6.)[1]

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

SEC. 7. *Enforcement.* (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided for by the Emergency Price Control Act of 1942.

SEC. 8. *Licensing.* The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of applicable price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 9. *Maximum prices.* The maximum prices for Southern logs are the buyer's highest legal price on January 12, 1944. This price is either:

(a) The September–October 1942 price as it was frozen by Maximum Price Regulation 348, if the buyer did not have an exemption under an area pricing petition under section 9 of Maximum Price Regulation 348; or

(b) If the buyer had an exemption under an area pricing petition, the lower of the following:

(1) The buyer's actual prices in effect on January 12, 1944, as established by a contract, firm commitment, or offer to buy at stated prices (only if these prices were lower than the petition prices); or

(2) The price for which the buyer petitioned in his area pricing petition.

SEC. 10. *Specific price option*—(a) *Who may use.* In any case, any buyer, whether he is under paragraph (a) or (b) above, may pay up to the woodsrun prices in this section.

(b) *General scaling rules*—(1) *Zones 1, 2, 3 and 4.* All logs are to be scaled according to the Doyle Log Rule, measured at the small end of the log. All pine logs are to be measured in the narrow way from inside of one bark to outside of the other bark, with all fractions of an inch counted back to the next lower figure. Hardwood logs are to be measured the narrow way inside of the bark with all fractions of an inch being counted back to the next lower figure.

(2) *Zone 5.* All logs are to be scaled according to the Doyle Log Rule. The diameter will be measured at the small end of the log at the smallest diameter with all fractions of an inch ½ or less counted back. If the fraction is over ½, it may be counted as the next higher inch. The diameter shall be measured inside the bark for all species.

(3) *Defects.* All unsound and unusable wood must be deducted by allowance in measurement. The defects for which full allowance must be made in measurement include hollows or large holes, rot, dote, windshake, large or excessive worm holes, splinter pulls and crook.

(4) *Lengths.* Logs shall be cut into lengths specified by the buyers. All logs 8' and over in length must be cut at least 4" over length to allow for trim, logs less than 8' in length shall be cut at least 3" over length to allow for trim. Any log which is not cut sufficiently over length to allow for trim must be reduced in scale to the next lower standard length.

(c) *General grading rules.* (1) Woodsrun grade shall consist of the entire product of the forest of the specified species or groups of species with all culls excluded. It is understood that a woodsrun of logs shall contain the full amount of good logs which the standing timber will produce and that no large or high grade logs are to be separated from the run of logs. If any large or high grade logs have been selected from the run of logs, the prices in this section may not be used.

(2) A cull log is one whose net board foot scale after deductions for defects is less than 50 percent of the gross scale.

(d) *General delivery provisions.* If the buyer takes delivery at any point short of the delivery point specified in the particular zone, the cost to the buyer of bringing the logs to that point must be deducted from the ceiling.

(e) *Maximum prices; Zone 1*—(1) *Area of production.* Alabama: Baldwin and Mobile counties and those portions of Washington, Clarke and Monroe counties south of Township line between Townships 5 North and 6 North; Mississippi—All of George and Greene counties.

(2) *Prices.* Zone 2 prices plus $1.00 per M.

(f) *Maximum prices; Zone 2*—(1) *Area of production.* Alabama: All of Conecuh county, the remainder of Washington, Clarke and Monroe counties north of Township line between Townships 5 North and 6 North, and that portion of Choctaw county which is south of the Township line between Township 11 North and Township 12 North; Mississippi—All of Wayne county.

(2) *Maximum prices.*

TABLE I—ZONE 2 LOGS

Species:	Woodsrun 10" and up
Cypress	$21.00
Oak (except overcup oak) Magnolia, Poplar, all Gums, Tupelo	21.00
Cottonwood, Sycamore, Beech, Maple, Overcup Oak, Basswood, Willow	18.00
Elm, Hackberry, Pecan, Hickory, other Hardwoods	16.00
Ash	24.00
Shortleaf Slash and Loblolly Pine Woodsrun 8" and up	22.00
Longleaf Pine Woodsrun 8" and up	25.00
Dense Shortleaf, Logs 15" and larger, 16 to 20 feet long	24.00
Dense Shortleaf, Logs 15" and larger, 22 to 29 feet long	26.00
Dense Shortleaf, Logs 15" and larger, 30 feet and longer	30.00
Longleaf, Logs 15" and larger, 16 to 20 feet long	28.00
Longleaf, Logs 15" and larger, 22 feet and longer	30.00

(3) *Selected gum veneer logs.* For Gum logs selected for the cutting of commercial veneer, the buyer may add $5.00 per thousand board feet log scale to the above prices for tupelo gum and $2.50 per thousand for other Gums.

(4) *Delivery provisions.* The prices are for logs either delivered to a railroad landing, or on the bank adjacent to navigable waters placed in good condition for loading, or delivered to a buying plant by truck or wagon.

The base price applies for logs delivered to the nearest shipping point or mill closest to the source of supply. If delivered to any mill or shipping point greater than 4 air miles beyond nearest mill or shipping point, an additional $1.00 per M may be paid, except that this shall not apply from any point where

[1] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.
[2] 7 F.R. 8961; 8 F.R. 3313, 3538.
[3] 8 F.R. 13240.

there is located a mill which is buying the same kind and species of log.

If logs are sold loaded on cars or on gun boats are rafted, an addition of $2.00 per thousand board feet may be paid. If bought delivered to buying plant by water an addition of $2.00 plus the actual cost of towing may be paid.

(5) *Long log measurement.* All logs 24 feet and over in length shall be computed as if cut into separate logs 16 feet long, beginning at large end; diameter at small end of each such supposed log shall be determined by calipering, with ½ inch and fractions thereof deducted for bark in the case of pine logs and 1 inch and all fractions deducted in the case of hardwood logs. If fractions at small end remaining after successive 16-foot measurements is less than 8 feet, it shall be treated as part of the adjoining 16-foot log and the entire log measured as based on diameter at small end; each such fraction 8 feet and over shall be measured as a separate log.

(g) *Maximum prices; Zone 3*—(1) *Area of production.* Alabama: that part of Choctaw county which is north of the Township line between Township 11 North and Township 12 North, and the entire counties of Marengo and Wilcox; Mississippi—All of Clarke county.

(2) *Prices.* Zone 2 prices minus $1.00 per M.

(h) *Maximum prices; Zone 4*—(1) *Area of production.* Texas; Oklahoma; Arkansas; Louisiana; Mississippi, excluding the counties of Clarke, George, Greene, and Wayne; and Alabama, excluding the counties of Baldwin, Choctaw, Clarke, Conecuh, Marengo, Mobile, Monroe, Washington and Wilcox.

That portion of Missouri south of the Missouri River.

In Tennessee, the counties of Fayette, Hardeman, Haywood, Lauderdale, Shelby and Tipton.

(2) *Prices.*

TABLE II—ZONE 4 LOGS

(Per M feet log scale)

Species:	Woodsrun grade
White Oak	$23.00
Red Oak	23.00
Poplar	23.00
Magnolia	23.00
Sweet Gum	23.00
Black Gum	23.00
Tupelo Gum	23.00
Cypress	24.00
Maple	22.00
Cherry	24.00
Tough Ash[1]	25.00
Other Ash	20.00
Beech	20.00
Sycamore	22.00
Elm	22.00
Hackberry	20.00
Cottonwood	22.00
Willow	22.00
Hickory[1]	21.00
Sweet Pecan	20.00
Walnut[1]	30.00
Birch	20.00
Basswood	21.00
Other Hardwoods	20.00

[1] If sold in conjunction with other species. Dollars and cents ceiling prices are established for Ash, Hickory and Walnut when purchased on an individual selected basis in separate regulations.

Pine

Woodsrun 8" and up in Mississippi and Alabama	$22.00
Woodsrun 8" and up in Louisiana and Arkansas	20.00
For Dense Short Leaf, 12" and up, add $2.00	
For Longleaf 12"–14", Add $3.00	
For Longleaf 15" and up, add $5.00	
For Pine Lengths 22'–28', 15" and up, add $2.00	
19" and up 28' Stringer Logs (Dense Pine)	30.00
19" and up 24' and 26' Stringer Logs	28.00

(3) *Delivery provisions.* These prices are for logs f. o. b. railroad cars at rail siding, or delivered to a place where water shipment is to begin (placed in good condition for loading), or delivered to the mill by truck from within 25 miles of the buying plant. For logs delivered to the plant from a distance over 25 miles, the buyer may add 10 cents per thousand feet log scale for every load mile over the first 25 miles.

If logs are purchased delivered to a place where water shipment is to begin, the buyer may add to the ceiling price $2.00 per thousand feet log scale for loading on barges.

If delivery of logs to the mill by truck necessitates payments of tolls, the buyer may pay for the toll in addition to the ceiling price.

(j) *Maximum prices; Zone 5*—(1) *Area of production.* Georgia, excluding the counties of Rabun, Habersham, White, Lumpkin, Union, Fannin and Towns; South Carolina, excluding the counties of Greenville, Pickens and Oconee; that portion of North Carolina east of and including the counties of Stokes, Yadkin, Iredell, Catawba, Lincoln and Gaston; that portion of Virginia east of and including the counties of Fairfax, Prince William, Stafford, Culpeper, Orange, Louisa, Fluvanna, Buckingham, Appomattox, Campbell, Pittsylvania, and Henry but excluding the counties of Accomac and Northampton.

(2) *Prices.*

TABLE 3—ZONE 5 LOGS

(Per M feet log scale)

Species:	Woodsrun all diameters
Oak	$24.00
Poplar	25.00
Magnolia	25.00
Gum	25.00
Maple	25.00
Tough Ash[1]	30.00
Other Ash	22.00
Beech	22.00
Sycamore	22.00
Elm	23.00
Other Hardwoods	22.00
Pine	25.00
Cypress	25.00

[1] If sold in conjunction with other species. Dollars-and-cents ceiling prices are set forth for selected Ash in a separate regulation.

(3) *Delivery provisions.* These prices are for logs f. o. b. railroad cars at rail siding of a common carrier railroad, f. o. b. barge at towable waters, or delivered to the mill by truck from within 25 miles of the buying plant. For logs delivered to the plant from a distance over 25 miles, the buyer may add 10 cents per thousand feet log scale for every load mile over the first 25 miles.

SEC. 11. *Conditional exemptions.* Any buyer wishing to get an exemption from the January 12, 1944 price may file an application with the Lumber Branch, Office of Price Administration, Washington 25, D. C., containing the following information:

(a) Name and location of the buying plant.

(b) Actual prices paid on January 12, 1944 and prices you expect to pay (by species and by grade if so purchased).

(c) The area in which the buying price is to be used.

(d) The total volume of all species and all grades of logs purchased in M'BM log scale, and the total dollars paid for these logs, for the month preceding the month of application.

(e) A statement that the buyer recognizes the need for keeping log prices at a minimum and that the expected price is not a price which will be used to obtain a buying advantage over a competitive log buying plant.

(f) A statement by the buyer that he will furnish the Lumber Branch of the Office of Price Administration a report by the 25th of each month, containing the following information for the preceding month.

(1) The total footage, log scale, of purchased logs of hardwood species, and total dollars paid for these logs f. o. b. mill.

(2) The total footage, log scale, of purchased logs of softwood species, and total dollars paid for these logs f. o. b. mill.

(3) The total footage, log scale, of purchased logs of high grade veneer, and total dollars paid for these logs f. o. b. mill.

(4) The total footage, log scale, of high grade veneer logs sold during the same month, and total dollars received for these logs f. o. b. mill.

If in the judgment of the Administrator the application for exemption is reasonable (based upon prices paid and expected to be paid) and is made in good faith, approval will be given by letter or telegram addressed to the applicant at the place of business designated in the application. The exemption takes effect when the approval is received by the buyer and will continue in effect unless the buyer fails to make his monthly report, or, unless the Lumber Branch finds that the prices paid by the buying plant are excessive for the area and tend to create a buying advantage for that particular plant over competitive buyers. If the exemption is removed, the buying plant's maximum price for logs revert to the January 12, 1944 level.

This regulation shall become effective May 15, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6988; Filed, May 15, 1944; 8:50 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 533-5]

NORTHEASTERN LOGS

In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1312.106 *Maximum prices for Northeastern logs.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 533-5, Northeastern Logs, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1312.106, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION No. 533-5—NORTHEASTERN LOGS

CONTENTS

Sec.
1. Coverage.
2. Over-ceiling prices prohibited.
3. Billing and records.
4. Prohibited practices.
5. Adjustable pricing.
6. Adjustments and petitions.
7. Enforcement.
8. Licensing.
9. General log scaling rules.
10. General log grading rules.
11. Special pricing.
12. General provisions on delivery of loge.
13. Zone 1—New England.
14. Zone 2.
15. Zone 3.
16. Zone 4.

SECTION 1. *Coverage.* The coverage of this regulation is as follows:

(a) *Geographical.* Logs produced in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, and Accomac and Northampton Counties in Virginia.

(b) *Kind of logs.* All logs, with one exception: In New York, Pennsylvania and states south of them, Revised Maximum Price Regulation 313, Veneer Logs, applies to certain high-grade veneer logs. Revised Maximum Price Regulation 313 does not apply to New England (i. e. Zone 1 in this regulation).

SEC. 2. *Over-ceiling prices prohibited*—(a) *General.* On and after May 15, 1944, regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive, Northeastern logs, at prices higher than those in this regulation, and no person shall offer or attempt to do any of these things.

(b) *Prices.* The maximum prices are set forth in sections 13 to 16.

(c) *Lower prices.* Prices under ceiling may, of course, be charged and paid.

(d) *Terms.* The maximum price cannot be increased for the extension of credit. The maximum price does not have to be reduced where the buyer purchases on cash terms.

SEC. 3. *Billing and records.* You must make a two-copy billing covering every sale. Each buyer and seller must keep one copy as a record. It must contain enough specifications and details to show whether the price is proper or not. One billing may cover all logs delivered in a period of not over two weeks.

SEC. 4. *Prohibited practices*—(a) *In general.* Any practice which gets the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific practices.* The following are among the specific practices prohibited.

(1) Up-grading, up-scaling, or allowing a greater net scale footage than the actual contents.

(2) Increasing the price of logs by failing to make an effort in good faith to collect advances to loggers. An advance to a logger is to be considered part of the price of the logs.

(3) Adding to the maximum prices a charge for grading, scaling or inspection.

(c) *Purchases of stumpage and payments to loggers.* It is a violation of this regulation to sell or purchase stumpage and contract for the seller to cut the stumpage, if the total amount paid for the stumpage and the logging is higher than the ceiling for the logs.

(d) *Purchasing commissions.* Purchasing commissions cannot be added to the ceiling. By purchasing commission is meant any payment for buying, selling, or locating logs, if the amount is in any way related to the quantity of logs involved.

SEC. 5. *Adjustable pricing.* You may agree to sell at a price which can be increased to the ceiling at time of delivery, but not beyond.

SEC. 6. *Adjustments and petitions*—(a) *Government contracts.* (See Procedural Regulation No. 6).[1]

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

SEC. 7. *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided for by the Emergency Price Control Act of 1942.

SEC. 8. *Licensing.* The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of applicable price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 9. *General log scaling rules.* Except where a special rule is provided, the following scaling rules apply:

(a) *Diameters.* Logs shall be scaled inside the bark at the small end of the log. Fractions of an inch ½ or less shall be dropped. Fractions of an inch above ½ may be raised to the next higher inch.

(b) *Lengths.* Minimum length—8'; logs shall be cut into even lengths unless otherwise specified by the buyer. All logs shall be cut at least 4" over length to allow for trim. Logs which are not cut at least 4" over length to allow for trim shall be reduced in scale to the next lower standard length.

(c) *Deductions.* All unsound and unusable wood shall be eliminated from the scale by allowance in measurement. The defects for which full allowance must be made in measurement include hollows or large holes, rot, dote, windshake, large or excessive worm holes, damage in felling due to drawn splinters (splinter pulls) and crooks.

SEC. 10. *General log scaling rules*—(a) *Woods-run (or log-run) grade.* "Woods-run" shall include the entire product of the forest, exclusive of culls, from which no selection of large-sized or high-quality logs has been made. If any large-sized or high-quality logs have been removed from the run of logs, the remaining logs must be sold at the No. 2 grade price, if ungraded, or at the various grade prices if graded. If small-sized or low-quality logs have been removed, the remaining logs may still be classed as "Woods-run".

(b) *Culls.* A cull is any log which will not make the lowest grade specified, or any log whose net board foot scale, after deductions for defect, is less than 50 percent of the gross board foot scale.

(c) *Shiptimber grade of oak*—(1) *Minimum diameter,* 16".

(2) *Minimum lengths,* 18'.

(3) *Quality requirements.* Must be fresh cut, sound to the center; free from splits; must be straight and will permit a bow one way. One standard knot (a sound knot 4" or less in diameter) permitted in each 4 feet of length.

(d) *Bending grade of oak*—(1) *Minimum diameter,* 16".

(2) *Minimum length,* 18'.

(3) *Quality requirements.* Must be straight, freshly cut, sound to the center, and free of all visible defects. Twisted growth or swelled butts not acceptable.

SEC. 11. *Special pricing*—(a) *Old-growth softwoods.* In Zones 1 and 2, if the seller has for sale old-growth high-quality pine and spruce logs, the seller and buyer may apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C. for approval of the price. The application must contain the names and addresses of the seller and buyer, the grade description of the log, the price to be paid and a statement from the buyer that because of the high-quality of the log the special price can be paid under the existing end-product ceiling.

(b) *War purpose veneer grade; Lend-Lease.* In Zone 1, persons who sell "War purpose veneer grades" of yellow birch and hard maple to United States Treasury Department, Procurement Division, for export through Lend-Lease Administration, may apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C. for approval of a special selling price; this authority may be granted or denied by the Lumber Branch by letter or telegram.

(c) *Zone 3 specials.* If a buying plant in Zone 3, because of the specialized product involved, requires a log of special specifications not priced in Zone 3 tables, the buying plant may apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C. for the establishment of a special price. The application must contain an adequate description of the grade and species and a statement whether the price can be paid under the end-product ceiling price.

SEC. 12. *General provisions on delivery of logs*—(a) *Shiptimbers, bending oak, and Zones 3 and 4.* For shiptimbers and bending oak logs in all zones, Hardwood logs by grades in Zones 2A and 2B, and for all logs in Zones 3 and 4, maximum prices are f. o. b. rail cars, f. o. b. barge at towable waters, or delivered to mill by truck from within 25 miles. For logs delivered to mill by truck over 25 miles, add 10 cents per M' (log scale) for each load mile over 25.

(b) *Zones 1 and 2.* (1) For all logs in Zone 1, and all woods-run logs in Zone 2, the prices are for logs piled on headers or skids at year-around roads or at streamside of a drivable stream. If woods-run logs are delivered at roadside of year-around road, but not piled on headers, deduct $1.00.

(2) For logs, f. o. b. cars at rail siding or delivered to a mill by truck from within 10 miles, add $4.00 per thousand feet log scale for softwood species and $6.00 per thousand feet log scale for hardwood species. For delivery of logs to the mill from a distance over 10 miles the buyer may add (i) for softwoods, 10 cents per thousand feet log scale per load mile for the next 15 miles (miles 11–25 inclusive) and 8 cents per thousand feet log scale for each load mile thereafter and (ii) for hardwoods, 15 cents per thousand feet log scale per load mile for the next 15 miles (miles 11–25 inclusive) and 12 cents per thousand feet log scale for each load mile thereafter.

(c) *Deductions for non-delivery.* If the buyer takes delivery short of the delivery point at which the maximum price is fixed, the cost of bringing the logs to that delivery point must be deducted from the ceiling.

SEC. 13. *Zone 1; New England*—(a) *Area of production.* Maine, New Hampshire, Vermont, Massachusetts, Connecticut, and Rhode Island.

(b) *Scaling rules*—(1) *Required scale rule.* International, Bangor, Vermont, Blodgett, Humphrey, Holland (Maine) or Scribner Rules. Each buying plant shall continue the use of the rule or rules actually used in January 1944. The "War purpose Veneer Grade" shall be scaled on the Scribner Rule only.

(2) *Supplement to general rules in section 9.* (i) The "War purpose veneer" and select grades shall be measured at the smallest diameter of the small end, but all other grades shall be measured at the average diameter of the small end.

(ii) Logs scaled on the Blodgett Rule shall be calipered at the middle of the log with proper deduction for bark.

(c) *Grading rules*—(1) *War purpose veneer grade; hard maple and yellow birch.* (i) Prices for this grade apply only if the buyer states in writing to the seller that the logs will be used to make high-grade veneers under Revised Maximum Price Regulation 338.

(ii) *General requirements.* Minimum diameter, 14 inches. Minimum length, 7 feet. Must be straight, sound, freshly cut, and free of all visible defects.

(iii) *Exceptions for yellow birch.* (a) Diameter: in yellow birch, up to 10 percent of the log shipment may be in 12" and 13" diameters if at least 7 feet in length.

(b) Length in yellow birch, up to 5 percent of the log shipment may be 5 feet and 6 feet 6 inches in length if at least 16 inches in diameter.

(c) Defects. Yellow birch logs at least 14" in diameter and 7 feet or more in length will permit the following exceptions to the above general requirements:

Straightness. Logs generally must be straight, but one sweep will be allowed in lengths 11' and longer, provided 2 reasonably straight lengths can be obtained when cross cut, with the shorter length to be at least 5 feet. This type of log must be free of all other visible defects, including those listed below.

Cross grain. Cross grain will be acceptable up to a ratio of 1 to 5.

Knots, etc. 1 small sound knot, bump or equivalent defect will be acceptable in logs 11 feet and longer by 14 inches and up in diameter, provided it will produce two clear sections, one at least 7 feet long and another at least four feet long.

Rot or butt cavity. Acceptable in logs 7 feet and longer, if well centered, to the following extent:

Diameter 14 to 15 inches, up to 3 inches in diameter.

Diameter 16 to 18 inches, up to 4 inches in diameter.

Diameter 19 inches and up, up to 5 inches in diameter.

But in each case full deduction must be made in scale measurement.

Miscellaneous. Small splits and checks will be acceptable but splits from faulty felling must be trimmed off. (No visible raised curl will be considered as acceptable.)

(2) *Select grade.* (All hardwoods.)

(i) *Diameter.* Minimum diameter, 12 inches.

(ii) *Length.* Minimum length, 8 feet. A maximum of 10 percent, however, may be less than 8 feet in length.

(iii) *General requirements.* Not more than one defect in logs 8 feet to 14 feet in length or 2 defects in 16 feet lengths. The permissible defects are:

A sound knit up to 4" in diameter. Burl, curl, bump, swell, seam, sound catfaces not over 3" in diameter. Crook exceeding 2" (if less than 2" it is not considered to be a grade defect although proper scale deduction must be made). Rot or dote, if well centered is permitted to the following extent without degrading the log, although full deduction in scale measurement must be made:

Log diameter:	*Permissible rot or dote*
12" and 13"	2"
14" and 15"	3"
16" to 19"	4"
20" and up	5"

(iv) *Exception.* When white birch select logs are sorted and sold as an individual species in Grafton County, Carroll County, Belknap County and that portion of Merrimack County North of the Boston and Maine R. R. in New Hampshire, select grade white birch can include 8" and up logs as well as 12" and up logs with not more than one defect for each 8' of length: *Provided,* That not more than 50 percent of the diameter is in heartwood.

(3) *No. 1 grade.* (All hardwoods.)

(i) *Diameter.* Minimum diameter, 10 inches.

(ii) *Length.* Minimum length, 8 feet.

(iii) *General requirements.* Logs 10" and 11" in diameter must be clear of all defects—Logs 12" and up in diameter may have 2 defects in 8' to 14' lengths

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5067, 5664, 8 F.R. 6173, 6174, 12024

[2] 7 F.R. 8961, 8 F.R. 3313, 3533.

[3] 8 F.R. 3240.

and 4 defects in 16' logs. The permissible defects are listed in the rules for "Select grade" above.

(4) *No. 2 grade.* (All hardwoods.)

(i) *Diameter.* Minimum diameter, 8" if clear, 10" if better than cull. (See section 10a.)

(ii) *Length.* Minimum length, 8 feet.

(5) *Woods run grade*—(i) *Diameter.* Minimum diameter, 8 inches for clear logs, 10" for sound logs.

(ii) *Length.* Minimum length, 8 feet. (See section 10a.)

(6) *Softwood grading rules.* Softwoods shall be sold on a woods-run grade only, which shall include all merchantable logs 6" and up in diameter.

(d) *Maximum prices.* (Per M feet log scale.)

TABLE 1—HARDWOODS

Species	War purpose veneer grade[1]	Select grade	No. 1 grade	No. 2 grade	Woodsrun grade
Yellow birch	$104.00	$50.00	$31.00	$26.00	$31.00
Hard maple	75.00	50.00	31.00	26.00	31.00
Beech	.....	30.00	26.50	23.50	26.50
Basswood	.....	45.00	31.00	26.50	31.00
Ash	.....	.....	.....	.....	26.50
Oak	.....	30.00	26.50	23.50	26.50
Soft maple	.....	30.00	26.50	23.50	26.50
White birch	.....	40.00	27.50	23.50	27.50
Other hardwoods	.....	30.00	26.50	23.50	26.50

[1] On basis of Scribner Log Rule only.

TABLE 2—SOFTWOODS

Red and white pine	$22.00
Spruce	23.00
Hemlock	20.00
Balsam fir	22.00
Other softwoods	20.00

TABLE 3—WHITE OAK SHIPTIMBERS

[Per M feet log scale]

Length (feet)	Diameters 16"–19"	20"–23"	24"–26"	27"–28"	29" and up
18	$33.50	$42.50	$52.00	$61.00	$70.00
20	35.50	44.50	53.50	62.50	72.00
22	38.00	47.50	56.50	65.50	74.50
24	42.00	51.00	60.00	69.00	78.00
26	46.50	55.50	64.50	73.50	82.50
28[1]	51.00	60.00	69.00	78.00	87.50

[1] For greater lengths, add $4.50 per M' for each additional 2 feet.

(1) *White oak bending oak.* Add $10.00 per M to the above prices for white oak shiptimber grade.

(2) *Red oak shiptimber and bending oak.* The maximum prices on red oak shiptimber is 75 percent of the price for white oak shiptimber—Add $10.00 per M to the red oak shiptimber price to obtain the red oak bending oak price.

SEC. 14. *Zone 2*—(a) *Area of production.* Part or all of the States of New York and Pennsylvania, by zones, as follows:

Zone 2A. In the State of New York, the counties of Clinton, Franklin, Essex, Warren, Washington, Saratoga, Hamilton and Fulton.

Zone 2B. The entire State of New York excluding the counties of Clinton, Franklin, Essex, Warren, Washington, Saratoga, Hamilton and Fulton. The entire State of Pennsylvania excluding the counties of Delaware, Philadelphia, Montgomery, Bucks, Northampton, Lehigh, Berks, Chester and Lancaster.

(b) *Scaling rules*—(1) *Required scale rule*—(i) *All hardwoods.* Doyle Log Rule.

(ii) *Softwoods.* In sub-zone 2A, the Scribner Log Rule or the Adirondack Standard Log Rule; in sub-zone 2B, the Doyle Log Rule.

(2) *Different scale rules.* A buyer who used a different scale rule before January 1, 1944 may apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C. for permission to use that rule. He must describe the rule and the conversion ratio between it and the rule specified above. The Lumber Branch may approve use of the rule at a proper adjustment in price.

(3) *Supplement to rules in section 9.* In the No. 1 grade, the diameter shall be measured at the smallest diameter of the small end, but in all other grades, at the average diameter of the small end.

(c) *Grading rules*—(1) *No. 1 grade.* (All hardwoods except yellow poplar.)

(i) *Diameter.* Minimum diameter, 14".

(ii) *Quality requirements.* Logs less than 14' in length must have not more than one defect; logs 14' and up in length may have 2 defects as described below. The defects which are permissible and are to be counted when grading the logs are *a* one sound knot up to 4" in diameter, *b* burl, *c* curl, *d* bump, *e* swell, *f* seam, *g* sound catface not over 4" in diameter, *h* and a crook exceeding 2".

(2) *No. 2 grade.* (All hardwood except yellow poplar.)

(i) *Minimum diameter,* 10".

(ii) *Quality requirements.* Includes all logs not meeting the specifications of a No. 1 log but which are better than culls, 8" or 9" logs, if clear of all visible defects, may also be included in this grade.

(3) *Woods-run grade.* (All hardwoods including yellow poplar.) (See section 10a).

(i) *Minimum diameter,* 10". 8" or 9" logs, if clear of all defects, may also be included in this grade.

(4) *Yellow poplar; clear grade.* Logs 24" and up in diameter, clear of all defects.

(5) *Yellow poplar; select grade.* Logs 16"–23" in diameter clear of all defects; and logs 24" and up in diameter having 3 clear faces or 75 percent of the length clear in one continuous section.

(6) *Yellow poplar; No. 1 grade.* Logs 12"–15" in diameter clear of all visible defects;

Logs 16"–23" in diameter having 3 clear faces or 75 percent of the length clear in one continuous section; and

Logs 24" and up in diameter having 2 clear faces or 50 percent of the length clear in one continuous section.

(7) *Yellow poplar; No. 2 grade.* Logs 10" and up in diameter that do not grade as a No. 1 log and which are better than culls.

(8) *All softwoods—Woods-run grade only.* Minimum diameter, 6" for pine; 8" for other softwoods. (See section 10a).

(d) *Maximum prices.*

TABLE 4—HARDWOOD LOGS BY GRADES (ZONES 2A AND 2B)

[Per M feet log scale]

Species	No. 1 grade	No. 2 grade
Yellow birch	$55.00	$27.50
Hard maple	55.00	27.50
Basswood	55.00	27.50
Cherry	55.00	27.50
Soft maple	45.00	27.50
Oak	50.00	27.50
Beech	50.00	27.50
Elm	50.00	27.50
Other hardwoods (except yellow poplar)	45.00	27.50

TABLE 5—YELLOW POPLAR LOG PRICES BY GRADES (ZONE 2B)

	Per M' log scale
Clear grade	$70.00
Select grade	50.00
No. 1 grade	35.00
No. 2 grade	20.00

TABLE 6—WHITE OAK SHIPTIMBER LOGS

[Per M feet log scale]

Length (feet)	Diameters 16"–19"	20"–23"	24"–26"	27"–28"	29" and up
18	$37.00	$47.00	$57.00	$67.00	$77.00
20	39.00	49.00	59.00	69.00	79.00
22	42.00	52.00	62.00	72.00	82.00
26	51.00	61.00	71.00	81.00	91.00
24	46.00	56.00	66.00	76.00	86.00
28[1]	56.00	66.00	76.00	86.00	96.00

[1] For greater lengths, add $5.00 per M' for each additional 2 feet.

White oak bending oak grade. Add $10.00 per M' to the above prices for White Oak shiptimber grade.

Red oak shiptimber and bending oak. For red oak shiptimber, take 75 percent of above white oak shiptimber prices. For red oak bending grade add $10.00 per M' log scale to red oak shiptimber prices.

TABLE 7—HARDWOOD WOODSRUN LOG PRICES (ZONES 2A AND 2B)

[Per M' log scale]

Species:	Woodsrun
Yellow birch	$35.00
Hard maple	35.00
Basswood	35.00
Cherry	35.00
Soft maple	27.50
Oak	30.00
Beech	30.00
Elm	30.00
Ash	30.00
Yellow poplar (zone 2B only)	27.50
Other hardwoods	27.50

TABLE 8—SOFTWOOD WOODSRUN LOG PRICES (PER M' LOG SCALE)

Species	Zone 2A (Scribner Log rule).	Zone 2B (Doyle Log rule).
Red pine	$24.00	$22.50
White pine	24.00	22.50
Other pine	22.00	24.00
Spruce	24.00	22.50
Fir	24.00	26.50
Hemlock	22.00	24.00
Other softwoods	22.00	24.00

NOTE 1: For Softwood logs purchased in Zone 2A, on the basis of the Adirondack Standard, a conversion factor of 5 standards equal to one thousand feet Scribner log scale shall be used as the basis for conversions. (Thus the price for white pine logs would be $4.80 per standard for logs piled-on-headers on a year-around road.)

SEC. 15. *Zone 3*—(a) *Area of production.* Part or all of the States of New Jersey, Delaware, Maryland, Pennsylvania and Virginia as follows:

The entire State of New Jersey;

The entire State of Delaware;

In the State of Maryland, the counties of Cecil, Kent, Queen Anne, Talbot, Caroline, Dorchester, Wicomico, Somerset, and Worcester.

In the State of Pennsylvania, the counties of Lancaster, Chester, Delaware, Philadelphia, Berks, Montgomery, Lehigh, Bucks and Northampton.

In the State of Virginia, the counties of Accomac and Northampton.

(b) *Scaling rules*—(1) *Required scale rule.* Doyle Log Rule.

(2) *Supplement to general scaling rule in section 9.* The diameter shall be measured inside the bark at the small end of the log at the smallest diameter.

(c) *Grading rules*—(1) *No. 1 or veneer grade.* (For all species except oak and cypress.) This grade shall include all logs 12 inches and up in diameter that do not have more than two standard 5-inch knots or comparable defect in each 16 feet of length, except that pine logs must be clear of all defects.

(2) *No. 2 grade.* (For all species except oak and cypress.) This grade shall consist of all logs 8 inches and up in diameter that are better than culls and which do not grade as a No. 1 or Veneer log.

(3) *Oak—clear grade.* All logs 24" and up in diameter that are clear of all visible defects.

(4) *Oak—select grade.* This grade shall include:

(i) Logs 24" and up in diameter that have 3 clear faces or have 75 percent of the length clear in one continuous section; and

(ii) Logs 16"–23" in diameter that are clear of all visible defects.

(5) *Oak—No. 1 grade.* This grade shall include:

(i) Logs 24" and up in diameter that have 2 clear faces or have 50 percent of the length clear in one continuous section;

(ii) Logs 16"–23" in diameter that have 3 clear faces or have 75 percent of the length clear in one continuous section; and

(iii) Logs 12"–15" in diameter that are clear of all visible defects.

(6) *Oak—No. 2 grade.* This grade shall include all logs 8" and up in diameter that are better than a cull and that do not grade as a No. 1 log.

(7) *Woods run grade.* (*All species*). 8 inches and up in diameter. (See section 10a).

(d) *Maximum prices.*

TABLE 9

[Per M feet log scale]

Species	No. 1 or veneer grade	No. 2 grade	Woodsrun grade
Poplar	$45.00	$22.50	$25.00
Gum	45.00	22.50	25.00
Elm	45.00	22.50	25.00
Ash	45.00	22.50	25.00
Beech	45.00	22.50	25.00
Maple	45.00	22.50	25.00
Sycamore	45.00	22.50	25.00
Cypress	.....	.....	25.00
Other species except oak	.....	.....	25.00

TABLE 10—OAK

[Per M feet log scale]

Species:	
White Oak Clear Grade	$70.00
White Oak Select Grade	50.00
White Oak No. 1 Grade	37.50
White Oak No. 2 Grade	20.00
White Oak Woodsrun Grade	29.00
Red Oak Clear Grade	60.00
Red Oak Select Grade	42.50
Red Oak No. 1 Grade	32.50
Red Oak No. 2 Grade	20.00
Red Oak Woodsrun Grade	27.50

(e) *Special rules on delivery.* (1) Logs purchased f. o. b. trucks at roadside shall be priced $8.00 lower than the maximum prices set forth above.

(2) If the delivery of logs to the mill necessitates payment of bridge or ferry tolls, the buyer may pay for the toll in addition to the ceiling price.

SEC. 16. *Zone 4*—(a) *Area of production.* In the State of Maryland the counties of Carroll, Baltimore, Harford, Howard, Montgomery, Anne Arundel, Prince Georges, Calvert, Charles and St. Marys.

(b) *Scaling rules*—(1) *Required scale rule.* Doyle Log Rule.

(2) *Supplement to general rules in section 9.* The diameter shall be measured at the small end of the log, inside the bark at the smallest diameter.

(c) *Grading rules*—(1) *Clear grade.* Minimum diameter 24". All logs 24" and over in diameter must be clear of all visible defects.

(2) *Select grade.* Minimum diameter 16". Logs 16" to 23" in diameter must be clear of all defects. Logs 24" and over in diameter must have at least 3 clear faces or have 75 percent of the length clear in one continuous section.

(3) *No. 1 grade.* Minimum diameter 12". Logs 12"–15" in diameter must be clear of all visible defects. Logs 16" to 23" in diameter must have at least 3 clear faces or 75 percent of the length clear in one continuous section. Logs 24" and over in diameter must have at least 2 clear faces or have at least 50 percent of the length clear in one continuous section.

NOTE: In the Clear, Select or No. 1 Grades, a center rot, or dote in the butt end of the log up to 4" in diameter for logs 24" and up; up to 3" in diameter for logs 16" to 23" and 2" in diameter for logs 12" to 18" in diameter will not degrade the log, but full deduction must be made when scaling the log. A center rot or dote at the butt end greater than the limits cited above will degrade the log at least one grade, with full deduction for defects in scale still required.

(4) *No. 2 grade.* Minimum diameter, 10". This grade shall include all sound logs above the specified diameter limits that are better than a cull and that do not grade as a No. 1 log.

(5) *Woodsrun grade* shall consist of hardwood logs 10" and up and pine logs 8" and up in diameter. (See section 10.)

(d) *Maximum prices.*

TABLE 11

[Per M feet log scale]

Species	Clear	Select	No. 1 grade	No. 2 grade	Woodsrun
Yellow Poplar	$70.00	$50.00	$35.00	$20.00	$28.00
Red Oak	60.00	42.50	32.50	20.00	27.50
White Oak	70.00	50.00	37.50	20.00	29.00
Post and Chestnut Oak	45.00	35.00	27.50	18.00	25.00
Ash	55.00	40.00	27.50	18.00	25.00
Beech	50.00	32.50	22.50	18.00	21.00
Hickory	45.00	35.00	25.00	17.00	22.00
Soft Maple	50.00	40.00	30.00	19.00	24.00
Gum	50.00	35.00	25.00	18.00	23.00
Walnut	.....	.....	.....	.....	30.00
Sycamore	45.00	35.00	27.50	19.00	25.00
Elm	45.00	35.00	27.50	19.00	25.00
Yellow Pine	.....	.....	.....	.....	20.00
Other species	35.00	30.00	25.00	17.00	21.00

This regulation shall become effective May 15, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6989; Filed, May 15, 1944; 4:00 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 534-1]

BLACK WALNUT LOGS

In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1312.108 *Maximum prices for black walnut logs.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 534-1—Black Walnut Logs, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1312.108, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION No. 534-1—BLACK WALNUT LOGS

CONTENTS

Sec.
1. Coverage.
2. Over-ceiling prices prohibited.
3. Billing and records.
4. Prohibited practices.
5. Adjustable pricing.
6. Adjustments and petitions.

*Copies may be obtained from the Office of Price Administration.

Sec.
7. Enforcement.
8. Licensing.
9. General scaling rules.
10. General grading specifications.
11. General delivery provisions.
12. Maximum prices.

SECTION 1. *Coverage.* The coverage of this regulation is as follows:

(a) *Geographical.* The Eastern United States (east of the 100th meridian).

(b) *Kind of logs.* All Black Walnut (Juglans nigra) logs purchased on an individual selected basis.

SEC. 2. *Over-ceiling prices prohibited*—(a) *General.* On and after May 15, 1944, regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive, Black Walnut logs at prices higher than those in this regulation; and no person shall offer or attempt to do any of these things.

(b) *Prices.* The maximum prices are set forth in three zones in section 12.

(c) *Lower prices.* Prices under ceiling may, of course, be charged and paid.

(d) *Terms.* The maximum price cannot be increased for the extension of credit. The maximum price does not have to be reduced when the buyer purchases on cash terms.

SEC. 3. *Billing and records.* You must make a two-copy billing covering every sale. Each buyer and seller must keep one copy as a record. It must contain enough specifications and details to show whether the price is proper or not. One billing may cover all logs delivered in a period of not over two weeks.

SEC. 4. *Prohibited practices*—(a) *In general.* Any practice which gets the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Up-grading, up-scaling, or allowing a greater net scale footage than the actual content of the logs.

(2) Increasing the price of logs by failing to make an effort in good faith to collect advances to loggers. An advance to a logger is to be considered part of the price of the logs.

(3) Adding to the maximum prices a charge for grading, scaling or inspection.

(c) *Purchases of stumpage and payments to loggers.* It is a violation of this regulation to sell or purchase stumpage and contract for the seller to cut the stumpage, if the total amount paid for the stumpage and the logging is higher than the ceiling for the logs.

(d) *Purchasing commissions.* Purchasing commissions cannot be added to the ceiling. By purchasing commission is meant any payment for buying, selling, or locating logs, if the amount is in any way related to the quantity of logs involved.

SEC. 5. *Adjustable pricing.* You may agree to sell at a price which can be increased to the ceiling at time of delivery, but not beyond.

SEC. 6. *Adjustments and petitions*—(a) *Government contracts.* (See Procedural Regulation No. 6 [1]).

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

SEC. 7. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided for by the Emergency Price Control Act of 1942.

SEC. 8. *Licensing.* The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of applicable price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 9. *General scaling rules.* All logs are to be measured on the basis of the Doyle Log Rule, with the diameter being measured at the small end of the log, inside the bark. The average diameter shall be measured. Fractions of an inch less than ½ shall be dropped; fractions of an inch over ½ may be raised to the next higher inch.

All unsound and unusable wood must be deducted by allowance in measurement.

Logs shall be cut into the range of lengths specified by the buyer. All logs must be cut at least two inches over length to allow for trim. Any log not cut at least two inches over length shall be scaled as of the next standard lower length.

SEC. 10. *General grading specifications.* Only one grade shall be specifically priced, namely the woods-run grade. The woods-run grade shall consist of all logs that meet the minimum specifications set forth below as well as all logs that are better than the minimum.

(a) *Woods-run grade.* The minimum specifications for a woods-run grade of log shall include:

(1) Logs 12" and up in diameter, 8' and longer in length that have at least 2 clear faces.

(2) Clear logs 12" to 15" in diameter that are 6' and 7' in length.

(3) Any log 6' to 7', 16" and up, with three clear faces or better.

(b) *Cull logs.* All logs not meeting the above specification shall be considered as culls and may be sold or purchased at the cull price, with the exception that logs that have ring shake, worm holes, bird pecks, or bark growth shall have no value. Logs less than 12" in diameter can be included in this grade.

SEC. 11. *General delivery provisions.* The prices set forth below apply f. o. b. cars at rail siding of common carrier railroad or for logs delivered to a mill from within 25 miles. If logs are delivered to the mill from a distance in excess of 25 miles, the buyer may add 10 cents per thousand feet log scale for each additional load mile.

If the buyer takes delivery of the logs at any place other than on railroad cars at rail siding of common carrier railroad, or at his mill, the buyer must deduct from the ceiling price either

(a) The cost per thousand feet log scale to the buyer of trucking the logs to the nearest rail siding of a common carrier railroad and loading the logs on cars, if delivery of logs to the mill is by rail; or

(b) The cost per thousand feet log scale of hauling logs to the plant, if delivery of logs to plant is by truck.

SEC. 12. *Maximum prices.* The maximum price depends upon the area in which logs are produced rather than the area in which they are delivered. All prices are per M' log scale.

Zone 1. Logs produced in the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Ohio, Indiana, Illinois, Michigan, Wisconsin, Missouri, Kansas, Iowa, Minnesota, Nebraska, South Dakota and North Dakota.

TABLE 1—ZONE 1 PRICES

Woods-run grade, 12"–15" incl.	$60.00
Woods-run grade, 16" and up	80.00
Cull grade	30.00

Zone 2. Logs produced in the States of Arkansas, Delaware, Maryland, Kentucky, Tennessee and that part of West Virginia north and west of a line starting at the junction of the Kanawha River with the Ohio River; thence upstream along the Kanawha River to its junction with the eastern border of Kanawha County near Montgomery; thence along the eastern and southern boundaries of Kanawha, Clay, Braxton, Upshur, Barbour, Tucker, Grant and Hampshire counties to the Virginia-West Virginia State Line.

TABLE 2—ZONE 2 PRICES

Woods-run grade, 12"–15" incl.	$50.00
Woods-run grade, 16" and up	70.00
Cull grade	25.00

Zone 3. Logs produced in the States of Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Oklahoma, Texas and that portion of West Virginia not covered in Zone 2.

TABLE 3—ZONE 3 PRICES

Woods-run grade, 12"–15" incl.	$30.00
Woods-run grade, 16" and up	45.00
Cull grade	20.00

Special provisions; all zones. Buying plants desiring to purchase selected walnut logs on a grade basis may apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C. for the establishment of dollars and cents maximum prices by grade. The application must contain the name and address of the buying plant, the area from which logs are to be purchased, an adequate description of the grades to be used, as well as the requested prices. The Lumber Branch may approve or revise the request or request additional information by letter or telegram.

This regulation shall become effective May 15, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of May 1944.

CHESTER BOWLES,

[F. R. Doc. 44-6991; Filed, May 15, 1944; 4:00 p. m.]

[1] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.

[2] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1504.

[3] 8 F.R. 13240.

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 534–2]

HICKORY AND ASH LOGS AND OTHER SPECIALTY WOODS

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* Such specifications and standards as are used in this regulation were, prior to such use, in general use in the industry affected and were required by other Government agencies.

§ 1312.109 *Maximum prices for hickory and ash logs and other specialty woods.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 534–2 (Hickory and Ash Logs and Other Specialty Woods) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1312.109, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 534–2—HICKORY AND ASH LOGS AND OTHER SPECIALTY WOODS

CONTENTS

Sec.
1. Coverage.
2. Over-ceiling prices prohibited.
3. Items not listed.
4. Billing and records.
5. Prohibited practices.
6. Adjustable pricing.
7. Adjustments and petitions.
8. Enforcement.
9. Licensing.
10. General provision on delivery.
11. Hickory special logs.
12. Ash special logs.

SECTION 1. *Coverage.* The coverage of this regulation is as follows:

(a) *Geographical.* Eastern United States (east of 100th meridian).

(b) *Kind of logs.* Hickory and ash logs and other specialty woods such as dogwood and persimmon; but not walnut.

This regulation covers only ash and hickory logs that have been specially cut or selected for use in the manufacture of implement handles, skis, picker sticks, and other specialty items. For ash and hickory logs sold with other species, see the general area log regulations.

SEC. 2. *Over-ceiling prices prohibited*—(a) *General.* On and after May 15, 1944, regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive, hickory and ash logs or other specialty woods at prices higher than those in this regulation; and no person shall offer or attempt to do any of these things.

(b) *Prices.* The maximum prices are set forth in sections 11 and 12.

(c) *Lower prices.* Prices under ceiling may, of course, be charged and paid.

(d) *Terms.* The maximum price cannot be increased for the extension of credit. The maximum price does not have to be reduced where the buyer purchases on cash terms.

SEC. 3. *Items not listed.* The maximum price for hickory and ash logs produced in an area not listed, or for specialty woods, such as dogwood and persimmon, may be determined by applying to the Lumber Branch, Office of Price Administration, Washington 25, D. C. The application must contain the name and address of the buyer, the requested price, the end product to be manufactured, and a statement by the buyer that this requested price can be paid under the end product ceiling in effect on the date of application. The Lumber Branch may approve or deny this application by letter or telegram.

SEC. 4. *Billing and records.* You must make a two-copy billing covering every sale. Each buyer and seller must keep one copy as a record. It must contain enough specifications and details to show whether the price is proper or not. One billing may cover all logs delivered in a period of not over two weeks.

SEC. 5. *Prohibited practices*—(a) *In general.* Any practice which gets the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Up-grading, up-scaling, or allowing a greater net scale footage than the actual contents.

(2) Increasing the price of logs by failing to make an effort in good faith to collect advances to loggers. An advance to a logger is to be considered part of the price of the logs.

(3) Adding to the maximum prices a charge for grading, scaling or inspection.

(c) *Purchases of stumpage and payments to loggers.* It is a violation of this regulation to sell or purchase stumpage and contract for the seller to cut the stumpage, if the total amount paid for the stumpage and the logging is higher than the ceiling for the logs.

(d) *Purchasing commissions.* Purchasing commissions cannot be added to the ceiling. By purchasing commission is meant any payment for buying, selling, or locating logs, if the amount is in any way related to the quantity of logs involved.

SEC. 6. *Adjustable pricing.* You may agree to sell at a price which can be increased to the ceiling at time of delivery, but not beyond.

SEC. 7. *Adjustments and petitions*—(a) *Government contracts.* (See Procedural Regulation No. 6.[1])

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

SEC. 8. *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided for by the Emergency Price Control Act of 1942.

SEC. 9. *Licensing.* The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of applicable price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 10. *General provision on delivery.* The delivery point of the maximum prices is set forth below each table of prices. If delivery of the logs is taken at any point other than that named, the maximum price must be reduced by the cost to the buyer of delivering the logs to the delivery point named.

SEC. 11. *Hickory special logs*—(a) *Table 1 prices*—(1) *Area of production in Table 1.* Part or all of the States of Texas, Louisiana, Oklahoma, Arkansas, Missouri, Illinois, Mississippi, Alabama, Tennessee, Kentucky, Indiana, North Carolina, and Virginia, by Zones, as listed below:

Zone 1. That part of the State of Texas lying east of the east line of the counties of Cooke, Denton, Tarrant, Johnson, Hill, McLennan, Falls, Milam and Burleson and north of the north line of the counties of Brazos, Grimes, Walker, San Jacinto, Polk, Tyler, Jasper and Newton.

That part of the State of Louisiana lying north of the north line of the parishes of Beauregard, Allen, Evangeline, St. Landry, and Pointe Coupee, and W. Feliciana.

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.

[2] 7 F.R. 8961; 8 F.R. 3313, 3533.

[3] 8 F.R. 13240.

That part of the State of Oklahoma lying east of the east line of the counties of McClain, Garving, Murray, Carter and Love, and south of the south line of the counties of Pottawatomie, Seminole, Okfuskee, McIntosh, Haskell and Sequoyah.

That part of the State of Arkansas lying south of the Arkansas River.

Zone 2. That part of the State of Oklahoma lying east of the east line of the counties of Grant, Garfield, Logan, Oklahoma and Cleveland; and north of the north line of the counties of Pontotoc, Hughes, Pittsburg, Latimer, and LeFlore.

That part of the State of Arkansas lying north of the Arkansas River, and west of the west line of the counties of Marion, Searcy and Pope.

That part of the State of Missouri lying south of the south line of the counties of Bates and St. Clair, and west of the west line of the counties of Polk, Greene, Christian and Taney.

Zone 3. That part of the State of Arkansas lying north of the Arkansas River east of the east line of the counties of Boone, Newton and Johnson; and west of the west line of the counties of Mississippi, Cross, St. Francis, Lee and Phillips; and west of the east line of the county of Desha.

Zone 4. Arkansas counties of Mississippi, Crittenden, Cross, St. Francis, Lee and Phillips.

Zone 5. That part of the State of Missouri lying east of the east line of the counties of Saline, Johnson, Henry, St. Clair, Cedar, Dade, Lawrence and Stone; and south of the Missouri River.

Zone 6. That part of the State of Missouri lying east of the east line of the counties of Mercer, Grundy, Livingston, Carroll and Saline; and north of the Missouri River.

That part of the State of Illinois lying in the counties of Adams, Pike, Calhoun, Brown, Scott, Greene and Jersey.

Zone 7. The entire State of Mississippi except the counties of DeSoto and Marshall.

That part of the State of Alabama lying north of the north line of the counties of Sumter, Greene, Hale, Bibb, Chilton, Coosa, Tallapoose and Chambers.

That part of the State of Louisiana east of the Mississippi River.

Zone 8. That part of the State of Tennessee lying west of the Tennessee River, except for the counties of Shelby, Fayette, Haywood, Hardeman and Chester.

Zone 9. That part of the State of Mississippi lying in the counties of DeSoto and Marshall.

That part of the State of Tennessee lying in the counties of Shelby, Fayette, Haywood, Hardeman and Chester.

Zone 10. That part of the State of Tennessee lying east of the Tennessee River; west of the west line of the counties of Macon, Smith, DeKalb, Warren, Grundy and Marion.

That part of the State of Kentucky lying east of the Tennessee river; and west of the west line of the counties of Hardin, Larue, Green, Metcalf and Monroe.

Zone 11. That part of the State of Kentucky lying west of the Tennessee river.

That part of the State of Illinois lying south of the south line of the counties of Jersey, Macoupin, Montgomery, Shelby, Cumberland and Clark.

That part of the State of Indiana lying south of the south line of the counties of Fountain, Parke, Montgomery, Hendricks, Marion, Hancock, Henry and Wayne.

Zone 12. That part of the State of Tennessee lying east of the east line of the counties of Sumner, Trousdale, Wilson, Cannon, Coffee and Franklin, and west of the west line of Hawkins and Washington.

That part of the State of Kentucky lying east of the east line of the counties of Meade, Breckenridge, Grayson, Hart, Barren and Allen.

That part of the State of North Carolina lying west of the west line of the counties of Ashe, Wilkes, Caldwell, Burke, McDowell and Rutherford.

Zone 13. That part of the State of Virginia lying west of the west line of the counties of Craig, Roanoke, Franklin and Henry.

That part of the State of Tennessee lying east of the east line of the counties of Hancock, Grainger, Hamblen and Greene.

North Carolina counties of Ashe, Wilkes, Alleghany and Surry.

Zone 14. North Carolina: Counties of Caldwell, Burke, McDowell, Rutherford, Lincoln, Catawba and Alexander.

(2) *Scaling rules for Table 1.* (i) All logs are to be scaled with the Doyle Log Rule, with the diameter being measured inside the bark at the small end of the log and at the smallest diameter.

(ii) The basis for measurement of hickory bolts shall be the standard cord of 128 cubic feet. The purchase of units of specifications different from the normal cord specifications of 4' x 4' x 8' shall be done by converting to cubic feet and adjusting the price upward or downward in proportion to 128 cubic feet.

(iii) Logs are to be cut in even lengths unless otherwise specified by the buyer, with the lowest acceptable length 7 feet.

(iv) Bolts are to be cut into lengths specified by the buyer, with the lowest acceptable length 40 inches.

(v) All unsound and unusable wood must be deducted by allowance in measurement. The defects for which full allowance must be made include bird pecks, holes from any cause, windshake, brashy or light weight, decay, sap stain and crook. Crooked logs are to be scaled to actual measurement of usable portion.

(3) *Grading rules for Table 1 (logs or bolts).* "Face defects" are knots, catfaces, scabs, and ingrown bark.

"End defects" are bird pecks, holes from any cause, windshake, brashy or light weight, decay or sap stain.

(i) *Extra quality.* Must have a ring of white wood measuring not less than 3½" in from bark. All logs or bolts 8" and up in diameter must have all clear faces and clear ends.

(ii) *No. 1 quality.* All logs and bolts 8" and up in diameter must have at least 3 clear faces and must have clear ends.

(iii) *No. 2 quality.* All logs and bolts 8" and up in diameter must have at least 2 clear faces; end defects are permitted. If the defects reduce the footage cut from the log more than 25 percent, the log will be classed as a cull.

(iv) *Timber-run quality.* A combination of extra quality, No. 1 and No. 2 logs or bolts containing not over 20 percent No. 2.

TABLE 1—HICKORY LOGS AND BOLTS

(Logs per M Ft.)

	Extra	No. 1	No. 2	Timber run
Zone 1	$45.00	$35.00	$20.00	$35.00
Zone 2	40.00	30.00	18.00	33.00
Zone 3	38.00	28.00	18.00	28.00
Zone 4	45.00	35.00	20.00	35.00
Zone 5	40.00	30.00	18.00	32.00
Zone 6	40.00	30.00	18.00	32.00
Zone 7	45.00	35.00	20.00	35.00
Zone 8	45.00	35.00	20.00	35.00
Zone 9	45.00	35.00	20.00	35.00
Zone 10	40.00	30.00	20.00	30.00
Zone 11	45.00	35.00	25.00	35.00
Zone 12	38.00	28.00	18.00	28.00
Zone 13	36.00	28.00	18.00	28.00
Zone 14	38.00	28.00	18.00	28.00

Bolts per cord (128 cu. ft.)

Zone 1	$22.50	$17.50	$10.00	$17.50
Zone 2	20.00	15.00	9.00	16.50
Zone 3	19.00	14.00	9.00	14.00
Zone 4	22.50	17.50	10.00	17.50
Zone 5	20.00	15.00	9.00	16.00
Zone 6	20.00	15.00	9.00	16.00
Zone 7	22.50	17.50	10.00	17.50
Zone 8	22.50	17.50	10.00	17.50
Zone 9	22.50	17.50	10.00	17.50
Zone 10	20.00	15.00	10.00	15.00
Zone 11	22.50	17.50	12.50	17.50
Zone 12	19.00	14.00	9.00	14.00
Zone 13	19.00	14.00	9.00	14.00
Zone 14	19.00	14.00	9.00	14.00

(4) *Delivery.* The above prices are:

(i) Loaded on railroad cars at any rail siding.

(ii) Delivered to place at which water shipment is to begin.

(iii) Delivered by truck to the buyer's plant.

(5) *Short logs.* Logs below 7 feet in length can be purchased on a board-foot log scale basis by paying 10 percent less than the log prices herein stipulated.

(b) *Table 2 prices*—(1) *Production area of Table 2.* In the State of Alabama all counties south of and including the Counties of Sumter, Greene, Hale, Bibb, Chilton, Coosa, Tallaposa, and Chambers.

(2) *Scaling rules, Table 2.* All logs are to be scaled with the Doyle Log Rule with the diameter being measured at the small end of the log at the smallest diameter and with all fractions of an inch counted back to the next lower figure.

(3) *Grading rules*—(i) *Special grade.* Must be 12" and up in diameter at the small end and show at least 4½ inches of White wood between the bark and heart, and must be absolutely clear of all visible defects. Logs to be cut in 7', 8', 14' and 16' lengths with a minimum trim allowance of 6 inches.

Bird pecks, windshakes, worm holes, crooks and cross-grain are not permitted in this grade.

(ii) *No. 1 grade.* Must be 10 inches and up at the small end, and must show at least 3 inches of White wood between bark and heart. Logs must be free from all visible defects and should be cut in 7', 8', 14' and 16' lengths.

Bird pecks, windshakes, worm holes, crooks and cross-grain are not permitted in this grade.

(iii) *No. 2 grade.* Must be 9" and up at small end and must show at least 2 inches of White wood between bark and heart, and must show at least two-thirds of clear cuttings not less than 3 feet long. Logs shall be cut 6', 9', or 12' in length.

Bird pecks, windshakes, worm holes, crooks and gross-grain are not permitted in this grade.

(4) *Table 2—Hickory logs.*

	Per M feet log scale
Special grade	$45.00
No. 1 grade	40.00
No. 2 grade	20.00

These prices are for hickory logs delivered to the mill.

SEC. 12. *Ash special logs*—(a) *General scale provisions*—(1) *Length.* As specified by the buyer. Trim allowance must be provided by cutting logs over length as follows: 8 feet and longer, 6 inches; under 8 feet in length, 3 inches. Logs not meeting the requirement for trim allowance shall be reduced in scale to the next lower standard length. No charge shall be made for the trim allowance.

(2) *Diameter.* 8" minimum.

(b) *Grade and quality requirements.* Ash special logs must be of texture, toughness, elasticity and resiliency which makes them suitable for the manufacture of implement handles and similar specialty products.

They must weigh at least 15 pounds to the cubic foot, show at least 3 annual rings per inch, and not have doty heart through the whole length of the piece.

All unsound and unusable wood must be eliminated from the scale by deduction in measurement. The defects for which full allowance must be made includes hollows, or large holes, rot, dote, windshake, large and excessive worm holes, damage in felling by drawn splinters, beads and crooks. Sound knots will also be considered with respect to the reduction caused in the possible handle production from the log and logs having defects (either sound or unsound) to the extent that 25% of the log is unusable, shall be rejected.

(c) *Ash logs in New England*—(1) *Scale rule.* International ¼" Log Rule. Diameter to be measured at average of the small end, inside back. Fractions of an inch ½ and less shall be eliminated; fractions over ½ inch may be counted as a full inch.

(2) *Delivery provisions for Table 3.* The price for logs delivered to mill by truck from within 20 miles of the buying plant shall be the same as the f. o. b. cars price. For logs delivered to the mill by truck from a distance greater than 20 miles, the buyer may add 10 cents per thousand feet log scale per load mile, for each additional load mile in excess of 20.

(3) *Zone definitions.*

Zone 1: The State of Maine.

Zone 2: The States of Vermont, New Hampshire, Massachusetts, Connecticut and Rhode Island.

(4) *Maximum prices.*

TABLE 3—NEW ENGLAND ASH LOGS

Zone	Roadside	F. o. b. cars
1	$30.50	$35.50
2	35.00	40.00

(5) *General provisions.* (i) Buying plants who wish to buy ash special logs on the basis of a scale rule other than the International rule may do so upon submitting a written statement to that effect to Lumber Branch, Office of Price Administration, Washington 25, D. C. The buying plant will be limited to the use of only one rule. The other log rules which may be used are the Vermont Log Rule and the Bangor Log Rule. If the Vermont Log Rule is used by the buying plant, the prices per thousand feet log scale shall be the same as those set forth above for the International Log Scale. If the Bangor Log Rule is used by the buying plant, the prices per thousand feet log scale shall be 95 percent of the prices set forth above for the International Log Rule.

(ii) In Zone 1, short logs may be purchased on the basis of a cord of 128 cubic feet. In such case the maximum price shall be $18.25 per cord of 128 cubic feet at roadside available to truck, or $21.25 per cord of 128 cubic feet f. o. b. rail cars at a rail siding or delivered to mill within 20 miles. If delivered to the mill by truck from a distance over 20 miles, the buyer may add $0.06 per cord of 128 cubic feet for each additional load mile over 20 miles.

(d) *Northern ash logs*—(1) *Scale rule.* Doyle Log Rule. Diameter to be measured at small way of small end, inside bark. Fractions of an inch ½ and less shall be eliminated; fractions over ½ inch may be counted as a full inch.

(2) *Delivery provisions.* The price for ash logs delivered to the mill by truck from within 20 miles of the plant shall be the same as the f. o. b. rail cars at rail siding price. If Ash Special logs are delivered to the mill by truck from a distance over 20 miles, the buyer may add 12½ cents per thousand feet for each load mile over 20 miles.

(3) *Zone definitions.*

Zone 1. All of the Southern (Lower) Peninsula of Michigan. The entire State of Indiana. In the State of Ohio, the counties of Lucas, Fulton, Williams, Defiance, Henry, Wood, Hancock, Putnam, Paulding, Van Wert, and Allen.

Zone 2. In the State of Illinois, all counties north of and including the Counties of Monroe, St. Clair, Washington, Jefferson, Hamilton, and White.

Zone 3. In the State of Illinois, all counties south of and including the Counties of Randolph, Perry, Franklin, Saline, and Gallatin.

Zone 4. In the State of Ohio, all counties except the counties of Lucas, Fulton, Williams, Defiance, Henry, Wood, Hancock, Putnam, Paulding, Van Wert, Allen, Brown, Adams, Pike, Scioto, Lawrence, Jackson, Gallia, Meigs, Vinton, Athens, Morgan, Washington, Noble and Monroe.

Zone 5. In the State of Ohio, the counties of Brown, Adams, Pike, Scioto, Lawrence, Jackson, Gallia, Meigs, Vinton, Athens, Morgan, Washington, Noble and Monroe.

All of the State of West Virginia except the counties of Wyoming, Logan, Raleigh, Mercer, Summers, Monroe, Greenbrier, Mingo and McDowell.

Zone 6. The entire State of New York.

Zone 7. The entire State of Pennsylvania and the entire State of New Jersey.

Zone 8. The entire State of Maryland; the entire State of Delaware; in the State of Virginia, the counties north of and including the counties of Bath, Augusta, Albemarle, Orange, Culpeper and Stafford and including Northampton and Accomac Counties.

Zone 9. In the state of West Virginia, the counties of Wyoming, Logan, Raleigh, Mercer, Summers, Monroe, Greenbrier, Mingo and McDowell.

In the State of Kentucky that portion of the State included north and east of a line formed by the western boundary of the counties of Breckinridge and Grayson and the southern boundary of Grayson, Hardin, LaRue, Nelson, Washington, Mercer, Jessamine, Fayette, Clark, Montgomery, Menifee, Morgan, Johnson and Martin.

Zone 10. In the State of Virginia, that part of the state included south and west of a line formed by the eastern boundary of the counties of Halifax, Charlotte, Appomatox and Buckingham, and the northern boundary of the counties of Buckingham, Nelson, Rockbridge and Alleghany.

In the State of Kentucky, that part of the state included south and east of a line formed by the north boundary of the Counties of Pike, Floyd, Magoffin, Wolfe, Powell, Estill, Madison, Garrard, Boyle, Marion, Taylor, Green, Hart and Edmonson and the west boundary of the counties of Edmonson, Barren, and Monroe.

(4) *Maximum prices.*

TABLE 4—NORTHERN ASH LOGS

(Per M feet log scale)

Zone	Delivered at roadside available to truck	F. o. b. rail cars at rail siding
1	$52.50	$62.50
2	47.50	57.50
3	42.50	50.00
4	47.50	57.50
5	42.50	52.50
6	50.00	60.00
7	47.50	55.00
8	42.50	50.00
9	40.00	47.50
10	37.50	45.00

(5) *Sale of logs by the ton.* (i) Ash special logs may be sold by the ton, by mine prop producers in the following counties of Pennsylvania (Zone 7): Tioga, Wayne, Luzerne, Sullivan, Bradford, Pike, Lackawanna, Columbia, Susquehanna, Monroe and Wyoming: and in the State of New York (Zone 6): Chemung County, Tioga County, that portion of Broome County west of U. S. Highway No. 11 north of Binghamton, and all area south of New York State Highway No. 17; that portion of Delaware County south of New York State Highway No. 10 and that portion of Sullivan County north of New York State Highway No. 52.

(ii) Maximum price: $10.00 per ton for ash special logs delivered to the buyer's plant.

(e) *Southern ash logs*—(1) *Scale rule.* Doyle Log Rule. Diameter to be measured at the small way of the small end, inside the bark. Fractions of an inch shall be eliminated.

(2) *Delivery provisions.* Maximum prices for logs delivered to the mill by truck from within 20 miles of the plant are the same as the f. o. b. cars price. If delivered to the mill by truck from a distance over 20 miles, the buyer may add 12½ cents per thousand feet for each load mile over 20 miles.

(3) *Zone definitions.*

Zone 1. The entire State of Texas. The entire State of Oklahoma. In the State of Louisiana the parishes west of and including

the parishes of Union, Ouachita, Caldwell, and LaSalle, and north of and including Rapides and Vernon. In Arkansas, that part of the state south of the Arkansas River.

Zone 2. In the State of Arkansas, the counties north of the Arkansas River west of and including the Counties of Arkansas, Monroe, St. Francis, Cross, Poinsett, Craighead, Greene, and Clay. The entire State of Missouri.

Zone 3. In the State of Arkansas the Counties of Mississippi, Crittenden, Lee, Phillips and that portion of Desha County north of the Arkansas River. In the State of Kentucky the counties west of and including the Counties of Hancock, Ohio, Butler, Warren, and Allen. In the State of Tennessee the counties west of and including the Counties of Robertson, Davidson, Williamson, Maury and Giles. In the State of Mississippi, all counties north of and including the Counties of Bolivar, Sunflower, LeFlore, Carroll, Montgomery, Choctaw, Oktibbeha and Lowndes. In the State of Alabama, the counties of Lauderdale, Limestone, Colbert, Lawrence, Morgan, Franklin, Marion, Winston, Cullman, Jefferson, Walker, Fayette, Lamar, Pickens and Tuscaloosa.

Zone 4. In the State of Louisiana, all counties east of and including the Counties of Morehouse, Richland, Franklin, Catahoula, Avoyelles, Evangeline, Allen, Beauregard, Calcasieu, and Cameron. In the State of Mississippi, that portion of the State included in the area formed by a line starting at the northwest corner of Washington County, then south along the Mississippi River to the southwest corner of Wilkinson County, then along the south boundary of the counties of Wilkinson, Amite, Pike and Walthall to the southeast corner of Walthall County, then north along the eastern border of Walthall, southeastern boundary of Lawrence County, and eastern boundaries of Jefferson Davis, Simpson and Rankin Counties to the Southwest corner of Scott County, thence east along the south boundary of Scott, Newton, and Lauderdale Counties to the southeast corner of Lauderdale County, then north along the eastern boundary of Lauderdale, Kemper and Noxubee Counties to the northeast corner of Noxubee County, then west along the northern boundary of Noxubee, Winston, Attala, Holmes, Humphreys and Washington Counties to the northwest corner of Washington County. In the State of Alabama the Counties of Sumter and Greene.

Zone 5. In the State of Mississippi the Counties of Smith, Jasper, Clarke, Covington, Jones, Wayne, Marion, Lamar, Forrest, Perry, Greene, Pearl River, Stone, George, Hancock, Harrison and Jackson. In the State of Alabama, the Counties of Mobile, Washington, Choctaw, Clarke and Baldwin.

Zone 6. In the State of Alabama, the entire State exclusive of the Counties of Mobile, Washington, Choctaw, Clarke, Baldwin, Lauderdale, Limestone, Colbert, Lawrence, (Morgan, Franklin, Marion, Winston, Cullman, Jefferson, Walker, Fayette, Lamar, Pickens, and Tuscaloosa. In the State of Tennessee, that portion of the State east of and including the Counties of Sumner, Wilson, Rutherford, Marshall, and Lincoln. The entire State of Georgia. The entire State of South Carolina. In the State of Florida, all counties north of and including the Counties of Hillsboro, Polk, Osceola, and Brevard. In the State of North Carolina, all counties west of and including the Counties of Ashe, Watsuga, Caldwell, Burke and Rutherford.

Zone 7. In the State of North Carolina, all counties east of and including the counties of Alleghany, Wilkes, Alexander, Catawba, and Cleveland. In the State of Virginia, all counties east of and including the Counties of Mecklenburg, Lunenburg, Prince Edward, Cumberland, Fluvanna, Louisa, Spotsylvania and King George.

(4) *Maximum prices.*

TABLE 5—SOUTHERN ASH LOGS

Zone:	Per M feet log scale f. o. b. rail cars or barge
1	$32.50
2	37.50
3	47.50
4	50.00
5	37.50
6	45.00
7	40.00

(5) *Short logs.* In Zone 6, short logs can be purchased on the basis of cord measurement. Maximum price per cord of 128 cubic feet shall be $16.50 f. o. b. rail cars at rail siding or for logs delivered to buying plant from within 20 miles. If delivered from a distance greater than 20 miles, the buyer may add 5 cents per cord of 128 cubic feet for each additional load mile over 20 miles.

This regulation shall become effective May 15, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8992; Filed, May 15, 1944; 4:02 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 535-2]

LAKE STATES CORDWOOD

In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1312.111 *Maximum prices for Lake States cordwood.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 535-2—Lake States Cordwood, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1312.111, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 535-2—LAKE STATES CORDWOOD

CONTENTS

Sec.
1. Coverage.
2. Over-ceiling prices prohibited.
3. Items not listed.
4. Billing and records.
5. Prohibited practices.
6. Adjustable pricing.
7. Adjustments and petitions.
8. Enforcement.
9. Licensing.
10. Dealers' and traders' commissions.
11. General provisions on delivery.
12. Maximum prices: Zone 1: Wisconsin and Upper Michigan.
13. Maximum prices: Zone 2: Northern Minnesota.
14. Maximum prices: Zone 3: Southern Minnesota.
15. Maximum prices: Zone 4: Lower Michigan.

*Copies may be obtained from the Office of Price Administration.

SECTION 1. *Coverage.* The coverage of this regulation is as follows:

(a) *Geographical.* Cordwood produced in Minnesota, Wisconsin and Michigan.

(b) *Kind of logs.* All short logs, veneer short logs, bolts, box bolts and shingle bolts. All commercial species are included, whether specifically mentioned or not. The following are not covered: chemical wood, insulation and felt bolts and excelsior bolts.

SEC. 2. *Over-ceiling prices prohibited—*(a) *General.* On and after May 15, 1944, regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive, Lake States Cordwood at prices higher than those in this regulation; and no person shall offer or attempt to do any of these things.

(b) *Prices.* The maximum prices are set forth in sections 12 through 15.

(c) *Lower prices.* Prices under ceiling may, of course, be charged and paid.

(d) *Terms.* The maximum price cannot be increased for the extension of credit. The maximum price does not have to be reduced where the buyer purchases on cash terms.

SEC. 3. *Items not listed.* The maximum price on an item not listed is the "September–October 1942 price", as it was frozen by Maximum Price Regulation 348. If, for any reason, you cannot determine what the ceiling is, write to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for determination of the price.

SEC. 4. *Billing and records.* You must make a two-copy billing covering every sale. Each buyer and seller must keep one copy as a record. It must contain enough specifications and details to show whether the price is proper or not. One billing may cover all cordwood delivered in a period of not over two weeks.

SEC. 5. *Prohibited practices—*(a) *In general.* Any practice which gets the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Up-grading, up-scaling, or allowing a greater net scale footage than the actual content of the cordwood.

(2) Increasing the price of cordwood by failing to make an effort in good faith to collect advances to loggers. An advance to a logger is to be considered part of the price of the cordwood.

(3) Adding to the maximum prices a charge for grading, scaling or inspection.

(c) *Purchases of stumpage and payments to loggers.* It is a violation of this regulation to sell or purchase stumpage and contract for the seller to cut the stumpage, if the total amount paid for the stumpage and the cutting is higher than the ceiling for the cordwood.

(d) *Purchasing commissions.* Purchasing commissions cannot be added to the ceiling. By purchasing commission is meant any payment for buying, selling or locating cordwood, if the amount is in any way related to the quantity of cordwood involved.

SEC. 6. *Adjustable pricing.* You may agree to sell at a price which can be increased to the ceiling at time of delivery, but not beyond.

SEC. 7. *Adjustments and petitions—*(a) *Government contracts.* (See Procedural Regulation No. 6.)[1]

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

SEC. 8. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided for by the Emergency Price Control Act of 1942.

SEC. 9. *Licensing.* The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of applicable price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 10. *Dealers' and traders' commissions—*(a) *Who may receive dealers' commission.* A "dealer" is a person who meets both the following tests:

Test (1): He sold and delivered at least 5,000 cords of cordwood (box bolts, veneer short logs, excelsior bolts, pulpwood, insulation bolts, etc.) to consumers in either the 1942-43 or the 1943-44 operating season, (May 1 to April 30).

Test (2): He does not cut or prepare cordwood, but buys it in the form in which it is to be sold.

(b) *Who may receive traders' commission.* A "trader" is a person who meets test (2) just above, but not test (1).

Also, a dealer when selling to a non-consumer may receive a traders' commission.

(c) *Who may pay.* Only consumers may pay the dealers' commission. Any person may pay the traders' commission.

(d) *On which items.* Commissions may be added to the prices only of box bolts, and veneer short logs.

(e) *Maximum amount of commission.*
(1) Dealers': $1.00 per cord of 133 cubic feet.
(2) Traders': 50 cents per cord of 133 cubic feet.
(3) The total amount of commissions on any cord of 133 cubic feet may never exceed $1.00.

(f) *Conditions.* The commissions may be added only if all the following conditions are met:

(1) Settlement sheets must show the commission separately, and copies must be kept by buyer and seller;

(2) The dealer or trader guarantees that the wood is of merchantable quality and that it is free from liens and encumbrances;

(3) The settlement sheet must contain a statement that the dealer or trader had no part in the preparation of the wood.

(g) *Prohibited practices.* The following practices are prohibited:

(1) Paying or receiving a commission on wood cut or prepared by the dealer or trader;

(2) Adding the commission on the cut of any other person, on an understanding that the other person will handle, on commission, wood cut by you.

(3) Splitting commissions with anyone (exception: a dealer may pay a traders' commission out of his dealer's commission).

(h) *New dealers.* If you do not meet the definition of a dealer, but intend to engage in that kind of business, write to the Lumber Branch, Office of Price Administration, Washington, 25, D. C. Permission may be granted or denied by letter or telegram. The addition may not be made until permission has actually been received.

SEC. 11. *General provisions on delivery.* All prices are f. o. b. cars or delivered to the buying plant by truck, unless otherwise specified. If the buyer takes delivery short of the delivery point specified, the cost of bringing the cordwood to that point must be deducted from the ceiling price.

SEC. 12. *Maximum prices; Zone 1: Wisconsin and Upper Michigan—*(a) *Area of production.* Wisconsin and Upper Peninsula of Michigan.

(b) *Grading and scaling rules.* (1) *Box bolts.* (i) To be scaled on a face cordage basis of 8' plus trimming allowance of 4". A cord contains 133 cubic feet including trimming allowance.

(ii) Bolts must be 6" top and up, inside bark; 6" bolts must be perfectly straight and sound.

(iii) 7" and up bolts will admit sweep and crook not to exceed ⅓ of the diameter of small end. Rot and excessive sweep or crook is to be deducted on cordage basis. Bolts are to be tightly piled and knots closely trimmed so that true, or actual, cordage can be determined.

(2) *Shingle bolts.* (i) Shingle bolts are to be scaled on a face cordage basis of 8' plus trimming allowance of 4". A cord contains 133 cubic feet including trimming allowance.

(ii) Bolts must be 8" and up, inside bark. Bolts must be straight and sound except that sweep or crook will be permitted not to exceed ⅓ the diameter of small end. Rot and excessive sweep or crook to be deducted on cordage basis. Bolts are to be tightly piled and knots closely trimmed so that true, or actual, cordage can be determined.

(c) *Maximum prices.*

TABLE 1—100" BOX BOLTS

(Per single cord of 133 cubic feet f. o. b. cars. A maximum addition of $1.00 per single cord may be made for material delivered to the buying plant yard by truck.)

Species:	
Aspen (Popple)	$10.00
Jack Pine	12.00
Hemlock	11.50
White Birch	10.00
Basswood	11.00
Balm of Gilead	8.50
Mixed Hardwoods	10.00
Norway and White Pine	12.50

TABLE 2—100" SHINGLE BOLTS

(Per single cord (133 cubic feet) f. o. b. trucks. For delivery to mill or landing, add actual cost of delivery. For loading on cars, add the actual cost of loading.)

Species:	
White Cedar	$7.50

SEC. 13. *Maximum prices; Zone 2: Northern Minnesota—*(a) *Area of production.* In Minnesota: Counties of Aitkin, Becker, Beltrami, Benton, Carlton, Cass, Chisago, Clearwater, Cook, Crow Wing, Hubbard, Isanti, Itasca, Kanabec, Kittson, Koochiching, Lake, Lake of the Woods, Marshall, Morrison, Mille Lacs, Mahnomen, Otter Tail, Pine, Polk, Pennington, Red Lake, Roseau, St. Louis, Todd, and Wadena.

(b) *Grading and scaling rules—*(1) *Box bolts.* Box bolts shall be measured by the double cord: a compact rick or stack of wood eight and one-third by eight feet by four feet. Box bolts must be straight and cut from sound, live timber; 100" long with a minimum diameter of 6" at the small end inside bark. Limbs are to be closely trimmed. 6" bolts must be perfectly straight and sound. Bolts 7" and up will admit sweep and crook not to exceed ⅓ diameter at small end. Rot and excessive sweep or crook shall be deducted on a cordage basis. Box bolts may be purchased as all diameters above 6" (in which case the producer must include all of the larger diameter bolts which are cut from the stand) or on the basis of diameter classes (namely box bolts from 6" through 8" in diameter, and 9" and over.)

(2) *Veneer short logs.* Veneer short logs are to be cut in 50" and 100" lengths for Aspen and Basswood and 45" and 90" lengths for White Birch. The minimum diameter is 8". A single cord is a compact stack of wood containing 120 cubic feet for 45" and 90" bolts and 133 cubic feet for 50" and 100" bolts. Logs must be sound green timber, free from decay, seams or numerous knots. (Defect area must not be in excess of 6 inches per 45"

[1] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.
[2] 7 F.R. 8961; 8 F.R. 3313, 3538, 6173, 11806; 9 F.R. 1594.
[3] 8 F.R. 13240.

or 50" bolt and not in excess of 12 inches per 90" or 100" bolt.

(3) *Short bolts.* Short bolts shall be measured by the single cord of 128 cubic feet. They shall be cut to a minimum diameter of 12 inches. All bolts are to be sound, straight grained, free of knots, catfaces, and large worm holes, except that two small knots 1" or less in diameter will be permitted if in strict alignment; and are to be cut to lengths specified by the buyer.

(c) *Maximum prices.*

TABLE 3—BOX BOLTS

[Per double cord (266 cubic feet)]

Species	All bolts 6" and up in diameter	Box bolts 6", 7" and 8" in diameter	Box bolts 9" and up in diameter
Aspen (Popple)	$19	$18	$23
Basswood	21	20	24
Jack Pine	24	23	27
Norway (Red) Pine	24	23	28
White Pine	27	26	30
Balsam Fir	31	30	34
Spruce	18	17	22
Cottonwood	18	17	22
Elm	18	17	22
Soft Maple	18	17	20
Balm of Gilead	16	15	

TABLE 4—VENEER SHORT LOGS

(Per single cord)

Species	80" and 100" lengths (133 cubic feet)	45" and 90" lengths (120 cubic feet)
Aspen (Popple)	$14	
Basswood	14	
White Birch		$18

TABLE 5—SHORT BOLTS

(Per cord of 128 cubic feet)

Species:	
White and Red Oak	$11.00

SEC. 14. *Maximum prices; Zone 3: Southern Minnesota*—(a) *Area of production.* All counties of Minnesota south of and including the counties of Traverse, Grant, Douglas, Stearns, Sherborne, Anoka and Washington.

(b) *Grading and scaling rules.* Bolts must be at least 10" in diameter, except that Basswood bolts will be accepted 8" and up in diameter.

(c) *Special provisions on delivery.* These prices are for bolts f. o. b. cars or delivered to the mill by truck from within 25 miles. If bolts are delivered to the mill by truck from a distance over 25 miles, the buyer may add 5 cents per cord of 128 cubic feet for every additional load mile or fractions thereof over 25 and up to 50 miles and 4 cents per cord of 128 cubic feet for every load mile or fraction thereof over 50 miles.

(d) *Maximum prices.*

TABLE 6—BOLTS

Species:	Per cord of 128 cu. ft.
Red Oak, White Oak	$11.00
All other species	10.00

SEC. 15. *Maximum prices; Zone 4: Lower Michigan*—(a) *Area of production.* All of Michigan except the upper peninsula.

(b) *Maximum prices.* Until specific prices are published, the maximum prices are either the September–October 1942 prices as they were frozen by Maximum Price Regulation 348; or, for applicants who have joined in an area price petition, the petition prices.

This regulation shall become effective May 15, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6994; Filed, May 15, 1944; 4:03 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 535–4]

NEW ENGLAND CORDWOOD

In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1312.113 *Maximum prices for New England cordwood.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 535–4—New England Cordwood, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1312.113, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 535–4—NEW ENGLAND CORDWOOD

CONTENTS

Sec.
1. Coverage.
2. Over-ceiling prices prohibited.
3. Items not listed.
4. Billing and records.
5. Prohibited practices.
6. Adjustable pricing.
7. Adjustments and petitions.
8. Enforcement.
9. Licensing.
10. General provisions on delivery.
11. Maximum prices.

SECTION 1. *Coverage.* The coverage of this regulation is as follows:

(a) *Geographical.* The six New England states (Maine, Vermont, New Hampshire, Connecticut, Rhode Island and Massachusetts).

*Copies may be obtained from the Office of Price Administration.

(b) *Kind of cordwoods.* Hardwood and softwood bolts, but not including excelsior wood, insulation and felt cordwood.

SEC. 2. *Over-ceiling prices prohibited*—(a) *General.* On and after May 15, 1944, regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive, New England cordwood at prices higher than those in this regulation; and no person shall offer or attempt to do any of these things.

(b) *Prices.* The maximum prices are set forth in section 10.

(c) *Lower prices.* Prices under ceiling may, of course, be charged and paid.

(d) *Terms.* The maximum price cannot be increased for the extension of credit. The maximum price does not have to be reduced where the buyer purchases on cash terms.

SEC. 3. *Items not listed.* The maximum price for New England cordwood produced in an area not listed may be determined by applying to the Lumber Branch, Office of Price Administration, Washington 25, D. C. The application must contain the name and address of the buyer, the requested price, the end product to be manufactured, and a statement by the buyer that this requested price can be paid under the end product ceiling in effect on the date of application. The Lumber Branch may approve or deny this application by letter or telegram.

SEC. 4. *Billing and records.* You must make a two-copy billing covering every sale. Each buyer and seller must keep one copy as a record. It must contain enough specifications and details to show whether the price is proper or not. One billing may cover all logs delivered in a period of not over two weeks.

SEC. 5. *Prohibited practices*—(a) *In general.* Any practice which gets the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Up-grading, up-scaling, or allowing a greater net scale footage than the actual contents.

(2) Increasing the price of cordwood by failing to make an effort in good faith to collect advances to loggers. An advance to a logger is to be considered part of the price of the cordwood.

(3) Adding to the maximum prices a charge for grading, scaling or inspection.

(c) *Purchases of stumpage and payments to loggers.* It is a violation of this regulation to sell or purchase stumpage and contract for the seller to cut the stumpage, if the total amount paid for the stumpage and the logging is higher than the ceiling for the cordwood.

(d) *Purchasing commissions.* Purchasing commissions cannot be added to the ceiling. By purchasing commission is meant any payment for buying, selling, or locating cordwood, if the amount is in any way related to the quantity of cordwood involved.

SEC. 6. *Adjustable pricing.* You may agree to sell at a price which can be increased to the ceiling at time of delivery, but not beyond.

SEC. 7. *Adjustments and petitions*—(a) *Government contracts.* (See Procedural Regulation No. 6.[1])

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

SEC. 8. *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided for by the Emergency Price Control Act of 1942.

SEC. 9. *Licensing.* The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of applicable regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 10. *General provisions on delivery.* If the buyer takes delivery of the cordwood short of the delivery point at which the maximum price is fixed, the cost of bringing the logs to that delivery point must be deducted from the ceiling.

SEC. 11. *Maximum prices.* The maximum prices for New England cordwood are set forth below.

(a) *Area of production.* Part or all of the States of Maine, New Hampshire and Vermont as follows: The entire State of Maine; in the State of New Hampshire, the counties of Carroll, Grafton and Coos; and in the State of Vermont the counties of Essex, Caledonia, Orange and Orleans.

(b) *Species.* White birch (Betula populifolia, Betula alba var. papyrifera), yellow birch (Betula lutea), beach (Fagus grandifolia), maple (Acer sp.), aspen (Populus sp.), basswood (Tilia americana) and white pine (Pinus strobus).

(c) *Scaling rule.* All bolts are to be measured on the basis of a cord of 128 cubic feet. No charge can be made for trim allowance.

(d) *Grading rules applicable to all species.* (1) All bolts must be straight, sound and freshly cut.

(2) Log run grade shall consist of the entire product of the forest of the species and grade described above the diameter specified in the price table below. If any high-quality or large-sized bolts have been selected from the log run of bolts, the remaining bolts must be sold at lower prices as set forth below the price table.

(e) *Specific grading rules*—(1) *Log run white birch bolts.* Sound red heart is acceptable to not greater than one-third of the total diameter of the bolt. The knot area must not exceed 6 inches per bolt. No crotches accepted. Bolts shall be cut either 36", 48" or 60" as specified by the buyer, plus at least 2" over length to allow for trim.

(2) *Log run beech, yellow birch and maple bolts.* Knots will be accepted provided that there are not more than 2 in each bolt and provided that they are not greater than 2 inches in diameter. Crotches not acceptable. Bolts shall be cut into 36", 48" or 60" lengths as specified by the buyer, plus at least 2" over length to allow for trim.

(3) *Log run aspen and basswood bolts.* Knots will be accepted if there are not more than 2 in each 48" length (one in 24" length) and, if not greater than 1½" in diameter. Bolts must be free of seams and burls; a small amount of dark stain will be accepted. Bolts shall be cut into 24" or 48" lengths as specified by the buyer. Bolts cut 24" in length must be cut at least 1" over length to allow for trim, 48" bolts must be cut at least 2" over length to allow for trim.

(4) *Veneer grade birch, beech and maple bolts.* Must be free of knots, seams, burls or other defects. Bolts shall be cut 48" or 96" in length as specified by the buyer. 48" bolts must be cut 2" over length and 96" bolts must be cut 4" over length to allow for trim. The minimum acceptable diameter is set forth below in the price tables.

(5) *Veneer grade white pine bolts.* All bolts must be at least 8" in diameter. Sound knot defects will be accepted to the extent of 12 inches of lineal measure per 50" bolt; knots must be closely trimmed. No pine referred to by the industry as "Pasture Pine" is acceptable. Bolts shall be cut 48" in length and must be cut 2" over length to allow for trim.

(6) *No. 2 grade white pine bolts.* All bolts must be at least 7" in diameter. This grade includes all pine of box-board quality. Bolts shall be cut into 48" lengths plus 2" over length to allow for trim.

(f) *Maximum prices.*

TABLE 12—BOLTS

(Per cord of 128 cubic feet)

	Roadside	F. o. b. cars at rail siding	Delivered to mill by truck
Log run white birch:			
8" and up in diameter	$19.00	$21.50	$22.50
7" and up in diameter	18.00	20.50	21.50
6" and up in diameter	17.00	19.50	20.50
5" and up in diameter	16.00	18.50	19.50
4" and up in diameter	16.00	17.50	18.50
Long run yellow birch, beech and maple:			
8" and up in diameter	16.00	18.50	19.50
7" and up in diameter	15.00	17.50	18.50
6" and up in diameter	14.00	16.50	17.50
5" and up in diameter	13.00	15.50	16.50
Long run aspen and basswood:			
8" and up in diameter	16.00	18.50	19.50
6" and up in diameter	12.25	14.75	15.75
Veneer grade beech, birch and maple:			
10" and up in diameter	26.50	29.00	30.00
8" and up in diameter	20.00	22.50	23.50
Veneer grade white pine	14.25	16.75	17.75
No. 2 grade white pine	11.25	13.75	14.75

(1) If the veneer grade of bolt is removed from the log run of bolts deduct $1.00 from the above prices. In the case of white pine, however, the balance after removal of the veneer grade shall be priced at the No. 2 grade.

(2) If the larger diameter logs are removed from the run of logs (i. e. if the 8" and up bolts have been selected, or the 6" and up, etc.) the remaining smaller diameter bolts can be purchased at the following prices:

(i) For yellow birch, beech, maple and basswood—$11.25 per cord at roadside, $13.25 per cord f. o. b. cars, and $14.25 per cord for bolts delivered to the mill.

(ii) For white birch, the price shall vary by the diameters being sold. If the 7" bolts only are to be sold, the price shall be $2.25 per cord less than the 7" and up price; if the 6" bolts only are to be sold, the price shall be $2.25 per cord less than the 6" and up price; if the 5" bolts only are to be sold, the price shall be $2.25 less than the 5" and up price, and if the 4" only are to be sold, the price shall be $2.25 less than the 4" and up price.

If the lower diameters are sold in combination, the price shall be at the price for the lowest diameter bolt sold individually (i. e. if only the 5", 6", and 7" are to be sold the price shall be the 5" bolt price which is $2.25 less than the 5" and up price.)

(3) "Roadside" is any road that is maintained and kept open for traffic 12 months of the year.

This regulation shall become effective May 15, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Report Act of 1942.

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6996; Filed, May 15, 1944; 4:04 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 535–5]

CHESTNUT CORDWOOD

In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1312.114 *Maximum prices for chestnut cordwood.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 535–5 Chestnut Cordwood, which

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.
[2] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 3075.
[3] 8 F.R. 13240.

is annexed hereto and made a part hereof is hereby issued.

AUTHORITY: § 1312.114, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION No. 535–5—CHESTNUT CORDWOOD

CONTENTS

Sec.
1. Coverage.
2. Over-ceiling prices prohibited.
3. Items not listed.
4. Billing and records.
5. Prohibited practices.
6. Adjustable pricing.
7. Adjustments and petitions.
8. Enforcement.
9. Licensing.
10. Maximum prices.

SECTION 1. *Coverage.* The coverage of this regulation is as follows:

(a) *Geographical.* Virginia, West Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia and Alabama.

(b) *Kind of cordwood.* Chestnut cordwood.

SEC. 2. *Over-ceiling prices prohibited*—(a) *General.* On and after May 15, 1944, regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive, chestnut cordwood at prices higher than those in this regulation; and no person shall offer or attempt to do any of these things.

(b) *Prices.* The maximum prices are set forth in section 10.

(c) *Lower prices.* Prices under ceiling may, of course, be charged and paid.

(d) *Terms.* The maximum price cannot be increased for the extension of credit. The maximum price does not have to be reduced where the buyer purchases on cash terms.

SEC. 3. *Items not listed.* The maximum price for chestnut cordwood produced in the area not listed may be determined by applying to the Lumber Branch, Office of Price Administration, Washington 25, D. C. The application must contain the name and address of the buyer, the requested price, the end product to be manufactured, and a statement by the buyer that this requested price can be paid under the end product ceiling in effect on the date of application. The Lumber Branch may approve or deny this application by letter or telegram.

SEC. 4. *Billing and records.* You must make a two-copy billing covering every sale. Each buyer and seller must keep one copy as a record. It must contain enough specifications and details to show whether the price is proper or not. One billing may cover all cordwood delivered in a period of not over two weeks.

SEC. 5. *Prohibited practices*—(a) *In general.* Any practice which gets the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Up-grading, up-scaling, or allowing a greater net scale footage than the actual contents.

(2) Increasing the price of cordwood by failing to make an effort in good faith to collect advances to loggers. An advance to a logger is to be considered part of the price of the cordwood.

(3) Adding to the maximum prices a charge for grading, scaling or inspection.

(c) *Purchases of stumpage and payments to loggers.* It is a violation of this regulation to sell or purchase stumpage and contract for the seller to cut the stumpage, if the total amount paid for the stumpage and the logging is higher than the ceiling for the cordwood.

(d) *Purchasing commissions.* Purchasing commissions cannot be added to the ceiling. By purchasing commission is meant any payment for buying, selling, or locating cordwood, if the amount is in any way related to the quantity of cordwood involved.

SEC. 6. *Adjustable pricing.* You may agree to sell at a price which can be increased to the ceiling at time of delivery, but not beyond.

SEC. 7. *Adjustments and petitions*—(a) *Government contracts.* (See Procedural Regulation No. 6.)[1]

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

SEC. 8. *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided for by the Emergency Price Control Act of 1942.

SEC. 9. *Licensing.* The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 10. *Maximum prices.* The maximum prices for chestnut cordwood are set forth below:

General provisions—All zones. Maximum prices on cordwood are established on cords or units of a stated number of cubic feet. In cases where the cord or unit sold differs in cubical content the maximum price may be adjusted upward if the unit sold is larger and must be adjusted downward if the unit sold is smaller. For example, the unit priced in the regulation is 160 cu. ft. If the unit sold contains 128 cu. ft., the maximum price must be reduced by 20 percent.

Scaling and grading rules. A unit of 160 cubic feet shall be the basis of measurement. The wood is to be sound and clear; dead or green; bark on or off; wood with worm holes accepted; decayed, charred or burned portions shall be removed; wood must be sawed, not chopped, into 4 or 5 foot lengths.

MAXIMUM PRICES

Zone 1. The entire State of Virginia excluding the following counties: Bland, Wythe, Grayson, Smyth, Tazewell, Washington, Russell, Buchanan, Scott, Lee, Wise and Dickenson.

TABLE 1

$11.00 per unit of 160 cu. ft., f. o. b. cars.
$12.00 per unit of 160 cu. ft., delivered to mill by truck.

Zone 2. The entire States of West Virginia, North Carolina, South Carolina, Georgia, Kentucky, all of Tennessee except the seven counties listed in Zone 3 below, and the following counties in Virginia: Bland, Wythe, Grayson, Smyth, Tazewell, Washington, Russell, Buchanan, Scott, Lee, Wise and Dickenson.

TABLE 2

$10.50 per unit of 160 cu. ft., f. o. b. rail or water loading point or delivered to the mill by truck.

Zone 3. Alabama and the following counties in Tennessee: Hardin, Wayne, Lawrence, Giles, Lincoln, Franklin and Marion.

TABLE 3

$10.50 per unit of 160 cu. ft., f. o.b. rail or water loading point. In this zone only, the following amounts may be added to the maximum prices where delivery is made to the mill by truck:

Up to 15 miles, $0.75 per 160 cu. ft. unit.
15 to 25 miles, $0.94 per 160 cu. ft. unit.
25 miles and over, $1.25 per 160 cu. ft. unit.

General provisions. If wood is banked at a rail siding at the buyer's request and is later loaded at seller's expense on the railway car, an amount not in excess of $1.00 per unit of 160 cubic feet may be added to the maximum price. If a consumer of chestnut cordwood purchases chestnut cordwood through a dealer, the consumer may pay the dealer not more than the maximum price herein plus a dealer's allowance of 62½ cents per unit of 160 cubic feet. A dealer means any person who sells to consumers chestnut cordwood not cut or prepared by him, but purchased by him in the condition in which it is to be delivered to the consumer. The commission may not be paid on any wood produced by the dealer.

This regulation shall become effective May 15, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6997; Filed, May 15, 1944; 4:04 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 535–7]

CHEMICAL CORDWOOD

In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.[4]

§ 1312.116 *Maximum prices for chemical cordwood.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 535–7, Chemical Cordwood, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1312.116, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION No. 535–7—CHEMICAL CORDWOOD

CONTENTS

Sec.
1. Coverage.
2. Over-ceiling prices prohibited.
3. Items not listed.
4. Billing and records.
5. Prohibited practices.
6. Adjustable pricing.
7. Adjustments and petitions.
8. Enforcement.
9. Licensing.
10. General grading rules.
11. General scaling rules.
12. General delivery provisions.
13. Maximum prices for Zone 2.
14. Maximum prices for parts of Zones 3, 4 and 5.
15. Maximum prices for parts of Zones 5, 6 and 7.
16. Maximum prices for part of Zone 5.
17. Maximum prices for part of Zone 6.
18. Maximum prices for part of Zone 7.
19. Maximum prices for part of Zone 8.

SECTION 1. *Coverage.* The coverage of this regulation is as follows:

(a) *Geographical.* The eastern portion of the United States (east of the 100th Meridian). For convenience, the zone numbers used correspond to the zone numbers in Revised Maximum Price Regulation 216, Eastern Primary Forest Products.

(b) *Kind of logs.* Chemical cordwood of all species including chemical bolts and chemical logs.

SEC. 2. *Over-ceiling prices prohibited*—(a) *General.* On and after May 15, 1944, regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive, chemical cordwood at prices higher than those in this regulation; and no person shall offer or attempt to do any of these things.

(b) *Prices.* The maximum prices are set forth in zones in sections 13 through 19.

(c) *Lower prices.* Prices under ceiling may, of course, be charged and paid.

(d) *Terms.* The maximum price cannot be increased for the extension of credit. The maximum price does not have to be reduced where the buyer purchases on cash terms.

SEC. 3. *Items not listed.* The maximum price on chemical wood produced in an area not listed may be determined by applying to the Lumber Branch, Office of Price Administration, Washington 25, D. C. The application must contain the name and address of the buyer, the requested price, the end product to be manufactured, and a statement by the buyer that this requested price can be paid under the end product ceiling in effect on the date of application. The Lumber Branch may approve or deny this application by letter or telegram.

SEC. 4. *Billing and records.* You must make a two-copy billing covering every sale. Each buyer and seller must keep one copy as a record. It must contain enough specifications and details to show whether the price is proper or not. One billing may cover all cordwood delivered in a period of not over two weeks.

SEC. 5. *Prohibited practices*—(a) *In general.* Any practice which gets the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Up-grading, up-scaling, or allowing a greater net scale footage than the actual content of the cordwood.

(2) Increasing the price of logs by failing to make an effort in good faith to collect advances to loggers. An advance to a logger is to be considered part of the price of the cordwood.

(3) Adding to the maximum prices a charge for grading, scaling or inspection.

(4) Paying the log seller's workman's compensation insurance, social security payments, taxes, or any other payments, if these amounts when added to all other payments or compensation exceed the maximum prices.

(c) *Purchases of stumpage and payments to loggers.* It is a violation of this regulation to sell or purchase stumpage and contract for the seller to cut the stumpage, if the total amount paid for the stumpage and the logging is higher than the ceiling for the chemical cordwood.

(d) *Purchasing commissions.* Purchasing commissions cannot be added to the ceiling. By purchasing commission is meant any payment for buying, selling, or locating chemical cordwood, if the amount is in any way related to the quantity of cordwood involved.

SEC. 6. *Adjustable pricing.* You may agree to sell at a price which can be increased to the ceiling at time of delivery, but not beyond.

SEC. 7. *Adjustments and petitions*—(a) *Government contracts.* (See Procedural Regulation No. 6.)[1]

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

SEC. 8. *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided for by the Emergency Price Control Act of 1942.

SEC. 9. *Licensing.* The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 10. *General grading rules.* Chemical bolts and cordwood are cull hardwood logs of mixed species random lengths or wood cut from tops and branches either round or split or a mixture of round and split. They must be reasonably straight, reasonably sound, must be trimmed free of all projecting stubs and crotches.

Buying plants may set minimum and maximum diameters and lengths to suit individual operations. Buying plants may require splitting of large diameters.

SEC. 11. *General scaling rules.* Purchase must be made by volume cord except in Zone 8, Lake States, where weight basis is permitted and logs over 9′ in length may be purchased on Scribner log rule measure. Buying plants shall make reasonable deductions for rotten or dozy wood or loose piling.

Cord measure. The basic cord measure shall be a cord 4′ high 8′ long, 52″ wide (138 cubic feet). Sticks must be at least 52″ long, must have a diameter at small end inside the bark of at least 3″.

Where sticks are cut in lengths other than 52″, the price must be varied according to the following table:

Where required length is 48″, cubic footage of cord is 128, deduct—
7.2% of price.
50″, 133, deduct 3.6% of price.
54″, 144, add 4.3% of price.
60″, 160, add 15.9% of price.

Where unit common to an area is other than 138 cubic feet, price is adjusted in the table of prices.

SEC. 12. *General delivery provisions.* Prices are f. o. b. cars or delivered buyer's plant by truck as set forth and special delivery rules are included in each maximum price section.

SEC. 13. *Maximum prices for Zone 2.* (Southern New York and Northern Pennsylvania.)

(a) *Specific coverage.* Chemical cordwood produced in New York: Counties of Broome, Delaware, Sullivan, Allegany, Cattaraugus, and Steuben. Pennsylvania: Counties of Elk, Forest, McKean, Potter, Tioga, Warren, Jefferson, Lycoming, and Wayne.

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[1] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.
[2] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 3075.
[3] 8 F. R. 13240

[4] Copies may be obtained from the Office of Price Administration.

(b) *Maximum price.* F. o. b. railroad cars or delivered by truck to buyers plant within 25 miles:

$10.00 per unit of 138 cubic feet.

(c) Delivery provision for truck delivery—long haul:

If chemical cordwood is delivered to the mill by truck from a distance in excess of 25 miles the buyer may add 5 cents per unit of 138 cubic feet for every load mile in excess of 25 miles.

SEC. 14. *Maximum prices for parts of Zones 3, 4 and 5.* (Southeastern Kentucky, Eastern Tennessee, Western Virginia, Southern West Virginia, Northwestern South Carolina, Western North Carolina, and Northern Georgia.)

(a) *Specific coverage:* Chemical cordwood produced in:

Kentucky. Counties of Letcher, Harlan, Leslie, Bell, Knox, Whitley, Pike, Floyd, Knott, Perry, Clay, Laurel, McCreary.

Tennessee. Counties of Hamilton, Sequatchie, Bledsoe, Cumberland, Fentress, Scott, Campbell, Claiborne, Hancock, Hawkings, Sullivan, Johnson, Carter, Unicoi, Washington, Greene, Cocke, Sevier, Blount, Monroe, Polk, Bradley, McMinn, Loudon, Roane, Anderson, Union, Grainger, Jefferson, Hamblen, Marion, Rhea, Meigs, Morgan, Knox.

West Virginia. Counties of McDowell, Mercer.

Virginia. Counties of Bland, Wythe, Grayson, Tazewell, Smyth, Washington, Russell, Buchanan, Dickenson, Wise, Scott, Lee.

North Carolina. Counties of Ashe, Watauga, Caldwell, Alexander, Rutherford, Catawba, Cleveland, Burke, McDowell, Polk, Henderson, Buncombe, Yancey, Avery, Mitchell, Madison, Haywood, Jackson, Transylvania, Macon, Clay, Swain, Graham, Cherokee.

South Carolina. Counties of Oconee, Pickens, Greenville, Spartanburg, Cherokee, York, Chester, Fairfield, Newberry, Union, Laurens, Anderson.

Georgia. Counties of Rabun, Towns, Union, Fannin, Gilmer, Murray, Whitfield, Catoosa.

(b) *Maximum price.* F. o. b. railroad cars or delivered by truck to buyer's plant:

$10.50 per unit of 160 cubic feet.

(c) *General provisions*—(1) *Dealer's provision.* When the consumer purchases chemical wood from a dealer, a dealer's allowance of not to exceed 62½ cents per cord of 160 cubic feet may be paid in addition to the above maximum prices. A dealer is a person engaged in buying and selling chemical wood not produced by himself. The allowance must be separately shown on the billing or settlement sheet and may not be charged on any of the wood which has been produced by the dealer himself.

(2) *Banking provisions.* If wood is banked at a rail siding at buyer's request and is later loaded at seller's expense on the rail car, an amount not in excess of $1.00 per unit of 160 cubic feet may be added to the maximum price.

SEC. 15. *Maximum prices for parts of Zones 5, 6 and 7.* (Western Kentucky, Western Tennessee, Eastern Arkansas, and Northern Mississippi.)

(a) *Specific coverage.* Chemical cordwood, produced in

Kentucky. Counties of Ballard, McCracken, Carlisle, Marshall, Graves, Calloway, Hickman, Fulton.

Tennessee. Counties of Lake, Obion, Weakley, Henry, Dyer, Benton, Gibson, Carroll, Crockett, Lauderdale, Henderson, Madison, Haywood, Tipton, Decatur, Chester, Shelby, Fayette, Hardeman, McNairy.

Arkansas. Counties of Carroll, Boone, Marion, Baxter, Fulton, Randolph, Clay, Madison, Newton, Searcy, Stone, Izard, Sharp, Lawrence, Greene, Franklin, Johnson, Pope, Van Buren, Conway, Faulkner, Cleburne, Independence, White, Jackson, Poinsett, Craighead, Mississippi, Cross, Crittenden, Woodruff, St. Francis, Lonoke, Prairie, Lee, Monroe, Phillips, Arkansas, Jefferson.

Mississippi. Counties of DeSoto, Marshall, Benton, Alcorn, Prentiss, Tunica, Tate, Panola, Lafayette, Union, Tishomingo, Lee, Itawamba, Pontotoc, Coahoma, Quitman, Bolivar, Tallahatchie, Yalobusha, Calhoun, Chickasaw, Monroe, Grenada, Sunflower, Leflore, Webster, Clay, Lowndes, Oktibbeha, Choctaw, Carroll, Montgomery, Washington, Humphreys, Holmes, Attala, Winston, Noxubee, Sharkey, Issaquena, Yazoo, Leake, Neshoba, Kemper, Lauderdale, Newton, Scott, Madison, Rankin, Hinds, Warren, Claiborne, Tippah.

(b) *Maximum price:* F. o. b. cars or f. o. b. buyers truck:

$7.80 per unit of 138 cubic feet.

(c) *Delivery provision.* Banked wood. For wood delivered to railroad bank or highway bank, deduct 50 cents per unit.

SEC. 16. *Maximum prices for part of Zone 5.* (Central Tennessee)

(a) *Specific coverage.* Chemical cordwood produced in:

Tennessee. Counties of Stewart, Montgomery, Houston, Dickson, Humphreys, Perry, Hickman, Hardin, Wayne, Lewis, Lawrence, Robertson, Sumner, Macon, Trousdale, Clay, Overton, Pickett, Cheatham, Davidson, Wilson, Smith, Jackson, Putnam, Williamson, Rutherford, Cannon, DeKalb, White, Maury, Marshall, Bedford, Coffee, Grundy, Giles, Lincoln, Moore, Franklin, Marion, Warren, Van Buren.

(b) *Maximum price.* F. o. b. railroad cars:

$7.80 per unit of 138 cubic feet.

(c) *Dealer's provision.* When the consumer purchases chemical wood from a dealer, a dealer's allowance not to exceed 50 cents per cord (as defined in this table) may be paid in addition to the above maximum prices. A dealer is a person engaged in buying and selling chemical wood not produced by himself. The allowance must be separately on the billing or settlement sheet and must not be charged on any of the wood which has been produced by the dealer himself.

(d) *Truck delivery provision.* For truck delivery to buyers plant 50 cents per unit may be added.

SEC. 17. *Maximum prices for part of Zone 6.* (Southern Arkansas and Northern Louisiana.)

(a) *Specific coverage.* Chemical cordwood, produced in:

Arkansas. Counties of Ashley, Chicot, Union, Columbia, Lafayette, Miller, Little River, Sevier, Hempstead, Nevada, Ouachita, Calhoun, Bradley, Drew, Desha, Lincoln, Cleveland, Dallas, Clark, Pike, Howard, Saline, Polk, Montgomery, Garland, Hot Springs, Grant, Yell, Pulaski, Perry.

Louisiana. The parishes of Caddo, Bossier, Webster, Claiborne, Union, Morehouse, West Carroll, East Carroll, Madison, Richland, Ouachita, Lincoln, Jackson, Bienville, Red River, Natchitoches, Winn, Grant, La Salle, Caldwell, Franklin, Tensas, Catahoula, Concordia.

(b) *Maximum price.* F. o. b. railroad cars:

$8.70 per unit of 138 cubic feet.

(c) *Delivery provision; banked wood.* (1) If wood is banked at a rail siding at the buyer's request and is later loaded at seller's expense on the railway car, an amount not in excess of 86 cents per unit of 138 cubic feet may be added to the maximum price in the case of wood shipped by rail.

(2) For truck delivery to buyers plant 50 cents per unit may be added.

SEC. 18. *Maximum prices for parts of Zone 7.* (Northwestern Arkansas and Oklahoma and Missouri.)

(a) *Specific coverage.* Chemical cordwood produced in:

(1) Table a—Oklahoma.
(2) Table b—Crawford, Washington, and Benton counties in Arkansas.
(3) Table c—Missouri.

(b) *Maximum prices.* 128 cubic foot unit:

(1) Table a—all species.
$10.00 per unit of 128 cubic feet, delivered to buyer's plant.[4]
(2) Table b—F. o. b. cars or delivered by truck.
$6.00 per unit of 128 cubic feet, all species except willow wood.
$9.00 per unit of 128 cubic feet, for willow wood.[4]
(3) Table c—F. o. b. cars or delivered by truck—all species.
$6.50 per unit of 128 cubic feet.

SEC. 19. *Maximum prices for part of Zone 8.* (Michigan and Wisconsin.)

(a) *Specific coverage.* Chemical cordwood produced in:

Upper Peninsula of Michigan and the following counties in Wisconsin: Marinette, Florence, Forest, Oneida, Vilas, Iron, Oconto, Shawano, Langlade.

(b) *Maximum prices.* F. o. b. railroad cars or delivered by truck to buyer's plant.

(1) $9.00 per unit of 138 cubic feet.
(2) Chemical logs—$21.00 per M feet, log scale, using Scribner Decimal "C" rule.
(3) Chemical logs or cordwood—$3.00 per ton.

(i) Where a buying plant is equipped for weighing, this unit may be bought on a weight basis delivered to a buyer's plant at a maximum price of 18 cents per 100 lbs. for green wood and this price may be increased on a sliding scale depending on the dryness of the wood to a maximum price of 30 cents per 100 lbs. for bone dry wood delivered to buyer's plant.

(ii) Where chemical bolts produced in a secondary or salvage logging operation are sold on a weight basis delivered at Marquette, Michigan, or f. o. b. cars on the Lake Superior Ishpeming Railroad, the Manistique and Lake Superior Railroad, the Duluth South Shore and Atlantic Railroad or the Copper Range Railroad, the above maximum price on chemical bolts may be increased by $0.62 per ton.

Definition. As used in the preceding paragraph, a secondary or salvage operation is one in which a chemical wood jobber (producer) is primarily engaged in producing and delivering chemical bolts to the extent of at least 75 percent of his total volume of forest products, from an area already cut over for other forest products or from an area with such a poor stand of timber that it cannot be logged for saw-timber. Any logger may carry on both a logging job and a salvage operation for chemical bolts: *Provided,* That in any shipment of chemical bolts so salvaged, at least 75 percent of the bolts shipped are below the standards of merchantability defined under Maximum Price Regulation No. 533–2, Lake States Logs, Zone 1, Hardwood Logs, No. 3 Log Grade.

This regulation shall become effective May 15, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6999; Filed, May 15, 1944; 4:05 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 7]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[*]

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5803 is amended by inserting before the words "Procedural Regulation," the word "Revised."

2. Section 1394.5804 is added as follows:

§ 1394.5804 *District Directors may issue orders where coupons have been improperly detached from consumers' coupon sheets.* (a) Where a dealer or primary supplier (hereinafter called the respondent) has failed to transfer fuel oil to a consumer in exchange for coupons which he had detached from the consumer's coupon sheet and a suspension order has been issued under Revised Procedural Regulation No. 4, or a court order, decree, injunction or judgment has been issued against the respondent because of his violation of Ration Order No. 11 or Revised Ration Order 11, the OPA District Director serving the area in which the registered place of business of the respondent is located, upon application by the respondent or on the District Director's own motion, may (unless the suspension order or the court order, decree, injunction or judgment provides to the contrary), issue an order containing one or more of the following provisions:

(1) Directing the respondent to file with the District Director, by a date specified by the District Director, a statement certified by him to be true and complete giving, as to each consumer from whose coupon sheet he had detached coupons and to whom he had failed by that date to transfer, in exchange, an amount of fuel oil equal to the gallonage value of such coupons and as to each of the coupon sheets of such consumer, the following information:

(i) The name and address of each such consumer;

(ii) The class of the coupon sheet and the number and address of the Board issuing it; the period for which the coupon sheet was issued and the total gallonage value of the coupons attached to the coupon sheet when it was issued by the Board, as that information appears on the coupon sheet stub.

(iii) The total gallonage value of the coupons not yet detached from the coupon sheet at the time it was deposited with respondent;

(iv) The total gallonage value of the coupons not yet detached from the coupon sheet, on the date of the statement;

(v) The total number of gallons of fuel oil transferred by the respondent to the consumer pursuant to the ration represented by the coupon sheet, from the time of its deposit with respondent to the date of the statement;

(vi) The total gallonage value of the coupons detached by the respondent from the coupon sheet, in exchange for which he had failed to transfer to the consumer an amount of fuel oil equal to the gallonage value of such coupons by the date of the statement.

(vii) The total gallonage value of currently valid coupons not yet detached, from the coupon sheet, and in exchange for which fuel oil had not yet been delivered, by the date of the statement.

The respondent shall, when he submits the statement prescribed by subparagraph (1), surrender to the District Director evidences equal in gallonage value to the total gallonage value of all coupons detached by respondent from all coupon sheets, in exchange for which he had, by the date of the statement, failed to transfer to those consumers an amount of fuel oil equal to the gallonage value of such coupons.

(2) Permitting the respondent to transfer to any consumer listed on the statement furnished to the District Director pursuant to subparagraph (1) of this paragraph (a) (or listed in a like statement furnished by him pursuant to a suspension order, or a court order, decree, injunction or judgment), upon that consumer's order, and permitting that consumer to accept, an amount of fuel oil equal to the gallonage value of such detached coupons less the amount of fuel oil he transferred to the consumer, by the date of the statement, in exchange for such coupons, excluding the gallonage value of any of such detached coupons which have expired. However, no such permission shall be granted to any respondent who has failed to surrender coupons or evidences pursuant to subparagraph (1).

(3) Directing the respondent to submit to the District Director, at such times as he may specify, for his written approval, a record of each transfer of fuel oil made pursuant to his permission. The record shall show by name and address of each consumer to whom the transfer was made, the date and gallonage of the transfer, and shall be accompanied by a statement signed by the consumer acknowledging receipt of the fuel oil.

(4) Directing any Board within the limitation area, upon submission to it by respondent of a record of such fuel oil transfers, bearing the written approval of the District Director pursuant to subparagraph (3) of this paragraph (a), to furnish the respondent with an exchange certificate (or certificates), in the manner provided in § 1394.5723, equal in gallonage value to the fuel oil transfers so approved.

(b) Nothing in this section or in any direction or authorization issued pursuant to this section shall be construed to authorize any transfer of fuel oil to any consumer, or the acceptance of any such transfer, in exchange for coupons which have expired under § 1394.5327 (b) or which evidence a ration which has expired pursuant to § 1394.5501 (expiration of rations and coupon sheets) or § 1394.5502 (same: cessation of use or change in ownership, control or use), or in exchange for coupons which have been detached in violation of this Ration Order No. 11 or Revised Ration Order 11 and which have expired pursuant to any such section.

(c) No order issued pursuant to this section shall operate as a waiver of any violation of Ration Order No. 11 or Revised Ration Order 11.

3. Section 1394.5801 (i) is amended to read as follows:

(i) No person shall do, or offer, solicit, attempt or agree to do, any act in violation of this order or any order or direction issued hereunder by a Regional Administrator or District Director.

This amendment shall become effective on May 20, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong., WPB Directive 1, 7 F.R. 562, Supp. Dir. 1–O, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 16th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7037; Filed, May 16, 1944; 11:33 a. m.]

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[4] The above prices can be increased $3.00 per unit of 128 cubic feet for peeled willow wood.

[*] Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 2357, 3353, 4350, 4391.

PART 1404—RATIONING OF FOOTWEAR

[RO 17[1], Amdt. 59]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. Section 1.5 (a) is amended by adding after the third sentence the following: "In cases of emergency where an applicant has immediate need for shoes, and it is impractical for him to apply at a local Board, any District Office may issue him the necessary stamps."

2. Section 1.5 (b) is amended by inserting after the word "Board" wherever it appears therein the following words: "or District Office".

3. Section 1.5 (c) is amended by inserting after the word "Board" wherever it appears therein the following words: "or District Office".

4. Section 1.5 (d) is amended by inserting after the word "Board" wherever it appears therein the following words: "or District Office".

5. Section 1.7 (a) (4) is amended by adding at the end of the last sentence the following: "and, if it is the custom of the institution, it may give him a new pair of discharge shoes."

6. Section 1.10 (b) is amended by deleting the first sentence and substituting instead the following: "A consumer may get a special shoe stamp from the Board to replace defective shoes if (1) he surrendered ration currency for them; (2) the establishment from which he got them accepts their return within sixty days from the date of purchase and does not return them to the consumer; and (3) they are defective because of workmanship or material and cannot reasonably be repaired."

This amendment shall become effective May 20, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1–T, 8 F.R. 1727, 8 F.R. 7440; E.O. 9125, 7 F.R. 2719)

Issued this 16th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7038; Filed, May 16, 1944; 11:34 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 60]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. Section 2.18 (a) is amended by adding after the first sentence the following:

Manufacturers shall mark on one shoe of each pair of women's plastic or fibre box toe safety shoes which is shipped from the factory after May 15, 1944, the month and year in which the shoe is shipped.

2. The definition of "Safety shoes" in section 3.13 is amended by deleting the following:

(Women's safety shoes made with a plastic or fibre box toe will not be considered safety shoes after May 1, 1944)

and substituting instead the following:

(Women's shoes made with a plastic or fiber box toe may be considered safety shoes only if shipped from the factory before May 16, 1944.)

This amendment shall become effective May 16, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1–T, 8 F.R. 1727, 8 F.R. 7440; E.O. 9125, 7 F.R. 2719)

Issued this 16th day of May, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7039; Filed, May 16, 1944; 11:31 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 15]

SUGAR

A rationale accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respects:

1. Section 1407.141 (e) is amended by deleting the words "and III" and inserting in place thereof the following: ", III, IV, V, and VI".

2. Section 1407.142 (c) is amended by deleting the words "and III" and inserting in place thereof the following: ", III, IV, V, and VI".

This amendment shall become effective May 20, 1944.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E. O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R 562, 2965; Food Dir. No. 3, 8 F.R. 2005; Food Dir. 8, 8 F.R. 7093)

Issued this 16th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7040; Filed, May 16, 1944; 11:33 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 12,[1] Amdt. 32]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 6.6 (k) is added to read as follows:

(k) *Reduction of excess inventory based on frozen processed foods which are in industrial user's inventory on April 1, 1944.* An industrial user may apply for a reduction of his excess inventory, if he had in his inventory, on April 1, 1944, frozen processed foods which were treated as excess inventory or which were acquired with points issued to him as an advance under section 6.6 (i), as it read before April 6, 1944. (An industrial user who, at the time points were issued to him to acquire, in advance, frozen processed foods under section 6.6 (i), had points on hand or in his ration bank account is considered to have acquired frozen processed foods from points issued to him as an advance only to the extent that the points he used to acquire frozen processed foods after he received the advance exceed the points he had on hand and in his ration bank account at the time he received the advance.) Application shall be made on OPA Form R–315 to the board with which he is registered.

(1) If frozen processed foods in his inventory on April 1, 1944 were treated as excess inventory, the application must state:

(i) The types and quantities of frozen processed foods he had in his inventory on April 1, 1944, which were treated as excess inventory;

(ii) The dates on which such foods were added to his excess inventory and the point values at which they were so added.

(2) If frozen processed foods in his inventory on April 1, 1944, were acquired with points issued to him as an advance under section 6.6 (i) as it read before April 6, 1944, the application must state:

(i) The types and quantities of frozen processed foods he had in his inventory on April 1, 1944, which were acquired with points issued to him as an advance;

(ii) The dates on which such foods were acquired and the number of points given up for them; and

(iii) The names and addresses of the persons from whom such foods were acquired.

(3) An industrial user may combine on a single application the information called for under (1) and (2) of this paragraph.

If the board finds the statements made in the application are true, it shall grant the application and reduce his excess inventory by the point value at which the frozen processed foods he had in his inventory on April 1, 1944, were added to his excess inventory, and by the points he used from any advance under section 6.6 (i) to acquire frozen processed foods which were in his inventory on April 1, 1944.

This amendment shall become effective May 20, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 16th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7041; Filed, May 16, 1944; 11:33 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 183,[1] Amdt. 34]

GROCERY ITEMS AND ALCOHOLIC BEVERAGES IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 183 is amended in the following respects:

1. Section 20 Table 3 is amended by adding new items to read as follows:

Items and brand names	Unit, case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Fruit-cocktail: Nugget	24/#2½ can	.....	$9.35	$0.49
Cherries, pitted black: S & W	24/#2½ can	$11.20	12.25	.65
Cherries, black unpitted: S & W	24/#2½ can	10.35	11.35	.61
Peaches, yellow free standard, halves: Sealed In	24/#2½ can	.....	7.25	.39
Peaches, yellow cling sliced: Palmdale	24/#2½ can	6.45	7.00	.37
Peaches, yellow cling, halves: Cosmos	24/#2½ can	6.10	6.55	.35
Peaches, yellow cling second pieces sliced: World Wide	24/#2½ can	.....	6.35	.34
Pears, standard salad pieces: Cock Robin	24/#2½ can	.....	7.55	.40
Pears, choice: Sacramento	6/#10 can	.....	7.75	1.70
Plums, whole unpitted red tart: S & W	12/#2½ glass	3.70	4.15	.45

2. Section 20, Table 3a, is amended by adding new items to read as follows:

Items and brand names	Unit, case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Sauce, cranberry: S & W	24/16 oz	$5.55	$6.40	$0.35
Apple sauce: S & W	24/#2 can	5.20	5.80	.32

3. Section 21, Table 4, is amended by adding a new item to read as follows:

Items and brand names	Unit, case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Pear nectar: R. C	48/12 oz	.....	$5.40	$0.14

4. Section 23, Table 7, is amended by adding a new item to read as follows:

Items and brand names	Unit, case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Soup: Condensed Vegetable Hurff	24/20 oz	$4.60	$5.05	$0.26

5. Section 24, Table 8, is amended by adding new items and by changing the prices of one item to read as follows:

Items and brand names	Unit, case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Catsup: Our Favorite	24/14 oz. bot	.....	$4.60	$0.24
Tasty	24/14 oz. bot	.....	5.00	.27
Puree: Palmdale	6/#10 can	$3.95	4.50	.97
Sauce: Allwood	72/8 oz. tin	.....	4.75	.08
Del Monte	72/8 oz. tin	4.15	4.65	.08

6. Section 24, Table 9, is amended by adding a new item and by changing the prices of one item to read as follows:

Items and brand names	Unit, case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Juice: Sacramento	24/#2 Tall can	.....	$3.40	$0.18
S & W	12/47 oz. cans	$3.30	3.70	.40

7. Section 25, Table 10, is amended by adding new items and by changing the prices of one item all to read as follows:

Items and brand names	Unit, case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Beets, small whole: S & W	24/#2 can	$5.05	$5.80	$0.31
Beets, diced: S & W	24/#2 can	3.30	3.60	.19
S & W	6/#10 can	3.60	4.00	.87
Beets, Julienne: S & W	24/#2 can	3.30	3.60	.19
Beets, Sliced: S & W	6/#10 can	4.20	4.65	1.00
Corn, G. B. cream style: Palmdale	24/#2 can	3.75	4.25	.22
Corn, white cream style: Century	24/#2 can	3.65	4.10	.21
Peas, green split: S & W	24/#1 can	3.60	4.00	.20
Peas, sub-standard Alaska whole green: Western Girl	24/#2 can	.....	3.35	.17
Peas, extra standard: Cosmos	24/#2 can	3.55	4.00	.20
Stringbeans, Julienne: S & W	24/#2 can	4.95	5.55	.30
Stringbeans, cut sieve #3: S & W	6/#10 can	.65	5.30	1.15
Tomatoes, fancy solid pack: Palmdale	24/#2½ can	5.10	5.60	.30
Tomatoes, standard: Cosmos	24/#2½ can	4.10	4.50	.24

8. Section 29, Table 15, is amended by adding new items to read as follows:

Brand	Container, type and size, Ctn. of—	To wholesalers (per ctn.)	At wholesale (per ctn.)	At retail (per unit)
Loose-Wiles: Hydrox	144/4 oz. pkg	$13.55	$14.90	$0.13
Matinee	72/5 oz. pkg	7.10	7.80	.14
Hi-Jo, Jr	72/6½ oz	7.70	8.45	.15
Dutch Rusks	96/5½ oz	5.70	6.25	.22
Zwieback	72/5½ oz	12.30	13.25	.25
Hi-Jo	24/1#	5.15	5.60	.29
Soda	24/1#	4.60	5.10	.27
Advocate Creams	120/7½ oz. bags	16.90	18.30	.19
Cheese Straw	48/8 oz	7.40	8.10	.21
Vienna Fingers	60/8 oz	7.95	8.75	.18
Multi-Kreems	240/1½ oz. bags	17.40	19.20	.10

9. Section 32, Table 18a, is amended by adding new items to read as follows:

Brand	Container, type and size, case of—	To wholesalers	At wholesale	At retail (per unit)
Olive oil: Copa	24/12 oz. bot	.....	$19.80	$1.00
Copa	24/16 oz. bot	.....	26.00	1.30
Cellini	6/1 gal. tin	.....	41.75	8.35
Vegetable: Vencedor	24/8 oz. bot	.....	4.55	.24
Vencedor	48/4 oz. bot	.....	5.80	.15

10. Section 33a, Table 19a, is amended by adding new items to read as follows:

Items and brand names	Unit, case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Shrimps, Jumbo: S & W	48/7 oz. can	$16.60	$17.75	$0.48
Sardines, tomato sauce: S & W	48/#1 ovaltin	6.85	7.45	.20
Medium Red Salmon	48/#1 tin	12.50	13.75	.37

11. Section 36, Table 23, is amended by changing the prices of one item to read as follows:

Items and brand names	Unit, case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Kellogg: Corn Flakes	36/6 oz	$2.60	$2.95	$0.10

12. Section 39, Table 27, is amended by adding new items to read as follows:

	Case of—	To wholesalers	At wholesale	At retail (per pkg.)
Spaghetti: 4 Minutes Caruso	24/8 oz. pkg	$1.80	$2.05	$0.11
Luxury	48/7 oz. pkg	2.35	2.65	.07
Tenderoni: Van Camp	24/8 oz. pkg	2.00	2.25	.12
Macaroni: Luxury	48/7 oz. pkg	2.35	2.65	.07

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15839, 16605, 16996; 9 F.R. 92, 573, 764, 2232, 2947, 3829, 3340, 3233, 3944, 3956, 4391.

[1] 9 F.R. 1433, 1594, 2236, 2661, 2238, 2636, 3513, 3579, 3847, 3944, 4099.

[1] 9 F.R. 3, 104, 574, 695, 765, 843, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791, 3032, 3073, 3512, 3579, 3706, 3710, 3947, 3944, 4026, 4351, 4475, 4604, 4118.

[1] 8 F.R. 9532, 10763, 10906, 11437, 11847, 12549, 10937, 12632, 13165, 13847, 14090, 14765, 15195.

13. Section 40, Table 29, is amended by adding a new item to read as follows:

Items and brand names	Unit, case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Philadelphia Cream Cheese: Kraft.	12/3 oz. pkg.	.....	$1.40	$0.16

14. Section 42, Table 33h, is amended by adding new items to read as follows:

Items and brand names	Unit, case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Plain olives:				
Lindsay (extra large green ripe).	24/pts. glass.	$5.40	$5.80	$0.31
Lindsay (ripe olives).	24/Cpts. glass.	4.50	4.90	.26
Amapola	12/11 oz. jars.	4.30	4.70	.51
Amapola	24/3 oz. jars.	3.55	3.90	.21
Stuffed olives: Bordelaise.	48/5½ oz. glass.	7.60	8.20	.22
Olive and capers: La Andaluza.	24/5 oz.	2.15	3.50	.18
Stuffed olives:				
Sweet Life	24/2 oz.	.....	4.35	.22
Sweet Life	24/3 oz.	.....	5.55	.29
Plain Queen olives:				
Sweet Life	24/1¾ oz.	.....	2.60	.13
Sweet Life	24/7 oz.	.....	6.85	.36

15. Section 42, Table 33k, is added to read as follows:

TABLE 33K—MAXIMUM PRICES FOR BABY FOODS

Items and brand names	Unit, case of—	Price at wholesale (per doz.)	Retail price (per unit)
Strained or homogenized:			
All brands	12/4½ or 4¾ oz. tin	$0.90	$0.10
All brands	12/5 oz. glass	1.15	.12
Chopped or juniors:			
All brands	12/6½ oz. tin	1.15	.12
All brands	12/8 oz. tin	1.80	.20
Baby dry cereal & oatmeal:			
Gerber	24/8 oz. pkg.	1.65	.18

16. Section 47 Table 39 is amended by adding a new item and by changing the prices of one item to read as follows:

Items and brand names	Unit, cartons—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Toilet:				
Palmolive	500/1 oz. bar	$9.55	$10.30	($0.03 or 2 for 5¢.
Lifebuoy	500/1 oz. bar	6.95	7.60	.02

17. Section 56, Table 46, is amended by adding new items and by changing the prices of certain items all to read as follows:

Items & brand names	Size, case of—	Importer-wholesaler	Retail (per unit)
American whiskies:			
Blended whiskey:			
Calvert Reserve	12/4/5 qt.	$33.00	$3.85
American gin:			
Calvert	12/4/5 qt.	25.80	2.95
Ancient Bottles	12/4/5 qt.	25.80	2.95
King Arthur	12/4/5 qt.	27.00	3.20
Table wine—foreign: Angel M. Espino e Hijo: Tinto Borgona.	12/1 pt. 5 oz.	13.80	1.50
Table wine—American:			
El Canario	12/24 oz. bot.	4.75	.55
El Canario	12/32 oz. bot.	6.00	.70
El Pavo	12/24 oz.	4.75	.55
Turpial	24/12 oz.	5.00	.30
Turpial	12/32 oz.	6.00	.70
Estrella Tipo Oporto	24/12 oz.	5.00	.30
Estrella Tipo Oporto	12/24 oz.	4.75	.55
Estrella Tipo Oporto	12/32 oz.	6.00	.70
Estrella Tipo Oporto	6/64 oz.	6.00	1.40
Moscatel Pico de Oro	12/24 oz.	10.00	1.20
Imperial (Moscatel)	24/12 oz.	8.00	.50
Imperial Moscatel	12/24 oz.	8.00	.95
Moscatel California	12/24 oz.	6.00	.70
Moscatel California	24/12 oz.	6.00	.35
El Sabrosito	24/12 oz.	5.00	.30
El Sabrosito	12/24 oz.	4.75	.55
Vermouth—Foreign:			
El Globo (dry)	12/32 oz.	17.15	2.00

This amendment shall become effective May 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7042; Filed, May 16, 1944; 11:35 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 183 [1], Amdt. 37]

GROCERY ITEMS AND ALCOHOLIC BEVERAGES IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 183 is amended in the following respects:

1. Section 20, Table 3 is amended by adding new items to read as follows:

Items and brand names	Unit, case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Potted meat: Libby	48/¼ (3¼ oz.)	$2.00	$3.30	$0.09 or 2 for .17
Lunch tongue: Libby	24/1½ (6 oz.)	4.95	5.35	.25
Hormel Spam Ham	24/12-oz. tin	8.55	9.25	.49
Spiced ham: All brands	In tins	*Pound* .4525	*Pound* .4875	*Pound* .61
Pork luncheon tongue: All brands	In tins	.50	.54	.66
Boneless pressed ham, Pullman shape: Rath's	In 6/10# tins	.49	.53	.66
Picnic ham: Farmer Boy	In 12/4—5# tins	.56	.61	.76
Ham, regular: Sweet Meat	In 6/10—11# tins	.615	.67	.84
Luncheon meat: Hormel	12/6# tins	.43	.46	.55

2. Section 20, Table 3a is amended by adding new items to read as follows:

Items and brand names	Unit, case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Apple sauce: Premier	24/#2	$3.90	$4.50	$0.24
Apple jelly: Tibbet's Brook	24/1# jar	.....	4.55	.26
Tibbet's Brook	12/2# jar	.....	4.30	.46
Premier	24/16 oz. jar	3.80	4.35	.24
Preserves: Peach Premier	24/16 oz. jar	5.40	6.10	.34
Pineapple Premier	24/16 oz. jar	5.50	6.15	.34
Blackberry Premier	24/16 oz. jar	6.40	7.10	.39
Red Raspberry Premier	24/16 oz. jar	6.35	7.10	.39
Apricot Premier	24/16 oz. jar	6.35	7.05	.39
Strawberry Premier	24/16 oz. jar	6.60	7.30	.40
Jam: Peach Tibbet's Brook	24/1# jar	.....	6.05	.32

3. Section 21, Table 4 is amended by adding new items to read as follows:

Items and brand names	Unit, case of—	Price to wholesaler	Price at wholesale	Retail price (per container)
Fig juice: Sweetlife	24/12 oz.	.....	$3.75	$0.20
Grapelade: Welch	24/1# jar	$4.40	5.00	.27
Prune juice: Premier	12 qts.—bot.	3.05	3.50	.38
Airline	12 qts.—bot.	.....	3.80	.40
Apple juice: Martinelli's Gold Medal.	24/12 oz. bot.	3.00	3.40	.18
Martinelli's Gold Medal.	12/32 oz. bot.	3.45	3.95	.42

4. Section 22, Table 6a is amended by deleting the items "Armour Spiced Ham" and "Peacock Luncheon Tongue", by adding new items, and by changing the prices of one item, all to read as follows:

Items and brand names	Unit case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Fruit Cocktail: UCO	24/#2½ cans	$6.05	$6.80	$0.47
Peaches, Yellow Cling Sliced: Sunworthy	24/#2½ cans	5.15	5.90	.32
C H B CH	24/#2½ cans	5.60	6.45	.35
Peaches, Yellow Cling Halves: Mariposa	24/#2½ cans	5.30	6.10	.33
C H B CH	24/#2½ cans	5.60	6.45	.35
Peaches, Standard: Yolo	24/#2½ cans	5.20	6.00	.33

5. Section 24, Table 8 is amended by adding new items to read as follows:

Items and brand names	Unit, case of—	Price to wholesaler	Price at wholesale	Retail price (per container)
Sauce:				
Taste-Tell	72/8 oz. tin	.....	$4.75	$0.06
Garden Side	72/8 oz. tin	.....	4.75	.06
Lady Luck	48/10½ oz.	.....	4.00	.10
Arturo Sauce: Premier	24/8 oz. tin	$3.00	3.30	.18

6. Section 24, Table 9 is amended by adding a new item to read as follows:

Items and brand names	Unit, case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Tomato juice:				
Welch	12 qts. bot.	$2.50	$2.90	$0.31
Welch	24/pints bot.	2.75	3.15	.17

7. Section 25, Table 10, is amended by adding new items to read as follows:

Items and brand names	Unit, case of—	Price to wholesaler	Price at wholesale	Retail price (per container)
Asparagus, small spears: Flotill	24/#2 can	.....	$9.55	$0.49
Asparagus, colossal: Rialto	24/#2 tin	.....	8.75	.47
Beets, sliced:				
Sweet Life	24/16 oz. can	.....	3.45	.19
Premier	24/16 oz. can	.....	4.05	.22
Whole corn, GB: World Favorite	24/#2 can	.....	3.90	.20
Carrots, shoestring: Raymal	24/#2 can	.....	3.60	.19
Carrots, cubes: Scott	24/16 oz. glass	.....	3.00	.16
Chickpeas: Naples	24/20 oz. can	$3.50	4.00	.21
Lima beans, medium green: Premier	24/#2 can	4.56	5.25	.28
Peas, sweet standard: Milton	36/#303 can	.....	4.55	.15
Peas, sweet:				
Deerfield	24/#2 can	.....	2.85	.15
Rosedale	24/#2 can	.....	3.45	.18
Pork and beans: Phillip	24/#2 can	2.75	3.15	.17
Pimentos:				
Old Mission	48/3 oz. tin	4.15	4.75	.12
Old Mission	48/4 oz. tin	4.25	4.85	.13
Stringbeans, cut green:				
Premier	24/#2 can	4.25	4.85	.26
Ferndale	24/#2 can	.....	4.10	.22

8. Section 29, Table 15, is amended by changing the prices of several items and by adding new items to read as follows:

Brand	Container, type, size, carton of—	To wholesalers (per doz. conts.)	At wholesale (per doz. conts.)	At retail (per cont.)
Keebler:				
Croydon Cookies, choc	24/16 oz. pkgs	$3.05	$3.35	$0.35
Croydon sugar cookies	24/16 oz. pkgs	3.05	3.35	.35
Croydon molasses cookies	24/16 oz. pkgs	3.05	3.35	.35
Rosemont Cookies, choc	48/15 oz. pkgs	3.05	3.35	.35
Rosemont Cookies, vanilla	48/15 oz. pkgs	3.05	3.35	.35
Saltines	48/7 oz. pkgs	1.25	1.50	.16
Saltines	24/16 oz. pkgs	2.40	2.65	.28
Graham Crackers	24/16 oz. pkgs	2.50	2.75	.29
Export Sodas	8/4 3/4# pkgs	11.20	12.20	1.27
Barry:		*per ctn.*	*per ctn.*	
Van Highland Creams	1/8/48 pkgs	13.55	14.95	.56 per doz. or .05 per pkg.
Van Highland Chocolate Nut Cooky	1/8/48 pkgs	13.55	14.95	.56 per doz. or .05 per pkg.
Croix Bix	1/24/10 oz. pkgs	3.45	3.80	.19
Sugar Wafers	1/10/48 pkgs	16.85	18.55	.58 per doz. or .05 per pkg.
Homespun #1	1/24/1# pkgs	7.45	8.20	.43
Soya Pretz Stix	1/24 doz. pkgs	10.15	11.15	.56 per doz. or .05 per pkg.
Sniftles	1/12/7 oz. pkgs	4.80	5.30	.55
Better Pretz Stix	1/24/10 oz. pkgs	2.35	2.60	.14
Par Cheez	1/12/10 oz. pkgs	3.75	4.15	.43
Consolidated Cracker Co.:				
Crackin' Thin Shell Saltines	1/24/1# pkg	4.40	4.85	.25
Crackin' Good Milk Lunch	1/24/1# pkg	4.40	4.85	.25
Crackin' Good Choc. Snaps	1/24/12/oz. pkg	4.25	4.65	.24
Crackin' Good Ginger Snaps	1/24/1# pkg	4.25	4.65	.24
Crackin' Good Lemon Snaps	1/24/12 oz.	4.25	4.65	.24
Crackin' Good Butter Cookies	1/24/12 oz.	4.90	5.40	.28

9. Section 32, Table 18a, is amended by adding two new items to read as follows:

Brand	Container, type, size, carton of:	To wholesaler	At wholesale	At retail (per unit)
Vegetable Oils:				
Sweet Life	24/16 oz. bot.	.....	$6.90	$0.35
Sweet Life	12/32 oz. bot.	.....	6.55	.67
Senora	4/1 gal. bot.	$6.35	7.00	2.18
Senora	6/½ gal. bot.	4.95	5.40	1.12
Senora	24/16 oz. bot.	5.50	6.00	.31
Senora	24/8 oz. bot.	3.40	3.75	.20
Senora	24/4 oz. bot.	2.20	2.35	.12

10. Section 33, Table 19a, is amended by adding a new item to read as follows:

Items & brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Tuna fish: Premier Sierra White.	Ctn. 48/3½ (7 oz.).	.....	$19.25	$0.50

11. Section 36, Table 23, is amended by adding a new item to read as follows:

Items & brand names	Unit carton of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Premier:				
Cake and Pastry Flour.	12/44 oz. pkg.	$2.95	$3.35	$0.36
Coarse Barley.	24/16 oz.	2.15	2.45	.13
4X Patent Flour.	25/2# pkg.	3.40	3.85	.20

12. Section 42, Table 33c, is amended by changing the prices of one item to read as follows:

Items & brand names	Unit carton of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Vinegar:				
Heinz	24/16 oz.	$2.90	$3.25	$0.18
Heinz	12/32 oz.	2.65	2.90	.30

13. Section 42, Table 33h, is amended by adding a new item to read as follows:

Items & brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Stuffed olives: Sweet Life	Carton of 24/5 oz. bot.	.....	$8.00	$0.40

14. Section 45, Table 37, is amended by deleting the item "Slab Bacon" in all packs and by adding a new item to read as follows:

Items and brand names	Price to wholesaler (per lb.)	Price at wholesale (per lb.)	Retail price (per lb.)
B R & T Smoked Ham	.....	$0.45	$0.65

15. Section 46, Table 38, is amended by adding two new items to read as follows:

Items and brand names	Price to wholesaler (per lb.)	Price at wholesale (per lb.)	Retail price (per lb.)
Salami Genoa	.....	$0.63	$0.90
Cotto Salami	.....	.315	.45

16. Section 56, Table 46, is amended by adding new items to read as follows:

Items and brands	Unit, case of—	Importer-wholesaler	Retail (per unit)
Scotch whiskies.			
Ballantine's	12/4/5 qt.	$40.50	$4.75
American whiskies:			
Blended whiskies:			
Three Feathers Reserve.	12/4/5 qt.	30.00	3.50
Three Feathers (Aristocrat).	24/1 pt.	27.50	1.60
Brandies:			
Sanchez Romate Hnos.:			
Romate Cuatro Torres-El Cesar.	12/4/5 qt.	45.00	5.00
Romate Especial	12/4/5 qt.	37.00	4.50
Carlos V	12/4/5 qt.	120.00	13.00
Cardenal Cisneros	12/4/5 qt.	86.40	9.50

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9532, 10763, 10906, 11437, 11847, 12649, 10937, 12532, 13165, 13847, 14090, 14765, 15195.

16. Section 56, Table 46—Continued.

Items and brands	Unit, case of—	Importer-wholesaler	Retail (per unit)
Dessert wines—foreign:			
Sanchez Romate Hnos.:			
Vino Sherry-Bombita	12/1 pt. 7 oz.	$26.00	$3.00
Vino Pedro Ximenez da Consagrar.	12/1 pt. 7 oz.	23.00	2.65
Vino Fino-Macharnudo.	12/1 pt. 7 oz.	23.25	2.65
Vino Manzanilla Viva la Pepa.	12/1 pt. 7 oz.	22.00	2.50
Vino Pedro Ximenez Damas.	12/1 pt. 7 oz.	25.00	2.90
Vino Manzanilla Peteneras.	12/1 pt. 7 oz.	24.00	2.80
Vino Romate Cream Sherry.	12/1 pt. 7 oz.	40.00	4.70
Vino Amontillado N. P. W. Sherry.	12/1 pt. 7 oz.	31.50	3.65
Vino Lacrima Sweet (Sherry Light).	12/1 pt. 7 oz.	23.75	2.75
Vino Carlos V-Oloroso Sherry.	12/1 pt. 7 oz.	105.00	12.25
Vino Cob-nut Brown Sweet Sherry.	12/1 pt. 7 oz.	26.00	3.00
Vino Pedro Ximenez Cardenal Cisnero.	12/1 pt. 7 oz.	42.00	4.90
Vino Oloroso El Cesar.	12/1 pt. 7 oz.	70.00	8.00
Vino Fino Marismeno Sherry.	12/1 pt. 7 oz.	31.50	3.65
Vino Moscatel Gloria.	12/1 pt. 7 oz.	25.00	2.90
Orange Flavor Sherry Wine.	12/1 pt. 7 oz.	26.50	3.00

16. Section 56, Table 46—Continued.

Items and brands	Unit, case of—	Importer wholesaler	Retail (per unit)
Dessert wines—foreign—Con.			
Sanchez Romate Hnos.—Con.			
Muscatel Reina	12/1 pt. 7 oz.	$32.00	$3.75
Vino Muscatel Ambrosia.	12/1 pt. 7 oz.	60.00	7.00
Vino Jeres Turina Duque.	12/1 pt. 7 oz.	25.00	2.90
Grape Wine Fine Ruby.	12/1 pt. 7 oz.	23.25	2.65
Jerez Seco Palido	12/1 pt. 7 oz.	21.75	2.50
Muscatel Especial	12/1 pt. 7 oz.	23.75	2.75
Vino Dos Palos Cortados Fandango Sherry.	12/1 pt. 7 oz.	28.75	3.25
Vino Dry Solera Romate.	12/1 pt. 7 oz.	28.75	3.25
Vino Dulce Superior Oscuro.	12/1 pt. 7 oz.	24.00	2.80
Vino de Pasas	12/1 pt. 7 oz.	26.50	3.00
Vino East India Sherry.	12/1 pt. 7 oz.	52.00	6.00
Spanish Punch Romate.	12/1 pt. 7 oz.	43.50	5.00
Cordials (domestic): Sanches Romate Hnos.:	12/1 pt. 15 oz.	50.00	6.00
Anisete Romate Dulce.			
Vermouth—Foreign: Tiara	12/1	14.00	1.65

17. Section 42, Table 33L, is added to read as follows:

TABLE 33L.—MAXIMUM PRICES FOR IMPORTED DRIED OR DEHYDRATED FRUITS

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Prunes: Del Monte	25 lbs, ctn.		$5.15	$0.28 lb.
Raisins:	Case of:			
Del Monte	48/15 oz.		8.40	.24 lb.
Muscatel California 3 Crowns Seed Raisins	25 lbs.		3.75	.20 lb.
S & W Seedless	25 lbs.		3.63	.20 lb.
Atlas Sulphur Bleached	25 lbs.		4.55	.25 lb.
Fiesta 3 Crowns Layer	20 lbs.		4.90	.33 lb.
Dates: S & W Fresh	15 lbs.		11.55	1.04 lb.
Figs:				
S & W Pulled Calimyrna	24/8 oz. pkg.		7.20	.45 pkg.
S & W Pulled Calimyrna	24/1 lb. pkg.		16.00	.90 pkg.
S & W Pulled Black	24/8 oz. pkg.		5.35	.31 pkg.
S & W Pulled Black	24/1 lb. pkg.		11.00	.62 pkg.

This amendment shall become effective May 22, 1944.

(56 Stat. 23, 765; Public Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 16th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7043; Filed, May 16, 1944; 11:35 a. m.]

PART 1444—ICE BOXES

[MPR 399,[1] Incl. Amdts. 1-14]

NEW ICE BOXES

This compilation of Maximum Price Regulation 399 includes Amendment 14, effective May 20, 1944. The text added by Amendment 14 is underscored. The amendments and additions to the tables by Amendment 14 are indicated by notes.

In the judgment of the Price Administrator, the maximum prices established by this Maximum Price Regulation No. 399 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[2]

§ 1444.1 *Maximum prices for new ice boxes.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and No. 9328, Maximum Price Regulation No. 399 (New Ice Boxes), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1444.1 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 399—NEW ICE BOXES

CONTENTS

Sec.
1. What ceiling prices are fixed by this regulation.
2. Ceiling prices for sales of new ice boxes at retail.
3. Ceiling prices for wholesalers.
4. Taxes.
5. Sales for export.
6. Credit and other charges.
7. Tagging.
8. Sales slips, receipts, and invoices.
9. Enforcement.
10. Petitions for amendment.
11. Applicability of the General Maximum Price Regulation.
12. Licensing.
13. Geographical applicability.
14. Table A: Retail ceiling prices in each State for sales of ice boxes by ice companies and retail establishments controlled by ice companies.
15. Table B: Retail ceiling prices for sales of ice boxes by mail order houses when selling from a mail order catalog.
16. Table C: Ceiling prices in each State for all other sales of ice boxes at retail.

SECTION 1. *What ceiling prices are fixed by this regulation.* This regulation fixes ceiling prices for sales of new ice boxes at retail (including sales by mail order houses and ice companies) and at wholesale. A sale at retail is a sale by a person other than the manufacturer to a person who buys for use. A sale at wholesale is a sale by a person other than the manufacturer to a person who buys for resale. Sales by manufacturers are covered by Maximum Price Regulation No. 188.[3] Ice boxes not listed in the table below (except those whose ceiling price is fixed by the General Maximum Price Regulation as explained below) may not be sold at wholesale or retail unless an order has been issued under this section establishing ceiling prices for such sales. Orders will be issued by the Office of Price Administration, Washington, D. C., upon application.

Ceiling prices for ice boxes which were in the hands of wholesalers or retailers on June 8, 1943, and which are models of ice boxes not now being offered for sale by the manufacturer of such ice boxes are fixed by the General Maximum Price Regulation.[4]

[Section 1 amended by Am. 1, 8 F.R. 9062, effective 7-5-43]

Regardless of any contract or other obligation, no person shall sell or deliver a new ice box to any other person, and, in the course of trade or business, no person shall buy or accept delivery of an ice box, at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things. Prices lower than the maximum prices may be charged and paid.

[Above paragraph added by Am. 14, effective 5-20-44]

SEC. 2. *Ceiling prices for sales of new ice boxes at retail.* Ceiling prices for the various makes and models of ice boxes for sale at retail are listed below in Tables A, B, and C.

Table A, set forth as section 14, lists retail ceiling prices for sales by ice companies and by retail establishments controlled by ice companies. No amount may be added to the ceiling prices listed in Table A for delivery to the buyer.

Table B, set forth as section 15, lists ceiling prices for mail order sales by mail order houses. The prices listed in Table B are f. o. b. shipping point.

Table C, set forth as section 16, lists ceiling prices for all other sales of ice boxes at retail, including sales by a retail store of a mail order house. No amount may be added to the ceiling prices listed in Table C for delivery to the buyer.

SEC. 3. *Ceiling prices for wholesalers.* Ceiling prices for sales at wholesale are 60% of the retail base price as shown in Column I of Table C plus the difference between the base price and the retail ceiling price for the state in which the wholesaler's warehouse is located. The wholesale ceiling price is f. o. b. the distributor's city.

[Sec. 3 amended by Am. 1, 8 F.R. 9062, effective 7-5-43]

SEC. 4. *Taxes.* Any tax upon or incident to the sale of a new ice box may be added to the ceiling prices established by this regulation, provided that the tax is separately stated and charged.

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

SEC. 5. *Sales for export.* The ceiling price at which a person may export any new ice box is established by the provisions of the Second Revised Maximum Export Price Regulation.[5]

SEC. 6. *Credit and other charges.* Charges for the extension of credit may be added to the maximum retail prices established by this regulation only to the extent permitted by this section. All such charges shall be quoted and billed separately.

(a) Sellers who in March 1942 separately stated and collected an additional charge for the extension of credit on sales of ice boxes or like articles may collect a charge for the extension of credit on sales under this regulation. The charge collected must not exceed the charge in March 1942 on a similar sale to the same class of purchaser. Other sellers may make a charge for the extension of credit only on installment-plan sales, not on charge-account sales. The charge shall not exceed the additional charge separately stated and collected for the extension of similar credit in March 1942 by the seller's closest competitor who made such a charge.

An installment-plan sale, as used in the above paragraph, means a sale where the unpaid balance is to be paid in installments over a period of (1) six weeks or more from the date of sale in the case of weekly installments or (2) eight weeks or more in the case of other than weekly installments.

(b) Any charge which is not quoted and billed separately in connection with the sale of an ice box, whether for credit or otherwise, shall, for the purposes of this regulation, be considered to be part of the price charged for the article sold.

(c) No seller may require as a condition of sale that the purchaser must buy on credit, or buy accessories or any other commodity or service.

SEC. 7. *Tagging.* No person other than a mail order house, selling through a mail order catalog shall sell or offer to sell a new ice box at retail unless a tag is attached to the ice box which states the manufacturer's name or the brand name, the model, the rated ice capacity, ceiling price, and selling price. A tag in the following form is satisfactory:

Make or brand_____
Model____ Ice capacity_____
Ceiling price_____
Selling price_____

This tag must not be removed before delivery to the purchaser.

[Sec. 7 amended by Am. 5, 8 F.R. 14150, effective 10-21-43]

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions, the addition of extra packing expenses on sales to procurement agencies of the United States.]

SEC. 8. *Sales slips, receipts and invoices.* Every person selling a new ice box in the course of trade or business shall furnish the buyer with a sales slip, receipt, invoice or other writing, stating the date of the sale, the make or brand and model, the price charged, the nature and amount of any additional charges (which must be separately stated) and the name and address of the buyer. A copy of such sales slip, receipt, invoice, or other writing shall be kept by the seller, and the original shall be kept by any buyer in the course of trade or business, for inspection by the Office of Price Administration.

SEC. 9. *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 399 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 399 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

[NOTE: Supplementary Order No. 7 (7 F.R. 5178) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

SEC. 10. *Petitions for amendment.* Persons seeking any change in this Maximum Price Regulation No. 399 or an exception not provided for in the regulation may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[6] issued by the Office of Price Administration.

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665; 8 F.R. 6173, 6174) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

SEC. 11. *Applicability of the General Maximum Price Regulation.* Except as provided in section 12, the provisions of this Maximum Price Regulation No. 399 supersede the provisions of the General Maximum Price Regulation, including the provisions of §§ 1499.13, 1499.14 and 1499.25 with respect to sales and deliveries for which maximum prices are established by this Maximum Price Regulation No. 399.

SEC. 12. *Licensing.* The provisions of Licensing Order No. 1,[7] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 12 amended by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

SEC. 13. *Geographical applicability.* This maximum price regulation applies only to the forty-eight states, and the District of Columbia.

[1] 8 F.R. 7448.

[2] Statements of considerations are also issued simultaneously with the issuance of amendments. Copies may be obtained from the Office of Price Administration.

[3] 7 F.R. 5872, 7967, 8943, 10155; 8 F.R. 537, 1815, 1980, 3105, 3788, 3850, 4140, 4931, 5759, 7107, 8751, 8754, 9836, 10433, 10907, 11037, 12406, 12479, 12186, 12668, 14622, 14766, 16298, 17415; 9 F.R. 1912, 2556, 3095.

[4] 9 F.R. 1385.

[5] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036.

[6] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11805; 9 F.R. 1594, 3075.

[7] 8 F.R. 13240.

SEC. 14. *Table A: Retail ceiling prices in each state for sales of ice boxes by ice companies and retail establishments controlled by ice companies.* No amount may be added to these ceiling prices for delivery to the buyer.

Manufacturer	Brand	Model	Ice capacity (pounds)	Retail base price	Alabama	Arizona	Arkansas	California	Colorado	Connecticut	Delaware	District of Columbia	Florida	Georgia	Idaho	Illinois
Advance Manufacturing Co	Advance	A-1	75	$55.50	$56.50	$57.50	$56.50	$57.50	$57.50	$55.50	$55.50	$55.50	$56.75	$56.25	$57.50	$56.00
Alaska Refrigerator Co		A-75	50	31.25	31.25	32.00	31.25	32.00	31.75	31.25	31.25	31.25	31.25	31.25	31.25	31.25
American Fixture and Manufacturing Co		A-285	75	57.25	57.25	58.25	57.25	58.25	57.50	57.25	57.25	57.25	57.50	57.25	57.25	57.25
American Fixture and Manufacturing Co	American	75-A	75	62.00	62.00	63.00	62.00	63.00	62.25	62.00	62.00	62.00	62.00	62.00	63.00	62.00
*Arctic Refrigerator Co	Arctic	A-75	50	31.25	31.25	32.00	31.25	32.00	31.75	31.25	31.25	31.25	31.25	31.25	32.00	31.25
*Arctic Refrigerator Co	Arctic	B-100	75	38.00	38.00	39.25	38.25	39.25	38.75	38.00	38.00	38.00	38.00	38.00	39.25	38.00
Atkins Table and Cabinet Co		300	75	42.50	42.50	44.00	42.75	44.00	43.50	42.50	42.50	42.50	42.50	42.50	44.00	42.50
Brunswick Refrigerator Co		308	75	39.75	39.75	40.25	39.75	40.75	40.50	39.75	39.75	39.75	39.75	39.75	40.75	39.75
Brunswick Refrigerator Co		309	60	34.50	34.50	35.50	34.50	35.50	35.00	34.50	34.50	34.50	34.50	34.50	35.50	34.50
Coleman Furniture Co		VC-75	75	74.75	74.75	77.25	76.25	77.25	77.25	75.00	74.75	74.75	75.25	75.00	77.25	74.75
Colson Metal Products Co		EM-75	75	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25
Coolerator Co., The	Coolerator	V-6	75	68.75	69.50	70.00	69.50	70.00	69.50	69.75	70.00	69.75	70.25	69.75	70.00	68.75
Dean, Geo. H., Inc	Dean	D-75	75	65.50	65.75	67.50	66.25	67.50	67.00	65.50	65.50	65.50	65.75	65.75	67.50	65.50
Deatch's Victory Refrigerator Box		333	75	41.25	41.25	42.25	41.25	42.25	41.75	41.25	41.25	41.25	41.25	41.25	42.25	41.25
Deatch's Victory Refrigerator Box		444	80	33.75	33.75	33.75	34.75	34.75	34.25	33.75	33.75	33.75	33.75	33.75	34.75	33.75
Durasteel Co	Dura-Cold	D-751	75	56.50	56.50	57.00	56.50	57.00	56.75	56.50	56.50	56.50	56.50	56.50	57.00	56.50
Fleetwood Craftsmen, Inc	Fleetwood	C1-3	50	22.00	22.00	23.75	22.00	24.50	22.75	22.00	22.00	22.00	22.00	22.00	23.75	22.00
Fy-Bero Metal Products Co	Sta-Kold	550	50	35.50	35.50	36.25	35.50	36.25	36.00	35.50	35.50	35.50	35.50	35.50	36.25	35.50
Fy-Bero Metal Products Co	Sta-Kold	650	75	42.00	42.00	43.00	42.00	43.00	42.75	42.00	42.00	42.00	42.00	42.00	43.00	42.00
Gets Bros. & Co., Inc	Getz-Kold	F-80	80	46.25	46.50	46.25	46.25	46.25	46.25	46.75	46.75	46.75	47.00	46.50	46.25	46.50
Globe Wood Products Co	Globe	43	75	44.25	44.25	44.75	44.25	44.75	44.50	44.25	44.25	44.25	44.25	44.25	44.75	44.25
Home Building Corporation	Home Comfort	44	75	58.25	59.00	59.75	58.50	59.75	59.00	59.25	59.25	59.00	59.75	59.25	59.75	58.25
Ice Cooling Appliance Corporation	Automatic	V-50	75	41.25	41.25	41.50	41.25	41.50	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25
Ice Cooling Appliance Corporation	Automatic	V-75-D	75	57.25	57.25	58.50	57.25	58.50	57.50	57.25	57.25	57.25	57.75	57.25	58.25	57.25
Ice Cooling Appliance Corporation	Vitalaire	V-3	50	41.25	41.25	41.50	41.25	41.50	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25
Ice Cooling Appliance Corporation	Vitalaire	V-41	75	57.25	57.25	58.50	57.25	58.50	57.50	57.25	57.25	57.25	57.75	57.25	58.25	57.25
Iceland Refrigerator Co., Inc		900	75	38.25	38.25	38.75	38.50	39.50	39.00	38.25	38.25	38.25	38.25	38.25	39.50	38.25
Iceland Refrigerator Co., Inc		909	50	32.50	32.50	33.25	32.50	33.25	33.00	32.50	32.50	32.50	32.50	32.50	33.25	32.50
King Refrigerator Corporation		A	75	43.50	43.50	44.00	43.50	44.50	44.00	43.50	43.50	43.50	43.50	43.50	44.50	43.50
King Refrigerator Corporation	King	C-75 chest	50	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25
King Refrigerator Co		C-75 chest	50	35.75	35.75	37.00	36.00	37.00	36.50	35.75	35.75	35.75	35.75	35.75	37.00	35.75
Maine Manufacturing Co	White Mountain	158	75	39.50	39.50	41.00	40.00	41.00	40.75	39.50	39.50	39.50	39.75	39.50	41.00	39.50
Maine Manufacturing Co	White Mountain	159	50	26.75	26.75	27.25	26.75	27.50	27.25	26.75	26.75	26.75	26.75	26.75	27.50	26.75
Maine Manufacturing Co	White Mountain	1557	40	31.25	31.25	32.25	31.50	32.25	32.00	31.25	31.25	31.25	31.25	31.25	32.25	31.25
Maine Manufacturing Co	White Mountain	1558	75	37.00	37.00	38.50	37.25	38.50	38.00	37.00	37.00	37.00	37.00	37.00	38.50	37.00
Maine Manufacturing Co	White Mountain	1559	40	31.25	31.25	32.00	31.25	32.00	31.75	31.25	31.25	31.25	31.25	31.25	32.00	31.25
Maine Manufacturing Co	White Mountain	2057	50	35.75	35.75	37.00	36.00	37.00	36.50	35.75	35.75	35.75	35.75	35.75	37.00	35.75
Maine Manufacturing Co	White Mountain	2058	75	39.50	39.50	41.00	40.00	41.00	40.75	39.50	39.50	39.50	39.75	39.50	41.00	39.50
Maine Manufacturing Co	White Mountain	2059	50	42.00	42.00	43.25	42.25	43.25	43.00	42.00	42.00	42.00	42.00	42.00	43.25	42.00
Maine Manufacturing Co	White Mountain	2258	50	46.25	46.25	48.00	46.75	48.00	47.50	46.25	46.25	46.25	46.50	46.25	48.00	46.25
Maine Manufacturing Co	White Mountain	2259	75	42.00	42.00	43.00	42.00	43.00	42.75	42.00	42.00	42.00	42.00	42.00	43.00	42.00
Modern Ref. Co. (New York)		100	75	48.25	48.25	48.25	48.25	48.25	48.25	48.25	48.25	48.25	48.75	48.00	48.25	47.75
Modern Ref. Works (California)	Modern	D-60	50	46.75	48.00	46.75	47.75	47.75	48.00	48.25	48.25	48.25	48.75	48.00	48.25	47.75
Modern Ref. Works	Modern	D-30	50	34.95	34.95	34.95	34.95	34.95	34.95	35.25	35.25	35.25	35.50	34.95	34.95	34.95
Modern Ref. Works	Modern	D-50	50	46.75	47.75	46.75	47.50	46.75	47.50	48.25	48.25	48.25	48.75	48.00	48.25	47.75
Modern Ref. Works	Modern	M-75	75	56.95	59.00	57.50	58.75	56.95	58.50	59.50	59.50	59.50	59.95	59.25	59.50	58.75
Modern Ref. Works	Modern	V-41	75	57.25	57.25	58.25	57.25	58.25	57.50	57.25	57.25	57.25	57.50	57.25	58.25	57.25
Nelson, C., Manufacturing Co	Nelco Artic		75	37.00	37.00	38.25	37.25	38.25	38.00	37.00	37.00	37.00	37.25	37.00	38.25	37.00
*Precision Metal Products Company	Precision-Kool	75	50	64.75	64.75	66.25	64.75	65.50	64.75	64.75	64.75	64.75	65.00	64.75	66.25	64.75
Progress Ref. Co	Progress	75	75	75.00	75.00	77.50	76.25	77.50	76.50	75.50	75.25	75.25	75.75	75.25	77.50	75.00
Progress Ref. Co	Progress	75	50	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00
Progress Refrigerator Co	Progress	**450 chest	75	58.75	58.75	58.75	56.75	56.75	56.75	58.25	59.25	59.25	59.75	58.75	59.00	58.50
Reeder, L. D. Co	Leader	GV-5	75	49.75	49.95	51.25	49.95	51.25	50.25	49.95	49.95	49.95	49.75	50.50	51.25	49.75
Sanitary Ref. Co	Sanitary	MV-2125	75	57.50	57.75	59.00	57.75	59.00	58.00	57.75	57.75	57.50	58.25	58.00	59.00	57.50
Sanitary Ref. Co	Sanitary	(MV-2126	75	57.50	57.75	59.00	57.75	59.00	58.00	57.75	57.75	57.50	58.25	58.00	59.00	57.50
		(MV-105R	75	57.50	57.75	59.00	57.75	59.00	58.00	57.75	57.75	57.50	58.25	58.00	59.00	57.50
Sanitary Refrigerator Co	Sanitary	WM-59	50	44.50	44.50	45.50	44.50	45.50	44.75	44.50	44.50	44.50	44.50	45.00	44.50	44.50
Sanitary Refrigerator Co	Sanitary	WM-79	75	49.75	49.75	51.00	49.75	51.00	50.25	49.75	49.75	49.75	50.50	50.00	51.00	49.75
Seeger Ref. Co		V-75	75	65.50	66.25	67.25	66.25	67.25	66.25	66.00	66.25	66.00	67.00	66.50	66.75	65.50
Shapleigh Hardware Co	Ice Diamond	44 ID	75	57.25	57.25	58.25	57.25	58.25	57.50	57.25	57.25	57.25	57.50	57.25	58.25	57.25
Stoddard Manufacturing Co	Lookerator	6	75	58.00	58.75	59.75	59.00	60.25	59.00	58.75	58.75	58.75	59.75	59.25	59.50	58.00
Success Manufacturing Co	Success	VG-58	75	52.00	52.00	53.50	52.25	53.50	53.00	52.00	52.00	52.00	52.00	52.00	53.50	52.00
Victory Manufacturing Corporation	Bohn	100	75	66.00	67.00	68.25	67.00	68.25	68.25	66.00	66.00	66.00	67.25	66.75	68.25	66.50
Ward Refrigerator & Manufacturing Co	Olympic	V-603	75	73.50	75.00	73.50	74.75	73.50	74.50	75.25	75.25	75.25	75.75	75.00	75.25	74.75
Ward Refrigerator & Manufacturing Co	Olympic	V-600	75	73.50	75.00	73.50	74.75	73.50	74.50	75.25	75.25	75.25	75.75	75.00	75.25	74.75
Ward Refrigerator & Manufacturing Co	Olympic	V-300	50	51.50	52.00	51.50	51.75	51.50	51.50	52.25	52.25	52.25	52.75	52.25	52.25	52.00
Ward Refrigerator & Manufacturing Co	Olympic	V-303	50	51.50	52.00	51.50	51.75	51.50	51.50	52.25	52.25	52.25	52.75	52.25	52.25	52.00
Williams, R. P. Lumber Co	Franklin	110	75	55.50	56.50	57.50	56.50	57.50	57.50	55.50	55.50	55.50	56.75	56.50	57.50	56.00

SEC. 14. *Table A: Retail ceiling prices in each state for sales of ice boxes by ice companies and retail establishments controlled by ice companies.* No amount may be added to these ceiling prices for delivery to the buyer—Continued.

Manufacturer	Brand	Model	Ice capacity (pounds)	Retail base price	Indiana	Iowa	Kansas	Kentucky	Louisiana	Maine	Maryland	Massachusetts	Michigan	Minnesota	Mississippi	Missouri
Advance Manufacturing Co	Advance	A-1	75	$55.50	$55.75	$56.25	$56.75	$56.00	$56.75	$55.50	$55.50	$55.50	$56.00	$56.50	$56.75	$56.00
Alaska Refrigerator Co		A-75	50	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25
American Fixture and Manufacturing Co		A-285	75	57.25	57.25	57.25	57.25	57.25	57.25	57.50	57.25	57.25	57.25	57.25	57.25	57.25
American Fixture and Manufacturing Co	American	75-A	75	62.00	62.00	62.00	62.00	62.00	62.00	62.00	62.00	62.00	62.00	62.00	62.00	62.00
*Arctic Refrigerator Co	Arctic	A-75	50	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25
*Arctic Refrigerator Co	Arctic	B-100	75	38.00	38.00	38.25	38.00	38.25	38.00	38.00	38.00	38.00	38.00	38.00	38.00	38.00
Atkins Table and Cabinet Co		300	75	42.50	42.50	42.50	42.50	42.50	43.00	42.50	42.50	42.50	42.50	42.75	42.50	42.50
Brunswick Refrigerator Co		308	75	39.75	39.75	39.75	40.00	39.75	40.00	39.75	39.75	39.75	39.75	39.75	39.75	39.75
Brunswick Refrigerator Co		309	60	34.50	34.50	34.50	34.50	34.50	34.75	34.50	34.50	34.50	34.50	34.50	34.50	34.50
Coleman Furniture Co		VC-75	75	74.75	74.75	75.75	76.00	74.75	76.50	75.50	74.75	75.00	75.25	76.25	75.00	75.75
Colson Metal Products Co		EM-75	75	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25
Coolerator Co., The	Coolerator	V-6	75	68.75	68.25	68.75	69.25	69.00	70.00	70.25	69.75	70.00	69.00	69.00	68.75	69.50
Dean, Geo. H., Inc	Dean	D-75	75	65.50	65.50	65.75	66.50	65.50	66.50	65.50	65.50	65.50	65.50	66.00	66.00	65.75
Deatch's Victory Refrigerator Box		333	75	41.25	41.25	41.25	41.50	41.25	41.50	41.25	41.25	41.25	41.25	41.25	41.25	41.25
Deatch's Victory Refrigerator Box		444	80	33.75	33.75	33.75	34.00	33.75	34.00	33.75	33.75	33.75	33.75	33.75	33.75	33.75
Durasteel Co	Dura-Cold	D-751	75	56.50	56.50	56.50	56.50	56.50	57.00	56.75	56.50	56.50	56.50	56.50	56.50	56.50
Fleetwood Craftsmen, Inc	Fleetwood	C1-3	50	22.00	22.00	22.00	22.25	22.00	22.00	22.25	22.00	22.00	22.00	22.00	22.25	22.00
Fy-Bero Metal Products Co	Sta-Kold	550	50	35.50	35.50	35.50	35.50	35.50	35.50	35.50	35.50	35.50	35.50	35.50	35.50	35.50
Fy-Bero Metal Products Co	Sta-Kold	650	75	42.00	42.00	42.00	42.25	42.00	42.00	42.25	42.00	42.00	42.00	42.00	42.00	42.00
Gets Bros. & Co., Inc	Getz-Kold	F-80	80	46.25	46.80	46.25	46.25	46.80	46.25	46.75	46.75	46.75	46.50	46.25	46.50	46.25
Globe Wood Products Co	Globe	43	75	44.25	44.25	44.25	44.25	44.25	44.25	44.25	44.25	44.25	44.25	44.25	44.25	44.25
Home Building Corporation	Home Comfort	44	75	58.25	58.25	58.25	58.25	58.25	58.50	59.00	58.25	58.50	58.50	59.00	58.50	58.25
Ice Cooling Appliance Corporation	Automatic	V-50	80	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25
Ice Cooling Appliance Corporation	Automatic	V-75-D	75	57.25	57.25	57.25	57.25	57.25	57.50	57.50	57.25	57.25	57.25	57.25	57.25	57.25
Ice Cooling Appliance Corporation	Vitalaire	V-3	80	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25
Ice Cooling Appliance Corporation	Vitalaire	V-41	75	57.25	57.25	57.25	57.25	57.25	57.50	57.50	57.25	57.25	57.25	57.25	57.25	57.25
Iceland Refrigerator Co., Inc		900	75	38.25	38.25	38.25	38.50	38.25	38.50	38.25	38.25	38.25	38.25	38.25	38.25	38.25
Iceland Refrigerator Co., Inc		909	50	32.50	32.50	32.50	33.00	32.50	32.50	32.50	32.50	32.50	32.50	32.50	32.50	32.50
King Refrigerator Corporation		A	75	43.50	43.50	43.50	43.50	43.50	43.50	43.50	43.50	43.50	43.80	43.80	43.80	43.50
King Refrigerator Corporation	King	C-75 chest	50	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25
Maine Manufacturing Co	White Mountain	158	75	35.75	35.75	35.75	36.25	35.75	35.75	35.75	35.75	35.75	35.75	36.00	35.75	35.75
Maine Manufacturing Co	White Mountain	159	75	39.50	39.50	39.75	40.00	39.50	40.25	39.50	39.50	39.50	39.50	39.75	39.75	39.50
Maine Manufacturing Co	White Mountain	1557	40	26.75	26.75	26.75	26.75	26.75	26.75	26.75	26.75	26.75	26.75	26.75	26.75	26.75
Maine Manufacturing Co	White Mountain	1558	75	37.00	37.00	37.00	37.50	37.00	37.50	37.00	37.00	37.00	37.00	37.25	37.25	37.00
Maine Manufacturing Co	White Mountain	1559	40	31.25	31.25	31.25	31.25	31.25	31.50	31.25	31.25	31.25	31.25	31.25	31.25	31.25
Maine Manufacturing Co	White Mountain	2057	50	35.75	35.75	35.75	36.25	35.75	36.25	35.75	35.75	35.75	35.75	36.00	35.75	35.75
Maine Manufacturing Co	White Mountain	2058	75	39.50	39.50	39.75	40.00	39.50	40.25	39.50	39.50	39.50	39.50	39.75	39.75	39.50
Maine Manufacturing Co	White Mountain	2059	50	42.00	42.00	42.00	42.25	42.00	42.00	42.00	42.00	42.00	42.00	42.25	42.00	42.00
Maine Manufacturing Co	White Mountain	2258	75	46.25	46.25	46.50	47.00	46.25	47.00	46.25	46.25	46.25	46.25	46.75	46.50	46.25
Maine Manufacturing Co	White Mountain	2259	75	42.00	42.00	42.00	42.25	42.00	42.00	42.00	42.00	42.00	42.00	42.00	42.00	42.00
Modern Ref. Co. (New York)		100	75	48.25	48.00	47.75	47.80	48.00	47.75	48.25	48.25	48.25	48.00	48.00	48.00	47.75
Modern Ref. Works (California)	Modern	D-60	80	46.75	48.00	47.75	47.80	48.00	47.75	48.25	48.25	48.25	48.00	48.00	48.00	47.75
Modern Ref. Works (California)	Modern	D-30	80	34.95	34.95	34.95	34.95	34.95	35.25	35.25	35.25	35.25	34.95	34.95	34.95	34.95
Modern Ref. Works (California)	Modern	D-50	80	46.75	47.75	47.75	47.80	46.75	47.80	48.25	48.25	48.25	47.75	47.75	47.75	47.50
Modern Ref. Works (California)	Modern	M-75	75	56.95	59.00	58.75	58.80	59.00	58.75	59.50	59.50	59.50	59.00	58.75	59.50	58.75
Nelson, C., Manufacturing Co	Nelco Artic	V-41	75	57.25	57.25	57.25	57.25	57.25	57.50	57.25	57.25	57.25	57.25	57.25	57.25	57.25
*Precision Metal Products Company	Precision-Kool	75	75	37.00	37.00	37.00	37.80	37.00	37.50	37.00	37.00	37.00	37.00	37.25	37.00	37.00
Progress Ref. Co	Progress	50	50	64.75	64.75	64.75	64.75	64.75	65.00	65.00	64.75	64.75	64.75	65.00	64.75	64.75
Progress Ref. Co	Progress	75	75	75.00	75.00	75.25	75.75	75.00	75.50	75.75	75.25	75.50	75.50	75.50	75.25	75.00
Progress Refrigerator Co	Progress	**450 chest	50	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00
Reeder, L. D. Co	Leader	GV-5	75	58.75	58.75	58.25	58.25	58.75	58.25	59.00	59.75	59.25	58.50	58.75	58.75	58.25
Sanitary Ref. Co	Sanitary	MV-2125	75	49.75	49.75	49.75	49.75	50.25	50.25	49.75	49.95	49.75	49.75	49.95	49.75	49.75
Sanitary Ref. Co	Sanitary	(MV-2126	75	57.50	57.50	57.80	57.80	57.50	58.00	58.00	57.50	57.75	57.50	57.80	57.75	57.50
		(MV-105R	75	57.50	57.50	57.80	57.80	57.50	58.00	58.00	57.50	57.75	57.50	57.80	57.75	57.50
Sanitary Refrigerator Co	Sanitary	WM-59	80	44.50	44.50	44.50	44.50	44.50	44.75	44.50	44.50	44.50	44.50	44.50	44.80	44.50
Sanitary Refrigerator Co	Sanitary	WM-79	75	49.75	49.75	49.75	49.75	49.75	50.25	50.00	49.75	49.75	49.75	50.00	49.75	49.75
Seeger Ref. Co		V-75	75	65.50	65.50	65.50	65.50	65.75	66.75	66.50	66.00	66.25	65.50	65.50	65.25	65.50
Shapleigh Hardware Co	Ice Diamond	44 ID	75	57.25	57.25	57.25	57.25	57.25	57.25	57.50	57.25	57.25	57.25	57.25	57.25	57.25
Stoddard Manufacturing Co	Lookerator	6	75	58.00	58.00	60.00	60.00	60.00	59.50	59.00	58.75	59.00	58.00	58.75	58.75	58.00
Success Manufacturing Co	Success	VG-58	75	52.00	52.00	52.00	52.50	52.00	52.50	52.00	52.00	52.00	52.00	52.25	52.25	52.00
Victory Manufacturing Corporation	Bohn	100	75	66.00	66.25	66.75	67.50	66.25	67.25	66.25	66.00	66.50	67.25	67.25	67.25	66.75
Ward Refrigerator & Manufacturing Co	Olympic	V-603	75	73.50	75.00	74.75	74.50	75.00	74.75	75.25	75.25	75.25	74.75	75.00	75.00	74.75
Ward Refrigerator & Manufacturing Co	Olympic	V-600	75	73.50	75.00	74.75	74.50	75.00	74.75	75.25	75.25	75.25	74.75	75.00	75.00	74.75
Ward Refrigerator & Manufacturing Co	Olympic	V-300	80	51.50	52.00	51.75	51.75	52.00	51.75	52.25	52.25	52.25	52.00	52.00	52.00	51.75
Ward Refrigerator & Manufacturing Co	Olympic	V-303	80	51.50	52.00	51.75	51.75	52.00	51.75	52.25	52.25	52.25	52.00	52.00	52.00	51.75
Williams, R. P. Lumber Co	Franklin	110	57	55.50	56.00	56.25	57.00	56.00	56.25	55.50	55.50	55.50	56.00	56.50	57.00	56.25

SEC. 14. *Table A: Retail ceiling prices in each state for sales of ice boxes by ice companies and retail establishments controlled by ice companies.* No amount may be added to these ceiling prices for delivery to the buyer—Continued.

Manufacturer	Brand	Model	Ice capacity (pounds)	Retail base price	Montana	Nebraska	Nevada	New Hampshire	New Jersey	New Mexico	New York	North Carolina	North Dakota	Ohio	Oklahoma	Oregon
Advance Manufacturing Co	Advance	A-1	75	$55.50	$57.50	$56.75	$57.50	$55.50	$55.50	$57.50	$55.50	$55.50	$55.75	$57.25	$55.75	$56.75	$57.50
Alaska Refrigerator Co		A-75	50	31.25	32.00	31.25	32.00	31.25	31.25	32.00	31.25	31.25	31.50	31.25	31.25	31.25	32.00
American Fixture and Manufacturing Co		A-285	75	57.25	58.25	57.25	58.25	57.25	57.25	58.25	57.25	57.25	57.50	57.25	57.25	57.25	58.25
American Fixture and Manufacturing Co	American	75-A	75	62.00	63.00	62.00	63.00	62.00	62.00	63.00	62.00	62.00	62.00	62.00	62.00	62.00	63.00
*Arctic Refrigerator Co	Arctic	A-75	50	31.25	32.00	31.25	32.00	31.25	31.25	32.00	31.25	31.25	31.50	31.25	31.25	31.25	32.00
*Arctic Refrigerator Co	Arctic	B-100	75	38.00	39.25	38.25	39.25	38.00	38.00	39.25	38.00	38.00	38.50	38.00	38.25	38.25	39.25
Atkins Table and Cabinet Co		300	75	42.50	44.00	43.00	44.00	42.50	42.50	44.00	42.50	42.50	43.00	42.50	43.25	43.00	44.00
Brunswick Refrigerator Co		308	75	39.75	40.75	40.00	40.75	39.75	39.75	40.75	39.75	39.75	40.00	39.75	40.25	40.00	40.75
Brunswick Refrigerator Co		309	50	34.50	35.50	34.50	35.50	34.50	34.50	35.50	34.50	34.50	34.50	34.50	34.75	34.50	35.50
Coleman Furniture Co		VC-75	75	74.75	77.25	76.50	77.25	75.25	74.75	77.25	74.75	74.75	75.00	74.75	77.25	74.75	77.25
Colson Metal Products Co		EM-75	75	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.50	57.25	57.25	57.25	57.25
Coolerator Co., The	Coolerator	V-6	75	68.75	70.00	69.00	70.00	70.00	69.75	70.00	69.50	69.75	69.75	69.50	70.00	70.00	69.50
Dean, Geo. H., Inc	Dean	D-75	75	65.50	67.50	66.25	67.50	66.50	65.50	67.50	66.50	65.50	66.50	66.50	66.50	66.50	67.50
Dratch's Victory Refrigerator Box		383	75	41.25	42.25	41.50	42.25	41.25	41.25	42.25	41.25	41.25	41.50	41.25	41.50	41.50	42.25
Dratch's Victory Refrigerator Box		444	50	33.75	34.75	34.00	34.75	33.75	33.75	34.75	33.75	33.75	34.00	33.75	34.00	34.00	34.75
Durastee Co	Dura-Cold	D-751	75	56.50	58.00	56.50	57.00	56.50	56.50	57.00	56.50	56.50	56.50	56.75	57.00	56.50	57.00
Fleetwood Craftsmen, Inc	Fleetwood	CI-3	50	22.00	23.75	22.75	23.75	22.00	22.00	23.50	22.00	22.00	22.50	22.00	22.50	22.50	23.75
Fy-Bore Metal Products Co	Sta-Kold	550	50	35.50	36.25	35.50	36.25	35.50	35.50	36.25	35.50	35.50	35.75	35.50	36.25	35.50	36.25
Fy-Boro Metal Products Co	Sta-Kold	650	75	42.00	43.00	42.00	43.00	42.00	42.00	43.00	42.00	42.00	42.25	42.00	43.00	42.00	43.00
Gets Bros. & Co., Inc	Gets-Kold	F-50	50	46.25	46.25	46.25	46.25	46.75	46.75	46.25	46.75	46.75	46.25	46.25	46.25	46.75	46.25
Globe Wood Products Co	Globe	43	75	44.25	44.75	44.25	44.25	44.75	44.25	44.75	44.25	44.25	44.50	44.25	44.75	44.25	44.75
Home Building Corporation	Home Comfort	44	75	58.25	59.75	58.25	58.75	59.25	59.25	59.75	59.00	59.25	59.00	58.75	59.25	59.00	59.75
Ice Coolisg Appliance Corporation	Automatic	V-50	50	41.25	41.25	41.25	41.25	41.50	41.25	41.25	41.50	41.25	41.25	41.25	41.25	41.25	41.50
Ice Cooling Appliance Corporation	Automatic	V-75-D	75	57.25	58.00	57.25	58.00	57.25	57.25	58.00	57.25	57.25	57.25	57.25	57.25	57.25	58.00
Ice Cooling Appliance Corporation	Automatic	V-3	50	41.25	41.25	41.25	41.25	41.50	41.25	41.25	41.50	41.25	41.25	41.25	41.25	41.25	41.50
Ice Cooling Appliance Corporation	Vitalaire	V-41	75	57.25	58.00	57.25	58.00	57.25	57.25	58.00	57.25	57.25	57.25	57.25	57.25	57.25	58.00
Ice Cooling Appliance Corporation	Vitalaire	900	75	38.25	38.50	38.25	38.50	38.25	38.25	38.50	38.25	38.25	38.25	38.25	38.25	38.25	38.50
Iceland Refrigerator Co., Inc		909	75	32.50	33.25	32.50	32.50	32.25	32.50	33.25	32.50	32.50	32.50	32.50	32.50	32.50	33.25
Iceland Refrigerator Co., Inc		A	75	43.50	44.50	43.50	44.50	43.50	43.50	44.50	43.50	43.50	43.75	43.50	43.75	43.50	44.50
King Refrigerator Corporation	King	C-75 chest	50	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25
King Refrigerator Corporation	White Mountain	158	75	35.75	37.00	36.00	37.00	35.75	35.75	37.00	35.75	35.75	36.25	35.75	36.25	35.75	37.00
Maine Manufacturing Co	White Mountain	159	75	39.50	41.00	40.00	41.00	39.50	39.50	41.00	39.50	39.50	40.00	39.50	40.25	39.50	41.00
Maine Manufacturing Co	White Mountain	1557	40	26.75	27.50	26.75	27.50	26.75	26.75	27.50	26.75	26.75	27.00	26.75	27.00	26.75	27.50
Maine Manufacturing Co	White Mountain	1558	50	31.75	32.25	31.50	32.25	31.25	31.25	32.25	31.25	31.25	31.75	31.25	32.00	31.25	32.25
Maine Manufacturing Co	White Mountain	1559	75	37.00	38.50	37.50	38.50	37.00	37.00	38.50	37.00	37.00	37.75	37.00	38.25	37.00	38.50
Maine Manufacturing Co	White Mountain	2057	40	31.25	32.00	31.25	32.00	31.25	31.25	32.00	31.25	31.25	31.50	31.25	32.00	31.25	32.00
Maine Manufacturing Co	White Mountain	2058	75	35.75	37.00	36.00	37.00	35.75	35.75	37.00	35.75	35.75	36.25	35.75	36.50	35.75	37.00
Maine Manufacturing Co	White Mountain	2059	50	39.50	41.00	40.00	41.00	39.50	39.50	41.00	39.50	39.50	40.00	39.50	40.25	39.50	41.00
Maine Manufacturing Co	White Mountain	2258	75	42.00	43.00	42.25	43.00	42.00	42.00	43.00	42.00	42.00	42.25	42.00	42.75	42.00	43.00
Maine Manufacturing Co	White Mountain	2259	75	46.25	48.00	46.75	48.00	46.25	46.25	48.00	46.25	46.25	47.25	46.25	47.00	46.25	48.00
Maine Manufacturing Co		100	75	42.00	43.00	42.25	43.00	42.00	42.00	43.00	42.00	42.00	42.50	42.00	42.75	42.00	43.00
Modern Ref. Co. (New York)		D-60	50	46.75	48.50	47.50	47.75	46.25	46.25	47.50	46.25	46.25	47.75	46.00	47.50	47.75	47.75
Modern Ref. Works (Californis)	Modern	D-30	75	34.95	36.25	34.95	35.95	34.25	35.25	34.95	34.25	35.25	35.25	34.95	34.95	34.95	34.95
Modern Ref. Works	Modern	D-50	50	46.75	48.25	47.50	47.50	46.25	46.25	47.25	46.25	46.25	48.25	47.50	47.50	47.50	47.50
Modern Ref. Works	Modern	M-75	75	56.95	58.75	58.50	58.50	56.50	56.50	58.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25
Nelco Artic	Nelco Artic	V-41	75	57.25	58.25	57.25	58.25	57.25	57.25	58.25	57.25	57.25	57.50	57.25	57.25	57.25	58.25
Precision-Kool	Precision-Kool	75	75	37.00	38.25	37.25	38.25	37.00	37.00	38.25	37.00	37.00	37.75	37.00	37.50	37.00	38.25
*Precision Metal Products Company	Progress	50	50	64.75	66.25	65.00	66.25	64.75	64.75	66.25	64.75	64.75	65.00	64.75	66.00	64.75	66.25
Progress Ref. Co	Progress	75	75	75.00	77.50	75.75	77.50	75.00	75.00	77.50	75.00	75.00	75.25	75.00	77.50	75.00	77.50
Progress Ref. Co	Progress	**480 chest	50	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00
Progress Refrigerator Co	Leader	GV-5	75	49.75	51.00	49.75	51.25	49.75	49.75	51.25	49.75	49.75	49.75	49.75	51.00	49.75	51.25
Reeder, L. D. Co	Sanitary	MV-2125	75	57.50	58.75	57.50	59.00	57.75	57.75	59.00	57.75	57.75	57.75	57.75	58.75	57.75	59.00
Sanitary Ref. Co	Sanitary	(MV-2126	75	57.50	58.75	57.50	59.00	57.75	57.75	59.00	57.75	57.75	57.75	57.75	58.75	57.75	59.00
Sanitary Ref. Co	Sanitary	(MV-105R	50	44.50	45.25	44.50	45.50	44.50	44.50	45.50	44.50	44.50	44.50	44.50	45.25	44.50	45.50
Sanitary Refrigerator Co	Sanitary	WM-59	75	49.75	50.75	49.75	51.00	49.75	49.75	51.00	49.75	49.75	49.75	49.75	50.75	49.75	51.00
Sanitary Refrigerator Co	Sanitary	WM-79	75	65.50	67.00	65.50	67.25	66.25	66.00	67.25	66.00	66.00	66.50	66.50	66.50	66.25	66.25
Seeger Ref. Co		V-75	75	57.25	58.25	57.25	58.25	57.25	57.25	58.25	57.25	57.25	57.25	57.50	57.25	57.25	57.25
Shapleigh Hardware Co	Ice Diamond	44 ID	75	58.00	59.25	58.00	59.75	59.00	58.75	59.75	58.50	59.25	58.50	58.25	58.75	58.75	58.75
Stoddard Manufacturing Co	Lockerator	6	75	52.00	53.50	52.50	53.50	52.00	52.00	53.00	52.00	52.00	53.75	52.00	52.50	53.50	53.50
Success Manufacturing Co	Success	VG-53	75	66.00	68.25	67.25	68.25	66.00	66.00	68.25	66.00	66.00	68.00	66.00	67.50	68.25	68.25
Victory Manufacturing Corporation	Bohn	100	75	73.50	75.50	74.50	74.50	74.50	75.25	75.25	74.25	75.25	74.75	73.00	74.50	74.50	74.50
Ward Refrigerator & Manufacturing Co	Olympic	V-603	75	73.50	75.50	74.50	74.50	74.50	75.25	75.25	74.25	75.25	74.75	75.00	74.50	74.50	74.50
Ward Refrigerator & Manufacturing Co	Olympic	V-600	75	73.50	75.50	74.50	74.50	74.50	75.25	75.25	74.25	75.25	74.75	75.00	74.50	74.50	74.50
Ward Refrigerator & Manufacturing Co	Olympic	V-360	60	51.50	52.50	51.75	51.75	51.75	52.25	52.25	51.75	52.25	52.25	52.00	51.75	51.75	51.75
Ward Refrigerator & Manufacturing Co	Olympic	V-303	50	51.50	52.50	51.75	51.75	52.25	52.25	51.75	52.25	52.25	51.75	52.00	51.75	51.75	51.75
Williams, R. P. Lumber Co	Franklin	110	75	55.50	57.50	56.75	57.50	55.50	56.50	57.50	55.50	55.75	57.25	55.75	57.00	57.50	57.50

See footnotes at end of table.

SEC. 14. *Table A: Retail ceiling prices in each state for sales of ice boxes by ice companies and retail establishments controlled by ice companies.* No amount may be added to these ceiling prices for delivery to the buyer—Continued.

Manufacturer	Brand	Model	Ice capacity (pounds)	Retail base price	Pennsylvania	Rhode Island	South Carolina	South Dakota	Tennessee	Texas	Utah	Vermont	Virginia	Washington	West Virginia	Wisconsin	Wyoming
Advance Manufacturing Co	Advance	A-1	75	$55.50	$55.50	$55.50	$56.00	$57.00	$56.50	$57.25	$57.50	$55.50	$55.50	$57.50	$55.75	$56.00	$57.50
Alaska Refrigerator Co		A-75	50	31.25	31.25	31.25	31.25	31.50	31.25	31.50	32.00	31.25	31.25	32.00	31.25	31.25	31.75
American Fixture and Manufacturing Co		A-285	75	57.25	57.25	57.25	57.25	57.25	57.25	57.50	58.25	57.25	57.25	58.25	57.25	57.25	57.50
American Fixture and Manufacturing Co	American	75-A	75	62.00	62.00	62.00	62.00	62.00	62.00	62.25	63.00	62.00	62.00	63.00	62.00	62.00	62.25
*Arctic Refrigerator Co	Arctic	A-75	50	31.25	31.25	31.25	31.25	31.50	31.25	31.50	32.00	31.25	31.25	32.00	31.25	31.25	31.75
*Arctic Refrigerator Co	Arctic	B-100	75	38.00	38.00	38.00	38.00	38.50	38.00	38.50	39.25	38.00	38.00	39.25	38.00	38.00	38.75
Atkins Table and Cabinet Co		300	75	42.50	42.50	42.50	42.50	43.00	42.50	43.25	44.00	42.50	42.50	44.00	42.50	42.50	43.50
Brunswick Refrigerator Co		308	75	39.75	39.75	39.75	39.75	40.00	39.75	40.25	40.75	39.75	39.75	40.75	39.75	39.75	40.50
Brunswick Refrigerator Co		309	50	34.50	34.50	34.50	34.50	34.75	34.50	35.00	35.50	34.50	34.50	35.50	34.50	34.50	35.00
Coleman Furniture Co		VC-75	75	74.75	74.75	75.00	74.75	77.00	74.75	77.25	75.25	74.75	74.75	77.25	74.75	74.75	77.25
Colson Metal Products Co		EM-75	75	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25
Coolerator Co., The	Coolerator	V-6	75	68.75	69.50	70.00	69.75	69.00	69.25	70.00	70.00	70.00	69.50	70.00	69.50	68.75	69.50
Dean, Geo. H., Inc	Dean	D-75	75	65.50	65.50	65.50	65.50	66.50	65.75	66.75	67.50	65.50	65.50	67.50	65.50	65.50	67.00
Dratch's Victory Refrigerator Box		383	75	41.25	41.25	41.25	41.25	41.50	41.25	41.75	42.25	41.25	41.25	42.25	41.25	41.25	41.75
Dratch's Victory Refrigerator Box		444	50	33.75	33.75	33.75	33.75	34.00	33.75	34.25	34.75	33.75	33.75	34.75	33.75	33.75	34.25
Durastee Co	Dura-Cold	D-751	75	56.50	56.50	56.50	56.50	56.75	56.50	56.75	57.00	56.50	56.50	57.00	56.50	56.50	57.00
Fleetwood Craftsmen, Inc	Fleetwood	CI-3	50	22.00	22.00	22.00	22.00	22.50	22.00	22.75	23.75	22.00	24.50	24.50	22.00	22.00	22.75
Fy-Bore Metal Products Co	Sta-Kold	550	50	35.50	35.50	35.50	35.50	35.75	35.50	35.75	36.25	35.50	35.50	36.25	35.50	35.50	36.00
Fy-Boro Metal Products Co	Sta-Kold	650	75	42.00	42.00	42.00	42.00	42.25	42.00	42.50	43.00	42.00	42.00	43.00	42.00	42.00	42.75
Gets Bros. & Co., Inc	Gets-Kold	F-50	50	46.25	46.75	46.75	46.75	46.25	46.50	46.25	46.25	46.75	46.75	46.25	46.75	46.50	46.25
Globe Wood Products Co	Globe	43	75	44.25	44.25	44.25	44.25	44.25	44.25	44.50	44.75	44.25	44.25	44.75	44.25	44.25	44.50
Home Building Corporation	Home Comfort	44	75	59.25	59.00	59.25	59.00	58.75	58.50	58.75	59.00	59.25	59.00	59.75	58.75	58.50	59.00
Ice Cooling Appliance Corporation	Automatic	V-50	50	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.50	41.25	41.25	41.25
Ice Cooling Appliance Corporation	Automatic	V-75-D	75	57.25	57.25	57.25	57.25	57.25	57.25	57.75	58.00	57.25	57.25	58.50	57.25	57.25	57.50
Ice Cooling Appliance Corporation	Vitalaire	V-3	50	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.25	41.50	41.25	41.25	41.25
Ice Cooling Appliance Corporation	Vitalaire	V-41	75	57.25	57.25	57.25	57.25	57.25	57.25	57.75	58.00	57.25	57.25	58.50	57.25	57.25	57.50
Iceland Refrigerator Co., Inc		900	75	38.25	38.25	38.25	38.25	38.75	38.25	38.75	39.50	38.25	38.25	39.50	38.25	38.25	39.00
Iceland Refrigerator Co., Inc		909	50	32.50	32.50	32.50	32.50	32.75	32.50	32.75	33.25	32.50	32.50	33.25	32.50	32.50	33.00
King Refrigerator Corporation		A	75	43.50	43.50	43.50	43.50	43.75	43.50	43.75	44.50	43.50	43.50	44.50	43.50	43.50	44.00
King Refrigerator Corporation	King	C-75 chest	50	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25
Maine Manufacturing Co	White Mountain	158	80	35.75	35.75	35.75	35.75	36.25	35.75	36.50	37.00	35.75	35.75	37.00	35.75	35.75	36.50
Maine Manufacturing Co	White Mountain	159	75	39.50	39.50	39.50	39.50	40.25	39.50	40.50	41.00	39.50	39.50	41.00	39.50	39.50	40.75
Maine Manufacturing Co	White Mountain	1557	40	26.75	26.75	26.75	26.75	27.00	26.75	27.00	27.50	26.75	26.75	27.50	26.75	26.75	27.25
Maine Manufacturing Co	White Mountain	1558	50	31.25	31.25	31.25	31.25	31.75	31.25	32.00	32.25	31.25	31.25	32.25	31.25	31.25	32.00
Maine Manufacturing Co	White Mountain	1559	75	37.00	37.00	37.00	37.00	37.75	37.00	38.00	38.50	37.00	37.00	38.50	37.00	37.00	38.00
Maine Manufacturing Co	White Mountain	2057	40	31.25	31.25	31.25	31.25	31.50	31.25	31.50	32.00	31.25	31.25	32.00	31.25	31.25	31.75
Maine Manufacturing Co	White Mountain	2058	75	35.75	35.75	35.75	35.75	36.25	35.75	36.50	37.00	35.75	35.75	37.00	35.75	35.75	36.50
Maine Manufacturing Co	White Mountain	2059	75	39.50	39.50	39.50	39.50	40.25	39.50	40.50	41.00	39.50	39.50	41.00	39.50	39.50	40.75
Maine Manufacturing Co	White Mountain	2258	75	42.00	42.00	42.00	42.00	42.50	42.00	42.75	43.25	42.00	42.00	43.25	42.00	42.00	43.00
Maine Manufacturing Co	White Mountain	2259	75	46.25	46.25	46.25	46.25	47.00	46.25	47.25	48.00	46.25	46.25	48.00	46.25	46.25	47.50
Modern Ref. Co. (New York)		100	75	42.00	42.00	42.00	42/00	42.50	42.00	42.50	43.00	42.00	42.00	43.00	42.00	42.00	42.75
Modern Ref. Works (Californis)	Modern	D-60	50	46.75	48.25	48.25	48.25	47.75	48.00	47.50	47.75	48.25	48.25	47.50	48.25	47.75	47.50
Modern Ref. Works	Modern	D-30	75	34.95	34.95	35.25	35.25	34.95	34.95	34.95	34.95	35.25	35.25	34.95	35.25	34.95	34.95
Modern Ref. Works	Modern	D-50	50	46.75	48.25	48.25	48.25	47.75	48.00	47.50	47.75	48.25	48.25	47.50	48.25	47.75	47.50
Modern Ref. Works	Modern	M-75	75	56.95	58.25	59.50	59.50	58.75	59.00	58.50	58.75	59.50	59.50	58.50	59.50	58.75	58.50
Nelson, C., Manufacturing Co	Nelco Artic	V-41	75	57.25	57.25	57.25	57.25	57.25	57.25	57.50	58.25	57.25	57.25	58.25	57.25	57.25	57.75
*Precision Metal Products Company	Precision-Kool	75	75	37.00	37.00	37.00	37.00	37.50	37.00	37.75	38.25	37.00	37.00	38.25	37.00	37.00	38.00
Progress Ref. Co	Progress	50	50	64.75	64.75	64.75	64.75	65.25	64.75	64.75	66.25	64.75	64.75	66.25	64.75	64.75	65.75
Progress Ref. Co	Progress	75	75	75.00	75.00	75.00	75.00	75.50	75.00	75.00	77.50	75.50	75.25	77.50	75.00	75.00	76.50
Progress Refrigerator Co	Progress	**480 chest	50	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00
Reeder, L. D. Co	Leader	GV-5	75	56.75	59.00	59.25	59.25	58.50	58.75	58.25	58.25	59.25	59.25	57.75	59.25	58.50	58.25
Sanitary Ref. Co	Sanitary	MV-2125	75	49.75	49.75	49.95	50.25	49.95	49.75	50.50	51.25	49.95	49.95	51.25	49.75	49.75	50.50
Sanitary Ref. Co	Sanitary	(MV-2126	75	57.25	57.50	57.75	58.00	57.75	57.50	58.25	59.00	57.75	57.75	59.00	57.50	57.50	58.25
Sanitary Ref. Co	Sanitary	(MV-105R	75	57.25	57.50	57.75	58.00	57.75	57.50	58.25	59.00	57.75	57.75	59.00	57.50	57.50	58.25
Sanitary Refrigerator Co	Sanitary	WM-59	50	44.50	44.50	44.50	44.50	44.75	45.25	44.50	44.50	45.50	44.50	44.50	44.50	44.50	44.75
Sanitary Refrigerator Co	Sanitary	WM-79	75	49.75	49.75	49.75	50.00	49.75	49.75	50.25	51.00	49.75	49.75	51.00	49.75	49.75	50.25
Seeger Ref. Co		V-75	75	66.40	66.00	66.25	66.50	66.50	65.75	66.50	66.75	66.25	66.25	66.75	65.75	65.50	66.25
Shapleigh Hardware Co	Ice Diamond	44 ID	75	57.25	57.25	57.25	57.25	57.25	57.25	57.50	58.25	57.25	57.25	58.25	57.25	57.25	57.75
Stoddard Manufacturing Co	Lockerator	6	75	58.00	58.50	59.00	59.25	58.25	58.50	59.25	59.50	59.00	58.75	59.75	58.50	58.00	59.00
Success Manufacturing Co	Success	VG-53	75	52.00	52.00	52.00	52.00	52.75	52.00	52.50	53.50	52.00	52.00	53.50	52.00	52.00	53.00
Victory Manufacturing Corporation	Bohn	100	75	66.00	66.00	66.00	66.00	67.75	67.00	68.00	68.25	66.00	66.00	68.25	66.00	66.50	68.25
Ward Refrigerator & Manufacturing Co	Olympic	V-603	75	73.50	75.25	75.25	75.25	74.75	75.00	74.50	74.75	75.25	75.25	74.25	75.25	74.75	74.50
Ward Refrigerator & Manufacturing Co	Olympic	V-600	75	73.50	75.25	75.25	75.25	74.75	75.00	74.50	74.75	75.25	75.25	74.25	75.25	74.75	74.50
Ward Refrigerator & Manufacturing Co	Olympic	V-360	50	51.50	52.25	52.25	52.25	52.00	52.00	52.00	51.75	52.25	52.25	51.50	52.25	52.00	51.75
Ward Refrigerator & Manufacturing Co	Olympic	V-303	50	51.50	52.25	52.25	52.25	52.00	52.00	52.00	51.75	52.25	52.25	51.50	52.25	52.00	51.75
Williams, R. P., Lumber Co	Franklin	110	75	55.50	55.50	55.50	56.25	57.25	56.50	57.50	57.50	55.50	55.50	57.50	55.75	56.00	57.50

[* Items added; ** Items amended by Am. 14, effective 5-20-44]

[Table A amended by Am. 1, 8 F.R. 9082, effective 7-5-43; Am. 2, 8 F.R. 11886, effective 8-20-43; Am. 3, 8 F.R. 11813, effective 8-30-43; Am. 4, 8 F.R. 12962, effective 10-16-43; Am. 6, 8 F.R. 14818, effective 11-4-43; Am. 7, 8 F.R. 15524, effective 11-17-43; Am. 8, 8 F.R. 15526, effective 11-17-43; Am. 10, 8 F.R. 15742, effective 11-23-43; Am. 11, 8 F.R. 16743, effective 12-17-43; Am. 12, 9 F.R. 2037, effective 2-26-44; Am. 13, 9 F.R. 3074, effective 3-25-44 and as otherwise noted.

SEC. 15. *Table B: (1) Retail ceiling prices for sales of ice boxes by mail order houses when selling from a mail order catalog.* These ceiling prices are f. o. b. shipping point.

Manufacturer	Brand	Model	Rated ice capacity pounds	Ceiling price
Montgomery Ward	Wards	265–A–3915	50	$31.95
Montgomery Ward	....do	266–A–3917	75	44.60
Sears, Roebuck	Sears	LM–2942–F	85	34.95
Sears, Roebuck	....do	LM–2943–F	100	37.95
Sears, Roebuck	....do	LM–2930–F	55	24.98
Sears, Roebuck	....do	LM–2931–F	80	27.98
Sears, Roebuck	....do	LM–2926–F	55	18.95
Sears, Roebuck	....do	DM–2927–F	85	41.50
Sears, Roebuck	....do	DM–2928–F	100	46.50
Sears, Roebuck	....do	DM–2933–F	80	31.50
Sears, Roebuck	....do	DM–2932–F	55	25.50
Sears, Roebuck	....do	DM–2127–F	75	52.75
Sears, Roebuck	....do	7500	75	59.95
Spiegel	Spiegel	92–GB–7404	55	25.50
Spiegel	....do	92–GB–7405	110	33.50
Spiegel	....do	92–GB–7400	80	29.95
Spiegel	....do	512–GB–7402	75	51.50
Spiegel	....do	512–GB–7401	50	36.95
Spiegel	Snowflake	K–B–2401	50	39.95
Spiegel	....do	K–B–2402	75	75.75

(2) *Retail ceiling prices for sales of ice boxes by mail order houses when selling from a mail order catalog.* These ceiling prices are f. o. b. warehouse shipping point.

Manufacturer	Brand	Model	Rated ice capacity pounds	F. o. b. factory	F. o. b. warehouse shipping point: Los Angeles	Seattle	Kansas City	Atlanta	Memphis	Dallas	Philadelphia	Boston	Chicago	Minneapolis
Sears, Roebuck	Sears	2950	75	$52.75	$55.87	$55.87	$53.82	$54.57	$54.57	$54.57	$54.71	$54.77	$52.75	$52.75
Sears, Roebuck	....do	2975	75	59.95	62.56	62.42	60.89	61.72	61.72	61.72	61.84	61.93	59.95	59.95
Sears, Roebuck	....do	2936	75	52.75	55.87	55.87	53.82	54.57	54.57	54.57	54.71	54.77	52.75	52.75
Sears, Roebuck	....do	2948	50	42.00	44.73	44.73	42.94	42.59	42.59	42.59	43.72	43.77	42.00	42.00

[Table B amended by Am. 9, 8 F.R. 15719, effective 11–23–43; Am. 11, 8 F.R. 16743, effective 12–17–43; Am. 14, effective 5–20–44]

SEC. 16. *Table C: Ceiling prices in each state for all other sales of ice boxes at retail.* No amount may be added to these ceiling prices for delivery to the buyer.

Manufacturer	Brand	Mode.	Rated ice capacity (pounds)	Retail base price	Alabama	Arizona	Arkansas	California	Colorado	Connecticut	Delaware	District of Columbia	Florida	Georgia	Idaho	Illinois
Advance Manufacturing Co	Advance	A–1	75	$62.50	$65.00	$65.75	$65.00	$65.75	$65.75	$63.25	$63.75	$63.75	$65.00	$64.75	$65.75	$64.50
Alaska Refrigerator Co		A–75	50	35.95	37.00	38.00	37.25	38.00	37.75	36.25	36.25	36.50	37.00	36.75	38.00	37.00
American Fixture & Manufacturing Co	American	75–A	75	68.95	70.00	71.25	70.00	71.25	70.50	70.25	70.25	70.25	70.50	70.25	71.25	69.50
American Fixture & Manufacturing Co		A–285	75	63.95	65.00	66.25	65.00	66.25	65.50	65.25	65.25	65.25	65.50	65.25	66.25	64.50
*Arctic Refrigerator Co	Arctic	A–75	50	35.95	37.00	38.00	37.25	38.00	37.75	36.25	36.25	36.50	37.00	36.75	38.00	37.00
*Arctic Refrigerator Co	Arctic	B–100	75	42.95	44.25	45.50	44.50	45.50	45.00	43.50	43.50	43.50	44.25	44.00	45.50	44.00
Atkins Table and Cabinet Co		300	75	47.95	49.25	50.75	49.50	50.75	50.25	48.50	48.50	48.50	49.25	49.25	50.75	49.25
Brunswick Refrigerator Co		308	75	44.95	46.00	47.25	46.25	47.25	47.00	45.50	45.50	45.50	46.25	46.00	47.25	46.00
Brunswick Refrigerator Co		309	50	38.95	40.00	41.25	40.25	41.25	41.00	39.25	39.50	39.50	40.00	40.00	41.25	40.00
Coleman Furniture Co		VC–75	75	84.50	85.75	88.50	87.25	88.50	88.50	86.25	85.50	85.50	86.25	86.00	86.50	86.25
Coleman Metal Products Co		EM–75	75	63.95	65.00	65.50	64.75	65.50	65.00	65.25	65.25	65.00	65.25	65.25	65.50	64.50
Coolerator Co., The	Coolerator	V–6	75	72.75	75.00	75.50	74.75	75.50	75.00	75.25	75.25	75.25	75.25	75.25	75.50	73.75
Dean, Geo. H., Inc	Dean	D–75	75	69.95	71.50	73.25	72.00	73.25	72.75	70.50	70.75	70.75	71.75	71.50	72.25	71.50
Dratch's Victory Refrigerator Box		333	75	46.50	47.50	49.00	48.00	49.00	48.50	47.00	47.00	47.00	47.75	47.50	49.00	47.50
Dratch's Victory Refrigerator Box		444	50	38.25	39.25	40.75	39.75	40.75	40.25	38.75	38.75	38.75	39.50	39.25	40.75	39.25
Durastee Co	Dura-Cold	D–751	75	63.25	64.25	65.25	64.25	65.25	64.75	64.50	64.50	64.50	64.50	64.25	65.25	63.75
Fleetwood Craftsmen Inc	Fleetwood	CI–3	50	24.95	26.25	28.25	26.00	28.75	27.00	25.50	25.50	25.50	26.25	26.00	28.00	26.00
Fy Boro Metal Prod. Co., Inc	Sta-Kold	550	50	39.95	41.00	42.25	41.25	42.25	41.75	40.25	40.25	40.25	41.00	41.00	42.25	41.00
Fy Boro Metal Products Co	Sta-Kold	650	75	47.95	49.00	50.50	49.50	50.50	50.00	48.50	48.50	48.50	49.25	49.00	50.50	49.00
Getz Bros. & Co. Inc	Getz-Kold	F–50	50	52.50	54.25	53.75	54.00	53.00	54.00	54.50	54.50	54.50	54.50	54.50	53.75	54.00
Globe Wood Products Co	Globe	43	75	69.95	71.50	72.50	71.25	72.50	71.80	72.00	71.75	71.75	72.25	71.75	72.50	70.25
Home Building Corporation	Home Comfort	44	75	66.50	67.25	68.50	67.25	68.50	68.00	67.00	67.00	67.00	67.75	67.50	68.50	67.00
Ice Cooling Appliance Corporation	Automatic	V–50	50	46.50	47.25	48.00	47.25	48.00	47.80	47.25	47.25	47.25	47.75	47.50	48.00	47.00
Ice Cooling Appliance Corporation	Automatic	V–75–D	75	63.95	65.25	66.50	65.25	66.50	65.50	65.25	65.25	65.25	65.75	65.25	66.25	64.75
Ice Cooling Appliance Corporation	Vitalaire	V–3	75	46.50	47.25	48.00	47.25	48.00	47.80	47.25	47.25	47.25	47.75	47.50	48.00	47.00
Ice Cooling Appliance Corporation	Vitalaire	V–41	75	63.95	65.25	66.50	65.25	66.50	65.50	65.25	65.25	65.25	65.75	65.25	66.25	64.75
Iceland Refrigerator Co., Inc		900	75	42.95	44.25	45.50	44.50	45.50	45.00	43.50	43.50	43.50	44.25	44.00	45.50	44.00
Iceland Refrigerator Co., Inc		909	50	36.50	37.80	38.75	37.75	38.75	38.25	37.00	37.00	37.00	37.50	37.50	38.75	37.50
King Refrigerator Corporation		A	75	48.95	50.00	51.25	50.25	51.25	50.75	49.25	49.25	49.25	50.00	50.00	51.25	50.00
King Refrigerator Corporation	King	C–75 chest	50	21.75	22.25	22.75	22.25	22.75	22.50	22.00	22.00	22.00	22.25	22.25	22.75	22.25
Maine Manufacturing Co	White Mountain	158	50	40.50	41.75	43.00	42.00	43.00	42.75	41.00	41.25	41.25	41.75	41.75	43.00	41.75
Maine Manufacturing Co	White Mountain	159	75	44.95	46.50	48.00	46.75	48.00	47.50	45.50	45.75	45.75	46.50	46.25	48.00	46.25
Maine Manufacturing Co	White Mountain	1557	40	30.50	31.50	32.50	31.75	32.50	32.25	30.75	31.00	31.00	31.50	31.50	32.50	31.50
Maine Manufacturing Co	White Mountain	1558	50	35.50	36.75	38.00	37.00	38.00	37.75	36.00	36.25	36.25	36.75	36.75	38.00	36.50
Maine Manufacturing Co	White Mountain	1559	75	41.95	43.25	44.75	43.75	44.75	44.50	42.50	42.75	42.75	43.50	43.25	44.75	43.25
Maine Manufacturing Co	White Mountain	2057	40	35.50	36.50	37.75	36.75	37.75	37.50	36.00	36.00	36.00	36.75	36.50	37.75	36.50
Maine Manufacturing Co	White Mountain	2058	50	40.50	41.75	43.00	42.00	43.00	42.75	41.00	41.25	41.25	41.75	41.75	43.00	41.75
Maine Manufacturing Co	White Mountain	2059	75	44.95	46.50	48.00	46.75	48.00	47.50	45.50	45.75	45.75	46.50	46.25	48.00	46.25
Maine Manufacturing Co	White Mountain	2258	50	47.50	48.75	50.25	49.25	50.25	49.75	48.00	48.25	48.25	49.00	48.75	50.25	48.75
Maine Manufacturing Co	White Mountain	2259	75	52.50	54.00	55.50	54.25	55.50	55.00	53.00	53.25	53.25	54.00	53.75	55.50	53.75
Modern Refrigerator Co., (New York)		100	75	48.50	49.75	51.00	50.00	51.00	50.50	48.75	49.00	49.00	49.75	49.50	51.00	49.50
Modern Refrigerator Works (California)	Modern	D–60	50	27.50	28.75	30.25	28.75	30.25	29.75	28.25	28.25	28.25	29.00	28.75	30.25	28.75
Modern Refrigerator Works (California)	Modern	D–30	50	37.50	38.75	38.25	38.75	37.75	38.75	39.00	39.00	39.00	39.25	39.00	38.25	39.00
Modern Refrigerator Works (California)	Modern	D–50	50	49.95	52.50	51.25	52.25	50.75	52.00	52.75	52.75	53.25	52.50	52.75	51.25	52.75
Modern Refrigerator Works (California)	Modern	M–75	75	61.50	65.00	63.50	64.50	62.50	64.50	65.50	65.50	65.50	66.00	65.75	63.50	64.75

SEC. 16. *Table C: Ceiling prices in each state for all other sales of ice boxes at retail.* No amount may be added to these ceiling prices for delivery to the buyer—Continued.

Manufacturer	Brand	Model	Rated ice capacity (pounds)	Retail base price	Alabama	Arizona	Arkansas	California	Colorado	Connecticut	Delaware	District of Columbia	Florida	Georgia	Idaho	Illinois
Nelson C. Manufacturing Co	Nelco Artic	V–41	75	$63.95	$65.00	$66.50	$65.00	$66.50	$65.50	$65.25	$65.25	$65.25	$65.50	$65.25	$66.25	$64.50
*Precision Metal Products Company	Precision-Kool	75	75	41.75	43.00	44.50	43.25	44.50	44.00	42.25	42.25	42.25	43.00	43.00	44.50	43.00
Progress Refrigerator Co	Progress	50	50	72.95	74.00	76.00	74.25	76.00	75.25	74.25	74.25	74.25	74.50	74.25	76.00	73.75
Progress Refrigerator Co	Progress	75	75	84.95	86.25	88.75	86.50	88.75	87.75	86.75	86.50	86.50	87.00	86.50	88.75	86.00
Progress Refrigerator Co	Progress	**450 chest	50	29.25	29.75	30.50	29.75	30.50	30.25	29.75	29.75	29.75	30.00	29.75	30.50	29.50
Reeder, L. D. Co	Leader	GV–5	75	67.50	70.75	69.25	70.50	68.50	70.25	71.25	71.25	71.25	72.00	71.00	71.25	70.50
Sanitary Refrigerator Co	Sanitary	MV–2125	75	56.50	58.00	59.50	58.00	59.50	58.50	58.00	58.00	58.00	58.75	58.25	59.50	57.50
Sanitary Refrigerator Co	Sanitary	(MV–2126 MV–105R	75	64.95	66.50	68.00	66.50	68.00	67.00	66.50	66.50	66.50	67.25	66.75	67.75	66.00
Sanitary Refrigerator Co	Sanitary	WM–50	50	49.95	51.25	52.25	51.25	52.25	51.50	51.25	51.25	51.25	51.75	51.25	52.25	50.75
Sanitary Refrigerator Co	Sanitary	WM–79	75	55.95	57.50	58.75	57.50	58.75	57.75	57.25	57.50	57.25	57.75	57.50	58.50	56.75
Seeger Refrigerator Co		V–75	75	69.95	72.00	73.00	72.00	73.00	72.00	72.00	72.00	72.00	72.75	72.25	72.75	71.00
Shapleigh Hardware Co	Ice Diamond	441D	75	63.95	65.00	66.50	65.00	66.50	65.50	65.25	65.25	65.25	65.50	65.25	66.25	64.50
Stoddard Manufacturing Co	Lockerator	6	75	65.50	67.75	66.75	67.75	69.00	67.75	67.75	67.75	67.50	68.75	68.00	68.50	66.50
Success Manufacturing Co	Success	VG–58	75	55.95	57.25	56.75	57.75	58.75	58.50	56.50	56.75	56.75	57.50	57.25	58.75	57.25
Victory Manufacturing Corp	Bohn	100	75	69.95	72.25	73.75	72.25	73.75	73.50	71.25	70.75	70.50	72.50	72.00	73.75	71.75
Ward Refrigerator & Manufacturing Co	Olympic	V–603	75	82.95	85.75	84.50	85.50	83.75	85.25	86.25	86.25	86.25	86.75	85.75	86.00	85.50
Ward Refrigerator & Manufacturing Co	Olympic	V–600	75	82.95	85.75	84.50	85.50	83.75	85.25	86.25	86.25	86.25	86.75	85.75	86.00	85.50
Ward Refrigerator & Manufacturing Co	Olympic	V–300	50	58.25	60.25	59.25	60.00	58.75	60.00	60.50	60.50	60.50	60.75	60.25	60.50	60.00
Ward Refrigerator & Manufacturing Co	Olympic	V–303	50	58.25	60.25	59.25	60.00	58.75	60.00	60.50	60.50	60.50	60.75	60.25	60.50	60.00
Williams, R. P., Lumber Co	Franklin	110	75	62.50	65.00	66.00	65.00	66.00	66.00	63.25	63.75	63.75	65.25	64.75	66.00	64.50
MAIL ORDERS AND OTHER PRIVATE BRANDS SOLD THROUGH RETAIL STORES																
Montgomery Ward	Ward	K–438	50	40.25	41.50	42.50	41.25	42.50	41.75	41.50	41.50	41.50	41.75	41.50	42.25	40.75
Montgomery Ward	Ward	K–439	75	58.75	57.75	57.75	56.75	57.50	57.00	56.75	56.75	56.75	57.00	56.75	57.50	56.25
Sears Roebuck	Sears	2058	50	37.25	38.50	40.00	38.75	39.75	39.50	37.75	38.00	38.00	38.50	38.50	39.75	38.50
Sears Roebuck	Sears	2059	75	41.25	42.75	44.25	43.00	44.25	43.75	41.75	42.00	42.00	42.75	42.50	44.25	42.50
Sears Roebuck	Sears	2258	50	43.75	45.00	46.50	45.50	46.50	46.00	44.25	44.50	44.50	45.25	45.00	46.50	45.00
Sears Roebuck	Sears	2259	75	47.95	49.50	51.00	50.00	51.00	50.50	48.50	48.75	48.75	49.50	49.25	51.00	49.25
Sears Roebuck	Sears	7500	75	64.50	67.75	67.50	66.50	67.50	66.75	66.50	66.50	66.50	67.50	66.75	67.25	65.50
Western Auto Supply Co	Royal Icerette	D–30	50	34.95	36.25	35.75	36.25	35.50	36.25	36.50	36.50	36.50	36.50	36.50	36.25	36.25
Western Auto Supply Co	Royal Icerette	D–50	50	47.50	50.00	49.00	49.75	48.25	49.75	50.25	50.25	50.25	50.75	50.00	50.25	49.75
*Western Auto Supply Company	Royal Icerette	M–75	75	57.95	61.25	60.00	61.00	59.00	60.75	61.75	61.75	61.75	62.50	61.50	61.75	61.25

Manufacturer	Brand	Mode.	Rated ice capacity (pounds)	Retail base price	Indiana	Iowa	Kansas	Kentucky	Louisiana	Maine	Maryland	Massachusetts	Michigan	Minnesota	Mississippi	Missouri
Advance Manufacturing Co	Advance	A–1	75	$62.50	$64.25	$64.50	$65.25	$64.50	$65.00	$63.25	$63.75	$63.00	$64.25	$65.00	$65.25	$64.50
Alaska Refrigerator Co		A–75	50	35.95	36.75	37.00	37.25	36.75	37.50	36.50	36.50	36.50	36.75	37.25	37.00	37.00
American Fixture & Manufacturing Co	American	75–A	75	68.95	69.50	69.75	70.00	69.75	70.25	70.50	70.25	70.25	69.75	70.00	70.00	69.50
American Fixture & Manufacturing Co		A–285	75	63.95	64.50	64.75	65.00	64.75	65.25	65.50	65.25	65.25	64.75	65.00	65.00	64.50
*Arctic Refrigerator Co	Arctic	A–75	50	35.95	36.75	37.00	37.25	36.75	37.50	36.50	36.50	36.50	36.75	37.25	37.00	37.00
*Arctic Refrigerator Co	Arctic	B–100	75	42.95	44.00	44.25	44.50	44.00	44.75	43.75	43.50	43.50	43.75	44.50	44.25	44.25
Atkins Table and Cabinet Co		300	75	47.95	49.00	49.25	49.75	49.00	49.75	48.75	48.50	48.50	49.00	49.50	49.25	49.25
Brunswick Refrigerator Co		308	75	44.95	45.75	46.00	46.25	46.00	46.50	45.75	45.50	45.50	45.75	46.25	46.25	46.00
Brunswick Refrigerator Co		309	50	38.95	39.75	40.00	40.50	39.75	40.50	39.75	39.50	39.50	39.75	40.25	40.25	40.00
Coleman Furniture Co		VC–75	75	84.50	85.75	87.00	87.75	85.50	87.75	86.50	85.50	86.25	86.50	87.50	86.25	86.75
Coleman Metal Products Co		EM–75	75	63.95	64.75	64.25	64.50	64.75	65.00	65.25	65.00	65.25	64.75	64.75	65.00	64.25
Coolerator Co., The	Coolerator	V–6	75	72.75	74.50	73.75	74.50	74.50	75.25	75.50	75.25	75.25	74.50	73.75	75.00	73.75
Dean, Geo. H., Inc	Dean	D–75	75	69.95	71.25	71.75	72.25	71.50	72.25	70.75	70.75	70.50	71.25	72.00	71.75	71.50
Dratch's Victory Refrigerator Box		333	75	46.50	47.50	47.75	48.00	47.50	48.00	47.25	47.00	47.00	47.25	47.75	47.75	47.75
Dratch's Victory Refrigerator Box		444	50	38.25	39.25	39.50	39.75	39.25	39.75	39.00	39.50	39.50	39.75	40.25	39.50	39.50
Durastee Co	Dura-Cold	D–751	75	63.25	64.00	63.75	64.25	64.00	65.00	64.75	64.50	64.75	64.25	64.50	64.25	63.75
Fleetwood Craftsmen Inc	Fleetwood	CI–3	50	24.95	26.00	26.25	26.50	26.00	26.75	25.75	25.50	25.50	26.00	26.50	26.50	26.00
Fy Boro Metal Prod. Co., Inc	Sta-Kold	550	50	39.95	40.75	41.00	41.50	40.75	41.50	40.50	40.50	40.50	40.75	41.25	41.25	41.00
Fy Boro Metal Products Co	Sta-Kold	650	75	47.95	48.75	49.25	49.50	49.00	49.50	48.75	48.50	48.50	48.75	49.25	49.25	49.00
Getz Bros. & Co. Inc	Getz-Kold	F–50	50	52.50	54.25	54.00	54.50	54.25	54.00	54.50	54.50	54.50	54.00	54.00	54.25	54.00
Globe Wood Products Co	Globe	43	75	69.95	70.75	71.00	71.50	71.25	70.75	71.00	71.75	71.75	71.50	71.00	71.00	71.00
Home Building Corporation	Home Comfort	44	75	66.50	67.00	67.25	67.75	67.25	67.00	67.00	67.00	67.00	67.25	67.00	67.00	67.00
Ice Cooling Appliance Corporation	Automatic	V–50	50	46.50	47.00	47.00	47.25	47.00	47.50	47.50	47.25	47.50	47.00	47.00	47.25	47.00
Ice Cooling Appliance Corporation	Automatic	V–75–D	75	63.95	64.75	64.50	65.00	64.75	65.50	65.50	65.25	65.25	64.75	64.75	65.25	64.75
Ice Cooling Appliance Corporation	Vitalaire	V–3	50	46.50	47.00	47.00	47.25	47.00	47.50	47.50	47.25	47.50	47.00	47.00	47.25	47.00
Ice Cooling Appliance Corporation	Vitalaire	V–41	75	63.95	64.75	64.50	65.00	64.75	65.50	65.50	65.25	65.25	64.75	64.75	65.25	64.75
Iceland Refrigerator Co., Inc		900	75	42.95	44.00	44.25	44.50	44.00	44.75	43.75	43.50	43.50	43.75	44.50	44.25	44.25
Iceland Refrigerator Co., Inc		909	50	36.50	37.25	37.50	38.00	37.25	38.00	37.25	37.00	37.00	37.25	37.75	37.75	37.50
King Refrigerator Corporation		A	75	48.95	49.75	50.00	50.50	49.75	50.50	49.50	49.50	49.50	49.75	50.25	50.25	50.00
King Refrigerator Corporation	King	C–75 chest	50	21.75	22.00	22.25	22.50	22.25	22.50	22.00	22.00	22.00	22.00	22.25	22.25	22.25
Maine Manufacturing Co	White Mountain	158	50	40.50	41.50	41.75	42.25	41.75	42.25	41.00	41.25	41.25	40.75	41.50	42.00	41.75
Maine Manufacturing Co	White Mountain	159	75	44.95	46.00	46.50	47.00	46.25	47.00	45.50	45.75	45.75	45.25	46.00	46.75	46.50
Maine Manufacturing Co	White Mountain	1557	40	30.50	31.25	31.50	32.00	31.50	32.00	31.00	31.00	31.00	30.75	31.25	31.75	31.50
Maine Manufacturing Co	White Mountain	1558	50	35.50	36.50	36.75	37.25	36.50	37.25	36.00	36.25	35.75	36.50	37.00	37.00	36.75
Maine Manufacturing Co	White Mountain	1559	75	41.95	43.00	43.50	44.00	43.25	44.00	42.50	42.75	42.25	43.00	43.75	43.50	43.25
Maine Manufacturing Co	White Mountain	2057	40	35.50	36.25	36.75	37.00	36.50	37.00	36.00	36.00	35.75	36.25	36.75	36.75	36.50
Maine Manufacturing Co	White Mountain	2058	50	40.50	41.50	41.75	42.25	41.75	42.25	41.00	41.25	40.75	41.50	42.00	42.00	41.75
Maine Manufacturing Co	White Mountain	2059	75	44.95	46.00	46.50	47.00	46.25	47.00	45.50	45.75	45.25	46.00	46.75	46.50	46.50
Maine Manufacturing Co	White Mountain	2258	50	47.50	48.50	49.00	49.25	48.75	49.50	48.00	48.25	47.75	48.50	49.00	49.00	48.75
Maine Manufacturing Co	White Mountain	2259	75	52.50	53.75	54.00	54.50	53.75	54.75	53.00	53.25	52.75	53.75	54.25	54.25	54.00
Modern Refrigerator Co. (New York)		100	75	48.50	49.50	49.75	50.25	49.50	50.25	49.25	49.00	49.00	49.50	50.00	49.75	49.75
Modern Refrigerator Works (California)	Modern	D–60	50	27.50	28.50	28.75	29.00	28.50	29.00	28.25	28.00	28.00	28.50	29.00	28.75	28.75
Modern Refrigerator Works (California)	Modern	D–30	50	37.50	38.75	38.75	38.75	38.75	38.75	39.00	39.00	39.00	38.75	38.75	38.75	38.75
Modern Refrigerator Works (California)	Modern	D–50	50	49.95	52.50	52.25	52.50	52.25	51.50	52.75	52.75	52.75	52.25	52.50	52.50	52.25
Modern Refrigerator Works (California)	Modern	M–75	75	61.50	65.00	64.50	64.50	65.00	64.50	65.50	65.50	65.50	63.75	64.00	64.00	64.50
Nelco C. Manufacturing Co	Nelco Artic	V–41	75	63.95	64.50	64.75	65.00	64.75	65.25	65.50	65.25	65.50	64.75	65.00	65.00	64.50
Precision Metal Products Company	Precision-Kool	75	75	41.75	42.75	43.00	43.50	42.75	43.50	42.50	42.25	42.25	42.75	43.25	43.25	43.00
Progress Refrigerator Co	Progress	50	50	72.95	73.50	74.25	74.50	73.50	74.50	74.50	74.25	74.25	74.00	74.50	74.25	74.00
Progress Refrigerator Co	Progress	75	75	84.95	85.50	86.50	87.00	85.50	87.00	87.00	86.50	86.75	86.25	87.00	86.50	86.25
Progress Refrigerator Co	Progress	**450 Chest	50	29.25	29.50	29.75	30.00	29.50	30.00	30.00	29.75	29.75	29.75	29.75	29.75	29.75
Reeder, L. D. Co	Leader	GV–5	75	67.50	70.75	70.50	70.25	70.75	70.50	71.25	71.25	71.25	70.75	70.75	70.75	70.50
Sanitary Refrigerator Co	Sanitary	MV–2125	75	56.50	57.50	57.50	58.00	57.50	58.50	58.25	58.00	58.00	57.25	57.50	58.25	57.50
Sanitary Refrigerator Co	Sanitary	(MV–2126 (MV–105R	75	64.95	65.75	66.00	66.50	66.00	67.00	66.75	66.50	66.50	65.75	66.00	66.50	66.00

SEC. 16. *Table C: Ceiling prices in each state for all other sales of ice boxes at retail.* No amount may be added to these ceiling prices for delivery to the buyer—Continued.

Manufacturer	Brand	Model	Rated ice capacity (pounds)	Retail base price	Indiana	Iowa	Kansas	Kentucky	Louisiana	Maine	Maryland	Massachusetts	Michigan	Minnesota	Mississippi	Missouri
Sanitary Refrigerator Co.	Sanitary	WM-59	50	$49.95	$50.75	$50.75	$51.25	$50.75	$51.50	$51.25	$51.25	$51.25	$50.50	$50.75	$51.25	$50.75
Sanitary Refrigerator Co.	Sanitary	WM-79	75	55.95	56.75	56.75	57.25	57.00	57.75	57.50	57.25	57.50	56.75	57.00	57.50	57.00
Seeger Refrigerator Co.		V-75	75	69.95	71.25	70.75	71.75	71.50	72.50	72.25	72.00	72.00	71.00	70.75	72.00	71.00
Shapleigh Hardware Co.	Ice Diamond	44ID	75	63.95	64.50	64.75	65.00	64.75	65.25	65.50	65.25	65.50	64.75	65.00	65.00	64.50
Stoddard Manufacturing Co.	Lockerator	6	75	65.50	67.00	67.00	67.25	67.25	66.25	66.00	67.50	67.75	66.75	66.50	67.75	66.50
Success Manufacturing Co.	Success	VG-58	75	55.95	57.00	57.50	58.00	57.25	58.00	56.50	56.75	56.25	57.00	57.75	57.50	57.25
Victory Manufacturing Corp.	Bohn	100	75	69.95	71.50	72.00	72.75	71.50	72.50	71.50	70.50	71.25	71.75	72.50	72.75	72.00
Ward Refrigerator & Manufacturing Co.	Olympic	V-603	75	82.95	85.75	85.50	85.25	85.75	85.50	86.25	86.25	86.25	85.75	85.75	85.75	85.50
Ward Refrigerator & Manufacturing Co.	Olympic	V-600	75	82.95	85.75	85.50	85.25	85.75	85.50	86.25	86.25	86.25	85.75	85.75	85.75	85.50
Ward Refrigerator & Manufacturing Co.	Olympic	V-300	50	58.25	60.25	60.00	60.00	60.25	60.00	60.50	60.50	60.50	60.00	60.25	60.25	60.00
Ward Refrigerator & Manufacturing Co.	Olympic	V-303	50	58.25	60.25	60.00	60.00	60.25	60.00	60.50	60.50	60.50	60.00	60.25	60.25	60.00
Williams, R. P., Lumber Co.	Franklin	110	75	62.50	64.25	64.75	65.25	64.50	65.25	63.25	63.75	63.00	64.25	65.00	65.25	64.50
MAIL ORDER AND OTHER PRIVATE BRANDS SOLD THROUGH RETAIL STORES																
Montgomery Ward	Ward	K-438	50	40.25	40.75	40.75	41.25	41.00	41.75	41.75	41.50	41.50	**41.00	41.00	41.50	41.00
Montgomery Ward	Ward	K-439	75	55.75	56.25	56.25	56.50	56.50	57.00	57.00	56.75	56.75	56.25	56.50	56.75	56.25
Sears Roebuck	Sears	2058	50	37.25	38.25	38.50	39.00	38.50	39.00	37.75	38.00	37.50	38.25	38.75	38.75	38.50
Sears Roebuck	Sears	2059	75	41.25	42.50	42.75	43.25	42.50	43.25	41.75	42.00	41.50	42.50	43.00	43.00	42.75
Sears Roebuck	Sears	2258	50	43.75	44.75	45.25	45.50	45.00	45.75	44.25	44.50	44.00	44.75	45.25	45.25	45.00
Sears Roebuck	Sears	2259	75	47.95	49.25	49.50	50.00	49.25	50.00	48.50	48.75	48.25	49.25	49.75	49.75	49.50
Sears Roebuck	Sears	7500	75	64.50	66.00	65.25	66.25	66.00	67.00	66.75	66.50	66.50	65.50	65.25	66.50	65.50
Western Auto Supply Co.	Royal Icerette	D-30	50	34.95	36.25	36.25	36.25	36.25	36.25	36.50	36.50	36.50	36.25	36.25	36.25	36.25
Western Auto Supply Co.	Royal Icerette	D-50	50	47.50	50.00	50.00	49.75	50.00	49.75	50.25	50.25	50.25	50.00	50.00	50.00	49.75
*Western Auto Supply Company	Royal Icerette	M-75	75	57.95	61.25	61.00	60.75	61.25	61.00	61.75	61.75	61.75	61.25	61.25	61.25	61.00

Manufacturer	Brand	Model	Rated ice capacity (pounds)	Retail base price	Montana	Nebraska	Nevada	New Hampshire	New Jersey	New Mexico	New York	North Carolina	North Dakota	Ohio	Oklahoma	Oregon
Advance Manufacturing Co.	Advance	A-1	75	$62.50	$65.75	$65.25	$65.75	$63.00	$63.50	$65.75	$63.50	$64.00	$65.50	$64.00	$65.25	$65.75
Alaska Refrigerator Co.		A-75	50	35.95	38.00	37.25	38.00	36.50	36.25	38.00	36.50	36.75	37.50	36.75	37.50	38.00
American Fixture & Manufacturing Co.	American	75-A	75	68.95	71.25	70.00	71.25	70.25	70.25	71.25	70.25	70.25	70.50	69.75	70.00	71.25
American Fixture & Manufacturing Co.		A-285	75	63.95	66.25	65.00	66.25	65.25	65.25	66.25	65.25	65.25	65.50	64.75	65.00	66.25
*Arctic Refrigerator Co.	Arctic	A-75	50	35.95	38.00	37.25	38.00	36.50	36.25	38.00	36.50	36.75	37.50	36.75	37.50	38.00
*Arctic Refrigerator Co.	Arctic	B-100	75	42.95	45.50	44.50	45.50	43.50	43.25	45.50	43.50	43.75	44.75	43.75	44.75	45.50
Atkins Table and Cabinet Co.		300	75	47.95	50.75	49.75	50.75	48.75	48.25	50.75	48.50	48.75	50.00	48.75	49.75	50.75
Brunswick Refrigerator Co.		308	75	44.95	47.25	46.50	47.25	45.50	45.25	47.25	45.50	45.75	46.75	45.75	46.50	47.25
Brunswick Refrigerator Co.		309	50	38.95	41.25	40.50	41.25	39.50	39.25	41.25	39.50	39.75	40.75	39.75	40.50	41.25
Coleman Furniture Co.		VC-75	75	84.50	88.50	87.75	88.50	86.25	85.50	88.50	86.00	85.00	88.25	85.50	88.00	88.50
Colson Metal Products Co.		EM-75	75	63.95	65.50	64.50	65.50	65.25	65.00	65.50	65.00	66.25	65.00	64.75	64.75	65.50
Coolerator Co., The	Coolerator	V-6	75	72.75	75.50	74.25	75.50	75.25	75.25	75.50	75.00	75.00	74.25	74.75	74.75	75.50
Dean, Geo. H., Inc.	Dean	D-75	75	69.95	73.25	72.00	73.25	70.50	70.75	73.25	70.75	71.00	72.50	71.25	72.25	73.25
Dratch's Victory Refrigerator Box		333	75	46.50	49.00	48.00	49.00	47.00	46.75	49.00	47.00	47.25	48.25	47.25	48.00	49.00
Dratch's Victory Refrigerator Box		444	50	38.25	40.75	39.75	40.75	38.75	38.50	40.50	38.75	39.00	40.00	39.00	39.75	40.50
Durasteel Co.	Dura-Cold	D-751	75	63.25	66.25	64.25	65.25	64.75	64.50	65.25	64.50	64.25	65.00	64.00	64.50	65.25
Fleetwood Craftsmen Inc.	Fleetwood	C-13	50	24.95	28.00	26.50	28.00	25.75	25.25	27.75	25.50	25.75	26.75	25.75	26.75	29.00
Fy Boro Metal Prod. Co., Inc.	Sta-Kold	550	50	39.95	42.25	41.25	42.25	40.50	40.25	42.25	40.50	40.75	41.50	40.75	41.50	42.25
Fy Boro Metal Products Co.	Sta-Kold	650	75	47.95	50.50	49.50	50.50	48.50	48.25	50.50	48.50	48.75	49.75	48.75	49.50	50.50
Getz Bros. & Co. Inc.	Getz-Kold	F-50	50	52.50	54.00	54.00	53.50	54.50	54.50	54.00	54.50	54.50	54.00	54.25	54.00	53.50
Globe Wood Products Co.	Globe	43	75	49.95	52.00	51.25	52.00	50.50	50.25	52.00	50.25	50.50	51.50	50.50	51.25	52.00
Home Building Corporation	Home Comfort	44	75	69.50	72.50	70.75	72.50	72.00	71.75	72.50	71.50	72.00	71.75	71.25	71.00	72.50
Ice Cooling Appliance Corporation	Automatic	V-50	50	46.50	48.00	47.25	48.00	47.50	47.25	48.00	47.25	47.25	47.50	47.00	47.50	48.00
Ice Cooling Appliance Corporation	Automatic	V-75-D	75	63.95	66.25	65.00	66.50	65.25	65.25	66.50	65.25	65.25	65.25	64.50	65.25	66.50
Ice Cooling Appliance Corporation	Vitalaire	V-3	50	46.50	48.00	47.25	48.00	47.50	47.25	48.00	47.25	47.25	47.50	47.00	47.50	48.00
Ice Cooling Appliance Corporation	Vitalaire	V-41	75	63.95	66.25	65.00	66.50	65.25	65.25	66.50	65.25	65.25	65.25	64.50	65.25	66.50
Iceland Refrigerator Co., Inc.		900	75	42.95	45.50	44.50	45.50	43.50	43.25	45.50	43.50	43.75	44.75	43.75	44.75	45.50
Iceland Refrigerator Co., Inc.		909	50	36.50	38.75	38.00	38.75	37.00	36.75	38.75	37.00	37.25	38.00	37.25	38.00	38.75
King Refrigerator Corporation		A	75	48.95	51.25	50.50	51.25	49.50	49.25	51.25	49.50	49.75	50.50	49.75	50.50	51.25
King Refrigerator Corporation	King	C-75 chest	50	21.75	22.75	22.25	22.75	22.00	22.00	22.75	22.00	22.00	22.50	22.00	22.50	22.75
Maine Manufacturing Co.	White Mountain	158	50	40.50	43.00	42.25	43.00	40.75	41.25	43.00	41.00	41.25	42.50	41.50	42.25	43.00
Maine Manufacturing Co.	White Mountain	159	75	44.95	48.00	46.75	48.00	45.25	45.75	48.00	45.50	46.00	47.25	46.00	47.00	48.00
Maine Manufacturing Co.	White Mountain	1557	40	30.50	32.50	31.75	32.50	30.75	31.00	32.50	31.00	31.25	32.00	31.25	32.00	32.50
Maine Manufacturing Co.	White Mountain	1558	50	35.50	38.00	37.25	38.00	35.75	36.00	38.00	36.00	36.25	37.50	36.50	37.25	38.00
Maine Manufacturing Co.	White Mountain	1559	75	41.95	44.75	43.75	44.75	42.25	42.75	44.75	42.50	43.00	44.00	43.00	44.00	44.75
Maine Manufacturing Co.	White Mountain	2057	40	35.50	37.75	37.00	37.75	35.75	36.00	37.75	36.00	36.25	37.25	36.25	37.00	37.75
Maine Manufacturing Co.	White Mountain	2058	50	40.50	43.00	42.25	43.00	40.75	41.25	43.00	41.00	41.25	42.50	41.50	42.25	43.00
Maine Manufacturing Co.	White Mountain	2059	75	44.95	48.00	46.75	48.00	45.25	45.75	48.00	45.50	46.00	47.25	46.00	47.00	48.00
Maine Manufacturing Co.	White Mountain	2258	50	47.50	50.25	49.25	50.25	47.75	48.25	50.25	48.00	48.50	49.50	48.50	49.25	50.25
Maine Manufacturing Co.	White Mountain	2259	75	52.50	55.50	54.50	55.50	52.75	53.25	55.50	53.25	53.50	54.75	53.50	54.50	55.50
Modern Refrigerator Co. (New York)		100	75	48.50	51.00	50.00	51.00	49.00	48.75	51.00	49.00	49.25	50.25	49.25	50.25	51.00
Modern Refrigerator Works (California)	Modern	D-60	50	49.95	53.00	52.25	52.25	53.00	53.00	52.00	53.00	53.00	52.25	52.50	52.25	52.25
Modern Refrigerator Works (California)	Modern	D-30	50	37.50	39.00	38.75	38.75	39.00	39.00	38.50	39.00	39.00	38.75	38.75	38.75	38.75
Modern Refrigerator Works (California)	Modern	D-50	50	49.95	53.00	52.00	52.25	52.75	52.75	52.00	52.75	52.75	52.25	52.50	52.00	52.25
Modern Refrigerator Works (California)	Modern	M-75	75	61.50	65.50	64.50	64.50	65.50	65.50	64.25	65.50	65.50	64.50	65.00	64.50	64.50
Nelson C. Manufacturing Co.	Nelco Artic	V-41	75	63.95	66.25	65.00	66.50	65.50	65.25	66.50	65.25	65.25	65.50	64.75	65.25	66.50
*Precision Metal Products Company	Precision-Kool	75	75	41.75	44.50	43.50	44.50	42.50	42.25	44.50	42.25	42.50	43.75	42.75	43.50	44.50
Progress Refrigerator Co.	Progress	50	50	72.95	76.00	74.50	76.00	74.50	74.25	76.00	74.25	74.00	75.00	73.75	74.50	76.00
Progress Refrigerator Co.	Progress	75	75	84.95	88.75	87.00	88.75	86.75	86.50	88.75	86.50	86.50	87.75	86.00	87.00	88.75
Progress Refrigerator Co.	Progress	**450 chest	50	29.25	30.50	30.00	30.50	29.75	29.75	30.50	29.75	29.75	30.25	29.50	30.00	30.50
Reeder, L. D. Co.	Leader	GV-5	75	67.50	71.50	70.25	70.50	71.25	71.25	70.25	71.25	71.25	70.50	70.75	70.25	70.50
Sanitary Refrigerator Co.	Sanitary	MV-2125	75	56.50	59.00	57.75	59.50	58.00	58.00	59.50	57.75	58.00	58.00	57.50	58.25	59.50
Sanitary Refrigerator Co.	Sanitary	MV-2126	75	64.95	67.50	66.25	68.00	66.50	66.50	68.00	66.25	66.50	66.50	66.75	66.75	68.00
		MV-105R	75	64.95	67.50	66.25	68.00	66.50	66.50	68.00	66.25	66.50	66.50	66.00	66.75	68.00
Sanitary Refrigerator Co.	Sanitary	WM-59	50	49.95	52.00	51.00	52.25	51.25	51.25	52.25	51.00	51.25	51.25	50.75	51.25	52.25
Sanitary Refrigerator Co.	Sanitary	WM-79	75	55.95	58.25	57.25	58.75	57.50	57.25	58.75	57.25	57.50	57.50	57.00	57.50	58.75
Seeger Refrigerator Co.		V-75	75	69.95	72.75	71.25	73.00	72.00	72.00	73.00	71.75	72.25	71.50	71.50	72.00	72.00
Shapleigh Hardware Co.	Ice Diamond	44ID	75	63.95	66.25	65.00	66.50	65.50	65.25	66.50	65.25	65.25	65.50	64.75	65.25	66.50
Stoddard Manufacturing Co.	Lockerator	6	75	65.50	68.25	66.75	68.50	67.75	67.50	68.75	67.50	68.00	67.25	67.00	67.75	68.75
Success Manufacturing Co.	Success	VG-58	75	55.95	58.75	57.75	58.75	56.50	56.75	58.75	56.75	57.00	58.00	57.00	58.00	58.75
Victory Manufacturing Corp.	Bohn	100	75	69.95	73.75	72.50	73.75	71.25	70.75	73.75	71.25	71.25	73.25	71.25	72.75	73.75
Ward Refrigerator & Manufacturing Co.	Olympic	V-603	75	82.95	86.25	85.25	85.50	86.25	86.25	85.25	86.25	86.25	85.50	85.75	85.25	85.50
Ward Refrigerator & Manufacturing Co.	Olympic	V-600	75	82.95	86.25	85.25	85.50	86.25	86.25	85.25	86.25	86.25	85.50	85.75	85.25	85.50

See footnotes at end of table.

SEC. 16. *Table C: Ceiling prices in each state for all other sales of ice boxes at retail.* No amount may be added to these ceiling prices for delivery to the buyer—Continued.

Manufacturer	Brand	Model	Rated ice capacity (pounds)	Retail base price	Montana	Nebraska	Nevada	New Hampshire	New Jersey	New Mexico	New York	North Carolina	North Dakota	Ohio	Oklahoma	Oregon
Ward Refrigerator & Manufacturing Co.	Olympic	V-300	50	$58.25	$60.50	$60.00	$60.00	$60.50	$60.50	$59.75	$60.50	$60.50	$60.00	$60.25	$60.00	$60.00
Ward Refrigerator & Manufacturing Co.	Olympic	V-303	50	58.25	60.50	60.00	60.00	60.50	60.50	59.75	60.50	60.50	60.00	60.25	60.00	60.00
Williams, R. P., Lumber Co.	Franklin	110	75	62.50	66.00	65.25	66.00	63.25	63.50	66.00	63.50	64.25	65.75	64.25	65.25	66.00
MAIL ORDER AND OTHER PRIVATE BRANDS SOLD THROUGH RETAIL STORES																
Montgomery Ward	Ward	K-438	50	40.25	42.25	41.25	42.50	41.50	41.50	42.50	41.25	41.50	41.50	41.00	41.50	42.50
Montgomery Ward	Ward	K-439	75	55.75	57.50	56.50	57.50	56.75	56.75	57.50	56.75	56.75	56.75	56.25	56.75	57.50
Sears Roebuck	Sears	2058	50	37.25	39.75	39.75	39.75	37.50	38.00	39.75	37.75	38.00	39.25	38.25	39.00	39.75
Sears Roebuck	Sears	2059	75	41.25	44.25	44.25	44.25	41.50	42.00	44.25	42.00	42.25	43.50	42.25	43.25	44.25
Sears Roebuck	Sears	2258	50	43.75	46.50	46.50	46.50	44.00	44.50	46.50	44.25	44.75	45.75	44.75	45.50	46.50
Sears Roebuck	Sears	2259	75	47.95	51.00	51.00	51.00	48.25	48.75	51.00	48.75	49.00	50.25	49.00	50.00	51.00
Sears Roebuck	Sears	7500	75	64.50	67.25	66.00	67.50	66.50	66.50	67.50	66.25	66.75	66.00	66.00	66.50	67.00
Western Auto Supply Co.	Royal Icerette	D-30	50	34.95	36.50	36.25	36.25	36.50	36.50	36.00	36.50	36.50	36.25	36.25	36.25	36.25
Western Auto Supply Co.	Royal Icerette	D-50	50	47.50	50.50	49.75	49.75	50.25	50.25	49.50	50.25	50.25	49.75	50.00	49.75	49.75
*Western Auto Supply Company	Royal Icerette	M-75	75	57.95	62.00	60.75	61.00	61.75	61.75	60.75	61.75	61.75	61.00	61.25	60.75	61.00

Manufacturer	Brand	Model	Rated ice capacity (pounds)	Retail base price	Pennsylvania	Rhode Island	South Carolina	South Dakota	Tennessee	Texas	Utah	Vermont	Virginia	Washington	West Virginia	Wisconsin	Wyoming
Advance Manufacturing Co.	Advance	A-1	75	$62.50	$63.75	$63.00	$64.50	$65.50	$65.00	$65.75	$65.75	$63.25	$64.00	$65.75	$64.00	$64.25	$65.75
Alaska Refrigerator Co.		A-75	50	35.95	36.50	36.50	36.75	37.50	37.00	37.50	38.00	36.50	36.50	38.00	36.50	37.00	37.75
American Fixture & Manufacturing Co.	American	75-A	75	68.95	70.00	70.25	70.25	70.25	69.75	70.50	71.25	70.25	70.25	71.25	70.00	69.75	70.75
American Fixture & Manufacturing Co.		A-285	75	63.95	65.00	65.25	65.25	65.25	64.75	65.50	66.25	65.25	65.25	66.25	65.00	64.75	65.75
*Arctic Refrigerator Co.	Arctic	A-75	50	35.95	36.50	36.50	36.75	37.50	37.00	37.50	38.00	36.50	36.50	38.00	36.50	37.00	37.75
*Arctic Refrigerator Co.	Arctic	B-100	75	42.95	43.50	43.50	44.00	44.75	44.25	45.00	45.50	43.50	43.50	45.50	43.75	44.00	45.00
Atkins Table and Cabinet Co.		300	75	47.95	48.50	48.50	49.00	50.00	49.25	50.00	50.75	48.50	48.75	50.75	48.75	49.25	50.25
Brunswick Refrigerator Co.		308	75	44.95	45.50	45.50	45.75	46.75	46.00	46.75	47.25	45.50	45.50	47.25	45.50	46.00	47.00
Brunswick Refrigerator Co.		309	50	38.95	39.50	39.50	39.75	40.50	40.00	40.75	41.25	39.50	39.50	41.25	39.50	40.00	41.00
Coleman Furniture Co.		VC-75	75	84.50	85.75	86.25	85.75	88.00	85.75	88.25	88.50	86.25	85.25	88.50	85.50	86.00	88.50
Colson Metal Products Co.		EM-75	75	63.95	65.00	65.25	65.25	65.00	64.75	65.00	65.25	65.25	65.00	65.50	65.00	64.50	65.00
Coolerator Co., The	Coolerator	V-6	75	72.75	75.00	75.25	75.25	74.25	74.50	75.25	75.50	75.25	75.25	75.50	75.00	73.75	75.00
Dean, Geo. H., Inc.	Dean	D-75	75	69.95	71.00	70.25	71.25	72.50	71.50	72.50	73.25	70.75	71.00	73.25	71.00	71.50	72.75
Dratch's Victory Refrigerator Box		333	75	46.50	47.00	47.00	47.50	48.25	47.50	48.25	49.00	47.00	47.00	49.00	47.25	47.50	48.50
Dratch's Victory Refrigerator Box		444	50	38.25	38.75	38.75	39.25	40.00	39.25	40.00	40.50	38.75	38.75	40.50	39.00	39.25	40.25
Durasteel Co.	Dura-Cold	D-751	75	63.25	64.50	64.75	64.50	64.75	64.00	65.00	65.25	64.75	64.50	65.25	64.25	64.00	65.25
Fleetwood Craftsmen Inc.	Fleetwood	CI-3	50	24.95	25.50	25.50	26.00	26.75	26.25	27.00	28.00	25.50	25.50	29.00	25.50	26.00	27.00
Fy Boro Metal. Prod. Co., Inc.	Sta-Kold	550	50	39.95	40.50	40.50	40.75	41.50	41.00	41.75	42.25	40.50	40.50	42.25	40.50	41.00	41.75
Fy Boro Metal Products Co.	Sta-Kold	650	75	47.95	48.50	48.50	48.75	49.75	49.00	49.75	50.50	48.50	48.50	50.50	48.75	49.00	50.00
Getz Bros. & Co. Inc.	Getz-Kold	F-50	50	52.50	54.25	54.50	54.50	54.00	54.25	54.00	53.50	54.50	54.50	53.50	54.50	54.00	54.00
Globe Wood Products Co.	Globe	43	75	49.95	50.25	50.25	50.75	51.50	50.75	51.50	52.00	50.50	50.50	52.00	50.50	50.75	51.75
Home Building Corporation	Home Comfort	44	75	69.50	71.50	72.00	72.00	71.25	71.25	71.50	72.25	72.00	71.75	72.50	71.50	70.50	71.75
Ice Cooling Appliance Corporation	Automatic	V-50	50	46.50	47.25	47.50	47.50	47.25	47.00	47.50	48.00	47.50	47.25	48.00	47.25	46.75	47.50
Ice Cooling Appliance Corporation	Automatic	V-75-D	75	63.95	65.00	65.25	65.50	65.25	66.00	65.75	66.25	65.25	65.25	66.50	65.00	64.50	65.75
Ice Cooling Appliance Corporation	Vitalaire	V-3	50	46.50	47.25	47.50	47.50	47.25	47.00	47.50	48.00	47.50	47.25	48.00	47.25	46.75	47.50
Ice Cooling Appliance Corporation	Vitalaire	V-41	75	63.95	65.00	65.25	66.50	65.25	65.00	65.75	66.25	65.25	65.25	66.50	65.00	64.50	65.75
Iceland Refrigerator Co., Inc.		900	75	42.95	43.50	43.50	44.00	44.75	44.00	45.00	45.50	43.50	43.50	45.50	43.75	44.00	45.00
Iceland Refrigerator Co., Inc.		909	50	36.50	37.00	37.00	37.25	38.00	37.50	38.25	38.75	37.00	37.00	38.75	37.00	37.50	38.25
King Refrigerator Corporation		A	75	48.95	49.50	49.50	49.75	50.50	50.00	50.75	51.25	49.50	49.50	51.25	49.50	50.00	51.00
King Refrigerator Corporation	King	C-75 chest	50	21.75	22.00	22.00	22.00	22.50	22.25	22.50	22.75	22.00	22.00	22.75	22.00	22.25	22.50
Maine Manufacturing Co.	White Mountain	158	50	40.50	41.25	41.00	41.50	42.50	41.75	42.50	43.00	41.00	41.25	43.00	41.50	41.50	42.75
Maine Manufacturing Co.	White Mountain	159	75	44.95	45.75	45.50	46.25	47.00	46.50	47.25	48.00	45.50	46.00	48.00	46.00	46.25	47.50
Maine Manufacturing Co.	White Mountain	1557	40	30.50	31.00	31.00	31.25	32.00	31.50	32.25	32.50	31.00	31.00	32.50	31.25	31.50	32.25
Maine Manufacturing Co.	White Mountain	1558	50	35.50	36.25	36.00	36.50	37.25	36.75	37.50	38.00	36.00	36.25	38.00	36.25	36.50	37.75
Maine Manufacturing Co.	White Mountain	1559	75	41.95	42.75	42.50	43.00	44.00	43.25	44.25	44.75	42.50	42.75	44.75	43.00	43.25	44.50
Maine Manufacturing Co.	White Mountain	2057	40	35.50	36.25	36.00	36.50	37.00	36.50	37.25	37.75	36.00	36.25	37.75	36.25	36.50	37.50
Maine Manufacturing Co.	White Mountain	2058	50	40.50	41.25	41.00	41.50	42.50	41.75	42.50	43.00	41.00	41.25	43.00	41.50	41.50	42.75
Maine Manufacturing Co.	White Mountain	2059	75	44.95	45.75	45.50	46.25	47.00	46.50	47.25	48.00	45.50	46.00	48.00	46.00	46.25	47.50
Maine Manufacturing Co.	White Mountain	2258	50	47.50	48.25	48.00	48.50	49.50	48.75	49.75	50.25	48.00	48.25	50.25	48.50	48.75	49.75
Maine Manufacturing Co.	White Mountain	2259	75	52.50	53.50	53.00	53.75	54.75	54.00	55.00	55.50	53.00	53.50	55.50	53.50	53.75	55.00
Modern Refrigerator Co. (New York)		100	75	48.50	49.00	49.00	49.50	50.25	49.75	50.50	51.00	49.00	49.00	51.00	49.25	49.50	50.50
Modern Refrigerator Works (California).	Modern	D-60	50	49.95	52.75	53.00	53.00	52.50	52.50	52.25	52.25	53.00	53.00	52.00	53.00	52.50	52.25
Modern Refrigerator Works) California).	Modern	D-30	50	37.50	39.00	39.00	39.00	38.75	38.75	38.75	38.75	39.00	39.00	38.50	39.00	38.75	38.75
Modern Refrigerator Works (California).	Modern	D-50	50	49.95	52.75	52.75	52.75	52.25	52.50	52.00	52.25	52.75	52.75	52.00	52.75	52.25	52.00
Modern Refrigerator Works (California).	Modern	M-75	75	61.50	65.25	65.50	65.50	64.75	65.00	64.50	64.50	65.50	65.50	64.25	65.50	64.75	64.50
Nelson C. Manufacturing Co.	Nelco Artic	V-41	75	63.95	65.25	65.50	65.25	65.25	64.75	65.50	66.25	65.50	65.25	66.50	65.00	64.75	65.75
*Precision Metal Products Company.	Precision-Kool	75	75	41.75	42.25	42.25	42.75	43.75	43.00	43.75	44.50	42.25	42.50	44.50	42.50	43.00	44.00
Progress Refrigerator Co.	Progress	50	50	72.95	74.00	74.25	74.25	74.75	73.75	74.00	76.00	74.25	74.25	76.00	74.00	74.00	75.25
Progress Refrigerator Co.	Progress	75	75	84.95	86.25	86.75	86.50	87.25	86.00	87.50	88.75	86.75	86.50	88.75	86.25	86.25	88.00
Progress Refrigerator Co.	Progress	**450 chest	50	29.25	29.75	29.75	29.75	30.00	29.50	30.00	30.50	29.75	29.75	30.50	29.75	29.75	30.25
Reeder, L. D. Co.	Leader	GV-5	75	67.50	71.00	71.25	71.25	70.50	70.75	70.25	70.50	71.25	71.25	70.00	71.25	70.50	70.50
Sanitary Refrigerator Co.	Sanitary	MV-2125	75	56.50	57.75	58.00	58.25	58.00	57.75	58.75	59.25	58.00	58.00	59.50	57.75	57.00	58.50
Sanitary Refrigerator Co.	Sanitary	MV-2126	75	64.95	66.25	66.50	66.75	66.50	66.25	67.00	67.75	66.50	66.50	68.00	66.25	65.50	67.00
		MV-105R	75	64.95	66.25	66.50	66.75	66.50	66.25	67.00	67.75	66.50	66.50	68.00	66.25	65.50	67.00
Sanitary Refrigerator Co.	Sanitary	WM-59	50	49.95	51.00	51.25	51.50	51.25	51.00	51.75	52.25	51.25	51.25	52.25	51.00	50.50	51.50
Sanitary Refrigerator Co.	Sanitary	WM-79	75	55.95	57.00	57.50	57.75	57.25	57.00	58.00	58.50	57.50	57.50	58.75	57.00	56.50	58.00
Seeger Refrigerator Co.		V-75	75	69.95	71.75	72.00	72.25	71.25	71.75	72.25	72.50	72.00	72.00	72.50	71.75	70.75	72.00
Shapleigh Hardware Co.	Ice Diamond	44ID	75	63.95	65.25	65.50	65.25	65.25	64.75	65.50	66.25	65.50	65.25	66.50	65.00	64.75	65.75
Stoddard Manufacturing Co.	Lockerator	6	75	65.50	67.50	67.75	66.00	67.00	67.25	66.00	68.25	68.75	67.75	68.75	67.25	66.25	67.75
Success Manufacturing Co.	Success	VG-58	75	55.95	56.75	56.25	57.00	58.00	57.25	57.75	58.75	56.50	57.00	58.75	57.00	57.25	58.50
Victory Manufacturing Corp.	Bohn	100	75	69.95	71.00	71.25	71.75	73.00	72.25	73.25	73.75	71.25	70.75	73.75	71.00	72.00	73.50
Ward Refrigerator & Manufacturing Co.	Olympic	V-603	75	82.95	86.00	86.25	86.25	85.50	85.75	85.25	85.50	86.25	86.25	85.00	86.25	85.50	85.25
Ward Refrigerator & Manufacturing Co.	Olympic	V-600	75	82.95	86.00	86.25	86.25	85.50	85.75	85.25	85.50	86.25	86.25	85.00	86.25	85.50	85.25

See footnotes at end of table.

SEC. 16. *Table C: Ceiling prices in each state for all other sales of ice boxes at retail.* No amount may be added to these ceiling prices for delivery to the buyer—Continued.

Manufacturer	Brand	Model	Rated ice capacity (pounds)	Retail base price	Pennsylvania	Rhode Island	South Carolina	South Dakota	Tennessee	Texas	Utah	Vermont	Virginia	Washington	West Virginia	Wisconsin	Wyoming
Ward Refrigerator & Manufacturing Co.	Olympic	V-300	50	$58.25	$60.25	$60.50	$60.50	$60.00	$60.25	$60.00	$60.00	$60.50	$60.50	$59.75	$60.50	$60.00	$60.00
Ward Refrigerator & Manufacturing Co.	Olympic	V-303	50	58.25	60.25	60.50	60.50	60.00	60.25	60.00	60.00	60.50	60.50	59.75	60.50	60.00	60.00
Williams, R. P., Lumber Co.	Franklin	110	75	62.50	63.75	63.00	64.50	63.50	65.00	65.75	66.00	63.50	64.00	66.00	64.00	64.50	66.00
MAIL ORDER AND OTHER PRIVATE BRANDS SOLD THROUGH RETAIL STORES																	
Montgomery Ward	Ward	K-438	50	40.25	41.25	41.50	41.50	41.25	41.00	41.75	42.25	41.50	41.50	42.50	41.25	40.75	41.75
Montgomery Ward	Ward	K-439	75	55.75	56.50	56.75	56.75	56.75	56.50	57.00	57.50	56.75	56.75	57.50	56.50	56.25	57.00
Sears Roebuck	Sears	2058	50	37.25	38.00	37.75	38.25	39.25	38.50	39.25	39.75	37.75	38.00	39.75	38.25	38.50	39.50
Sears Roebuck	Sears	2059	75	41.25	42.00	41.75	42.50	43.50	42.75	43.50	44.25	41.75	42.25	44.25	42.25	42.50	43.75
Sears Roebuck	Sears	2258	50	43.75	44.50	44.25	44.75	45.75	45.00	46.00	46.50	44.25	44.50	46.50	44.75	45.00	46.00
Sears Roebuck	Sears	2259	75	47.95	48.75	48.50	49.25	50.25	49.50	50.50	51.00	48.50	49.00	51.00	49.00	49.25	50.50
Sears Roebuck	Sears	7500	75	64.50	66.25	66.50	67.00	66.00	66.25	66.75	67.00	66.50	66.50	67.00	66.25	65.25	66.50
Sears Roebuck	Sears	7500	50	34.95	36.50	36.50	36.50	36.25	36.25	36.25	36.25	36.50	36.50	36.00	36.50	36.25	36.25
Western Auto Supply Co.	Royal Icerette	D-30	50	47.50	50.25	50.25	50.25	49.75	50.00	48.75	49.75	50.25	50.25	49.25	50.25	49.75	49.75
Western Auto Supply Co.	Royal Icerette	D-50	75	57.95	61.75	61.75	61.75	61.25	61.25	60.75	61.00	61.75	61.75	60.75	61.75	61.25	60.75
*Western Auto Supply Company	Royal Icerette	M-75															

[* Items added; ** Items amended by Am. 14, effective 5-20-44]

[Table C amended by Am. 1, 8 F.R. 9062, effective 7-5-43; Am. 2, 8 F.R. 11386, effective 8-20-43; Am. 3, 8 F.R. 11813, effective 8-30-43; Am. 4, 8 F.R. 13982, effective 10-16-43; Am. 6, 8 F.R. 14818, effective 11-4-43; Am. 7, 8 F.R. 15524, effective 11-17-43; Am. 8, 8 F.R. 15526, effective 11-17-43; Am. 10, 8 F.R. 15742, effective 11-23-43; Am. 11, 8 F.R. 16749, effective 12-17-43; Am. 12, 9 F.R. 2037, effective 2-26-44; Am. 13, 9 F.R. 3074, effective 3-25-44 and as otherwise noted]

The regulation shall become effective June 8, 1943. [MPR 399 originally issued June 2, 1943]

[Effective dates of amendments are shown in notes following the parts affected]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7044; Filed, May 16, 1944; 11:31 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1,[1] Amdt. 56]

STUMPAGE, LOGS AND PULPWOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 1 is amended in the following respect:

Section 2.10 (c) is amended to read as follows:

(c) Stumpage, logs and pulpwood.

This amendment shall become effective May 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7002; Filed, May 15, 1944; 4:06 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 3581, 3590, 4391, 4948.

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[Gen. Order 8, Rev. Supp. 10]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

TIME CHARTER HIRE

Basis for the redetermination and readjustment of time charter hire under charter parties tendered by the War Shipping Administration to owners of American-flag vessels chartered or requisitioned for use pursuant to the provisions of section 902 of the Merchant Marine Act, 1936, as amended.

Supplement 10 to General Order 8 (§§ 302.91 to 302.98, inclusive) is revised to read:

Basis for the redetermination and readjustment of time charter hire under charter parties tendered by the War Shipping Administration to owners of American-flag vessels chartered or requisitioned for use pursuant to the provisions of section 902 of the Merchant Marine Act, 1936, as amended. Whereas:

1. The Administrator, War Shipping Administration, has chartered vessels on standard form of time Charter Agreement known as Warshiptime (Form 101) or Warshipoiltime (Form 102), and has requisitioned the use of other vessels for use on a time charter basis for which such forms shortly will be tendered.

2. The rates of time charter hire prescribed in the charters referred to above are subject to readjustment or redetermination as of December 1, 1943.

3. The Administrator desires by this supplement to fix rates of hire for the purpose of such redetermination and also for the purpose of establishing time charter hire on vessels referred to above as to which no charters have as yet been tendered.

Now, therefore, the Administrator hereby establishes and adopts the following revised rates of time charter hire in conformity with the rules of the Advisory Board on Just Compensation announced on December 7, 1943.

Sec.
302.91 Vessels included.
302.92 Basic rates.
302.93 Adjustments.
302.94 Excluded vessels.
302.95 Basic terms and conditions.
302.96 Operation of provisions of this supplement.
302.97 The Administrator may modify this supplement.
302.98 Effective date.

AUTHORITY: §§ 302.91 to 302.98, inclusive, issued under E.O. 9054, 7 F.R. 837.

§ 302.91 *Vessels included.* Time charter rates herein prescribed are applicable to all American-flag self-propelled ocean-going iron and steel dry cargo vessels, tankers and colliers chartered under terms and conditions of (a) charter parties tendered by the War Shipping Administration to owners of such vessels pursuant to the provisions of section 902 of the Merchant Marine Act, 1936, as amended, and (b) charter parties entered into between vessel owners and any other agency or department of the United States when such charters provide that the rates or conditions specified therein are subject to adjustment or alteration in accordance with orders, directions, rules or regulations of the United States Maritime Commission or the War Shipping Administration, except:

(1) Vessels with refrigerated capacity in excess of 50% total capacity.

(2) Combination passenger and freight vessels.

(3) Car ferries.

(4) Seatrains.

(5) Vessels of less than 8 knots of speed determined in accordance with the provisions of §§ 302.44 to 302.48, inclusive, of General Order 10, Supp. 2.

(6) Vessels of less than 1,000 tons deadweight.

(7) Other vessels excepted from this order by the Administrator from time to time.

§ 302.92 *Basic rates.* The rates of time charter hire for dry cargo vessels, tankers, and colliers shall be as provided in paragraphs (a), (b), and (c), respectively, of this section, subject to the adjustments provided in § 302.93.

(a) *Dry cargo vessels.* The time charter rate per deadweight ton per month for dry cargo vessels shall be:

Tonnage:	Rate per deadweight ton per month
22,000 and over	$3.00
22,000-22,999	3.05
21,000-21,999	3.10
20,000-20,999	3.15
19,000-19,999	3.20
18,000-18,999	3.25
17,000-17,999	3.30
16,000-16,999	3.35
15,000-15,999	3.40
14,000-14,999	3.45
13,000-13,999	3.55
12,000-12,999	3.65
11,000-11,999	3.75
10,000-10,999	3.85
9,000-9,999	4.00
8,000-8,999	4.10
7,000-7,999	4.35
6,000-6,999	4.65
5,000-5,999	5.00
4,000-4,999	5.40
3,999 and under	(1)

[1] Subject to special determination.

(b) *Tankers.* The time charter rate per deadweight ton per month for tankers shall be:

Tonnage:	Rate per deadweight ton per month
18,000 and over	$3.25
18,000-17,999	3.35
16,000-15,999	3.45
12,000-13,999	3.60
10,000-11,999	3.75
9,000-9,999	3.90
8,000-8,999	4.10
7,000-7,999	4.35
6,000-6,999	4.65
5,000-5,999	5.00
4,000-4,999	5.40
3,000-3,999	5.60
2,000-2,499	5.85
2,500-2,999	6.15
2,000-2,499	6.50
1,500-1,999	6.90
1,000-1,499	7.35

(c) *Colliers.* The time charter rate per deadweight ton per month for colliers shall be:

Tonnage:	Rate per deadweight ton per month
8,000 and over	$3.85
7,000-7,999	4.10
6,000-6,999	4.40
5,000-5,999	4.75
4,000-4,999	5.15
3,500-3,999	5.35
3,000-3,499	5.60
2,500-2,999	5.90
2,000-2,499	6.25
1,500-1,999	6.65
1,000-1,499	7.10

(d) The rates provided in paragraphs (a), (b), and (c) of this section include an allowance, which the Administrator has determined to be fair and reasonable, for administrative and general expenses not otherwise compensated for. This allowance is equivalent to the compensation of $65.00 per day per vessel paid to General Agents under General Order 34, and shall be taken into account for the purposes of applying the provisions of §§ 306.96 and 306.97 of General Order 34. This allowance for the month of December, 1943, shall also be taken into account for the purposes of applying the provisions of §§ 306.10 and 306.11 of General Order 12 in lieu of the allowance of $125.00 per day per vessel included in the rates previously prescribed.

§ 302.93 *Adjustments.* The rates provided in § 302.92 are subject to the following adjustments:

(a) *Adjustments for speed.* Adjustments for speed shall be made in accordance with the provisions of subparagraph (1) or (2) of this paragraph. The speed of a vessel shall be determined pursuant to §§ 302.44 and 302.48, inclusive, of General Order 10, Supp. 2. Speed added to the vessel at the cost of the United States shall be ignored for the purpose of this paragraph.

(1) *Allowances for speeds of 10½ knots or over.* With respect to vessels having a speed of 10½ knots or over, the amount shown in the following table shall be added to the rates of hire.

Speed		Additional hire per deadweight ton per month
Equal to or in excess of	But under	
10½	12 knots	$0.03
12 knots	13 knots	.05
13 knots	14 knots	.10
14 knots	15 knots	.15
15 knots	16 knots	.20

(2) *Deductions for speeds of less than 9 knots.* With respect to a vessel having a speed equal to or in excess of 8 knots but under 9 knots $.06 per deadweight ton per month shall be deducted from the rate of hire.

(b) *Adjustments for refrigerated capacity.* Where vessels have refrigerated space available for cargo in excess of 6,000 cu. ft., 2¢ per cubic foot per month will be added with respect to such excess refrigerated space, except to the extent that the cost of such space has been paid or subsidized by the United States.

(c) *Adjustments for age of vessels not built under construction - differential subsidy agreements.* Vessels constructed in the United States subsequent to 1928 and not built under construction-differential subsidy agreements pursuant to the Merchant Marine Act, 1936, as amended, shall receive an additional sum per dwt per month computed in accordance with the following schedule:

Year of construction:	Additional premium per dwt per month
1929	$0.05
1930	.10
1931	.15
1932	.20
1933	.25
1934	.30
1935	.35
1936	.40
1937	.45
1938	.50
1939	.55
1940	.60
1941 and subsequent years	.65

The date of delivery by the shipbuilder shall constitute the date of construction hereunder.

(d) *Adjustments for age of vessels built with construction-differential subsidy.* Vessels constructed pursuant to the Merchant Marine Act, 1936, as amended, with a construction-differential subsidy shall receive an additional sum per dwt per month as follows:

C-1 Class 10¢ per dwt per month.
C-2 Class 20¢ per dwt per month.
C-3 Class 30¢ per dwt per month.

Other subsidized vessels shall receive additional compensation to correspond with the foregoing amounts in accordance with the relation of the particular vessel's horsepower to that of the most comparable vessel of the three enumerated types. The adjustments provided in paragraph (c) of this section shall not apply to vessels covered by the adjustments provided in this paragraph (d).

(e) *Deadweight tonnage.* The rates provided in § 302.92 and adjustments provided in § 302.93, where appropriate, shall be calculated on the basis of deadweight determined in conformity with the provisions of the applicable charter party.

(f) *Adjustment for class.* The rates provided in § 302.92, as adjusted in accordance with the provisions of § 302.93, for vessels not classed A-1 American Bureau or equivalent shall be $0.25 per deadweight ton per month less in each instance than the appropriate rate applicable to a comparable vessel which is so classed.

(g) *Adjustments for speed and age with respect to a vessel built during or after 1935.* With respect to a vessel built during or after 1935, the aggregate of the combined allowances per deadweight ton per month for speed and age, provided in paragraph (a) (1) and paragraph (c) of this section, shall not be less than an amount equal to the monthly rate of bareboat charter hire applicable to the vessel as calculated in accordance with the provisions of General Order 37 (§§ 302.101 to 302.113, inclusive) less $1.00.

§ 302.94 *Excluded vessels.* Time charter rates for vessels excluded under the terms of this supplement shall be specially determined by the Administrator.

§ 302.95 *Basic terms and conditions.* The rates and adjustments provided in §§ 302.92 and 302.93 are based upon standard form of time charter agreement approved by the War Shipping Administrator and designated Warshiptime or Warshipoiltime, Forms 101 and 102, respectively, as amended by addenda made in conformity with the terms of the Administrator's notice of revised program of ship requisition, charter and operation dated November 24, 1943, and also the "Uniform Addendum to Time Charter Covering Adjustments of Certain Disputed Questions", General Order 11, Supplement 2, § 302.57. The rates also contemplate the full absorption by the Administrator of the costs of complying with Operating Regulations No. 64.

§ 302.96 *Operation of provisions of this supplement.* No provision of this

supplement shall apply so as to provide more aggregate charter hire for a vessel coming within a given tonnage subdivision than the minimum aggregate charter hire for a vessel substantially similar but coming within the next higher tonnage subdivision.

§ 302.97 *The Administrator may modify this supplement.* The Administrator reserves the right to exempt specific vessels from the scope of this supplement or to amend, modify, or terminate this supplement, but no such action shall apply to any charter tendered and executed prior to the date of any such action except where such action is in conformity with the provisions of the applicable charter.

§ 302.98 *Effective date.* Sections 302.91 to 302.97, inclusive, shall become effective as of December 1, 1943, except that in the case of a vessel as to which no charter has previously been tendered the effective date shall be as fixed by the Administrator, and, as of such effective dates, General Order 8 (Revised) and all previous supplements and amendments to such order shall be superseded insofar as rates of hire are determined in accordance with the provisions of this supplement.

[SEAL] E. S. LAND,
Administrator.

MAY 10, 1944.

[F. R. Doc. 44-7004; Filed, May 15, 1944; 4:06 p. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 91—ALASKA GAME REGULATIONS

GAME ANIMALS, FUR ANIMALS, GAME BIRDS, NONGAME BIRDS, AND GAME FISHES IN ALASKA

Pursuant to the authority and direction contained in section 9 of the Alaska Game Law of January 13, 1925 (43 Stat. 739), as amended July 1, 1943, 57 Stat. 301, I, Harold L. Ickes, Secretary of the Interior, upon consultation with and recommendation from the Alaska Game Commission, have determined when, to what extent, and by what means game animals, fur animals, game birds, nongame birds, and game fishes may be taken, possessed, transported, bought, or sold in Alaska, and in accordance with such determinations do hereby adopt the following, effective July 1, 1944, as suitable regulations permitting and governing the taking of game animals, fur animals, game birds, nongame birds, and game fishes in Alaska:

§ 91.1 *Definitions.* For the purpose of these regulations the following shall be construed, respectively, to mean:

(a) *Secretary.* The Secretary of the Interior.

(b) *Commission.* The Alaska Game Commission.

(c) *Director.* Director, Fish and Wildlife Service, Department of the Interior.

(d) *Territory.* Territory of Alaska.

(e) *Person.* The plural or the singular, as the case demands, including individuals, associations, partnerships, and corporations, unless the context otherwise requires.

(f) *Indians.* Natives of one-half or more Indian blood.

(g) *Eskimos.* Natives of one-half or more Eskimo blood.

(h) *Take.* Taking, pursuing, disturbing, hunting, capturing, trapping, or killing game animals, fur animals, game or nongame birds, or game fishes; attempting to take, pursue, disturb, hunt, capture, trap, or kill such animals, birds, or game fishes, or setting or using a net, trap, or other device for taking them, or collecting the nests or eggs of such birds, unless the context otherwise requires. Whenever the taking of animals, birds, or nests or eggs of birds, or game fishes is permitted, reference is had to taking by lawful means and in lawful manner.

(i) *Open season.* The time during which animals, birds, or game fishes may lawfully be taken. Each period of time prescribed as an open season shall be construed to include the first and last days thereof.

(j) *Closed season.* The time during which animals, birds, or game fishes may not be taken.

(k) *Transport.* Shipping, transporting, carrying, importing, exporting, or receiving or delivering for shipment, transportation, carriage, or export, unless the context otherwise requires.

(l) *Game animals.* Deer, moose, caribou, elk, mountain sheep, mountain goat, bison, muskox, and the large brown, grizzly, and black bears, which shall be known also as big game, and such other animals as the Secretary has or shall declare, as hereinafter provided, to be game animals, to be known also as big game if so designated in the declaration, including those that have been or may hereafter be transplanted, introduced, or reintroduced into the Territory, or any part thereof.

(m) *Fur animals.* Beaver, muskrat, marmot, racoon, pika, hare or rabbit, squirrel, fisher, fox, lynx, marten or sable, mink, weasel or ermine, sea otter, land otter, wolverine, coyote, wolf, and polar bear, and such other animals as have been or may hereafter be transplanted, introduced, or reintroduced into the Territory, or any part thereof, and found and declared by the Secretary to be fur animals: *Provided*, That whenever the Secretary shall find that in any section of Alaska any animal is predominantly taken as a game rather than as a fur animal, or is predominantly taken as a fur animal rather than as a game animal, he shall so declare and then and thereafter, so long as such declaration remains in effect, such animal in the specified section of Alaska shall be considered to be a game animal or a fur animal as the case may be, to the same extent as if it had been expressly included in the foregoing definitions of game and fur animals.

(n) *Game birds.* Anatidae, commonly known as waterfowl, including ducks, geese, brant, and swans; Haematopodidae, Charadriidae, Scolopacidae and Phalaropodidae, commonly known as shorebirds, including oyster-catchers, plover, sandpipers, snipe, curlew, and phalaropes; Gruidae, commonly known as cranes; and the several species of grouse and ptarmigan, and such other birds as have been or may hereafter be transplanted, introduced, or reintroduced into the Territory, or any part thereof, and found and declared by the Secretary to be game birds.

(o) *Nongame birds.* All wild birds except game birds.

(p) *Migratory birds.* Such game birds and nongame birds, as defined herein, as are protected also under the provisions of the Migratory Bird Treaty Act and regulations issued pursuant to said act.

(q) *Hunting.* The taking, as herein defined, of game animals, game birds, and nongame birds.

(r) *Trapping.* The taking, as herein defined, of fur animals.

(s) *Game fishes.* Rainbow, steelhead, cutthroat, eastern brook, and Dolly Varden trout, and grayling, and such other fishes as the Secretary may declare, from time to time, to be game fishes.

(t) *Resident.* A citizen or national of the United States who has resided in the Territory for a continuous period of twelve months immediately preceding his claim for resident hunting, trapping, fishing or other privileges under this act, or a person not a citizen or a national of the United States who has in good faith declared his intention to become a citizen of the United States, whose declaration of intention is in good standing, and who has resided in the Territory for a like period. (NOTE: Period of residence as pre-requisite to obtaining trapping license has been fixed at three years in accordance with provisions of section 3 of the Alaska Game Law.)

(u) *Nonresident.* A citizen or national of the United States who has not resided in the Territory for a continuous period of twelve months, or for the extended period of three years in the case of resident trapping licenses, immediately preceding his claim for hunting, trapping or other privileges under the Alaska Game Law. (NOTE: Period of residence as pre-requisite to obtaining trapping license has been fixed at three years in accordance with provisions of section 3 of the Alaska Game Law).

(v) *Alien.* Any person not a citizen or a national of the United States and who is not a resident or a nonresident of the Territory, as defined herein.

(w) *Fur districts.* The eight geographical divisions of Alaska described as follows:

Fur District 1. All of the southeastern Alaska from Dixon Entrance to Cape Fairweather and along longitude 138° to the international boundary.

Fur District 2. That part of southern Alaska draining to the Gulf of Alaska and Cook Inlet, beginning with the western boundary line of Fur District 1 and following longitude 138° from Cape Fairweather to the international boundary and along this boundary to Mount St. Elias; thence following the summit of the Chugach Range to the head of Miles Glacier; thence down the center line of said glacier to the center of the C. R. & N. W. Railway bridge across the Copper River at mile 49; thence up the center line of Childs Glacier to its summit; thence along the divide through Marshall Pass and Thompson Pass; thence along the divide to Tahneta Pass; thence along the divide separating the water of the Matanuska River from the Meichina River and the Talkeetna River from the Oshetna River; thence along the divide separating the waters of the Oshetna River from Kosina Creek to and across the Susitna River at a point 4 miles northwest of the mouth of Goose Creek; thence along the divide separating the waters flowing northwest into the Susitna River from those flowing southerly into the Susitna River; thence following said divide separating the waters flowing north into the Nenana River from those flowing southerly into the Susitna and Chulitna Rivers and across Broad Pass and the Alaska Railroad at mile 306; thence along the divide separating the waters flowing south into the Chulitna River from those flowing north into Cantwell Creek and the Nenana River to the summit of the Alaska Range; thence along said summit through Rainy Pass to Merrill Pass; thence along the summit of the Chigmit Mountains, separating the waters flowing easterly into Cook Inlet from those flowing westerly into the Kuskokwim River and Bristol Bay, to its intersection with the old portage from Kamishak Bay to Kakhonak Bay on Iliamna Lake; thence along said portage to Kamishak Bay.

Fur District 3. Consisting of the Aleutian Islands, Unimak Island, Amak Island, all the islands lying south of the Alaska Peninsula, the Kodiak-Afognak Islands group, the Barren Islands, Augustine Island, and the Alaska Peninsula from False Pass to the mouth of Reindeer Creek, thence following said creek and a line to the center of Aniakchak Crater, and including that part of said peninsula consisting of the drainage to the Pacific Ocean south of a line following the divide from the center of Aniakchak Crater to the old portage from Kamishak Bay to Kakhonak Bay; thence along said portage on the boundary of Fur District 2 to Kamishak Bay.

Fur District 4. All the drainage to Bristol Bay, bounded on the south by the northern boundary of Fur District 3, on the east by the western boundary of Fur District 2, and on the north by a line beginning at Cape Newenham and extending along the summit of the divide separating the waters flowing northerly into Kuskokwim Bay and Kuskokwim River from those flowing southerly into Bristol Bay, to its intersection with the western boundary of Fur District 2 at a point approximately 22 miles south of Merrill Pass.

Fur District 5. That part of western Alaska draining to Kuskokwim Bay, Bering Sea, Norton Sound, and Kotzebue Sound, bounded on the east by a line beginning at Cape Newenham and extending along the divide separating the waters flowing into Kuskokwim Bay and Kuskokwim River from those flowing into Bristol Bay and the Tikchik Lakes; thence along the divide separating the waters flowing into Tulasak River and Whitefish Lake from those flowing into the Aniak River and Swift Creek; thence to a point on the Kuskokwim River opposite the mouth of the first stream on the north bank above Chagamut; thence across the Kuskokwim River and following the center of said first north-bank stream above Chagamut to its head; thence along the divide separating the waters of Paimute Portage flowing into Big Lake from those flowing into the Yukon River; thence to a point on the Yukon River 15 miles below Paimiut Village; thence following down the south bank of the Yukon River to a point 5 miles below Dogfish Village; thence across the Yukon River to Mount Chiniklik; thence along the divide separating the waters flowing into the Stuyahok River from those flowing into the Kuyukutuk River; thence continuing along said divide separating the waters flowing easterly into the Yukon River from those flowing westerly into Norton Sound; thence continuing along said divide separating the waters flowing into the Koyukuk River from those flowing into Kotzebue Sound to the summit of the divide separating those flowing into the Colville River from those flowing into the Noatak River; thence westerly along the divide separating the waters flowing north into the Arctic Ocean from those flowing south into the Noatak and Kukpuk Rivers to the Coast of Cape Lisburne.

Fur District 6. All the watershed of the Tanana River, the upper Copper River, part of the lower Yukon River, and the upper Kuskokwim River, bounded on the east by the international boundary, on the south by the northern boundaries of Fur Districts 2 and 4, on the west by the eastern boundary of Fur District 5, and on the north by a line beginning at international Boundary Monument No. 146 and following the divide separating the waters of the north fork of the Ladue River from those of the Ladue River; thence along the divide separating the waters flowing northerly into the Yukon River from those flowing southerly into the Tanana River, through Far Mountain, Twelve Mile Summit, and Wickersham Dome; thence along the divide separating the waters flowing easterly into Beaver Creek from those flowing westerly into Hess Creek; thence along the divide separating the waters flowing southwesterly into Hess Creek from those flowing northerly into the Yukon River; thence along the divide separating the waters flowing southerly into the Kanuti River from those flowing southerly into the Yukon River; thence along the divide separating the waters flowing westerly into the Koyukuk River from those flowing southerly into the Melozitna River; thence along the divide separating those waters flowing into the Koyukuk River above the upper end of Treat Island from those entering below said point, to the Koyukuk River; thence across the Koyukuk River at the upper end of Treat Island and northwesterly along the divide separating the waters flowing easterly into the Hogatza River and Koyukuk River from those flowing southerly into the Koyukuk River, to the Cone Mountain; thence along the divide separating the waters flowing easterly into the Hogatza River from those flowing westerly into the Dakli River, to the intersection with the eastern boundary of Fur District 5.

Fur District 7. All the drainage to the upper Koyukuk and upper Yukon Rivers bounded on the east by the international boundary, on the north by the summit of the Brooks Range, on the west by the eastern boundary of Fur District 5, and on the south by the northern boundary of Fur District 6.

Fur District 8. The Arctic coast of Alaska, consisting of all the drainage to the Arctic Ocean north of the northern boundaries of Fur Districts 5 and 7.

§ 91.2 *Licenses of hunters, trappers, fishermen, and guides.* (a) No person shall take, possess, or transport game animals, fur animals, birds, or game fishes, or purchase or sell fur animals or parts thereof, or act as a guide in the Territory unless he is in possession of a valid license bearing his signature written in ink on the face thereof (if he is required by the Alaska Game Law or regulations of the Commission thereunder to have such a license), and he shall have his license on his person when taking such animals, birds, or game fishes, or when acting as a guide and shall produce it for inspection by any wildlife agent or other person requesting to see it.

(b) Each application for a license shall be made on the form prescribed by the Commission and if the application is made by mail it shall be accompanied by a bank draft or an express or postal money order payable to the Treasurer of the United States for the amount of the license fee.

(c) No license shall be required of native Indians and Eskimos, or of residents under the age of sixteen.

§ 91.3 *Taking animals, birds, and game fishes in emergencies.* An Indian or Eskimo, or an explorer, prospector, or traveler, may take animals, birds except migratory birds, or game fishes in any part of the Territory at any time for food when in need thereof and other sufficient food is not available, but he shall not transport or sell any animal, bird, game fish, or part thereof so taken, and an Indian or Eskimo also may take, possess, and transport, at any time, auks, auklets, guillemots, murres, and puffins and their eggs for food, and their skins for clothing for his own use and that of his immediate family.

§ 91.4 *Using game as food for dogs or fur animals or as crab bait.* No person is permitted to feed any mountain sheep (bighorn) or deer, or part thereof, to any dog, or to any fur animal held in captivity, and no person is permitted to feed any other game animal, protected bird, game fish, or part thereof, to a dog or to a fur animal held in captivity, except the waste parts, such as hides, viscera, and bones; and no person is permitted to use any part of any animal or protected bird for crab bait.

§ 91.5 *Recapture of escaped fur animals.* Operators of licensed fur farms from which fur animals escape from captivity may conduct operations for the recapture of such escaped animals through the use of legal trapping devices within a period of 30 days after the discovery of the escape. If such operations are conducted during the closed season on wild animals of the same species, such operator shall immediately notify the nearest wildlife agent in writing of the numbers and kinds of escaped animals, the kinds of devices being used in recapturing operations, and the locality where such operations are being conducted.

§ 91.6 *Duties of fur farmers and fur dealers.* Each fur farmer or fur dealer, including Indians, Eskimos, cooperative stores operated exclusively by and for native Indians and Eskimos, and stores operated by missions exclusively for native Indians or Eskimos, at all reasonable hours shall allow any member of the Commission, any wildlife agent, or any authorized employee of the United States Department of the Interior to enter and inspect the premises where operations are being carried on under the Alaska Game

Law and the regulations thereunder, and to inspect the books and records relating thereto. Each fur farmer shall submit annually a written report on a form furnished by the Commission stating the numbers and kinds of fur animals farmed, the numbers and kinds of live fur animals or skins or pelts thereof bought or sold, and the methods of fur farming employed. Each fur dealer shall keep records showing the number of each kind of furs purchased or procured, the persons from whom purchased and to whom they were sold, date of purchase or sale, name of trapper and his license number, and shall on or before 30 days after the expiration of his license make a written report to the Commission on a form prepared and furnished by it setting forth in full such data. The aforesaid stores shall also keep records of transactions and render reports similar to those required of fur dealers.

§ 91.7 *Transportation and possession.* Animals, birds (but not including migratory birds), and game fish, parts thereof, and articles manufactured therefrom, and the nests and eggs of such birds taken in accordance with these regulations may be possessed within the Territory at any time, by any person, and in any number and kind not limited by § 91.9 and may be transported within and exported out of the Territory by any person at any time, except as follows:

(a) No package containing such animals, birds, game fish, parts thereof, articles manufactured therefrom, eggs or nests, shall be possessed or transported unless it has clearly and conspicuously marked on the outside thereof the names and addresses of the consignor and consignee and an accurate and detailed statement of its contents.

(b) No person who is a fur farmer or fur dealer shall possess or transport the skin of any fur animal, or part thereof, unless at the time of such possession or transportation he is licensed to carry on such business.

(c) No skins of beavers or martens, whether taken within or without the Territory, shall be possessed or transported by any person until the same have been sealed with a seal prescribed by the Commission, except that persons taking beaver within the Territory may possess the unsealed skins thereof, during the open season therefor and for 30 days thereafter, and within the same period may transport the same unsealed for the purpose of having them sealed or tagged by a wildlife agent or other officer authorized by the Commission, and except that skins of marten legally taken within the Territory may be possessed and transported unsealed for the purpose of having them sealed or tagged by a wildlife agent or other officer authorized by the Commission at any time prior to October 31, 1944.

(d) No resident shall export from the Territory any game animal or game bird, except in accordance with the terms of a resident export, or export and return license or permit issued at the discretion of the Commission.

(e) No nonresident of the Territory, or alien, except one holding a valid hunting or trapping license shall transport out of the Territory any game animal, fur animal, or game bird, or part thereof, and such licensed nonresident or alien shall be permitted to export during the respective open season not exceeding two deer, not more than one of which shall have been taken west of longitude 138°, one moose, two caribou, two mountain goats, two in the aggregate of large brown and grizzly bears, not more than one of which shall have been taken on the Kodiak-Afognak Island group, three black bears, not more than two of which shall have been taken east of longitude 141°, or not to exceed singly or in the aggregate one day's limit of grouse or ptarmigan.

(f) No bald eagle, part, nest or egg thereof, may be exported to the United States or any of its Territories except under permit authorized by the act of June 8, 1940.

(g) No person shall possess, until dismembered for immediate consumption, any deer, moose or mountain sheep from the carcass of which the horns or external sex organs have been removed.

§ 91.8 *Sale of animals, birds and game fish.* Sales or purchases of the following designated products of animals and birds (but not including migratory birds), and game fish, but none other, may be made by any person, except fur farmers and fur dealers, without a permit or license, and by fur farmers and fur dealers holding valid fur dealers licenses.

(a) Sealed skins of beaver and marten and skins of other fur animals and black bears.

(b) Articles manufactured from the hides and hoofs of moose, caribou, deer, and mountain goat and from the skins of black bears.

(c) Shed antlers of deer, moose, and caribou.

(d) In Fur Districts 5 and 8, parka hood trimmings cut from hides of grizzly bears in strips not to exceed 4 inches in width.

(e) Meat of caribou taken in the Territory and meat of moose, grouse, and ptarmigan taken north of the Alaska Range and the Kuskokwim-Bristol Bay divide, to the owner or operator of a restaurant, roadhouse, or public or other eating house, but may not be resold except in cooked form under such permit as may be issued by and in the discretion of the Commission, and then not within 5 miles of the Alaska Railroad or of the Steese Highway from Fairbanks to and including Chatanike.

(f) Dolly Varden trout taken in salt water and in the lakes and streams west of Cook Inlet, but not including Nome and Snake Rivers on Seward Peninsula.

§ 91.9 *Open seasons, methods of taking, and limits on protected animals, birds, and game fishes.* The following animals, birds, and game fishes, but none other, may be taken in the open seasons, by the methods and means, in the areas, and in numbers not exceeding the respective daily, seasonal bag or possession limits prescribed herein, but not at any other time, by any other method, aid or means, nor in any other area or number.

(a) *Game animals*—(1) *Methods and means.* May be taken only with a shotgun (not larger than No. 10 gage and not capable of holding more than 3 shells), rifle, or pistol, but not from or by means of a motor vehicle, airplane, or any boat propelled by any means other than paddles, oars, or poles, or while such animals are swimming.

(2) *Open seasons and limits.* None of the game animals named below may be taken at any time in any National park, monument, or posted National forest area, nor in the Shoemaker Bay, Haines, Salchaket, Curry Game, Eyak Lake, Mitkof Island, Keystone Canyon, Big Delta, Mt. Hayes-Blair Lakes Refuge, and highway and railroad areas all described in §§ 91.10 and 91.11, nor in other areas specifically closed by this section.

(i) Deer, bucks (with horns not less than 3 inches above the top of the skull).

East of longitude 136°. September 1 to November 15. Limit, 2.

In the drainage to Prince William Sound north of the center of the C. R. & N. W. Railway and west of Mountain Slough, including the islands of Prince William Sound, except Hawkins and Knight Islands. September 20 to September 30. Limit, 1.

(ii) Moose, bulls (except yearlings and calves).

North of the Alaska Range. September 1 to September 30 and December 1 to December 31. Limit, 1 during either or both periods.

South of the Alaska Range, but not in the Alaska No. 1 and Kenai No. 1 Peninsula areas and the Chilkoot and Chilkat River areas described in § 91.11 (f), (h) and (j), nor in Yakutat Bay region between longitude 138° and 141°. November 16 to December 15 east of longitude 138° and September 1 to September 30 west of longitude 141°. Limit, 1 a season.

(iii) Caribou (except calves).

In the Territory, but not in the area lying 5 miles on either side of the Steese Highway 84 and 89, and on Eagle Summit between on Twelve Mile Summit between mileposts mileposts 102 and 112. September 1 to October 15. Limit, by a resident 2 a season; by a nonresident 1 a season.

(iv) Mountain goat (except kids).

In the Territory, but not in the Kenai Peninsula Area-No. 2 and the Girdwood Area described in § 91.11 (j) and (k), nor on the Baranof and Chichagof Islands, nor in the watersheds of Tracy Arm, Endicott Arm or Ford's Terror. September 1 to October 31. Limit, 2 a season.

(v) Bear (large brown or grizzly).

In the Territory, but not in the Thayer Mountain and Pack Creek Areas on Admiralty Island nor in the Alaska Peninsula Area No. 2 described in § 91.11 (g), (l) and (m). September 1 to June 20. Limit, 2 a season, except on Kodiak-Afognak Island group, where the limit shall be 1.

(vi) Bear (black, including its brown and blue, or glacial bear, color variations).

East of longitude 141°, but not in the Anan Creek and Loring areas described in § 91.11 (n). September 1 to June 20. Limit, 2 a season.

In the rest of the Territory. No closed season and no limit.

(vii) Any bear may be killed at any time or any place in the Territory when about to attack or molest persons or their property. Persons so killing such animals shall make a written report to the Commission setting forth the reason for such killing and the time and place.

(See also §§ 91.7 and 91.8 covering transportation, possession, and sale.)

(b) *Fur animals*—(1) *Methods and means.* May be taken by any means, except by means, aid, or use of a set gun of any description, a shotgun, artificial light of any kind, steel bear trap, or other trap with jaws having a spread exceeding 9 inches, poison, dog (except polar bears in Fur District 8, and wolves and coyotes in Fur Districts 5, 6, 7, and 8), fish traps, any trap set within 25 feet of a beaver house or den, or within 100 feet of a fox den, or destruction or disturbance of homes, houses, dens, dams, or runways of such animals.

(2) *Open seasons and limits.* None of the fur animals named below may be taken at any time in any National park, monument, or posted National forest area, nor in the Shoemaker Bay, Haines, Salchaket, Curry Game, Kyak Lake, Mitkof Island, Mt. Hayes-Blair Lakes and Afognak Island areas described in §§ 91.10 and 91.11, nor in other areas specifically closed by this section.

(i) Mink, land otter, weasel (ermine), fox, and lynx.

Fur District 2. November 16 to January 15, except there shall be no open season on white and blue foxes. No limit.

Fur District 3. November 16 to January 15, except there shall be no open season on Unimak Island on mink, land otter, or weasel (ermine). No limit.

Fur District 4. November 16 to February 15. No limit.

Fur District 5. November 16 to February 28. No limit.

Fur Districts 6 and 7. November 1 to January 31. No limit.

Fur District 8. December 1 to March 31. No limit.

(ii) Muskrat.

Fur District 2. April 1 to May 31. No limit.

Fur Districts 3 and 4. March 10 to May 10, except there shall be no open season on the Kodiak-Afognak Island group. No limit.

Fur District 5. North of the Unalakleet River drainage April 1 to June 7. Unalakleet River drainage and south thereof April 1 to May 31. No limit.

Fur Districts 6 and 7. March 1 to May 31, no limit.

Fur District 8. April 10 to June 10. No limit.

(iii) Beaver.

Fur District 2. February 1 to March 31 except there shall be no open season on a strip one-half mile wide on either side of the Alaska Railroad, nor on the Kenai Peninsula south of Kenai River, Kenai Lake and Skilak Lake. Limit, 10 a season.

Fur District 6. February 1 to March 31 except there shall be no open season on a strip one-half mile wide on either side of the Alaska Railroad nor within the Copper River drainage, the Tanana River drainage east of the Richardson Highway from Richardson Monument (mile 202 from Valdez) to Big Delta (mile 280 from Valdez), nor south and east of the Goodpaster River drainage, nor within the Fairbanks area described in § 91.11 (p). Limit, 10 a season.

Fur District 7. February 1 to March 31. Limit, 10 a season.

(iv) Wolf, coyote, wolverine, marmot, squirrel, and polar bear.

Fur Districts 1, 2, 3, 4, 5, 6, 7, and 8. No closed season. No limit.

(See also §§ 91.7 and 91.8 covering transportation, possession, and sale, and § 91.1 describing fur districts.)

(c) *Game birds*—(1) *Methods and means.* Grouse and ptarmigan only may be taken with a shotgun (not larger than No. 10 gage and not capable of holding more than 3 shells), rifle, pistol, bow and arrow, or spear, or with the aid of a dog but not from or by means of a motor vehicle, airplane, or any boat propelled by any means other than paddles, oars, or poles. Any other game bird protected also under the provisions of the Migratory Bird Treaty Act of July 3, 1918, as amended, may be taken only in the manner, by the means, and at the times or places permitted by the regulations of the Secretary of the Interior adopted pursuant to the terms of that act.

(2) *Seasons and limits.* No game bird may be taken at any time in any national park, monument, or posted national forest area, nor in the Shoemaker Bay, Haines, Salchaket, Curry Game, Kyak Lake, and Mitkof Island areas described in § 91.10 and in the Kenstone Canyon and Big Delta areas as described in § 91.11 (a) and (b).

(i) Grouse and ptarmigan.

September 1 to January 31, except there shall be no open season within the closed areas mentioned above, nor within the First and Third Judicial Divisions of the Territory, by shooting from, on, or across, or within 33 feet of the center line of any public highway. Daily limit, grouse 10, ptarmigan 10; but not to exceed 10 in the aggregate of all kinds of grouse and ptarmigan a day. Limit for each person shall include all such birds taken by any other person who for hire accompanies or assists in the taking.

(ii) Game birds protected also under the provisions of the Migratory Bird Treaty Act.

Seasons and limits in accordance with Migratory Bird Treaty Act Regulations.

(See also §§ 91.7 and 91.8 covering transportation, possession, and sale.)

(d) *Nongame birds*—(1) *Methods and means.* May be taken by any means, except by the use of poison.

(2) *Seasons and limits.* No nongame bird may be taken at any time in any national park, monument, or posted national forest area, nor in the Shoemaker Bay, Haines, Salchaket, Curry Game, Eyak Lake, or Mitkof Island areas described in § 91.10.

(i) Crows, hawks, owls, eagles, ravens, magpies, and cormorants, and their nests and eggs.

No closed season except in the areas mentioned above. No limit.

(See also §§ 91.7 and 91.8 covering transportation, possession and sale.)

(e) *Game fishes*—(1) *Methods and means.* May be taken by angling with a line held in the hand or attached to a rod, or rod and reel so held, but each line shall at no time have attached to it more than two flies or hooks, nor more than one plug, spoon, or spinner, and in Buskin River and Lakes, Russian River and Lakes, Cooper Creek and Summit Lakes on Kenai Peninsula, may be taken only by means of artificial flies, spinners, spoons, or plugs. Dolly Varden trout may be taken by the use of net, trap, or seine in the glacial waters of Trail, Kenai, Skilak, and Tustumena Lakes on Kenai Peninsula, and in any area where the taking without limit as to numbers and the sale, purchase, and shipment from the Territory of Dolly Varden trout are permitted.

(2) *Seasons and limits.* Rainbow, steelhead, cutthroat, eastern brook, and Dolly Varden trout and grayling.

Seasons. June 5 to September 30 on Kenai River (including Russian River and Lakes and Cooper Creek), Buskin River near Kodiak and all lakes and tributaries thereof.

June 1 to September 30 on Dewey Lake near Skagway and Salmon Creek Reservoir near Juneau.

Rest of Territory—no closed season.

Limits. Kenai River (including Russian River and Lakes and Cooper Creek), Buskin River, Lake Creek, Willow River, and all lakes and tributaries thereof, and in all waters draining into Bristol Bay, 10 fishes singly or in the aggregate, but not to exceed 10 pounds and 1 fish daily, 2 daily bag limits in possession.

Rest of Territory—20 fishes singly or in the aggregate, but not to exceed 15 pounds and 1 fish daily, 2 daily bag limits in possession.

In salt water throughout the Territory and in lakes and streams west of Cook Inlet, including such as are designated above but excepting the Nome and Snake Rivers on Seward Peninsula there shall be no limit on Dolly Varden trout.

(See also §§ 91.7 and 91.8 covering transportation, possession, and sale.)

§ 91.10 *Areas having a continuous closed season on all species of animals and birds.* Areas in which there is a continuous closed season on all species of animals and birds, but not game fishes, except for scientific or propagating purposes:

(a) *Any national park or national monument area.*

(b) *Ward and Mendenhall Lake areas and Tongass National Forest.* As posted and described by the United States Forest Service.

(c) *Shoemaker Bay area.* Embracing the entire watershed of Pat Creek and that portion of Wrangell Island draining into Zimovia Strait from Pat Creek to Polk Point.

(d) *Haines area.* Embracing the drainage of Klehini River from the British Columbia line to the confluence of said river with the Chilket River.

(e) *Salchaket townsite.* Salchaket Lake, sometimes known as Harding Lake, and the small lakes in secs. 2 and 11, T. 5 S., R. 4 E., Fairbanks Meridian.

(f) *Curry game refuge.* A strip 2 miles wide, beginning at a point on the railroad 6 miles north of the Curry Hotel, thence east 1 mile, thence south 7 miles, thence west 2 miles, thence north 7 miles, thence east 1 mile, to the place of beginning.

(g) *Eyak Lake area.* Embracing the drainage area of Eyak Lake and Power Creek, north and east of Cordova, more particularly described as follows: Begin-

ning on the north boundary line of the town of Cordova at a point where said boundary line is crossed by the divide between Eyak Lake and Power Creek and Orea Inlet and Orea Bay; thence in a general northeasterly direction along said divide to the intersection with parallel 60°40' north; thence east along said parallel to the intersection with the divide between the watershed of Power Creek and Eyak Lake and the watershed of Ibek Creek; thence in a general southwesterly direction along said divide to the headwaters of Allen Creek; thence southwesterly along the course of Allen Creek to its confluence with Eyak Lake; thence southerly along the shore of Eyak Lake to the northerly sideline of the C. R. & N. W. Railway right-of-way; thence in a general westerly direction along the northerly side line of said railway right-of-way to the intersection with the east boundary line of the town of Cordova; thence north along said east boundary line to the northeast corner of said town; thence west along the northern boundary line of said town to the point of beginning (containing approximately 22,000 acres).

(h) *Mitkof Island area, fur district 1.* Embracing the drainage area of Wrangell Narrows from Sandy Beach on the north side of Mitkof Island southward to Blind Point, more particularly described as follows: Beginning at meander corner between secs. 23 and 26 of T. 60 S., R. 79 E., Copper River Meridian, located on Blind Point in Wrangell Narrows; thence easterly 88.13 chains to the southeast corner of sec. 24 of the same township; thence north along the township line 4 miles to the northeast corner of sec. 1 of the same township; thence northerly along the summit of the ridge bounding the drainage area tributary to Wrangell Narrows and Frederick Sound until the shore of Frederick Sound is reached at the Witness Corner Meander Corner between secs. 35 and 36 of T. 58 S., R. 79 E., Copper River Meridian, on the shore thereof; thence northwesterly along the shore of Frederick Sound to the entrance of Wrangell Narrows; thence southerly along the center of the steamboat channel of Wrangell Narrows to the place of beginning on Blind Point.

§ 91.11 *Areas having continuous closed seasons on certain game and fur animals.* Areas in which there are continuous closed seasons as specified in § 91.9 on certain game and fur animals, except for scientific or propagating purposes.

(a) *Keystone Canyon area, fur districts 2 and 6.* An area one-half mile on each side of and paralleling Richardson Highway from milepost 13 (from Valdez) to milepost 20 (from Valdez).

(b) *Big Delta area, fur district 6.* Beginning at a point on the south bank of the Tanana River 1 mile east of the ferry at Big Delta post office; thence south parallel to the Richardson Highway to a point 1 mile east of and opposite milepost 269 (from Valdez); thence westerly across and to a point on the west bank of the Big Delta River due west of aforesaid milepost 269; thence north along the west bank of the Big Delta River to its junction with the south bank of the Tanana River; thence easterly along the south bank of the Tanana River to the place of beginning.

(c) *Highway areas.* A strip one-half mile wide on either side of all public highways within the First, Second, and Third Judicial Divisions; and strip one-quarter mile wide on either side of the following-named public highways in the Fourth Judicial Division; Richardson Highway, Alcan Highway, Livengood Highway and Steese Highway, including the Harrison Creek Spur, Porcupine Spur, and the Circle Springs Spur to the end of its extension on the Birch Creek Drainage.

(d) *Alaska Railroad area, fur districts 2 and 6.* A strip one-half mile wide on either side of the Alaska Railroad.

(e) *Mt. Hayes–Blair Lakes refuge area, fur district 6.* Beginning on the Bonnifield Trail on the south bank of the Tanana River about 4 miles south of Fairbanks, thence southerly along said trail to Wood River, thence southeasterly up Wood River to Snow Gulch, thence southerly to the summit of Mt. Deborah, thence easterly along the summit of the Alaska Range to the summits of Hess Mountain and Mt. Hayes and to a point on the Delta River, sometimes known as Big Delta River, due west of Rapids Roadhouse, thence northerly along the west bank of Delta River to a point due west of Beals Cache, thence easterly past Beals Cache to a point 5 miles east of the Richardson Highway, thence northerly paralleling Richardson Highway at a distance of 5 miles to the south bank of the Tanana River, thence northwesterly along the south bank of the Tanana River to point of beginning on Bonnifield Trail, embracing an area of approximately 3,000 square miles.

(f) *Alaska Peninsula Area No. 1, fur districts 3 and 4.* South and west of Kvichak River, Iliamna Lake, and the old portage from Kamishak Bay to Kakhonak Bay. (Closed to moose.)

(g) *Alaska Peninsula area No. 2, fur district 3.* Bordered on the west by False Pass and on the east by the Mail Trail which connects Herendeen Bay on the Bering Sea with Portage Bay on the Pacific Ocean. (Closed to large brown and grizzly bears.)

(h) *Chilkoot and Chilkat River areas, fur district 1.* The drainages of the Chilkoot and the Chilkat Rivers in southeastern Alaska. (Closed to moose.)

(i) *Kenai Peninsula area No. 1, fur district 2.* That part of Kenai National Moose Range lying north of the Kenai River and west of the Chugach National Forest, Thurman Creek and Chickaloon River. (Closed to moose.)

(j) *Kenai Peninsula area No. 2, fur district 2.* The eastern part of the Kenai Peninsula east of the center line of the Alaska Railroad. (Closed to mountain goats.)

(k) *Girdwood area, fur district 2.* Beginning at the center of the bridge of the Crow Creek road over California Creek, at approximately latitude 60° 58' north and longitude 149° 8' west of Greenwich, as shown on the preliminary topographic map of the Girdwood District, Alaska, 1931, published by the Geological Survey, Department of the Interior; thence on a course bearing due east continuing in a straight line to the west bank of Glacier Creek; thence northeasterly following the west and north bank of said creek and its largest northern tributary to its head; thence along the west side of the glacier it drains to the summit of the divide between Glacier Creek and the drainage to the north at approximately latitude 61° 2' 30" north, longitude 149° west; thence westerly and northerly along said divide around the head of Raven Glacier to a point where said divide intersects the western margin of the most northern glacier in Raven Creek basin; thence following northeasterly and westerly along the western and southern margin of Eagle Glacier to its termination; thence westerly in a straight line to the junction of Camp and Raven Creeks; thence southwesterly along the south bank of Camp Creek to its head, at the divide between Camp Creek and the North Fork Ship Creek; thence northwesterly down the valley of the North Fork Ship Creek to a small lake in this valley; thence westerly along the south shore of said lake and continuing westerly along the south bank of North Fork Ship Creek to the junction of said creek with its first large tributary from the south, entering it about 1 mile east of Bird Creek Pass; thence southerly along the west bank of said tributary and its most westerly branch to the divide between North Fork Ship Creek and Bird Creek; and thence southwesterly in a straight line to the junction of Bird Creek with its first large tributary from the head entering it from the south; thence southeasterly along the northern and eastern side of the stream bed of said tributary to the summit of the divide between the said tributary and the drainage of California Creek; thence southerly along the divide between California Creek and Bird Creek to a summit marked 4322 on the said preliminary topographic map of Girdwood District, Alaska, said point being in approximately latitude 60° 59' north, longitude 149° 11' 15" west; thence southeasterly in a straight line to the point of beginning. (Containing approximately 77 square miles and closed to mountain goats.)

(l) *Thayer Mountain area, on Admiralty Island, fur district 1.* Beginning at the foot of the waterfall at the mouth of Hasselborg River on Salt Lake, head of Mitchell Bay; thence along the easterly bank of the Hasselborg River to the outlet of Hasselborg Lake; thence along the west shore of said lake to the outlet of the creek flowing into the head of the lake; thence upstream along the east bank of said creek to the trail crossing; thence in a southwesterly direction along the trail to the head of Thayer Lake; thence along the easterly shore of said lake to the extreme southern end of the lake; thence southeasterly approximately 2 miles in a straight line to the west end of Salt Lake at the head of Mitchell Bay; thence along to the line of mean high tide of Salt Lake to the foot of the waterfall on Hasselborg River, the place of beginning. (Containing approximately 60 square miles and closed to large brown and grizzly bear.)

(m) *Pack Creek area, on Admiralty Island; fur district 1.* The entire watershed of Pack Creek, which empties into Seymour Canal near the north side of the entrance to Windfall Harbor. (Containing approximately 21 square miles and closed to large brown and grizzly bear.)

(n) *Anan Creek and Loring areas, fur district 1.* The drainage of Anan Creek on the Cleveland Peninsula and a strip one-half mile wide on either side of the blazed trail leading from the outlet of Roosevelt Lagoon to Naha Bay to the Naha River outlet of Heckman Lake on Revillagigedo Island.

(o) *Afognak Island area, fur district 3.* Afognak Island group north and east of Kupreanof Straits. (Closed to fur animals.)

(p) *Fairbanks area, fur district 6.* Beginning at a point on the east bank of the Tanana River at the entrance of Pile Driver Slough; thence along the east bank of Pile Driver Slough to a point 4 miles south of Moose Creek; thence east along the divide between Moose Creek and French Creek around the head of Moose Creek and including all the drainage thereto; thence northwesterly along the divide between Moose Creek and Chena River; thence across the flats of Chena River to a point marked on Big Chena Bluffs; thence down the north bank of Chena River to its confluence with Tanana River; thence south along the east bank of Tanana River to the place of beginning. (Closed to beaver).

§ 91.12 *Taking of animals, game fishes, birds and their nests and eggs for scientific or propagating purposes, and animals or birds for the protection of property.* (a) The Director may, for areas other than those administered by the National Park Service, prescribe the terms and conditions of and issue permits authorizing the taking, possession, purchase, sale, exchange, or exportation of such animals, game fishes, birds, and their nests and eggs for scientific, propagating, educational, or exhibition purposes and for the protection of property as he may determine from time to time to be consistent with the proper conservation and development of the species.

(b) Any such permit shall be carried by the permittee when taking the aforesaid animals, game fishes, or birds, or their nests or eggs, and shall be exhibited to any wildlife agent or other person requesting to see it.

(c) Applications for all permits should be addressed to the Director, Fish and Wildlife Service, Chicago 54, Illinois, or to the Alaska Game Commission, Juneau, Alaska.

(d) Reports of operations required under the terms of any permit shall be filed on or before the tenth day of January following issuance of the permit with the Alaska Game Commission, Juneau, Alaska, or with the Director, Fish and Wildlife Service, Chicago 54, Illinois.

In testimony whereof I have hereunto set my hand and caused the official seal of the United States Department of the Interior to be affixed in the City of Washington this 15th day of May 1944.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 44–7018; Filed, May 16, 1944; 10:44 a. m.]

Notices

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 5902]

DOUGHTY & WELCH ELECTRIC CO., INC., AND FALL RIVER BROADCASTING CO., INC.

NOTICE OF HEARING

In re application of Doughty & Welch Electric Company, Inc. (Assignor), Fall River Broadcasting Company, Inc. (Assignee); Docket No. 5902. For assignment of license of station WSAR, Fall River, Massachusetts.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 9th day of May, 1944;

The Commission having under consideration the proceedings heretofore held in the above-entitled matter.

It is ordered, That the application of Doughty & Welch Electric Company, Inc. (Assignor) and Fall River Broadcasting Company, Inc. (Assignee) be, and the same is hereby, designated for further hearing, to be held at the offices of the Commission in Washington, D. C., on the 28th day of June 1944 at 10:00 a. m., on the following issues:

1. To determine which of the following alternatives would better serve the public interest: (1) operation of Station WSAR by the present licensee or (2) operation of Station WSAR by the proposed assignee.

2. To determine whether public interest would be served by approval of the proposed assignment of license of Station WSAR to trustees without equitable or beneficial ownership in the station.

3. To determine whether approval of the assignment of license to the proposed transferee, under the terms and conditions proposed in the application would be consistent with the provisions of the Communications Act of 1934 and in the public interest.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 44–7025; Filed, May 16, 1944; 11:24 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70–A, Special Permit 241]

RECONSIGNMENT OF ONIONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, May 11, 1944, by E. I. Wilens & Company of cars MDT 19563 and MDT 4844, onions, now on the Chicago Produce Terminal, to Commodity Sales Supply, Muncie, Indiana.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 11th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–7026; Filed, May 16, 1944; 11:28 a. m.]

[S. O. 70–A, Special Permit 242]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, May 11, 1944, by W. K. Engel Company, of car PFE 73631, potatoes, now on the Chicago Produce Terminal to Madison, Wisconsin.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 11th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–7027; Filed, May 16, 1944; 11:28 a. m.]

[S. O. 70–A, Special Permit 243]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering

paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, May 11, 1944, by Bacon Brothers of car NP 94510, potatoes, now on the Chicago Produce Terminal, to Decatur, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 11th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–7028; Filed, May 16, 1944; 11:28 a. m.]

[S. O. 70–A, Special Permit 244]

RECONSIGNMENT OF POTATOES AT FALLSBURGH, N. Y.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Fallsburgh, New York, not later than May 14, 1944, by Aroostook Potato Growers, Inc., of car MDT 20222, potatoes, now on the New York, Ontario and Western Railway, to unknown destination.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–7029; Filed, May 16, 1944; 11:28 a. m.]

[S. O. 70–A, Special Permit 245]

RECONSIGNMENT OF CARROTS AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Kansas City, Missouri, May 12, 1944, by L. Gillarde Company of car WFEX 65558, carrots, now on the Rock Island Lines to Springfield Produce Company, Springfield, Illinois (Wabash).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–7030; Filed, May 16, 1944; 11:28 a. m.]

[S. O. 164, Amended General Permit 17]

REFRIGERATION OF GRAPEFRUIT OR MIXED CITRUS FRUITS FROM TEXAS

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide standard refrigeration on any refrigerator car loaded with grapefruit or loaded with mixed citrus fruits containing not less than 50% grapefruit originating at any point or points in Texas moving to destinations in Canada, or to destinations in the United States located west of the western boundaries of the States of Missouri, Iowa and Minnesota and north of the northern boundaries of the States of Oklahoma, New Mexico and Arizona, without stop-off for partial unloading at points intermediate to the territory described above.

This general permit shall become effective at 6:00 p. m., May 12, 1944, and shall expire at 12:01 a. m., June 6, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–7031; Filed, May 16, 1944; 11:28 a. m.]

[S. O. 164, Special Permit 58]

REFRIGERATION OF CITRUS FRUITS FROM MISSION, TEX.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration on car SFRD 23035, citrus, shipped from Mission, Texas, May 10, 1944, consigned to Pittsburg, Kansas, with stop at Coffeyville, Kansas to partly unload. (Routed Mo. Pac.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 11th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–7032; Filed, May 16, 1944; 11:29 a. m.]

[S. O. 200, 3d Amended Special Permit 2]

REICING OF EARLY POTATOES FROM CALIFORNIA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944:

Special Permit No. 2 under Service Order No. 200, as amended, is hereby vacated and set aside, effective 12:01 a. m., May 20, 1944.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–7033; Filed, May 16, 1944; 11:29 a. m.]

[S. O. 200, Special Permit 7]

REICING OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once at Chicago, Illinois, with two tons of ice (one ton in each bunker) car MDT 20564, potatoes, now on the Chicago Produce Terminal sold by W. J. Engel to Libby, McNeil & Libby for movement to the Stock Yards.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–7034; Filed, May 16, 1944; 11:29 a. m.]

[S. O. 202–A]

CANTON & CARTHAGE RAILROAD CO.

REROUTING OF FREIGHT TRAFFIC

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 15th day of May, A. D. 1944.

Upon further consideration of Service Order No. 202 (9 F.R. 4483) of April 25, 1944, and good cause appearing therefor: *It is ordered,* That:

Service Order No. 202 (9 F.R. 4483) of April 25, 1944, directing the Canton & Carthage Railroad Company to forward freight traffic routed over its lines via routes most available to expedite its movement and prevent congestion because of flood conditions and destruction of a bridge, be, and it is hereby, vacated and set aside. (40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 911; 49 U.S.C. 1 (10)–(17), 15 (2)

It is further ordered, That this order shall become effective immediately, that copies of this order and direction shall be served upon the Canton & Carthage Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44–7035; Filed, May 16, 1944; 11:28 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 238]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN CHICAGO, ILL., AND SIOUX CITY, IOWA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective May 20, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 16th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Hi-Speed Motor Express, Inc. (a corporation), Sioux City, Iowa.

Holdcroft Transportation Company (a corporation), Chicago, Ill.

Sioux Transportation Company (a corporation), Sioux City, Iowa.

[F. R. Doc. 44–7013; Filed, May 16, 1944; 10:05 a. m.]

[Supp. Order ODT 3, Rev. 239]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN NEBRASKA

Upon consideration of a plan for joint action filed with the Office of Defense Transporation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in

[1] Filed as part of the original document.

order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carrier's possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective May 20, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 16th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX I

1. C. C. McKay, doing business as McKay Freight Lines, Fairbury, Nebr.
2. Watson Bros. Transportation Co., Inc. (a corporation), 802 South Fourteenth Street, Omaha, Nebr.

[F. R. Doc. 44-7014; Filed, May 16, 1944; 10:04 a. m.]

[Supp. Order ODT 20A-114]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN INTERNATIONAL FALLS, MINN., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of International Falls, Minnesota, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Duluth, Minnesota, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-114" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Duluth, Minnesota.

8. This order shall become effective May 23, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 16th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

H. L. Jensen, Union Taxi Company, International Falls, Minn.
Helmer Olen, Diamond Taxi Company, International Falls, Minn.

[F. R. Doc. 44-7015; Filed, May 16, 1944; 10:04 a. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 20A-115]

COORDINATED OPERATIONS IN CAMBRIDGE, OHIO, AREA

CERTAIN TAXICAB OPERATORS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Cambridge, Ohio, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Zanesville, Ohio, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-115" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Zanesville, Ohio.

8. This order shall become effective May 23, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 16th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Bartholow & Archer, Cambridge, Ohio.
Cambridge & Southern Transit Co., Cambridge, Ohio.
Robert J. Hall, Service Taxi, Cambridge, Ohio.
Olive B. Potts, Service Taxi, Cambridge, Ohio.

[F. R. Doc. 44-7016; Filed, May 16, 1944; 10:04 a. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION

[MPR 221, Order 17]

APPALACHIAN MILLS CO.

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1389.302 (e) of Maximum Price Regulation 221 and § 1372.101 (c) of Maximum Price Regulation 210, *It is ordered:*

(a) On and after May 15, 1944 Appalachian Mills Company, Knoxville, Tennessee, may sell and deliver and any person may buy and receive from it, the following designated fall and winter knitted underwear manufactured by Appalachian Mills Company at prices not in excess of the following adjusted ceiling prices:

Garment	Adjusted net ceiling price
Style No. 121—Men's Union Suit—Knox V Brand—12 lbs. per dozen—regular sizes—long sleeve—long leg	$10.05
Style No. 121—Men's Union Suit—Knox V Brand—12 lbs. per dozen—regular sizes—short sleeve—long leg	9.32
Style No. 141—Men's Union Suit—Knox V Brand—14 lbs. per dozen—regular sizes—long sleeve—long leg	10.95
Style No. 141—Men's Union Suit—Knox V Brand—14 lbs. per dozen—regular sizes—short sleeve—long leg	9.83
Style No. 161—Men's Union Suit—Knox V Brand—16 lbs. per dozen—regular sizes—long sleeve—long leg	11.38
Style No. 161—Men's Union Suit—Knox V Brand—16 lbs. per dozen—regular sizes—short sleeve—long leg	10.42
Style 101 & 108—Men's Heavyweight Shirts—Knox V Brand—regular sizes—high neck—long sleeve	6.60
Style 101 & 108—Men's Heavyweight drawers—Knox V Brand—regular sizes—long leg	6.60
Style No. 51 M—Boys' Union Suit—Knox V Brand—regular sizes—long sleeve—long leg	8.10
Style No. 51 M—Boys' Union Suit—Knox V Brand—regular sizes—short sleeve—knee length	6.77
Style No. 51 M—Boys' Union Suit—Knox V Brand—regular sizes—short sleeve—long leg	7.47

(b) On and after May 15, 1944, the ceiling price for a sale at wholesale or at retail of any of the garments enumerated in paragraph (a) of this order delivered directly to the seller by Appalachian Mills Company on or after May 15, 1944, shall be determined in accordance with Maximum Price Regulation 210 (Retail and Wholesale Prices for Fall and Winter Seasonal Commodities), but such ceiling price may be increased by an amount equal to the dollar-and-cents difference between the adjusted net ceiling price of Appalachian Mills Company, specified in paragraph (a) of this order and the former net ceiling price for the sale by Appalachian Mills Company to the particular seller. A retailer purchasing from a wholesaler shall establish his ceiling price for any of such garments in accordance with Maximum Price Regulation 210 but such ceiling price may be increased by an amount equal to the dollar-and-cents adjustment permitted by this order to his supplier.

(c) At the time of its first delivery to a seller at wholesale or at retail of any of the garments specified in paragraph (a) of this order, Appalachian Mills Company shall transmit to its customer a copy of this order together with a statement showing the amount of adjustment applicable to that customer for each of the garments specified in paragraph (a) of this order.

(d) Each seller at wholesale of any of the garments specified in paragraph (a) shall compute the amount of adjustment permitted to each of his customers on each garment by dividing his own adjustment per dozen by 12. He shall thereupon, at the time of each delivery of any of these garments to a customer selling at retail, transmit to that customer a notice, in the following form:

NOTICE

OPA has granted a ceiling price adjustment to Appalachian Mills Company on certain heavyweight men's and boys' underwear. OPA has also permitted wholesalers and retailers who deal in these garments manufactured by Appalachian Mills Company to adjust their ceiling prices under OPA Order No. 1 (issued under § 1389.302 (e) of MPR 221 and § 1372.101 (c) of MPR 210). You are permitted to increase your ceiling price fixed under MPR 210 for each of the garments, described below, by the amount opposite the description of the garment.

Description of garment	*Amount of adjustment (per garment)*
Style No. 121—Men's Union Suit—Knox V Brand—12 lbs. per dozen—regular sizes—long sleeve—long leg	$----
Style No. 121—Men's Union Suit—Knox V Brand—12 lbs. per dozen—regular sizes—short sleeve—long leg	$----
Style No. 141—Men's Union Suit—Knox V Brand—14 lbs. per dozen—regular sizes—long sleeve—long leg	$----
Style No. 141—Men's Union Suit—Knox V Brand—14 lbs. per dozen—regular sizes—short sleeve—long leg	$----
Style No. 161—Men's Union Suit—Knox V Brand—16 lbs. per dozen—regular sizes—long sleeve—long leg	$----
Style No. 161—Men's Union Suit—Knox V Brand—16 lbs. per dozen—regular sizes—short sleeve—long leg	$----
Style No. 101 & 108—Men's Heavyweight Shirts—Knox V Brand—regular sizes—high neck—long sleeve	$----
Style No. 101 & 108—Men's Heavyweight drawers—Knox V Brand—regular sizes—long leg	$----
Style No. 51 M—Boys' Union Suit—Knox V Brand—regular sizes—long sleeve—long leg	$----
Style No. 51 M—Boys' Union Suit—Knox V Brand—regular sizes—short sleeve—knee length	$----
Style No. 51 M—Boys' Union Suit—Knox V Brand—regular sizes—short sleeve—long leg	$----

NOTE: These adjusted net ceiling prices are to apply only to garments delivered to you on or after May 15, 1944.

(e) This order may be revoked or amended by the Price Administrator at any time.

This Order No. 17 shall become effective May 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6947; Filed, May 15, 1944; 12:04 p. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on May 9, 1944.

REGION I

Augusta Rev. Order No. 11, filed 9:15 a. m.
Augusta Rev. Order No. 11, Amendment No. 1, filed 9:15 a. m.
Augusta Rev. Order No. 12, Amendment No. 1, filed 9:31 a. m.
Augusta Rev. Order No. 13, Amendment No. 1, filed 9:31 a. m.
Augusta Rev. Order No. 14, Amendment No. 1, filed 9:32 a. m.
Augusta Rev. Order No. 15, Amendment No. 1, filed 9:32 a. m.
Concord Order No. 12, Revocation, filed 9:26 a. m.
Augusta Order No. 16, Amendment No. 2, filed 9:32 a. m.
Providence Order No. 1-F, Amendment No. 3, filed 9:15 a. m.
Providence Order No. 2-F, Amendment No. 3, filed 9:16 a. m.
Providence Order No. 6, Amendment No. 1, filed 9:16 a. m.

REGION II

District of Columbia Order No. 8, Amendment No. 3, filed 9:16 a. m.
New York Order No. W-1, filed 9:17 a. m.

REGION III

Detroit Order No. 1-F, Amendment No. 13, filed 9:22 a. m.
Grand Rapids Order No. F-14-A, Amendment No. 17, filed 9:17 a. m.
Grand Rapids Order No. F-14-B, Amendment No. 17, filed 9:18 a. m.
Grand Rapids Order No. F-14-C, Amendment No. 5, filed 9:18 a. m.
Grand Rapids Order No. F-14-D, Amendment No. 5, filed 9:19 a. m.
Louisville Order No. 1-F, Amendment No. 29, filed 9:19 a. m.
Louisville Order No. 2-F, Amendment No. 23, filed 9:19 a. m.
Louisville Order No. 3-F, Amendment No. 16, filed 9:21 a. m.
Louisville Order No. 15, Amendment No. 3, filed 9:21 a. m.
Louisville Order No. 16, Amendment No. 3, filed 9:21 a, m.
Louisville Order No. 17, Amendment No. 3, filed 9:22 a. m.

REGION IV

Birmingham Order No. 14, Amendment No. 3, filed 9:22 a. m.
Birmingham Order No. 15, Amendment No. 3, filed 9:23 a. m.

REGION V

Dallas Order No. 3-F, Amendment No. 11, filed 9:27 a. m.
Fort Worth Order No. 1-F, Amendment No. 15, filed 9:27 a. m.
Fort Worth Order No. 2-F, Amendment No. 15, filed 9:27 a. m.
Fort Worth Order No. 3-F, Amendment No. 15, filed 9:28 a. m.
Fort Worth Order No. 4-F, Amendment No. 15, filed 9:28 a. m.
Fort Worth Order No. 5-F, Amendment No. 15, filed 9:28 a. m.
Houston Order No. 1-F, Amendment No. 9, filed 9:22 a. m.
Houston Order No. 2-F, Amendment No. 4, filed 9:22 a. m.
Kansas City Order No. 1-F, Amendment No. 4, filed 9:30 a. m.
Kansas City Order No. 2-F, Amendment No. 9, filed 9:29 a. m.
New Orleans Order No. 2-F, Amendment No. 16, filed 9:23 a. m.
San Antonio Order No. 2-F, Amendment No. 4, filed 9:30 a, m.
San Antonio Order No. G-9, Amendment No. 1, filed 9:26 a. m.
San Antonio Order No. G-10, Amendment No. 1, filed 9:27 a. m.
Shreveport Order No. 2-F, Amendment No. 12, filed 9:35 a. m.
Shreveport Order No. 3-F, Amendment No. 1, filed 9:35 a. m.
St. Louis Order No. 3-F, Amendment No. 1, filed 9:23 a. m.
St. Louis Order No. G-13, Amendment No. 2, filed 9:25 a. m.
St. Louis Order No. G-14, Amendment No. 2, filed 9:25 a. m.
St. Louis Order No. G-15, Amendment No. 2, filed 9:25 a. m.
St. Louis Order No. G-16, Amendment No. 2, filed 9:25 a. m.

REGION VI

Chicago Order No. 2-F, Amendment No. 12, filed 9:35 a. m.
Omaha Order No. 1-F, Amendment No. 13, filed 9:36 a. m.
Omaha Order No. 1-F, Amendment No. 14, filed 9:36 a. m.
Omaha Order No. 1-F, Amendment No. 15, filed 9:39 a. m.
Omaha Order No. 2-F, Amendment No. 12, filed 9:35 a. m.
Omaha Order No. 2-F, Amendment No. 13, filed 9:36 a. m.
Omaha Order No. 2-F, Amendment No. 14, filed 9:39 a. m.
Omaha Order No. 10, Amendment No. 2, filed 9:37 a. m.
Omaha Order No. 11, Amendment No. 1, filed 9:37 a. m.
Omaha Order No. 12, Amendment No. 1, filed 9:37 a. m.
Omaha Order No. 13, Amendment No. 1, filed 9:37 a. m.
Omaha Order No. 14, Amendment No. 1, filed 9:39 a. m.

REGION VII

New Mexico Order No. F-1, Amendment No. 9, filed 9:40 a. m.

REGION VIII

Los Angeles Order No. 1-F, Amendment No. 11, filed 9:33 a. m.
Los Angeles Order No. L. A.-10, Amendment No. 3, filed 9:32 a. m.
Los Angeles Order No. L. A.-11, Amendment No. 2, filed 9:33 a. m.
Phoenix Order No. 4-F, Amendment No. 9, filed 9:33 a. m.
Portland Order 10 (Rev.), filed 9:31 a. m.
Nevada Order No. 1-F, Amendment No. 6, filed 9:40 a. m.
Nevada Order No. 1-F, Amendment No. 7, filed 9:40 a. m.
Nevada Order No. 1-F, Amendment No. 8, filed 9:40 a. m.
San Francisco Order No. G-8, Amendment No. 4, filed 9:26 a. m.
San Francisco Order No. G-8, Amendment No. 5, filed 9:33 a. m.
Seattle Order No. 1-F, Amendment No. 14, filed 9:30 a. m.
Seattle Order No. 3-F, Amendment No. 14, filed 9:30 a. m.
Seattle Order No. 4-F, Amendment No. 14, filed 9:42 a. m.
Seattle Order No. 5-F, Amendment No. 12, filed 9:30 a. m.
Seattle Order No. 22, Amendment No. 3, filed 9:41 a. m.
Seattle Order No. 24, Amendment No. 2, filed 9:41 a. m.
Seattle Order No. 25, Amendment No. 2, filed 9:41 a. m.
Seattle Order No. 26, Amendment No. 2, filed 9:41 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-6948; Filed, May 15, 1944; 12:00 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on May 10, 1944.

REGION II

Maryland Order No. 1-F, Amendment No. 5, filed 9:39 a. m.

New York Order No. 1-F, Amendment No. 6, filed 9:39 a. m.
Newark Order No. 3-F, Amendment No. 2, filed 9:39 a. m.

REGION III

Cincinnati Order No. 1-F, Amendment No. 29, filed 9:31 a. m.
Cincinnati Order No. 2-F, Amendment No. 22, filed 9:31 a. m.
Charleston Order No. 29, Amendment No. 4, filed 9:26 a. m.
Charleston Order No. 31, Amendment No. 2, filed 9:27 a. m.
Charleston Order No. 33, Amendment No. 2, filed 9:27 a. m.
Charleston Order No. 34, Amendment No. 2, filed 9:28 a. m.
Charleston Order No. 35, Amendment No. 2, filed 9:28 a. m.
Charleston Order No. 36, Amendment No. 2, filed 9:28 a. m.
Columbus Order No. 1-W, filed 9:21 a. m.
Columbus Order No. 2-W, filed 9:22 a. m.
Columbus Order No. 3-F, Amendment No. 21, filed 9:36 a. m.
Columbus Order No. 4-F, Amendment No. 6, filed 9:36 a. m.
Columbus Order No. 5-F, Amendment No. 7, filed 9:36 a. m.
Columbus Order No. 10, Amendment No. 1, filed 9:21 a. m.
Detroit Order No. 1-W, filed 9:19 a. m.
Escanaba Order No. 9-F, Amendment No. 10, filed 9:40 a. m.
Escanaba Order No. 10-F, Amendment No. 10, filed 9:40 a. m.
Escanaba Order No. 11-F, Amendment No. 10, filed 9:30 a. m.
Escanaba Order No. 12-F, Amendment No. 9, filed 9:41 a. m.
Escanaba Order No. 14-F, Amendment No. 9, filed 9:41 a. m.
Escanaba Order No. 15-F, Amendment No. 9, filed 9:41 a. m.
Escanaba Order No. 16-F, Amendment No. 9, filed 9:40 a. m.
Escanaba Order No. 17-F, Amendment No. 8, filed 9:40 a. m.
Escanaba Order No. 25, Amendment No. 1, filed 9:19 a. m.
Grand Rapids Order No. F-14-A, Amendment No. 16, filed 9:20 a. m.
Grand Rapids Order No. F-14-B, Amendment No. 16, filed 9:20 a. m.
Indianapolis Order No. 4-F, Amendment No. 12, filed 9:24 a. m.
Indianapolis Order No. 5-F, Amendment No. 12, filed 9:24 a. m.
Indianapolis Order No. 6-F, Amendment No. 12, filed 9:25 a. m.
Indianapolis Order No. 8-F, Amendment No. 12, filed 9:25 a. m.
Indianapolis Order No. 9-F, Amendment No. 12, filed 9:26 a. m.
Indianapolis Order No. 10-F, Amendment No. 12, filed 9:26 a. m.
Indianapolis Order No. 11-F, Amendment No. 12, filed 9:26 a. m.
Lexington Order No. 1-W, Amendment No. 2, filed 9:20 a. m.

REGION IV

Birmingham Order No. 1-F, Amendment No. 8, filed 9:37 a. m.
Birmingham Order No. 2-F, Amendment No. 4, filed 9:38 a. m.
Jacksonville Order No. 4-F, Amendment No. 2, filed 9:29 a. m.
Jacksonville Order No. 3-F, Amendment No. 6, filed 9:39 a. m.
Jacksonville Order No. 5-F, Amendment No. 2, filed 9:29 a. m.
Jacksonville Order No. 6-F, Amendment No. 1, filed 9:38 a. m.
Jacksonville Order No. 7-F, Amendment No. 1 filed 9:37 a. m.
Memphis Order No. 4-F, Amendment No. 32, filed 9:37 a. m.
Memphis Order No. 8-F, Amendment No. 4, filed 9:37 a. m.
Savannah Order No. 1-F, Amendment No. 34, filed 9:31 a. m.
Savannah Order No. 2-F, Amendment No. 29, filed 9:31 a. m.
Savannah Order No. 3-F, Amendment No. 27, filed 9:31 a. m.
Savannah Order No. 4-F, Amendment No. 26, filed 9:31 a. m.
Savannah Order No. 5-F, Amendment No. 7, filed 9:32 a. m.

REGION V

Arkansas Order No. 1-F, Amendment No. 4, filed 9:32 a. m.
St. Louis Order No. 2-F, Amendment No. 2, filed 9:33 a. m.
Tulsa Order No. G-3W, Amendment No. 1, filed 9:33 a. m.
Tulsa Order No. 5-F, Amendment No. 5, filed 9:33 a. m.
Tulsa Order No. 6-F, Amendment No. 5, filed 9:33 a. m.

REGION VI

Chicago Order No. 2-F, Amendment No. 12, filed 9:34 a. m.
Des Moines Order No. 1-F, Amendment No. 15, filed 9:34 a. m.
Des Moines Order No. 2-F, Amendment No. 4, filed 9:34 a. m.
Duluth-Superior Order No. 1-W, filed 9:30 a. m.
Duluth-Superior Order No. 1-F, Amendment No. 15, filed 9:35 a. m.
Duluth-Superior Order No. 2-F, Amendment No. 3, filed 9:34 a. m.
Springfield Order No. 4-F, filed 9:36 a. m.
Springfield Order No. 23, Amendment No. 3, filed 9:30 a. m.
Springfield Order No. 24, Amendment No. 3, filed 9:30 a. m.
Springfield Order No. 25, Amendment No. 3, filed 9:30 a. m.
Springfield Order No. 26, Amendment No. 3, filed 9:30 a. m.
Springfield Order No. 27, Amendment No. 3, filed 9:30 a. m.
Springfield Order No. 28, Amendment No. 3, filed 9:30 a. m.

REGION VIII

Los Angeles Order No. L. A.-5, Amendment No. 14, filed 9:23 a. m.
Los Angeles Order No. L. A.-6, Amendment No. 14, filed 9:23 a. m.
Los Angeles Order No. L. A.-7, Amendment No. 14, filed 9:23 a. m.
Los Angeles Order No. L. A.-8, Amendment No. 14, filed 9:24 a. m.
Phoenix Order No. 3-F, Amendment No. 17, filed 9:34 a. m.
San Diego Order No. 1-F, Amendment No. 34, filed 9:39 a. m.
Spokane Order No. 29, filed 9:35 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-6949; Filed, May 15, 1944; 12:00 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on May 12, 1944.

REGION V

Fort Worth Order No. 4-F, Amendment No. 16, filed 9:39 a. m.
Fort Worth Order No. 5-F, Amendment No. 16, filed 9:37 a. m.
Fort Worth Order No. 6-F, Amendment No. 4, filed 9:37 a. m.
Wichita Order No. 3-F, Amendment No. 7, filed 9:44 a. m.

REGION VI

Fargo-Moorhead Order No. 1-F, Amendment No. 4, filed 9:37 a. m.
Fargo-Moorhead Order No. 2-F, Amendment No. 4, filed 9:37 a. m.
Fargo-Moorhead Order No. 3-F, Amendment No. 4, filed 9:38 a. m.
Quad-Cities Order No. 31, filed 9:39 a. m.
Moline Order No. 2-F, Amendment No. 12, filed 9:38 a. m.
Moline Order No. 3-F, Amendment No. 3, filed 9:38 a. m.
Sioux City Order No. 3-F, Amendment No. 4, filed 9:41 a. m.
Sioux City Order No. 4-F, Amendment No. 4, filed 9:41 a. m.
Sioux Falls Order No. 1-F, Amendment No. 4, filed 9:45 a. m.

REGION VIII

Spokane Order No. 1-F, Amendment No. 8, filed 9:41 a. m.
Spokane Order No. 2-F, Amendment No. 5, filed 9:41 a. m.
Spokane Order No. 5-F, Amendment No. 2, filed 9:41 a. m.
San Diego Order No. 1-F, Amendment No. 35, filed 9:44 a. m.
San Diego Order No. 1-F, Amendment No. 36, filed 9:44 a. m.
San Francisco Order No. 1-F, Amendment No. 13, filed 9:44 a. m.
San Francisco Order No. 2-F, Amendment No. 6, filed 9:44 a. m.
San Francisco Order No. 3-F, Amendment No. 5, filed 9:43 a. m.
San Francisco Order No. 4-F, Amendment No. 4, filed 9:43 a. m.
San Francisco Order No. 5-F, Amendment No. 3, filed 9:42 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-6950; Filed, May 15, 1944; 12:00 p. m.]

[Charleston Order G-2 Under MPR 429]

REBUILT HOUSEHOLD FURNITURE IN CHARLESTON, W. VA., DISTRICT

Order No. G-2 under Maximum Price Regulation No. 429 revoking Order No. G-1, as amended, under Maximum Price Regulation No. 429.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Charleston District of the Office of Price Administration by Delegation Order No. 1A Revised, issued by the Regional Administrator of Region III, pursuant to the provisions of sections 9 and 10 of Maximum Price Regulation No. 429; *It is hereby ordered*, That Order No. G-1, as amended, under Maximum Price Regulation No. 429, fixing maximum prices of certain rebuilt household furniture, issued by the Director of the Charleston District on December 30, 1943, effective December 30, 1943, shall be, and the same hereby is, revoked, except that, for a period of ninety days from its effective date, this order shall not apply to furniture which, prior to May 10, 1944, was rebuilt or in process of rebuilding under the provisions of Order No. G-1.

This order of revocation shall become effective May 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671, and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of May 1944.

S. GROVER SMITH,
District Director.

[F. R. Doc. 44-6952; Filed, May 15, 1944; 1:39 p. m.]

[Albany Order G-1 Under MPR 426, Amdt. 1]

FRUIT AND VEGETABLE ITEMS IN ALBANY DISTRICT

Amendment No. 1 to Order No. G-1 under section 8 (a) (7) of Maximum Price Regulation No. 426. Fresh fruits and vegetables for table use, sales except at retail. Amount of freight from basing point to wholesale receiving point allowed for determining maximum prices of certain fruit and vegetable items at points in the Albany District.

For the reasons stated in an opinion issued simultaneously herewith and pursuant to the authority contained in section 8 (a) (7) of Maximum Price Regulation No. 426, this amendment is hereby issued.

SECTION 1. *What this amendment does.* This amendment changes the amount of freight allowed for LA crates of carrots at Saranac Lake, Plattsburg, and Malone, from $1.74 to $1.78.

SEC. 2. *Revocation.* The amount of freight allowed under section 3 (b) of Order No. G-1 for LA crates of carrots at Saranac Lake, Plattsburg and Malone in the sum of $1.74 is hereby revoked.

SEC. 3. *The determination of the amount of freight allowed in establishing maximum selling prices.* The amount of freight from basing point to wholesale receiving point which may be added to the maximum basing point price for the purpose of determining maximum selling prices of LA crates of carrots at Saranac Lake, Plattsburg and Malone, and in the markets which they serve, shall be $1.78.

SEC. 4. *Effective date.* This amendment and the amount of freight established hereunder shall become effective on the 8th day of May 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681; MPR 426, 8 F.R. 16409)

Issued this 4th day of May 1944.

LESTER W. HERZOG,
District Director.

[F. R. Doc. 44-6959; Filed, May 15, 1944; 1:38 p. m.]

[Region I Supp. Order 2 Under EMPR 122, Amdt. 7]

SOLID FUELS IN BOSTON REGION

Amendment No. 7 to Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers; named Pennsylvania Anthracite.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. The following is added to the table in paragraph (a).

Kind and size	Amount of addition			
	Per net ton	½ ton	¼ ton	100 lbs.
Delano: Broken, egg, stove, chestnut, pea, buckwheat and rice	$0.25	$0.15	$0.05	None

2. The word "Delano" is inserted in subparagraph (2) of paragraph (d).

3. Subparagraph (16) is added to paragraph (d), to read as follows:

(16) "Delano" means that Pennsylvania anthracite which is produced and prepared by Delano Anthracite Collieries Company, Ashland, Pennsylvania, and which meets the quality and preparation standards established by Order No. 13 under Maximum Price Regulation No. 112.

This Amendment No. 7 shall become effective May 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671 and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6960; Filed, May 15, 1944; 1:38 p. m.]

[Region II Order G-2 Under MPR 426]

LETTUCE IN NEW YORK REGION

Order No. G-2 under section 2 of Maximum Price Regulation No. 426.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration for Region II by section 2 of Maximum Price Regulation No. 426 this order is hereby issued.

SECTION 1. *What this order does.* This order establishes maximum markups for lettuce when sold in less than carlot or less than trucklot quantities except when sold for commercial processing and except when sold by retailers.

SEC. 2. *Where this order applies.* This order applies to the States of Delaware, Maryland, New Jersey, and New York, the Commonwealth of Pennsylvania, and the District of Columbia.

SEC. 3. *Relation to Maximum Price Regulation No. 426.* This order supersedes the provisions of Maximum Price Regulation No. 426 only to the extent that the markups or other provisions contained herein are different from or inconsistent with the markups or revisions of Maximum Price Regulation No. 426. In all other respects Maximum Price Regulation No. 426 shall continue to have full force and effect in the area covered by this order.

SEC. 4. *Definitions.* (a) When used in this regulation the term:

(1) *"Carlot receiver"* or *"trucklot receiver"* means a person who for his own account and profit buys lettuce in unbroken carlots or unbroken trucklots for resale in less than carlots or less than trucklots to persons other than ultimate consumers.

(2) *"Secondary jobber"* means a person other than a retailer who for his own account and profit purchase lettuce in less than carlots or less than trucklots and resells it in any quantities.

(3) *"Service wholesaler"* means a person who maintains a store or warehouse at which the particular goods being priced is received and stored or warehoused, who maintains at such store or warehouse facilities for cold storage, ripening, trimming, sorting, washing, repacking and other handling of lettuce and other fresh fruits and vegetables, who employs salesmen to call on the trade in the city or country points which he services, and who sells the particular goods being priced to retail stores, government procurement agencies or commercial or institutional users.

(4) *"Delivered"* means delivered free to the physical premises of the store or other business establishment of the purchaser and, in the case of retailers, delivered free to the individual retail store

(b) Unless the context otherwise requires, the definitions set forth in Maximum Price Regulation No. 426 (especially in Appendices A & B thereof) and in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this order.

SEC. 5. *Maximum markups for lettuce.* (a) The maximum markups which any person covered by this order may add to the carlot or trucklot price at any wholesale receiving point or in any market for the sale of lettuce in less than carlot or less than trucklot quantities shall be:

Type of sale	Maximum markups	
	Col. 1	Col. 2
	Iceberg lettuce in L. A. or Salinas crates containing not less than 48 heads and a minimum net weight of 60 pounds	All lettuce in any container, except Iceberg lettuce packed as described in Col. 1, including hothouse lettuce
(1) Sales by growers or country shippers:	*Per crate*	*Per pound*
(a) Through a broker or shipper's sales agent or terminal auction [1]	[1] $0.14	[1] $0.002
(b) Through a commission merchant:		
1. F. o. b. from railroad car, truck, pier, terminal platform or building [1]	[1] .30	[1] .005
2. F. o. b. commission merchant's warehouse or store: *Provided*, That lettuce has been unloaded into a place in seller's warehouse or store [1]	[1] .40	[1] .007
3. "Delivered" free to the physical premises of any type of purchaser [1]	[1] .40	[1] .007
(c) Delivered free from country shipping point in conveyance owned by the grower or country shipper to the physical premises of retail stores where resale is made to ultimate consumers, to government procurement agencies, or to institutional buyers	.90	.015
(2) Sales by carlot or trucklot receivers:		
(a) F. o. b. from railroad car, truck, pier, terminal platform or building	.30	.005
(b) F. o. b. seller's warehouse or store: *Provided*, That lettuce has been unloaded into a place in seller's warehouse or store	.40	.007
(c) Delivered free to the physical premises of any type of purchaser	.40	.007
(3) Sales by secondary jobbers and service wholesalers:		
(a) F. o. b. seller's warehouse or store	.80	.013
(b) Delivered free to the physical premises of any purchaser except an individual retail store or a commercial or institutional user	.80	.013
(c) Delivered free to the physical premises of an individual retail store or a commercial or institutional user	.50	.015
(d) "Delivered" sales by service wholesalers of less than half original containers		.02

[1] The maximum amount which may be added to the carlot or trucklot price for sales by growers or country shippers through brokers, shipper's sales agents or commission merchants shall be the applicable amount named in the table above or the actual commissions or fees charged for the particular sale, not to exceed the maximum allowable commission or fee which the agent may charge under Maximum Price Regulation No. 165, whichever is lower. In the case of sales through terminal auctions the maximum markup shall be the applicable amount named in the above table or the actual commissions or fees charged for the particular sale, not to exceed the maximum allowable commission or fee which the agent of the auction seller and which the auction company may charge under Maximum Price Regulation No. 165 plus any actual unloading charges in the terminal market, whichever is lower.

SEC. 6. *Effective date.* This order shall become effective at 12:01 a. m. on May 13, 1944.

(86 Stat. 23, 765; Pub. Law. 151, 78th Cong.; E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681; MPR 426, 8 F.R. 16409)

Issued this 11th day of May 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

Approved:

F. D. CRONIN,
Regional Director of Food Distribution.

[F. R. Doc. 44-6968; Filed, May 15, 1944; 1:36 p. m.]

[Region IV Order G-6 Under SR 15]

FLUID MILK IN HOUSTON, MISS.

Order No. G-6 under § 1499.75 (a) (9) (i) of Supplementary Regulation No. 15 to the General Maximum Price Regulation. Adjustment of approved fluid milk prices in Houston, Mississippi.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration, Region IV, by § 1499.75 (a) (9) (i) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, it is hereby ordered:

(a) *Adjustment of maximum prices for approved fluid milk in Houston, Mississippi.* On and after May 1, 1944, the maximum prices for approved fluid milk sold and delivered to any person within Houston, Mississippi, at wholesale or retail in glass containers of one quart or less shall be:

	Quarts	Pints	Half pints
	Cents	*Cents*	*Cents*
Wholesale	12	7	3½
Retail out-of-store	14	8	4½
Retail home-delivered	14	8	4½

One-third quart container sizes. The seller shall adjust his maximum wholesale price for one-third quart container sizes, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one half cents per one-third quart, and two cents per half-pint.

Retail sales other than (A) out-of-store, (B) home deliveries, (C) retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal the listed wholesale prices subject to any applicable discounts or allowances.

(b) *Applicability of the General Maximum Price Regulation and other supplementary regulations and orders of the Office of Price Administration.* Except as otherwise provided herein, all transactions subject to this order remain subject to all the provisions of the General Maximum Price Regulation, together with all amendments, supplementary regulations and orders which have been heretofore or may hereafter be issued. Specifically, but not by way of limitation, unless the context of this order otherwise requires, the provisions of § 1499.73a (a) (1) (viii) (b), (c), (d), (e), (f) and (g) and § 1499.73a (a) (1) (x) (Supplementary Regulation No. 14A to the General Maximum Price Regulation as amended) shall be applicable and are made a part of this order. Unless the context otherwise requires, all terms used herein shall be construed in accordance with the provisions of § 1499.20 of the General Maximum Price Regulation, as amended.

(c) This order may be revoked, amended or corrected at any time.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671 and E.O. 2328, 8 F.R. 4681)

Issued: May 4, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44-6962; Filed, May 15, 1944; 1:29 p. m.]

[Region VII Order G-1 Under SR 15. Amdt. 2]

FLUID MILK IN MONTANA

Order No. G-1 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, Amendment No. 2. Adjusted maximum prices for fluid milk sold at wholesale and at retail in the State of Montana.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.75 (a) (9) (i) (a) (1) (i) of Supplementary Regulation 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 2 is issued.

1. Paragraph (b) (3) is amended by changing the period after the word "points" at the end thereof to a semicolon and adding the following: "and the municipality of Glendive and a distance of five miles beyond the corporate limits thereof at all points."

2. Paragraph (b) (5) is amended by inserting after the word "Dawson" the following: "(except the municipality of Glendive and a distance of five miles beyond the corporate limits thereof at all points)",

3. *Effective date.* This amendment shall become effective on the 6th day of May 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 6th day of May 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-6963; Filed, May 15, 1944; 1:29 p. m.]

[Region VII Rev. Order G-4 Under MPR 329, Amdt. 1]

Revised Order No. G-4 Under Maximum Price Regulation No. 329, Amendment No. 1. Purchases of fluid milk from producers in the State of Montana.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1351.408 (a) (1) (i) of Maximum Price Regulation No. 329, as amended, and for the reasons set forth in the accompanying opinion, this Amendment No. 1 is issued.

1. Paragraph (h) (5) is amended and rewritten to read as follows:

(5) "District No. 3" of the State of Montana means the municipalities of Red Lodge in Carbon County, Livingston in Park County, and Glendive in Dawson County (including an area extending beyond the respective corporate limits of each said municipality a distance of five miles at all points).

2. Paragraph (h) (7) is amended by inserting after the word "Dawson" in the seventh line thereof the following: "(except the municipality of Glendive and a distance of five miles beyond the corporate limits thereof at all points)".

3. *Effective date.* This Amendment No. 1 shall become effective on the 6th day of May 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 6th day of May 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-6965; Filed, May 15, 1944; 1:31 p. m.]

[Region VII Rev. Order G-13 Under 18 (c), Amdt. 1]

FIREWOOD IN MONTANA

Revised Order No. G-13 under § 1499.18 (c) of the General Maximum Price Regulation, Amendment No. 1. Adjustment of wholesale and retail prices for firewood in certain localities in the State of Montana.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, Revised General Order No. 13 under § 1499.18 (c) of the General Maximum Price Regulation is redesignated Revised Order No. G-13 under § 1499.18 (c) of the General Maximum Price Regulation, and this Amendment No. 1 thereto is issued.

1. Paragraphs (f) and (g) are redesignated (h) and (i), respectively, and two new paragraphs designated (f) and (g), respectively, are inserted, to read as follows:

(f) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this revised order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e., hard, soft, or mixed, and length of pieces of wood.)

(5) Place of sale. (If the price is dependent on place of delivery, then the place of delivery shall be stated.)

(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying and stacking, and the charge made for each such service. The seller shall keep an exact copy of such invoice or memorandum for a period of two years, and such copy shall be made available for inspection by the Office of Price Administration.

(g) *Bureau of the Budget approval.* The record-keeping provision of this Amendment No. 1 has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

2. *Effective date.* This amendment shall become effective on the 4th day of May 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 4th day of May 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-6964; Filed, May 15, 1944; 1:29 p. m.]

[Region VII Rev. Order G-41 Under 18 (c)]

FRUIT AND VEGETABLE CRATES AND BOXES IN DENVER, COLO., AREA

Revised Order No. G-41 Under § 1499.18 (c) of the General Maximum Price Regulation. Adjustment of prices for fruit and vegetables crates and boxes sold by manufacturers in the Denver, Colorado, area.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, Order No. G-41 under § 1499.18 (c) of the General Maximum Price Regulation, as amended by Amendments No. 1 and No. 2 thereto, is hereby redesignated Revised Order No. G-41, and made to read as follows:

(a) *What this Revised Order No. G-41 does.* This Revised Order No. G-41 revokes and supersedes Order No. G-41 issued June 16, 1943, and Amendments No. 1 and No. 2 thereto, and, as of the effective date hereof, establishes adjusted maximum prices for manufacturers and persons who purchase from a manufacturer for resale.

(b) *Maximum prices established for manufacturers.* From and after the effective date of this Revised Order No. G-41, the maximum prices to be charged by manufacturers of fruit and vegetable crates and boxes in the Denver, Colorado, area shall be $77.50 per thousand board feet of lumber used in the manufacture of such fruit and vegetable crates and boxes, apportioned to each crate or box; that is to say, the maximum price for each such crate or box or for any given number of such crates or boxes shall be the sum that bears the same ratio to the sum of $77.50 as the material consumed in the manufacture of such crate or box or any particular number of such crates or boxes bears to 1,000 board feet of lumber. *Provided, however,* That when a manufacturer actually performs any one or more of the assembly services or furnishes the extras specified in paragraph (g), Appendix A, hereof, he may add to his adjusted maximum price the amount set forth in said Appendix A.

(c) *Jobbers, wholesalers, and retailers not required to absorb increase.* Any manufacturer of fruit and vegetable crates and boxes who establishes his maximum prices therefor under this Revised Order No. G-41 and who sells to a person who purchases for resale, such as a jobber, wholesaler, or retailer, shall state on the invoice or other written memorandum of the transaction the exact amount in dollars and cents of the increase per unit or specified quantity by which his adjusted maximum price exceeds his maximum price as established under the General Maximum Price Regulation, and such purchaser may add to his maximum price as established under the General Maximum Price Regulation the amount of such certified increase in the manufacturer's price.

(d) *Definitions.* (1) "Fruit and vegetable crates and boxes" mean any assembled or unassembled crate or box, or similar container, made principally of wood in the form of lumber, plywood, shook, or veneer, and used for packaging perishable fruits and vegetables.

(2) "Denver, Colorado, area" means all of the area contained within the municipal boundaries of the City and County of Denver, Colorado, and a distance of ten miles beyond at all points.

(e) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules of regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(f) *Right to revoke or amend.* This revised order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(g) *Appendix A.*

PERMITTED INCREASES FOR SPECIFIED ASSEMBLY SERVICES

Kind of container	*Per 100 units*
Fresh apple	$2.00
Asparagus, with centers	3.25
Asparagus, without centers	2.75
Berry	[1] 2.00
Cannery	2.50
Cherry, with partitions	[2] 2.00
Cherry, without partitions	1.75
Ordinary lugs	[2] 2.00
Cantaloupe heads, per 100 pairs	2.20
Cantaloupe crates complete	4.40
Cantaloupe framing only	2.20
For nailing beveled slats on cantaloupe, add	.10
Honey-dew framing only	2.10
Honey-dew crates, without posts	2.10
Pear	2.00
Trays:	
2 x 3	5.00
3 x 6	12.00
3 x 7	13.00
3 x 8	14.00
Vegetable crates:	
10-slat, framing only	2.10
9-slat, framing only	2.00
Nailing heads only	2.10
10-slat complete	4.20
9-slat complete	4.10
Cauliflower and half lettuce crates:	
Framing only	1.75
Nailing heads only	2.10
Complete	3.85
Sturdee celery, framing only	2.50
Sturdee celery, nailing heads only	2.50
Sturdee celery, complete	5.00
Half celery, framing only	2.90
Half celery, nailing heads only	2.10
Half celery, complete	5.00
Cub celery	2.00
Stitching:	
One slat and 2 cleats	.30
2 or more slats and 2 cleats	.35
2 or more slats and 3 cleats	.50

[1] If no cleats, deduct 25¢ per 100 boxes. For each extra pair of cleats over first pair, add 25¢ per 100 boxes.

[2] If stitched covers instead of nailed bottoms, add 25¢.

PERMITTED INCREASES FOR SPECIFIED EXTRAS

Bevels:	
Cantaloupe slats (both edges)	$0.25 per 100 pieces.
Handholes, part through	$0.25 per 100 operations.
Handholes, through	$0.50 per 100 operations.
Notching:	
Other than vegetable and field crates	$0.25 per 100 operations.
Vegetable or field crate posts and rails	$0.75 per 100 crates.
Printing:	
1 color	$0.15 per 100 prints.
2 color	$0.25 per 100 prints.
3 color	$0.50 per 100 prints.
Set-up type (plus $2.00 for set-up)	$0.15 per 100 prints.
Tying:	
Double wire or double rope tying, including marking	$1.25 per 1000 feet.
Triple wire or triple rope tying, including marking	$2.50 per 1000 feet.
Triangling corner posts (4 posts per crate or box)	$0.10 per 100 posts.

(h) *Effective date.* This Revised Order No. G-41 shall become effective retroactively as of April 26, 1941.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of April 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-6967; Filed, May 15, 1944; 1:33 p. m.]

[Region VII Order G-46 Under 18 (c), Amdt. 2]

FIREWOOD IN COLORADO

Order No. G-46 Under § 1499.18 (c) of the General Maximum Price Regulation, Amendment No. 2. Adjustment of maximum prices for firewood sold anywhere within the State of Colorado.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 2 is issued.

1. Paragraph (e), "Effective date", is redesignated (g), and two new paragraphs (e) and (f) are inserted to read as follows:

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e., hard, soft, or mixed, and length of pieces of wood.)

(5) Place of sale. (If the price is dependent on place of delivery, then the place of delivery shall be started.)

(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying and stacking, and the charge made for each such service. The seller shall keep an exact copy of such invoice or memorandum for a period of two years, and such copy shall be made available for inspection by the Office of Price Administration.

(f) *Bureau of the Budget approval.* The record-keeping provision of this Amendment No. 2 has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

2. *Effective date.* This Amendment No. 2 shall become effective April 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of April 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-6958; Filed, May 15, 1944; 1:38 p. m.]

[Region VII Order G-49 Under 18 (c), Amdt. 1]

FIREWOOD IN CERTAIN COUNTIES IN NEW MEXICO

Order No. G-49 under § 1499.18 (c) of the General Maximum Price Regulation, Amendment No. 1. Adjusted maximum prices for firewood in certain counties in the State of New Mexico.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 1 is issued.

1. Paragraph (l), "*Revocation*", is redesignated (n), and two new paragraphs (l) and (m) are inserted to read as follows:

(l) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the

time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale.
(2) The name and address of the buyer and seller.
(3) The quantity of firewood sold.
(4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e., hard, soft, or mixed, and length of pieces of wood.)
(5) Place of sale. (If the price is dependent on place of delivery, then the place of delivery shall be stated)
(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying and stacking, and the charge made for each such service. The seller shall keep an exact copy of such invoice or memorandum for a period of two years, and such copy shall be made available for inspection by the Office of Price Administration.

(m) *Bureau of the Budget approval.* The record-keeping provision of this Amendment No. 1 has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

2. *Effective date.* This Amendment No. 1 shall become effective April 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of April 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-6957; Filed, May 15, 1944; 1:37 p. m.]

[Region VII Order G-50 Under 18 (c), Amdt. 1]

CORDWOOD IN BOISE, IDAHO, AREA

Order No. G-50 under § 1499.18 (c) of the General Maximum Price Regulation, Amendment No. 1. Maximum prices for cordwood sold and delivered in the Boise, Idaho, Trade Area.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 1 is issued.

1. Paragraph (m), "Effective date", is redesignated (o), and two new paragraphs (m) and (n) are inserted to read as follows:

(m) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale.
(2) The name and address of the buyer and seller.
(3) The quantity of firewood sold.
(4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e., hard, soft, or mixed, and length of pieces of wood.)
(5) Place of sale. (If the price is dependent on place of delivery, then the place of delivery shall be stated.)
(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying and stacking, and the charge made for each such service. The seller shall keep an exact copy of such invoice or memorandum for a period of two years, and such copy shall be made available for inspection by the Office of Price Administration.

(n) *Bureau of the Budget approval.* The record-keeping provision of this Amendment No. 1 has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

2. *Effective date.* This Amendment No. 1 shall become effective April 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of April 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-6954; Filed, May 15, 1944; 1:36 p. m.]

[Region VII Order G-51 Under 18 (c), Amdt. 2]

CORDWOOD IN NAMPA, IDAHO

Order No. G-51 under § 1499.18 (c) of the General Maximum Price Regulation, Amendment No. 2. Maximum prices for cordwood sold and delivered in Nampa, Idaho.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 2 is issued.

1. Paragraph (m), "Effective date", is redesignated (o), and two new paragraphs (m) and (n) are inserted to read as follows:

(m) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale.
(2) The name and address of the buyer and seller.
(3) The quantity of firewood sold.
(4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e., hard, soft, or mixed, and length of pieces of wood.)
(5) Place of sale. (If the price is dependent on place of delivery, then the place of delivery shall be stated.)
(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying and stacking, and the charge made for each such service. The seller shall keep an exact copy of such invoice or memorandum for a period of two years, and such copy shall be made available for inspection by the Office of Price Administration.

(n) *Bureau of the Budget approval.* The record-keeping provision of this Amendment No. 2 has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

2. *Effective date.* This Amendment No. 2 shall become effective April 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E. O. 9328, 8 F.R. 4681)

Issued this 29th day of April 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-6956; Filed, May 15, 1944; 1:36 p. m.]

[Region VIII Order G-2 Under 18 (c), Amdt. 24]

FLUID MILK IN CERTAIN LOCALITIES IN CALIFORNIA

Amendment No. 24 to Order No. G-2 under § 1499.18 (c) as amended, of the General Maximum Price Regulation. Fluid milk prices at wholesale and retail in certain localities in the State of California.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 of the General Maximum Price Regulation, it is hereby ordered that Order No. G-2 under § 1499.18 (c) as amended of the General Maximum Price Regulation be amended as set forth below:

(a) Schedule B is hereby amended by adding at the end of the schedule of prices under the heading "Fresno. Mariposa, Madera, and Merced Counties except the localities listed below" the following:

Kerman, Biola, Mendota, Southside Ranches (Giffen, No. 1, 2, and 3, Colt), Firebaugh School, Biola School, Firebaugh, Northside Ranches (Colony, Mercantile, Hotchkiss, Hammond, Barbone, Eastside), Les Deltas School in Fresno County:	*Wholesale delivered*		*Retail store*	
	3.5%	4.2%	3.5%	4.2%
Quart, fibre	$0.135	$0.145	$0.15	$0.16

This amendment shall become effective May 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9230, 7 F.R. 7871 & E.O. 9328, 8 F.R. 4681)

Issued this 2d day of May 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-6955; Filed, May 15, 1944; 1:37 p. m.]

[Region VIII Order G-24 Under 18 (c), Amdt. 2]

CERTAIN CHARCOALS IN SAN FRANCISCO REGION

Amendment No. 2 to Order No. G-24 under § 1499.18 (c) as amended, of the General Maximum Price Regulations. Resale of certain charcoals manufactured by George Oravets & Son, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation, it is hereby ordered that paragraph (a) (1) of Order No. G-24 under § 1499.18 (c), as amended, of the General Maximum Price Regulation be amended to read as follows:

(1) Fir wood charcoal ground to poultry sizes 35/100ths of a cent per pound. The seller may also charge a deposit not to exceed $0.15 per 75 pound bag, to be refunded if the bag is returned in a usable condition.

This Amendment No. 2 shall become effective immediately.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 2d day of May 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-6956; Filed, May 15, 1944; 1:37 p. m.]

[Region VIII Order G-12 Under MPR 165]

SPRINKLER TRUCKS IN SAN FRANCISCO REGION

Order No. G-12 under Maximum Price Regulation No. 165, as amended. Services. Maximum rentals for sprinkler trucks by certain persons in Region VIII.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.102 (d) of Maximum Price Regulation No. 165, as amended, and § 1499.3 (d) of the General Maximum Price Regulation, and General Order No. 32, *It is hereby ordered:*

(a) The maximum price for the rental of a sprinkler truck in Region VIII for any person who is unable to determine a maximum price pursuant to paragraphs (a), (b), or (c) of § 1499.102 of Maximum Price Regulation No. 165, as amended, or (in the case of a rental on a fully operated basis, of such a nature as to constitute an agreement to perform a sprinkling service) § 1499.2 of the General Maximum Price Regulation, shall be the following:

(1) *Gravity sprinkler trucks; fully operated basis.* (i) The maximum rental price for a gravity sprinkler truck rented on a fully operated basis shall be a price calculated on the basis of the hours of actual use of such truck multiplied by an hourly rate which is the sum of the applicable charge per hour set forth in the following schedule, plus 135% of the hourly wage for the operator of such truck at the Government or union rate prevailing on the particular job or if no such rates are applicable the prevailing rate on March 31, 1942 in the area of the job site. Rate or rates as used in this paragraph means the aforesaid items. Where the rental is on a fully operated basis, excepting only a driver, the maximum rental price shall be computed by multiplying the number of hours of actual use by the actual charge per hour set forth in the following schedule:

SCHEDULE Gallon capacity:	*Charge per hour (not including drivers' wages)*
800	$1.50
900	1.585
1,000	1.67
1,100	1.755
1,200	1.84
1,300	1.925
1,400	2.01
1,500	2.095
1,600	2.18
1,700	2.265
1,800	2.35
1,900	2.435
2,000	2.52
2,100	2.605
2,200	2.69
2,300	2.775
2,400	2.86
2,500	2.945
3,000	3.37
3,500	3.795
4,000	4.22
4,500	4.645
On all 3 axle, ten tire truck, with drive on two rear axles, add	.40

(ii) The maximum charge for any capacity above 800 gallons not listed in the above schedule shall be determined by adding to the charge in said schedule for 800 gallons, an amount arrived at on the basis of 8½¢ per 100 gallons for every gallon above 800 gallons.

(iii) In every instance, the foregoing maximum hourly rates shall apply irrespective of the time the gravity sprinkler truck is on the job except that where the lessor is required to pay his truck operator overtime wages on any job because of the overtime operation of the truck there may be added to the maximum rental the dollar amount, determined according to the applicable Government or union wage rates or if none is applicable, the wage rates in effect on March 31, 1942 in the area of the job site, of so much of the excess of overtime wages over straight time wages as is actually paid the operator because of overtime operation of the truck.

(iv) In every instance, rental for any gravity sprinkler truck rented on a fully operated basis shall be calculated in accordance with this paragraph as beginning not sooner than the time the truck arrives on the job ready for use and ending not later than the time the truck is finally released on the job for return to the lessor except that where the truck must be moved daily to and from the job, the lessor may charge the lessee an additional hour's rental at the applicable maximum rate for each day that the truck is moved to and from the job.

(2) *Gravity sprinkler trucks; bare basis.* (i) The maximum rental price for any gravity sprinkler truck on a bare basis shall be a price calculated on the basis of a monthly rate equal to 7% of the value (new) of such truck, plus 5% of the value (new) of the gravity sprinkler tank and system; the maximum rate per week shall not exceed ½ of the maximum rate per month; the maximum rate per day shall not exceed 1/12 of the maximum rate per month.

(ii) In every instance, rental of gravity sprinkler trucks leased on a bare basis shall be calculated as beginning at the time trucks are delivered into the possession of the lessee and as terminating at the time when trucks are delivered back into the possession of the lessor.

(3) *Special addition; trucks with pumps.* (i) To the maximum rental determined under paragraph (a) or (b) there may be added in the case of a sprinkler truck equipped with a pump, mounted on such truck, an amount equal to ⅛ of the daily rate specified for the particular pump in the table headed "Pumps" in § 1399.16 of Maximum Price Regulation No. 134, plus 70% of this amount in the case of a rental on a fully operated basis.

(4) The term "Region VIII" means the states of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River; and the following Counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

(b) This order shall become effective immediately and shall apply to all sales and deliveries and offers to sell, whether heretofore or hereafter made of the above described rentals by the aforesaid persons. All maximum prices heretofore established for rental of sprinkler trucks by applicants pursuant to section 102 (d) of Maximum Price Regulation No. 165, as amended are hereby revoked and the maximum prices herein established shall apply to all rentals of sprinkler trucks, whether heretofore or hereafter made by said applicants, except to the extent that rentals heretofore made have been paid for at or below a maximum price heretofore established for the particular applicant.

(c) This order shall be subject to revocation or amendment at any time hereafter either by special order or by any price regulation issued hereafter or by any supplement or amendment hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of May 1944.

CHAS. R. BAIRD,
Acting Regional Administrator.

[F. R. Doc. 44-6951; Filed, May 15, 1944; 1:39 p. m.]

[Region VIII Order G-93 Under 18 (c)]

CUSTOM DRESSING OF TURKEYS IN SAN FRANCISCO REGION

Order No. G-93 under § 1499.18 (c), as amended, of the General Maximum Price Regulation. Custom dressing of turkeys.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the Gen-

eral Maximum Price Regulation, *It is hereby ordered:*

(a) The adjusted maximum price for the service of custom processing of live turkeys in Region VIII shall be as follows:

Type of service	Hens	Toms
Kill and haul	$0.30 per head	$0.35 per head.
Loose	$0.035 per lb.	$0.03 per lb.
Boxed	$0.045 per lb.	$0.04 per lb.

(b) *Definitions.* (1) The service of custom processing of turkeys "boxed" means the service of assembling, killing, bleeding, plucking, chilling, grading, head wrapping, and boxing.

(2) The service of custom processing of turkeys "loose" shall be as defined in (1) above except boxing.

(3) The service of custom processing of turkeys "kill and haul" shall be as defined in (1) above except chilling, grading, and boxing.

(4) "Region VIII" means the States of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River, and the following Counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce and Shoshone.

(c) This order may be revoked, amended or corrected at any time.

(d) This order shall become effective May 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O 9328, 8 F.R. 4681)

Issued this 2d day of May 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-6961; Filed, May 15, 1944; 1:29 p. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4488, 4491, as amended, 49 Stat. 1544, 54 Stat. 163–167 (46 U.S.C. 375, 391a, 481, 489, 367, 526–526t), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following items of equipment are prescribed:

BUOYANT CUSHION FOR MOTORBOATS

15" x 15" x 2" Typha filled buoyant cushion (Dwg. dated 17 April, 1944, and specification dated 25 March, 1944), Approval No. B-222, manufactured by Acme Products, Inc., 152–156 Brewery St., New Haven, Connecticut. (For use on motorboats of Classes A, 1, and 2 not carrying passengers for hire for the duration of the National Emergency and six months thereafter.)

LINE THROWING GUN

2½" Hilyard line-throwing gun (Dwg. No. A-230-A, dated 21 April, 1944), submitted by The Hilyard Company, Norristown, Pa.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard, Commandant.

MAY 16, 1944.

[F. R. Doc. 44-7022; Filed, May 16, 1944; 11:18 a. m.]

WAR PRODUCTION BOARD.

LEROY A. KOHLER

CONSENT ORDER

LeRoy A. Kohler, 1445 Wilson Avenue, Chambersburg, Pennsylvania, is charged by the War Production Board in a letter dated March 7, 1944, with having begun construction of four single houses on four lots owned by him, three of which are located on Wilson Avenue between Hudson and Ohio Streets, and one of which is located on Coldbrook Avenue between Nos. 320 and 334, in the City of Chambersburg, Pennsylvania, during August, 1943, without authorization of the War Production Board, in violation of Conservation Order L-41, the exceptions to which were not applicable. LeRoy A. Kohler admits that this construction was in violation of Conservation Order L-41 and does not desire to contest the issue of wilfulness, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of LeRoy A. Kohler, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered,* That:

(a) Neither LeRoy A. Kohler, his successors or assigns, nor any other person, shall do any construction on the houses located on the four lots owned by him, three of which are located on Wilson Avenue between Hudson and Ohio Streets, and one of which is located on Coldbrook Avenue between Nos. 320 and 334, all in the City of Chambersburg, Pennsylvania, including putting up or altering any of the houses, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve LeRoy A. Kohler, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on May 15, 1944.

Issued this 8th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7009; Filed, May 15, 1944; 4:27 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 99

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Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 10—FEDERAL LAND BANKS

REPORTS; CONDITIONAL PAYMENTS; JOINT INDEBTEDNESS TO A BANK AND THE CORPORATION

Section 10.237 of Title 6, Code of Federal Regulations is hereby revoked.

[SEAL] W. E. REHA,
Land Bank Commissioner.

[F. R. Doc. 44-7061; Filed, May 17, 1944; 11:16 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 10, Amdt. 4]

PART 1432—RICE

War Food Order No. 10 (8 F.R. 1076; 9 F.R. 4319), is hereby amended as follows:

1. By striking § 1432.1 (a) (9) and § 1432.1 (a) (10) defining undermilled and milled rice and by inserting in lieu thereof the following:

(9) "Milled rice" means the commodity defined by the "United States Standards for Milled Rice" as amended April 1, 1944: *Provided,* That, as used in paragraph (b) (2) of this order, the term "milled rice" shall not include Screenings milled rice or Brewers milled rice.

2. By striking the word "undermilled" wherever it appears in the order.

3. By striking out the figure "(1)" in the heading of paragraph (c) of the order.

4. By inserting after § 1432.1 (c) (3) the following additional provisions:

(4) The provisions of paragraph (b) (1) of this order shall not apply to brown or milled rice as to which any person becomes the first owner from May 15, 1944, to and including July 31, 1944.

(5) Notwithstanding the provisions of paragraph (b) (2) of this order, any first owner may sell, ship, consign, or deliver brown or milled rice in any amount to any State or the District of Columbia, from May 15, 1944, to and including July 31, 1944.

With respect to violations of said War Food Order No. 10, or rights accrued, or liabilities incurred under said War Food Order No. 10, prior to the effective date of this amendment, said War Food Order No. 10 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violations, rights, or liabilities.

This amendment to said War Food Order No. 10 shall become effective at 12:01 a. m., e. w. t., May 15, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 13th day of May 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-6983; Filed, May 15, 1944; 4:10 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4526]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

AMERICAN ASSOCIATION OF LAW BOOK PUBLISHERS, ET AL.

§ 3.7 *Aiding, assisting and abetting unfair or unlawful act or practice:* § 3.27 (d) *Combining or conspiring; to enhance, maintain or unify prices.* In connection with offer, etc., in commerce, of law books and related legal publications, and on the part of respondent American Association of Law Book Publishers, and some 27 corporations, (constituting the entire membership of said Association, except for certain periods in the case of some), and on the part of their respective officers, etc., entering into, continuing, cooperating in, or carrying out, or directing, instigating or cooperating in, any planned common course of action, mutual agreement, under-

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

	Page
ALIEN PROPERTY CUSTODIAN:	
Proceeding for allowance of claims; Fritz Hohenemser, et al	5324
Vesting orders:	
Albert, Marie	5318
Detert, William Ferdinand	5320
De Vries, Gerget	5320
Eckert, Gustav	5321
Guthrie, Florence H	5321
Heilemann, Karolina	5318
Konigstein, Nettie K. (2 documents)	5321, 5322
Kuehne, Richard	5319
Laub, Richard	5322
Laufer, Anton	5323
Lieber, Peter (3 documents)	5323, 5324
Mendelsohn, Mrs. S	5319
Mohr, Jacob Friedrich	5324
Polysius Corp	5318
Regens Lighter Corp	5317
Sakai, Sueo	5319
FARM CREDIT ADMINISTRATION:	
Federal land banks; reports, conditional payments, joint indebtedness to bank and corporation	5289
FEDERAL POWER COMMISSION:	
Panhandle Eastern Pipe Line Co., hearing (2 documents)	5317
Southwestern Power Administration, request for approval of rates and charges for sale of power from Denison Dam	5317
FEDERAL TRADE COMMISSION:	
American Association of Law Book Publishers, et al., cease and desist order	5289
INTERSTATE COMMERCE COMMISSION:	
Oil field equipment, marshlands, Louisiana and Texas	5316
Refrigerator cars:	
Holding restriction	5316
Substitution	5316
OFFICE OF PRICE ADMINISTRATION:	
Bolts, stave and heading (MPR 535–6)	5305
Cordwood, insulation and felt, and related products (MPR 535–1)	5306

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued. Page
Custom house brokers and foreign freight forwarders; fees and services (Rev. SR 11, Am. 48) 5314
Distribution yard sales:
Hardwood (MPR 467, Am. 3) 5313
Softwood (2d Rev. MPR 215, Am. 5) 5314
Excelsior wood (MPR 535–3) 5309
Fats and oils (MPR 53, Am. 20) 5314
Fish meal and scraps (RPS 73, Am. 6) 5312
Heels and soles, rubber, sales in shoe factory and home replacement trades (MPR 477, Am. 4) 5311
Logs:
Appalachian (MPR 533–3) 5302
Florida (MPR 533–6) 5303
Lake States (MPR 533–2) 5299
Lumber, aromatic red cedar (MPR 454, Am. 1) 5313

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued. Page
Meats, fats, fish and cheeses (RO 16, Rev. Supp. 1, Am. 29) 5315
Petroleum products sold at retail (MPR 137, Am. 3) 5312
Regional and district office orders:
Community ceiling price, list of orders filed 5325
Face brick, common and unglazed, Dalton, Ga. 5325
SECURITIES AND EXCHANGE COMMISSION:
Associated Electric Co. and Pennsylvania Electric Co., applications granted, etc. 5325
SELECTIVE SERVICE SYSTEM:
Induction calls; allocation of requisitions and calls; definition of "father" (Corr.) 5292
WAR DEPARTMENT:
Personnel; decorations for individuals (Corr.) 5291
WAR FOOD ADMINISTRATION:
Rice (WFO 10, Am. 4) 5289
WAR MANPOWER COMMISSION:
Interim employment stabilization plan, Region I 5326
WAR PRODUCTION BOARD:
Gas tanks, liquefied petroleum; placement of orders with tank manufacturers (L–86, Dir. 1) 5298
Strategic materials, imports (M–63, M–63–a) (2 documents) 5292, 5297
Vitamin A (L–40) 5298
WAR SHIPPING ADMINISTRATION:
Labor; substantially continuous service of seamen 5315

standing, combination, or conspiracy between and among any two or more of said respondents or between any one or more of said respondents and others not parties hereto to (1) establish, fix, or maintain discounts, terms, or conditions of sale for law books and related legal publications or adhere to or promise to adhere to the discounts, terms, or conditions of sale so fixed; (2) maintain or adhere to the selling price, terms, and conditions of sale of law books and related publications fixed and established by the respondent who publishes such books; (3) hold or participate in any meeting, discussion, or exchange of information among themselves or under the auspices of the respondent American Association of Law Book Publishers or any other medium or agency concerning proposed or future discounts, terms, or conditions of sale or concerning bids and price quotations in advance of the submission of such bids or price quotations to purchasing officials of the Federal Government or to awarding authorities of other governmental units or subdivisions or to any buyer of law books and related legal publications; (4) arrive at the amount of any bid or the discount, terms, or conditions of sale to be submitted to purchasing officials of the Federal Government, to awarding authorities of other governmental units or subdivisions, or to any buyer of law books and related legal publications through agreement, understanding, or collusion with other bidders; (5) establish, fix, or maintain the rates of allowances to be made, used, and applied on books and other publications received in trade, or fix and maintain the prices, terms, or conditions of sale governing the resale of such law books and related legal publications taken in trade; (6) jointly or cooperatively induce or promote adherence to, or attempt to, induce or promote adherence to, agreements and understandings relative to the sale and distribution of law books and related legal publications by interchange of correspondence, by personal contact with one another individually or in groups, or by policing the bids or sales transactions of respondent members through the respondent Association or otherwise; (7) employ or utilize any of the actual practices specifically prohibited herein as a means or instrumentality of otherwise restricting, restraining, or eliminating competition in the sale and distribution of law books and related legal publications; and (8) employ or utilize American Association of Law Book Publishers or any other medium or central agency as an instrument, vehicle, or aid in performing or doing any of the acts and practices prohibited by this order; prohibited, subject to the proviso that nothing in the order is to be construed as prohibiting any of said corporate respondents from entering into such contracts or agreements relating to the maintenance of resale prices as are not prohibited by the provisions of an Act entitled; "An Act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890 (the Sherman Act) as amended. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, American Association of Law Book Publishers, et al., Docket 4526, April 27, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the et al., Docket 4526, April 27, 1944]

In the Matter of American Association of Law Book Publishers, an Unincorporated Association; Its Officers James R. Spillane, President; Clifford W. Mueller, Vice-President; Richard Reiner, Treasurer; R. Walter White, Secretary; and, The American Law Book Company, a Corporation; The W. H. Anderson Company, a Corporation; Baker, Voorhis and Company, a Corporation; Bancroft-Whitney Company, a Corporation; Matthew Bender and Company, Inc., a Corporation; Bender-Moss Company, a Corporation; George T. Bisel, an Individual Trading as George T. Bisel Company; Clark Boardman Company, Ltd., a Corporation; Bobbs-Merrill Company, a Corporation; John Byrne and Company, a Corporation; Dennis and Company, Inc., a Corporation; The Harrison Company, a Corporation; The Lawyers Co-operative Publishing Company, a Corporation; Little, Brown and Company, a Corporation; The Michie Company, a Corporation; National Law Book Company, a Corporation; Public Utilities Reports, Inc., a Corporation; The Frank Shepard Company, a Corporation; Burdette Smith Company, a Corporation; Soney and Sage Company, a Corporation; Thomas Law Book Company, a Corporation; Edward Thompson Company, a Corporation; Vernon Law Book Company, a Corporation; Washington Law Book Company, a Corporation; West Publishing Company, a Corporation; Williamson Law Book Company, a Corporation; Callaghan & Company, a Corporation; Fallon Law Book Company, a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission; the answers of the respondents; a stipulation as to the facts and a supplemental stipulation as to the facts entered into between W. T. Kelley, Chief Counsel for the the Federal Trade Commission, and the following corporate respondents; The W. H. Anderson Company, Baker, Voorhis and Company, Bancroft-Whitney Company, Matthew Bender and Company, Inc., Bender-Moss Company, Clark Boardman Company, Ltd., Bobbs-Merrill Company, John Byrne and Company, Dennis and Company, Inc., The Harrison Company, The Lawyers Co-Operative Publishing Company, Little, Brown and Company, The Michie Company, National Law Book Company, Public Utilities Reports, Inc., Soney and Sage Company, Thomas Law Book Company, Williamson Law Book Company, and Fallon Law Book Company, which stipulations provide, among other things, that the Commission may proceed upon said statement of facts to make its report, stating its findings as to the facts and its conclusion based thereon, and enter its order disposing of the proceeding without the presentation of further testimony, argument, filing of briefs, or other intervening procedure; and also upon testimony and other evidence taken in support of the allegations of said complaint and in opposition thereto as to the respondents American Association of Law Book Publishers, an unincorporated association, and its officers James R. Spillane, president, Clifford W. Mueller, vice president, Richard Reiner, treasurer, and R. Walter White, secretary, and The American Law Book Company, George T. Bisel, an individual trading as George T. Bisel Company, The Frank Shepard Company, Burdette Smith Company, Edward Thompson Company, Vernon Law Book Company, Washington Law Book Company, West Publishing Company, and Callaghan & Company, before a trial examiner of the Commission theretofore duly designated by it; report of the trial examiner upon the evidence and exceptions filed thereto; briefs in support of the complaint and in opposition thereto; and oral argument of counsel; and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents American Association of Law Book Publishers, an unincorporated association; The American Law Book Company, a corporation; The W. H. Anderson Company, a corporation; Baker, Voorhis and Company, a corporation; Bancroft-Whitney Company, a corporation; Matthew Bender and Company, Inc., a corporation; Bender-Moss Company, a corporation; Clark Boardman Company, Ltd., a corporation; Bobbs-Merrill Company, a corporation; John Byrne and Company, a corporation; Dennis and Company, Inc., a corporation; The Harrison Company, a corporation; The Lawyers Co-Operative Publishing Company, a corporation; Little, Brown and Company, a corporation; The Michie Company, a corporation; National Law Book Company, a corporation; Public Utilities Reports, Inc., a corporation; The Frank Shepard Company, a corporation; Burdette Smith Company, a corporation; Soney and Sage Company, a corporation; Thomas Law Book Company, a corporation; Edward Thompson Company, a corporation; Vernon Law Book Company, a corporation; Washington Law Book Company, a corporation; West Publishing Company, a corporation; Williamson Law Book Company, a corporation; Callaghan & Company, a corporation; and Fallon Law Book Company and their respective officers, agents, representatives, and employees, in connection with the offering for sale, sale, and distribution of law books and related legal publications in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out, or directing, instigating, or cooperating in, any planned common course of action, mutual agreement, understanding, combination, or conspiracy between and among any two or more of said respondents or between any one or more of said respondents and others not parties hereto to do or perform any of the following acts or practices:

1. Establishing, fixing, or maintaining discounts, terms, or conditions of sale for law books and related legal publications or adhering to or promising to adhere to the discounts, terms, or conditions of sale so fixed.

2. Maintaining or adhering to the selling price, terms, and conditions of sale of law books and related publications fixed and established by the respondent who publishes such books.

3. Holding or participating in any meeting, discussion, or exchange of information among themselves or under the auspices of the respondent American Association of Law Book Publishers or any other medium or agency concerning proposed or future discounts, terms, or conditions of sale or concerning bids and price quotations in advance of the submission of such bids or price quotations to purchasing officials of the Federal Government or to awarding authorities of other governmental units or subdivisions or to any buyer of law books and related legal publications.

4. Arriving at the amount of any bid or the discount, terms, or conditions of sale to be submitted to purchasing officials of the Federal Government, to awarding authorities of other governmental units or subdivisions, or to any buyer of law books and related legal publications through agreement, understanding, or collusion with other bidders.

5. Establishing, fixing, or maintaining the rates of allowances to be made, used, and applied on books and other publications received in trade, or fixing and maintaining the prices, terms, or conditions of sale governing the resale of such law books and related legal publications taken in trade.

6. Jointly or cooperatively inducing or promoting adherence to, or attempting to induce or promote adherence to, agreements and understandings relative to the sale and distribution of law books and related legal publications by interchange of correspondence, by personal contact with one another individual or in groups, or by policing the bids or sales transactions of respondent members through the respondent Association or otherwise.

7. Employing or utilizing any of the actual practices specifically prohibited herein as a means or instrumentality of otherwise restricting, restraining, or eliminating competition in the sale and distribution of law books and related legal publications.

8. Employing or utilizing American Association of Law Book Publishers or any other medium or central agency as an instrument, vehicle, or aid in performing or doing any of the acts and practices prohibited by this order.

It is further ordered, That nothing in this order is to be construed as prohibiting any of said corporate respondents from entering into such contracts or agreements relating to the maintenance of resale prices as are not prohibited by the provisions of an act entitled, "An Act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890 (the Sherman Act) as amended.

It is further ordered, That the complaint herein be, and it hereby is, dismissed as to George T. Bisel, an individual trading as George T. Bisel Company.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44–7083; Filed, May 17, 1944; 11:31 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 78—DECORATIONS, MEDALS, RIBBONS, AND SIMILAR DEVICES

DECORATIONS FOR INDIVIDUALS

Correction

In F.R. Doc. 44–6859, appearing on page 5107 of the issue for Tuesday, May 16, 1944, the section number and headnote should read:

"§ 78.2 *To whom decorations awarded.*
* * *"

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 229]

PART 632—INDUCTION CALLS

ALLOCATION OF REQUISITIONS AND CALLS; DEFINITION OF "FATHER"

Correction

In F. R. Doc. 44-6974, appearing at page 5204 of the issue for Wednesday, May 17, 1944, the date "May 9, 1944," should follow the signature of Lewis B. Hershey, Director.

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[General Imports Order M-63, as Amended May 17, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain imported materials for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1042.1 *General Imports Order M-63*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether or not incorporated.

(2) "Owner" of any material means any person who has any property interest in such material except a person whose interest is held solely as security for the payment of money.

(3) "Consignee" means the person to whom a material is consigned at the time of importation.

(4) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico, or any other foreign country.

(5) "Place of initial storage" means any warehouse, yard ground storage, or other place, to which the person making the entry or withdrawal from custody of the United States Bureau of Customs of material imported subject to this order directs or has directed that such material be transported from the port of entry to be held until disposed of pursuant to this order.

(6) Material shall be deemed "in transit" if it is afloat, if an on board ocean bill of lading has actually been issued with respect to it, or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States.

(7) "Governing date" with respect to any material means the date when such material first became subject to General Imports Order M-63.

(b) *Restrictions on imports of materials*—(1) *General restriction.* No person, except as authorized in writing by the War Production Board shall purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any material subject to this order after the governing date. The foregoing restrictions shall apply to the importation of any material subject to the order, regardless of the existence on the governing date or thereafter of any contract or other arrangement for the importation of such material. The materials subject to this order are those listed from time to time upon List I, List II, and List III attached hereto.

(2) *Authorization by War Production Board.* Any person desiring such authorization, whether owner, purchaser, seller, or consignee of the material to be imported, or agent of any of them, shall make application therefor in duplicate on Form WPB-1041 (formerly PD-222C) addressed to the War Production Board, Ref.: M-63, Washington 25, D. C. Unless otherwise expressly permitted, such authorization shall apply only to the particular material and shipment mentioned therein and to the persons and their agents concerned with such shipment; it shall not be assignable or transferable either in whole or in part.

(3) *Restrictions on financing of imports.* No bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation after the governing date of any material subject to this order, unless such bank or person either has received a copy of the authorization issued by the War Production Board under the provisions of paragraph (b) (2) or is satisfied from known facts that the proposed transaction comes within the exceptions set forth in paragraph (b) (4).

(4) *Exceptions.* Unless otherwise directed by the War Production Board, the restrictions set forth in this paragraph (b) shall not apply:

(i) To the Foreign Economic Administration, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, or any agent acting for any such department, agency, or corporation; or

(ii) To any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, or to any material which the owner at the time of importation had purchased or otherwise acquired from any United States governmental department, agency, or corporation; or

(iii) To any material which on the governing date was in transit to a point within the continental United States.

(iv) [Deleted Mar. 30, 1944]

(v) To any material consigned as a gift or imported for personal use where the value of each consignment or shipment is less than $100.00; or to any material consigned or imported as a sample where the value of each consignment or shipment is less than $25.00; or to any used material in the category of household goods imported by the owner for his own personal use; or

(vi) To materials consigned as gifts for personal use by or to members of the Armed Services of the United States; or

(vii) To any material on List I or List II imported by any person under any contract or other arrangement made before, or in existence on the governing date and which, on December 28, 1942, was in transit to a point within the continental United States; or

(viii) To manufactured materials which are imported in bond solely for the purpose of having them repaired and then returned to the owner outside the continental United States; or

(ix) To materials which were grown, produced, or manufactured in the continental United States, and which were shipped outside the continental United States on consignment or pursuant to a contract of purchase, and which are now returned as rejected by the prospective purchaser; or

(x) To materials shipped into the United States in transit from one point in Mexico to another point in Mexico, or from one point in Canada to another point in Canada.

(c) *Restrictions on disposition of List I material.* Except as hereinafter specifically provided in paragraph (d) hereof:

(1) *Restrictions upon owners and consignees.* No owner or consignee of any material on List I which is imported after the governing date shall in any way, directly or indirectly:

(i) Dispose of any interest in such material;

(ii) Process or in any way change the physical condition of such material;

(iii) Transfer possession, or cause or permit a transfer of possession, of such material except to the port of entry and from the port of entry to the place of initial storage of such material; or

(iv) Change, or cause or permit a change of, the location of such material except to the port of entry and from the port of entry to the place of initial storage of such material.

Provided: That a consignee of such material may dispose of his interest in such material to the extent necessary to complete any commitment or contract made prior to the governing date. The person to whom he disposes of such interest shall be subject to all restrictions imposed upon owners by this order.

(2) *Restrictions upon banks and persons similarly situated.* No bank or other person which, as agent, pledgee, beneficiary under a trust receipt, or otherwise, has possession of or any interest in any written instrument evidencing any interest in any material on List I shall in any way, directly or indirectly, dispose of any such interest, or transfer possession, or cause or permit a transfer of possession, of such instrument, unless:

(i) Such material was imported before the governing date; or

(ii) Such person neither knows nor has reason to know that such material was imported after the governing date; or

(iii) Such disposition or transfer is necessary to permit a consignee to make a permissible disposition of material in accordance with subparagraph (1) of this paragraph (c); or

(iv) Such disposition or transfer is made to the owner of the material and such owner has complied with all the provisions of this order.

(d) *Permissible disposition of List I materials* — (1) *Transfer to governmental agency.* Nothing contained in this order shall prohibit an owner or consignee of any material on List I imported after the governing date, or a bank or other person having possession of, or an interest in, a written instrument evidencing an interest in such material, from disposing of, or making any arrangement to dispose of, any interest in such material to the Foreign Economic Administration, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation.

(2) *Authorization by War Production Board.* Notwithstanding the provisions of paragraph (c), an owner or consignee of material on List I imported after the governing date or a bank or other person having possession of or an interest in a written instrument evidencing an interest in such material, may process such material or may dispose of any interest in such material or any such written instrument, or transfer possession or change the location thereof, or cause or permit such a transfer of possession or change of location, upon written authorization by the War Production Board. Any such person may make application in duplicate for such an authorization on Form WPB-1039 (formerly PD-222A), which form shall be addressed to the War Production Board, Ref.: M-63, Washington 25, D. C.

(3) *Exceptions.* The restrictions set forth in paragraph (c) shall not apply to any material after any United States governmental department, agency, or corporation becomes the owner thereof, and shall not apply to any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, and shall not apply to any material purchased or otherwise acquired from any United States governmental department agency, or corporation.

(e) *Restrictions on disposition of List II or List III material.* Unless otherwise provided by the terms of the authorization issued pursuant to paragraph (b) (2), any material on List II or List III, which is imported in accordance with the provisions of this order after the governing date, may be sold, delivered, processed, consumed, purchased, or received without restriction under this order, but all such transactions shall be subject to all applicable provisions of the regulations of the War Production Board and to all orders and directions of the War Production Board which now or hereafter may be in effect with respect to such material.

(f) *Reports*—(1) *Reports on customs entry.* No material which is imported after the governing date, including materials imported by or for the account of the Foreign Economic Administration, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, shall be entered through the United States Bureau of Customs for any purpose, whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file with the entry Form WPB-1040 (formerly PD-222B) in duplicate. The filing of such form a second time shall not be required upon any subsequent entry of such material through the United States Bureau of Customs for any purpose; nor shall the filing of such form be required upon the withdrawal of any material from bonded custody of the United States Bureau of Customs, regardless of the date when such material was first transported into the continental United States. Both copies of such form shall be transmitted by the Collector of Customs to the War Production Board, Division of Stockpiling and Transportation, Ref.: M-63, Washington 25, D. C.

(2) *Other reports.* All persons having any interest in, or taking any action with respect to, any material imported after the governing date, whether as owner, agent, consignee, or otherwise, shall file such other reports as may be required from time to time by the War Production Board.

(g) *Routing of communications.* All communications concerning this order shall, unless otherwise herein directed, be addressed to: War Production Board, Washington 25, D. C., Ref.: M-63.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority assistance. In addition, the War Production Board may direct the disposition and use of any material which is imported without authorization as required by paragraph (b).

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(j) *Effect on liability of removal of material from order.* The removal of any material from the order shall not be construed to affect in any way any liability for violation of the order which accrued or was incurred prior to the date of removal.

Issued this 17th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST I

NOTE: List I amended May 17, 1944, effective May 27, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Commerce Import Class No.	Governing date
Agave manufactures and semi-manufactures:		
Sisal cordage, including cables, tarred or untarred composed of 3 or more strands, each strand composed of 2 or more yarns	3417.010 3417.110	[1] 1/18/43 [1] 1/18/43
Carpet yarns of agave, dyed or undyed	N. S. C.	[1] 7/21/42
Cordage of agave fibers, other than sisal	N. S. C.	[1] 1/18/43
Cords and twines of agave fibers	N. S. C.	[1] 1/18/43
Fabrics woven of agave fibers	N. S. C.	[1] 9/11/42
Other manufactures (including all products in whole or in part of agave fibers)	N. S. C.	1/18/43
Alpaca llama, and vicuna hair	3535.000–3535.400 inc.	[1] 7/2/42
Alpargatas	0369.500	6/28/43
Beef and mutton tallow—includes oleo stock	0036.600	5/22/42
Beef and mutton tallow (inedible)—includes oleo stock	0615.600	5/22/42
Brazilian pebble (quartz crystals), unmanufactured	5120.600	10/6/42
Brazilian pebble (quartz crystals) manufactured and semimanufactured in blanks, slabs, bars, etc	N. S. C.	10/6/42
Broomcorn	2036.600	11/23/42
Cacahuananche oil	N. S. C.	1/16/43
Cacahuananche seeds	N. S. C.	3/5/43
Castor beans	2231.000	4/8/42
Cedar, Spanish:		
Logs	4032.000	4/28/43
Lumber, rough, not further manufactured than sawed, and flooring	4202.000	4/28/43
Lumber, dressed, not further manufactured than planed, tongued, and grooved	N. S. C.	4/28/43
Chrome ore (Chromite)	6213.100 6213.300 6213.500	[4] 12/28/41 [4] 12/28/41 [4] 12/28/41
Cinchona bark or other bark from which quinine may be extracted	2201.000	5/22/42
Cod oil	0804.000	5/22/42
Columbium ore (columbite) or concentrates	6270.300	4/8/42

See footnotes at end of table.

LIST I—Continued

Material	Commerce Import Class No.	Governing date
Cottonseed oil, crude, refined	{1423.100 1423.200	5/22/42 5/22/42
Feathers for beds (including goose and duck feathers and down, and mixtures thereof, new and used)	0922.200	6/28/43
Flaxseed (linseed)	2233.000	5/22/42
Graphite or plumbago:		
Amorphous, natural (except of Mexican origin)	5730.100	4/8/42
Crystalline flake	5730.500	12/28/41
Crystalline, crucible lump and chip graphite	5730.610	4/8/42
Crystalline, dust and other crystalline lump and chip graphite	5730.630	4/8/42
Hemp (Cannabis Sativa type only), unmanufactured:		
Hackled including "line of hemp"	3263.000	9/11/42
Not hackled	3263.200	9/11/42
Tow	3263.300	9/11/42
Hides and skins:		
Deer: buck or doe	0293.100	[1] 9/11/42
Lac: crude, seed, button and stick	2105.000	[2] 4/8/42
Lard oil	N. S. C.	3/5/43
Lard (including rendered pork fat)	0036.000	3/5/43
Lard compounds and lard substitutes made from animal or vegetable oils and fats	0036.100	3/5/43
Leather, unmanufactured:		
Leather made from hides or skins of cattle of the bovine species	{0300.100-0317.900 inc. 0345.000 0345.100}	7/2/42
Leather made from hides or skins of animals of the equine species	N. S. C.	7/2/42
Goat and kidskin leather (except vegetable-tanned)	{0333.000-0333.580 inc. 0335.400 0346.800 0345.200 0345.300}	7/2/42 7/2/42 7/2/42 7/2/42
Linseed oil, and combinations and mixtures, in chief value of such oil	2254.000	5/22/42
Macauba oil	N. S. C.	5/14/43
Manganese ore (including ferruginous) or concentrates, and manganiferrous iron ore, containing 35 percent and over of manganese	6211.200 6211.300	5/14/43 5/14/43
Muru muru nut oil	N. S. C.	8/21/42
Neatsfoot oil and animal oils known as neatsfoot stock	0808.950	5/22/42
Oleo oil	0036.200	8/21/42
Peanut (ground nut) oil	1427.000	5/22/42
Peanuts:		
Shelled	1367.000	4/2/43
Not shelled	1368.000	4/2/43
Prima Vera:		
Logs	4033.400	4/28/43
Lumber, rough, not further manufactured than sawed, and flooring	N. S. C.	4/28/43
Lumber, dressed, not further manufactured than planed, tongued, and grooved	N. S. C.	4/28/43
Pyrethrum or insect flowers	2202.000	10/21/42
Pyrethrum, or insect flowers, advanced in value or condition	2220.310	10/21/42
Rapeseed	2237.000	[5] 5/22/42
Red squill	2210.650	10/21/42
Rotenone bearing roots (cube root (timbo or barbasco) derris and tuba) crude and advanced	2210.280	5/4/42
	2210.300	5/4/42
	2220.360	5/4/42
	2220.370	5/4/42
Rutile	6270.200	12/28/41
Seal oil	0816.000	7/2/43
Sesame oil, edible and inedible	1428.200	[7] 7/21/42
	2249.000	[7] 7/21/42
Sunflower oil, edible and denatured	1421.000	5/22/42
	2247.600	5/22/42
Sunflower seed	2240.000	[8] 5/22/42
Tantalum ore (tantalite)	6270.400	4/8/42
Tucum oil	N. S. C.	8/21/42
Whale oil (other than sperm)	0803.500	5/22/42
Wool grease, including degras or brown wool grease (all grades)	0813.200	5/22/42
	0813.300	5/22/42
	0813.500	5/22/42
Zirconium ore	6270.500	12/28/41

[1] Moved from List II 4/28/43.
[2] Moved from List III 1/18/43.
[3] Moved from List III 4/28/43.
[4] Moved from List II 5/14/43.
[5] Moved from List III 3/3/43.
[6] Moved from List II 10/6/42.
[7] Moved from List III 5/17/44.

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

LIST II

NOTE: List II amended May 17, 1944, effective May 27, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Commerce Import Class No.	Governing date
Agave fibers, unmanufactured, not elsewhere specified on this order (except flume tow and bagasse waste)	N. S. C.	8/5/43
Antimony	6650.000	12/28/41
	6651.000	12/28/41
	6651.100	12/28/41
	8380.190	12/28/41
	8380.210	12/28/41
Asbestos, unmanufactured (originating in Rhodesia or Union of South Africa)	5500.010	1/13/42
	5500.020	1/13/42
	5500.040	1/13/42
	5500.300	1/13/42
	5500.500	1/13/42
	5501.000	1/13/42
	5501.100	1/13/42
	5501.900	1/13/42
	5502.100	1/13/42
Babassu nuts and kernels	2239.130	4/8/42
	2239.150	4/8/42
Babassu nut oil	2257.100	4/8/42
Balsa wood:		
Logs	4029.100	6/10/42
Sawed boards, planks, deals and sawed timber	4118.000	6/10/42
Beryl ore or beryllium ore	6270.000	5/4/42
Beryllium oxide, carbonate and other beryllium salts	8380.963	5/4/42
Bristles, hog and pig	0917.000	[3] 3/14/42
	0979.100	[3] 3/14/42
Brushes, n. s. p. f.:		
Paint brushes (including artists')	9715.100	[9] 9/28/43
Other (except toilet brushes and hair pencils)	9715.900	[9] 9/28/43
Cashew nut kernel oil	2257.400	4/8/42
Cashew nut shell liquid (oil)	2171.850	4/8/42
Castor oil	2290.020	4/8/42
Cattle, ox, and calf tail hair including switches	3696.100	7/2/42
Coconut oil	2242.500	1/13/42
Cohune nuts and kernels	N. S. C.	4/8/42
Cohune nut oil	N. S. C.	9/11/42
Coir fiber	3409.000	[11] 1/23/42
Coir yarn	3420.000	[11] 1/23/42
Coir manufactures, other than pile mats, floor coverings, mattings, etc.	N. S. C.	[11] 1/23/42
Copper	6401.800	12/28/41
	6417.100	3/14/42
	6430.000	3/14/42
	6418.300	6/1/42
Copper and brass scrap	6401.900	12/28/41
	6418.100	7/2/42
	6453.000	6/1/42
	6760.020	6/1/42
Copra	2232.000	1/13/42
Corn or maize oil (edible)	1422.000	5/22/42
Corundum in grains, or ground, pulverized or refined	N. S. C.	5/22/42
Corundum ore	5460.000	5/22/42
Cotton yarns and fabrics:		
Airplane cloth, type MM	N. S. C.	8/21/42
Balloon fabric, type HH	N. S. C.	8/21/42
Balloon fabric, type SS	N. S. C.	8/21/42
Cotton rope or spinning mules	N. S. C.	11/23/42
Dewatting apron fabric	N. S. C.	11/23/42
English spun combed cotton yarn, single or plied, in counts of 58's and finer	N. S. C.	11/23/42
Filter cloth	N. S. C.	11/23/42
Grey tracing cloth fabric	N. S. C.	11/23/42
Lithograph moleskin cloth	N. S. C.	11/23/42
Printers molleton	N. S. C.	11/23/42
Tracing cloth	3970.000	8/21/42
Typewriter ribbon fabric	N. S. C.	8/21/42
Cottonseed hull fiber	N. S. C.	7/21/42
Emetine and salts thereof	N. S. C.	[6] 5/5/43
Fir, other than Douglas fir:		
Logs	N. S. C.	4/28/43

See footnotes at end of table.

LIST II—Continued

Material	Commerce Import Class No.	Governing date
Fir, other than Douglas fir—Con.		
Lumber, rough sawed boards, planks, deals, etc.	4104.040	4/28/43
Lumber, dressed sawed boards, planks, deals, etc.	4104.050	4/28/43
Flax, unmanufactured (all types):		
Hackled, including "dressed line"	3261.000	7/2/42
Not hackled:		
Valued less than $340 per ton	3262.200	4/8/42
Valued $340 or more per ton	3262.600	4/8/42
Noils	3262.700	7/2/42
Tow	3262.800	5/4/42
Straw	3262.900	5/4/42
Glycerine, crude and refined	6290.000	5/22/42
	6291.100	5/22/42
Hides and skins:		
Buffalo hides, dry and wet	0203.000	1/13/42
	0203.100	1/13/42
Cabretta skins or hair sheep skins	0235.000	7/2/42
Calf, dry and wet	0307.000	1/13/42
	0308.000	1/13/42
Cattle hides, dry and wet	0201.000	1/13/42
	0202.000	1/13/42
Goat and kid skins, dry and wet	0241.000	7/2/42
	0242.000	7/2/42
Kip, dry and wet	0205.000	1/13/42
	0206.000	1/13/42
Horse mane and tail hair, raw and drawn, including switches	3694.000	[4] 3/14/42
	3694.100	[4] 3/14/42
Ipecac, crude and advanced in value or condition	2210.420	[12] 1/18/43
	2220.170	[12] 1/18/43
Iron and steel scrap fit only for remanufacture	6004.000	6/1/42
	6004.100	6/1/42
Istle or tampico fiber, manufactured in whole or in part (dressed), except tuk istle	N. S. C.	3/5/43
Istle or tampico fiber manufactures (including all products in whole or in part of istle, except tuk istle)	N. S. C.	[13] 3/23/42
Istle or tampico fiber, unmanufactured (including istle waste)	3405.000	3/14/42
Jewels, for any movement, mechanism, device or instrument dutiable under paragraphs 367 and 368 of the Tariff Act of 1930, or any meter or compass (Jewel bearings)	0580.000	1/12/44
Jute and manufacturers:		
Waste bagging and waste sugar sack cloth	3243.000	6/10/43
Jute yarns or roving, single	3244.000	6/10/43
	3244.100	6/10/43
Jute cordage, twine and twist of 2 or more yarns twisted together, size of single yarn or roving:	3244.200	6/10/43
	3244.300	6/10/43
Not bleached, dyed or otherwise treated	3245.200	6/10/43
	3245.300	6/10/43
	3245.400	6/10/43
	3245.500	6/10/43
Bleached, dyed or otherwise treated	3245.220	6/10/43
	3245.320	6/10/43
	3245.420	6/10/43
	3245.520	6/10/43
Bagging for cotton, gunny cloth, etc., of single yarns, not bleached, colored, or printed, not exceeding 16 threads in warp and filling to the square inch, or jute or other vegetable fiber	3246.000	6/10/43
	3246.100	6/10/43
Burlaps and other woven fabrics wholly of jute, n. s. p. f.	3247.000	6/10/43
	3247.200	6/10/43
Plain woven fabrics of jute, weighing less than 4 ounces per square yard	3248.000	6/10/43
Woven fabrics of jute for paddings or interlinings exceeding 30 threads in warp and filling to the square inch, weighing from 4½ to 12 ounces, inclusive, per square yard	3248.100	6/10/43
Woven fabrics, n. s. p. f. in chief value but not wholly of jute	3248.200	6/10/43
Jute silver	3250.000	6/10/43
Jute webbing, not exceeding 12 inches in width	3250.700	6/10/43
Jute manufactures, n. s. p. f.	3250.900	6/10/43
Jute bags or sacks	3249.000	4/2/43
	3249.100	10/6/42
Jute butts, unmanufactured	3242.000	10/6/42
Jute, unmanufactured	3241.000	10/6/42

See footnotes at end of table.

LIST II—Continued

Material	Commerce Import Class No.	Governing date
Kapok	3403.000	7/2/4
Kyanite and sillimanite	5030.940	12/28/41
Lead	6504.000	12/28/41
	6505.000	1/9/42
	6505.100	12/28/41
	6506.100	1/9/42
	6506.500	1/9/42
	6506.600	6/1/42
	6507.000	1/9/42
	6508.000	1/9/42
Leather, unmanufactured:		
Chamois leather	0335.250	[4] 7/2/42
	0335.800	[4] 7/2/42
Rough tanned leather (incl. India-tanned):		
Vegetable-tanned goat and sheepskins	0339.000	[1] 7/2/42
	0339.100	[1] 7/2/42
Sheep and lamb leather (including shearlings and cabrettas):		
Leather for shoe purposes	0332.000	[4] 7/2/42
	0332.100	[4] 7/2/42
Glove and garment leather	0335.300	[4] 7/2/42
Leather, n. s. p. f. cut into shoe uppers, vamps, or other forms	N. S. C.	[4] 7/2/42
Patent leather for the manufacture of footwear	N. S. C.	[4] 7/2/42
Grained, embossed, etc., or fancy leather	0345.400	[4] 7/2/42
Skivers, n. s. p. f.	0335.200	[4] 7/2/42
In the rough, in the white, crust or russet, partly finished or finished	N. S. C.	[4] 7/2/42
Other (except glove and garment)	0332.500	[4] 7/2/42
Leather products made in whole or in part of bovine, equine or goatskin leather:		
Aprons	N. S. C.	5/27/44
Belts, transmission	N. S. C.	5/27/44
Belts, designed to be worn on the person	N. S. C.	5/27/44
Chaps, work	N. S. C.	5/27/44
Flat leather goods	N. S. C.	5/27/44
Footwear (including slippers)	N. S. C.	5/27/44
Furniture	N. S. C.	5/27/44
Garments	N. S. C.	5/27/44
Gloves, work	N. S. C.	5/27/44
Handbags and purses	N. S. C.	5/27/44
Harness	N. S. C.	5/27/44
Horse collars	N. S. C.	5/27/44
Hydraulic, packing, mechanical, and textile leather products	N. S. C.	5/27/44
Laces and thongs	N. S. C.	5/27/44
Luggage and related articles (including suitcases, valises, satchels, traveling and overnight bags, hatboxes, trunks and other luggage; and boxes, baskets, chests, baskets, rolls, brief cases, golf bags, and other cases):		
Made wholly or in part of bovine leather	N. S. C.	8/5/43
Made wholly or in part of equine leather	N. S. C.	5/27/44
Made wholly or in part of goatskin leather	N. S. C.	5/27/44
Rifle scabbards; rifle slings, pistol holsters, and pistol belts	N. S. C.	5/27/44
Saddles and saddlery	N. S. C.	5/27/44
Suspenders	N. S. C.	5/27/44
Loofa (Luffa) sponges	N. S. C.	8/21/42
Magney or cantala, unmanufactured	3409.200	1/18/42
Mahogany, dressed (sawed and not further manufactured than planed, tongued, and grooved)	4204.100	7/21/42
Mahogany logs	4081.000	7/2/42
Mahogany rough (not further manufactured than sawed)	4202.100	7/21/42
Mangrove bark	2830.180	7/2/42
Mangrove extract (including Philippine cutch)	2842.000	7/2/42
Manila or abaca cordage, including cables, tarred or untarred, composed of 3 or more strands, each strand composed of 2 or more yarns	3417.095	6/26/43
	3417.195	6/26/43
Manila or abaca fiber (except T grade tow)	3402.800	4/28/43
Manila or abaca tow (T grade only)	3402.500	4/28/43
Manila or abaca fiber manufactures (incl. all manila or abaca products)	N. S. C.	4/28/43

See footnotes at end of table.

LIST II—Continued

Material	Commerce Import Class No.	Governing date
Mercury-bearing ores and concentrates	N. S. C.	4/8/42
Mercury or quicksilver (metallic)	6602.000	12/28/41
Meshta fiber	N. S. C.	10/6/42
Metallic beryllium, cesium, lithium, and potassium	8380.870	5/4/42
Metallic mineral substances in crude form, not otherwise classified (such as drosses, skimmings, residues, brass foundry ash, and flue dust)	6740.190	6/1/42
Mica	5560.810	3/14/42
	5560.840	3/14/42
	5560.860	3/14/42
	5560.890	3/14/42
	5560.910	3/14/42
	5560.940	3/14/42
	5560.960	3/14/42
	5560.990	3/14/42
	5561.000	3/14/42
	5561.300	3/14/42
	5561.400	3/14/42
	5561.500	7/21/42
	5561.600	3/14/42
	5561.900	3/14/42
	5564.000	3/14/42
	5564.200	3/14/42
Milkweed	N. S. C.	1/18/43
Oiticica oil	2255.600	4/8/42
Ouricury (uricury) nuts and kernels	2239.610	5/22/42
	2239.620	5/22/42
Ouricury (uricury) oil, inedible and edible	2257.800	5/22/42
	2257.820	5/22/42
Palm nut kernels	2236.500	3/14/42
Palm kernel oil	2248.000	3/14/42
Palm oil	2243.000	1/13/42
Pine, other than Northern white or Norway pine:		
Logs	N. S. C.	4/28/43
Lumber, sawed boards, planks, deals, etc., rough and dressed	4107.700	4/28/43
Pulpwood, except chipped pulpwood	{4590.000-4595.000 inc.	1/12/44
Punga fiber	N. S. C.	3/5/43
Quebracho extract	2344.000	[1] 7/2/42
Quebracho wood	2305.000	[1] 7/2/42
Quinine salts or alkaloids from cinchona bark:		
Quinine sulphate	8102.000	3/5/43
Quinine alkaloid	8103.200	3/5/43
Other salts and derivatives of quinine	8103.300	3/5/43
Cinchonidine and its salts	8103.400	3/5/43
Cinchonine and its salts	8103.500	3/5/43
Quinidine and its salts	8103.600	3/5/43
Totaquine and totaquine compounds	N. S. C.	3/5/43
Rapeseed oil, denatured and not denatured	2246.000	5/22/42
	2253.000	1/13/42
Shellac, unbleached and bleached	2107.200	3/14/42
	2108.000	3/14/42
Silk:		
Cocoons	3703.000	10/21/42
Partially manufactured silk, and silk noils exceeding 2 inches in length, not twisted or spun	3799.000	10/21/42
Raw silk in skeins, reeled from the cocoon, or re-reeled, not wound, doubled, twisted, or advanced	3702.000	10/21/42
Silk waste	3704.000	10/21/42
Wild silk or tussah	3702.100	10/21/42
Silver:		
Ores, concentrates, and base bullion, valuable chiefly for silver content	6819.500	7/21/42
Bullion, refined	6819.600	7/21/42
Coin, foreign	6819.800	7/21/42
Sweepings and scrap, including silver sulphides	6819.900	7/21/42
Semiprocessed items, valuable chiefly for silver content	N. S. C.	7/21/42
Compounds, mixtures and salts, valuable chiefly for silver content	N. S. C.	7/21/42
Sisal and henequen, unmanufactured (except flume tow and bagasse waste)	N. S. C.	1/18/43
Sperm oil, crude, refined or otherwise processed	0803.000	5/22/42
	0803.100	5/22/42
Talc, steatite (magnesium silicate), containing not to exceed 1¼% lime and 1¼% ferric oxide:		
Crude and unground	N. S. C.	11/23/42

See footnotes at end of table.

LIST II—Continued

Material	Commerce Import Class No.	Governing date
Tin:		
Alloys, chief value tin, n. s. p. f. (including alloy scrap)	6551.900	6/1/42
Bars, blocks, pigs, grain or granulated	6551.200	6/1/42
Metallic scrap (except alloyed scrap)	6551.500	6/1/42
Tin-plate scrap	6740.050	7/2/42
Tung oil (China wood oil)	2261.000	11/13/42
Tungsten ore and concentrates	6232.000	12/28/41
Urena lobata fiber	N. S. C.	10/6/42
Vanadium ore	6260.000	12/28/41
Wattle bark	2309.000	[1] 7/2/42
Wattle extract	2245.500	[1] 7/2/42
Yucca fiber	N. S. C.	3/5/43
Zinc blocks, pigs or slabs	6558.200	12/28/41

[1] Moved from List I 1/8/44.
[2] Moved from List I 3/30/44.
[3] Moved from List I 3/30/44.
[4] Moved from List III 5/17/44.

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

LIST III

NOTE: List III amended May 17, 1944, effective May 27, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Commerce Import Class No.	Governing date
Agave fiber processors' mill waste (including sisal and henequen processors' mill waste)	N. S. C.	8/5/43
Agave flume tow and bagasse waste not elsewhere specified on this order	N. S. C.	8/5/43
Alewives and other pickled or salted fish, n. s. p. f.	{0073.300-0073.900 inc.	7/2/42
Alfalfa seed	2401.000	7/2/42
Anchovies, canned, not in oil or in oil and other substances	0067.000	7/2/42
Anchovies, in oil or in oil and other substances	0064.200	1/18/43
	0064.300	1/18/43
Apples, dried, desiccated, or evaporated	1330.010	6/28/43
Apricots, dried, desiccated, or evaporated	1330.120	6/28/43
Argols, tartar and wine lees, and crude calcium tartrate	8329.000	7/2/42
	8330.000	7/2/42
	8380.013	7/2/42
Balata, Coquirana (crude and washed)	N. S. C.	5/27/44
Balata, Massaranduba	N. S. C.	3/5/43
Balata, Peruvian chicken-wire	N. S. C.	5/27/44
Balata, Peruvian F. A. Q., white	N. S. C.	3/5/43
Bananas, dried, desiccated, or evaporated	1330.170	6/28/43
Bananas, green or ripe	1301.000	7/2/42
Barley malt	1080.000	7/2/42
Baskets and bags of wood, straw, etc.	4221.000	7/2/42
	4221.200	7/2/42
	4221.500	7/2/42
	4221.600	7/2/42
	4221.900	7/2/42
Beans, dried	1192.000	7/2/42
Beef and veal, pickled or cured	0029.000	7/2/42
Beef, canned, including corned beef	0028.000	7/2/42
Beef, fresh, chilled or frozen	0018.000	5/14/43

See footnotes at end of table.

LIST III—Continued

Material	Commerce Import Class No.	Governing date
Beeswax	0972.000	7/2/42
	0972.100	7/2/42
	0974.000	7/2/42
Blood, dried	8505.000	7/2/42
Bone black, bone char, and blood char	0990.130	7/2/42
Bones, crude	0911.200	7/2/42
Bones, ground, ash, dust, meal and flour	0911.300	7/2/42
Bran, shorts, and other wheat by-product feeds	1181.000	7/2/42
Brazil or cream nuts	1356.000	7/2/42
	1357.000	7/2/42
Butter	0044.000	7/2/42
Buttermilk, dried	0041.200	4/3/43
Cacao butter (cocoa butter)	1420.000	7/2/42
Camel's hair	3510.000	4/28/43
	3511.000	4/28/43
	3511.100	4/28/43
	3511.200	4/28/43
	3511.300	4/28/43
Camel's hair tops	3560.000	1/18/43
Canary seed	2452.000	7/2/42
Carnauba wax	2251.000	7/2/42
Caroa fiber	4692.800	7/2/42
Caroa manufactures	N. S. C.	1/18/43
Caroa yarn	N. S. C.	10/6/42
Casein or lactarene	0943.000	7/2/42
Cashmere goat hair, Angora rabbit hair, and hair of other like animals., n. e. s	3535.500	4/2/43
	3535.600	4/2/43
	3535.700	4/2/43
	3535.800	4/2/43
	3535.900	4/2/43
Cassia buds, unground	1533.000	10/6/42
Cassia, cassia vera, unground	1533.100	10/6/42
Cassia, cassia buds and cassia vera, ground	1550.070	10/6/42
Castor bean pomace (castor oil cake and castor oil cake meal)	8509.100	1/18/43
Celery seeds	1525.000	8/5/43
Cheese	0045.100–0046.900 inc.	7/2/42
Cherries dried, desiccated, evaporated	1317.100	6/28/43
Chickens and guineas: Dead, fresh, chilled or frozen, dressed or undressed	0025.400	4/28/43
Live	N. S. C.	4/28/43
Prepared or preserved	N. S. C.	4/28/43
Chickpeas and garbanzos, dried	1200.000	7/2/42
Chicle, crude and refined or advanced	2131.000	7/2/42
	2189.300	7/2/42
China clay or Kaolin	5300.000	8/21/42
Cinnamon and chips of, unground	1526.000	10/6/42
Cinnamon and chips of, ground	1550.030	10/6/42
Cocoa beans or cacao beans	1501.300	7/2/42
Cocoa powder, unsweetened and sweetened	1502.100	1/18/43
	1502.800	1/18/43
	1502.900	1/18/43
	1351.000	10/21/42
Coconuts, in the shell		
Coconut meat, shredded and desiccated or similarly prepared	1379.000	10/21/42
Cod, haddock, hake, pollock, and cusk, pickled or salted (not in oil, etc., and not in airtight containers, weighing, with contents, not over 15 lbs. each)	0069.000	4/2/43
	0069.200	4/2/43
	0069.900	4/2/43
Coffee, raw or green, roasted or processed	1511.000	7/2/42
	1511.100	7/2/42
Combinations and mixtures of animal, vegetable, or mineral oils, or any of them, with or without other substances, not specifically provided for	2260.120	7/21/42
Congo gum copal	N. S. C.	1/12/44
Corn	1031.000	7/2/42
Corn, cracked	1090.180	7/2/42
Corned beef hash	1250.280	5/27/44
Cornstarch	2815.100	10/25/43
Cotton linters (all grades)	3005.000	7/2/42
Cotton, raw (all staple length)	3001.000	7/2/42
	3003.600	7/2/42
	3003.700	7/2/42
	3003.800	7/2/42
Cotton waste	3006.100	7/2/42
	3006.200	7/2/42
	3006.310	7/2/42
	3006.330	7/2/42
	3006.350	7/2/42
	3006.600	7/2/42
	3230.380	7/2/42
	3230.390	7/2/42
Cotton—Merino waste	9850.902	7/2/42
Cream, dried	0041.300	4/2/43
Crin vegetal	3407.000	6/28/43
Currants, dried	N. S. C.	6/28/43
Dates, dried	N. S. C.	6/28/43

LIST III—Continued

Material	Commerce Import Class No.	Governing date
Dog food	1190.700	7/2/42
	1190.800	7/2/42
Egg albumen, dried	0094.000	3/5/43
Egg albumen, frozen, or otherwise prepared or preserved, n. s. p. f.	0095.000	3/5/43
Eggs (chicken) whole, in the shell	0088.100	7/2/42
Eggs, dried	0090.000	3/5/43
Eggs, frozen, or otherwise prepared or preserved, n. s. p. f.	0091.000	3/5/43
Eggs of poultry other than chicken, whole, in the shell	0088.500	3/5/43
Egg yolks, dried	0092.000	3/5/43
Egg yolks, frozen, or otherwise prepared or preserved, n. s. p. f.	0093.000	3/5/43
Ergot	2210.330	10/6/42
Fatty acids, not specifically provided for derived from vegetable oils, animal or fish oils, animal fats and greases, not elsewhere specified: Cottonseed oil	2260.220	5/22/42
Linseed oil	2260.210	7/21/42
Soybean oil	2260.230	7/21/42
Other, not elsewhere specified	2260.240	7/21/42
Fatty alcohols and fatty acids sulphated, not elsewhere specified, and salts of fatty acids sulphated, not elsewhere specified	2260.260	7/21/42
Figs, dried	N. S. C.	6/28/43
Fish scrap and fish meal	0976.000	7/2/42
	8509.700	7/2/42
Fish-liver oil, n. e. s. (include half-but-liver oil)	2220.250	1/12/44
Floor coverings: Carpets and carpeting, mats, rugs, art squares, etc., of wool, n. s. p. f.	3660.000–3670.570 inc.	10/21/42
Pile mats and floor coverings of cocoa fiber (coir fiber)	3960.100	10/21/42
Pile mats and floor coverings of rattan	3960.200	10/21/42
Matting and articles of cocoa fiber (coir fiber) or rattan	3963.000	10/21/42
Floor coverings of grass or rice straw, not in chief value of cotton	3963.200	10/21/42
Textile floor coverings, other than wool, cotton, silk, rayon, etc., n. e. s	3963.600	10/21/42
Fluorspar	5301.000	7/2/42
	5301.100	7/2/42
Fruits, dried, not elsewhere specified on this order	N. S. C.	6/28/43
Garlic	1205.000	7/2/42
Ginger root, unground, not preserved or candied	1536.100	10/6/42
Ginger root, ground, not preserved or candied	1550.080	10/6/42
Glue, except glue size and fish glue (value—under 40¢ lb.)	0940.100	7/2/42
Glue stock, not elsewhere specified	0930.900	8/5/43
Goat and kid hair except Angora (mohair) and Cashmere	3696.200	7/2/42
Grapes, dried, other than raisins	1319.500	6/28/43
Grapes, fresh (other than hothouse)	1318.500	7/2/42
Guano	8504.000	7/2/42
Gums, n. e. s., used in manufacture of chewing gum	N. S. C.	3/5/43
Herring (including sprats, pilchards and anchovies) all types	0070.000–0070.900 inc.	7/2/42
Hibiscus cannabinus or ferox	N. S. C.	7/2/42
Hide cuttings, raw	0930.800	7/2/42
Hide splits, limed, pickled or dried (suitable for manufacturing into leather)	N. S. C.	1/12/44
Hides and skins: Horse, colt, and ass	0211.100	7/2/42
	0211.300	7/2/42
	0212.100	7/2/42
	0212.200	7/2/42
	0212.300	7/2/42
	0212.500	7/2/42
Shearlings, dry and wet (except close shorn skins with commercially worthless wool, ¼ inch and down)	N. S. C.	7/2/42
Sheep and lamb skins, except shearlings, cabrettas, etc. Pickled skins, not split, no wool	0234.000	7/2/42
Pickled fleshers, split, flesh side	0234.100	7/2/42
Pickled skivers, split, grain side	0234.200	7/2/42
Other wooled (wool on) except shearlings	0231.500	7/2/42
Hydrogenated or hardened oils and fats, vegetable or animal	2260.100	7/21/42
Ilmenite (including ilmenite sand)	6270.100	7/2/42
Iodine	8300.000	7/2/42
	8380.630	7/2/42
Iron ore	6001.000	7/2/42
Kola nuts	2210.490	7/2/42
Lamb, fresh, chilled or frozen	0022.000	5/14/43
Leche caspi (including crude sorva gum)	2170.000	3/5/43

LIST III—Continued

Material	Commerce Import Class No.	Governing date
Lentils	1199.000	7/2/42
Lignaloe oil or Bois de Rose	2280.270	7/2/42
Lupines	1199.100	7/2/42
Mace, unground	1540.000	10/6/42
Mace, ground	1550.090	10/6/42
Mace, Bombay or wild, unground	1549.200	10/6/42
Mace, Bombay or wild, ground	1550.100	10/6/42
Maté	2210.570	7/2/42
Maté, Yerba, advanced in value or condition (Paraguay tea)	1770.900	10/6/42
Meats, canned n. e. s., and prepared or preserved meats, n. s. p. f. (include liver paste; also include mutton)	0032.900	10/21/42
Meat extracts, including fluid	0096.000	7/2/42
Milk, condensed and evaporated	0040.000	7/2/42
	0040.100	7/2/42
	0040.700	7/2/42
Milk, skimmed, dried	0041.100	4/2/43
Milk, whole, dried	0041.000	4/2/43
Mohair (Angora goat hair)	3530.000–3530.400 inc.	7/2/42
Mohair tops	3560.100	1/18/43
Mohair yarns	3570.300–3570.600 inc.	1/18/43
Molasses and sugar sirup, edible and inedible	1630.480–1640.000 inc.	7/2/42
Muru muru nuts and kernels	2239.630	5/22/42
	2239.640	5/22/42
Mutton, fresh, chilled or frozen	0021.100	5/14/43
Nitrates, Sodium and Potassium	8505.000	7/2/42
	8527.500	7/2/42
Nitrogenous material, n. s. p. f. (including hoof meal and horn meal)	8509.600	1/18/43
Nutmegs, unground	1539.000	10/6/42
Nutmegs, ground	1550.110	10/6/42
Oats, hulled and unhulled	1041.000–1041.100 inc.	7/2/42
Offal, edible	0028.600	7/2/42
Oil cake and oil cake meal: Coconut or copra	1111.000	3/5/43
Soybean	1112.000	3/5/43
Cottonseed	1114.000	7/2/42
Linseed	1115.000	3/5/43
Peanut	1119.600	7/2/42
Hempseed	1119.700	7/2/42
Other n. s. p. f.	1119.900	7/2/42
Oleo stearin	0036.300	7/2/42
Olive oil, edible	1424.000	9/23/43
	1425.000	9/23/43
Olive oil, inedible: Sulphured or foots	2244.000	9/23/43
Other	2245.000	9/23/43
Onions, edible	1208.100	7/2/42
Paper base stock: Rags for paper stock	4691.000	7/2/42
Waste bagging, gunny cloth and bags	4692.000	7/2/42
Grasses, fibers, waste, shavings, clippings, etc., n. e. s	4692.900	7/2/42
Peaches, dried, desiccated, or evaporated	1330.620	6/28/43
Peaches, green, ripe, or in brine	1330.610	7/2/42
Peanut butter	1380.090	9/23/43
Pearl shells or mother-of-pearl shells, unmanufactured	0961.000	8/5/43
Pears, dried, desiccated, or evaporated	1330.670	6/28/43
Pears, green, ripe or in brine	1330.660	7/2/42
Peas, dried and split	1197.000	7/2/42
	1198.000	7/2/42
	3409.350	7/2/42
Piassava fiber		
Piassava fiber, manufactured in whole or in part (dressed cut to length, etc.)	3410.050	3/5/43
Pigeons, racing or fancy	0895.500	7/2/42
Pigeons, other	N.S.C.	7/2/42
Pimento (allspice), unground	1543.000	10/6/42
Pimento (allspice), ground	1550.130	10/6/42
Pimientos, packed in brine or oil, or prepared or preserved	1244.000	8/5/43
Pork: Fresh or chilled	0020.100	5/14/43
Frozen	0020.500	5/14/43
Pork, hams, shoulders, bacon, sausage; prepared, cooked, boned, canned, etc	0030.900	7/2/42
	0031.900	7/2/42
Prunes, prunelles, and plums: Green or ripe, not in brine	1330.510	6/28/43
In brine	1330.530	6/28/43
Dried, desiccated, or evaporated	1330.540	6/28/43
Otherwise prepared or preserved, n. s. p. f.	1330.550	6/28/43
Raisins: Made from seedless grapes	1319.100	6/28/43
Other	1319.200	6/28/43
Ramie fiber or China grass, unmanufactured	3409.600	9/23/43

See footnotes at end of table.

LIST III—Continued

Material	Commerce Import Class No.	Governing Date
Rice: Paddy	1051.000	10/25/43
Uncleaned or brown rice	1051.100	10/25/43
Cleaned or milled rice	1053.000	10/25/43
Patna rice, cleaned, for use in canned soups	1054.000	10/25/43
Rice meal, flour, polish and bran	1069.106	10/25/43
Broken	1060.200	7/2/42
Rye	1044.000	7/2/42
Sansevieria fiber	N.S.C.	6/28/43
Sansevieria manufactures (including all products in whole or in parts of sansevieria)	N.S.C.	6/28/43
Sardines, in oil or in oil and other substances	0043.200	4/3/43
	0043.300	4/3/43
Sausage casings, sheep, lamb and goat only	0034.000	7/2/42
Sausage casings, other	0035.200	7/2/42
Sesame seed	2284.000	5/22/42
Shark-liver oil, including oil produced from dogfish livers, n. s. p. f.	0808.730	1/12/44
Sisal and henequen flume tow and bagasse waste	N. S. C.	1/18/43
Soap (except Castile) and soap powder	8712.300–8719.900 inc.	7/2/42
Sugar, cane	1610.750–1610.000 inc.	7/2/42
Syrups and extracts for use in the manufacture of beverages	N. S. C.	2/3/43
Tallow, vegetable	2250.000	7/2/42
Tankage (incl. cracklings, greave cakes, liver meal, meat meal, meat flour, meat scrap, etc.)	0975.000–0309.000	7/2/42
Tapioca, tapioca flour, and cassava (including mandioca flour)	1226.000	7/2/42
Tea, not specially provided for	1521.000	7/21/42
Textile waste, not elsewhere specified in the order, including jute thread and flax, etc. (except sisal and henequen processors' mill waste)	N.S.C.	7/2/42
Tobacco, unmanufactured	2601.000–2610.000 inc.	7/2/42
Tops of hair other than camel's hair, mohair, and wool (including alpaca and vicuna), n. e. s.	3560.300	1/18/43
Tucum nuts and kernels	2239.580–2239.660	5/22/42
Tuna fish, in oil or in oil and other substances	0065.200	4/2/43
Turkeys: Dead, fresh, chilled or frozen, dressed or undressed	0034.000	4/28/43
Live	0014.000	4/28/43
Prepared or preserved	N. S. C.	4/28/43
Veal, fresh, chilled or frozen	0019.000	8/14/43
Vegetable oil foots, other than olive	N. S. C.	7/21/42
Vegetable soapstock	N. S. C.	7/21/42
Vegetables, dehydrated	N. S. C.	4/28/43
Wool, advanced, n. e. s	3560.900	1/18/43
Wool, apparel, 40's or coarser	3505.000–3509.200 inc.	7/2/42
Wool, apparel, finer than 40's, not finer than 44's on the skin	3514.000	7/2/42
Wool, apparel, finer than 44's[1]	3525.000	7/2/42
	3520.000	7/2/42
	3521.100	7/2/42
	3521.200	7/2/42
	3521.300	7/2/42
	3522.000	7/2/42
	3523.100	7/2/42
	3523.200	7/2/42
	3523.300	7/2/42
	3526.000	7/2/42
	3527.100	7/2/42
	3527.200	7/2/42
	3527.300	7/2/42
	3526.000	7/2/42
	3529.100	7/2/42
	3529.200	7/2/42
	3529.300	7/2/42
Wool apparel, (finer than 40's but not finer than 44's)[1]	3513.000	7/2/42
	3514.100	7/2/42
	3514.200	7/2/42
	3514.300	7/2/42
	3524.000	7/2/42
	3525.100	7/2/42
	3525.200	7/2/42
	3525.300	7/2/42
Wool, carpet	3501.000–3502.300 inc.	7/2/42
Wool mungo	3502.900	11/23/42
Wool noils and waste	3530.000–3563.700 inc.	7/2/42
Wool press cloth waste	9850.903	7/2/42
Wool rags	3554.000	11/23/42
Wool shoddy and wool extract	3562.800	11/23/42
Wool tops	3560.400	1/18/43
Wool yarns and yarns of other hair	3574.300–3574.600 inc.	1/18/43
Yarns wholly or in chief value of Angora rabbit hair	3573.400–3573.800 inc.	1/18/43

[1] Moved from List II 9/23/43.
[2] Moved from List I 1/8/44.
[3] Moved from List I 3/30/44.

See footnotes at end of table.

No. 99——2

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

INTERPRETATION 1

No authorization under paragraph (b) of the order is necessary for the release or withdrawal of materials on List II or List III from a free port, a free zone, or the bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States regardless of the date when such materials first entered such place. The actual importation, which is the subject of restriction under paragraph (b), is deemed to have occurred before the question of release or withdrawal arises. Also no authorization under paragraph (d) of the order is necessary for the subsequent disposition, processing, or shipment of such released or withdrawn List II and List III materials.

As to List I materials which are similarly situated, no authorization under paragraph (a) of the order is necessary for their release or withdrawal from free port, free zone, or bonded custody, but authorization under paragraph (d) of the order is necessary for their subsequent disposition, processing, or shipment unless they are shipped in bond to Canada, Mexico, or some other foreign country, in which event the foreign destination is deemed to be the place of initial storage as such term is used in the order; *Provided, however*, That List I materials which are imported in bond after July 2, 1942, can be shipped to Mexico, Canada, or some other foreign country without the express authorization required under paragraph (d) only if the import application filed under paragraph (b) stated that the material was being imported for the purpose of such export shipment. (Issued June 30, 1942, and amended Sept. 22, 1943.)

INTERPRETATION 2

The following official interpretation is hereby issued by the War Production Board with respect to the meaning of the term "in transit" as defined in paragraph (a) (5) of General Imports Order M-63 (§ 1042.1) as amended:

By amendment dated December 17, 1942, the definition of material "in transit" was changed by adding the following clause, "or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States." The question has been raised as to the meaning of the term as applied to a case where the material on the governing date had been delivered to and accepted by a rail, truck, or air carrier on a through bill of lading for transportation to a specified port and from thence by boat to a point within the continental United States.

The material in the stated case is not deemed to be in transit within the meaning of the term as used in the order. If the material is to be carried to the port of arrival in the continental United States by ship, the material must have been afloat, or an on board ocean bill of lading must have been issued with respect to it, on the governing date in order for it to be considered as having been in transit on such date.

Material which has been delivered to and accepted by a rail, truck, or air carrier on the governing date for transportation to a point within the continental United States is deemed to be in transit within the meaning of the term as used in the order only when the transportation specified in the bill of lading issued by such carrier calls for delivery of the material at the port of arrival in the continental United States by rail, truck, or air carrier, not by ship. (Issued March 8, 1943.)

INTERPRETATION 3

When by amendment of the order a material already on List II or List III is moved to List I and hence becomes subject to the restrictions of paragraph (c) covering the disposition, processing, transfer, or change of location of such material, the governing date for the application of such restrictions is the effective date of the amendment by which the material was moved to List I and not the date when such material first became subject to General Imports Order M-63. (Issued May 14, 1943.)

[F. R. Doc. 44-7084; Filed, May 17, 1944; 11:34 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Supplemental General Imports Order M-63-a, as Amended May 17, 1944]

Pursuant to General Imports Order M-63, as amended, which this order supplements, it is hereby ordered, that:

§ 1042.2 *Supplemental General Imports Order M-63-a.* Until further order of the War Production Board, the provisions of General Imports Order M-63, as amended June 2, 1942, and thereafter, shall not apply to materials on List III of said order which are located in, and are the growth, production, or manufacture of, and are transported into the continental United States overland, by air, or by inland waterway from, Canada, Mexico, Guatemala, or El Salvador, except with respect to materials listed on Schedule A attached hereto.

Issued this 17th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

NOTE: "Onions • • •" and "Agave fiber • • •" deleted May 17, 1944, effective May 27, 1944.

Material:	Commerce import Class No.	Effective date
Bones, crude	0911.200	Aug. 5, 1943
Chicle, crude and refined or advanced	2131.000	Dec. 14, 1942
Chickpeas and garbanzos, dried	2189.300	Dec. 14, 1942
	1200.000	Mar. 5, 1943
Cod, haddock, hake, pollock, and cusk, pickled or salted (not in oil, etc., and not in airtight containers, weighing, with contents, not over 15 pounds each)	0069.000	Aug. 5, 1943
	0069.200	Aug. 5, 1943
	0069.900	Aug. 5, 1943
Coffee: raw or green	1511.000	Mar. 5, 1943
roasted or processed	1511.100	Mar. 5, 1943
Fish-liver oil, n. e. s. (include halibut-liver oil)	2220.250	Jan. 12, 1944
Molasses and sugar sirup, edible and inedible	1630.480–1640.000 inclusive	Dec. 14, 1942
Oil cake and oil cake meal:		
Coconut or copra	1111.000	Mar. 5, 1943
Soybean	1112.000	Mar. 5, 1943
Cottonseed	1114.000	Dec. 14, 1942
Linseed	1115.000	Mar. 5, 1943
Peanut	1119.600	Dec. 14, 1942
Hempseed	1119.700	Dec. 14, 1942
Other, n. e. s. p. f.	1119.900	Dec. 14, 1942
Peanut butter	1380.090	Sept. 23, 1943
Pigeons, other	N. S. C.	Jan. 12, 1944
Pigeons, racing or fancy	0895.500	Jan. 12, 1944
Sansevieria fiber	N. S. C.	June 28, 1943
Sansevieria manufactures (including all products in whole or in part of sansevieria)	N. S. C.	June 28, 1943
Sesame seed	2234.000	Nov. 26, 1942
Shark-liver oil, including oil produced from dogfish livers, n. s. p. f.	0808.730	Jan. 12, 1944
Syrups and extracts for use in the manufacture of beverages, if transported in railway tank cars	N. S. C.	April 28, 1943

[F. R. Doc. 44-7085; Filed, May 17, 1944; 11:34 a. m.]

PART 1167—LIQUEFIED PETROLEUM GAS EQUIPMENT

[Limitation Order L-86, Direction 1, as Amended May 17, 1944]

PLACEMENT OF ORDERS FOR LIQUEFIED PETROLEUM GAS TANKS WITH TANK MANUFACTURERS

The following direction is issued pursuant to Limitation Order L-86:

(a) *What this direction covers.* This direction establishes rules governing the placement of orders for liquefied petroleum gas tanks with tank manufacturers. This direction shall not apply to the placement of orders for portable compressed gas cylinders of the type commonly used for domestic or household installations.

(b) *Original approval or authorization must be given to manufacturers.* Before certain installations or deliveries of liquefied petroleum gas tanks can be made it is required by Order L-86 that approval be requested by an application on Form WPB-809 revised (formerly PD-397). If approval of any such application is granted on Form WPB-809 revised, Form GA-855, or other written authorization, the original authorization received from the War Production Board or the Petroleum Administration for War must be submitted to the manufacturer together with a purchase order certified in accordance with paragraph (e) of Order L-86. No tank manufacturer shall deliver and no person shall accept delivery of a tank unless the original authorization and a certified purchase order are both submitted to the tank manufacturer.

After a purchase order is accepted by the tank manufacturer, he shall endorse on the original authorization his name and the number of tanks to be delivered on the basis of the authorization which has been sent to him. He must then return the endorsed authorization to the purchaser who has ordered the tank(s).

(c) *Order must be placed with tank manufacturer within 60 days.* An approved Form WPB-809 revised, Form GA-855 or other authorization must be used to purchase liquefied petroleum gas tanks covered by it within 60 days of the date of approval. Unless the authorization is mailed by the applicant (purchaser) within that 60 day period, the approval shall be void and of no effect, and it will be necessary to reapply for the tanks covered by such application or other authorization.

(d) *Reports by manufacturers of liquefied petroleum gas tanks.* Each liquefied petroleum gas tank manufacturer shall on or before the 10th day of June, 1944 and on or before the 10th day of every month thereafter, file a report by letter in duplicate covering the preceding calendar month. This report shall consist of the following items of information covering all tanks subject to this direction and for which purchase orders were accepted during the month:

Persons to whom deliveries will be made under such purchase orders;
Number and description of tanks to be delivered to each person, and for each item the case numbers of corresponding authorizations submitted to manufacturer by purchaser.

This report should be addressed to the Petroleum Administration for War, Interior Building, Washington 25, D. C., Ref: L-86.

NOTE: The reporting requirements of this direction have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 17th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7086; Filed, May 17, 1944; 11:34 a. m.]

PART 3293—CHEMICALS

[Limitation Order L-40, as Amended May 15, 1944]

VITAMIN A

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of Vitamin A for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.6 *General Limitation Order L-40*—(a) *Definitions.* For the purposes of this order:

(1) "Vitamin A" shall include vitamin A and its "pro-vitamins" such as carotenes and cryptoxanthin derived from plant, animal, fish or marine animal sources.

(2) [Revoked May 15, 1944]

(3) [Revoked May 15, 1944]

(b) *Restrictions on use of Vitamin A in pharmaceutical preparations.* No person shall manufacture any pharmaceutical preparation represented to contain more than 5,000 U. S. P. XII units of Vitamin A in the largest daily dosage recommended by the manufacturer or seller, except that nothing contained in this order shall prevent the manufacture or sale of pharmaceutical preparations represented to contain 25,000 or more U. S. P. XII units of Vitamin A in the smallest daily dosage recommended by the manufacturer or seller, or pharmaceutical preparations recognized in the U. S. P. or N. F.

(c) *Applicability of Allocation Order M-373.* In addition to the restrictions of this order, use and delivery of certain kinds of Vitamin A are subject to the provisions of WPB Allocation Order M-373 (§ 3293.601), as amended from time to time.

(d) *Applicability of War Food Order (WFO) No. 99.* The use of fish liver oils or other fish oils in feeds or as feeding oils is subject to the provisions of War Food Order (WFO) No 99, as amended from time to time.

(e) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable War Production Board regulations, as amended from time to time.

NOTE: Former paragraphs (f), (g), (h) and (i) redesignated (e), (f), (g) and (h) May 15, 1944.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C. Ref: L-40.

Issued this 15th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R Doc. 44-7008; Filed, May 15, 1944; 4:27 p. m.]

Chapter XI—Office of Price Administration

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 533-2]

LAKE STATES LOGS

In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1312.103 *Maximum prices for Lake States logs.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 533-2—Lake States Logs, which is annexed hereto and made a part hereof is hereby issued.

AUTHORITY: § 1312.103, issued under 56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION No. 533-2—LAKE STATES LOGS

CONTENTS

Sec.
1. Coverage.
2. Over-ceiling prices prohibited.
3. Items not listed.
4. Billing and records.
5. Prohibited practices.
6. Adjustable pricing.
7. Adjustments and petitions.
8. Enforcement.
9. Licensing.
10. General scaling rules.
11. General grading rules.
12. Tie cuts—Grade and Scale.
13. General provisions on delivery.
14. Maximum prices; Zone 1: Wisconsin and Upper Michigan.
15. Maximum prices; Zone 2: Northern Minnesota.
16. Maximum prices; Zone 3: Southern Minnesota.
17. Maximum prices; Zone 4: Lower Michigan.

*Copies may be obtained from the Office of Price Administration.

SECTION 1. *Coverage.* The coverage of this regulation is as follows:

(a) *Geographical.* Logs produced in Minnesota, Wisconsin and Michigan.

(b) *Kind of logs.* All logs (including veneer) and tie cuts. All commercial species are included, whether specifically mentioned or not.

SEC. 2. *Over-ceiling prices prohibited*—(a) *General.* On and after May 15, 1944, regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive, Lake States logs at prices higher than those in this regulation; and no person shall offer or attempt to do any of these things.

(b) *Prices.* The maximum prices are set forth in sections 14 through 17.

(c) *Lower prices.* Prices under ceiling may, of course, be charged and paid.

(d) *Terms.* The maximum price cannot be increased for the extension of credit. The maximum price does not have to be reduced where the buyer purchases on cash terms.

SEC. 3. *Items not listed.* The maximum prices on an item not listed is the "September–October 1942 price", as it was frozen by Maximum Price Regulation 348. If, for any reason, you cannot determine what the ceiling is, write to the Lumber Branch, Office of Price Administration, Washington, 25, D. C. for determination of the price.

SEC. 4. *Billing and records.* You must make a two-copy billing covering every sale. Each buyer and seller must keep one copy as a record. It must obtain enough specifications and details to show whether the price is proper or not. One billing may cover all logs delivered in a period of not over two weeks.

SEC. 5. *Prohibited practice*—(a) *In general.* Any practice which gets the effect of a higher-than ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Up-grading, up-scaling, or allowing a greater net scale footage than the actual content of the logs.

(2) Increasing the price of logs by failing to make an effort in good faith to collect advances to loggers. An advance to a logger is to be considered part of the price of the logs.

(3) Adding to the maximum prices a charge for grading, scaling or inspection.

(4) Paying for logs on the basis of lumber (or other end product) prices, minus a charge for custom sawing or other services.

(c) *Purchases of stumpage and payments to loggers.* It is a violation of this regulation to sell or purchase stumpage and contract for the seller to cut the stumpage, if the total amount paid for the stumpage and the logging is higher than the ceiling for the logs.

(d) *Purchasing commissions.* Purchasing commissions cannot be added to the ceiling. By purchasing commission is meant any payment for buying, selling, or locating logs, if the amount is in any way related to the quantity of logs involved.

SEC. 6. *Adjustable pricing.* You may agree to sell at a price which can be increased to the ceiling at time of delivery, but not beyond.

SEC. 7. *Adjustments and petitions*—(a) *Government contracts.* (See Procedural Regulation No. 6.)[1]

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

SEC. 8. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided for by the Emergency Price Control Act of 1942.

SEC. 9. *Licensing.* The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of applicable price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 10. *General scaling rules.* All logs will be scaled according to the Scribner Decimal "C" Log Rule. The diameter shall be measured at the small end of the log inside the bark at the average diameter. Fractions of one-half inch or less must be dropped and fractions over one-half inch may be raised to the next inch.

All unsound and unusable wood must be deducted by allowance in measurement. The defects for which full allowance must be made in measurement include hollows or large holes, rot, dote, windshake, large or excessive worm holes, splinter pulls and crooks.

Logs shall be cut into even lengths with the lowest acceptable length of 8 feet. All logs must be cut at least 4 inches over length to allow for trim.

SEC. 11. *General grading rules*—(a) *Hardwood grades*—(1) *Woods run grade (veneers in)* shall consist of the entire product of the forest that is better than

[1] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.
[2] 7 F.R. 8961; 8 F.R. 3313, 3563, 6173, 11806; 9 F.R. 1594, 3075.
[3] 8 F.R. 13240.

a cull. The minimum diameter shall be 8".

(2) *Woods run grade (veneers out)* shall consist of the product of the forest, better than a cull, minimum diameter 8", from which veneer logs have been selected and removed.

(3) A cull shall be any log that does not have a net scale, after deductions have been made for defects, of at least 50 percent of the gross scale.

(4) *Veneer grade (or No. 1).* (i) All logs must be 12" and larger in diameter the small way of the small end, except that 11" surface clear logs will be accepted if 12' or longer in length. Standard lengths are 10, 12, 14, and 16'; occasional 6, 7, 8, and 9 foot logs will be accepted adding 4" to all logs 16" in diameter and over and 3" to logs under 16" in diameter for trimming. Yellow Birch and Hard Maple Veneer logs may be cut to the following specified lengths at the option of the purchaser: 5'6", 6'6", 7'6", 8'6" which includes trim. All logs must be reasonably straight grained, with spiraled grain ordinarily not exceeding one inch in 10 inches.

(ii) Knots, worm holes, shake, "cat faces", dead and dozy spots, seams, (except as specified herein) and so-called "birds pecks" brown spots, pin-holes and pin-knots shall be considered standard defects. Maple logs having more than ½ the diameter of the small end in black heart or heavy mineral stain must be excluded from this grade.

(iii) Logs 12 to 14 inches in diameter can have a 3 inch hole, doze, or shake in center; 15 to 16 inch logs can have, not to exceed a 5 inch hole, doze, or shake in center; and over 16 inch logs, a 6 inch hole, doze, or shake in center. However, logs with holes, doze or shake greater than the allowable size will be accepted if these defects will be reduced to the allowable size by deducting 2 feet of length in scaling.

(iv) Logs 15 inches and under in diameter must have no seams; Logs over 15 inches in diameter may have one straight tight seam not diverging more than 4 inches from a straight line from end to end, which shall be considered a defect.

(v) 10 foot logs must not have over one standard defect; 12 foot logs must have not over two standard defects; 14 and 16 foot logs must not have over three standard defects. Any number of defects so located that they can be cut out with one lineal foot deduction in scaling shall be considered as one defect. These logs must have at least one-half of their length in one clear cut.

(vi) 6 and 7 foot logs must be surface clear; 8 and 9 foot logs will permit one defect if not more than 10" from the end. These short logs, particularly small logs, should be practically straight and in no case should there be more sweep in logs 9' and shorter than ⅛ of the diameter of the small end of the log, when measured above the butt swell. The percentage of those short logs that will be acceptable should be agreed upon between the purchaser and the seller.

(vii) Any defect in butt logs which does not extend inside the diameter represented by the small end will not be considered a defect in grading the log. Folds, fluted bark on butts, or shallow scars are examples of such defects.

(viii) In scaling defective logs, scale off one foot in length for each defect, unless the defects are so located that in cutting out one foot, it eliminates two or more defects. In the event, count the two or more defects as one. Logs with crotch tops, kinks, or crooks, are to be cut out in scale to eliminate the defects. No deductions in scaling will be made for defects admitted in paragraphs (iii), (iv), (v) and (vi) (except in the specific instances of linear foot deductions mentioned in paragraphs (iii) and (v)).

(5) *No. 2 log grade.* (i) Lengths 8 feet or longer; diameters 10 inches or larger. 10" logs must be butt logs and surface clear for all species except basswood. Logs 10' long, 11" or larger, and including basswood 10" or larger, must have not less than two-thirds of each of three faces clear in not over two cuttings per face. Logs 12 feet or longer will admit not over three cuttings per face on each of 3 faces. Cuttings must be 3 feet or longer. The proportion of 8' logs allowed will be a matter of agreement between buyer and seller.

(ii) Logs 10"–15" with black heart, heavy mineral stain, or other end defects amounting to one-half or more of the average diameter on the small end, and logs 16" and over with black heart, heavy mineral stain, or other end defects amounting to 60% or more of the the average diameter on the small end, not be admitted in this grade.

(iii) Logs containing sweep or crook, or both, which cause a deduction of 30% or more from gross scale, or sweep in conjunction with end defect in excess of ¼ of the diameter on the small end that causes deduction in excess of 20% of the gross scale, shall be eliminated from this grade.

(iv) Any defect in butt logs which does not extend inside the diameter represented by the small end will not be considered a defect in grading the log. Folds, fluted bark on butts, or shallow cat faces are examples of such defects.

(v) No logs admitted with net scale less than 50% of gross scale.

(6) *No. 3 log grade.* Lengths 8' or longer; diameters 8" or larger, which do not qualify for No. 2 grade; logs below 10" must be surface clear and straight. The proportion of 8' logs allowed will be a matter of agreement between the buyer and seller. No logs admitted with net scale less than 50% of gross scale.

(b) *White pine log grades*—(1) *Prime grade.* (i) Logs must be 16" larger, 10' or longer, and with deduction for defect not over 30% of gross scale.

(ii) Logs must be at least 75% clear on each of the three faces.

(iii) All knots outside clear cutting must be sound and not over 2½" in size.

(2) *No. 1 grade.* (i) Logs must be 12" or larger, 10' or longer, and with a net scale after deduction for defect of at least 50% of the gross contents of the log.

(ii) Logs must be at least 50% clear on each of three faces or 75% clear on two faces.

(3) *No. 2 grade.* Logs must be 8" or larger, 8' or longer, and a net scale after deduction for defect of at least 50% of the gross contents of the log.

(c) *Norway and jack pine, spruce, white cedar, tamarack, hemlock, balsam and aspen log grades.* One grade will be recognized. Logs must be 8" and up in diameter, 8' and longer, and with a net scale after deduction for defect of at least 50% of the gross contents of the log.

SEC. 12. *Tie cuts; grade and scale.* Tie cuts shall be counted by the piece. Tie cuts or bolts must be sound, green timber, free from decay, split, shakes, holes, large or numerous knots or other imperfections which will impair strength or durability, and must be otherwise suitable for the manufacture of railroad ties. (Dead cedar and tamarack acceptable if otherwise suitable). Minimum diameter is 9" (7" in Zone 2) inside bark at the end and to be 8 or 8½' long as specified. A 2" trimming allowance is required on all cuts.

SEC. 13. *General provisions on delivery.* If the buyer takes delivery at any point short of the delivery point specified in the particular zone, the cost of bringing the logs to the specified delivery point must be deducted from the ceiling price.

SEC. 14. *Maximum prices; Zone 1: Wisconsin and Upper Michigan*—(a) *Area.* Logs produced in Wisconsin and the upper peninsula of Michigan.

(b) *Maximum prices.*

TABLE 1—HARDWOOD LOGS

[Per 1,000 feet, log scale]

Species	Grades				
	Veneer or No. 1	No. 2	No. 3	Woods run, veneers in	Woods run, veneers out
Hard Maple	$30.00	$29.00	$22.00	$32.00	$24.00
Soft Maple	55.00	27.00	20.00	30.00	22.00
Yellow Birch	110.00	38.00	27.00	48.00	32.00
White Birch	60.00			24.00	21.00
Basswood	75.00	31.00	21.00	40.00	26.00
Ash	50.00	25.00	22.00	28.00	22.00
Soft Elm	50.00	25.00	22.00	28.00	22.00
Rock Elm	35.00	24.00	22.00	28.00	
Beech	45.00	26.00	22.00	27.00	22.00
Cherry	55.00	27.00	20.00	30.00	22.00
Cottonwood	40.00	25.00	23.00	28.00	24.00
Red Oak	60.00	29.00	21.00	36.00	22.00

TABLE 2—WHITE PINE LOGS

[Per 1,000 feet, log scale]

Species	Prime	No. 1	No. 2	Woods run
White Pine	$40.00	$33.00	$28.00	$30.00

TABLE 3—OTHER SOFTWOODS & ASPEN

[Per 1,000 feet, log scale]

Species:	Woods run grade only
Hemlock	[1] $24.00
Norway Pine	30.00
Jack Pine	26.00
Spruce	28.00
Balsam Fir	28.00
Tamarack	25.00
Cedar	20.00
Aspen	24.00

[1] For peeling Hemlock: add $2.00 per M'.

TABLE 4—8' TIE CUTS[1]

The following maximum prices for tie cuts apply to the Upper Peninsula of Michigan and to the State of Wisconsin with the exception of Vernon, Monroe, Sauk, Richland, Juneau, La Crosse, Clark, Jackson and Trempealeau Counties in the State of Wisconsin:

[Maximum prices per piece]

Top diameter inside bark	Species groups			
	White oak	Hard Maple, Red Oak, Ash, Birch, Beech, Cherry	Hemlock, Elm, Tamarack, Pine, Spruce	Aspen, Balm of Gilead, White Cedar
9"	$0.70	$0.60	$0.55	$0.50
10"	.90	.80	.67	.57
11" and up	1.05	.95	.83	.78

[1] For 8'6" tie cuts a maximum additio of $0.10 may be made to the above prices.

TABLE 5—8'6" TIE CUTS[1]

The following maximum prices for tie cuts apply to the Counties of Vernon, Monroe, Sauk, Richland, Juneau, La Crosse, Clark, Jackson, Trempealeau in the State of Wisconsin:

[Maximum prices per piece]

Top diameter, inside bark	Oak and Birch	Other species
Inches:		
8.5–15.9	$0.80	$0.76
16–18.9	1.78	1.52
19–20.9	2.67	2.28
21–22.9	3.56	3.04
23–24.9	4.45	3.80
25 and up	5.34	4.56

[1] The maximum prices for 8' tie cuts shall not exceed 90% of the above prices. For example, the maximum price of an 8' oak tie cut 17" diameter shall not exceed 1.78 x 90% = $1.60

(c) *Delivery provisions.* The maximum prices apply f. o. b. cars rail common carrier, or delivered to mill by truck.

If delivery of logs under Tables 1, 2 or 3 necessitates truck hauls in excess of 25 miles, the buyer and seller may join in submitting an application to the local District Office of the Office of Price Administration requesting permission to pay for the extra truck haul. These District Offices are as follows: For the upper Peninsula of Michigan, Escanaba, Michigan; for Wisconsin, Green Bay, Wisconsin. In no event will the trucking addition approved exceed 10 cents per thousand feet log scale for each load mile that logs are hauled beyond the original 25 miles.

SEC. 15. *Maximum prices; Zone 2: Northern Minnesota*—(a) *Area.* Logs produced in Minnesota: Counties of Aitkin, Becker, Beltrami, Benton, Carlton, Cass, Chisago, Clearwater, Cook, Crow Wing, Hubbard, Isanti, Itasca, Kanabec, Kittson, Koochiching, Lake, Lake of the Woods, Marshall, Morrison, Mille Lacs, Mahnomen, Otter Tail, Pine, Polk, Pennington, Red Lake, Roseau, St. Louis, Todd and Wadena.

(b) *Maximum prices.*

TABLE 6—SAWLOGS (WOODS RUN)

[Per 1,000 feet, log scale]

Species	6" and 7" in	8" and up (including nothing under 8" in diameter)
Aspen (Popple)	$22.00	$24.00
Basswood	23.00	25.00
Jack Pine	26.00	28.00
Norway (Red) Pine	27.00	29.00
White Pine	27.00	29.00
Balsam Fir	27.00	29.00

TABLE 6—SAWLOGS (WOODS RUN)—Continued

Species	6" and 7" in	8" and up (including nothing under 8" in diameter)
Spruce	$28.00	$30.00
Cottonwood	20.00	22.00
Elm	20.00	22.00
Soft Maple	20.00	22.00
Balm of Gilead	18.00	20.00
Oak	24.00	26.00

TABLE 7—TIE CUTS

ASPEN, BALM OF GILEAD, ELM, JACK PINE AND SOFT MAPLE

Diameter:	Price per 8' tie cut
7½" to 8½"	$0.30
8½" to 9½"	.40
9½" to 10½"	.50
10½" to 11½"	.60
11½" to 14½"	.75
14½" to 16½"	1.10
16½" and over	1.40

BIRCH, HARD MAPLE, ASH, RED OAK

Diameter:	Price per 8' tie cut
7½" to 8½"	$0.25
8½" to 9½"	.60
9½" to 10½"	.70
10½" to 11½"	.80
11½" to 14½"	.95
14½" to 16½"	1.30
16½" to 18½"	1.60
18½" to 22½"	2.50
22½" and over	3.20

WHITE OAK

Diameter:	Price per 8' tie cut
7" to 8"	$0.40
8" to 11½"	1.05
11½" to 14"	1.20
14" to 18"	1.85
18" to 22"	2.75
22" and up	3.50

TAMARACK

Diameter:	Price per 8' tie cut
7" to 8"	$0.30
8" to 14"	.70
14" and up	1.40

CEDAR

Diameter:	Price per 8' tie cut
7" to 8"	$0.30
8" and up	.60

NOTE: For 8½" tie cuts of all species, add $0.10 per tie cut.

(c) *Delivery provisions.* Prices are f. o. b. railroad cars at a rail siding, or delivered to the mill by truck. (Exception: for tie cuts in Table 7, prices are delivered to mill by truck only if mill is located at rail siding.)

SEC. 16. *Maximum prices; Zone 3: Southern Minnesota*—(a) *Area.* Logs produced in all counties of Minnesota south of and including the counties of Traverse, Grant, Douglas, Stearns, Sherborne, Anoka, and Washington.

(b) *Special grading rules.* In Zone 3, only, the following grade rule for veneer grade applies:

Veneer grade. All veneer logs must be at least 12" in diameter and must be straight and sound. Logs 8' in length must have no defects; logs 10' and 12' in length may have one standard defect as defined below; and logs 14' and over in length may have two defects as defined below.

Each of the following shall be considered as acceptable defects: A sound knot up to 4" in diameter, sound catface, burl, curl, bump, swell, seam, and a crook exceeding 2".

A well-centered rot or dote of 2" in logs 12" and 13" in diameter, 3" in logs 14" and 15" in diameter, 4" in logs 16" to 19" in diameter and 5" in logs 20" and over in diameter will be permitted without degrading the log or being counted as a defect; however, full deduction in scale must be made in measurement.

(c) *Maximum prices:*

TABLE 8—ZONE 3 LOGS

Species	Veneer grade per M' log scale	Woods run grade veneers in per M' log scale	Woods run grade veneers out per M' log scale
Basswood	$25.00	$24.00	$19.00
Elm	35.00	24.00	19.00
Cottonwood	35.00	24.00	19.00
Ash	35.00	24.00	19.00
Soft Maple	35.00	24.00	19.00
Hard Maple	35.00	24.00	19.00
Red Oak	35.00	26.00	20.00
White Oak	35.00	26.00	20.00
Other species	35.00	24.00	19.00

(d) *Delivery provisions.* These prices are for logs f. o. b. cars or delivered to the mill by truck from within 25 miles. If logs are delivered to the mill by truck from a distance over 25 miles, the buyer may add 12½ cents per thousand feet log scale for every additional load mile or fraction thereof over 25 and up to 50 miles and 10 cents per thousand feet log scale for every load mile or fraction thereof over 50 miles.

SEC. 17. *Maximum prices; Zone 4: Lower Michigan*—(a) *Area.* Logs (except veneer logs covered by Revised Maximum Price Regulation 313—Veneer Logs) produced in all of Michigan except the upper peninsula.

(b) *Maximum prices.* Until specific prices are published, the maximum prices are either the September–October 1942 prices as they were frozen by Maximum Price Regulation 348; or, for applicants who have joined in an area price petition, the petition prices.

This regulation shall become effective May 15, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6986; Filed, May 15, 1944; 3:58 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 533-3]

APPALACHIAN LOGS

In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1312.104 *Maximum prices for Appalachian logs.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 533-3—Appalachian Logs, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1312.104, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 533-4—APPALACHIAN LOGS

CONTENTS

Sec.
1. Coverage.
2. Over-ceiling prices prohibited.
3. Billing and records.
4. Prohibited practices.
5. Adjustable pricing.
6. Adjustments and petitions.
7. Enforcement.
8. Licensing.
9. Maximum prices.
10. Specific price option.
11. Conditional exemptions.

SECTION 1. *Coverage.* The coverage of this regulation is as follows:

(a) *Geographical.* The area covered by this regulation is the same as that covered in Maximum Price Regulation 146, Appalachian Hardwood Lumber.

The Appalachian Hardwood Region, as defined in Maximum Price Regulation No. 146, comprises:

The Counties of Garrett, Allegany, Washington and Frederick in the State of Maryland;

The Counties West of and not including the Counties of Fairfax, Prince William, Stafford, Culpeper, Orange, Louisa, Fluvanna, Buckingham, Appomattox, Campbell, Pittsylvania and Henry in the State of Virginia;

The Counties West of and not including the Counties of Stokes, Yadkin, Iredell, Catawba, Lincoln, and Gaston in the State of North Carolina;

The Counties of Greenville, Pickens, and Oconee in the State of South Carolina;

The Counties of Rabun, Habersham, White, Lumpkin, Union, Fannin and Towns in the State of Georgia;

The Counties East of and not including the Counties of Cumberland, Russell, Casey, Lincoln, Garrard, Madison, Clark, Montgomery, Bath, Fleming, Lewis, and Greenup in the State of Kentucky;

In the State of Tennessee all counties east of the west boundary of the Counties of Pickett, Fentress, Morgan, Roane, Rhea, and along the western boundary of Hamilton County to the intersection with the Nashville, Chattanooga, and St. Louis Railroad; thence easterly along said railroad through Chattanooga to the intersection of said railroad and the Georgia State Line; and

The entire State of West Virginia.

(b) *Kind of logs.* This regulation covers all commercial hardwood and softwood logs of all species, except high-grade veneer logs in Revised Maximum Price Regulation 313, Veneer Logs.

SEC. 2. *Over-ceiling prices prohibited*—(a) *General.* On and after May 15, 1944, regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive, Appalachian logs at prices higher than those in this regulation; and no person shall offer or attempt to do any of these things.

(b) *Prices.* The maximum prices are set forth in section 9.

(c) *Lower prices.* Prices under ceiling may, of course, be charged and paid.

(d) *Terms.* The maximum price cannot be increased for the extension of credit. The maximum price does not have to be reduced where the buyer purchases on cash terms.

SEC. 3. *Billing and records.* You must make a two-copy billing covering every sale. Each buyer and seller must keep one copy as a record. It must contain enough specifications and details to show whether the price is proper or not. One billing may cover all logs delivered in a period of not over two weeks.

SEC. 4. *Prohibited practices*—(a) *In general.* Any practice which gets the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Up-grading, up-scaling, or allowing a greater net scale footage than the actual content of the logs.

(2) Increasing the price of logs by failing to make an effort in good faith to collect advances to loggers. An advance to a logger is to be considered part of the price of the logs.

(3) Adding to the maximum prices a charge for grading, scaling or inspection.

(4) Paying for logs on the basis of end-product prices less a charge for custom sawing or other services.

(c) *Purchases of stumpage and payments to loggers.* It is a violation of this regulation to sell or purchase stumpage and contract for the seller to cut the stumpage, if the total amount paid for the stumpage and the logging is higher than the ceiling for the logs.

(d) *Purchasing commissions.* Purchasing commissions cannot be added to the ceiling. By purchasing commission is meant any payment for buying, selling, or locating logs, if the amount is in any way related to the quantity of logs involved.

SEC. 5. *Adjustable pricing.* You may agree to sell at a price which can be increased to the ceiling at time of delivery, but not beyond.

SEC. 6. *Adjustments and petitions*—(a) *Government contracts.* (See Procedural Regulation No. 6)[1]

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

SEC. 7. *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided for by the Emergency Price Control Act of 1942.

SEC. 8. *Licensing.* The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of applicable price regulations. A person whose license is suspended, may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 9. *Maximum prices.* The maximum price of Appalachian logs is the buyer's highest legal price on January 12, 1944.

This price is either:

(a) If the buyer did not have an exemption under an area pricing petition, under section 9 of Maximum Price Regulation 348, the September–October 1942 price as it was frozen by Maximum Price Regulation 348; or

(b) If the buyer had an exemption under an area pricing petition, the lower of the following:

(1) The buyer's actual prices in effect on January 12, 1944, as established by a contract, firm commitment, or offer to buy at stated prices (only if these prices were lower than the petition prices) or

(2) The price for which the buyer petitioned in his area pricing petition.

SEC. 10. *Specific price option.* In any case, buyers whether they are under paragraph (a) or (b) above, may pay up to the following woods run prices for logs purchased in accordance with the rules given below:

TABLE I—MAXIMUM PRICES

(Per M feet log scale)

Species:	Woods run
Yellow Poplar	$28.00
Red Oak	27.50
White Oak	29.00
Chestnut Oak	25.00
Birch	25.00
Basswood	27.50
Beech	21.00
Cherry	25.00
Hard Maple	25.00
Soft Maple	24.00
Ash[1]	25.00
Gum	23.00
Hickory[1]	22.00
Sycamore	25.00
Buckeye	22.00
Magnolia	25.00

[1] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.
[2] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 3075.
[3] 8 F.R. 13240.

*Copies may be obtained from the Office of Price Administration.

TABLE I—MAXIMUM PRICES—Continued

(Per M feet log scale)

Species—Continued.	Woods run
Butternut	$22.00
Yellow Pine	20.00
White Pine	25.00
Hemlock	22.00
Elm	25.00
Walnut[1]	30.00
Other Hardwoods	21.00
Chestnut	23.00

[1] If sold in conjunction with other species. Ceiling prices for Walnut, Ash, and Hickory when purchased on an individual selection basis will be set forth in other regulations.

(a) *Scaling rules.* All logs are to be scaled with the Doyle Log Rule. The diameter shall be measured at the small end of the log, inside the bark, and at the small end of the log, inside the bark, and at the average diameter. Fractions of an inch ½ and below shall be counted back to the next lower full inch, while fractions of an inch above ½ inch may be raised to the next higher inch.

All unsound and unusable wood must be eliminated from the scale by deduction in measurement. The defects for which full deduction must be made in measurement include hollows or large holes, rot, dote, windshake, large or excessive worm holes, damage in felling by drawn splinters, rotten and wormy sap, and crooks.

Logs are to be cut in lengths specified by the buyer. All logs 8' and longer must be cut 4" over length to allow for trim. Logs less than 8' must be cut 3" over length to allow for trim. Logs not cut sufficiently over length to allow for trim must be reduced in scale to the next lower standard length.

(b) *Grading rules.* Woodsrun Grade shall consist of hardwood and Cypress logs 10" and up in diameter, and Pine logs 8" and up in diameter, as produced from the forest, that are better than culls and from which no selection of large-sized or high-quality logs has been made. If any large-sized or high-quality logs have been removed from the run of logs, Table I may not be used.

A cull shall be considered any log whose net board foot scale, after deductions have been made for defects is less than 50 per cent of the gross board foot scale.

(c) *Delivery rules.* The above prices are for logs f. o. b. cars at rail sidings, f. o. b. barge at towable waters, or delivered to mill by truck from a distance of 25 miles or less. If logs are delivered to the mill from a distance over 25 miles, a sum not to exceed 10 cents per M feet may be added for every additional load mile.

If the buyer takes delivery of logs at any place other than f. o. b. cars at a rail siding, the buyer must deduct from his ceiling price either

(1) The cost of delivering logs to a rail siding and loading on cars, if delivery to mill is by rail;

(2) The cost of delivering logs to towable waters and loading on barges, if delivery to mill is by water;

(3) The cost of trucking logs to the mill, if delivery to mill is by truck.

SEC. 11. *Conditional exemptions.* Any buyer wishing to get an exemption from the January 12, 1944, price may file an application with the Lumber Branch, Office of Price Administration, Washington 25, D. C., containing the following information:

(a) Name and location of the buying plant.

(b) Actual prices paid on January 12, 1944, and prices you expect to pay (by species and by grade if so purchased).

(c) The area in which the buying price is to be used.

(d) The total volume of all species and all grades of logs purchased in m'bm log scale, and the total dollars paid for these logs, for the month preceding the month of application.

(e) A statement that the buyer recognizes the need for keeping log prices at a minimum and that the requested price is not a price which will be used to obtain a buying advantage over a competitive log buying plant.

(f) A statement by the buyer that he will furnish the Lumber Branch of the Office of Price Administration a report by the 25th of each month, containing the following information for the preceding month.

(1) The total footage, log scale, of purchased logs of hardwood species, and total dollars paid for these logs f. o. b. mill.

(2) The total footage, log scale, of purchased logs of softwood species, and total dollars paid for these logs f. o. b. mill.

(3) The total footage, log scale, of purchased logs of high grade veneer, and total dollars paid for these logs f. o. b. mill.

(4) The total footage, log scale, of high grade veneer logs sold during the same month, and total dollars received for these logs f. o. b. mill.

If in the judgment of the Administrator the application for exemption is reasonable (based upon prices paid and expected to be paid) and is made in good faith, approval will be given by letter or telegram addressed to the applicant at the place of business designated in the application. The exemption takes effect when approval is received by the buyer, and will continue in effect unless the buyer fails to make his monthly report, or unless the Lumber Branch finds that the prices paid by the buying plant are excessive for the area and tend to create a buying advantage for that particular plant over competitive buyers. If the exemption is removed, the buying plant's maximum price for logs reverts to levels established in sections 9 and 10 above.

This regulation shall become effective May 15, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6987; Filed, May 15, 1944; 3:59 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 533-6]

FLORIDA LOGS

In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1312.107 *Maximum prices for Florida logs.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 533-6—Florida Logs, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1312.107, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 533-6—FLORIDA LOGS

CONTENTS

Sec.
1. Coverage.
2. Over-ceiling prices prohibited.
3. Items not listed.
4. Billing and records.
5. Prohibited practices.
6. Adjustable pricing.
7. Adjustments and petitions.
8. Enforcement.
9. Licensing.
10. Maximum prices.

SECTION 1. *Coverage.* The coverage of this regulation is as follows:

(a) *Geographical.* The State of Florida.

(b) *Kind of logs.* All logs and blocks, of all commercial hardwood and softwood species, except the high-grade veneer logs in RMPR 313, Veneer Logs.

SEC. 2. *Over-ceiling prices prohibited*—(a) *General.* On and after May 15, 1944, regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive, Florida logs at prices higher than those in this regulation; and no person shall offer or attempt to do any of these things.

(b) *Prices.* The maximum prices are set forth in section 10.

(c) *Lower prices.* Prices under ceiling may, of course, be charged and paid.

(d) *Terms.* The maximum price cannot be increased for the extension of credit. The maximum price does not have to be reduced where the buyer purchases on cash terms.

SEC. 3. *Items not listed.* The maximum price on an item not listed is the "September–October 1942 price", as it was frozen by Maximum Price Regulation 348. If, for any reason, you cannot determine what the ceiling is, write to the Lumber Branch, Office of Price Ad-

*Copies may be obtained from the Office of Price Administration.

ministration, Washington, D. C., for determination of the price.

SEC. 4. *Billing and records.* You must make a two-copy billing covering every sale. Each buyer and seller must keep one copy as a record. It must contain enough specifications and details to show whether the price is proper or not. One billing may cover all logs delivered in a period of not over two weeks.

SEC. 5. *Prohibited practices*—(a) *In general.* Any practice which gets the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of concessions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Up-grading, up-scaling, or allowing a greater net scale footage than the actual content of the logs.

(2) Increasing the price of logs by failing to make an effort in good faith to collect advances to loggers. An advance to a logger is to be considered part of the price of the logs.

(3) Adding to the maximum prices a charge for grading, scaling or inspection.

(c) *Purchases of stumpage and payments to loggers.* It is a violation of this regulation to sell or purchase stumpage and contract for the seller to cut the stumpage, if the total amount paid for the stumpage and the logging is higher than the ceiling for the logs.

(d) *Purchasing commissions.* Purchasing commissions cannot be added to the ceiling. By purchasing commission is meant any payment for buying, selling, or locating logs, if the amount is in any way related to the quantity of logs involved.

SEC. 6. *Adjustable pricing.* You may agree to sell at a price which can be increased to the ceiling at time of delivery, but not beyond.

SEC. 7. *Adjustments and petitions*—(a) *Government contracts.* (See Procedural Regulation No. 6.[1])

(b) *Petition for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

SEC. 8. *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided for by the Emergency Price Control Act of 1942.

SEC. 9. *Licensing.* The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of applicable price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 10. *Maximum prices.* The maximum prices for Florida logs are set forth below.

(a) *Scaling rules.* (1) Logs shall be scaled with the Doyle Rule, with the diameter measured at the small end of the log inside the bark at the smallest diameter.

(2) Logs between 24 and 30 feet in length are to be scaled as two logs, in that one-half of the log is to be measured at the small end, and the other one-half is to be calipered in the center of the whole log with one inch deducted for bark. On logs longer than 30 feet, the log shall be treated as containing a series of segments of not less than 12 feet each starting from the small end; each segment shall be calipered at the small end with deduction for bark as stated above.

(3) On diameter measurements, fractions of an inch ½ inch and below shall be counted back to the next lower diameter inch, while fractions of an inch above ½ inch shall be raised to the next higher inch.

(4) Logs are to be scaled in standard foot lengths, plus at least 4" overlength to allow for trim on logs 8 feet and longer and at least 2" overlength to allow for trim on lengths below 8 feet. If the trim allowance is not included in the length of the log, it shall be scaled at the next lower standard length.

(5) All unsound and unusable wood must be deducted by allowance in measurement. The defects for which full allowance must be made in measurement includes hollows or large holes, rot, dote, windshake, large or excessive worm holes, damage in felling by drawn splinters, and crook.

(b) *Grading rules*—(1) *No. 1 grade.* The grade specifications for the No. 1 grade are the minimum requirements for that grade. All logs better than the No. 1 grade definition are included in that grade. Minimum diameter 12 inches, minimum length 10 feet. Logs 12 to 15 inches in diameter must be clear of all visible defects.

Logs 16 to 23 inches in diameter must have at least 3 clear faces or have at least 75 percent of the length clear in one continuous section.

Logs 24 inches and over in diameter must have at least 2 clear faces or have at least 50 percent of the length clear in one continuous section.

NOTE: A rot or dote in the center of the log up to 4 inches in diameter is permitted for logs over 24 inches in diameter, up to 3 inches in diameter for logs over 16 inches to 23 inches, and up to 2 inches diameter for logs 12 inches to 15 inches, but full deduction for the defect must be made when scaling the log.

(2) *No. 2 grade.* Minimum diameter 8 inches. This grade shall include all sound logs above the specified diameter limits that are better than a cull and that do not grade as a No. 1 log.

(3) *A cull log* shall be considered any log whose net board foot scale, after deductions have been made for defects, is less than 50 percent of the gross board foot scale.

(4) *Woods run grade* shall consist of the entire product of the forest 8" and up in diameter exclusive of culls. This grade is to contain the full amount of good logs which the standing timber will produce, from which no large or high grade logs have been separated.

If any selection of high quality logs has been made, the purchase price shall be either on the individual grades sold, or the price for No. 2 grade.

(5) *No. 1 veneer blocks.* Minimum diameter 12 inches, minimum length to be specified by buyer.

Veneer blocks 12 inches to 15 inches in diameter must be sound and clear of all visible defects.

Veneer blocks 16 inches to 23 inches in diameter must be sound and can have not more than one sound knot 3 inches or less in diameter.

Veneer blocks over 24 inches in diameter must be sound and can have not more than 2 sound knots 3 inches and under in diameter.

(6) *Sawmill blocks.* To be measured on the basis of a cord of 123 cubic feet; minimum diameter 6 inches; minimum length of block 48 inches.

(c) *Delivery provisions.* The prices are f. o. b. cars at rail siding common carrier railroad, f. o. b. barge, raft or gunboat at towable waters, or delivered to the mill by truck.

(d) *Maximum prices.*

TABLE 1—LOGS

[Per 1,000 feet, log scale]

Species	No. 1 grade and better	No. 2 grade	Woods run grade	No. 1 veneer blocks
Gum	$32.50	$18.00	$25.00	$30.00
Cypress [1]	30.00	18.00	25.00	27.50
Ash	32.00	18.00	25.00	30.00
Maple	32.50	18.00	25.00	30.00
Poplar	32.50	18.00	25.00	30.00
Magnolia	32.50	18.00	25.00	30.00
Longleaf Pine [2]	32.50	19.00	27.00	30.00
Other Pine	30.00	18.00	25.00	27.50
Other Species	32.50	19.00	27.00	30.00

[1] Cypress woods run logs may be purchased on the basis of size classes at a rate not in excess of those listed below:

8 inches to 10 inches diameter, $18.
11 inches to 14 inches diameter, $20.
15 inches to 19 inches diameter, $25.
20 inches to 24 inches diameter, $30.
25 inches to 29 inches diameter, $35.
30 inches and up, $40.

[2] Longleaf Pine woods run logs may be purchased on the basis of size classes at a rate not in excess of those listed below:

8 inches to 10 inches diameter, $22.
11 inches to 12 inches diameter, $25.
13 inches to 14 inches diameter, $30.
15 inches to 16 inches diameter, $33.
17 inches and up, $35.

TABLE 2—SAWMILL BLOCKS

Pine—$8.10 per cord of 128 cubic feet.
Hardwoods—$8.60 per cord of 128 cubic feet.
Cypress—$9.10 per cord of 128 cubic feet.

(e) *Undersized logs.* Any undersized log either in respect to diameter or length, not specifically covered above, can be paid for at two-thirds of the No. 2 grade price, by paying only for the net usable contents.

This regulation shall become effective May 15, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Report Act of 1942.

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6000; Filed, May 15, 1944; 4:00 p. m.]

[1] 7 F.R. 5067, 5664; 8 F.R. 6173, 6174, 12024.
[2] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 3075.
[3] 8 F.R. 13240.

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 535-6]

STAVE AND HEADING BOLTS

In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1312.115 *Maximum prices for stave and heading bolts.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 535-6—Stave and Heading Bolts, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1312.115, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 535-6—STAVE AND HEADING BOLTS

CONTENTS

Sec.
1. Coverage.
2. Over-ceiling prices prohibited.
3. Items not listed.
4. Billing and records.
5. Prohibited practices.
6. Adjustable pricing.
7. Adjustments and petitions.
8. Enforcement.
9. Licensing.
10. Maximum prices for nail keg stave and heading bolts.
11. Maximum prices for slack stave bolts.
12. Maximum prices for tight stave and heading bolts.

SECTION 1. *Coverage.* The coverage of this regulation is as follows:

(a) *Geographical.* Eastern United States (east of 100th meridian).

(b) *Kind of logs.* All stave and heading bolts measured by the cord.

SEC. 2. *Over-ceiling prices prohibited*—(a) *General.* On and after May 15, 1944, regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive, stave and heading bolts at prices higher than those in this regulation; and no person shall offer or attempt to do any of these things.

(b) *Prices.* The maximum prices are set forth in sections 10, 11, and 12.

(c) *Lower prices.* Prices under ceiling may, of course, be charged and paid.

(d) *Terms.* The maximum price cannot be increased for the extension of credit. The maximum price does not have to be reduced where the buyer purchases on cash terms.

SEC. 3. *Items not listed.* The maximum price on an item not listed or for stave and heading bolts produced in a part of the Eastern area not specifically mentioned in sections 10, 11, and 12 may be determined by applying to the Lumber Branch, Office of Price Administration, Washington 25, D. C. The application must contain the name and address of the buyer, the requested price, the end product to be manufactured, and a statement by the buyer that this requested price can be paid under the end product ceiling in effect on the date of application. The Lumber Branch may approve or deny this application by letter or telegram.

SEC. 4. *Billing and records.* You must make a two-copy billing covering every sale. Each buyer and seller must keep one copy as a record. It must contain enough specifications and details to show whether the price is proper or not. One billing may cover all stave and heading bolts delivered in a period of not over two weeks.

SEC. 5. *Prohibited practices*—(a) *In general.* Any practice which gets the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Up-grading, up-scaling, or allowing a greater net scale footage than the actual content of the bolts.

(2) Increasing the price of stave and heading bolts by failing to make an effort in good faith to collect advances to loggers. An advance to a logger is to be considered part of the price of the bolts.

(3) Adding to the maximum prices a charge for grading, scaling or inspection.

(c) *Purchases of stumpage and payments to loggers.* It is a violation of this regulation to sell or purchase stumpage and contract for the seller to cut the stumpage, if the total amount paid for the stumpage and the logging is higher than the ceiling for the stave and heading bolts.

(d) *Purchasing commissions.* Purchasing commissions cannot be added to the ceiling. By purchasing commission is meant any payment for buying, selling, or locating logs, if the amount is in any way related to the quantity of logs involved.

SEC. 6. *Adjustable pricing.* You may agree to sell at a price which can be increased to the ceiling at time of delivery, but not beyond.

SEC. 7. *Adjustments and petitions*—(a) *Government contracts.* (See Procedural Regulation No. 6.)[1]

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

SEC. 8. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided for by the Emergency Price Control Act of 1942.

SEC. 9. *Licensing.* The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 10. *Maximum prices for nail keg staves and heading bolts.* The maximum prices for nail keg staves and heading bolts are set forth below:

Specific coverage. Pine nail keg staves and heading bolts produced in Virginia, counties of Buckingham, Chesterfield, Prince George, Cumberland, Dinwiddie, Nottoway, Powhatan, and Amelia.

Scaling and grading. Unit of 180 cubic feet. Minimum diameter limits—4" for stave wood and 7" for heading wood. Logs with tight knots accepted for staves, but should not have more than 4 knotty places in one billet. Logs with red knots cannot be accepted for heading. All logs must be of top rate firmness. Very crooked logs not acceptable.

Delivery provisions. Prices for nail keg staves and heading bolts are f. o. b. rail cars at rail siding or delivered to the mill by truck. If the buyer takes delivery at some place other than on railroad cars or at his plant, the maximum prices must be reduced by either of the following, depending on delivery point.

(1) The cost per cord to the buyer of trucking bolts to the closest rail siding and loading on cars if delivery to mill is by rail;

(2) The cost to the buyer of trucking bolts to his plant, if delivery to mill is by truck.

MAXIMUM PRICES

TABLE 1

Nail keg stave bolts....$11.25 per unit of 180 cu. ft.
Nail keg heading bolts....$12.25 per unit of 180 cu. ft.

SEC. 11. *Maximum prices for slack stave bolts.* The maximum prices for slack stave bolts are set forth below:

Specific coverage. Slack stave bolts produced in the States of Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri and Tennessee.

Scaling and grading rules. The minimum diameter limit for all bolts shall be 9 inches measured at the small end. Bolts shall be

[1] 7 F.R. 5067, 5664; 8 F.R. 6173, 6174, 12024.
[2] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 3075.
[3] 8 F.R. 13240.

*Copies may be obtained from the Office of Price Administration.

cut into 32-inch lengths unless otherwise specified by the buyer.

The basis for measurement shall be the standard cord of 128 cubic feet. The maximum price of units of specifications different from the normal cord specification of 4' x 4' x 8' shall be computed by converting to cubic feet and adjusting the price accordingly.

The grade and species of log herein priced includes the entire normal woods run of short logs or bolts that are developed from the trees cut and from which no large sized or higher quality short logs have been removed.

Delivery provisions. Maximum prices for slack stave bolts are f. o. b. cars or delivered to the mill by truck. If the buyer takes delivery at some place other than on railroad cars or at his plant, the maximum prices must be reduced by either of the following, depending on delivery point.

(1) The cost per cord to the buyer of trucking bolts to the closest rail siding and loading on cars if delivery to mill is by rail;

(2) The cost to the buyer of trucking bolts to his plant, if delivery to mill is by truck.

MAXIMUM PRICES

TABLE 2

$10.50 per cord of 128 cubic feet.

SEC. 12. *Maximum prices for tight stave and heading bolts.* The maximum prices for tight stave and heading bolts are set forth below:

General provisions, all zones—Scaling and grading rules. The basis for measurement shall be the standard cord of 128 cubic feet. The prices for units of different specifications than the standard cord specifications of 4' x 4' x 8' shall be determined as follows:

(a) Convert the unit to cubic feet.

(b) Determine the ratio which the unit bears to the cord of 128 cubic feet.

(c) Multiply the price for the standard cord of 128 cubic feet by the ratio so obtained.

Example: If the unit contains 180 cubic feet, the ratio is

$$\frac{180}{128} = 1.406$$

Grade specifications—(1) *Bourbon grade stave bolts.* Must be of white oak species; 38" in length; sound, straight-grained, free of all visible defects. Must be cut from timber large enough to split into 4 or more bolts so that each bolt will square 4 or more inches of red or heartwood. The 4 inch square is to be measured at the small end of the bolt.

(2) *Bourbon grade heading bolts.* Must be of white oak species, 28" in length, sound, straight-grained, free from all visible defects. Must be cut from timber large enough to split into 4 or more bolts so that each bolt will square 4½ or more inches of red or heartwood. The 4½ inch square is to be measured at the small end of the bolt.

(3) *Oil grade mixed oaks stave bolts.* Can include both red and white oak bolts that are sound, straight-grained, free of knots, catfaces and large worm holes, and must be cut from timber large enough to split into 3 or more bolts so that each bolt will square at least 4 inches of both heart and sapwood. The 4 inch square is to be measured at the small end of the bolt. The bolts are to be 38" in length.

(4) *Oil grade mixed oaks heading bolts.* Can include both red and white oak bolts that are sound, straight-grained, free of knots, catfaces and large worm holes, and must be cut from timber large enough to split into 3 or more bolts so that each bolt will square at least 4½ inches of both heart and sapwood. The 4½ inch square is to be measured at the small end of the bolt. The bolts are to be 23" in length.

(5) *#1 Grade block (or billet) (Zone 3 only).* The minimum diameter for the blocks shall be 12". The blocks shall be cut into lengths of 23" and 38" unless otherwise specifically ordered by the buyer. All blocks are to be sound, straight-grained, free of knots, catfaces and large worm holes, except that two small knots 1" or less in diameter will be permitted if the knots are in strict alignment.

(6) *#2 Grade blocks or bolts (Zone 3 only).* Any bolt or block not meeting the requirements of a #1 block or an oil bolt shall be considered as a #2 block or bolt. All bolts cut two pieces from one cut will be included in this grade.

Delivery provisions. These prices are f. o. b. cars or for bolts and blocks delivered to the mill by truck.

If the buyer takes delivery at a point other than on railroad cars or at his mill, the maximum prices must be reduced by either of the following, depending upon the delivery point:

(1) The cost per cord to the buyer of trucking bolts or blocks to the closest rail siding and loading on cars, if delivery to mill is by rail.

(2) The cost to the buyer of trucking bolts or blocks to his mill, if delivery to mill is by truck.

MAXIMUM PRICES

Zone 1. The entire States of Kentucky and Tennessee.

TABLE 3

	Per cord of 128 cu. ft.
Bourbon grade stave bolts	$26.50
Bourbon grade heading bolts	26.50
Oil grade stave bolts	17.00
Oil grade heading bolts	17.00

Zone 2. The State of Alabama.

TABLE 4

	Per cord of 128 cu. ft.
Bourbon grade stave bolts	$25.00
Bourbon grade heading bolts	25.00
Oil grade stave bolts	16.00
Oil grade heading bolts	16.00

Zone 3. The States of Arkansas, Louisiana, Mississippi and Texas.

TABLE 5

	Per cord of 128 cu. ft.
Bourbon grade stave bolts	$25.00
Bourbon grade heading bolts	25.00
Oil grade stave bolts	17.00
Oil grade heading bolts	17.00
#1 grade red and sweet gum blocks	14.00
#1 grade mixed gum blocks	13.00
#1 grade other hardwood blocks	13.00
#2 grade all species—blocks or bolts	7.00

This regulation shall become effective May 15, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6998; Filed, May 15, 1944; 4:04 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 535-1]

INSULATION AND FELT CORDWOOD AND RELATED PRODUCTS

In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1312.110 *Maximum prices for insulation and felt cordwood and related products.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 535–1 Insulation and Felt Cordwood and Related Products, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1312.110, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 535–1—INSULATION AND FELT CORDWOOD AND RELATED PRODUCTS

CONTENTS

Sec.,
1. Coverage.
2. Over-ceiling prices prohibited.
3. Items not listed.
4. Billing and records.
5. Prohibited practices.
6. Adjustable pricing.
7. Adjustments and petitions.
8. Enforcement.
9. Licensing.
10. General provisions on delivery.
11. Maximum prices for insulation and felt cordwood.
12. Maximum prices for grain door bolts.
13. Maximum prices for snow fence bolts.

SECTION 1. *Coverage.* The coverage of this regulation is as follows:

(a) *Geographical.* Eastern United States (East of 100th Meridian). (Note on zone numbers; for convenience, the zone numbers used correspond to the numbers of the pulpwood regulation in which the area falls. Zones within pulpwood regulations are designated by Roman numerals. Thus, Pennsylvania is Zone 464–I.)

(b) *Kind of logs.* Insulation and felt cordwood, grain door bolts, snow fence bolts, and any bolts, cordwood or pulpwood not covered by a specific dollars and cents regulation.

SEC. 2. *Over-ceiling prices prohibited*—(a) *General.* On and after May 15, 1944, regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive, insulation and felt cordwood and related products at prices higher than those in this regulation; and no person shall offer or attempt to do any of these things.

(b) *Prices.* The maximum prices are set forth in sections 11, 12 and 13.

(c) *Lower prices.* Prices under ceiling may, of course, be charged and paid.

(d) *Terms.* The maximum price cannot be increased for the extension of credit. The maximum price does not have to be reduced where the buyer purchases on cash terms.

*Copies may be obtained from the Office of Price Administration.

SEC. 3. *Items not listed.* The maximum price for insulation and felt cordwood and related products produced in an area not listed may be determined by applying to the Lumber Branch, Office of Price Administration, Washington 25, D. C. The application must contain the name and address of the buyer, the requested price, the end product to be manufactured, and a statement by the buyer that this requested price can be paid under the end product ceiling in effect on the date of application. The Lumber Branch may approve or deny this application by letter or telegram.

SEC. 4. *Billing and records.* You must make a two-copy billing covering every sale. Each buyer and seller must keep one copy as a record. It must contain enough specifications and details to show whether the price is proper or not. One billing may cover all cordwood delivered in a period of not over two weeks.

SEC. 5. *Prohibited practices*—(a) *In general.* Any practice which gets the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Up-grading, up-scaling, or allowing a greater net scale footage than the actual contents.

(2) Increasing the price of cordwood by failing to make an effort in good faith to collect advances to loggers. An advance to a logger is to be considered part of the price of the cordwood.

(3) Adding to the maximum prices a charge for grading, scaling or inspection.

(c) *Purchases of stumpage and payments to loggers.* It is a violation of this regulation to sell or purchase stumpage and contract for the seller to cut the stumpage, if the total amount paid for the stumpage and the logging is higher than the ceiling for the cordwood.

(d) *Purchasing commissions.* Purchasing commissions cannot be added to the ceiling. By purchasing commission is meant any payment for buying, selling, or locating cordwood, if the amount is in any way related to the quantity of logs involved.

SEC. 6. *Adjustable pricing.* You may agree to sell at a price which can be increased to the ceiling at time of delivery, but not beyond.

SEC. 7. *Adjustments and petitions*—(a) *Government contracts.* (See Procedural Regulation No. 6.)[1]

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

[1] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.
[2] 7 F.R. 8961; 8 F.R. 3313, 3583, 6173, 11806; 9 F.R. 1594, 3075.

SEC. 8. *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided for by the Emergency Price Control Act of 1942.

SEC. 9. *Licensing.* The provisions of Licensing Order No. 1[3], licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of applicable price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 10. *General provisions on delivery.* If the buyer takes delivery short of the delivery point specified, the cost to the buyer of bringing the wood to that delivery point must be deducted from the maximum price.

SEC. 11. *Maximum prices for insulation and felt cordwood*—(a) *Products covered.* The maximum prices for insulation and felt cordwood are set forth below. These prices apply also for pulpwood produced in those areas not covered by a specific dollars-and-cents regulation on pulpwood.

(b) *General specifications.* Insulation and felt cordwood shall be piled so that the cord volume can be accurately measured. All existing trade customs on allowance for culls, fire kills or defective wood of any kind must be observed.

All prices are per cord of 128 cu. ft., except as specified in Zone 257. If cordwood is bought on some other unit than that in the Table, the maximum price shall be adjusted according to the relative cubic content of the two units. (In Zone 257, use 133 cu. ft. cord as basis for conversion).

(c) *Dealers' commissions in certain zones*—(1) *Who may receive dealers' commission.* A "dealer" is a person who meets both the following tests:

Test (i). He sold and delivered at least 8,000 cords of cordwood (box bolts, veneer short logs, excelsior bolts, pulpwood, insulation bolts, etc.) to consumers in either the 1942–43 or the 1943–44 operating season (May 1 to April 30). (Test (i) applies only in Zone 257).

Test (ii). He does not cut or prepare cordwood, but buys it in the form in which it is to be sold.

(2) *Who may receive traders' commission.* A "trader" is a person in Zone 257 who meets test (ii) just above, but not test (i).

Also, a dealer when selling to a nonconsumer may receive a traders' commission.

(3) *Who may pay.* Only consumers may pay the dealers' commission. Any person may pay the traders' commission.

(4) *On which items.* Dealers' commissions may be added only in Zones 257, 387, 464 (I to VII) 361–II and 348–II. The traders' addition applies only in Zone 257.

(5) *Maximum amount of commission.* The amount varies with the zone. See individual zone provisions. The total commissions on any sale may never exceed the amount of one dealer's commission.

(6) *Conditions.* The commissions may be added only if all the following conditions are met:

(i) Settlement sheets must show the commission separately, and copies must be kept by buyer and seller;

(ii) The dealer or trader guarantees that the wood is of merchantable quality and that it is free of liens and encumbrances;

(iii) The settlement sheet must contain a statement that the dealer or trader had no part in the preparation of the wood.

(7) *Prohibited practices.* The following practices are prohibited:

(i) Paying or receiving a commission on wood cut or prepared by the dealer or trader;

(ii) Adding the commission on the cut of any other person, on an understanding that the other person will handle, on commission, wood cut by you;

(iii) Splitting commissions with anyone (exception: a dealer may pay a traders' commission out of his dealer's commission);

(8) *New dealers.* If you do not meet the definition of a dealer, but intend to engage in that kind of business, write to the Lumber Branch, Office of Price Administration, Washington 25, D. C. Permission may be granted or denied by letter or telegram. The addition may not be made until permission has actually been received.

(d) *Concentrators' additions in certain zones*—(1) *Who may receive concentrator's commission.* A concentrator is a person who sold and delivered at least 1,000 cords of cordwood, insulation bolts, to consumers in either the 1942–43 or the 1943–44 operating season (May 1 to April 30).

(2) *Who may pay.* Only consumers may pay the concentrator's commission.

(3) *On which items.* Commissions may be added only to the prices in Zones 361–II, IV and V.

(4) *Maximum amount of commission.* $1.00 per cord. Not more than one commission may be added.

(5) *Conditions.* The commission may be added only if the following conditions are observed:

(i) Settlement sheets must show the commission separately, and copies must be kept by buyer and seller;

(ii) The concentrator guarantees that the wood is of merchantable quality and that it is free of liens and encumbrances;

(iii) the commission may not be split with any one.

(6) *New concentrators.* If you do not meet the definition of a concentrator, but intend to engage in that kind of business, write to the Lumber Branch, Office of Price Administration, Washington 25, D. C. Permission may be granted or denied by letter or telegram. The addition may not be made until permission has actually been received.

(e) *Maximum prices; Zone 257*—(1) *Area of production.* Minnesota, Michigan and Wisconsin.

(2) *Delivery provisions.* These prices are f. o. b. rail cars, or f. a. s. at a lake

[3] 8 F.R. 13240.

or stream. For delivery by truck to buyer's plant, $1.00 per cord may be added.

(3) *Maximum prices.*

TABLE 1—ZONE 257

[Per cord of 128–133 cubic feet]

Species	Rough	Peeled
Aspen (Poplar)	$9.00	$11.50
Jack Pine	11.50	
Norway and White Pine	11.50	
Balsam Fir	13.00	
Spruce	15.00	

(4) *Mixed shipments.* If a shipment contains a mixture of species, the maximum price per cord shall be ascertained by determining the number of cords of each species in the shipment and then applying the maximum price for each species.

(5) *Dealers' and traders' addition:*

(i) Dealers': $1.00 per cord.
(ii) Traders': $0.50 per cord.

(f) *Zone 387*—(1) *Area of production.* The States of Mississippi and Alabama and all parishes in the State of Louisiana east of the Mississippi River.

(2) *Maximum prices.*

TABLE 2—ZONE 387

Unpeeled pine:
$7.60 per cord f. o. b. cars.
$8.60 per cord f. o. b. barge.
Peeled pine: [1]
$9.35 per cord f. o. b. cars or barge.
Unpeeled hardwoods:
$8.10 per cord f. o. b. cars or barge.
Peeled hardwoods:
$10.80 per cord f. o. b. cars or barge.

(3) *Special provisions on delivery.* The price for wood delivered to the mill by truck is the same as the f. o. b. cars price, with these exceptions:

(i) For all wood produced in Lauderdale County, in the State of Mississippi delivered to a buying plant by truck, the buyer may add 60 cents per cord of 128 cubic feet to the f. o. b. cars price.

(ii) If any consuming plant purchasing insulation or felt cordwood is located in the same town as a plant consuming pulpwood delivered by truck, the maximum price for truck-delivered wood for the plant purchasing insulation or felt cordwood shall be the same as the truck-delivered price for the plant purchasing pulpwood.

(4) *Banking addition.* For storing at a shipping point at buyer's request, and reloading, at seller's expense, the following may be added:

(i) Rail wood—$0.80.
(ii) Barge wood—$1.00.

(5) *Dealers' addition.* Rail and truck wood only, $0.75.

(In this zone, if the dealer buys unpeeled wood and either peels or provides for peeling of the wood, he can still be classed as a dealer.)

(6) *Drying by dealer.* When wood is stored in a dealer's concentration yard for at least 60 days for drying purposes, an additional charge of 25 cents per cord of 128 cubic feet may be added.

(g) *Zone 464—II*—(1) *Area of production.* The entire State of Maryland, and the counties of Pendleton, Grant, Mineral, Hardy, Morgan, Hampshire, Berkeley and Jefferson in West Virginia.

(2) *Maximum prices.* $9.60 per cord f. o. b. rail cars or banked at a barge landing. When loading on barges by or at the expense of the seller, add $1.00 per cord. When delivered to the consuming mill by truck, add $2.40 per cord to the f. o. b. rail cars price.

(3) *Dealer's commission.* $0.80 per cord.

(h) *Zone 464—III*—(1) *Area of production.* West Virginia north of (but not including) the counties of Wayne, Lincoln, Boone, Raleigh, Fayette and Greenbrier, except the counties of Pendleton, Grant, Mineral, Hardy, Morgan, Hampshire, Berkeley and Jefferson.

(2) *Maximum prices.* $8.80 per cord f. o. b. rail cars. When delivered to the consuming mill by truck, add $2.40 per cord to f. o. b. rail cars price.

(3) *Dealer's commission.* $0.80 per cord.

(j) *Zone 464—IV*—(1) *Area of production.* In West Virginia, all counties south of and including the counties of Wayne, Lincoln, Boone, Raleigh, Fayette and Greenbrier.

(2) *Maximum prices.* $8.00 per cord f. o. b. rail cars or delivered to the mill by truck.

(3) *Dealer's commission.* $0.80 per cord.

(k) *Zone 464–V*—(1) *Area of production.* The entire State of Ohio. In the State of Kentucky, all counties north of and including the counties of Jefferson, Spencer, Anderson, Woodford, Jessamine, Fayette, Clark, Powell, Wolfe, Breathitt, Knott, Floyd and Martin.

(2) *Maximum prices.* $8.10 per cord f. o. b. cars. When delivered to the consuming mill by truck add $2.00 per cord to the f. o. b. cars price.

(3) *Dealer's commission.* $0.80 per cord.

(l) *Zone 464–VI*—(1) *Area of production.* The entire State of Indiana; the entire State of Missouri. In the State of Kentucky, all counties south of and including the counties of Bullitt, Nelson, Washington, Mercer, Garrard, Madison, Estill, Lee, Owsley, Perry, Letcher and Pike.

(2) *Maximum prices.*

TABLE 3—ZONE 464—VI

Species:	Per cord f.o.b. cars
Rough Pine	$7.60
Peeled Pine	10.80
Rough Hardwood	8.10
Peeled Hardwood	10.80

(3) *Banking addition.* For storing at a rail siding at buyer's request, and reloading, at seller's expense, an addition of 80 cents per cord may be made.

(4) *Truck delivery provision.* If wood is delivered to the mill by truck, the buyer and seller shall determine the total distance that wood has been hauled as well as the distance from the wood cutting operations to the nearest rail shipping point. The buyer may then add 5 cents per cord of 128 cubic feet for each load mile that the wood is hauled in excess of the distance to the nearest rail shipping point. (Thus, if wood is hauled 30 miles to a mill from a zone of operations which is 10 miles from a rail siding, the buyer may pay a trucking addition for the distance in excess of the distance to the rail siding or for 20 miles).

(5) *Dealer's addition.*

In Kentucky	$0.75
In Missouri and Indiana	1.00

(m) *Zone 464–VII*—(1) *Area of production.* The entire State of Illinois.

(2) *Maximum prices.* $8.50 per cord f. o. b. rail cars. When delivered to the consumers mill by truck, add $2.00 per cord to the f. o. b. cars price.

(3) *Dealer's addition.* $1.00 per cord.

(n) *Zone 348–I*—(1) *Area of production.* The entire State of New Jersey.

(2) *Maximum prices.* $10.00 per cord of 128 cubic feet f. o. b. rail cars at rail siding.

(3) *Truck delivered wood.* The maximum price for truck delivered wood shall be the price that was filed with the Lumber Branch, Office of Price Administration, Washington, D. C., under Maximum Price Regulation 348, Logs and Bolts, as the plant's highest contract price in March 1943. Any buying plant which has not filed its price must write to the Lumber Branch for approval of a price.

(o) *Zone 361–II*—(1) *Area of production.* In the State of New Hampshire, the counties of Sullivan, Merrimack, Cheshire, Hillsboro and Rockingham.

(2) *Maximum prices.*

TABLE 4—ZONE 361—II

Hardwoods:
$12.25 per cord at roadside available to trucks on year-around roads.
$14.75 per cord f. o. b. cars at rail siding.
$15.75 per cord delivered to mill by truck.
Pine:
$10.75 per cord at roadside available to trucks on year-around roads.
$13.25 per cord f. o. b. cars at rail siding.
$14.25 per cord delivered to mill by truck.

(3) *Concentrator's addition.* $1.00 per cord.

(p) *Zone 348–II*—(1) *Area of production.* The part of the State of Massachusetts and Connecticut east of the Connecticut River, and the entire State of Rhode Island.

(2) *Maximum prices.—Hardwoods and pine.* $12.25 per cord at roadside available to trucks on year-around road. For f. o. b. cars or delivered to mill by truck from within 10 miles, add $2.50 per cord. If delivered to mill by truck from a distance greater than 10 miles, add 6 cents per cord per load mile for next 15 miles (miles 11-25) and 5 cents per cord per load mile for each load mile thereafter.

(3) *Dealer's addition.* $0.50 per cord.

(q) *Zone 361–V*—(1) *Area of production.* In the State of New York, the counties of Chautauqua, Cattaraugus, Allegany, Steuben, Chemung, Tioga, Broome, Delaware, Sullivan, Orange, and Rockland.

[1] The price for peeled pine applies only to wood produced in the State of Mississippi and in that portion of Louisiana east of the Mississippi River.

(2) *Maximum prices.*

TABLE 5—ZONE 361—V

	Roadside	F. o. b. cars	Delivered mill (by truck)
Poplar: [1]			
Rough	$9.00	$11.00	$13.00
Peeled	11.00	13.00	15.00
Northern Hardwoods:			
Rough	9.25	11.25	13.25
Peeled	11.75	13.75	15.75

(3) *Concentrator's addition.* $1.00 per cord.

(r) *Zone 361–IV*—(1) Area of production. In the State of New York, those counties not included in Zone 361–V.

(2) *Maximum prices.*

TABLE 6—ZONE 361—IV

	Roadside	F. o. b. cars	Delivered mill (by truck)
Poplar: [1]			
Rough	$10.75	$13.25	$15.50
Peeled	13.25	15.25	17.50
Northern Hardwoods:			
Rough	11.00	13.50	15.75
Peeled	14.00	16.00	18.25

[1] In Zones 361 IV and V, "Poplar wood" includes basswood (Tilia americana), butternut (Juglans cinerea), cucumber (Magnolia acuminata), yellow poplar (Liriodendron tulipifera) and any species of the genus Populus, sometimes referred to by the industry as the "soft wood group." "Northern hardwoods" means all other northern deciduous species.

(3) *Concentrator's addition.* $1.00 per cord.

(s) *Zone 464—I*—(1) *Area of production.* The entire State of Pennsylvania.

(2) *Maximum prices.*

All hardwoods:
Rough—$10.80 per cord f. o. b. cars.
Peeled—$14.00 per cord f. o. b. cars.

(3) *Truck delivery.* The maximum price per cord for wood delivered to consumer's mill, by or at the expense of the seller, shall not exceed $14.00 for peeled wood and $10.80 for rough wood, where the haul from the point of shipment to the consumer's mill by the shortest available highway route is 25 miles or less. For deliveries over distances greater than 25 miles by the shortest available highway route, prices shall be as follows:

Over 25 miles to 40 miles:	
Rough wood	$11.60
Peeled wood	14.80
Over 40 to 50 miles:	
Rough wood	12.40
Peeled wood	15.60
Over 50 miles to 60 miles:	
Rough wood	13.20
Peeled wood	16.40
Over 60 miles:	
Rough wood	14.00
Peeled wood	17.20

(4) *Dealer's addition.*

$0.80 per cord for rough wood.
$1.20 per cord for peeled wood.

SEC. 12. *Maximum prices for grain door bolts*—(a) *Specific coverage.* Pine grain door bolts produced in:

Texas. Counties of Gregg, Nacogdoches, Angelina, Tyler, Hardin, Rusk, Jefferson, Harrison, Panola, Shelby, San Augustine, Jasper, Orange, Sabine, Newton, Smith, Cherokee, Henderson, Anderson, Houston, Trinity, Polk, Freestone, Limestone, Robertson, Leon, Madison, Brazos, Grimes, Harris, Chambers, Walker, Montgomery, San Jacinto, and Liberty.

Louisiana. Parishes of Caddo, De Sota, Sabine, Vernon, Beauregard, Calcasieu, Natchitoches and Red River.

(b) *Scaling and grading rules.* A cord of 128 cubic feet will be the basic method of scaling. Logs shall be 7 feet in length; minimum diameter 7"; Maximum diameter 14".

(c) *Maximum prices.*

$8.35 per cord of 128 cubic feet, f. o. b. railroad cars or delivered to the mill by truck.

SEC. 13. *Maximum prices for snow fence bolts*—(a) *Specific coverage*—(1) *Area of production.* In the State of Texas, the counties of Harris, Liberty, Hardin, Polk, San Jacinto, Walker, Grimes and Montgomery.

(2) *Species.* Pine and hardwood bolts suitable for the manufacture of woven picket fences (including snow fences and corn-cribbing).

(b) *Scaling and grading rules.* All bolts are to be measured on the basis of a unit containing 133 cubic feet.

Bolts are to be cut into 4 or 5 foot lengths as specified by the buyer. Each bolt shall be cut 2 inches over length to allow for trim. Thus, the unit must actually contain 133 cubic feet.

Bolts must be straight and cut from live sound timber from the main bole of the tree. Bolts cut from the tops will not be accepted.

The minimum diameter acceptable is 6 inches.

(c) *Maximum prices.*

Pine—$8.70 per unit of 133 cubic feet.
Hardwood—$9.10 per unit of 133 cubic feet.
These prices are for pine and hardwood bolts delivered to the mill by truck or f. o. b. cars at shipping point.

This regulation shall become effective May 15, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6993; Filed, May 15, 1944; 4:02 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 535-3]

EXCELSIOR WOOD

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* Such specifications and standards as are used in this regulation were, prior to such use, in general use in the industry affected and were required by other Government agencies.

§ 1312.112 *Maximum prices for excelsior wood.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 535–3 (Excelsior Wood) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1312.112, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 535–3—EXCELSIOR WOOD

CONTENTS

Sec.
1. Coverage.
2. Over-ceiling prices prohibited.
3. Items not listed.
4. Billing and records.
5. Prohibited practices.
6. Adjustable pricing.
7. Adjustments and petitions.
8. Enforcement.
9. Licensing.
10. Dealers' and traders' commissions: Zones 257 and 437.
11. Concentrators' addition: Zones 361, I to V.
12. General provision on delivery.
13. General quality requirement.
14. Zone 257.
15. Zone 387–433.
16. Zone 437.
17. Zone 361–I.
18. Zone 361–II.
19. Zone 361–III–IV.
20. Zone 361–V.
21. Zone 410.

SECTION 1. *Coverage.* The coverage of this regulation is as follows:

(a) *Geographical.* Eastern United States (East of 100th meridian). Note on zone numbers for convenience, the zone numbers used correspond to the numbers of the pulpwood regulations for the same area. However, the excelsior wood area is not always as extensive as the corresponding pulpwood area. Thus, Zone 410 here includes only Arkansas, without Texas and Louisiana. Where one pulpwood regulation has separate zones, these zones are indicated by a Roman numeral. Thus, Maine is Zone 361–I.)

(b) *Kind of logs.* Excelsior cordwood.

SEC. 2. *Over-ceiling prices prohibited*—(a) *General.* On and after May 15, 1944, regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive, excelsior cordwood at prices higher than those in this regulation; and no person shall offer or attempt to do any of these things.

(b) *Prices.* The maximum prices are set forth in sections 14–21.

(c) *Lower prices.* Prices under ceiling may, of course, be charged and paid.

(d) *Terms.* The maximum price cannot be increased for the extension of credit. The maximum price does not have to be reduced where the buyer purchases on cash terms.

SEC. 3. *Items not listed.* The maximum price for excelsior wood produced in an area not listed may be determined by applying to the Lumber Branch, Of-

*Copies may be obtained from the Office of Price Administration.

fice of Price Administration, Washington 25, D. C. The application must contain the name and address of the buyer, the requested price, the end product to be manufactured, and a statement by the buyer that this requested price can be paid under the end product ceiling in effect on the date of application. The Lumber Branch may approve or deny this application by letter or telegram.

SEC. 4. *Billing and records.* You must make a two-copy billing covering every sale. Each buyer and seller must keep one copy as a record. It must contain enough specifications and details to show whether the price is proper or not. One billing may cover all wood delivered in a period of not over two weeks.

SEC. 5. *Prohibited practices*—(a) *In general.* Any practice which gets the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Up-grading, up-scaling, or allowing a greater net scale footage than the actual contents.

(2) Increasing the price of wood by failing to make an effort in good faith to collect advances to loggers. An advance to a logger is to be considered part of the price of the wood.

(3) Adding to the maximum prices a charge for grading, scaling or inspection.

(c) *Purchases of stumpage and payments to loggers.* It is a violation of this regulation to sell or purchase stumpage and contract for the seller to cut the stumpage, if the total amount paid for the stumpage and the logging is higher than the ceiling for the wood.

(d) *Purchasing commissions.* Purchasing commissions cannot be added to the ceiling. By purchasing commission is meant any payment for buying, selling, or locating wood, if the amount is in any way related to the quantity of logs involved.

SEC. 6. *Adjustable pricing.* You may agree to sell at a price which can be increased to the ceiling at time of delivery, but not beyond.

SEC. 7. *Adjustments and petitions*—(a) *Government contracts.* (See Procedural Regulation No. 6.)[1]

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

SEC. 8. *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided for by the Emergency Price Control Act of 1942.

SEC. 9. *Licensing.* The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of applicable price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 10. *Dealers' and traders' commissions: Zones 257 and 437*—(a) *In which zones applicable.* Dealers' and traders' commissions apply only on wood produced in Zones 257 and 437.

(b) *Who may receive dealers' commission.* A "dealer" is a person who meets both the following tests:

Test (1): He sold and delivered at least the volume equivalent of 8,000 128 cu. ft. cords of cordwood (box bolts, veneer short logs, excelsior bolts, pulpwood, insulation bolts, etc.) to consumers in either the 1942–43 or the 1943–44 operating season (May 1 to April 30).

Test (2): He does not cut or prepare cordwood, but buys it in the form in which it is to be sold.

(c) *Who may receive traders' commission.* A "trader" is a person who meets test (2) just above, but not test (1).

Also, a dealer when selling to a nonconsumer may receive a traders' commission.

(d) *Who may pay.* Only consumers may pay the dealers' commission. Any person may pay the traders' commission.

(e) *Maximum amount of commission.* (See individual zone provision.)

(f) *Conditions.* The commissions may be added only if all the following conditions are met:

(1) Settlement sheets must show the commissions separately, and copies must be kept by buyer and seller;

(2) The dealer or trader guarantees that the wood is of merchantable quality and that it is free of liens and encumbrances;

(3) The settlement sheet must contain a statement that the dealer or trader had no part in the preparation of the wood.

(g) *Prohibited practices.* The following practices are prohibited:

(1) Paying or receiving a commission on wood cut or prepared by the dealer or trader;

(2) Adding the commission on the cut of any other person, on an understanding that the other person will handle, on commission, wood cut by you;

(3) Splitting commissions with anyone (exceptions: a dealer may pay a traders' commission out of his dealer's commission):

(h) *New dealers.* If you do not meet the definition of a dealer, but intend to engage in that kind of business, write to the Lumber Branch, Office of Price Administration, Washington 25, D. C. Permission may be granted or denied by letter or telegram. The addition may not be made until permission has actually been received.

SEC. 11. *Concentrator's addition: Zones 361—I to V*—(a) *In which zones applicable.* The concentrator's addition applies only on wood produced in Zones 361, I to V.

(b) *Who may receive concentrator's commission.* A "concentrator" is a person who sold and delivered at least 1,000 cords of cordwood (box bolts, veneer short logs, excelsior bolts, pulpwood, insulation bolts, etc.) to consumers in either the 1942–43 or the 1943–44 operating season (May 1 to April 30).

(c) *Who may pay.* Only consumers may pay the concentrator's commission.

(d) *Maximum amount of commission.* The total amount of commissions on any cord of 128 cubic feet may never exceed $1.00.

(e) *Conditions.* The commission may be added only if the following conditions are observed:

(1) Settlement sheets must show the commission separately, and copies must be kept by buyer and seller;

(2) The concentrator guarantees that the wood is of merchantable quality and that it is free of liens and encumbrances;

(3) The commission may not be split with anyone.

(f) *New concentrators.* If you do not meet the definition of a concentrator, but intend to engage in that kind of business, write to the Lumber Branch, Office of Price Administration, Washington 25, D. C. Permission may be granted or denied by letter or telegram. The addition may not be made until permission has actually been received.

SEC. 12. *General provision on delivery.* If delivery is taken short of the specified delivery point, the cost to the buyer of bringing it to that point must be deducted from the maximum price.

SEC. 13. *General quality requirement.* The prices established in this regulation are for sound wood of top quality. All trade practices and customs with respect to allowances for culls, for firekills, or for defective wood of any kind must be observed.

SEC. 14. *Zone 257*—(a) *Area of production.* Michigan, Wisconsin, and Minnesota.

(b) *Scaling and grading rules.* Units are 147 cubic feet. Bolts are to be cut in length of 55 inches and must be suitable for the manufacture of excelsior.

(c) *Maximum prices.*

TABLE 1—ZONE 257

[Per unit of 147 cubic feet]

	Peeled	Unpeeled
Poplar	$13.25	$10.25
Basswood	13.25	10.25

(d) *Delivery provision.* Prices are f. o. b. rail cars or f. a. s. at lake or stream.

If wood is delivered by the seller to the buyer's plant, $1.10 per unit may be added.

(e) *Commissions.* (See section 10.)

Dealers: $1.10 per unit of 147 cu. ft.
Traders: $0.55 per unit of 147 cu. ft.

SEC. 15. *Zone 387–433*—(a) *Area of production.* The States of Tennessee, Alabama, Florida, Georgia, and North Carolina, except the counties of Rockingham, Stokes and Caswell.

(b) *Scaling and grading rules.* Excelsior bolts shall be measured on the basis of a cord of 128 cubic feet. Excelsior bolts must be cut to a length of 54 inches exclusive of kerf if cut with an axe, and 55 inches if sawed. The extra length attributable to kerf or to the extra inch when sawed can not be charged for.

The minimum diameter at the small end shall be 4".

(c) *Maximum prices.*

TABLE 2—ZONE 387–433

[Per cord of 128 cubic feet]

	Peeled	Unpeeled
Pine	$7.60	$10.30
Poplar	8.10	10.80

(d) *Delivery.* Prices are f. o. b. rail cars or delivered to mill by truck.

(e) *Special splitting provision.* If excelsior wood is split at buyer's request so that all bolts from 7" to 10" in diameter at the small end are split into two sections, and all bolts from 10" to 14" are split into 4 sections, and all bolts 14" and larger are split proportionately, the buyer may add $0.75 per cord of 128 cubic feet, provided that at least 20 percent of the number of bolts in any shipment have been split.

SEC. 16. *Zone 437*—(a) *Area of production.* That part of Virginia east of and including Pulaski, Carroll and Giles County, and North Carolina, Rockingham, Stokes and Caswell Counties.

(b) *Scaling and grading rules.* Unit of 180 cubic feet, minimum diameter 4", required length 5 feet.

(c) *Maximum prices.*

TABLE 3—ZONE 437

	Peeled	Unpeeled
Pine and popular (unit of 180 cu. ft.)	$16.30	$11.25

(d) *Delivery.* Prices are f. o. b. rail cars or delivered to mill by truck.

(e) *Commissions.* (See section 10.)

Dealers: $1.15 per unit of rough wood. $1.70 per unit of peeled wood.
Traders: $0.70 per unit.

SEC. 17. *Zone 361–I*—(a) *Area of production.* Maine.

(b) *Maximum prices.*

TABLE 4—ZONE 361-I

(Per cord of 128 cubic feet)

Species and condition	F.o.b. cars	Roadside	Delivered to mill by truck
Poplar (Aspen):			
Peeled	$14.75	$12.75	$15.75
Rough	12.75	10.25	13.75
Pine:			
Peeled	15.25	13.25	16.25
Rough	12.75	10.25	13.75

SEC. 18. *Zone 361–II*—(a) *Area of production.* The State of New Hampshire; and in the State of Vermont, Essex County, Caledonia County and Orange County, the townships of Woodbury, Cabot, Calais, Marshfield and Plainfield in Washington County, and the townships of Norwich, Hartford, Hartian, Windsor, West Windsor, Weathersfield and Springfield in Windsor County.

(b) *Maximum prices.*

TABLE 6—ZONE 361–II

[Per cord of 128 cubic feet]

Species and condition	F.o.b. cars	Roadside	Delivered to mill by truck
Poplar (Aspen):			
Peeled	$15.25	$13.25	$16.25
Rough	13.25	10.75	14.25
Pine:			
Peeled	15.75	13.75	16.75
Rough	13.25	10.75	14.25

SEC. 19. *Zone 361–III–IV*—(a) *Area of production.* All of Vermont not in Zone 361–II; all of New York not in Zone 361–V, Connecticut and Massachusetts west of the Connecticut River.

(b) *Maximum prices.*

TABLE 6—ZONE 361–III–IV

[Per cord of 128 cubic feet]

Species and condition	F.o.b. cars	Roadside	Delivered to mill by truck
Poplar (Aspen):			
Peeled	$15.25	$13.25	$17.50
Rough	13.25	10.75	15.50
Pine:			
Peeled	15.75	13.75	18.00
Rough	13.25	10.75	15.50

SEC. 20. *Zone 361–V*—(a) *Area of production.* In the State of New York, the Counties of Chautauqua, Cattaraugus, Allegany, Steuben, Chemung, Tioga, Broome, Delaware, Sullivan, Orange and Rockland.

(b) *Maximum prices.*

TABLE 7—ZONE 361-V

(Per cord of 128 cubic feet)

Species and condition	F.o.b. cars	Roadside	Delivered to mill by truck
Poplar (Aspen):			
Peeled	$13.00	$11.00	$15.00
Rough	11.00	9.00	13.00
Pine:			
Peeled	13.00	11.00	15.00
Rough	11.00	9.00	13.00

SEC. 21. *Zone 410*—(a) *Area of production.* Arkansas.

(b) *Maximum prices.*

TABLE 8—ZONE 410

(Per cord of 128 cubic feet)

Rough pine—$8.35 per cord f. o. b. cars
Peeled pine—$11.40 per cord f. o. b. cars

(c) *Wood banked at siding.* If wood is banked at a rail siding at the buyer's request and is later loaded on the railway car at the seller's expense, 80 cents per cord may be added to the maximum price.

(d) *Delivery.* Prices are f. o. b. cars. If wood is delivered to the mill by truck, the buyer and seller shall determine the total distance that wood has been hauled as well as the distance from the wood cutting operations to the nearest rail shipping point. The buyer may then add 5 cents per cord of 128 cubic feet for each load mile that the wood is hauled in excess of the distance to the nearest rail shipping point. (Thus if wood is hauled 30 miles to a mill from a rail siding, the buyer may pay a trucking addition for the distance in excess of the distance to the rail siding or for 20 miles.

This regulation shall become effective May 15, 1944.

NOTE: All reporting and record keepings requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6995; Filed, May 15, 1944; 4:03 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 477,[1] Amdt. 4]

SALES OF RUBBER HEELS AND SOLES IN THE SHOE FACTORY AND HOME REPLACEMENT TRADES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 477 is amended in the following respects:

1. Section 9a (a) is amended to read as follows:

(a) *Maximum prices for sales of heels in the home replacement trade*—(1) *Maximum prices.* The maximum prices for all sales of rubber heels in the home replacement trade shall be the prices listed in Table I of Appendix B. These prices vary, depending upon whether the heel in question is classed as a "standard", a "competitive", or a "special competitive" grade heel, according to specifications set forth in Table II of Appendix B. The classification of a heel for pricing purposes is dependent upon the physical tests the heel can meet. Accordingly, in order to be sold at the maximum prices for any of the particular grades in Appendix B, the heel must meet the specifications set forth in Appendix B for that grade of heel.

(2) *Modification.* Every manufacturer, wholesaler, distributor, and jobber shall give each person purchasing heels for sale in the home replacement trade a written notification of the grade of heel sold according to the specifications set forth in Table II of Appendix B. In sales to wholesalers, distributors, and jobbers, the manufacturer shall also include the maximum wholesale and retail prices applicable thereto. In sales to retailers, this notification shall include the maximum retail price applicable

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 14004, 16198; 9 F.R. 89, 794.

[1] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.
[2] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806. 9 F.R. 1594, 3075.
[3] 8 F.R. 13240.

thereto, unless the manufacturer has marked the maximum retail price on each pair of heels or on the unit of sale container in which each pair of heels is sold at retail.

2. Appendix B is amended to read as follows:

APPENDIX B—HEELS SOLD IN THE HOME REPLACEMENT TRADE

TABLE I—MAXIMUM PRICES [1]

Type and trade	Manufacturers' prices [2] per doz. pair	Wholesalers' prices [3] per doz. pair	Retailers' prices per pair
Men's half heel:			
Q2 or standard grade	$1.39	$1.85	$0.25
Q3 or competitive grade	1.16	1.55	.20
Q4 or special competitive grade	.85	1.15	.15
Men's whole heel:			
Q2 or standard grade	1.65	2.20	.30
Q3 or competitive grade	1.43	1.90	.25
Q4 or special competitive grade	1.05	1.35	.15
Boys' whole heel:			
Q2 or standard grade	1.39	1.85	.25
Q3 or competitive grade	1.16	1.55	.20
Q4 or special competitive grade	.85	1.15	.15
Women's scoop heel			
Q2 or standard grade	1.05	1.40	.20
Q3 or competitive grade	.90	1.20	.15
Q4 or special competitive grade	.60	.80	.10
Junior heel:			
Q2 or standard grade	1.05	1.40	.20
Q3 or competitive grade	.90	1.20	.15
Q4 or special competitive grade	.70	.90	.10
Junior wedge heel:			
Q2 or standard grade	1.05	1.40	.20
Q3 or competitive grade	.90	1.20	.15
Q4 or special competitive grade	.65	.85	.10
Women's cuban heel:			
Q2 or standard grade	1.05	1.40	.20
Q3 or competitive grade	.90	1.20	.15
Q4 or special competitive grade	.50	.65	.10
Toplift and French heel: Q4 or special competitive grade	.45	.60	.10

[1] Prices for Q2 and Q3 grades apply to heels individually boxed with nails. Q4 prices apply to bulk and boxed heels.

[2] Maximum manufacturers' prices are subject to a 2% cash discount and the manufacturer shall not reduce any transportation allowance he had in effect to a purchaser of the same class during March 1942.

[3] Maximum wholesalers' prices are subject to any cash discount and transportation allowance the wholesaler had in effect to a purchaser of the same class during March 1942.

TABLE II—SPECIFICATIONS

Type and grade	Minimum abrasive index [1]		Minimum tensile [1] strength
	All heels except whole	Whole heels	
Q2 or standard grade	18	16	800
Q3 or competitive grade	13	12	500
Q4 or special competitive grade	8	8	400

[1] No minus tolerance is permitted. The methods of federal specifications EA-ZZ-H-141 and ZZ-R-601a shall be applicable to the specifications.

This amendment shall become effective May 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7093; Filed, May 17, 1944; 11:58 a. m.]

PART 1340—FUEL

[MPR 137,[1] Amdt. 3]

PETROLEUM PRODUCTS SOLD AT RETAIL ESTABLISHMENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 137 is amended in the following respects:

1. Section 7 is amended by adding the following paragraph (j):

(j) "Grade." In establishing a maximum price for gasoline, grade means the three classifications of gasoline generally recognized for retail sales by the petroleum industry, namely, premium, regular and third grade. A gasoline, irrespective of the substances which are added to it, for purposes of determining a maximum price under this regulation, shall be regarded as either premium, regular, or third grade. Its classification shall depend upon its specifications as compared with the specifications generally recognized in the petroleum industry as a basis for regarding gasoline as premium, regular or third grade.

2. A new section 12 is added to read as follows:

SEC. 12. *Maximum prices to be established by application to OPA District Office.* A seller's maximum price for a petroleum product sold at a retail establishment which cannot be priced under the other provisions of this regulation shall be a price in line with the level of maximum prices established by this regulation and shall be determined in the following manner.

The seller or a person authorized by such seller shall, prior to making a sale, file with the District Office of the Office of Price Administration for the district in which his retail establishment is located, an application for approval of his proposed maximum price for the product. The application shall contain the following information:

(a) Explanation of the reasons why the product cannot be priced under the other provisions of this regulation.

(b) Method by which the proposed maximum price was calculated.

(c) Reasons why such proposed maximum price is believed to be in line with the level of maximum prices otherwise established by this regulation. For this purpose information shall be included showing:

(1) Maximum prices for similar products having the same end use and serviceability which are currently sold by the seller, together with a statement of the cost of each;

(2) Maximum prices for the same product, or similar products having the same end use and serviceability, which are sold by sellers of applicant's same class in the same or surrounding area.

The applicant shall also furnish such additional information as the Office of Price Administration may require.

Upon filing, the proposed price shall be the seller's maximum price until it is corrected or disapproved by the Office of Price Administration, or the seller is notified that action thereon has been deferred pending receipt of further information.

A maximum price established for a petroleum product in accordance with the provisions of the General Maximum Price Regulation may be continued as the maximum price under this regulation without being filed with the District Office provided a sale was made at such price prior to May 22, 1944. This price shall, however, be subject to disapproval or correction in the same manner as any maximum price filed under this provision.

The Price Administrator or any Regional Administrator, or any District Director so authorized by written order from his Regional Administrator, at any time by notice in writing may approve or disapprove or correct maximum prices filed, proposed or established under this section 12 so as to bring them into line with the level of maximum prices otherwise established by this regulation.

3. The second paragraph of section 1 is amended to read as follows:

This regulation applies in the forty-eight states of the United States, the District of Columbia, and the territories and possessions of the United States, except the Panama Canal Zone and the Territory of Alaska.

This amendment shall become effective May 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7090; Filed, May 17, 1944; 11:52 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4092.

PART 1363—FEEDINGSTUFFS

[RPS 73, Amdt. 6]

FISH MEAL AND FISH SCRAPS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule 73 is amended in the following respects:

1. Section 1363.9 (a) (7) is amended to read as follows:

(7) "Commercial distributor" is:

(i) A person who buys fish meal or fish scrap from any person and resells the same other than at retail; or

(ii) A person who buys fish scrap from the producer, grinds it into fish meal, and sells the fish meal other than at retail.

2. Section 1363.12 (g) (2) is amended to read as follows:

(2) *Atlantic and Gulf Coast fish meal and fish scrap.* For deliveries at any point, the maximum f. o. b. prices for sales of the same grade of fish meal or fish scrap for Atlantic and Gulf Coast production plants as determined under paragraphs (a) and (c) of this section, plus the transportation charges from the point of entry to the point of delivery at the lowest established rate for the mode of transportation employed.

3. Section 1363.12 (h) (1) is amended to read as follows:

(1) The maximum price of a commercial distributor on the sale of fish meal or fish scrap which he purchased from the producer, and on the sale of fish meal made from fish scrap which he purchased from the producer, shall be the maximum price which said producer may charge hereunder plus a markup not exceeding the markup (or weighted average of markups) which said commercial distributor used in January, 1942, on sales of like fish meal or fish scrap.

This amendment shall become effective May 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7088; Filed, May 17, 1944; 11:52 a. m.]

PART 1384—HARDWOOD LUMBER PRODUCTS

[MPR 454,[1] Amdt. 1]

AROMATIC RED CEDAR LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 454 is amended in the following respects:

1. Section 3 is amended in its entirety to read as follows:

SEC. 3. *Maximum f. o. b. mill prices.* The maximum prices for aromatic red cedar lumber, rough, f. o. b. mill, per one thousand feet [2] shall be as follows:

TABLE 1—SQUARE-EDGED LUMBER

Thickness (inches)	Widths (inches)	Lengths (feet)	No. 1 common and better	No. 2 common
¾	Standard	Standard	$66.00	$33.00
¾	Standard	Standard	74.00	37.00
1	Standard	Standard	82.00	41.00
1¼	Standard	Standard	87.00	43.50
1½	Standard	Standard	87.00	43.50
2	Standard	Standard	92.00	46.00

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 11482.

[2] "Feet" means board feet of lumber except that with reference to lumber in thicknesses of ⅝" and ¾" "feet" means surface feet.

TABLE 2.—FLITCH-SAWN LUMBER

Thickness (inches)	Width (inches)	Lengths (feet)	No. 1 common and better	No. 2 common
¾	Standard	Standard	$59.00	$29.50
¾	Standard	Standard	66.50	33.50
1	Standard	Standard	74.00	37.00
1¼	Standard	Standard	78.50	39.00
1½	Standard	Standard	78.50	39.00
2	Standard	Standard	83.00	41.50

Note on flitch-sawn lumber. Flitch-sawn lumber shall be graded according to the grading rules applying to aromatic red cedar lumber except that the grade requirements shall be based on the surface measure of the narrow face.

Measurement shall be made inside the bark at the middle of the piece on the narrow or sap-wood side.

2. In section 4, subparagraph (1) of paragraph (a) is deleted, and subparagraphs (2) and (3) are renumbered (1) and (2) respectively.

3. Section 6 is amended in its entirety, to read as follows:

SEC. 6. *Grades, specifications and extras not specifically priced.* (a) Aromatic red cedar lumber sold on special grades or specifications or with special services or other extras not specifically mentioned in this regulation is nevertheless subject to this regulation.

The maximum price is a price which bears the October 1941 relation to the most comparable standard item. The seller should find his price difference between the special item and this most comparable standard item in October 1941 or the first month below that in which he had sales of both items, or if this is impossible, the price differential he would have used. This difference is then added to or subtracted from the maximum price of the comparable standard grade as established in this regulation, and the result is the maximum price for the special grade. This price must be reported to the Office of Price Administration, Washington 25, D. C. It may be ordered reduced if it is found excessive. But if the price is not disapproved within 30 days of the receipt of the report, it is approved.

Applications for approval of maximum prices for special grades and items under this section will be considered only when accompanied by:

(1) A true copy of the order or of customer's inquiry on the basis of which the application has been submitted;

(2) A true copy of an invoice furnished by the purchaser or prospective purchaser covering a purchase made by him prior to October 15, 1941, of material on the special specifications named in the present order or inquiry.

(3) A statement by the purchaser or prospective purchaser setting out the reasons or necessity for the purchase of the material on such special specifications.

(b) A seller using this pricing section can make delivery of the lumber and collection of the price he has computed or requested; but he must inform the buyer that the price is subject to revision within the thirty-day period, and if the price is ordered reduced he must refund any excess over the final approved price.

This amendment shall become effective May 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7001; Filed, May 15, 1944; 4:05 p. m.]

PART 1425—LUMBER DISTRIBUTION

[MPR 467,[1] Amdt. 3]

DISTRIBUTION YARD SALES OF HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 467 is amended in the following respects:

1. In section 2, paragraph (a) is amended by adding to the list of maximum price regulations: Maximum Price Regulation No. 513—Yellow Cypress Lumber, Table 1.

2. In section 3, paragraph (a) is amended to read as follows:

(a) *In general.* This regulation covers, under the term "distribution yard sale", all sales of hardwood lumber out of distribution yard stock, and which are not sales "for direct mill shipment" or in which shipment does not "originate at a mill", as these phrases are defined in the maximum price regulation governing the particular species involved.

3. In section 4 (c), Table 1, the heading of the column now reading, "Red and White Oak" is amended to read "Red and White Oak and No. 1 and No. 2 Mixed Hardwood Dimension".

4. In section 4 (c) a new column is added to Table 1 to read as follows:

YELLOW CYPRESS

Sales from yards in—	MPR	Basing point
Alabama	513	Mobile, Ala.
Arizona	513	Memphis, Tenn.
Arkansas	513	Memphis, Tenn.
California	513	Memphis, Tenn.
Colorado	513	Memphis, Tenn.
Connecticut	513	Columbia, S. C.
Delaware	513	Columbia, S. C.
District of Columbia	513	Columbia, S. C.
Florida	513	Macon, Ga.
Georgia	513	Macon, Ga.
Idaho	513	Memphis, Tenn.
Illinois	513	Memphis, Tenn.
Indiana	513	Memphis, Tenn.
Iowa	513	Memphis, Tenn.
Kansas	513	Memphis, Tenn.
Kentucky	513	Memphis, Tenn.
Louisiana	513	Alexandria, La.
Maine	513	Columbia, S. C.
Maryland	513	Columbia, S. C.
Massachusetts	513	Columbia, S. C.
Michigan	513	Memphis, Tenn.
Minnesota	513	Memphis, Tenn.
Mississippi	513	Mobile, Ala.
Missouri	513	Memphis, Tenn.
Montana	513	Memphis, Tenn.
Nebraska	513	Memphis, Tenn.
Nevada	513	Memphis, Tenn.
New Hampshire	513	Columbia, S. C.
New Jersey	513	Columbia, S. C.
New Mexico	513	Memphis, Tenn.
New York	513	Columbia, S. C.
North Carolina	513	Columbia, S. C.
North Dakota	513	Memphis, Tenn.
Ohio	513	Memphis, Tenn.
Oklahoma	513	Memphis, Tenn.
Oregon	513	Memphis, Tenn.
Pennsylvania	513	Columbia, S. C.
Rhode Island	513	Columbia, S. C.

[1] 8 F.R. 12661, 15784, 17228.

YELLOW CYPRESS—Continued

Sales from yards in—	MPR	Basing point
South Carolina	513	Columbia, S. C.
South Dakota	513	Memphis, Tenn.
Tennessee	513	Memphis, Tenn.
Texas	513	Alexandria, La.
Utah	513	Memphis, Tenn.
Vermont	513	Columbia, S. C.
Virginia	513	Columbia, S. C.
Washington	513	Memphis, Tenn.
West Virginia	513	Columbia, S. C.
Wisconsin	513	Memphis, Tenn.
Wyoming	513	Memphis, Tenn.

5. In section 4 (c), Table 2—Estimated Average Weights of Hardwood Lumber, a new item is inserted immediately preceding "Oak" to read:

Mixed Hardwoods, No. 1 and No. 2 Dimension	4200

6. In section 5, Table 3—Additions for Special Widths and Lengths, is amended by inserting the following items in their proper order:

All 9" or 9" and wider	$12.00
All 11" or 11" and wider	20.00

7. In section 6, Table 4—Additions for Kiln-Drying, is amended by adding to Group 3

Mixed Hardwoods, No. 1 and No. 2 Dimension.

8. Section 7 is amended to read as follows:

SEC. 7. *Maximum prices f. o. b. yard, for lumber in special grades or sizes or with special services.* Any seller who makes a sale of an item covered by this regulation for which he cannot compute a price under the preceding sections must apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for approval of a price.

The application for approval of a maximum price for a special grade, item or service under this section must contain: (a) a complete description of the item or service to be priced; (b) the seller's purchase price or replacement cost and requested selling price; (c) the seller's most comparable item or service; (d) the seller's maximum price for such comparable item or service; (e) the seller's price differential in March 1942 between the item for which price approval is requested and the seller's most comparable item; (f) on quantities of 1000 feet or more, a copy of customer's invoice or order must accompany the application for a price on a special grade.

Applications not containing all of the above information and enclosures will not be considered.

A seller using this pricing paragraph may make sales or deliveries at his requested price pending approval of a price. Any price not disapproved within 30 days of the receipt of the report is automatically approved. If a seller's requested price is reduced, he must refund any excess over the approved price.

This amendment shall become effective May 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7089; Filed, May 17, 1944; 11:51 a. m.]

PART 1425—LUMBER DISTRIBUTION

[2d Rev. MPR 215,[1] Amdt. 5]

DISTRIBUTION YARD SALES OF SOFTWOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Second Revised Maximum Price Regulation 215 is amended in the following respects:

1. Section 3, paragraph (b), is amended by inserting "Yellow Cypress Lumber—MPR 513[2] (except Table 1)" following "Oak, Pecan and Miscellaneous Hardwood Flooring—MPR 458[3]" in the list of regulations.

2. In section 3, paragraph (b), the unlettered paragraph immediately following the list of regulations is amended to read as follows:

This regulation does not cover sales by distribution yards or purchases from distribution yards of plant stakes, car strips, pickets, battens, millwork or stock mouldings listed in the 1940–8000 Series List published by Shattock-McKay, Chicago, Illinois, except the items numbered 8643, 8660, 8665, 8394, 8397, 8424, 8695, 8721, 8722, 8840, 8855, 8444 and 8902, which are specifically covered by this regulation.

3. In section 7, paragraph (a) a new item (15) is added to read as follows:

(15) Yellow cypress lumber—MPR 513.

Alexandria, La.—Louisiana and Texas.
Mobile, Ala.—Alabama and Mississippi.
Macon, Ga.—Georgia and Florida.

Columbia, S. C.—South Carolina, North Carolina, Virginia, West Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, Maine, and the District of Columbia.

Memphis, Tenn.—Tennessee, Kentucky, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, Arkansas, Oklahoma, Kansas, Nebraska, North Dakota, South Dakota, New Mexico, Colorado, Wyoming, Montana, Idaho, Nevada, Utah, Arizona, California, Washington and Oregon.

4. In section 6, paragraph (f), the first phrase is amended to read as follows:

(f) 10 percent of the sum of (a), (b), (c), (d), and (e) ------

5. In section 13, paragraph (a), the first sentence is amended to read as follows:

(a) The following additions per MBM may be made to the maximum price of the most economical size from which the desired size may be obtained when a distribution yard is required to perform the workings and the end product is a nonstandard size or an item larger than boards or dimension.

6. In section 16, paragraph (b) is amended to read as follows:

(b) *Sale out of distribution yard stock.* A sale out of distribution yard stock means a sale made by a distribution yard for shipment of lumber which was a regular part of its stock at the time the sale was made. However, sales of lumber acquired by a distribution yard from a mill under Orders L–218, L–290 or M–361 issued by the War Production Board or under release from the Canadian Controller of Timber, and requiring end use as a condition of release, may be construed to meet the requirements of the preceding sentence, provided the lumber is actually stored in the distribution yard before delivery.

This amendment shall become effective May 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7092; Filed, May 17, 1944; 11:53 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 11 to GMPR, Amdt. 48]

CUSTOM HOUSE BROKERS AND FOREIGN FREIGHT FORWARDERS; FEES AND CHARGES

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.46 (b) (129) is amended to read as follows:

(129) Custom house brokers and foreign freight forwarders—fees and charges.

This amendment shall become effective May 22, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 7 F.R. 4681)

Issued this 17th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7091; Filed, May 17, 1944; 11:52 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53,[1] Amdt. 20]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 53 is amended in the following respects:

1. Section 11.2 is amended by adding to the table contained in said section the following:

Hydrogenated lard—	
1¼ cents per pound over base or standard commercial refined lard.	

2. A new section 11.9 (q) is added to read as follows:

(q) *Hydrogenated lard.* (1) "Hydrogenated lard" means lard, all of which has been hydrogenated to some extent, to which no anti-oxidant or preservative has been added, and which conforms at least to the following specifications:

Stability: Not less than 30 hours as determined by the active oxygen method.
Smoke point: Not less than 420° F.
Moisture: Not to exceed 0.01 percent.
Plasticity: Shall remain solid and be plastic and workable at 65–95° F.
F. F. A.: Not over 0.05 percent.
Taste and odor: Bland.
Suspended matter: Shall be free from appreciable amounts of suspended matter.

(2) The fact that for the purposes of, or under the regulations or rulings of any other Government agency, lard, all of which is hydrogenated to some extent, may not be described or labelled as lard, shall not prevent its being deemed to be lard within the meaning of that word as used in this Article XI. Such lard, all of which is hydrogenated to some extent, shall be deemed to be lard within the meaning of that word as it is used in this Article XI, and shall be priced as lard.

This amendment shall become effective May 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7094; Filed, May 17, 1944; 11:54 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 29 to Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

The Official Table of Consumer Point Values (No. 14), referred to in § 1407.-3027 (a) is amended in the following respects:

1. The second, third, and fourth sentences of the instructions appearing at the top of the table (beginning with the word "The same point value") are deleted.

2. The text, under the heading "Hamburger", is amended by inserting the word "shanks", between the word "flanks", and the words "heel of round".

This amendment shall become effective May 17, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 17th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7087; Filed, May 17, 1944; 11:51 a. m.]

* Copies may be obtained from the Office of Price Administration.
[1] 8 F.R. 14145; 9 F.R. 221, 2553, 2948, 4227.
[2] 9 F.R. 2026, 3459, 3652.
[3] 9 F.R. 4200.
[1] 8 F.R. 16834, 16839, 16893, 17278, 17306, 17372; 9 F.R. 105, 184, 731, 1181, 1819, 2007, 2091, 2477, 2553, 2789, 2830.

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[G. O. 44]

PART 304—LABOR

SUBSTANTIALLY CONTINUOUS SERVICE OF SEAMEN

The following rules and regulations are prescribed by the Administrator, War Shipping Administration, as necessary or appropriate to carry out the provisions of Public Law 87, 78th Congress, approved June 23, 1943 (57 Stat. 162):

Sec.
304.75 Definitions.
304.76 Substantially continuous service.
304.77 Completion of period.
304.78 Issuance of certificate.
304.79 Applications for certificates.
304.80 Date of application.

AUTHORITY: §§ 304.75 to 304.80, inclusive, issued under 57 Stat. 162.

§ 304.75 *Definitions.* As used herein:

(a) "Administrator" means the Administrator of the War Shipping Administration.

(b) "Recruitment and Manning Organization" means the Recruitment and Manning Organization of the War Shipping Administration.

(c) "Training Organization" means the Training Organization of the War Shipping Administration.

(d) "Vessel" means any vessel documented under the laws of the United States, and any vessel owned by, chartered to, or operated by or for the account or use of the Administrator.

(e) "Seaman" means any person who has entered service in the merchant marine after May 1, 1940, and before the termination of the unlimited national emergency declared by the President on May 27, 1941.

(f) "Service in the merchant marine" means any service:

(1) As an officer or member of the crew on or in connection with a vessel; or

(2) As an enrollee in the United States Maritime Service on active duty, as heretofore defined by the rules and regulations of the Administrator; or

(3) As an enrollee or student in any school or institution, including the United States Merchant Marine Cadet Corps and any State Maritime Academy, under the jurisdiction or supervision of the Administrator; or

(4) As a person awaiting assignment for service, as defined above, to the extent that such period is established to the satisfaction of the Recruitment and Manning Organization or the Training Organization, as the case may be; or

(5) In any combination of the foregoing.

§ 304.76 *Substantially continuous service.* The service of any seaman in the merchant marine shall be deemed to have been "substantially continuous" if such seaman continues in such service 75 per cent or more of the time elapsing between the date upon which he entered such service and the completion of his period of substantially continuous service as defined in § 304.77; *Provided,* That any such seaman shall be credited with service in the merchant marine: (a) for any time during which he may be disabled for active employment in such service as the result of illness or injury not caused by his own wilful misconduct; (b) for any time required for his repatriation following his separation from the vessel for any cause not due to his own neglect or wilful misconduct (not including time consumed in delay resulting from his refusal to be repatriated); (c) for any period of service aboard a public vessel; and (d) for the period between the submission of his application for a certificate under these rules and regulations and the issuance of such certificate.

§ 304.77 *Completion of period.* A seaman shall be deemed to have completed a period of substantially continuous service in the merchant marine upon the issuance of a certificate to that effect by the Administrator.

§ 304.78 *Issuance of certificate.* Any seaman who serves a period of substantially continuous service in the merchant marine as defined in § 304.76 shall be entitled to a certificate to that effect from the Administrator, in the form annexed, such certificate to contain a record of any special proficiency or merit obtained, including endorsements on the certificate of any awards (excluding the merchant seaman's insignia) that may have been issued to such seaman by the Seamen's Service Awards Committee of the War Shipping Administration or the Medal Awards Committee of the United States Maritime Commission.

§ 304.79 *Applications for certificates.* If at the time of application for a certificate of substantially continuous service in the merchant marine, the applicant has most recently been engaged as an enrollee in the United States Maritime Service, as a Cadet-Midshipman, or as an enrollee or student in any school or institution as defined in § 304.75 (f) (3), application therefor shall be made through the Training Organization. Application for such certificates by all other seamen shall be made through the Recruitment and Manning Organization. Application forms shall be provided at all regional and port offices of the Recruitment and Manning Organization in the United States, at all schools or institutions under the jurisdiction or supervision of the Administrator, and at other accessible places.

§ 304.80 *Date of application.* All applications must be submitted within the six-month period immediately following the termination of the unlimited national emergency declared by the President on May 27, 1941, except that (a) in the case of any seaman who is permanently disabled for further service in the merchant marine as the result of illness or injury not caused by his own wilful misconduct, an application must be submitted within 30 days after the expiration of a reasonable time for medical treatment and recuperation, depending upon the nature of the illness or injury, or within 30 days after the publication of these regulations, whichever may be later, and (b) in the case of any seaman as to whom the Recruitment and Manning Organization or the Training Organization finds that, through no fault of his own, his continued service in the merchant marine is no longer desirable or necessary, an application must be submitted within 30 days

after the date of his release or within 30 days after the date of the publication of these regulations, whichever may be later.

[SEAL] E. S. LAND,
Administrator.

MAY 17, 1944.

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY THAT _____ has on this date completed a period of substantially continuous service in the Merchant Marine, commencing on _____, within the meaning of Public Law 87, 78th Congress (57 Stat. 162) and the Rules and Regulations issued pursuant thereto by the Administrator, War Shipping Administration.

Record of any special proficiency or merit obtained.

For the Administrator:

[SEAL] _____
Deputy Administrator,
War Shipping Administration.

Dated: Washington, D. C.

[F. R. Doc. 44-7082; Filed, May 17, 1944; 11:30 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

[S. O. 207]

PART 95—CAR SERVICE

RESTRICTION ON HOLDING CERTAIN REFRIGERATOR CARS

At a session of the Interstate Commerce Commission Division 3, held at its office in Washington, D. C., on the 16th day of May, A. D. 1944.

It appearing that cars of fruits, vegetables and melons held for orders, reconsignment or diversion at various points in the South unduly congest railroad yards and impede or diminish the use, control, supply, movement, distribution, exchange, interchange, and return of such cars; in the opinion of the Commission an emergency exists requiring immediate action to prevent a shortage of equipment and congestion of traffic; *It is ordered*, That:

§ 95.38 *Fruits, vegetables and melons—(a) Restriction on holding cars for orders, reconsignment or diversion.* No common carrier subject to the Interstate Commerce Act shall allow, permit or authorize the holding for orders, reconsignment or diversion of any railroad freight car including a refrigerator car loaded with fresh or green fruits, vegetables or melons, at any point or points in the States of Alabama, Florida, Georgia, Louisiana (east of the Mississippi River only), Mississippi, North Carolina, South Carolina, Tennessee and Virginia.

(b) *Application.* The provisions of this order shall apply only to shipments billed on and after the effective date of this order originating in the States listed in paragraph (a) of this section, except that when a shipment has been unloaded under a transit arrangement the provisions of this order shall apply to such shipment if billed at the transit point on or after the effective date of this order.

(c) *Tariff provisions suspended.* The operation of all tariff rules, regulations, or charges insofar as they conflict with the provisions of this order is hereby suspended.

(d) *Announcement of suspension.* Each railroad, or its agent, shall file and post a supplement to each of its tariffs affected hereby, on not less than 5 days' notice, announcing the suspension of any of the provisions therein.

(e) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective at 12:01 a. m., May 25, 1944, and shall remain in force until further order of the Commission; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-7077; Filed, May 17, 1944; 10:51 a. m.]

[S. O. 166-A]

PART 95—CAR SERVICE

SUBSTITUTION OF REFRIGERATOR CARS, ETC.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 16th day of May, A. D. 1944.

Upon further consideration of Service Order No. 166 (8 F.R. 16172) of November 23, 1943, and good cause appearing therefor; *It is ordered*, That:

(a) Service Order No. 166 (8 F.R. 16172) of November 23, 1943, 49 C.F.R. § 95.325 authorizing, at carrier's option, the substitution of not more than three (3) RS type refrigerator cars with floor racks in lieu of each box car ordered to transport fruit and vegetable containers and box shooks in carloads from Houston, Longview or Sherman, Texas, to destinations in the Texas-Rio Grande Valley, be, and it is hereby, vacated and set aside.

(b) *Announcement of vacation of suspension.* Each of the railroads affected by this order shall publish, file, and post a supplement to each of its tariffs affected announcing the vacation by this order on the effective date hereof, of the suspension made by Service Order No. 166 and stating that the provisions in said tariffs which were in effect prior to such suspension will be applied on and after the effective date of this order. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)–(17), 15 (2))

It is further ordered, That this order shall become effective at 12:01 a. m., May 20, 1944; that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-7078; Filed, May 17, 1944; 10:51 a. m.]

Subchapter C—Water Carriers

[Ex Parte 146]

PART 315—EXEMPTION OF CONTRACT CARRIER OPERATIONS

OIL FIELD EQUIPMENT, MARSHLANDS, LOUISIANA AND TEXAS

At a session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 10th day of May, A. D. 1944.

Upon further consideration of the record in the above-entitled proceeding and upon consideration of petitions filed by interested parties, and good cause appearing therefor; *It is ordered*, That:

The period of exemption from the requirements of part III of the Interstate Commerce Act of contract carriers by water insofar as they are engaged in such operations as are described in the order entered in said proceeding by the Commission, Division 4, on August 26, 1941 (§ 315.1) be, and it is hereby, extended, from August 26, 1944, until August 26, 1947, unless otherwise ordered.

By the Commission, Division 4.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-7076; Filed, May 17, 1944; 10:51 a. m.]

Notices

FEDERAL POWER COMMISSION.

[Docket No. IT-5889]

SOUTHWESTERN POWER ADMINISTRATION

NOTICE OF REQUEST FOR APPROVAL OF RATES AND CHARGES FOR SALE OF POWER FROM DENISON DAM

MAY 16, 1944.

Notice is hereby given pursuant to Executive Orders Nos. 9366 and 9373 that the Secretary of the Interior has filed with the Federal Power Commission a contract between the Southwestern Power Administration of the Department of the Interior and the Texas Power Power & Light Company for the disposition of power from the Denison Dam project, Oklahoma and Texas, for approval of the rates and charges therein provided (Docket No. IT-5889). The contract has been approved by the Secretary of the Interior and executed by the parties under the date of May 3, 1944, but paragraph 40 thereof conditions the agreement upon the receipt of approval of the regulatory bodies having jurisdiction.

The contract is in substance an agreement to deliver to the Texas Power & Light Company 30,000 kilowatts of primary power capacity, and 10,000,000 kilowatt-hours of primary energy a month of that available from the Denison Dam Power Plant, thereby reserving (out of the plant's maximum capacity of 42,000 kilowatts) 5,000 kilowatts of primary power capacity for sale to customers in Oklahoma and 7,000 kilowatts of secondary power capacity for coordination of the Denison project with the Grand River and Norfolk Dam projects. The Secretary advises that present transmission facilities are such as to limit deliveries of power from the Denison project into Oklahoma to 5,000 kilowatts, but the contract provides for the recapture, upon 18 months' notice, of up to 15,000 kilowatts of primary power capacity for sale into Oklahoma when transmission facilities become available to permit delivery. The Texas Power & Light Company is to pay 5 mills for primary energy and 2½ mills "on peak" and one (1) mill "off peak" for secondary energy.

Any person desiring to make representations with respect to said contract should, on or before May 31, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-7055; Filed, May 17, 1944; 9:36 a. m.]

[Docket No. G-543]

PANHANDLE EASTERN PIPE LINE COMPANY

ORDER FIXING DATE OF HEARING

MAY 16, 1944.

Upon consideration of the application filed April 24, 1944, by Panhandle Eastern Pipe Line Company under section 7 of the Natural Gas Act, as amended, seeking a certificate of public convenience and necessity authorizing the construction and operation of the following-described facilities:

(1) Approximately 17 miles of 22-inch O. D. line parallel to Applicant's existing 22-inch pipe line between its Hansford County, Texas, and Liberal, Kansas, compressor stations, including 4,000 feet of 24-inch pipe line undercrossing the Cimarron River;

(2) Two additional 800 horsepower compressor units and appurtenant equipment at Applicant's Hansford County, Texas, compressor station; and

(3) One additional 1,300 horsepower compressor unit and appurtenant equipment at Applicant's Montezuma compressor station located in Vermillion County, Indiana;

The Commission orders that:

(A) A public hearing be held commencing on June 8, 1944, at 9:45 a. m., in Customs Court Room, U. S. Customhouse, 610 South Canal Street, Chicago, Illinois, respecting the matters involved and the issues presented in this proceeding;

(B) Interested State commissions may participate in this hearing, as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-7079; Filed, May 17, 1944; 11:03 a. m.]

[Docket Nos. G-437 and G-521]

PANHANDLE EASTERN PIPE LINE COMPANY

ORDER CHANGING HOUR AND PLACE OF HEARING

MAY 16, 1944.

It appearing to the Commission that:

(a) By order of March 2, 1944, the Commission consolidated the above-docketed matters for purposes of hearing, and by order of May 2, 1944, directed that the hearing in such dockets commence on June 7, 1944, at 9:45 a. m., in the Commission's Hearing Room, Washington, D. C.

(b) Good cause exists for changing the hour and place of hearing in these proceedings as hereinafter ordered;

The Commission orders that:

The hour and place of hearing heretofore ordered in the above-docketed proceedings be and the same are hereby changed to 2:00 p. m., June 7, 1944, in Customs Court Room, U. S. Customhouse, 610 South Canal Street, Chicago, Illinois.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-7080; Filed, May 17, 1944; 11:03 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3343]

REGENS LIGHTER CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That all of the outstanding capital stock of Regens Lighter Corporation, a corporation organized and doing business under the laws of the State of New York and a business enterprise within the United States, consisting of 3 shares of capital stock of no par value, is registered in the name of Helene Schmidt and is beneficially owned by Rudolf Buchmann and is evidence of ownership and control of said business enterprise;

2. That Rudolf Buchmann, whose last known address is Vienna, Germany, is a national of a designated enemy country (Germany);

3. That Rudolf Buchman has claims against Regens Lighter Corporation, which, as of December 31, 1942, aggregated $10,160.67 and are represented on the books and records of said corporation as royalties payable, subject, however, to any accruals or deductions subsequent thereto, and represent an interest in said business enterprise;

and determining:

4. That Regens Lighter Corporation is controlled by Rudolf Buchmann and is a national of a designated enemy country (Germany);

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 3 shares of capital stock of Regens Lighter Corporation registered in the name of Helene Schmidt, and the interest of Rudolf Buchmann in Regens Lighter Corporation aggregating $10,160.67, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it

should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 20, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–7056; Filed, May 17, 1944; 10:45 a. m.]

[Vesting Order 3344]

POLYSIUS CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That G. Polysius, A. G., whose last known address is Dessau, Germany, is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That Polysius Corporation is a corporation organized under the laws of the State of New York and is a business enterprise within the United States;

3. That 1000 shares of no par value common stock of Polysius Corporation are registered in the name of and owned by G. Polysius, A. G.

4. That the said 1000 shares constitute all of the issued and outstanding capital stock of Polysius Corporation, and represent ownership and control of said business enterprise;

and determining:

5. That Polysius Corporation is a national of a designated enemy country (Germany);

6. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 1,000 shares of the capital stock of the Polysius Corporation, hereinabove more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 or Form APC–6 as the case may be, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 20, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–7074; Filed, May 17, 1944; 10:49 a. m.]

[Vesting Order 3614]

MARIE ALBERT

In re: Mortgage Participation Certificate for Marie Albert #76520 in Mortgage F823, Series 180495, issued by the Bond and Mortgage Guarantee Company; File F–28–2026; E. T. sec. 413.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Manufacturers Trust Company, as Trustee, acting under the judicial supervision of the Supreme Court, Kings County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Marie Albert, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Marie Albert in and to income and proceeds of bond and mortgage participation certificate #76520 in Mortgage F823 in the amount of $3329.34, issued in guaranteed series 180495 by the Bond and Mortgage Guarantee Company and being serviced by the Manufacturers Trust Company,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7057; Filed, May 17, 1944; 10:45 a. m.]

[Vesting Order 3615]

KAROLINA HEILEMANN

In re: Estate of Karolina Heilemann, also known as Karolina Martin, deceased; File: D–28–7625; E. T. sec. 7988.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Frederick Reeb, Administrator, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Margaret Pfeiffer, Germany.
Mina Debach, Germany.
Johanna Reeb, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Margaret Pfeiffer, Mina Debach and Johanna Reeb, and each of them, in and to the Estate of Karolina Heilemann, also known as Karolina Martin, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7058; Filed, May 17, 1944; 10:45 a. m.]

[Vesting Order 3616]

RICHARD KUEHNE

In re: Estate of Richard Kuehne, deceased; File: D–28–8509; E. T. sec. 10014.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William F. Weniger and Alexander Walter, Executors, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hugo Paulus, Germany.
Wife of Hugo Paulus, name unknown, Germany.
Children of Hugo Paulus, and his wife, names unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Hugo Paulus, wife of Hugo Paulus, name unknown, and children of Hugo Paulus and his wife, names unknown, and each of them, in and to the Estate of Richard Kuehne, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7059; Filed, May 17, 1944; 10:45 a. m.]

[Vesting Order 3617]

MRS. S. MENDELSOHN

In re: Estate of Mrs. S. Mendelsohn, deceased; File: D–66–1642; E. T. sec. 10125.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by A. L. Meyland, Clerk, acting under the judicial supervision of the Superior Court, New Hanover County, Wilmington, North Carolina;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Werner Klaus, Germany.
Alexander Jastrow, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Werner Klaus and Alexander Jastrow, and each of them, in and to the Estate of Mrs. S. Mendelsohn, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7060; Filed, May 17, 1944; 10:45 a. m.]

[Vesting Order 3618]

SUEO SAKAI

In re: Estate of Sueo Sakai, deceased; File: D–39–1521; E. T. sec. 3866.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William E. Anderson, Public Administrator, 526 Thatcher Building, Pueblo, Colorado, Administrator, acting under the judicial supervision of the County Court, Pueblo County, Pueblo, Colorado;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Hisao Sakai, Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Hisao Sakai in and to the estate of Sueo Sakai, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7061; Filed, May 17, 1944; 10:46 a. m.]

[Vesting Order 3619]

WILLIAM FERDINAND DETERT

In re: Estate of William Ferdinand Detert, deceased; File: D–28–1742; E. T. sec. 836.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Richard Detert, Executor and Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Martha Kruse, Germany.
Hugo Detert, Germany.
Julie Detert, Germany.
Theodor Fleck, Germany.
Helma Fleck, Germany.
Gertrud Fleck Schaller, Germany.
Martha Gerber, Germany.
Ferdinand Detert, Germany.
Henny Schmidt, Germany.
Hans Binnewels, Germany.
Arnold Detert, Germany.
Elsbeth Detert, Germany.
Margarethe Rohr, Germany.
Henny Maus, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Martha Kruse, Hugo Detert, Julie Detert, Theodor Fleck, Helma Fleck, Gertrud Fleck Schaller, Martha Gerber, Ferdinand Detert, Henny Schmidt, Hans Binnewels, Arnold Detert, Elsbeth Detert, Margarethe Rohr and Henny Maus, and each of them, in and to the Estate of William Ferdinand Detert, deceased, and in and to the trust property bequeathed to Richard Detert as Trustee under the will of William Ferdinand Detert, deceased, and all property and estate of the above named nationals of any nature whatsoever in the possession of Richard Detert as Executor of the Estate of William Ferdinand Detert, deceased, or as Trustee named under the will of William Ferdinand Detert, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 10, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7062; Filed, May 17, 1944; 10:47 a. m.]

[Vesting Order 3620]

GERGET DE VRIES

In re: Gerget De Vries, deceased; File D–66–1537; E.T. sec. 9643.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the American Savings & Loan Association, Pekin, Illinois, Depositary, acting under judicial supervision of the County Court of Tazewell County, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Gretje Dressman, Germany.
Gretje Ukena, Germany.
Gerjeline Schluter (nee Ohling), Germany.
Mrs. Nancy Park, also known as Antje Park (nee Ohling), Germany.
Dina Harders (nee Ohling), Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Gretje Dressman, Gretje Ukena, Gerjeline Schluter (nee Ohling), Mrs. Nancy Park, also known as Antje Park (nee Ohling), and Dina Harders (nee Ohling), and each of them, in and to the Estate of Gerget De Vries, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 10, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7063; Filed, May 17, 1944; 10:47 a. m.]

[Vesting Order 3621]

GUSTAV ECKERT

In re: Estate of Gustav Eckert, also known as Gus Echart, Gus Eckhart and Gus Eggart, deceased; File: D–28–7610; E. T. sec. 8020.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Peter Ruppert, Trustee, acting under the judicial supervision of the Superior Court of the State of Washington for the County of King;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Marie Eckert Ruppert, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Marie Eckert Ruppert, in and to the Estate of Gustav Eckert, also known as Gus Echart, Gus Eckhart and Gus Eggart, deceased, and in and to the trust fund in possession of Peter Ruppert, Trustee, pursuant to a Decree of the Superior Court of the State of Washington for the County of King, entered on or about December 3, 1943, in the Estate of Gustav Eckert, also known as Gus Echart, Gus Eckhart and Gus Eggart, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 10, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7064; Filed, May 17, 1944; 10:47 a. m.]

[Vesting Order 3622]

FLORENCE H. GUTHRIE

In re: Trust under the will of Florence H. Guthrie, deceased; File D–39–2140; E. T. sec. 8437.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Fidelity Trust Company, Trustee, acting under the judicial supervision of the Orphans' Court of Allegheny County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Manjiro Aoki, Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Manjiro Aoki in and to the trust created under the will of Florence H. Guthrie, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 10, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7065; Filed, May 17, 1944; 10:47 a. m.]

[Vesting Order 3623]

NETTIE K. KONIGSTEIN

In re: Estate of Nettie K. Konigstein, deceased; File D–6–134; E. T. sec. 1180.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as depositary, acting under the judicial supervision of the Surrogate's Court, New York County, New York, and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

The heirs at law, next of kin, executors, administrators, distributees, assignees, successors in interest, and legal representatives (names unknown) of Nettie K. Konigstein, deceased, who died a resident of Vienna, (Austria), Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of the heirs at law, next of kin, executors, administrators, distributees, assignees, successors in interest and legal representatives, whose names are unknown, of Nettie K. Konigstein, deceased, in and to the Estate of Nettie K. Konigstein, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 10, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7066; Filed, May 17, 1944; 10:48 a. m.]

[Vesting Order 3624]

NETTIE K. KONIGSTEIN

In re: Mortgage Participation Certificate for Estate of Nettie K. Konigstein, deceased, No. 143996, of Series No. 213982, issued by the Title Guarantee & Trust Company, of New York; File D–6–134; E. T. sec. 1180.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William E. Russell, as Trustee of Mortgage Investments issued by Title Guarantee & Trust Company, of New York, and guaranteed by Bond and Mortgage Guarantee Company, of New York, under Guarantee No. 213982, 149 Broadway, New York City, State of New York, acting under the judicial supervision of the Supreme Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

The heirs at law, next of kin, executors, administrators, distributees, assignees, successors in interest, and legal representatives (names unknown) of Nettie K. Konigstein, deceased, who died a resident of Vienna, (Austria), Germany, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all actions, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of the heirs at law, next of kin, executors, administrators, distributees, assignees, successors in interest and legal representatives, whose names are unknown, of Nettie K. Konigstein, deceased, in and to Mortgage Participation Certificate No. 143996 for the sum of $10,000, issued by Title Guarantee & Trust Company of New York, to Nettie K. Konigstein and guaranteed by Bond and Mortgage Guarantee Company of New York under Guarantee Series No. 213982,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 10, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7067; Filed, May 17, 1944; 10:48 a. m.]

[Vesting Order 3625]

RICHARD LAUB

In re: Estate of Richard Laub, deceased; File D–28–2267; E. T. sec. 2940.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Albert R. Blue, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of San Mateo;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Relative, name unknown, of Richard Laub, deceased, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of relative, name unknown, of Richard Laub, deceased, in and to the estate of Richard Laub, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 10, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7068; Filed, May 17, 1944; 10:48 a. m.]

[Vesting Order 3626]

ANTON LAUFER

In re: Estate of Anton Laufer, also known as Anton M. Laufer, deceased; File D–28–7986; E. T. sec. 8941.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Frank X. Price, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Ross Karolina Krepper, Germany.
Augusta Wingert, Germany.
Mary Josephine Miller, Germany.
Paulina Herberger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Rosa Karolina Krepper, Augusta Wingert, Mary Josephine Miller, Paulina Herberger, and each of them, in and to the estate of Anton Laufer, also known as Anton M. Laufer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 10, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7069; Filed, May 17, 1944; 10:48 a. m.]

[Vesting Order 3627]

PETER LIEBER

In re: Trust under the will and codicils of Peter Lieber, for Emma Lieber Herber for life; File D–28–3424; E. T. sec. 5065–E.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Indiana Trust Company, Trustee, 117 East Washington Street, Indianapolis, Indiana, acting under judicial supervision of the Probate Court of Marion County, State of Indiana;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Emma Lieber Herber, Germany.
Arnold Herber, Germany.
Erwin Herber, Germany.
Hans Adolph Lieber, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Emma Lieber Herber, Arnold Herber, Erwin Herber and Hans Adolph Lieber, and each of them, in and to the Trust under the Will and Codicils of Peter Lieber, for Emma Lieber Herber for life,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 10, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7070; Filed, May 17, 1944; 10:48 a. m.]

[Vesting Order 3628]

PETER LIEBER

In re: Trust under agreement of Peter Lieber, dated April 15, 1899, for Laura Lieber for life; File D–28–3424; E. T. sec. 5065–C.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Indiana Trust Company, Trustee, 117 East Washington Street, Indianapolis, Indiana, acting under judicial supervision of the Probate Court of Marion County, State of Indiana;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Person or persons, names unknown, entitled to receive the estate of Laura Lieber, deceased, Germany.
Emma Lieber Herber, Germany.
Arnold Herber, Germany.
Child or children of Arnold Herber, if any, names unknown, Germany.
Hans Adolph Lieber, Germany.
Child or children of Hans Adolph Lieber, if any, names unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of person or persons, names unknown, entitled to receive the estate of Laura Lieber, deceased, Emma Lieber Herber, Arnold Herber, child or children of Arnold Herber, if any, names un-

known, Hans Adolph Lieber, and child or children of Hans Adolph Lieber, if any, names unknown, and each of them, in and to the Trust under Agreement of Peter Lieber, dated April 15, 1899, for Laura Lieber for life,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 10, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7071; Filed, May 17, 1944; 10:49 a. m.]

[Vesting Order 3629]

PETER LIEBER

In re: Trust under agreement of Peter Lieber, dated May 7, 1894, for Laura Lieber for life; File D–28–3424; E. T. sec. 5065–B.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Indiana Trust Company, 117 East Washington Street, Indianapolis, Indiana, Trustee, acting under the judicial supervision of the Probate Court of Marion County, Indiana;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Person or persons, names unknown, entitled to receive the estate of Laura Lieber, deceased, Germany.

Emma Lieber Herber, Germany.

Arnold Herber, Germany.

Child or children of Arnold Herber, if any, names unknown, Germany.

Hans Adolph Lieber, Germany.

Child or children of Hans Adolph Lieber, if any, names unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of person or persons, names unknown, entitled to receive the estate of Laura Lieber, deceased, Emma Lieber Herber, Arnold Herber, child or children of Arnold Herber, if any, names unknown, Hans Adolph Lieber, and child or children of Hans Adolph Lieber, if any, names unknown, and each of them, in and to the Trust under Agreement of Peter Lieber dated May 7, 1894, for Laura Lieber for life.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 10, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7072; Filed, May 17, 1944; 10:49 a. m.]

[Vesting Order 3630]

JACOB FRIEDRICH MOHR

In re: Trust created under the will of Jacob Friedrich Mohr, deceased; File D–28–2513; E. T. sec. 3643.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The San Francisco Bank, Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Margaretha Munster, Germany.

Wilhelm Munster, Elsa Munster and Ernest Munster, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Margaretha Munster, Wilhelm Munster, Elsa Munster and Ernest Munster and each of them, in and to the trust created under the will of Jacob Friedrich Mohr, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 10, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7073; Filed, May 17, 1944; 10:49 a. m.]

FRITZ HOHENEMSER, ET AL.

NOTICE OF SUMMARY PROCEEDING FOR ALLOWANCE OF CLAIMS

In the matter of the claims of:

Fritz Hohenemser (Claim No. 1146)—(V. O. No. 1282).

Rene Loeb, Ancillary Administrator of the Estate of Nelly Herz (Claim No. 936)—(V. O. No. 1282).

The Alien Property Custodian having by Vesting Order No. 1282 (8 F.R. 5603) vested all right, title, interest, and claim of any kind and character whatsoever of Nelly Herz and Fritz Hohenemser in and to the Trust for the benefit of Bertha Belle Pick under the last will and testament of Alfred R. Pick, deceased; and recommendation for allowance of each of said claims having been submitted:

Notice is hereby given, pursuant to § 501.1 (h) of the Regulations of the Office of Alien Property Custodian (8 F.R. 16709), that copies of the said vesting order, claims and recommendations are available for public inspection in Room 633, National Press Building, Office of Alien Property Custodian, 14th and F Streets NW., Washington, D. C., and that any person asserting any objection to allowance of the claims shall on or before May 29, 1944, file with the undersigned at the above address an application for a hearing accompanied by a statement of the reasons therefor.

The foregoing characterizations of the claims are for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE,
JOHN C. FITZGERALD,
Chairman.
MICHAEL F. KRESKY.
NUGENT DODDS.

MAY 13, 1944.

[F. R. Doc. 44–7075; Filed, May 17, 1944; 10:49 a. m.]

OFFICE OF PRICE ADMINISTRATION.

Regional and District Office Orders.

[Region IV Order G–3 Under MPR 188]

COMMON AND UNGLAZED FACE BRICK IN DALTON, GA.

Order G–3 Under § 1499.161 (a) (2) of Maximum Price Regulation No. 188. Dalton Brick and Tile Company, Dalton, Georgia; Docket No. IV–188–25.

For reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator and by § 1499.161 (a) (2) of Maximum Price Regulation No. 188, *It is hereby ordered:*

(a) That on and after the effective date of this order the Dalton Brick and Tile Company of Dalton, Georgia, hereinafter referred to as the Applicant, may sell and deliver common and unglazed face brick at a price no higher than a price reflecting its properly established maximum price under Maximum Price Regulation No. 188, plus a sum not in excess of $2.00 per thousand.

(b) Any person purchasing common and unglazed face brick from the applicant for resale on and after the effective date of this order, and paying therefor a price reflecting a permitted increase over the established maximum price of the applicant under Maximum Price Regulation No. 188 may add, in selling common and unglazed face brick so purchased, the exact amount of such increase, not to exceed $2.00 per thousand, to his own properly established maximum price.

(c) That all freight allowances, other allowances, discounts, differentiations in classes of purchasers and other differentials customarily made by Applicant and all others affected by this order during March, 1942, shall be maintained.

(d) Except as otherwise provided herein, all transactions subject to this order remain subject to all appropriate regulations including the provisions of Maximum Price Regulation 188 and the General Maximum Price Regulation, where applicable, together with all the amendments that have been heretofore or which may be hereafter issued.

(e) This order may be revoked, corrected or amended by the Office of Price Administration at any time.

This order shall become effective May 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78 Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 9, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44–7053; Filed, May 16, 1944; 1:57 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on May 15, 1944.

REGION I

Boston Order No. 4-F, Amendment No. 2, Filed 10:50 a. m.

REGION III

Cleveland Order No. 1-W, Amendment No. 1, filed 10:51 a. m.
Charleston Order No. 5-W, filed 10:54 a. m.
Charleston Order No. 38, filed 10:54 a. m.
Detroit Order No. 1-F, Amendment No. 14, filed 10:50 a. m.
Lexington Order No. 2-F, Amendment No. 22, filed 10:52 a. m.
Lexington Order No. 4-F, Amendment No. 3, filed 10:52 a. m.

REGION IV

Atlanta Order No. 1-F, Amendment No. 12, filed 11:30 a. m.
Atlanta Order No. 4-F, Amendment No. 3, filed 11:31 a. m.
Atlanta Order No. 5-F, Amendment No. 9, filed 11:30 a. m.
Atlanta Order No. 6-F, Amendment No. 3, filed 11:28 a. m.
Atlanta Order No. 12, Amendment No. 8, filed 11:28 a. m.
Nashville Order No. 5-F, Amendment No. 15, filed 11:26 a. m.
Nashville Order No. 10-F, Amendment No. 1, filed 11:27 a. m.
Nashville Order No. 13, Amendment No. 5, filed 11:26 a. m.
Richmond Order No. 14, Amendment No. 4, filed 11:32 a. m.

REGION VIII

Sacramento Order No. 3-F, Revocation, filed 10:49 a. m.
Sacramento Order No. 5-F, Revocation, filed 10:50 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–7103; Filed, May 17, 1944; 11:51 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70–871]

ASSOCIATED ELECTRIC COMPANY AND PENNSYLVANIA ELECTRIC COMPANY

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE AND GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of May 1944.

Associated Electric Company, a registered holding company, and its subsidiary, Pennsylvania Electric Company, having filed joint applications-declarations, pursuant to sections 6 (b), 9, 10 and 12 of the Public Utility Holding Company Act of 1935 and the relevant rules and regulations promulgated thereunder, wherein it is proposed that Associated Electric Company sell to Pennsylvania Electric Company all the former's interest in Penelec Water Company, which interest consists of five shares of the $100 par value common stock and an open account receivable of $355,000 (as at December 31, 1943), bearing interest at the rate of 6% per annum, when, as, and if, earned in any calendar year; and, in consideration thereof, Pennsylvania Electric Company proposes to issue and sell such number of shares of its $20 par value common stock to Associated Electric Company as will equal the net book value of the investment of Associated Electric Company in Penelec Water Company as shown by the latter's books as of the date of settlement, with an adjustment in cash to avoid the issuance of a fractional share; and

The Commission having issued a notice of filing and order for hearing in respect to the proposed transactions, and hearings having been held in such proceeding in which all security holders of the applicants-declarants and other interested persons were given opportunity to be heard; and requests for findings, briefs, and oral argument having been waived; and

The Commission having considered the record and having entered its findings and opinion herein, and deeming it appropriate in the public interest and in the interest of investors and consumers to permit the declarations to become effective, and to grant the applications;

It is hereby ordered, That the aforesaid declarations be and hereby are permitted to become effective, and the aforesaid applications be and hereby are granted forthwith, subject, however, to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–7021; Filed, May 16, 1944; 2:45 p. m.]

WAR MANPOWER COMMISSION.

Interim Employment Stabilization Plan for Region I

The following Interim Employment Stabilization Plan for Region I is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11340).

Section 1. *Purpose.* The purpose of this plan is to assist the War Manpower Commission in bringing about in areas not subject to Local Voluntary Employment Stabilization Programs by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

Sec. 2. *Definitions.* As used in this plan:

(a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "State" includes Alaska, Hawaii, and the District of Columbia.

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission. (See War Manpower List of Critical Occupations, 8 F.R. 11420.)

(e) "Additional controlled occupation" means any occupation found by the Regional War Manpower Director to be either:

(1) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in Region I, or

(2) An occupation in which the demand for workers in Region I exceeds the available supply.

A list of the "additional controlled occupations" designated by the Regional Manpower Director is attached to this program as Appendix A and may be amended from time to time by the Regional Manpower Director.

(f) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities (9 F.R. 3439).

(g) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(h) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

Sec. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, areas within Region I not covered by Local Voluntary Employment Stabilization Programs shall be conducted in accordance with this plan.

Sec. 4. *Authority and responsibilities of Regional Management-Labor Committee.* The Regional Management-Labor War Manpower Committee is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan and to make recommendations concerning the same to the Regional Manpower Director.

Sec. 5. *Encouragement of local initiative and use of existing hiring channels.* The War Manpower Commission shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

This section shall not be interpreted or deemed to be a waiver of any of the provisions of this plan.

Sec. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

Sec. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

Sec. 8. *Issuance of statements of availability by United States Employment Service.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision has not complied with any War Manpower Commission employment stabilization program, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

An employer who continues to be in non-compliance after notice, hearing and final decision may not hire any new employee, whether or not such person has a statement of availability.

(c) A temporary statement of availability, valid for a period not in excess of 60 days, may be issued by the United States Employment Service to an individual at his request, who because of seasonal or temporary lay-off is not employed at his customary work. An employer may hire such a worker for the period designated in the temporary statement of availability and shall release him at the end of such period. Upon release of such worker, the employer shall not issue a statement of availability, but shall instruct the worker to return to his former employment. Nothing in this section shall be construed to supersede the provisions of section 9 (c) (4).

Sec. 9. *Referrals by United States Employment Service.* (a) If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(b) The United States Employment Service shall, upon the request of an individual, refer him to a former employer, when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

(c) Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation;

(2) The new employee is to be hired for work in an additional controlled occupation, or his statement of availability indicates that his last employment was in such an occupation;

(3) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period;

(4) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided further*, That such an individual may be hired for nonagricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

Sec. 10. *Exclusions.* No provision of this plan shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work, but such work shall not constitute the individual's "last employment" for the purposes of this plan unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with this plan;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

Sec. 11. *Appeals.* Any worker or employer may apeal from any act or failure to act by the War Manpower Commission under this employment stabilization plan, in accordance with regulations and procedures of the War Manpower Commission.

Sec. 12. *Statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical or additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this employment stabilization plan shall be retained during the continuance of the plan and for a reasonable time thereafter. They shall be made accessible to the Regional Manpower Director or his representative upon request.

Sec. 13. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions.

Sec. 14. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered a single essential employer for the purposes of this plan, and all hiring for departments and agencies thereof, subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission, which shall recruit in accordance with the policies of the War Manpower Commission.

Sec. 15. *Representation.* Nothing contained in this plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

Sec. 16. *General referral policies.* No provision in this plan shall limit the authority of the United States Employment Service, or any other governmental agency designated by the War Manpower Commission, to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

Sec. 17. *Effective date.* This plan shall become effective April 1, 1944, in those areas in Region I not subject to Local Voluntary Employment Stabilization Programs and is in substitution for and supersedes the Interim Plan adopted in Region I on August 23, 1943, and shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect in such areas for six months following the termination of the war, unless sooner terminated by the War Manpower Commission, or until superseded by a local voluntary employment stabilization program.

Joseph A. Smith,
Regional Director.

May 10, 1944.

Appendix A—Additional Controlled Occupations

The following occupational titles have been designated as additional controlled occupations for Region I by the Regional Manpower Director:

Logging industry: Cook, cookee, faller, horseshoer, laborer (logging), teamster, tractor operator, truck driver (heavy), truck mechanic, and woodchopper II.

[F. R. Doc. 44-7054; Filed, May 16, 1944; 3:00 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 100

Washington, Friday, May 19, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 79-12, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN ROANOKE, VA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79-12 (8 F.R. 13376, 9 F.R. 4319), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Roanoke, Virginia, milk sales area, is hereby amended by deleting therefrom the numeral "20" in § 1401.36 (k) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79-12, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-12 shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 15th day of May 1944.

RALPH W. OLMSTEAD,
Acting Director of Distribution.

[F. R. Doc. 44-7045; Filed, May 16, 1944; 1:37 p. m.]

[WFO 79-39, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SEATTLE, WASH., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, and to effectuate the purpose thereof, War Food Order No. 79-39 (8 F.R. 13873, 9 F.R. 4319), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Seattle, Washington, metropolitan milk sales area, is hereby amended by deleting the description of the sales area in § 1401.77 (b) and inserting, in lieu thereof, the following:

The city of Seattle and those election precincts within the counties of King and Snohomish, all in the State of Washington, as shown on the map on page 1139 and listed in Table 7, page 1135 of the Sixteenth Census of the United States: 1940 (Population, Volume 1); and, also, the election precincts of Hillcrest, Elliott, and Lake in King County, State of Washington, as defined and established by the King County Board of Commissioners effective January 1, 1943.

The provisions of this amendment shall be effective as of 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79-39 rights accrued, or liabilities incurred thereunder prior to the effective time of this amendment, said War Food Order No. 79-39 shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 15th day of May 1944.

RALPH W. OLMSTEAD,
Acting Director of Distribution.

[F. R. Doc. 44-7046; Filed, May 16, 1944; 1:37 p. m.]

[WFO 79-113, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN WINSTON-SALEM, N. C., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No.

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

	Page
ALIEN PROPERTY CUSTODIAN:	
Vesting orders:	
Gosho Sales Corp	5351
Japan Cotton and Silk Trading Co., Inc	5352
Mikimoto, K., Inc	5352
Rosenthal China Corp	5353
Steel Union-Sheet Piling, Inc	5353
FEDERAL POWER COMMISSION:	
Bonneville Project, Columbia River, Oreg.-Wash.; modification of wholesale power rate schedule	5348
FEDERAL TRADE COMMISSION:	
Acme Asbestos Covering and Flooring Co., et al., cease and desist order	5333
GENERAL LAND OFFICE:	
Colorado and Oklahoma, withdrawals for forest administrative sites	5347
Oklahoma, exchange of lands between War Department and Department of Interior	5348
Wyoming, public land withdrawal (Corr.)	5348
INTERSTATE COMMERCE COMMISSION:	
Reconsignment permits, etc.:	
Beer containers, designated States	5350
Carrots, Chicago, Ill	5349
Cheese, Freeport, Ill. (2 documents)	5350, 5351
Commodities, miscellaneous; permission to disregard loading provisions	5351
Grapefruit, East St. Louis, Ill	5350
Malting barley, Duluth, Minn. (2 documents)	5350
Oranges, Chicago, Ill	5350
Potatoes:	
Air Line Junction, Ohio	5351
Chicago, Ill. (4 documents)	5349, 5351
Kansas City, Mo. (2 documents)	5349, 5351
Tomatoes, Kansas City, Mo	5349
OFFICE OF DEFENSE TRANSPORTATION:	
Taxicab operators, coordinated operations in Roseburg, Oreg	5353

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

	Page
OFFICE OF PRICE ADMINISTRATION: Adjustments, etc.:	
Basic Refractories, Inc.	5356
Bear Brand Hosiery Co., et al.	5357
Bush, W. G., and Co.	5355
Indiana Academy	5356
Jenkins, George O., Co.	5357
Shaw, Joseph, Co.	5356
Brick, Hudson River (MPR 188, Order A–1, Am. 37)	5354
Charcoal, pine wood (MPR 431, Am. 9)	5344
Logs, veneer (RMPR 313)	5344
Menthol, imported; application for higher prices, etc. (MIPR, Order 13, Am. 1)	5357
Putty, establishment of maximum prices (MPR 188, Order A–2, Am. 13)	5355

CONTENTS—Continued

	Page
OFFICE OF PRICE ADMINISTRATION—Continued.	
Regional and district office orders:	
Building and industrial equipment, St. Cloud, Minn.	5361
Citrus fruit packing services, Florida	5360
Community ceiling prices, list of orders filed	5358
Fluid milk:	
Cleveland, Ohio, region	5360
Pocomoke City, Md.	5359
St. Clair County, Mich.	5359
Fruits and vegetables, transportation; Detroit, Mich., district	5358
Ice, San Luis Valley, Colo.	5361
Potatoes and onions, Oregon and Washington, designated localities	5361
Solid fuels:	
New York region	5359
Virginia, designated localities	5360
Sugar (Rev. RO 3, Am. 19)	5346
PETROLEUM ADMINISTRATION FOR WAR:	
Marketing petroleum (PDO 14, Am. 1; PDO 20) (2 documents)	5346
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.:	
Commonwealth and Southern Corp. (Delaware)	5363
Electric Power and Light Corp.	5362
Fiduciary Fund, Inc.	5362
Granville Electric Co. and NY PA NJ Utilities Co.	5363
New Jersey Power and Light Co. and NY PA NJ Utilities Co.	5362
Wabash Railway Co.	5362
West Penn Power Co. (2 documents)	5363, 5364
SOLID FUELS ADMINISTRATION FOR WAR:	
National Advisory Coke Committee, establishment	5334
WAR FOOD ADMINISTRATION:	
Flaxseed, purchases and use (WFO 94, Am. 1)	5333
Fluid milk and cream:	
Asheville, N. C.	5331
Charlotte, N. C.	5330
Columbia, S. C.	5331
Durham, N. C.	5331
Greensboro, N. C.	5331
Roanoke, Va.	5329
Seattle, Wash.	5329
Winston-Salem, N. C.	5329
Glycerine (WFO 34, Rev.)	5332
Lard, partial suspension with respect to use (WFO 1, Am. 8; WFO 42, Am. 7) (2 documents)	5331, 5333
Rapeseed and mustard seed oils, use and distribution (WFO 35, Am. 1)	5332
Renumbering of War Food orders	5333

CONTENTS—Continued

	Page
WAR PRODUCTION BOARD:	
Cadmium (M–65)	5335
Consent order; Fred Strys	5364
Coolers, evaporative, for civilian use in desert areas (L–38, Dir. 1)	5337
Cotton textile production (L–99, Am. 2)	5344
Logs, Noble fir (M–228, Rev.)	5337
Maintenance, repair and operating supplies (CMP Reg. 5)	5337

79–113 (9 F.R. 148, 9 F.R. 4319), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Winston-Salem, North Carolina, milk sales area, as amended, is hereby further amended by deleting therefrom the numeral "20" in § 1401.147 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–113, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–113, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

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RALPH W. OLMSTEAD,
Acting Director of Distribution.

[F. R. Doc. 44–7047; Filed, May 16, 1944; 1:37 p. m.]

[WFO 79–114, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN CHARLOTTE, N. C., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79–114 (9 F.R. 149, 9 F.R. 4319), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Charlotte, North Carolina, milk sales area, is hereby amended by deleting therefrom the numeral "20" in § 1401.145 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–114, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–114 shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 15th day of May 1944.

RALPH W. OLMSTEAD,
Acting Director of Distribution.

[F. R. Doc. 44–7048; Filed, May 16, 1944; 1:39 p. m.]

force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 15th day of May 1944.

RALPH W. OLMSTEAD,
Acting Director of Distribution.

[F. R. Doc. 44–7048; Filed, May 16, 1944; 1:39 p. m.]

[WFO 79–119, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN DURHAM, N. C., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79–119 (9 F.R. 637, 9 F.R. 4319), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Durham, North Carolina, milk sales area, is hereby amended by deleting therefrom the numeral "20" in § 1401.152 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–119, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–119 shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 15th day of May 1944.

RALPH W. OLMSTEAD,
Acting Director of Distribution.

[F. R. Doc. 44–7049; Filed, May 16, 1944; 1:39 p. m.]

[WFO 79–131, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN GREENSBORO, N. C., SALES AREA

Pursuant to War Food Order No. 79 (8 F. R. 12426, 9 F.R. 4319), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79–131 (9 F.R. 870, 9 F.R. 4319), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Greensboro, North Carolina, milk sales area, is hereby amended by deleting therefrom the numeral "20" in § 1401.168 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–131, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–131 shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283; 9 F.R. 4319)

Issued this 15th day of May 1944.

RALPH W. OLMSTEAD,
Acting Director of Distribution.

[F. R. Doc. 44–7050; Filed, May 16, 1944; 1:39 p. m.]

[WFO 79–132, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN ASHEVILLE, N. C., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79–132 (9 F.R. 872, 9 F.R. 4319), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Asheville, North Carolina, milk sales area, is hereby amended by deleting therefrom the numeral "20" in § 1401.167 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–132, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–132 shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

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RALPH W. OLMSTEAD,
Acting Director of Distribution.

[F. R. Doc. 44–7051; Filed, May 16, 1944; 1:39 p. m.]

[WFO 79–137 Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN COLUMBIA, S. C., SALES AREA

Pursuant to War Food Order No. 79 (8 F. R. 12426, 9 F.R. 4319), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79–137 (9 F.R. 1410, 9 F.R. 4319), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Columbia, South Carolina, milk sales area, is hereby amended by deleting therefrom the numeral "20" in § 1401.172 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–137, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–137 shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322; 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 15th day of May 1944.

RALPH W. OLMSTEAD,
Acting Director of Distribution.

[F. R. Doc. 44–7052; Filed, May 16, 1944; 1:39 p. m.]

[WFO 1, Amdt. 8]

PART 1404—BAKERY PRODUCTS

PARTIAL SUSPENSION WITH RESPECT TO THE USE OF LARD

War Food Order No. 1, as amended (8 F.R. 16777, 9 F.R. 4319, 4527), § 1404.1, is further amended by deleting the period (.) at the end of (c) (1) (iii) and substituting in lieu thereof the following:

, *Provided, however,* That the provisions of this subparagraph (c) (1) (iii) shall not apply to lard or rendered pork fat which is delivered to and accepted by any baker during the period from May 15, 1944, to June 30, 1944, both inclusive.

This amendment shall become effective at 12:01 a. m., e. w. t., May 15, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 1, as amended, prior to the effective date of this amendment, all provisions of War Food Order No. 1, as amended, in effect prior to this amendment shall be deemed in full force and effect for the purposes of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 13th day of May 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44–6984; Filed, May 15, 1944; 4:10 p. m.]

[WFO 34, Revocation]

PART 1460—FATS AND OILS

GLYCERINE

War Food Order 34 (9 F.R. 52, 4319), § 1460.3, is hereby revoked and terminated.

This order shall become effective at 12:01 a. m., e. w. t., May 16, 1944. However, with respect to violations of War Food Order 34, or rights accrued, or liabilities incurred thereunder, prior to said date, said War Food Order 34, subject to the provisions of the partial suspension order (9 F.R. 3253) issued by the Assistant War Food Administrator on March 22, 1944, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 13th day of May 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-6982; Filed, May 15, 1944; 4:10 p. m.]

[WFO 35, Amdt. 1]

PART 1460—FATS AND OILS

RESTRICTIONS ON THE USE AND DISTRIBUTION OF RAPESEED OIL AND MUSTARD SEED OIL

War Food Order 35 (8 F.R. 3478; 9 F.R. 4319), § 1460.7, is amended to read as follows:

§ 1460.7 *Use, consumption, processing, and blending of rapeseed oil restricted—*(a) *Definitions.* (1) The term "rapeseed oil" means that oil obtained from rapeseed, commonly known as rapeseed oil (Colza oil), whether crude, raw, filtered, refined, blown, or denatured.

(2) The term "person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(3) The term "Director" means the Director of Distribution, War Food Administration.

(b) *Restrictions on use and consumption.* Subject to the provisions of (c) hereof, no person shall use or consume rapeseed oil except as specifically authorized by the Director.

(c) *Exceptions.* Notwithstanding the provisions of (b) hereof, specific authorization by the Director shall not be required for:

(1) The use or consumption of rapeseed oil by any person in the manufacture of marine engine oils, heavy machine engine lubricating oils, pneumatic tool oils, or factice for insulation or compounding rubber; and

(2) The use or consumption of not more than 400 pounds of rapeseed oil in any calendar month by any person for any purpose other than the manufacture of a product listed in (c) (1) hereof.

(d) *Restrictions on processing.* Except as specifically authorized by the Director, no person shall further process any rapeseed oil whether crude, raw, filtered, refined, blown, or denatured, unless such processing shall render it suitable for use in the manufacture of a product listed in (c) (1) hereof.

(e) *Restrictions on blending.* Except as specifically authorized by the Director, no person shall blend rapeseed oil with any other oil unless the resulting blend of oils is used by such blender in the manufacture of a product listed in (c) (1) hereof. Furthermore, the provisions of (c) (2) hereof shall not be construed as applying to the mere blending of rapeseed oil with any other oil.

(f) *Applications for use, consumption, processing, or blending.* Every person requiring an authorization to use, consume, process, or blend rapeseed oil, shall file an application therefor on Form FDA-478, or such other form or forms as may be prescribed by the Director. Such application shall be forwarded to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WF-35. The Director may prescribe in each authorization issued pursuant to this order the period of time in which the authorization shall be effective. No person shall take any action pursuant to, or in reliance on, an authorization which has expired.

(g) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of rapeseed oil of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(h) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in rapeseed oil.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may file a petition for relief in writing with the Director, addressed as follows: Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WF-35. Such petition shall set forth all pertinent facts and the nature of the relief sought. The Administrator of this order shall then act upon the petition. In the event that the petitioner is dissatisfied with the action taken by the Administrator of this order, he may request a review of such action by the Director whose decision with respect to the relief sought shall be final.

(j) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using rapeseed oil, or any other material subject to priority or allocation control by any governmental agency. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(k) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WF-35.

(m) *Territorial extent.* This order shall apply only to the forty-eight States of the United States and the District of Columbia.

(n) *Effective date.* This order shall become effective 12:01 a. m., e. w. t., May 15, 1944. However, with respect to violations of said War Food Order 35, or rights accrued or liabilities incurred thereunder, prior to said date, said War Food Order 35 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 13th day of May 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-6981; Filed, May 15, 1944; 4:10 p. m.]

[WFO 42, Amdt. 7]

PART 1460—FATS AND OILS

PARTIAL SUSPENSION OF RESTRICTIONS ON USE OF LARD

War Food Order No. 42, as amended (9 F. R. 2971, 4319, 4802), is further amended by inserting immediately after (b) (11) thereof, the following:

(12) Notwithstanding any other provision of this order, any manufacturer who, during the period from May 15 to June 30, 1944, both inclusive, purchases and accepts delivery of lard or rendered pork fat, may use such lard or rendered pork fat without charge against quota in the manufacture of soap.

(13) Notwithstanding any other provision of this order, any producer who, during the period from May 15 to June 30, 1944, both inclusive, produces lard or rendered pork fat, and any manufacturer who, during such period, purchases and accepts delivery of lard or rendered pork fat, may, during such period, use such lard or rendered pork fat without charge against quota in the manufacture of margarine and other edible finished products, including shortening. Such use may be continued without charge against quota until October 1, 1944: *Provided*, That the producer or manufacturer, on or before July 15, 1944, reports to the Fats and Oils Branch, Office of Distribution, War Food Administration, Washington 25, D. C., the quantity of lard and rendered pork fat on hand on June 30, 1944, which is intended for use in accordance with the provisions of this subparagraph.

This amendment shall become effective at 12:01 a. m., e. w. t., May 15, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 42, prior to the effective date of this amendment, all provisions of said War Food Order No. 42, as amended, in effect prior hereto, shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O 9392, 8 F.R. 14783)

Issued this 13th day of May 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-6980; Filed, May 15, 1944; 4:10 p. m.]

[WFO 94, Amdt. 1]

PART 1461—OILSEEDS

RESTRICTIONS ON PURCHASES AND USE OF FLAXSEED

War Food Order 94 (9 F.R. 2323, 4319), § 1461.1, is amended as follows:

By deleting the provisions of paragraph (a) (4) thereof and inserting in lieu thereof the following:

(4) The term "purchase" means to purchase, acquire by barter or exchange, or to contract to do any of the foregoing. The term "sell" shall be construed accordingly. However, the terms "purchase" or "sell" shall not include the purchase or sale of flaxseed futures contracts on, or subject to the rules of, a board of trade designated as a contract market under the provisions of the Commodity Exchange Act.

This amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 13th day of May 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-6979; Filed, May 15, 1944; 4:10 p. m.]

RENUMBERING OF AMENDMENTS TO WAR FOOD ORDERS

The War Food Order amendments listed in Column A below are hereby renumbered as indicated in Column B below:

A	B
	New amendment No.
WFO 1, Amdt. 1	WFO 1, Amdt. 7
WFO 8, Amdt. 1	WFO 8, Amdt. 2
WFO 37, Amdt. 1	WFO 37, Amdt. 2
WFO 42, Amdt. 1	WFO 42, Amdt. 6
WFO 60, Amdt. 1	WFO 60, Amdt. 3
WFO 69, Amdt. 1	WFO 69, Amdt. 2
WFO 75, Amdt. 1	WFO 75, Amdt. 14
WFO 75-2, Amdt. 1	WFO 75-2, Amdt. 9
WFO 79-4, Amdt. 1	WFO 79-4, Amdt. 8
WFO 79-73, Amdt. 1	WFO 79-73, Amdt. 4
WFO 79-75, Amdt. 1	WFO 79-75, Amdt. 4
WFO 79-102, Amdt. 1	WFO 79-102, Amdt. 2
WFO 79-115, Amdt. 1	WFO 79-115, Amdt. 2
WFO 79-128, Amdt. 1	WFO 79-128, Amdt. 3
WFO 87, Amdt. 1	WFO 87, Amdt. 2

Issued this 17th day of May 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-7166; Filed, May 18, 1944; 11:12 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4613]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ACME ASBESTOS COVERING AND FLOORING CO., ET AL.

§ 3.7 *Aiding, assisting and abetting unfair or unlawful act or practice:* § 3.27 (d) *Combining or conspiring; to enhance, maintain or unify prices; patent licensing and merchandising plans.* In connection with the offer, etc., in commerce, of insulating materials (asbestos paper or rollboard, wool felt or sponge felt paper, corrugated asbestos paper, high- or low-pressure laminated asbestos pipe covering, sheets or blocks, low-pressure aircell asbestos pipe covering, sheets or blocks, wool felt, antisweat, or frostproof pipe coverings, boiler jackets, waterproof jackets, and accessories usually sold with the above materials), and on the part of some eighteen corporations, winders or converters and manufacturers of insulating materials and sub-licensees of respondent Tulloch under the Toohey patent, and on the part of respondent Johns-Manville Corporation, manufacturer also of such materials, and owner of said patent and grantor of exclusive license thereunder to respondent Tulloch carrying the exclusive right to sub-license others, and sub-licensee itself thereunder from respondent Tulloch, and on the part of said Tulloch, exclusive licensee as above set forth, and on the part of their respective officers, etc., entering into, continuing, cooperating in, or carrying out any planned common course of action, understanding, agreement, combination, or conspiracy between and among any two or more of said respondents, or between any one or more of said respondents and others not parties hereto, to (1) establish or maintain uniform prices, discounts, terms, or conditions in the sale of said materials, or in any manner agree upon, fix, or maintain any prices, discounts, terms, or conditions of sale at which such materials are to be sold; (2) establish or maintain uniform differentials in price applicable to designated differences in specifications of said materials or to differences in the type or quantity of accessories sold with said materials; (3) establish or maintain any classification of customers or any method or formula for classifying customers used or to be used in determining prices, discounts, terms, or conditions of sale to purchasers; (4) continue the uniform delivered-price zones heretofore fixed for making quotations and sales of materials, or establish or maintain any delivered-price zones which are similar to those heretofore used in that their use would result in making respondents' delivered prices identical despite their different costs of delivery; (5) select or designate particular locations to be used as freight equalization points for pricing purposes; (6) establish or maintain an exclusive method (such as f. o. b. factory, or f. o. b. factory with freight equalized, or delivered to destination) for quoting and pricing a particular material or group of materials; (7) establish or maintain any formula for calculating unit prices, or for calculating total prices from unit prices, or using any formula so established or maintained; and (8) maintain or continue or aid or assist in the maintenance or continuance of the licensing system and merchandising plan heretofore established under and pursuant to the Toohey patent; prohibited, subject to the proviso, however, that nothing in the order shall be construed to prohibit the owner or owners of the Toohey patent from granting lawful li-

censes to others to use said patent, or to prevent any respondent herein, or others, from taking lawful licenses to said patent. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Acme Asbestos Covering and Flooring Company, et al., Docket 4613, April 27, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of April, A. D. 1944.

In the Matter of Acme Asbestos Covering and Flooring Company, Asbestos, Asphalt and Insulation Manufacturing Company, Atlantic Asbestos Corporation, A. H. Bennett Company, the Philip Carey Manufacturing Company, the Clark Asbestos Company, Empire Asbestos Products, Inc., Gillen-Cole Company, Johns-Manville Corporation, Keasbey & Mattison Company, L. A. Rubber & Asbestos Works, Inc., G. A. MacArthur Company, Norristown Magnesia and Asbestos Company, W. S. Nott Company, Pacific Asbestos & Supply Company, Plant Rubber & Asbestos Works, the Ruberoid Company, Sall Mountain Company, Standard Asbestos Manufacturing Company, Corporations; and Donald Tulloch, Jr., an Individual

This proceeding having been heard by the Federal Trade Commission upon the amended complaint of the Commission, the answers filed thereto by respondents, testimony and other evidence in support of and in opposition to the allegations of said amended complaint taken before an examiner of the Commission theretofore duly designated by it, report of the trial examiner and exceptions thereto, briefs in support of the amended complaint and in opposition thereto, and oral arguments of counsel, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of section 5 of the Federal Trade Commission Act:

It is ordered, That the corporate respondents Acme Asbestos Covering and Flooring Company; Asbestos, Asphalt and Insulation Manufacturing Company; Atlantic Asbestos Corporation; A. H. Bennett Company; The Philip Carey Manufacturing Company; The Clark Asbestos Company; Empire Asbestos Products, Inc.; Gillen-Cole Company; Johns-Manville Corporation; Keasbey & Mattison Company; L. A. Rubber & Asbestos Works, Inc.; G. A. MacArthur Company, Norristown Magnesia and Asbestos Company; W. S. Nott Company; Pacific Asbestos & Supply Company; Plant Rubber & Asbestos Works; The Ruberoid Company; Sall Mountain Company; and Standard Asbestos Manufacturing Company, their respective officers, agents, and employees; and respondent Donald Tulloch, Jr., his agents, representatives, and employees, in or in connection with the offering for sale, sale, and distribution of insulating materials (asbestos paper or rollboard, wool felt or sponge felt paper, corrugated asbestos paper, high- or low-pressure laminated asbestos pipe covering, sheets or blocks, low-pressure aircell asbestos pipe covering, sheets or blocks, wool felt, antisweat, or frostproof pipe coverings, boiler jackets, waterproof jackets, and accessories usually sold with the above materials) in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out any planned common course of action, understanding, agreement, combination, or conspiracy between and among any two or more of said respondents, or between any one or more of said respondents and others not parties hereto, to do or perform any of the following things:

1. Establishing or maintaining uniform prices, discounts, terms, or conditions in the sale of said materials, or in any manner agreeing upon, fixing, or maintaining any prices, discounts, terms, or conditions of sale at which such materials are to be sold.

2. Establishing or maintaining uniform differentials in price applicable to designated differences in specifications of said materials or to differences in the type or quantity of accessories sold with said materials.

3. Establishing or maintaining any classification of customers or any method or formula for classifying customers used or to be used in determining prices, discounts, terms, or conditions of sale to purchasers.

4. Continuing the uniform delivered-price zones heretofore fixed for making quotations and sales of materials, or establishing or maintaining any delivered-price zones which are similar to those heretofore used in that their use would result in making respondents' delivered prices identical despite their different costs of delivery.

5. Selecting or designating particular locations to be used as freight equalization points for pricing purposes.

6. Establishing or maintaining an exclusive method (such as f. o. b. factory, or f. o. b. factory with freight equalized, or delivered to destination) for quoting and pricing a particular material or group of materials.

7. Establishing or maintaining any formula for calculating unit prices, or for calculating total prices from unit prices, or using any formula so established or maintained.

8. Maintaining or continuing or aiding or assisting in the maintenance or continuance of the licensing system and merchandising plan heretofore established under and pursuant to the Toohey patent.

It is further ordered, That nothing in this order shall be construed to prohibit the owner or owners of the Toohey patent from granting lawful licenses to others to use said patent, or to prevent any respondent herein, or others, from taking lawful licenses to said patent.

It is further ordered, That respondents shall, within sixty (60) days after the service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-7151; Filed, May 18, 1944; 11:05 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[Order 15]

PART 601—ADMINISTRATIVE; GENERAL

ORDER ESTABLISHING SFAW NATIONAL ADVISORY COKE COMMITTEE

On December 31, 1943, the Chairman of the War Production Board delegated to the Solid Fuels Administrator for War authority and discretion to control the distribution of coke by any person to any domestic consumer and the use of coke by any domestic consumer (WPB Directive 33, 9 F.R. 64). On April 28, 1944, the authority and discretion thus delegated over the distribution of coke was extended to the distribution of coke "intended for use by any domestic consumer from any producer to any wholesale or retail dealer, or from one dealer to another dealer, or from any producer, wholesale or retail dealer to any domestic consumer and over the use of coke by any domestic consumer" (Amendment 1 to Directive 33, 9 F.R. 4580).

It would be very helpful in performing the tasks thus delegated by the War Production Board, and in generally carrying out the purposes of Executive Order No. 9332, if, in conformity with the policy of the Solid Fuels Administration for War, an advisory group representative of the coke distribution industry were available to assist the Solid Fuels Administration for War. Accordingly, the following order is issued by the Solid Fuels Administrator for War:

§ 601.61 *Establisment and functions of the SFAW National Advisory Coke Committee.* A committee designated as the SFAW National Advisory Coke Committee is hereby created to furnish (a) such information and advice as may be requested from time to time by the Solid Fuels Administration for War and (b) any information and advice which the committee believes would help in carrying out the purposes of Executive Order No. 9332, WPB Directive 33 and Amendment 1 thereto. The members of this committee shall serve without compensation.

This order shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; WPB Directive 33, 9 F.R. 64; Amdt. 1 to Directive 33, 9 F.R. 4580)

Issued this 17th day of May 1944.

HAROLD L. ICKES, *Solid Fuels Administrator for War.*

[F. R. Doc. 44-7128; Filed, May 18, 1944; 9:56 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1044—CADMIUM

[General Preference Order M-65, as Amended May 18, 1944]

§ 1044.1 *General Preference Order M-65*—(a) *Scope of this order.* This order controls deliveries of cadmium from a producer or distributor. No producer or distributor shall deliver cadmium to any person, and no person shall accept delivery of cadmium from any producer or distributor, except as provided in this order. The order also restricts the use which may be made of cadmium or cadmium products. The permitted uses will be found listed below in paragraphs (d) and (e).

(b) *Definitions.* For the purposes of this order:

(1) "Cadmium" means all grades of metallic cadmium, oxide, or plating salts produced directly from ores, concentrates or other primary materials, or redistilled or remelted from cadmium scrap or any secondary cadmium-bearing material; or cadmium-bearing materials suitable for the manufacture of pigments.

(2) "Cadmium product" means an electroplated coating of cadmium.

(3) "Distributor" means any person regularly engaged in the business of buying cadmium and selling the same in forms suitable for general fabrication or electroplating. It also includes laboratory supply houses to the extent they are engaged in buying and selling cadmium in any form to laboratories.

(c) *Deliveries of cadmium.* Producers and distributors may deliver cadmium, and persons may accept delivery of cadmium from a producer or distributor in the following cases only:

(1) *Small order delivery.* Deliveries of cadmium from a producer or distributor may be made and accepted without the necessity of obtaining any specific authorization from the War Production Board if (i) The delivery in question, combined with all other deliveries of cadmium to the purchaser during that calendar month, from whatever source, will not aggregate more than 100 pounds of contained cadmium; (ii) The purchaser has not requested from the War Production Board authorization for that particular month to accept delivery of cadmium in any quantity—see paragraph (c) (5) below (a request to the War Production Board shall be deemed a request within the meaning of this paragraph, regardless of whether it has been granted or denied); (iii) The cadmium purchased will be used only as permitted in paragraphs (d) and (e) of this order and not for resale; (iv) The inventory of the purchaser is not, and will not upon acceptance of the delivery become, in excess of a 30-day supply on the basis of his current method and rate of operation; and (v) The producer or distributor may make deliveries without any specific authorization from the War Production Board unless he knows or has reason to believe, that the delivery will be in violation of this paragraph (c) (1) or that the cadmium delivered is to be used in violation of the restrictions of this or other applicable orders of the War Production Board.

(2) *Deliveries to distributors.* Deliveries of cadmium may be made to and accepted by distributors.

(3) *Deliveries to Metals Reserve Company.* Deliveries of cadmium may be made to and accepted by Metals Reserve Company for the sole purpose of stockpiling or redistribution.

(4) *Deliveries to laboratories.* Deliveries of cadmium may be made to and accepted by laboratories.

NOTE: Subparagraph (3), formerly (4), redesignated May 18, 1944.

(5) *WPB Authorization.* Other deliveries of cadmium may be made only on specific authorization of the War Production Board and in accordance with an authorization certificate issued by the War Production Board on Form WPB-945. Deliveries so specifically authorized shall take precedence over any preference rating which may be assigned to deliveries on other contract or orders. Authorization certificates will be issued on or about the first of each month for this purpose. An authorization certificate will authorize the holder to accept from a producer or distributor deliveries of specified amounts of cadmium shipped during the month for which the certificate is issued. The producer or distributor may ship on notification from the purchaser of the date and serial number of the authorization certificate. Any person wishing to apply for an authorization certificate should file an application on Form WPB-945 not later than the fifteenth day of the month preceding the month in which the authorization to purchase is desired.

(d) *Restrictions on the use of cadmium.* No person may use in any fashion any cadmium except for one or more of the following purposes, and then only to the extent necessary to meet applicable specifications or for the proper service performance of the end product, and to maintain a thirty-day supply of the cadmium containing item on the basis of current rate of deliveries for permitted uses. No person who uses cadmium may deliver the cadmium containing item to any person except on receipt by him, directly or through a dealer, from the person who will receive delivery of the cadmium containing item, of a certification substantially in the form prescribed by Priorities Regulation No. 7 that the cadmium containing item to be delivered will be used for one or more of the following purposes:

(1) For the manufacture of pigments for the following:

Luminescent paint for military uses
Luminescent printing ink for military uses
Luminescent paper for military uses
Luminescent plastic for military uses
Signal and illuminating glass ware for safety, religious, military and industrial uses only
Thermometer tubing
Rubber sea buoys
Dental rubber
Artist's colors
X-ray fluoroscopic screens for medical purposes

(2) For the manufacture of silver brazing alloys containing no more than 11% by weight of cadmium to be used for military and industrial purposes to the extent that the use of a less critical material is impracticable except that silver brazing alloys containing up to 19% may be manufactured for applications specifically required by the Armed Services and for identical industrial applications.

(3) For the manufacture of copper base alloys containing no more than 1¼% by weight of cadmium for the following:

(i) Current carrying parts of electrical current interruption devices to the extent that sufficient contact pressure cannot be maintained in service with other less critical materials.

(ii) Parts inside electronic tubes.

(iii) Resistance welding electrodes.

(iv) Contact wire in railroad catenary systems for repair and replacement.

(v) Multistrand railroad signal bond wire.

(vi) Shunt wire leads for motors and generators.

(vii) Flexible terminals of resistors, condensers and field coils.

(4) For the manufacture of bearings for the following:

(i) Internal combustion engines for the propulsion of naval vessels when specifically required by the U. S. Navy.

(ii) In radio and radar equipment.

(5) For the manufacture of low melting point alloys for the following:

(i) On dry type rectifier elements.

(ii) In fire protective systems, safety devices and electrical fuses.

(iii) In plastic fire control instruments for the mounting of optics.

(iv) Plugs for screwless fasteners in rimless metal spectacles.

(v) Seals between brass and glass parts of liquid high voltage fuses.

(vi) Dental use.

(6) For the manufacture of a lead base alloy containing no more than 3% by weight of cadmium for the coating of copper wire;

(7) For the manufacture of any cadmium product permitted by paragraph (e).

(8) For the manufacture of items classified as secret, to the extent that

certification of engineering necessity issued by the Armed Services has been filed with the first request for allocation for this use on Form WPB–945.

(9) For the manufacture of standard cells.

(10) For the manufacture of electrolytic testers for storage batteries.

(11) For the manufacture of cadmium impregnated carbon or of cadmium-silver alloys for use as contacts in electric current interruption devices.

(12) For use in laboratories for research, control, analysis, assaying, or educational work.

(13) For the manufacture of cadmium chemicals.

(e) *Restrictions on the use of cadmium products.* No person may use in any fashion any cadmium product except as permitted in subparagraphs (1) to (22), and then only to the extent necessary to meet applicable specifications or for the proper service performance of the end product:

(1) On functional parts which in service are subjected to frequent and extended periods of alternate immersion in sea water or wet spray of sea water to the extent that other finishes cannot be used for reasons of close tolerance or performance;

(2) On heddles and pin boards used in textile plants to the extent that corrosive action makes the use of other materials impracticable;

(3) On ferrous hardware parts in direct contact with fabric or leather when used on the following:

Aircraft parachutes.
Aircraft safety belts.
Aircraft shoulder harnesses.
Aircraft bomb slings.

(4) On moving parts which require close tolerances for proper functioning and on parts adjacent to such moving parts, to the extent that the tolerances cannot be maintained in service with other finishes because of mechanical or electrical interference by the products of corrosion or wear.

(5) On electric controllers and switches incorporated into underground mining machinery as required by the safety regulations of the Bureau of Mines;

(6) On the following ferrous parts which in service reach a temperature of 500° F. or higher and on parts in contact with such ferrous parts:

(i) Aircraft parts requiring corrosion protection;

(ii) Functional parts subject to the combined effect of corrosion and stress.

(7) On parts which serve to maintain an electrical contact for the suppression of radio interference to the extent that one of the contacted surfaces is aluminum, magnesium or their alloys;

(8) On electrical contact parts of aircraft ignition harnesses and propeller hubs;

(9) On parts of electrical equipment to the extent that they, for performance reasons, must be soldered with the use of noncorrosive fluxes and other finishes do not provide required corrosion protection.

(10) On the following parts of electronic equipment when required by the Armed Services, the Maritime Commission and War Shipping Administration:

(i) Surfaces involved in unsoldered butt joints which must remain constant in electrical and radio frequency resistance or both.

(ii) Surfaces which require good conductivity for radio frequency current.

(iii) Non-ferrous parts in contact with aluminum parts for prevention of electrolytic corrosion.

(11) On ferrous nuts, bolts, machine screws and washers for use in aircraft except for self-locking nuts designed for application below 250° F;

(12) On nuts, bolts, machine screws and studs having threads ⅜ inch diameter and smaller and/or having sixteen or more threads per inch for use by the United States Navy, Maritime Commission or War Shipping Administration and for use by the United States Army in ship construction.

(13) On parts subject to frictional contact at least one of which is a moving part, to the extent that other finishes of required thickness and corrosion protective value cause gouging, seizure or binding.

(14) On parts which in service are subjected to the corrosive action of chlorine except on items which contact chlorine only during laundry operations.

(15) On parts of items classified as secret, to the extent that certification of engineering necessity issued by the Armed Service has been filed with the first request for Allocation for this use on Form WPB–945.

(16) On high carbon steel springs and on parts which of necessity have been assembled with such springs before the plating operation, to the extent that the springs are subject to both alternating stresses of a magnitude approaching the fatigue limit of the steel and to corrosive influences requiring a high degree of corrosion protection, if the springs fall in one of the following categories:

(i) Flat springs of a thickness of 3/32 inch or less;

(ii) Springs made of wire of a diameter of ⅛ inch or less;

(iii) Valve springs for marine Diesel engines; or

(iv) Springs for aircraft landing gear.

(17) On ferrous springs and on parts which of necessity have been assembled with such springs before the plating operation, to the extent that the springs are subject to corrosive influence requiring a high degree of corrosion protection, if the springs fall in one of the following categories:

(i) Detent springs of fuses when cadmium is specifically required by the cognizant Armed Service;

(ii) Spring parts of cowl fasteners for aircraft use;

(iii) Snap rings of a wire diameter of ⅛ inch or less for military and industrial uses; or

(iv) Lock washers and lock clips of a thickness of 3/32 inch or less for military and industrial uses.

(18) On carburetor and magneto parts for aircraft engines.

(19) On external parts of engines for combat aircraft, excluding attachments which are not integral parts of the engine proper, such as clips, clamps, and lugs, and further excluding such parts on which alternative finishes have proven satisfactory in service and newly designed parts performing similar functions.

(20) On hydraulic fitting coupling sleeves made of copper alloys for use in aircraft.

(21) On electrical contact parts which touch parts of aluminum, magnesium or their alloys.

(22) On torpedo parts.

(f) *Certification on purchase orders.* No person shall place an order for, deliver or accept delivery of any cadmium or cadmium product, unless the purchaser shall have certified in substantially the form set forth in Priorities Regulation No. 7 that the cadmium products to be delivered will be used for a purpose permitted by this order.

(g) *Appeals.* Any person may appeal from the provisions of paragraphs (d) or (e) of this order in letter form, in triplicate, and filed with the Field Office of the War Production Board for the district in which is located the plant to which the appeal relates, setting forth essentially the following information where applicable. The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(1) Name and address of plating firms or other persons who actually process the cadmium and the quantity of cadmium required by each processor;

(2) The quantity of cadmium required for each part or group of parts fulfilling related functions;

(3) Period of time for which relief is requested;

(4) Description and function of each part or group of parts;

(5) Prime contract number, including symbol, if the item on appeal is covered by an Army, Navy, Maritime Commission or War Shipping Administration contract;

(6) Justification, including the reasons why substitutes are unsatisfactory because of performance, lack of facilities or manpower.

(h) *Special directions.* The War Production Board may, from time to time, issue special directions to any person as to the sources, destination, or amounts of cadmium or cadmium products to be shipped and delivered by any producer or distributor or received by any person, and the War Production Board may also specifically direct the manner and quantities in which such cadmium or cadmium product may be processed.

(i) *Reports.* All producers, distributors and consumers of cadmium shall file reports with the War Production Board, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, at such time and in such manner and form as it may prescribe, showing inventory, production, purchases, sales and consumption and such other information that the War Production Board may require.

(j) *Communications.* All applications, statements or other communications filed pursuant to this order or concerning the subject matter hereof, other than appeals from the provisions of paragraphs (d) and (e), shall be addressed to: War Production Board, Zinc Division, WPB Dept. 7515, Washington 25, D. C.; Ref.: M–65.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

Issued this 18th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7163; Filed, May 18, 1944; 11:08 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L–38, Direction 1]

EVAPORATIVE COOLERS FOR CIVILIAN USE IN DESERT AREAS

The following direction is issued pursuant to Limitation Order L–38.

Direction regarding desert coolers. It has been determined that production of a limited amount of evaporative coolers ("desert coolers") for the use of certain civilians living in the arid regions of the western part of the country, will be permitted, to the extent that this may be found feasible without causing interference with other more essential programs.

Order L–38 prohibits manufacture of evaporative coolers rated less than 2,000 c. f. m. and restricts manufacture of larger sizes, and permits delivery of the larger sizes subject to certain restrictions. Such production as may be permitted under this direction is in addition to that provided for by Order L–38, but may not be commenced until the particular manufacturer has received a specific authorization to produce a specified number of coolers, and when he has received such authorization, the coolers which he produces may be delivered only for the purposes and under the conditions stated below.

How a prospective producer may apply for an authorization. Any evaporative cooler manufacturer may apply for an authorization to produce some of the coolers contemplated by this direction, by filing with the District Office of the War Production Board for the district in which the manufacturing is to be done, on or before May 29, 1944, by letter in triplicate, an application stating:

(1) The total number of such coolers which he wishes to produce, and

(2) The total number of motors he proposes to use which are available from inventories of used motors or from inventories of new motors in his hands or in the hands of another evaporative cooler manufacturer on April 1, 1944, and obtained for making such kind of coolers, or from inventories of new motors which a Regional Office of the War Production Board has certified as being frozen, idle, or excess stock, and the name and address of the holder and the quantity in such stock, and

(3) The quantity of other materials which he will need to obtain from frozen, idle, or excess materials under Priorities Regulation 13, and

(4) (a) The total number of production workers necessary for assembling these coolers; (b) the total number of employees to be transferred from other operations in his plant, indicating the relation of these employees to his war work. If war contracts are being terminated, cut back, or completed, indicate date, type of production under contract, procuring agency, and number and type of employees involved.

If the prospective manufacturer needs to get any motors or other materials which he is unable to buy because he cannot furnish the necessary ratings or meet other requirements under Priorities Regulation 13, he may apply on Form WPB–1161 for permission to purchase such materials from the frozen, idle, or excess stocks of a holder who qualifies to make a special sale of those materials under that regulation. If he wishes to use frozen, idle or excess motors in his own inventory, his request to use these should be included in his letter of application to produce. This should be filed with his application for an authorization to produce coolers under this direction. No preference rating will be assigned, as it is the intent that only frozen, idle or excess materials should be obtained.

If his application to produce is authorized, in whole or in part, he will be issued an authorization to purchase any frozen, idle, or excess materials needed and known to be available for delivery as a special sale under Priorities Regulation 13, whenever the material is of a kind which requires such an authorization under that Regulation.

How coolers authorized under this direction may be delivered. Any manufacturer who is authorized to produce any evaporative coolers under this direction must not deliver any of them, regardless of their size, except to fill an order approved by the War Production Board on Form WPB–1319. Deliveries will be approved only for use in the arid regions of the West and applications by purchasers on Form WPB–1319 may be filed only with the local offices of the War Production Board in San Francisco or Los Angeles, California or Phoenix, Arizona. No preference rating will be assigned on such forms, as it is not intended that any person supplying such coolers to a user shall replace in his inventory any motors or other materials used in their production; however, a manufacturer who has been authorized to produce them may deliver them either directly to the purchaser who has obtained approval on Form WPB–1319 or through a dealer. Any person purchasing a cooler under an authorization on Form WPB–1319 may use the standard certification permitted by Priorities Regulation 7.

As used in this direction, "evaporator cooler" (sometimes known as a "desert cooler"), means any equipment designed to lower the temperature of air by means of the evaporation of water, and consisting primarily of a housing, a fan powered by a fractional horsepower motor, and an evaporative medium such as wetted excelsior, it does not include an "evaporative condenser" or "air washer", as these terms are commonly used in the industry.

This direction shall apply to the production and delivery of all evaporative coolers produced under it, notwithstanding any inconsistent provisions of Limitation Order L–38.

Issued this 18th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7164; Filed, May 18, 1944; 11:08 a. m.]

PART 3076—NOBLE FIR LOGS

[Conservation Order M–228, Revocation]

§ 3076.1 *Order M–228* is revoked. This revocation does not affect any liabilities incurred under the order. Delivery, acceptance of delivery, and use of Noble fir logs remain subject to all other applicable regulations or orders of the War Production Board.

Issued this 18th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7162; Filed, May 18, 1944; 11:08 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, as Amended May 18, 1944]

MAINTENANCE, REPAIR AND OPERATING SUPPLIES

§ 3175.5 *CMP Regulation 5*—(a) *Purpose and scope.* (1) The purpose of this regulation is to provide a uniform procedure for obtaining maintenance, repair and operating supplies, both in the case of controlled materials obtained by use of allotment symbols under the Controlled Materials Plan and in the case of materials or products obtained by preference ratings. Persons requiring maintenance, repair and operating supplies, in any form, in such quantities as are available from warehouses or distributors under CMP Regulation No. 4, or at retail without preference ratings

or allotments, may obtain the same without using the procedure provided in this regulation, but subject to all applicable limitations in War Production Board regulations and orders.

(2) The provisions of this regulation shall not apply to any governmental agency (other than Claimant Agencies) or to any institution, as the same are defined in paragraphs (b) (1) and (b) (2) of CMP Regulation No. 5A, regardless of whether it is engaged in the production of any product or in any activity or service listed in any schedule attached to this regulation or not. Procedures for the obtaining of maintenance, repair and operating supplies by such governmental agencies and by such persons and institutions are provided under CMP Regulation No. 5A. This regulation is also inapplicable to certain purchases by Claimant Agencies or for export as more fully provided in paragraph (g).

(3) [Deleted Feb. 26, 1944]

NOTE: Canadians will obtain MRO in the United States under Canadian Order PO 5 B.

(b) *Definitions.* Maintenance, repair and operating supplies and minor capital additions (which are sometimes collectively referred to as "MRO") have the following meanings in this regulation and in other War Production Board regulations and orders unless otherwise indicated:

(1) "Maintenance" means the minimum upkeep necessary to continue a facility in sound working condition, and "repair" means the restoration of a facility to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like: *Provided*, That neither maintenance nor repair shall include the improvement of any plant, facility or equipment, by replacing material which is still usable, with material of a better kind, quality or design, except as provided in paragraph (b) (3) of this regulation.[1]

(2) "Operating supplies" means any materials or products which are normally carried by a person as operating supplies according to established accounting practice and are not included in his finished product, except that materials included in such product which are normally chargeable to operating expense may be treated as operating supplies. The term also includes such items as hand tools purchased by their employer for sale to his employees for use only in his business, in those cases where they would constitute operating supplies under established accounting practice if issued to employees without charge.[2]

(3) Minor capital additions may be obtained under the procedures provided for in this regulation for obtaining maintenance, repair and operating supplies where the cost of the minor capital addition does not exceed $500 (excluding the purchaser's cost of labor) for any one complete capital addition. The term "one complete capital addition" includes a group of items customarily purchased together and all items which would normally be purchased as part of a single project or plan. No capital addition shall be subdivided for the purpose of coming within this paragraph, and where the capital addition involves construction, authorization to construct must be obtained to the extent required by Conservation Order L-41 or by any other applicable order or regulation of the War Production Board.[3]

(4) Production materials required by a manufacturer for physical incorporation in his products, which products he sells for use as maintenance, repair or operating supplies, may be obtained as provided in CMP Regulation No. 1 and in CMP Regulation No. 3, and such production materials shall not be deemed maintenance, repair or operating supplies, as to such manufacturer.

(c) *Controlled materials.* (1) Subject to the quantity restrictions contained in paragraph (f) of this regulation, any person engaged in the business of producing any product or conducting any business listed in Schedule I or II, requiring delivery of any controlled material, for maintenance, repair or operating supplies in the conduct of such business,[4] may obtain the same by placing on his delivery order substantially the following certification (or the alternative form of certification provided in CMP Regulation No. 7), signed manually or as provided in Priorities Regulation No. 7:

CMP allotments symbol MRO—The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the controlled materials covered by this order are required for essential maintenance, repair or operating supplies, to be used for a purpose listed in Schedule I or Schedule II of CMP Regulation No. 5 and that delivery thereof will not result in a violation of the quantity restrictions contained in paragraph (f) of said regulation.

An order bearing such certification shall constitute an authorized controlled material order.

(2) [Deleted Feb. 26, 1944]

(3) [Deleted Feb. 26, 1944]

(d) *Preference ratings for maintenance, repair and operating supplies.* (1) Subject to the quantity restrictions contained in paragraph (f) of this regulation, orders calling for delivery of maintenance, repair or operating supplies other than controlled materials (regardless of whether such supplies be Class A products, Class B products, or other products or materials) are hereby assigned preference ratings as follows:

(i) AA-1 for maintenance or repair of facilities required for producing any product or conducting any business listed in Schedule I or for necessary operating supplies for such production or business;

(ii) AA-2 for maintenance or repair of facilities required for producing any product or conducting any business listed in Schedule II or for necessary operating supplies for such production or business; and

(iii) AA-5 for necessary maintenance or repair of facilities required for producing any product or conducting any business not listed in Schedule I or Schedule II or for necessary operating supplies for any such purpose.[5]

(2) A preference rating assigned under this paragraph (d) shall be applied only by use of the following certification (or the alternative form of certification provided in CMP Regulation No. 7), signed manually or as provided in Priorities Regulation No. 7:

Preference rating ------- (specify rating)—MRO. The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the items covered by this order are required for essential maintenance repair or operating supplies; that this order is rated and placed in compliance with CMP Regulation No. 5; and that the delivery requested will not result in a violation of the quantity restrictions contained in paragraph (f) of said regulation.

(3) [Deleted Feb. 26, 1944]

(e) *Plants engaged in several activities.* If a single plant or operating unit is engaged in several activities which are not all listed on the same schedule (or if some are so listed and others are unlisted), and it is impracticable to apportion requirements for maintenance, repair and operating supplies between such activities, the principal activity alone shall be considered for purposes of determining whether controlled materials may be obtained under paragraph (c) of this regulation and also for determining which preference ratings may be applied under paragraph (d).

(f) *Quantity restrictions.* A person who uses the MRO rating or symbol assigned by this regulation must not buy any more material and products than is permitted under this paragraph.

(1) *General quota.* A person must not order for delivery [6] in any calendar quarter MRO (maintenance, repair and operating supplies) costing more than one-fourth of what he spent for MRO in 1942 (or his fiscal year ending nearest to December 31, 1942).

(2) *Seasonal quota.* A person engaged in a seasonal business must not order MRO for delivery [6] in any calendar quarter in an amount more than the amount he spent for MRO in the corresponding quarter of 1942. A person may choose either the seasonal quota explained in this paragraph or the general quota explained in sub-paragraph (1) above, but he may not afterwards change to the other quota without special authorization by the War Production Board.

(3) *Quota for new businesses.* In the case of a plant or other operating unit which was not in operation during the base periods mentioned in subparagraphs (1) or (2) above, the person operating the plant may take as a quota the amount he spent for MRO during the first quarter of 1943 (or during the part of the quarter the plant was in operation) reasonably adjusted for seasonal or other variable factors. However, he must first notify the War Production Board, in writing, of the base which he is taking, why he is selecting that base, and what adjustments he has made. In the case of a plant starting operations after February 28, 1943, MRO may be bought under this regulation in the minimum amounts necessary for operation up to $5,000 per quarter. If more than this amount is needed, application may be made to the War Production Board as provided in paragraph (f) (8).

(4) *When increased quotas can be used as a base.* If a person's quota has been increased by specific authorization of the War Production Board pursuant to application, he may continue to operate on the basis of the increased quota. However, if a substantial part of the increase was to take care of an abnormal situation, as for example, where he required a large amount of special tools and equipment in order to produce a new product, he may not use that increased quota as a base.

(5) *How to figure the quota.* In figuring his quota, a person must include every expenditure during the base period which he charged to a maintenance, repair or operating supplies account. He must not include any expenditure which was charged to a capital account. In each quarter he must charge against his quota (i) everything he buys for MRO, whether he uses the MRO rating and symbol, or another rating or symbol, or no rating; and (ii) material and products he buys for minor capital additions for which he uses the MRO rating or symbol. (Note, that in deciding whether a single capital addition falls within the cost limits of paragraph (b) (3), the cost of all material and products must be included whether a preference rating or symbol is used or not). In figuring his quota, a person may at his option exclude the cost of his own labor, or the cost of any item on List A or B of Priorities Regulation No. 3, as long as he excludes cost of such items both from the computation of the quota and from charges against the quota.

(6) *Records.* Each person who is subject to this paragraph (f) must figure his quota and must keep his computation and supporting work sheets in his files for two years after his last purchase under the regulation. He must indicate on his computation any election which he makes under this paragraph (f), and in the case of paragraph (f) (3) "Quota for new businesses" or (f) (4) "When increased quotas can be used as a base", he must indicate the base which he selects. He must also maintain a record of his expenditure for a period of not less than two years.

(7) *Treatment of separate plants.* A person who has several plants or other operating units which maintain separate records of maintenance, repair and operating supplies shall treat each of them separately for purposes of complying with the provisions of this paragraph (f).

(8) *Applications for increased quota.* In any case where the quota provided in this paragraph (f) is not enough for necessary operations, a person may apply for a larger quota by letter in triplicate sent to the War Production Board, Washington 25, D. C., Reference: CMP Regulation 5, stating the relevant facts.

(9) *Persons who use less than $5,000 a year worth of MRO not limited.* The quantity restrictions in this paragraph (f) shall not apply to persons whose aggregate requirements of maintenance, repair and operating supplies do not exceed $5,000 per year.

(10) *Further reports and limitations in special cases.* The War Production Board may, by further regulations or orders, require specified persons or classes of persons to file applications or reports regarding their requirements of maintenance, repair and operating supplies and may prescribe specific quantitative limits for the same, either larger or smaller than the limits provided above in this paragraph (f).

(g) *Special provisions for Claimant Agencies, exports and ship repairs.* Maintenance, repair and operating supplies, required either by a Claimant Agency (except for the purposes mentioned in Schedule I or II) or for export, as regular procurement items covered by specific programs, and material required for ship repairs programmed by the Maritime Commission, shall not be obtained under this regulation, but, if they are controlled materials or Class A products, shall be obtained only by the use of allotments in the same manner as production materials under CMP Regulation No. 1, and, if they are other materials or products, shall be obtained only by such preference ratings as may be specifically assigned for the purpose.

(g-1) *Use of customer's or tenant's MRO symbol and rating.* (1) Any person (such as a service repair shop) engaged in the business of doing maintenance or repair work for others may use the same allotment symbol and preference rating (including any allotment symbol or preference rating assigned for MRO by CMP Regulation 5A or any P or U order) to obtain materials needed in the performance of the work which his customer would be entitled to use if the customer did the work himself. The cost of materials used in the performance of maintenance or repair work shall be treated as expenditures of the customer for the purpose of computing his quantity restrictions under paragraph (f). A person engaged in such business may, instead, request an allotment of controlled materials and a preference rating by applying to the War Production Board on Form CMP-4B, but, if he does so, he must use that method exclusively and may not use a customer's rating or symbol.

(2) A landlord may use his tenant's allotment symbol and rating to obtain maintenance, repair and operating supplies (including controlled materials) for the leased property if the tenant is engaged in the production of a product or in a business listed in Schedule I or II or if the tenant is assigned a rating or symbol for MRO CMP Regulation 5A or by any P or U order; but if the same property is occupied by several tenants and the supplies are not for the exclusive benefit of a single tenant the landlord may only use a tenant's rating if 75 percent or more of the leased property is leased to tenants on Schedule I or II and, in such case, if any are on Schedule II, he can only use the AA-2 rating.

(3) A person who leases equipment to others which he agrees to keep in good order may use either his own or his customer's rating and symbol (regardless of whether the rating is assigned by this regulation or CMP Regulation 5A or any order in the P or U series) to get materials needed to repair and maintain the equipment.

(h) *Restrictions on use of MRO symbol, rating, and materials*—(1) *Use of symbol and rating.* No person shall use the MRO symbol or the preference rating assigned to him by this regulation to get anything except materials which he needs for essential maintenance, repair or operating supplies, or minor capital additions as permitted by paragraph (b) (3). If he is assigned different ratings by this regulation for different businesses and it is practicable to segregate his purchases, he must not use a higher rating to get material for a purpose for which he is assigned a lower rating. If it is not practicable for him to segregate his purchases, paragraph (e) explains what rating he may use.

(2) *Use of material.* If a person has bought material under this regulation for MRO and then finds that he has another use for it, he may use the material for the other purpose if a preference rating or allotment symbol is assigned to him by any certificate or order for that purpose. However, if he uses the material for another use he may not replace it in inventory by use of the rating or symbol assigned by this regulation. If he replaces it, he must use the rating or symbol assigned for the purpose for which the materials were used. Also, if he uses material bought under this regulation for another use, his records must be adequate to show that his purchases of material are substantially proportionate to his authorized uses. For example, a manufacturer has a rating of AA-2 under this regulation for MRO and also has a rating of AA-3 for a construction project. He may take lumber from his MRO inventory which he bought on the AA-2 rating and use it on the construction job, but if he replaces it in his inventory he must use the AA-3 rating for this purpose, so that he will not, in effect, have filled both his MRO and his construction requirements at the AA-2 rating. Exchanges of this kind may be made only where the material is acquired in good

[1] See also Interpretation No. 8: Repairs which are capitalized must be treated as capital additions.

[2] See also Interpretation No. 4: Material for the manufacture of containers is a production material; Direction No. 2: Steel shoe wire is to be treated as an operating supply; Direction No. 4: Stitching wire is to be treated as an operating supply; Direction No. 7: Welding rod is not an operating supply when used in manufacturing; Direction No. 9: Employees may use their employer's rating to buy hand tools and (Direction 11) safety equipment; Direction 16: Broom wire is to be treated as an operating supply.

[3] See also Interpretation No. 9: Relationship of L-41 and CMP Regulation No. 5. Direction No. 15: MRO Symbol and Rating may be used to buy installation materials where authorization to construct is not required under L-41.

[4] See also Interpretation No. 5: Conduct of business includes general offices, branch offices, salesrooms, et cetera.

[5] See also Direction No. 3: Rerating of orders placed before May 16 is not compulsory; Direction No. 5: Farmers are not entitled to use AA-5 rating.

[6] See also Direction No. 8: Quota may be determined on a receipt basis.

faith for use as MRO. The manufacturer may not use the AA–2 ratings to get lumber if he is getting it specifically for use in the construction project.

(i) *Inventory restrictions.* Nothing in this regulation shall be deemed to authorize any person to receive any delivery of maintenance, repair or operating supplies if acceptance thereof would increase his inventory above a practicable working minimum as provided in § 944.14 of Priorities Regulation No. 1 or would exceed the inventory limitations prescribed for such person by CMP Regulation No. 2, or by any other applicable regulation or order of the War Production Board.

(j) *Additional assistance in individual cases.* Any person requiring maintenance, repair or operating supplies who is unable to obtain them with the rating assigned to him by this regulation, and any person requiring any controlled material for maintenance, repair or operating supplies who is not listed in Schedule I or II and who is unable to obtain it from a warehouse or distributor under CMP Regulation No. 4 may apply to the nearest local office of War Production Board on Form WPB–541 (formerly PD–1A) for a higher rating, or the right to use the MRO symbol to obtain controlled materials. Application for an increase in the quantity of expenditures for maintenance, repair and operating supplies permitted by paragraph (f) of this regulation shall, however, be filed in the manner specified in subparagraph (8) of paragraph (f).

(k) *Effect on other orders and procedures.* (1) The preference ratings and allotment symbols assigned by this regulation may be used by any person, unless he is engaged in an activity or business which is covered by an order in the P or U series which specifically provide that the ratings assigned by CMP Regulation No. 5 may not be used.

(2) [Deleted Feb. 26, 1944]

(3) [Deleted Feb. 26, 1944]

(4) When an order in the "E", "L" or "M" series assigns a specific preference rating to deliveries of any particular material to be used by a particular industry or for a specific purpose, such preference rating shall control and the preference ratings hereby assigned may not be applied.

(5) Nothing in this regulation shall be construed to relieve any person from complying with any applicable priorities regulation or order of the Warr Production Board (including orders in the "E," "L" and "M" series) or with any order of any other competent authority.

(l) *Industry reclassification.* Any person who is of the opinion that the business activity in which he is engaged should be listed in Schedule I, if it is listed in Schedule II, or should be listed in either Schedule I or Schedule II, if it is not listed in either of such schedules, may apply to have such activity so listed by filing a letter, in triplicate, with the appropriate Industry Division setting forth the relevant facts and the reasons why he considers such request should be granted.

The War Production Board may cause such activity to be listed in one of the schedules attached to this regulation or, in special cases, may permit the applicant to operate under this regulation to the same extent as though his business activity were included in one of such schedules.

(m) *Records.* Each person acquiring maintenance, repair or operating supplies pursuant to this regulation shall keep and preserve, for a period of not less than two years, accurate and complete records of all such supplies so acquired, and used, which shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(n) *Communications.* All communications concerning this regulation should be addressed to: War Production Board, Washington 25, D. C., Ref: CMP Regulation No. 5.

(o) *Restriction on use of ratings.* The preference rating assigned by this regulation cannot be used to get any of the items shown on List A or B of Priorities Regulation No. 3.

(p) *Penalties for misrepresentation.* The placing of any order bearing a certification or symbol as provided by this regulation shall constitute a representation, subject to the criminal penalties of section 35 (A) of the United States Criminal Code (18 U. S. C. 80), that the person placing the order is entitled, under the terms of this regulation to use of the symbol or preference rating indicated thereon.

Issued this 18th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULES

Preference Rating AA–1 may be used for MRO by those businesses listed with the numeral "I", AA–2 by those with "II", others use AA–5 (paragraph (d)).

Manufacture of the following products:

Unfabricated and semi-fabricated metal products

Schedule	
I	Ferro-alloys (except producers to whom serial numbers have been issued under Order P–68).
I	Iron products including pig iron, pipe, wire, wrought iron and foundry products (except producers to whom serial numbers have been issued under Order P–68).
I	Non-ferrous metal and non-ferrous metal alloy unfabricated and semi-fabricated products, including castings, ingots, shot, bar, forgings, sheet, strip, tubing, extrusions and wire and wire products.
I	Steel rolling mill and foundry products, including semi-finished steel, bars, pipe, plates, sheets, strip, castings, forgings, structural shapes, piling, tin plate, terne plate, black plate, tubing, rails, track accessories, wheels, tires, axles, wire and wire products (except producers to whom serial numbers have been issued under Order P–68).

Intermediate metal products

Schedule	
I	Bearings, ball and roller.
I	Bolts, nuts, rivets, washers, screws and pins.
I	Bushings, journal bearings and sleeve bearings.
I	Crankshafts.
I	Cylinders, hydraulic actuating.
I	Fittings, pipe.
I	Gaskets, packings and grease retainers.
II	Metal stampings.
I	Nails, brads, staples and tacks.
I	Pipe, fabricated.
I	Plate, fabricated (steel).
I	Railroad frogs, switches and crossings.
I	Screw machine products.
I	Springs.
II	Strapping, metal, round and flat (including seals).
I	Structural steel (fabricated).
I	Tanks, metal storage.
I	Tubing and hose, flexible (metallic).
I	Valves.

Chemical products

I	Chemicals and allied products for industrial and military use (excluding automobile body polish and top dressing; candles; cleaning and polishing preparations for metal, leather, floors and furniture; household dyes; ink and ink eradicators; incense; toiletries and cosmetics, perfumes, powders and creams, manicure preparations, hair dressings, dyes, shampoos and tonics; dentrifices and depilatories).
I	Colors and pigments.
I	Drugs, medicinals, pharmaceuticals and biologicals.
II	Dry cleaning preparations.
I	Paints, varnishes and lacquers.
II	Printing ink.
II	Soap, soap chips, flakes and powders.

General industrial equipment

I	Air conditioning and refrigeration equipment; industrial and commercial.
I	Boilers, 100 lbs. pressure and over.
II	Boilers, below 100 lbs. pressure.
II	Bottling machines.
I	Compressors and dry vacuum pumps.
I	Condensers: steam, surface, jet and barometric.
I	Control valves and regulators, industrial type.
I	Conveyors and conveyor systems.
I	Cranes, hoists, winches and derricks.
II	Dust collecting equipment, industrial.
I	Fans, blowers and exhausters, excluding propeller type and commercial ventilating fans.
I	Furnaces and ovens, industrial.
I	Heat exchangers, as defined in official CMP B Product List.
I	Instruments, industrial types.
I	Lubricating equipment, industrial.
I	Metal working machinery, equipment, attachments and accessories; including machine tools, bending, die casting, die molding, extruding and forging machines; foundry machinery, equipment and supplies; heat treating equipment; hydraulic and mechanical presses; rolling mills and allied equipment; shears, punches and nibblers; welding equipment and apparatus; wire drawing and wire-working machinery; diamond dies; metal cutting tools; and welding rods and electrodes.

General industrial equipment—Continued

Schedule	
I	Meters, gas and water.
II	Packaging machinery; including packaging machines, bag filling and closing machines, case packers and case sealing machines, wrapping machines.
I	Power transmission equipment, mechanical and hydraulic.
I	Pulverizers, coal.
I	Pumps.
II	Presses, baling.
I	Pressure vessels, as defined in official CMP B Product List.
I	Safety equipment, industrial.
II	Sewing machines, industrial.
I	Speed changers.
II	Spraying equipment, industrial.
I	Stokers.
I	Trucks and tractors, industrial; hand and power operated.
I	Tube cleaners and expanders.
I	Turbo-blowers and turbo-exhausters.
II	Vacuum cleaners, industrial.

Special industry machinery

II	Automotive maintenance equipment.
II	Broom, brush and mop making machinery.
I	Ceramics manufacturing machinery.
I	Chemicals producing machinery.
II	Cooperage machinery.
II	Cotton ginning, compressing and delinting machinery.
II	Distillery machinery (except beverage).
I	Drilling equipment, oil field, including rigs and accessories.
I	Drilling machinery, water well.
I	Drug and pharmaceutical machinery.
I	Dry kilns and redriers for wood treatment.
I	Fertilizer machinery and equipment.
II	Food and food processing machinery and equipment, except food dehydration machinery.
I	Food dehydration machinery.
I	Gas generating, conditioning and gas producing equipment and apparatus.
I	Glass container making machinery.
I	Glass making machinery.
II	Hemp, flax and similar fibre decorticating machinery.
II	Leather working machinery.
I	Logging and sawmill machinery and equipment.
II	Metal container and closure making machinery.
I	Mining machinery and equipment.
I	Oil machinery and equipment: animal, fish, vegetable.
I	Ore milling machinery and equipment.
II	Optical and opthalmic goods making machinery.
I	Paint and varnish making machinery.
II	Paper and fiber container making machinery.
II	Papermill, pulp mill and paper products machinery.
I	Petroleum refinery machinery and equipment.
I	Plastics molding machinery.
II	Printing trades machinery and equipment.
I	Rubber working and tire making, retreading, recapping and repairing machinery.
II	Sewer cleaning machinery and equipment.

Special industry machinery—Continued

Schedule	
I	Smelting and refining equipment.
I	Stone products manufacturing machinery.
II	Textile machinery.
I	Water conditioning equipment.
II	Wood boxmaking machinery.
I	Woodworking machinery.
II	Special industry machinery not elsewhere listed, excluding tobacco manufacturing machinery and equipment and cosmetics machinery.

Construction machinery and equipment

I	Drilling and boring machinery, earth and rock.
I	Power cranes and shovels, draglines, buckets, stiff-leg derricks, and dredges.
I	Scrapers, maintainers and graders.
I	Tractors, track-laying and wheel types.
I	Tractor mounted construction equipment, including angledozers, bull-dozers, and power control units.
I	Winches and hoists, contractors elevating.
II	Other construction machinery and equipment, not elsewhere listed.

Military type products

I	Aircraft, including airframes, engines, propellors, instruments, components, maintenance, and concurrent spares, and air borne equipment.
I	Airplane landing mats.
I	Ammunition.
I	Ammunition boxes and chests.
I	Ammunition and explosive loading machinery and equipment.
I	Artillery, including railway and seacoast.
I	Barrage balloon equipment.
I	Bombs, depth charges, mines and torpedoes.
I	Combat tanks and parts, including engines.
I	Communication equipment, military.
I	Explosives.
I	Fire control and other combat instruments.
II	Insignia, military.
I	Machine guns, ground and hand arm.
I	Motor cycles, side cars and parts, including power cycles.
I	Motor vehicles, military, including armored cars, scout cars, half-tracks and other military motor vehicles, including bodies, engines, parts and accessories.
I	Naval armament and weapons.
I	Navigation instruments.
I	Pyrotechnics, including flares and signals.
I	Radio and radar equipment and components.
I	Safety equipment, military, including masks, inhalators, rescue breathing apparatus, goggles, helmets, protective clothing and footwear, and decontamination apparatus.
I	Searchlights, anti-aircraft.
I	Ships, vessels, and other watercraft, including elevators, turbines, engines, equipment and parts.
I	Tanks and anti-tank armament and weapons.
I	Weapons, anti-aircraft.
I	Weapons, not elsewhere listed.
II	Products for military use not elsewhere listed.

Electrical products

Schedule	
I	Anodizing equipment.
I	Batteries, dry cell.
I	Batteries, storage.
II	Bells, buzzers, chimes, gongs, horns and other sound signalling devices (electric).
I	Capacitors.
I	Carbon brushes.
I	Cut-outs and fuse links, electric (heavy duty).
II	Electric appliances, commercial and domestic, all types.
I	Electrical apparatus for internal combustion engines.
I	Electrical connectors.
I	Electroplating equipment.
II	Flashlight cases.
I	Fuses.
I	Infra-red heating and drying equipment.
I	Instruments, electrical measuring.
II	Lamp bulbs and tubes, except aircraft.
II	Lamps and lanterns.
I	Lighting equipment and accessories, aircraft, airport and marine.
II	Lighting equipment and accessories other than aircraft, airport and marine.
II	Lighting fixtures.
I	Magnets, electrical lifting.
I	Motor controls and control equipment.
I	Motors, generators and motor generator sets.
I	Physio-therapy apparatus.
I	Pole-line hardware and insulators.
I	Rectifiers, mercury arc.
I	Regulators.
I	Searchlights and floodlights.
I	Sparkplugs.
II	Street and highway traffic control signals and controllers.
I	Switchgear, panel and distribution boards.
I	Synchronous condensers and frequency changers.
I	Transformers.
I	Tubes, electronic and rectifier.
I	Wire and cable, insulated.
I	Wiring devices and conduits (electric).
I	X-ray apparatus and tubes.

Engines, turbines and generator sets

I	Engines, internal combustion, and accessories.
I	Engines, steam.
I	Generator sets.
I	Turbines.

Communication equipment

I	Alarm and signal systems, protective.
I	Radio equipment and components.
I	Wire communication equipment.
I	Other communication equipment.

Transportation equipment

I	Bicycles.
I	Brakes, air, and airbrake actuating mechanism.
I	Hardware, transportation equipment.
I	Locomotives, railroad; parts and accessories.
I	Motor vehicles, bodies, engines, parts and accessories, nonmilitary; including buses, motorized fire apparatus and automobile trailers for attachment to passenger cars.
I	Railroad cars, parts and accessories.
I	Railroad and transit maintenance-of-way equipment.
I	Railroad and transit signal equipment.
I	Railroad and transit track equipment.

Transportation equipment—Continued

Schedule	
I	Street and rapid transit cars, parts and accessories.
II	Wagons, carts, sleds, sleighs and other non-motorized vehicles.

Building materials

I	Asbestos building materials.
II	Asphaltic building products.
II	Building mesh.
II	Cement, Portland.
II	Concrete building products.
II	Doors and windows.
II	Gypsum building products.
I	Hard board.
II	Hardware, builders.
II	Metal moulding and trim.
II	Mineral wool, industrial.
II	Plumbing fixtures, fittings and trim, and sanitary ware.
II	Radiators, convectors and blast heating coils.
II	Screen cloth.
II	Sheet metal building products.
II	Structural insulation and fibre board.
II	Weatherstripping.
II	Wire fence, posts and gates.
II	Products for structural use not elsewhere listed.[7]

Miscellaneous products

I	Abrasive products.
I	Agricultural machinery, implements and equipment, excluding farm and garden hand tools.
I	Asbestos textiles.
II	Baby carriages and similar equipment.
II	Bag and bale ties.
II	Beds, bedsprings and mattresses.
II	Bells, gongs and other non-electric signalling devices.
I	Blast detonating equipment, industrial.
I	Blue printing developing and drying machines.
II	Brooms, brushes, mops.
I	Buoys.
II	Burners, gas, oil and combination.
I	Carbon products, industrial.
II	Caskets, coffins, burial cases and vaults.
II	Ceramic and clay products.
I	Chains.
II	Church goods.
II	Clocks and watches, including chronometers, except aircraft.
II	Closures, all types.
I	Coke and coke oven by-products (except producers to whom a serial number has been issued under Order P–68).
II	Containers: all types except fiber drums, gas cylinders and ton containers, and nailed wooden boxes and crates.
I	Containers; fiber drums, gas cylinders and ton containers, and nailed wooden boxes and crates only.
I	Cooking stoves and ranges, domestic, including laundry stoves, hot plates, and portable ovens.
I	Cooking equipment, commercial.
II	Cork products.
II	Cutlery.
II	Dishwashing machinery, commercial.
II	Elevators and escalators.
II	Fans, ventilating (commercial).
II	Findings, apparel and shoe.

[7] See also Interpretation 10: Other products includes light weight aggregates, ready mixed concrete and ready mixed bituminous cement; and Direction 14: Manufacturers of roll roofing, shingles and corkboard may use MRO symbol to buy steel nails.

Miscellaneous products—Continued

Schedule	
I	Fire extinguishers, carbon dioxide.
II	Fire protection equipment, including portable and fixed fire extinguishers and systems other than carbon dioxide types; stirrup pumps; automatic sprinkler systems; fire hose, hose dryers, racks, reels and related products; and fire hydrant indicator posts and stand pipe equipment.
I	Fishing equipment, commercial.
II	Floor coverings, linoleum and felt base.
II	Floor finishing and floor maintenance machines, as defined by WPB Order L–222.
II	Food preparation and serving fixtures, equipment and appliances, commercial.
II	Furniture.
I	Glass products: fibrous glass products for military, industrial and structural use, and technical glass for military and industrial use.
II	Glass products: not elsewhere listed, excluding mirrors, ornamental and novelty glass.
II	Hairpins, bob pins and hair curlers.
II	Hardware, not elsewhere listed.
I	Heating equipment (except electric) including heating system controls and hot water equipment.
II	Hooks and eyes, slide and snap fasteners, buckles, buttons and miscellaneous apparel findings.
II	Houses, mobile and prefabricated.
I	Ice.
II	Identification badges, emblems, pin tickets, plates, tags not military.
I	Instruments, apparatus, equipment, supplies and appliances; dental.
I	Instruments and apparatus; laboratory.
I	Instruments and equipment; engineering (including surveyors' drawing and mathematical).
I	Instruments and apparatus; analytical and industrial testing.
I	Instruments, equipment, supplies; surgical and medical, including orthopedic appliances.
I	Instruments and lenses; optical.
II	Instruments; musical.
I	Jewel bearings.
II	Kitchen, household and other miscellaneous articles, as defined in WPB Order L–30.
II	Lamps and lanterns, non-electric.
II	Laundry, dry cleaning and pressing machinery, commercial.
II	Laundry machinery, domestic.
II	Lawn mowers, hand and power.
II	Leather and leather products.
I	Lenses and instruments; optical.
II	Loose leaf binders.
II	Morticians' goods.
II	Needles.
II	Office machinery.
II	Office supplies, including marking devices.
II	Ophthalmic goods.
II	Pens and pencils.
I	Photographic equipment, apparatus and materials, excluding projection apparatus.
II	Phonographs, parts, records and needles.
II	Pins, common and safety.
I	Plastic products: moulding and laminating.
II	Projection apparatus.
II	Pulp and paper and paper products.
II	Razors and blades.
I	Refractories.
I	Refrigerators and parts (domestic).

Miscellaneous products—Continued

Schedule	
II	Rope.
I	Rubber and rubber products.
II	Scales and balances, industrial and commercial.
I	Sensitized film and paper.
II	Sewing machines.
I	Textiles: High-tenacity tire type rayon yarn; cotton, rayon and nylon tire cord and tire fabric.
II	Textiles and clothing.
II	Time stamps and recording devices.
II	Tools, farm and garden, edge and hand.
I	Tools; including edge tools, hand tools, mechanics hand service tools, gauges and machinists precision measuring tools, files and rasps; excluding farm and garden edge and hand tools.
II	Traps and cages, animal.
II	Unit heaters and unit ventilators.
II	Vitreous enameled products.
II	Wood products.
II	Products for military, industrial and structural use not elsewhere listed.

Conduct of the following businesses or activities

II	Cotton ginning and compressing.
II	Construction.
I	Detinning.
II	Drainage and irrigation.
I	Electrical and mechanical repair shops for industrial, commercial and agricultural equipment; and public, industrial and commercial transportation equipment.[8]
I	Electro-plating, galvanizing and other metal treating and finishing.
II	Engraving on metal.
I	Fabricating and fitting mica.
I	Feed and grain (stock and poultry) processing and storage.
I	Fishing, commercial.
II	Hemp, flax, and similar fiber decortication.
I	Industrial food manufacturing, processing, packaging, preservation and storage, (except soft drink and alcoholic beverages, and chewing gum). Restaurants, hotels, retail stores, and farms are not included in this category.[9]
I	Logging operations, sawmills, veneer mills, plywood mills, planing mills, shingle mills, and dry kilns operated in connection with sawmills.
I	Military and Naval establishments: camps, posts, bases, stations, air fields and depots.
II	Motion picture production.
I	Operation of ships, vessels and other craft, except pleasure vessels.[10]
II	Printing and publishing, including blueprinting and allied reproduction.
I	Public utilities; gas, light, power, water and central heating and sanitation (except producers as defined in Utilities Order U–1)
I	Public transportation, terminal and dock facilities including stevedoring.[11]

[8] See also Interpretation No. 6: Public transportation means common carriers: Direction No. 10: Welding rods for service repair shops.

[9] See also Interpretation No. 7 relating to distribution of food products.

[10] See also Direction No. 6: ships of friendly foreign nations.

[11] See also Interpretation No. 6: Public Transportation means common carriers.

Conduct of the following businesses or activities—Continued

Schedule	
I	Petroleum and natural gas production, transportation, refining and marketing (except to the extent covered by P–98 (b).
II	Refrigeration (commercial) other than food.
II	Scrap salvage, sorting and processing.
I	Seed processing, packaging, preservation and storage.
I	Ship repair and maintenance.
I	Slag recovery and disposal.
I	Smelting and refining (except producers to whom a serial number has been issued under P–73).
II	Solid fuel distribution and marketing including only those dealers with equipped yards (a dealer with an equipped yard is one who regularly maintains storage and sorting facilities as a part of his own operations, and loading, carrying and other machinery for handling and weighing).
II	Tire and tube recapping, retreading and vulcanizing.
I	Vegetable oil extraction.
II	Warehousing, metal.
II	Warehouses: public: dry and open storage.
I	Warehouses, refrigerated; perishable food products.
I	Wire communications industries (except operators as defined in Utilities Order U–3 and U–4)

List of directions 1 through 17 to CMP Regulation No. 5 as revised:

(1) How to Obtain Aluminum Pattern Equipment under CMP.
(2) Steel Shoe Wire.
(3) Rerating not Compulsory—Obsolete.
(4) Stitching Wire for the Printing and Publishing Industry.
(5) Farmers.
(6) Ships of Friendly Foreign Nations.
(7) Welding Rod.
(8) Determining Quantity Restrictions on a Receipt Basis.
(9) Hand Tools Purchased by Employees—Revoked December 20, 1943. Covered by Direction 4 to Priorities Regulation No. 3.
(10) Welding Rod for Repair Shops—Revoked January 28, 1944. Covered by CMP Regulation No. 9A.
(11) Safety Equipment Purchased by Employees—Revoked December 20, 1943. Covered by Direction 4 to Priorities Regulation No. 3.
(12) Rerating not Compulsory—Obsolete.
(13) Quota and Expenditure Records—Revoked February 26, 1944. Superseded by paragraphs (f) (5) and (f) (6).
(14) Use of MRO Symbol by Manufacturers of Roll Roofing, Shingles and Corkboard.
(15) Use of MRO Symbol and Rating to Buy Installation Materials where Authorization to Construct is not Required under L–41.
(16) Broom Wire.
(17) Motion Picture Theaters.

Interpretation 1

(Note: List A has been supplanted by List B of Priorities Regulation No. 3. Reference should be made to the items listed there.)

Office supplies are not included in List A of CMP Regulation No. 5 and consequently the procedures provided by the regulation may be used to obtain such supplies provided they do not come within the following categories which are specifically mentioned in List A:

Item

2. Printed matter and stationery. This refers only to printed matter and items such as letterheads, envelopes and forms.
3. Paper, paperboard, and products manufactured therefrom; molded pulp products.
5. Office machinery or office equipment.

Safety shoes are included in List A of the regulation and consequently the procedures provided by the regulation may not be used to obtain them. Safety shoes are not included among the items constituting exceptions to item 6 of the list. (Issued April 5, 1943.)

Interpretation 2

A person who is permitted to get controlled materials under paragraph (c) (1) of CMP Regulation No. 5 for maintenance, repair and operating supplies is not entitled to use the MRO symbol for purposes of allotting controlled materials to others. For example, a manufacturer of a product listed in Schedule I or Schedule II of the regulation requires a spring as a repair part. He may use the MRO symbol to place an authorized controlled material order for steel which he will fabricate into the spring which he requires, but if he buys the spring from a spring manufacturer, he may not make an allotment with the MRO symbol to the spring manufacturer. The spring manufacturer receives his allotment direct from the War Production Board as provided in paragraph (k–1) of CMP Regulation No. 1. (Issued April 20, 1943.)

Interpretation 3

Note: Interpretation 3 superseded by subsequent amendments.

Interpretation 4

Note: Interpretation 4 was revoked Nov. 19, 1943.

Interpretation 5

General offices, branch offices, salesrooms, etc.

The ratings and symbol assigned by CMP Regulation No. 5 to a particular business may be used to obtain maintenance, repair and operating supplies for general offices, branch offices, salesrooms and other facilities essential to the conduct of the business. (Issued May 20, 1943.)

Interpretation 6

Common carriers

Persons engaged in "public transportation" are included in Schedule I of CMP Regulation No. 5. This term includes any person who holds himself out to the general public as engaged in transportation, regardless of how he is classified under any Federal or State statute. Any person who would be considered a common carrier under common law is included within the term.

A private or contract carrier is not included. (Issued May 20, 1943.)

Interpretation 7

Manufacture and distribution of food products

(a) "Industrial food manufacturing, processing, packaging, preservation and storage" is included in Schedule I of CMP Regulation No. 5 and persons engaged in such occupation are entitled to use a rating of AA–1 and the MRO symbol in purchasing maintenance, repair and operating supplies needed in connection with the conduct of their business.

(b) Distribution of food products, as distinct from their production, does not constitute industrial food manufacturing or processing under Schedule I and is not included elsewhere in Schedule I or II of the regulation. Persons engaged in selling food products which they do not produce are only entitled to use the AA–5 rating to obtain maintenance, repair and operating supplies for their business.

(c) In those cases where a person is engaged in both producing and distributing food products he may, under paragraph (e) of the regulation, obtain his entire maintenance, repair and operating supply requirements at the rating assigned to the principal activity in which he is engaged where, and only where, it is impracticable to apportion requirements to his several activities. (Issued May 27, 1943.)

Interpretation 8

Capitalized repairs

Products or materials needed for repairs or replacements which are capitalized cannot be obtained under CMP Regulation No. 5 [§ 3175.5] except to the extent permitted by paragraph (b) (3) of the regulation relating to minor capital additions costing less than $500. (Issued July 17, 1943.)

Interpretation 9

Relationship between CMP Regulation No. 5 and Conservation Order L–41

(a) Order L–41 requires War Production Board authorization before beginning any construction work except in those cases where the order expressly states that authorization is not necessary.

(b) CMP Regulation No. 5 (§ 3175.5) may not be used to get materials or products for any construction work of the type which requires authorization under Order L–41, unless the authorization specifically says that CMP Regulation No. 5 may be used.

(c) In those cases where specific War Production Board authorization is not required before beginning construction, and where the materials needed for the construction cost no more than $500, CMP Regulation No. 5 may be used to buy materials and products needed for the construction. (Issued July 29, 1943.)

Interpretation 10

Concrete and aggregates

The term "products for structural use not elsewhere listed" appearing under "Building Materials" on Schedule II of CMP Regulation No. 5 includes light-weight aggregates, ready-mixed concrete and pre-mixed bituminous concrete. (Issued Nov. 9, 1943.)

Interpretation 11

Purchaser's cost of labor for minor capital additions

Paragraph (b) (3) permits the use of the MRO symbol and rating to get minor capital additions which cost not more than $500 "excluding the purchaser's cost of labor". The labor costs which may be disregarded in this connection are the services of the purchaser's own regular employees, additional employees hired for installing new equipment or doing construction, and fees paid to independent contractors who install equipment or do construction where, under normal business practices, the fee is paid primarily for services as distinct from materials. For example, if a purchaser of a piece of machinery costing $500 pays the seller an additional installation fee of $50 which is normally a separate charge, if he hires an independent contractor to install the machinery for $50, the $50 payment may be disregarded even though the seller or independent contractor furnishes a few minor material additions such as wiring or pipe connections, bracing, etc. On the other hand, if the purchaser hires a building contractor to construct an addition to his plant, under circumstances where the contractor would normally charge a single fee including building materials, labor and the contractor's profit, the total fee must be included in the cost and the contractor's labor may not be deducted, since the contractor is paid primarily for the completed addition rather than for the labor of installing property separately purchased. Likewise, if the seller normally makes a single charge including installation, this cost of installation must be included.

Direction 15 explains the rules for buying $500 worth of materials needed for installation or relocation of equipment which is not

bought by use of the MRO rating or symbol. In that case, the same principles apply in determining what labor costs are to be included. (Issued March 11, 1944.)

INTERPRETATION 12

INCREASED QUOTAS FOR SEASONAL BUSINESSES

(a) Paragraph (f) (4) of CMP Regulation No. 5 as amended on February 26, 1944, permits the use of a specific quota authorization as an increased quota for all following quarters. Thus if a particular company's quota has been increased by specific authorization during the fourth quarter of 1943 from $100,000 to $125,000 the company has a quota for each succeeding quarter of $125,000.

(b) In the case of a person operating under a seasonal quota under paragraph (f) (2), his quarterly quota varies from quarter to quarter based on the similar quarter of 1942. Consequently, when a seasonal quota has been increased by specific authorization for any one quarter, that increase does not increase all succeeding quarters, but may only be used as an increased quota during the same quarter of the following year. Thus if a company operating on a seasonal basis had a quota during the third quarter of 1943 of $10,000, and during the fourth quarter of 1943 of $50,000 and received an increase of the fourth quarter's quota from $50,000 to $60,000, its quota for the third quarter of 1944 would remain at $10,000, although its fourth quarter quota of 1944 would become $60,000.

(c) Where a company has received succeeding special authorizations increasing a quota, and where it is not on a seasonal basis, the last special authorization determines the company's quota during each following quarter. (Issued April 10, 1944.)

INTERPRETATION 13

STAVES, HEADING, AND HOOPS

(a) Persons manufacturing wooden staves, heading, and hoops for barrels are included under the item "logging operations, saw mills, veneer mills, plywood mills, planing mills, shingle mills, and dry kilns operated in connection with saw mills" appearing in Schedule I of the regulation. They are, therefore, entitled to use the allotment symbol MRO and the preference rating AA-1 in buying MRO.

(b) Persons who make barrels as such are engaged in manufacturing "containers, all types except fibre containers, gas cylinders and ton containers, and nailed wooden boxes and crates", which appears in Schedule II of CMP Regulation 5. They may use, therefore, the MRO symbol and preference rating AA-2 in buying MRO. A person who makes both staves and barrels must segregate his purchases, unless impracticable to do so as explained in paragraph (e) of the regulation. (Issued April 18, 1944.)

[F. R. Doc. 44-7165; Filed, May 18, 1944; 11:08 a. m.]

PART 3290—TEXTILE, CLOTHING & LEATHER

[Limitation Order L-99, as Amended April 11, 1944, Amdt. 2]

COTTON TEXTILE PRODUCTION

Section 3290.46 *Limitation Order L-99* is amended as follows:

In paragraph (d) renumber subparagraphs 3, 4 and 5 as 4, 5 and 6.

Add a new subparagraph to read:

(3) Each producer must in the week beginning May 21, 1944 and in each subsequent week deliver duck yarns of at least the same poundage as he delivered in the week in 1944 in which he delivered the largest quantity of duck yarns.

Producers who have facilities which can produce additional quantities of duck yarns may receive special directions from the War Production Board to deliver specific amounts to designated weavers.

Issued this 18th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7161; Filed, May 18, 1944; 11:08 a. m.]

Chapter XI—Office of Price Administration

PART 1449—CHARCOAL

[MPR 431,[1] Amdt. 9]

PINE WOOD CHARCOAL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The definition of "pine wood charcoal" in section 9 (a) is amended to read as follows:

"Pine wood charcoal" means charcoal produced jointly with pine tar and pine tar oil by the destructive distillation of pine wood in the states of Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina and South Carolina.

This amendment shall become effective May 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7114; Filed, May 17, 1944; 4:09 p. m.]

PART 1382—HARDWOOD LUMBER

[RMPR 313]

VENEER LOGS

Maximum Price Regulation 313—Prime Grade Hardwood Logs, is redesignated, Revised Maximum Price Regulation 313—Veneer Logs, and is revised and amended to read as set forth below.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this revised regulation has been issued simultaneously herewith, and has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9628, 11444, 12444, 13059, 13745, 15527, 16035; 9 F.R. 213, 695, 3648.

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected; or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

§ 1382.251 *Maximum prices for veneer logs.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Revised Maximum Price Regulation No. 313 (Veneer Logs), which is annexed hereto and made a part hereof, is hereby issued:

AUTHORITY: § 1382.251 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

REVISED MAXIMUM PRICE REGULATION No. 313—VENEER LOGS

CONTENTS

Sec.
1. Over-ceiling prices prohibited.
2. Coverage of the regulation.
3. Scaling rules.
4. Specifications of veneer logs.
5. Delivery provisions.
6. Maximum prices.
7. What the invoices or billing must contain.
8. Use of invoices as records.
9. Prohibited practices.
10. Application for adjustment and petitions for amendment.
11. Enforcement.
12. Licensing.
13. Special pricing.

SECTION 1. *Over-ceiling prices prohibited.* (a) On and after May 23, 1944, regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive any veneer logs, as defined below, at prices higher than the maximum prices fixed by this regulation; and no person shall offer or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged or paid.

SEC. 2. *Coverage of the regulation*—(a) *Products and persons covered.* The veneer logs prices in this regulation are those selected for, and necessary to, the manufacture of high grade precision veneers which are manufactured to the moisture content, tolerances, grain divergence and grades of Army-Navy Specification AN-NN-P-511b veneer or of grades equivalent to or better than these specifications.

Only those buying plants which manufacture veneers equal to or better than the specifications of AN-NN-P-511b, and which have secured written approval from the Lumber Branch, Office of Price Administration, Washington 25, D. C., can purchase veneer logs on the prices in this regulation. The Lumber Branch may require supporting evidence from either the manufacturer or his customers to show that the veneers produced meet the above specifications.

(b) *Geographical applicability.* This regulation applies to all veneer logs meeting the above specifications produced in the United States east of the 100th Meridian, except in the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, Minnesota, Wisconsin and the Upper Peninsula of Michigan.

SEC. 3. *Scaling rules.* All logs covered by this regulation must be scaled with the Doyle Log Rule. The diameter of the log shall be measured inside the bark at the small (top) and of the log at the smallest diameter. Fractions of an inch ½ or less shall be dropped; fractions of an inch greater than ½ may be raised to the next higher inch. The footage measurements on this rule must be shown on the invoice or bill as required by section 7.

SEC. 4. *Specifications of veneer logs*—(a) *General requirements.* All veneer logs must have the heart well centered, must be reasonably straight and sound, and must be suitable for slicing or rotary cutting. A center rot, dote, or shake in the butt end of the log of up to four inches in diameter will be permitted in logs or blocks 24" and up in diameter, and up to 3" for logs or blocks less than 24" in diameter, without degrading the log.

All logs must be at least 8' in length and must be cut 4" over length to allow for trim. Any log which is not cut sufficiently over length to allow for trim shall be reduced in scale to the next lower standard length.

(b) *Veneer log grades*—(1) *Prime grade.* This grade will permit as a minimum those logs which are 90% usable in clear lengths. Defects are allowable in this grade if they are so spaced as to provide not more than two clear sections at least 4'6" in length for those logs to be rotary cut; or, in the case of logs to be sliced, the 90% in clear sections must be in clear flitches at least 8' long; one clear flitch, however, may be 6' long, but other flitches produced from the logs must be clear and at least 8' in length. This grade will not admit defects requiring length dockage in logs 8' in length but length dockage up to 2' is permissible in logs 10' and over.

(2) *Select grade.* This grade will permit as a minimum those logs which have either:

(i) 3 clear faces;

(ii) 75% of the length clear in one continuous section; or

(iii) 80% usable in clear sections in not more than 3 clear cuttings for those logs to be rotary cut, with no cutting or clear section less than 42" in length. For those logs to be sliced, the 80% in clear sections must be in clear flitches at least 6' long.

SEC. 5. *Delivery provisions*—(a) *Where prices apply.* The maximum prices for veneer logs set out below apply either:

(1) Loaded on railroad cars at rail siding of common carrier railroad;

(2) Delivered to a place at which water shipment is to begin, placed in good condition for loading; or

(3) Delivered by truck to the buyer's plant from within 25 miles of the mill. If delivery is made to the mill by truck from a distance greater than 25 miles, the buyer may add not to exceed 10 cents per M' log scale for each mile over 25.

This means that the seller cannot add to the maximum prices any charge for loading logs on rail cars, or for trucking logs to a rail siding, to a place at which water shipment is to begin, or to the buyer's plant from within 25 miles of the plant.

(b) *Reduction for non-delivery.* If the buyer takes delivery at some place other than on railroad cars, or at a place at which water shipment is to begin, or at his plant, the maximum price must be reduced by the following:

(1) The cost per thousand feet log scale to the buyer of trucking the logs to the nearest rail siding of a common carrier railroad and loading the logs on cars, if delivery of logs to mill is by rail;

(2) The cost per thousand feet log scale of hauling logs to a place where water shipment is to begin, if delivery of logs to mill is made by barge, raft or gunboat; or

(3) The cost per thousand feet log scale of hauling logs to the plant, if delivery of logs to plant is by truck.

SEC. 6. *Maximum prices.* The maximum prices below apply only to those buying plants who have secured permission under section 2 (a) to use this schedule.

Per M' log scale

Diameters	Prime Grade	Select Grade
Yellow Poplar, Sweet Gum, Magnolia:		
24" and up	$90.00	$70.00
18"-23"	70.00	50.00
16"-17"	45.00	40.00
14"-15"	40.00	32.50
Tupelo Gum:		
18" and up	65.00	50.00
16"-17"	45.00	35.00
14"-15"	40.00	30.00
Black Gum:		
18" and up	60.00	45.00
16"-17"	40.00	30.00
14"-15"	35.00	25.00
Hard Maple:		
16" and up	85.00	70.00
Soft Maple:		
16" and up	60.00	50.00
Basswood:		
18" and up	80.00	65.00
16"-17"	60.00	47.50
Yellow Birch:		
16" and up	105.00	85.00
Soft (Gray) Elm:		
20" and up	65.00	50.00
Beech:		
16" and up	60.00	50.00
Sycamore:		
24" and up	60.00	50.00
16"-23"	45.00	35.00
Willow:		
16" and up	45.00	35.00
Cherry:		
16" and up	75.00	60.00
White and Red (Cherry-Bark) Oak:		
24" and up	75.00	60.00
20"-23"	60.00	50.00
16"-19"	50.00	40.00

NOTE: The red oak priced in this table is the species which is of soft, even texture, and is referred to by the industry as "cherry-bark", straight-grained, and free from streaks and discolorations.

The Hard Maple, Soft Maple, and Basswood logs priced in this table are for those logs having at least 75% of the diameter in white wood.

The White Oak priced above is for the ordinary white oak used in the manufacture of veneers. For soft, even-textured white oak with a small tight heart, thin sap, straight-grained and free from streaks and discolorations (see section 13 for special pricing provisions).

SEC. 7. *What the invoice or billing must contain.* (a) All invoices and billings of veneer logs must contain a sufficiently complete description of the logs covered to show whether the price is proper or not, including the species, grade, diameter, gross and net length, net footage of each of the veneer logs purchased or sold, origin and point of delivery, date of sale, and name and address of the buyer and seller.

(b) Any part of the information required on the invoice may be furnished in a tally sheet attached to and made part of the invoice.

(c) An invoice or billing may cover all logs delivered by the seller to a purchaser during a period of not more than two weeks.

(d) Either the buyer or seller may prepare the invoice or billing, but both have the responsibility for correct invoicing or billing.

(e) Failure to invoice properly is just as much in violation of this regulation as charging an excessive price.

(f) The buying plant must file with the nearest OPA District Office a copy of each invoice.

SEC. 8. *Use of invoices as records.* Each buyer and seller must keep, as a record, one copy of all invoices and billings covering veneer logs purchased or sold. These must be kept for two years, for inspection by the Office of Price Administration.

SEC. 9. *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific prohibited practices.* The following are among the specific practices prohibited:

(1) Up-grading, up-scaling or allowing a greater net scale footage than the actual scale content of the log.

(2) Selling logs on a scale other than Doyle Rule, (except that the Doyle-Scribner Rule may be used).

(3) Charging a purchasing or selling commission based on quantity or value of logs purchased, if the commission plus the purchase price is higher than the maximum price permitted by this regulation.

(4) Increasing the price of logs by not making a good faith effort to collect advances to loggers. An advance to a logger is to be considered part of the price of the logs.

(5) Purchasing veneer logs under this regulation without having actually received authority from the Office of Price Administration under section 2 (a).

(6) Paying prices higher than those set forth herein for logs poorer than the Select Grade.

(c) *Adjustable pricing.* A price may not be made adjustable to a maximum price which will be in effect sometime after delivery of the logs has been completed. The price may be adjustable to the maximum price in effect at the time of delivery.

SEC. 10. *Application for adjustment and petitions for amendment—(a) Government contracts.* See Procedural Regulation No. 6 [1] for adjustment provisions on certain government contracts or subcontracts.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation 1 [2] issued by the Office of Price Administration.

SEC. 11. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 12. *Licensing.* The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of applicable price regulations. A person whose license is suspended, may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 13. *Special pricing.* For any species or specifications for which a maximum price is not provided, the maximum price shall be the price established by the Lumber Branch, Office of Price Administration, Washington 25, D. C., after full facts have been submitted in support of a request for the establishment of a maximum price. The application must contain the name and address of the buyer and seller, the species and grade to be priced, the area from which the logs will be produced and a statement from the buyer that the price can be paid under his end product ceiling price. It must also contain supporting data on the prior existence of a price differential where the price requested is higher than the price for the highest grade of the same species in the regulation. The maximum price may be established by letter or telegram.

This regulation shall become effective May 23, 1944.

NOTE: All of the reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 18th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7174; Filed, May 18, 1944; 12:00 m.]

[1] 7 F.R. 5067, 5664; 8 F.R. 6173, 6174, 12024.
[2] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11606; 9 F.R. 1504.
[3] 8 F.R. 13240.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 19]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[2]

Revised Ration Order 3 is amended in the following respect:

Section 1407.86d is added to read as follows:

§ 1407.86d *Increased allotments for certain other industrial users for the period beginning April 1, 1944.* (a) An industrial user who has established a base-period use in Classes 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 16, or 17 of § 1407.92 (a) may apply to the Board for an increase in his allotment for the period beginning April 1, 1944, for each such class of products or use.

(b) Application must be made prior to June 15, 1944, on OPA Form R-315. The Board shall grant the increase requested in the application. However, the increase in allotment granted to the industrial user for any such class of products or use must not exceed 10 per cent of the amount of his sugar base for the second quarterly period for that class.

This amendment shall become effective May 22, 1944.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005; War Food Order No. 64, 8 F.R. 7093)

Issued this 18th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7169; Filed, May 18, 1944; 11:58 a. m.]

[1] Copies may be obtained from the Office of Price Administration.
[2] 9 F.R. 1428, 1584, 2288.

Chapter XIII—Petroleum Administration for War

[PDO 14, as Amended Feb. 26, 1944, Amdt. 1]

PART 1529—MARKETING PETROLEUM

Section 1529.2 (Petroleum Distribution Order No. 14, as Amended February 26, 1944) (9 F.R. 2302) is hereby amended by changing paragraph (f) thereof to read as follows:

(f) *Area of applicability.* The provisions of this order shall be applicable to any person located in the States of Alabama, Arkansas, Colorado, Florida (west of the Apalachicola River), Idaho, Louisiana, Mississippi, Montana, New Mexico, Texas, Utah, and Wyoming.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of May 1944.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 44-7153; Filed, May 18, 1944; 10:45 a. m.]

[PDO 20]

PART 1529—MARKETING PETROLEUM

The fulfillment of requirements for the defense of the United States has created in certain areas a shortage in the supply of motor fuel and fuel oil for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest to promote the national defense and to provide adequate supplies of motor fuel and fuel oil for military and other essential uses.

§ 1529.3 *Petroleum Distribution Order No. 20—(a) Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Motor fuel" means liquid petroleum product, including Diesel fuel, used for the propulsion of motor vehicles or motor boats and includes any individual grade of liquid fuel to which Federal gasoline taxes apply except liquid fuel used for the propulsion of aircraft.

(3) "Fuel oil" means any liquid petroleum product commonly known as fuel oil, including Grades Nos. 1, 2, 3, 4, 5, and 6, Bunker "C," Diesel fuel, kerosene, range oil, gas oil, crude petroleum, and any liquid petroleum product used for the same purposes as the above designated grades.

(4) "Supplier" means any person other than a service station or other fixed retail outlet who refines or receives delivery of motor fuel or fuel oil for redelivery to others, and includes, but is not limited to, any secondary supplier.

(5) "Customer" means any person other than a supplier who receives motor fuel or fuel oil from any supplier, and includes a service station or other fixed retail outlet.

(b) *Deliveries for specified uses.* Each supplier, within the limits of his supply, shall make withdrawal or delivery of motor fuel or fuel oil when such withdrawal or delivery is requested to satisfy, directly or through other suppliers, the requirements of:

(1) The Army, Navy, Marine Corps, Coast Guard, War Shipping Administration, United States Maritime Commission, Foreign Economic Administration, and vessels of the United Nations.

(2) Any person using or supplying motor fuel for non-highway farm uses who presents valid E or R coupons or ration checks, issued pursuant to Ration Order 5C of the Office of Price Administration, to the extent of such uses only.

(3) Any person to whom such supplier is directed to make deliveries of motor fuel or fuel oil pursuant to the provisions

of any order or directive of the Petroleum Administration for War, excluding assignments under paragraph (d) hereof.

(c) *Deliveries for other uses.* (1) After making provision for the deliveries of motor fuel or fuel oil specified in paragraph (b), each supplier shall be obligated to make deliveries of remaining supplies of motor fuel or fuel oil in such manner as will satisfy the current requirements of customers and other suppliers in the same trade area, who regularly received their last ninety (90) days' requirements (during the preceding twelve (12) month period) directly or indirectly from such supplier, or whom such supplier has been assigned to supply under paragraph (d) hereof.

(2) If, after making provision for the deliveries of motor fuel or fuel oil specified in paragraph (b), any supplier is unable to satisfy the current requirements of customers and other suppliers in the same trade area, who regularly received their last ninety (90) days' requirements (during the preceding twelve (12) month period) directly or indirectly from such supplier, or whom such supplier has been assigned to supply under paragraph (d) hereof, such supplier shall apportion all available supplies of motor fuel and fuel oil fairly and equitably in such manner as will satisfy as nearly as practicable the current requirements of such customers and other suppliers in the same trade area, in accordance with the following standards:

(i) Except as provided in subdivisions (ii) and (iii) hereof, no differentiation or discrimination in deliveries shall be made in the same trade area because of trade classification, affiliation, ownership, operation, control, size, purchasing or selling methods, location, accessibility to transportation facilities, imposition of special conditions not imposed on all customers and other suppliers in the same trade area, or for any other such reason.

(ii) After making provision for deliveries of motor fuel or fuel oil to other suppliers, differentiation in deliveries to customers in the same trade area because of the essentiality to the conduct of the war or to the public health or safety of the activities engaged in by such customers shall not be deemed to be discrimination within the meaning of this order: *Provided*, That such supplier shall not differentiate or discriminate in deliveries to customers engaged in the same activities and that such supplier shall consider all service stations and other fixed retail outlets supplied directly or indirectly by him as being engaged in the same activities; *And provided, further*, That if the method of distribution herein provided results in inequities among customers served directly by such supplier and customers engaged in the same activities served indirectly by him, such supplier shall make the adjustments necessary to eliminate as far as practicable any such inequities.

(iii) Differentiation in deliveries to customers and other suppliers in the same trade area on the basis of relative inventories expressed in days' supply on hand at such customers' or other suppliers' storage locations shall not be deemed to be discrimination within the meaning of this order.

(iv) If several suppliers are obligated to supply any customer or other supplier with the same grade of motor fuel or fuel oil, each such supplier shall be obligated to satisfy only his proportion of the current requirements of such customer or other supplier on the same percentage basis as he satisfies the current requirements of his undivided accounts engaged in the same activities.

(d) *Directed deliveries.* If any person is unable to obtain deliveries of motor fuel or fuel oil, because he has no supplier obligated to make deliveries to him under paragraph (c) hereof, or because the supplier who is obligated to make deliveries to such person is unable to make deliveries, such person may appeal to the District Director-in-Charge who shall, if he finds that the facts warrant the relief requested and that such person has made a diligent effort to secure a supplier, assign one or more suppliers to make deliveries to such person and the supplier or suppliers so assigned shall make such deliveries as directed.

(e) *Scope.* This order shall be applicable in the States of Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Wisconsin, Arizona, California, Nevada, Oregon, Washington, or the Territories of Alaska and Hawaii.

(f) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the District Director-in-Charge of the District where compliance would be required, setting forth the pertinent facts and the reasons why he considers himself entitled to relief. If dissatisfied with the decision of the District Director-in-Charge, such person may appeal to the Deputy Petroleum Administrator for War, Washington, 25, D. C., or to such representative as may be designated.

All correspondence and all appeals filed under paragraph (d) or under this paragraph shall, unless otherwise directed, be addressed to the District Director-in-Charge, Petroleum Administration for War, at:

(1) 1200 Blum Building, 624 South Michigan Avenue, Chicago, Illinois, if the motor fuel or fuel oil is to be delivered or used in the States of Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, or Wisconsin.

(2) 855 Subway Terminal Building, Los Angeles, California, if the motor fuel or fuel oil is to be delivered or used in the States of Arizona, California, Nevada, Oregon, or Washington, or the Territories of Alaska or Hawaii.

(g) *Violations.* Any person who wilfully violates any provision of this order or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of May 1944.

RALPH K. DAVIES,
Deputy Petroleum, Administrator for War.

[F. R. Doc. 44-7154; Filed, May 18, 1944 10:45 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

COLORADO AND OKLAHOMA

REDUCING AND REVOKING CERTAIN WITHDRAWALS FOR FOREST ADMINISTRATIVE SITES

The orders of the Secretary and Acting Secretary of the Interior, of December 29, 1906, January 8, April 26, and November 25, 1907, withdrawing certain lands for use as forest administrative sites, are hereby revoked so far as they affect the following-described lands:

COLORADO

SIXTH PRINCIPAL MERIDIAN

T. 3 S., R. 88 W.,
Sec. 27, NE¼.

The area described contains 160 acres, in the White River National Forest, withdrawn as the Deep Lake Ranger Station.

T. 3 S., R. 90 W.,
Sec. 7, SW¼.

The area described contains 159.24 acres, in the White River National Forest, withdrawn as Ranger Station No. 4.

OKLAHOMA

INDIAN MERIDIAN

T. 3 N., R. 13 W.,
Sec. 7, SE¼SE¼;
Sec. 18, NE¼NE¼.

The areas described aggregate 80 acres, in the Wichita Mountains Wildlife Refuge, formerly the Wichita National Forest, withdrawn as the Rock House Ranger Station.

T. 3 N., R. 14 W.,
Sec. 7, SE¼SW¼ and SW¼SE¼;
Sec. 18, W½NE¼ and E½NW¼.

The areas described aggregate 240 acres, in the Wichita Mountains Wildlife Refuge, formerly the Wichita National Forest, withdrawn as Ranger Station No. 7.

T. 4 N., R. 15 W.,
Sec. 29, NW¼SW¼ and S½SW¼.

The areas described aggregate 120 acres, in the Wichita Mountains Wildlife Refuge, formerly the Wichita National Forest, withdrawn as the Camp Roosevelt Administrative Site.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

MAY 9, 1944.

[F. R. Doc. 44-7159; Filed, May 18, 1944; 11:07 a. m.]

OKLAHOMA

EXCHANGE OF LANDS BETWEEN THE WAR DEPARTMENT AND THE DEPARTMENT OF THE INTERIOR

By virtue of the authority contained in the act of April 12, 1943 (Public Law No. 35, 78th Congress), there is hereby transferred to the control and jurisdiction of the Secretary of the Interior that portion of the Fort Sill Military Reservation, Oklahoma, described below by metes and bounds, now occupied by the Department of the Interior under a revocable permit from the Secretary of War dated January 23, 1942:

All that portion of Sections 19, 20 and 30, T. 3 N., R. 13 W. of the Indian Meridian, Comanche County, Oklahoma, described as follows:

Beginning at a point in the North line of Section 20, T. 3 N., R. 13 W. of the Indian Meridian, from which a 3 inch Iron pipe stamped Sections 17, 18, 19 and 20, T. 3 N., R. 13 W. bears West 618.11 feet;

Thence S. 41°54'35" W., 3146.90 feet;

Thence S. 50°51'05" W., 968.92 feet;

Thence S. 50°49'35" W., 3709.42 feet, to a point in the West line of Section 30, T. 3 N., R. 13 W.;

Thence N. 0°13'00" E., 24.77 feet, to an Iron pipe stamped Sections 19 and 30, T. 3 N., R. 13 W., and Sections 24 and 25, T. 3 N., R. 14 W. of the Indian Meridian;

Thence N. 0°12'50" W., 5272.05 feet to an Iron pipe stamped Sections 18 and 19, T. 3 N., R. 13 W., and Sections 13 and 24, T. 3 N., R. 14 W. of the Indian Meridian;

Thence East 5748.86 feet to the point of beginning;

Less and except that land in section 19 which forms a part of the 50' right-of-way of the Cache-Meers Road, extending everywhere 25' on each side of the following described centerline of the said Cache-Meers Road:

Beginning at a point in the West line of Section 19, T. 3 N., R. 13 W. of the Indian Meridian, from which the corner common to Sections 19 and 30, T. 3 N., R. 13 W., and Sections 24 and 25, T. 3 N., R. 14 W. of the Indian Meridian bears S. 0°12'50" E., 23.25 feet;

Thence N. 50°53'50" E., 3844.70 feet;

Thence along a curve to the left having a radius of 3819.83 feet, 674.44 feet;

Thence N. 40°46'40" E., 916.24 feet;

Thence along a curve to the left having a radius of 603.80 feet, 343.85 feet;

Thence N. 8°07'00" E., 455.82 feet;

Thence along a curve to the right having a radius of 764.49 feet, 512.22 feet;

Thence N. 46°31'50" E., 660.33 feet to a point in the North line of said Section 19, T. 3 N., R. 13 W., from which the corner common to Sections 17, 18, 19 and 20, T. 3 N., R. 13 W. of the Indian Meridian bears East, 131.33 feet, said exception containing 8.50 acres, more or less.

Said lands containing 367.49 acres, more or less, exclusive of the right-of-way of the Cache-Meers Road described in the above exception.

And there is hereby transferred to the control and jurisdiction of the Secretary of War that portion of the Wichita Mountains Wildlife Refuge, Oklahoma, consisting of the public lands described below, now occupied by the War Department under a permit from the Secretary of the Interior dated October 2, 1941:

INDIAN MERIDIAN

T. 3 N., R. 13 W.,
Sec. 29, S½;
Sec. 30, S½;
Secs. 31 and 32.

T. 3 N., R. 14 W.,
Secs. 25 and 36, those parts lying east of the Wichita Mountains Wildlife Refuge fence, described as follows:

Beginning at a point on the south boundary of sec. 36, from which the corner of secs. 1, 6, 31, and 36 bears S. 89°22'30" E., 4489.42 feet, thence

N. 3°12'00" W., 565.01 feet;
N. 19°27'10" E., 584.91 feet;
N. 41°50'40" E., 555.13 feet;
N. 11°43'20" E., 506.99 feet;
N. 11°40'10" E., 471.79 feet;
N. 1°28'50" W., 813.07 feet;
N. 20°26'30" E., 371.05 feet;
N. 20°12'50" E., 4016.79 feet;
N. 56°22'40" E., 477.09 feet;
N. 82°01'30" E., 115.16 feet;
N. 43°10'10" E., 206.16 feet;
N. 62°27'20" E., 637.71 feet;
N. 62°56'00" E., 320.55 feet;
N. 63°26'10" E., 469.21 feet;
N. 63°24'50" E., 457.88 feet, to a point on the east boundary of sec. 25 from which the quarter section corner common to secs. 25 and 30 bears S. 0°13'00" W., 935.33 feet.

The areas described aggregate 2556.0 acres.

HENRY L. STIMSON,
Secretary of War.
ABE FORTAS,
Acting Secretary of the Interior.

MARCH 29, 1944.

[F. R. Doc. 44-7160; Filed, May 18, 1944; 11:06 a. m.]

WYOMING

ORDER WITHDRAWING PUBLIC LANDS

Correction

In F. R. Doc. 44-6903, appearing on page 5176 of the issue for Tuesday, May 16, 1944, the fifth paragraph should read as follows:

"The orders of the First Assistant Secretary of April 20, 1921, and February 3, 1928, establishing Stock Driveway Withdrawal No. 144, Wyoming No. 18, and modifying Stock Driveway Withdrawal No. 189, Wyoming No. 32, are hereby revoked so far as they affect the following-described lands:"

FEDERAL POWER COMMISSION.

[Docket No. IT-5519]

BONNEVILLE PROJECT, COLUMBIA RIVER, OREG., WASH.

ORDER CONFIRMING AND APPROVING MODIFICATION OF WHOLESALE POWER RATE SCHEDULE E-2

May 16, 1944.

Upon consideration of a telegram received April 10, 1944, from the Bonneville Power Administrator objecting to a certain condition specified in the Commission order of March 28, 1944, in this matter, and assertedly withdrawing certain proposed revisions of rate schedules and general rate schedule provisions of the Bonneville Project; and

It appearing to the Commission that:

(a) By the aforesaid order of March 28, 1944, the Commission confirmed and approved Wholesale Power Rate Schedule E-2 (hereinafter Schedule E-2) of the Bonneville Project, upon certain conditions including, among others, the following:

(i) Any proposed revision of general rate schedule provisions now pending, which may hereafter be confirmed and approved by the Commission, shall become applicable to Schedule E-2, as of April 1, 1944.

(b) Such condition was prescribed in the order and made part of Schedule E-2 as confirmed and approved because of pending objections of the Superintendent of Light Divisions, Department of Public Utilities, City of Tacoma, Washington, and the Superintendent, Department of Lighting, City of Seattle, Washington, to certain general rate schedule provisions and administrative interpretations thereof by the Bonneville Power Administrator, as set forth in paragraphs (b) and (c) of the order of March 28, 1944.

(c) The withdrawal by the Bonneville Power Administrator of the proposed revisions of rate schedules and general rate schedule provisions constitutes a modification of Schedule E-2 as confirmed and approved by the Commission's order of March 28, 1944, and therefore requires the confirmation and approval of the Commission under the Bonneville Act.

(d) Review and analysis of the statements in the telegram of the Bonneville Power Administrator and the provisions of the March 28, 1944, order indicate that the requested modification of Schedule E-2, as confirmed and approved by the Commission, may be permitted upon the conditions hereinafter specified, without adversely affecting the public interest.

The Commission orders that:

(A) The aforesaid telegram of the Bonneville Power Administrator be accepted as a request for modification of Schedule E-2 as heretofore confirmed and approved, and the aforesaid order of March 28, 1944, be and it hereby is amended to delete paragraph (i) therefrom: *Provided*, That nothing herein contained shall in any way affect or prejudice any action which may hereafter be taken by the Commission in any matter affecting the Bonneville Project, including the objections heretofore filed by the Superintendent of Light Division, Department of Public Utilities, City of Tacoma, Washington, and the Superintendent, Department of Lighting, City of Seattle, Washington.

(B) The statement of the Commission's confirmation and approval subscribed as part of Schedule E-2 be and it hereby is amended to read:

Confirmed and approved by the Federal Power Commission by order entered March 28, 1944, as amended May 16, 1944, and subject to the conditions therein specified, said rate schedule to be effective on and after April 1, 1944.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-7127; Filed, May 18, 1944; 9:34 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 246]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, May 13, 1944, by Christ Hansen Company of car WFE 61504, potatoes, now on the Chicago Produce Company to Milwaukee, Wisconsin.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7129; Filed, May 18, 1944; 10:46 a. m.]

[S. O. 70-A, Special Permit 247]

RECONSIGNMENT OF MEXICAN TOMATOES TO KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 70-A insofar as it applies to the reconsignment of Pacific 41098, Mexican tomatoes to Kansas City, Missouri, routed SP-TP-MKT, shipped from Nogales, Arizona, by Capelsa Sales Office, May 6, 1944.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7130; Filed, May 18, 1944; 10:46 a. m.]

[S. O. 70-A, Special Permit 248]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, May 15, 1944, by Innes Brothers of car BREX 75609, potatoes, now on the Rock Island Lines to unnamed destination.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7131; Filed, May 18, 1944; 10:46 a. m.]

[S. O. 70-A, Special Permit 249]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, May 16, 1944, by F. E. Baldwin Company of car FGE 34794, potatoes, now on the Chicago Produce Terminal, to A. M. Macheca Company, St. Louis, Missouri.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7132; Filed, May 18, 1944; 10:46 a. m.]

[S. O. 70-A, Special Permit 250]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, May 16, 1944, by R. A. Klotz Company, of car ART 15779, potatoes, now on the Chicago Produce Terminal to Camp Ellis, Table Grove, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7133; Filed, May 18, 1944; 10:46 a. m.]

[S. O. 70-A, Special Permit 251]

RECONSIGNMENT OF CARROTS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, May 16, 1944, by La Mantia Brothers Arrigo Company of car PFE 96946, carrots, now on the Chicago Produce Terminal to Danville, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7134; Filed, May 18, 1944; 10:47 a. m.]

[S. O. 103, Special Permit 10]

SHIPMENT OF CANADIAN MALTED BARLEY FROM DULUTH, MINN.

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.4, 8 F.R. 572) of Service Order No. 103 of January 12, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 103 insofar as it applies to the acceptance and movement by railroad of 60,000 bushels of Canadian malting barley shipped by the Russell-Miller Milling Company, Duluth, Minnesota, to destination in Mexico.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7135; Filed, May 18, 1944; 10:47 a. m.]

[S. O. 103, Special Permit 11]

SHIPMENT OF CANADIAN MALTED BARLEY FROM DULUTH, MINN.

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.4, 8 F.R. 572) of Service Order No. 103 of January 12, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 103 insofar as it applies to the acceptance and movement by railroad of 100,000 bushels of Canadian malting barley shipped by the Russell-Miller Milling Company Duluth, Minnesota, to destination in Mexico.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7136; Filed, May 18, 1944; 10:47 a. m.]

[S. O. 164, Special Permit 59]

REICING OF GRAPEFRUIT AT EAST ST. LOUIS, ILL.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once at East St. Louis, Illinois, May 13 or 14, 1944, for account of A. Fiorita, owner, car WFE 63538, grapefruit, now on the Illinois Central Railroad.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7137; Filed, May 18, 1944; 10:47 a. m.]

[S. O. 164, Special Permit 60]

REICING OF VALENCIA ORANGES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once, at Chicago, Illinois, May 15 or 16, 1944, as ordered by M. Lapidus Sons Company cars FGE 50682 and 15073, valencia oranges, shipped from Winter Park, Florida, May 10 and 12, 1944, respectively, now on the Chicago Produce Terminal.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7138; Filed, May 18, 1944; 10:47 a. m.]

[S. O. 178, Gen. Permit 9]

LOADING AND TRANSPORTATION OF EMPTY BEER CONTAINERS FROM DESIGNATED STATES

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of refrigerator cars with, and movement of refrigerator cars loaded with, empty beer containers from origins in the States of North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Iowa, Missouri, Wisconsin, Illinois, Michigan, Indiana, Ohio, Kentucky, Virginia, West Virginia, Maryland, Pennsylvania, New Jersey, Delaware, New York, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire and Maine.

This general permit shall become effective at 12:01 a. m., May 21, 1944, and shall expire at 12:01 a. m., September 1, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7139; Filed, May 18, 1944; 10:47 a. m.]

[S. O. 178, Special Permit 124]

LOADING OF CHEESE AT FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with cheese and spread in glass and bulk cheese by Kraft Cheese Company at Freeport, Illinois, and the movement of the one car so loaded from that point May 15, or 16, 1944, to Jersey City, New Jersey. (C. M. St. P. & P.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7140; Filed, May 18, 1944; 10:48 a. m.]

[S. O. 178, Special Permit 125]

LOADING OF CHEESE AT FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of four refrigerator cars with bulk cheese and/or cheese and spread in glass by Kraft Cheese Company at Freeport, Illinois, and the movement of the four cars so loaded from that point May 13, 1944, to Jersey City, New Jersey, Philadelphia, Pennsylvania, Ornewood Station, Georgia, and Omaha, Nebraska. (C. M. St. P. & P.)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7141; Filed, May 18, 1944; 10:48 a. m.]

[S. O. 200, Special Permit 8]

REICING OF POTATOES AT AIR LINE JUNCTION, OHIO

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once to full bunker capacity at Air Line Junction, Ohio, for account of Independent Potato Exchange of Chicago, Illinois, car MDT 3388, potatoes, now on the New York Central Railroad, shipped from Edison, California, May 4, 1944, destined Rochester, New York, (N. Y. C.), previously iced at Bakersfield, Ogden and Council Bluffs.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7142; Filed, May 18, 1944; 10:48 a. m.]

[S. O. 200, Special Permit 9]

REICING OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once, to full bunker capacity, at Chicago, Illinois, May 15, 1944, for account of National Produce Company, car ART 17992, potatoes, shipped from an origin in Alabama, now on the Chicago Produce Terminal. (One previous reicing)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7143; Filed, May 18, 1944; 10:48 a. m.]

[S. O. 200, Special Permit 10]

REICING OF POTATOES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only, May 16, 1944, at Kansas City, Missouri-Kansas, as ordered by Michael-Swanson-Brady Produce Company, car PFE 50409, potatoes, now on the St. L.-S. F. Railway, shipped from California to Hobart, Oklahoma; account bad condition diverted to Kansas City; reconditioned there and diverted to unknown destination; previously reiced at Enid, Oklahoma.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7144; Filed, May 18, 1944; 10:48 a. m.]

[S. O. 207, Gen. Permit 1]

PERMISSION TO DISREGARD LOADING PROVISIONS

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.38) of Service Order No. 207 of May 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 207 insofar as it applies to all cars loaded with the commodities named therein, except potatoes and watermelons.

This permit shall become effective at 12:01 a. m., May 25, 1944, and shall expire with June 10, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7145; Filed, May 18, 1944; 10:48 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Supplemental Vesting Order 3634]

GOSHO SALES CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found in Vesting Order Number 656, dated January 9, 1943, that Gosho Sales Corporation is a national of a designated enemy country (Japan);

2. Finding that Tamesuke Kume, Osaka, Japan, has a claim against Gosho Sales Corporation which is represented on the books and records of Gosho Sales Corporation as an account payable in the amount of $754.98 as of December 10, 1943, subject, however, to any accruals or deductions thereafter, and which represents an interest in Gosho Sales Corporation;

3. That Tamesuke Kume, whose last known address is Osaka, Japan, is a national of a designated enemy country (Japan);

and determining:

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

hereby vests in the Alien Property Custodian the interest of Tamesuke Kume in Gosho Sales Corporation, more fully described in subparagraph 2 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7146; Filed, May 18, 1944; 11:02 a. m.]

[Supplemental Vesting Order 3636]

JAPAN COTTON & SILK TRADING CO., INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found in Vesting Order Number 190, dated September 28, 1942, that Japan Cotton & Silk Trading Co., Inc., is a national of a designated enemy country (Japan);

2. Finding that T. Katayama and/or Y. Nishijima have claims against Japan Cotton & Silk Trading Co., Inc., which are represented on the books and records of Japan Cotton & Silk Trading Co., Inc., as an account payable in the name of "Osaka agent" in the aggregate amount of $5,221.95 as of December 31, 1942, subject, however, to any accruals or deductions thereafter, and represent interests in Japan Cotton & Silk Trading Co., Inc.;

3. Finding that T. Katayama and Y. Nishijima, whose last known addresses are Japan, are nationals of a designated enemy country (Japan);

and determining:

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the interests of T. Katayama and/or Y. Nishijima in Japan Cotton & Silk Trading Co., Inc., described in subparagraph 2 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7147; Filed, May 18, 1944; 11:02 a. m.]

[Supplemental Vesting Order 3637]

K. MIKIMOTO, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found in Vesting Order Number 106, dated August 17, 1942, that K. Mikimoto, Inc., is a business enterprise within the United States and a national of a designated enemy country (Japan);

2. Finding that the following persons have claims against K. Mikimoto, Inc., in the amounts appearing opposite each name which claims as of June 30, 1942, aggregated $22,519.79 subject, however, to any accruals or deductions subsequent thereto and represent interests in K. Mikimoto, Inc.:

Name	Notes payable	Accounts payable
J. Seo	$2,968.69	$7,020.61
M. Kuki	2,313.00	4,992.51
S. Tanabe	940.26	2,507.36
I. Okada		2,507.36
Total	6,221.95	16,297.84

3. Finding that J. Seo, M. Kuki, S. Tanabe, and I. Okada, whose last known addresses are Japan, are nationals of a designated enemy country (Japan);

and determining:

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the interests of J. Seo, M. Kuki, S. Tanabe, and I. Okada in K. Mikimoto, Inc., aggregating $22,519.79, and represented on the books and records of K. Mikimoto, Inc., as notes payable and accounts payable, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7148; Filed, May 18, 1944; 11:02 a. m.]

[Supplemental Vesting Order 3638]

ROSENTHAL CHINA CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found in Vesting Order Number 931, dated February 22, 1943, that Rosenthal China Corporation is a busines enterprise within the United States and a national of a designated enemy country (Germany);

2. Finding that Rosenthal-Porzellan, Aktiengesellschaft, of Selb, Bavaria, Germany, has a claim against Rosenthal China Corporation, which claim as of December 2, 1943, amounted to $1,510.81, subject, however, to any accruals or deductions subsequent thereto, and represents an interest in Rosenthal China Corporation;

3. Finding that Rosenthal-Porzellan, Aktiengesellschaft, whose last known address is Selb, Bavaria, Germany, is a national of a designated enemy country (Germany);

and determining:

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the interest of Rosenthal-Porzellan, Aktiengesellschaft, in Rosenthal China Corporation amounting to $1,510.81 as of December 2, 1943, subject, however, to any accruals or deductions thereafter, and represented on the books and records of Rosenthal China Corporation as an account payable, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7149; Filed, May 18, 1944; 11:02 a. m.]

[Supplemental Vesting Order 3639]

STEEL UNION-SHEET PILING, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found in Vesting Order Number 202, dated October 2, 1942, that Steel Union-Sheet Piling, Inc., is a national of a designated enemy country (Germany);

2. Finding that the following persons have claims against Steel Union-Sheet Piling, Inc., in the amount appearing opposite each name, which are represented on the books and records of Steel Union-Sheet Piling, Inc., as accounts payable in the aggregate amount of $14,344.70 as of October 2, 1942, subject, however, to any accruals or deductions thereafter, and represent interests in Steel Union-Sheet Piling, Inc.:

Name	*Amount*
Chemikalien A. G. of Berlin, Germany	$6,629.18
Deutsche Abicklungstelle der Inter Nationalen Schrott Konvention, of Dortmund, Germany	445.00
Von der Heydt, Kersten und Soehne, Wuppertal-Elberfeld, Germany	7,270.52
Total	14,344.70

3. Finding that Chemikalien A. G., Deutsche Abicklungstelle der Inter Nationalen Schrott Konvention and Von der Heydt, Kersten und Soehne, whose principal places of business are Germany, are nationals of a designated enemy country (Germany);

and determining:

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the interests of Chemikalien A. G., Deutsche Abicklungstelle der Inter Nationalen Schrott Konvention and Von der Heydt, Kersten und Soehne in Steel Union-Sheet Piling, Inc., described in subparagraph 2 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7150; Filed, May 18, 1944; 11:02 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 20A–116]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN ROSEBURG, OREG., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Roseburg, Oregon, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

[1] Filed as part of the original document.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Medford, Oregon, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–116" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Medford, Oregon.

8. This order shall become effective May 25, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 18th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

William Moran, 813 Miller Street, Roseburg, Oreg.

George E. Marsters, 408 E. Douglas Street, Roseburg, Org.

[F. R. Doc. 44–7152; Filed, May 18, 1944, 10:43 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Amdt. 37 to Order A–1]

HUDSON RIVER COMMON BRICK

MODIFICATION OF MAXIMUM PRICES

Amendment No. 37 to Order A–1 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) (6) of Order No. A–1 is amended to read as follows:

(a) *Modification of maximum prices under Maximum Price Regulation No. 188.* The provisions of Maximum Price Regulation No. 188 as applied to certain commodities subject thereto are modified in accordance with § 1499.159b of Maximum Price Regulation No. 188 as hereinafter provided.

* * * * *

(6) *Modification of maximum prices for Hudson River Common Brick produced in the Hudson River area*—(i) *Scope of modification.* The maximum prices fixed by this subparagraph (6) apply to manufacturers' sales of Hudson River common brick produced in the Hudson River area and the resale of such brick by persons other than manufacturers.

(ii) *Maximum prices for manufacturers.* On and after May 18, 1944, any manufacturer producing within the Hudson River area, defined in subdivision (vi), any Hudson River common brick, which, for the purpose of this paragraph (a) (6) means any kiln run soft mud brick, and includes standard size salmon or No. 2 brick, barium treated brick, special color brick, brick selected for facing purposes, and uncolored or colored over-sized or Jumbo brick, but not including "H" grade Hudson River common brick, may increase his maximum price established under Maximum Price Regulation No. 188, as amended, and in effect on the 18th day of May 1944, for sales f. o. b. plant or delivered to purchasers' destination, by an amount not in excess of $2.25 per M.

The maximum prices for the above classification of brick shall be subject to an allowance of $1.00 per M for unloading and $0.50 per M for cash payment. The terms under which such allowances are given shall not be more onerous to the purchaser than those in effect in March 1942.

(iii) *Notification to purchasers by manufacturers.* Every manufacturer of Hudson River common brick within the Hudson River area who increases his maximum prices pursuant to this subparagraph (6) shall send the following notation to every purchaser of such brick who buys for resale at the time of sale:

Paragraph (a) (6) of Order No. A–1 under Maximum Price Regulation No. 188 granted us a price increase on Hudson River common brick in order to maintain production. The prices charged you for Hudson River common brick are not higher than the maximum price which we are permitted to charge you pursuant to the provision of that subparagraph. Subparagraph (6) also provides that you may add the actual amount of dollars-and-cents additional increase in cost to your existing maximum prices on Hudson River common brick provided you specify the amount of the increase on your invoice given to the purchaser.

This notice is given you at the express direction of the Office of Price Administration.

(iv) *Maximum prices for dealers.* Any person purchasing Hudson River common brick as defined in subdivision (ii), from any manufacturer located within the Hudson River area as defined in subdivision (vi), for the purposes of resale may increase his maximum prices in effect on 18th day of May 1944, established by the General Maximum Price Regulation by an amount not in excess of the increased dollars-and-cents cost incurred by such seller by reason of the increase in maximum prices permitted the manufacturer by this subparagraph (6), *Provided*, The amount of the increase is shown separately on the invoice given to the purchaser.

(v) The maximum prices established by this subparagraph (6) shall be subject to at least the same extention of cash, quantity, and other discounts, the same absorption of transportation charges and the same rendition of services as the seller extended, absorbed, or rendered on comparable sales to purchasers of the same class during March 1942.

(vi) The Hudson River area, for the purpose of this subparagraph (6), means that part of the State of New York within 10 air miles of the east and west banks of the Hudson River between the south line of the City of Albany and the south line of the City of Newburgh.

The Nassau Brick Company, Incorporated, Farmingdale, New York, who manufacture "H" grade Hudson River common brick, which, for the purpose of this subparagraph (6) means brick meeting Federal Specification Physical Requirements "E–2, H Grade" SS–B–656, issued June 28, 1932, shall continue in effect its present maximum prices, established pursuant to Maximum Price Regulation No. 188, as amended, unless such maximum prices are otherwise adjusted.

This Amendment No. 37 shall become effective the 18th day of May 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7102; Filed, May 17, 1944; 11:57 a. m.]

[MPR 188, Amdt. 13 to Order A–2]

PUTTY

AUTHORIZATION OF MAXIMUM PRICES

Amendment No. 13 to Order No. A–2 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) (13) is added to read as follows:

(13) *Putty*—(i) *Scope of this subparagraph.* This subparagraph permits granting of relief only to a manufacturer of putty whose maximum price or prices for putty cause him substantial hardship and are abnormally low in relation to the maximum prices established for competitive sellers of putty.

(ii) *Extent of relief to be granted.* No adjustment may be granted under this subparagraph which will cause the applicant's maximum price to exceed the selling prices of competitive sellers, and any adjustment granted shall be additionally limited in accordance with the existing degree of substantial hardship as set forth below: (As used below "over-all profits" means over-all profits adjusted for changes in investment and before deductions of income and excess profit taxes; "base period" means 1936–1939 inclusive or any other period which is determined by the Office of Price Administration to be representative.)

(*a*) To an amount sufficient to make the adjusted price per unit equal to the total current factory costs per unit (sum of items (*1*), (2) and (3) under subdivision (iii) (c) below), where applicant's current over-all profits on an annual basis are at least 15 per cent greater than his average annual base period over-all profits.

(*b*) To an amount sufficient to make the adjusted price per unit equal to the total of current factory costs and general administrative and selling expenses per unit, where applicant's current over-all profits on an annual basis are less than 15 per cent greater, but not less, than his average annual over-all profits during the base period, but not in excess of an amount which will cause his current over-all profits on an annual basis to equal 115 percent of his average annual over-all profits during such base period.

(*c*) To an amount sufficient to make the adjusted price per unit equal to the total of current factory costs and general administrative and selling expenses per unit, plus a reasonable margin of profit per unit, where applicant's current over-all profits on an annual basis are less than his average annual over-all profits during the base period, but not in excess of an amount which will cause his current over-all profits on an annual basis to equal 115 percent of his average annual over-all profits during such base period.

(iii) *Filing of applications.* Applications under this subparagraph shall be filed with the Office of Price Administration, Chemicals and Drugs Price Branch, Washington 25, D. C., in accordance with the provisions of Revised Procedural Regulation No. 1, and shall include the following information:

(*a*) Over-all profit and loss statements and over-all balance sheets for the entire business of the applicant for each of the calendar or fiscal years between 1936 and 1939, inclusive, or for any other period which is determined by the Office of Price Administration to be representative; for the most recent full fiscal or calendar year; and for each of the quarters thereafter, prior to the date of filing the application. The filing of these data for the periods including the year 1942 is optional, provided these data are available from the Bureau of Internal Revenue. Should the applicant prefer, this information will be requested by the Office of Price Administration directly from the Bureau of Internal Revenue. If applicant has previously submitted the data for periods after 1942 to the Office of Price Administration, he may so indicate, and in such case this data need not be submitted again.

(*b*) The total inventory of each raw material used in the manufacture of putty, the value assigned to each inventory, and the method used to determine such value.

(*c*) Total current costs per unit for putty, including:

(*1*) Itemization of direct material costs per unit. State method of charging inventories used in determining material costs.

(2) Direct labor cost per unit. Increases in labor costs since October 3, 1942 will be considered by the Office of Price Administration only if the applicant certifies that such increases were approved by the War Labor Board, or that War Labor Board approval was not necessary, if the latter were the case.

(3) Other manufacturing costs per unit directly assignable to the production of putty. This may include indirect labor, factory supplies, repairs and maintenance of building, machinery and equipment, insurance, property taxes, depreciation at normal rates on plant and equipment actually used in manufacture, purchased utilities services, and other items commonly associated with factory operation.

(*4*) General administrative and selling expenses per unit. This includes executive and administrative salaries, office expense, commissions, advertising, and similar items but not including income or excess profit taxes, charges to war reserves, or reserves for contingencies.

"Other manufacturing costs" and "general administrative and selling expenses" as used in (3) and (*4*) above of this subdivision (c) may be broken down down in the detail and in accordance with the method, customarily used by the manufacturer, but shall show general administrative and selling expenses separately. The method of allocating such costs and expenses to putty shall be stated.

(*d*) The names and addresses of the applicant's competitive sellers and, so far as he is able to ascertain, their maximum prices and their current selling prices.

(*e*) The amount of adjustment desired, and an explanation of how such adjustment conforms to the limitations set forth in subdivision (ii) above.

(iv) *Adjustment order.* The Price Administrator may by order grant or deny, in whole or in part, any application for adjustment under this subparagraph (13), and may revoke or amend any such order at any time. In connection with any such adjustment the Price Administrator may also adjust the maximum prices for resellers other than resellers at retail, and in appropriate cases may require a compensatory decrease in the maximum prices for another product or products manufactured by applicant.

This amendment shall become effective May 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7101; Filed, May 17, 1944; 11:53 a. m.]

[MPR 188, Order 1608]

W. G. BUSH AND COMPANY

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1608 under § 1499.161 (a) (2) of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.161 (a) (2) of Maximum Price Regulation No. 188, *It is hereby ordered:*

(a) Specific authority is hereby granted to W. G. Bush & Company, Nashville, Tennessee, to increase its presently established maximum prices for common brick and structural clay title, f. o. b. or delivered to destination, by adding to its established maximum prices amounts not in excess of those set forth below:

Common brick---------- $1.10 per M.
Structural clay tile---------- $1.57 per ton.

(b) The amount by which the W. G. Bush and Company's maximum prices are increased pursuant to Paragraph (a) hereof, shall be stated separately on the invoice with the following notation:

Increases permitted by the Office of Price Administration to maintain supply.

The W. G. Bush and Company shall also furnish to each buyer purchasing its products for resale, on or before it makes the first delivery to each purchaser at the adjusted maximum price, a written statement as follows:

The Office of Price Administration has granted an adjustment in price for common brick (or structural clay tile) manufactured by W. G. Bush and Company. The amount of the price increase is shown separately on the invoice.

You are permitted to add the actual amount of the price increase to your ex-

isting maximum prices on common brick (or structural clay tile) purchased from W. G. Bush and Company provided you specify the amount of the increase on the invoice given to your purchaser.

(c) Any person purchasing common brick or structural clay tile manufactured by the W. G. Bush and Company, Nashville, Tennessee, for the purpose of resale may increase his present maximum price established by the General Maximum Price Regulation by an amount not in excess of the actual dollars-and-cents increase in cost incurred by such person by reason of this adjustment: *Provided*, Such amount is shown separately on the invoice given to the purchaser.

(d) The maximum prices established by this order shall be subject to at least the same extension of cash, quantity and other discounts, the same absorption of transportation charges, and the same rendition of services as the seller extended, absorbed or rendered on comparable sales to purchasers of the same class during March 1942.

This Order No. 1608 shall become effective May 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7095; Filed, May 17, 1944; 11:56 a. m.]

[MPR 188, Order 1609]

BASIC REFRACTORIES, INC.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 1609 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Authorization of maximum prices for Zircoat by Basic Refractories, Incorporated.

For the reasons set forth in the opinion, issued simultaneously herewith, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) Specific authorization is hereby granted to Basic Refractories, Incorporated to sell and deliver Zircoat at the following prices:

	Col. (1) Maximum price to distributors per cwt. f. o. b. Narlo, Ohio	Col. (2) Maximum price to consumers per cwt. f. o. b. Narlo, Ohio
Less than 500#	$8.75	$14.50
500# to less than 2000#	8.50	13.00
2000# to less than 30,000#	8.00	11.50
30,000# to less than Carload	8.00	10.75
Carload	8.00	10.00

(b) No person may sell Zircoat to a consumer at prices in excess of the maximum prices set forth in Column (2) above.

(c) Basic Refractories, Incorporated shall file with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., on or before September 1, 1944, a detailed report covering its first 90 days' operation after the effective date of this order showing the following information:

1. Detailed breakdown of the cost of producing and selling Zircoat, for sales to different classes of purchasers, during the 90-day period, showing separately the quantities produced.

2. Total Zircoat sales in quantities and dollars for the 90-day period, segregated as to sales made to different classes of purchasers.

(d) This Order No. 1609 may be revoked or amended by the Price Administrator at any time.

This Order No. 1609 shall become effective May 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7096; Filed, May 17, 1944; 11:54 a. m.]

[MPR 188, Order 1610]

JOSEPH SHAW CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1610 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a new mopstick manufactured by Joseph Shaw Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) The maximum price for all sales and deliveries of a new mopstick manufactured by Joseph Shaw Company, 605 Spitzer Building, Toledo, Ohio, and described in its application dated March 25, 1944, by the manufacturer to retailers, since such article became subject to Maximum Price Regulation No. 188, is $2.40 per dozen, f. o. b. Toledo, Ohio.

(b) On and after the effective date of this order, the maximum price for sales at retail of the mopstick described in paragraph (a) above shall be $0.35 per unit.

(c) On every mopstick shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price.

(d) On and after May 18, 1944, at the time of the first invoice, the manufacturer shall notify in writing each purchaser for resale of the maximum retail price established by this order. This written notice may be given in any convenient form.

(e) This order establishes maximum prices for sales by the manufacturer to retailers. To determine the maximum prices for sales of the mopstick to other classes of purchasers, the manufacturer may apply the price differentials which he is accustomed to make on sales of that type of article. If the manufacturer has no established differential pricing method for sales of this type of article to different classes of purchasers, and wishes to sell to a new class of purchaser, he must make an application to the Office of Price Administration, Washington, D. C., for the establishment of maximum prices for those sales.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(g) This order may be revoked or amended by the Price Administrator at any time.

This Order No. 1610 shall become effective on the 18th day of May 1944.

Issued this 17th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7097; Filed, May 17, 1944; 11:54 a. m.]

[MPR 188, Order 1611]

INDIANA ACADEMY

AUTHORIZATION OF MAXIMUM PRICES

Order No. 1611 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Maximum prices for sales of a work bench manufactured by Indiana Academy.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales of a work bench manufactured by Indiana Academy, Cicero, Indiana, and described in the manufacturer's application to the Office of Price Administration, Washington, D. C., dated January 31, 1944.

(1) The maximum prices for all sales and deliveries of the work bench by the manufacturer after such article became subject to Maximum Price Regulation No. 188 are those set forth below, f. o. b. Cicero, Indian.

Wholesalers (Jobbers)	*Retailers*
$5.50	$7.33

(2) The maximum price for all sales and deliveries at wholesale of the work bench after the effective date of this order is $7.33 plus the actual freight costs for direct shipment from the manufacturer's factory to the seller's city.

(3) The maximum prices for all sales and deliveries at retail of the work bench are those set forth blow:

For sales east of the Rocky Mountains	*For sales west of the Rocky Mountains*
$10.95	$11.45

(b) To every work bench shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price as follows:

OPA Retail Ceiling Price_____(Insert correct figure).

(c) At the time of the first invoice after the effective date of this order, the manufacturer shall notify in writing each wholesaler and retailer who purchases from it of the maximum prices established by this order for resales at retail and at wholesale. This notice may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This Order No. 1611 may be revoked or amended by the Price Administrator at any time.

This Order No. 1611 shall become effective on the 18th day of May 1944.

Issued this 17th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7098; Filed, May 17, 1944; 11:55 a. m.]

[MPR 339, Order 16]

BEAR BRAND HOSIERY CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 16 under section 4 (b) of Second Revised Maximum Price Regulation 339—Women's rayon hosiery. Granting maximum prices to Bear Brand Hosiery Co. and other sellers.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) On and after May 18, 1944, in the case of any sale or delivery at retail, at wholesale or by a manufacturer of circular knit women's rayon hosiery manufactured by Bear Brand Hosiery Co., Chicago, Illinois, containing a rayon plaited over cotton leg with a cotton inner and outer welt, the ceiling price shall be the same as that specified in Table 2 of Appendix B of Second Revised Maximum Price Regulation 339 for circular knit women's rayon hosiery containing a rayon plaited over cotton leg with a rayon plaited outer and inner welt or with a cotton inner welt.

(b) Bear Brand Hosiery Co., before delivering hosiery with its special feature rayon plaited over cotton leg with a cotton inner and outer welt, must, in addition to the marking required under the provisions of section 5 of Second Revised Maximum Price Regulation 339, place the letter "S" following the ceiling price stated on the transfer, label, ticket marker or other device used to mark the hosiery.

(c) At the time of the first delivery after May 17, 1944, of hosiery containing the special feature rayon plaited over cotton leg with cotton inner and outer welt, Bear Brand Hosiery Co. and every seller other than a seller at retail, shall furnish its purchaser a notice in the form stated below. Also, at the time of the first delivery after May 17, 1944, Bear Brand Hosiery Co. shall notify each of its customers (other than sellers at retail) who purchase the hosiery for the purpose of re-sale, that he is required in turn to transmit to his customers a copy of the notice. Following is the notice. It may be attached to the invoice accompanying the first shipment or may be stamped or printed on the invoice.

NOTICE

This notice is sent to you as required by Order No. 16 under section 4 (b) of Second Revised Maximum Price Regulation 339 issued by the Office of Price Administration. It explains the ceiling price for circular knit women's rayon hosiery manufactured by Bear Brand Hosiery Co. containing a rayon plaited over cotton leg with a cotton inner and outer welt.

OPA has ruled that in pricing hosiery containing this special feature, the premiums which apply are the same premiums as fixed in Table 2 of Appendix B of Second Revised Maximum Price Regulation 339 for "Rayon plaited over cotton leg with a rayon plaited outer and inner welt." You will note that the letter "S" follows the ceiling price on the marker. This letter indicates that the hosiery has been specially priced by OPA under section 4 (b).

(d) This Order No. 16 may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7100; Filed, May 17, 1944; 11:56 a. m.]

[MPR 136, Order 200]

GEORGE O. JENKINS COMPANY

AUTHORIZATION OF MAXIMUM PRICES

Order No. 200 Under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Docket No. 3136-372.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered:*

(a) The maximum prices for sales to consumers of leather fibre dust guards manufactured by George O. Jenkins Company, Bridgewater, Massachusetts, and sold through Ajax-Consolidated Company, Chicago, Illinois, shall be as follows:

Size:	*Maximum price for each*
4¼" x 8"	$0.08375
5" x 9"	.09875
5½" x 10"	.10625
6" x 11"	.12875

(b) The maximum prices for sales of leather fibre dust guards by George O. Jenkins Company to the Ajax-Consolidated Company, shall be as follows:

Size:	*Maximum price for each*
4¼" x 8"	$0.065587
5" x 9"	.076725
5" x 10"	.081675
6" x 11"	.101475

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 18, 1944.

Issued this 17th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7099; Filed, May 17, 1944; 11:55 a. m.]

[Max. Import Price Reg.[1], Amdt. 1 to Order 13]

MENTHOL

APPLICATION FOR HIGHER PRICES

An opinion accompanying this Amendment No. 1 to Order No. 13 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in that opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328, *It is hereby ordered*, That:

Paragraphs (d) through (i) of Order No. 13 are redesignated paragraphs (e) through (j), respectively, and a new paragraph (d) is added to read as follows:

(d) *Application for higher prices.* Any person who had an irrevocable letter of credit established prior to April 17, 1944, pursuant to a contract to purchase menthol to be imported into the continental United States at a higher price than permitted under paragraph (b), may apply to the Export-Import Price Branch, Office of Price Administration, Washington, D. C., for approval of a selling price above that permitted under paragraph (c) (1) of this order.

Such application shall be made in writing and shall include the following:

1. The date of purchase.
2. The price paid and terms of sale.
3. The total quantity received or to be received.
4. An itemized statement of all import expenses.
5. A copy of the irrevocable letter of credit.

This Amendment No. 1 to Order No. 13 shall become effective May 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 17th day of May 1944.

CHESTER BOWLES,
Price Administrator.

[F. R. Doc. 44-7116; Filed, May 17, 1944; 4:09 p. m.]

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[1] 8 F.R. 11681, 12237.

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on May 16, 1944.

REGION IV

Montgomery Order 8–F, Amendment 9, covering certain fresh fruits and vegetables in Selma, Alabama, filed 9:19 a. m.

Montgomery Order 5–F, Amendment 6, covering certain fresh fruits and vegetables in Montgomery, Chisholm and Dalbaida, Alabama, filed 9:17 a. m.

Montgomery Order 10–F, Amendment 1, covering certain fresh fruits and vegetables in certain specified counties in Montgomery District Area, filed 9:17 a. m.

Montgomery Order 9–F, Amendment 4, covering certain fresh fruits and vegetables in Mobile County, Alabama, filed 9:19 a. m.

Montgomery Order 7–F, Amendment 4, covering certain fresh fruits and vegetables in Dothan, Enterprise and Clark, Alabama, filed 9:20 a. m.

South Carolina Order 11, Amendment 3, covering poultry in the State of South Carolina, filed 9:10 a. m.

South Carolina Order 1–F, Amendment 5, covering fresh fruit and vegetables within the 7 mile radius of The State House, Columbia, South Carolina, filed 9:10 a. m.

South Carolina Order 2–F, Amendment 5, covering fresh fruit and vegetables within certain specified areas in South Carolina, filed 9:09 a. m.

South Carolina Order 3–F, Amendment 9, covering certain fresh fruits and vegetables within certain counties in South Carolina, filed 9:09 a. m.

South Carolina Order 4–F, Amendment 1, covering fresh fruits and vegetables within certain counties in South Carolina, filed 9:08 a. m.

South Carolina Order 4–F, Amendment 2, covering fresh fruits and vegetables within certain counties in South Carolina, filed 9:07 a. m.

Jacksonville Order 1–W, Amendment 2, covering dry groceries at wholesale in the Northern Florida Area, filed 9:07 a. m.

Jacksonville Order 2–W, Amendment No. 2, covering dry groceries at wholesale in the Southern Florida Area, filed 9:06 a. m.

Richmond Order 1–W, Amendment 3, covering dry groceries at wholesale in certain areas in Virginia, filed 9:06 a. m.

REGION V

Houston Order 1–F, Amendment 10, covering fresh fruit and vegetables at retail in Houston, Texas, filed 9:20 a. m.

St. Louis Order G–13, Amendment 3, covering poultry in St. Louis, Missouri, filed 9:21 a. m.

St. Louis Order G–14, Amendment 3, covering poultry in certain areas in Missouri, filed 9:22 a. m.

St. Louis Order G–15, Amendment 3, covering poultry in St. Louis, Missouri, filed 9:22 a. m.

St. Louis Order G–16, Amendment 3, covering poultry in certain areas in Missouri, filed 9:23 a. m.

Oklahoma City Order 3–F, Amendment 16, covering certain fresh fruit and vegetables in certain specified areas in Oklahoma, filed 9:21 a. m.

Fort Worth Order 1–F, Amendment 16, covering certain fresh fruit and vegetables, filed 9:14 a. m. In Tarrant County, Texas.

Fort Worth Order 2–F, Amendment 16, covering certain fresh fruit and vegetables in Taylor County, Texas, filed 9:16 a. m.

Fort Worth Order 3–F, Amendment 16, covering certain fresh fruit and vegetables in Green County, Texas, filed 9:16 a. m.

Dallas Order G–15, Amendment 2, covering dry groceries at wholesale in certain counties in Texas, filed 9:11 a. m.

Dallas Order 1–W, Amendment 1, covering dry groceries at wholesale in certain counties in Texas, filed 9:11 a. m.

Dallas Order G–14, Amendment 2, covering dry groceries at wholesale in certain counties in Texas, filed 9:10 a. m.

Dallas Order 1–F, Amendment 15, covering certain fresh fruits and vegetables in certain counties in Texas, filed 9:07 a. m.

Dallas Order 2–W, covering dry groceries at wholesale in certain designated counties in Texas, filed 9:14 a. m.

REGION VI

Milwaukee Order 2–F, Amendment 13, covering fresh fruits and vegetables in Dane County, Wisconsin, filed 9:23 a. m.

Milwaukee Order 3–F, Amendment 13, covering fresh fruits and vegetables in Milwaukee, Kenosha, and Racine, Wisconsin, filed 9:23 a. m.

Milwaukee Order 5–F, Amendment 12, covering certain fresh fruits and vegetables in Fond Du Lac and Shebogan, Wisconsin, filed 9:24 a. m.

REGION VII

Boise Order 11, Amendment 3, covering community food prices in the City of Pocatello, Idaho, filed 9:24 a. m.

Boise Order 12, Amendment 3, covering community food prices in Boise, Idaho, filed 9:25 a. m.

Boise Order 13, Amendment 3, covering community food prices in the Boise Valley, Idaho Area, filed 9:25 a. m.

Boise Order 17, Amendment 1, covering community food prices in the Ontario, Oregon Area, filed 9:25 a. m.

Boise Order 3–W, Amendment 1, covering dry grocery items at wholesale in the Ontario, Oregon Area, filed 9:27 a. m.

Boise Order 5–W, Amendment 1, covering dry grocery items at wholesale in the Twin Falls, Idaho Area, filed 9:27 a. m.

REGION VIII

Sacramento Order 1–F, Amendment 8, covering certain fresh fruits and vegetables at retail in the Sacramento-Stockton Area, filed 9:27 a. m.

Sacramento Order 6–F, Amendment 6, covering certain fresh fruits and vegetables at retail in the Sacramento-Stockton Area, County Area, filed 9:29 a. m.

Sacramento Order 7–F, Amendment 6, covering fresh fruit and vegetables at retail in the Sacramento District-Northern County Area, filed 9:29 a. m.

Sacramento Order 14, Amendment 2, covering community prices for chickens and turkeys in the Sacramento District, filed 9:29 a. m.

Copies of any of these orders may be obtained from the OPA office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–7115; Filed, May 17, 1944; 4:09 p. m.]

[Detroit Order G–3 Under MPR 426]

TRANSPORTATION OF FRUITS AND VEGETABLES IN DETROIT, MICH., AREA

Order No. G–3 under Maximum Price Regulation No. 426, as amended. Establishing cheapest method of customary transportation from basing points into secondary markets.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by Article 1, section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by him delegated to the Detroit District Director by Delegation Order No. 1–A, Revised, this Order No. G–3 under Maximum Price Regulation No. 426 is hereby issued.

SECTION 1. *What this order does.* This order fixes the freight to be used for sales of certain fresh fruits and vegetables by intermediate sellers with principal places of business in markets outside the area surrounding Detroit, based upon the cheapest method of transportation customarily and generally available from basing points and shipping points to such markets.

SEC. 2. *Geographical coverage.* This order shall apply to sales in the following part of the Detroit District, viz., the counties of Oakland, Macomb, Washtenaw, Monroe, St. Clair, Clinton, Ingham, Eaton, Livingston, Jackson, Hillsdale and Lenawee in the State of Michigan, excepting Warren Township of Macomb County, and excepting the municipalities of Van Dyke, Centerline, Roseville, St. Clair Shores and St. Clair Village of Macomb County, and Huntington Woods, Birmingham, Ferndale, Royal Oak, Berkley, Hazel Park and Clawson of Oakland County.

SEC. 3. *Items covered.* The items covered by this order are the items listed in Appendix H of Amendment 18 to Maximum Price Regulation No. 426.

SEC. 4. *Freight.* Section 8 (a) (7) of Maximum Price Regulation No. 426 provides that "freight from basing point to wholesale receiving point" or "freight from shipping point to wholesale receiving point" means the cost per package of transportation by the cheapest customary and generally available means. It is hereby ordered that in determining such cost for all sales where the intermediate seller's principal place of business is located within the geographical coverage of this order, the intermediate seller shall compute the freight the same as if Detroit, Michigan were the "wholesale receiving point" and then add to such computation an amount as follows:

(a) In determining the Column 6 prices for Items 1 and 2 of Table 1, Carrots, 7¢ per L. A. Crate may be added.

(b) In determining the Column 6 prices for Items 1 and 2 of Table 2, Spinach, 4¢ per bushel may be added.

(c) In determining the Column 6 prices for Items 1 and 2 of Table 3, Green Peas, 6¢ per bushel may be added.

(d) In determining the Column 6 prices for Items 1 through 5 of Table 4, Snap Beans, 6¢ per bushel may be added.

(e) In determining the Column 6 prices for Item 1 of Table 5, Eggplant, 10¢ per 1½ bushel; for Item 2, 7¢ per bushel; and for Item 4, 4¢ per package may be added.

(f) In determining the Column 6 prices for Items 1 and 2 of Table 6, Sweet Peppers, 10¢ per 1½ bushel; and for Items 3 and 4, 7¢ per bushel may be added.

(g) In determining the Column 6 prices for Items 1 through 4 of Table 7, Cucumbers, 7¢ per bushel; and for Items 5 through 8, 6¢ per lug may be added.

(h) The above additions may be made both for purposes of sales at the Column 6 maximum prices for the respective items and also for the purpose of computing the other maximum prices which are based on the Column 6 maximum prices of these items.

SEC. 5. *Sellers covered.* This order is limited to sales by intermediate sellers (a) who meet the definition of "secondary jobber" contained in Appendix H of Maximum Price Regulation No. 426, with regard to the item being priced, and (b) whose principal place of business is located within the geographical coverage set forth in Section 2.

SEC. 6. *Definitions.* Unless otherwise defined or designated herein, all terms shall have the same meaning as defined in Maximum Price Regulation No. 426, as amended.

This order may be revoked, amended or corrected at any time.

This order shall become effective May 3, 1944.

(56 Stat. 23, 765; Pub. Law 151; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of May 1944.

W. E. FITZGERALD,
District Director.

Approved:

EARL O. POLLACK,
Regional Director of Food Distribution.

[F. R. Doc. 44–7124; Filed, May 17, 1944; 4:13 p. m.]

[Region II Order G–6 Under SR 15]

RAW FLUID MILK IN POCOMOKE CITY, MD.

Order No. G–6 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation. Adjusted maximum prices for raw fluid milk sold at wholesale and retail in glass or paper containers in Pocomoke City, Maryland.

For the reason set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 of Supplementary Regulation 15 to the General Maximum Price Regulation; *It is hereby ordered* That:

(a) On and after May 10, 1944, the maximum price for the sale and delivery in glass or paper containers of raw fluid milk at wholesale into-store, and at retail out-of-store and to-the-home, in Pocomoke City, Maryland, shall be the applicable adjusted maximum prices specified below:

Type of delivery	Adjusted maximum prices		
	Quart	Pint	Half-pint
	Cents	*Cents*	*Cents*
At wholesale into-store	12	7	3¾
At retail out-of-store and to-the-home	14	8	5

(b) *Other retail sales.* The maximum prices for sales to the Army and Navy and other retail sales of raw fluid milk, except retail sales out-of-store and to-the-home, and retail sales by a restaurant, hotel, bar, cafe, club, delicatessen, soda fountain, boarding house, or any other eating or drink establishment, shall be the wholesale prices listed above, subject to any applicable discounts or allowances.

(c) *Calculations.* On sales of one unit wherein the price specified is 3¾¢, the seller may adjust the price upward to the next full cent. On sales of more than one such unit, the exact price of 3¾¢ shall be multiplied by the number of units. If the computation results in a fraction of a cent, the total shall be adjusted upward to the next full cent if the fraction is ½¢ or more, and downward to the next lower cent if the fraction is less than ½¢. (For example, a maximum price of 3¾¢ for one unit shall be adjusted to 4¢ for one unit, 8¢ for two units, 11¢ for three units and 15¢ for four units, etc.). Deliveries "to-the-home" shall be considered multiple unit sales unless separate collections are made for single units delivered.

(d) Sections 1499.73a (a) (1) (ix) (a) (1) and 1499.73a (a) (1) (ix) (a) (1) (ii) of Supplementary Regulation 14–A to the General Maximum Price Regulation, insofar as they establish maximum prices for the sale and delivery of raw fluid milk in Pocomoke City, Maryland, are superseded by this Order No. G–6.

(e) *Geographical applicability.* This order applies to all sales and deliveries of raw fluid milk in glass or paper containers within Pocomoke City, Maryland.

(f) This order is subject to revocation or amendment by the Regional Administrator or by the Price Administrator at any time hereafter, either by special order or by price regulation issued hereafter or by supplementary order which may be contrary thereto.

(g) *Definitions.* (1) "Raw fluid milk" means cow's milk at least satisfying the minimum butterfat content, sanitary and health requirements for fluid milk sold for human consumption in the particular area wherein it is delivered, and standards set by purchasing officers for sales to the Army or Navy. It shall not include pasteurized fluid milk, skim milk, buttermilk, chocolate milk, or other flavored milks, special milks and premium milks.

(2) "At retail out-of-store" means a sale of fluid milk at retail by a grocery store, meat market, dairy store, or other establishment which delivers fluid milk separately or together with other purchases, and shall include a sale of fluid milk at retail by a milk distributor at his plant or place of business.

(3) "At retail to-the-home" means a sale and delivery of fluid milk at retail from an inventory stocked in trucks or other conveyances operated by driver salesmen over regular routes and shall not include a sale of fluid milk at retail by a grocery store, meat market, dairy store, or other establishment which delivers fluid milk separately or together with other purchases.

(h) Unless the context manifestly otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, issued by the Office of Price Administration, shall apply to other terms herein.

This order shall become effective May 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 10th day of May 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–7122; Filed, May 17, 1944; 4:12 p. m.]

[Region II Order G–34 Under RMPR 122, Amdt. 3]

PENNSYLVANIA ANTHRACITE IN ASHLAND, PA.

Amendment No. 3 to Order No. G–34 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maximum prices for Pennsylvania Anthracite sold subject to area dollars-and-cents orders, based on higher mine costs for specified anthracite.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G–34 is amended in the following respect:

1. Paragraph (c) is amended by adding a new subparagraph designated (9) immediately following subparagraph (8) thereunder, to read as follows:

(9) Anthracite produced and prepared by Delano Anthracite Collieries Company, Ashland, Pennsylvania.

This Amendment No. 3 to Order No. G–34 shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of May 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–7123; Filed, May 17, 1944; 4:12 p. m.]

[Region III Order G–27 Under MPR 329]

FLUID MILK IN ST. CLAIR COUNTY, MICH.

Order No. G–27 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk in St. Clair County, Michigan.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.408 (c) of Maximum Price Regulation No. 329; *It is hereby ordered:*

(a) Any milk distributor in St. Clair County, Michigan, may pay producers

an amount not in excess of $3.54 per cwt. for "milk of 3½% butterfat content, plus 5¢ for each ⅒ of 1% butterfat variation over 3½% and minus 5¢ for each ⅒ of 1% butterfat variation under 3½% provided, however, that such milk distributor shall be subject to the express restrictions of section 1351.402 (b) (c) (d) (e) and (f) of Maximum Price Regulation No. 329.

(b) Each milk distributor increasing his price to producers for "milk" pursuant to the provisions of this order shall, within five days of such action, notify the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio, by letter or postcard, of his price established pursuant to the provisions of this order, together with a statement of his previous price.

(c) *Definitions.* (1) "Milk distributor" is defined to mean any individual, corporation, partnership, association, or any other organized group of persons or successors of the foregoing who purchases "milk" in a raw and unprocessed state for the purpose of resale as fluid milk in glass, paper or other containers.

(2) "Producer" means a farmer, or other person of representative, who owns, superintends, manages, or otherwise controls the operations of a farm on which "milk" is produced. For the purposes of this order, farmers' cooperatives are producers when (1) they do not own or lease physical facilities for receiving, processing, or distributing milk, and (2) they do own or lease physical facilities for receiving, processing or distributing milk, but they act as selling agents for producers, whether members of such cooperative or not.

(3) "Milk" means liquid cow's milk in a raw, unprocessed state, which is purchased for resale for human consumption as fluid milk. "In a raw, unprocessed state" means unpasteurized and not sold and delivered in glass or paper containers.

(d) Order No. III–329–1351.408 (c)–2, adjusting the maximum prices of certain milk distributors in the St. Clair County, Michigan, area, may pay to producers, issued May 28, 1943, be, and the same is, hereby revoked.

(e) This order may be amended, modified, or revoked at any time by the Office of Price Administration.

This order shall become effective May 2, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 2, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–7126; Filed, May 17, 1944; 4:14 p. m.]

[Region III Order G–29 Under MPR 329]

FLUID MILK IN PIKE COUNTY, KY.

Order No. G–29 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.406 (a) of Maximum Price Regulation No. 329, *It is hereby ordered:*

(a) Any milk distributor in the County of Pike in the State of Kentucky may pay producers an amount not in excess of $0.38 per gallon for "milk".

(b) Each milk distributor increasing his price to producers for "milk" pursuant to the provisions of this order shall, within five days of such action, notify the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio, by letter or postcard, of his price established pursuant to the provisions of this order, together with a statement of his previous price.

(c) *Definitions.* (1) "Milk distributor" is defined to mean any individual, corporation, partnership, association, or any other organized group of persons or successors of the foregoing who purchases "milk" in a raw and unprocessed state for the purpose of resale as fluid milk in glass, paper or other containers.

(2) "Producer" means a farmer, or other person or representative, who owns, superintends, manages, or otherwise controls the operations of a farm on which "milk" is produced. For the purposes of this order, farmers' cooperatives are producers when (1) they do not own or lease physical facilities for receiving, processing or distributing milk, and (2) they do own or lease physical facilities for receiving, processing or distributing milk, but they act as selling agents for producers, whether members of such cooperative or not.

(3) "Milk" means liquid cow's milk in a raw, unprocessed state, which is purchased for resale for human consumption as fluid milk. "In a raw, unprocessed state" means unpasteurized and not sold and delivered in glass or paper containers.

(d) This order may be amended, modified or revoked at any time by the Office of Price Administration.

This order shall become effective May 2, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 2, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–7125; Filed, May 17, 1944; 4:14 p. m.]

[Region IV Order G–17 Under RMPR 122, Amdt. 16]

SOLID FUELS IN CERTAIN AREAS IN VIRGINIA

Amendment No. 16 to Order No. G–17 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers; Appendix XI. Maximum prices for solid fuels in Norfolk and Princess Anne Counties and the independent cities of Norfolk, Portsmouth, and South Norfolk, in the State of Virginia.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (e) of Order No. G–17, *It is hereby ordered,* That paragraph (m) (11) of said Order No. G–17 be amended to read as set forth below:

(11) *Appendix XI: Maximum prices for specified solid fuels in Norfolk and Princess Anne Counties and the independent cities of Norfolk, Portsmouth, and South Norfolk in the State of Virginia.* The maximum prices for specified solid fuels sold and delivered within the boundaries of Norfolk and Princess Anne Counties and within the corporate limits of the independent cities of Norfolk, Portsmouth, and South Norfolk, in the State of Virginia, shall be as follows:

This Amendment No. 16 to Order No. G–17 shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E. O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 6, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44–7120; Filed, May 17, 1944; 4:12 p. m.]

[Region IV Order G–1 Under MPR 165, Amdt. 1]

CITRUS FRUIT PACKING SERVICES IN FLORIDA

Amendment No. 1 to Order No. G–1 Under Maximum Price Regulation No. 165. Adjustment of maximum price for citrus fruit packing services sold by sellers located in the State of Florida.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.114 (d) of Maximum Price Regulation No. 165 and paragraph (h) of Order No. G–1 thereunder, *It is hereby ordered,* That paragraph (a) of said Order No. G–1 be amended to read as set forth below:

(a) On and after September 28, 1943, each seller of citrus fruit packing services located in the State of Florida may sell and offer to sell any of the services set out below at a price no higher than such seller's maximum price in effect for such service under Maximum Price Regulation No. 165 prior to September 1, 1942, plus the appropriate increase listed below:

(1) ORANGES

Container type:	*Increase permitted (Basis std. 1⅗ bu. box)* Cents	Cents
Standard box (1⅗ bu.) (675)		11½
Bruce box (1⅗ bu.) (5004)		9
Bags:		*Per bag*
½ box bag		3 1.5
20# bag		3 .75
8# bag		3½ .35
5# bag		4 .25

(2) GRAPEFRUIT

Container type:	*Increase permitted (Basis std. 1⅗ bu. box)* Cents	Cents
Standard box (1⅗ bu.) (675)		10½
Bruce box (1⅗ bu.) (5004)		8¼
Bags:		*Per bag*
½ box bag		3 1.5

(3) TANGERINES

Container type:
Std. ½ strap box (⅘ bu.) 13

(4) On and after March 18, 1944, there may be added to the increases permitted in sub-paragraphs (1) and (2) above an additional increase of 3½¢ per crate for Standard Box (1⅗ bu.) and an additional increase of 4¢ for packing oranges in Bruce Box (1⅗ bu.) and 3¾¢ for packing grapefruit in Bruce Box (1⅗ bu.).

This Amendment No. 1 to Order No. G–1 shall become effective April 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued April 25, 1944.

W. E. HOLCOMB,
Acting Regional Administrator.

[F. R. Doc. 44–7121; Filed, May 17, 1944; 4:12 p. m.]

[Regional VI Order G–2 Under MPR 251]

PLUMBING AND HEATING SERVICES IN ST. CLOUD, MINN.

Order No. G–2 under Maximum Price Regulation No. 251. Construction and maintenance services and sales of building and industrial equipment and materials on an installed or erected basis.

Pursuant to the authority vested in the Regional Administrator by § 1397.68 (b) of Maximum Price Regulation No. 251, and for reasons stated in the opinion issued simultaneously herewith, It is ordered:

(a) *Maximum hourly rates.* The maximum hourly rate for plumbing and heating services which suppliers may charge, and which customers in the course of trade or business may pay, shall be $1.75.

(b) *Geographic applicability.* This order shall apply to all sales of plumbing and heating services by sellers whose establishments are located in the city of St. Cloud, Minnesota, or within a radius of five miles of the limits thereof.

(c) Except as modified by this order, the provisions of Maximum Price Regulation No. 251 shall remain in full force and effect.

(d) This order may be revoked, amended or modified at any time.

(e) This order shall be effective April 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 25th day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–7117; Filed, May 17, 1944; 4:11 p. m.]

[Region VII Order G–4 Under MPR 154]

ICE IN SAN LUIS VALLEY, COLO.

Order No. G–4 Under Maximum Price Regulation No. 154. Ice. Specific maximum prices for natural ice sold from storage in the San Luis Valley of the State of Colorado.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1393.8 (e) of Maximum Price Regulation No. 154, and for the reasons stated in the accompanying opinion, this Order No. G–4 is issued.

(a) *What this order does.* This order adjusts on a local shortage basis the maximum prices for all sellers of ice for use in packing perishable commodities for shipment and for use in refrigerating shipments of perishable commodities, and for all f. o. b. platform or storage sales for whatever use, when the sale is made at any place within the Counties of Saguache, Rio Grande, Conejos, Costilla; and Alamosa, commonly known as the San Luis Valley, in the State of Colorado.

(b) *Specific maximum prices.* On and after the effective date of this Order No. G–4, the maximum prices for natural ice when sold in the San Luis Valley of the State of Colorado by one who has harvested and stored the same shall be as follows:

	Per ton
(1) Body Ice or Block Ice, f. o. b. seller's storage plant or f. o. b. car spotted at seller's storage plant	$3.00
(2) Bunker Ice, prepared and placed in bunkers of refrigerator cars spotted at the seller's storage plant	4.50
(3) Snow Ice, prepared and blown into refrigerator cars spotted at seller's storage plant	4.50

NOTE: If block ice or body ice is at the request of the purchaser sold on a delivered basis, the seller may add to his maximum f. o. b. price, the actual cost of transportation to the place of delivery, provided he separately states the amount of such transportation charge on his invoice.

(c) *Former discounts and differentials need not be maintained.* From and after the effective date of this order, it shall not be mandatory upon any seller in the San Luis Valley of the State of Colorado to grant, maintain, give, or allow discounts, differentials, or allowances which he may formerly have maintained or allowed; but any seller may, if he so desires, continue to allow such discounts, differentials, and allowances, and he may sell at a price lower than the maximum price established by this Order No. G–4.

(d) *Applicability of other regulations.* Except insofar as the same may be inconsistent with or contradictory of the provisions of this order, all of the terms and provisions of Maximum Price Regulation No. 154 shall remain in full force and effect and be applicable to all persons who sell natural ice from their storage plant.

(e) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers operating under this order. A seller's license may be suspended for violations of the license or of one or more applicable schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(f) *Definitions.* (1) "Block ice" or "body ice" means natural ice removed from storage in substantially the same original blocks in which it was cut and stored.

(2) "Bunker ice" means ice prepared from block natural ice for use in the bunkers of refrigerator cars.

(3) "Snow ice" means crushed or finely ground ice prepared from block natural ice and adaptable to being blown over and around the load of a perishable commodity or commodities as placed in a refrigerator car.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This order shall become effective on the 10th day of May 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 10th day of May 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44–7119; Filed, May 17, 1944; 4:11 p. m.]

[Region VIII Order G–1 Under RMPR 271]

POTATOES AND ONIONS IN COUNTIES IN WASHINGTON AND OREGON

Order No. G–1 under Revised Maximum Price Regulation No. 271, as amended. Potatoes and onions.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by section 11 (c) (7) of Revised Maximum Price Regulation No. 271, as amended, it is hereby ordered:

(a) *Sales between intermediate sellers.* The maximum prices for such sales of each grade of potatoes and onions shall be the "base price" as determined in section 11 (c) of Revised Maximum Price Regulation No. 271, as amended, plus 30¢ per cwt. (in the case of potatoes) and the "base price" plus 20¢ per 50 pounds (in the case of onions).

(b) *Definitions.* All terms used in this order shall have the same meaning as defined in Revised Maximum Price Regulation No. 271, as amended.

(c) This order shall apply to the Portland District of the Office of Price Administration including the following counties: All counties in the State of Oregon (except Malheur County), and Clark, Cowlitz, Klickitat, Skamania, and Wahkiakum Counties in the State of Washington.

(d) This order may be revoked, amended or corrected at any time.

This order shall become effective May 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 13th day of May 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-7118; Filed, May 17, 1944; 4:11 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 811-805]

FIDUCIARY FUND, INC.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania on the 16th day of May, A. D. 1944.

The Commission having reasonable cause to believe that Fiduciary Fund, Inc., a registered investment company, has been dissolved and its assets distributed to its stockholders;

It is ordered, Pursuant to section 40 (a) of the Investment Company Act of 1940, that a hearing be held on May 22, 1944, at 10:30 a. m., Eastern War Time, in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania, to determine whether the Commission shall declare by order, pursuant to section 8 (f) of said Act, that Fiduciary Fund, Inc. has ceased to be an investment company; and

It is further ordered, That Charles S. Lobingier, Esquire, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to Fiduciary Fund, Inc. and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-7107; Filed, May 17, 1944, 2:55 a. m.]

[File No. 1-2125]

WABASH RAILWAY CO.

NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of May, A. D. 1944.

In the matter of Wabash Railway Company, 5½% Refunding General Mortgage Sinking Fund Gold Bonds, Series A, due 1975; 5% Refunding General Mortgage Sinking Fund Gold Bonds, Series B, due 1976; 4½% Refunding General Mortgage Sinking Fund Gold Bonds, Series C, due 1978; 5% Refunding General Mortgage Sinking Fund Gold Bonds, Series D, due 1980; File No. 1-2125. Order setting hearing on application to strike from listing and registration.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the above-mentioned securities;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Monday, June 12, 1944, at the office of the Securities and Exchange Commission, 120 Broadway, New York, New York, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That William J. Cogan, or any other officer or officers of the Commission named by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, taking evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-7104; Filed, May 17, 1944; 2:55 a. m.]

[File No. 70-752]

ELECTRIC POWER & LIGHT CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 13th day of May, A. D. 1944.

Electric Power & Light Corporation ("Electric") having filed an amendment to its declaration herein, in which it proposes to use a portion of the approximately $10,280,000 proceeds of the sale by it of the common stock of the Idaho Power Company for the purchase of such of the 65,167 shares of the publicly held $6 Cumulative Preferred Stock of the Mississippi Power & Light Company as may be tendered to it for purchase at the price of $1.00 per share plus an amount equivalent to dividends at the rate of $6 per share per annum from the last date as of which dividends have been paid to the date of tender; and

A public hearing having been held on said amendment after appropriate notice, and the Commission having examined the record and made and filed its findings and opinion based thereon; and

The Commission specifically finding that the proposed use by Electric of a portion of the proceeds of the sale of the common stock of Idaho Power Company for the acquisition of part or all of the publicly-held $6 Cumulative Preferred Stock of the Mississippi Power & Light Company is necessary and appropriate to the integration or simplification of the holding company system of which Electric is a member, and necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, in accordance with the meaning and requirements of section 371 (b) of the Internal Revenue Code as amended.

It is ordered, That the said declaration be, and hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed by Rule U-24 and the additional conditions;

(1) That within four months from the date hereof Electric shall convert all of the preferred stock of Mississippi acquired by it into common stock of that company; and

(2) That a copy of the findings and opinion of this Commission made and filed herein be mailed to all stockholders of record together with the proposed letter of invitation to tender.

It is further ordered, That jurisdiction be, and hereby is, reserved to order such steps to be taken by Electric Power & Light Corporation or Mississippi Power & Light Company, or both, as may be necessary or appropriate under section 11 (b) (2) or other applicable provisions of the act.

It is further ordered, That the use by Electric of a portion of the proceeds of the sale of the common stock of Idaho Power Company for the acquisition of part or all of the publicly-held $6 Cumulative Preferred Stock of the Mississippi Power & Light Company is necessary and appropriate to the integration or simplification of the holding company system of which Electric is a member, and necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, in accordance with the meaning and requirements of section 371 (b) of the Internal Revenue Code as amended.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-7105; Filed, May 17, 1944; 2:55 p. m.]

[File No. 70-885]

NEW JERSEY POWER & LIGHT CO. AND NY PA NJ UTILITIES CO.

SUPPLEMENTAL ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of May 1944.

New Jersey Power & Light Company, a subsidiary of NY PA NJ Utilities Company, a registered holding company, having filed an application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 seeking an exemption from the provisions of section 6 (a) for the issuance and sale of $9,000,000 principal amount of First Mortgage Bonds, due March 1, 1974, and 30,000 shares of cumulative preferred stock, par value $100 per share, to be sold in accordance with Rule U-50 promulgated under the act;

The Commission having, by order dated May 6, 1944, granted such application, as amended, subject to the condition that the New Jersey Board of Public Utility Commissioners approve the amended mortgage indenture and the further provision that the applicant report the results of competitive bidding, as required by Rule U-50 (c), and comply with such supplemental order or orders as the Commission might enter herein; and

New Jersey Power & Light Company having filed with this Commission a copy of a supplemental certificate issued by the New Jersey Board of Public Utility Commissioners expressly approving the amended mortgage indenture, and having made a report to the Commission in the form of a further amendment to the application, setting forth the action taken to comply with Rule U-50 and specifying the proposals which have been received with respect to the purchase of said bonds and preferred stock pursuant to the invitation for competitive bids, and stating that New Jersey Power & Light Company has accepted a bid for said bonds and preferred stock from a group of underwriters headed by The First Boston Corporation, who are to purchase said bonds, which are to have a 3% per annum interest rate, at a price of 103.699, and said preferred stock, which is to have a dividend rate of 4% per annum, at a price of 100.279, and that said bonds are to be resold to the public at 104.625 and accrued interest, representing a spread to the underwriter of .926, and that said preferred stock is to be sold to the public at 101.5 and accrued dividends, representing a spread to the underwriter of 1.221.

The Commission having examined said amendment, and finding no basis for imposing terms and conditions with respect to the price to be paid to the company, the underwriter's spread and distribution thereof, the interest rate on the bonds, and the dividend rate on the preferred stock, and finding no basis for the imposition of additional terms and condiflons;

It is ordered, That said application, as amended, be and hereby is granted subject to condition No. 3 imposed in the Commission's order of May 6, 1944, namely: that jurisdiction be reserved with respect to all legal fees incurred, or to be incurred, in connection with the consummation of the various transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-7106; Filed, May 17, 1944; 2:55 p. m.]

[File Nos. 54-75, 70-726]

COMMONWEALTH AND SOUTHERN CORPORATION

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of May, A. D. 1944.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The Commonwealth & Southern Corporation ("Commonwealth"), a registered holding company.

Notice is further given that any interested person may, not later than June 3, 1944, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transaction therein proposed which is summarized below:

Commonwealth proposes, subject to the approval of the Commission, to pay a dividend of $1.25 per share, an aggregate of $1,852,500, on the outstanding shares of its preferred stock. The dividend was declared on May 16, 1944 and is payable on the 26th day after approval by this Commission, to stockholders of record at the close of business on the 14th day after such approval. The pending application is similar in substance to three applications approved by the Commission in 1943 and one application approved in 1944, covering proposed distributions to preferred stockholders (see Holding Company Act Release Nos. 4383, June 24, 1943; 4560, September 13, 1943; 4709, November 26, 1943; and 4933, March 8, 1944).

Applicant considers sections 11 and 12 (c) of the act and Rule U-46 as applicable to the proposed transaction.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-7155; Filed, May 18, 1944; 11:07 a. m.]

[File No. 70-895]

GRANVILLE ELECTRIC CO., AND NY PA NJ UTILITIES CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of May 1944.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Granville Electric Company and its parent, NY PA NJ Utilities Company, a registered holding company.

Notice is further given that any interested person may, not later than June 10, 1944, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such joint application-declaration, as filed or as amended, may be granted or become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) or U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said joint application-declaration which is on file in the office of said Commission for a statement of the transactions therein proposed which are summarized below:

Granville Electric Company, presently an inactive company, having recently divested itself of all physical properties to a nonaffiliate company for a cash payment of $24,500 base price, is now proposing to convey all of its assets consisting, as at April 30, 1944, of $30,392.96 in cash (after adjustment for taxes due) and 20 shares of common stock of Atlantic Utility Service Corporation, par value $1.00 per share, carried on the books of Granville Electric Company at $265, to its parent, NY PA NJ Utilities Company, in discharge of a presently outstanding open account indebtedness, as at April 30, 1944, of $36,456.87.

NY PA NJ Utilities Company, the owner of all of the common stock of Granville Electric Company (the only securities of that company outstanding), proposes to contribute all of the common stock of Granville Electric Company to Granville Electric Company, whereupon these shares are to be cancelled and Granville Electric Company is to be dissolved. NY PA NJ Utilities Company will assume a contingent liability of Granville Electric Company running to Atlantic Utility Service Corporation in the amount of $134.70, as at April 30, 1944.

The filing has designated sections 9, 10, and 12 of the act and Rule U-43 promulgated thereunder as being applicable to the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-7156; Filed, May 18, 1944; 11:07 a. m.]

[File No. 70-877]

WEST PENN POWER CO.

ORDER PERMITTIN.. DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia,

Pennsylvania, on the 16th day of May, A. D. 1944.

West Penn Power Company, a registered holding company and a subsidiary of American Water Works and Electric Company, Incorporated, a registered holding company, having filed a declaration and amendments thereto pursuant to sections 6 (a) (2) and 7 of the Public Utility Holding Company Act of 1935 regarding the reduction of the stated value of its no par value common stock from $31,750,000 to $21,750,000 (without reducing the number of such shares) for the purpose of creating capital surplus in the amount of $10,000,000 to be available for any write-downs of its utility plant resulting from orders by the Federal Power Commission and the Pennsylvania Public Utility Commission; and

Public hearings on said declaration, as amended, having been duly held; and the Commission having considered the record in the matter and having made and filed its findings and opinion herein;

It is ordered, That the said declaration, as amended, be, and the same hereby is, permitted to become effective subject to the conditions contained in Rule U-24 and to the following further condition:

West Penn Power Company shall not hereafter make any charges to capital surplus unless 30 days' prior notice of the making of such charges be given to this Commission. The Commission reserves jurisdiction on receipt of such notice, and as a part of the proceedings herein, after notice given within such 30-days an opportunity for hearing, to disapprove such charges on the basis of the record herein and any additional evidence that may be provided, and in the event that the Commission shall notify West Penn Power Company to show cause why such charges shall not be disapproved, the charges in question shall not be made until expressly authorized by order of this Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-7157; Filed, May 18, 1944; 11:07 a. m.]

[File No. 70-887]

WEST PENN POWER CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of May, A. D. 1944.

West Penn Power Company, a registered holding company and a subsidiary of American Water Works and Electric Company, Inc., a registered holding company, having filed a declaration and amendments thereto pursuant to section 7 of the Public Utility Holding Company Act of 1935 regarding the issue and sale of $12,500,000 principal amount of First Mortgage Bonds, Series I, 3%, due May 1, 1974, the sales price of such bonds to be fixed by competitive bidding pursuant to Rule U-50 of said act; and having requested that the ten-day period for inviting bids, as provided by Rule U-50, be shortened to a period of not less than six days; and

Public hearings on such matter having been held, after appropriate notice, the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That the said declaration, as amended, be, and the same is hereby, permitted to become effective, subject, however, to the terms and conditions prescribed in Rule U-24 and subject to the further condition that the proposed issue and sale of securities shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record as so completed, which order may contain further terms and conditions as may then be deemed appropriate, jurisdiction being reserved for the imposition thereof in connection with the proposed transactions.

It is further ordered, That the ten-day period for inviting bids, as provided by Rule U-50 (b), be shortened to a period of six days.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-7158; Filed, May 18, 1944; 11:07 a. m.]

WAR PRODUCTION BOARD.

FRED STRYS

CONSENT ORDER

Fred Strys, a building contractor, of Mountain View, New Jersey (P. O. R. F. D. #1, Little Falls, New Jersey) was charged by the War Production Board, on March 23, 1944, with having violated Conservation Order L-41 in three particulars, as follows:

1. Respondent engaged in construction for the Paterson Mortgage and Realty Company at Passaic, New Jersey, in converting a store and large dance hall into three (3) three-room apartments with bath at a total cost of $6,383.32. Construction started about May 14, 1942, and was fully completed without War Production Board authorization and in excess of the permitted amount for this type of construction to the extent of $5,883.32.

2. Respondent engaged in construction for Eric Stickling at 10 Edgemont Road, West Orange, New Jersey, of kitchen and other repairs at a total cost of $1,692.29. Construction started in May 1943, and was completed without War Production Board authorization and in excess of the permitted amount for this type of construction to the extent of $1,492.29.

3. Respondent engaged in construction for Henry Hoerrman at 720 Eagle Rock Avenue, West Orange, New Jersey, of a one-room addition and repairs at a total cost of $1,833.61. Construction started May 19, 1943, and was completed without War Production Board authorization and in excess of the permitted amount for this type of construction to the extent of $833.61.

The respondent had knowledge of the order involved, and the violations thereof must be deemed wilful.

Fred Strys admits the violations as charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of said Fred Strys, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Deliveries of material to Fred Strys, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to Fred Strys, his successors or assigns, of any material, the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) If through lack of knowledge or information, inadvertence, mistake or otherwise, such deliveries of material are attempted, or such allocation is made to the said Fred Strys, his successors and assigns, the said Fred Strys, his successors and assigns are hereby prohibited from accepting any materials thereunder, or from undertaking any building construction in which such materials are in any manner used.

(d) Nothing contained in this order shall be deemed to relieve the said Fred Strys, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on May 17, 1944, and shall expire on September 17, 1944.

Issued this 10th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7113; Filed, May 17, 1944; 3:54 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 101

Washington, Saturday, May 20, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 79-21, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN ST. JOSEPH COUNTY, IND., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79-21 (8 F.R. 13432, 9 F.R. 4319), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the St. Joseph County, Indiana, milk sales area, is hereby amended by deleting therefrom the numeral "20" in § 1401.48 (k) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79-21, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-21 shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 16th day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-7109; Filed, May 17, 1944; 3:06 p. m.]

[WFO 79-46, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN GRAND RAPIDS, MICH., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79-46 (8 F.R. 14067, 9 F.R. 4319), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Grand Rapids, Michigan, metropolitan milk sales area, is hereby amended by deleting therefrom the numeral "20" in § 1401.80 (1) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79-46, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-46 shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 16th day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-7108; Filed, May 17, 1944; 3:06 p. m.]

[WFO 79-87, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN KALAMAZOO, MICH., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79-87 (8 F.R. 14725, 9 F.R. 4319), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Kalamazoo, Michigan, milk sales area, is hereby amended by deleting therefrom the numeral "20" in § 1401.120 (1) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

	Page
DEFENSE SUPPLIES CORPORATION:	
Petroleum, mid-continent crude; compensatory adjustment	5380
FOREIGN ECONOMIC ADMINISTRATION:	
Export control amendments:	
Blanket license for designated commodities	5368
General license numbers; selected destinations clearance procedure	5368
Iceland, cancellation of certain licenses	5370
Lard, prohibition of export to certain countries (2 documents)	5370
Ship and plane stores, supplies and equipment	5368
IMMIGRATION AND NATURALIZATION SERVICE:	
Warren County, N. Y., transfer from District 3 to District 1	5367
INTERNAL REVENUE BUREAU:	
Excise taxes; bottling of distilled spirits in bond, capacity of cases	5367
OFFICE OF DEFENSE TRANSPORTATION:	
Common carriers, coordinated operations:	
California	5393
Hugo and Broken Bow, Okla.	5393
Kansas City, Mo., and Wichita, Kans.	5394
Rhode Island and Massachusetts	5394
OFFICE OF PRICE ADMINISTRATION:	
Adjustments, etc.:	
Basiorka, Frank A., et al	5385
Black-Jack Coal Co., et al	5387
Conklin Pen Co	5389
Harrington and Richardson Arms Co	5390
Hindman and Faust Coal Co	5387
Landen Putty Works	5388
National Wood Products Co	5388
Plasto Mfg. Co	5390
Rend-Mar Coal Co	5387
Wisconsin Aluminum Foundry Co., Inc	5389
Bedding and furniture, manufacturers' maximum prices (MPR 188, Am. 35)	5375

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued. Page
Bituminous coal delivered from mine or preparation plant (MPR 120, Am. 98) 5375
Boots and work shoes, men's rubber (RO 6A, Am. 10) 5379
Commodities and services, miscellaneous, exemption from price control (Supp. Order 45, Am. 7) 5374
Concrete, ready-mixed, concrete and precast stone products (MPR 188, Order A–1, Am. 36) 5384
Copper scrap (RMPR 20, Am. 2) 5374
Foods, rationed, used in products acquired by designated agencies, replacement (Gen. RO 11, Am. 15) 5374
Industrial materials, special sales (RMPR 204, Am. 2) 5376
Potatoes and onions (RMPR 271, Am. 15) 5379
Radio receivers and phonographs (RPS 83, Am. 4) 5375

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued. Page
Regional and district office orders:
Fruits and vegetables, fresh, Colorado and Wyoming 5391
Solid fuels, Baltimore, Md. 5390
Veneer, southern rotary cut box grade (MPR 176, incl. Am. 1–9) 5376
Virgin Islands; food rationing (RO 10, Am. 21) 5380
RETRAINING AND REEMPLOYMENT ADMINISTRATION:
Veterans' information service centers, organization and operation 5391
RURAL ELECTRIFICATION ADMINISTRATION:
Allocation of funds for loans (2 documents) 5383
SECURITIES AND EXCHANGE COMMISSION:
Hearings, etc.:
American Utilities Service Corp., et al 5392
Associated Electric Co. 5393
Milwaukee Electric Railway and Transport Co. and Wisconsin Electric Power Co. 5392
New River Co. 5392
Philadelphia Stock Exchange 5393
SOLID FUELS ADMINISTRATION FOR WAR:
Consumer declaration with respect to certain solid fuels 5367
TREASURY DEPARTMENT. *See also* Internal Revenue Bureau.
Wireless, wire, and transportation services, exemption from certain taxes (Corr.) 5383
WAR FOOD ADMINISTRATION:
Fluid milk and cream:
Battle Creek, Mich. 5366
Grand Rapids, Mich. 5365
Kalamazoo, Mich. 5365
Muskegon, Mich. 5366
St. Joseph County, Ind. 5365
WAR PRODUCTION BOARD:
Paper and paperboard, conservation (M–241–a) 5371
Ship repair and conversion, allotment procedure (CMP Reg. 1, Dir. 41) 5371
Suspension order; Remington Rand, Inc. 5370

violations of said War Food Order No. 79–87, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–87 shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 16th day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–7110; Filed, May 17, 1944; 3:06 p. m.]

[WFO 79–111, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN MUSKEGON, MICH., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79–111 (9 F.R. 145, 9 F.R. 4319), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Muskegon, Michigan milk sales area, is hereby amended by deleting therefrom the numeral "20" in § 1401.140 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–111, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–111 shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 16th day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–7111; Filed, May 17, 1944; 3:06 p. m.]

[WFO 79–112, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN BATTLE CREEK, MICH., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79–112 (9 F.R. 147, 9 F.R. 4319), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Battle Creek, Michigan milk sales area, is hereby amended by deleting therefrom the numeral "20" in § 1401.139 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–112, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–112 shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 16th day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–7112; Filed, May 17, 1944; 3:06 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 60—FIELD SERVICE DISTRICTS AND OFFICERS

TRANSFER OF WARREN COUNTY, N. Y., FROM DISTRICT 3 TO DISTRICT 1

MAY 4, 1944.

Section 60.1,[1] Chapter I, Title 8, Code of Federal Regulations is amended by changing the description of District No. 1 and District No. 3 to read as follows:

§ 60.1 *Field districts.* • • •

1. St. Albans, Vermont. Includes the State of Vermont; that part of the State of Maine lying north and east of the counties of York, Cumberland, Androscoggin, Kennebec, Lincoln, and Knox; the counties of Grafton and Coos in the State of New Hampshire; and that part of the State of New York lying north of the counties of Oswego, Oneida, Herkimer, Fulton, Saratoga, and Washington; also jurisdiction over the United States immigration stations located at Halifax, Nova Scotia, and Montreal and Quebec, Province of Quebec, Canada.

• • • •

3. New York, New York. Includes that part of the State of New York lying south of the counties of Essex, Warren, Hamilton, and St. Lawrence, and east of the counties of Lewis, Oneida, Madison, Chenango, and Broome; and that part of the State of New Jersey lying north of the counties of Ocean, Burlington, and Mercer.

EARL G. HARRISON,
Commissioner of Immigration and Naturalization.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 44–7187; Filed, May 18, 1944; 3:12 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter C—Miscellaneous Excise Taxes

[T. D. 5372]

PART 188—BOTTLING OF DISTILLED SPIRITS (OTHER THAN ALCOHOL) IN BOND

CAPACITY OF CASES

Pursuant to the provisions of section 2905, Internal Revenue Code, § 188.77 of Regulations 6 is amended to read as follows:

§ 188.77 *Capacity of cases.* Spirits bottled-in-bond for domestic use shall be packed in cases containing 3 gallons of spirits each and 4 gallons as follows: 12 bottles containing 1 quart each; 16 bottles containing 1 quart each; 24 bottles containing 1 pint each; 48 bottles containing ½ pint each; 192 bottles containing ⅛ pint each; 240 bottles containing 1/10 pint each; and 384 bottles containing 1/16 pint of brandy each. Bottles of ⅘ quart shall be packed in cases containing 2.4 gallons (12 bottles), 3 gallons (15 bottles), and 3.2 gallons (16 bottles). Spirits bottled-in-bond for export shall be packed in cases to contain not less than 2.0 wine gallons nor more than 5.0 wine gallons each. (Sec. 2905, I.R.C.)

JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

MAY 18, 1944.

Approved:

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44–7209; Filed, May 19, 1944; 10:41 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

PART 602—GENERAL ORDERS AND DIRECTIVES

[Reg. 17, Amdt. 1]

CONSUMER DECLARATION WITH RESPECT TO CERTAIN SOLID FUELS

Since the issuance of SFAW Regulation No. 17 (9 F.R. 3193), it has become necessary to except reclaimed beehive and run-of-oven beehive coke from the provisions of the regulation applicable to eastern coke; to place additional restrictions upon the use of anthracite or eastern coke for industrial purposes and to clarify other provisions of the regulation. Accordingly, SFAW Regulation No. 17 is hereby amended in the following respects:

1. Paragraphs (c), (i) and (j) (1) of § 602.301 are amended and a new paragraph (o) is added as follows:

(c) "Eastern coke" means all coke except reclaimed beehive and run-of-oven beehive coke delivered by retail dealers to consumers in the District of Columbia and the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, and that portion of Pennsylvania which is east of a straight line drawn from the southern to the northern boundary of Pennsylvania through the western boundary of Gettysburg, in Adams County, and Lock Haven, in Clinton County.

• • • • •

(i) "Industrial process or the production of power" includes without limitation any manufacturing or commercial processing, the generation of electrical energy for resale or otherwise, the ordinary operations of a commercial bakery or laundry. Industrial process or the production of power does not include the ordinary operations of the following, among others: apartment houses, hotels (exclusive of functions as restaurant), schools and office buildings.

(j) (1) the number of tons of solid fuels burned at the premises of a consumer during the period April 1, 1942 to March 31, 1943, inclusive. In the event solid fuels were not burned as the principal fuel in such premises during such period, the number of tons of solid fuels which were burned in other premises similar thereto in the same locality during the same period; or

• • • • •

(o) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or organized group of persons.

2. Section 602.302 (c) is amended to read as follows:

(c) A retail dealer may deliver and a consumer may receive anthracite or eastern coke without the filing of the Consumer Declaration if the consumer receives, and has customarily received, anthracite or eastern coke in less than a ¼-ton lot, exclusively in bags containing one hundred pounds or less of such solid fuels.

3. Paragraphs (a), (c) and (e) of § 602.304 are amended and a new paragraph (f) is added to said section as follows:

(a) Subject to the provisions of paragraphs (d) and (e) of this section, during the period April 1, 1944 to October 1, 1944, inclusive, no retail dealer may deliver, and no consumer may receive from all sources combined, anthracite or eastern coke or both, in an amount which when added to (1) the consumer's inventory of anthracite and eastern coke as of April 1, 1944, and (2) the tonnage of anthracite and eastern coke received by the consumer after April 1, 1944, exceeds 50 per cent of the consumer's annual requirements for solid fuels. The provisions of this paragraph shall not apply to a consumer who certifies on the Consumer Declaration that his entire annual requirements of solid fuels for the premises covered by said Consumer Declaration will be consumed during the period May 1 to October 1, 1944, or to a consumer whose annual requirements amount to only one railroad car and who customarily receives anthracite or eastern coke in a railroad carlot.

• • • • •

(c) If a consumer uses any other solid fuel in conjunction with or in addition to anthracite or eastern coke, a retail dealer may, subject to other applicable regulations, deliver to the consumer and the consumer may receive during the period April 1, 1944 to March 31, 1945, inclusive, up to but not more than 100 percent of the consumer's annual solid fuels requirements, after deducting the consumer's inventory as of April 1, 1944; *Provided, however,* That the deliveries and receipts of anthracite or eastern coke, or both, do not exceed the limitations upon deliveries and receipts of anthracite or eastern coke, or both, as set forth in paragraphs (a) and (b) of this section; *And provided further,* That deliveries of the "Scarcer kinds of solid fuels" shall not exceed the limitations placed upon deliveries of such fuels by SFAW Regulation No. 21, as amended from time to time.

• • • • •

(e) In the practical application of paragraphs (a) and (b) of this section, a retail dealer may deliver to a consumer whose annual requirements are five tons or less, and such consumer may receive, one load or three tons, whichever is less, of anthracite or eastern coke, if it

[1] 8 F.R. 12505, 15553.

is necessary to do so in order to assure maximum effective utilization of transportation facilities available to the retail dealer: *Provided, however*, That the tonnage so delivered shall not, when added to (1) the consumer's inventory of solid fuels as of April 1, 1944, and (2) the tonnage of solid fuels received by the consumer after April 1, 1944, exceed the consumer's annual requirements for solid fuels.

(f) No retail dealer may deliver and no consumer may accept the delivery of anthracite where the following two circumstances co-exist: (1) The consumer has burning equipment which reasonably permits the use of high volatile bituminous coal and (2) the consumer uses anthracite in any part of the United States except the District of Columbia, the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland or Virginia.

4. A new paragraph is added to § 602.305 to read as follows:

(d) In the event that a retail dealer is unable to supply or arrange for another retail dealer to supply solid fuels pursuant to the provisions of paragraphs (b) and (c) of this section, to a consumer who has filed a Consumer Declaration with him, such retail dealer shall communicate immediately with the nearest representative or committee designated in § 602.308 of this regulation and such person or committee shall arrange with another retail dealer for the delivery of solid fuel to such consumer.

5. Section 602.306 is amended to read as follows:

§ 602.306 *General restrictions upon retail dealer deliveries of anthracite for industrial use or production of power.* During the period April 1, 1944 to March 31, 1945, inclusive, no retail dealer may deliver to any person and no person may acquire, from all sources combined, anthracite for use in an industrial process or for the production of power or for space heating which is incidental thereto in an amount which when added to the anthracite in the possession of or under the control of such person exceeds the consumption requirements of such person for such purpose for a period of 90 days from the date of such delivery.

6. Section 602.307 is amended to read as follows:

§ 602.307 *Limitations upon applicability of this regulation.* Except for the provisions of §§ 602.306, 602.309, 602.310, 602.311, 602.312, 603.314 and 602.315, this regulation does not apply to deliveries of anthracite, eastern coke or other solid fuels when used in conjunction with or in addition to anthracite or eastern coke, or to the acquisition of such solid fuels by:

(a) The United States Army, Navy, Marine Corps, Coast Guard, the Maritime Commission or the War Shipping Administration;

(b) Any governmental agency or other person that acquires such solid fuels for export to and use in any foreign country;

(c) Commercial fishing vessels or water-borne vessels engaged in the commercial transportation of cargo or passengers;

(d) Operators of poultry brooders or hatcheries;

(e) Consumers on local sales in the producing regions;

(f) Mine employees;

(g) Any person to the extent that he acquires such solid fuels for use in an industrial process or for the production of power or for space heating which is incidental thereto; or

(h) Any person to the extent that he acquires such solid fuels for use in the ordinary operations of a hospital or for the cooking or the heating of water necessary to the ordinary operation of a commercial restaurant. Anthracite, for uses specified in paragraph (h) of § 602.307, shall be supplied by the retail dealer from the available tonnage shipped to the retail dealer pursuant to SFAW Regulation No. 18.

This amendment shall become effective 12:01 a. m., June 1, 1944.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; WPB Directive No. 33, 9 F.R. 64; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 18th day of May 1944.

ABE FORTAS,
Acting Solid Fuels Administrator for War.

[F. R. Doc. 44-7210; Filed, May 19, 1944; 11:23 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 172]

PART 802—GENERAL LICENSES

PART 805—SELECTED DESTINATIONS CLEARANCE PROCEDURE

GENERAL LICENSE NUMBERS; SELECTED DESTINATIONS

Paragraph (a) of § 802.2 *General license numbers* is hereby amended in the following particulars:

(1) The general license number "54" assigned to "New Hebrides (Oceania, British)" is hereby deleted and in lieu thereof there is hereby assigned the number "122".

(2) "Western Samoa (mandated territory)" is hereby deleted from the country description "New Zealand (including Cook Islands and Western Samoa) (mandated territory)-48" and is hereby assigned general license number "123".

(3) "Vatican City" is hereby added to the destinations listed therein and assigned the general license number "124".

Section 805.2 *Selected destinations* is hereby amended by adding "Vatican City ------ G-124" to the designated selected destinations listed therein.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16238; Delegation of Authority No. 21, 8 F. R. 16320)

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

MAY 12, 1944.

[F. R. Doc. 44-7213; Filed, May 19, 1944; 11:29 a. m.]

[Amdt. 173]

PART 802—GENERAL LICENSES

SHIP AND PLANE STORES, SUPPLIES, AND EQUIPMENT

Subdivision (iii) of subparagraph (2) of paragraph (a) of § 802.3 *Ship and plane stores, supplies and equipment* is hereby amended by inserting a colon in lieu of the period at the end of said clause and by adding thereto the following proviso:

Provided, That no new marine diesel engine (Schedule B, Nos. 7145.00 and 7146.00) the installation of which is to take place at dockside, may be exported under this general license on any vessel of the registry of a country designated in subdivision (iv) of subparagraph (1) of this paragraph.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

MAY 18, 1944.

[F. R. Doc. 44-7214; Filed, May 19, 1944; 11:29 a. m.]

[Amdt. 174]

PART 811—BLANKET LICENSE "BLT"

ADDITION OF MISCELLANEOUS COMMODITIES

Paragraph (f) of § 811.2 *General provisions* is hereby amended by adding to the commodities listed therein the following commodities:

Commodity and Schedule B Number	
Brass and bronze:	
Hinges and butts	6465.00
Plumbers brass goods	6456.00
Hardware, other n. e. s.	6469.00
Builders' hardware, n. e. s.	6469.00
Casket, furniture, ladder, locker luggage, refrigerator, mail boxes, screw eyes and other bright wire goods, hardware, n. e. s.	6469.00
Lubricator parts, including oil cups	6479.98
Marine hardware and fittings	6479.98
Welding rods	6457.00
Windows and parts	6479.98
Clay and clay products:	
Closet bowls and water closet sets (include tanks)	5332.00
Lavatories, sinks, etc. (include urinals and bidets)	5333.00
Sanitary fixtures and fittings, and parts n. e. s.	5334.00

Commodity and Schedule B Number—Con.	
Copper:	
Bolts, nuts, pins, rivets, screws, washers	6439.98
Electrical machinery and apparatus:	
Batteries, 6 and 12 volts storage batteries	7018.00
Bells, bussers, annunciators, etc. (exclude air-raid, fire and protective alarm systems)	7069.00
Conduits, electric, rigid metal of iron or steel (report fittings in 7094.90)	7094.15
Conduits, other, outlet and switch boxes, metal (include fittings for all types of metal conduit)	7094.90
Conduit, electric, rigid metal, other	7094.18
Cutouts and switches under 2,300 volts	7083.00
Infra red heating and drying equipment; not physiotherapy	7074.90
Lamps, fluorescent tube	7065.01
Lamps, incandescent, large filament, medium screw, mogul bipost bayonet and other large base lamps (include heat and photofood lamps)	7064.55
Lamps, incandescent, small filament, miniature and candelabra, base (include flashlight, switchboard automobile; sealed beam and other lens lamps; Christmas tree, radio panel and other small base lamps)	7063.05
Lamps, other vapor and nonfilament, new (include mercury, sodium germicidal, photoflash and neon glow lamps)	7065.55
Lighting fixtures and parts, electric, exterior	7097.00
Lighting fixtures and parts, electric, interior, fluorescent	7096.01
Lighting fixtures and parts, electric, interior, all types except fluorescent	7096.98
Microphones and parts containing mica	7076.05
Microphones and parts not containing mica	7076.98
Microphones for aircraft radio	7948.08
Sockets, radio tube, for receiving sets	7079.98
Sockets, radio tube, for transmitting sets	7076.98
Sockets, outlets, fuse blocks, lighting switches and parts	7095.00
Speakers	7080.00
Starting, lighting and ignition equipment, automotive	7092.00
Transformers, Specialty	7096.01
Vibrators, electronic	7079.98
Wiring supplies and line materials, other	7096.00
Fruits, canned:	
Grapefruit	1332.00
Loganberries	1333.00
Other canned berries	1334.00
Apples and apple sauce	1335.00
Grapes	1336.00
Apricots	1340.00
Cherries	1341.00
Prunes and plums	1342.00
Peaches	1343.00
Pears	1344.00
Pineapples	1345.00
Fruits for salad (Include fruit cocktail)	1346.00
Other canned fruits	1347.00
Fruits—dried and evaporated:	
Raisins and currants	1324.00
Prunes	1326.00
Fruit juices:	
Pineapple	1772.00
Grapefruit	1775.00
Orange	1776.00
Other (Include grape juice, cider, citrus fruit juices, n. e. s., and mixed fruit juices)	1779.00

Commodity and Schedule B Number—Con.	
Iron and steel manufactures, cutlery:	
Machine knives, other, not for metal-working	6118.98
Iron and steel manufactures—hardware:	
Builders hardware, other	6183.00
Cabinet and other locks of iron and steel	6181.00
Car and marine hardware	6186.00
Door locks and lock sets of iron and steel	6180.00
Furniture casters	6184.50
Furniture hardware, other	6184.90
Hinges and butts, iron or steel	6182.00
Hardware, other	6188.00
Padlocks of iron or steel	6179.00
Iron and steel manufactures—tools:	
Hand-operated screw plates, bolt dies, taps, tap wrenches	6168.98
Hand-operated pipe stocks and dies, die stocks, dies, bushings	6169.98
Pipe stocks and dies for power-driven metal working machines	6169.43
Pliers, pincers, nippers, and splicing clamps, other mechanics hand service	6173.00
Slip joint pliers, mechanics hand service	6172.00
Wrenches and parts, other	6165.00
Iron and steel manufactures—wire:	
Screen cloth, woven wire, insect	6086.10
Welding rods, electric	6088.00
Welding rods, non-electric	6091.03
Iron and steel manufactures—miscellaneous:	
Casket hardware, hose couplings (not fire) porch gates, furniture handles, etc	6209.98
Iron and steel manufacturers—stoves:	
Other domestic cooking or heating equipment and parts	6152.88
Iron and steel manufactures—structural products:	
Hardware cloth	6086.90
Metal lath (expanded metal)	6048.00
Building mesh (not reinforcing) wire guards, iron and steel wire screens (not industrial)	6091.98
Sash and frames of iron and steel	6049.00
Machinery — agricultural implements:	
Cultivators, hand	7839.00
Fluid milk shipping containers, farm use	7802.00
Machinery—construction and conveying:	
Columns, rock drilling	7231.05
Construction equipment repair parts—blades; bit; earth and rock drilling, grader and snow plow	7228.00
Points, chisel, for paving breakers	7228.00
Stopers	7231.05
Track laying tractor repair parts	7889.01
Machinery—industrial:	
Lubricating equipment, industrial	7750.98
Machinery—metal working:	
Parts of portable tools, power driven	7099.94
Tools, portable, power driven	7056.05
Pneumatic portable tools	7457.00
Other portable and hand or foot operated metal-working machines and parts	7458.98
Machinery—power generating:	
Safety valves	7139.98
Machinery — vehicles — automotive parts and accessories:	
Starting, lighting and ignition equipment (automotive)	7092.00
Automobile accessories, other (include axle shafts, pistons, piston rings, valves, gears, automotive and truck springs)	7927.00
Automobile parts for replacements, n. e. s. (include axle shafts, pistons, piston rings, valuves, gears, automobile and truck springs)	7923.05

Commodity and Schedule B Number—Con.	
Machinery — vehicles — automotive parts and accessories—Con.	
Horns, hand and electric	7926.00
Spark plugs	7921.00
Lubricating equipment and parts	7931.80
Paper, related products and manufactures:	
Blotting paper	4741.00
Book paper, not coated	4714.00
Cash register and adding machine paper	4797.00
Cellophane (exclude other greaseproof and waterproof paper)	4721.00
Cover paper	4720.00
Envelopes	4793.00
Filing folders, index cards, and other office forms plain or printed, etc	4750.00
Other paper and paper products (exclude paper cups)	4799.00
Other surface coated paper	4725.98
Paper bags; other	4778.00
Paper hangings (wall paper)	4775.00
Paper towels and napkins	4729.00
Papeteries (fancy writing paper)	4760.00
Sheathing and building paper	4735.00
Toilet paper	4728.00
Writing paper	4761.00
Rubber and manufactures:	
Automobile cloth, rubberized (include rubber-coated and rubber-combined cloth)	2016.00
Balloons, rubber, (include pilot or airplane balloons, toy balloons, and balloon novelties)	2045.00
Bands	2048.00
Belting, rubber and balata, other	2086.00
Bathing caps	2047.00
Boots	2031.00
Canvas shoes with rubber soles	2034.00
Cements	2014.00
Clothing of rubber or of rubberized cloth (include rubber aprons, baby pants, bibs, bathing suits, capes, raincoats, etc.)	2043.00
Combs, finished	2058.00
Druggists' rubber sundries (except surgeons' and household gloves) (Specify by name) (include rubber sponges)	2042.00
Electrical battery boxes (include composition and part rubber)	2053.00
Electrical hard rubber goods, other (include parts of battery boxes)	2054.00
Erasers (specify type)	2049.00
Fan belts for automobiles	2085.00
Gloves and mittens	2039.00
Gutta-percha manufactures (include gutta-percha compounds)	2096.00
Hard rubber goods, other (except electrical) (specify by name)	2059.00
Heels	2037.00
Hose, garden	2087.00
Hose and tubing, other (specify type)	2088.00
Latex or other forms of rubber-compounded or processed for use in further manufacture (include rubber sheets, compounded, or processed, and masterbatch)	2098.00
Mats, matting, flooring, and tiling	2094.00
Packing	2093.00
Piece goods and hospital sheeting, rubberized, other (include raincoat, apron, crib, piano and organ bellows, backing, adhesive, and typewriter covers) (specify type)	2017.00
Shoes	2032.00
Soles	2036.00
Soling and toplift sheets	2038.00
Tape, rubber and friction, except medicated	2084.00
Thread, bare (uncovered)	2095.10
Thread, textile covered	2095.20
Tire sundries and repair materials, other than camelback	2069.98

Commodity and Schedule B Number—Con.	
Rubber and manufactures—Con.	
Toys and balls, rubber (Report rubber dolls in 1400.00, golf balls in 9433.00 and tennis balls in 9434.00)	2046.00
Water bottles and fountain syringes	2040.00
Rubber manufacturer, other (specify by name) (include pencil plugs)	2099.90
Valves:	
Nickel valves 4" or larger, piping system	6549.07
Nickel valves less than 4", piping system	6549.98
Vegetables and preparations:	
Asparagus	1241.00
Baked beans, and pork and beans	1242.00
Beans, dry ripe	1201.00
Corn	1243.00
Peas	1244.00
Peas, dry, ripe	1202.10
Soups (include vegetable, meat, and fish soups)	1245.00
Tomatoes	1246.00
Tomato paste and puree (include tomato sauce for cooking purposes)	1247.00
Tomato juice	1248.00
Other canned vegetables and juices (include canned pimentos and sauerkraut, and canned string beans and lima beans)	1249.00
Pickles	1250.00
Ketchup, chili sauce, and other tomato table sauces	1251.00
Olives (include green, ripe, stuffed or pickled olives in bottles, cans, kegs, or barrels)	1252.95
Vinegar	1253.00
Wood manufactures:	
Hoe, fork, shovel and other long handles (exclude mop and broom handles)	4286.00
Scythe snaths	4285.00
Striking tool handles (include hammer, hatchet, adz, axe, sledge, mattock and pick handles)	4288.00

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

MAY 16, 1944.

[F. R. Doc. 44-7215; Filed, May 19, 1944; 11:29 a. m.]

[Amdt. 175]

PART 801—GENERAL REGULATIONS

PART 802—GENERAL LICENSES

CANCELLATION OF CERTAIN GENERAL LICENSES FOR ICELAND

Section 801.2 *Prohibited exportations* is hereby amended by deleting in the column headed "General License Group" the number "62" at every place where said number appears in said column, and inserting in lieu thereof the word "none".

Section 802.10 *General licenses which permit shipments not exceeding a specified value* is hereby amended by deleting paragraph (c) thereof and by designating paragraphs (d), (e), and (f) as paragraphs (c), (d), and (e) respectively.

Section 802.14 *Metal drums and containers* is hereby amended by deleting paragraph (b) thereof and by designating paragraph (c) as paragraph (b).

Shipments of all commodities which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment, may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may be exported under the previous general license provisions.

This amendment shall become effective June 5, 1944.

(Sec. 6 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

MAY 17, 1944.

[F. R. Doc. 44-7216; Filed, May 19, 1944; 11:30 a. m.]

[Amdt. 176]

EXPORTATIONS OF LARD TO K AND V COUNTRIES

ORDER REVOKING CERTAIN LICENSES

It is hereby ordered, That all outstanding individual export licenses and release certificates issued by or under the authority of the Foreign Economic Administration authorizing the exportation of lard (Schedule No. 0053.00) to any of the designations designated in country groups K and V, as set forth in paragraph (a) of § 802.3 of this subchapter, be and the same are hereby revoked effective June 1, 1944.

It is further ordered, That any person holding such licenses or release certificates revoked by this order shall return the same to the Foreign Economic Administration.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

MAY 19, 1944.

[F. R. Doc. 44-7217, Filed, May 19, 1944; 11:30 a. m.]

[Amdt. 177]

PART 801—GENERAL REGULATIONS

LARD

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the column headed "General License Group" the group and country designations assigned to the commodity listed below, at every place where said commodity appears in said section, is hereby amended to read as follows:

Commodity and Department of Commerce Number	*General license group*
Lard, including neutral lard and pork fat, 0063.00	K and V

This amendment shall be effective May 15, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

MAY 19, 1944.

[F. R. Doc. 44-7218; Filed, May 19, 1944; 11:30 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-553]

REMINGTON RAND, INC.

Remington Rand, Inc., in its General Shaver Division, located at Bridgeport, Connecticut, is in the business of manufacturing electric dry shavers. In April and May, 1942, it produced electric dry shavers having an approximate factory sales value of $286,697.49 in excess of its maximum permitted production for that period, in violation of Limitation Order L-65. In the period from June 1 through July 17, 1942, it produced electric dry shavers having an approximate factory sales value of $286,355.72 in excess of its maximum permitted production for the period, in violation of Order L-65. After June 7, 1943, it produced a substantial number of new electric dry shavers, in violation of the order. In the period from June 17, 1943, to December 1, 1943, it produced approximately 68,000 heads for electric dry shavers other than for repair or replacement parts, in violation of the order, and from August through November, 1943, its production resulted in an inventory averaging approximately 90,000 each month in excess of the amount permitted by the order. The company was familiar with the order, and the violations were wilful.

These violations of Order L-65 have diverted critical material to uses not authorized by the War Production Board, and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.553 *Suspension Order No. S-553.* (a) Remington Rand, Inc., its successors and assigns, shall not, unless hereafter specifically authorized in writing by the War Production Board, produce any heads, motors or cases (for electric dry shavers), or assemble them into new electric dry shavers or rebuilt electric dry shavers (other than in repair or exchange service for individual consumers) so long as the number of such heads (including oversized heads), motors and cases, respectively, in its inventory exceeds the number of heads, motors, and cases which it sold during the preceding four calendar months, at the expiration of which time it may produce such heads, motors or cases and assemble the same only upon application to the War Production Board and allowance of such application.

(b) Nothing contained in this order shall be deemed to relieve Remington Rand, Inc., its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on May 18, 1944.

Issued this 16th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7193; Filed, May 18, 1944; 4:36 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 41, as Amended May 19, 1944]

ALLOTMENT PROCEDURE FOR SHIP REPAIR AND CONVERSION

Direction 41 to CMP Regulation No. 1 is amended to read as follows:

(a) *What this direction does.* This direction explains the procedure for obtaining allotments and a preference rating for ship repair and conversion in private repair yards, dockside repair, and Army and Navy repair yards and other Naval repair establishments. This direction applies to the repair and conversion of all types of vessels and applies regardless of whether the repair is capitalized or not. The direction does not cover facilities or equipment which are a part of the yard where the repairs and conversion are made, as distinct from products and materials which will be incorporated in the ship. Manufacturers of Class B products other than those included in the Bureau of Ships Special Navy Product List are not affected by this direction.

(b) *Private repair yards.* Private repair yards will apply to the Coordinator of Ship Repair and Conversion for allotments they require for controlled materials and Class A products they will use in ship repair and conversion of all vessels in their yard or at dockside. There are four exceptions explained in paragraph (e). Manufacturers of Class A products sold to private repair yards for ship repair and conversion will obtain allotments from the ship repair yard, except as explained in paragraph (e) below.

(c) *Dockside repair (by ship's crew or operators).* Controlled materials and A and B products required for repair of ships at dockside by ship's crew or operators will be obtained by the use of the MRO symbol and rating by the ship operator under CMP Regulation No. 5 and Direction 6 to that regulation. This does not apply to private yards doing repair or conversion at dockside as this procedure is explained in paragraph (b). Allotments required for Class A products for ship repair at dockside will be obtained by the manufacturer of the Class A product from the War Production Board by filing form CMP-4B, as explained in paragraph (k-1) of CMP Regulation No. 1.

(d) *Army and Navy repair yards.* Army and Navy repair yards and all other Naval establishments will allot for all Class A products which they require for ship repair and conversion, except for the special cases explained in paragraph (e) below.

(e) *Exceptions.* There are four exceptions to the rules stated in paragraphs (b) and (d) where a manufacturer of a Class A product will not obtain an allotment for it from a repair yard:

(1) *Bureau of Ships Special Navy Products.* In all cases where a manufacturer of a Bureau of Ships Special Navy Product is making that product for ship repair or conversion he will obtain the allotment he requires by filing form CMP-4A with the Bureau of Ships, Navy Department, Washington, D. C.

(2) *Sales through distributors.* Where a Class A product for use in ship repair or conversion is sold through a distributor, the manufacturer will obtain his allotment from the War Production Board as explained in paragraph (k-1) (1) of CMP Regulation No. 1.

(3) *Standard MRO parts.* Where a manufacturer makes a Class A product which is sold for maintenance and repair for a number of other uses than ship repair and conversion, and for which he normally filed Form CMP-4B with the War Production Board as provided by paragraph (k-1) (2) of CMP Regulation No. 1, he must include his requirements for Class A products sold for ship repair in the CMP-4B application filed with the War Production Board, instead of getting an allotment from the ship repair yard.

(4) *Repair shops.* A repairman may get materials in one of two alternate ways, but he may not use both.

(i) He may file a Form CMP-4B for an allotment for all his repair work with the War Production Board, or,

(ii) He may get allotments from repair yards under this direction for the work he does for them, get material for repair for other customers by using their allotment symbol and rating under paragraph (g-1) of CMP Regulation No. 5, and also get material under CMP Regulation No. 9A. If a repairman has already gotten an allotment by filing Form CMP-4B, and wishes to get materials by the second way, he may return his allotment to the War Production Board.

(f) *Conversion.* As used in this direction, the word conversion refers to such work only when performed in a ship repair yard. Any conversion in other private yards will be handled as new construction.

(g) *Information about Bureau of Ships' Special Products list.* Information concerning the classification of specific products as Bureau of Ships' Special Navy Products may be obtained from the Bureau of Ships (CMP), Washington, D. C.

(h) *Addresses.* Applications filed with the Navy under this direction should be addressed to the Bureau of Ships (CMP) Navy Department, Washington, D. C. or, in the case of U. S. Coast Guard contracts, to Headquarters, U. S. Coast Guard, Washington, D. C.; those filed with the Navy or Army Repair Yard should be addressed to the Navy or Army Yard involved; those filed with the War Production Board should be addressed to the War Production Board, Washington 25, D. C., or to a local Field Office of the War Production Board, if the person has been notified to do so; those filed with the Coordinator should be addressed to the Coordinator of Ship Repair and Conversion. Private repair yards in the Great Lake and North Atlantic area down to and including Savannah, Georgia, send applications to Coordinator of Ship Repair and Conversion, 11 Broadway, New York City; in the South Atlantic and Gulf area to Coordinator of Ship Repair and Conversion, Richards Building, New Orleans, Louisiana; and in the Pacific Coast area to Coordinator of Ship Repair and Conversion, 155 Sansone Street, San Francisco, California.

(i) *Return of allotments.* Any manufacturer who obtained material for the manufacture of Class A products for ship repair directly from the War Production Board or a Claimant Agency under the provisions of this direction as issued December 29, 1943, and who would now obtain material for such products from a repair yard, should treat the allotment as though it were a special allotment under Direction 22 to CMP Regulation No. 1. If he received the allotment from a Claimant Agency, return as provided by Direction 22 should be made to that Claimant Agency.

(j) *Additional allotments.* If a subcontractor or Class A product manufacturer has delivered Class A products to any repair yard since April 1, 1944 and he has not applied to the War Production Board for an allotment of material required to produce the A product or already received an allotment from the yard in lieu of applying to the War Production Board for an allotment, he may apply to the repair yard to which the product was delivered, and the repair yard will make an allotment necessary to replace the inventory which the manufacturer used to make the product.

Issued this 19th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7206; Filed, May 19, 1944; 11:20 a. m.]

PART 3281—PULP AND PAPER

[General Conservation Order M-241-a, as Amended May 19, 1944]

CONSERVATION OF PAPER AND PAPERBOARD

§ 3281.64 *General Conservation Order M-241-a*—(a) *Definitions.* For the purpose of this order:

(1) A "converted product" means any article or type of converted paper resulting from the processing of pulp, paper, or paperboard which alters the original form or characteristics of the pulp, paper, or paperboard. The term includes all articles on any of the lists to this order, but shall not include:

(i) Paper or paperboard manufactured in the first instance by a paper or paperboard mill.

(ii) A "newspaper" as defined in General Limitation Order L-240.

(iii) "Wall paper" as defined in General Limitation Order L–177.

(iv) A "box" as defined in General Limitation Order L–239.

(v) A "magazine" as defined in General Limitation Order L–244.

(vi) A "book" as defined in General Limitation Order L–245.

(vii) A "greeting card" as defined in General Limitation Order L–289.

(viii) A "book match" as defined in General Limitation Order L–263.

(ix) A "paper shipping sack" as defined in General Limitation Order L–279.

(x) Fibre shipping containers, cans, drums, tubs, barrels, dividers, partitions and separators.

(xi) Cups, pails and nested food containers.

(xii) A "display" as defined in General Limitation Order L–294.

(xiii) A "grocery", "variety" and "notion bag" as defined in General Limitation Order L–261.

(xiv) Looseleaf binders.

(xv) Specialty bags.

(xvi) A "flashlight" as defined in General Limitation Order L–71.

(2) A "converter" is any person who, regardless of the identity or nature of his business, manufactures or assembles any converted product.

(b) *Computation of quotas for a portion of a calendar quarter.* Each converter whose quota provisions for a current calendar quarter are affected by this or any subsequent amendment to this order shall compute his permitted quota on a pro rata basis from the effective date of the order for the balance of the current calendar quarter.

(c) *Unrestricted consumption of pulp, paper and paperboard in the manufacture of certain converted products.* Any converter may consume any quantity of pulp, paper and paperboard in the manufacture and assembly of any converted product shown on List A of this order.

(d) *Restriction on consumption of pulp, paper and paperboard in the manufacture of certain named converted products.* (1) No converter shall consume in the manufacture or assembly of any converted product on List B, List C or List D of this order any quantity, in tons, of pulp, paper and paperboard greater than the quantity ascertained:

For the final quarter of 1943, and for each calendar quarter thereafter, by applying the entire percentage figure for each such converted product, as shown in paragraph (d) (2) of this order, to the quantity, in tons, of pulp, paper and paperboard consumed by such person in the manufacture or assembly of such product during the corresponding calendar quarter of 1942.

(2) The following percentage figures shall be used for the calculations described in the preceding paragraph (d) (1):

	Percent
(i) List B products	110
(ii) List C products	100
(iii) List D products	80

(3) [Deleted Oct. 5, 1943]

(e) *Restrictions on consumption of pulp, paper and paperboard in the manufacture of converted products not specifically listed.* (1) No converter shall during the final calendar quarter of 1943 or during any calendar quarter thereafter consume in the manufacture or assembly of any converted product not named on List A, List B, List C or List D of this order, any quantity, in tons, of pulp, paper and paperboard greater than 65 percent of the tonnage consumed in the manufacture or assembly of such converted product during the corresponding calendar quarter of 1942.

(2) In the instance of any converted products not named on any of the lists of this order, the following processes and operations shall not be considered as processing:

(i) Cutting, trimming or rewinding to a different size when such is performed as part of any established finishing room procedure and provided the paper or paperboard so processed is not intended for a use which serves to defeat the purpose of the order. (*Example:* the cutting of plain paper to a given size for use as a tray cover, the manufacture of which is curtailed by this order).

(ii) Punching or corner cutting.

(iii) Super-calendering.

(iv) Laminating.

(v) Coating, friction calendering, flint glazing, plating and embossing.

(vi) Collating and binding.

(vii) Printing, when such contributes to the functional value of the product to such a degree that the product would be incapable of performing the use intended if not printed, (*Examples:* advertising streamers, posters, menus, programs, timetables, sheet music, patterns, decalcomania transfers, checks), or when such printing is an intermediate process in the manufacture of an article or type of converted paper.

(viii) Printing wrappers (excluding gift wrappings) when printing is the only conversion operation other than cutting or trimming.

(ix) Embossing, corrugating, creping and crinkling for industrial and non-decorative uses.

(f) *Alternate method of calculating quotas.* As an alternate method of calculating quarterly quotas for any converted product, any person may, after the filing of a notice in writing with the War Production Board, elect to apply the percentages established by paragraphs (d) and (e) (1) of this order to one fourth of his total yearly consumption of pulp, paper and paperboard in such product during 1942. When such election has been made and the required notice in writing has been given to the War Production Board, the method of determining quotas may not thereafter be changed.

(g) *Converter's responsibility in determining coverage of this order.* It shall be the duty of each converter to determine in the first instance which of his products are included among the converted products referred to in this order. In case of doubt he may apply to the War Production Board in writing describing the product in question, for a specific ruling determining whether or not the same is so included. The War Production Board may of its own motion in any case, by telegram or letter, issue a specific ruling determining whether or not a particular product of a particular converter is so included.

(h) *Inventory restrictions.* (1) [Deleted Apr. 8, 1944]

(2) No person shall knowingly deliver to any converter and no converter shall accept delivery of, any quantity of pulp, paper or paperboard if the inventory of pulp, paper and paperboard in the hands of the converter accepting delivery is, or will by virtue of such acceptance become, either:

(i) In excess of two carloads, or

(ii) If in excess of two carloads, greater than 30 days' supply, on the basis of either his average rate of consuming pulp, paper or paperboard for the preceding quarter or his average rate of consuming such pulp, paper or paperboard as projected for the then current quarter.

(i) *Allocations.* The War Production Board may from time to time direct the production and delivery of specific quantities of any converted product included in this order. Such directions will be made to insure the satisfaction of war requirements both direct and indirect and essential civilian requirements and shall take precedence over any preference rating to the extent indicated by the War Production Board.

(j) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(k) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(l) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(m) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Paper Division, Washington 25, D. C. Ref: M–241–a.

Issued this 19th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A—UNRESTRICTED PRODUCTION

Abrasive papers
Adding machine and business machine rolls
Air force emergency packs
Army ration containers
Automotive oil cartridges
Balloons (direct military only)
Blankets
Blueprints and direct line papers
Bomb fins
Bomb rings
Bombs
Building boards
Cable insulation
Calender rolls (for paper and other finishing machinery)
Camouflage paper
Caps for glass bottles and jars
Caps, pads, cushions and guards for fruit and vegetable packing
Carbon paper
Charts, rolls and tape for communication and recording instruments and machines
Cigarette paper books
Clock backs and cases
Clothing
Condensers—component parts thereof
Control knobs and dials
Cores and core plugs
Crepe cellulose wadding
Dental mouth wadding
Diaper linings
Diaphragms—pump and carburetor
Dust and dirt covers and seals for motors, journals, etc.
Dust masks
Egg case fillers and flats
Embalming, surgical and obstetrical sheets
Faces for gauges, clocks and weighing equipment.
Fibre conduit and fittings
Filters
Flare spacers
Friction pulleys and wheels
Fruit and vegetable wrappers for apples, lemons, peaches, pears, and tomatoes, in the instance of original shipment.
Fuses and component parts thereof
Garbage and utility cans
Gas detection armbands and similar products
Gas mask canisters and mask parts
Gas protection capes, tarpaulins & similar products
Gaskets
Gears
Grenades and grenade containers
Gummed sealing and corrugated tape
Gummed stay tape
Gun & rifle protection sleeves
Helmets and helmet accessories
Hospital wadding
Industrial receptacles such as tote boxes, cans, barrels and trucks
Instrument panels
Insulation boards
Impervious papers and specialty containers made therefrom, including waxed, for direct war use but limited to those grades covered by specifications issued by the U. S. Army, U. S. Navy, U. S. Marine Corps, or the Federal Standard Stock Catalog
Jettison tanks
Lens tissue
Lithomat and photomat paper
Milk bottles, milk bottle hoods and milk bottle caps
Mimeograph stencils
Nuts and screws
Paper base plastics
Parachutes and parachute spreaders
Photographic and photo copying papers
Plant protectors
Plates and mats—printing, lithographic, duplicating and reproduction
Poultry incubators, brooders and feeders
Prepared tracing
Pressure sensitive adhesive tape.
Ration bags
Roofing, shingles and building papers (treated)
Sanitary napkins
Seed packets for use by original growers or packers of seed
Shell containers
Shoes and component parts thereof
Shotshell and ignition cartridges
Surgical bandages
Surgical masks and caps
Tabulating cards
Tags, commercial and industrial only (unprinted)
Tank and transformer liners
Targets
Tea ball bags, but limited to bags for small broken leaf, fannings, siftings and dust
Telephones, component parts of
Textile cores, tubes and spools
Toilet seat covers
Twisted paper including but not limited to yarn, twine, cord, rope and strapping
Valves
Vegetable parchment
Veneer tape
V-mail blanks
Vulcanized fibre
Wall boards
Waterproof and moistureproof packaging papers (asphalt and resin impregnated and laminated)

LIST B—PRODUCTS PERMITTED AT 110% OF 1942

Envelopes, in all styles except expansion type
Fillers, looseleaf (except accounting)
Household waxed paper, all styles
Index cards, plain and ruled
Paper stationery and papeteries
Straws (soda and drinking)
Tablets, pads and notebooks
Toilet tissue, other than facial type of two ply or more
Towels for industrial use
Waxed and oiled paper, all types and grades other than household packages, excluding waxed paper wrappings for direct war use as provided in List A.

LIST C—PRODUCTS PERMITTED AT 100% OF 1942

Artificial leather
Buttons
Cake boards
Concrete forms
Dental pinafores
Dishes and plates
Facial tissue
File cabinets
Forks and spoons
Gummed flat paper
Hat and cap visors
Headrest rolls
Jacquard cards
Light shades and reflectors
Lunch boxes
Napkins, for industrial and institutional use (bulk and dispenser type)
Napkins for home use (retail packages)
Permanent wave pads
Photo mailers
Photo mounts
Sales tax tokens
Shirt bands
Stereotype mats
Tympan paper

LIST D—PRODUCTS PERMITTED AT 80% OF 1942

Barber's neck bands
Carpets and rugs
Expanding envelopes or pockets
File dividers and indexes
Fly paper
Fly ribbons
Folders (file)
Games and toys of all types (except playing cards)
Music and player piano rolls
Slippers
Snap, button, hook and eye and zipper cards
Soap wraps, including all component parts thereof except wax paper
Textile boards, excluding shirt boards
Toilet tissue, facial type of two or more ply
Towels for home use (Retail package)
Venetian blinds
Vertical file pockets
Window shades

LIST E [Deleted Oct. 5, 1943]

INTERPRETATION 1

WAXED PAPER CONVERSION

"Waxed and oiled paper, all types and grades other than household packages, excluding waxed paper wrappings for direct war use as provided in List A," as that caption appears in List B of General Conservation Order M–241–a, applies to all the kinds of paper so described regardless of whether produced as a result of a separate converting operation, as is commonly the case, or produced as a result of having been oiled or waxed on the paper machine. For the purpose of this order control has been placed on the end product. The method employed in consuming paper in the manufacture of the end product is not a factor of consideration in determining the applicability of the order. (Issued Feb. 15, 1944.)

INTERPRETATION 2

RETAIL UNITS

This interpretation of General Conservation Order M–241–a applies to the consumption of paper in the manufacture of retail units of wrapping and other papers as dispensed through the variety chain stores, the department stores, the stationery stores and all other retail outlets. These retail units are regarded as within the definition of a "converted product" in Order M–241–a and therefore subject to the restrictions contained in paragraphs (d) or (e) of the order.

All grades and kinds of paper, plain or printed, when converted into retail units for wrapping purposes are subject to the order, although the percentage restriction on consumption need not be separately applied to each of the grades and kinds of paper consumed during the base period. It is permitted to calculate an aggregate quota and to consume any grade or kind of paper, plain or printed, within the quota without regard to the maintenance of the same relationship of grade and kind that prevailed during the base period.

Any person who did not consume paper during the base period of the order in the conversion of such retail units of wrapping and other papers has no basis from which to calculate a quota and, therefore, cannot become a converter.

There is a distinction in the instance of printed wrapping paper as follows:

1. When printed wrapping paper is delivered by the printer in bulk form (not packaged) for further sale or further distribution the printer is the "converter" as defined in the order, and, therefore, subject to the restrictions of paragraph (e); but,

2. If the printer delivers the printed wrapping paper to a person for subsequent conversion into retail units, the final converter is the one subject to the restrictions of paragraph (e) and not the printer.

Since retail units are regarded as a separate and distinct type of "converted product," it is obvious that tonnage from other products cannot be included when calculating a quota for retail units.

Plain wrapping tissue purchased in quires, or flat, when subsequently folded and labeled or otherwise packaged, is deemed to be a retail unit and therefore restricted by paragraph (e).

Quota tonnage which has not been consumed at the end of a calendar quarter may not be carried over to the succeeding calendar quarter. (Issued Feb. 15, 1944.)

[F. R. Doc. 44–7205; Filed, May 19, 1944; 11:20 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 11,[1] Amdt. 15]

REPLACEMENT OF RATIONED FOODS USED IN PRODUCTS ACQUIRED BY DESIGNATED AGENCIES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order 11 is amended in the following respects:

1. Section 1.2 (a) is amended to read as follows:

(a) The designated agencies are the Army, Navy, Marine Corps, or Coast Guard of the United States; Army Exchanges; Army Exchange Service; Post Exchanges of the Marine Corps; Ships' Service Activities of the Navy or Coast Guard; other activities designated by the Army, Navy, Marine Corps or Coast Guard; Office of Distribution of War Food Administration; the Training Organization, and Ships' Service Stores of the Training Organization, of the War Shipping Administration; the Immigration and Naturalization Service of the Department of Justice, with respect to its acquisitions of food for consumption at Alien Enemy Internment Camps; the American National Red Cross, with respect to its acquisitions of food for consumption by members of the armed forces of the United States outside the United States and with respect to its acquisitions of medical supplies for use by allied prisoners of war; and the United Service Organizations, Inc., with respect to its acquisitions of food for consumption by members of the armed forces of the United States outside the United States.

2. Section 2.3 (b) is amended by changing the period at the end of (2) and (3) to a semicolon, and adding (4) to read as follows:

(4) A statement that the rationed foods used in the products were not obtained and are not obtainable as a provisional allowance.

3. Section 2.4 (a) is amended by changing the period at the end of (7) to a semicolon and adding (8) to read as follows:

(8) A statement that the rationed foods used in the products by the applicant and by any other industrial user were not obtained and are not obtainable as a provisional allowance. The statement as to other industrial users shall be based on the certification received by the applicant from the user of the rationed foods.

4. Section 3.2 (b) is amended by changing the period at the end of (3) to a semicolon and adding (4) to read as follows:

(4) A statement that the rationed foods to be used by him in those products will not be obtained and are not obtainable as a provisional allowance.

5. Section 3.3 (a) is amended by changing the period at the end of (8) to a semicolon and adding (9) to read as follows:

(9) A statement that the rationed foods to be used in those products by the applicant and by any other industrial user will not be obtained and are not obtainable as a provisional allowance.

6. Section 4.1 (a) (3) is amended by changing the comma after the word "true" to a semicolon and adding the word "and" after the semicolon.

7. Section 4.1 (a) (4) is added (to be inserted between the words "are true; and" and the words "it may in its discretion") to read as follows:

(4) That the rationed foods used in the products were not obtained and are not obtainable as a provisional allowance, or that the rationed foods to be used in the products will not be obtained and are not obtainable as a provisional allowance.

This amendment shall become effective May 22, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; WPB Supp. Dir. 1–E, 7 F.R. 2965; WPB Supp. Dir. 1–M, 7 F.R. 8234; WPB Supp. Dir. 1–R, 7 F.R. 9684; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 18th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7171; Filed, May 18, 1944; 11:58 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 45, Amdt. 7]

EXEMPTION FROM PRICE CONTROL OF CERTAIN COMMODITIES AND SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplementary Order No. 45 is amended in the following respects:

1. Section 1305.59 (a) (1) is amended to include the following additional commodity:

Wood hair curlers.

2. Section 1305.59 (a) (2) is amended to read as follows:

(2) The following items in the household accessories category:

Book ends, portable door stops, and paper weights.
Reading racks, but not including typewriter copy holders.
Mirror table plateaus.
Beverage coasters.
Dinner bells and chimes.
Wood carved figures and animals.
Novelties made of butterfly wings, sea shells, and gourds.
Music boxes.
Bird houses.
Table decorations consisting of artificial flowers, artificial fruit, or leaves only.
Artificial stem flowers for decorative household use, including artificial petals and leaves.
Place card holders.
Figurines and ornamental statuary designed for purely ornamental use, but not including articles which may be used for any other purpose whatsoever although they are in the shape of figurines.
Novelty wall plaques, masks, and decorations designed for purely ornamental use, but not including framed pictures or articles which may be used for any purpose whatsoever other than ornamentation.
Novelty glass ice balls for "chilling without diluting" food and beverages.
Miniature size novelties made of glass, china, wood, plaster, etc., which have no tableware use and are made for collectors' purposes only, including miniature size decorative glass bottles other than perfume bottles.
Self-feeding baby bottle holders.
Wood log carriers.
Incense burners.

3. Section 1305.59 (a) (3) is amended to include the following additional commodities:

Toy tops, kites, jump ropes, and yo-yo's when sold to wholesalers for 5 cents or less, or when sold to retailers for 6 cents or less, or to consumers for 10 cents or less.
Artificial flowers, leaves, and foods for store display purposes.
Bee feeders.
Dog and cat beds, diners, and other accessories for dogs and cats.

This amendment shall become effective on the 23d day of May 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9328, 8 F.R. 4681; E.O. 9250, 7 F.R. 7871)

Issued this 18th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7172; Filed, May 18, 1944; 11:58 a. m.]

PART 1309—COPPER

[RMPR 20,[1] Amdt. 2]

COPPER SCRAP AND COPPER ALLOY SCRAP

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 20 is amended in the following respects:

1. Section 16 (c) (1) (ii) is amended as read as follows:

(ii) To the maximum base price for any grade of copper scrap, a special use premium of 1.25 cents per pound may be added: *Provided*, That the scrap has been prepared to meet the consumer's specifications and is suitable for his direct use without further preparation. However, no special use premium may be added on the sale or delivery of any such copper scrap to a copper refiner, a brass and bronze ingot manufacturer, a ferrous or nonferrous foundry, or a brass mill.

(a) Any consumer qualified to pay the special use premium provided by this paragraph who is unable to obtain any grade of copper scrap by payment of the stated premium of 1.25 cents per pound because of unusual specification requirements may apply to the Office of Price Administration for the establishment of a price that he may pay for such material. The price so established shall be a price in line with the general level of prices established by this Revised Maximum Price Regulation No. 20, taking into account the applicant's special requirements and the additional costs to the seller involved in preparing material to meet these requirements.

Such application shall be in writing and filed with the Non-Ferrous Metals Branch of the Office of Price Administration at Washington, D. C., and shall state:

(1) The name and address of the applicant.
(2) The nature of applicant's business.
(3) The purpose for which the applicant will use the material which he desires to purchase.
(4) The name and address of the proposed seller or sellers.
(5) A detailed statement of applicant's specifications for the material.
(6) A description of the manner in which the material is to be prepared.
(7) To the extent possible, a statement by the applicant setting forth the reasons why he cannot obtain the required material by payment of the special use premium established by this regulation, and
(8) The proposed price, f. o. b. point of shipment.

When a maximum price is submitted for approval in this manner, it shall be deemed to be approved unless the Administrator specifically disapproves such price within fifteen days from the date on which receipt of the request for approval is acknowledged. The maximum price for such scrap when once approved shall be the maximum price for all subsequent purchases of such scrap by the buyer to whom such approval is given, unless such approval is specifically withdrawn.

This amendment shall become effective May 23, 1944.

NOTE: All reporting and record-keeping requirements of this Amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7168; Filed, May 18, 1944; 11:57 a. m.]

PART 1336—RADIO RECEIVERS AND PHONOGRAPHS

[RPS 83,[1] Amdt. 4]

ESTABLISHMENT OF MAXIMUM PRICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Price Schedule No. 83 is amended in the following respect:

(1) A new paragraph (f) to § 1336.53 is added to read as follows:

(f) The Price Administrator, at the time maximum prices are established for sales by the manufacturer pursuant to paragraphs (a), (b), (c), (d) and (e) of this section, may also establish maximum prices which sellers of the radios generally may charge, including wholesalers and retailers.

This amendment shall become effective on the 23d day of May 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7175; Filed, May 18, 1944; 12:00 p. m.]

PART 1340—FUEL

[MPR 120, Amdt. 98]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.*

In § 1340.213, new paragraph (d) is added; in §§ 1340.214; 1340.218; 1340.219, new paragraph (c) is added; § 1340.220 (b) (3) is amended and the first undesignated paragraph in § 1340.224 (b) (7) is amended; each paragraph is to read as follows:

A producer who was rendering the service of supplying a chemical or oil treatment in the period October 1–15, 1941 and was making a charge for the service may continue to make the same charge as provided in § 1340.210 (a) (10). A producer, who was not rendering the service of supplying a chemical or oil treatment in the period October 1–15, 1941 and is now prepared to do so or a producer who was performing the service but was not charging for it, may charge an amount not in excess of 10 cents per net ton for such service where: First, the purchaser of the coal requires it; Second, the producer is equipped with adequate facilities for the treatment of coal; Third, the treatment is performed in an adequate and thorough manner; Fourth, the charge for the service is separately stated on the producer's invoice or other memorandum of sale; and Fifth, the producer has filed a report with the Solid Fuels Branch, Office of Price Administration, Washington 25, D. C., designating the service he expects to perform and describing the facilities and materials he will use in performing the services. In the event there appears to be an inadequate basis for making the charge, the Office of Price Administration may at any time deny permission to make the charge as to future transactions by notice to the producer in writing.

This amendment shall become effective May 23, 1944.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7167; Filed, May 18, 1944; 11:59 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188,[1] Amdt. 35]

MANUFACTURERS' MAXIMUM PRICES FOR SPECIFIED BUILDING MATERIALS AND CONSUMERS' GOODS OTHER THAN APPAREL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith, and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 188 is amended in the following respect:

1. In § 1499.166 (Appendix (A)) paragraph (b) (1) is amended to read as follows:

(1) *Bedding, including:*

Mattresses and mattress pads, made with new and used innerspring units or new and used filling materials.
Boxsprings, made with new and used coils or new and used filling materials.
Gatch bedsprings, made of all new materials.
Flat and coil bedsprings made as an integral part of a bed, with all new materials.
Bedspring covers, including padded or quilted covers designed to cover coil and flat bedsprings, made with new or used filling materials.
Double duty sleep equipment, made of new or used materials, including studio couches, sofa beds, lounges, chair beds, love seats, and sliding couches.
Cots, (including folding and rollaway), made of all new materials.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9008, 9625, 10419, 11671, 12558, 12711, 13171, 13920, 16840, 17511.

[1] 9 F.R. 756, 4394.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1360, 2609, 8125, 8390.

[1] 7 F.R. 5872, 7967, 8943, 8948, 1055; 8 F.R. 1815, 1980, 3105, 3788, 3850, 4140, 4931, 5759, 7107, 8751, 8754, 9636, 10433, 10906, 11037, 19406, 12479, 12186, 12668, 14622, 14786, 16298, 17415; 9 F.R. 1912, 2556, 3095, 3858, 4396, 4506, 4983.

Double deck beds, made of all new materials.

Pillows, made with new or used filling materials.

Sisal pads, made with new or used materials.

Sleeping bags, made with new or used filling materials.

Innerspring units for upholstery and bedding purposes, made with all new materials.

Upholstery coils, made of all new materials.

Bedspring metal fabrics, made of all new materials.

Inner constructions for boxsprings, double duty sleeping equipment and upholstered furniture, made of all new materials.

Quilts and comforters, made with new and used filling materials.

High chair, play yard, basket and nursery seat pads, and other nursery pads, made with new or used filling materials.

Cotton wadding and batting, made from new and used materials.

2. In § 1499.166 (Appendix (A)) paragraph (b) (4) is amended to read as follows:

(4) *Furniture.* All types of furniture manufactured from any new material or from new materials and used innerspring units, used filling materials, or used joinery hardware, for any purpose to be used in any location, and any other articles manufactured from new materials which are made to serve the functional purposes of furniture.

This amendment shall become effective May 23, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7173; Filed, May 18, 1944; 11:59 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 204,[1] Amdt. 2]

SPECIAL SALES OF INDUSTRIAL MATERIALS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[2]

Section 2 (b) is amended to read as follows:

(b) "Industrial material" means any commodity except the following:

(1) Scrap, i. e., the waste or by-product of any kind of fabricating or manufacturing operation.

(2) Commodities which are being rationed at the retail level by the Office of Price Administration or any other agency of the United States.

(3) Foodstuffs, medicines or other commodities for human or animal consumption.

(4) Finished consumers' goods which are in the form in which they are normally sold at retail and which do not require, in order to be used, to be further processed or made part of, or affixed to, a building, structure or assembly.

(5) Used supplies or equipment not acquired or produced by the present holder for the purpose of sale.

This amendment shall become effective May 23, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7170; Filed, May 18, 1944; 11:58 a. m.]

PART 1384—HARDWOOD LUMBER PRODUCTS

[MPR 176,[1] Incl. Amdts. 1-9]

SOUTHERN ROTARY CUT BOX GRADE VENEER[2]

This compilation of Maximum Price Regulation 176 included Amendment 9, effective May 18, 1944. The word "Illinois" is added in § 1384.8 (a) (3) (ii) and the table in § 1384.12 (a) is amended by Amendment 9.

In the judgment of the Price Administrator, the prices of southern rotary cut box grade veneer have risen in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of southern rotary cut box grade veneer prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[3]

Such specifications and standards as are used in this regulation were prior to such use, in general use in the trade or industry affected.

[Above sentence added by Supplementary Order No. 61, 8 F.R. 12552, effective 9-11-43]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[4] issued by the Office of Price Administration, Maximum Price Regulation No. 176 is hereby issued.

Sec.

1384.1 Maximum prices for southern rotary cut box grade veneer.
1384.2 Less than maximum prices.
1384.3 Adjustable pricing.
1384.4 Evasion.
1384.5 Records and reports.
1384.6 Enforcement.
1384.6a Licensing.
1384.7 Petitions for amendment and applications for adjustment.
1384.8 Definitions.
1384.9 Applicability of General Maximum Price Regulation.
1384.10 Export sales.
1384.11 Effective date.
1384.11a Effective dates of amendments.
1384.12 Appendix A: Maximum prices for southern rotary cut box grade veneer.
1384.13 Appendix B: Grading rules for southern rotary cut box grade veneer.

AUTHORITY: §§ 1384.1 to 1384.13, inclusive, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1384.1 *Maximum prices for southern rotary cut box grade veneer.*—(a) *Application of Maximum Price Regulation No. 176.* (1) The provisions of Maximum Price Regulation No. 176 shall apply to the following sales or deliveries of southern rotary cut box grade veneer:

(i) All sales or deliveries of southern rotary cut box grade veneer, either in prime sizes or cut to box-part finished sizes, where such southern rotary cut box grade veneer is shipped from an operation which after October 1, 1941, sold any prime sizes of southern rotary cut box grade veneer.

(ii) All sales or deliveries of southern rotary cut box grade veener, either in prime sizes or cut to box-part finished sizes, where such southern rotary cut box grade veener is shipped from an operation which after October 1, 1941, priced and sold any portion of its southern rotary cut box grade veneer on the basis of board foot or surface foot measure.

(2) Notwithstanding subdivision (1) above, the provisions of Maximum Price Regulation No. 176 shall not apply to the following sales or deliveries of southern rotary cut box grade veneer:

(i) Sales or deliveries of southern rotary cut box grade veneer where shipment is from an operation which after October 1, 1941, did not sell any prime sizes of such southern rotary cut box grade veneer or which after October 1, 1941, did not price and sell any such southern rotary cut box grade veneer on the basis of board foot or surface foot measure.

(ii) Sales or deliveries of southern rotary cut box grade veneer which have been unitized into box parts by stitching or nailing.

(iii) Sales or deliveries of southern rotary cut box grade veneer which is included with sawed lumber in complete (full) box shook package units, each of which is ready to be assembled.

(iv) Shipments pursuant to an order of less than 5,000 board feet of southern rotary cut box grade veneer.

(v) Sales or deliveries of southern rotary cut box grade veneer to a purchaser if prior to July 6, 1942, such lumber had been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

(b) *Prohibition against sales of southern rotary cut box grade veneer at higher than maximum prices.* On and after July 11, 1942, regardless of any contract or agreement, no person shall sell or deliver any southern rotary cut box grade veneer and no person shall buy or receive in the course of business any southern rotary cut box grade veneer at prices higher than the maximum prices established in this Maximum Price Regulation No. 176; and no person subject to this Maximum Price Regulation No. 176 shall agree, offer, solicit, or attempt to do any of the foregoing.

[§ 1384.1 amended by Am. 1, 7 F.R. 7243, effective 9-17-42 and Am. 7, 9 F.R. 1727, effective 2-19-44]

§ 1384.2 *Less than maximum prices.* Lower prices than those set forth in Appendix A, § 1384.12, may be charged, demanded, paid, or offered.

§ 1384.3 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

[§ 1384.3 added by Am. 4, 8 F.R. 4720, effective 4-14-43; amended by Supplementary Order No. 50, 8 F.R. 10566, 14310, effective 7-27-43. Former § 1384.3 revoked by Am. 4]

§ 1384.4 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 176 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to southern rotary cut box grade veneer, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

[Above paragraph amended by Am. 7, 9 F.R. 1727, effective 2-19-44]

It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling or locating box grade veneer, or for any related service (such as "expediting") which does not involve actual physical handling of box grade veneer, if the commission plus the purchase price results in a total payment by the buyer of box grade veneer which is higher than the maximum price of the box grade veneer. For the purposes of this regulation a commission is any compensation, however designated, which is paid for the procurement of box grade veneer. This prohibition has no application to the case of a bona fide employer-employee relationship where the employee serves only one employer, insofar as box grade veneer procurement is concerned, and where the compensation paid by the employer is a fixed salary and is not based directly or indirectly on the quantity, price or value of the box grade veneer in connection with which the service is rendered.

[Above paragraph added by Am. 2, 8 F.R. 2993, effective 3-15-43 and amended by Am. 7]

§ 1384.5 *Records and reports.* (a) Every seller and purchaser subject to this Maximum Price Regulation No. 176 making sales or deliveries or purchases of southern rotary cut box grade veneer to the value of $500.00 or more in any one month after July 10, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than two years a complete and accurate record of each sale or delivery or purchase of southern rotary cut box grade veneer, showing the date of purchase or sale, the name and address of the buyer and seller, the quantities and sizes of such lumber purchased or sold, and the price paid or received.

(b) Every manufacturer of southern rotary cut box grade veneer required by paragraph (a) of this section to keep records of sales shall preserve for inspection by the Office of Price Administration for a period of not less than two years all records available on July 11, 1942, of sales of southern rotary cut box grade veneer made by the manufacturer during October 1941. The records should include the thickness and length of southern rotary cut box grade veneer sold, and, in the case of southern rotary cut box grade veneer which was cut into a box-part finished size by means of a saw or comparable cutting device, the dimension specifications. In the event that a manufacturer does not have such records available on July 11, 1942, the manufacturer should notify the Office of Price Administration on or before August 1, 1942.

(c) Every person required by paragraph (a) of this section to keep records shall keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this section and shall submit such reports to the Office of Price Administration as that Office may from time to time require or permit.

[§ 1384.5 amended by Am. 7, 9 F.R. 1727, effective 2-19-44]

§ 1384.6 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 176 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 176 or any price schedule, regulation or order issued by the Office of Price Administration or any acts or practices which constitute such a violation are urged to communicate with the nearest Field, State or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

§ 1384.6a *Licensing.* The provisions of Licensing Order No. 1,[5] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1384.6a added by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

§ 1384.7 *Petitions for amendment and applications for adjustment.* (a) Any person seeking an amendment of any provision of this Maximum Price Regulation No. 176 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

(b) In treating with petitions for amendment or adjustment, consideration will not be given to log and bolt costs which are higher than the applicable maximum purchase price for logs and bolts established in Maximum Price Regulations 313 (Prime Grade Hardwood Logs)[6] or 348 (Logs and Bolts),[7] or any revision or amendment of these regulations. This rule shall be followed regardless of whether the petitioner gets logs and bolts by purchasing them, logging his own standing timber, contracting for the logging of his own standing timber, or any other means. All petitions in any way based on the cost of logs or bolts must show the actual cost to the petitioner of logs and bolts received at his plant during the three months immediately prior to filing the petition, and the cost which would have been incurred by the petitioner if all of these logs and bolts had been purchased by him at ceiling prices. To figure these ceiling prices the petitioner should refer to the regulation which fixes the maximum prices for purchases and sales of the kinds of logs and bolts received at his plant.

(c) *Applications for adjustment by operators under Conservation Order M-343.* Any person subject to the pro-

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[1] 7 F.R. 5180.

[2] Title amended by Am. 7.

[3] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[4] Revised: 7 F.R. 5961; 8 F.R. 2313, 2533, 6173, 11806; 9 F.R. 1594, 3075.

[5] 8 F.R. 13240.

[6] 8 F.R. 1453

[7] 8 F.R. 3670

*Copies may be obtained from the Office of Price Administration.

[1] 8 F. R. 11376, 12795.

visions of Conservation Order M-343,[1] issued by War Production Board on August 19, 1943, who believes that the maximum prices in this regulation are causing or threaten to cause him to sustain a loss by complying with the requirements of that order, may file an application for adjustment of his maximum prices in accordance with Revised Procedural Regulation No. 1. In such cases the application must include the following data:

(1) Profit and loss statements covering over-all company operations for (a) the most recent accounting period of not less than six months immediately preceding August 1943 and (b) the applicable six months base quota period as described in the Conservation Order. These statements must show a detailed breakdown of all manufacturing costs, and of administrative and selling expenses.

(2) Tabulations of total production, stated in terms of board feet and dollars sales value and classified as to all items of veneer and other products manufactured by the applicant. These tabulations should cover the same periods as the profit and loss statements referred to in (1) above.

[§ 1384.7 amended by Am. 3, 8 F.R. 4720, effective 4-14-43 and Am. 6, 8 F.R. 13250, effective 10-2-43]

(d) *Applications for adjustment under government contracts.* See Procedural Regulation No. 6 [2] for adjustment provisions on certain government contracts or subcontracts.

[Paragraph (d) added by Am. 8, 9 F.R. 2032, effective 2-26-44]

§ 1384.8 *Definitions.* (a) When used in Maximum Price Regulation No. 176 the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized groups of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of the foregoing.

(2) "Cottonwood" means the botanical species included in the genera of Populas.

(3) "Southern rotary cut box grade veneer" means veneer of any species,

(i) Cut on a rotary cutting machine (lathe);

(ii) Cut at a mill located in Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, Oklahoma, Arkansas, Missouri, Illinois, Tennessee, or Kentucky;

[Subparagraph (ii) amended by Am. 9, effective 5-18-44]

(iii) Conforming to the grading rules set forth in § 1384.13, Appendix B, hereof, except that cut backs and cut downs in excess of the proportion set forth in paragraph (e) (1) of § 1384.13, Appendix B, shall be considered southern rotary cut box grade veneer; and

(iv) Which either has or has not been cut into box-part finished sizes by means of a saw or comparable cutting device.

[Subparagraph (3) amended by Am. 7, 9 F.R. 1727, effective 2-19-44; and as otherwise noted]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1384.9 *Applicability of General Maximum Price Regulation.* The provisions of the General Maximum Price Regulation [10] shall not, on and after July 11, 1942, apply to sales and deliveries of southern rotary cut box grade veneer which are subject to this Maximum Price Regulation No. 176.

§ 1384.10 *Export sales.* The maximum price at which a seller may make an export sale of southern rotary cut box grade veneer shall be determined in accordance with the provisions of the Maximum Export Price Regulation [11] issued by the Office of Price Administration.

[§§ 1384.9 and 1384.10 amended by Am. 7, 9 F.R. 1727, effective 2-19-44]

§ 1384.11 *Effective date.* This Maximum Price Regulation No. 176 (§§ 1384.1 to 1384.13, inclusive) shall become effective July 11, 1942. [MPR 176 originally issued July 6, 1942]

§ 1384.11a *Effective dates of amendments.* [Effective dates of amendments are shown in notes following the parts affected]

§ 1384.12 *Appendix A—Maximum prices for southern rotary cut box grade veneer.* (a) The maximum f. o. b. mill price for 1,000 board feet of southern rotary cut box grade veneer which is not cut into box-part finished sizes by means of a saw or comparable cutting device shall be as follows:

Thickness (inches)	Length	
	Less than 62 inches	62 inches or over
¼	$63.00	$65.55
5/32	63.00	65.55
3/16	62.00	64.50
5/16	62.00	64.50
7/32	61.00	63.45
1/4	61.00	63.45

For cottonwood, add $3.00 per 1,000 board feet.

[Paragraph (a) amended by Am. 1, 7 F.R. 7243, effective 9-17-42; Am. 5, 8 F.R. 7490, effective 4-1-43; Am. 7, 9 F.R. 1727, effective 2-19-44; and Am. 9, effective 5-18-44.]

(b) [Revoked]

[Paragraph (b) revoked by Am. 1, 7 F.R. 7243, effective 9-17-42]

(c) The maximum f. o. b. mill price for 1,000 board feet of southern rotary cut box grade veneer which satisfies the accepted grade requirements for rotary cut egg case veneer, which is cut on a saw or comparable cutting device into standard egg case finished sizes (for cases with a capacity of 30 dozen eggs), and which is shipped to a purchaser direct from the producing mill, shall be the maximum price established in this paragraph (a) of this section plus $8.00. The maximum prices established in this paragraph shall not be applicable to rotary cut egg case veneer where shipment to the purchaser originates from a place other than the producing mill; however, the maximum price shall apply to rotary cut egg case veneer which is shipped to the purchaser direct from the producing mill regardless of whether the seller is the mill operator or another person and regardless of whether the shipment is temporarily halted in transit in order to load the carrier with additional products.

(d) The maximum f. o. b. mill price for 1,000 board feet of southern rotary cut box grade veneer, other than lumber in standard egg case finished sizes (for cases with a capacity of 30 dozen eggs), which is cut into a particular box-part finished size by means of a saw or comparable cutting device shall be the price established in paragraph (a) of this section for southern rotary cut box grade veneer in the length and thickness ordered by the purchaser, plus a differential consisting of the difference between the price charged by the producing mill during the period October 1 to 15, 1941 (1) for southern rotary cut box grade veneer in that length and thickness not cut into box-part finished sizes by means of a saw or comparable cutting device, and (2) for southern rotary cut box grade veneer of the same length and thickness cut by means of a saw or comparable cutting device into box-parts of the particular finished dimensions for which a maximum price is being computed. In case the producing mill cannot compute such a differential, the mill should determine and apply the corresponding differential recognized during October 1 to 15, 1941 by the most closely competitive seller of the same class. The maximum price established by this paragraph for southern rotary cut box grade veneer cut at a particular mill to box-part finished sizes by means of a saw or comparable cutting device shall apply to such lumber produced at that mill regardless of whether the lumber is sold by the mill operator or another person.

(e) A delivered price in excess of the maximum f. o. b. mill prices established in paragraphs (a), (b), (c) and (d) of this section may be charged, consisting of such maximum price plus actual transportation costs paid or incurred by the seller in delivering southern rotary cut box grade veneer to the purchaser; such actual transportation costs must be shown as a separate item in the invoice or billing.

[Paragraphs (c), (d) and (e) amended by Am. 7, 9 F.R. 1727, effective 2-19-44]

(f) The maximum prices established in this section shall not be increased by any charges for the extension of credit or by any decrease in the time customarily allowed for payment, and shall be decreased for prompt payment to the same extent that the sale price would have been decreased on October 1, 1941.

§ 1384.13 *Appendix B: Grading rules for southern rotary cut box grade veneer.* (a) All stock shall be sound (corky tupelo considered unsound), free from rot, or dote. A reasonable amount of pin wormholes, sound tight knots not exceeding three inches in diameter measuring the small way, shall be no defect. A reasonable discoloration or stain shall be no defect.

[Section heading amended by Am. 7]

(b) All stock shall be machine cut to the specified thickness ordered, standard gears as furnished by the lathe manufacturer to be used.

(c) All stock shall be cut tight, and when shipped shall not contain more than 15% moisture content. Said percentage is to be arrived at by test of an equal number of sap and heart pieces. Stock shall be sufficiently flat to straighten under machines, without splitting.

(d) A trimming allowance of ½" in width and 1" in length, shall be allowed on all lengths 30" and over, one-half inch in length, and one-half inch in width on stock less than 30" long. Cut downs, whether sized before or after drying, shall carry ½" allowance in width.

(e) (1) Only those cutdowns and cutbacks that actually accumulate in working out defects in the logs and rounding the logs used in filling a particular order may be shipped against that order. Such cutdowns and cutbacks shall have the same maximum price as prime size stock in the same length and thickness as the cutdowns and cutbacks.

(2) Standard cutdowns in widths shall run in multiples of 2", the narrowest width to be 4".

(3) Standard cutbacks in lengths shall be 54"—48"—42"—36"—32" and 27".

[Paragraph (e) amended by Am. 1, 7 F.R. 7243, effective 9-17-42]

(f) Checks or splits not longer than one-fourth the length of the piece are not considered defects provided the checks or splits are reasonably straight, do not diverge more than 1" per foot, and do not run over ¼" in width and in all widths.

(g) Specifications on all sizes, both width and length, shall not be specified in fractions of less than ½", except by special arrangement between the seller and the buyer.

(h) Each size is to be bundled separately and to be marked. Each bundle is to contain a uniform number of pieces. Twenty-five pieces of ¼" or 7/32", 30 pieces of 3/16", 35 pieces of 1/8", 40 pieces of 1/5", and 50 pieces of 1/6" are to be the standard number of pieces to each bundle.

NOTE: All record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget, in accordance with Federal Reports Act of 1942.

Issued this 18th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7188; Filed, May 18, 1944; 4:15 p. m.]

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[1] 8 F.R. 11505.
[2] 7 F.R. 5087.

[10] 9 F.R. 1385.
[11] 3d Revision: 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036.

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 271,[1] Amdt. 15]

POTATOES AND ONIONS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 271 is amended in the following respects:

1. In section 9, the text preceding the example is amended by adding the words, "and section 25."

2. In section 24, Table V is added to read as follows:

TABLE V—1944 CROP WHITE FLESH POTATOES

(The following prices apply to all varieties of U. S. No. 1 grade white potatoes of the 1944 crop, harvested and sold during the 1944 marketing season, sacked and loaded on carrier, except those actually sold before May 22, 1944, and except those shipped from the country shipping point, whether sold or unsold, before May 18, 1944. The differentials set forth in section 25 are to be used in determining maximum prices for other grades, special sizes and special packs or packages.)

Period	Producing area	Maximum price per 100 lbs.
May 16-31	Florida, area north of counties of Charlotte, Glades and Martin, and east of the Suwanee River.	$3.40
	California	2.60
	All other areas	3.25
June 1-15	California	2.40
	All other areas	3.05
June 16-30	California	2.40
	All other areas	2.90

This amendment shall become effective May 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of May 1944.

CHESTER BOWLES,
Administrator.

Approved May 17, 1944.

MARVIN JONES,
Administrator,
War Food Administration.

[F. R. Doc. 44-7189; Filed, May 18, 1944; 4:15 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15587, 15663; 9 F.R. 2298, 3589, 4027, 4647.

PART 1404—RATIONING OF FOOTWEAR

[RO 6A,[1] Amdt. 10]

MEN'S RUBBER BOOTS AND RUBBER WORK SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 6A is amended in the following respects:

1. Section 2.10 (c) is amended to read as follows:

(c) When certificates are exchanged, the District Office shall send to the retailer or distributor a statement recording the exchange of certificates and showing the number of pairs of rubber footwear of each type called for by the newly-issued certificates, and the number of pairs of rubber footwear of each type called for by the certificates given up. The retailer or distributor shall attach this statement to his copy of the inventory form.

2. Section 2.11 (d) is amended to read as follows:

(d) When certificates are issued to allow a retailer or distributor to add to his stock of rubber footwear, the District Office shall send to the retailer or distributor a statement recording the increase in inventory and showing the number of pairs of rubber footwear of each type called for by the certificates issued. The retailer or distributor shall attach this statement to his copy of the inventory form.

3. Section 2.13 is amended by changing the headnote to read as follows: "*Rubber footwear may be used for testing or as samples*", and by adding section 2.13 (c) to read as follows:

(c) An establishment may use rubber footwear as samples and for this purpose may furnish half-pairs of rubber footwear to salesmen or to other establishments without getting certificates, if the establishment furnishing the rubber footwear keeps title to it. Separate records must be kept of all rubber footwear used or transferred under this paragraph.

This amendment shall become effective May 23, 1944.

NOTE: The reporting and record keeping requirements of this amendment have been approved by the Bureau of Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-N, 7 F.R. 7730; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7212; Filed, May 19, 1944; 11:43 a. m.]

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[1] 8 F.R. 9458, 11685, 15704; 9 F.R. 604, 946, 2232, 2302, 3943.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 10,[1] Amdt. 21]

FOOD RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order No. 10 is amended in the following respects:

1. Section 1407.623 (a) (1) is deleted.
2. Section 1407.687 is deleted.
3. Section 1407.704 is deleted.

This amendment shall become effective as of May 8, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9250, 7 F.R. 7671; WPB Dir. No. 1, E.O. 9280, 7 F.R. 10179; F.D. No. 3, 8 F.R. 2005; F.D. No. 9, 8 F.R. 9600.)

Issued this 19th day of May 1944.

JACOB A. ROBLES,
Territorial Director, Virgin Islands.

Approved:

JAMES P. DAVIS,
Regional Administrator, Region IX.

[F. R. Doc. 44-7211; Filed, May 19, 1944; 11:43 a. m.]

Chapter XIX—Defense Supplies Corporation

[Reg. 5, Rev.]

PART 7005—MID-CONTINENT CRUDE COMPENSATORY ADJUSTMENTS

Regulation 5, appearing at 9 F.R. 1948, is hereby amended to read as follows:

Sec.
7005.1 Definitions.
7005.2 Persons eligible to file claim.
7005.3 Filing claims for compensation.
7005.4 Inspection and payment of claims.
7005.5 Amount of compensatory adjustments.
7005.6 Effective date.

AUTHORITY: §§ 7005.1 to 7005.6, inclusive, issued under Sec. 5d of the Reconstruction Finance Corporation Act, as amended, 52 Stat. 212, 54 Stat. 573; 15 U.S.C. 606b; Defense Supplies Corporation Charter, 6 F.R. 2972.

§ 7005.1 *Definitions.* When used in this regulation, the following terms shall have the following meanings:

(a) "District Two" means the States of Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, and Wisconsin.

(b) "District Three" means the States of Alabama, Arkansas, Louisiana, Mississippi, New Mexico and Texas.

(c) "District Four" means the States of Colorado, Idaho, Montana, Utah and Wyoming.

(d) "Crude" means crude petroleum.

(e) "Claim" means a claim under this regulation computed in accordance with the provisions hereof.

(f) "Person" means an individual, corporation, partnership, association or legal successor or representative of any of the foregoing, but shall not include the United States or any of its political subdivisions or any agency thereof, or any other Government or any of its political subdivisions or any agency thereof.

(g) "Applicant" means a person who files a claim for compensation pursuant to this regulation.

(h) "Barrel" means a quantity equal to 42 U. S. gallons of 231 cubic inches.

(i) "Crude Producing Area No. 10" means the Counties of Bastrop, Fayette, Colorado, Guadalupe, Caldwell, Gonzales, Lavaca, Wharton, Karnes, DeWitt, Jackson, Matagorda, Goliad, Victoria, Frio, LaSalle, McMullen, Live Oak, Bee, Refugio, Aransas, Calhoun, Webb, Duval, Jim Wells, San Patricio, Nueces, Zapata, Jim Hogg, Brooks and Starr in the State of Texas.

(j) "Crude Producing Area No. 11" means the Counties of Trinity, Madison, Brazos, Grimes, Walker, San Jacinto, Polk, Tyler, Jasper, Newton, Montgomery, Hardin, Washington, Austin, Waller, Liberty, Harris, Galveston, Orange, Fort Bend, Chambers, Jefferson and Brazoria in the State of Texas, and the Parishes of Beauregard, Allen, Evangeline, St. Landrey, Point Coupee, West Feliciana, Calcasieu, Jefferson Davis, Acadia, Lafayette, St. Martin, Cameron, Vermillion, Iberia and St. Mary in the State of Louisiana.

(k) "Crude Producing Area No. 12" means the Parishes of East Feliciana, St. Helena, Tangipahoa, Washington, West Baton Rouge, East Baton Rouge, Livingston, St. Tammany, Iberville, Ascension, St. James, St. John the Baptist, Orleans, Assumption, St. Charles, St. Bernard, St. Martin, Terrebonne, LaFourche, Jefferson and Plaquemines in the State of Louisiana.

§ 7005.2 *Persons elegible to file claims.* Any person who receives crude shipped to such person from any point of origin in District Two, District Three or District Four, specified in Schedules A, B, C, or D, attached hereto, to any point of destination in District Two, specified in such schedules, and who refines such crude at a refinery operated by such person, may file a claim for extra costs covered by this regulation, *Provided:*

(a) Such shipment is made pursuant to a shipping schedule approved by the Petroleum Administration for War, or is otherwise specifically approved by the Petroleum Administration for War and the volume of crude for which a claim is made does not exceed the quantity specified in the schedule or other approval of the Petroleum Administration for War;

(b) Such shipment was not normally made by such person between the same two points shown on such schedules by the same methods of transportation during the twelve months period immediately preceding September 4, 1941; and

(c) If made under Schedule A:

(1) Such shipment is made solely by tank car directly from such point of origin to such point of destination shown on such schedule;

(2) Such shipment is commenced from such point of origin shown on such schedule on or after December 4, 1943;

(3) The freight on such shipment is paid direct to the railroad carrier by such person; or

(d) If made under Schedule B:

(1) Such shipment is made through the Stanolind Pipe Line Company's pipe line to Cushing, Oklahoma, and is made solely by tank car directly from Cushing, Oklahoma, to point of destination shown on such schedule;

(2) Such shipment is commenced from Cushing, Oklahoma, on or after April 10, 1944;

(3) The freight on such shipment is paid direct to the railroad carrier by such person; or

(e) If made under Schedule C:

(1) Such shipment is made solely by tank car directly from such point of origin to such point of destination shown on such schedule;

(2) Such shipment is commenced from such point of origin shown on such schedule on or after April 10, 1944;

(3) The freight on such shipment is paid direct to the railroad carrier by such person; or

(f) If made under Schedule D:

(1) Except where pipe lines are used to transport crude to barge loading points in District Three, such shipment is made solely by barge from such point of origin to such point of destination shown on such schedule;

(2) Such shipment is commenced from such point of origin shown on such schedule on or after April 10, 1944;

(3) Except where crude is transported in such person's barges, the freight on such shipment is paid direct to the barge carrier by such person.

§ 7005.3 *Filing claims for compensation*—(a) *Place of filing.* Claims shall be filed with Price, Waterhouse & Co., 38 North LaSalle Street, Chicago 2, Illinois.

(b) *Time of filing.* No claim may be made with respect to any shipment until such shipment is received at destination. Claims with respect to shipments received at destination during any calendar month shall be accumulated until the end of such month and shall be filed on or before the last day of the second calendar month following the month in which the shipments covered by such claims are received at destination.

(c) *Form of claim.* A separate claim shall be filed for each calendar month in which shall be included all shipments received at destination during such month. All claims shall be filed in quadruplicate on forms approved by Defense Supplies Corporation and shall be accompanied by:

(1) The bill of lading covering each shipment included therein showing the applicant as the consignee of such shipment, except as otherwise provided in paragraph (c) (4);

(2) Receipted freight bill or such other evidence as may be satisfactory to Defense Supplies Corporation showing that the applicant paid to the carrier the railroad or barge freight on such shipment, except as otherwise provided in paragraph (c) (4);

(3) Copy of Petroleum Administration for War shipping schedule or other approval;

(4) Copy of inspection certificate issued by a qualified disinterested person acceptable to Defense Supplies Corporation showing the number of barrels loaded at point of origin, the number of barrels unloaded at the applicant's refinery, the gravity of the crude, and the identifying names and numbers of barges; in those cases where crude is transported in applicant's barges;

(5) Evidence satisfactory to Defense Supplies Corporation as to the field of origin of the crude shipped; and

(6) Supporting documents provided for in the form of claim except that information required in a claim need not be restated after such information has once been included in a previous claim filed pursuant to this regulation, provided reference is made to such previous claim.

§ 7005.4 *Inspection and payment of claims.* (a) If the Defense Supplies Corporation determines that a valid claim has been filed within the provisions of this regulation, then Defense Supplies Corporation will pay to the applicant the amount thereof. Defense Supplies Corporation may at any time make or cause to be made an examination or audit of any books, records and other supporting data as it may deem necessary to verify further the validity and correctness of any claim filed hereunder. If any claim which has theretofore been paid is found incorrect upon such examination or audit, then the amount of such payment shall be due and payable to Defense Supplies Corporation and shall be returned to it upon demand and without limitation of any other rights accruing to Defense Supplies Corporation. No further advances or payments shall be made to such applicant until such deficiency has been returned.

(b) Should any claim be rejected in whole or in part or should any applicant desire an interpretation of this regulation, the applicant may request Defense Supplies Corporatiton to reconsider its action or issue an interpretation. If the request is in connection with a rejected claim, it must be filed within thirty (30) days after such claim is rejected. Such request shall be addressed to Defense Supplies Corporation, 811 Vermont Avenue NW., Washington 25, D. C., and shall state clearly and concisely the questions involved and the applicant's views thereon. Upon the announcement of any decision or interpretation issued hereunder any applicant may within thirty (30) days apply to Defense Supplies Corporation for the right to modify or revise any claims theretofore filed which are affected by such decision or interpretation and which accrued within the period of ninety (90) days immediately preceding the first of the month following date when the decision or interpretation was announced. If Defense Supplies Corporation finds justification for reopening the claim it shall so notify the applicant and the latter may thereupon submit a new claim which shall be processed in the same manner as though submitted within the required time.

§ 7005.5 *Amount of compensatory adjustments.* The claim with respect to any shipment shall be in the amount per barrel specified in the schedules attached hereto, subject, however, to changes in rates or adjustments as provided therein. The number of barrels upon which freight is paid or actually transported to destination, if no freight is paid, shall be the quantity with respect to which claim may be made on any shipment.

§ 7005.6 *Effective date.* This Regulation No. 5, as amended, shall become effective as of December 4, 1943.

This Regulation No. 5, as amended, may be further amended, revised or revoked at any time by Defense Supplies Corporation.

Issued this 20th day of April 1944.

[SEAL] DEFENSE SUPPLIES CORPORATION,
By GEORGE H. HILL, Jr.,
Executive Vice President.

SCHEDULE A

(As amended April 10, 1944)

Compensation to be paid by Defense Supplies Corporation on rail movements of crude from West Texas to refining points in District Two.

[Shown in dollars per barrel]

Destination	Origin: Levelland, Tex.	Midland, Tex.	McCamey, Tex.
Allen, Okla.	$0.7824	$0.7408	$0.8074
Alma, Mich.	.9918	1.0590	1.0790
Ardmore, Okla.	.7824	.7874	.4966
Arkansas City, Kans.	.7824	.7874	.7608
Augusta, Kans.	.7992	.7874	.7608
Barnsdall, Okla.	.7824	.7874	.8074
Bay City, Mich.	1.2405	1.3076	1.3276
Bloomingdale, Mich.	1.023	1.090	1.095
Blue Island, Ill.	.6535	.8239	.7351
Bristow, Okla.	.7824	.7874	.8074
Canton, Ohio	1.0229	1.0901	1.1101
Carson City, Mich.	.9918	1.0590	1.0790
Catlettsburg, Ky.	.8344	.9016	.9216
Centralia, Ill.	.6635	.7306	.7506
Chanute, Kans.	.6892	.7874	.7608
Cleveland, Ohio	1.0229	1.0901	1.1101
Cleveland, Okla.	.7824	.7874	.8074
Cleves (Cincinnati), Ohio	.9564	1.0236	1.0436
Coffeyville, Kans.	.7824	.7408	.8074
Cushing, Okla.	.7824	.7874	.6520
Cyril, Okla.	.6892	.7563	.8074
Detroit, Mich.	.9808	1.0479	1.0679
Drumright, Okla.	.7824	.7874	.8074
Duncan (Beckett), Okla.	.7202	.7252	.8074
Dupo (East St. Louis), Ill.	.6067	.6274	.6785
E. Chicago, Ind.	.6635	.8239	.7351
E. St. Louis, Ill.	.6067	.6274	.6785
Eldorado, Kans.	.6892	.7874	.7608
Elsie, Mich.	1.1783	1.2454	1.2654
Enid, Okla.	.7824	.7408	.8074
Fairfield, Ill.	.6978	.7650	.7850
Findlay, Ohio	.9586	1.0258	1.0458
Flat Rock (Trenton), Mich.	.9808	1.0479	1.0679
Garnett, Kans.	.6892	.7408	.7608
Gary, Ind.	.7678	.8239	.8750
Grandfield, Okla.	.6425	.6786	.8074
Grand Rapids, Mich.	.9808	1.0279	1.0479
Heath, Ohio	1.0851	1.1522	1.1722
Indianapolis (Rock Island), Ind.	.9054	.9414	.9614
Kalamazoo, Mich.	.9608	1.0279	1.0479
Kansas City, Kans.	.5092	.6608	.6808
Latonia, Ky.	.9564	1.0236	1.0436
Lawrenceville, Ill.	.7878	.855	.875
Lemont, Ill.	.6635	.8239	.7351
Lima, Ohio	.9736	1.0408	1.0608
Lockport, Ill.	.6635	.8239	.7351
Louisville, Ky.	.7632	.8304	.8504
McPherson, Kans.	.8446	.8961	.9161
Memphis, Tenn.	.5661	.5711	.5911
Midland, Mich.	1.2405	1.3076	1.3276
Mt. Pleasant, Mich.	.9918	1.0590	1.0790
Mt. Vernon, Ind.	$0.8621	$0.9293	$0.9493
Muskegon, Mich.	1.0698	1.1370	1.1570
Nashville, Tenn.	.7834	.7894	.8094
Neodesha, Kans.	.7858	.7408	.8074
Oklahoma City, Okla.	.7824	.7874	.6520
Pana, Ill.	.7723	.8239	.8439
Phillipsburg, Kans.	1.1398	1.1914	1.2114
Ponca City, Okla.	.7824	.7874	.7608
Potwin, Kans.	.7358	.7874	.8074
Pryae, Ky.	1.2056	1.2106	1.2306
Robinson, Ill.	.7878	.855	.875
St. Elmo, Ill.	.7678	.855	.875
St. Louis, Mich.	1.2405	1.3076	1.3276
Saginaw, Mich.	1.2405	1.3076	1.3276
Salem, Illinois	.6635	.7306	.7506
Sand Springs, Okla.	.7824	.7408	.8074
Shallow Water, Kans.	.9223	1.1293	1.2736
Sheboygan, Wis.	.8619	.9135	.9335
Stroud, Okla.	.7824	.7874	.8074
Toledo, Ohio	1.0108	1.0779	1.0979
Trenton, Mich. (Earhart)	.9808	1.0479	1.0679
Troy, Ind.	.8373	.8734	.8934
Tulsa, Okla.	.7824	.7408	.8074
West Branch, Mich.	1.4270	1.4630	1.4830
Whiting, Ind.	.6835	.8439	.7851
Wichita, Kans.	.6892	.7408	.7608
Wood River, Ill.	.6067	.6274	.6785
Wynnewood, Okla.	.7824	.7874	.4966

NOTE: The rates contained in this schedule are based in part upon tank car tariff rates between the points listed which were in effect on April 10, 1944. In the event of any change in such tariff rates, Defense Supplies Corporation reserves the right to make corresponding adjustments in the rates listed above, effective from the date of the tariff change.

SCHEDULE B

Compensation to be paid by Defense Supplies Corporation on West Texas crude transported through the Stanolind Pipe Line Company's pipe line to Cushing, Oklahoma, and thence by rail to refining points in District Two.

[Shown in dollars per barrel]

Destination:	*Compensation*
Allen, Okla.	$0.5412
Alma, Mich.	.9093
Ardmore, Okla.	.4978
Arkansas City, Kans.	.2026
Augusta, Kans.	.5444
Barnsdall, Okla.	.4201
Bay City, Mich.	1.1268
Blue Island, Ill.	.5809
Bloomingdale, Mich.	1.060
Bristow, Okla.	.3113
Canton, Ohio	.9404
Carson City, Mich.	.9093
Catlettsburg, Ky.	.8762
Centralia, Ill.	.7052
Coffeyville, Kans.	.2026
Chanute, Kans.	.2647
Cleveland, Ohio	.9404
Cleveland, Okla.	.1559
Cleves (Cincinnati), Ohio	.9982
Cyril, Okla.	.4357
Detroit, Mich.	.8982
Drumright, Okla.	.1559
Duncan, Okla. (Beckett)	.6066
E. Chicago, Ind.	.5809
Dupo (E. St. Louis), Ill.	.5709
Elsie, Mich.	.9093
El Dorado, Kans.	.5755
Enid, Okla.	.4978
Fairfield, Ill.	.7396
Findlay, Ohio	.8760
Flat Rock, Mich. (Trenton)	.8982
Garnett, Kans.	.5134
Gary, Ind.	.5809
Grandfield, Okla.	.4978
Grand Rapids, Mich.	.8782
Hartford, Ill.	.6466

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6887, 8523, 8607, 10707; 8 F.R. 1394, 3315, 3843, 4190, 4892, 5268, 7017; 9 F.R. 2233, 2478, 2656, 2746.

SCHEDULE B—Continued

Destination—Continued.	*Compensation*
Heath, Ohio	$1.0025
Indianapolis, Ind. (Rock Island)	.9471
Kalamazoo, Mich	.8782
Kansas City, Kans	.4334
Latonia, Ky	1.0293
Lawrenceville, Ill	.8296
Lemont, Ill	.5809
Lima, Ohio	1.0154
Lockport, Ill	.5809
Louisville, Ky	.8050
McPherson, Kans	.6066
Memphis, Tenn	.5613
Midland, Mich	1.1579
Mt. Pleasant, Mich	.9093
Mt. Vernon, Ind	.9039
Muskegon, Mich	.9873
Neodesha, Kans	.5444
Oklahoma City, Okla	.2647
Pana, Ill	.5809
Phillipsburg, Kans	.9796
Ponca City, Okla	.4357
Potwin, Kans	.5755
Pryse, Ky	1.1852
Robinson, Ill	.8296
St. Elmo, Ill	.8296
St. Louis, Mich	1.1268
Saginaw, Mich	1.1268
Salem, Ill	.7052
Sand Springs, Okla	.3890
Shallow Water, Kans	.9019
Sheboygan, Wis	.5462
Stroud, Okla	.3113
Toledo, Ohio	.9282
Trenton, Mich. (Erhart Station)	.8982
Troy, Ind	.8169
Tulsa, Okla	.3890
West Branch, Mich	1.2512
Whiting, Ind	.6009
Wichita, Kans	.3289
Wood River, Ill	.5709
Wynnewood, Okla	.4201

NOTE: The rates contained in this schedule are based upon pipe line and tank car tariff rates which were in effect on April 10, 1944. In the event of any change in such tariff rates, Defense Supplies Corporation reserves the right to make corresponding adjustment in the rates listed above, effective from the date of the tariff change.

SCHEDULE C

Compensation to be paid by Defense Supplies Corporation on rail movements of crude from District Four to refining points in District Two.

[Shown in dollars per barrel]

Destinations	Origins				
	Casper, Wyo.	Riverton, Wyo.	Manville and Lusk, Wyo.	Kirby, Thermopolis, and Chatham, Wyo.	Cody, Zube, and Frannie, Wyo.
Blue Island, Ill.	$0.5874	$0.5874	$0.5874	$0.5496	$0.5306
E. Chicago, Ind.	.5874	.5874	.5874	.5496	.5306
Falls City, Nebr.	.7396	.8950	.7396	.8571	.9314
Gary, Ind.	.5874	.5874	.5874	.5496	.5306
Lemont, Ill.	.5874	.5874	.5874	.5496	.5306
Omaha, Nebr.	.9666	.9666	.9666	.3286	.3096
Salem, Nebr.	.7396	1.0193	1.0193	.8571	.9314
Sheboygan, Wis.	.4646	.4646	.4646	.4267	.4078
Whiting, Ind.	.6074	.6074	.6074	.5696	.5506

On shipments of crude produced in the fields listed below, Defense Supplies Corporation will pay, in addition to the amounts shown in the above schedule, the amounts set opposite the respective fields and loading points.

Oil field	Railroad loading point	Additional compensation
		Cents a barrel
Salt Creek	Casper	5
Grass Creek	Chatham	10
Gebo	Thermopolis	2½
Oregon Basin	Cody	1
Byron	Zube (Lovell)	2½
Garland	Zube (Lovell)	2½
Elk Basin	Frannie	2½

NOTE: The rates contained in this schedule are based in part upon tank car tariff rates between the points listed which were in effect on April 10, 1944. In the event of any change in such tariff rates, Defense Supplies Corporation reserves the right to make corresponding adjustment in the rates listed above, effective from the date of the tariff change.

SCHEDULE D

Maximum compensation to be paid by Defense Supplies Corporation on barge movements of crude from District Three to points in District Two.

MOVEMENTS FROM CORPUS CHRISTI, TEX. AND CRUDE PRODUCING AREA NO. 10

Destination	Via Plaquemine		Via New Orleans	
	Barge rate per bbl.	Maximum compensation per bbl.	Barge rate per bbl.	Maximum compensation per bbl.
Mt. Vernon, Ind.	$0.982	$0.673	$1.081	$0.772
Louisville, Ky.	1.12	.681	1.219	.78
Cleves, Ohio	1.192	.853	1.291	.952
Latonia, Ky.	1.202	.863	1.301	.962
Catlettsburg, Ky.	1.296	.835	1.396	.934
Gallipolis, Ohio	1.329	.860	1.428	.959
Newport, Ohio	1.395	.926	1.495	1.026
Ohio-Penn. State line	1.462	1.043	1.561	1.142
Wood River, Ill.	1.010	.741	1.109	.840
Lemont, Ill.	1.207	.948	1.306	1.047
Lockport, Ill.	1.202	.943	1.301	1.042
Chicago, Ill.	1.220	.961	1.319	1.060

MOVEMENTS FROM HOUSTON, TEX., AND CRUDE PRODUCING AREA NO. 11

Destination	Via Plaquemine		Via New Orleans	
	Barge rate per bbl.	Maximum compensation per bbl.	Barge rate per bbl.	Maximum compensation per bbl.
Mt. Vernon, Ind.	$0.843	$0.519	$0.942	$0.618
Louisville, Ky.	.981	.527	1.08	.626
Cleves, Ohio	1.053	.699	1.152	.798
Latonia, Ky.	1.063	.709	1.162	.808
Catlettsburg, Ky.	1.157	.681	1.256	.78
Gallipolis, Ohio	1.190	.706	1.289	.805
Newport, Ohio	1.256	.772	1.356	.872
Ohio-Penn. State line	1.323	.889	1.422	.988
Wood River, Ill.	.871	.587	.971	.687
Lemont, Ill.	1.068	.794	1.167	.893
Lockport, Ill.	1.062	.789	1.162	.888
Chicago, Ill.	1.081	.807	1.180	.906

MOVEMENTS FROM PORT ARTHUR, TEX. AND CRUDE PRODUCING AREA NO. 11

Destination	Via Plaquemine		Via New Orleans	
	Barge rate per bbl.	Maximum compensation per bbl.	Barge rate per bbl.	Maximum compensation per bbl.
Mt. Vernon, Ind.	$0.791	$0.467	$0.891	$0.567
Louisville, Ky.	.93	.476	1.029	.575
Cleves, Ohio	1.001	.647	1.101	.747
Latonia, Ky.	1.012	.658	1.111	.757
Catlettsburg, Ky.	1.106	.629	1.205	.729
Gallipolis, Ohio	1.139	.655	1.238	.754
Newport, Ohio	1.205	.721	1.304	.820
Ohio-Penn. State line	1.271	.837	1.371	.907
Wood River, Ill.	.820	.536	.919	.635
Lemont, Ill.	1.017	.743	1.116	.842
Lockport, Ill.	1.012	.738	1.111	.837
Chicago, Ill.	1.029	.755	1.129	.855

MOVEMENTS FROM LAKE CHARLES, LA., AND CRUDE PRODUCING AREA NO. 11

Destination	Via Plaquemine		Via New Orleans	
	Barge rate per bbl.	Maximum compensation per bbl.	Barge rate per bbl.	Maximum compensation per bbl.
Mt. Vernon, Ind.	$0.772	$0.448	$0.871	$0.547
Louisville, Ky.	.91	.456	1.009	.555
Cleves, Ohio	.982	.626	1.081	.727
Latonia, Ky.	.992	.638	1.092	.738
Catlettsburg, Ky.	1.086	.610	1.185	.709
Gallipolis, Ohio	1.119	.635	1.218	.734
Newport, Ohio	1.186	.702	1.285	.801
Ohio-Penn. State line	1.242	.818	1.351	.917
Wood River, Ill.	.801	.517	.90	.616
Lemont, Ill.	.997	.723	1.096	.822
Lockport, Ill.	.992	.718	1.091	.817
Chicago, Ill.	1.010	.736	1.109	.835

Destination	Movements from New Orleans, La., and Crude Producing Area No. 12		Movements from Baton Rouge, La., and Crude Producing Area No. 12	
	Barge Rate per bbl.	Maximum compensation per bbl.	Barge Rate per bbl.	Maximum compensation per bbl.
Mt. Vernon, Ind.	$0.69	$0.35	$0.609	$0.209
Louisville, Ky.	.826	.356	.747	.277
Cleves, Ohio	.90	.53	.819	.449
Latonia, Ky.	.910	.54	.829	.459
Catlettsburg, Ky.	1.004	.512	.923	.431
Gallipolis, Ohio	1.037	.537	.956	.456
Newport, Ohio	1.104	.604	1.023	.523
Ohio-Penn. State line	1.170	.720	1.089	.639
Wood River, Ill.	.719	.419	.638	.338
Lemont, Ill.	.915	.625	.834	.544
Lockport, Ill.	.910	.620	.829	.539
Chicago, Ill.	.927	.637	.846	.556

Destination	Movements from Hawkins, Tex.		Movements from Quitman, Tex.	
	Barge rate per bbl.	Maximum compensation per bbl.	Barge rate per bbl.	Maximum compensation per bbl.
Mt. Vernon, Ind.	$0.609	$0.379	$0.609	$0.404
Louisville, Ky.	.747	.387	.747	.412
Cleves, Ohio	.819	.559	.819	.584
Latonia, Ky.	.829	.569	.829	.594
Catlettsburg, Ky.	.923	.541	.923	.566
Gallipolis, Ohio	.956	.566	.956	.591
Newport, Ohio	1.023	.633	1.023	.658
Ohio-Penn. State line	1.089	.749	1.089	.774
Wood River, Ill.	.638	.448	.638	.473
Lemont, Ill.	.834	.654	.834	.679
Lockport, Ill.	.829	.649	.829	.674
Chicago, Ill.	.846	.666	.846	.691

Destination	Movements from Longview, Tex.	
	Barge rate per bbl.	Maximum compensation per bbl.
Mt. Vernon, Ind.	$0.609	$0.354
Louisville, Ky.	.747	.362
Cleves, Ohio	.819	.534
Latonia, Ky.	.829	.554
Catlettsburg, Ky.	.923	.516
Gallipolis, Ohio	.956	.541
Newport, Ohio	1.023	.608
Ohio-Penn. State line	1.089	.724
Wood River, Ill.	.638	.423
Lemont, Ill.	.834	.629
Lockport, Ill.	.829	.624
Chicago, Ill.	.846	.641

The above barge rates have been computed on an API 20° gravity basis. The following conversion factors are to be used in arriving at the barge rate per barrel of the gravity of crude transported. The barge rate shown on the schedule, multiplied by the applicable conversion factor for the gravity of the crude shipped, will give the barge rate for that gravity crude; the difference between this rate and the barge rate shown on the schedule should be deducted from the compensation shown on the schedule and the resulting figure will be the amount of compensation to be paid.

API gravity:	*20° Base factor*
20 and below	1.000
21	.9934
22	.9869
23	.9806
24	.9743
25	.9680
26	.9618
27	.9558
28	.9497
29	.9438
30	.9380
31	.9322
32	.9265
33	.9209
34	.9153
35	.9097
36	.9043
37	.8991
38	.8937
39	.8884
40	.8833
41	.8781
42 and above	.8730

The barge rates shown on this schedule have been computed from the following basing points: Corpus Christi, Houston and Port Arthur, Texas, and Lake Charles, New Orleans and Baton Rouge, Louisiana. Where more than one basing point is designated for a crude producing area, applicant shall use the basing point nearest point of origin of the shipment for the purpose of computing his claim, except in those cases where crude is moved through a more distant basing point because of limited terminal facilities. If the mileage from the actual loading point on the Gulf Intra-Coastal Canal or lower Mississippi River to destination is less than the mileage from the basing point to destination, applicant shall reduce the barge rate by such difference in mileage. If the shipment is not loaded on Gulf Intra-Coastal Canal or at lower Mississippi River points, mileage shall be computed from the point shipment reaches the Canal or River. All mileage deductions for shipments originating on the Gulf Intra-Coastal Canal shall be computed at 4.25 mills per ton mile. All mileage deductions for shipments originating on the Mississippi River shall be computed at 3.75 mills per ton mile.

NOTE: The rates contained in this schedule are based upon barge tariff rates between the points listed which were in effect on April 10, 1944. In the event of any change in such tariff rates, Defense Supplies Corporation reserves the right to make corresponding adjustment in the rates listed above, effective from the date of the tariff change.

[F. R. Doc. 44-7199; Filed, May 19, 1944; 9:19 a. m.]

Notices

TREASURY DEPARTMENT.

Office of the Secretary.

CERTAIN WIRELESS AND WIRE SERVICES, AND CERTAIN TRANSPORTATION SERVICES

EXEMPTION FROM CERTAIN TAXES

Correction

The proviso in F. R. Doc. 44-6128, appearing on page 4615 of the issue for Tuesday, May 2, 1944, should read as follows:

"*Provided*, That nothing in this authorization shall be construed to authorize any exemption as to payments for services or facilities furnished to a contractor, or other person, operating under a contract to perform work on behalf of, or to furnish articles or materials to, the United States Government or any agency thereof."

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[A. O. 823]

ALLOCATION OF FUNDS FOR LOANS

MAY 6, 1944.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Texas 413681 Trenton	$24,000
Texas 413761 Shelby	28,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-7207; Filed, May 19, 1944; 11:17 a. m.]

[A. O. 826]

ALLOCATION OF FUNDS FOR LOANS

MAY 11, 1944.

I hereby amend:

(a) Administrative Order No. 824, dated May 6, 1944, by changing the project designation therein given as "Colorado 4014E1 Alamosa" to read "Colorado 4–2014E1 Alamosa";

(b) Administrative Order No. 821, dated April 24, 1944, by changing the project designation therein given as "Illinois 4032C2 McDonough" to read "Illinois 4–2032C2 McDonough";

(c) Administrative Order No. 821, dated April 24, 1944, by changing the project designation therein given as "Indiana 4027C2 Decatur" to read "Indiana 4–2027C2 Decatur";

(d) Administrative Order No. 821, dated April 24, 1944, by changing the project designation therein given as "Indiana 4033C3 Hendricks" to read "Indiana 4–2033C3 Hendricks";

(e) Administrative Order No. 824, dated May 6, 1944, by changing the project designation therein given as "Louisiana 4010E1 Washington" to read "Louisiana 4–2010E1 Washington";

(f) Administrative Order No. 814, dated March 18, 1944, by changing the project designation therein given as "Minnesota 4004B2 Lake" to read "Minnesota 4–2004B2 Lake";

(g) Administrative Order No. 824, dated May 6, 1944, by changing the project designation therein given as "Minnesota 4034D1 Stearns" to read "Minnesota 4–2034D1 Stearns";

(h) Administrative Order No. 821, dated April 24, 1944, by changing the project designation therein given as "Nebraska 4076E3 Southern Nebraska District Public" to read "Nebraska 4–2076E3 Southern Nebraska District Public";

(i) Administrative Order No. 821, dated April 24, 1944, by changing the project designation therein given as "Texas 4056E3 Lubbock" to read "Texas 4–2056E3 Lubbock";

(j) Administrative Order No. 824, dated May 6, 1944, by changing the project designation therein given as "Texas 4059D2 Lamb" to read "Texas 4–2059D2 Lamb";

(k) Administrative Order No. 824, dated May 6, 1944, by changing the project designation therein given as "Washington 4023A3 Grays Harbor" to read "Washington 4–2023A3 Grays Harbor";

(l) Administrative Order No. 821, dated April 24, 1944, by changing the project designation therein given as "Washington 4030B4 Stevens" to read "Washington 4–2030B4 Stevens."

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-7208; Filed May 19, 1944; 11:17 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Amdt. 36 to Order A–1]

READY-MIXED CONCRETE, CONCRETE PRODUCTS AND PRECAST STONE PRODUCTS

MODIFICATION OF MAXIMUM PRICES

Amendment No. 36 to Order No. A–1 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Modification of maximum prices for ready-mixed concrete, concrete products and precast stone products.

An opinion accompanying Amendment No. 36 to Order No. A–1 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Order No. A–1 is amended by adding a new paragraph (a) (29) to read as follows:

(29) *Modification of maximum prices for ready-mixed concrete, concrete products, and precast stone products.* On and after May 19, 1944, any manufacturer producing a type or kind of ready-mixed concrete, a size or variety of concrete product, or a precast stone product, which was not sold or offered for sale during March 1942, and for which a maximum price has not been established, shall determine his maximum price for such product or products in accordance with the first applicable method set forth below rather than §§ 1499.155 to 1499.158, inclusive, of Maximum Price Regulation No. 188.

(i) *Manufacturer operating a plant producing ready-mixed concrete, concrete products, or precast stone products during the month of March 1942, or prior thereto.* The maximum price for ready-mixed concrete, concrete products, and precast stone products sold by a manufacturer operating a plant producing such products during the month of March 1942, or prior thereto, but not selling or offering the particular type or kind of product for sale during that month, whether the sale is to be made f. o. b. the manufacturer's plant or delivered to a destination designated by the purchaser, shall be such that the cost to the purchaser, at the destination designated, is not in excess of what it would have been to such purchaser under normal conditions of sale during the month of March 1942. Such price shall be calculated upon the basis of the price, pricing practices, freight rates, transportation practices, trade practices, terms of sale and allowances, and customary differentials most favorable to purchasers, in effect, published, listed, or quoted by the seller during the month of March 1942.

(ii) *Maximum prices for sales by a manufacturer producing new ready-mixed concrete, concrete products, or precast stone products for the first time, or when such products are sold by a new manufacturer—(a) At a permanent plant.* The maximum price for a manufacturer's sales out of a permanent plant, whether as a new manufacturer or an established manufacturer producing any particular type of ready-mixed concrete, or new concrete products or new precast stone products for the first time, shall not exceed:

The maximum price of his closest competitor based on the following factors:

(1) Comparable kind, grade, and quality of the commodity being priced;

(2) Class of purchaser;

(3) Class of seller;

The maximum price arrived at under the above paragraph shall be reported to the Office of Price Administration together with a statement giving the name and address of the most closely competitive seller used to establish the maximum price or prices. If, within 20 days after the report is mailed, the Office of Price Administration has not mailed an approval or disapproval of the reported maximum price, the seller may treat the reported price as his ceiling price. The seller may be advised of the approval or disapproval by telephone or telegram before the expiration of 20 days.

If a maximum price cannot be established by a manufacturer under the conditions stated above because of the lack of a competitive seller or a comparable type of sale, or because fixing a price under those conditions will result in hardship to the seller, the maximum price must be fixed under subdivision (c) below. A reported price, which is out of line with the general level of prices under Maximum Price Regulation No. 188, will be disapproved and the maximum price must be established under subdivision (c) below.

(b) *At a temporary plant.* The maximum price for a manufacturer's sales out of a temporary plant shall not exceed:

The maximum price of his closest competitor based on the following factors:

(1) Comparable kind, grade, and quality of the commodity being priced;

(2) Class of purchaser;

(3) Class of seller;

If a maximum price cannot be fixed by a manufacturer under the paragraph above, the maximum price shall be the same as the manufacturer's maximum price for the same product under similar conditions of sale at his own permanent plant but adjusted so as to reflect the actual difference in unit direct labor and materials cost at the site of the temporary plant, plus an allowance to cover the actual or estimated cost of transporting the temporary plant to the site of its operations, the cost of erection and dismantling, and the cost of returning such plant to the manufacturer's permanent storage yard. Such added costs must be spread over the reasonable estimated volume of production at the temporary plant. The reasonableness of all actual or estimated costs included in the proposed price must be clearly established.

The maximum price arrived at under either of the two preceding paragraphs shall be reported to the Office of Price Administration with a statement showing the method by which the price was determined, a description of the commodity produced, the expected volume of sales, the purchaser or class of purchasers to whom the commodity is expected to be sold, the date when production is expected to begin and end. If the maximum price is not determined on a competitive basis, the manufacturer must also report the cost of labor and materials at the permanent plant and the actual or estimated increase or decrease in cost for these items at the temporary location, plus allowances to cover the actual or estimated cost of transporting and erecting the temporary plant at the site of its operations and the cost of dismantling and returning such plant to the manufacturer's permanent storage yard. These allowances must be prorated over the reasonable estimated volume of production at the temporary plant. If within 20 days after the report is mailed, the Office of Price Administration has not mailed an approval or disapproval of the reported maximum price, the manufacturer may treat the reported price as his ceiling price. A reported price, which is out of line with the general level of prices under Maximum Price Regulation No. 188, will be disapproved and the maximum price must be established under subdivision (c) below. The manufacturer may be advised of the approval or disapproval by telephone or telegram before the expiration of 20 days.

If a maximum price cannot be established under the conditions stated above because of the lack of a competitive seller or a comparable type of sale, or because fixing a price under those conditions will result in hardship to the seller, the maximum price must be fixed under subdivision (c) below.

(c) *Maximum prices which cannot be determined by a manufacturer under subdivisions (a) and (b) must be determined under this subdivision.* In the case of any product the maximum price for which cannot be determined by a manufacturer under subdivisions (a) and (b) hereof, the manufacturer shall file with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., an application for approval of a proposed maximum price for the particular product showing the information requested below.

Maximum prices to be established for products produced at a permanent plant. The proposed maximum price, the method by which it was determined, a description of the kind, grade and quality of the product, the volume expected to be produced, the purchaser or class of purchasers to whom the commodities are expected to be sold, and:

(1) Detailed actual or estimated breakdown of plant cost into material, labor, and other production costs.

(2) Selling and administrative expenses. The basis used in charging these expenses to cost must be explained.

(3) Mark-up used and the basis of its determination.

(4) Maximum selling price requested.

(5) An estimate of the total production upon which these costs are based.

(6) Such other facts may be submitted as will make clear the basis for the requested maximum price.

Maximum prices to be established for products produced at a temporary plant. The proposed maximum price, the manner in which it was determined, a description of the product, the expected volume of sales, the purchaser or class of purchaser to whom the commodity is expected to be sold, the date when production is expected to begin and end, and:

(1) Detailed actual or estimated breakdown of plant cost into material, labor, and other production costs.

(2) Selling and administrative expenses. The basis used in charging these expenses to cost must be explained.

(3) Mark-up used and the basis of its determination.

(4) As an addition to items (1), (2), and (3), the actual or estimated cost of transporting and erecting the temporary plant at the site of operations and the actual or estimated cost of dismantling and returning the temporary plant to the manufacturer's permanent storage yard. These expenses must be prorated over the reasonably estimated volume of production at the temporary plant.

(5) Maximum selling price requested.

(6) Estimate of the total production upon which costs are based.

(7) Such other facts may be submitted as will make clear the basis for the requested maximum price.

(d) *Reporting and waiting requirements.* No report need be filed for prices fixed under subdivision (i).

It is required that reports for maximum prices fixed under subdivision (ii) be filed with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C. An authorized maximum price will not be in effect under subdivisions (ii) (a) and (b) until the manufacturer has been notified of the approval or unless the maximum price is automatically approved by the expiration of the 20 day period. Under subdivision (ii) (c) an authorized maximum price will not be in effect until the Office of Price Administration issues an order to that effect.

However, under subdivision (ii), (a), (b), and (c), above, the manufacturer may offer to sell, sell, deliver, and tentatively collect the maximum price reported to the Office of Price Administration: *Provided*, That he informs the buyer that the reported price is subject to approval by the Office of Price Administration and he agrees to refund to the purchaser any amount collected which is in excess of the amount which is finally approved by the Office of Price Administration. In the case of offers, sales, or deliveries before an authorized maximum price is in effect, every invoice to the buyer must contain the following statement:

The price billed is subject to approval by OPA and any amount collected above the approved price will be refunded.

All reports of maximum prices must be mailed to the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C.

This Amendment No. 36 shall become effective May 19, 1944.

NOTE: All reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7177; Filed, May 18, 1944; 11:57 a. m.]

*Copies may be obtained from the Office of Price Administration.

[MPR 120, Order 763]

FRANK A. BASIORKA, ET AL.

ORDER ESTABLISHING MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 763 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 2. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

FRANK A. BASIORKA, R. D. No. 2, GREENSBURG, PA., PEMAR MINE, PITTSBURGH SEAM, MINE INDEX NO. 4036, WESTMORELAND COUNTY, PA., SUBDISTRICT NO. 3, R. R. FUEL P. G. NO. 1, RAIL SHIPPING POINT: MAMMOTH, PA., DRIFT MINE

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	E	E	E	E	C	C	B	B	R	-----	-----
Rail shipment	$3.35	$3.35	$3.05	$3.05	$3.25	$3.25	$3.00	$3.00	$2.85	-----	-----
Railroad fuel	3.35	3.35	3.15	3.15	3.35	3.25	3.00	3.00	2.85	$2.70	-----
Truck shipment	4.15	4.15	4.15	3.95	3.65	3.65	3.65	3.05	2.85	2.85	$2.55

BEACON FUEL COMPANY, 417 BOULEVARD OF ALLIES, PITTSBURGH, PA., BEACON MINE, PITTSBURGH SEAM, MINE INDEX NO. 4069, FAYETTE COUNTY, PA., SUBDISTRICT NO. 3, R. R. FUEL P. G. NO. 6, RAIL SHIPPING POINT: NEWCOMER, PA., STRIP MINE

Price classification	E	E	C	C	C	D	D	D	D	-----	-----
Rail shipment	$3.10	$3.10	$3.10	$3.10	$3.10	$2.90	$2.70	$2.70	$2.45	-----	-----
Railroad fuel	3.10	3.10	3.10	3.10	3.10	2.90	2.70	2.70	2.45	$2.45	-----
Truck shipment	4.15	4.15	4.16	3.85	3.75	3.75	3.75	3.10	2.90	2.90	$2.65

BORTZ AND BORTZ COAL COMPANY, STONEBORO, PA., BORTZ MINE, BROOKVILLE SEAM, MINE INDEX NO. 4067, MERCER COUNTY, PA., SUBDISTRICT NO. 1, R. R. FUEL P. G. NO. 19, RAIL SHIPPING POINT: JACKSON CENTER, PA., STRIP MINE

Price classification	G	G	G	G	G	F	G	G	G	-----	-----
Rail shipment	$2.85	$2.85	$2.75	$2.75	$2.75	$2.65	$2.45	$2.45	$2.30	-----	-----
Railroad fuel	2.90	2.90	2.90	2.90	2.90	2.75	2.45	2.45	2.35	$2.35	-----
Truck shipment	4.35	4.35	4.35	4.00	3.95	3.95	3.95	3.20	2.65	2.65	$2.40

COLLINS & SCHWEINBERG & CO., 3302 MAIN ST., HOMESTEAD PARK, PA., SAL RAY #4 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4083, ALLEGHENY COUNTY, PA., SUBDISTRICT NO. 7, R. R. FUEL P. G. NO. 1, RAIL SHIPPING POINT: LARGE, PA., STRIP MINE

Rail classification	D	D	C	C	C	C	C	C	C	-----	-----
Rail shipment	$3.10	$3.10	$3.10	$3.10	$3.10	$3.00	$2.75	$2.75	$2.55	-----	-----
Railroad fuel	3.10	3.10	3.10	3.10	3.10	3.00	2.75	2.75	2.55	$2.45	-----
Truck shipment	4.25	4.25	4.25	3.90	3.60	3.60	3.60	3.25	2.85	2.85	$2.70

BOWIE COAL COMPANY, 121 WEST PINE ST., GROVE CITY, PA., BOWIE NO. 2 DEEP MINE, KITTANNING SEAM, MINE INDEX NO. 4075, MERCER COUNTY, PA., SUBDISTRICT NO. 1, R. R. FUEL P. G. NO. 15, RAIL SHIPPING POINT: TRACK NO. 4 GROVE CITY, PA., DEEP MINE

Price classification	E	E	D	D	C	C	D	D	D	-----	-----
Rail shipment	$3.35	$3.35	$3.25	$3.25	$3.35	$3.25	$2.95	$2.95	$2.70	-----	-----
Railroad fuel	3.35	3.35	3.25	3.25	3.35	3.25	2.95	2.95	2.70	$2.70	-----
Truck shipment	4.35	4.35	4.35	4.00	3.95	3.95	3.95	3.20	2.65	2.65	$2.40

BOWIE COAL COMPANY, 121 WEST PINE ST., GROVE CITY, PA., BOWIE NO. 2 STRIP MINE, KITTANNING SEAM, MINE INDEX NO. 4006, MERCER COUNTY, PA., SUBDISTRICT NO. 1, R. R. FUEL P. G. NO. 15, RAIL SHIPPING POINT: TRACK NO. 4 GROVE CITY, PA., STRIP MINE

Price classification	E	E	D	D	C	C	D	D	D	-----	-----
Rail shipment	$3.10	$3.10	$3.00	$3.00	$3.10	$3.00	$2.70	$2.70	$2.45	-----	-----
Railroad fuel	3.10	3.10	3.00	3.00	3.10	3.00	2.70	2.70	2.45	$2.45	-----
Truck shipment	4.35	4.35	4.35	4.00	3.95	3.95	3.95	3.20	2.65	2.65	$2.40

ELRAMA COAL COMPANY, 229 W. MAIN ST., MONONGAHELA, PA., ELRAMA MINE, PITTSBURGH SEAM, MINE INDEX NO. 4068, ALLEGHENY AND WASHINGTON COUNTIES, PA., SUBDISTRICT NO. 9, R. R. FUEL P. G. NO. 1, RAIL SHIPPING POINT: ELRAMA, PA., STRIP MINE

	Size Group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	D	D	C	C	C	C	C	C	C	-----	-----
Rail shipment	$3.10	$3.10	$3.10	$3.10	$3.10	$3.00	$2.75	$2.75	$2.55	-----	-----
Railroad fuel	3.10	3.10	3.10	3.10	3.10	3.00	2.75	2.75	2.55	$2.45	-----
Truck shipment	4.25	4.25	4.25	3.90	3.60	3.60	3.60	3.25	2.85	2.85	$2.70

H. E. FOX, 411 BRANDON ST., GREENSBURG, PA., FOX NO. 2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4044, WESTMORELAND COUNTY, PA., SUBDISTRICT NO. 9, R. R. FUEL P. G. NO. 1, RAIL SHIPPING POINT: MADISON, PA., STRIP MINE

Price classification	E	E	C	C	E	E	E	E	E	-----	-----
Rail shipment	$3.10	$3.10	$3.10	$3.10	$2.80	$2.70	$2.50	$2.50	$2.35	-----	-----
Railroad fuel	3.10	3.10	3.10	3.10	2.90	2.75	2.50	2.50	2.45	$2.45	-----
Truck shipment	4.15	4.15	4.15	3.95	3.65	3.65	3.65	3.05	2.85	2.85	$2.55

GALLO, PAULO & GABRIELLI, 30 FIDELITY DRIVE, PITTSBURGH 10, PA., WILSON LINE, REDSTONE SEAM, MINE INDEX NO. 4063, ALLEGHENY COUNTY, PA., SUBDISTRICT NO. 7, R. R. FUEL P. G. 2, RAIL SHIPPING POINT: BROUGHTON, PA., STRIP MINE

Price classification	G	G	G	G	G	G	G	G	G	-----	-----
Rail shipment	$2.85	$2.85	$2.75	$2.75	$2.75	$2.65	$2.45	$2.45	$2.30	-----	-----
Rail road fuel	2.90	2.90	2.90	2.90	2.90	2.75	2.45	2.45	2.35	$2.35	-----
Truck shipment	4.25	4.25	4.25	3.90	3.60	3.60	3.60	3.25	2.85	2.85	$2.70

GILLELAND COKE COMPANY, 402 MARKET ST., BROWNSVILLE, PA., KEISTER MINE, PITTSBURGH SEAM, MINE INDEX NO. 4078, FAYETTE COUNTY, PA., SUBDISTRICT NO. 3, R. R. FUEL P. G. 6, RAIL SHIPPING POINT: KEISTERVILLE, PA., STRIP MINE

Price classification	E	E	C	C	B	B	B	B	B	-----	-----
Rail shipment	$3.10	$3.10	$3.10	$3.10	$3.10	$3.00	$2.75	$2.75	$2.60	-----	-----
Rail road fuel	3.10	3.10	3.10	3.10	3.10	3.00	2.75	2.75	2.60	$2.45	-----
Truck shipment	4.15	4.15	4.15	3.85	3.75	3.75	3.75	3.10	2.90	2.90	$2.65

HAREMAN COAL COMPANY, DELMONT, PA., NANCY NO. 3 DEEP MINE, PITTSBURGH SEAM, MINE INDEX NO. 4110, WESTMORELAND COUNTY, PA., SUBDISTRICT NO. 9, R. R. FUEL P. G. 1, RAIL SHIPPING POINT: SLICKVILLE, PA., DRIFT MINE

Price classification	D	D	C	C	C	C	D	D	D	-----	-----
Rail shipment	$3.35	$3.35	$3.35	$3.35	$3.35	$3.25	$2.95	$2.95	$2.70	-----	-----
Railroad fuel	3.35	3.35	3.35	3.35	3.35	3.25	2.95	2.95	2.70	$2.70	-----
Truck shipment	4.15	4.15	4.15	3.95	3.65	3.65	3.65	3.05	2.85	2.85	$2.55

IMPERIAL COAL CO., R. D. NO. 1, OAKLAND, PA., MCMICHAEL MINE, PITTSBURGH SEAM, MINE INDEX NO. 4058 ALLEGHENY COUNTY, PA., SUBDISTRICT NO. 7, R. R. FUEL P. G. 1, RAIL SHIPPING POINT: CLINTON, PA., STRIP MINE

Price classification	A	A	C	C	F	D	E	E	E	-----	-----
Rail shipment	$3.30	$3.30	$3.10	$3.10	$2.75	$2.90	$2.50	$2.50	$2.35	-----	-----
Railroad fuel	3.30	3.30	3.10	3.10	2.90	2.90	2.50	2.50	2.45	$2.45	-----
Truck shipment	4.25	4.25	4.25	3.90	3.60	3.60	3.60	3.25	2.85	2.85	$2.70

THE LANGENFELDER MINING CO., P. O. BOX 5106, HIGHLANDTOWN STATION, BALTIMORE, MD., HECLA #3 MINE, REDSTONE SEAM, MINE INDEX NO. 4062, WESTMORELAND COUNTY, PA., SUBDISTRICT NO. 3, R. R. FUEL P. G. 2, RAIL SHIPPING POINT: HECLA, PA., STRIP MINE

Price classification	G	G	G	G	G	G	G	G	G	-----	-----
Rail shipment	$2.85	$2.85	$2.75	$2.75	$2.75	$2.65	$2.45	$2.45	$2.30	-----	-----
Railroad fuel	2.90	2.90	2.90	2.90	2.90	2.75	2.45	2.45	2.35	$2.35	-----
Truck shipment	4.15	4.15	4.15	3.95	3.65	3.65	3.65	3.05	2.85	2.85	$2.55

HENRY MATTHEWS, R. D. #1 LEMONT FURNACE, PA., HENRY MATTHEWS MINE, SEWICKLEY SEAM, MINE INDEX NO. 4066, GREENE COUNTY, PA., SUBDISTRICT NO. 3, R. R. FUEL P. G. 8, RAIL SHIPPING POINT: DILLINER, PA., STRIP MINE

	Size Group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	J	J	H	H	H	H	H	H	H	-----	-----
Rail and river shipments	$2.85	$2.85	$2.70	$2.70	$2.70	$2.60	$2.35	$2.35	$2.25	-----	-----
Railroad fuel	2.85	2.85	2.70	2.70	2.70	2.60	2.35	2.35	2.30	$2.30	-----
Truck shipments	3.80	3.80	3.80	3.60	3.40	3.40	3.40	2.80	2.60	2.60	$2.30

MARINO NATALI, P. O. BOX 25, GALLATIN, PA., NATALI COAL CO. MINE, PITTSBURGH SEAM, MINE INDEX NO. 4063, ALLEGHENY COUNTY, PA., SUBDISTRICT NO. 9, R. R. FUEL P. G. 1, RAIL SHIPPING POINT: ELIZABETH, PA., STRIP MINE

Price classification	D	D	C	C	C	C	C	C	C	-----	-----
Rail and river shipment	$3.10	$3.10	$3.10	$3.10	$3.10	$3.00	$2.75	$2.75	$2.55	-----	-----
R. R. fuel	3.10	3.10	3.10	3.10	3.10	3.00	2.75	2.75	2.55	$2.45	-----
Truck shipment	4.25	4.25	4.25	3.90	3.60	3.60	3.60	3.25	2.85	2.85	$2.70

ANTONIO PANTALONE, 622 EAST PITTSBURGH ST., GREENSBURG, PA., PANTALONE #1 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4085, WESTMORELAND COUNTY, PA., SUBDISTRICT NO. 4, R. R. FUEL P. G. 13, RAIL SHIPPING POINT: SOUTH GREENSBURG, PA., STRIP MINE

Price classification	F	F	D	D	D	D	D	D	D	-----	-----
Rail shipment	$2.85	$2.85	$3.00	$3.00	$3.00	$2.90	$2.70	$2.70	$2.45	-----	-----
Railroad fuel	2.90	2.90	3.00	3.00	3.00	2.90	2.70	2.70	2.45	$2.45	-----
Truck shipment	4.15	4.15	4.15	3.95	3.65	3.65	3.65	3.05	2.85	2.85	$2.55

PARKINSON COAL COMPANY, 229 W. MAIN ST., MONONGAHELA, PA., PARKINSON MINE, PITTSBURGH SEAM, MINE INDEX NO. 4069, ALLEGHENY COUNTY, PA., SUBDISTRICT NO. 9, R. R. FUEL P. G. 1, RAIL SHIPPING POINT: ELRAMA & LARGE, PA., STRIP MINE

Price classification	D	D	C	C	C	C	C	C	C	-----	-----
Rail shipment	$3.10	$3.10	$3.10	$3.10	$3.10	$3.00	$2.75	$2.75	$2.55	-----	-----
Railroad fuel	3.10	3.10	3.10	3.10	3.10	3.00	2.75	2.75	2.55	2.45	-----
Truck shipment	4.25	4.25	4.25	3.90	3.60	3.60	3.60	3.25	2.85	2.85	$2.70

PEACH HILL COAL CO., WOOLWORTH BLDG., GREENSBURG, PA., ELIZA MINE, LOWER KITTANNING SEAM, MINE INDEX NO. 4073, ARMSTRONG COUNTY, PA., SUBDISTRICT NO. 1, R. R. FUEL P. G. 22, RAIL SHIPPING POINT: COWAN AND/OR MONTGOMERYVILLE, PA., STRIP MINE

Price classification	E	E	D	D	C	C	D	D	D	-----	-----
Rail shipment	$3.10	$3.10	$3.00	$3.00	$3.10	$3.00	$2.70	$2.70	$2.45	-----	-----
Railroad fuel	3.10	3.10	3.00	3.00	3.10	3.00	2.70	2.70	2.45	$2.45	-----
Truck shipment	3.95	3.95	3.95	3.65	3.60	3.60	3.60	2.95	2.75	2.75	$2.55

PERRY COAL CO., PERRYOPOLIS, PA., PERRY STRIP MINE, FREEPORT SEAM, MINE INDEX NO., 4081, FAYETTE COUNTY, PA., SUBDISTRICT NO. 9, R. R. FUEL P. G. 1, RAIL SHIPPING POINT: LAYTON, PA., STRIP MINE

Price classification	F	F	E	E	E	E	F	F	F	-----	-----
Rail shipment	$2.85	$2.85	$2.80	$2.80	$2.80	$2.70	$2.50	$2.50	$2.35	-----	-----
Railroad fuel	2.90	2.90	2.90	2.90	2.90	2.75	2.50	2.50	2.45	$2.45	-----
Truck shipment	4.15	4.15	4.15	3.85	3.75	3.75	3.75	3.10	2.90	2.90	$2.65

PERRY COAL CO., PERRYOPOLIS, PA., PERRY SLOPE MINE, FREEPORT SEAM, MINE INDEX NO. 4080, FAYETTE COUNTY, PA., SUBDISTRICT NO. 9, R. R. FUEL P. G. 1, RAIL SHIPPING POINT: LAYTON, PA., DEEP MINE (SLOPE)

Price classification	F	F	F	F	E	E	E	F	F	-----	-----
Rail shipment	$3.10	$3.10	$3.05	$3.05	$3.05	$2.95	$2.75	$2.75	$2.60	-----	-----
Railroad fuel	3.15	3.15	3.15	3.15	3.15	3.00	2.75	2.75	2.70	$2.70	-----
Truck shipment	4.15	4.15	4.15	3.85	3.75	3.75	3.75	3.10	2.90	2.90	$2.65

PLUMMER & JAMES, SEWICKLEY, PA., PLUMMER & JAMES MINE, PITTSBURGH SEAM, MINE INDEX NO. 4076, FAYETTE COUNTY, PA., SUBDISTRICT NO. 3, R. R. FUEL P. G. 1, RAIL SHIPPING POINT: ELWELL BRANCH P & LE, STRIP MINE

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	E	E	C	C	B	B	C	C	C	-----	-----
Rail shipment	$3.10	$3.10	$3.10	$3.10	$3.10	$3.00	$2.75	$2.75	$2.55	-----	-----
Railroad fuel	3.10	3.10	3.10	3.10	3.10	3.00	2.75	2.75	2.55	2.45	-----
Truck shipment	4.15	4.15	4.15	3.85	3.75	3.75	3.75	3.10	2.90	2.90	$2.65

THOMAS H. QUEER, 741 GULF BUILDING, PITTSBURGH, PA., GORMLEY MINE, PITTSBURGH SEAM, MINE INDEX NO. 4070, ALLEGHENY COUNTY, PA., SUBDISTRICT NO. 7, R. R. FUEL P. G. 1, RAIL SHIPPING POINT: SUPERIOR, PA., & CLIFF MINE, PA., STRIP MINE

Price classification	A	A	C	C	F	D	E	E	E	-----	-----
Rail shipment	$3.30	$3.30	$3.10	$3.10	$2.75	$2.90	$2.50	$2.50	$2.35	-----	-----
Railroad fuel	3.30	3.30	3.10	3.10	2.90	2.90	2.50	2.50	2.45	$2.45	-----
Truck shipment	4.25	4.25	4.25	3.90	3.60	3.60	3.60	3.25	2.85	2.85	$2.70

C. L. ROHR & SON, DUNKARD, PA., MCCLURE MINE, SEWICKLEY SEAM, MINE INDEX NO. 4059, GREENE COUNTY, PA., SUBDISTRICT NO. 3, R. R. FUEL P. G. 8, RAIL SHIPPING POINT: POLAND, PA., STRIP MINE

Price classification	J	J	H	H	H	H	H	H	H	-----	-----
Rail shipment	$2.85	$2.85	$2.70	$2.70	$2.70	$2.60	$2.35	$2.35	$2.25	-----	-----
Railroad fuel	2.85	2.85	2.70	2.70	2.70	2.60	2.35	2.35	2.30	$2.30	-----
Truck shipment	3.80	3.80	3.80	3.60	3.40	3.40	3.40	2.80	2.60	2.60	$2.30

H. E. WAGNER, R. D. 3 BOX 83, UNIONTOWN, PA., WAGNER #3 MINE, SEWICKLEY SEAM, MINE INDEX NO. 4072, FAYETTE COUNTY, PA., SUBDISTRICT NO. 3, R. R. FUEL P. G. 8, RAIL SHIPPING POINT: NEW GENEVA & MARTIN, PA., STRIP MINE

Price classification	J	J	H	H	H	H	H	H	H	-----	-----
Rail shipment	$2.85	$2.85	$2.70	$2.70	$2.70	$2.60	$2.35	$2.35	$2.25	-----	-----
Railroad fuel	2.85	2.85	2.70	2.70	2.70	2.60	2.35	2.35	2.30	$2.30	-----
Truck shipment	4.15	4.15	4.15	3.85	3.75	3.75	3.75	3.10	2.90	2.90	$2.65

WANANGO COAL CO., 631 12TH ST., FRANKLIN, PA., WANANGO #3 MINE, KITTANNING SEAM, MINE INDEX NO. 4095, BUTLER COUNTY, PA., SUBDISTRICT NO. 1, R. R. FUEL P. G. 15, RAIL SHIPPING POINT: FORESTVILLE, PA., STRIP MINE

Price classification	E	E	D	D	C	C	D	D	D	-----	-----
Rail shipment	$3.10	$3.10	$3.00	$3.00	$3.10	$3.00	$2.70	$2.70	$2.45	-----	-----
Railroad fuel	3.10	3.10	3.00	3.00	3.10	3.00	2.70	2.70	2.45	$2.45	-----
Truck shipment	4.35	4.35	4.35	4.15	4.05	4.05	4.05	3.20	2.90	2.90	$2.70

This order shall become effective May 19, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E. O. 9250, 7 F.R. 7871; E.O. 9328; 8 F.R. 4681)

Issued this 18th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7179; Filed, May 18, 1944; 12:00 m.]

[MPR 120, Order 767]

REND-MAR COAL CO.

ORDER ESTABLISHING CLASSIFICATIONS AND MAXIMUM PRICES

Order No. 767 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Ellen Mine of Rend-Mar Coal Company, Corning, Ohio is hereby assigned Mine Index No. 4043.

(b) Coals produced by Rend-Mar Coal Company at its Ellen Mine, Mine Index No. 4043 in District No. 4, are hereby classified in Railroad Fuel Price Group, No. 102 and in the Crooksville Freight Origin Group, and may be sold and purchased at per net ton prices not exceeding the following:

	Size group No.										
	1	2	3	4	5	6	7	8	9	10	12
Rail shipment	$3.35	$3.25	$2.85	$2.85	$2.85	$2.75	$2.45	$2.45	$2.80	$2.10	$2.60
Truck shipment	3.65	3.55	3.45	3.20	3.15	2.65	2.30	2.30	-----	-----	-----
Railroad fuel	3.35	3.25	2.85	2.85	2.85	2.75	2.45	2.45	2.60	2.20	2.60

(c) The maximum prices established herein are f. o. b. the mine for truck shipments, and f. o. b. the rail shipping point for rail shipment and for railroad fuel.

(d) This order may be revoked or amended at any time.

(e) All prayers of applicant not granted herein are hereby denied.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective May 19, 1944.

(56 Stat. 23, 765; Pub Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.)

Issued this 18th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7180; Filed, May 18, 1944; 12:01 p.m.]

[MPR 120, Order 768]

HINDMAN AND FAUST COAL CO.

ORDER ESTABLISHING MAXIMUM PRICES

Order No. 768 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an opinion issued herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

(a) The per net ton maximum prices for cannel coals of Hindman and Faust Coal Company, Eau Clair, Pennsylvania, produced at its Kennedy Mine, Mine Index No. 858 in District No. 2, are hereby established f. o. b. the rail shipping point as follows:

Size group	1	2	3	4	5	6	7	8	9
Rail shipments	$4.50	$4.50	$3.45	$3.45	$3.45	$3.35	$2.35	$2.35	$2.75

(b) All prayers of the applicant not granted herein are hereby denied.

(c) This order may be revoked or amended at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective May 19, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of May, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7181; Filed, May 18, 1944; 12:02 p.m.]

[MPR 120, Order 769]

BLACK-JACK COAL CO., ET AL.

ORDER ESTABLISHING MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 769 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 4. The location of each mine is given by county and State. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

THE BLACK-JACK COAL CO., 145 NORTH HIGH STREET, COLUMBUS, OHIO, BLACK-JACK MINE, NO. 6 SEAM, MINE INDEX NO. 4034, MUSKINGUM COUNTY, OHIO, SUBDISTRICT NO. 6, DRIFT MINE, PRICE CLASSIFICATION: CROOKSVILLE F. O. G., R. R. FUEL PRICE GROUP NO. 112

	Size group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	12
Rail shipment	$3.35	$3.25	$2.85	$2.85	$2.85	$2.75	$2.45	$2.45	$2.50	.....	.....	$2.50
Railroad fuel	3.35	3.25	2.85	2.85	2.85	2.75	2.45	2.45	2.50	.....	.....	2.70
Truck shipment	3.65	3.55	3.45	3.20	3.15	2.65	2.30	2.30	.....	.....	.....	.....

THE BLACK ARROW MINING CO., 145 NORTH HIGH STREET, COLUMBUS, OHIO, BLACK ARROW MINE, NO. 6 SEAM, MINE INDEX NO. 4004, MUSKINGUM COUNTY, OHIO, SUBDISTRICT NO. 6, DRIFT MINE PRICE CLASSIFICATION: CROOKSVILLE F. O. G., R. R. FUEL PRICE GROUP NO. 112

Rail shipment	$3.35	$3.25	$2.85	$2.85	$2.85	$2.75	$2.45	$2.45	$2.50	.....	.....	$2.50
Railroad fuel	3.35	3.25	2.85	2.85	2.85	2.75	2.45	2.45	2.50	.....	.....	2.70
Truck shipment	3.65	3.55	3.45	3.20	3.15	2.65	2.30	2.30	.....	.....	.....	.....

J. L. BOOTS & CO., 397 SOUTH HIGH STREET, COLUMBUS, 15, OHIO, BOOTS MINE, NO. 6 SEAM, MINE INDEX NO. 4036, PERRY COUNTY, OHIO, SUBDISTRICT NO. 5, STRIP MINE, PRICE CLASSIFICATION: HOCKING F. O. G., R. R. FUEL PRICE GROUP NO. 111

Rail shipment and railroad fuel	$3.50	$3.45	$3.05	$3.05	$3.05	$2.75	$2.55	$2.45	$2.75	$2.45	.....	$2.75
Truck shipment	3.65	3.55	3.45	3.20	3.15	2.65	2.30	2.20	.....	.....	.....	.....

This order shall become effective May 19, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7182; Filed, May 18, 1944; 12:02 p. m.]

[MPR 188, Order 30 Under Order A-2]

LANDEN PUTTY WORKS

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 30 under paragraph (a) (13) of Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Maximum prices for putty manufactured by Landen Putty Works, Malden, Massachusets, and sold outside of New England.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to paragraph (a) (13) of Order No. A-2 under § 1499.159b, it is ordered:

(a) *Sales by Landen Putty Works.* The maximum prices for sales of putty outside of New England by Landen Putty Works, Malden, Massachusetts, shall be:

(1) *Maximum prices.*

	Net price per 100 pounds f. o. b. Boston, Mass.			
	85 lb. steel drums	12½ lb. cans	5 lb. cans	1 lb. cans
Glaziers (commercial)	$2.45	$3.10	$3.45	$4.95
Glaziers 5% white lead	3.20	3.85	4.20	5.70
Strictly pure linseed oil (meets Federal Spec. TT-P-791a Type I)	4.35	5.00	5.35	6.85
Strictly pure linseed oil 5% white lead	4.85	5.50	5.85	7.35
Strictly pure linseed oil 10% white lead (meets Federal Spec. TT-P-791a Type II)	5.35	6.00	6.35	7.85
Factory steel sash (for interior glazing)	3.50	4.15	4.50	.....
Master plumbers (same as commercial)	2.45	3.10	3.45	4.95

(2) *Containers.* No extra charge may be made for containers.

(b) *Sales by resellers other than resellers at retail.* At his option, a reseller (other than a reseller at retail) of putty manufactured by Landen Putty Works, Malden, Massachusetts, acquired by virtue of this Order No. 30 at a cost higher than that of like putty manufactured by Landen Putty Works and acquired prior to May 19, 1944, may establish a maximum price for a sale of this putty according to the following method, in place of the maximum price which would be established for such a sale under the General Maximum Price Regulation:

(1) Determine from the invoice furnished to him, as required by paragraph (c) below, the increase under this order in the price to him per hundred pounds of the putty being sold over his supplier's maximum price for sales to him of like putty prior to May 19, 1944.

(2) Add this increase (in dollars and cents) per 100 pounds of putty being sold to his maximum price per 100 pounds for like putty established under the General Maximum Price Regulation prior to May 19, 1944. The resulting figure is such reseller's optional maximum price under this paragraph (b).

(3) Show the increase per 100 pounds separately on his invoice, as required by paragraph (c) below.

(c) *Invoices.* The manufacturer or reseller (other than a reseller at retail) shall show as separate items on all invoices for such putty:

(1) The maximum price established prior to May 19, 1944, for a like sale of putty under Maximum Price Regulation No. 188, in the case of the manufacturer, or under the General Maximum Price Regulation, in the case of such a reseller, and

(2) The adjusted selling price (not in excess of the maximum price under this Order No. 30).

(d) *Notice.* On or with the first invoice referred to in paragraph (c) above sent to a purchaser for the first delivery of putty at a price adjusted under this order, or prior thereto, the manufacturer or reseller (other than a reseller at retail) shall furnish such purchaser the following notice:

NOTICE

Unless you are reselling at retail you may on your resale of putty manufactured by Landen Putty Works and listed on the invoice furnished by your supplier, add the increase in your acquisition cost indicated on the invoice to your maximum price established under the General Maximum Price Regulation prior to May 19, 1944 for a like sale of putty manufactured by Landen Putty Works. However, you may do so only if, as required by the Office of Price Administration, you (1) show on all your invoices covering such resales the increase in your maximum price in the same manner as shown on the invoice furnished by your supplier, and (2) include on or with the first such invoice a notice identical to this notice. In no event may a retailer selling putty manufactured by Landen Putty Works increase his maximum price established under the General Maximum Price Regulation.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 19, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7176; Filed, May 18, 1944; 11:57 a. m.]

[MPR 188, Order 1616]

NATIONAL WOOD PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1616 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a folding cot manufactured by National Wood Products Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) The maximum price for all sales and deliveries by National Wood Products Company, 316 E. Reservoir Avenue, Milwaukee, 12, Wisconsin, of the folding cot of its manufacture, as described in its application, after such article became subject to Maximum Price Regulation No. 188 is $3.57 to jobbers who sell against the manufacturer's stock, and $4.20 to dealers. These maximum prices are not f. o. b. factory.

(b) Any person may sell and deliver at wholesale the folding cot manufactured by National Wood Products Company to dealers at a maximum price no higher than $4.20 per unit, net f. o. b. shipping point.

(c) At the time of or prior to the first invoice to each purchaser for resale, National Wood Products Company shall notify the purchaser for resale of the maximum prices and conditions set by this Order No. 1616 for resale by the purchaser. This notice may be given in any convenient form.

(d) This Order No. 1616 may be revoked or amended by the Price Administrator at any time.

This Order No. 1616 shall become effective on the 19th day of May 1944.

Issued this 18th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7183; Filed May 18, 1944; 12:02 p. m.]

[MPR 188, Order 1617]

CONKLIN PEN CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1617 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of three new fountain pens and one new fountain pen and mechanical pencil set manufactured by The Conklin Pen Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) This Order No. 1617 establishes maximum prices for sales of three new fountain pens and one new fountain pen and mechanical pencil set manufactured by The Conklin Pen Company, 54 West Illinois Street, Chicago, Illinois. This order applies to all sales of the new fountain pens and fountain pen and mechanical pencil sets in the 48 states and the District of Columbia.

(1) For sales by the manufacturer to jobbers, the maximum prices are those set forth below:

Model No.	Description	Maximum price, per gross
5D	Fountain pen with gold point	$181.44
8S	Fountain pen and mechanical pencil set with model No. 5D pen	252.72
50	Fountain pen with silver point	64.80
PC095	Fountain pen with silver point, in leather carrying case	113.40

These prices are f. o. b. Chicago, Illinois, and are subject to a cash discount of two percent for payment within ten days.

(2) For sales by the manufacturer to retailers, by jobbers to retailers, and all other sales at wholesale, the maximum prices are those set forth below, f. o. b. sellers' cities:

Model No.	Description	Maximum price (per gross)
5D	Fountain pen with gold point	$241.92
8S	Fountain pen and mechanical pencil set with model No. 5D pen	336.96
50	Fountain pen with silver point	86.40
PC095	Fountain pen with silver point, in leather carrying case	151.20

(3) For all sales at retail, the maximum prices are those set forth below:

Model No.	Description	Maximum price (per unit)
5D	Fountain pen with gold point	$2.80
8S	Fountain pen and mechanical pencil set with Model No. 5D pen	3.90
50	Fountain pen with silver point	1.00
PC095	Fountain pen with silver point in leather carrying case	1.75

(b) The maximum prices established by this order for sales by the manufacturer are for all sales and deliveries of the fountain pens and fountain and mechanical pencil set from the time that those articles became subject to Maximum Price Regulation No. 188.

(c) To every fountain pen and every fountain pen and pencil set listed, which is shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price established by this order.

(d) The manufacturer shall notify, in writing, every person who buys from it for resale, and every jobber shall notify, in writing, every retailer who buys the articles listed above, of the maximum prices established by this order for resales by the purchaser. This notice shall be given at or prior to the first invoice to each purchaser, and may be given in any convenient form.

(e) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(f) This Order No. 1617 may be revoked or amended by the Price Administrator at any time.

This Order No. 1617 shall become effective May 19, 1944.

Issued this 18th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44—7184; Filed, May 18, 1944; 12:03 p. m.]

[MPR 188, Order 1618]

WISCONSIN ALUMINUM FOUNDRY CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1618 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of five new canners and one pan set manufactured by Wisconsin Aluminum Foundry Co., Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries of the five new aluminum pressure canners and one new pan set manufactured by Wisconsin Aluminum Foundry Co., Inc., Manitowoc, Wisconsin, by the manufacturer, since such articles became subject to Maximum Price Regulation No. 188, are as follows:

Model	To jobbers	To retailers in quantities of 2,000 or more	To retailers in quantities of 100–1,999	To retailers in quantities of less than 100
No. 7 Queen equipped with set of 2 duplicate pans, pudding pan, cross bars, wire rack and cook book	$8.90	$9.80	$10.68	$11.87
No. 7A King equipped with wire rack and cook book	8.38	9.22	10.06	11.17
No. 7A King equipped with set of 2 duplicate pans, pudding pan and cross bars, wire rack and cook book	9.13	10.04	10.96	12.17
No 14 Senior equipped with wire rack and cook book	10.95	12.05	13.14	14.60
No. 14 Senior equipped with set of 2 duplicate pans, pudding pan and cross bars, wire rack and cook book	11.70	12.87	14.04	15.60
No. 021½ pan set	.90	.99	1.08	1.20

These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within ten days net thirty days.

(b) On and after the effective date of this order, the maximum prices for sales by jobbers are those set forth below, f. o. b. seller's city, subject to cash discounts and terms no less favorable than those customarily granted by the seller:

Model	Western zone	Eastern zone
No. 7 Queen equipped with set of 2 duplicate pans, pudding pan, cross bars, wire rack and cook book	$12.47	$11.87
No. 7 A King equipped with wire rack and cook book	11.83	11.17
No. 7A King equipped with set of 2 duplicate pans, pudding pan and cross bars, wire rack and cook book	12.87	12.17
No. 14 Senior equipped with wire rack and cook book	15.33	14.60
No. 14 Senior equipped with set of 2 duplicate pans, pudding pan and cross bars, wire rack and cook book	16.40	15.60
No. 021½ pan set	1.27	1.20

(c) On and after the effective date of this order the maximum prices for sales at retail are those set forth below:

Model	Western zone	Eastern zone
No. 7 Queen equipped with set of 2 duplicate pans, pudding pan, cross bars, wire rack and cook book	$18.70	$17.80
No. 7 King equipped with wire rack and cook book	17.75	16.75
No. 7 King equipped with set of 2 duplicate pans, pudding pan and cross bars, wire rack and cook book	19.30	18.25
No. 14 Senior equipped with wire rack and cook book	23.00	21.90
No. 14 Senior equipped with set of 2 duplicate pans, pudding pan and cross bars, wire rack and cook book	24.60	23.40
No. 021½ pan set	1.90	1.80

(d) To every aluminum pressure canner and pan set shipped to a purchaser

for resale on and after May 19, 1944, the manufacturer shall attach a tag or label containing the following statement with the blanks properly filled in:

Eastern Zone Retail Ceiling Price___ $_____
Western Zone Retail Ceiling Price___ $_____
This tag shall not be removed until delivered to the purchaser.

(e) At the time of the first invoice after May 18, 1944, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser. Since this order establishes maximum prices for sales by all jobbers to jobbers and jobbers to retailers, each jobber who resells any commodity covered by this order must notify his purchaser in writing of the maximum prices established by this order for resales by the purchaser. The written notice may be given in any convenient form.

(f) The western zone includes the States of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming and the following counties in Texas: El Paso, Hudspeth, Culberson, Jeff Davis, Presidio, Brewster, Terrell, Pecos and Reeves. The rest of the country is in the eastern zone.

(g) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(h) This order may be revoked or amended by the Price Administrator at any time.

This Order No. 1618 shall become effective May 19, 1944.

Issued this 18th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7185; Filed, May 18, 1944; 12:03 p. m.]

[MPR 188, Order 1623]

PLASTO MANUFACTURING CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1623 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of smoking stands manufactured by Plasto Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by Plasto Manufacturing Company, 1534 Clybourn Avenue, Chicago 10, Illinois, of the smoking stands of its manufacture, as described in its application, after such articles become subject to Maximum Price Regulation No. 188 are those as set forth below:

	To jobbers who sell against the manufacturer's stock	To dealers
Ivory finish	$1.85	$2.65
Metallic finish	2.05	2.95

These maximum prices are f. o. b. factory and subject to a cash discount of 2% for payment within ten days.

(b) Any person may sell and deliver at wholesale the smoking stands manufactured by Plasto Manufacturing Company to dealers at maximum prices no higher than $2.65 ivory finish, $2.95 metallic finish. These maximum prices are f. o. b. shipping point and are subject to a cash discount of 2% for payment within ten days.

(c) At the time of or prior to the first invoice to each purchaser for resale, Plasto Manufacturing Company shall notify the purchaser for resale of the maximum prices and condition set by this Order for resale by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 19th day of May 1944.

Issued this 18th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7186; Filed, May 18, 1944; 12:04 p. m.]

[MPR 254, Order 2]

HARRINGTON & RICHARDSON ARMS CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2 Under § 1379.4 of Maximum Price Regulation No. 254. New small firearms and firearm parts. Approval of maximum prices for sales of the Model No. 48 Shotgun manufactured by the Harrington & Richardson Arms Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and in accordance with § 1379.4 of Maximum Price Regulation No. 254, *It is ordered:*

(a) Harrington & Richardson Arms Company, Worcester, Massachusetts, is authorized to sell and deliver the Model No. 48 Shotgun of its manufacture at prices no higher than those set forth below:

For sales by the manufacturer to jobbers.	$8.10 per unit exclusive of Federal excise tax.
For sales by the manufacturer to retailers.	$11.20—per unit, inclusive of Federal excise tax.
For sales by the manufacturer to consumers.	$14.00 per unit, inclusive of Federal excise tax.

These maximum prices are subject to the discounts, allowances, and freight, packing and other price differentials customarily granted or charged by the applicant to purchasers of each of the classes specified above.

(b) Any person may sell and deliver the Model No. 48 Shotgun to retailers at $11.20 per unit inclusive of Federal excise tax. This maximum price is subject to each seller's customary discounts, allowances, and price differentials.

(c) Any person may sell and deliver the Model No. 48 Shotgun to consumers at $14.00 inclusive of Federal excise tax. These maximum prices are subject to the seller's customary discounts, allowances and price differentials.

(d) At the time of or prior to the first invoice to each purchaser for resale, the seller shall notify the purchaser of the maximum prices and the conditions set by this Order No. 2 for resales by the purchaser. This notice may be given in any convenient form.

This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 19th day of May 1944.

Issued this 18th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7178; Filed, May 18, 1944; 12:00 m.]

Regional and District Office Orders.

[Region II Order G-4 Under RMPR 122, Amdt. 3]

SOLID FUELS IN BALTIMORE, MD., AREA

Amendment No. 3 to Order No. G-4 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.239 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-4 is amended in the following respect:

1. Paragraph (a) is amended to read as follows:

(a) On and after May 15, 1944, the maximum prices of wholesale dealers, intermediate dealers, retail dealers and of other retail sellers for the sale and delivery at wholesale and at retail in the Baltimore Metropolitan area of nut size coal of the type set forth in the following schedule, in 19 lb. bags, shall be the applicable adjusted maximum prices specified therein.

Type of coal	Adjusted maximum price per bag		
	Delivered at wholesale dealer's yard	Delivered at retail store	Delivered to ultimate consumer
Pennsylvania anthracite	$0.14	$0.16	$0.18
Virginia anthracite	.12	.145	.165
Bituminous	.095	.12	.14

This Amendment No. 3 to Order No. G-4 shall become effective May 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 12th day of May 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-7190; Filed, May 18, 1944; 4:15 p. m.]

[Region VII Rev. Order G-1 Under MPR 376, Amdt. 3]

FRESH FRUITS AND VEGETABLES IN COLORADO AND WYOMING

Revised Order No. G-1 under Maximum Price Regulation No. 376, Amendment No. 3. Adjustment of maximum prices for certain fresh fruits and vegetables when sold otherwise than at retail in the States of Colorado and Wyoming.

Pursuant to the Emergency Price Control Act of 1942, as amended, and section 4 (c) of Maximum Price Regulation No. 376, as amended, and for the reasons set forth in the accompanying opinion, this Amendment No. 3 is issued.

1. Paragraph (a), "Commodities covered", is amended by deleting therefrom all of subparagraphs (2) to (8), both inclusive, and inserting a new subparagraph (2) to read as follows:

(2) Sweet potatoes.

2. Paragraph (e) is amended by changing the title from "Exempt sales" to "Sales not covered", and by adding thereto subparagraph (4), to read as follows:

(4) All sales of sweet potatoes to dehydrators for dehydration purposes.

3. Paragraph (p), including all of Tables I, II, III, IV, V, and VI, is deleted.

4. Amendment No. 1 is revoked.

5. *Effective date.* This Amendment No. 3 shall become effective on May 9, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 9th day of May 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

Approved:

CHARLES A. LILLEY,
State Supervisor,
War Food Administration.

[F. R. Doc. 44-7191; Filed, May 18, 1944; 4:15 p. m.]

RETRAINING AND REEMPLOYMENT ADMINISTRATION.

[Order 1]

ORGANIZATION AND OPERATION OF VETERANS' INFORMATION SERVICE CENTERS

As men and women are discharged from the armed services and as war production is cut back, many persons will experience serious difficulty in readjusting from war to peace activity. To give the most appropriate assistance to the individual in making this readjustment, it is necessary that information be easily accessible in every community as to services and benefits available.

To accomplish this, the President of the United States, on February 24, 1944, prescribed in Executive Order 9427:

* * * There is hereby established in the Office of War Mobilization a Retraining and Reemployment Administration (hereinafter referred to as the Administration), the functions of which, subject to the general supervision of the Director of War Mobilization, shall be exercised by a Retraining and Reemployment Administrator (hereinafter referred to as the Administrator) to be appointed by the Director of War Mobilization.

With the assistance of a Retraining and Reemployment Policy Board, composed of a representative of the Department of Labor, the Federal Security Agency, the War Manpower Commission, the Selective Service System, the Veterans Administration, the Civil Service Commission, the War Department, the Navy Department, and the War Production Board, it shall be the function of the Administration:

To have general supervision and direction of the activities of all Government agencies relating to the retraining and reemployment of persons discharged or released from the armed services or other war work, including all work directly affected by the cessation of hostilities or the reduction of the war programs; to issue necessary regulations and directions in connection therewith; and to advise with the appropriate committees of the Congress as to the steps taken or to be taken with respect thereto.

To facilitate these processes, the Army and Navy will, at the time of discharge, advise persons who are leaving the services and will provide them with printed information as to their rights and benefits.

The Administrator with the concurrence of the Policy Board, as constituted in the Executive order, directs that all field offices of the United States Employment Service of the War Manpower Commission, the Selective Service System, and the Veterans Administration shall provide full information as to their own programs and as to other existing programs for veterans.

Under the authority of the Administrator of Retraining and Reemployment, there shall be established in each State a Veterans' Service Committee representing the Selective Service System, the War Manpower Commission, and the Veterans Administration. This committee will act as the representative of the Federal government in the State in connection with information to veterans. Each committee will select its own chairman and will add to its membership, or will represent the Federal government on State committees of the same nature, as the situation requires.

This committee will have the following responsibilities:

Each member of the committee shall designate a representative of his agency as a member of the Veterans' Service Committee in each community of the State in which the agency maintains facilities.

Render such assistance as may be required by the Veterans' Service Committee in establishing Veterans' Information Centers in the committees where the need for such centers has been determined.

Act as a central point for and mobilize the efforts of volunteer or other groups in the State in relation to veterans' information activities.

Be the contact point in the State for the Administrator of Retraining and Reemployment in connection with this program.

In order to promote an integrated and balanced program in the community, the Administrator directs that there shall be a Veterans' Service Committee with the following membership: a representative of the Selective Service System, the United States Employment Service, and the Veterans Administration insofar as any one or all of these agencies have representatives available in the community. These representatives shall constitute the Veterans' Service Committee. The committee will elect its own chairman.

A Veterans' Service Committee may enlarge its membership to include representation from local organizations, or they may represent the Federal government on community committees of the same nature. The Federal officials designated by the Administrator shall retain their function and responsibility as the point of contact for the Administration through the State committee with the Federal programs in the community.

The responsibilities of this committee shall be:

To determine the need for a single information service center over and above those existing in the individual agencies of the community.

To act as a central point for and to mobilize the efforts of volunteer or other groups in the community in relation to veterans' information activities.

To be the contact point in that community for the State Veterans' Service Committee in connection with the particular subject matter of this program.

The committe shall, in consultation with the cooperating agencies, determine: First, whether a single information center is necessary; second, whether there is available an appropriate location and necessary facilities in the community.

The function of an information center shall be primarily one of advice and reference. Actual determination of eligibility for benefits or special services must be the function of the appropriate agencies.

Local cooperation is important, since local organizations may render service outside of the scope of the Federal programs and may effectively provide volunteer service and facilities for the center.

If a center establishes services acceptable to veterans, with sound advice as to their problems, the variety and complexity of applications for assistance will be great. Federal programs will by no means meet all of these demands. Advice will be sought as to housing, family programs, special assistance, business or farm problems, and many other matters. Such varied services will demand the assistance of all pertinent community organizations and leaders.

Thus the centers should have available the most skillful interviewers and should have access to the advice of the most influential citizens in the community.

There is no single pattern for the operation of a center which will fit communities of all types and sizes. The organization should be adapted to the volume and nature of applications anticipated and the facilities available in the community. Changes in structure should be effected by the committee as experience indicates.

The committee responsible for the operation of a center may elect an executive secretary who shall be generally responsible for the operation of the center and may, when sufficient staff is available, delegate functions to other appointees. General functions to be performed are procurement of space and supplies, organization of staff, instruction of staff, arrangement of office hours, maintenance of records and the development of working relationships with cooperating organizations.

The space for handling any considerable volume of applicants should include, where possible, a general waiting room with a reference desk and interview facilities which will afford the maximum of privacy.

Efficient operation will require that two types of staff members be available:

1. Specialized staff as designated by the operating agencies.

2. Generalized staff from community organizations or as volunteer workers.

Both types of staff members may need instruction as to methods, procedufes and content of the services available to veterans. The objective of all persons on duty should be to acquire the ability to analyze the problems of the applicant in a tactful manner and refer him to the proper agency for securing service. Specialized personnel should be instructed by the supervisory staffs of the organization in which they are employed. Generalized and volunteer personnel should be instructed through means of discussion groups in which informed persons will explain the areas of responsibilities of each pertinent organization or agency. Such personnel should study and employ for reference the literature concerning Federal and other programs.

In referring applicants to operating agencies for service, interviewers should, if possible, make definite appointments with the person to be seen and provide the applicants with notations of such appointments in writing and ascertain in advance what papers the applicant will need in determining his eligibility or status in order that these may be presented to the service agency.

Basic records of numbers and types of requests, places of reference, and other dispositions, shall be maintained under the supervision of the executive secretary and shall make such reports as may be prescribed by the Administrator and the State committee.

No Federal funds have been appropriated or requested for the establishment or operation of information centers. No person is authorized to make any financial commitment or incur any financial obligation on behalf of the United States in connection with any of the activities provided for in this directive.

FRANK T. HINES,
Administrator.

MAY 17, 1944.

[F. R. Doc. 44-7194; Filed, May 19, 1944; 9:44 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-1894]

NEW RIVER CO.

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of May, A. D. 1944.

The Boston Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Common Stock, $100 Par Value, and the 6% Cumulative Preferred Stock, $100 Par Value, of The New River Company;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Thursday, June 1, 1944, at the office of the Securities and Exchange Commission, 82 Devonshire Street, Boston, Massachusetts, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Coleman Silbert, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-7200; Filed, May 19, 1944; 11:09 a. m.]

[File No. 70-892]

MILWAUKEE ELECTRIC RAILWAY & TRANSPORT CO. AND WISCONSIN ELECTRIC POWER CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of May 1944.

Notice is hereby given that a joint declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The Milwaukee Electric Railway & Transport Company, a wholly-owned subsidiary of Wisconsin Electric Power Company, and by Wisconsin Electric Power Company, a subsidiary of The North American Company, a registered holding company; and

Notice is further given that any interested person may not later than May 29, 1944, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said joint declaration or application, as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said joint declaration or application, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

The Milwaukee Electric Railway & Transport Company proposes (a) to redeem on June 15, 1944, at par plus accrued interest $100,000 principal amount of its First Mortgage 4% Bonds owned by Wisconsin Electric Power Company and pledged as collateral to the latter company's Mortgage and Deed of Trust dated October 28, 1938, and (b) to purchase for cash at par for retirement 9,000 shares of its capital stock of the aggregate par value of $900,000 from Wisconsin Electric Power Company. Wisconsin Electric Power Company seeks authorization to surrender the bonds and the stock on the basis described.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-7201; Filed, May 19, 1944; 11:09 a. m.]

[File Nos. 54-57, 59-57, 70-860]

AMERICAN UTILITIES SERVICE CORP., ET AL.

ORDER GRANTING EXTENSION OF TIME AND MODIFYING TERMS OF PURCHASE PRICE

At a regular session of the Securities and Exchange Commision held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of May 1944.

In the matter of American Utilities Service Corporation, File No. 54-57; American Utilities Service Corporation and its subsidiary companies, respondents, File No. 59-57; in the matter of Fred D. Ellis and Edmund J. Haugh, File No. 70-860.

American Utilities Service Corporation, a registered holding company, having filed an application and declaration on January 17, 1944, and an amendment thereto on January 31, 1944, pursuant to sections 11 (e) and 12 (d) of the Public Utility Holding Company Act of 1935 with respect to the sale of all the securities of its subsidiary, Northwestern Illinois Utilities, an electric and gas utility company, such securities consisting of 95,000 shares of common stock, par value $5 per share, and an unsecured note dated November 1, 1938, and due November 1, 1964, in the principal amount of $375,000, the consideration being $840,000 in cash with interest at the rate of 6% per annum from January 1, 1944 to closing date; and

Fred D. Ellis and Edmund J. Haugh having filed an application pursuant to sections 9 (a) (2) and 10 of the act with respect to the acquisition of such securities of Northwestern Illinois Utilities; and

The Commission having by order dated March 15, 1944, granted the applications and permitted the declarations to become effective subject to the terms and conditions prescribed in Rule U-24; and

The above-named applicants and declarants having requested that the time within which, pursuant to Rule U-24, the transactions as set forth in the applications and declarations may be consummated, be extended to May 24, 1944; and

The above-named applicants and declarants also having requested that in lieu of payment of six per cent interest on purchase price of $840,000 from January 1, 1944, to date of closing, American Utilities Service Corporation be permitted to receive common stock dividends from Northwestern Illinois Utilities prior to closing in the amount of $20,000; and

The Commission having considered such requests and deeming it appropriate that they be granted;

It is ordered, That the conditions contained in the order of March 15, 1944, be and hereby are modified to the extent necessary to extend the time within which such transactions may be consummated to May 24, 1944;

It is further ordered, That American Utilities Service Corporation be and hereby is permitted to receive common stock dividends from Northwestern Illinois Utilities prior to closing in the amount of $20,000 in lieu of payment of six per cent interest on purchase price of $840,000 from January 1, 1944, to closing date;

It is further ordered, That in all other respects the said order of March 15, 1944 be, and remain in full force and effect.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-7202; Filed, May 19, 1944; 11:09 a. m.]

[File No. 70-885]

ASSOCIATED ELECTRIC CO.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 17th day of May 1944.

Associated Electric Company, a registered holding company, having filed an application-declaration pursuant to the Public Utility Holding Company Act of 1935, and particularly sections 9 (a), 10 and 12 (d) thereof and Rule U-44 promulgated thereunder, regarding the proposed sale to William E. Vogelback, a non-affiliate, for the base price of $750,000, of all the outstanding securities and indebtedness of a subsidiary, Union Gas & Electric Company; and

The Commission having, on February 22, 1944, after notice and hearing, made and filed its findings and opinion and issued its order herein (Holding Company Act Release No. 4904) granting the application and permitting the declaration to become effective; and

The applicant-declarant having, on May 16, 1944, filed a request that, because of the inability of the parties to consummate the transaction forming the subject of the said application-declaration within the time prescribed by the Commission's order of February 22, the time for effecting the said transaction embraced in the application-declaration be extended to and including May 22, 1944; and

It appearing to the Commission that it is appropriate in the public interest and the interest of investors that such extension of time be granted:

It is ordered, That the period of time within which the said transaction shall be completed, in accordance with the requirement of Rule U-24 (c) (1) of the general rules and regulations, be, and hereby is, extended to and including May 22, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-7203; Filed, May 19, 1944; 11:09 a. m.]

PHILADELPHIA STOCK EXCHANGE

DECLARATION OF EFFECTIVENESS OF PLAN

Declaration of effectiveness of amended plan of Philadelphia Stock Exchange pursuant to Rule X-10B-2 (d) [§ 240.10B-2 (d)].

The Securities and Exchange Commission having previously declared effective a plan for special offerings filed pursuant to Rule X-10B-2 (d) by the Philadelphia Stock Exchange; and the Philadelphia Stock Exchange, on May 12, 1944, having filed amendments to its plan for such special offerings;

The Securities and Exchange Commission having given due consideration to the special offering plan of the Philadelphia Stock Exchange, as amended, and having due regard for the public interest and for the protection of investors, pursuant to the Securities Exchange Act of 1934, particularly sections 10 (b) and 23 (a) thereof, and Rule X-10B-2 thereunder, hereby declares the amended special offering plan of the Philadelphia Stock Exchange as filed on May 12, 1944, to be effective, on condition that if at any time it appears to the Commission necessary or appropriate in the public interest or for the protection of investors so to do, the Commission may suspend or terminate the effectiveness of said plan by sending at least ten days' written notice to the Exchange.

Effective May 19, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-7204; Filed, May 19, 1944; 11:09 a. m.

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 68, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN CALIFORNIA

Upon consideration of a petition for the amendment of Supplementary Order ODT 3, Revised-68 (8 F.R. 13528), filed with the Office of Defense Transportation by the carriers subject thereto, and good cause appearing therefor,

It is hereby ordered, That Supplementary Order ODT 3, Revised-68, be, and it hereby is, amended by striking from Appendix 1 thereto paragraphs (a) and (b) of section 7, captioned "Contemplated Action", and by substituting in lieu thereof the correspondingly lettered paragraphs of section 7 embodied in the petition, a copy of which is attached hereto.

This amendment shall become effective on May 19, 1944.

Issued at Washington, D. C., this 19th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-7197; Filed, May 19, 1944; 10:03 a. m.]

[Supp. Order ODT 3, Rev. 110, Revocation]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN HUGO AND BROKEN BOW, OKLA.

Upon consideration of an application for revocation of Supplementary Order

ODT 3, Revised–110 (8 F.R. 15995), filed with the Office of Defense Transportation by Arkansas Motor Freight Lines, Inc., Fort Smith, Arkansas, and good cause appearing therefor,

It is hereby ordered, That Supplementary Order ODT 3, Revised–110, be, and it is hereby, revoked, effective May 19, 1944.

Issued at Washington, D. C., this 19th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44–7195; Filed, May 19, 1944; 10:03 a. m.]

[Supp. Order ODT 3, Rev. 114, Revocation]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN KANSAS CITY, MO., AND WICHITA, KANS.

Upon consideration of an application for revocation of Supplementary Order ODT 3, Revised-114 (8 F.R. 15997), filed with the Office of Defense Transportation by The Cassell Transfer & Storage Company, and good cause appearing therefor,

It is hereby ordered, That Supplementary Order ODT 3, Revised-114 be, and it hereby is, revoked.

Issued at Washington, D. C., this 19th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44–7196; Filed, May 19, 1944; 10:03 a. m.]

[Supp. Order ODT 3, Rev. 215, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN RHODE ISLAND AND MASSACHUSETTS

NOTE: An amendment to Appendix 2 was filed with the Division of the Federal Register as F.R. Doc. 44–7198 at 10:03 a. m., May 19, 1944.

FEDERAL REGISTER

VOLUME 9 NUMBER 102

Washington, Tuesday, May 23, 1944

The President

EXECUTIVE ORDER 9443

AUTHORIZING THE SECRETARY OF WAR TO TAKE POSSESSION OF AND TO OPERATE THE PLANTS AND FACILITIES OF HUMMER MANUFACTURING DIVISION OF MONTGOMERY WARD & COMPANY, INC., LOCATED AT SPRINGFIELD, ILLINOIS

WHEREAS, after investigation I find and proclaim that the plants and facilities of Hummer Manufacturing Division of Montgomery Ward & Company, Inc., located at Springfield, Illinois, are equipped for the manufacture and production of articles and materials that are required for the war effort or that are useful in connection therewith; that there are existing and threatened interruptions of the operation of the said plants and facilities as a result of a labor disturbance caused by the failure of Montgomery Ward & Company, Inc., to comply with a directive order of the National War Labor Board dated April 14, 1944; that the war effort will be unduly impeded or delayed by these interruptions; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure, in the interests of the war effort, the operation of these plants and facilities:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including section 9 of the Selective Training and Service Act of 1940, as amended, as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby directed as follows:

1. The Secretary of War is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the plants and facilities of Hummer Manufacturing Division of Montgomery Ward & Company, Inc., located at Springfield, Illinois, and to the extent that he may deem necessary, of any real or personal property, and other assets wherever situated, used in connection with the operation thereof; to operate or to arrange for the operation of the plants and facilities in any manner that he deems necessary for the successful prosecution of the war; to exercise any contractual or other rights of Montgomery Ward & Company, Inc., and to continue the employment of, or to employ, any persons, and to do any other thing, that he may deem necessary for, or incidental to, the operation of the said plants and facilities and the production, sale, and distribution of the products thereof; and to take any other steps that he deems necessary to carry out the provisions and purposes of this order.

2. The Secretary of War shall operate the said plants and facilities under the terms and conditions of employment which are in effect at the time the possession of the plants and facilities mentioned herein is taken, and during his operation of the plants and facilities shall observe the terms and conditions of the directive order of the National War Labor Board, dated April 14, 1944.

3. The Secretary of War is authorized to take such action, if any, as he may deem necessary or desirable to provide protection for the plants and all persons employed or seeking employment therein.

4. Possession, control, and operation of any plant or facility, or part thereof, taken under this order, shall be terminated by the Secretary of War within sixty days after he determines that the productive efficiency of the plant, facility, or part thereof prevailing prior to the existing and threatened interruptions of production, referred to in the recitals of this order, has been restored.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
May 20, 1944.

[F. R. Doc. 44–7209; Filed, May 22, 1944; 10:43 a. m.]

CONTENTS

THE PRESIDENT

EXECUTIVE ORDER: Page
Hummer Manufacturing Division of Montgomery Ward Co., Inc.; authorizing Secretary of War to take possession of and operate plants and facilities ---------- 5395

REGULATIONS AND NOTICES

AGRICULTURE DEPARTMENT. *See also* Farm Security Administration, Rural Electrification Administration, War Wood Administration.
Oil and gas leases (Corr.) ----- 5397

ALIEN PROPERTY CUSTODIAN:
Hearing; Alfred Cerutti ------ 5450
Vesting orders:
Alfol Insulation Co., Inc ----- 5451
East Twenty-First Street Lighter Corp ---------- 5450
German American Bund ----- 5452
National Seed Co., Inc ------- 5451
Nissen Stiftung ---------- 5453
Otten, Herman, et al ------- 5453
Yamanaka, Toyojiro ------- 5452

CIVIL AERONAUTICS BOARD:
Hearings, etc.:
Alaska Airlines, Inc., and Cordova Air Service, Inc. 5447
Western Air Lines, Inc., et al. 5446

CUSTOMS BUREAU:
Liability for duties, etc.; invoices for vessels' supplies and equipment ---------- 5398

FARM SECURITY ADMINISTRATION:
Loans, designation of localities:
Bibb County, Ala ---------- 5445
Pontotoc County, Miss ------ 5445

FEDERAL COMMUNICATIONS COMMISSION:
Broadcast services other than standard broadcast, multiple ownership ---------- 5442
Standard and high frequency broadcast stations, mechanical records ---------- 5447
Stuart, Charles Edward, hearing ---------- 5447

(Continued on next page)

FEDERAL REGISTER

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NOTICE

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Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

	Page
FEDERAL POWER COMMISSION:	
Missouri Western Gas Co.; application	5447
FOREST SERVICE:	
Timber, establishment of sustained yield units	5442
GENERAL LAND OFFICE:	
Withdrawals of public lands:	
New Mexico, for use of War Department as demolition range	5445
Washington, for use in connection with Olympic Public Works Project	5445
HOME OWNERS' LOAN CORPORATION:	
Treasury Division; paid loan section	5399
INDIAN AFFAIRS OFFICE:	
Flathead Irrigation Project, Mont., operation and maintenance charges:	
Flathead irrigation district	5399
INTERSTATE COMMERCE COMMISSION:	
Jocko Valley irrigation district	5399
Corn, transportation in designated states	5442
Refrigeration permits, etc.:	
Citrus fruits:	
Florida	5449
Texas	5449
Onions, Chicago, Ill. (2 documents)	5448
Oranges:	
Milwaukee, Wis	5449
Youngstown, Ohio	5448
Potatoes:	
Alabama or Mississippi	5449
Chicago, Ill. (2 documents)	5448
Kansas City, Mo.-Kans	5448
St. Louis, Mo	5449
South Carolina	5450
Tylertown, Miss	5450
OFFICE OF DEFENSE TRANSPORTATION:	
Corn, motor transportation in designated area (G. O. L–2)	5444
Motor carriers of property:	
Construction, transportation in connection with (Gen. Permit 17–12A)	5443
Transportation of:	
Forest products (Gen. Permit 17–11A)	5443
Mine products (Gen. Permit 17–5A)	5443
Taxicab operators, coordinated operations:	
Burlington, Iowa	5454
Schenectady, N. Y	5455
Springfield, Mass	5454
OFFICE OF PRICE ADMINISTRATION:	
Adjustment; Geneva Steel Co	5455
Boilers and heating systems, corrosion inhibiter service (Rev. SR 11, Am. 49)	5441
Dairy products; cheese (RMPR 289, Am. 1, 2) (2 documents)	5427, 5429
Fabrics, coated and combined (MPR 478, incl. Am. 1–3)	5411
Foods, processed (Rev. RO 13, Am. 34)	5436
Gasoline rationing (RO 5C, Am. 123)	5435
Hawaii; grocery items and used cars (MPR 373, Am. 58)	5438
Hogs, live (MPR 469, Am. 7)	5435
Iron and steel products (2d Rev. MEPR, Am. 6)	5435
Lumber, western red cedar (MPR 402, Am. 1)	5422
Puerto Rico; textile products (RMPR 183, Am. 38)	5436
Ration banking; banks (Gen. RO 3, Am. 6)	5426
Rationing suspension orders, issuance (Rev. PR 4, Am. 1)	5426
Regional and district office orders:	
Community ceiling prices, list of orders filed	5465
Fluid milk:	
California, designated localities	5462
Cleveland region	5463
Michigan	5465
Santa Barbara, Calif	5462
Fruits and vegetables, covered, Detroit, Mich	5462
OFFICE OF PRICE ADMINISTRATION—Continued.	
Rationing and district office orders—Continued.	
Lettuce, New York region	5463
Solid fuels:	
Kansas City, Mo.-Kans	5461
Lima, Ohio	5464
Lowell, Mass	5456
Maryland, designated counties	5456
Richmond County, N. Y	5456
Rockland, Maine	5456
Rice, rough (MPR 518, Am. 1)	5440
Stoves (RO 9A, Supp. 1, Am. 8)	5439
Sugar (Rev. RO 3, Am. 18)	5426
Tobacco, Maryland (RMPR 532)	5433
Wheat (RMPR 487, Am. 2)	5440
Wooden boxes, industrial (RMPR 195, Am. 4)	5435
PANAMA CANAL:	
Photographing, areas where possession of cameras prohibited	5441
RAILROAD RETIREMENT BOARD:	
Employers' contributions and contribution reports; adjustments, records, etc	5398
RURAL ELECTRIFICATION ADMINISTRATION:	
Allocation of funds for loans (2 documents)	5445, 5446
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.:	
Columbia Gas and Electric Corp. and Consolidated Natural Gas Co	5467
Community Gas and Power Co., et al	5468
Federal Water and Gas Corp., et al	5467
Lehman Brothers, et al	5469
Prudential Investors, Inc	5470
Railway and Bus Associates	5468
Suburban Electric Securities Co	5468
208 South La Salle Street Corp	5468
WAGE AND HOUR DIVISION:	
Learner employment certificates, issuance to various industries	5446
WAR FOOD ADMINISTRATION:	
Corn; purchase, sale, delivery, and use (WFO 98, Am. 2)	5397
Food storage facilities, refrigerated (WFO 70, Am. 3)	5398
National agricultural conservation program, production practice goals, etc	5397
WAR MANPOWER COMMISSION:	
Employment stabilization programs, optional provisions (2 documents)	5400
WAR PRODUCTION BOARD:	
Army and Navy construction, special procedure (CMP Reg. 6, Dir. 3)	5406
Capital additions, minor; purchaser's cost of labor (CMP Reg. 5, Int. 11)	5406
Controlled materials plan regulations (CMP Reg. 1, Am. 3)	5406
Cork, Asbestos and Fibrous Glass Division (M–293, Table 13)	5407

(Continued on next page)

CONTENTS—Continued

	Page
WAR PRODUCTION BOARD—Con.	
Export licenses, length of validity of ratings assigned (Dir. 27, Int. 2)	5400
Iron and steel production (M–126, Am. 2)	5403
Kapok (M–85)	5408
Laundry equipment, commercial, etc. (L–91, Int. 1) (2 documents)	5408, 5410
Mines and smelters (P–56)	5400
Pipe, tubing, fittings and building materials (M–9–c–4)	5405
Service equipment (L–222)	5403
Suspension orders, etc.:	
Brody, William	5404
Singer Steel Co	5400
Yearwood, Nile E	5404

Regulations

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

PART 4—OIL AND GAS LEASES

Correction

In F.R. Doc. 44–6915 appearing at page 5103 of the issue for Tuesday, May 16, 1944, the following changes should be made:

1. In the last paragraph of § 4.5 (c) (1) the first word of the 4th line should read "lessor".

2. In the 9th line from the end of § 4.6 "interest" should read "intent".

Chapter VII—War Food Administration (Agricultural Adjustment)

[ACP–1943–25]

PART 701—NATIONAL AGRICULTURAL CONSERVATION PROGRAM

PRODUCTION PRACTICE GOALS, ALLOWANCES, PRACTICES AND RATES OF PAYMENT

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, and in the War Food Administrator by Executive Order No. 9322 as amended by Executive Order No. 9334, the 1943 Agricultural Conservation Program, as amended, is further amended as follows:

Section 701.405 (e) (3) is amended by changing the first sentence thereof to read as follows and by adding a new subdivision (i) (*d*):

§ 701.405 *Production practice goals, allowances, practices and rates of payment.* • • •

(e) *Farm production practice allowance.* • • •

(3) *Farms in the Northeast Region.* In the Northeast Region a production practice allowance will be established only for farms on which in 1942 there are at least 5 animal units, at least 300 pullets raised, at least 3 acres of vegetables, potatoes, tobacco, small fruits and commercial orchards, or at least 10 acres of cropland and commercial orchards, or for which a net deduction was computed under the 1942 program for failure to apply conservation materials furnished for use under the 1942 program.

• • • • •

(i) • • •

(*d*) Any additional amount necessary to permit the complete liquidation of an indebtedness arising out of a net deduction for failure to apply conservation materials furnished for carrying out practices under the 1942 program if such material is used in carrying out approved practices in 1943.

Done at Washington, D. C., this 20th day of May 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44–7300; Filed, May 22, 1944; 11:22 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 98, Amdt. 2]

PART 1468—GRAIN

LIMITATIONS ON PURCHASE, SALE, DELIVERY, AND USE OF CORN

War Food Order No. 98, as amended (9 F.R. 4379, 4736), § 1468.8 is further amended to read as follows:

§ 1468.8 *Limitations on purchase, sale, delivery, and use of corn*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not, and includes any State or political subdivision or agency thereof.

(2) "Corn" means yellow, white, or mixed shelled corn, ear corn, or snap corn, of the dent or flint varieties, whole or crushed or mixed with other whole grains, excluding however, seed corn, popcorn, grain sorghums, sweet corn, broom corn, corn used for canning purposes, and packaged corn meal, corn grits, or other corn products packaged for human consumption.

(3) "Elevator operator" means a person who owns or operates a grain elevator, warehouse, or barge or car loading facility, and who receives corn for resale.

(4) "Commodity" means the Commodity Credit Corporation.

(5) "Chief of AAA" means the Chief of the Agricultural Adjustment Agency, War Food Administration, or any employee or agency of the Department of Agriculture designated by him.

(6) "Designated area" includes the following:

Illinois, Counties of: Bureau, Cass, Champaign, Christian, De Witt, Douglas, Edgar, Ford, Fulton, Grundy, Iroquois, Kankakee, Kendall, Knox, LaSalle, Lee, Livingston, Logan, McLean, Macon, Marshall, Mason, Menard, Morgan, Moultrie, Peoria, Piatt, Putnam, Sangamon, Scott, Stark, Tasewell, Vermillion, Will, and Woodford.

Indiana, Counties of: Benton, Fountain, Jasper, Montgomery, Newton, Pulaski, Starke, Tippecanoe, Vermillion, Warren, and White.

Iowa, Counties of: Audubon, Boone, Buena Vista, Calhoun, Carroll, Cerro Gordo, Cherokee, Clay, Crawford, Dallas, Dickinson, Emmet, Franklin, Fremont, Greene, Grundy, Guthrie, Hamilton, Hancock, Hardin, Harrison, Humboldt, Ida, Jasper, Kossuth, Lyon, Marshall, Mills, Monona, Montgomery, O'Brien, Osceola, Page, Palo Alto, Plymouth, Pocahontas, Polk, Pottawatamie, Poweshiek, Sac, Shelby, Sioux, Story, Tama, Webster, Winnabago, Woodbury, and Wright.

Minnesota, Counties of: Blue Earth, Brown, Chippewa, Cottonwood, Faribault, Jackson, Lac Qui Parle, Lincoln, Lyon, Martin, Murray, Nobles, Pipestone, Redwood, Renville, Rock, Watonwan, and Yellow Medicine.

Nebraska, Counties of: Burt, Butler, Cass, Cuming, Dodge, Douglas, Lancaster, Otoe, Sarpy, Saunders, Seward, Thurston, and Washington.

(7) "Designated agent" means an elevator operator located in the designated area and authorized by Commodity to receive corn for the account of Commodity.

(8) "County committee" means the County Agricultural Conservation Committee.

(9) "Feeder" means any farmer or other person who acquires corn for the purpose of feeding livestock or poultry.

(10) "Mixed feed manufacturer" means any person who uses corn in the manufacturer of mixed feed for sale.

(b) *Purchase, sale, and delivery.* Except as hereinafter otherwise provided, no person shall sell or deliver corn located in the designated area to any person other than the Commodity or its designated agent, and no person other than Commodity or its designated agent shall purchase or accept delivery of corn located in such area.

(c) *Exemptions.* (1) Any feeder whose establishment is located in the designated area and who has less than a 30-day supply of corn for feeding requirements may, upon application to the County committee for the county in which his establishment is located, be authorized by the committee, in writing, to purchase, accept delivery of, and ship:

(i) From any person other than an elevator operator in the designated area, either 50 bushels of corn located in such area or such amount of corn as is necessary to make his inventory equal to a 30-day supply, whichever is the greater; or

(ii) From any elevator operator located in the designated area, either 50 bushels of corn not subject to the set-aside requirements of War Food Order No. 96 (9 F. R. 3253) or War Food Order No. 96–1 (9 F.R. 3628), or such amount of such corn as is necessary to make his inventory equal to a 30-day supply, whichever is the greater.

(2) Upon the surrender to the seller of an authorization issued by the appropriate County committee in accordance with (c) (1) hereof:

(i) Any person other than an elevator operator in the designated area may sell, deliver and ship to the person named in such authorization the amount of corn specified therein; and

(ii) Any elevator operator located in the designated area may sell, deliver and ship to the person named in such authorization corn not subject to the set-aside requirements of War Food Order No. 96, supra, or War Food Order No. 96–1, supra, in the amount specified in such authorization.

(3) Any person who buys, sells, delivers, accepts delivery of, or ships, corn in accordance with the provisions of any authorization issued by a County committee under this order shall comply with all the directions contained in such authorization.

(d) *Use.* (1) No feeder shall use corn located within the designated area for feeding livestock or poultry located outside of such area, except that any feeder, upon application to the County committee for the county where corn owned by him is located, may be authorized by such committee, in writing, to ship to, and use such corn in, any county adjoining the designated area for the purpose of feeding livestock or poultry owned by him.

(2) Beginning May 1, 1944, no mixed feed manufacturer located in the designated area shall use during any month any quantity of corn in the manufacture of mixed feed which is in excess of the average quantity of corn used by him in the manufacture of mixed feed during the corresponding month of the calendar years 1942 and 1943.

(3) Every person who, under an authorization from Commodity, acquires corn from Commodity or any of its designated agents shall comply with all the terms and conditions specified in such authorization, and any failure to comply with such terms and conditions shall constitute a violation of this order.

(e) *Contracts.* The provisions of this order and of all orders or regulations issued pursuant thereto shall be observed without regard to contracts heretofore or hereafter made, or any rights accrued or payments made thereunder.

(f) *Records and reports.* (1) The Chief of AAA shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least one year (or for such period of time as the Chief of AAA may designate), maintain an accurate record of his transactions in corn.

(3) Every elevator operator shall, prior to any sale or delivery of corn under the provisions of (c) hereof, report to the County committee for the county in which his elevator or other facility is located the amount of corn on hand on the effective date of this order which was not subject to the set-aside requirements of War Food Order No. 96, supra, or War Food Order No. 96–1, supra.

(g) *Audits and inspections.* The Chief of AAA shall be entitled to make such audit or inspection of the books, records and other writings, premises, or stocks of corn of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(h) *Request for relief from hardship.* Any person located in the designated area who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a request for relief with the County committee for the county in which such person's establishment is located. Any other person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a request for relief with the Chief of the Agricultural Adjustment Adjustment Agency, Washington 25, D. C. All requests shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. Such requests shall be acted upon by the Chief of AAA or any employee of the Agricultural Adjustment Agency designated by him.

(i) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using corn or any other material subject to priority or allocation control by any governmental agency. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty, created by, or to enjoin any violation of, any provision of this order.

(j) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Chief of AAA. The Chief of AAA is authorized to redelegate to any employee of the United States Department of Agriculture, or to any agency or employee of the United States, any or all of the authority vested in him by this order, and to utilize the services of any Federal, State, or local agency in the administration of this order.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless herein otherwise provided or unless instructions to the contrary are issued by the Chief of AAA, be addressed to the Chief of Agricultural Adjustment Agency, United States Department of Agriculture, Washington 25, D. C., Ref.: WFO 98.

This order shall be effective from 12:01 a. m., c. w. t., May 23, 1944, until 12:01 a. m., c. w. t., June 24, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 98, as amended, prior to the effective date of this amendment, all provisions of said War Food Order No. 98, as amended, in effect prior hereto shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and all subsequent reporting and record-keeping requirements of this order will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 22d day of May 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–7301; Filed, May 22, 1944; 11:22 a. m.]

[WFO 70, Amdt. 3]

PART 1470—FOOD STORAGE FACILITIES

REFRIGERATED FOOD STORAGE FACILITIES

War Food Order No. 70 (originally issued as Food Distribution Order No. 70, 8 F.R. 10703, as amended on August 31, 1943, 8 F.R. 12039, and on March 21, 1944, 9 F.R. 3222, and redesignated as War Food Order No. 70, 9 F.R. 4319) is amended as follows:

1. By deleting therefrom paragraph (c) (2) of § 1470.1.

This order shall become effective at 12:01 a. m., e. w. t., on the 19th day of May 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 70 prior to the effective date of this amendment, War Food Order No. 70 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violations, rights, or liabilities.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14785)

ASHLEY SELLERS,
Assistant War Food Administrator.

MAY 18, 1944.

[F. R. Doc. 44–7219; Filed, May 19, 1944; 2:17 p. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51059]

PART 8—LIABILITY FOR DUTIES, ENTRY OF IMPORTED MERCHANDISE

INVOICES FOR VESSELS' SUPPLIES AND EQUIPMENT

Section 8.13,[1] Customs Regulations of 1943 (19 CFR 8.13), is amended by deleting paragraph (e) and by redesignating paragraphs (f), (g), (h), (i), (j), (k), (l), and (m) as paragraphs (e), (f), (g), (h), (i), (j), (k), and (l).

(Par. 602; sec. 1, 46 Stat. 590, secs. 481, 624, 46 Stat. 719, 759, sec. 484, 46 Stat. 722, sec. 12, 52 Stat. 1083; 19 U.S.C. 1001, 1481, 1624, 19 U.S.C. 1484)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: May 19, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44–7283; Filed, May 22, 1944; 9:50 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter II—Railroad Retirement Board

PART 345—EMPLOYERS' CONTRIBUTIONS AND CONTRIBUTION REPORTS

ADJUSTMENTS, RECORDS, ETC.

Pursuant to the authority contained in section 12 of the Act of June 25, 1938 (52 Stat. 1094 1107; 45 U. S. C. 1940 ed. 362),

[1] 8 F.R. 8212, 10812, 13883; 9 F.R. 2816, 3381.

Part 345 of the regulations of the Railroad Retirement Board under the Railroad Unemployment Insurance Act is amended by Board Order 44–289 dated May 11, 1944, as follows:

By amending § 345.12 to read as follows:

§ 345.12 *Adjustments*—(a) *In general.* Section 8 (d) of the act provides that if more or less than the correct amount of employer's contribution is paid with respect to any compensation, proper adjustments with respect to the contribution shall, under regulations prescribed by the Board, be made, without interest, in connection with subsequent contribution payments by the same employer.

(b) *Compensation adjustment.* A compensation adjustment is the amount of any adjustment, as disclosed by a report on Form BA–4, in the employer's report to the Board of the compensation of an individual employee.

(c) *Adjustment of contributions.* (1) All adjustments of contributions based on compensation adjustments shall be accounted for by the employer on the contribution report for the same quarter in which the Form BA–4 reflecting the compensation adjustments is filed with the Board.

(2) If less than the correct amount of contributions is paid for any previous calendar quarter because of an error that does not constitute a compensation adjustment as defined in paragraph (b) above, the employer shall adjust the error by (i) reporting the additional amount due and payable by reason of the underpayment as additional contribution on his next report filed after discovery of the error and (ii) paying the amount thereof to the Board at the time such report is filed.

If more than the correct amount of contribution is paid for any previous quarter because of an error that does not constitute a compensation adjustment as defined in paragraph (b) above, the employer shall adjust the error by applying the excess payment as a credit against the contribution due on his next report filed after the discovery of the error.

(d) *Limitations on adjustments.* No overpayment shall be adjusted under this section after the expiration of four years from the date the overpayment was received by the Board. No underpayment shall be adjusted under this section after the receipt from the Board of formal notice and demand for payment based upon an assessment, but the amount thereof shall be paid to the Board pursuant to such notice and demand.

By amending § 345.14 as follows:

Delete last part of first paragraph in parenthesis which reads as follows: "and whether or not a certificate of underpayment has been issued."

By amending § 345.15 as follows:

Delete title, "Director of Unemployment Insurance" and insert "Board."

By adding a new § 345.24 as follows:

§ 345.24 *Records.* Every employer subject to contributions for any calendar quarter shall, with respect to each such quarter, keep such permanent records as are necessary to establish the total amount of compensation payable to his employees, during each such quarter for services performed after June 30, 1939. The record should be in such form as to contain the information required to be shown on the quarterly contribution report. All records required by these regulations shall be kept at a safe and convenient location accessible to inspection by the board or any of its officers or employees thereto designated. Such records shall be at all times open for inspection by such officers or employees.

Records required by these regulations shall be maintained for a period of at least four years after the date the contribution to which they relate becomes due, or the date the contribution is paid, whichever is later.

By authority of the Board.

[SEAL] MARY B. LINKINS,
Secretary.

MAY 18, 1944.

[F. R. Doc. 44–7269; Filed, May 20, 1944; 8:28 p. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 284]

PART 407—TREASURY DIVISION

PAID LOAN SECTION

The first paragraph of § 407.42 (6 F.R. 4096) shall be amended to read as follows:

§ 407.42 *Paid loan section.* Upon receipt of any satisfaction, release or other appropriate instruments (in connection with a loan paid in full, a loan to be recast under a new set of collateral instruments, a substitution of collateral, or a partial release) from Regional Counsel, accompanied by his certificate that such instruments are in proper legal form for execution, and (on paid-in-full transactions) a paid-in-full notice issued by the Regional Accountant, or a remittance sufficient to liquidate the amount shown on a "Small Balance" statement (reflecting a debit balance of less than one monthly instalment) prior to the expiration date reflected thereon, the Regional Treasurer and the Assistant Regional Treasurer are each authorized and directed, individually, to execute such satisfaction, release, or other appropriate instruments.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647: 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

Effective May 19, 1944.

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 44–7224; Filed, May 19, 1944; 8:55 p. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs

Subchapter L—Irrigation Projects; Operation and Maintenance

PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

FLATHEAD IRRIGATION DISTRICT, FLATHEAD INDIAN IRRIGATION PROJECT, MONT.

Section 130.24 of Part 130 as amended by the Assistant Secretary of the Interior on June 4, 1943, 8 F.R. 9735, is hereby further amended to read as follows:

§ 130.24 *Charges.* Pursuant to a contract executed by the Flathead Irrigation District, Flathead Indian Irrigation Project, Montana, on May 12, 1928, as supplemented by later contracts dated February 27, 1929, March 28, 1934, and August 26, 1936, notice is hereby given that an assessment of $94,000 is fixed for the season of 1945 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines of the Flathead Irrigation District. This assessment involves an area of approximately 68,176.2 acres, does not include any land held in trust for Indians, and covers all proper general charges and project overhead.

(38 Stat. 583, 39 Stat. 142, 45 Stat. 210, 46 Stat. 291; 25 U.S.C., 385, 387)

OSCAR L. CHAPMAN,
Assistant Secretary.

MAY 1, 1944.

[F. R. Doc. 44–7248; Filed, May 20, 1944; 10:45 a. m.]

PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

JOCKO VALLEY IRRIGATION DISTRICT, FLATHEAD INDIAN IRRIGATION PROJECT, MONT.

Section 130.28 of Part 130, as amended by the Assistant Secretary of the Interior on June 4, 1943, 8 F.R. 9735, is hereby further amended to read as follows:

§ 130.28 *Charges.* Pursuant to a contract executed by the Jocko Valley Irrigation District, Flathead Indian Irrigation Project, Montana, on November 13, 1934, approved by the Secretary of the Interior on February 26, 1935, as supplemented by a later contract dated August 26, 1936, notice is hereby given that an assessment of $8,000 is fixed for the season of 1945 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines of the Jocko Valley Irrigation District. This assessment involves an area of 5,501.9 acres, does not include any land held in trust for Indians, and covers all proper general charges and project overhead.

(38 Stat. 583, 39 Stat. 142, 45 Stat. 210, 46 Stat. 291; 25 U.S.C. 385, 387)

OSCAR L. CHAPMAN,
Assistant Secretary.

MAY 1, 1944.

[F. R. Doc. 44–7249; Filed, May 20, 1944; 10:45 a. m.]

TITLE 29—LABOR

Chapter VII—War Manpower Commission

[Reg. 7, Amdt. 1]

PART 907—GOVERNING EMPLOYMENT STABILIZATION PROGRAMS

OPTIONAL PROVISIONS

Pursuant to the authority vested in me as Chairman of the War Manpower Commission by Executive Orders Nos. 9139 and 9279, subparagraph (4) of § 907.5 (a) of War Manpower Commission Regulation No. 7 (8 F.R. 11338), is hereby amended, effective May 22, 1944, by deleting therefrom the following clause: "a program containing such a provision may apply only to a labor market area which, on the date of the approval of the program, was classified by the War Manpower Commission as a 'Group I,' or 'Group II,' area,"

PAUL V. MCNUTT,
Chairman.

MAY 19, 1944.

[F. R. Doc. 44-7221; Filed, May 19, 1944; 3:07 p. m.]

[Reg. 7, Amdt. 2]

PART 907—GOVERNING EMPLOYMENT STABILIZATION PROGRAM

OPTIONAL PROVISIONS

Pursuant to the authority vested in me as Chairman of the War Manpower Commission by Executive Orders Nos. 9139 and 9279, § 907.5 of War Manpower Commission Regulation No. 7 is hereby amended, effective May 22, 1944, by adding at the end thereof the following new paragraph:

(j) Subject to standards and instructions approved by the Chairman of the War Manpower Commission, provisions for regulating the hiring of new employees through the establishment of fair and reasonable employment ceilings which limit the number of workers or of specified types of workers which may be employed in an establishment or place of employment during specified periods.

PAUL V. MCNUTT,
Chairman.

MAY 19, 1944.

[F. R. Doc. 44-7220; Filed, May 19, 1944; 3:07 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 903—DELEGATIONS OF AUTHORITY

[Directive 27, Interpretation 2]

LENGTH OF VALIDITY OF RATINGS ASSIGNED ON EXPORT LICENSES

The following interpretation is issued with respect to Directive 27.

A rating assigned by the Foreign Economic Administration, under the authority of Directive 27, by endorsing the required legend on an export license is valid for the life of the export license. This means that the rating must be applied and the material covered by the rating must have been delivered to the holder of the export license before the expiration of the life of the license. Otherwise, the procedure applicable when an individually assigned rating is revoked, provided in § 944.4a of Priorities Regulation 1, will be deemed applicable. On the other hand, if the rating has been applied and the material to which it has been applied has been delivered before the expiration of the life of the export license, its subsequent expiration will not affect the right of the supplier to extend the rating in order to replenish his inventory. Such extension is, of course, subject to the provisions of paragraph (h) (1) of Priorities Regulation 3.

Revocation of an export license on which a rating has been assigned by the Foreign Economic Administration revokes the rating, and § 944.4a of Priorities Regulation 1 is consequently applicable. Extension of the life of an export license, on the other hand, extends the period for which a rating assigned on the export license is valid.

Issued this 20th day of May 1944.

C. E. WILSON,
Executive Vice Chairman.

[F. R. Doc. 44-7253; Filed, May 20, 1944; 11:10 a. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-506, Reinstatement]

SINGER STEEL CO.

Albert Singer, who owns and operates a steel warehouse under the trade name of Singer Steel Company, at 6316 Kinsman Road, Cleveland, Ohio, was suspended on March 24, 1944, by Suspension Order No. S-506. He appealed from the provisions of the suspension order and, pending determination of the appeal, the suspension order was stayed by the Chief Compliance Commissioner on March 24, 1944. The appeal has been considered by the Deputy Chief Compliance Commissioner who has dismissed the appeal and directed that the stay be terminated and the suspension order reinstated. In view of the foregoing: *It is hereby ordered*, That:

Section 1010.506. *Suspension Order No. S-506* issued March 17, 1944, and effective March 24, 1944, be and hereby is reinstated; the stay of execution directed by the Chief Compliance Commissioner on March 24 and confirmed by official stay on March 28, 1944, be and hereby is revoked; and paragraph (c) of the suspension order be and hereby is amended to read as follows:

(c) This order shall take effect on May 17, 1944, and shall expire on September 17, 1944.

Issued this 17th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7192; Filed, May 18, 1944; 4:36 p. m.]

PART 3201—MINING

[Preference Rating Order P-56, as Amended May 20, 1944]

MINES AND SMELTERS

§ 3201.11 *Preference Rating Order P-56*—(a) *Purpose and scope.* This order explains how operators of mines and smelters in the United States and in foreign countries may get the materials and products they need to carry on their operations. The materials covered include not only maintenance, repair, and operating supplies, including controlled materials, but also machinery, other kinds of materials, and equipment. This order does not apply, however, to an operator of a nonessential mine as defined in Limitation Order L-208.

(b) *Definitions.* (1) "Producer" means a person operating any of the following enterprises, whether in the United States, or any of its territories, or in a foreign country, but does not include any enterprise defined as a "nonessential" mine in Order L-208 or any like enterprise located outside the United States, its territories or possessions: (i) any plant actually engaged in the extraction by surface, open-pit, or underground methods, or in the beneficiation, concentration, or preparation for shipment of the products of mining activity; (ii) any plant wholly engaged in the processing and burning of refractories; (iii) any plant producing any material listed below by smelting or refining processes, and to whom a serial number has been issued under Preference Rating Order P-73, or is hereafter issued as provided in paragraph (c):

Antimony	Nickel
Cobalt	Platinum
Copper	Tin
Iridium	Tungsten
Lead	Vanadium
Mercury	Zinc
Molybdenum	

(iv) any prospecting enterprise for the discovery, exploration, or development of new or additional mining projects, including the construction of access roads; and (v) mines, concentrating mills, smelters, railroads, power plants, refineries, and appurtenances owned and operated by the companies holding serial numbers under Preference Rating Order P-58 on December 24, 1943.

(2) "District" means a mine supply control district of the Foreign Economic Administration.

(3) "Maintenance, repair, and operating supplies" means material used for the following purposes by producers in the conduct of enterprises described above in paragraph (b) (1): (i) minimum upkeep necessary to continue the working condition of essential property or equipment, and (ii) restoration of essential property or equipment to a sound working condition after wear and tear, damage, destruction or failure of parts, or the like have made the property or equipment unfit or unsafe for service; and supplies which are essential to and consumed or worn out in the conduct of such enterprises. In addition, except as hereinafter noted, the term "maintenance, repair, and operating supplies" includes minor capital additions normally necessary to the operation of the enterprise, but not exceeding in cost $500 (excluding purchaser's cost of labor) for any one complete capital addition. The term "one complete capital addition" includes a group of items customarily purchased together and all items which would normally be purchased as part of a single project or plan. No capital addition shall be subdivided for the purpose of coming within this paragraph.

Producers Holding Serial Numbers

(c) (1) *Maintenance, repair, and operating supplies for domestic producers with serial numbers.* Producers located within the United States, its territories and possessions (herein called "domestic" producers), holding serial numbers, which may be obtained in the manner specified in paragraph (f), are hereby assigned a preference rating of AA-1 for the purchase of maintenance, repair, and operating supplies, other than controlled materials. This rating may be applied by the producer by placing on his delivery order the endorsement described in paragraph (g). The producer may obtain controlled materials for maintenance, repair, and operating supplies by endorsing his delivery order with the endorsement described in paragraph (g) and inserting the allotment symbol "S-7" therein. An order bearing this endorsement constitutes an authorized controlled material order. No serialized producer shall order for delivery during any calendar quarter, with or without preference ratings, or allotment number, maintenance, repair, or operating supplies in an aggregate amount exceeding 120 percent of his aggregate expenditures for maintenance, repair, and operating supplies during the corresponding calendar quarter of 1943. A producer who has several plants or other operating units which maintain separate records of maintenance, repair, and operating supplies may treat each of them separately for purposes of complying with the provisions of this paragraph (c) (1).

(2) *Maintenance, repair, and operating supplies for foreign producers with serial numbers.* Producers located outside the United States, its territories and possessions and outside of Canada,[1] (herein called "foreign" producers), holding serial numbers, which may be obtained in the manner specified in paragraph (f), may apply for priorities assistance for maintenance, repair, and operating supplies by filing the foreign mine quota application Form WPB-2937 with the Mining Division, War Production Board, Washington 25, D. C.

(3) *Machinery and equipment.* All producers holding serial numbers, whether domestic, foreign, or Canadian, may apply for priority assistance in obtaining machinery and equipment by filing Form WPB-1319 in accordance with the WPB-1319 instruction pamphlet for items of equipment listed therein. Also, for items of equipment not listed in the instruction pamphlet for which a preference rating is required without authorization on a special form, application should be made on Form WPB-1319. For items of equipment not listed in the WPB-1319 instruction pamphlet, for which orders of the War Production Board require application for specific authorization to be made on a special form, application should be made on such special form. All applications should be filed with the Mining Division, War Production Board, Washington 25, D. C., Ref. P-56, unless otherwise provided in the WPB-1319 instructions. If necessary, Form WPB-1319 or the special form may be accompanied by a letter explaining any unusual circumstances. No application is necessary in the case of minor capital additions as defined in paragraph (b) (3) unless a special form is required by another order of the War Production Board.

Foreign Producers Operating Under Mine Supply Control Districts

(d) *Priorities assistance for certain foreign producers operating under mine supply control districts.* To enable a producer not holding a serial number hereunder and located outside the continental United States and within the jurisdiction of a district to obtain priorities assistance, the following procedure is established:

(1) For maintenance, repair, and operating supplies a district may apply for priorities assistance by filing the foreign mine quota application Form WPB-2937 with the Mining Division, War Production Board, Washington 25, D. C., Ref: P-56. A producer not holding a serial number and located in a district may apply for priorities assistance by submitting to such district his purchase orders for maintenance, repair, or operating supplies, together with such information as may be required by the district. Within the limits of the priorities assistance granted to it pursuant to this paragraph (d) (1), such district may authenticate any such purchase order for maintenance, repair, or operating supplies by indicating the appropriate priorities assistance and countersigning the purchase order as follows:

Approved:

_____
Name of district

_____
Signature of authorized official

(2) For other machinery, materials, and equipment, a producer not holding a serial number and located within a district may submit to the War Production Board, Form WPB-1319 or any prescribed special application form, following the procedure specified for serialized producers in paragraph (c) (3), such application to be endorsed with the signed approval of the district within which the applicant is located.

(3) A distributor of maintenance, repair, or operating supplies or of other machinery, materials, or equipment used by producers, who is located outside the United States and within the jurisdiction of a district, may apply for priorities assistance in the same manner as prescribed in paragraphs (d) (1) and (d) (2) for producers not holding serial numbers and located within the jurisdiction of a district.

Other Producers Not Holding Serial Numbers

(e) (1) *Priorities assistance for other producers not holding serial numbers.* A preference rating of AA-5 is hereby assigned to delivery orders for maintenance, repair, and operating supplies (including minor capital additions as defined in paragraph (b) (3)), other than controlled materials, placed by domestic producers not holding serial numbers (other than operators of nonessential mines as defined in Limitation Order L-208). This rating may be applied by the producer by placing on his delivery order the endorsement described in paragraph (g). The producer may obtain controlled materials for maintenance, repair, and operating supplies by placing on his delivery order the endorsement described in paragraph (g) and inserting the allotment symbol "S-7" therein. An order bearing this endorsement constitutes an authorized controlled material order. No producer who uses the allotment symbol assigned by this order shall order controlled materials for delivery during any calendar quarter in an amount exceeding 120 percent of his aggregate expenditures for controlled materials for use as maintenance, repair, and operating supplies during the corresponding calendar quarter of 1943. Such producers may apply for higher ratings for maintenance, repair, or operating supplies exclusive of minor capital additions by filing Form

[1] Producers located in Canada, whether or not they hold serial numbers issued under this order, may obtain maintenance, repair, and operating supplies in the United States under Canadian order PO5B.

WPB–2910 with the Mining Division of the War Production Board, Washington 25, D. C., Ref: P–56. Such producers may apply for priorities assistance for machinery or equipment and minor capital additions by filing Form WPB–1319 or any prescribed special application form, following the procedure specified for serialized producers in paragraph (c) (3), with the Mining Division of the War Production Board, Washington 25, D. C., Ref: P–56. Foreign producers, not holding serial numbers and not located in a mine supply control district, may apply for priorities assistance for maintenance, repair, and operating supplies, exclusive of minor capital additions, by filing Form WPB–2910 with the Mining Division of the War Production Board, Washington 25, D. C., Ref: P–56, and for machinery or equipment, including minor capital additions, by filing Form WPB–1319 or any prescribed special application form, following the procedure specified for serialized producers in paragraph (c) (3), with the Mining Division of the War Production Board, Washington 25, D. C., Ref: P–56.

Serial Numbers

(f) *Issuance of serial numbers.* Applications for serial numbers may, in the case of producers within the continental limits of the United States, be filed with the appropriate War Production Board Regional Office, Attention: Regional Technical Advisor, Mining Division; or with the appropriate State Coordinator of Mines for transmission to such Regional Advisor; or with the Mining Division, War Production Board, Washington, D. C. Serial number application by districts must be filed with the Mining Division, War Production Board, Washington 25, D. C., Ref: P–56. Applications by Canadian and all other foreign producers should also be filed with the Mining Division, War Production Board, Washington 25, D. C., Ref: P–56. In filing such application, the following forms shall be used:

Metal mines	Form WPB–1212
Coal mines	Form WPB–2784
Non-metallic mines	Form WPB–2758
Core or churn drill operators	Form WPB–2952

Smelters and refineries shall apply by letter. In issuing and cancelling serial numbers, the War Production Board will consider the importance to national defense of the present and prospective output of materials to be produced, the consumption of the critical material involved, and the importance to national defense of competing demands for such material, and competing demands for manpower and transportation. Serial numbers issued under Preference Rating Orders P–58 and P–73, and not cancelled prior to December 24, 1943, are hereby confirmed and shall be considered as having been issued under this Order P–56.

Use of Priorities Assistance; All Producers

(g) *Application and extension of priorities assistance.* The way to use preference ratings is explained in Priorities Regulation No. 3, and the way to use allotments, both in placing authorized controlled material orders and in making allotments, is explained in CMP Regulation No. 1. Instead of using the certification prescribed by those regulations or by any other regulation of the War Production Board, including Priorities Regulation No. 7, the producer may use the following endorsement signed manually or as provided in Priorities Regulation No. 7:

Allotment number ----------
Preference rating ----------
Order authorized under Preference Rating Order P–56, Serial No. ----------

He shall not add the symbol "MRO" despite the certification instructions in CMP Regulation No. 5 or any other regulation. Requirements of other orders of the War Production Board as to special certifications remain applicable, but the foregoing endorsement shall be added to such certification. The use of the foregoing endorsement by a producer shall constitute a representation by the producer to the seller and to the War Production Board, subject to the penalties of section 35A of the United States Criminal Code (18 U. S. C. 80), that to the best of the producer's knowledge and belief he is authorized under applicable War Production Board orders and regulations to place the delivery order, to receive the item ordered for the purpose for which ordered, and to use the preference rating or allotment symbol for this purpose. Preference ratings assigned under this order for maintenance, repair, and operating supplies may not be used to obtain items on List A or List B of Priorities Regulation No. 3, except where that regulation permits the use of a P–56 rating for a particular item.

(h) *Restrictions on receipts and inventories.* Notwithstanding the provisions of any other order or regulation of the War Production Board, including CMP Regulation 2, receipts and inventories of producers shall be subject to the following restrictions only: No producer shall receive any delivery of material which will increase his inventory of such material to an amount greater than the minimum necessary to sustain his current level of operations; and the ratio of such inventory to current production shall in no event exceed the ratio of average inventory to average production for the years 1938, 1939, and 1940.

(i) *Restrictions on use and resale of material.* Notwithstanding § 944.11 of Priorities Regulation No. 1, no producer shall use any material, whether or not obtained pursuant to this order, for any purpose other than that for which priorities assistance was granted to acquire it; nor may he sell any material (including machinery and equipment), which he has used in the conduct of any enterprise described in paragraph (b) (1), whether or not he obtained such material with priorities assistance under this or any other order, except:

(1) To a producer holding a serial number hereunder, or

(2) With the written approval of the War Production Board applied for by letter to the Mining Division, or

(3) With the written approval of a district if he is a non-serialized producer located within such district, or

(4) As permitted by Priorities Regulation No. 13.

Applicability of Other Regulations and Orders

(j) (1) *CMP Regulation No. 5 and other regulations of the War Production Board.* None of the restrictions contained in CMP Regulation No. 5 shall be applicable to producers, and no producer shall obtain any material under CMP Regulation No. 5. However, privileges under other orders and regulations of the War Production Board granted to persons on Schedules I and II of CMP Regulation No. 5 shall be considered as applicable to producers operating under this order. For example, Order E–5–a on gauges and precision measuring hand tools classifies a person on Schedules I and II of CMP Regulation No. 5 as an "approved user." Producers operating under Order P–56 are in the same position providing that certification clauses and all other provisions of such other orders are complied with.

(2) *Restriction on use of priorities assistance.* No foreign producer or district shall acquire maintenance, repair, or operating supplies through the use of any preference rating except after having received an approved application on the foreign mine quota application Form WPB–2937, from the Mining Division, War Production Board, Washington 25, D. C. No producer shall acquire any machinery or equipment (other than maintenance, repair, and operating supplies) through the use of any preference rating or any specific authorization of the War Production Board except after filing Form WPB–V1319 or any prescribed special application form in the manner above provided, or except after filing a project application.

Miscellaneous Provisions

(k) *Records and orders.* Each producer and each distributor acquiring maintenance, repair, or operating supplies pursuant to this order shall keep and preserve for a period of not less than two years accurate and complete records of all such materials so acquired and used or disposed of which shall upon request be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(l) *Reports.* Producers shall file such report forms as may be required from time to time by the War Production Board, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942. The reporting requirements of this order have received the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(m) *Additional assistance and appeals in individual cases.* If the sound working condition of a producer is adversely affected by any provisions of this order or by inability to obtain material essential for repair, maintenance, or operating supplies, the producer may apply to the War Production Board for additional assistance by letter, in triplicate, giving the reasons why such assistance is essential. In case of breakdown, imminent breakdown, or other emergency, the application may be made by telegraph or telephone.

(n) *Communications.* All reports and applications hereunder and all other communications with respect to this order shall, except as otherwise specifically provided, be addressed to the Mining Division, War Production Board, Washington 25, D. C., Ref: P–56.

(o) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 20th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

APPLICABILITY TO CUTTING AND POLISHING OPERATIONS AT THE QUARRY

The term "producer" as defined in Preference Rating Order P–56 includes persons operating a quarry and also persons conducting further cutting and polishing operations at the quarry site, such as the manufacture of building stone and tombstones. These latter operations are included in the phrase "preparation for shipment, of the products of mining activity" appearing in paragraph (b) (1) (i) (§ 3201.11) of the order.

Since paragraph (j) (1) of the order forbids "producers" from obtaining any materials under CMP Regulation 5, producers of tombstones or other stone products at the quarry site may not operate under this regulation but must get priorities assistance exclusively under Order P–56.

The manufacture of tombstones and structural stone at a separate plant away from the quarry is not covered by Order P–56, and priorities assistance for MRO supplies required in such operations may be obtained under CMP Regulation 5. Under CMP Regulation 5, a rating of AA–2 is assigned to persons engaged in the manufacture of structural stone, while persons engaged in the manufacture of tombstones and monuments may use the AA–5 rating which is assigned under that regulation to unlisted business. (Issued Nov. 13, 1943.)

[F. R. Doc. 44–7252; Filed, May 20, 1944; 11:10 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[General Conservation Order M–126, as Amended Mar. 31, 1944, Amdt. 2]

Section 3294.63 (General Conservation Order M–126) is hereby amended by amending the lines of List A which now read:

Pulp, paper, paper products and converter machinery and equipment*—(1) except graphic arts machinery or equipment as may be permitted under Limitation Order L–226, and (ii) except machinery or equipment for the fabrication of containers.

to be and read as follows:

Pulp, paper, paper products and converter machinery and equipment*—(1) except graphic arts machinery or equipment when its production is permitted under Limitation Order L–226; and (ii) except paper mill machinery as defined in Limitation Order L–88 and container machinery of the types listed on Schedule A of Limitation Order L–382.

Issued this 20th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7250; Filed, May 20, 1944; 11:10 a. m.]

PART 3302—SERVICE EQUIPMENT

[Limitation Order L–222, as Amended May 20, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account, and for export of the materials used in the manufacture of floor sanding, floor finishing, floor maintenance, and portable rug scrubbing machines, industrial vacuum cleaners, and blowers for cleaning purposes; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3302.26 *Limitation Order L–222*—(a) *What this order does.* This order controls the production of floor sanding, floor finishing, floor maintenance, and portable rug scrubbing machines, industrial vacuum cleaners, and blowers designed for cleaning purposes. It also regulates the distribution of some of these machines.

Floor Sanding Machines

(b) *What is meant by "floor sanding machines."* "Floor sanding machines" are machines designed for the smoothing of floors or decks, by using abrasives, such as sand paper and steel wool. However, floor sanding machines do not include any machines used for smoothing stone or tile floors. The latter are floor finishing machines, and are controlled by a different part of this order.

(c) *Production of floor sanding machines is prohibited.* No person may produce any floor sanding machines.

(d) *Distribution of these machines is not restricted.* In the past the War Production Board restricted the distribution of certain sizes of floor sanding machines. Those restrictions are no longer in effect, and it is not necessary to get permission from the War Production Board to sell or deliver floor sanding machines.

Portable Electric Hand Blowers

(e) *What is meant by "blowers."* As used in this order, "blowers" means combination blowers and exhausters designed for removing dust, reclaimable materials or refuse by either air pressure or suction. These machines consist of a combination of a motor operated air pressure producer, an air impeller line, and a portable tool with attachments. Blowers do not include any machines used solely for the handling of air or other gaseous mixtures.

(f) *Production of blowers is limited.* A person may produce blowers only to fulfill an authorized production schedule under the Controlled Materials Plan (CMP), as explained in CMP Regulation No. 1. Production will be authorized so that the total production will not exceed the approved War Production Board program and so that the production in any one plant, or labor requirements therefor, will not interfere with war production in that plant or in any other plant located in the same area.

(g) *Distribution of blowers is not restricted.* In the past the War Production Board restricted the distribution of blowers. Those restrictions are no longer in effect, and it is not necessary to get permission from the War Production Board to sell or deliver blowers.

Industrial Vacuum Cleaners, Portable Rug Scrubbing Machines, and Floor Finishing and Floor Maintenance Machines

(h) *What is meant by "industrial vacuum cleaners."* "Industrial vacuum cleaners" are machines (either stationary or portable) which consist of a combination of a motor-operated vacuum producer, an air impeller line, and a portable tool with attachments, and which are designed primarily for the collection and removal of dust, oil, and reclaimable materials or refuse by suction, in either the wet or dry state. Industrial vacuum cleaners do not include any vacuum cleaners designed primarily for household use, or any motor-operated vacuum producing units which are part of floor sanding, floor finishing or floor maintenance machines.

(i) *What is meant by "portable rug scrubbing machines."* "Portable rug scrubbing machines" means motorized portable devices for cleaning rugs, including portable rug shampooing machines. Stationary rug cleaning machines are not restricted by this order but are restricted by Limitation Order L–91.

(j) *What is meant by "floor finishing and floor maintenance machines."* A "floor finishing or floor maintenance machine" is a motorized or handpowered mechanical device used for grinding, staining, sealing, scraping, oiling, waxing, scrubbing, or polishing floors or decks, or for collecting and removing dust, grime, oil, reclaimable materials or refuse from floors or decks. Some machines do these things separately. In other cases the floors and decks are also washed, sterilized or wiped. Typical floor finishing and floor maintenance machines include terazzo grinders, waxing and polishing machines, wet or dry scrubbers, combination scrubbers with water pick-up, drum type sweepers, and scarifying machines. Floor finishing and

floor maintenance machines do not include floor sanding machines, or machines specifically designed for manipulating wet cement.

(k) *Delivery of industrial vacuum cleaners, portable rug scrubbing machines, and some floor finishing and floor maintenance machines is restricted.* New industrial vacuum cleaners, new portable rug scrubbing machines, new drum type floor finishing and floor maintenance machines making a six-inch path or wider, and new disk type floor finishing and floor maintenance machines making a ten-inch path or wider, may be delivered only under the following circumstances:

Delivery may be made to anyone whose order has been approved by the War Production Board on Form WPB–1843 before May 16, 1944, or on Form WPB–1319.

Delivery may also be made to any manufacturer or dealer who needs an industrial vacuum cleaner or other restricted machine to fill a specific order, or part of a specific order, which has been approved on Form WPB–1843 before May 16, 1944, or on Form WPB–1319.

(l) *How to get an order approved for delivery.* Those who want to get their orders approved for delivery should apply on Form WPB–1319 to the War Production Board, Service Equipment Division, Washington 25, D. C.: Ref. L–222. The instructions for the use of the form must be carefully followed; otherwise, the application will not be considered by the War Production Board. Copies of this form and the instructions can be obtained from the nearest field office of the War Production Board.

(m) *How to use a Form WPB–1843 or a Form WPB–1319 after approval is given.* If the War Production Board approves an order on Form WPB–1843 or Form WPB–1319, the form on which approval is given will be returned to the applicant, who must then give the form to the person delivering the equipment before the delivery is made. Only the supplier named in the form may deliver the equipment. Moreover, unless the form is given to the supplier within thirty days after the date on which the delivery was officially approved, the War Production Board's approval of the delivery is automatically withdrawn.

(n) *Production of industrial vacuum cleaners, portable rug scrubbing machines, and floor finishing and floor maintenance machines is limited.* The production of portable rug scrubbing machines is prohibited. The production of industrial vacuum cleaners and floor finishing and floor maintenance machines is forbidden, except to the following extent: A person may produce industrial vacuum cleaners, and floor finishing and floor maintenace machines, to fill orders approved by the War Production Board. In addition, a person may produce and maintain a stock of new industrial vacuum cleaners and floor finishing and floor maintenance machines of the sizes restricted under paragraph (k) numbering up to 15 percent of the total number of these machines shipped from his factory during the calendar year 1941.

Restricted industrial vacuum cleaners and floor machines produced before 1944 are not to be counted as part of this stock, but must be held as a stock pile to fill orders approved by the War Production Board just for delivery from that supply. A person may not produce a machine to fill an order approved for delivery only from the stock pile, nor may he produce a machine to replace one taken from the stock pile to fill an approved order.

In approving orders, and in processing applications for priorities assistance on Form CMP–4B, the War Production Board will be guided by the policy that the total production of the entire industry must not exceed the approved War Production Board program for these products, and that the production in any one plant, or labor requirements therefor, must not interfere with war production in that plant or in any other plant located in the same area.

General Provisions

(o) *Production of supplies and repair parts is not limited.* This order does not limit the production of supplies and repair parts for equipment controlled under this order.

(p) *Applicability of other orders and regulations.* This order, and all transactions affected by it, are subject to all applicable provisions of other orders and regulations of the War Production Board as amended from time to time.

(q) *Reports on Form WPB–3495 by producers of blowers are required monthly.* Before the 15th of each month, every person in the business of producing blowers must send to the War Production Board a report on Form WPB–3495. This reporting requirement has the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) *Miscellaneous reports.* Subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, each person affected by this order must execute and file with the War Production Board whatever reports, information, and answers to questionnaires the War Production Board from time to time requests.

(s) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(t) *Appeals.* An appeal from this order may be made by filing a letter referring to the particular provision appealed from and stating fully the grounds of the appeal.

(u) *Communications to War Production Board.* All reports required by this order, and all communications concerning its provisions should be addressed to: War Production Board, Service Equipment Division, Washington 25, D. C.: Ref. L–222.

Issued this 20th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7251; Filed, May 20, 1944; 11:10 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–503]

NILE E. YEARWOOD

Nile E. Yearwood, of Route #1, Columbia, Tennessee, on or about May 7, 1943, began construction of a residence on premises known as Graymere Farm, Columbia, Tennessee. He had obtained authorization from the War Production Board to commence construction work of an estimated cost of not over $7,000; the estimated cost of the work done amounted to approximately $25,000. This was a violation of the authorization given upon Mr. Yearwood's application and of Conservation Order L–41. Mr. Yearwood was familiar with Order L–41, and with the restrictions upon construction, and his violation was wilful.

This violation of Conservation Order L–41 has diverted scarce materials to uses not authorized by the War Production Board, and has hampered and impeded the war effort of the United States. In view of the foregoing: it is hereby ordered, that:

§ 1010.503 *Suspension Order No. S–503.* (a) Neither Nile E. Yearwood, his successor or assigns, nor any other person, shall do any construction on the premises known as Graymere Farm, Columbia, Tennessee, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Nile E. Yearwood, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on May 20, 1944.

Issued this 13th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7270; Filed, May 20, 1944; 4:00 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–551]

WILLIAM BRODY

William Brody, of Clearfield, Pennsylvania, purchased, about July 8, 1943, a one-story commercial building, located at 22 North Second Street, Clearfield, Pennsylvania. The building had been partly consumed by fire in December, 1942, and its owner had obtained authority for emergency repairs, which were being carried on when Mr. Brody bought the building. Mr. Brody continued with these repairs, and did additional construction work at an estimated cost of approximately $8,000, without War Production Board approval; this was a violation of Conservation Order L–41, which placed a limit of $200 upon such construction. This violation resulted from Mr. Brody's gross negligence through failure to inquire as to the requirements of Order L–41 after being fairly charged with notice of its existence. As a result of the violation, critical materials were diverted to uses not authorized by the War Production Board. In view of the foregoing: it is hereby ordered, that:

§ 1010.551 *Suspension Order No. S–551.* (a) Neither William Brody, his successors or assigns, nor any other person, shall do any construction on the premises at 22 North Second Street, Clearfield, Pennsylvania, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve William Brody, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on May 20, 1944.

Issued this 13th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7271; Filed, May 20, 1944; 4:00 p. m.]

PART 933—COPPER

[Supplementary Order M–9–c–4, as Amended May 22, 1944]

INSTALLATION AND SALE OF PIPE, TUBING, FITTINGS AND BUILDING MATERIAL [1]

§ 933.15 *Supplementary Conservation Order M–9–c–4—(a) Definitions.* For the purposes of this order:

(1) "Copper" means unalloyed copper metal. It shall include unalloyed copper metal produced from scrap.

(2) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy metal. It shall include alloy metal produced from scrap.

(3) "Copper or copper base alloy pipe or tubing" means any pipe, tube or tubing into which there has been incorporated any copper or copper base alloy (except as plating or where the item contains less than 25% of copper or copper base alloy by weight).

(4) "Copper or copper base alloy fittings" means any fittings for use in connection with any pipe, tube or tubing (other than valves, corporation stops and couplings therefor, curb stops and couplings therefor, adaptors, unions, ferrules and solder nipples) into which there has been incorporated any copper or copper base alloy (except as plating or where the item contains less than 25% of copper or copper base alloy by weight).

(5) "Copper or copper base alloy building material" means any of the following items, whether fabricated or unfabricated, into which there has been incorporated any copper or copper base alloy (except as plating or where the item contains less than 25% of copper or copper base alloy by weight):

Access panels.
Anchors and dowels.
Cornices.
Drip pans.
Fences and gates.
Flashings and flashing valley lining.
Gravel stops and snow guards.
Grilles, grids and gratings.
Gutters, leaders, downspouts, sheet metal expansion joints and accessories thereto.
Lightning rods, cables and accessories.
Louvers and marquees.
Mouldings and trim.
Ornamental metal work.
Partitions.
Railings.
Reglets.
Radiators, shields and covers.
Roof, roofing and other roofing items.
Sheet, roll, strip and rod for building construction.
Stair treads, nosing and edgings.
Store fronts.
Strip for laying linoleum.
Terrazzo strip.
Termite shields.
Thresholds and saddles.
Tie rods.
Weatherstripping and insulation.
Window frames and sills.
Ventilators and skylights.
Vents.

(b) *Restrictions on installations of certain copper products—(1) Restrictions.* Installation of certain copper and copper base alloy products is prohibited notwithstanding any contract or agreement of any person to make the installation and notwithstanding any preference rating or CMP allotment, in the following instances:

(i) The installation in place, of any copper or copper base alloy building material in or on any building or structure, or in or on any cooling tower or water tower.

(ii) The installation in place, for plumbing, heating or cooking purposes, of any copper or copper base alloy pipe, tubing or fittings, in any building or structure.

(iii) The installation in place, whether inside or outside of a building, of any copper or copper base alloy pipe, tubing or fittings in any water supply or water distribution system, in any water sprinkling system, in any underground gas supply or gas distribution system, or in or on any cooling tower or water tower.

(2) *Exceptions.* Notwithstanding the prohibitions against installation of paragraph (b) (1):

(i) Copper or copper base alloy building material, pipe or tubing may be installed in place when necessary to replace in or on a building, structure or system, like items of copper or copper base alloy.

(ii) Copper or copper base alloy fittings may be installed in place for purposes of repair and maintenance, if at least one end of the fitting is connected to copper or copper base alloy pipe or tubing; and copper or copper base alloy fittings may be connected to a water supply or water distribution system or to any underground gas supply or gas distribution system, if the fittings are to be used both underground and outside of a building.

(iii) Copper or copper base alloy pipe and tubing which were, on January 1, 1944, in the inventory of a plumber, may be connected by the plumber in whose inventory the material was on that date, to a water supply or water distribution system or to any underground gas supply or gas distribution system, if the pipe or tubing are to be used both underground and outside of a building; and copper or copper base alloy pipe and tubing which were, on January 1, 1944, in the inventory of a water or gas utility may be connected by a utility to a water supply or water distribution system or to any underground gas supply or gas distribution system, if the pipe or tubing are to be used both underground and outside of a building.

(iv) Copper or copper base alloy tubing or fittings may be installed in place in a heat exchanger for a cooling tower.

(v) Copper or copper base alloy building material, pipe, tubing and fittings purchased by or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration may be installed in place: *Provided, however,* That nothing in this order shall supersede any applicable instructions to any officers of the foregoing, including without limitation the directive for War Time Construction dated May 20, 1942, issued by the Chairman of the War Production Board, the Secretary of War and the Secretary of the Navy, or the List of Prohibited Items for Construction Work dated April 1, 1942, issued by the Army and Navy Munitions Board, as amended from time to time.

(vi) Copper or copper base alloy building material, pipe, tubing and fittings may be installed in place, upon the written authorization of the War Production Board, authorizing the specific installation. Applications for such authorization may be made by letter setting forth the reasons why the person applying believes such material should be installed in or connected to a structure or system. If the applicant is applying for authorization to begin construction on Form WPB–617, he may apply for authorization under this order on that Form or in a supplemental letter attached thereto, and need not make a separate application.

[1] This order used also to apply to certain plumbing fixture fittings and trim. The use of copper or copper base alloy in the manufacture of all items of plumbing fixture fittings and trim is prohibited or restricted by Order M–9–c and Order L–42, Schedules V and XII. The change in this order releases for use only finished items. For restrictions on the manufacture and installation of copper and copper base alloy screening, see Conservation Order M–9–c.

(c) *Restrictions on delivery.* Notwithstanding any contract or agreement to the contrary or the receipt of any CMP order or a preference rating, no person shall deliver, sell or otherwise dispose of any copper or copper base alloy building material, pipe, tubing, or fittings if it is to be used for a purpose prohibited by this order; and no person shall accept delivery or a transfer of, or purchase, such building material, pipe, tubing or fittings unless the person making the delivery, sale or other disposition was permitted to do so. The foregoing shall not prevent:

(1) Delivery, sale or disposal to, or acceptance of delivery or transfer by or purchase by, a brass mill or a person regularly engaged in the business of selling copper or copper base alloy scrap.

(2) Delivery, sale or disposal to, or acceptance of delivery or transfer by or purchase by Defense Supplies Corporation, Metals Reserve Company or any other corporation organized under section 5 (d) of the Reconstruction Finance Act as amended (except Defense Plant Corporation) or any person acting as agent for any such corporation (except Defense Plant Corporation).

(3) Delivery, sale or disposal to, or acceptance of delivery or of transfer by or purchase by, any person upon the written authorization of the War Production Board permitting the specific delivery sale or disposal. Applications for authorization may be made by the person seeking to make delivery, sale or disposal, by letter setting forth the reasons why the person believes such material should be delivered, sold or otherwise disposed of.

(d) *Restrictions on sale and use of nails, tacks, screws, nuts, bolts, rivets, washers, and expansion shields.* (1) No manufacturer, warehouse, store or outlet, other than a retail store or retail outlet, shall sell or deliver, without the specific authorization in writing of the War Production Board, any copper or copper base alloy nails, tacks, screws, nuts, bolts, rivets, washers or expansion shields except on a preference rating of AA–5 or higher.

(2) No retail store or retail outlet shall sell or deliver, without the specific authorization in writing of the War Production Board, any copper or copper base alloy nails, tacks, screws, nuts, bolts, rivets, washers or expansion shields except on a preference rating of AA–5 or higher. However, each store or outlet may sell such products to fill unrated orders or orders rated lower than AA–5 provided that the total sales of such products after December 31, 1943, to fill unrated orders or rated lower than AA–5, does not exceed $25 in amount.

(3) No person engaged in the business of building or repairing a building, structure, cooling tower or water tower, and no corporation or other organization, shall install in place, without the specific authorization in writing of the War Production Board, any copper or copper base alloy nails, tacks, screws, nuts, bolts, rivets, washers, or expansion shields in a building, structure, cooling tower or water tower.

(4) The foregoing restrictions of this paragraph (d) are not applicable if the items have been placed in packages with builders' finished hardware items, such as locks and hinges, prior to June 24, 1943, for the purpose of attaching or installing the hardware, nor to iron or steel items which are plated or washed with copper.

(5) Application for specific authorization under this paragraph (d) shall be made by letter setting forth the reasons why the person applying believes the nails, tacks, screws, nuts, bolts, rivets, washers and expansion shields should be installed, or be sold or delivered to fill unrated orders or orders rated lower than AA–5.

(e) *Communications to the War Production Board.* All requests for authorization and communications referring to this order, shall unless otherwise directed, be addressed to: War Production Board, Copper Division, Washington 25, D. C. Reference: M–9–c–4.

(f) *Violations.* Any person who willfully violates any provision of this order, or who in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

Issued this 22d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7328; Filed, May 22, 1944; 11:05 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1 as Amended Feb. 2, 1944, Amdt. 3]

Section 3175.1 *CMP Regulation No. 1* is amended as follows:

Schedule 1 of the regulation is amended under the general heading "Steel, Carbon Steel", by changing the second column of item No. 2061 "Wire rods, wire and wire products", to strike "(including chain link fence fabric)"; and inserting in the third column of the same item the phrase "chain link fence fabric and" before the item "chain link fence, completely fabricated".

Issued this 22d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7322; Filed, May 22, 1944; 11:49 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, Interpretation 11 as amended May 22, 1944]

PURCHASER'S COST OF LABOR FOR MINOR CAPITAL ADDITIONS

The following amended interpretation is issued with respect to CMP Regulation 5:

Interpretation No. 11 to CMP Regulation No. 5 is amended to read as follows: (a) Paragraph (b) (3) of CMP Regulation No. 5 permits the use of the MRO symbol and rating to get materials or equipment for a minor capital addition, where the cost of the minor capital addition does not exceed $500 "excluding the purchaser's cost of labor."

(b) This means that the cost of the materials or equipment going into the minor capital addition must not exceed $500. The cost of labor for the manufacture of the materials or equipment must be included in figuring their cost. The cost of labor used in construction or installation of the minor capital addition need not be included.

(c) This applies whether the owner of the plant uses his own employees to do the construction or installation work or hires an independent contractor to supply this construction or installation labor.

(d) It also applies where the owner of the plant gets an independent contractor to furnish the materials and the labor for the job, and where the owner of the plant buys a machine or other article and has the seller do the work of installation.

(e) Direction 15 to CMP Regulation 5 explains the rules for buying $500 worth of materials needed for installation or relocation of equipment which is not bought by use of the MRO rating or symbol. In that case, the same principles apply in determining what labor costs are to be included.

Issued this 22d day of May, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7323; Filed, May 22, 1944; 11:49 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 6, Direction 3]

SPECIAL PROCEDURE FOR ARMY AND NAVY CONSTRUCTION

The following direction is issued pursuant to CMP Regulation 6:

(a) *What this direction does.* This direction explains how private contractors doing Army and Navy command construction, Engineer Corps construction or Civil Aeronautics Administration Construction obtain controlled materials, Class A products, and other materials and products which they need for the construction work. It also applies to purchases by the Army and Navy when constructing a particular project with their own personnel. This direction applies only to construction of the kinds described in paragraph (f). It does not apply to any other kind of construction.

(b) *Allotment symbol and preference rating.* The Army or Navy will issue an authorization for construction on Form CMPL-593 Navy (Army). The allotment symbol N–O for Navy construction or W–6 for Army construction and the preference rating assigned on Form CMPL–593 Navy (Army) may be used to order all products, machinery, equipment and material needed to complete the project described in the CMPL–593 Navy (Army). In certain cases, an order of the War Production Board may require specific authorization on a special form or letter before a person may get or use a particular product or material. In such cases, the Bureau or Service indicated in the executed Form will obtain such authorization, including any scheduling authority required under any scheduling order, and will furnish the authorization either on the prescribed form or otherwise to the person engaged in the construction.

(c) *Restrictions on construction.* Any person engaging in construction which is authorized on form CMPL–593 Navy (Army), must follow the restrictions on construction contained in the ANMB List of Prohibited Items for Construction Work. Authority to deviate from these standards will be obtained from the Army and Navy Munitions Board by the Bureau or Service indicated and will be specifically set forth on Form CMPL–593 Navy (Army) or other appropriate Army or Navy document.

(d) *How to order material.* (1) The allotment symbol N–O for Navy construction or W–6 for Army construction may be used to order controlled materials and Class A products by (i) the person to whom Form CMPL–593 Navy (Army), is issued, whether a private contractor or an Officer of the Army or Navy, (ii) by manufacturers of Class A products or Class A components of Class A products to be incorporated in the project, (iii) by subcontractors doing all or any part of the construction work.

A builder must not use the allotment symbol or give others the right to use it before he has received an authorization on Form CMPL–593 Navy (Army). A person who has received an authorization on Form CMPL–593 Navy (Army) may give a manufacturer, contractor or subcontractor the right to use the allotment symbol by endorsing the order or contract in the following form, signed manually or in the way explained in Priorities Regulation No. 7:

> Purchase Order or Contract No._____ (identifying project). You are authorized to use the allotment symbol N–O (W–6) to order controlled materials and Class A products needed to fill this order or contract.

A manufacturer, or subcontractor must not use the allotment symbol nor give others the right to use it until he has received an order or contract endorsed with the above statement.

It is not necessary to show the quantities of controlled materials in this statement. Its use shall constitute a representation by the person signing it to the person with whom the order or contract is placed, and to the War Production Board, subject to the penalties of section 35A of the United States Criminal Code, that he has the right to authorize the person with whom the order or contract is placed to use the allotment symbol to fill the order or contract. The standard form described in Priorities Regulation No. 7 cannot be used instead of the above statement.

A person who has the right under this direction to use the allotment symbol N–O or W–6 in ordering controlled materials must endorse the symbol on his order and the form of certification set out in CMP Regulation No. 7, signed manually or in the way explained in Priorities Regulation No. 7. An order so endorsed is an authorized controlled material order (1) if it is a "delivery order" as defined in paragraph (b) (9) of CMP Regulation No. 6, and (ii) if it is in sufficient detail to permit entry on mill schedules, and (iii) if, when placed with a controlled materials producer, it is received at such time in advance as is specified in Schedule III of CMP Regulation No. 1, or at such later time as the controlled materials producer may find it practicable to accept the same.

(2) The preference rating may be used to order all materials other than controlled materials. The builder receiving a CMPL–598 Navy (Army) authorization may use the preference rating on an order by using the certification set forth in Priorities Regulation No. 7 together with the allotment symbol N–O or W–6 for purposes of identification. Whenever the builder or subcontractor orders a Class A product the statement set forth in paragraph (d) (1) above must also be used.

(3) Each person using the allotment symbol or preference rating must maintain at his regular place of business, for a period of two years, records of the right to use the symbol or preference rating, records, kept by purchase order or contract number identifying the project, of the amounts of materials and products ordered with the allotment symbol or preference rating and records adequate to show that the materials and products so ordered were used for the purpose for which the right to use the symbol or rating was granted.

(4) The use of the allotment symbol N–O or W–6 will not be limited to any particular month or quarter and, therefore, no quarterly identification need be shown when using it. Authorized controlled material orders must, however, show the month in which delivery is requested. The allotment symbol and rating may not be used by the builder, contractor or subcontractor in placing orders after the expiration date of the project but delivery after such date may be specified on orders placed before then.

(5) The allotment symbol and preference rating must not be used to order materials in greater quantities, or on earlier dates, than needed for the construction. It may be used not only to order materials needed for the construction but also to replace in inventory materials used for the construction. Attention is called to CMP Regulation No. 2 which places a restriction on inventories of controlled materials.

(e) *Relation to WPB Directive 23 and WPB Directive 31.* The preference rating assigned on Form CMPL–593 Navy (Army) is assigned in lieu of a preference rating assigned for such construction on Form WPB–542 (formerly PD–3A) under the provisions of WPB Directive 31, and is subject to any review which may be required by WPB Directive 23 from time to time.

(f) *Construction covered by this direction.*—(1) *Command construction within the continental limits of the United States.* The following types of projects within the continental limits of the United States ordered built by either the Chief of Staff, U. S. Army, or the Chief of Naval Operations, U. S. Navy: Airfields; military housing; alien housing; facilities for the repair of finished items of munitions; seacoast fortifications; ports and depots; camouflage and other passive defense projects (whether or not owned and operated by the Army or Navy); emergency flood control projects having a value of less than $100,000; military hospitals; maneuver training and staging areas and proving grounds.

(2) *Command construction outside of the continental limits of the United States.* All construction ordered built by the Chief of Staff, U. S. Army, and built by or under the supervision of the Chief of Engineers or Commanding Generals of Service Commands, U. S. Army, or ordered built by the Chief of Naval Operations, U. S. Navy, and built by or under the supervision of the Chief of the Bureau of Yards and Docks, U. S. Navy, outside the United States, but not including construction within active theatres of operations.

(3) *Corps of Engineers construction within the continental limits of the United States.* Projects within the continental limits of the United States which (i) have been determined by the War Production Board to be essential, (ii) are built by or under the supervision of the Corps of Engineers (and where appropriate, completed by the Army Air Forces), in accordance with a design directive approved by an authorized representative of the War Production Board, and (iii), will be owned, leased, maintained or operated by or under the direction of the War Department and financed by War Department funds.

(4) *Civil Aeronautics Administration Construction,* that is (i) projects for the construction of airports financed under the appropriation for "Development of Landing Areas for National Defense" (Public Law 528, 77th Congress, 2d Session) and which:

(a) Have been determined by the War Production Board to be essential.

(b) Are built under the supervision of the Army, Navy, or Civil Aeronautics Administration.

(c) Are built in accordance with specifications of the Bureau of Yards and Docks, U. S. Navy, or the Corps of Engineers, U. S. Army; and

(ii) Projects for the construction of the following airway facilities requested by the Army or Navy and financed from Civil Aeronautics Administration, Army, or Navy appropriations:

(a) Immediate landing fields to be operated by and situated on property owned or leased by the United States government;

(b) Airway lighted aids, that is, automatically operated lighted aids to contact flight operations on a designated flying route between airfields;

(c) Radio facilities, that is, radio transmitting stations producing identifying signals received by aircraft in flight; and

(d) Communication facilities, that is, facilities to collect and disseminate weather reports and maintain two-way communications with aircraft in flight or with other stations.

Issued this 22d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7324; Filed, May 22, 1944; 11:49 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M–293, Table 13, as Amended May 22, 1944]

CORK, ASBESTOS AND FIBROUS GLASS DIVISION

§ 3208.14 *Table for Cork, Asbestos and Fibrous Glass Division.* (a) The following amended table is issued pursuant to the provisions of General Scheduling Order M–293:

Type of M-293 product	Designation	Applicable forms columns 1 Operations report	1 Shipping schedule[1]	3 Application and authorization	4 Calendar month frozen[2]
(1) Fibrous glass textiles, including cloth, tape, cord, sleeving, thread, yarn, sliver, M. Q. webbing and other products fabricated wholly from textile type glass fibers	----------	3624	3401	----------	
(2) Clutch facings (flat, asbestos; moulded and textile types)—all purchase orders in excess of 1000 facings	----------	3002	3401	----------	1

[1] Form WPB-3003 may be used instead of Form WPB-3401.
[2] For an explanation of the calendar months frozen see paragraph (c) of M-293.

(b) Any manufacturer whose production of fibrous glass textiles is less than 20,000 lbs. per month need not file an operations report on fibrous glass textiles on Form WPB–3624.

(c) A manufacturer's intra-company deliveries of fibrous glass textiles shall be treated in the same way as shipments to his customers. Company requisitions must be treated and scheduled as purchase orders. In reporting company requisitions on Forms WPB–3401 and 3003 the applicable preference rating is the rating assigned to the purchase order for the products into which the fibrous glass textiles will go.

(d) This table took effect April 1, 1944, with respect to fibrous glass textiles, and shall take effect May 22, 1944, with respect to clutch facings.

Issued this 22d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7330; Filed, May 22, 1944; 11:51 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M–85, as Amended May 22, 1944]

KAPOK

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of kapok for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3290.331 *General Conservation Order M–85*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Additional definitions.* For the purposes of this order:

(1) "Kapok" means the fiber or pulp from the pod of the Ceiba or Kapok tree before incorporation into a finished product.

(2) [Deleted May 22, 1944]

(3) "Manufacturer" means any person producing any product of which kapok is a component part or into which it is physically incorporated.

(c) *Restrictions on sales and deliveries of kapok.* No person shall buy, sell, deliver, or accept delivery of any kapok, unless specifically authorized in writing by the War Production Board. This shall not apply to sales to the Defense Supplies Corporation. Anyone wishing to buy kapok from the Defense Supplies Corporation may apply to the War Production Board on Form WPB–2562.

(d) *Restrictions on the use of kapok for manufacturing purposes.* Unless authorized pursuant to application filed on Form WPB–1076, no manufacturer shall use any kapok of Java grades except for life vests, life jackets and collars to fill orders to be submitted for approval as specified in paragraph (e) below and placed directly by:

(1) The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or by prime contractors or subcontractors therefor; or

(2) Ship chandlers and marine supply distributors to whom preference ratings have been assigned on Form WPB–646.

No manufacturer shall use kapok of grades other than Java in any product unless required by a defense order and authorized pursuant to application on Form WPB–1076.

Upon completion of any order requiring the use of kapok the remaining inventory is subject to all the provisions of this order and may be disposed of only as permitted in paragraph (c).

(e) *Specific approval required for filling orders for life vests or life jackets and collars.* No manufacturer may make any delivery under any order for kapok life vests, or life jackets and collars unless he has the written approval of such order by the War Production Board. Application for such approval may be made by letter or telegram addressed to the War Production Board, Equipage Branch, Textile, Clothing and Leather Bureau, Washington 25, D. C. Manufacturers shall return all orders not approved to the Procurement Officer issuing such order advising him of the action taken by the War Production Board.

(f) *Restrictions on inventory.* No person may accept title to or accept delivery of any kapok if his inventory will thereby exceed the amount required for continuing his operations at his current rate for a thirty-day period, unless otherwise authorized in writing by the War Production Board.

NOTE: Paragraphs (g) through (k), formerly (e) through (i), redesignated May 22, 1944.

(g) *Assignment of preference rating.* A preference rating of AA–5 is hereby assigned to all orders for kapok placed by the Foreign Economic Administration, the Defense Supplies Corporation, or any corporation organized under the authority of section 5d of the Reconstruction Finance Corporation Act, as amended, or any representative designated for the purpose by any of the foregoing, and such rating may be applied in the manner prescribed by Priorities Regulation No. 3, as amended.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(i) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Ref.: M–85.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Reports.* On or before the 15th day of each calendar month all owners of kapok shall file two copies of Form WPB–642 with the United States Tariff Commission, 7th and E Streets, N. W., Washington 25, D. C.

Issued this 22d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7329; Filed, May 22, 1944; 11:50 a. m.]

PART 3302—SERVICE EQUIPMENT

[General Limitation Order L–91, as Amended May 22, 1944]

COMMERCIAL LAUNDRY EQUIPMENT, COMMERCIAL DRY CLEANING EQUIPMENT, AND TAILORS' PRESSING EQUIPMENT

§ 3302.16 *General Limitation Order L–91*—(a) *What this order does.* This order restricts the production and distribution of certain kinds of laundry equipment, dry cleaning equipment, and tailors' pressing equipment. This equipment is divided into two groups. The order restricts both production and distribution of the first group. Production of equipment in the second group is restricted, but distribution is not.

(b) *What equipment is in the first group.* The first group consists of the following kinds of laundry, dry cleaning and tailors' pressing equipment:

NOTE: "Dry cleaning units, synthetic" deleted May 22, 1944.

Blocking machines, garment
Boards, ironing
Boards, pressing
Boards, shirt folding
Boards, steam spotting
Cabinets, deodorizing, drying or sterilizing
Conveyors, bag (wet wash)
Conveyors, "go back"
Conveyors, monorail
Conveyors, shirt
Dry cleaning units, naphtha
Dry rooms, conveyor
Dryers, garment, hot air
Dryers, hosiery and sock
Dye machines
Extractors (including mechanical unloading)
Forms, collar
Forms, hosiery and sock
Forms, overall
Forms, sleeve
Forms, trouser
Filters, solvent, for drycleaning
Finishers, garment
Finishers, sleeve
Fluffers, handkerchief
Folding machines, automatic
Ironers, collar
Ironers, flatwork
Ironers, handkerchief
Ironer attachments:
  Canopies
  Feeding devices
Irons, puff
Listing machines
Marking machines
Presses
Shakers, flatwork
Shapers, sleeve
Shapers, trouser
Spreaders, flatwork
Stackers, flatwork, automatic
Stackers, handkerchief, automatic
Starch cookers
Starching and extracting machines
Starching machines
Stills, vacuum, for drycleaning
Stretchers, trouser
Tables, marking
Tumblers
Washers (except glove)

(c) *What equipment is in the second group.* The second group consists of the following kinds of laundry, dry cleaning, and tailors' pressing equipment:

NOTE: List amended May 22, 1944.

Boards, pressing, velvet and nap
Boards, spotting, except steam
Boards, steam
Collar shapers
Collar tippers
Cuff cleaners
Dampeners, cloth
Dampeners, collar and seam
Dryers, blanket and curtain
Dryers, rug
Dryers, windwhip
Dry cleaning units, synthetic
Dry rooms, sectional
Dye kettles
Feather sanitising machines
Fluting machines
Forms, glove
Fur cleaning equipment
Glasers, fur
Glove cleaning machines
Hangers, revolving shirt
Hatters' equipment
Holders, bag
Holders, net
Irons, rotary
Ironers, edger
Ironers, hat crown
Ironers, ruffle
Ironer attachments:
  String mark eliminators
Napping machines (carding machines for blanket finishing)
Puffers, steam
Rug cleaning machines (stationary)
Sand bags, hat
Seam cleaners
Shirt envelope machines
Steamers, garment
Steamers, velvet
Sterilizers, feather
Stretchers, blanket and curtain
Stretchers, dress
Tables, steam
Tubs, scrub
Tubs, starch
Tubs, stationary laundry
Washers, glove

(d) *Production of both groups is restricted.* A person may produce the equipment listed in paragraph (b) and (c) only to the extent authorized by this order or by written instructions from the War Production Board.

(e) *Production is permitted to fill U. S. Army and Navy orders.* A person may produce equipment if he builds it according to United States Army or Navy specifications in order to fill a specific United States Army or Navy order. This includes orders placed by prime contractors or subcontractors of the Army or Navy for equipment which will eventually be delivered to the Army or Navy and will be installed under Army or Navy supervision. It does not include any orders placed by any U. S. Army or Marine Corps Post Exchange, or any U. S. Navy or Coast Guard Ship's Service Department.

(f) *Production of equipment in first group is permitted to fill approved orders.* A person may produce equipment listed in paragraph (b) to fill orders approved for delivery under paragraph (k), and in addition to maintain an inventory of new equipment listed in paragraph (b) worth up to 5 per cent of the total value of new equipment listed in paragraph (b) which he billed to his customers during the calendar years 1939, 1940 and 1941. His total billings during that period and the value of his current inventory are to be calculated at his established prices f. o. b. shipping point. Production of equipment listed in paragraph (b) which was specifically authorized by the War Production Board, through the granting of appeals or otherwise, before May 22, 1944, may take place after that date only to the extent permitted by this paragraph.

In approving orders, and in processing applications for priorities assistance on Form CMP–4B, the War Production Board will be guided by the policy that the total production of the entire industry must not exceed the approved War Production Board program for the equipment listed in paragraph (b), and that the production in any one plant, or labor requirements therefor, must not interfere with war production in that plant or in any other plant located in the same area.

(g) *Production of equipment in second group is permitted to fill certain kinds of approved orders.* A person may assemble equipment listed in paragraph (c) to fill a specific order approved for delivery under paragraph (k), by assembling the equipment from parts completely fabricated before July 1, 1942. He may not make any parts for this purpose. Also, a person may produce equipment listed in paragraph (c) to fill a specific order approved for delivery under paragraph (k) for any of the following persons:

(1) The armed forces and maritime agencies of any foreign government friendly to the United States.

(2) The United States Maritime Commission.

(3) The War Shipping Administration.

(4) Privately owned ordnance plants.

(h) *Production of repair parts is permitted.* A person may make parts to use or sell for repairing, rebuilding or maintaining equipment.

(i) *Delivery of new equipment in first group is restricted.* A person may deliver new equipment listed in paragraph (b) only in those cases specified in the following paragraphs. There is no restriction on the delivery of secondhand equipment, including rebuilt equipment listed in paragraph (b). The delivery of both new and secondhand equipment listed in paragraph (c) is unrestricted.

(j) *Delivery to the United States Army and Navy is permitted.* A person may deliver new equipment listed in paragraph (b) to the United States Army or the United States Navy. A person may also deliver this equipment to a prime contractor or subcontractor of the Army or Navy, if the equipment will eventually be delivered to the Army or Navy and will be installed under Army or Navy supervision. The terms "Army" and "Navy", as used in this paragraph, do not include any U. S. Army or Marine Corps Post Exchange, or any U. S. Navy or Coast Guard Ship's Service Department.

(k) *Approved deliveries are permitted.* A person may deliver new equipment listed in paragraph (b) to anyone whose order has been approved for delivery on Form WPB–924, issued before July 1,

1944, or a Form WPB–1319, or a Form GA–1456.

Form GA–1456 will be used to approve delivery to persons who request such approval when applying for authority to begin construction, and for priority assistance in obtaining materials for construction. Orders approved for delivery on Form GA–1456 should be accompanied by the following certification (in addition to the certification in Priorities Regulation 7):

Delivery approved on Form GA–1456.

Those who want to get their orders approved when construction is not involved should send an application to the War Production Board, Service Equipment Division, Washington 25, D. C.: Ref. L–91. Applications submitted before June 1, 1944, should be on Form WPB–924. Applications submitted after that date should be on Form WPB–1319. If the War Production Board approves an order for delivery on either of those forms, the approved form must be given to the person making the delivery before the equipment may be delivered. Moreover, if the form is not given to this person within thirty days after the date of official approval, the War Production Board's permission to deliver the equipment automatically expires.

(l) *Deliveries for resale are permitted.* A person may deliver new equipment listed in paragraph (b) to anyone who needs the equipment to fill an order or part of an order approved for delivery under paragraph (k). A person may also deliver this equipment to anyone who is acquiring the equipment only for resale within the United States (48 States and the District of Columbia). In the latter case the person delivering the equipment must continue to count it as part of his inventory under paragraph (f) until the equipment is redelivered to the United States Army, the United States Navy, or a person whose order has been approved for delivery under paragraph (k).

(m) *Use of equipment by manufacturers or dealers is restricted.* No person who produces equipment for sale or acquires new equipment listed in paragraph (b) for resale may put that equipment into use, unless the War Production Board gives him written permission to do so.

(n) *Emergency repair loans are sometimes permitted.* The War Production Board will consider written or telegraphic requests for permission to lend equipment listed in paragraph (b) to someone whose own equipment is undergoing emergency repairs. If the War Production Board gives permission in writing, a person may deliver equipment to another person for use while the latter's equipment is being repaired. When the repairs are finished, the borrowed equipment must be returned to the person who lent it. Equipment listed in paragraph (b) is still considered new equipment even though it has been used for repair loans of the sort contemplated by this paragraph, and is still subject to the restrictions of paragraph (i) after it has been returned to the person who lent it.

(o) *Use of metal parts for rebuilding equipment is restricted.* A person may use metal parts, including cast iron, for rebuilding equipment listed in paragraph (b) or paragraph (c) only to the following extent:

A person rebuilding equipment for the United States Army, the United States Navy, the United States Maritime Commission, or the War Shipping Administration, may use metal parts to the extent necessary to meet their specifications. These agencies do not include any U. S. Army or Marine Corps Post Exchange, any U. S. Navy or Coast Guard Ship's Service Department, or any War Shipping Administration Training Organization Ship's Service activity.

A person may also use metal parts in rebuilding a piece of equipment if their total weight will be less than 40 per cent of the total weight of the piece of equipment rebuilt, after the job is finished. A person may use additional metal parts for rebuilding a piece of equipment to the extent specifically authorized by the War Production Board in writing.

(p) *Reports on Form WPB–923 are required monthly.* Before the fifteenth of each month every person in the business of producing equipment listed in paragraph (b) or (c), and every person in the business of selling new equipment listed in paragraph (b) must send to the War Production Board a report on Form WPB–923. This reporting requirement has the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(q) *Miscellaneous reports.* Subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, each person affected by this order must execute and file with the War Production Board whatever reports, information, and answers to questionnaires the War Production Board from time to time requests.

(r) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time, with the exception of Priorities Regulation No. 17.

(s) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

(t) *Appeals.* Any appeal from this order shall be made by filing a letter, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(u) *Communications to War Production Board.* All reports required by this order, and all communications concerning its provisions should be addressed to: War Production Board, Service Equipment Division, Washington 25, D. C., Ref: L–91.

Issued this 22d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7327; Filed, May 22, 1944; 11:50 a. m.]

PART 3302—SERVICE EQUIPMENT

[General Limitation Order L–91, Interpretation 1, as Amended May 22, 1944]

LAUNDRY, DRY CLEANING AND TAILORS' PRESSES

The following amended interpretation is issued pursuant to General Limitation Order L–91:

General Limitation Order L–91 restricts the production and distribution of certain kinds of laundry equipment, dry cleaning equipment, and tailors' pressing equipment. The first group of such equipment listed in paragraph (b) includes "presses". All presses of the types commonly known as laundry, dry cleaning or tailors' presses are controlled by Order L–91, including those produced or delivered for purposes other than laundering, dry cleaning or tailoring. For example, all pants top presses, pants leg presses, off pressing machines with bucks 38 inches long or longer, and 38 inch to 45 inch utility presses, are restricted by Order L–91 regardless of whether they are being produced and delivered to dry cleaning plants or to clothing manufacturers. On the other hand, Order L–91 is inapplicable to the following types of presses, since they are not commonly known as laundry, dry cleaning, or tailors' presses:

Back and blade presses.
Canvas front presses.
Coat front presses.
Collar presses.
Double bosom presses of the type used by shirt manufacturers.
Edge presses.
Fuse ply presses of the type used by shirt manufacturers.
Knit goods presses.
Off pressing machines, except those with bucks 38 inches long or longer.
Pocket presses.
Seam opening and under pressing presses.
Shoulder presses.
Side and back presses.
Sleeve and shrinking presses.
Vest presses.
Vest back presses.
Vest front presses.
Vest, neck and shoulder presses.

Issued this 22d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7326; Filed, May 22, 1944; 11:50 a. m.]

Chapter XI—Office of Price Administration

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK SYNTHETIC AND ADMIXTURES

[MPR 478,[1] Incl. Amdts. 1–3]

COATED AND COMBINED FABRICS

This compilation of Maximum Price Regulation 478 includes Amendment 3, effective May 24, 1944. The text added or amended by Amendment 3 is underscored.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.[2]

§ 1400.202 *Maximum prices for coated and combined fabrics, and the coating and combining of fabrics.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation 478 (Coated and Combined Fabrics), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1400.202 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 478—COATED AND COMBINED FABRICS

ARTICLE I—SCOPE AND PROHIBITIONS OF THE REGULATION

Sec.
1. To what commodities, services, persons and geographical area this regulation applies.
2. Exclusions.
3. Relationship to other regulations.
4. Prohibition against dealing in fabrics and services at higher than maximum prices.
5. Less than maximum prices.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

6. Base periods.
7. Maximum manufacturers' prices for fabrics and services which are the same as those dealt in by the manufacturer during the base period.
7a. Maximum manufacturers' prices for job coating or combining services which are the same as those performed on the manufacturers' own fabric during the base period.
8. Maximum manufacturers' prices for fabrics and services which are not the same as those dealt in by the manufacturer during the base period.
8a. Maximum manufacturers' prices for rejects and seconds.
8b. Maximum manufacturers' prices for coated or combined fabrics made from odd lots of cloths.
9. Maximum wholesalers' prices.
10. Maximum prices for sales or supply of fabrics or services covered by this regulation that cannot be priced under sections 7, 8 or 9.
11. Fractions of a cent.
12. Federal and state taxes.
13. Terms and conditions of sale.
14. Transfers of business or stock in trade.

ARTICLE III—MISCELLANEOUS

15. Applications for adjustment.
16. Petitions for amendment.
17. Adjustable pricing.
18. Records.
19. Licensing.
20. Evasion.
21. Enforcement.
22. Definitions.

Appendix A: Form for reports of maximum prices determined under section 8.
Appendix B: Forms for applications for adjustment.

ARTICLE I—SCOPE AND PROHIBITIONS OF THE REGULATION

SECTION 1. *To what commodities, services, persons, and geographical area this regulation applies*—(a) *Commodities.* Except for the specific exclusions contained in section 2, this regulation applies to all coated or combined fabrics. When used in this regulation the term:

(1) "Coated fabric" means any knitted or woven fabric coated with a continuous film (for example, rubber, synthetic rubber, pyroxylin, cellulose ester, cellulose ether, synthetic resin or oxidizable oil). For the purpose of this regulation, the term "coated fabric" also includes artificial leather made from nonwoven fibrous products, and oilcloth, bookcloth, window shade cloth, and tire cords.

[Subparagraph (1) amended by Am. 1, 9 F.R. 577, effective 1–19–44.]

(2) "Combined fabric" means two or more fabrics joined together with an adhesive.

(3) "Knitted or woven fabric" includes knitted or woven fabrics composed of cotton, wool, silk, glass, synthetic fibers, or any mixture of such fibers.

(b) *Services.* Except for the specific exclusions contained in section 2, this regulation applies to any service performed on a fabric owned by another which transforms the fabric into a coated or combined fabric.

(c) *Persons.* This regulation applies to any manufacturer or wholesaler of coated or combined fabrics. A person may be a manufacturer as to certain fabrics and a wholesaler as to others, depending upon the functions that he performs with respect to the fabric in question. When used in this regulation, the term:

[Above paragraph amended by Am. 2, 9 F.R. 1321, effective 2–5–44.]

(1) "Manufacturer" means any producer, converter, job coater or job combiner.

(2) "Producer" means any person who sells a coated or combined fabric on which he, himself, has performed the coating or combining service.

(3) "Converter" means any person who sells a coated or combined fabric on which a job coater or job combiner has performed the coating or combining service on his account.

(4) "Job coater" means any person who performs a coating service on a fabric owned by another.

(5) "Job combiner" means any person who combines, by means of an adhesive, two or more fabrics, one or more of which is owned by another.

(6) "Wholesaler" means a person, other than a manufacturer, who sells coated or combined fabrics to resellers of such fabrics or to an industrial or commercial user, the United States, any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(d) *Geographical area.* This regulation applies in the 48 States of the United States and in the District of Columbia, but not in the territories and possessions of the United States.

SEC. 2. *Exclusions*—(a) *Commodities.* This regulation does not apply to the following commodities:

(1) Surgical adhesive tape.

(2) Paraffin-coated fabrics used as a substitute for glass.

(3) Any fabric covered by Maximum Price Regulation No. 39[3] (Woven Decorative Fabrics) or Maximum Price Regulation No. 358[4] (Insulation Cambrics and Separator Cloth).

(4) Floor coverings or roofing materials.

(5) Sized, back filled, water repellent treated, bleached, napped, dyed, printed or mercerized fabrics (unless they are also coated), except those listed in paragraph (a) (1) of section 1.

(6) Finished products made of coated or combined fabrics.

(7) Cable wrapping tape materials.

(8) Barrage balloon cloth.

[Subparagraphs (5) amended and subparagraphs (6), (7) and (8) added by Am. 1, 9 F.R. 577, effective 1–19–44.]

(b) *Services.* This regulation does not apply to the following services:

(1) Processing services involved in sizing, back-filling or applying water repellent treatment to fabrics (unless as a part of the same service the fabric is also coated).

(2) Processing services involved in bleaching, napping, dyeing, printing or mercerizing fabrics.

(c) *Secret contracts.* This regulation does not apply to the sale, delivery or supply of any fabric or service sold or supplied pursuant to a contract or subcontract that is officially classified as "secret" and certified as such to the Office of Price Administration by the United States, the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act, or any agency of any of the foregoing. Such certification shall set forth the date of the secret contract or subcontract and its number or other designation. The certifying government

[1] 8 F.R. 14080.

[2] Statements of Considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[3] 8 F.R. 7822, 17426; 9 F.R. 458.

[4] 8 F.R. 4480; 9 F.R. 2865.

agency shall notify the seller or supplier and the Office of Price Administration whenever such contract or subcontract ceases to be secret. This exception shall not apply after the certifying government agency notifies the seller or supplier that such contract or subcontract has ceased to be secret.

(d) *Contracts certified as developmental by a governmental agency*—(1) *Exclusion.* If the seller or supplier files a report pursuant to subparagraph (2), the sale, delivery or supply by him of any fabric or service covered by this regulation and sold or supplied pursuant to a contract or subcontract certified in writing to the Office of Price Administration by the United States, the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act, or any agency of any of the foregoing as being developmental shall not be subject to the provisions of this regulation. For the purposes of this subparagraph, a contract is deemed to be "developmental" during the period required for the selection of a product by the purchaser or for the accumulation of sufficient production experience by the manufacturer or supplier to permit a fair estimate of the manufacturing costs, or both. If the Office of Price Administration determines after consultation with the appropriate governmental agency that the period necessary for development has expired, and in writing so notifies such agency and the seller or supplier, this regulation shall apply to all subsequent sales, deliveries or supply of such fabric or service.

(2) *Report for developmental contracts.* Within ten days after entering into any such developmental contract or subcontract the seller or supplier shall file a report with the Office of Price Administration, Washington, D. C., containing a description of the fabrics or services which are the subject of the contract, a summary of the terms of the contract or subcontract, including all pricing provisions and an estimate of the expected duration of such developmental work. For any such contract or subcontract in effect on November 1, 1943, such report shall be filed prior to December 1, 1943.

SEC. 3. *Relationship to other regulations*—(a) *Regulations superseded.* Except as otherwise provided by this regulation, this regulation supersedes any other regulation issued by the Office of Price Administration with respect to sales, deliveries or transfers covered by this regulation. Specifically, but not exclusively, the following regulations are superseded by this regulation: The General Maximum Price Regulation [5]; Maximum Price Regulation No. 128 [6] (Processing Piece Goods); Maximum Price Regulation No. 157 [7] (Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes); and Maximum Price Regulation No. 220 [8] (Certain Rubber Commodities).

(b) *Applicability of the Second Revised Maximum Export Price Regulation.* [9] The maximum price at which a person may make any export sales or sales to exporters of any coated or combined fabrics covered by this regulation shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation or any revisions thereto. When used in this paragraph the terms "export sale" and "exporter" have the meanings given to them by section 11 of the Second Revised Maximum Export Price Regulation.

SEC. 4. *Prohibition against dealing in fabrics and services at higher than maximum prices.* (a) On and after November 1, 1943, regardless of the terms of any contract or other obligation (except as provided in paragraph (c) of this section):

(1) No person shall sell or deliver any fabric or service covered by this regulation at a price higher than the maximum price permitted by this regulation.

(2) No person in the course of business shall buy or receive any fabric or service covered by this regulation at a price higher than the maximum price permitted by this regulation. If the purchaser receives from the seller or supplier a written statement that the price does not exceed the maximum price fixed by this regulation, the purchaser shall be deemed to have complied with this subparagraph.

(3) No person shall agree, offer, solicit, or attempt to do any of the acts prohibited by subparagraphs (1) or (2).

(b) The provisions of paragraph (a) (2) of this section shall not be applicable to any war procurement agency or any contracting officer thereof, and with respect to purchases made in his official capacity, any such contracting officer or any paying finance officer shall be relieved of any and every liability, civil or criminal, imposed by this regulation or by the Emergency Price Control Act of 1942, as amended.

(c) Nothing in this regulation shall be deemed to prohibit the fulfillment of any contract entered into before November 1, 1943, for the sale of any fabric, or the supplying of a service which does not involve the use of synthetic rubber, if the price under such contract was permissible under the maximum price regulation or price schedule which was applicable to the transaction on October 31, 1943.

SEC. 5. *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 6. *Base periods*—(a) *Fabrics or services sold or supplied to a governmental agency or used in products covered by Maximum Price Regulation 403.* [10] April, 1943, is the base period for:

(1) Fabrics or services which are sold or supplied to the United States, the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act, or any agency of any of the foregoing; and

(2) Fabrics which are used in the production of a commodity covered by Maximum Price Regulation 403 (Certain Rubber Commodities Purchased for Governmental Use) and services rendered on such fabrics. If the seller or supplier is unable to determine whether a particular fabric will be used in the production of a commodity covered by Maximum Price Regulation No. 403, the fabric and services rendered thereon shall have March, 1942, as their base period.

(3) Fabrics which are used in the production of combat vehicles or airplanes specifically designed for military use and services rendered on such fabrics.

[Subparagraph (3) added by Am. 2, 9 F.R. 1321, effective 2-5-44]

(b) *Fabrics and services not covered by paragraph (a).* The base period for fabrics and services not covered by paragraph (a) of this section shall be March, 1942.

SEC. 7. *Maximum manufacturers' prices for fabrics and services which are the same as those dealt in by the manufacturer during the base period*—(a) *Applicability of this section*—(1) *Coverage.* This section is applicable to the following:

(i) Any fabric or service which is the same as a fabric or service delivered or supplied or offered for delivery or supply by the manufacturer during the base period;

(ii) Any fabric or service which is the same as a fabric or service delivered or supplied or offered for delivery or supply by the manufacturer during the base period, except for a variation in width, coating compound, weight of coating, color or a similar variant, and for which the manufacturer had an established differential during the base period;

(iii) Any fabric or service listed in paragraph (a) of section 6 which is the same as a fabric or service delivered or supplied or offered for delivery or supply by the manufacturer during the period, May 1, 1942, to March 31, 1943, inclusive; and

(iv) Any fabric or service listed in paragraph (a) of section 6 which is the same as a fabric or service delivered or supplied or offered for delivery or supply by the manufacturer during the period, May 1, 1942, to March 31, 1943, inclusive, except for a variation in width, coating compound, weight of coating, color or a similar variant, and for which the manufacturer had an established differential during such period.

(2) *Definition of "same as".* The fabric or service being priced shall be deemed to be the same as the fabric or service delivered or supplied or offered for delivery or supply by the manufacturer during the base period, and, in the case of those fabrics or services whose base period is April, 1943, the fabric or service delivered or supplied or offered for delivery or supply by the manufacturer during the period May 1, 1942, to March 31, 1943, inclusive:

(i) If it is identical to a fabric or service delivered or supplied or offered for delivery or supply by the manufacturer during such period;

(ii) If it differs from a fabric or service delivered or supplied or offered for delivery or supply by the manufacturer during such period, only by reason of the changes made necessary by the substitution of buna-S (GR-S) or butyl (GR-I) for natural rubber; or

(iii) If it has the same use as a fabric or service delivered or supplied or offered for delivery or supply by the manufacturer during such period, and if its factory costs do not differ from the factory costs of that fabric or service by more than 3 percent. The manufacturer shall determine the factory costs of both commodities or services in accordance with the provisions of paragraph (d) of the next section (section 8).

(b) *Maximum prices.* The maximum manufacturer's price of any fabric or service covered by this section shall be determined as follows: The manufacturer shall first determine the base price. This base price shall be determined in accordance with the next paragraph (c). The manufacturer shall then add to or subtract from the base price the differentials set forth in paragraphs (d), (e), and (f), below, wherever applicable. These differentials reflect the decreased cost of synthetic and substitute rubber, the increase or decrease in cost resulting from the purchase of materials from a war procurement agency, and the decrease in costs resulting from the removal of the federal excise tax on rubber products. The manufacturer shall then determine the maximum price by deducting from the resultant price all discounts and allowances, including trade, quantity and cash discounts, if any, which he had in effect to a purchaser of the same class during the base period.

(c) *Base price*—(1) *When the manufacturer does not use a list price.* The base price where a manufacturer did not use a list price during the base period for the fabric or service in question is the first applicable of the following prices:

(i) The highest price at which the manufacturer during the base period delivered, or if no delivery was made, at which he offered to deliver during that month a fabric or service which is the same as the fabric or service being priced, to a purchaser of the same class.

(ii) The highest price at which the manufacturer during the base period delivered, or if no delivery was made, at which he offered to deliver during that month a fabric or service, which is the same as the fabric or service being priced, to a purchaser of a different class, adjusted to reflect the manufacturer's base period differential between the two classes of purchasers.

(iii) The highest price at which the manufacturer during the base period delivered, or if no delivery was made, at which he offered to deliver during that month a fabric or service, which is the same as the fabric or service being priced, except for a variation in width, coating compound, weight of coating, color, or other similar variant, adjusted to reflect the manufacturer's base period differential between the variations in the fabric or service. This price must also be adjusted to reflect the manufacturer's base period differentials between classes of purchasers.

(iv) In the case of a fabric or service whose base period is April, 1943, which cannot be priced by (i) to (iii), inclusive, the first applicable of the prices set forth in (i) to (iii), inclusive, except that the period May 1, 1942, to March 31, 1943, inclusive, shall be substituted for the base period and the applicable price shall be the last price at which the fabric or service was delivered or offered for delivery during such period.

(2) *When the manufacturer uses a list price.* Where the manufacturer used a list price during the base period for the fabric or service in question, the base price shall be determined as provided in subparagraph (1) of this paragraph, except that the phrase "list price" shall be substituted for the word "price".

[Paragraphs (a), (b) and (c) amended by Am. 1, 9 F.R. 577, effective 1-9-44.]

(d) *Differential for synthetic or substitute rubber*—(1) *Applicability.* This paragraph is applicable to all fabrics or services which contain the same type of synthetic or substitute rubber that they contained during the base period. However, this paragraph is applicable to such fabrics or services only if the price of the synthetic or substitute rubber contained in the fabric or involved in the supply of the service was lower on August 1, 1943, than it was on March 31, 1942, in the case of those fabrics or services whose base period is March, 1942, or on January 1, 1943, in the case of those fabrics or services whose base period is April, 1943.

(2) *Differential where the manufacturer compounds the synthetic or substitute rubber.* The differential for synthetic or substitute rubber which must be subtracted from the base price in the case where the manufacturer compounds the synthetic or substitute rubber contained in the fabric or involved in the supply of the service shall be determined as follows: The manufacturer shall first determine the amount of each type of synthetic or substitute rubber required to produce the fabric or supply the service. The manufacturer shall then multiply this amount by the difference between the price of the synthetic or substitute rubber in effect to him on August 1, 1943, and the price for that material in effect to him (i) on March 31, 1942, in the case of those fabrics or services whose base period is March, 1942, or (ii) on January 1, 1943, in the case of those fabrics or services whose base period is April, 1943. The resulting figure is the differential.

[Subparagraph (2) amended by Am. 1, 9 F.R. 577, effective 1-19-44]

(3) *Differential where the manufacturer does not compound the synthetic or substitute rubber.* The differential for synthetic or substitute rubber which must be subtracted from the base price in the case where the manufacturer did not compound the synthetic or substitute rubber contained in the fabric or involved in the supply of the service shall be determined as follows: The manufacturer shall first determine the price of the material purchased by him which contains synthetic or substitute rubber in accordance with paragraph (d) (2) (i) of the next section (section 8). The manufacturer shall then deduct from that price the first price, not to exceed the applicable maximum price, at which the material or part containing the synthetic or substitute rubber was sold to him after October 31, 1943. The resulting figure is the differential.

(4) *Special cases.* (i) If the manufacturer customarily sold several widths, styles, or compounds of the fabric at the same price to the same class of purchasers, he shall use the same differential for all widths, styles or compounds that he sold at the same price to the same class of purchasers. This differential shall be calculated in the manner just set forth, except that in applying that method the manufacturer shall use the method he customarily used during the base period to arrive at a uniform price. If the manufacturer had no such customary method, he shall use as a basis for calculating the differential the width, style, or compound of the fabric of which he sold the largest quantity during the period January 1, to July 1, 1943, inclusive.

(ii) If the manufacturer during the base period had established price differentials between various widths, coating compounds, weights of coating, colors or other similar variants, he shall continue that practice. This shall be done by deducting the differential from the base price (determined under paragraph (c) of this section 7) of that width, coating compound, etc., which he used during the base period as a basis for calculating the prices of other widths, coating compounds, etc. The manufacturer shall then apply his base period differential for the variant in question to the resultant price. If the manufacturer had no customary width, coating compound, etc., which he used as a basis for determining the prices of other widths, coating compounds, etc., he shall use as a basis for determining the maximum price that width, coating compound, etc. of which he sold the largest quantity during the period January 1, to July 1, 1943, inclusive.

[5] 9 F.R. 1385.
[6] 7 F.R. 3117, 4659, 6615; 9 F.R. 1907, 2667.
[7] 7 F.R. 4273, 4541, 4618, 5180, 5716, 6004, 6424, 3948, 7507; 8 F.R. 15609, 16605, 17374; 9 F.R. 1456.
[8] 8 F.R. 16689; 9 F.R. 1116.
[9] 8 F.R. 4182, 5997, 7629, 9986, 15193; 9 F.R. 1066.
[10] 8 F.R. 7498, 10419, 10434, 11039 16406, 16743; 9 F.R. 1116, 1318.

(iii) In the case of a fabric or service whose base period is April, 1943, if the manufacturer during the period January 1 to April 30, 1943, inclusive, reduced the price of the fabric or service being priced in order to reflect the decreased cost of synthetic or substitute rubber occurring after January 1, 1943, he may subtract the amount by which he reduced his selling price to reflect that decreased cost from the differential determined under the applicable provisions of subparagraph (2) or (3). If the amount by which the manufacturer reduced his selling price during the period January 1, to April 30, 1943, inclusive, to reflect the decreased cost of synthetic or substitute rubber exceeds the differential required to be deducted by the applicable provisions of subparagraph (2) or (3), the manufacturer's maximum price shall be the base price determined in accordance with paragraph (c).

[Subparagraph (4) added by Am. 1, 9 F.R. 577, effective 1-19-44]

(e) *Differential for fabrics or services involving the use of materials purchased from a war procurement agency.* The differential which must be added to or subtracted from the base price of any fabric or service which involves the use of any materials purchased from a war procurement agency shall be determined as follows: The manufacturer shall multiply the estimated quantity of the material required to produce the fabric or supply the service being priced by the difference between the price of the material which he used during the base period, determined in accordance with paragraph (d) (2) (i) of the next section (section 8) and the price he pays the war procurement agency for the material. When used in this paragraph the term "war procurement agency" means the War Department, the Department of the Navy, the United States Maritime Commission, the Lend-Lease Section of the Procurement Division of the Treasury Department, or any agency of any of the foregoing.

(f) *Deduction of the amount of the federal excise tax.* If during March, 1942, in the case of fabrics or services whose base period is March, 1942, the manufacturer did not bill the federal excise tax on rubber products separately, he shall deduct the amount of such tax from the price determined in accordance with the provisions of the above paragraphs (b) to (e), inclusive.

SEC. 7a. *Maximum manufacturers' prices for job coating or combining services which are the same as those performed on the manufacturers' own fabric during the base period*—(a) *Applicability.* This section covers any job coating or combining service performed by a manufacturer on a customer's fabric, which is the same as a job coating or combining service which he performed on his own fabric during the base period, but which he did not perform on fabrics owned by others during the base period. "Same as" is defined in section 7 (a) (2).

(b) *Maximum prices.* The maximum manufacturer's price of a service covered by this section shall be determined as follows:

(1) The manufacturer shall first determine the maximum price of the coated or combined fabric which he sold during the base period and on which he performed the same coating or combining service as that being priced. This maximum price shall be determined in accordance with section 7.

(2) The manufacturer shall find the total of the following:

(i) The cost of the cloth used in the production of the coated or combined fabric he sold during the base period. The cost shall be determined in accordance with section 8 (d) (2).

(ii) The value of the cloth specified as the manufacturer's working allowance in the contract for the coating or combining service being priced. This value shall be computed by multiplying the percentage amount of cloth specified as working allowance by the price of the cloth in effect to the manufacturer during the base period. For example, if such price of the cloth is 25 cents per yard and the working allowance is 3 percent the amount to be deducted for working allowance per yard would be .03 x $.25 or $.0075.

(3) The maximum price for the service being priced shall be the difference between the amount obtained in subparagraph (1) and the total amount obtained in subparagraph (2).

(c) *Reports of maximum prices.* The manufacturer shall file a report with the Office of Price Administration, Washington, D. C., within ten days after he begins to perform any service required to be priced under this section. He may not accept payment for any services priced under this section until the price reported has been approved in writing by the Office of Price Administration or until fifteen days have elapsed after the mailing of the report without the Office of Price Administration objecting to the maximum price reported. Within this fifteen-day period the price so reported shall be subject to adjustment by the Office of Price Administration. Subsequent to this fifteen-day period, such price shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration. The report to the Office of Price Administration shall contain the following information:

(1) A description of the service being priced and the coated or combined fabric used as a basis for pricing.

(2) The maximum price of the coated or combined fabric used as a basis for pricing, the cost (as defined in section 8 (d) (2)) of the cloth used in its production, the date on which the cost price of the cloth used was in effect in the manufacturer's plant, and the value of the cloth specified as the working allowance provided for in the service being priced.

(3) The computed maximum price for the service.

[Sec. 7a added by Am. 3, effective 5-24-44]

SEC. 8. *Maximum manufacturers' prices for fabrics and services which are not the same as those dealt in by the manufacturer during the base period*—(a) *Applicability of this section.* This section is applicable to any fabric or service covered by this regulation which is not the same (as defined in paragraph (a) (2) of section 7) as a fabric or service delivered or supplied or offered for delivery or supply by the manufacturer during the base period, and whose factory costs do not differ from the factory costs of the fabric or service with which it is being compared by more than 25 percent. The manufacturer may also compute his maximum price under this section if the factory costs of the fabric or service being priced exceed the factory costs of the fabric or service with which it is being compared by more than 25 percent. Factory costs shall be determined in accordance with the provisions of paragraph (d) of this section. The fabric or service with which the fabric or service being priced shall be compared shall be selected in accordance with the provisions of paragraph (e) of this section.

[Paragraph (a) amended by Am. 3, effective 5-24-44]

(b) *How the manufacturer calculates his maximum price.* The maximum manufacturer's price of a fabric or service covered by this section shall be determined as follows:

(1) The manufacturer shall first determine the factory costs of the fabric or service being priced in accordance with paragraph (d) of this section.

(2) The manufacturer shall then select the fabric or service he must use in determining the maximum price of the fabric or service being priced. The method for selecting this fabric or service is explained in paragraph (e) of this section.

(3) The manufacturer shall then subtract the factory costs of that fabric or service from its maximum list price, or if the fabric or service has no maximum list price, from its maximum price to the class of purchasers to which the present sale is being made. The maximum price shall be determined in accordance with section 7 and factory costs shall be determined in accordance with paragraph (d) of this section.

(4) The manufacturer shall then add the amount obtained in the preceding subparagraph (3) to the factory costs of the fabric or service being priced.

(5) If the price determined under subparagraph (4) above was obtained by using a list price, the manufacturer shall then determine the maximum price by deducting from the price determined under subparagraph (4) all discounts, allowances and any other deductions from the list price that he had in effect to a purchaser of the same class during the base period. If the price determined under subparagraph (4) was obtained by using a price in effect to a purchaser of the same class, the price determined under subparagraph (4) is the maximum price.

[Subparagraphs (3) and (4) amended and subparagraph (5) added by Am. 1, 9 F.R. 577, effective 1-19-44.]

(c) *Recomputation of the maximum price.* If a fabric or service covered by this section is produced or supplied by the manufacturer for a period of 2 months without being modified, the maximum price of such fabric or service shall be redetermined by substituting actual labor hours and actual quantity of materials for the estimated labor hours and the estimated quantity of materials used in the original computation of the maximum price. This adjustment in the maximum price of the fabric or service shall be made between 60 and 75 days after the manufacturer begins production or supply of the fabric or service. If the manufacturer's production experience during the first 2 months of production is inadequate to accurately determine his costs, he may request and receive approval from the Office of Price Administration, Washington, D. C., for a further period for recomputation. This request must be made at the time of first recomputation.

[Paragraph (c) amended by Am. 1, 9 F.R. 577, effective 1-19-44 and by Am. 3, effective 5-24-44]

(d) *Computation of factory costs.* The factory costs of a fabric or service for manufacturers, other than converters, shall be the sum total of direct labor costs, direct materials costs including waste, and factory overhead costs. The factory costs of a fabric for converters shall be the sum total of direct materials costs including waste, and the amount paid by the converter for the coating or combining services. The direct labor costs shall be determined by multiplying the estimated number of hours of each type of labor required in the manufacture or supply of the fabric or service by the wage rates determined in accordance with subparagraph (1) of this paragraph. The direct materials costs shall be determined by multiplying the estimated quantity of each type of material required in the manufacture or supply of the fabric or service by the materials prices determined in accordance with subparagraph (2) of this paragraph. Waste shall be determined by applying the same methods as were used or would have been used by the manufacturer in similar production during the base period, adjusted to reflect the actual quantity of waste in the production or supply of the fabric or service being priced. The charge for coating or combining services shall be the price charged the converter by the job coater or combiner, not to exceed the maximum price established by this regulation for such service. Factory overhead costs shall be determined in the manner set forth in subparagraph (3) of this paragraph.

(1) *Wage rates*—(i) *Fabrics and services with a March, 1942, base period.* The wage rates applicable to any fabric or service, for which the applicable base period is March, 1942, shall be the basic wage rates in effect in the manufacturer's plant during March, 1942, for each class of labor involved in the production or supply of the fabric or service. If such manufacturer did not employ a given class of labor during March, 1942, he shall use the wage rates paid during March, 1942, by the nearest employer operating under comparable conditions who employed that class of labor during that period.

(ii) *Fabrics and services with an April, 1943, base period.* The wage rates applicable to any fabric or service, for which the applicable base period is April 1943, shall be the wage rates in effect in the manufacturer's plant on October 3, 1942, for each class of labor involved in the production or supply of the fabric or service. If the manufacturer did not employ a given class of labor on October 3, 1942, he shall use the wage rate paid on October 3, 1942, by the nearest employer operating under comparable conditions who employed that class of labor on that date. If after October 3, 1942, and before May 1, 1943, the manufacturer voluntarily or involuntarily granted a wage increase, which was approved by the National War Labor Board, the manufacturer shall use that higher wage rate instead of the rate in effect in his plant on October 3, 1942. Also, if the manufacturer's establishment is exempted by the National War Labor Board, he shall use the wage rates in effect in his plant on April 30, 1943. For the purposes of this subparagraph, the wage rates in effect in the manufacturer's plant shall include an allowance for eight hours of overtime a week.

(2) *Materials prices*—(i) *All materials, except synthetic or substitute rubber.* Except as provided in subdivision (iii), this subdivision is applicable to any material, except synthetic or substitute rubber. The price for any material covered by this subdivision shall be the highest price in effect to the manufacturer, or if no price was in effect to the manufacturer, the highest price in effect to a purchaser of the same class, during the base period, or the maximum price set by the Office of Price Administration, whichever is the lower. If there was no price for the material in effect to the manufacturer or a purchaser of the same class during the base period, the price for the material shall be the first price at which the material was offered for sale to the manufacturer after the last day of the base period, or the maximum price set by the Office of Price Administration, whichever is the lower.

(ii) *Synthetic and substitute rubber.* This subdivision is applicable to any synthetic or substitute rubber. The price for such material shall be the highest price for the material in effect to the manufacturer, or, if no price was in effect to the manufacturer, the highest price in effect to a purchaser of the same class, on August 1, 1943, or the maximum price set by the Office of Price Administration, whichever is the lower. If there was no price for the material in effect to the manufacturer or a purchaser of the same class on August 1, 1943, the price for the material shall be the first price at which the material was offered for sale to the manufacturer after August 1, 1943, or the maximum price set by the Office of Price Administration, whichever is the lower.

(iii) *Materials purchased from a war procurement agency.* The price for any material purchased from a war procurement agency shall be the actual cost of the material to the manufacturer. The term "war procurement agency" is defined in paragraph (e) of section 7.

(3) *Factory overhead costs.* Factory overhead costs shall be determined by using the methods and rates which were in effect in the manufacturer's plant during the base period, for operations similar to those employed in the manufacture or supply of the fabric or service being priced. It shall include only those costs which the manufacturer during the base period used in calculating factory overhead costs. In no case shall factory overhead costs include allowances for selling or general administrative expenses.

[Subparagraph (3) amended by Am. 1, 9 F.R. 577, effective 1-19-44.]

(e) *Method of selecting the fabric or service to be used in determining the maximum price.* In determining the maximum price, the manufacturer shall use the first applicable of the following fabrics or services covered by this regulation which he delivered or offered for delivery during the base period.

[Above paragraph amended by Am. 1, 9 F.R. 577, effective 1-19-44.]

(1) The fabric or service which would be the same as the fabric or service being priced but for changes in specifications that have taken place since the last day of the base period.

(2) The fabric or service having the same use as the fabric or service being priced. If there is more than one such fabric or service, the manufacturer shall use that one of those fabrics or services whose factory costs are nearest to the factory costs of the fabric or service being priced. Factory costs shall be determined in accordance with the provisions of paragraph (d) of this section.

(3) The fabric manufactured or the service supplied by the same process as the fabric or service being priced. If there is more than one such fabric or service, the manufacturer shall use that one of those fabrics or services whose factory costs are nearest to the factory costs of the fabric or service being priced. Factory costs shall be determined in accordance with the provisions of paragraph (d) of this section.

(4) The fabric or service whose factory costs are nearest to the factory costs of the fabric or service being priced. Factory costs shall be determined in accordance with the provisions of paragraph (d) of this section.

(f) *Reports of maximum prices*—(1) *Report of price computed under para-*

graph (b). If after October 31, 1943, a manufacturer receives total orders exceeding $1,000, in the case of a fabric, or exceeding $500 in the case of a service, for a fabric or service that must be priced under this section, he shall file a report. This report shall be filed with the Office of Price Administration, Washington, D. C., within ten days after the manufacturer has received a sufficient dollar volume of orders to necessitate the filing of the report. This report shall contain the information required by the form set forth in Appendix A and shall be made on a copy of that form. The manufacturer may not accept payment for any further orders of the fabric or service until the price so reported has been approved in writing by the Office of Price Administration or until fifteen days have elapsed after the mailing of the report without the Office of Price Administration objecting to the proposed maximum price. Within this fifteen day period the price so reported shall be subject to adjustment by the Office of Price Administration. Subsequent to this fifteen day period, this price will be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration. However, the report required by this paragraph does not have to be filed if (i) the fabric or service being priced has the same use as a fabric or service which the manufacturer delivered or supplied or offered for delivery or supply during the base period, (ii) if it differs from the base period fabric or service by reason of the substitution of materials which would result in a higher maximum price, and (iii) if the manufacturer does not sell the fabric or service at a price higher than the price he charged during the base period for the base period fabric or service that he must use in computing the maximum price of the fabric or service being priced.

(2) *Report where recomputation results in a higher price.* If the recomputation required by paragraph (c) results in a higher maximum price and if on any subsequent order the manufacturer elects to charge a higher price than the maximum price resulting from the first computation, he must file a report with the Office of Price Administration, Washington 25, D. C., within ten days after entering into a contract at such increased price. This report shall contain the information required by the form set forth in Appendix A and shall be made on a copy of that form. The manufacturer may not receive payment for the fabric or service at this increased price until that price has been approved in writing by the Office of Price Administration or until fifteen days have elapsed after the mailing of the report without the Office of Price Administration objecting to the increased price. Within this fifteen day period the price so reported shall be subject to adjustment by the Office of Price Administration. Subsequent to this fifteen day period, such price shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration.

[Paragraph (f) amended by Am. 1, 9 F.R. 577, effective 1-19-44.]

SEC. 8a. *Maximum manufacturers' prices for rejects and seconds*—(a) *Fabrics whose base period is April, 1943.* The maximum manufacturers' price for the sale of any fabric which is a government second and whose base period is April, 1943, shall be 75% of the contract price for the sale of the government fabric. The maximum price of any fabric which is rejected only because it fails to meet government specifications shall be 90% of the contract price for the perfect fabric. If the manufacturer does not have a contract price for a reject or second covered by this paragraph (a), he shall substitute the total of his charge for the coating and the price he must pay for the piece goods (not in excess of the applicable maximum price) for the contract price in determining his maximum price.

(b) *Fabrics whose base period is March 1942.* The maximum manufacturers' price for the sale of other than first quality fabrics (including seconds, jobs and shorts) whose base period is March 1942, shall be determined as follows: The manufacturer shall deduct from the maximum price for the first quality fabric all discounts and allowances which he had in effect during March 1942, for other than first quality fabrics.

[Sec. 8a added by Am. 1, 9 F.R. 577, effective 1-19-44.]

SEC. 8b. *Maximum manufacturers' prices for coated or combined fabrics made from odd lots of cloths*—(a) *Applicability.* Notwithstanding any other provisions of this regulation, this section is applicable to a coated or combined fabric which is identical with a coated or combined fabric which the manufacturer has priced under sections 7 or 8, except for the substitution of an odd lot of cloth. An odd lot of cloth shall mean a quality or type of cloth not ordinarily used by the manufacturer, and which he is able to buy only in limited quantities.

(b) *Maximum prices.* The maximum price of a coated or combined fabric priced under this section shall be the maximum price as established under sections 7 or 8, of the coated or combined fabric used as a basis for pricing, plus or minus, as the case may be, the difference in the costs of the cloths used in producing the two fabrics. The fabric used as a basis for pricing shall be a fabric priced under sections 7 or 8 which is identical with the fabric being priced except for the substitution of odd cloth. The costs of the cloths shall be determined in accordance with section 8 (d) (2).

(c) *Reports of maximum prices.* The manufacturer shall file a report with the Office of Price Administration, Washington, D. C., within ten days after he has sold or delivered any fabric priced under this section. He may not accept payment for any fabric priced under this section until the price reported has been approved in writing by the Office of Price Administration or until fifteen days have elapsed after the mailing of the report without the Office of Price Administration objecting to the maximum price reported. Within this fifteen-day period the price so reported shall be subject to adjustment by the Office of Price Administration. Subsequent to this fifteen-day period, such price shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration. The report to the Office of Price Administration shall contain the following information:

(1) A description of the coated or combined fabric being priced, including the number of yards involved, and of the fabric used as a basis for pricing.

(2) The maximum price of the coated or combined fabric used as a basis for pricing and a statement of the section of this regulation under which this maximum price was determined.

(3) The cost of the cloths used in the coated or combined fabric used as a basis for pricing and in the fabric being priced. The cost of the cloths shall be determined in accordance with section 8 (d) (2). The dates on which the prices of the cloths used were in effect in the manufacturer's plant must be reported.

[Sec. 8b added by Am. 3, effective 5-24-44]

SEC. 9. *Maximum wholesale prices*—(a) *How the wholesaler determines the maximum price.* The maximum price for a sale at wholesale of any fabric covered by this regulation shall be determined by dividing the purchase price determined in accordance with the next paragraph (b) by the percentage determined in accordance with paragraph (c) below.

(b) *How the wholesaler determines his purchase price.* The purchase price which the wholesaler must use in determining the maximum price shall be determined as follows:

(1) The wholesaler shall first determine the net invoiced cost before cash discounts of the fabric, if available, not to exceed the applicable maximum price; or

(2) If actual cost is not available, the net invoiced cost before cash discounts of the fabric as estimated by the wholesaler's supplier: *Provided*, That the wholesaler has no reason to believe that the price so estimated exceeds the maximum price.

(3) If the cost determined under subparagraph (1) of (2) above is not on a delivered basis, the wholesaler shall add the actual cost of transportation to his place of business.

(c) *How the wholesaler determines the percentage which must be used in determining the maximum price.* The percentage which the wholesaler must use in determining the maximum price shall be determined as follows:

(1) The wholesaler shall first determine what fabric he must use in determining the percentage. That fabric shall be the first applicable of the following fabrics which he delivered or offered for delivery during the base period:

(i) The fabric which is the same as the fabric being priced.

(ii) The fabric which has the same use as the fabric being priced. If there is more than one fabric which has the same use as the fabric being priced, the wholesaler shall use that one of those fabrics whose purchase price is nearest to the purchase price of the fabric being priced. The purchase price of both fabrics shall be determined in accordance with paragraph (b) of this section.

(iii) The fabric whose purchase price is the nearest to the purchase price of the fabric being priced. The purchase price of both fabrics shall be determined in accordance with paragraph (b) of this section.

(2) The wholesaler shall then determine the highest price at which he, during the base period delivered, or if no delivery was made, at which he offered to deliver that fabric during the base period to a purchaser of the same class.

(3) The wholesaler shall then determine the percentage by dividing the purchase price in effect to him on the date on which he established that selling price by the selling price. The purchase price shall be determined in accordance with paragraph (b) of this section.

SEC. 10. *Maximum prices for sales or supply of fabrics or services covered by this regulation that cannot be priced under sections 7, 8 or 9*—(a) *Maximum price.* The maximum price for any fabric or service which cannot be priced under sections 7, 8 or 9 of this regulation shall be a price, in line with the level of maximum prices established by this regulation, specifically authorized by the Office of Price Administration.

(b) *Method of establishing a maximum price.* The seller of any fabric or service covered by this section shall file an application for a maximum price with the Office of Price Administration in Washington, D. C., prior to first offering the fabric or service for sale, or on or before November 15, 1943, whichever is the later date. This application shall contain:

(1) A description in detail of the fabric or service (including the manufacturing processes).

(2) A statement of the facts which make it necessary to price the fabric or service under this section.

(3) If the seller is a manufacturer, he shall submit detailed cost estimate sheets for the fabric or service, following the seller's usual accounting procedures, using (i) costs, methods and rates in effect on the date of application, and (ii) if he was in production during the base period, costs, methods and rates in effect during that period. If the seller is a wholesaler, he shall submit the cost of the fabric to him, plus the actual cost of transportation, if any.

(4) A proposed pricing method and the price for the fabric or service determined in accordance with this method, and

(5) A statement of the reasons why the seller believes that the use of this method will result in prices in line with the level of maximum prices established by this regulation.

After receipt of this application, the Office of Price Administration will establish in writing a maximum price or a method of determining the maximum price for some or all of the fabrics or services covered by this regulation and sold by the applicant, which cannot be priced under sections 7, 8 or 9. The applicant shall not receive payment for such fabric or service until he receives this authorization.

SEC. 11. *Fractions of a cent.* Notwithstanding any other provisions of this regulation, maximum prices determined under this regulation shall be adjusted to the nearest fraction of a cent that the manufacturer or wholesaler customarily used during the base period in pricing fabrics or services in the same line.

SEC. 12. *Federal and state taxes.* Any tax upon, or incident to the sale, delivery or processing of fabrics, or the supplying of services, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof shall be treated as follows in determining the seller's maximum price for the fabric or service: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased. The tax on the transportation of all property imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any fabric or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated as a tax for which a charge may be made in addition to the maximum price.

SEC. 13. *Terms and conditions of sale*—(a) *Discounts and allowances.* Except for such changes as result from the application of the pricing methods contained in sections 7, 8 or 9 no seller shall change the allowances, discounts or other price differentials which he had in effect during the base period, for the same or similar fabrics or services, unless such change results in a lower net price.

(b) *Transportation charges.* No seller shall require any purchaser, and no purchaser is permitted, to pay a larger proportion of the transportation costs incurred in the delivery of fabrics or the supplying of services than the seller required purchasers of the same class to pay on deliveries of the same or similar fabrics or services during the base period. Where the seller during the base period quoted prices on an f. o. b. basis, he may determine his delivered maximum price by adding transportation costs to his f. o. b. maximum price. Where the seller during the base period quoted prices on a delivered basis, he may determine his f. o. b. maximum price by deducting transportation costs from his delivered maximum price. Transportation costs shall be determined by the method used by the manufacturer during the base period.

[Paragraph (b) amended by Am. 1, 9 F.R. 577, effective 1-19-44.]

(c) *Credit charges.* Charges for the extension of credit may be added to the maximum prices established by the regulation if: (1) The seller during the base period required payment of a separately stated additional charge for the extension of credit by purchasers of the same class on sales or supply of fabrics or services; (2) the amount charged for the extension of credit is not in excess of the charge in effect during the base period for the extension of credit involving the same amount and term on sales or supply of fabrics or services; and (3) such charges are quoted and billed separately. No seller may require as a condition of sale that the purchaser must buy on credit.

SEC. 14. *Transfers of business or stock in trade.* If the business, assets or stock in trade are sold or otherwise transferred after March 31, 1942, and the transferee carries on the business, or continues to deal in the same type of fabrics or services, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

ARTICLE III—MISCELLANEOUS

SEC. 15. *Applications for adjustment*—(a) *Application by a seller of fabrics*—(1) *Who may receive an adjustment.* The maximum price for fabrics established by this regulation may be adjusted only in the case of an essential supplier of an essential fabric. An "essential fabric" is one which contributes to the effective prosecution of the war. An "essential supplier" is one whose output or supply of the fabric cannot be reasonably expected to be replaced at prices lower than the proposed adjusted maximum price. In addition, any person who has entered into or proposes to enter into a war contract (as defined in subparagraph (5)) or a subcontract thereunder is an essential supplier of an essential fabric.

(2) *When adjustment may be granted*—(i) *In general.* The Office of Price Administration, any regional office, or such other offices as may be authorized by order issued by the appropriate regional office, may adjust the maximum price in the case of an essential supplier of an essential fabric upon the basis of information submitted by the supplier or

of other information. It may make that adjustment whenever it finds that the maximum price of a fabric is at such a level that (taking into account the costs thereof, the profits position of the supplier and the nature of his business) production or supply of the fabric is impeded or threatened and that the adjustment would not cause an increase in the cost of living.

(ii) *Factors which may be considered.* (a) The following factors are relevant to the consideration of whether production or supply of the fabric is impeded or threatened:

(1) Whether, and by what amount, the maximum price is below or above (i) the total unit costs, less selling and administrative expenses properly allocable to the internal management of the business in the case of a manufacturer and (ii) the current price being charged the seller in the case of any other seller.

(2) Whether, and by what amount, the maximum price is above total unit costs.

(3) Whether, and by what amount, the seller's current over-all profits, before income and excess profit taxes, are greater or less than his average over-all profits during the normal base period, increased by 7% of the additional capital investment contributed entirely by the seller, or its stockholders, since the normal base period. Capital investment will be construed as including accumulated profits.

(4) Whether the proposed price is higher than the price prevailing in the industry.

(5) Whether the seller's sales of the fabric represent only a very small part of his total sales.

(6) Whether the seller previously sold the same type of fabric at a price which was below its total unit costs.

(b) The following factors are relevant to consideration of whether the adjustment would cause an increase in the cost of living:

(1) Whether the fabric or a commodity produced therefrom is of a type sold to civilian consumers other than industrial consumers.

(2) If such is the case, whether the increase in price allowed by the adjustment would be absorbed prior to sale to a non-industrial consumer.

(3) Whether, if the applicant did not produce or supply the fabric, his output or supply would be replaced by the same or a substitute fabric only at prices equal to or higher than the proposed adjusted maximum price.

(3) *How the seller proceeds in applying for an adjustment*—(i) *In general.* An application for adjustment under this paragraph (a) shall be filed in accordance with Revised Procedural Regulation No. 1, and shall be made on a copy of Form OPA 696–515 set out in paragraph (a) of Appendix B. If the seller's total sales of all fabrics and services in the calendar year 1942, or in the fiscal year ending in 1942, exceeded $500,000, the application shall be filed with the Office of Price Administration in Washington, D. C. If the seller's total sales of all fabrics and services during that period did not exceed $500,000, the application shall be filed with the regional office of the Office of Price Administration located in the same region in which the seller's business is located.

(ii) *Application based on proposed wage or salary increase to be authorized by the National War Labor Board.* A seller who believes that the conditions for an adjustment set forth in this paragraph (a) would exist if the National War Labor Board should grant a pending application for wage or salary increase may file an application for adjustment under this paragraph. Applications for adjustment of maximum prices based on wage or salary increases requiring the approval of the National War Labor Board must also comply with Supplementary Order No. 28,[11] which requires, among other things, that an application for adjustment in such case be filed within 15 days after an application for a wage or salary adjustment has been filed with the National War Labor Board, or, in a disputed wage proceeding, within 15 days after the employer receives notification that the National War Labor Board has taken jurisdiction of the dispute.

(4) *Prices for deliveries made pending disposition of the application.* A seller who has filed an application under this paragraph (a) may contract or agree that deliveries made during the pendency of the application shall be at a specific price which is higher than the existing maximum price which the seller wants to have adjusted. But no payment in excess of that existing maximum price may be received until the application is finally disposed of, and at that time the price received may not exceed the maximum price as determined by the Office of Price Administration.

A seller who wishes to enter into such arrangement must specifically state to the buyer the following:

(i) The maximum price for the fabric;

(ii) The fact that an appropriate application for an adjustment of that maximum price has been filed with the Office of Price Administration; and

(iii) The fact that the specific price quoted by the seller is subject to the approval of the Office of Price Administration.

(5) *Definitions*—(i) *Normal base period.* The term "normal base period" means the period 1936–1939. If the applicant shall demonstrate to the satisfaction of the Office of Price Administration either (a) that his entire industry was operating during the greater part of such period at an unusually depressed level or (b) that because of unusual conditions prevailing during that period, the seller was operating during that period at an unusually depressed level in comparison to other sellers in the industry, and in addition that some other period prior to January 1, 1941, represents a proper "normal base period" such other period may be considered. The mere fact that the rate of production or supply has increased since 1936–1939 will not be deemed evidence that the seller was operating at an "unusually depressed level" during that period. If the seller was not in business prior to January 1, 1941, he shall state that fact in his application.

(ii) *Over-all profits.* The term "over-all profits" means net profit resulting from the operation of all divisions of the seller, before the creation of any reserves, except ordinary reserves for depreciation and bad debts, and before income and excess profit taxes. In the case of a subsidiary wholly owned by a parent corporation, the term "over-all profits" means the consolidated net profit before the creation of any reserves, except ordinary reserves for depreciation and bad debts, and before income and excess profit taxes.

(iii) *Subcontract.* The term "subcontract" means any purchase order or agreement to perform all or any part of the work, or to make or furnish any commodity required for the performance of another contract or subcontract.

(iv) *Total unit costs.* (a) In the case of a manufacturer, the term "total unit costs" means the direct unit cost of labor, materials, and subcontracted services, plus a proportion of factory overhead, administrative and other expenses, based on actual operating experience, properly allocable to the production of the fabric, but does not include provisions for income or excess profit taxes. In evaluating total unit costs, the Office of Price Administration will determine whether the allocation of factory overhead, administrative and other expenses is based on a representative period of continuous, normal production.

(b) In the case of a seller, other than a manufacturer, "total unit costs" means the current price the seller is paying for the fabric plus the handling and administrative expense, normally applicable to the handling of the fabric, properly allocable to the supplier's total cost of doing business, but does not include provisions for income or excess profits taxes.

(v) *War contract.* The term "war contract" means any contract with the United States, or any agency thereof, or with the government, or any agency thereof, of any country whose defense the President deems vital to the defense of the United States, under the terms of the Lend-Lease Act, for the sale of any fabric purchased (a) for the ultimate use of the armed forces of the United States or for lend-lease purposes, or (b) by any government (or agency thereof) of any country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act, or (c) for use in the production or manufacture of any fabric described in (a) or (b).

(b) *Application by a supplier of coating or combining services.* Paragraph (a) applies, insofar as practicable, to adjustments of the maximum price of suppliers of coating or combining services and to applications for such adjustments. However, the application for adjustment shall be made on a copy of Form OPA 696–516 set out in paragraph (b) of Appendix B.

(c) *Application by a seller of a fabric or a supplier of a service based upon an appropriate decrease of other prices*—(1) *Who may receive an adjustment under this paragraph.* Adjustments under this paragraph will be granted only in the case of an essential supplier of an essential fabric or service. The meaning of these terms is explained in paragraph (a) (1) of this section.

(2) *When adjustment may be granted.* The Office of Price Administration, any regional office, or such other offices as may be authorized by order issued by the appropriate regional office, may make an adjustment of the maximum price in any case in which the seller or supplier agrees to make and (simultaneously with any increase in the maximum price that may be authorized under this paragraph (c)) makes a reduction in the selling price of other fabrics or services which will equal or exceed the total dollar amount of the adjustment granted under this paragraph.

(3) *What an application under this paragraph must show.* An application for price adjustment under this paragraph (c) shall contain information indicating that if the proposed adjustment is granted, the gross dollar amount of sales of the fabrics or services affected by the adjustment will not be greater than it would have been in the absence of the adjustment. In any case where such an adjustment is granted, the Office of Price Administration will require appropriate reports relating to the fabrics or services affected.

(4) *How the seller or supplier proceeds in applying for an adjustment.* An application for adjustment under this paragraph (c) shall be filed in accordance with Revised Procedural Regulation No. 1.[12] If the seller's or supplier's total sales of all fabrics and services for the calendar year 1942, or for the fiscal year ending in 1942, exceeded $500,000, the application shall be filed with the Office of Price Administration in Washington, D. C. If the seller's total sales of all fabrics and services during that period did not exceed $500,000, the application shall be filed with the regional office of the Office of Price Administration located in the same region in which the seller's or supplier's business is located.

(d) *Application by a seller or a supplier under a combination of paragraphs (a) and (c) or (b) and (c).* A seller or a supplier who desires to apply for an adjustment under paragraph (c) may, at the time he applies under that paragraph, also apply under paragraphs (a) or (b), if the facts of his case entitle him to do so. In such case, the office considering his application will give the adjustment available under paragraphs (a) or (b) before applying paragraph (c).

(e) *Procedural Regulation No. 6*[13] *superseded.* No applicaton for adjustment filed after October 31, 1943, under Procedural Regulation No. 6 with respect to fabrics or services covered by this regulation will be granted.

SEC. 16. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

SEC. 17. *Adjustable pricing.* If the seller or supplier wishes, he may agree with the buyer to charge a price higher than the maximum price permitted by this regulation if that higher price becomes the legal maximum price by the time delivery is made. But he must never charge a price which is higher than the maximum price in effect at the time of delivery. Where the seller or supplier has filed an application for adjustment under section 15, he may, in accordance with the provisions of that section, deliver at a price which will be adjusted upwards in accordance with the action taken by the Office of Price Administration on his application. In all other cases, unless authorized by the Office of Price Administration, the seller or supplier must not deliver at a price which is to be adjusted upward in accordance with the action taken by the Office of Price Administration after delivery. This authorization will be given only where: (1) a request for a change in the applicable price is pending; (2) authorization is necessary to promote distribution or production; and (3) it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

SEC. 18. *Records.* To aid in the enforcement of this regulation, every seller subject to this regulation is required to keep certain records for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect. These records are described in two paragraphs as follows:

(a) *Records of sales.* Every manufacturer and wholesaler subject to this regulation shall keep accurate records of every sale of fabrics or services. These records shall show:

(1) The date thereof.

(2) The name and address of the purchaser.

(3) The quantity of each kind, type, and grade of fabric or service sold.

(4) The price received.

(b) *Records of the bases on which maximum prices are determined.* Every manufacturer subject to this regulation shall keep accurate records of the following:

(1) The prices charged during the base period for each kind, type and grade of fabric delivered or offered for delivery during the base period, and for each kind, type and grade of service supplied or offered for supply during the base period, including records of customary discounts, allowances and trade practices with respect to each class of purchaser.

(2) Records of base period differentials between different widths, coating compounds, weight of coating, color, or similar variants in effect for fabrics or services during the base period, which were in use during that month in determining the price of one width, etc., in respect to the price of another width, etc.

[Subparagraph (2) amended by Am. 1, 9 F.R. 577, effective 1–19–44.]

(3) Labor rates in effect to him during the base period.

(4) Materials prices and waste and factory overhead rates in effect to him during the base period.

(5) Cost estimate sheets and other data showing the calculation of prices for all fabrics or services covered by this regulation for which the maximum price must be determined in accordance with the provisions of sections 8 or 10 of this regulation.

SEC. 19. *Licensing.* The provisions of Licensing Order No. 1,[14] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 20. *Evasion.* The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase of or relating to a fabric or service covered by this regulation alone or in conjunction with any other commodity or service or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

SEC. 21. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 22. *Definitions.* (a) When used in this regulation, the term:

(1) "Purchaser of the same class" and "class of purchaser" refer to the practice adopted by the seller in setting different prices for fabrics or services for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas, or for different quantities or grades or under different conditions of sale.

(2) "Natural rubber" means all forms and types of crude rubber, natural latex, reclaimed rubber and scrap rubber.

(3) "Rubber" means substitute rubber and all forms and types of rubber including natural and synthetic rubber.

(4) "Substitute rubber" means a substance made in whole or in part by a chemical process or from natural gums, resins or oils which in physical properties sufficiently resembles natural or synthetic rubber to replace either of them for particular uses, including uses where only some and not all of the physical characteristics of natural or synthetic

[11] 7 F.R. 9619; 8 F.R. 7256.

[12] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 3075.

[13] 7 F.R. 5087, 5864, 6173, 6174, 12024.

[14] 8 F.R. 13240.

rubber are needed, and which serves the same use as natural or synthetic rubber in the particular application in which it is applied. Substitute rubber includes balata.

(5) "Synthetic rubber" means a material obtained by chemical synthesis, possessing the approximate physical properties of natural rubber, when compared in either the vulcanized or unvulcanized condition, which can be vulcanized with sulphur or other chemicals with the application of heat, and which, when vulcanized, is capable of rapid elastic recovery after being stretched to at least twice its length at temperatures ranging from 0° F. to 150° F. at any humidity.

(6) "List price" means a price to which discounts or allowances (other than cash discounts) are applied in order to arrive at prices to different classes of purchasers. The term "list price" includes prices quoted through the medium of a schedule or price list.

[Subparagraph (6) added by Am. 1, 9 F.R. 577, effective 1-19-44]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

Item of cost	Article used as a basis for pricing	Article being priced	Date price or rate in effect
a. Direct labor	$ (March, 1942, labor rates must be used in these calculations for fabrics or services whose base period is March, 1942. For fabrics or services whose base period is April, 1943, October 3, 1942, labor rates must be used unless a wage increase has been approved up to April 30, 1943, by the National War Labor Board, in which case such rates shall be used, but if your establishment is exempted by the National War Labor Board use April 30, 1943, labor rates.)	$	
b. Direct materials: Rubber (if any)	$ (August 1, 1943, prices must be used in your calculations. If OPA has established lower maximum prices, such prices must be used.)	$	
Other materials	$ (Base period prices must be used in your calculations. If there was no base period price, you must use the first price after the base period. If OPA has established lower maximum prices, such prices must be used.)	$	
c. Waste	$ (Apply the same methods you used in the base period, adjusted to reflect the actual quantity of waste. If included under materials costs, do not fill in.)	$	
d. Factory overhead	$ (Factory overhead must be computed in exactly the same manner, using the same elements of costs and same rates in effect in your plant during the base period, for similar operations. Factory overhead shall not include any selling or administrative expenses.)	$	
e. Total factory costs	$	$	

5. Computation of maximum prices:

Class of purchaser (a)	Fabric or service used as a basis for pricing: Maximum price (b)	Fabric or service used as a basis for pricing: Factory costs (c)	Margin (d)	Fabric or service being priced: Factory costs (e)	Fabric or service being priced: Maximum price (f)

(If you used a list price and discount system during the base period, only state the maximum list price. In such case, also indicate all applicable discounts and allowances and the classes of purchasers to which those discounts and allowances are applicable. These discounts and allowances need not be shown if you have already reported them to this office. If you did not use a list price and discount system during the base period, you must compute the maximum price to each class of purchaser. The margin (d) is found by subtracting the factory costs of the fabric or service used as a basis for pricing (c) from its maximum price (b). This dollar margin is then added to the factory cost (e) of the fabric or service being priced.)

[Above paragraph amended by Am. 1, 9 F.R. 577, effective 1-19-44]

6. Method by which factory overhead was computed:

(State the method employed, including the rates used and the bases to which the rates were applied. These need not be shown if you have already reported them to this Office.)

[Above paragraph amended by Am. 1, 9 F.R. 577, effective 1-19-44]

Signature of Reporting Officer

Official Title

APPENDIX A—FORM FOR REPORTS OF MAXIMUM PRICES DETERMINED UNDER SECTION 8

Form OPA 696-514 — Form Approved Budget Bureau No. 08-R664

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON, D. C.

MPR-478

Coated and Combined Fabrics

Report to be filed under paragraph (f) of Section 8.

Manufacturer _____ Date _____

Address _____
(Street) (City) (State)

(NOTE: There are no printed copies of this form. You may reproduce it in a manner convenient to you, omitting as much of the instructions as you wish.)

1. Description of fabric or service being priced: (Include specification number, if any, a sufficient description to identify the fabric or service and a statement of the type of rubber, if any, involved, as defined in paragraph (a) (3) of Section 22).

2. Description of fabric or service used as a basis for pricing:

3. Reason for the choice of this fabric or service as a basis for pricing: (Explain how the fabric or service was selected, following the directions in paragraph (e) of Section 8).

4. Factory Costs: Unit used in this calculation: (yard, sq. ft., etc.) _____

Signature of Reporting Officer

Official Title

APPENDIX B—FORMS FOR APPLICATIONS FOR ADJUSTMENT

(a) *Form for application for adjustment of the maximum prices of coated or combined fabrics.*

Form OPA 696-515
Form Approved—Budget Bureau No. 08-R665

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON, D. C.

APPLICATION FOR ADJUSTMENT OF MAXIMUM PRICES UNDER MAXIMUM PRICE REGULATION 478

Company Name _____

Address _____
(Street) (City) (State)

NOTE: If any difficulty is experienced in completing this form, it may be taken to the nearest OPA district accountant, who will give his assistance in its preparation.

The following facts are furnished to the Office of Price Administration in support of this Application:

SCHEDULE A

1. Describe the company's business.

2. Designate and describe the fabric or fabrics for which a price increase is requested.

3. Present the following information for each fabric listed in 2 above:

NOTE: If more than one fabric is being reported, present the required information on another sheet.

(a) Dollar volume of unfilled orders $_____

(b) Unit volume of unfilled orders. (Indicate unit used) _____

4. Present a statement why it is believed that the company is an essential supplier of an essential fabric. This shall include:

(a) Whether the sale of the fabric is part of a war contract or subcontract which the company has entered into, or proposes to enter into.

(1) Identification of contract _____

(2) Name of purchaser _____

(3) Address of purchaser _____
(Street) (City) (State)

(b) The civilian requirement which the fabric is designed to meet.

(c) Whether similar fabrics are sold by competitors. If yes, give names and addresses of competitors and their prices for such fabrics.

SCHEDULE B

Important: If you have submitted any of the following information on Office of Price Administration Financial Report Forms A and B for certain periods or have furnished same on a previous application for adjustment of a maximum price, you may omit those periods in your present report. In the case of a subsidiary wholly owned by a parent corporation, consolidated statements as well as statements for the subsidiary should be submitted.

1. Submit balance sheets and profit and loss statements for the years 1941 and 1942, and for the most recent accounting period.

(NOTE: Each profit and loss statement must contain a detailed breakdown of cost of goods sold, administrative expense, selling expense, the total amount of officers' salaries and the number of officers.)

2. Financial data 1936-1940.

(NOTE: The filing of the financial data designated in this item is optional. Should the applicant prefer, this information will be obtained by the Office of Price Administration directly from the Bureau of Internal Revenue.)

Either submit balance sheets and profit and loss statements for the years 1936-1940, or fill in the following condensed table.

	1936	1937	1938	1939	1940
Net sales					
Cost of goods sold					
Gross profit					
Administrative expense					
Selling expenses					
Net operating profit					
Other income less other expenses					
Net profit before income taxes					
Debt (except current) at end of year					
Net worth at end of year					
Total assets					

3. Are the salaries and wages of all your employees in compliance with the maximum established by the Office for Economic Stabilization? _____ If no, state exceptions. (Yes or No)

SCHEDULE C

Unit Price and Unit Cost Information

Designation of the fabric _____

NOTE: If more than one fabric is involved, prepare and file separate reports on this schedule for each fabric that you consider necessary to convey an adequate understanding of the situation which gave rise to this application.

1. Price data.

(a) Net realized price:

	Ceiling price ____, 194__	Requested price
1. (List) (gross) price (Please indicate whether the price is a list or a gross price by crossing out the term that does not apply).		
2. Net realized price		
3. Net realized price at maximum discount and/or commission		

(b) Analysis of Sales of the Above Designated Item:

Sales for _____ month, period ending _____, 1943.
(Number of months) (Month and day)

(Use a sufficient number of months prior to the date of the application to give an adequate understanding of the situation. Name the period in the allotted space and fill in commission rates or discounts.)

	Percentage amount of commission or discounts	Dollar value of sales after discounts
Sales subject to commission of	(1) ___%	$
Sales subject to commission of	(2) ___%	
Sales not subject to commission	xxxx	
Sales subject to discount of	(1) ___%	
Sales subject to discount of	(2) ___%	
Sales subject to discount of	(3) ___%	
Sales subject to discount of	(4) ___%	
Sales subject to discount of	(5) ___%	
Sales not subject to discount	xxxx	
Total sales of above designated item	xxxx	

(c) Total sales for the above designated item only:

	1940	1941	1942	Months ending ____ 1943
Total unit volume of sales				
Total dollar volume of sales (net)	$	$	$	$

(d) Is the price currently charged for the fabric the same as the maximum price filed with OPA? _____
(Yes or No)

(If the answer is "No", state date when increased price was first charged.)

Date: _____, 194__
Month

(e) Indicate whether the current maximum price is a list or established price _____ or a formula price _____ (check one).

Price used since _____, 194__
Month

(f) State the reasons for the need of the requested price increase.

2. Unit cost data:

(In presenting unit cost data be sure to include only costs actually incurred. In the case of a seller other than a manufacturer submit information only on the applicable items of cost.

(Material cost must represent actual cost. State separately any charges added to costs of materials. In the case of a seller other than a manufacturer direct material cost means the price at which the seller purchased the fabric.

(Where standard costs are used, adjust costs for over- or under-absorption during the period to which the costs apply, if possible.

(If the fabric covered by the application was not manufactured during the base period, the cost data for that month must be computed in accordance with the procedure outlined in the applicable section of the regulation for determining your maximum price. Under items (f), (g), and (h) include only costs borne by the seller and not billed separately to the buyer.)

	Ceiling date costs ____ 194__	Current date costs ____ 1943
(a) Direct material	$	$
(b) Direct labor		
(c) Factory overhead		
(d) Selling expense (do not include discounts and commissions deducted under price data above)		
(e) Administrative expense		
(f) Freight out, if any		
(g) Installation expense, if any		
(h) Other expense, specify		
(i) Total cost per unit		

(j) What method is used in allocating factory overhead?

1. Standard ( ); Actual ( ); Other ( ). (Check one)

2. Direct labor cost ( ); Direct labor hours ( ); Machine hours ( ); Other ( ). (Explain separately if "other" or combination).

_____
(Applicant)

By _____
(Title)

Affidavit

State of _____)
County of _____) ss:

The undersigned _____ being first duly sworn according to law, on oath deposes and says:

That he is the person whose name appears subscribed to the above Application for Adjustment; and that he has read the same and knows to his own knowledge that the facts contained therein are true and correct.

_____
(Signature)

Subscribed and sworn to before me this _____ day of _____, 1943.

_____
Officer Administering Oath.

(b) *Form for application for adjustment of maximum prices of coating and combining services.*

Form Approved—Budget Bureau No. 08-R668

Form OPA 696-516

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON, D. C.

APPLICATION FOR ADJUSTMENT OF MAXIMUM PRICES FOR COATING AND COMBINING SERVICES UNDER MAXIMUM PRICE REGULATION No. 478.

Company Name _____

Address _____
(Street) (City) (State)

The following facts are furnished to the Office of Price Administration in support of this Application:

1. Describe the company's business.

2. Describe the type of service for which price increase is requested.

3. Present a statement why it is believed that the company is an essential supplier of an essential service. This shall include:

(a) Whether the service is supplied on a fabric the sale of which is part of a war contract or subcontract.

(1) Identification of contract _____

(2) Name of purchaser _____

(3) Address of purchaser _____
(Street) (City) (State)

(b) The civilian requirement which the fabric on which the service is supplied is designed to meet.

(c) Whether similar services are supplied by competitors. If yes, give names and addresses of competitors and their prices for such services.

4. State, on a separate sheet, the reasons for the requested price increase.

5. File the following information for the service described in Item 2 above.

(a)

Highest price during base period..... $----
Present price..... $----
Requested price..... $----
per .....
Service unit (running yard, square yard, ounce of coating, etc.) (If the prices submitted are not net prices state the discounts and allowances granted to each class of purchasers.)

(b)

	Year ended 19---	Year ended 194--	---- months ending 194--
Total number of service units performed including those not billed			
Number of service units billed			
Dollar amount of service billings			

6. Costs per service.

(In presenting cost data be sure to include only costs actually incurred.

(Material cost must represent actual cost. State separately any charges added to costs of materials.

(Where standard costs are used, adjust costs for over- or under-absorption during the period to which the costs apply, if possible.

(If the service covered by the application was not supplied during the base period, the cost data for that month must be computed in accordance with the procedure outlined in the applicable section of the regulation for determining your maximum price.)

	Ceiling date ---- 194-- (month)	Current date ---- 194-- (month)	Basis of allocation (specify below)
Direct labor			xxxxxxxxxxxxx
Direct materials			xxxxxxxxxxxxx
Shop overhead			
Administrative expense			
Selling expense			
Other expense (specify)			
Total cost per service unit			xxxxxxxxxxxxx
Average hourly wage rate, exclusive of overtime, for direct labor engaged in this service			xxxxxxxxxxxxx
Average number of hours worked per man per week (direct labor only)			xxxxxxxxxxxxx

Important: If you have submitted any of the following information on Office of Price Administration Financial Report Forms A and B for certain periods or have reported the same on a previous application for adjustment of a maximum price, you may omit those periods in your present report. In the case of a subsidiary wholly owned by a parent corporation, consolidated statements as well as statements for the subsidiary should be submitted.

7. Submit balance sheets and profit and loss statements for the years 1941 and 1942, and the most recent accounting period.

(Note: Each profit and loss statement must contain a detailed breakdown of cost of goods sold, administrative expenses, selling expenses and officers' salaries, including the number of officers.)

8. Financial data, 1936–1940.

(Note: The filing of the financial data designated in this item is optional. Should the applicant prefer, this information will be obtained by the Office of Price Administration directly from the Bureau of Internal Revenue.)

Either submit balance sheets and profit and loss statements for the years 1936–1940, or fill in the following condensed table.

	1936	1937	1938	1939	1940
Net sales					
Cost of goods sold					
Gross profit					
Administrative expenses					
Selling expense					
Net operating profit					
Other income less other expenses					
Net profit before income taxes					
Debt (except current) at end of year					
Net worth at end of year					
Total assets					

9. Are the salaries and wages of all your employees in compliance with the maximum established by the Office for Economic Stabilization? ---------- If "No" state exceptions: Yes or No

---

Applicant

By ----------

Title

AFFIDAVIT

STATE OF ----------

County of ----------, ss:

The undersigned ----------

being first duly sworn according to law, on oath deposes and says:

That he is the person whose name appears subscribed to the above Application for Adjustment, and that he has read the same and knows to his own knowledge that the facts contained therein are true and correct.

Signature

Subscribed and sworn to before me this -------- day of ----------, 1943.

Officer Administering Oath

Effective date. This regulation shall become effective November 1, 1943. [MPR 478 originally issued October 14, 1943.]

[Effective dates of amendments are shown in notes following parts affected.]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7225; Filed, May 19, 1944; 4:31 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 402,[1] Amdt. 1]

WESTERN RED CEDAR LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 402 is amended in the following respects:

1. In section 5 (b), immediately after the phrase "the maximum price when cash is paid is $29.40," the following sentence is inserted: "If the seller was not in business in August 1941, the discount for cash is 2 percent."

2. In section 7 (d) the word "three" is deleted; subparagraph (2) is deleted; and subparagraph (3) is redesignated "(2)".

3. In section 7, paragraph (g) "California mills" is deleted, and in its place a new paragraph (g) is added, to read as follows:

(g) *Government bill of lading.* Where shipment is made on government bill of lading, the maximum price payable to the seller may be computed by determining what would be the maximum delivered price on the basis of estimated weights and commercial rates and subtracting therefrom the commercial rate times the actual weights.

4. In section 8, at the end of the paragraph, the following sentence is added: "Any other species of lumber irrespective of the number of items, or red cedar shingles irrespective of grades and sizes, shall count as a single classification."

5. In section 15 (b), a subparagraph (13) is added, to read as follows:

(13) Applying additions permitted by the footnotes to the tables in Article V unless the order in writing expressly requires the working, grade, size, length, or condition for which the additions are permitted.

6. Section 15 (d) is amended to read as follows:

(d) *Combination grades.* Lumber sold on combination grades may not be sold above the maximum price for the lowest priced grade actually named in the combination. For example, the maximum price for lumber sold as No. 2 and better is the maximum price fixed for No. 2. It is permissible to quote with higher and/or lower grades developing, but when the lumber is shipped, the quantities falling in each grade must be tallied separately on a board foot basis, separately identified by grade and separately invoiced at prices not in excess of ceiling prices for the respective grades.

7. Article V—Price Tables and General Notes is amended in its entirety, to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 7662.

ARTICLE V—PRICE TABLES AND GENERAL NOTES

The maximum prices for Western Red Cedar lumber, f. o. b. mill for one thousand feet board measure or other measure where so designated, shall be as follows:

TABLE 1—BEVEL SIDING

Regular loading, dry bundled, per M'BM	Clear	A	B	C	No. 3 common reroofing
½" x 4"—6' to 16' or longer R/L, N. B	$31.00	$28.00	$22.00		
½" x 4"—6' and 7', O. B	19.50	18.00	15.50		
½" x 4"—4' and 5', O. B	16.50	14.50	12.50		
½" x 4"—3' and 3½', O. B	12.00	9.00	8.00		
½" x 4"—3' to 16' or longer R/L, N. B				$13.00	
½" x 4"—3' to 16' or longer R/L, O. B					$11.00
½" x 5"—6' to 16' or longer R/L, N. B	35.00	27.00	23.00		
½" x 5"—6' and 7', O. B	27.00	21.00	17.00		
½" x 5"—4' and 5', O. B	25.00	18.00	14.00		
½" x 5"—3' and 3½', O. B	18.00	14.00	12.00		
½" x 5"—3' to 16' or longer R/L, N. B				14.00	
½" x 6"—6' to 16' or longer R/L, N. B	43.00	41.00	35.00		
½" x 6"—6' and 7', O. B	30.00	26.00	20.00	12.00	
½" x 6"—4' and 5', O. B	26.00	22.00	17.00	11.00	
½" x 6"—3' and 3½', O. B	22.00	20.00	15.00	10.00	
½" x 6"—3' to 16' or longer R/L, N. B				19.00	
½" x 6"—3' to 16' or longer R/L, O. B					12.00
½" x 8" and 10"—6' to 16' or longer R/L, N. B	57.00	56.00	44.00		
½" x 8" and 10"—6' and 7', O. B	33.00	32.00	28.00	14.00	
½" x 8" and 10"—4' and 5', O. B	30.00	29.00	25.00	13.00	
½" x 8" and 10"—3' and 3½', O. B	20.00	19.00	16.00	12.00	
½" x 8" and 10"—3' to 16' or longer R/L, N. B				19.00	

Additions and deductions per 1,000 feet board measure. (See sec. 15 (b) (13).)

NOTES

Lengths
1. Specified lengths add $3.00.
2. Random lengths as set forth in Standard Grading and Dressing Rules No. 12, paragraph 724.

Working charges:
3. Rabbeted siding add $2.50

Miscellaneous:
4. For old bundling where new bundling specified add $2.00, the usual percentage of short lengths to be included.
5. Deduct $1.00 for orders totaling 35 M' or more in one shipment of items listed in tables 1, 2 and/or 3; except on shipments where orders specify separated lots, and where a lot contains less than 35 M', the deduction does not apply on the less-than-35 M' lots.

TABLE 2—BUNGALOW SIDING

Regular, loading, dry, bundled, per M'BM	Clear	A	B	C
½" x 8"—6' to 16' or longer R/L, N. B	$67.00	$65.00	$50.00	
½" x 8"—3' to 7', O. B	43.00	39.00	29.00	
½" x 8"—3' to 5', O. B	38.00	34.00	24.00	
½" x 8"—3' to 16' or longer R/L, O. B				$22.00
½" x 10"—6' to 16' or longer R/L, N. B	73.00	71.00	62.00	
½" x 10"—3' to 7', O. B	52.00	50.00	44.00	
½" x 10"—3' to 5', O. B	47.00	45.00	39.00	
½" x 10"—3' to16" or longer R/L, O. B				23.00
½" x 12"—6' to 16' or longer R/L, N. B	75.00	73.00	63.00	
½" x 12"—3' to 16' or longer R/L, O. B				25.00
½" x 12"—3' to 7', O. B	54.00	52.00	45.00	
½" x 12"—3' to 5', O. B	49.00	47.00	40.00	

Additions and deductions per 1,000 feet board measure. (See sec. 15 (b) (13).)

NOTES

Lengths:
1. Specified lengths add $1.50.
2. Random lengths as set forth in Standard Grading and Dressing Rules No. 12, paragraph 734.

Working charges
3. Rabbeted siding add $2.50.

Miscellaneous:
4. For old bundling where new bundling specified add $2.00, the usual percentage of short lengths to be included.
5. Deduct $1.00 for orders totaling 35 M' or more in one shipment of items listed in tables 1, 2 and/or 3; except on shipments where orders specify separated lots, and where a lot contains less than 35 M', the deduction does not apply on the less-than-35 M' lots.

TABLE 3—SPECIAL SIDING

Regular loading, dry bundled mixed grain per M'BM	Clear A	B	C	No. 1 knotty
½" x 6"—3' to 16' or longer R/L, O. B., sq. edge	$50.00	$44.00	$20.00	
½" x 4"—6' to 16' or longer R/L, N. B	39.00	29.00	14.00	$27.00
½" x 6"—6' to 16' or longer R/L, N. B	50.00	46.00	22.00	35.00
½" x 8"—6' to 16' or longer R/L, smooth sawn, N. B	48.00			37.00
½" x 10"—6' to 16' or longer R/L, smooth sawn, N. B	55.00			37.00
1" x 10"—6' to 16' or longer R/L, smooth sawn, N. B				40.00
½" x 10"—6' to 16' or longer R/L, wavy edge, smooth sawn, N. B	60.00			42.00
1" x 12"—6' to 16' or longer R/L, wavy edge, smooth sawn, N. B	62.00			42.00
½" x 4" R/L 3' to 16' or longer, O. B., S3S	35.00	28.00	14.00	
½" x 6" R/L 3' to 16' or longer, O. B., S3S	47.00	40.00	18.00	
½" x 8" R/L 3' to 16' or longer O. B., S3S	61.00	49.00	20.00	
½" x 10" R/L 3' to 16' or longer, O. B., S3S	61.00	49.00	20.00	
½" x 6" R/L 3' to 16' or longer, O. B., S3S	58.00	46.00	20.00	
½" x 8" R/L 3' to 16' or longer, O. B., S3S	72.00	58.00	24.00	
½" x 10" R/L 3' to 16' or longer, O. B., S3S	77.00	67.00	24.00	

Additions and deductions per 1,000 feet board measure. (See sec. 15 (b) (13).)

NOTES

Grain:
1. For vertical grain clear A grade add $2.00.

Lengths
2. Specified lengths add $1.50.
3. Random lengths as set forth in Standard Grading and Dressing Rules No. 12, paragraph 734.

Working charges:
4. Rabbeted siding add $2.50.

Miscellaneous:
5. For old bundling where new bundling specified add $2.00, the usual percentage of short lengths to be included.
6. Deduct $1.00 for orders totaling 35 M' or more in one shipment of items listed in tables 1, 2 and/or 3; except on shipments where orders specify separated lots, and where a lot contains less than 35 M', the deduction does not apply on the less-than-35 M' lots.

TABLE 4—DROP SIDING AND RUSTIC

Regular loading mixed grain, per M'BM dry R/L 4' to 16' or longer	B and better	C	D
1 x 4" patterns 120 and 122	$45.00	$43.00	$32.00
1 x 6" patterns 105 and 106	70.00	67.00	47.00
1 x 6" patterns 115 and 117	70.00	67.00	47.00
1 x 6" patterns 116	70.00	67.00	47.00
1 x 8" patterns 105, 106, 116	80.00	77.00	57.00
1 x 10" patterns 105, 106, 116	85.00	82.00	62.00
1 x 12" patterns 105, 106, 116	90.00	87.00	67.00

Additions and deductions per 1,000 feet board measure. (See sec. 15 (b) (13).)

NOTES

Grain:
1. For vertical grain:
4" to 6" wide, add $5.00.
8" to 12" wide, add $10.00.

Lengths:
2. Regular loading: 3% 4' and/or 5'—7% 6' and/or 7'—90% 8' to 16' or longer.
3. Short lengths: 3' to 7' in 4" to 8" widths, deduct $15.00 per M'BM.
4. Specified lengths, add $5.00 up to 15'; 16' to 20' add $10.00 to R/L price.
5. Additions for omitting short lengths:

7' and shorter	$2.00
9' and shorter	3.00
10' and shorter	5.00
12' and shorter	6.00

Miscellaneous:
6. Patterns not conforming to association standard patterns or finished to greater overall size add $2.00.

TABLE 5—FLOORING—CEILING

Regular loading, dry mixed grain per M'BM	B and better	C	D
⅝" x 3" S1S R/L 4' to 16' or longer	$31.00	$28.00	$18.00
⅝" x 3" S1S R/L 3' to 7'	22.00	19.00	9.00
½" x 3" and 4" V or B1 side R/L 4' to 16' or longer	35.00	32.00	22.00
½" x 3" and 4" V or B1 side R/L 3' to 7'	30.00	27.00	17.00
1" x 3" V or B1 side R/L 4' to 16' or longer	45.00	42.00	32.00
1" x 3" V or B1 side R/L 3' to 7'	32.00	30.00	20.00
1" x 4" V or B1 side R/L 4' to 16' or longer	55.00	52.00	42.00
1" x 4" V or B1 side R/L 3' to 7'	40.00	37.00	27.00
1" x 5" V or B1 side R/L 4' to 16' or longer	60.00	57.00	47.00
1" x 5" V or B1 side R/L 3" to 7'	50.00	47.00	37.00
1" x 6" V or B1 side R/L 4' to 16' or longer	75.00	72.00	52.00
1" x 6" V or B1 side R/L 3' to 7'	60.00	57.00	37.00

Additions and deductions per 1,000 feet board measure. (See sec. 15 (b) (13).)

NOTES

Grain:
1. For vertical grain, add $5.00 for 1"; $2.50 for ⅝" and ½".

Lengths:
2. Regular loading:
3% 4' and/or 5'.
7% 6' and/or 7'.
90% 8' to 16' or longer.
3. Specified lengths, add $5.00 per M'.
4. Shorts: 3' to 5' deduct $15.00; 1' to 2½' deduct $25.00 from R/L 4' to 16' price.

Thickness:
5. For ⅝" thickness, deduct $2.00 from 1" price of same width.

TABLE 6—FINISH

Regular loading R/L, 6' to 16' or longer, Dry S2S or S4S, A. L. S. mixed grain per M/BM.	B and better	C	D
1" x 2"	$60.00	$57.00	$47.00
1" x 3"	60.00	57.00	47.00
1" x 4"	60.00	57.00	47.00
1" x 5"	67.00	64.00	54.00
1" x 6"	80.00	77.00	57.00
1" x 8"	90.00	87.00	67.00
1" x 10"	95.00	92.00	72.00
1" x 12"	100.00	97.00	77.00
1" x 14"	105.00	102.00	77.00
1" x 16"	110.00	107.00	82.00
1" x 18"	115.00	112.00	87.00
1" x 20"	125.00	122.00	92.00
1" x 22"	130.00	127.00	97.00
1" x 24"	130.00	127.00	97.00

Additions and deductions per 1,000 feet board measure. (See sec. 15 (b) (13).)

NOTES

Grain:
1. Specified grain add to mixed grain same size and grade:
   2" to 6" widths — $5.00
   8" to 12" widths — 10.00
   14" to 18" widths — 15.00
   20" to 24" widths — 20.00

Lengths:
2. Regular loading. 5% 6' and/or 7'; 95% 8' to 16' or longer.
3. Shorts deduct from the R/L price of the same size and grade
   1' to 2½'—2' to 5' — $30.00
   1' to 2½'—8" to 12" — 35.00
   1' to 2½'—14" and wider — 45.00
   3' to 5'—2" to 6" widths — 20.00
   3' to 5'—8" to 12" widths — 26.00
   3' to 5'—14" and wider — 30.00
4. Specified lengths add to the R/L price of the same size and grade:
   15' and shorter — $5.00
   16' to 20' — 10.00
   21' to 24' — 15.00
   25' to 32' — 25.00
   Longer than 32' — 30.00
   Specified 6' and 7' deduct $5.00 per M'BM from R/L price.
5. Omitting lengths from R/L specifications add to the R/L price of the same size and grade:
   8' and 7' — $1.00
   9' and shorter — 3.00
   10' and shorter — 5.00
   12' and shorter — 6.00
6. Fractional lengths add $5.00 per M'BM to the specified length price of the next longer length and compute footage on next longer length.

Widths:
7. Fractional and odd widths not listed, same price and weight as next wider listed width. Compute footage on next wider listed width

Thickness:
8. For 5/4" to 1½" S2S net, deduct $5.00 from 1" prices of corresponding size and grade.
9. For 5/4" to 1¼4" inclusive S2S net, price same as 1" of corresponding size and grade.
10. Shims, ¾4" surfaced-bit and miss or full rough thickness, price by adding $2.50 to ¾ price of corresponding size and grade, and reduce this price by ⅛ and compute on 1" surface measure.

Working Charges:
11. Surfacing green, deduct $5.00 from surfaced dry price.
12. Surfacing thicker and/or wider than American Lumber Standards add $5.00 to the standard surfaced price and use standard surfaced weights.
13. Resawing add $4.00

Miscellaneous:
14. Selecting B & Better all clear (eliminating knots and sap), including boat lumber, add $10.00 to the B & Better price of the same size and length.
15. Tank stock, paragraph 777, add $5.00 to the B & Better price of the same size and length.
16. Pipe stock, paragraph 727, add $4.00 to the B & Better price of the same size and length.
17. Casing, Base and Jambs, 1 x 4" and thicker, and/or wider, use corresponding finish price, size and weight.
18. Rough dry deduct $3.00 from surfaced dry price. Rough green deduct $8.00 from surfaced dry price.

TABLE 7—THICK CLEARS

Regular loading R/L 6' to 16' or longer, dry per M'BM S2S or S4S mixed grain.	B and better	C	D
5/4", 6/4", and 8/4" x 2", 3" and 4"	$75.00	$72.00	$52.00
5/4", 6/4", and 8/4" x 5"	85.00	82.00	62.00
5/4", 6/4", and 8/4" x 6"	85.00	82.00	62.00
5/4", 6/4", and 8/4" x 8"	100.00	97.00	77.00
5/4", 6/4", and 8/4" x 10"	105.00	102.00	82.00
5/4", 6/4", and 8/4" x 12"	110.00	107.00	87.00
5/4", 6/4" and 8/4" x 14"	115.00	112.00	87.00
5/4", 6/4", and 8/4" x 16"	120.00	117.00	92.00
5/4", 6/4", and 8/4" x 18"	125.00	122.00	97.00
5/4", 6/4", and 8/4" x 20"	135.00	132.00	102.00
5/4", 6/4", and 8/4" x 22"	140.00	137.00	107.00
5/4", 6/4", and 8/4" x 24"	140.00	137.00	107.00
2½" and 3" x 3" to 6"	80.00	77.00	--------
2½" and 3" x 8"	90.00	87.00	--------
2½" and 3" x 10"	90.00	87.00	--------
2½" and 3" x 12"	100.00	97.00	--------
2½" and 3" x 6" to 12" R/W	90.00	87.00	--------
4" and thicker x 4" to 6"	85.00	82.00	--------
4" and thicker x 7" to 10"	95.00	92.00	--------
4" and thicker x 12"	110.00	107.00	--------

Additions and deductions per 1,000 feet board measure. (See sec. 15 (b) (13).)

NOTES

Grain:
1. Specified grain add to mixed grain same size and grade:
   2" to 6" widths — $5.00
   8" to 12" widths — 10.00
   14" to 18" widths — 15.00
   20" to 24" widths — 20.00

Lengths:
2. Regular loading: 5% 6' and/or 7'; 95% 8' to 16' or longer.
3. Shorts deduct from the R/L price of the same size and grade:
   1' to 2½'—2" to 6" — $30.00
   1' to 2½'—8" to 12" — 35.00
   1' to 2½'—14" and wider — 45.00
   3' to 5'—2" to 6" widths — 15.00
   3' to 5'—8" to 12" widths — 20.00
   3' to 5'—14" and wider — 25.00
4. Specified lengths add to the R/L price of the same size and grade:
   15' and shorter — $5.00
   16' to 20' — 10.00
   21' to 24' — 15.00
   25' to 32' — 25.00
   Longer than 32' — 30.00
   Specified 6' and 7' deduct $5.00 from R/L price.
5. Omitting lengths from R/L specifications add to the R/L price of the same size and grade:
   6' and 7' — $1.00
   9' and shorter — 3.00
   10' and shorter — 5.00
   12' and shorter — 6.00
6. Fractional lengths add $3.00 to the specified length price of the next longer length and compute footage on next longer length.

Widths:
7. Fractional and odd widths not listed, same price and weight as next wider listed width. Compute footage on next wider listed width

Thickness:
8. Fractional and odd thickness not listed, add $3.50 to next less listed size and compute footage on actual rough measure.

Working charges:
9. Surfacing green, deduct $5.00 from surfaced dry price.
10. Surfacing thicker and/or wider than American Lumber standards add $5.00 to the standard surfaced price and use standard surfaced weights.
11. Resawing add $4.00

Miscellaneous:
12. Selecting B & better all clear (eliminating knots and sap) including boat lumber, add $10.00 to the B & better price of the same size and length.
13. Tank stock, paragraph 777, add $5.00 to the B & better price of the same size and length
14. Pipe stock, paragraph 727, add $4.00 to the B & better price of the same size and length.
15. Casing, base and jambs, 5/4 x 4" and thicker and/or wider use corresponding finish price, size and weight
16. Rough dry deduct $3.00 from the surfaced dry price. Rough green deduct $8.00 from surfaced dry price.

TABLE 8—NO. 1 SHOP

Mixed grain rough, dry, R/L, 6' and longer:	Per M'BM
4/4" x 6" and wider, R/W	$40.00
5/4" x 6" and wider, R/W	43.00
6/4" x 6" and wider, R/W	43.00
8/4" x 6" and wider, R/W	48.00
12/4" x 6" and wider, R/W	58.00

Additions and deductions per 1,000 feet board measure. (See sec. 15 (b) (13).)

NOTES

1. For surfacing add $3.00.
2. For No. 2 shop developing deduct $12.50.
3. For green deduct $5.00.

TABLE 9—GUTTER

B & Better green (Ohio or Boston pattern), R/L, 8' and longer:	Per M'BM
3" x 4"	$80.00
4" x 4"	85.00
4" x 5"	85.00
4" x 6"	85.00
5" x 7"	95.00
6" x 8"	95.00

Additions and deductions per 1,000 feet board measure. (See sec. 15 (b) (13).)

NOTES

Lengths:
1. Specified lengths add to the R/L price of the same size and grade:
   15' and shorter — $5.00
   16' to 20' — 10.00
   21' to 24' — 15.00
   25' to 32' — 25.00
   Longer than 32' — 30.00
2. Specified 16' and longer: add $10.00.

Miscellaneous:
3. All other patterns, except Ohio or Boston, add $10.00.
4. For dry stock add $5.00.

TABLE 10—DOWNSPOUT

Dry R/L 3' and longer per lineal foot (includes all members)	B and better	C
2⅝" x 2⅝"—1¾" inside diameter	$0.12	$0.09
3⅛" x 3⅛"—2¼6" inside diameter	.16	.12
3⅛" x 3⅛" with 3" spline	.22	------
3⅛" x 3⅛" with 4" spline	.24	------

NOTES

1. Regular loading random length is as follows:

"B and better"	"C"
10%, 3' to 7'	10%, 3' to 7'
90%, 8' and longer	90%, 8' and longer

At the option of shipper, 10%, 3' to 7' "B and better" may be included in the "C" at the "C" R/L price.
2. For specified lengths, add 2¢ per lineal foot.

TABLE 11—PICKETS

No. 1 pickets, dry square or gothic point per 1,000 pieces, S4S, bundled	3'	3½'	4'	5'	6'
1 x 2"	$28.00	$31.00	$33.00	------	------
1 x 3"	32.00	36.00	42.00	$46.00	$57.00
1 x 4"	31.00	38.00	45.00	51.00	70.00
1¼ x 1¼"	26.00	33.00	41.00	------	------
1½ x 1½"	35.00	45.00	49.00	------	------

NOTES

1. Number 2 pickets, deduct $3.00 per M pieces from No. 1 price.

TABLE 12—BATTENS

Regular loading R/L 6' to 16' or longer dry bundled per 100 lineal feet:	
3" flat	$0.70
2" O. G	.80
2½" O. G	1.00

NOTES

1. Regular loading, 10% 6' and 7', 90% 8' and longer
2. Specified lengths, add $0.10 per 100 lineal feet.

TABLE 13—LATH

Green or dry, bundled per 1,000 pieces:	
¾" x 1½" or 1¾" No. 1, 4' (use dry weight)	$5.50
¾" x 1½" or 1½" No. 2, 4' (use dry weight)	4.50
¾" x 1½"—19½" shingle bands green (use green weight)	6.50

TABLE 14—MOULDINGS

Discount applicable to 5000 series moulding book, mixed cars

Regular loading R/L dry, bundled:	
Patterns listing under $4.00	45%
Patterns listing $4.00 and over	40%

NOTES

Lengths:
1. Regular loading random lengths 6' to 16' or longer in multiples of 1', not over 15% in lengths under 10'.
2. Specified lengths: shorten discount 5 points.
3. Excessive short lengths 4' to 9': lengthen discount 10 points.

Miscellaneous:
4. Special patterns 3 M lineal feet or more, same discounts; less than 3 M lineal feet add $3.00 net setup charge.
5. 1 M lineal feet or less per item: shorten discount 2 points.
6. Delivered prices: deduct 1 point for each 6 cents freight rate, compute discount to nearest ½ point.

TABLE 15—LATTICE

Dry, regular loading, S4S, bundled, per 100 lineal feet:	
4/4" x 1¼"	$0.41
5/4" x 1¾"	.46
5/4 "x 1¾"	.56

NOTES

1. Regular loading, random lengths 6' to 16' or longer in multiples of 1', not over 15% in lengths under 10'.

Lengths:
2. Excess short lengths 4' to 9', deduct $0.05 per 100 lineal feet.
3. For specified lengths, add $0.05 per 100 lineal feet.

Thickness:
4. For S4S 5/4" thickness deduct $0.09 per 100 lineal feet.

TABLE 16—LOG SIDING

No. 1 green, R/L, 4' to 16' or longer:	Per M'BM
2" x 6", 8" and 10", finished to 1¾"	$37.00
3" x 8" and 10", finished to 2⅝"	37.00

Additions and deductions per 1,000 feet board measure (see sec. 15 (b) (13)).

NOTES

Grade:
1. No. 2 deduct $5.00.

Lengths:
2. Specified lengths add $3.00.
3. For omitting 4' to 9' add $2.00 to R/L price.

Condition:
4. For dry stock add $5.00.

TABLE 17—BOARDS AND SHEATHING

Dry, R/L 6' to 16' or longer, S2S, S4S, D and M or shiplap, per M'BM	Add to No. 1 for select mech. par. 186	No. 1	No. 2	No. 3
1" x 2"	$4.00	$38.00	$28.00	$23.00
1" x 3"	4.00	38.00	28.00	23.00
1" x 4"	4.00	34.00	24.00	19.00
1" x 6"	5.00	43.00	33.00	28.00
1" x 8"	6.00	43.00	33.00	28.00
1" x 10"	7.00	43.00	33.00	28.00
1" x 12"	8.00	47.00	37.00	32.00

Additions and deductions per 1,000 feet board measure. See sec. 15 (b) (13).)

NOTES

Lengths:
1. Specified lengths add $3.00 to R/L price of same size and grade.
2. Fractional lengths add $1.00 to the specified length price of the next longer length. Compute footage on next longer length.
3. 4' and 5' lengths, all grades (No. 3 and better) may be included in No. 3 at R/L No. 3 price.

Widths:
4. Fractional or odd widths same price as, and compute footage on the next wider even width.

Thickness:
5. For 5/4" or 6/4" add $3.00 to 1" price of the same width and grade.

Working charges:
6. Surfaced green deduct $3.00.
7. Surfacing thicker and/or wider than American Lumber Standards add $3.00 and use standard surfaced weights.

Miscellaneous:
8. Knotty red cedar, colonial paneling R/L D & M V edge, paragraph 749: No. 1 grade add $5.00 per M'BM to the No. 1 price of the same width and thickness; No. 2 grade add $5.00 per M'BM to the No. 2 price of the same width and thickness.
9. No. 4 rough or surfaced, dry or green, 1 x A W–R/L $15.00. Use green weights for green and dry weights for dry.
10. Rough dry deduct $2.00.
11. Rough green deduct $5.00.
12. Shims (see note 8, general notes) 1/4" and thinner add $2.50 to 5/4" price of corresponding size and grade and then reduce this price by 5/8; 3/16" and thicker add $2.50 to ¾ price and reduce this price ¼. Compute on 1" surface measure.

TABLE 18—DIMENSION, PLANK AND TIMBERS

Rough, green R/L 8' to 16' or longer per M'BM	Add to No. 1 for select merch. par. 194 and 199	No. 1	No. 2	No. 3
2" x 3", 4", 6", 8", 10", and 12"	$3.00	$32.00	$27.00	$24.00
3" x 4", 6", 8", 10", and 12"	3.50	33.00	28.00	25.00
4" x 4", 6", 8", 10", and 12"	3.50	33.00	28.00	25.00
5" x 5", 6", 8", 10", and 12"	3.00	31.00	26.00	23.00
6" x 6", 8", 10", and 12"	3.00	31.00	26.00	23.00
8" x 8", 10", and 12"	3.00	31.00	26.00	23.00
10" x 10" and 12"	2.00	31.00	26.00	23.00
12" x 12"	2.00	31.00	26.00	23.00

Additions and deductions per 1,000 feet board measure. (See sec. 15 (b) (13).)

NOTES

Lengths:
1. Specified lengths add $3.00 to R/L price.
2. Odd or fractional lengths add $1.00 to the specified length price of the next longer even length. Compute footage on next longer even length.

Widths:
3. Odd or fractional widths not listed same price as next even wider width. Compute footage and use weight of next even wider width.

Thickness:
4. Odd and/or fractional thicknesses not listed add $3.50 to the next less listed size. Compute footage on actual rough measure.

Working charges:
5. Surfacing add $2.00 to corresponding rough price.
6. Surfacing ¼" off add $3.00 to corresponding rough price.

Working charges—Continued.
7. Surfacing thicker and/or wider than American Lumber Standards other than ¼" off add $5.00 and use standard surfaced weights.
8. T & G, grooved for splines, and outgauging add $5.00 to the rough price.
9. Square butting add $1.00.

Miscellaneous:
10. Rough dry, stock up to 6" thicknesses, add $5.00.
11. No. 4 rough or surfaced, dry or green, 2" and thicker x A. W.—A. L. $18.00. Use green weights for green and dry weights for dry.
12. All heart foundation lumber, paragraph 760, add $5.00 to No. 1 price.

TABLE 19—BOX LUMBER

R/L per M'BM:	
4/4 and thicker RW:	
Rough dry	$25.50
Rough green	23.00
Surfaced dry	26.50
Surfaced green	24.50

NOTES

1. No additions for specified widths.
2. Grade as provided in paragraph No. 780 of West Coast Lumbermen's Association Standard Grading and Dressing Rules No. 12.

TABLE 20—CAPPING AND GROOVED TRUNKING

Green or dry, mill's option worked to pattern:

Capping, paragraph 769:	
1 x 4, 1 x 6, 2 x 4 and 2 x 6" R/L 4' and longer	$32.00
5/4 and 6/4 x 4" and 6" R/L 4' and longer	36.00
Trunking, paragraph 768:	
2 x 4, 3 x 4 and 4 x 6" R/L 4' and longer	36.00

Additions and deductions per 1,000 feet board measure (see sec. 15 (b) (13)).

NOTES

Lengths:
1. Omitting 4' to 9' add $2.00.
2. Lengths 21' to 24' add $2.00.
3. Specified lengths add $5.00.

GENERAL NOTES

1. All grade and size terms and "paragraph" references and measuring terms appearing in this regulation refer to, and have the meaning given in, the Standard Grading and Dressing Rules No. 12, issued by the West Coast Lumbermen's Association, effective March 1, 1943.
2. The reference "N. B." and "O. B." as employed in siding schedules is descriptive of the manner in which lengths are bundled. "N. B." or new bundling is as defined in paragraph 734 of Standard Grading and Dressing Rules No. 12. "O. B." or old bundling contemplates lengths 3 feet and longer in multiples of one foot, with each length bundled separately. Random length shipments of "N. B." and "O. B." includes 33⅓% of 7' and shorter lengths.
3. No. 4 covers the down-fall which otherwise would be wasted. May be rough or surfaced. Defects include splits, check, shake, skips, rot, stain, worm holes, knot holes, wane and other defects which in combination will not impair the lumber for the purpose intended.
4. No lumber is sold on less than 1" count. All lumber is priced per 1000 feet, board measure, except downspouts, pickets, battens, lath, mouldings and lattice which are priced as designated.
5. Ripping and/or resawing not otherwise provided add $1.00 per m'bm; for diagonal or tapered add $5.00 per m'bm, and product of strip to be shipped.
6. For bundled where not provided add $1.00 per m'bm; on standard bundled items, where not bundled deduct $1.00 per m'bm.
7. Prices in all tables applying to items covered by American Lumber Standards apply to any standard working when finished A. L. S. size.
8. Shims: Shims are boards that are too thin to be surfaced to standard thickness but of sufficient thickness to surface bit and miss to 7/16", 1/2", 9/16", 5/8" or 11/16" or may be rough if full thickness.

8. Article VI is amended in its entirety, to read as follows:

ARTICLE VI—TABLES OF PERMITTED ESTIMATED WEIGHTS

The use of the following estimated weights, even though they may be higher than actual weights, is permitted:

Bevel, bungalow siding and special siding	Dry	Green
	M'BM	
½" bevel siding	600	------
½" bevel siding No. 1 knotty	700	------
½" bungalow siding	750	------
¾" bungalow siding	900	------
¾" bungalow siding No. 1 knotty	1,000	------
¾" bungalow siding rough	1,100	------
1¼₂" special siding S3s	600	------
1¼₂" special siding S3s	900	------

ARTICLE VI—TABLES OF PERMITTED ESTIMATED WEIGHTS—continued

Drop siding and rustic	Dry	Green
	M'BM	
1" x 4" patterns 120 and 122	1,100	------
1" x 6" patterns 103 and 104	1,300	------
1" x 6" patterns 105, 106 and rustic	1,400	------
1" x 6" patterns 115 and 117	1,200	------
1" x 6" pattern 116	1,500	------
1" x 8" and 10" add 100 lbs. to above 1" x 6" weights.		

Flooring and ceiling	Dry	Green
	M'BM	
5/16" x 3" or 4"	600	------
1/2" x 3" or 4"	700	------
5/8" x 3" or 4"	1,000	------
1" x 3" to 6"	1,500	------
1" x 8"	1,600	------

Finish	Dry	Green
	M'BM	M'BM
½" finish S2S or S4S 7/16"	800	------
¾" finish S2S or S4S 9/16"	1,100	------
1" finish S2S or S4S 2 3/32"	1,700	------
1" rough	2,100	3,000

Thick clears and tank stock	Dry	Green
	M'BM	M'BM
5/4" to 8/4" S2S or S4S	1,800	2,400
5/4" to 8/4" rough	2,300	3,000
2½" and 3" x 4" and wider S2S or S4S	2,000	2,400
2½" and 3" x 4" and wider rough	2,800	3,000
4" and thicker x 5" and wider S2S or S4S	2,200	2,600
4" and thicker x 5" and wider rough	2,800	3,000

Shop and box	Dry	Green
	M'BM	M'BM
4/4" rough	2,100	3,000
4/4" S2S or S4S	1,700	2,400
5/4" and thicker S2S or S4S	1,800	2,400
5/4" and thicker rough	2,300	3,000

Gutter	Dry	Green
	M'BM	M'BM
3" and thicker	1,350	1,600

Downspouts, dry:

2⅝ x 2⅝"	70 per 100 lin. feet
3⅛ x 3⅛"	100 per 100 lin. feet
3⅛ x 3⅛" with 3" spline	125 per 100 lin. feet
3⅛ x 3⅛" with 4" spline	200 per 100 lin. feet

Pickets	Dry	Green
1" x 2"—3'	800 M pieces	------
1" x 2"—4'	1,100 M pieces	------
1" x 3"—3'	1,200 M pieces	------
1" x 3"—3½'	1,400 M pieces	------
1" x 3"—4'	1,600 M pieces	------
1" x 3"—5'	2,000 M pieces	------
1" x 3"—6'	2,400 M pieces	------
1" x 4"—3'	1,600 M pieces	------
1" x 4"—3½'	1,850 M pieces	------
1" x 4"—4'	2,150 M pieces	------
1" x 4"—5'	2,700 M pieces	------
1" x 4"—6'	3,200 M pieces	------
1¼" x 1¼"—3'	800 M pieces	------
1¼" x 1¼"—3½'	900 M pieces	------
1¼" x 1¼"—4'	1,000 M pieces	------
1½" x 1½"—3'	1,100 M pieces	------
1½" x 1½"—3½'	1,300 M pieces	------
1½" x 1½"—4'	1,500 M pieces	------

Battens	Dry	Green
3" flat	15 per 100 lin. ft.	------
2" O. G	18 per 100 lin. ft.	------
2½" O. G	20 per 100 lin. ft.	------

ARTICLE VI—TABLES OF PERMITTED ESTIMATED WEIGHTS—continued

Lath and shingle band strips	Dry	Green
¾" x 1½"—4'	400 M pieces	
¾" x 1¾"—4'	450 M pieces	
¾" x 1½"—19½"		800 M pieces

Lattice	Dry	Green
5/16" x 1½"	6 per 100 lin. ft.	
5/16" x 1¾"	8 per 100 lin. ft.	
5/16" x 1¾"	9 per 100 lin. ft.	
For S4S ⅝2", use same weights as 5/16".		

Casing, base and jambs:
1 x 4" thicker and wider same weight as finish of same size.

Log siding	Dry lb.	Green lb.
2" and thicker by 6" and wider	M'BM 1,800	M'BM 2,100

Boards and sheathing	Dry	Green
1" x 2" and wider S2S or S4S	1,800	2,200
1" x 4" and wider D & M or shiplap	1,700	2,100
1" rough	2,100	3,000

Knotty cedar paneling: Same weights as boards and sheathing.

Dimension, planks, timbers	Dry	Green
2" x 2" and wider rough	2,700	3,000
3" x 3" and wider rough	2,800	3,000
4" x 4" and wider rough	1,900	2,300
2" x 2" to 2" x 4" S4S	2,000	2,400
2" x 6" to 2" x 12" S4S	2,800	3,000
5" and thicker by all widths rough	2,000	2,400
5" and thicker by all widths surfaced	200	200
For S4S ¼" off, add		

Capping and trunking	Dry	Green
Capping:		
1 x 4 and 1 x 6"		2,400
2 x 4 and 2 x 6"		2,800
5/4 and 6/4 x 4" and 6"		2,500
Trunking:		
2 x 4"		2,800
3 x 4 and 3 x 6"		2,600

When surfacing is specified other than standard or where weights are not provided in this list, weight is to be computed by applying the following weights and deducting the equivalent to the percentage of difference between the rough and surfaced or fractional rough size, breaking on the next greater 50 pounds:

	Pounds
Cedar, rough green clear	3,000
Cedar, rough dry clear 1"	2,100
Cedar, rough dry clear ¾" to ¾"	2,300
Cedar, rough dry clear 2½" and thicker	3,000
Cedar, rough green common	2,100
Cedar, rough dry common 1"	2,700
Cedar, rough dry common 2"	2,800
Cedar, rough dry common 3" and thicker	2,900

This amendment shall become effective May 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7274; Filed, May 20, 1944; 4:02 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 18]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respect:

1. Section 1407.168 (d) is amended by inserting between the words "liquid sugar" and "or soft sugar" the words "confectioners' sugar (powdered)".

This amendment shall become effective May 24, 1944.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No 56, 8 F.R. 2005; War Food Order No. 64, 8 F.R. 7093)

Issued this 20th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7275; Filed, May 20, 1944; 4:02 p. m.]

PART 1300—PROCEDURE

[Rev. Procedural Reg. 4,[1] Amdt. 1]

ISSUANCE OF RATIONING SUSPENSION ORDERS

Revised Procedural Regulation No. 4 is amended in the following respects:

1. Section 2.2 is amended to read as follows:

SEC. 2.2 *Notice of hearing.* (a) A notice of any hearing to be held pursuant to this regulation shall be issued by the District Enforcement Attorney. It shall set forth the time and place of hearing, a clear statement of the charges against the respondent with a reference to the particular section of the regulation or order involved or alleged to have been violated, and a statement of the purpose or purposes for which the hearing is to be held. The notice shall also state that a suspension order may be entered by default in case of failure to appear at the hearing.

(b) A copy of Revised Procedural Regulation No. 4 shall be attached to the notice of hearing served upon any respondent.

2. Section 2.7 (a) is amended to read as follows:

(a) If a respondent fails to appear at a hearing the charges set forth in the notice of hearing may be deemed to be admitted by default, and a hearing need not be held. The District Enforcement Attorney shall, however, present evidence relevant to the determination of the effective period of any suspension order.

3. Section 2.10 is amended to read as follows:

SEC. 2.10 *Contemptuous conduct.* Contemptuous conduct at any hearing shall be ground for exclusion from the hearing.

4. Section 3.1 (a) is amended to read as follows:

(a) If the Hearing Commissioner determines that a respondent has violated a rationing regulation or order, or that he has sold or transferred or offered or attempted to sell or transfer, or in the course of trade or business has bought or received or offered or attempted to buy or receive any rationed commodity at a price in excess of the applicable maximum price established for the commodity by the Office of Price Administration, he may issue a suspension order.

5. Section 6.3 (e) is amended to read as follows:

(e) "Suspension order" means an order of allocation which regulates or suspends for a period the acquisition, sale, transfer, delivery or other disposition or use of rationed commodities or facilities, issued against a person who has acted in violation of a ration order or regulation, or who has sold or transferred or offered or attempted to sell or transfer, or in the course of trade or business has bought or received or offered or attempted to buy or receive, any rationed commodity at a price in excess of the applicable maximum price established for that commodity by the Office of Price Administration.

This amendment shall become effective May 27, 1944.

(Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. No. 1, 7 F.R. 562, as supplemented; Food Dir. No. 3, 8 F.R. 2005; Food Dir. No. 5, 8 F.R. 2251; Food Dir. No. 6, 8 F.R. 3471, and Food Dir. No. 7, 8 F.R. 3471)

Issued this 22d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7305; Filed, May 22, 1944; 11:40 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 3,[1] Amdt. 6]

RATION BANKING: BANKS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 3 is amended in the following respects:

1. Section 1305.411 (c) (3) is amended to read as follows:

(3) Each participating bank shall receive five (5) cents for each deposit made, plus two (2) cents for each box of tokens included in the deposit, plus one (1) cent for each other item included in the deposit.

2. Section 1305.411 (c) (7) is amended to read as follows:

(7) Each participating bank shall receive five (5) cents for each ration check it properly issues against its Processed Foods or Ration Order 16 Food Ration bank account.

3. Section 1305.411 (c) (8) is redesignated (11) and a new (8) is added to read as follows:

(8) Each participating bank shall receive two (2) cents for each box of tokens received from non-depositors.

4. Section 1305.411 (c) (9) is redesignated (13) and a new (9) is added to read as follows:

(9) Each participating bank shall receive one-half (½) cent for each box of tokens disbursed by it in exchange for valid ration evidences.

5. Section 1305.411 (c) (10) is redesignated (14) and a new (10) is added to read as follows:

(10) Each participating bank shall receive one (1) cent for each item properly received in exchange for a box of tokens.

6. Subdivision (iv) of the newly designated § 1305.411 (c) (11) is amended to read as follows:

(iv) Each separate evidence shall be deemed to be a separate item, except that, in the case of coupons or stamps or tokens required by the Office of Price Administration to be affixed to a card or sheet or to be enclosed in a sealed envelope or to be put in containers, each card or sheet bearing or each sealed envelope containing or each container holding, stamps or coupons or tokens shall be deemed one item. A deposit slip shall not be deemed an item.

7. Section 1305.411 (c) (12) is added to read as follows:

(12) The payments provided by this paragraph (c) shall be effective as of February 17, 1944.

This amendment shall become effective May 22, 1944.

(Pub. Laws 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. 1, 7 F.R. 562)

Issued this 22d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7306; Filed, May 22, 1944; 11:40 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 289,[1] Amdt. 1]

DAIRY PRODUCTS; CHEESE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 289 is amended in the following respects:

1. Section 1 (i) is added to read as follows:

(i) Limburger, Brick and Munster cheese.

2. Section 27 is added to read as follows:

SEC. 27. *Maximum prices for Limburger, Brick and Munster cheese.* (a) Sales by cheese factories or cheese makers, assemblers, primary wholesalers and service wholesalers.

(1) *In Wisconsin.* (i) The maximum prices for the sale of Limburger, Brick and Munster cheese conforming with the standards prescribed in paragraph (c) (8) (i), (ii) and (iii) respectively of this section, and delivered at any place in Wisconsin shall be the appropriate price set forth in Table A below:

TABLE A

[In cents per pound]

Sales and deliveries by	Limburger in "factory wrapped packages." See paragraph (b) (2)		Brick	Munster
	1 lb. and 2 lbs.	½ lb.		
Cheese factories or cheese makers (see par. (c) (7) (ii))	26	26¾	26¼	26¼
Assemblers (see par. (b) (i))	27½	28¼	27	27
Primary wholesalers	28½	29¼	27¾	28
Service wholesalers	32½	33¼	30¾	31

(ii) The maximum prices for the sale of Limburger, Brick and Munster cheese containing either more moisture or less milk fat, or more moisture and less milk fat than prescribed in paragraph (c) (8) (i), (ii) and (iii) respectively of this section, and delivered at any place in Wisconsin shall be the appropriate price set forth in Table B below and shall become effective 90 days after May 27, 1944.

TABLE B

[In cents per pound]

Sales and deliveries by—	Limburger in "factory wrapped packages." See paragraph (v) (2)		Brick	Munster
	1 lb. and 2 lbs.	½ lb.		
Cheese factories or cheese makers (see par. (c) (7) (ii))	12	12¾	12	12
Assemblers (see par. (b) (i))	13½	14¼	12¾	12¾
Primary wholesalers	14¼	15	13¾	13½
Service wholesalers	16¼	17	14¾	15

(2) *Outside Wisconsin.* The maximum price for the sale of cheese delivered at any place outside of Wisconsin shall be the appropriate price set forth in Table A or B above plus the lowest published railroad carlot freight rate per pound gross weight from the applicable point named below to the place of delivery multiplied by 1.15:

From Monroe, Wisconsin for Limburger
From Plymouth, Wisconsin for Brick and Munster.

In calculating the transportation charge the 3% transportation tax imposed by section 620 of the Revenue Act of 1942 shall be included.

(b) *General provisions*—(1) *Transportation charges; cheese factory to assembler.* (i) In addition to the maximum prices established in paragraph (a), a cheese assembler may compensate any cheese factory, cheese maker, or other person who hauls cheese from the cheese factory to the assembler's warehouse for such hauling services. The maximum price which may be paid by a cheese assembler or charged by a cheese factory or hauler or other carrier for this service may not exceed the appropriate price set forth in Table C below. This price must be based on the actual distance from the cheese factory to the assembler's warehouse. The distance between the cheese factory and the assembler's warehouse shall be computed via the shortest publicly traveled route.

TABLE C

Miles (one way), not over—	Cents per 100 lbs. net weight	Miles (one way), not over—	Cents per 100 lbs. net weight
5	17	120	46
10	18	130	47
15	20	140	49
20	21	150	51
25	23	160	53
30	24	170	55
35	26	180	56
40	27	190	58
45	29	200	60
50	30	210	62
55	31	220	63
60	32	230	65
65	34	240	66
70	35	250	68
75	36	260	69
80	37	270	71
85	38	280	72
90	40	290	74
100	42	Over 290	75
110	44		

(ii) Except that if the hauling service is performed by a common or a contract carrier, the maximum price for such hauling service shall be the appropriate published rate of such carrier,

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1433, 1534, 2233, 2826, 3081, 3518, 3579, 3847, 3944, 4350, 4474, 4880.

*Issued 3-6-44, 9 F.R. 2558.

[1] 8 F.R. 865, 2858, 4627, 9456, 12611, 9 F.R. 2212.

[1] 9 F.R. 2135, 2289, 3649, 3072, 3947, 4440.

(iii) An assembler who, either with his own truck or by other means, performs the hauling service from the factory to the assembling warehouse, may not pay the allowable hauling charge or any portion thereof to any person not actually performing the service; and no person, including factory, cheese maker, trustee, or any agent thereof, may charge or accept any payment for such service which is in fact performed by the assembler or his agent.

(2) *Special wrapping of Limburger cheese.* When a "factory wrapped package" of Limburger cheese is further wrapped with a special outside wrapper, marked with the net weight of the cheese, the person performing the special outside wrapping service may increase his established maximum price by ½ cent for each ½ lb. package and 1 cent for each 1 pound and 2 pound package; *Provided, however,* Only one special wrapping charge may be added to the basic maximum prices set forth in Table A and Table B of paragraph (a).

Example: If a one pound package of cheese is specially wrapped at the cheese factory the maximum price in Table A at the cheese factory shall be increased from 26¢ to 27¢ and the respective maximum prices on one pound packages for assemblers, primary wholesalers and service wholesalers shall likewise be increased one cent; or if the pound package is specially wrapped by a primary wholesaler, his maximum price shall be increased from 28½ cents to 29½ cents and the maximum price for service wholesalers shall likewise be increased one cent, but the maximum prices for cheese factories and assemblers shall not be increased.

(3) *Allowances and fees.* (i) The maximum prices established in paragraph (a) shall not be increased by brokerage fees, commissions or other charges not specifically authorized by this paragraph (b).

(ii) When a person described in paragraph (a) employs a person in the brokerage of cheese, the provisions of Maximum Price Regulation 165 [2] shall apply. The fee established by that regulation shall be paid without increasing any of the maximum prices established in paragraph (a).

(4) *Calculations.* All calculations of any transportation rate or charge and of any maximum price established by this section shall be made on a cents per pound basis and shall be carried to the second decimal point. The price per pound (carried to the second decimal point) shall be multiplied by the number of pounds sold and the total price then adjusted to the nearest cent, or the next higher cent where the total price ends with a decimal of $.0050.

(5) *Maximum prices for sales at retail by factories, assemblers and wholesalers.* (i) The maximum price for the sale at retail of any cheese delivered at any place by a cheese factory, cheese maker, assembler, primary wholesaler or service wholesaler, shall be the appropriate maximum price established in that place for a sale by a cheese factory plus 27 percent.

(ii) No sale to any person of a quantity in excess of 12 pounds by a cheese factory or cheese maker, or in excess of 5 pounds by other sellers shall be considered a sale at retail.

(6) *Maximum prices in places not on railroad line or siding.* The maximum price for the sale of any cheese delivered in a place not on a railroad line or siding shall be the maximum price for a similar sale of that cheese in the nearest place that is located on a railroad line or siding. *Provided, however,* Where the latter place is more than 50 miles from the place of delivery, transportation costs from that place to the place of delivery, not to exceed the lowest common carrier rate where one exists may be added.

(7) *Maximum prices for sales not already provided for.* The maximum price for the sale or delivery in any place of any cheese described in this section for which a maximum price is not established by this section shall be the maximum price established for "Sales by cheese factories" of that particular cheese in that place by paragraph (a) of this section except that where the requirements of paragraph (c) (1) of this section are satisfied, the appropriate price established for assemblers shall be the maximum price.

(8) *Special provisions for records and reports.* The provisions of section 5 shall apply to all sales of cheese as described in this section other than those by a cheese factory or cheese maker to an assembler. However, for all such latter sales the cheese factory or cheese maker shall preserve for inspection by the Office of Price Administration for so long as the Emergency Price Control Act, as amended, remains in effect, remittance statements furnished to the cheese factory or cheese maker by the assembler.

(c) *Definitions*—(1) *"Assembler"* means a person who accumulates cheese and grades it in accordance with legal requirements, or, in the absence of such requirements, in accordance with customary industry practices; stores it in a refrigerated space; paraffins (if not already paraffined) or otherwise prepares it for shipment, weighs, packs and customarily ships it.

(i) No person shall be entitled to charge the maximum prices established for "assemblers" unless he performs all of the above described functions.

(ii) The prices established for "assemblers" shall include transportation costs, if any, from the cheese factory or cheese maker to the assembling warehouse, whether the assembling warehouse is located inside or outside the State of Wisconsin.

(2) *"Delivered at any place."* The phrase, "delivered at any place" comprehends all sales whether made on the basis of actual delivery to the point of shipping destination or on the basis of f. o. b. shipping point or some other point. Sales f. o. b. any point shall be considered "delivered" at that point.

(3) "Factory wrapped packages" means pieces of partially cured Limburger cheese which have been wrapped at the cheese factory with parchment, Manila paper and lead-tin foil or otherwise according to customary trade practice.

(4) "Place" means any city, town, village or hamlet within the United States.

(5) "Primary wholesaler" means a person who sells to a wholesaler or to a retailer distributing warehouse, or who sells to, and makes delivery of cheese in large lots (as stated below) to the physical premises of, an individual retail store or individual commercial, industrial, institutional or federal or non-federal governmental users:

Limburger, in lots of more than 15 pounds.
Brick, in lots of more than 20 pounds.
Munster, in lots of more than 20 pounds.

(No assembler, however, shall be considered a primary wholesaler as to any cheese sold to a processor for processing.)

(6) The physical premises of an individual retail store means the place where the cheeses described in this section are sold to ultimate household users. The physical premises of individual commercial, industrial, institutional or federal or non-federal governmental users means the place where such cheeses are consumed by such users.

(7) "Retailer distributing warehouse" means a place where cheese is received and held for disposition to retail stores. Chain store warehouses and retailer owned cooperative warehouses are included in the meaning of "retailer distributing warehouse."

(8) "Service wholesaler" means a person who sells to, and makes delivery of cheese in small lots (as stated below) to the physical premises of, an individual retail store or individual commercial, industrial, institutional or federal or non-federal governmental users:

Limburger, in lots of 15 pounds or less.
Brick, in lots of 20 pounds or less.
Munster, in lots of 20 pounds or less.

(i) No person shall be deemed a "service wholesaler" unless he owns or maintains a warehouse in the marketing area in which the physical premises of the above described purchasers are located. The physical premises of an individual retail store means the place where the cheeses described in this section are sold to ultimate household users. The physical premises of an individual commercial, industrial, institutional, or federal or non-federal governmental users means the place where such cheeses are consumed by such users.

(ii) The maximum prices established for "service wholesalers" shall not apply to any sale by a cheese factory or cheese maker or association of cheese factories or cheese makers to any purchaser described in this subparagraph (7) whose physical premises are located

(*a*) At a point on or east of the 99th meridian and more than 50 miles from the place where the cheese factory is located, or

(*b*) At a point west of the 99th meridian and more than 100 miles from the place where the cheese factory is located,

[2] 7 F.R. 165, 4734, 5028, 5567, 6428, 6966, 6239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6364, 8506, 8873, 10671, 10939, 11754, 12023, 12710, 13302, 13472, 14990; 9 F.R. 1819.

where the sale or delivery is made by, through, or with the assistance of any agent, commission salesman, or trucking or hauling agent or contractor. For any such sales, the maximum price shall not exceed the appropriate maximum price in that place for a sale by a cheese factory or cheese maker for the particular type of cheese as established in paragraph (a) of this section, plus the total of the exact sums paid by the cheese factory, cheese maker or association, to the agent, commission salesman and trucking or hauling agent or contractor for making the sale to the purchaser, and for performing "local transportation services". *Provided, however,* That in no case may the maximum price exceed the appropriate maximum price established in paragraph (a) for "primary wholesalers", or, in the event the cheese factory, cheese maker or association owns or maintains a warehouse in the marketing area and sales and deliveries are made in small lots as prescribed in this subparagraph (7), in no case may the maximum price exceed the appropriate maximum price established in paragraph (a) for "service wholesalers". "Local transportation services" means and is limited to, the actual distance traversed from the railroad siding in, or point of entrance to, the city, town, village, or hamlet in which the physical premises of the purchaser are located, to such physical premises.

(8) The maximum prices in Table A of paragraph (a) are for cheeses covered by the definitions set forth below which definitions are for the purpose of establishing standards of identity for specific pricing; *Provided, however,* The prescribed moisture and milk fat standards shall become effective 90 days after May 27, 1944.

(i) *Limburger cheese.* The food product commonly known as Limburger cheese, a soft smear ripened cheese with a strong and characteristic odor and taste, is prepared from cow's milk by the following process:

Milk may or may not be pasteurized. It may be standardized to adjust the fat content by removing a portion of the fat, by the adding of skim milk, or by adding cream. The milk is warmed, when necessary, and subjected to the action of harmless lactic acid forming bacteria present in such milk or which may be added. Sufficient rennet is then added to cause setting to a semi-solid mass. The mass is so cut, stirred, and heated as to promote separation of whey and curd. The final cooking temperature is about 96° F. When the curd is sufficiently firm about one-half of the whey is removed. The curd and whey remaining in the vat is stirred and immediately dipped into forms or molds. (Another method requires draining practically all of the whey and the addition of salt brine to the curd in the vat before dipping.) The forms containing the cheese are usually turned at regular intervals during the first day, and a slight pressure may or may not be applied to the cheese. The cheeses may or may not be cut before being placed on a salting table where they are rubbed with dry salt two or three times during the first 48 hours. The cheeses are then placed in a curing room at a temperature of about 60° F. having a relative humidity of about 95 percent. To develop and control the proper rind smear each cheese is washed in a weak brine solution about every other day until proper color and smear are obtained, which usually requires about 12 days. The cheese is wrapped in parchment, wax and foil, and placed in a cold room for further curing or until shipped. The cheese contains not more than 48 percent of moisture and its solids contain not less than 50 percent of milk fat.

(ii) *Brick cheese.* The food product commonly known as Brick cheese is prepared from cow's milk by the following process:

Milk may or may not be pasteurized. It may be standardized to adjust the fat content by removing a portion of the fat, by adding skim milk, or by adding cream. The milk is warmed, when necessary, and subjected to the action of harmless lactic acid forming bacteria which may be present in the milk or which may be added. Sufficient rennet or other suitable coagulant is added to cause setting to a semi-solid mass. This mass is so cut, stirred, and heated as to promote separation of the whey and curd. The final cooking temperature is about 108° F. When the curd is sufficiently firm about one-half of the whey is removed. The whey and curd remaining in the vat is again stirred and immediately dipped into forms or molds. (Another method requires draining practically all of the whey and the addition of salt brine to the curd in the vat before dipping.) The forms containing the cheese are then turned at regular intervals during the first day and a slight pressure may or may not be applied to the cheese. The cheeses are then salted. They may be dry salted or immersed in brine. They are then placed on shelves in a curing room having a temperature of about 65° F. and a relative humidity of about 85 percent. The cheeses are then washed frequently in a weak brine solution over a period of about 12 days. The cheeses are usually paraffined or waxed, wrapped in parchment or suitable moisture resistant wrapper and then with an overwrap of suitable paper and packed in boxes for further holding or for shipment. The cheese contains not more than 43 percent of moisture and its solids contain not less than 50 percent of milk fat.

The term Brick cheese includes a pasteurized cured Brick cheese made by approximately the same process, including, but not limited to Beer Kaese cheese and cheese sold under such names as Bier Kase, Lager Kase, Baummeister, Milltown Bar and Beer Cheese, which cheese contains not more than 43 percent of moisture and its solids contain not less than 50 percent of milk fat.

(iii) *Munster cheese.* The food product commonly known as Munster cheese, also known as Muenster cheese is prepared from cow's milk by the following process:

Milk may or may not be pasteurized. It may be standardized to adjust the fat content by removing a portion of the fat, by adding skim milk, or by adding cream. The milk may be warmed, when necessary, and subjected to the action of harmless lactic acid forming bacteria which may be present in the milk or which may be added. Sufficient rennet is added to cause setting to a semi-solid mass. The mass is cut into small cubes and stirred gently for a few minutes and then allowed to settle. The final cooking temperature is usually higher than the setting temperature. When the curd is sufficiently firm and there is a slight development of acid the whey is removed and the curd is dipped into perforated round or oblong hoops or forms.

The forms containing the cheese are turned several times at regular intervals during the first day. It is then taken out of the hoop and rubbed with dry salt about 3 days in succession, or it can be brine salted. The cheese is then transferred to the ripening cellar which should have a uniform temperature of about 55° F. and a relative humidity of about 75 percent. During the ripening period the cheese is usually kept on shelves and turned about twice a week. The rind of the cheese is usually colored by dipping in a vegetable coloring matter or by applying the color to the surface of the cheese. It is then wrapped in parchment or moisture resistant material and packed in boxes. The cheese contains not more than 44 percent of moisture and its solids contain not less than 50 percent of milk fat.

(d) Reference to other maximum price regulations governing sales of cheese:

(1) Sales at retail shall be priced under the provisions of Maximum Price Regulation Nos. 422 [3] and 423.[4]

This amendment shall become effective May 27, 1944, except as provided in paragraphs (a) (1) (ii) and (c) (8).

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7307; Filed, May 22, 1944; 11:39 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 289 [1], Amdt. 2]

DAIRY PRODUCTS; CHEESE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 289 is amended in the following respects:

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 2135, 2289, 3649, 3072, 3947, 4440.

[3] 8 F.R. 9395, 10569, 10987, 12243, 12611, 13294, 14853, 15251, 15586, 15607, 17369, 17370; 9 F.R. 95, 3510, 3648, 4017, 4214, 4434.

[4] 8 F.R. 9407, 10570, 10988, 12443, 12611, 13294, 14854, 15587, 15608, 16031, 17371; 9 F.R. 95, 3510, 3648, 4017, 4217, 4434.

Section 1 (j) is added to read as follows:

(j) Colby cheese, washed curd cheese, soaked curd cheese, and skim milk cheese.

Section 28 is added to read as follows:

SEC. 28. *Maximum prices for Colby cheese, washed curd cheese, soaked curd cheese, and skim milk cheese*—(a) *Sales by manufacturers and assemblers*—(1) *Sales by a cheese factory or cheese maker*—(i) *In Wisconsin.* The maximum price for the sale of Colby cheese, washed curd cheese, soaked curd cheese and skim milk cheese by a cheese factory or cheese maker delivered at any place in Wisconsin shall be the appropriate price set forth in Table A below:

TABLE A

[In cents per pound]

Styles and approximate weight (in pounds)	Colby cheese	Washed or soaked curd cheese	Skim milk cheese
Cheddars, twins and larger, 70 or more	26¼	25¾	12
Flats, 35	26¾	26	12½
Double Daisies, 44	27	26¼	12⅝
Triple Daisies, 66	27	26¼	12½
Single Daisies, 22	27½	26⅝	13
Longhorns, 12	27½	26⅝	13
Young Americas, 12	27½	26⅝	13
Picnics and Midgets, 12	27¾	27	13¼
Square Prints, 10	27¾	27	13¼
Natural Loaf and Smaller Styles, 5 or less	27¾	27	13¼

(ii) *Outside Wisconsin.* The maximum price for the sale of cheese described in this section by a cheese factory or cheese maker delivered at any place outside Wisconsin shall be the appropriate price set forth in Table A above plus a "transportation factor".

(iii) The prices in the preceding subdivisions (i) and (ii) are prices for unparaffined, ungraded, bulk cheese as described in this section packed in boxes customarily employed for the particular styles listed in Table A.

(iv) *Marking of date and place of manufacture.* On and after May 27, 1944 every person engaged in the manufacture of cheese shall mark plainly and conspicuously on the side of such cheese before it leaves the cheese factory, with dark colored vegetable ink, the name of the state in which the cheese has been manufactured and the day, month, and year of manufacture.

(2) *Transportation charges; cheese factory to assembler.* (i) In addition to the maximum prices established in subparagraph (1) of this paragraph, a cheese assembler may compensate any cheese factory, cheese maker, or other person who hauls cheese from the cheese factory to the assembler's warehouse for such hauling services. The maximum price which may be paid by a cheese assembler or charged by a cheese factory or hauler or other carrier for this service may not exceed the appropriate price set forth in Table B below. This price must be based on the actual distance from the cheese factory to the assembler's warehouse. The distance between the cheese factory and the assembler's warehouse shall be computed via the nearest publicly traveled route.

TABLE B

Miles (one way), not over—	Cents per 100 lbs. net weight	Miles (one way), not over—	Cents per 100 lbs. net weight
5	17	120	46
10	18	130	47
15	20	140	49
20	21	150	51
25	23	160	53
30	24	170	55
35	26	180	56
40	27	190	58
45	29	200	60
50	30	210	62
55	31	220	63
60	32	230	65
65	34	240	66
70	35	250	68
75	36	260	69
80	37	270	71
85	38	280	72
90	40	290	74
100	42	Over 290	75
110	44		

(ii) *Provided,* That if the hauling service is performed by a common or a contract carrier, the maximum price for such hauling service shall be the appropriate published rate of such carrier.

(iii) An assembler who, either with his own truck or by other means, performs the hauling service from the factory to the assembling warehouse, may not pay the allowable hauling charge or any portion thereof to any person not actually performing the service; and no person, including factory, cheese maker, trustee, or any agent thereof, may charge or accept any payment for such service which is in fact performed by the assembler or his agent.

(3) *Assembling costs.* (i) Whenever assembling operations are performed by an assembler, ¾ cents per pound may be added to the maximum prices established in subparagraph (1) of this paragraph for each pound of cheese so assembled.

(ii) For the purpose of this paragraph, no person shall be entitled to the additional assembling allowance unless he performs all of the following functions; accumulates cheese; grades it in accordance with legal requirements, or, in the absence of such requirements, in accordance with customary industry practices; paraffins (if not already paraffined) or otherwise prepares it for shipment, weighs it; stores it in a refrigerated space; and customarily ships it. For the purpose of this subparagraph paraffining means a covering of all surfaces of the cheese by dipping in paraffin having a temperature of not less than 240° Fahrenheit. The cheese, before paraffining, must have dry, clean surfaces free of mold and be not less than 3 days old at the time of dipping.

(iii) This assembly allowance shall include transportation costs, if any, from the cheese factory to the assembling warehouse, whether the assembling warehouse is located inside or outside the State of Wisconsin.

(b) *Sales by wholesalers*—(1) *Sales by a "primary wholesaler"*—(i) *Definition.* A "primary wholesaler" is a person who sells to a wholesaler or to a retailer distributing warehouse. (No assembler, however, shall be considered a primary wholesaler as to any cheese sold to a processor for processing.)

(ii) *In Wisconsin.* The maximum price for the sale of any "cheese item" by a "primary wholesaler" delivered at any place in Wisconsin shall be the appropriate price set forth in Table C below:

TABLE C

[In cents per pound]

Styles (see table A for weights)	Colby cheese	Washed or soaked curd cheese	Skim milk cheese
Cheddars, Twins and larger	27.79	27.03	13.00
Flats	28.05	27.28	13.26
Double and Triple Daisies	28.30	27.54	13.51
Single Daisies, Longhorns and Young Americas	28.81	28.05	14.02
Picnics, Midgets, Square Prints, and Natural Loaf and smaller	29.07	28.30	14.28

(iii) *Outside Wisconsin.* The maximum price for the sale of any "cheese item" by a "primary wholesaler" delivered at any place outside Wisconsin shall be the appropriate price set forth in Table C above plus a "transportation factor".

(2) *Sales by a "service wholesaler"*—(i) *Definition.* A "service wholesaler" is a person who sells to, and makes delivery to the physical premises of, an individual retail store or an individual commercial, industrial, institutional, or non-federal governmental user. No person shall be deemed a "service wholesaler" unless he owns or maintains a warehouse in the marketing area in which the physical premises of the above described purchaser are located. The physical premises of an individual retail store means the place where "cheese items" are sold to ultimate household users. The physical premises of individual commercial, industrial, institutional, or non-federal governmental users means the place where "cheese items" are consumed by such users.

(ii) *In Wisconsin.* The maximum price for the sale of any "cheese items" by a "service wholesaler" delivered to the physical premises of a purchaser, (designated in subdivision (i) of this subparagraph) at any place in Wisconsin shall be as set forth in Table D below:

TABLE D

[In cents per pound]

Styles (see table A for weights)	Colby cheese	Washed or soaked curd cheese	Skim milk cheese
Cheddars, twins and larger	30.24	29.41	14.15
Flats	30.52	29.69	14.43
Double and Triple Daisies	30.80	29.97	14.70
Single Daisies, Longhorns, and Young Americas	31.35	30.52	15.26
Picnics, Midgets, Square Prints and Natural Loaf and smaller	31.63	30.80	15.51

(iii) *Outside Wisconsin.* The maximum price for the sale of any "cheese item" by a service wholesaler delivered to the physical premises of a purchaser (designated in subdivision (i) of this subparagraph), at any place outside Wisconsin shall be the appropriate price set forth in Table D above plus a "transportation factor".

(iv) The maximum prices established in subdivisions (ii) and (iii) of this subparagraph shall not apply to any sale by a cheese factory or association of cheese factories to any purchaser whose physical premises are located:

(*a*) At a point on or east of the 99th meridian and more than 50 miles from the place where the cheese factory is located, or

(*b*) At a point west of the 99th meridian and more than 100 miles from the place where the cheese factory is located

where the sale or delivery is made by, through, or with the assistance of any agent, commission salesman, or trucking or hauling agent or contractor. For any such sales, the maximum price shall not exceed the maximum price in that place for a sale by a cheese factory of the particular "cheese item" sold as established in paragraph (a) (1) of this section, plus an assembling allowance of ¾ cents per pound (if the cheese has been assembled by an assembler), plus the total of the exact sums paid by the cheese factory or association to the agent, commission sales man, and trucking or hauling agent or contractor for making the sale to the purchaser, and for performing "Local transportation services". *Provided, however,* That in no case may the maximum price exceed the maximum price established in Table C of paragraph (b) (1) of this section, or, in the event a cheese factory, cheese maker or association owns or maintains a warehouse in the marketing area, in no case may the maximum price exceed the maximum price established in Table D of this subparagraph (2). "Local transportation services" means and is limited to, the actual distance traversed from the railroad siding in, or point of entrance to, the city, town, village, or hamlet in which the physical premises of the purchaser are located to such physical premises.

(3) *Sales by a cash and carry wholesaler*—(i) *Definition.* A "cash and carry wholesaler" is a person who sells to and does not make delivery to the physical premises of an individual retail store or to an individual commercial, industrial, institutional or non-federal governmental user. No person shall be deemed a "cash and carry wholesaler" unless he owns or maintains a warehouse within a distance of 50 miles from the physical premises of the above described purchaser. The physical premises of an individual retail store means the place where "cheese items" are sold to ultimate household users. The physical premises of individual commercial, industrial, institutional, or non-federal governmental users means the place where "cheese items" are consumed by such users.

(ii) *In Wisconsin.* The maximum price for the sale of any "cheese item" by a "cash and carry wholesaler" delivered at any place in Wisconsin shall be as set forth in Table E below:

TABLE E

[In cents per pound]

Styles (see table A for weights)	Colby cheese	Washed or soaked curd cheese	Skim milk cheese
Cheddars, twins and larger	29.15	28.35	13.64
Flats	29.42	28.62	13.91
Double and Triple Daisies	29.69	28.89	14.17
Single Daisies, Longhorns, and Young Americas	30.22	29.42	14.71
Picnics, Midgets, Square Prints, and Natural Loaf and smaller	30.49	29.69	14.98

(ii) *Outside Wisconsin.* The maximum price for the sale of any "cheese item" by a "cash and carry wholesaler" delivered at any place outside Wisconsin shall be the appropriate price set forth in Table E above plus a "transportation factor."

(4) *Reference to assembling allowance.* (i) The maximum prices established in subparagraphs (1), (2), and (3) of this paragraph (b) for sales "by wholesalers" are for any "cheese item" which has been assembled by an assembler in accordance with the requirements of paragraph (a) (3) of this section.

(ii) The maximum price for the sale of any "cheese item" by a wholesaler which has not been assembled by an assembler in accordance with the requirements of paragraph (a) (3) of this section shall be the appropriate maximum price established in subparagraphs (1), (2), or (3) of this paragraph (b) minus ¾¢ per pound.

(c) *Sales and deliveries to individual army posts, naval bases, or Federal hospitals, schools, or penal institutions*—(1) *In Wisconsin.* The maximum price for the sale of any "cheese item" where delivery is made to the physical location of, an individual army post or naval base, or a Federal hospital, school, or penal institution located at any place in Wisconsin shall be as follows:

(i) For sales and deliveries of quantities of less than carload lots but more than 5,000 pounds, the maximum prices set forth in Table F below:

TABLE F

[In cents per pound]

Styles (see table A for weights)	Colby cheese	Washed or soaked curd cheese	Skim milk cheese
Cheddars, twins and larger	27.79	27.03	13.00
Flats	28.05	27.28	13.26
Double and Triple Daisies	28.30	27.54	13.51
Single Daisies, Longhorns, and Young Americas	28.81	28.05	14.02
Picnics, Midgets, Square Prints, and Natural Loaf and smaller	29.07	28.30	14.28

(ii) For sales and deliveries of quantities of 5,000 pounds or less, the maximum prices set forth in table G below:

TABLE G

[In cents per pound]

Styles (see table A for weights)	Colby cheese	Washed or soaked curd cheese	Skim milk cheese
Cheddars, twins and larger	29.15	28.35	13.64
Flats	29.42	28.62	13.91
Double or Triple Daisies	29.69	28.89	14.17
Single Daisies, Longhorns, and Young Americas	30.22	29.42	14.71
Picnics, Midgets, Square Prints, and Natural Loaf and smaller	30.49	29.69	14.98

(2) *Outside Wisconsin.* And, *Provided further,* The maximum price for the sale of any "cheese item" made to, and delivery made to the physical premises of, an individual army post or naval base, or a Federal hospital, school, or penal institution located at any place outside Wisconsin shall be the appropriate price in either Table F or Table G above, whichever is applicable, plus a "transportation factor".

(d) *Calculations.* All calculations of any "transportation factor" and of any maximum price established by this section shall be made on a cents per pound basis and shall be carried to the second decimal point. The prices per pound carried to the second decimal point shall be multiplied by the number of pounds sold and the total price then adjusted to the nearest cent, or the next higher cent where the total price ends with a decimal of $.005.

(e) *Discounts and allowances.* The maximum prices established in the foregoing paragraphs of this section shall not be increased by brokerage fees, commissions or other charges.

(f) *Evasive practices prohibited*—(1) *Used cheese boxes.* The maximum prices established by this section shall not be evaded by the selling or furnishing of used cheese boxes at less than their true economic value by any buyer of a "cheese item" or his agent or affiliate to any seller of a "cheese item" or his agent or affiliate. Any sale of used cheese boxes by a buyer of a "cheese item", his agent or affiliate to a seller of a "cheese item", his agent or affiliate at any price less than the prices established in Table H below shall be considered prima facie evidence of an evasion of the maximum prices established by this section.

TABLE H

Used boxes for—	F. o. b. assembling warehouse	Delivered to cheese factory
	Cents	*Cents*
Twins and Cheddars	20	21
Single Daisies	12	13
Longhorns	17	18
Flats	14	15

(2) *Supplies.* No buyer of a "cheese item," his agent or affiliate, shall sell, lend, or otherwise transfer supplies or equipment, except cheese hoops, to a seller of a "cheese item", his agent or affiliate at less than the true value of such supplies and equipment. Any sale or transfer contrary to the provisions of this subparagraph is an evasion of paragraph (a) (1) of this section and is hereby prohibited.

(3) The practices described in subparagraphs (1) and (2) of this paragraph as evasions of this regulation are in addition to any evasive practices prohibited by section 6 of this regulation.

(g) *Special provisions for records and reports.* The provisions of section 5 shall apply to all sales of cheese as described in this section other than those by a cheese factory or cheese maker to an assembler. However, for all such latter sales the cheese factory or cheese maker shall preserve for inspection by the Office of Price Administration for so long as the Emergency Price Control Act, as amended, remains in effect, remittance statements furnished to the cheese factory or cheese maker by the assembler.

(h) *Maximum prices in places not on railroad line or siding.* The maximum price for the sale of any "cheese item" delivered in a place not on a railroad line or siding shall be the maximum price for a similar sale of that "cheese item" in the nearest place that is located on a railroad line or siding: *Provided, however,* Where the latter place is more than 50 miles from the place of delivery, transportation costs from that place to the place of delivery, not to exceed the lowest common carrier rate where one exists may be added.

(i) *Maximum prices for sales at retail by manufacturers, assemblers and wholesalers.* (1) The maximum price for the sale at retail of any "cheese item" delivered at any place by a cheese factory, cheese maker, assembler or wholesaler, shall be the appropriate maximum price established in that place for a sale of that "cheese item" by a retail store classified in Group 1 under Maximum Price Regulation No. 423.[2] (A Group 1 retail store is any independent retail store having a gross sales volume during 1942 of less than $50,000).

(2) No sale of a quantity in excess of 5 pounds shall be considered a sale at retail.

(j) *Maximum prices for "cut" cheese items.* (1) Whenever any "cheese item" prior to its sale or delivery is cut or sliced into pieces, cuts, or slices, the maximum price for the sale of any such pieces, cuts, or slices shall be the same as the maximum price for that "cheese item" from which the pieces, cuts, or slices are made.

(k) *Maximum prices for sales not already provided for.* (1) The maximum price for the sale or delivery in any place of any "cheese item" for which a maximum price is not established by any of the foregoing paragraphs of this section shall be the maximum prices established for "sales by a cheese factory" of that style in that place by paragraph (a)(1) of this section plus (where the requirements of paragraph (a)(3) of this section are satisfied) an assembling allowance of ¾¢ per pound.

(l) *Definitions*—(1) *Cheese item.* "Cheese item" means any style, form, size and color of any of the particular types of Colby cheese and of washed or soaked curd cheese and skim milk cheese listed in Tables C, D, E, F and G of this section.

(2) *"Delivered at any place".* The phrase, "delivered at any place" comprehends all sales whether made on the basis of actual delivery to the point of shipping destination or on the basis of f. o. b. shipping point or some other point. Any cheese item sold f. o. b. any point shall be considered "delivered" at that point.

(3) *Place.* "Place" means any city, town, village or hamlet within the United States.

(4) *Retailer distributing warehouse.* "A retailer distributing warehouse" is a place where cheese is received and held for disposition to retail stores. Chain store warehouses and retailer owned cooperative warehouses are included in the meaning of "retailer distributing warehouse".

(5) *Transportation factor.* A "transportation factor" means the lowest published railroad carlot freight rate per pound gross weight from Plymouth, Wisconsin, to the place of delivery multiplied by 1.15. In calculating transportation charges referred to in the foregoing paragraphs, the 3% transportation tax imposed by section 620 of the Revenue Act of 1942 shall be included.

(6) The maximum prices in this section are for cheese covered by the definitions set forth below. The definition for skim milk cheese is for the purpose of establishing standards of identity for specific pricing.

(i) *"Colby cheese",* means "Colby cheese" as defined in the "Standards of Identity for Cheddar cheese, cheese, washed curd cheese, soaked curd cheese, Colby cheese" promulgated by the Food and Drug Administration and published in the FEDERAL REGISTER of January 9, 1941, Page 196. It contains not more than 40% of moisture and its solids contain not less than 50% of milk fat.

(ii) *"Washed or soaked curd cheese",* means "washed curd cheese, soaked curd cheese" as defined in the "Standards of Identity for Cheddar cheese, cheese, washed curd cheese, soaked curd cheese, Colby cheese" promulgated by the Food and Drug Administration and published in the FEDERAL REGISTER of January 9, 1941, Page 196. It contains not more than 42% of moisture and its solids contain not less than 50% of milk fat.

(iii) "Skim milk cheese", means all cheese (including but not limited to Scarmorze cheese and Cacio Cavallo cheese) made from cows' milk by the Cheddar, washed curd, soaked curd, Colby, Monterey or Provolone processes described in subdivisions (*a*), (*b*) and (*c*) below, or by any minor variations of such processes and in any style, form and size, containing either more moisture or less milk fat, or, more moisture and less milk fat than moisture of 41% or milk fat of 50% in the water free substance: *Provided, however,* The following cheeses and cheese products are excluded from the provisions of this definition:

Processed cheese of all kinds.
Cheese foods and spreads.
Monterey cheese containing not more than 44% moisture and not less than 50% milk fat.
High moisture Jack cheese containing not more than 50% moisture and not less than 50% milk fat.
Provolone, Salami, Provolette and Provolone (Giant) cheese containing not more than 45% moisture and not less than 45% milk fat.
Baker's cheese.
Pot cheese.
Smearcase cheese.
Hand cheese.
Farmer's cheese.
Creamed cottage cheese, cottage cheese, cream cheese, Neufchatel cheese and all other cheese for which "Standards of Identity" have been promulgated by the Food and Drug Administration, or which are specifically priced in this Revised Maximum Price Regulation No. 289, or which may be specifically excepted from the provisions of this section, in writing, by the Office of Price Administration.

(*a*) The Cheddar, washed curd, soaked curd or Colby cheese process is as described in the "Standards of Identity for Cheddar cheese, cheese, washed curd cheese, soaked curd cheese, Colby cheese" promulgated by the Food and Drug Administration and published in the Federal Register of January 9, 1941, pages 195 and 196.

(*b*) The Monterey cheese process is as follows:

"Milk may or may not be pasteurized. It may be standardized to adjust the fat content by removing a portion of the fat, by adding skim milk, or by adding cream. The milk is warmed, when necessary, and subjected to the action of harmless lactic acid forming bacteria which may be present in the milk or which may be added. Sufficient rennet is added to cause setting to a semi-solid mass. This mass is so cut, stirred, and heated as to promote acid development and separation of the whey and curd. The final cooking temperature is about 110° F. About seventy minutes after heat is applied the whey is removed and the curd cooled by circulating cold water through the jacket of the vat or directly into the curd. The curd is then salted and placed in suitable forms of different sizes and shapes for pressing. The cheese is pressed for about 16 hours and then placed on shelves in the curing room at a temperature of about 60° F."

(*c*) The Provolone cheese process is as follows:

"Milk may or may not be pasteurized. It may be standardized by removing a portion of the fat or by adding skim milk. The milk is warmed, when necessary, and subjected to the action of harmless lactic acid forming bacteria which may be present in the milk or which may be added. A special rennet paste is used to set the milk to a semi-solid mass. This mass is so cut, stirred, and heated as to promote acid development and the separation of whey and curd. The final cooking temperature is about 125° F. When the curd is of the proper consistency it is molded into loaves which vary greatly in sizes and shapes, by dipping in hot water, then kneading and pulling until smooth and free from lumps and brittleness. It is then salted in brine and smoked. The cheese may be hung in warehouses or packed in specially constructed wooden crates for curing."

(m) Reference to other maximum price regulations governing sales of cheese:

(1) Except as provided in paragraph (i), sales at retail shall be priced under the provisions of Maximum Price Regulations Nos. 422[3] and 423.

This amendment shall become effective May 27, 1944, except that the effective date for skim milk cheese (other than skim milk cheese containing no milk fat) manufactured prior to the above effective date shall be 90 days after the effective date of this amendment, and for such 90 day period either the price for the cheese item established under the provisions of Maximum Price Regulation No. 280,[4] or, the prices established in this section for Colby cheese, whichever is lower, shall govern.

(56 Stat. 23, 765; Pub. Law 151, 78th Congress; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7306; Filed, May 22, 1944; 11:44 a. m.]

[2] 8 F.R. 9407, 10570, 10988, 12443, 12611, 13294, 14854, 15587, 15608, 16031, 17371; 9 F.R. 95, 3510, 3648, 4017, 4217, 4434.

[3] 8 F.R. 9395, 10569, 10987, 12243, 12611, 13294, 14853, 15251, 15586, 15607, 17369, 17370; 9 F.R. 95, 3510, 3648, 4017, 4214, 4434.

[4] 8 F.R. 5165, 7566, 8357, 7196, 7599, 7670, 8065, 8180, 9521, 9386, 9883, 10513, 11811, 13060, 13721, 16296, 16597, 16795; 9 F.R. 343, 753, 1622, 2238, 2176, 4027.

PART 1358—TOBACCO

[RMPR 532]

MARYLAND TOBACCO

Maximum Price Regulation No. 532 is redesignated Revised Maximum Price Regulation No. 532 and is revised and amended to read as follows:

In the judgment of the Price Administrator, the maximum prices established by this regulation are generally fair and equitable and will effectuate the purposes of, and comply with, the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328. So far as practicable, the Price Administrator has advised and consulted with the members of the industry which will be affected by this regulation.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected, or have previously been promulgated and their use lawfully required by another government agency.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

§ 1358.259 *Maximum prices for Maryland tobacco.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, Revised Maximum Price Regulation No. 532 (Maryland Tobacco) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1358.259 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

REVISED MAXIMUM PRICE REGULATION NO. 532—MARYLAND TOBACCO

CONTENTS

SEC.
1. Explanation of this regulation.
2. Compliance with this regulation.
3. General pricing provision.
4. Records and reports.
5. Export sales.
6. Petitions for amendment.
7. Geographical applicability.
8. Meaning of certain terms.

SECTION 1. *Explanation of this regulation.* This regulation establishes maximum prices that may be paid by a dealer, manufacturer or other purchaser for Maryland tobacco. It also establishes maximum prices that may be charged for sales of that tobacco.

"Maryland tobacco" means United States Type No. 32 tobacco (as specified in Regulatory Announcement No. 118 of the Bureau of Agricultural Economics, United States Department of Agriculture) of the 1943 crop, and of previous crops purchased or delivered after May 20, 1944.

SEC. 2. *Compliance with this regulation*—(a) *No buying or selling above maximum prices.* On and after May 20, 1944 regardless of any contract, lease or other obligation, no dealer or other purchaser shall buy or receive, or agree, offer, solicit or attempt to buy or receive, and no person, for whose sales of Maryland tobacco maximum prices are established by this regulation, shall sell or deliver, or agree, offer, solicit or attempt to sell or deliver any Maryland tobacco at prices higher than the appropriate maximum price established by this regulation. However, lower prices may be charged, paid, offered and received.

(b) *Evasion*—(1) *In general.* The price limitations in this regulation shall not be evaded, directly or indirectly, whether by commission, service, transportation or other charge or discount, premium or other privilege; or by tying agreement, by any change in manner of packing, or any business practice or trade understanding, or in any other way.

(2) *Specific practices which are evasions.* Specifically but not exclusively, the following practices are evasions:

(i) In the case of a dealer, making a separate charge for warehousing or for services in the purchase of Maryland tobacco on direct order or otherwise where no practice of separate charge has previously existed.

(ii) In the case of a dealer, reduction or elimination by the dealer of his customary discounts or initial credit terms allowed on his most recent sales of the 1941 crop to the same purchaser, or if he made no sales of the 1941 crop to the purchaser, reduction or elimination of his customary discounts or initial credit terms allowed on his most recent sales of the 1941 crop to purchasers of the same class, except where accompanied by a compensating reduction in his maximum price.

"Initial credit terms" means terms fixing the time for payment of the purchase price agreed to by the dealer and buyer at or prior to delivery of the tobacco.

(c) *Penalties for violations.* Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

(d) *Licensing.* The provisions of Licensing Order No. 1,[1] licensing all persons who make sales under price control, apply to all sellers (except growers) of Maryland tobacco. A seller's license may be suspended for violations of the license or of one or more applicable price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 3. *General pricing provisions*—(a) *Maximum prices for dealer's sales of Maryland tobacco purchased on the loose leaf or hogshead markets or otherwise*—(1) *Tobacco purchased on direct order.* For Maryland tobacco purchased on the loose leaf or hogshead markets or otherwise on direct order by dealers, the dealer's maximum price shall be an amount figured as follows:

(i) Divide his highest selling price per pound on his similar sales of the 1941 crop to purchasers of the same class by his purchase price per pound of the tobacco thus sold.

(ii) Multiply his purchase price per pound farm weight for the tobacco being priced by the figure obtained in (i) above. The resulting figure is the dealer's maximum price.

NOTE: Definitions of "selling price" and "purchase price" follow subparagraph (2) below.

(2) *Tobacco purchased other than on direct order.* For a dealer's sales of Maryland tobacco purchased on the loose leaf or hogshead markets or otherwise (other than on direct order) the dealer's maximum price shall be an amount figured as follows:

(i) The dealer shall ascertain his average purchase price per pound for his purchases of the 1941 crop by dividing the purchase price he paid for that crop by the number of pounds he purchased thereof.

(ii) The dealer shall ascertain his average selling price per pound for his sales of stemmed tobacco of the 1941 crop by dividing his total selling price for stemmed tobacco of that crop by the

* Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13240.

95, 3510, 3648, 4017, 4217, 4434.

size, containing either more moisture or

number of pounds of stemmed tobacco of that crop he sold.

(iii) The dealer shall ascertain his average selling price per pound for his sales of unstemmed tobacco of the 1941 crop by dividing his total selling price for unstemmed tobacco of that crop by the number of pounds of unstemmed tobacco of that crop he sold.

(iv) The dealer shall then ascertain his markup factor for sales of stemmed tobacco by dividing the resulting figure at (ii) by the resulting figure at (i), and his markup factor for his sales of unstemmed tobacco by dividing the resulting figure at (iii) by the resulting figure at (i).

(v) The dealer shall then multiply his weighted average purchase price per pound farm weight of the Maryland tobacco being priced by the appropriate markup factor obtained at (iv) according to whether the tobacco being priced is to be sold as stemmed or unstemmed tobacco. The resulting figure is the dealer's maximum price.

"Selling price" means the net amount paid to the dealer for the tobacco plus any discount allowed to the purchaser for prompt payment but exclusive of any transportation expense paid by the dealer for the account of the purchaser. In figuring a selling price under subparagraph (1), amounts paid to the dealer for tobacco purchased other than on direct order shall not be included. In figuring a selling price under subparagraph (2), amounts paid to the dealer for tobacco purchased on direct order shall not be included.

"Purchase price" means the price actually paid by the dealer in his purchase on the loose leaf or hogshead markets plus any discounts allowed to him for prompt payment but exclusive of any transportation expenses paid by him. In figuring a purchase price under subparagraph (1), amounts paid by the dealer for tobacco purchased other than on direct order shall not be included. In figuring a purchase price under subparagraph (2), amounts paid by the dealer for tobacco purchased on direct order shall not be included.

"Weighted average purchase price" means the total purchase price paid by the dealer for the Maryland tobacco being priced, divided by the total number of pounds of such tobacco purchased.

(b) *Maximum prices for Maryland tobacco.* The maximum prices which may be charged, demanded, offered, paid or received for Maryland tobacco purchased on and after May 20, 1944, on the loose leaf or hogshead markets or otherwise (except tobacco purchased from dealers in sales for which maximum prices are established under paragraphs (a) (1) and (2) above) shall not exceed $62.00 per hundredweight.

(c) *Dealers unable to determine maximum prices under paragraph (a).* If a dealer is unable to determine a maximum price under paragraph (a) above for a particular sale of Maryland tobacco purchased by him on the loose leaf or hogshead markets, he shall apply by letter to the Office of Price Administration, Washington, D. C., requesting that a maximum price, or a method for determining a maximum price for that sale be established. The letter shall set forth:

(1) The name and address of the dealer making the request.

(2) A description of the tobacco he wishes to sell, including a statement of the manner in which he has acquired it, its location, the quantity of tobacco involved, and the purchase price he has paid for it.

(3) The name and address of the buyer who proposes to purchase the tobacco.

(4) Any other pertinent information which the dealer desires to submit.

After receipt of the letter, the Office of Price Administration will by order establish a maximum price for such sale found to be in line with maximum prices established under paragraph (a) for similar sales of other dealers, or prescribe a method for determining such maximum price. Until a maximum price, or a method of determining a maximum price, is thus established, the dealer may deliver the tobacco but may not receive payment for it.

SEC. 4. *Records and reports.* (a) Every buyer of Maryland tobacco shall make and preserve for examination by the Office of Price Administration, for as long as the Emergency Price Control Act of 1942, as amended, remains in effect, records setting forth with respect to each purchase of such tobacco (1) the name of the seller and the date of purchase, (2) the total number of pounds purchased, (3) the purchase price paid, and (4) any other records of the same kind as he has customarily kept, relating to the prices he pays for Maryland tobacco after the effective date of this regulation.

(b) Every dealer for whose sales of Maryland tobacco maximum prices are established or a method for determining maximum prices is prescribed by this regulation, must make and keep available for inspection by the Office of Price Administration, for as long as the Emergency Price Control Act of 1942, as amended, remains in effect, records of the same kind as he has customarily kept relating to the prices he charges for and the persons to whom he sells that tobacco.

(c) Within 20 days after the close of the 1944 marketing season for Maryland tobacco, but in no event later than October 15, 1944, every purchaser and every warehouseman, dealer or other seller of Maryland tobacco shall file with the Office of Price Administration, Tobacco Section, Washington, D. C., a statement that no purchase or sale covered by this regulation was made by him at a price higher than the maximum price fixed by the regulation for that particular purchase or sale.

(d) Every dealer or purchaser of Maryland tobacco must submit to the Office of Price Administration any reports based on the records required to be kept by this section as may later be required, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SEC. 5. *Export sales.* The maximum price at which a person may export Maryland tobacco shall be determined in accordance with the Second Revised Maximum Export Regulation,[1] issued by the Office of Price Administration.

SEC. 6. *Petitions for amendment.* Any person seeking a general modification of this regulation may file a petition for amendment in accordance with Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

SEC. 7. *Geographical applicability.* The provisions of this regulation are applicable in the forty-eight states of the United States and the District of Columbia.

SEC. 8. *Meaning of certain terms.* (a) When used in this regulation, the term: (1) "Person" includes an individual, corporation, partnership, association or any other organized group of persons or the legal successor or representative of any of the foregoing, and includes the United States Government or any agency thereof, or any other government, or any of its political subdivisons or any agency of any of the foregoing.

(2) "1941 crop" means Type No. 32 tobacco grown during the 1941 growing season and sold and delivered during 1942.

(3) "1943 crop" means Type No. 32 tobacco grown during the 1943 growing season and sold or delivered after May 20, 1944.

(4) "Dealer" means any person who engaged in the business of buying Maryland tobacco on the loose leaf or hogshead markets for his own account or on direct order.

(5) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for sales to different purchasers or kinds of purchasers (for example, manufacturer, jobber, government agency, consumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, apply to other terms used in this regulation.

This regulation shall become effective May 20, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 20th day of May 1944.

CHESTER BOWLES,
Administrator.

Approved: May 19, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-7272; Filed, May 20, 1944; 3:57 p. m.]

[1] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036.

[2] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 3075.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 469,[1] Amdt. 7]

LIVE HOGS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 469 is amended in the following respects:

1. Section 7 (d) is amended by adding at the end thereof a sentence to read as follows:

In the event that the price charged or paid per cwt. for a lot of live hogs sold does not exceed the ceiling price, at the point of weighing of such lot of live hogs, for live hogs weighing more than 240 pounds each, the person weighing such lot of live hogs may write on the invoice of such sale or the receipt evidencing such sale the weight and number of hogs weighed in place of the information required by subdivisions (1) and (2) of this section 7 (d).

2. Section 8 (b) is amended by adding at the end thereof a sentence to read as follows:

The provisions of this paragraph (b) shall not supersede the provisions of paragraph (a) of this section with respect to a lot of live hogs sold where the price charged or paid per cwt. for such lot of live hogs does not exceed the ceiling price, at the point of weighing of such lot of live hogs, for live hogs weighing more than 240 pounds each.

3. Section 12 (a) is amended by adding at the end thereof a sentence to read as follows:

In the event that the price charged or paid per cwt. for a lot of live hogs sold does not exceed the ceiling price, at the point of weighing of such lot of live hogs, for live hogs weighing more than 240 pounds each, the invoice or receipt, whichever is used, may show the weight and number of hogs sold, and the price charged or received therefor, including all allowances and payments for all services rendered in connection with the sale, in place of the information required by subparagraphs (3), (4) and (5) of this section 12 (a).

4. Section 12 (b) is amended to read as follows:

(b) The invoice shall be delivered to the buyer or the receipt shall be delivered to the seller on the day of weighing of the hogs sold or on the day of delivery of the hogs to the buyer, whichever day is later; and no invoice shall be delivered to the buyer or receipt delivered to the seller until the person weighing the hogs has endorsed on the invoice or receipt the information required to be so endorsed by section 7 (d).

This amendment shall become effective as of May 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of May 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-7273; Filed, May 20, 1944; 3:57 p. m.]

PART 1375—EXPORT PRICES

[2d Rev. Maximum Export Price Reg.,[1] Amdt. 6]

IRON AND STEEL PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 8 (b) (2) (i) of the 2d Revised Maximum Export Price Regulation is amended to read as follows:

(i) The maximum price, including applicable extras, which would be applicable to a current sale of the product to the exporter by the supplier thereof: *Provided, however,* That such maximum price shall, in the case of "excess stock" exported by a "holder" or by a purchaser from a "holder," be the maximum delivered price at the port of exit established by § 1306.166 of Revised Price Schedule No. 49 for sale by a "holder" to a person acquiring such "excess stock" for use: but *Provided further,* That, until September 1, 1944, any person who had acquired and taken delivery of such "excess stock" before June 1, 1944 and who, prior to that date, had made a binding contract for the export sale thereof and had secured an export license or equivalent therefor, may export such "excess stock" in performance of such contract at a base maximum price equal to his supplier's maximum price in effect at the time he took delivery (the quoted terms having the meaning given to them in § 1306.166 of Revised Price Schedule No. 49); and

This Amendment No. 6 shall become effective June 1, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 22d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7309; Filed, May 22, 1944; 11:43 a. m.]

PART 1377—WOODEN CONTAINERS

[RMPR 195,[2] Amdt. 4]

INDUSTRIAL WOODEN BOXES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1377.151, the next to last sentence of the first paragraph is amended to read as follows:

It does not include cooperage products or parts, used containers or any wirebound boxes; nor does it include cut-to-size pallet or reel stock which can be priced as lumber under the appropriate lumber regulation.

This amendment shall become effective May 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7310; Filed, May 22, 1944; 11:43 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 123]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

Section 1394.8018 is added to read as follows:

§ 1394.8018 *Issuance of rations where board is served by Ration Currency Issuing Center.* Notwithstanding any other provisions of Ration Order 5C, a Board which is served by a Ration Currency Issuing Center may issue rations pursuant to the following:

(a) A Board or person issuing a ration on behalf of the Board shall only be required to make such notations upon registration cards, ration books, folders, applications, tire inspection records, gasoline deposit certificates, and ration evidences as shall be prescribed in any procedure approved by the Deputy Administrator in Charge of Rationing for the issuance of rations by a Ration Currency Issuing Center.

(b) In emergency cases, where to withhold a ration from the applicant pending issuance of the ration by a Ration Currency Issuing Center would result in a hardship upon the applicant, impede essential transportation or be contrary to the public interest, a Board may issue to the applicant one or more gasoline purchase permits or one or more coupons accompanied by an appropriate folder to provide all or part of the mileage or gallonage allowed by the Board. A Board may issue one or more gasoline purchase permits to provide the amount of gasoline allowed notwithstanding the fact that the total amount of gasoline allowed exceeds twenty gallons, provided that no gasoline purchase permit shall be issued for an amount in excess of ten gallons of gasoline or for a fractional part of a gallon.

[1] 8 F.R. 15937.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 12562, 13741, 13847, 9 F.R. 694, 1522, 2654, 5075.

[2] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036.

[1] 7 F.R. 9393; 8 F.R. 3529, 3843, 8180.

GROUP B—Continued

by the seller, the maximum price shall

ered in the Territory of Puerto Rico

(g) *Identification of textile products.*

This amendment shall become effective May 26, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 22d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7311; Filed, May 22, 1944; 11:40 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 34]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. Section 3.2 (b) is amended by adding the following at the end of the paragraph:

A processor who has reported on OPA Form R-1305 that he does not have processed foods on hand and that none were produced, acquired, sold, or transferred during his last reporting period, need not file a report for any subsequent period in which he does not operate. However, he must show on his last report on OPA Form R-1305 the month in which he will resume his operations and he must again file reports beginning with the month in which he resumes his operations.

2. Section 6.1 (b) is amended by adding the following at the end:

An industrial user who ceases to make an industrial use of processed foods (other than temporarily) is not regarded as an industrial user after he ceases.

This amendment shall become effective May 26, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320)

Issued this 22d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7312; Filed, May 22, 1944; 11:41 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791, 3032, 3513, 3579, 3708, 3710, 3947, 3944, 4026, 4351, 4475, 4604, 4818, 4876, 4881.

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 163,[1] Amdt. 38]

TEXTILE PRODUCTS IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 54 is amended to read as follows:

SEC. 54. *Maximum prices for textile products sold or delivered in the Territory of Puerto Rico*—(a) *Definitions.* When used in this section, the term:

(1) "Textile product" means a manufactured material or article consisting in chief part of wool or other animal fibre, cotton, rayon, silk, linen or synthetic textile fibre by whatever process manufactured, which falls within either Group A, Group B, or Group C, as listed below:

GROUP A

Piece goods, yard goods or pound goods, and all garments with the exception of headwear and footwear and garments enumerated in Group B or Group C.

GROUP B

Aprons.
Arm bands.
Awnings.
Bandanas.
Bath mats.
Bedspreads.
Belts.
Bibs.
Blankets.
Canvas.
Chair slip covers.
Cleaning rags.
Clothes lines.
Collars.
Comforts.
Couch slip covers.
Counterpanes.
Cuffs.
Curtains.
Diapers.
Dinner sets.
Dish cloths.
Doilies.
Drapes.
Dress arm shields.
Dresses (women's and misses') having a direct cost to the importer or factory price if locally produced of less than $5.00 each.
Duffel bags.
Dust shields for garments.
Dusting cloths.
Elastic.
Garters.
Fishing line.
Gloves.
Handkerchiefs.
Hosiery.
Hot dish holders.
Hot pot holders.
Infant's binders.
Laundry bags.
Luncheon sets.
Mantillas.
Mattress covers.
Mattress pads.

GROUP B—Continued

Men's suits having a direct cost to the importer or factory price if locally produced of more than $18.00 each.
Mittens.
Mops.
Mosquito nets.
Napkins.
Neckties.
Oilcloth.
Pillow cases.
Polishing cloths.
Quilts.
Rugs.
Scarfs.
Seat covers.
Sewing thread.
Sheets.
Shawls.
Shoe bags.
Shower curtains.
Slacks having a direct cost to the importer or factory price if locally produced of more than $5.00 each.
Sport coats having a direct cost to the importer or factory price if locally produced of more than $10.00 each.
Suspenders.
Table cloths.
Table pads.
Tape measures.
Ticking.
Toilet seat covers.
Towels.
Umbrellas.
Veils.
Wash cloths.
Wrapping twine-string.
Yarn.

GROUP C

Dresses (women's and misses') having a direct cost to the importer or factory price if locally produced of $5.00 or more each.

Dresses and suits (children's) sizes 12 or under in dresses and 16 or under in suits, having a direct cost to the importer, or factory price if locally produced, of more than $18.00 per dozen.

Ribbon-dress, laces, lace edgings, rick-racks, bias tape, garment bindings, embroidery and tape other than gummed or adhesive.

(2) "Job lot" means a single purchase of a group of units of textile products all of which in trade terms are "remnants", "shorts", "seconds", "Pound goods", "imperfects", "close outs", or "substandards".

(3) "Textile reference book" means a book containing the seller's descriptive entries of the stock which he has on hand and which he is offering for sale.

(4) "Reference stock number" means the numbers employed by the manufacturer or supplier and the seller to identify a textile product.

(5) "Class of textile products" means a group of units of a textile product all of which are identically priced and which are received in one delivery.

(6) "Custom tailor" and "dressmaker" means manufacturers who sell to ultimate consumers in their own establishment, garments manufactured by them to individual specifications and at the special order of such ultimate consumer.

(b) *Maximum prices for imported textile products.* Seller's maximum prices for imported textile products sold or delivered in the Territory of Puerto Rico shall be:

(1) For a product which is not part of a job lot and which has been imported by the seller, the maximum price shall be the direct cost to the importer multiplied by:

Group	Sales at wholesale	Sales at retail
A	1.20	1.50
B	1.25	1.60
C	1.25	1.75

(2) For a product which is not part of a job lot and which has not been imported by the seller:

(i) The maximum price at wholesale shall be the price paid for it by the seller if he purchased it before December 13, 1943, and the price which the importer is permitted to charge for it under this regulation if the seller purchased it on or after December 13, 1943.

(ii) The maximum price at retail shall be the price paid by the retailer multiplied by:

Group:	Sales at retail
A	$1.25
B	1.28
C	1.40

(3) For a product received in a job lot part of which job lot has been sold prior to December 13, 1943, the maximum price shall continue to be established in accordance with the General Maximum Price Regulation.[2]

(4) For a job lot sold intact as received the maximum price shall be computed by multiplying the direct cost of the job lot by the applicable multiplier in accordance with section 54 (b) (1).

(5) For each product received in a job lot, the maximum price shall be the price fixed by the seller, provided that the total of the prices charged for each product within the job lot in which the particular product was received, does not exceed the maximum price for the job lot, and provided that he notifies the Office of Price Administration of such prices in accordance with the requirements of section 54 (f).

(6) If a job lot consists of items falling within more than one of the groups of textile products set forth in section 54 (a) (1), the maximum price for the entire lot shall be computed by applying the lowest multiplier appropriate to any item in the lot.

(7) Notwithstanding the foregoing provisions, any seller who has continuously sold an imported textile product pursuant to the conditions and prices of a written resale price maintenance contract executed by him with the manufacturer prior to April 1942 without any deterioration in quality since that date may apply to the Director of the Office of Price Administration for an order permitting him and other sellers similarly situated to sell such product at the price specified in the contract, or at a price equal to the direct cost to the importer of such product multiplied by 1.67, whichever is lower.

(c) *Maximum prices at retail for locally manufactured textile products.* A seller's maximum prices for locally manufactured textile products sold or delivered in the Territory of Puerto Rico shall be:

(1) The maximum price at retail for a product which is not part of a job lot shall be the factory price paid by the retailer, multiplied by:

Group:	Sales at retail
A	$1.50
B	1.60
C	1.75

(2) The maximum price at retail for a product which is part of a job lot shall be the price fixed by the seller: *Provided*, That the total of the prices charged for each product within the job lot in which the particular product was received does not exceed the maximum price for the entire job lot determined in accordance with section 54 (c) (1): *And provided*, That he notifies the Office of Price Administration of such prices in accordance with the requirements of section 54 (f) as applicable.

(3) Sellers at retail of locally manufactured textile products shall request from the manufacturer a sales invoice showing the following information: (i) date of the sale, (ii) number and description of units sold, (iii) the price charged per unit or in the sale of a job lot the price charged for the entire lot.

(4) If a job lot consists of items falling within more than one of the groups of textile products set forth in section 54 (a) (1), the maximum price for the entire lot shall be computed by applying the lowest multiplier appropriate to any item in the lot.

(d) *Trade practices.* The markups authorized herein are gross markups which shall not be exceeded regardless of the number of sellers handling a textile product. No seller shall change his customary allowances, discounts or other price differentials or his customary alteration charges unless such change results in a lower net price.

(e) *Prohibited practices.* It shall be unlawful for any seller to improperly classify a textile product for the purpose of evading the appropriate pricing provision herein. It shall be unlawful for any seller to revise any maximum price fixed on a textile product and entered in his textile reference book except as otherwise provided in paragraph (h) (2).

(f) *Notification to OPA on sales of job lots.* Within five days of his first sale of a textile product from a job lot the seller shall file a statement with the Territorial Office of Price Administration, San Juan, Puerto Rico, and a duplicate thereof with his local War Price and Rationing Board, which statement shall show (1) the name and address of the person from whom the job lot was purchased, (2) a description of the job lot, (3) the number of units included in each class of textile products, (4) the direct cost of the job lot to the seller if it was imported by the seller, or the price paid for the job lot if it was not imported by the seller, (5) the reference stock numbers assigned as provided in paragraph (f), (6) the selling price of each unit or group of units as determined in accordance with the pricing provisions of paragraph (b) of this section, and the over-all markup taken by the seller on the job lot.

(g) *Identification of textile products.* Every seller shall assign a separate reference stock number to each price classification of textile products and shall clearly identify the physical merchandise with the reference stock number by use of a label, tag, slip, sticker, mark, or other similar appropriate marking.

(h) *Textile reference book.* (1) Every person selling textile products shall prepare a textile reference book which he shall keep and make available for examination by the Office of Price Administration, in which shall be entered prior to the time any textile product is sold or offered for sale, the following information for each price classification of textile products in the seller's stock: (i) The reference stock number, (ii) a description of the units comprised, (iii) the name and address of the supplier, except in the case of merchandise from a job lot, (iv) the date of delivery except in the case of merchandise in a job lot, (v) the multiplier used in computing the maximum price, (vi) the direct cost to the seller or the price paid by the seller whichever price is material in accordance with the pricing provisions utilized, and (vii) the seller's selling price at wholesale or at retail depending upon the level at which he sells.

(2) The maximum price charged by each seller and entered in his textile reference book shall in no instance be altered except that should the seller have erroneously computed the price for an item entered in such book, the seller's local War Price and Rationing Board may, after having received a written statement of the fact from the seller, if satisfied that the entry was the result of a miscalculation, authorize such seller to change the entry to correspond with the maximum price which he is authorized to charge in accordance with this regulation.

(3) All entries in the textile reference book shall be made in numerical sequence. Textile products received by the seller which are identical to products earlier entered into the reference book shall be re-entered under a new reference stock number.

(i) *Notification to customers.* Every person selling an imported textile product except at retail shall with each delivery supply the purchaser with a statement, which may be included in and made a part of the seller's invoice, specifying with respect to each price classification delivered: (1) the seller's reference stock number, (2) a notation of the pricing provision employed, (3) the number and description of units sold, and (4) the price charged. This provision supersedes section 11 (b) (1) of Revised Maximum Price Regulation 183 with respect to sales of imported textile products.

Section 14 ("Sales Slip and Receipts" of the General Maximum Price Regulation) apply to sales of textile products by local manufacturers.

(j) *Exemptions.* The provisions of this section 54 shall not apply to the following:

(1) Sales of textile products by religious or charitable institutions. These

[1] 8 F.R. 9532, 10763, 10906, 11437, 11847, 12549, 10987, 12632, 13165, 13847, 14090, 14765, 15195, 15369, 15739, 15686, 15704, 15862, 16084, 16063; 9 F.R. 300, 396, 649, 579, 686, 1158, 1486, 1942, 1944, 2831, 3156, 3158, 3341, 3514, 3747, 3949, 4820, 4821.

[2] 9 F.R. 1385.

sales continue to be covered by the provisions of the General Maximum Price Regulation.

(2) Sales of uniforms and accessories for the armed forces. Prices are established by the Army or Navy Uniform Services.

(3) Sales at retail by manufacturers, of textile products manufactured in their own factory. These sales continue to be covered by the provisions of the General Maximum Price Regulation.

(4) Sales by custom tailors and dressmakers, as defined in paragraph (a) (6) of this section. These sales continue to be covered by the provisions of the General Maximum Price Regulation.

This amendment shall become effective May 22, 1944.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7313; Filed, May 22, 1944; 11:44 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 58]

GROCERY ITEMS AND USED CARS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 373 is amended in the following respects:

1. Section 18 (j) is amended by changing the prices of 1-pint and 1-quart containers of Mazola Salad Oil, set forth under Item No. 4, to read as follows:

4. Salad Oils: Mazola.	.38 per 1-pint container. .71 per 1-quart container.

2. Section 41 Table K (5) (ii) is amended by adding three new items and by changing the prices of two items to read as follows:

	Cents
Rolled Oats, Quaker, all types, 3 lbs	38
Rolled Oats, Quaker, all types, 20 oz	18
Oats, Carnival, 3 lbs	47
Quick Wheat, Carnation, 2½ lbs	36
Quick Wheat, Carnation, 16 oz	17

3. Section 41 Table A (14) is amended to read as follows:

(14) Flour, baker's and family:	
Flour, family, 4.9 or 5 lbs	31¢
Flour, family, 49 or 50 lbs	$3.70

For all other baker's and family flour the maximum price shall be determined by multiplying the invoice cost by 1.2.

4. Section 41 Table A (15) is amended by changing the price of one item to read as follows:

Aunt Jemima Pancake Flour, 20 ozs	17¢

5. Section 41 Table A (17b) is amended by changing the items "Del Monte (Royal Anne) Cherries, No. 303 Gl." and "Libby Pears"; by changing the prices of certain items, and by adding five new items, all to read as follows:

	Cents
Cherries:	
Del Monte (Royal Anne) Light Sweet, No. 303 Gl	30
Del Monte (Royal Anne) Dark Sweet, No. 303 Gl	31
Fruit Cocktail: Libby, No. 2½ can	37
Peaches:	
FSCC "C" (various brands) Sliced, No. 2½ can	28
FSCC "D" (various brands) Sliced, No. 2½ can	25
Pears:	
Libby, Bartlett, No. 2½ can	36
Libby, Bartlett, No. 2½ gl	39
Prunes: All Gold prepared, No. 2½ gl	30

6. Section 41 Table A (18) is amended to read as follows:

(18) Dried fruits:	Cents
Prunes "30/40", 1 lb. Cont	22
Prunes "40/50", 1 lb. Cont	21
Prunes "50/60", 1 lb. Cont	19
Prunes "60/70", 1 lb. Cont	19
Prunes "70/80", 1 lb. Cont	19
Prunes "80/90", 1 lb. Cont	17
Prunes "90/100", 1 lb. Cont	16
Raisins, FSCC only, 15 oz. box	17
For all other dried fruits the division factor is .80.	

7. Section 41 Table A (19) is amended by adding the words "FSCC only" after the words "Tomato juice."

8. Section 41 Table A (23) is amended by changing two items to read as follows:

	Cents
Eagle Condensed Milk, 14 oz. can	24
Evaporated Milk, all brands, 14½ oz. can	13, 2 for 25

9. Section 41 Table A (28) is amended by changing the price of one item to read as follows:

	Cents
Bird seed: S & W, 12 oz	28

10. Section 41 Table A (29) is amended by changing the prices of four items and by adding two new items to read as follows:

	Cents
Pickles:	
CHB Sweet Whole, 12 oz	31
CHB Sweet Mixed, 12 oz	31
CHB Chow Chow, 12 oz	31
CHB Chili Pepper, 12 oz	27
CHB Sweet Whole, 24 oz	52
CHB Sweet Mixed, 24 oz	52

11. Section 41 Table A (32) is amended to read as follows:

32 Rice	U. S. No. 1	U. S. No. 2	U. S. No. 3 and brown	U. S. No. 4	U. S. No. 5
100 lbs	$8.62	$8.47	$8.37	$8.27	$8.20
50 lbs	4.36	4.28	4.24	4.19	4.16
25 lbs	2.21	2.17	2.15	2.13	2.15
10 lbs	.92	.92	.87	.86	.88
1 lb	.09	.09	.09	.09	.09

For all other rice the maximum price shall be determined by multiplying the invoice cost by 1.2.

12. Section 41 Table A (35) is amended by changing the price of one item to read as follows:

Soap, bar, package and laundry:	
Strykers Kitchen Soap, Regular	6¢, 2 for 11¢

13. Section 41 Table A (37) is amended by changing the prices of certain items to read as follows:

Campbell's Soups:	New Condens.
Chicken, No. 1 can	20¢, 2 for 39¢
Chicken-Noodle, No. 1 can	18¢, 2 for 35¢
Vegetable, No. 1 can	15¢
Vegetarian Veg., No. 1 can	15¢
Pea and Green Pea, No. 1 can	15¢, 2 for 29¢
Scotch Broth, No. 1 can	15¢, 2 for 29¢
Asparagus, No. 1 can	15¢, 2 for 29¢
Bean with Bacon, No. 1 can	15¢, 2 for 29¢
Clam Chowder, No. 1 can	15¢, 2 for 29¢
Mock Turtle, No. 1 can	15¢, 2 for 29¢
Oxtail, No. 1 can	15¢, 2 for 29¢
Pepper Pot, No. 1 can	15¢, 2 for 29¢
Consomme Madrilene, No. 1 can	15¢, 2 for 29¢
Tomato, No. 1 can	11¢

14. Section 41 Table A (44) is amended by changing the item "Del Monte Corn, all kinds, No. 2 can", by changing the price of one item and by adding two new items to read as follows:

	Cents
Carrots: All Gold, diced, No. 303 gl	16
Corn:	
Del Monte, tiny kernel, No. 2 can	17
Del Monte, Golden C. S., No. 2 can	17

15. The table following section 41 Table E (b) is amended by adding certain new items and by changing the prices of certain items, all to read as follows:

Definition (see par. (f))	Commodity	Size	Ceiling price
14	Flour, family, 4.9 or 5 lbs		$0.30
14	Flour, family, 49 or 50 lbs		2.65
17	Peaches, FSCC "C" (various brands) Sliced	No. 2½ can	.27
17	Peaches, FSCC "D" (various brands) Sliced	No. 2½ can	.24
18	Prunes "30/40"	1 lb. cont	.21
18	Prunes "40/50"	1 lb. cont	.20
18	Prunes "50/60"	1 lb. cont	.18
18	Prunes "60/70"	1 lb. cont	.18
18	Prunes "70/80"	1 lb. cont	.18
18	Prunes "80/90"	1 lb. cont	.16
18	Prunes "90/100"	1 lb. cont	.15
18	Raisins, FSCC only	15 oz. box	.16

32 Rice	U. S. No. 1	U. S. No. 2	U. S. No. 3 and brown	U. S. No. 4	U. S. No. 5
100 lbs	$8.36	$8.22	$8.12	$8.02	$8.05
50 lbs	4.26	4.16	4.11	4.06	4.12
25 lbs	2.14	2.10	2.09	2.06	2.09
10 lbs	.86	.85	.84	.83	.85
1 lb	.09	.09	.09	.09	.09

16. Section 41 Table F is amended to read as follows:

TABLE F—MAXIMUM PRICES FOR THE ISLAND OF LANAI

(a) This Table shall apply to the Island of Lanai only.

(b) The following maximum prices shall apply in the Island of Lanai. To these prices may be added the differentials permitted by paragraph (e) below.

Definition No. (see par. (f))	Commodity	Size	Ceiling price
14	Flour, family	4.9 or 5 lbs	$0.30
14	Flour, family	49 or 50 lbs	2.65
17	Peaches, FSCC "C" (various brands) sliced	No. 2½ can	.27
17	Peaches, FSCC "D" (various brands) sliced	No. 2½ can	.24

32 Rice	U. S. No. 1	U. S. No. 2	U. S. No. 3 and Brown	U. S. No. 4	U. S. No. 5
100 lbs	$8.45	$8.30	$8.20	$8.10	$8.13
50 lbs	4.30	4.20	4.16	4.11	4.16
25 lbs	2.17	2.13	2.11	2.08	2.11
10 lbs	.87	.86	.85	.84	.86
1 lb	.09	.09	.09	.09	.09

(c) The specific dollars and cents ceiling prices listed in Table A for the Island of Oahu shall apply to the Island of Lanai in all cases where the commodity ceiling price is not set forth in paragraph (b) of this table. To these prices may be added the differentials permitted by paragraph (e) below.

(d) In all cases where a specific dollar and cent ceiling price is not provided in Table A or paragraph (b) of this Table F, the maximum price shall be computed by means of the "net cost" as defined in paragraph (e) of this section 41, and the appropriate division factor or multiplication factor named in Table A. No transportation cost from the Islands of Oahu or Maui to the Island of Lanai shall be included in "net cost". To the prices thus computed may be added the differentials permitted by paragraph (e) of this Table F.

(e) All retail grocery stores on the Island of Lanai may add 2% to the maximum retail sales prices listed or computed in accordance with this Table F. This addition must be made as a separate computation at the time of payment. Prior to the addition of the 2% differential, stores shall obtain and prominently display the poster issued by the Office of Price Administration stating the right of the store to this differential.

17. Section 57 (k) is amended to read as follows:

(k) *Report of transfer which must be completed for sale of a used car.* Every person, when he sells a used car, shall complete a Report of Transfer of Used Passenger Automobile, OPA Form THP 3, which may be obtained from any dealer or from any War Price and Rationing Board. The seller shall insert the details of the sale on the said report form, and shall sign such report and certify as to the truth and accuracy of the same before the Executive Secretary or an authorized clerk of the War Price and Rationing Board that issued the gasoline rations for the car that is being sold. Upon completion of the above requirements, the seller shall deliver such report to the buyer, who shall then sign and certify as to the truth and accuracy of the same before the Executive Secretary or an authorized clerk of his local War Price and Rationing Board. The completed report must then be filed by the buyer with the said Board. However, where a dealer is the buyer, he shall file the report with said board within 5 days of the purchase.

This amendment shall become effective as follows:

(a) As to section 18, as of April 13, 1944.

(b) As to section 41, as of April 13, 1944, on the Island of Oahu, and as of April 17, 1944 on all other islands.

(c) As to section 57, as of April 1, 1944.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 22d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7314; Filed, May 22, 1944; 11:43 a. m.]

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[RO 9A,[1] Amdt. 8 to Supp. 1[1]]

STOVES

Supplement 1 to Ration Order 9A is amendment in the following respects:

1. The text of § 1432.69 (b) (1) (i) is amended to read as follows:

(i) *General.* A dealer or distributor located in the area covered by Table III (set forth in subdivision (ii) of this paragraph) may apply to his Board for an increase in his allowable inventory so that his current allowable inventory will be equal to the amount found by multiplying his allowable inventory for each type of stove determined from Table I (set forth in paragraph (a)) by the percentage for that type of stove shown in Table III. If the District or Washington Office determined the allowable inventory, the Board will multiply the figure to be furnished it by the District or Washington Office (as the equivalent of the amount in Table I), by the percentage shown in Table III. However, the applicant may not obtain the increase authorized by this subparagraph (1) for any type of stove of which his sales in 1941 or 1942 totaled less than five (5) stoves, or for which his allowable inventory was previously increased as a result of an application for adjustment or relief under section 3.8 unless:

2. Section 1432.69 (b) (1) (ii) is amended to read as follows:

(ii) *Table III.* Table III referred to in subdivision (i) of this subparagraph (1) is as follows:

[1] 8 F.R. 11564.

PERCENTAGE FOR FIGURING CURRENT ALLOWABLE INVENTORIES

Allowable inventory determined from Table I is to be multiplied by the applicable percentage figure shown below.

OPA Districts in—	Heating stoves of following types			Cooking stoves of following types		
	Coal or wood	Oil	Gas	Coal or wood	Oil	Gas
	Pct.	Pct.	Pct.	Pct.	Pct.	Pct.
Region I:						
Hartford	300	400	200	100	100	150
Augusta	350	300	200	150	100	150
Boston	200	500	200	100	100	200
Concord	250	350	200	100	150	150
Providence	200	350	200	100	100	250
Montpelier	300	300	200	150	100	200
Region II:						
Wilmington	300	400	250	200	200	150
Washington, D. C.	200	250	200	100	100	150
Baltimore	200	300	200	150	150	150
Camden	300	400	250	150	150	200
Newark	200	300	200	100	100	200
Trenton	300	400	200	100	150	200
Albany	200	250	200	100	100	150
Binghamton	300	300	250	100	100	150
Buffalo	200	250	200	150	100	200
New York City	200	250	200	100	100	150
Syracuse	250	250	250	100	100	150
Altoona	250	300	200	100	100	150
Erie	250	200	250	150	100	150
Harrisburg	200	200	200	100	100	150
Philadelphia	200	200	200	100	100	150
Pittsburgh	300	200	200	150	100	150
Scranton	200	200	300	150	100	150
Williamsport	250	200	300	150	100	150
Region III:						
Indianapolis	300	300	250	150	150	150
Lexington	250	200	400	150	150	150
Louisville	250	300	200	150	150	150
Detroit	300	200	250	150	150	200
Grand Rapids	250	200	200	150	150	150
Escanaba	300	250	250	150	150	150
Saginaw	300	200	200	150	150	200
Cincinnati	200	200	250	150	150	150
Cleveland	200	200	200	150	150	150
Columbus	300	200	200	150	150	150
Toledo	200	200	200	150	150	150
Charleston	200	200	300	150	150	150
Region IV:						
Birmingham	200	200	200	150	200	150
Montgomery	300	250	350	150	200	200
Jacksonville	200	300	250	150	200	200
Atlanta	200	200	200	150	150	200
Savannah	200	300	250	200	300	250
Jackson	200	250	300	150	250	250
Charlotte	200	200	200	150	150	150
Raleigh	250	200	200	200	300	150
Columbia	200	300	250	150	200	150
Memphis	200	200	200	150	200	200
Nashville	200	200	200	150	150	250
Richmond	250	200	200	200	150	150
Roanoke	250	200	250	150	150	150
Region V:						
Little Rock	200	250	250	150	250	200
Wichita	200	250	300	150	150	150
New Orleans	200	300	200	150	200	200
Shreveport	200	250	350	200	250	250
Kansas City	250	250	200	150	150	150
St. Louis	250	300	200	150	150	150
Oklahoma City	200	300	300	100	150	250
Tulsa	200	250	400	100	150	250
Dallas	200	300	300	100	150	250
Fort Worth	200	300	350	100	150	300
Houston	200	250	350	150	200	150
Lubbock	200	300	350	150	150	300
San Antonio	200	300	350	150	250	300
Region VI:						
Chicago	250	250	200	150	150	200
Moline	200	200	200	150	100	150
Peoria	250	200	250	150	150	150
Springfield	300	200	250	150	150	200
Des Moines	200	200	200	150	100	150
Sioux City	300	200	250	150	100	150
Duluth	200	200	250	150	100	150
St. Paul	200	200	200	150	100	150
North Platte	250	400	300	150	150	150
Omaha	300	250	200	200	100	155
Fargo	300	250	300	150	100	150
Sioux Falls	250	250	300	150	100	100
Green Bay	200	200	250	150	100	150
La Crosse	300	250	200	150	100	150
Milwaukee	250	250	250	150	100	150
Region VII:						
Denver	200	300	200	150	100	150
Boise	500	1000	300	300	200	200
Helena	200	350	350	150	100	200
Albuquerque	300	500	500	150	300	300
Salt Lake City	200	400	200	150	200	200
Cheyenne	200	400	400	150	300	150
Region VIII:						
Phoenix	200	500	250	150	400	250
Fresno	200	600	400	150	300	300
Los Angeles	200	350	300	150	150	250
Sacramento	200	500	400	200	150	250

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 15862, 16866, 16997, 17201; 9 F.R. 173, 393, 580, 584, 1158, 1487, 1489, 1528, 1530, 2177, 2659, 2660, 3153, 3232, 3341, 3967, 3947, 3945, 4240, 4194, 4245, 4351, 4783, 4821, 4785, 4819.

PERCENTAGE FOR FIGURING CURRENT ALLOWABLE INVENTORIES—Continued

OPA Districts in —	Heating stoves of following types			Cooking stoves of following types		
	Coal or wood	Oil	Gas	Coal or wood	Oil	Gas
	Pct.	Pct.	Pct.	Pct.	Pct.	Pct.
Region VIII—Con.						
San Diego	500	350	300	150	200	250
San Francisco	200	300	250	150	100	250
Reno	300	400	600	150	200	250
Portland	250	300	300	150	100	250
Seattle	350	400	300	250	100	200
Spokane	300	350	300	200	200	200

3. Section 1432.69 (b) (1) (iii) is amended to read as follows:

(iii) *Where sales in base period totaled less than five stoves.* A dealer or distributor whose sales of a type of stove in 1941 or 1942 totaled less than five (5) stoves may apply only under paragraph (b) (4) of this section for an increase in allowable inventory for that type.

4. Section 1432.69 (b) (1) (iv) is deleted.

5. Section 1432.69 (b) (1) (v) is deleted.

CURRENT ALLOWABLE INVENTORIES FOR COAL AND WOOD OR GAS HEATING STOVES AND ALL TYPES OF COOKING STOVES WHEN ALTERNATE METHOD IS USED

Allowable inventory. (To be assigned on basis of figures in applicable sales column)	Reported sales (1941 or 1942)					Allowable inventory. (To be assigned on basis of figures in applicable sales column)
	Heating stoves		Cooking stoves			
	Coal or wood	Gas	Coal or wood	Oil	Gas	
1		1–2	1–2	1–2	1–4	1
2	1–2	3–4	3–4	3–4	5–8	2
3	3–4	5–6	5–6	5–6	9–12	3
4	5	7–8	7–8	7–8	13–16	4
5	6–7	9 and over	9 and over	9 and over	17 and over	5
6	8					6
7	9					7
8	10–11					8
9	12					9
10	13 and over					10

7. Section 1432.69 (b) (4) (iii) is deleted.

This amendment shall become effective on May 26, 1944.

(Pub. Law 671, 76th Cong as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; W.P.B. Dir. 1, 7 F.R. 562, and Supp. Dir. 1–8, 8 F.R. 6018)

Issued this 22d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7315; Filed, May 22, 1944; 11:41 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[RMPR 487,[1] Amdt. 2]

WHEAT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 305, 1489, 3034.

6. Section 1432.69 (b) (4) is amended to read as follows:

(4) *Alternative method for determining current allowable inventories for coal and wood or gas heating stoves, or coal and wood, oil or gas cooking stoves.* (i) A dealer or distributor whose sales of coal and wood or gas heating stoves, or coal and wood, oil or gas cooking stoves in 1941 or 1942 were within the range for such types of stoves, as shown in Table IV (set forth in subdivision (ii) of this subparagraph (4)), may, instead of applying for an increase in his allowable inventory for those types of stoves under paragraph (b) (1) of this section, apply to his Board for an increase equal to the amount by which the allowable inventory for those types of stoves shown in Table IV exceeds his present allowable inventory for those types. A dealer or distributor whose sales of a type of stove in 1941 or 1942 totaled less than five (5) stoves, may apply for an increase in his allowable inventory for that type of stove only under this subparagraph.

(ii) *Table IV.* Table IV referred to in subdivision (i) of this subparagraph is as follows:

Section 4 of Revised Maximum Price Regulation No. 487 is amended to read as follows:

SEC. 4. *Maximum prices of producers.* (a) The maximum price per bushel, bulk, for the sale of any wheat by a producer shall be as follows:

(1) If delivered to the purchaser at the farm where grown, the formula price at the nearest interior rail point less 4½ cents per bushel.

(2) If delivered to a commercial elevator or warehouse at an interior point, the formula price at that point less 3 cents per bushel.

(3) If delivered to the purchaser loaded aboard a rail car at the point of loading, the formula price at such point of loading less 1 cent per bushel.

(4) If delivered to the purchaser loaded aboard a rail car after movement by rail the formula price at the interior rail point of loading, plus seller's transportation cost from the point of loading to the point of delivery to the purchaser.

(5) If delivered to the purchaser at any other point, the formula price at the interior rail loading point nearest to the point of production less 4½ cents per bushel, plus the seller's transportation cost to the point of delivery to the purchaser.

(b) If the purchaser performs any services connected with the growing, harvesting, collecting from field or assembling at point on the farm where available for ready transportation from the farm, the reasonable value of all such services must be deducted in paying the appropriate maximum price hereinbefore set forth.

This amendment shall become effective May 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved: May 15, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44–7316; Filed, May 22, 1944; 11:42 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 518,[1] Amdt. 1]

ROUGH RICE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 518 is amended in the following respects:

1. Section 3 (a) (8) is amended to read as follows:

(8) "Transportation charges" shall be the reasonable value of transporting the lot in question between the points involved by a usual route and method of transportation, not to exceed the lowest published common carrier rate, if any, where common carrier service is available.

2. Section 4 (a) is amended to read as follows:

(a) The maximum prices for the sale and delivery of rough rice not grown in the State of California, bulk, containing not more than 17 percent moisture, at the country shipping point nearest (by the most usually traveled route) to the point of production shall be as follows:

Varieties (or class)	Maximum price	
	Per barrel	Per bushel
Rexoro	$7.05	$1.958
Texas Patna	7.05	1.958
Nira	6.65	1.847
Fortuna	6.15	1.708
Edith	6.10	1.694
Blue Rose	6.15	1.708
Southern Pearl	6.00	1.667
Lady Wright	6.15	1.708
Zenith	6.60	1.558
Early Prolific	6.10	1.694
Prelude	6.15	1.708
Ark-Rose	6.60	1.833
All other varieties	6.10	1.694
Mixed rough rice	(1)	(1)

[1] Multiply the percentage of each variety contained in the mixture by its respective maximum price as above set forth and total the results.

3. Section 4 (c) is amended to read as follows:

[1] 9 F.R. 2657.

(c) The maximum price for the sale and delivery of rough rice at the point of production shall be the applicable maximum prices specified in paragraphs (a) or (b) of this section less transportation charges from the point of production to the nearest country shipping point.

4. Section 4 (d) is amended to read as follows:

(d) The maximum price for the sale and delivery of rough rice at any point other than the country shipping point or the point of production shall be the applicable maximum prices specified in paragraphs (a) or (b) of this section, plus transportation charges from the country shipping point nearest to the point of production to the buyer's actual receiving point.

5. Section 5 (a) is amended to read as follows:

(a) The maximum price for the sale and delivery of rough rice grown in California, per one hundred pounds, base quality, bulk, containing not over 15 percent moisture, shall be as follows:

(1) At the basing points of San Francisco, California, or Imperial, California.

Varieties:	*Maximum Price for Base Quality Per Hundred Pounds*
California Pearl	$3.57
Calady	3.64
Blue Rose	3.57
Rexoro	4.20
Nira	4.20
All other varieties	3.57
Mixed rough rice	(1)

[1] Multiply the percentage of each variety contained in the mixture by its respective maximum price as set forth and total the results.

(2) At any country shipping point: The maximum price at the basing points less transportation charges from the country shipping point in question to Imperial or San Francisco, whichever is lower.

(3) At any point other than the basing point or country shipping point: The maximum price at the country shipping point nearest thereto less transportation charges from said point other than the basing point or country shipping point to said country shipping point.

6. Section 5 (c) is amended to read as follows:

(c) The foregoing maximum prices specified in paragraphs (a) and (b) of this section shall be altered for all varieties, except Rexoro and Nira, as follows:

(1) Increased 1.62 cents per hundred pounds for each 1 pound of whole kernels and 5 cents per hundred pounds for each 1 pound of total milled rice (all classes) which any lot is appraised to yield above base quality.

(2) Decreased 1.62 cents per hundred pounds for each 1 pound of whole kernels and 5 cents per hundred pounds for each 1 pound of total milled rice (all classes) which any lot is appraised to yield less than base quality.

7. Section 5 (d) is added to read as follows:

(d) The foregoing maximum prices specified in paragraphs (a) and (b) of this section shall be altered for Rexoro and Nira as follows:

(1) Increased 3.3 cents per hundred pounds for each 1 pound of whole kernels and 5 cents per hundred pounds for each 1 pound of total milled rice (all classes) which any lot is appraised to yield above base quality.

(2) Decreased 3.3 cents per hundred pounds for each 1 pound of whole kernels and 5 cents per hundred pounds for each 1 pound of total milled rice (all classes) which any lot is appraised to yield less than base quality.

8. Section 17 is added to read as follows:

SEC. 17. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

9. Section 18 is added to read as follows:

SEC. 18. *Position of commission agents.* In no case shall the amount paid to a commission agent or any other person negotiating the purchase or sale of rough rice, when added to the amount paid by the buyer to the seller exceed the seller's maximum price.

This amendment shall become effective May 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of May 1944.

CHESTER BOWLES,
Administrator.

Approved: May 11, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44–7318; Filed, May 22, 1944; 11:40 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 11 to GMPR, Amdt. 49]

CORROSION INHIBITER SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Paragraph (b) of § 1499.46 is amended by adding a new subparagraph to read as follows:

(144) Corrosion inhibiter service for boilers and heating systems—fees and charges for.

This amendment shall become effective May 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7317; Filed, May 22, 1944; 11:43 a. m.]

TITLE 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

PART 28—PHOTOGRAPHING

PROHIBITED AREAS

Effective June 1, 1944 paragraph (c), § 28.3 of Title 35, Code of Federal Regulations (7 F.R. 6170), is amended to read as follows:

§ 28.3 *Areas within which possession of cameras is prohibited.* No person shall have any camera in his possession within any of the following areas in the Canal Zone, without first obtaining the permission of the Governor of The Panama Canal:

(a) * * *

(2) The airspace above the Canal Zone. See paragraph (c) hereof.

* * * * * *

(c) While on board any aircraft in the airspace above the Canal Zone no person shall have any camera in his possession except as otherwise provided in these regulations. A person destined for travel into, within, or through the airspace above the Canal Zone shall at a point of departure prior to entering such airspace, including any point of departure in the Canal Zone, (1) place in his baggage any and all cameras in his possession, (2) surrender to the commander or person in responsible charge of the aircraft, or to a representative of such commander or person in responsible charge, any of his baggage which contains any camera, and (3) sign and deliver to such commander or person, or to a representative of such commander or person, a certificate to the effect that he has complied with the two preceding requirements of this paragraph. The commander or person in responsible charge of the aircraft shall (1) cause the baggage surrendered as hereinbefore pro-

*Copies may be obtained from the Office of Price Administration.

vided to be received, (2) cause such baggage to be sealed by the Customs authorities of such point of departure, (3) cause such baggage to be placed in a compartment separate from the space occupied by passengers, (4) cause the compartment to be and remain locked while within the airspace above the Canal Zone, and (5) cause the certificates provided for in this paragraph to be delivered to the Canal Zone Customs authorities upon arrival or prior to departure as the case may be: *Provided, however,* That if the Customs authorities of such point of departure should decline to seal such baggage, as hereinbefore provided, or should at the time have no representative present at such point of departure, the commander or person in responsible charge of the aircraft may before the departure of the aircraft seal such baggage, or cause it to be sealed, and in such event he shall upon arrival in the Canal Zone submit a written report of the facts to the Canal Zone Customs authorities.

J. C. MEHAFFEY,
Acting Governor.

MAY 8, 1944.

[F. R. Doc. 44-7291; Filed, May 22, 1944; 10:47 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service

[Reg. S-30, Amdt.]

PART 221—TIMBER

ESTABLISHMENT OF SUSTAINED YIELD UNITS

By virtue of the authority vested in the Secretary of Agriculture by the Act of March 29, 1944 (Public Law 273, 78th Congress), Regulation S-30, which constitutes § 221.30, Part 221, Chapter II, Title 36, Code of Federal Regulations, is amended to read as follows:

§ 221.30 *Establishment of sustained yield units.* The Chief of the Forest Service is authorized with respect to forest lands administered by the Forest Service to exercise all of the powers and duties conferred on the Secretary of Agriculture by the Act of March 29, 1944 (Public Law 273, 78th Congress), and to delegate to other officers and employees of the Forest Service such of these powers and duties as he may consider desirable in carrying out the purposes of said act.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed, in the City of Washington, this 20th day of May 1944.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 44-7282; Filed, May 20, 1944; 3:17 p. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 4—RULES GOVERNING BROADCAST SERVICES OTHER THAN STANDARD BROADCAST

MULTIPLE OWNERSHIP

The Commission, on May 16, 1944, effective immediately, amended § 4.226 to read as follows:

§ 4.226 *Multiple ownership.* No person (including all persons under common control)[1] shall, directly or indirectly, own, operate, or control more than one television broadcast station, except upon a showing (1) that such ownership, operation, or control would foster competition among television broadcast stations or provide a television broadcast service distinct and separate from existing services, and (2) that such ownership, operation or control would not result in the concentration of control of television broadcasting facilities in a manner inconsistent with public interest, convenience, or necessity: *Provided, however,* That no person (including all persons under common control), shall directly or indirectly own, operate, or control more than one television broadcast station that would serve substantially the same service area: *And provided, further,* That the Commission will regard the ownership, operation, or control of more than five television broadcast stations as constituting a concentration of control of television broadcasting facilities in a manner inconsistent with public interest, convenience, or necessity.

(Sec. 4 (i), 48 Stat. 1066; 47 U. S. C. 154 (i))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-7290; Filed, May 22, 1944; 10:42 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

[S. O. 208]

PART 95—CAR SERVICE

TRANSPORTATION OF CORN FROM OR WITHIN DESIGNATED AREA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 18th day of May, A. D. 1944.

It appearing, That Marvin Jones, Food Administrator, has issued May 22, 1944, Title 7—Agriculture, Chapter XI—War Food Administration, War Food Order No. 98, Amendment 2, Part 1468—Grain, Limitations on Purchase, Sale, Delivery, and Use of Corn, 49 C.F.R. § 1468.8, effective at 12:01 a. m., c. w. t., May 23, 1944 (9 F.R. 4379, 4738, *supra*), which provides that "No person shall sell or deliver corn located in the designated area to any person other than Commodity Credit Corporation or its designated agent, and no person other than Commodity or its designated agent shall purchase or accept delivery of corn located in such area"; that the Director of the Office of Defense Transportation has requested this Commission to take such action as it deems necessary to prohibit transportation thereof from or within such counties as are listed in the appendix hereof; the Commission is of opinion that an emergency exists requiring immediate action; *It is ordered,* That:

§ 95.39 *Transportation of corn from or within a designated area*—(a) *Definition.* As used in this section the term "corn" means yellow, white, or mixed shelled corn, ear corn, or snap corn, of the dent or flint varieties, whole or crushed or mixed with other whole grains, excluding, however, seed corn, popcorn grain sorghums, sweet corn, broom corn, corn used for canning purposes, and packaged corn meal, corn grits, or other corn products packaged for human consumption.

(b) *Corn not to be transported except to or from Commodity Credit Corporation or its designated agents.* No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation or move interstate or intrastate any less-carload or carload shipment of corn from or within the counties in Illinois, Indiana, Iowa, Minnesota, and Nebraska listed in the appendix hereof, unless the shipment is consigned to or from the Commodity Credit Corporation or its designated agents as provided in War Food Order No. 98, Amendment 2, issued by the War Food Administrator on May 22, 1944 (9 F.R. 4379, 4738, *supra*), amendments thereto or reissues thereof.

(c) *Shipping orders and waybills to be endorsed when consigned to or from Commodity Credit Corporation or its designated agents.* Each shipping order, prior to acceptance by the carrier to which it is tendered, shall be endorsed by the shipper or consignor thereof stating that the shipment is consigned to or from the Commodity Credit Corporation or its designated agents, and carrier's agent shall make such notation on each waybill.

(d) *Inspection authorized by representative of Agricultural Adjustment Agency.* Any common carrier by railroad shall, upon request of a representative of the Agricultural Adjustment Agency, permit inspection of any shipment of corn moving from or within the counties in Illinois, Indiana, Iowa, Minnesota, and Nebraska listed in the appendix hereof.

(e) *Exemptions.* The requirements of paragraph (b) of this section shall not apply to any transportation of corn not covered by the provisions of War Food Order No. 98, Amendment 2, amendments thereto or reissues thereof.

It is further ordered, That this order shall become effective at 12:01 a. m., c. w. t., May 23, 1944, and shall remain in effect until 12:01 a. m., c. w. t., June 24, 1944; that copies thereof shall be served upon the State Commissions of Illinois, Indiana, Iowa, Minnesota, and Nebraska; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Achives.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

APPENDIX

Illinois counties: Bureau, Cass, Champaign, Christian, De Witt, Douglas, Edgar, Ford, Fulton, Grundy, Iroquois, Kankakee, Kendall, Knox, LaSalle, Lee, Livingston, Logan, McLean, Macon, Marshall, Mason, Menard, Moultrie, Peoria, Piatt, Putnam, Sangamon, Scott, Stark, Tazewell, Vermilion Will, and Woodford.

Indiana counties: Benton, Fountain, Jasper, Montgomery, Newton, Pulaski, Starke, Tippecanoe, Vermillion, Warren, and White.

Iowa counties: Audubon, Boone, Buena Vista, Calhoun, Carroll, Cerro Gordo, Cherokee, Clay, Crawford, Dallas, Dickinson, Emmet, Franklin, Fremont, Greene, Grundy, Guthrie, Hamilton, Hancock, Hardin, Harrison, Humboldt, Ida, Jasper, Kossuth, Lyon, Marshall, Mills, Monona, Montgomery, O'Brien, Osceola, Page, Palo Alto, Plymouth, Pocahontas, Polk, Pottawattamie, Poweshiek, Sac, Shelby, Sioux, Story, Tama, Webster, Winnebago, Woodbury, and Wright.

Minnesota counties: Blue Earth, Brown, Chippewa, Cottonwood, Faribault, Jackson, Lac Qui Parle, Lincoln, Lyon, Martin, Murray, Nobles, Pipestone, Redwood, Renville, Rock, Watonwan, and Yellow Medicine.

Nebraska counties: Burt, Butler, Cass, Cuming, Dodge, Douglas, Lancaster, Otoe, Sarpy, Saunders, Seward, Thurston, and Washington.

[F. R. Doc. 44-7302; Filed, May 22, 1944; 11:33 a. m.]

Chapter II—Office of Defense Transportation

[General Permit ODT 17-5A]

PART 521—CONSERVATION OF MOTOR EQUIPMENT; EXCEPTIONS, PERMITS AND EXEMPTIONS

MOTOR CARRIERS OF PROPERTY; TRANSPORTATION OF MINE PRODUCTS

Pursuant to § 501.71 of General Order ODT 17, as amended, General Permit ODT 17-5 (7 F.R. 5888) shall be superseded, and it is hereby authorized, that:

§ 521.2880 *Transportation of mine products.* Any motor carrier when operating a motor truck engaged exclusively in the transportation of the products of a mining, smelting, or refining enterprise, if such enterprise is operating under a preference rating order or a certificate of operation issued by the War Production Board, from a mine to the preparing, smelting, or refining facilities or to the nearest adequate rail or water shipping point, or between preparing, smelting, or refining facilities; or when operating a motor truck engaged exclusively in the transportation of the waste products of such a mining, smelting, or refining enterprise from the mine, preparing, smelting, or refining facilities to the point of disposal of such waste products, is hereby relieved, in respect of such truck, from compliance with the provisions of § 501.67 (mileage reduction requirements) and of subparagraphs (1) and (2) of paragraph (a) of § 501.69 (registering of empty or partially loaded trucks) of General Order ODT 17, as amended: *Provided,* That such trucks be loaded to capacity while operated over a considerable portion of the outbound or inbound route travelled in over-the-road service, and that the carrier use due diligence in maintaining a capacity load upon such trucks at all times while en route.

General Permit ODT 17-5 is hereby revoked as of the effective date of this General Permit ODT 17-5A.

This General Permit ODT 17-5A shall become effective May 20, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623, 8 F.R. 12750, 14582, 9 F.R. 2795)

Issued at Washington, D. C., this 20th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-7286; Filed, May 20, 1944; 10:18 a. m.]

[General Permit ODT 17-11A]

PART 521—CONSERVATION OF MOTOR EQUIPMENT; EXCEPTIONS, PERMITS AND EXEMPTIONS

MOTOR CARRIERS OF PROPERTY; TRANSPORTATION OF FOREST PRODUCTS

Pursuant to § 501.71 of General Order ODT 17, as amended, General Permit ODT 17-11 (7 F.R. 5951) shall be superseded, and it is hereby authorized, that:

§ 521.2886 *Transportation of forest products.* Any motor carrier operating a truck exclusively in the transportation of forest products, as follows: (a) sawlogs, veneer logs, peeler logs, bolts, or unfinished lumber, from the point of production to a sawmill, a processing plant, the nearest point at which adequate rail or water transportation is available, or to any other point which is nearer to such point of production than such rail or water transportation point; or, (b) finished lumber from a processing plant which does not have rail or water shipping facilities to the nearest point at which adequate rail or water transportation is available; or, (c) poles, pilings, posts, round timbers, hewn ties, or fuelwood from the point of production to the nearest point at which adequate rail or water transportation is available, or to any other point which is nearer to such point of production than such rail or water transportation point; or, (d) pulpwood, chemical wood, extract wood, or pulpwood logs to a point at which adequate rail or water transportation is available, or to a consuming, processing or storage point, is hereby relieved, in respect of such truck, from compliance with the provisions of § 501.67 (mileage reduction requirements) and of subparagraphs (1) and (2) of paragraph (a) of § 501.69 (registering of empty or partially loaded trucks) of General Order ODT 17, as amended: *Provided,* That such trucks be loaded to capacity while operated over a considerable portion of the outbound or inbound route travelled in over-the-road service, and that the carrier use due diligence in maintaining a capacity load upon such trucks at all times while en route.

General Permit ODT 17-11 is hereby revoked as of the effective date of this General Permit ODT 17-11A.

This General Permit ODT 17-11A shall become effective May 20, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183, E.O. 9156, 7 F.R. 3349; General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623, 8 F.R. 12750, 14582, 9 F.R. 2795)

Issued at Washington, D. C., this 20th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-7284; Filed, May 20, 1944; 10:18 a. m.]

[General Permit ODT 17-12A]

PART 521—CONSERVATION OF MOTOR EQUIPMENT; EXCEPTIONS, PERMITS AND EXEMPTIONS

MOTOR CARRIERS OF PROPERTY; TRANSPORTATION IN CONNECTION WITH CONSTRUCTION

Pursuant to § 501.71 of General Order ODT 17, as amended, General Permit ODT 17-12 (7 F.R. 5951) shall be superseded, and it is hereby authorized, that:

§ 521.2887 *Operations within a construction area.* Any motor carrier when operating a motor truck wholly within the territorial limits of a construction project and engaged in the transportation of property used or to be used in or in connection with such construction project is hereby relieved, in respect of such truck, from compliance with the provisions of § 501.67 (mileage reduction requirements) and paragraph (c) of § 501.68 (limiting the number of deliveries) of General Order ODT 17, as amended.

§ 521.2888 *Operations of dump trucks.* Any motor carrier when operating a dump truck engaged exclusively in

[1] The word "control", as used herein, is not limited to majority stock ownership, but includes actual working control in whatever manner exercised.

the transportation in local delivery service of soil or waste material from or to a construction project is hereby relieved, in respect of such truck from compliance with the provisions of paragraph (c) of § 501.68 (limiting the number of deliveries) of General Order ODT 17, as amended.

General Permit ODT 17–12 is hereby revoked as of the effective date of this General Permit ODT 17–12A.

This General Permit ODT 17–12A shall become effective May 20, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183, E.O. 9156, 7 F.R. 3349; General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623, 8 F.R. 12750, 14582, 9 F.R. 2795)

Issued at Washington, D. C., this 20th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44–7235; Filed, May 20, 1944; 10:18 a. m.]

[General Order ODT L–2]

PART 504—DIRECTION OF MOTOR TRAFFIC MOVEMENT

MOTOR TRANSPORTATION OF CORN FROM OR WITHIN A DESIGNATED AREA

General outline. This order relates to the transportation of certain types of corn, from or within certain designated counties in the States of Illinois, Indiana, Iowa, Minnesota, and Nebraska, by common, contract and private carriers by motor vehicle. Such transportation, except to or for the account of, or from, the Commodity Credit Corporation, is prohibited unless written authorization therefor has been issued pursuant to War Food Order No. 98 of the War Food Administration, as amended (9 F.R. 4379, 4738, *supra*). Issuance of the written authorization shall be by the Agricultural Adustment Agency, not by the Office of Defense Transportation. Application for such authorization should be filed with the County Agriculutral Conservation Committee for the county in which the corn is located. The restriction of this order does not apply to transportation of corn within the designated area when the corn is transported by or for the owner for his own use and not for sale or delivery to any other person. Any inquiry regarding the requirements or effect of War Food Order No. 98, as amended, should be addressed to the Chief of Agricultural Adjustment Agency, United States Department of Agriculture, Washington 25, D. C.

This general outline shall not be construed to alter the meaning of any provision contained in the order. The text of General Order ODT L–2 follows:

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, and 9156, War Production Board Directive 21, and an authorization and request contained in a certificate of the War Food Administration dated May 12, 1944, it is hereby ordered, That:

Sec.
504.10 Restriction upon transportation by motor vehicle of corn from or within designated area.
504.11 Submission of records and property for examination and inspection by authorized representative.
504.12 Definitions.
504.13 Communications.

AUTHORITY: §§ 504.10 through 504.13 issued under the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 U. S. Code, §§ 631 through 645a; E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; War Production Board Directive 21, 8 F.R. 5834; Certificate of War Food Administration dated May 12, 1944.

§ 504.10 *Restriction upon transportation by motor vehicle of corn from or within designated area.* No person shall transport by motor vehicle, as a common carrier, contract carrier or private carrier, from or within the following designated area, to wit:

State of Illinois, counties of: Bureau, Cass, Champaign, Christian, De Witt, Douglas, Edgar, Ford, Fulton, Grundy, Iroquois, Kankakee, Kendall, Knox, La Salle, Lee, Livingston, Logan, McLean, Macon, Marshall, Mason, Menard, Morgan, Moultrie, Peoria, Piatt, Putnam, Sangamon, Scott, Stark, Tazewell, Vermilion, Will, and Woodford.

State of Indiana, counties of: Benton, Fountain, Jasper, Montgomery, Newton, Pulaski, Starke, Tippecanoe, Vermillion, Warren, and White.

State of Iowa, counties of: Audubon, Boone, Buena Vista, Calhoun, Carroll, Cerro Gordo, Cherokee, Clay, Crawford, Dallas, Dickinson, Emmet, Franklin, Fremont, Greene, Grundy, Guthrie, Hamilton, Hancock, Hardin, Harrison, Humboldt, Ida, Jasper, Kossuth, Lyon, Marshall, Mills, Monona, Montgomery, O'Brien, Osceola, Page, Palo Alto, Plymouth, Pocahontas, Polk, Pottawattamie, Poweshiek, Sac, Shelby, Sioux, Story, Tama, Webster, Winnebago, Woodbury, and Wright.

State of Minnesota, counties of: Blue Earth, Brown, Chippewa, Cottonwood, Faribault, Jackson, Lac Qui Parle, Lincoln, Lyon, Martin, Murray, Nobles, Pipestone, Redwood, Renville, Rock, Watonwan, and Yellow Medicine.

State of Nebraska, counties of: Burt, Butler, Cass, Cuming, Dodge, Douglas, Lancaster, Otoe, Sarpy, Saunders, Seward, Thurston, and Washington.

except to or for the account of, or from, the Commodity Credit Corporation, unless the shipper thereof presents to such common carrier or contract carrier, or such private carrier obtains, written authorization for the shipment of such corn as provided in War Food Order No. 98, as amended, issued by the War Food Administration (9 F.R. 4379, 4738, *supra*), or in any supplement thereto or amendment or reissue thereof: *Provided, however*, That the restriction of this section shall not apply to the transportation of corn from any point within the above-designated area to any other point within such area when such corn is transported by or for the owner thereof for his own use and not for sale or delivery to any other person. A copy of any written authorization for shipment of corn, issued pursuant to War Food Order No. 98, as amended, shall be carried in the transporting motor vehicle.

§ 504.11 *Submission of records and property for examination and inspection by authorized representative.* Any person transporting corn from or within the area designated in § 504.10 of this order by motor vehicle, as a common carrier, contract carrier or private carrier, shall submit his books, records, and other writings, including a copy of any authorization issued pursuant to War Food Order No. 98, as amended, pertaining to such transportation, and premises and property used in connection therewith, to any accredited representative of the Agricultural Adjustment Agency or of the Office of Defense Transportation, upon demand and the display of proper credentials, for such examination and inspection as may be necessary or appropriate to the enforcement or administration of this order.

§ 504.12 *Definitions.* As used in this order, and unless otherwise indicated by the context, the term:

(a) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity.

(b) "Corn" means yellow, white, or mixed shelled corn, ear corn, or snap corn, of the dent or flint varieties, whole or crushed or mixed with other whole grains, excluding, however, seed corn, popcorn, grain sorghums, sweet corn, broom corn, corn used for canning purposes, and packaged corn meal, corn grits, or other corn products packaged for human consumption.

(c) "Motor vehicle" means any rubber-tired vehicle propelled or drawn by mechanical power.

(d) "Common carrier" means any person that holds itself out to the general public to engage in transportation of property by motor vehicle for compensation.

(e) "Contract carrier" means any person that, under individual contracts or agreements, engages in the transportation of property by motor vehicle for compensation.

(f) "Private carrier" means any person not included in the term "common carrier" that transports by motor vehicle property of which such person is the owner, lessee, or bailee, when such transportation is for the purpose of sale, lease, rent, or bailment, or in furtherance of any commercial enterprise.

§ 504.13 *Communications.* Communications concerning this order should refer to "General Order ODT L–2," and unless otherwise directed, should be addressed to the Director, Division of Motor Transport, Office of Defense Transportation, Washington 25, D. C.

This General Order ODT L–2 shall become effective May 23, 1944.

Issued at Washington, D. C., this 22d day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44–7319; Filed, May 22, 1944; 11:48 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Public Land Order 229]

WASHINGTON

WITHDRAWING PUBLIC LANDS FOR USE IN CONNECTION WITH THE OLYMPIC PUBLIC WORKS PROJECT

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved under the jurisdiction of the Secretary of the Interior for use by the National Park Service, Department of the Interior, in connection with the Olympic Public Works Project (F. P. 723) in Clallam and Jefferson Counties, Washington:

WILLAMETTE MERIDIAN

T. 27 N., R. 14 W.,
Sec. 17, lot 1;
Sec. 18, lots 1 and 2.
T. 28 N., R. 15 W.,
Sec. 5, lot 8.

The areas described aggregate 130.45 acres.

This order shall take precedence over but not modify the withdrawal for classification and other purposes made by Executive Order No. 6964 of February 5, 1935, as amended.

ABE FORTAS,
Acting Secretary of the Interior.

[F. R Doc. 44–7246; Filed, May 20, 1944; 10:45 a. m.]

[Public Land Order 230]

NEW MEXICO

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS A DEMOLITION RANGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the public lands within the following-described areas in the Santa Fe National Forest are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department as a demolition range:

NEW MEXICO PRINCIPAL MERIDIAN

T. 19 N., R. 5 E.,
Secs. 1, 2, and 3, unsurveyed.
T. 20 N., R. 5 E., unsurveyed,
Sec. 22;
Sec. 23, S½;
Sec. 24, S½;
Secs. 25 to 27 and secs. 34 to 36, inclusive.
T. 19 N., R. 6 E.,
Secs. 1 to 6, inclusive;
Sec. 10, N½NE¼;
Sec. 11, lots 1, 2, NE¼, N½NW¼;
Sec. 12.
T. 20 N., R. 6 E.,
Sec. 13, S½;
Secs. 14 and 15;
Sec. 19, S½;
Sec. 20, S½;
Secs. 21 to 36, inclusive.

The areas described, including both public and non-public lands, aggregate 23,750 acres.

This order shall take precedence over, but not modify, the withdrawal for national forest purposes made by the Executive order of April 6, 1915, so far as such order affects the above-described lands.

The jurisdiction granted by this order shall cease at the expiration of the six months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). Thereupon, jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior, and any other Department or agency of the Federal Government according to their respective interests then of record. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

ABE FORTAS,
Acting Secretary of the Interior.

MAY 10, 1944.

[F. R. Doc. 44–7247; Filed, May 20, 1944; 10:45 a. m.]

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

PONTOTOC COUNTY, MISS.

DESIGNATION OF LOCALITIES FOR LOANS

Designation of localities in county in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's Delegation of Authority issued November 3, 1943, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION VI

MISSISSIPPI

County—Pontotoc

Locality I:	Consisting of Beat 1	$2,063
Locality II:	Consisting of Beat 2	1,260
Locality III:	Consisting of Beat 3	1,394
Locality IV:	Consisting of Beat 4	2,150
Locality V:	Consisting of Beat 5	1,733

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved May 18, 1944.

FRANK HANCOCK,
Administrator.

[F. R. Doc. 44–7254; Filed, May 20, 1944; 11:17 a. m.]

BIBB COUNTY, ALA.

DESIGNATION OF LOCALITIES FOR LOANS

Designation of localities in county in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's Delegation of Authority issued November 3, 1943, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION V

ALABAMA

County—Bibb

Locality I: Consisting of the precincts of Belle Ellen, Blocton, Kingdom, McGraws, Oldham Place, and Scottsville	$905
Locality II: Consisting of the precinct of Hallman	1,320
Locality III: Consisting of the precincts of Ashby, Centerville, Eolline, James, Randolph, and Six Mile	1,919

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved May 18, 1944.

FRANK HANCOCK,
Administrator.

[F. R. Doc. 44–7255; Filed, May 20, 1944; 11:17 a. m.]

Rural Electrification Administration.

[A. O. 824]

ALLOCATION OF FUNDS FOR LOANS

MAY 6, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation	Amount
Colorado 4014E1 Alamosa	$200,000
Louisiana 4010E1 Washington	100,000
Minnesota 4034D1 Stearns	100,000
Texas 4059D2 Lamb	50,000
Virginia 4022H3 Caroline	60,000
Washington 4023A3 Grays Harbor	3,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44–7222; Filed, May 19, 1944; 3:18 p. m.]

[A. O. 825]

ALLOCATION OF FUNDS FOR LOANS

MAY 10, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Arkansas 4013E1 Johnson	$50,000
Arkansas 4024F1 Washington	105,000
Kentucky 4038C3 Fulton	75,000
Maryland 4007E3 Caroline	20,000
Minnesota 4061C3 Freeborn	75,000
Minnesota 4084A3 Traverse	80,000
Missouri 4–3041A3 Platte	20,000
Missouri 4–3051A3 Nodaway	25,000
North Carolina 4016D3 Edgecombe	25,000
Oklahoma 4001F1 Kingfisher	185,000
Pennsylvania 4021C2 Somerset	20,000
Pennsylvania 4022B3 Jefferson	15,000
Texas 4055C3 Floyd	50,000
Texas 4095D3 Medina	70,000
Texas 4101D1 Parker	50,000
Virginia 4027H4 Nottaway	50,000
Virginia 4031D4 Mecklenburg	50,000
Virginia 4035D2 Madison	15,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44–7223; Filed, May 19, 1944; 3:18 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3962), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATE

APPAREL INDUSTRY

Advertisers Manufacturing Company, 121–131 E. Jackson Street, Ripon, Wisconsin; cotton cloth advertising caps, carpenters' aprons, danger flags, etc.; 10 percent (T); effective May 20, 1944, expiring May 19, 1945.

Ware Shoals Mfg. Company, Ware Shoals, South Carolina; handkerchiefs; 5 percent (T); effective May 20, 1944, expiring May 19, 1945.

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Co-Ed Frocks, Inc., Roodhouse, Illinois; ladies' cotton washable outer clothing; 30 learners (E); effective May 23, 1944, expiring November 22, 1944.

Co-Ed Frocks, Inc., White Hall, Illinois; ladies' cotton washable outer clothing; 25 learners (AT); effective May 26, 1944, expiring November 25, 1944.

Co-Ed Frocks, Inc., Winchester, Illinois; ladies' cotton washable outer clothing; 30 learners (E); effective May 23, 1944, expiring November 22, 1944.

Freeland Manufacturing Company, 156 Ridge Street, Freeland, Pennsylvania; work clothing; 10 percent (T); effective May 20, 1944, expiring May 19, 1945.

H. B. Glover Company, Union Street, Dyersville, Iowa; shirts; 10 learners (T); effective May 23, 1944, expiring May 22, 1945.

The Mack Shirt Corporation, 209 East 6th Street, Cincinnati, Ohio; men's dress and sport shirts; 10 percent (T); effective May 23, 1944, expiring May 22, 1945.

Prevue Sportwear, Inc., 31 N. Spruce Street, Mt. Carmel, Pennsylvania; children's dresses and blouses; 10 percent (T); effective May 22, 1944, expiring May 21, 1945.

The Roswell Company, Roswell, Georgia; trousers; 10 percent (T); effective May 25, 1944, expiring May 24, 1945.

Roy Manufacturing Company, 125 S. Spruce Street, Mt. Carmel, Pennsylvania; cotton wash dresses; 10 percent (T); effective May 27, 1944, expiring May 26, 1945.

Jules L. Simon, Incorporated, 600 W. Kyger Street, Frankfort, Indiana; jackets, shirts, pants and shorts; 10 percent (T); effective May 20, 1944, expiring May 19, 1945.

Wyoming Dress Company, 183 East Eighth Street, Wyoming, Pennsylvania; dresses; 10 percent (T); effective May 25, 1944, expiring May 24, 1945.

GLOVE INDUSTRY

J. A. Bruggeman & Company, P. O. Box 576, Worcester, New York; work gloves; 2 learners (T); effective May 19, 1944, expiring May 18, 1945.

HOSIERY INDUSTRY

Asheboro Hosiery Mills, Inc., Asheboro, North Carolina; full-fashioned hosiery; 5 percent (T); effective May 27, 1944, expiring May 26, 1945.

Barber Hosiery Mills, Inc., Mount Airy, North Carolina; seamless hosiery; 10 percent (AT); effective May 20, 1944, expiring November 19, 1944.

John L. Fead & Sons, Port Huron, Michigan; seamless hosiery; 15 percent (AT); effective May 18, 1944, expiring November 17, 1944.

Galax Knitting Company, Inc., Virginia Street, Galax, Virginia; seamless hosiery; 40 learners (AT); effective May 20, 1944, expiring November 19, 1944.

Hollar Hosiery Mills, Hickory, North Carolina; seamless hosiery; 10 learners (AT); effective May 30, 1944, expiring November 29, 1944.

Lawler Hosiery Mills, Inc., 53 Bradley Street, Carrollton, Georgia; seamless hosiery; 5 percent (T); effective May 24, 1944, expiring November 23, 1944.

TELEPHONE INDUSTRY

Mutual Telephone, Sioux Center, Iowa; to employ learners as commercial switchboard operators at its Sioux Center exchange, located at Sioux Center, Iowa; effective May 19, 1944, expiring May 18, 1945.

TEXTILE INDUSTRY

Plaza Mills, Middleburg, Pennsylvania; rayon; 3 percent (T); effective May 27, 1944, expiring May 26, 1945.

Signed at New York, N. Y., this 20th day of May 1944.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 44–7303; Filed, May 22, 1944; 11:37 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 519, 582, 1028, 1040, 1131]

WESTERN AIR LINES, INC., ET AL.

NOTICE OF ORAL ARGUMENT

Western Air Lines, Inc., United Air Lines, Inc., Transcontinental & Western Air, Inc., and Continental Air Lines, Inc.

Applications for certificates and amendment of existing certificates of public convenience and necessity, Denver–Los Angeles.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, oral argument before the Board in the above-entitled proceeding is hereby assigned for June 1, 1944, 10:00 a. m. (eastern war time) in Room 5042, Commerce Building, 14th and Constitution Avenue, N. W., Washington, D. C.

Dated: Washington, D. C., May 19, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44–7293; Filed, May 22, 1944; 10:51 a. m.]

[Docket No. 930]

ALASKA AIRLINES, INC. AND CORDOVA AIR SERVICE, INC.

NOTICE OF ORAL ARGUMENT

Application for approval under sections 408 (b) and 401 (i) of the Civil Aeronautics Act of 1938, as amended, of the purchase by Alaska Airlines, Inc., of the property and business of Cordova Air Service, Inc., and the transfer of the certificate of public convenience and necessity held by Cordova Air Service, Inc., to Alaska Airlines, Inc.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 408 and 1001 of said act, that oral argument in the above-entitled proceeding is assigned to be held on May 29, 1944, at 10:00 a. m. (eastern war time) in Room 5042, Commerce Building, 14th and Constitution Avenue, N. W., Washington, D. C.

Dated: Washington, D. C., May 20, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44–7292; Filed, May 22, 1944; 10:51 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Order 120]

STANDARD AND HIGH FREQUENCY BROADCAST STATIONS

MECHANICAL RECORDS; PROPOSED AMENDMENT

At a meeting of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of May 1944;

Whereas the Commission is of the opinion that public interest, convenience and necessity may be served by amending § 3.407 of the rules and regulations to read as follows:

§ 3.407 *Mechanical records.* (a) No recorded program consisting of a speech, news events, news commentator, forum, panel discussion, special event, or any other recorded program in which the element of time is of special significance and a presentation of which would create, whether intentionally or otherwise, the impression or belief on the part of the radio audience that the event or program being broadcast is in fact occurring simultaneously with the broadcast, shall be broadcast without an appropriate announcement being made at the beginning and conclusion of the broadcast that it is a recorded program. The identifying announcement shall accurately describe the type of mechanical record used.

(b) Any other program consisting of a mechanical record or series of mechanical records need not be announced as provided in paragraph (a), but the licensee shall not attempt affirmatively to create the impression that the program being so broadcast consists of live talent. At least once each hour the licensee shall announce which of the programs other than those specified in paragraph (a), presented during the previous hour, were broadcast by means of mechanical records.

And, whereas, the Commission is of the opinion that it will best conduce to the proper dispatch of business and to the ends of justice that all interested persons be given an opportunity to file statements or briefs showing why the above proposal should not be adopted, or why it should not be adopted in the form proposed by this order;

Now, therefore, it is hereby ordered, That any person desiring to do so may, on or before the 16th day of June, 1944, file statements or briefs as to why the above proposed amendment to § 3.407 should not be adopted or why it should not be adopted in the form proposed by this order. Requests for oral argument, if made with briefs or statements, will be considered.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44–7288; Filed, May 22, 1944; 10:42 a. m.]

[File No. T5–PH–526]

CHARLES EDWARD STUART

ORDER SETTING HEARING DATE ON STATED ISSUES

In re application of Charles Edward Stuart, Ventura, California, for a construction permit for a point-to-point radiotelegraph station, Docket No. 6553.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 16th day of May 1944;

The Commission, having under consideration an application of Charles Edward Stuart for a construction permit for a point-to-point radiotelegraph station for operation of a radio circuit between the United States and China; and

It appearing that upon examination and investigation of said application the Commission is unable to determine that a grant thereof would serve public interest, convenience, or necessity, and has so advised the applicant and that the applicant has communicated to the Commission his desire to proceed with a formal hearing with respect thereto;

It is ordered, That said application be, and it is hereby designated for hearing in San Francisco, California, commencing at 10:00 a. m., p. w. t. on May 31, 1944, at the offices of the Commission, Room 902, 100 McAllister Street, for the following reasons:

1. To determine the nature and extent of the communications service now rendered and hereafter proposed to be rendered by the applicant.

2. To determine whether the applicant is a representative of an alien or of a foreign government within the meaning of section 310 of the Communications Act of 1934, as amended.

3. To determine the adequacy of existing facilities and services for the rendition of the same or similar communications service as that proposed by the applicant.

4. To determine the desirability of applicant's existing and proposed service insofar as the same relates to the needs of any United States or Chinese government authority.

5. To determine what frequencies applicant proposes to use and whether the same will avoid interference with existing government and commercial services.

6. To determine the desirability, from the standpoint of conservation of frequencies, of assigning frequencies for the limited purpose of a contact control channel for use solely in connection with the receipt and delivery of private and public correspondence.

7. To determine all facts bearing upon the status of the applicant as a common carrier, as defined in the Communications Act of 1934, as amended, with respect to present and proposed communications service.

8. To determine what action should be taken with respect to applicant's noncompliance with any applicable statutory requirements and the Commission's rules and regulations related to communications common carriers.

9. To determine whether the applicant has satisfied the requirements of the Commission's memorandum opinion of January 26, 1944.

10. To determine whether, in the light of the evidence adduced upon the foregoing issues, public interest, convenience and necessity would be served by a grant of the application herein designated for hearing.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44–7289; Filed, May 22, 1944; 10:42 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G–545]

MISSOURI WESTERN GAS CO.

NOTICE OF APPLICATION

Notice is hereby given that on May 2, 1944, the Missouri Western Gas Company a Delaware corporation having its principal place of business in Butler, Missouri, filed with the Federal Power Commission an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of the facilities hereinafter described.

The proposed construction consists of a 3½-inch and 4-inch pipe line approximately 21 miles in length, extending from and connected with Panhadle Eastern Pipe Line Company's measuring station 1½ miles north of Harrisonville, Missouri, along U. S. Highway No. 71 to the 4-inch transmission pipe line of the Applicant at Adrian, Missouri, and one regulator station.

It appears from the application that the operation of the above described facilities will make available to the Misscuri Western Gas Company natural gas from

the Panhandle Eastern Pipe Line Company, which will permit the Applicant to continue to render natural gas service in the town of Adrian, Amoret and Butler in Bates County, Missouri.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 6th day of June 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

MAY 20, 1944.

[F. R. Doc. 44-7284; Filed, May 22, 1944; 10:25 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 252]

RECONSIGNMENT OF ONIONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, May 17, 1944, by Abe Cohen Company, Rochester, New York, of cars ART 17006, 20719 and SFRD 19616, onions, now on the Wabash Railroad, to Albany, New York, Syracuse, New York, and Youngstown, Ohio, respectively.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7256; Filed, May 20, 1944; 11:24 a. m.]

[S. O. 70-A, Special Permit 253]

RECONSIGNMENT OF ORANGES AT YOUNGSTOWN, OHIO

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Youngstown, Ohio, May 17, 1944, by Mutual Orange Distributors, of car MDT 7288, oranges, now on the Erie Railroad, to Waverly, New Jersey.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7257; Filed, May 20, 1944; 11:24 a. m.]

[S. O. 70-A, Special Permit 254]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, May 17, 1944, by Cochrane Brokerage Company of car NRC 10145, potatoes, now on the Burlington Lines, to Lawton, Oklahoma. (Rock Island)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7258; Filed, May 20, 1944; 11:24 a. m.]

[S. O. 70-A, Special Permit 255]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, May 17, 1944, by Mutual Orange Distributors, of car MDT 7288, oranges, now on the Erie Railroad, to Waverly, New Jersey.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7259; Filed, May 20, 1944; 11:24 a. m.]

[S. O. 70-A, Special Permit 256]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, May 17, 1944, by National Produce Company of cars URT 9360 and WFE 60975, potatoes, now on the Chicago Produce Terminal, to Mark Twain Produce Company, Hannibal, Missouri, and to Mark Twain Produce Company, Macomb, Illinois, respectively.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7260; Filed, May 20, 1944; 11:24 a. m.]

[S. O. 70-A, Special Permit 257]

RECONSIGNMENT OF ONIONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, May 17, 1944, by Kramer Brothers Company of cars NRC 5531 and MDT 3391, onions, now on the Chicago Produce Terminal, to Strock and Company, Boston, Massachusetts.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7261; Filed, May 20, 1944; 11:24 a. m.]

[S. O. 70-A, Special Permit 258]

RECONSIGNMENT OF POTATOES AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at St. Louis, Missouri, May 17, 1944, by A. M. Macheca Company of car WFE 62158, potatoes, now on the Wabash Railroad to Kansas City, Missouri-Kansas.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of May 1944.

V. C. CLINGER,
Director.
Bureau of Service.

[F. R. Doc. 44-7262; Filed, May 20, 1944; 11:24 a. m.]

[S. O. 164, 2d Amended Gen. Permit 14]

REFRIGERATION OF CITRUS FRUIT FROM TEXAS

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide standard refrigeration on any refrigerator car loaded with citrus fruit originating at any point or points in the State of Texas.

This general permit shall become effective at 12:01 a. m., May 20, 1944, and shall apply to such cars billed or moving at that time, and it shall expire with July 31, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7263; Filed, May 20, 1944; 11:25 a. m.]

[S. O. 164, 3d Amended Gen. Permit 15]

REFRIGERATION OF CITRUS FRUITS FROM FLORIDA

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide standard refrigeration on any refrigerator car loaded with citrus fruit, originating at any point or points in the State of Florida.

This general permit shall become effective at 12:01 a. m., May 20, 1944, and shall apply only to such cars billed on or after that date, and it shall expire with July 31, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7264; Filed, May 20, 1944; 11:25 a. m.]

[S. O. 164, Special Permit 61]

REICING OF ORANGES AT MILWAUKEE, WIS.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only, at Milwaukee, Wisconsin, as ordered by Heller Brothers Packing Company, Winter Garden, Florida, Car NRC 8305, oranges, now on the C. & N. W. Ry. (to be reconsigned to Chicago, Illinois).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7265; Filed, May 20, 1944; 11:25 a. m.]

[S. O. 200, 3d Amended Gen. Permit 1]

REICING OF POTATOES FROM ALABAMA OR MISSISSIPPI

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes originating at any point in Alabama or Mississippi, after the first or initial icing at an icing station not beyond Atlanta, Georgia, or Jackson, Memphis or Nashville, Tennessee, to reice once in transit to full bunker capacity at any regular icing station enroute beyond the station where car was initially iced.

This general permit shall become effective at 12:01 a. m., May 20, 1944, and the reicing authorized herein may be accorded on such refrigerator cars moving at that time. This general permit shall expire at 12:01 a. m., June 20, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7266; Filed, May 20, 1944; 11:25 a. m.]

[S. O. 200, Gen. Permit 5]

ICING OF POTATOES FROM SOUTH CAROLINA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes originating at any point in the state of South Carolina, at the carriers option, to accord the first or initial icing at a regular icing station en route after the car is loaded and billed.

This general permit shall become effective at 12:01 a. m., May 19, 1944, and the icing authorized herein may be accorded on such refrigerator cars moving at that time. This general permit shall expire with June 30, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7267; Filed, May 20, 1944; 11:25 a. m.]

[S. O. 200, Special Permit 11]

REICING OF POTATOES FROM TYLERTOWN, MISS.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once in transit to full bunker capacity, car MDT 146180, potatoes, shipped by Bacon Brothers, Tylertown, Mississippi, consigned to C. A. Robrecht and Company, Wheeling, West Virginia, with stop-off at Parkersburg, West Virginia, to partly unload. (F. C. & G.-Ill. Cent.-B. & O.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7268; Filed, May 20, 1944; 11:25 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

ALFRED CERUTTI

ORDER FOR AND NOTICE OF HEARING

In the matter of Alfred Cerutti, also known as Alfredo Cerutti, an incompetent, represented by his Committee, Maurice Josephberg, Giuseppe Giavani, and Lorenzo Bonfantini, appointed by order of the Supreme Court of the State of New York, New York County, March 21st, 1939.

Whereas by Vesting Order No. 1911 dated August 3, 1943 (8 F.R. 11187), the Alien Property Custodian vested all the property and estate of Alfred Cerutti (also known as Alfredo Cerutti) of any nature whatsoever in the possession of Maurice Josephberg, Giuseppe Giavani and Lorenzo Bonfantini as Committee of the property of the said Alfred Cerutti, in which vesting order there was recited, among other things, a finding that said Alfred Cerutti is a national of a designated enemy country (Italy); and

Whereas the said Maurice Josephberg, Giuseppe Giavani and Lorenzo Bonfantini as the Committee for Alfred Cerutti have filed a notice of claim No. 1120 which appears to assert that the said Alfred Cerutti is not and was not at the time of vesting a national of a designated enemy country; and

Now therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended (8 F.R. 16709), that a hearing thereon be held before the Vested Property Claims Committee on Thursday, June 1, 1944, at 10:00 a. m. eastern war time, at room 633, National Press Building, 14th and F Streets NW., Washington, D. C., to continue thereafter at such times and places as the Vested Property Claims Committee may determine. *It is further ordered,* That copies of this notice of hearing be served by registered mail on each member of the Committee for Alfred Cerutti, and upon the person designated in paragraph 2 of the said notice of claim, and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claim may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets NW., Washington (25), D. C., on or before May 25, 1944.

The foregoing characterization of the claim is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claim. Copies of the claim and of the said vesting order are available for public inspection at the address last above stated.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE.
JOHN C. FITZGERALD,
Chairman.
MICHAEL F. KRESKY.
NUGENT DODDS.

MAY 19, 1944.

[F. R. Doc. 44-7240; Filed, May 20, 1944; 10:49 a. m.]

[Vesting Order 3340]

EAST TWENTY FIRST STREET LIGHTER CORP.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That all of the issued and outstanding capital stock of East Twenty First Street Lighter Corporation, a corporation organized and doing business under the laws of the State of New York and a business enterprise within the United States, consisting of 100 shares of no par value stock, is registered in the names of the persons listed below in the number appearing opposite each name and is beneficially owned by Rudolf Buchmann, and is evidence of ownership and control of said business enterprise:

Name and Number of Shares	
C. N. Shaffer	60
C. McShane	40
Total	100

2. That Rudolf Buchmann, whose last known address is Vienna, Germany, is a national of a designated enemy country (Germany);

3. That Rudolf Buchmann has claims against East Twenty First Street Lighter Corporation, which claims, as of September 16, 1943, aggregated $3,223.42, subject, however, to any accruals or deductions subsequent thereo, and represent an interest in said business enterprise;

and determining:

4. That East Twenty First Street Lighter Corporation is controlled by Rudolf Buchmann and is a national of a designated enemy country (Germany);

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 100 shares of capital stock of East Twenty First Street Lighter Corporation, registered in the names of C. N. Shaffer and C. McShane, and the interest of Rudolf Buchmann in East Twenty First Street Lighter Corporation, represented on the books and records of said corporation as royalties payable, and hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 20, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-7238; Filed, May 20, 1944; 10:49 a. m.]

[Vesting Order 3631]

ALFOL INSULATION COMPANY, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That of the outstanding capital stock of Alfol Insulation Company, Inc., a corporation organized under the laws of the State of Delaware and doing business under the laws of the State of New York and a business enterprise within the United States, consisting of 1,765 shares of common of no par value, 650 shares (36.83%) are owned by and registered in the name of N. V. Internationale Alfol Mij. and are evidence of control of the said business enterprise;

2. That N. V. Internationale Alfol Mij., whose principal place of business is Amsterdam, Holland, is a corporation organized under the laws of The Netherlands;

3. That Rhodius Koenigs Handelmaatschappij N. V. whose principal place of business is Amsterdam, Holland, is a corporation organized under the laws of The Netherlands and is directly or indirectly acting for the benefit or on behalf of persons within a designated enemy country (Germany);

and determining:

4. That Rhodius Koenigs Handelmaatschappij N. V. is controlled by or acting for or on behalf of a designated enemy country (Germany) or persons within such country and is a national of a designated enemy country (Germany);

5. That N. V. Internationale Alfol Mij., is controlled by Rhodius Koenigs Handelmaatschappij N. V. and is acting for or on behalf of a designated enemy country (Germany) or persons within such country and is a national of a designated enemy country (Germany);

6. That Alfol Insulation Company, Inc., is controlled by N. V. Internationale Alfol Mij. and is acting for or on behalf of a designated enemy country (Germany) or persons within such country and is a national of a designated enemy country (Germany);

7. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian 650 shares of the no par value common capital stock of Alfol Insulation Company, Inc., hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 10, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7239; Filed, May 20, 1944; 10:49 a. m.]

[Vesting Order 3454]

THE NATIONAL SEED CO., INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That all of the issued and outstanding capital stock of The National Seed Company, Inc., a corporation organized and doing business under the laws of the State of New York, and a business enterprise within the United States, consisting of 50 shares of $100 par value common stock, registered in the names of the persons listed below in the number appearing opposite each name, is beneficially owned by Zuckerfabrik Klein-Wanzleben vormals Rabbethge & Giesecke, A. G., and is evidence of ownership and control of said business enterprise;

Name and Number of Shares	
Algemeene Zaadteelt-en Handelmaatschappij	45
Rudolf Beyer	1
George C. Castell	2
A. Behncke	2
Total	50

2. That Algemeene Zaadteelt-en Handelmaatschappij has a claim against The National Seed Company, Inc., which claim as of August 31, 1942, aggregated $11,430.62, subject, however, to any accruals or deductions subsequent thereto and is described on the books and records of said company as an account payable, and represents an interest in said business enterprise;

3. That Algemeene Zaadteelt-en Handelmaatschappij, whose principal place of business is located at Roosendaal, Holland, is a wholly owned subsidiary of Zuckerfabrik Klein-Wanzleben vormals Rabbethge & Giesecke, A. G.;

4. That Zuckerfabrik Klein-Wanzleben vormals Rabbethge & Giesecke, A. G., whose principal place of business is located at Klein-Wanzleben, Germany, is a national of a designated enemy country (Germany);

and determining:

5. That The National Seed Company, Inc., and Algemeene Zaadteelt-en Handelmaatschappij are controlled by Zuckerfabrik Klein-Wanzleben vormals Rabbethge & Giesecke, A. G., and are nationals of a designated enemy country (Germany);

6. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 50 shares of $100 par value common capital stock of The National

Seed Company, Inc., hereinbefore more fully described, and the interest of Algemeene Zaadteelt-en Handelmaatschappij in The National Seed Company, Inc., as represented on the books and records of said company as an account payable to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account, of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7294; Filed, May 22, 1944; 10:51 a. m.]

[Vesting Order 3524]

TOYOJIRO YAMANAKA

In re: One Leica camera owned by Toyojiro Yamanaka.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Toyojiro Yamanaka is a citizen and resident of Japan, and a national of a designated enemy country (Japan);

2. That Toyojiro Yamanaka is the owner of the property described in paragraph 3 hereof;

3. That the property described as follows: One Leica camera bearing serial No. 245801 now in the possession of Yamanaka & Co., Inc., in liquidation, under the supervision of the Alien Property Custodian, 680 Fifth Avenue, New York City,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in paragraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7295; Filed, May 22, 1944; 10:51 a. m.]

[Vesting Order 3568]

GERMAN AMERICAN BUND

In re: Claim owned by German American Bund.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the German American Bund is an unincorporated national association organized and doing business within the United States;

2. That the National Socialist Party (National Socialistische Partei) located in Germany is composed of nationals of Germany and is a national of a designated enemy country (Germany);

3. That the German American Bund since April 10, 1940, was or has been controlled by the National Socialist Party and the German Government;

4. That the German American Bund is controlled by or acts for or on behalf of the National Socialist Party and a designated enemy country (Germany) and is therefore a national of a designated enemy country (Germany);

5. That the German American Bund is the owner of the property described in paragraph 6 hereof;

6. That the property described as follows:

All right, title, interest and claim of any name and nature whatsoever of the German American Bund, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to the German American Bund by Arthur L. Wilcox, Clerk of the County of Sussex, Town of Newton, State of New Jersey, including but not limited to the sum of $18,000 now on deposit with the said Arthur L. Wilcox, Clerk of the County of Sussex, Newton, New Jersey, in the name of Gustav J. Elmer, which sum was deposited with the said Arthur L. Wilcox at the times, in the amounts and as for cash bail and/or recognisances for the release of the persons particularly described in Exhibit A, attached hereto and by reference made a part hereof,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in paragraph 6 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Name of defendant and date of deposit:	*Amount of deposit*
Leonard D. Clark, 10–18–40	$1,000.00
Leonard D. Clark, 2–3–41	1,000.00
August Klapprott, 10–18–40	1,000.00
August Klapprott, 1–31–41	1,000.00
Mathias Kohler, 10–18–40	1,000.00
Mathias Kohler, 1–31–41	1,000.00
John C. Pitting, 10–18–40	1,000.00
John C. Pitting, 1–31–41	1,000.00
Richard Schiele, 10–18–40	1,000.00
Richard Schiele, 2–3–41	1,000.00
Paul Schaarschmidt, 10–18–40	1,000.00
Paul Schaarschmidt, 1–31–41	1,000.00
Carl Schipphorst, 10–18–40	1,000.00
Carl Schipphorst, 2–3–41	1,000.00
George Neupert, 10–18–40	1,000.00
George Neupert, 2–3–41	1,000.00
Wilhelm Kunze, 11–15–40	1,000.00
Wilhelm Kunze, 1–31–41	1,000.00

EXHIBIT B

William Luedtke, did make the following statement this 7th day of March 1944:

I am former national secretary of the German American Bund. With reference to the so-called "Nordland Ball Fund", which was raised and deposited with the Court in Newton, New Jersey, this fund was raised by loans and contributions. The money was raised as an activity of the German American Bund. The loans and contributions were turned over to Gustav Elmer by the local unit leaders and by individual contributors and lenders. The fund was raised under the supervision of Gerhard Wilhelm Kunze and Elmer. The receipts, if I recall correctly, were made up at Bund headquarters at 85th Street by Elmer. These loans were to the German American Bund and it was to the Bund that the contributors and leaders looked for repayment.

WM. LUEDTKE.

Witnessed:

MICHAEL M. COON,
New York City.

[F. R. Doc. 44–7296; Filed, May 22, 1944; 10:52 a. m.]

[Vesting Order 3572]

HERMAN OTTEN, ET AL.

In re: Interests in real property, fire insurance policy, and claim owned by Herman Otten, and others.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the persons whose names and last known addresses are set forth below are residents of Germany and are nationals of a designated enemy country (Germany):

Names and Last Known Addresses

Herman Otten, Frankfurt, Germany.
Johannes Otten, also known as Hans Otten, Frankfurt, Germany.
Dr. Carl Otten, Frankfurt, Germany.
Lissette Louise Wilhelmine, also known as Wilma Nagel, Bremen, Germany.
Wilhelm Otten, Hessen-Nassau, Germany.

2. That Herman Otten, Johannes, also known as Hans Otten, Dr. Carl Otten, Lissette Louise Wilhelmine, also known as Wilma Nagel, and Wilhelm Otten are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the Borough and County of Queens, New York, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

b. All right, title and interest of Herman Otten, Johannes Otten, Dr. Carl Otten, Lissette Louise Wilhelmine and Wilhelm Otten in and to Fire Insurance Policy No. 3158 of the Home Insurance Company, New York insuring the premises described in subparagraph 3–a hereof, and

c. All right, title, interest and claim of any name or nature whatsoever of Herman Otten, Johannes Otten, Dr. Carl Otten, Lissette Louise Wilhelmine and Wilhelm Otten in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Herman Otten, Johannes Otten, Dr. Carl Otten, Lissette Louise Wilhelmine and Wilhelm Otten by Charles Recht of 10 East 40th Street, New York, New York, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3–b and 3–c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3–a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3–a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3–b and 3–c hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All that certain lot, piece or parcel of land with the buildings and improvements thereon in the Borough and County of Queens, formerly the town of Flushing:

Beginning at a point on the Westerly side of Smart Avenue, distant 400 feet 6 inches Northerly from the corner formed by the intersection of the Westerly side of Smart Avenue with the Northerly side of Forest Avenue, and running thence Westerly parallel with Forest Avenue 100 feet; thence running Northerly parallel with Smart Avenue 25 feet 6 inches; thence running Easterly parallel with Forest Avenue 100 feet to Westerly side of Smart Avenue; thence running Southerly along Westerly side of Smart Avenue 25 feet 6 inches to the point or place of beginning.

[F. R. Doc. 44–7297; Filed, May 22, 1944; 10:52 a. m.]

[Vesting Order 3575]

NISSEN STIFTUNG

In re: Pearl owned by Nissen Stiftung, also known as Nissen Foundation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Nissen Stiftung, also known as Nissen Foundation, is a business enterprise organized under the laws of Germany, with its principal place of business at Husum, Schleswig-Holstein, Germany, and is a national of a designated enemy country (Germany);

2. That Nissen Stiftung, also known as Nissen Foundation, is the owner of the property described in paragraph 3 hereof;

3. That the property described as follows:

One pearl believed to weigh 23.68 grains, identified as Lot 1282 and in the possession of Walter Eitelbach & Co., Inc., of 608 5th Avenue, New York, New York,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in paragraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7298; Filed, May 22, 1944; 10:52 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 20A–117]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN BURLINGTON, IOWA, AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Burlington, Iowa, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Davenport, Iowa, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–117" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Davenport, Iowa.

8. This order shall become effective May 27, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 20th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Yellow Cab Company, 211 Valley Street, Burlington, Iowa.

Boyd Upton, Union Company, 309 South Main Street, Burlington, Iowa.

[F. R. Doc. 44–7237; Filed, May 20, 1944; 10:17 a. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 20A–118]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN SPRINGFIELD, MASS., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Springfield, Massachusetts, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Springfield, Massachusetts, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–118" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Springfield, Massachusetts.

8. This order shall become effective May 29, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 22d day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Springfield Black & White Taxi Service, Inc., Room 101, Union Station, Springfield, Massachusetts.

Peter J. Miller, d/b/a Miller Taxi Service, 112 State Street, Springfield, Massachusetts.

[F. R. Doc. 44–7320; Filed, May 22, 1944; 11:48 a. m.]

[1] Filed with the Division of the Federal Register.

[Supp. Order ODT 20A–119]

CERTAIN TAXICAB OPERATORS IN THE SCHENECTADY, N. Y., AREA

COORDINATED OPERATIONS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Schenectady, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Albany, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–119" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Albany, New York.

8. This order shall become effective May 29, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 22d day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Central Taxi, 527 State Street, Schenectady, New York.

Town Taxi, 130 South Church Street, Schenectady, New York.

Harry's Taxi, 220 Broadway, Schenectady, New York.

Brown Taxi, 8 Yates Street Schenectady, New York.

City Taxi, 354 Erie Boulevard, Schenectady, New York.

Public Taxi, 510½ State Street, Schenectady, New York.

Diamond Taxi Service, N. Y. C. Station, Schenectady, New York.

[F. R. Doc. 44–7321; Filed, May 22, 1944; 11:48 a. m.]

[1] Filed with the Division of the Federal Register.

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 772]

GENEVA STEEL CO.

ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MAXIMUM PRICES

Order No. 772 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons given in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Plancor No. 301 Mine of the Geneva Steel Company, Emery County Utah in District No. 20, is hereby assigned Mine Index No. 1001 and classified in Subdistrict No. 1. Price Group.

(b) Coals produced by the Geneva Steel Company at its Plancor No. 301 Mine, Mine Index No. 1001, located in Emery County, Utah in District No. 20, for the uses indicated and by methods of transportation appearing herein, may be sold and purchased at per net ton prices not exceeding the following:

	Size groups														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Rail shipments, including railroad fuel	$4.05	$4.05	$3.85	$3.80	$3.85	$3.80	$3.20	$3.00	$3.00	$2.55	$2.55	$2.35	$3.20	$2.95	$2.75
Truck shipments	4.90	4.50	4.35	4.15	4.20	3.60	3.35	2.95	2.85	2.65	2.55	2.30	3.50	3.20	2.95

(c) The maximum prices established herein are f. o. b. the mine for truck shipment and f. o. b. the rail shipping point for rail shipment and for railroad fuel.

(d) This order may be revoked or amended at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective May 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7277; Filed, May 20, 1944; 4:01 p. m.]

Regional and District Office Orders.

[Region I Order G-14 Under RMPR 122, Amdt. 5]

SOLID FUELS IN LOWELL, MASS., AREA

Amendment No. 5 to Order No. G-14 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; Lowell, Massachusetts, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-14 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In Price Schedule I, paragraph (b) (1), under the heading "Coke", the following prices are added for pea size coke:

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Coke:				
Pea	$13.65	$7.10	$3.55	$0.57

2. In Price Schedule II, paragraph (c) (1), under the heading "Coke", the following prices are added for pea size coke:

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Coke:				
Pea	$12.65	$6.60	$3.30	$0.70

3. In Price Schedule III, paragraph (d) (1), under the heading "Coke", the following price is added for pea size coke:

Kind and size	*Per net ton*
Coke	
Pea	$10.40

This Amendment No. 5 shall become effective May 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 13th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-7232; Filed, May 19, 1944; 4:22 p. m.]

[Region I Order G-32 Under RMPR 122, Amdt. 2]

SOLID FUELS IN ROCKLAND, MAINE, AREA

Amendment No. 2 to Order No. G-32 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; Rockland, Maine, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-32 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. The following prices for cannel coal are added to Price Schedule I in paragraph (b) (1):

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Cannel coal	$20.00	$10.00	$5.25	$1.10

2. The following prices for cannel coal are added to Price Schedule II in paragraph (c) (1):

Kind and size	Per net ton	¼ ton	½ ton	100 lbs.
Cannel coal	$19.50	$9.75	$4.90	$1.00

3. Paragraph (d) is amended to read as follows:

(d) *Terms of sale*—(1) *Entire area except Union.* If payment is made by the buyer within ten days after receipt of the fuel, the maximum prices established by paragraphs (b) and (c) shall be reduced by $1.00 per ton on sales of ambricoal, coke, cannel coal and broken, egg, stove, chestnut and pea sizes of Pennsylvania anthracite, and by 50 cents per ton on sales of buckwheat and rice sizes of Pennsylvania anthracite, which reductions are "cash discounts". No further discount is required for cash on delivery, and no "cash discount" is required on sales of less than a ton or on sales of any quantity of Pennsylvania anthracite yard screenings. If payment is not required or made at the time of delivery or (except in the cases of Pennsylvania anthracite yard screenings and less than ton lots) within ten days thereafter, terms shall be net thirty days.

(2) *Union.* For deliveries in Union (both delivered and yard sales), terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days e. o. m.

4. Subparagraph (2) of paragraph (g) is amended to read as follows:

(2) "Specified solid fuels" shall include all Pennsylvania anthracite, ambricoal, cannel coal and coke.

This Amendment No. 2 to Order No. G-32 shall become effective May 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 13th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-7231; Filed, May 19, 1944; 4:22 p. m.]

[Region II Rev. Order G-14 Under RMPR 122, Amdt. 1]

SOLID FUELS IN RICHMOND COUNTY, N. Y.

Amendment No. 1 to Revised Order No. G-14 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Richmond County, (Borough of Richmond, City of New York), State of New York, Coal Area II.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-14 is amended in the following respect:

1. Paragraph (j) is amended to read as follows:

(j) *Taxes.* If you are a dealer subject to this order, you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof or to the State of New York or any political subdivision thereof, you need not state this tax separately. You may also collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the N. Y. C. sales tax payable by you.

This Amendment No. 1 to Revised Order No. G-14 shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of May 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-7229; Filed, May 19, 1944; 4:24 p. m.]

[Region II Order G-41 Under RMPR 122]

SOLID FUELS IN DESIGNATED COUNTIES OF MARYLAND

Order No. G-41 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Solid fuels delivered by dealers in Howard, Carroll, Harford, and Cecil Counties, and in designated portions of Baltimore and Anne Arundel Counties, State of Maryland, Coal Area II.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does*—(1) *Dealers' maximum prices: Area covered.* If you are a dealer in solid fuels, this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" and "Virginia anthracite", and for certain sizes, quantities and types of bituminous coal delivered to or at any point in the zones comprising State of Maryland, Coal Area II. That area consists of five zones, as follows:

Zone 1. Zone 1 includes Anne Arundel County, except election district 5.

Zone 2. Zone 2 includes Howard County.

Zone 3. Zone 3 includes Carroll County and electiton districts 4, 5 and 6 of Baltimore County.

Zone 4. Zone 4 includes Harford County and election districts 7, 8, 10 and 11 of Baltimore County.

Zone 5. Zone 5 includes Cecil County.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated kinds, sizes and quantities of coal delivered within Zones 1, 2, 3, 4 and 5 are set forth in Schedules I, II, III, IV and V, respectively.

(3) *To what sales this order applies.* If you are a dealer in solid fuels, you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Zones 1, 2, 3, 4 and 5.

You shall determine the maximum price for "direct-delivery" sales, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone to which delivery is made, whether or not you are located in one of the five zones.

You shall determine your maximum price for a "yard" sale, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone in which the purchaser takes physical possession or custody of the solid fuel.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not:

(1) Sell or, in the course of trade or business, buy solid fuels of the kinds, sizes, and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the Schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) *Use the schedule which covers your sale.* (Schedule I applies to sales on a "direct-delivery" basis, "yard sales", and sales of Virginia anthracite in 19 lb. paper bags, within Zone 1. In like manner, Schedules II, III, IV, and V apply to "direct-delivery" sales and "yard sales" in Zones 2, 3, 4, and 5, respectively. You will find Schedule I in paragraph (d), Schedule II in paragraph (e), Schedule III in paragraph (f), Schedule IV in paragraph (g), and Schedule V in paragraph (h).)

(2) Take the dollars-and-cents figure given in the applicable table of the applicable schedule, for the kind, size and quantity of solid fuel you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified therein. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in the schedules.

(5) If you deliver a fraction of a net ton, but not less than one-half ton, and the applicable schedule provides a discount on the basis of one ton or one-half ton, you shall allow a proportionate discount, making your calculation to the nearest full cent. For example, if you are required to deduct 50¢ per ton for cash payment, you shall deduct 38¢ for three-quarters of a ton.

(6) If you deliver a fraction of a net ton, but not less than one-half ton, and the applicable schedule provides a service charge on the basis of one ton, you shall add no more than a proportionate service charge, making your calculation to the nearest full cent. For example, if the transaction permits a service charge of 75¢ per ton, you shall not add more than 56¢ for performance of that service in connection with the delivery of three-quarters of a ton.

(d) *Schedule I.* Schedule I establishes a specific maximum price for certain kinds, sizes and quantities of solid fuel, delivered to or at any point within Zone 1. There is a separate table of prices for "direct-delivery" sales, "yard sales", and sales of Virginia anthracite in 19 lb. paper bags.

(1) *Sales on a "direct-delivery" basis.*

For sales of coal of the kinds and sizes, and in the quantities specified:

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
Pennsylvania anthracite:			
Broken, egg, stove, nut	$14.50	$7.50	$0.85
Pea	12.70	6.60	.75
Buckwheat	11.30	5.90	.70
Rice	10.20	5.35	-------
Barley	9.20	4.85	-------
Screenings	4.00	2.00	-------
Virginia anthracite:			
Egg, stove, nut	12.30	6.40	.75
Pea	10.90	5.70	.65
Buckwheat	10.25	5.40	.60
Bituminous coal—Low volatile:			
Producing district 1:			
Lump or egg (size group 1, price classification D and E)	10.30	5.40	.65
Nut and slack (size group 4, price classification G)	8.35	4.40	.55
Run-of-mine (size group 3, price classification E and G)	9.00	4.75	60
Producing district 2:			
Run of mine (size group 6, price classification D)	9.00	4.75	60
Producing district 3:			
Lump (size group 3, price classification "DE")	8.60	4.55	.55
Stoker (size group 5, price classification E)	8.45	4.50	.55

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except Pennsylvania anthracite screenings, in quantities of ½ ton or more, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing herein requires that you sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser: "Carry" or "wheel" (except for sales amounting to less than ½ ton).	50¢ per net ton. 25¢ per net ½ ton.
Carrying upstairs, for each full flight above the ground floor (except for sales amounting to less than ½ ton). This charge shall be in addition to any charge for "carry" or "wheel".	50¢ per net ton. 25¢ per net ½ ton.
For deliveries involving hauling beyond seven miles from dealer's yard (except for sales amounting to less than ½ ton). This charge shall apply only to deliveries from yards in State of Maryland—Coal Area II.	50¢ per net ton for each 5 miles or fraction thereof beyond seven miles from dealer's yard.

(2) *"Yard sales."*

For sales of coal of the kinds and sizes, and in the quantities specified:

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
Pennsylvania anthracite:		
Broken, egg, stove, nut	$13.50	$0.75
Pea	11.70	.65
Buckwheat	10.30	.60
Rice	9.20	------
Barley	8.20	------
Screenings	3.00	------
Virginia anthracite:		
Egg, stove, nut	11.30	.65
Pea	9.90	.55
Buckwheat	9.25	.50
Bituminous coal—Low volatile:		
Producing district 1:		
Lump or egg (size group 1, price classification D and E)	9.30	.55
Nut and slack (size group 4, price classification G)	7.35	.45
Run-of-mine (size group 3, price classification E and G)	8.00	.50
Producing district 2:		
Run-of-mine (size group 6, price classification D)	8.00	.50
Producing district 3:		
Lump (size group 3, price classification "DE")	7.60	.45
Stoker (size group 5, price classification E)	7.45	.45

Required discounts. You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of ½ ton or more, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing herein requires that you sell on other than a cash basis.

(3) *Virginia anthracite in 19 lb. paper bags (¼ bushel).*

Size	Delivered at dealer's yard: To dealers	Delivered at dealer's yard: To consumers	Delivered to retail stores	Sales to ultimate consumers
Stove or nut	$0.12	$0.14	$0.14	$0.16

(e) *Schedule II.* Schedule II establishes a specific maximum price for certain kinds, sizes and quantities of solid fuel, delivered to or at any point within Zone 2. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

For sales of coal of the kinds and sizes, and in the quantities specified:

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
Pennsylvania anthracite:			
Broken, egg, stove, nut	$13.95	$7.25	$0.85
Pea	12.30	6.40	.75
Buckwheat	10.70	5.60	.65
Rice	9.60	5.05	------
Barley	8.35	4.45	------
Screenings	4.00	2.00	------
Bituminous coal—Low volatile:			
Producing district 1:			
Lump (size group 1, price classification D and E)	8.80	4.65	.60
Run-of-mine (size group 3, price classification E)	9.00	4.75	.60
Producing district 7:			
Stove (size group 3, price classification A and D)	9.80	5.15	.60

(2) *"Yard sales."*

For sales of coal of the kinds and sizes, and in the quantities specified:

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
Pennsylvania anthracite:		
Broken, egg, stove, nut	$12.95	$0.75
Pea	11.30	.65
Buckwheat	9.70	.55
Rice	8.60	------
Barley	7.85	------
Screenings	3.00	------
Bituminous coal—Low volatile:		
Producing district 1:		
Lump (size group 1, price classification D and E)	7.80	.50
Run-of-mine (size group 3, price classification E)	8.00	.50
Producing district 7:		
Stove (size group 3, price classification A and D)	8.80	.55

Required discounts. You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except Pennsylvania anthracite screenings, in quantities of ½ ton or more, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing herein requires that you sell on other than a cash basis.

(f) *Schedule III.*—Schedule III establishes a specific maximum price for certain kinds, sizes and quantities of solid fuel, delivered to or at any point within Zone 3. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

For sales of coal of the kinds and sizes, and in the quantities specified:

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
Pennsylvania anthracite:			
Broken, egg, stove, nut	$13.45	$7.00	$0.80
Pea	11.80	6.15	.70
Buckwheat	10.15	5.35	.65
Rice	9.05	4.80	------
Barley	7.80	4.15	------
Screenings	3.50	1.75	------
Anthracite briquettes	9.60	5.05	.60
Bituminous coal—Low volatile:			
Producing district 1:			
Lump (size group 1, price classification A, C, D, E, G and H)	8.65	4.60	.55
Run-of-mine (size group 3, price classification D and E)	8.30	4.40	.55
Producing district 3:			
Lump (size group 1, price classification G)	7.30	3.90	.50
Producing district 7:			
Egg (size group 2, price classification D)	10.55	5.55	.65
Stove (size group 3, price classification A)	10.75	5.65	.65
Stove (size group 3, price classification C and D)	10.25	5.40	.65
Nut (size group 4, price classification A)	10.45	5.50	.65
Pea (size group 5, price classification A)	9.50	5.00	.60

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except Pennsylvania anthracite screenings, in quantities of one ton or more, a discount of 25¢ per net ton, where payment is made within ten days after delivery. Nothing herein requires that you sell on other than a cash basis.

Maximum Authorized Service Charges

Special service rendered at the request of the purchaser:

"Carry" or "wheel" (except for sales amounting to less than ½ ton).	50¢ per net ton. 25¢ per net ½ ton.
Carrying upstairs, for each full flight above the ground floor (except for sales amounting to less than ½ ton). This charge shall be in addition to any charge for "carry" or "wheel".	50¢ per net ton. 25¢ per net ½ ton.
For deliveries involving hauling beyond seven miles from dealer's yard (except for sales amounting to less than ½ ton). This charge shall apply only to deliveries from yards in State of Maryland—Coal Area II.	50¢ per net ton for each 5 miles or fraction thereof beyond seven miles from dealer's yard.

prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

For sales of coal of the kinds and sizes, and in the quantities specified:

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
Pennsylvania anthracite:			
Broken, egg, stove, nut	$13.80	$7.15	$0.80
Pea	12.05	6.30	.75
Buckwheat	10.15	5.35	.65
Rice	9.05	4.75	------
Barley	7.75	4.15	------
Screenings	3.50	1.75	------
Bituminous coal—Low volatile:			
Producing district 1:			
Lump (size group 1, price classification C and E)	10.70	5.60	.65
Run-of-mine (size group 3, price classification E and H)	9.20	4.80	.60
High volatile:			
Producing district 2:			
Lump 6" and larger (size group 2, price classification E)	10.25	5.40	.65
Lump 6" and larger x 1¼" and smaller (size group 4, price classification D)	9.30	4.90	.60
Producing district 3: Double screened coal 2" and smaller (size group 4, price classification F)	9.05	4.80	.60

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except Pennsylvania anthracite screenings, in quantities of ½ ton or more, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing herein requires that you sell on other than a cash basis.

Maximum Authorized Service Charges

Special service rendered at the request of the purchaser:

"Carry" or "wheel" (except for sales amounting to less than ½ ton).	50¢ per net ton. 25¢ per net ½ ton.
Carrying upstairs, for each full flight above the ground floor (except for sales amounting to less than ½ ton). This charge shall be in addition to any charge for "carry" or "wheel".	50¢ per net ton. 25¢ per net ½ ton.
For deliveries involving hauling beyond seven miles from dealer's yard (except for sales amounting to less than ½ ton). This charge shall apply only to deliveries from yards in State of Maryland—Coal Area II.	50¢ per net ton for each 5 miles or fraction thereof beyond seven miles from dealer's yard.

(2) *"Yard sales."*

For sales of coal of the kinds and sizes, and in the quantities specified:

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
Pennsylvania anthracite:		
Broken, egg, stove, nut	$12.85	$0.70
Pea	11.00	.60
Buckwheat	9.15	.55
Rice	8.65	------
Barley	7.40	------
Screenings	2.80	------
Bituminous coal—Low volatile:		
Producing district 1: price classification D and E)	8.15	.50
Double screened coal 2" and smaller (size group 2, price classification D and F)	7.80	.45
Run-of-mine (size group 3, price classification E and F)	7.80	.45
Producing district 7:		
Stove (size group 3, price classification A)	9.70	.55
Pea (size group 5, price classification A)	8.15	.50

Required discounts. You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except Pennsylvania anthracite screenings, in quantities of ½ ton or more, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing herein requires that you sell on other than a cash basis.

(h) *Schedule V.* Schedule V establishes a specific maximum price for certain kinds, sizes and quantities of solid fuel, delivered to or at any point within Zone 5. There is a separate table of

(2) *"Yard sales."*

For sales of coal of the kinds and sizes, and in the quantities specified:

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
Pennsylvania anthracite:		
Broken, egg, stove, nut	$12.45	$0.70
Pea	10.80	.60
Buckwheat	9.15	.55
Rice	6.80	------
Barley	2.80	------
Screenings	8.60	------
Anthracite briquettes	7.65	.45
Bituminous coal—Low volatile:		
Producing district 1: price classification A, C, D, E, G, and H)	7.80	.45
Run-of-mine (size group 3, price classification D and E)	6.30	.40
Producing district 2:		
Lump (size group 1, price classification G)	9.55	.55
Producing district 7:		
Egg (size group 2, price classification D)	9.75	.55
Stove (size group 3, price classification A)	9.35	.55
Stove (size group 3, price classification C and D)	9.45	.55
Nut (size group 4, price classification A)	9.45	.55
Pea (size group 5, price classification A)	8.80	.50

Required discounts. You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except Pennsylvania anthracite screenings, in quantities of ½ ton or more, a discount of 25¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing herein requires that you sell on other than a cash basis.

(g) *Schedule IV.* Schedule IV establishes a specific maximum price for certain kinds, sizes and quantities of solid fuel, delivered to or at any point within Zone 4. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

For sales of coal of the kinds and sizes, and in the quantities specified:

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
Pennsylvania Anthracite:			
Broken, egg, stove, nut	$13.85	$7.20	$0.80
Pea	12.00	6.25	.75
Buckwheat	10.55	5.55	.65
Rice	9.60	5.10	------
Barley	8.40	4.40	------
Screenings	3.80	1.75	------
Bituminous coal—Low volatile:			
Producing district 1:			
Lump (size group 1, price classification D and E)	9.15	4.85	.60
Double screened coal 2" and smaller (size group 2, price classification E and F)	8.80	4.65	.55
Run-of-mine (size group 3, price classification E and F)	8.80	4.65	.55
Producing district 7:			
Stove (size group 3, price classification A)	10.70	5.60	.65
Pea (size group 5, price classification A)	9.15	4.85	.60

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except Pennsylvania anthracite screenings, in quantities of one ton or more, a discount of 25¢ per net ton, where payment is made within ten days after delivery. Nothing herein requires that you sell on other than a cash basis.

Maximum Authorized Service Charges

Special service rendered at the request of the purchaser:

"Carry" or "wheel" (except for sales amounting to less than ½ ton).	50¢ per net ton. 25¢ per net ½ ton.
Carrying upstairs, for each full flight above the ground floor (except for sales amounting to less than ½ ton). This charge shall be in addition to any charge for "carry" or "wheel".	50¢ per net ton. 25¢ per net ½ ton.
For deliveries involving hauling beyond seven miles from dealer's yard (except for sales amounting to less than ½ ton). This charge shall apply only to deliveries from yards in State of Maryland—Coal Area II.	50¢ per net ton for each 5 miles or fraction thereof beyond seven miles from dealer's yard.

(2) *"Yard sales."*

For sales of coal of the kinds and sizes, and and in the quantities specified:

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
Pennsylvania anthracite:		
Broken, egg, stove, nut	$12.80	$0.70
Pea	11.05	.65
Buckwheat	9.15	.55
Rice	8.00	----------
Barley	6.75	----------
Screenings	2.50	----------
Bituminous coal—Low volatile:		
Producing district 1:		
Lump (size group 1, price classification C and H)	9.70	.55
Run-of-mine (size group 3, price classification E and H)	8.30	.50
High volatile: Producing district 2:		
Lump 5" x 2" (size group 2, price classification E)	9.25	.55
Lump 6" and larger x 1¼", and smaller (size group 4, price classification D)	8.30	.50
Producing district 3:		
Double screened coal 2" and smaller (size group 5, price classification F)	8.05	.50

Required discounts. You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except Pennsylvania anthracite screenings, in quantities of ½ ton or more, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing herein requires that you sell on other than a cash basis.

(i) *Commingling.* If one size or kind of coal is sold commingled with another size or kind of coal, the maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes or for the least expensive kind of coal so commingled, whichever is lower, whether the sale be a "delivered sale" or "yard sale", except in the following situation: Where a purchaser requests that two or more sizes or kinds of fuels be commingled in one delivery, then, and in that event, if these sizes and kinds are separately weighed at the point of loading, the dealer may commingle those sizes and kinds in the truck or other vehicle, in which the delivery is made. The price for coal so commingled shall be calculated on the basis of the applicable per net ton price for each size and kind in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size and kind in the combination.

(j) *Ex Parte 148; freight rate increase.* Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(k) *Addition of increase in supplier's maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(l) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or any amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, or to the State of Maryland or any political subdivision thereof, you need not state this tax separately.

(m) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(n) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(o) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(p) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(q) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of solid fuel hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(r) *Posting of maximum prices: Sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of coal sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(s) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Maryland District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(t) *Definitions and explanations.* When used in this Order No. G-41, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling coal of the kinds and sizes set forth in the schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Direct delivery", except with respect to sales in 100 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or other vehicle or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct delivery" in 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(5) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space, in baskets or other containers, or by wheelbarrow or barrel, from the seller's truck or other vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which coal is discharged from the seller's truck in the course of "direct delivery".

(6) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(7) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(8) The sizes of Pennsylvania anthracite described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the State of Maryland, Coal Area II with such designation during December 1941.

(9) "Virginia anthracite" means nonbituminous coal produced in the State of Virginia.

(10) "Egg, stove, nut, pea and buckwheat" sizes of Virginia anthracite refer to the sizes of such coal as prepared by the producer during the period December 15-31, 1941.

(11) "District No." refers to the geographical coal-producing districts as defined in the Bituminous Coal Act of 1937, as amended, and as they have been modified as of midnight, August 23, 1943.

(12) "Low volatile bituminous coal" is produced in the low volatile sections of the producing districts specified herein.

(13) "High volatile bituminous coal" is produced in the high volatile sections of the producing districts specified herein.

(14) All designations in this order of sizes, classifications, etc., applicable to bituminous coal, refer to the sizes, classifications, etc., as set forth in the minimum price schedules for the various producing districts issued by the Bituminous Coal Division of the United States Department of Interior, as in effect midnight, August 23, 1943. (See appendix for definitions of pertinent size groups.)

(15) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(u) *Effect of order on Revised Maximum Price Regulation No. 122.* To the extent applicable this order supersedes Revised Maximum Price Regulation No. 122.

NOTE: The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-41 shall become effective May 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 15th day of May 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

APPENDIX

Definitions of size groups, in the several production districts established in the Bituminous Coal Act of 1937 as amended, and defined in the minimum price schedules of the Bituminous Coal Division of the Department of the Interior and in effect August 23, 1943.

Production district	Size group	Size	Definition
1	1	Lump and egg	All lump coal. All double screened coal having a top size over 2 inches.
	2	2" and smaller	All double screened coal with top size not exceeding 2 inches.
	3	Run-of-mine	Run-of-mine, modified run-of-mine and minus resultant with top size over 2 inches.
	4	Nut and slack	All minus resultant with top size over ⅝ inch and not exceeding 2 inches.
2	2	Lump or egg	Lump coal larger than 2 inches but not exceeding 5 inches bottom size. Double screened coal with a bottom size larger than 2 inches.
	4	Lump or egg	Lump coal with bottom size 1¼" and smaller. Double screened coal with a bottom size of 1¼" and smaller and a top size larger than 2 inches.
2	6	Run-of-mine	Straight run-of-mine and resultants larger than 2" x 0 and any altered mine run, or altered screenings, from which any intermediate size has been removed.
3	1	Lump	Lump coal larger than 5" bottom size.
	3	Lump	Lump coal larger than 1¼" but not exceeding 2" bottom size. Double screened coal with a bottom size larger than 1¼" but not over 2", and a top size larger than 2".
	5	Stoker	All double screened coal with a top size 2" and smaller.
7	2	Egg	Egg: Top size larger than 3"; bottom size no limit.
	3	Stove	Stove or dedusted screenings; top size larger than 1¼" but not exceeding 3"; bottom size smaller than 3".
	4	Nut	Nut or dedusted screenings: top size larger than ¾" but not exceeding 1¼"; bottom size smaller than 1¼".
	5	Pea	Pea or dedusted screenings: top size not exceeding ¾"; bottom size smaller than ⅜".

[F. R. Doc. 44-7228; Filed, May 19, 1944; 4:24 p. m.]

[Region V Order G-2 Under RMPR 122, Amdt. 2]

SOLID FUELS IN KANSAS CITY, MO.-KANS., AREA

Amendment No. 2 to Order No. G-2 under Revised Maximum Price Regulation No. 122. Maximum prices for solid fuels sold in the cities of Kansas City, Missouri, Kansas City, Kansas, and parts of the counties adjacent to these cities.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the opinion issued simultaneously herewith, *It is ordered:*

Paragraph (a), What this order does, is amended to read as follows:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels covered by Revised Maximum Price Regulation No. 122 in the greater Kansas City, Missouri and Kansas City, Kansas metropolitan area. These are the highest prices that any dealer may charge when he sells or delivers any of such fuels at or to a point within the following described boundary line:

Beginning at the north end of the Fairfax Bridge across the Missouri River; thence north and east along U. S. Highway 69 to Claycomo; then south along an unnumbered road to the Missouri River; thence straight south across the Missouri River and along the south bank thereof to and including Cement City; thence southwest along County Road 7E to Sugar Creek Road (4N); thence east along Sugar Creek Road (4N) to a common junction thereof with U. S. Highway 24 and an unnumbered highway; thence southeast over such unnumbered highway to its junctions with Jones Road and south thereon and on Necessary Road to Holke Road; thence west thereon to Kiger Road; thence south thereon to Evans & Sheley Lane; thence west thereon to Noland Road (U. S. Highway 71 By-Pass); thence south thereon to junction with U. S. Highway 40; thence west along U. S. Highway 40 and Alternate U. S. Highway 40 to Norfleet Road; thence south thereon to Smith Road (or an unnumbered highway representing an extension thereof); thence generally west thereon to Woodson Road; thence south on Woodson Road to junction with County Road (8E); thence west to Raytown South Road; thence south on Raytown South Road (5E) to Bannister Road; thence west on Bannister Road to Blue Ridge Boulevard Extension (County Road 4E); thence south on Blue Ridge Boulevard Extension to junction with U. S. Highway 71; thence south on U. S. Highway 71 to Outer Belt Road; thence west on Outer Belt Road to Missouri-Kansas State line; thence south on Missouri-Kansas State line to southern boundary of Johnson County, Kansas; thence west on southern boundary of Johnson County to western boundary of Johnson County; thence north on western boundary of Johnson County to the Kansas River; thence along the southern bank of the Kansas River to a point north of Morris; thence north to Muncie; thence northeast from Muncie on State Highway 32 to its junction with Francis Road; thence generally north along Francis Road to its junction with U. S. Highway 40; thence east on U. S. Highway 40 to its junction with Brenner Heights Road; thence generally north on Brenner Heights Road to Parallel Avenue; thence west thereon to Mahan Road and north thereon to its junction with Dickenson Road; thence east on Dickenson Road to Nearman; thence north to the Missouri River and thence east and south along the south bank of the Missouri River to Fairfax Bridge; thence across the bridge to point of beginning (including all points and places within the limits of all points described as on said boundary). The boundary line so described shall be construed as following the center of the public highways named.

(1) The territorial limits as outlined above are the boundary lines of the Kansas City, Missouri and Kansas City, Kansas trade areas as suggested by the retail coal dealers of that area.

Paragraph (d), Price Schedule, section III, shall be amended by adding to said section III, paragraph (F), Produc-

tion Group 9, which shall read as follows:

(F) *Production Group 9.* The following price is for the specified size of Bituminous Coal produced at strip mines in Coal County, Oklahoma:

(1) Lump (Bottom size 2" or larger)---------- $10.75

(56 Stat. 23, 765, Pub. Law 151, 76th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 6 F.R. 4631)

Issued at Dallas, Texas, on this 10th day of May 1944, and effective on the 15th day of May 1944.

MAX MCCULLOUGH,
Regional Administrator.

[F. R. Doc. 44-7230; Filed, May 19, 1944; 4:24 p. m.]

[Region VIII Order G-2 Under 18 (c), Amdt. 25]

FLUID MILK IN CALIFORNIA

Amendment No. 25 to Order No. G-2 under § 1499.18 (c), as amended, of the General Maximum Price Regulation.

Fluid milk prices at wholesale and retail in certain localities in the State of California.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.78 (a) (9) of Supplementary Regulation No. 15 of the General Maximum Price Regulaton, *It is hereby ordered*, That Order No. G-2 under § 1499.18 (c), as amended, of the General Maximum Price Regulation be amended as set forth below:

(a) Schedule A is hereby amended by striking out the heading "Ventura County and that portion of Santa Barbara County lying east of the line beginning at the Pacific Ocean thence north along the range line between ranges 33 and 34 west to the line between townships 5 and 6 north, thence east along that line to the range line between ranges 32 and 33 west, thence north along that line to the line between townships 7 and 8 north, thence east along that line to the range line between ranges 31 and 32 west and thence north along that line to the San Luis Obispo County line" and substituting therefor the heading "Ventura County and that portion of the Santa Barbara Marketing Area lying east of the line beginning at the Pacific Ocean thence north along the range line between ranges 33 and 34 west to the line between townships 5 and 6 north, thence east along that line to a line beginning 2 miles west of the range line between ranges 31 and 32 west and thence north to the San Luis Obispo Marketing Area line."

(b) Schedule A is hereby amended by striking out the heading "San Luis Obispo Marketing Area and that portion of Santa Barbara County lying west of the line beginning at the Pacific Ocean thence north along the range line between 33 and 34 west to the line between townships 5 and 6 north, thence east along that line to the range line between ranges 32 and 33 west, thence north along that line to the line between townships 7 and 8 north, thence east along that line to the range line between ranges 31 and 32 west and thence north along that line to the San Luis Obispo County line" and substituting therefor the heading "San Luis Obispo Marketing Area".

(c) Schedule A is hereby amended by adding at the end thereof the following:

LOMPOC AREA

Quantity	Wholesale delivered	Retail store	Retail home delivered
	Not less than 3.8 percent milk fat		
Gallon	$0.48	$0.53	$0.55
Half-gallon	.26	.28	.30
Quart glass	.1275	.145	.15
Quart fibre	.1325	.145	.15
Pint glass	.07	----------	----------
Pint fibre	.075	----------	----------
Half pint	.045	----------	----------

(d) Paragraph (3) (d) is hereby amended to read as follows:

(d) Any "marketing area" means a marketing area of that name as defined on April 1, 1943, by the California State Bureau of Market Enforcement, operated under the Department of Agriculture, State of California, except that in the case of San Luis Obispo and Santa Barbara Marketing Areas, the marketing area boundaries shall be as defined May 15, 1944.

(e) Paragraph (3) is hereby amended by adding a new subparagraph (3) (g) to read as follows:

(g) "Lompoc Area" means that portion of the Santa Barbara Marketing Area lying west of the line beginning at the Pacific Ocean thence north along the range line between ranges 33 and 34 west to the line between townships 5 and 6 north, thence east along that line to a line beginning 2 miles west of the range line between ranges 31 and 32 west and thence north to the San Luis Obispo Marketing Area line.

This amendment to Order No. G-2 shall become effective May 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 15th day of May 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-7226; Filed, May 19, 1944; 4:25 p. m.]

[Region VIII Order G-3 Under MPR 329, Amdt. 6]

FLUID MILK IN SANTA BARBARA, CALIF., AREA

Amendment No. 6 to Order No. G-3 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 of Maximum Price Regulation No. 329, Order No. G-3 under Maximum Price Regulation No. 329 is hereby amended as follows:

(a) Paragraph (a) (1) is hereby amended by striking from said paragraph the following description of areas:

Santa Barbara County—that portion east of the line beginning at the Pacific Ocean thence north along the range line between ranges 33 and 34 west to the line between townships 2 and 6 north, thence east along that line to the range line between ranges 32 and 33 west, thence north along that line to the line between townships 7 and 8 north, thence east along that line to the range line between ranges 31 and 32 west and thence north along that line to the San Luis Obispo County line

And "Santa Barbara County—the remaining portion" and the accompanying prices, and substituting therefor the following:

Location of dairy:	Maximum price
Santa Barbara Marketing Area—that portion east of the line beginning at the Pacific Ocean thence north along the range line between ranges 33 and 34 west to the line between townships 5 and 6 north, thence east along that line to a line beginning 2 miles west of the range line between ranges 31 and 32 west and thence north to the San Louis Obispo Marketing Area line	$1.02
Santa Barbara Marketing Area—the remaining portion	.985

This amendment shall become effective May 15, 1944.

(56 Stat. 23, 765; Pub. Law 181, 78th Cong.; E. O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 15th day of May 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-7227; Filed, May 19, 1944; 4:26 p. m.]

[Detroit Order G-4 Under MPR 426]

FRUITS AND VEGETABLES IN DETROIT, MICH.

Order No. G-4 under Maximum Price Regulation No. 426, as amended. Establishing maximum markup for purveyors at the Detroit wholesale receiving point.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by Article 1, section 2 (d) of Maximum Price Regulation No. 426, as amended, and by him delegated to the Detroit District Director by Delegation Order No. 1-A, Revised, this Order No. G-4 under Maximum Price Regulation No. 426, as amended, is hereby issued.

SECTION 1. *What this order does.* This order adjusts the maximum markup for sales of covered fruits and vegetables by purveyors, as defined.

SEC. 2. *Geographical coverage.* This order shall apply to sales made within the City of Detroit, Michigan, and within a radius of ten (10) miles of the boundary lines thereof.

SEC. 3. *Items covered.* The items covered by this order are snap beans, peppers, egg plant, cucumbers, spinach, carrots and peas.

SEC. 4. *Sales covered.* The sales covered by this order are sales to hotels, restaurants, hospitals, ships, camps and other institutional users. This order applies only to sales of broken boxes which means in less-than-original-container lots or container lots which have been broken and which have been handled or processed by two or more of the following steps: washing, trimming, sorting, grading, repacking and warehousing.

SEC. 5. *Adjustment provided.* Section 2 (d) provides for a purveyor's markup. To the maximum markups of service-and-delivery wholesalers as otherwise calculated under Column 9 of Appendix H of Maximum Price Regulation No. 426, as amended, an additional markup of 25% may be added for such sales by purveyors who qualify hereunder.

SEC. 6. *Qualifications.* To qualify for the markup granted herein, a purveyor must make sworn application and have his name included in this order. He must file a statement under oath showing that not less than 75% of his sales of fresh fruits and vegetables have been made to institutional users for the months of October, November, and December of 1943.

SEC. 7. *Definitions.* A purveyor is defined as follows:

"Purveyor" means a person who (i) purchases the kind of fresh fruits and vegetables being priced, (ii) maintains facilities for washing, trimming, sorting, grading, repacking and warehousing and employs such of these facilities in connection with the sale of the particular goods being sold, as specified, (iv) makes less-than-original-container sales to restaurants, ships, hotels, hospitals, camps or other institutional users, and (v) delivers to the premises of all purchasers located within the area specified in section 2 hereof, without extra charge. A seller shall be considered a purveyor only when making sales to institutional users of goods which have been handled and sold in this manner, and no seller shall be considered a purveyor when selling unbroken containers.

Unless otherwise provided for or designated herein, the definitions of Maximum Price Regulation No. 426, as amended, when applicable shall be used in this order.

SEC. 8. *Prohibitions.* No purveyor shall use any purveyor's markup until he has filed the sworn statement as required above, has had his claim processed, and in addition thereto has had his name included in the list of purveyors contained in the next section.

SEC. 9. *List of purveyors.* The purveyors covered by this order are:

(1) City Fruit and Produce Company, 1301 Winder Street, Detroit, Wayne County, Michigan.

SEC. 10. *Effective date.* This order shall become effective as of the 9th day of May 1944.

(56 Stat. Pub. Law 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 8th day of May 1944.

JACOB ZWEEDYK,
Acting District Director.

Approved:

EARL O. POLLACK,
Regional Director,
Mid-West Region.
War Food Administration.

[F. R. Doc. 44-7233; Filed, May 19, 1944; 4:22 p. m.]

[Region II Order G-2 Under MPR 426, Amdt. 1]

LETTUCE IN NEW YORK REGION

Amendment No. 1 to Order No. G-2 under section 2 of Maximum Price Regulation No. 426. Lettuce in Region II.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration for Region II by section 2 of Maximum Price Regulation No. 426, Order No. G-2 under that regulation is amended as follows:

1. Section 6 is amended to read as follows:

SEC. 6. *Effective date.* This order shall become effective at 12:01 a. m. on May 13, 1944, as to sales by secondary jobbers and service wholesalers; it shall become effective at 12:01 a. m. on May 13, 1944 as to sales by growers, country shippers and carlot or trucklot receivers of lettuce shipped from the country shipping point after May 12, 1944; it shall become effective at 12:01 a. m. on May 27, 1944 as to sales by growers, country shippers and carlot or trucklot receivers of lettuce shipped from the country shipping point on or before May 12, 1944.

2. This amendment shall become effective on May 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; MPR 426, 8 F.R. 16409)

Issued this 13th day of May 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

Approved:

F. D. CRONIN,
Regional Director of Food Distribution.

[F. R. Doc. 44-7278; Filed, May 20, 1944; 3:58 p. m.]

[Region III Order G-2 Under MPR 280]

FLUID MILK IN CLEVELAND REGION

Order No. G-2 under Maximum Price Regulation No. 280. Maximum prices for specific food products. Fixing the maximum prices of bulk milk sold in the States of Indiana, (except Lake County), Kentucky, Michigan, Ohio and West Virginia.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.817a of Maximum Price Regulation No. 280, it is hereby ordered:

(a) *What this order does.* This order fixes the maximum prices which may be received by any handler (as hereinafter defined) of fluid milk bought from producers, associations of producers, or other handlers, and sold for human consumption in bulk (other than in glass or paper containers) to any person, other than stores, hotels, restaurants and institutions. It also fixes said maximum prices as the prices which may be paid for such fluid milk in the course of trade or business, by the buyer, other than stores, hotels, restaurants and institutions.

(b) *Maximum price.* On and after the effective date of this order, regardless of any contract, agreement or other obligation, no handler shall sell or deliver, or agree to sell or deliver, fluid milk in bulk (other than in glass or paper containers) bought from producers, associations of producers, or other handlers, to any person other than stores, hotels, restaurants, and institutions, and no such person shall in the course of trade or business, buy or agree to buy such fluid milk from any such handler at prices higher than the following:

(1) *Primary handlers.* Subject to the limitations set forth in subparagraph (4) hereof, the maximum price at which a primary handler may sell such fluid milk shall be determined as follows:

(i) The purchase price of said milk adjusted by the required butterfat differential set forth in subparagraph (3) hereof, plus

(ii) A handling charge not exceeding 40¢ per cwt. when such milk is delivered into containers of a capacity greater than 10 gallons, including tank trucks or tank cars, or

(iii) A handling charge not exceeding 45¢ per cwt. when such milk is delivered into containers of 10 gallons capacity or less.

(2) *Secondary handlers.* Subject to the limitations set forth in subparagraph (4) hereof, the maximum price at which a secondary handler may sell such milk shall be determined as follows:

(i) The price which such secondary handler actually paid for such fluid milk not exceeding the maximum price provided by section (1) of this paragraph (b), adjusted by the required butterfat differential set forth in subparagraph (3) hereof, plus

(ii) A handling charge not exceeding 20¢ per cwt.

(3) The following butterfat differential shall be applicable only in the event the butterfat content of milk sold by a handler varies from the butterfat content of said milk at the time of purchase:

(i) For each 1/10 of 1% by which the butterfat content is increased on resale, 5¢ may be added.

(ii) For each 1/10 of 1% by which the butterfat content is decreased on resale, 5¢ shall be deducted.

(4) *Provided, however,* That in no event shall the total of all handling charges exceed 60¢ per cwt. for milk de-

livered into containers of a capacity greater than 10 gallons including tank trucks or tank cars, and 65¢ per cwt. for milk delivered into containers of 10 gallons capacity or less, nor shall the maximum price for any fluid milk sold by either a primary or secondary handler exceed the following:

Butterfat content (percent)	Delivered into containers of more than 10 gallon capacity, including tank trucks and tank cars	Delivered in containers of 10 gallon capacity or less
3.5	$3.75	$3.80.
Less than 3.5	$3.75 less 5¢ for each 1/10 of 1% under 3.5% butterfat content.	$3.80 less 5¢ for each 1/10 of 1% under 3.5% butterfat content.
More than 3.5	$3.75 plus 5¢ for each 1/10 of 1% over 3.5% butterfat content.	$3.80 plus 5¢ for each 1/10 of 1% over 3.5% butterfat content.

(5) Where milk is purchased at different prices, and/or of different butterfat content, and is thereafter commingled, the weighted average, both as to purchase price and as to butterfat content, shall be used in calculating maximum resale prices under this paragraph (b).

(6) The purchase price to which the handling charges set forth in subparagraphs (1) and (2) hereof may be added shall be the price paid by the first purchaser to any producer per 100 pounds of fluid milk, and in no event shall it include any bonus or additional payment based upon quality, quantity, special equipment or any other special consideration.

(c) *Definition.* As used in this order, the following definitions shall apply:

(1) "Fluid milk" means liquid cow's milk sold or resold for human consumption in fluid form.

(2) "Handler" means any person, firm or corporation who, on his own behalf or on behalf of another, purchases fluid milk from any producer, association of producers, or other handler, and who sells such fluid milk at wholesale in bulk (other than in glass or paper containers) to any person, firm or corporation other than stores, hotels, restaurants and institutions.

(i) A producer is a "handler" with respect to that fluid milk purchased by him from any producer, association of producers, or other handlers, which fluid milk is sold by him at wholesale in bulk (other than in glass or paper containers) to any person other than stores, hotels, restaurants and institutions.

(ii) A farmers' cooperative association is a "handler" with respect to that fluid milk processed for it by any operator of a receiving or processing plant, and with respect to that fluid milk handled in physical facilities for receiving, processing or distributing fluid milk which are owned or leased by the cooperative, which fluid milk is sold by it at wholesale in bulk (other than in glass or paper containers) to any person other than stores, hotels, restaurants and institutions.

(3) A "primary handler" of fluid milk is a handler who purchases or receives fluid milk from any producer at a receiving station or processing plant within Region III. Such handler shall use the pricing provisions of paragraph (b) of this order governing primary handlers only with respect to that fluid milk to which he performs a function of a primary handler.

(4) A "secondary handler" of fluid milk is a handler who purchases or receives fluid milk from another handler for resale at wholesale in bulk to persons other than stores, hotels, restaurants and institutions. Such a handler shall use the pricing provisions of paragraph (b) governing secondary handlers only with respect to that fluid milk to which he performs a function of a secondary handler.

(5) "Person" means individual, corporation, partnership, association or other organized group of persons or the legal successor or representative of any of the foregoing and includes the United States or any agency thereof, any other government or any political sub-division and any agencies of the foregoing.

(6) Unless the content otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, in the General Maximum Price Regulation and Maximum Price Regulation No. 280, issued by the Office of Price Administration, shall apply to other terms used herein.

(d) Every handler making a sale of fluid milk shall render to the purchaser an invoice showing separately the purchase price of said milk determined as herein provided, the butterfat content thereof and the handling charge added to the purchase price under the provisions of paragraph (b) hereof.

(e) *Geographical applicability.* This order shall apply to all sales of fluid milk first physically received from producers by any handler at a receiving station or processing plant within the States of Indiana, (except the County of Lake), Ohio, Michigan, Kentucky and West Virginia.

(f) This order shall not be construed as amending, modifying, revoking or repealing any order, agreement or license issued pursuant to the Agricultural Marketing Agreement Act of 1937, and in the event of any conflict between this order or any of the provisions thereof, and any such order, agreement, or license, or any of the provisions thereof, the provisions of such order, agreement or license shall prevail over those of this order.

(g) *Evasion.* The price limitations set forth in this order shall not be evaded either directly or indirectly by any scheme or device, or by any practice which is used to get the effect of a higher than maximum price. The prices established by this order are maximum prices for the commodities and all services ordinarily rendered in connection with the sale of the commodities. Therefore, you may not charge any additional amounts for any services ordinarily connected with the sale of these commodities.

(h) *Licensing.* The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, shall apply to every seller subject to the provisions of this order. These sections provide in brief that a license is required of all persons selling commodities for which ceiling prices are established. The license is automatically granted and it is not necessary to apply for the license. Such license may be suspended for violation in connection with the sale of any commodity for which ceiling prices are established.

No person, whose license is suspended, may sell any such commodity during the period of suspension.

(i) *Enforcement.* On and after the effective date of this order, any person who sells at a price higher than the maximum price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended. In addition, any person who, in the course of trade of business, buys at a price higher than the maximum price permitted by this order, is subject to criminal penalties and civil enforcement actions provided for by such act.

(j) *Revocability.* This order may be revoked, amended or corrected at any time by the Office of Price Administration.

This order shall become effective on the 16th day of May 1944.

(56 Stat. 23, 765; Pub. Law 151. 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 11th day of May 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-7279; Filed, May 20, 1944; 4:00 p. m.]

[Region III Order G-6 Under RMPR 122, Amdt. 3]

SOLID FUELS IN LIMA, OHIO, AREA

Amendment No. 3 to Order No. G-6 under Revised Maximum Price Regulation No. 122. Maximum prices for solid fuels in the Lima, Ohio, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Order No. G-6 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) Section (a) of said Order No. G-6 under Revised Maximum Price Regulation No. 122 is hereby amended to read as follows:

(a) This order establishes maximum prices for sales of specified solid fuels made within the Lima, Ohio, area defined for the purpose of this order as follows:

Commencing at the inter-section of Breese Road and Yoakum Road in Shawnee Township running thence northerly on Yoakum Road to Amanda Road; thence westerly on Amanda Road to Wonderlick Road; thence north on Wonderlick Road to State Route No. 117; thence easterly on State Route No. 117 to Seriff Road; thence northerly on Seriff to Elm Street Road; thence easterly on Elm Street Road to Eastown Road; thence northerly on Eastown Road to Diller Road; thence easterly on Diller Road to Coal Street; thence northerly on Cole Street to Early Road; thence easterly on Early Road and Blue Lick Road to Slabtown Road; thence southerly on Slabtown Road to State Route No. 81; thence easterly on State Route No. 61 to Fetter Road; thence southerly on Fetter Road to High Street Road; thence easterly on High Street Road to Mumaugh Road; thence southerly on Mumaugh Road to United States Route No. 30-S; thence easterly on United States Route No. 30-S to Chapel Road; thence southerly on Chapel Road and Perry Road to Hanthorn Road, thence westerly on Hanthron Road to Bowman Road; thence southerly on Bowman Road to Roathe Road; thence westerly on Roathe Road to Breese Road: thence westerly on Breese Road to point of beginning including all territory within said boundaries, said marketing area also to contain for the purpose of this order all property abutting on any of the boundaries designated herein.

(b) Paragraph (c) of said Order No. G-6 under Revised Maximum Price Regulation No. 122, is hereby amended to read as follows:

(c) *Price schedules.* Immediately below and as a part of this paragraph (c), is a schedule which sets forth maximum prices for sales of specified sizes, kinds, and quantities of solid fuels sold in the area set forth in paragraph (a). Column I describes the coal for which prices are established; Column II shows maximum prices for sales by direct delivery to consumers at any point in the said area; and Column III shows maximum prices for yard sales to dealers purchasing for the purpose of resale. All sales shall be on a net ton weight basis.

Column I	Column II	Column III
I. High volatile bituminous coals from producing district No. 8 (eastern Ky., southern W. Va., western Va., northeastern Tennessee):		
A. Lump, Size Groups Nos. 1 and 2 (larger than 3")		
1. Mine Price Classifications A through E	$8.95	$8.45
2. Mine Price Classifications, other	8.50	8.00
B. Egg, Size Group Nos. 5, 6, and 7 (top size larger then 5" but not exceeding 6" x bottom size 3" and smaller; top size larger than 3" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3")	8.25	7.75
C. Stoker, Size Group No. 10 (top size 1¾" and smaller x bottom size ⅛" and larger) Mine Price Classifications A through G	8.45	7.95
D. Nut and slack.		
1. Produced at Auxier Mine, Index No. 25 of the Northeast Coal Company	7.85	7.35
2. Produced at all other mines	7.65	7.15
E. To the prices stated in sections A, B, C, and D of Part I may be added $0.15 per ton provided the coal is mined in Subdistrict 6 of producing district No. 8. Subdistrict 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rockcastle, Wayne and Whitley.		
II. High volatile bituminous coals from producing district No. 4 (Ohio):		
A. Lump, Size Group Nos. 1 and 2 (larger than 2")	7.65	7.15
B. Stoker, Size Group No. 5 (double screened coal with top size 2" and smaller)	7.70	7.20
III. High volatile bituminous coals from producing district No. 3 (northwestern W. Va., exclusive of Panhandle):		
A. Lump and egg, Size Group No. 1 (bottom size larger than 2")	8.25	8.05
B. Lump and egg, Size Group No. 2 (bottom size 2" and smaller)	8.25	7.75
IV. High volatile bituminous coals from producing district No. 6 (W. Va. Panhandle):		
A. Lump, Size Group Nos. 1 and 2 (larger than 2")	8.55	8.05
B. Egg, Size Group Nos. 2 and 3 (double screened coals with bottom size larger than 1¾")	8.25	7.75
C. Stoker, Size Group No. 5 (double screened coals with top size 2" and smaller)	8.45	7.95
V. Low volitile bituminous coals from producing district Nos. 7, and 8 (southern W. Va. and western Va.):		
A. Lump, Size Group No. 1 (bottom size larger than that designated for Screened Run of Mine) Mine Price Classification A	9.60	9.10
B. Egg, Size Group No. 2 (top size larger than 3" x bottom size no limit) Mine Price Classification A	9.55	9.05
C. Stoker, Size Group No. 5 (pea or dedusted screenings; top size not exceeding ¾" x bottom size smaller than ¾") Mine Price Classification A	8.45	7.95

This amendment to Order No. G-6 under Revised Maximum Price Regulation No. 122 shall become effective May 10, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: May 10, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-7280; Filed, May 20, 1944; 3:57 p. m.]

[Region III Order G-20 Under 18 (c), Amdt. 5]

FLUID MILK IN MICHIGAN

Amendment No. 5 to Order No. G-20 under § 1499.18 (c), as amended, of the General Maximum Price Regulation. Adjustment of the maximum prices of fluid whole milk and special milk sold at retail and wholesale in the State of Michigan.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280, Order No. G-20 under § 1499.18 (c) of the General Maximum Price Regulation is hereby amended in the following respects:

(a) The Counties of Allegan, Antrim, Barry, Benzie, Charlevoix, Clinton, Emmet, Grand Traverse, Ionia, Kalkaska, Lake, Leelanau, Manistee, Mason, Mecosta, Misaukee, Montcalm, Newaygo, Oceana, Osceola and Wexford be and the same are hereby deleted from the list of counties set forth in paragraph 1 of Schedule A and added to the list of counties set forth in paragraph 2 of Schedule A.

This Amendment No. 5 to Order No. G-20 under § 1499.18 (c) of the General Maximum Price Regulation shall become effective May 10, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 10, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-7281; Filed, May 20, 1944; 3:58 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on May 17, 1944.

REGION I

Boston Order 4-F, Amendment 3, covering certain fresh fruits and vegetables in certain areas in Massachusetts. Filed 10:00 a. m.

Connecticut Order 2-F, Amendment 7, covering certain fresh fruits and vegetables in Hartford, New Haven, Bridgeport & Waterbury Areas. Filed 9:30 a. m.

Connecticut Order 3-F, Amendment 3, coveringcertain fresh fruits and vegetables in Hartford, New Haven, Bridgeport & Waterbury Areas. Filed 9:29 a. m.

Connecticut Order 6, Amendment 2, covering community food prices in the State of Connecticut. Filed 9:29 a. m.

Connecticut Order 6, Amendment 3, covering community food prices in Connecticut. Filed 9:29 a. m.

Connecticut Order 6, Amendment 4, covering community food prices in Connecticut. Filed 10:07 a. m.

REGION II

Altoona Order 1-F, Amendment 5, covering certain fresh fruits and vegetables in Altoona and Johnson, Pennsylvania. Filed 10:00 a. m.

Harrisburg Order 1-F, Amendment 2, covering certain fresh fruits and vegetables in Harrisburg, Lancaster, Lebanon & York, Pa. Filed 10:02 a. m.

New York Order 1-F, Amendment 7, covering certain fresh fruits and vegetables in Bronx, Kings, New York, Queens & Richmond Counties in New York. Filed 9:31 a. m.

Maryland Order B-I, covering retail food prices for dry grocery and perishable foods in various areas in Maryland. Filed 9:32 a. m.

Maryland Order 1-F, Amendment 6, covering fresh fruits and vegetables in Baltimore, Maryland area. Filed 9:34 a. m.

Newark Order 4-F, covering certain fresh fruits and vegetables in certain specified counties in New Jersey. Filed 9:32 a. m.

Wilmington Order 2-F, Amendment 4, covering certain fresh fruit & Vegetables in territory between New Castle and Newark—North of Delaware State Line. Filed 9:34 a. m.

Trenton Order 1-F, Amendment 5, covering certain fresh fruits and vegetables in Mercer County, New Jersey. Filed 10:00 a. m.

Trenton Order 2-F, Amendment 2, covering certain fresh fruits and vegetables in Middlesex County, N. J. Filed 10:01 a. m.

Trenton Order 3-F, Amendment 1, covering fresh fruits and vegetables in Monmouth County, N. J. Filed 10:00 a. m.

Trenton Order 3-F, Amendment 1, covering fresh fruits and vegetables in Monmouth County, N. J. Filed 10:00 a. m.

REGION III

Columbus Order 9, Amendment 6, covering community food prices in certain areas in Ohio. Filed 9:30 a. m.

Indianapolis Order 18, Amendment 2, covering community food prices for dry groceries in Central Indiana. Filed 9:34 a. m.

Indianapolis Order 19, Amendment 2, covering dry grocery prices at retail in Western Indiana. Filed 9:35 a. m.

Indianapolis Order 20, Amendment 2, covering retail prices on dry groceries in Southwestern Indiana. Filed 9:35 a. m.

Indianapolis Order 21, Amendment 2, covering retail prices for dry groceries in Southeastern Indiana. Filed 9:36 a. m.

Indianapolis Order 22, Amendment 2, covering retail prices for dry groceries in Eastern Indiana. Filed 9:37 a. m.

Indianapolis Order 23, Amendment 2, covering retail prices for dry groceries in Central Indiana. Filed 9:37 a. m.

Indianapolis Order 24, Amendment 2, covering retail prices for dry groceries in Northwestern Indiana. Filed 9:38 a. m.

Indianapolis Order 26, Amendment 2, covering retail prices for dry groceries in Northeastern Indiana. Filed 9:38 a. m.

Detroit Order 11, Amendment 2, covering community food prices in designated counties of Michigan. Filed 9:39 a. m.

Detroit Order 1–F, Amendment 15, covering retail fresh fruit & vegetable prices in Wayne, Oakland & Macomb Counties in Michigan. Filed 9:59 a. m.

Charleston Order 1–F, Amendment 24, covering retail fresh fruit & vegetable prices in Kanawha County, & City of Montgomery, Fayette County, W. Va. Filed 9:56 a. m.

Charleston Order 1–F, Amendment 25 covering retail fresh fruits & vegetable prices in Kanawha County, & City of Montgomery, Fayette County, W. Va. Filed 9:57 a. m.

Charleston Order 3–F, Amendment 20, covering retail fresh fruits and vegetable prices in Huntington, Cabell Counties, West Virginia. Filed 9:57 a. m.

Charleston Order 6–F, Amendment 13, covering retail fresh fruits and vegetable prices in McDowell, Mercer & Wyoming Counties, W. Va. Filed 9:58 a. m.

Charleston Order 7–F, Amendment 6, covering certain fresh fruits and vegetables in Lincoln, Logan, Mingo and Wayne Counties, W. Va. Filed 9:58 a. m.

Charleston Order 8–F, Amendment 6, covering fresh fruit and vegetables in Dodridge, Harrison, Lewis, Marion, Monongalia & Taylor Counties, W. Virginia. Filed 9:59 a. m.

Charleston Order 9–F, Amendment 5, covering fresh fruits and vegetables at retail in Cabell County and City of Huntington, W. Va. Filed 10:13 a. m.

Charleston Order 9–F, Amendment 6, covering fresh fruits and vegetables at retail in Cabell County and City of Huntington, W. Va. Filed 9:31 a. m.

Charleston Order 10–F, Amendment 5, covering fresh fruits and vegetables at retail in Calhoun, Jackson, Mason, Pleasant, Ritchie, Roane, Wirt and Wood Counties, W. Va. Filed 10:13 a. m.

Louisville Order 4–F, Amendment 2, covering fresh fruits and vegetables at retail in certain counties in Kentucky. Filed 10:02 a. m.

Louisville Order 5–F, Amendment 2, covering fresh fruits and vegetables at retail in certain specified counties in Kentucky. Filed 10:02 a. m.

Louisville Order 6–F, Amendment 2, covering certain fresh fruits and vegetables in certain specified counties in Kentucky. Filed 10:03 a. m.

Louisville Order 7–F, Amendment 2, covering certain fresh fruits and vegetables in certain specified counties in Kentucky. Filed 9:56 a. m.

REGION IV

Montgomery Order 7–F, Amendment 5, covering fresh fruits and vegetables at retail in Dothan, Enterprise & Ozark, Alabama. Filed 9:41 a. m.

Montgomery Order 8–F, Amendment 10, covering fresh fruits and vegetables at retail in Selma, Alabama. Filed 9:42 a. m.

Montgomery Order 9–F, Amendment 5, covering certain fresh fruits and vegetables in Mobile County, Alabama. Filed 9:42 a. m.

Montgomery Order 10–F, Amendment 2, covering certain fresh fruits and vegetables in specified counties in the Montgomery District. Filed 9:43 a. m.

Roanoke Order 2–F, Amendment 6, covering certain fresh fruits and vegetables in certain counties in the Roanoke District. Filed 9:40 a. m.

Jackson Order 2–F, Amendment 10, covering fresh fruits and vegetables at retail in certain counties in Mississippi. Filed 9:39 a. m.

Jackson Order 10, covering community food prices for poultry in Mississippi Area. Filed 9:40 a. m.

Jacksonville Order No. 17, Amendment 3, covering community food prices in the Jacksonville, Florida, Area. Filed 10:15 a. m.

Jacksonville Order 18, Amendment 3, covering community food prices in the Northern Florida Area. Filed 10:18 a. m.

Jacksonville Order 19, Amendment 3, covering community food prices in the Miami-Tampa, Florida, Area. Filed 10:18 a. m.

Jacksonville Order 20, Amendment 3, covering community food prices in the Southern Florida Area. Filed 10:18 a. m.

Jacksonville Order 21, Amendment 3, covering community food prices in the Key West, Florida, Area. Filed 10:19 a. m.

Richmond Order 5–F, Amendment 1, covering certain fresh fruits and vegetables in certain counties in Virginia. Filed 10:15 a. m.

Memphis Order 4–F, Amendment 33, covering certain fresh fruits and vegetables in Memphis and Shelby Counties, Tennessee. Filed 10:22 a. m.

REGION V

Dallas Order 1–F, Amendment 16, covering fresh fruits and vegetables at retail in County of Dallas, Texas. Filed 9:45 a. m.

Dallas Order 2–F, Amendment 4, covering fresh fruits and vegetables at retail in certain areas in Texas. Filed 9:45 a. m.

Dallas Order 3–F, Amendment 12, covering fresh fruits and vegetables at retail in Bowie County, Texas. Filed 9:46 a. m.

Lubbock Order 1–W, Amendment 2, covering dry groceries at wholesale in certain counties in Texas. Filed 9:43 a. m.

Lubbock Order 3–F, Amendment 1, covering certain fresh fruits and vegetables in Lubbock District Area. Filed 9:43 a. m. (El Paso County).

Lubbock Order 3–F, covering certain fresh fruits and vegetables in El Paso County, Texas. Filed 10:08 a. m.

Lubbock Order 4–F, covering certain fresh fruits and vegetables in certain specified counties in Texas. Filed 10:09 a. m.

Oklahoma City Order G–9, Amendment 1, covering certain food items at retail in certain counties in Oklahoma. Filed 9:56 a. m.

Oklahoma City Order G–10, Amendment 1, covering certain food items at retail in certain counties in Oklahoma. Filed 10:08 a. m.

Shreveport Order G–11, Amendment 2, covering community poultry prices in certain parishes in Louisiana. Filed 9:46 a. m.

Shreveport Order G–12, Amendment 2, covering community poultry prices in certain parishes in Louisiana. Filed 9:46 a. m.

San Antonio, Order 1–F, Amendment 4, covering certain fresh fruits and vegetables in Austin, Texas. Filed 9:54 a. m.

San Antonio, Order 3–F, covering certain fresh fruits and vegetables in Austin, Texas. Filed 9:54 a. m.

San Antonio, Order 4–F, covering fresh fruits and vegetables in Corpus Christi, Texas. Filed 9:54 a. m.

New Orleans Order 1–F, Amendment 5, covering certain fresh fruits and vegetables in certain parishes in Louisiana. Filed 9:53 a. m.

New Orleans Order 2–F, Amendment 17, covering certain fresh fruits and vegetables in Parishes of Orleans, St. Bernard and Jefferson in La. Filed 9:53 a. m.

REGION VI

Green Bay Order 3–F, Amendment 8, covering certain fresh fruits and vegetables in certain specified areas in Wisconsin. Filed 10:04 a. m.

Duluth-Superior Order 1–F, Amendment 16, covering certain fresh fruits and vegetables in Duluth & Village of Proctor, Minnesota and Superior, Douglas County, Wisconsin. Filed 10:04 a. m.

Moline Order 2–F, Amendment 13, covering certain fresh fruits and vegetables in certain specified cities in Illinois and Iowa. Filed 9:48 a. m.

Moline Order 4–F, covering certain fresh fruits and vegetables in certain counties in the State of Illinois. Filed 9:47 a. m.

Moline Order 4–F, Amendment 1, covering fresh fruits and vegetables in certain specified counties in Illinois. Filed 9:48 a. m.

Peoria Order 1–F, Amendment 4, covering certain fresh fruits and vegetables in certain counties in Illinois. Filed 9:48 a. m.

Peoria Order 1–F, Amendment 5, covering certain fresh fruits and vegetables in certain counties in Illinois. Filed 9:50 a. m.

Peoria Order 2–F, covering certain fresh fruits and vegetables in certain areas in Illinois. Filed 9:50 a. m.

Peoria Order 3–F, covering certain fresh fruits and vegetables in Joliet, Rockdale, Ridgewood & County of Will, Illinois. Filed 9:50 a. m.

Peoria Order 4, Revocation, covering community food prices in Peoria district area. Filed 10:19 a. m.

Sioux City Order 2–F, Amendment 14, covering certain fresh fruits and vegetables in Sioux City, Iowa and Sioux City, Nebraska. Filed 10:03 a. m.

Sioux City Order 13, Amendment 2, covering community food prices in Sioux City, Iowa and Sioux City, Nebraska. Filed 10:09 a. m.

Twin Cities, Order 1–F, Amendment 11, covering certain fresh fruits and vegetables, in Minneapolis and adjoining municipalities. Filed 10:20 a. m.

REGION VII

Montana Order 1–B, covering dry groceries and certain perishable foods in certain areas in Montana. Filed 10:19 a. m.

New Mexico Order F–1, covering fresh fruit and vegetable prices in Albuquerque Area. Filed 10:10 a. m.

New Mexico Order F–1, covering fresh fruit and vegetable prices in Albuquerque Area. Filed 10:09 a. m.

REGION VIII

Fresno Order 1–F, Amendment 16, covering certain fresh fruits and vegetables in certain described areas in California. Filed 10:11 a. m.

Fresno Order 2–F, Amendment 4, covering fresh fruits and vegetables in certain described area in California. Filed 10:11 a. m.

Fresno Order 15, Amendment 1, covering community food prices in Fresno, Calif. Filed 10:11 a. m.

Los Angeles Order 1–F, Amendment 12, covering certain fresh fruits and vegetables in Los Angeles Metropolitan Area. Filed 10:21 a. m.

Phoenix Order 3–F, Amendment 15, covering certain fresh fruits and vegetables in the "Phoenix Area". Filed 10:13 a. m.

Portland Order 1–F, Amendment 15, covering certain fresh fruits and vegetables in Portland, Vanport, Oregon and Vancouver, Washington. Filed 10:06 a. m.

San Francisco Order G–8, Amendment 6, covering community food prices in San Francisco Bay Area. Filed 10:06 a. m.

San Francisco Order G–9, Amendment 4, covering community food prices in Napa-Vallejo Marketing Area. Filed 10:05 a. m.

San Francisco Order G–10, Amendment 4, covering community food prices in San Jose Marketing Area. Filed 10:05 a. m.

San Francisco Order G–11, Amendment 4, covering community food prices in Santa Rosa Marketing Area. Filed 10:06 a. m.

San Francisco Order G–12, Amendment 4, covering community food prices in Monterey-Watsonville Marketing Area. Filed 10:06 a. m.

San Francisco Order G–14, covering retail prices for poultry, including turkey in the San Francisco District Office Area except Del Norte & Humboldt. Filed 10:05 a. m.

Seattle Order 3–F, Amendment 15, covering certain fresh fruits and vegetables in Everett, Washington. Filed 10:10 a. m.

Seattle Order 4–F, Amendment 15, covering certain fresh fruits and vegetables in Bremerton, Washington. Filed 10:11 a. m.

Seattle Order 5–F, Amendment 13, covering certain fresh fruits and vegetables in Bellingham, Washington. Filed 10:10 a. m.

San Diego Order 1–F, Amendment 1, covering certain fresh fruits and vegetables in San Diego Metropolitan Marketing Area. Filed 10:22 a. m.

San Diego Order 6, Amendment 6, covering community prices for poultry in the San Diego Metropolitan Marketing Area. Filed 10:22 a. m.

Spokane Order 3–F, Amendment 1, covering certain fresh fruits and vegetables in Shoshone & Kootenai Counties, Idaho. Filed 10:20 a. m.

Spokane Order 6–F, Amendment 5, covering certain fresh fruits and vegetables in Columbia and Walla Walla Counties, Washton. Filed 10:21 a. m.

Copies of any of these orders may be obtained from the OPA office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–7276; Filed, May 20, 1944; 4:01 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54–66, 59–61; 59–35]

FEDERAL WATER AND GAS CORP., ET AL.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of May, A. D. 1944.

In the matters of Federal Water and Gas Corporation and subsidiary companies, File No. 54–66; Federal Water and Gas Corporation and subsidiary companies, Respondents, File No. 59–61; and New York Water Service Corporation, Federal Water and Gas Corporation, File No. 59–35.

The Commission having by order dated February 10, 1943, entered pursuant to section 11 of the Public Utility Holding Company Act of 1935, directed that Federal Water and Gas Corporation, a registered holding company, and its subsidiaries take certain steps as specified in said order to comply with the provisions of section 11 (b) of the said act;

Federal Water and Gas Corporation having filed an application requesting an extension of time for one year within which to comply with said order of February 10, 1943; and

The Commission having found that Federal Water and Gas Corporation has been unable in the exercise of due diligence to comply with the divestment provisions of said order within the initial statutory period of one year from the date thereof, and that a limited extension of time is necessary and appropriate in the public interest and for the protection of investors and consumers; and that under the circumstances an extension shall be granted for a period of six months from February 10, 1944;

It is ordered, That Federal Water and Gas Corporation and subsidiaries be, and they are hereby, granted an additional period of six months from February 10, 1944 within which to comply with said provisions of said order of February 10, 1943, such extension to be without prejudice to the applicants to apply for an additional extension if the circumstances warrant.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–7242; Filed, May 20, 1944; 10:46 a. m.]

[File Nos. 70–836, 70–884]

COLUMBIA GAS & ELECTRIC CORP. AND CONSOLIDATED NATURAL GAS CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of May 1944.

Columbia Gas & Electric Corporation and Consolidated Natural Gas Company, both registered holding companies, having filed their respective declarations and amendments thereto, pursuant to section 12 of the Public Utility Holding Company Act of 1935 and Rule U-44 promulgated thereunder, with respect to the following transactions:

Columbia Gas & Electric Corporation and Consolidated Natural Gas Company propose to cause their respective subsidiaries, The Ohio Fuel Gas Company and The East Ohio Gas Company, to effectuate an exchange of certain natural gas production properties and equipment as follows:

The Ohio Fuel Gas Company will transfer to The East Ohio Gas Company all of the former's 74 natural gas wells with appurtenant mineral rights, operated and unoperated leaseholds, in Jackson and Plain Townships, Stark County, Ohio, together with five gas purchase contracts and all the land, rights of way and related equipment and structures in said townships used in the operation, production and delivery of gas from these wells; The East Ohio Gas Company will transfer to The Ohio Fuel Gas Company all of the former's 88 natural gas wells with appurtenant mineral rights and operated leaseholds in Ashland, Conshocton, Holmes, Knox, Medina and Wayne Counties, Ohio, together with three gas purchase contracts, and all the land, rights of way and related equipment and structures used in the operation, production and delivery of gas from these wells and the buildings, piping and equipment comprising and appurtenant to The East Ohio Gas Company's Shreve Compressor Station, situated in Clinton Township, Wayne County, Ohio. In connection therewith and in order to equalize the exchange, The East Ohio Gas Company will pay The Ohio Fuel Gas Company the sum of $89,997 in cash and deliver 1,648,647 Mcf of natural gas to The Ohio Fuel Gas Company at the rate of approximately 1,000,000 Mcf per year; and

It appearing from the record that the proposed transactions have been authorized by the Public Utilities Commission of Ohio and are for the purpose of "effecting improvements in the location and delivery capacity of the properties of the respective companies in accordance with the suggestions of the War Production Board for developing and maintaining adequate natural gas supplies for necessary uses in Ohio and other Appalachian areas"; and

The declarations of Columbia Gas & Electric Corporation and Consolidated Natural Gas Company having been filed on December 14, 1943 and on April 7, 1944, respectively, and amendments thereto having been filed on subsequent dates, the last of such amendments being filed on April 11, 1944, and notice of said filings having been duly given in the form and manner prescribed by Rule U–23, and the Commission not having received a request for a hearing with respect to said declarations within the period prescribed in said notice or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of section 12 (d) of the act and Rule U–44 thereunder are satisfied, and deeming it appropriate in the public interest and in the interests of investors and consumers to permit said respective declarations, as amended, to become effective;

It is hereby ordered, Pursuant to Rule U–23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U–24, that the aforesaid declarations, as amended, be, and the same hereby are, permitted to become effective forthwith; *Provided, however*, That nothing herein contained shall be deemed to be an approval by this Commission of the accounting entries proposed to be made by The Ohio Fuel Gas Company and The East Ohio Gas Company, or as affecting the authority of any regulatory commission having jurisdiction with respect to the matters herein concerned.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–7244; Filed, May 20, 1944; 10:46 a. m.]

[File No. 70-893]

RAILWAY AND BUS ASSOCIATES

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of May 1944.

In the matter of the Railway and Bus Associates, trustees under Pension Trust Agreement dated December 14, 1937, as amended.

Notice is hereby given that an application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by the Trustees Under Pension Trust Agreement Dated December 14, 1937, As Amended, and The Railway and Bus Associates, respectively a direct and an indirect subsidiary of Stanley Clarke, Trustee of Associated Gas and Electric Company, a registered holding company; and

All interested persons are referred to the said application-declaration which is on file in the office of the said Commission for a statement of the transactions therein proposed which are summarized below:

The Railway and Bus Associates, a subholding company in the Associated Gas and Electric Company system, proposes to purchase from Trustees Under Pension Trust Agreement Dated December 14, 1937, As Amended, certain of the outstanding bonds and debentures of NY PA NJ Utilities Company, one of the principal sub-holding companies in the Associated Gas and Electric Company system, at the respective call prices and accrued interest to the date of purchase, as follows:

	Aggregate call price
$201,900 principal amount of The Metropolitan Edison Corporation Secured Consolidated Refunding Bonds, 6% Series, due September 1, 1961 at 105 (call price)	$211,995
$200,000 principal amount of The Mohawk Valley Company 6% Consolidated Refunding Bonds, due November 1, 1991 at 105 (call price)	210,000
$1,000 principal amount of The Mohawk Valley Company 6% Debentures, due October 1, 2031 at 101 (call price)	1,010
$170,000 principal amount of NY PA NJ Utilities Company Secured 5% Debentures, due February 1, 1956 at 102 (call price)	173,400
	596,405

NY PA NJ Utilities Company is successor by merger to The Metropolitan Edison Corporation and The Mohawk Valley Company.

The Railway and Bus Associates also proposes to purchase from non-affiliates certain additional bonds and debentures of the above described issues at the respective call prices and accrued interest, at an aggregate cost of $500,000.

Applicants-declarants have designated section 9 (a) (1), 10, and 12 (f) of the act and Rule U-43 thereunder as applicable to the proposed transactions.

It appearng to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matters:

It is ordered, That a hearing on such matters under the applicable provisions of said act and the rules of the Commission thereunder be held on May 31, 1944 at 10:00 A. M., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Henry C. Lank, or any other officer or officers of the Commission designated for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by said application-declaration, particular attention will be directed at such hearing to the following matters and questions:

1. Whether the proposed transactions are appropriate and in the public interest and the interest of investors and consumers;

2. The propriety of the proposed accounting treatment of the proposed transactions on the books of the applicants-declarants;

3. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors; and

4. Whether the proposed transactions comply with all the provisions and requirements of the Public Utility Holding Company Act of 1935 and rules and regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-7245; Filed, May 20, 1944; 10:46 a. m.]

[File No. 1-2726]

208 SOUTH LA SALLE STREET CORP.

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of May, A. D. 1944.

The 208 South La Salle Street Corp., pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Common Stock. No Par Value, from listing and registration on the Board of Trade of the City of Chicago;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Thursday, June 15, 1944, at the office of the Securities and Exchange Commission, 105 West Adams Street, Chicago, Illinois, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Henry Fitts, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-7241; Filed, May 20, 1944; 10:46 a.m.]

[File Nos. 54-68, 59-55, 70-806]

COMMUNITY GAS AND POWER CO., ET AL.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of May A. D., 1944.

In the matter of Community Gas and Power Company, American Gas and Power Company, File No. 54-68; Community Gas and Power Company, American Gas and Power Company, and the subsidiary companies thereof, File No. 59-55, Respondents; Alpha Association, File No. 70-806.

This Commission by order dated March 2, 1944, having approved a plan of American Gas and Power Company subject to the conditions specified in Rule U-24; and

American Gas and Power Company having requested that the time within which the transactions proposed in said plan may be consummated, be extended for at least ninety days beyond the period provided by Rule U-24; and

The Commission having considered such request and deeming it appropriate that it be granted;

It is ordered, That the conditions contained in said order dated March 2, 1944, be and they are hereby modified to extend to July 31, 1944, the time within which the transactions proposed in said plan are to be consummated.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-7243; Filed, May 20, 1944; 10:46 a. m.]

[File No. 1-1905]

SUBURBAN ELECTRIC SECURITIES CO.

ORDER FOR HEARING AND DESIGNATING OFFICER TO TAKE TESTIMONY

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 19th day of May, A. D. 1944.

In the matter of proceeding under section 19 (a) (2) of the Securities Exchange Act of 1934, as amended, to determine whether the registration of Suburban Electric Securities Company, Second Preferred Shares, $4.00 per year cumulative, no par value common shares, no par value, should be suspended or withdrawn.

I. It appearing to the Commission:

That Suburban Electric Securities Company, an unincorporated company organized in the Commonwealth of Massachusetts under an Agreement and Declaration of Trust dated January 28, 1921, is the issuer of Second Preferred Shares, $4.00 per year cumulative, no par value, and Common Shares, no par value; and

That said Suburban Electric Securities Company registered its Second Preferred Shares, $4.00 per year cumulative, no par value, and Common Shares, no par value, on the Boston Stock Exchange, a national securities exchange, by filing with the exchange and with the Commission on or about July 13, 1935, an application on Form 11, pursuant to section 12 (b) and (c) of the Securities Exchange Act of 1943, and the Rule X-12B-1, as amended, promulgated by the Commission thereunder, registration pursuant to such application having become effective on or about August 12, 1935, and remaining in effect to and including the date hereof; and

It further appearing to the Commission:

That Rule X-13A-1, promulgated pursuant to section 13 of the Securities Exchange Act of 1934, as amended, did and does require that an annual report for each issuer of a security registered on a national securities exchange shall be filed on the appropriate form prescribed therefor; and

That Rule X-13A-2, promulated pursuant to section 13 of the Securities Exchange Act of 1934, as amended, did and does prescribe Form 11-K as the annual report form to be used for the annual reports of all unincorporated issuers except those for which another form is specified, and that no other form was or is specified for use by the said Suburban Electric Securities Company; and

That said Rule X-13A-1 requires that said annual report be filed not more than 120 days after the close of each fiscal year or such other period as may be prescribed in the instruction book applicable to the particular form; that the instruction book for Form 11-K does not prescribe any period other than such 120 days; and that pursuant to said Rule X-13A-1 the annual report must be filed within such period unless the registrant files with the Commission a request for an extension of time to a specified date within six months after the close of the fiscal year; and

That said Suburban Electric Securities Company has a fiscal year ending December 31; that the annual reports of Suburban Electric Securities Company for its fiscal years ended December 31, 1942, and December 31, 1943, were due to be filed not later than April 30, 1943, and April 30, 1944, respectively, and that to date the registrant has not filed with the Commission such annual reports, nor has it filed with the Commission a request for an extension of time within which to file same; and

II. The Commission having reasonable cause to believe:

That the said Suburban Electric Securities Company has failed to comply with the provisions of section 13 of the Securities Exchange Act of 1934, as amended, and Rules X-13A-1 and X-13A-2 promulgated thereunder, in that (1) it has failed to file its annual reports for the years ended December 31, 1942, and December 31, 1943, within the time prescribed to file said reports, and (2) it has failed to file such annual reports at any later date; and

That the said Suburban Electric Securities Company has failed to comply with the provisions of section 13 of the Securities Exchange Act of 1934, as amended, and Rules X-13A-1 and X-13A-2 promulgated thereunder, in that the annual reports on Form 11-K filed by said Suburban Electric Securities Company for the fiscal years ended December 31, 1938, December 31, 1939, December 31, 1940, and December 31, 1941,

(a) Contain financial statements which at the time and in the light of the circumstances, were false and misleading with respect to material facts, to wit: (1) the balance sheets dated December 31, 1938, December 31, 1939, December 31, 1940, and December 31, 1941, fail to recognize in the accounts of the registrant a substantial impairment of its investments in its subsidiary companies, Middlesex and Boston Street Railway Company and Norumbega Park Company, (2) the statements of profit and loss of the registrant for the years ended December 31, 1938, December 31, 1939, December 31, 1940, and December 31, 1941, include as income, interest on indebtedness of its subsidiary Middlesex and Boston Street Railway Company, although the investment of the registrant was substantially impaired during those years, and the said subsidiary reported a net loss for each of those years, and (3) the financial statements of Middlesex and Boston Street Railway Company for the years ended December 31, 1938, December 31, 1939, December 31, 1940, and December 31, 1941, disclose no depreciation was provided on certain depreciable assets of the Middlesex and Boston Street Railway Company; and

(b) Fail to include remuneration received directly or indirectly by John P. Carr, Secretary of the registrant, as required by Item 10 of Form 11-K; and

III. It being the opinion of the Commission that the hearing herein ordered to be held is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Securities Exchange Act of 1934, as amended;

It is ordered, Pursuant to section 19 (a) (2) of said Act, that a public hearing be held to determine whether Suburban Electric Securities Company has failed to comply with section 13 of the Securities Exchange Act of 1934, as amended, and the rules, regulations and forms promulgated by the Commission thereunder, in the respects set forth above; and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of the Second Preferred Shares, $4.00 per year cumulative, no par value, and Common Shares, no par value, of the said Suburban Electric Securities Company on said Boston Stock Exchange;

It is further ordered, Pursuant to the provisions of section 21 (b) of the Securities Exchange Act of 1934, as amended, that for the purpose of such hearing, Frank Kopelman, an officer of the Commission, is hereby designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law;

It is further ordered, That the taking of testimony in this hearing begin on the 2nd day of June, 1944, at 10:00 a. m. eastern war time at the Regional Office of the Securities and Exchange Commission, Room 426, Shawmut Bank Building, 82 Devonshire Street, Boston, Massachusetts, and continue thereafter at such time and place as the officer hereinbefore designated may determine.

By direction of the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-7285; Filed, May 22, 1944; 10:25 a. m.]

[File No. 812-352]

LEHMAN BROTHERS, ET AL.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 20th day of May, A. D. 1944.

In the matter of Lehman Brothers, Atlas Corporation, and Radio-Keith-Orpheum Corporation.

An application having been filed by Lehman Brothers (Lehman) pursuant to section 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of section 17 (a) of said act a transaction in which Lehman as a participant and joint manager with Goldman, Sachs & Co. of a group of underwriters who propose to purchase from Atlas Corporation (Atlas), a closed-end non-diversified management company registered under the Investment Company Act of 1940, an aggregate of 57,337 shares of the 6% Preferred Stock of Radio-Keith-Orpheum Corporation (RKO), an affiliated person of Atlas Corporation, at a price related to the market for such stock at the time such stock is offered to the public, less a gross underwriting commission which will not exceed $3.50 per share as a maximum or $3.00 per share as a minimum, Frederick L. Ehrman, a partner of Lehman, being a director of RKO and therefore an affili-

ated person of an affiliated person of Atlas,

It is ordered, Pursuant to section 40 (a) of said act that a hearing on the aforesaid application be held on May 29, 1944 at 11:00 a. m., eastern war time, in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

It is further ordered, That Charles S. Lobinger, Esq., or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to Lehman Brothers, One William Street, New York 4, New York, Atlas Corporation, Thirty-Three Pine Street, New York 5, New York, and Radio-Keith-Orpheum Corporation, 1270 Sixth Avenue, New York, New York, and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-7287; Filed, May 22, 1944; 10:25 a. m.]

[File No. 811-210]

PRUDENTIAL INVESTORS, INC.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of May, A. D., 1944.

The Commission having reasonable cause to believe that Prudential Investors, Inc., has been dissolved and its assets distributed to or in trust for its stockholders;

It is ordered, Pursuant to section 40 (a) of the Investment Company Act of 1940 that a hearing be held on May 29, 1944, at 10 a. m., eastern war time, in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania, to determine whether the Commission shall declare by order, pursuant to section 8 (f) of said act, that Prudential Investors, Inc., has ceased to be an investment company; and

It is further ordered, That Charles S. Lobingier, Esquire, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearings is hereby given to Prudential Investors, Inc., and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-7286; Filed, May 22, 1944; 10:25 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 103

Washington, Wednesday, May 24, 1944

Regulations

TITLE 29—LABOR

Chapter IX—War Food Administrator (Agricultural Labor)

[Specific Wage Ceiling Reg. 7]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN PICKING CHERRIES IN DESIGNATED CALIFORNIA COUNTIES

§ 1102.7 *Wages of workers engaged in picking cherries in the counties of Sonoma, Napa, Alameda, Santa Clara, Santa Cruz, San Benito, Monterey and portions of Contra Costa and Solano counties, State of California.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139, 16702) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking cherries in the counties of Sonoma, Napa, Alameda, Santa Clara, Santa Cruz, San Benito, Monterey and those portions of Contra Costa and Solano counties west of the Mt. Diablo meridian, State of California, are agricultural labor as defined in § 4001.1 (i) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139) as amended on December 9, 1943 (8 F.R. 16702).

(b) *Wage rates; maximum wage rates for picking cherries.*

1. Hourly rate—$1.00 per hour.
2. Piece rate—4¢ per lb., or the equivalent where container rates are used.

(c) *Administration.* The California WFA Wage Board located at 2131 Bancroft Way, Berkeley, California, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831).

(d) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 7 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F. R. 831) and any violation of this specific wage ceiling regulation No. 7 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. 961 et seq.; Pub. Law 34, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702; regulations of the War Food Administrator, 9 F.R. 655, 9 F.R. 831)

Issued this 22d day of May 1944.

PHILIP BRUTON, *Director, Office of Labor, War Food Administration.*

[F. R. Doc. 44-7381; Filed, May 23, 1944; 11:29 a. m.]

[Specific Wage Ceiling Reg. 8]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN PICKING CHERRIES IN DESIGNATED CALIFORNIA COUNTIES

§ 1102.8 *Wages of workers engaged in picking cherries in the counties of Butte, Yuba, Sutter, Sacramento, San Joaquin, Stanislaus and portions of Contra Costa and Solano counties, State of California.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139, 16702) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the California WFA Wage Board and

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

	Page
FEDERAL TRADE COMMISSION:	
American Chemical Paint Co., hearing	5489
INTERIOR DEPARTMENT:	
Cheraw Recreational Demonstration Project lands, S. C., transfer from National Park Service to Fish and Wildlife Service	5489
INTERSTATE COMMERCE COMMISSION:	
Reconsignment permits, etc.:	
Citrus fruits:	
Arizona, California, and Texas (2 documents)	5491
Arizona and California	5491
Designated southern States	5491
Texas	5492
Grapefruit:	
Arizona and California	5491
Texas	5492
Onions, Atlanta, Ga.	5490
Oranges, designated western and southern States	5491
Potatoes:	
Atlanta, Ga.	5490
Chicago, Ill. (2 documents)	5490
Kansas City, Mo.-Kans. (2 documents)	5490, 5492
Ripley, Tenn.	5490
South Carolina	5492
Tomatoes, Kansas City, Mo.-Kans.	5491
OFFICE OF PRICE ADMINISTRATION:	
Adjustments, etc.:	
Chrysler Corp.	5493
National Mitten Works, et al.	5492
Alaska; alcoholic beverages (MPR 288, Am. 25)	5485
Bread and bakery products (SR 14B, Am. 2)	5489
Hawaii; grocery items (MPR 373, Am. 59)	5482
Paperboard sold east of Rocky Mountains (RPS 32, Am. 13)	5482
Redwood lumber and millwork (MPR 253, Am. 6)	5482

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

	Page
OFFICE OF PRICE ADMINISTRATION—Continued.	
Regional and district office orders:	
Community ceiling prices, list of orders filed	5496
Firewood:	
New Hampshire	5494
Richland, Lexington, and Fairfield Counties, S. C.	5494
Solid fuels:	
Brockton, Mass.	5493
Fulton and De Kalb Counties, Ga.	5493
Sardines, California; sales by canners (MPR 209)	5482
SELECTIVE SERVICE SYSTEM:	
Registrant's file, forwarding to State Director	5472
WAR FOOD ADMINISTRATION:	
Cherries in designated California counties, salaries and wages of workers (2 documents)	5471
WAR PRODUCTION BOARD:	
Construction limitations (CMP Reg. 6, Schedule A)	5473
Controlled materials plan; GA 1456 authorization (CMP Reg. 6, Dir. 1)	5475
Cotton, extra staple (M–117)	5477
Doors, door frames and shutters, metal (L–142)	5477
Electric lamps and shades, portable (L–33, Int. 1) (2 documents)	5479, 5480
Furniture and fixtures, metal (L–13–a; Int. 1, Rev.) (2 documents)	5478, 5479
Insulation materials, use (L–41, Int. 7)	5472
Plastering bases and accessories, metal (L–59–b)	5476
Sterilizer equipment (L–266)	5480
Waste paper (M–377)	5476

obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking cherries in the counties of Butte, Yuba, Sutter, Sacramento, San Joaquin, Stanislaus and those portions of Contra Costa and Solano counties east of the Mt. Diablo meridian, State of California are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139) as amended on December 9, 1943 (8 F.R. 16702).

(b) *Wage rates, maximum wage rates for picking cherries.*

1. Hourly rate—90¢ per hour.
2. Piece rate—4¢ per lb., or the equivalent where container rates are used.

(c) *Administration.* The California WFA Wage Board located at 2181 Bancroft Way, Berkeley, California, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 881).

(d) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 8 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) and any violation of this specific wage ceiling regulation No. 8 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. 961 et seq.; Pub. Law 34, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702; regulations of the War Food Administrator, 9 F.R. 655, 9 F.R. 831)

Issued this 22d day of May 1944.

PHILIP BRUTON,
Director, Office of Labor,
War Food Administration.

[F. R. Doc. 44–7380; Filed, May 23, 1944; 11:29 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 235]

PART 605—GENERAL ADMINISTRATION

FORWARDING REGISTRANT'S FILE TO STATE DIRECTOR

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend the regulations by adding a new section to be known as § 605.32–1 to read as follows:

§ 605.32–1 *Forwarding registrant's file to State Director of Selective Service.* A local board, on written request of the State Director of Selective Service of the State in which such local board is located shall forward to such State Director of Selective Service the complete original file of any registrant under the jurisdiction of such local board.

The foregoing amendment to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MAY 22, 1944.

[F. R. Doc. 44–7342; Filed, May 22, 1944; 4:38 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1075—CONSTRUCTION

[Conservation Order L–41, Interpretation 7]

USE OF INSULATION MATERIALS

The following interpretation is issued with respect to Conservation Order L–41.

Paragraph (d) (7) of Conservation Order L–41 provides that it is not necessary to get War Production Board permission under that order for "Insulating buildings" with certain materials. The exception applies only to the insulation of existing buildings. It does not apply to the use of these materials in the original construction of a building, nor does it apply to the use of materials for other purposes than insulating buildings; for example, making alterations to a building or converting the building from one purpose to another. The cost of new insulating materials used in building a new building or in making alterations to an old building or converting an old building from one use to another must be included in the cost of the job.

For example, if rigid insulating material is used for partitions to make a new room, the cost of the insulating material must be included in the cost of the job, as this use of insulating material is not insulating a building. If an existing building is being converted from a store to a frozen food locker plant, the cost of the insulation materials installed must be included as part of the cost of conversion, as these materials are being used to convert a store to a locker plant, not to insulate a store.

Issued this 23d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7362; Filed, May 23, 1944; 11:16 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 6, Schedule A]

CONSTRUCTION LIMITATIONS

§ 3175.6a *Schedule A of CMP Regulation 6*—(a) *Principles governing wartime construction.* The principles governing war-time construction are defined in the Directive for War-Time Construction, dated May 20, 1942. The War Production Board and the Army-Navy Munitions Board interpret these principles as limiting all construction to a design of the simplest type consistent with structural stability and sufficient only to meet the immediate minimum functional requirements.

The guiding principle should always be to utilize those materials which are most plentiful and which, in the ultimate analysis, will cause the least interference with the production of combat materiel and the utilization of transportation and power.

(b) *What these construction limitations do.* These construction limitations apply to construction authorized on Form GA–1456. They do not apply to any other kind of construction. Construction authorized on Form GA–1456 must be performed in accordance with the provisions of Appendix I and Appendix II (which are part of this schedule) unless a waiver is granted on the authorization.

These construction limitations restrict the use of the materials and equipment listed, including materials to be incorporated in products where the materials are purchased through a fabricator or supplier by using the assigned allotment symbol or preference rating. They do not apply to:

The use of used materials except where specifically restricted.

The use by manufacturers of materials directly allocated to manufacturers for incorporation into "B" products (as defined in CMP Reg. 1).

The use of materials incorporated in "A" products of the kind required to be listed in section III of Form WPB–617 (manufacturing, processing or service equipment).

(c) *Amendments to construction limitations.* The construction limitations may be amended from time to time. A builder who has received an authorization on Form GA–1456, subject to Schedule A of CMP Regulation 6 (these construction limitations), may perform the authorized construction in accordance with any amendment to Schedule A issued after his authorization.

(d) *Exceptions.* If any exceptions to the restrictions are required, the exceptions must be stated and justified in the application for authority to acquire or construct facilities (WPB–617). Authorization will be made on Form GA–1456 or GA–1456A.

(e) *Structural design.* All construction using more than 5 tons of structural steel or more than 5 tons of reinforcing steel (including mesh) or any stress grade lumber shall be designed in accordance with the applicable provisions of the War Production Board Directive No. 3 "National Emergency Specifications for the Design, Fabrication and Erection of Structural Steel for Buildings" as amended, and/or Directive No. 9 "Design of Reinforced Concrete Buildings" as amended, and/or Directive No. 29 "Design, Fabrication and Erection of Stress Grade Lumber and its Fastenings for Buildings" as amended. If any waiver of the provisions of the above directives is required, the reasons for requesting such waiver must be stated in the application.

Issued this 23d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX I—RESTRICTIONS

A. *Structural steel.*

Construction requiring the use of structural steel should not be employed when masonry or plain or reinforced concrete using forms as called for under K–3 below can be used.

1. Junior beams may not be used.

B. *Steel plates.*

1. Plates may not be used except for:
a. Closed pressure tanks.
b. Structural connections.
c. Column bases and bearing plates.
d. Where necessary for connections and reinforcing when used for repair and strengthening of bridges.

C. *Steel sheet and strip.*

1. The use of steel sheet and strip, plain or formed, is prohibited except for the following:
a. Evacuation tubes, superimposed upon fans, not exceeding 30 feet in height.

2. The use of the following manufactured items (purchased as such) when made from sheet or strip is prohibited:
Bins
Bookstacks
Bridge Splash Guards
Culverts
Concrete Pile Casings
Corner, door and column guards
Flooring
Joists
Portable Buildings
Roofing and Siding
Shower Stalls
Scuppers
Smoke Stacks
Termite Shields heavier than No. 24 U. S. gauge
Trench Covers
Ventilation and heating ducts except for transitions, fittings, connections, and changes in direction, and for straight runs where metal is required by applicable building codes

D. *Railroad track and craneways.*

1. Except for operating railroads, the following are prohibited:
a. New rails over 60 pounds per yard.
b. New metal ties and tie plates.
c. Used tie plates, except for rails weighing 60 pounds or less per yard, and turnouts, crossovers, curves of more than 4 degrees, and bridge track of any weight.

E. *Hardware.*

1. The use of checking floor hinges and hydraulic door closers is prohibited except as follows:
a. Where self-closing function is required by applicable fire regulations.
b. For exterior entrance and exterior exit doors of public and industrial buildings.
c. Where essential in hospitals except for patients rooms.

F. *Metal lath.*

1. The use of metal plastering base and accessories is prohibited for exterior use, except as permitted in paragraph 3 below.
2. The use of metal plastering base and accessories is prohibited for interior use except:
a. Cornerite, stripite, corner bead and flush base screed
b. In hospitals, detention, asylum and school buildings
(1) Under wood joists subject to fire hazard (as defined by applicable building codes), and under bar or concrete joists, and where furred ceilings are required
(2) For resistance to earthquakes where required by applicable codes
(3) For chases, pipe furring and wood stairways
(4) Where Portland cement plaster is used as a functional requirement
3. The restrictions in 1 and 2 above do not restrict the use of (1) combination form and reinforcement for cast-in-place slabs (2) woven or welded steel wire, cloth, fabric or netting without paper or other backing for exterior stucco base.

G. *Aluminum.*

1. The use of aluminum in construction is prohibited except:
a. For electric bus bars, bare electrical conductors, and current carrying accessories for conductors
b. Where essential for processing
2. The use of more aluminum or aluminum of a better grade than is necessary for the proper operation of an article or part is prohibited.
3. The use of paint containing aluminum pigment or aluminum composition is prohibited except for:
a. Sealing of bituminous coated surfaces
b. Interior use in industrial plants and for industrial equipment, where excessive moisture, fumes or temperature prevail
c. Surfaces in the interior of dairies, milk bottling plants, and food processing plants
d. Outdoor storage tanks used for petroleum products and volatile chemicals

H. *Copper and copper-base alloys.*

The use of copper and copper-base alloys (new or used) is prohibited for the following:
1. Pipe or tubing including fittings except:
a. Where essential for processing
b. Solder nipples or ferrules
2. Building materials, whether fabricated or unfabricated, as follows:
Access panels
Anchors and dowels
Cornices
Drip pans
Fences and gates
Cooling towers, except for current carrying parts and bearings and worm gears for speed reducers and heat exchangers
Decorative metal work
Flashings and flashing valley lining
Gravel stops and snow guards
Grilles, grids and gratings
Gutters, leaders, downspouts, sheet metal expansion joints and accessories thereto
Lightning rods, cables and accessories
Louvers and marquees
Mouldings and trim
Nails, bolts, screws, nuts, rivets, washers and expansion shields
Ornamental metal work
Partitions
Railings

Reglets
Radiators, shields and covers
Roofs, roofing and other roofing items
Sheet, roll, strip and rod for construction
Sinks and drain boards
Stair treads, nosing and edgings
Store fronts
Strip for laying linoleum
Terrazzo strip
Termite shields
Thresholds and saddles
Tie rods
Ventilators and skylights
Vents
Weatherstripping and insulation
Window frames and sills

I. *Tin.* The use of tin and tin products is prohibited except as follows:

1. Solder:

a. Not over 38% tin in solder for wiping water service pipe, connecting the piping of a structure with the outside water main

b. Not over 32½% tin in solder for wiping the joints of lead sheathed cable where watertight connections are necessary

c. Solder for electrical connections may be used only to the extent that solderless connectors, not containing copper or copper-base alloys, will not serve

d. Not over 30% tin in solder for fabrication or repair of galvanized sheet metal work

e. Not over 21% tin in solder for other uses

2. Roofing—but only tin plate for repair purposes.

3. Fuses, fuse plugs, and sprinkler head fuses.

J. *Zinc.* 1. The use of zinc and zinc products is prohibited except for:

a. Protective coating
b. Weatherstripping
c. Fuse and fuse plugs
d. Grids in floor of hospital operating and operating service rooms

K. *Lumber and lumber products.* Construction requiring the use of lumber 2" nominal thickness or less for framing of walls, floors, partitions, ceilings, and roofs should not be employed where other types of construction can be used.

1. Where lumber 2" nominal thickness, less than 8" nominal width and lumber less than 2" nominal thickness must be used, it shall only be obtained from cutting local wood lots or from resawing or ripping sizes larger than 2" x 6" specifically for the project. (This restriction does not apply when the total amount of such lumber required is less than 2.5 MBM)

2. The use of lumber is prohibited for the following:

a. Sheathing of walls and roofs
b. Facing of partitions and ceilings
c. Siding
d. Fencing
e. Sub-floors

3. Forms for concrete construction are restricted to the use of metal forms, used lumber, reusable forms (including traveling), and water resistant plywood (see 7 below). To the extent that these types of forms are not available, lumber in any size may be used provided that lumber 2" nominal thickness, less than 8" nominal width, and lumber less than 2" nominal thickness is obtained from cutting local wood lots or from resawing or ripping sizes larger than 2" x 6" specifically for the project. (This restriction does not apply when the total amount of such lumber required is less than 2.5 MBM).

4. The use of common grades of any kind of wood is prohibited for mill work and trim.

5. The use of end grain block flooring other than Douglas Fir is prohibited except for repair and maintenance of existing floors of this type.

6. The use of Hardboard is prohibited.

7. The use of softwood plywood is prohibited except highly water resistant type when used for concrete forms (maximum reuse).

The salvage of all reusable lumber, not specifically incorporated in a structure, is mandatory and its destruction is prohibited. Such lumber shall be made immediately available for reuse.

L. *Plumbing and heating.* 1. The use of pipe of weights heavier than required to meet maximum working pressure at the site is prohibited.

2. The use of metal sewer pipe outside the building is prohibited except for:

a. Vents
b. Within 5 feet of the building
c. Cast iron pressure mains

3. The use of valves over 2" size with brass or bronze bodies is prohibited.

4. The use of condensate and vacuum pumps is prohibited except that a single pump is permitted on any heating system where the condensate cannot return to the boiler by gravity or when the design of the heating system requires that a high vacuum must be maintained.

M. *Mechanical ventilation.* 1. The use of mechanical ventilation is prohibited except for:

a. Areas without natural ventilation
b. Hospital spaces
c. Spaces where industrial processes make its use mandatory.
d. Interior toilet rooms and kitchens where gravity ventilation will not suffice

2. Ventilation systems for winter operation in locations as outlined above shall be of the re-circulatory type, with quantity of make-up and exhaust air reduced to the minimum required to meet health requirements.

N. *Electrical work.* 1. The use of electrical wire and cable in sizes larger than the minimum size permitted by the 1940 National Electrical Code as amended is prohibited.

2. The use of rigid metallic conduit is prohibited except for the minimum sizes permitted by the 1940 National Electrical Code as amended and then only:

a. In any size when the installation is in a hazardous location as defined by the 1940 National Electrical Code, Classes 1 to 4 inclusive.

b. In sizes over 2".

(1) For safety purposes as protection against mechanical injury.

(2) In wet locations as defined in Article 100 of the 1940 National Electrical Code.

(3) Where electrical conductors are to be enclosed within concrete or masonry.

c. In sizes 2" and under to suspend an industrial lighting fixture.

3. The use of electrical metallic tubing is prohibited except for the minimum sizes permitted by the 1940 National Electrical Code as amended and then only:

a. For safety purpose as protection against mechanical injury.

b. Where electrical conductors are to be enclosed within concrete or masonry.

c. When run in elevator hoistways for elevator power, control and signal wiring.

d. In wet locations as defined in Article 100 of the 1940 National Electrical Code.

e. To suspend an industrial lighting fixture.

4. The use of flexible metallic conduit or tubing is prohibited except for the minimum sizes permitted by the 1940 National Electrical Code as amended and then only:

a. To provide a flexible enclosure for:

(1) Electric wire or cable which is a component part of a machine.

(2) Electric wire or cable extending less than twelve (12) feet from electrical systems to current consuming devices or control equipment.

5. Armored cable (BX cable) may be used only for:

a. Uses permitted for flexible metallic conduit in Item N-4.

b. Remodeling and conversion of fireproof structures.

c. Control systems in connection with boilers.

6. Exterior lighting is prohibited except when mounted on buildings.

o. *Standby and emergency equipment.* Standby and emergency equipment is prohibited.

APPENDIX II

LIST OF EQUIPMENT REQUIRING SPECIAL AUTHORIZATION, INCLUDING EQUIPMENT REQUIRING SEPARATE APPLICATION FORMS

(All items on this list required for the project must be listed in Form WPB-617 in section III and those items which are to be purchased must be justified under section I, "Exceptions to the Construction Limitations" except where a separate WPB form is indicated.)

	Governing order	Separate WPB form
Air conditioning and refrigerating equipment.	L-38	None.
Boilers, Power	M-293	2645.
Construction machinery (unused) listed on Schedule A of L-192.	L-192	1319.
Construction machinery (used) listed on Schedule A of L-196.	L-196	1319.
Cooking equipment, commercial, electric appliances.	L-65	None.
Cooking equipment, commercial, heated by oil, wood, coal, or gas, including coffee urns, steam tables, ranges, etc., new or used.	L-182	None.
Dishwasher, commercial, new or used.	L-248	None.
Dumb-waiters, electrically operated, new.	L-89	None.
Dumb-waiters, electrically operated (replacement).	L-89	1236.
Elevators, new	L-89	None.
Elevators (replacement)	L-89	1236.
Fans, electric, for hospitals and industrial firms.	L-176	1319.
Fire protective, signal and alarm equipment.	L-39	None.
Floor servicing machinery	L-222	1319.
Furniture, office, metal	L-12-a	1319.
Laboratory instruments on List A of L-144 (not industrial equipment).	L-144	1319.
Laundry equipment	L-91	None.
Liquefied petroleum gas equipment.	L-86	809.
Motion picture projection equipment and accessories 35 mm.	L-325	3253 or 3254.
Office machinery, adding, tabulating, addressing, calculating machines, etc.	L-54-c	1668.
Oil processing machinery	M-293	2586.
Plastic molding machinery	L-189	1953.
Pneumatic tube delivery systems.	L-193	None.
Ranges, domestic, electrical	L-23-b	1319.
Refrigerators, domestic, mechanical.	L-5-d	882.
Rubber processing equipment.	L-143-a	1277.
Scales, if $500 or more for any single scale.	L-190	None.
Shipping drums, new steel	L-197	3233.
Signal, public address and intercommunication systems (electronic).	L-265	None.
Sterilizer equipment	L-266	None.
Stokers, Class A, grate area under 36 sq. ft., over 60 pounds capacity per hour.	L-75	None.
Telephonic switching equipment or carrier equipment costing in excess of $2,500.	----------	None.
Tire retreading, recapping and repair equipment.	L-61	1319.
Typewriters, new	L-54-a	1668.
Typewriters, used	L-54-a	(1)
Tracklaying tractors (unused)	L-53	1319.
Tracklaying tractors, tractor mounted equipment (used) listed on Schedule A of L-196	L-196	1319
Transformers, distribution or power, which are either: (a) 250 KVA and larger (b) Multiple phase (c) Not in conformity with EEI-NEMA standards, or (d) Not listed in the manufacturers catalog as of January 1, '44.	M-293	2643
Trucks, power or mobile hoists	L-112	1319
Vacuum cleaners, industrial	L-222	1319
Vault doors	L-142	None
Wire intercommunicating systems, telephonic	U-5 or U-8	1319

[1] Apply local rationing board.

[F. R. Doc. 44-7363; Filed, May 23, 1944; 11:15 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 6, Direction 1, as Amended May 23, 1944]

SPECIAL PROCEDURE FOR GA 1456 AUTHORIZATION

The following direction is issued pursuant to CMP Regulation 6.

(a) *What this direction does.* (1) GA 1456 is the form used in authorizing agricultural, commercial and industrial construction and all other kinds of construction except as indicated in paragraph (a) (2) below, and in giving priorities assistance needed in connection with the construction authorized. The form is also used in granting priorities assistance needed for construction work of the kind mentioned even though no authorization to do construction is needed. This direction tells how to buy controlled materials and other products and materials needed to carry on the construction work described in the form.

(2) This direction does not apply to a person doing construction work which has been authorized or rated on forms other than GA 1456. Other forms are used for housing (except farm houses, and hotels which use a GA 1456); for certain kinds of construction carried on by the Army and Navy; for water, gas, steam heating, electric power, telephone and telegraph facilities for use by the public; for petroleum facilities; and for certain other specialized kinds of construction which are provided for under blanket orders of the WPB or by special authorization forms. CMP Regulation No. 6 and other directions to that regulation tell how construction of the kinds mentioned in this sub-paragraph (a) (2) is handled under the Controlled Materials Plan.

(b) *Applications and authorizations.* An application for an authorization on Form GA-1456 should be made on Form WPB-617. An application to amend an authorization on Form GA-1456 should also be made on Form WPB-617. If the application is approved, Form GA-1456 will be issued assigning the allotment symbol F-6 and an appropriate preference rating which may be used to order all products, machinery, equipment, and material needed to complete the project, except as provided by the next paragraph.

(c) *Limitation on the use of the allotment symbol and preference rating.* The allotment symbol and preference rating assigned on Form GA-1456 may only be used to order materials and equipment needed to complete the project in accordance with the terms of the authorization. Furthermore, the symbol and rating may only be used to order those items of machinery and equipment of the kind that must be listed in Section III of Form WPB-617 which have been approved under the terms of the authorization on Form GA-1456. The applicant must construct in accordance with the construction limitations contained in Schedule A of CMP Regulation No. 6. The symbol and rating may not be used to purchase any material which the applicant is forbidden to use in construction by Schedule A of CMP Regulation No. 6. Certain exceptions to and special authorizations under the Schedule A may be obtained as explained in the next paragraph. If Schedule A is amended after the builder receives his GA-1456 authorization, he may construct according to either the amended schedule or the schedule in effect at the time his GA-1456 authorization was issued.

(c-1) *Authorization of prohibited material and equipment.* Schedule A of CMP Regulation No. 6 lists certain materials and equipment which may not be used in construction. If the applicant needs to use any of these materials or equipment in the construction covered by the application, he should ask for permission to use them, listing them separately as provided in the instructions on Application Form WPB-617. Appendix II of Schedule A lists certain types of equipment for which an additional special application must generally be made to the War Production Board in order to get it for a project. If the applicant needs to get any of this specially listed equipment for a project, and if Appendix II indicates that no special application form needs to be used, he may apply for permission to get this equipment on Form WPB-617, as directed by the instructions to that form. However, if Appendix II of the Construction Limitations indicates that a supplemental application must be filed to get the equipment, the applicant must file such supplemental application and must get his authorization under that application.

The War Production Board may authorize the applicant to get and use material and equipment on Schedule A, or equipment on Appendix II of Schedule A for which a special application is not required, by specific authorization on Form GA-1456. If it does so, the applicant may get and use the material or equipment without further special authorization, notwithstanding the provisions of any other order of the War Production Board which requires authorization on a special form or letter. In order that the supplier will know that a delivery of a prohibited material or of equipment listed in Appendix II of Schedule A is permitted under this direction, the person getting an authorization for the material or equipment on Form GA-1456 should add to the standard certification in Priorities Regulation No. 7 the following: "Delivery approved on Form GA-1456 under Direction 1 to CMP Regulation No. 6."

(d) *How to order materials.* (1) The allotment symbol may be used to order controlled materials and Class A products by:

(i) The applicant;

(ii) By manufacturers of Class A products or Class A components of Class A products to be incorporated in the project;

(iii) By contractors and sub-contractors doing all or any part of the construction work.

The applicant must not use the allotment symbol or give others the right to use it before he has received a GA 1456 authorization. A manufacturer, contractor or subcontractor must not use it, or give others the right to use it, unless he has received a statement in substantially the following form endorsed on the order or contract by the person placing it, signed manually or in the way explained in Priorities Regulation 7:

Serial Number ------ (identifying project). You are authorized to use the allotment symbol F-6 to order controlled materials and Class A products needed to fill this order or contract.

It is not necessary to show the quantities of controlled materials in this statement. Its use shall constitute a representation by the person signing it to the person with whom the order or contract is placed, and to the War Production Board, subject to the penalties of section 35A of the United States Criminal Code, that he has the right to authorize the person with whom the order or contract is placed to use the allotment symbol to fill the order or contract. The standard form described in Priorities Regulation 7 cannot be used instead of the above statement.

(2) The preference rating may be used to order all materials other than controlled materials. If an applicant, contractor or subcontractor orders a Class A product the certificate described in Priorities Regulation 7 must be used in addition to the statement set forth in paragraph (d) (1) above. If a contractor or sub-contractor needs a preference rating to buy materials the rating may be given him by use of the certificate set forth in Priorities Regulation 7. In using the rating to buy all products and materials other than controlled materials or Class A products the certificate in Priorities Regulation 7 must be used and the allotment symbol F-6 must be used along with the preference rating for purposes of identification.

(3) Each person using the allotment symbol or preference rating must maintain at his regular place of business, for a period of two years, records of the right to use the symbol or preference rating, records, kept by serial number identifying the project, of the amount of materials ordered with the allotment symbol or rating and records showing that the materials so ordered were used for the purpose for which the right to use the symbol or rating was granted.

(4) The use of the allotment symbol F-6 will not be limited to any particular month or quarter and, therefore, no quarterly identification need be shown when using it. Authorized controlled material orders must, however, show the month in which delivery is requested. The allotment symbol may not be used in placing authorized controlled material orders after the expiration date of the project but delivery after such date may be specified on orders placed before then.

(5) The allotment symbol and preference rating must not be used to order materials in greater quantities, or on earlier dates, than needed for the construction. It may be used not only to order materials needed for the construction but also to replace in inventory materials used for the construction. Attention is called to CMP Regulation No. 2 which places a restriction on inventories of controlled materials which must be complied with.

(6) A person who has the right under this direction to use an allotment symbol in ordering controlled materials must endorse the symbol on his order and the form of certification set out in CMP Regulation No. 7, signed manually or in the way explained in Priorities Regulation No. 7. An order so endorsed is an authorized controlled material order (1) if it is a "delivery order" as defined in paragraph (b) (9) of CMP Regulation No. 6, (ii) if it is in sufficient detail to permit entry on mill schedules and (iii) if, when placed with a controlled materials producer, it is received at such time in advance as is specified in Schedule III of CMP Regulation No. 1, or at such later time as the controlled ma-

terials producer may find it practicable to accept the same.

(e) This direction shall become effective on February 15, 1944.

Issued this 23d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7367; Filed, May 23, 1944; 11:16 a. m.]

PART 3281—PULP AND PAPER

[Order M-377]

WASTE PAPER

§ 3281.86 *Order M-377*—(a) *Purpose.* The purpose of this order is to set up machinery by which the War Production Board may direct the delivery of waste paper at OPA ceiling prices to consumers who do not have enough for their essential needs.

(b) *Applications for special directions.* Any person who needs waste paper in the form of No. 1 mixed paper, No. 1 news, or old corrugated containers, for use in essential manufacturing or conversion operations and whose plant is in danger of shutting down because he does not have enough, may apply to the War Production Board for a special direction allocating waste paper to him. His application should be in duplicate addressed to the War Production Board, Ref: M-377, Washington 25, D. C., and should state facts showing:

(1) The brief description of important orders that will be delayed if the waste paper is not received.

(2) That the applicant has made all reasonable efforts to get waste paper at the ceiling price from all reasonably available sources, including those which may involve extra shipping costs.

(3) The applicant's present inventory of the grade or grades of waste paper for which he is requesting a special direction, expressed both in tons and days' consumption at the current rate of operation.

(4) That the quantity requested represents minimum needs to meet his authorized production schedules.

(c) *Issuance of special directions.* On receipt of an application the War Production Board may direct any supplier of waste paper in the forms mentioned above to make deliveries to the applicant at OPA ceiling prices and may direct the applicant to accept delivery from the supplier named. Such directions must be complied with, notwithstanding trade practices, customary markets for waste paper, or the terms of any contract or other commitment.

(d) *Definition.* For purposes of this order and directions issued under it, the terms "No. 1 mixed paper", "No. 1 news", and "old corrugated containers" have the same meaning as in Office of Price Administration Order No. MPR-30, as amended from time to time.

(e) *Reports.* Suppliers and consumers of waste paper must file such reports with the War Production Board as it may prescribe from time to time. The reporting requirements of this order have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

(f) *Violations.* Any person who wilfully violates any provision of this order or of a direction issued under it, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable War Production Board regulations, as amended from time to time.

Issued this 23d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7369; Filed, May 23, 1944; 11:17 a. m.]

PART 3284 [1]—BUILDING MATERIALS

[Supplementary Limitation Order L-59-b, as Amended May 23, 1944]

METAL PLASTERING BASES AND METAL PLASTERING ACCESSORIES

Section 3284.11 [1] *Supplementary Limitation Order L-59-b* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials entering into the production of metal plastering bases and metal plastering accessories for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3284.11 *Supplementary Limitation Order L-59-b*—(a) *Definitions.* For the purpose of this order:

(1) "Metal plastering base" means any of the following items of the types commonly used as bases for the application of interior or exterior plaster or stucco, or as a combination form and reinforcement for cast-in-place concrete or gypsum floor or roof slabs;

(i) Expanded, ribbed and sheet metal lath, and expanded stucco mesh, with or without paper or other backing; and

(ii) Woven or welded steel wire lath, cloth, fabric or stucco mesh, with paper or other backing.

(2) "Metal plastering accessory" means any article (other than a metal plastering base, a nail, clip, or any device for holding non-metallic plastering bases) which is of a type commonly used as a guide, support, reinforcement or means of attachment for metal plastering bases, and which is made in whole or in part of metal, including, but not limited to, the following: cornerite, stripite, corner beads, corner bead clips, base screed, concealed picture molding, floor and ceiling tracks and studs for plastered partitions, and steel plastering shapes such as cold rolled channels.

(b) *Restrictions on manufacture.* No person may manufacture or fabricate:

(1) Expanded lath weighing more than 3.4 pounds per square yard;

(2) Ribbed lath weighing more than 0.6 pounds per square foot;

(3) Wire stucco mesh containing more than 2 pounds of steel per square yard;

(4) Cornerite or stripite from expanded lath weighing more than 2.5 pounds per square yard, or more than 5 inches wide; or

(5) Small nose corner bead or base screed weighing more than 0.3 pound per linear foot.

(c) *Restrictions on sale and delivery.* No person may sell or deliver any new metal plastering base or metal plastering accessory, except:

(1) To fill orders bearing preference ratings of AA-5 or higher; or

(2) To fill orders in the amount of $5 or less. (No purchase order shall be subdivided for the purpose of coming within the $5 limit.)

(d) *Applicability of regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board.

(e) *Appeals.* Any appeal from the provisions of this order may be filed on Form WPB-1477 (formerly PD-500) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. The appeal shall refer to the provision appealed from and state fully the grounds for the appeal.

(f) *Routing of correspondence.* Communications concerning this order, other than appeals, shall be addressed to the War Production Board, Building Materials Division, Washington 25, D. C., Ref.: L-59-b.

(g) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 23d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7370; Filed, May 23, 1944; 11:17 a. m.]

[1] Formerly Part 1119, § 1119.3.

PART 3284—BUILDING MATERIALS

[Limitation Order L-142, as Amended May 23, 1944]

METAL DOORS, METAL DOOR FRAMES AND METAL SHUTTERS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron, steel and other metals for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national war effort:

§ 3284.21 *Limitation Order L-142*—(a) *Definitions.* For the purposes of this order:

(1) "Door" means a movable closure or barrier in an opening designed to be used as a means of passage or access in a side, floor, ceiling, partition, shaft, or tower of a building.

(2) "Metal door" means any door which, exclusive of essential hardware, is made in whole or in part of metal.

(3) "Metal door frame" means any framework, jamb, buck or trim, which, exclusive of essential hardware, is made in whole or in part of metal and is designed to be used for bounding a door opening or providing a means of support for a door.

(4) "Metal shutter" means a cover which, exclusive of essential hardware, is made in whole or in part of metal, and is designed to be used as a means of closure in or over an opening constructed in a side, floor, ceiling, partition, shaft, or tower of a building.

(5) "Essential hardware" means hangers, tracks, screws, nails, rivets, bolts, wire, locks, knobs, handles and other types of metal items normally used in the manufacture, joining or installation of a wooden door, buck, trim, jamb or shutter.

(6) "Put into process" means the first change by a person manufacturing metal doors, metal door frames and metal shutters in the form of material from the form in which it is received.

(7) "Vault door" means a unit consisting of a frame or vestibule designed to be built into the masonry of a vault and in which is hung one or more fire-insulated doors equipped with hinges and a locking mechanism containing expanding bolts which are checked with a combination lock.

(b) *Restrictions.* On and after the 13th day of May, 1943, notwithstanding any contract, agreement or preference rating, no person shall manufacture, fabricate or otherwise make a metal door, metal door frame or metal shutter except:

(1) To fill an order from the Army or Navy of the United States, provided such order states such metal door, metal door frame or metal shutter is required for use in one of the following types of structures:

(i) Bombproof and splinterproof structures, or

(ii) Sea coast fortifications, or

(iii) Magazines for the storage of other than inert material, or

(iv) Ammunition loading and handling spaces, or

(v) Bomb sight storage spaces, or

(vi) Radar equipment storage spaces, or

(vii) Finance vaults in standard finance buildings and in hospital administration buildings

(viii) Narcotics vaults in hospital buildings, dispensaries and clinics.

(2) To fill an order for a hangar type door, provided such door is designed and constructed for an opening used for the passage of aircraft; or

(3) For fire protection purposes, pursuant to an order or contract bearing a preference rating of AA-5 or better, provided such metal door, metal door frame or metal shutter is manufactured:

(i) Of ferrous metal not heavier than Number 16 U. S. standard gauge.

(ii) Of any metal heavier than Number 16 U. S. standard gauge at least 85% of which metal by weight (exclusive of essential hardware) was in the possession of such person prior to September 26, 1942 and has been offered for sale through the Steel Recovery Corporation for a period of at least 60 days.

(c) *Exception from provisions of this order.* This order does not apply to the manufacture of replacement parts to repair and maintain a metal door, metal door frame or metal shutter.

(d) *Restrictions on sale and delivery of vault doors.* No vault door may be sold or delivered by a manufacturer or distributor, except:

(1) To fill an order from the Army or Navy of the United States for use in one of the types of structures listed in paragraph (b) (1), or

(2) To fill an order authorized on Form GA-1456, accompanied by the following certification (in addition to the certification in Priorities Regulation 7): "Delivery approved on Form GA-1456 under Direction 1 to CMP Regulation 6" (NOTE: Authorization on Form GA-1456 is issued for approved projects upon application on Form WPB-617.); or

NOTE: Subparagraph (3), formerly (2), redesignated May 23, 1944.

(3) Pursuant to any other order or contract which has been approved by the War Production Board, upon application made by letter addressed to: War Production Board, Building Materials Division, Washington 25, D. C., Ref. L-142. This letter should indicate the contents and essentiality of the vault, and the material and method of construction of the floors, walls and ceiling (roof) of the vault, and should state why one or two metal doors of the types permitted in paragraph (b) (3) of this order could not be used. If an Army or Navy contract is involved, serial number and other identification should be included in the letter. Filing of this letter has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning inventories, production and sales.

(f) *Reports.* Each person to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(g) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB-1477 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(j) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Regulations of the War Production Board as amended from time to time.

(k) *Routing of correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Building Materials Division, Washington 25, D. C. Ref.: L-142.

Issued this 23d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7366; Filed, May 23, 1944; 11:15 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-117, as Amended May 23, 1944]

EXTRA STAPLE COTTON

§ 3290.66 *Conservation Order M-117*—(a) *Definitions.* In this order:

(1) "Reserve cotton" means Giza 7 variety of raw cotton grading "good" or higher (according to the recognized Egyptian standards of classification) or Porto Rico Sea Island variety of raw cotton of 1⅞" or longer staple length grading No. 2 or higher (according to the official United States standards of classification).

(2) "Stitching thread" means finished thread made of reserved cotton (including single or plied yarn with a thread twist made of reserved cotton, customarily manufactured into stitching thread) for use in stitching or home sewing. It does not include crochet, embroidery or other fancy threads.

(3) "Dealer" means a person regularly engaged in the business of purchasing raw cotton for resale. It includes an exporter, importer, agent, and broker, whether or not he owns the cotton.

Restrictions

(b) *Importation.* The importation of raw cotton of 1⅛" to 1²¹⁄₃₂", inclusive, staple length shall be according to General Imports Order M-63, as amended from time to time, and, unless approved by the War Production Board on Form WPB-1615 (formerly Form PD-644), no person shall enter through the United States Customs for consumption, or withdraw from the bonded custody of the United States Bureau of Customs (bonded warehouses) such cotton. This restriction shall not apply to samples taken under a United States Bureau of Customs Sampling permit.

(c) *Sale, delivery, processing, use.* No person shall sell, deliver, buy, receive, process or use reserved cotton, knowing or having reason to believe that it is or will be sold, delivered, processed or used other than in one of the following specifically authorized transactions:

(1) Sales or deliveries to dealers.

(2) Sales or deliveries to the Foreign Economic Administration, the Commodity Credit Corporation, any other United States Government department, agency or corporation, or an agent acting for any of them.

(3) Sales, deliveries, processing or use of reserved cotton for incorporation into products to be delivered to or for the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(4) Sales, deliveries, processing or use of reserved cotton for stitching thread, subject to the limitations of paragraph (d) *"Stitching thread."*

(d) *Stitching thread.* No person shall use annually, beginning January 1, 1944, more reserved cotton for stitching thread than:

(1) An amount of reserved cotton necessary to fill orders for stitching thread for incorporation into products to be delivered to or for the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

plus

(2) The same amount of reserved cotton, as defined in paragraph (a) of this amended order, as he used in 1941 for stitching thread.

Equitable Distribution

(e) *Equitable distribution.* It is the policy of the War Production Board that the cotton described in this order not required to fill rated orders shall be distributed equitably. In making such distribution due regard should be given to essential civilian needs, and there should be no discrimination in the acceptance or filling of orders as between persons who meet the seller's regularly established prices and terms of sale or payment. Under this policy every seller of such cotton, so far as practicable, should make available an equitable proportion of his merchandise to his customers periodically, without prejudice because of their size, location or relationship as affiliated outlets. It is not the intention to interfere with established channels and methods of distribution unless necessary to meet war or essential civilian needs. If voluntary observance of the policy outlined is inadequate to achieve equitable distribution, the War Production Board may issue specific directions to named concerns. A failure to comply with a specific direction shall be deemed a violation.

General Provisions

(f) *Grading.* The War Production Board may require any dealer to submit any lot of cotton for classification by the Appeal Board of Review Examiners of the United States Department of Agriculture, whose findings shall, for the purposes of this order, be final in establishing whether the cotton is reserved cotton.

NOTE: Paragraph (g) through (j), formerly (h) through (k), redesignated and former paragraph (g) deleted May 23, 1944.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Communications.* All reports required to be filed and all communications concerning this order shall, unless otherwise directed in writing, be addressed to the War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C. Reference M-117.

(i) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine and imprisonment. In addition, such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(j) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

Issued this 23d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7868; Filed, May 23, 1944; 11:17 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-13-a, as Amended May 22, 1944]

METAL FURNITURE AND FIXTURES

§ 3291.50 *Limitation Order L-13-a*—(a) *Definitions.* For the purposes of this order:

(1) "Manufacturer" means any person engaged in the production of metal furniture and fixtures.

(2) "Metal furniture and fixtures" includes the following: Swivel chairs containing any metal other than upholstery springs, casters and joining hardware; theatre seats; school furniture; insulated metal filing cabinets, safes; metal visible reference panels; other metal visible reference equipment; metal shelving; metal filing cabinets other than insulated filing cabinets; metal lockers, metal storage cabinets; metal desks, metal office chairs; metal office tables, including typewriter and office machine stands (except those which are integral parts of the machine which they support); metal bank vault equipment; metal safe deposit boxes; metal office counters; any other metal furniture and fixtures, including but not limited to, waste paper baskets, metal trays and wire baskets. The definition includes any furniture and fixtures whether or not specifically mentioned, containing more than 5% of metal in the net weight of the finished product other than such minimum amount of iron or steel as is essentially required for nails, nuts, bolts, screws, clasps, rivets, and other joining hardware for the construction and assembly of non-metal structural parts, and other than casters and upholstery springs. It does not include time card racks subject to L-54-c, medical and surgical furniture and related equipment as defined in L-214, Schedule III; dental equipment, laboratory furniture, metal drafting tables, metal doors, metal door frames, and metal shutters subject to Limitation Order L-142, metal household furniture subject to Limitation Order L-62, or graphic arts machinery subject to Limitation Order L-326.

(3) "Preferred order" means any contract or purchase order calling for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(b) *Restrictions on production.* No manufacturer shall produce any new item of metal furniture and fixtures, except:

(1) Wood filing cabinets containing not more than two pounds of essential operating steel hardware per drawer; wood typewriter desks containing metal typewriter mechanisms; steel seating equipment designed for use at a workbench or production machine; steel work benches where required for safety, steel foremen's desks, shop boxes, stacking boxes, tool cases, and tool room shelving inserts.

(2) To fill preferred orders (i) which state on their face that the products are for use on a steel seagoing vessel or at an advance military base outside the 48 United States and the District of Columbia; or (ii) for insulated filing cabinets, safes and metal visible reference panels, regardless of where they are to be used. A manufacturer may not produce any item to fill preferred orders under this paragraph until the preferred order is actually received by him.

(3) Such additional metal visible reference panels as can be produced out of 40% of the aggregate weight of iron and steel used by a manufacturer in the production of metal visible reference panels in the year ending June 30, 1941: *Provided*, That no new steel other than flat rolled sheets or strip less than twelve inches in width be used in such production.

(c) *Restrictions on transfer.* No manufacturer shall sell or deliver any new item of metal furniture and fixtures, except:

(1) To fill orders under paragraph (b) (1).

(2) As authorized on Form WPB-1319. This form should be filed in a field office of the War Production Board.

(d) *Reports.* On or before the tenth day following the close of each calendar month, every manufacturer of safes, insulated files, or visible reference panels, shall file with the War Production Board, Form WPB-1600, according to the instructions accompanying that form. This reporting provision has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) *Appeals.* Any appeal from the provisions of this order should be filed on Form WPB-1477 (formerly PD-500) with the Field Office of the War Production Board for the district in which is located the plant to which the appeal relates.

(f) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Communications.* All reports to be filed hereunder and all communications concerning this order except appeals, shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-13-a.

Issued this 22d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7825; Filed, May 22, 1944; 11:49 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-13-a, Interpretation 1, Revocation]

METAL FURNITURE AND FIXTURES

Interpretation 1 of Limitation Order L-13-a, as amended March 24, 1944, is superseded by the amendment of § 3291.50 (a) (2) and is, therefore, revoked.

Issued this 22d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7372; Filed, May 23, 1944; 11:25 a. m.]

PART 3291—CONSUMERS' DURABLE GOODS [1]

[General Limitation Order L-33, as Amended May 23, 1944]

PORTABLE ELECTRIC LAMPS AND SHADES

§ 3291.120 [1] *General Limitation Order L-33*—(a) *Definitions.* For the purposes of this order:

(1) "Portable lamp" means any detachable device (excluding lamp shades and incandescent, fluorescent or electric discharge lamps or tubes covered by Limitation Order L-28), the primary function of which is to furnish light for interior illuminating purposes by means of incandescent, fluorescent or electric discharge lamps or tubes. "Portable lamp" does not include any flashlight or other battery-operated lighting device, mechanics' lamp, industrial lamp designed specifically for use in conjunction with any industrial machine, tool or assembly bench or other similar factory equipment, or any overhead suspended fixture (whether portable or not).

(2) "Socket" means any receptacle on a portable lamp designed to receive an incandescent, fluorescent or electric discharge lamp or tube.

(3) "Lamp cord" means any insulated cord used to conduct electricity to the socket on a portable lamp.

(4) "Plug" means any device attached to a lamp cord and fitting into a fixed receptacle for the purpose of transmitting electric current through the lamp cord.

(5) "Separate switch" means any one- or two-circuit switch control which operates one or more sockets.

(6) "Lamp shade" means any shade or metal reflector designed for use with a portable lamp.

(7) "Manufacturer" means any person engaged in the business of manufacturing or assembling portable lamps or lamp shades or parts for such products.

(8) "Preferred order" means any purchase order, contract or subcontract for delivery of portable lamps or lamp shades to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(b) *General restrictions.* (1) [Deleted May 23, 1944]

(2) On and after July 16, 1943, no manufacturer shall produce or assemble any portable lamps or parts therefor, except in fulfillment of preferred orders. This paragraph (b) (2) does not prevent the decoration of completely assembled lamps, even though the process of decoration requires their disassembly and reassembly.

(3) In fulfillment of preferred orders, on and after April 30, 1943, no manufacturer shall process any unfabricated metal for portable lamps or parts therefor containing

(i) Any iron and steel except in sockets, separate switches, plugs, lamp cords, auxiliary ballasts, starter switches, center pipes, steel wire harps, socket covers and husks, outer tubing and casings, coating and checking rings, locknuts, washers, screws and bolts; or

(ii) Any other metal except in sockets, separate switches, plugs, lamp cords, auxiliary ballasts and starter switches.

(4) The restrictions of Copper Conservation Order M-9-c shall not apply to the following items, provided that they were in the inventory of the manufacturer or his suppliers on December 10, 1942:

(i) No. 20 B and S Gauge copper conductor cords in cut lengths of not more than 11 feet.

(ii) Sockets, provided that neither the caps, shells or screw shells contain any copper or copper base alloy other than plating.

(iii) Molded plugs.

(iv) Plugs, other than molded, provided that such plugs contain no copper or copper base alloy other than in screws or in plating materials.

(5) [Deleted May 23, 1944]

(6) No manufacturer shall produce any lamp shades or parts therefor containing any silk or phenolic plastics or any metal, except that iron and steel may be used to produce wire frames. The War Production Board will make allotments of controlled materials for the production of lamp shades only to the extent that such materials are needed to produce lamp shades to fill preferred orders. The iron and steel used in producing lamp shades to produce other than preferred orders must be obtained without priority assistance. One way of obtaining such materials is described in Priorities Regulation No. 13.

(c) *Avoidance of excessive inventories.* No manufacturer shall receive for use in the manufacture of portable lamps or lamp shades any materials which he cannot use under the terms of this order or any materials which when received will give him an inventory of such materials in excess of the minimum amount necessary to maintain production as permitted by this order.

(d) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

[1] Formerly Part 1061, § 1061.1.

(e) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(f) *Reports.* Each manufacturer who produces any portable lamps or lamp shades in fulfillment of preferred orders shall file on or before the tenth day of each calendar month, beginning January 10, 1943, a report on Form WPB–1600 (formerly PD–655), showing all shipments made pursuant to such preferred orders during the preceding calendar month. Each manufacturer shall also file such other reports and answers to questionnaires as shall from time to time be required, subject to approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Appeal.* Any appeal from the provisions of this order must be made on Form WPB–1477 (formerly PD–500) and must be filed with the field office of the War Production Board of the district in which is located the plant to which the appeal relates.

(i) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(j) [Deleted May 23, 1944]

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the Consumers' Durable Goods Division, War Production Board, Washington 25, D. C., Ref.: L–33.

Issued this 23d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7364; Filed, May 23, 1944; 11:15 a. m.]

PART 1061—PORTABLE ELECTRIC LAMPS AND SHADES

[General Limitation Order L–33, Interpretation 1, Revocation]

REPAIRING AND RELINING LAMP SHADES

Interpretation 1 to Limitation Order L–33 (§ 1061.1) is hereby revoked.

Issued this 23d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7365; Filed, May 23, 1944; 11:15 a. m.]

PART 3296—SAFETY AND TECHNICAL EQUIPMENT

[General Limitation Order L–266, as Amended May 23, 1944]

STERILIZER EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of the materials entering into the manufacture of sterilizer equipment; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3296.91 *General Limitation Order L–266*—(a) *Definitions.* For the purposes of this order:

(1) "Sterilizer equipment" means the following types of sterilizers, as each is hereinafter defined, and includes heating elements when such elements are an integral part of such sterilizers: Pressure sterilizers, bulk pressure sterilizers, pressure water sterilizers, non-pressure water sterilizers, non-pressure instrument sterilizers, non-pressure utensil sterilizers, baby bottle pasteurizers and sterilizers, bedpan steamers, boiling type bedpan sterilizers, laboratory pressure sterilizers, bedpan washers and field sterilizers. The term shall not include used or rebuilt sterilizer equipment, nor any parts or materials for the repair or maintenance of existing sterilizer equipment, nor shall it include any pressure cooker designed for processing foods.

(2) "Pressure sterilizer" means a sterilizer having a volumetric capacity of less than 40,000 cubic inches which is designed to utilize steam under pressure in order to free articles from living pathogenic microorganisms.

(3) "Bulk pressure sterilizer" means a sterilizer having a volumetric capacity of 40,000 cubic inches or more which is designed to utilize steam under pressure in order to free articles from living pathogenic microorganisms. It may or may not include attachments for fumigating purposes.

(4) "Pressure water sterilizer" means a sterilizer which is designed to heat water to a temperature higher than 212° F. in order to free it from living pathogenic microorganisms.

(5) "Non-pressure water sterilizer" means a sterilizer which is designed to free water from living pathogenic microorganisms by means of boiling.

(6) "Non-pressure instrument sterilizer" means a sterilizer which is designed to free surgical, medical and dental instruments and similar articles from living pathogenic microorganisms by subjecting them to a boiling liquid. The term shall not include any such sterilizer which contains metal in no part other than the heating element, lid and essential hardware.

(7) "Non-pressure utensil sterilizer" means a sterilizer which is designed to free hospital or medical utensils and similar articles from living pathogenic microorganisms by subjecting them to boiling water.

(8) "Baby bottle pasteurizer and sterilizer" means equipment designed to free baby bottles from living pathogenic microorganisms and to pasteurize baby milk formulas. The term shall not include any such equipment having a capacity of twelve bottles or less.

(9) "Bedpan steamer" means a sterilizer designed to free bedpans, urinals and similar articles from living pathogenic microorganisms by subjecting them to live steam.

(10) "Boiling type bedpan sterilizer" means a sterilizer designed to free bedpans, urinals and similar articles from living pathogenic microorganisms by subjecting them to boiling water.

(11) "Laboratory pressure sterilizer" means a sterilizer which is designed to free articles from living pathogenic microorganisms by utilizing steam under pressure and which is specially designed for use in a laboratory.

(12) "Bedpan washer" means apparatus designed to wash (and, in some cases, to sterilize) bedpans, urinals, and similar articles, and which may or may not be equipped with flushing mechanism.

(13) "Field sterilizer" means any sterilizer which is designed for use in the field and which is manufactured for delivery to or for the account of (i) the Army or Navy of the United States, or (ii) any agency of the United States Government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(14) "Manufacturer" means any person engaged in the manufacturing, fabricating or assembling of sterilizer equipment.

(15) "Distributor" means any person who purchases sterilizer equipment solely for the purpose of resale without further fabrication.

(b) *Restrictions on the manufacture of sterilizer equipment.* (1) Except as provided in subparagraph (2) of this paragraph (b), no manufacturer shall manufacture or continue the manufacture of any sterilizer equipment other than the permitted sizes of the permitted types set forth in Schedule A attached to this order.

(2) Any sterilizer equipment which was in the process of fabrication on February 24, 1943, and which cannot be completely fabricated within the restrictions of Schedule A, attached to this order, may be further fabricated after said date only to the extent specifically authorized by the War Production Board. Any manufacturer requesting such specific authorization shall file a statement in duplicate with the War Production Board setting forth in detail the number of units of each type in process of fabrication on February 24, 1943, the extent of the fabrication, the amount of materials required to complete fabrication, the reasons why such units cannot be converted to the permitted types and sizes set forth in Schedule A, and any other facts supporting the request for specific authorization.

(c) *Restrictions on the use of copper and copper base alloys in the manufacture of non-pressure instrument sterilizers.* No manufacturer shall incorporate any copper or copper base alloy in the manufacture of any non-pressure instrument sterilizer (other than field sterilizers), except as follows:

(1) Brass castings (containing not more than 74% copper or 2% tin) may be used in any part;

(2) Copper or copper base alloy may be used in electrical circuits and draincocks;

(3) Copper base alloy sheet may be used in non-pressure instrument sterilizers which are 20 in. in length by 10 in. in width by 9 in. in depth or larger in size; and

(4) Copper or copper base alloy may be used in trays and tray-lifting devices.

(d) *Restrictions on the sale and delivery of sterilizer equipment.* (1) Except as provided in subparagraph (2) of this paragraph (d), no person shall sell or deliver any sterilizer equipment, except to or for the account of:

(i) The Army or Navy of the United States;

(ii) Any agency of the United States Government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act);

(iii) Any person to whom an export license covering the specific equipment has been issued by the Foreign Economic Administration: *Provided, however,* That delivery shall not be made to any person holding an export license which was issued prior to February 24, 1943, unless such export license has been revalidated by the Foreign Economic Administration after said date;

(iv) Any person who has been authorized on Form GA–1456 to buy and accept delivery of the specific sterilizer equipment and whose purchase order bears the following certification (in addition to the certification in Priorities Regulation 7): "Delivery approved on Form GA–1456 under Direction 1 to CMP Regulation 6" (NOTE: Authorization on Form GA–1456 is issued for approved projects upon application on Form WPB–617.);

[Paragraphs (v) and (vi) formerly (iv) and (v) redesignated May 23, 1944]

(v) Any distributor (distributors may sell or deliver only to persons to whom sale or delivery is authorized to be made by this paragraph (d) (1).); or

(vi) Any other person who has filed Form WPB–1319 and has been specifically authorized on such form by the War Production Board to receive the specific sterilizer equipment and has furnished to his supplier one copy of such form signed in the name of the War Production Board. (As a general rule, authority to receive sterilizer equipment will be granted only in cases where the equipment will receive general use and where essentiality is clearly established.)

(2) The restrictions set forth in subparagraph (1) of this paragraph (d) shall not apply to the sale or delivery of the following sterilizers, but production and shipping schedules of such sterilizers shall be listed on Form WPB–2232 (formerly Form PD–774) in accordance with the provisions of paragraph (f) of this order:

(i) Non-pressure instrument sterilizers which are not more than 16" in length by 6" in width by 4" in depth (with a permitted variation of 10 per cent from the specified dimensions) in size; or

(ii) Laboratory pressure sterilizers.

(3) No person shall purchase or accept delivery of any sterilizer equipment if he knows or has reason to believe that the delivery of such sterilizer equipment is prohibited by the terms of this order.

(e) *Applications on Form WPB–1319.* Each person seeking authorization, as permitted by paragraph (d) (1) (vi) of this order, to receive sterilizer equipment shall prepare Form WPB–1319 in accordance with the current instructions for such form. (Form WPB–1319 and instructions may be obtained at the local field offices of the War Production Board).

(f) *Production and shipping schedules and restrictions thereon.* (1) On or before the 15th day of July, 1943, and on or before the 5th day of each succeeding calendar month, each manufacturer of sterilizer equipment shall file with the War Production Board in triplicate on Form WPB 2232 (Formerly Form PD–774), his proposed production and shipping schedules of sterilizer equipment for the period required by such form. Upon receipt of such form, the War Production Board will approve the proposed production and shipping schedules or make such changes therein as it shall deem necessary, and will thereupon return to the manufacturer a copy of such form as approved or changed.

(2) In addition to the restrictions contained in paragraphs (b), (c) and (d) of this order, each manufacturer shall produce and ship sterilizer equipment in accordance with his production and shipping schedule as approved or changed by the War Production Board, regardless of any preference rating which any order may bear or any order or regulation of the War Production Board.

(g) *Other allocation action.* With respect to sterilizer equipment, the War Production Board may, notwithstanding any other order, preference rating, or regulation of the War Production Board:

(1) Direct the return or cancellation of any unfilled order on the books of a manufacturer; or

(2) Cancel orders placed with one manufacturer and direct that they be placed with another manufacturer.

(h) *Reports.* The reporting requirements in this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. All persons affected by this order shall also file such other reports as may be required from time to time by the War Production Board, subject to approval by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(i) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(l) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(m) *Correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Safety and Technical Equipment Division, Washington 25, D. C., Ref: L–266.

Issued this 23d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Permitted types	*Permitted sizes*[1]
Pressure sterilizer (cylindrical).	8" diameter by 16" Length 16" diameter by 24" Length 20" diameter by 28" Length 20" diameter by 36" Length 30" diameter by 54" Length
Pressure sterilizer (rectangular).	Any sizes with a capacity between 20,000 and 40,000 cubic inches
Pressure water sterilizer (single tank or pairs).	8 gallon capacity per tank 15 gallon capacity per tank 25 gallon capacity per tank
Non-pressure instrument sterilizer.	13" length by 5" width by 3¾" depth 16" length by 6" width by 4" depth 20" length by 10" width by 9" depth 22" length by 12" width by 10" depth
Non-pressure utensil sterilizer.	24" length by 16" width by 16" depth 24" length by 20" width by 20" depth
Baby bottle pasteurizer and sterilizer (36 bottles).	22" length by 12" width by 10" depth

[1] A variation of not more than 10 per cent in the specified dimensions and capacities will be permitted.

SCHEDULE A—Continued

Permitted types	Permitted sizes[1]
Horizontal laboratory pressure sterilizer (cylindrical) (single pressure wall or double pressure wall).	16" diameter by 24" length 20" diameter by 28" length 20" diameter by 36" length
Vertical laboratory pressure sterilizer (cylindrical).	11" diameter by 24" length 14" diameter by 26" length
Bedpan steamer	24" length by 16" width by 16" depth
Boiling type bedpan sterilizer.	24" length by 16" width by 16" depth
Bulk pressure sterilizer.	No restriction
Field sterilizer	No restriction
Bedpan washer	No restriction

[1] A variation of not more than 10 per cent in the specified dimensions and capacities will be permitted.

[F. R. Doc. 44-7371; Filed, May 23, 1944; 11:17 a. m.]

Chapter XI—Office of Price Administration

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RPS 32,[1] Amdt. 13]

PAPERBOARD SOLD EAST OF THE ROCKY MOUNTAINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule 32 is amended in the following respect:

1. Section 1347.53a (c) is added to read as follows:

(c) No person who purchases paperboard for which maximum prices are established by this price schedule shall pay or offer to pay any person a broker's commission, finder's fee or any other charge for any service rendered in obtaining or acquiring paperboard.

This amendment shall become effective May 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 23d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7374; Filed, May 23, 1944; 11:23 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[MPR 209,[2] Correction]

SALES BY CANNERS OF CALIFORNIA SARDINES

Section 1364.210 (a) (1) is corrected by inserting a comma after the word "individual" and before the word "corporation".

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7376; Filed, May 23, 1944; 11:24 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 59]

GROCERY ITEMS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 21 is amended in the following respects:

1. The table following paragraph (c) (1) is amended by deleting the item "Cauliflower".

2. The table following paragraph (d) (1) is amended by deleting the item "Grapes, Emperor", and by changing the prices of several items to read as follows:

	Wholesale maximum price	Retail maximum price
Grapefruit:	*Per box*	
64's	$4.45	$0.09 each.
70's	4.45	.08 each.
80's	4.45	.07 each.
100's	4.45	.06 each.
Oranges:		
100's	5.70	.91 per doz.
126's	5.70	.72 per doz.
150's	5.70	.60 per doz.
176's	5.70	.50 per doz.
200's	5.70	.45 per doz.
220's	5.70	.41 per doz.
252's	5.70	.36 per doz.
288's	5.70	.32 per doz.
344's	5.70	.26 per doz.
392's	5.70	.23 per doz.

This amendment shall become effective as of May 3, 1944.

PART 1381—SOFTWOOD LUMBER

[MPR 253,[2] Amdt. 6]

REDWOOD LUMBER AND MILLWORK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum price regulation 253 is amended in the following respects:

1. In § 1381.409, paragraph (b) is amended to read as follows:

(b) On f. a. s. sales to Lend-Lease Administration, British Purchasing Commission, British Air Commission, and other government agencies or their contractors, an addition of $2.75 per thousand feet board measure may be made for assembling, switching, unloading, tallying, dock insurance, and other services, not otherwise provided for in the regulation, necessary for the proper dispatch of off-shore cargo of lumber. Any demurrage charges occurring by reason of delay at the docks that is in no way the fault of the seller, shall be for the account of the buyer and may not be deducted from purchase price, unless the seller so agrees.

2. In § 1381.412, Appendix A, Tables 1 (A), (C), (D) and (E) are amended and a new Table (F) is added to read as follows:

TABLE 1—ROUGH GREEN REDWOOD LUMBER, PER M'BM

(A) 1" THICKNESS

Size	Lengths	Add for dry	Clear all heart	A	B	No. 1 heart common	No. 2 common	No. 3 common
1" x 2"	6'	$10.00	$45.00	$37.00	$34.00	$42.00	$38.50	.....
1" x 2"	8'	10.00	48.00	40.00	37.00	45.00	41.50	.....
1" x 2"	10' and 12'	10.00	51.00	45.00	41.00	50.00	45.50	.....
1" x 2"	14', 16', 18', and 20'	10.00	63.00	56.00	53.00	61.00	57.50	.....
1" x 2"	6' to 14' R/L	10.00	51.00	45.00	41.00	.....	.....	.....
1" x 2"	6' to 20' R/L	10.00	56.00	47.00	43.00	52.00	47.50	.....
1" x 2"	6'	10.00	45.00	39.00	34.00	40.50	36.50	$22.00
1" x 3"	8'	10.00	48.00	42.00	36.00	43.50	39.50	24.00
1" x 3"	10' and 12'	10.00	51.00	47.00	39.00	45.50	34.50	24.00
1" x 3"	14', 16', 18' and 20'	10.00	63.00	57.00	49.00	58.50	43.50	31.00
1" x 3"	6' to 14' R/L	10.00	51.00	47.00	39.00	.....	.....	.....
1" x 3"	6' to 20' R/L	10.00	56.00	70.00	42.00	48.50	35.50	24.00
1" x 3"	6'	10.00	40.00	32.00	28.00	37.50	24.50	21.00
1" x 4"	8'	10.00	43.00	35.00	31.00	40.50	27.50	21.00
1" x 4"	10' and 12'	10.00	46.00	40.00	35.00	43.50	27.50	27.00
1" x 4"	14', 16', 18' and 20'	10.00	58.00	51.00	47.00	52.50	39.50	.....
1" x 4"	6' to 14' R/L	10.00	46.00	40.00	35.00	.....	.....	22.00
1" x 4"	6' to 20' R/L	10.00	51.00	42.00	37.00	44.50	29.50	.....

[1] 8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 15852, 16866, 16997, 17201; 9 F.R. 173, 393, 580, 584, 1158, 1487, 1489, 1528, 1530, 2177, 2659, 2660, 3153, 3232, 3341, 3967, 3947, 3945, 4240, 4194, 4245, 4351, 4783, 4821, 4785, 4819.

[2] 7 F.R. 9230, 10848; 8 F.R. 1139, 4136, 4720, 7197, 11479.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1264, 2000, 2132, 2740, 3182, 8948; 8 F.R. 3524, 4187, 5838, 11291, 14811, 15607, 17415; 9 F.R. 67, 1571, 3331.

[2] 7 F.R. 6788, 8948.

TABLE 1—ROUGH GREEN REDWOOD LUMBER, PER M'BM—Continued

(B) 5/4" AND 6/4" THICKNESS

Size	Length	Add for dry	Clear all heart	A	No. 1 heart common	No. 2 common	No. 3 common
5/4" x 4"	6'	$18.00	$66.00	$52.00	$41.50	$41.00	$26.00
5/4" x 4"	8'	18.00	69.00	55.00	45.50	41.00	26.00
5/4" x 4"	10' and 12'	18.00	72.00	58.00	50.50	41.00	26.00
5/4" x 4"	14', 16', and 20'	18.00	84.00	67.00	58.50	47.00	26.00
5/4" x 4"	6' to 20' R/L	18.00	72.00	58.00	50.50	41.00	26.00
5/4" x 5"	6'	22.00	82.00	65.00	52.00	51.00	32.00
5/4" x 5"	8'	22.00	86.00	69.00	56.00	51.00	32.00
5/4" x 5"	10' and 12'	22.00	90.00	73.00	63.00	51.00	32.00
5/4" x 5"	14', 16', and 20'	22.00	105.00	84.00	73.50	59.00	32.00
5/4" x 5"	6' to 20' R/L	22.00	90.00	73.00	63.00	51.00	32.00
5/4" x 6"	6'	26.00	98.00	78.00	63.00	61.00	38.00
5/4" x 6"	8'	26.00	103.00	83.00	67.00	61.00	38.00
5/4" x 6"	10' and 12'	26.00	108.00	88.00	78.50	61.00	38.00
5/4" x 6"	14', 16', and 20'	26.00	126.00	100.00	88.00	71.00	43.00
5/4" x 6"	6' to 20' R/L	26.00	108.00	88.00	78.50	61.00	38.00
5/4" x 7"	6'	30.00	114.00	91.00	73.50	71.00	44.00
5/4" x 7"	8'	30.00	120.00	96.00	78.50	71.00	44.00
5/4" x 7"	10' and 12'	30.00	126.00	101.00	88.00	71.00	44.00
5/4" x 7"	14', 16', and 20'	30.00	147.00	117.00	103.00	83.00	51.00
5/4" x 7"	6' to 20' R/L	30.00	126.00	101.00	88.00	71.00	44.00
5/4" x 8"	6'	34.00	130.00	104.00	83.50	81.00	50.00
5/4" x 8"	8'	34.00	137.00	110.00	89.00	81.00	50.00
5/4" x 8"	10' and 12'	34.00	144.00	115.00	100.00	81.00	50.00
5/4" x 8"	14', 16', and 20'	34.00	168.00	134.00	117.00	94.00	58.00
5/4" x 8"	6' to 20' R/L	34.00	144.00	115.00	100.00	81.00	50.00
5/4" x 10"	6'	42.00	162.00	130.00	104.00	101.00	62.00
5/4" x 10"	8'	42.00	172.00	137.00	111.00	101.00	62.00
5/4" x 10"	10' and 12'	42.00	180.00	144.00	125.00	101.00	62.00
5/4" x 10"	14', 16', and 20'	42.00	210.00	168.00	146.00	118.00	72.00
5/4" x 10"	6' to 20' R/L	42.00	180.00	144.00	125.00	101.00	62.00
5/4" x 12"	6'	50.00	194.00	156.00	125.00	121.00	74.00
5/4" x 12"	8'	50.00	206.00	165.00	133.00	121.00	74.00
5/4" x 12"	10' and 12'	50.00	216.00	173.00	150.00	121.00	74.00
5/4" x 12"	14', 16', and 20'	50.00	252.00	202.00	176.00	142.00	87.00
5/4" x 12"	6' to 20' R/L	50.00	216.00	173.00	150.00	121.00	74.00
6/4" x 4"	6'	22.00	82.00	65.00	52.00	51.00	32.00
6/4" x 4"	8'	22.00	86.00	69.00	56.00	51.00	32.00
6/4" x 4"	10' and 12'	22.00	90.00	73.00	63.00	51.00	32.00
6/4" x 4"	14', 16', and 20'	22.00	105.00	84.00	73.50	59.00	32.00
6/4" x 4"	6' to 20' R/L	22.00	90.00	73.00	63.00	51.00	32.00
6/4" x 5"	6'	26.00	98.00	78.00	63.00	61.00	38.00
6/4" x 5"	8'	26.00	103.00	83.00	67.00	61.00	38.00
6/4" x 5"	10' and 12'	26.00	108.00	88.00	78.50	61.00	38.00
6/4" x 5"	14', 16', and 20'	26.00	126.00	100.00	88.00	71.00	43.00
6/4" x 5"	6' to 20' R/L	26.00	108.00	88.00	78.50	61.00	38.00
6/4" x 6"	6'	30.00	114.00	91.00	73.50	71.00	44.00
6/4" x 6"	8'	30.00	120.00	96.00	78.50	71.00	44.00
6/4" x 6"	10' and 12'	30.00	126.00	101.00	88.00	71.00	44.00
6/4" x 6"	14', 16', and 20'	30.00	147.00	117.00	103.00	83.00	51.00
6/4" x 6"	6' to 20' R/L	30.00	126.00	101.00	88.00	71.00	44.00
6/4" x 8"	6'	34.00	130.00	104.00	83.50	81.00	50.00
6/4" x 8"	8'	34.00	137.00	110.00	89.00	81.00	50.00
6/4" x 8"	10' and 12'	34.00	144.00	115.00	100.00	81.00	50.00
6/4" x 8"	14', 16', and 20'	34.00	168.00	134.00	117.00	94.00	58.00
6/4" x 8"	6' to 20' R/L	34.00	144.00	115.00	100.00	81.00	50.00
6/4" x 10"	6'	42.00	162.00	130.00	104.00	101.00	62.00
6/4" x 10"	8'	42.00	172.00	137.00	111.00	101.00	62.00
6/4" x 10"	10' and 12'	42.00	180.00	144.00	125.00	101.00	62.00
6/4" x 10"	14', 16', and 20'	42.00	210.00	168.00	146.00	118.00	72.00
6/4" x 10"	6' to 20' R/L	42.00	180.00	144.00	125.00	101.00	62.00
6/4" x 12"	6'	50.00	194.00	156.00	125.00	121.00	74.00
6/4" x 12"	8'	50.00	206.00	165.00	133.00	121.00	74.00
6/4" x 12"	10' and 12'	50.00	216.00	173.00	150.00	121.00	74.00
6/4" x 12"	14', 16', and 20'	50.00	252.00	202.00	176.00	142.00	87.00
6/4" x 12"	6' to 20' R/L	50.00	216.00	173.00	150.00	121.00	74.00

(C) 2" THICKNESS

Size	Lengths	Add for dry	Clear all heart	A	B	No. 1 heart common	No. 2 common	No. 3 common
2" x 2"	6'	$10.00	$43.00	$37.00	$33.00	$38.00	$34.00	$22.00
2" x 2"	8'	10.00	46.00	40.00	36.00	41.00	36.00	24.00
2" x 2"	10' and 12'	10.00	49.00	43.00	38.00	44.00	39.00	24.00
2" x 2"	14', 16', & 20'	10.00	61.00	53.00	47.00	54.00	47.00	31.00
2" x 2"	6' to 14' R/L	10.00	49.00	43.00	38.00	.....	.....	.....
2" x 2"	6' to 20' R/L	10.00	54.00	47.00	41.00	50.00	44.50	.....
2" x 3"	6'	10.00	43.00	37.00	33.00	38.00	34.00	$22.00
2" x 3"	8'	10.00	46.00	40.00	36.00	41.00	36.00	24.00
2" x 3"	10' and 12'	10.00	49.00	43.00	38.00	44.00	39.00	24.00
2" x 3"	14', 16', & 20'	10.00	61.00	53.00	47.00	54.00	47.00	31.00
2" x 3"	6' to 14' R/L	10.00	49.00	43.00	38.00	.....	.....	.....
2" x 3"	6' to 20' R/L	10.00	54.00	47.00	41.00	50.00	44.50	.....
2" x 4"	6'	10.00	43.00	37.00	33.00	38.00	34.00	$22.00
2" x 4"	8'	10.00	46.00	40.00	36.00	41.00	36.00	24.00
2" x 4"	10' and 12'	10.00	49.00	43.00	38.00	44.00	39.00	24.00
2" x 4"	14', 16', & 20'	10.00	61.00	53.00	47.00	54.00	47.00	31.00
2" x 4"	6' to 14' R/L	10.00	49.00	43.00	38.00	.....	.....	.....
2" x 4"	6' to 20' R/L	10.00	54.00	47.00	41.00	50.00	44.50	.....
2" x 5"	6'	12.00	51.00	43.00	38.00	44.00	39.00	25.00
2" x 5"	8'	12.00	54.00	46.00	41.00	47.00	41.00	27.00
2" x 5"	10' and 12'	12.00	58.00	50.00	44.00	50.00	44.00	27.00
2" x 5"	14', 16', and 20'	12.00	72.00	62.00	54.00	62.00	54.00	36.00
2" x 5"	6' to 20' R/L	12.00	58.00	50.00	44.00	50.00	44.00	27.00
2" x 6"	6'	12.00	58.00	50.00	44.00	50.00	44.00	27.00
2" x 6"	8'	12.00	61.00	53.00	47.00	53.00	47.00	31.00
2" x 6"	10' and 12'	12.00	65.00	56.00	50.00	56.00	50.00	31.00
2" x 6"	14', 16', and 20'	12.00	81.00	70.00	62.00	70.00	62.00	41.00
2" x 6"	6' to 20' R/L	12.00	65.00	56.00	50.00	56.00	50.00	31.00
2" x 8"	6'	16.00	79.00	68.00	60.00	68.00	60.00	38.00
2" x 8"	8'	16.00	83.00	73.00	65.00	73.00	65.00	41.00
2" x 8"	10' and 12'	16.00	88.00	78.00	70.00	78.00	70.00	44.00
2" x 8"	14', 16', and 20'	16.00	110.00	96.00	85.00	96.00	85.00	54.00
2" x 8"	6' to 20' R/L	16.00	88.00	78.00	70.00	78.00	70.00	44.00
2" x 10"	6'	18.00	98.00	80.00	72.00	84.00	80.00	51.00
2" x 10"	8'	18.00	103.00	85.00	77.00	90.00	85.00	54.00
2" x 10"	10' and 12'	18.00	108.00	90.00	82.00	96.00	90.00	58.00
2" x 10"	14', 16', and 20'	18.00	135.00	112.00	102.00	120.00	112.00	72.00
2" x 10"	6' to 20' R/L	18.00	108.00	90.00	82.00	96.00	90.00	58.00
2" x 12"	6'	22.00	118.00	96.00	86.00	101.00	96.00	62.00
2" x 12"	8'	22.00	124.00	102.00	92.00	108.00	102.00	66.00
2" x 12"	10' and 12'	22.00	130.00	108.00	98.00	115.00	108.00	70.00
2" x 12"	14', 16', and 20'	22.00	162.00	134.00	122.00	144.00	134.00	86.00
2" x 12"	6' to 20' R/L	22.00	130.00	108.00	98.00	115.00	108.00	70.00
3" x 3"	6' to 20' spec. or R/L	10.00	54.00	47.00	41.00	50.00	44.50	.....
3" x 4"	6' to 20' spec. or R/L	10.00	54.00	47.00	41.00	50.00	44.50	.....
3" x 5"	6' to 20' spec. or R/L	12.00	65.00	56.00	50.00	56.00	50.00	31.00
3" x 6"	6' to 20' spec. or R/L	12.00	72.00	62.00	54.00	62.00	54.00	36.00
3" x 8"	6' to 20' spec. or R/L	16.00	88.00	78.00	70.00	78.00	70.00	44.00
3" x 10"	6' to 20' spec. or R/L	18.00	108.00	90.00	82.00	96.00	90.00	58.00
3" x 12"	6' to 20' spec. or R/L	22.00	130.00	108.00	98.00	115.00	108.00	70.00
4" x 4"	6' to 20' spec. or R/L	16.00	88.00	78.00	70.00	78.00	70.00	44.00
4" x 5"	6' to 20' spec. or R/L	18.00	98.00	80.00	72.00	84.00	80.00	51.00
4" x 6"	6' to 20' spec. or R/L	18.00	108.00	90.00	82.00	96.00	90.00	58.00
4" x 8"	6' to 20' spec. or R/L	18.00	118.00	96.00	86.00	101.00	96.00	62.00
4" x 10"	6' to 20' spec. or R/L	18.00	130.00	108.00	98.00	115.00	108.00	70.00
4" x 12"	6' to 20' spec. or R/L	22.00	144.00	120.00	110.00	130.00	120.00	78.00
5" x 5"	6' to 20' spec. or R/L	18.00	108.00	90.00	82.00	96.00	90.00	58.00
5" x 6"	6' to 20' spec. or R/L	18.00	118.00	96.00	86.00	101.00	96.00	62.00
5" x 8"	6' to 20' spec. or R/L	18.00	130.00	108.00	98.00	115.00	108.00	70.00
5" x 10"	6' to 20' spec. or R/L	18.00	144.00	120.00	110.00	130.00	120.00	78.00
5" x 12"	6' to 20' spec. or R/L	22.00	162.00	134.00	122.00	144.00	134.00	86.00
6" x 6"	6' to 20' spec. or R/L	18.00	130.00	108.00	98.00	115.00	108.00	70.00
6" x 8"	6' to 20' spec. or R/L	18.00	144.00	120.00	110.00	130.00	120.00	78.00
6" x 10"	6' to 20' spec. or R/L	18.00	162.00	134.00	122.00	144.00	134.00	86.00
6" x 12"	6' to 20' spec. or R/L	22.00	180.00	150.00	134.00	160.00	150.00	96.00
8" x 8"	6' to 20' spec. or R/L	18.00	162.00	134.00	122.00	144.00	134.00	86.00
8" x 10"	6' to 20' spec. or R/L	18.00	180.00	150.00	134.00	160.00	150.00	96.00
8" x 12"	6' to 20' spec. or R/L	22.00	202.00	168.00	150.00	180.00	168.00	108.00
10" x 10"	6' to 20' spec. or R/L	18.00	202.00	168.00	150.00	180.00	168.00	108.00
10" x 12"	6' to 20' spec. or R/L	22.00	226.00	188.00	168.00	202.00	188.00	120.00
12" x 12"	6' to 20' spec. or R/L	22.00	252.00	210.00	188.00	226.00	210.00	134.00

TABLE 1—ROUGH GREEN REDWOOD LUMBER, PER M'BM—Continued

(E) 8" AND GREATER THICKNESSES—continued

Size	Length	Add for dry	Clear all heart	A	No. 1 heart common	No. 2 common	No. 3 common
10" x 12"	6' to 20' spec. or R/L		$75.00	$70.00	$55.00	$50.00	$45.00
10" x 14"	6' to 20' spec. or R/L		79.00	74.00	57.00	52.00	47.00
10" x 16"	6' to 20' spec. or R/L		81.00	76.00	59.00	54.00	49.00
12" x 12"	6' to 20' spec. or R/L		77.00	72.00	55.00	50.00	45.00
12" x 14"	6' to 20' spec. or R/L		81.00	76.00	57.00	52.00	47.00
12" x 16"	6' to 20' spec. or R/L		83.00	78.00	59.00	54.00	49.00
14" x 14"	6' to 20' spec. or R/L		85.00	80.00	57.00	52.00	47.00
14" x 16"	6' to 20' spec. or R/L		87.00	82.00	59.00	54.00	49.00
16" x 16"	6' to 20' spec. or R/L		90.00	85.00	59.00	54.00	49.00

(F) CLEAR ALL HEART, FOR EXPORT

Random widths	Lengths	Green	Add for dry
1" x 8" and wider	6' to 20' R/L	$69.50	$10.00
1¼" x 8" and wider	6' to 20' R/L	84.25	12.00
1½" x 8" and wider	6' to 20' R/L	84.25	12.00
1¾" x 8" and wider	6' to 20' R/L	92.00	12.00
2" x 8" and wider	6' to 20' R/L	72.50	12.00
2" x 8" and wider	6' to 20' R/L	105.50	20.00
2¼" x 8" and wider	6' to 20' R/L	80.00	23.00
3" x 8" and wider	6' to 20' R/L	79.75	25.00
4" x 8" and wider	6' to 20' R/L 1" and 2" thicknesses to include: Not over 20% 8"; not over 20% 10"; not less than 25% 14" and wider which shall average at least 16" on BM basis: Balance 12". 1¼", 1½", 1¾", 2¼" and thicker to include: Not over 15% 8"; not over 15% 10"; not less than 35% 14" and wider which shall average at least 16" on BM basis: Balance 12".		

3. In § 1381.412 Appendix A, under table 1, a new note 15a is added to read as follows:

[15a] Random widths 8" and wider, to contain at least 25% 14" and wider, may be priced at average price figured on 75% of 8" price and 25% of 14" price.

4. In § 1381.412 Appendix A, Table 2 is amended to read as follows:

TABLE 2—NO. 1 SHOP, GREEN, ROUGH, 6' TO 20' RANDOM LENGTHS, PER M'BM

Size	Price	Add for dry
1" x 5" to 12"	$32.00	$10.00
1" x 14" & up	41.00	16.00
1¼" x 5" to 12"	45.00	12.00
1¼" x 14" & up	51.00	18.00
1½" x 5" to 12"	45.00	12.00
1½" x 14" & up	51.00	18.00
2" x 5"	39.00	12.00
2" x 6"	34.00	12.00
2" x 8"	41.00	12.00
2" x 10"	37.00	12.00
2" x 12"	37.00	12.00
2" x 5" to 12"	35.00	12.00
2" x 14" and up	44.00	18.00
2¼" x 5" to 12"	50.00	23.00
2¼" x 14" and up	60.00	24.00
3" x 5" to 12"	45.00	23.00
3" x 14" and up	55.00	24.00

5. In § 1381.412 Appendix A, Table 9 is amended to read as follows:

TABLE 9—SAWN TIES, PER M'BM

Item	Size	Length	No. 1 grade	No. 2 grade
Cross ties	6" x 8" and 7" x 9"	6' to 8'	$55.00	$45.00
Switch ties	6" x 8" and 7" x 9"	8'6" to 17'	58.00	48.00

6. In § 1381.412, Appendix A, under Table 15, note 4 is amended to read as follows:

4. Crating four sides, strapped (when ordered) add $10.00 per M'BM when sold f. o. b. mill. Add $12.00 per M'BM if sold delivered.

7. In § 1381.413, Appendix B, Table 1, the heading of table on "Anzac Siding" is amended to read as follows:

ANZAC SIDING, PER M'BM (NOT BUNDLED)

8. In § 1381.413, Appendix B, Table 12 is amended to read as follows:

TABLE 12—NO. 1 HEART COMMON, GREEN OR DRY, SURFACED, SHIPLAPPED, OR TONGUED AND GROOVED, PER M'BM

Widths	Lengths	Thickness 1-in.	2-in.	3-in.	4-in.
2"	6', 7', 8', 10', 12', and 14'	$81.00	$76.50		
2"	9', 16', 18' and 20'	92.00	84.50		
2"	6' to 20' R/L	84.00	78.50		
3"	6', 7', 8', 10', 12' and 14'	70.00	76.50	$80.50	
3"	9', 16', 18' and 20'	81.00	84.50	85.50	
3"	6' to 20' R/L	73.00	78.50	80.50	$80.50
4"	6', 7', 8', 10', 12' and 14'	70.00	76.50	80.50	80.50
4"	9', 16', 18' and 20'	81.00	84.50	85.50	85.50
4"	6' to 20' R/L	73.00	78.50	80.50	80.50
6"	6', 7', 8', 10', 12' and 14'	67.00	76.50	80.50	80.50
6"	9', 16', 18' and 20'	78.00	84.50	85.50	85.50
6"	6' to 20' R/L	71.00	78.50	80.50	80.50
8"	6', 7', 8', 10', 12' and 14'	80.50	87.50	81.50	81.50
8"	9', 16', 18' and 20'	85.50	90.50	84.50	84.50
8"	6' to 20' R/L	81.50	87.50	81.50	81.50
5" and 10"	6', 8', 10' and 12'	84.50	84.50	81.50	81.50
5" and 10"	7' and 14'	87.50	84.50	81.50	81.50
5" and 10"	9', 16', 18' and 20'	87.50	87.50	84.50	84.50
5" and 10"	6' to 20' R/L	84.50	84.50	81.50	81.50
12"	6', 8', 10' and 12'	85.50	86.50	83.50	83.50
12"	7' and 14'	88.50	86.50	83.50	83.50
12"	9', 16', 18' and 20'	88.50	89.50	86.50	86.50
12"	6' to 20' R/L	85.50	86.50	83.50	83.50
14"	6' to 20' spec. or R/L	93.50	98.50	98.50	98.50

TABLE 12—NO. 1 HEART COMMON, GREEN OR DRY, SURFACED, SHIPLAPPED, OR TONGUED AND GROOVED, PER M'BM—Continued

Size	Lengths	Price
5" x 5"	6', 7', 8', 10', 12' and 14'	$90.00
5" x 5"	9', 16', 18', and 20'	93.00
5" x 5"	6' to 20' R/L	90.00
6" x 6"	6', 7', 8', 10', 12' and 14'	85.00
6" x 6"	9', 16', 18' and 20'	88.00
6" x 6"	6' to 20' R/L	85.00
6" x 8"	6' to 20' spec. or R/L	84.00
6" x 10"	6' to 20' spec. or R/L	84.00
6" x 12"	6' to 20' spec. or R/L	84.00
6" x 14"	6' to 20' spec. or R/L	90.00
6" x 16"	6' to 20' spec. or R/L	92.00
8" x 8"	6' to 20' spec. or R/L	85.00
8" x 10"	6' to 20' spec. or R/L	86.00
8" x 12"	6' to 20' spec. or R/L	87.00
8" x 14"	6' to 20' spec. or R/L	90.00
8" x 16"	6' to 20' spec. or R/L	92.00
10" x 10"	6' to 20' spec. or R/L	85.00
10" x 12"	6' to 20' spec. or R/L	86.00
10" x 14"	6' to 20' spec. or R/L	88.00
10" x 16"	6' to 20' spec. or R/L	90.00
12" x 12"	6' to 20' spec. or R/L	86.00
12" x 14"	6' to 20' spec. or R/L	88.00
12" x 16"	6' to 20' spec. or R/L	90.00
14" x 14"	6' to 20' spec. or R/L	88.00
16" x 16"	6' to 20' spec. or R/L	90.00

9. In § 1381.413 Appendix B, Table 13 is amended to read as follows:

TABLE 13—NO. 2 COMMON AND NO. 3 COMMON, GREEN OR DRY, SURFACED, SHIPLAPPED, OR TONGUED AND GROOVED, PER M'BM

Size	Lengths	No. 2 common	No. 3 common
1" x 3"	8'	$44.50	$42.00
1" x 3"	8'	48.00	44.00
1" x 3"	10' and 12'	52.00	44.00
1" x 3"	7', 9', 14', 16', 18' and 20'	65.50	61.00
1" x 3"	6' to 20' R/L	53.50	44.00
1" x 4"	6'	42.50	41.00
1" x 4"	8'	46.00	41.00
1" x 4"	10' and 12'	50.00	41.00
1" x 4"	7', 9', 14', 16', 18', and 20'	63.50	47.00
1" x 4"	6' to 20' R/L	53.50	42.00
1" x 6"	6'	48.00	42.00
1" x 6"	8'	51.00	44.00
1" x 6"	10' and 12'	53.50	44.00
1" x 6"	7', 9', 14', 16', 18' and 20'	67.00	51.00
1" x 6"	6' to 20' R/L	56.50	45.00
1" x 8"	6'	51.50	44.00
1" x 8"	8'	57.00	46.00
1" x 8"	10' and 12'	59.00	46.00
1" x 8"	7', 9', 14' 16', 18' and 20'	68.50	51.00
1" x 8"	6' to 20' R/L	61.00	46.00
1" x 5" and 1" x 10"	6'	56.00	46.00
1" x 5" and 1" x 10"	8'	60.00	46.00
1" x 5" and 1" x 10"	10' and 12'	63.00	48.00
1" x 5" and 1" x 10"	7', 9', 14', 16', 18' and 20'	65.00	48.00
1" x 5" and 1" x 10"	6' to 20' R/L	63.00	46.00
1" x 12"	6'	58.00	47.00
1" x 12"	8'	63.00	47.00
1" x 12"	10' and 12'	66.00	49.00
1" x 12"	7', 9', 14', 16', 18' and 20'	66.00	49.00
1" x 12"	6' to 20' R/L	64.00	47.00
2" x 3"	6'	55.50	43.00
2" x 3"	8'	60.00	44.00
2" x 3"	10' and 12'	62.00	44.00
2" x 3"	7', 9', 14', 16', 18' and 20'	73.50	50.00
2" x 3"	6' to 20' R/L	65.00	45.00
2" x 4"	6'	50.50	39.00
2" x 4"	8'	55.50	42.00
2" x 4"	10' and 12'	60.00	41.00
2" x 4"	7', 9', 14', 16', 18' and 20'	71.50	49.00
2" x 4"	6' to 20' R/L	63.00	45.00
2" x 6"	6'	51.50	42.00
2" x 6"	8'	55.50	42.00
2" x 6"	10' and 12'	62.00	42.00
2" x 6"	7', 9', 14', 16', 18' and 20'	73.50	49.00
2" x 6"	6' to 20' R/L	65.00	44.00
2" x 8"	6'	55.50	42.00
2" x 8"	8'	59.00	42.00
2" x 8"	10' and 12'	65.00	44.00
2" x 8"	7', 9', 14', 16', 18' and 20'	65.00	44.00
2" x 8"	6' to 20' R/L	63.00	42.00

TABLE 13—NO. 2 COMMON AND NO. 3 COMMON, GREEN OR DRY, SURFACED, SHIPLAPPED, OR TONGUED AND GROOVED, PER M'BM—Con.

Size	Lengths	No. 2 common	No. 3 common
2" x 6" and 2" x 10"	6'	$59.00	$45.00
2" x 6" and 2" x 10"	8'	62.00	45.00
2" x 6" and 2" x 10"	10' and 12'	65.00	47.00
2" x 6" and 2" x 10"	7', 9', 14', 16', 18' and 20'	65.00	47.00
2" x 6" and 2" x 10"	6' to 20' R/L	63.00	45.00
2" x 12"	6'	59.00	45.00
2" x 12"	8'	62.00	45.00
2" x 12"	10' and 12'	66.00	47.00
2" x 12"	7', 9', 14', 16', 18' and 20'	66.00	47.00
2" x 12"	6' to 20' R/L	64.00	45.00
3" x 12"	6'	65.00	46.00
3" x 4"	8', 10' and 12'	67.00	46.00
3" x 4"	7' and 14'	70.00	48.00
3" x 4"	9', 16' 18' and 20'	74.00	50.00
3" x 4"	6' to 20' R/L	68.50	47.00
3" x 6"	6'	61.00	44.00
3" x 6"	7', 8', 10', 12' and 14'	62.00	44.00
3" x 6"	9', 16', 18' and 20'	69.50	49.00
3" x 6"	6' to 20' R/L	63.00	45.00
3" x 8" and 3" x 10"	6' to 20' spec.	66.50	51.00
3" x 8" and 3" x 10"	6' to 20' R/L	64.50	49.00
3" x 12"	6' to 20' spec.	66.50	54.00

TABLE 13—NO. 2 COMMON AND NO. 3 COMMON, GREEN OR DRY, SURFACED, SHIPLAPPED, OR TONGUED AND GROOVED, PER M'BM—Con.

Size	Lengths	No. 2 common	No. 3 common
3" x 12"	6' to 20' R/L	$64.50	$52.00
4" x 4"	6'	64.50	46.00
4" x 4"	8', 10' and 12'	71.00	46.00
4" x 4"	7' and 14'	71.00	48.00
4" x 4"	9', 16', 18' and 20'	76.00	50.00
4" x 4"	6' to 20' R/L	71.00	47.00
4" x 6"	6'	61.50	44.00
4" x 6"	7', 8', 10', 12' and 14'	63.50	44.00
4" x 6"	9', 16', 18' and 20'	67.50	49.00
4" x 6"	6' to 20' R/L	64.50	45.00
4" x 8" and 4" x 10"	6' to 20' spec.	71.50	54.00
4" x 8" and 4" x 10"	6' to 20' R/L	69.50	52.00
4" x 12"	6' to 20' spec.	73.00	56.00
4" x 12"	6' to 20' R/L	71.00	54.00
6" x 6"	6', 7', 8', 10', 12' and 14'	66.50	50.00
6" x 6"	9', 16', 18' and 20'	70.50	52.00
6" x 6"	6' to 20' R/L	67.50	50.00
6" x 8" and 6" x 10"	6' to 20' Spec.	72.00	55.00
6" x 8" and 6" x 10"	6' to 20' R/L	70.00	53.00
6" x 12"	6' to 20' Spec.	72.00	55.00
6" x 12"	6' to 20' R/L	70.00	53.00
8" x 8" and larger	6' to 20' Spec. or R/L	80.00	75.00

10. In § 1381.413 Appendix B, Table 17 is amended to read as follows:

TABLE 17—NO. 1 SHOP, DRY, ROUGH, S1S OR S2S, RANDOM WIDTHS, AND RANDOM LENGTHS, PER M'BM

Size	Dry	Price
1" x 5" to 12"	Kiln	$55.50
1" x 14" & wider	Kiln	65.50
1¼" & 1½" x 5" & wider	Kiln	67.50
2" x 5" to 12"	Kiln	63.50
2" x 14" & wider	Kiln	74.50
2¼" x 5" & wider	Air	79.00
2½" x 14" & wider	Air	86.00
3" & thicker x 5" to 12"	Air	79.00
3" & thicker 14" & wider	Air	79.00

This amendment shall become effective May 23, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7375; Filed, May 23, 1944; 11:23 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 288,[1] Amdt. 25]

ALCOHOLIC BEVERAGES IN ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 288 is amended in the following respects:

1. Subparagraph (3) of § 1418.363 (v) is deleted.

2. Subparagraph (4) of § 1418.363 (v) is redesignated subparagraph (3) and is amended to read as follows:

(3) Maximum prices. The maximum retail prices for packaged distilled spirits and wines shall be:

[NOTE: The prices shown in this table include the increase in Federal excise taxes in effect on April 1, 1944]

Brand	Proof	Bottle size	Zone 1[1]	Zone 2[2]	Zone 3[3]	Zone 4[4]	Zone 5[5]	Zone 6[6]
			Prices per bottle					
BRANDY								
Aristocrat	84	Fifth	$4.65	$4.65	$4.75	$4.70	$4.70	$4.80
Aristocrat	84	Pint	2.90	2.90	2.95	2.95	2.95	3.00
Austin & Nichols—Portugal	84	Fifth	6.75	6.85	7.00	6.90	6.95	7.05
Barros—Portugal	84	Fifth	6.00	6.10	6.25	6.15	6.20	6.30
Casa Lobo	84	Fifth	4.70	4.75	4.90	4.80	4.85	4.90
Casa Lobo	84	Pint	2.90	2.90	3.00	2.95	2.95	3.05
Christian Brothers	84	Fifth	4.80	4.85	4.95	4.90	4.90	5.00
Coronet V. S. Q	84	Fifth	4.60	4.70	4.75	4.70	4.75	4.80
Coronet V. S. Q	84	Pint	2.85	2.90	2.95	2.95	2.95	3.00
DeKuyper:								
Apricot	70	Fifth	3.80	3.80	3.90	3.85	3.85	3.95
Blackberry	70	Fifth	3.80	3.80	3.90	3.85	3.85	3.95
Cherry	84	Fifth	3.70	3.75	3.80	3.80	3.80	3.90
Don Mariano	84	Pint	2.25	2.30	2.35	2.35	2.40	2.40
Don Mariano	84	Fifth	4.55	4.60	4.70	4.65	4.65	4.75
Hiddick's—Apple	84	Fifth	4.80	4.85	4.95	4.85	4.90	4.95
J. Bavet	84	Tenth	2.50	2.50	2.55	2.55	2.55	2.60
J. Bavet	84	One-half pint	1.50	1.50	1.55	1.50	1.55	1.55
Kirschwasser—Cherry	96	Fifth	5.85	5.85	6.00	5.90	5.90	6.00
Kopke—Portugal	84	Fifth	6.25	6.25	6.40	6.35	6.35	6.50
Laird's 3-Star—Apple	86.4	Fifth	4.50	4.50	4.65	4.55	4.55	4.65
Lejon	84	Fifth	4.75	4.75	4.85	4.80	4.80	4.90
Lyons:								
California	85	Fifth	4.20	4.25	4.35	4.30	4.30	4.40
California	85	Pint	2.50	2.60	2.65	2.60	2.65	2.70
Rum	85	Fifth	3.85	3.90	4.00	4.00	4.00	4.10
Rum	85	Pint	2.40	2.40	2.50	2.45	2.50	2.50
Apricot	80	Fifth	4.30	4.35	4.45	4.40	4.40	4.50
Blackberry	80	Fifth	4.30	4.35	4.45	4.40	4.40	4.50
Cherry	80	Fifth	4.30	4.35	4.45	4.40	4.40	4.50
Merito Old Reserve (25 yrs.)—Portugal	84	Fifth	6.00	6.10	6.20	6.10	6.15	6.20
Moret-Portugal	84	Fifth	5.70	5.75	5.90	5.85	5.85	6.00
Old Mr. Boston:								
Grape	84	Fifth	4.40	4.45	4.55	4.50	4.50	4.60
Apricot	70	Fifth	3.70	3.70	3.90	3.80	3.80	3.90
Apricot	70	Tenth	1.85	1.90	1.95	1.95	1.95	2.00
Blackberry	70	Tenth	1.85	1.90	1.95	1.95	1.95	2.00
P. & C. 5-Star—Portugal	86.8	Fifth	5.90	5.95	6.05	6.00	6.05	6.15
Petri Grappa—Grape	90	Fifth	3.90	3.95	4.05	3.95	4.00	4.10
Red Horse:								
Apricot	60	Fifth	4.45	4.50	4.60	4.55	4.55	4.65
Blackberry	60	Fifth	4.45	4.50	4.60	4.55	4.55	4.65
Cherry	60	Fifth	4.45	4.50	4.60	4.55	4.55	4.65
Peach	60	Fifth	4.45	4.50	4.60	4.55	4.55	4.65
Roma J. B. Calla—Grape	86	Fifth	4.60	4.70	4.75	4.70	4.75	4.80
St. George	84	Fifth	6.20	6.20	6.35	6.30	6.35	6.45

Brand	Proof	Bottle size	Zone 1[1]	Zone 2[2]	Zone 3[3]	Zone 4[4]	Zone 5[5]	Zone 6[6]
			Prices per bottle					
COCKTAIL MIXES								
Anco Manhattan	70	Fifth	$4.40	$4.40	$4.50	$4.45	$4.50	$4.55
Club Daiquiri	70	Fifth	4.20	4.30	4.40	4.30	4.35	4.45
Club Dry Martini	71	Fifth	4.25	4.35	4.45	4.35	4.40	4.50
Club Manhattan	65	Fifth	4.20	4.25	4.35	4.30	4.30	4.40
Club Old Fashioned	80	Fifth	4.40	4.45	4.55	4.50	4.50	4.60
Club Sidecar	60	Fifth	4.10	4.15	4.25	4.20	4.20	4.30
Lyons:								
Manhattan	60	Fifth	3.35	3.40	3.50	3.45	3.50	3.55
Martini	60	Fifth	3.35	3.40	3.50	3.45	3.50	3.55
Martini	60	Pint	2.85	2.90	3.00	2.95	3.00	3.05
Old Fashioned	70	Fifth	3.60	3.70	3.80	3.75	3.75	3.80
Sidecar	65	Fifth	3.60	3.65	3.75	3.70	3.70	3.80
Cordials, Liqueurs, Nectars, & Vermouth								
Bardinet:								
Apricot Liqueur	60	Fifth	4.60	4.65	4.75	4.75	4.75	4.80
Cherry Liqueur	52	Fifth	4.50	4.60	4.70	4.75	4.75	4.70
Creme de Cacao	50	Fifth	4.40	4.60	4.60	4.65	4.55	4.65
Creme de Menthe, Green or White	50	Fifth	3.95	4.05	4.15	4.10	4.10	4.20
Curacao (Jugs)	70	Fifth	5.50	5.60	5.75	5.65	5.65	5.75
Kummel Dry	90	Fifth	5.45	5.55	5.65	5.60	5.60	5.70
Triple Sec	90	Fifth	4.65	4.75	4.85	4.80	4.80	4.90
Bielzoff Curacao Cordial	62	Fifth	5.35	5.40	5.50	5.45	5.45	5.50
Cinzano Sweet Vermouth		Fifth	2.45	2.50	2.60	2.55	2.55	2.60
Cistercienne Liqueur	80	Fifth	6.75	6.75	6.90	6.80	6.80	6.90
DeKuyper:								
Anisette	56	Fifth	4.00	4.05	4.15	4.10	4.10	4.20
Apricot Cordial	74	Fifth	4.45	4.50	4.60	4.55	4.55	4.65
Blackberry Cordial	70	Fifth	4.45	4.50	4.60	4.55	4.55	4.65
Cherry Cordial	50	Fifth	4.45	4.50	4.60	4.55	4.55	4.65
Creme de Cacao	60	Fifth	4.25	4.25	4.40	4.30	4.35	4.40
Creme de Menthe	60	Fifth	3.55	3.60	3.70	3.65	3.70	3.80
Delicta Liqueur	66	Fifth	5.60	5.60	5.70	5.65	5.65	5.75
Kummel Cordial	80	Fifth	4.65	4.70	4.80	4.75	4.75	4.85
Orange Curacao	60	Fifth	4.25	4.30	4.40	4.35	4.35	4.45
Triple Sec	80	Fifth	4.05	4.10	4.20	4.15	4.20	4.30
Du Bouchette:								
Benal Liqueur	66	Fifth	4.40	4.45	4.60	4.45	4.45	4.55
Benal Liqueur	66	Tenth	2.30	2.30	2.38	2.35	2.35	2.50
Blackberry Liqueur	60	Fifth	3.75	3.80	3.90	3.85	3.85	3.95
Creme de Menthe Green	62	Fifth	3.95	4.00	4.15	3.95	4.00	4.10
Creme de Menthe White	62	Fifth	4.05	4.05	4.20	4.05	4.05	4.15
Creme de Menthe White	62	Tenth	2.05	2.05	2.10	2.10	2.10	2.15
Curacao Liqueur	60	Fifth	4.00	4.05	4.15	4.10	4.10	4.20
Rock & Rum Liqueur	70	Pint	2.20	2.20	2.30	2.25	2.25	2.30
Rock & Rye Liqueur	70	Quart	4.35	4.40	4.50	4.40	4.45	4.55
Rock & Rye Liqueur	70	Pint	2.25	2.25	2.30	2.20	2.20	2.35
Royal Liqueur	100	Fifth	5.95	5.95	6.10	6.00	6.00	6.10

See footnotes on p. 5489.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10581, 11012; 8 F.R. 23, 567, 2158, 2445, 6964, 3844, 8184, 12549, 13166, 13305, 16514, 16626, 16627, 16865, 16986, 16793; 9 F.R. 301, 849, 1715, 2035, 2409, 4029, 4199, 4245, 4985.

Brand	Proof	Bottle size	Zone 1[1]	Zone 2[2]	Zone 3[3]	Zone 4[4]	Zone 5[5]	Zone 6[6]
			Prices per bottle					
COCKTAIL MIXES—con.								
Dubonnet Vermouth—Sweet—Domestic.		Quart	$1.80	$1.85	$1.95	$1.90	$1.90	$2.00
Grand Mariner Liqueur	80	Fifth	6.40	6.45	6.55	6.50	6.50	6.60
Herbsaint Liqueur—Portugal	100	Fifth	7.00	7.00	7.15	7.10	7.15	7.25
Italian Swiss Colony Sweet Vermouth		Fifth	1.50	1.50	1.60	1.55	1.55	1.65
Italian Swiss Colony Dry Vermouth		Fifth	1.50	1.50	1.60	1.55	1.55	1.65
Lyons.								
Absen	100	Fifth	4.80	4.90	5.00	4.95	4.95	5.05
Apricot Cordial	60	Fifth	3.60	3.65	3.75	3.70	3.70	3.80
Blackberry Cordial	60	Fifth	3.60	3.65	3.75	3.70	3.70	3.80
Cherry Cordial	60	Fifth	3.60	3.65	3.75	3.70	3.70	3.80
Creme de Cacao	60	Fifth	3.60	3.65	3.75	3.70	3.70	3.80
Creme de Menthe—Green or White	60	Fifth	3.50	3.60	3.70	3.60	3.65	3.75
M. & R. Sweet Vermouth		Fifth	2.50	2.50	2.60	2.55	2.55	2.65
M. & R. Dry Vermouth		Fifth	2.50	2.55	2.65	2.60	2.60	2.70
Old Melody Apricot Liqueur	70	Fifth	4.80	4.85	4.95	4.85	4.90	5.00
Old Mr. Boston:								
Anisette	60	Fifth	3.95	4.00	4.10	4.05	4.10	4.20
Creme de Cacao	60	Fifth	3.95	4.00	4.10	4.05	4.10	4.20
Creme de Menthe, Green or White.	60	Fifth	3.95	4.00	4.10	4.05	4.10	4.20
Curacao	80	Fifth	3.95	4.00	4.10	4.05	4.10	4.20
Kummel	80	Quart	4.55	4.65	4.75	4.70	4.70	4.85
Nectar	70	Fifth	3.40	3.45	3.55	3.50	3.50	3.60
Triple Sec	80	Fifth	3.95	4.00	4.10	4.05	4.10	4.20
Red Horse:								
Creme de Menthe	60	Fifth	4.85	4.95	5.05	5.00	5.00	5.10
Kummel	60	Fifth	4.85	4.95	5.05	5.00	5.00	5.10
Roma Sweet Vermouth		30 oz.	1.70	1.70	1.80	1.75	1.80	1.90
Roma Dry Vermouth		30 oz.	1.70	1.70	1.80	1.75	1.80	1.90
Santo Thomas Vermouth—Mexico.		Quart	2.45	2.50	2.60	2.55	2.55	2.75
Swanee Pride Cordial	100	Fifth	5.25	5.25	5.40	5.30	5.35	5.40
Vernat Dry Vermouth—France.		Fifth	1.80	1.85	1.95	1.90	1.90	2.00
Walker Orange Curacao	60	Tenth	1.75	1.75	1.80	1.80	1.80	1.85
GIN								
Blue Bird	85	Fifth	4.70	4.75	4.85	4.75	4.80	4.85
Blue Bird	85	Pint	2.35	2.40	2.45	2.40	2.40	2.45
Bols Silver Top—Argentina	94	Fifth	6.80	6.80	6.95	6.90	6.90	7.00
Courtesy Club—Cuba	90	Quart	6.30	6.35	6.45	6.40	6.40	6.55
DeKnypers—Sloe	60	Fifth	3.10	3.15	3.25	3.25	3.25	3.35
DeKuypers—Sloe	60	Pint	1.95	2.00	2.05	2.05	2.05	2.10
Dixie Belle	90	Fifth	3.50	3.50	3.60	3.55	3.60	3.65
Dixie Belle	90	Pint	2.20	2.20	2.25	2.25	2.25	2.30
Du Bouchette—Sloe	60	Fifth	3.60	3.65	3.75	3.65	3.70	3.80
Fox Lake—Distilled Dry	85	Fifth	4.75	4.80	4.95	4.85	4.90	5.00
Gilby's—Distilled Dry—London.	90	Fifth	3.85	3.90	4.00	4.00	4.00	4.10
Gilby's—Distilled Dry—London.	90	Pint	2.40	2.45	2.50	2.50	2.50	2.55
Gordon's—Orange Flavored.	80	Pint	2.25	2.30	2.35	2.30	2.35	2.40
Graves—Cuba	90	Quart	5.65	5.75	5.85	5.80	5.80	6.25
Graves—Dry—Cuba	85	Fifth	4.80	4.85	4.95	4.90	4.90	5.00
Graves—Cuba	85	Pint	2.90	2.90	3.00	2.95	2.95	3.00
Lyons—Sloe	70	Fifth	3.60	3.65	3.75	3.70	3.70	3.80
Old Mr. Boston—Orange Flavored.	70	Fifth	3.50	3.55	3.65	3.60	3.65	3.80
Old Mr. Boston—Orange Flavored.	70	Tenth	1.75	1.80	1.85	1.80	1.85	1.90
Old Mr. Boston—Sloe	70	Fifth	3.40	3.50	3.60	3.50	3.55	3.65
Old Mr. Boston—Sloe	70	Tenth	1.75	1.75	1.80	1.80	1.80	1.90
Pickwick Club—Dry—Cuba.	85	Quart	5.80	5.85	5.95	5.90	5.95	6.05
Red Horse—Sloe	60	Fifth	4.80	4.85	4.95	4.85	4.90	5.00
RUM								
Alzola	86	Fifth	5.65	5.70	5.85	5.75	5.80	5.85
Bacardi:								
Carta de Plata—Puerto Rico.	89	Fifth	4.65	4.70	4.80	4.75	4.75	4.85
Gold Label—Cuba	89	Fifth	6.25	6.25	6.40	6.30	6.35	6.40
Silver Label—Puerto Rico.	89	Fifth	4.65	4.70	4.80	4.75	4.75	4.85
White Label—Cuba	89	Fifth	6.05	6.10	6.20	6.15	6.15	6.25
Caldwell's	100	Quart	5.55	5.55	5.70	5.60	5.65	5.75
Carioca—Puerto Rico	151	Fifth	7.05	7.15	7.30	7.20	7.25	7.40
Carioca—Puerto Rico	86	Fifth	4.45	4.65	4.75	4.70	4.75	4.80
Casa-Blanca	86	Fifth	4.60	4.65	4.75	4.65	4.70	4.75
Coruba—Br. Jamaica	151	Fifth	8.15	8.25	8.40	8.30	8.35	8.45
Coruba—Br. Jamaica	97	Fifth	5.90	5.95	6.05	6.00	6.00	6.10
Coruba—Br. Jamaica	97	Tenth	3.00	3.00	3.05	3.05	3.05	3.10
Dagger—Run Punch—Jamaica.	97	Fifth	5.95	5.95	6.10	6.00	6.00	6.10
Dagger—Jamaica	86	Fifth	5.95	5.95	6.10	6.00	6.00	6.10
Don L—Puerto Rico	86	Fifth	4.75	4.80	4.90	4.80	4.85	4.95
Don Q—Puerto Rico	86	Fifth	4.55	4.55	4.65	4.60	4.60	4.70
Elly's—White Label—Jamaica.	97	Fifth	6.15	6.15	6.30	6.25	6.25	6.35
Goddard's—Virgin Islands	125	Fifth	6.85	6.90	7.00	6.95	6.95	7.05
Goddard's—Puerto Rico	86	Fifth	4.90	4.90	5.05	4.95	5.00	5.05
Government House—Virgin Islands.	135	Fifth	5.50	5.55	5.65	5.60	5.60	5.70
Government House—Virgin Islands.	135	Tenth	2.75	2.80	2.85	2.85	2.85	2.90
Havana Club—Gold Label—Puerto Rico.	86	Fifth	4.80	4.85	4.95	4.90	4.90	5.00
Hudson Bay—Demarara	114	Tenth	3.10	3.15	3.20	3.15	3.20	3.25
Kelly's Planters Dock—Br. Jamaica	151	Fifth	8.55	8.65	8.80	8.70	8.75	8.90

Brand	Proof	Bottle size	Zone 1[1]	Zone 2[2]	Zone 3[3]	Zone 4[4]	Zone 5[5]	Zone 6[6]
			Prices per bottle					
RUM—con.								
Kelly's Punch—Br. Jamaica	151	Fifth	$8.60	$8.65	$8.75	$8.70	$8.75	$8.85
Kelly's Punch—Br. Jamaica	97	Fifth	5.95	5.95	6.10	6.05	6.05	6.15
Kelly's White Label—Br. Jamaica	151	Fifth	9.10	9.20	9.35	9.30	9.30	9.45
Lemon Hart & Sons—Br. Demarara	151	Fifth	8.70	8.70	8.85	8.75	8.80	8.90
Lemon Hart & Sons—Br. Demarara	114	Fifth	6.70	6.75	6.95	6.90	6.90	7.05
Lemon Hart & Sons—Br. Demarara	114	Tenth	3.45	3.50	3.60	3.55	3.60	3.60
Lemon Hart—Special Dark—Br. West Guinea	90	Fifth	6.55	6.60	6.70	6.65	6.65	6.75
Marimba	86	Fifth	5.65	5.65	5.75	5.75	5.75	5.85
Marin—Gold Label—Puerto Rico.	85	Fifth	4.70	4.75	4.85	4.75	4.80	4.90
Myers—Jamaica	97	Fifth	6.30	6.35	6.45	6.40	6.45	6.55
Old St. Croix	86	Fifth	4.85	4.85	5.00	4.90	4.90	5.00
Old St. Croix	86	Pint	3.05	3.05	3.10	3.10	3.10	3.15
Pedros—Cuba	85	Fifth	5.05	5.05	5.20	5.10	5.10	5.20
Port Maria—Dark—Br. Jamaica.	151	Fifth	8.45	8.45	8.60	8.50	8.50	8.60
Port Maria—Dark—Br. Jamaica.	97	Fifth	5.90	5.90	6.05	5.95	5.95	6.05
Port Maria—Light—Br. Jamaica.	151	Fifth	8.45	8.45	8.60	8.50	8.50	8.60
Port Maria—Light—Br. Jamaica.	97	Fifth	5.90	5.90	6.05	5.95	5.95	6.05
Riondi—White or Gold Label.	86	Fifth	4.65	4.65	4.80	4.70	4.70	4.80
Ron Merito—White or Red Label—Puerto Rico.	86	Fifth	4.60	4.60	4.70	4.65	4.65	4.75
Ron Rey—Gold Label—Puerto Rico.	86	Quart	5.60	5.60	5.75	5.65	5.70	5.80
Ron Rico—Gold Label—Puerto Rico.	86	Fifth	4.95	4.95	5.05	5.00	5.00	5.10
Ron Rico—White Label—Puerto Rico.	86	Fifth	4.95	4.95	5.05	5.00	5.00	5.10
Ron Slave—Gold Label	86	Tenth	2.35	2.35	2.40	2.40	2.40	2.45
Ron Slave—White Label	86	Pint	1.95	1.95	2.05	2.00	2.00	2.05
Sevilla	86	Fifth	3.95	4.00	4.10	4.05	4.10	4.15
Vidal—Puerto Rico	85	Fifth	4.60	4.60	4.70	4.65	4.65	4.75
RUM (ROCK AND)								
Red Horse	60	Quart	5.15	5.25	5.35	5.30	5.30	5.40
TEQUILA								
Hermosa—Mexico	90	Fifth	5.20	5.25	5.35	5.35	5.35	5.45
VODKA								
Courtesy Club—Cuba	90		6.30	6.35	6.45	6.40	6.40	6.55
Kepresky—Domestic	100	Fifth	4.50	4.55	4.65	4.60	4.65	4.70
Kepresky—Domestic	100	Pint	2.90	2.90	3.00	2.95	3.00	3.05
Red Horse—Domestic	100	Fifth	6.00	6.05	6.20	6.10	6.10	6.20
WHISKEY—BOURBON								
Ancient Age—5 yr	90	Fifth	4.10	4.15	4.15	4.20	4.20	4.30
Ancient Age—5 yr	90	Pint	2.55	2.60	2.65	2.65	2.65	2.70
Black Gold	86	Fifth	3.55	3.60	3.70	3.60	3.70	3.75
Black Gold	86	Pint	2.95	3.00	3.10	3.05	3.10	3.15
Bond & Lillard	90.4	Fifth	3.85	3.90	4.00	3.95	3.95	4.05
Bourbon De Luxe	86	Fifth	3.90	3.95	4.05	3.95	4.00	4.05
Bourbon De Luxe	86	Pint	2.45	2.45	2.50	2.50	2.50	2.55
Bourbon Supreme	90.4	Fifth	4.15	4.20	4.30	4.25	4.25	4.35
Four Roses—5 yr	90	Fifth	4.85	4.85	5.00	4.90	4.95	5.00
Four Roses—5 yr	90	Pint	3.05	3.05	3.15	3.10	3.10	3.15
Golden Wedding—5 yr	90	Fifth	4.15	4.15	4.25	4.20	4.20	4.30
Golden Wedding	90	Pint	2.75	2.80	2.85	2.85	2.85	2.90
Hill & Hill	90.4	Fifth	3.85	3.90	4.00	3.95	3.95	4.05
I. W. Harper—4 yr	100	Fifth	4.75	4.75	4.85	4.80	4.80	4.90
I. W. Harper	100	Pint	2.95	2.95	3.00	3.00	3.00	3.05
Old Art—6 yr	100	Quart	6.45	6.50	6.60	6.50	6.55	6.65
Old Art—6 yr	100	Pint	3.25	3.30	3.35	3.30	3.30	3.40
Old Art—5 yr	100	Quart	6.30	6.30	6.45	6.35	6.40	6.50
Old Art—5 yr	100	Pint	3.15	3.20	3.25	3.20	3.25	3.30
Old Charter	90	Fifth	5.10	5.20	5.30	5.25	5.25	5.35
Old Crow	100	Pint	2.75	2.80	2.85	2.80	2.85	2.90
Old Crow	100	½ pint	1.40	1.40	1.45	1.45	1.45	1.50
Old Crow	86.8	Fifth	4.10	4.10	4.20	4.15	4.15	4.25
Old Crow	86.8	Pint	2.55	2.60	2.65	2.60	2.60	2.70
Old Forester	100	Quart	.80	6.80	6.95	6.85	6.85	6.95
Old Forester—Kentucky	100	Fifth	5.45	5.45	5.55	5.50	5.50	5.60
Old Forester—Kentucky	100	Pint	3.45	3.45	3.50	3.45	3.50	3.55
Old Grand-Dad	100	Fifth	5.45	5.45	5.60	5.50	5.55	5.60
Old Grand-Dad	100	Pint	3.40	3.40	3.45	3.45	3.45	3.50
Old Grand-Dad	100	½ Pint	1.70	1.70	1.75	1.75	1.75	1.80
Old Guckenheimer	93	Fifth	4.25	4.30	4.40	4.35	4.35	4.45
Old Guckenheimer	86	Quart	4.85	4.95	5.05	5.00	5.00	5.10
Old Guckenheimer	86	Pint	2.45	2.45	2.50	2.50	2.50	2.60
Old Hermitage	90.4	Fifth	3.85	3.90	4.00	3.95	3.95	4.05
Old Hermitage	86	Fifth	3.90	3.95	4.05	3.95	4.00	4.05
Old Hermitage	86	Pint	2.45	2.45	2.50	2.50	2.50	2.55
Old Schenley—5 yr	100	Quart	5.25	5.25	5.40	5.30	5.35	5.45
Old Schenley—5 yr	100	Fifth	4.40	4.45	4.50	4.50	4.50	4.60
Old Schenley—5 yr	100	Pint	2.65	2.70	2.75	2.70	2.70	2.75
Old Schenley—5 yr	100	½ pint	1.40	1.40	1.45	1.45	1.45	1.45
Old Taylor	100	Fifth	5.45	5.50	5.60	5.50	5.55	5.60
Old Taylor	100	Pint	3.40	3.40	3.45	3.45	3.45	3.50
Old Taylor	100	½ pint	1.70	1.70	1.75	1.75	1.75	1.80
Paul Jones—4 yr	90	Fifth	4.00	4.05	4.15	4.10	4.15	4.25

See footnotes on p. 5489.

Brand	Proof	Bottle size	Zone 1[1]	Zone 2[2]	Zone 3[3]	Zone 4[4]	Zone 5[5]	Zone 6[6]
			Prices per bottle					
WHISKEY—BOURBON—con.								
Paul Jones—4 yr	90	Pint	$2.50	$2.50	$2.60	$2.55	$2.55	$2.60
Signet	100	Fifth	4.70	4.75	4.85	4.75	4.80	4.88
Signet	100	Pint	2.95	3.00	3.05	3.00	3.00	3.10
Sunnybrook	86	Fifth	3.90	3.95	4.05	3.95	4.00	4.05
Sunnybrook	86	Pint	2.45	2.45	2.50	2.50	2.50	2.55
Tom Burns	86	Fifth	4.25	4.30	4.40	4.35	4.40	4.50
Tom Burns	86	Pint	2.55	2.60	2.75	2.65	2.65	2.75
Walker's De Luxe	90	Fifth	4.05	4.10	4.20	4.15	4.15	4.25
Walker's De Luxe	90	Pint	2.55	2.55	2.65	2.60	2.60	2.65
WHISKEY—CANADIAN								
Canadian Club	90.4	Fifth	6.10	6.10	6.25	6.15	6.15	6.20
Canadian Club	90.4	Pint	3.80	3.80	3.90	3.85	3.85	3.95
Seagrams V. O.	86.8	Fifth	5.95	5.95	6.10	6.00	6.00	6.10
Seagrams V. O.	86.8	Pint	3.70	3.70	3.80	3.75	3.75	3.80
Seagrams V. O.	86.8	½ pint	1.85	1.85	1.90	1.90	1.90	1.90
U. D. L. 8 Plus	85	Fifth	4.30	4.40	4.50	4.40	4.45	4.55
U. D. L. Original	85	Fifth	5.00	5.10	5.20	5.15	5.15	5.25
U. D. L. Original	85	Pint	3.15	3.20	3.25	3.25	3.25	3.30
WHISKEY—CORN								
A. M. S. Yellow	85	Pint	2.60	2.65	2.75	2.70	2.75	2.80
WHISKEY—IRISH								
John Jameson & Son	90	Fifth	6.30	6.35	6.45	6.40	6.40	6.50
John Jameson & Son	86	Tenth	3.25	3.30	3.40	3.40	3.40	3.45
Old Bushmill	86	Fifth	6.20	6.25	6.35	6.30	6.30	6.45
WHISKEY—RYE								
DeKuyper—Rock & Rye	70	Pint	2.10	2.15	2.20	2.20	2.20	2.25
Golden Wedding — Str. Blend.	90	Fifth	4.15	4.15	4.30	4.25	4.25	4.35
Golden Wedding — Str. Blend.	90	Pint	2.55	2.60	2.65	2.65	2.65	2.70
Melrose	90	Fifth	5.15	5.15	5.25	5.20	5.20	5.30
Mt. Vernon	100	Fifth	4.60	4.60	4.70	4.65	4.65	4.75
Mt. Vernon	100	Pint	2.85	2.85	2.90	2.90	2.90	2.95
Mt. Vernon	100	½ pint	1.45	1.45	1.50	1.50	1.50	1.55
Old Art—6 yr	100	Quart	6.45	6.50	6.60	6.50	6.55	6.65
Old Art—6 yr	100	Pint	3.25	3.30	3.35	3.30	3.30	3.40
Old Mr. Boston—Rock & Rye.	70	Quart	4.30	4.35	4.45	4.40	4.45	4.55
Old Mr Boston—Rock & Rye.	70	Pint	2.15	2.20	2.25	2.20	2.25	2.30
Old Overholt	100	Fifth	4.60	4.60	4.70	4.65	4.65	4.75
Old Overholt	100	Pint	2.85	2.90	2.95	2.90	2.95	3.00
Old Overholt	100	½ pint	1.40	1.40	1.45	1.45	1.45	1.45
Old Schenley	100	Fifth	4.35	4.45	4.55	4.50	4.50	4.60
Old Schenley	100	Pint	2.75	2.80	2.85	2.80	2.85	2.90
Old Schenley	100	½ pint	1.40	1.40	1.45	1.45	1.45	1.45
Paul Jones—Str. Blend—4 yr.	90	Fifth	4.00	4.05	4.15	4.05	4.10	4.20
Paul Jones—Str. Blend—4 yr.	90	Pint	2.50	2.50	2.60	2.55	2.55	2.60
Red Horse—Rock & Rye	60	Fifth	4.80	4.85	4.95	4.90	4.95	5.00
Rewco	100	Fifth	4.05	4.10	4.20	4.15	4.15	4.25
Rewco	100	Pint	2.50	2.55	2.60	2.55	2.60	2.70
Rewco	100	½ pint	1.25	1.30	1.30	1.30	1.30	1.35
WHISKEY—SCOTCH								
Ballantines—17 yrs	86	Fifth	8.90	9.00	9.15	9.05	9.05	9.15
Ballantines	86	Fifth	6.40	6.45	6.55	6.55	6.55	6.65
Ballantines	86	Tenth	3.30	3.40	3.45	3.40	3.40	3.50
Ballantines	86	½ pint	2.10	2.15	2.20	2.15	2.20	2.20
Black & White—12 yrs	86.8	Fifth	7.55	7.60	7.75	7.65	7.70	7.80
Black & White—8 yrs	86.8	Fifth	6.20	6.20	6.35	6.30	6.30	6.45
Black & White—8 yrs	86.8	½ Pint	1.20	1.20	1.20	1.20	1.20	1.25
Catto—Gold Label	86	Fifth	6.10	6.20	6.30	6.20	6.20	6.30
Catto—Gold Label	86	Tenth	3.15	3.20	3.30	3.25	3.25	3.30
De Wars—Victoria Vat	86.8	Fifth	7.80	7.80	7.95	7.90	7.90	8.00
De Wars—White Label	86.8	Fifth	6.20	6.20	6.35	6.30	6.30	6.45
De Wars—White Label	86.8	Tenth	3.20	3.20	3.30	3.25	3.25	3.35
Haig & Haig—5 Star	86.8	Fifth	6.35	6.35	6.50	6.45	6.45	6.60
Haig & Haig—Pinch	86.8	Fifth	7.80	7.85	8.00	7.90	7.95	8.05
Harveys	86	Fifth	6.25	6.25	6.40	6.35	6.35	6.45

Brand	Proof	Bottle size	Zone 1[1]	Zone 2[2]	Zone 3[3]	Zone 4[4]	Zone 5[5]	Zone 6[6]
			Prices per bottle					
WHISKEY—SCOTCH—con.								
House of Lords	86	Fifth	$6.70	$6.75	$6.90	$6.80	$6.85	$6.95
Johnnie Walker—Black Label	86.8	Fifth	7.60	7.65	7.80	7.70	7.75	7.85
Johnnie Walker—Black Label	86.8	Tenth	3.90	3.95	4.00	4.00	4.00	4.05
Johnnie Walker—Red Label	86.8	Fifth	6.20	6.25	6.40	6.30	6.35	6.45
Johnnie Walker—Red Label	86.8	Tenth	3.20	3.20	3.30	3.25	3.25	3.35
King Wm. IV	86.8	Fifth	6.10	6.10	6.25	6.20	6.20	6.35
Kings Ransom	94	Fifth	8.00	8.00	8.15	8.05	8.10	8.20
Loch Fyne	86	Fifth	5.90	5.90	6.00	5.95	6.00	6.10
Martins V. V. O	88	Fifth	6.40	6.40	6.55	6.45	6.45	6.55
Martins V. V. O	88	Tenth	3.30	3.35	3.40	3.35	3.40	3.45
Old Angus	86	Fifth	6.35	6.35	6.50	6.45	6.45	6.60
Peter Dawson—Old Curio	86.8	Fifth	7.15	7.25	7.35	7.30	7.30	7.40
Peter Dawson	86	Fifth	6.05	6.10	6.20	6.15	6.15	6.25
Peter Dawson	86	Tenth	3.10	3.10	3.15	3.15	3.15	3.20
Sanderson	86	Fifth	6.10	6.20	6.30	6.25	6.25	6.35
Sanderson—Vat 69	86	Tenth	3.20	3.20	3.30	3.25	3.25	3.35
Teachers—Highland Cream	86	Fifth	6.30	6.30	6.45	6.35	6.40	6.45
Teachers—Highland Cream	86	Tenth	3.25	3.25	3.30	3.30	3.30	3.35
Watson	86	Fifth	6.50	6.50	6.65	6.55	6.60	6.65
Westons	86	Fifth	7.10	7.10	7.25	7.15	7.15	7.25
White Horse—8 yrs	86.8	Fifth	6.30	6.35	6.45	6.40	6.40	6.50
White Horse	86.8	Tenth	3.20	3.20	3.30	3.25	3.25	3.35
WHISKEY—SCOTCH TYPE								
Dunbar—Special	85	Fifth	4.75	4.80	4.95	4.90	4.90	5.00
Dunbar—Special	85	Pint	2.95	3.00	3.05	3.05	3.05	3.00
WHISKEY—SPIRIT BLENDS								
Blanchard's—Cuba	84	Fifth	6.20	6.25	6.40	6.35	6.35	6.40
Calvert Reserve	86.8	Fifth	4.50	4.55	4.70	4.60	4.60	4.75
Calvert Reserve	86.8	Pint	2.85	2.85	2.90	2.90	2.90	2.95
Calvert Special	86.8	Fifth	4.00	4.05	4.15	4.10	4.10	4.20
Calvert Special	86.8	Pint	2.55	2.55	2.60	2.55	2.60	2.65
Calvert Special	86.8	½ pint	1.25	1.25	1.30	1.30	1.30	1.35
Carstairs—White Seal	86.8	Fifth	4.00	4.05	4.15	4.10	4.15	4.20
Fleishmann Preferred	90	Quart	5.15	5.20	5.30	5.20	5.25	5.35
Fleishmann Preferred	90	Pint	2.60	2.65	2.70	2.65	2.65	2.75
Gallagher & Burton	86.8	Fifth	4.20	4.20	4.30	4.25	4.25	4.35
Gallagher & Burton	86.8	Pint	2.65	2.65	2.75	2.70	2.70	2.75
Imperial	86	Quart	4.70	4.75	4.80	4.75	4.80	4.95
Imperial	86	Pint	2.50	2.55	2.65	2.60	2.60	2.65
King—Black Label	86	Quart	5.40	5.45	5.55	5.50	5.50	5.60
King—Black Label	86	Fifth	4.35	4.40	4.50	4.40	4.45	4.55
King—Black Label	86	Pint	2.75	2.75	2.85	2.80	2.80	2.85
London De Luxe	86	Fifth	4.65	4.70	4.80	4.70	4.75	4.80
Lord Calvert	86.8	Quart	5.45	5.50	5.65	5.55	5.60	5.70
Lord Calvert	86.8	Fifth	5.25	5.25	5.30	5.30	5.30	5.40
Mattingly & Moore	80	Fifth	3.40	3.40	3.50	3.45	3.45	3.55
Mattingly & Moore	80	Pint	2.10	2.15	2.20	2.15	2.20	2.25
Old Mr. Boston—Rocking Chair	80.6	Fifth	3.80	3.85	3.95	3.90	3.90	4.00
Old Oscar Pepper	80	Fifth	3.45	3.50	3.60	3.50	3.55	3.65
Old Oscar Pepper	80	Pint	2.15	2.15	2.20	2.20	2.20	2.25
Penn-Maryland De Luxe	86.8	Fifth	4.45	4.50	4.60	4.55	4.55	4.65
Penn-Maryland De Luxe	86.8	Pint	2.80	2.80	2.85	2.85	2.85	2.90
Philadelphia Blend	86.8	Quart	5.55	5.60	5.70	5.60	5.65	5.75
Philadelphia Blend	86.8	Fifth	4.45	4.50	4.60	4.55	4.55	4.65
Philadelphia Blend	86.8	Pint	2.80	2.85	2.90	2.85	2.85	2.90
Philadelphia Blend	86.8	½ Pint	1.40	1.45	1.45	1.45	1.45	1.50
Seagrams 5-Crown	86.8	Quart	4.95	4.95	5.10	5.00	5.05	5.15
Seagrams 5-Crown	86.8	Fifth	4.00	4.05	4.15	4.10	4.10	4.20
Seagrams 5-Crown	86.8	Pint	2.50	2.55	2.60	2.55	2.60	2.65
Seagrams 5-Crown	86.8	½ Pint	1.25	1.30	1.30	1.30	1.30	1.35
Seagrams 7-Crown	86.8	Quart	5.55	5.60	5.70	5.65	5.65	5.75
Seagram 7-Crown	86.8	Fifth	4.50	4.55	4.65	4.60	4.60	4.70
Seagram 7-Crown	86.8	Pint	2.85	2.85	2.90	2.85	2.90	2.95
Seagrams 7-Crown	86.8	½ pint	1.40	1.45	1.45	1.45	1.45	1.50
Schenley Reserve	86	Fifth	5.05	5.10	5.20	5.15	5.20	5.30
Schenley Quality Reserve	86	½ pint	1.25	1.25	1.25	1.25	1.25	1.30
Schenley Royal Reserve	86	Fifth	4.45	4.50	4.60	4.50	4.55	4.60
Schenley Royal Reserve	86	Pint	2.75	2.75	2.85	2.80	2.80	2.85
Schenley Royal Reserve	86	½ pint	1.40	1.40	1.45	1.40	1.40	1.45
Three Feathers V. S. R	86	Fifth	4.45	4.50	4.60	4.55	4.60	4.70
Three Feathers V. S. R	86	Pint	2.75	2.80	2.95	2.90	2.90	2.95
Walkers Imperial	86	Fifth	4.10	4.10	4.20	4.15	4.15	4.25
Walkers Imperial	86	½ pint	1.25	1.25	1.30	1.25	1.30	1.30

Brand	Type and origin	Percentage	Size	Zone 1[1]	Zone 2[2]	Zone 3[3]	Zone 4[4]	Zone 5[5]	Zone 6[6]
				Prices per bottle					
SPARKLING WINES—BURGUNDY									
Burgundy									
Cella's	Private stock	13½	Fifth	$1.40	$1.40	$1.50	$1.45	$1.45	$1.55
Cresta Blanca		12½	Fifth	1.40	1.40	1.50	1.45	1.45	1.55
Don Mariano			24 oz.	1.00	1.05	1.10	1.10	1.10	1.20
Gianini	Special reserve.	14	Gallon	3.35	3.45	3.75	3.75	3.80	4.20
Gianini	Special reserve.	14	Fifth	.90	.90	1.00	.95	1.00	1.05
Italian Swiss Colony.		14	Fifth	1.05	1.05	1.15	1.10	1.15	1.20
Roma	Dry	12½	Fifth	1.20	1.20	1.30	1.25	1.25	1.35
San Benito			Fifth	1.00	1.05	1.10	1.10	1.10	1.20
Simi Vineyard			Fifth	1.15	1.20	1.25	1.25	1.20	1.40

Brand	Type and origin	Percentage	Size	Zone 1[1]	Zone 2[2]	Zone 3[3]	Zone 4[4]	Zone 5[5]	Zone 6[6]
				Prices per bottle					
Sparkling Burgundy									
Gotham		13	Fifth	$4.25	$4.30	$4.40	$4.35	$4.35	$4.45
Gotham		13	Tenth	2.30	2.30	2.40	2.35	2.40	2.45
Roma			Tenth	1.35	1.40	1.45	1.45	1.45	1.50
St. Remy		13	Fifth	3.75	3.80	3.90	3.90	3.95	4.10
St. Remy		13	Tenth	2.05	2.05	2.10	2.15	2.15	2.25
SPARKLING WINES—CHAMPAGNE									
Charles Heidsick			Fifth	9.40	9.50	9.70	9.60	9.65	9.80
Cook's	(Domestic)	14	Fifth	3.90	3.95	4.05	4.00	4.00	4.10
Cook's	(Domestic)	14	Tenth	1.95	2.00	2.05	2.00	2.00	2.05

See footnotes on p. 5489.

Brand	Type and origin	Percentage	Size	Zone 1[1]	Zone 2[2]	Zone 3[3]	Zone 4[4]	Zone 5[5]	Zone 6[6]
				Price per bottle					
SPARKLING WINES—CHAMPAGNE									
Gotham		13	Fifth	$4.25	$4.30	$4.40	$4.40	$4.45	$4.55
Gotham		13	10 ozs.	2.30	2.30	2.40	2.35	2.40	2.45
Mumms	(Extra dry)	13	Fifth	8.35	8.45	8.60	8.50	8.55	8.65
Mumms	(French Cordon Rouge).	14	Fifth	9.65	9.70	9.85	9.75	9.80	9.95
Mumms (1933)			Fifth	9.90	10.00	10.15	10.05	10.10	10.15
Paul Garrett			Fifth	3.60	3.55	3.68	3.60	3.65	3.75
Paul Garrett			Tenth	1.85	1.90	2.00	1.95	1.95	2.00
Roma-Gold Label		13	Fifth	3.80	3.80	3.95	3.85	3.90	4.00
Roma — White Label			Fifth	2.45	2.50	2.65	2.60	2.60	2.70
Roma — White Label			Tenth	1.35	1.40	1.45	1.40	1.40	1.50
Royal Burt	Portugal	13	Fifth	4.95	4.95	5.10	5.15	5.15	5.35
Royal Burt	Mexico		Fifth	5.00	5.05	5.25	5.20	5.20	5.40
Santo Thomas	Mexico		Fifth	5.35	5.45	5.65	5.55	5.60	5.80
St. Remy		13	Fifth	3.75	3.80	2.90	3.85	3.85	2.95
St. Remy		13	Tenth	2.05	2.05	2.10	2.10	2.15	2.20
STILL WINES—ANGELICA									
Gianini	Private Stock		Fifth	$1.60	$1.60	$1.70	$1.65	$1.65	$1.75
Royal Host			Fifth	1.25	1.30	1.35	1.35	1.35	1.45
STILL WINES—BLACKBERRY									
Connoisseur			Gallon	3.75	3.85	4.10	4.10	4.20	4.60
Connoisseur			½ gallon	2.15	2.25	2.40	2.40	2.45	2.70
Connoisseur			Quart	1.15	1.15	1.25	1.20	1.25	1.35
Connoisseur			Pint	.60	.00	.65	.65	.65	.70
STILL WINES—CHABLIS									
San Benito			Fifth	1.00	1.05	1.10	1.10	1.10	1.20
Simi Vineyard			Fifth	1.20	1.26	1.35	1.30	1.30	1.40
STILL WINES—CHIANTI									
Santo Thomas			Tenth	1.25	1.25	1.20	1.30	1.80	1.35
STILL WINES—CLARET									
Cresta Blanca			Fifth	1.35	1.30	1.35	1.35	1.35	1.45
Don Mariano			24 oz.	1.00	1.05	1.10	1.10	1.10	1.20
Gianini	Special Reserve		Gallon	3.35	3.45	3.75	3.75	3.80	4.20
Gianini	Special Reserve		Fifth	.90	.95	1.05	1.00	1.00	1.10
Italian Swiss Colony			Fifth	.95	1.00	1.00	1.00	1.05	1.15
Roma			Fifth	1.20	1.25	1.30	1.30	1.30	1.40
San Benito			Fifth	1.00	1.05	1.10	1.10	1.10	1.20
Santo Thomas	Mexico		Fifth	1.05	1.05	1.15	1.10	1.10	1.20
Simi Vineyard			Fifth	1.80	1.85	1.90	1.90	1.96	2.05
Vinters Select			Fifth	.85	.90	1.00	.95	.95	1.05
STILL WINES—CURRANT									
Connoisseur			Gallon	3.65	3.75	4.05	4.05	4.10	4.50
Connoisseur			½ gallon	2.10	2.15	2.35	2.35	2.40	2.65
Connoisseur			Quart	1.10	1.15	1.25	1.20	1.20	1.35
Connoisseur			Pint	.60	.60	.65	.65	.65	.70
STILL WINES—GRAPE									
American Amber			Gallon	4.50	4.60	4.85	4.90	5.00	5.40
American Amber			½ gallon	2.30	2.35	2.50	2.50	2.55	2.75
American Amber			Quart	1.35	1.35	1.45	1.40	1.45	1.55
American 50/50			Gallon	4.50	4.60	4.85	4.90	5.00	5.40
American 50/50			½ gallon	2.20	2.35	2.50	2.50	2.55	2.75
American 50/50			Quart	1.35	1.35	1.45	1.40	1.45	1.55
STILL WINES—LOGANBERRY									
Connoisseur			Gallon	3.45	3.55	3.80	3.80	3.90	4.30
Connoisseur			Quart	1.05	1.10	1.15	1.10	1.15	1.25
Connoisseur			Pint	.55	.55	.60	.60	.60	.65
STILL WINES—MUSCATEL									
Cella's	Private stock		Fifth	1.40	1.45	1.55	1.50	1.50	1.60
Garretts			Fifth	1.15	1.15	1.25	1.20	1.25	1.35
Gianini	Private stock		½ gallon	2.90	2.95	3.15	3.15	3.15	3.40
Gianini	Private stock		Fifth	1.60	1.60	1.70	1.65	1.70	1.75
Gianini	Special reserve		Quart	1.45	1.45	1.55	1.50	1.55	1.65
Italian Swiss Colony			Gallon	4.85	4.95	5.20	5.20	5.30	5.70
Italian Swiss Colony			Quart	1.45	1.45	1.55	1.50	1.55	1.65
Italian Swiss Colony			Fifth	1.25	1.30	1.35	1.35	1.35	1.45
Italian Swiss	Private stock		Fifth	1.65	1.65	1.75	1.70	1.70	1.80
Royal Host			Fifth	1.25	1.30	1.35	1.35	1.35	1.45
San Benito			Fifth	1.20	1.25	1.35	1.35	1.35	1.45
Santo Thomas			Fifth	2.30	2.35	2.45	2.40	2.40	2.60
Vinters Select			Fifth	1.05	1.10	1.15	1.15	1.15	1.25
STILL WINES—PORT									
Aldouro	Portugal		Fifth	$2.85	$2.90	$3.00	$3.00	$3.00	$3.15
Cella's	Private stock		Fifth	1.40	1.45	1.55	1.50	1.50	1.60
Cresta Blanca			Quart	1.65	1.70	1.80	1.75	1.80	2.10
Cresta Blanca			Fifth	1.25	1.25	1.35	1.30	1.30	1.40
Dubonnet			Quart	1.60	1.65	1.75	1.75	1.75	1.85
Garrett's			Fifth	1.15	1.15	1.25	1.20	1.25	1.35
Garrett's	(Tawny)		Fifth	1.15	1.15	1.25	1.20	1.25	1.35
Gianini	Special reserve		Quart	1.45	1.45	1.55	1.50	1.55	1.65
Gianini	Private stock		Fifth	1.60	1.60	1.70	1.65	1.65	1.75
Italian Swiss Colony			Fifth	1.25	1.30	1.35	1.35	1.35	1.45
Italian Swiss	Private stock		Fifth	1.65	1.65	1.75	1.70	1.70	1.80
Kopke	(Import)		Fifth	2.50	2.60	2.80	2.70	2.75	2.85
Merito Ruby	(Import)		Fifth	2.55	2.60	2.70	2.65	2.65	2.75
Robertson Privateer	Portugal		Fifth	3.75	3.80	3.90	3.90	3.90	4.05
Robertson Pyramid	Portugal		Fifth	4.80	4.80	4.90	4.90	4.80	5.05
Roma V. S.	(Sweet)		Fifth	1.25	1.25	1.35	1.30	1.30	1.40
Royal Host			Fifth	1.25	1.30	1.35	1.35	1.35	1.45
Royal Host	(White)		Fifth	1.25	1.30	1.35	1.35	1.35	1.45
San Benito			Fifth	1.20	1.25	1.35	1.35	1.35	1.45
Santo Thomas	Mexico		Fifth	2.30	2.35	2.45	2.40	2.40	2.60
Souza			Fifth	2.40	2.40	2.50	2.50	2.50	2.70
Vinters Select	(Red or white)		Fifth	1.05	1.10	1.15	1.15	1.15	1.25
STILL WINES—SAUTERNE									
Cella's	Private stock		Fifth	1.40	1.40	1.50	1.45	1.45	1.55
Cresta Blanca			Fifth	1.25	1.30	1.35	1.35	1.35	1.45
Cresta Blanca	(Haute Sauterne)		Fifth	1.30	1.35	1.45	1.40	1.40	1.50
Don Mariano			24 oz.	1.00	1.05	1.10	1.10	1.10	1.20
Garrett's	(VirginiaDare)		Fifth	1.10	1.10	1.20	1.15	1.20	1.25
Gianini	Special Reserve		Gallon	3.35	3.45	3.75	3.75	3.80	4.20
Gianini	Special Reserve		Fifth	.90	.95	1.05	1.00	1.00	1.10
Italian Swiss Colony			Fifth	1.05	1.10	1.20	1.15	1.15	1.25
Italian Swiss Colony	(Haute Sauterne)		Fifth	1.05	1.10	1.20	1.15	1.15	1.25
Roma	(Dry Sauterne)		Fifth	1.20	1.20	1.30	1.25	1.25	1.35
Royal Host			Fifth	1.10	1.15	1.25	1.20	1.20	1.30
San Benito			Fifth	1.00	1.05	1.10	1.10	1.10	1.20
Santo Thomas	Mexico		Fifth	2.35	2.35	2.45	2.40	2.45	2.60
Vinters Select			Fifth	.85	.90	1.00	.95	.95	1.05
STILL WINES—RHINE									
Roma	(Dry Rhine)		Fifth	1.20	1.20	1.30	1.25	1.25	1.35
Royal Host			Fifth	1.05	1.10	1.15	1.10	1.15	1.25
STILL WINES—RED									
Garrett's	(Virginia Dare)		Fifth	1.15	1.15	1.25	1.20	1.25	1.30
Belle Isle			Quart	1.15	1.15	1.25	1.20	1.25	1.30
Belle Isle			Pint	.60	.65	.70	.70	.70	.75
Lyons Chateau			Fifth	1.60	1.60	1.70	1.65	1.70	1.75
Washington State Belle Isle—Vin Rouge.			Gallon	3.60	3.70	4.00	3.95	4.05	4.45
STILL WINES—SHERRY									
Bartala	(Import)		Fifth	2.50	2.55	2.60	2.65	2.65	2.75
Cella's	Private Stock		Fifth	1.40	1.45	1.55	1.50	1.50	1.60
Cresta Blanca			Quart	1.65	1.70	1.80	1.75	1.80	2.10
Cresta Blanca			Fifth	1.25	1.25	1.35	1.30	1.30	1.40
Garrett's	(Virginia Dare)		Fifth	1.10	1.10	1.20	1.15	1.20	1.25
Gianini	Private Stock		½ gallon	2.90	2.95	3.15	3.15	3.15	3.40
Gianini	Special Reserve		Quart	1.45	1.50	1.60	1.55	1.55	1.65
Gianini	Private stock		Fint	1.60	1.60	1.70	1.65	1.65	1.75
Hartley Dry			Fifth	1.60	1.65	1.70	1.65	1.70	1.80
Italian Swiss	Private stock		Fifth	1.65	1.65	1.75	1.70	1.70	1.80
Merito	(Import)		Fifth	2.40	2.45	2.55	2.50	2.50	2.65
Nelson's	(Import)		Fifth	2.30	2.35	2.45	2.40	2.45	2.55
Roma V. S.	(Sweet Sherry)		Fifth	1.25	1.25	1.35	1.30	1.30	1.40
San Benito			Fifth	1.20	1.25	1.35	1.35	1.35	1.45
Santo Thomas	Mexico		Fifth	2.30	2.35	2.45	2.40	2.40	2.60
W. & H. Pondo	(Import)		Fifth	3.65	3.75	3.85	3.80	3.85	4.00
STILL WINES—TOKAY									
Gianini	Private stock		Fifth	1.60	1.60	1.70	1.65	1.65	1.75
Gianini	Special Reserve		Quart	1.45	1.45	1.55	1.50	1.55	1.65
San Benito			Fifth	1.20	1.25	1.35	1.35	1.35	1.45
Vinters Select			Fifth	1.05	1.10	1.15	1.15	1.15	1.25
STILL WINES—WHITE									
Belle Isle			Quart	1.10	1.10	1.20	1.15	1.20	1.25
Belle Isle			Pint	.55	.60	.65	.65	.65	.70
Chateau Lejon			Fifth	1.60	1.60	1.70	1.65	1.65	1.75
Garrett's	(Virginia Dare)		Fifth	1.15	1.15	1.25	1.20	1.25	1.30
Lyons Chateau			Fifth	1.55	1.55	1.65	1.60	1.65	1.70
Mousseux Ex Dry			Fifth	3.85	3.85	4.00	3.90	3.95	4.05
Santo Thomas	Mexico		Fifth	2.25	2.30	2.40	2.35	2.35	2.75
Washington State Belle Isle			Gallon	3.60	3.70	4.00	3.95	4.05	4.45
MISCELLANEOUS WINES									
Cella (dry)	Private stock		Fifth	1.40	1.40	1.50	1.45	1.45	1.55
Dubonnet			Fifth	2.05	2.05	2.15	2.15	2.20	2.30
Roma	(Dry Zinfandel)		Fifth	1.20	1.20	1.20	1.25	1.25	1.35
Roma V. S.	(Dry)		Fifth	1.20	1.20	1.30	1.25	1.30	1.35
Simi Vineyard	(Zinfandel)		Fifth	1.30	1.25	1.30	1.30	1.25	1.45

See footnotes on p. 5489.

[1] Zone 1 includes the area lying within the boundaries of the 1st Judicial Division, more particularly designated as all that part of the Territory of Alaska lying east of the one hundred and forty-first meridian of west longitude.

[2] Zone 2 includes all points on the Gulf of Alaska west of Zone 1, all of Kodiak Island, all points on the west coasts of Shelikoff Strait and Kamishak Bay, and all points on Cook Inlet with the exception of Anchorage (including Cordova, Valdez, Seward, Seldovia, Illiamna and Hope).

[3] Zone 3 includes all points on the northern coast of the Alaska Peninsula, on Bristol Bay on Kuskokwim Bay on the Kuskokwim River north to Akiak, on the Bering Sea, on Norton Sound, on Bering Strait and on Kotzebue Sound (including Eegeik, Naknek, Dillingham, Togiak, Quinkagak, Bethel, Fort St. Michael, St. Michael, Nome, Shishmaref, Deering, and Kotzebue).

[4] Zone 4 includes all points on the Alaska Railroad north of Seward to and including Anchorage.

[5] Zone 5 includes all points on the Alaska Railroad north of Anchorage and south of Curry.

[6] Zone 6 includes Curry, Nenana, Fairbanks and all points on the Alaska Railroad north of Curry.

This amendment shall become effective May 29, 1944.

(56 Stat. 78, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7378; Filed, May 23, 1944; 11:25 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14B[1] to GMPR,[2] Corr. to Amdt. 2]

BREAD AND BAKERY PRODUCTS

Amendment 2 to Supplementary Regulation 14B to the General Maximum Price Regulation is corrected in the following respects:

The reference in Item No. 3 to "section 7 (b)" is corrected to read "section 8 (b)."

This correction shall become effective on May 23, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7379; Filed, May 23, 1944; 11:23 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

CHERAW RECREATIONAL DEMONSTRATION LANDS, S. C.

TRANSFER OF ADMINISTRATION FROM NATIONAL PARK SERVICE TO FISH AND WILDLIFE SERVICE

Pursuant to the authority contained in the act of June 6, 1942 (56 Stat. 326), *It is ordered*, That, subject to existing leases, licenses, and easements, administrative jurisdiction over the following described lands within the Cheraw Recreational Demonstration Project in the County of Chesterfield, State of South Carolina, together with the improvements thereon, is hereby transferred from the National Park Service to the Fish and Wildlife Service for use by the said Fish and Wildlife Service as a fish-cultural station:

(All bearings in this description are turned from the true meridian.)

Beginning at Corner 1, common to other land of the United States (the R. A. Kerr tract) in the southeasterly right-of-way boundary, 37.5 feet distant from the center line, of U. S. Highway No. 1, 4.25 miles southwesterly of the westerly city limits of the town of Cheraw, at the northwest edge of timber and brush, now monumented by a standard concrete post No. 2; thence with 7 lines common to other land of the United States, S. 6°45' E., 60.46 chains to Corner 2, in the southerly boundary of the Hattie S. McKay tract in the center of Juniper Creek, a point, from which a standard concrete post No. 1 set for a witness corner bears N. 6°45' W., 0.468 chain distant; with 26 courses, with part of the south boundary of the Hattie S. McKay tract, up the center of Juniper Creek with the meanders thereof, S. 76°37' W., 1.20 chains; S. 57°16' W., 2.04 chains; S. 4°55' E., 1.70 chains; N. 47°35' W., 1.28 chains; S. 85°27' W., 4.43 chains; N. 43°07' W., 3.50 chains; S. 66°28' W., 1.29 chains; N. 44°54' W., 2.37 chains; S. 54°29' W., 1.07 chains; S. 52°53' E., 0.75 chain; S. 36°03' W., 1.32 chains; N. 15°37' W., 0.72 chain; S. 72°26' W., 2.57 chains; N. 40°15' W., 2.39 chains; S. 46°49' W., 2.95 chains; N. 40°30' W., 1.14 chains; S. 68°15' W., 1.17 chains; S. 46°19' E., 0.90 chain; S. 57°11' W., 3.55 chains; N. 5°59' W., 0.97 chain; S. 80°23' W., 3.40 chains; S. 29°27' W., 1.24 chains; N. 52°35' W., 1.27 chains; S. 78°36' W., 5.45 chains; S. 26°39' W., 0.98 chain; S. 57°06' W., 1.73 chains to Corner 3, in the center of Juniper Creek on the east side of and 25 feet distant from the center line of the bridge in the public road from Society Hill to Chesterfield, a point, from which a standard concrete post No. 4 set for a witness corner bears N. 21°06' W., 0.372 chain distant; with 5 courses parallel with and 25 feet distant easterly from the center line of said road, with the west boundary of the Hattie S. McKay tract, N. 21°06' W., 1.908 chains to Corner 4, now monumented by a ¾" x 60" iron rod set 30" in the ground; N. 29°28' W., 1.856 chains to Corner 5, now monumented by a 1¼" x 48" iron pipe set 22" in the ground; N. 38°07' W., 2.466 chains to Corner 6, now monumented by a 1" x 42" iron pipe set 20" in the ground; N. 49°03' W., 1.323 chains to Corner 7, now monumented by a ¾" x 36" iron rod set 28" in the ground; N. 45°06' W., 17.73 chains to Corner 8, common to land of Doc Powe, a corner of the Hattie S. McKay tract, on the east side, 25 feet distant from the center line of the public road from Society Hill to Chesterfield, now monumented by a 6" x 6" concrete monument; thence N. 11°33' W., with land of Doc Powe, with a line of the Hattie S. McKay tract, 5.36 chains to Corner 9, at the intersection of the west boundary of the Hattie S. McKay tract with the southeasterly right-of-way boundary, 37.5 feet distant from the center line of U. S. Highway No. 1, now monumented by a standard concrete post No. 3; thence with 7 lines along the southeasterly right-of-way boundary, 37.5 feet distant from the center line, of U. S. Highway No. 1 with the meanders thereof, N. 51°06' E., 0.27 chain; N. 50°20' E., 1.24 chains; N. 49°57' E., 1.22 chains; N. 49°31' E., 1.21 chains; N. 49°12' E., 1.19 chains; N. 48°45' E., 1.23 chains; N. 48°29' E., 57.51 chains to the place of beginning, containing 206.10 acres, more or less.

Dated: April 18, 1944.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

Approved: May 10, 1944,

FRANKLIN D ROOSEVELT,
The White House.

[F. R. Doc. 44-7343; Filed, May 23, 1944; 9:40 a. m.]

[1] 8 F.R. 16794; 9 F.R. 584; 9 F.R. 4896.

[2] 9 F.R. 1385, 5169.

Notices

FEDERAL TRADE COMMISSION.

[Docket No. 5135]

AMERICAN CHEMICAL PAINT CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of May, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, May 29, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 3050, William Penn Annex, 9th and Market Streets, Philadelphia, Pa.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-7382; Filed, May 23, 1944; 11:30 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70–A, Special Permit 259]

Reconsignment of Potatoes at Chicago, Ill.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, May 18, 1944, by Bacon Brothers Company of Car FGE 37782, potatoes, now on the Chicago Produce Terminal to National Produce Company, Gary, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May 1944.

V. C. Clinger,
Director,
Bureau of Service.

[F. R. Doc. 44–7344; Filed, May 23, 1944; 11:11 a. m.]

[S. O. 70–A, Special Permit 260]

Reconsignment of Potatoes at Atlanta, Ga.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Atlanta, Georgia, May 18 or 19, 1944, of car PGE 38185, potatoes, now on the Southern Railway to Columbus, Georgia.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C. this 18th day of May 1944.

V. C. Clinger,
Director,
Bureau of Service.

[F. R. Doc. 44–7345; Filed, May 23, 1944; 11:11 a. m.]

[S.O. 70–A, Special Permit 261]

Reconsignment of Onions at Atlanta, Ga.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Atlanta, Georgia, May 18 or 19, 1944, of car WFEX 61323, onions, now on the N. C. & St. L. Railroad to Tampa, Florida.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May 1944.

V. C. Clinger,
Director,
Bureau of Service.

[F. R. Doc. 44–7346; Filed, May 23, 1944; 11:11 a. m.]

[S. O. 70–A, Special Permit 262]

Reconsignment of Potatoes at Ripley, Tenn.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Ripley, Tennessee, March 1, 1944, by Valley Produce Company of Ripley (2222), potatoes, then on the Illinois Central, to Tri-State Brokerage Company, Memphis, Tennessee.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of May 1944.

V. C. Clinger,
Director,
Bureau of Service.

[F. R. Doc. 44–7347; Filed, May 23, 1944; 11:11 a. m.]

[S. O. 70–A, Special Permit 263]

Reconsignment of Potatoes at Kansas City, Mo.-Kans.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, May 19, 1944, by E. E. Fadler Company, of car SFRD 21423, potatoes, now on the Union Pacific Railroad, to Des Moines, Iowa. (Wabash)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of May 1944.

V. C. Clinger,
Director,
Bureau of Service.

[F. R. Doc. 44–7348; Filed, May 23, 1944; 11:11 a. m.]

[S. O. 70–A, Special Permit 264]

Reconsignment of Louisiana Potatoes at Chicago, Ill.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, May 19, 1944, of car PGE 38947, Louisiana potatoes, now on the Baltimore & Ohio Railroad to [illegible]

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of May 1944.

V. C. Clinger,
Director,
Bureau of Service.

[F. R. Doc. 44–7349; Filed, May 23, 1944; 11:11 a. m.]

[S. O. 70–A, Special Permit 265]

Reconsignment of Tomatoes at Kansas City, Mo.-Kans.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, May 19, 1944, by L. Yukon and Sons Company of car SFRD 26073, tomatoes, now on the Missouri Pacific Railroad, to Chicago, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of May 1944.

V. C. Clinger,
Director,
Bureau of Service.

[F. R. Doc. 44–7350; Filed, May 23, 1944; 11:12 a. m.]

[S. O. 164, Cancelation of Gen. Permit 8]

Refrigeration of Citrus Fruits from Arizona, California and Texas

[illegible]

[S. O. 164, Cancelation of Gen. Permit 9]

Reicing of Citrus Fruits From Arizona, California and Texas

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943:

General Permit No. 9 under Service Order No. 164, as amended, is hereby canceled, effective at 12:01 a. m., May 20, 1944.

A copy of this revocation has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this revocation shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May 1944.

V. C. Clinger,
Director,
Bureau of Service.

[F. R. Doc. 44–7353; Filed, May 23, 1944, 11:12 a. m.]

[S. O. 164, Cancelation of Gen. Permit 10]

Reicing of Citrus Fruits at Points in Designated Southern States

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943:

General Permit No. 10 under Service Order No. 164, as amended, is hereby canceled, effective at 12:01 a. m., May 20, 1944.

A copy of this revocation has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this revocation shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May 1944.

V. C. Clinger,
Director,
Bureau of Service.

[F. R. Doc. 44–7354; Filed, May 23, 1944; 11:13 a. m.]

[S. O. 164, Cancelation of Gen. Permit 12]

Refrigeration of Citrus Fruits From Arizona and California

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943:

General Permit No. 12 under Service Order No. 164, as amended, is hereby canceled, effective at 12:01 a. m., May 20, 1944.

A copy of this revocation has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this revocation shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May 1944.

V. C. Clinger,
Director,
Bureau of Service.

[F. R. Doc. 44–7355; Filed, May 23, 1944; 11:13 a. m.]

[S. O. 164, Cancelation of Gen. Permit 13]

Reicing of Navel Oranges in Designated Western and Southern States

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943:

General Permit No. 13 under Service Order No. 164, as amended, is hereby canceled, effective at 12:01 a. m., May 20, 1944.

A copy of this revocation has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this revocation shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May 1944.

V. C. Clinger,
Director,
Bureau of Service.

[F. R. Doc. 44–7356; Filed, May 23, 1944; 11:13 a. m.]

[S. O. 164, Cancelation of Gen. Permit 16]

Refrigeration of Grapefruit in Arizona and California

Pursuant to the authority vested in me

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 259]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, May 18, 1944, by Bacon Brothers Company of Car FGE 37782, potatoes, now on the Chicago Produce Terminal to National Produce Company, Gary, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7344; Filed, May 23, 1944; 11:11 a. m.]

[S. O. 70-A, Special Permit 260]

RECONSIGNMENT OF POTATOES AT ATLANTA, GA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Atlanta, Georgia, May 18 or 19, 1944, of car PGE 34153, potatoes, now on the Southern Railway to Columbus, Georgia.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C. this 18th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7345; Filed, May 23, 1944; 11:11 a.m.]

[S.O. 70-A, Special Permit 261]

RECONSIGNMENT OF ONIONS AT ATLANTA, GA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Atlanta, Georgia, May 18 or 19, 1944, of car WFEX 61323, onions, now on the N. C. & St. L. Railroad to Tampa, Florida.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7346; Filed, May 23, 1944; 11:11 a. m.]

[S. O. 70-A, Special Permit 262]

RECONSIGNMENT OF POTATOES AT RIPLEY, TENN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Ripley, Tennessee, March 1, 1944, by Valley Produce Company, of SFRD 35232, potatoes, then on the Illinois Central, to Tri-State Brokerage Company, Memphis, Tennessee.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7347; Filed, May 23, 1944; 11:11 a. m.]

[S. O. 70-A, Special Permit 263]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, May 19, 1944, by E. E Fadler Company, of car SFRD 21423, potatoes, now on the Union Pacific Railroad, to Des Moines, Iowa. (Wabash)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7348; Filed, May 23, 1944; 11:11 a. m.]

[S. O. 70-A, Special Permit 264]

RECONSIGNMENT OF LOUISIANA POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, May 19, 1944, by Bacon Brothers Company of car FGE 28847, Louisiana potatoes, now on the Chicago Produce Terminal to Banner Tea Company, Burlington, Iowa.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7349; Filed, May 23, 1944; 11:11 a. m.]

[S. O. 70-A, Special Permit 265]

RECONSIGNMENT OF TOMATOES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, May 19, 1944, by L. Yukon and Sons Company of car SFRD 26073, tomatoes, now on the Missouri Pacific Railroad, to Chicago, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7350; Filed, May 23, 1944; 11:12 a. m.]

[S. O. 164, Cancelation of Gen. Permit 8]

REFRIGERATION OF CITRUS FRUITS FROM ARIZONA, CALIFORNIA AND TEXAS

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943:

General Permit No. 8 under Service Order No. 164, as amended, is hereby canceled, effective at 12:01 a. m., May 20, 1944.

A copy of this revocation has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement; and notice of this revocation shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7352; Filed, May 23, 1944; 11:12 a. m.]

[S. O. 164, Cancelation of Gen. Permit 9]

REICING OF CITRUS FRUITS FROM ARIZONA, CALIFORNIA AND TEXAS

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943:

General Permit No. 9 under Service Order No. 164, as amended, is hereby canceled, effective at 12:01 a. m., May 20, 1944.

A copy of this revocation has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this revocation shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7353; Filed, May 23, 1944, 11:12 a. m.]

[S. O. 164, Cancelation of Gen. Permit 10]

REICING OF CITRUS FRUITS AT POINTS IN DESIGNATED SOUTHERN STATES

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943:

General Permit No. 10 under Service Order No. 164, as amended, is hereby canceled, effective at 12:01 a. m., May 20, 1944.

A copy of this revocation has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this revocation shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7354; Filed, May 23, 1944; 11:12 a. m.]

[S. O. 164, Cancelation of Gen. Permit 12]

REFRIGERATION OF CITRUS FRUITS FROM ARIZONA AND CALIFORNIA

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943:

General Permit No. 12 under Service Order No. 164, as amended, is hereby canceled, effective at 12:01 a. m., May 20, 1944.

A copy of this revocation has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this revocation shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7355; Filed, May 23, 1944; 11:13 a. m.]

[S. O. 164, Cancelation of Gen. Permit 13]

REICING OF NAVEL ORANGES IN DESIGNATED WESTERN AND SOUTHERN STATES

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943:

General Permit No. 13 under Service Order No. 164, as amended, is hereby canceled, effective at 12:01 a. m., May 20, 1944.

A copy of this revocation has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this revocation shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7356; Filed, May 23, 1944; 11:13 a. m.]

[S. O. 164, Cancelation of Gen. Permit 16]

RECEIVING OF GRAPEFRUIT IN ARIZONA AND CALIFORNIA

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943:

General Permit No. 16 under Service Order No. 164, is hereby canceled, effective at 12:01 a. m., May 20, 1944.

A copy of this revocation has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this revocation shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May, 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7357; Filed, May 23, 1944; 11:13 a. m.]

[S. O. 164, Cancelation of Gen. Permit 17]

REFRIGERATION OF GRAPEFRUIT OR MIXED CITRUS FRUITS FROM TEXAS

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943:

General Permit No. 17 under Service Order No. 164, as amended, is hereby canceled, effective at 12:01 a. m., May 20, 1944.

A copy of this revocation has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this revocation shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7358; Filed, May 23, 1944; 11:13 a. m.]

[S. O. 164, Cancelation of Gen. Permit 18]

REICING OF CITRUS FRUITS IN TEXAS

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943:

General Permit No. 18 under Service Order No. 164, as amended, is hereby canceled, effective at 12:01 a. m., May 20, 1944.

A copy of this revocation has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this revocation shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7359; Filed, May 23, 1944; 11:13 a. m.]

[S. O. 200, Amended Gen. Permit 5]

ICING AND REICING OF POTATOES FROM SOUTH CAROLINA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes originating at any point in the state of South Carolina: at the carriers option, to accord the first or initial icing at a regular icing station en route after the car is loaded and billed; and to reice in transit one time only, to full bunker capacity at any regular icing station en route beyond the station where car was initially iced.

This general permit shall become effective at 12:01 a.m., May 21, 1944, and the icing and reicing authorized herein may be accorded on such refrigerator cars moving at that time. This general permit shall expire with June 30, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7360; Filed, May 23, 1944; 11:13 a. m.]

[S. O. 200, Special Permit 12]

REICING OF POTATOES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only at Kansas City, Missouri-Kansas, to full bunker capacity, for account of the U. S. Government, car PFE 92834, potatoes, now on the Union Pacific Railroad, shipped May 17, 1944, from Denver, Colorado, to Barksdale Field, Louisiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7361; Filed, May 23, 1944; 11:14 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 506, Order 1]

NATIONAL MITTEN WORKS

AUTHORIZATION OF MAXIMUM PRICES

Order No. 1 under section 4 (b) of Revised Maximum Price Regulation 506. Maximum prices for staple work gloves. Granting maximum prices to the National Mitten Works and other sellers. Docket No. N6657-506-13-7.

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) On and after May 22, 1944, the National Mitten Works, Kokomo, Indiana, may sell and deliver to any purchaser, and such purchaser may buy from it, the staple work glove numbers enumerated in the following table at or below the prices set forth in Column A of this table. Wholesalers who purchase these numbers from the National Mitten Works may make "regular sales" at wholesale of such gloves, at or below the prices set forth in Column B of the table. Ceiling prices for "special sales" at wholesale shall be determined in accordance with section 3 (b) of Revised Maximum Price Regulation 506.

Style	Glove description	Column A Manufacturer's prices		Column B
		Group I ceiling	Group II ceiling	Wholesalers' prices
52K	Men's clute cut, processed 20 ounce nap out canton flannel material palm, 8 ounce white canton flannel back, knit wrist.	$2.40	$2.62½	$2.90
52X	Men's clute cut, processed 20 ounce nap out canton flannel material palm, 8 ounce white canton flannel back, double gauntlet cuff.	2.97½	3.25	3.57½
26BTD	Men's clute cut, processed 24 ounce nap out canton flannel material palm, canton flannel back, band top.	3.20	3.50	3.85
262KP	Men's gunn cut, two thumb, 12 ounce white nap out staple thickness canton flannel back and palm, 8 ounce flannel thumb patch, knit wrist.	2.22½	2.40	2.67½

(b) The maximum prices authorized in paragraph (a) are subject to the following:

(1) The instructions for manufacturers and wholesalers which preface the tables in Appendix A of RMPR 506;

(2) The provisions in section 4 (a) of RMPR 506 with respect to a manufacturer's "wholesale percentage", and the quota of deliveries which must be made at Group I prices;

(3) The marking and informational requirements of section 6 (b) of RMPR 506. In addition to these requirements, the National Mitten Works, on all deliveries of the style numbers listed in paragraph (a), made pursuant to this order, on and after May 22, 1944, must place the letter "S" following the lot number or brand name stated on the label, ticket, or other device used to mark the gloves.

(c) The definitions in RMPR 506 shall apply to this order.

(d) The National Mitten Works must furnish each of its customers, who, on or after February 9, 1944, purchased or purchases the style numbers listed in paragraph (a) for purposes of resale, a notice in the form set forth below. The National Mitten Works must also notify each such customer (other than a seller at retail) that he is required in turn to transmit to his customers a copy of the notice set forth below. The notice may be attached to the invoice or may be stamped or printed on the invoice.

This notice is sent to you as required by Order No. under section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for the work glove numbers enumerated in the table below, manufactured by the National Mitten Works.

OPA has ruled that the National Mitten Works may sell these numbers at or below the prices listed in Column A below, subject to the provisions of section 4 (a) of RMPR 506 with respect to the quota of deliveries which must be made at Group I prices. Wholesalers in turn are authorized to make regular sales at wholesale of these numbers at or below the prices listed in Column B. Retailers will determine their ceiling prices on these numbers in accordance with section 2 of RMPR 506.

Style number	Column A Manufacturer's prices		Column B
	Group I ceiling	Group II ceiling	Wholesalers' prices
52K	$2.40	$2.62½	$2.90
52X	2.97½	3.25	3.57½
26BTD	3.20	3.50	3.85
262KP	2.22½	2.40	2.67½

You will note that the letter "S" follows the manufacturers' lot number or brand name. This letter indicates that these gloves have been especially priced by OPA under section 4 (b).

(e) This Order No. 1 under Revised Maximum Price Regulation 506 may be revoked or amended by the Price Administrator at any time. The authorization granted the National Mitten Works by this order for style numbers 52K, 52X, and 26BTD shall expire on July 31, 1944.

(f) On all deliveries of the work glove numbers listed in paragraph (a) since February 9, 1944 pursuant to OPA adjustable pricing authorizations, the National Mitten Works must refund to its customers any monies collected in excess of the ceiling prices authorized in this order. Within thirty days from the effective date of this order, the National Mitten Works shall send to OPA, Washington, D. C., a notification of the steps it has taken to comply with the provisions of this paragraph (f) of this order.

This order shall become effective May 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of May 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-7304; Filed, May 22, 1944; 11:39 a. m.]

[MPR 136, Rev. Order 146]

CHRYSLER CORPORATION

ORDER GRANTING ADJUSTMENT

Revised Order No. 146 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Chrysler Corporation. Docket No. 3136-369.

Order No. 146 under Maximum Price Regulation 136, is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended and Executive Orders 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered:*

(a) The maximum prices for sales of the following marine engines by the Chrysler Corporation, Detroit, Michigan, shall be as follows:

CROWN MARINE ENGINE

Gear ratio	Standard rotation	Opposite rotation
Reverse	$397.00	$397.00
1.43	440.00	441.00
1.95	448.00	449.00
2.56	455.00	----------
3.46	484.00	----------

ROYAL MARINE ENGINE

Reverse	$522.00	$525.00
1.43	598.00	600.00
2.03	613.00	615.00
2.51	628.00	630.00
4.48	718.00	720.00

(b) Dealers of Chrysler Corporation may increase their maximum prices for the marine engines listed above by an amount equal to the dollar amount of the increase for each marine engine granted to Chrysler Corporation by this order.

(c) The Chrysler Corporation shall notify its dealers of the increase in the dealer's maximum price authorized by this order. If the dealer has no reason to doubt the validity of the notification received from the manufacturer, he may rely on that notification.

(d) All requests in the application not granted in this order are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 23, 1944.

Issued this 22d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7332; Filed, May 22, 1944; 2:59 p. m.]

Regional and District Office Orders.

[Region I Order G-16 Under RMPR 122, Amdt. 3]

SOLID FUELS IN BROCKTON, MASS., AREA

Amendment No. 3 to Order No. G-16 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; Brockton, Massachusetts, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (13) is added to paragraph (g) of Region I Order G-16 under Revised Maximum Price Regulation No. 122, to read as follows:

(g) *Definitions.* When used in this Order G-16, the term:

* * * * *

(13) "Coke" shall include only coke produced by the following producers:

New England Coke Co., or its affiliated producing company at their plant located in Everett, Massachusetts. Providence Gas Company, Providence, Rhode Island. Brockton Gas Company, Brockton, Massachusetts.

All other coke shall be priced under the appropriate provision of Revised Maximum Price Regulation No. 122.

This Amendment No. 3 shall become effective May 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 17th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-7333; Filed, May 22, 1944; 2:59 p. m.]

[Region IV Order G-3 Under RMPR 122, Amdt. 2]

SOLID FUELS IN FULTON AND DEKALB COUNTIES, GA.

Amendment No. 2 to Order No. G-3 under Revised Maximum Price Regulation No. 122. Solid fuels sold and deliv-

ered by dealers. Maximum prices for solid fuels in Fulton and DeKalb Counties in the State of Georgia.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and paragraph (i) of Order No. G–3 thereunder, *It is hereby ordered*, That to the prices provided in section (c) (1) as amended of said order there may be added for lump, chunk, or block coal, egg coal, and nut and slack coal the sum of 15¢ per ton, 8¢ per ½ ton, and 4¢ per ¼ ton.

This Amendment No. 2 to Order No. G–3 shall become effective May 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 17, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44–7335; Filed, May 22, 1944; 3:00 p. m.]

[Region IV Order G–35 Under 18 (c)]

FIREWOOD IN RICHLAND, LEXINGTON, AND FAIRFIELD COUNTIES, S. C.

Order No. G–35 under § 1499.18 (c) of the General Maximum Price Regulation. Firewood sold in Richland, Lexington, and Fairfield Counties in the State of South Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and by General Order No. 32, it is hereby ordered:

(a) *Maximum prices.* On and after the effective date of this order, the maximum prices for firewood sold and delivered in the Counties of Richland, Lexington, and Fairfield, South Carolina, shall be as set forth below:

(1) Sales at retail of firewood sawed and split into pieces which may vary from twelve to eighteen inches in length: $9.00 per cord, $4.75 per ½ cord, and $2.40 per ¼ cord.

(2) Firewood of any length sold other than at retail: $6.00 per cord.

(3) The above prices include delivery to the purchaser's premises and other services incident to the sale of firewood customarily performed by the seller in March 1942.

(b) *Terms.* All credit terms, discounts, allowances, and price differentials offered by the seller during March 1942, shall be maintained.

(c) *Definitions.* When used in this order the terms:

(1) "Firewood" means any wood, other than kindling, prepared and intended for consumption as fuel.

(2) A "cord" shall contain 128 cubic feet of wood.

(3) All other terms used unless the context otherwise requires shall be construed in accordance with § 1499.20 of the General Maximum Price Regulation.

(d) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale,

(2) The name and address of the buyer and seller,

(3) The quantity of firewood sold,

(4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e., hard, soft or mixed, and length of pieces of wood.)

(5) Place of sale. (If the price is dependent on place of delivery, then the place of delivery shall be stated.)

(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered, such as delivery, carrying and stacking, and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years and such copy shall be made available for inspection by the Office of Price Administration.

(e) *Applicability of South Carolina State Office Price Order No. 1, Firewood:* This order supersedes and hereby revokes South Carolina State Office Price Order No. 1 as of the effective date of this order.

(f) This order may be revoked or amended by the Regional Administrator at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–35 shall become effective May 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 17, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44–7336; Filed, May 22, 1944; 3:00 p. m.]

[Region I Order G–39 Under 18 (c)]

FIREWOOD IN NEW HAMPSHIRE

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 18 (c) of the General Maximum Price Regulation, as amended by Amendment 33; *It is hereby ordered:*

(a) For firewood sold and delivered in the State of New Hampshire the maximum prices established by § 1499.2 of the General Maximum Price Regulation are modified so that the maximum prices for firewood sold and delivered therein shall be the prices specified in paragraph (i), Appendix A, of this order.

(b) The following shall be the only units for the sale, delivery, purchase, or acceptance of firewood in the State of New Hampshire:

(1) *A cord or multiples thereof.* Firewood may be sold in units of a quarter of a cord, one-third of a cord, or one-half of a cord. Multiples of a quarter of a cord or of one-third of a cord, not herein mentioned, may not be used as units of sale.

(i) A cord of four foot firewood shall contain a standard cord.

(ii) A cord of 24-inch firewood shall contain the quantity of 24-inch wood cut from a standard cord but not less than 104 cubic feet of 24-inch wood when compactly piled.

(iii) A cord of 16-inch firewood shall contain the quantity of 16-inch wood cut from a standard cord but not less than 96 cubic feet of 16-inch wood when compactly piled.

(iv) A cord of 12-inch firewood shall contain the quantity of 12-inch wood cut from a standard cord but not less than 96 cubic feet of 12-inch wood when compactly piled.

(2) *A load.* Firewood not exceeding 16 inches in length may be measured and sold by the quarter-load or any multiple thereof. A load shall contain 80 cubic feet of such firewood thrown in loose. Firewood exceeding 16 inches in length shall not be sold by the load.

(3) *A basket.* Firewood in units of less than one quarter load and not exceeding 12 inches in length including but not limited to edgings, bobbin wood, clippings, slabwood and other wood waste, may be sold by the bushel: *Provided*, That the baskets or similar receptacles used shall be of one bushel or multiple thereof, New Hampshire standard dry measure, and shall be filled at least level full when well shaken.

(4) *A running cord.* Firewood in units of the "running cord of 12-inch wood" and of the "running cord of 16-inch wood," may be sold in Coos County only.

(c) *Evasion.* The price limitations set forth in this order shall not be evaded, either by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to firewood in the State of New Hampshire, alone or in conjunction with any commodity or by way of commission, service, transportation, or other charge or discount, premium, or other privilege, or by tying-agreement or other trade understanding or otherwise. Specifically, without limiting the generality of the foregoing, the following practices are forbidden:

(1) No seller shall require as a condition of any sale or delivery of such wood that the buyer use the services of the seller in carrying, stacking, or piling the purchased wood on the premises of the buyer.

(2) No seller shall increase prices by any charge for the extension of credit, or by any decrease in the time customarily allowed for payment.

(d) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale;

(2) The name and address of the buyer and seller;

(3) The quantity of firewood sold;

(4) Description of firewood sold, in the same manner as it is described in this order (This shall include the kind of wood, i. e., hard, soft or mixed, and length of pieces of wood);

(5) Place of sale (If the price is dependent on place of delivery, then the place of delivery shall be stated);

(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered, such as delivery, carrying and stacking, and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years and such copy shall be made available for inspection by the Office of Price Administration.

(e) *Definitions.* When used in this order, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or the legal successor or representative of any of the foregoing, and includes the United States, or any government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Firewood" means any wood prepared and intended for consumption as fuel.

(3) "Cordwood" means any firewood so prepared that at least 80% consists of cleft wood or merchantable body wood in the round of desirable species.

(4) "Hardwood cordwood" means cordwood cut from any deciduous tree.

(5) "Softwood cordwood" means all cordwood other than hardwood cordwood.

(6) "Fitted wood" means cordwood firewood suitable for stove use, split to buyer's order.

(7) "Slabwood" means the refuse, except sawdust and bark not adhering to the wood, from sawing any logs.

(8) "Wood waste" means edgings, bobbin wood, clippings, and any other wooden material except sawdust, shavings, "bag wood" and "slabwood," produced in the course of milling or manufacturing wood.

(9) "Standard cord" means 128 cubic feet of four-foot firewood stacked four feet high and eight feet long.

(10) "Delivered at buyer's premises, grounds only" means deposited on or at the outdoor premises designated by the buyer.

(11) "Softwood blocks" means all block clippings one and one-half inches or thicker and two inches or more in width, cut from softwood lumber. Any other "softwood blocks" shall be wood waste.

(12) "Edgings" means the round-edge parts of boards removed in the process of sawing round-edge boards into square-edge boards. "Bundled edgings" means edgings that are tied with rope, twine, wire or other similar fastening into bundles of a convenient size for handling. "Bag wood" means edgings cut into lengths of not more than 8 inches each and sold for ultimate use as kindling wood.

(13) "Running cord of 12-inch wood" means a quantity of 12-inch firewood stacked 4 feet high and 8 feet long.

(14) "Running cord of 16-inch wood" means a quantity of 16-inch firewood stacked 4 feet high and 8 feet long.

(15) "Retail yard" means any establishment where (1) firewood is customarily sold at retail, (2) an inventory is customarily maintained of not less than 10 cords of wood cut into 12-inch, 16-inch, or 24-inch lengths ready for immediate delivery to consumer-purchasers, and (3) equipment necessary for delivery of firewood is customarily maintained.

(16) Unless the context otherwise requires, the definitions set forth in section 20 of the General Maximum Price Regulation shall apply to the terms used herein.

(f) On and after its effective date, this order shall supersede New Hampshire Price Order No. 1, issued September 25, 1942, and Order No. G–1 under Supplementary Regulation 14 to the General Maximum Price Regulation which superseded said New Hampshire Price Order No. 1 on July 1, 1943, as to all sales or deliveries for which maximum prices are fixed by this order.

(g) *Petitions for amendment.* Any person seeking an amendment of any provisions of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration.

(h) This order may be revoked, amended, or corrected at any time.

(i) *Appendix A: Maximum prices for firewood.* The maximum prices for firewood sold or delivered in the State of New Hampshire shall be as follows: *Provided*, That for the sale of fitted wood the seller may add at the rate of one dollar and fifty cents ($1.50) per cord or at the rate of ninety cents (90¢) per load to the prices established below for wood delivered, *And further provided*, That the maximum price for a three-quarters, or sixty-cubic-feet, load shall be three-quarters of the maximum price for the full load of eighty cubic feet.

The classifications of firewood listed herein in Appendix A may be mixed but the maximum price of the mixture shall be the same as the maximum price of the lowest classification therein.

TABLE 1—MAXIMUM PRICES FOR FIREWOOD IN MANCHESTER, NASHUA, AND PORTSMOUTH, NEW HAMPSHIRE

	In the woods per cd.	At roadside per cd.	At mill per cd.	At retail yard per cd.	Delivered at buyer's premises, grounds only							
					F. o. b. car per cd.	Per cd.	½ cd.	¼ cd.	¼ cd.	Load 80 cu. ft.	½ load	¼ load	Bushel basket
Hardwood cordwood—4 ft	$9.00	$11.50	.....	$14.00	$13.00	$16.00	$8.00	.....	$4.25	.....	.....	.....	.....
Hardwood cordwood—12", 16", 24"	.....	13.50	.....	18.00	15.00	20.00	10.00	$7.00	5.50	[1] $10.75	[1] 5.75	[1] $3.25	[1] [2] $0.35
Softwood cordwood—4 ft	5.00	7.00	.....	8.00	8.00	10.00	5.00	.....	2.75	.....	.....	.....	.....
Softwood cordwood—12", 16", 24"	.....	9.00	.....	10.00	10.00	12.00	6.00	4.25	3.50	[1] 6.50	[1] 3.75	[1] 2.00	[2] .25
Hardwood slabwood—4 ft	.....	.....	6.00	10.00	10.00	12.00	6.00	.....	3.25	.....	.....	.....	.....
Hardwood slabwood—12", 16", 24"	.....	.....	.....	12.00	12.00	14.00	7.00	5.00	4.00	[1] 7.50	[1] 4.00	[1] 2.00	[2] .35
Softwood slabwood—4 ft	.....	.....	[3] 2.00	6.00	6.00	9.00	4.50	.....	2.50	.....	.....	.....	.....
Softwood slabwood—12", 16", 24"	.....	.....	.....	8.00	8.00	11.00	5.50	.....	3.00	[1] 6.00	[1] 3.25	[1] 1.75	[2] .25
Hardwood waste	.....	.....	[4] 5.00	.....	[4] 6.00	.....	.....	.....	.....	7.00	4.00	2.00	[2] .30
Softwood waste	.....	.....	[4] 1.00	.....	[4] 2.00	.....	.....	.....	.....	5.50	3.00	1.50	[2] .25
Softwood blocks	.....	.....	[4] 2.00	.....	[4] 3.00	.....	.....	.....	.....	4.50	2.50	1.50	[2] .25
Bundled edgings	.....	.....	4.00	.....	5.00	6.50	.....	.....	.....	[1] 5.00	[1] 2.75	[1] 1.50	[2] .25
Bag wood	$4.00 per cord f. o. b. car or truck												

[1] Load prices shall not apply to firewood exceeding 16 inches in length.
[2] Prices at retail yard or mill shall be 5 cents less in each case.
[3] 12-inch wood or less.
[4] Prices per load.
[5] This price is for softwood slabwood in any length in the mill-pit. When piled in 4-foot lengths at the mill-site, the maximum price shall be $3.50 per cord.

TABLE 1-A—MAXIMUM PRICES FOR FIREWOOD IN BERLIN AND GORHAM, NEW HAMPSHIRE

	In the woods per cd.	At roadside per cd.	At mill per cd.	At retail yard per cd.	Delivered at buyer's premises, grounds only								
					F. o. b. car per cd.	Per cd.	½ cd.	¼ cd. [1]	¼ cd.	Load 80 cu. ft.	½ load	¼ load	Bushel basket
Hardwood cordwood—4 ft.	$9.00	$11.50	.....	$15.50	$13.00	$17.50	$8.75	.....	$4.50	.....	.....	.....	.....
Hardwood cordwood—12", 16", 24"	.....	13.50	.....	17.50	15.00	19.50	9.75	$6.75	5.25	[1] $10.50	[1] $5.75	[1] $3.25	[2] $0.35
Softwood cordwood—4 ft.	5.00	7.00	.....	8.00	8.00	10.00	5.00	.....	2.75	.....	.....	.....	.....
Softwood cordwood—12", 16", 24"	.....	9.00	.....	10.00	10.00	12.00	6.00	4.25	3.50	[1] 6.50	[1] 3.75	[1] 2.00	[2] .25
Hardwood slabwood—4 ft.	.....	.....	$6.00	10.00	10.00	12.00	6.00	.....	3.25	.....	.....	.....	.....
Hardwood slabwood—12", 16", 24"	.....	.....	.....	12.00	12.00	14.00	7.00	5.00	4.00	[1] 7.50	[1] 4.00	[1] 2.00	[2] .35
Softwood slabwood—4 ft.	.....	.....	[3] 2.00	6.00	6.00	9.00	4.50	.....	2.50	.....	.....	.....	.....
Softwood slabwood—12", 16", 24"	.....	.....	.....	8.00	8.00	11.00	5.50	.....	3.00	[1] 6.00	[1] 3.25	[1] 1.75	[2] .25
Hardwood waste	.....	.....	[4] 5.00	.....	[4] 6.00	.....	.....	.....	.....	7.00	4.00	2.00	[2] .30
Softwood waste	.....	.....	[4] 1.00	.....	[4] 2.00	.....	.....	.....	.....	5.50	3.00	1.50	[2] .25
Softwood blocks	.....	.....	[4] 2.00	.....	[4] 3.00	.....	.....	.....	.....	4.50	2.50	1.50	[2] .25
Bundled edgings	.....	.....	4.00	.....	5.00	6.50	.....	.....	.....	[1] 5.00	[1] 2.75	[1] 1.50	[2] .25
Bag wood	$4.00 per cord f. o. b. car or truck												

[1] Load prices shall not apply to firewood exceeding 16 inches in length.
[2] Prices at retail yard or mill shall be 5 cents less in each case.
[3] 12-inch wood or less.
[4] Prices per load.
[5] This price is for softwood slabwood in any length in the mill-pit. When piled in 4-foot lengths at the mill-site, the maximum price shall be $3.50 per cord.
[6] Or "running cord of 16-inch wood," in Coos County only.
[7] Or "running cord of 12-inch wood," in Coos County only.

TABLE 2—MAXIMUM PRICES FOR FIREWOOD FOR ALL OTHER NEW HAMPSHIRE COMMUNITIES NOT MENTIONED IN TABLES 1 AND 1-A OF APPENDIX A

	In the woods per cd.	At roadside per cd.	At mill per cd.	At retail yard per cd.	Delivered at buyer's premises, grounds only								
					F. o. b. car per cd.	Per cd.	½ cd.	¼ cd. [1]	¼ cd.	Load 80 cu. ft.	½ load	¼ load	Bushel basket
Hardwood cordwood—4 ft.	$9.00	$11.50	.....	$14.00	$13.00	$16.00	$8.00	.....	$4.25	.....	.....	.....	.....
Hardwood cordwood—12", 16", 24"	.....	13.50	.....	16.00	15.00	18.00	9.00	$6.25	5.00	[1] $9.75	[1] $5.25	[1] $3.00	[2] $0.35
Softwood cordwood—4 ft.	5.00	7.00	.....	8.00	8.00	10.00	5.00	.....	2.75	.....	.....	.....	.....
Softwood cordwood—12", 16", 24"	.....	9.00	.....	10.00	10.00	12.00	6.00	4.25	3.50	[1] 6.50	[1] 3.75	[1] 2.00	[2] .25
Hardwood slabwood—4 ft.	.....	.....	6.00	10.00	10.00	12.00	6.00	.....	3.25	.....	.....	.....	.....
Hardwood slabwood—12", 16", 24"	.....	.....	.....	12.00	12.00	14.00	7.00	5.00	4.00	[1] 7.50	[1] 4.00	[1] 2.00	[2] .35
Softwood slabwood—4 ft.	.....	.....	[3] 2.00	6.00	6.00	9.00	4.50	.....	2.50	.....	.....	.....	.....
Softwood slabwood—12", 16", 24"	.....	.....	.....	8.00	8.00	11.00	5.50	.....	3.00	[1] 6.00	[1] 3.25	[1] 1.75	[2] .25
Hardwood waste	.....	.....	[4] 5.00	.....	[4] 6.00	.....	.....	.....	.....	7.00	4.00	2.00	[2] .30
Softwood waste	.....	.....	[4] 1.00	.....	[4] 2.00	.....	.....	.....	.....	5.50	3.00	1.50	[2] .25
Softwood blocks	.....	.....	[4] 2.00	.....	[4] 3.00	.....	.....	.....	.....	4.50	2.50	1.50	[2] .25
Bundled edgings	.....	.....	4.00	.....	5.00	6.50	.....	.....	.....	[1] 5.00	[1] 2.75	[1] 1.50	[2] .25
Bag wood	$4.00 per cord f. o. b. car or truck												

[1] Load prices shall not apply to firewood exceeding 16 inches in length.
[2] Prices at retail yard or mill shall be 5 cents less in each case.
[3] 12-inch wood or less.
[4] Prices per load.
[5] This price is for softwood slabwood in any length in the mill-pit. When piled in 4-foot lengths at the mill-site, the maximum price shall be $3.50 per cord.
[6] Or "running cord of 16-inch wood," in Coos County only.
[7] Or "running cord of 12-inch wood," in Coos County only.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective May 24, 1944.

(56 Stat., 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of May 1944.

FRANK O'NEIL,
Acting Regional Administrator.

[F. R. Doc. 44-7334; Filed, May 22, 1944; 2:59 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on May 19, 1944.

REGION II

District of Columbia Order 1-F, Amendment 6, covering certain fresh fruits and vegetables in certain areas under jurisdiction of District of Columbia Office. Filed 9:15 a. m.

Binghamton Order 1-F, Amendment 6, covering certain fresh fruits and vegetables in certain areas in New York. Filed 10:09 a. m.

Buffalo Order 1-F, Amendment 5, covering certain fresh fruits and vegetables in certain areas in New York. Filed 9:16 a. m.

Buffalo Order 2-F, Amendment 5, covering certain fresh fruits and vegetables in Rochester, East Rochester, Fairport, and Pittsford. Filed 9:21 a. m.

Syracuse Order 1-F, Amendment 5, covering certain fresh fruits and vegetables in Syracuse, N. Y. Filed 9:16 a. m.

Scranton Order 3-F, covering certain fresh fruits and vegetables in Carbon, Columbia, Lackawanna, Luserne, Monroe, Schuylkill, & Wyoming Counties, Pennsylvania. Filed 9:15 a. m.

Williamsport Order 1-F, Amendment 6, covering certain fresh fruits and vegetables in Williamsport, Duboistown, & Montoursville, Pa. Filed 9:15 a. m.

New York Order 12, Amendment 2, covering community food prices in New York, Kings, Queens, Bronx, & Richmond Counties, New York. Filed 9:22 a. m.

New York Order 13, Amendment 3, covering community food prices in Westchester and Nassau Counties, New York. Filed 9:22 a. m.

New York Order 14, Amendment 2, covering community food prices in Suffolk, Putnam, Orange, Rockland & Dutchess Counties in New York. Filed 9:24 a. m.

Trenton Order 4-F, covering fresh fruits and vegetables at retail in certain areas in New Jersey. Filed 9:22 a. m.

Philadelphia Order 1-F, Amendment 5, covering certain fresh fruits and vegetables in Philadelphia, Pennsylvania. Filed 9:26 a. m.

REGION III

Cincinnati Order 1-F, Amendment 30, covering certain fresh fruits and vegetables in Hamilton County, Ohio. Filed 10:09 a. m.

Cincinnati Order 2-F, Amendment 23, covering certain fresh fruits and vegetables in Butler, Clark, Montgomery, & Scioto Counties, Ohio. Filed 10:06 a. m.

Columbus Order 1-W, Amendment 1, covering dry groceries at wholesale in certain specified counties in Ohio. Filed 9:58 a. m.

Columbus Order 2-W, Amendment 1, covering dry groceries at wholesale in certain counties in Ohio. Filed 9:40 a. m.

Columbus Order 3-F, Amendment 22, covering certain fresh fruits and vegetables in Franklin County, Ohio. Filed 9:40 a. m.

Columbus Order 8, Amendment 7, covering community food prices in certain counties in Ohio. Filed 9:40 a. m.

Columbus Order 11, covering community food pricing of poultry at retail in certain counties in Ohio.

Lexington Order 1-F, Amendment 29, covering fresh fruits and vegetables in Fayette Co., Ky. Filed 10:07 a. m.

Lexington Order 2-F, Amendment 23, covering fresh fruits and vegetables in Campbell and Kenton Counties, Ky. Filed 10:07 a. m.

Lexington Order 3-F, Amendment 20, covering fresh fruits and vegetables in Boyd County, Ky. Filed 10:07 a. m.

Escanaba Order 9-F, Amendment 11, covering certain fresh fruits and vegetables in certain areas in Michigan. Filed 10:05 a. m.

Escanaba Order 10-F, Amendment 11, covering certain fresh fruits and vegetables in certain specified areas in Mich. Filed 9:34 a. m.

Escanaba Order 11-F, Amendment 11, covering certain fresh fruits and vegetables in Escanaba, Gladstone & Delta, Mich. Filed 9:33 a. m.

Escanaba Order 12-F, Amendment 10, covering fresh fruits and vegetables in certain designated area. Filed 9:33 a. m.

Escanaba Order 13-F, Amendment 10, covering certain fresh fruits and vegetables in certain specified areas in Michigan. Filed 9:33 a. m.

Escanaba Order 14-F, Amendment 10, covering certain fresh fruits and vegetables in certain designated areas in Michigan. Filed 9:33 a. m.

Escanaba Order 15-F, Amendment 10, covering certain fresh fruits and vegetables in certain areas in Wisconsin, and Michigan. Filed 9:33 a. m.

Escanaba Order 16-F, Amendment 10, covering certain fresh fruits and vegetables in City of Sault Ste. Marie, Chippewa County, Mich. Filed 9:33 a. m.

Escanaba Order 17-F, Amendment 9, covering certain fresh fruits and vegetables in certain areas in Michigan. Filed 9:33 a. m.

Louisville Order 1-F, Amendment 30, covering certain fresh fruits and vegetables in certain areas in Ky. and Ind. Filed 9:41 a. m.

Louisville Order 2-F, Amendment 24, covering certain fresh fruits and vegetables in Paducah & McCracken Co., Kentucky. Filed 9:41 a. m.

Louisville Order 3-F, Amendment 17, covering fresh fruits and vegetables in Daviess & Henderson Counties, Ky. Filed 9:40 a. m.

Charleston Order 1-F, Amendment 26, covering fresh fruits and vegetables in certain specified areas in W. Va. Filed 9:41 a. m.

Charleston Order 6-F, Amendment 14, covering fresh fruits and vegetables in McDowell, Mercer & Wyoming Counties, W. Va. Filed 9:42 a. m.

Charleston Order 7-F, Amendment 7, covering vegetables and fresh fruit in certain areas in W. Va. Filed 9:42 a. m.

Charleston Order 8-F, Amendment 7, covering fresh fruits and vegetables in certain counties in W. Va. Filed 9:42 a. m.

Charleston Order 10-F, Amendment 6, covering fresh fruits and vegetables in certain counties in W. Va. Filed 9:43 a. m.

REGION IV

Atlanta Order 1-F, Amendment 13, covering fresh fruits and vegetables in Bibb County, Ga. Filed 9:45 a. m.

Atlanta Order 4-F, Amendment 4, covering fresh fruits and vegetables in specified counties in Atlanta District Area.

Atlanta Order 5-F, Amendment 10, covering fresh fruits and vegetables in specified areas in Alabama. Filed 9:43 a. m.

Atlanta Order 6-F, Amendment 4, covering fresh fruits and vegetables in Metropolitan Atlanta-Decatur Trade Area, Ga. Filed 9:44 a. m.

Birmingham Order 1-F, Amendment 9, covering fresh fruits and vegetables in Jefferson County, Ala. Filed 9:34 a. m.

Jacksonville Order 3-F, Amendment 7, covering fresh fruits and vegetables in certain areas in Fla. Filed 9:59 a. m.

Jacksonville Order 6-F, Amendment 2, covering fresh fruits and vegetables in Jacksonville, Fla. Filed 10:00 a. m.

Jacksonville Order 7-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Fla. Filed 9:47 a. m.

Nashville Order 13, covering dry grocery and certain perishable items in certain counties in Va. Filed 9:31 a. m.

Richmond Order 4-F, Amendment 4, covering certain fresh fruits and vegetables in certain areas under jurisdiction of Richmond Office. Filed 9:34 a. m.

Savannah Order 1-F, Amendment 35, covering certain fresh fruits and vegetables in Chatham, Bryan, Liberty, and Effingham Counties. Filed 9:36 a. m.

Savannah Order 2-F, Amendment 30, covering certain fresh fruits and vegetables in certain counties in Ga. Filed 9:36 a. m.

Savannah Order 3-F, Amendment 28, covering certain fresh fruits and vegetables in certain specified counties. Filed 9:36 a. m.

Savannah Order 4-F, Amendment 27, covering certain fresh fruits and vegetables in Berrien, Ben Hill, Brooks, Cook, Colquitt, Irwin, Lanier, Lowndes, and Tift Counties. Filed 9:37 a. m.

Savannah Order 5-F, Amendment 8, covering certain fresh fruits and vegetables in certain named counties. Filed 9:37 a. m.

Savannah Order 14, Amendment 2, covering certain food items in certain counties in Ga. Filed 9:35 a. m.

Roanoke Order 1-F, Amendment 15, covering fresh fruits and vegetables in area under jurisdiction of Roanoke Office. Filed 10:09 a. m.

South Carolina Order 1-F, Amendment 6, covering fresh fruits and vegetables within 7 mile radius of the State House of Columbia, S. C. Filed 9:37 a. m.

South Carolina Order 2-F, Amendment 6, covering certain fresh fruits and vegetables in certain areas in S. C. Filed 9:38 a. m.

South Carolina Order 3-F, Amendment 10, covering certain fresh fruits and vegetables in certain areas in S. C. Filed 9:38 a. m.

REGION V

Arkansas Order 2-F, Amendment 11, covering certain fresh fruits and vegetables in Pulaski County, Arkansas. Filed 9:52 a. m.

Arkansas Order 3-F, Amendment 10, covering certain fresh fruits and vegetables in Craighead Co., Arkansas. Filed 9:52 a. m.

Arkansas Order 4-F, Amendment 13, covering certain fresh fruits and vegetables in Miller Co., Arkansas. Filed 9:53 a. m.

Arkansas Order 5-F, Amendment 11, covering certain fresh fruits and vegetables in Garland Co., Arkansas.

Arkansas Order 6-F, Amendment 13, covering certain fresh fruits and vegetables in Sebastian and Crawford Counties, Arkansas. Filed 9:54 a. m.

Fort Worth Order 11, Amendment 1, covering community prices for poultry in certain areas in Texas. Filed 9:17 a. m.

Fort Worth Order 12, Amendment 1, covering community prices for poultry in certain areas in Texas. Filed 9:17 a. m.

Oklahoma City Order 3-F, Amendment 17, covering fresh fruits and vegetables in certain areas in Oklahoma. Filed 9:49 a. m.

St. Louis Rev. Order 2-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Mo. Filed 9:48 a. m.

St. Louis Order 3-F, Amendment 3, covering fresh fruits and vegetables in City of St. Louis, Mo. Filed 9:48 a. m.

Houston Order 1-F, Amendment 11, covering fresh fruits and vegetables in City of Houston and Harris Co., Texas. Filed 9:48 a. m.

Houston Order 2-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Texas. Filed 9:48 a. m.

Shreveport Order 2-F, Amendment 13, covering fresh fruits and vegetables in Shreveport, Bossier City, Monroe and W. Monroe, La. Filed 9:58 a. m.

Shreveport Order 3-F, Amendment 2, covering fresh fruits and vegetables in certain parishes in La. Filed 9:58 a. m.

Shreveport Order 2-W, covering community pricing at wholesale in Shreveport, Louisiana District. Filed 10:01 a. m.

Shreveport Order G-13 under Rev. GO 51, covering dry groceries at wholesale in certain parishes in La. Filed 10:02 a. m.

Shreveport Order G-14, covering dry groceries at wholesale in certain parishes in Louisiana. Filed 10:04 a. m.

New Orleans Order 2-F, covering fresh fruits and vegetables in parishes of Orleans, St. Bernard & Jefferson in La. Filed 9:57 a. m.

Wichita Order 2-F, Amendment 3, covering fresh fruits and vegetables in Kansas with exception of certain counties. Filed 9:57 a. m.

Wichita Order 3-F, Amendment 8, covering fresh fruits and vegetables in certain specified areas. Filed 10:06 a. m.

Wichita Order G-15, Amendment 1, covering community prices for poultry in certain counties in Texas. Filed 9:56 a. m.

Wichita Order G-16, Amendment 1, covering community prices for poultry in certain counties in Texas. Filed 9:55 a. m.

Wichita Order G-17, Amendment 1, covering community prices for poultry in State of Kansas with exception of certain named counties. Filed 9:59 a. m.

Wichita Order G-18, Amendment 1, covering community prices for poultry in State of Kansas with exception of certain named counties. Filed 9:59 a. m.

Tulsa Order 5-F, Amendment 6, covering fresh fruits and vegetables in certain areas in Oklahoma. Filed 9:49 a. m.

Tulsa Order 6-F, Amendment 6, covering fresh fruits and vegetables in Muskogee and Tulsa. Filed 9:49 a. m.

Tulsa Order G-10 under Rev. General Order 51, covering community food prices in certain counties in Oklahoma. Filed 9:32 a. m.

Tulsa Order G-11 under Rev. General Order 51, covering community food prices in certain counties in Oklahoma. Filed 9:47 a. m.

REGION VI

Chicago Order 2-F, Amendment 13, covering fresh fruits and vegetables in the Chicago Metropolitan Area. Filed 9:50 a. m.

Des Moines Order 1-F, Amendment 16, covering fresh fruits and vegetables in the Des Moines Area. Filed 10:04 a. m.

Milwaukee Order 2-F, Amendment 14, covering fresh fruits and vegetables in Dane County. Filed 9:52 a. m.

Milwaukee Order 3-F, Amendment 14, covering fresh fruits and vegetables in Milwaukee County and Cities of Racine and Kenosha. Filed 9:50 a. m.

Milwaukee Order 4, Amendment 3, covering community food prices in Milwaukee County and Cities of Racine and Kenosha, Wis. Filed 9:50 a. m.

Milwaukee Order 4-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Wisconsin. Filed 9:17 a. m.

Milwaukee Order 5-F, Amendment 13, covering fresh fruits and vegetables in Sheboygan and Fond Du Lac Counties. Filed 9:50 a. m.

La Crosse Order 1-F, Amendment 15, covering fresh fruits and vegetables in La Crosse, Wisconsin & Winona, Minnesota. Filed 9:18 a. m.

La Crosse Order 3-F, Amendment 11, covering fresh fruits and vegetables in Eau Claire, & Chippewa Falls, Wis. Filed 9:20 a. m.

La Crosse Order 4-F, Amendment 11, covering fresh fruits and vegetables in Sparta, Wisconsin. Filed 9:21 a. m.

La Crosse Order 5-F, Amendment 11, covering fresh fruits and vegetables in Rochester, Minnesota. Filed 9:20 a. m.

Green Bay, Order 1-F, Amendment 14, under Rev. General Order 51, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 9:26 a. m.

REGION VII

Montana Order 5-F, Amendment 1, covering fresh fruits and vegetables in Helena and East Helena Area. Filed 9:27 a. m.

Montana Order 6-F, Amendment 1, covering fresh fruits and vegetables in Great Falls Area. Filed 9:27 a. m.

Montana Order 7-F, Amendment 1, covering fresh fruits and vegetables in Butte Area. Filed 9:27 a. m.

Montana Order 8-F, Amendment 1, covering fresh fruits and vegetables in the Billings Area. Filed 9:27 a. m.

Montana Order 9-F, Amendment 1, covering fresh fruits and vegetables in the Miles City Area. Filed 9:27 a. m.

Montana Order 10-F, Amendment 1, covering fresh fruits and vegetables in the Bozeman Area. Filed 9:28 a. m.

Montana Order 11–F, Amendment 1, covering fresh fruits and vegetables in the Missoula Area. Filed 9:28 a. m.

Montana Order 12–F, Amendment 1, covering fresh fruits and vegetables in the Kalispell Area. Filed 9:28 a. m.

Montana Order 13–F, Amendment 1, covering fresh fruits and vegetables in the Anaconda Area. Filed 9:28 a. m.

Montana Order 14–F, Amendment 1, covering fresh fruits and vegetables in the Wolf Point and Malta Area. Filed 9:29 a. m.

Montana Order 15–F, Amendment 1, covering fresh fruits and vegetables in the Glasgow Area. Filed 9:29 a. m.

Montana Order 16–F, Amendment 1, covering fresh fruits and vegetables in the Havre and Chinook Area. Filed 9:29 a. m.

Montana Order 17–F, Amendment 1, covering fresh fruits and vegetables in the Cut Bank and Shelby Area. Filed 9:29 a. m.

Montana Order 18–F, Amendment 1, covering fresh fruits and vegetables in the Hamilton Area. Filed 9:29 a. m.

Montana Order 19–F, Amendment 1, covering fresh fruits and vegetables in the Dillon Area. Filed 9:29 a. m.

Montana Order 20–F, Amendment 1, covering fresh fruits and vegetables in the Lewistown Area. Filed 9:29 a. m.

Montana Order 21–F, Amendment 1, covering fresh fruits and vegetables in the Roundup and Klein Area. Filed 9:31 a. m.

Montana Order 23–F, Amendment 1, covering fresh fruits and vegetables in the Columbus, Park City and Laurel Area. Filed 9:24 a. m.

Montana Order 24–F, Amendment 2, covering fresh fruits and vegetables in the Livingston Area. Filed 9:24 a. m.

Montana Order 25–F, Amendment 1, covering fresh fruits and vegetables in the Glendive Area. Filed 9:25 a. m.

Montana Order 26–F, Amendment 1, covering fresh fruits and vegetables in the Sidney Area. Filed 9:25 a. m.

Montana Order 27–F, Amendment 1, covering fresh fruits and vegetables in the Hardin Area. Filed 9:25 a. m.

Montana Order 28–F, Amendment 1, covering fresh fruits and vegetables in the Red Lodge Area. Filed 9:25 a. m.

Montana Order 29–F, Amendment 1, covering fresh fruits and vegetables in the Dear Lodge Area. Filed 9:25 a. m.

Montana Order 30–F, Amendment 1, covering fresh fruits and vegetables in the Baker Area. Filed 9:26 a. m.

REGION VIII

Seattle Order 1–F, Amendment 4, covering fresh fish and seafood, in Seattle, Washington. Filed 10:05 a. m.

Seattle Order 1–F, Amendment 15, covering fresh fruits and vegetables in Seattle, Washington. Filed 10:06 a. m.

Seattle Order 20, Amendment 6, covering community prices for poultry in certain named counties in Washington. Filed 10:06 a. m.

Seattle Order 21, Amendment 2, covering community prices for poultry in certain areas in central Washington. Filed 10:06 a. m.

Copies of any of these orders may be obtained from the OPA office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–7378; Filed, May 23, 1944; 11:23 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 104

Washington, Thursday, May 25, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 79–101, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN YORK, PA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–101 (8 F.R. 15771, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the York, Pennsylvania, milk sales area, is hereby further amended as follows:

1. By deleting the description of the sales area in § 1401.131 (b) and inserting, in lieu thereof, the following:

The territory lying within the boundaries of York County, Pennsylvania, including all municipalities, cities, incorporated boroughs and townships in said county, except the following: The borough of Hanover, the borough of Spring Grove, an area within a radius of two miles of the center of Spring Grove, and the townships of Heidelberg, Manheim, Penn, and West Manheim.

2. By deleting therefrom the numeral "380" in § 1401.131 (h) and inserting, in lieu thereof, the numeral "400."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–101, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–101, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13288, 9 F.R. 4319)

Issued this 22d day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–7341; Filed, May 22, 1944; 4:14 p. m.]

[WFO 79–107, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN ATLANTA, GA., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–107 (9 F.R. 140, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Atlanta, Ga., metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.141 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–107, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–107, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283; 9 F.R. 4319)

Issued this 22d day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–7337; Filed May 22, 1944; 4:14 p. m.]

[WFO 79–118, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SAVANNAH, GA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–118 (9 F.R. 636, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

	Page
ALIEN PROPERTY CUSTODIAN:	
Hearing; Lucius H. Beers, et al	5612
Proceeding for allowance of claims; General Electric Co., et al	5613
Vesting orders:	
I. G. Farbenindustrie A. G	5613
Kiyono Nurseries	5613
CIVIL AERONAUTICS BOARD:	
Eastern Air Lines, noncompliance with certain pilot requirements at Lake Charles Airport, La	5501
FEDERAL POWER COMMISSION:	
Hearings, etc.:	
El Paso Natural Gas Co. (2 documents)	5609
Empire Gas and Fuel Co	5608
Southern Union Gas Co	5609
FEDERAL TRADE COMMISSION:	
Hearings, etc.:	
Kallman, L. R., and Co	5610
Richter, F. Ad., and Co., Inc., and H. W. Kastor and Sons Advertising Co	5610
Sales Stimulators	5610
Tru-Health Garments Corp	5610
United Diathermy, Inc	5610
INTERNAL REVENUE BUREAU:	
Income tax; repeal of earned income credit, determination of status	5501
INTERSTATE COMMERCE COMMISSION:	
Corn, transportation from or within designated areas	5605
Grand Tower and Gale, Ill., rerouting of freight traffic	5611
Refrigeration permits, etc.:	
Citrus fruits and vegetables, Arizona, California, Florida, and Texas	5611
Lemons, New Orleans, La	5611
Onions, St. Louis, Mo	5611
Potatoes:	
Chicago, Ill	5612
Jersey City, N. J	5612
Kansas City, Mo. (2 documents)	5611, 5612
Louisiana	5612
OFFICE OF DEFENSE TRANSPORTATION:	
Taxicab operators, coordinated operations:	
Mason City, Iowa	5624

(Continued on next page)

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

	Page
OFFICE OF DEFENSE TRANSPORTATION—Continued.	
Taxicab operators, coordinated operations—Continued.	
Ottumwa, Iowa	5624
Saranac Lake, N. Y.	5623
OFFICE OF PRICE ADMINISTRATION:	
Aluminum scrap and ingot (MPR 2, Am. 5)	5587
Beef, veal, lamb and mutton cuts (MPR 355, incl. Am. 1–16)	5504
Bituminous coal delivered from mine or preparation plant (MPR 120, Am. 99)	5587
Castings, nonferrous (RMPR 125, Am. 5)	5590
Citrus products, 1944 and later packs (MPR 509, Am. 2)	5587
Dairy products (RMPR 289, Am. 3)	5588
OFFICE OF PRICE ADMINISTRATION—Continued.	
Fence posts:	
Eastern (RMPR 324, Am. 3)	5591
Western (MPR 536)	5592
Food products, maximum prices (MPR 280, Am. 45)	5586
Fuel oil (Rev. RO 11, Am. 8)	5502
Gasoline rationing (RO 5C, Am. 126)	5590
Meat, fats, fish and cheeses (RO 16, Rev. Supp. 1, Am. 30)	5586
Milk and milk products (SR 14A, Am. 16)	5586
North Dakota; gasoline rationing (RO 5C, Order 4)	5625
Pork cuts and certain sausage products, retail ceiling prices (MPR 336, Am. 14)	5589
Puerto Rico; seed (RMPR 183, Am. 39)	5591
Veneer, southern rotary cut box grade (MPR 176, Am. 10)	5589
Wire, cable and accessories (RPS 82, Am. 9)	5588
RECLAMATION BUREAU:	
First form withdrawal; Boise Project, Idaho	5606
Revocation of land withdrawals:	
Klamath Project, Oreg.	5606
Okanogan Project, Wash.	5606
Vale Project, Oreg.	5606
Yakima Project, Wash.	5606
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.:	
General Gas & Electric Corp.-Rhode Island Public Service Co	5626
	5625
WAR FOOD ADMINISTRATION:	
Fats and oils, suspension of inventory provisions (WFO 67, Partial Suspension)	5501
Fluid milk and cream:	
Atlanta, Ga.	5499
Charleston, S. C.	5500
Macon, Ga.	5500
Savannah, Ga.	5499
York, Pa.	5499
WAR PRODUCTION BOARD:	
Bends, manufacturers', change in percentage to be set aside (M–310, Gen. Dir. 1)	5604
Books and booklets (L–245)	5601
Electric fans, domestic and commercial (L–176)	5604
Gauges:	
Pressure indicating dial (L–272, Schedule IV)	5603
Railroad (L–272, Schedule VIII)	5603
Housing construction, authority of National Housing Agency (Dir. 24)	5595
Magazines (L–244)	5599
Printing and publishing (L–241; Int. 1) (2 documents)	5596, 5599

Savannah, Ga., milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.151 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–118, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–118, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 22d day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–7338; Filed, May 22, 1944; 4:14 p. m.]

[WFO 79–120, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN CHARLESTON, S. C., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–120 (9 F.R. 638, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Charleston, South Carolina, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.153 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–120, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–120, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 22d day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–7339; Filed, May 22, 1944; 4:14 p. m.]

[WFO 79–138, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN MACON, GA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–138 (9 F.R. 1481, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Macon, Ga. milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.173 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–138, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–138, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 22d day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–7340; Filed, May 22, 1944; 4:14 p. m.]

[WFO 67, Partial Suspension]

PART 1460—FATS AND OILS

SUSPENSION OF INVENTORY PROVISIONS

The provisions of § 1460.27, paragraphs (e) and (f), of War Food Order No. 67 (8 F.R. 15610, 9 F.R. 4319) are suspended until August 1, 1944.

This order shall become effective at 12:01 a. m., e. w. t., May 20, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 67 prior to the effective date of this order, all provisions of said War Food Order No. 67 in effect prior hereto shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 20th day of May 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44–7331; Filed, May 22, 1944; 1:43 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 309]

EASTERN AIR LINES

OPERATIONS AT LAKE CHARLES AIRPORT, LA.

Noncompliance with the requirements of § 40.2611 (b) of the Civil Air Regulations with respect to the operations of Eastern Air Lines at Lake Charles Airport, Lake Charles, Louisiana.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 22d day of May 1944.

The following Special Civil Air Regulation is made and promulgated to become effective June 1, 1944:

Notwithstanding § 40.2611 (b) of the Civil Air Regulations any first pilot listed in the Eastern Air Lines air carrier operating certificate on June 1, 1944, who is qualified as competent to operate an aircraft in scheduled air transportation between New Orleans, Louisiana, and Houston, Texas, on June 1, 1944, may pilot aircraft under contact conditions in scheduled transportation for said carrier into and out of the Lake Charles Airport, Lake Charles, Louisiana, upon furnishing evidence satisfactory to the Administrator showing that the pilot is thoroughly familiar with the form and condition of the airport and with the location and nature of any obstructions in the vicinity.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44–7404; Filed, May 24, 1944; 10:38 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T. D. 5373]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

REPEAL OF EARNED INCOME CREDIT; DETERMINATION OF STATUS

Regulations 111 amended to conform to sections 103, 104, 105, and 107 of the Revenue Act of 1943 relating to repeal of earned income credit, determination of status for the purposes of personal exemption and credit for dependents and for purposes of returns of income.

In order to conform Regulations 111 [Part 29, Title 26, Code of Federal Regulations, Cum. Supp.] to the provisions of sections 103, 104, 105, and 107 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 29.25–1 the following:

SEC. 107. REPEAL OF EARNED INCOME CREDIT. (Revenue Act of 1943, Title I.)

(a) *In general.* Section 25 (a) (3) and (4) (relating to earned income credit for normal tax), and section 185 and section 47 (d) (relating to earned income) are repealed.

* * * * *

SEC. 103. DETERMINATION OF STATUS FOR PURPOSES OF PERSONAL EXEMPTION AND CREDIT FOR DEPENDENTS. (Revenue Act of 1943, Title I.)

Section 25 (b) (relating to credits for both normal tax and surtax) is amended by striking out paragraph (3) and inserting in lieu thereof the following:

(3) *Determination of status.* For the purpose of determining the amount of the personal exemption and credit for dependents, the status of the taxpayer shall be determined as of July 1 of the taxable year, unless the taxable year does not include July 1, in which case such status shall be determined as of the last day of the taxable year.

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1943, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1943.

PAR. 2. Section 29.25–1 is amended by striking out the second sentence and inserting in lieu thereof the following:

These include interest exempt from normal tax only (and hence included in gross income) received upon (1) certain obligations of the United States and (2) certain obligations of corporations organized under Act of Congress which are instrumentalities of the United States; for taxable years beginning before January 1, 1944, an earned income credit; a personal exemption; and a credit for dependents.

PAR. 3. Section 29.25–2 is amended as follows:

(A) By amending the heading and first sentence thereof to read as follows:

§ 29.25–2 *Earned income credit for taxable years beginning before January 1, 1944.* Under section 25 (a) (3) prior to its repeal by section 107 of the Revenue Act of 1943, the earned income credit allowable for taxable years beginning before January 1, 1944, for the purpose of computing the normal tax is 10 percent of the amount of the earned net income, but not in excess of 10 percent of the amount of the entire net income.

(B) By inserting immediately after "sections 25 (a) (3) and 25 (a) (4)" in the first sentence of the fourth paragraph thereof the following: "prior to their repeal by section 107 of the Revenue Act of 1943".

PAR. 4. Section 29.25–7 is amended as follows:

(A) By amending the heading thereof to read as follows:

§ 29.25–7 *Personal exemption and credit for dependents where status changes during taxable years beginning before January 1, 1944.*

(B) By striking out "the taxable year" in the first sentence and inserting in lieu thereof "a taxable year beginning before January 1, 1944".

(C) By inserting immediately after "determined" in the second sentence of the second paragraph thereof the following: "for taxable years beginning before January 1, 1944,"

PAR. 5. There is inserted immediately preceding § 29.47–1 the following:

SEC. 107. REPEAL OF EARNED INCOME CREDIT. (Revenue Act of 1943, Title I.)

(a) *In general.* Section 25 (a) (3) and (4) (relating to earned income credit for normal tax), and section 185 and section 47 (d) (relating to earned income) are repealed.

* * * * *

SEC. 104. REDUCTION OF CREDITS IN CASE OF SHORT YEAR LIMITED TO JEOPARDY. (Revenue Act of 1943, Title I.)

Section 47 (e) (relating to reduction of personal exemption and credit for dependents in case of short taxable year) is amended by striking out ", except a return made under subsection (a), on account of a change in

the accounting period" and inserting in lieu thereof "under section 146 (a) (1)".

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1943, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1943.

PAR. 6. Section 29.47–1 is amended by striking out the fourth, fifth, and sixth sentences and inserting in lieu thereof the following:

The requirements with respect to the filing of a separate return and the payment of tax for a part of a year are the same as for the filing of a return and the payment of tax for a full taxable year closing at the same time, except as otherwise provided in §§ 29.53–1, 29.56–1 (a), 29.217–1, 29.218–1, 29.235–1, and 29.236–1. If, for taxable years beginning after December 31, 1941, and before January 1, 1944, a return is made for a fractional part of a year, except where a return is made for a period of less than 12 months by reason of a change in accounting period, the personal exemption and credit for dependents shall be reduced to that proportion of the full credit which the number of months in the period for which the return is made bears to 12 months. If, for taxable years beginning after December 31, 1943, a return is made for a fractional part of a year resulting from the termination by the Commissioner under section 146 of the taxable period, the personal exemption and credit for dependents shall be reduced to that proportion of the full credit which the number of months in the period for which the return is made bears to 12 months, but such personal exemption and such credit shall not be reduced for a fractional part of a year otherwise resulting.

PAR. 7. There is inserted immediately preceding § 29.51–1 the following:

SEC. 105. RETURNS OF INCOME. (Revenue Act of 1943, Title I.)

(a) *Individual returns.* Section 51 (relating to individual returns) is amended by inserting at the end thereof the following:

(f) *Determination of status.* For the purposes of this section and section 142 (a), the determination of whether an individual is married and living with husband or wife shall be made as of July 1 of the taxable year, unless the taxable year does not include July 1, in which case such determination shall be made as of the last day of the taxable year.

(b) *Joint returns.* Section 51 (b) (relating to joint returns) is amended by inserting before the period at the end thereof "or if husband and wife have different taxable years".

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1943, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1943.

PAR. 8. Section 29.51–1 is amended as follows:

(A) By inserting immediately preceding the period at the end of the heading "*for taxable years beginning before January 1, 1944*".

(B) By inserting immediately after "For each taxable year" in paragraph (a) thereof "beginning before January 1, 1944,".

PAR. 9. There is inserted immediately preceding § 29.116–1 the following:

SEC. 107. REPEAL OF EARNED INCOME CREDIT. (Revenue Act of 1943, Title I.)

* * * * *

(b) *Earned income from sources without United States.* Section 116 (a) (relating to earned income from sources without the United States) is amended (1) by striking out "if such amounts would constitute earned income as defined in section 25 (a) if received from sources within the United States" appearing in paragraphs (1) and (2) and inserting in lieu thereof "if such amounts constitute earned income as defined in paragraph (3)"; and (2) by inserting at the end thereof the following new paragraph:

(3) Definition of earned income. For the purposes of this subsection, "earned income" means wages, salaries, professional fees, and other amounts received as compensation for personal services actually rendered, but does not include that part of the compensation derived by the taxpayer for personal services rendered by him to a corporation which represents a distribution of earnings or profits rather than a reasonable allowance as compensation for the personal services actually rendered. In the case of a taxpayer engaged in a trade or business in which both personal services and capital are material income producing factors, under regulations prescribed by the Commissioner with the approval of the Secretary, a reasonable allowance as compensation for the personal services rendered by the taxpayer, not in excess of 20 per centum of his share of the net profits of such trade or business, shall be considered as earned income.

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1943, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1943.

PAR. 10. Section 29.116–1 is amended as follows:

(A) By striking the words contained in clause (c) of the first paragraph thereof and the words contained in clause (b) of the second paragraph thereof, and by inserting in lieu thereof the following: "such income would constitute earned income as defined in section 25 (a) if received from sources within the United States for taxable years beginning before January 1, 1944, or as defined in section 116 (a) (3) for taxable years beginning after December 31, 1943".

(B) By inserting at the end thereof the following:

The entire amount received as professional fees may be treated as earned income if the taxpayer is engaged in a professional occupation, such as a doctor or a lawyer, even though he employs assistants to perform part or all of the services, provided the clients or patients are those of the taxpayer and look to the taxpayer as the person responsible for the services performed.

In the case of a taxpayer engaged in a trade or business in which both personal services and capital are material income-producing factors, a reasonable allowance as compensation for the personal services actually rendered by the taxpayer shall be considered earned income, but the total amount which shall be treated as the earned income of the taxpayer from such a trade or business shall, in no case, exceed 20 percent of his share of the net profits of such trade or business. No general rule can be prescribed defining the trades or businesses in which personal services and capital are material income-producing factors, but this question must be determined with respect to the facts of the individual cases.

PAR. 11. Section 29.142–1 is amended as follows:

(A) By inserting immediately preceding the period at the end of the heading "*for taxable years beginning before January 1, 1944*".

(B) By inserting immediately preceding "must make a return of income" in the first sentence thereof "for taxable years beginning before January 1, 1944,".

PAR. 12. There is inserted immediately preceding § 29.185–1 the following:

SEC. 107. REPEAL OF EARNED INCOME CREDIT. (Revenue Act of 1943, Title I.)

(a) *In general.* Section 25 (a) (3) and (4) (relating to earned income credit for normal tax), and section 185 and section 47 (d) (relating to earned income) are repealed.

* * * * *

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1943, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1943.

PAR. 13. The first sentence of § 29.185–1 is amended to read as follows:

For the purpose of computing the earned income credit for a taxable year beginning before January 1, 1944, against net income, a member of a partnership is entitled to treat a proper part of his distributive share of the partnership net income as earned income.

(Sec. 62, Internal Revenue Code (53 Stat. 32; 26 U.S.C., 1940 ed., 62), and secs. 103, 104, 105, and 107, Revenue Act of 1943 (Pub. Law 235, 78th Cong.))

JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: May 23, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44–7403; Filed, May 24, 1944; 10:08 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XI—Office of Price Administration

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11, Amdt. 8[1]]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 2357.

Section 1394.5654 (d), (e), (f), (g) and (h) is added as follows:

(d) Beginning June 1, 1944, a dealer or primary supplier may accept, for deposit, a consumer's coupon sheet only if he complies with all the following conditions:

(1) He must, at the time of the deposit, issue to the consumer a receipt for all coupon sheets then deposited by the consumer. The receipt must state:

(i) The name of the consumer and the address where the ration is to be used;

(ii) The date the coupon sheet was deposited;

(iii) The serial number and class of the coupon sheet; and

(iv) The total gallonage value of the coupons not yet detached from the coupon sheet at the time of the deposit and, if it is other than a Class 3 coupon sheet, the receipt must show separately the gallonage value of the definite value coupons, and as to the unit value coupons, either (a) the gallonage value, by validity periods, calculated at ten (10) gallons per unit or (b) the number of such coupons, by validity periods, and the number of units of each coupon.

(2) He must keep at his regular place of business a copy of the receipt issued to the consumer, or a record of the information given on the receipt.

(3) If, at the time of the deposit, the dealer or primary supplier has any coupon sheet previously deposited with him by the consumer, he must note on the copy of the receipt or on the record of the information given on the receipt, that he has such previously deposited coupon sheets, and the total gallonage value of the valid coupons not yet detached on that date. However, this notation need not be made if the coupon sheet being deposited represents an additional ration.

(4) He must keep with the copy of the receipt (or record of the information given on the receipt) the coupon sheet referred to in the receipt and either:

(i) A copy of each invoice, delivery ticket or other customary document of transfer evidencing each transfer of fuel oil to the consumer since the date of the deposit, or

(ii) A record of each transfer of fuel oil, by date and amount, made by him to the consumer specified on the coupon sheet, since the date of the deposit. However, if he regularly keeps a separate record for each consumer, showing the date and amount of each transfer of fuel oil to the consumer since the date of the deposit, and that record is readily available for examination at his regular place of business, he need not keep that record with the coupon sheet and copy of the receipt (or record of the information given on the receipt). If that separate record also contains the information set forth in the receipt issued to the consumer, he need not keep the consumer's coupon sheet with the copy of the receipt (or record of the information given on the receipt).

(5) He must write on the copy of the receipt or on the record of the information given on the receipt the date on which he returned to the consumer any coupon sheet referred to in the receipt, the total gallonage value of the coupons not yet detached from it at the time of its return and if it is other than a Class 3 coupon sheet, the gallonage value of the definite value coupons and, as to the unit value coupons, either (i) their gallonage value, calculated at ten (10) gallons per unit, or (ii) the number of such coupons and the number of units of each coupon. The requirements of this subparagraph (5) will be deemed satisfied if the information is set forth in his copy of the letter (or other document) which accompanied the coupon sheet when it was returned to the consumer and that copy is readily available for examination.

(6) (i) He must retain the copy of the receipt or record of the information given on the receipt at his place of business for a period of at least two (2) years from the date the receipt was issued.

(ii) He must retain at his place of business for a period of at least two (2) years from the date of the transfer the copies of the invoices, delivery tickets or other customary documents of transfer, specified in subparagraph (4) (i). This requirement will be deemed satisfied if he keeps the record specified in subparagraph (4) (ii) as required by § 1394.5782 (b).

(e) Any dealer or primary supplier who violates any of the provisions of this section may, by order issued pursuant to paragraph (f) or Revised Procedural Regulation No. 4, be directed to return any or all coupon sheets deposited with him to the consumers entitled to them and prohibited from accepting any or all coupon sheets for deposit.

(f) Any order under paragraph (e) shall be issued pursuant to the following procedure:

(1) Notice of the date, time, place, and purpose of the hearing and a specification of the violation charged shall be given to the dealer or primary supplier (here called the respondent) at least seven (7) days before the date set for the hearing.

(2) The hearing shall be conducted by a Special Hearing Officer who shall be either the District Director having jurisdiction over the area in which the respondent's regular place of business is located, or an officer or employee of the Office of Price Administration designated by the District Director as a Special Hearing Officer. The Special Hearing Officer shall administer oaths and affirmations and rule on the admission or exclusion of evidence. The hearing shall be conducted in a manner to permit all parties interested in the proceeding to present evidence and argument to the fullest extent compatible with a fair and expeditious determination of the issues raised in the hearing. To that end:

(i) The respondent shall have the right to be represented by counsel of his own choosing;

(ii) The rules of evidence prevailing in courts of law or equity shall not be controlling;

(iii) The Special Hearing Officer, having due regard to the need for expeditious decision, shall afford reasonable opportunity for cross-examining witnesses;

(iv) A stenographic report of all testimony shall be taken. The report need not be transcribed if the transcription is waived by the respondent. If the report is transcribed, a copy shall be available for inspection during business hours at the Office of the District Director.

(3) If the respondent admits the charges or fails to appear at the hearing, or if, after the hearing, the Special Hearing Officer finds that the respondent has violated any provisions of this section specified in the notice of hearing given under subparagraph (1) of this paragraph, he may issue an order directing the respondent to return, by a specified date, any or all coupon sheets deposited with him to the consumers entitled to them, and prohibiting the respondent, for such period as the Special Hearing Officer shall specify, from accepting any or all coupon sheets for deposit. If the Special Hearing Officer finds that the violation charged in the notice of hearing has not been committed by the respondent, he shall issue an order dismissing the proceeding.

(g) If a respondent against whom an order has been issued after failure to appear at the hearing shows, within ten (10) days from the effective date of the order, good cause for his failure to appear, the Special Hearing Officer may set aside or stay such order and grant the respondent a full hearing on the charges made.

(h) A copy of the order shall be served promptly on the respondent personally or by mail directed to his regular place of business.

(i) The order shall be effective at the time it is personally served or, if served by mail, three (3) days after the date of mailing.

(j) (1) A respondent or the District Enforcement Attorney may appeal to the Chief Hearing Commissioner for the Region in which the District Office is located from any order issued by a Special Hearing Officer under paragraph (f) of this section other than an order entered on default. A respondent may appeal to a Chief Hearing Commissioner from an order denying a petition to reopen a defaulted proceeding.

(2) An appeal may be taken by a respondent by filing a statement of objections with the Special Hearing Officer, within fifteen (15) days of the effective date of the order. An appeal may be taken by the District Enforcement Attorney by serving a statement of objections upon the respondent, within fifteen (15) days of the effective date of the order, and by filing a copy of the statement, with proof of such service, with the District Director within five (5) days thereafter. Within three (3) days after the receipt of the statement, the Special Hearing Officer shall forward it, together with a copy of the notice instituting such proceedings, and a copy of the order to the Hearing Commissioner having jurisdiction over the area in which the hearing was conducted. Within five (5) days after the receipt of the statement, the Hearing Commissioner shall notify the respondent and the Regional Enforcement Executive in the region in which the hearing was conducted of the time and place set for the hearing. The appeal shall be heard and determined pursuant to Article IV of Re-

vised Procedural Regulation No. 4, and amendments thereto.

(3) At any time after the respondent has filed a statement of objections with the Special Hearing Officer but prior to the commencement of the hearing before the Hearing Commissioner, the Special Hearing Officer may, for good cause shown upon application by the respondent, stay the operation of his order pending the hearing and determination of the appeal. The respondent's application must state whether he applied for the same relief to the Hearing Commissioner and if so what disposition was made of that application. No such stay shall be granted by the Special Hearing Officer if application for the same relief was made by respondent to the Hearing Commissioner.

(h) At any stage of a proceeding instituted under paragraph (f) of this section, the Hearing Commissioner having jurisdiction of the area in which the proceeding is pending may, by order served upon the parties interested, direct that the proceeding be consolidated with a proceeding pending before him for a suspension order against the respondent. The consolidated proceeding shall be governed by the provisions of Revised Procedural Regulation No. 4 (other than Article IV), and amendments thereto.

This amendment shall become effective on May 23, 1944.

NOTE: All reporting and record keeping requirements of this revised ration order have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1–0, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 23d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7388; Filed, May 23, 1944; 4:52 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[MPR 355,[1] Incl. Amdts. 1–16]

RETAIL CEILING PRICES OF BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS[2]

This compilation of Maximum Price Regulation 355 includes Amendment 16, effective May 25, 1944. The text added or amended by Amendment 16 is underscored.

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 355 has been issued simultaneously herewith and filed with the Division of the Federal Register.[3]

[1] 8 F.R. 4423.

[2] Title amended by Am. 5, 8 F. R. 7827, effective 6–21–43.

[3] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation. In the judgment of the Price Administrator, the maximum prices established by this maximum price regulation are and will be generally fair and equitable, and comply with the requirements of section 3 and the other requirements of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and will effectuate the purposes of said act and Executive order.

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

[Preamble amended by Supplementary Order 63, 8 F.R. 12553, effective 9–11–43.]

§ 1364.1154 *Maximum prices for beef, veal, lamb and mutton cuts and all variety meats and edible by-products at retail.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and No. 9328, Maximum Price Regulation No. 355—Retail Ceiling Prices of Beef, Veal, Lamb and Mutton Cuts and all Variety Meats and Edible By-Products, which is annexed hereto and made a part hereof, is hereby issued.

[Above paragraph amended by Am. 5, 8 F.R. 7827, effective 6–21–43.]

AUTHORITY: § 1364.1154 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 355—RETAIL CEILING PRICES OF BEEF, VEAL, LAMB, AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS:

ARTICLE I—GENERAL PROVISIONS

Sec.
1. What this regulation does.
2. Your ceiling prices.
3. When the new ceiling prices take effect.
4. What beef, veal, lamb or mutton cuts or variety meats and edible by-products you may sell.
5. Sales to eating places.
6. Grades.
7. How you make retail cuts.
8. Post your ceiling prices.
9. Records and reports.
10. Licensing.
11. Indirect price increases.
12. Prohibitions and penalties.

ARTICLE II—SPECIAL PROVISIONS

13. How you figure the "annual gross sales" of your store (for most stores).
14. How you figure the "annual gross sales" of your store (for certain special cases).
15. How to find your "annual gross sales" if you are a new retailer.
16. Transfers of business or stock in trade.
17. Retail sales taxes.
18. How certain stores in "Group 3 or 4", may, upon certain conditions, use "Group 1 and 2" ceiling prices.

ARTICLE III—ZONES, CEILING PRICE LISTS AND APPENDICES

19. Map of zones.
20. Description of retail beef, veal, lamb and mutton cuts.
21. Chart of retail beef cuts and the wholesale cuts from which they are obtained.
22. Description of zones and Office of Price Administration list of retail ceiling prices for beef, veal, lamb and mutton cuts.
23. Appendix A: Office of Price Administration standard beef wholesale cuts.
24. Appendix B: Skeletal chart for making standard beef cuts.
25. Appendix C: Skeletal chart for making standard beef retail cuts.
26. Appendix D: Chart of retail veal cuts and the wholesale cuts from which they are obtained.
27. Appendix E: Chart of retail lamb and mutton cuts and the wholesale cuts from which they are obtained.
28. Office of Price Administration list of retail ceiling prices for variety meats and edible by-products: Fresh, cured and frozen.
29. Office of Price Administration list of retail ceiling prices for miscellaneous beef items.

ARTICLE I—GENERAL PROVISIONS

SECTION 1. *What this regulation does.* This regulation fixes dollars-and-cents ceiling prices on all retail sales of beef, veal, lamb and mutton cuts made on and after June 21, 1943, on all retail sales of variety meats and edible by-products made on and after June 21, 1943, and retail sales of dried beef (sliced) made on and after September 8, 1943. The only retail beef, veal, lamb and mutton cuts which may be sold are those described in section 20 of this regulation. The United States is divided into zones and different ceiling prices depend on the zone where your store is, its group, and the grade of meat you are selling. A store includes any place where beef, veal, lamb and mutton cuts or variety meats and edible by-products are sold at retail.

[Sec. 1 amended by Am. 1, 8 F.R. 4922, effective 4–14–43; Am. 5, 8 F.R. 7827, effective 6–21–43; and Am. 11, 8 F.R. 12811, effective 9–20–43 except with respect to dried beef (sliced) effective 9–8–43.]

SEC. 2. *Your ceiling prices.* (a) You will find your ceiling prices for each grade of beef, veal, lamb and mutton cuts on your "OPA List of Ceiling Prices for Beef, Veal, Lamb and Mutton—Fresh, Frozen or Cured" (Article III, section 22), and for variety meats and edible by-products on your "OPA List of Ceiling Prices for Variety Meats and Edible By-Products" (Article III, section 28), and for miscellaneous beef items on your "OPA List of Ceiling Prices for Miscellaneous Beef Items" (Article III, section 29). A copy of the list for each kind of meat, variety meats and edible by-products, and for miscellaneous beef items for your zone and group may be obtained from your district office of the Office of Price Administration.

[Paragraph (a) amended by Am. 1, 8 F.R. 4922, effective 4–14–43; Am. 3, 8 F.R. 6426, effective 5–17–43; Am. 5, 8 F.R. 7827, effective 6–21–43; Am. 8, 8 F.R. 9366, effective 7–13–43; Am. 10, 8 F.R. 12237, effective 9–20–43; and Am. 12, 8 F.R. 14738, effective 10–28–43.]

(b) *Your zone.* You can determine from your local War Price and Rationing Board or your OPA office what zone your store is in. After each list of prices in section 22, Article III, there is a description of the zone in which that list of prices applies. The zones are the same for variety meats and edible by-products except that Zone 4a, which is described at the end of section 28, Article III, is taken out of Zone 4 and made into a separate zone.

[Paragraph (b) amended by Ams. 5 and 12.]

(c) *Your group.* Your store is in "Group 1 and 2" if its total "annual gross sales" are less than $250,000 and if it is not a "chain store". Otherwise it is in "Group 3 and 4". To determine your "annual gross sales" consult sections 13, 14 or 15. However, if any "Group 3 and 4" store had during 1941, a total gross margin of 19 percent or less on its meat department sales of all items including beef, veal, lamb, mutton, pork, poultry, sausage, variety meats and edible by-products, it is in "Group 3B and 4B". If the store was not in operation in 1942, then its total gross margin for the meat department on sales during 1942 shall be used, and if it is 19 percent or less it shall be in "Group 3B and 4B".

[Paragraph (c) amended by Ams. 5, 8, and 12.]

(d) *Chain stores.* Your store is a "chain store" if it is one of four or more stores under one or common ownership which had combined "annual gross sales" for all stores of $500,000 or more. To determine your "annual gross sales", consult section 13, 14 or 15.

[Paragraph (d) amended by Ams. 5, 8, 12, and 14, 9 F.R. 3462, effective 4–8–44.]

(e) The appropriate regional office of the Office of Price Administration and such other offices as may be authorized by the appropriate regional office may, upon a finding by the Regional Administrator that any price or prices established by this regulation for Zone 2, 3, 5 or 6 will increase the level of prices prevailing in a specific area within the region, issue an order designating such area, suspending the effectiveness of any price or prices herein established, and fixing a lower ceiling price or lower ceiling prices.

[Paragraph (e) added by Am. 2, 8 F.R. 6426, effective 5–14–43; amended by Am. 4, 8 F.R. 7199, effective 5–24–43; Am. 5, 8 F.R. 7827, effective 6–21–43; Am. 6, 8 F.R. 8185, effective 6–7–43; and Am. 12, 8 F.R. 14738, effective 10–28–43.]

(f) Effective May 25, 1944, this regulation requires that the year 1943 be used as the basis for figuring your "annual gross sales" instead of the year 1942. If you find that as a result of that change, your store is now in a group different from the one it was in before, you must, on and after June 15, 1944, use the ceiling prices fixed for the group in which you are now classified.

[Paragraph (f) added by Am. 16, effective 5–25–44]

SEC. 3. *When the new ceiling prices take effect.* (a) On June 21, 1943, (September 20, 1943, with respect to "Group 3B and 4B" stores), the dollar-and-cents ceiling prices fixed by this regulation take the place of all previous ceiling prices fixed by the Office of Price Administration upon retail sales of beef, veal, lamb, and mutton, variety meats and edible by-products. On and after June 21, 1943, you must not sell or offer to sell any variety meats or edible by-product other than those for which dollar and cents ceiling prices are fixed by this regulation and which are clean, sound and free from foreign material including blood clots, mucus, hair and wool.

(c) On September 8, 1943, the dollar-and-cents ceiling prices fixed by this regulation take the place of all previous ceiling prices fixed by the Office of Price Administration upon retail sales of miscellaneous beef items. On and after September 8, 1943, you must not sell or offer to sell any miscellaneous beef item other than those for which dollar-and-cents ceiling prices are fixed by this regulation.

[Sec. 3 amended by Am. 1, 8 F.R. 4922, effective 4–14–43; Am. 5, 8 F.R. 7827, effective 6–21–43; Am. 11, 8 F.R. 12811, effective 9–20–43; except with respect to dried beef (sliced), effective 9–8–43; and Am. 12, 8 F.R. 14738, effective 10–28–43.]

SEC. 4. *What beef, veal, lamb or mutton cuts or variety meats and edible by-products you may sell.* On and after June 21, 1943, the only beef, veal, lamb and mutton items you may sell or offer to sell are (a) those cuts, fresh, frozen, or cured, which are described and given dollar-and-cents ceiling prices under this regulation. (b) Those variety meats and edible by-products which are described and given dollar-and-cents ceiling prices under this regulation. (c) Sausage items which are given dollar-and-cents ceiling prices in Maximum Price Regulation No. 356[4] and (d) all other sausage and canned meat for which your ceiling prices are to remain as fixed under the General Maximum Price Regulation[5] or under Maximum Price Regulations Nos. 422[6] and 423[7]—Ceiling Prices for Certain Foods Sold at Retail.

[Sec. 4 amended by Am. 1, 8 F.R. 4922, effective 4–14–43; Am. 5, 8 F.R. 7827, effective 6–21–43; and Am. 11, 8 F.R. 12811, effective 9–20–43 except with respect to dried beef (sliced), effective 9–8–43.]

SEC. 5. *Sales to eating places.* Your ceiling prices for sales to hotels, restaurants, institutions, and other eating places selling or furnishing meals are the ceiling prices fixed by Revised Maximum Price Regulation No. 169[8] for beef and veal, Revised Maximum Price Regulation No. 238[9] for lamb and mutton, and by Maximum Price Regulation No. 398[10] for variety meats and edible by-products. Nevertheless, you may, during any month, use the ceiling prices fixed by this regulation in selling to eating places if 35 percent or more of your total dollar sales of meat during the previous calendar month were retail sales to consumers, that is, to persons who buy the meat to be eaten by themselves or their families off your premises.

[Sec. 5 amended by Am. 5, 8 F.R. 7827, effective 6–21–43; and Am. 11, 8 F.R. 12811, effective 9–20–43 except with respect to dried beef (sliced), effective 9–8–43.]

SEC. 6. *Grades*—(a) (1) *Beef, veal, lamb and mutton must be graded.* All carcasses and wholesale cuts of beef, veal, lamb and mutton must be graded. The grades are these:

Beef, veal and lamb grades

Choice or AA
Good or A
Commercial or B
Utility or C
Cutter and Canner or D

Mutton grades

Good or S
Commercial or M
Utility or R

(2) If you slaughter the animal yourself, you must have it graded before you break the carcass. You must follow the rules for grading which are in Revised Maximum Price Regulation No. 169, § 1364.411, for beef and veal, and Revised Maximum Price Regulation No. 238, § 1364.107 for lamb and mutton, and the requirements contained in § 4062.4 of OES Regulation 1.[11] These rules may be obtained from your local Office of Price Administration office.

(3) You must not put different grades of meat together in your showcase.

(b) Variety meats and edible by-products. You must not put either different types of variety meats or edible by-products, or variety meats or edible by-products coming from different kinds of animals together in your showcase.

[Sec. 6 amended by Am. 5, 8 F.R. 7827, effective 6–21–43; and Am. 9, 8 F.R. 11297, effective 7–15–43.]

SEC. 7. *How you make retail cuts.* Section 20 of this regulation describes the different cuts of beef, veal, lamb and mutton which you may sell, and how they are to be cut. If you buy a carcass, or side or quarter or combination cut of meat, you must first cut it into the standard OPA wholesale cuts described in section 23 before you make the retail cuts. If you buy live animals and have them slaughtered for you, you must first break the carcass into the standard wholesale cuts, and the person who slaughters for you must comply with the rules set for custom slaughterers by the wholesale beef and veal regulation, § 1364.401 (e).

[Sec. 7 amended by Am. 5, 8 F.R. 7827, effective 6–21–43.]

SEC. 8. *Post your ceiling prices.* Not later than June 21, 1943, you must post

[4] 9 F.R. 2812.

[5] 9 F.R. 1385.

[6] 8 F.R. 9285, 10569, 10967, 12448, 12611, 13294, 15251, 14853, 15586, 15607, 17369, 17870; 9 F.R. 95.

[7] 8 F.R. 9967, 10570, 10868, 12642, 12651, 12286, 14654, 15587, 15897, 16084, 17871; 9 F.R. 95.

[8] 9 F.R. 1121, 2023, 2135, 3424.

[9] 9 F.R. 2894.

[10] 8 F.R. 6945, 7351, 13297, 15461.

[11] 8 F.R. 10989.

at your store your "Official OPA List of Retail Meat Prices." You may use an exact copy of the OPA List as long as the printing is just as legible and at least as large. Put it on or at the counter of the meat department in your store in one or more places where your customers can easily see and read it. You must have at least one of each list posted for each 20 feet of meat counter space. You must get your official copies of the price lists for posting or copying from your war price and rationing board or from your district OPA office. If you display any cut of beef, veal, lamb or mutton, or any variety meat or edible by-product, as in your show case, you must put on it your selling price for that cut.

[Sec. 8 amended by Am. 1, 8 F.R. 4922, effective 4–14–43; Am. 2, 8 F.R. 6214, effective 5–17–43; Am. 5, 8 F.R. 7827, effective 6–21–43; and Am. 9, 8 F.R. 11297, effective 7–16–43.]

SEC. 9. *Records and reports.* After May 17, 1943, you shall keep the same kind of records you have customarily kept, showing the prices you charge for beef, veal, lamb and mutton cuts, variety meats and edible by-products and for miscellaneous beef items. You shall show the records to any representative of the Office of Price Administration upon request. If you have customarily given a customer a sales slip, receipt or similar evidence of purchase, you shall continue to do so. Furthermore, regardless of your previous custom, you shall, upon request by any customer, give a receipt showing the date, your name and address, the name, weight and grade of each cut, variety meat item or edible by-product sold and the price you received for it.

[Sec. 9 amended by Am. 1, 8 F.R. 4922, effective 4–14–43; Am. 5, 8 F.R. 7827, effective 6–21–43; and Am. 12, 8 F.R. 14738, effective 10–28–43.]

SEC. 10. *Licensing.* The provisions of Licensing Order No. 1,[11] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 10 amended by Am. 5, 8 F.R. 7827, effective 6–21–43; and Supplementary Order 72, 8 F.R. 13244, effective 10–1–43.]

SEC. 11. *Indirect price increases.* (a) The price limitations set forth in this regulation shall not be evaded directly or indirectly by you; and you shall not require the purchaser to buy at any price other food products as a condition of selling beef, veal, lamb or mutton cuts, or variety meats and edible by-products.

[Paragraph (a) amended by Am. 5, 8 F.R. 7827, effective 6–21–43.]

(b) You must not charge, solicit or receive any consideration for or in connection with any service which has not been provided for in this regulation and for which a price has not been fixed.

[Paragraph (b) amended by Am. 5, 8 F.R. 7827, effective 6–21–43; and Am. 11, 8 F.R. 12811, effective 9–20–43 except with respect to dried beef (sliced), effective 9–8–43.]

SEC. 12. *Prohibitions and penalties.* On and after May 17, 1943, the date this regulation takes effect, if you sell, offer to sell or deliver any meat cut, variety meats or edible by-products specified in this regulation at a price higher than your ceiling price for the grade or type, or if you otherwise violate any provision of this regulation, you are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended. Also, any person who in the course of trade or business buys from you at a price higher than your ceiling price for the grade is subject to the criminal penalties and civil enforcement actions provided for by that act.

[Sec. 12 amended by Am. 1, 8 F.R. 4922, effective 4–14–43; Am. 5, 8 F.R. 7827, effective 6–21–43; and Am. 11, 8 F.R. 12811, effective 9–20–43 except with respect to dried beef (sliced) effective 9–8–43.]

ARTICLE II—SPECIAL PROVISIONS

SEC. 13 *How you figure the "annual gross sales" of your store (for most stores).* (a) To find your "annual gross sales" take your total sales for the calendar year 1943. Include all sales, whether of foods or not, as shown on your books, except sales made by a restaurant operated in conjunction with your store. You can use your federal income tax return to get your sales for all or any part of the calendar year 1943 which is covered by such return. If you own more than one store, figure the sales for each store separately, treating each as a separate retailer.

(b) If you were not in operation during the entire year 1943, you must divide your total gross sales from the time you began operation up to May 25, 1944, by the number of weeks you were in operation. This will give you your weekly average gross sales. Multiply this figure by 52, and take the result as your "annual gross sales".

[Sec. 13 amended by Am. 12, 8 F.R. 14738, effective 10–28–43; and Am. 16, effective 5–25–44.]

SEC. 14. *How you figure the "annual gross sales" of your store (for certain special cases)*—(a) *Department stores.* If you were operating a department store, that is, a store in which the greater volume of sales is general merchandise and not foods, and you sell foods in a separate department or departments, then you must find your group by using only the "annual gross sales" of your food department or departments.

(b) *Stores in which more than one retailer operates.* (1) If you sell foods in a retail store in which more than one retailer sells a complete line of the same general class of food, you will be treated as operating a separate retail store of your own, and you find your group by using your own separate "annual gross sales."

(2) If you sell food in a retail store in which there are other food retailers, but none of whom sells a complete line of the same general class of food, you must find your group by taking the combined "annual gross sales" of all the food retailers in that store.

[Sec. 14 amended by Am. 8, 8 F.R. 9366, effective 7–13–43; and Am. 12, 8 F.R. 14738, effective 10–28–43.]

SEC. 15. *How to find your "annual gross sales" if you are a new retailer.* If you open a retail store after May 25, 1944, which is not then a chain store, you must consider yourself a "Group 1 and 2" retailer and figure your ceiling prices accordingly. However, after you have been in operation for three months you must determine again what group your store is in. To do this, take your gross sales for the three month period and multiply by 4. If you own four or more stores which have been in operation for this three month period, you must take your gross sales for each of these stores for the three month period and multiply by 4. Use the result as your "annual gross sales" in order to find in what group your store or stores belong. If you then find that your store or stores no longer fall in "Group 1 and 2" but in "Group 3 and 4," you must take the ceiling prices for "Group 3 and 4" stores for the applicable zone or zones.

[Sec. 15 amended by Am. 8, 8 F.R. 9366, effective 7–13–43; and Am. 12, 8 F.R. 14738, effective 10–28–43; and Am. 16, effective 5–25–44]

SEC. 16. *Transfers of business or stock in trade.* If you acquire in any manner the business, assets or stock in trade of any store subject to this regulation after May 16, 1943, and you carry on the business or continue to deal in beef, veal, lamb or mutton cuts in a store, separate from any other store previously owned or operated by you, then your ceiling prices should be the same as those of the former owner as if no transfer had taken place; unless as a result of the transfer the business changes from one group of stores to another, in which case your ceiling prices shall be those fixed for the group to which the store belongs after the transfer. You must keep all records sufficient to verify your ceiling prices. The former owner shall either preserve and make available, or turn over, to you all records of transactions prior to your acquiring the store which are necessary to enable you to comply with the record provisions of this regulation.

[Sec. 16 amended by Am. 1, 8 F.R. 4922, effective 4–14–43; and Am. 8, 8 F.R. 9366, effective 7–13–43.]

SEC. 17. *Retail sales taxes.* Any tax upon, or incident to, a sale at retail of beef, veal, lamb, or mutton cuts covered by this regulation which is imposed by any statute of any State or subdivision thereof may be collected by you in addition to the ceiling price, if the statute does not prohibit you from stating and collecting the tax separately from the purchase price.

SEC. 18. *How certain stores in "Group 3 or 4" may, upon certain conditions, use "Group 1 and 2" ceiling prices.* Any regional office of the Office of Price Administration, or such offices as may be authorized by order issued by the appropriate regional office, may act on all applications for adjustment under the provisions of this section of this regulation.

(a) If your store is in "Group 3 and 4", and does business in the manner outlined below, you may request permission under paragraph (b) to use the ceiling prices for "Group 1 and 2" stores:

(1) Most of your sales in your grocery department are made by sales clerks who assist customers in selecting, collecting, and wrapping merchandise; and

(2) Your store generally offers to all its customers the services of (i) taking orders over the telephone, and (ii) carrying monthly charge accounts, and (iii) providing delivery service; and

[Subparagraph (2) amended by Am. 7, 8 F.R. 8945, effective 7–3–43.]

(3) The general level of your prices for meat and grocery products is as high or higher than that maintained for such products by "Group 1 and 2" stores in the same community and is generally higher than the level of prices charged for similar products by "Group 3 and 4" stores in your community; and

(4) The total gross margin on all sales in your store, if you are not a "chain" store, was more than 25% in your fiscal year 1941; or, if you are a "chain" store, the total gross margin on the combined sales of all the steres in your chain was more than 25% in your fiscal year 1941. If you were not in operation in 1941, your gross margain for the most recent fiscal year, or if you have not been doing business for a full fiscal year, for the most recent fiscal period, must be more than 25%.

[Subparagraph (4) amended by Am. 7, 8 F.R. 8945, effective 7–3–43.]

(b) If your store does business in the way set forth above and you want to sell at the ceiling prices for "Group 1 and 2" stores, you must by June 24, 1944, file with your State or District OPA office a request to use such ceiling prices. This request must be filed on a form which you may get from such OPA office. If you have filed this form, you may, on the effective date of this regulation, use the ceiling prices of "Group 1 and 2" stores. However, OPA reserves the right to withdraw this permission, and, if you receive a notice to such effect you must from that time forward use the ceiling prices for stores in "Group 3 and 4".

If you have already filed the form for reclassification from "Group 3 and 4" to "Group 1 and 2" under Maximum Price Regulation No. 336 (Retail Ceiling Prices for Pork Cuts), you are not required to file another form under this regulation. If the Office of Price Administration has denied your request filed under Maximum Price Regulation No. 336 (Retail Ceiling Prices for Pork Cuts), you are not eligible for adjustment under this regulation.

[Paragraph (b) amended by Am. 2, 8 F.R. 6214, effective 5–17–43 and Am. 16, effective 5–25–44]

(c) The total gross margin which a "Group 3 and 4" store must have had in order to sell at the prices for a "Group 1 and 2" store has been changed from 21% to 25%. If you store is a "Group 3 and 4" store and has been selling, under the preceding paragraph of this section, at the prices for "Group 1 and 2" stores, and if the total gross margin of the store for the period referred to in paragraph (a) (4) was less than 25%, you must, beginning July 3, 1943, sell at the "Group 3 and 4" prices. If the total gross margin of the store was 25% or more, you may continue to sell at the "Group 1 and 2" prices.

[Paragraph (c) added by Am. 7, 8 F.R. 8945, effective 7–3–43 and amended by Am. 8, 8 F.R. 9366, effective 7–13–43.]

[Sec. 18 amended by Am. 8, 8 F.R. 9366 effective 7–13–43 and as otherwise noted.]

(d) Any Regional Office of the OPA, or such offices as may be authorized by order issued by the appropriate regional office, may act on all applications for adjustment under the provisions of this section, and may deny any application filed under this section or revoke any order granting adjustment under this section if denial of such application would not cause the applicant a substantial financial hardship. Applications for adjustment are governed by Revised Procedural Regulation No. 1.

[Paragraph (d) added by Am. 15, 9 F.R. 4356, effective 4–26–44.]

ARTICLE III—ZONES, CEILING PRICE LISTS AND APPENDICES

SEC. 19. *Map of zones.*[1]

SEC. 20. *Description of retail beef, veal, lamb, and mutton cuts.* All retail cuts covered in the following specifications shall be trimmed as described before the cuts may be weighed or sold to the customer. No fat shall be added to any of the cuts before they are weighed or sold to the customer.

(a) *Retail beef cuts*—(1) *From the standard round*—(i) *Standing rump (bone in).* The standing rump (bone in) shall contain part of the rump (aitch) bone but no rump knuckle bone or tail vertebrae. Not more than one inch of fat shall be left on the outside, or within the pelvic cavity, of this cut.

(ii) *Boneless rump.* The boneless rump is the meat remaining after all the bones, cartilage, gristle and excess fat have been removed from the standing rump. (See subparagraph (1) (i).)

(iii) *Round steak (full cut).* Each round steak (full cut) includes a part of (a) the top (inside) round, (b) the bottom (outside) round, (c) the eye of round, (d) the tip, and (e) the round bone. All fat exceeding one inch in thickness shall be trimmed from each steak. Round steaks (full cut) shall contain the round bone but no part of the knee cap or double bone. They may be cut into two or more pieces in line with the customary procedure in the past.

(iv) *Tip roast (boneless).* The tip shall be removed from the flank side of the round in accordance with the customary procedure in each locality. All bone, including the knee cap, and all fat exceeding one inch in thickness must be removed.

(v) *Tip steak (boneless).* Tip steaks (boneless) are cut from the tip roast (subparagraph (1) (iv)).

(vi) *Top (inside) round, roast or steak.* The top (inside) round may be removed from the round according to the usual procedure in each locality. The shank end of this cut, however, shall contain no part of the heel of round. All fat exceeding one inch in thickness shall be trimmed from the outside of the roasts or steaks made from this cut. The top (inside) round shall contain no bone.

(vii) *Bottom (outside) round, pot-roast or steak.* The bottom (outside) round, like the top round (subparagraph (1) (vi)) may be made according to the usual procedure in each locality. It may contain part of the rump but the shank end of this cut shall contain no part of the heel of round. The bottom round shall contain no bone. It may be sold as pot-roasts or steaks.

(viii) *Heel of round (boneless).* The heel of round may be separated from the hind shank according to the usual practice in each locality; however, it shall not include the front muscle of the shin bone and it must be entirely boneless.

(ix) *Hind shank (bone in).* The hind shank (bone in) is the section of the round remaining after the rump, round steaks (or tip, inside and outside), heel of round and hock have been removed.

(x) *Hind shank (boneless).* The hind shank (boneless) refers to the boneless meat from the hind shank. (For stew, ground beef.)

(2) *From standard wholesale sirloin (loin end)*—(i) *Sirloin steak (bone in).*

(ii) *Pin bone steak (bone in).* Sirloin steaks (bone in) and pin bone steaks (bone in) shall be made from the standard primal sirloin (loin end). All fat exceeding one inch in thickness shall be trimmed from these steaks.

(iii) *Sirloin steak (boneless).* Boneless sirloin steaks are made from the standard primal sirloin (loin end). They shall contain no bone and no fat in excess of one inch in thickness.

(3) *From standard wholesale short loin.*

(i) *Porterhouse steaks.*

(ii) *T-Bone steaks.*

(iii) *Club steaks.*

Porterhouse, T-Bone and club steaks are made from the standard primal short loin. Porterhouse steaks contain a large portion of the tenderloin. T-Bone steaks

[11] 8 F.R. 13240.

[1] Filed as part of the original document.

contain a small portion of tenderloin. Club steaks contain no tenderloin. All fat exceeding one inch in thickness shall be trimmed from these steaks.

(4) *From standard wholesale flank*—(i) *Flank steak.* All membrane and fat must be trimmed from the flank steak. This steak shall not be cut into more than two pieces before selling.

(ii) *Flank meat (boneless).* Boneless flank meat is the meat remaining after the flank steak, bone, gristle, membrane, and cod fat have been removed from the rough flank. It may be sold as rolled pot-roast, stew meat or ground beef.

(5) *From the standard wholesale rib.*

(i) *Rib roast, 10" ribs.*

(ii) *Rib steak, 10" rib.*

Rib roast, 10" ribs and rib steak, 10" rib are made from the standard primal rib. The blade bone or blade cartilage shall be removed from roasts or steaks.

(iii) *Rib roast, 7" ribs.*

(iv) *Rib steak, 7" rib.*

Rib roasts or steaks, 7" rib or ribs, are cut from the standard primal rib. The rib bone, or bones, in these cuts shall measure no larger than 7 inches in a straight line from the protruding edge of the chine bone.

(v) *Short ribs.* Short ribs are the ends of the ribs which are removed when making a 7" rib.

(6) *From the standard wholesale short plate*—(i) *Plate (bone in).* Plate (bone in) is made from the standard primal plate without removing the bones. The diaphragm or skirt muscle may or may not be removed, but the membrane on each side of the skirt and on the inside of the plate, and all loose fat shall be removed.

(ii) *Plate (boneless).* Boneless plate refers to the boneless meat of the primal plate after all bones, gristle, cartilage, membrane and excess fat have been removed. The boneless meat may be sold as boneless plate pot-roast, stew meat (boneless) or ground beef.

(7) *From the standard wholesale brisket*—(i) *Brisket (bone in) fresh or cured.* Brisket (bone in) is made from the standard primal brisket without removing the bones. No more than one inch of fat may be left on the brisket (bone in).

(ii) *Brisket (boneless) fresh or cured.* Boneless brisket, fresh or cured, refers to the boneless meat of the primal brisket after all bone, gristle, cartilage, and excess fat have been removed. The fat must be trimmed so that no more than one inch of fat is left on any lean muscle. The boneless brisket may be sold as boneless pot-roast, stew meat or ground beef.

(8) *From standard wholesale chuck.*

(i) *Blade pot-roast.*

(ii) *Blade steak.*

Blade pot-roast and blade steaks are made from the blade bone portion of the standard primal chuck. No portion of the arm knuckle shall be included in any blade pot-roast or blade steak. All fat exceeding one inch in thickness shall be removed from these cuts.

(iii) *Arm pot-roast.*

(iv) *Arm steak.*

Arm pot-roasts and arm steaks are made from the shoulder arm bone portion of the standard primal chuck. The arm knuckle shall not be left in any arm pot-roast or arm steak. All fat exceeding one inch in thickness shall be removed from these cuts.

(v) *English cut.* The English cut may be made from the standard primal chuck following the usual procedure in each locality.

(vi) *Chuck (boneless).* Boneless chuck pot-roasts are made from the blade bone and arm bone portions of the standard primal chuck. All fat exceeding one inch in thickness shall be removed from the boneless chuck.

(vii) *Neck (bone in).* The arm knuckle bone and the Atlas joint shall be removed from the neck. The throat side of the neck shall be trimmed and all fat in excess of one inch shall be removed. The neck may then be sold in pieces with the bone in.

(viii) *Neck (boneless).* The boneless neck is the meat remaining after all the bone, cartilage, fat, tendon, gristle and throat trimmings have been removed from the neck. (See subparagraph (8) (vii).) It may be sold as boneless pot-roast, stew or ground beef.

(9) *From standard wholesale foreshank*—(i) *Foreshank (bone in).* Remove the knee bone. Cut the shank into pieces with the bone in.

(ii) *Foreshank (boneless).* The boneless shank meat refers to the boneless meat from the foreshank after all bone, gristle, cartilage and sinews have been removed. The boneless shank meat may be sold as stew meat or as ground beef.

(10) *"Ground beef" (hamburger) or "ground beef patties"* means ground, chopped or comminuted fresh lean muscle beef, including skirt, flank, shank, neck, plate, brisket, heel of round or lean beef trimmings, and must not contain more than 28% beef fat by chemical analysis. Head meat, glandular meats, blood, cartilage, gristle, bone, cereal of any kind, or any other ingredient except seasoning shall not be put into ground beef.

[Subparagraph (10) amended by Am. 2, 8 F.R. 6214, effective 5-17-43.]

(b) *Retail veal cuts*—(1) *"Hindsaddle and hindquarter"* means the portion of the carcass and side, respectively, remaining after the severance of the 12th rib foresaddle or forequarter and comprising the legs or leg, and loin, double or single, including the 13th rib, flank and kidney, all in one piece, which portion shall be obtained by cutting the veal carcass or side between the 12th and 13th ribs, keeping the knife firmly against the 12th rib and following the curvature of the rib to the point where the 12th rib turns, from which point the cut shall be continued by following a line through the cartilage and meat at the flank in the same straight line at right angles to the chine bone, completing the cut. Tail or caudal vertebrae to be left on the hindsaddle or hindquarter are not to exceed 4 in number.

(2) *Retail cuts from hindsaddle and hindquarter*—(i) *"Legs of veal whole"* means the portion of the hindsaddle or hindquarter remaining after the severance of the loin from the hindsaddle or hindquarter, which portion shall be obtained by cutting squarely in a line at a right angle to the chine bone, starting at the juncture between the 5th and 6th lumbar vertebra and through a point flush against the anterior end or pin bone end of the pelvis, leaving all the hip bone in the leg. The pair of legs may be split through the center to make a single leg.

(ii) *"Legs of veal", "shank half and rump half"* means the whole leg, as described, which has been cut in half. They must be sold without removing any round steaks (cutlets).

(iii) *"Rump of veal" (bone in and boneless)* means the rump cut from the leg by placing the knife one inch from the knob at the aitchbone, continuing the cut close to the edge of the aitchbone and perpendicular to the outside or skin surface. This rump may be sold for a roast with the bone in. The rump also may be boned out and tied and sold as a boneless rump.

(iv) *"Leg veal, rump off"* means the part of the "leg veal whole" which remains after the rump is removed.

(v) *"Round roast and round steak" (cutlet).* The roast or steaks are cut from the "legs veal, rump off". This remaining portion, known as heel of round, may be used either as a boneless roast, boneless stew veal or ground veal. The heel shall not include the front muscle of the shin bone and must be entirely boneless.

(vi) *"Hind shank".* The remaining shank may be sold bone in or boned out for boneless stew or ground veal.

(vii) *"Sirloin roast or steaks"* means the entire hip of veal cut from the whole leg of veal; this may be sold as a roast or cut into steaks.

(viii) *"Short loin roast (without kidney)"* means that portion of the hindquarter or hindsaddle remaining after severance of the legs which portion shall be obtained by cutting squarely in a line at a right angle to the chine bone, starting at the juncture between the 5th and 6th lumbar vertebrae, and through a point flush against the anterior end or pin bone end of the pelvis, leaving all the hip bone in the leg. The double loin is split through the center of the chine bone to make a single loin. After the kidney is removed this may be sold as a roast.

(ix) *"Loin veal chops (without kidney)"* means chops cut from the loin, after removing 3 inches of the flank, removing the kidney, the fat not to be in excess of ½ inch on either side. Kidneys are to be sold with the kidney fat removed.

(3) *"Foresaddle and forequarter"* means the anterior portion of the carcass and side, respectively, remaining after the severance of the one-rib hindsaddle and hindquarter, which anterior portion shall be obtained by cutting the veal carcass or side between the 12th and 13th ribs, keeping the knife firmly against the curvature of the rib to the point where the 12th rib turns, from which point the cut shall be continued by following a line through the cartilage and meat of the flank in the same straight line at right angles to the chine bone, completing the cut.

(4) *Retail cuts from foresaddle and forequarter*—(i) *Rib roast and rib chops.* The rib roast or chops should not be over 6 inches in length on the outside from the back bone to the rib end of the roast or chop; this cut may be sold as rib roast or cut into chops.

(ii) *"Arm roast and arm chops, blade roast and blade chops"*, means any chops cut from the cross cut shoulder. They shall not contain any part of the shank or neck.

(iii) *"Shoulder square cut" (bone in and boneless)*, means the forequarter minus the rib, shank, breast, and neck. This may be sold bone in, or boned, rolled and tied with all bones removed.

(iv) *"Neck and breast" (bone in and boneless)*, means the entire neck or breast of veal sold whole or in part in one piece or cut into small pieces. This cut may be sold boneless for stew or ground veal.

(v) *"Fore shank" (bone in and boneless).* To remove shank from forequarter start just above the large arm joint and cut parallel with the back bone. This may be sold bone in or boneless for stew or ground veal.

(5) *"Ground veal or veal patties"* means any part of veal boned and ground and sold in any form (patties, loaves, etc.). Head meat, glandular meats, blood, cartilage, gristle, bone, cereal of any kind, or any other ingredient except seasoning shall not be put into ground veal or veal patties.

[Subparagraph (5) amended by Am. 2, 8 F.R. 6214, effective 5-17-43.]

(c) *Retail-lamb and mutton cuts*—(1) *Legs, lamb and mutton: (Long cut) (halves) (short cut).* "Legs" and "leg" mean a pair of legs and one leg, respectively. The legs are separated from the loin by cutting squarely in a line at a right angle to the chine bone, just exposing the end or point of the hip bone and leaving all the hip bone in the leg. The pair of legs may then be split through the center to make the single leg. These legs may be sold whole or halves, and short cut. Short cut legs mean the balance of the legs after the leg chops are removed. These chops may be cut from the hip bone to the aitch bone.

(2) *Loins, lamb and mutton.* (i) "Loin" and "half loin" means the double and single loin, respectively, and is the part of the hindsaddle which remains after the legs have been removed. The loin is separated from the hindsaddle by cutting squarely in a line at a right angle to the chine bone, just exposing the end or point of the hip bone, leaving none of the hip bone in the loin. The loin includes the 13th rib, also the flank, kidney and fat. The half loin is made by splitting the loin in half through the center at the chine bone.

(ii) "Loin chops" mean chops cut from the loin, after removing 3 inches of the flank, removing the kidney, and the back fat and suet not to be in excess of ½ inch on either side. Kidneys are to be sold with the kidney fat removed.

(3) *Hotel rack, lamb and mutton.* (i) "Hotel rack" may be either the double or single rib sections from the 5th to the 12th ribs, inclusive, minus the breast. It is made by cutting the foresaddle or forequarter, starting at a point on the 12th rib not more than 4 inches down from the point of the eye, cutting in a straight line to a point on the 5th rib which is not more than 4 inches from the hollow of the chine bone on the inside, in the lamb carcass, and not more than 4½ inches from the hollow of the chine bone on the inside in the mutton carcass. It is then separated from the yoke by cutting between the 4th and 5th ribs following the curvature of the ribs close to the 4th rib. It may be split through the center of the chine bone to make two single rib sections.

(ii) "Rib chops" are cut from the hotel rack by splitting between the ribs. All chops from the rack that contain any segments of shoulder-blade bone or cartilage are to be sold as shoulder lamb chops. Rib roasts may be sold by selling the rack whole or in part, double or single rib sections.

(4) *Yoke; lamb and mutton.* "Yoke" means the foresaddle minus the hotel rack. It consists of the neck, brisket, breast, shanks, and shoulders. The half yoke is made by splitting the yoke in half through the chine bone and neck bone.

(i) "Triangle bone-in" means the entire yoke sold as one piece of meat.

(ii) "Triangle boneless" means the entire yoke, boned, rolled and tied with all bones removed, rolled into a cylindrical shape and tied.

(iii) "Cross cut shoulder bone-in" means the triangle or yoke minus the breast. It includes neck, shoulder, shank, and brisket.

(iv) "Blade chops and arm chops" means any chops cut from the cross cut shoulder—they shall not contain any part of the shank or neck.

(v) "Square cut shoulder, bone-in" means the cross cut shoulder minus the full shank, brisket and the full neck.

(vi) "Breast, shank, neck, bone-in" means all or any part of the breast, shank or neck, sold in one piece or cut into small pieces.

(5) (i) "Ground lamb or lamb patties" means any part of lamb boned and ground and sold in any form (patties, loaves, etc.). Head meat, glandular meats, blood, cartilage, gristle, bone, cereal of any kind, or any other ingredient except seasoning shall not be put into ground lamb or lamb patties.

(ii) "Ground mutton or mutton patties" means any part of mutton boned and ground and sold in any form (patties, loaves, etc.). Head meat, glandular meats, blood, cartilage, gristle, bone, cereal of any kind, or any other ingredient except seasoning shall not be put into ground mutton or mutton patties.

[Subparagraph (5) amended by Am. 2, 8 F.R. 6214, effective 5-17-43.]

SEC. 21. *Chart of retail beef cuts and the wholesale cuts from which they are obtained.*[1]

[1] Filed as part of the original document.

SEC. 22. *Description of zones and Office of Price Administration list of retail ceiling prices for beef, veal, lamb and mutton cuts*—(a) *Retail ceiling prices for beef, veal, lamp and mutton—fresh, cured and frozen—Zone 1*

[For stores in Groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	56	52	44	38	34
2. T-bone	56	52	44	38	34
3. Club	56	52	44	38	34
4. Rib—10-inch cut	36	34	31	28	24
5. Rib—7-inch cut	39	37	34	29	25
6. Sirloin	47	44	36	31	27
7. Pin bone	47	44	36	31	27
8. Sirloin (boneless)	58	55	45	38	34
9. Round (bone-in—full cut)	45	43	38	32	28
10. Round (boneless—top and bottom)	48	45	39	33	29
11. Round tip	48	45	39	33	29
12. Chuck Blade (bone-in)	32	30	28	25	21
13. Chuck arm (bone-in)	32	30	28	25	21
14. Flank	41	41	40	40	36
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	36	34	31	28	24
2. Rib standing (chine bone-in, 7-inch cut)	39	37	34	29	25
3. Round tip	48	45	39	33	29
4. Rump (bone-in)	30	28	25	21	17
5. Rump (boneless)	48	45	39	33	29
6. Chuck blade pot roast	32	30	28	25	21
7. Chuck arm pot roast	32	30	28	25	21
8. Chuck or shoulder (boneless)	41	39	34	32	28
9. English cut	32	30	28	25	21
III. Stews and other cuts:					
1. Short ribs	23	23	21	21	17
2. Plate (bone-in) (fresh or cured)	23	23	21	21	17
3. Plate (boneless) (fresh or cured)	28	28	26	26	22
4. Brisket (bone-in) (fresh or cured)	28	28	24	24	20
5. Brisket (boneless) (fresh and cured) (deckle on)	36	36	31	31	27
6. Brisket (boneless) (cured) (deckle off)	41	41	36	36	
7. Flank meat	30	30	30	30	26
8. Neck (bone-in)	28	28	24	24	20
9. Neck (boneless)	34	32	30	27	23
10. Heel of round (boneless)	34	32	28	24	20
11. Shank (bone-in—hind and fore)	21	21	21	21	17
12. Shank (boneless—hind and fore)	29	29	28	28	24
13. Soup bone	3	3	3	3	3
14. Suet	5	5	5	5	5
IV. Ground beef	30	30	30	30	30
V. Retail prices of wholesale cuts:					
1. Round beef—whole	27	25	23	19	15
2. Sirloin beef—whole	32	31	26	22	18
3. Short loin beef—whole	30	38	31	26	22
4. Flank beef—whole	16	16	16	16	12
5. Rib beef—whole	29	27	25	22	18
6. Regular chuck—whole	24	23	21	19	15
7. Short plate—whole	17	17	16	16	12
8. Brisket—whole	20	20	17	17	13
9. Shank—whole	15	15	15	15	11

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
1. Loin chops	49	46	41	36	32
2. Rib chops	43	42	39	36	29
3. Shoulder chops (arm and blade)	33	31	28	24	22
4. Round steak (cutlets)	51	48	43	38	34
5. Sirloin steaks or chops	41	39	35	32	29
VII. Roasts:					
1. Rump and sirloin (bone-in)	38	36	32	29	26
2. Rump and sirloin (boneless)	54	50	45	40	36
3. Leg	38	36	32	29	26
4. Leg—rump-off	38	36	32	29	26
5. Leg—shank-half	38	36	32	29	26
6. Leg—rump-half	40	46	41	36	32
7. Loin	43	42	39	36	29
8. Rib	33	31	28	24	22
9. Blade and arm	51	48	43	38	34
10. Round	33	31	29	26	21
11. Shoulder (bone-in) (square cut)	30	28	26	33	26
12. Shoulder (boneless) (square cut)					

SEC. 22 (a)—Continued.

[For Stores in Groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VII. Roasts—Continued.					
13. Boneless veal leg or round					33
14. Boneless veal sirloin or strip					33
15. Veal tenderloin					33
16. Boneless veal regular rib roll					33
17. Boneless veal shoulder clod					32
18. Boned, rolled and tied veal roll					31
VIII. Stews and other cuts:					
1. Breast (bone-in)	24	23	22	20	16
2. Breast (boneless)	28	31	28	24	22
3. Flank meat	33	31	28	24	22
4. Neck (bone-in)	24	28	22	20	16
5. Neck (boneless)	33	31	28	24	22
6. Shank (bone-in) (hind and fore)	24	28	22	20	16
7. Shank and heel meat (boneless) (hind and fore)	33	31	28	24	22
8. Ground veal and patties	34	34	34	34	34
9. Neckbones					10
IX. Kidneys	34	34	34	34	34
X. Retail prices of wholesale cuts:					
1. Hindquarters	29	28	25	22	20
2. Forequarters	24	23	22	20	16

Lamb and Mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade B or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
1. Loin chops	60	60	54	48	34	32	20
2. Rib chops	50	47	44	40	23	20	17
3. Leg or sirloin chops	50	47	44	40	23	20	17
4. Shoulder chops, blade or arm chops	46	41	38	35	20	18	15
XII. Roasts:							
1. Leg (whole, half or short cut)	43	41	37	36	24	22	20
2. Sirloin roast (bone-in)	50	47	44	40	23	20	17
3. Yoke rattle or triangle (bone-in)	30	28	28	26	14	13	11
4. Yoke rattle or triangle (boneless)	44	43	41	39	21	18	16
5. Chuck or shoulder (square cut) (bone-in)	37	37	37	35	18	17	15
6. Chuck or shoulder (cross cut) (bone-in)	30	30	29	27	15	14	12
7. Loin	60	60	54	48	34	32	20
8. Rib	50	47	44	40	23	20	17
9. Boneless lamb shoulder roll				38			
XIII. Stews and other cuts:							
1. Breast and flank	22	21	19	18	11	10	9
2. Neck (bone-in)	22	21	19	18	11	10	9
3. Neck (boneless)	34	34	34	34	20	20	20
4. Shank (bone-in)	22	21	19	18	11	10	9
5. Patties (ground meat)	34	34	34	34	20	20	20
6. Neckbones				8			8
XIV. Kidneys	30	30	30	30	17	17	17
XV. Retail prices of wholesale cuts:							
1. Leg	38	36	32	28	20	19	18
2. Loin	43	42	39	37	17	15	13
3. Hotel rack	33	31	31	28	18	16	14
4. Yoke	25	22	22	20	11	10	9

These ceiling prices apply in all "Group 1 and 2" stores selling these meats at retail located in Zone 1.

Zone 1 includes the following areas: Washington, all counties; Oregon, all counties; California, all counties; Nevada, all counties.

All that portion of Idaho north of and including the counties of Idaho, Boundary, Bonner, Kootenai, Benewah, Shoshone, Latah, Clearwater, Nez Perce, and Lewis.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price that the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Paragraph (a) amended by Am. 1, 8 F.R. 4922, effective 4–14–43; Am. 2, 8 F.R. 6214, effective 5–17–43; Am. 5, 8 F.R. 7827, effective 6–21–43; Am. 8, 8 F.R. 9366, effective 7–13–43; Am. 11, 8 F.R. 12811, effective 9–20–43; and Am. 12, 8 F.R. 14738, effective 10–28–43.]

(b) ***Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 1.***

[For stores in Groups 3 and 4 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	53	50	43	36	32
2. T-Bone	53	50	43	36	32
3. Club	53	50	43	36	32
4. Rib—10-inch cut	33	31	29	26	21
5. Rib—7-inch cut	36	33	31	26	22
6. Sirloin	44	42	34	29	25
7. Pin Bone	44	42	34	29	25
8. Sirloin (boneless)	55	52	42	36	32
9. Round (bone-in—full cut)	48	46	35	30	26
10. Round (boneless—top and bottom)	45	42	27	31	27
11. Round tip	45	42	27	31	27
12. Chuck blade (bone-in)	30	28	26	23	19
13. Chuck arm (bone-in)	30	28	26	22	19
14. Flank	39	39	39	39	35
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	33	31	29	25	21
2. Rib standing (chine bone-in, 7-inch cut)	36	33	31	26	22
3. Round tip	45	42	27	31	27
4. Rump (bone-in)	28	27	23	20	16
5. Rump (boneless)	45	42	37	31	27
6. Chuck blade pot roast	30	28	26	23	19
7. Chuck arm pot roast	30	28	26	23	19
8. Chuck or shoulder (boneless)	39	36	34	30	26
9. English cut	30	28	26	23	19
III. Stews and other cuts:					
1. Short ribs	21	21	20	20	16
2. Plate (bone-in) (fresh or cured)	21	21	20	20	16
3. Plate (boneless) (fresh or cured)	26	26	24	24	20
4. Brisket (bone-in) (fresh or cured)	27	27	23	23	19
5. Brisket (boneless) (fresh and cured) (deckle on)	34	34	30	30	26
6. Brisket (boneless) (cured) (deckle off)	30	30	25	25	----
7. Flank meat	29	29	28	26	24
8. Neck (bone-in)	27	27	23	23	19
9. Neck (boneless)	32	30	28	26	22
10. Heel of round (boneless)	32	30	27	29	19
11. Shank (bone-in-hind and fore)	20	20	19	19	16
12. Shank (boneless-hind and fore)	27	27	27	27	23
13. Soup bone	3	3	3	3	3
14. Suet	5	5	5	5	5
IV. Ground beef	29	29	29	29	29
V. Retail prices of wholesale cuts:					
1. Round beef—whole	26	26	22	19	15
2. Sirloin beef—whole	32	30	26	21	17
3. Short loin beef—whole	38	36	30	26	22
4. Flank beef—whole	16	16	16	16	12
5. Rib beef—whole	28	27	26	22	18
6. Regular chuck—whole	24	22	21	18	14
7. Short plate—whole	17	17	16	16	12
8. Brisket—whole	20	20	17	17	13
9. Shank—whole	15	15	14	14	10

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
1. Loin chops	47	44	30	33	30
2. Rib chops	41	40	37	34	27
3. Shoulder chops (arm and blade)	31	29	28	23	21
4. Round steak (cutlets)	48	46	41	36	32
5. Sirloin steaks or chops	30	37	34	30	28
VII. Roasts:					
1. Rump and sirloin (bone-in)	36	34	31	27	25
2. Rump and sirloin (boneless)	51	48	43	37	34
3. Leg	36	34	31	27	25
4. Leg—rump-off	36	34	31	27	25
5. Leg—shank-half	36	34	31	27	25
6. Leg—rump-half	36	34	31	27	25
7. Loin	47	44	39	33	30
8. Rib	41	40	37	34	27
9. Blade and arm	31	29	28	23	21
10. Round	48	46	41	36	32
11. Shoulder (bone-in) (square cut)	30	29	27	25	20
12. Shoulder (boneless) (square cut)	37	36	34	31	25
13. Boneless veal leg or round	----	----	----	----	32
14. Boneless veal sirloin or strip	----	----	----	----	32
15. Veal tenderloin	----	----	----	----	32
16. Boneless veal regular rib roll	----	----	----	----	31
17. Boneless veal shoulder clod	----	----	----	----	29
18. Boned, rolled and tied veal roll	----	----	----	----	----

(b) ***Retail ceiling prices*—Continued.**

[For stores in Groups 3 and 4 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
1. Breast (bone-in)	22	22	20	19	15
2. Breast (boneless)	31	29	26	23	21
3. Flank meat	31	29	26	23	21
4. Neck (bone-in)	22	22	20	19	15
5. Neck (boneless)	31	29	26	23	21
6. Shank (bone-in) (hind and fore)	22	22	20	19	15
7. Shank and heel meat (boneless) (hind and fore)	31	29	26	23	21
8. Ground veal and patties	32	32	32	32	32
9. Neckbones	----	----	----	----	9
IX. Kidneys	32	32	32	32	32
X. Retail prices of wholesale cuts:					
1. Hindquarters	29	27	24	22	20
2. Forequarters	24	23	21	20	16

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
1. Loin chops	60	57	51	46	32	30	27
2. Rib chops	47	45	41	38	21	19	16
3. Leg or sirloin chops	47	45	41	38	21	19	16
4. Shoulder chops, blade or arm chops	41	39	36	33	19	16	14
XII. Roasts:							
1. Leg (whole, half or short cut)	41	39	35	31	22	21	19
2. Sirloin Roast (bone-in)	47	45	41	38	21	19	16
3. Yoke rattle or triangle (bone-in)	27	27	26	24	13	12	10
4. Yoke rattle or triangle (boneless)	41	40	39	36	19	17	14
5. Chuck or Shoulder, Square cut (bone-in)	36	35	35	33	17	15	12
6. Chuck or Shoulder, cross cut (bone-in)	29	28	28	26	14	13	11
7. Loin	60	57	51	46	32	30	27
8. Rib	47	45	41	38	21	19	16
9. Boneless lamb shoulder roll	----	----	----	36	----	----	----
XIII. Stews and other cuts:							
1. Breast and flank	21	20	18	17	10	9	8
2. Neck (bone-in)	21	20	18	17	10	9	8
3. Neck (boneless)	32	32	32	32	19	19	19
4. Shank (bone-in)	21	20	18	17	10	9	8
5. Patties (ground meat)	32	32	32	32	19	19	19
6. Neckbones	----	----	----	7	----	----	7
XIV. Kidneys	28	28	28	28	15	15	15
XV. Retail prices of wholesale cuts:							
1. Leg	34	33	31	28	20	19	17
2. Loin	35	31	26	22	16	15	13
3. Hotel rack	38	35	30	25	18	16	14
4. Yoke	22	22	21	20	11	10	8

These ceiling prices apply in all "Group 3 and 4" stores selling these meats at retail located in Zone 1.

Zone 1 includes the following areas: Washington, all counties; Oregon, all counties; California, all counties; Nevada, all counties.

All that portion of Idaho north of and including the counties of Idaho, Boundary, Bonner, Kootenai, Benewah, Shoshone, Latah, Clearwater, Nez Perce, and Lewis.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Above portion of paragraph (b) amended by Am. 1, 8 F.R. 4922, effective 4–14–43; Am. 2, 8 F.R. 6214, effective 5–17–43; Am. 5, 8 F.R. 7827, effective 6–21–43; Am. 8, 8 F.R. 9366, effective 7–13–43; Am. 11, 8 F.R. 12811, effective 9–20–43; and Am. 12, 8 F.R. 14738, effective 10–26–43.]

(1) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 1*

[For stores in Group 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 355, effective October 28, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
Porterhouse	51	48	41	35	31
T-Bone	51	48	41	35	31
Club	51	48	41	35	31
Rib—10-inch cut	32	30	28	24	20
Rib—7-inch cut	35	32	30	25	21
Sirloin	42	40	33	28	24
Pin bone	42	40	33	28	24
Sirloin (boneless)	58	50	40	35	31
Round (bone-in) (full cut)	41	38	34	29	25
Round (boneless) (top and bottom)	43	40	36	30	26
Round tip	43	40	36	30	26
Chuck blade (bone-in)	29	27	24	22	18
Chuck arm (bone-in)	29	27	25	22	18
Flank	36	36	36	36	34
II. Roasts:					
Rib standing (chine bone-in, 10-inch cut)	32	30	28	24	20
Rib standing (chine bone-in, 7-inch cut)	35	32	30	25	21
Round tip	43	40	36	30	26
Rump (bone-in)	27	26	22	19	15
Rump (boneless)	43	40	36	30	26
Chuck blade pot roast	30	27	26	22	18
Chuck arm pot roast	29	27	25	22	18
Chuck or shoulder (boneless)	38	35	28	29	25
English cut	29	27	26	22	18
III. Stews and other cuts:					
Short ribs	20	20	19	19	15
Plate (bone-in) (fresh or cured)	20	20	19	19	15
Plate (boneless) (fresh or cured)	26	25	23	23	19
Brisket (bone-in) (fresh or cured)	26	26	23	22	18
Brisket (boneless) (fresh or cured) (deckle on)	33	28	30	20	26
Brisket (boneless) (cured) (deckle off)	28	28	34	34	
Flank meat	28	28	27	27	23
Neck (bone-in)	26	26	22	22	18
Neck (boneless)	31	29	27	24	20
Heel of round (boneless)	31	29	26	22	18
Shank (bone-in) (hind and fore)	19	19	18	18	14
Shank (boneless) (hind and fore)	26	26	26	26	22
Soup bone	3	3	3	3	3
Suet	5	5	5	5	5
IV. Ground beef	28	28	26	26	28
V. Retail prices of wholesale cuts:					
Round beef—whole	25	24	21	18	14
Sirloin beef—whole	31	29	24	20	16
Short loin beef—whole	36	35	29	25	21
Flank beef—whole	18	18	15	15	11
Rib beef—whole	27	26	24	21	17
Regular Chuck—whole	23	21	20	17	13
Short plate—whole	16	16	15	15	11
Brisket—whole	19	19	16	16	12
Shank—whole	14	14	14	14	10

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
Loin chops	45	42	36	33	29
Rib chops	39	36	36	33	26
Shoulder chops (arm and blade)	30	28	25	22	20
Round steak (cutlets)	46	44	39	35	31
Sirloin steaks or chops	38	36	33	29	27
VII. Roasts:					
Rump and sirloin (bone-in)	35	33	30	26	24
Rump and sirloin (boneless)	49	46	41	36	33
Leg	35	33	30	26	24
Leg—rump-off	35	33	30	26	24
Leg—shank-half	35	33	30	26	24
Leg—rump-half	45	42	38	32	29
Loin	39	38	26	33	26
Rib	30	28	25	22	20
Blade and arm	46	44	39	35	31
Round	29	28	26	24	19
Shoulder (bone-in) (square cut)	36	35	33	30	24
Shoulder (boneless) (square cut)					31
Boneless veal leg or round					31
Boneless veal sirloin strip					31
Veal tenderloin					31
Boneless veal regular rib roll					30
Boneless veal shoulder clod					28
Boned, rolled and tied veal roll					
VIII. Stews and other cuts:					
Breast (bone-in)	21	21	19	18	14
Breast (boneless)	30	28	25	22	20
Flank meat	30	28	25	22	20
Neck (bone-in)	21	21	19	18	14
Neck (boneless)	30	28	25	22	20
Shank (bone-in) (hind and fore)	21	21	19	18	14
Shank and heel meat (boneless) (hind and fore)	30	28	25	22	20
Ground veal and patties	31	31	31	31	31
Neck bones					9
IX. Kidneys	31	31	31	31	31
X. Retail prices of wholesale cuts:					
Hindquarters	28	26	23	21	19
Forequarters	23	22	20	19	15

Retail ceiling prices—Continued.

[For stores in Group 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 355, effective October 28, 1943]

Lamb and mutton	Grades						
	Lamb				Mutton		
	AA or choice	A or good	B or commercial	C or utility	B or prime, choice and good	M or commercial	R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
Loin chops	58	55	49	44	31	29	26
Rib chops	45	43	39	37	20	18	15
Leg or sirloin chops	45	43	39	37	20	18	18
Shoulder chops, blade or arm chops	39	37	35	32	18	15	14
XII. Roasts:							
Leg (whole, half, or short cut)	39	38	34	30	21	20	18
Sirloin roast (bone-in)	45	43	39	37	20	18	15
Yoke, rattle or triangle (bone-in)	26	26	25	23	13	12	10
Yoke, rattle or triangle (boneless)	39	38	38	35	18	16	14
Chuck or shoulder (square cut) (bone-in)	35	34	34	32	16	14	13
Chuck or shoulder (cross cut) (bone-in)	28	27	27	25	14	13	11
Loin	58	55	49	44	31	29	26
Rib	45	43	39	37	20	18	15
Boneless lamb shoulder roll				35			
XIII. Stews and other cuts:							
Breast and flank	20	19	17	16	10	9	8
Neck (bone-in)	20	19	17	16	10	9	8
Neck (boneless)	31	31	31	31	18	18	18
Shank (bone-in)	20	19	17	16	10	9	8
Patties (ground meat)	31	31	31	31	18	18	18
Neckbones				7			7
XIV. Kidneys	27	27	27	27	14	14	14
XV. Retail prices of wholesale cuts:							
Leg	33	32	30	27	19	18	16
Loin	34	30	25	21	15	14	13
Hotel Rack	37	34	29	24	17	15	14
Yoke	21	21	20	19	11	10	8

NOTES—THESE CEILING PRICES APPLY IN GROUP 3B AND 4B STORES SELLING THESE MEATS AT RETAIL LOCATED IN ZONE 1

Zone 1 includes the following area:

Washington, all counties
Oregon, all counties
California, all counties
Nevada, all counties
All that portion of Idaho, north of and including the Counties of Idaho, Boundary, Bonner, Kootenai, Benewah, Shoshone, Latah, Clearwater, Nez Perce, and Lewis.

The above prices are subject to the conditions contained in Notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Subparagraph (1) added by Am. 12, 8 F.R. 14738, effective 10-28-43.]

(c) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 2.*

[For stores in Groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	54	51	43	37	33
2. T-bone	54	51	43	37	33
3. Club	54	51	43	37	33
4. Rib—10-inch cut	34	33	30	25	22
5. Rib—7-inch cut	38	36	33	28	24
6. Sirloin	45	43	35	30	26
7. Pin bone	45	43	35	30	26
8. Sirloin (boneless)	56	53	43	37	33
9. Round (bone-in) (full cut)	44	42	36	31	27
10. Round (boneless) (top & bottom)	46	43	36	32	28
11. Round tip	46	43	36	32	28
12. Chuck blade (bone-in)	31	29	27	24	20
13. Chuck arm (bone-in)	31	29	27	24	20
14. Flank	39	39	39	33	35
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	34	33	30	26	22
2. Rib standing (chine bone-in, 7-inch cut)	38	36	33	28	24
3. Round tip	46	43	36	32	28
4. Rump, (bone-in)	29	27	24	20	16
5. Rump, (boneless)	46	43	36	32	28
6. Chuck blade pot roast	31	29	27	24	20
7. Chuck arm, pot roast	31	29	27	24	20
8. Chuck or shoulder (boneless)	40	37	35	31	27
9. English cut	31	29	27	24	20
III. Stews and other cuts:					
1. Short ribs	21	21	20	20	16
2. Plate, (bone-in) (fresh or cured)	21	21	20	20	16
3. Plate, (boneless) (fresh or cured)	26	26	24	24	20
4. Brisket, (bone-in) (fresh or cured)	26	26	23	23	19
5. Brisket (boneless) (fresh and cured) (deckle on)	34	34	29	29	25
6. Brisket (boneless) (cured) (deckle off)	39	39	34	34	
7. Flank meat	28	28	28	28	24
8. Neck, (bone-in)	26	26	23	23	19
9. Neck, (boneless)	33	31	29	25	21
10. Heel of round (boneless)	3	31	27	23	19
11. Shank (bone-in) (hind and fore)	20	20	19	19	15
12. Shank (boneless) (hind and fore)	27	27	27	27	23
13. Soup bone	3	3	3	3	3
14. Suet	5	5	5	5	5
IV. Ground beef	28	28	28	28	28
V. Retail prices of wholesale cuts:					
1. Round beef—whole	26	25	22	18	14
2. Sirloin beef—whole	31	30	26	21	17
3. Short loin beef—whole	38	36	30	26	21
4. Flank beef—whole	15	18	18	15	11
5. Rib beef—whole	28	27	23	21	17
6. Regular chuck—whole	23	22	20	18	14
7. Short plate—whole	17	17	16	15	11
8. Brisket—whole	19	19	16	16	12
9. Shank—whole	14	14	14	14	10

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
1. Loin chops	47	44	39	34	30
2. Rib chops	42	41	37	34	27
3. Shoulder chops (arm and blade)	31	29	26	23	21
4. Round steak (cutlets)	49	46	41	36	32
5. Sirloin steaks or chops	39	37	33	30	27
VII. Roasts:					
1. Rump and sirloin (bone-in)	36	34	30	27	24
2. Rump and sirloin (boneless)	52	48	43	38	34
3. Leg	36	34	30	27	24
4. Leg—Rump-off	36	34	30	27	24
5. Leg—Shank-half	36	34	30	27	24
6. Leg—Rump-half	36	34	30	27	24
7. Loin	47	44	39	34	30
8. Rib	42	41	37	34	27
9. Blade and arm	31	29	26	23	21
10. Round	49	46	41	36	32
11. Shoulder (bone-in) (square cut)	30	29	27	25	20
12. Shoulder (boneless) (square cut)	38	37	34	31	25
13. Boneless veal leg or round					32
14. Boneless veal, sirloin strip					32
15. Veal tenderloin					32
16. Boneless veal, regular rib roll					31
17. Boneless veal, shoulder clod					30
18. Boned, rolled and tied veal roll					

(c) *Retail ceiling prices*—Continued.

[For stores in Groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
1. Breast (bone-in)	22	22	20	18	15
2. Breast (boneless)	31	29	26	23	21
3. Flank meat	31	29	26	23	21
4. Neck (bone-in)	22	22	20	18	15
5. Neck (boneless)	31	29	26	23	21
6. Shank (bone-in) (hind and fore)	22	22	20	18	15
7. Shank and heel meat (boneless) (hind and fore)	31	29	26	23	21
8. Ground veal and patties	32	32	32	32	32
9. Neckbones					9
IX. Kidneys	32	32	32	32	32
X. Retail prices of wholesale cuts:					
1. Hindquarters	28	27	24	21	19
2. Forequarters	23	22	20	19	15

Lamb and mutton	Grades						
	Lamb				Mutton		
	AA or choice	A or good	B or commercial	C or utility	8 or prime, choice and good	M or commercial	R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
1. Loin chops	61	57	52	46	32	29	26
2. Rib chops	47	45	41	37	20	18	15
3. Leg or sirloin chops	47	45	41	37	20	18	15
4. Shoulder chops, blade or arm chops	41	38	36	32	18	15	13
XII. Roasts:							
1. Leg (whole, half or short cut)	41	38	35	31	21	19	18
2. Sirloin roast (bone-in)	47	45	41	37	20	18	15
3. Yoke, rattle or triangle (bone-in)	27	26	25	23	12	11	9
4. Yoke, rattle or triangle (boneless)	41	40	39	36	18	16	13
5. Chuck or shoulder, square cut (bone-in)	35	35	35	33	16	14	12
6. Chuck or shoulder, cross cut (bone-in)	28	27	27	25	13	11	10
7. Loin	61	57	52	46	32	29	26
8. Rib	47	45	41	37	20	18	15
9. Boneless lamb shoulder roll				36			
XIII. Stews and other cuts:							
1. Breast and flank	20	18	17	15	8	7	6
2. Neck (bone-in)	20	18	17	15	8	7	6
3. Neck (boneless)	32	32	32	32	18	18	18
4. Shank (bone-in)	20	18	17	15	8	7	6
5. Patties (ground meat)	32	32	32	32	18	18	18
6. Neckbones				6			6
XIV. Kidneys	27	27	27	27	14	14	14
XV. Retail prices of wholesale cuts:							
1. Leg	33	32	30	27	19	17	16
2. Loin	33	30	25	21	15	13	12
3. Hotel rack	37	34	29	24	16	14	12
4. Yoke	21	20	20	18	9	8	7

These ceiling prices apply in all Group 1 and 2 stores selling these meats at retail located in Zone 2.

Zone 2 includes the following area: Montana and all counties; Wyoming and all counties; Utah and all counties; Arizona and all counties; all that portion of Idaho south of but not including Idaho County.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Paragraph (c) amended by Am. 1, 8 F.R. 4922, effective 4-14-43; Am. 2, 8 F.R. 6214, effective 5-17-43; Am. 5, 8 F.R. 7827, effective 6-21-43; Am. 8, 8 F.R. 9366, effective 7-13-43; Am. 11, 8 F.R. 12811, effective 9-20-43; and Am. 12, 8 F.R. 14738, effective 10-28-43.]

(d) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 2.*

[For stores in Groups 3 and 4 as provided in Maximum Price Regulation No. 353, effective June 21, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	52	49	41	35	31
2. T-Bone	52	49	41	35	31
3. Club	52	49	41	35	31
4. Rib 10-inch cut	32	30	28	24	20
5. Rib 7-inch cut	34	32	30	25	21
6. Sirloin	43	41	36	30	26
7. Pin bone	43	41	33	28	24
8. Sirloin (boneless)	53	51	41	35	31
9. Round (bone-in) (full cut)	42	39	34	28	25
10. Round (boneless) (top & bottom)	43	41	35	30	26
11. Round tip	43	41	36	30	26
12. Chuck blade (bone-in)	29	27	25	22	18
13. Chuck Arm (bone-in)	29	27	26	22	18
14. Flank	37	37	37	37	33
II. Roasts:					
1. Rib standing (chine bone-in, 10 inch cut)	32	30	28	24	20
2. Rib standing (chine bone-in, 7 inch cut)	34	32	30	25	21
3. Round tip	43	41	36	30	26
4. Rump, (bone-in)	27	25	22	18	14
5. Rump (boneless)	43	41	36	30	26
6. Chuck blade pot roast	29	27	25	22	18
7. Chuck arm pot roast	29	27	25	22	18
8. Chuck or shoulder (boneless)	37	35	32	28	24
9. English cut	29	27	25	22	18
III. Stews and other cuts:					
1. Short ribs	20	20	18	18	14
2. Plate, (bone-in) (fresh or cured)	20	20	19	19	15
3. Plate (boneless) (fresh or cured)	25	25	23	23	19
4. Brisket, (bone-in) (fresh or cured)	25	25	22	22	18
5. Brisket, (boneless) (fresh and cured) (deckle on)	33	33	28	28	24
6. Brisket (boneless) (cured) (deckle off)	38	38	33	33	
7. Flank meat	27	27	27	27	23
8. Neck, (bone-in)	25	25	22	22	18
9. Neck, (boneless)	31	29	28	23	19
10. Heel of round (boneless)	31	29	25	21	17
11. Shank (bone-in) (hind and fore)	19	19	18	18	14
12. Shank (boneless) (hind and fore)	25	25	25	25	21
13. Soup bone	3	3	3	3	3
14. Suet	5	5	5	5	5
IV. Ground beef	27	27	27	27	27
V. Retail prices of wholesale cuts:					
1. Round beef—whole	26	24	21	18	14
2. Sirloin beef—whole	31	30	24	20	16
3. Short loin beef—whole	37	35	30	25	21
4. Flank beef—whole	15	15	15	15	11
5. Rib beef—whole	23	23	24	21	17
6. Regular chuck—whole	23	23	20	18	14
7. Short plate—whole	16	16	15	15	11
8. Brisket—whole	19	19	16	16	12
9. Shank—whole	14	14	14	14	10

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
1. Loin chops	45	42	37	32	28
2. Rib chops	39	38	35	32	28
3. Shoulder chops (arm and blade)	30	28	24	22	19
4. Round steak (cutlets)	47	44	39	34	30
5. Sirloin steaks or chops	37	35	32	28	26
VII. Roasts:					
1. Rump and sirloin (bone-in)	34	32	29	26	23
2. Rump and sirloin (boneless)	49	46	41	36	32
3. Leg	34	32	29	25	23
4. Leg—Rump-off	34	32	29	26	23
5. Leg—Shank-half	34	32	29	26	23
6. Leg—Rump-half	34	32	29	26	23
7. Loin	45	42	37	32	28
8. Rib	39	38	35	32	25
9. Blade and arm	30	28	24	22	19
10. Round	47	44	39	34	30
11. Shoulder (bone-in) (square cut)	29	28	24	22	19
12. Shoulder (boneless) (square cut)	36	35	32	28	23
13. Boneless veal, leg or round					30
14. Boneless veal, sirloin strip					30
15. Veal tenderloin					30
16. Boneless veal, regular rib roll					29
17. Boneless veal, shoulder clod					28
18. Boned, rolled and tied veal roll					

(d) *Retail ceiling prices*—Continued.

[For stores in Groups 3 and 4 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
1. Breast (bone-in)	21	20	19	17	14
2. Breast (boneless)	30	28	24	22	19
3. Flank meat	30	28	24	22	19
4. Neck (bone-in)	21	20	19	17	14
5. Neck (boneless)	30	28	24	22	19
6. Shank (bone-in) (hind and fore)	21	20	19	17	14
7. Shank and heel meat (boneless) (hind and fore)	30	28	24	22	19
8. Ground veal and patties	31	31	31	31	31
9. Neckbones					8
IX. Kidneys	30	30	30	30	30
X. Retail prices of wholesale cuts:					
1. Hindquarters	28	26	23	20	18
2. Forequarters	22	22	20	18	15

Lamb and mutton	Grades						
	Lamb				Mutton		
	AA or choice	A or good	B or commercial	C or utility	S or prime, choice and good	M or commercial	R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
1. Loin chops	56	54	49	43	30	27	25
2. Rib chops	45	42	39	35	19	16	14
3. Leg or sirloin chops	45	42	39	35	19	16	14
4. Shoulder chops, blade or arm chops	39	36	34	30	16	14	12
XII. Roasts:							
1. Leg (whole, half or short cut)	39	36	33	29	20	18	16
2. Sirloin roast (bone-in)	45	42	39	36	19	16	14
3. Yoke, rattle or triangle (bone-in)	25	24	24	22	11	10	8
4. Yoke, rattle or triangle (boneless)	39	38	37	34	17	14	12
5. Chuck or shoulder, square cut (bone-in)	33	33	32	31	15	13	11
6. Chuck or shoulder, cross cut (bone-in)	27	26	25	24	12	10	9
7. Loin	58	54	49	43	30	27	25
8. Rib	45	42	39	35	19	16	14
9. Boneless lamb shoulder roll				34			
XIII. Stews and offer cuts:							
1. Breast and flank	18	18	16	14	8	7	6
2. Neck (bone-in)	18	18	16	14	8	7	6
3. Neck (boneless)	30	30	30	30	17	17	17
4. Shank (bone-in)	18	18	16	14	8	7	6
5. Patties (ground meat)	30	30	30	30	17	17	17
6. Neckbones				5			5
XIV. Kidneys	26	26	26	26	13	13	13
XV. Retail prices of wholesale cuts:							
1. Leg	33	34	29	26	18	17	15
2. Loin	33	30	25	21	15	13	11
3. Hotel rack	36	33	29	24	16	14	12
4. Yoke	21	20	19	18	9	8	7

These ceiling prices apply in all Group 3 and 4 stores selling these meats at retail located in Zone 2.

Zone 2 includes the following area: Montana and all counties; Wyoming and all counties; Utah and all counties; Arizona and all counties; all that portion of Idaho south of but not including Idaho County.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Above portion of (d) amended by Am. 1, 8 F.R. 4922, effective 4-14-43; Am. 2, 8 F.R. 6214, effective 5-17-43; Am. 5, 8 F.R. 7827, effective 6-21-43; Am. 8, 8 F.R. 9366, effective 7-13-43; Am. 11, 8 F.R. 12811, effective 9-20-43; and Am. 12, 8 F.R. 14738, effective 10-28-43.]

(1) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 2*

[For stores in Group 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 355, effective October 28, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
Porterhouse	50	47	39	34	30
T-Bone	50	47	39	34	30
Club	50	47	39	34	30
Rib—10-inch cut	31	29	27	23	19
Rib—7-inch cut	33	31	29	24	20
Sirloin	41	39	32	27	23
Fin bone	41	39	32	27	23
Sirloin (boneless)	51	49	39	34	30
Round (bone-in) (full cut)	40	38	33	28	24
Round (boneless) (top and bottom)	41	39	35	29	25
Round tip	41	39	35	29	25
Chuck blade (bone-in)	28	26	24	21	17
Chuck arm (bone-in)	28	26	24	21	17
Flank	36	36	36	36	32
II. Roasts:					
Rib standing (chine bone-in, 10-inch cut)	31	29	27	23	19
Rib standing (chine bone-in, 7-inch cut)	33	31	29	24	20
Round tip	41	39	35	29	25
Rump (bone-in)	26	24	21	17	13
Rump (boneless)	41	39	35	29	25
Chuck blade pot roast	28	26	24	21	17
Chuck arm pot roast	28	26	24	21	17
Chuck or shoulder (boneless)	36	34	31	27	23
English cut	28	26	24	21	17
III. Stews and other cuts:					
Short ribs	19	19	17	17	13
Plate (bone-in) (fresh or cured)	19	19	18	18	14
Plate (boneless) (fresh or cured)	24	24	22	22	18
Brisket (bone-in) (fresh or cured)	24	24	21	21	17
Brisket (boneless) (fresh or cured) (deckle on)	32	32	27	27	23
Brisket (boneless) (cured) (deckle off)	37	37	32	32	
Flank meat	26	26	26	26	22
Neck (bone-in)	24	24	21	21	17
Neck (boneless)	30	28	25	22	18
Heel of round (boneless)	30	28	24	20	16
Shank (bone-in) (hind and fore)	18	18	17	17	13
Shank (boneless) (hind and fore)	24	24	24	24	20
Soup bone	3	3	3	3	3
Suet	5	5	5	5	5
IV. Ground beef	26	26	26	26	26
V. Retail prices of wholesale cuts:					
Round beef—whole	25	23	20	17	13
Sirloin beef—whole	30	29	23	19	15
Short loin beef—whole	36	34	29	24	20
Flank beef—whole	14	14	14	14	10
Rib beef—whole	27	25	23	20	16
Regular chuck—whole	22	21	19	17	13
Short plate—whole	15	15	14	14	10
Brisket—whole	18	18	15	15	11
Shank—whole	14	14	14	14	10

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and Chops.					
Loin chops	43	40	36	31	27
Rib chops	38	37	34	31	24
Shoulder chops (arm and blade)	29	27	23	21	18
Round steak (cutlets)	45	42	38	32	29
Sirloin steaks or chops	36	34	31	27	25
VII. Roasts:					
Rump and sirloin (bone-in)	33	31	28	24	22
Rump and sirloin (boneless)	47	44	39	34	31
Leg	33	31	28	24	22
Leg—Rump-off	33	31	28	24	22
Leg—Shank-half	33	31	28	24	22
Leg—Rump-half	33	31	28	24	22
Loin	43	40	34	31	27
Rib	38	37	34	31	24
Blade and arm	29	27	23	21	18
Round	45	42	38	33	29
Shoulder (bone-in) (square cut)	27	27	24	22	17
Shoulder (boneless) (square cut)	35	34	31	28	22
Boneless veal leg or round					29
Boneless veal sirloin strip					29
Veal tenderloin					29
Boneless veal regular rib roll					29
Boneless veal shoulder clod					28
Boned, rolled and tied veal roll					27

(1) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and Frozen—Zone 2*—Continued

[For stores in Group 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 355, effective October 28, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
Breast (bone-in)	20	19	18	16	14
Breast (boneless)	29	27	23	21	18
Flank meat	29	27	23	21	18
Neck (bone-in)	20	19	18	16	14
Neck (boneless)	29	27	23	21	18
Shank (bone-in) (hind and fore)	20	19	18	16	14
Shank and heel meat (boneless) (hind and fore)	29	27	23	21	18
Ground veal and patties	30	30	30	30	30
Neckbones					8
IX. Kidneys	29	29	29	29	29
X. Retail prices of wholesale cuts:					
Hindquarters	27	25	22	19	17
Forequarters	21	21	19	17	14

Lamb and mutton	Grades						
	Lamb				Mutton		
	AA or choice	A or good	B or commercial	C or utility	S or prime, choice and good	M or commercial	R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
Loin chops	56	52	47	41	29	26	24
Rib chops	43	40	38	34	18	15	14
Leg or sirloin chops	43	40	38	34	18	15	14
Shoulder chops, blade or arm chops	38	35	33	29	15	14	12
XII. Roasts:							
Leg (whole, half or short cut)	38	35	32	28	19	17	15
Sirloin roast (bone-in)	43	40	38	34	18	15	14
Yoke, rattle or triangle (bone-in)	24	23	23	21	11	10	8
Yoke, rattle or triangle (boneless)	39	37	36	33	16	14	12
Chuck or shoulder (square cut) (bone-in)	32	32	32	30	14	13	11
Chuck or shoulder (cross cut) (bone-in)	26	25	24	23	12	10	9
Loin	56	52	47	41	29	26	24
Rib	43	40	38	34	18	15	14
Boneless lamb shoulder roll				33			
XIII. Stews and other cuts:							
Breast and flank	17	17	15	14	8	7	6
Neck (bone-in)	17	17	15	14	8	7	6
Neck (boneless)	29	29	29	29	16	16	16
Shank (bone-in)	17	17	15	14	8	7	6
Patties (ground meat)	29	29	29	29	16	16	16
Neckbones				5			5
XIV. Kidneys	25	25	25	25	13	13	13
XV. Retail prices of wholesale cuts:							
Leg	32	30	28	25	17	16	14
Loin	32	29	24	20	14	13	11
Hotel rack	35	32	28	23	15	14	12
Yoke	20	19	18	17	9	8	7

NOTES—THESE CEILING PRICES APPLY IN GROUP 3B AND 4B STORES SELLING THESE MEATS AT RETAIL LOCATED IN ZONE 2

Zone 2 includes the following area:

Montana, all counties
Wyoming, all counties
Utah, all counties
Arizona, all counties
All that portion of Idaho, south of, but not including Idaho County.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in Section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Subparagraph (1) added by Am. 12, 8 F.R. 14738, effective 10-28-43.]

(e) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 3.*

[For stores in Groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	53	49	42	35	31
2. T-Bone	53	49	42	35	31
3. Club	53	49	42	35	31
4. Rib 10-inch cut	33	32	29	25	21
5. Rib 7-inch cut	37	34	32	27	23
6. Sirloin (bone-in)	44	42	34	29	25
7. Pin bone	44	42	34	29	25
8. Sirloin (boneless)	54	52	42	35	31
9. Round (bone-in) (full cut)	43	40	35	29	25
10. Round (boneless) (top and bottom)	45	42	36	30	26
11. Round tip	45	42	36	30	26
12. Chuck blade (bone-in)	30	28	26	22	18
13. Chuck arm (bone-in)	30	28	26	22	18
14. Flank	37	37	37	37	33
II. Roasts:					
1. Rib-standing (chine bone-in—10-inch cut)	33	32	29	26	21
2. Rib-standing (chine bone-in—7-inch cut)	37	34	32	27	23
3. Round tip	45	42	36	30	26
4. Rump (bone-in)	27	26	22	19	15
5. Rump (boneless)	45	42	36	30	26
6. Chuck blade—Pot roast	30	28	26	22	18
7. Chuck arm—Pot roast	30	28	26	22	18
8. Chuck or shoulder (boneless)	38	36	33	29	25
9. English cut	30	28	26	22	18
III. Stews and other cuts:					
1. Short ribs	20	20	19	19	15
2. Plate (bone-in) (fresh or cured)	20	20	19	19	15
3. Plate (boneless) (fresh or cured)	25	25	23	23	19
4. Brisket (bone-in) (fresh or cured)	25	25	23	22	18
5. Brisket (boneless) (fresh and cured) (deckle on)	33	33	28	28	24
6. Brisket (boneless) (cured) (deckle off)	38	38	33	33	
7. Flank meat	26	26	26	26	22
8. Neck (bone-in)	25	25	22	22	18
9. Neck (boneless)	32	30	27	24	20
10. Heel of round (boneless)	31	29	25	21	17
11. Shank (bone-in) (hind and fore)	18	18	18	18	14
12. Shank (boneless) (hind and fore)	25	25	25	25	21
13. Soup bone	3	3	3	3	3
14. Suet	5	5	5	5	5
IV. Ground beef	26	26	26	26	26
V. Retail prices of wholesale cuts:					
1. Round beef (whole)	25	24	21	18	14
2. Sirloin beef (whole)	31	29	23	20	16
3. Short loin beef (whole)	37	34	29	24	20
4. Flank beef (whole)	15	15	14	14	10
5. Rib beef (whole)	27	26	24	20	16
6. Regular chuck (whole)	23	21	19	17	13
7. Short plate (whole)	16	16	14	14	10
8. Brisket (whole)	18	18	16	16	12
9. Shank (whole)	13	13	13	13	9

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
1. Loin chops	46	43	37	32	28
2. Rib chops	40	39	36	33	26
3. Shoulder chops (arm and blade)	30	28	25	22	19
4. Round steak (cutlets)	48	44	39	34	31
5. Sirloin steaks or chops	38	36	32	28	26
VII. Roasts:					
1. Rump and sirloin (bone-in)	35	32	29	25	23
2. Rump and sirloin (boneless)	50	47	42	36	32
3. Leg	35	32	29	25	23
4. Leg—rump-off	35	32	29	25	23
5. Leg—shank-half	35	32	29	25	23
6. Leg—rump-half	46	43	37	33	28
7. Loin	40	39	36	33	26
8. Rib	30	28	25	22	19
9. Blade and arm	48	44	39	34	31
10. Round	29	28	26	23	18
11. Shoulder (bone-in) (square cut)	37	35	33	30	23
12. Shoulder (boneless) (square cut)					31
13. Boneless veal, leg or round					31
14. Boneless veal (sirloin strip)					31
15. Veal tenderloin					31
16. Boneless veal, regular rib roll					30
17. Boneless veal, shoulder clod					29
18. Boned, rolled and tied veal roll					

(e) *Retail ceiling prices*—Continued.

[For stores in groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
1. Breast (bone-in)	21	20	19	17	14
2. Breast (boneless)	30	28	25	22	19
3. Flank meat	30	28	25	22	19
4. Neck (bone-in)	21	20	19	17	14
5. Neck (boneless)	30	28	25	22	19
6. Shank (bone-in) (hind and fore)	21	20	19	17	14
7. Shank and heel meat (boneless) (hind and fore)	30	28	25	22	19
8. Ground veal and patties	31	31	31	31	31
9. Neckbones					8
IX. Kidneys	30	30	30	30	30
X. Retail prices of wholesale cuts:					
1. Hindquarters	27	26	23	20	18
2. Forequarters	22	21	20	18	14

Lamb and mutton	Grades						
	Lamb				Mutton		
	AA or choice	A or good	B or commercial	C or utility	S or prime, choice and good	M or commercial	B or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
1. Loin chops	61	57	52	46	32	29	26
2. Rib chops	47	45	41	37	20	18	15
3. Leg or sirloin chops	47	45	41	37	20	18	15
4. Shoulder chops, blade or arm chops	41	38	36	32	18	15	13
XII. Roasts:							
1. Leg (whole, half or short cut)	41	38	35	31	21	19	18
2. Sirloin roast (bone-in)	47	45	41	37	20	18	15
3. Yoke, rattle or triangle (bone-in)	27	26	25	23	12	11	9
4. Yoke, rattle or triangle (boneless)	41	40	39	36	18	16	13
5. Chuck or shoulder, square cut (bone-in)	36	35	35	33	16	14	12
6. Chuck or shoulder, cross cut (bone-in)	28	27	27	25	13	11	10
7. Loin	61	57	52	46	32	29	26
8. Rib	47	45	41	37	20	18	15
9. Boneless lamb shoulder roll				36			
XIII. Stews and other cuts:							
1. Breast and flank	20	18	17	15	8	7	6
2. Neck (bone-in)	20	18	17	15	8	7	6
3. Neck (boneless)	32	32	32	32	18	18	18
4. Shank (bone-in)	20	18	17	15	8	7	6
5. Patties (ground meat)	32	32	32	32	18	18	18
6. Neckbones				6			6
XIV. Kidneys	27	27	27	27	14	14	14
XV. Retail prices of wholesale cuts:							
1. Leg	33	32	30	27	19	17	16
2. Loin	33	30	25	21	15	13	12
3. Hotel rack	37	34	29	24	16	14	12
4. Yoke	21	20	20	18	9	8	7

These ceiling prices apply in all Group 1 and Group 2 stores selling these meats at retail located in Zone 3.

Zone 3 includes the following area:

Colorado, all counties.

New Mexico, all counties.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Paragraph (e) amended by Am. 1, 8 F.R. 4922, effective 4-14-43; Am. 2, 8 F.R. 6214, effective 5-17-43; Am. 5, 8 F.R. 7827, effective 6-21-43; Am. 8, 8 F.R. 9066, effective 7-13-43; and Am. 11, 8 F.R. 12811, effective 9-20-43.]

(f) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 3.*

[For stores in Groups 3 and 4 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	51	47	40	34	30
2. T-bone	51	47	40	34	30
3. Club	51	47	40	34	30
4. Rib 10-inch cut	30	29	28	23	19
5. Rib 7-inch cut	35	31	29	24	20
6. Sirloin (bone-in)	43	40	33	27	23
7. Pin bone	43	40	33	27	23
8. Sirloin (boneless)	39	40	39	33	28
9. Round (bone-in) (full cut)	40	38	39	27	28
10. Round (boneless) (top and bottom)	42	39	34	28	24
11. Round tip	42	39	34	28	24
12. Chuck blade (bone-in)	28	26	24	21	17
13. Chuck arm (bone-in)	28	26	24	21	17
14. Flank	36	36	36	36	32
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	30	29	26	23	19
2. Rib standing (chine bone-in, 7-inch cut)	33	31	29	24	20
3. Round tip	42	39	34	28	24
4. Rump (bone-in)	25	24	21	17	13
5. Rump (boneless)	42	39	34	28	24
6. Chuck blade pot roast	28	26	24	21	17
7. Chuck arm pot roast	28	26	24	21	17
8. Chuck or shoulder (boneless)	36	33	31	27	23
9. English cut	28	26	24	21	17
III. Stews and other cuts:					
1. Short ribs	18	18	17	17	13
2. Plate (bone-in) fresh or cured	18	18	17	17	13
3. Plate (boneless) fresh or cured	23	23	21	21	17
4. Brisket (bone-in) fresh or cured	24	24	20	20	16
5. Brisket (boneless) fresh and cured (deckle on)	31	31	28	28	22
6. Brisket (boneless) (cured) (deckle off)	26	26	21	21	
7. Flank meat	25	25	25	25	21
8. Neck (bone-in)	24	24	20	20	16
9. Neck (boneless)	29	28	25	22	18
10. Heel of round (boneless)	29	28	24	20	15
11. Shank (bone-in) (hind & fore)	17	17	17	17	13
12. Shank (boneless) (hind & fore)	24	24	23	23	19
13. Soup bone	3	3	3	3	3
14. Suet	5	5	5	5	5
IV. Ground beef	25	25	25	25	25
V. Retail prices of wholesale cuts:					
1. Round beef, whole	25	23	20	17	13
2. Sirloin beef, whole	30	29	23	20	16
3. Short loin beef, whole	37	34	29	23	20
4. Flank beef, whole	14	14	14	14	10
5. Rib beef, whole	27	26	23	20	16
6. Regular chuck, whole	20	21	18	17	13
7. Short plate, whole	15	15	14	13	10
8. Brisket, whole	18	18	18	15	11
9. Shank, whole	13	13	13	13	9

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or calf
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
1. Loin chops	44	40	37	30	27
2. Rib chops	38	37	34	28	24
3. Shoulder chops (arm and blade)	29	28	28	23	18
4. Round steak (cutlets)	42	40	37	30	24
5. Sirloin steaks or chops	38	34	31	27	24
VII. Roasts:					
1. Rump and sirloin (bone-in)	38	34	37	28	21
2. Rump and sirloin (boneless)	45	43	39	34	30
3. Leg	39	37	37	28	21
4. Leg—Rump-off	42	41	37	28	21
5. Leg—Shank-half	38	37	37	28	21
6. Leg—Rump-half	44	43	38	28	21
7. Loin	38	37	34	28	24
8. Rib	33	27	28	23	18
9. Blade and arm	46	43	37	28	20
10. Round	39	38	34	28	17
11. Shoulder (bone-in) (square cut)	37	34	31	28	22
12. Shoulder (boneless) (square cut)	46	34	31	28	22
13. Boneless veal, leg or round					29
14. Boneless veal, sirloin strip					29
15. Veal tenderloin					29
16. Boneless veal, regular rib roll					29
17. Boneless veal, shoulder clod					27
18. Boned, rolled and tied veal roll					27

(f) *Retail ceiling prices*—Continued.

[For stores in Groups 3 and 4 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
1. Breast (bone-in)	20	19	18	16	13
2. Breast (boneless)	28	27	23	20	18
3. Flank meat	28	27	23	20	18
4. Neck (bone-in)	20	19	18	16	13
5. Neck (boneless)	28	27	28	20	18
6. Shank (bone-in) (hind and fore)	20	19	18	16	13
7. Shank and heel meat (boneless) (hind and fore)	28	27	23	20	18
8. Ground veal and patties	30	30	30	30	30
9. Neckbones					7
IX. Kidneys	29	29	29	29	29
X. Retail prices of wholesale cuts:					
1. Hindquarters	27	25	22	19	17
2. Forequarters	22	21	19	17	14

Lamb and mutton	Grades						
	Lamb				Mutton		
	AA or choice	A or good	B or commercial	C or utility	S or prime, choice and good	M or commercial	R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
1. Loin chops	58	54	49	43	30	27	25
2. Rib chops	45	42	39	35	19	16	14
3. Leg or sirloin chops	45	42	39	35	19	16	14
4. Shoulder chops, blade or arm chops	39	36	34	30	16	14	12
XII. Roasts:							
1. Leg (whole, half or short cut)	39	36	33	29	20	18	16
2. Sirloin roast (bone-in)	45	42	39	35	19	16	14
3. Yoke, rattle or triangle (bone-in)	26	24	24	22	11	10	8
4. Yoke, rattle or triangle (boneless)	39	38	37	34	17	14	12
5. Chuck or shoulder, square cut (bone-in)	38	33	33	31	15	13	11
6. Chuck or shoulder, cross cut (bone-in)	27	26	25	24	12	10	9
7. Loin	58	54	49	43	30	27	25
8. Rib	45	42	39	35	19	16	14
9. Boneless lamb shoulder roll				34			
XIII. Stews and other cuts:							
1. Breast and flank	18	18	16	14	8	7	6
2. Neck (bone-in)	18	18	16	14	8	7	6
3. Neck (boneless)	30	30	30	30	17	17	17
4. Shank (bone-in)	18	18	16	14	8	7	6
5. Patties (ground meat)	30	30	30	30	17	17	17
6. Neckbones					5		
XIV. Kidneys	26	26	26	26	13	13	13
XV. Retail prices of wholesale cuts:							
1. Leg	33	31	29	26	18	17	15
2. Loin	33	30	25	21	15	13	11
3. Hotel rack	36	33	29	24	16	14	12
4. Yoke	21	20	19	18	9	8	7

These ceiling prices apply in all Group 3 and Group 4 stores selling these meats at retail located in Zone 3.

Zone 3 includes the following area:

Colorado, all counties.

New Mexico, all counties.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Above portion of paragraph (f) amended by Am. 1, 8 F.R. 4922, effective 4-14-43; Am. 2, 8 F.R. 6214, effective 5-17-43; Am. 5, 8 F.R. 7827, effective 6-21-43; Am. 8, 8 F.R. 9366, effective 7-13-43; and Am. 11, 8 F.R. 12811, effective 9-20-43.]

(1) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 3*

[For stores in Group 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 355, effective October 28, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
Porterhouse	49	45	38	33	29
T-bone	49	45	38	33	29
Club	49	45	38	33	29
Rib—10-inch cut	29	28	25	23	18
Rib—7-inch cut	32	30	28	25	19
Sirloin	40	39	31	26	22
Pin bone	40	38	31	26	22
Sirloin (boneless)	50	47	38	32	26
Round (bone-in) (full cut)	38	37	32	26	23
Round (boneless) (top and bottom)	40	38	33	27	23
Round tip	40	38	33	27	23
Chuck blade (bone-in)	27	25	23	20	16
Chuck arm (bone-in)	27	25	23	20	16
Flank	35	35	35	35	31
II. Roasts:					
Rib standing (chine bone-in, 10-inch cut)	29	28	25	22	18
Rib standing (chine bone-in, 7-inch cut)	32	30	28	23	19
Round tip	40	38	33	27	23
Rump (bone-in)	25	23	20	16	12
Rump (boneless)	40	38	33	27	23
Chuck blade pot roast	27	25	23	20	16
Chuck arm pot roast	27	25	23	20	16
Chuck or shoulder (boneless)	35	32	30	26	22
English cut	27	25	23	20	16
III. Stews and other cuts:					
Short ribs	17	17	16	16	12
Plate (bone-in) (fresh or cured)	17	17	16	16	12
Plate (boneless) (fresh or cured)	22	22	20	20	16
Brisket (bone-in) (fresh or cured)	23	23	19	19	15
Brisket (boneless) (fresh or cured) (deckle on)	30	30	25	25	21
Brisket (boneless) (cured) (deckle off)	35	35	30	30	----
Flank meat	24	24	24	24	20
Neck (bone-in)	23	23	19	19	15
Neck (boneless)	28	27	24	21	17
Heel of round (boneless)	28	28	28	19	15
Shank (bone-in) (hind and fore)	16	16	16	16	12
Shank (boneless) (hind and fore)	22	22	22	22	18
Soup bone	3	3	3	3	3
Suet	5	5	5	5	5
IV. Ground beef	24	24	24	24	24
V. Retail prices of wholesale cuts:					
Round beef—whole	24	23	19	16	12
Sirloin beef—whole	29	26	22	19	15
Short loin beef—whole	36	33	28	23	19
Flank beef—whole	14	14	14	14	10
Rib beef—whole	26	24	22	19	15
Regular chuck—whole	21	20	18	16	12
Short plate—whole	14	14	14	14	10
Brisket—whole	17	17	14	14	10
Shank—whole	13	13	13	13	9

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
Loin chops	43	38	34	29	29
Rib chops	37	36	36	30	28
Shoulder chops (arm and blade)	27	26	23	19	17
Round steaks (cutlets)	43	40	36	31	28
Sirloin steaks or chops	35	33	29	26	23
VII. Roasts:					
Rump and sirloin (bone-in)	32	30	29	28	20
Rump and sirloin (boneless)	40	38	36	33	28
Leg	32	30	26	23	20
Leg—rump-off	28	30	26	23	20
Leg—shank-half	32	30	26	23	20
Leg—rump-half	32	30	26	23	20
Loin	42	38	34	29	29
Rib	37	36	33	30	29
Blade and arm	27	29	22	19	17
Round	45	40	36	31	28
Shoulder (bone-in) (square cut)	26	25	23	21	16
Shoulder (boneless) (square-cut)	34	33	30	27	21
Boneless veal leg or round	----	----	----	----	23
Boneless veal sirloin strip	----	----	----	----	28
Veal tenderloin	----	----	----	----	28
Boneless veal regular rib roll	----	----	----	----	27
Boneless veal shoulder clod	----	----	----	----	28
Boned, rolled and tied veal roll	----	----	----	----	

(1) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 2*—Continued

[For stores in Group 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 355, effective October 28, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
Breast (bone-in)	19	18	17	15	13
Breast (boneless)	27	26	22	19	17
Flank meat	19	18	17	15	18
Neck (bone-in)	27	26	22	19	17
Neck (boneless)	19	18	17	15	13
Shank (bone-in) (hind and fore)	27	26	22	19	17
Shank and heel meat (boneless) (hind and fore)	29	29	29	29	29
Ground Veal and Patties	----	----	----	----	7
Neckbones	28	28	28	28	28
IX. Kidneys	----	----	----	----	----
X. Retail prices of wholesale cuts:					
Hindquarters	26	24	21	18	16
Forequarters	21	20	18	16	14

Lamb and mutton	Grades						
	Lamb				Mutton		
	AA or choice	A or good	B or commercial	C or utility	S or prime, choice and good	M or commercial	R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
Loin chops	56	52	47	41	29	26	24
Rib chops	43	40	38	34	18	15	14
Leg or sirloin chops	43	40	38	34	18	15	14
Shoulder chops, blade or arm chops	38	35	33	29	15	14	12
XII. Roasts:							
Leg, (whole, half or short cut)	38	35	32	28	19	17	15
Sirloin roast (bone-in)	43	40	38	34	18	15	14
Yoke, rattle or triangle (bone-in)	24	23	23	21	11	10	8
Yoke, rattle or triangle (boneless)	38	37	36	33	16	14	12
Chuck or shoulder (square cut) (bone-in)	32	32	32	30	14	13	11
Chuck or shoulder (cross cut) (bone-in)	26	25	24	23	12	10	9
Loin	56	52	47	41	29	26	24
Rib	43	40	38	34	18	15	14
Boneless lamb shoulder roll	----	----	----	33	----	----	----
XIII. Stews and other cuts:							
Breast and flank	17	17	15	14	8	7	6
Neck (bone-in)	17	17	15	14	8	7	6
Neck (boneless)	29	29	29	29	16	16	16
Shank (bone-in)	17	17	15	14	8	7	6
Patties (ground meat)	29	29	29	29	16	16	16
Neckbones	----	----	----	5	----	----	5
XIV. Kidneys	25	25	25	25	13	13	13
XV. Retail prices of wholesale cuts:							
Leg	32	30	28	25	17	16	14
Loin	32	29	24	20	14	13	11
Hotel rack	35	32	26	23	15	14	12
Yoke	20	19	18	17	9	8	7

NOTES—THESE CEILING PRICES APPLY IN GROUP 3B AND GROUP 4B STORES SELLING THESE MEATS AT RETAIL LOCATED IN ZONE 3.

Zone 3 includes the following area:

Colorado, all counties
New Mexico, all counties

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground Meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in Section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube Steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling Lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Subparagraph (1) added by Am. 12, 8 F.R. 14738, effective 10-28-43.]

(g) ***Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 4.***

[For stores in groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	53	49	42	35	31
2. T-bone	53	49	42	35	31
3. Club	53	49	42	35	31
4. Rib 10-inch cut	38	32	29	25	21
5. Rib 7-inch cut	37	34	32	27	23
6. Sirloin (bone-in)	44	42	34	29	25
7. Pin bone	44	42	34	29	25
8. Sirloin (boneless)	54	52	42	35	31
9. Round (bone-in) (full cut)	43	40	35	29	25
10. Round (boneless) (top & bottom)	45	42	36	30	26
11. Round tip	45	42	36	30	26
12. Chuck blade (bone-in)	30	28	26	22	18
13. Chuck arm (bone-in)	30	28	26	22	18
14. Flank	37	37	37	37	33
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	33	32	29	25	21
2. Rib standing (chine bone-in, 7-inch cut)	37	34	32	27	23
3. Round tip	45	42	36	30	26
4. Rump (bone-in)	27	26	22	19	15
5. Rump (boneless)	45	42	36	30	26
6. Chuck blade—pot roast	30	28	26	22	18
7. Chuck arm pot roast	30	28	26	22	18
8. Chuck or shoulder (boneless)	38	36	33	29	25
9. English cut	30	28	26	22	18
III. Stews and other cuts:					
1. Short ribs	20	20	19	19	15
2. Plate (bone-in) fresh or cured	20	20	19	19	15
3. Plate (boneless) fresh or cured	25	25	23	23	19
4. Brisket (bone-in) fresh or cured	25	25	22	22	18
5. Brisket (boneless) fresh and cured (deckle on)	33	33	28	28	24
6. Brisket (boneless) (cured) (deckle off)	38	38	33	33	----
7. Flank meat	26	26	26	26	22
8. Neck (bone-in)	25	25	22	22	18
9. Neck (boneless)	32	30	27	24	20
10. Heel of round (boneless)	31	29	25	21	17
11. Shank (bone-in) (hind and fore)	18	18	18	18	14
12. Shank (boneless) (hind and fore)	25	25	25	25	21
13. Soup bone	3	3	3	3	3
14. Suet	5	5	5	5	5
IV. Ground beef	26	26	26	26	26
V. Retail prices of wholesale cuts:					
1. Round beef—whole	25	24	21	18	14
2. Sirloin beef—whole	31	29	23	20	16
3. Short loin beef—whole	37	34	29	24	20
4. Flank beef—whole	15	15	14	14	10
5. Rib beef—whole	27	26	24	20	16
6. Regular chuck—whole	23	21	19	17	13
7. Short plate—whole	16	16	14	14	10
8. Brisket—whole	18	18	16	16	12
9. Shank—whole	13	13	13	13	9

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
1. Loin chops	45	42	36	31	27
2. Rib chops	40	39	35	32	25
3. Shoulder chops (arm and blade)	29	27	24	21	18
4. Round steaks (cutlets)	47	44	38	33	30
5. Sirloin steaks or chops	37	34	31	27	25
VII. Roasts:					
1. Rump and sirloin (bone-in)	34	32	28	24	22
2. Rump and sirloin (boneless)	49	46	40	35	31
3. Leg	34	32	28	24	22
4. Leg—rump—off	34	32	28	24	22
5. Leg—shank—half	34	32	28	24	22
6. Leg—rump—half	34	32	28	24	22
7. Loin	45	42	36	31	27
8. Rib	40	39	35	32	25
9. Blade and arm	29	27	24	21	18
10. Round	47	44	38	33	30
11. Shoulder (bone-in) (square cut)	28	27	25	23	18
12. Shoulder (boneless) (square cut)	36	35	32	29	22
13. Boneless veal leg or round	----	----	----	----	30
14. Boneless veal sirloin strip	----	----	----	----	30
15. Veal tenderloin	----	----	----	----	30
16. Boneless veal regular rib roll	----	----	----	----	30
17. Boneless veal shoulder clod	----	----	----	----	28
18. Boned, rolled and tied veal roll	----	----	----	----	28

(g) ***Retail ceiling prices***—Continued.

[For stores in Groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:	20	20	18	16	13
1. Breast (bone-in)	29	27	24	21	18
2. Breast (boneless)	29	27	24	21	18
3. Flank meat	20	20	18	16	13
4. Neck (bone-in)	29	27	24	21	18
5. Neck (boneless)	20	20	18	16	13
6. Shank (bone-in) (hinds and fore)	29	27	24	21	18
7. Shank and heel meat (boneless) (hind and fore)	30	30	30	30	30
8. Ground veal and patties	----	----	----	----	7
9. Neckbones	29	29	29	29	29
IX. Kidneys	----	----	----	----	----
X. Retail prices of wholesale cuts:	27	25	22	19	17
1. Hindquarters	21	20	19	17	13
2. Forequarters	----	----	----	----	----

Lamb and mutton	Grades						
	Lamb				Mutton		
	AA or choice	A or good	B or commercial	C or utility	S or prime, choice and good	M or commercial	R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:	61	57	52	46	32	29	26
1. Loin chops	47	45	41	37	20	18	15
2. Rib chops	47	45	41	37	20	18	15
3. Leg or sirloin chops	41	38	36	32	18	15	13
4. Shoulder chops, blade or arm chops	----	----	----	----	----	----	----
XII. Roasts:	41	38	35	31	21	19	18
1. Leg (whole, half or short cut)	47	45	41	37	20	18	15
2. Sirloin roast (bone-in)	27	26	25	23	12	11	9
3. Yoke, rattle or triangle (bone-in)	41	40	39	36	18	16	13
4. Yoke, rattle or triangle (boneless)	35	35	35	33	16	14	12
5. Chuck or shoulder, square cut (bone-in)	28	27	27	25	13	11	10
6. Chuck or shoulder, cross cut (bone-in)	61	57	52	46	32	29	26
7. Loin	47	45	41	37	20	18	15
8. Rib	----	----	----	36	----	----	----
9. Boneless lamb shoulder roll	20	18	17	15	8	7	6
XIII. Stews and other cuts:	20	18	17	15	8	7	6
1. Breast and flank	32	32	32	32	18	18	18
2. Neck (bone-in)	20	18	17	15	8	7	6
3. Neck (boneless)	32	32	32	32	18	18	18
4. Shank (bone-in)	----	----	----	6	----	----	6
5. Patties (ground meat)	27	27	27	27	14	14	14
6. Neckbones	----	----	----	----	----	----	----
XIV. Kidneys	33	32	30	27	19	17	16
XV. Retail prices of wholesale cuts:	33	30	25	21	15	13	12
1. Leg	37	34	29	24	16	14	12
2. Loin	21	20	20	18	9	8	7
3. Hotel rack	----	----	----	----	----	----	----
4. Yoke	----	----	----	----	----	----	----

These ceiling prices apply in all Group 1 and Group 2 stores selling these meats at retail located in Zone 4.

Zone 4 includes the following area:

North Dakota, all counties.
South Dakota, all counties.
Minnesota, all counties.
Nebraska, all counties.
Kansas, all counties.
Oklahoma, all counties.
Texas, all counties.

Wisconsin, all that portion of Wisconsin west of and including the counties of Iron, Price, Taylor, Clark, Jackson, Monroe, Vernon, and Crawford.

Iowa, Iowa except the counties of Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines, and Lee.

Missouri, all that portion of Missouri west of and including the counties of Scotland, Knox, Shelby, Monroe, Audrain, Montgomery, Warren, Franklin, Washington, Saint Francois, Madison, Wayne, and Butler.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Paragraph (g) amended by Am. 1, 8 F.R. 4922, effective 4-14-43; Am. 2, 8 F.R. 6214, effective 5-17-43; Am. 5, 8 F.R. 7837, effective 6-21-43; Am. 6, 8 F.R. 9366, effective 7-13-43; and Am. 11, 8 F.R. 12811, effective 9-20-43.]

(h) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 4.*

[For stores in groups 3 and 4 as provided in Maximum Price Regulation No. 426, effective June 21, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	51	47	40	34	30
2. T-bone	51	47	40	34	30
3. Club	51	47	40	34	30
4. Rib 10-inch cut	30	29	26	23	19
5. Rib 7-inch cut	33	31	29	24	20
6. Sirloin (bone-in)	42	40	32	27	23
7. Pin bone	42	40	32	27	23
8. Sirloin (boneless)	52	49	39	33	29
9. Round (bone-in) (full cut)	40	38	33	27	23
10. Round (boneless) (top and bottom)	42	39	34	28	24
11. Round tip	42	39	34	28	24
12. Chuck blade (bone-in)	28	26	24	21	17
13. Chuck arm (bone-in)	28	26	24	21	17
14. Flank	36	36	36	36	32
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	30	29	26	23	19
2. Rib standing (chine bone-in, 7-inch cut)	33	31	29	24	20
3. Round tip	42	39	34	28	24
4. Rump (bone-in)	26	24	21	17	13
5. Rump (boneless)	42	39	34	28	24
6. Chuck blade pot roast	28	26	24	21	17
7. Chuck arm pot roast	28	26	24	21	17
8. Chuck or shoulder (boneless)	36	33	31	27	23
9. English cut	28	26	24	21	17
III. Stews and other cuts:					
1. Short ribs	18	18	17	17	13
2. Plate (bone-in) fresh or cured	18	18	17	17	13
3. Plate (boneless) fresh or cured	23	23	21	21	17
4. Brisket (bone-in) fresh and cured	24	24	20	20	16
5. Brisket (boneless) fresh and cured (deckle on)	31	31	26	26	22
6. Brisket (boneless) (cured) (deckle off)	36	36	31	31	
7. Flank meat	25	25	25	25	21
8. Neck (bone-in)	24	24	20	20	16
9. Neck (boneless)	29	28	25	22	18
10. Heel of round (boneless)	29	27	24	20	16
11. Shank (bone-in) (hind and fore)	17	17	17	17	13
12. Shank (boneless) (hind and fore)	24	24	23	23	19
13. Soup bone	3	3	3	3	3
14. Suet	5	5	5	5	5
IV. Ground beef	25	25	26	25	25
V. Retail prices of wholesale cuts:					
1. Round beef—whole	25	23	20	17	13
2. Sirloin beef—whole	30	29	23	20	16
3. Short loin beef—whole	37	34	29	24	20
4. Flank beef—whole	14	14	14	14	10
5. Rib beef—whole	27	25	23	20	16
6. Regular chuck—whole	22	21	19	17	13
7. Short plate—whole	15	15	14	14	10
8. Brisket—whole	18	18	15	15	11
9. Shank—whole	13	13	13	13	9

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
1. Loin chops	43	40	34	29	26
2. Rib chops	38	36	33	30	23
3. Shoulder chops (arm and blade)	28	26	23	20	17
4. Round steaks (cutlets)	44	41	36	31	28
5. Sirloin steaks or chops	35	33	29	26	23
VII. Roasts:					
1. Rump and sirloin (bone-in)	32	30	26	23	20
2. Rump and sirloin (boneless)	47	44	38	33	29
3. Leg	32	30	26	23	20
4. Leg, rump off	32	30	26	23	20
5. Leg, shank half	32	30	26	23	20
6. Leg, rump half	43	40	34	29	26
7. Loin	38	36	33	30	23
8. Rib	28	26	23	20	17
9. Blade and arm	44	41	36	31	28
10. Round	26	26	24	21	16
11. Shoulder (bone-in) (square cut)	34	33	30	27	21
12. Shoulder (boneless) (square cut)					28
13. Boneless veal leg or round					28
14. Boneless veal sirloin strip					28
15. Veal tenderloin					28
16. Boneless veal regular rib roll					27
17. Boneless veal shoulder clod					26
18. Boned, rolled and tied veal roll					

(h) *Retail ceiling prices*—Continued.

[For stores in groups 3 and 4 as provided in Maximum Price Regulation No. 426, effective June 21, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
1. Breast (bone-in)	19	18	17	15	12
2. Breast (boneless)	28	26	23	20	17
3. Flank meat	26	26	22	20	17
4. Neck (bone-in)	19	18	17	15	12
5. Neck (boneless)	28	26	23	20	17
6. Shank (bone-in) (hinds and fore)	19	18	17	15	12
7. Shank and heel meat (boneless) (hind and fore)	28	26	23	20	17
8. Ground veal and patties	29	29	29	29	29
9. Neckbones					6
IX. Kidneys	28	28	28	28	28
X. Retail prices of wholesale cuts:					
1. Hindquarters	26	24	22	19	17
2. Forequarters	21	20	18	17	13

Lamb and mutton	Grades						
	Lamb			Mutton			
	AA or choice	A or good	B or commercial	C or utility	B or prime, choice and good	M or commercial	R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
II. Steaks and chops:							
1. Loin chops	58	54	49	43	30	27	23
2. Rib chops	45	42	39	35	19	16	14
3. Leg or sirloin chops	45	42	39	35	19	16	14
4. Shoulder chops, blade or arm chops	39	36	34	30	16	14	12
III. Roasts:							
1. Leg (whole, half or short cut)	39	36	33	29	20	18	16
2. Sirloin roast (bone-in)	45	42	39	35	19	16	14
3. Yoke, rattle or triangle (bone-in)	26	24	24	22	11	10	8
4. Yoke, rattle or triangle (boneless)	39	38	37	34	17	14	12
5. Chuck or shoulder, square cut (bone-in)	33	33	33	31	16	13	11
6. Chuck or shoulder, cross cut (bone-in)	27	26	25	24	12	10	9
7. Loin	58	54	49	43	30	27	25
8. Rib	45	42	35	35	19	16	14
9. Boneless lamb shoulder roll				34			
IIII. Stews and other cuts:							
1. Breast and flank	18	18	16	14	8	7	6
2. Neck (bone-in)	18	18	16	14	8	7	6
3. Neck (boneless)	30	30	30	30	17	17	17
4. Shank (bone-in)	18	18	16	14	8	7	6
5. Patties (ground meat)	30	30	30	30	17	17	17
6. Neckbones				6			5
IIV. Kidneys	26	26	26	26	13	13	13
IV. Retail prices of wholesale cuts:							
1. Leg	33	31	29	26	18	17	15
2. Loin	33	30	25	21	15	13	11
3. Hotel rack	36	33	29	24	16	14	12
4. Yoke	21	20	19	18	9	8	7

These ceiling prices apply in all Group 3 and Group 4 stores selling these meats at retail located in Zone 4.

Zone 4 includes the following area:

North Dakota, all counties.
South Dakota, all counties.
Minnesota, all counties.
Nebraska, all counties.
Kansas, all counties.
Oklahoma, all counties.
Texas, all counties.

Wisconsin, all that portion of Wisconsin west of and including the counties of Iron, Price, Taylor, Clark, Jackson, Monroe, Vernon, and Crawford.

Iowa, Iowa except the counties of Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines, and Lee.

Missouri, all that portion of Missouri west of and including the counties of Scotland, Knox, Shelby, Monroe, Audrain, Montgomery, Warren, Franklin, Washington, Saint Francois, Madison, Wayne, and Butler.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding. (c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling price for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Above portion of paragraph (b) amended by Am. 1, 8 F.R. 4922; effective 4–14–43; Am. 2, 8 F.R. 6214, effective 5–17–43; Am. 5, 8 F.R. 7827, effective 6–21–43; Am. 8, 8 F.R. 9866, effective 7–13–43; and Am. 11, 8 F.R. 12811, effective 9–20–43.]

(1) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 4*

[For stores in Group 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 355, effective October 28, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
Porterhouse	49	45	38	33	29
T-bone	49	45	38	33	29
Club	49	45	38	33	29
Rib—10-inch cut	29	28	25	22	18
Rib—7-inch cut	32	30	28	25	19
Sirloin	40	38	31	26	22
Pin bone	40	38	31	26	22
Sirloin (boneless)	50	47	38	32	28
Round (bone-in) (full cut)	38	37	32	26	22
Round (boneless) (top and bottom)	40	38	33	27	23
Round tip	40	38	33	27	23
Chuck blade (bone-in)	27	25	25	20	16
Chuck arm (bone-in)	27	25	23	20	16
Flank	35	35	35	35	31
II. Roasts:					
Rib standing (chine bone-in, 10-inch cut)	29	28	25	22	18
Rib standing (chine bone-in, 7-inch cut)	32	30	28	23	19
Round tip	40	38	33	27	23
Rump (bone-in)	25	23	20	16	12
Rump (boneless)	40	38	33	27	23
Chuck blade pot roast	27	25	23	20	16
Chuck arm pot roast	27	26	23	20	16
Chuck or shoulder (boneless)	35	32	30	26	22
English cut	27	25	23	20	16
III. Stews and other cuts:					
Short ribs	17	17	16	16	12
Plate (bone in) (fresh or cured)	17	17	16	16	12
Plate (boneless) (fresh or cured)	22	22	20	20	16
Brisket (bone-in) (fresh or cured)	23	23	19	19	15
Brisket (boneless) (fresh or cured) (deckle on)	30	30	25	25	21
Brisket (boneless) (cured) (deckle off)	35	35	30	30	
Flank meat	24	24	24	24	20
Neck (bone-in)	23	23	19	19	15
Neck (boneless)	28	27	24	21	17
Heel of round (boneless)	28	26	23	19	15
Shank (bone-in) (hind and fore)	16	16	16	16	12
Shank (boneless) (hind and fore)	23	23	22	22	18
Soup bone	3	3	3	3	3
Suet	5	5	5	5	5
IV. Ground beef	24	24	24	24	24
V. Retail prices of wholesale cuts:					
Round beef—whole	24	22	19	16	12
Sirloin beef—whole	29	28	22	19	15
Short loin beef—whole	36	33	28	23	19
Flank beef—whole	14	14	14	14	10
Rib beef—whole	26	24	22	19	15
Regular chuck—whole	21	20	18	16	12
Short plate—whole	14	14	14	14	10
Brisket—whole	17	17	14	14	10
Shank—whole	13	13	13	13	9

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
Loin chops	41	38	33	28	25
Rib chops	37	35	32	29	22
Shoulder chops (arm and blade)	27	25	22	19	16
Round steak (cutlets)	42	39	35	30	27
Sirloin steaks or chops	34	32	28	25	22
VII. Roasts:					
Rump and sirloin (bone-in)	31	29	25	22	19
Rump and sirloin (boneless)	45	42	37	32	28
Leg	31	29	25	22	19
Leg—rump-off	31	29	25	22	19
Leg—shank-half	31	29	25	22	19
Leg—rump-half	31	29	25	22	19
Loin	41	38	33	28	25
Rib	37	35	32	29	22
Blade and arm	27	25	22	19	16
Round	42	39	35	30	27
Shoulder (bone-in) (square cut)	25	25	23	20	15
Shoulder (boneless) (square cut)	33	32	29	26	20
Boneless veal leg or round					27
Boneless veal sirloin strip					27
Veal tenderloin					27
Boneless veal regular rib roll					26
Boneless veal shoulder clod					25
Boned, rolled and tied veal roll					

(1) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 4*—Continued

[For stores in Group 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 355, effective October 28, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
Breast (bone-in)	18	17	16	14	12
Breast (boneless)	27	25	22	19	16
Flank meat	27	25	22	19	16
Neck (bone-in)	18	17	16	14	12
Neck (boneless)	27	25	22	19	16
Shank (bone-in) (hind and fore)	18	17	16	14	12
Shank and heel meat (boneless) (hind and fore)	27	25	22	19	16
Ground veal and patties	28	28	28	28	28
Neckbones					6
IX. Kidneys	27	27	27	27	27
X. Retail prices of wholesale cuts:					
Hindquarters	25	23	21	18	16
Forequarters	20	19	17	16	13

Lamb and mutton	Grades						
	Lamb				Mutton		
	AA or choice	A or good	B or commercial	C or utility	S or prime, choice and good	M or commercial	R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
Loin chops	56	52	47	41	29	26	24
Rib chops	43	40	38	34	18	15	14
Leg or sirloin chops	43	40	38	34	18	15	14
Shoulder chops, blade or arm chops	38	35	33	29	15	14	12
XII. Roasts:							
Leg (whole, half or short cut)	38	35	32	28	19	17	15
Sirloin roast (bone-in)	43	40	38	34	18	15	14
Yoke, rattle or triangle (bone-in)	24	23	23	21	11	10	8
Yoke, rattle or triangle (boneless)	38	37	36	33	16	14	12
Chuck or shoulder (square cut) (bone-in)	32	32	32	30	14	13	11
Chuck or shoulder (cross cut) (bone-in)	26	25	24	23	12	10	9
Loin	56	52	47	41	29	26	24
Rib	43	40	38	33	18	15	14
Boneless lamb shoulder roll							
XIII. Stews and other cuts:							
Breast and flank	17	17	15	14	8	7	6
Neck (bone-in)	17	17	15	14	8	7	6
Neck (boneless)	29	29	29	29	16	16	16
Shank (bone-in)	29	29	15	14	8	7	6
Patties (ground meat)	29	29	29	29	16	16	16
Neckbones				5			5
XIV. Kidneys	25	25	25	25	13	13	13
XV. Retail prices of wholesale cuts:							
Leg	32	30	28	25	17	16	14
Loin	32	29	24	20	14	13	11
Hotel rack	35	32	28	23	15	14	12
Yoke	20	19	18	17	9	8	7

NOTES—THESE CEILING PRICES APPLY IN GROUP 3B AND GROUP 4B STORES SELLING THESE MEATS AT RETAIL LOCATED IN ZONE 4.

Zone 4 includes the following area:

North Dakota, all counties.
South Dakota, all counties
Minnesota, all counties.
Nebraska, all counties.
Kansas, all counties.
Oklahoma, all counties.
Texas, all counties.
Wisconsin, all that portion of Wisconsin west of and including the counties of Iron, Price, Taylor, Clark, Jackson, Monroe, Vernon, and Crawford.
Iowa, except the counties of Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines, and Lee.
Missouri, all that portion of Missouri west of and including the counties of Scotland, Knox, Shelby, Monroe, Audrain, Montgomery, Warren, Franklin, Washington, Saint Francois, Madison, Wayne, and Butler.

The above prices are subject to the conditions contained in Notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Subparagraph (1) added by Am. 12, 8 F.R. 14738, effective 10-28-43.]

(1) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 5.*

[For stores in groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	53	50	42	36	32
2. T-bone	53	50	42	36	32
3. Club	51	32	30	26	22
4. Rib 10-inch cut	37	35	32	27	23
5. Rib 7-inch cut	44	42	34	29	25
6. Sirloin	44	42	34	29	25
7. Pin bone	55	52	42	36	32
8. Sirloin (boneless)	43	41	36	30	26
9. Round (bone-in) (full cut)	45	42	37	31	27
10. Round (boneless) (top and bottom)	45	42	37	31	27
11. Round tip	30	28	26	23	19
12. Chuck blade (bone-in)	30	28	26	23	19
13. Chuck arm (bone-in)	38	38	38	38	34
14. Flank					
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	34	32	30	26	22
2. Rib standing (chine bone-in, 7-inch cut)	37	35	32	27	24
3. Round tip	45	42	37	31	27
4. Rump (bone-in)	28	26	23	19	15
5. Rump (boneless)	45	42	37	31	27
6. Chuck blade pot roast	30	28	26	23	19
7. Chuck arm pot roast	30	28	26	23	19
8. Chuck or shoulder (boneless)	39	36	34	30	26
9. English cut	30	28	26	23	19
III. Stews and other cuts:					
1. Short ribs	21	21	19	19	15
2. Plate (bone-in) (fresh and cured)	21	21	19	19	15
3. Plate (boneless) (fresh and cured)	25	25	23	23	19
4. Brisket (bone-in) (fresh and cured)	26	26	22	22	18
5. Brisket (boneless) (fresh and cured) (deckle on)	33	33	28	28	24
6. Brisket (boneless) (cured) (deckle off)	38	38	33	33	
7. Flank meat	27	27	27	27	23
8. Neck (bone-in)	26	26	22	22	18
9. Neck (boneless)	32	30	28	24	20
10. Heel of round (boneless)	32	30	26	22	18
11. Shank (bone-in) (hind and fore)	19	19	18	18	14
12. Shank (boneless) (hind and fore)	26	26	25	25	21
13. Soup bone	3	3	3	3	3
14. Suet	5	5	5	5	5
IV. Ground beef	27	27	27	27	27
V. Retail prices on wholesale cuts:					
1. Round beef—whole	25	24	21	18	14
2. Sirloin beef—whole	31	29	24	20	16
3. Short loin beef—whole	37	35	29	25	21
4. Flank beef—whole	15	15	15	15	11
5. Rib beef—whole	27	26	24	21	17
6. Regular chuck—whole	23	21	20	17	13
7. Short plate—whole	16	16	15	15	11
8. Brisket—whole	19	19	16	16	12
9. Shank—whole	14	14	13	13	9

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
1. Loin chops	45	42	37	32	28
2. Rib chops	40	39	36	32	25
3. Shoulder chops (arm and blade)	30	28	24	21	19
4. Round steak (cutlets)	47	44	39	34	30
5. Sirloin steaks or chops	37	35	31	28	25
VII. Roasts:					
1. Rump and sirloin (bone-in)	34	32	28	25	22
2. Rump and sirloin (boneless)	50	46	41	36	32
3. Leg	34	32	28	25	22
4. Leg—rump off	34	32	28	25	22
5. Leg—shank half	34	32	28	25	22
6. Leg—rump half	34	32	28	25	22
7. Loin	45	42	37	32	28
8. Rib	40	39	36	32	25
9. Blade and arm	30	28	24	21	19
10. Round	47	44	39	34	30
11. Shoulder (bone-in) (square cut)	28	26	25	23	18
12. Shoulder (boneless) (square cut)	36	35	32	29	23
13. Boneless veal leg or round					31
14. Boneless veal sirloin or strip					31
15. Veal tenderloin					31
16. Boneless veal regular rib roll					30
17. Boneless veal shoulder clod					28
18. Boned, rolled and tied veal roll					

(1) *Retail ceiling prices*—Continued.

[For stores in groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
1. Breast (bone-in)	21	20	18	17	13
2. Breast (boneless)	30	28	24	21	19
3. Flank meat	30	28	24	21	19
4. Neck (bone-in)	21	20	18	17	13
5. Neck (boneless)	30	28	24	21	19
6. Shank (bone-in) (hind and fore)	21	20	18	17	12
7. Shank and heel meat (boneless) (hind and fore)	30	28	24	21	19
8. Ground veal and patties	30	30	30	30	30
9. Neck bones					7
IX. Kidneys	30	30	30	30	30
X. Retail prices of wholesale cuts:					
1. Hindquarters	27	25	23	20	18
2. Forequarters	22	21	19	18	14

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steak and chops:							
1. Loin chops	62	58	52	46	33	30	27
2. Rib chops	48	45	41	36	21	18	16
3. Leg or sirloin chops	48	45	42	36	21	18	16
4. Shoulder chops, blade or arm chops	42	39	36	33	18	16	14
XII. Roasts:							
1. Leg (whole, half or short cut)	42	39	35	31	22	20	18
2. Sirloin roast (bone-in)	48	45	42	38	21	18	16
3. Yoke rattle or triangle (bone-in)	27	27	26	24	13	11	10
4. Yoke rattle or triangle (boneless)	42	41	40	37	19	17	14
5. Chuck or shoulder, square cut (bone-in)	36	36	36	33	17	15	13
6. Chuck or shoulder, cross cut (bone-in)	29	28	28	26	14	12	10
7. Loin	62	58	52	46	33	30	27
8. Rib	48	45	42	36	21	18	16
9. Boneless lamb shoulder roll				36			
XIII. Stews and other cuts:							
1. Breast and flank	21	19	18	16	9	8	7
2. Neck (bone-in)	21	19	18	16	9	8	7
3. Neck (boneless)	33	33	33	33	19	19	19
4. Shank (bone-in)	21	19	18	16	9	8	7
5. Patties (ground meat)	33	33	33	33	19	19	19
6. Neck bone				6			6
XIV. Kidneys	28	28	28	28	16	15	15
XV. Retail prices of wholesale cuts:							
1. Leg	34	32	30	27	19	18	16
2. Loin	34	31	28	22	16	14	12
3. Hotel rack	37	34	29	28	17	15	13
4. Yoke	22	21	20	19	10	9	8

These ceiling prices apply in all Group 1 and Group 2 stores selling these meats at retail located in Zone 5.

Zone 5 includes the following area:

Michigan, all that portion of Michigan west of and including the counties of Marquette and Menominee.

Wisconsin, all that portion of Wisconsin east of and including the counties of Vilas, Oneida, Lincoln, Marathon, Wood, Juneau, Sauk, Richland, and Grant.

Iowa, the following counties of Iowa: Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines, and Lee.

Illinois, all that portion of Illinois north and west of and including the counties of Vermillion, Champaign, Douglas, Coles, Shelby, Effingham, Fayette, Bond, Madison, St. Clair, and Monroe.

Missouri, the following counties of Missouri: Clark, Lewis, Marion, Ralls, Pike, Lincoln, St. Charles, St. Louis, and Jefferson.

Indiana, the following counties of Indiana: Lake, Newton, Benton, and Warren.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Paragraph (1) amended by Am. 1, 8 F.R. 4922, effective 4–14–43; Am. 2, 8 F.R. 6214, effective 5–17–43; Am. 5, 8 F.R. 7827, effective 6–21–43; Am. 8, 8 F.R. 9366, effective 7–13–43; and Am. 11, 8 F.R. 12811, effective 9–20–43.]

(j) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 5.*

[For stores in Groups 3 and 4 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	51	48	41	34	30
2. T-bone	51	48	41	34	30
3. Club	51	48	41	34	30
4. Rib 10-inch cut	31	29	27	23	19
5. Rib 7-inch cut	34	32	29	25	21
6. Sirloin	42	40	32	27	23
7. Pin bone	42	40	32	27	23
8. Sirloin (boneless)	52	50	40	34	30
9. Round (bone-in) (full cut)	41	38	33	28	24
10. Round (boneless) (top and bottom)	43	40	35	29	25
11. Round tip	43	40	35	29	25
12. Chuck blade (bone-in)	28	26	24	21	17
13. Chuck arm (bone-in)	28	26	24	21	17
14. Flank	36	36	36	36	32
II. Roasts:					
1. Rib standing (chine bone-in) (10-inch cut)	31	29	27	23	19
2. Rib standing (chine bone-in) (7-inch cut)	34	32	29	25	21
3. Round tip	43	40	35	29	25
4. Rump (bone-in)	26	24	21	18	14
5. Rump (boneless)	43	40	35	29	25
6. Chuck blade pot roast	28	26	24	21	17
7. Chuck arm pot roast	28	26	24	21	17
8. Chuck or shoulder (boneless)	36	34	31	27	23
9. English cut	28	26	24	21	17
III. Stews and other cuts:					
1. Short ribs	18	18	18	18	14
2. Plate (bone-in) (fresh and cured)	19	19	18	18	14
3. Plate (boneless) (fresh and cured)	24	24	22	22	18
4. Brisket (bone-in) (fresh and cured)	25	25	21	21	17
5. Brisket (boneless) (fresh and cured) (deckle on)	32	32	27	27	23
6. Brisket (boneless), (cured) (deckle off)	37	37	32	32	
7. Flank meat	26	26	26	26	22
8. Neck (bone-in)	25	25	21	21	17
9. Neck (boneless)	30	28	26	23	19
10. Heel of round (boneless)	30	28	24	20	16
11. Shank (bone-in) (hind & fore)	18	18	17	17	13
12. Shank (boneless) (hind & fore)	24	24	24	24	20
13. Soup bone	3	3	3	3	3
14. Suet	5	5	5	5	5
IV. Ground beef	26	26	26	26	26
V. Retail prices on wholesale cuts:					
1. Round beef—whole	25	24	21	18	14
2. Sirloin beef—whole	30	29	23	20	16
3. Short loin beef—whole	37	34	29	24	20
4. Flank beef—whole	14	14	14	14	10
5. Rib beef—whole	27	26	24	20	16
6. Regular chuck—whole	22	21	19	17	13
7. Short plate—whole	16	16	14	14	10
8. Brisket—whole	18	18	16	16	12
9. Shank—whole	13	13	13	13	9

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
1. Loin chops	43	40	35	30	26
2. Rib chops	38	37	34	31	24
3. Shoulder chops (arm and blade)	28	26	23	20	18
4. Round steak (cutlets)	45	42	37	32	28
5. Sirloin steaks or chops	35	33	30	26	24
VII. Roasts:					
1. Rump and sirloin (bone-in)	32	30	27	23	21
2. Rump and sirloin (boneless)	47	44	39	34	30
3. Leg	32	30	27	23	21
4. Leg—rump-off	32	30	27	23	21
5. Leg—shank half	32	30	27	23	21
6. Leg—rump half	32	30	27	23	21
7. Loin	43	40	35	30	26
8. Rib	38	37	34	31	24
9. Blade and arm	28	26	23	20	18
10. Round	45	42	37	32	28
11. Shoulder (bone in) (square cut)	27	26	24	22	17
12. Shoulder (boneless) (square cut)	34	33	30	27	21
13. Boneless veal leg or round					29
14. Boneless veal sirloin or strip					29
15. Veal tenderloin					29
16. Boneless veal regular rib roll					28
17. Boneless veal shoulder clod					27
18. Boned, rolled and tied veal roll					

(j) *Retail ceiling prices*—Continued.

[For stores in Groups 3 and 4 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
1. Breast (bone-in)	19	19	17	16	12
2. Breast (boneless)	26	26	23	20	18
3. Flank meat	26	26	23	20	18
4. Neck (bone-in)	19	19	17	16	12
5. Neck (boneless)	26	26	23	20	18
6. Shank (bone-in) (hind and fore)	19	19	17	16	12
7. Shank and heel meat (boneless) (hind and fore)	26	26	23	20	18
8. Ground veal and patties	29	29	29	29	29
9. Neckbones					7
IX. Kidneys	28	28	28	28	28
X. Retail prices of wholesale cuts:					
1. Hindquarters	27	26	22	19	17
2. Forequarters	21	21	19	17	13

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade S & utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
1. Loin chops	59	55	50	44	31	28	26
2. Rib chops	45	43	40	36	20	17	14
3. Leg or sirloin chops	46	43	40	36	20	17	14
4. Shoulder chops, blade or arm chops	39	37	34	31	17	15	12
XII. Roasts:							
1. Leg (whole, half or short cut)	40	37	34	30	21	19	17
2. Sirloin roast (bone-in)	46	43	40	36	20	17	14
3. Yoke rattle or triangle (bone-in)	25	25	25	23	12	10	9
4. Yoke rattle or triangle (boneless)	40	39	38	35	17	15	13
5. Chuck or shoulder, square cut (bone-in)	34	34	34	31	16	14	12
6. Chuck or shoulder, cross cut (bone-in)	27	27	26	24	13	11	10
7. Loin	59	55	50	44	31	28	26
8. Rib	46	43	40	36	20	17	14
9. Boneless lamb shoulder roast				34			
XIII. Stews and other cuts:							
1. Breast and flank	19	18	17	15	9	7	6
2. Neck (bone-in)	19	18	17	15	9	7	6
3. Neck (boneless)	31	31	31	31	18	18	18
4. Shank (bone-in)	19	18	17	15	9	7	6
5. Patties (ground meat)	31	31	31	31	18	18	18
6. Neckbones				6			6
XIV. Kidneys	27	27	27	27	14	14	14
XV. Retail prices of wholesale cuts:							
1. Leg	33	33	30	27	19	17	16
2. Loin	33	30	25	21	15	14	12
3. Hotel rack	37	34	29	24	17	14	13
4. Yoke	21	21	20	19	10	8	7

These ceiling prices apply in all Group 3 and Group 4 stores selling these meats at retail located in Zone 5.

Zone 5 includes the following area:

Michigan, all that portion of Michigan west of and including the counties of Marquette and Menominee.

Wisconsin, all that portion of Wisconsin east of and including the counties of Vilas, Oneida, Lincoln, Marathon, Wood, Juneau, Sauk, Richland, and Grant.

Iowa, the following counties of Iowa: Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines, and Lee.

Illinois, all that portion of Illinois north and west of and including the counties of Vermilion, Champaign, Douglas, Coles, Shelby, Effingham, Fayette, Bond, Madison, St. Clair, and Monroe.

Missouri, the following counties of Missouri: Clark, Lewis, Marion, Ralls, Pike, Lincoln, St. Charles, St. Louis, and Jefferson.

Indiana, the following counties of Indiana: Lake, Newton, Benton, and Warren.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Above portion of paragraph (j) amended by Am. 1, 8 F.R. 4922, effective 4–14–43; Am. 2, 8 F.R. 6214, effective 5–17–43; Am. 5, 8 F.R. 7837, effective 6–21–43; Am. 8, 8 F.R. 9366, effective 7–13–43; Am. 11, 8 F.R. 12811, effective 9–20–43; and Am. 13, 9 F.R. 1157, effective 2–3–44.]

(1) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 5*

[For stores in Group 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 355, effective October 28, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
Porterhouse	49	46	39	33	29
T-bone	49	46	39	33	29
Club	49	46	39	33	29
Rib—10-inch cut	30	28	26	22	18
Rib—7-inch cut	33	31	28	24	20
Sirloin	40	38	31	26	22
Pin bone	40	38	31	26	22
Sirloin (boneless)	50	48	38	33	29
Round (bone-in) (full cut)	39	37	32	27	23
Round (boneless) (top and bottom)	41	38	34	28	24
Round tip	41	38	34	28	24
Chuck blade (bone-in)	27	25	23	20	16
Chuck arm (bone-in)	27	25	23	20	16
Flank	36	35	35	35	31
II. Roasts:					
Rib standing (chine bone-in, 10-inch cut)	30	28	26	22	18
Rib standing (chine bone-in, 7-inch cut)	33	31	28	24	20
Round tip	41	38	34	28	24
Rump (bone-in)	25	23	20	17	13
Rump (boneless)	41	38	34	28	24
Chuck blade pot roast	27	25	23	20	16
Chuck arm pot roast	27	25	23	20	16
Chuck or shoulder (boneless)	35	33	30	26	22
English cut	27	25	23	20	16
III. Stews and other cuts:					
Short ribs	17	17	17	17	13
Plate (bone-in) (fresh or cured)	18	18	17	17	13
Plate (boneless) (fresh or cured)	23	23	21	21	17
Brisket (bone-in) (fresh or cured)	24	24	20	20	16
Brisket (boneless) (fresh or cured) (deckle on)	31	31	26	26	22
Brisket (boneless) (cured) (deckle off)	36	36	31	31	
Flank meat	25	25	25	25	21
Neck (bone-in)	24	24	20	20	16
Neck (boneless)	29	27	25	22	18
Heel of round (boneless)	29	27	23	19	15
Shank (bone-in) (hind and fore)	17	17	16	16	12
Shank (boneless) (hind and fore)	23	23	23	23	19
Soup bone	3	3	3	3	3
Suet	5	5	5	5	5
IV. Ground beef	25	25	25	25	25
V. Retail prices of wholesale cuts:					
Round beef—whole	24	23	20	17	13
Sirloin beef—whole	29	28	22	19	15
Short loin beef—whole	36	33	28	23	19
Flank beef—whole	14	14	14	14	10
Rib beef—whole	26	25	23	19	15
Regular chuck—whole	21	20	18	16	12
Short plate—whole	15	15	14	14	10
Brisket—whole	17	17	15	15	11
Shank—whole	13	13	13	13	9

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
Loin chops	41	38	34	29	25
Rib chops	37	36	33	30	23
Shoulder chops (arm and blade)	27	28	22	19	17
Round steak (cutlets)	43	40	36	31	27
Sirloin steaks or chops	34	32	29	26	23
VII. Roasts:					
Rump and sirloin (bone-in)	31	29	26	22	20
Rump and sirloin (boneless)	45	42	38	33	29
Leg	31	29	26	22	20
Leg—rump-off	31	29	26	22	20
Leg—shank-half	31	29	26	22	20
Leg—rump-half	31	29	26	22	20
Loin	41	38	34	29	25
Rib	37	36	33	30	23
Blade and arm	27	25	23	19	17
Round	43	40	36	31	27
Shoulder (bone-in) (square cut)	26	25	23	21	16
Shoulder (boneless) (square cut)	33	32	29	26	20
Boneless veal leg or round					28
Boneless veal sirloin strip					28
Veal tenderloin					28
Boneless veal regular rib roll					28
Boneless veal shoulder clod					27
Boned, rolled and tied veal roll					26

(1) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 5*—Continued

[For stores in Group 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 355, effective October 28, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
Breast (bone-in)	18	18	16	15	12
Breast (boneless)	27	25	22	19	17
Flank meat	27	25	22	19	17
Neck (bone-in)	18	18	16	15	12
Neck (boneless)	27	25	22	19	17
Shank (bone-in) (hind and fore)	18	18	16	15	12
Shank and heel meat (boneless) (hind and fore)	27	25	22	19	17
Ground veal and patties	28	28	28	28	28
Neckbones					7
IX. Kidneys	27	27	27	27	27
X. Retail prices of wholesale cuts:					
Bindquarters	26	24	21	18	16
Forequarters	20	20	18	16	13

Lamb and mutton	Grades						
	Lamb				Mutton		
	AA or choice	A or good	B or commercial	C or utility	B or prime, choice and good	M or commercial	R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
Loin chops	57	53	48	42	30	27	24
Rib chops	44	41	38	35	19	16	14
Leg or sirloin chops	44	41	38	35	19	16	14
Shoulder chops, blade or arm chops	38	36	33	30	16	14	12
XII. Roasts:							
Leg (whole, half, or short cut)	38	36	33	29	20	18	16
Sirloin roast (bone-in)	44	41	38	35	19	16	14
Yoke, rattle or triangle (bone-in)	26	24	24	22	12	10	9
Yoke, rattle or triangle (boneless)	38	38	37	34	16	14	13
Chuck or shoulder (square cut) (bone-in)	33	33	33	30	15	14	12
Chuck or shoulder (cross cut) (bone-in)	26	26	25	23	13	11	10
Loin	57	53	48	42	30	27	24
Rib	44	41	38	35	19	16	14
Boneless lamb shoulder roll				33			
XIII. Stews and other cuts:							
Breast and flank	18	17	16	14	9	7	6
Neck (bone-in)	18	17	16	14	9	7	6
Neck (boneless)	30	30	30	30	17	17	17
Shank (bone-in)	18	17	16	14	9	7	6
Patties (ground meat)	30	30	30	30	17	17	17
Neckbones				6			6
XIV. Kidneys	26	26	26	26	14	14	14
XV. Retail prices of wholesale cuts:							
Leg	32	31	29	26	18	16	15
Loin	32	29	24	20	14	14	12
Hotel rack	36	33	28	23	16	14	12
Yoke	20	20	19	18	10	8	7

NOTES—THESE CEILING PRICES APPLY IN GROUP 3B AND GROUP 4B STORES SELLING THESE MEATS AT RETAIL LOCATED IN ZONE 5

Zone 5 includes the following area:

Michigan, all that portion of Michigan west of and including the counties of Marquette and Menominee.

Wisconsin, all that portion of Wisconsin east of and including the counties of Vilas, Oneida, Lincoln, Marathon, Wood, Juneau, Sauk, Richland, and Grant.

Iowa, the following counties of Iowa: Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines, and Lee.

Illinois, all that portion of Illinois north and west of and including the counties of Vermillion, Champaign, Douglas, Coles, Shelby, Effingham, Fayette, Bond, Madison, St. Clair, and Monroe.

Missouri, the following counties of Missouri: Clark, Lewis, Marion, Ralls, Pike, Lincoln, St. Charles, St. Louis, and Jefferson.

Indiana, the following counties of Indiana: Lake, Newton, Benton, and Warren.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in Section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Subparagraph (1) added by Am. 12, 8 F.R. 14738, effective 10-28-43.]

(k) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 6.*

[For stores in Groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	54	50	43	36	32
2. T-bone	54	50	43	36	32
3. Club	54	50	43	36	32
4. Rib-10-inch cut	34	32	30	26	22
5. Rib-7-inch cut	37	35	32	28	24
6. Sirloin	45	43	34	29	25
7. Pin bone	45	43	34	29	25
8. Sirloin (boneless)	56	53	43	36	32
9. Round (bone-in) (full cut)	44	41	36	30	26
10. Round (boneless top and bottom)	46	43	37	31	27
11. Round tip	46	43	37	31	27
12. Chuck blade (bone-in)	31	29	26	23	19
13. Chuck arm (bone-in)	31	29	26	23	19
14. Flank	39	39	38	38	34
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	34	32	30	26	22
2. Rib standing (chine bone-in, 7-inch cut)	37	35	32	28	24
3. Round tip	46	43	37	31	27
4. Rump (bone-in)	28	27	23	19	15
5. Rump (boneless)	46	43	37	31	27
6. Chuck blade pot roast	31	29	26	23	19
7. Chuck arm pot roast	31	29	26	23	19
8. Chuck or shoulder (boneless)	39	37	34	30	26
9. English cut	31	29	26	23	19
III. Stews and other cuts:					
1. Short ribs	21	21	19	19	15
2. Plate (bone-in) (fresh or cured)	21	21	19	19	15
3. Plate (boneless) (fresh or cured)	26	26	24	24	20
4. Brisket (bone-in) (fresh or cured)	26	26	22	22	18
5. Brisket (boneless) (fresh and cured) (deckle on)	34	34	29	29	25
6. Brisket (boneless) (cured) (deckle off)	39	39	34	34	
7. Flank meat	28	28	27	27	23
8. Neck (bone-in)	26	26	22	22	18
9. Neck (boneless)	33	31	28	25	21
10. Heel of round (boneless)	32	30	26	22	18
11. Shank (bone-in) (hind and fore)	19	19	19	19	15
12. Shank (boneless) (hind and fore)	26	26	26	26	22
13. Soup bone	3	3	3	3	3
14. Suet	5	5	5	5	5
IV. Ground beef	28	28	28	28	28
V. Retail prices of wholesale cuts:					
1. Round beef, whole	26	24	21	18	14
2. Sirloin beef, whole	31	30	24	20	16
3. Short loin beef, whole	38	35	30	25	21
4. Flank beef, whole	15	15	15	15	11
5. Rib beef, whole	28	26	24	21	17
6. Regular chuck, whole	23	22	20	18	14
7. Short plate, whole	16	16	15	15	11
8. Brisket, whole	19	19	16	16	12
9. Shank, whole	14	14	14	14	10

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
1. Loin chops	45	43	37	32	28
2. Rib chops	40	39	36	33	26
3. Shoulder chops (arm and blade)	30	28	25	22	19
4. Round steak (cutlets)	48	44	39	34	31
5. Sirloin steaks or chops	38	36	32	28	26
VII. Roasts:					
1. Rump and sirloin (bone-in)	35	32	29	25	23
2. Rump and sirloin (boneless)	50	47	42	36	32
3. Leg	35	32	29	25	23
4. Leg—rump off	35	32	29	25	23
5. Leg—shank half	35	32	29	25	23
6. Leg—rump half	35	32	29	25	23
7. Loin	45	43	37	32	28
8. Rib	40	39	36	33	26
9. Blade and arm	30	28	25	22	19
10. Round	48	44	39	34	31
11. Shoulder (bone-in) (square cut)	29	28	26	23	18
12. Shoulder (boneless) (square cut)	37	35	33	30	23
13. Boneless veal, leg or round					31
14. Boneless veal sirloin strip					31
15. Veal tenderloin					31
16. Boneless veal regular rib roll					30
17. Boneless veal shoulder clod					29
18. Boned, rolled and tied veal roll					

(k) *Retail ceiling prices*—Continued.

[For stores in groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
1. Breast (bone-in)	21	20	19	17	14
2. Breast (boneless)	30	28	25	22	19
3. Flank meat	30	28	25	22	19
4. Neck (bone-in)	21	20	19	17	14
5. Neck (boneless)	30	28	25	22	19
6. Shank (bone-in) (hind and fore)	21	20	19	17	14
7. Shank and heel meat (boneless) (hind and fore)	30	28	25	22	19
8. Ground veal and patties	31	31	31	31	31
9. Neckbones					8
IX. Kidneys	30	30	30	30	30
X. Retail prices of wholesale cuts:					
1. Hindquarters	27	26	23	20	18
2. Forequarters	22	21	20	18	14

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
1. Loin chops	62	58	53	47	33	30	28
2. Rib chops	49	46	42	38	22	19	16
3. Leg or sirloin chops	49	46	42	38	22	19	16
4. Shoulder chops, blade or arm chops	42	40	37	33	19	16	14
XII. Roasts:							
1. Leg (whole, half or short cuts)	42	40	36	32	23	21	19
2. Sirloin roast (bone-in)	49	46	42	38	22	19	16
3. Yoke rattle or triangle (bone-in)	28	27	26	24	13	12	10
4. Yoke rattle or triangle (boneless)	43	41	40	37	19	17	15
5. Chuck or shoulder, square cut (bone-in)	36	35	36	34	17	16	13
6. Chuck or shoulder, cross cut (bone-in)	29	29	28	26	14	12	11
7. Loin	62	58	53	47	33	30	28
8. Rib	49	46	42	38	22	19	16
9. Boneless lamb shoulder roll				37			
XIII. Stews and other cuts:							
1. Breast and flank	21	20	18	17	10	8	7
2. Neck (bone-in)	21	20	18	17	10	8	7
3. Neck (boneless)	33	33	33	33	19	19	19
4. Shank (bone-in)	21	20	18	17	10	8	7
5. Patties (ground meat)	33	33	33	33	19	19	19
6. Neck bones				7			7
XIV. Kidneys	28	28	28	28	15	15	15
XV. Retail prices of wholesale cuts:							
1. Leg	34	32	30	28	20	18	17
2. Loin	34	31	26	22	16	14	13
3. Hotel rack	38	35	30	25	17	15	13
4. Yoke	22	21	21	19	10	9	8

These ceiling prices apply in all Group 1 and Group 2 stores selling these meats at retail located in Zone 6.

Zone 6 includes the following area:

Michigan, the following counties of Michigan: Alger, Delta, Schoolcraft, Luce, Mackinac, Chippewa, and Berrien.

Indiana, all counties except Lake, Newton, Benton, and Warren.

Illinois, all that portion of Illinois east and south of and including the counties of Edgar, Clark, Cumberland, Jasper, Clay, Marion, Clinton, Washington, and Randolph.

Missouri, the following counties of Missouri: Saint Genevieve, Perry, Bollinger, Cape Girardeau, Stoddard, Scott, New Madrid, Mississippi, Dunklin, and Pemiscot.

Kentucky, all that portion of Kentucky west and north of and including the counties of Carroll, Henry, Shelby, Anderson, Washington, Marion, Larue, Hardin, Grayson, Ohio, Muhlenberg, and Todd.

Tennessee, the following counties of Tennessee: Lake, Obion, Weakley, Henry, Stewart, Dyer, Montgomery, Gibson, Crockett, Carroll, Benton, and Houston.

Arkansas, all counties.

Louisiana, all that portion of Louisiana west of the Mississippi River from the northeast point of East Carroll Parish to the northeast point the Pointe Coupee Parish and west of and including the Parishes of Avoyelles, Saint Landry, Saint Martin, and Iberia.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.*. (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Paragraph (k) amended by Am. 1, 8 F.R. 4922, effective 4–14–43; Am. 2, 8 F.R. 6214, effective 5–17–43; Am. 5, 8 F.R. 7827, effective 6–21–43; Am. 8, 8 F.R. 9366, effective 7–13–43; and Am. 11, 8 F.R. 12811, effective 9–20–43.]

(1) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 6.*

[For stores in Groups 3 and 4 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	52	48	41	34	30
2. T-bone	52	48	41	34	30
3. Club	52	48	41	34	30
4. Rib 10 inch cut	31	29	27	24	20
5. Rib 7 inch cut	34	32	29	25	21
6. Sirloin	43	41	33	26	24
7. Pin Bone	43	41	33	28	24
8. Sirloin (boneless)	53	50	40	34	30
9. Round (bone-in) (full cut)	41	39	34	28	24
10. Round (boneless top & bottom)	43	40	35	29	25
11. Round tip	43	40	35	29	25
12. Chuck blade (bone-in)	28	27	24	22	18
13. Chuck arm (bone-in)	28	27	24	22	18
14. Flank	37	37	37	37	33
II. Roasts:					
1. Ribstanding (chine bone in 10-inch cut)	31	29	27	24	20
2. Ribstanding (chine bone in 7-inch cut)	34	32	29	25	21
3. Round tip	43	40	35	29	25
4. Rump (bone-in)	26	25	22	18	14
5. Rump (boneless)	43	40	35	29	26
6. Chuck blade pot roast	28	27	24	22	18
7. Chuck arm pot roast	28	27	24	22	18
8. Chuck or shoulder (boneless)	37	34	32	28	24
9. English cut	28	27	24	22	18
III. Stews and other cuts:					
1. Short ribs	20	20	16	18	14
2. Plate (bone-in) fresh or cured	20	20	18	18	14
3. Plate (boneless) fresh or cured	24	24	22	22	18
4. Brisket (bone-in) fresh or cured	25	25	21	21	17
5. Brisket (boneless) (fresh and cured) (deckle on)	32	32	27	27	23
6. Brisket (boneless) (cured) (deckle off)	37	37	32	32	
7. Flank meat	26	26	26	26	22
8. Neck (bone-in)	25	25	21	21	17
9. Neck (boneless)	30	28	26	23	19
10. Heel of round (boneless)	30	28	25	21	17
11. Shank (bone-in) (hind and fore)	18	18	18	18	14
12. Shank (boneless) (hind and fore)	25	25	24	24	20
13. Soup bone	3	3	3	3	3
14. Suet	5	5	5	5	5
IV. Ground beef	26	26	26	26	26
V. Retail prices of wholesale cuts:					
1. Round beef—whole	25	24	21	18	14
2. Sirloin beef—whole	31	29	24	20	16
3. Short loin beef—whole	37	34	29	25	21
4. Flank beef—whole	15	15	14	14	10
5. Rib beef—whole	27	26	24	21	17
6. Regular chuck beef—whole	23	21	20	17	13
7. Short plate—whole	16	16	15	15	11
8. Brisket—whole	18	18	16	16	12
9. Shank—whole	14	14	13	13	9

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
1. Loin chops	44	40	35	30	27
2. Rib chops	38	37	34	31	24
3. Shoulder chops (arm and blade)	28	27	28	20	18
4. Round steak (cutlets)	45	42	37	32	29
5. Sirloin steaks or chops	36	34	30	27	24
VII. Roasts:					
1. Rump and sirloin (bone-in)	33	31	27	24	21
2. Rump and sirloin (boneless)	48	40	39	34	30
3. Leg	33	31	27	24	21
4. Leg—rump off	33	31	27	24	21
5. Leg—shank half	33	31	27	24	21
6. Leg—rump half	44	40	35	30	27
7. Loin	38	37	34	31	24
8. Rib	28	27	28	20	18
9. Blade and arm	45	42	37	32	29
10. Round	27	26	24	22	17
11. Shoulder (bone-in) (square cut)	35	34	31	28	22
12. Shoulder (boneless) (square cut)					29
13. Boneless veal, leg or round					29
14. Boneless veal sirloin strip					29
15. Veal tenderloin					29
16. Boneless veal regular rib roll					28
17. Boneless veal shoulder clod					27
18. Boned, rolled and tied veal roll					

(1) *Retail ceiling prices*—Continued.

[For stores in Groups 3 and 4 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
1. Breast (bone-in)	20	19	18	16	13
2. Breast (boneless)	28	27	28	20	18
3. Flank meat	28	27	28	20	18
4. Neck (bone-in)	20	19	18	16	13
5. Neck (boneless)	28	27	28	20	18
6. Shank (bone-in) (hind and fore)	20	19	18	16	13
7. Shank and heel meat (boneless) (hind and fore)	28	27	28	20	18
8. Ground veal and patties	30	30	30	30	30
9. Neckbones					7
IX. Kidneys	29	29	29	29	29
X. Retail prices of wholesale cuts:					
1. Hindquarters	27	25	22	19	17
2. Forequarters	22	21	19	17	14

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade B or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
1. Loin chops	59	55	50	44	21	28	26
2. Rib chops	46	43	40	36	20	17	15
3. Leg or sirloin chops	46	43	40	36	20	17	15
4. Shoulder chops, blade or arm chops	40	38	35	32	18	15	13
XII. Roasts:							
1. Leg (whole, half or short cut)	40	38	34	30	21	19	18
2. Sirloin roast (bone-in)	46	43	40	36	20	17	15
3. Yoke rattle or triangle (bone-in)	26	26	25	23	12	11	9
4. Yoke rattle or triangle (boneless)	40	39	38	35	18	16	13
5. Chuck or shoulder, square cut (bone-in)	35	34	34	32	16	14	12
6. Chuck or shoulder, cross cut (bone-in)	28	27	27	25	13	11	10
7. Loin	59	55	50	44	31	28	26
8. Rib	46	43	40	36	20	17	15
9. Boneless lamb shoulder roll				35			
XIII. Stews and other cuts:							
1. Breast and flank	20	19	17	16	9	8	7
2. Neck (bone-in)	20	19	17	16	9	8	7
3. Neck (boneless)	31	31	31	31	18	18	18
4. Shank (bone-in)	20	19	17	16	9	8	7
5. Patties (ground meat)	31	31	31	31	18	18	18
6. Neckbones				6			6
XIV. Kidneys	27	27	27	27	14	14	14
XV. Retail prices of wholesale cuts:							
1. Leg	38	32	30	27	19	16	16
2. Loin	34	31	25	21	16	14	12
3. Hotel rack	27	34	29	25	17	15	13
4. Yoke	21	22	20	19	10	9	6

These ceiling prices apply in all Group 3 and Group 4 stores selling these meats at retail located in Zone 6.

Zone 6 includes the following area:

Michigan, the following counties of Michigan: Alger, Delta, Schoolcraft, Luce, Mackinac, Chippewa, and Berrien.

Indiana, all counties except Lake, Newton, Benton, and Warren.

Illinois, all that portion of Illinois east and south of and including the counties of Edgar, Clark, Cumberland, Jasper, Clay, Marion, Clinton, Washington, and Randolph.

Missouri, the following counties of Missouri: Saint Genevieve, Perry, Bollinger, Cape Girardeau, Stoddard, Scott, New Madrid, Mississippi, Dunklin, and Pemiscot.

Kentucky, all that portion of Kentucky west and north of and including the counties of Carroll, Henry, Shelby, Anderson, Washington, Marion, Larue, Hardin, Grayson, Ohio, Muhlenberg, and Todd.

Tennessee, the following counties of Tennessee: Lake, Obion, Weakley, Henry, Stewart, Dyer, Montgomery, Gibson, Crockett, Carroll, Benton, and Houston.

Arkansas, all counties.

Louisiana, all that portion of Louisiana west of the Mississippi River from the northeast point of East Carroll Parish to the northeast point the Pointe Coupee Parish and west of and including the Parishes of Avoyelles, Saint Landry, Saint Martin, and Iberia. The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Above portion of paragraph (1) amended by Am. 1, 8 F.R. 4922, effective 4–14–43; Am. 2, 8 F.R. 6314, effective 5–17–43; Am. 5, 8 F.R. 7827, effective 6–21–43; Am. 8, 8 F.R. 9066, effective 7–13–43; and Am. 11, 8 F.R. 12811, effective 9–20–43.]

(1) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 6*

[For stores in Group 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 355, effective October 28, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
Porterhouse	50	46	39	33	29
T-Bone	50	46	39	33	29
Club	50	46	39	33	29
Rib—10-inch cut	30	28	26	23	19
Rib—7-inch cut	33	31	28	24	20
Sirloin	41	39	32	27	23
Pin bone	41	39	32	27	23
Sirloin (boneless)	51	48	38	33	29
Round (bone-in) (full cut)	39	38	33	27	23
Round (boneless) (top and bottom)	41	38	34	28	24
Round tip	41	38	34	28	24
Chuck blade (bone-in)	27	26	23	21	17
Chuck arm (bone-in)	27	26	23	21	17
Flank	36	36	36	36	32
II. Roasts:					
Rib standing (chine bone-in, 10-inch cut)	30	28	26	23	19
Rib standing (chine bone-in, 7-inch cut)	33	31	28	24	20
Round tip	41	36	34	28	24
Rump (bone-in)	25	24	21	17	13
Rump (boneless)	41	39	34	28	24
Chuck blade pot roast	27	26	23	21	17
Chuck arm pot roast	27	26	23	21	17
Chuck or shoulder (boneless)	36	33	31	27	23
English cut	27	26	23	21	17
III. Stews and other cuts:					
Short ribs	19	19	17	17	13
Plate (bone-in) (fresh or cured)	19	19	17	17	13
Plate (boneless) (fresh or cured)	23	23	21	21	17
Brisket (bone-in) (fresh or cured)	24	24	20	20	16
Brisket (boneless) (fresh or cured) (deckle on)	31	31	26	26	22
Brisket (boneless) (cured) (deckle off)	36	36	31	31	
Flank meat	26	25	26	25	21
Neck (bone-in)	24	24	20	20	16
Neck (boneless)	29	27	26	22	18
Heel of round (boneless)	29	27	24	20	16
Shank (bone-in) (hind and fore)	17	17	17	17	13
Shank (boneless) (hind and fore)	24	24	28	23	19
Soup bone	3	3	3	3	3
Suet	5	5	5	5	5
IV. Ground beef	25	25	26	25	25
V. Retail prices of wholesale cuts:					
Round beef—whole	24	23	20	17	13
Sirloin beef—whole	30	28	23	19	15
Short loin beef—whole	36	33	28	24	20
Flank beef—whole	14	14	14	14	10
Rib beef—whole	26	25	23	20	16
Regular chuck—whole	22	20	19	16	12
Short plate—whole	15	15	14	14	10
Brisket—whole	17	17	15	15	11
Shank—whole	14	14	13	12	9

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
Loin chops	42	38	34	29	26
Rib chops	37	35	33	30	23
Shoulder chops (arm and blade)	27	26	22	19	17
Round steak (cutlets)	43	40	36	31	28
Sirloin steaks or chops	35	33	29	26	23
VII. Roasts:					
Rump and sirloin (bone-in)	32	30	26	23	20
Rump and sirloin (boneless)	38	36	33	29	29
Leg	32	30	26	23	20
Leg—rump-off	32	30	26	23	20
Leg—shank-half	32	30	26	28	20
Leg—rump-half	38	30	26	23	20
Loin	43	38	34	29	26
Rib	37	36	33	30	23
Blade and arm	27	26	22	19	17
Round	43	40	36	31	28
Shoulder (bone-in) (square cut)	26	25	23	21	16
Shoulder (boneless) (square cut)	34	33	30	27	21
Boneless veal leg or round					26
Boneless veal sirloin strip					26
Veal tenderloin					26
Boneless veal regular rib roll					27
Boneless veal shoulder clod					26
Boned, rolled and tied veal roll					

(1) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 6*—Continued

[For stores in Group 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 355, effective October 28, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
Breast (bone-in)	19	18	17	15	13
Breast (boneless)	27	26	22	19	17
Flank meat	27	26	22	19	17
Neck (bone-in)	19	18	17	15	13
Neck (boneless)	27	26	22	19	17
Shank (bone-in) (hind and fore)	19	18	17	15	13
Shank and heel meat (boneless) (hind and fore)	27	26	22	19	17
Ground veal and patties	29	29	29	29	29
Neckbones					7
IX. Kidneys	28	28	28	28	28
X. Retail prices of wholesale cuts:					
Hindquarters	26	24	21	18	16
Forequarters	21	20	18	16	14

Lamb and mutton	Grades						
	Lamb				Mutton		
	AA or choice	A or good	B or commercial	C or utility	S or prime, choice, and good	M or commercial	R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
Loin chops	57	53	48	42	30	27	25
Rib chops	44	41	38	35	19	16	14
Leg or sirloin chops	44	41	38	35	19	16	14
Shoulder chops, blade or arm chops	38	37	34	31	17	14	13
XII. Roasts:							
Leg (whole, half of short cut)	38	37	33	29	20	18	17
Sirloin roast (bone-in)	44	41	38	35	19	16	14
Yoke, rattle or triangle (bone-in)	25	23	24	22	12	11	9
Yoke, rattle or triangle (boneless)	38	38	37	34	17	15	13
Chuck or shoulder (square cut) (bone-in)	24	33	33	31	15	14	12
Chuck or shoulder (cross cut) (bone-in)	27	26	26	24	13	11	10
Loin	57	53	48	42	30	27	25
Rib	44	41	38	35	19	16	14
Boneless lamb shoulder roll				34			
XIII. Stews and other cuts:							
Breast and flank	19	18	16	15	9	8	7
Neck (bone-in)	19	18	16	15	9	8	7
Neck (boneless)	30	30	30	30	17	17	17
Shank (bone-in)	19	18	16	15	9	8	7
Patties (ground meat)	30	30	30	30	17	17	17
Neckbones				6			6
XIV. Kidneys	26	26	26	26	14	14	14
XV. Retail prices of wholesale cuts:							
Leg	32	31	29	26	18	17	15
Loin	33	30	24	20	15	14	12
Hotel rack	36	33	28	24	16	14	13
Yoke	20	20	19	18	10	9	8

NOTES—THESE CEILING PRICES APPLY IN GROUP 3B AND GROUP 4B STORES SELLING THESE MEATS AT RETAIL LOCATED IN ZONE 6

Zone 6 includes the following area:

Michigan, the following counties of Michigan: Alger, Delta, Schoolcraft, Luce, Mackinac, Chippewa, and Berrien.

Indiana, all counties except Lake, Newton, Benton, and Warren.

Illinois, all that portion of Illinois east and south of and including the Counties of Edgar, Clark, Cumberland, Jasper, Clay, Marion, Clinton, Washington, and Randolph.

Missouri, the following counties of Missouri: Saint Genevieve, Perry, Bollinger, Cape Girardeau Stoddard, Scott, New Madrid, Mississippi, Dunklin, and Pemiscot.

Kentucky, all that portion of Kentucky west and north of and including the Counties of Carroll, Henry, Shelby, Anderson, Washington, Marion, Larue, Hardin, Grayson, Ohio, Muhlenberg, and Todd.

Tennessee, the following Counties of Tennessee: Lake, Obion, Weakley, Henry, Stewart, Dyer, Montgomery, Gibson, Crockett, Carroll, Benton, and Houston.

Arkansas, all counties.

Louisiana, all that portion of Louisiana west of the Mississippi River from the northeast point of East Carroll Parish to the northeast point of the Pointe Coupee Parish and west of and including the Parishes of Avoyelles, Saint Landry, Saint Martin, and Iberia.

Above prices are subject to the conditions contained in Notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in Section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Subparagraph (1) added by Am. 12, 8 F.R. 14738, effective 10-28-43.]

(m) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 7.*

[For stores in Groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	54	51	43	37	33
2. T-Bone	54	51	43	37	33
3. Club	54	51	43	37	33
4. Rib—10-inch cut	34	33	30	26	22
5. Rib—7-inch cut	38	36	33	28	24
6. Sirloin	45	43	35	30	26
7. Pin bone	45	43	35	30	26
8. Sirloin (boneless)	56	53	43	37	33
9. Round (bone-in) (full cut)	44	42	36	31	27
10. Round (boneless) (top and bottom)	46	43	38	33	28
11. Round tip	46	43	38	32	28
12. Chuck blade (bone-in)	31	29	27	24	20
13. Chuck arm (bone-in)	31	29	27	24	20
14. Flank	39	39	39	30	35
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch)	34	33	30	26	22
2. Rib standing (chine bone-in, 7-inch)	38	36	33	28	24
3. Round tip	46	43	38	32	28
4. Rump (bone-in)	29	27	24	20	16
5. Rump (boneless)	46	43	38	32	28
6. Chuck blade pot roast	31	29	27	24	20
7. Chuck arm pot roast	31	29	27	24	20
8. Chuck or shoulder (boneless)	40	37	35	31	27
9. English cut	31	29	27	24	20
III. Stews and other cuts:					
1. Short ribs	21	21	20	20	16
2. Plate (bone-in) fresh and cured	21	21	20	20	16
3. Plate (boneless) fresh and cured	26	26	24	24	20
4. Brisket (bone-in) fresh and cured	26	26	23	23	19
5. Brisket (boneless) fresh and cured (deckle on)	34	34	29	29	25
6. Brisket (boneless) (cured) (deckle off)	39	39	34	34	
7. Flank meat	28	28	28	28	24
8. Neck (bone-in)	26	26	23	23	19
9. Neck (boneless)	33	31	29	25	21
10. Heel of round (boneless)	33	31	27	23	19
11. Shank (bone-in) (hind and fore)	20	20	19	19	15
12. Shank (boneless) (hind and fore)	27	27	27	27	23
13. Soup bone	3	3	3	3	3
14. Suet	5	5	5	5	5
IV. Ground beef	28	28	28	28	28
V. Retail prices of wholesale cuts:					
1. Round beef—whole	26	25	22	18	14
2. Sirloin beef—whole	31	30	24	21	17
3. Short loin beef—whole	38	35	30	25	21
4. Flank beef—whole	15	15	15	15	11
5. Rib beef—whole	28	27	25	21	17
6. Regular chuck—whole	23	22	20	18	14
7. Short plate—whole	17	17	15	15	11
8. Brisket—whole	19	19	18	16	12
9. Shank—whole	14	14	14	14	10

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
1. Loin chops	47	43	38	33	29
2. Rib chops	41	40	37	33	28
3. Shoulder chops (arm and blade)	30	29	28	22	20
4. Round steak (cutlets)	48	45	40	35	31
5. Sirloin steaks or chops	38	36	32	29	26
VII. Roasts:					
1. Rump and sirloin (bone-in)	35	33	29	26	23
2. Rump and sirloin (boneless)	51	47	42	37	33
3. Leg	38	33	29	26	23
4. Leg—rump-off	35	33	29	26	23
5. Leg—shank-half	35	33	29	26	23
6. Leg—rump-half	47	43	38	33	29
7. Loin	41	40	37	33	28
8. Rib	30	29	28	23	20
9. Blade and arm	43	41	40	35	31
10. Round	29	28	26	24	19
11. Shoulder (bone-in) (square cut)	37	36	33	30	24
12. Shoulder (boneless) (square cut)					31
13. Boneless veal leg or round					31
14. Boneless veal sirloin or strip					31
15. Veal tenderloin					31
16. Boneless veal regular rib roll					30
17. Boneless veal shoulder clod					29
18. Boned, rolled and tied veal roll					

(m) *Retail ceiling prices*—Continued.

[For stores in Groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
1. Breast (bone-in)	21	21	19	18	14
2. Breast (boneless)	30	29	25	22	20
3. Flank meat	30	29	26	23	20
4. Neck (bone-in)	21	21	19	18	14
5. Neck (boneless)	30	29	26	22	20
6. Shank (bone-in) (hind and fore)	21	21	19	18	14
7. Shank and heel meat (boneless) (hind and fore)	30	29	25	22	20
8. Ground veal and patties	31	31	31	31	31
9. Neck bones					8
IX. Kidneys	31	31	31	31	31
X. Retail prices of wholesale cuts:					
1. Hindquarters	28	26	23	20	18
2. Forequarters	22	22	20	18	15

Lamb and mutton	Grades						
	Lamb				Mutton		
	AA or choice	A or good	B or commercial	C or utility	S or prime, choice and good	M or commercial	R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
1. Loin chops	62	59	53	47	33	31	28
2. Rib chops	49	46	42	39	22	19	16
3. Leg or sirloin chops	49	46	42	39	22	19	16
4. Shoulder chops, blade or arm chops	42	40	37	34	19	17	14
XII. Roasts:							
1. Leg (whole, half or short cut)	42	40	36	32	23	21	19
2. Sirloin roast (bone-in)	49	46	43	39	22	19	16
3. Yoke rattle or triangle (bone-in)	28	27	27	25	14	12	11
4. Yoke rattle or triangle (boneless)	43	42	41	38	20	17	15
5. Chuck or shoulder (square cut) (bone-in)	37	37	36	34	18	16	14
6. Chuck or shoulder (crosscut) (bone-in)	30	29	28	27	14	13	11
7. Loin	62	59	53	47	33	31	28
8. Rib	49	46	43	39	22	19	16
9. Boneless lamb shoulder roll				37			
XIII. Stews and other cuts:							
1. Breast and flank	22	20	19	17	10	9	8
2. Neck (bone-in)	22	20	19	17	10	9	8
3. Neck (boneless)	34	34	34	34	20	20	20
4. Shank (bone-in)	22	20	19	17	10	9	8
5. Patties (ground meat)	34	34	34	34	20	20	20
6. Neckbones				7			7
XIV. Kidneys	29	29	29	29	16	16	16
XV. Retail prices of wholesale cuts:							
1. Leg	34	33	31	28	20	18	17
2. Loin	34	31	26	22	16	15	13
3. Hotel rack	38	35	30	25	18	16	13
4. Yoke	22	22	21	20	11	9	8

These ceiling prices apply in all Group 1 and Group 2 stores selling these meats at retail located in Zone 7.

Zone 7 includes the following area:

Michigan, the lower peninsula of Michigan except Berrien County, but including the islands of Michigan lying in Lake Michigan and Lake Huron.

Ohio, all counties.

New York, the following counties of New York: Niagara, Erie, Chautauqua, and Cattaraugus.

Pennsylvania, all that portion of Pennsylvania west of and including the counties of Warren, Forest, Clarion, Armstrong, Westmoreland, and Fayette.

West Virginia, all that portion of West Virginia west of and including the counties of Hancock, Brooke, Ohio, Marshall, Wetzel, Doddridge, Gilmer, Calhoun, Roane, Kanawha, Boone, Logan, and Mingo.

Kentucky, all that portion of Kentucky east of and including the counties of Boone, Gallatin, Owen, Franklin, Woodford, Mercer, Boyle, Casey, Taylor, Green, Hart, Edmonson, Butler, and Logan.

Tennessee, all that portion of Tennessee west of and including the counties of Campbell, Scott, Fentress, Overton, Putnam, White, Warren, Grundy, and Marion; but excluding the counties of Lake, Obion, Weakley, Henry, Stewart, Montgomery, Dyer, Gibson, Crockett, Carroll, Benton, and Houston.

Alabama, all that portion of Alabama north and west of and including the counties of Jackson, Madison, Morgan, Cullman, Walker, Fayette, and Lamar.

Mississippi, all that portion of Mississippi north of and including the counties of Lowndes, Oktibbeha, Choctaw, Attala, Madison, Yazoo, and Issaquena.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Paragraph (m) amended by Am. 1, 8 F.R. 4922, effective 4-14-43; Am. 2, 8 F.R. 6214, effective 5-17-43; Am. 5, 8 F.R. 7827, effective 6-21-43; Am. 8, 8 F.R. 9366, effective 7-13-43; Am. 11, 8 F.R. 12811, effective 9-20-43; and Am. 13, 9 F.R. 1157, effective 2-3-44.]

(n) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 7.*

[For stores in groups 3 and 4 as provided in Maximum Price Regulation No. 365, effective June 21, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	52	49	41	35	31
2. T-bone	52	49	41	35	31
3. Club	52	49	41	35	31
4. Rib—10-inch cut	52	39	28	24	20
5. Rib—7-inch cut	34	33	30	26	22
6. Sirloin	43	41	33	28	24
7. Pin bone	43	41	33	28	24
8. Sirloin (boneless)	53	51	41	35	31
9. Round (bone-in) (full cut)	42	39	34	29	25
10. Round (boneless) (top and bottom)	43	41	36	30	26
11. Round tip	43	41	36	30	26
12. Chuck blade (bone-in)	29	27	25	22	18
13. Chuck arm (bone-in)	29	27	25	22	18
14. Flank	37	37	37	37	33
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch)	32	30	28	24	20
2. Rib standing (chine bone-in, 7-inch)	34	32	30	25	21
3. Round tip	43	41	36	30	26
4. Rump (bone-in)	27	25	22	18	14
5. Rump (boneless)	43	41	36	30	26
6. Chuck blade pot roast	29	27	25	22	18
7. Chuck arm pot roast	29	27	25	22	18
8. Chuck or shoulder (boneless)	37	35	32	28	24
9. English cut	29	27	25	22	18
III. Stews and other cuts:					
1. Short ribs	20	20	18	18	14
2. Plate (bone-in) fresh and cured	20	20	19	19	15
3. Plate (boneless) fresh and cured	25	25	22	23	19
4. Brisket (bone-in) fresh and cured	22	22	22	22	18
5. Brisket (boneless) fresh and cured (deckle on)	33	33	28	28	24
6. Brisket (boneless) (cured) (deckle off)	38	38	33	33	
7. Flank meat	27	27	27	27	23
8. Neck (bone-in)	26	26	23	22	18
9. Neck (boneless)	31	29	25	25	19
10. Heel of round (boneless)	31	29	25	21	17
11. Shank (bone-in) (hind and fore)	19	19	18	18	14
12. Shank (boneless) (hind and fore)	25	25	25	25	21
13. Soup bone	3	3	3	3	3
14. Suet	5	5	5	5	5
IV. Ground beef	27	27	27	27	27
V. Retail prices of wholesale cuts:					
1. Round beef—whole	26	24	21	18	14
2. Sirloin beef—whole	31	30	24	20	16
3. Short loin beef—whole	37	35	30	25	21
4. Flank beef—whole	15	15	15	13	11
5. Rib beef—whole	28	26	24	21	17
6. Regular chuck—whole	28	22	20	18	14
7. Short plate—whole	16	16	15	15	11
8. Brisket—whole	19	19	16	16	12
9. Shank—whole	14	14	14	14	10

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
1. Loin chops	44	41	36	31	27
2. Rib chops	39	38	35	31	26
3. Shoulder chops (arm and blade)	29	27	24	21	19
4. Round steak (cutlets)	46	43	38	33	29
5. Sirloin steaks or chops	37	34	31	27	26
VII. Roasts:					
1. Rump and sirloin (bone-in)	34	31	28	24	22
2. Rump and sirloin (boneless)	48	45	40	35	31
3. Leg	34	31	28	24	22
4. Leg—rump-off	34	31	28	24	19
5. Leg—shank-half	34	31	28	24	22
6. Leg—rump-half	34	31	28	24	22
7. Loin	44	41	36	31	27
8. Rib	39	38	35	31	25
9. Blade and arm	29	27	24	21	19
10. Round	46	43	38	33	29
11. Shoulder (bone-in) (square cut)	28	27	25	22	18
12. Shoulder (boneless) (square cut)	35	34	31	28	22
13. Boneless veal leg or round					30
14. Boneless veal sirloin or strip					30
15. Veal tenderloin					30
16. Boneless veal regular rib roll					30
17. Boneless veal shoulder clod					29
18. Boned, rolled and tied veal roll					27

(n) *Retail ceiling prices*—Continued.

[For stores in Groups 3 and 4 as provided in Maximum Price Regulation No. 365, effective June 21, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
1. Breast (bone-in)	20	20	18	17	13
2. Breast (boneless)	29	27	24	21	19
3. Flank meat	29	27	24	21	19
4. Neck (bone-in)	20	20	18	17	13
5. Neck (boneless)	29	27	24	21	19
6. Shank (bone-in) (hind and fore)	20	20	18	17	13
7. Shank & heel meat (boneless) (hind & fore)	29	27	24	21	19
8. Ground veal & patties	30	30	30	30	30
9. Neck bones					7
IX. Kidneys	30	30	30	30	30
X. Retail prices of wholesale cuts:					
1. Hindquarters	27	26	23	20	18
2. Forequarters	22	21	20	18	14

Lamb and mutton	Grades						
	Lamb				Mutton		
	AA or choice	A or good	B or commercial	C or utility	S or prime, choice and good	M or commercial	R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
1. Loin chops	59	56	51	45	31	29	26
2. Rib chops	46	44	41	37	20	18	15
3. Leg or sirloin chops	46	44	41	37	20	18	15
4. Shoulder chops, blade or arm chops	40	38	35	32	18	16	13
XII. Roasts:							
1. Leg (whole, half or short cut)	40	38	34	31	22	20	18
2. Sirloin roast (bone-in)	46	44	41	37	20	18	15
3. Yoke rattle or triangle (bone-in)	27	26	25	23	13	11	10
4. Yoke rattle or triangle (boneless)	41	39	38	36	18	16	14
5. Chuck or shoulder, (square cut) (bone-in)	35	34	34	32	16	14	13
6. Chuck or shoulder, (cross cut) (bone-in)	28	27	27	25	13	12	10
7. Loin	59	56	51	45	31	29	26
8. Rib	46	44	41	37	20	18	15
9. Boneless lamb shoulder roll				35			
XIII. Stews and other cuts:							
1. Breast and flank	20	19	18	16	9	8	7
2. Neck (bone-in)	20	19	18	16	9	8	7
3. Neck (boneless)	31	31	31	31	18	18	18
4. Shank (bone-in)	20	19	18	15	9	8	7
5. Patties (ground meat)	31	31	31	31	18	18	18
6. Neckbones				6			6
XIV. Kidneys	28	28	28	28	15	15	15
XV. Retail prices of wholesale cuts:							
1. Leg	34	32	30	27	19	18	16
2. Loin	34	31	26	22	16	14	12
3. Hotel Rack	27	25	30	25	17	15	13
4. Yoke	22	21	21	19	10	9	8

These ceiling prices apply in all Group 3 and Group 4 stores selling these meats at retail located in Zone 7.

Zone 7 includes the following area:

Michigan, the lower peninsula of Michigan except Berrien County, but including the islands of Michigan lying in Lake Michigan and Lake Huron.

Ohio, all counties.

New York, the following counties of New York: Niagara, Erie, Chautauqua, and Cattaraugus.

Pennsylvania, all that portion of Pennsylvania west of and including the counties of Warren, Forest, Clarion, Armstrong, Westmoreland, and Fayette.

West Virginia, all that portion of West Virginia west of and including the counties of Hancock, Brooke, Ohio, Marshall, Wetzel, Doddridge, Gilmer, Calhoun, Roane, Kanawha, Boone, Logan, and Mingo.

Kentucky, all that portion of Kentucky east of and including the counties of Boone, Gallatin, Owen, Franklin, Woodford, Mercer, Boyle, Casey, Taylor, Green, Hart, Edmonson, Butler, and Logan.

Tennessee, all that portion of Tennessee west of and including the counties of Campbell, Scott, Fentress, Overton, Putnam, White, Warren, Grundy, and Marion; but excluding the counties of Lake, Obion, Weakley, Henry, Stewart, Montgomery, Dyer, Gibson, Crockett, Carroll, Benton, and Houston.

Alabama, all that portion of Alabama north and west of and including the counties of Jackson, Madison, Morgan, Cullman, Walker, Fayette, and Lamar.

Mississippi, all that portion of Mississippi north of and including the counties of Lowndes, Oktibbeha, Choctaw, Attala, Madison, Yazoo, and Issaquena.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Above portion of paragraph (n) amended by Am. 1, 8 F.R. 4922, effective 4-14-43; Am. 2, 8 F.R. 6214, effective 5-17-43; Am. 5, 8 F.R. 7827, effective 6-21-43; Am. 8, 8 F.R. 9366, effective 7-13-43; and Am. 11, 8 F.R. 12811, effective 9-20-43.]

(1) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 6*

[For stores in Groups 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 355, effective October 28, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
Porterhouse	50	47	39	34	30
T-bone	50	47	39	34	30
Club	51	29	27	26	19
Rib—10-inch cut	33	31	29	24	20
Rib—7-inch cut	41	39	32	27	23
Sirloin	41	39	32	27	23
Pin bone	51	49	39	34	29
Sirloin (boneless)	40	38	33	28	24
Round (bone-in) (full cut)	41	39	35	29	25
Round (boneless) (top and bottom)	41	39	35	29	25
Round tip	28	26	24	21	17
Chuck blade (bone-in)	28	26	24	21	17
Chuck arm (bone-in)	36	26	34	26	32
Flank					
II. Roaster:					
Rib standing (chine bone-in, 10-inch cut)	31	29	27	23	19
Rib standing (chine bone-in, 7-inch cut)	33	31	29	24	20
Round tip	41	39	35	29	25
Rump (bone-in)	26	24	21	17	13
Rump (boneless)	41	39	35	29	25
Chuck blade pot roast	28	26	24	21	17
Chuck arm pot roast	28	26	24	21	17
Chuck or shoulder (boneless)	36	24	31	27	23
English cut	28	26	24	21	17
III. Stews and other cuts:					
Short ribs	19	19	17	17	13
Plate (bone-in) (fresh or cured)	19	19	18	18	14
Plate (boneless) (fresh or cured)	24	24	22	22	18
Brisket (bone-in) (fresh or cured)	24	24	21	21	17
Brisket (boneless) (fresh or cured) (deckle on)	34	24	26	22	18
Brisket (boneless) (cured) (deckle off)	32	32	27	27	23
Flank meat	37	37	32	32	
Neck (bone-in)	26	26	26	26	22
Neck (boneless)	24	24	21	21	17
Heel of round (boneless)	30	28	25	22	18
Shank (bone-in) (hind and fore)	30	28	24	20	16
Shank (boneless) (hind and fore)	18	18	17	17	13
Soup bone	24	24	24	24	20
Suet	3	3	3	3	3
IV. Ground beef	5	5	5	5	5
V. Retail prices of wholesale cuts:	26	26	26	26	26
Round beef—whole	25	23	20	17	13
Sirloin beef—whole	30	29	28	19	15
Short loin beef—whole	36	34	29	24	20
Flank beef—whole	14	14	14	14	10
Rib beef—whole	27	25	23	20	16
Regular chuck—whole	22	21	19	17	13
Short plate—whole	15	15	14	14	10
Brisket—whole	18	18	15	15	11
Shank—whole	14	14	14	14	10

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
Loin chops	42	39	34	30	24
Rib chops	38	37	34	30	24
Shoulder chops (arm and blade)	28	25	23	20	18
Round steak (cutlets)	44	41	37	32	26
Sirloin steaks or chops	36	33	30	26	24
VII. Roasts:					
Rump and sirloin (bone-in)	33	30	27	23	21
Rump and sirloin (boneless)	38	43	38	34	30
Leg	38	30	27	23	21
Leg—rump-off	33	30	27	23	21
Leg—shank-half	33	30	27	23	21
Leg—rump-half	38	38	27	23	21
Loin	48	39	35	30	26
Rib	38	37	34	30	24
Blade and arm	28	26	23	20	18
Round	44	41	37	32	28
Shoulder (bone-in) (square cut)	27	26	24	21	17
Shoulder (boneless) (square cut)	34	33	30	27	21
Boneless veal leg or round					29
Boneless veal sirloin strip					29
Veal tenderloin					29
Boneless veal regular rib roll					26
Boneless veal shoulder clod					26
Boned, rolled and tied veal roll					26

(1) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 7*—Continued

[For stores in Group 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 355, effective October 28, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
Breast (bone-in)	19	19	17	16	13
Breast (boneless)	28	26	23	20	18
Flank meat	28	26	23	20	18
Neck (bone-in)	19	19	17	16	13
Neck (boneless)	28	26	23	20	18
Shank (bone-in) (hind and fore)	19	19	17	16	13
Shank and heel meat (boneless) (hind and fore)	28	26	23	20	18
Ground veal and patties	29	29	29	29	29
Neckbones					7
IX. Kidneys	29	29	29	29	29
X. Retail prices of wholesale cuts:					
Hindquarters	26	25	22	19	17
Forequarters	21	20	19	17	14

Lamb and mutton	Grades						
	Lamb				Mutton		
	AA or choice	A or good	B or commercial	C or utility	S or prime, choice and good	M or commercial	R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
Loin chops	57	54	49	43	30	28	25
Rib chops	44	42	39	36	19	17	14
Leg or sirloin chops	44	42	39	36	19	17	14
Shoulder chops, blade or arm chops	38	37	34	31	17	14	13
XII. Roasts:							
Leg (whole, half, or short cut)	38	37	33	30	21	19	17
Sirloin roast (bone-in)	44	42	39	36	19	17	14
Yoke, rattle or triangle (bone-in)	26	25	24	22	13	11	10
Yoke, rattle or triangle (boneless)	39	38	37	35	17	15	14
Chuck or shoulder (square cut) (bone-in)	34	33	33	31	15	14	13
Chuck or shoulder (cross cut) (bone-in)	27	26	26	24	13	12	10
Loin	57	54	49	43	30	28	25
Rib	44	42	39	36	19	17	14
Boneless lamb shoulder roll				34			
XIII. Stews and other cuts:							
Breast and flank	19	18	17	15	9	8	7
Neck (bone-in)	19	19	17	15	9	8	7
Neck (boneless)	30	30	30	30	17	17	17
Shank (bone-in)	19	18	17	14	9	8	7
Patties (ground meat)	30	30	30	30	17	17	17
Neckbones				6			6
XIV. Kidneys	27	27	27	27	14	14	14
XV. Retail prices of wholesale cuts:							
Leg	38	31	29	26	18	17	15
Loin	33	30	25	21	15	14	12
Hotel rack	36	34	29	24	16	14	13
Yoke	21	20	20	18	10	9	8

NOTES—THESE CEILING PRICES APPLY IN GROUP 3B AND GROUP 4B STORES SELLING THESE MEATS AT RETAIL LOCATED IN ZONE 7

Zone 7 includes the following area:

Michigan, the Lower Peninsula of Michigan except Berrien County, but including the islands of Michigan lying in Lake Michigan and Lake Huron.

Ohio, all counties.

New York, the following counties of New York: Niagara, Erie, Chautauqua, and Cattaraugus.

Pennsylvania, all that portion of Pennsylvania west of and including the counties of Warren, Forest, Clarion, Armstrong, Westmoreland, and Fayette.

West Virginia, all that portion of West Virginia west of and including the counties of Hancock, Brooke, Ohio, Marshall, Wetzel, Doddridge, Gilmer, Calhoun, Roane, Kanawha, Boone, Logan, and Mingo.

Kentucky, all that portion of Kentucky east of and including the counties of Boone, Gallatin, Owen, Franklin, Woodford, Mercer, Boyle, Casey, Taylor, Green, Hart, Edmonson, Butler, and Logan.

Tennessee, all that portion of Tennessee west of and including the counties of Campbell, Scott, Fentress, Overton, Putnam, White, Warren, Grundy, and Marion; but excluding the counties of Lake, Obion, Weakley, Henry, Stewart, Montgomery, Dyer, Gibson, Crockett, Carroll, Benton, and Houston.

Alabama, all that portion of Alabama north and west of and including the counties of Jackson, Madison, Morgan, Cullman, Walker, Fayette, and Lamar.

Mississippi, all that portion of Mississippi north of and including the counties of Lowndes, Oktibbeha, Choctaw, Attala, Madison, Yazoo, and Issaquena.

The above prices are subject to the conditions contained in Notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell any retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Subparagraph (1) added by Am. 12, 8 F.R. 14738, effective 10-28-43.]

(o) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 8 North.*

[For stores in Groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	56	51	44	37	33
2. T-bone	56	51	44	37	33
3. Club	55	51	44	37	33
4. Rib—10-inch cut	35	33	31	27	23
5. Rib—7-inch cut	38	36	33	29	25
6. Sirloin (bone-in)	46	44	35	30	26
7. Pin bone	46	44	35	30	26
8. Sirloin (boneless)	57	54	44	37	33
9. Round (bone-in) (full cut)	48	42	37	31	27
10. Round (boneless) (top and bottom)	47	44	38	32	28
11. Round tip	47	44	38	32	28
12. Chuck blade (bone-in)	31	30	27	24	20
13. Chuck arm (bone-in)	31	30	27	24	20
14. Flank	40	40	39	39	35
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	35	33	31	27	23
2. Rib standing (chine bone-in, 7-inch cut)	38	36	33	29	25
3. Round tip	47	44	38	32	28
4. Rump (bone-in)	29	27	24	20	16
5. Rump (boneless)	47	44	38	32	28
6. Chuck blade pot roast	31	30	27	24	20
7. Chuck arm pot roast	31	30	27	24	20
8. Chuck or shoulder (boneless)	40	38	35	31	27
9. English cut	31	30	27	24	20
III. Stews and other cuts:					
1. Short ribs	22	22	20	20	16
2. Plate (bone-in) (fresh and cured)	22	22	20	20	16
3. Plate (boneless) (fresh and cured)	27	27	25	25	21
4. Brisket (bone-in) (fresh and cured)	27	27	23	23	19
5. Brisket (boneless) (fresh and cured)(deckle off)	35	35	30	30	26
6. Brisket (boneless) (cured) (deckle off)	40	40	35	35	----
7. Flank meat	29	29	28	28	24
8. Neck (bone-in)	27	27	23	23	19
9. Neck (boneless)	33	31	29	26	22
10. Heel of round (boneless)	33	31	27	23	19
11. Shank (bone-in) (hind and fore)	20	20	20	20	16
12. Shank (boneless) (hind and fore)	27	27	27	27	23
13. Soup bone	3	3	3	3	3
14. Suet	5	5	5	5	5
IV. Ground beef	29	29	29	29	29
V. Retail prices of wholesale cuts:					
1. Round beef—whole	26	26	22	19	15
2. Sirloin beef—whole	32	30	24	21	17
3. Shortloin beef—whole	38	36	30	26	22
4. Flank beef—whole	16	16	15	15	11
5. Rib beef—whole	28	27	25	22	18
6. Regular chuck—whole	24	22	20	18	14
7. Short plate—whole	17	17	16	16	12
8. Brisket—whole	19	19	17	17	13
9. Shank—whole	15	15	14	14	10

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
1. Loin chops	47	44	39	33	30
2. Rib chops	41	40	37	34	27
3. Shoulder chops (arm and blade)	31	29	28	23	20
4. Round steak (cutlets)	49	46	41	36	32
5. Sirloin steaks or chops	39	37	33	29	27
VII. Roasts:					
1. Rump and sirloin (bone-in)	36	34	30	26	24
2. Rump and sirloin (boneless)	51	48	43	37	34
3. Leg	36	34	30	26	24
4. Leg—rump-off	35	34	30	26	24
5. Leg—shank-half	36	34	30	26	24
6. Leg—rump-half	36	34	30	26	24
7. Loin	47	44	39	33	30
8. Rib	41	40	37	34	27
9. Blade and arm	31	29	25	23	20
10. Round	49	46	41	36	32
11. Shoulder (bone-in) (square cut)	30	29	27	24	19
12. Shoulder (boneless) (square cut)	36	37	34	31	24
13. Boneless veal leg or round	----	----	----	----	32
14. Boneless veal sirloin strip	----	----	----	----	32
15. Veal tenderloin	----	----	----	----	[illegible]
16. Boneless veal regular rib roll	----	----	----	----	31
17. Boneless veal shoulder clod	----	----	----	----	29
18. Boned, rolled and tied veal roll	----	----	----	----	----

(o) *Retail ceiling prices*—Continued.

[For stores in Groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
1. Breast (bone-in)	22	21	20	18	15
2. Breast (boneless)	31	29	26	23	20
3. Flank meat	31	29	26	23	20
4. Neck (bone-in)	22	21	20	18	15
5. Neck (boneless)	31	29	26	23	20
6. Shank (bone-in) (hind and fore)	22	21	20	18	15
7. Shank and heel meat (boneless) (hind and fore)	31	29	26	23	20
8. Ground veal and patties	32	32	32	32	32
9. Neck bones	----	----	----	----	8
IX. Kidneys	30	30	30	30	30
X. Retail prices of wholesale cuts:					
1. Hindquarters	28	26	24	21	19
2. Forequarters	23	22	20	19	15

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
1. Loin chops	63	60	54	48	34	32	29
2. Rib chops	50	47	44	40	23	20	17
3. Leg or sirloin chops	50	47	44	40	23	20	17
4. Shoulder chops, blade or arm chops	43	41	38	35	20	18	15
XII. Roasts:							
1. Leg (whole, half or short cut)	43	41	37	33	24	22	20
2. Sirloin roast (bone-in)	50	47	44	40	23	20	17
3. Yoke, rattle or triangle (bone-in)	29	28	28	26	14	13	11
4. Yoke, rattle or triangle (boneless)	44	43	41	39	21	18	16
5. Chuck or shoulder, square cut (bone-in)	37	37	37	35	18	17	15
6. Chuck or shoulder, cross-cut (bone-in)	30	30	29	27	15	14	12
7. Loin	63	60	54	48	34	32	29
8. Rib	50	47	44	40	23	20	17
9. Boneless lamb shoulder roll	----	----	----	38	----	----	----
XIII. Stews and other cuts:							
1. Breast and flank	22	21	19	18	11	10	9
2. Neck (bone-in)	22	21	19	18	11	10	9
3. Neck (boneless)	34	34	34	34	20	20	20
4. Shank (bone-in)	22	21	19	18	11	10	9
5. Patties (ground meat)	34	34	34	34	20	20	20
6. Neck bones	----	----	----	8	----	----	8
XIV. Kidneys	30	30	30	30	17	17	17
XV. Retail prices of wholesale cuts:							
1. Leg	35	33	31	28	20	19	18
2. Loin	35	32	27	23	17	15	13
3. Hotel rack	38	36	31	26	18	16	14
4. Yoke	23	22	22	20	11	10	9

These ceiling prices apply in all Group 1 and Group 2 stores selling these meats at retail located in Zone 8—North.

Zone 8—North includes the following area:

New York, all that portion of New York west of and including the counties of Oswego, Oneida, Madison, Chenango, and Broome; but excluding the counties of Niagara, Erie, Cattaraugus, and Chautauqua.

Pennsylvania, the following counties of Pennsylvania: McKean, Potter, Elk, Cameron, Clinton, Jefferson, Clearfield, Center, Indiana, Cambria, Blair, Huntingdon, Somerset, Bedford, and Fulton.

Maryland, the following counties of Maryland: Garrett and Allegany.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulations, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Paragraph (o) amended by Am. 1, 8 F.R. 4922, effective 4–14–43; Am. 2, 8 F.R. 6214, effective 5–17–43; Am. 5, 8 F.R. 7827, effective 6–21–43; Am. 8, 8 F.R. 9366, effective 7–13–43; and Am. 11, 8 F.R. 12811, effective 9–20–43.]

(p) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 8 North.*

[For stores in Groups 3 and 4 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	53	49	42	35	31
2. T-bone	53	49	42	35	31
3. Club	53	49	42	35	31
4. Rib-10-inch-cut	32	30	28	24	26
5. Rib-7-inch cut	35	33	30	26	22
6. Sirloin (bone-in)	43	41	34	29	25
7. Pin bone	43	41	34	29	25
8. Sirloin (boneless)	54	51	41	35	31
9. Round (bone-in) (full cut)	42	39	35	29	26
10. Round (boneless) (top and bottom)	44	41	36	30	26
11. Round tip	44	41	36	30	26
12. Chuck blade (bone-in)	29	27	25	22	18
13. Chuck arm (bone-in)	29	27	25	22	18
14. Flank	28	38	38	38	34
II. Roasts:					
1. Rib standing (chine bone-in, 10-inch cut)	32	30	28	24	20
2. Rib standing (chine bone-in, 7-inch cut)	35	33	30	26	22
3. Round tip	44	41	36	30	26
4. Rump (bone-in)	27	26	22	19	15
5. Rump (boneless)	44	41	36	30	26
6. Chuck blade pot roast	29	27	25	22	18
7. Chuck arm pot roast	29	27	25	22	18
8. Chuck or shoulder (boneless)	36	35	33	29	25
9. English cut	29	27	25	22	18
III. Stews and other cuts:					
1. Short ribs	21	21	19	19	15
2. Plate (bone-in) (fresh and cured)	21	21	19	19	15
3. Plate (boneless) (fresh and cured)	25	25	23	23	19
4. Brisket (bone-in) (fresh and cured)	26	26	22	22	18
5. Brisket (boneless) (fresh and cured) (deckle on)	33	33	28	28	24
6. Brisket (boneless) (cured) (deckle off)	38	38	33	33	28
7. Flank meat	28	28	27	27	22
8. Neck (bone-in)	26	26	22	22	18
9. Neck (boneless)	31	29	27	24	20
10. Heel of round (boneless)	31	29	26	22	18
11. Shank (bone-in) (hind and fore)	19	19	19	19	15
12. Shank (boneless) (hind and fore)	26	26	26	26	22
13. Soup bone	3	3	3	3	3
14. Suet	5	5	5	5	5
IV. Ground beef	28	26	28	28	28
V. Retail prices of wholesale cuts:					
1. Round beef—whole	26	24	22	18	14
2. Sirloin beef—whole	31	30	24	21	17
3. Short loin beef—whole	38	35	30	25	21
4. Flank beef—whole	15	15	15	14	10
5. Rib beef—whole	28	26	24	21	17
6. Regular chuck—whole	23	22	20	18	14
7. Short plate—whole	16	16	15	15	11
8. Brisket—whole	19	19	16	16	12
9. Shank—whole	14	14	14	14	10

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
1. Loin chops	45	42	37	31	26
2. Rib chops	39	36	33	32	25
3. Shoulder chops (arm and blade)	29	28	24	21	19
4. Round steak (cutlets)	46	43	38	34	30
5. Sirloin steaks or chops	37	35	32	28	26
VII. Roasts:					
1. Rump and sirloin (bone-in)	34	32	29	25	23
2. Rump and sirloin (boneless)	49	46	40	35	32
3. Leg	34	32	29	25	23
4. Leg—rump-off	34	32	29	25	23
5. Leg—shank-half	34	32	29	25	23
6. Leg—rump-half	45	42	37	31	28
7. Loin	39	38	35	32	25
8. Rib	29	28	24	21	19
9. Blade and arm	46	43	38	34	30
10. Round	28	27	25	23	18
11. Shoulder (bone-in) (square cut)	36	35	32	29	23
12. Shoulder (boneless) (square cut)	----	----	----	----	30
13. Boneless veal leg or round	----	----	----	----	30
14. Boneless veal sirloin strip	----	----	----	----	30
15. Veal tenderloin	----	----	----	----	29
16. Boneless veal regular rib roll	----	----	----	----	28
17. Boneless veal shoulder clod	----	----	----	----	
18. Boned, rolled, and tied veal roll	----	----	----	----	

(p) *Retail ceiling prices*—Continued.

[For stores in groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 2, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
1. Breast (bone-in)	21	20	19	17	14
2. Breast (boneless)	29	28	24	21	19
3. Flank meat	29	28	24	21	19
4. Neck (bone-in)	21	20	19	17	14
5. Neck (boneless)	29	28	24	21	19
6. Shank (bone-in)	21	20	19	17	14
7. Shank and heel meat (boneless) (hind and fore)	29	28	24	21	19
8. Ground veal and patties	31	31	31	31	31
9. Neck bones					8
IX. Kidneys	30	30	30	30	30
X. Retail prices of wholesale cuts:					
1. Hindquarters	28	26	23	20	18
2. Forequarters	22	22	20	18	15

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
1. Loin chops	60	57	51	46	32	30	27
2. Rib chops	47	45	41	38	21	19	16
3. Leg or sirloin chops	47	45	41	38	21	19	16
4. Shoulder chops, blade or arm chops	41	39	36	33	19	16	14
XII. Roasts:							
1. Leg (whole, half or short cut)	41	39	35	31	22	21	19
2. Sirloin roast (bone-in)	47	45	41	38	21	19	16
3. Yoke rattle or triangle (bone-in)	27	27	25	24	13	12	10
4. Yoke rattle or triangle (boneless)	41	40	39	37	19	17	14
5. Chuck or shoulder, square cut (bone-in)	36	35	35	33	17	15	13
6. Chuck or shoulder, cross cut (bone-in)	29	28	28	26	14	13	11
7. Loin	60	57	51	46	33	30	27
8. Rib	47	45	41	38	21	19	16
9. Boneless lamb shoulder roll				36			
XIII. Stews and other cuts:							
1. Breast and flank	21	20	18	17	10	9	8
2. Neck (bone-in)	21	20	18	17	10	9	8
3. Neck (boneless)	32	32	32	32	19	19	19
4. Shank (bone-in)	21	20	18	17	10	9	8
5. Patties (ground meat)	32	32	32	32	19	19	19
6. Neck bones				7			7
XIV. Kidneys	26	26	26	26	15	15	15
XV. Retail prices of wholesale cuts:							
1. Leg	34	33	31	28	20	19	17
2. Loin	35	31	26	22	16	15	13
3. Hotel rack	28	25	20	25	18	16	14
4. Yoke	22	22	21	20	11	10	8

These ceiling prices apply in all Group 3 and Group 4 stores selling these meats at retail located in Zone 8—North.

Zone 8—North includes the following area:

New York, all that portion of New York west of and including the counties of Oswego, Oneida, Madison, Chenango, and Broome; but excluding the counties of Niagara, Erie, Cattaraugus, and Chautauqua.

Pennsylvania, the following counties of Pennsylvania: McKean, Potter, Elk, Cameron, Clinton, Jefferson, Clearfield, Center, Indiana, Cambria, Blair, Huntingdon, Somerset, Bedford, and Fulton.

Maryland, the following counties of Maryland:

Garrett and Allegany.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grade at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Above portion of paragraph (p) amended by Am. 1, 8 F.R. 4922, effective 4-14-43; Am. 2, 8 F.R. 6214, effective 5-17-43; Am. 5, 8 F.R. 7527, effective 6-21-43; Am. 8, 8 F.R. 9366, effective 7-13-43; Am. 11, 8 F.R. 12811, effective 9-20-43; and Am. 13, 9 F.R. 1157, effective 2-3-44.]

(1) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 8 North*

[For stores in Groups 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 355, effective October 28, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
Porterhouse	51	47	40	24	30
T-Bone	51	47	40	34	30
Club	51	47	40	34	30
Rib—10-inch cut	31	29	27	23	19
Rib—7-inch cut	34	32	29	25	21
Sirloin	41	39	33	28	24
Pin bone	41	39	33	28	24
Sirloin (boneless)	41	39	33	28	24
Round (bone-in) (full cut)	52	49	39	34	30
Round (boneless) (top and bottom)	40	38	34	29	24
Round tip	42	39	35	29	25
Chuck blade (bone-in)	26	26	24	21	17
Chuck arm (bone-in)	28	26	24	21	17
Flank	37	37	37	37	33
II. Roasts:					
Rib standing (chine bone-in, 10-inch cut)	31	29	27	23	19
Rib standing (chine bone-in, 7-inch cut)	34	32	29	25	21
Round tip	42	39	35	29	25
Rump (bone-in)	26	25	21	18	14
Rump (boneless)	42	39	35	29	25
Chuck blade pot roast	28	26	24	21	17
Chuck arm pot roast	28	26	24	21	17
Chuck or shoulder (boneless)	37	34	32	28	24
English cut	28	26	24	21	17
III. Stews and other cuts:					
Short ribs	20	20	18	18	14
Plate (bone-in) (fresh or cured)	20	20	18	18	14
Plate (boneless) (fresh or cured)	24	24	22	22	18
Brisket (bone-in) (fresh or cured)	25	25	21	21	17
Brisket (boneless) (fresh or cured) (deckle on)	32	32	27	27	23
Brisket (boneless) (cured) (deckle off)	37	37	32	32	
Flank meat	27	27	26	26	22
Neck (bone-in)	25	25	21	21	17
Neck (boneless)	30	28	26	23	19
Heel of round (boneless)	30	28	25	21	17
Shank (bone-in) (hind and fore)	18	18	18	18	14
Shank (boneless) (hind and fore)	25	25	25	26	21
Soup bone	3	3	3	3	3
Suet	5	5	5	5	5
IV. Ground beef	27	27	27	27	27
V. Retail prices of wholesale cuts:					
Round beef—whole	28	23	21	17	13
Sirloin beef—whole	30	29	23	20	16
Short loin beef—whole	37	34	29	24	20
Flank beef—whole	14	14	14	14	10
Rib beef—whole	27	25	23	20	16
Regular chuck—whole	22	21	19	17	13
Short plate—whole	15	15	14	14	10
Brisket—whole	18	18	15	15	11
Shank—whole	14	14	14	14	10

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
Loin chops	43	40	36	30	27
Rib chops	38	37	34	31	24
Shoulder chops (arm and blade)	28	27	23	20	18
Round steak (cutlets)	44	41	37	33	29
Sirloin steaks or chops	36	34	31	27	25
VII. Roasts:					
Rump and sirloin (bone-in)	33	31	28	24	22
Rump and sirloin (boneless)	47	44	38	34	31
Leg	33	31	28	24	22
Leg—rump-off	33	31	28	24	22
Leg—shank-half	33	31	28	24	22
Leg—rump-half	33	31	28	24	22
Loin	43	40	36	30	27
Rib	38	37	34	31	24
Blade and arm	28	27	23	20	18
Round	44	41	37	33	29
Shoulder (bone-in) (square cut)	27	26	24	22	17
Shoulder (boneless) (square cut)	35	34	31	28	22
Boneless veal leg or round					29
Boneless veal sirloin strip					29
Veal tenderloin					29
Boneless veal regular rib roll					28
Boneless veal shoulder clod					27
Boned, rolled and tied veal roll					

(1) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 8 North*—Continued

[For stores in Group 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 355, effective October 28, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
Breast (bone-in)	20	19	18	16	14
Breast (boneless)	28	27	23	20	18
Flank meat	28	27	23	20	18
Neck (bone-in)	20	19	18	16	14
Neck (boneless)	28	27	23	20	18
Shank (bone-in) (hind and fore)	20	19	18	16	14
Shank and heel meat (boneless) (hind and fore)	28	27	28	20	18
Ground veal and patties	30	30	30	30	30
Neckbones					8
IX. Kidneys	29	29	29	29	29
X. Retail prices of wholesale cuts:					
Hindquarters	27	25	22	19	17
Forequarters	21	21	19	17	14

Lamb and mutton	Grades						
	Lamb				Mutton		
	AA or choice	A or good	B or commercial	C or utility	S or prime, choice and good	M or commercial	R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
Loin chops	58	55	49	44	31	29	26
Rib chops	45	43	39	37	20	18	15
Leg or sirloin chops	45	43	39	37	20	18	15
Shoulder chops, blade or arm chops	39	38	35	32	18	15	14
XII. Roasts:							
Leg (whole, half or short cut)	39	38	34	30	21	20	18
Sirloin roast (bone-in)	45	43	39	37	20	18	15
Yoke, rattle or triangle (bone-in)	26	26	25	28	13	12	10
Yoke, rattle or triangle (boneless)	39	38	38	36	18	16	14
Chuck or shoulder (square cut) (bone-in)	35	34	34	32	16	14	13
Chuck or shoulder (cross cut) (bone-in)	36	27	27	26	14	1	11
Loin	58	55	49	44	31	29	26
Rib	45	43	39	37	20	18	15
Boneless lamb shoulder roll				35			
XIII. Stews and other cuts:							
Breast and flank	20	19	17	16	10	9	8
Neck (bone-in)	20	19	17	16	10	9	8
Neck (boneless)	31	31	31	31	18	18	18
Shank (bone-in)	20	19	17	16	10	9	8
Patties (ground meat)	31	31	31	31	18	18	18
Neckbones				7			
XIV. Kidneys	27	27	27	27	14	14	14
XV. Retail prices of wholesale cuts:							
Leg	33	32	30	27	19	18	16
Loin	34	32	28	21	15	14	13
Hotel rack	37	34	29	24	17	15	14
Yoke	21	21	20	19	11	10	8

NOTES—THESE CEILING PRICES APPLY IN GROUP 3B AND GROUP 4B STORES SELLING THESE MEATS AT RETAIL LOCATED IN ZONE 8 NORTH.

Zone—8—North includes the following area:

New York, all that portion of New York west of and including the counties of Oswego, Oneida, Madison, Chenango, and Broome, but excluding the counties of Niagara, Erie, Cattaraugus, and Chautauqua.

Pennsylvania, the following counties of Pennsylvania: McKean, Potter, Elk, Cameron, Clinton, Jefferson, Clearfield, Center, Indiana, Cambria, Blair, Huntingdon, Somerset, Bedford, and Fulton.

Maryland, the following counties of Maryland: Garrett and Allegany.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb, and mutton retail regulation, and he must not sell any such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Subparagraph (1) added by Am. 12, 8 F.R. 14738, effective 10-28-43.]

(q) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 8 South.*

[For stores in Groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	55	51	44	37	33
2. T-bone	55	51	44	37	33
3. Club	55	51	44	37	33
4. Rib—10-inch cut	36	33	31	27	23
5. Rib—7-inch cut	38	36	33	29	25
6. Sirloin (bone-in)	46	44	35	30	26
7. Pin bone	46	44	35	30	26
8. Sirloin (boneless)	57	54	44	37	33
9. Round (bone-in) (full cut)	45	42	37	31	27
10. Round (boneless) (top and bottom)	47	44	38	32	28
11. Round tip	47	44	38	32	28
12. Chuck blade (bone-in)	31	30	27	24	20
13. Chuck arm (bone-in)	31	30	27	24	20
14. Flank	40	40	39	30	35
II. Roasts:					
1. Rib-standing (chine bone-in, 10-inch cut)	35	33	31	27	23
2. Rib-standing (chine bone-in, 7-inch cut)	38	36	33	29	25
3. Round tip	47	44	38	32	28
4. Rump (bone-in)	29	27	24	20	16
5. Rump (boneless)	47	44	38	32	28
6. Chuck blade—pot roast	31	30	27	24	20
7. Chuck arm—pot roast	31	30	27	24	20
8. Chuck or shoulder (boneless)	40	38	35	31	27
9. English cut	31	30	27	24	20
III. Stews and other cuts:					
1. Short ribs	22	22	20	20	16
2. Plate (bone-in) (fresh and cured)	22	22	20	20	16
3. Plate (boneless) (fresh and cured)	27	27	26	25	21
4. Brisket (bone-in) (fresh and cured)	27	27	23	23	19
5. Brisket (boneless) (fresh and cured)	35	35	30	30	26
6. Brisket (boneless) (cured) (deckle off)	40	40	35	35	
7. Flank meat	29	29	28	28	24
8. Neck (bone-in)	27	27	23	23	19
9. Neck (boneless)	33	31	29	26	22
10. Heel of round (boneless)	33	31	27	23	19
11. Shank (bone-in) (hind and fore)	20	20	20	20	16
12. Shank (boneless) (hind and fore)	27	27	27	27	23
13. Soup bone	3	3	3	3	3
14. Suet	5	5	5	5	5
IV. Ground beef	29	29	29	29	29
V. Retail prices of wholesale cuts:					
1. Round beef—whole	26	25	22	19	15
2. Sirloin beef—whole	32	30	24	21	17
3. Shortloin beef—whole	38	36	30	26	20
4. Flank beef—whole	16	16	15	15	11
5. Rib beef—whole	26	27	25	22	18
6. Regular chuck—whole	24	22	20	18	14
7. Short plate—whole	17	17	16	16	12
8. Brisket—whole	19	19	17	17	13
9. Shank—whole	15	15	14	14	10

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
1. Loin chops	47	44	39	33	30
2. Rib chops	41	40	37	34	27
3. Shoulder chops (arm and blade)	31	29	26	23	20
4. Round steak (cutlets)	49	46	41	36	32
5. Sirloin steaks or chops	39	37	33	29	27
VII. Roasts:					
1. Rump and sirloin (bone-in)	36	34	30	26	24
2. Rump and sirloin (boneless)	31	48	43	37	34
3. Leg	36	34	30	26	24
4. Leg—rump off	36	34	30	26	24
5. Leg—shank half	36	34	30	26	24
6. Leg—rump half	36	34	30	26	24
7. Loin	47	44	39	33	30
8. Rib	41	40	37	34	27
9. Blade and arm	31	29	26	23	20
10. Round	40	46	41	36	32
11. Shoulder (bone-in) (square cut)	30	29	27	24	19
12. Shoulder (boneless) (square cut)	36	37	34	31	24
13. Boneless veal leg or round					32
14. Boneless veal sirloin strip					32
15. Veal tenderloin					32
16. Boneless veal regular rib roll					31
17. Boneless veal shoulder clod					29
18. Boned, rolled and tied veal roll					

(q) *Retail ceiling prices*—Continued.

[For stores in Groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
1. Breast (bone-in)	22	21	20	18	15
2. Breast (boneless)	31	29	26	23	20
3. Flank meat	31	29	26	23	20
4. Neck (bone-in)	22	21	20	18	15
5. Neck (boneless)	31	29	26	23	20
6. Shank (bone-in) (hind and fore)	22	21	20	18	15
7. Shank and heel meat (boneless) (hind and fore)	31	29	26	23	20
8. Ground veal and patties	32	32	32	32	32
9. Neckbones					8
IX. Kidneys	30	30	30	30	30
X. Retail prices of wholesale cuts:					
1. Hindquarters	28	26	24	21	19
2. Forequarters	23	22	20	19	15

Lamb and mutton	Grades						
	Lamb				Mutton		
	AA or choice	A or good	B or commercial	C or utility	S or prime, choice and good	M or commercial	R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
1. Loin chops	63	59	54	48	34	31	28
2. Rib chops	49	47	43	39	22	20	17
3. Leg or sirloin chops	49	47	43	39	22	20	17
4. Shoulder chops, blade or arm chops	43	40	37	34	20	17	15
XII. Roasts:							
1. Leg (whole, half or short cut)	43	40	37	33	23	22	20
2. Sirloin roast (bone-in)	49	47	43	39	22	20	17
3. Yoke, rattle or triangle (bone-in)	29	28	27	25	14	13	11
4. Yoke, rattle or triangle (boneless)	43	42	41	38	20	18	15
5. Chuck or shoulder (square cut) (bone-in)	37	37	37	35	18	16	14
6. Chuck or shoulder (cross cut) (bone-in)	30	29	29	27	15	13	12
7. Loin	63	59	54	48	34	31	28
8. Rib	49	47	43	39	22	20	17
9. Boneless lamb shoulder roll				37			
XIII. Stews and other cuts:							
1. Breast and flank	22	20	19	17	10	9	8
2. Neck (bone-in)	22	20	19	17	10	9	8
3. Neck (boneless)	34	34	34	34	20	20	20
4. Shank (bone-in)	22	20	19	17	10	9	8
5. Patties (ground meat)	34	34	34	34	20	20	20
6. Neckbones				8			8
XIV. Kidneys	29	29	29	29	16	16	16
XV. Retail prices of wholesale cuts:							
1. Leg	34	33	31	28	20	19	17
2. Loin	35	32	26	22	17	15	13
3. Hotel rack	38	35	30	26	18	16	14
4. Yoke	22	22	21	20	11	10	9

These ceiling prices apply in all Group 1 and Group 2 stores selling these meats at retail located in Zone 8—South.

Zone 8—South includes the following area:

West Virginia, all that portion of West Virginia east of and including the counties of Monongalia, Marion, Harrison, Lewis, Braxton, Clay, Nicholas, Fayette, Raleigh, Wyoming, and McDowell; but excluding the counties of Berkeley and Jefferson.

Virginia, all that portion of Virginia west of and including the counties of Highland, Bath, Alleghany, Craig, Montgomery, Floyd, and Carroll.

Tennessee, all that portion of Tennessee east of and including the counties of Claiborne, Union, Anderson, Morgan, Cumberland, Bledsoe, Van Buren, Sequatchie, and Hamilton.

North Carolina, all that portion of North Carolina west and southwest of and including the counties of Alleghany, Wilkes, Alexander, Caldwell, Burke, and Cleveland.

South Carolina, all that portion of South Carolina west and northwest of and including the counties of Cherokee, Union, Newberry, Saluda, and Edgefield.

Georgia, all that portion of Georgia west and northwest of and including the counties of Columbia, McDuffie, Warren, Glascock, Washington, Johnson, Laurens, Dodge, Wilcox, Ben Hill, Irwin, Tift, Colquitt, and Thomas.

Alabama, all that portion of Alabama south of and including the counties of De Kalb, Marshall, Blount, Jefferson, Tuscaloosa, and Pickens.

Mississippi, all that portion of Mississippi south of and including the counties of Noxubee, Winston, Leake, Scott, Rankin, Hinds, and Warren.

Louisiana, all that portion of Louisiana east of and including the parishes of West Feliciana, Pointe Coupee, Iberville, Assumption, and Saint Mary.

Florida, all that portion of Florida west of and including the counties of Leon and Wakulla.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal, or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Paragraph (q) amended by Am. 1, 8 F.R. 4922, effective 4–14–43; Am. 2, 8 F.R. 6214, effective 5–17–43; Am. 5, 8 F.R. 7827, effective 6–21–43; Am. 8, 8 F.R. 9366, effective 7–13–43; and Am. 11, 8 F.R. 12811, effective 9–20–43.]

(r) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 8 South.*

[For stores in Groups 3 and 4 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	53	49	42	35	31
2. T-bone	53	49	42	35	31
3. Club	53	49	42	35	31
4. Rib 10-inch cut	32	30	28	24	20
5. Rib 7-inch cut	35	33	30	26	22
6. Sirloin (bone-in)	43	41	34	29	25
7. Pin bone	54	51	41	35	31
8. Sirloin (boneless)	42	39	35	29	25
9. Round (bone-in) (full cut)	44	41	36	30	26
10. Round (boneless) (top and bottom)	44	41	36	30	25
11. Round tip	29	27	25	22	18
12. Chuck blade (bone-in)	29	27	25	22	18
13. Chuck arm (bone-in)	38	38	36	38	34
II. Roasts:					
1. Rib standing (chine bone-in 10-inch cut)	32	30	28	24	20
2. Rib standing (chine bone-in 7-inch cut)	35	33	30	26	22
3. Round tip	44	41	36	30	26
4. Rump (bone-in)	27	26	22	19	15
5. Rump (boneless)	44	41	36	30	26
6. Chuck blade pot roast	29	27	25	22	18
7. Chuck arm pot roast	29	27	25	22	18
8. Chuck or shoulder (boneless)	36	35	33	29	25
9. English cut	29	27	25	22	18
III. Stews and other cuts:					
1. Short ribs	21	21	19	19	15
2. Plate (bone-in) (fresh and cured)	21	21	19	19	15
3. Plate (boneless) (fresh and cured)	25	25	23	23	19
4. Brisket (bone-in) (fresh and cured)	26	26	22	22	18
5. Brisket (boneless) (fresh and cured)(deckle on)	33	33	28	28	24
6. Brisket (boneless) (cured) (deckle off)	38	38	33	33	----
7. Flank meat	28	28	27	27	33
8. Neck (bone-in)	26	26	22	22	18
9. Neck (boneless)	31	29	27	24	20
10. Heel of round (boneless)	31	29	26	22	18
11. Shank (bone-in) (hind and fore)	19	19	19	19	15
12. Shank (boneless) (hind and fore)	26	26	26	26	26
13. Soup bone	3	3	3	3	3
14. Suet	5	5	5	5	5
IV. Ground beef	28	28	28	28	28
V. Retail prices of wholesale cuts:					
1. Round beef, whole	26	24	22	18	14
2. Sirloin beef, whole	31	30	24	21	17
3. Short loin beef, whole	38	35	30	25	21
4. Flank beef, whole	15	15	15	14	10
5. Rib beef, whole	28	26	24	21	17
6. Regular chuck, whole	23	22	20	18	14
7. Short plate, whole	16	16	15	15	11
8. Brisket, whole	19	19	16	16	12
9. Shank, whole	14	14	14	14	10

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
1. Loin chops	45	42	37	31	28
2. Rib chops	39	38	35	32	25
3. Shoulder chops (arm and blade)	29	28	24	21	19
4. Round steak (cutlets)	46	43	38	34	30
5. Sirloin steaks or chops	37	35	32	28	26
VII. Roasts:					
1. Rump and sirloin (bone-in)	34	32	29	25	23
2. Rump and sirloin (boneless)	49	46	40	35	32
3. Leg	34	32	29	25	23
4. Leg—rump-off	34	32	29	25	23
5. Leg—shank-half	34	32	29	25	23
6. Leg—rump-half	45	42	37	31	28
7. Loin	39	38	35	32	26
8. Rib	29	28	24	21	19
9. Blade and arm	46	43	38	34	30
10. Round	28	27	25	23	18
11. Shoulder (bone-in) (square cut)	36	35	32	29	23
12. Shoulder (boneless) (square cut)	----	----	----	----	30
13. Boneless veal leg or round	----	----	----	----	30
14. Boneless veal sirloin strip	----	----	----	----	30
15. Veal tenderloin	----	----	----	----	20
16. Boneless veal regular rib roll	----	----	----	----	29
17. Boneless veal shoulder clod	----	----	----	----	28
18. Boned, rolled and tied veal roll	----	----	----	----	----

(r) *Retail ceiling prices*—Continued.

[For stores in Groups 3 and 4 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
1. Breast (bone-in)	21	20	19	17	14
2. Breast (boneless)	29	28	24	21	19
3. Flank meat	29	28	24	21	19
4. Neck (bone-in)	21	20	19	17	14
5. Neck (boneless)	29	28	24	21	19
6. Shank (bone-in)(hind and fore)	21	20	19	17	14
7. Shank and heel meat (boneless) (hind and fore)	29	28	24	21	19
8. Ground veal and patties	31	31	31	31	31
9. Neckbones	----	----	----	----	8
IX. Kidneys	30	30	30	30	30
X. Retail prices of wholesale cuts:					
1. Hindquarters	28	26	23	20	18
2. Forequarters	22	22	20	18	15

Lamb and mutton	Grades						
	Lamb				Mutton		
	AA or choice	A or good	B or commercial	C or utility	S or prime, choice and good	M or commercial	R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
1. Loin chops	60	56	51	45	32	29	27
2. Rib chops	47	44	41	37	21	18	15
3. Leg or sirloin chops	47	44	41	37	21	18	15
4. Shoulder chops, blade or arm chops	41	38	35	32	18	16	14
XII. Roasts:							
1. Leg (whole, half or short cut)	41	38	35	31	22	20	19
2. Sirloin roast (bone-in)	47	44	41	37	21	18	15
3. Yoke, rattle or triangle (bone-in)	27	26	26	24	13	12	10
4. Yoke, rattle or triangle (boneless)	41	40	39	36	19	16	14
5. Chuck or shoulder (square cut) (bone-in)	35	35	35	33	17	15	13
6. Chuck or shoulder (cross cut) (bone-in)	28	28	27	25	14	12	11
7. Loin	60	56	51	45	32	29	27
8. Rib	47	44	41	37	21	18	15
9. Boneless lamb shoulder roll	----	----	----	36	----	----	----
XIII. Stews and other cuts:							
1. Breast and flank	20	19	18	16	10	9	7
2. Neck (bone-in)	20	19	18	16	10	9	7
3. Neck (boneless)	32	32	32	32	19	19	19
4. Shank (bone-in)	20	19	18	16	10	9	7
5. Patties (ground meat)	32	32	32	32	19	19	19
6. Neckbones	----	----	----	7	----	----	7
XIV. Kidneys	28	28	28	28	15	15	15
XV. Retail prices of wholesale cuts:							
1. Leg	34	33	31	28	20	18	17
2. Loin	34	31	26	22	16	14	13
3. Hotel rack	38	35	30	25	17	15	13
4. Yoke	22	21	21	19	10	9	8

These ceiling prices apply in all Group 3 and Group 4 stores selling these meats at retail located in Zone 8—South.

Zone 8—South includes the following area:

West Virginia, all that portion of West Virginia east of and including the counties of Monongalia, Marion, Harrison, Lewis, Braxton, Clay, Nicholas, Fayette, Raleigh, Wyoming, and McDowell, but excluding the counties of Berkeley and Jefferson.

Virginia, all that portion of Virginia west of and including the counties of Highland, Bath, Alleghany, Craig, Montgomery, Floyd, and Carroll.

Tennessee, all that portion of Tennessee east of and including the counties of Claiborne, Union, Anderson, Morgan, Cumberland, Bledsoe, Van Buren, Sequatchie, and Hamilton.

North Carolina, all that portion of North Carolina west and southwest of and including the counties of Alleghany, Wilkes, Alexander, Caldwell, Burke, and Cleveland.

South Carolina, all that portion of South Carolina west and northwest of and including the counties of Cherokee, Union, Newberry, Saluda, and Edgefield.

Georgia, all that portion of Georgia west and northwest of and including the counties of Columbia, McDuffie, Warren, Glascock, Washington, Johnson, Laurens, Dodge, Wilcox, Ben Hill, Irwin, Tift, Colquitt, and Thomas.

Alabama, all that portion of Alabama south of and including the counties of De Kalb, Marshall, Blount, Jefferson, Tuscaloosa, and Pickens.

Mississippi, all that portion of Mississippi south of and including the counties of Noxubee, Winston, Leake, Scott, Rankin, Hinds, and Warren.

Louisiana, all that portion of Louisiana east of and including the parishes of West Feliciana, Pointe Coupee, Iberville, Assumption, and Saint Mary.

Florida, all that portion of Florida west of and including the counties of Leon and Wakulla.

The above prices are subject to the conditions contained in Notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Above portion of paragraph (r) amended by Am. 1, 8 F.R. 4922, effective 4-14-43; Am. 2, 8 F.R. 6214, effective 5-17-43; Am. 5, 8 F.R. 7827, effective 6-21-43; Am. 8, 8 F.R. 9366, effective 7-13-43; Am. 11, 8 F.R. 12811, effective 9-20-43; and Am. 13, 9 F.R. 1157, effective 2-3-44.]

(1) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 8 South*

[For stores in Groups 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 855, effective October 26, 1943]

Beef	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
Porterhouse	51	47	40	34	30
T-bone	51	47	40	34	30
Club	51	47	40	34	30
Rib—10-inch cut	31	29	27	23	19
Rib—7-inch cut	34	32	29	25	21
Sirloin	41	39	33	28	24
Pin bone	41	39	33	28	24
Sirloin (boneless)	52	49	39	34	30
Round (bone-in) (full cut)	40	38	34	28	24
Round (boneless) (top and bottom)	42	39	35	29	26
Round tip	42	39	35	29	25
Chuck blade (bone-in)	28	26	24	21	17
Chuck arm (bone-in)	28	26	24	21	17
Flank	37	37	37	37	33
II. Roasts:					
Rib standing (chine bone-in, 10-inch cut)	31	29	27	23	19
Rib standing (chine bone-in, 7-inch cut)	34	32	29	25	21
Round tip	42	39	35	29	25
Rump (bone-in)	26	25	21	18	14
Rump (boneless)	42	39	35	29	25
Chuck blade pot roast	28	26	24	21	17
Chuck arm pot roast	28	26	24	21	17
Chuck or shoulder (boneless)	37	34	32	28	24
English cut	28	26	24	21	17
III. Stews and other cuts:					
Short ribs	20	20	18	18	14
Plate (bone-in) (fresh or cured)	20	20	18	18	14
Plate (boneless) (fresh or cured)	24	24	22	22	18
Brisket (bone-in) (fresh or cured)	25	25	21	21	17
Brisket (boneless) (fresh or cured) (deckle on)	32	32	27	27	23
Brisket (boneless) (cure) (deckle off)	37	37	32	32	
Flank meat	27	27	26	26	22
Neck (bone-in)	25	25	21	21	17
Neck (boneless)	30	28	26	23	19
Heel of round (boneless)	30	28	25	21	17
Shank (bone-in) (hind and fore)	18	18	18	18	14
Shank (boneless) (hind and fore)	25	25	25	25	21
Soup bone	3	3	3	3	3
Suet	5	5	5	5	5
IV. Ground beef	27	27	27	27	27
V. Retail prices of wholesale cuts:					
Round beef—whole	25	23	21	17	13
Sirloin beef—whole	30	29	23	20	16
Short loin beef—whole	37	34	29	24	20
Flank beef—whole	14	14	14	14	10
Rib beef—whole	27	26	23	20	16
Regular chuck—whole	22	21	19	17	13
Short plate—whole	15	15	14	14	10
Brisket—whole	18	18	15	15	11
Shank—whole	14	14	14	14	10

Veal	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
Loin chops	43	40	36	30	27
Rib chops	38	37	34	31	24
Shoulder chops (arm and blade)	28	27	26	20	18
Round steak (cutlets)	44	41	37	33	29
Sirloin steaks or chops	36	34	31	27	25
VII. Roasts:					
Rump and sirloin (bone-in)	33	31	26	24	22
Rump and sirloin (boneless)	47	44	38	34	31
Leg	33	31	28	24	22
Leg—rump off	33	31	28	24	22
Leg—shank half	38	31	28	24	22
Leg—rump half	43	40	36	30	27
Loin	38	37	34	31	24
Rib	28	27	24	20	18
Blade and arm	44	41	37	33	29
Round	27	26	24	22	17
Shoulder (bone-in) (square cut)	35	34	31	28	22
Shoulder (boneless) (square cut)					29
Boneless veal leg or round					29
Boneless veal sirloin strip					29
Veal tenderloin					29
Boneless veal regular rib roll					28
Boneless veal shoulder clod					27
Boned, rolled, and tied veal roll					

(1) *Retail ceiling prices for beef, veal, lamb, and mutton—fresh, cured and frozen—Zone 8 South*—Continued

[For stores in Group 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 855, effective October 26, 1943]

Veal—Continued	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
Breast (bone-in)	20	19	18	16	14
Breast (boneless)	28	27	23	20	18
Flank meat	28	27	23	20	18
Neck (bone-in)	20	19	18	16	14
Neck (boneless)	28	27	23	20	18
Shank (bone-in) (hind and fore)	20	19	18	16	14
Shank and heel meat (boneless) (hind and fore)	28	27	23	20	18
Ground veal and patties	30	30	30	30	30
Neck bones					8
IX. Kidneys	29	29	29	29	29
X. Retail prices of wholesale cuts:					
Hindquarters	27	25	22	19	17
Forequarters	21	21	19	17	14

Lamb and mutton	Lamb: AA or choice	Lamb: A or good	Lamb: B or commercial	Lamb: C or utility	Mutton: S or prime, choice and good	Mutton: M or commercial	Mutton: R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
Loin chops	58	54	49	43	31	28	26
Rib chops	45	42	39	36	20	17	14
Leg or sirloin chops	45	42	39	36	20	17	14
Shoulder chops, blade or arm chops	39	37	34	31	17	15	14
XII. Roasts:							
Leg (whole, half, or short cut)	39	37	34	30	21	19	18
Sirloin roast (bone-in)	45	42	39	36	20	17	14
Yoke, rattle or triangle (bone-in)	26	25	25	23	13	12	10
Yoke, rattle or triangle (boneless)	39	38	38	35	18	15	14
Chuck or shoulder (square cut) (bone-in)	34	34	34	32	16	14	13
Chuck or shoulder (cross cut) (bone-in)	27	27	26	24	14	12	11
Loin	58	54	49	43	31	28	26
Rib	45	42	39	36	20	17	14
Boneless lamb shoulder roll				35			
XIII. Stews and other cuts:							
Breast and flank	19	18	17	15	10	9	7
Neck (bone-in)	19	18	17	15	10	9	7
Neck (boneless)	31	31	31	31	18	18	18
Shank (bone-in)	19	18	17	15	10	9	7
Patties (ground meat)	31	31	31	31	18	18	18
Neckbones				7			7
XIV. Kidneys	27	27	27	27	14	14	14
XV. Retail prices of wholesale cuts:							
Leg	33	32	30	27	19	17	16
Loin	33	30	25	21	15	14	13
Hotel rack	37	34	29	24	16	14	13
Yoke	21	20	20	18	10	9	8

NOTES—THESE CEILING PRICES APPLY IN GROUP 3B AND GROUP 4B STORES.

Selling these meats at retail located in Zone 8 south.

Zone 8—south includes the following area:

West Virginia, all that portion of West Virginia east of and including the counties of Monongalia, Harrison, Lewis, Braxton, Clay, Nicholas, Fayette, Raleigh, Wyoming, and McDowell; but excluding the counties of Berkeley and Jefferson.

Virginia, all that portion of Virginia west of and including the counties of Highland, Bath, Alleghany, Craig, Montgomery, Floyd, and Carroll.

Tennessee, all that portion of Tennessee east of and including the counties of Claiborne, Union Anderson, Morgan, Cumberland, Bledsoe, Van Buren, Sequatchie, and Hamilton.

North Carolina, all that portion of North Carolina, west and southwest of and including the counties of Alleghany, Wilkes, Alexander, Caldwell, Burke, and Cleveland.

South Carolina, all that portion of South Carolina west and northwest of and including the counties of Cherokee, Union, Newberry, Saluda, and Edgefield.

Georgia, all that portion of Georgia west and northwest of and including the counties of Columbia, McDuffie, Warren, Glascock, Washington, Johnson, Laurens, Dodge, Wilcox, Ben Hill, Irwin, Tift, Colquitt, and Thomas.

Alabama, all that portion of Alabama south of and including the counties of De Kalb, Marshall, Blount, Jefferson, Tuscaloosa, and Pickens.

Mississippi, all that portion of Mississippi south of and including the counties of Noxubee, Winston, Leake, Scott, Rankin, Hinds, and Warren.

Louisiana, all that portion of Louisiana east of and including the Parishes of West Feliciana, Pointe Coupee, Iberville, Assumption, and Saint Mary.

Florida, all that portion of Florida west of and including the counties of Leon and Wakulla.

The above prices are subject to the conditions contained in Notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Subparagraph (1) added by Am. 12, 8 F.R. 14738, effective 10-26-43.]

(s) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 9 North.*

[For stores in Groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	55	51	44	37	33
2. T-bone	55	51	44	37	33
3. Club	55	51	44	37	33
4. Rib 10-inch cut	35	33	31	27	23
5. Rib 7-inch cut	39	36	34	29	25
6. Sirloin	46	44	36	31	27
7. Pin bone	46	44	36	31	27
8. Sirloin (boneless)	57	54	44	38	34
9. Round (bone-in) (full cut)	45	42	37	31	27
10. Round (boneless) (top and bottom)	47	44	39	33	29
11. Round tip	47	44	39	33	29
12. Chuck blade (bone-in)	32	30	28	25	21
13. Chuck arm (bone-in)	32	30	28	25	21
14. Flank	40	40	40	40	36
II. Roasts:					
1. Rib standing (chine bone-in 10-inch cut)	35	33	31	27	23
2. Rib standing (chine bone-in 7-inch cut)	39	36	34	29	25
3. Round tip	47	44	39	33	29
4. Rump (bone-in)	30	28	24	21	17
5. Rump (boneless)	47	44	39	33	29
6. Chuck blade pot roast	32	30	28	25	21
7. Chuck arm pot roast	32	30	28	25	21
8. Chuck or shoulder (boneless)	41	38	36	32	28
9. English cut	32	30	28	25	21
III. Stew and other cuts:					
1. Short ribs	22	22	20	20	16
2. Plate (bone-in) (fresh and cured)	22	22	21	21	17
3. Plate (boneless) (fresh and cured)	27	27	25	25	21
4. Brisket (bone-in) (fresh and cured)	27	27	24	24	20
5. Brisket (boneless) (fresh and cured) (deckle on)	35	35	30	30	26
6. Brisket (boneless) (cured) (deckle off)	40	40	35	35	----
7. Flank meat	29	29	29	29	25
8. Neck (bone-in)	27	27	24	24	20
9. Neck (boneless)	34	32	29	26	22
10. Heel of round (boneless)	34	32	28	24	20
11. Shank (bone-in) (hind and fore)	20	20	20	20	16
12. Shank (boneless) (hind and fore)	28	28	28	28	24
13. Soup bone	3	3	3	3	3
14. Suet	5	5	5	5	5
IV. Ground beef	29	29	29	29	29
V. Retail prices of wholesale cuts:					
1. Round beef—whole	27	25	22	19	15
2. Sirloin beef—whole	32	31	26	21	17
3. Short loin beef—whole	38	36	31	26	22
4. Flank beef—whole	16	16	16	16	12
5. Rib beef—whole	29	27	25	22	18
6. Regular chuck—whole	24	23	21	18	14
7. Short plate—whole	17	17	16	16	12
8. Brisket—whole	20	20	17	17	13
9. Shank—whole	15	15	15	15	11

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
1. Loin chops	48	45	39	34	30
2. Rib chops	42	41	38	35	28
3. Shoulder chops (arm and blade)	32	30	27	23	21
4. Round steak (cutlets)	50	46	41	36	33
5. Sirloin steak or chops	40	38	34	30	28
VII. Roasts:					
1. Rump and sirloin (bone-in)	37	34	31	27	25
2. Rump and sirloin (boneless)	52	49	44	38	34
3. Leg	37	34	31	27	25
4. Leg—rump-off	37	34	31	27	25
5. Leg—shank-half	37	34	31	27	25
6. Leg—rump-half	37	34	31	27	25
7. Loin	48	45	39	34	30
8. Rib	42	41	38	35	28
9. Blade and arm	32	30	27	23	21
10. Round	50	46	41	36	33
11. Shoulder (bone-in) (square cut)	30	30	27	25	20
12. Shoulder (boneless) (square cut)	38	37	34	32	25
13. Boneless veal leg or round	----	----	----	----	32
14. Boneless veal sirloin or strip	----	----	----	----	32
15. Veal tenderloin	----	----	----	----	32
16. Boneless veal regular rib roll	----	----	----	----	31
17. Boneless veal shoulder clod	----	----	----	----	31
18. Boned, rolled and tied veal roll	----	----	----	----	30

(s) *Retail ceiling prices*—Continued.

[For stores in groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
1. Breast (bone-in)	23	22	20	19	15
2. Breast (boneless)	32	30	27	23	21
3. Flank meat	32	30	27	23	21
4. Neck (bone-in)	23	22	20	19	15
5. Neck (boneless)	32	30	27	23	21
6. Shank (bone-in) (hind and fore)	23	22	20	19	15
7. Shank and heel meat (boneless) (hind and fore)	32	30	27	23	21
8. Ground veal and patties	33	33	33	33	33
9. Neck bones	----	----	----	----	9
IX. Kidneys	32	32	32	32	32
X. Retail prices of wholesale cuts:					
1. Hindquarters	30	27	24	21	19
2. Forequarters	26	23	21	19	16

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
1. Loin chops	64	60	55	49	35	32	30
2. Rib chops	51	48	44	40	24	21	18
3. Leg or sirloin chops	51	48	44	40	24	21	18
4. Shoulder chops, blade or arm chops	44	42	39	35	21	18	16
XII. Roasts:							
1. Leg (whole, half or short cut)	44	42	38	34	25	23	21
2. Sirloin roast (bone-in)	51	48	44	40	24	21	18
3. Yoke rattle or triangle (bone-in)	30	29	26	26	15	14	12
4. Yoke rattle or triangle (boneless)	45	43	42	39	21	19	17
5. Chuck or shoulder, square cut (bone-in)	38	38	38	36	19	18	15
6. Chuck or shoulder, cross cut (bone-in)	31	31	30	28	16	14	13
7. Loin	64	60	55	49	35	32	30
8. Rib	51	48	44	40	24	21	18
9. Boneless lamb shoulder roll	----	----	----	39	----	----	29
XIII. Stews and other cuts:							
1. Breast and flank	23	22	20	19	12	10	9
2. Neck (bone-in)	23	22	20	19	12	10	9
3. Neck (boneless)	35	35	35	35	21	21	21
4. Shank (bone-in)	28	22	20	19	12	10	9
5. Patties (ground meat)	35	35	35	35	21	21	21
XIV. Kidneys	31	31	31	31	18	18	18
XV. Retail prices of wholesale cuts:							
1. Leg	35	34	32	29	21	20	18
2. Loin	36	32	27	23	18	16	14
3. Hotel rack	29	26	31	26	19	17	15
4. Yoke	23	23	22	21	12	11	9

These ceiling prices apply in all Group 1 and Group 2 stores selling these meats at retail located in Zone 9—North.

Zone 9—North includes the following area:

New York, all that portion of New York east of and including the counties of St. Lawrence, Jefferson, Lewis and Herkimer, and east and southeast of and including the counties of Otsego, Delaware, Sullivan, Orange, Rockland, Westchester, New York, Bronx, Kings, and Richmond.

Pennsylvania, all that portion of Pennsylvania east of and including the counties of Tioga, Lycoming, Union, Mifflin, Juniata, Perry and Franklin.

Maryland, all that portion of Maryland east and southeast of and including the counties of Washington, Frederick, Montgomery, Prince Georges, Charles, and Saint Marys.

The District of Columbia.

Maine, all counties.

New Hampshire, all counties.

Vermont, all counties.

Massachusetts, all counties.

Connecticut, all counties.

Rhode Island, all counties.

New Jersey, all counties.

Delaware, all counties.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal, or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Paragraph (s) amended by Am. 1, 8 F.R. 4922, effective 4–14–43; Am. 2, 8 F.R. 6214, effective 5–17–43; Am. 5, 8 F.R. 7827, effective 6–21–43; Am. 8, 8 F.R. 9366, effective 7–13–43; and Am. 11, 8 F.R. 12811, effective 9–20–43.]

(t) ***Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 9 North.***

[For stores in Groups 3 and 4 as provided in Maximum Price Regulation No. 355, effective June 21, 1948]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	53	49	42	36	32
2. T-bone	53	49	42	36	32
3. Club	53	49	42	36	32
4. Rib 10-inch cut	32	31	28	25	21
5. Rib 7-inch cut	35	33	30	26	22
6. Sirloin	44	42	34	29	25
7. Pin-bone	44	42	34	29	26
8. Sirloin (boneless)	54	52	42	36	32
9. Round (bone-in) (full cut)	42	40	35	29	25
10. Round (boneless) (top and bottom)	44	42	36	30	26
11. Round tip	44	42	36	30	26
12. Chuck blade (bone-in)	30	28	26	23	19
13. Chuck arm (bone-in)	30	28	26	23	19
14. Flank	39	39	36	36	34
II. Roasts:					
1. Rib standing (chine bone in 10-inch cut)	32	31	28	25	21
2. Rib standing (chine bone in 7-inch cut)	35	33	30	26	22
3. Round tip	44	42	36	30	26
4. Rump (bone-in)	28	26	23	19	15
5. Rump (boneless)	44	42	36	30	26
6. Chuck blade pot roast	30	28	26	23	19
7. Chuck arm pot roast	30	28	26	23	19
8. Chuck or shoulder (boneless)	38	36	33	29	25
9. English cut	30	28	26	23	19
III. Stew and other cuts:					
1. Short ribs	21	21	19	19	15
2. Plate (bone-in) (fresh and cured)	21	21	19	19	15
3. Plate (boneless) (fresh and cured)	26	26	24	24	20
4. Brisket (bone-in) (fresh and cured)	26	26	23	23	19
5. Brisket (boneless) (fresh and cured) (deckle on)	34	34	29	29	25
6. Brisket (boneless) (cured) (deckle off)	30	30	34	34	...
7. Flank meat	28	28	26	26	24
8. Neck (bone-in)	26	26	23	23	19
9. Neck (boneless)	31	30	27	24	20
10. Heel of round (boneless)	32	30	26	22	18
11. Shank (bone-in) (hind and fore)	19	19	19	19	15
12. Shank (boneless) (hind and fore)	26	26	26	26	22
13. Soup bone	3	3	3	3	3
14. Suet	5	5	5	5	5
IV. Ground beef	28	26	26	26	26
V. Retail prices of wholesale cuts:					
1. Round beef—whole	26	26	22	19	15
2. Sirloin beef—whole	32	30	24	21	17
3. Short loin beef—whole	39	35	30	26	22
4. Flank beef—whole	16	16	15	15	11
5. Rib beef—whole	28	27	25	22	18
6. Regular chuck—whole	24	22	20	18	14
7. Short plate—whole	17	17	16	16	13
8. Brisket—whole	19	19	17	17	13
9. Shank—whole	14	14	14	14	10

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
1. Loin chops	45	42	37	33	28
2. Rib chops	40	39	36	33	28
3. Shoulder chops (arm and blade)	30	28	26	22	20
4. Round steak (cutlets)	47	44	39	34	31
5. Sirloin steak or chops	38	36	33	29	26
VII. Roasts:					
1. Rump and sirloin (bone-in)	35	33	29	26	23
2. Rump and sirloin (boneless)	49	45	41	36	32
3. Leg	35	33	29	26	23
4. Leg—rump-off	35	33	29	26	23
5. Leg—shank-half	35	33	29	26	23
6. Leg—rump-half	35	33	29	26	23
7. Loin	45	42	37	33	28
8. Rib	40	39	36	33	28
9. Blade and arm	30	28	26	22	20
10. Round	47	44	39	34	31
11. Shoulder (bone-in) (square cut)	29	27	25	24	19
12. Shoulder (boneless) (square cut)	36	34	32	30	24
13. Boneless veal leg or round	...	...	...	...	29
14. Boneless veal sirloin or strip	...	...	...	...	25
15. Veal tenderloin	...	...	...	...	30
16. Boneless veal regular rib roll	...	...	...	...	30
17. Boneless veal shoulder clod	...	...	...	...	29
18. Boned, rolled and tied veal roll	...	...	...	...	29

(t) *Retail ceiling prices*—Continued.

[For stores in Groups 3 and 4 as provided in Maximum Price Regulation No. 355, effective June 21, 1948]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
1. Breast (bone-in)	21	21	19	18	14
2. Breast (boneless)	30	28	25	22	20
3. Flank meat	30	28	25	22	20
4. Neck (bone-in)	21	21	19	18	14
5. Neck (boneless)	30	28	25	22	20
6. Shank (bone-in) (hind and fore)	21	21	19	18	14
7. Shank and heel meat (boneless) (hind and fore)	30	28	25	22	20
8. Ground veal and patties	31	31	31	31	31
9. Neck bones	...	...	...	...	8
IX. Kidneys	31	31	31	31	31
X. Retail prices of wholesale cuts:					
1. Hindquarters	28	27	24	21	19
2. Forequarters	23	22	21	19	15

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
1. Loin chops	61	57	52	46	33	30	28
2. Rib chops	48	45	42	38	22	19	17
3. Leg or sirloin chops	48	45	42	38	22	19	17
4. Shoulder chops, blades or arm chops	42	39	37	33	19	17	15
XII. Roasts:							
1. Leg (whole, half or short cut)	42	40	36	32	23	21	20
2. Sirloin roast (bone-in)	48	45	42	38	22	19	17
3. Yoke rattle or triangle (bone-in)	28	27	27	25	14	13	11
4. Yoke rattle or triangle (boneless)	42	41	40	37	20	17	15
5. Chuck or shoulder, square cut (bone-in)	36	36	36	34	18	16	14
6. Chuck or shoulder, cross cut (bone-in)	30	29	28	27	15	13	12
7. Loin	61	57	52	46	33	30	28
8. Rib	48	45	42	38	22	19	17
9. Boneless lamb shoulder roll	...	...	...	37	...	...	...
XIII. Stews and other cuts:							
1. Breast and flank	21	20	19	17	11	10	9
2. Neck (bone-in)	21	20	19	17	11	10	9
3. Neck (boneless)	33	33	33	33	20	20	20
4. Shank (bone-in)	21	20	19	17	11	10	9
5. Patties (ground meat)	33	33	33	33	20	20	20
6. Neck bones	...	...	...	8	...	...	...
XIV. Kidneys	29	29	29	29	16	16	16
XV. Retail prices of wholesale cuts:							
1. Leg	35	33	31	29	21	19	18
2. Loin	35	32	27	28	17	15	14
3. Hotel rack	29	26	31	26	18	16	14
4. Yoke	23	22	22	20	11	10	9

These ceiling prices apply in all Group 3 and Group 4 stores selling these meats at retail located in Zone 9—North.

Zone 9—North includes the following area:

New York, all that portion of New York east of and including the counties of St. Lawrence, Jefferson, Lewis and Herkimer, and east and southeast of and including the counties of Otsego, Delaware, Sullivan, Orange, Rockland, Westchester, New York, Bronx, Kings, and Richmond.

Pennsylvania, all that portion of Pennsylvania east of and including the counties of Tioga, Lycoming, Union, Mifflin, Juniata, Perry, and Franklin.

Maryland, all that portion of Maryland east and southeast of and including the counties of Washington, Frederick, Montgomery, Prince Georges, Charles, and Saint Marys.

The District of Columbia.

Maine, all counties.

New Hampshire, all counties.

Vermont, all counties.

Massachusetts, all counties.

Connecticut, all counties.

Rhode Island, all counties.

New Jersey, all counties.

Delaware, all counties.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive:

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Above portion of paragraph (t) amended by Am. 1, 8 F.R. 4922, effective 4–14–43; Am. 2, 8 F.R. 6214, effective 5–17–43; Am. 5, 8 F.R. 7827, effective 6–21–43; Am. 8, 8 F.R. 9366, effective 7–13–43; and Am. 11, 8 F.R. 12811, effective 9–20–43.]

(1) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 9 North*

[For stores in Group 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 355, effective October 28, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
I. Steaks:					
Porterhouse	51	47	40	35	31
T-bone	51	47	40	35	31
Club	51	47	40	35	31
Rib—10-inch cut	31	30	27	24	20
Rib—7-inch cut	34	32	29	25	21
Sirloin	42	40	33	28	24
Pin bone	42	40	33	28	24
Sirloin (boneless)	52	50	40	35	31
Round (bone-in) (full cut)	40	38	34	28	24
Round (boneless) (top and bottom)	42	40	35	29	25
Round tip	42	40	35	29	25
Chuck blade (bone-in)	29	27	25	22	18
Chuck arm (bone-in)	29	27	25	22	18
Flank	38	38	37	37	33
II. Roasts:					
Rib standing (chine bone-in, 10-inch cut)	31	30	27	24	20
Rib standing (chine bone-in, 7 inch cut)	34	32	29	25	21
Round tip	42	40	35	29	25
Rump (bone-in)	27	25	22	18	14
Rump (boneless)	42	40	35	29	25
Chuck blade pot roast	29	27	25	22	18
Chuck arm pot roast	29	27	25	22	18
Chuck or shoulder (boneless)	37	35	32	28	24
English cut	29	27	26	22	18
III. Stews and other cuts					
Short ribs	20	20	18	18	14
Plate (bone-in) (fresh or cured)	20	20	18	18	14
Plate (boneless) (fresh or cured)	25	25	23	23	19
Brisket (bone-in) (fresh or cured)	25	25	22	22	18
Brisket (boneless) (fresh or cured) (deckle on)	33	33	28	28	24
Brisket (boneless) (cured) (deckle off)	38	38	33	33	----
Flank meat	27	27	27	27	23
Neck (bone-in)	25	25	22	22	18
Neck (boneless)	30	29	26	23	19
Heel of round (boneless)	31	29	25	21	17
Shank (bone-in) (hind and fore)	18	18	18	18	14
Shank (boneless) (hind and fore)	25	25	25	25	21
Soup bone	3	3	3	3	3
Suet	5	5	5	5	5
IV. Ground beef	27	27	27	27	27
V. Retail prices of wholesale cuts:					
Round beef—whole	25	24	21	18	14
Sirloin beef—whole	31	29	23	20	16
Short loin beef—whole	37	34	29	25	21
Flank beef—whole	15	15	14	14	10
Rib beef—whole	27	26	24	21	17
Regular chuck—whole	23	21	19	17	13
Short plate—whole	16	16	15	15	11
Brisket—whole	18	18	16	16	12
Shank—whole	14	14	14	14	10

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
VI. Steaks and chops:					
Loin chops	43	40	36	31	27
Rib chops	38	38	35	32	25
Shoulder chops (arm and blade)	29	27	24	21	19
Round steak (cutlets)	45	42	38	33	30
Sirloin steaks or chops	37	35	31	28	25
VII. Roasts:					
Rump and sirloin (bone-in)	34	32	28	25	22
Rump and sirloin (boneless)	47	44	39	35	31
Leg	34	32	28	25	22
Leg—rump-off	34	32	28	25	22
Leg—shank-half	34	32	28	25	22
Leg—rump-half	34	32	28	25	22
Loin	43	40	36	31	27
Rib	38	38	35	32	26
Blade and arm	29	27	24	21	19
Round	45	42	38	33	30
Shoulder (bone-in) (square cut)	28	26	25	23	18
Shoulder (boneless) (square cut)	35	34	31	29	23
Boneless veal leg or round					29
Boneless veal sirloin strip					29
Veal tenderloin					29
Boneless veal regular rib roll					28
Boneless veal shoulder clod					27
Boned, rolled and tied veal roll					

(1) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 9 North*—Continued

[For stores in Group 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 355, effective October 28, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
Breast (bone-in)	20	20	18	17	14
Breast (boneless)	29	27	24	21	19
Flank meat	29	27	24	21	19
Neck (bone-in)	20	20	18	17	14
Neck (boneless)	29	27	24	21	19
Shank (bone-in) (hind and fore)	20	20	18	17	14
Shank and heel meat (boneless) (hind and fore)	29	27	24	21	19
Ground veal and patties	30	30	30	30	30
Neckbones					8
IX. Kidneys	30	30	30	30	30
X. Retail prices of wholesale cuts:					
Hindquarters	27	26	23	20	18
Forequarters	22	21	20	18	14

Lamb and mutton	Grades						
	Lamb				Mutton		
	AA or choice	A or good	B or commercial	C or utility	S or prime, choice, and good	M or commercial	R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
Loin chops	50	55	50	44	32	29	27
Rib chops	46	43	40	37	21	18	16
Leg or sirloin chops	46	43	40	37	21	18	16
Shoulder chops, blade or arm chops	40	38	36	32	18	16	14
XII. Roasts:							
Leg (whole, half, or short cut)	40	38	35	31	22	20	19
Sirloin roast (bone-in)	46	43	40	37	21	18	16
Yoke, rattle or triangle (bone-in)	27	26	26	24	14	13	11
Yoke, rattle or triangle (boneless)	40	39	38	36	19	16	14
Chuck or shoulder (square cut) (bone-in)	35	35	35	33	17	15	14
Chuck or shoulder (cross cut) (bone-in)	29	28	27	26	14	13	12
Loin	50	55	50	44	32	29	27
Rib	46	43	40	37	21	18	16
Boneless lamb shoulder roll				36			
XIII. Stews and other cuts:							
Breast and flank	20	19	18	16	11	10	9
Neck (bone-in)	20	19	18	16	11	10	9
Neck (boneless)	32	32	32	32	19	19	19
Shank (bone-in)	20	19	18	16	11	10	9
Patties (ground meat)	32	32	32	32	19	19	19
Neckbones					8		8
XIV. Kidneys	28	28	28	28	15	15	15
XV. Retail prices of wholesale cuts:							
Leg	34	32	30	28	20	18	17
Loin	34	31	26	22	16	14	14
Hotel rack	38	35	30	25	17	15	14
Yoke	22	21	21	19	11	10	9

NOTES—THESE CEILING PRICES APPLY IN GROUP 3B AND GROUP 4B STORES SELLING THESE MEATS AT RETAIL LOCATED IN ZONE 9 NORTH

Zone 9—North includes the following area:

New York, all that portion of New York east of and including the counties of St. Lawrence, Jefferson, Lewis and Herkimer, and east and southeast of and including the counties of Otsego, Delaware, Sullivan, Orange, Rockland, Westchester, New York, Bronx, Kings, and Richmond.

Pennsylvania, all that portion of Pennsylvania east of and including the counties of Tioga, Lycoming, Union, Mifflin, Juniata, Perry, and Franklin.

Maryland, all that portion of Maryland east and southeast of and including the counties of Washington, Frederick, Montgomery, Prince Georges, Charles, and Saint Marys.

The District of Columbia.
Maine, all counties.
New Hampshire, all counties.
Vermont, all counties.
Massachusetts, all counties.
Connecticut, all counties.
Rhode Island, all counties.
New Jersey, all counties.
Delaware, all counties.

The above prices are subject to the conditions contained in Notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Subparagraph (1) added by Am. 12, 8 F.R. 14738, effective 10-28-43.]

(u) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 9 South.*

[For stores in Groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	55	51	44	37	33
2. T-bone	55	51	44	37	33
3. Club	35	33	31	27	23
4. Rib 10-inch cut	39	36	34	29	25
5. Rib 7-inch cut	46	44	36	31	27
6. Sirloin	46	44	36	31	27
7. Pin bone	57	54	44	38	34
8. Sirloin (boneless)	45	42	37	31	27
9. Round (bone-in) (full cut)	47	44	39	33	29
10. Round (boneless) (top and bottom)	47	44	39	33	29
11. Round tip	32	30	28	25	21
12. Chuck blade (bone-in)	32	30	28	25	21
13. Chuck arm (bone-in)	40	40	40	40	36
14. Flank					
II. Roasts:					
1. Rib standing (chine bone in 10-inch cut)	35	33	31	27	23
2. Rib standing (chine bone in 7-inch cut)	39	36	34	29	25
3. Round tip	47	44	39	33	29
4. Rump (bone-in)	30	28	24	21	17
5. Rump (boneless)	47	44	39	33	29
6. Chuck blade pot roast	32	30	28	25	21
7. Chuck arm pot roast	32	30	28	25	21
8. Chuck or shoulder (boneless)	41	38	36	32	28
9. English cut	32	30	28	25	21
III. Stew and other cuts:					
1. Short ribs	22	22	20	20	16
2. Plate (bone-in) (fresh & cured)	22	22	21	21	17
3. Plate (boneless) (fresh & cured)	27	27	25	26	21
4. Brisket (bone-in) (fresh & cured)	27	27	24	24	20
5. Brisket (boneless) (fresh & cured) (deckle on)	35	35	30	30	26
6. Brisket (boneless) (cured) (deckle off)	40	40	35	35	----
7. Flank meat	29	29	29	29	25
8. Neck (bone-in)	27	27	24	24	20
9. Neck (boneless)	34	33	29	26	22
10. Heel of round (boneless)	34	32	28	24	20
11. Shank (bone-in) (hind & fore)	20	20	20	20	16
12. Shank (boneless) (hind & fore)	28	28	28	28	24
13. Soup bone	3	3	3	3	3
14. Suet	5	5	5	5	5
IV. Ground beef	29	29	29	29	29
V. Retail prices of wholesale cuts:					
1. Round beef—whole	27	25	22	19	15
2. Sirloin beef—whole	32	31	26	21	17
3. Shank loin beef—whole	38	36	31	26	22
4. Flank beef—whole	16	16	16	16	13
5. Rib beef—whole	29	27	26	22	18
6. Regular chuck—whole	24	23	21	18	14
7. Short plate—whole	17	17	16	16	12
8. Brisket—whole	20	20	17	17	13
9. Shank—whole	15	15	15	15	11

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
1. Loin chops	48	45	39	34	30
2. Rib chops	42	41	28	35	28
3. Shoulder chops (arm and blade)	32	30	27	23	21
4. Round steak (cutlets)	50	46	41	36	33
5. Sirloin steak or chops	40	38	34	30	28
VII. Roasts:					
1. Rump and sirloin (bone-in)	37	34	31	27	26
2. Rump and sirloin (boneless)	52	49	44	38	34
3. Leg	37	34	31	27	25
4. Leg—rump-off	37	34	31	27	25
5. Leg—shank-half	37	34	31	27	25
6. Leg—rump-half	37	34	31	27	25
7. Loin	48	45	39	34	30
8. Rib	43	41	36	35	26
9. Blade and arm	33	30	27	23	21
10. Round	50	46	41	36	33
11. Shoulder (bone-in) (square cut)	30	30	27	25	20
12. Shoulder (boneless) (square cut)	38	37	34	32	25
12. Boneless veal leg or round	----	----	----	----	32
14. Boneless veal sirloin or strip	----	----	----	----	32
15. Veal tenderloin	----	----	----	----	32
16. Boneless veal regular rib roll	----	----	----	----	31
17. Boneless veal shoulder clod	----	----	----	----	30
18. Boned, rolled and tied veal roll	----	----	----	----	----

(u) *Retail ceiling prices*—Continued.

[For stores in Groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
1. Breast (bone-in)	23	22	20	19	15
2. Breast (boneless)	32	30	27	23	21
3. Flank meat	32	30	27	23	21
4. Neck (bone-in)	23	22	20	19	15
5. Neck (boneless)	32	30	27	23	21
6. Shank (bone-in) (hind and fore)	23	22	20	19	15
7. Shank and heel meat (boneless) (hind and fore)	32	30	27	22	21
8. Ground veal and patties	33	32	33	33	33
9. Neck bones	31	----	----	----	9
IX. Kidneys	32	32	32	32	32
X. Retail prices of wholesale cuts:					
1. Hindquarters	29	27	24	21	19
2. Forequarters	23	23	21	19	16

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
1. Loin chops	63	60	54	48	34	32	29
2. Rib chops	50	47	44	40	23	20	17
3. Leg or sirloin chops	50	47	44	40	23	20	17
4. Shoulder chops, blade or arm chops	43	41	38	35	20	18	15
XII. Roasts:							
1. Leg (whole, half or short cut)	43	41	37	33	24	22	20
2. Sirloin roast (bone-in)	50	47	44	40	23	20	17
3. Yoke, rattle or triangle (bone-in)	29	28	26	24	14	13	11
4. Yoke, rattle or triangle (boneless)	44	43	41	39	21	18	16
5. Chuck or shoulder, square cut (bone-in)	37	37	37	35	18	17	15
6. Chuck or shoulder, cross cut (bone-in)	30	30	29	27	15	14	12
7. Loin	63	60	54	48	34	32	29
8. Rib	50	47	44	40	23	20	17
9. Boneless lamb shoulder roll	----	----	----	38	----	----	----
XIII. Stews & other cuts:							
1. Breast & flank	22	21	19	18	11	10	9
2. Neck (bone-in)	22	21	19	18	11	10	9
3. Neck (boneless)	34	34	34	34	20	20	20
4. Shank (bone-in)	22	21	19	18	11	10	9
5. Patties (ground meat)	34	34	34	34	20	20	20
6. Neck bones	----	----	----	8	----	----	8
XIV. Kidneys	30	30	30	30	17	17	17
XV. Retail prices of wholesale cuts:							
1. Leg	35	33	31	28	20	19	18
2. Loin	35	32	27	23	17	15	13
3. Hotel rack	38	36	31	26	18	16	14
4. Yoke	28	22	22	20	11	10	9

These ceiling prices apply in all Group 1 and Group 2 stores selling these meats at retail located in Zone 9—South.

Zone 9—South includes the following areas:

West Virginia, the following counties: Berkeley and Jefferson.

Virginia, all that portion of Virginia east of and including the counties of Frederick, Shenandoah, Rockingham, Augusta, Rockbridge, Botetourt, Roanoke, Franklin, and Patrick.

North Carolina, all that portion of North Carolina east and southeast of and including the counties of Surry, Yadkin, Iredell, Catawba, Lincoln, and Gaston.

South Carolina, all that portion of South Carolina east of and including the counties of York, Chester, Fairfield, Richland, Lexington, Aiken, Barnwell, Allendale, Hampton, Jasper, and Beaufort.

Georgia, all that portion of Georgia east of and including the counties of Richmond, Jefferson, Emanuel, Treutlen, Wheeler, Telfair, Coffee, Berrien, Cook, and Brooks.

Florida, the following counties of Florida: Jefferson, Madison, Taylor, Hamilton, Suwannee, Lafayette, Dixie, Columbia, Gilchrist, Levy, Baker, Nassau, Duval, Union, Bradford, Clay, St. Johns, Alachua, Putnam, Flagler, Marion, Volusia, Lake, Sumter, Citrus, Hernando, and Pasco.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it, and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Paragraph (u) amended by Am. 1, 8 F.R. 4922, effective 4–14–43; Am. 2, 8 F.R. 6214, effective 5–17–43; Am. 5, 8 F.R. 7827, effective 6–21–43; Am. 8, 8 F.R. 9366, effective 7–13–43; and Am. 11, 8 F.R. 12811, effective 9–20–43.]

(v) ***Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 9 South.***

[For stores in Groups 3 and 4 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	53	49	42	36	32
2. T-bone	53	49	42	36	32
3. Club	53	49	42	36	32
4. Rib 10-inch cut	32	31	28	25	21
5. Rib 7-inch cut	35	33	30	26	22
6. Sirloin	44	42	34	29	25
7. Pin bone	44	42	34	29	25
8. Sirloin (boneless)	54	52	42	36	32
9. Round (bone-in) (full cut)	42	40	35	29	25
10. Round (boneless) (top and bottom)	44	42	36	30	26
11. Round tip	44	42	36	30	26
12. Chuck blade (bone-in)	30	28	26	23	19
13. Chuck arm (bone-in)	30	28	26	23	19
14. Flank	39	39	38	38	34
II. Roasts:					
1. Rib standing (chine bone in 10-inch cut)	32	31	28	25	21
2. Rib standing (chine bone in 7-inch cut)	35	33	30	26	22
3. Round tip	44	42	36	30	26
4. Rump (bone-in)	28	26	23	19	15
5. Rump (boneless)	44	42	36	30	26
6. Chuck blade pot roast	30	28	26	23	19
7. Chuck arm pot roast	30	28	26	23	19
8. Chuck or shoulder (boneless)	38	36	33	29	25
9. English cut	30	28	26	23	19
III. Stew and other cuts:					
1. Short ribs	21	21	19	19	15
2. Plate (bone-in) (fresh and cured)	21	21	19	19	15
3. Plate (boneless) (fresh and cured)	26	26	24	24	20
4. Brisket (bone-in) (fresh and cured)	26	26	23	23	19
5. Brisket (boneless) (fresh and cured) (deckle on)	34	34	29	29	26
6. Brisket (boneless) (cured) (deckle off)	39	39	34	34	
7. Flank meat	28	28	28	28	24
8. Neck (bone-in)	26	26	23	23	19
9. Neck (boneless)	31	30	27	24	20
10. Heel of round (boneless)	32	30	26	22	18
11. Shank (bone-in) (hind and fore)	19	19	19	19	15
12. Shank (boneless) (hind and fore)	26	26	26	26	22
13. Soup bone	3	3	3	3	3
14. Suet	5	5	5	5	5
IV. Ground beef	28	28	28	28	28
V. Retail prices of wholesale cuts:					
1. Round beef—whole	26	25	22	19	15
2. Sirloin beef—whole	32	30	24	21	17
3. Short loin beef—whole	38	35	30	26	22
4. Flank beef—whole	16	16	15	15	11
5. Rib beef—whole	28	27	25	22	18
6. Regular chuck—whole	24	23	20	18	14
7. Short plate—whole	17	17	16	16	12
8. Brisket—whole	19	19	17	17	13
9. Shank—whole	14	14	14	14	10

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
1. Loin chops	45	42	37	32	28
2. Rib chops	40	39	36	33	26
3. Shoulder chops (arm and blade)	30	28	25	22	20
4. Round steak (cutlets)	47	44	39	34	31
5. Sirloin steak or chops	38	36	32	29	26
VII. Roasts:					
1. Rump and sirloin (bone-in)	35	33	29	26	23
2. Rump and sirloin (boneless)	49	46	41	36	32
3. Leg	35	33	29	26	23
4. Leg, rump-off	35	33	29	26	23
5. Leg, shank-half	35	33	29	26	23
6. Leg, rump-half	45	42	37	32	28
7. Loin	40	39	36	33	26
8. Rib	30	28	25	22	20
9. Blade and arm	47	44	39	34	31
10. Round	29	27	26	24	19
11. Shoulder (bone-in) (square cut)	36	35	32	30	24
12. Shoulder (boneless) (square cut)					30
13. Boneless veal leg or round					30
14. Boneless veal sirloin or strip					30
15. Veal tenderloin					30
16. Boneless veal regular rib roll					29
17. Boneless veal shoulder clod					28
18. Boned, rolled and tied veal roll					

(v) ***Retail ceiling prices***—Continued.

[For stores in Groups 3 and 4 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
1. Breast (bone-in)	21	21	19	18	14
2. Breast (boneless)	30	28	25	22	20
3. Flank meat	30	28	25	22	20
4. Neck (bone-in)	21	21	19	18	14
5. Neck (boneless)	30	28	25	22	20
6. Shank (bone-in) (hind and fore)	21	21	19	18	14
7. Shank and heel meat (boneless) (hind and fore)	30	28	25	22	20
8. Ground veal and patties	31	31	31	31	31
9. Neck bones					8
IX. Kidneys	31	31	31	31	31
X. Retail prices of wholesale cuts:					
1. Hindquarters	28	27	24	21	19
2. Forequarters	23	22	21	19	15

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
1. Loin chops	60	57	51	46	32	30	27
2. Rib chops	47	45	41	38	21	19	16
3. Leg or sirloin chops	47	45	41	38	21	19	16
4. Shoulder chops, blades or arm chops	41	39	36	33	19	16	14
XII. Roasts:							
1. Leg (whole, half or short cut)	41	39	35	31	22	21	19
2. Sirloin roast (bone-in)	47	45	41	38	21	19	16
3. Yoke rattle or triangle (bone-in)	27	27	26	24	13	12	10
4. Yoke rattle or triangle (boneless)	41	40	39	37	19	17	14
5. Chuck or shoulder, square cut (bone-in)	36	35	35	33	17	15	13
6. Chuck or shoulder, cross cut (bone-in)	29	28	28	26	14	13	11
7. Loin	60	57	51	46	32	30	27
8. Rib	47	45	41	38	21	19	16
9. Boneless lamb shoulder roll				36			
XIII. Stews and other cuts:							
1. Breast and flank	21	20	18	17	10	9	8
2. Neck (bone-in)	21	20	18	17	10	9	8
3. Neck (boneless)	32	32	32	32	19	19	19
4. Shank (bone-in)	21	20	18	17	10	9	8
5. Patties (ground meat)	32	32	32	32	19	19	19
6. Neck bones							
XIV. Kidneys	28	28	28	28	15	15	15
XV. Retail prices of wholesale cuts:							
1. Leg	34	33	31	28	20	19	17
2. Loin	35	31	26	22	16	15	13
3. Hotel rack	38	35	30	25	18	16	14
4. Yoke	22	22	21	20	11	10	8

These ceiling prices apply in all Group 3 and Group 4 stores selling these meats located in Zone 9—South.

Zone 9—South includes the following area:

West Virginia, the following counties: Berkeley and Jefferson.

Virginia, all that portion of Virginia east of and including the counties of Frederick, Shenandoah, Rockingham, Augusta, Rockbridge, Botetourt, Roanoke, Franklin, and Patrick.

North Carolina, all that portion of North Carolina east and southeast of and including the counties of Surry, Yadkin, Iredell, Catawba, Lincoln, and Gaston.

South Carolina, all that portion of South Carolina east of and including the counties of York, Chester, Fairfield, Richland, Lexington, Aiken, Barnwell, Allendale, Hampton, Jasper, and Beaufort.

Georgia, all that portion of Georgia east of and including the counties of Richmond, Jefferson, Emanuel, Treutlen, Wheeler, Telfair, Coffee, Berrien, Cook, and Brooks.

Florida, the following counties of Florida: Jefferson, Madison, Taylor, Hamilton, Suwanee, Lafayette, Dixie, Columbia, Gilchrist, Levy, Baker, Nassau, Duval, Union, Bradford, Clay, St. Johns, Alachua, Putnam, Flagler, Marion, Volusia, Lake, Sumter, Citrus, Hernando, and Pasco.

The above prices are subject to the conditions contained in Notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Above portion of paragraph (v) amended by Am. 1, 8 F.R. 4922, effective 4-14-43; Am. 2, 8 F.R. 6214, effective 5-17-43; Am. 5, 8 F.R. 7827, effective 6-21-43; Am. 8, 8 F.R. 9366, effective 7-13-43; and Am. 11, 8 F.R. 12311, effective 9-20-43.]

(1) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 9 South*

[For stores in Group 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 355, effective October 28, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
Porterhouse	51	47	40	35	31
T-bone	51	47	40	35	31
Club	51	47	40	35	31
Rib—10-inch cut	31	30	27	24	20
Rib—7-inch cut	34	32	29	25	21
Sirloin	42	40	33	28	24
Pin bone	42	40	33	28	24
Sirloin (boneless)	52	50	40	35	31
Round (bone-in) (full cut)	40	38	34	28	24
Round (boneless) (top and bottom)	42	40	35	29	25
Round tip	42	40	35	29	25
Chuck blade (bone-in)	29	27	25	22	18
Chuck arm (bone-in)	29	27	25	22	18
Flank	38	38	37	37	33
II. Roasts:					
Rib standing (chine bone-in, 10-inch cut)	31	30	27	24	20
Rib standing (chine bone-in, 7-inch cut)	34	32	29	25	21
Round tip	42	40	35	29	25
Rump (bone-in)	27	25	22	18	14
Rump (boneless)	42	40	35	29	25
Chuck blade pot roast	29	27	25	22	18
Chuck arm pot roast	29	27	25	22	18
Chuck or shoulder (boneless)	37	35	32	28	24
English cut	29	27	25	22	18
III. Stews and other cuts:					
Short ribs	20	20	18	18	14
Plate (bone-in) (fresh or cured)	20	20	18	18	14
Plate (boneless) (fresh or cured)	25	25	23	23	19
Brisket (bone-in) (fresh or cured)	25	25	22	22	18
Brisket (bone-in) (fresh or cured) (deckle on)	33	33	28	28	24
Brisket (boneless) (cured) (deckle off)	38	38	33	33	
Flank meat	27	27	27	27	23
Neck (bone-in)	25	25	22	22	18
Neck (boneless)	30	29	26	23	19
Heel of round (boneless)	31	29	25	21	17
Shank (bone-in) (hind and fore)	18	18	18	18	14
Shank (boneless) (hind and fore)	25	25	25	25	21
Soup bone	3	3	3	3	3
Suet	5	5	5	5	5
IV. Ground beef	27	27	27	27	27
V. Retail prices of wholesale cuts:					
Round beef—whole	25	24	21	18	14
Sirloin beef—whole	31	29	23	20	16
Short loin beef—whole	37	34	29	25	21
Flank beef—whole	15	15	14	14	10
Rib beef—whole	27	26	24	21	17
Regular chuck—whole	23	21	19	17	13
Short plate—whole	16	16	15	15	11
Brisket—whole	18	18	16	16	12
Shank—whole	14	14	14	14	10

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
Loin chops	43	40	36	31	27
Rib chops	38	38	35	32	26
Shoulder chops (arm and blade)	29	27	24	21	19
Round steak (outlets)	45	42	38	33	30
Sirloin steaks or chops	37	35	31	28	26
VII. Roasts:					
Rump and sirloin (bone-in)	34	32	28	25	22
Rump and sirloin (boneless)	47	44	39	35	31
Leg	34	32	28	25	22
Leg—rump-off	34	32	28	25	22
Leg—shank-half	34	32	28	25	22
Leg—rump-half	34	32	28	25	22
Loin	43	40	36	31	27
Rib	38	38	35	32	26
Blade and arm	29	27	24	21	19
Round	45	42	38	33	30
Shoulder (bone-in) (square cut)	28	28	26	23	18
Shoulder (boneless) (square cut)	35	34	31	29	23
Boneless veal leg or round					29
Boneless veal sirloin strip					29
Veal tenderloin					29
Boneless veal regular rib roll					28
Boneless veal shoulder clod					27
Boned, rolled and tied veal roll					

(1) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 9 South*—Continued

[For stores in Group 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 355, effective October 28, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
Breast (bone-in)	20	20	18	17	13
Breast (boneless)	29	27	24	21	19
Flank meat	29	27	24	21	19
Neck (bone-in)	20	20	18	17	13
Neck (boneless)	29	27	24	21	19
Shank (bone-in) (hind and fore)	20	20	18	17	13
Shank and heel meat (boneless) (hind and fore)	29	27	24	21	19
Ground veal and patties	30	30	30	30	30
Neckbones					8
IX. Kidneys	30	30	30	30	30
X. Retail prices of wholesale cuts:					
Hindquarters	27	26	23	20	18
Forequarters	22	21	20	18	14

Lamb and mutton	Grades						
	Lamb				Mutton		
	AA or choice	A or good	B or commercial	C or utility	S or prime, choice, and good	M or commercial	R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
Loin chops	58	55	49	44	31	29	26
Rib chops	46	43	39	37	20	18	15
Leg or sirloin chops	45	43	39	37	20	18	15
Shoulder chops, blade or arm chops	39	38	35	32	18	15	14
XII. Roasts:							
Leg (whole, half or short cut)	39	38	34	30	21	20	18
Sirloin roast (bone-in)	45	43	39	37	20	18	15
Yoke, rattle or triangle (bone-in)	26	26	25	23	13	12	10
Yoke, rattle or triangle (boneless)	39	38	38	36	18	16	14
Chuck or shoulder (square cut) (bone-in)	35	34	34	32	16	14	13
Chuck or shoulder (cross cut) (bone-in)	28	27	27	25	14	13	11
Loin	58	55	49	44	31	29	26
Rib	45	43	39	37	20	18	15
Boneless lamb shoulder roll				35			
XIII. Stews and other cuts:							
Breast and flank	20	19	17	16	10	9	8
Neck (bone-in)	20	19	17	16	10	9	8
Neck (boneless)	31	31	31	31	18	18	18
Shank (bone-in)	20	19	17	16	10	9	8
Patties (ground meat)	31	31	31	31	18	18	18
Neckbones				7			7
XIV. Kidneys	27	27	27	27	14	14	14
XV. Retail prices of wholesale cuts:							
Leg	33	32	30	27	19	18	16
Loin	34	30	25	21	15	14	13
Hotel rack	37	34	29	24	17	15	14
Yoke	21	21	20	19	11	10	8

NOTES—THESE CEILING PRICES APPLY IN GROUP 3B AND GROUP 4B STORES SELLING THESE MEATS AT RETAIL LOCATED IN ZONE 9 SOUTH.

Zone 9—south includes the following area:

West Virginia, the following counties: Berkeley and Jefferson.

Virginia, all that portion of Virginia east of and including the counties of Frederick, Shenandoah, Rockingham, Augusta, Rockbridge, Botetourt, Roanoke, Franklin, and Patrick.

North Carolina, all that portion of North Carolina east and southeast of and including the counties of Surry, Yadkin, Iredell, Catawba, Lincoln, and Gaston.

South Carolina, all that portion of South Carolina east of and including the counties of York, Chester, Fairfield, Richland, Lexington, Aiken, Barnwell, Allendale, Hampton, Jasper, and Beaufort.

Georgia, all that portion of Georgia east of and including the counties of Richmond, Jefferson, Emanuel, Treutlen, Wheeler, Telfair, Coffee, Berrien, Cook, and Brooks.

Florida, the following counties of Florida: Jefferson, Madison, Taylor, Hamilton, Suwannee, Lafayette, Dixie, Columbia, Gilchrist, Levy, Baker, Nassau, Duval, Union, Bradford, Clay, St. Johns, Alachua, Putnam, Flagler, Marion, Volusia, Lake, Sumter, Citrus, Hernando, and Pasco.

The above prices are subject to the conditions contained in Notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube meat.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Subparagraph (1) added by Am. 12, 8 F.R. 14738, effective 10-28-43.]

(w) ***Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 10***

[For stores in Groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	56	52	44	38	34
2. T-bone	56	52	44	38	34
3. Club	36	34	31	28	24
4. Rib—10-inch cut	39	37	34	29	25
5. Rib—7-inch cut	47	44	36	31	27
6. Sirloin	47	44	36	31	27
7. Pin bone	58	55	45	38	34
8. Sirloin (boneless)	45	43	38	32	28
9. Round (bone-in) (full cut)	48	45	39	33	29
10. Round (boneless) (top and bottom)	48	45	39	33	29
11. Round tip	32	30	28	25	21
12. Chuck blade (bone-in)	32	30	28	26	21
13. Chuck arm (bone-in)	41	41	40	40	36
14. Flank					
II. Roasts:	36	34	31	28	24
1. Rib standing (chine bone-in 10-inch cut)	39	37	34	29	25
2. Rib standing (chine bone-in 7-inch cut)	48	45	39	33	29
3. Round tip	30	28	26	21	17
4. Rump (bone-in)	48	45	39	33	29
5. Rump (boneless)	32	30	28	25	21
6. Chuck blade pot roast	32	30	28	25	21
7. Chuck arm pot roast	41	39	36	32	28
8. Chuck or shoulder (boneless)	32	30	28	26	21
9. English cut					
III. Stews and other cuts:	23	23	21	21	17
1. Short ribs	23	23	21	21	17
2. Plate (bone-in) fresh or cured	28	28	26	26	22
3. Plate (boneless) fresh or cured	28	28	24	24	20
4. Brisket (bone-in) fresh or cured	36	35	31	31	27
5. Brisket (boneless) fresh and cured (deckle on)	41	41	36	36	
6. Brisket (boneless) (cured) (deckle off)	30	30	30	30	26
7. Flank meat	28	28	24	24	20
8. Neck (bone-in)	34	32	30	27	23
9. Neck (boneless)	24	28	28	24	20
10. Heel of round (boneless)	21	21	21	21	17
11. Shank (bone-in) (hind and fore)	29	29	28	28	24
12. Shank (boneless) (hind and fore)	3	3	3	3	3
13. Soup bone	5	5	5	5	5
14. Suet	30	30	30	30	30
IV. Ground beef					
V. Retail prices of wholesale cuts:	27	26	26	19	15
1. Round beef—whole	32	31	26	23	18
2. Sirloin beef—whole	39	35	31	26	22
3. Short loin beef—whole	16	16	16	16	13
4. Flank beef—whole	29	27	26	23	18
5. Rib beef—whole	24	23	21	19	15
6. Regular chuck—whole	17	17	16	16	12
7. Short plate beef—whole	20	20	17	17	13
8. Brisket beef—whole	18	15	18	15	11
9. Shank beef—whole					

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:	48	45	39	34	30
1. Loin chops	42	41	38	34	27
2. Rib chops	32	30	26	23	21
3. Shoulder chops (arm and blade)	50	46	41	36	32
4. Round steak (cutlets)	40	38	34	30	26
5. Sirloin steaks or chops					
VII. Roasts:	37	34	31	27	25
1. Rump and sirloin (bone-in)	52	49	44	38	34
2. Rump and sirloin (boneless)	37	34	31	27	25
3. Leg	37	34	31	27	25
4. Leg—rump-off	37	34	31	27	25
5. Leg—shank-half	48	45	39	34	30
6. Leg—rump-half	42	41	38	34	27
7. Loin	32	30	26	28	21
8. Rib	50	46	41	36	32
9. Blade and arm	30	30	27	25	20
10. Round	38	37	34	31	25
11. Shoulder (bone-in) (square cut)					32
12. Shoulder (boneless) (square cut)					32
13. Boneless veal leg or round					32
14. Boneless veal sirloin strip					32
15. Veal tenderloin					31
16. Boneless veal regular rib roll					30
17. Boneless veal shoulder clod					
18. Boned, rolled and tied veal roll					

(w) ***Retail ceiling prices***—Continued.

[For stores in Groups 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
1. Breast (bone-in)	23	22	20	19	15
2. Breast (boneless)	32	30	26	23	21
3. Flank meat	32	30	26	23	21
4. Neck (bone-in)	23	22	20	19	15
5. Neck (boneless)	32	30	26	23	21
6. Shank (bone-in) (hind and fore)	23	22	20	19	15
7. Shank and heel meat (boneless) (hind and fore)	32	30	26	23	21
8. Ground veal and patties	32	32	32	32	32
9. Neck bones					9
IX. Kidneys	32	32	32	32	32
X. Retail prices of wholesale cuts:					
1. Hindquarters	29	27	24	21	19
2. Forequarters	23	23	21	19	15

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:	64	60	56	49	35	32	29
1. Loin chops	50	47	44	40	23	20	18
2. Rib chops	50	47	44	40	23	20	18
3. Leg or sirloin chops	44	41	38	35	20	18	16
4. Shoulder chops, blades or arm chops							
XII. Roasts:	44	41	38	34	24	22	21
1. Leg (whole, half or short cut)	50	47	44	40	23	20	18
2. Sirloin roast (bone-in)	29	29	28	26	15	13	12
3. Yoke ratile or triangle (bone-in)	44	43	42	39	21	19	16
4. Yoke ratile or triangle (boneless)	38	38	38	35	19	17	15
5. Chuck or shoulder, square cut (bone-in)	31	30	30	28	16	14	12
6. Chuck or shoulder, cross cut (bone-in)	64	60	55	49	33	32	29
7. Loin	50	47	44	40	23	20	18
8. Rib				38			
9. Boneless lamb shoulder roll							
XIII. Stews and other cuts:	23	21	20	18	11	10	9
1. Breast and flank	23	21	20	18	11	10	9
2. Neck (bone-in)	35	35	35	35	21	21	21
3. Neck (boneless)	23	21	20	18	11	10	9
4. Shank (bone-in)	35	35	35	35	21	21	21
5. Patties (ground meat)				8			8
6. Neck bones	30	30	30	30	17	17	17
XIV. Kidneys							
XV. Retail prices of wholesale cuts:	35	34	32	29	21	19	18
1. Leg	35	32	27	23	17	15	14
2. Loin	39	36	31	26	18	16	14
3. Hotel rack	23	22	22	20	11	10	9
4. Yoke							

These ceiling prices apply in all Group 1 and 2 stores selling those meats at retail located in Zone 10.

Zone 10 includes the following area:

Florida, all that portion of Florida south of and including the counties of Brevard, Seminole, Orange, Osceola, Polk, Hillsborough, and Pinellas.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with the customer's name.

NOTE 2. *Cube steak.* The retailer must not not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Paragraph (w) amended by Am. 1, 8 F.R. 4922, effective 4–14–43; Am. 2, 8 F.R. 6214, effective 5–17–43; Am. 5, 8 F.R. 7827, effective 6–21–43; Am. 8, 8 F.R. 9366, effective 7–13–43; and Am. 11, 8 F.R. 12811, effective 9–20–43.]

(x) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 10.*

[For stores in Groups 3 and 4 as provided in Maximum Price Regulation No. 355, effective June 21, 1943]

Beef	Grades				
	AA or Choice	A or Good	B or Commercial	C or Utility	D or Cutters and Canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
1. Porterhouse	53	50	43	36	32
2. T-bone	53	50	43	36	32
3. Club	53	50	43	36	32
4. Rib—10-inch cut	33	31	29	25	21
5. Rib—7-inch cut	36	33	31	26	22
6. Sirloin	44	42	34	29	25
7. Pin bone	44	42	34	29	25
8. Sirloin (boneless)	55	52	42	36	32
9. Round (bone-in) (full cut)	43	40	35	30	26
10. Round (boneless) (top and bottom)	45	42	37	31	27
11. Round tip	45	42	37	31	27
12. Chuck blade (bone-in)	30	28	26	23	19
13. Chuck arm (bone in)	30	28	26	23	19
14. Flank	39	39	39	39	35
II. Roasts:					
1. Rib standing (chine bone-in 10-inch cut)	33	31	29	25	21
2. Rib standing (chine bone-in 7-inch cut)	36	33	31	26	22
3. Round tip	45	42	37	31	27
4. Rump (bone-in)	28	27	23	20	16
5. Rump (boneless)	45	42	37	31	27
6. Chuck blade pot roast	30	28	26	23	19
7. Chuck arm pot roast	30	28	26	23	19
8. Chuck or shoulder (boneless)	39	36	34	30	26
9. English cut	30	28	26	23	19
III. Stews and other cuts:					
1. Short ribs	21	21	20	20	16
2. Plate (bone-in) fresh or cured	21	21	20	20	16
3. Plate (boneless) fresh or cured	26	26	24	24	20
4. Brisket (bone-in) fresh or cured	27	27	23	23	19
5. Brisket (boneless) fresh and cured (deckle on)	34	34	30	30	26
6. Brisket (boneless) (cured) (deckle off)	39	39	35	35	
7. Flank meat	29	29	28	28	24
8. Neck (bone-in)	27	27	23	23	19
9. Neck (boneless)	32	30	28	25	21
10. Heel of round (boneless)	32	30	27	25	19
11. Shank (bone-in) (hind and fore)	20	20	19	19	15
12. Shank (boneless) (hind and fore)	27	27	27	27	23
13. Soup bone	3	3	3	3	3
14. Suet	5	5	5	5	5
IV. Ground beef	29	29	29	29	29
V. Retail prices of wholesale cuts:					
1. Round beef—whole	36	35	32	19	15
2. Sirloin beef—whole	32	30	25	21	17
3. Short loin beef—whole	28	26	30	26	22
4. Flank beef—whole	16	16	16	16	12
5. Rib beef—whole	28	27	25	22	18
6. Regular chuck	24	22	21	18	14
7. Short plate beef—whole	17	17	16	16	12
8. Brisket beef—whole	20	20	17	17	13
9. Shank beef—whole	15	15	14	14	10

Veal	Grades				
	AA or Choice	A or Good	B or Commercial	C or Utility	D or Cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
1. Loin chops	45	42	37	32	28
2. Rib chops	40	39	36	32	26
3. Shoulder chops (arm and blade)	30	28	26	22	20
4. Round steak (cutlets)	47	44	39	34	31
5. Sirloin steaks or chops	38	36	32	29	26
VII. Roasts:					
1. Rump and sirloin (bone-in)	35	33	29	26	23
2. Rump and sirloin (boneless)	49	46	41	36	32
3. Leg	35	33	29	26	23
4. Leg—rump-off	35	33	29	26	23
5. Leg—shank-half	35	33	29	26	23
6. Leg—rump-half	35	33	29	26	23
7. Loin	45	42	37	32	28
8. Rib	40	39	35	33	26
9. Blade and arm	30	28	25	22	20
10. Round	47	44	39	34	31
11. Shoulder (bone-in) (square cut)	29	28	25	23	19
12. Shoulder (boneless) (square cut)	36	35	32	29	23
13. Boneless veal leg or round					31
14. Boneless veal sirloin strip					31
15. Veal tenderloin					31
16. Boneless veal regular rib roll					30
17. Boneless veal shoulder clod					28
18. Boned, rolled and tied veal roll					

(x) *Retail ceiling prices*—Continued.

[For stores in Groups 3 and 4 as provided in Maximum Price Regulation No. 355, effective June 21 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
1. Breast (bone-in)	21	21	19	18	14
2. Breast (boneless)	30	28	25	22	20
3. Flank meat	30	28	25	22	20
4. Neck (bone-in)	21	21	19	18	14
5. Neck (boneless)	30	28	25	22	20
6. Shank (bone-in) (hind and fore)	21	21	19	18	14
7. Shank and heel meat (boneless) (hind and fore)	30	28	25	22	20
8. Ground veal and patties	31	31	31	31	31
9. Neckbones					8
IX. Kidneys	31	31	31	31	31
X. Retail prices of wholesale cuts:					
1. Hindquarters	28	26	24	21	19
2. Forequarters	23	22	20	19	15

Lamb and mutton	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
1. Loin chops	61	57	52	46	33	30	27
2. Rib chops	48	45	42	38	22	19	16
3. Leg or sirloin chops	48	45	42	38	22	19	16
4. Shoulder chops, blades or arm chops	41	39	36	33	19	17	14
XII. Roasts:							
1. Leg (whole, half or short cut)	42	39	36	32	23	21	19
2. Sirloin roast (bone-in)	48	45	42	38	22	19	16
3. Yoke rattle or triangle (bone-in)	28	27	26	25	14	12	11
4. Yoke rattle or triangle (boneless)	42	41	39	37	19	17	15
5. Chuck or shoulder, square cut (bone-in)	36	35	35	33	17	16	14
6. Chuck or shoulder, cross cut (bone-in)	29	28	28	26	14	13	11
7. Loin	61	57	52	46	33	30	27
8. Rib	48	45	42	38	22	19	16
9. Boneless lamb shoulder roll				36			
XIII. Stews and other cuts:							
1. Breast and flank	21	20	19	17	10	9	8
2. Neck (bone-in)	21	20	19	17	10	9	8
3. Neck (boneless)	33	33	33	33	20	20	20
4. Shank (bone-in)	21	20	19	17	10	9	8
5. Patties (ground meat)	33	33	33	33	20	20	20
6. Neck bones				8			8
XIV. Kidneys	29	29	29	29	16	16	16
XV. Retail prices of wholesale cuts:							
1. Leg	35	33	31	28	20	19	17
2. Loin	35	32	27	21	17	15	13
3. Hotel rack	36	35	31	26	18	16	14
4. Yoke	23	22	21	20	11	10	9

These ceiling prices apply in all Groups 3 and 4 stores selling these meats at retail located in Zone 10.

Zone 10 includes the following area:

Florida, all that portion of Florida south of and including the counties of Brevard, Seminole, Orange, Osceola, Polk, Hillsborough, and Pinellas.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with the customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Above portion of paragraph (X) amended by Am. 1, 8 F.R. 4922, effective 4–14–43; Am. 2, 8 F.R. 6214, effective 5–17–43; Am. 5, 8 F.R. 7827, effective 6–21–43; Am. 8, 8 F.R. 9366, effective 7–13–43; and Am. 11, 8 F.R. 12811, effective 9–20–43.]

(1) *Retail ceiling prices for beef, veal, lamb and mutton—fresh, cured and frozen—Zone 10*

[For stores in Group 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 355, effective October 28, 1943]

Beef	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
I. Steaks:					
Porterhouse	51	46	41	35	31
T-bone	51	46	41	35	31
Club	51	46	41	35	31
Rib—10-inch cut	32	30	28	24	20
Rib—7 inch cut	36	32	30	25	21
Sirloin	42	40	33	28	24
Pin bone	42	40	33	28	24
Sirloin (boneless)	53	50	40	35	31
Round (bone-in) (full cut)	41	38	34	29	25
Round (boneless) (top and bottom)	48	46	36	30	26
Round tip	43	40	36	30	26
Chuck blade (bone-in)	29	27	25	22	18
Chuck arm (bone in)	29	27	25	22	18
Flank	38	38	36	38	34
II. Roasts:					
Rib standing (chine bone-in, 10-inch cut)	32	30	28	24	20
Rib standing (chine bone-in, 7-inch cut)	35	32	30	25	21
Round tip	43	40	36	30	26
Rump (bone-in)	27	26	22	19	15
Rump (boneless)	43	40	36	30	26
Chuck blade pot roast	29	27	25	22	18
Chuck arm pot roast	29	27	25	22	18
Chuck or shoulder (boneless)	38	35	33	29	25
English cut	29	27	25	22	18
III. Stews and other cuts:					
Short ribs	20	20	19	19	15
Plate (bone-in) (fresh or cured)	20	20	19	19	15
Plate (boneless) (fresh or cured)	25	25	23	23	19
Brisket (bone-in) (fresh or cured)	26	26	22	22	18
Brisket (boneless) (fresh or cured) (deckle on)	33	33	29	29	25
Brisket (boneless) (cured) (deckle off)	33	33	34	34	
Flank meat	28	28	27	27	23
Neck (bone-in)	26	26	22	22	18
Neck (boneless)	31	29	27	24	20
Heel of round (boneless)	31	29	26	22	18
Shank (bone-in) (hind and fore)	19	19	18	18	14
Shank (boneless) (hind and fore)	26	26	26	26	22
Soup bone	3	3	3	3	3
Suet	5	5	5	5	5
IV. Ground beef	28	28	28	26	28
V. Retail prices of wholesale cuts:					
Round beef—whole	25	24	21	18	14
Sirloin beef—whole	31	29	24	20	16
Short loin beef—whole	37	35	29	25	21
Flank beef—whole	15	15	15	15	11
Rib beef—whole	27	26	24	21	17
Regular chuck—whole	23	21	20	17	13
Short plate—whole	16	16	16	15	11
Brisket—whole	19	19	16	16	12
Shank—whole	14	14	14	14	10

Veal	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VI. Steaks and chops:					
Loin chops	43	40	36	31	27
Rib chops	38	38	35	31	25
Shoulder chops (arm and blade)	29	27	24	21	19
Round steak (cutlets)	43	42	38	33	30
Sirloin steaks or chops	37	35	31	28	26
VII. Roasts:					
Rump and sirloin (bone-in)	34	32	28	25	22
Rump and sirloin (boneless)	47	44	39	35	31
Leg	34	32	28	25	22
Leg—rump-off	34	32	28	25	22
Leg—shank-half	34	32	28	25	22
Leg—rump-half	34	32	28	25	22
Loin	43	40	35	31	27
Rib	38	38	34	31	25
Blade and arm	29	27	24	21	19
Round	45	42	38	33	30
Shoulder (bone-in) (square cut)	28	27	25	22	18
Shoulder (boneless) (square cut)	35	34	31	28	22
Boneless veal leg or round					30
Boneless veal sirloin strip					30
Veal tenderloin					30
Boneless veal regular rib roll					30
Boneless veal shoulder clod					20
Boned, rolled and tied veal roll					27

(1) *Retail ceiling prices for beef, veal, lamb, and mutton—fresh, cured and frozen—Zone 10*—Continued

[For stores in Group 3B and 4B as provided in Amendment 12 to Maximum Price Regulation No. 355, effective October 28, 1943]

Veal—Continued	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
VIII. Stews and other cuts:					
Breast (bone-in)	20	20	18	17	14
Breast (boneless)	29	27	24	21	19
Flank meat	29	27	24	21	19
Neck (bone-in)	20	20	18	17	14
Neck (boneless)	29	27	24	21	19
Shank (bone-in) (hind and fore)	20	20	18	17	14
Shank and heel meat (boneless) (hind and fore)	29	27	24	21	19
Ground veal and patties	30	30	30	30	30
Neck bones					8
IX. Kidneys	30	30	30	30	30
X. Retail prices of wholesale cuts:					
Hindquarters	27	25	23	20	18
Forequarters	22	21	19	18	14

Lamb and mutton	Grades						
	Lamb				Mutton		
	AA or choice	A or good	B or commercial	C or utility	S or prime, choice, and good	M or commercial	R or utility and culls
	Cents per pound	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*	*Cents per pound*
XI. Steaks and chops:							
Loin chops	59	55	50	44	33	29	26
Rib chops	46	43	40	37	21	18	15
Leg or sirloin chops	46	43	40	37	21	18	15
Shoulder chops, blade or arm chops	39	38	35	32	18	16	14
XII. Roasts:							
Leg (whole, half or short cut)	40	38	35	31	22	20	18
Sirloin roast (bone-in)	46	43	40	37	21	18	15
Yoke, rattle or triangle (bone-in)	27	26	25	24	14	12	11
Yoke, rattle or triangle (boneless)	40	39	38	36	18	16	14
Chuck or shoulder (square cut) (bone-in)	35	34	34	32	16	15	14
Chuck or shoulder (cross cut) (bone-in)	28	27	27	25	14	13	11
Loin	59	55	50	44	33	29	26
Rib	46	43	40	37	21	18	15
Boneless lamb shoulder roll				35			
XIII. Stews and other cuts:							
Breast and flank	20	19	18	16	10	9	8
Neck (bone-in)	20	19	18	16	10	9	8
Neck (boneless)	32	32	32	32	20	19	19
Shank (bone-in)	20	19	18	16	10	9	8
Patties (ground meat)	32	32	32	32	19	19	19
Neckbones				8			8
XIV. Kidneys	28	28	28	28	15	15	15
XV. Retail prices of wholesale cuts:							
Leg	34	32	30	27	19	18	16
Loin	34	31	26	20	16	14	13
Hotel rack	37	34	30	25	17	15	14
Yoke	22	21	20	19	11	10	9

NOTES—THESE CEILING PRICES APPLY IN GROUP 3B AND GROUP 4B STORES SELLING THESE MEATS AT RETAIL LOCATED IN ZONE 10

Zone 10 includes the following area:

Florida, all that portion of Florida south of and including the counties of Brevard, Seminole, Orange, Osceola, Polk, Hillsborough, and Pinellas.

The above prices are subject to the conditions contained in Notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 20 of the beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

[Subparagraph (1) added by Am. 12, 8 F.R. 14738, effective 10-28-43.]

SEC. 23. *Appendix A: OPA standard beef wholesale cuts.* You must cut the beef carcasses, quarters or other wholesale cuts into the following cuts before you make the standard retail cuts (see the skeletal chart for bone names):

(i) "Hindquarter" means the posterior portion of the side remaining after the severance of the 12-rib forequarter from the side, and comprising the round, full loin including the 13th rib, flank, kidney and hanging tender all in one piece, which posterior portion shall be obtained by cutting the beef side between the 12th and 13th ribs keeping the knife firmly against the 12th rib while cutting down the length of the rib to the point at the end of the rib where the rib joins the rib (costal) cartilage, from which point passing through the cartilage and meat of the flank and short plate in the same straight line, completing the cut.

(ii) "Forequarter" means the anterior portion of the side remaining after the severance of the 1-rib hindquarter from the side, and comprising the rib, regular chuck, brisket, short plate and foreshank all in one piece, which anterior portion contains the 1st to the 12th rib, inclusive. All heart (mediastinal) fat, but no other fat, shall be removed from the forequarter. The skirt (diaphragm) shall not be removed from any cut or part of the forequarter to which it is attached.

(iii) "Round" means the portion of the hindquarter remaining after the severance of the untrimmed full loin, and flank from the hindquarter, which portion shall be obtained as follows: the untrimmed full loin and flank shall be severed from the hindquarter by cutting in a straight line perpendicular to the contour of the outside or skin surface of the hindquarter. The cut shall be made on a straight line formed by and starting from that point on the backbone which is the juncture of the last (5th) sacral vertebra and the first (1st) tail (caudal) vertebra, and passing through that point which just misses the end of the protuberance of the femur bone, and exposes the ball of the femur bone, continuing in the same straight line beyond the second point to complete the cut. Two tail vertebrae shall be left on the round. Attached to the tail bone of the round shall be the tip or rear corner of the fifth sacral vertebra. All cod, udder and pelvic fat remaining on the round after its severance from the full loin and flank shall remain on the round.

(iv) "Trimmed full loin" means the portion of the hindquarter remaining after the severance of the round, flank, hanging tender (from the open side), kidney knob and excess loin (lumbar) and pelvic (sacral) fat from the inside of the loin, from the hindquarter, and comprising the short loin and sirloin

(loin end) in one piece, the back bone of which portion shall include one and one-half (1½) thoracic vertebrae, six (6) lumbar vertebrae, and five (5) sacral vertebrae (the tip or rear corner of the fifth sacral vertebra shall have been sawed off in severing the round from the full loin and flank), and which portion shall be obtained as follows: Part of the kidney knob, all of the kidney and the fat lying closely around the kidney in open (left) and closed (right) sides shall be removed first by a cut starting at the rear end of the kidney and slanting directly to the front edge of the half of the 12th thoracic vertebra at the point of severance of the hindquarter and forequarter.

Second, the hanging tender, which means the cylindrical shaped piece of lean meat attached at one end under the kidney knob in open (left) side hindquarters shall be removed entirely from open side loins by being severed at a point opposite the juncture of the 1st and 2nd lumbar vertebrae.

Third, after the severance of the round from the hindquarter, the flank shall be severed from the full loin by a cut starting at the heavy end of the full loin at the ventral point of severance of the round from the hindquarter and continuing in a straight line to a fixed point on the inside of the 13th rib determined by measuring off ten inches in a straight line from the center of the protruding edge of the 13th thoracic vertebra, but in making the cut no more than one (1) inch of cod or udder fat shall be left on the flank side of the face of the loin.

(NOTE: The 10-inch measurement shall be made from the center of the protruding edge of the 13th thoracic vertebra and not from the hollow of the chine bone where the 13th rib joins the 13th thoracic vertebra.)

Fourth, the excess loin (lumbar) and pelvic (sacral) fat shall be trimmed from the inside of the full loin by placing the full loin upon a flat surface, with no other support to change its position, meat side down, and removing all fat which extends above a flat plane parallel with the flat surface supporting the full loin and on a level with the full length of the protruding edge of the lumbar section of the chine bone. Then all fat shall be removed which extends above a flat plane using the following two lines as guides for each edge of the plane: an imaginary line parallel with the full length of the protruding edge of the lumbar section of the chine bone which line extends 1 inch directly above such protruding edge; a line on the inside of the loin two inches from the flank edge and running parallel with such edge for the full length of the loin. All fat obstructing the measurement of the second line shall first be removed. In addition to the foregoing all rough fat in the pelvic cavity of the heavy end of the loin (sirloin) shall be trimmed smooth and trimming by a knife shall be apparent. No fat remaining in the pelvic cavity shall exceed one inch in depth.

(v) "Flank" means the portion of the hindquarter remaining after the severance of the round and untrimmed full loin from the hindquarter, which shall be obtained after the removal of the round by separation from the untrimmed full loin, starting the cut at the point at the lower end of the loin end (sirloin) which was the ventral point of separation of the full loin and round, leaving no more than one inch of cod or udder fat attached to the flank side of the face of the full loin, and continuing in a straight line to a fixed point on the inside of the 13th rib determined by measuring off ten inches in a straight line along the 13th rib from the center of the protruding edge of the 13th thoracic vertebra.

(NOTE: The 10-inch measurement shall be made from the center of the protruding edge of the 13th thoracic vertebra and not from the hollow of the chine bone where the 13th rib joins the 13th thoracic vertebra.)

(vi) "Flank steak" means the flat, oval-shaped lean muscle of meat imbedded in the cod or udder end of the flank which shall be obtained by loosening the narrow end of the steak piece at the cod or udder end of the flank, cutting through the membrane along both sides of the steak, then pulling and cutting the steak loose and severing it from the thick membrane which lies directly under and to which it is attached. None of the thick membrane shall be left on the steak. All fat shall be trimmed from the steak, but the thin membrane on the top surface of the steak shall not be removed.

(vii) "Short loin" means that portion of the trimmed full loin remaining after the severance of the sirloin (loin end) from the trimmed full loin, which portion shall be obtained by a cut perpendicular to the contour of the outside or skin surface of the trimmed full loin begun at a point which is the juncture on the chine bone of the 5th and 6th lumbar vertebrae and continuing in a straight line perpendicular to the contour of the outside or skin surface of the trimmed full loin to and through a point flush against the end of the hip (pin) bone, but leaving no part of the hip (pin) bone in the short loin. The backbone of the short loin shall include five (5) lumbar vertebrae, one and one-half (1½) thoracic vertebrae and part of the 13th rib.

(viii) "Sirloin" (loin end) means the thick portion of the trimmed full loin remaining after the severance of the short loin from the trimmed full loin. The backbone of the sirloin shall include one (1) lumbar vertebra, five (5) sacral vertebrae (the tip or rear corner of the fifth (5th) sacral vertebra shall have been sawed off in separating the round from the trimmed full loin and flank), and the entire hip bone (ilium).

(ix) "Regular chuck" means the portion of the cross cut chuck remaining after the severance of the foreshank and brisket from the cross cut chuck, and containing most of the blade bone (scapula), part of the (humerus) arm bone, parts of the five ribs (1st to 5th, inclusive), that section of the back bone attached to the ribs, and the neck bone (cervical vertebrae from 1 to 7, inclusive), that section of the back bone at a cut through the cross cut chuck made in a straight line perpendicular to the contour of the outside or skin surface of the cross cut chuck (thereby separating the brisket and foreshank from the cross cut chuck) starting at a fixed point on the inside of the 5th rib determined by measuring off ten (10) inches along the 5th rib in a straight line from the center of the protruding edge of the 5th thoracic vertebra, continuing in the same straight line to the tip of the forward end of the breast bone (forward end of the 1st segment of sternum), and passing through the (humerus) arm bone in the same straight line to complete the cut.

(NOTE: The 10-inch measurement shall be made from the center of the protruding edge of the 5th thoracic vertebra and not from the hollow of the chine bone where the 5th rib joins the 5th thoracic vertebra.)

(x) "Foreshank" means the portion of the cross cut chuck remaining after the severance of the regular chuck and brisket from the cross cut chuck, which portion shall be obtained (after separation of the regular chuck) by separation from the brisket by a cut following the natural seam and leaving the entire lip, or web muscle, on the brisket.

(xi) "Brisket" means the portion of the cross cut chuck remaining after the severance of the regular chuck and foreshank from the cross cut chuck, which portion contains parts of four ribs (2nd to 5th, inclusive), part of the breast bone and the rib (costal) cartilages which connect the ends of the rib bones with the breast bone. All heart (mediastinal) fat, but no other fat shall be removed from the brisket.

(xii) "Rib" means the portion of the forequarter remaining after the severance of the cross cut chuck and short plate from the forequarter, and containing parts of seven ribs (6th to 12th, inclusive), that section of the back bone attached to the ribs, posterior tip and cartilage of the blade bone (scapula), part of the blade bone (scapula) which portion shall be obtained (by separation from the short plate) by a straight cut across the ribs starting at a fixed point determined by measuring off 10 inches on the inside of the 12th rib along the 12th rib from the center of the inside protruding edge of the 12th thoracic vertebra and continuing to and through a fixed point determined by measuring off 10 inches on the inside of the 6th rib along the 6th rib from the center of the inside protruding edge of the 6th thoracic vertebra.

(NOTE: The 10-inch measurements shall be made from the centers of the protruding edges of the 6th and 12th thoracic vertebrae, and not from the hollow of the chine.)

(xiii) "Short plate" means the portion of the forequarter remaining after the severance of the cross cut chuck and the rib from the forequarter, and containing parts of seven ribs (6th to 12th, inclusive), the rib (costal) cartilages attached to them, and part of the breastbone.

SEC. 24. *Beef skeletal chart; OPA standard primal cuts.*[1]

SEC. 25. *Appendix C: Skeletal chart for making standard beef retail cuts.*[1]

[Sec. 25 added by Am. 2, 8 F.R. 6214, effective 5-17-43.]

[1] Filed as part of the original document.

SEC. 26. *Appendix D: Chart of retail veal cuts and the wholesale cuts from which they are obtained.*[1]

[Sec. 26 added by Am. 2, 8 F.R. 6214, effective 5-17-43.]

SEC. 27. *Appendix E: Chart of retail lamb and mutton cuts and the wholesale cuts from which they are obtained.*[1]

[Sec. 27 added by Am. 2, 8 F.R. 6214, effective 5-17-43.]

SEC. 28. *OPA list of retail ceiling prices for variety meats and edible by-products: Fresh, cured and frozen*—(a) *Retail ceiling prices for beef variety meats and edible by-products: Fresh, cured and frozen—Group 1 and 2 stores.*

[Price per pound]

	Zone 1	Zone 2	Zones 3, 4, 4A	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10
Blood	14	13	12	12	13	13	13	14	14
Brains	18	17	16	16	16	17	17	17	18
Caul fat	20	19	18	18	19	19	19	20	20
Cheek meat	25	24	22	23	23	24	24	24	25
Cheek meat trimmings	17	16	15	15	16	16	16	17	17
Diaphragm meat	22	21	19	20	20	21	21	21	22
Fries	14	13	12	12	13	13	13	14	14
Gullet weasand meat	22	21	19	20	20	21	21	21	22
Head meat	25	24	22	23	23	24	24	24	25
Hearts, blemished	23	22	21	21	22	22	22	23	23
Heart trimmings	14	13	12	12	13	13	13	14	14
Kidneys	22	21	19	20	20	21	21	21	22
Lips	14	13	12	12	13	13	13	14	14
Livers, unblemished	40	39	38	38	38	39	39	40	40
Livers, blemished	34	33	32	32	32	33	33	33	34
Lungs	10	08	07	08	08	08	09	09	10
Melts	10	08	07	08	08	08	09	09	10
Oxtail split joints	25	24	22	23	23	24	24	24	25
Palates	10	08	07	08	08	08	09	09	10
Sweetbreads, unblemished	42	41	40	40	41	41	41	42	42
Sweetbreads, blemished	22	21	20	21	21	21	22	22	22
Tails under ¾ lb.	17	16	15	15	16	16	16	17	17
Tails ¾ lb. and up	22	21	19	20	20	21	21	21	22
Tongues, unblemished	38	37	36	36	37	37	38	38	38
Tongues—A, cured	42	41	40	40	41	41	41	42	42
Tongues—A, smoked	54	52	51	52	52	52	53	53	54
Tongues canner	29	28	27	27	28	28	29	29	29
Tongues canner cured	36	35	34	34	35	35	35	36	36
Tongue meat	22	21	19	20	20	21	21	21	22
Tripe, scalded	11	10	09	09	10	10	10	11	11
Tripe cooked	17	16	15	15	16	16	16	17	17
Tripe honeycomb	25	24	22	23	23	24	24	24	25
Udders	10	08	07	08	08	08	09	09	10
Vinegar pickled and cooked beef tripe, regular	28	27	26	26	27	27	28	28	28
Vinegar pickled and cooked beef tripe, honeycomb	32	31	30	31	31	31	32	32	32

(b) *Retail ceiling prices for beef variety meats and edible by-products: Fresh, cured and frozen—Group 3 and 4 stores and Group 3B and 4B stores.*

[Price per pound]

	Zone 1	Zone 2	Zones 3, 4, 4A	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10
Blood	13	12	11	11	11	12	12	12	13
Brains	16	15	14	15	15	15	16	16	16
Caul fat	19	18	16	17	17	18	18	18	19
Cheek meat	23	22	21	21	22	22	22	23	23
Cheek meat trimmings	16	15	14	14	14	15	15	15	16
Diaphragm meat	20	19	18	18	19	19	19	20	20
Fries	13	12	11	11	11	12	12	12	13
Gullet weasand meat	20	19	18	18	19	19	19	20	20
Head meat	23	22	21	21	22	22	22	23	23
Hearts, blemished	22	20	19	20	20	20	21	21	22
Heart trimmings	13	12	11	11	11	12	12	12	13
Kidneys	20	19	18	18	19	19	19	20	20
Lips	13	12	11	11	11	12	12	12	13
Livers, unblemished	38	36	35	36	36	36	37	37	38
Livers, blemished	32	31	30	30	30	31	31	31	32
Lungs	8	7	6	7	7	7	8	8	8
Melts	8	7	6	7	7	7	8	8	8
Oxtail split joints	23	22	21	21	22	22	22	23	23
Palates	8	7	6	7	7	7	8	8	8
Sweetbreads, unblemished	40	39	38	38	39	39	39	39	40
Sweetbreads, blemished	21	20	19	19	19	20	20	20	21
Tails under ¾ lb.	16	15	14	14	14	15	15	15	16
Tails ¾ lb. and up	20	19	18	18	19	19	19	20	20
Tongues, unblemished	36	35	34	34	35	35	36	36	36
Tongues—A, cured	40	39	38	38	38	39	39	39	40
Tongues—A, smoked	51	50	49	49	49	50	50	50	51
Tongues canner	27	26	25	25	26	26	27	27	27
Tongues canner cured	34	33	32	32	32	33	33	34	34
Tongue meat	20	19	18	18	19	19	19	20	20
Tripe, scalded	10	9	8	8	8	9	9	9	10
Tripe cooked	16	15	14	14	14	15	15	15	16
Tripe honeycomb	23	22	21	21	22	22	22	23	23
Udders	8	7	6	7	7	7	8	8	8
Vinegar pickled and cooked beef tripe regular	26	26	24	25	25	25	26	26	26
Vinegar pickled and cooked beef tripe honeycomb	30	29	28	29	29	29	30	30	30

[1] Filed as part of the original document.

(c) *Retail ceiling prices for veal variety meats and edible by-products: Fresh, cured and frozen—Group 1 and 2 stores.*

[Price per pound]

	Zone 1	Zone 2	Zone 3	Zones 4, 4A	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10
Brains	22	21	20	20	21	21	21	22	22	22
Cheek meat	25	24	22	22	23	23	24	24	24	25
Diaphragm meat	22	21	19	19	20	20	21	21	21	22
Feet	20	19	18	18	18	19	19	19	20	20
Fries	43	42	41	41	41	41	42	42	43	43
Gullet weasand meat	22	21	19	19	20	20	21	21	21	22
Head skinned	28	27	25	26	26	26	27	27	27	28
Head meat	25	24	22	22	23	23	24	24	24	25
Heart, blemished	23	22	21	21	21	22	22	22	23	23
Heart trimmings	14	13	12	12	12	13	13	13	14	14
Lips	14	13	12	12	12	13	13	13	14	14
Livers, unblemished	82	81	80	80	81	81	82	82	82	82
Livers, blemished	78	77	76	76	76	76	76	77	78	78
Lungs	10	8	7	7	8	8	8	9	9	10
Melts	10	8	7	7	8	8	8	9	9	10
Plucks	46	45	44	44	44	44	45	45	46	46
Sweetbread, unblemished	68	67	66	66	66	66	67	67	68	68
Pairs under 6 oz	66	65	63	63	64	64	65	65	65	66
Pairs 6-12 oz	73	72	71	71	71	72	72	73	73	73
Pairs over 12 oz	81	80	79	79	79	79	80	80	81	81
Tails under ¾ pound	17	16	15	15	15	16	16	16	17	17
Tails ¾ pound and up	22	21	19	19	20	20	21	21	21	22
Tongues, unblemished	32	31	30	30	30	31	31	32	32	32
Tongues canner	25	24	22	22	22	23	24	24	24	25
Tongue meat	22	21	19	19	20	20	21	21	21	22
Tripe, scalded	11	10	9	9	9	10	10	10	11	11
Tripe cooked	17	16	15	15	15	16	16	16	17	17

(d) *Retail ceiling prices for veal variety meats and edible by-products: Fresh, cured and frozen—Group 3 and 4 stores and Group 3B and 4B stores.*

[Price per pound]

	Zone 1	Zone 2	Zone 3	Zone 4, 4A	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10
Brains	21	20	19	19	19	19	20	20	20	21
Cheek meat	23	22	21	21	21	22	22	22	23	23
Diaphragm meat	20	19	18	18	18	19	19	19	20	20
Feet	19	18	17	17	17	17	18	18	18	19
Fries	41	39	38	39	39	39	39	41	40	41
Gullet weasand meat	20	19	18	18	18	19	19	19	20	20
Head skinned	26	25	24	24	24	24	25	25	26	26
Head meat	23	22	21	21	21	22	22	22	23	23
Heart, blemished	22	20	19	19	20	20	20	21	21	22
Heart trimmings	13	12	11	11	11	11	12	12	12	13
Lips	13	12	11	11	11	11	12	12	12	13
Livers, unblemished	78	77	76	76	77	77	77	78	78	78
Livers, blemished	74	73	71	71	72	73	73	73	74	74
Lungs	08	07	06	06	07	07	07	08	08	08
Melts	08	07	06	06	07	07	07	08	08	08
Plucks	43	42	41	41	42	42	42	43	43	43
Sweetbreads, unblemished	65	63	62	62	63	63	63	64	64	65
Pairs under 6 oz	62	61	60	60	61	61	61	62	62	62
Pairs 6—12 oz	70	69	68	68	68	68	69	69	69	70
Pairs over 12 oz	77	76	75	75	75	76	76	76	77	77
Tails under ¾#	16	15	14	14	14	14	15	15	15	16
Tails ¾# and up	20	19	18	18	18	19	19	19	20	20
Tongues, unblemished	30	29	28	28	28	29	29	30	30	30
Tongues canner	23	22	21	21	21	22	22	22	23	23
Tongue meat	20	19	18	18	18	19	19	19	20	20
Tripe, scalded	10	09	08	08	08	08	09	09	09	10
Tripe cooked	16	15	13	13	14	14	15	15	15	16

(e) *Retail ceiling prices for lamb and mutton variety meats and edible by-products: Fresh, cured and frozen—Group 1 and 2 stores.*

[Price per pound]

	Zone 1	Zones 2, 3, 4, 4A	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10
Brains	22	20	21	21	21	22	22	22
Cheek meat	20	18	18	19	19	19	20	20
Diaphragm meat	18	16	17	17	18	18	18	19
Fries	47	45	46	46	46	47	47	48
Gullet weasand meat	18	16	17	17	18	18	18	19
Head skinned	16	13	14	14	14	15	15	16
Head meat	20	18	18	19	19	19	18	20
Heart, blemished	23	21	21	22	22	23	23	24
Livers, unblemished lamb	33	32	32	32	33	33	33	34
Livers, blemished sheep	30	28	29	30	30	30	30	31
Lungs	09	07	08	08	08	09	09	10
Melts	09	07	08	08	08	09	09	10
Plucks	24	22	22	23	23	24	24	24
Sweetbreads, unblemished	45	43	43	44	44	44	45	45
Tongues, unblemished	27	25	26	26	27	27	27	28
Tripe, scalded	09	07	08	08	09	09	09	10
Tripe, cooked	15	13	14	14	14	15	15	16

(f) *Retail ceiling prices for lamb and mutton variety meats and edible by-products: Fresh, cured and frozen—Group 3 and 4 stores and Group 3B and 4B stores.*

[Price per pound]

	Zone 1	Zones 2, 3, 4, 4A	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10
Brains	20	19	19	19	20	20	20	21
Cheek meat	18	16	17	17	18	18	18	19
Diaphragm meat	17	15	16	16	16	16	17	17
Fries	45	43	43	43	44	44	45	45
Gullet weasand meat	17	15	15	16	16	16	17	17
Head skinned	14	12	12	13	13	13	14	14
Head meat	18	16	17	17	18	18	18	19
Heart, blemished	21	19	20	20	20	21	21	22
Livers, unblemished lamb	31	30	30	30	31	31	31	32
Livers, blemished sheep	28	27	27	27	28	28	28	29
Lungs	06	06	07	07	07	08	08	08
Melts	06	06	07	07	07	08	08	08
Plucks	22	20	20	21	21	22	22	22
Sweetbreads, unblemished	42	40	41	41	42	42	42	43
Tongues, unblemished	26	24	24	24	25	25	25	26
Tripe scalded	08	06	07	07	07	08	08	08
Tripe, cooked	14	12	12	12	13	13	14	14

(g) *Retail ceiling prices for pork variety meats and edible by-products: Fresh, cured and frozen—Group 1 and 2 stores.*

[Price per pound]

	Zone 1	Zone 2	Zone 3	Zone 4	Zone 4A	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10
Brains	25	24	23	22	21	22	22	22	23	23	24
Caul fat	23	21	21	20	19	19	20	20	21	21	21
Cheek meat	33	32	32	31	30	30	30	31	31	32	32
Chitterlings	20	18	18	17	16	16	17	17	17	18	18
Crown meat	18	17	16	16	14	15	15	16	16	16	17
Cutlets	46	45	44	44	43	43	43	44	44	44	45
Diaphragm meat	23	21	21	20	19	19	20	20	21	21	21
Ears	15	14	13	13	11	12	12	13	13	13	14
Gullet weasand meat	23	21	21	20	19	19	20	20	21	21	21
Head	18	17	16	16	14	15	15	16	16	16	17
Head Meat	33	32	32	31	30	30	30	31	31	32	32
Head Skins	20	•18	18	17	16	16	17	17	18	18	18
Heart, blemished	24	23	22	22	21	21	21	22	22	22	22
Kidneys	21	20	19	19	18	18	18	19	19	19	19
Leaf Lard—raw	25	24	24	23	22	22	22	23	23	24	24
Lips	14	12	12	11	10	10	11	11	11	12	12
Livers, blemished	26	24	22	23	22	22	23	23	24	22	22
Melts	11	9	9	8	7	7	8	8	8	9	9
Snouts	20	18	18	17	16	16	17	17	18	18	18
Tongue	29	27	27	26	25	25	26	26	27	27	27
Tongue—cured	30	29	28	28	27	27	28	28	28	28	29
Tongue meat	21	20	19	19	18	18	18	19	19	19	19
Tongue—smoked	40	39	38	38	36	37	37	38	38	38	39
Tripe scalded	12	11	10	10	8	9	9	10	10	10	10
Tripe—coo ed	18	17	16	16	14	15	15	16	16	16	16
Cured Pork Items:											
Snouts	25	24	24	23	22	22	22	23	23	24	24
Ears	21	19	19	18	17	17	18	18	19	19	19
Lips	19	17	17	16	15	15	16	16	17	17	17
Heads (split, brains out)	30	28	28	27	26	26	27	27	27	28	28

(h) *Retail ceiling prices for pork variety meats and edible by-products: Fresh, cured and frozen—Group 3 and 4 stores and Group 3B and 4B stores.*

[Price per pound]

	Zone 1	Zone 2	Zone 3	Zone 4	Zone 4A	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10
Brains	23	22	21	21	20	20	20	21	21	21	22
Caul fat	21	20	19	19	18	18	18	19	19	19	20
Cheek meat	31	30	30	29	28	28	28	29	29	30	30
Chitterlings	18	17	16	16	15	15	15	16	16	16	17
Crown meat	17	15	15	14	13	14	14	14	15	15	15
Cutlets	44	42	42	41	40	40	41	41	42	42	42
Diaphragm meat	21	20	19	19	18	18	18	19	19	19	20
Ears	14	12	12	11	10	11	11	11	12	12	12
Gullet weasand meat	21	20	19	19	18	18	18	19	19	19	20
Head	17	15	15	14	13	14	14	14	15	15	15
Head meat	31	30	30	29	28	28	28	29	29	30	30
Head skins	18	17	16	16	15	15	15	16	16	16	17
Heart, blemished	23	21	21	20	19	19	20	20	20	21	21
Kidneys	20	18	18	17	16	16	17	17	18	18	18
Leaf lard—raw	24	22	22	21	20	20	21	21	22	22	22
Lips	12	11	11	10	09	09	09	10	10	11	11
Livers, blemished	24	23	20	20	20	21	21	22	22	22	23
Melts	09	08	08	07	06	06	07	07	07	08	08
Snouts	18	17	16	16	15	15	15	16	16	16	17
Tongue	27	26	25	24	23	24	24	24	25	25	26
Tongue—cured	28	27	27	26	25	25	26	26	26	27	27
Tongue meat	20	18	18	17	16	16	17	17	18	18	18
Tongue—smoked	38	36	36	35	34	35	35	35	36	36	36
Tripe scalded	11	09	09	08	07	08	08	08	09	09	09
Tripe—cooked	17	15	15	14	13	14	14	14	15	15	15
Cured pork items:											
Snouts	24	22	22	21	20	20	21	21	21	22	22
Ears	19	18	17	17	16	16	16	17	17	17	18
Lips	17	16	16	15	14	14	14	15	15	16	16
Heads (split, brains out)	28	26	26	25	24	24	25	25	26	26	26

(*l*) *Zones.* The zones for variety meats and edible by-products are the same as those for beef, veal, lamb and mutton except for zones 4 and 4-A. The following area is taken out of zone 4 and made into a separate zone called zone 4-A:

Zone 4-A. All that portion of Wisconsin south and west of and including the counties of St. Croix, Dunn, Chippewa, Clark, Jackson, Monroe, Vernon and Crawford.

All that portion of Minnesota south of and including the counties of Washington, Ramsey, Hennepin, Wright, McLeod, Renville, Chippewa, and Lac qui Parle.

All that portion of South Dakota south and east of and including the counties of Deuel, Codington, Clarke, Spink, Faulk, Hand, Jerauld, Aurora and Charles Mix.

All that portion of Nebraska east of and including the counties of Boyd, Holt, Garfield, Valley, Sherman, Buffalo, Kearney and Franklin.

All that portion of Kansas east and north of and including the counties of Smith, Osborne, Russell, Lincoln, Ottawa, Clay, Geary, Wabaunsee, Shawnee, Douglas and Johnson.

All that portion of Missouri west and north of and including the counties of Scotland, Knox, Shelby, Monroe, Audrain, Boone, Howard, Saline, Lafayette and Jackson.

Iowa except the counties of Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines and Lee.

[Sec. 28 added by Am. 5, 8 F.R. 7827, effective 6-21-43 and amended by Am. 11, 8 F.R. 12811, effective 9-30-43; Am. 12, 8 F.R. 14738, effective 10-28-43; and Am. 13, 9 F.R. 1157, effective 2-3-44.]

SEC. 29. *OPA list of retail ceiling prices for miscellaneous beef items*—(a) *Retail ceiling prices for dried beef (sliced)—Group 1 and 2 stores.*

	Price per pound										
	Zone 1	Zone 2	Zone 3	Zone 4	Zone 4a	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10
Bulk unpackaged	87	85	85	84	84	85	85	86	86	86	86
¼ lb. cellophane	23	22	22	22	22	22	22	23	23	23	23

(b) *Retail ceiling prices for dried beef (sliced)—Group 3 and 4 stores and Group 3B and 4B stores.*

	Price per pound										
	Zone 1	Zone 2	Zone 3	Zone 4	Zone 4a	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10
Bulk unpackaged	83	82	81	80	80	81	81	82	82	82	83
¼ lb. cellophane	22	22	21	21	21	21	22	22	22	22	22

[Sec. 29 added by Am. 11, 8 F.R. 12811, effective 9-20-43, except that it shall become effective on 9-8-43 with respect to sales of dried beef (sliced); and amended by Am. 12, 8 F.R. 14738, effective 10-28-43.]

Effective date. This regulation shall become effective May 17, 1943. [MPR 355 originally issued April 5, 1943.]

[Effective date provision amended by Am. 1, 8 F.R. 4922, effective 4-14-43.]

[Effective dates of amendments are shown in notes following parts affected.]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7463; Filed, May 24, 1944; 4:32 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280,[1] Amdt. 45]

MAXIMUM PRICES FOR SPECIFIC FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5165, 7566, 8357, 7196, 7599, 7670, 8065, 8180, 9521, 9386, 9883, 10513, 11811, 13060, 13721, 16597, 16795; 9 F.R. 343, 758, 1622, 2176, 2238, 4027.

2. The Official Table of Consumer Point Values for Kosher Meats (No. 14), referred to in § 1407.3027 (a) is amended in the following respects:

The text, following the item "Hamburger", under the classification "Beef", is amended to read as follows:

Hamburger. Ground from forequarter beef (excluding head meat) having a zero point value and from beef fat.

3. The Official Table of Trade Point Values (No. 14), referred to in § 1407.3027 (a) is amended in the following respects:

a. The items listed below on the table under "Section A—Meats" are amended to read as follows:

Beef (including kosher)	*Points per pound*
Carcass or side (K and S in):	
Grades AA, A, B, and C	5.0
Carcass, side, or quarter:	
Cutters and canners	0.0
Stags and bulls, all grades	0.0
Primal cuts (excluding cutters and canners; and excluding stags and bulls, all grades):	
Boneless beef:	
Stag and bull meat, all grades	0.0
Carcass meat (excluding cutters and canners; and excluding stags and bulls, all grades)	7.1
Hindquarter—(excluding cutters and canners; and excluding stags and bulls, all grades)	9.9
Tenderloin—(excluding cutters and canners; and excluding stags and bulls, all grades)	12.0
Fabricated beef cuts (excluding cutters and canners; and excludings stags and bulls, all grades):	
Tenderloin (whole or part)—excluding cutters and canners; and excluding stags and bulls, all grades)	12.0

b. Footnote 1 (Hamburger) is amended to read as follows:

Hamburger. Ground from beef (excluding head meat) having a zero point value and from beef fat.

This amendment shall become effective May 23, 1944.

(Pub. Law, 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 23d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7389; Filed, May 23 1944; 4:53 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14A[1] to GMPR, Amdt. 16]

MILK AND MILK PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The effective date provision of Amendment No. 14 to Maximum Price Regulation No. 280 is amended to read as follows:

This amendment shall become effective February 22, 1943, and shall terminate on August 23, 1944.

This Amendment No. 45 shall become effective May 23, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7386; Filed, May 23, 1944; 4:51 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 30 to Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Revised Supplement 1 to Ration Order 16 is amended in the following respects:

1. The Official Table of Consumer Point Values (No. 14), referred to in § 1407.3027 (a) is amended in the following respects:

The text, under the heading "Hamburger", is amended to read as follows:

Hamburger. Ground from beef (excluding head meat) having a zero point value and from beef fat.

[1] 8 F.R. 16834, 16839, 16893, 17278, 17306, 17372; 9 F.R. 105, 184, 731, 1181, 1819, 2007, 2091, 2477, 2553, 2789, 3630.

[1] 8 F.R. 9835, 9885, 10514, 12793, 13060, 13724, 15259, 15705, 16604, 16428, 16919, 17199; 9 F.R. 343, 1328, 2176, 3655

has been filed with the Division of the Federal Register.*

The effective date provision of § 1499.73a (a) (1a), as provided for in Amendments Nos. 119 and 184 to Supplementary Regulation No. 14 and Amendments Nos. 2, 4, 11, and 13 to Supplementary Regulation No. 14A, is amended to read as follows:

This amendment shall become effective February 22, 1943 and shall terminate August 23, 1944.

This Amendment No. 16 shall become effective May 23, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7387; Filed, May 23, 1944; 4:55 p. m.]

PART 1302—ALUMINUM

[MPR 2,[1] Amdt. 5]

ALUMINUM SCRAP AND SECONDARY ALUMINUM INGOT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 2 is amended in the following respects:

1. A new section 14 (c) is added to read as follows:

(c) *Sales of butt ends, sheet ends and similar aluminum scrap materials to certain purchasers.* Butt ends, sheet ends and similar aluminum scrap materials which are suitable for further use without remelting may, on sale to a purchaser buying for such use, be sold and delivered at a price to be approved by the Office of Price Administration.

The seller shall determine the net price at which he expects to sell his commodity and shall file such net price with the Office of Price Administration, Washington, D. C., within 15 days after the first sale or delivery of the commodity that is made on or after May 29, 1944.

Pending action by the Office of Price Administration on prices submitted for approval under this paragraph, any such seller may sell or deliver butt ends, sheet ends or similar aluminum scrap materials at the price submitted for approval. If, however, the price submitted is disapproved the selling price shall be revised downward to the maximum price which shall be approved and any payment made in excess of the price so approved may be required to be refunded to the buyer within fifteen days after the date of the order establishing such revised price: *Provided*, That the price submitted by the seller for approval shall be deemed to be approved unless the Office of Price Administration specifically disapproves such price and establishes an approved price within fifteen days from the date on which the price submitted is received by the Office of Price Administration, or if further information is requested from the seller within such fifteen-day period, then within fifteen days from the date on which all such information is received by the Office of Price Administration. A price once approved shall thereafter be subject to adjustment (not to apply retroactively) by order issued by the Administrator.

When filing such a price with the Office of Price Administration, the seller shall set forth, in addition to the net price, the name of the buyer, the quantity sold, the terms of sale and differentials for all classes of buyers, a statement showing how the proposed price was determined, and a description of the use for which the commodity is to be sold.

Except as a higher price may be established pursuant to this paragraph, the maximum price for butt ends, sheet ends and similar aluminum scrap materials which are suitable for further use without remelting shall be the maximum price determined under paragraphs (a) and (b) of this section 14.

This paragraph (c) shall not be applicable to any sale or delivery to a consumer of aluminum scrap as defined in section 13 (a) (4).

This amendment shall become effective May 29, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7446; Filed, May 24, 1944; 12 m.]

PART 1340—FUEL

[MPR 120,[1] Amdt. 99]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 120 is amended in the following respects:

1. In § 1340.210 (a) (1), the clause beginning with the word "except" is deleted and the comma appearing before the deleted word "except" is changed to a period.

2. In § 1340.230 (b), new subparagraph (6) is added to read as follows:

(6) Shipments by rail of coals in Size Groups Nos. 1, 3, 5 and 7 may be made into Market Areas 215 and 217 at prices not exceeding the applicable minimum prices as established by the former Bituminous Coal Division and as in effect at midnight August 23, 1943, where such minimum prices exceed the maximum prices established by this appendix.

3. In § 1340.231 (b), new subparagraph (4) is added to read as follows:

(4) Shipments by rail of coals in Size Groups Nos. 1, 2 and 3 may be made into Market Areas 213, 216, 238, 239 and 248 through 254 at prices not exceeding the applicable minimum prices as established by the former Bituminous Coal Division and as in effect at midnight August 23, 1943, where such minimum prices exceed the maximum prices established by this appendix.

This amendment shall become effective as of May 1, 1944.

(56 Stat., 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7437; Filed, May 24, 1944; 11:57 a. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 509,[2] Amdt. 2]

PACKED CITRUS PRODUCTS OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 509 is amended in the following respects:

1. In the table in section 2.3 (a) item 2 is added to read as follows:

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5		Col. 6		Col. 7	
				Container No. 2 can		Container No. 3 cyl. can		Container No. 10 can	
Item	State or area	Style of pack	Grade	Gov't sales	Other sales	Gov't sales	Other sales	Gov't sales	Other sales
2	California and Arizona.	Natural (unsweetened).	A or fancy	$1.95	$2.00	$4.75	$4.85	$9.60	$9.75
			C or standard	1.90	1.95	4.65	4.75	9.40	9.55
			Offgrade or substandard	1.85	1.90	4.55	4.65	9.20	9.35
		Sweetened	A or fancy	1.975	2.025	4.80	4.90	9.75	9.90
			C or standard	1.925	1.975	4.70	4.80	9.55	9.70
			Offgrade or substandard	1.875	1.925	4.60	4.70	9.35	9.50

[2] 9 F.R. 1512, 2133, 2790.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9495, 9330, 10899, 16982.

2. In the table in section 2.4 (a) item 2 is added to read as follows:

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5		Col. 6		Col. 7	
				Container No. 2 can		Container No. 3 cyl. can		Container No. 10 can	
Item	State or area	Style of pack	Grade	Gov't sales	Other sales	Gov't sales	Other sales	Gov't sales	Other sales
•	•	•	•	•	•	•	•	•	•
2	California and Arizona.	(Natural (unsweetened).	A or fancy	$1.705	$1.755	$4.085	$4.185	18.26	$8.43
			C or standard	1.655	1.706	3.985	4.085	8.06	8.23
			Offgrade or substandard.	1.605	1.655	3.885	3.985	7.86	8.03
		(Sweetened	A or fancy	1.730	1.78	4.135	4.235	8.43	8.68
			C or standard	1.680	1.73	4.085	4.135	8.23	8.38
			Offgrade or substandard.	1.630	1.68	3.985	4.085	8.03	8.18

3. The first two paragraphs of section 3.6, up to but not including the note, are amended to read as follows:

SEC. 3.6 *Maximum prices for products in new container types or sizes.* The maximum price per unit for any item which is packed in a new container type or size for which no maximum price is otherwise provided shall be figured under the following pricing method.

"New container type or size" means a container type or size for which no maximum price is named.

For each such item, the processor shall:

(a) *Determine the base container.* If the processor sold the same product (that is, the same kind, variety, grade, brand and style of pack) prior to the effective date of this regulation, but only in other container types or sizes, he shall first determine the most similar container type for which he is able to figure a maximum price for that product under this regulation without using the pricing method of this section (even though he no longer sells that container type). From that container type he shall choose the nearest size which is 50% or less larger than the new size, or if there is no such size, 50% or less smaller (even though he no longer sells those sizes). This will be the base container. If there is no such smaller size, he shall go to the next most similar container type and proceed in the same manner to determine the base container.

4. Section 2.5 is added to read as follows:

SEC. 2.5 *Sales between processors for purpose of fulfilling government set-aside requirements of War Food Order 22.* The processor's maximum price per dozen containers, f. o. b. factory, for any item of packed citrus products of the 1944 and later packs, in sales to another processor of those products, which are to be used by the purchaser in making sales to government procurement agencies under the set-aside requirements of War Food Order 22 shall be the maximum price set forth in sections 2.1, 2.2, 2.3 and 2.4 for sales of the item to government procurement agencies.

*Copies may be obtained from the Office of Price Administration.

This amendment shall become effective May 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7438; Filed, May 24, 1944; 11:58 a. m.]

PART 1349 — ELECTRICAL GENERATION, TRANSMISSION, CONVERSION AND DISTRIBUTION APPARATUS

[RPS 82, Amdt. 9]

WIRE, CABLE AND CABLE ACCESSORIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule 82 is amended in the following respects:

Section 1349.17, Appendix A (d), is amended by adding to the "Schedule of Manufacturers' Prices to Jobbers" the following items:

ARMORED LEADED CABLE—STRANDED—FOUR CONDUCTOR

Size	Feet per coil	Zone 1-A	Zone 1	Zone 2	Zone 3
14/4	150	147.80	150.40	155.60	161.40

BARE ARMORED GROUND WIRE—SOLID

8/1	250	32.12	32.90	34.00	35.53
6/1	250	42.24	43.24	45.10	47.10
4/1	250	60.30	61.71	64.02	66.90

BARE ARMORED GROUND WIRE—STRANDED

8/1	250	35.20	36.00	37.20	38.94
6/1	250	46.20	47.41	49.10	51.20
4/1	250	67.32	68.80	71.10	73.81

This amendment shall become effective May 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7439; Filed, May 24, 1944; 11:58 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 289,[1] Amdt. 3]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 289 is amended in the following respects:

1. Section 21 (a) (1) (i) is amended to read as follows:

(i) The maximum prices for sales and deliveries of evaporated milk by manufacturers thereof in carload lots delivered to the buyer's customary receiving point shall be as set forth in Table A below:

TABLE A

If delivered in	Carton of 48 14½-oz. cans per carton	Carton of 48 13-oz. cans per carton	Carton of 96 6-oz. cans per carton	Carton of 96 6-oz. cans per carton	Carton of 6 8-lb cans per carton
Zone 1	$4.10	$3.85	$2.05	$4.10	$4.10
Zone 2	4.20	3.95	2.10	4.20	4.20
Zone 3	4.20	3.95	2.10	4.20	4.20

except that for cans of 14-ounce capacity the maximum price per carton of 48 shall be 8 cents less than the above prices for 14½-ounce cans, and for cans of 13½-ounce capacity the maximum price per carton of 48 shall be 16 cents less than the above prices for 14½-ounce cans.

2. Section 21 (a) (1) (iv) is amended to read as follows:

(iv) If evaporated milk is delivered by the manufacturer to the buyer's customary receiving point at the points listed below within zones 1 and 3, the maximum prices shall be the appropriate price in Table A, plus the following allowances:

10 cents per carton for cartons of 48 14½-oz. cans.
10 cents per carton for cartons of 48 13-oz. cans.
10 cents per carton for cartons of 96 6-oz. cans.
10 cents per carton for cartons of 6 8-lb. cans.
5 cents per carton for cartons of 48 6-oz. cans.

Any other size can shall take the allowance of the can nearest its size.

Deliveries in Zone 1 to all of New Mexico except Clayton, Dawson, Eaton, Artesia, Carlsbad, Roswell and Hobbs; and deliveries to Sheridan, Greybull and Worland in Wyoming.

Deliveries in Zone 3 to all Arizona, except Yuma; deliveries to Needles, El Portal and Alturas in California; deliveries to Montana; and deliveries to Boulder City, Hy. McGill and Las Vegas in Nevada.

3. Section 21 (a) (2) (ii) is amended to read as follows:

(ii) *Other sales and deliveries.* The maximum prices for all other sales and deliveries of evaporated milk or British Standard evaporated milk by manufacturers in less than carload lots delivered to the buyer's customary receiving point shall be the appropriate price in subparagraph (1) (i) of this paragraph plus the following:

5 cents per carton for cartons of 48 14½-oz. cans.
5 cents per carton for cartons of 48 13-oz. cans.
5 cents per carton for cartons of 96 6-oz. cans.
5 cents per carton for cartons of 6 8-lb. cans.
2½ cents per carton for cartons of 48 6-oz. cans.

Any other size can shall take the allowance of the can nearest its size.

This amendment shall become effective May 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F. R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7440; Filed, May 24, 1944; 11:57 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 336,[1] Amdt. 14]

RETAIL CEILING PRICES FOR PORK CUTS AND CERTAIN SAUSAGE PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 336 is amended in the following respects:

1. Section 2 (d) is amended to read as follows:

(d) Your store is a chain store if it is one of 4 or more stores owned by one person which have combined annual gross sales of $500,000 or more.

2. Section 2 (e) is added to read as follows:

(e) Consult the directions given in sections 11, 12 and 13 to find your annual gross sales.

Effective May 25, 1944, this regulation requires that the year 1943 be used as the basis for figuring your annual gross sales instead of the year 1942. If you find that as a result of that change, your store is now in a group different from the one it was in before, you must, on and after June 15, 1944, use the ceiling prices fixed for the group in which you are now classified.

*Copies may be obtained from the Office of Price Administration.
[1] 9 F.R. 167, 2212.

3. Section 11 is amended to read as follows:

SEC. 11. *How you figure the annual gross sales of your store in most cases.* (a) To find your annual gross sales, take your gross sales for the calendar year 1943. Include all sales, whether of foods or not, as shown on your books, except sales made by a restaurant operated in conjunction with your store. A Federal Income Tax Return will be accepted as good evidence of your gross sales for all or any part of the calendar year 1943 which is covered by such return. If you own more than one store, figure the sales for each store separately, treating it as a separate retailer.

(b) If you were not in operation during the entire year 1943, you must divide your total gross sales from the time you began operation up to May 25, 1944, by the number of weeks you were in operation. This will give you your weekly average gross sales. Multiply this figure by 52 and take the result as your annual gross sales.

4. The first sentence in section 13 is amended to read as follows:

SEC. 13. *How to find your annual gross sales if you are a new retailer.* If you open a retail store after May 25, 1944, which is not then a chain store, you must consider yourself a "Group 1 and 2" retailer and figure your ceiling prices accordingly.

5. The first sentence in section 16 (b) is amended to read as follows:

(b) If your store does business in the way set forth above and you want to sell at the ceiling prices for "Group 1 and 2" stores you must by June 24, 1944, file with your District OPA Office a request to use such ceiling prices.

6. The product name headings of items 18B, 18C and 18D in the price tables in section 19 for both Group 1 and 2 and Group 3 and 4 stores are amended to read as follows:

18B. Pork loins, rib half or end or chops:
18C. Pork loins, loin half or end or chops:
18D. Pork loins, center cut (piece or chops):

7. Items 27A and 27B in the price tables in section 19 for both Group 1 and 2 and Group 3 and 4 stores are amended by deleting therefrom subitem 5.

8. Item 29 in the price table in section 19 for Group 1 and 2 stores is redesignated item 30 and item 25 in the price table in section 19 for Group 3 and 4 stores is redesignated item 30.

9. New items 29A and 29B in the price table in section 19 for Group 1 and 2 stores are added to read as follows:

	Zone 1, Group 1-2	Zone 2, Group 1-2	Zones 3 and 4, Group 1-2	Zone 4a, Group 1-2	Zone 5, Group 1-2	Zones 6 and 7, Group 1-2	Zones 8 and 9 North, Group 1-2	Zones 8 and 9 South, Group 1-2	Zone 10, Group 1-2
•	•	•	•	•	•	•	•	•	•
29A. Cappicola butts, whole or piece	61	61	60	58	59	59	60	60	61
29B. Cappicola butts, store sliced	69	69	67	66	66	67	67	68	69

10. New items 29A and 29B in the price table in section 19 for Group 3 and 4 stores are added to read as follows:

	Zone 1, Group 3-4	Zone 2, Group 3-4	Zones 3 and 4, Group 3-4	Zone 4a, Group 3-4	Zone 5, Group 3-4	Zones 6 and 7, Group 3-4	Zones 8 and 9 North, Group 3-4	Zones 8 and 9 South, Group 3-4	Zone 10, Group 3-4
•	•	•	•	•	•	•	•	•	•
29A. Cappicola butts, whole or piece	60	60	58	57	57	58	58	59	59
29B. Cappicola butts, store sliced	67	66	65	63	64	64	65	65	66

This amendment shall become effective May 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7445; Filed, May 24, 1944; 12:00 m.]

PART 1384—HARDWOOD LUMBER PRODUCTS

[MPR 176[1], Amdt. 10]

SOUTHERN ROTARY CUT BOX GRADE VENEER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 176 is amended in the following respect:

A new § 1384.14 is added to read as follows:

§ 1384.14 *Overtime addition*—(a) *Amount of addition.* The Price Administrator may authorize any manufacturer of box grade veneer to make the following overtime additions on sales from any plant meeting all the conditions stated below:

Average hours worked per week:	Additions per M'BM
48 to 53 hours	$1.75
54 to 59 hours	2.50
60 hours or more	3.25

(b) *When addition begins.* Before making any overtime addition or increasing the amount of any previous overtime addition, a manufacturer must

[1] 7 F.R. 5180, 7248, 7454, 8049; 8 F.R. 2993, 4720, 7490, 13250; 9 F.R. 1727, 2032.

actually receive specific authorization, which may be granted by order. This authorization may not be made until the report called for by paragraph (f), supporting the requested addition, has been received by the Office of Price Administration.

(c) *When addition ends.* An overtime addition is automatically revoked or reduced when the average number of hours worked per week falls below those specified, whether any specific notice to that effect is received from the Office of Price Administration or not. Moreover, an authorization is automatically revoked by failure to report the information required in paragraph (f) within the time specified.

(d) *To what sales addition applies.* The overtime addition may be made only during the month following the month in which the overtime hours were worked. The footage on which the addition may be applied may not be greater than the footage actually produced in the month during which the sales are being made or the month in which the overtime hours were worked whichever is the smaller production. For example, suppose that the average hours worked in April were 48 and the production was 400,000 feet; and suppose that only 300,000 feet were produced during May, the overtime addition of $1.75 could then be applied only to 300,000 feet.

(e) *How to figure average hours per week.* The average hours worked per week must be figured by dividing the man hours worked during the month by the number of workers on the pay roll paid by the piece or by the hour during the month. The resulting figure must be divided by the number of weeks, including fractions of weeks, in the month. In determining the number of workers and man hours to be used, all employees engaged in production of box grade veneer must be considered. If loggers for the box grade veneer operation are carried on the plant pay roll, they may or may not be included, at the option of the manufacturer.

(f) *Monthly report.* The following report must be made before any overtime addition can be authorized, and must also be made before the 15th of each month by any manufacturer who has received an authorization:

(1) Number of workers employed at hourly rates or piece rates on the plant pay roll during the preceding calendar month.

(2) Number of man hours worked during the preceding month by these workers.

(3) Production (in MBM) of box grade veneer and any other kind of veneer during the preceding month, showing box grade production separately.

(4) (After the first month's report) Sales (MBM) of box grade veneer on which an overtime addition has been made during the preceding month.

(5) This report should be addressed to the Lumber Branch, Office of Price Administration, Washington, D. C. The report of any manufacturer already authorized must be filed by the 15th of each month. The date of the postmark or time of sending of the telegram shall be considered the time of filing of these reports.

This amendment shall become effective May 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7441; Filed, May 24, 1944; 11:57 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 126]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rational accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7851 (b) (2) (x) is added to read as follows:

(x) To transport any person to and from an agricultural or food processing establishment for the purpose of performing manual labor on a temporary basis which is necessary to the operation of such establishment. The issuance of any ration under this subdivision shall be subject to the following conditions:

(*a*) Travel must be necessary as a part of an organized government plan to facilitate food production.

(*b*) No Board may issue a ration unless it has been designated by the District Director to receive applications and issue rations in accordance with such government plans. The District Director shall designate an appropriate Board to issue such rations only where he finds that a government plan to facilitate food production has been organized for a particular area and that the temporary labor of persons, who are not normally or regularly engaged in the production or processing of food, is required for the success of the plan.

(*c*) No ration may be issued to a person for use while engaged in sales, promotional or merchandising activities.

(*d*) No ration may be issued unless the applicant will carry four persons including the driver or as many persons as the capacity of the vehicle will permit.

(*e*) No ration may be issued unless the County Agricultural Agent or his farm-labor assistant recommends to the Board:

(*1*) That the work is essential;

(*2*) That the applicant and the persons who are to ride with him are capable of performing the particular job;

(*3*) The amount of mileage required by the applicant to travel to perform the work.

2. Section 1394.7851 (c) (4) is amended to read:

(4) If application is made pursuant to paragraph (b) (1) (i) or (iii) or paragraph (b) (2) (i), (ii), (iii), (v), (vi), (viii) or (x) or paragraph (b) (8), or for use with a motorboat pursuant to paragraph (b) (5) (i) or (ii) of this section, the alternative means of transportation which are available and the reasons, if any, why such alternative means are not reasonably adequate for the purpose.

This amendment shall become effective May 24, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 24th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7442; Filed, May 24, 1944; 11:55 a. m.]

PART 1395—NONFERROUS FOUNDRY PRODUCTS

[RMPR 125,[1] Amdt. 5]

NONFERROUS CASTINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 125 is amended in the following respects:

1. Section 1395.3 (b) is amended to read as follows:

(b) Second, reduce the base price in accordance with the following provisions of this paragraph. The base price to be reduced is the base price established before February 1, 1943; the reductions provided below are to be in place of (not in addition to) the reduction formerly required by this paragraph before the February 1, 1944 amendment of the paragraph.

Example: In the case of an 88-10-2 casting a reduction of only 1¢ per pound is now required. If the base price before February 1, 1943 was 41¢ per pound, the price, before the February 1, 1944 amendment, was reduced by this paragraph to 39½¢. The reduction now required is not subtracted from the 39½¢ but from the original 41¢, making a present price of 40¢.

(1) *Amount of reduction.* The amount of the reduction, except as provided by the further subdivisions of this paragraph (b), shall be as follows:

(i) If the specification calls for copper or copper base alloy for the casting, the reduction shall be in the amount stated below. Specifications are indicated by OPA group and alloy numbers as used in § 1309.165 of Maximum Price Regulation No. 202. If the specification of the casting to be priced is not listed, the price of such casting is to be reduced in the amount indicated for a casting which is of the most similar specification listed.

	Reduction in cents per pound
(*a*) 97% or more copper	(2)
(*b*) 85-5-5-5 group (OPA Nos. 100-132, inclusive)	(2)
(*c*) 80-10-10 group (OPA Nos. 295-326, inclusive)	(2)
(*d*) 88-10-2 group (OPA Nos. 193-256, inclusive)	1
(*e*) Yellow brass group (OPA Nos. 400-409, inclusive	1¼
(*f*) Silicon bronze group (OPA No. 500)	1
(*g*) All other copper base alloys	1½
(ii) If aluminum or aluminum base alloy is specified for the casting, the reduction shall be	3
(iii) If magnesium or magnesium base alloy is specified for the casting, the reduction shall be	3

[2] No reduction.

(2) *Specification is the test.* In figuring the reduction under subparagraph (1), the test is the metal specification for the casting to be priced. The test is not the individual metal or metals (alloy, virgin or scrap) used in making up the specification.

Example: If the specification calls for 88-10-2 the reduction of 1¢ per pound is required even though the foundry uses virgin copper in part in making the casting to the 88-10-2 specification.

The test is the specification of metal at the time of the pricing involved and not at the time the casting was made for the first time or at any other time in the past.

(3) *Previous reduction and showing.* (i) If the base price already reflects reductions made because of reductions in the maximum prices of metals or alloys between September 30, 1941 and February 1, 1943, and full showing of the earlier reductions is first made (before collecting of the price) or has been made to the Office of Price Administration at Washington, D. C., the reductions under this paragraph need only be made to the extent that the previous reductions are less than the amounts required. A showing may be made by letter or the Office of Price Administration may provide a form for the purpose. Unless and until a showing is disapproved, the reductions need only be made to the extent that the previous reductions shown are less than the amounts required. However, if the showing is disapproved, refund must be made to the extent that the showing is disapproved, within ten days after the disapproval.

(ii) Where prior reduction has been made in the price of any 85-5-5-5 or 80-10-10 casting as provided above and proper showing has been made to the Office of Price Administration, the base price of such casting may now be increased by whichever of the following is lower: (*a*) the amount of the reduction, or (*b*) 1 cent per pound in the case of an 85-5-5-5 casting and 1¼ cents per pound in the case of an 80-10-10 casting.

(4) *"Toll" transactions.* In the case of a "toll," "conversion" or "service" agreement, in which the metal or part of the metal for the castings is required to be sold or otherwise furnished to the seller of the castings by the buyer or by any person on the buyer's behalf, the reductions under this paragraph need only be made to the extent of metal furnished by the seller.

(5) *Limitations as to sellers who received individual price adjustments prior to February 1, 1944.* A seller who received an individual price adjustment order, issued by the Office of Price Administration under Revised Maximum Price Regulation No. 125 after February 1, 1943 and before February 1, 1944, is not permitted to use the modified reductions provided in paragraph (b) (1) for copper and copper base alloy castings until his adjustment order has expired or been revoked. Such a seller, except as he may be relieved of the requirement by his adjustment order, must continue to give effect to the 1½ cents reduction when figuring his maximum prices for copper and copper base alloy castings under § 1395.3. He may, however, make the additions permitted by § 1395.4a below.

2. Section 1395.4 (b) (4) is added to read as follows:

(4) If the specification calls for production of a casting of one of the alloys listed below, the price, if it was first determined by formula prior to April 1, 1944, may be increased in accordance with the provisions of this subparagraph. This is to be a flat increase per pound and not an increase to be made by reformulating the price and inserting the additional amount in metal price. This increase shall be in the amount stated opposite the specifications indicated by OPA group and alloy numbers.

	Increase in cents per pound
(*a*) 85-5-5-5 group (OPA Nos. 100-132, inclusive)	1
(*b*) 80-10-10 group (OPA Nos. 295-326, inclusive)	1¼

NOTE: For the meaning of specification see § 1395.3 (b) above.

3. Section 1395.4a is added to read as follows:

§ 1395.4a *Sellers having special adjustment orders.* A seller who received an individual price adjustment order, issued by the Office of Price Administration under Revised Maximum Price Regulation No. 125 after February 1, 1943 and before February 1, 1944, may add to the maximum prices of any casting of 85-5-5-5 or 80-10-10 specifications increases in the same amounts as are provided in § 1395.4 (b) (4) above. (These increases are not in addition to those which might be allowed in some cases by § 1395.4 (b) (4).)

This amendment shall become effective May 24, 1944. This amendment supersedes Amendment 3, which became effective February 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7443; Filed, May 24, 1944; 11:59 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 183,[1] Amdt. 39]

SEED IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 183 is amended in the following respects:

1. Section 30 is amended by the addition of the following:

NOTE: The above prices do not apply on sales of seeds to the Federal or Insular Government or to the agencies of either, which sales are exempted from price control.

2. Section 35, Table 22, is amended by the addition of the following:

NOTE: The prices on corn seed do not apply on sales of such seed to the Federal or Insular Government or to the agencies of either, which sales are exempted from price control.

This amendment shall become effective May 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7447; Filed, May 24, 1944; 11:58 a. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[RMPR 324,[1] Amdt. 3]

EASTERN FENCE POSTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 324 is amended in the following respects:

1. The title of the regulation and the reference thereto in § 1426.201 is changed to read "Eastern Fence Posts", and the phrase "fence posts" wherever it appears is changed to "eastern fence posts".

2. Section 2 is amended to read as follows:

SEC. 2. *Purpose and coverage of this regulation.* (a) This regulation establishes specific maximum prices for all sales of Eastern fence posts of the species listed in paragraph (c) below when produced in the limited area specified in that paragraph for each "species" and in the heading to the tables in section 4. Species not listed and species listed in paragraph (c) but produced in any other part of the general territory covered by this regulation remain subject to the General Maximum Price Regulation ex-

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15937.

[1] 8 F.R. 1271, 2597, 2721; 9 F.R. 576, 3876.

cept on sales by retail yards which are covered in section 3.

(b) *Territory.* "Eastern" territory covered by this regulation is defined as follows: All states east of the Mississippi River and the following area west of the Mississippi River: All of the States of Minnesota, Iowa, Nebraska, Kansas, Missouri, Arkansas, and Louisiana; all of Oklahoma except Cimarron, Texas, and Beaver Counties; and that part of Texas within or east of Hardeman, Foard, Knox, Haskell, Jones, Taylor, Runnels, Concho, Menard, Kimble, Kerr, Real, Uvalde, Zavala, Dimmit, and Webb Counties.

(c) *Species.* (1) Northern White Cedar (Thuja occidentalis), produced in the States of Michigan, Minnesota, Wisconsin, Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont.

(2) Yellow pine, including shortleaf pine (Pinus echinata), loblolly pine (Pinus Taeda), slash pine (Pinus caribaea), or longleaf pine (Pinus palustris), and any other species commercially known as Southern yellow pine, produced at any point in Eastern territory as covered by this regulation.

(3) Arkansas red cedar (Juniperus virginiana) produced in Arkansas, Louisiana, Oklahoma, and Missouri.

(4) Tennessee red cedar (Juniperus virginiana) produced in Tennessee, Alabama, Kentucky, Virginia, Georgia, North Carolina, South Carolina, West Virginia, Indiana, and Ohio.

(5) Texas mountain cedar (Juniperus mexicana and Juniperus pinchotii) produced in Texas and Oklahoma.

(6) Black locust (Robinia pseudoacacia) produced in Arkansas.

(7) All species of oak (Quercus) produced in Arkansas.

(8) Tamarack (Larix Laricina) produced in the States of Michigan, Minnesota and Wisconsin.

(d) The term "fence posts" as used in this regulation includes fence posts and stakes, round or split, peeled or unpeeled, untreated or treated. Material may be sold under this regulation as a "fence post" only if it is not greater than eight inches in diameter nor longer than 14 feet and for actual end use as support for fencing. "Diameter" refers to the diameter measured under the bark.

(e) All posts priced in this regulation must be of sound live timber free of decay, splits, large or numerous knots or knot holes, etc., that would impair strength or durability, except other grades specifically priced in the tables of section 4.

2. In section 3 a new paragraph (e) is added, to read as follows:

(e) *Sales by distributors or retail yards of posts priced in Maximum Price Regulation 536.* The price and basing point to be used in computing prices under paragraphs (b) and (c) above for all species priced in Maximum Price Regulation 536 are set forth in section 4 of that regulation.

3. In section 4, Tables 8, 10, and 11 are deleted and a new Table 8 is added, to read as follows:

TABLE 8—TAMARACK

[Species: Unpeeled Tamarack (Larix laricina) produced in Michigan, Minnesota and Wisconsin. Basing points: Gemmell, Minnesota; Rexton, Michigan; Rhinelander, Wisconsin]

[F. o. b. loading-out point]

Diameter at small end	Length	Price each post	Estimated weights (lbs. per post)
	Feet		
4" Round	6	$0.15	20
5" Round	6	.17	27
6" Round	6	.19	38
2" Round	7	.08	15
3" Round	7	.12	25
4" Round	7	.20	35
5" Round	7	.28	51
6" Round	7	.36	73
7" Round	7	.31	95
8" Round	7	.44	110
2" Round	8	.13	40
4" Round	8	.22	51
5" Round	8	.28	61
6" Round	8	.36	86
7" Round	8	.44	110
8" Round	8	.48	131
4" Round	10	.40	66
5" Round	10	.45	80
6" Round	10	.55	110
7" Round	10	.70	131

4. In section 5 (a) the reference "section 3 (a) (2)" is amended to read "section 3 (c)".

5. A new section 15 is added, to read as follows:

SEC. 15. *Exports and imports.* (a) The maximum price for export sales of all fence posts is governed by the Second Revised Maximum Export Price Regulation.[2]

(b) The basic maximum price for imported fence posts of the listed species is the maximum price shown for the particular species in section 4. This basic maximum price applies f. o. b. cars at the port of entry, and must be used for computation of maximum resale prices under section 3. Transportation additions permitted by section 5 or section 3 must be computed from the basing point shown for the particular species in section 4. If more than one basing point is shown, the one nearest the port of entry must be used.

The maximum price for sales of imported fence posts of unlisted species is governed by the Maximum Import Price Regulation.[3]

This amendment shall become effective May 29, 1944.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7444; Filed, May 24, 1944; 11:59 a. m.]

[2] 8 F.R. 4132, 5987, 7662, 9098, 15198.
[3] 8 F.R. 11681, 12287.

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[MPR 536]

WESTERN FENCE POSTS

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[*] Such specifications and standards as are used in this regulation were, prior to such use, in general use in the industry affected and were required by other Government agencies.

§ 1426.253 *Maximum prices for Western fence posts.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Orders No. 9250 and 9328, Maximum Price Regulation No. 536 (Western Fence Posts), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1426.253, issued under 56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 536—WESTERN FENCE POSTS

ARTICLE I—SCOPE OF THE REGULATION

Sec.
1. Sales at over-ceiling prices prohibited.
2. Products, species and transactions covered.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

3. How to figure maximum prices.
4. Tables of maximum prices.
5. Transportation addition.
6. Special sizes and grades of listed species.
7. Treated products.

ARTICLE III—SPECIFIC DUTIES AND PRIVILEGES AND PROHIBITED PRACTICES

8. Display of maximum prices.
9. Prohibited practices.
10. Adjustable pricing.
11. Petitions for amendment.
12. Records.
13. Enforcement.
14. Licensing.

ARTICLE I—SCOPE OF THE REGULATION

SECTION 1. *Sales of Western fence posts at over-ceiling prices prohibited.* (a) On and after May 29, 1944, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive, any Western fence posts or split products covered by this regulation at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

[*] Copies may be obtained from the Office of Price Administration.

SEC. 2. *Purpose and coverage of this regulation.* (a) This regulation establishes specific maximum prices for all sales of Western fence posts of the species listed in paragraph (c) below when produced in the limited area specified in that paragraph for each "species" and in the headings to the tables in section 4. Species not listed, and species listed in paragraph (c) but produced in any other part of the general territory covered by this regulation, remain subject to the General Maximum Price Regulation[1] except on sales by retail yards which are covered in section 3.

(b) *Territory.* "Western" territory covered by this regulation is defined as follows: Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming; Cimarron, Texas and Beaver Counties, Oklahoma; and that part of Texas within or west of Lipscomb, Hemphill, Wheeler, Collingsworth, Childress, Cottle, King, Stonewall, Fisher, Nolan, Coke, Tom Green, Schleicher, Sutton, Edwards, Kinney, and Maverick Counties.

(c) *Species.* (1) Western Red Cedar (Thuja plicata) produced in Idaho, Montana, Oregon, and Washington.

(2) Redwood (Sequoia Sempervirens) produced in California.

(d) The term "fence posts" as used in this regulation includes fence posts and stakes, round or split, peeled or unpeeled, untreated or treated. Material may be sold under this regulation as a "fence post" only if it is not greater than eight inches in diameter nor longer than 14 feet and for actual end use as support for fencing or related agricultural uses. "Diameter" refers to the diameter measured under the bark.

(e) All posts priced in this regulation must be of sound live timber free of decay, splits, large or numerous knots or knot holes, etc., that would impair strength or durability, except other grades specifically priced in the tables of section 4.

SEC. 3. *How to figure maximum prices.* (a) The maximum prices for posts of the listed species for all sales except sales to industrial users, sales by distributors to retailers, and sales out of retail yards, are shown in the tables in section 4.

(b) *Maximum prices for sales to industrial users.* Industrial users for the purpose of this regulation are federal, state, and municipal governments, industrial plants, and transportation systems, which use fence posts for the protection and maintenance of their properties. The maximum prices for sales of fence posts to an industrial user shall be determined as follows:

(1) *Listed species; untreated or treated by non-pressure methods.* (i) The maximum price from section 4, plus

(ii) An addition for freight computed by multiplying the appropriate estimated weight given in section 4 by the carload freight rate from the basing point given for that species which is nearest the seller's shipping point, plus

(iii) A mark-up of 15 percent to the total of (i) and (ii).

[1] 9 F.R. 1385.

(2) *Listed species, pressure treated.* (i) The maximum price from section 4 for the same size and species of post, plus

(ii) The appropriate additions for pressure treatment shown in Maximum Price Regulation 491, section 19[1] (c), Table 3, plus

(iii) An addition for freight computed by multiplying the appropriate estimated weight given in section 4 by the carload freight rate from the basing point given for that species which is nearest the seller's shipping point.

(3) *Species not listed; treated or untreated.* The seller's General Maximum Price Regulation price including delivery to destination shall apply.

(c) *Maximum prices for distributors' sales to retail yards.* On sales by a distributor to a retailer, the maximum prices for untreated posts shown in section 4 may be increased 15 percent, provided the sale is in less-than-carload quantity and the distributor's stock from which the sale is made is maintained outside the normal production area of the species sold.

NOTE: Retailers buying posts under this provision and reselling to consumers are still limited to resale prices determined according to paragraph (d) below.

(d) *Maximum prices for retail yard sales.* A "retail yard" under this regulation is a wholesale or retail lumber yard or other retail business which gets fence posts from producers, concentrators, or wholesalers; unloads, stores, and resells them to consumers; which regularly maintains a stock of merchandise including fence posts; which sells mostly for local delivery by truck; and which has been located at its particular site in order to be near a consuming area. The maximum prices for retail yard sales of fence posts, treated or untreated, shall be determined as follows:

(1) *Listed species; untreated or treated by non-pressure methods.* (i) The maximum price from section 4 for the same size and species of post, plus

(ii) An addition for inbound freight computed by multiplying the appropriate estimated weight given in section 4 by the carload freight rate from the basing point given for that species which produces the lowest rate to the seller's retail yard, plus

(iii) A mark-up of 33⅓ percent to the total of (i) and (ii).

(2) *Listed species; pressure treated.* (i) The maximum price from section 4 for the same size and species of post, plus

(ii) The appropriate addition for pressure treatment shown in Maximum Price Regulation 491, section 10 (c), Table 3, plus

(iii) An addition for freight computed by multiplying the appropriate estimated weight given in section 4 by the carload freight rate from the basing point given for that species which produces the lowest rate to the seller's retail yard, plus

(iv) A mark-up of 25 percent to the total of (i), (ii), and (iii).

(3) *Species not listed; treated or untreated.* (i) The General Maximum Price Regulation price of the supplier from whom the posts are bought, plus

(ii) Actual transportation costs from the supplier's shipping point to the retail yard, plus

(iii) A mark-up of 33⅓ percent to the total of (i) and (ii).

(4) *Retail yard delivery charges.* The maximum prices for retail yard sales established under this paragraph (c) include free delivery within the mileage limits and to those classes of customers to whom free delivery was extended in March 1942. On retail yard sales to those classes of customers to whom free delivery was not included in March 1942, or beyond free delivery limits, an additional charge for delivery may be made, according to (i) or (ii) below.

(i) *Private truck.* When delivery is by truck owned or controlled by the seller, the amount added for delivery may not be more than the actual cost to the seller of delivery by truck. This "actual cost" may not be higher than the over-all average trucking cost for a similar delivery arrived at as of the 12-month period ending December 31, 1942.

(ii) *Common or contract carrier.* When delivery is made by common or contract carrier only the actual amount paid to the carrier for transportation of the fence posts may be added.

(e) *Sales by distributors or retail yards of posts priced in RMPR 324.* The price and basing points to be used in computing prices under (c) and (d) above for all species priced in Revised Maximum Price Regulation 324 are set forth in section 4 of that regulation.

SEC. 4. *Tables of maximum prices.* The maximum prices for the species listed below are f. o. b. cars railroad loading-out point or f. o. b. trucks at the truck loading point as specified in the table headings. If a delivered price is to be quoted see section 5 for the permitted transportation addition.

TABLE 1—WESTERN RED CEDAR

[Species: Red Cedar (Thuja Plicata). Basing points: Sandpoint, Idaho; Tacoma, Washington; and Eugene, Oregon.]

Diameter at small end (except on quarters which are measured by width of flat side)	Length	F. o. b. cars railroad loading-out point (price per 100 pcs.)	F. o. b. trucks, truck loading point (price per 100 pcs.)	Estimated weights (lbs. per post)
	Feet			
4" Split	6½	$15.00	$12.00	14
5" Split	6½	16.00	12.80	18
6" Split	6½	18.00	14.40	25
4" Split	7	17.00	13.60	15
5" Split	7	18.00	14.40	20
6" Split	7	20.00	16.00	30
7" Split	7	22.00	17.60	45
4" Round	7	31.00	24.80	24
5" Round	7	38.00	30.40	35
6" Round	7	42.00	33.60	50
7" Round	7	49.00	39.20	65
4" Round	8	34.00	27.20	35
5" Round	8	42.00	33.60	45
6" Round	8	46.00	36.80	55
7" Round	8	54.00	43.20	75
8" Round	8	66.00	52.80	90
4" Round	10	40.00	32.00	45
5" Round	10	50.00	40.00	55
6" Round	10	55.00	44.00	75
7" Round	10	65.00	52.00	100
8" Round	10	80.00	64.00	125
4" Round	12	52.00	41.60	55
5" Round	12	61.00	48.80	75
6" Round	12	70.00	56.00	90
4" Round	14	56.00	44.80	65
5" Round	14	70.00	56.00	85
6" Round	14	84.00	67.20	110

[1] 8 F.R. 15594.

TABLE 2—No. 1 SPLIT REDWOOD POSTS—ROUGH GREEN

[As per paragraph 188 Standard Specifications for Grades of California Redwood Lumber]

[Basing Point: Scotia, California]

Size	Length	F. o. b. cars railroad loading-out point (price per post)	F. o. b. trucks, truck loading point (price per post)	Estimated weights (lbs. per post)
	Feet			
2" x 4".....	6½	$0.23	$0.185	26
3" x 4".....	7	.23	.185	28
4" x 5".....	7	.35	.28	48
4" x 5".....	8	.36	.29	52

TABLE 3—No. 1 SPLIT REDWOOD STAKES—ROUGH GREEN

[As per paragraph 189 Standard Specifications for Grades of California Redwood Lumber]

[Truck and rail basing point: Scotia, California]

Size	Length	F. o. b. cars, railroad loading-out point (price per M pcs.)	F. o. b. trucks, truck loading point (price per M pcs.)	Truck transportation addition per mile per M stakes	Estimated weights (lbs. per M pieces)
	Feet				
2" x 2".....	3	$25.00	$28.00	$0.045	4,000
2" x 2".....	4	45.00	36.00	.06	5,333
2" x 2".....	5	60.00	48.00	.075	6,666
2" x 2".....	6	70.00	56.00	.09	8,000
2" x 2".....	7	85.00	68.00	.105	9,333
2" x 2".....	8	96.00	76.00	.12	10,666
2" x 2".....	9	115.00	92.00	.135	12,000
2" x 2".....	10	135.00	108.00	.15	13,333
2" x 2".....	12	150.00	120.00	.18	16,000
2" x 3".....	8	100.00	80.00	.135	12,000
2" x 3".....	7	115.00	92.00	.1575	14,000

SEC. 5. *Transportation addition.* Except as specially provided in section 3 (d) covering retail-yard sales and in paragraph (d) of this section for split redwood stakes hauled by trucks the following rules apply for computing transportation addition:

(a) *Railroad or common carrier truck delivery.* (1) The addition shall be computed from the applicable basing point specified in the heading of the appropriate price table. In the case of Western red cedar (Table 1) where more than one basing point is given, the applicable basing point is the one nearest the shipper's actual loading-out point. When the estimated weights in the tables of section 4 are used, the appropriate published rate times the estimated weight is the proper transportation charge, even though the estimated weights may be higher than actual. Estimated weights higher than those set forth in the appendices may not be used.

(2) When estimated weights are not used, the amount added for transportation must not be more than the amount actually paid to the common carrier.

(b) *Contract truck delivery.* When shipment is by "contract carrier" the proper addition is the estimated weight times the contract carrier's rate.

(c) *Private truck delivery.* When shipment is by truck owned or controlled by the seller the maximum permissible addition shall be computed as 5 cents per 100 pounds for hauls of not over 10 miles, 7 cents per 100 pounds for hauls of more than 10 but not over 20 miles, 9 cents per 100 pounds for hauls of more than 20 but not over 30 miles, and for each 10 miles over 30 miles, 1 cent per 100 pounds to be added to the 30-mile charge.

(d) In the case of split redwood stakes hauled by truck, the permissible transportation addition shall be computed by multiplying the amounts per M stakes shown in Table 3 by the actual highway mileage from the basing point (Scotia, California) to the point of delivery.

SEC. 6. *Special specifications of listed species.* Sizes, grades, or specifications of fence posts of the species and from the areas given in the headings of the tables, but not specifically priced in the tables, are nevertheless subject to this regulation. Maximum prices for such posts shall be determined as follows:

(a) The maximum price shall bear the October 1941 relationship between the special item to be priced and the most similar size or grade on which a specific maximum price is established in the tables. This relationship should be determined as it existed in October 1941 or in the first month before that in which sales of both items were made, and the price difference between the two items should be added to or subtracted from the maximum price in the price tables for the comparable item.

The tentative maximum price shall be submitted to the Lumber Branch, Office of Price Administration, Washington, D. C., within 10 days of the use of the price, together with copies of the invoices of the sales which were used to determine it. If, within 30 days after receipt of the request for approval, the Office of Price Administration does not act on it, the price shall be considered approved and shall thereafter be the maximum price of that item for that seller. Pending approval or action by the Office of Price Administration, the seller may deliver the item and receive payment for it, subject to the condition that a refund will be made if the price is in excess of that finally approved by the Office of Price Administration.

(b) For any size, grade, or specification which cannot be priced under paragraph (a) of this section, the maximum price shall be the price established by the Lumber Branch, Office of Price Administration, Washington, D. C., after full facts have been submitted in support of any request for the establishment of a maximum price. This maximum price may be established by a letter or telegram.

SEC. 7. *Treated posts.* Pressure-type preservative treatment additions are established by Maximum Price Regulation 491, section 19 (c), Table 3. On sales of posts of the listed species which are treated by methods other than pressure process, an addition may be made to the maximum prices contained in section 4, figured according to section 6 of this regulation. Posts of unlisted species, treated by any method, remain under the GMPR, except as covered in section 3 for retail-yard sales.

ARTICLE III—SPECIFIC DUTIES AND PRIVILEGES AND PROHIBITED PRACTICES

SEC. 8. *Display of maximum prices.* Any person selling fence posts at retail shall display in a manner plainly visible to and understandable by the purchasing public the maximum prices permitted under the regulation. The display shall be headed "Ceiling prices" and shall list the prices by diameter and length.

SEC. 9. *Prohibited practices.* Any practice which gets the effect of a higher-than-ceiling price without actually raising the price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings, and the like.

Sellers must maintain cash discounts and credit terms no less favorable to buyers than the cash discounts and credit terms they allowed on October 1, 1941; except that a discount longer than 2 percent is not regarded as a cash discount under this rule.

It is a direct violation to buy or sell material as fence posts under and according to the provisions of this regulation, for use as saw-logs or for any other purpose than as support for fencing.

SEC. 10. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 11. *Petitions for amendment.* Any person seeking an amendment of any provision of the regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[7] issued by the Office of Price Administration.

SEC. 12. *Records.* Any person, other than a consumer, who buys or sells 200 or more fence posts in any one month must keep for a period of two years, records of items sold, names and addresses of buyers, date of sale, and price.

SEC. 13. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 14. *Licensing.* The provisions of Licensing Order No. 1,[8] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended, may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 15. *Exports and Imports.* (a) The maximum price for export sales of all fence posts is governed by the Second Revised Maximum Export Price Regulation.[9]

(b) The basic maximum price for imported fence posts of the listed species is the maximum price shown for the particular species in section 4. This basic maximum price applies f. o. b. cars at the port of entry, or if moving by truck the f. o. b. truck price applies. The f. o. b. cars price must be used, however, for computation of maximum resale prices under section 3. Transportation additions permitted by section 5 or section 3 must be computed from the basing point shown for the particular species in section 4. If more than one basing point is shown, the one nearest the point of entry must be used.

The maximum price for sales of imported fence posts of unlisted species is governed by the Maximum Import Price Regulation.[9]

This regulation shall become effective May 29, 1944.

NOTE: The reporting provisions of this regulation have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 24th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7448; Filed, May 24, 1944; 11:55 a. m.]

[7] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594.

[8] 8 F.R. 13240.

[9] 8 F.R. 4132, 5967, 7662, 9008, 15199.

[8] 8 F.R. 11681, 12237.

Chapter IX—War Production Board

Subchapter A—General Provisions

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 903—DELEGATIONS OF AUTHORITY

[Directive 24, as Amended May 24, 1944]

AUTHORITY OF NATIONAL HOUSING AGENCY FOR HOUSING CONSTRUCTION

§ 903.36 *Directive 24.* The National Housing Agency is hereby authorized for housing projects, except housing projects of the types listed on Schedule A, to take the following types of action, subject to conditions and limits established by the War Production Board through the issuance of program determinations or otherwise:

(a) Approve under Limited Preference Order P-55-c applications on Form WPB-2996 for housing construction, remodeling, repairs and installations of the types described in Schedule B, stating in the approval of any application that the allotment symbol "H" with the appropriate program number may be used for the construction;

(b) Approve construction, remodeling, repairs and installations of the types described in Schedule B, by any Federal Agency under the jurisdiction of the National Housing Agency without requiring the filing of Form WPB-2996. This approval constitutes War Production Board authorization under Conservation Order L-41 and permits construction, remodeling, repairs and installations under the provisions of Limited Preference Order P-55-c using the allotment symbol "H" with the appropriate program number, subject to such further restrictions as the War Production Board may impose for temporary war housing;

(c) Cancel approvals under paragraphs (a) and (b) above as provided in Limited Preference Order P-55-c;

(d) Permit the use of items in housing projects approved under paragraphs (a) and (b) above where specific permission is required under Schedule I of Limited Preference Order P-55-c. This does not include items which must be specifically approved by the War Production Board and does not include the grant of an appeal for any other item;

NOTE: Paragraphs (f) and (g), formerly (e) and (f), redesignated May 24, 1944.

(e) Permit deviations from paragraph (e) of Schedule II to Limited Preference Order P-55-c, entitled "Minimum Standards Applicable to Houses for Sale or Rent."

(f) Issue approvals in the name of the War Production Board on the form required by any L, M or P order for the purchase of products and materials. The authority granted by this paragraph may be exercised only to the extent that approved War Production Board program determinations or approved decisions of a War Production Board Industry Division Requirements Committee specifically grant permission to issue approvals by the National Housing Agency within specified quotas of such products or materials. This authority may be exercised only if the proposed use of the products and materials is not prohibited by paragraph (c) (3) of Order P-55-c and Schedule I to that order.

(f) Assign upratings for specified projects only in accordance with approved War Production Board program determinations;

(g) Grant requests to amend the provisions of applications approved under paragraph (a) above and requests to amend orders in the P-55 series and the related provisions of applications for war housing covered by them in the following respects in the form and subject to criteria approved by the Facilities Bureau of the War Production Board:

(1) The number of dwelling units covered by the application;

(2) The location of the housing project;

(3) The time for application or extension of the preference rating and allotment symbol, for beginning or completing construction of the project, or for applying for an allotment of controlled materials;

(4) Permission to a successor builder or owner who has applied for permission to complete construction and to avail himself of the preference rating or authorization previously issued to the original builder or owner;

(5) Changes in the promises, certifications, and agreements, except for changes in rentals and sales prices which are covered by Directive 25, made by the builder or owner on Form WPB-2896 (PD-105) or other application forms used instead, in cases where the changes are covered by Preference Rating Order P-55-a.

Issued this 24th day of May 1944.

WAR PRODUCTION BOARD,
By C. E. WILSON,
Executive Vice Chairman.

SCHEDULE A

The following types of residential construction are not covered by Directive 24:

a. Farm housing and mobile farm labor camps.

b. Housing being built directly by or under the direct management of the Military Services.

c. Hotels and similar establishments of more than 10 rooms providing housing primarily for transients.

d. Institutional Housing—Dormitories and other housing owned and operated by and as an integral part of an "institution", as defined in Paragraph (b) (2) of CMP Reg. 5A.

e. Mobile housing units (trailers).

f. Residential construction built by an "operator" as defined in P-88-b, under a Petroleum Administrative Order of the Petroleum Administration for War.

g. Housing built and owned by a Producer, as defined in Utilities Order U-1, which consists of not more than 10 dwelling units and is accessory to and an integral part of a project undertaken primarily for the construction of an isolated plant addition such as a gas compressor station or hydro-electric plant.

h. The alteration, betterment, repair or replacement (but not the initial construction and equipping, which is provided for under paragraph a. (3) of Schedule B below) of structure, facilities, equipment or fixtures which is intended primarily for a commercial establishment located in a dwelling structure.

SCHEDULE B

The following construction, remodeling, repairs and installations are covered by Directive 24:

a. Dwelling structures (including partially or completely prefabricated structures):

(1) Single family and multi-family residential structures including apartment hotels, except hotels as defined in Schedule A.

(2) Dormitories, rooming houses and similar dwelling accommodations.

(3) Structures which include commercial establishments such as stores, restaurants, offices, where more than 50 per cent of the floor area of each structure provides dwelling accommodations, not including alterations, betterments, repairs or replacements described in paragraph (h) of Schedule A above.

(4) Remodeling or conversion of any building for the sole purpose of providing living accommodations.

b. Dwelling Facilities: All separate buildings and structures which are appurtenant and accessory to dwellings such as private garages, sheds, management offices, project maintenance and repair shops, private recreation facilities, garden structures. This does not include separate buildings which are required for business purposes other than the maintenance or operation of the residential project.

c. Dwelling Equipment and Fixtures: All fixtures and equipment built into or firmly attached to a dwelling structure or dwelling facility.

(1) The following equipment is excluded:

(i) Portable electric space heating appliances.

(ii) Movable furniture and movable furnishings.

(2) Except where required for the construction of new houses, or for the rebuilding or remodeling projects where new dwelling units are added, the following equipment is excluded:

(i) Domestic cooking stoves, ranges and hot plates.

(ii) Domestic space eating stoves.

(iii) Mechanical and ice refrigerators.

(iv) Window shades and venetian blinds.

d. Utility Facilities: Sanitation facilities and facilities supplying electric power, gas, water and central steam heating which are an integral part of the housing project in cases where the owner of the facilities does not qualify as an "operator" under paragraph 1 of P–141 or as a "producer" under Paragraph (a) of U–1.

e. Roads and Other Land Improvements: All improvements which are accessory to and an integral part of a housing project, such as roads, driveways, walks, parking areas, terraces, retaining walls, fences, and private outdoor recreation facilities. Off-site access roads are not included.

f. Trailer Sites and Facilities, but not the construction of trailers (See Paragraph (e) of Schedule A).

g. Commercial Establishments: Land improvements, structures, facilities or fixed equipment for commercial establishments such as stores, restaurants, offices, theaters, and for public community buildings, only to the extent that such establishments are:

(1) An integral part of a project which is undertaken primarily for the purpose of construction, alteration or betterment of dwelling accommodations, and

(2) Specified in the application form WPB–2896, and

(3) Necessary for the utilization of the dwelling accommodations upon completion of the construction project.

This paragraph does not include alterations, betterments, repairs or replacements described in paragraph (h) of Schedule A above.

[F. R. Doc. 44–7428; Filed, May 24, 1944; 11:45 a. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 18, 1943, 8 F.R. 6727.

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L–241, as Amended May 24, 1944]

Section 3133.9 *Limitation Order L–241* is hereby amended to read as follows:

§ 3133.9 *Limitation Order L–241*—(a) *The purpose of this order.* This order does four things: First it limits the tonnage of paper which a printer may use for commercial printing. This is called his "consumption quota", and is based upon the tonnage of paper which he used for commercial printing in 1941. A printer may not exceed his consumption quota even though the paper is physically available to him. Second, it limits the tonnage of paper which may be accepted by or on behalf of a printer. This is based upon his inventory of paper. Third, it limits the basis weight of paper which may be used in printing certain items. Fourth, it limits the tonnage of paper which a person may cause to be consumed in printing certain items.

Definitions and Explanations

(b) *Commercial printing.* "Commercial printing" means all printing or duplicating produced by any type of printing machine covered by Order L–226 or any type of duplicating machine covered by Order L–54–c, List I, Item 5. However, this order does not affect printing which is covered by other orders of the War Production Board, as described in paragraph (j), and printing which is unrestricted, as described in paragraph (k). "Printed matter" includes duplicated matter as well as printed matter.

(c) *Printer.* The term "printer" is used throughout this order, for the sake of convenience and brevity, to include printers who operate printing machines and duplicators who operate duplicating machines. The order applies to every printer, including a printer who operates a private or "captive" plant as well as a printer who does work for the trade. The term does not include a publisher or a person who orders printing.

(d) *Paper.* "Paper" means any grade, quality, type, basis weight or size of paper, gummed paper, paperboard or bristol used in commercial printing. The term includes paper reclaimed wholly or partly from printed or unprinted waste, as well as paper made entirely from virgin fiber.

(e) *Use.* (1) Paper is "used" when ink is first applied to it by a printer. However, paper is not "used" under this order when ink is applied to it by penruling equipment. Sometimes paper is put through a press more than once, either by the same printer or by different printers—for instance, when several colors are used or when the imprint of a particular distributor is added after part of the printing is done. For the purposes of this order the paper is deemed to be "used" when the first application of ink is made by a printer. It makes no difference how many other applications of ink are put on the paper by the same or different printers.

(2) When a job is started in one calendar quarter and runs over into the next, the paper actually used during each quarter must be charged against the printer's consumption quota for that quarter. The entire job may not be regarded as if it were started and finished in the same quarter.

(f) *Production waste.* All production waste shall be included in determining the tonnage of paper which a printer uses in commercial printing.

(g) *Inventory.* "Inventory" means all the paper which is available for a printer's use. It is immaterial whether such paper is in the printer's hands or in the hands of a paper dealer or other person. Paper in transit is not included.

(h) *Transfer of quotas.* (1) Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a printer may not use for commercial printing any part of a consumption quota established under Order L–240 (Newspapers), Order L–244 (Magazines) or Order L–245 (Books and Booklets), and he may not permit any part of his consumption quota established under this order to be used for newspapers, magazines or books. An exception to this rule is stated in paragraph (o).

(2) It sometimes happens that one printer does work for another printer, and there is a question as to which one should deduct the paper from his quota. Printer A may "farm out" certain work by purchasing "press time" from printer B. This may be done, for example, where printer A cannot fill an order for a customer because he does not have available the right equipment, material, personnel, or facilities. In such a case, where the customer looks only to A for the finished product and where B acts merely as a sub-contractor, the paper may be charged against A's quota, even though B actually does the printing. This does not mean that A may assign his quota to B. The rules governing the assignability of quotas are stated in Priorities Regulation 7A.

(i) *Exceptions.* Certain paragraphs of this order contain exceptions to general rules. These exceptions apply only to the provisions to which they specifically refer. They do not apply to any other portions of the order.

Consumption Quota

(j) *Printing which is covered by other orders.* Certain types of printing are not covered by this order. When a printer adds up the weight of paper which he used in 1941, he may not count the paper which went into those items. Also, a printer may not use the consumption quota which he gets under this order for the printing of any of those items, except as provided in paragraph (o). They are:

(1) Newspapers (defined in Limitation Order L–240).

(2) Magazines (defined in Limitation Order L–244).

(3) Books (defined in Limitation Order L–245).

(4) Greeting cards and illustrated post cards (defined in Limitation Order L–289).

(5) Displays (defined in Limitation Order L–294).

(6) Wallpaper (defined in Limitation Order L–177).

(7) Boxes (defined in Limitation Order L–239).

(8) Converted products named in Lists A, B, C or D of General Conservation Order M–241–a, except gummed paper.

(9) Any other "converted products" defined in General Conservation Order M–241–a, except those which must be printed in order to serve the purpose for which they are made.

(k) *Printing which is not restricted.* (1) A printer is not limited in the amount of paper which he may use for printing which is ordered and paid for by a department or agency of the United States, its territories or possessions. This rule applies whether the printing is ordered as a separate item or is included in a contract for something else purchased by a government agency. Official Army or Navy post, camp, station or unit newspapers or news sheets are within this exception, and hence are not limited, if:

(i) They are ordered by the officer in command of the Army or Navy establishment on official War Department or Navy Department purchase orders, requisitions or contracts;

(ii) They contain no paid advertising; and

(iii) They are not owned, edited or operated by civilians but are run entirely by military personnel (although the printing may be done in commercial plants).

(2) Moreover, a printer is not limited in the amount of paper which he may use for official election forms, such as ballots and tally sheets, which are ordered and paid for by any State, County or Municipality of the United States.

(3) When a printer adds up the weight of paper which he used in 1941, he may not count the paper which went into the items described in paragraphs (k) (1) and (k) (2) above. Also, a printer may use an unlimited amount of paper for those items from now on.

(l) *Computation of consumption quota.* In the second calendar quarter of 1944 and in each calendar quarter after that, no printer may use for commercial printing any paper in excess of his quarterly consumption quota, which shall be computed as follows:

(1) Determine the printer's "quarterly base tonnage" according to either of the two following methods, depending on his individual needs. Having selected one method, the printer must use that method throughout the year.

First method:

(i) Add up the total pounds of paper used in 1941 for all types of printing;

(ii) Subtract the pounds of paper used in 1941 for the items covered by other orders, as listed in paragraph (j) above;

(iii) Subtract the pounds of paper used in 1941 for the unrestricted items listed in paragraph (k) above;

(iv) Divide by four. This is the printer's "quarterly base tonnage", from which the required reductions shall be made.

Second method:

(i) Add up the total pounds of paper used during the same calendar quarter of 1941 for all types of printing;

(ii) Subtract the pounds of paper used during that quarter of 1941 for the items covered by other orders, as listed in paragraph (j) above;

(iii) Subtract the pounds of paper used during that quarter of 1941 for the unrestricted items listed in paragraph (k) above.

(iv) The balance is the printer's "quarterly base tonnage", from which the required reductions shall be made.

(2) If the printer's quarterly base tonnage is not more than 1¼ tons, his quarterly consumption quota is 1¼ tons. Moreover, any person who used no paper whatever for commercial printing in 1941 may use a total of 1¼ tons per calendar quarter for commercial printing, beginning with the second quarter of 1944.

(3) If the printer's quarterly base tonnage is more than 1¼ tons, but not more than 5 tons, his quarterly consumption quota is the same as his quarterly base tonnage. Such a printer is not permitted to increase his quota to 5 tons in a quarter of 1944 if his quarterly base tonnage is less than 5 tons. For example, if a printer used 4 tons of paper in the second quarter of 1941, his quota for the second quarter of 1944 is 4 tons.

(4) If the printer's quarterly base tonnage is more than 5 tons but less than 6⅔ tons, his quarterly consumption quota is 5 tons. For example, if a printer used 6 tons of paper in the second quarter of 1941, the 25 percent cut would, if it were applicable, limit him to 4½ tons in the second quarter of 1944. However, he need not make this entire reduction, for his quota in that quarter is 5 tons.

(5) If the printer's quarterly base tonnage is more than 6⅔ tons his quarterly consumption is 75 percent of his quarterly base tonnage.

(6) In every case, the printer's quarterly consumption quota is subject to the borrowing and carry-over provisions contained in paragraph (n).

A printer may use his quarterly consumption quota for any type of printing which is not covered by other orders, as listed in paragraph (j). Also, he may use any amount of paper in addition to his quarterly consumption quota for the unrestricted items described in paragraph (k).

(m) *Borrowing and carry-over.* (1) A printer may add, under either method of computation, an extra 15 percent to his consumption quota in any quarter if he subtracts that amount from his consumption quota for the next quarter.

(2) If a printer uses less than he is allowed in any quarter, he may add the saving to his consumption quota in a subsequent quarter, or distribute the saving over several subsequent quarters.

(n) *Total permitted consumption.* A printer may use in any calendar quarter:

(1) His quarterly consumption quota as determined under paragraph (l);

(2) Plus permitted borrowing from his consumption quota for the next calendar quarter as provided in paragraph (m) (1);

(3) Plus any less-than-quota savings carried over from previous calendar quarters as provided in paragraph (m) (2); or minus any tonnage which had been borrowed during the preceding calendar quarter from his consumption quota for that calendar quarter, as provided in paragraph (m) (1);

(4) Plus ex-quota tonnage, if any, which may have been granted on appeal for consumption in that calendar quarter.

(o) *Small magazine and book publishers.* (1) If a magazine publisher's quarterly base tonnage is not more than 1¼ tons, or if a person has no quarterly base tonnage for the publication of magazines, he may cause up to a total of 1¼ tons of paper to be used for the printing of magazines in any calendar quarter, provided the tonnage in excess of his quarterly base tonnage, if any, is deducted from a commercial printer's consumption quota under Order L–241. Publishers who obtain a quota under this provision shall file with the War Production Board, within 15 days after such paper is used, a letter signed by the publisher and countersigned by the printer setting forth:

(i) The name and address of the publisher,

(ii) The name and address of the printer,

(iii) The title(s) of the magazine(s),

(iv) The publisher's base period consumption, if any, and

(v) The tonnage deducted from the commercial printer's quota under Order L–241.

(2) If a book publisher's base tonnage is not more than 5 tons, or if a person has no base tonnage for the publication of books, he may cause up to a total of 5 tons of paper to be put into process for the production of books in any year, provided the tonnage in excess of his base tonnage, if any, is deducted from a commercial printer's consumption quota under Order L–241. Publishers who obtain a quota under this provision shall file with the War Production Board, within 15 days after such paper is used, a letter signed by the publisher and countersigned by the printer setting forth:

(i) The name and address of the publisher,

(ii) The name and address of the printer,

(iii) The publisher's base period consumption, if any, and

(iv) The tonnage deducted from the commercial printer's quota under Order L–241.

(3) The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(p) *Certification to printer.* No printer may fill an order for (1) magazines, (2) books, or (3) any of the items listed in Schedule II of this order unless he receives, or has previously received, from the person who publishes or issues the item, a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with [insert the relevant provision: (1) Order L-244 (magazines), (2) Order L-245 (books), (3) Schedule II to Order L-241], and that all orders placed by the publisher with that printer for items regulated by that order [or schedule], as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for printing.

Delivery Restrictions

(q) *Limit on tonnage which may be accepted.* No printer may accept, and no person may accept for a printer's use, delivery of any quantity of paper if his total inventory of all kinds of paper for use in commercial printing exceeds a 60 consecutive days' supply, or if acceptance of the delivery will bring his inventory above this level. The number of days' supply shall be computed at the average daily rate of allowable consumption for the current calendar quarter.

(r) *Increase of deliveries.* A printer may accept delivery of paper which would increase his inventory to more than a 60 consecutive days' supply of paper only in the following two circumstances:

(1) If the amount of a particular item in the printer's inventory is less than 30 days' supply, he may accept delivery of not more than an additional 30 days' supply of that item, provided the amount purchased is required for his production within 30 days of acceptance.

(2) Regardless of the quantity of a particular item, or of all items, in a printer's inventory, he may accept delivery of any item which he is entitled to accept under paragraphs (q) and (r) (1) in the unit quantity (e. g., full carload, full truckload, 10,000 pounds, 5,000 pounds, 4 cases) in which he accepted delivery of that item in 1941.

(s) *Certification to paper dealer or mill.* No printer may order or accept delivery of paper, and no person may deliver paper to a printer, unless the printer furnishes, or has previously furnished, to the person making the delivery, a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned printer certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is familiar with Order L-241 and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for paper.

Issuance of Schedules

(t) *Prohibited and restricted uses of paper and paperboard.* The War Production Board may issue, from time to time, schedules which will prohibit the use of paper in certain items, limit the basis weight of paper which may be used in other items, and limit the tonnage of paper which a person who publishes or issues certain items may cause to be consumed in the printing of those items.

Miscellaneous Provisions

(u) *Records.* In order to assure compliance with this order, every printer must calculate, as accurately as he can, the tonnage of paper which he used during each quarter of 1941 for the items covered by this order. He must also keep accurate records of this type of information for each calendar quarter beginning with January 1, 1943. He must preserve these figures and his work sheets, subject to inspection by War Production Board officials as long as this order remains in force and for 2 years after that.

(v) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(w) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter referring to the particular provision appealed from and stating fully the grounds of the appeal, or by filling in the pertinent information on Form WPB-3605.

(x) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L-241.

(y) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

SCHEDULE I

(a) *Limits on basis weights.* No person may manufacture and no person may cause to be manufactured any of the items listed in this schedule in a basis weight, thickness, area or weight per unit greater than the maximum specified for such use.

(1) Art reproductions, without advertising—basis weight 25 x 38—120 #.

(2) Diaries, date books, desk calendar pads, and advertising memo pads—basis weight 17x22—16#.

(3) Dodgers and handbills—basis weight 24 x 36—35#.

(4) News letters and loose leaf services other than books (as defined in Order L-245)—basis weight 17 x 22—16#.

(5) Accounting records, books and forms—basis weight 17 x 22—28#; or if for loose leaf accounting forms used on an automatic posting machine—basis weight 17 x 22—32#.

(6) Corporate securities, checks, domestic and foreign currency—basis weight 17 x 22—24#.

(7) Notes, contracts, mortgages, wills, deeds, insurance policies, and legal forms—basis weight 17 x 22—20#.

(8) Letterheads—basis weight 17 x 22—16#.

(9) Card indexes and card records—basis weight 25½ x 30½—140#.

(10) Time cards—caliper .014 inches.

(11) County record books and other permanent government records—basis weight 17 x 22—86#.

(12) Prospectuses for the sale of securities—basis weight 25 x 38—50#.

(13) Legal briefs and records on appeal—basis weight 25 x 38—50#.

(14) All other office, business and financial forms, except blank books, and except forms produced by a liquid or gelatin process—basis weight 17 x 22—16#.

(15) Road and street maps and guides for civilian use—basis weight 17 x 22—16#.

(16) Telephone directories—body basis weight 24 x 36—28#; cover basis weight 22½ x 28½—110#.

(17) Transportation and admission tickets—basis weight 22½ x 28½—90#.

(b) *Exceptions to limits on basis weights.* The above restrictions do not apply to paper which has been manufactured before October 21, 1943.

(c) *Exceptions to Order L-120.* Schedules I and III to Order L-120 provide:

Paper or paperboard may be manufactured for a particular use in any basis weight or thickness permitted for such use by this or any other order of the War Production Board, provided the basis weight or thickness does not exceed the maximum specified by the War Production Board for such use, and provided all other provisions of this or such other orders are fully complied with.

Pursuant to this provision the manufacture of paper in the basis weights specified in this list for items 1, 6, 7 and 16 is hereby permitted.

SCHEDULE II

(a) *Commercial printing which is charged against the quota of both the printer and the person who issues the item.* Certain items of commercial printing are subject to a "two-sided" limitation. As is the case with all types of commercial printing covered by this Order, the paper consumed in printing such items must be deducted from the commercial printer's quota; however, in the case of the items covered by this Schedule II, the same paper must also be deducted from the quota of the person who causes the items to be printed. In other words, the publisher or issuer of the item must reduce his consumption of paper for that item by the required percentage and he must also have the printing done by a printer who will debit his quota under paragraph (1) of this order.

If a person did not publish or issue, in 1941, a particular item listed in this Schedule, he has no quota for the publication or issuance of that item after January 1, 1944.

Any paper which a commercial printer consumed in printing these items in 1941 shall be included in computing his quota under paragraph (1) whether or not he prints any of these items after January 1, 1944. The paper which a commercial printer consumed in printing such items after January 1, 1944, must be deducted from his quota, whether or not he printed such items in 1941.

(b) *Catalogs, directories, school yearbooks, music, song sheets, comic publications*—(1) *Consumption quota.* During the year 1944, and each year after that, no person may cause to be consumed in the printing of any item listed in this paragraph (b) (1) more than 75%, by weight, of the paper which he caused to be consumed in the printing of that item in 1941. It is not necessary for the weight of each copy or edition to be reduced, as long as the total weight of the paper consumed in the printing of all copies or editions of that item is reduced by the required amount.

(i) Catalogs (including supplements) of 12 or more bound pages issued by a person who manufactures, distributes or offers for sale the products, commodities or services listed therein, except catalogs issued at intervals of more than 3 years.

(ii) Directories (except telephone directories) of 12 or more bound pages issued by a person whose primary business is not publishing.

(iii) School and college annuals and yearbooks.

(iv) Sheet music, music folios and song sheets which are not "books" as defined in Order L-245 or "magazines" as defined in Order L-244.

(v) Comic or cartoon publications which are not "books" as defined in Order L-245 or "magazines" as defined in Order L-244.

(2) *Definition of "item".* Each of the numbered subdivisions of paragraph (b) (1) is a separate "item", not individual publications covered by a particular subdivision. Thus, for example, a person who issued one type of comic book in 1941 may use his 1944 quota for the publication of any other type of comic book, but he may not use it for the publication of catalogs, directories, school yearbooks or song sheets.

(3) *Carry-over.* If a publisher or issuer of any of the items listed in paragraph (b) (1) uses less paper than he is allowed in 1944, he may add this saving to his consumption quota for the production of such items for 1945.

(c) *Shopping guides, free distribution newspapers, want ad publications, free distribution publications in newspaper format*—(1) *Consumption quota.* In the second calendar quarter of 1944, and in each calendar quarter after that, no publisher or other person may cause to be consumed in the printing of any shopping guide, free distribution newspaper, want ad publication or free distribution publication in newspaper format any paper in excess of his quarterly consumption quota, which shall be determined as follows:

(i) Ascertain the tonnage of paper consumed in printing that particular publication in the corresponding quarter of 1941, including all supplements, inserts and other printed matter physically incorporated into such publication or delivered together with it. This is the publisher's "quarterly base tonnage", from which the required reductions shall be made.

(ii) If the publisher's quarterly base tonnage in any calendar quarter is less than 25 tons, his consumption quota for that quarter is the same as his base tonnage. He need not use less than he used in the corresponding quarter of 1941, but he may not use more.

(iii) If the publisher's base tonnage in any calendar quarter is 25 tons or more, the following sliding scale of percentage cuts shall be applied:

Deduct 9% of the amount over 25 tons but not over 125 tons.

Deduct 13% of the amount over 125 tons but not over 250 tons.

Deduct 17% of the amount over 250 tons but not over 500 tons.

Deduct 25% of the amount over 500 tons but not over 1000 tons.

Deduct 29% of the amount over 1000 tons.

The balance remaining after subtraction of the above reductions from the publisher's quarterly base tonnage is his consumption quota for that quarter. For example, if the publisher consumed during the third quarter of 1941 340 tons, his consumption quota for the third quarter of 1944 would be determined as follows:

25 tons no cut	25	tons
100 tons 9% cut	91	tons
125 tons 13% cut	106.75	tons
90 tons 17% cut	74.7	tons
340 tons quarterly base tonnage	299.45	tons quarterly consumption quota

(2) *Carry-over.* If the publisher or issuer of a shopping guide, free distribution newspaper, want ad publication or free distribution publication in newspaper format uses less paper than he is allowed in any quarter, he may add the saving to his consumption quota in a subsequent quarter or distribute the saving over several subsequent quarters.

(3) *Transfer of quotas.* Where two or more shopping guides, free distribution newspapers, want ad publications, or free distribution publications in newspaper format are published by the same person and are distributed primarily in the same city or trading area, he may combine or distribute his consumption quotas among his publications in that city or trading area. However, after May 24, 1944, no such publisher may transfer any part of his consumption quota to a different city or trading area.

(d) *Certification.* No person may order any of the items listed in this schedule to be printed unless he furnishes or has previously furnished to the printer, a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher or issuer certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with Schedule II to Order L-241 and that all orders placed by the publisher or issuer with that printer for items regulated by that schedule, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order.

Issued this 24th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7429; Filed, May 24, 1944; 11:45 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-241, Interpretation 1, Revocation]

Interpretation No. 1 to Order L-241, issued January 22, 1944, is hereby revoked.

Issued this 24th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7430; Filed, May 24, 1944; 11:45 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-244, as Amended May 24, 1944]

MAGAZINES

Section 3133.15 *Limitation Order L-244* is hereby amended to read as follows:

§ 3133.15 *Limitation Order L-244*—(a) *The purpose of this order.* This order does two things: First it limits the tonnage of paper which a magazine publisher may cause to be used for printing magazines. This is called his "consumption quota", and is based upon the tonnage of paper which he caused to be used for printing magazines in 1942. A publisher may not exceed his consumption quota even though the paper is physically available to him or his printer. Second, it limits the tonnage of paper which may be accepted by or on behalf of a magazine publisher. This is based upon his inventory of paper.

Definitions and Explanations

(b) *Magazine.* A "magazine" is any periodical or "one-shot" generally recognized as a magazine in the magazine industry. The term includes all supplements, inserts and other matter physically incorporated into a magazine or delivered with it, and reprints containing 40 percent or more of the editorial content appearing in any issue of a magazine.

(c) *Publisher.* The "publisher" of a magazine is the person who causes it to be printed and undertakes the ultimate risk of the publishing venture. The term includes an individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not. Where a group of magazines is under common control, but each magazine is published by a separate business entity, a separate consumption quota and a separate delivery quota shall be established for each magazine. It makes no difference if several of these operating entities are subsidiaries of the same parent corporation, or are controlled by the same individual or group of individuals.

(d) *Paper.* "Paper" means any grade, quality, type, basis weight or size of paper used in the printing of a magazine. The term includes paper reclaimed wholly or partly from printed or unprinted waste as well as paper made entirely from virgin fiber.

(e) *Use.* (1) Paper is "used" when ink is first applied to it. The date of issuance carried on the magazine is immaterial.

(2) When the printing of an issue is started in one calendar quarter and runs over into the next, the paper actually used during each quarter must be charged against the publisher's consumption quota for that quarter. The entire printing may not be regarded as if it were started and finished in the same quarter.

(f) *Production waste.* All production waste shall be included in determining the tonnage of paper which a publisher causes to be used in printing magazines.

(g) *Inventory.* "Inventory" means all the paper which is available for a publisher's use. It is immaterial whether such paper is in the publisher's hands or in the hands of a printer, paper dealer or other person. Paper in transit is not included.

(h) *Transfer of quotas.* (1) Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a publisher may not cause to be used for the printing of a magazine any part of a consumption quota established under Order L-240 (Newspapers), L-241 (Commercial Printing and Duplicating), or L-245 (Books and Booklets), and he may not permit any part of his consumption quota established under this order to be used for newspapers, commercial printing or books. An exception to this rule is stated in paragraph (j) (2).

(2) No publisher may cause to be used in printing magazines any part of a consumption quota arising from the previ-

ous publication of another magazine by another publisher. No publisher may permit any part of the consumption quota arising from the publication of a magazine by him to be used in printing another magazine published by another person.

(3) The rules governing the assignability of quotas are stated in Priorities Regulation 7A.

(i) *Exceptions.* Certain paragraphs of this order contain exceptions to general rules. These exceptions apply only to the provisions to which they specifically refer. They do not apply to any other portions of the order.

Consumption Quota

(j) *Computation of consumption quota.* In the first calendar quarter of 1944, and in each calendar quarter after that, no publisher may cause to be used for the printing of magazines any paper in excess of his quarterly consumption quota, which shall be computed as follows:

(1) Determine the gross tonnage of paper consumed in printing the publisher's magazines in the calendar year 1942, and divide by four. This is the publisher's "quarterly base tonnage" from which the required reductions shall be made.

(2) If the publisher's quarterly base tonnage is not more than 1¼ tons, or if a person has no quarterly base tonnage, he may cause up to a total of 1¼ tons of paper to be used for the printing of magazines in any calendar quarter, provided the tonnage in excess of his quarterly base tonnage, if any, is deducted from a commercial printer's consumption quota under Order L-241. Publishers who obtain a quota under this paragraph (j) (2) shall file with the War Production Board, within 15 days after such paper is used, a letter signed by the publisher and countersigned by the printer setting forth:

(i) The name and address of the publisher;

(ii) The name and address of the printer;

(iii) The title(s) of the magazine(s);

(iv) The publisher's base period consumption if any, and

(v) The tonnage deducted from the commercial printer's quota under Order L-241.

This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(3) If the publisher's quarterly base tonnage is more than 1¼ tons but not more than 5 tons, his quarterly consumption quota is the same as his quarterly base tonnage. He need not use less than his quarterly base tonnage, but he may not use more.

(4) If the publisher's quarterly base tonnage is more than 5 tons but not more than 27.8 tons, his quarterly consumption quota is 90 percent of his quarterly base tonnage or 5 tons, whichever amount is larger.

(5) If the publisher's quarterly base tonnage is more than 27.8 tons, his quarterly consumption quota is 75 percent of his quarterly base tonnage or 25 tons, whichever amount is larger.

(6) In every case the publisher's quarterly consumption quota is subject to the borrowing and carry-over provisions contained in paragraph (k).

(k) *Borrowing and carry-over.* (1) A publisher may add an extra 15 percent to his consumption quota in any quarter if he subtracts that amount from his consumption quota for the next quarter.

(2) If a publisher uses less paper than he is allowed in any quarter, he may add the saving to his consumption quota in a subsequent quarter, or distribute the saving over several subsequent quarters.

(l) *Total permitted consumption.* A publisher may use in any calendar quarter:

(1) His quarterly consumption quota, as determined under paragraph (j);

(2) Plus permitted borrowing from his consumption quota for the next calendar quarter, as provided in paragraph (k) (1);

(3) Plus any less-than-quota savings carried over from previous calendar quarters as provided in paragraph (k) (2), or minus any tonnage which had been borrowed during the preceding calendar quarter from his consumption quota for that calendar quarter, as provided in paragraph (k) (1);

(4) Plus ex-quota tonnage, if any, which may have been granted on appeal for consumption in that quarter.

(m) *Allotment to Army and Navy.* (1) The War Production Board may from time to time allot to the Army and the Navy a specified tonnage of paper to be consumed in printing special "pony" editions of magazines which will be furnished to United States Armed Forces personnel overseas.

(2) From this allotment the Army and the Navy, under a delegation of authority from the War Production Board, may grant to individual publishers the right to add to their consumption quotas the tonnage of paper consumed in such special "pony" editions acquired by the Army and the Navy for distribution outside the continental limits of the United States. This allotment does not cover purchases of magazines by military exchanges or service departments as defined in Priorities Regulation 17 for distribution within the continental limits of the United States. All magazines sold to the military shall be charged against the publisher's consumption quota unless the publisher has received a specific grant from the Army or the Navy pursuant to this paragraph.

(n) *Certification to printer.* No publisher may order magazines to be printed, and no person may print such magazines, unless the publisher furnishes, or has previously furnished, to that printer a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with Order L-244, and that all orders placed by the publisher with that printer for items regulated by Order L-244, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for printing.

Delivery Restrictions

(o) *Limit on tonnage which may be accepted.* No publisher may accept, and no person may accept for a publisher's use, delivery of any grade of paper if the publisher's inventory of that grade exceeds a two-months' supply, or if acceptance of the delivery will bring his inventory above this level. The number of months' supply shall be computed at the average monthly rate of allowed consumption during the last six months of 1943. Grades of paper include, but are not limited to, the following: newsprint, novel-news, rotogravure, cover paper (all kinds), and the following grades of book paper: antique, English finish, machine finish, supercalendered, bulking, offset, and coated (machine- or brush-).

(p) *Increase of deliveries.* A publisher may accept delivery of paper which would increase his inventory to more than a two-months' supply only in the following two circumstances:

(1) If a publisher's total inventory of any grade exceeds a two-months' supply, but his inventory of a particular item is less than one-month's supply, he may bring his inventory of that item up to a two-months' supply.

(2) Regardless of the quantity of a particular item, or of all items, in a publisher's inventory, he may accept delivery of any item which he is entitled to accept under paragraphs (o) or (p) (1) in the unit quantity (e. g., full carload, full truckload, 10,000 pounds, 5,000 pounds, 4 cases) in which he accepted delivery of that item in 1942.

(q) *Certification to paper dealer or mill.* No publisher may order or accept delivery of paper and no person may deliver paper to a publisher unless the publisher furnishes, or has previously furnished, to the person making the delivery a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is familiar with Order L-244 and that all purchases by him or items regulated by that order, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for paper.

Miscellaneous Provisions

(r) *Records.* Every publisher must keep accurate records, by calendar quarters, of the number of copies of each magazine which he caused to be printed, the tonnage of paper which he caused to be used for each magazine, the tonnage of paper of each grade and item of paper received during the quarter, and the tonnage of paper in inventory at the time of each delivery, subject to inspection by the authorized representatives of the War Production Board. These records must be preserved as long as this order remains in force, and for two years after that.

(s) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(t) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in duplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(u) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-244.

(v) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 24th day of May 1944.

WAR PRODUCTION BOARD,
By JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7431; Filed, May 24, 1944; 11:44 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-245, as Amended May 24, 1944]

BOOKS AND BOOKLETS

Section 3133.17 *Limitation Order L-245* is hereby amended to read as follows:

§ 3133.17 *Limitation Order L-245*—(a) *The purpose of this order.* This order does two things: First, it limits the tonnage of paper which a book publisher may cause to be put into process in the production of books. This is called his "consumption quota," and is based upon the tonnage of paper which he caused to be put into process in the production of books in 1942. A publisher may not exceed his consumption quota even though the paper is physically available to him or his printer. Second, it limits the tonnage of paper which may be accepted by or on behalf of a book publisher. This is based upon his inventory of paper.

Definitions and Explanations

(b) *Book.* "Book" means any bound or loose-leaf collection of 32 or more pages. It also means any school workbook, educational test, or book intended for juvenile use, irrespective of the number of pages. Advance parts and supplements of books are included. For the sake of convenience the word "book" is used throughout this order, even though the order also covers items which are more commonly referred to as "booklets" or "pamphlets". Excluded from the definition of "book" and hence from the provisions of this order are the following:

(1) Magazines as defined in Order L-244 and newspapers as defined in Order L-240;

(2) Diaries, date books, memorandum books, address books, blank books, accounting books, sales books, business-entry books, ledgers, journals, and other items in book format (except school workbooks and educational tests) whose primary function is to provide space for the entry of data rather than instructional material, reading matter or illustrations;

(3) Albums less than half of whose pages contain reading matter or illustrations;

(4) Catalogs or advertising brochures issued by or for persons who manufacture, distribute, or offer for sale the products, commodities or services listed or illustrated therein, including inserts supplied by manufacturers or distributors to publishers who distribute them collectively in "catalog files," "cooperative files," "condensed catalogs," "catalog yearbooks," or similar reference volumes; *Provided, however,* That the paper used in the production of all editorial material contained in such volumes, such as prefaces, forewords, indices, blank pages, textbook data, classified directories, information, condensed and typographically standardized pages of product or service data, and display and all other advertisements shall be charged to the quota of the publisher under this order;

(5) Directories issued by a person whose primary business is not publishing;

(6) Printed matter of which no copies of any edition are offered for sale, either singly or in bulk, at any level of distribution. Printed matter is "offered for sale" if it is offered either in consideration of a monetary payment, as a premium, bonus or dividend, in connection with a correspondence course, in part consideration of society membership dues, or for any other consideration direct or indirect. Printed matter is "offered for sale" if the publisher receives any compensation for the inclusion of material therein.

(7) Instructional manuals concerned exclusively with the specific brand of products manufactured or distributed by the person issuing the manuals. (Instructional manuals applicable to other brands of the same or similar products are not within this exception.)

(8) School or college annuals and yearbooks;

(9) Cut-out or other game books covered by Order M-241-a, List D.

NOTE: Items (2) to (8) inclusive are "commercial printing" under Order L-241. Schedule II of that order limits the tonnage of paper which a publisher or issuer of certain of these items may cause to be used. Also, Schedule II of Order L-241 limits the tonnage of paper which a publisher or issuer may cause to be used in sheet music, music folios, song sheets, and comic and cartoon books which are not "books" as defined in this order or "magazines" as defined in Order L-244.

(c) *Publisher.* The "publisher" of a book is the person who performs, with respect to that book, the functions of a publisher as that term is generally understood in the book publishing industry.

(d) *Paper.* "Paper" means any grade, quality, type, basis weight or size of paper used in the production of a book, including end papers, labels, paper covers and jackets. The term includes paper reclaimed wholly or partly from printed or uprinted waste as well as paper made entirely from virgin fiber.

(e) *Put into process.* All the paper consumed in a single, complete, continuous printing of a book is "put into process" when the press run is commenced. Paper "put into process" includes paper printed by letter-press, offset or any other process.

(f) *Production waste.* All production waste shall be included in determining the tonnage of paper which a publisher causes to be put into process in the production of a book.

(g) *Inventory.* "Inventory" means all the paper which is available for a publisher's use. It is immaterial whether such paper is in the publisher's hands or in the hands of a printer, paper dealer or other person. Paper in transit is not included. When paper is put into process in the production of a book it ceases to be in inventory.

(h) *Transfer of quotas.* (1) Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a publisher may not use for the production of books any part of a consumption quota established under Order L-240 (newspapers), L-241 (commercial printing) or L-244 (magazines) and he may not permit any part of his consumption quota established under this order to be used for newspapers, commercial printing, or magazines. An exception to this rule is stated in paragraph (j) (2).

(2) This order does not prohibit the established practice in the book publishing industry whereby one publisher occasionally undertakes the sale and distribution of an edition or part of an edition of books published by another person. It does not sanction the acquisition by one publisher of another publisher's consumption quota. Quotas established by this order may not be bought or sold under any guise. The transfer of quotas is prohibited, except under the circumstances stated in Priorities Regulation 7A. The use by one publisher, directly or indirectly, of a consumption quota provided for another publisher is a violation, punishable in accordance with paragraph (x).

Except where specific authorization is granted by the War Production Board upon application in writing, paper which is put into process in the production of a book may be charged only against the quota of the person:

(i) Who is the publisher of the book; and

(ii) Who owns the copyright or the publication rights under copyright by assignment from the copyright owner; and

(iii) Whose publishing imprint appears on the title page; spine and jacket of the book to the exclusion of any other imprint or colophon of any kind; and

(iv) Who undertakes the ultimate risk of the publishing venture.

(i) Exceptions. Certain paragraphs of this order contain exceptions to general rules. These exceptions apply only to the provisions to which they specifically refer. They do not apply to any other portions of the order.

Consumption Quota

(j) *Computation of consumption quota.* In the calendar year 1944, and in each calendar year after that, no publisher may cause to be put into process for the production of books any paper in excess of his consumption quota, which shall be computed as follows:

(1) Determine the gross tonnage of paper consumed in the production of the publisher's books in the calendar year 1942. This is the publisher's "base tonnage" from which the required reductions shall be made.

(2) If the publisher's base tonnage is not more than 5 tons, or if a person has no base tonnage, he may cause up to a total of 5 tons of paper to be put into process for the production of books in any year, provided the tonnage in excess of his base tonnage, if any, is deducted from a commercial printer's consumption quota under Order L–241. Publishers who obtain a quota under this paragraph (j) (2) shall file with the War Production Board, within 15 days after such paper is used, a letter signed by the publisher and countersigned by the printer setting forth:

(i) The name and address of the publisher; and

(ii) The name and address of the printer; and

(iii) The publisher's base period consumption, if any, and

(iv) The tonnage deducted from the commercial printer's quota under Order L–241.

This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(3) If the publisher's base tonnage is more than 5 tons but not more than 20 tons, his consumption quota is the same as his base tonnage. He need not use less than he used in 1942, but he may not use more.

(4) If the publisher's base tonnage is more than 20 tons but not more than 100 tons, his consumption quota is 20 tons plus 85 percent of that part of his base tonnage in excess of 20 tons.

(5) If the publisher's base tonnage is more than 100 tons his consumption quota is 75 percent of his total base tonnage, or 88 tons, whichever is larger.

(6) In every case, the publisher's consumption quota is subject to the carry-over provisions contained in paragraph (k).

(k) *Carry-over.* (1) If a publisher used less paper than he was allowed in 1943, he may add this saving to his consumption quota for 1944.

(2) If a publisher uses less paper than he is allowed in 1944 he may add this saving to his consumption quota for 1945.

(l) *Total permitted consumption.* A publisher may cause to be put into process in any calendar year:

(1) His yearly consumption quota as determined under paragraph (j);

(2) Plus any less-than-quota savings carried over from previous years, as provided in paragraph (k);

(3) Plus ex-quota tonnage, if any, which may have been granted on appeal for consumption in that year.

(m) *Restriction on paper for reprinting.* No publisher may use in the reprinting of any book printed before May 24, 1944, paper of a basis weight heavier than that used in the last printing of the book before May 24, 1944, except that paper which was in the publisher's inventory on or before May 24, 1944 may be used for reprintings, irrespective of the basis weight. A publisher "reprints" a book if he uses any part of the type or plates used in a previous printing of that book or if he reproduces any part of it by offset or any similar process.

(n) *Breach of contracts.* As provided in Title III of the Second War Powers Act, no person shall be held liable for damages or penalties for any default under any contract which shall result directly or indirectly from compliance with this order.

(o) *Allotment to Army and Navy.* (1) The War Production Board may from time to time allot to the Army and the Navy a specified tonnage of paper to be consumed in printing books which will be furnished without charge to United States Armed Forces personnel in the continental United States, and to United States Armed Forces personnel outside the continental limits of the United States whether such books are sold or not.

(2) From this allotment the Army and the Navy, under a delegation of authority from the War Production Board, may grant to individual publishers the right to add to their consumption quotas the tonnage of paper consumed in such books acquired by the Army and the Navy. This allotment does not cover purchase of books by military exchanges or service departments, as defined in priorities Regulation 17 for distribution within the continental limits of the United States. All books sold to the military shall be charged against the publisher's consumption quota unless the publisher has received a specific grant from the Army or the Navy pursuant to this paragraph.

(p) *Certification to printer.* No publisher may order books to be printed, and no person may print such books, unless the publisher furnishes or has previously furnished to that printer a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

> The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with Order L–245 and that all orders placed by the publisher with that printer for items regulated by Order L–245, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for printing.

Delivery Restrictions

(q) *Limit on tonnage which may be accepted.* No publisher may accept, and no person may accept for a publisher's use, delivery of paper if the publisher's inventory exceeds one-fourth of his yearly consumption quota, or if acceptance of the delivery will bring his inventory above this level. This restriction applies to a publisher's total inventory of all grades, qualities, types, basis weights, and sizes of paper, regardless of the quantity of any particular item in his inventory.

(r) *Increase of deliveries.* A publisher may accept delivery of paper which would increase his inventory to more than one-fourth of his yearly consumption quota only in the following three circumstances:

(1) If a publisher's total inventory of all paper exceeds one-fourth of his yearly consumption quota and his inventory of a particular item (grade, basis weight and size) of paper is less than one-eighth of his yearly consumption quota, he may bring his inventory of that item up to one-eighth of his yearly consumption quota.

(2) If a publisher's inventory of an item is insufficient for a single complete printing of a particular book, he may accept delivery of a sufficient additional supply of that item in that grade, basis weight, and size for the printing of the book, provided it is put into process within 30 days after receipt of the paper.

(3) Regardless of the quantity of a particular item, or of all items, in a publisher's inventory, he may accept delivery of any item which he is entitled to accept under paragraphs (q), (r) (1), or (r) (2) in the unit quantity (e. g. full carload, full truckload, 10,000 pounds, 5,000 pounds, 4 cases) in which he accepted delivery of that item in 1942.

(s) *Certification to paper dealer or mill.* No publisher may order or accept delivery of paper, and no person may deliver paper to a publisher, unless the publisher furnishes, or has previously furnished, to the person making the delivery a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

> The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is familiar with Order L–245 and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for paper.

Miscellaneous Provisions

(t) *Records.* Every publisher must keep accurate records of the tonnage of paper which he causes to be put into process for books, the tonnage of each item of paper received by him and the tonnage of paper in inventory at the time of each delivery, subject to inspection by the duly authorized representatives of the War Production Board. These records must be preserved as long as this order remains in force, and for two years after that.

(u) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(v) *Appeals.* Any appeal from the provisions of the order shall be made by filing a letter referring to the particular provisions appealed from, and stating fully the grounds of the appeal.

(w) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L–245.

(x) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 24th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7432; Filed, May 24, 1944; 11:44 a. m.]

PART 3207—INDUSTRIAL TYPE INSTRUMENTS, CONTROL VALVES AND REGULATORS SIMPLIFICATION

[Limitation Order L–272, Schedule IV, as Amended May 24, 1944]

INDICATING DIAL PRESSURE GAUGES

§ 3207.5 *Schedule IV to Limitation Order L–272*—(a) *Definition.* A "gauge" is any instrument which measures and indicates, but does not record, any pressure or vacuum (regardless of the units specified on the dial) by means of a bourdon spring or springs, a diaphragm, or a bellows; or is any complete element assembly of such an instrument without a case. The following items are excluded, however, and are not gauges subject to this order:

(1) Airborne gauges.

(2) Any pressure regulator which consists of an enclosure containing a bourdon tube and a relay used for the control of an electric motor starter.

(3) Gauges for absolute pressure measurement which are compensated for barometric pressure changes.

(4) Liquid level gauges using diaphragm boxes or equivalent devices as primary elements, and suitable for level measurement in either open or closed containers or both.

(5) Automotive type gauges with dial diameter of three and one-half inches or less, either panel or engine mounted, which are used to indicate either oil or air pressure as they may be related to the operation of internal combustion engines, or to the air brake systems on construction machinery, passenger, industrial or farm vehicles.

(6) Gauges of a dial diameter of twelve inches or larger, having an accuracy of ¼ of 1% or better.

(7) Gauges sold as indicating controllers in cases which are normally used to house recording or pneumatic control instruments. If the manufacturer of these gauges buys the gauge elements from a dial pressure gauge manufacturer, however, the pressure ranges must conform to those prescribed in paragraph (b) (2) of this schedule.

(8) Draft gauges which are sold as such.

(9) Railroad gauges, which are covered by Schedule VIII to Limitation Order L–272.

(b) *Specifications.* (1) Gauges shall be manufactured only in the following sizes (expressed in inches-dial diameter for round dials and inches-horizontal width for square or rectangular dials): 1½, 2, 2½, 3½, 4½, 6, 8½, 12. This restriction on sizes does not apply, however, to the following gauges:

(i) Inspectors test gauges in the 3-inch size.

(ii) Submarine gauges and testing machine gauges in the 16-inch size.

(iii) [Deleted May 24, 1944]

(iv) Special gauges for specific Navy applications, the manufacture of which may be authorized in writing by the War Production Board.

(2) Gauges shall be manufactured only in the following pressure ranges: 0–30 in. vac.; 30 in.–15 lb.; 30 in.–30 lb.; 30 in.–60 lb.; 30 in.–100 lb.; 30 in.–150 lb.; 30 in.–200 lb.; 30 in.–300 lb.; 0–15 lb.; 0–30 lb.; 0–60 lb.; 0–100 lb.; 0–160 lb.; 0–200 lb.; 0–300 lb.; 0–400 lb.; 0–600 lb.; 0–800 lb.; 0–1,000 lb.; 0–1,500 lb.; 0–2,000 lb.; 0–3,000 lb.; 0–5,000 lb.; and 0–10,000 lb. There are, however, certain exceptions to these limitations. The exceptions are:

(i) Ranges are not limited for pressures lower than 15-lb. or higher than 10,000 lb. p. s. i.

(ii) Ranges are not limited for gauges manufactured for use as pneumatic receivers in conjunction with remote instrument transmitters.

(iii) Gauges used on fire fighting equipment only may be supplied with pressure ranges of 30 in.–400 lb.; 30 in.–600 lbs.; and 30 in.–800 lbs. in dial sizes of 2½ inches, 3½ inches and 4½ inches only.

(3) Altitude and metric graduations shall be limited to the equivalents of the ranges specified in paragraph (b) (2) hereof.

(4) The following items, features and devices shall be eliminated in the manufacture of gauges:

(i) Retard and suppressed scale gauges, except where required by Army or Navy specifications.

(ii) Brass cases, except where required by Army or Navy specifications, or for 4½ in. and 6 in. gauges which are manufactured with a solid or reinforced front for use in plants manufacturing compressed gases, such as, but not limited to, oxygen, hydrogen, nitrogen, helium, acetylene and carbon dioxide.

(iii) Polished rings, except where required by Army or Navy specifications.

(iv) Plated rings.

(v) Inside case illumination.

(vi) Electric contacts on gauges larger than 2½ inches dial diameter.

(vii) Outside adjustable maximum pointers, or other outside operable pointers, except for testing machine gauges or where required by Army or Navy specifications.

(viii) Customer's name on dial.

(ix) Installation of clocks in gauge cases.

(x) Duplex gauges, except in 4½-inch dial size.

(5) Gauges in sizes 4½-inch dial diameter, or larger, shall be manufactured with the following connections only, except where otherwise required by Navy or Maritime Commission specifications:

(i) Bronze bourdon tube gauges—¼-inch pipe thread only.

(ii) Steel bourdon tube gauges—¼-inch pipe thread from 0 to 1,000 lbs. p. s. i. dial graduation inclusive; ½-inch pipe thread from 1,000 lbs. to 10,000 lbs. p. s. i. dial graduation inclusive.

Issued this 24th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7433; Filed, May 24, 1944; 11:44 a. m.]

PART 3207—RADIO AND RADAR DIVISION INDUSTRIAL TYPE INSTRUMENTS; CONTROL VALVES AND REGULATORS: SIMPLIFICATION

[Limitation Order L–272, Schedule VIII, as Amended May 24, 1944]

RAILROAD GAUGES

§ 3207.9 *Schedule VIII to Limitation Order L–272*—(a) *Scope of this schedule.* This schedule sets forth certain special rules which must be followed in the manufacture of "railroad gauges" which means gauges specially designed and manufactured for use on locomotives, railway rolling stock, subway trains or trolleys. Airbrake gauges are included, but gearless crank type movement gauges are not included. A gauge is any instrument which measures and indicates, but does not record, any pressure or vacuum (regardless of the units specified on the dial) by means of a bourdon spring or springs, a diaphragm, or a bellows; or any complete element assembly of such an instrument without a case. Schedule IV to this order, which applies to indicating dial pressure gauges, generally, no longer applies in any respect to railroad gauges, so Schedule IV need not be considered at all in connection with this schedule. Schedule IV continues to apply, however, to other gauges, even when they are purchased by railroad, subway or traction companies.

(b) *Size specifications* (expressed in inches-dial diameter). Railroad gauges shall be manufactured only in the 3½, 5 and 6¾ inch sizes, subject to the following special size limitations:

(1) Tank-level gauges shall be manufactured in only one size by each producer, and each producer may select the one size which he wishes to manufacture.

(2) Quadruplex gauges shall be made in only one size of casing, and each producer may select the one size of casing which he wishes to manufacture.

(3) Double-dial gauges and boiler gauges shall be made in the 6¾ inch size only.

(4) Duplex gauges shall be made in the 3½, and 5-inch sizes only, except that steam chest and back pressure gauges may also be made in the 6¾ inch size.

(5) Steam heat, booster, stoker, feed water heater and injector gauges shall be made in the 5-inch size only.

(6) Single pointer airbrake gauges shall be made in the 3½ and 5-inch sizes only.

(c) *Range specifications.* Railroad gauges shall be manufactured only in the following pressure ranges (or their metric equivalents): O–30 in. vac.; 30 in.–15 lb.; 30 in.–30 lb.; 30 in.–60 lb.; 30 in.–100 lb.; 30 in.–150 lb.; 30 in.–200 lb.; 30 in.–300 lb.; 0–15 lb.; 0–30 lb.; 0–60 lb.; 0–100 lb.; 0–160 lb.; 0–200 lb.; 0–300 lb.; 0–400 lb.; 0–600 lb.; 0–800 lb.; 0–1,000 lb.; 0–1,500 lb.; 0–2,000 lb.; 0–3,000 lb.; 0–5,000 lb.; and 0–10,000 lb. There are however certain exceptions to these limitations. The exceptions are:

(i) Ranges are not limited for pressures lower than 15-lb. or higher than 10,000 lb. p. s. i.

(ii) Boiler gauges shall be manufactured only in pressure ranges of 0–400 lb.; 0–500 lb.; and 0–600 lb.

(d) *Design limitations.* (1) Railroad gauges shall be furnished with bottom connection only.

(2) The following items and special features shall be eliminated:

(i) Ribbed or lugged back construction, except for bosses on the back of the flange at bolt holes.

(ii) Customer's name on dial.

(iii) Illuminated dial construction or attachments, except for quadruplex and double dial gauges.

(iv) Cases of copper base alloy. The bezel is not considered part of the case.

(3) Bezels shall be furnished in either the flared or close flat knurled types and shall be limited for each producer to his standard bezel in each type.

(4) Dials shall have a dull black background only, except that duplex airbrake gauges, quadruplex and double dial gauges may be furnished with white or silvered background dials.

(5) There shall be only one type of bourdon tube design for each specific service, and that shall be as follows:

(i) Double bourdon tubes for boiler, steam heat and booster gauges.

(ii) Either single or double bourdon tube design for single pointer stoker gauges. No manufacturer shall make single pointer stoker gauges in both designs.

NOTE: Subdivisions (iii) and (iv), formerly (ii) and (iii), redesignated May 24, 1944.

(iii) Single bourdon tube design for all other services.

(iv) Duplex construction shall be of the single bourdon tube design.

(6) Railroad gauges shall be manufactured with the following connections only:

(i) Bronze bourdon tube gauges—¼-inch pipe thread only.

(ii) Steel bourdon tube gauges—¼-inch pipe thread from 0 to 1,000 lbs. p. s. i. dial graduation inclusive; ½-inch pipe thread from 1,000 lbs. to 10,000 lbs. p. s. i. dial graduation inclusive.

(7) Railroad gauges shall be furnished with flanged cases only, and the bolt circle diameter and bolt hole drillings, if furnished, shall conform to the specifications in the following table (quadruplex and double dial gauges may be furnished with bracket feet for mounting):

GAUGE MOUNTING SPECIFICATIONS (IN INCHES)

Nominal size of gauge	Diameter of bolt circle	Size of bolt holes
3½	4¼	9/32
5	5⅞	9/32
6¾	7¾	9/32

Holes shall be located at the third points on the bolt circle (120 degrees apart), with one hole at the top center. Sheared flange case gauges, however, shall be furnished with four holes for single pointer gauges, and three holes for the duplex types. Slotted openings for dial illumination shall be furnished in only one position and size for each quadrant.

Issued this 24th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7434; Filed, May 24, 1944; 11:44 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M-310, General Direction 1, as Amended May 24, 1944]

CHANGE IN PERCENTAGE OF MANUFACTURERS' BENDS TO BE SET ASIDE

The following amended direction is issued pursuant to General Conservation Order M-310:

The percentage of manufacturers' bends to be set aside under paragraph (e) (2) is changed to 25% beginning with May 1944.

Issued this 24th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7435; Filed, May 24, 1944; 11:44 a. m.]

PART 3291—CONSUMERS DURABLE GOODS[1]

[Limitation Order L-176, as Amended May 24, 1944]

DOMESTIC AND COMMERCIAL ELECTRIC FANS

Section 3291.135[2] *Limitation Order L-176* is hereby amended to read as follows:

[2] Formerly Part 3029, § 3029.1.

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and facilities for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.135 *Limitation Order L-176*—(a) *What this order does.* This order controls the manufacture and delivery of certain types of electric fans. It provides for the resumption of production of a limited quantity of 12 inch and 16 inch fans. Generally, it does not control heavy industrial type fans which are controlled by Limitation Order L-123.

(b) *Definitions.* For the purposes of this order:

(1) "Electric fan" means any propeller type fan designed for desk, pedestal, wall bracket, ceiling, or portable window mounting, which is powered by a fractional horsepower motor drawing 200 watts or less. It includes such fans whether completely assembled or assembled in knocked down form. It does not include any centrifugal fan or blower, propeller type attic fan, industrial propeller type exhaust fan or any fan which is a functional part of any equipment or device having a primary use other than ventilation.

(2) "Base period" means the aggregate of the years 1938, 1939 and 1940.

(3) "Manufacturer" means any person engaged in the business of manufacturing or assembling any electric fan or parts for an electric fan, including a person who assembles parts of an electric fan for sale in knocked down form, or any person engaged in that business during the base period.

(4) "Special order" means any purchase order, contract or subcontract for delivery of an electric fan to or for the account of the Army, Navy, Maritime Commission or War Shipping Administration if (i) the fan ordered conforms to applicable specifications for marine fans issued by the Navy or Maritime Commission, and (ii) the order, contract or subcontract states that the fan is for use on a combat or marine vessel.

(c) *Permitted manufacture of electric fans.* (1) No manufacturer shall make or assemble any electric fans except in models and quantities specifically authorized by the War Production Board on CMPL-150-b. Application should be made by filing Form WPB-3700 with the field office of the War Production Board for the district in which the plant where the fans are to be made is located.

(2) Manufacture of electric fans will be authorized so that the total production will not exceed the approved War Production Board program and so that the production in any one plant, or labor requirements therefor, will not interfere with war production in that plant, or in any other plant located in the same area. Each manufacturer permitted to produce electric fans under paragraph (c) (1) will be given two separate quotas, one for military and export requirements other than special orders and another for other orders. Wherever practical each manufacturer will be permitted to make his pro rata share of the total production authorized based on his production in the base period. However, to insure full production of approved requirements, additional quotas may be assigned to qualified manufacturers. In general, the War Production Board will only authorize the production of 12 inch and 16 inch electric fans, and no single manufacturer will be authorized to produce more than one model 12 inch fan and one model 16 inch fan. Approval of models will be based largely on economy of production and the volume of production of individual models by a manufacturer in the base period. The War Production Board will from time to time or on request of any manufacturer give notice to all manufacturers of the total production authorized and the percentage of base period production authorized to each individual manufacturer.

(3) Manufacturers who are unable to produce in their own plant because of interference with war production may apply to the War Production Board for permission to have another person make fans for them. Each application should be made by filing Form WPB-3700 in accordance with its instructions.

(d) *Certain production exempt.* The restrictions contained in paragraph (c) do not apply to the production or assembly of electric fans to fill special orders.

(e) *Effect on outstanding authorizations.* All authorizations for manufacture or assembly of electric fans issued by the War Production Board before May 24, 1944, on appeals or otherwise are hereby cancelled as of May 31, 1944.

(f) *Restrictions on deliveries of electric fans.* No manufacturer shall transfer or deliver any electric fan except:

(1) To fill special orders;

(2) To other manufacturers;

(3) As authorized by the War Production Board on Form WPB-1319 for hospital, institutional or essential industrial purposes in response to an application in quadruplicate filed with the nearest field office of the War Production Board; or

(4) As authorized by the War Production Board on Form WPB-1319 in response to an application filed in quadruplicate with the War Production Board, Washington 25, D. C., Ref.: L-176, (i) to fill Army and Navy orders other than special orders; (ii) for export; (iii) in all other cases not covered by paragraph (f) (3).

(g) *Restrictions on production of parts.* No manufacturer shall make any parts for an electric fan (including repair and replacement parts) if by making those parts he would have more parts of that type in his inventory than a three months' supply. However, a manufacturer is not required to make less than a minimum practical run of any part (including repair and replacement parts) in order to comply with the provisions of this paragraph.

(h) *Restriction on the use of copper and copper base alloy.* No manufacturer shall use copper or copper base alloy in the manufacture of electric fans or parts for electric fans except in current carrying parts; motor bearings; and for identification, instruction and data plates on fans made to fill special orders as permitted by M-9-c.

(i) *Preference ratings for purchase of electric fans prohibited.* No preference rating for electric fans shall be valid for any purpose. All orders bearing preference ratings may be filled as unrated orders. This does not apply to any rating carried by a purchase order or contract calling for delivery (1) to fill special orders, or (2) to or for the account of the Army, Navy, Maritime Commission or War Shipping Administration when authorized on Form WPB-1319, pursuant to paragraph (f) (4).

(j) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Appeals.* Any appeal from this order should be made on Form WPB-1477 and should be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(l) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of electric fans to a greater extent than does this order, the other order shall govern unless it states otherwise.

(m) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-176.

(n) *Reports.* Every manufacturer producing or shipping electric fans shall file Form WPB-1600, executed in accordance with the instructions for filing that form, with the War Production Board, Washington 25, D. C., Ref: Order L-176, on or before the 15th day of July, October, January and April. This form is a report of the number of electric fans made and shipped during the preceding quarter.

NOTE: The reporting and application requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7436; Filed, May 24, 1944; 11:44 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 208, Amdt. 1]

PART 95—CAR SERVICE

TRANSPORTATION OF CORN FROM OR WITHIN DESIGNATED AREA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 22d day of May, A. D. 1944.

Upon further consideration of the provisions of Service Order No. 208 (9 F.R. 5442) of May 18, 1944, and good cause appearing therefor:

It is ordered, That Service Order No. 208 (9 F.R. 5442) of May 18, 1944, be, and it is hereby, amended by substituting the following paragraphs (b) and (c) in lieu of paragraphs (b) and (c) of § 95.39, thereof:

(b) *Corn not to be transported except to or from Commodity Credit Corporation or its designated agents or pursuant to an authorization under War Food Order 98.* No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation or move interstate or intrastate any less-carload or carload shipment of corn from or within the counties in Illinois, Indiana, Iowa, Minnesota, and Nebraska listed in the appendix hereof, unless the shipment is consigned to or from the Commodity Credit Corporation or its designated agents or pursuant to an authorization issued under the provisions of War Food Order No. 98, Amendment 2, issued by the War Food Administrator on May 22, 1944 (9 F.R. 4379, 4738, 5397), amendments thereto or reissues thereof.

(c) *Shipping orders and waybills to be endorsed when consigned to or from Commodity Credit Corporation or its designated agents or pursuant to an authorization under War Food Order 98.* Each shipping order, prior to acceptance by the carrier to which it is tendered, shall be endorsed by the shipper or consignor thereof stating that the shipment is consigned to or from the Commodity Credit Corporation or its designated agents or pursuant to an authorization issued under the provisions of War Food Order No. 98, Amendment 2, and carrier's agent shall make such notation on each waybill. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)–(17))

It is further ordered, That this order shall become effective at 12.01 a. m., C. W. T., May 23, 1944; that a copy of this order and direction be served upon the State Commission of Illinois, Indiana, Iowa, Minnesota and Nebraska; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the

office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-7426; Filed, May 24, 1944; 11:29 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

BOISE PROJECT, IDAHO

FIRST FORM RECLAMATION WITHDRAWAL

APRIL 22, 1944.

The SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the Act of June 26, 1936 (49 Stat. 1976), it is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal as provided in section 3 of the Act of June 17, 1902 (32 Stat. 388).

BOISE PROJECT

ANDERSON RANCH RESERVOIR

BOISE MERIDIAN, IDAHO

T. 2 N., R. 10 E., Sec. 19, Lots 12 and 13.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: May 8, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

MAY 12, 1944.

[F. R. Doc. 44-7398; Filed, May 24, 1944; 9:52 a. m.]

KLAMATH PROJECT, OREGON

PARTIAL REVOCATION OF LAND WITHDRAWAL

MARCH 17, 1944.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Klamath project, the withdrawal of the hereinafter described land, withdrawn in the first form prescribed by section 3 of the Act of June 17, 1902 (32 Stat. 388) by Departmental Order of January 28, 1905, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said order as withdrew the land hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other land by said order or affect any other order withdrawing or reserving the land hereinafter listed.

KLAMATH PROJECT

WILLAMETTE MERIDIAN, OREGON

T. 37 S., R. 8 E.,
Sec. 36, E½E½ of Lot 5.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: May 6, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, and it is so ordered. The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

MAY 11, 1944.

[F. R. Doc. 44-7399; Filed, May 24, 1944; 9:53 a. m.]

VALE PROJECT, OREGON

PARTIAL REVOCATION OF LAND WITHDRAWAL

APRIL 24, 1944.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Vale project, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3 of the Act of June 17, 1902 (32 Stat. 388), by Departmental Orders of December 14, 1926 and March 18, 1929, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the lands hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other lands by said orders or affect any other orders withdrawing or reserving the lands hereinafter listed.

VALE PROJECT

WILLAMETTE MERIDIAN, OREGON

T. 21 S., R. 41 E.,
Sec. 6, E½NE¼.
T. 19 S., R. 43 E.,
Sec. 17, E½.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: May 12, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation regarding the Vale project is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

MAY 16, 1944.

[F. R. Doc. 44-7400; Filed, May 24, 1944; 9:52 a.m.]

OKANOGAN PROJECT, WASHINGTON

PARTIAL REVOCATION OF LAND WITHDRAWAL

APRIL 25, 1944.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Okanogan project, the withdrawal of the hereinafter described land, withdrawn in the first and second forms prescribed by section 3 of the Act of June 17, 1902 (32 Stat. 388) by Departmental Orders of April 20, 1903, August 23, 1905 and February 17, 1908, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the land hereinafter listed be revoked, *Provided*, That such revocation shall not affect the withdrawal of any other land by said orders or affect any other order withdrawing or reserving the land hereinafter listed.

OKANOGAN PROJECT

WILLAMETTE MERIDIAN, WASHINGTON

T. 34 N., R. 26 E.,
Sec. 23, SE¼SW¼.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: May 11, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, and it is so ordered. The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

MAY 16, 1944.

[F. R. Doc. 44-7401; Filed, May 24, 1944; 9:52 a. m.]

YAKIMA PROJECT, WASHINGTON

PARTIAL REVOCATION OF LAND WITHDRAWAL

APRIL 11, 1944.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Yakima project, the withdrawal of the hereinafter described lands, withdrawn in the first and second forms prescribed by section 3 of the Act of June 17, 1902 (32 Stat. 388) by Departmental Orders of October 9 and December 22, 1905, January 15, 1906, January 23, 1910, August 4, 1910, November 5, 1915, September 18, 1916, February 5, 1917, November 26, 1918 and August 20, 1936 no longer appears to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the lands hereinafter listed be revoked, *Provided*, That such revocation shall not affect the withdrawal of any other lands by said orders or affect any other orders withdrawing or reserving the lands hereinafter listed.

YAKIMA PROJECT

WILLAMETTE MERIDIAN, WASHINGTON

T. 20 N., R. 14 E.,
Secs. 13 and 14.
T. 20 N., R 15 E.,
Secs. 18 to 22, inclusive;
Secs. 25, 29, 30;
Sec. 31, N½, E½SE¼.
T. 13 N., R. 16 E.,
Sec. 25, SE¼NW¼, NE¼SW¼;
Sec. 36, SE¼NW¼, W½SE¼, SE¼SE¼.
T. 14 N., R. 16 E.,
Sec. 3, N½, SW¼, NW¼SE¼;
Sec. 10, NW¼NW¼.
T. 15 N., R. 16 E.,
Secs. 27, 28, 33, 34, 35;
Sec. 36, N½, N½S½.
T. 20 N., R. 16 E.,
Secs. 28, 29, 30.
T. 13 N., R. 17 E.,
Sec. 2, SW¼SW¼;
Sec. 3, SW¼NE¼, S½NW¼, N½SE¼;
Sec. 4, SE¼NE¼;
Sec. 11, SW¼SE¼, E½SE¼;
Sec. 13, NE¼, N½NW¼, E½SE¼.
T. 14 N., R. 17 E.,
Secs. 2 and 3;
Sec. 4, N½, NE¼SW¼, SE¼;
Sec. 5, N½NE¼, SE¼NE¼, N½NW¼, SE¼NW¼;
Sec. 6, N½NE¼;
Sec. 10, N½NE¼, SE¼NE¼, and those parts of NW¼ and SE¼ north of Naches River;
Secs. 11, 12, 13;
Sec. 14, that part north and east of Naches River;
Sec. 15, E½NW¼, NE¼SW¼, S½SE¼;
Sec. 23, SE¼NW¼, NE¼SW¼, NW¼SE¼, SE¼SE¼;
Sec. 24;
Sec. 25, SW¼NW¼;
Sec. 32, SE¼SW¼, S½SE¼;
Sec. 33, S½SW¼.
T. 15 N., R. 17 E.,
Secs. 12, 13, 24, 25;
Sec. 31, Lot 4 and SE¼SW¼;
Secs. 35 and 36.
T. 13 N., R. 18 E.,
Secs. 1 to 4, inclusive;
Sec. 6, SW¼NE¼;
Sec. 8, NE¼NE¼;
Sec. 9, NW¼SE¼;
Secs. 10, 11, 12;
Sec. 18, N½NW¼;
Sec. 19, SE¼SE¼;
Sec. 30, NW¼NE¼, SW¼SE¼;
Sec. 32, SE¼NW¼.
T. 14 N., R. 18 E.,
Secs. 1 to 6 and 8 to 30, inclusive;
Sec. 31, N½, W½SW¼, SE¼SW¼, SE¼;
Secs. 32 to 36, inclusive.
T. 15 N., R. 18 E.,
Sec. 18, SW¼NE¼, W½, W½SE¼;
Sec. 19;
Sec. 20, S½N½, S½;
Secs. 21, 22, 23;
Secs. 26 to 36, inclusive.

T. 12 N., R. 19 E.,
Sec. 10, N½, SW¼;
Sec. 11, N½;
Sec. 13, SW¼, S½SE¼;
Sec. 14, SW¼NW¼;
Secs. 15 and 16;
Sec. 17, Lots 1 to 4, inclusive, E½;
Sec. 21, Lots 1, 2, 3, N½, NE¼SW¼, SE¼;
Sec. 23;
Sec. 24, E½E½;
Sec. 25;
Sec. 26, SW¼NW¼, S½;
Sec. 27, N½, N½SE¼;
Sec. 28, Lots 1, 2, NW¼NE¼, SE¼NE¼;
Sec. 35, N½NE¼, SE¼NE¼;
Sec. 36, N½, N½SE¼, SE¼SE¼.
T. 13 N., R. 19 E.,
Sec. 5;
Sec. 6, N½NE¼, NW¼;
Sec. 7;
Sec. 8, N½SW¼;
Sec. 9, S½;
Sec. 10, S½SW¼, SE¼;
Sec. 14, SW¼NW¼, S½;
Sec. 15;
Sec. 16, N½NE¼, SE¼NE¼, SW¼, W½SE¼, SE¼SE¼;
Sec. 17, S½N½, S½;
Sec. 22, N½NE¼, SE¼NE¼, SW¼, E½SE¼;
Sec. 23, N½NW¼, SW¼NW¼, SW¼;
Sec. 26, W½, SE¼;
Sec. 36, W½, SE¼.
T. 14 N., R. 19 E.,
Secs. 4, 9, 15;
Sec. 16, N½, N½SE¼, SE¼SE¼;
Sec. 17, NW¼NE¼;
Sec. 18;
Sec. 21, NE¼NE¼;
Sec. 22, N½, N½SW¼, SE¼SW¼, SE¼;
Sec. 23, SW¼;
Sec. 26, W½;
Sec. 27, SE¼NE¼, W½NE¼, E½NW¼, SW¼SW¼, E½SW¼, NW¼SE¼;
Sec. 28, SE¼SE¼;
Sec. 29, W½SW¼;
Secs. 30 and 31;
Sec. 32, E½NE¼, NW¼NW¼;
Sec. 33;
Sec. 34, SE¼NE¼, W½NE¼, W½, NE¼SE¼.
T. 15 N., R. 19 E.,
Secs. 21, 28, 29;
Sec. 32, E½E½;
Sec. 33.
T. 16 N., R. 19 E.,
Sec. 11, S½.
T. 11 N., R. 20 E.,
Sec. 1, E½W½;
Sec. 2, W½NE¼, E½SW¼, SW¼SE¼;
Sec. 3, E½NE¼;
Sec. 11, NW¼NE¼, N½NW¼;
Sec. 12, SW¼NE¼, NW¼SE¼.
T. 12 N., R. 20 E.,
Secs 1 and 2;
Sec. 3, E½NE¼;
Sec. 6, SW¼NW¼, SW¼;
Sec. 7, N½;
Sec. 11, N½NE¼;
Sec. 12, NW¼, NE¼SW¼, W½SE¼;
Sec. 13, N½NE¼, SE¼NE¼;
Sec. 14, SW¼;
Sec. 15, S½;
Sec. 16, S½;
Sec. 17, SE¼NE¼, SW¼NW¼, S½;
Sec. 18, E½NW¼, NE¼SW¼, SE¼;
Sec. 19, E½NE¼, SE¼SE¼;
Sec. 20, W½SE¼, SE¼SE¼;
Sec. 23;
Sec. 24, S½NE¼, N½NW¼;
Sec. 27;
Sec. 28, NE¼, E½NW¼, E½SE¼;
Sec. 30, E½NE¼;
Sec. 33, E½NE¼, NE¼SE¼;
Sec. 34, N½;
Secs. 35 and 36.
T. 13 N., R. 20 E.,
Sec. 18, SW¼, N½SE¼, SW¼SE¼;
Sec. 19, N½, N½SW¼, SE¼SW¼, SE¼;
Sec. 20, N¼, SE¼;
Sec. 21, W½, SE¼;
Sec. 27, W½, SE¼;
Sec. 28, N½, SW¼, N½SE¼;
Sec. 29, N½;
Sec. 33, E½, NE¼NW¼;
Sec. 34, N½, W½SW¼, SE¼;
Sec. 35.
T. 11 N., R. 21 E.,
Sec. 5;
Sec. 7, W½NW¼;
Secs. 9 and 15;
Sec. 16, N½, N½SW¼, SE¼SW¼, SE¼;
Sec. 23, NE¼, NE¼NW¼, NE¼SE¼;
Sec. 24, N½SE¼.
T. 12 N., R. 21 E.,
Sec. 6, E½W½, SE¼;
Sec. 7;
Sec. 8, NE¼NE¼, NW¼NW¼, S½N½, S½;
Sec. 9, S½;
Secs. 16 and 17;
Sec. 18, N½, N½S½, SE¼SW¼, S½SE¼;
Sec. 19, N½NE¼, NE¼NW¼, S½N½, S½;
Secs. 20 to 23, inclusive;
Sec. 25;
Sec. 26, N½, SW¼;
Sec. 27;
Sec. 28, N½;
Sec. 29;
Sec. 30, NE¼, E½NW¼, NW¼NW¼;
Sec. 31.
T. 11 N., R. 22 E.,
Sec. 19, N½, N½S½;
Sec. 21;
Sec. 23, S½;
Sec. 24, S½;
Sec. 25;
Sec. 27, N½, NE¼SW¼, NW¼SE¼;
Sec. 28, W½NE¼, E½NW¼, NE¼SW¼, NW¼SE¼;
Sec. 29, NE¼;
Sec. 36, N½NE¼.
T. 10 N., R. 23 E.,
Sec. 1;
Sec. 2, W½;
Sec. 3, N½, NE¼SW¼, SE¼;
Sec. 11, NE¼, N½NW¼, N½SE¼;
Sec. 12;
Sec. 13, NE¼, E½NW¼, NW¼NW¼, N½SE¼, SE¼SE¼.
T. 11 N., R. 23 E.,
Sec. 19, S½;
Secs. 29 and 30;
Sec. 32, NE½, N½S½;
Sec. 33;
Sec. 34, W½, SE¼;
Sec. 35;
Sec. 36, SW¼.
T. 10 N., R. 24 E.,
Sec. 7, W½;
Sec. 17, S½;
Sec. 18;
Sec. 19, E½, E½NW¼, NW¼NW¼;
Sec. 20, E½, SW¼;
Sec. 21, W½;
Secs. 27, 28, 29;
Sec. 30, E½, E½W½, SW¼SW¼;
Sec. 32, N½NE¼, NE¼NW¼;
Sec. 33, W½NE¼, N½NW¼;
Sec. 34, N½, NE¼SE¼;
Sec. 35, N½, N½S½;
Sec. 36, N½, N½S½.
T. 11 N., R. 24 E.,
Secs. 1 to 6, inclusive.
T. 12 N., R. 24 E.,
Sec. 1;
Secs. 14 to 17, inclusive;
Secs. 20 to 27, inclusive;
Secs. 35 and 36.
T. 13 N., R. 24 E.,
Sec. 11, S½S½;
Sec. 12, S½;
Sec. 13;
Sec. 14, NE¼, S½NW¼, S½;
Sec. 36.
T. 10 N., R. 25 E.,
Sec. 31, N½, N½S½;
Sec. 32, N½, N½SW¼, SE¼;
Sec. 33, N½, SW¼, N½SE¼, SW¼SE¼;
Sec. 34;
Sec. 35, N½, N½S½, SE¼SE¼;
Sec. 36, N½, N½S½, SW¼SW¼.

T. 11 N., R. 25 E.,
Secs. 1, 2, 3, 5;
Sec. 6, NE¼;
Sec. 12.
T. 12 N., R. 25 E.,
Secs. 1 to 5, inclusive;
Sec. 6, W½;
Sec. 9;
Secs. 11 to 16, inclusive;
Sec. 17, E½;
Sec. 20, E½;
Sec. 21 to 28, inclusive;
Secs. 34, 35, 36.
T. 13 N., R. 25 E.,
Secs. 21 to 27, inclusive;
Sec. 35, E½;
Sec. 36.
T. 9 N., R. 26 E.,
Sec. 14, SW¼, S½SE¼;
Sec. 15, S½N½, E½SE¼.
T. 10 N., R. 26 E.,
Sec. 25, N½, NE¼SW¼, N½SE¼;
Sec. 27, N½NW¼;
Sec. 28, NW¼, NW¼SW¼;
Sec. 29, S½;
Sec. 31, N½, NW¼SW¼;
Sec. 32, W½NW¼.
T. 11 N., R. 26 E.,
Secs. 3 to 6, inclusive;
Sec. 8, N½;
Secs. 9 to 14, inclusive;
Sec. 15, N½;
Secs. 18 and 20;
Sec. 22, SE¼NE¼, W½NE¼, W½, SE¼;
Secs. 24, 26, 28, 34.
T. 13 N., R. 26 E.,
Secs. 4, 5, 8, 9, 19;
Sec. 26, S½SW¼;
Sec. 27, S½;
Sec. 28, S½N¼, S½;
Sec. 29, S½N½, S½;
Secs. 30 to 34, inclusive;
Sec. 35, SE¼NE¼, W½NE¼, W½, SE¼;
Sec. 36, SW¼.
T. 8 N., R. 27 E.,
Sec. 12, SW¼NE¼, SW¼, W½SE¼, SE¼SE¼.
T. 9 N., R. 27 E.,
Sec. 1;
Sec. 2, N½;
Sec. 11, E½, N½NW¼, SE¼NW¼, NE¼SW¼.
T. 10 N., R. 27 E.,
Sec. 3, Lots 5, 6, 7, S½SW¼;
Sec. 4, Lots 2 to 5, inclusive, E½SW¼;
Sec. 6;
Sec. 9, Lots 1, 4, 5, 8, E½E½;
Sec. 11, Lots 3, 6, 7, W½SW¼;
Sec. 14, Lots 2, 3, 6, 7, NW¼NW¼, E½SW¼;
Sec. 15;
Sec. 16, Lots 1, 3, E½, SE¼NW¼, SW¼;
Sec. 17, Lots 6 to 9, inclusive, S½SE¼;
Sec. 19, Lot 9;
Sec. 21;
Sec. 22, N½;
Sec. 23, Lots 2, 3, 4, 7, 8, 9, W½;
Sec. 24, Lot 2;
Sec. 25, Lots 4 to 9, inclusive, S½NW¼, SW¼, W½SE¼, SE¼SE¼;
Sec. 26, E½;
Sec. 27;
Sec. 31, Lots 10, 11;
Secs. 35, 36.
T. 11 N., R. 27 E.,
Sec. 4, SW¼;
Sec. 6, N½, SE¼;
Sec. 18, SW¼;
Sec. 19;
Sec. 20, NE¼, SW¼;
Secs. 29 and 30;
Sec. 31, NE¼;
Sec. 32, N½;
Sec. 33, W½.
T. 14 N., R. 27 E.,
Sec. 17, Lots 1 to 10, inclusive;
Sec. 20, Lots 1, 2, 3, 7 to 11, inclusive, 14, 15;
Sec. 29, Lot 2;
Sec. 34, Lots 6, 7.
T. 9 N., R. 28 E.,
Sec. 4, Lot 2;
Secs. 5 and 7;
Sec. 8, SW¼;
Sec. 9, Lots 3, 4, 7, 8, W½SW¼;
Sec. 15, Lots 2, 3, 7, 8, W½SW¼;
Sec. 16, Lots 3, 4, 6, 7, W½, W½SE¼, SE¼SE¼;
Sec. 17, NE¼;
Sec. 22, Lots 2, 3, 4, SW¼NE¼, NW¼;
Sec. 23, Lots 5 to 8, inclusive, W½SW¼, SE¼SW¼, SW¼SE¼;
Sec. 24, Lots 7 to 12, inclusive, NE¼SW¼, S½S½;
Sec. 25, NW¼.
T. 10 N., R. 28 E.,
Sec. 29, Lots 3, 4, 7;
Sec. 30, Lots 2, 8, 9, 10;
Sec. 31, Lots 1, 4, 5, 6, SE¼NW¼, W½NW¼, S½;
Sec. 32, Lots 3, 4, 5, 8, 9, 10, W½W½, NE¼SW¼.
T. 11 N., R. 28 E.,
Sec. 5;
Sec. 14, Lots 1 to 4, inclusive, W½W½;
Sec. 15, SE¼;
Secs. 17 and 21;
Sec. 22, E½;
Sec. 23, Lots 1 to 4, inclusive, W½W½;
Sec. 26, Lots 1 to 4, inclusive, W½W½;
Sec. 27, E½;
Secs. 33, 34, 35.
T. 12 N., R. 28 E.,
Secs. 7, 19, 31.
T. 13 N., R. 28 E.,
Sec. 31;
Sec. 32, Lots 5, 6.
T. 8 N., R. 29 E.
Sec. 23, W½, SE¼;
Sec. 25, W½, SE¼.
T. 9 N., R. 29 E.,
Sec. 19, Lot 4;
Sec. 27, Lot 5.
T. 7 N., R. 30 E.,
Sec. 3, W½, SE¼;
Secs. 11 and 13.
T. 8 N., R. 30 E.,
Sec. 5, Lots 1 to 4, inclusive, SW¼, S½SE¼;
Sec. 6, Lots 1 to 5, inclusive, S½NE¼, SE¼NW¼, SE¼;
Sec. 7, E½;
Sec. 8, N½NE¼, W½, SE¼;
Sec. 9;
Sec. 10, Lots 1 to 4, inclusive, SW¼, SW¼SE¼;
Sec. 11, Lot 5;
Sec. 14, Lots 1 to 4, inclusive, SW¼NW¼, SW¼, SW¼SE¼;
Secs. 15 and 16;
Sec. 17, N½, SE¼;
Sec. 21, N½;
Secs. 22 and 23;
Sec. 24, Lots 3, 4, 5;
Sec. 25, Lots 1 to 4, inclusive, W½NW¼, SW¼;
Sec. 26, N½, SE¼;
Sec. 27, NE¼;
Sec. 31;
Sec. 32, S½NW¼;
Sec. 36, Lots 1, 2, NW¼.
T. 7 N., R. 31 E.,
Sec. 5, Lots 5, 6;
Sec. 8, Lots 1, 3, 4, 5, SW¼NW¼, W½SW¼;
Sec. 17, Lots 1 to 4, inclusive, W½NW¼, SW¼.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: May 6, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation regarding the Yakima project is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

MAY 11, 1944.

[F. R. Doc. 44-7402; Filed, May 24, 1944; 9:53 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-546]

EMPIRE GAS AND FUEL COMPANY

NOTICE OF APPLICATION

MAY 22, 1944.

Notice is hereby given that on May 13, 1944, Empire Gas and Fuel Company, a Pennsylvinia corporation, (Applicant) filed with the Federal Power Commission an application under section 7 of the Natural Gas Act, as amended, seeking authority to acquire from the Empire Producing Corporation and operate the following-described facilities:

Approximately 8.1 miles of eight-inch pipe line, beginning at a point of connection with the New York State Natural Gas Corporation pipe line at the Carpenter Farm, Hebron Township, Pennsylvania, and extending in a northeasterly direction to connect with Applicant's six-inch pipe line at Holmes Junction, Oswayo Township, Potter County, Pennsylvania.

Applicant states that the acquisition of the above-described property from Empire Producing Corporation is necessary in order to enable it to purchase gas from the New York State Natural Gas Corporation and deliver it to the Empire Gas and Fuel Company, Ltd. at the Pennsylvania-New York State Line.

Any person desiring to be heard or to make any protest with reference to said application should, on or before June 7, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-7394; Filed, May 24, 1944; 9:51 a. m.]

[Docket No. G-547]

SOUTHERN UNION GAS COMPANY

NOTICE OF APPLICATION

MAY 23, 1944.

Notice is hereby given that on May 15, 1944, an application was filed with the Federal Power Commission by Southern Union Gas Company (Applicant), a Delaware corporation doing business in the States of Texas, New Mexico and Oklahoma, with its principal business office at Dallas, Texas, for the issuance to it, as successor to New Mexico Eastern Gas Company (New Mexico Eastern), of a certificate of public convenience and necessity under the "grandfather clause" of section 7 (c) of the Natural Gas Act, as amended, to authorize the continuation of the operations, subject to the Commission's jurisdiction in which New Mexico Eastern was bona fide engaged on February 7, 1942, and subsequent thereto; or, in the alternative, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize Applicant to maintain and operate certain facilities formerly owned by New Mexico Eastern for the transportation of natural gas, subject to the jurisdiction of the Commission, said facilities, together with the entire remaining properties of New Mexico Eastern, having been acquired by Applicant on November 24, 1942. The facilities which Applicant seeks authorization to maintain and operate include natural-gas transmission pipe lines extending from a point near Farwell, Texas, in an easterly direction across the Texas-New Mexico State line to Clovis, New Mexico, and thence respectively in a southwesterly direction to Portales, New Mexico, and in a northwesterly direction to Tucumcari, New Mexico.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 7th day of June, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-7395; Filed, May 24, 1944; 9:51 a. m.]

[Docket No. G-472]

EL PASO NATURAL GAS COMPANY

ORDER REOPENING PROCEEDINGS AND FIXING DATE OF HEARING

MAY 20, 1944.

It appearing to the Commission that:

(a) El Paso Natural Gas Company (Applicant) filed an application in the above-docketed matter on June 2, 1943, for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of certain loop lines in the States of New Mexico and Arizona on Applicant's pipeline transmission system;

(b) At a public hearing on such application held in Ft. Worth, Texas, on October 25, 1943, Applicant presented evidence pertaining to the facilities described in the application and, in addition, introduced evidence showing that other facilities not covered by the application had been constructed and placed in operation without authorization from this Commission;

(c) In supplementing the application to conform to the proof of record, the amendatory application filed February 15, 1944, seeks authority to operate the facilities heretofore constructed without authorization from the Commission, and, in addition, certain other facilities concerning which no evidence was adduced at the October 25, 1943, hearing;

(d) The amendatory application above referred to requests authority to operate:

(1) 2.01 miles of 2⅜ inch pipe line extending from Mile Post 20 plus .60 on Applicant's 6-inch line to Superior, Arizona, to the United States Army Camp near Florence, Pinal County, Arizona;

(2) 4.42 miles of 3½ inch pipe line extending from Mile Post 5 plus .69 near the terminus of Applicant's 4½ inch line to Lordsburg, New Mexico, to the United States Army Camp near Lordsburg, New Mexico;

(3) 44.61 miles of 12¾ inch pipe line extending in a southwesterly direction from Applicant's Eunice compressing station in Lea County, New Mexico, and connecting with Applicant's 8⅝ inch line referred to in paragraph (4) below;

(4) 3.19 miles of 8⅝ inch line, extending in a southerly direction from the terminus of Applicant's 12¾ inch pipe line, referred to in paragraph (3) above, to a point described as Mile Post 16 plus .84 in Eddy County, New Mexico;

(5) 0.16 mile of 4½ inch pipe line, extending from the terminus of Applicant's 8⅝ inch pipe line, referred to in paragraph (4) above, to the U. S. Potash Company's plant in Eddy County, New Mexico;

(6) 1.03 miles of 4½ inch pipe line, extending from Mile Post 94 plus 3100 on Applicant's 12¾ inch main transmission pipe line in Luna County, New Mexico, to the United States Army Air Field near Deming, New Mexico;

(7) 0.24 mile of 6-inch pipe line, extending from Mile Post 6 plus 2100 on Applicant's 10¾ inch main transmission line in Cochise County, Arizona, to the United States Army Air Field near Douglas, Arizona;

(8) The following facilities at Applicant's Jal gasoline plant No. 2, located approximately four miles northeast of the town of Jal, in Lea County, New Mexico: (i) eight, 600 horsepower gas compressor units, (ii) a four scrubber tower treating plant, (iii) a three contactor unit dehydration plant, (iv) three residue gas units converted from three, 600 horsepower compressor units, together with other facilities to be used in connection with the operation of such gasoline plant;

(9) The following facilities at Applicant's Eunice compressing station: (i) a four scrubber tower unit treating plant, (ii) a one contactor unit dehydration plant, (iii) a boiler plant equipped with eight oil field type boilers, (iv) a 418 kw. electric power plant, (v) five, 800 horsepower gas compressor units, (vi) a water supply system and other facilities necessary in connection with the operation of said plant;

(10) 7.06 miles of 16-inch pipe line for the transportation of gas between Applicant's Jal plant No. 2 and Applicant's Jal plant No. 1, located approximately four miles southwest of the town of Jal;

The Commission finds that: It is necessary and appropriate that the record in the above-entitled proceeding be reopened for the purpose of taking evidence with respect to the facilities covered by the amendatory application filed herein;

The Commission orders that: (A) The record in the above-entitled proceedings be and it is hereby reopened for the purpose of taking evidence, respecting the matters involved and the issues presented by the amendatory application filed herein, at a public hearing to be held commencing June 12, 1944, at 2:00 p. m. (c. w. t.) in Courtroom No. 417, U. S. Courthouse Building, Ft. Worth, Texas;

(B) Interested State Commissions may participate in the hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-7396; Filed, May 24, 1944; 9:51 a. m.]

[Docket No. G-542]

EL PASO NATURAL GAS COMPANY

ORDER FIXING DATE OF HEARING

MAY 20, 1044.

Upon consideration of the application filed April 11, 1944, by El Paso Natural Gas Company (Applicant), for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, for authority to construct and operate the following described facilities:

(a) 31.5 miles of 16-inch O. D. pipe line, beginning at Applicant's Eunice compressing station, located in Lea County, New Mexico, and extending in a southerly direction to Applicant's Jal plant No. 1, located in Lea County, New Mexico;

(b) Five 800 horsepower gas compressor units and appurtenant facilities at Applicant's Eunice compressing station;

(c) Two 24-inch O. D. gas scrubbing towers and appurtenant facilities at Applicant's Eunice compressing station;

(d) Two 24-inch O. D. gas scrubbing towers and appurtenant facilities at Applicant's Jal plant No. 1;

The Commission orders that: (A) A public hearing be held, commencing on June 13, 1944, at 9:45 a. m. (c. w. t.) in Courtroom No. 417, U. S. Courthouse Building, Ft. Worth, Texas, respecting the matters involved and the issues presented in this proceeding;

(B) Interested State Commissions may participate in this hearing, as provided in § 67.4 of the provisional rules

of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-7397; Filed, May 24, 1944; 9:52 a. m.]

FEDERAL TRADE COMMISSION.

[Docket 4952]

UNITED DIATHERMY, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of May, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John W. Addison, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, June 5, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 3050, William Penn Annex, 9th and Market Streets, Philadelphia, Pa.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts, conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-7414; Filed, May 24, 1944; 11:03 a. m.]

[Docket 4955]

F. AD. RICHTER & COMPANY, INC., AND H. W. KASTOR & SONS ADVERTISING CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of May, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John W. Addison, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, June 12, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Hearing Room, Hotel St. George, Brooklyn, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-7415; Filed, May 24, 1944; 11:03 a. m.]

[Docket 4986]

L. R. KALLMAN & CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 23d day of May, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John L. Hornor, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, June 19, 1944, at ten o'clock in the forenoon of that day (central standard time), in Room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-7416; Filed, May 24, 1944; 11:03 a. m.]

[Docket 4982]

SALES STIMULATORS

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23d day of May, A. D. 1944.

In the matter of Ben Braude, an individual trading as Sales Stimulators.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John L. Hornor, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, June 19, 1944, at ten o'clock in the forenoon of that day (central standard time), in Room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-7417; Filed, May 24, 1944; 11:03 a. m.]

[Docket 5004]

TRUE-HEALTH GARMENTS CORP.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of May, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John W. Addison, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, June 7, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Hearing Room, Hotel St. George, Brooklyn, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-7418; Filed, May 24, 1944; 11:04 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 164, Cancelation of Gen. Permit 3]

REFRIGERATION OF CITRUS FRUITS AND VEGETABLES FROM ARIZONA, CALIFORNIA, FLORIDA, AND TEXAS

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943:

General Permit No. 3 under Service Order No. 164 is hereby canceled, effective 12:01 a. m., May 20, 1944.

A copy of this revocation has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this revocation shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7351; Filed, May 23, 1944; 11:12 a. m.]

[S. O. 209]

REROUTING OF FREIGHT TRAFFIC BETWEEN GRAND TOWER AND GALE, ILL.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 22d day of May, A. D. 1944

It appearing, that flood conditions and a washout between Grand Tower, Illinois, and Gale, Illinois, on the Murphysboro district, St. Louis division of the Illinois Central Railroad Company are interrupting transportation service upon that railroad so that it is unable to transport the traffic offered to it for movement over that route and thereby is unable properly to serve the public; in the opinion of the Commission an emergency exists requiring immediate action to avoid congestion of traffic, and in order to best promote the service in the interest of the public and the commerce of the people: it is ordered, That:

Flood conditions and washout between Grand Tower, Illinois, and Gale, Illinois. (a) *Rerouting of freight traffic.* Effective at once and until the further order of the Commission the Illinois Central Railroad Company, a common carrier by railroad subject to the Interstate Commerce Act is hereby directed to forward freight traffic now routed over its line between Grand Tower, Illinois, and Gale, Illinois, via routes most available to expedite its movement and prevent congestion, without regard to the routing thereof made by shippers or by carriers from which the traffic is received, or to the ownership of cars: *Provided*, That the billing covering all cars rerouted shall carry a reference to this order as authority for the rerouting. All rules, regulations, and practices of said carriers with respect to car service are hereby suspended and superseded insofar only as conflicting with the directions hereby made.

(b) *Rates to be applied.* That inasmuch as such disregard of routing is deemed to be due to carrier's disability, the rates applicable to traffic so forwarded by routes other than those designated by shippers, or by carriers from which the traffic is received, pursuant to this order, shall be the rates which were applicable at date of shipment over the routes so designated.

(c) *Division of rates.* In executing the orders and directions of the Commission provided for in this order the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; such divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers; and upon failure of the carriers to so agree, said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act. (40 Stat. 101, sec. 402, 418; 41 Stat. 476, 485; sec. 4, 10; 54 Stat. 901, 912; 49 U.S.C. 1 (10)-(17), 15 (4))

It is further ordered, That copies of this order and direction be served upon the Illinois Central Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-7427; Filed, May 24, 1944; 11:29 a. m.]

[S. O. 70-A, Special Permit 125]

RECONSIGNMENT OF LEMONS AT NEW ORLEANS, LA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at New Orleans, Louisiana, March 9 or 10, 1944, by Pacific Coast Fruit Distributors of car PFE 28146, lemons, then on the Texas and Pacific Railroad, to Atlanta, Georgia.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7419; Filed, May 24, 1944; 11:29 a. m.]

[S. O. 70-A, Special Permit 266]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, May 20, 1944, by L. S. Taube Company of car NP 90651, potatoes, now on the Rock Island Lines, to Moberly, Missouri (Wabash).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7420; Filed, May 24, 1944; 11:29 a. m.]

[S. O. 70-A, Special Permit 267]

RECONSIGNMENT OF ONIONS AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at St. Louis, Missouri, May 20, 1944, by the Atlantic Commission Co. of URT 7178, onions, now on the Missouri Pacific to Atlantic Commission Company, at Chicago, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7421; Filed, May 24, 1944; 11:29 a. m.]

[S. O. 200, General Permit 2, as amended]

REICING OF POTATOES IN STATE OF LOUISIANA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes originating at any point in the state of Louisiana, at the carriers option, to accord the first or initial icing at a regular icing station en route after the car is loaded and billed; and to reice in transit, one time only, to full bunker capacity, at any regular icing station en route after the station where car was initially iced.

This general permit shall become effective at 12:01 p. m., May 20, 1944, and the icing and reicing authorized herein may be accorded on such refrigerator cars moving at that time. This general permit shall expire with June 30, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7422; Filed, May 24, 1944; 11:29 a. m.]

[S. O. 200, Special Permit 13]

REICING OF POTATOES AT DENVER, COLO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only to full bunker capacity, for account of the U. S. Army: at Kansas City, Missouri, on the Union Pacific Railroad, car PFE 43565, potatoes, moving from Denver, Colorado, to Selman Field, Louisiana, (UP-KCS-Y&MV); and at Amarillo, Texas, on the Fort Worth and Denver City, car MDT 20115, potatoes, moving from Denver, Colorado, to Pecos, Texas, (C&S-Ft. W&DC-P&SF-T&P-PVS.)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7423; Filed, May 24, 1944; 11:30 a. m.]

[S. O. 200, Special Permit 14]

REICING OF CALIFORNIA POTATOES AT JERSEY CITY, N. J.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only, to full bunker capacity, May 20, 1944, as ordered by Tassini & Salisch, cars MDT 7151, BREX 3211 and MDT 22254, California potatoes, now on the Baltimore and Ohio Railroad's Communipaw yards at Jersey City, New Jersey, (icing orders placed with agent of B&O at Pier 22, New York, N. Y.) because cars must be held over the week-end.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7424; Filed, May 24, 1944; 11:30 a. m.]

[S. O. 200, Special Permit 15]

REICING OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once at Chicago, Illinois, PFE 13573 and 14077, potatoes, consigned to W. J. Engle, now at the Chicago Produce Terminal.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7425; Filed, May 24, 1944; 11:30 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

LUCIUS H. BEERS, ET AL.

ORDER FOR AND NOTICE OF HEARING

In the matter of the claim of: Lucius H. Beers, William Wickham Hoffman, and Allen Evarts Foster, as trustees (Oretta Magda Maria Marigliano).

Whereas on August 19, 1943, the Alien Property Custodian issued Vesting Order No. 1995 (8 F. R. 11817) which vested, among other things, all right, title, interest and claim of any kind or character whatsoever of Dorothea Ballard Smith Marigliano and her next of kin, whose names are unknown and each of them in and to the trust created by herself as settler and dated July 12, 1921, in which Vesting Order there was recited, among other things, a finding that said property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country (Italy), and a finding that the next of kin of Dorothea Ballard Smith Marigliano were unknown and determining that if such nationals are not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of an enemy country (Italy); and

Whereas on December 27, 1943, Lucius H. Beers, William Wickham Hoffman and Allen Evarts Foster, as trustees, filed Notice of Claim No. 1426 in which it is alleged that all of the claimants are citizens of the United States, that they represent the next of kin of said Dorothea Ballard Smith Marigliano, and that among the next of kin is a daughter Oretta Magda Maria Marigliano who is a natural-born British subject, and in which the said trustees claim all the right, title, interest and claim of any kind or character whatsoever of said Oretta Magda Marigliano in and to the trust created by Dorothea Ballard Smith Marigliano dated July 12, 1921;

Now, therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian (8 F.R. 16709) that a hearing on the said claim be held before the Vested Property Claims Committee on Tuesday, June 6, 1944 at 10 a. m., Eastern War Time, in Room 633 National Press Building, 14th and F Streets, N. W., Washington, D. C., to continue thereafter at such time and place as the Committee may determine.

It is further ordered, That this notice of hearing be served by registered mail upon the said claimants, upon the persons designated in paragraph 2 of said notice of claim, on Lucius H. Beers and Sherman Baldwin, as substituted trustees under the will of Frederick Butterfield, deceased, and upon the British Embassy in Washington, D. C., and filed with the FEDERAL REGISTER.

Any person desiring to be heard either in support of or in opposition to the said claim may appear at the hearing and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets, N. W., Washington (25), D. C., on or before June 1, 1944.

The foregoing characterization of the claim is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claim. Copies of the claim and of the said vesting order are available for public inspection at the address last above stated.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE,
JOHN C. FITZGERALD,
Chairman.
MICHAEL F. KRESKY.
NUGENT DODDS.

MAY 23, 1944.

[F. R. Doc. 44-7412; Filed, May 24, 1944; 10:55 a. m.]

GENERAL ELECTRIC CO., ET AL.

NOTICE OF SUMMARY PROCEEDING FOR ALLOWANCE OF CLAIMS

In the matter of the claims of:

General Electric Company, APC-17 re Patent No. 1,776,637 (now Reissue Patent No. 18,678), vested by Vesting Order No. 201.

Max Jacoby, APC-16 re Patent No. 2,231,580, vested by Vesting Order No. 201.

Joseph Mahler, APC-16 re Patent No. 1,902,872, vested by Vesting Order No. 676.

Leslie Company, APC-17 re Patent No. 1,614,856, vested by Vesting Order No. 201.

Builders Iron Foundry, APC-17 re Patent No. 1,822,683 (now Reissue Patent No. 19,039), vested by Vesting Order No. 201.

American Cyanamid Company, APC-17 re Patent No. 1,762,456, vested by Vesting Order No. 201.

No-Sag Spring Company, APC-17 re Patent No. 2,002,399 (now Reissue Patent No. 21,263), vested by Vesting Order No. 201.

General Electric Company, APC-17 re Patent No. 1,668,016, vested by Vesting Order No. 201.

The Alien Property Custodian having by the vesting orders above identified vested the above described property as property of nationals of a foreign country; and each claimant above identified having filed a notice of claim alleging that said claimant is the owner of the property described in each notice of claim respectively and that said claimant is not a national of a designated enemy country; and recommendation for allowance of each of said claims having been submitted:

Notice is hereby given, pursuant to § 501.1 (h) of the regulations of the Office of Alien Property Custodian (8 F.R. 16709), that copies of the said vesting orders, claims and recommendations are available for public inspection in Room 633, Office of Alien Property Custodian, National Press Building, 14th and F Street, N. W., Washington, D. C., and that any person asserting any objection to allowance of the claims shall on or before June 9, 1944 file with the undersigned at the above address an application for a hearing accompanied by a statement of the reasons therefor.

The foregoing characterizations of the claims are for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE,
JOHN C. FITZGERALD,
Chairman.
MICHAEL F. KRESKY,
NUGENT DODDS,

MAY 23, 1944.

[F. R. Doc. 44-7413; Filed, May 24, 1944; 10:55 a. m.]

[Vesting Order 93, Amdt.]

KIYONO NURSERIES

Vesting Order Number 93, dated August 6, 1942, is hereby amended to read as follows:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation, finding:

1. That Kiyono Nurseries is a co-partnership organized and doing business under the laws of the State of Alabama, and a business enterprise within the United States composed of Tsukusa Kiyono and Mrs. Tomoe Kiyono, each having an equal interest;

2. That Tsukusa Kiyono and Mrs. Tomoe Kiyono, whose last known addresses are Japan, are nationals of a designated enemy country (Japan);

and determining:

3. That Kiyono Nurseries, a co-partnership, is owned and controlled by Tsukusa Kiyono and Mrs. Tomoe Kiyono and is a national of a designated enemy country (Japan);

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian all right, title and interest of Tsukusa Kiyono and Mrs. Tomoe Kiyono in and to Kiyono Nurseries and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to Kiyono Nurseries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on May 23, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7411; Filed, May 24, 1944; 10:55 a. m.]

[Supplemental Order 1 to Vesting Order 1 and Demand for Possession]

I. G. FARBENINDUSTRIE A. G.

In re: Patents, stock, and other property of I. G. Farbenindustrie Aktiengesellschaft.

First. (A) Under the authority of the Trading with the Enemy Act, as amended, and the authority vested by the President in the undersigned, and pursuant to law,

the undersigned, on March 25, 1942, issued Vesting Order No. 1 (7 F.R. 2417) finding that certain property described in Exhibit A thereof was the property of nationals of a foreign country as defined in Executive Order No. 8389, as amended, and declaring that such properties, including all interests therein, were vested in the Alien Property Custodian.

(B) The said Exhibit A to Vesting Order No. 1 included all right, title and interest of I. G. Farbenindustrie Aktiengesellschaft, an enemy corporation, in and to the various items specified in said Exhibit A, including its accompanying Schedules A, B, C, and D (7 F.R. 2417 to 2424, inclusive).

(C) Under the authority of the Trading with the Enemy Act, as amended, and the authority vested by the President in the undersigned and pursuant to law, the undersigned, after investigation, has found and determined that the aforesaid rights, titles and interests of I. G. Farbenindustrie Aktiengesellschaft, a German corporation (which is a national of a designated enemy country (Germany), vested March 25, 1942, in Vesting Order No. 1 included, inter alia, the following described property, and the full, complete, and unqualified legal and equitable title therein and thereto:

(1) Five (5) shares of the capital stock of Jasco, Inc., a corporation of the State of Louisiana, now registered in the names of "Walter Schaefer and Harold A. Koechling, Trustees under Trust Agreement of September 1, 1939."

(2) Two hundred (200) shares of the capital stock of Standard Catalytic Company, a corporation of Delaware (formerly known as S. I. G. Company and Standard-I. G. Company), now registered in the name of "Standard Oil Company (New Jersey)."

(3) Four hundred twenty-five (425) shares of the capital stock of Hydrocarbon Synthesis Corporation, a corporation of the State of Delaware, now registered in the names of "Standard Catalytic Company" or "Standard-I. G. Company" or "S. I. G. Company."

(4) The United States Letters Patent listed in Exhibit A attached hereto and made a part hereof and all damages and profits recoverable at law and in equity from any person, firm, corporation or government for past infringement thereof.

(5) The applications for United States Letters Patent listed in Exhibits B and C attached hereto and made a part hereof.

(D) This section First is not a finding and determination of all the rights, titles and interests vested in the undersigned, as Alien Property Custodian, pursuant to Vesting Order No. 1. It is intended only to find and determine the rights, titles and interests of I. G. Farbenindustrie Aktiengesellschaft in the specific properties described in subparagraphs (C) (1) through (C) (5) of this section First, as they existed immediately prior to the issuance of Vesting Order No. 1.

Second. (A) To the extent, it any, that any part of the property listed in subparagraphs (C) (1) through (C) (5) of section First hereof, and the full, complete, and unqualified legal and equitable title therein and thereto, was not vested in the Alien Property Custodian on March 25, 1942, by Vesting Order No. 1, the undersigned, under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, and after investigation:

Finding—

1. That I. G. Farbenindustrie Aktiengesellschaft is a business organization organized under the laws of Germany and is a national of a designated enemy country (Germany);

2. That the property identified in subparagraphs 3 and 4 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described as follows:

a. All right, title and interest, including all accrued royalties and all damages and profits recoverable at law and in equity from any person, firm, corporation or government for past infringement thereof, in and to the United States Letters Patent listed in Exhibit A attached hereto and made a part hereof;

b. Patent applications listed in Exhibit B attached hereto and made a part hereof;

c. Patent applications identified in Exhibit C attached hereto and made a part hereof together with the entire right, title and interest throughout the United States and its territories in and to, including the right to file applications in the United States Patent Office for Letters Patent for, the invention or inventions shown or described in such applications;

is property of a national of a designated enemy country (Germany);

4. That—

a. Five (5) shares of the capital stock of Jasco, Inc., a corporation of the State of Louisiana, now registered in the names of "Walter Schaefer and Harold A. Koechling, Trustees under Trust Agreement of September 1, 1939." are beneficially owned by I. G. Farbenindustrie Aktiengesellschaft;

b. Two hundred (200) shares of the capital stock of Standard Catalytic Company, a corporation of Delaware (formerly known as S. I. G. Company and Standard-I. G. Company), now registered in the name of "Standard Oil Company (New Jersey)" are beneficially owned by I. G. Farbenindustrie Aktiengesellschaft;

c. Four hundred twenty-five (425) shares of the capital stock of Hydrocarbon Synthesis Corporation, a corporation of the State of Delaware, now registered in the names of "Standard Catalytic Company" or "Standard-I. G. Company" or "S. I. G. Company" are beneficially owned by I. G. Farbenindustrie Aktiengesellschaft;

and that the foregoing enumerated shares of capital stock are property within the United States owned by a national of a designated enemy country (Germany); and

Determining—

5. That the property described in subparagraph 4 of this section Second is necessary for the maintenance or safeguarding of other property (namely, that property referred to in subparagraph 3 of this section Second) belonging to the same national of the same designated enemy country and subject to vesting pursuant to section 2 of said Executive order (and in fact vested by this section Second to the extent, if any, that the same was not vested on March 25, 1942, by Vesting Order No. 1);

6. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraphs 3 and 4 of this section Second, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit, of the United States.

(B) Such property so vested by paragraph (A) of this section Second and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

(C) Any person, except a National of a Designated Enemy Country, asserting any claim arising as a result of this supplementary order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian, on Form APC–1, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

(D) The terms "National" and "Designated Enemy Country", as used herein, shall have the meanings prescribed in Section 10 of Executive Order No. 9095, as amended.

Third. This supplemental order and demand for possession is supplemental to, and in no way diminishes, restricts or limits the force and effect of, said Vesting Order No. 1, 7 F.R. 2417; and nothing herein contained shall diminish, restrict or limit any rights, titles or interests vested in the undersigned, as Alien Property Custodian, pursuant to said Vesting Order No. 1.

Fourth. The undersigned, as Alien Property Custodian, does hereby demand and require that the party or parties in possession or control thereof shall forthwith convey, transfer, assign, deliver and pay over to the undersigned, as Alien Property Custodian, all of the aforesaid property listed in subparagraphs (C) (1) to (C) (5), inclusive, of section First hereof (whether the same was vested in the Alien Property Custodian on March 25, 1942, pursuant to Vesting Order No. 1, or as of this date pursuant to the cautionary vesting in section Second hereof), together with all accumulations, additions, and increments thereon.

Executed at Washington, D. C., on May 23, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

PART I

Patents which are identified as follows:

Patent No., Date, Inventor and Title

1,543,357; 5/23/25; Emil Baur; Process for the recovery of hydrogen and oxygen by electrolysis.

1,556,559; 10/27/25; Alwin Mittasch, Karl Winkler, Mathias Pier; Production of oxygenated organic compounds.

1,569,775; 1/12/26; Alwin Mittasch, Mathias Pier; Synthetic manufacture of methanol.

1,591,526; 7/6/26; Wilhelm Gaus, Franz Lappe; Operating explosion motors.

1,631,823; 6/7/27; Josef Jannek; Purifying gases.

1,643,663; 9/27/27; Fritz Klatte, Julius Soll; Production of methane.

1,673,620; 6/12/28; Martin Muller-Cunradi; Liquid fuel.

1,678,630; 7/31/28; Hans Bahr; Method of converting hydrogen sulphide into sulphur dioxide.

1,681,335; 8/21/28; Robert Griessbach, Julius Eisele; Stable suspension and paste of coal.

1,684,634; 9/18/28; Martin Luther, Kurt Pieroh, Erich Kranepuhl; Catalytic dehydrogenation.

1,684,640; 9/18/28; Otto Schmidt, Albert Feller, Karl Seydel; Purifying organic compounds containing oxygen.

1,687,118; 10/9/28; Fritz Winkler; Manufacturing fuel gas.

1,698,502; 1/8/29; Alwin Mittasch, Carl Muller, Leo Schlecht, Walter Schubardt; Production of hydrocarbons.

1,704,732; 3/12/29; August Eisenhut, Albert Auerhahn; Manufacture of valuable organic products.

1,723,772; 8/6/29; Emil Edwin; Process of making gaseous mixtures of nitrogen and hydrogen.

1,732,371; 10/22/29; Martin Luther, Kurt Pieroch; Purifying oil.

1,732,381; 10/22/29; Otto Schmidt, Otto Grosskinsky, Georg Niemann; Process for splitting hydrocarbons.

1,743,214; 1/14/30; Paul Herold, Helmuth Langheinrich; Production of organic compounds containing oxygen.

1,746,934; 2/11/30; Paul Gmelin, Otto Eisenhut; Treatment of hydrocarbons with electric arcs.

1,748,315; 2/25/30; Fritz Stoewener; Manufacture of active silica.

1,751,117; 3/18/30; Gustav Wietzel; Manufacture of combustible gas containing hydrogen and carbon monoxide.

1,751,955; 3/25/30; Frits Stoewener; Manufacture of active silica.

1,757,454; 5/6/30; Otto Eisenhut; Valuable products from coal, tars, mineral oils, and the like.

1,757,455; 5/6/30; Hans Franzer; Martin Luther; Bleaching and deodorizing oxidation products of high-molecular hydrocarbons.

1,760,289; 5/27/30; Fritz Stoewener, Ernest Munzing; Highly-active absorbent and catalytic mass.

1,762,688; 6/10/30; Fritz Hofmann; Oxidizing paraffins, waxes, and the like.

1,765,692; 6/24/30; Wilhelm Wilke, Martin Muller-Cunradi; Motor fuel.

1,766,699; 6/24/30; Hans Adolf Von Staden, Albert Berenbruch, Anton Hohn; Apparatus for continuous distillation of difficultly-distillable liquids.

1,766,716; 6/24/30; Alwin Mittasch, Walter Frankenburger; Manufacture of valuable organic compounds.

1,766,763; 6/24/30; Mathias Pier, Martin Muller-Cunradi, Gustav Wietzel, Karl Winkler; process of producing gases for the manufacture of oxygenated organic compounds.

1,775,640; 9/16/30; Robert Griessbach, Julius Eisele; Manufacture of metal oxides.

1,775,674; 9/16/30; Wilhelm Gaus; Motor fuel.

1,776,193; 9/16/30; Wilhelm Pungs, Erich Frese; Production of solid lubricants.

1,776,875; 9/30/30; Rudolf Wietzel, Ernst Willfroth; Catalyst of high mechanical strength.

1,776,876; 9/30/30; Fritz Winkler; Manufacturing water gas.

1,778,447; 10/14/30; Georg Wilhelm Burkhardt; Process of lubricating steam turbines.

1,782,590; 11/25/30; Gustav Wietzel, Josef Jannek, Fritz Fried; Elimination of sulphur compounds from gases.

1,783,726; 12/2/30; Franz Lappe, Edwin Koch, Mathias Pier, Hans Sauer; Metallic apparatus for carrying out chemical and other processes.

1,783,757; 12/2/30; Hans Adolf von Staden, Anton Hoehn; Dehydration of moist fuels.

1,787,951; 1/6/31; Wilhelm Pungs, Erich Frese; Increasing the viscosity and improving the lubricating properties of oils.

1,788,170; 1/6/31; Mathias Pier, Gustav Wietzel; Manufacture of organic compounds containing oxygen.

1,788,204; 1/6/31; Wilhelm Posth, Frans Bessemann; Process of bleaching mineral oils and fats.

1,788,799; 1/13/31; Martin Luther, Ernst Willfroth; production of oxidation products from crude paraffin hydrocarbons waxes, and the like.

1,789,873; 1/20/31; Hans Lecher, Albert Koch; Polymerization of Butadiene Hydrocarbons.

1,790,248; 1/27/31; Karl Roth; Electrode for Electrolytic Cells.

1,790,249; 1/27/31; Karl Roth; Electrode for Electrolytic Cells.

1,791,568; 2/10/31; Alwin Mittasch, Mathias Pier, Carl Muller; Manufacture of Oxygenated Organic Compounds.

1,793,136; 2/17/31; Carl Roth; Electrolytic Cell.

1,794,004; 2/24/31; Otto Eisenhut; Production of Acetylene and Hydrogen in the Electric Arc.

1,794,865; 3/3/31; Mathias Pier, Rudolfe Wietzel, Bruno Engel; Separation of Oils from Mixtures with Solid Substances.

1,795,549; 3/10/31; Paul Feiler; Production of Diolefines.

1,798,288; 3/31/31; Rudolph Wietzel, Walter Speer, Hans Kaehler; Production of Hydrocarbons of High-Boiling-Point Range.

1,799,787; 4/7/31; Paul Feiler; Production of Unsaturated Hydrcarbons.

1,801,382; 4/21/31; Rudolph Wietzel, Kurt Fisher; Production of hydrocarbons.

1,803,855; 5/5/31; Oskar Kramer, Leopold Bub; Manufacture of carbon.

1,809,445; 6/9/31; Claus Heuck, Hans Enderlein; Production of polymerization products of diolefines.

1,811,130; 6/23/31; Fritz Hofmann, Michael Otto; Process for the polymerization of olefines.

1,812,398; 6/30/31; Ernst Galle, Hermann Zorn; Process for the conversion of hydrocarbons of high boiling point into others of low boiling point.

1,813,514; 7/7/31; Otto Schmidt, Otto Grosskinsky; Production of carbon black and apparatus therefor.

1,814,410; 7/14/31; Adolf Richter, Wilhelm Schafer; Process for purifying and refining hydrocarbon oils.

1,814,420; 7/14/31; Hans Tochtermann, Claus Heuck; Production of rubber.

1,818,158; 8/11/31; Mathias Pier, Walter Boesler, August Eisenhut; Removal of monocyclic aromatic hydrocarbons from gases.

1,818,165; 8/11/31; Otto Schmidt, Johannes Ufer; Process of transforming oxids of carbon into organic compounds, particularly methanol.

1,818,579; 8/11/31; Georg Pfeilderer; electrode.

1,822,349; 9/8/31; Josef Jannek, Otto Gohre; Recovery of soluble products from solid carbonizable substances.

1,822,351; 9/8/31; Carl Krauch, August Eisenhut, Mathias Pier; Purification of hydrogenation products of carbonaceous materials.

1,823,116; 9/15/31; Ernst Galle, Carl Muller, Gustav Wietzel; Conversion of solid fuels.

1,823,468; 9/15/31; Mathias Pier; manufacture of methyl alcohol and other oxygenated organic compounds.

1,823,495; 9/15/31; Carl Krauch, Martin Muller-Cunradi; production of hydrocarbons of high molecular weight.

1,823,503; 9/15/31; Alwin Mittasch, Walter Frankenburger, Gustav Wietzel; manufacture of unsaturated hydrocarbons.

1,823,983; 9/22/31; Martin Luther, Hans Wille; oxidation of hydrocarbons and extraction of the oxidized products.

1,826,846; 10/13/31; Eduard Tschunkur, Walter Bock; artificial rubber.

1,827,285; 10/13/31; Georg Ebert, Friedrich August Fries, Walter Reppe; polymerization products of diolefines.

1,828,372; 10/20/31; Hermann Jochheim; production of acetaldehyde and acetic acid.

1,828,380; 10/20/31; Hans Rotger, Fritz Stoewener; catalytic process.

1,832,428; 11/17/31; Otto Schmidt, Otto Grosskinsky; separation of gaseous or low-boiling unsaturated hydrocarbons.

1,832,450; 11/17/31; Georg Ebert, Friedrich August Fries; production of polymerization products from diolefines.

1,834,866; 12/1/31; Wilhelm Pungs, Karl Behringer; production of soft pale colored products of waxy nature.

1,835,425; 12/8/31; Mathias Pier; destructive hydrogenation of carbonaceous materials.

1,835,426; 12/8/31; Mathias Pier; destructive hydrogenation of carbonaceous materials.

1,838,234; 12/29/31; Karl Schirmacher, Ludwig Van Sutphen; Process of polymerizing hydrocarbons of the butadiene series.

1,838,893; 12/29/31; Fritz Winkler, Carl Messerknecht; Cracking oils.

1,840,287; 1/5/32; Fritz Hofmann, Carl Wulff; Extraction of oils from materials containing same.

1,840,649; 1/12/32; Fritz Winkler, Paul Feiler, Carl Messerknecht; Process of producing fuel gas.

1,841,055; 1/12/32; Walter Reppe, Ulrich Hoffmann; Production of unsaturated hydrocarbons.

1,841,910; 1/19/32; Mathias Pier, Rudolf Wietzel, Karl Winkler; Producing oxygenated organic compounds.

1,842,906; 1/26/32; Ferdinand Lampe; Apparatus for the low temperature carbonization of oil-bearing materials.

1,844,998; 2/16/32; Rudolf Wietzel, Conrad Pfaundler; Production of valuable hydrocarbons of low boiling point.

1,845,058; 2/16/32; Mathias Pier; Catalytic gas reactions.

1,845,439; 2/16/32; Mathias Pier, Walter Simon; Liquid and other hydrocarbons and derivatives thereof by the destructive hydrogenation of carbonaceous materials.

1,845,555; 2/16/32; Mathias Pier, Walter Simon; Liquid and other hydrocarbons and derivatives thereof by the destructive hydrogenation of carbonaceous materials.

1,847,095; 3/1/32; Alwin Mittasch, Conrad Pfaundler, Rudolf Wietzel; prevention of the formation of carbon in operations carried out with hydrocarbons at an elevated temperature.

1,849,675; 3/15/32; Oskar Kramer; production of carbon black.

1,851,104; 3/29/32; Hans Lecher, Albert Koch; process of polymerizing butadiene hydrocarbons in the emulsified state.

1,851,726; 3/29/32; Rudolf Wietzel, Mathias Pier, Wilhelm Pungs; production of liquid hydrocarbons.

1,851,762; 3/29/32; Johannes Fahrenhorst, Franz Kraegeloh, Karl Goeggel; catalytic reaction.

1,854,146; 4/12/32; Ernst Galle, Gerhardt Hofmann, Hermann Zorn; production of hydrocarbons of low boiling point.

1,856,186; 5/3/32; Fritz Hofmann, Manfred Dunkel; preservation of oils.

1,856,639; 5/3/32; v. d. Horst, Rudolf Wietzel; production of acetaldehyde.

1,857,799; 5/10/32; Fritz Winkler; production of water gas.

1,857,814; 5/10/32; Carl Krauch, Mathias Pier; supplying heat in high pressure reactions.

1,859,314; 5/24/32; Karl Winkler, Kurt Wissel, Mathias Pier; Destructive hydrogenation of carbonaceous materials.

1,859,686; 5/24/32; Eduard Tschunkur, Walter Bock; New rubber like masses and process of preparing the same.

1,860,681; 5/31/32; Martin Luther, Claus Heuck; Polymerization products of diolefines.

1,863,212; 6/14/32; Karl Winkler; Manufacture of liquid hydrocarbons.

1,863,586; 6/21/32; Ernst Wilke; Heat exchanger.

1,863,669; 6/21/32; Martin Muller-Cunradi, Mathias Pier; Process of producing motor fuels by destructive hydrogenation of carbonaceous material.

1,863,670; 6/21/32; Mathias Pier; Production of viscous Oils and hydrocarbons products of low boiling point.

1,864,058; 6/21/32; Hans Franzen, Martin Luther; Recovery of Organic Acids.

1,864,078; 6/21/32; Martin Luther, Claus Heuck; Products of Latex Character and a process for producing the same.

1,864,496; 6/21/32; Kurt Wissel, Mathias Pier; Production of nonknocking motor fuels.

1,864,855; 6/28/32; Mathias Pier, Martin Muller-Cunradi; Process of producing motor fuel by destructive hydrogenation of carbonaceous materials.

1,864,856; 6/28/32; Mathias Pier, Ernst Hochschwender, Kurt Wenzel; Separation from solid residues of oils obtained in the destructive hydrogenation of carbonaceous materials.

1,865,183; 6/28/32; Wilhelm Gaus; Apparatus for treating solid and liquid materials.

1,868,127; 7/19/32; Fritz Winkler, Hans Haeuber; Production of valuable hydrocarbons.

1,868,919; 7/26/32; Otto Schmidt, Otto Grosskinsky; Production of carbon black.

1,868,920; 7/26/32; Otto Schmidt, Otto Grosskinsky; Production of carbon black.

1,868,921; 7/26/32; Otto Schmidt, Otto Grosskinsky; Production of carbon black.

1,869,736; 8/2/32; Albert Berenbruch; Apparatus for carrying out exothermic catalytic gas reactions.

1,869,825; 8/2/32; Gerhard Ritter, Edwin Ufer; Recovery of pure hydrogen.

1,871,082; 8/9/32; Wilhelm Pungs; Bleaching artificial fatty acids.

1,872,774; 8/23/32; Martin Luther, Hans Klein; Catalytic oxidation of organic compounds.

1,874,322; 8/30/32; Martin Luther, Walter Flemming; oxidation of aliphatic hydrocarbons of high molecular weight.

1,874,546; 8/30/32; Erich Konrad, Werner Siefken; Process for the coagulation of latex like emulsions to rubber like masses.

1,876,009; 9/6/32; Carl Krauch, Mathias Pier; Conversion of solid fuels and products derived therefrom or other carbonaceous materials into valuable products.

1,876,270; 9/6/32; Hermann Zorn; Conversion of hydrocarbons of higher boiling point into those of lower boiling point.

1,876,509; 9/20/32; Richard Michel; Insulating oil.

1,879,543; 9/27/32; Fritz Schwerdtel; Process for the coagulation of latex-like emulsions.

1,880,677; 10/4/32; Christoph Beck, Frans Kremp; Recovery of organic acids.

1,880,918; 10/4/32; Georg Ebert, Friedrich August Fries, Paul Garbsch; Polymerisation of diolefines.

1,880,924; 10/4/32; Otto Eisenhut; Production of carbon black, acetylene, and hydrogen.

1,881,490; 10/11/32; Paul Gmelin, Adolf Knodel; Process and apparatus for the Separation of gas mixtures.

1,881,691; 10/11/32; Carl Krauch, Ernst Hochschwender, Mathias Pier; Separation of oils from mixtures thereof with solid substances.

1,881,692; 10/11/32; Carl Krauch, Martin Muller-Cunradi; Unsaturated aliphatic hydrocarbon.

1,881,853; 10/11/32; Martin Mueller-Cunradi, Kurt Pieroh; Process for the Production of Aidol.

1,881,861; 10/11/32; Martin Mueller-Cunradi, Berthold Ottens; Production of highly concentrated paraffin wax.

1,881,966; 10/11/32; Mathias Pier, Kurt Wissel; Process for dehydrating moist fuel.

1,881,969; 10/11/32; Mathias Pier, Kurt Wissel; Recovery of refined products from distillable carbonaceous materials.

1,882,712; 10/18/32; Leonid Andrussow, Felix Duerr; Production of catalysts comprising phosphates.

1,882,813; 10/18/32; Walter Haag; Catalysts of the production of carbon black.

1,882,976; 10/18/32; Otto Schmidt, Georg Niemann, Egon Meyer; Production of conversion products of synthetic rubber.

1,882,977; 10/18/32; Otto Schmidt, Georg Niemann; Production of hydrogen.

1,882,978; 10/18/32; Otto Schmidt, Otto Grosskinsky; Recovery of unsaturated aliphatic hydrocarbons.

1,884,093; 10/25/32; Alwin Mittasch, Walter Frankenburger, Fritz Winkler; Production of liquid hydrocarbons of low boiling point from olefines.

1,885,060; 10/25/32; Fritz Hofmann, Michael Otto, Walter Stegemann; Polymerization of olefines.

1,885,653; 11/1/32; Ludwig Van Zutphen; Process of polymerizing hydrocarbons of the butadiene series.

1,889,251; 11/29/32; Carl Krauch, Karl Hochschwender, Walter Schunck; Process of manufacturing organic compounds.

1,889,926; 12/6/32; Martin Luther, Martin Muller-Cunradi; Recovery of oils of high boiling point.

1,889,932; 12/6/32; Emmerich v. Pongratz, Hermann Zorn; Recovery of oils from industrial residues.

1,889,942; 12/6/32; Hans Baehr; Purification of sulphur bearing gases and recovery of sulphates and sulphur.

1,889,952; 12/6/32; Martin Mueller-Cunradi, Fritz Eggert; Polymerization products of butylenes.

1,890,434; 12/6/32; Carl Krauch, Mathias Pier; Conversion of solid fuels and products derived therefrom or other materials into valueble liquids.

1,890,435; 12/6/32; Carl Krauch, Mathias Pier; Production of valuable liquid products from tars, mineral oils, and the like carbonaceous materials.

1,890,436; 12/6/32; Mathias Pier, Carl Krauch; conversion of solid fuels and products derived therefrom or other materials into valuable liquids.

1,890,437; 12/6/32; Mathias Pier; production of valuable hydrocarbons from carbonaceous materials tars, mineral oils, and the like.

1,890,438; 12/6/32; Mathias Pier; conversion of carbonaceous material into fuels of relatively low boiling point range.

1,890,439; 12/6/32; Mathias Pier; destructive hydrogenation of carbonaceous materials.

1,891,203; 12/13/32; Otto Ambros, Hans Reindel, Julius Eisele, Johannes Stoehrel; polymerization of unsaturated organic compounds.

1,892,973; 1/3/33; Gustav Wietzel, Alfred Starke; production of unsaturated gaseous hydrocarbons and hydrogen.

1,893,804; 1/10/33; Alwin Mittasch, Rudolf Wietzel, Conrad Pfaundler; heat treating hydrocarbons at an elevated temperature.

1,894,116; 1/10/33; Mathias Pier; apparatus for carrying out the destructive hydrogenation of carbonaceous material.

1,894,126; 1/10/33; Otto Schmidt; production of carbon black.

1,894,140; 1/10/33; Gustav Wietzel, Georg Schiller; apparatus for endothermic catalytic reactions.

1,894,255; 1/10/33; Fritz Winkler, Hans Haeuber; production of liquid hydrocarbons from olefines.

1,894,257; 1/10/33; Mathias Pier, Eugen Anthes; Production of liquid hydrocarbons.

1,894,763; 1/17/33; Otto Eisenhut, Heinrich Schilling; Purification of gases containing acetylene.

1,894,764; 1/17/33; Otto Grosskinsky, Max Treppenhauer; Production of carbon black.

1,896,764; 1/31/33; Alwin Mittasch, Hermann Zorn; Process for the production of catalysts.

1,895,769; 1/31/33; Mathias Pier, Carl Winkler, Eugene Anthes; Production of valuable hydrocarbons from carbonaceous materials which are in the liquid state.

1,896,491; 2/7/33; Martin Luther, Claus Heuck; Process for emulsifying diolefines and for the production of products similar to Latex.

1,896,493; 2/7/33; Helmuth Meis, Wilhelm Klein, Eduard Tschunkur; Artificial rubber.

1,897,796; 2/14/33; Friedrich Wilhelm Guthke; Desulphurization of crude aromatic hydrocarbons.

1,898,522; 2/21/33; Walter Bock, Eduard Tschunkur; Polymerization product of butadiene-1.3 hydrocarbons and process of making same.

1,898,527; 2/21/33; Otto Eisenhut; Production of hydrogen and gas mixtures containing the same.

1,898,967; 2/21/33; Christian Schneider, Heinrich Buetefisch; Production of Mixtures of nitrogen and hydrogen from bituminous fuels.

1,899,582; 2/28/33; Benjamin Mark, Ernest Roell, Manfred Dunkel; Carrying out Friedel crafts and similar condensation reactions with nonaromatic compounds.

1,900,739; 3/7/33; Otto Schmidt, Heinrich Fischer, Otto Grosskinsky, Max Treppenhauer; Production of olefines and diolefine.

1,900,751; 3/7/33; Hans Baehr; Purification of gases.

1,901,044; 3/14/33; Otto Schmidt, Berthold Schnell, Egon Meyer; Production of artificial masses.

1,901,045; 3/14/33; Otto Schmidt; Production of foils.

1,901,354; 3/14/33; Kurt Meisenburg; Mixed rubber-like masses and process of preparing same.

1,902,351; 3/21/33; Paul Baumann, Albert Fischer, Heinrich Schilling; Treating carbonaceous materials with electric arcs.

1,904,426; 4/18/33; Otto Eisenhut; Production of acetylene and hydrogen.

1,904,476; 4/18/33; Carl Krauch, Mathias Pier; Conversion of solid fuels and products derived therefrom or other materials into valuable products.

1,904,477; 4/18/33; Eugen Anthes, Carl Krauch, Mathias Pier; Production of valuable organic products.

1,904,521; 4/18/33; Mathias Pier, Karl Winkler; Separation of Oils from Solid Residues.

1,904,586; 4/18/33; Karl Winkler, Kurt Wissel; Conversion of Carbonaceous Solids into valuable liquid products.

1,905,520; 4/25/33; Christian Steigerwald; Conversion of methane into liquid hydrocarbons.

1,906,462; 5/2/33; Otto Grosskinsky; Production of carbon black.

1,906,667; 5/2/33; Eduard Tschunkur, Walter Bock; Artificial rubber like vulcanizates.

1,907,812; 5/9/33; Werner Honsberg; Electrolytic cell.

1,907,855; 5/9/33; Martin Mueller-Cunradi, Hanns Soenksen; Production of 1.3-Butyleneglycol.

1,908,266; 5/9/33; Eugen Dorrer; Production of hydrocarbons.

1,908,482; 5/9/33; Hans Klein, Arthur Beck; Production of vulcanized rubber.

1,909,145; 5/16/33; Albert Berenbruch; Recovery of energy transmitted to liquids.

1,909,295; 5/16/33; Martin Luther, Hans Wille; Sulphonation of Oxidation products of hydrocarbons and the like.

1,910,050; 5/23/33; Mathias Pier, Eugene Anthes, August Eisenhut; Method of producing valuable liquid fuels.

1,910,051; 5/23/33; Mathias Pier, Friedrich Ringer; Method of making motor fuels.

1,910,910; 5/23/33; Rudolf Wietzel, Conrad Pfaundler; Manufacture of hydrocarbons of the benzene series.

1,911,498; 5/30/33; Karl Goetz; Desulpurization of gases.

1,911,505; 5/30/33; Paul Herold, Gustav A. Krajewski; Recovery of molybdenum and similar metals.

1,911,586; 5/30/33; Christian Schneider, Franz Sabel; Gas producer.

1,911,672; 5/30/33; Walter Bock, Eduard Tschunkur; Artificial rubber.

1,911,729; 5/30/33; Eduard Tschunkur, Walter Bock; Tire composition.

1,912,123; 5/30/33; Christoph Beck, Heinrich Diekmann, Franz Kremp; Production of fatty acids.

1,912,856; 6/6/33; Mathias Pier, Heinz Lemme; Separation of liquid constituents from mixtures of solids and liquids.

1,913,940; 6/13/33; Alwin Mittasch, Hellmuth Langheinrich, Mathias Pier, Rudolf Wietzel; Production of hydrocarbons.

1,913,941; 6/13/33; Alwin Mittasch, Hellmuth Langheinrich, Mathias Pier, Rudolf Wietzel; Production of hydrocarbons.

1,913,968; 6/13/33; Fritz Winkler; Fuel gas.

1,914,326; 6/13/33; Reinhold Fick; Production of alkylene cyanhydrins.

1,914,727; 6/20/33; Mathias Pier, Friedrich Christmann; Production of lubricating oils.

1,915,745; 6/27/33; Kurt Meisenburg, Walter Bock; Rubber-like masses containing olefine naphthalene polymerizates.

1,916,824; 7/4/33; Karl Braus; Removal of sulphur compounds from gases.

1,916,836; 7/4/33; Hans Haeuber; Production of shaped articles from masses containing silicon.

1,917,324; 7/11/33; Mathias Pier, Karl Winkler, Walter Simon; Production of low boiling hydrocarbon products.

1,919,730; 7/25/33; Josef Koenig, Fritz Stoewener; Porous metal and metal oxide.

1,919,752; 7/25/33; Otto Schmidt, Otto Grosskinsky; Separation of mixtures by distillation.

1,919,857; 7/25/33; Mathias Pier, Karl Winkler; Destructive hydrogenation of coals, tars, mineral oils and the like.

1,920,344; 8/1/33; Christoph Beck, Heinrich Diekmann; Production of fatty acids.

1,920,886; 8/1/33; Mathias Pier, Max Wildhagen, Walter Schunck; Valuable products from carbonaceous substances.

1,920,887; 8/1/33; Mathias Pier; Production of valuable liquid products from solid distillable carbonaceous materials by destructive hydrogenation.

1,920,888; 8/1/33; Mathias Pier, Wilhelm Rumpf; Destructive hydrogenation of distillable carbonaceous materials.

1,921,381; 8/8/33; Hans Beller, Martin Luther; Production of alcohols of high molecular weight.

1,921,477; 8/8/33; Mathias Pier; Production of valuable hydrocarbons.

1,921,478; 8/8/33; Mathias Pier; Production of valuable liquid hydrocarbons.

1,921,856; 8/8/33; Gustav Wietzel, Georg Schiller; Production of gaseous mixtures containing hydrogen and nitrogen from methane.

1,921,867; 8/8/33; Georg Ebert, Paul Garbsch, Friedrich August Fries; Production of polymerization products of diolefines.

1,922,491; 8/15/33; Ernst Galle, Alwin Mittasch, Georg Stern; Conversion of hydrocarbons of high boiling point into those of low boiling point.

1,922,499; 8/15/33; Walter Simon, Mathias Pier; Destructive hydrogenation of carbonaceous materials.

1,922,542; 8/15/33; Carl Krauch, Mathias Pier, Walter Simon; Destructive hydrogenation of carbonaceous materials.

1,922,918; 8/15/33; Fritz Winkler, Paul Feiler, Hans Haeuber; Production of liquid, in particular aromatic, hydrocarbons.

1,923,569; 8/22/33; Martin Mueller-Cunradi, Ernst Ober; Production of diolefines.

1,923,571; 8/22/33; Ernst Galle, Gerhardt Hofmann, Walter Rosinsky; Conversion of hydrocarbons of high boiling point into those of low boiling point.

1,923,576; 8/22/33; Carl Krauch, Mathias Pier; Conversion of solid fuels and products derived therefrom or other materials into valuable liquids.

1,923,583; 8/22/33; Wilhelm Pungs, Hans Rabe; Production of liquid unsaturated hydrocarbons of high molecular weight.

1,923,652; 8/22/33; Karl Winkler, Walter Kroenig; Recovery of molybdenum.

1,924,227; 8/29/33; Walter Bock, Eduard Tschunkur; Artificial rubber.

1,925,525; 9/5/33; Wilhelm Dietrich, Max Harder; Separation of products containing oxygen from mixtures thereof with hydrocarbons.

1,925,551; 9/5/33; Rudolf Wietzel, Bruno Engel; Separation of valuable products from mixtures thereof with solid substances.

1,925,566; 9/5/33; Mathias Pier, Karl Winkler; Apparatus for the recovery of volatilizable organic substances from materials containing the same.

1,926,424; 9/12/33; Arthur Beck, Hans Klein; Production of vulcanization products.

1,926,575; 9/12/33; Friedrich Zobel, Martin Luther; Production of acetaldehyde.

1,927,244; 9/19/33; Mathias Pier, Wilhelm Michael, Karl Winkler; Distillation of Hydrogenated Oil Residues.

1,927,840; 9/26/33; Martin Luther; Working up oxidation products prepared from solid hydrocarbons.

1,927,841; 9/26/33; Martin Luther, Hans Franzen; Production of organic acids.

1,929,373; 10/3/33; Hermann Mark, Heinrich Hopff; Process for the production of products having high stability to attrition from rubber materials.

1,929,649; 10/10/33; Mathias Pier, Karl Winkler, low-temperature carbonization of Carbonaceous material.

1,930,468; 10/17/33; Martin Mueller-Cunradi, et al.; Purification of crude paraffin wax.

1,931,492; 10/24/33; William Hennicke; Production of hydrogen.

1,931,501; 10/24/33; Martin Luther, Wilhelm Dietrich; Production of alcohols.

1,931,549; 10/24/33; Carl Krauch, Mathias Pier; Conversion of solid fuels and products derived therefrom or other materials into valuable liquids.

1,931,550; 10/24/33; Carl Krauch, Mathias Pier; Conversion of Solid Fuels and Products derived therefrom or other Materials into Valuable Liquids.

1,931,859; 10/24/33; Hans Beller, Martin Luther; Process for the Recovery of Organic Acids from Oxidized Nonaromatic Hydrocarbons.

1,932,174; 10/24/33; Mathias Pier, Wilhelm Gaus; Production of Valuable Hydrocarbons.

1,932,186; 10/24/33; Mathias Pier, Walter Simon, Friedrich Ringer; Production of Refined Hydrocarbon Oils.

1,932,365; 10/24/33; Carl Krauch, Mathias Pier; Refining of Crude Benzol.

1,932,369; 10/24/33; Friedrich Wilhelm Guthke; Removal of Sulphur Compounds from Crude Hydrocarbons.

1,932,390; 10/31/33; Waldemar Zieser; Hard rubber like masses.

1,932,613; 10/31/33; Christoph Beck, Heinrich Diekmann; Oxidation of organic compounds.

1,932,673; 10/31/33; Mathias Pier, Karl Winkler; Production of valuable hydrocarbons.

1,933,069; 10/31/33; Mathias Pier, Karl Winkler; Recovery of the products of destructive hydrogenation.

1,933,434; 10/31/33; Fritz Hofmann, Carl Wulff; Production of hydrocarbon oils.

1,934,001; 11/7/33; Mathias Pier, Kurt Wissel; Production of hydrocarbon products.

1,934,007; 11/7/33; Hans Roos, Emil Schwamberger; Removal of phenols from hydrocarbons.

1,934,836; 11/14/33; Gustav Wietzel, Wilhelm Haller, William Hennicke; Process for the catalytic conversion of hydrocarbons.

1,935,207; 11/14/33; Max Harder, Wilhelm Dietrich; Process for the purification of a crude hydrocarbon.

1,935,733; 11/21/33; Eduard Tschunkur, Walter Bock; Process for the manufacture of synthetic rubber.

1,936,453; 11/21/33; Hans Klein, Hans Kaehler, Hermann Zorn; Purification of paraffin wax.

1,937,554; 12/5/33; Manfred Dunkel, Eugen Dorrer; Production of valuable hydrocarbons.

1,937,588; 12/5/33; Mathias Pier, Walter Simon; Destructive hydrogenation of carbonaceous materials.

1,937,619; 12/5/33; Fritz Winkler, Hans Haeuber, Paul Feiler; Production of nonknocking motor fuels and lubricating oils.

1,938,088; 12/5/33; Mathias Pier; Production of valuable hydrocarbons.

1,938,087; 12/5/33; Mathias Pier, Ernst Donath; Separation of hydrogen.

1,938,088; 12/5/33; Wilhelm Pungs, Hans Rabe, Hermann Zorn; Production of high quality lubricating oils.

1,938,542; 12/5/33; Mathias Pier, Walter Simon; Liquid and other hydrocarbon and derivative thereof by the destructive hydrogenation of carbonaceous materials.

1,938,730; 12/12/33; Eduard Tschunkur, Walter Bock; Rubber-like mass containing styrol polymerizates.

1,938,731; 12/12/33; Eduard Tschunkur, Walter Bock; Rubber-like mass containing styrene polymerizaters.

1,938,751; 12/12/33; Kurt Meisenburg, Walter Bock; Rubber-like mass containing olefine naphthalene polymerizates.

1,940,400; 12/19/33; Wilhelm Dietrich; Working up of oxidation products of hydrocarbons.

1,941,077; 12/26/33; Otto Eisenhut Paul Baumann, Robert Stadler; Production of acetylene from hydrocarbons in electric arcs.

1,941,884; 1/2/34; Hans Engel, Josef Jannek; Conversion of hydrocarbons into those of lower boiling point.

1,942,131; 1/2/34; Paul Baumann, Heinrich Schilling, Helmut Tanneberger; Separation of gas mixtures.

1,943,427; 1/16/34; Hans Franzen, Hans Beller, Martin Luther; Production of organic acids.

1,944,153; 1/23/34; Martin Mueller-Cunradi; Production of diolefines.

1,944,420; 1/23/34; Johann Giesen, Ernst Peukert; Recovery of molybdenum from substances containing molybdenum or its compounds.

1,945,583; 2/6/34; Rudolf Wietzel, Bruno Engel; Separation of Finely Divided Impurities from Liquids.

1,945,592; 2/6/34; Hans Bueckert, Robert Stadler, Helmut Tanneberger; Purification of Acetylene.

1,945,907; 2/6/34; Gerhard Kroner, Paul Dilthey; Process for Purifying Soot.

1,945,960; 2/6/34; Fritz Winkler, Hans Haeuber; Production of Hydrocarbons.

1,946,108; 2/6/34; Mathias Pier, Karl Winkler; Production of Catalysts.

1,946,109; 2/6/34; Mathias Pier, Karl Winkler; Production of Catalysts.

1,949,109; 2/27/34; Mathias Pier, Kurt Wissel, Walter Dinkler; reaction with hydrogen and in apparatus therefor.

1,950,811; 3/13/34; Mathias Pier, Karl Winkler, Han Schmitt; process for the recovery of oils and coke from oil-bearing residues.

1,951,789; 3/20/34; Martin Mueller-Cunradi, Kurt Pieroh, Hellmut Giehne; production of acetic acid.

1,952,459; 3/27/34; Ernst Pokorny; process for the recovery of Molybdenum.

1,953,468; 4/3/34; Georg Ebert, Friedrich August Fries, Paul Garbech; polymerization of diolefines.

1,954,096; 4/10/34; Mathias Pier, Kurt Wissel; destructive hydrogenation of carbonaceous materials.

1,955,014; 4/17/34; Mathias Pier; Preheating carbonaceous materials.

1,955,023; 4/17/34; Emil Schwamberger, Hans Roos; Removal of phenols from hydrocarbons containing the same.

1,955,025; 4/17/34; Franz Sabel, Helmuth Hanisch; Low temperature carbonization apparatus.

1,955,046; 4/17/34; Paul Baumann, Helmut Tanneberger; Production of butadiene.

1,955,829; 4/24/34; Mathias Pier, Walter Kroenig, Garlan H. B. Davis; Conversion of carbonaceous materials into useful hydrocarbon products.

1,957,743; 5/8/34; Gustav Wietzel, Wilhelm Haller, William Hennicke; Production of hydrogen.

1,957,744; 5/8/34; Gustav Wietzel, Georg Schiller; Production of gaseous mixtures containing hydrogen and nitrogen from methane.

1,957,787; 5/8/34; Carl Krauch, Karl Winkler, Mathias Pier; Production of valuable liquid products from carbonaceous materials.

1,958,648; 5/15/34; Christian Steigerwald; Conversion of methane into liquid hydrocarbons.

1,959,175; 5/15/34; Mathias Pier, Karl Winkler, Kurt Wissel; Production of valuable organic products.

1,959,924; 5/22/34; Martin Mueller-Cunradi, Heindrich Schilling, Otto Eisenhut; Process of destructive hydrogenation.

1,960,226; 5/29/34; Albert Auerhahn; Purification of acetylene.

1,960,348; 5/29/34; Emmerich v. Pongratz; Filteration of acid sludge.

1,960,794; 5/29/34; Mathias Pier; Production of useful hydrocarbons.

1,960,972; 5/29/34; Hans Georg Grimm, Josef Jannek; Production of valuable hydrocarbons.

1,960,974; 5/29/34; Carl Krauch, Mathias Pier, August Eisenhut; Refining of crude liquid hydrocarbons.

1,960,977; 5/29/34; Mathias Pier, Walter Simon; Production of hydroaromatic hydrocarbons.

1,961,980; 6/5/34; Martin Mueller-Cunradi, Wolfgang Haag; Production of 1.3-Butylene glycol.

1,961,982; 6/5/34; Mathias Pier, Karl Winkler; Recovery of the reaction products of the destructive hydrogenation of carbonaceous materials.

1,963,245; 6/19/34; Mathias Pier; Conversion of hydrocarbons of High boiling point into those of lower boiling point.

1,963,759; 6/19/34; Mathias Pier, Kurt Wissel; Valuable hydrocarbons by destructive hydrogenation.

1,964,891; 7/3/34; Mathias Pier, August Eisenhut, Otto Eisenhut; Production of viscous oils.

1,965,390; 7/3/34; Mathias Pier, Friedrich Christmann; Production of valuable lubricating oils.

1,965,566; 7/3/34; Christoph Beck, Helmut Weissbach, Heinrich Dickmann; Separation of volatile constituents from crude soaps.

1,965,952; 7/10/34; Herrmann Zorn, Martin Mueller-Cunradi, Walter Rosinsky; Production of high quality lubricating oils.

1,965,956; 7/10/34; Manfred Dunkel, Eugen Dorrer, Wilhelm Breuers, Production of Hydrogenated Aromatic hydrocarbons or derivatives thereof.

1,965,961; 7/10/34; Martin Luther, Hans Klein; production of unsaturated fatty acids.

1,965,962; 7/10/34; Martin Luther, Hans Beller; production of unsaturated hydrocarbons.

1,967,665; 7/24/34; Paul Feller, Hans Haeuber; Conversion of hydrocarbons.

1,967,691; 7/24/34; Adolf Traut; apparatus for low temperature carbonisation.

1,969,422; 8/7/34; Mathias Pier; treatment of coals, tars, mineral oils and the like.

1,970,248; 8/14/34; Mathias Pier, Ernst Hochschwender; production of valuable hydrocarbons from varieties of coal, tars, mineral oils and the like.

1,971,801; 8/21/34; Hans Haeuber; production of hydrocarbons of high boiling point.

1,972,476; 9/4/34; Ernst Eberhardt; production of acetaldehyde and acetic acid.

1,973,000; 9/11/34; Erich Konrad, Eduard Tschunkur; rubber like masses from butadiene hydrocarbons and polymerizable nitriles.

1,973,833; 9/18/34; Rudolf Wietzel (dec'd) by Else Wietzel, Admx., Conrad Pfaundler; refining of crude paraffin wax.

1,973,834; 9/18/34; Fritz Winkler, Hans Haeuber; conversion of hydrocarbons into hydrocarbons of lower molecular weight.

1,973,840; 9/18/34; Friedrich Zobel, Hans Reich; purification of acetylene.

1,973,851; 9/18/34; Paul Feller, Gerhard Hirschberg, Hermann Weigmann; carrying out reactions in periodically heated chambers.

1,975,475; 10/2/34; Mathias Pier, Walter Simon; desulphurization of hydrocarbon oils by hydrogenation.

1,975,476; 10/2/34; Mathias Pier, Ernst Donath; Production of organic compounds by dehydrogenation.

1,975,480; 10/2/34; Paul B. Roth, Heinrich Elvert, Franz Karl Steinberger; Process of preparing acetaldehyde.

1,977,155; 10/16/34; Robert Stadler, Otto Eisenhut; Carrying out chemical reactions between gas-like substances.

1,977,988; 10/23/34; Hans Franzen, Guenther Kunze; Recovery of fatty acids.

1,977,992; 10/23/34; Ernst Hochschwender, Max Josenhaus; Recovery of hydrogen from gases containing hydrogen and hydrocarbons.

1,979,841; 11/6/34; Mathias Pier, Friedrich Ringer; Nonknocking motor fuel.

1,979,945; 11/6/34; Carl Krauch, Martin Mueller-Cunradi; Production of tires.

1,979,947; 11/6/34; Carl Krauch, Martin Mueller-Cunradi; Resilient tire.

1,981,384; 11/20/34; Adolf Von Friedolsheim, Martin Luther; Oxidation of hydrocarbons and waxes.

1,983,234; 12/4/34; Carl Krauch, Mathias Pier; Conversion of solid fuels and product derived therefrom or other materials into valuable liquids.

1,983,241; 12/4/34; Mathias Pier, Ernst Donath; Production of liquid hydrocarbon products.

1,984,506; 12/18/34; Mathias Pier, Walter Kroenig; Destructive hydrogenation.

1,984,957; 12/18/34; Paul Baumann, Heinrich Schilling, Hanns Buckert, Robert Stadler; Production of acetylene.

1,984,971; 12/18/34; Paul Herold, Walter Baumann; Desulphurisation of gases.

1,985,844; 12/25/34; Herman Suida; Process for the manufacture of aromatic hydrocarbons containing unsaturated side chains.

1,986,238; 1/1/35; Fritz Winkler, Hans Haeuber; Production of valuable hydrocarbons from gaseous hyrocarbons.

1,986,241; 1/1/35; Carl Wulff, Ernst Roell; Production of vinyl-aryl compounds.

1,987,092; 1/8/35; Fritz Winkler, Hermann Weigmann, Paul Feller; Conversion of hydrocarbons.

1,988,019; 1/15/35; Mathias Pier; Production of hydrocarbons of high boiling point range.

1,988,082; 1/15/35; Paul Baumann, Heinrich Schilling, Wilhelm Sandhaas, Hanns Bueckert; Purification of Acetylene.

1,988,543; 1/22/35; Karl Daimler; Process of preparing mixtures containing mineral and bituminous substances.

1,988,873; 1/22/35; Eduard Linckh, et al; Thermal treatment of hydrocarbons.

1,989,822; 2/5/35; Mathias Pier; Destructive hydrogenation of carbonaceous materials.

1,990,213; 2/5/35; Fritz Winkler, Hans Haeuber; Removal of substances forming resins from benzines.

1,990,217; 2/5/35; Hans Baehr, Helmut Mengdehl; Separation of hydrogen sulphide from gaseous mixtures containing the same.

1,990,229; 2/5/35; Adolf VonFriedholsheim, Martin Luther; Oxidation of hydrocarbons.

1,990,708; 2/12/35; Mathias Pier, Walter Kroenig, et al; Production of valuable hydrocarbons.

1,991,367; 2/19/35; Arthur Beck, Martin Mueller-Cunradi; Production of vulcanisable mixtures.

1,992,598; 2/26/35; Paul Baumann, Heinrich Schilling, Robert Stadler; Production of acetylene.

1,993,226; 3/5/35; Mathias Pier, Heinz Lemme; Conversion of liquid carbonaceous materials into hydrocarbons of low boiling point.

1,993,366; 3/5/35; Karl Schoenemann; Production of valuable hydrocarbon liquids.

1,994,055; 3/12/35; Rudolf Wietzel, Bruno Engel; Production of valuable products by conversion of carbonaceous materials.

1,994,075; 3/12/35; Carl Krauch, Mathias Pier; Conversion of solid fuels and products derived therefrom or other materials into valuable liquids.

1,995,647; 3/26/35; Mathias Pier, Walter Dinkler; Apparatus for and improvement in carrying out chemical processes at elevated temperatures.

1,996,008; 3/26/35; Hans Kaehler, Hans Klein; Process for improving hydrocarbons.

1,996,009; 3/26/35; Carl Krauch, Mathias Pier; Conversion of solid fuels and products derived therefrom or other materials into valuable liquids.

1,998,350; 4/16/35; Carl Wulff, Wilhelm Breuers, Friedrich Moll; Process for improving lubricating oils.

1,998,595; 4/23/35; Walter Speer, Walter Flemming; Production of liquid hydrocarbons of the benzene series.

1,998,636; 4/23/35; Josef Koenig; Production of catalysts containing molybdenum and tungsten.

2,000,222; 5/7/35; Wilhelm Dietrich, Martin Luther; Oxidation of hydrocarbon materials.

2,000,224; 5/7/35; Otto Eisenhut; Production of gaseous mixtures containing hydrogen.

2,002,003; 5/21/35; Otto Eisenhut, Heinrich Schilling, Paul Baumann; Production of acetylene and carbon black.

2,002,997; 5/28/35; Paul Herold, Hermann Kaufmann; Destructive hydrogenation of carbonaceous material.

2,003,584; 6/4/35; Wilhelm Dietrich, Max Harder; Desulphurization and oxidation of hydrocarbons.

2,004,521; 6/11/35; Martin Mueller-Cunradi, Ernst Ober; Catalytic dehydration.

2,005,042; 6/18/35; Willi Krey; Process for the manufacture of compounds of the ethylene series substituted by an aromatic residue.

2,005,192; 6/18/35; Carl Krauch, Mathias Pier; Conversion of solid fuel and product derived therefrom or other materials into valuable liquids.

2,006,996; 7/2/35; Carl Krauch, Mathias Pier; Conversion of solid fuels and products derived therefrom or other materials into valuable liquids.

2,007,754; 7/9/35; Paul Feller, et al; Production of hydrocarbons.

2,008,490; 7/16/35; Wilhelm Dietrich, Martin Luther; Oxidation of organic compounds.

2,008,491; 7/16/35; Georg Ebert, Paul Garbech, Friedrich August Fries; Polymerisation of diolefines.

2,008,953; 7/23/35; Fritz Giller, et al.; Gas purifying mass.

2,008,978; 7/23/35; Karl Daimler; Bituminous paving composition.

2,011,386; 8/13/35; Heinrich Ulrich, et al.; Separation of weak gaseous acids from gases.

2,013,996; 9/10/35; Paul Baumann, Robert Stadler; Production of acetylene.

2,015,347; 9/24/35; Martin Luther, Karl Goetze; Process for treating liquids with gases or vapors and apparatus therefor.

2,017,557; 10/15/35; Karl Winkler, et al.; Recovery of molybdenum.

2,018,619; 10/22/35; Fritz Winkler, et al.; Apparatus for pyrogenic conversion of hydrocarbons.

2,018,871; 10/29/35; Mathias Pier, et al.; Production of high quality lubricating oils.

2,020,703; 11/12/35; Curt Schumann, Hanns Ufer; Improved hydrocarbon products, especially lubricating oils.

2,020,713; 11/12/35; Hans Wolf, Hermann Leuchs; Ceramic masses preventing the formation of carbon deposits.

2,020,714; 11/12/35; Carl Wulff, et al.; Lubricating hydrocarbon product.

2,022,279; 11/26/35; Paul Feller; Production of olefines and liquid hydrocarbons from methane.

2,025,490; 12/24/35; Hermann Zorn, Gerhardt Hofmann; Production of lubricating oils.

2,028,306; 1/21/36; Wilhelm Wilke, et al.; Fuel for Diesel engines.

2,028,348; 1/21/36; Mathias Pier, Walter Simon, Walter Kroenig; Process for hydrogenating distillable carbonaceous materials.

2,028,349; 1/21/36; Mathias Pier, Friedrich Christmann; Lubricant and process of making same.

2,028,472; 1/21/36; Hans Rabe; Fluorescent substance.

2,029,120; 1/28/36; Heinrich Schilling, Robert Stadler; Separation of unsaturated hydrocarbons from gas mixtures containing the same.

2,035,133; 3/24/36; Karl Krauch, Mathias Pier; Conversion of carbonaceous substances, tars, mineral oils, and the like into more valuable products.

2,038,566; 4/28/36; Rudolf Huettner, Gustav Wietzel; Production of hydrogen and preparation of catalysts therefor.

2,038,572; 4/28/36; Hans Klein; Production of emulsifiable bituminous substances.

2,038,599; 4/28/36; Mathias Pier, Paul Jacob, Walter Simon; Carrying out catalytic reactions.

2,039,259; 4/28/36; Mathias Pier, Paul Jacob, Walter Simon; Carrying out catalytic reactions.

2,041,234; 5/19/36; Karl Daimler; Bituminous dispersions for coatings or coverings and a process of preparing them.

2,042,285; 5/26/36; Ernst Wilke, Fritz Fried; Production of carbon monoxide and hydrogen from methane.

2,045,747; 6/30/36; Hans Baehr; Removal of weak acids and ammonia from gases.

2,045,794; 6/30/36; Mathias Pier; Conversion of liquid carbonaceous materials of high boiling point range.

2,045,795; 6/30/36; Mathias Pier, Friedrich Ringer, Walter Simon; Production of hydrocarbons of low boiling point.

2,048,662; 7/21/36; Martin Luther, Wilhelm Dietrich; Production of alcohols.

2,049,019; 7/28/36; Mathias Pier, Friedrich Christmann, Ernst Donath; Process for improving hydrocarbon mixtures.

2,053,650; 9/8/36; Hans Baehr, Helmut Mengdehl; Separation of carbon dioxide from gaseous mixtures free from sulphur compounds.

2,054,776; 9/15/36; Mathias Pier, Bruno Engel, Walter Kroenig; Conversion of carbonaceous materials.

2,055,095; 9/22/36; Hans Beller, Max Schellmann; Recovery of organic acids from oxidation products of hydrocarbons.

2,055,135; 9/22/36; Mathias Pier, August Eisenhut; Production of valuable oils from asphaltic and resinous hydrocarbon mixtures.

2,055,633; 9/29/36; Mathias Pier; Treatment of carbonaceous materials.

2,056,911; 10/6/36; Georg Schiller, Gustav Wietzel; Production of hydrogen from hydrocarbons.

2,056,914; 10/6/36; Fritz Winklen, Hans Haeuber; Thermal treatment of hydrocarbons.

2,056,984; 10/13/36; Max Schellmann, Hans Franzen; Separation of unsaponifiable matter from saponifiable materials containing the same.

2,058,789; 10/27/36; Paul Herold, Hermann Kaufmann; Destructive Hydrogenation of carbonaceous material.

2,059,201; 11/3/36; Hans Beller, Max Schellmann; Recovery of organic acids from oxidation products of hydrocarbons.

2,059,232; 11/3/36; Max Harder; Recovery of fatty acids from oxidation products.

2,059,495; 11/3/36; Karl Smeykal; Catalytic purification of oxygen containing hydrogenation products of oxides of carbon.

2,060,230; 11/10/36; Fritz Luttge; Recovery of phenols from aqueous liquors.

2,060,356; 11/10/36; Gustav Wietzel, Georg Schiller; Production of unsaturated hydrocarbons.

2,060,447; 11/10/36; Karl Schoenemann; Working-up of carbonaceous materials.

2,063,596; 12/8/36; Paul Feiler; Thermal treatment of carbon compounds.

2,063,623; 12/8/36; Mathias Pier, Ernst Donath; Production of lubricating oil.

2,065,474; 12/22/36; Martin Mueller-Cunradi, Michael Otto; Production of polymerization products from isobutylene.

2,067,304; 1/12/37; Eduard Tschunkur, Walter Bock; Manufacture of artificial rubberlike masses.

2,067,311; 1/12/37; Hans Baehr; Purification of gases from ammonia and hydrogen sulphide.

2,068,868; 1/26/37; Mathias Pier, Wilhelm Rumpf, Ernst Donath; Thermal treatment of carbonaceous substances.

2,073,054; 3/9/37; Hans Franzen; Process of producing pure soaps from oxidized nonaromatic hydrocarbons.

2,074,530; 3/23/37; Paul Baumann, Heinrich Schilling, Robert Stadler; Working up gases containing hydrocarbons in electric arcs.

2,074,619; 3/23/37; Paul Roth, Heinrich Elvert, Franz Steinberger; A process of preparing acetaldehyde from acetylene.

2,077,586; 4/20/37; Walter Rosinsky, Paul Baumann; Production of acetaldehyde from acetylene.

2,079,976; 5/11/37; Frederic Van Taack-Trakranen, Gustav Wietzel; Production of acetaldehyde from acetylene.

2,080,363; 5/11/37; Paul Stocklin, Erich Konrad; Unvulcanized and vulcanized compositions.

2,081,770; 5/25/37; Walter Rosinsky; Producing acetaldehyde from acetylene.

2,083,125; 6/8/37; Rudolf Scheuble; Purification of synthetic methanol.

2,083,213; 6/8/37; Karl Braus, Hans Baehr; Recovery of hydrogen sulphide from gases.

2,083,795; 6/15/37; Georg Schiller, Gustav Wietzel; Production of hydrogen.

2,084,500; 6/22/37; Michael Otto, Martin Mueller-Cunradi; Production of solid greases.

2,084,501; 6/22/37; Michael Otto, Martin Mueller-Cunradi; Valuable hydrocarbon products.

2,085,129; 6/29/37; Fritz Stoewener; Production of colloidal metal hydroxides.

2,086,856; 7/13/37; Wilhelm Deiters, Paul Herold, Paul Koppe, Fritz Luttge; Recovery of phenols from aqueous solutions.

2,087,608; 7/20/37; Mathias Pier, Walter Simon, Walter Kroenig; Process for hydrogenating distillable carbonaceous materials.

2,087,616; 7/20/37; Martin Mueller-Cunradi, Michael Otto; Operating internal combustion engines.

2,090,813; 8/24/37; Carl A. Schumacher; Apparatus for the separation of mixtures of liquids of different specific gravity.

2,091,831; 8/31/37; Emmerich v. Pongratz, Adam Immel; Working up of hydrocarbons and similar substances.

2,093,096; 9/14/37; Mathias Pier, Friedrich Christmann, Ernst Donath; Production of high molecular hydrogenation products of highly viscous character.

2,093,146; 9/14/37; Ernst Eberhardt; Production of acetaldehyde from acetylene.

2,094,476; 9/28/37; Georg Stern, Robert Hasenclever; Production of hydrocarbons.

2,095,336; 10/12/37; Martin Luther, Karl Goetze; Process for oxidizing organic substances in the liquid phase and apparatus therefor.

2,095,473; 10/12/37; Emil Keunecke; Process of oxidizing paraffinic hydrocarbons.

2,097,468; 11/2/37; Hans Rabe, Michael Otto; Production of hydrocarbons of high molecular weight.

2,097,605; 11/2/37; Julius Schierenbeck; Apparatus for the Fine Dispersion of Gases in Liquids.

2,098,400; 11/9/37; Mathias Pier, Walter Simon, Walter Kroenig; Process for Hydrogenating distillable carbonaceous materials.

2,098,779; 11/9/37; Paul Hermann Gericke, Paul Herold, Helmut Kratz, Eberhard Vogt; Purification of aqueous liquids from phenols and other accompanying substances.

2,099,475; 11/16/37; Johann Giesen, Helmut Hanisch, Martin Dally; Purification of synthetically produced alcohols.

2,100,352; 11/30/37; Mathias Pier, Walter Simon, Paul Jacob; Catalytic reaction.

2,100,353; 11/30/37; Mathias Pier, Ernst Donath; Production of hydrocarbons of low boiling point.

2,100,354; 11/30/37; Mathias Pier, Georg Grassl, Walter Simon; Treatment with hydrogenating gases of distillable carbonaceous materials.

2,102,726; 12/21/37; Martin Luther, Wilhelm Dietrich; Production of alcohols.

2,102,751; 12/21/37; Arno Scheuermann, Rudolf Brill, Gustav Wietzel; Production of acetaldehyde.

2,104,097; 1/4/38; Mathias Pier, Willy Hirschberger, Heinz Lemme; Lubricating oils.

2,104,956; 1/11/38; Georg Stern, Werner Hoess; Purification of hydrocarbons.

2,106,232; 1/25/38; Hermann Zorn, Walter Rosinsky; Production of high quality lubricating oils.

2,106,446; 1/25/38; Hans Baehr, Wilhelm Wenzel; Removal of gaseous weak acids from gases containing the same.

2,106,960; 2/1/38; Mathias Pier, August Eisenhut; Production of highly viscous oils.

2,110,833; 3/8/38; Hermann Mark, Carl Wulff; Production of styrenes.

2,111,126; 3/15/38; Hans Rabe; Substances producing fluorescence.

2,111,579; 3/22/38; Fritz Winkler, Eduard Linckh; Gasification of fine-grained solid fuels.

2,113,162; 4/5/38; Mathias Pier; Splitting of hydrocarbons.

2,115,336; 4/26/38; Carl Krauch, Mathias Pier; Conversion of solid fuels and products derived therefrom or other materials into valuable liquids.

2,115,553; 4/26/38; Johann Giesen, Helmut Hanisch, Martin Dally; Purifying crude methanol.

2,116,061; 5/3/38; Eugen Dorrer; Purification of mineral oils, tars, their distillation products, and the like.

2,116,081; 5/3/38; Mathias Pier, Walter Kroenig; Production of nonknocking motor fuels.

2,116,940; 5/31/38; Mathias Pier, Walter Kroenig, Ernst Donath; Destructive hydrogenation of distillable carbonaceous material

2,119,350; 5/31/38; Mathias Pier, Ernst Donath; Cracking of liquid hydrocarbon products.

2,119,647; 6/7/38; Mathias Pier, Walter Simon; Production of valuable hydrocarbons.

2,119,651; 6/7/38; Julius Schierenbeck; Flanged joint of tubular conduits.

2,120,295; 6/14/38; Mathias Pier, Ernst Donath; Destructive hydrogenation of carbonaceous materials.

2,120,296; 6/14/38; Mathias Pier, Hanns Schappert, Eugene Anthes; Heating up carbonaceous material.

2,121,367; 6/21/38; Georg Schiller; Process of catalytically hydrogenating high-molecular nonaromatic carboxylic acids.

2,121,368; 6/21/38; Georg Schiller; Process of catalytically hydrogenating metal salts of high molecular nonaromatic carboxylic acids.

2,122,903; 7/5/38; Karl Winkler; Production of valuable hydrocarbons.

2,124,235; 7/19/38; Martin Mueller-Cunradi, Robert Werner, Walter Daniel, Michael Otto; Composition of matter.

2,125,343; 8/2/38; Ernst Hochschwender, Hans Thomsen; Column containing filler bodies.

2,127,382; 8/16/38; Mathias Pier, Paul Jacob; Carrying out catalytic reactions.

2,127,383; 8/16/38; Mathias Pier, Paul Jacob; Carrying out catalytic reactions.

2,127,577; 8/23/38; Karl Winkler; Production of valuable hydrocarbons.

2,128,958; 9/6/38; Martin Mueller-Cunradi, Robert Uloth; Refining mineral lubricating oils.

2,130,024; 9/13/38; Mathias Pier, Friedrich Christmann; Production of lubricating oils.

2,130,507; 9/20/38; Michael Otto, Martin Mueller-Cunradi; High molecular weight isoolefine polymers and process of producing the same.

2,132,855; 10/11/38; Carl Krauch, Mathias Pier; Production of valuable liquid products from distillable carbonaceous materials.

2,133,496; 10/18/38; Fritz Winkler, Paul Feller; Gas generating process.

2,134,333; 10/25/38; Michael Jahrstorfer, Georg Schwarte; Waxlike substance and process for preparing same.

2,137,602; 11/22/38; Hans Baehr, Helmut Mengdehl, Wilhelm Wenzel; Washing out of weak gaseous acids from gases containing the same.

2,140,048; 12/13/38; Hans Pikentscher, Claus Heuck; Production of polymerization products.

2,140,545; 12/20/38; Mathias Pier, Friedrich Christmann; Production of lubricants.

2,141,731; 12/27/38; Ulrich Wolfrom, Frans Koehler; Double cylinder water pressure engine and piston pump actuated thereby.

2,143,370; 1/10/39; Wilhelm Fitzky; Process of preparing 1.3-butylene-glycol.

2,143,393; 1/10/39; Heinrich Ulrich, Wilhelm Wenzel, Hans Baehr; Process of removing weak gaseous acids from gases containing the same.

2,144,409; 1/17/39; Mathias Pier, August Eisenhut; Separation of solid constituents from oils containing the same.

2,145,059; 1/24/39; Robert Stadler, Karl Ackermann, Erwin Lehrer; Production of butadiene.

2,146,018; 2/7/39; Emil Keunecke, Robert Werner; Oxidation of hydrocarbons.

2,147,315; 2/14/39; Mathias Pier, Friedrich Christmann; Lubricant composition and method of preparing the same.

2,147,638; 2/21/39; Hans Haeuber, Fritz Winkler; Thermal treatment of hydrocarbons.

2,149,265; 3/7/39; Hans Beller, John J. Owen; Purified alcohol sulphates and process of making the same.

2,149,900; 3/7/39; Mathias Pier, Walter Simon, Ernst Donath; Production of valuable liquid hydrocarbons.

2,152,454; 3/28/39; Hans Baehr; Wet purification of gases, especially coal distillation gases.

2,153,578; 4/11/39; Friedrich Lieseberg; Production of acetaldehyde from gases containing acetylene.

2,153,644; 4/11/39; Julius Schierenbeck; Method of cooling gases.

2,153,985; 4/11/39; Friedrich Lieseberg, Gustav Wietzel; Production of acetaldehyde from gases containing acetylene.

2,154,527; 4/18/39; Mathias Pier, Walter Simon, Paul Jacob; Carrying out catalytic reactions.

2,154,676; 4/18/39; Hans Haeuber, Josef Hirschbeck; Production of ethylene from saturated hydrocarbons.

2,156,070; 4/25/39; Georg Stern, Wilhelm Friedrichsen; Separation of tertiary olefins from gas mixtures.

2,157,318; 5/9/39; Hans Baehr, Karl Braus; Process of cooling gases.

2,157,332; 5/9/39; Paul Hermann Gericke, Fritz Berndt, Hans v. Baumbach Heinrich; Decomposition of substances containing tungsten sulphide.

2,158,650; 5/16/39; Christoph Beck; Frans Kremp; Manufacture of oxidation products of paraffin hydrocarbons.

2,159,077; 5/23/39; Franz Duftschmid, Fritz Winkler, Eduard Linckh; Production of valuable hydrocarbons and their derivatives containing oxygen.

2,159,140; 5/23/39; Johannes Eckell, Gerhard-Ritter; Production of hydrocarbons from carbon monoxide and hydrogen.

2,159,148; 5/23/39; Hans Haeuber, Josef Hirschbeck; Production of valuable liquid hydrocarbons.

2,159,175; 5/23/39; Martin Mueller-Cunradi, Robert Uloth; Production of motor fuels.

2,159,511; 5/23/39; Mathias Pier, Paul Jacob, Walter Simon; Carrying out catalytic reactions.

2,160,452; 5/30/39; Paul Baumann, Karl Krapp, Robert Stadler, Heinrich Schilling; Apparatus for the operation of direct current electric arcs.

2,161,663; 6/6/39; Hans Baehr, Helmut Mengdehl, Wilhelm Wenzel; Removal of hydrogen sulphide and hydrocyanic acid and of readily volatile liquids from gases.

2,163,922; 6/27/39; Fritz Stoewener; Production of metal hydroxides colloidally soluble in water.

2,164,762; 7/4/39; Walter Baumann, Otto Hemmann; Apparatus for the production of gaseous unsaturated hydrocarbons.

2,165,372; 7/11/39; Wolfgang Haag, Hermann Zorn, Gerhardt Hofmann; Production of a high quality lubricating oil.

2,165,373; 7/11/39; Gerhardt Hofmann, Wolfgang Haag, Hermann Zorn; Production of lubricating oils.

2,165,940; 7/11/39; Mathias Pier, Ernst Donath; Process for improving fuel oil.

2,167,004; 7/25/39; Mathias Pier, Wilhelm Michael, Wolfgang Jaeckh; Production of hydrocarbons.

2,168,150; 8/1/39; Hans Baehr, Karl Braus; Degasification of alkaline liquids laden with hydrogen sulphide.

2,168,933; 8/8/39; Fritz Giller, Fritz Winkler; Purification of gases.

2,170,976; 8/29/39; Mathias Pier, Rudolf Becker, Walter Simon, Fritz Stowener; Production of hydrocarbon products by thermal treatment of materials containing carbon.

2,172,403; 9/12/39; Michael Otto, H. G. Schneider; Process for producing polymers of isobutylene.

2,173,482; 9/19/39; Wilhelm Muench, Emil Keunecke; Process for the polymerization of unsaturated hydrocarbons.

2,174,288; 9/26/39; Hans Klein, Wilhelm Hofedits, Ferdinand Hübach; Production of olefins from gaseous or vaporous saturated hydrocarbons.

2,174,756; 10/3/39; Kurt Pieroh; Production of unsaturated aliphatic or cycloaliphatic carboxylic acid nitriles.

2,175,062; 10/3/39; Harro Hagen, Ingofroh Dennstedt, Wilhelm Becker; Stabilized synthetic rubberlike materials.

2,176,441; 10/17/39; Heinrich Ulrich, Hans Baehr, Reinhold Fick, Wilhelm Wenzel; Removal of gaseous weak acid from gases containing the same.

2,177,376; 10/24/39; Mathias Pier, Walter Simon, August Eisenhut; Production of valuable hydrocarbon products.

2,179,229; 11/14/39; Mathias Pier; Production of liquid hydrocarbons.

2,180,081; 11/14/39; Martin Mueller-Cunradi, Michael Otto, Walter Daniel, Robert Werner; Composition of matter.

2,180,082; 11/14/39; Martin Mueller-Cunradi, Walter Daniel; Polymerization products from butadiene or its substitution products and solid polymerized isobutylene.

2,180,083; 11/14/39; Martin Mueller-Cunradi, Walter Daniel; Rubberlike polymerization products from vinyl carbazole and solid polymerized isobutylene.

2,183,145; 12/12/39; Wilhelm Michael, Wolfgang Jaeckh; Process for producing hydrocarbons.

2,183,146; 12/12/39; Wilhelm Michael; Production of valuable hydrocarbons and their derivatives containing oxygen.

2,184,164; 12/19/39; Martin Mueller-Cunradi, Heinz Krekeler; Production of butadiene from 1.3 butylene glycol.

2,184,697; 12/26/39; Hinrich Havemann, Karl Smeykal; Purification of tricresyl phosphate used for the extraction of phenols.

2,185,405; 1/2/40; Walter Flemming, Wilhelm Baumeister; Conversion of olefins into valuable higher molecular products.

2,187,872; 1/23/40; Fritz Winkler, Eduard Linckh; Gas producer for gasifying granular fuels.

2,189,062; 2/6/40; Paul Feller; Process for the separation of propane and propylene from gas mixtures.

2,189,924; 2/13/40; Mathias Pier, August Eisenhut, Friedrich Christmann, Willy Hirschberger; Products of hydrocarbons.

2,191,156; 2/20/40; Mathias Pier, Walter Simon, Walter Kroenig; Reaction on carbonaceous materials with hydrogenating gases.

2,191,157; 2/20/40; Mathias Pier, Walter Simon, Walter Berger; Production of lower boiling hydrocarbons from heavy hydrocarbons.

2,191,295; 2/20/40; Hans Dohse, Fritz Spoun; Bituminous materials.

2,191,794; 2/27/40; Hans Kading; Recovery of molybdenum.

2,193,321; 3/12/40; Wolfgang Leithe; Process for the recovery of high molecular weight carboxylic acids or their salts.

2,194,186; 3/19/40; Mathias Pier, Walter Simon, Paul Jacob; Catalytic treatment of combustible carbonaceous material.

2,194,416; 3/19/40; Walter Bock; Polymerization product.

2,195,747; 4/2/40; Emil Keunecke, Wilhelm Muench; Production of liquid polymerization products from olefins.

2,196,016; 4/2/40; Werner Huehn, Walfried Haufe; Water-soluble basic aluminum compounds.

2,197,768; 4/23/40; Mathias Pier, Friedrich Christmann; Polymerized hydrocarbon composition.

2,197,769; 4/23/40; Mathias Pier, Friedrich Christmann; Lubricant and process of making the same.

2,200,470; 5/4/40; Mathias Pier, Friedrich Christmann; Cracking hydrocarbon mixtures.

2,200,642; 5/11/40; Mathias Pier; Production of low boiling motor fuels.

2,204,619; 6/18/40; Eugen Anthes, Mathias Pier; Production of shaped catalysts.

2,206,729; 7/2/40; Mathias Pier, Walter Kroenig; Low temperature hydrogenation process.

2,207,070; 7/9/40; Walter Reppe, Alexander Rothhaas, Otto Schmidt, Rolf Luehdemann; Process of coverting compounds of the acetylene series into compounds of the ethylene series.

2,207,071; 7/9/40; Walter Reppe, Alexander Rothhaas; Process of converting compounds of the acetylene series into compounds of the ethylene series.

2,207,581; 7/9/40; Franz Duftschmid, Eduard Linckh, Fritz Winkler; Preparation of products containing valuable hydrocarbons or their derivatives.

2,209,746; 7/30/40; Reinhard Heidebroek, Georg Ebert, Philipp Orth; Process of polymerizing butadienes.

2,210,148; 8/6/40; Heinz Indest; Catalytic polymerization of olefins.

2,211,022; 8/13/40; Wilhelm Michael, Wolfgang Jaeckh; Hydrogenation of Carbon Monoxide.

2,211,032; 8/13/40; Rudolf Seidler, Wilhelm Pannwitz; Polymerization of Butadienes.

2,211,429; 8/13/40; Martin Mueller-Cunradi, Walter Daniel; Shaped elastic masses.

2,213,267; 9/3/40; Paul Baumann; Heinrich Schilling; Recovery of acetylene-containing gases free from carbon black and hydrocyanic acid.

2,215,190; 9/17/40; Mathias Pier, Ernst Donath; Process for the production of valuable hydrocarbon products by the extraction of solid carbonaceous materials.

2,215,854; 9/24/40; Heinrich Meyer-Delius, Ludwig Heer, Paul Baumann; Ignition of direct current high voltage electric arcs.

2,215,867; 9/24/40; Paul Baumann, Ludwig Heer, Karl Krapp, Wilhelm Nowag; Initiation of electric arcs fed by controlled rectifiers for carrying out chemical reactions.

2,215,869; 9/24/40; Heinrich Buetefisch, Karl Winkler, Hermann Kaufmann, Rudolf Bammann; Production of valuable liquid products from pressure extracts of solid carbonaceous material.

2,215,875; 9/24/40; Ludwig Heer, Paul Baumann; Apparatus for operating direct current electric arcs.

2,215,876; 9/24/40; Paul Herold, Walter Kroenig, Ernest Donath, Hermann Kaufmann; Hydrogenation of liquid Olefin polymers.

2,216,222; 10/1/40; Hans Beller, John J. Owen; Process of Oxidizing Paraffinic Hydrocarbons.

2,216,238; 10/1/40; Max Harder; Recovery of fatty acids.

2,216,257; 10/1/40; Eberhard Vogt, Karl Smeykal; Process of breaking mineral oil emulsions.

2,216,958; 10/8/40; Wilhelm Pannwitz, Bernhard Ritzenthaler; Manufacture of artificial rubber by the polymerization of butadienes.

2,220,261; 11/5/40; Wilhelm Michael, Wolfgang Jaeckh; Conversion of carbon monoxide with hydrogen.

2,221,952; 11/19/40; Mathias Pier, Wilhelm Urban, Ernst Donath; Production of valuable carbonaceous substances.

2,222,967; 11/26/40; Heinz Wollthan, Wilhelm Becker; Preparation of synthetic rubberlike materials.

2,223,184; 11/26/40; Mathias Pier, Walter Kroenig, Wolfgang Jaeckh; Splitting up of extracts obtained from solid carbonaceous materials.

2,224,063; 12/3/40; Mathias Pier, Walter Simon; Cracking or pressure hydrogenation of hydrocarbons.

2,225,045; 12/17/40; Richard Gerlach; Process for the simultaneous drying of gases and liquids.

2,227,659; 1/7/41; Martin Luther, Wilhelm Dietrich; Sulphonated high molecular alcohol.

2,227,671; 1/7/41; Mathias Pier, Walter Simon, Ernest Donath; Process for the production of valuable hydrocarbon products by treatment of carbonaceous material with hydrogenating gases.

2,227,672; 1/7/41; Mathias Pier, Walter Simon, Paul Jacob, Rudolf Becker; Thermal treatment of carbonaceous materials with suitable catalysts.

2,227,953; 1/7/41; Hans Baehr, Wilhelm Deiters; Separation of hydrogen chloride from mixtures containing the same.

2,228,118; 1/7/41; Hermann Kaufmann, Walter Simon; Process for the production of nonknocking motor fuels.

2,228,925; 1/14/41; Martin Luther, Recovery of fatty acids and alkali salts from soaps.

2,230,582; 2/4/41; Hans Beller; Method for the preparation of high grade fatty acids.

2,230,894; 2/4/41; Walter Gumlich; Synthetic rubberlike material.

2,232,361; 2/18/41; Wolfgang Leithe, Martin Luther; Process of recovering high-molecular aliphatic carboxylic acids from their salts.

2,234,076; 3/4/41; Walter Gumlich, Ingofroh Dennestedt; Emulsion Polymerization of Butadienes.

2,234,568; 3/11/41; Eduard Linckh; Production of hydrocarbons.

2,238,240; 3/15/41; Gustav Wirth; Process and apparatus for producing hydrocarbons.

2,238,851; 4/15/41; Mathias Pier, Wilhelm v. Fuener, Walter Simon; Thermal treatment of carbonaceous materials.

2,242,321; 5/20/41; Mathias Pier, Gerhard Free; Production of nonknocking motor fuels.

2,242,463; 5/20/41; Johann Giesen, Helmut Hanisch, Paul Herrmann Gericke; Purification of synthetic methanol.

2,243,191; 5/27/41; Adolf Cantzler, Hans Krekeler; Production of olefins and diolefins.

2,245,157; 6/10/41; Mathias Pier, Gerhard Free; Conversion of combustible carbonaceous materials.

2,247,465; 7/1/41; Hans Baehr; Dehydrogenation of hydrocarbons.

2,247,741; 7/1/41; Hans Beller, Egi V. Fasce; Washing, wetting, and emulsifying agent.

2,248,099; 7/8/41; Eduard Linckh, Fritz Winkler; Production of hydrocarbons from mixtures of carbon monoxide and hydrogen.

2,248,107; 7/8/41; Kurt Meisenburg, Ewald Zaucker, Ingofroh Dennstedt; Polymerization of butadienes.

2,248,749; 7/8/41; Rudolf Engelhardt, Claus Heuck; Composition of matter.

2,250,949; 7/29/41; Richard Gerlach; Process for the separation of hydrocarbons from gases containing them.

2,251,554; 8/5/41; Franz Sabel, Wilhelm Wenzel, Fritz Keilig, Hans Laudenklos; Conversion of carbon monoxide with hydrogen into hydrocarbons.

2,253,093; 8/19/41; Ludwig Raichle, Karl Riedinger; High-pressure vessel.

2,254,745; 9/2/41; Joseph Jannek; Recovery of phenols.

2,254,748; 9/2/41; Wilhelm Michael, Wolfgang Jaeckh; Production of hydrocarbons from carbon monoxide and hydrogen.

2,254,806; 9/2/41; Wilhelm Michael; Process of producing hydrocarbons from carbon monoxide and hydrogen.

2,256,174; 9/16/41; Heinrich Schilling, Ludwig Heer; Process of producing acetylene from hydrocarbons.

2,257,173; 9/30/41; Franz Koehler, Max Josenhans; Apparatus for the reduction of pressure from mixtures of liquids with gases.

2,257,213; 9/30/41; Ulrich Wolfrom; Closure for high pressure vessels.

2,258,806; 10/14/41; Mathias Pier, Friedrich Christmann; Production of lubricants.

2,248,099; 7/8/41; Eduard Linckh, Fritz Winkler; Production of hydrocarbons from mixtures of carbon monoxide and hydrogen.

2,259,195; 10/14/41; Hans Baehr, Wilhelm Dieters; Production of dehydrogenation products from aliphatic hydrocarbons and halogenated hydrocarbons.

2,260,475; 10/28/41; Hans Murke; Preparation of synthetic rubberlike materials.

2,265,641; 12/9/41; Otto Grosskinsky, Nikolau Roh, Gunthard Hoffmann; Production of butadiene by the dehydrogenation of butylene.

2,271,093; 1/27/42; Mathias Pier; Friedrich Christmann; High molecular weight substance.

2,271,942; 2/3/42; Emil Keunecke, Herbert Grasshof; Process for the polymerization of gaseous olefins.

2,274,358; 2/24/42; Adolf Cantzler, Hans Krekeler; Production of butadiene.

2,274,584; 2/24/42; Hans Beller, John J. Owen; Soap composition.

2,274,639; 3/3/42; Arno Scheuermann, Klaus Meisenheimer, Arnold Kotzschmar; Process for the production of hydrocarbons.

2,274,750; 3/3/42; Hans Soenksen, Herbert Grasshof; Recovery of higher oxygen-containing organic compounds from crude oils obtained by the catalytic hydrogenation of carbon oxides.

2,280,258; 4/21/42; Mathias Pier; Manufacture of liquid hydrocarbons.

2,282,456; 5/12/42; Friedrich Christmann; H. Lemme, H. Bueren; Production of resinous condensation products.

2,282,499; 5/12/42; Karl Smeykal, Kurt Reisinger; Depolymerization of high boiling unsaturated hydrocarbons.

2,287,891; 6/30/42; Eduard Linckh; Production of hydrocarbons and their derivatives from mixtures of hydrogen and oxides of carbon.

2,287,901; 6/30/42; Mathias Pier, F. Christmann; Production of improved oils for lubricating purposes.

2,289,778; 7/14/42; Paul Herold; Polymerization of low molecular olefins.

2,292,570; 8/11/42; Richard Klemm, E. Linckh; Process for the production of catalysts.

2,296,395; 9/22/42; Wilhelm Michael, A. Buettner; Process for cracking carbonacecus materials.

2,296,405; 9/22/42; Arno Scheuermann; Production of hydrocarbons.

2,300,123; 10/27/42; Emil Keuneck; Process for the catalytic polymerization of olefins.

2,307,058; 1/5/43; August Moeller; Breaking agent for emulsions.

2,307,675; 1/5/43; Ernst Hantge; Process for the production of ozokeritelike substances.

2,310,999; 2/16/43; Julius Schierenbeck; Means for indicating liquid levels.

2,315,495; 4/6/43; Hermann Beeg, K. Weichert; Process of purifying phosphoric acid esters.

2,317,726; 4/27/43; Karl Boedeker, Karl Winacker; Breaking agent for emulsions from crude petroleum and salt water in a breakage of said emulsions.

2,318,625; 5/11/43; Mathias Pier, F. Christmann; Production of lubricating oils.

2,318,626; 5/11/43; Mathias Pier, E. Donath; Production of a product rich in unsaturated hydrocarbons.

PART II

Patents which are identified as follows:

Patent No., Date, Inventor and Title

2,203,873; 6/11/40; Martin Mueller-Cunradi, M. Otto; Polymers of high molecular weight and process of producing same.

2,276,023; 3/10/42; Martin Mueller-Cunradi, A. Cantzler, H. Krekeler; Production of 1. 3. butadiene.

2,276,883; 3/17/42; Ervold Schoen, A. Schiwy, E. Moehner; Treatment of liquid distillable carbonaceous materials with hydrogen.

2,279,052; 4/7/42; Wilhelm Michael, E. Plauth; Production of hydrocarbons.

2,281,613; 5/5/42; Heinz Wollthan, W. Becker; polymerizing butadiene hydrocarbons.

2,287,092; 6/23/42; Franz Duftschmid, E. Linckh, F. Winkler, Synthesis of hydrocarbons.

2,288,865; 7/7/42; Hans Baehr, W. Deiters; Utilization of gaseous mixtures containing hydrogen halids.

2,296,399; 9/22/42; Michael Otto, H. G. Schneider; Process for producing polymers.

2,296,427; 9/22/42; Walter Daniel, M. Otto; Production of highly polymerized organic substances.

2,300,056; 10/27/42; Helmut Meis, R. Ludwig; Emulsion polymerization of butadienes.

2,301,240; 11/10/43; Paul Baumann, H. Schilling, F. Zobel; purification of acetylene, etc.

2,305,007; 12/15/42; Heinrich Hopff, C. W. Rautenstrauch; production of polymerization products.

2,305,025; 12/15/42; Cornelius Mulhausen, W. Becker; synthetic rubber like material.

2,307,037; 1/5/43; Walter Gumlick, E. Konrad; synthetic rubber like materials.

2,311,567; 2/16/43; Michael Otto, H. Gueterbock, A. Hellemanns; Process of carrying out polymerizations.

2,315,499; 2/6/43; Adolf Cantzler, H. Krekeler; production of paraffin-olefin and mixtures.

2,316,706; 4/13/43; Martin Mueller-Cunradi, W. Daniel; plastic compositions containing polyisobutylene.

2,317,385; 1/28/41; Albert Koch, E. Gartner; synthetic rubber like material.

2,318,602; 5/11/43; Franz Duftschmid, E. Linckh, F. Winkler, synthesis of hydrocarbons.

2,319,836; 5/25/43; Alfred Woerner; process of catalytically cracking hydrocarbon oils.

2,323,313; 7/6/43; Ingofroh Dennstedt; synthetic rubberlike latices.

2,325,072; 7/27/43; Mathias Pier, E. Donath; process for the catalytic destructive hydrogenation of heavy oils or residues containing asphalt.

2,345,877; 4/4/44; Walter Kroenig; manufacture of liquid hydrocarbons.

PART III

Patents which are identified as follows:

Patent Number, Date, Inventor and Title

2,223,344; 7/6/43; August Moeller, T. Tochtermann, O. Trosken; Process of breaking petroleum emulsions and breaking agents.

2,324,518; 7/20/43; R. Seidler, Hans Klein, F. Stoewener; Process of carrying out reactions with carbonaceous materials.

2,326,166; 8/10/43; Mathias Pier, G. Free; Process for the production of a non-knocking motor fuel.

2,326,176; 8/10/43; Julius Schierenbeck; High-pressure vessels.

2,326,799; 8/17/43; Mathias Pier, G. Free; Conversion of combustible carbonaceous materials.

2,326,800; 8/17/43; Mathias Pier, W. v. Fuener, G. Free; Process of carrying out reactions with carbonaceous substances.

2,329,714; 9/21/43; Herbert Grasshof; Production of lubricating oils.

2,331,353; 10/12/43; Fritz Stoewener, E. Keunecke, F. Becke; Catalytic reactions with carbonaceous materials.

2,331,930; 10/19/43; Mathias Pier, K. Peters, G. Free; Splitting of hydrocarbons.

2,334,871; 11/23/43; Gerhard Free, W. v. Fuener; Process for the production of hydrocarbons from carbonaceous materials, especially by cracking hydrocarbon oils.

2,335,488; 11/30/43; Richard Conrad; Process for carrying out catalytic reactions in the gas phase.

2,335,511; 11/30/43; Hinrich Haverman, K. Weichert; Process for the purification of trialkyl and triaryl phosphates.

2,338,475; 1/4/44; Gustav Wirth W. Wenzel, F. Sabel, H. Laudenklos; Production of hydrocarbons.

2,339,106; 1/11/44; Mathias Pier, E. Donath; Production of motor fuels.

2,339,107; 1/11/44; Mathias Pier, E. Donath; Production of motor fuels.

2,339,108; 1/11/44; Mathias Pier, W. Kroenig, V. Rank; Manufacture of hydrocarbon oils.

2,343,450; 3/7/44; Gerhard Free, W. v. Fuener; Manufacturer of non-knocking motor fuels from liquid hydrocarbons by catalytic cracking.

EXHIBIT B

PART I

Patent applications which are identified as follows:

Application Number, Date, Inventor and Title

222,144; 7/30/38; Wilhelm Michael, O. Goehre, G. Free, W. v. Fuener, W. Schneider; Process for the thermal treatment of carbonaceous materials.

261,349, 3/11/39; Paul Herold, K. Kraemer; Isomerization of low molecular weight hydrocarbons.

270,650; 4/28/39; Robert Uloth, M. Muller-Cunradi; Agents suitable for improving lubricants.

280,966; 6/24/39; Achilles Krajewski, O. Wiedemann, K. Reisinger; Polymerization of gaseous olefines.

286,546; 8/5/39; Hermann Kaufmann, R. Keinke; Process of carrying out catalytic gas reactions and apparatus therefor.

289,044; 8/8/39; Gerhard Free, W. v. Fuener, O. Gohre; Process for the catalytic cracking of hydrocarbon oils.

289,086; 8/8/39; Gerhard Free, W. v. Fuener; Process for the catalytic cracking of hydrocarbon oils.

319,838; 2/20/40; Claus Meisenheimer, A. Scheuermann; Production of hydrocarbons.

322,042; 3/2/40; Hermann Beeg, R. Schmidt; Process of purifying phosphoric acid esters.

326,156; 3/27/40; Mathias Pier, F. Christmann; Lubricants and process of making the same.

327,117; 4/1/40; Julius Schierenbeck; Closures for high-pressure vessels.

330,730; 4/30/40; Gustav Wirth, F. Sabel, Hans Laudenklos; Production of hydrocarbons.

351,958; 8/9/40; Wilhelm Michael, A. Buettner; Process for the conversion of carbonmonoxide with hydrogen into hydrocarbons.

353,531; 8/21/40; Mathias Pier; Process for the production of non-knocking motor fuels.

353,655; 8/22/40; Gustav Wirth, H. Laudenklos; Process for the production of hydrocarbons.

365,648; 11/14/40; Paul Herold, Hermann Kaufmann, Alfred Woerner; Manufacture of hydrocarbons.

366,914; 11/23/40; Mathias Pier, G. Free, W. v. Fuener; Production of hydrocarbons.

367,670; 11/28/40; Kurt Peters; Process for the cracking or destructive hydrogenation of hydrocarbons.

370,140; 12/14/40; Mathias Pier, E. Donath; Process for the manufacture of aromatic hydrocarbons from naphtenic hydrocarbons.

PART II

Patent application which is identified as follows:

Application Number, Date, Inventor and Title

255,873; 2/11/39; Hans Baehr, W. Deiters; Process for dehydrogenating aliphatic hydrocarbon.

EXHIBIT C

PART I

Patent applications which are identified as follows:

Application Number, Date, Inventor and Title

24,818; 6/4/35; Michael Otto, Helmuth G. Schneider; Production of low molecular weight olefine polymers.

72,672; 4/3/36; Eduard Linckh, Fritz Winkler; Conversion of oxides of carbon with hydrogen.

137,027; 4/15/37; Hans Baehr; Production of combustible gas rich in carbon dioxide.

167,980; 10/8/37; Mathias Pier, Hermann Meier, August Eisenhut; Production of valuable lubricating oils.

175,495; 11/19/37; Mathias Pier, Friedrich Christmann; Production of lubricants.

177,744; 12/2/37; Mathias Pier, Friedrich Christmann; Lubricants and process of making same.

196,681; 3/29/38; Mathias Pier, Friedrich Christmann; Production of lubricants.

196,694; 3/29/38; Hans Haeuber; Production of liquid hydrocarbons.

226,255; 8/23/38; Otto Wiedemann, Willy Zerrweck; Production of Isopropyl Ether.

228,800; 9/7/38; Eberhard Vogt, Helmut Kratz, Hinrich Havemann; Purification of waste aqueous liquids containing phenol.

242,914; 11/29/38; Friedrich Christmann, Hans Bueren; Production of resinous or rubber-like substances.

251,999; 1/20/39; Hans Baehr; Recovery of hydrogen sulphide from gases containing the same.

252,001; 1/20/39; Hans Baehr; Removal of Gaseous weak acids from gases containing the same.

264,879½; 3/30/39; Julius Schierenbeck, Hans Gerwig; Apparatus for indicating liquid levels.

264,972; 3/30/39; Mathias Pier, Kurt Peters; Process for cracking hydrocarbons.

282,693; 7/3/39; Gerhard Free; Production of non-knocking fuels by cracking hydrocarbon oils.

286,406; 7/25/39; Albert Auerhahn, R. Stadler; Production of addition compounds.

287,894; 8/2/39; Mathias Pier, Kurt Peters; Process of cracking or dehydrogenating hydrocarbons.

292,399; 8/29/39; Wilhelm Mayer; Cut-off valve for high pressure.

321,211; 2/28/40; Fritz Stoewener, F. Becke; Catalytic reactions with carbonaceous materials.

322,013; 3/2/40; Walter Kroenig; Manufacture of hydrocarbon oils.

330,326; 4/18/40; Paul Feiler; Process for the separation of hydrogen sulphide or sulphur dioxide from gases.

330,460; 4/19/40; Julius Schierenbeck; Method and apparatus for the manufacture of high-pressure vessels.

351,436; 8/4/40; Fritz Stoewener; Manufacture of fine-pored silica gel resistant to water.

351,782; 8/7/40; Wilhelm Mitchael, Adam Buettner; Production of hydrocarbons.

359,558; 10/3/40; Wilhelm Schneider; Process for the production of hydrocarbon oils from carbonaceous substances having a higher molecular weight.

611,994; 5/18/32; Mathias Pier, August Eisenhut; Treatment of impure oliferous materials.

PART II

Patent applications which are identified as follows:

Application Number, Date, Inventor and Title

1,023; 1/9/35; Mathias Pier, W. Kroenig, W. Simon; Process for the production of valuable liquid hydrocarbons.

39,624; 9/7/35; Mathias Pier, W. Simon; Production of valuable hydrocarbons.

41,254; 9/19/35; Mathias Pier, W. Urban, E. Donath; Production of valuable carbonaceous substances.

109,312; 11/5/36; Christoph Beck, Helmut Weissbach; Process of recovering high-molecular fatty acids substances, etc.

111,857; 11/20/36; Mathias Pier, K. Goetze; Carrying out reactions in which gases or vapors are led in a cycle.

140,604; 5/4/37; Martin Luther, Emil Keunecke; Purification of oxidation products from non-aromatic hydrocarbons.

144,302; 5/22/37; Christoph Beck, Helmut Weissbach; Production of pure soaps.

156,497; 7/30/37; Martin Luther; Process for production of soaps.

159,634; 8/16/37; Hanz Beller; Process of recovering odorless soaps.

164,526; 9/18/37; Walther Schunck, V. Doellein; Catalytic treatment of extraction products of solid carbonaceous materials.

167,930; 10/8/37; Max Harder; Process for the separation of unsaponifiable constituents from mixtures containing same.

181,166; 12/22/37; Alfred Kuerzinger, E. Keunecke; Process for recovering carboxylic acids from oxidation products.

186,818; 1/25/38; Emil Keunecke, A. Kuerzinger; Process for oxidizing non-aromatic hydrocarbons of higher molecular weight.

196,903; 3/19/38; Albert Koch, E. Gartner; Synthetic rubberlike materials.

197,411; 3/22/38; Alwin Schneevoight; Cloth printing pastes.

211,368; 6/2/38; Guenther Kunze, H. Beller, M. Bollmann; Process of recovering odorless soap-forming fatty acids.

214,564; 6/16/38; Mathias Pier, E. Donath; Process for the production of knockstable benzines and middle oils with a low solidifying point by destructive hydrogenation of cracking residues.

214,568; 6/18/38; Martin Mueller-Cunradi, M. Ott, W. Daniel, R. Werner; Compositions of matter.

216,292; 6/28/38; Leonid Andrussow; Process for recovering aliphatic carboxylic acids from oxidation products of high molecular aliphatic compounds.

216,764; 6/30/38; Martin Mueller-Cunradi, A. Cantzler; Process for the production of butadiene.

217,280; 7/2/38; Mathias Pier, F. Christmann; Production of lubricants.

218,016; 7/7/38; Otto Schmidt, S. Stadelmann; Process for producing olefines and diolefines from parraffines and olefines.

221,564; 7/27/38; Hans Beller, J. J. Owen; Alkyl sulfates.

221,854; 7/28/38; Mathias Pier, W. Simon, O. Grassl; Process for the utilization of sulphite lyes.

223,972; 8/9/38; Helmut Meis, Richard Ludwig; Preparation of synthetic rubber.

224,728; 8/13/38; Christoph Beck, Franz Kremp; Process for recovery fatty acids, etc.

229,326; 9/10/38; Hans Murke, Ottmar Wahle; Stabilization of synthetic rubberlike materials.

231,162; 9/22/38; Cornelius Muhlhausen, W. Becker; Polymeric products.

231,914; 9/27/38; Heinz Wollthan, W. Becker; Polymerizing butadiene hydrocarbons.

233,302; 10/4/38; Emil Keunecke, A. Kuerzinger; Production of oxidation products from high molecular aliphatic hydrocarbons.

234,896; 10/14/38; Otto Schmidt, O. Grosskinsky, S. Stadelmann; Process of producing butadiene from butane.

239,785; 11/10/38; Adolf Benischek; Coating agents, priming and knifing compositions and putties.

244,392; 12/7/38; Max Harder; Process of removing unsaponifiable constituents from oxidation products of high molecular non-aromatic hydrocarbons.

250,756; 1/13/39; Hans Beller, Martin Luther, Hans Pohle; Rubber mixtures.

253,784; 1/31/39; Paul Baumann; Recovery of carbon black from gases.

258,992; 2/1/39; Hans Beller, J. J. Owen; Process for the improvement of soaps from synthetic fatty acids.

255,028; 2/7/39; Wilhelm Nowag, K. Krapp, P. Baumann; Initiation of electric arcs fed by controlled rectifiers, etc.

262,786; 3/18/39; Emil Keunecke, A. Kuerzinger; Process for the preparation of soaps from oxidation products of high-molecular hydrocarbons.

272,796; 5/10/39; Franz Sabel, P. Kellig, H. Laudenklos; Synthesis of hydrocarbons.

273,962; 5/16/39; Otto Grosskinsky, N. Roh, G. Hoffmann; Production of butadiene by dehydrogenating butylen.

277,024; 6/2/39; Heinz Wollthan, W. Becker; Synthetic rubber like material.

297,105; 9/29/39; Gustav Wirth; Conversion of carbon monoxide with hydrogen.

492,221; 10/30/30; Fritz Winkler; Treatment of liquid hydrocarbons.

497,424; 11/22/30; Otto Grosskinsky, W. Schmidt; Production of carbon black.

502,728; 12/16/30; Walther Haag; Production of carbon black.

525,466; 3/26/31; Mathias Pier, E. Hochschwender; Production of valuable hydrocarbons from varieties of coal tars, minerals, etc.

550,272; 7/11/31; Mathias Pier, W. Urban; Production of valuable hydrocarbons especially those of low boiling point.

659,168; 3/1/33; Mathias Pier, W. Simon, W. Kroenig; Reactions on carbonaceous materials with hydrogenating gases.

692,988; 10/10/33; Mathias Pier, W. Kroenig, W. Simon; Heat treatment of carbonaceous materials with hydrogenating gases.

731,476; 6/20/34; Walter Simon, P. Jacob, W. Kunze; Carrying out catalytic reactions.

283,988; 7/12/39; Wilhelm Wenzel, H. Laudenklos; Production of hydrocarbons.

[F. R. Doc. 44-7410; Filed, May 24, 1944; 10:55 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 20A-120]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN SARANAC LAKE, N. Y., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F. R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Saranac Lake, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Albany, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-120" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Albany, New York.

8. This order shall become effective May 31, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Donald E. Seney, 31 Main Street, Saranac Lake, N. Y.

Charles Flanders, 24½ Broadway, Saranac Lake, N. Y.

D. R. Brundage, Saranac Lake, N. Y.

George Owens, 25 Broadway, Saranac Lake, N. Y.

W. Jewtraw, 80 Broadway, Saranac Lake, N. Y.

Wm. W. Riordan, 96½ Main Street, Saranac Lake, N. Y.

Charles B. Smith, 10 Winona Avenue, Saranac Lake, N. Y.

[1] Filed as part of the original document.

Christian Spork, 23 Lake Flower Avenue, Saranac Lake, N. Y.
Floyd Burkett, 74 Park Avenue, Saranac Lake, N. Y.
A. Hoyt, 55 Bloomingdale Avenue, Saranac Lake, N. Y.

[F. R. Doc. 44-7405; Filed, May 24, 1944; 10:45 a. m.]

[Supp. Order ODT 20A-121]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN OTTUMWA, IOWA, AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Ottumwa, Iowa, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Davenport, Iowa, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-121" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Davenport, Iowa.

8. This order shall become effective May 31, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Florence M. Fry, Yellow Cab Company, 106 South Court Street, Ottumwa, Iowa.
Thomas R. Klotz, DeLuxe Cab Company, 114 South Green Street, Ottumwa, Iowa.
Thomas R. Klotz, Ottumwa Checker Cab Company, 114 South Green Street, Ottumwa, Iowa.
D. S. Young, City Cab Company, 801 East Main Street, Ottumwa, Iowa.

[F. R. Doc. 44-7406; Filed, May 24, 1944; 10:45 a. m.]

[Supp. Order ODT 20A-122]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN MASON CITY, IOWA, AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Mason City, Iowa, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Mason City, Iowa, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-122" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Mason City, Iowa.

8. This order shall become effective May 31, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Yellow Cab Company, 11 Second Street NW., Mason City, Iowa.
Bell's Red Top Cab Company, 410 West State, Mason City, Iowa.

[F. R. Doc. 44-7407; Filed, May 24, 1944; 10:45 a. m.]

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[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[RO 5C,[1] Order 4]

MILEAGE RATIONING; GASOLINE REGULATIONS

AUTHORIZATION TO ACCEPT CLASS R COUPONS

Pursuant to the authority conferred upon the Deputy Administrator in Charge of Rationing by § 1394.8153 (b) (4) (iv) of Ration Order No. 5C, as amended, the following order is prescribed:

(a) *Findings.* Under the laws of the State of North Dakota, tax exempt gasoline for non-highway purposes may be sold only by licensed dealers to duly licensed consumers.

Licenses are issued by the State Auditor to any dealer desiring to sell tax exempt gasoline and to any person who satisfies the State Auditor that he needs gasoline for non-highway purposes. The license issued to the consumer is in book form and contains the license number, the name and address of the licensee, and provides spaces to be filled in by the dealer for the date of purchase, from whom, and the number of gallons purchased. At the time of sale the dealer executes a receipt in triplicate which is signed by both the seller and purchaser and stipulates the amount and kind of gasoline transferred. Copies of the receipt are retained by the buyer and seller and the original is delivered to the seller's supplier who in turn transmits it to the State Auditor in lieu of taxes.

Licenses issued to the consumer expire on the 31st day of December of the year in which the license is issued. Prior to the expiration of the license the licensee files with the State Auditor a sworn statement showing the amount of exempt gasoline purchased, the date of purchase, and the price paid. Attached to this statement are the receipts issued by the dealer at the time of each sale.

There are approximately 1,300 dealers who have been licensed to make tax exempt sales of gasoline. Each dealer is required to maintain records of all purchases, receipts, and sales which at all times during business hours are subject to inspection by the State Auditor or by any agent or employee duly authorized by him, and not later than the 15th of each month the dealer is required to file a report with the State Auditor of the amount of gasoline sold. Licenses are revocable for violation of any provision of the statute.

In addition to the sales to agricultural and industrial users, tax exempt gasoline may be sold to any licensed subdivision of the State in the construction, reconstruction or maintenance of public roads, highways or streets when public funds of such municipality are used for the purchase of gasoline for use in publicly owned vehicles.

In substance, the laws of the State of North Dakota carefully safeguard the sale of tax exempt gasoline and contain strict standards in order to assure that such transfers will be made for non-highway purposes. The issuance of receipts and the right to inspect records at all times during business hours will enable the investigators of the Office of Price Administration to determine whether or not prohibited transfers are being made. Hence, it appears that authority may be extended to licensed dealers located in the State of North Dakota to make tax exempt transfers of gasoline in exchange for Class R coupons to duly licensed consumers without facilitating the unlawful acquisition of Class R coupons.

(b) *Order.* It is hereby ordered that dealers and licensed distributors in the State of North Dakota who are permitted by that State to make tax exempt sales of gasoline are authorized to accept Class R coupons at their retail facilities for such tax exempt sales where these sales are made only for non-highway purposes in compliance with the laws of the State of North Dakota: *Provided*, That such dealers and distributors maintain records of such sales, at the place of business where such transfers of gasoline are made, in accordance with the laws and regulations of the State of North Dakota and permit employees of the Office of Price Administration to inspect such records during business hours.

(c) *Definitions.* The definition of terms and rules of construction contained in § 1394.7551 of Ration Order 5C shall apply to this order.

(d) *Effective period.* This order shall become effective May 25, 1944, and shall remain in effect until modified or revoked.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 24th day of May 1944.

CHARLES F. PHILLIPS,
Deputy Administrator,
In Charge of Rationing.

[F. R. Doc. 44-7449; Filed, May 24, 1944; 11:55 a. m.]

[1] 8 F.R. 15937.

SECURITIES AND EXCHANGE COMMISSION.

[File No. 68-40]

RHODE ISLAND PUBLIC SERVICE CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 22d day of May 1944.

In the matter of Godfrey B. Simonds, Edward B. Aldrich, George F. Bliven, Herbert H. Brooks, Russell C. Harrington and Charles C. McGowan, Proposed Committee for the Rhode Island Public Service Company $2 Cumulative Preferred Stock; file No. 68-40.

Notice is hereby given that Godfrey B. Simonds, Edward B. Aldrich, George F. Bliven, Herbert H. Brooks, Russell C. Harrington and Charles C. McGowan, proposing to act as members of a committee representing the $2 Cumulative Preferred Stock of The Rhode Island Public Service Company (RIPS), have filed a declaration with the Commission regarding a proposed solicitation of authorizations from holders of the $2 Cumulative Preferred Stock of RIPS, and seeking partial exemption from compliance with the requirements of paragraphs (g) (2) and (h) (1) of Rule U-62 for Industrial Trust Company and The Blackstone Canal National Bank of Providence, the respective companies of which Edward B. Aldrich and Charles C. McGowan are officers.

All interested persons are referred to said document which is on file in the office of this Commission, the substance of which is summarized as follows:

Said declaration indicates that the individuals named therein own beneficially or as trustees or are officers or directors, or both, of companies which own beneficially or as trustees $2 Cumulative Preferred Stock of RIPS consisting of approximately 16,500 shares of stock.

The declarants propose to form a committee on behalf of the $2 Cumulative Preferred stockholders of RIPS and to apply to intervene or otherwise participate in the pending proceedings before the Commission involving the plan of simplification of the New England Power Association holding company system (File No. 54-92) filed with the Commission by New England Power Association and its subsidiary holding companies on March 6, 1944. The declaration sets forth a request for partial exemption from the conditions imposed by paragraph (g) (2) of Rule U-62 for the Industrial Trust Company and The Blackstone City National Bank of Providence to the extent that there be no restriction upon the right of either of these companies to purchase or sell, or to give investment advice with respect to the securities of companies in the New England Power Association System in their respective fiduciary capacities, or in the administration of agency accounts, or in the exercise of their rights as holders of collateral.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said declaration and that said declaration shall not become effective except pursuant to further order of this Commission:

It is hereby ordered, That a hearing on such matters under the applicable provisions of the Public Utility Holding Company Act of 1935 and the Rules thereunder be held on May 27, 1944 at 10:00 a. m., e. w. t. in the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa., in such room as may be designated at such time by the hearing room clerk in Room 318. All persons desiring to be heard or desiring to participate in the proceedings shall notify the Commission in the manner provided by Rule XVII of the Commission's Rules of Practice, on or before May 26, 1944.

It is further ordered, That Allen MacCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issue presented by said declaration, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the requirements of paragraphs (g) (2) and (h) (1) of Rule U-62 as applied to the proposed solicitation, are in any respects not necessary or appropriate in the public interest or for the protection of investors or consumers and whether the restrictions proposed in such declaration or any amendment thereto are an adequate substitute, or under the circumstances the only restriction which should be imposed upon dealing in securities of companies in the New England Power Association System by said Industrial Trust Company and The Blackstone Canal National Bank of Providence, and whether the Commission should so order pursuant to sections 11 (g), 12 (e) and Rule U-100.

2. Whether said declaration as filed or as it may be amended, should be permitted to become effective as consistent with the standards of sections 11 (g) and 12 (e) of the act.

It is further ordered, That the Secretary of the Commission shall serve notice of the entry of this order by mailing a copy thereof by registered mail to New England Power Association, Massachusetts Power and Light Associates, North Boston Lighting Properties, The Rhode Island Public Service Company, Massachusetts Utilities Associates Common Voting Trust and Massachusetts Utilities Associates, and to each of the declarants, and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-7383; Filed, May 23, 1944; 3:08 p. m.]

[File No. 70-896]

GENERAL GAS & ELECTRIC CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 22d day of May 1944.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by General Gas & Electric Corporation, a registered holding company; and

All interested persons are referred to the said filing which is on file in the office of the said Commission for a statement of the transaction therein proposed, which is summarized below:

General Gas & Electric Corporation, a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, proposes to pay out of capital or unearned surplus the accumulated and unpaid dividends amounting to $5 per share on its $5 Prior Preferred Stock, no par value, for the period from March 16, 1943, to March 15, 1944, and also a quarterly dividend on the same stock, for the quarterly period ended June 15, 1944. As proposed, the aggregate dividends on the 60,000 outstanding shares of said stock will be $375,000, of which approximately $200,625 will be paid to the public holders of 32,110.9 shares. It is stated that as to the remaining 27,889.1 shares outstanding, held by the Trustees of Associated Gas and Electric Corporation, said Trustees are to waive their right to the receipt of the dividends, which would otherwise be payable to them.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matter:

It is ordered, That a hearing on such matter under the applicable provisions of said act and the rules of the Commission promulgated thereunder be held on June 5, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Willis E. Monty, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That any person desiring to be heard in connection with the proceeding or proposing to intervene herein shall file with the Secretary of the Commission, on or before May 31, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of this Commission.

It is further ordered, That, without limiting the scope of the issues presented by said filing, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the proposed payment of accumulated and unpaid dividends and the current quarterly dividend out of the capital or unearned surplus of General Gas & Electric Corporation is appropriate in the public interest and the interest of investors;

2. Whether the action proposed to be taken complies with the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder;

3. What terms or conditions, if any, should be imposed in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-7384 Filed, May 23, 1944; 3:08 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 105

Washington, Friday, May 26, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 79-2, Amdt. 4]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN ST. LOUIS METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-2 (8 F.R. 13365, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the St. Louis metropolitan milk sales area, is hereby further amended as follows:

1. By deleting § 1401.45 (a) (3) and substituting therefor the following:

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) purchases in a previously bottled form milk, cream, skim milk, buttermilk, flavored milk drink, or skim milk beverage for delivery under a brand or trade name other than his own, and (ii) does not operate facilities for the processing and bottling of milk.

2. By deleting § 1401.45 (g) (3) and substituting therefor the following:

(3) Milk byproducts, one quart of skim milk, buttermilk, flavored milk drink, or skim milk beverage.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79-2, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-2, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E. O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 23d day of May 1944.

C. W. KITCHEN, *Acting Director of Distribution.*

[F. R. Doc. 44-7453; Filed, May 24, 1944; 1:32 p. m.]

[WFO 79-35, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN NEW ORLEANS, LA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-35 (8 F.R. 13837, 9 F.R. 4319, as amended), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the New Orleans, Louisiana, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.70 (1) (2) and inserting, in lieu thereof, the numeral "10."

The provision of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79-35, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-35, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 23d day of May 1944.

C. W. KITCHEN, *Acting Director of Distribution.*

[F. R. Doc. 44-7454; Filed, May 24, 1944; 1:32 p. m.]

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

	Page
ALIEN PROPERTY CUSTODIAN:	
Vesting orders:	
Bosse, Christian	5699
Daigger, Andrew (2 documents)	5700
Dunkhase, Henry H.	5700
Kampfer, Elizabeth	5701
Lieber, Peter (2 documents)	5701
Ovel, Gerhard	5702
Pieroni, Inc	5699
Pohl, Josef	5702
Watanabe, George	5703
Watanabe, Martha Masako	5703
Watanabe, Yoshiko	5703
Zehnter, Julius G. O.	5704
Zoll, Gottfried	5704
COAST GUARD:	
Amendment of regulations and approval of equipment	5696
CUSTOMS BUREAU:	
Vessels, documentation; change of master	5638
FEDERAL POWER COMMISSION:	
Northern Natural Gas Co., application	5698
FEDERAL TRADE COMMISSION:	
Cease and desist orders:	
International Research, etc., et al	5637
Leonard, J. P., Co., et al	5637
INTERSTATE COMMERCE COMMISSION:	
Refrigerator cars, initial bunker icing at Roseville, San Jose or Stockton, Calif.	5698
Reicing permits, etc.:	
Cheese, Freeport, Ill.	5698
Freight cars, Chicago, Ill.	5699
Potatoes:	
Chicago, Ill.	5698
Denver, Colo.	5699
Norfolk, Va.	5699
OFFICE OF DEFENSE TRANSPORTATION:	
Common carriers, coordinated operations; Boston, Mass., and St. Stephen, New Brunswick	5706
Taxicab operators, coordinated operations:	
Carbondale and Murphysboro, Ill.	5704
Durham, N. C.	5705

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

	Page
OFFICE OF PRICE ADMINISTRATION:	
Adhesives, white rye flour, for corrugated paper board (Rev. SR 14, Am. 135)	5696
Adjustments, etc.:	
Eisemann Corp	5707
Lakey Foundry and Machine Co	5707
Common carriers, etc.; increases in rates and charges (PR 11, incl. Am. 1–3)	5645
Food rationing for institutional users (Gen. RO 5, Am. 65)	5684
Foods, ceiling prices:	
Retail:	
Groups 1 and 2 stores (MPR 423, incl. Am. 1–18)	5671
Groups 3 and 4 stores (MPR 422, incl. Am. 1–17)	5656
Wholesale (MPR 421, incl. Am. 1–10)	5648
Foods, processed (Rev. RO 13, Am. 35)	5695
Gasoline rationing (RO 5C, Am. 124, 127) (2 documents)	5694
Gypsum wall board, etc. (MPR 188, Order A–1, Am. 38)	5706
Lumber, northern hardwood (MPR 223, incl. Am. 1–12)	5686
Oats, barley and grain sorghums (MPR 511)	5695
Poultry (RMPR 269, Am. 29)	5695
Regional and district office orders:	
Fluid milk, Atlanta region	5708
Solid fuels, Alabama, designated counties	5707
Tires, tubes, recapping and camelback (RO 1A, Am. 77)	5685
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.:	
Dallas Railway & Terminal Co	5709
Rochester Gas & Electric Corp	5709
WAR DEPARTMENT:	
Personnel, prescribed service uniform	5631
WAR FOOD ADMINISTRATION:	
Farm machinery and equipment, new (WFO 14, Rev. Supp. Order 1, Am. 2)	5630
Fluid milk and cream:	
Augusta, Ga	5629
Cedar Rapids, Iowa	5628
Connecticut	5629
Jackson, Miss	5629
Little Rock, Ark	5629
New Orleans, La	5627
St. Louis, Mo	5627
Waterloo, Iowa	5628
Suspension orders:	
Deems Ice Cream Corp	5629
Sunnydale Ice Cream Co., Inc	5630
WAR PRODUCTION BOARD:	
Electric ranges, domestic (L–23–b)	5644
Fibers, yarns and fabrics, synthetic (M–356, Int. 1) (2 documents)	5643, 5644
Footwear bows, two-color (M–217, Int. 6)	5638
Hides, skins and leather (M–310)	5639
Housing construction, authority of National Housing Agency (Dir. 24, Corr.)	5638
Iron and steel production (M–126, Am. 3)	5645
Printing and Publishing Division (M–293, Table 16)	5638
Suspension orders, etc.:	
Photo Process Engraving Co	5638
Seven-Up—Orange Crush Bottling Co	5710
WAR SHIPPING ADMINISTRATION:	
Cargo insurance	5697
Vessel ownership determination, "Chief Joseph"	5710

[WFO 79–89, Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN CEDAR RAPIDS, IOWA, SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–89 (8 F.R. 15473, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Cedar Rapids, Iowa, milk sales area, is hereby further amended as follows:

1. By deleting § 1401.125 (a) (3) and substituting therefor the following:

(3) The term "sub-handler" means any handler, such as a peddler, vendor, subdealer, or secondary dealer, who (i) purchases in a previously bottled form milk, cream, skim milk, buttermilk, flavored milk drink, or skim milk beverage for delivery under a brand or trade name other than his own, and (ii) does not operate facilities for the processing and bottling of milk.

2. By deleting § 1401.125 (h) (3) and substituting therefor the following:

(3) Milk byproducts, one quart of skim milk, buttermilk, flavored milk drink, or skim milk beverage.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–89, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–89, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 23d day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–7455; Filed, May 24, 1944; 1:32 p. m.]

[WFO 79–90, Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN WATERLOO, IOWA, SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–90 (8 F.R. 15474, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Waterloo, Iowa, milk sales area, is hereby further amended as follows:

1. By deleting § 1401.126 (a) (3) and substituting therefor the following:

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) purchases in a previously bottled form milk, cream, skim milk, buttermilk, flavored milk drink, or skim milk beverage for delivery under a brand or trade name other than his own, and (ii) does not operate facilities for the processing and bottling of milk.

2. By deleting § 1401.126 (h) (3) and substituting therefor the following:

(3) Milk byproducts, one quart of skim milk, buttermilk, flavored milk drink, or skim milk beverage.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–90, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–90, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 23d day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–7456; Filed, May 24, 1944; 1:32 p. m.]

[WFO 79–121, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN JACKSON, MISS., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426; 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–121 (9 F.R. 639, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Jackson, Mississippi, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.154 (n) (2) and inserting, in lieu thereof, the numeral "10".

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–121, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–121, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 23d day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–7457; Filed, May 24, 1944; 1:32 p. m.]

[WFO 79–130, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN LITTLE ROCK, ARK., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–130 (9 F.R. 650, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Little Rock, Arkansas, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.166 (n) (2) and inserting in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–130, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–130, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 23d day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–7458; Filed, May 24, 1944; 1:32 p. m.]

[WFO 79–136, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN AUGUSTA, GA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–136 (9 F.R. 1408, 9 F.R. 4319) as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Augusta, Georgia, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.171 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–136, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–136, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 23d day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–7459; Filed, May 24, 1944; 1:32 p. m.]

[WFO 79–142, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN CONNECTICUT SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–142 (9 F.R. 2534, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Connecticut milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401–175 (1) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–142, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–142, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 23d day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–7460; Filed, May 24, 1944; 1:32 p. m.]

[Suspension Order Docket No. FDA–NE–64]

PART 1590—SUSPENSION ORDERS

DEEMS ICE CREAM CORP.

An order was issued in the above-entitled matter on October 4, 1943, which, in part, limited the utilization of milk solids by Deems Ice Cream Corporation, (the "respondent") in the production or manufacture of frozen dairy foods or mix during the allocation periods of May and June 1944, pursuant to Food Distribution Order 8. On May 1, 1944, War Food Order 8 (formerly designated as Food Distribution Order 8) was amended to provide, in part, that the permissible utilization of milk solids in the production or manufacture of frozen dairy foods or mix during the allocation periods of May and June 1944 be increased from 65 percent of the total milk solids utilized during the corresponding portion of the base period to 75 percent of the total milk solids utilized during the corresponding portion of the base period. In the interests of assuring the efficient use and distribution of dairy products to meet war and essential civilian needs,

it has been concluded that this general increase in the permissible utilization of milk solids should be extended to Deems Ice Cream Corporation. *It is therefore ordered*, That:

Section 1590.5 (c) (2) of the order heretofore issued in the above-entitled matter on October 4, 1943, be and the same hereby is amended to read as follows:

(2) During the allocation periods April, May and June, 1944, respectively, the respondeent's utilization of milk solids in the production or manufacture of frozen dairy foods or mix shall not exceed 2,892 lbs., 9,666 lbs., and 10,087 lbs., respectively.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; and Delegations of Authority, 8 F.R. 13696, 14251 and 16497)

Issued this 25th day of May 1944.

C. W. KITCHEN,
Deputy Director,
Office of Distribution.

[F. R. Doc. 44-7505; Filed, May 25, 1944; 11:25 a. m.]

[Suspension Order Docket No. FDA-NE-60]

PART 1590—SUSPENSION ORDERS

SUNNYDALE ICE CREAM CO., INC.

An order was issued in the above-entitled matter on September 27, 1943, which, in part, limited the utilization of milk solids by Sunnydale Ice Cream Co., Inc., (the "respondent") in the production or manufacture of frozen dairy foods or mix during the allocation periods of May and June 1944, pursuant to Food Distribution Order 8. On May 1, 1944, War Food Order 8 (formerly designated as Food Distribution Order 8) was amended to provide, in part, that the permissible utilization of milk solids in the production or manufacture of frozen dairy foods or mix during the allocation periods of May and June 1944 be increased from 65 percent of the total milk solids utilized during the corresponding portion of the base period to 75 percent of the total milk solids utilized during the corresponding portion of the base period. In the interests of assuring the efficient use and distribution of dairy products to meet war and essential civilian needs, it has been concluded that this general increase in the permissible utilization of milk solids should be extended to Sunnydale Ice Cream Co., Inc.

It is therefore ordered, That:

Section 1590.6 (c) (4) and (5), respectively, of the order heretofore issued in the above-entitled matter on September 27, 1943, be and the same hereby is amended to read as follows:

(4) During the allocation period May 1944, respondent's utilization of milk solids in the production or manufacture of mix for sale as mix shall not exceed 3,174 lbs., and in the production or manufacture of frozen dairy foods, 7,132 lbs.

(5) During the allocation period June 1944, respondent's utilization of milk solids in the production or manufacture of mix for sale as mix shall not exceed 5,014 lbs., and in the production or manufacture of frozen dairy foods shall not exceed 11,012 lbs.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; and Delegations of Authority, 8 F.R. 13696, 14251 and 16497)

Issued this 25th day of May 1944.

C. W. KITCHEN,
Deputy Director,
Office of Distribution.

[F. R. Doc. 44-7504; Filed, May 25, 1944; 11:25 a. m.]

Chapter X—War Food Administration (Production Orders)

[WFO 14, Supp. Order 1, Rev. 1, Amdt. 2]

PART 1202—FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

Supplementary Order No. 1, Revision No. 1,[1] to War Food Order No. 14 (formerly Food Production Order No. 14)[2] is hereby amended by adding the following section:

§ 1202.313 *Farm machinery and equipment produced under Schedule B or WPB Order L-257—(a) Transfer by manufacturers.* Until the further order of the War Food Administrator, a manufacturer may transfer not in excess of 70 percent of his scheduled production of any item of farm machinery and equipment listed on Schedules I or II of this supplementary order, and 100 percent of his scheduled production of any item listed on Schedule III of this supplementary order, which is produced under Schedule B[3] of War Production Board Order L-257[4]. In the case of Schedule I or Schedule II equipment, whenever a transfer is made to a dealer, either by a manufacturer or his distributor, the manufacturer shall give, or cause his distributor to give on his behalf, a written notice in the form provided in Exhibit D, attached hereto, to the State AAA Committee of the State for which the item of equipment is intended for ultimate transfer for use. Unless otherwise authorized by the appropriate State AAA Committee, the maximum quantity of any item of Schedule I equipment, which a manufacturer or his distributor may transfer for ultimate transfer for use in any county, shall not exceed 70 percent of the quantity which the manufacturer was authorized to transfer for such county on and after July 1, 1943, under other provisions of this supplementary order. Whenever a manufacturer shall have transferred 50 percent of his scheduled production of any item of equipment listed on Schedules I or II pursuant to this paragraph, he shall notify the Director in writing accordingly.

(b) *Application of other provisions of War Food Order No. 14 and Supplementary Order No. 1.* Paragraph (c) of § 1202.304 of this supplementary order shall not be applicable to any farm machinery and equipment scheduled for production under Schedule B of War Production Board Order L-257. Otherwise, nothing in this section shall be construed to waive the requirements of other applicable provisions of War Food Order No. 14 or of this supplementary order, including the requirement of a purchase certificate in the case of a transfer for use.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 24th day of May 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[1] 8 F.R. 17458, 9 F.R. 1003.
[2] 8 F.R. 17456, 9 F.R. 4319.
[3] 9 F.R. 1417.
[4] 9 F.R. 8199.

EXHIBIT D

NOTIFICATION OF SHIPMENT OF SCHEDULES I AND II ITEMS (PRODUCED UNDER SCHEDULE B OF ORDER L-257)

To: *State AAA Committee.*
As required by Amendment 2 to Supplementary Order 1 to WFO-14, this is to notify you that the following farm equipment will be shipped about ....., 194.., for retail sale in the State of ....., and in the case of Schedule I equipment, in the counties indicated below.
This production is authorized by Schedule B of War Production Board Order L-257.

(Name of manufacturer, branch house, or distributor)

(Address)

Name of implement	Item No. (required for tractors, corn pickers and combines only)	No. units	County (not required for Schedule II items)	Dealer's name and address (may be supplied at manufacturer's option)

(Continue, if necessary)

[F. R. Doc. 44-7503; Filed, May 25, 1944; 11:24 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 79—PRESCRIBED SERVICE UNIFORM

MISCELLANEOUS AMENDMENTS

The regulations in §§ 79.1 to 79.64, pertaining to the prescribed service uniform, are amended as follows. These regulations are also contained in Army Regulations No. 600-35, 31 March 1944. Sections within this series (§§ 79.1–79.64) not mentioned herein are retained without change.

GENERAL

In § 79.1 paragraph (c) is amended and (d) is added:

§ 79.1 *General.* • • •

(c) Whenever changes in design or material of uniforms are prescribed by War Department directives, all personnel affected are authorized to wear out existing articles. Articles procured or manufactured after promulgation of the changes will be of the new type.

(d) For prescribed service uniform for Army Hostess and Librarian Service; Army Nurse Corps, Physical Therapy Aides and Hospital Dietitions; and Women's Army Corps, see §§ 57.31–57.33, 79.70–79.80 and 79.90–79.95, respectively. [Par. 1]

Section 79.2 is amended as follows:

§ 79.2 *Adopted standards of cloths.* The standards of cloths are as follows:

(a) *For officers, warrant officers, and flight officers*—(1) *For winter uniform*—(i) *Coats; caps, service; caps, garrison*—(a) *Fabrics.* Wool, elastique, barathea, or whipcord, 14½–16-ounce.
(b) *Color.* Olive-drab shade No. 51 (dark shade).
(ii) *Breeches and trousers*—(a) *Fabrics.* Wool, elastique, barathea, or whipcord, 14½–16-ounce.
(b) *Color.* Olive-drab shade No. 51 (dark shade). Drab shade No. 54 (light shade).
(iii) *Shirts*—(a) *Fabrics:*
Wool. Plain or twill weave worsted shirting, 10½-ounce.
Cotton: Broadcloth. Poplin.
Other. All authorized summer uniform fabrics listed in (b) below.
(b) *Color:*
Wool fabrics. Olive-drab shade No. 51 (dark shade). Drab shade No. 54 (light shade). Khaki shade No. 1. Olive-drab shade No. 50.
Cotton fabrics. Khaki shade No. 1.
(iv) *Overcoats*—(a) *Field, long:*
Fabric. Cotton cloth, wind resistant and water repellant poplin or twill, 5-ounce.
Color. Olive-drab shades No. 2 and No. 7.
(b) *Short:*
Fabrics. Beaver, 26–32-ounce. Doeskin, 26–32-ounce. Kersey, 26–32-ounce. Melton, 26–32-ounce.
Color. Olive-drab No. 52.
(v) *Jacket, field*—(a) *Fabric.* Cotton cloth, wind resistant and water repellant.
(b) *Color.* Olive-drab shade No. 7.
(2) *For summer uniform.* Coats; breeches; trousers; shirts; caps; service; caps, garrison.
(i) *Fabrics.* (a) Cotton, 6 or 8.2-ounce (6-ounce to be used only for shirts).
(b) Rayon, plain or twill weave.
(c) Cotton warp, mohair filling.
(d) Worsted, tropical.
(e) Garbardine.
(ii) *Color.* Khaki shade No. 1.
(3) *Neckties*—(i) *Fabric.* Cotton warp, mohair filling.
(ii) *Color.* Khaki shade No. 5.
(b) *For enlisted men.* As issued.
(c) *For aviation cadets.* As issued. [Par. 2]

Section 79.4 is amended as follows:

§ 79.4 *Fitting of uniforms.* The correct fitting of uniforms is so necessary to the military appearance of a command that it is made the distinct duty of all commanding officers of every grade personally to see that each member of his command is properly fitted with a smart uniform. The company or detachment commander will be held responsible that his men have properly fitting uniforms. [Par. 4]

VARIOUS ARTICLES OF CLOTHING

Sections 79.5 and 79.6 are amended as follows:

§ 79.5 *Application of regulations contained in §§ 79.6–79.16.* Except as otherwise specifically prescribed, the regulations contained in §§ 79.6–79.16 apply to, and only to, articles for officers, warrant officers, and flight officers. All articles of uniform for wear by the General of the Armies, the Chief of Staff, and former Chiefs of Staff are such as each may prescribe for himself. [Par. 5]

§ 79.6 *Belt, waist.* A 1¼-inch olive-drab web belt equipped with an adopted buckle. [Par. 6]

In § 79.8 paragraph (d) is amended as follows:

§ 79.8 *Buttons.* • • •

(d) *For enlisted men.* Same description as in (a) (1) above.

For coats 36 ligne (9/10 inch) and 25 ligne (5/8 inch); for caps 25 ligne (5/8 inch); for overcoats 45 ligne (1⅛ inches) of gold color metal or olive-drab plastic. [Par. 8]

Section 79.9 is amended as follows:

§ 79.9 *Coat, service*—(a) *Winter; for officers, warrant officers, and flight officers*—(1) *Material.* Of adopted standard (§ 79.2 (a) (1) (i)).

(2) *Design*—(i) *General description.* A single-breasted collar and lapel coat; lining, if desired, to be of a matching color. To fit easy over the chest and shoulders and to be fitted slightly at the waist to conform to the figure. The back to be plain. Buttoned down the front with four buttons equally spaced, the three top buttons to be large regulation coat buttons and the bottom button to be a plain four-hole 36-ligne button of bone, plastic, or other suitable material of a color closely approximating that of the coat. The crossing of the lapels will be approximately 1¾ inches above the top button. A matching cloth belt 1¾ inches in width having a mitered end and equipped with a 1¾-inch tongueless bar buckle with rounded corners, raised polished rims and horizontally lined background of gold color metal ¼ inch in width. The belt may be either fully detachable or sewed down around the waistline to a point approximately 2½ inches from front edge of coat on each side at the option of the individual. When the belt is detachable, provision will be made for two 9/16-inch cloth belt loops placed at the side seams sewed on so that they will not mar the coat if removed for a sewed-on belt. The belt will cover the horizontal seam at the waistline and the buckle will be centered over the bottom button of the coat when buttoned. The mitered end of the belt will pass through the buckle to the left, extend not more than 3 inches beyond the buckle, and may be held in place by a cloth keeper 9/16 inch in width.

(ii) *Collar and lapel.* The collar to be approximately 15½ inches for a 36-inch chest (relative measurements) and to be measured along the outside edge with the ends cut back slightly, and not wider than 1¾ inches at the back seam nor wider than 3 inches at the junction with the lapel.

The top line of the lapel to be horizontal and the peak to extend approximately ⅝ inch beyond the collar line prolonged.

The opening notch between the collar and lapel to be approximately 1¾ inches in depth, separated approximately ⅛ inch on the end.

(iii) *Pockets.* There will be four outside pockets, two upper and two lower, covered with flaps, buttoned with small regulation coat buttons at the center and placed so that the upper lines are horizontal. The two upper pockets to be patch pockets slightly rounded at the lower corners, with a box plait 1½ inches in width on the vertical center line. The flaps to be rounded slightly at the corners and reaching to a slight point at the center. The flap buttons to be on line with the top button of coat.

The two lower pockets to be hung inside the body of the skirt, covered by flaps with the lower corners slightly rounded and the lower edge horizontal. The pockets to be attached to the body of the skirt only at the mouth. The top lines of the lower pocket flaps to be placed slightly below the belt.

The pockets will be of suitable size according to the size of the coat, but in no case will they exceed the following dimensions:

(a) *Upper pockets.* Depth 6½ inches; width at top 5¾ inches, at bottom 5¾ inches.

(b) *Lower pockets.* Depth 10 inches, width at top 8½ inches, at bottom 12 inches.

(iv) *Shoulder loops.* On each shoulder a loop of same material as the coat, let in at the sleeve head seam and reaching to approximately ¾ inch beneath the collar, buttoning at the collar edge with a small regulation coat button. Loops to be about 2½ inches in width at lower end and 1½ inches in width at collar edge and cross-stitched down to shoulder for a distance of about 2 inches from lower end.

(v) *Skirt.* The skirt to be full with a slight flare, to extend 1 to 2 inches below the crotch, according to the height of the wearer, with a slit in the back extending from the waistline to the skirt following the back seam with an underlap of approximately 3 inches. The front overlapping left edge of coat to be cut with a pronounced flare to the right

from the bottom button to the bottom of the skirt, so as to appear straight from the lapel opening to the bottom of the coat and to remain overlapped not less than 4 inches when in a standing position, without the use of hooks and eyes, the fullness necessary to accomplish this result being over the hips.

(vi) *Ornamentation.* For officers a band of olive-drab braid ½ inch in width on each sleeve, the lower edge 3 inches from end of sleeve. For warrant officers and enlisted men who served honorably as commissioned officers in the first World War a similar band of forest green braid similarly placed. Other warrant officers and flight officers will have no braid on the sleeves.

(b) *Summer, for officers, warrant officers, and flight officers*—(1) *Material.* Of adopted standard (§ 79.2 (a) (2)).

(2) *Design*—(i) *General description.* A single-breasted semiform-fitting sack coat, extending to crotch, with no pronounced flare or waistline seam. To fit easily over the chest and shoulders and to be fitted slightly at the waist to conform to the figure. The left front to appear straight from top button to bottom of front; buttoned down the front with four large regulation coat buttons equally spaced. Sufficient flare to be on the right front in order to remain underlapped. All buttons to be detachable.

(ii) *Back.* A vent in the back to extend from immediately below waistline to bottom, following the back seam and with an underlap of approximately 2½ inches.

(iii) *Collar and lapel.* The collar to measure approximately 1⅝ inches in width at the back, the opening between collar end and lapel not to exceed ½ inch. The lapels to be semipeaked, not wider than ½ inch more than the collar end, and the top edge to be horizontal.

(iv) *Shoulder loops.* On each shoulder a loop, let in at the sleeve head seam and reaching to edge of collar. Upper end pointed and buttoned to coat with a small regulation coat button. Loops to be above 2½ inches in width at lower end and 1½ inches in width at collar edge and cross-stitched down to shoulder for a distance of about 2 inches from lower end.

(v) *Ornamentation.* For officers a band of khaki color braid ½ inch in width on each sleeve, the lower edge 3 inches from end of sleeve. For warrant officers who served honorably as commissioned officers in the first World War a similar band of forest green braid similarly placed. Other warrant officers and flight officers will have no braid on the sleeves.

(vi) *Pockets.* Four outside pockets, two upper and two lower, of suitable size according to size of coat. Each pocket covered with a flap, pointed at corners and center, buttoned at center with a small regulation coat button, and placed with upper edges in a prolonged horizontal line.

(a) *Upper.* The two upper pockets to be patch pockets, slightly rounded at lower corners, with a box plait 1½ inches in width on the vertical center line. The following dimensions are not to be exceeded: Depth, 6½ inches; width at top, 5 inches; at bottom, 5 inches. The flap buttons to be on a line with the top button of coat. Lower outside corners of top pocket flaps may be blind-tacked.

(b) *Lower.* The two lower pockets to be hung inside the coat with the opening in the body below waistline. The following dimensions are not to be exceeded: Depth, 9 inches; width at top, 7 inches; at bottom, 8 inches. [Par. 9]

Section 79.10 is amended as follows:

§ 79.10 *Footgear*—(a) *Boots; for officers, warrant officers, and flight officers*—(1) *Field.* Army russet leather, legging top pattern, with three buckles on the side or with laces.

(2) *Rubber.* Russet, waterproof, commercial pattern.

(b) *Boots, combat; for officers, warrant officers, flight officers, and enlisted men.* Of adopted standard and design.

(c) *Leggings, canvas; for officers, warrant officers, flight officers, and enlisted men.* Of adopted standard and design.

(d) *Shoes; for officers, warrant officers, and flight officers.* Commercial pattern, high or low, Army russet leather. [Par. 10]

Section 79.11 is amended as follows:

§ 79.11 *Gloves*—(a) *Officers, warrant officers, and flight officers.* (1) Chamois leather or chamois color material.

(2) White cotton or lisle.

(3) Leather of Army russet color, lined or unlined, snap fastener, pull-on or buckle type.

(4) Wool, olive-drab.

(b) *Enlisted men.* As issued. [Par. 11]

Section 79.12 is amended as follows:

§ 79.12 *Headgear*—(a) *Cap, garrison.* For officers, warrant officers, flight officers, and enlisted men.

(1) *Material.* Of adopted standard (§ 79.2 (a) (1) (i) and (2)).

(2) *General description.* A standard adopted design with curtain and with a cord edge braid as indicated in § 79.23.

(b) *Cap, service*—(1) *Officers and warrant officers, except of Army Air Forces*—(i) *Material.* Of adopted standard (§ 79.2 (a) (1) (i) and (2)), or felted fur, olive-drab, dark shade.

(ii) *General description.* Of adopted design about 11¼ inches from front to rear and 10½ inches from side to side, based on size 7⅛, stiffened in front by springs and falling without stiffening to the rear; two eyelets ½ inch from the welt seam and about ¾ inch on each side of side seam of quarters. Top to be stiffened at rim with grommet and cloth on top of crown to be slack. The grommet used to stiffen the rim will be flat 3/16 inch in width (measurements of crown above to be made with grommet in position in cap), inside of top to have a waterproof material cut to the size of the crown.

Top of visor of Army russet leather lined with embossed green hatters' leather, waterproofed. Greatest width of visor about 2 3/16 inches and slope from vertical about 55°.

Chin strap of Army russet leather, ¾ inch in width and 9½ inches in length fastened at each end of visor with small regulation cap button.

A band of braid, olive-drab shade No. 53, for winter cap and khaki shade No. 5 for summer cap, about 1⅞ inches in width around entire cap.

(2) *Officers and warrant officers of Army Air Forces and flight officers*—(i) *Material.* Of adopted standard (§ 79.2 (a) (1) (i) and (2)), or felted fur, olive-drab, dark shade.

(ii) *General description.* A cap of similar design to that described in subparagraph (1) of this paragraph except front spring stiffening may be omitted and the grommet may be removed.

(3) *Female medical officers.* Of adopted design about 10¼ inches from side to side based on size 23, with visor of Army russet leather (white on dress cap) 2 3/16 inches in width at the center with slope from vertical about 55°; chin strap of Army russet leather (white on dress cap) ⅝ inch in width and 10½ inches in length, fastened at each end of visor with small regulation cap button; one center eyelet 1⅛ inches below the top of the crown to accommodate the cap insignia; inside of the top to have a waterproof material cut to the size of the crown. A band of olive-drab braid (white braid on dress cap) about 1⅛ inches in width around entire cap.

(4) *Enlisted men.* As issued; similar type of cap without band of braid.

(c) *Cap, field, cotton, olive-drab, with visor.* For officers, warrant officers, flight officers, and enlisted men.

(1) *Material.* Of adopted standard (§ 79.2 (a) (1) (v)).

(2) *General description.* A standard adopted design with ear flaps and visor.

(d) *Cap, field, pile.* For officers, warrant officers, flight officers, and enlisted men.

(1) *Material.* Of adopted standard (§ 79.2 (a) (1) (v)) and pile.

(2) *General description.* A standard adopted design with visor and shawl, equipped with tie cords.

(e) *Cap, wool, knit, M1941.* For officers, warrant officers, flight officers, and enlisted men.

(1) *Material.* Olive drab, wool knit.

(2) *General description.* A standard adopted design with curtain and visor.

(f) *Hat, service.* For officers, warrant officers, flight officers, and enlisted men.

(1) *Material.* Felt, beaver color.

(2) *General description.* A standard adopted design with "Montana peak," four indentations, crown 5¼ inches high for size 7⅛, with an olive-drab band and bow 15/16 inch in width. Hat to be equipped with a leather chin strap 5/8 inch in width for officers and 3/8 inch in width for enlisted men. [Par. 12]

Section 79.13 is amended as follows:

§ 79.13 *Jacket field M1943.* For officers, warrant officers, flight officers, and enlisted men.

(a) *Material.* Of adopted standard (§ 79.2 (a) (1) (v)).

(b) *General description.* A coat type jacket, plain back, fly front with six 36-ligne buttons and width adjustable waistline drawcord, body and sleeves lined throughout, with two outside breast cargo type pockets and two lower inside hand-

ing pockets all with straps and concealed buttonhole tabs. Provided with throat tabs with two buttonholes for 30-ligne buttons and shirt cuff type with adjustable sleeve closure. On each shoulder, a loop of the same material as the jacket let in at the sleeve head seam and reaching to neckband, buttoning at the upper end with a small button. Loops to be about 2½ inches in width at lower edge and 1½ inches in width at upper edge.

Section 79.11a is redesignated 79.13a and amended as follows: [Par. 13]

§ 79.13a *Muffler*—(a) *Officers, warrant officers, and flight officers.* Wool, olive-drab, commercial pattern.

(b) *Enlisted men.* As issued. [Par. 14]

Section 79.14 is amended as follows:

§ 79.14 *Necktie.* For officers, warrant officers, flight officers, and enlisted men.

(a) *Material.* Without stripe or figure, of adopted standard (§ 79.2 (a) (3)).

(b) *General description.* Of adopted four-in-hand type. [Par. 15]

Section 79.14a is added as follows:

§ 79.14a *Overcoat, for officers, warrant officers, and flight officers*—(a) *Field, long*—(1) *Material.* Of adopted standard (par. 2a (1) (d), (§ 79.2 (a) (1) (iv)).

(2) *General description.* A utility coat, two-ply throughout with a buttoned-in removable wool lining; double breasted with convertible style roll collar and notched lapel, buttoned down the front with a double row of large overcoat buttons, four on each side, with the top buttons approximately 10 inches apart and the lower buttons approximately 7 inches apart, a diagonal buttonhole placed in lower corner of each front to button to side seams to facilitate marching. A yoke for right shoulder buttoned in front with a 30-ligne button and a throat tab provided with two buttonholes for 30-ligne buttons. Back to be plain with set-in cantle piece closed with a small loop and 30-ligne button. A detachable belt same material as coat with 2¼ inches tongueless bar buckle and belt keeper held in place by two side loops and a strap keeper and belt strap. Adjustable tabs to button at cuff of sleeves.

(3) *Pockets.* Two diagonal hanging pockets cut hand opening in lining, and finished with pointed flaps buttoning to the rear.

(4) *Shoulder loops.* On each shoulder a loop about 5 inches in length, 2½ inches in width at the lower end, and 1½ inches in width at the upper end which is slightly pointed, the same material as the coat, let in at the sleeve head seam, buttoning at the upper end with a 30-ligne button.

(5) *Liners.* Made from an olive-drab wool fabric with inside yoke extending down 5 inches below armhole, and facing of olive-drab rayon fabric, 14 buttonholes for buttoning into overcoat body. Four buttons are positioned on right front for using as a separate garment. Two large patch pockets with diagonal slash above each pocket in line with openings through coat.

(b) *Short*—(1) *Material.* Of adopted standard (§ 79.2 (a) (1) (iv)).

(2) *Design*—(i) *General description.* A double-breasted coat, lined or unlined, with a notched lapel roll collar approximately 5 inches in width, buttoned down the front with a double row of large regulation buttons, three on each side below the roll of collar with additional buttons or loops so that the coat can be buttoned to the neck.

(ii) *Pockets.* Two outside patch pockets, one on each side.

(iii) *Shoulder loops.* On each shoulder a loop about 5 inches in length, 2½ inches in width at the lower end, and 1½ inches in width at the upper end, which is slightly pointed, of same material as coat, let in at the sleeve head seam and buttoned at the upper end with small regulation overcoat button.

(iv) *Skirt.* Skirt to extend to 6 inches above the knee. Slit in the back extending about 15 inches from the bottom.

(v) *Ornamentation*—(a) *For general officers.* Two bands of black braid, the lower band to be 1¼ inches in width and about 2½ inches from the lower edge of the sleeve, the other to be ½ inch in width and 1½ inches above the lower band.

(b) *For all other officers and warrant officers.* Sleeve to be plain. [Par. 16]

Section 79.14b is added as follows:

§ 79.14b *Raincoats, officers, warrant officers and flight officers.* (a) Outer shell of overcoat, field, long.

(b) A coat of commercial pattern, with shoulder loops, color, olive-drab No. 7. [Par. 17]

Section 79.15 is amended as follows:

§ 79.15 *Shirt*—(a) *Service*—(1) *Material.* Of adopted standard (§ 79.2 (a) (1) (iii) and (2)).

(2) *General description.* Of adopted pattern. For officers, warrant officers, and flight officers only, on each shoulder a loop of same material as the shirt, let in at the sleeve head seam and reaching to the edge of the collar, buttoning at the upper end with a small regulation shirt button. Loops about 2 inches in width at lower end and 1½ inches in width at collar end, and cross-stitched down to shoulder for a distance of 2 inches from lower end.

(b) *For shirts when worn with coats*—(1) *Material.* Of adopted standard (§ 79.2 (a) (1) (iii) and (2)).

(2) *General description.* Of adopted pattern, or of commercial pattern. [Par. 18]

Sections 79.17, 79.19, 79.20 and 79.21 are rescinded, the descriptive matter contained therein having been omitted in revision AR 600-35, 31 March 1944.

§ 79.17 *Aviation cadet clothing and insignia.* [Rescinded]

§ 79.19 *Parachutists' clothing.* [Rescinded]

§ 79.20 *Combat winter clothing.* [Rescinded]

§ 79.21 *Work clothing, herringbone twill.* [Rescinded]

INSIGNIA

Section 79.22 is amended as follows:

§ 79.22 *General.* (a) Except as otherwise prescribed, insignia for wear upon uniform clothing will be made of gold or gold color metal.

(b) Elements superimposed on insignia of officers, except as otherwise prescribed, will be of bronze finish or brown enamel.

(c) Elements superimposed on insignia of enlisted men will be of the same material as the insignia.

(d) Certain insignia which involve the use of heads will be made to face to dexter.

(e) Metal insignia will have clutch backs or similar attachments so that they will be held closely without turning or flopping.

(f) Insignia of grade for shoulder loops may be embroidered.

(g) Insignia of grade for special flying clothing may be made of leather.

(h) Metal insignia of grade for lieutenant colonels and majors will be knurled.

All other metal insignia of grade will be smooth. [Par. 24]

Section 79.23 is amended as follows:

§ 79.23 *Insignia and ornamentation for headgear*—(a) *Cap, garrison*—(1) *Ornamentation*—(i) *General officers.* Cord edge braid of gold bullion or metallized cellophane of gold color and insignia of grade.

(ii) *Other officers.* Cord edge braid of gold bullion or metallized cellophane of gold color and black silk intermixed and insignia of grade.

(iii) *Warrant officers and flight officers.* Cord edge braid of silver bullion or metallized cellophane of silver color and black silk intermixed and insignia of grade.

(iv) *Enlisted men.* Cord edge braid of the color of arm, service, or bureau.

(2) *Metallized cellophane* should not be used on caps which will be washed.

(b) *Cap, service*—(1) *Officers.* The coat of arms of the United States 2⅜ inches in height.

(2) *Warrant officers and flight officers.* An eagle rising with wings displayed standing on a bundle of two arrows, all inclosed in a wreath. Insignia 1½ inches in height.

(3) *Enlisted men.* A plain disk 1½ inches in diameter, superimposed thereon the coat of arms of the United States of the same material as the disk.

(c) *Hat, service*—(1) *General officers.* A double cord of gold bullion, rayon, or metallized cellophane of gold color 3/16 inch in diameter, with an acorn of same material 1¼ inches in length with cup 5/8 inch in diameter and kernel ⅜ inch in diameter. Keeper to be of same material ⅝ inch in length and ⅝ inch in diameter with inside diameter of ⅜ inch to hold both ends and one loop of cord.

(2) *Other officers.* Same as for general officers except the cord to be of gold bullion, rayon, or metallized cellophane of gold color and black rayon or silk intermixed. The acorns and keeper to be of gold bullion, rayon, or metallized cellophane of gold color.

(3) *Warrant officers and flight officers.* Same dimensions as for general officers, the cord to be of silver bullion, rayon, or metallized cellophane of silver color and black rayon or silk intermixed. The acorns and keeper to be of black rayon or silk.

(4) *Enlisted men.* To be a double cord of the color of the arm, service, or bureau. When two colors are prescribed for an arm, service, or bureau, the cord will be in the first named color and the acorns and keeper will be in the second named color. Except when detailed for temporary duty during field training, Regular Army enlisted personnel on duty as instructors with the National Guard will wear hat cord of the color of the National Guard Bureau. [Par. 25]

Section 79.24 is amended as follows:

§ 79.24 *Insignia for collar and lapel of coat*—(a) *General of the Armies of the United States, Chief of Staff, former Chiefs of Staff, and full generals.* Insignia will be such as they may prescribe.

(b) *Other officers, warrant officers, and flight officers*—(1) *"U. S."* The block letters "U. S." 7/16 inch in height, each letter to be followed by a period. To designate officers of the Federally recognized National Guard the letters forming the abbreviation of the name of the State, as prescribed in paragrpaph 88, 3/16 inch in height superimposed on the "U. S."

(2) *Insignia of arm, service, and bureau*—(i) *Adjutant General's Department.* An enameled shield 1 inch in height, a chief of blue with 1 large and 12 small white stars thereon, and 13 vertical stripes, 7 white and 6 red.

(ii) *Aides.* An enameled shield 3/4 inch in height surmounted by an eagle displayed with wings reversed 1/2 inch in height, on the blue chief of shield a white star or stars, according to the grade of the general officer on whose staff the aide is serving, and 13 vertical stripes, 7 white and 6 red.

(iii) *Air Corps.* A pair of wings with vertical silver propeller 3/4 inch in height.

(iv) *Armored Center and units.* A mark VIII tank, side view, 7/16 inch in height.

(v) *Cavalry.* Two crossed sabers in scabbards, cutting edge up, 11/16 inch in height. When applicable, the regimental number 1/4 inch in height in the upper angle.

(vi) *Chaplains*—(a) *Christian.* A silver Latin cross 1 inch in height.

(b) *Jewish.* A double tablet bearing Roman numerals from I to X surmounted by two equilateral triangles interlaced, all silver, 1 inch in height.

(vii) *Chemical Warfare Service.* A benzene ring of cobalt blue enamel, superimposed in the center of crossed retorts, 1/2 inch in height and 1 3/16 inches over all.

(viii) *Coast Artillery Corps.* Two crossed cannon with an oval shaped raised center of red enamel, superimposed on which a projectile, point up, of the same material as the cannon, 3/4 inch in height. When applicable, the regimental number 1/4 inch in height in the upper angle.

(ix) *Corps of Engineers.* A triple-turreted castle 11/16 inch in height. When applicable the regimental number 1/4 inch in height over the center turret.

(x) *Field Artillery.* Two crossed field guns 3/4 inch in height. When applicable the regimental number 1/4 inch in height in the upper angle.

(xi) *Finance Department.* A diamond 1 inch by 3/4 inch, short axis vertical.

(xii) *General Staff Corps.* The coat of arms of the United States 5/8 inch in height, of gold or gold color metal, superimposed on a 5-pointed silver star 1 inch in diameter. The shield and glory to be in enameled color stripes of white and red, chief of blue, and the sky of the glory blue.

(xiii) *Infantry.* Two crossed muskets 3/4 inch in height. When applicable the regimental number 1/4 inch in height in the upper angle.

(xiv) *Inspector General's Department.* A sword and fasces 3/4 inch in height, crossed and wreathed with the inscription "Droit Et Avant" in blue enamel on upper part of wreath."

(xv) *Judge Advocate General's Department.* A sword and pen crossed and wreathed 11/16 inch in height.

(xvi) *Medical Department.* Device 1 inch in height, letters 3/8 inch in height.

(a) *Medical Corps.* A caduceus.

(b) *Dental Corps.* A caduceus with the letter "D" superimposed thereon.

(c) *Veterinary Corps.* A caduceus with the letter "V" superimposed thereon.

(d) *Medical Administrative Corps.* A caduceus with the letter "A" superimposed thereon.

(e) *Contract surgeons.* A caduceus with the letter "C" superimposed thereon.

(f) *Sanitary Corps Reserve.* A caduceus with the letter "S" superimposed thereon.

(g) *Pharmacy Corps.* A caduceus with the letter "P" superimposed thereon.

(xvii) *National Guard Bureau.* Two crossed fasces of the same material as the eagle, superimposed on an eagle displayed with wings reversed, 3/4 inch in height.

(xviii) *Military Intelligence Reserve.* An eared shield 3/4 inch in height, bearing a circle connected with the border by 13 radial ribs, within the circle a sphinx in profile couchant.

(xix) *Military police.* Two crossed pistols 3/4 inch in height. When applicable the battalion number 1/4 inch in height in upper angle.

(xx) *Officers not members of, and not on duty with, an arm or service, and Specialist Reserve.* The coat of arms of the United States 9/16 inch in height within a ring 3/4 inch in diameter.

(xxi) *Ordnance Department.* A shell and flame 1 inch in height.

(xxii) *Permanent professors, master of the sword, and civilian instructors, United States Military Academy.* The coat of arms of the United States Military Academy 1 inch in height, the shield of the United States bearing the helmet of Pallas over a Greek sword and surmounted by an eagle displayed with scroll and motto.

(xxiii) *Quartermaster Corps.* A sword and key crossed on a wheel surmounted by a flying eagle, the felloe of the wheel set with 13 stars. The felloe of the wheel to be of blue enamel, hub center red edged with white. Insignia 3/4 inch in height.

(xxiv) *Signal Corps.* Two signal flags crossed, in enameled colors, dexter flag white with red center; the other flag red with white center, with a flaming torch upright at center of crossed flags. Insignia 7/8 inch in height.

(xxv) *Tank Destroyer Units.* 75-mm gun, motor carriage M3, in gold colored metal 1/2 inch in height.

(xxvi) *Transportation Corps.* A ship's steering wheel, superimposed thereon a shield charged with a winged car wheel on a rail, all of the same material, 1 inch in height.

(xxvii) *Warrant officers.* An eagle rising with wings displayed standing on a bundle of 2 arrows all inclosed in a wreath. Insignia 3/4 inch in height.

(xxviii) *Members of United States Army band.* A lyre 1 3/16 inches in height with letters "U. S." in block letters of the same material as the lyre, 3/8 inch in height, superimposed thereon.

(xxix) *First Special Service Force.* Two crossed arrows, 3/4 inch in height, with points up.

(c) *Enlisted men.* A disk 1 inch in diameter. (1) The right collar insignia will have the letters "U. S." on a plain solid circular background. The number of the regiment will be added when applicable. The number to be below the "U. S."; when there is no regimental number the "U. S." to be in the center of the disk. To designate enlisted men of the Federally recognized National Guard, the letters forming the abbreviation of the name of the State, as prescribed in paragraph 88, will be superimposed on the "U. S.".

(2) The left collar insignia will have the insignia of arm, service, or bureau on a plain solid circular background, except as follows:

(i) *Detached Enlisted Men's List.* The coat of arms of the United States.

(ii) *Army Mine Planter Service.* Same as Coast Artillery Corps, with the addition of a mine case in lower angle, maneuvering ring up.

(iii) *Unassigned.* As prescribed for right collar in subparagraph (1) above. [Par. 26]

In § 79.25 a note is added following paragraph (a) (4) and paragraph (b) (3) (iv), (v), and (vi) is amended.

§ 79.25 *Insignia grade*—(a) *Officers.* • • •

(4) *Brigadier general.* • • •

NOTE: Miniature insignia of grade (1/2 inch) is authorized for general officers only.

• • • • • • •

(b) *Warrant officers.* • • •

(3) *Warrant officers, Army Mine Planter Service, additional sleeve insignia,* • • •

(iv) *Assistant engineer.* Three bands of brown braid 1/2 inch in width and an embroidered brown three-bladed propeller 1 inch in diameter for each sleeve.

(v) *Second mate or maritime.* Two bands of brown braid 1/2 inch in width and an embroidered brown foul anchor 1 inch in length for each sleeve.

(vi) *Second assistant engineer or maritime engineer.* Two bands of brown braid 1/2 inch in width and an embroidered brown three-bladed propeller 1 inch in diameter for each sleeve. [Par. 27]

Section 79.26 is amended as follows:

§ 79.26 *Insignia to denote excellence*—(a) *Coast Artillery Corps.* Letter E 1 inch in height, in scarlet, embroidered upon an olive-drab wool disk 2 inches in diameter.

(b) *Army Specialized Training Program.* On an olive-drab disk, a blue star 1 inch in diemter. [Pars. 28 and 29]

Section 79.26a is added:

§ 79.26a *Insignia, Army Air Forces technical specialists.* An ultramarine blue triangular background 2 3/16 inches in height, 2 1/2 inches in width with point down charged with symbols in golden orange.

(a) *Armament.* A drop bomb.

(b) *Communications.* A tower between four flashes.

(c) *Engineering.* The silhouette of an engine.

(d) *Photography.* A camera.

(e) *Weather.* A weather vane. [Par. 30]

Section 79.27 is amended as follows:

§ 79.27 *Insignia, to denote wounds and service*—(a) *Chevrons, wounds (first World War only).* Of gold lace or bullion. To be chevrons reversed, arms 1 1/4 inches in length, 1/4 inch in width, on a background of olive-drab cloth forming a border 1/8 inch around each arm.

(b) *Chevrons, service (first World War only)*—(1) *Of gold lace or bullion.* As in (a) above.

(2) *Of sky blue cloth.* As in paragraph (a) above, except that the chevron will be of sky blue cloth instead of gold lace or bullion.

(c) *Stripes, service.* Olive-drab stripes, 2 1/4 inches in length, 1/8 inch in width, on a background forming a border 1/8 inch around the stripe.

(1) *Federal service.* Background dark blue.

(2) *National Guard service.* Background buff. [Par 31]

Sections 79.28 and 79.29 are amended as follows:

§ 79.28 *Insignia, shoulder sleeve.* Of cloth as per pattern approved by the War Department. An airborne tab in black with yellow letters 1/8 inch in height will be added above airborne shoulder sleeve insignia. [Par. 32]

§ 79.29 *Insignia of trimmings, distinctive.* Distinctive insignia or trimmings will not be approved or manufactured for the duration of the present war. [Par. 33]

In § 79.30 paragraph (i) is rescinded, paragraphs (j) and (k) are redesignated (i) and (j) respectively and new paragraphs (k), (l) and (m) are added as follows:

§ 79.30 *Brassards* • • •

(i) *Technical observers and service specialists accompanying United States Army forces in field.* The letters TO in black 1 1/4 inches in height on an orange background.

(j) *Aircraft Warning Service, Army Air Forces, chief observers and observers.* A white disk about 2 1/16 inches diameter with blue letters "U. S. Army AWS Air Force" between two golden orange wings each about 3 1/8 inches in length above golden letters 1/4 inch in height, all on an ultramarine blue background.

(1) Chief observer.

(2) Observer.

(k) *Gas personnel.* The letters "Gas" in golden yellow letters 2 1/2 inches in height on a cobalt blue background.

(l) *Auxiliary military police.* The words "Auxiliary Military Police" in blue letters 3/4 inch in height on a white background.

(m) *Brassards indicating grade, Army Specialized Training Program.* Trainees or candidates acting as officers and noncommissioned officers in the Army Specialized Training Program and at all schools and training centers for the Army Ground Forces, Army Air Forces, and Army Service Forces.

(1) *Officers.* Stripes 5/8 inch in width, 1/4 inch apart, and 4 inches in length, centered and sewed parallel with long side.

(i) *Colonel.* Three yellow stripes.

(ii) *Lieutenant colonel.* Two yellow stripes.

(iii) *Major.* One yellow stripe.

(iv) *Captain.* Three white stripes.

(v) *First lieutenant.* Two white stripes.

(vi) *Second lieutenant.* One white stripe.

(2) *Noncommissioned officers.* Sergeant, three chevrons; corporal, two chevrons; in olive-drab on dark blue background. [Pars. 34 and 35]

Section 79.30d is added:

§ 79.30d *Insignia, bomb disposal personnel.* On a black projectile shape, point downward 1 7/16 inches in width by 2 3/4 inches in length, a red conventionalized drop bomb fimbriated in yellow 7/8 inch in width by 2 3/8 inches in length. [Par. 39]

DECORATIONS AND SERVICE MEDALS

Section 79.31 is amended as follows:

§ 79.31 *Medal of Honor.* A bronze five-pointed star 1 9/16 inches in diameter, surrounded by a laurel wreath in green enamel, suspended by two links from a bronze bar bearing the inscription "Valor," and surmounted by an eagle. In the center of the star is the head of Minerva surrounded by the inscription "United States of America." Each ray of the star bears an oak leaf in green enamel. On the reverse of the bar are stamped the words "The Congress to", and on the reverse of the medal are engraved the grade, name, and organization of the recipient, with the place and date of the act for which the medal is awarded. The medal is suspended by a hook to a ring fastened behind the eagle. The hook is attached to a neckband of ribbon 20 inches in length. The neckband is of light blue watered silk 1 3/16 inches in width and midway between the ends of the neckband are 13 white stars arranged in the form of a triple chevron, consisting of two chevrons of 5 stars each and one of 3 stars. [Par. 41]

Section 79.36a is added.

§ 79.36a *Air Medal.* A bronze compass rose 1 11/16 inches circumscribing diameter suspended by the pointer and charged with an eagle volant carrying two lightning flashes in its talons. The points of the compass rose on the reverse are modeled with the central portion plain for the grade, name, and organization of the recipient (which is to be engraved). The medal is suspended from a moire silk ribbon 1 3/8 inches in length and 1 3/8 inches in width composed of stripes of red (1/16 inch), white (1/16 inch), red (1/16 inch), white (1/16 inch), red (1/16 inch), white (1/16 inch), red (5/8 inch), white (1/16 inch), red (1/16 inch), white (1/16 inch), red 1/16 inch); white (1/16 inch), and red (1/16 inch).

(b) *Clasps.* Bronze bars 1/8 inch in width and 1 3/16 inches in length with loops all in one piece for additional awards. [Par. 51]

Section 79.39 (7 F.R. 11) is rescinded and a new § 79.39 is added.

§ 79.39 *Distinguished Unit Badge.* A blue ribbon 1 3/4 inches in width, 3/8 inch in length behind a gold colored metal frame of laurel leaves approximately 1/16 inch in width.

In § 79.40 paragraph (b) (2) and (3) is amended as follows:

§ 79.40 *Fourragere (first World War).* • • •

(b) *Distinctive marks.* • • •

(2) *Arm or service.* Insignia of arm or service of the first World War with numerical designation when applicable, to be integral and similar to the officers' lapel insignia, of suitable size, number of

regiment or battalion not to exceed 5/16 inch in height.

(3) *Organization of the Army to which awarded.* The organizations of the Army to which the fourragere for the first World War has been awarded and the distinctive marks therefor are as follows:

* * * * *

[Par. 53]

Sections 79.53a–79.53e are added as follows:

§ 79.53a *Army of Occupation of Germany Medal (1918–23).* A medal of bronze 1¼ inches in diameter. On the obverse a profile of General John J. Pershing in uniform of first World War. Around the upper edge four five-pointed stars, on the dexter side the inscription "General John J. Pershing" and on the sinister side an unsheathed sword point up within a laurel wreath with the years "1918" and "1923." On the reverse an eagle with wings displayed and inverted standing on Castle Erenbreitstein within a circle composed of the words "U. S. Army of Occupation of Germany" and three five-pointed stars. The medal is suspended by a ribbon 1⅜ inches in length and 1⅜ inches in width composed of stripes of blue (1/16 inch), red (1/16 inch), white (3/16 inch), black (3/16 inch), white (3/16 inch), red (1/16 inch), and blue (1/16 inch). [Par. 67]

§ 79.53b *American Defense Service Medal.* (a) A medal of bronze 1¼ inches in diameter. On the obverse a female Grecian figure symbolic of defense holding in her sinister hand an ancient war shield in reverse and her dexter hand brandishing a sword above her head and standing upon a conventionalized oak branch with four leaves, around the top is the lettering "American Defense." On the reverse is the wording "For service during the limited emergency proclaimed by the President on 8 September 1939 or during the unlimited emergency proclaimed by the President on 27 May 1941" above a seven-leaved spray. The medal is suspended by a ribbon 1⅜ inches in length and 1⅜ inches in width composed of stripes of golden yellow (3/16 inch), blue, white, and red, triparted (⅛ inch), golden yellow (¾ inch), red, white, and blue, triparted (⅛ inch), and golden yellow (3/16 inch).

(b) *Clasp.* A bronze bar ⅛ inch in width, to be placed on the ribbon of the medal inscribed "Foreign Service." [Par. 68]

§ 79.53c *American Campaign Medal.* A medal of bronze, design to be approved. The medal is suspended by a ribbon 1⅜ inches in length and 1⅜ inches in width, composed of stripes of blue (3/16 inch), white (1/16 inch), black (1/16 inch), red (1/16 inch), white (1/16 inch), blue (3/16 inch), blue, white, and red triparted (⅛ inch), blue (3/16 inch), white (1/16 inch), red (1/16 inch), black (1/16 inch), white (1/16 inch), and blue (3/16 inch). [Par. 69]

§ 79.53d *Asiatic-Pacific Campaign Medal.* A medal of bronze, design to be approved. The medal is suspended by a ribbon 1⅜ inches in length and 1⅜ inches in width composed of stripes of orange (3/16 inch), white (1/16 inch), red (1/16 inch), white (1/16 inch), orange (¼ inch), blue, white, and red triparted (⅛ inch), orange (¼ inch), white (1/16 inch), red (1/16 inch), white (1/16 inch), and orange (3/16 inch). [Par. 70]

§ 79.53e *European-African-Middle Eastern Campaign Medal.* A medal of bronze, design to be approved. The medal is suspended by a ribbon 1⅜ inches in length and 1⅜ inches in width composed of stripes of brown (3/16 inch), green (1/16 inch), white (1/16 inch), red (1/16 inch), green (¼ inch), blue, white, and red triparted (⅛ inch), green (¼ inch), white, (1/16 inch), black (1/16 inch), white (1/16 inch), and brown (3/16 inch). [Par. 71]

BADGES, ETC.

In § 79.54 paragraphs (p) and (q) are added.

§ 79.54 *Badges, aviation.* * * *

(p) *Flight surgeon.* A pair of wings 3⅛ inches from tip to tip of gold color metal with the letter "O" in the center of the wings superimposed thereon the Medical Corps insignia.

(q) *Flight nurse.* A pair of wings 2 inches in width of gold color metal with the letter "O" in the center of the wings superimposed thereon the Army Nurse Corps insignia. (See § 79.82.) [Par. 72]

Sections 79.55a and 79.55b are added.

§ 79.55a *Badges, infantryman*—(a) *Combat infantryman.* A polished silver musket on a rectangular blue background 7/8 inch in width by 3 inches in length in front of an oak wreath of oxidized silver.

(b) *Expert infantryman.* A polished silver musket on a rectangular blue background 7/8 inch in width by 3 inches in length. [Par. 74]

§ 79.55b *Badges, marine divers.* A badge of oxidized silver.

(a) *Diver, master.* A diving helmet ⅞ inch in height in front of a trident 1¼ inches in height between two dolphins.

(b) *Diver, first class.* A diving helmet 15/16 inch in height between two dolphins 1 inch in height.

(c) *Diver, salvage.* A diving helmet 1 inch in height with letter "S" ⅜ inch in height superimposed on chest plate.

(d) *Diver, second class.* A diving helmet 1 inch in height. [Par. 75]

Section 79.56b is added.

§ 79.56b *Badge, driver and mechanic award*—(a) *Basic badge.* Of oxidized silver. A cross patee with the representation of a disk wheel with tire placed on the center thereof and sufficiently raised to make a true representation.

(b) *Bars.* Of oxidized silver, suspended from the basic badge and marked to show type of qualification as follows:

(1) Driver—W, for wheeled vehicles.

(2) Driver—T, for track or half-track vehicles.

(3) Driver—M, for motorcycles.

(4) Mechanic, for automotive or allied trade mechanic. [Par. 78]

Section 79.58 is amended.

§ 79.58 *Service ribbons and service stars*—(a) *Service ribbons.* A service ribbon is a strip of ribbon identical with that from which is suspended a decoration or service medal, ⅜ inch in length.

(b) *Service stars.* Service stars 3/16 inch in diameter to denote possession of certain clasps.

(1) Bronze.

(2) Silver. [Par. 80]

Sections 79.58a and 79.58b are added.

§ 79.58a *Miniatures.* Miniatures of decorations (except Medal of Honor) and Service Medals, each on a scale of one-half, and of the Oak-Leaf Cluster 5/16 inch in length. [Par. 81]

§ 79.58b *Lapel buttons*—(a) *For decorations and service medals.* (1) for the Medal of Honor, a hexagonal rosette of light blue silk with white stars.

(2) For the Victory Medal, a five-pointed star ⅝ inch in diameter on a wreath with the letters "U. S." in the center. To be of silver for men wounded in action, of bronze for all others.

(3) For all other decorations and service medals, a button 21/32 inch in width and ⅛ inch in length, in colored enamel, being a reproduction of the service ribbon. When Oak-Leaf Clusters have been awarded in lieu of additional decorations, the miniature Oak-Leaf Cluster may be placed on the lapel button denoting possession of the decorations.

(b) *Officers' Reserve Corps.* A gold or gold color button ½ inch in diameter, enameled in the color of the arm or service in which commissioned, with the letters "U. S. R." in gold or gold color. When there are two colors, the letters will be in the color of the piping. For general officers the button will be gold with the letters in relief.

(c) *Enlisted Reserve Corps.* Same as for Officers' Reserve Corps, except in bronze instead of gold or gold color.

(d) *Corps and division badges of Civil and Spanish-American Wars, and badges of shoulder sleeve insignia of first World War, worn in form of pins or lapel buttons.* (See § 79.57)

(e) *For service rendered prior to 1 September 1939.* A dexter eagle with wings displayed perched within a ring which displays seven white and six red vertical stripes with a blue chief bearing the words "National Defense," the dexter wing of the eagle behind the ring, the sinister wing in front of the ring.

(f) *For service rendered since 8 September 1939.* A dexter eagle with wings displayed perched within a ring which displays 13 vertical stripes with a chief, the dexter wing of the eagle behind the ring, the sinister wing in front of the ring, all of the gold plated plastic. [Par. 82]

MISCELLANEOUS

Section 79.63 is amended.

§ 79.63 *Colors of arms, services, bureau, etc.*—(a) *Adjutant General's Department.* Dark blue piped with scarlet.

(b) *Air Corps.* Ultramarine blue piped with golden orange.

(c) *Armored Center and units.* Green piped with white.

(d) *Cavalry.* Yellow.

(e) *Chaplains.* Black.

(f) *Chemical Warfare Service.* Cobalt blue piped with golden yellow.

(g) *Coast Artillery Corps.* Scarlet.

(h) *Corps of Engineers.* Scarlet piped with white.

(i) *Detached Enlisted Men's List.* Green.

(j) *Field Artillery.* Scarlet.

(k) *Finance Department.* Silver gray piped with golden yellow.

(l) *Infantry.* Light blue.

(m) *Inspector General's Department.* Dark blue piped with light blue.

(n) *Judge Advocate General's Department.* Dark blue piped with white.

(o) *Medical Department.* Maroon piped with white.

(p) *Military Intelligence Reserve.* Golden yellow piped with purple.

(q) *Military police.* Yellow piped with green.

(r) *National Guard Bureau.* Dark blue.

(s) *Ordnance Department.* Crimson piped with yellow.

(t) *Permanent professors of United States Military Academy.* Scarlet piped with silver gray.

(u) *Quartermaster Corps.* Buff.

(v) *Signal corps.* Orange piped with white.

(w) *Specialist Reserve.* Brown piped with golden yellow.

(x) *Tank Destroyer Units.* Golden orange and black.

(y) *Transportation Corps.* Brick red with golden yellow.

(z) *Warrant officers.* Brown.

(aa) *Women's Army Corps.* Old gold piped with moss-tone green. [Par. 87]

(R.S. 1296; 10 U.S.C. 1391)

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44-7469; Filed, May 25, 1944; 9:45 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4832]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

INTERNATIONAL RESEARCH, ETC., ET AL.

§ 3.7 *Aiding, assisting and abetting unfair or unlawful act or practice:* § 3.55 *Furnishing means and instrumentalities of misrepresentation or deception:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Government connection:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Nature, in general:* § 3.72 (N10) *Offering deceptive inducements to purchase or deal—Terms and conditions:* § 3.69 (b) *Using misleading name—Vendor—Government connection:* § 3.96 (b) *Using misleading name—Vendor—Nature, in general.* In connection with offer, etc., in commerce, of forms, letters, cards, or any other printed or written material for use in obtaining information concerning debtors or alleged debtors, (1) representing, or placing in the hands of others means of representing, directly or by implication, that money or other property is being held for persons concerning whom information is sought, or that information sought is for use in determining whether the person about whom information is requested may be entitled to trust funds or other property; (2) using the words "Bureau of Industrial Allocation", or any other words which import or imply connection with employment, to designate, describe, or refer to the business of respondents, or any of them, in seeking information concerning debtors or alleged debtors; (3) representing, or placing in the hands of others means of representing, directly or by implication, that information sought concerning debtors or alleged debtors is sought by or on behalf of any governmental agency; and (4) using, or placing in the hands of others for use, forms, letters, questionnaires, or other printed or written material which represents, directly or by implication, that respondents' business is other than that of obtaining information for use in the collection of debts; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, International Research, etc., et al., Docket 4832, April 27, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of April, A. D. 1944.

In the Matter of Edward Lowenthal, an Individual Trading Under the Names International Research and Bureau of Industrial Allocation; and Sidney Dean Sarff and H. J. Whittington, Individuals

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of respondents, testimony and other evidence in support of and in opposition to the allegations of said complaint taken before an examiner of the Commission theretofore duly designated by it, report of the trial examiner, and brief in support of the complaint, and the Commission having made its findings as to the facts and its conclusion that respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Edward Lowenthal, individually and trading as International Research, Bureau of Industrial Allocation, or under any other name, and respondents Sidney Dean Sarff and H. J. Whittington, individuals, and their respective representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of forms, letters, cards, or any other printed or written material for use in obtaining information concerning debtors or alleged debtors, do forthwith cease and desist from:

1. Representing, or placing in the hands of others means of representing, directly or by implication, that money or other property is being held for persons concerning whom information is sought, or that information sought is for use in determining whether the person about whom information is requested may be entitled to trust funds or other property.

2. Using the words "Bureau of Industrial Allocation," or any other words which import or imply connection with employment, to designate, describe, or refer to the business of respondents, or any of them, in seeking information concerning debtors or alleged debtors.

3. Representing, or placing in the hands of others means of representing, directly or by implication, that information on sought concerning debtors or alleged debtors is sought by or on behalf of any governmental agency.

4. Using, or placing in the hands of others for use, forms, letters, questionnaires, or other printed or written material which represents, directly or by implication, that respondents' business is other than that of obtaining information for use in the collection of debts.

It is further ordered, That respondents shall, within sixty (60) days after the service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-7488; Filed, May 25, 1944; 10:59 a. m.]

[Docket No. 4949]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

J. P. LEONARD CO., ET AL.

§ 3.99 (a) *Using or selling lottery devices—Devices for lottery selling.* In connection with offer, etc., in commerce, of sales promotion plans or devices, trading stamps, trading cards, or any other merchandise, (1) supplying, etc., others with sales plans or devices which are to be used, or may be used, in the sale or distribution of merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme; and (2) selling, etc., any merchandise by means of a game of chance, gift enterprise, or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, J. P. Leonard, trading as J. P. Leonard Company, R. L. Jacoby, and Liberty Sales System, Inc., Docket 4949, April 28, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of April, A. D. 1944.

In the Matter of J. P. Leonard, an Individual Trading as J. P. Leonard Company, R. L. Jacoby, an Individual, and Liberty Sales System, Inc., a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, certain facts stipulated into the record and other evidence introduced before an examiner of the Commission theretofore duly designated by it, report of the trial examiner, and briefs in support of and in opposition to the com-

plaint, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent J. P. Leonard, an individual, trading as J. P. Leonard Company or under any other name, respondent R. L. Jacoby, an individual, and respondent Liberty Sales System, Inc., a corporation, and its officers, and their respective representatives, agents, and employees, jointly or severally, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of sales promotion plans or devices, trading stamps, trading cards, or any other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Supplying to or placing in the hands of others sales plans or devices which are to be used, or may be used, in the sale or distribution of merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme.

2. Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise, or lottery scheme.

It is further ordered, That respondents shall, within sixty (60) days after the service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-7487; Filed, May 25, 1944; 10:59 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51061]

PART 3—DOCUMENTATION OF VESSELS

CHANGE OF MASTER

The first sentence of paragraph (e), § 3.24, Customs Regulations of 1943 (19 CFR 3.24 (e)), is hereby amended to read as follows:

§ 3.24 *Change of master.* • • •

(e) If two or more vessels are owned by or under the complete control and management of the same person, association, corporation, etc., and are navigated within the limits of the harbor of any town or city, the name of the owner, if an individual, or of some responsible person acting for the owner, may be endorsed as master on the licenses of all such vessels although the person whose name is so endorsed may not be actually employed on any of the vessels. (R.S. 161, sec. 2, 23 Stat. 118, R.S. 4335, as amended; 5 U.S.C. 22, 46 U.S.C. 276; E.O. 9083; 7 F.R. 1609)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: May 22, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-7471; Filed, May 25, 1944; 10:45 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Directive 24, as Amended May 24, 1944]

AUTHORITY OF NATIONAL HOUSING AGENCY FOR HOUSING CONSTRUCTION

Correction

In F.R. Doc. 44-7428, appearing at page 5595 of the issue for Thursday, May 25, 1944, the following changes should be made:

1. The note appearing in the middle column should read as follows:

NOTE: Paragraphs (g) and (h), formerly (g) and (f) redesignated May 24, 1944.

2. The last two paragraphs in the column should be designated (g) and (h) instead of (f) and (g), respectively.

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-381, Amdt. 2]

THE PHOTO PROCESS ENGRAVING CO.

The Photo Process Engraving Company has again appealed from the provisions of Suspension Order S-381. The Chief Compliance Commissioner has reviewed this case and he has determined that in order to avoid hardship to the Photo Process Engraving Company and to prevent delay in the making of plans for publications to be used in Army and Navy induction and procurement centers, Suspension Order S-381 should be amended. In view of the foregoing, it is hereby ordered, that:

Section 1010.381 *Suspension Order No. S-381*, as amended November 24, 1943, is amended by striking out paragraph (a) and inserting in its place a new paragraph (a) as follows:

(a) The respondent's quota of copper shall be reduced as follows:

For the third quarter of 1943	1,150
For the first quarter of 1944	1,150
For the second quarter of 1944	No reduction
For the third quarter of 1944	448
For the first quarter of 1945	500

which amounts represent 3248 pounds of copper out of a total of 4735 pounds of copper over-consumed during the first and fourth quarter of 1942, unless the respondent is hereafter specifically authorized in writing by the War Production Board to consume additional copper. If the respondent shall use any copper in fulfilling new government orders as defined in paragraph (e) of Conservation Order M-339, then the quotas shall be further reduced by the poundage of copper used in the government orders up to first 1506 pounds; each reduction in quota shall be made in each quarter in which government copper is consumed and to such amounts.

Issued this 24th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7468; Filed, May 24, 1944; 4:33 p. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 16]

PRINTING AND PUBLISHING DIVISION

§ 3208.17 *Table for Printing and Publishing Division.* (a) The following table is issued pursuant to the provisions of General Scheduling Order M-293:

Designation	Applicable forms column			
	1	2	3	4
	Operations report	Shipping schedule [1]	Application and authorization	Calendar months frozen [2]
1. Continuous and interleaved carbon forms	3002.79	3401		2

[1] Form WPB-3003 may be used instead of Form WPB-3401.
[2] For an explanation of the calendar months frozen see paragraph (c) of M-293.

Issued this 25th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7492; Filed, May 25, 1944; 11:16 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M-217, Interpretation 6]

TWO-COLOR BOWS ON FOOTWEAR MADE UNDER PARAGRAPH (C) (4) (V)

The following interpretation is issued with respect to General Conservation Order M-217:

Paragraph (c) (4) (v) permits the combination of two colors in part leather—part fabric uppers where the leather constitutes not more than 30% of the whole upper material (excluding linings). It is permissible to use in connection with this type of footwear fabric bows in the same two colors, if all other provisions of the order are complied with, including paragraph (d) relating to new styles.

Issued this 25th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7491; Filed, May 25, 1944; 11:16 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-310, as Amended May 25, 1944]

HIDES, SKINS AND LEATHER

The fulfillment of requirements for the defense of the United States has created shortages in hides, skins and leather for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.196 *General Conservation Order M-310*—(a) *General definitions.* (1) "Tanner" means a person in the business of tanning, dressing, or similarly processing hides or skins, who in any calendar month after April 1, 1940, processed or processes more than 100 hides or skins.

(2) "Contractor" or "converter" means a person in the business of causing hides or skins to be tanned or dressed for his account in any tannery not owned or controlled by him.

(3) "Collector" means a person, including a dealer or importer, engaged in the business of acquiring from others untanned hides or skins for resale, or removing hides or skins from animals not slaughtered by him.

(4) "Producer" means a person in the business of slaughtering animals.

(5) "Military order" means an order for hides, skins or leather for delivery against a specific contract placed by any of the following, or for incorporation in any product to be delivered against such a contract:

The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or any foreign government pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act) or any extension or renewal thereof: *Provided*, That orders for U. S. Army or Marine Corps Post Exchanges or for U. S. Navy Ship's Service Departments shall not be deemed military orders within the terms of this definition, except orders by the U. S. Navy Ship's Service Departments and War Shipping Administration Training Organization Ship's Service Department for cut sole leather for repair purposes which are endorsed as provided in Priorities Regulation No. 17.

(6) "Military specifications" or "military quality" means, except as herein otherwise specifically provided, the specifications applicable to military orders or the quality of material meeting such specifications.

(7) "Sole leather" means vegetable tanned sole leather unless otherwise specified.

(8) "Scrap leather" means small leather pieces which are unavoidably produced from processing or cutting operations, but in no case shall include bellies or shoulders.

(9) All trade terms shall have their usual trade significance unless otherwise specified.

(b) *Provisions applying to all hides, skins and leather.* (1) No person shall process any hides, skins or leather contrary to any specific direction issued from time to time by the War Production Board relating to the processing or production of specific types of leather to meet military or designated civilian requirements.

(2) No producer, collector, tanner, contractor, converter or cutter shall sell, deliver, accept delivery of, cut, use or incorporate in any product any hides skins or leather contrary to any specific direction issued from time to time by the War Production Board deemed necessary in order to fill military or designated civilian requirements.

(3) No person shall commercially incorporate any leather or rawhide into any product except as permitted by Schedule A at the end of this order, and no person shall sell any leather or rawhide unless the same is to be incorporated into a product permitted by Schedule A. This restriction shall not, however, apply to products manufactured:

(i) To fill military orders;

(ii) From vegetable tanned cattlehide flesh splits under 3½ ounces;

(iii) From scrap leather, *Provided*, That any tanner selling any such scrap leather shall report his sales on his monthly form prescribed in paragraph (k);

(iv) Under specific authorization in writing by the War Production Board. Pursuant to this paragraph, the War Production Board may authorize the sale and use of rejected leather, or leather which can be made available consistently with programmed requirements, for essential uses not permitted by Schedule A. Any person may request such authorization by letter on his own behalf or on behalf of his customers, stating the proposed uses of the leather and the quantity, quality, weight and type involved, and in the case of rejected leather, facts substantiating its qualification as such.

"Rejected leather" as used in this paragraph means any leather made to fill a military order or for production of items listed on Schedule A which (i) is so defective that it will be refused if tendered, (ii) the purchaser has refused, or (iii) the purchaser has notified the seller will be refused because of defects. The term also is used to include seconds or over-runs. A "second" is leather made to fill a military order or for production of items listed on Schedule A but not actually offered or tendered to the purchaser because of defects. An "overrun" is leather made to fill a military order or for production of items listed on Schedule A but not delivered because in excess of the quantity actually required to fill the order.

No manufacturer, tanner, contractor or converter shall process or order any leather which he knows will be rejected. This paragraph does not prohibit the production of seconds or over-runs, to the extent that they are unavoidable in the manufacturer's or tanner's operations.

(v) From leather not used for the purpose for which it was produced because of failure to deliver on time or termination of procurement by the United States Government or any of its agencies for which the production was ordered, when the sale or use of such leather is authorized in writing by the War Production Board. Any person may request such authorization on his own behalf or on behalf of his customers, stating the proposed use of the leather, the quantity, quality, weight, and type involved, and explaining why it cannot be used for the purpose for which it was intended.

This paragraph (b) (3) shall supersede any provision in Priorities Regulation Number 13 pertaining to sales of leather of the type covered by this paragraph.

(4) Notwithstanding the provisions of any priorities or other regulations of the War Production Board, no preference rating shall be applied or extended for the delivery of hides, skins or leather, except:

(i) Leather for military orders; or

(ii) When specifically authorized in writing by the War Production Board pursuant to this subparagraph (b) (4), (ii).

(5) In making sales or deliveries of hides, skins or leather, including sole leather cut stock, no person shall make discriminatory cuts in quality or quantity between customers who meet such person's established prices, terms and credit requirements, or between customers and his own consumption of said materials.

(c) *Untanned cattlehides, calfskins and kips*—(1) *Definition.* "Cattlehide", "calfskin" and "kip" mean the hide or skin of a bull, steer, cow or buffalo, foreign or domestic (excluding slunks).

(2) No tanner shall put into process, and no contractor shall cause to be put into process, any cattlehide, calfskin or kip in excess of such amounts for specified periods as may be fixed by the War Production Board from time to time.

(3) No person shall sell, deliver, purchase or accept delivery of any untanned cattlehide, calfskin or kip, or portion thereof, other than splits and glue stock, except to the extent that the purchaser is specifically authorized by the War Production Board on Form WPB-1323 or Form WPB-3507. Applications may be made on Form WPB-1325 (formerly PD-569) for the purchase of domestic cattlehides, and on Form WPB-1322 (formerly PD-569-a) for the purchase of domestic calfskins and kips: *Provided*, That the following may be made without such authorization:

(i) Transactions between collectors and between producers and collectors for purposes of resale;

(ii) The sale and delivery to and the purchase and acceptance of delivery by any person other than a tanner of less than 100 hides or skins in any calendar month.

(4) In acting under paragraph (c) (3), it will be the policy of the War Production Board, so far as is practicable, to grant authorizations so that:

(i) The contractor or tanner may obtain cattlehides, calfskins, or kips in the proportions that the wettings in 1942 of the contractor or tanner, respectively, of cattlehides, calfskins, or kips, computed separately, bore to all wettings thereof in that year by all contractors and tanners producing the same type of leather, except that authorizations to tanners or contractors having more than a practicable minimum working inventory may be reduced or omitted: and

(ii) The contractor shall contract with the same tanners as in 1942 and shall divide his contracts between them in the same proportions as in 1942.

(5) No producer or collector shall cut off bellies or shoulders of untanned cattlehides, except for a purchaser specifically authorized in writing by the War Production Board to purchase hides with portions cut off.

(6) [Deleted Jan. 24, 1944.]

(d) *Cattlehides, calfskins and kips, and leather therefrom*—(1) *Definition:*

(i) "Cattlehide, calfskin, or kip leather" means leather produced from such hides or skins, whether grain or split, including rawhide and leather produced from slunks.

(ii) "Rough sole leather" means vegetable-tanned sides, crops, backs, bends, shoulders, and bellies which have not been rolled.

(iii) "Rough belting butts and butt bends" means vegetable, chrome, or combination tanned belting butts and butt bends which have not been curried.

(iv) "Rough shoulders" means vegetable-tanned sole leather shoulders or shoulders cut from vegetable, chrome or combination tanned belting butts, which have not been either curried or rolled.

(2) [Deleted May 25, 1944.]

(3) No tanner shall produce any harness leather in any color other than russet, except to fill military orders.

(4) Unless otherwise specifically ordered in writing by the War Production Board, no person shall curry or finish the following leathers and no manufacturer shall use the same, either before or after such currying or finishing, except in accordance with the following requirements:

(i) Rough sole leather shall be finished as sole leather (which thereupon becomes subject to paragraph (e) hereof) except that rough sole leather 12 iron and up may be curried and used for round belting or V belting;

(ii) Rough belting butts or butt bends shall be curried and thereafter used only for transmission belts, hydraulic, packing, mechanical and textile leathers, or fillet leather: *Provided*, That this restriction shall not apply to straightenings cut from the portion of the belting butt or butt bend beginning at the edge from which the belly was removed, if the straightening is less than two inches in width at the widest point;

(iii) Rough shoulders cut from sole leather hides if not finished for sole leather, and rough shoulders cut from any belting butts, shall be curried and used only for welting, hydraulic, packing, mechanical and textile leathers, except that double rough shoulders 11 iron and up may be curried and used for round belting.

The War Production Board may on written application authorize the substitution of any of the types of leather mentioned in subparagraphs (i), (ii), and (iii) of this paragraph (d) (4) for any of the end uses therein specified, and when consistent with meeting requirements for approved programs, the War Production Board may authorize the finishing and use of any of these types of leather for any products listed on Schedule A.

(5) Vegetable tanned sole leather shall be processed so as to meet the requirements of Federal Specification KK-L-261B, including any emergency alternate specifications or amendments thereto.

(6) Bellies cut from cattlehides processed for sole leather (excluding stags and bulls) shall be cut in accordance with standard practice, but bellies weighing 3 pounds or more when finished shall not be cut to measure less than 6 inches across the navel when finished.

(7) Shoulders cut from cattlehides processed for sole leather (excluding stags and bulls) shall be cut in a line running perpendicular to line of backbone at a point within the limits of the break in the foreflank.

(8) No tanner, currier, finisher, jobber or dealer shall accept any order for cattlehide leather in the form of harness, skirting, collar, latigo, lace, rigging, rawhide, bag, case, strap or upholstery leather, rated or otherwise, or transfer any such leather to his own fabricating plant, unless such order or the request for such transfer states the specific end use of such leather.

(9) No tanner shall process any cattlehide to make grain garment leather.

(10) [Deleted Jan. 24, 1944.]

(11) [Deleted Jan. 24, 1944.]

(e) *Sole leather and sole leather cut stock*—(1) *Definitions.* (i) "Military quality outersole" means a bend sole of good fiber of a grade not lower than No. 1 scratch grade, and of a substance 8½ iron to 11 iron, inclusive.

(ii) "Military quality innersole" means a sole of 5½ to 7 iron, inclusive, first quality full grain leather, of a quality and fiber adapted to the purpose.

(iii) "Military quality strip" means a strip 8½ iron to 13 iron, inclusive, and "military quality tap" means a tap of 9 iron to 14 iron, inclusive, both cut from sole leather bends, commercially described as finders' leather, and a good fiber of a grade not lower than No. 1 scratch.

(iv) "Butt piece" means a piece cut from the butt portion of a sole leather bend by a straight cut perpendicular to line of backbone not more than three inches from root of tail.

(v) "Bend piece" means the portion of a finders' bend remaining after a butt piece has been removed and after a belly slab has been removed from the belly edge of the bend by cutting in a line running from shoulder to butt, approximately parallel to the backbone, and not less than thirteen inches therefrom at any point.

(vi) "Cutter for the repair trade" means a sole leather cutter who is equipped to cut repair taps, and who during the year ending July 31, 1942, cut repair taps as a regular part of his business.

(vii) "Whole stock" means sides, crops, backs, bends, shoulders with heads on, shoulders with heads off, bellies, and belly centers.

(2) Every tanner and contractor shall set aside each month for cutting as required by paragraph (e) (4) 20% of the quantity of manufacturers' bends, produced by him for his own account, or produced for his account by others, or such other percentage as may be fixed by the War Production Board in writing from time to time. Such bends are hereinafter referred to as "manufacturers'-bends-for-repair", and the weight and the quality of the bends set aside shall be equal, as nearly as possible, to those of the manufacturers' bends not so set aside, unless other directions in writing are issued by the War Production Board. No manufacturers'-bends-for-repair shall be sold to any finder or shoe repairer as a whole bend.

(3) No person shall cut military quality outersoles or innersoles, except on patterns to fit the United States Munson last in sizes and widths to fit the sizes of shoes specified in military orders, or on other patterns approved or in sizes prescribed by the War Production Board from time to time.

(4) Sole leather whole-stock shall be cut and the resulting cut stock disposed of only in accordance with the provisions of Schedule B hereof, and no military quality cut stock produced in accordance with such schedule shall be sold, delivered or used except to fill military orders. Upon written application, however, the War Production Board may authorize the cutting and use of sole leather and sole leather cut stock to meet military orders or orders for products on Schedule A, but not mentioned in Schedule B, when sole leather can be diverted to these uses consistent with meeting programmed military and civilian footwear requirements.

(5) No person except a shoe-repairer repairing shoes for the general public or any person repairing his own shoes shall hereafter use any non-military quality repair stock (except as provided in Block IIIB of Schedule B hereof) cut from finders' bends, from manufacturers' bends-for-repair or from parts of such bends.

(f) *Horsehides*—(1) *Definitions.* (i) "Horsehide" means the hide or skin of a horse, colt, mule, ass or pony, except dry pony hides to be processed for furs.

(ii) "Horsehide front", "horsehide butt" and "horsehide shank" means those horsehide parts commercially so known whether or not attached to other parts of the horsehide.

(2) No tanner shall put into process, and no converter shall cause to be put into process, any horsehide fronts, butts or shanks in excess of such amounts for specified periods as may be fixed by the War Production Board from time to time.

(3) No tanner shall put into process, or continue to process, any horsehide front, except into leather meeting military specifications in force at the time, unless such horsehide is not capable of being so processed.

(4) No person shall sell, deliver, accept delivery of or commercially incorporate into any product any horsehide front leather meeting any military specification, except for unfilled military orders.

(g) [Deleted September 20, 1943]

(h) *Goatskins and cabrettas*—(1) *Definitions.* (i) "Goatskin" means the skin of a goat or leather made from such skin, including kidskin, but excluding India tanned goatskin, and domestic angora goatskin.

(ii) "Cabretta" means the skin of a hair sheep or leather made from such skin.

(iii) "India tanned goatskin" means an imported goatskin tanned in Asia.

(2) No tanner shall put into process in the respective three months' period, commencing May 1, 1943, and on the first days of each August, November, February and May thereafter, more than 220% of his average monthly wettings of raw goatskins and cabrettas in 1941 (which average shall be known as "basic monthly wettings"), or more than such other percentages for such periods as may be fixed in writing by the War Production Board from time to time, with respect to any or all skins referred to in subparagraph (1) (i) and (ii) above: *Provided*, That kidskins and Calcutta Smalls purchased separately and described as such in Government purchase contracts dated later than August 1, 1943, may be put into process in addition to the percentages specified in this paragraph.

(3) [Deleted Jan. 24, 1944]

(4) The restrictions of paragraph (h) (2) shall not apply to persons who put into process less than 200 domestic goatskins in any calendar month and who process no foreign goatskins.

(5) No tanner shall sell or deliver goatskin garment leather for other than military purposes, except leather failing to meet military specifications: *Provided*, That such failure has resulted unavoidably in the course of producing military leather; *Provided further*, That such leather permitted hereby to be sold or delivered for other than military purposes may not exceed 12½% of his production of military goatskin garment leather subsequent to the date of this order.

(6) [Deleted Jan. 24, 1944]

(i) *Deerskins*—(1) *Definition.* "Deerskin" means the skin of any North American, New Zealand, or French Oceanian deer, except elk, moose, caribou skins and Alaska deerskins.

(2) No person shall process any deerskin or deerskin leather, except:

(i) To produce suitable leather meeting Army Air Force Specification 12038, as revised or amended from time to time: or

(ii) To fill a specific military order.

(3) No person shall sell or deliver any deerskin leather, or incorporate or manufacture any deerskin leather into any product, except to fill a specific military order.

(4) *Exceptions.* The restrictions of the preceding paragraphs (2) and (3) shall not apply to:

(i) Any deerskin or deerskin leather which does not meet and cannot be made to meet the specification referred to in subparagraph (2) (i) above;

(ii) Deerskin leather rejected in writing by the Army Air Force Eastern Procurement District, Inspection Section, New York, N. Y.

(iii) [Deleted Jan. 24, 1944]

(iv) Any person who at no time puts into process, splits, shaves, skives, sells, delivers or uses more than 25 deerskins during any calendar month beginning with March 1943, or causes more than 25 deerskins to be processed, split, shaved, skived, sold, delivered or used for his account during any such month.

(v) A skin taken off a deer after September 20, 1943 and owned by the person causing it to be processed or incorporated into a product for his personal use or for a gift.

(j) *Effect on prior orders.* Authorizations to buy hides issued prior to June 23, 1943, under Conservation Order M-194, shall continue in effect until the expiration date therein provided or until expressly revoked.

Authorizations and directions issued and appeals granted prior to June 23, 1943, under the following orders, shall continue in effect until the expiration date therein provided or until expressly revoked:

General Preference Order M-80
General Conservation Order M-94
Conservation Order M-114
General Conservation Order M-141
Conservation Order M-273
General Preference Order M-301

(k) *Reports.* Every person described below shall, on or before the 10th day of each month execute and file reports with the War Production Board, as directed on the respective forms mentioned below:

Tanners and converters of cattlehides	WPB-1235 formerly PD-569
Tanners and converters of calfskins and kips	WPB-1322 formerly PD-569A and WPB-2256 formerly PD-778
Tanners and converters of cattlehide side upper leather	WPB-2211 formerly PD-770
Tanners, converters, curriers, finishers, jobbers and dealers of harness, skirting, collar, latigo, lace, rigging, rawhide, bag, case, strap, and upholstery leather	WPB-2177 formerly PD-772
Tanners and converters of sole leather	WPB-1304 formerly PD-598B
Tanners and converters of horsehides	WPB-1001 formerly PD-475
Tanners and converters of shearlings	WPB-894 formerly PD-421
Tanners and converters of goatskins, kidskins, cabretta, or India tanned goatskins	WPB-1437 formerly PD-373
Sole cutters	WPB-1303 formerly PD-598A
Non-sole cutting shoe manufacturers	WPB-2209 formerly PD-598C
Finishers and converters of cattlehide splits	WPB-2351
Tanners and converters of glove and garment cattlehide grain leather	WPB-1795

Failure to file any report shall constitute a violation of this order.

(l) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(m) *Communications to the War Production Board.* All reports, applications, forms, or communications required under or referred to in this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref. M-310.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 25th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE B

NOTE: Blocks II A, III A and III B amended May 26, 1944.

	Type of sole leather whole stock				
	Finders' heads	Manufacturers' heads-for-repair	Manufacturers' heads	Innersoles	Shoulders, bellies and shanks
Block I. Persons permitted to cut stock of this type subject to the conditions of Blocks II and III below.	Cutter for the repair trade only. Except that any sole leather cutter may cut to obtain outersoles, middles and counters to be used in accordance with Block IIB below.	Cutter for the repair trade only.	Any sole leather cutter.		Any sole leather cutter.
Method of cutting					
Block IIA. Except (or deviation permitted in Block IIB below, each type shall be cut to yield maximum quantity of military quality cut stock shown in Block IIB. Each type may be cut to produce the military quality cut stock shown in this block but only the maximum quantity of such military quality cut stock, and 1. So as to yield the maximum quantity of such military quality cut stock, and 2. To the extent required to meet unfilled military orders of the kinds indicated.	Bend pieces (which may not be further cut except in accordance with Block IIB).	Outersoles and innersoles to be removed only from the first shoulder strip of the bend). May not be cut except under Block IIA.	Outersoles and innersoles.	Innersoles.	Counters and middles to meet any unfilled military order.
	Strips and taps cut from bends or from band pieces to meet unfilled military order.				
	Topliffs cut from bends, bend pieces, or other bend portions, to meet any unfilled military order.				
	Outersoles and midsoles cut from bends or from bend pieces to meet unfilled military orders under Lend-Lease Act only.				
Cutting and disposition of remainder of each type (including belly like resulting from cutting bend pieces from finders' bends) after military quality cut stock has been obtained as provided in Block II.	To produce repair stock, other than outersoles, for sale only to dealers for ultimate use by shoe repairers or persons repairing their own shoes.	To produce repair stock, other than outersoles, and innersoles (innersoles to be removed only from the first shoulder strip of the bend), for sale only to dealers for ultimate use by shoe-repairers or persons repairing their own shoes.	To produce cut stock for use by shoe manufacturers only.	To produce cut stock for use by shoe manufacturers only.	No exceptions.
Block IIA. Except as permitted in Block IIB below, remainder of each type shall be cut and disposed of only as shown in this block.	Finders' topliffs and finders' pieces from which nose piece cannot be obtained—unrestricted.	Butt pieces, finders' topliffs and bend pieces from which no tap can be obtained—unrestricted.	No exceptions.	No exceptions.	No exceptions.
		Non-military outersoles produced unavoidably in course of cutting military outersoles—for sale only to shoe manufacturers.			
Block IIB. Exceptions shall be only as shown in this block.					

SCHEDULE A

	Cattlehide, calf-skin and hip leather not restricted to military orders or specifically restricted elsewhere in this order may be incorporated in any product marked "Permitted" in this column	Horsehide military grade and quality horsehide front leather may be incorporated in any product marked "Permitted" in this column	Goatskin leather not restricted to military orders or specifically restricted elsewhere in this order may be incorporated in any product marked "Permitted" in this column	All other leather may be incorporated in any product marked "Permitted" in this column
Footwear	Permitted except harness leather.	Permitted	Permitted	Permitted.
Transmission belts	Permitted	Not permitted	Not permitted	Permitted.
Hydraulic, packing and mechanical leather goods	Permitted	Not permitted	Not permitted	Permitted.
Leather products for tactile equipment.	Permitted	Not permitted	Not permitted	Permitted.
Harness, horse collars, and saddlery for police, farm and industrial use, provided that lines are limited to 1 inch in width.	Permitted	Not permitted	Not permitted	Permitted.
Trunks	Permitted	Permitted	Permitted	Permitted.
Surgical supports	Permitted	Permitted	Permitted	Permitted.
Artificial limbs	Permitted	Permitted	Permitted	Permitted.
Orthopedic products including arch supports	Permitted	Not permitted	Not permitted	Permitted.
Cattle and drivers' whips and quirts	Permitted	Not permitted	Not permitted	Permitted.
Leash and muzzles	Permitted	Not permitted	Not permitted	Permitted.
Cap visors for military personnel	Permitted	Not permitted	Not permitted	Permitted.
Divers' equipment	Permitted	Not permitted	Not permitted	Permitted.
Motorcycle saddles	Permitted	Not permitted	Not permitted	Permitted.
Work chaps	Permitted	Permitted	Permitted	Permitted.
Work gloves	Permitted	Permitted	Permitted	Permitted.
Garments for heavy duty workers, made from grain leather resulting unavoidably from tanning or cutting for specific military orders, but which would not be used as meeting military specifications	Permitted	Permitted	Permitted	Permitted.
Industrial safety clothing and equipment (exclusive of linemen's belts) only to the extent essential for safety and protection in the performance of hazardous duties	Permitted	Permitted	Permitted	Permitted.
Furniture leather essential for repair and maintenance of transportation equipment, office and commercial furniture	Permitted	Not permitted	Not permitted	Permitted.
Athletic goods (except golf bags)	Permitted	Not permitted	Not permitted	Permitted.
Leather trimmed for police officers, transportation and industrial workers	Permitted	Not permitted	Not permitted	Permitted.
Ride scabbards, ride slings, pistol holsters, and pistol belts, when these items are to be sold to police officers, guards, or soldiers	Permitted	Not permitted	Not permitted	Permitted.
Leather, unless cut, attaching pieces, welts, bindings, corners, and closures, for types of luggage permitted by Schedule I of General Limitation Order L-234, but only if made from the type of leather specified by paragraph (b) (1) (iv) of said Schedule.	Permitted	Not permitted	Not permitted	Permitted.
Rawhide hammers and hammer faces	Permitted	Not permitted	Not permitted	Permitted.
Functional parts of musical instruments (excluding straps, cases or coverings)	Permitted	Not permitted	Not permitted	Permitted.
Other products	Not permitted	Not permitted	Not permitted	Permitted.

INTERPRETATION 1

EFFECT OF RATINGS ON EQUITABLE DISTRIBUTION

Paragraph (b) (5) of this order, the so-called equitable distribution clause, does not excuse filling of rated orders. This clause prohibits discrimination between customers who meet established prices, terms and credit requirements, but it does not override Priorities Regulation No. 1, which requires, subject to the conditions set forth, that all rated orders be accepted and that preference be given to orders carrying higher ratings over those with lower ratings.

The particular types of leather specified by preference rated orders must be delivered unless the leather cannot be produced from the hides or skins available to the tanner or the tanner is excused or prevented from filling the order by a regulation, order or direction of the War Production Board. If a rated order is placed for military quality leather, this order may not be filled with civilian quality leather. (Issued Apr. 11, 1944.)

INTERPRETATION 2

OFRA AND UNRRA ORDERS NOT WITHIN DEFINITION OF "MILITARY ORDER"

"Military order" as defined in paragraph (a) (5) does not include orders for delivery against contracts placed by the Office of Foreign Relief Administration or the United Nations Rehabilitation and Relief Administration, or orders for hides, skins or leather for incorporation in products to be delivered against such contracts. (Issued April 15, 1944.)

[F. R Doc. 44-7490; Filed, May 25, 1944; 11:16 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-356, as Amended May 25, 1944]

SYNTHETIC FIBERS, YARNS AND FABRICS

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of synthetic fibers, yarns and fabrics for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

Nylon

§ 3290.326 *General Conservation Order M-356*—(a) *Definitions.* (1) "Nylon" means synthetic fiber-forming polymeric amides having a protein-like chemical structure, derivable from coal, air and water, or other substances, and characterized by extreme toughness and strength and the peculiar ability to be formed into fibers (yarns and fabrics) and into various shapes, such as bristles, sheets, etc. "Nylon" also means fibers, yarn, thread and fabrics made of nylon.

(2) "Nylon waste" means waste, noils and garnetted or reclaimed fibers (including scraps and clippings, generated in the manufacture of thread, fabrics, rope, braiding or other material containing nylon) the total nylon content of which is 95% or more by weight.

(b) *Restrictions on nylon.* (1) No person shall sell or deliver nylon except as specifically authorized in writing by the War Production Board.

(2) No person shall knowingly purchase, accept delivery or commercially use nylon contrary to any restriction of the War Production Board.

(c) *Restrictions on nylon waste.* No person shall sell, purchase, deliver, accept delivery, process or commercially use nylon waste except to recover nylon flake. No person shall mix nylon waste with any other waste material having less than 95% nylon content by weight.

Export of Fine Rayon Yarn and Rayon Fabrics

(d) *Definitions.* (1) "Rayon fabrics" mean broad woven synthetic fabrics (over 24 inches in width) made from continuous filament viscose yarn, cuprammonium yarn or cellulose acetate yarn, from viscose or acetate staple fiber, or from combinations or blends containing more than 50 per cent by weight of any such synthetic yarns. The term shall not include velvets, plushes, and other pile fabrics, upholstery, drapery and tapestry fabrics, and jacquard woven fabrics.

(2) "Fabric producer" means a person who wove, or caused to be woven for him on commission, an average of more than 25,000 yards of rayon fabrics per week during the three months' period ending September 30, 1943. Wherever the words "his total yardage production" or "produced by him" are used in paragraph (g), they refer to the yardage of rayon fabrics manufactured for, as well as by, the fabric producer.

(3) "Procurement orders" mean orders for rayon fabrics placed by the Army or Navy of the United States (including military exchanges and service departments when the order bears the appropriate endorsement referred to in paragraph (c) of Priority Regulation 17), the Maritime Commission or War Shipping Administration.

(4) "Export orders" means, with respect to fine rayon yarns as defined in General Preference Order M-37-d, orders bearing a preference rating of AA-3 or higher, and with respect to rayon fabrics, orders bearing a preference rating of AA-5 or higher, for material which is covered by or the subject of one of the following:

(i) An export license issued by Foreign Economic Administration.

(ii) A release certificate issued by or pursuant to the authority of Foreign Economic Administration in connection with a program license of the Foreign Economic Administration.

(iii) A United States Treasury Procurement Division contract or requisition placed for Foreign Economic Administration under the Act of March 11, 1941, (Lend-Lease).

(iv) A purchase by The Canadian Commodity Prices Stabilization Corporation.

(v) An order from a manufacturer, who has accepted orders for garments or materials covered by export orders defined in subdivisions (i), (ii), (iii) above, for goods to be incorporated in such garments or materials.

Deliveries to or for United States Army, Navy, Maritime Commission or War Shipping Administration, and deliveries to Canada, other than on orders referred to in subdivision (iv), are not exports for the purpose of this order.

(e) (1) No preference rating applied or assigned in connection with any export order as defined in paragraph (d) (4) shall be valid, used, or given any effect unless the preference rating is applied and extended as provided in Priorities Regulation 3 and, in addition, substantially one of the following notations (whichever is appropriate) is placed on the order:

(i) The goods hereby ordered will be exported (or will be incorporated in materials to be exported) under export license No. ------ (fill in) issued by Foreign Economic Administration.

(ii) The goods hereby ordered will be exported (or will be incorporated in materials to be exported) under release certificate No. ------ issued by or pursuant to the authority (fill in) of Foreign Economic Administration.

(iii) The goods hereby ordered are (or will be incorporated in material that is) the subject of United States Treasury Procurement Division Contract No. ---------- (fill in)

(iv) The goods hereby ordered will be delivered to or for the account of The Canadian Commodity Prices Stabilization Corporation.

(When this is done the requirements of M-328 are met, and it is unnecessary to use any other notation.)

(2) No person shall purchase, accept delivery of, deliver or knowingly sell for delivery for export any rayon yarn or rayon fabric, without a preference rated export order as defined in paragraph (d) (4), except rags or pieces of fabric shorter than ten yards.

(f) *Establishment of export quotas for fine rayon yarn.* (1) An export quota system is hereby established for the producers of fine rayon yarn as defined in General Preference Order M-37-d. Such export quotas will be established from time to time by the War Production Board within which quotas the Foreign Economic Administration will be authorized to assign preference ratings. Until further notice from the War Production Board, each producer of fine rayon yarn shall, regardless of preference ratings, each day set aside an amount of such yarn equal to the production of 4% of his active spindles producing viscose or cuprammonium yarn and 4% of his active spindles producing acetate yarn. The number of active spindles producing high tenacity tire-type rayon yarn shall not be included in computing the above percentages. The yarn thus set aside shall be known as "export yarn," and shall be set aside, as nearly as practicable, in such denier sizes as will fill the producer's orders on hand for such yarn at the time the producer sets his production schedule. No producer of fine rayon yarn shall be compelled to export or accept an order for export of fine rayon yarn in excess of the export quota so established for him: *Provided*, That no such producer shall be prohibited from exporting or accepting an order for export of fine rayon yarn in excess of such quota, unless specifically prohibited by the War Production Board.

(2) *Disposition of export yarn not booked or delivered.* All export yarn set aside from the production of any one month, pursuant to the provisions of paragraph (f) (1) and which has not been delivered or booked during said month, shall be immediately available

for sale to any person otherwise eligible to purchase such yarn.

(3) [Deleted Feb. 8, 1944]

(g) *Establishment of export quota for rayon fabrics.* (1) An export quota system is hereby established for rayon fabrics. Pursuant to such system export quotas will be fixed from time to time by the War Production Board. Until further notice from the War Production Board, each fabric producer must accept and fill export orders for rayon fabrics until they aggregate for the current calendar quarter four per cent of his total yardage production of rayon fabrics (excluding yardage produced by him to fill procurement orders) during the preceding calendar quarter. No fabric producer is required to accept or fill export orders for more than the established export quota, nor for more than fifteen per cent of any particular construction of rayon fabrics produced by him during the current calendar quarter. However, he is not prohibited from doing so, unless compliance with other orders or regulations of the War Production Board would forbid it.

(2) *Unfilled export quota to be carried over to next quarter.* If a fabric producer does not fill his entire export quota of rayon fabrics in any calendar quarter, the unfilled portion hall be added to his quota for the next succeeding quarter. The portion so carried over which is not filled in such succeeding quarter may be dropped. To illustrate: if the export quota of a fabric producer for the second quarter of 1944 is 100,000 yards and he books or delivers only 75,000 yards during that quarter, the remaining 25,000 yards shall be added to his quota for the third quarter of 1944. If his quota for that quarter is also 100,000 yards, he is required to accept and fill export orders aggregating 125,000 yards during the third quarter. Any part of the 25,000 yards not delivered during the third quarter is thereafter free from the restrictions of this order.

Miscellaneous Provisions

(h) *Miscellaneous provisions* — (1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, and General Conservation Order M-328, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Reports.* Each producer of rayon fabrics shall forward to the War Production Board each week a copy of every export order accepted by him during the week. Each producer of rayon fabrics shall file with the War Production Board quarterly production reports on Form WPB-658-C within the time specified on said form. This reporting requirement has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Reference: M-356.

Issued this 25th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7494; Filed, May 25, 1944; 11:16 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-356, as Amended May 25, 1944, Interpretation 1]

ALL PRODUCERS OF RAYON FABRICS REQUIRED TO REPORT

The following interpretation is issued with respect to General Conservation Order M-356:

Although "fabric producer" is defined in paragraph (d) (2) to mean a person who wove or caused to be woven for him on commission an average of more than 25,000 yards of rayon fabric per week during the three months' period ending September 30, 1943, paragraph (h) (3), the reports paragraph, refers to each producer of rayon fabrics regardless of the quantity he produces. Accordingly, all producers of rayon fabrics are required to report.

Issued this 25th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7493; Filed, May 25, 1944; 11:16 a. m.]

PART 3291—CONSUMERS DURABLE GOODS[1]

[Limitation Order L-23-b, as Amended May 25, 1944]

DOMESTIC ELECTRIC RANGES

Section 3291.180[1] *Limitation Order L-23-b* is amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and facilities for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.180 *Limitation Order L-23-b*— (a) *What this order does.* This order controls the manufacture and delivery of new domestic electric ranges. It provides for the resumption of production of these items on a limited basis.

(b) *Definitions.* For the purpose of this order:

(1) "New electric range" means any range or cooking stove designed primarily for home use having as functional parts electric heating elements of a total rated wattage of 2½ kilowatts or over, and which has never been used by a consumer.

(2) "Consumer" means any person who gets an electric range for installation or use, including a builder of a housing project.

(3) "Manufacturer" means any person who produces or assembles new electric ranges, or who produced or assembled them during the base period.

(4) "Base period" means the twelve months period beginning July 1, 1940.

(5) "Distributor or dealer" means any person who buys new electric ranges for resale at the wholesale or retail price level.

(6) "Special order" means any purchase order or contract calling for delivery to or for the account of the Army or Navy of the United States, the U. S. Maritime Commission, the War Shipping Administration, the Federal Public Housing Authority, the Home Owners Loan Corporation acting for the National Housing Agency, or any purchase order or contract covered by an export license, release certificate, or Lend-Lease requisition approved or authorized by the Foreign Economic Administration.

(c) *Production of electric ranges.* (1) No person shall make any new electric ranges except in models and quantities specifically authorized by the War Production Board on Form CMPL-150-b. Application should be made by filing Form WPB-3700 with the field office of the War Production Board for the district in which the electric ranges will be made.

(2) Manufacture of new electric ranges will be authorized so that the total production will not exceed the approved War Production Board Program and so that production in any one plant or labor requirements therefor will not interfere with war production in that plant, or in any other plant located in the same area. Wherever practical, each manufacturer will be permitted under paragraph (c) (1) to make in each calendar quarter, for other than special orders, the number of new electric ranges set forth in Table A. However, to ensure full production of approved requirements, the War Production Board may assign additional quotas to qualified manufacturers. Authorization will be given to produce for special orders without reference to base period production. In general, no single manufacturer will be authorized to produce for other than special orders, more than one model of the standard size and one model of the low oven apartment house type electric range. Approval of models will be based largely on economy of production and the volume of production of the individual models by a manufacturer during the base period. The War Production Board will, from time to time or on request of any manufacturer, give notice to all manufacturers of the total production authorized and the percentage of his base period production authorized to each individual manufacturer.

(3) Manufacturers who are unable to produce in their own plant because of interference with war production may apply to the War Production Board for authorization to have another manufacturer make electric ranges for them. Each application should be made by filing Form WPB-3700 in accordance with the applicable instructions.

(d) *Relief on outstanding appeals remains in effect.* The provisions of paragraph (c) do not apply to the production or assembly of electric ranges under an appeal from Order L-23-b granted by the War Production Board before May 25, 1944.

(e) *Restriction on production of parts.* No person shall make any parts for an electric range (including repair and replacement parts) if by making those parts he would have more parts of that type in his inventory than a three months' supply. A person, however, is not required to make less than a minimum practical run of any parts (including repair and replacement parts) in order to comply with the provisions of this paragraph.

(f) *WPB may direct distribution of ranges for specified purposes.* The War Production Board, on Form CMPL-150-b or otherwise, may direct a manufacturer as to the number of new electric ranges he may distribute for specified purposes such as housing projects, and may state the conditions under which he may sell and ship the electric ranges.

(g) *How new electric ranges may be sold to consumers.* No person may sell or deliver any new electric range to a consumer except in accordance with the rules stated below.

(1) Sales may be made to fill special orders for which production has been authorized under paragraph (c) (1).

(2) Sales may be made to a person who furnishes a certificate in substantially the following form:

I certify to the War Production Board and to the seller: I own or occupy the residence at ---------- It has the inside and outside wiring needed for an electric range, and my electric company has told me that electric service for range operation will be supplied. I do not have any electric range for this residence which can be used or repaired.

Signature of purchaser

(3) Sales may be made to fill orders for electric ranges to be installed in housing projects approved by the National Housing Agency or War Production Board under Preference Rating Order P-55-c if the purchaser endorses on his purchase order a statement substantially as follows:

This order is placed pursuant to authority granted under Order P-55-c. I have been authorized by the War Production Board or National Housing Agency to install these electric ranges in Project No. ------ located at ----------

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A distributor or dealer may not deliver on such an order any new electric ranges which were not delivered to him for housing projects, unless he is advised by the manufacturer that replacements will be shipped from the inventory of electric ranges which the manufacturer has been authorized to distribute for housing projects.

(4) Sales may be made on special authorization of the War Production Board granted on Form WPB-1319. Applications should be made on this form in accordance with the instructions for its use which are obtainable at field offices of the War Production Board. Authorizations will not be granted for electric ranges on Form WPB-1319 except for installation and use by Federal, state, and local governmental agencies, educational institutions and service institutions, such as the American Red Cross and the United Service Organization, where the use of commercial cooking equipment is not practicable, as for example in diet kitchens and domestic science classrooms.

(5) The standard certification provided for in paragraph (d) of Priorities Regulation 7 cannot be used in place of the certificates mentioned above. A seller may not sell to a person furnishing any of these certificates if he knows or has reason to believe that the facts stated are false.

(h) *Policy for distribution of ranges.* It is the policy of the War Production Board that each manufacturer shall distribute electric ranges through his normal distribution channels taking into consideration shipments to areas during 1941, migration of workers to certain areas, and such other factors as will provide equitable distribution to meet essential needs. This does not apply to electric ranges sold on special orders or for housing projects. The War Production Board may direct the distribution of specified quantities to any area from any manufacturer's production.

(i) *Preference ratings not valid for purchase of new electric ranges.* No preference rating lower than AAA shall be valid for the purchase of new electric ranges and orders bearing such preference ratings are to be treated as unrated orders.

(j) *Reports.* Every manufacturer producing or shipping electric ranges shall file Form WPB-1600, executed in accordance with the instructions for filing that form, with the War Production Board, Washington 25, D. C., Ref: L-23-b, on or before the 15th day of July, October, January and April. This form is a report of the number of new electric ranges made and shipped during the preceding quarter.

(k) *Applicability of other orders and regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in making electric ranges to a greater extent than this order does, the other order shall govern.

(l) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(m) *Appeals.* Any appeal from this order should be made on Form WPB-1477 which should be filed in triplicate with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(n) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-23-b.

NOTE: The reporting and application requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 25th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE A

Quarterly production of electric ranges will be authorized when practical to manufacturers as follows:

Class A—2¼% of base period production, or 1200 units, whichever is greater.
Class B—4% of base period production, or 300 units, whichever is greater.
Class C—10% of base period productions.

Class A manufacturers are those who made more than 30,000 new electric ranges in the base period; Class B manufacturers are those who made between 3,000 and 30,000 in the base period, and Class C manufacturers are those who made less than 3,000 in the base period.

[F. R. Doc. 44-7495; Filed, May 25, 1944; 11:17 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[Order M-126, as Amended Mar. 31, 1944, Amdt. 3]

Section 3294.63 *General Conservation Order M-126* is hereby amended as follows:

(a) By deleting the following item on List A:

Swivel chairs—except castors.*

(b) By deleting the following item from List C:

Swivel chairs—for use on board ship.*

Issued this 25th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7496; Filed, May 25, 1944; 11:17 a. m.]

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Procedural Reg. 11[2] Incl. Amdts. 1-3]

NOTICE OF INCREASES IN RATES AND CHARGES OF COMMON CARRIERS AND OTHER PUBLIC UTILITIES

This compilation of Procedural Regulation 11 includes Amendment 3, effective May 29, 1944. The text amended by Amendment 3 is underscored.

Pursuant to the authority conferred by the Emergency Price Control Act of 1942, as amended, including sections 2 (a), 201 (d), and 202 (a) of that act and sections 1, 2, and 7 (b) of the act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation and for other purposes, by Executive Order No. 9250,[3] dated October 3, 1942, and Directive No. 1 of the Director of Economic Stabiliza-

*The use of iron and steel in the manufacture of swivel chairs is now regulated by Limitation Orders L-13-a and L-260-a.

[1] 7 F.R. 9390.

[2] 7 F.R. 7671.

tion,[1] the following rules are prescribed for the filing of notices of proposed general increases in rates or charges of common carriers and other public utilities.

[Preamble amended by Am. 2, 9 F.R. 3299, effective 3–24–44]

Sec.

1300.901 Definition.
1300.902 General requirements with respect to notices.
1300.903 Contents of notice filed by common carriers other than common carriers included in § 1300.904.
1300.904 Contents of notices of proposed increase in rates and charges of public utilities.
1300.904a Contents of notices of proposed increases in rates and charges of public utilities subject to regulation under the Packers and Stockyards Act.
1300.905 Supplementary orders.
1300.906 Effective date.

AUTHORITY: §§ 1300.901 to 1300.906 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1300.901 *Definition.* For the purpose of this Procedural Regulation No. 11, a general increase in the rates or charges of a common carrier or other public utility is defined as any change in its rates, fares, classifications, rules, regulations or practices which results in an increase in the charges for transportation or other public utility service applicable to a class of passengers, shippers or customers, including increases in wholesale or industrial rates or charges for public utility services, as distinguished from an increase of rates or charges applicable to a particular customer or transportation service under special arrangement.

§ 1300.902 *General requirements with respect to notices.* Thirty (30) days before the effective date of a general increase in the rates or charges of any common carrier or other public utility, there shall be filed with the Transportation and Public Utilities Division of the Office of Price Administration, Washington, D. C., two copies of notice of such proposed increase, except as otherwise provided in paragraphs (d) and (e) of § 1300.904. Such notices shall be deemed to have been filed when received in the Office of such Division. If authority for the establishment of any such increase is required by any regulatory agency, notice shall be given on or before the time such authority is sought in order that the Price Administrator may have timely opportunity to intervene, but in no event shall such notice be given less than 30 days before such proposed increased rates or charges are to become effective. All notices shall state the name and address of the Federal, State or municipal authority having jurisdiction over the rates or charges in question.

Each such notice shall contain a statement that the common carrier or other public utility consents to the timely intervention by the Price Administrator, or behalf of the Director of Economic Stabilization, before the Federal, State or municipal authority having jurisdiction to consider such increase.

[1] 7 F.R. 8758.

One copy of each notice must be over the signature of an executive officer, a responsible traffic officer, or a duly authorized attorney or agent of the carrier or other public utility. Duly authorized officers of corporate agents shall sign on behalf of such agents. The person signing the notice shall certify that the information contained therein is true to the best of his knowledge, information and belief.

§ 1300.903 *Contents of notice filed by common carriers other than common carriers included in § 1300.904.* (a) For the purpose of this section the term common carrier shall include all common carriers except those included in § 1300.904 and except other common carriers with respect to the transportation of passengers when the maximum rates or charges for such transportation of passengers are not established, or otherwise regulated, by a federal, state or municipal authority having jurisdiction over such rates or charges.

[Paragraph (a) added and former (a), (b) and (c) redesignated (b), (c) and (d) by Am. 2, 9 F.R. 3299, effective 3–24–44]

(b) Notice filed by common carriers other than common carriers included in § 1300.904 shall show the names and addresses of the carriers on whose behalf the notice is filed, except that in case of a notice filed by an agent or agents on behalf of a group of carriers, parties to a tariff filed with a federal agency, reference may be made to such tariffs wherein is shown the names of the carriers for whom such agent is acting. In case of notice filed by an agent or agents on behalf of a group of carriers, parties to a tariff not filed with a federal agency, one copy of such tariff showing the names and addresses of such carriers may be submitted.

In cases other than those specified in paragraph (d), the notice shall contain a reference to the tariffs filed with a regulatory authority having jurisdiction, or, in lieu thereof, a statement of specific changes proposed.

[Above paragraph amended by Am. 3, effective 5–29–44]

(c) Notice of increases of the character set forth in paragraph (d) shall also contain the information indicated below:

[Above paragraph amended by Am. 3, effective 5–29–44]

(1) The present and proposed rates, fares, charges, classifications, practices, rules or regulations, the commodities affected, the minimum weight and the points between which the changes apply shall be shown: *Provided*, That where it is proposed to increase a large number of rates, fares or charges, the notice instead of showing each specific change may show the present and proposed rates, fares, or charges between typical points: *Provided further*, That where it is proposed to change a rule a clear statement of the effect of the change shall be made.

(2) If the proposed rates, fares or charges are predicated on the proceedings or order of a regulatory agency having jurisdiction over those rates, the notice shall so indicate by proper reference to each proceeding.

(3) A statement of the reasons for the increases sought to be established shall be submitted with the notice. There may be submitted as a part of such statement an estimate of the volume of movement under the rates proposed to be increased when that information is available, and comparisons of the present and proposed rates with comparable rates of other carriers or with other rates of the carrier filing the notice.

(4) Upon request of the Office of Price Administration, the tariff or rate sheet authorities of the present rates, ratings or rules shall be indicated as well as the tariff or rate sheets in which the proposed rates, ratings or rules will be published.

(d) The information set forth in paragraph (c) shall be filed in every case where the proposed general increase is of the following nature:

[Above paragraph amended by Am. 3, effective 5–29–44]

(1) An increase of general application within a recognized rate territory, or between such territories; or

(2) An increase having application from or to numerous points of origin or designation; or

(3) An increase in a proportional rate or rates which by application in connection with other rates, apply from or to numerous points of origin or destination; or

(4) An increase in a rate or rates between points which are related to rates applying from or to other points which on the whole apply from or to numerous points of origin or destination; or

(5) An increase in a rate or rates between two or more points on one or more commodities or class of passengers when the transportation between such points constitutes a substantial part of the business of the carrier.

§ 1300.904 *Contents of notices of proposed increase in rates and charges of public utilities.* (a) For the purpose of this section the term public utility shall include the following: Any person, firm, corporation (private or public) engaged in the production, transmission, or sale of electric energy, gas (whether natural artificial, or mixed), water, or heat; or in the transportation or transmission of electric energy, gas, water, or heat; and any person, firm, or corporation (private or public) appropriately classified as a public utility and subject to regulation as such when engaged in the transmission of messages, communications, or other intelligence by telephone, telegraph, cable, radio, or other wire or wireless conductors or appliances, as a common carrier for hire, or when engaged in the transportation as a common carrier of passengers by street railway, trolley, bus or motor vehicle in urban areas; or when engaged in the storage or warehousing of any commodity or in the performance of any other service not listed elsewhere in this paragraph or in § 1300.903, maximum rates or charges for such transmission, transportation, storage, warehousing, or other service having been established, or otherwise regulated, by a federal, state or municipal authority having jurisdiction over such rates or charges.

[Paragraph (a) amended by Am. 2, 9 F.R. 3299, effective 3–24–44]

(b) The notice filed by a public utility shall be accompanied by a copy of each application or petition submitted to any regulatory agency in support of the request for such increase in rates or charges.

(c) The following information or data shall be submitted with each notice filed by a public utility, except as provided in paragraphs (d) and (e); *Provided*, That if such information or data is furnished pursuant to the requirements of § 1300.902 above, it need not be furnished in duplicate under this paragraph:

(1) A statement of the reasons for the proposed increase;

(2) A comparison of the existing and proposed rates or charges;

(3) A statement indicating the class or classes of customers affected, and the approximate number of each such class; and the community or communities, or territory affected;

(4) An estimate of the probable sales and increase in revenue under the proposed rates or charges for a period of twelve months after the increase becomes effective.

[Subparagraph (4) amended by Am. 1, 8 F.R. 6671, effective 5–25–43]

(5) Detailed income statements for the two calendar years preceding the filing of the application or petition, and an income statement for as much of the current years as is available;

(6) Balance sheets as of the end of the calendar year preceding the filing of the application or petition, and also as of the latest date for which such balance sheets are available;

(7) A statement of Federal income taxes paid or accrued during the calendar year 1939 and each calendar year thereafter, including the current year; with the statement for the calendar year 1940, and all subsequent years thereto, broken down to show the normal, surtax and excess profits taxes paid in each such year.

[Subparagraph (7) amended by Am. 1, 8 F.R. 6671, effective 5–25–43]

(8) A statement, if available, showing the original cost of the facilities used, and useful in furnishing the service for which increased rates or charges are proposed.

(d) Local telephone companies having five hundred or less stations shall not be required to file the information or data specified in subparagraphs (4) to (8), inclusive of paragraph (c) above, excepting the filing of the latest available annual income statement.

(e) Taxicab owners or taxicab companies shall serve notice upon the nearest district Office of Price Administration. The Office of Price Administration may at its discretion, and upon a showing of the necessity thereof, exempt a taxicab owner or company from such part of the requirements of paragraph (c), as is deemed advisable.

[Paragraph (e) amended by Am. 1, 8 F.R. 6671, effective 5–25–43]

§ 1300.904a *Contents of notices of proposed increases in rates and charges of public utilities subject to regulation under the Packers and Stockyards Act,* (a) For the purpose of this section, the term "public utility" shall include any person, partnership, corporation or association whose rates and charges are subject to regulation under the Packers and Stockyards Act.

(b) Notices filed by such public utility shall be accompanied by a copy of each tariff, application, or petition submitted to the Department of Agriculture in support of the request for increases in rates and charges.

(c) With the exception of proposed increases under paragraph (e) of this section, the following information or data shall be submitted with each notice filed by such public utility:

(1) A statement of the reasons for the proposed increase.

(2) A comparison of the existing and proposed rates or charges.

(3) A statement indicating the class or classes of customers affected.

(4) An estimate, if available, of the probable volume of receipts, by units, and revenue producible under the proposed rates and charges for a period of 12 months after the proposed increase becomes effective.

(5) A statement of Federal income taxes paid or accrued during the calendar year 1939 and each calendar year thereafter, including the current year.

(6) Income and expense statements for each of the two calendar or fiscal years preceding the filing of the tariff and an income and expense statement for as much of the current year as is available.

(i) A statement showing items of income and expense which the public utility believes should be excluded for rate-making purposes and the reasons therefor.

(d) In each of the following three types of proposed rate increases, additional information shall be filed as specified under each of the following types:

(1) *Tariffs filed under section 306 of the Packers and Stockyards Act increasing rates and charges except commission rates, feed rates, and rates for miscellaneous services.* (i) Balance sheet as of the end of each of the two calendar or fiscal years preceding the filing of the tariff, and also as of the latest date for which such balance sheet is available.

(ii) A statement, if available, showing the original cost and the fair value of properties alleged to be used and useful in the furnishing of the services. If the original cost and/or the fair value of such properties is not available, a statement should be furnished showing the claimed value of such properties for rate-making purposes, and the basis upon which such value is estimated.

(iii) Statement showing volume handled, by units, for each of the two calendar or fiscal years preceding the filing of the tariff and for as much of the current year as is available, set up in conformity with the provisions of the tariffs in effect during such periods.

(2) *Proposed modification of rate orders to increase rates except commission rates, feed rates, and rates for miscellaneous services.* (i) A statement showing the original cost and the fair value of properties as found in prior orders and a detailed statement supporting any claimed changes affecting such value.

(ii) Statement showing volume handled, by units, for each of the two calendar or fiscal years preceding the filing of the petition and for as much of the current year as is available, set up in conformity with the provisions of the tariffs in effect during such periods.

(iii) Balance sheet as of the end of each of the two calendar or fiscal years preceding the filing of the petition and also as of the latest date for which the balance sheet is available.

(3) *Proposed modification of rate orders to increase commission rates.* (i) Statement showing claimed reasonable per head costs or alleged reasonable unit costs as compared with reasonable per head or other unit costs as set forth in prior orders.

(ii) Statement showing volume handled, by units, for each of the two calendar or fiscal years preceding the filing of the petition and for as much of the current year as is available, set up in conformity with the provisions of the tariffs in effect during such periods.

(iii) Balance sheet as of the end of each of the two calendar or fiscal years preceding the filing of the petition and also as of the latest date for which such balance sheet is available.

(e) *Proposed increases which relate exclusively to rates for feed and rates for miscellaneous services.* (1) Where proposed increases in rates and charges relate exclusively to rates for feed and rates for miscellaneous services, such as bedding, immunization, vaccination, disinfection, insecticides, cleaning and disinfecting pens and chutes, branding, dehorning, castrating, dockage inspection, health inspection, grading, weighing, or other miscellaneous services, the notice need state only that the proposed increased rates have been filed with the Secretary of Agriculture. Such notice shall be accompanied by a copy of the tariff, application, or petition submitted to the Secretary of Agriculture. Unless the Administrator of the Office of Price Administration informs the Secretary of Agriculture within 5 days after the receipt of such notice that the full 30-day period is desired to determine whether intervention is necessary, such proceedings may be disposed of in accordance with the provisions of the Packers and Stockyards Act.

(f) The Office of Price Administration may, at its discretion and upon showing of necessity therefor, exempt any Public Utility coming under this section from such part of the above requirements as is deemed advisable.

(g) In every instance one copy of the required information shall be sent to each of the following:

(1) Transportation and Public Utilities Division, Office of Price Administration, Washington, D. C.

(2) Chief, Packers and Stockyards Division, Livestock and Meats Branch, Food Distribution Administration, U. S. Department of Agriculture, Washington, D. C.

(h) The public utility need not file any required item of information which was previously submitted on any form issued by the Office of Price Administration, but should in such event notify this Office of the fact of such previous filing and identify the same.

[§ 1300.904a added by Am. 1, 8 F.R. 6671, effective 5–25–43]

§ 1300.905 *Supplementary orders.* The Administrator may issue such supplementary orders as may be required to effectuate the purposes of this regulation.

§ 1300.906 *Effective date.* This Procedural Regulation No. 11 (§§ 1300.901 to 1300.906, inclusive) shall become effective November 12, 1942. [Procedural Regulation 11 originally issued November 12, 1942]

[Effective dates of amendments are shown in notes following the parts affected]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7467; Filed, May 24, 1944; 4:38 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 421,[1] Incl. Amdts. 1–10]

CEILING PRICES OF CERTAIN FOODS SOLD AT WHOLESALE

This compilation of Maximum Price Regulation 421 includes Amendment 10, effective May 25, 1944. The text added or amended by Amendment 10 is underscored. Deletions are indicated by notes.

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 421 has been issued simultaneously herewith and filed with the Division of the Federal Register.[2]

So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation. In the judgment of the Price Administrator, the ceiling prices established by this maximum price regulation are and will be generally fair and equitable and comply with the requirements of the Emergency Price Control Act of 1942, as amended, Executive Order 9250, and Executive Order 9328, and will effectuate the purposes of said act and Executive orders.

§ 1351.360 *Ceiling prices of certain foods sold at wholesale.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, and Executive Order 9328, Maximum Price Regulation No. 421, which is annexed hereto and made a part hereof, is hereby issued.

[1] 8 F.R. 9388.

[2] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

AUTHORITY: § 1351.360 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 421—CEILING PRICES OF CERTAIN FOODS SOLD AT WHOLESALE

ARTICLE I—GENERAL PROVISIONS

Sec.
1. What this regulation does.
2. How you determine to which class your business belongs.
3. How and when you figure ceiling prices.
4. Directions for applying the rule.
5. How you figure your ceiling prices for "new items".
5a. New wholesalers.
6. When you may change a ceiling price.
7. Indirect price increases prohibited.
8. Invoices and receipts.
9. Records.
10. Licensing.
11. Prohibitions.
12. Dollars-and-cents ceiling prices.
13. Further provisions supplementing or explaining this regulation.

ARTICLE II—SPECIAL PRICING PROVISIONS

14. Additions to "net cost" for packaging.
15. Purchases and sales between wholesalers.
16. How you figure your ceiling prices for foods you "manufacture or otherwise process".
17. How a retailer-owned cooperative wholesaler figures ceiling prices for sales to non-members.
18. How a service wholesaler figures ceiling prices for cash-and-carry sales.
19. How a service wholesaler figures ceiling prices for sales to commercial, industrial or institutional users.
20. How an institutional wholesaler figures ceiling prices for sales to retailers.
21. Addition allowed for deliveries by Class 1 and Class 2 wholesalers.
22. Addition allowed for deliveries outside of a base zone.
22a. Special limitations in figuring your net cost in certain cases.
23. Special pricing provision for manufacturers selling some commodities at wholesale.

ARTICLE III—ADJUSTMENT PROVISIONS

24. How retailer-owned cooperative wholesalers may, under certain conditions, apply for permission to use the mark-up figures designated for other wholesalers.
25. How service wholesalers may, under certain conditions, apply for permission to use the mark-up figures designated for institutional wholesalers.

ARTICLE IV—MISCELLANEOUS PROVISIONS

26. Transfer of business and stock in trade.
27. Taxes.
28. Export sales.
29. Relation to other regulations.
30. Definitions.
31. Geographical applicability.

ARTICLE V—TABLE AND COMMODITY DEFINITIONS

32. Table of mark-up figures. (Table A).

ARTICLE I—GENERAL PROVISIONS

SECTION 1. *What this regulation does.* This regulation fixes new ceiling prices for the foods listed in Table A for wholesalers selling these food products. These new ceiling prices are to be used on and after August 5, 1943, instead of the ceiling prices figured under any other price regulation or order issued by the Office of Price Administration (hereinafter called OPA), except as otherwise provided in any order fixing dollars and cents ceiling prices, which has been or which may be, issued by the OPA pursuant to General Order No. 51.[3]

SEC. 2. *How you determine to which class your business belongs*—(a) *What wholesalers are covered.* Your business is classified under this regulation if, prior to the effective date of the regulation you were and still are a wholesaler, the larger part of whose food sales are of food products which you purchase for resale and distribute from your warehouse without materially changing their form, to independent retail stores, or to commercial, industrial or institutional users. This regulation does not apply, however, to "wagon wholesalers" or "flour jobbers."

[Paragraph (a) amended by Am. 7, 9 F.R. 2562, effective 3–13–44.]

(b) *Classes of wholesalers.* Wholesalers covered by this regulation are defined as follows:

(1) *Class 1; retailer-owned cooperative wholesaler.* You are a retailer-owned cooperative wholesaler if you are either a non-profit organization or a corporation 51 percent of the stock of which is owned by your independent retailer customers.

(2) *Class 2; cash-and-carry wholesaler.* You are a cash-and-carry wholesaler if you are not in Class 1 and the larger part of your food sales were, prior to the effective date of this regulation, made without delivery, to independent retail stores, or if they were made with delivery you made a charge for delivery to all customers.

(3) *Class 3; service wholesaler.* You are a service wholesaler if you are not in Class 1 and the larger part of your food sales were, prior to the effective date of this regulation, and still are made, to independent retail stores, with delivery to all customers in a base zone without charge.

(4) *Class 4; institutional wholesaler.* You are an institutional wholesaler if you are not in Class 1 and the larger part of your food sales were, prior to the effective date of this regulation, and still are made to commercial, industrial or institutional users. For the purposes of this regulation "marine provisioners" shall be considered institutional wholesalers. (If you do business in more than one of the ways outlined above, see sections 17, 18, 19, and 20.)

[Subparagraph (4) amended by Am. 7, 9 F.R. 2562, effective 3–13–44.]

[Section 2 amended by Am. 6, 8 F.R. 17368, effective 1–8–44, and as otherwise noted.]

SEC. 3. *How and when you figure your ceiling prices*—(a) *General rule.* Your ceiling price for each item (that is, for each kind, brand, grade, variety, container type and container size) of food listed in Table A shall be the result of (1) the "net cost" you had to pay for the most recent delivery of the item to you before August 5, 1943, multiplied by (2) the mark-up figure given you for it in Table A.

(b) *When you must figure your ceiling prices.* By the opening of business on August 5, 1943, you must have figured your ceiling price for each item of food covered by this regulation which you have in stock at that time. Between July 26, 1943, and August 5, 1943, you may put into effect the new ceiling price on any item as soon as you figure it; you must put the new ceiling prices into effect on all items not later than August 5, 1943. If you do not put the new price for an item into effect before August 5, 1943, you must continue to use your existing ceiling for that item until August 5. If you receive delivery of any item between July 26, and August 5, for which you have no ceiling price, you must, before selling it, figure your ceiling price according to the rules of this regulation.

[3] Revised: 9 F.R. 408.

SEC. 4. *Directions for applying the rule*—(a) *Net cost.* To figure your ceiling price, first find the "net cost" of the item, based on its most recent delivery to you before August 5, 1943. Your "net cost" will be the amount you paid your supplier less all discounts except the discount for prompt payment and swell and label allowances, plus all transportation charges you paid except local trucking and local unloading. Treat as a separate item each kind, brand, grade, variety, container size and container type.

(1) Your net cost must be figured on purchases of a customary quantity from a customary type of supplier delivered to your usual receiving point by a customary means of delivery. Of course, you must never figure your net cost on a purchase made at a price higher than your supplier's ceiling.

(2) Figure the net cost of the unit in which you receive delivery (i. e. per dozen, per case, per bag, etc.) to the nearest cent.

(3) For items you "manufacture or otherwise process" use the special rules in section 16.

(b) *Mark-up.* Turn to Table A to find the mark-up figure for the item given your class of wholesaler. Table A lists all the items covered by this regulation by commodity groups.

(c) *Ceiling price.* Next multiply your "net cost" by the mark-up figure in Table A for your class of wholesaler for the item being priced. The resulting amount will be your ceiling price. You must not change this ceiling price unless OPA authorizes you to do so. (Section 6 tells you when you may be allowed to change it.)

(d) *Fractions.* All calculations of ceiling prices resulting in a fraction of a cent shall be reduced to the nearest lower cent if the fraction is less than one-half cent, and shall be increased to the nearest higher cent if the fraction is one-half cent or more.

If you sell an amount less than the unit in which you receive delivery, you must reduce your ceiling price proportionately, rounding any fraction to the next higher cent.

(e) *Invoices.* You must write your net cost per unit either on your invoice or other record of the price you paid for the item or on a separate slip of paper and attached to that invoice or other record.

You must keep separate, or mark or tag plainly, all invoices or records showing the "net cost" of the unit in which you received delivery and which you used in figuring your ceiling price. The invoices and records you used in figuring your ceiling prices are your means of proving that your ceiling prices are right.

SEC. 5. *How you figure your ceiling prices for "new items."* (a) A "new item" is any item which you did not have in stock at the opening of business on August 5, 1943. You must figure your ceiling price for a "new item" before selling it, following the rules in section 4, basing your "net cost", however, on the first delivery of the item to you on or after August 5, 1943.

In pricing new items it is a violation to use the "net cost" of a first purchase made in a non-customary manner (that is, from a non-customary supplier or in a non-customary quantity) when you know that you will be making future purchases in a customary manner. If your first purchase is of this type you must find out and use, in figuring your ceiling price, what the "net cost" would be of a purchase from a type of supplier usually used for a similar item and of an amount in which a similar item is usually purchased.

SEC. 5a. *New wholesalers.* If, on or after August 5, 1943, you begin to operate as a wholesaler as defined in section 2, you are subject to this regulation, and as such a new wholesaler you must figure all your ceiling prices for all sales of food items covered by this regulation in accordance with the following provisions:

(a) If you are a retailer-owned cooperative wholesaler, you must figure all of your ceiling prices for sales to members as a retailer-owned cooperative (Class 1) wholesaler and are subject to all of the provisions applicable to such a wholesaler.

(b) If you are not a retailer-owned cooperative wholesaler you must figure your ceiling prices in the following way:

(1) For sales to independent retail stores made without delivery, you shall use the mark-ups applicable to a cash-and-carry (Class 2) wholesaler.

(2) For sales to independent retail stores made with delivery, you shall use the mark-ups applicable to a service (Class 3) wholesaler.

(3) For sales to commercial, industrial or institutional users, you shall use the mark-ups applicable to an institutional (Class 4) wholesaler.

(c) You must figure your ceiling price for an item before selling it, in accordance with section 4, basing your "net cost", however, on the first delivery of an item to you on or after the date you open your place of business subject to all of the provisions covering the sales of "new items" in section 5.

(d) For sales to retail stores which are not independent retail stores, and for sales to other wholesalers, your ceiling price for any item shall be your supplier's ceiling price for such item plus transportation charges to your usual receiving point.

(e) Within 10 days after you become a new wholesaler under this section, you must notify your nearest District OPA office that you are operating under the provisions of this section.

(f) The provisions of this section may not be used by any person, who, at the opening of business on August 5, 1943, was subject to this regulation, or by any person owned or controlled by any wholesaler who at the opening of business on August 5 was subject to this regulation.

[Sec. 5a added by Am. 6, 8 F.R. 17368, effective 1–3–44.]

SEC. 6. *When you may change a ceiling price*—(a) *Official notification.* If OPA changes a supplier's ceiling price for an item covered by this regulation, it may direct wholesalers to refigure their ceiling prices for the item. You may not refigure your ceiling price under this paragraph until you receive written notice requiring you to do so. Ordinarily a written notice telling you to refigure your ceiling price will come to you directly from your supplier or the manufacturer. You will find it inside or attached to the carton, case or barrel containing the item, or it will be sent to you with the invoice. After actually receiving the item for the first time with such a notice, you must, before selling the item, refigure your new ceiling price by following the directions in section 4, figuring your "net cost", however, on that first delivery. If that delivery is from another wholesaler covered by this regulation, you must use the "net cost" of the other wholesaler. You must write this new ceiling price on the invoice covering that delivery. Be sure to keep this notice attached to your invoice or other record showing the price you paid for the item. Even though you receive later shipments with the same notice you must not change your ceiling price again.

When you make a sale to a retail store at this new ceiling price, you must send with your invoice a copy of the notice received by you from your supplier if the notice is not attached to the item you are selling.

(b) *Special deals.* If your ceiling price for an item was based on a delivery to you at a "special deal" price, you may refigure your ceiling price when you receive your first delivery of that item after the termination of the "special deal". In refiguring your ceiling price, you must follow the directions in section 4, figuring your "net cost", however, on the first delivery to you of the item after the termination of the "special deal".

A "special deal" price means a reduced price, in effect for an announced period of not more than 90 days, to all purchasers of the same class, which price was made for the purpose of introducing a new commodity not theretofore on the market, or resulting from offers of free goods or combination sales. No price resulting from a discount for quantity purchases shall be considered a "special deal" price.

[Sec. 6 amended by Am. 6, 8 F.R. 17368, effective as to paragraph (a) 1–8–44, and as to paragraph (b) 12–29–43]

SEC. 7. *Indirect price increases prohibited.* You must not evade any of the provisions of this regulation or any order issued pursuant to it, by any stratagem, scheme, or device. You must not, as a

condition of selling any particular food item, require a customer to buy anything else. Any such evasion is punishable as a violation of this regulation.

You may not use an unnecessarily high "net cost" in figuring a ceiling price under this regulation. If you make such a high cost purchase, you must find out what your net cost, as used in section 4, would be and use that net cost to figure your ceiling price.

SEC. 8. *Invoices and receipts.* You must give each of your customers an invoice, receipt or other evidence of purchase in connection with every sale, retaining a copy for your files. Each such record you prepare and give your customer must show the date of sale, the name and address of your customer, your name and address, each food item sold, and the price you charged for it. Be sure that your description of each item shows the kind, brand, variety, container-size and container-type.

In addition, you must, on or before May 8, 1944, file with your nearest District OPA office a list of the items of canned fruits and canned vegetables you sell for which OPA regulations require processors to notify purchasers of the grade. (For example, in Maximum Price Regulation No. 306 certain items are listed by grades such as "A", "B", "C", or "Fancy", "Extra Standard" and "Standard". Each processor selling such an item must furnish the purchaser with an invoice describing the item and separately stating its grade.) The list must give your name and address, and the name of each brand and the grade thereof. If at any time the grade is changed so that it is different from the grade shown on the list, or if you offer for sale an item which you were not selling at the time you filed your list, you must, within 5 days of such change or such addition, notify your nearest District OPA office thereof.

If you sell more than one grade of any canned fruit or canned vegetable under the same brand name, you must show, on each invoice, the grade of each such item.

[Sec. 8 amended by Am. 6, 8 F.R. 17368, effective 1–8–44 and Am. 8, 9 F.R. 3647, effective 4–8–44]

SEC. 9. *Records.* After July 26, 1943, you must keep for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all your invoices, freight bills, and other records showing the price you paid for each item and the date you received delivery of each item covered by this regulation. You are required to show all your invoices and records on request of any OPA representative. You are also required to keep available for inspection by any OPA representative the records you used in determining your class. In addition, you are required, on request of any OPA representative, to furnish a written record of your ceiling price for any or all of the items covered by this regulation.

SEC. 10. *Licensing.* The provisions of Licensing Order No. 1,[4] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 10 amended by Supplementary Order 72, 8 F.R. 13244, effective 10–1–43]

SEC. 11. *Prohibitions.* On and after August 5, 1943, if you sell or deliver or offer to sell or deliver at a price higher than your ceiling price fixed by this regulation or any order issued pursuant to it, or if you otherwise violate any provision of this regulation, or any order issued pursuant to it, you are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended. Also, any person who, in the course of trade or business, buys from you at a price higher than your ceiling price is subject to the criminal penalties and civil enforcement actions provided for by that act.

SEC. 12. *Dollars-and-cents ceiling prices.* From time to time the OPA may, by order issued pursuant to General Order 51,[5] fix dollars-and-cents ceiling prices for wholesalers for some or all of the food items covered by this regulation. When these dollars-and-cents prices are fixed, you may not thereafter sell at higher prices and these orders may provide that such prices take the place of the ceiling prices which you have under this regulation. If such orders do not provide that they replace your prices under this regulation you must continue to figure your prices under this regulation. If the OPA has, before the effective date of this regulation, established a ceiling price for you for an item pursuant to such an order, you shall use that as your ceiling price and shall not figure a ceiling price for the item under this regulation.

SEC. 13. *Further provisions supplementing or explaining this regulation.* From time to time, the Price Administrator may, by amendment, issue further provisions which will supplement the provisions of this regulation or explain the rights and duties of buyers and sellers under it. These further provisions will become part of this regulation and may be added as paragraphs to this section.

(a) Whenever an amendment adds any food product to the list of items covered in Table A, you must figure your ceiling price for that food product in accordance with sections 3, 4 and 5. However, in doing so, you shall substitute the effective date of such amendment for the date August 5, 1943, whenever it appears in sections 3, 4 and 5.

(b) Whenever an amendment changes either a commodity definition in Table A by transferring a food product from one commodity group to another or the mark-up for your class of wholesalers, you must, by the opening of business on the effective date of such amendment refigure your ceiling prices for the items affected by such amendment. In doing so, you must use as your "net cost" the same "net cost" you used in figuring the ceiling prices you had on the effective date of the amendment.

[Paragraphs (a) and (b) added by Am. 4, 8 F.R. 15260, effective 11–9–43]

(c) On and after March 13, 1944, "marine provisioners" are made subject to this regulation. If you are a "marine provisioner", you must, by the opening of business on March 13, 1944, have figured your ceiling price in accordance with sections 3 and 4 for items which you have in stock at that time. For items which you do not have in stock at that time, you must figure your ceiling price in accordance with section 5. However, in doing so, you must substitute the date March 13, 1944, for the date August 5, 1943, whenever it appears in sections 3, 4 and 5.

[Paragraph (c) added by Am. 7, 9 F.R. 2562, effective 3–13–44]

ARTICLE II—SPECIAL PRICING PROVISIONS

SEC. 14. *Additions to "net cost" for packaging.* If you buy in bulk any item covered by this regulation and then package and sell it in cardboard containers, cotton bags, transparent bags, interlined coffee bags, or Kraft bags or similar type bags on which the name and weight of the commodity and your name are stamped or printed and which are packed and sealed at a place and time other than the point and time of sale, you may add to your "net cost" whichever of the following allowances applies:

(1) 1½ cents for every such bag or container with a net weight of less than 2 pounds.

(2) 2 cents for every such bag or container with a net weight of 2 pounds or more, but less than 5 pounds.

(3) ½ cent per pound for every such bag or container with a net weight of 5 pounds or more

[Sec. 14 amended by Am. 1, 8 F.R. 10569, effective 7–27–43 and Am. 6, 8 F.R. 17368, effective 1–8–44]

SEC. 15. *Purchases and sales between wholesalers.* If you purchase from another wholesaler covered by this regulation, an item for which you have not previously been required to establish a ceiling price under this regulation, you must secure a written record of that wholesaler's "net cost". To get your "net cost" for the item, you will add to that wholesaler's "net cost" the transportation charges you paid (not including local trucking or local unloading) to your usual receiving point. You will multiply the resulting figure by the mark-up figure for your class of wholesaler to get your ceiling price. However, your "net cost" for an item under this section may not exceed the net cost for that item had you purchased it from the manufacturer or processor.

[Sec. 15 amended by Am. 10, effective 5–25–44]

SEC. 16. *How you figure your ceiling prices for foods you "manufacture or otherwise process."* If you "manufacture or otherwise process" and sell at wholesale any item covered by this regulation you will determine your "net cost" or ceiling price for such an item under whichever of the following provisions applies:

(a) If the item is one for which OPA has issued, or later issues, a regulation naming dollars-and-cents ceiling prices for sales by manufacturers, but the regulation makes no provision for manufacturers selling to retailers, the lowest ceiling price under that regulation for sales delivered to your usual receiving point shall be your "net cost".

(b) If the item is one for which OPA has issued, or later issues, a regulation naming dollars-and-cents ceiling prices for sales by manufacturers and makes a provision for manufacturers selling to retailers, you shall figure your ceiling price for such item as a manufacturer under that regulation. You will not attempt to figure a "net cost" and apply a mark-up figure under this regulation.

(c) If the item is one for which OPA has not issued, or does not later issue, a regulation establishing dollars-and-cents ceiling prices for sales by manufacturers, you shall figure your ceiling price for such item as a manufacturer under the appropriate regulation covering sales of such item by manufacturers. You will not attempt to figure a "net cost" and apply a mark-up figure under this regulation.

(d) If, after you have established a ceiling price for an item which you "manufacture or otherwise process", the manufacturing regulation which you used in figuring your ceiling price under paragraph (a), (b), or (c) of this section is amended so that either (1) the manufacturer's regulation is no longer the type described in the applicable paragraph of this section or (2) the type of regulation is not changed but the prices set forth therein are changed, you must, within 5 days after the effective date of such amendment, refigure your ceiling price for the item under the applicable paragraph of this section based on the manufacturer's regulation as amended.

(e) For the purpose of this regulation you shall be considered a manufacturer of any item which you "manufacture or otherwise process" directly, or which is manufactured for you by a person to whom you supply the raw material.

SEC. 17. *How a retailer-owned cooperative wholesaler figures ceiling prices for sales to non-members.* If you are a retailer-owned cooperative wholesaler and you sell to non-members (those retailers who have no share or interest in your ownership) your ceiling prices for your sales to non-members without delivery may be figured as a Class 2 wholesaler. If you sell and deliver to non-members, your ceiling prices for such sales may be figured as a Class 3 wholesaler, in which event you may not add to such ceiling prices the additions for delivery allowed in section 21 of this regulation.

SEC. 18. *How a service wholesaler figures ceiling prices for cash-and-carry sales.* If you are a service wholesaler but you also make cash-and-carry sales, you must use for such sales the mark-up figures of a cash-and-carry wholesaler if, during March 1942,

(a) You had a separate department for such sales, or

(b) You had a price list for such sales different from the price list which you used in making other sales.

SEC. 19. *How a service wholesaler figures ceiling prices for sales to commercial, industrial or institutional users.* If you are a service wholesaler and you make sales to commercial, industrial or institutional users, you may use for such sales the mark-up figures of an institutional wholesaler.

[Sec. 19 amended by Am. 6, 8 F.R. 17368, effective 1–8–44]

SEC. 20. *How an institutional wholesaler figures ceiling prices for sales to retailers.* If you are an institutional wholesaler but you also make sales to retail stores, your ceiling prices for such sales made without delivery must be figured as a Class 2 (cash-and-carry) wholesaler and your ceiling prices for such sales made with delivery must be figured as a Class 3 (service) wholesaler.

SEC. 21. *Addition allowed for deliveries by Class 1 and Class 2 wholesalers.* (a) If you are a retailer-owned cooperative wholesaler, or a cash-and-carry wholesaler, and you have customarily added a set amount or percentage to your sales price for delivering to retailers, you may, in figuring your ceiling price for each item you deliver to retailers, add to your ceiling price such set amount or percentage. The resulting figure will be your ceiling price for the item when delivered by you.

(b) If you are a retailer-owned cooperative wholesaler or a cash-and-carry wholesaler and you have not customarily added a set amount or percentage to your sales price for delivering to retailers, you may, in figuring your ceiling price for each item you deliver to retailers, add .01 to your mark-up figure (example: If your mark-up figure is 1.06, you change it to 1.07).

SEC. 22. *Addition allowed for deliveries outside of a base zone*—(a) *Addition allowed to retailer-owned cooperative wholesalers, service wholesalers and institutional wholesalers.* (1) If you are a retailer-owned cooperative wholesaler, a service wholesaler or an institutional wholesaler, who, during March 1942, customarily sold goods on a delivered basis in different zones at established price differentials between zones, you may, in figuring your ceiling prices for items delivered by you to such other zones, add to your "base zone" ceiling prices, the same zone differentials which you added in March 1942. The resulting figures will be your ceiling prices for items delivered by you to such other zones. (Your base zone shall be the area surrounding your warehouse in which you customarily made free deliveries.)

(2) If you are a retailer-owned cooperative wholesaler, you may not, in figuring your ceiling prices under this section, include any addition allowed in section 21.

(3) Before using different delivered prices for different zones under this section, you must report, in writing, to the Distribution Branch, Food Price Division, OPA, Washington, D. C., the amount of such differentials and a description of your base zone and delivery zones.

(b) *Additions by certain wholesalers making f. o. b. sales.* If you are a service wholesaler or an institutional wholesaler who, during March, 1942, customarily sold f. o. b. your warehouse for delivery to zones or delivery points outside of your base zones, and

(1) If you added a freight charge when making such sales or included a freight charge in figuring your selling price, you may add to your ceiling price for each item the same charge or the same freight rate, apportioning the charge or freight rate to each item, in which case the resulting figure will be your ceiling price for the item when sold to such other zones or delivery points, or

(2) If your customer paid the freight bill, you may make such sales at your ceiling prices, the freight bill to be paid by the purchaser.

(c) *Additions by certain wholesalers who did not use a zone delivery system or make f. o. b. sales.* If you are a service wholesaler or an institutional wholesaler, who, during March 1942, customarily sold all customers on a delivered basis at the same price regardless of distance from your warehouse, you may, in figuring your ceiling price for an item delivered by you to a customer located at a distance of 125 miles or more from your warehouse, add to your mark-up figure whichever of the following amounts applies:

(1) If your customer is located at a distance of from 125 through 199 miles from your warehouse, you may add .01 to your mark-up figure (example: If your mark-up on mayonnaise in Table A is 1.16, you change it to 1.17).

(2) If your customer is located at a distance of from 200 miles through 299 miles from your warehouse, you may add .02 to your mark-up figure.

(3) If your customer is located at a distance of from 300 miles through 399 miles from your warehouse, you may add .03 to your mark-up figure.

(4) If your customer is located at a distance of 400 miles or more from your warehouse, you may add .04 to your mark-up figure.

(5) If your method of figuring ceiling prices for items delivered to zones outside of a base zone falls within either paragraph (a) or paragraph (b) of this section, you may not use this paragraph (c) in figuring your ceiling prices for items delivered to such other zones.

SEC. 22a. *Special limitations in figuring your net cost in certain cases*—(a) *Pineapple which you import*—(1) *"Net cost".* If you import any item of packed pineapple, or packed pineapple juice, (other than pineapple and pineapple juice packed in the Territory of Hawaii or in Puerto Rico), your "net cost" for any such item may not in any case exceed the maximum price fixed in Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation for the item ex dock, any United States port of entry, duty paid,

[4] 8 F.R. 13240.

[5] Revised, 9 F.R. 408.

or ex railroad car or other type of carrier, any point of entry on the United States-Mexico border, duty paid, plus any allowable charges actually incurred in putting the items in the warehouse at port or point of entry, plus actual transportation charges from the port or point of entry to your usual receiving point.

If, prior to May 25, 1944, you had figured a ceiling price under this regulation for any of the above items of packed pineapple or packed pineapple juice which you imported, you must refigure your ceiling price for that item in accordance with the provisions of sections 3 and 4, basing your "net cost", however, on the first delivery to you of the item on or after May 25, 1944.

(2) *Notification of changes in ceiling price.* With the first delivery to retailers of any of the above items of packed pineapple or packed pineapple juice after you have figured or refigured your ceiling price for the item under the provisions of this section, you shall supply each retailer who purchases from you, with the written notice set forth below:

(Insert date)

NOTICE TO RETAILERS

Our OPA ceiling price for (describe item by kind, variety, grade, brand, container type and container size) has been changed by the Office of Price Administration. We are authorized to inform you that if you are a retailer pricing this item under Maximum Price Regulation Nos. 422 or 423, you must refigure your ceiling price for this item on the first delivery of it to you, from your customary type of supplier, containing this notification on and after (insert effective date of change in ceiling price). You must refigure your ceiling price following the rules in section 6 of Maximum Price Regulations Nos. 422 or 423, whichever is applicable to you.

For a period of 60 days after figuring such ceiling price and with each shipment after the 60 day period to each person who has not made a purchase within that period, you must place on or attach to each invoice the written notice set forth above.

[Sec. 22a added by Am. 10, effective 5-25-44]

SEC. 23. *Special pricing provision for manufacturers selling some commodities at wholesale.* Any person the larger part of whose business consists of the manufacturing or processing of foods but (a) his entire business in connection with a particular commodity consists of the purchase and resale of such commodity without substantially changing its form and (b) the larger part of his sales of such commodity are made to independent retail stores or to commercial, industrial or institutional users (c) may figure his ceiling price for such sales of that commodity under this regulation.

ARTICLE III—ADJUSTMENT PROVISIONS

SEC. 24. *How retailer-owned cooperative wholesalers may, under certain conditions, apply for permission to use the mark-up figures designated for other wholesalers.* If you are a retailer-owned cooperative wholesaler, you may file an application for permission to use the mark-up figures designated for another class of wholesaler if you can establish:

(a) That you have customarily operated in the same manner as the other class of wholesaler, and

(b) That in 1941 you had an overall gross margin at least as high as the overall gross margin you would realize by using the mark-up figures specified in this regulation for such other class of wholesaler.

(c) Your application must set forth the following:

(1) A statement as to whether your members received dividends or other proceeds from your organization; the basis for determining the amount of such payments; the amount of such payments for the years 1941, 1942, and, if available, so far in 1943;

(2) The amount and conditions of fees, if any, paid by your members in addition to the invoice price of commodities;

(3) Your profit and loss statement for your fiscal years 1941 and 1942, and so much of 1943 as is available, and balance sheets as of the end of each such accounting period;

(4) Your percentage mark-ups over invoice cost for sales during 1941 to your members for each commodity group listed in this regulation, and if sales were made to non-members, the same information with respect to such sales;

(5) Any evidence you may be able to furnish showing the difference between your operations and functions and those of the usual retailer-owned cooperative wholesaler, including a statement of any special service performed by you, any additional compensation received for such special services, and a reasonable basis for distinction or classification, if any, between you and other retailer-owned cooperative wholesalers.

(d) Such application must be filed in duplicate by July 20, 1943, with your nearest District OPA office. You may not use these requested mark-up figures until you have received specific authorization from your proper OPA office.

(e) If you filed an application under section 29 of Revised Maximum Price Regulation No. 237,[8] and such application has been denied, you are not eligible for adjustment under this section. If your application has been allowed, you may use the mark-up figures for the class of wholesaler to which you have been adjusted and you are subject to all of the provisions of this regulation applicable to such other class of wholesaler.

(f) *Applications for adjustment.* Any regional office of the OPA or such offices as may be authorized by order issued by the appropriate Regional Office, may act on all applications for adjustment under the provisions of this section. Applications for adjustment are governed by Revised Procedural Regulation No. 1.[7]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5067, 5665; 8 F.R. 6173, 6174) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

SEC. 25. *How service wholesalers may, under certain conditions, apply for permission to use the mark-up figures designated for institutional wholesalers.* If you are a service wholesaler (you must consider each warehouse as a separate wholesaler), you may file an application for permission to use the mark-up figures designated for institutional wholesalers if you can establish:

(a) During your fiscal year 1941 and so far in 1943, you regularly distributed grocery products to at least 12 states; and

(b) The total gross margin on all sales made by you in your fiscal year 1941 was at least 20 percent; and

(c) You offered for sale during 1941 at least 3,500 different items of food.

(d) Your application must set forth the following:

(1) Profit and loss statements for the fiscal years 1941, 1942, and so much of 1943 as is available, and balance sheets as of the end of each such accounting period;

(2) Any evidence you may be able to furnish concerning the difference between your operations and functions and those of the usual service wholesaler, and a reasonable basis for distinction or classification between you and other service wholesalers;

(3) A list of the states to which you regularly distributed grocery products in 1941, 1942, and 1943 and an approximation of the volume of sales made by you in each of the states during 1941, 1942, and 1943; and

(4) The number of food items that you offered for sale in 1941.

(e) Such application must be filed in duplicate by June 24, 1944, with the Distribution Branch, Food Price Division, OPA, Washington, D. C. You may not use these requested mark-up figures until you have received specific authorization from such OPA office. Applications for adjustment are governed by Revised Procedural Regulation No. 1.

[Paragraph (e) amended by Am. 10, effective 5-25-44]

ARTICLE IV—MISCELLANEOUS PROVISIONS

SEC. 26. *Transfer of business and stock in trade.* If, after August 5, 1943, you acquire in any way the business, assets and stock in trade of any wholesaler covered by this regulation and you carry on the business, or continue to deal in the same type of food products in the same establishment, and you render the same service and sell to the same class of purchaser, your ceiling prices shall be the same as those of the former owner if no transfer had taken place. You must keep all the records needed to verify your ceiling prices. The former owner must either preserve and make available to you or give you all the records of his transactions before you acquired the establishment which you need to comply with the record provisions of this regulation.

If, after the transfer, you fall into a class of wholesaler different from the former owner's, your ceiling prices shall be those for the class of wholesaler in which you fall. (For example: If you acquire the business, assets, and stock in trade of a service wholesaler and you decide to discontinue making deliveries, your ceiling prices must be figured as a cash-and-carry wholesaler, using as your "net cost" the same "net cost" the former owner used in fixing his ceiling prices.)

SEC. 27. *Taxes.* You may collect, in addition to your ceiling price, any tax upon or incident to a sale at wholesale of food covered by this regulation, if you state the tax separately, and if the tax statute or ordinance does not prohibit sellers from stating and collecting the tax separately from the price.

SEC. 28. *Export sales.* The ceiling prices at which a person may export any product covered by this regulation shall be determined in accordance with the Second Revised Maximum Export Price Regulation,[9] as amended, issued by the OPA.

SEC. 29. *Relation to other regulations.* The provisions of this Maximum Price Regulation No. 421, except as otherwise provided in this regulation, shall, on and after August 5, 1943, supersede the provisions of Revised Maximum Price Regulation No. 237, Maximum Price Regulation No. 249,[10] Maximum Price Regulation No. 255,[11] the General Maximum Price Regulation,[12] and any other applicable price regulation or order issued by the OPA except any order issued pursuant to General Order No. 51,[13] with respect to sales and deliveries for which ceiling prices are established by this regulation.

[8] 8 F.R. 6120, 6424, 7884, 7661, 8681, 9019, 9331, 12620.

[7] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 3075.

[9] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036.

[10] 7 F.R. 8702, 9898, 10014, 10993; 8 F.R. 2673, 10569.

[11] 8 F.R. 2988, 3946, 5164, 7821.

[12] 9 F.R. 1385.

[13] Revised, 9 F.R. 408.

SEC. 30. *Definitions*—(a) *Delivery.* Delivery of any item covered by this regulation shall be considered to have occurred when the item has been received by you at your usual receiving point.

(b) *Usual receiving point.* Your usual receiving point will be the warehouse at which you generally receive the particular item you are pricing under this regulation and from which you generally supply your customers.

(c) *"Manufacture or otherwise process".* "Manufacture or otherwise process" shall mean blending, freezing, canning, preserving, milling, bottling, crushing, straining, roasting, centrifuging, cooking, distilling, purifying with heat, and other similar operations. Packaging as used in section 14 shall not be considered manufacturing or processing under this regulation.

(d) *Independent retail store.* Independent retail store shall mean one that is not one of four or more stores under one ownership whose combined "annual gross sales" are $500,000 or more.

(e) *"Wagon wholesaler".* A "wagon wholesaler" is a wholesaler who distributes food products to retail stores or to commercial, industrial, or institutional users from an inventory stocked in trucks or other conveyances under the supervision of driver-salesmen who make deliveries at the time and point of sale. A wholesaler is a wagon wholesaler only of the food products he sells in this way.

(f) *"Marine provisioners".* A "marine provisioner" is a person, the larger part of whose food sales are of food products which he purchases for resale and distributes from a warehouse, without materially changing their form, to boat and steamship companies and ship operators for the provisioning of boats and ships, with delivery from shore locations by the use of truck or launch facilities.

[Paragraph (f) amended by Am. 7, 9 F.R. 2562, effective 3-13-44.]

(g) *Flour jobber.* "Flour jobber" shall mean a "primary distributor" as defined in Maximum Price Regulation No. 296,[14] and also a person the larger part of whose business is the purchase and resale of flour made from wheat, semolina and farina without additional processing and in the original containers, to bakers and commercial, institutional or Governmental users. For sales to retail stores, "flour jobbers" other than "primary distributors" must figure their ceiling prices for flour under this regulation.

[Paragraph (g) amended by Am. 6, 8 F.R. 17368, effective 1-8-44.]

[14] 8 F.R. 16262, 17375; 9 F.R. 576.

SEC. 31. *Geographical applicability.* The provisions of this regulation shall apply to the 48 states of the United States and the District of Columbia.

ARTICLE V—TABLE AND COMMODITY DEFINITIONS

SEC. 32. *Table of mark-up figures—(Table A.)*—(a) *Instructions.* Table A (printed below) lists the commodities and the mark-up figures for the four classes of wholesalers covered by this regulation. For a detailed list of the items included in each category of commodities, see "Commodity definitions", printed immediately after Table A. This regulation must not be used to determine ceiling prices for the commodities listed in paragraph (c) of this section.

The commodities covered by this regulation are listed in the column at the extreme left of Table A and the four classes of wholesalers are listed across the top of Table A. To find your proper mark-up figure for any item, first determine the class of wholesaler to which you belong; then find the commodity listed at the left of Table A which includes the item you are pricing. Directly opposite, in the column for your class of wholesaler, you will find the proper mark-up figure for the item. This is the figure by which you should multiply your "net cost" in order to determine your ceiling price. Drop any fraction of a cent which is less than ½ cent; take the next higher cent if the fraction is ½ cent, or more.

For example, you are a Service (Class 3) Wholesaler, and you want to figure your ceiling price for a case of 9-oz. packages of X Brand Spaghetti which you had in stock at the opening of business on August 5, 1943. The amount you paid your customary type of supplier for your last purchase of a customary quantity of this item prior to August 5, 1943, was $1.75 per case after deducting all discounts except the discount for prompt payment and swell and label allowances. In addition, you paid incoming freight, excluding local trucking charges, amounting to 9 cents per case. Your net cost is therefore $1.84 per case. Now refer to Table A. Check the list of commodities and you will find "Macaroni and spaghetti products." This category includes the item you are pricing. Directly opposite "Macaroni and spaghetti products", in the column headed "Class 3 Wholesaler", you will find the figure 1.15. Multiply your net cost by this mark-up figure; the resulting amount is $2.116. By rounding up the fraction of a cent, which is more than ½ cent, you will get your ceiling price of $2.12 per case.

TABLE A

MARK-UP FIGURES TO BE USED BY WHOLESALERS IN FIGURING CEILING PRICES FOR ITEMS COVERED BY THIS REGULATION BY COMMODITIES

Food commodities	Figures to be multiplied by net cost			
	Class 1	Class 2	Class 3	Class 4
	Retailer-owned cooperatives	Cash and carry	Service and delivery	Institutional
1. Baby foods	1.06	1.085	1.135	1.185
2. Cereals, breakfast	1.035	1.06	1.08	1.13
3. Cocoa, chocolate and cereal drink preparations	1.07	1.095	1.125	1.175
4. Coffee	1.055	1.065	1.09	1.14
5. Cookies, crackers, toast and crumbs	1.11	1.15	1.20	1.25
6. Corn meal and hominy	1.055	1.085	1.12	1.165
7. Dog and cat foods	1.06	1.09	1.105	1.15
8. Fish, processed	1.095	1.13	1.19	1.24
9. Flour and flour mixes	1.07	1.075	1.10	1.15
10. Fruits, berries and fruit juices (canned) except fruit cocktail, pineapple, peaches and pears	1.105	1.155	1.18	1.23
11. Fruit cocktail, pineapple, peaches and pears (canned) except juices	1.06	1.085	1.135	1.185
12. Fruits, dried and dehydrated	1.055	1.125	1.165	1.215
13. Frozen foods	1.24	1.24	1.24	1.29
14. Gelatin and pudding mixtures	1.06	1.07	1.105	1.155
15. Jams, jellies, preserves, honey and peanut butter	1.115	1.14	1.19	1.24
16. Lard, pure	1.035	1.035	1.075	1.125
17. Macaroni and spaghetti products	1.09	1.115	1.15	1.20
18. Mayonnaise and salad dressing	1.08	1.12	1.16	1.21
19. Meat, canned	1.055	1.08	1.10	1.15
20. Milk, canned	1.035	1.035	1.045	1.095
21. Oils, cooking and salad	1.07	1.075	1.10	1.15
22. Oleomargarine	1.045	1.065	1.14	1.19
23. Pickles and relishes	1.118	1.14	1.19	1.24
24. Rice	1.075	1.095	1.13	1.18
25. Shortening, hydrogenated	1.045	1.045	1.06	1.06
26. Shortening, other	1.045	1.045	1.06	1.06
27. Soups, canned	1.045	1.07	1.09	1.14
28. Soups, dehydrated	1.06	1.105	1.13	1.18
29. Spices	1.15	1.27	1.28	1.33
30. Sugar	1.02	1.02	1.04	1.04
31. Syrups	1.07	1.10	1.115	1.165
32. Tea	1.06	1.095	1.115	1.165
33. Vegetables and vegetable juices (canned) except corn, green and wax beans, peas, tomatoes and tomato juice	1.07	1.14	1.20	1.25
34. Corn, green and wax beans, peas, tomatoes and tomato juice (canned)	1.06	1.085	1.135	1.185
	1.08	1.09	1.12	1.17
35. Vegetables, dried and dehydrated	1.12	1.16	1.23	1.28
36. Vinegar	1.11	1.15	1.20	1.25
37. Miscellaneous foods				

[Item 3 amended by Am. 2, 8 F.R. 10987, effective 8-5-43; Item 13 amended by Am. 4, 8 F.R. 15250, effective 11-24-43; Item 6 amended by Am. 9, 9 F.R. 4016, effective 5-1-44.]

(b) *Commodity definitions.* These definitions apply to both domestic and imported items.

(1) "Baby foods" means "baby" or "junior" soups, fruits, vegetables, meats and mixtures thereof packed in hermetically sealed containers. Excluded are dry baby cereals.

(2) "Cereals, breakfast" means bulk or packaged cereal items of any size commonly used as breakfast foods, both uncooked and ready-to-eat types including, but not limited to, bran flakes, farina, popped rice, and rolled oats. Excluded are barley, corn meal, corn grits, hominy grits and flakes, rice, wheat bran flour, wheat germ and dry baby cereals. Also excluded are cereals mixed or coated with a confection, in the proportion of two thirds or more confection to one third cereal by weight.

[Subparagraph (2) amended by Am. 10, effective 5-25-44]

(3) "Cocoa, chocolate and cereal-drink preparations" includes, but is not limited to, coffee substitutes or extenders, chicory, malted milk preparations containing less than 35 percent malted milk, chocolate syrup, chocolate bits, cooking chocolate, and packaged powdered skim milk (spray process). Excluded are chocolate confections, bittersweet bars, milk chocolate, powdered whole milks, powdered skim milk packaged in tin in an inert gas, malted milk, and any preparation containing 35 percent or more malted milk.

[Subparagraph (3) amended by Am. 2, 8 F.R. 10987, effective 8-5-43 and Am. 4, 8 F.R. 15250, effective 11-24-43.]

(4) "Coffee" means roasted coffee, whole or ground, decaffeinated coffee, coffee concentrates, and any mixtures of coffee with other products for beverage purposes.

(5) "Cookies, crackers, toast, and crumbs" includes, but is not limited to, biscuits, Christmas cookies, fig bars, graham crackers, pretzels, rye crackers, zweiback, melba toast, bread crumbs, cracker crumbs, cookies, matzo, matzo meal, and related matzo products. Excluded are bread, pies, cakes, doughnuts, coffee cakes, rolls, candies, Passover matzo, Passover matzo meal, related Passover matzo products, and any bakery products which you manufacture.

[Subparagraph (5) amended by Am. 6, 8 F.R. 17368, effective 1-8-44.]

(6) "Corn meal and hominy" means bulk or packaged (in any size) corn meal, corn grits, hominy, hominy grits, hominy flakes, and prepared hominy. Excluded is canned hominy which is in "Vegetables and vegetable juices, canned."

(7) "Dog and cat food" shall not include any item prepared by you for pet food, or any frozen dog or cat food.

(8) "Fish, processed" includes, but is not limited to, canned fish, canned seafood, and salted, pickled, smoked, dried or otherwise processed fish, such as fish cakes, roe, clam juice, and oyster puree. Excluded are fresh or frozen fish, fresh or frozen seafood, frozen food products in which fish or seafood are combined with other ingredients, and caviar.

[Subparagraphs (7) and (8) amended by Am. 4, 8 F.R. 15250, effective 11-24-43.]

(9) "Flour and flour mixes" means all bulk or packaged (in any size) flour and flour mixes milled from wheat, semolina, farina, buckwheat, corn, rice, and potatoes, including, but not limited to, prepared pancake, cake, biscuit, pie crust and gingerbread mix.

(10) "Fruits, berries and fruit juices, canned" includes, but is not limited to, apple sauce, apple cider, berry juices, concentrated fruit juices, citrus fruits and juices, cranberry jelly and sauce, fountain fruits, maraschino cherries, fruit nectars, rhubarb, bulk apple cider and pineapple juice. "Canned" means processed and packed in any container, whether or not hermetically sealed. Excluded are apple butter, fruit butters, jams, jellies, fruit preserves, cocoanut, olives, baby foods, dried fruits, dehydrated fruits, fruit cocktail, pineapple (except pineapple juice), peaches, pears, and frozen fruits.

[Subparagraph (10) amended by Am. 10, effective 5-25-44]

(11) "Fruit cocktail, pineapple, peaches, and pears (canned) except juices" shall include fruit salad. Excluded are frozen fruits. "Canned" means processed and packaged in any container, whether or not hermetically sealed.

[Subparagraph (11) amended by Am. 10, effective 5-25-44]

(12) "Fruits, dried and dehydrated" (packaged or bulk) includes, but is not limited to, fresh dates, stuffed dried fruits, dried dates and figs, pitted dates, and macerated dates. Excluded are fruit confections, candied or glaced fruits and peels, and date products.

NOTE: The 1943 pack of dried fruits shall be considered a different item from the 1942 pack of dried fruits, and you must figure separate ceiling prices for each item of the 1943 pack.

[Subparagraph (12) amended by Am. 5, 8 F.R. 15607, effective 11-20-43, and Am. 8, 9 F.R. 3647, effective 4-8-44.]

(13) "Frozen foods" means packaged quick-frozen or cold-packed foods, including, but not limited to all fruits, berries, fruit or berry juices, and mixtures, vegetables, vegetable juices, and mixtures, including mushrooms, dog and cat food not prepared by you for pet food, applesauce, macaroni and spaghetti products, chop suey, gravies, pork-and-beans, soups, food products in which meat, chicken, turkey, fish or seafood are combined with other ingredients, meat stews, and corned beef hash. Excluded are frozen pies and pastries, frozen meat, poultry, fish and seafood, ice cream, sherbet and frozen confections.

NOTE: The 1943 pack of canned fruits and frozen fruits shall be considered different items from the 1942 pack of fruits and you must figure separate ceiling prices for each item of the 1943 pack.

[Subparagraph (13) amended by Am. 4, 8 F.R. 15250, effective 11-24-43 and corrected, 8 F.R. 17367, effective 12-23-43.]

(14) "Gelatin and pudding mixtures" includes, but is not limited to, gelatin, gelatin desserts, tapioca, arrowroot, consumer ice cream mixes, and rennet.

(15) "Jams, jellies, preserves, honey and peanut butter" includes, but is not limited to, tomato preserves, marmalade, fruit preserves, fruit butters, smooth or crunch-type nut butters, honey butter, and all extracted honey (including combinations of extracted and comb honey) packaged in containers of a capacity of 15 pounds or less. Excluded are cranberry jelly or sauce.

[Subparagraph (15) amended by Am. 8, 9 F.R. 3647, effective 4-8-44.]

(16) "Lard, pure" (packaged or bulk) includes, but is not limited to, rendered pork fat. Excluded are lard compounds which are classed as "Shortenings, other".

(17) "Macaroni and spaghetti products" includes, but is not limited to, bows, egg alphabets, macaroni, spaghetti, vermicelli, "sea shells", noodles, macaroni dinners, and spaghetti dinners. Excluded are ravioli, tamales, dry noodle soup mixtures, spaghetti-and-meatballs, chicken-and-noodles, Chinese-style noodles, and frozen macaroni and spaghetti products.

[Subparagraph (17) as amended by Am. 4, 8 F.R. 15250, effective 11-24-43.]

(18) "Mayonnaise and salad dressing" includes, but is not limited to, tartar sauce, relish spreads, other mayonnaise spreads, and french dressing. Excluded are olive oil and meat spreads.

(19) "Meat, canned" includes, but is not limited to, canned or glassed chicken and turkey products, chicken-and-noodles, chili con carne, meat spreads, meat gravy, pickled meats, ravioli, spaghetti-and-meatballs, stews, tamales and tripe. Excluded are mincemeat, frozen food products in which meat, chicken and turkey are combined with other ingredients, frozen meat gravies, and frozen meat stews.

[Subparagraph (19) amended by Am. 4, 8 F.R. 15250, effective 11-24-43 and Am. 8, 9 F.R. 3647, effective 4-8-44.]

(20) "Milk, canned" means evaporated or condensed cow milk, including, but not limited to, filled evaporated milk products. Excluded are fresh milk, cream, powdered milks, and goat milk.

(21) "Oils, cooking and salad" means all vegetable, fruit and leaf plant oils, and cooking fats other than shortening. Excluded are prepared dressings, and pure olive oil.

(22) "Oleomargarine" means any product labelled "oleomargarine".

(23) "Pickles and relishes" (packaged or bulk) includes, but is not limited to chow chow, pickled fruits, pickled onions, pickled peppers, pickled relishes, pickled rind, and pickled vegetables. Excluded are mayonnaise-relish spreads, and tartar sauce.

(24) "Rice" (packaged or bulk) means all rice. Excluded are rice flour, rice flakes, popped rice, and wild rice.

[Subparagraph (24) amended by Am. 6, 8 F.R. 17368, effective 1-8-44.]

(25) "Shortening, hydrogenated" means all fully hydrogenated shortenings.

(26) "Shortening, other" means shortenings other than fully hydrogenated shortening. Excluded are butter, lard, oleomargarine, and suet.

(27) "Soups, canned" includes all soups, broths and chowder. Excluded are meat stews, "baby" or "junior" soups, dehydrated soups, and frozen soups.

NOTE: The 1943 pack of canned vegetable soups shall be considered a different item from the 1942 pack of canned vegetable soups, and you must figure separate ceiling prices for each item of the 1943 pack.

[Subparagraph (27) amended by Am. 1, 8 F.R. 10569, effective 7-27-43; Am. 4, 8 F.R. 15250, effective 11-24-43 and corrected, 8 F.R. 17367, effective 12-23-43.]

(28) "Soups, dehydrated" means dry mixtures sold for soup-making, including, but not limited to, bouillon concentrates, and dry noodle soup mixtures. Excluded are other macaroni or noodle products, lentils, and dried peas.

(29) "Spices" includes, but is not limited to, bayleaves, caraway seed, dried peppers, dry chili, celery seed, celery salt, celery flakes, chili powder, garlic, garlic salt, dry mustard, onion salt, onion flakes, poultry seasoning, poppy seed, seasoned salt, sesame seed, thyme, and cream of tartar. Excluded are table salt, spice oils, and candied ginger.

(30) "Sugar" means all bulk or packaged cane or beet sugar, including cinnamon sugar.

(31) "Syrups" means all malt, molasses, cane, maple, and corn syrups, and imitations or blends. Excluded are chocolate and ice cream sundae syrups, fruit syrups for making beverages, molasses sold for feed purposes, and sorghum syrup.

[Subparagraph (31) amended by Am. 6, 8 F.R. 17368, effective 1-8-44.]

(32) "Tea" includes all bulk or packaged tea, tea bags, and matte.

(33) "Vegetables and vegetable juices, canned" includes, but is not limited to, blackeye, crowder, cream and field peas, baked beans, sauerkraut, chili sauce, cocktail sauce, canned hominy, mushrooms, mushroom sauce, tomato catsup, tomato paste, tomato puree, pimientos, and Chinese-style foods including soy sauce and brown sauce. "Canned" means processed and packaged in any container, whether or not hermetically sealed. Excluded are vegetable soups, "baby" or "junior" foods, pickles, corn, green and wax beans, peas (except canned blackeye, crowder, cream and field peas), tomatoes, tomato juice and frozen vegetables.

(34) "Corn, green and wax beans, peas, tomatoes, and tomato juice (canned)." Excluded are frozen vegetables and canned blackeye, crowder, cream, and field peas. "Canned" means processed and packaged in any container, whether or not hermetically sealed.

NOTE: The 1943 pack of canned vegetables and frozen vegetables shall be considered different items from the 1942 pack of vegetables and you must figure separate ceiling prices for each item of the 1943 pack.

[Subparagraphs (33) and (34) amended by Am. 5, 8 F.R. 15607, effective 11-20-43.]

(35) "Vegetables, dried and dehydrated" (packaged or bulk) includes, but is not limited to dried beans, blackeye peas, dried mushrooms, dried peas, and lentils. Excluded are dry soup mixes, hominy, garlic, celery flakes, onion flakes, dried chili, and dried peppers.

(36) "Vinegar" (bottled or bulk) includes, but is not limited to, pure cider vinegar, distilled vinegar, malt vinegar, wine vinegar, and tarragon vinegar.

(37) "Miscellaneous foods" shall include all other dry grocery items except those specifically excluded in paragraph (c) of this section. Among the items included under this heading are the following:

[Above paragraph amended by Am. 8, 9 F.R. 3647, effective 4-8-44.]

Baking powder.
Baking soda.
Barley (pearl).
Caviar.
Cocoanut, shredded, desiccated, or moist.
Corn starch, edible or gloss, packaged in containers of ten pounds or less (excluded are powdered prepared laundry starching compounds).
Date products.
Egg nog (non-alcoholic), bottled.
Extracts.
Flavorings.
Food colorings.
Fruit pectins.
Fruit syrups for making beverages.
Glaced or candied fruits and peels.
Goat milk, canned.
Ice cream sundae syrups (except chocolate).
Meat flavorings.
Meat sauces, except catsup, cocktail sauce, and chili sauce.
Mincemeat.
Mustard, prepared.
Olives.
Olive oil, pure (packaged in containers of a capacity of one gallon or less).
Pie filling.
Popcorn (whether or not popped).
Potatoes, Julienne, packed in hermetically sealed containers.
Potatoes, shoestring, packed in hermetically sealed containers.
Pudding, date.
Pudding, fig.
Pudding, plum.
Spice oils.
Table salt packaged in cartons, bags or packets containing 100 pounds or less, Kosher salt in cartons, and salt packaged in containers of 10 pounds or less and labeled by the manufacturer as ice cream salt (excluded are onion, celery or garlic salt, and meat-curing or smoked salt),
Tom and Jerry batter, bottled.
Yeast.

[Subparagraph (37) amended by Am. 1, 8 F.R. 10569, effective 7-27-43; Am. 4, 8 F.R. 15250, effective 11-24-43; Am. 6, 8 F.R. 17368, effective 1-8-44; Am. 8, 9 F.R. 3647, effective 4-8-44; and Am. 10, effective 5-25-44.]

(c) *Commodities not included in this regulation.* Excluded from this regulation are:

Baked goods, fresh (except "cookies, crackers, toast and crumbs").
Beer.
Bird seed and gravel.
Bread.
Butter (except peanut butter, fruit butters, and smooth or crunch type nut butters).
Buttermilk, fresh.
Candied ginger.
Candy.

[2 items deleted by Am. 10, effective 5-25-44]

Cheese.
Comb honey.
Corn starch, edible or gloss (packaged in containers of more than ten pounds).
Corn sugar.
Cream.
Dry baby cereals.
Eggs.
Feed, animal or poultry (other than pet food).
Fresh fruits and vegetables.
Fruit cake.
Fruit and vegetable powders for making beverages.
Ice cream cones.
Ice cream, sherbets, and frozen confections.
Laundry starching compounds, powdered prepared.
Liquors.
Malted milk and any preparation containing 35% or more malted milk.
Maple sugar.
Meat and fish (except "fish, processed" and "meat, canned").
Milk, fresh.
Mineral oil.
Nuts.
Olive oil, pure (packaged in containers of a capacity of more than one gallon).
Passover matzo, Passover matzo meal, and related Passover matzo products.
Peanuts.
Pet foods (except cat and dog foods or any frozen cat or dog foods.)
Potato chips.
Poultry.
Soft drinks.
Sorghum syrup.
Tamales, bulk.
Tortillas.
Vitamin concentrates.
Wheat germ.
Whole milk, powdered, and powdered skim milk packaged in tin in an inert gas.
Wild rice.
Wine.

[Paragraph (c) amended by Am. 1, 8 F.R. 10569, effective 7-27-43; Am. 2, 8 F.R. 10987, effective 8-5-43; Am. 3, 8 F.R. 13293, effective 10-4-43; Am. 4, 8 F.R. 15250, effective 11-24-43; Am. 6, 8 F.R. 17368, effective 1-8-44, Am. 8, 9 F.R. 3647, effective 4-8-44; and Am. 10, effective 5-25-44.]

Effective date. This regulation shall become effective on the 26th day of July, 1943. [MPR 421 originally issued July 8, 1943.]

[Effective dates of amendments are shown in notes following parts affected.]

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

Issued this 24th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7464; Filed, May 24, 1944; 4:36 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422[1] Incl. Amdts. 1-17]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

This compilation of Maximum Price Regulation 422 includes Amendment 17, effective May 25, 1944. The text added or amended by Amendment 17 is underscored. Deletions are indicated by notes.

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 422 has been issued simultaneously herewith and filed with the Division of the Federal Register.[2]

So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation. In the judgment of the Price Administrator, the ceiling prices established by this maximum price regulation are and will be generally fair and equitable and comply with the requirements of the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, and Executive Order No. 9328, and will effectuate the purposes of said act and Executive orders.

§ 1351.361 *Ceiling prices of certain foods sold at retail in group 3 and group 4 stores.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, and Executive Order No. 9328, Maximum Price Regulation No. 422, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1351.361 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 422—CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

ARTICLE I—GENERAL PROVISIONS

Sec.
1. What this regulation does.
2. How you find out whether your store is covered by this regulation and what group it is in.

Dry Groceries

3. How and when you figure your ceiling prices for "dry groceries".
4. Directions for applying the rule for "dry groceries".
5. How you figure your ceiling prices for "new items" of "dry groceries".
6. When you may change a ceiling price.

Perishables

7. How and when you figure your ceiling prices for "perishables".
8. Directions for applying the rule for "perishables".
9. Prices which you must post.
10. Indirect price increases prohibited.
11. Sales slips and receipts.
12. Records.
13. Licensing.
14. Prohibitions.
15. Notice of dollars-and-cents ceiling prices.
16. Further provisions supplementing or explaining this regulation.

[1] 8 F.R. 9395.

[2] Statements of considerations are also issued simultaneously with the issuance of amendments. Copies may be obtained from the Office of Price Administration.

ARTICLE II—SPECIAL PRICING PROVISIONS

Sec.
17. Additions allowed for deliveries made by you to your customers.
18. Additions for packaging.
19. Special limitations in figuring your "net cost" in certain cases.
20. How you figure your "net cost" in certain cases.
21. Additional charges allowed for slaughtering and plucking poultry.
22. Additions for delivery from your warehouse to your store.
23. How you may figure your ceiling prices for perishables on a weighted average basis.
24. How you figure your ceiling prices for "dry groceries" you purchase from wholesalers.
25. How you figure your ceiling prices for foods you "manufacture or otherwise process".
25a. Ceiling prices for sales of poultry pursuant to Food Distribution Order No. 91.
26. Mail order sales.

ARTICLE III—ADJUSTMENT PROVISIONS

27. How you may, under certain conditions, apply to use Group 1 mark-ups.
28. How certain stores, where necessary to assure an adequate supply of food in a locality, may apply for mark-up adjustments.
29. Applications for adjustment.
29a. Regional adjustment of poultry mark-ups.

ARTICLE IV—MISCELLANEOUS PROVISIONS

30. How you find the "annual gross sales" of your store.
31. How you determine your group in certain special cases.
32. Taxes.
33. Transfer of business and stock in trade.
34. Export sales.
35. Relation to other regulations.
36. Definitions.
37. Geographical applicability.

ARTICLE V—TABLES

38. Table of mark-ups for "dry groceries". (Table A.)
39. Table of mark-ups for "perishables". (Table B.)
40. Table of ceiling prices based on any given "net cost" and mark-up. (Table C.)

ARTICLE I—GENERAL PROVISIONS

SECTION 1. *What this regulation does.* This regulation fixes new ceiling prices for the "dry groceries" listed in Table A and the "perishables" listed in Table B for all retail stores, other than "independent" retail stores, doing an annual business of less than $250,000, and for all retail stores, whether "independent" or not, doing an annual business of more than $250,000. These new ceiling prices are to be used instead of the ceiling prices figured under any other price regulation or order issued by the Office of Price Administration (hereinafter called OPA) except as otherwise provided in any order fixing dollars-and-cents ceiling prices which has been or which may be issued by the OPA pursuant to General Order No. 51.[3] All other retail stores (Group 1 and Group 2 stores) selling these food products are covered by Maximum Price Regulation No. 423.[4]

[3] Revised: 9 F.R. 408.

[4] 8 F.R. 9407, 10570, 10988, 12443, 12611, 13294, 14854, 15587, 15608, 16081, 17371.

SEC. 2. *How you find out whether your store is covered by this regulation and what group it is in—(a) What stores are covered.* Your store is covered by this regulation if it is a Group 3 or 4 store as defined below and if you are a retailer who buys and resells food products, generally without materially changing their form, for the most part to ultimate consumers who are not commercial, industrial or institutional users. The provisions of this regulation apply to "retail route sellers" only with respect to fresh fruits and vegetables. However, this regulation does not apply to "health food stores", or to automatic vending machines or farmers selling produce grown on their own farms.

[Paragraph (a) amended by Am. 15, 9 F.R. 4214, effective 4-27-44.]

(b) *What are Group 3 and 4 stores.* For the purpose of this regulation, Group 3 and 4 stores are defined as follows:

(1) *Group 3.* Your store is in Group 3 if its "annual gross sales" are less than $250,000, and if it is not an "independent" store. Your store is an "independent" store if it is not one of 4 or more stores under one ownership whose combined "annual gross sales" are $500,000 or more.

(2) *Group 4.* Your store is in Group 4 if its "annual gross sales" are $250,000 or more.

(If you are not sure what group your store is in, use the directions in Section 30 for figuring its "annual gross sales". See section 36 for definitions of Group 1 and 2 stores.)

(c) *How to post a sign of the group your store is in.* At all times, you must have the group your store is in under this regulation posted on a sign reading "OPA-3" or "OPA-4", whichever it is, or on a sign which the OPA may furnish to you, except that if under any order issued under General Order No. 51[5] you are allowed to post the sign of another group, you may do so. The sign must be posted so that it can be clearly seen by your customers. (The word "group" as used in this regulation means the same thing as the word "class" meant in Revised Maximum Price Regulations No. 238[6] and No. 268.[7])

(d) *When you may choose to treat your store as a group 4 store.* If your store is a Group 3 store, you may choose to treat it as a Group 4 store and post a sign in your store as a member of that group if you:

(1) Figure your ceiling prices for all the items listed in Tables A and B of this regulation as a Group 4 store;

(2) Use the Group 4 ceiling prices fixed in Maximum Price Regulation No. 390[8] for all the household soaps and cleansers it covers.

(3) Use all the dollars-and-cents ceiling prices fixed under the OPA community price orders issued for Group (or Class) 4 stores in your community; and

(4) Notify your nearest OPA district office of these facts.

Dry Groceries

SEC. 3. *How and when you figure your ceiling prices for "dry groceries"—(a) General rule.* Your ceiling price for each item (that is, for each kind, brand, grade, variety, container-type and container-size) of "dry groceries" listed in Table A shall be the total of (1) the "net cost" you had to pay for the most recent delivery of the item to you before August 5, 1943, plus (2) the mark-up given you for it in Table A.

(b) *When you must figure your ceiling prices.* By the opening of business on August 5, 1943, you must have figured your ceiling price for each item of "dry groceries" listed in Table A which you have in stock at that time. (See section 24 for an exception to this rule if you purchase an item from wholesalers.) Between July 26, 1943, and August 5, 1943, you may put into effect the new ceiling price on any item as soon as you figure it; you must put the new ceiling prices into effect on all items not later than August 5, 1943. If you do not put the new price for an item into effect before August 5, 1943, you must continue to use your existing ceiling for that item until August 5. If you receive delivery of any item between July 26 and August 5 for which you have no ceiling price, you must, before selling it, figure your ceiling price according to the rules of this regulation.

SEC. 4. *Directions for applying the rule for "dry groceries"—(a) "Net cost."* To figure your ceiling price, first find the "net cost" of the item based on its most recent delivery to you before August 5, 1943. Your net cost will be the amount you paid your supplier less all discounts except the discount for prompt payment and swell and label allowances, plus all transportation charges you paid except local trucking and local unloading. Treat as a separate item each kind, brand, grade, variety, container-size and container-type of "dry groceries".

(1) Your net cost must be figured on purchases of a customary quantity from a customary type of supplier delivered to your "usual receiving point" by a customary means of delivery. Of course, you must never figure your net cost on a purchase made at a price higher than your supplier's ceiling.

(2) Figure the net cost on a single unit basis (that is, per can, per pound, per package, per jar, etc.), to the nearest half-cent. Your invoice cost may be the cost of a carton, case or barrel for instance, and not the cost of the package, can or other unit you sell. You must get the net cost of the single unit you sell by dividing the cost for the carton, case or barrel by the number of units in the carton, case or barrel.

(3) For items you "manufacture or otherwise process" use the special rules in section 25.

(b) *Mark-up.* Turn to Table A to find the mark-up for the item given your group of store. Table A lists all the "dry groceries" covered by this regulation by commodity groups.

(c) *Ceiling price.* Next turn to Table C. Using the directions given there, you will get your ceiling price for the item. You must not change this ceiling price unless OPA authorizes you to do so. (Section 6 tells you when you can change it.)

[Paragraph (c) amended by Am. 17, effective 5-25-44]

(d) *Invoices.* You must write your "net cost" per unit either on your invoice or other record of the price you paid for the item or on a separate slip of paper and attached to that invoice or other record. You must keep separate, or mark or tag plainly, all invoices or records showing the net cost per unit which you used in figuring your ceiling prices. These invoices and records you used in figuring your ceiling prices are your means of proving that your ceiling prices are right.

SEC. 5. *How you figure your ceiling prices for "new items" of "dry groceries".* A "new item" of "dry groceries" is any item of "dry groceries" which you did not have in stock at the opening of business on August 5, 1943. You must figure and post your ceiling price for a new item before selling it, following the rules in section 4, but basing your "net cost" on the first delivery of the item to you on or after August 5, 1943. In pricing new items it is a violation to use the net cost of a first purchase made in a non-customary manner (that is, from a non-customary supplier or in a non-customary quantity) when you know that you will be making future purchases in a customary manner.

If your first purchase is of this type you must find out and use in figuring your ceiling price, what the net cost would be of a purchase from a type of supplier usually used for a similar item and of a quantity in which a similar item is usually purchased.

SEC. 6. *When you may change a ceiling price—(a) Official notification.* If OPA changes a supplier's ceiling price for an item covered by this regulation, it may direct retailers to refigure their ceiling prices for the item. You may not refigure your ceiling price under this paragraph until you receive written notice requiring you to do so. Ordinarily a written notice telling you to refigure your ceiling price will come to you directly from your supplier or the manufacturer. You will find it inside or attached to the carton, case or barrel containing the item, or it will be sent to you with the invoice. After actually receiving the item for the first time with such a notice, you must, before selling the item, refigure your new ceiling price by following the directions in section 4, figuring your "net cost", however, on that first delivery. You must write this new ceiling price on the invoice covering that delivery. Be sure to keep this notice attached to your invoice or other record showing the price you paid for the item. Even though you received later shipments with the same notice you must not change your ceiling price again.

[5] Revised: 9 F.R. 408.

[6] Revoked: 8 F.R. 12468.

[7] 7 F.R. 9184; 8 F.R. 322, 1747, 2483, 2664, 3527, 3732, 4524, 4929, 5907, 6129, 7116, 7661, 7592, 8682, 9365, 9299, 9460, 10568.

[8] F.R. 6428, 8947, 9380, 13499.

(b) *Special deals.* If your ceiling price for an item was based on a delivery to you at a "special deal" price, you may refigure your ceiling price when you receive your first delivery of that item after the termination of the "special deal". In refiguring your ceiling price, you must follow the directions in section 4, figuring your "net cost", however, on the first delivery to you of the item after the termination of the "special deal".

A "special deal" price means a reduced price, in effect for an announced period of not more than 90 days, to all purchasers of the same class, which price was made for the purpose of introducing a new commodity not theretofore on the market, or resulting from offers of free goods or combination sales. No price resulting from a discount for quantity purchases shall be considered a "special deal" price.

[Sec. 6 amended by Am. 10, 8 F.R. 17370, effective as to paragraph (a), 1–8–44; as to paragraph (b), 12–29–43]

Perishables

SEC. 7. *How and when you figure your ceiling prices for "perishables"*—(a) *General rule.* Your ceiling price for each item (that is, for each kind, brand, variety, and grade) of "perishables" listed in Table B shall be the total of (1) the "net cost" of the largest delivery of the item to you during the week before, plus (2) the mark-up given you for it in Table B.

(b) *When you must figure your ceiling prices.* By the opening of business on August 5, 1943, you must have figured your ceiling price for each item of "perishables" listed in Table B which you have in stock at that time. These ceiling prices must be checked each week after August 5, 1943, and changed on Thursday of each week for any item if your "net cost" of that item has changed in the preceding seven days. Never change your ceiling price on any day but Thursday.

For items which you receive for the first time or which you have not had in stock for 30 days, you must figure and use a ceiling price at once using the net cost of that first delivery. On each Thursday after that, you must treat the item as you would any other item of perishables covered under this regulation.

Stores under one ownership pricing from a central point may refigure ceiling prices for items so priced based on the net cost of deliveries received during the seven days preceding Tuesday of each week. These prices must not be put into effect until the following Thursday.

SEC. 8. *Directions for applying the rule for "perishables"*—(a) *Net cost.* To figure your ceiling price, first find the "net cost" of the largest delivery to you of the item during the seven day period before the Thursday for which you are figuring your price. If you have received more than one delivery of the same largest quantity, use the most recent of these deliveries. Your net cost will be the amount you paid your supplier less all discounts except the discount for prompt payment, plus all transportation charges you paid, which may include costs for icing, refrigeration, and ventilation, but which may not include costs for local trucking and local unloading.

[Paragraph (a) amended by Am. 6, 8 F.R. 15251, effective 11–9–43]

(1) Your net cost must be based on purchases from a customary type of supplier delivered to your usual receiving point by a customary means of delivery. Of course, you must never figure your net cost on a purchase made at a price higher than your supplier's ceiling.

(2) Figure the net cost on the basis of the "selling unit" (for example, 5 lbs., 1 dozen, etc.) listed in Table B for the commodity group which includes the item you are pricing. Always figure net cost to the nearest half-cent.

(3) If you have received no delivery of any item which you have in stock at the opening of business on August 5, 1943, during the week before, you shall, in figuring your first ceiling price for the item on August 5, 1943, base your net cost on its most recent delivery to you.

(b) *Mark-up.* Turn to Table B to find the mark-up for the item given for your group of store. Table B lists all the "perishables" covered by this regulation by commodity groups. Note that some mark-ups are percentage mark-ups, while others are dollars-and-cents additions per "selling unit" which you make to your net cost.

(c) *Ceiling price*—(1) *Percentage mark-ups.* If the item has been given a percentage mark-up in Table B, turn to Table C. Using the directions given there, you will get your ceiling price for the item.

(2) *Dollars-and-cents mark-ups.* If the item has been given a dollars-and-cents mark-up in Table B, instead of a percentage mark-up, do not use Table C to get your ceiling price. You will get your ceiling price for the item by adding the named dollars-and-cents mark-up in Table B to your "net cost". If your ceiling price so figured results in a fraction of a cent, you may, in making sales of the "selling unit", charge the next higher cent.

(3) *Sales in other quantities.* You may sell an item in a quantity other than the "selling unit" given in Table B. If you sell an item in a quantity other than the "selling unit" given in Table B, you must reduce or increase your ceiling price proportionately. If figuring a price for a quantity different from the "selling unit" results in a fraction of a cent, you may charge the next higher cent.

[Paragraphs (b) and (c) amended by Am. 15, 9 F.R. 4214, effective 4–27–44]

SEC. 9. *Price which you must post.* At all times, you must have your current selling price for each item of food covered by this regulation clearly shown on the item or at or near the place in your store where the item is offered for sale. Of course, this posted price must never exceed your ceiling price.

[Sec. 9 amended by Am. 17, effective 5–25–44]

SEC. 10. *Indirect price increases prohibited.* You must not evade any of the provisions of this regulation or any order issued pursuant to it by any stratagem, scheme, or device. You must not, as a condition of selling any particular food, require a customer to buy anything else. Any such evasion is punishable as a violation of this regulation.

You may not use an unnecessarily high "net cost" in figuring a ceiling price under this regulation. If you make such a high cost purchase, you must find out what your net cost as used in section 4 or 8 would be and use that net cost to figure your ceiling price. You may never use the net cost of a purchase from another retailer to figure a ceiling price.

SEC. 11. *Sales slips and receipts.* If you have customarily given a purchaser a sales slip, receipt or similar evidence of purchase, you must continue to do so. Furthermore, regardless of your custom, you must give any customer who asks for it a receipt showing the date, your name and address, and each food item sold and the price you charged for it.

SEC. 12. *Records.* After July 26, 1943, you must keep for one year after you receive them all your invoices, freight bills, and other records showing the price you paid and the date you received delivery of each item covered by this regulation.

You are required to show all your invoices on request of any OPA representative and to furnish on request of any OPA representative a written record of your ceiling price in effect at any particular time or times for any or all of the items covered by this regulation. You must also keep available for inspection by an OPA representative the records you used in deciding what group your store is in.

Stores under one ownership pricing from a central point must also keep available at all times in each store a list showing the current selling price, as set at the central point, of each item so priced. These price lists must be kept in each store for one year, or, in the alternative, must be kept in each store for 30 days and thereafter for a period of eleven months in the warehouse from which the food items are delivered to the store. On request, such price lists must be shown to any OPA representative.

[Above paragraph amended by Am. 6, 8 F.R. 15251, effective 11–9–43]

SEC. 13. *Licensing.* The provisions of Licensing Order No. 1,[9] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 13 amended by Supplementary Order No. 72, 8 F.R. 13244, effective 10–1–43]

SEC. 14. *Prohibitions.* On and after August 5, 1943, if you sell or deliver or offer to sell or deliver at a price higher

[9] 8 F.R. 13240.

than your ceiling price fixed by this regulation or any order issued pursuant to it, or if you otherwise violate any provisions of this regulation or any order issued pursuant to it, you are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended. Also, any person, who, in the course of trade or business, buys from you at a price higher than your ceiling price is subject to the criminal penalties and civil enforcement actions provided for by that Act.

SEC. 15. *Notice of dollars-and-cents ceiling prices.* From time to time the OPA may, by order issued pursuant to General Order No. 51,[10] fix in your region or community dollars-and-cents ceiling prices for some or all of the "dry groceries" or "perishables" under this regulation. When these dollars-and-cents prices are fixed, you may not thereafter sell at higher prices, and those orders may provide that such prices take the place of the ceiling prices which you have under this regulation. If such orders do not provide that they replace your prices under this regulation you must continue to figure your prices under this regulation. If the OPA has, before the effective date of this regulation, established a ceiling price for you for an item pursuant to such an order, you shall use that as your ceiling price and shall not figure a ceiling price under this regulation for the item.

SEC. 16. *Further provisions supplementing or explaining this regulation.* From time to time, the Price Administrator may, by amendment, issue further provisions which will supplement the provisions of this regulation or explain the rights and duties of buyers and sellers under it. These further provisions will become part of this regulation and may be added as paragraphs to this section.

(a) Whenever an amendment adds any food product to the list of items covered in Table A, you must figure your ceiling price for that food product in accordance with sections 3, 4 and 5. However, in doing so, you shall substitute the effective date of such amendment for the date August 5, 1943, whenever it appears in sections 3, 4 and 5.

(b) Whenever an amendment changes either a commodity definition in Table A by transferring a food product from one commodity group to another or the mark-up for your group of retailers, you must, by the opening of business on the effective date of such amendment refigure your ceiling prices for the items affected by such amendment. However, in doing so, you must use as your "net cost" the same "net cost" you used in figuring the ceiling prices you had on the effective date of the amendment.

If you have customarily made most of your purchases of any item affected from a wholesaler who is pricing under Maximum Price Regulation 421,[11] and if you still customarily purchase such item from such a wholesaler, you must refigure your ceiling price in accordance with section 4, basing your "net cost" on the first delivery to you of such item after the effective date of the amendment.

[Paragraphs (a) and (b) added by Am. 6, 8 F.R. 15251, effective 11–9–43]

(c) Effective May 25, 1944, this regulation requires that the year 1943 be used as the basis for figuring your "annual gross sales" instead of the year 1942. If you find that as a result of that change your store is in a group different from the one it was in before, you must, by the opening of business on Thursday, June 15, 1944, refigure all of your ceiling prices. For "dry grocery" items you must use as your "net cost" the same "net cost" you used in figuring your existing ceiling prices. For "perishable" items you must use as your "net cost" the same "net cost" you would have used in refiguring your ceiling prices on that Thursday under section 8 of this regulation (or under section 8 of Maximum Price Regulation No. 423 if you become a Group 1 or Group 2 store). If, under that section, you would not have been required to refigure your ceiling price for any "perishable" item on that Thursday, you must use as your "net cost" for that item the same "net cost" on which your existing ceiling price is based. Further, if any store becomes a Group 1 or Group 2 store, it is on and after June 15, 1944, subject to all other provisions of Maximum Price Regulation No. 423.

[Paragraph (c) added by Am. 17, effective 5–25–44]

ARTICLE II—SPECIAL PRICING PROVISIONS

SEC. 17. *Additions allowed for deliveries made by you to your customers.* (a) If you deliver to your customers' homes or places of business any of the items covered by this regulation, you may add to the total value of the delivery, as a separate charge, whichever of the following amounts applies:

Value of delivery:	Addition allowed
$0.00–$1.99	No addition
$2.00–$2.99	10¢
$3.00–$4.49	15¢
$4.50–$5.49	20¢
over–$5.49	25¢

(b) If you make such deliveries and add such charges, you are required to keep for one month a copy of each sales slip, itemizing clearly your prices for the items delivered and the amount of the delivery charges permitted under the provisions of this section.

SEC. 18. *Additions for packaging.* (a) If you buy in bulk any item covered by this regulation (except shell eggs) and then package and sell it in cardboard containers, cotton bags, transparent bags, interlined coffee bags, or Kraft bags or similar type bags, on which the name and weight of the commodity and your name are stamped or printed and which are packed and sealed at a place and time other than the point and time of sale, you may add to your "net cost" whichever of the following allowances applies:

(1) 1½ cents for every such bag or container with a net weight of less than 2 pounds.

(2) 2 cents for every such bag or container with a net weight of 2 pounds or more, but less than 5 pounds.

(3) ½ cent per pound for every such bag or container with a net weight of 5 pounds or more.

(b) If you buy shell eggs in bulk and then package and sell them in consumer cartons, you may add to your ceiling price whichever of the following allowances applies:

(1) 1 cent for each carton of a half-dozen eggs.

(2) 2 cents for each carton of a dozen eggs.

[Sec. 18 amended by Am. 1, 8 F.R. 10569, effective 7–27–43 and Am. 10, 8 F.R. 17370, effective 1–8–44]

SEC. 19. *Special limitations in figuring your "net cost" in certain cases*—(a) If you buy any of the following items of cheese f. o. b. manufacturer's plant, you may not, in figuring "net cost", include any freight costs above the lowest published carlot freight per pound of gross weight from the basing point for the item to your usual receiving point, multiplied by 1.15:

Item	Basing point
Cheddar cheese	Plymouth, Wisconsin
Brick cheese	Plymouth, Wisconsin
Munster cheese	Plymouth, Wisconsin
Limburger cheese	Monroe, Wisconsin
Swiss cheese	Monroe, Wisconsin

[Paragraph (a) amended by Am. 17, effective 5–25–44]

(b) *Butter: When purchased f. o. b. seller's shipping point.* If you buy butter f. o. b. seller's shipping point, your "net cost" may not in any case exceed the ceiling price established under Maximum Price Regulation No. 289.[12] (Dairy Products) for sales of that particular grade (or score) and form of butter delivered to your usual receiving point.

(c) *Fresh fruits and vegetables.* Whenever there is an order in effect in your area or community fixing ceiling prices for sales of fresh fruits and vegetables by wholesalers, your net cost may not in any case exceed the highest ceiling price fixed for wholesalers in your area or community.

SEC. 20. *How you figure your "net cost" in certain cases*—(a) *Fresh bananas bought from importers f. o. b. port of entry, or imported directly by retailers.* If you import bananas directly, or if you buy fresh bananas directly from an importer f. o. b. port of entry, figure your "net cost" by the following procedure.

First, increase the importer's maximum price per hundredweight f. o. b. port of entry (as fixed by Maximum Price Regulation No. 285[13]) by either $1.25 or by 29 percent, whichever is greater. To the resulting figure add the cost of getting the bananas to your usual receiving point, which may include costs

[10] Revised: 9 F.R. 406.
[11] 8 F.R. 9388, 10569, 10967, 13293, 15250, 16607, 17368, 17367.
[12] Revised: 9 F.R. 5140.
[13] 8 F.R. 3050, 10659, 16629; 9 F.R. 219, 1121.

you have to pay for freight, icing, heating and messenger service, but which may not include costs for local trucking or local unloading (figure your freight costs at the lowest available common carrier rates, and if you import directly, these freight costs are to be figured from the United States port of entry). Divide this total by 100 and you will get your net cost per "selling unit" (1 pound). This is the net cost you will use in figuring your ceiling prices and to which you add the mark-up in Table B for your group of stores.

[Paragraph (a) amended by Am. 15, 9 F.R. 4214, effective 4-27-44]

(b) *Fresh bananas bought at auction.* If you buy bananas at an auction market in New York, Philadelphia, or Baltimore, figure your cost the same way as in paragraph (a) of this section except that you can include freight costs only from the port of entry to the auction market. Costs for ferry service may not be included.

(c) *Butter printed by you.* If you package and print butter, you shall figure a ceiling price per pound for each resulting type of print and package and score (or grade) of butter. In figuring your ceiling price for butter of any particular score (or grade), in a print or package you shall use as your "net cost" the lowest ceiling price established under Maximum Price Regulation No. 289 [32a] which would apply to sales of that particular score (or grade) of butter in such print or package directly by a creamery to a primary distributor delivered to the city, town, village or hamlet in which your usual receiving point is located, plus ½¢ per pound. When you perform the printing and packaging functions in a butter print division apart from your warehouse or store and then deliver the printed or packaged butter to your warehouse, the warehouse shall be considered your usual receiving point, and when it is delivered directly from the butter print division to your store, the store shall be considered your usual receiving point.

(d) *Eggs candled and graded by you.* If you purchase eggs in other than retail grades and sizes (or weight classes) and then candle and grade them into the retail grades and sizes (or weight classes) set forth in Table B, you shall calculate a maximum price weekly for each resulting grade and size (or weight class) using as your "net cost" the lowest ceiling price fixed by Maximum Price Regulation No. 333 [34] which would apply to sales to a retailer of eggs of that particular grade and size (or weight class) delivered on the Monday of the week in which calculations are made to a receiving point located in the same city, town, village or hamlet as your usual receiving point for the eggs: *Provided, however,* That before eggs which you grade as extra large AA may be sold as such, they must be so certified by the United States Department of Agriculture.

(e) *Eggs sold by you as "ungraded eggs".* If you purchase eggs in other than retail grades and sizes (or weight classes) and do not candle and grade them into the retail grades and sizes (or weight classes) set forth in Table B, you must sell them as "ungraded eggs." You shall calculate a ceiling price weekly for such eggs using as your "net cost" the lowest ceiling price established by Maximum Price Regulation No. 333 which would apply to sales to a retailer of large Grade C eggs delivered on the Monday of the week in which calculations are made to a receiving point located in the same city, town, village, or hamlet as your usual receiving point for the eggs.

[Paragraph (e) added by Am. 1, 8 F.R. 10569, effective 7-27-43]

(f) *White potatoes purchased by you ungraded and unsacked.* If you purchase ungraded and unsacked white potatoes at a country shipping point (as defined in Revised Maximum Price Regulation 271 [35]) and you grade and sack such potatoes, you shall figure a separate ceiling price weekly for each grade and variety, using as your "net cost" per "selling unit" the lowest ceiling price per 100 pounds fixed by Revised Maximum Price Regulation 271 for sales by a country shipper f. o. b. country shipping point of such grade and variety, adjusted by the applicable packaging differential, during the month in which you receive delivery at your usual receiving point, plus all transportation charges you paid (except local trucking and local unloading) to your usual receiving point, divided by 100, and multiplied by 5.

(g) *Dry onions purchased by you ungraded and unsacked.* If you purchase ungraded and unsacked dry onions at a country shipping point (as defined in Revised Maximum Price Regulation 271) and you grade and sack such onions, you shall figure a separate ceiling price weekly for each grade and variety, using as your "net cost" per "selling unit" the lowest ceiling price per 50 pounds fixed by Maximum Price Regulation 271 for sales by a country shipper f. o. b. country shipping point of such grade and variety, adjusted by the applicable packaging differentials, during the month in which you receive delivery at your usual receiving point, plus all transportation charges you paid (except local trucking and local unloading) to your usual receiving point, divided by 50 and multiplied by 3.

[Paragraphs (f) and (g) added by Am. 4, 8 F.R. 12610, effective 9-11-43]

(h) *Citrus fruits purchased by you ungraded, unsized and unpacked.* If you purchase ungraded, unsized and unpacked citrus fruits and you grade, size and pack such citrus fruits, you shall figure on such purchases a separate ceiling price weekly for each variety, and size, and fruit from different areas, using as the basis of your "net cost" for each variety, and size, and fruit from different areas, the lowest ceiling price fixed in Maximum Price Regulation No. 292 [36] for sales by a packer of such variety, size, and fruit in the type of container in which each item is packed, in effect at the time when you receive delivery at your usual receiving point, plus all transportation charges you paid (except local trucking and local unloading) to your usual receiving point. To get your ceiling price, reduce the resulting figure to the "net cost" of the "selling unit", and apply the mark-up for your group of retailer as set forth in section 8.

[Paragraph (h) added by Am. 6, 8 F.R. 15251, effective 11-9-43]

(i) *Poultry bought live or dressed and sold drawn.* If you buy poultry live or dressed, and you draw or eviscerate said poultry, you shall figure your ceiling price for such drawn or eviscerated poultry as though you had bought it drawn, using as your "net cost" the lowest ceiling price fixed by Revised Maximum Price Regulation 269 [37] which would apply to sales to you by your customary type of supplier delivered to your usual receiving point of a similar item of drawn poultry during the week in which you are figuring your ceiling price for the item. To that "net cost" you shall apply the mark-up applicable to that kind of poultry bought drawn and sold drawn. The resulting figure will be your ceiling price per pound of drawn weight.

[Paragraph (i) added by Am. 10, 8 F.R. 17370, effective 1-8-44]

(j) *Poultry bought live, dressed or drawn and sold in parts*—(1) *"Cut-up poultry".* If you buy poultry live, dressed or drawn, and you sell such poultry in parts which are "cut-up poultry" as defined in Revised Maximum Price Regulation No. 269, you shall figure your ceiling price for each item of such "cut-up poultry" as though you had bought it "cut-up", using as your "net cost" per pound the lowest ceiling price per pound fixed by Revised Maximum Price Regulation No. 269, which would apply to sales to you by your customary type of supplier delivered to your usual receiving point, of such "cut-up poultry" items during the week in which you are figuring your ceiling price for the item. To that "net cost", you shall apply the mark-up applicable to that kind of poultry bought cut-up and sold cut-up. The resulting figure will be your ceiling price per pound for that item of "cut-up poultry".

(2) *Poultry other than "cut-up poultry".* If you buy poultry live, dressed or drawn and you sell such poultry in parts (other than split, or in quarters) which are not "cut-up poultry" as defined in Revised Maximum Price Regulation No. 269, you shall figure a separate ceiling price for each of such parts. You must use as your "net cost" per pound for each of such parts the lowest ceiling price per pound fixed by Revised Maximum Price Regulation No. 269 which would apply to sales to you by your customary type of supplier delivered to your usual receiving point, of such part, during the week in which you are figuring your ceiling price for the item. To that "net cost", you shall apply the mark-up applicable to that kind of poultry bought cut-up and sold cut-up. The resulting figure will be your ceiling price per pound for such parts.

[Paragraph (j) added by Am. 12, 9 F.R. 3510, effective 4-8-44.]

(k) *Coconuts imported by you.* If you import coconuts, your "net cost" per pound may not exceed the ceiling price per pound ex dock any United States port of entry duty paid, as fixed by Maximum Price Regulation No. 505 [38] for sales by importers, plus transportation charges paid by you (except local trucking or local unloading) from the United States port of entry to your usual receiving point.

(l) *Pineapple which you import.* If you import any item of packed pineapple, or packed pineapple juice, (other than pineapple and pineapple juice packed in the Territory of Hawaii or Puerto Rico), your "net cost" for any such item may not in any case exceed the maximum price fixed in Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation for the item ex dock, any United States port of entry, duty paid, or ex railroad car or other type of carrier, any point of entry on the United States-Mexico border, duty paid, plus any allowable charges actually incurred in putting the items in the warehouse at port or point of entry, plus actual transportation charges from the port or point of entry to your usual receiving point.

If, prior to May 25, 1944, you had figured a ceiling price under this regulation for any of the above items of packed pineapple or packed pineapple juice which you imported, you must refigure your ceiling price for that item in accordance with the provisions of sections 3 and 4, basing your "net cost", however, on the first delivery to you of the item on or after May 25, 1944.

[Paragraph (l) added by Am. 17, effective 5-25-44]

SEC. 21. *Additional charges allowed for slaughtering and plucking poultry.* You may add to your ceiling prices for poultry established by this regulation whichever of the following amounts apply.

(a) 10¢ for a bird killed in accordance with the Hebraic dietary laws, if such killing was done by your employee, or an agent or contractor engaged and paid by you.

(b) 10¢ for plucking a bird which you buy live and sell live, or buy kosher-killed and sell kosher-killed, if such plucking is done by your employee or an agent or contractor engaged and paid by you.

SEC. 22. *Additions for delivery from your warehouse to your store.* If your store is located at a distance of 125 miles or more from your warehouse which is your usual receiving point, you may, in determining your ceiling price for an item delivered from the warehouse to your store, use whichever of the following provisions applies:

(a) *In the case of percentage mark-ups.* Where a percentage mark-up is given for the item:

(1) If the store is located at a distance of from 125 through 199 miles from such warehouse, you may add 1 to your mark-up figure. (Example: If your mark-up figure on sugar in Table A is 7 percent, you change it to 8 percent.)

(2) If the store is located at a distance of from 200 through 299 miles from such warehouse, you may add 2 to your mark-up figure.

(3) If the store is located at a distance of from 300 through 399 miles from such warehouse, you may add 3 to your mark-up figure.

(4) If the store is located at a distance of 400 miles or more from such warehouse, you may add 4 to your mark-up figure.

(b) *In the case of dollars-and-cents mark-ups.* Where a dollars-and-cents mark-up is given for the item:

(1) If the store is located at a distance of from 125 through 199 miles from such warehouse, you may add 1 percent to the cost of the delivery or deliveries on which your net cost per "selling unit" is based. You must then figure the "net cost" on the basis of the "selling unit", in accordance with the rules in section 8. (Example: If you are figuring your ceiling price for green peas and your largest delivery during the preceding week was of 5 bushel baskets at $3.00 per basket, you may add 1 percent, that is, $0.15, to the $15.00 cost, and then reduce the resulting figure to the "net cost" of one pound, the "selling unit" for green peas.)

(2) If the store is located at a distance of from 200 through 299 miles from such warehouse, you may add 2 percent and figure your ceiling price in accordance with (1) above.

(3) If the store is located at a distance of from 300 through 399 miles from such warehouse, you may add 3 percent and figure your ceiling price in accordance with (1) above.

(4) If the store is located at a distance of 400 miles or more from such warehouse, you may add 4 percent and figure your ceiling price in accordance with (1) above.

[Sec. 22 amended by Am. 15, 9 F.R. 4214, effective 4-27-44]

SEC. 23. *How you may figure your ceiling prices for "perishables" on a weighted average basis.* Section 7 of this regulation requires you to use in figuring your ceiling price for "perishables" the net cost of the largest delivery to you in the seven day period before the Thursday (or Tuesday for stores which price from a central point) for which you are figuring your price. If you desire to figure your ceiling prices for all items of "perishables" by using for each item, instead of the net cost of the largest delivery during this seven day period, the weighted average net cost of all deliveries of it to you during this seven day period, you may do so. However, you must apply in writing to the nearest district OPA office for permission. After receiving such permission, you may not use the net cost of the largest delivery during the seven day period to figure your ceiling price for any of the "perishables" listed in Table B. However, you shall continue to use all other provisions of section 8 in figuring your ceiling prices for these items.

SEC. 24 *How you figure your ceiling prices for "dry groceries" you purchase from wholesalers.* If you have customarily made most of your purchases of any item of "dry groceries" listed in Table A from a wholesaler who is now pricing under Maximum Price Regulation No. 421, you may, if you still customarily purchase that item from such a wholesaler, figure your ceiling price for that item on the basis of the "net cost" of your first purchase after August 5, 1943, instead of your most recent purchase before August 5, 1943, as required by section 4. Such ceiling price shall not be changed except as required by section 6. Until you make such a purchase you shall keep your present ceiling price.

SEC. 25. *How you figure your ceiling prices for foods you "manufacture or otherwise process".* If you "manufacture or otherwise process" and sell at retail any item covered by this regulation, you will figure you "net cost" or ceiling price for such item under whichever of the following provisions applies:

(a) If the item is one for which the OPA has issued, or later issues, a regulation naming dollars-and-cents ceiling prices for sales by manufacturers, but the regulation makes no provision for manufacturers selling at retail, the lowest ceiling price under that regulation for sales delivered to your usual receiving point shall be your "net cost".

(b) If the item is one for which the OPA has issued, or later issues, a regulation naming dollars-and-cents ceiling prices for sales by manufacturers and makes a provision for manufacturers selling at retail, you shall figure your ceiling price for such item as a manufacturer under that regulation. You will not attempt to figure a "net cost" and apply a mark-up under this regulation.

(c) If the item is one for which the OPA has not issued, or does not later issue, a regulation establishing dollars-and-cents ceiling prices for sales by manufacturers, you shall figure your ceiling price for such item as a manufacturer under the appropriate regulation covering the sales of such item by manufacturers. You will not attempt to figure a "net cost" and apply a mark-up under his regulation.

(d) If, after you have established a ceiling price for an item which you "manufacture or otherwise process", the manufacturer's regulation which you used in figuring your ceiling price under paragraph (a), (b), or (c) of this section is amended so that either (1) the manufacturer's regulation is no longer the type described in the applicable paragraph of this section or (2) the type of regulation is not changed but the prices

[32a] Revised: 9 F.R. 5140.

[34] 8 F.R. 2488, 3002, 3070, 3735, 5342, 5839, 6182, 6476, 6626, 7457, 9027, 9300, 9879, 9900, 11381, 12095, 12478, 12632, 14093, 14400, 14865, 15459, 16199, 16999, 17485; 9 F.R. 1885.

[35] 8 F.R. 15587, 15663; 9 F.R. 1532.

[36] 8 F.R. 135, 543, 2869, 3367, 6134, 10433, 13974, 15663, 16282, 17425.

[37] 8 F.R. 13813, 14016, 15258, 14854, 15190, 16793; 9 F.R. 95, 612, 902, 96, 1036, 1941.

[38] 9 F.R. 524, 1940.

set forth therein are changed; you must, within 5 days after the effective date of such amendment, refigure your ceiling price for the item under the applicable paragraph of this section based on the manufacturer's regulation as amended.

(e) For the purpose of this regulation you shall be considered a manufacturer of any item which you manufacture or otherwise process directly, or which is manufactured for you by a person to whom you supply the raw material.

SEC. 25a. *Ceiling prices for sales of poultry pursuant to Food Distribution Order No. 91.* When the United States government or its agencies purchases or requisitions any poultry items set aside pursuant to Food Distribution Order No. 91, your ceiling price for such sales shall be the total of the following amounts:

(a) The amount you paid your supplier for the poultry items being priced (less all discounts except the discount for prompt payment), which may not exceed your supplier's ceiling price.

(b) Transportation charges actually paid by you (except local trucking or local unloading) which may not exceed the charges for deliveries of such poultry items purchased from a customary type of supplier delivered to your usual receiving point by a customary means of delivery.

(c) Charges actually paid by you or incurred by you for storage of such poultry items in a public warehouse.

(d) One and one-half cents per pound where transfers are requested by the purchaser in quantities of less than 10,000 pounds, or one cent per pound where transfers are requested by the purchaser in lots of 10,000 pounds or more (whether or not transferred by you at one time in such quantities). Sales or transfers from separate warehouses shall be considered as separate transfers.

[Sec. 25a added by Am. 11, 9 F.R. 95, effective 12-31-43]

SEC. 26. *Mail order sales.* When you make mail order sales, you may add to your ceiling prices determined under this regulation your actual express or mailing expense to the buyer's address.

ARTICLE III—ADJUSTMENT PROVISIONS

SEC. 27. *How you may, under certain conditions, apply to use Group 1 mark-ups.* (a) If your store meets the gross margin requirements specified in this section and does business in the manner outlined below, you may apply under paragraph (b) of this section to use the mark-ups provided in Maximum Price Regulation No. 423 for Group 1 stores:

(1) Most of your sales in your grocery department are made by sales clerks who assist customers in selecting, collecting, and wrapping merchandise;

(2) Your store generally offers to all its customers the services of taking orders by telephone, carrying monthly charge accounts, and providing delivery service;

(3) The general level of your prices for grocery products was during September 1942 at least as high as the level maintained by Group 1 stores, and was generally higher than that maintained by Group 3 and 4 stores, for such products in your community; and

(4) The total gross margin in your fiscal year 1941 was more than 25% on all sales in your food departments and also, if you are not an "independent" store, more than 25% on the combined sales of the food departments in all the stores in your organization. Do not count a restaurant as a food department. If not in business in 1941, use your most recent fiscal year (or fiscal period, if not in business a full fiscal year).

(b) Your application must be filed in duplicate on or before June 24, 1944, with your nearest District OPA office on a form which you may get from that office. You may combine on one form the applications of more than one of your stores. If your application is finally approved, OPA will tell you when to begin using the Group 1 mark-ups, and from such time on you shall post a sign in your store designating it as a "Group 1" store, and it shall be considered a Group 1 store for all orders issued under Revised General Order No. 51[19] and for the purpose of all "special pricing provisions" contained in Maximum Price Regulation No. 423.

(c) If you filed an application under section 26 of Revised Maximum Price Regulation No. 238 or section 25 of Revised Maximum Price Regulation No. 268 and such application has been denied, you are not eligible for adjustment under this section. If your application has been allowed, you may use the mark-ups for a Group 1 store in Tables A and B of Maximum Price Regulation No. 423 and may consider your store a Group 1 store for the purpose of all "special pricing provisions" contained in that regulation and you must post a Group 1 sign, but you are subject to all other provisions of this regulation.

[Paragraphs (b) and (c) amended by Am. 17, effective 5-25-44]

SEC. 28. *How certain stores, where necessary to assure an adequate supply of food in a locality, may apply for mark-up adjustments.* If your store is necessary to provide an adequate supply of food products in a locality; and by reason of remote location, long-term credit, short selling season, or other such unusual operating conditions, you find it impossible to operate under the mark-ups fixed by this regulation you may apply for an adjustment of such mark-ups by filing with your nearest district OPA office two copies of a signed statement giving for your store: (1) its name and address; (2) its group under this regulation; (3) its type (for example, cash-and-carry; service, delicatessen); (4) the approximate number of its food customers; (5) the total number of stores selling food in its community; (6) its distance from the nearest store selling food and the name and address of that store; and (7) the reasons why you are unable to operate under the mark-ups fixed by this regulation.

If you have more than one store you may file one application for all your stores which meet the conditions stated above. Your application must state separately for each store the specific information this section calls for.

SEC. 29. *Applications for adjustment.* Any Regional Office of the OPA, or such offices as may be authorized by order issued by the appropriate Regional Office, may act on all applications for adjustment under the provisions of this regulation, and may deny any application filed under section 27 or revoke any order granting adjustment under that section if denial of such application would not cause the applicant a substantial financial hardship. Applications for adjustment are governed by Revised Procedural Regulation No. 1.[20]

[Sec. 29 as amended by Am. 6, 8 F.R. 15251, effective 11-9-43]

SEC. 29a. *Regional adjustment of poultry mark-ups.* Each Regional Administrator of the OPA is hereby authorized to reduce the mark-ups listed in Table B in section 39 (a) for retailers in any area or locality within his jurisdiction for sales of any poultry items in connection with adjustments made pursuant to § 1429.14 (e) of Revised Maximum Price Regulation No. 269, whenever such action is necessary to prevent an increase in the ceiling prices at which such poultry items may be sold by retailers.

[Sec. 29a added by Am. 1, 8 F.R. 10569, effective 7-27-43]

ARTICLE IV—MISCELLANEOUS PROVISIONS

SEC. 30. *How you find the "annual gross sales" of your store.* (a) To find your "annual gross sales", take your total sales for the calendar year 1943. Include all sales as shown on your books, except sales made by a restaurant operated in conjunction with your store. Return to get your gross sales for all or You can use your Federal Income Tax part of the calendar year 1943 which is covered by such return. If you own more than one store, figure the sales for each store separately, treating each as a separate retailer.

(b) If you were not in business during the entire year 1943, you must divide your total sales from the time you began operation up to May 25, 1944, by the number of weeks you were in business. This will get you your weekly average sales. Multiply this figure by 52, and the result is your "annual gross sales".

[Sec. 30 amended by Am. 17, effective 5-25-44]

SEC. 31. *How you determine your group in certain special cases*—(a) *Department stores.* If you operate a department store, that is, a store in which

[19] 9 F.R. 408.

[20] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11808, 9 F.R. 1594.

the greater volume of sales is general merchandise and not foods, and you sell foods in a separate department or departments, you must determine your group by using only the "annual gross sales" of your food department or departments.

(b) *Stores in which more than one retailer operates.* (1) If you sell food in a retail store in which there are other food retailers, none of whom sells a complete line of the same general class of food, you must find your group by taking the combined "annual gross sales" of all the food retailers in that store.

(2) If you sell foods in a retail store in which more than one retailer sells a complete line of the same general class of food, you will be considered as operating a separate retail store of your own, and you must determine your group by using only your own sales.

(c) *New stores.* If you open a retail store after May 25, 1944, you may consider yourself a Group 1 or Group 3 retailer, depending upon whether or not at that date your store is an "independent" store, and you must figure your ceiling prices accordingly. (If you are a Group 1 store, you must figure your ceiling prices under Maximum Price Regulation No. 423). However, after you have been in business for 3 months you must determine again what group your store is in. To do this, take your total sales for the 3-month period and multiply by 4. Use the result as your "annual gross sales" in determining the group in which your store belongs.

[Above paragraph amended by Am. 17, effective 5-25-44]

If you find that your store should now be in another group, you may continue to use the Group 1 or 3 mark-ups until the second Thursday following the end of the 3-month period, by which time you must have refigured all your ceiling prices using the mark-ups for your new group. For "dry grocery" items use the same "net cost" which you used in figuring your ceiling prices in effect at the end of the 3-month period. For "perishable" items, you shall use as your "net cost" the same "net cost" which you would have used in refiguring your ceiling prices on that Thursday under section 8. If, under that section, you would not have been required to refigure your ceiling price for any item on that Thursday, you shall use as your "net cost" for that item the same "net cost" on which your existing ceiling price at that time is based.

(d) *Discontinuance of stores.* (1) If you are not an "independent" store and you close one or more of your stores so that you now have less than 4 stores under one ownership, you may find your group for each of the remaining stores by determining the "annual gross sales" under section 30 (a), treating each store as an "independent" store.

(2) If you are not an "independent" store and you close one or more of your stores, but 4 or more stores continue under one ownership, you may refigure the combined "annual gross sales" under section 30 (a) for those remaining in operation. If the combined "annual gross sales" are not $500,000 or more, you may then determine your group for each store, treating each as an "independent" store.

(3) If you find that any store is now in another group, you may refigure all of your ceiling prices for that store before the opening of business on any Thursday. For "dry grocery" items, you must use as your "net cost" the same "net cost" you used in figuring your existing ceiling prices. For "perishable" items, you must use as your "net cost" the same "net cost" which you would have used in refiguring your ceiling prices on that Thursday under section 8 of this regulation if a Group 4 store (or under section 8 of Maximum Price Regulation No. 423 if a Group 1 or Group 2 store). If, under that section, you would not have been required to refigure your ceiling price for any "perishable" item on that Thursday, you must use as your "net cost" for that item the same "net cost" on which your existing ceiling price is based. Further, if any store is now in Group 1 or Group 2, it is subject to all other provisions of Maximum Price Regulation No. 423.

[Paragraph (d) added by Am. 9, 8 F.R. 15607, effective 11-20-43]

SEC. 32. *Taxes.* You may collect, in addition to your ceiling price, any tax upon or incident to a sale at retail of food covered by this regulation if you state the tax separately, and if the statute or ordinance does not prohibit sellers from stating and collecting the tax separately from the price.

SEC. 33. *Transfer of business and stock in trade.* If, after August 5, 1943, you acquire in any way the business, assets, and stock in trade of any retail store covered by this regulation and you carry on the business, or continue to deal in the same type of food products in that same store, your ceiling prices shall be the same as those of the former owner if no transfer had taken place. You must keep all the records needed to verify your ceiling prices. The former owner must either preserve and make available to you, or give you, all the records of his transactions before you acquired the store which you need to comply with the record provisions of this regulation.

If the transfer changes the business from one group of retail stores to another, your ceiling prices shall be those for the group of retailer to which you belong under this regulation.

SEC. 34. *Export sales.* The ceiling prices at which a person may export any product covered by this regulation shall be determined in accordance with the Second Revised Maximum Export Price Regulation [21] issued by the OPA.

SEC. 35. *Relation to other regulations.* The provisions of this Maximum Price Regulation No. 422, except as otherwise provided in this regulation, shall, on and after August 5, 1943, supersede the provisions of Revised Maximum Price Regulation No. 238, Maximum Price Regulation No. 250,[22] Revised Maximum Price Regulation No. 256,[23] Revised Maximum Price Regulation No. 268, the General Maximum Price Regulation,[24] and any other applicable price regulation or order issued by the OPA except any order issued pursuant to General Order 51 [25] with respect to sales and deliveries for which ceiling prices are established by this regulation.

SEC. 36. *Definitions*—(a) *"Retail route seller."* A "retail route seller" is a retailer who distributes food products to ultimate consumers who are not commercial, industrial or institutional users, either on a future delivery basis or otherwise, from an inventory stocked in trucks or other conveyances operated by driver-salesmen over regular routes. A retailer, most of whose business is the personal solicitation of orders by salesmen calling at the homes or places of business of ultimate consumers, who are not commercial, industrial or institutional users, shall also be considered a retail route seller. A retailer is a "retail route seller" only of the food products he sells in this way.

(b) *Health food stores.* A "health food store" is one whose sales to consumers consist principally of especially prepared vitamin-enriched foods customarily included in the trade term "health foods" which are usually sold for special dietary purposes.

(c) *Delivery.* Delivery of an item covered by this regulation shall be considered to have occurred when the item has been received by you at your usual receiving point.

(d) *Usual receiving point.* Your usual receiving point will be either your retail store or your warehouse from which you supply your retail stores, depending upon where you normally receive the particular item you are pricing under this regulation.

(e) *Item.* You must determine a separate ceiling price for each item; that is, for each kind, brand, size, variety, grade, container-type, and container-size, except for fresh fruits and vegetables. Separate fresh fruit and vegetable items shall be those defined as separate in the definitions accompanying Table B.

(f) *Manufacture or otherwise process.* "Manufacture or otherwise process" shall mean blending, freezing, canning, preserving, bottling, milling, crushing, straining, roasting, centrifuging, cooking, distilling, purifying with heat, and other similar operations.

Packaging as used in section 18, ripening of bananas, printing of butter, candling and grading of eggs, and killing and dressing of poultry shall not be considered manufacturing or processing under this regulation.

(g) *Group 1 retailer.* A retailer is in Group 1 if he is an "independent" retailer with an "annual gross sales" of less than $50,000.

(h) *Group 2 retailer.* A retailer is in

[21] 8 F.R. 4122, 5897, 7662, 9998, 15193; 9 F.R. 1036.

[22] 7 F.R. 8705, 9898, 10014, 10994; 8 F.R. 2673, 10559.

[23] 7 F.R. 10472; 8 F.R. 1236, 2106, 2673, 3946, 5164, 7821.

[24] 9 F.R. 1385, 5169.

[25] Revised: 9 F.R. 408.

Group 2 if he is an "independent" retailer with an "annual gross sales" of $50,000 or more, but less than $250,000.

SEC. 37. *Geographical applicability.* The provisions of this regulation shall apply to the 48 states of the United States and to the District of Columbia.

ARTICLE V—TABLES

SEC. 38. *Table of mark-ups for "dry groceries"* (Table A). (a) *Table A: Mark-ups over "net cost" allowed to Group 3 and Group 4 retailers for dry groceries covered by this regulation by commodities.*

TABLE A—MARK-UPS OVER "NET COST" ALLOWED TO GROUP 3 *and* GROUP 4 RETAILERS FOR DRY GROCERIES COVERED BY THIS REGULATION BY COMMODITIES

Food commodities	Allowed mark-ups over net cost	
	Group 3. Retailer other than independent, with annual volume under $250,000	Group 4. Any retailer with annual volume of $250,000 or more
	Percent	*Percent*
1. Baby foods	21	19
2. Cereals, breakfast	13	11
3. Cocoa, chocolate, and cereal drink preparations	22	21
4. Coffee	12	11
5. Cookies, crackers, toast and crumbs	25	25
6. Corn meal and hominy	25	22
7. Dog and cat foods	21	19
8. Fish, processed	21	21
9. Flour and flour mixes	13	15
10. Fruits, berries and fruit juices (canned) except fruit cocktail, pineapple, peaches and pears	24	22
11. Fruit cocktail, pineapple, peaches and pears (canned) except juices	21	19
12. Fruits, dried and dehydrated	23	22
13. Frozen foods	27	27
14. Gelatin and pudding mixtures	21	13
15. Jams, jellies, preserves, honey and peanut butter	31	31
16. Lard, pure	13	10
17. Macaroni and spaghetti products	27	26
18. Mayonnaise and salad dressing	22	22
19. Meat, canned	15	14
20. Milk, canned	10	9
21. Oils, cooking and salad	24	16
22. Oleomargarine	14	14
23. Pickles and relishes	31	31
24. Rice	24	20
25. Shortening, hydrogenated	7	6
26. Shortening, other	13	9
27. Soups, canned	19	19
28. Soups, dehydrated	31	27
29. Spices	46	46
30. Sugar	7	6
31. Syrups	24	21
32. Tea	25	23
33. Vegetables and vegetable juices (canned) except corn, green and wax beans, peas, tomatoes and tomato juice	26	23
34. Corn, green and wax beans, peas, tomatoes and tomato juice (canned)	21	19
35. Vegetables, dried and dehydrated	34	29
36. Vinegar	27	26
37. Miscellaneous foods	35	35

[Table amended by Am. 2, 8 F.R. 10987, effective 8-5-43; Item 13 amended by Am. 6, 8 F. R. 15251, effective 11-24-43; and Item 6 amended by Am. 14, 9 F.R. 4017, effective 5-1-44.]

(b) *Commodity definitions.* These definitions apply to both domestic and imported items.

(1) "Baby foods" means "baby" or "junior" soups, fruits, vegetables, meats and mixtures thereof packed in hermetically sealed containers. Excluded are dry baby cereals.

(2) "Cereals, breakfast" means bulk or packaged cereal items of any size commonly used as breakfast foods, both un-cooked and ready-to-eat types including, but not limited to, bran flakes, farina, popped rice, and rolled oats. Excluded are barley, corn meal, corn grits, hominy grits and flakes, rice, wheat bran flour, wheat germ and dry baby cereals. Also excluded are cereals mixed or coated with a confection, in the proportion of two thirds or more confection to one third cereal by weight.

[Subparagraph (2) amended by Am. 17, effective 5-25-44]

(3) "Cocoa, chocolate and cereal-drink preparations" includes, but is not limited to, coffee substitutes or extenders, chicory, malted milk preparations containing less than 35 percent malted milk, chocolate syrup, chocolate bits, cooking chocolate, and packaged powdered skim milk (spray process). Excluded are chocolate confections, bittersweet bars, milk chocolate, powdered whole milks, powdered skim milk packaged in tin in an inert gas, malted milk, and any preparation containing 35 percent or more malted milk.

[Subparagraph (3) amended by Am. 2, 8 F.R. 10987, effective 8-5-43 and Am. 6, 8 F.R. 15251, effective 11-24-43]

(4) "Coffee" means roasted coffee, whole or ground, decaffeinated coffee, coffee concentrates, and any mixtures of coffee with other products for beverage purposes.

(5) "Cookies, crackers, toast, and crumbs" includes, but is not limited to, biscuits, Christmas cookies, fig bars, graham crackers, pretzels, rye crackers, zwieback, melba toast, bread crumbs, cracker crumbs, cookies, matso, matzo meal, and related matzo products. Excluded are bread, pies, cakes, doughnuts, coffee cakes, rolls, candies, Passover matzo, Passover matzo meal, related Passover matzo products, and any bakery products which you manufacture. Also excluded are any items which are bought by you in bulk and sold loose.

[Subparagraph (5) amended by Am. 2, 8 F.R. 10987, effective 8-5-43 and Am. 10, 8 F.R. 17370, effective 1-8-44]

(6) "Corn meal and hominy" means bulk or packaged (in any size) corn meal, corn grits, hominy, hominy grits, hominy flakes, and prepared hominy. Excluded is canned hominy which is in "Vegetables and vegetable juices, canned".

(7) "Dog and cat food" shall not include any item prepared by you for pet food, or any frozen dog or cat food.

(8) "Fish, processed" includes, but is not limited to, canned fish, canned sea-food, and salted, pickled, smoked, dried or otherwise processed fish, such as fish cakes, roe, clam juice, and oyster puree. Excluded are fresh or frozen fish, fresh or frozen seafood, frozen food products in which fish or seafood are combined with other ingredients, and caviar.

[Subparagraphs (7) and (8) amended by Am. 6, 8 F.R. 15251, effective 11-9-43]

(9) "Flour and flour mixes" means all bulk or packaged (in any size) flour and flour mixes milled from wheat, semolina, farina, buckwheat, corn, rice, and potatoes, including, but not limited to, prepared pancake, cake, biscuit, pie crust and gingerbread mix.

(10) "Fruits, berries and fruit juices, canned" includes, but is not limited to, apple sauce, apple cider, berry juices, concentrated fruit juices, citrus fruits and juices, cranberry jelly and sauce, fountain fruits, maraschino cherries, fruit nectars, rhubarb, bulk apple cider and pineapple juice. "Canned" means processed and packed in any container, whether or not hermetically sealed. Excluded are apple butter, fruit butters, jams, jellies, fruit preserves, cocoanut, olives, baby foods, dried fruits, dehydrated fruits, fruit cocktail, pineapple (except pineapple juice), peaches, pears, and frozen fruits.

(11) "Fruit cocktail, pineapple, peaches, and pears (canned) except juices" shall include fruit salad. Excluded are frozen fruits. "Canned" means processed and packaged in any container, whether or not hermetically sealed.

[Subparagraphs (10) and (11) amended by Am. 17, effective 5-25-44]

(12) "Fruits, dried and dehydrated" (packaged or bulk) includes, but is not limited to, fresh dates, stuffed dried fruits, and dried dates and figs. Excluded are fruit confections and candied or glaced fruits, and peels.

NOTE: The 1943 pack of dried fruits shall be considered a different item from the 1942 pack of dried fruits and you must figure separate ceiling prices for each item of the 1943 pack.

[Subparagraph (12) amended by Am. 9, 8 F.R. 15607, effective 11-20-43; and Am. 13, 9 F.R. 3648, effective 4-8-44]

(13) "Frozen foods" means packaged quick-frozen or cold-packed foods sold from refrigerated cabinets or lockers, including, but not limited to all fruits, berries, fruit or berry juices, and mixtures, vegetables, vegetable juices, and mixtures, including mushrooms, dog and cat food not prepared by you for pet food, applesauce, macaroni and spaghetti products, chop suey, gravies, pork-and-beans, soups, food products in which meat, chicken, turkey, fish or seafood are combined with other ingredients, meat stews, and corned beef hash. Excluded are frozen pies and pastries, frozen meat, poultry, fish and seafood, ice cream, sherbert and frozen confections.

NOTE: The 1943 pack of canned fruits and frozen fruits shall be considered different items from the 1942 pack of fruits, and you must figure separate ceiling prices for each item of the 1943 pack.

[Subparagraph (13) amended by Am. 6, 8 F.R. 15251, effective 11-24-43. Corrected, 8 F.R. 17369, effective 12-23-43]

(14) "Gelatin and pudding mixtures" includes, but is not limited to, gelatin, gelatin desserts, tapioca, arrowroot, consumer ice cream mixes, and rennet.

(15) "Jams, jellies, preserves, honey and peanut butter" includes, but is not limited to, tomato preserves, marmalade, fruit preserves, fruit butters, smooth or crunch-type nut butters, honey butter, and all extracted honey (including combinations of extracted and comb honey) packaged in containers of a capacity of 15 pounds or less. Excluded are cranberry jelly or sauce.

[Subparagraph (15) amended by Am. 13, 9 F.R. 3648, effective 4-8-44]

(16) "Lard, pure" (packaged or bulk) includes, but is not limited to, rendered pork fat. Excluded are lard compounds which are classed as "Shortenings, other".

(17) "Macaroni and spaghetti products" includes, but is not limited to, bows, egg alphabets, macaroni, spaghetti, vermicelli, "sea shells," noodles, macaroni dinners, and spaghetti dinners. Excluded are ravioli, tamales, dry noodle soup mixtures, spaghetti-and-meatballs, chicken-and-noodles, Chinese-style noodles, and frozen macaroni and spaghetti products.

[Subparagraph (17) amended by Am. 6, 8 F.R. 15251, effective 11-24-43]

(18) "Mayonnaise and salad dressing" includes, but is not limited to, tartar sauce, relish spreads, other mayonnaise spreads, and french dressing. Excluded are olive oil and meat spreads.

(19) "Meat, canned" includes, but is not limited to, canned or glassed chicken and turkey products, chicken-and-noodles, chili con carne, meat spreads, meat gravy, pickled meats, ravioli, spaghetti-and-meatballs, stews, tamales and tripe. Excluded are mincemeat, any canned meat which is removed from the can by the retailer and sold sliced in smaller amounts, frozen food products in which meat, chicken and turkey are combined with other ingredients, frozen meat gravies, and frozen meat stews.

[Subparagraph (19) amended by Am. 6, 8 F.R. 15251, effective 11-24-43]

(20) "Milk, canned" means evaporated or condensed cow milk, including, but not limited to, filled evaporated milk products. Excluded are fresh milk, cream, powdered milks, and goat milk.

(21) "Oils, cooking and salad" means all vegetable, fruit and leaf plant oils, and cooking fats other than shortening. Excluded are prepared dressings, and pure olive oil.

(22) "Oleomargarine" means any product labelled "oleomargarine".

(23) "Pickles and relishes" (packaged or bulk) includes, but is not limited to chow chow, pickled fruits, pickled onions, pickled peppers, pickled relishes, pickled rind, and pickled vegetables. Excluded are mayonnaise-relish spreads, and tartar sauce.

(24) "Rice" (packaged or bulk) means all rice. Excluded are rice flour, rice flakes, popped rice and wild rice.

[Subparagraph (24) amended by Am. 10, 8 F.R. 17370, effective 1-8-44]

(25) "Shortening, hydrogenated" means all fully hydrogenated shortenings.

(26) "Shortening, other" means shortenings other than fully hydrogenated shortening. Excluded are butter, lard, oleomargarine, and suet.

(27) "Soups, canned" includes all soups, broths and chowder. Excluded are meat stews, "baby" or "junior" soups, dehydrated soups, and frozen soups.

NOTE: The 1943 pack of canned vegetable soups shall be considered a different item from the 1942 pack of canned vegetable soups, and you must figure separate ceiling prices for each item of the 1943 pack.

[Subparagraph (27) amended by Am. 1, 8 F.R. 10569, effective 7-27-43 and Am. 6, 8 F.R. 15251, effective 11-24-43. Corrected, 8 F.R. 17369, effective 12-23-43]

(28) "Soups, dehydrated" means dry mixtures sold for soup-making, including, but not limited to, bouillon concentrates, and dry noodle soup mixtures. Excluded are other macaroni or noodle products, lentils, and dried peas.

(29) "Spices" includes, but is not limited to, bayleaves, caraway seed, dried peppers, dry chili, celery seed, celery salt, celery flakes, chili powder, garlic, garlic salt, dry mustard, onion salt, onion flakes, poultry seasoning, poppy seed, seasoned salt, sesame seed, thyme, and cream of tartar. Excluded are table salt, spice oils, and candied ginger.

(30) "Sugar" means all bulk or packaged cane or beet sugar, including cinnamon sugar.

(31) "Syrups" means all malt, molasses, cane, maple, and corn syrups, and imitations or blends. Excluded are chocolate and ice cream sundae syrups, fruit syrups for making beverages, molasses sold for feed purposes, and sorghum syrup.

[Subparagraph (31) amended by Am. 10, 8 F.R. 17370, effective 1-8-44]

(32) "Tea" includes all bulk or packaged tea, tea bags, and matte.

(33) "Vegetables and vegetable juices, canned" includes, but is not limited to, blackeye, crowder, cream and field peas, baked beans, sauerkraut, chili sauce, cocktail sauce, canned hominy, mushrooms, mushroom sauce, tomato catsup, tomato paste, tomato puree, pimientos, and Chinese-style foods including soy sauce and brown sauce. "Canned" means processed and packaged in any container, whether or not hermetically sealed. Excluded are vegetable soups, "baby" or "junior" foods, pickles, corn, green and wax beans, peas (except canned blackeye, crowder, cream and field peas), tomatoes, tomato juice and frozen vegetables.

(34) "Corn, green and wax beans, peas, tomatoes, and tomato juice (canned)." Excluded are frozen vegetables and canned blackeye, crowder, cream and field peas. "Canned" means processed and packaged in any container, whether or not hermetically sealed.

NOTE: The 1943 pack of canned vegetables and frozen vegetables shall be considered different items from the 1942 pack of vegetables and you must figure separate ceiling prices for each item of the 1943 pack.

[Subparagraphs (33) and (34) amended by Am. 9, 8 F.R. 15607, effective 11-20-43]

(35) "Vegetables, dried and dehydrated" (packaged or bulk) includes, but is not limited to, dried beans, blackeye peas, dried mushrooms, dried peas, and lentils. Excluded are dry soup mixes, hominy, garlic, celery flakes, onion flakes, dried chili, and dried peppers.

(36) "Vinegar" (bottled or bulk) includes, but is not limited to, pure cider vinegar, distilled vinegar, malt vinegar, wine vinegar, and tarragon vinegar.

(37) "Miscellaneous foods" shall include all other dry grocery items except those specifically excluded in paragraph (c) of this section. Among the items included under this heading are the following:

Baking powder.
Baking soda.
Barley (pearl).
Caviar.
Cocoanut, shredded, desiccated, or moist.
Cookies, crackers, toast and crumbs bought by you in bulk and sold loose.
Corn starch, edible or gloss, packaged in containers of ten pounds or less (excluded are powdered prepared laundry starching compounds).
Date products.
Egg nog (non-alcoholic), bottled.
Extracts.
Flavorings.
Food colorings.
Fruit pectins.
Fruit syrups for making beverages.
Glaced or candied fruits and peels.
Goat milk, canned.
Ice cream sundae syrups (except chocolate).
Meat flavorings.
Meat sauces, except catsup, cocktail sauce, and chili sauce.
Mincemeat.
Mustard, prepared.
Olives.
Olive oil, pure (packaged in containers of a capacity of one gallon or less).
Pie filling.
Popcorn (whether or not popped).
Potatoes, Julienne, packed in hermetically sealed containers.
Potatoes, shoestring, packed in hermetically sealed containers.
Pudding, date.
Pudding, fig.
Pudding, plum.
Salt, table, packaged in cartons, bags or pockets containing 100 pounds or less, kosher salt in cartons, and salt packaged in containers of 10 pounds or less and labeled by the manufacturer as ice cream salt (excluded are onion, celery or garlic salt, and meat-curing or smoked salt).
Spice oils.
Tom and Jerry batter, bottled.
Yeast.

[Subparagraph (37) amended by Am. 1, 8 F.R. 10569, effective 7-27-43; Am. 2, 8 F.R.

10987, effective 8–5–43; Am. 6, 8 F.R. 15251, effective 11–24–43; Am. 10, 8 F.R. 17370, effective 1–8–44; Am. 13, 9 F.R. 3648, effective 4–8–44; and Am. 17, effective 5–25–44.]

(c) *Commodities not included in this regulation.* Excluded from this regulation are:

Baked beans, prepared by the retailer.
Baked goods, fresh (except cookies, crackers, toast and crumbs).
Beer.
Bird seed and gravel.
Bread.
Buttermilk, fresh.
Candied ginger.
Candy.

[2 items deleted by Am. 17, effective 5–25–44]

Comb honey.
Corn starch, edible or gloss (packaged in containers of more than ten pounds).
Corn sugar.
Cream.
Dry baby cereals.
Feed, animal or poultry (other than pet food).
Fresh fruits and vegetables (except as included in Table B).
Fruit cake.
Fruit and vegetable powders for making beverages.
Ice cream cones.
Ice cream, sherbets, and frozen confections.
Laundry starching compounds, powdered prepared.
Liquors.
Malted milk and any preparation containing 35% or more malted milk.
Maple sugar.
Meat and fish (except "Fish, processed", "Frozen fish and seafood", and "Meat, canned").
Milk, fresh.
Whole milk, powdered, and powdered skim milk packaged in tin in an inert gas.
Mineral oil.
Nuts.
Olive oil, pure (packaged in containers of a capacity of more than one gallon).
Passover matzo, Passover matzo meal, and related Passover matzo products.
Peanuts.
Pet foods (except cat and dog foods or any frozen cat or dog foods).
Potato chips.
Salads and relishes prepared by the retailer.
Soft drinks.
Sorghum syrup.
Tamales, bulk.
Tortillas.
Vitamin concentrates.
Wheat germ.
Wild rice.
Wine.

[Paragraph (c) amended by Am. 1, 8 F.R. 10569, effective 7–27–43; Am. 2, 8 F.R. 10987, effective 8–5–43; Am. 5, 8 F.R. 13294, effective 10–4–43; Am. 6, 8 F.R. 15251, effective 11–24–43; Am. 10, 8 F.R. 17370, effective 1–8–44; Am. 13, 9 F.R. 3648, effective 4–8–44; and Am. 17, effective 5–25–44.]

SEC. 39. *Table of mark-ups for "perishables" (Table B).*—(a) *Table B: Mark-ups over "net cost" allowed to Group 3 and Group 4 retailers for "perishables" covered by this regulation by commodities.*

TABLE B—MARK-UPS OVER "NET COSTS" ALLOWED TO GROUP 3 AND GROUP 4 RETAILERS FOR PERISHABLES COVERED BY THIS REGULATION BY COMMODITIES

I. Food commodities	Allowed mark-ups over net cost: Group 3. Retailer other than independent with annual volume under $250,000	Allowed mark-ups over net cost: Group 4. Any retailer with annual volume of $250,000 or more	"Selling unit" in which ceiling price must be calculated
	Percent	*Percent*	
(1) Dairy products:			
Butter	8	8	1 pound.
Cheese	24	22	1 pound or 1 package.
Eggs, shell	14	12	1 dozen.
(2) Fresh fruits:			
Apples	33	33	2 pounds.
Bananas, bought on the stem	34	34	1 pound.
Bananas, bought in bands	25	25	1 pound.
Berries	34	34	1 quart, 1 pint or 1 pound.
Citrus fruits	36	36	1 dozen or ½ pound (Grapefruit, 1 grapefruit or 1 pound).
Grapes	40	40	1 pound.
Red sour cherries	34	34	1 quart or 1 pound.
(3) Fresh vegetables:			
Cabbage	40	40	2 pounds.
Lettuce	40	40	1 head or 1 pound.
Onions, dry	40	35	3 pounds.
Potatoes, sweet	40	40	2 pounds.
Potatoes, white	30	28	5 pounds.
Tomatoes	40	40	1 pound or 1 package.
(4) Poultry:			
Poultry (except turkey) sold as purchased: Bought live and sold live, bought dressed and sold dressed, bought drawn and sold drawn, bought frozen and sold frozen, bought kosher-killed and sold kosher-killed, bought kosher dressed and plucked and sold kosher dressed and plucked, bought split or cut-up and sold split or cut-up (boxed and other pack).	20	20	1 pound.
Poultry (including turkey) bought live and sold dressed weight basis. (Multiply live cost per pound by applicable figure in table. This establishes selling price per pound, dressed weight.)	36	36	1 pound.
Turkey bought live and sold live	20	20	1 pound.
Turkey bought dressed and sold dressed, bought kosher-killed and sold kosher-killed, bought kosher dressed and plucked and sold kosher dressed and plucked, bought drawn and sold drawn, bought frozen and sold frozen, bought split and sold split, bought cut-up and sold cut-up (boxed and other pack).	17	15	1 pound.
(5) Fish: Frozen fish and seafood	26	26	1 pound.

II. Food commodities	Allowed dollars-and-cents mark-ups per "selling unit": Group 3. Retailer other than independent with annual volume under $250,000	Allowed dollars-and-cents mark-ups per "selling unit": Group 4. Any retailer with annual volume of $250,000 or more	"Selling unit" in which ceiling price must be calculated.
	Dollars-and-cents	*Dollars-and-cents*	
(1) Dairy products:	$0.01½	$0.01½	1 pound.
(2) Fresh fruits: Coconuts	.040	.040	1 pound.
(3) Fresh vegetables:			
Beans, green and wax	.02½	.02½	1 bunch.
Carrots, bunched	.020	.020	1 pound.
Carrots, other than bunched	.02½	.02½	1 pound.
Cucumbers, except hothouse cucumbers	.030	.030	1 pound.
Eggplant	.050	.050	1 pound.
Peas, green	.030	.030	1 pound.
Spinach			
(4) Poultry:			
(5) Fish:			

[Table B amended by Am. 1, 8 F.R. 10569, effective 8–5–43; Am. 3, 8 F.R. 12443, effective 9–16–43; Am. 5, 8 F.R. 13294, effective 10–4–43; Am. 7, 8 F.R. 14853, effective 11–4–43; Am. 10, 8 F.R. 17370, effective 1–8–44; and Am. 15, 9 F.R. 4214, effective 4–27–44]

(b) *Commodity definitions.* These definitions apply to both domestic and imported items.

(1) *Dairy products.* "Butter" (packaged or bulk) means only butter from milk, including, but not limited to, processed, salted, unsalted, and whipped butter. Excluded are peanut, nut, fruit or honey butters.

[Above definition amended by Am. 13, 9 F.R. 3648, effective 4–8–44]

"Cheese" shall include all bulk or packaged cheese and products composed of more than fifty per cent cheese.

"Eggs, shell" means chicken eggs sold for human consumption. Ceiling prices shall be figured for each grade and size (or weight class) of eggs, and the grade and size (or weight class) shall be posted separately with the selling price, except that "ungraded eggs" are to be designated only as "ungraded eggs". Eggs shall be sold at retail only in the retail grades and sizes (or weight classes) specified in Maximum Price Regulation No. 333, or as "ungraded eggs" which may contain no inedible eggs.

[Above definition amended by Am. 1, 8 F.R. 10569, effective 8–5–43]

(2) *Fresh fruits.* "Fresh fruits" means all the fresh fruits listed, packed or in bulk, which have not been frozen, dried, canned or otherwise processed. Wrapping, dipping, washing, or crating, shall not be considered processing.

"Apples" means all varieties of fresh apples including, but not limited to, Baldwin, Delicious, Grimes Golden, Winesap, Northern Spy, York Imperial, McIntosh, and Rome Beauty. Each variety shall be considered a separate item and priced separately.

"Bananas." Bananas, from different countries of origin such as, but not limited to, Costa Rica, Honduras, Guatemala, and Mexico, shall be considered different "kinds" of bananas, and must be priced separately. "Bananas, bought in hands", means those which have been sold after being cut away from the stem.

"Berries" means blackberries, boysenberries, gooseberries, loganberries, black raspberries, red raspberries, strawberries and youngberries. Each of these eight kinds of berries shall be treated as a separate item and priced separately. Whenever fresh berries are sold in quarts or pints, they must have a minimum net weight of 20 ounces per quart or 10 ounces per pint. If you purchase berries on the basis of a price per pound and sell them in pints or quarts, you must multiply your cost per pound by 20/16 to figure your "net cost" per quart, and by 10/16 to figure your "net cost" per pint.

[Above definition amended by Am. 16, 9 F.R. 4434, effective 4–27–44.]

"Citrus fruits" means all fresh citrus fruits including, but not limited to, oranges, lemons, limes, grapefruit and tangerines. Separate ceiling prices shall be figured for each variety, each size, and for fruit from different areas. Varieties shall be oranges, lemons, limes, temple oranges, tangerines (including tangelos), white seeded grapefruit, pink seeded grapefruit, white seedless grapefruit, pink seedless grapefruit, and ruby red grapefruit. Different areas are California, Arizona, Texas, Indian River Citrus Area of Florida, and the rest of the State of Florida.

"Coconuts" means all fresh whole coconuts, imported and domestic. Coconuts in husks and coconuts in shells shall be considered separate items and priced separately. Coconuts in husks means the fruit of the coco palm enclosed in thick, fibrous outer coats commonly called husks. Coconuts in shells means the fruit of the coco palm with the outer husks removed.

"Grapes" means all varieties of fresh grapes including, but not limited to, Alicante, Almeria, Concord, Emperor, Red Malaga, White Malaga, Ribier, Thompson Seedless, Tokay and Zinfandel. Each variety shall be considered a separate item and priced separately.

"Red sour cherries." All red sour cherries shall be considered one item. When you sell red sour cherries by the quart, they must have a minimum net weight of 20 ounces per quart. When you purchase red sour cherries on the basis of a price per pound and sell them in quarts, you must multiply your cost per pound by 20/16 to figure your "net cost" per quart.

[Subparagraph (2) amended by Am. 1, 8 F.R. 10569, effective 8–5–43; Am. 3, 8 F.R. 12443, effective 9–16–43; Am. 8, 8 F.R. 15586, effective 11–19–43; and Am. 15, 9 F.R. 4214, effective 4–27–44 and as otherwise noted.]

(3) *Fresh vegetables.* "Fresh vegetables" means all the fresh vegetables listed, packed or in bulk, which have not been frozen, dried, canned or otherwise processed. Wrapping, dipping, washing, shelling, shall not be considered processing.

"Beans, green and wax" means all varieties of green and wax beans, but shall not include limas and English, Fava, and Italian broad beans. Green beans and wax beans shall be considered separate items and priced separately.

"Cabbage" means all solid headed cabbage, including Red and Savoy. Excluded are Chinese cabbage, collards, cauliflower, and brussels sprouts. Red cabbage shall be considered as a separate item and priced separately.

"Carrots, bunched" means all fresh carrots with tops, bought and sold in bunches weighing not less than one pound. California and similar quality bunched carrots shall be considered as a separate item.

"Carrots, other than bunched" means clipped carrots (carrots with tops not more than 4 inches long), topped carrots (carrots without tops), and all other carrots including bunches weighing less than one pound. Separate ceiling prices shall be figured for each kind. Kinds of "carrots, other than bunched" shall be clipped carrots, topped carrots and all other carrots.

"Cucumbers" means all types and varieties of cucumbers. Field-grown cucumbers and gherkins shall be considered separate items and priced separately. Excluded are hothouse cucumbers.

"Eggplants" means all varieties of eggplants. All eggplants shall be considered a single item and priced as such.

"Lettuce" means all head or leaf lettuce, including, but not limited to Iceberg, Big Boston and Romaine. Excluded are escarole, chicory, and endive. Head lettuce and leaf lettuce shall be considered separate items and priced separately. California and similar quality Iceberg shall also be considered a separate item.

"Onions, dry" means all dry onions used for human consumption. Each grade and variety shall be considered separate items and priced separately.

"Peas, green" shall not include Chinese peas. California and similar quality peas shall be considered a separate item and shall be priced as such.

"Potatoes, sweet" means all varieties of sweet potatoes. All dry flesh sweet potatoes shall be considered one item, and moist flesh sweet potatoes shall be considered a separate item, and priced separately. Dry flesh sweet potatoes include varieties such as Big Stem Jersey, Little Stem Jersey, and Triumph. Moist flesh sweet potatoes (sometimes called yams) include varieties such as Porto Rico and Nancy Hall.

"Potatoes, white" means all white potatoes used for human consumption or for seed (except foundation stock, certified and war approved seed potatoes). Each grade and variety of white potatoes shall be considered a separate item and priced separately.

"Spinach" means all flat and curly leaf spinach, excluding New Zealand, or other greens. Separate items shall be "washed and packaged" spinach, and all other spinach, and must be priced separately.

"Tomatoes." Hothouse, field-run and packaged tomatoes shall be considered separate items and priced separately.

[Subparagraph (3) added by Am. 15, 9 F.R. 4214, effective 4–27–44. Former (3) and (4) redesignated (4) and (5).]

(4) *Poultry.* "Poultry" means all chickens, ducks, geese and turkeys in any form, excluding "started" poultry sold for breeding purposes, canned poultry and cooked or smoked poultry. Poultry which is drawn by a retailer shall be priced in accordance with the provisions of section 20 (i). Poultry which is bought live, dressed or drawn and is sold by the retailer "cut-up" or in parts, shall be priced in accordance with the provisions of section 20 (j). "Frozen poultry" is as defined in Revised Maximum Price Regulation No. 269, except that the first sentence of § 1429.19 (i) (4) (ix) shall not apply. Unless the context otherwise requires, the definitions set forth in §§ 1429.17, 1429.19, 1429.20 and 1429.21 of Revised Maximum Price Regulation No. 269 shall apply to terms used herein wherever applicable.

[Subparagraph (4), formerly (3), amended by Am. 7, 8 F.R. 14853, effective 11–4–43; Am. 10, 8 F.R. 17370, effective 1–8–44; and Am. 12, 9 F.R. 3510, effective 4–6–44.]

(5) *Frozen fish and seafood.* "Frozen fish and seafood" means any fish or seafood which has been artificially frozen or frozen by exposure to the elements for preservation.

SEC. 40. *Table of ceiling prices based on any given "net cost" and mark-up (Table C).*—(a) *Table C: Retail ceiling prices obtained by applying any given mark-up to any given net cost items.*

TABLE C—RETAIL CEILING PRICES OBTAINED BY APPLYING ANY GIVEN MARK-UP TO ANY GIVEN NET COST—Continued

TABLE C—RETAIL CEILING PRICES OBTAINED BY APPLYING ANY GIVEN MARK-UP TO ANY GIVEN NET COST

ITEMS WITH A "NET COST" OF FROM ½¢ TO 10¢ PER UNIT

Net cost (per unit)	½¢	1¢	1½¢	2¢	2½¢	3¢	3½¢	4¢	4½¢	5¢	5½¢	6¢	6½¢	7¢	7½¢	8¢	8½¢	9¢	9½¢	10¢
Mark-up (percent):	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
6	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	9	10	10	11
7	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	9	10	10	11
8	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	9	10	10	11
9	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	9	10	10	11
10	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	9	10	11	11
11	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	10	10	11	11
12	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	10	10	11	11
13	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	10	10	11	12
14	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	10	10	11	12
15	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	9	10	11	12
16	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	9	10	11	12
17	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	9	10	11	12
18	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	10	10	11	12
19	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	10	10	11	12
20	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	10	10	11	12
21	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	10	10	11	12
22	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	10	10	11	12
23	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	10	11	11	12
24	1	2	2	3	3	4	4	5	5	6	6	7	8	8	9	9	10	11	11	12
25	1	2	2	3	3	4	4	5	5	6	6	7	8	8	9	9	10	11	11	12
26	1	2	2	3	3	4	4	5	5	6	6	7	8	8	9	9	10	11	11	12
27	1	2	2	3	3	4	4	5	5	6	6	7	8	8	9	9	10	11	11	12
28	1	2	2	3	3	4	4	5	5	6	6	7	8	8	9	9	10	11	12	12
29	1	2	2	3	3	4	5	5	5	6	6	7	8	8	9	9	10	11	12	12
30	1	2	2	3	3	4	5	5	5	6	6	7	8	8	9	9	10	11	12	12
31	1	2	2	3	3	4	5	5	5	6	6	7	8	8	9	9	10	11	12	12
32	1	2	2	3	3	4	5	5	5	6	6	7	8	8	9	9	10	11	12	12
33	1	2	2	3	3	4	5	5	5	6	6	7	8	8	9	9	10	11	12	13
34	1	2	2	3	3	4	5	5	5	6	6	7	8	8	9	9	10	11	12	13
35	1	2	2	3	3	4	5	5	5	6	6	7	8	8	9	9	10	11	12	13
36	1	2	2	3	3	4	5	5	5	6	6	7	8	8	9	9	10	11	12	13
37	1	2	2	3	3	4	5	5	5	6	6	7	8	8	9	9	10	11	12	13
38	1	2	2	3	3	4	5	5	5	6	6	7	8	8	9	9	10	11	12	13
39	1	2	2	3	3	4	5	5	5	6	6	7	8	8	9	9	10	11	12	13
40	1	2	2	3	3	4	5	5	5	6	6	7	8	8	9	9	10	11	12	13
41	1	2	2	3	3	4	5	5	5	6	6	7	8	8	9	9	10	11	12	13
42	1	2	2	3	3	4	5	5	5	6	6	7	8	8	9	9	10	11	12	13
43	1	2	2	3	3	4	5	5	5	6	6	7	8	8	9	9	10	11	12	13
44	1	2	2	3	3	4	5	5	5	6	6	7	8	8	9	9	10	11	12	13
45	1	2	2	3	3	4	5	5	5	6	6	7	8	8	9	9	10	11	12	13
46	1	2	2	3	3	4	5	5	5	6	6	7	8	8	9	10	10	11	12	13
47	1	2	2	3	3	4	5	5	5	6	6	7	8	8	9	10	10	11	12	13
48	1	2	2	3	3	4	5	5	5	6	6	7	8	8	9	10	10	11	12	13
49	1	2	2	3	4	4	5	5	6	6	7	8	8	9	10	10	11	11	12	13
50	1	2	2	3	4	5	5	6	6	7	8	8	9	10	10	11	11	12	13	14

ITEMS WITH A "NET COST" OF FROM 10½¢ TO 18¢ PER UNIT

Net cost (per unit)	10½¢	11¢	11½¢	12¢	12½¢	13¢	13½¢	14¢	14½¢	15¢	15½¢	16¢	16½¢	17¢	17½¢	18¢
Mark-up (percent):	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
6	11	12	12	13	13	14	14	15	16	16	16	17	17	18	19	19
7	11	12	12	13	13	14	14	15	15	16	16	17	17	18	19	19
8	11	12	12	13	13	14	14	15	15	16	16	17	17	18	19	19
9	11	12	12	13	13	14	14	15	15	16	16	17	17	18	19	20
10	12	12	13	13	13	14	14	15	16	16	17	17	18	18	19	20
11	12	12	13	13	14	14	15	15	16	16	17	17	18	19	20	20
12	12	12	13	14	14	15	15	16	16	17	17	18	18	19	20	21
13	12	13	13	14	14	15	15	16	17	17	18	18	19	19	20	21
14	12	13	13	14	14	15	16	16	17	17	18	19	19	20	20	21
15	12	13	13	14	15	15	16	16	17	18	18	19	19	20	21	21
16	12	13	13	14	15	15	16	16	17	18	18	19	19	20	21	22
17	12	13	14	14	15	15	16	17	17	18	19	19	20	20	21	22
18	12	13	14	14	15	15	16	17	17	18	19	19	20	21	21	22
19	13	13	14	14	15	16	16	17	17	18	19	19	20	21	21	22
20	13	13	14	15	15	16	16	17	18	18	19	19	20	21	21	22
21	13	13	14	15	15	16	16	17	18	18	19	20	20	21	22	22
22	13	13	14	15	15	16	17	17	18	18	19	20	20	21	22	22
23	13	14	14	15	16	16	17	17	18	18	19	20	20	21	22	23
24	13	14	14	15	16	16	17	18	18	19	20	20	21	21	22	23
25	13	14	14	15	16	16	17	18	18	19	20	20	21	22	22	23
26	13	14	14	15	16	16	17	17	18	19	19	20	20	21	22	23
27	13	14	15	15	16	17	17	18	19	19	20	20	21	21	22	23
28	14	14	15	15	16	17	17	18	19	19	20	20	21	22	22	23
29	14	14	15	16	16	17	18	18	19	20	20	21	21	22	23	24
30	14	14	15	16	16	17	18	18	19	20	20	21	22	22	23	24
31	14	14	15	16	17	17	18	18	19	20	21	21	22	22	23	24
32	14	15	15	16	17	17	18	19	19	20	21	21	22	23	23	24
33	14	15	16	16	17	17	18	19	19	20	21	22	22	23	24	24
34	14	15	16	16	17	18	18	19	20	20	21	22	22	23	24	24
35	14	15	16	16	17	18	18	19	20	20	21	22	22	23	24	25
36	14	15	16	16	17	18	18	19	20	21	21	22	23	23	24	25
37	14	15	16	17	17	18	19	19	20	21	21	22	23	24	24	25
38	14	15	16	17	17	18	19	19	20	21	22	22	23	24	24	25
39	15	15	16	17	18	18	19	20	20	21	22	22	23	24	24	25
40	15	16	16	17	18	18	19	20	20	21	22	23	23	24	24	25
41	15	16	16	17	18	18	19	20	21	21	22	23	23	24	25	25
42	15	16	16	17	18	19	19	20	21	22	22	23	24	24	25	26
43	15	16	16	17	18	19	19	20	21	22	23	23	24	25	25	26
44	15	16	17	17	18	19	20	20	21	22	23	24	24	25	26	26
45	15	16	17	17	18	19	20	20	21	22	23	24	24	25	26	26
46	15	16	17	18	18	19	20	21	21	22	23	24	25	25	26	27
47	15	16	17	18	18	19	20	21	22	22	23	24	25	26	26	27
48	16	16	17	18	19	19	20	21	22	23	23	24	25	26	26	27
49	16	16	17	18	19	19	20	21	22	23	24	24	25	26	27	28
50	16	17	17	18	19	20	20	21	22	23	24	25	26	26	27	28

TABLE C—RETAIL CEILING PRICES OBTAINED BY APPLYING ANY GIVEN MARK-UP TO ANY GIVEN NET COST—Continued

ITEMS WITH A "NET COST" OF FROM 18½¢ TO 26¢ PER UNIT

Net cost (per unit)	18½¢	19¢	19½¢	20¢	20½¢	21¢	21½¢	22¢	22½¢	23¢	23½¢	24¢	24½¢	25¢	25½¢	26¢
Mark-up (percent):	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
6	20	20	21	21	22	22	23	23	24	24	25	25	26	26	27	28
7	20	20	21	21	22	22	23	24	24	25	25	26	26	27	28	28
8	20	21	21	22	22	23	23	24	25	25	26	26	27	28	28	29
9	20	21	21	22	22	23	23	24	25	25	26	26	27	28	28	29
10	20	21	21	22	23	23	24	24	25	25	26	26	27	28	28	29
11	21	21	22	22	23	23	24	24	25	26	26	27	27	28	29	29
12	21	21	22	22	23	24	24	25	25	26	26	27	27	28	29	30
13	21	21	22	23	23	24	24	25	25	26	27	27	28	28	29	30
14	21	22	22	23	23	24	24	25	26	26	27	27	28	29	29	30
15	21	22	22	23	24	24	25	25	26	26	27	28	28	29	30	30
16	21	22	23	23	24	24	25	26	26	27	27	28	28	29	30	31
17	22	22	23	23	24	25	25	26	26	27	28	28	29	30	30	31
18	22	22	23	24	24	25	25	26	27	27	28	28	29	30	31	32
19	22	23	23	24	24	25	26	26	27	28	28	29	29	30	31	32
20	22	23	24	24	25	25	26	27	27	28	28	29	30	30	31	32
21	23	23	24	24	25	26	26	27	27	28	29	29	30	31	31	32
22	23	23	24	24	25	26	26	27	28	28	29	30	30	31	32	33
23	23	24	24	25	25	26	27	27	28	28	29	30	31	31	32	33
24	23	24	24	25	26	26	27	28	28	29	29	30	31	32	32	33
25	23	24	25	25	26	27	27	28	28	29	30	30	31	32	33	34
26	23	24	25	26	26	27	28	28	29	29	30	31	31	32	33	34
27	23	24	25	26	27	27	28	29	29	30	30	31	32	32	33	34
28	24	24	25	26	27	28	28	29	29	30	31	31	32	33	34	35
29	24	25	25	26	27	28	28	29	30	30	31	32	32	33	34	35
30	24	25	26	26	27	28	29	29	30	31	31	32	33	33	34	35
31	24	25	26	27	27	28	29	30	30	31	32	32	33	34	35	36
32	25	25	26	27	28	28	29	30	31	31	32	33	33	34	35	36
33	25	26	26	27	28	29	29	30	31	32	32	33	34	34	35	36
34	25	26	27	27	28	29	30	30	31	32	33	33	34	35	36	37
35	25	26	27	28	28	29	30	31	31	32	33	34	34	35	36	37
36	26	26	27	28	29	29	30	31	32	32	33	34	35	35	36	37
37	26	26	27	28	29	30	30	31	32	33	33	34	35	36	37	38
38	26	27	27	28	29	30	31	31	32	33	34	34	35	36	37	38
39	26	27	28	28	29	30	31	32	32	33	34	35	36	36	37	38
40	26	27	28	29	29	30	31	32	33	33	34	35	36	37	38	39
41	26	27	28	29	30	30	31	32	33	34	34	35	36	37	38	39
42	26	27	28	29	30	31	31	32	33	34	35	36	36	37	38	39
43	26	27	28	29	30	31	32	32	33	34	35	36	37	38	39	40
44	27	27	28	29	30	31	32	33	33	34	35	36	37	38	39	40
45	27	28	28	29	30	31	32	33	34	34	35	36	37	38	39	40
46	27	28	29	29	30	31	32	33	34	35	35	36	37	38	39	40
47	27	28	29	30	30	31	32	33	34	35	36	36	37	38	39	40
48	27	28	29	30	31	31	32	33	34	35	36	37	37	38	39	40
49	28	28	29	30	31	32	32	33	34	35	36	37	38	38	39	40
50	28	29	29	30	31	32	32	33	34	35	36	37	38	38	39	40

ITEMS WITH A "NET COST" OF FROM 26½¢ TO 34¢ PER UNIT

Net cost (per unit)	26½¢	27¢	27½¢	28¢	28½¢	29¢	29½¢	30¢	30½¢	31¢	31½¢	32¢	32½¢	33¢	33½¢	34¢
Mark-up (percent):	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
6	28	29	29	30	30	31	31	32	32	33	33	34	34	35	36	36
7	28	29	29	30	30	31	32	32	33	33	34	34	35	36	36	37
8	29	29	30	30	31	31	32	32	33	34	34	35	35	36	37	37
9	29	29	30	31	31	32	32	33	33	34	34	35	35	36	37	37
10	29	30	30	31	31	32	33	33	34	34	35	36	36	37	37	38
11	29	30	31	31	32	32	33	34	34	35	35	36	36	37	38	38
12	30	30	31	31	32	33	33	34	34	35	36	36	37	37	38	39
13	30	31	31	32	32	33	34	34	35	35	36	37	37	38	38	39
14	30	31	31	32	32	33	34	34	35	35	36	36	37	38	38	39
15	30	31	32	32	33	34	34	35	35	36	37	37	38	38	39	40
16	31	31	32	32	33	34	35	35	36	36	37	37	38	39	39	40
17	31	32	32	33	33	34	35	35	36	37	37	38	38	39	40	40
18	31	32	32	33	34	34	35	36	36	37	37	38	39	39	40	41
19	32	32	33	33	34	35	35	36	36	37	37	38	39	39	40	41
20	32	32	33	34	34	35	35	36	37	37	38	38	39	40	40	41
21	32	33	33	34	34	35	36	36	37	37	38	38	39	40	41	41
22	32	33	34	34	35	35	36	37	37	38	38	39	40	40	41	42
23	33	33	34	34	35	36	36	37	37	38	38	39	40	40	41	42
24	33	33	34	35	35	36	37	37	38	38	39	39	40	41	41	42
25	33	34	34	35	36	36	37	37	38	38	39	40	40	41	42	43
26	33	34	35	35	36	36	37	37	38	38	39	39	40	41	41	42
27	34	34	35	35	36	37	37	38	38	39	39	40	41	41	42	43
28	34	35	35	36	36	37	38	38	39	39	40	40	41	42	42	43
29	34	35	35	36	37	37	38	38	39	40	40	41	42	42	43	44
30	34	35	36	36	37	38	38	39	39	40	41	41	42	43	43	44
31	35	35	36	37	37	38	39	39	40	41	41	42	42	43	44	45
32	35	36	36	37	38	38	39	40	40	41	42	42	43	44	44	45
33	35	36	37	37	38	39	39	40	41	41	42	43	43	44	45	46
34	36	36	37	38	38	39	40	40	41	42	42	43	44	44	45	46
35	36	36	37	38	39	39	40	41	41	42	43	43	44	45	46	47
36	36	37	37	38	39	40	40	41	42	42	43	44	44	45	46	47
37	36	37	38	38	39	40	41	41	42	43	43	44	45	46	46	47
38	37	37	38	39	39	40	41	42	42	43	44	44	45	46	47	48
39	37	38	38	39	40	40	41	42	43	43	44	45	46	46	47	48
40	37	38	39	39	40	41	41	42	43	44	44	45	46	47	48	49
41	37	38	39	40	40	41	42	42	43	44	45	45	46	47	48	49
42	38	38	39	40	41	41	42	43	43	44	45	46	46	47	48	49
43	38	39	39	40	41	42	42	43	44	44	45	46	47	48	48	49
44	38	39	40	40	41	42	43	43	44	45	45	46	47	48	49	50
45	39	39	40	41	41	42	43	44	44	45	46	46	47	48	49	50
46	39	39	40	41	42	42	43	44	45	45	46	47	47	48	49	50
47	39	40	40	41	42	43	43	44	45	46	46	47	48	49	50	50
48	39	40	41	41	42	43	44	44	45	46	47	47	48	49	50	51
49	39	40	41	42	42	43	44	45	45	46	47	48	48	49	50	51
50	40	41	41	42	43	44	44	45	46	47	47	48	49	50	50	51

TABLE C—RETAIL CEILING PRICES OBTAINED BY APPLYING ANY GIVEN MARK-UP TO ANY GIVEN NET COST—Continued

ITEMS WITH A "NET COST" OF FROM 34½¢ TO 42½ PER UNIT

Net cost (per unit)	34½¢	35¢	35½¢	36¢	36½¢	37¢	37½¢	38¢	38½¢	39¢	39½¢	40¢	40½¢	41¢	41½¢	42¢
Mark-up (percent):	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
6	37	37	38	38	39	39	40	40	41	41	42	42	43	43	44	45
7	37	37	38	39	39	40	40	41	41	42	42	43	43	44	44	45
8	37	38	38	39	39	40	41	41	42	42	43	43	44	44	45	45
9	38	38	39	39	40	40	41	41	42	43	43	44	44	45	45	46
10	38	39	39	40	40	41	41	42	42	43	43	44	45	45	46	46
11	38	39	39	40	41	41	42	42	43	43	44	44	45	46	46	47
12	39	39	40	40	41	41	42	43	43	44	44	45	45	46	46	47
13	39	40	40	41	41	42	42	43	44	44	45	45	46	46	47	47
14	39	40	40	41	42	42	43	43	44	44	45	46	46	47	47	48
15	40	40	41	41	42	43	43	44	44	45	45	46	47	47	48	48
16	40	41	41	42	42	43	44	44	45	45	46	46	47	48	48	49
17	40	41	42	42	43	43	44	44	45	46	46	47	47	48	49	49
18	41	41	42	42	43	44	44	45	45	46	47	47	48	48	49	50
19	41	42	42	43	43	44	45	45	46	46	47	48	48	49	49	50
20	41	42	43	43	44	44	45	46	46	47	47	48	49	49	50	50
21	42	42	43	44	44	45	45	46	47	47	48	48	49	50	50	51
22	42	43	43	44	45	45	46	46	47	48	48	49	49	50	51	51
23	42	43	44	44	45	46	46	47	47	48	49	49	50	50	51	52
24	43	43	44	45	45	46	47	47	48	48	49	50	50	51	51	52
25	43	44	44	45	46	46	47	48	48	49	49	50	51	51	52	53
26	43	44	45	45	46	47	47	48	49	49	50	50	51	52	52	53
27	44	44	45	46	46	47	48	48	49	50	50	51	51	52	53	53
28	44	45	45	46	47	47	48	49	49	50	51	51	52	52	53	54
29	45	45	46	46	47	48	48	49	50	50	51	52	52	53	54	54
30	45	46	46	47	47	48	49	49	50	51	51	52	53	53	54	55
31	45	46	47	47	48	48	49	50	50	51	52	52	53	54	54	55
32	46	46	47	48	48	49	50	50	51	51	52	53	53	54	55	55
33	46	47	47	48	49	49	50	51	51	52	53	53	54	55	55	56
34	46	47	48	48	49	50	50	51	52	52	53	54	54	55	56	56
35	47	47	48	49	49	50	51	51	52	53	53	54	55	55	56	57
36	47	48	48	49	50	50	51	52	52	53	54	54	55	56	56	57
37	47	48	49	49	50	51	51	52	53	53	54	55	55	56	57	58
38	48	48	49	50	50	51	52	52	53	54	54	55	56	57	57	58
39	48	49	49	50	51	51	52	53	53	54	55	55	56	57	58	58
40	48	49	50	50	51	52	52	53	54	54	55	56	56	57	58	59
41	49	49	50	51	51	52	53	53	54	55	55	56	57	58	59	59
42	49	50	50	51	52	52	53	54	54	55	56	56	57	58	59	60
43	49	50	51	51	52	53	53	54	55	55	56	57	57	58	59	60
44	50	50	51	52	52	53	54	54	55	56	56	57	58	58	59	60
45	50	51	51	52	53	53	54	55	55	56	57	57	58	59	60	61
46	50	51	52	52	53	54	54	55	56	56	57	58	58	59	60	61
47	51	51	52	53	53	54	55	55	56	57	57	58	59	60	60	61
48	51	52	52	53	54	54	55	56	56	57	58	58	59	60	61	62
49	51	52	53	53	54	55	55	56	57	57	58	59	60	60	61	62
50	52	53	53	54	55	55	56	57	57	58	59	59	60	61	62	62

ITEMS WITH A "NET COST" OF FROM 42½¢ TO 50¢ PER UNIT

Net cost (per unit)	42½¢	43¢	43½¢	44¢	44½¢	45¢	45½¢	46¢	46½¢	47¢	47½¢	48¢	48½¢	49¢	49½¢	50¢
Mark-up (percent):	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
6	45	46	46	47	47	48	48	49	49	50	50	51	51	52	52	53
7	45	46	47	47	48	48	49	49	50	50	51	51	52	52	53	54
8	46	46	47	48	48	49	49	50	50	51	51	52	52	53	53	54
9	46	47	47	48	49	49	50	50	51	51	52	52	53	53	54	55
10	47	47	48	48	49	50	50	51	51	52	52	53	53	54	54	55
11	47	48	48	49	49	50	51	51	52	52	53	53	54	54	55	56
12	48	48	49	49	50	50	51	52	52	53	53	54	54	55	55	56
13	48	49	49	50	50	51	51	52	53	53	54	54	55	55	56	57
14	48	49	50	50	51	51	52	53	53	54	54	55	56	56	57	57
15	49	49	50	51	51	52	52	53	54	54	55	55	56	56	57	58
16	49	50	50	51	52	52	53	53	54	55	55	56	56	57	57	58
17	50	50	51	51	52	53	53	54	54	55	56	56	57	57	58	59
18	50	51	51	52	52	53	54	54	55	55	56	57	57	58	58	59
19	51	51	52	52	53	54	54	55	55	56	57	57	58	58	59	60
20	51	52	52	53	53	54	55	55	56	56	57	58	58	59	59	60
21	51	52	53	53	54	54	55	56	56	57	57	58	59	59	60	61
22	52	52	53	54	54	55	56	56	57	57	58	59	59	60	60	61
23	52	53	54	54	55	55	56	57	57	58	58	59	60	60	61	62
24	53	53	54	55	55	56	56	57	58	58	59	59	60	61	61	62
25	53	54	54	55	56	56	57	58	58	59	59	60	61	61	62	63
26	54	54	55	55	56	57	57	58	59	59	60	60	61	62	62	63
27	54	55	55	56	57	57	58	58	59	60	60	61	62	62	63	64
28	54	55	56	56	57	58	58	59	60	60	61	61	62	63	63	64
29	55	55	56	57	57	58	59	59	60	61	61	62	63	63	64	65
30	55	56	57	57	58	59	59	60	61	61	62	62	63	64	64	65
31	56	56	57	58	58	59	60	60	61	62	62	63	64	64	65	66
32	56	57	57	58	59	60	60	61	62	62	63	63	64	65	65	66
33	57	57	58	59	59	60	61	61	62	63	63	64	65	65	66	67
34	57	58	58	59	60	60	61	62	63	63	64	64	65	66	66	67
35	57	58	59	59	60	61	61	62	63	64	64	65	66	66	67	68
36	58	58	59	60	61	61	62	63	63	64	65	65	66	67	67	68
37	58	59	60	60	61	62	62	63	64	64	65	66	66	67	68	69
38	59	59	60	61	61	62	63	63	64	65	65	66	66	67	68	69
39	59	60	60	61	62	62	63	64	64	65	66	66	67	67	68	69
40	60	60	61	61	62	63	63	64	64	65	66	67	67	68	69	70
41	60	61	61	62	62	63	64	64	65	66	66	67	68	68	69	70
42	60	61	62	62	63	64	64	65	66	66	67	67	68	69	70	71
43	61	61	62	63	63	64	65	65	66	67	67	68	69	69	70	71
44	61	62	62	63	64	64	65	66	66	67	68	68	69	70	71	71
45	62	62	63	64	64	65	65	66	67	67	68	69	69	70	71	72
46	62	63	64	64	65	65	66	67	67	68	69	69	70	71	72	73
47	62	63	64	65	65	66	67	67	68	69	69	70	71	72	73	74
48	63	64	64	65	66	67	67	68	69	69	70	71	72	73	73	74
49	63	64	65	66	66	67	68	69	69	70	71	72	72	73	74	75
50	64	65	65	66	67	68	68	69	70	71	71	72	73	74	74	75

(b) *Instructions for use of Table A, Table B, and Table C.* Tables A and B contain the mark-ups for all commodities in this regulation. Note that some mark-ups are percentage mark-ups and some are dollars-and-cents mark-ups. Table C is included to assist you in determining ceiling prices without burdensome calculations, where the mark-up given is a percentage mark-up.

Table A lists by commodity groups the "dry groceries" covered by this regulation and the mark-ups to be used by Group 3 and Group 4 retailers in figuring their ceiling prices. Table B gives the same information for "perishables". However, in addition, Table B also lists the selling units, on the basis of which retailers must figure their net costs and ceiling prices for "perishables". For a detailed list of the items in each commodity group, see "Commodity definitions of dry groceries" printed immediately after Table A, and "Commodity definitions of perishables" printed immediately after Table B. After you have determined your "net cost" for an item in accordance with the method set up in this regulation, find your proper mark-up in the commodity group which includes the item you are pricing. Commodity groups are listed at the left of Table A and Table B. Directly opposite each commodity group you will find either a percentage mark-up or a dollars-and-cents mark-up for your group of retailers.

If a percentage mark-up is shown, you get your ceiling price for the item by turning to Table C, which shows the ceiling price for all items with per unit net costs ranging from ½¢ to 50¢. Percentage mark-ups over net cost are listed in the column at the extreme left of Table C, and "net cost" across the top of the table. "Net cost per unit" means, in the case of dry groceries, the "net cost" of a single unit (one can, one jar, etc.). For perishables, it means the "net cost" of the selling unit listed in the last column of Table B.

To determine your ceiling price from Table C, find your net cost at the top of the table. Go down that column until you come to the figure (in that column) on the same line as your mark-up. The figure at that point is your ceiling price for the item.

If your net cost per unit is more than 50¢, you cannot use Table C to get your ceiling price. In those cases, you must (1) multiply your net cost by your percentage mark-up, (2) add the result to your net cost, and (3) round the sum to the nearest whole cent. For perishables, your net cost must be in terms of the selling unit specified in Table B.

If the mark-up specified for an item is a dollars-and-cents mark-up, you cannot use Table C to get your ceiling price. In those cases, you simply add the stated amount of mark-up to your "net cost". If your ceiling price so figured results in a fraction of a cent, you may, in making sales of the "selling unit", charge the next higher cent.

Example (1). A Group 3 retailer wishes to figure a new ceiling price for "XX" Brand, No. 2 can tomatoes, 1942 pack, which he must put into effect by August 5, 1943, in accordance with section 3. His most recent purchase of a customary quantity of this item from a customary type of supplier delivered to his usual receiving point was a carload purchased from a packer and delivered at a cost of $2.00 a case (24 cans) on July 20, 1943. He must first figure, to the nearest half-cent, his "net cost" on a single unit basis (sec. 4 (a) (2)), that is, for a single can. He therefore divides the cost for the case, $2.00, by the number of single units in the case, 24, and gets a result of $0.0833, before rounding. Rounding to the nearest half-cent, this becomes $0.085. (If the figure had been $0.0821 before rounding, he would have rounded to $0.080.) He then turns to Table A to find the mark-up to be applied to his net cost. Going down the column at the left of Table A he will find a listing of the commodity group which includes the item he is pricing. For canned tomatoes this group is "Corn, green and wax beans, peas, tomatoes, and tomato juice, canned". Going across the page on that line, he will find his mark-up for the item in the column for Group 3 retailers. In this case, his mark-up is 21 percent. Having his mark-up and net cost, Table C will give him his ceiling price without further computations. Checking across the top of Table C, he will find a column headed by his net cost, $0.085. Going down this $0.085 column until he comes to the figure on the same line as his percentage mark-up of 21 percent listed in the column at the extreme left of Table C he will find his ceiling price for the item to be 10 cents per can.

Example (2). A Group 3 retailer wishes to figure a ceiling price for California yellow globe dry onions, U. S. #1, which he must use during the period, August 19, 1943, (Thursday) to August 26, 1943 (Wednesday), inclusive. He must first find the net cost of his selling unit based on his largest purchase during the seven days preceding Thursday, August 19. During the preceding week he made a purchase of 250 bags of 50 pounds each of California yellow globe dry onions, U. S. #1, at a delivered cost of $2.98 per bag, a purchase of 150 bags of the same grade and variety of onions at a delivered cost of $3.02 a bag, and another purchase of the same item of 200 bags at a delivered cost of $2.97 a bag. His largest purchase, therefore, was the purchase of the 250 bags. He must figure his net cost on the basis of the selling unit listed in Table B, which for onions is 3 pounds. He divides his cost per 50-pound bag in his largest purchase, $2.98, by 50, to get a result of $0.0596, which would be his cost per pound. Multiplying this by 3 he gets, before rounding, a figure of $0.1788, his cost for 3 pounds. Since net cost is to be figured to the nearest half-cent, he would then round this figure to $0.180. Having his net cost and his mark-up (obtained from Table B) he finds his ceiling price in Table C in the same way as he did in Example (1) above. Going to Table C, he will find that 25 cents is the ceiling price for an item with a net cost of $0.180 and a mark-up of 40 percent.

Example (3). A Group 3 retailer wishes to figure his ceiling price for California green peas for the period May 4th through May 10th. His largest purchase during the preceding week was a purchase of ten bushel baskets at $4.05 per basket. His selling unit for green peas, given in Table B, is 1 pound. He therefore divides his cost per basket ($4.05) in his largest purchase during the preceding week, by 28 (the minimum net weight of a bushel basket of green peas). This results in $0.144, which is rounded to 14½ cents. He then looks in Table B for the mark-up for green peas, which is $0.050. This mark-up, 5 cents, added to the net cost per selling unit of 1 pound, 14½ cents, gives him 19½ cents. Therefore his ceiling price per pound of California green peas for the period May 4th through May 10th is 19½ cents. In selling 1 pound, he may charge 20 cents. However, if he sells 2 pounds, he may charge no more than 39 cents (2×19½¢).

[Paragraph (b) amended by Am. 15, 9 F.R. 4214, effective 4-27-44.]

Effective date. This regulation shall become effective on the 26th day of July 1943. [MPR 422 originally issued July 8, 1943.]

[NOTE: Effective dates of amendments are shown in notes following the parts affected.]

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

Issued this 24th day of May 1944.

CHESTER BOWLES,
Administrator.

Approved as to action contained herein with respect to agricultural commodities.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-7465; Filed, May 24, 1944; 4:36 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,[1] Incl. Amdts. 1-18]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN $250,000 (GROUP 1 AND GROUP 2 STORES)

This compilation of Maximum Price Regulation 423 includes Amendment 18, effective May 25, 1944. The text added or amended by Amendment 10 is underscored. Deletions are indicated by notes.

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 423 has been issued simultaneously herewith and filed with the Division of the Federal Register.[2]

So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation. In the judgment of the Price Administrator, the ceiling prices established by this maximum price regulation are and will be generally fair and equitable and comply with the requirements of the Emergency Price Control

[1] 8 F.R. 9407.

[2] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

Act of 1942, as amended, Executive Order No. 9250, and Executive Order No. 9328, and will effectuate the purposes of said act and Executive orders.

§ 1351.362 *Ceiling prices of certain foods sold at retail in independent stores doing an annual business of less than $250,000 (Group 1 and Group 2 stores).* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, and Executive Order No. 9328, Maximum Price Regulation No. 423, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1351.362 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671 and E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 423—CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN $250,000 (GROUP 1 AND GROUP 2 STORES)

ARTICLE I—GENERAL PROVISIONS

Sec.
1. What this regulation does.
2. How you find out whether your store is covered by this regulation and what group it is in.
3. How and when you figure your ceiling prices for "dry groceries".
4. Directions for applying the rule for "dry groceries".
5. How you figure your ceiling prices for items of "dry groceries" not kept in stock.
6. When you may change a ceiling price.
7. How and when you figure your ceiling prices for "perishables".
8. Directions for applying the rule for "perishables".
9. Price which you must post.
10. Additions allowed for deliveries made by you to your customers.
11. Indirect price increases prohibited.
12. Sales slips and receipts.
13. Records.
14. Licensing.
15. Prohibitions.
16. Notice of dollars-and-cents ceiling prices.
17. Further provisions supplementing or explaining this regulation.

ARTICLE II—SPECIAL PRICING PROVISIONS

18. Sections in Maximum Price Regulation No. 422 which you must use if they apply to your method of doing business.
18a. How you figure ceiling prices for items if you are also a wholesaler and receive such items from a warehouse owned or controlled by you.

ARTICLE III—MISCELLANEOUS PROVISIONS

19. How certain stores, where necessary to assure an adequate supply of food in a locality, may apply for mark-up adjustments.
19a. Regional adjustment of poultry mark-ups.
20. How you find the "annual gross sales" of your store.
21. How you determine your group in certain special cases.
22. Taxes.
23. Transfer of business and stock in trade.
24. Relation to other regulations.
25. Definitions.
26. Geographical applicability.

ARTICLE IV—TABLES

Sec.
27. Table of mark-ups over "net cost" for "dry groceries". (Table A)
28. Table of mark-ups over "net cost" for "perishables". (Table B)
29. Table of ceiling prices based on any given "net cost" and mark-up. (Table C)

ARTICLE I—GENERAL PROVISIONS

SECTION 1. *What this regulation does.* This regulation fixes new ceiling prices for the "dry groceries" listed in Table A and the "perishables" listed in Table B for all "independent" retail stores doing an annual business of under $250,000. These new ceiling prices are to be used instead of the ceiling prices figured under any other price regulation or order issued by the Office of Price Administration (hereinafter called OPA), except as otherwise provided in any order fixing dollars-and-cents ceiling prices which has been or which may be issued by the OPA pursuant to General Order No. 51.[1] All other retail stores (Group 3 and Group 4 stores) selling these food products are covered by Maximum Price Regulation No. 422.[2]

SEC. 2. *How you find out whether your store is covered by this regulation and what group it is in*—(a) *What stores are covered.* Your store is covered by this regulation if it is a Group 1 or 2 store as defined below and if you are a retailer who buys and resells food products, generally without materially changing their form, for the most part to ultimate consumers who are not commercial, industrial or institutional users. The provisions of this regulation apply to "retail route sellers" only with respect to fresh fruits and vegetables. However, this regulation does not apply to "health food stores", or to automatic vending machines or farmers selling produce grown on their own farms.

[Paragraph (a) amended by Am. 16, 9 F.R. 4217, effective 4-27-44.]

(b) *What are Group 1 and 2 stores.* For the purpose of this regulation, Group 1 and 2 stores are defined as follows:

(1) *Group 1.* Your store is in Group 1 if it is an "independent" store with "annual gross sales" of less than $50,000. Your store is an "independent" store if it is not one of 4 or more stores under one ownership whose combined "annual gross sales" are $500,000 or more.

(2) *Group 2.* Your store is in Group 2 if it is an "independent" store with "annual gross sales" of $50,000 or more, but less than $250,000.

(If you are not sure what group your store is in, use the directions in section 20 for figuring the "annual gross sales" of your store. See section 25 for definitions of Group 3 and Group 4 retailers.)

[1] Revised: 9 F.R. 408.

[2] 8 F.R. 9395, 10569, 10987, 12443, 12611, 13294, 15251, 14853, 15586, 15607, 17369, 17370; 9 F.R. 95.

(c) *How to post a sign of the group your store is in.* At all times, you must have the group your store is in under this regulation posted on a sign reading "OPA–1" or "OPA–2", whichever it is, or on a sign which the OPA may furnish to you. The sign must be posted so that it can be clearly seen by your customers. (The word "Group" as used in this regulation means the same thing as the word "Class" meant in Revised Maximum Price Regulation No. 238[1] and in Revised Maximum Price Regulation No. 268.[2]

(d) *When you may choose to treat your store as a Group 3 or 4 store.* You may choose to treat your store as either a Group 3 or Group 4 store under Maximum Price Regulation 422 and post a sign in your store as a member of such other group if you:

(1) Figure your ceiling prices for all the items listed in Tables A and B of this regulation as a member of the group you choose;

(2) Use the ceiling prices fixed for that group in Maximum Price Regulation No. 390[3] for all the household soaps and household cleansers it covers;

(3) Use the ceiling prices for "Group 3 and 4" stores fixed in Maximum Price Regulation Nos. 336[4] and 355[5] for all the meat items they cover;

(4) Use all the dollars-and-cents ceiling prices fixed under the OPA community price orders issued for stores in the group you choose; and

(5) Notify your nearest OPA District Office of these facts.

Dry Groceries

SEC. 3. *How and when you figure your ceiling prices for "dry groceries"*—(a) *General rule.* Your ceiling price for each item (that is, for each kind, brand, grade, variety, container-type and container-size) of "dry groceries" listed in Table A shall be the total of (1) the "net cost" you have to pay for the first delivery to you of the item on or after August 5, 1943, plus (2) the mark-up given you for it in Table A.

(b) *When you must figure your ceiling prices for "dry groceries."* You must figure and put into effect a new ceiling price for each item of "dry groceries" listed in Table A not later than 5 days after receiving the first delivery of the item on or after August 5, 1943. Until then keep your present ceiling prices. Figure your new ceiling price by following the directions in section 4.

[1] Revoked: 8 F.R. 12468.

[2] 7 F.R. 9184; 8 F.R. 322, 1747, 2483, 2664, 3527, 3732, 4524, 4929, 5907, 6129, 7116, 7661, 7592, 8682, 9365, 9299, 9460, 10568.

[3] 8 F.R. 6428, 8947, 9380, 13499.

[4] 8 F.R. 2859, 4253, 5317, 5634, 6212, 7682, 8944, 9366, 12480, 13181, 15670; 9 F.R. 167, 2212.

[5] 8 F.R. 4423, 4922, 6214, 6428, 7199, 7827, 8185, 8945, 9366, 11297, 12237, 12811, 14738; 9 F.R. 1157.

SEC. 4. *Directions for applying the rule for "dry groceries"*—(a) *Old prices.* Keep your old ceiling price until you put into effect your new ceiling price based on the first delivery of the item to you on or after August 5, 1943. Treat as a separate item each kind, brand, grade, variety, container-size and container-type of "dry groceries".

(b) *Net cost.* To figure your new ceiling price, first find the "net cost" of the item based on its first delivery to you on or after August 5, 1943. Your net cost will be the amount you pay your supplier less all discounts except the discount for prompt payment plus all transportation charges you pay except local trucking and local unloading.

(1) Your net cost must be figured on purchases of a customary quantity from a customary type of supplier delivered to your "usual receiving point" by a customary means of delivery. If the first delivery of an item to you on or after August 5, 1943, is not one of this type, you shall not use the net cost of that purchase as the basis for figuring your ceiling price. Instead, in that case, you must find out what your net cost would have been if that purchase had been of a customary quantity from your customary type of supplier delivered to your usual receiving point by a customary means of delivery, and use that figure as your net cost in figuring your ceiling price for the item. Of course, you must never figure your net cost on a purchase made at a price higher than your supplier's ceiling.

(2) Figure the net cost on a single unit basis (that is, per can, per pound, per package, per jar, etc.) to the nearest half-cent. Your invoice cost may be the cost of a carton, case or barrel for instance, and not the cost of the package, can, or other unit you sell. Find the net cost of the single unit you sell by dividing the cost for the carton, case or barrel by the number of units in the carton, case or barrel.

(c) *Mark-up.* Turn to Table A to find the mark-up for the item given your group of stores. Table A lists all the "dry groceries" covered by this regulation by commodity groups.

(d) *Ceiling prices.* Next turn to Table C. Using the directions given there, you will get your ceiling price for the item. You must not change this ceiling price unless OPA authorizes you to do so. (Section 6 tells you when you can change it.)

(e) *Invoices.* You must write your "net cost" per unit either on your invoice or other record of the price you paid for the item or on a separate slip of paper and attached to that invoice or other record. You must keep separate, or mark or tag plainly, all invoices or records showing the net cost per unit which you used in figuring your ceiling prices. These invoices and records you used in figuring your ceiling prices are your means of proving that your ceiling prices are right.

SEC. 5. *How you figure your ceiling prices for items of "dry groceries" not kept in stock.* If you have already figured a ceiling price under this regulation for an item of "dry groceries" which you have not had in stock for 60 days, you may, if you wish, figure a new ceiling price when next you purchase it. Do this by following directions in section 4, using, however, the "net cost" you had to pay for your new purchase.

SEC. 6. *When you may change a ceiling price*—(a) *Official notification.* If OPA changes a supplier's ceiling price for an item covered by this regulation, it may direct retailers to refigure their ceiling prices for the item. You may not refigure your ceiling price under this paragraph until you receive written notice requiring you to do so. Ordinarily a written notice telling you to refigure your ceiling price will come to you directly from your supplier or the manufacturer. You will find it inside or attached to the carton, case or barrel containing the item, or it will be sent to you with the invoice. After actually receiving the item for the first time with such a notice, you must, before selling the item, refigure your new ceiling price by following the directions in section 4, figuring your "net cost", however, on that first delivery. You must write this new ceiling price on the invoice covering that delivery. Be sure to keep this notice attached to your invoice or other record showing the price you paid for the item. Even though you received later shipments with the same notice you must not change your ceiling price again.

(b) *Special deals.* If your ceiling price for an item was based on a delivery to you at a "special deal" price, you may refigure your ceiling price when you receive your first delivery of that item after the termination of the "special deal". In refiguring your ceiling price, you must follow the directions in section 4, figuring your "net cost", however, on the first delivery to you of the item after the termination of the "special deal".

A "special deal" price means a reduced price, in effect for an announced period of not more than 90 days, to all purchasers of the same class, which price was made for the purpose of introducing a new commodity not theretofore on the market, or resulting from offers of free goods or combination sales. No price resulting from a discount for quantity purchases shall be considered a "special deal" price.

[Sec. 6 amended by Am. 11, 8 F.R. 17371, effective 1-8-44, except that paragraph (b) shall be effective 12-29-43]

Perishables

SEC. 7. *How and when you figure your ceiling prices for "perishables"* — (a) *General rule.* Your ceiling price for each item (that is, for each kind, brand, variety, and grade) of "perishables" listed in Table B shall be the total of (1) the "net cost" of the largest delivery of the item to you during the week before, plus (2) the mark-up given you for it in Table B.

(b) *When you must figure your ceiling prices.* By the opening of business on August 5, 1943, you must have figured your ceiling price for each item of "perishables" listed in Table B which you have in stock at that time. These ceiling prices must be checked each week after August 5, 1943, and changed on Thursday of each week for any item if your "net cost" of that item has changed in the preceding seven days. Never change your ceiling price on any day but Thursday.

For items which you receive for the first time or which you have not had in stock for 30 days, you must figure and use a ceiling price at once using the net cost of that first delivery. On each Thursday after that you must treat the item as you would any other item of perishables covered under this regulation.

SEC. 8. *Directions for applying the rule for "perishables"*—(a) *"Net cost".* To figure your ceiling price, first find the "net cost" of the largest delivery to you of the item during the seven day period before the Thursday for which you are figuring your price. If you have received more than one delivery of the same largest quantity, use the most recent of these deliveries. Your net cost will be the amount you paid your supplier less all discounts except the discount for prompt payment, plus all transportation charges you paid, which may include costs for icing, refrigeration, and ventilation, but which may not include costs for local trucking and local unloading. Of course, you must never figure your net cost on a purchase made at price higher than your supplier's ceiling.

[Paragraph (a) amended by Am. 7, 8 F.R. 15252, effective 11-9-43]

(1) Your net cost must be based on purchases delivered to your usual receiving point.

(2) Figure the net cost on the basis of the "selling unit" (for example, 5 lbs., 1 dozen, etc.) listed in Table B for the commodity group which includes the item you are pricing. Always figure net cost to the nearest half cent.

(3) If you have received no delivery of any item which you have in stock at the opening of business on August 5, 1943, during the week before, you shall, in figuring your first ceiling price for the item on August 5, 1943, base your net cost on its most recent delivery to you.

(b) *Mark-up.* Turn to Table B to find the mark-up for the item given for your group of store. Table B lists all the "perishables" covered by this regulation by commodity groups. Note that some mark-ups are percentage mark-ups, while others are dollars-and-cents additions per "selling unit" which you make to your net cost.

(c) *Ceiling price*—(1) *Percentage mark-ups.* If the item has been given a

percentage mark-up in Table B, turn to Table C. Using the directions given there, you will get your ceiling price for the item.

(2) *Dollars-and-cents mark-ups.* If the item has been given a dollars-and-cents mark-up in Table B, instead of a percentage mark-up, do not use Table C to get your ceiling price. You will get your ceiling price for the item by adding the named dollars-and-cents mark-up in Table B to your "net cost". If your ceiling price so figured results in a fraction of a cent, you may, in making sales of the "selling unit", charge the next higher cent.

(3) *Sales in other quantities.* You may sell an item in a quantity other than the "selling unit" given in Table B. If you sell an item in a quantity other than the "selling unit" given in Table B, you must reduce or increase your ceiling price proportionately. (For example, if your ceiling price for an item of potatoes is 20 cents for 5 pounds, the "selling unit", and you make a sale of 3 pounds of these potatoes, take three-fifths of your ceiling price for 5 pounds, 20 cents, and the resulting figure of 12 cents would be your ceiling price for the 3-pound sale. If you make a sale of 10 pounds, multiply 20 cents by 2, and the resulting figure of 40 cents would be your ceiling price for the 10-pound sale.) If figuring a price for a quantity different from the "selling unit" results in a fraction of a cent, you may charge the next higher cent.

[Paragraphs (b) and (c) amended by Am. 16, 9 F.R. 4217, effective 4-27-44.]

SEC. 9. *Price which you must post.* At all times you must have your current selling price for each item of food covered by this regulation clearly shown on the item or at or near the place in your store where the item is offered for sale. Of course, this posted price must never exceed your ceiling price.

[Sec. 9 amended by Am. 18, effective 5-25-44]

SEC. 10. *Additions allowed for deliveries made by you to your customers.* (a) If you deliver to your customers' homes or places of business any of the items covered by this regulation, you may add to the total value of the delivery, as a separate charge, whichever of the following amounts applies:

Value of delivery:	*Addition allowed*
$0.00–$1.99	No addition
$2.00–$2.99	10¢
$3.00–$4.49	15¢
$4.50–$5.49	20¢
Over $5.49	25¢

(b) If you make such deliveries and add such charges, you are required to keep for one month a copy of each sales slip or invoice, itemizing clearly your prices for the items delivered and the amount of the delivery charges permitted under the provisions of this section.

SEC. 11. *Indirect price increases prohibited.* You must not evade any of the provisions of this regulation or any order issued pursuant to it by any stratagem, scheme, or device. You must not, as a condition of selling any particular food, require a customer to buy anything else. Any such evasion is punishable as a violation of this regulation.

You must not use an unnecessarily high "net cost" in figuring a ceiling price under this regulation. If you make such a high cost purchase, you must find out what your net cost as used in section 4 or 8 would be and use that net cost to figure your ceiling price. You may never use the "net cost" of a purchase from another retailer to figure a ceiling price.

SEC. 12. *Sales slips and receipts.* If you have customarily given a purchaser a sales slip, receipt or similar evidence of purchase, you must continue to do so. Furthermore, regardless of your custom, you must give any customer who asks for it a receipt showing the date, your name and address, each food item sold and the price you charged for it.

SEC. 13. *Records.* After August 5, 1943, you must keep for one year after you receive them all your invoices, freight bills, and other records showing the price you paid and the date you received delivery of each item covered by this regulation.

You are required to show all your invoices on request of any OPA representative and to furnish on request of any OPA representative a written record of your ceiling price in effect at any particular time or times for any or all of the items covered by this regulation. You must also keep available for inspection by an OPA representative the records you used in deciding what group your store is in.

SEC. 14. *Licensing.* The provisions of Licensing Order No. 1,[10] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 14 amended by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

SEC. 15. *Prohibitions.* On and after August 5, 1943, if you sell or deliver or offer to sell or deliver at a price higher than your ceiling price fixed by this regulation or any order issued pursuant to it, or if you otherwise violate any provisions of this regulation or any order issued pursuant to it, you are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended. Also, any person, who, in the course of trade or business, buys from you at a price higher than your ceiling price is subject to the criminal penalties and civil enforcement actions provided for by that act.

SEC. 16. *Notice of dollars-and-cents ceiling prices.* From time to time the OPA may, by order issued pursuant to General Order No. 51,[11] fix in your region or community dollars-and-cents ceiling prices for some or all of the dry groceries or perishables under this regulation. When these dollars-and-cents prices are fixed, you may not thereafter sell at higher prices, and these orders may also provide that such prices take the place of the ceiling prices which you have under this regulation. If such orders do not provide that they replace your prices under this regulation, you must continue to figure your prices under this regulation. If the OPA has, before the effective date of this regulation, established a ceiling price for you for an item pursuant to such an order, you shall use that as your ceiling price and shall not figure a ceiling price under this regulation for the item.

SEC. 17. *Further provisions supplementing or explaining this regulation.* From time to time, the Price Administrator may, by amendment, issue further provisions which will supplement the provisions of this regulation or explain the rights and duties of buyers and sellers under it. These further provisions will become part of this regulation and may be added as paragraphs to this section.

(a) Whenever an amendment adds any food product to the list of items covered in Table A, you must figure your ceiling price for that food product in accordance with sections 3, 4 and 5. However, in doing so, you shall substitute the effective date of such amendment for the date August 5, 1943, whenever it appears in sections 3, 4 and 5.

(b) Whenever an amendment changes either a commodity definition in Table A by transferring a food product from one commodity group to another or the mark-up for your group of retailers, you must refigure your ceiling prices for the items affected by such amendment in accordance with section 4, basing your "net cost" on the first delivery to you of such items after the effective date of the amendment.

[Paragraph (a) and (b) added by Am. 7, 8 F.R. 15252, effective 11-9-43]

(c) Effective May 25, 1944, this regulation requires that the year 1943 be used as the basis for figuring your "annual gross sales" instead of the year 1942. If you find that, as a result of that change, your store is in a group different from the one it was in before, you must, by the opening of business on Thursday, June 15, 1944, refigure all of your ceiling prices. For "dry grocery" items you must use as your "net cost" the same "net cost" you used in figuring your existing ceiling prices. For "perishable" items you must use as your "net cost" the same "net cost" you would have used in refiguring your ceiling prices on that Thursday under section 8 of this regulation (or under section 8 of Maximum Price Regulation No. 422 if you become a Group 3 or Group 4 store). If, under that section, you would not have been required to refigure your ceiling price for any "perishable" item on that Thursday, you must use as your "net cost" for that item the same "net cost" on which your existing ceiling price is based. Further, if any store becomes a Group 3 or Group 4 store, it is on and after June 15, 1944, subject to all other provisions of Maximum Price Regulation No. 422.

[Paragraph (c) added by Am. 18, effective 5-25-44]

ARTICLE II—SPECIAL PRICING PROVISIONS

SEC. 18. *Sections in Maximum Price Regulation No. 422 which you must use if they apply to your method of doing business.* Maximum Price Regulation No. 422, which covers the same food items as this regulation, but for Group 3 and 4 stores, contains a number of special pricing provisions which you are required to follow if you perform the operations they cover. (You may obtain a copy of Maximum Price Regulation No. 422 from your nearest OPA District Office.) The sections of that regulation which you must follow if they apply to you are as follows:

(a) SECTION 18. *Additions for packaging.* (Applies to you if you package any item under this regulation in cardboard containers, cotton bags, transparent bags, interlined coffee bags, or certain Kraft bags or similar type bags, or if you carton eggs.)

[Paragraph (a) amended by Am. 11, 8 F.R. 17371, effective 1-8-44]

(b) Section 19. *Special limitations in figuring your "net cost" in certain cases.* (Applies to you if you purchase butter or cheese f. o. b. shipping point and not on a delivered basis, and if you buy fresh fruits and vegetables from others than wholesalers.)

(c) Section 20. *How you figure your "net cost" in certain cases.* (Applies to you if you import fresh bananas or purchase fresh bananas from importers f. o. b. port of entry or at auction; if you package and print butter; if you candle and grade eggs; if you sell "ungraded eggs"; if you purchase white potatoes or dry onions ungraded and unsacked; if you purchase ungraded, unsized and unpacked citrus fruits and you grade, size and pack such citrus fruits; if you buy poultry live or dressed, and you sell it drawn; if you buy poultry live, dressed or drawn and sell it cut-up or in parts; if you import cocoanuts; or if you import packed pineapple, or packed pineapple juice, other than pineapple juice packed in the Territory of Hawaii or in Puerto Rico.

[Paragraph (c) amended by Am. 1, 8 F.R. 10570, effective 8-5-43; Am. 4, 8 F.R. 12611, effective 9-11-43; Am. 7, 8 F.R. 15252, effective 11-9-43; Am. 11, 8 F.R. 17371, effective 1-8-44; Am. 13, 9 F.R. 3510, effective 4-6-44; Am. 16, 9 F.R. 4217, effective 4-27-44; and Am. 18, effective 5-25-44]

(d) Section 21. *Additional charges allowed for slaughtering and plucking poultry.* (Applies to you if you slaughter or pluck poultry for your customers.)

(e) Section 22. *Additions for delivery from your warehouse to your store.* (Applies to you if your usual receiving point is a warehouse over 125 miles from your store.)

(f) Section 23. *How you figure your ceiling prices for perishables on a weighted average basis.* (Allows you to apply to use a weekly weighted average as a basis for figuring net cost of perishables instead of the largest single delivery.)

(g) Section 25. *How you figure your ceiling prices for foods you "manufacture or otherwise process."* (Applies to you if you manufacture or process any of the foods covered by this regulation.)

(h) Section 26. *Mail order sales.* (Applies to you if you make mail order sales.)

(i) Section 34. *Export sales.* (Applies to you if you make export sales.)

(j) Section 25a. *Ceiling prices for sales of poultry pursuant to Food Distribution Order No. 91.* (Applies to you if the United States Government or its agencies purchases or requisitions any poultry items set aside pursuant to Food Distribution Order No. 91.)

[Paragraph (j) added by Am. 12, 9 F.R. 95, effective 12-31-43]

SEC. 18a. *How you figure ceiling prices for items if you are also a wholesaler and receive such items from a warehouse owned or controlled by you.* (a) If, prior to March 1942, you owned or controlled a warehouse physically separate and apart from your retail store, and you acted as a wholesaler distributing from such warehouse, food products to independent retail stores not owned or controlled by you, and you still own or control such a warehouse, you may, in figuring your ceiling price for each item customarily obtained by you from such warehouse and sold by you from your retail store to the ultimate consumer other than commercial, industrial or institutional users, use as the basis of your "net costs", the net cost you used in figuring your ceiling prices for your wholesale sales under Maximum Price Regulation No. 421,[12] plus the mark-up allowed in that regulation for a Class 1 (retailer-owned cooperative) wholesaler. To get your ceiling prices, reduce the resulting figure to the "net cost" of a single unit and apply the mark-up for your group of retailer as set forth in section 4.

(b) For any item so obtained for which you have already figured a ceiling price under this regulation, you must refigure your ceiling price on or before October 14, 1943, using as the basis of your "net cost" the same "net cost" you used in figuring your present ceiling prices for your wholesale sales under Maximum Price Regulation No. 421, plus the mark-up allowed in that regulation for a Class 1 (retailer-owned cooperative) wholesaler. To get your ceiling price, reduce the resulting figure to the "net cost" of a single unit and apply the mark-up for your group of retailer as set forth in section 4.

(c) Within 10 days after you first figure your prices in accordance with the provisions of this section, you must notify your nearest district office in writing that you have so figured your prices.

[Sec. 18a added by Am. 5, 8 F.R. 13294, effective 10-4-43]

ARTICLE III—MISCELLANEOUS PROVISIONS

SEC. 19. *How certain stores, where necessary to assure an adequate supply of food in a locality, may apply for mark-up adjustments.* (a) If your store is necessary to provide an adequate supply of food products in a locality; and by reason of remote location, long-term credit, short selling season, or other such unusual operating conditions, you find it impossible to operate under the mark-ups fixed by this regulation you may apply for an adjustment of such mark-ups by filing with your nearest District OPA office two copies of a signed statement giving for your store: (1) its name and address; (2) its group under this regulation; (3) its type (for example, cash-and-carry; service, delicatessen); (4) the approximate number of its food customers; (5) the total number of stores selling food in its community; (6) its distance from the nearest store selling food and the name and address of that store; and (7) the reasons why you are unable to operate under the mark-ups fixed by this regulation.

If you have more than one store you may file one application for all your stores which meet the conditions stated above. Your application must state separately for each store the specific information this section calls for.

(b) Any Regional Office of the OPA, or such offices as may be authorized by order issued by the appropriate Regional Office, may act on all applications for ad-

[10] 8 F.R. 13240.

[11] Revised: 9 F.R. 408.

[12] 8 F.R. 9388, 10569, 10987, 13293, 15250, 15607, 17368, 17367.

justment under the provisions of this regulation. Applications for adjustment are governed by Revised Procedural Regulaton No. 1."

SEC. 19a. *Regional adjustment of poultry mark-ups.* Each Regional Administrator of the OPA is hereby authorized to reduce the mark-ups listed in Table B in section 28 (a) for retailers in any area or locality within his jurisdiction for sales of any poultry items in connection with adjustments made pursuant to § 1429.14 (e) of Revised Maximum Price Regulation No. 269," whenever such action is necessary to prevent an increase in the ceiling prices at which such poultry items may be sold by retailers.

[Sec. 19a added by Am. 1, 8 F.R. 10570, effective 8–5–43]

SEC. 20. *How you find the "annual gross sales" of your store.* (a) To find your "annual gross sales", take your total sales for the calendar year 1943. Include all sales as shown on your books, except sales made by a restaurant operated in conjunction with your store. You can use your Federal Income Tax Return to get your gross sales for all or part of the calendar year 1943 which is covered by such return. If you own more than one store, figure the sales for each store separately, treating each as a separate retailer.

(b) If you were not in business during the entire year 1943, you must divide your total sales from the time you began operation up to May 25, 1944, by the number of weeks you were in business. This will get you your weekly average sales. Multiply this figure by 52, and the result is your "annual gross sales".

[Sec. 20 amended by Am. 18, effective 5–25–44]

SEC. 21. *How you determine your group in certain special cases*—(a) *Department stores.* If you operate a department store, that is, a store in which the greater volume of sales is general merchandise and not foods, and you sell foods in a separate department or departments, you must determine your group by using only the "annual gross sales" of your food department or departments.

(b) *Stores in which more than one retailer operates.* (1) If you sell food in a retail store in which there are other food retailers, none of whom sells a complete line of the same general class of food, you must find your group by taking the combined "annual gross sales" of all the food retailers in that store.

(2) If you sell foods in a retail store in which more than one retailer sells a complete line of the same general class of food, you will be considered as operating a separate retail store of your own, and you must determine your group by using only your own sales.

(c) *New stores.* If you open a retail store after May 25, 1944, you may consider yourself a Group 1 or Group 3 retailer, depending upon whether or not at that date your store is an "independent" store, and you must figure your ceiling prices accordingly. (If you are a Group 3 store, you must figure your ceiling prices under Maximum Price Regulation No. 422.) However, after you have been in business for 3 months, you must determine again what group your store is in. To do this, take your total sales in the new store for the 3-month period and multiply by 4. Use the result as your "annual gross sales" in determining the group in which your store belongs.

Furthermore, if by reason of the new store you now are one of 4 or more stores under one ownership, you must at the end of the 3-month period refigure the combined "annual gross sales" for all your stores. If the combined "annual gross sales" are $500,000 or more, all of your stores must then be considered as Group 3 or Group 4 stores. You may continue to use the existing ceiling prices in each store until the second Thursday following the end of the 3-month period, by which time you must have refigured all of your ceiling prices in each store, using the mark-ups for its proper group.

If you find that only the new store should now be in another group, you may continue to use the Group 1 mark-ups until the second Thursday following the end of the 3-month period, by which time you must have refigured all your ceiling prices using the mark-ups for the new group in which this store falls.

In refiguring your ceiling prices as required above, for "dry grocery" items you must use as your "net cost" the same "net cost" you used in figuring your existing ceiling prices. For "perishable items", you must use as your "net cost" the same "net cost" which you would have used in refiguring your ceiling prices on that Thursday under section 8 of this regulation if a Group 1 store (or under section 8 of Maximum Price Regulation No. 422 if a Group 3 store). If, under that section, you would not have been required to refigure your ceiling price for any item on that Thursday, you shall use as your "net cost" for that item the same "net cost" on which your existing ceiling price at that time is based.

[Paragraph (c) amended by Am. 10, 8 F.R. 15608, effective 11–20–43; and Am. 18, effective 5–25–44]

SEC. 22. *Taxes.* You may collect, in addition to your ceiling price, any tax upon or incident to a sale at retail of food covered by this regulation, if you state the tax separately, and if the tax statute or ordinance does not prohibit sellers from stating and collecting the tax separately from the price.

SEC. 23. *Transfer of business and stock in trade.* If, after August 5, 1943, you acquire in any way the business, assets, and stock in trade of any retail store covered by this regulation and you carry on the business, or continue to deal in the same type of food products in that same store, your ceiling prices shall be the same as those of the former owner if no transfer had taken place. You must keep all the records needed to verify your ceiling prices. The former owner must either preserve and make available to you, or give you, all the records of his transactions before you acquired the store which you need to comply with the record provisions of this regulation.

If the transfer changes the business from one group of retail store to another, your ceiling prices shall be those for the group of retailers to which you belong under this regulation.

SEC. 24. *Relation to other regulations.* The provisions of this Maximum Price Regulation No. 423, except as otherwise provided in this regulation, shall, on and after August 5, 1943, supersede the provisions of Revised Maximum Price Regulation No. 238, Maximum Price Regulation No. 250,[14] Revised Maximum Price Regulation No. 256,[15] Revised Maximum Price Regulation No. 268, the General Maximum Price Regulation," and any other applicable price regulation or order issued by the OPA except any order issued pursuant to General Order 51," with respect to sales and deliveries for which ceiling prices are established by this regulation.

SEC. 25. *Definitions*—(a) *Retail route seller.* A "retail route seller" is a retailer who distributes food products to ultimate consumers other than commercial, industrial or institutional users, either on a future delivery basis or otherwise, from an inventory stocked in trucks or other conveyances operated by driver-salesmen over regular routes. A retailer, most of whose business is the personal solicitation of orders by salesmen calling at the homes or places of business of ultimate consumers, who are not commercial, industrial or institutional users, shall also be considered a retail route seller. A retailer is a "retail route seller" only of the food products he sells in this way.

(b) *Health food stores.* A "health food store" is one whose sales to consumers consist principally of especially prepared vitamin-enriched foods customarily included in the trade term "health foods" which are usually sold for special dietary purposes.

(c) *Delivery.* Delivery of an item covered by this regulation shall be considered to have occurred when the item has been received by you at your usual receiving point.

(d) *Usual receiving point.* Your usual receiving point will be either your retail store or your warehouse from which you supply your retail stores, depending upon where you normally receive the particular item you are pricing under this regulation.

(e) *Item.* You must determine a separate ceiling price for each item; that is, for each kind, brand, size, variety, grade, container-type, and container-size, except for fresh fruits and vegetables. Separate fresh fruit and vegetable items shall be those defined as separate in the definitions accompanying Table B.

(f) *Manufacture or otherwise process.* "Manufacture or otherwise process" shall mean blending, freezing, canning, preserving, bottling, milling, crushing, straining, roasting, centrifuging, cooking, distilling, purifying with heat, and other similar operations.

Packaging as referred to in section 18, ripening of bananas, printing of butter, candling and grading of eggs, and killing and dressing of poultry shall not be considered manufacturing or processing under this regulation.

(g) *Group 3 retailer.* A retailer is in Group 3 if he has an "annual gross sales" of less than $250,000 and he is not an "independent" retailer.

(h) *Group 4 retailer.* A retailer is in Group 4, whether "independent" or not, if he has an "annual gross sales" of $250,000 or more.

SEC. 26. *Geographical applicability.* The provisions of this regulation shall apply to the 48 states of the United States and to the District of Columbia.

ARTICLE IV—TABLES

SEC. 27. *Table of mark-ups for "dry groceries" (Table A)*—(a) *Table A: Mark-ups over "net cost" allowed to Group 1 & Group 2 retailers for dry groceries covered by this regulation by commodities.*

TABLE A—MARK-UPS OVER "NET COST" ALLOWED TO GROUP 1 AND GROUP 2 RETAILERS FOR DRY GROCERIES COVERED BY THIS REGULATION BY COMMODITIES

Food commodities	Allowed mark-ups over "net cost"	
	Independent retailers with annual volumes	
	Group 1—under $50,000	Group 2—$50,000 but less than $250,000
	Percent	*Percent*
1. Baby foods	25	23
2. Cereals, breakfast	22	20
3. Cocoa, chocolate, and cereal drink preparations	29	29
4. Coffee	17	17
5. Cookies, crackers, toast and crumbs	25	25
6. Corn meal and hominy	29	29
7. Dog and cat foods	27	27
8. Fish, processed	27	27
9. Flour and flour mixes	27	27
10. Fruits, berries and fruit juices (canned) except fruit cocktail, pineapple, peaches and pears	26	26
11. Fruit cocktail, pineapple, peaches and pears (canned) except juices	25	23
12. Fruits, dried and dehydrated	27	25
13. Frozen Foods	27	27
14. Gelatin and pudding mixtures	28	25
15. Jams, jellies, preserves, honey and peanut butter	32	32
16. Lard, pure	20	18
17. Macaroni and spaghetti products	32	32
18. Mayonnaise and salad dressing	24	24
19. Meat, canned	21	21
20. Milk, canned	20	20
21. Oils, cooking and salad	28	28
22. Oleomargarine	17	15
23. Pickles and relishes	32	32
24. Rice	26	26
25. Shortening, hydrogenated	9	9
26. Shortening, other	18	18
27. Soups, canned	27	26
28. Soups, dehydrated	34	34
29. Spices	46	46
30. Sugar	17	12
31. Syrups	28	28
32. Tea	26	26
33. Vegetables and vegetable juices (canned) except corn, green and wax beans, peas, tomatoes and tomato juice	31	31
34. Corn, green and wax beans, peas, tomatoes and tomato juice (canned)	25	23
35. Vegetables, dried and dehydrated	36	36
36. Vinegar	39	34
37. Miscellaneous foods	40	40

[Table amended by Am. 2, 8 F.R. 10988, effective 8–5–43. Item 13 amended by Am. 7, 8 F.R. 15252, effective 11–24–43; and Item 6 amended by Am. 15, 9 F.R. 4017, effective 5–1–44.]

(b) *Commodity definitions.* These definitions apply to both domestic and imported items.

(1) "Baby foods" means "baby" or "junior" soups, fruits, vegetables, meats and mixtures thereof packed in hermetically sealed containers. Excluded are dry baby cereals.

(2) "Cereals, breakfast" means bulk or packaged cereal items of any size commonly used as breakfast foods, both un-cooked and ready-to-eat types including, but not limited to, bran flakes, farina, popped rice, and rolled oats. Excluded are barley, corn meal, corn grits, hominy grits and flakes, rice, wheat bran flour, wheat germ, and dry baby cereals. Also excluded are cereals mixed or coated with a confection, in the proportion of two thirds or more confection to one third cereal by weight.

[Subparagraph (2) amended by Am. 18, effective 5–25–44]

(3) "Cocoa, chocolate and cereal-drink preparations" includes, but is not limited to, coffee substitutes or extenders, chicory, malted milk preparations containing less than 35 percent malted milk, chocolate syrup, chocolate bits, cooking chocolate, and packaged powdered skim milk (spray process). Excluded are chocolate confections, bittersweet bars, milk chocolate, powdered whole milks, powdered skim milk packaged in tin in an inert gas, malted milk, and any preparation containing 35 percent or more malted milk.

[Subparagraph (3) amended by Am. 2, 8 F.R. 10988, effective 8–5–43; and Am. 7, 8 F.R. 15252, effective 11–24–43]

(4) "Coffee" means roasted coffee, whole or ground, decaffeinated coffee, coffee concentrates, and any mixtures of coffee with other products for beverage purposes.

(5) "Cookies, crackers, toast, and crumbs" includes, but is not limited to, biscuits, Christmas cookies, fig bars, graham crackers, pretzels, rye crackers, zwieback, melba toast, bread crumbs, cracker crumbs, cookies, matzo, matzo meal, and related matzo products. Excluded are bread, pies, cakes, doughnuts, coffee cakes, rolls, candies, Passover matzo, Passover matzo meal, related Passover matzo products, and any bakery products which you manufacture. Also excluded are any items which are bought by you in bulk and sold loose.

[Subparagraph (5) amended by Am. 2, 8 F.R. 10988, effective 8–5–43; and Am. 11, 8 F.R. 17371, effective 1–8–44]

(6) "Corn meal and hominy" means bulk or packaged (in any size) corn meal, corn grits, hominy, hominy grits, hominy flakes, and prepared hominy. Excluded is canned hominy which is in "Vegetables and vegetable juices, canned".

(7) "Dog and cat food" shall not include any item prepared by you for pet food, or any frozen dog or cat food.

(8) "Fish, processed" includes, but is not limited to, canned fish, canned sea food, and salted, pickled, smoked, dried or otherwise processed fish, such as fish cakes, roe, clam juice, and oyster puree. Excluded are fresh or frozen fish, fresh or frozen seafood, frozen food products in which fish or seafood are combined with other ingredients, and caviar.

[Subparagraph (7) and (8) amended by Am. 7, 8 F.R. 15252, effective 11–24–43]

(9) "Flour and flour mixes" means all bulk or packaged (in any size) flour and flour mixes milled from wheat, semolina, farina, corn, rice, buckwheat, and potatoes, including, but not limited to, prepared pancake, cake, biscuit, pie crust and gingerbread mix.

(10) "Fruits, berries, and fruit juices, canned" includes, but is not limited to, apple sauce, apple cider, berry juices, concentrated fruit juices, citrus fruits and juices, cranberry jelly and sauce, fountain fruits, maraschino cherries, fruit nectars, rhubarb, and bulk apple cider and pineapple juice. "Canned" means processed and packed in any container, whether or not hermetically sealed. Excluded are apple butter, fruit butters, jams, jellies, fruit preserves, cocoanut, olives, baby foods, dried fruits, dehydrated fruits, fruit cocktail, pineapple, (except pineapple juice) peaches, pears, and frozen fruits.

[Subparagraph (10) amended by Am. 18, effective 5–25–44]

(11) "Fruit cocktail, pineapple, peaches, and pears (canned) except juices" shall include fruit salad. Excluded are frozen fruits. "Canned" means processed and packaged in any container, whether or not hermetically sealed.

[Subparagraph (11) amended by Am. 18, effective 5–25–44]

[14] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594.

[15] 8 F.R. 13813, 14016, 15258, 14854, 15190, 16793; 9 F.R. 95, 612, 902, 96, 1036, 1941.

[16] 7 F.R. 8705, 9898, 10014, 10994; 8 F.R. 2673, 10559.

[17] 7 F.R. 8893, 10473; 8 F.R. 1266, 2106, 2673, 3946, 5164.

[18] 9 F.R. 1385.

[19] Revised: 9 F.R. 408.

(12) "Fruits, dried and dehydrated" (packaged or bulk) includes, but is not limited to, fresh dates, stuffed dried fruits, dried dates and figs, pitted dates, and macerated dates. Excluded are fruit confections, candied or glaced fruits and peels, and date products.

NOTE: The 1943 pack of dried fruits shall be considered a different item from the 1942 pack of dried fruits, and you must figure separate ceiling prices for each item of the 1943 pack.

[Subparagraph (12) amended by Am. 10, 8 F.R. 15608, effective 11-20-43; and Am. 14, 9 F.R. 3648, effective 4-8-44]

(13) "Frozen foods" means packaged quick-frozen or cold-packed foods sold from refrigerated cabinets or lockers, including, but not limited to all fruits, berries, fruit or berry juices, and mixtures, vegetables, vegetable juices, and mixtures, including mushrooms, dog and cat food not prepared by you for pet food, applesauce, macaroni and spaghetti products, chop suey, gravies, pork-and-beans, soups, food products in which meat, chicken, turkey, fish or seafood are combined with other ingredients, meat stews, and corned beef hash. Excluded are frozen pies and pastries, frozen meat, poultry, fish and seafood, ice cream, sherbet and frozen confections.

NOTE: The 1943 pack of canned fruits and frozen fruits shall be considered different items from the 1942 pack of fruits and you must figure separate ceiling prices for each item of the 1943 pack.

[Subparagraph (13) amended by Am. 7, 8 F.R. 15252, effective 11-24-43. Corrected, 8 F.R. 17371, effective 12-23-43]

(14) "Gelatin and pudding mixtures" includes, but is not limited to, gelatin, gelatin desserts, tapioca, arrowroot, consumer ice cream mixes, and rennet.

(15) "Jams, jellies, preserves, honey and peanut butter" includes, but is not limited to, tomato preserves, marmalade, fruit preserves, fruit butters, smooth or crunch-type nut butters, honey butter, and all extracted honey (including combinations of extracted and comb honey) packaged in containers of a capacity of 15 pounds or less. Excluded are cranberry jelly or sauce.

[Subparagraph (15) amended by Am. 14, 9 F.R. 3648, effective 4-8-44]

(16) "Lard, pure" (packaged or bulk) includes, but is not limited to, rendered pork fat. Excluded are lard compounds which are classed as "Shortenings, other".

(17) "Macaroni and spaghetti products" includes, but is not limited to, bows, egg alphabets, macaroni, spaghetti, vermicelli, "sea shells", noodles, macaroni dinners, and spaghetti dinners. Excluded are ravioli, tamales, dry noodle soup mixtures, spaghetti-and-meatballs, chicken-and-noodles, Chinese-style noodles, and frozen macaroni and spaghetti products.

[Subparagraph (17) amended by Am. 7, 8 F.R. 15252, effective 11-24-43]

(18) "Mayonnaise and salad dressing" includes, but is not limited to, tartar sauce, relish spreads, other mayonnaise spreads, and french dressing. Excluded are olive oil and meat spreads.

(19) "Meat, canned" includes, but is not limited to, canned or glassed chicken and turkey products, chicken-and-noodles, chili con carne, meat spreads, meat gravy, pickled meats, ravioli, spaghetti-and-meatballs, stews, tamales and tripe. Excluded are mincemeat, any canned meat which is removed from the can by the retailer and sold sliced in smaller amounts, frozen food products in which meat, chicken and turkey are combined with other ingredients, frozen meat gravies, and frozen meat stews.

[Subparagraph (19) amended by Am. 7, 8 F.R. 15252, effective 11-24-43]

(20) "Milk, canned" means evaporated or condensed cow milk, including, but not limited to, filled evaporated milk products. Excluded are fresh milk, cream, powdered milks, and goat milk.

(21) "Oils, cooking and salad" means all vegetable, fruit and leaf plant oils, and cooking fats other than shortening. Excluded are prepared dressings, and pure olive oil.

(22) "Oleomargarine" means any product labelled "oleomargarine."

(23) "Pickles and relishes" (packaged or bulk) includes, but is not limited to chow chow, pickled fruits, pickled onions, pickled peppers, pickled relishes, pickled rind, and pickled vegetables. Excluded are mayonnaise-relish spreads, and tartar sauce.

(24) "Rice" (packaged or bulk) means all rice. Excluded are rice flour, rice flakes, popped rice and wild rice.

[Subparagraph (24) amended by Am. 11, 8 F.R. 17371, effective 1-8-44]

(25) "Shortening, hydrogenated" means all fully hydrogenated shortenings.

(26) "Shortening, other" means shortenings other than fully hydrogenated shortening. Excluded are butter, lard, oleomargarine, and suet.

(27) "Soups, canned" includes all soups, broths and chowder. Excluded are meat stews, "baby" or "junior" soups, dehydrated soups, and frozen soups.

NOTE: The 1943 pack of canned vegetable soups shall be considered a different item from the 1942 pack of canned vegetable soups, and you must figure separate ceiling prices for each item of the 1943 pack.

[Subparagraph (27) amended by Am. 1, 8 F.R. 10570, effective 8-5-43; and Am. 7, 8 F.R. 15252, effective 11-24-43. Corrected, 8 F.R. 17371, effective 12-23-43]

(28) "Soups, dehydrated" means dry mixtures sold for soup-making, including, but not limited to, bouillon concentrates, and dry noodle soup mixtures. Excluded are other macaroni or noodle products, lentils, and dried peas.

(29) "Spices" includes, but is not limited to, bayleaves, caraway seed, dried peppers, dry chili, celery seed, celery salt, celery flakes, chili powder, garlic, garlic salt, dry mustard, onion salt, onion flakes, poultry seasoning, poppy seed, seasoned salt, sesame seed, thyme, and cream of tartar. Excluded are table salt, spice oils, and candied ginger.

(30) "Sugar" means all bulk or packaged cane or beet sugar, including cinnamon sugar.

(31) "Syrups" means all malt, molasses, cane, maple, and corn syrups, and imitations or blends. Excluded are chocolate and ice cream sundae syrups, fruit syrups for making beverages, molasses sold for feed purposes, and sorghum syrup.

[Subparagraph (31) amended by Am. 11, 8 F.R. 17371, effective 1-8-44]

(32) "Tea" includes all bulk or packaged tea, tea bags, and matte.

(33) "Vegetables and vegetable juices, canned" includes, but is not limited to, blackeye, crowder, cream and field peas, baked beans, sauerkraut, chili sauce, cocktail sauce, canned hominy, mushrooms, mushroom sauce, tomato catsup, tomato paste, tomato puree, pimientos, and Chinese-style foods including soy sauce and brown sauce. "Canned" means processed and packaged in any container, whether or not hermetically sealed. Excluded are vegetable soups, "baby" or "junior" foods, pickles, corn, green and wax beans, peas (except canned blackeye, crowder, cream and field peas), tomatoes, tomato juice, and frozen vegetables.

[Subparagraph (33) amended by Am. 10, 8 F.R. 15608, effective 11-20-43]

(34) "Corn, green and wax beans, peas, tomatoes, and tomato juice (canned)." Excluded are frozen vegetables and canned blackeye, crowder, cream and field peas. "Canned" means processed and packaged in any container, whether or not hermetically sealed.

NOTE: The 1943 pack of canned vegetables and frozen vegetables shall be considered different items from the 1942 pack of vegetables and you must figure separate ceiling prices for each item of the 1943 pack.

[Subparagraph (34) amended by Am. 10, 8 F.R. 15608, effective 11-20-43]

(35) "Vegetables, dried and dehydrated" (packaged or bulk) includes, but is not limited to, dried beans, blackeye peas, dried mushrooms, dried peas, and lentils. Excluded are dry soup mixes, hominy, garlic, celery flakes, onion flakes, dried chili, and dried peppers.

(36) "Vinegar" (bottled or bulk) includes, but is not limited to, pure cider vinegar, distilled vinegar, malt vinegar, wine vinegar, and tarragon vinegar.

(37) "Miscellaneous foods" shall include all other dry grocery items except those specifically excluded in paragraph (c) of this section. Among the items included under this heading are the following:

Baking powder
Baking soda
Barley (pearl)
Caviar
Cocoanut, shredded, desiccated, or moist
Cookies, crackers, toast, and crumbs bought by you in bulk and sold loose.
Corn starch, edible or gloss, packaged in containers of ten pounds or less (excluded are powdered prepared laundry starching compounds).
Date products
Egg nog (non-alcoholic), bottled
Extracts
Flavorings
Food colorings
Fruit pectins
Fruit syrups for making beverages
Glaced or candied fruits and peels
Goat milk, canned
Ice cream sundae syrups (except chocolate)
Meat flavorings
Meat sauces, except catsup, cocktail sauce, and chili sauce.
Mincemeat
Mustard, prepared
Olives
Olive oil, pure (packaged in containers of a capacity of one gallon or less).
Pie filling
Popcorn (whether or not popped)
Potatoes, Julienne, packed in hermetically sealed containers.
Potatoes, shoestring, packed in hermetically sealed containers.
Pudding, date
Pudding, fig
Pudding, plum
Salt, table, packaged in cartons, bags or packets containing 100 pounds or less, Kosher salt in cartons, and salt packaged in containers of 10 pounds or less and labeled by the manufacturer as ice cream salt (excluded are onion, celery or garlic salt, and meat-curing or smoked salt)
Spice oils.
Tom and Jerry batter, bottled.
Yeast.

[Subparagraph (37) amended by Am. 1, 8 F.R. 10570, effective 8-5-43; Am. 2, 8 F.R. 10988, effective 8-5-43; Am. 7, 8 F.R. 15252, effective 11-24-43; Am. 11, 8 F.R. 17371, effective 1-8-44; Am. 14, 9 F.R. 3648, effective 4-8-44; and Am. 18, effective 5-25-44]

(c) *Commodities not included in this regulation.* Excluded from this regulation are:

Baked beans, prepared by the retailer.
Baked goods, fresh (except cookies, crackers, toast and crumbs).
Beer.
Bird seed and gravel.
Bread.
Buttermilk, fresh.
Candied ginger.
Candy.

[3 items deleted by Am. 18, effective 5-25-44]

Comb honey.
Corn starch, edible or gloss (packaged in containers of more than ten pounds).
Corn sugar.
Cream.
Dry baby cereals.
Feed, animal or poultry (other than pet food).
Fresh fruits and vegetables (except as included in Table B).
Fruit cake.
Fruit and vegetable powders for making beverages.
Ice cream cones.
Ice cream, sherbets, and frozen confections.
Laundry starching compounds, powdered prepared.
Liquors.
Malted milk and any preparation containing 35% or more malted milk.
Maple sugar.
Meat and fish (except "Fish, processed", "Frozen fish and seafood", and "Meat, canned).
Milk, fresh.
Whole milk, powdered, and powdered skim milk packaged in tin in an inert gas.
Mineral oil.
Nuts.
Olive oil, pure (packaged in containers of a capacity of more than one gallon).
Passover matzo, Passover matzo meal, and related Passover matzo products.
Peanuts.
Pet foods (except cat and dog foods or any frozen cat and dog foods).
Potato chips.
Salads and relishes prepared by the retailer.
Soft drinks.
Sorghum syrup.
Tamales, bulk.
Tortillas.
Vitamin concentrates.
Wheat germ.
Wild rice.
Wine.

[Paragraph (c) amended by Am. 1, 8 F.R. 10570, effective 8-5-43; Am. 2, 8 F.R. 10988, effective 8-5-43; Am. 6, 8 F.R. 13294, effective 10-4-43; Am. 7, 8 F.R. 15252, effective 11-24-43; Am. 11, 8 F.R. 17371, effective 1-8-44; Am. 14, 9 F.R. 3648, effective 4-8-44; and Am. 18, effective 5-25-44]

SEC. 28. *Table of mark-ups for "perishables" (Table B).*—(a) *Table B: Mark-ups over "net cost" allowed to Group 1 and Group 2 retailers for perishables covered by this regulation by commodities.*

TABLE B—MARK-UPS OVER "NET COST" ALLOWED TO GROUP 1 AND GROUP 2 RETAILERS FOR PERISHABLES COVERED BY THIS REGULATION BY COMMODITIES

I. Food commodities	Allowed mark-ups over net cost: Independent retailers with annual volumes — Group 1. Under $50,000	Group 2. $50,000 but less than $250,000	"Selling unit" in which ceiling price must be calculated
(1) Dairy products:	*Percent*	*Percent*	
Butter	10	10	1 pound.
Cheese	27	27	1 pound or 1 package.
Eggs, shell	17	15	1 dozen.
(2) Fresh fruits:			
Apples	33	33	2 pounds.
Bananas, bought on the stem	43	43	1 pound.
Bananas, bought in hands	34	34	1 pound.
Berries	34	34	1 quart, 1 pint or 1 pound.
Citrus fruits	39	39	1 dozen or 5 pounds (grapefruit, 1 grapefruit or 1 pound).
Grapes	40	40	1 pound.
Red sour cherries	34	34	1 quart or 1 pound.
(3) Fresh vegetables:			
Cabbage	40	40	2 pounds.
Lettuce	40	40	1 head or 1 pound.
Onions, dry	40	40	3 pounds.
Potatoes, sweet	40	40	2 pounds.
Potatoes, white	33	30	5 pounds.
Tomatoes	40	40	1 pound or 1 package.
(4) Poultry:			
Poultry (except turkey) sold as purchased: Bought live and sold live, bought dressed and sold dressed, bought drawn and sold drawn, bought frozen and sold frozen, bought kosher-killed and sold kosher-killed, bought kosher dressed and plucked and sold kosher dressed and plucked, bought split or cut-up and sold split or cut-up (boxed and other pack).	21	21	1 pound.
Poultry (including turkey) bought live and sold dressed weight basis. (Multiply live cost per pound by applicable figure in table. This establishes selling price per pound, dressed weight.)	38	36	1 pound.
Turkey bought live and sold live	21	21	1 pound.
Turkey bought dressed and sold dressed, bought kosher-killed and sold kosher-killed, bought kosher dressed and plucked and sold kosher dressed and plucked, bought drawn and sold drawn, bought frozen and sold frozen, bought split and sold split, bought cut-up and sold cut-up (boxed and other pack).	17	17	1 pound.
(5) Fish: Frozen fish and seafood	28	26	1 pound.

II. Food commodities	Allowed dollars-and-cents mark-ups per "selling unit": Independent retailers with annual volumes — Group 1. Under $50,000	Group 2. $50,000 but less than $250,000	"Selling unit" in which ceiling price must be calculated
(1) Dairy products:	*Dollars-and-cents*	*Dollars-and-cents*	
(2) Fresh fruits: Coconuts	$0.020	$0.020	1 pound.
(3) Fresh vegetables:			
Beans, green and wax	$0.04½	$0.04½	1 pound.
Carrots, bunched	$0.02½	$0.02½	1 bunch.
Carrots, other than bunched	$0.020	$0.020	1 pound.
Cucumbers, except hothouse cucumbers	$0.02½	$0.02½	1 pound.
Eggplant	$0.03½	$0.03½	1 pound.
Peas, green	$0.05½	$0.05½	1 pound.
Spinach	$0.03½	$0.03½	1 pound.
(4) Poultry:			
(5) Fish:			

[Table B amended by Am. 1, 8 F.R. 10570, effective 8-5-43; Am. 3, 8 F.R. 12443, effective 9-16-43; Am. 6, 8 F.R. 13294, effective 10-4-43; Am. 8, 8 F.R. 14854, effective 11-4-43; Am. 11, 8 F.R. 17371, effective 1-8-44; and Am. 16, 9 F.R. 4217, effective 4-27-44]

(b) *Commodity definitions.* These definitions apply to both domestic and imported items.

(1) *Dairy products.* "Butter" (packaged or bulk) means only butter from milk, including, but not limited to, processed, salted, unsalted, and whipped butter. Excluded are peanut, nut, fruit or honey butters.

[Above definition amended by Am. 14, 9 F.R. 3648, effective 4-8-44]

"Cheese" shall include all bulk or packaged cheese and products composed of more than fifty per cent cheese.

"Eggs, shell" means chicken eggs sold for human consumption. Ceiling prices shall be figured for each grade and size (or weight class) of eggs, and the grade and size (or weight class) shall be posted separately with the selling price, except that "ungraded eggs" are to be designated only as "ungraded eggs". Eggs shall be sold at retail only in the retail grades and sizes (or weight classes) specified in Maximum Price Regulation No. 333, or as "ungraded eggs" which may contain no inedible eggs.

[Above definition amended by Am. 1, 8 F.R. 10570, effective 8-5-43]

(2) *Fresh fruits.* "Fresh fruits" means all the fresh fruits listed, packed or in bulk, which have not been frozen, dried, canned or otherwise processed. Wrapping, dipping, washing, or crating, shall not be considered processing.

"Apples" means all varieties of fresh apples including, but not limited to, Baldwin, Delicious, Grimes Golden, Winesap, Northern Spy, York Imperial, McIntosh, and Rome Beauty. Each variety shall be considered a separate item and priced separately.

"Bananas." Bananas, from different countries of origin such as, but not limited to, Costa Rica, Honduras, Guatemala, and Mexico, shall be considered different "kinds" of bananas, and must be priced separately. "Bananas, bought in hands," means those which have been sold after being cut away from the stem.

"Berries" means blackberries, boysenberries, gooseberries, loganberries, black raspberries, red raspberries, strawberries and youngberries. Each of these eight kinds of berries shall be treated as a separate item and priced separately. Whenever fresh berries are sold in quarts or pints, they must have a minimum net weight of 20 ounces per quart or 10 ounces per pint. If you purchase berries on the basis of a price per pound and sell them in pints or quarts, you must multiply your cost per pound by 20/16 to figure your "net cost" per quart, and by 10/16 to figure your "net cost" per pint.

[Above definition amended by Am. 17, 9 F.R. 4434, effective 4-27-44.]

"Citrus fruits" means all fresh citrus fruits including, but not limited to, oranges, lemons, limes, grapefruit and tangerines. Separate ceiling prices shall be figured for each variety, each size, and for fruit from different areas. Varieties shall be oranges, lemons, limes, temple oranges, tangerines (including tangelos), white seeded grapefruit, pink seeded grapefruit, white seedless grapefruit, pink seedless grapefruit, and ruby red grapefruit. Different areas are California, Arizona, Texas, Indian River Citrus Area of Florida, and the rest of the State of Florida.

"Coconuts" means all fresh whole coconuts, imported and domestic. Coconuts in husks and coconuts in shells shall be considered separate items and priced separately. "Coconuts in husks" mean the fruit of the coco palm enclosed in thick, fibrous outer coats commonly called husks. "Coconuts in shells" means the fruit of the coco palm with the outer husks removed.

"Grapes" means all varieties of fresh grapes including, but not limited to, Alicante, Almeria, Concord, Emperor, Red Malaga, White Malaga, Ribier, Thompson Seedless, Tokay and Zinfandel. Each variety shall be considered a separate item and priced separately.

"Red sour cherries." All red sour cherries shall be considered one item. When you sell red sour cherries by the quart, they must have a minimum net weight of 20 ounces per quart. When you purchase red sour cherries on the basis of a price per pound and sell them in quarts, you must multiply your cost per pound by 20/16 to figure your "net cost" per quart.

[Subparagraph (2) amended by Am. 1, 8 F.R. 10570, effective 8-5-43; Am. 3, 8 F.R. 12448, effective 9-16-43; Am. 9, 8 F.R. 15587, effective 11-19-43; and Am. 16, 9 F.R. 4217, effective 4-27-44 and as otherwise noted]

(3) *Fresh vegetables.* "Fresh vegetables" means all the fresh vegetables listed, packed or in bulk, which have not been frozen, dried, canned or otherwise processed. Wrapping, dipping, washing, shelling, shall not be considered processing.

"Beans, green and wax" means all varieties of green and wax beans, but shall not include limas and English, Fava, and Italian broad beans. Green beans and wax beans shall be considered separate items and priced separately.

"Cabbage" means all solid headed cabbage, including Red and Savoy. Excluded are Chinese cabbage, collards, cauliflower, and brussels sprouts. Red cabbage shall be considered as a separate item and priced separately.

"Carrots, bunched" means all fresh carrots with tops, bought and sold in bunches weighing not less than one pound. California and similar quality bunched carrots shall be considered a separate item.

"Carrots, other than bunched" means clipped carrots (carrots with tops not more than 4 inches long), topped carrots (carrots without tops), and all other carrots including bunches weighing less than one pound. Separate ceiling prices shall be figured for each kind. Kinds of "carrots, other than bunched" shall be clipped carrots, topped carrots and all other carrots.

"Cucumbers" means all types and varieties of cucumbers. Field-grown cucumbers and gherkins shall be considered separate items and priced separately. Excluded are hothouse cucumbers.

"Eggplants" means all varieties of eggplants. All eggplants shall be considered a single item and priced as such.

"Lettuce" means all head or leaf lettuce, including, but not limited to, Iceberg, Big Boston and Romaine. Excluded are escarole, chicory, and endive. Head lettuce and leaf lettuce shall be considered separate items and priced separately. California and similar quality Iceberg shall also be considered a separate item.

"Onions, dry" means all dry onions used for human consumption. Each grade and variety shall be considered separate items and priced separately.

"Peas, green" shall not include Chinese peas. California and similar quality peas shall be considered a separate item and shall be priced as such.

"Potatoes, sweet" means all varieties of sweet potatoes. All dry flesh sweet potatoes shall be considered one item, and moist flesh sweet potatoes shall be considered a separate item, and priced separately. Dry flesh sweet potatoes include varieties such as Big Stem Jersey, Little Stem Jersey, and Triumph. Moist flesh sweet potatoes (sometimes called yams) include varieties such as Porto Rico and Nancy Hall.

"Potatoes, white" means all white potatoes used for human consumption or for seed (except foundation stock, certified and war approved seed potatoes). Each grade and variety of white potatoes shall be considered a separate item and priced separately.

"Spinach" means all flat and curly leaf spinach, excluding New Zealand, or other greens. Separate items shall be "washed and packaged" spinach, and all other spinach, and must be priced separately.

"Tomatoes." Hothouse, field-run and packaged tomatoes shall be considered separate items and priced separately.

[Subparagraph (3) added by Am. 16, 9 F.R. 4217, effective 4-27-44. Former subparagraphs (3) and (4) redesignated (4) and (5).]

(4) *Poultry.* "Poultry" means all chickens, ducks, geese and turkeys in any form, excluding "started" poultry sold for breeding purposes, canned poultry and cooked or smoked poultry. Poultry which is drawn by a retailer and poultry which is bought live, dressed or drawn and is sold by the retailer "cut-up" or in parts, shall be priced in accordance with the provisions of section 18 (c). "Frozen poultry" is as defined in Revised Maximum Price Regulation No. 269, except that the first sentence of § 1429.19 (i) (4) (ix) shall not apply. Unless the context otherwise requires, the definitions set forth in §§ 1429.17, 1429.19, 1429.20, and 1429.21 of Revised Maximum Price Regulation No. 269 shall apply to terms used herein wherever applicable.

[Subparagraph (4), formerly (3), amended by Am. 8, 8 F.R. 14854, effective 11-4-43; Am. 11, 8 F.R. 17371, effective 1-8-44; and Am. 13, 9 F.R. 3510, effective 4-6-44.]

(5) *Frozen fish and seafood.* "Frozen fish and seafood" means any fish or seafood which has been artificially frozen or frozen by exposure to the elements for preservation.

SEC. 29. *Table of ceiling prices based on any given "net cost" and mark-up. (Table C)—(a) Table C: Retail ceiling prices obtained by applying any given mark-up to any given net cost.*

TABLE C—RETAIL CEILING PRICES OBTAINED BY APPLYING ANY GIVEN MARK-UP TO ANY GIVEN NET COST

ITEMS WITH A "NET COST" OF FROM ½¢ TO 10¢ PER UNIT

Net cost (per unit)	½¢	1¢	1½¢	2¢	2½¢	3¢	3½¢	4¢	4½¢	5¢	5½¢	6¢	6½¢	7¢	7½¢	8¢	8½¢	9¢	9½¢	10¢
Mark-up (percent):	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
6	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	9	10	10	11
7	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	9	10	10	11
8	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	9	10	10	11
9	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	9	10	10	11
10	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	9	10	10	11
11	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	9	10	11	11
12	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	10	10	11	11
13	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	10	10	11	11
14	1	2	2	3	3	4	4	5	5	6	6	7	7	8	9	9	10	10	11	11
15	1	2	2	3	3	4	4	5	5	6	6	7	7	8	9	9	10	10	11	12
16	1	2	2	3	3	4	4	5	5	6	6	7	8	8	9	9	10	10	11	12
17	1	2	2	3	3	4	4	5	5	6	6	7	8	8	9	9	10	11	11	12
18	1	2	2	3	3	4	4	5	5	6	6	7	8	8	9	9	10	11	11	12
19	1	2	2	3	3	4	4	5	5	6	7	7	8	8	9	10	10	11	11	12
20	1	2	2	3	3	4	4	5	5	6	7	7	8	8	9	10	10	11	11	12
21	1	2	2	3	3	4	4	5	5	6	7	7	8	8	9	10	10	11	11	12
22	1	2	2	3	3	4	4	5	5	6	7	7	8	9	9	10	10	11	12	12
23	1	2	3	3	3	4	4	5	6	6	7	7	8	9	9	10	10	11	12	12
24	1	2	2	3	3	4	4	5	6	6	7	7	8	9	9	10	11	11	12	12
25	1	2	2	3	3	4	4	5	6	6	7	8	8	9	9	10	11	11	12	13
26	1	2	2	3	3	4	4	5	6	6	7	8	8	9	9	10	11	11	12	13
27	1	2	2	3	3	4	4	5	6	6	7	8	8	9	10	10	11	11	12	13
28	1	2	2	3	3	4	4	5	6	6	7	8	8	9	10	10	11	12	12	13
29	1	2	2	3	3	4	4	5	6	6	7	8	8	9	10	10	11	12	12	13
30	1	2	2	3	3	4	5	5	6	7	7	8	8	9	10	10	11	12	12	13
31	1	2	2	3	3	4	5	5	6	7	7	8	9	9	10	10	11	12	12	13
32	1	2	2	3	3	4	5	5	6	7	7	8	9	9	10	11	11	12	13	13
33	1	2	2	3	3	4	5	5	6	7	7	8	9	9	10	11	11	12	13	13
34	1	2	2	3	3	4	5	5	6	7	7	8	9	9	10	11	11	12	13	13
35	1	2	2	3	3	4	5	5	6	7	7	8	9	9	10	11	11	12	13	14
36	1	2	2	3	3	4	5	5	6	7	7	8	9	10	10	11	12	12	13	14
37	1	2	2	3	3	4	5	5	6	7	8	8	9	10	10	11	12	12	13	14
38	1	2	2	3	3	4	5	5	6	7	8	8	9	10	10	11	12	12	13	14
39	1	2	2	3	3	4	5	5	6	7	8	8	9	10	10	11	12	13	13	14
40	1	2	2	3	4	4	5	5	6	7	8	8	9	10	11	11	12	13	13	14
41	1	2	2	3	4	4	5	5	6	7	8	8	9	10	11	11	12	13	13	14
42	1	2	2	3	4	4	5	5	6	7	8	9	9	10	11	11	12	13	13	14
43	1	2	2	3	4	4	5	5	6	7	8	9	9	10	11	11	12	13	14	14
44	1	2	2	3	4	4	5	6	6	7	8	9	9	10	11	12	12	13	14	14
45	1	2	2	3	4	4	5	6	7	7	8	9	9	10	11	12	12	13	14	15
46	1	2	2	3	4	4	5	6	7	7	8	9	9	10	11	12	12	13	14	15
47	1	2	2	3	4	4	5	6	7	7	8	9	9	10	11	12	12	13	14	15
48	1	2	2	3	4	4	5	6	7	7	8	9	10	10	11	12	13	13	14	15
49	1	2	2	3	4	4	5	6	7	7	8	9	10	10	11	12	13	13	14	15
50	1	2	2	3	4	5	5	6	7	8	8	9	10	11	11	12	13	14	14	15

ITEMS WITH A "NET COST" OF FROM 10½¢ TO 18¢ PER UNIT

Net cost (per unit)	10½¢	11¢	11½¢	12¢	12½¢	13¢	13½¢	14¢	14½¢	15¢	15½¢	16¢	16½¢	17¢	17½¢	18¢
Mark-up (percent):	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
6	11	12	12	13	13	14	14	15	15	16	16	17	17	18	19	19
7	11	12	12	13	13	14	14	15	16	16	17	17	18	18	19	19
8	11	12	12	13	14	14	15	15	16	16	17	17	18	18	19	19
9	11	12	13	13	14	14	15	16	16	16	17	17	18	19	19	20
10	12	12	13	13	14	14	15	16	16	17	17	18	18	19	19	20
11	12	12	13	13	14	14	15	16	16	17	17	18	19	19	20	20
12	12	12	13	13	14	15	15	16	16	17	17	18	18	19	20	20
13	12	12	13	14	14	15	15	16	16	17	18	18	19	19	20	20
14	12	13	13	14	14	15	15	16	17	17	18	18	19	19	20	21
15	12	13	13	14	14	15	16	16	17	17	18	18	19	20	20	21
16	12	13	13	14	15	15	16	16	17	17	18	19	19	20	20	21
17	12	13	13	14	15	15	16	16	17	18	18	19	19	20	20	21
18	12	13	14	14	15	15	16	17	17	18	18	19	19	20	21	21
19	12	13	14	14	15	15	16	17	17	18	18	19	20	20	21	21
20	13	13	14	14	15	16	16	17	17	18	19	19	20	20	21	22
21	13	13	14	15	15	16	16	17	18	18	19	19	20	21	21	22
22	13	13	14	15	16	16	16	17	18	18	19	20	20	21	21	22
23	13	14	14	15	15	16	17	17	18	18	19	20	20	21	22	22
24	13	14	14	15	16	16	17	17	18	19	19	20	20	21	22	22
25	13	14	14	15	16	16	17	18	18	19	19	20	21	21	22	23
26	13	14	14	15	16	16	17	18	18	19	19	20	21	21	22	23
27	13	14	15	15	16	16	17	18	18	19	19	20	21	21	22	23
28	13	14	15	15	16	17	17	18	19	19	20	20	21	22	22	23
29	14	14	15	15	16	17	17	18	19	19	20	21	21	22	23	23
30	14	14	15	16	16	16	17	18	18	19	20	20	21	21	22	23
31	14	14	15	16	16	16	17	18	18	19	20	20	21	22	22	23
32	14	15	15	16	16	17	17	18	18	19	20	20	21	22	23	24
33	14	15	15	16	17	17	18	18	19	19	20	21	21	22	23	24
34	14	15	15	16	17	17	18	19	19	20	20	21	21	22	23	24
35	14	15	16	16	17	18	18	19	20	20	21	21	22	22	23	24
36	14	15	16	16	17	18	18	19	20	20	21	22	22	23	24	24
37	14	15	16	16	17	18	18	19	20	21	21	22	23	23	24	25
38	14	15	16	17	17	18	19	19	20	21	21	22	23	23	24	25
39	15	15	16	17	17	18	19	19	20	21	22	22	23	24	24	25
40	15	15	16	17	18	18	19	20	20	21	22	22	23	24	25	25
41	15	16	16	17	18	18	19	20	20	21	22	23	23	24	25	25
42	15	16	16	17	18	18	19	20	21	21	22	23	23	24	25	26
43	15	16	16	17	18	19	19	20	21	21	22	23	24	24	25	26
44	15	16	17	17	18	19	19	20	21	22	22	23	24	24	25	26
45	15	16	17	17	18	19	20	20	21	22	23	23	24	25	25	26
46	15	16	17	18	18	19	20	20	21	22	23	24	24	25	26	26
47	15	16	17	18	18	19	20	21	21	22	23	24	24	25	26	26
48	16	16	17	18	19	19	20	21	21	22	23	24	24	25	26	27
49	16	16	17	18	19	19	20	21	22	22	23	24	25	25	26	27
50	16	17	17	18	19	20	20	21	22	23	23	24	25	26	26	27

TABLE C—RETAIL CEILING PRICES OBTAINED BY APPLYING ANY GIVEN MARK-UP TO ANY GIVEN NET COST—Continued

ITEMS WITH A "NET COST" OF FROM 18½¢ TO 26¢ PER UNIT

Net cost (per unit)	18½¢	19¢	19½¢	20¢	20½¢	21¢	21½¢	22¢	22½¢	23¢	23½¢	24¢	24½¢	25¢	25½¢	26¢
Mark-up (percent):	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
6	20	20	21	21	22	22	23	23	24	24	25	25	26	26	27	27
7	20	20	21	21	22	22	23	24	24	25	25	26	26	27	27	28
8	20	21	21	22	22	23	23	24	24	25	25	26	26	27	28	28
9	20	21	21	22	22	23	23	24	25	25	26	26	27	27	28	28
10	20	21	21	22	23	23	24	24	25	25	26	26	27	28	28	29
11	21	21	22	22	23	23	24	24	25	26	26	27	27	28	29	29
12	21	21	22	22	23	24	24	25	25	26	26	27	27	28	29	29
13	21	21	22	23	23	24	24	25	25	26	26	27	27	28	29	29
14	21	22	22	23	23	24	24	25	26	26	27	27	28	28	29	30
15	21	22	23	23	24	24	25	25	26	26	27	27	28	28	29	30
16	21	22	23	23	24	24	25	26	26	27	27	28	28	29	30	30
17	22	22	23	24	24	25	25	26	27	27	28	28	29	30	30	31
18	22	22	23	24	24	25	26	26	27	27	28	29	29	30	31	31
19	22	23	23	24	24	25	26	26	27	28	28	29	30	30	31	32
20	22	23	23	24	25	25	26	26	27	28	28	29	30	31	31	32
21	23	23	24	24	25	25	26	27	27	28	29	29	30	31	32	32
22	23	23	24	24	25	26	26	27	28	28	29	30	30	31	32	33
23	23	24	24	25	25	26	27	27	28	29	29	30	31	31	32	33
24	23	24	24	25	26	26	27	28	28	29	30	30	31	32	33	34
25	23	24	25	25	26	27	27	28	29	29	30	31	32	32	33	34
26	23	24	25	25	26	27	28	28	29	30	30	31	32	33	34	35
27	24	24	25	26	26	27	28	28	29	30	31	31	32	33	34	35
28	24	24	25	26	26	27	28	29	29	30	31	32	33	33	34	35
29	24	25	25	26	27	27	28	29	30	30	31	32	33	34	35	36
30	24	25	25	26	27	28	28	29	30	31	31	32	33	34	35	36
31	24	25	26	26	27	28	29	29	30	31	32	32	33	34	35	36
32	24	25	26	26	27	28	29	30	30	31	32	33	33	34	35	37
33	25	25	26	27	27	28	29	30	31	31	32	33	34	35	36	37
34	25	25	26	27	27	28	29	30	31	32	32	33	34	35	36	38
35	25	26	26	27	28	28	29	30	31	32	33	33	34	35	37	38
36	25	26	27	27	28	29	29	30	31	32	33	34	35	36	37	38
37	25	26	27	27	28	29	30	30	31	32	33	34	35	36	38	39
38	26	26	27	28	28	29	30	31	31	32	33	34	35	36	38	39
39	26	26	27	28	28	29	30	31	32	32	33	34	35	37	38	39
40	26	27	27	28	29	29	30	31	32	33	34	34	35	37	38	40
41	26	27	27	28	29	30	30	31	32	33	34	35	36	37	38	40
42	26	27	28	28	29	30	31	31	32	33	34	34	35	36	38	40
43	26	27	28	28	29	30	31	31	32	33	34	35	36	37	38	40
44	27	27	28	29	30	30	31	32	32	33	34	35	36	37	38	41
45	27	28	28	29	30	30	31	32	33	33	34	35	36	37	38	41
46	27	28	28	29	30	31	31	32	33	34	34	35	36	37	38	41
47	27	28	29	29	30	31	32	32	33	34	35	35	36	37	38	41
48	27	28	29	30	30	31	32	33	33	34	35	36	36	37	38	42
49	28	28	29	30	31	31	32	33	34	34	35	36	37	37	38	42
50	28	29	29	30	31	32	32	33	34	35	35	36	37	38	38	43

ITEMS WITH A "NET COST" OF FROM 26½¢ TO 34¢ PER UNIT

Net cost (per unit)	26½¢	27¢	27½¢	28¢	28½¢	29¢	29½¢	30¢	30½¢	31¢	31½¢	32¢	32½¢	33¢	33½¢	34¢
Mark-up (percent):	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
6	28	29	29	30	30	31	31	32	32	33	33	34	34	35	36	36
7	28	29	29	30	30	31	32	32	33	33	34	34	35	35	36	37
8	29	29	30	30	31	31	32	32	33	33	34	34	35	35	36	37
9	29	29	30	31	31	32	32	33	33	34	34	35	35	36	36	37
10	29	30	30	31	31	32	32	33	34	34	35	35	36	36	37	38
11	29	30	31	31	32	32	33	33	34	34	35	36	36	37	37	38
12	30	30	31	31	32	32	33	34	34	35	35	36	36	37	38	39
13	30	31	31	32	32	33	33	34	34	35	36	36	37	37	38	39
14	30	31	31	32	32	33	34	34	35	35	36	37	37	38	39	40
15	30	31	32	32	33	33	34	35	35	36	36	37	38	38	39	40
16	31	31	32	32	33	34	34	35	35	36	37	37	38	38	39	40
17	31	32	32	33	33	34	35	35	36	36	37	37	38	39	39	40
18	31	32	32	33	34	34	35	35	36	37	37	38	38	39	40	41
19	32	32	33	33	34	34	35	36	36	37	37	38	39	39	40	41
20	32	32	33	34	34	35	35	36	36	37	38	38	39	40	40	41
21	32	33	33	34	34	35	36	36	37	38	38	39	39	40	41	42
22	32	33	34	34	35	35	36	37	37	38	38	39	40	40	41	42
23	32	33	34	34	35	36	36	37	38	38	39	39	40	41	42	43
24	33	33	34	35	35	36	37	37	38	38	39	40	40	41	42	43
25	33	34	34	35	36	36	37	38	38	39	39	40	41	41	42	43
26	33	34	35	35	36	37	37	38	38	39	40	41	41	42	43	44
27	34	34	35	36	36	37	37	38	39	39	40	41	41	42	43	44
28	34	35	35	36	36	37	38	38	39	40	40	41	42	42	43	44
29	34	35	35	36	37	37	38	39	39	40	41	41	42	43	43	44
30	34	35	36	36	37	37	38	39	39	40	41	41	42	42	43	44
31	35	35	36	36	37	38	38	39	40	40	41	42	42	43	44	45
32	35	36	36	37	37	38	39	39	40	41	41	42	43	43	44	45
33	35	36	37	37	38	38	39	40	40	41	42	42	43	44	44	45
34	36	36	37	38	38	39	40	40	41	42	42	43	44	44	45	46
35	36	36	37	38	38	39	40	41	41	42	43	43	44	45	46	46
36	36	37	37	38	39	39	40	41	41	42	43	44	44	45	46	47
37	36	37	38	38	39	40	40	41	42	42	43	44	45	45	46	47
38	37	37	38	38	39	40	41	41	42	43	43	44	45	46	47	48
39	37	38	38	39	39	40	41	42	42	43	44	44	45	46	47	48
40	37	38	39	39	40	41	41	42	43	43	44	45	45	46	47	48
41	37	38	39	39	40	41	42	42	43	44	44	45	46	46	47	48
42	38	38	39	40	40	41	42	43	43	44	45	45	46	47	48	49
43	38	39	39	40	41	41	42	43	44	44	45	46	46	47	48	49
44	38	39	40	40	41	42	42	43	44	45	45	46	47	47	48	49
45	38	39	40	41	41	42	43	44	44	45	46	46	47	48	49	50
46	39	39	40	41	42	42	43	44	45	45	46	47	47	48	49	50
47	39	40	40	41	42	43	43	44	45	46	46	47	48	48	49	50
48	39	40	41	41	42	43	44	44	45	46	47	47	48	49	50	51
49	39	40	41	42	42	43	44	45	45	46	47	48	48	49	50	51
50	40	41	41	42	43	44	44	45	46	47	47	48	49	50	51	52

TABLE C—RETAIL CEILING PRICES OBTAINED BY APPLYING ANY GIVEN MARK-UP TO ANY GIVEN NET COST—Continued

ITEMS WITH A "NET COST" OF FROM 34½¢ TO 42¢ PER UNIT

Net cost (per unit)	34½¢	35¢	35½¢	36¢	36½¢	37¢	37½¢	38¢	38½¢	39¢	39½¢	40¢	40½¢	41¢	41½¢	42¢
Markup (percent):	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
6	37	37	38	38	39	39	40	40	41	41	42	42	43	43	44	45
7	37	37	38	39	39	40	40	41	41	42	42	43	43	44	44	45
8	37	38	38	39	39	40	41	41	42	42	43	43	44	44	45	45
9	38	38	39	39	40	40	41	41	42	42	43	43	44	45	45	46
10	38	39	39	40	40	41	41	42	42	43	43	44	45	45	46	46
11	38	39	39	40	41	41	42	42	43	43	44	44	45	46	46	47
12	39	39	40	40	41	41	42	43	43	44	44	45	45	46	46	47
13	39	40	40	41	41	42	42	43	44	44	45	45	46	46	47	47
14	39	40	40	41	42	42	43	43	44	44	45	46	46	47	47	48
15	40	40	41	41	42	43	43	44	44	45	45	46	47	47	48	48
16	40	41	41	42	42	43	44	44	45	45	46	47	47	48	48	49
17	40	41	42	42	43	43	44	44	45	46	46	47	47	48	49	49
18	41	41	42	42	43	44	44	45	45	46	47	47	48	48	49	50
19	41	42	42	43	43	44	45	45	46	46	47	48	48	49	49	50
20	41	42	43	43	44	44	45	46	46	47	47	48	49	49	50	51
21	42	42	43	44	44	45	46	46	47	47	48	48	49	50	50	51
22	42	43	43	44	45	45	46	46	47	48	48	49	50	50	51	52
23	43	43	44	44	45	46	46	47	47	48	49	49	50	51	51	52
24	43	43	44	45	45	46	47	47	48	48	49	50	50	51	52	52
25	43	44	44	45	46	46	47	48	48	49	49	50	51	51	52	53
26	43	44	45	45	46	47	47	48	49	49	50	51	51	52	52	53
27	44	44	45	46	46	47	48	48	49	50	50	51	52	52	53	54
28	44	45	45	46	47	47	48	49	49	50	51	51	52	53	53	54
29	45	45	46	46	47	48	48	49	50	50	51	52	52	53	54	54
30	45	46	46	47	47	48	49	49	50	51	51	52	53	53	54	55
31	46	46	47	47	48	48	49	50	50	51	52	53	53	54	55	55
32	46	46	47	48	48	49	50	50	51	52	52	53	54	55	55	56
33	46	47	47	48	49	49	50	51	51	52	53	54	54	55	56	56
34	46	47	48	48	49	50	50	51	52	52	53	54	55	55	56	57
35	47	47	48	49	49	50	51	51	52	53	53	54	55	55	56	57
36	47	48	48	49	50	50	51	52	52	53	54	54	55	56	56	57
37	47	48	49	49	50	51	51	52	53	53	54	55	55	56	57	58
38	48	48	49	50	50	51	52	52	53	54	55	55	56	57	57	58
39	48	49	49	50	51	51	52	53	54	54	55	56	56	57	58	59
40	48	49	50	50	51	52	53	53	54	55	55	56	57	57	58	59
41	49	49	50	51	51	52	53	54	54	55	56	56	57	58	59	59
42	49	50	50	51	52	53	53	54	55	55	56	57	58	58	59	60
43	49	50	51	51	52	53	54	54	55	56	56	57	58	59	60	60
44	50	50	51	52	53	53	54	55	55	56	57	58	58	59	60	61
45	50	51	51	52	53	54	54	55	56	57	57	58	59	59	60	61
46	50	51	52	53	53	54	55	55	56	57	58	58	59	60	61	61
47	51	51	52	53	54	54	55	56	57	57	58	59	60	60	61	62
48	51	52	52	53	54	55	55	56	57	58	58	59	60	61	62	62
49	51	52	53	54	54	55	56	57	57	58	59	60	60	61	62	63
50	52	53	53	54	55	56	56	57	58	59	59	60	61	62	62	63

ITEMS WITH A "NET COST" OF FROM 42½¢ TO 50¢ PER UNIT

Net cost (per unit)	42½¢	43¢	43½¢	44¢	44½¢	45¢	45½¢	46¢	46½¢	47¢	47½¢	48¢	48½¢	49¢	49½¢	50¢
Mark-up (percent):	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
6	45	46	46	47	47	48	48	49	49	50	50	51	51	52	52	53
7	45	46	47	47	48	48	49	49	50	50	51	51	52	52	53	54
8	46	46	47	48	48	49	49	50	50	51	51	52	52	53	53	54
9	46	47	47	48	49	49	50	50	51	51	52	52	53	53	54	55
10	47	47	48	48	49	50	50	51	51	52	52	53	53	54	54	55
11	47	48	48	49	49	50	51	51	52	52	53	53	54	54	55	56
12	48	48	49	49	50	50	51	52	52	53	53	54	54	55	55	56
13	48	49	49	50	50	51	51	52	53	53	54	54	55	55	56	57
14	48	49	50	50	51	51	52	52	53	54	54	55	55	56	56	57
15	49	49	50	51	51	52	52	53	53	54	55	55	56	56	57	58
16	49	50	50	51	52	52	53	53	54	55	55	56	56	57	57	58
17	50	50	51	51	52	53	53	54	54	55	56	56	57	57	58	59
18	50	51	51	52	53	53	54	54	55	55	56	57	57	58	58	59
19	51	51	52	52	53	54	54	55	55	56	57	57	58	58	59	60
20	51	52	52	53	53	54	55	55	56	56	57	58	58	59	59	60
21	51	52	53	53	54	54	55	56	56	57	57	58	59	59	60	61
22	52	52	53	54	54	55	56	56	57	57	58	59	59	60	60	61
23	52	53	54	54	55	55	56	57	57	58	58	59	60	60	61	62
24	53	53	54	55	55	56	56	57	58	58	59	60	60	61	61	62
25	53	54	54	55	56	56	57	58	58	59	59	60	61	61	62	63
26	54	54	55	55	56	57	57	58	59	59	60	60	61	62	62	63
27	54	55	55	56	57	57	58	58	59	60	60	61	62	62	63	64
28	54	55	56	56	57	58	58	59	60	60	61	61	62	63	63	64
29	55	55	56	57	57	58	59	59	60	61	61	62	63	63	64	65
30	55	56	57	57	58	59	59	60	60	61	62	62	63	64	64	65
31	56	56	57	58	58	59	60	60	61	62	62	63	64	64	65	66
32	56	57	57	58	59	59	60	61	61	62	63	63	64	65	65	66
33	57	57	58	59	59	60	61	61	62	63	63	64	65	65	66	67
34	57	58	58	59	60	60	61	62	62	63	64	64	65	66	66	67
35	57	58	59	59	60	61	61	62	63	63	64	65	65	66	67	68
36	58	58	59	60	61	61	62	63	63	64	65	65	66	67	67	68
37	58	59	60	60	61	62	62	63	64	64	65	66	66	67	68	69
38	59	59	60	61	61	62	63	63	64	65	66	66	67	68	68	69
39	59	60	60	61	62	63	63	64	65	65	66	67	67	68	69	70
40	60	60	61	62	62	63	64	64	65	66	66	67	67	68	69	70
41	60	61	61	62	63	63	64	65	65	66	67	67	68	68	69	71
42	60	61	62	62	63	64	65	65	66	67	67	68	69	70	70	71
43	61	61	62	63	64	64	65	66	66	67	68	69	69	70	71	72
44	61	62	63	63	64	65	66	66	67	68	68	69	70	71	71	72
45	62	62	63	64	65	65	66	67	67	68	69	70	70	71	72	73
46	62	63	64	64	65	66	66	67	68	68	69	70	71	72	72	73
47	62	63	64	65	65	66	67	67	68	69	70	71	71	72	73	74
48	63	64	64	65	66	67	67	68	69	70	70	71	72	73	73	74
49	63	64	65	66	66	67	68	69	69	70	71	72	72	73	74	75
50	64	65	65	66	67	68	68	69	70	71	71	72	73	74	74	75

(b) *Instructions for use of Table A, Table B, and Table C.* Tables A and B contain the mark-ups for all commodities in this regulation. Note that some mark-ups are percentage mark-ups and some are dollars-and-cents mark-ups. Table C is included to assist you in determining ceiling prices without burdensome calculations, where the mark-up given is a percentage mark-up.

Table A lists by commodity groups the "dry groceries" covered by this regulation and the mark-ups to be used by Group 1 and Group 2 retailers in figuring their ceiling prices. Table B gives the same information for "perishables." However, in addition, Table B also lists the selling units, on the basis of which retailers must figure their net costs and ceiling prices for "perishables". For a detailed list of the items in each commodity group, see "Commodity definitions of dry groceries" printed immediately after Table A, and "Commodity definitions of perishables" printed immediately after Table B. After you have determined your "net cost" for an item in accordance with the method set up in this regulation, find your proper mark-up in the commodity group which includes the item you are pricing. Commodity groups are listed at the left of Table A and Table B. Directly opposite each commodity group you will find either a percentage mark-up or a dollars-and-cents mark-up for your group of retailers.

If a percentage mark-up is shown, you get your ceiling price for the item by turning to Table C, which shows the ceiling price for all items with per unit net costs ranging from ½¢ to 50¢. Percentage mark-ups over net costs are listed in the column at the extreme left of Table C, and "net cost" across the top of the table. "Net cost per unit" means, in the case of dry groceries, the "net cost" of a single unit (one can, one jar, etc.). For perishables, it means the "net cost" of the selling unit listed in the last column of Table B.

To determine your ceiling price from Table C, find your net cost at the top of the table. Go down that column until you come to the figure (in that column) on the same line as your mark-up. The figure at that point is your ceiling price for the item.

If your net cost per unit is more than 50¢, you cannot use Table C to get your ceiling price. In those cases, you must (1) multiply your net cost by your percentage mark-up, (2) add the result to your net cost, and (3) round the sum to the nearest whole cent. For perishables, your net cost must be in terms of the selling unit specified in Table B.

If the mark-up specified for an item is a dollars-and-cents mark-up, you cannot use Table C to get your ceiling price. In those cases, you simply add the stated amount of mark-up to your "net cost". If your ceiling price so figured results in a fraction of a cent, you may, in making sales of the "selling unit", charge the next higher cent.

Example 1. A Group 1 retailer wishes to figure a new ceiling price for "XX" Brand, No. 2 can, golden bantam cream style corn, 1942 pack. Section 3 requires a Group 1 or 2 retailer to keep his present ceiling price for a "dry grocery" item until he puts into effect a new ceiling price for the item based on the first delivery of the item to him after August 5, 1943. This new ceiling price must be put into effect not later than 5 days after receiving such delivery. In figuring this new ceiling price, his "net cost" must be based on a purchase of a customary quantity from a customary type of supplier delivered to his "usual receiving point" by a customary means of delivery. Therefore, if on August 7, 1943, a Group 1 retailer receives at his usual receiving point 5 cases of "XX" Brand, No. 2 can, golden bantam cream style corn, 1942 pack, which he has purchased from a wholesaler (his customary type of supplier), at a delivered cost of $2.37 a case (24 cans) he must under Sections 3 and 4 figure and put into effect a new ceiling price for the item by August 12, 1943. This is the first delivery of a customary quantity of the item he has received since August 5, 1943 (from his customary type of supplier delivered to his usual receiving point by a customary means of delivery). He must first figure, to the nearest half-cent, his "net cost" on a single unit basis, Sec. 4 (b) (2), that is, for a single can. He therefore divides the cost for the case, $2.37, by the number of single units in the case, 24, and gets a result of $0.0987, before rounding. Rounding to the nearest half-cent, this becomes $0.10. (If the figure had been $0.0967 before rounding, he would have rounded to $0.095.)

He then turns to Table A to find the mark-up to be applied to his net cost. Going down the column at the left of Table A he will find a listing of the commodity group which includes the item he is pricing. For canned corn, this group is "Corn, green and wax beans, peas, tomatoes, and tomato juice, canned". Going across the page on that line, he will find his mark-up for the item in the column for Group 1 retailers. In this case his mark-up is 25%. Having his mark-up and net cost, Table C will give him his ceiling price without further computations. Checking across the top of Table C, he will find a column headed by his net cost, $0.10. Going down this $0.10 column until he comes to the figure on the same line as the 25% mark-up listed in the column at the extreme left of Table C, he will find his ceiling price for the item to be 13¢ per can.

Example 2. A Group 1 retailer wishes to figure a ceiling price for round white potatoes to use during the period August 19, 1943, (Thursday) to August 26, 1943, (Wednesday) inclusive. He must first find the net cost of his selling unit based on his largest purchase during the seven days preceding Thursday, August 19. During the preceding week he made a purchase of 3 bags of 100 pounds each of white round U. S. No. 1 potatoes at a delivered cost of $4.12 per bag, and another purchase of the same item of 1 bag at a delivered cost of $4.33 per bag. His largest purchase, therefore, was the purchase of the 3 bags. He must figure his net cost on the basis of the selling unit listed in Table B, which for potatoes is 5 pounds. He divides his net cost per 100 pound bag in his largest purchase, $4.12, by 100 to get a result of $0.0412, which would be his net cost per pound. Multiplying this by 5 he gets, before rounding, a figure of $0.2060, his cost for 5 pounds. Since net cost is to be figured to the nearest half-cent, he would then round this figure to $.205. Having his net cost and his mark-up (obtained from Table B) he finds his ceiling price in Table C the same way as he did in example (1) above. Going to Table C, he will find that 27 cents is the ceiling price for an item with a net cost of $.205 and a mark-up of 33 percent.

Example 3. A Group 1 retailer wishes to figure his ceiling price for California green peas for the period May 4th through May 10th. His largest purchase during the preceding week was a purchase of ten bushel baskets at $4.45 per basket. His selling unit for peas, given in Table B, is 1 pound. He therefore divides his cost per basket ($4.45) in his largest purchase during the preceding week, by 28 (the minimum net weight of a bushel basket of green peas). This results in $0.158, which is rounded to 16 cents. He then looks in Table B for the mark-up for green peas, which is $0.05½. This mark-up, 5½ cents, added to the net cost per selling unit of 1 pound, 16 cents, gives him 21½ cents. Therefore, his ceiling price per pound of California green peas for the period May 4th through May 10th is 21½ cents. In selling 1 pound, he may charge 22 cents. However, if he sells 2 pounds, he may charge no more than 43 cents (2 x 21½¢).

[Paragraph (b) amended by Am. 16, 9 F.R. 4217, effective 4-27-44.]

Effective date. This regulation shall become effective on the 5th day of August 1943. [MPR 423 originally issued July 8, 1943]

[Note: Effective dates of amendments are shown in notes following the parts affected]

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

Issued this 24th day of May 1944.

CHESTER BOWLES,
Administrator.

Approved as to action contained herein with respect to agricultural commodities.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-7466; Filed, May 24, 1944; 4:37 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 65]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 31.1 (c) is amended to read as follows:

(c) Applications shall be filed with the Board on OPA Form R-315. The regional office is authorized to rule on applications for special allotments under this section. It may, however, delegate authority to district offices or local boards in its region to rule on such applications. The regional office or an authorized board or district office may grant such special allotments only when authorized by instructions from the Washington Office, and only to the users and under the conditions and limitations set forth in those instructions.

This amendment shall become effective May 29, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 562, 2965, 7234, 9684, respectively; War Food Orders 56, 58, 59, 61, 64, 9 F.R. 4319, 4320, 4321)

Issued this 25th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7515; Filed, May 25, 1944; 11:32 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 16787, 17486, 9 F.R. 401, 455, 692, 1810, 2212, 2287, 2252, 2476, 2789, 3030, 3075, 3340, 3704, 3577, 4196, 4393, 4873, 4647, 4647, 4873.

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amdt. 77]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.201 (a) (9) is amended to read as follows:

(9) "Dealer" means any person, other than a manufacturer, who is engaged in the business of selling tires or tubes or who is acquiring tires or tubes for purposes of resale.

2. Sections 1315.201 (a) (29), 1315.201 (a) (40), 1315.602 (e), 1315.602 (g), 1315.803 (b) (2) and 1315.804 (c) (4) are revoked.

3. Section 1315.509 is amended to read as follows:

§ 1315.509 *Recognition as a dealer for purpose of acquiring new passenger tires or tubes from manufacturers without certificates.* (a) A person who held no tires or tubes for resale on May 31, 1944, who intends in good faith to become a dealer and who wishes to acquire an initial inventory of passenger tires or tubes from a manufacturer under § 1315.804 (j), may apply by letter to the District Director serving the area in which his establishment is located for recognition as a dealer. He shall declare in a letter to the District Director that he possesses premises at which he intends to hold for resale all tires and tubes which he may acquire under § 1315.804 (j), on replenishment portions of certificates or receipts or on authorization. He shall also state in the letter the location of such premises.

(b) If the District Director is satisfied that the applicant has complied with the provisions of paragraph (a), he shall issue the applicant a letter to that effect.

4. Section 1315.803 (a) is amended to read as follows:

(a) *By dealers.* A dealer may, in exchange for a certificate, transfer tires or tubes to a consumer.

5. The headnote of § 1315.803 (b) is amended by deleting the phrase "or wholesalers".

6. Section 1315.803 (b) (3) is amended by deleting the phrase "or wholesaler".

7. Section 1315.804 (c) (3) is amended by adding the following after the replenishment table:

Provided, however, That no manufacturer shall transfer tires or tubes in exchange for the replenishment portion (Part B') of a certificate or receipt which is dated prior to April 1, 1944, unless he received the replenishment portion on or before July 15, 1944.

8. Section 1315.804 (c) (6) is amended by deleting the phrase "in exchange for the replenishment portion of a certificate" and inserting in lieu thereof the phrase "in accordance with the provisions of this order".

9. Section 1315.804 (e) is amended to read as follows:

(e) *Transfers of new tires and tubes upon authorization.* (1) the following transfers of new tires and new tubes may be made (without certificate) upon written authorization of the District Director serving the area in which the tires and tubes are located:

(i) From a person other than a dealer or manufacturer to a dealer or manufacturer;

(ii) Fom a dealer to a dealer or manufacturer;

(iii) From a manufacturer to a manufacturer.

(2) Application for authorization to make any transfer permitted in subparagraph (1) shall be made by the transferor and shall state the names and addresses of the transferor and the transferee and the amount, type and grade of tires and tubes to be transferred: *Provided, however,* That application may be made by the central accounting office of the transferor to the District Director serving the area in which such office is located.

(3) An authorization granted pursuant to this paragraph shall not act as a waiver of any suspension order issued against either the transferor or transferee nor as a condonation of any violations of this order committed by the transferor or transferee.

10. Section 1315.804 (f) (4) (i) is amended to read as follows:

(i) A "regional branch" means any premises wholly controlled by the manufacturer where the functions of his business, other than production, are performed, and where the only transfers of tires or tubes to consumers are made to those consumers who acquired tires or tubes from a manufacturer between December 31, 1940 and August 6, 1943.

11. Section 1315.804 (j) is added to read as follows:

(j) *Transfer of new passenger tires and tubes without certificate by manufacturers.* (1) A manufacturer may transfer new passenger tires and new passenger tubes to any dealer without certificate: *Provided, however,* That he may not place tires or tubes in transit or make any other transfer of them under this paragraph after July 15, 1944. Tires or tubes in transit on July 15, 1944 may be acquired after that date by the dealer to whom the shipment was made.

(2) A manufacturer may ship tires or tubes being transferred under this paragraph to a dealer for the account of another dealer. The dealer who ordered the tires or tubes from the manufacturer may, without certificate, transfer legal title to the tires or tubes to the dealer to whom they were shipped.

(3) A manufacturer who transfers tires or tubes under this paragraph shall send a shipping memorandum to the dealer receiving shipment showing the name and address of the dealer, the date of the shipment, the number of tires and tubes which were shipped and the name and address of the dealer for whose account the shipment is made, if he is someone other than the dealer receiving shipment. All shipping memoranda which the manufacturer sends to a dealer, under this paragraph, shall contain the following statements: "A copy of this has been sent to the OPA Inventory Branch. Certificates for new passenger tires and tubes have not been transferred to _____ for this shipment." The manufacturer shall insert his name in the blank.

(4) A manufacturer shall mail to the OPA Inventory Branch, Empire State Building, New York, New York, once each week copies of the shipping memoranda covering the shipments made during the preceding calendar week under this paragraph. He shall, with each mailing, enclose a summary of the number of shipping memoranda being forwarded, the total number of tires and tubes covered by these shipping memoranda and a certification that the shipping memoranda cover all shipments made during the week under this paragraph and that the information contained on them is true and correct.

(5) A manufacturer may not transfer tires or tubes under this paragraph to a dealer if he knows or has reason to believe that the dealer held no tires or tubes for resale on May 31, 1944, and has not received a letter from a District Director recognizing him as a dealer, in conformity with § 1315.509 (b). A person who was not a dealer on May 31, 1944, may not acquire tires or tubes under this paragraph unless he has received a letter from a District Director recognizing him as a dealer, in conformity with § 1315.509 (b).

This amendment shall become effective June 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 25th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7510; Filed, May 25, 1944; 11:30 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9160, 9392, 9724.

PART 1382—HARDWOOD LUMBER

[MPR 223,[1] incl. Amdts. 1–12]

NORTHERN HARDWOOD LUMBER

This compilation of Maximum Price Regulation 223 includes Amendment 12, effective May 30, 1944. The text added or amended by Amendment 12, with the exception of the table in § 1382.163 (b) (12), is underscored.

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of Northern hardwood lumber by a specific maximum price regulation. The Price Administrator has ascertained and given due consideration to the prices of Northern hardwood lumber prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[2] Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

[Preamble amended by Supplementary Order 61, 8 F.R. 12552, effective 9–11–43.]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[3] issued by the Office of Price Administration, Maximum Price Regulation No. 223 is hereby issued.

Sec.

1382.151 Maximum prices for Northern hardwood lumber.
1382.152 Less than maximum prices.
1382.153 Adjustable pricing.
1382.154 Evasion.
1382.155 Records and reports.
1382.156 Enforcement.
1382.157 Licensing.
1382.158 Petitions for amendment or adjustment.
1382.159 Definitions.
1382.160 Applicability of General Maximum Price Regulation.
1382.161 Export sales.
1382.162 Effective date.
1382.163 Appendix A: Maximum prices for Northern hardwood lumber in standard or near standard grades.
1382.164 Appendix B: Maximum prices for Northern hardwood lumber in "standard special" grades or items.
1382.165 Appendix C: Maximum prices for Northern hardwood lumber in "non-standard special" grades or items.
1382.166 Appendix D: Delivered prices and estimated average weights.

AUTHORITY: §§ 1382.151 to 1382.166, inclusive, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

§ 1382.151 *Maximum prices for Northern hardwood lumber.* (a) On and after September 23, 1942, regardless of any contract or other obligation, no person shall sell or deliver any Northern hardwood lumber, where shipment originates at the mill rather than at a distribution yard, and no person shall buy or receive in the course of trade or business any Northern hardwood lumber so shipped, at prices higher than the maximum prices set forth in Appendices A to D hereof, inclusive, incorporated herein as §§ 1382.163 to 1382.166, inclusive; and no person subject to this Maximum Price Regulation No. 223 shall agree, offer, solicit or attempt to do any of the foregoing.

(b) The provisions of this Maximum Price Regulation No. 223 shall not be applicable to retail sales as defined in paragraph (a) (7) of § 1382.159.

(c) The provisions of this Maximum Price Regulation No. 223 shall not be applicable to sales or deliveries of Northern hardwood lumber to a purchaser, if prior to September 23, 1942, such lumber had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

(d) The maximum prices established in this Maximum Price Regulation No. 223 shall not be increased by any charges for the extension of credit or by any decrease in the time customarily allowed for payment, and shall be decreased for prompt payment to the same extent that the sale price would have been decreased on October 1, 1941.

(e) [Revoked]

[Paragraph (e) added by Am. 7, 8 F.R. 10939, effective 8–10–43; revoked by Am. 8, 8 F.R. 14186, effective 10–15–43.]

§ 1382.152 *Less than maximum prices.* Lower prices than those set forth in this Maximum Price Regulation No. 223 may be charged, demanded, paid, or offered.

§ 1382.153 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

[§ 1382.153 amended by Am. 3, 8 F.R. 2783, effective 3–4–43 and Supplementary Order 50, 8 F.R. 10568, 14310, effective 7–27–43.]

§ 1382.154 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 223 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to Northern hardwood lumber, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) Unnecessarily routing lumber through a distribution yard;

(2) Unreasonably refusing to ship lumber on standard grades and in grade-rule range widths and lengths;

(3) Falsely or wrongly grading or invoicing lumber;

(4) Grading as a special grade lumber which normally is graded by the seller as a standard grade;

(5) Making charges for delivery which exceed the actual cost to the seller of such delivery (except as provided in 1382.166).

(c) It is unlawful for any person to charge, receive or pay a commission for the service of procuring (including buying, selling, or locating lumber, or for any related service such as "expediting") which does not involve actual physical handling of lumber, if the commission plus the purchase price results in a total payment by the buyer of lumber which is higher than the maximum price of the lumber. For purposes of this regulation, a commission is any compensation, however designated, which is paid for the procurement of lumber. This prohibition has no application to the case of a bona fide employer-employee relationship where the employee serves only one employer, insofar as lumber procurement is concerned, and where the compensation paid by the employer is a fixed salary and is not based directly or indirectly on the quantity, price or value of the lumber in connection with which the service is rendered.

[Paragraph (c) added by Supplementary Order 37, 8 F.R. 2192, effective 2–23–43 and amended by Supplementary Order, 77, 8 F.R. 14310, effective 10–26–43.]

[NOTE: Supplementary Order No. 31 (7 F.R. 9864; 8 F.R. 1312, 3702) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

§ 1382.155 *Records and reports.* (a) Every seller and purchaser subject to this Maximum Price Regulation No. 223 making sales or deliveries or purchases of Northern hardwood lumber to the value of $500.00 or more in any one month, after September 23, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than two years a complete and accurate record of each sale or delivery or purchase of Northern hardwood lumber, showing the date of purchase or sale, the name and address of the buyer and seller, the quantities and grades purchased or sold, and the prices paid or received.

(b) Such persons shall keep such other records in addition to or in place of the records required in paragraph (a) of this section and shall submit such reports to the Office of Price Administration as that Office may from time to time require or permit.

§ 1382.156 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 223 are subject to the criminal penalties, civil enforcement actions, proceedings for suspension of licenses, and suits for treble damages provided for by the Emergency Price Control Act of 1942: *Provided,* That no War Procurement Agency, or any contracting or paying finance officer thereof, shall be subject to any liability, civil or criminal, imposed by this Maximum Price Regulation No. 223 or the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 223 or any price schedule, regulation or order issued by the Office of Price Administration or any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions, the addition of extra packing expenses on sales to procurement agencies of the United States.]

§ 1382.157 *Licensing.* The provisions of Licensing Order No. 1,[4] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1382.157 amended by Supplementary Order 72, 8 F.R. 13244, effective 10–1–43.]

§ 1382.158 *Petitions for amendment or adjustment*—(a) *Government contracts or subcontracts.* See Procedural Regulation No. 6[5] for adjustment provisions on certain government contracts or subcontracts.

[Paragraph (a) amended by Supplementary Order 83, 9 F.R. 973, effective 2–1–44.]

[NOTE: Supplementary Order No. 42 (8 F.R. 4968) provides that no price regulation of the OPA shall apply to sales or deliveries of any commodity or service made to Government agencies pursuant to secret contracts or subcontracts.]

(b) Any person seeking an amendment of any provision of this Maximum Price Regulation No. 223 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

[Paragraph (b) added by Am. 1, 7 F.R. 8945, effective 11–4–42. Former (b) and (c) revoked by Am. 1.]

(c) In treating with petitions for amendment or adjustment, consideration will not be given to log and bolt costs which are higher than the applicable maximum purchase prices for logs and bolts established in Revised Maximum Price Regulation 161 (West Coast Logs),[6] or Maximum Price Regulations 313 (Prime Grade Hardwood Logs)[7] and 348 (Logs and Bolts),[8] or any revision or amendment of these regulations. This rule shall be followed regardless of whether the petitioner gets logs and bolts by purchasing them, logging his own standing timber, contracting for the logging of his own standing timber, or any other means. All petitions in any way based on the cost of logs or bolts must show the actual cost to the petitioner of logs and bolts received at his plant during the three months immediately prior to filing the petition, and the cost which would have been incurred by the petitioner if all of these logs and bolts had been purchased by him at ceiling prices. To figure these ceiling prices the petitioner should refer to the regulation which fixes the maximum prices for purchases and sales of the kinds of logs and bolts received at his plant.

[Paragraph (c) added by Supplementary Order 47, 8 F.R. 5808, effective 5–8–43.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619, 8 F.R. 7256) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1382.159 *Definitions.* (a) When used in Maximum Price Regulation No. 223, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(2) "Feet" means board feet of lumber except that with reference to lumber in thicknesses of ½", ¾", and ⅝", the term "feet" means surface feet.

(3) "Northern hardwood lumber" means lumber:

(i) Produced from the botanical species of brown ash (Fraxinus nigra), beech (Fagus americana), rock elm (Ulmus thomasi), hard maple (Acer saccharum), and the commercial species of the genera basswood (Tilia), birch (Betula), soft elm (Ulmus), soft maple (Acer), and oak (Quercus), and all other hardwood species; and

(ii) Processed into lumber at mills located in the states of Michigan, Minnesota and Wisconsin.

[Subparagraph (3) amended by Am. 6, 8 F.R. 8945, effective 7–3–43.]

(4) "Mill" means any establishment:

(i) Which processes into the items of lumber covered by this Maximum Price Regulation No. 223, by sawing or planing, or ships to milling-in-transit operations for such processing by sawing, planing, or kiln drying, at least 25 percent of the volume of Northern hardwood lumber or logs purchased or received by it, or

(ii) Which resembles the following described establishment more nearly than that described under the definition of "distribution yard" in subparagraph (5) (ii) of this paragraph: An establishment which concentrates and prepares lumber for commercial shipment, which keeps in stock primarily Northern hardwood and Northern softwood lumber, which has its lumber brought in chiefly in rough green form by truck from small local sawmills and sells chiefly for rail shipment, and which has been located at its particular site in order to be near the lumber producing area.

(5) "Distribution yard" means an establishment:

(i) Which processes into the items of lumber covered by this Maximum Price Regulation No. 223, by sawing or planing, or ships to milling-in-transit operations for such processing by sawing, planing, or kiln drying, less than 25 percent of the volume of Northern hardwood lumber purchased or received by it; and

(ii) Which resembles the following described establishment more nearly than that described under the definition of

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[1] 7 F.R. 7445.

[2] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[3] Revised: 7 F.R. 8961; 8 F.R. 3313, 3583, 6173, 11606; 9 F.R. 1594, 3075.

[4] 8 F.R. 13240.

[5] 7 F.R. 5067, 5664; 8 F.R. 6178, 6174, 12024.

[6] 8 F.R. 1117, 2992, 5078, 6619, 9381, 10660; 11509, 16602, 16608, 17837; 9 F.R. 694.

[7] 8 F.R. 1453, 2208, 2892, 5564, 6359, 10625; 9 F.R. 695.

[8] 8 F.R. 16115, 16198, 16204, 16297; 9 F.R. 220, 392, 343, 402, 450, 568, 574, 662, 792, 1317, 1571, 1572, 1717, 2068, 2561.

"mill" in subparagraph (4) (ii) of this paragraph: A wholesale or retail lumber yard which purchases or receives lumber from a mill or another distribution yard for purposes of unloading, sorting, and resale or redistribution, which regularly maintains a miscellaneous stock of lumber from different regions, which obtains its lumber primarily by rail shipment and sells primarily for truck shipment, which is equipped to make quick deliveries of many different items of lumber, and which has been located at its particular site primarily in order to be near a lumber consuming area.

(6) "Volume" means the board feet volume of lumber processed from logs, processed from other lumber, or sold, as the case may be, within six months immediately prior to the transaction subject to this Maximum Price Regulation No. 223.

(7) "Retail sale" means a sale which satisfies all of the following tests:

(i) It must be a sale of not more than 2,000 feet of lumber;

(ii) It must be a sale in which the purchaser requests delivery to a point not more than 20 miles from the mill at which shipment originates;

(iii) It must be a sale of lumber to a contractor or consumer for use in construction, remodeling, repair, maintenance, fabrication, or remanufacture, and not for resale in substantially the same form.

(8) "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any agency of the foregoing.

(b) Unless otherwise specified, grade terms used herein have the meaning set forth in the "Rules for the Measurement and Inspection of Hardwood Lumber" issued by the National Hardwood Lumber Association, effective January 1, 1943.

[Paragraph (b) added by Am. 2, 8 F.R. 121, effective 1-6-43 and amended by Am. 6, 8 F.R. 8945, effective 7-3-43. Former (b) redesignated (c) by Am. 2.]

(c) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1382.160 *Applicability of General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 223 supersede the provisions of the General Maximum Price Regulation [9] with respect to sales and deliveries of Northern hardwood lumber for which maximum prices are established in this regulation.

§ 1382.161 *Export sales.* The maximum price at which a seller may make an export sale of Northern hardwood lumber shall be determined in accordance with the provisions of the Maximum Export Price Regulation,[10] issued by the Office of Price Administration. An "export sale" is any sale between a seller in the continental United States and a purchaser outside thereof in which the commodity sold is transported from the continental United States to a point outside thereof and includes any sale of a commodity outside the continental United States by an agent of the exporter or by a corporation owned or controlled by the exporter within a period of two years after the date of shipment of the commodity from the continental United States.

§ 1382.162 *Effective date.* This Maximum Price Regulation No. 223 (§§ 1382.151 to 1382.166, inclusive) shall become effective September 23, 1942. [M. P. R. 223 originally issued September 18, 1942.]

[Effective dates of amendments are shown in notes following the parts affected.]

§ 1382.163 *Appendix A: Maximum prices for Northern hardwood lumber in standard or near standard grades.*—(a) *Application of Appendix A.* The provisions of this section shall apply to Northern hardwood lumber which is sold in the species and on the grades designated in this section. Lumber sold on such grades shall be deemed to include lumber in:

(1) Grade-rule range widths and lengths;

(2) Widths and lengths substantially the same as grade-rule range widths and lengths; or

(3) Specified average widths or specified average lengths which are substantially run-of-the-log.

(b) *Maximum prices.* The maximum f. o. b. mill price for 1,000 feet of Northern hardwood lumber in standard or near standard grades in a rough air dried condition shall be as follows:

(1) BROWN ASH

Thickness (inch)	FAS	Selects	No. 1 Common	No. 2 Common	No. 3 Common
1	$86.50	$69.00	$54.00	$41.50	$31.00
1¼	92.00	75.00	60.00	46.00	32.00
1½	98.00	80.50	63.50	49.50	32.00
2	103.50	86.50	68.00	52.00	33.50
2½	116.00				
3	126.50				
4	138.00				

(2) BASSWOOD

¼	$63.50	$56.50	$38.00	$27.50	
½	73.50	64.50	43.50	32.00	
¾	83.00	73.50	49.50	35.50	
1	98.00	86.50	57.50	42.50	$32.00
1¼	103.50	92.00	62.00	47.00	33.50
1½	107.00	95.50	64.50	49.50	33.50
2	112.50	101.00	79.50	50.50	33.50
2½	119.50	108.00	87.50	60.00	
3	125.50	114.00	93.00	65.50	

(3) BEECH

Thickness (inch)	FAS	Selects	No. 1 Common	No. 2 Common	No. 3A Common	No. 3 Common	No. 2 Common and better
¼	$63.50	$53.00	$39.00				$33.50
½	73.50	61.00	46.00				36.00
¾	83.00	69.00	52.00				43.50
1	98.00	80.50	61.00	$43.50	$35.50	$31.00	52.00
1¼	104.50	86.50	66.50	47.00	39.00	32.00	56.50
1½	108.00	89.50	71.50	49.50	40.50	32.00	62.00
2	117.50	98.00	79.50	52.00	41.50	32.00	66.50
2½	129.00	107.00	91.00				74.00
3	146.00	130.00	106.00				89.50

(4) BIRCH

Thickness (inch)	FAS	Selects	No. 1 Common	No. 2 Common	No. 3A Common and sound	No. 3 Common
¼	$99.00	$85.00	$56.50	$37.00		
½	111.50	96.50	63.50	42.50		
¾	131.00	114.00	75.00	49.50	$41.50	$32.00
1	137.00	119.50	84.00	57.50	42.50	33.50
1¼	139.00	122.00	91.00	64.50	43.50	33.50
1½	141.50	120.00	102.50	70.00	45.00	
2	144.00	132.50	107.00	71.50		
2½	146.00	134.50	112.50	77.00		
3						

(5) ROCK ELM

Thickness (inch)	FAS	No. 1 Common	No. 2 Common	No. 3 Common
1	$69.00	$46.00	$39.00	$30.00
1¼	75.00	54.00	41.50	31.00
1½	85.50	58.50	43.50	32.00
2	92.00	72.50	49.50	34.50
2½	108.50	84.00	57.50	36.00
3	115.00	93.50	68.50	40.50

(6) SOFT ELM

Thickness (inch)	FAS	No. 1 Common and selects	No. 2 Common	No. 3 Common
1	$69.00	$57.50	$45.00	$31.00
1¼	72.50	60.00	46.00	32.00
1½	75.00	61.00	47.00	33.50
2	78.00	64.50	48.50	
2½	81.50	68.00	50.50	
3	87.50	73.50	56.50	

(7) HARD MAPLE

Thickness (inch)	FAS	Selects	No. 1 Common	No. 2 Common	No. 3 Common
1	$107.00	$90.50	$66.50	$40.50	$30.00
1¼	114.00	96.50	72.50	53.00	31.00
1½	117.50	99.00	77.00	55.00	32.00
2	126.00	107.00	85.50	57.50	
2½	138.00	116.00	96.50		
3	155.50	130.00	111.50		
4	164.00	161.00	132.50		
Mixed, 1	101.00	84.00	61.00	46.00	

(8) SOFT MAPLE

Thickness (inch)	FAS	No. 1 Common and selects	No. 2 Common	No. 3 Common
1	$81.50	$68.50	$42.50	$24.00
1¼	87.50	64.50	47.00	22.00
1½	96.50	70.00	53.00	23.50
2	104.50	76.00	54.00	24.50

(9) OAK

Thickness (inch)	FAS	Selects	No. 1 Common	No. 2 Common	No. 3A Common	No. 3 Common
1	$91.00	$73.50	$61.00	$45.00	$34.50	$29.00
1¼	96.50	80.50	66.50	48.50	37.00	30.00
1½	102.50	86.50	72.50	49.50	38.00	31.00
2	113.00	96.50	80.00	52.00	40.50	32.00
2½	123.00	108.00	88.00	63.50		
3	138.00	122.00	98.00			

(10) MIXED HARDWOODS

Dunnage or No. 4 Common—Lumber of any hardwood species of standard widths and lengths but poorer in quality than No. 3B Common $17.50

No. 1 Snow Fence Lath, ¾" x 1½", 4' ..... $10 per M pieces

(11) 1" HARDWOOD TIE SIDES

	FAS	No. 1 Common	No. 2 Common	No. 3A Common	No. 3B Common
Birch	$86.00	$62.00	$42.50	$33.50	$27.50
Maple	92.00	67.50	41.50	30.00	25.50
Oak	96.00	50.50	38.00	29.00	25.50

For 1¼" and thicker items in each species, add to the above prices the same amounts by which the prices for those thicknesses, in standard lumber grades, exceed the prices for 1" stock in the same standard grades.

(12) HARDWOOD HEARTS

Size (inches)	Length (feet)	No. 1 Common	No. 2 Common	No. 3 Common	Crossing plank
2 x 4	6 to 16	$90.00	$62.00	$42.50	$35.50
2 x 5	6 to 16	$91.00	$62.00	$42.50	$35.50
2 x 6	6 to 16	$90.00	$62.00	$42.50	$35.50
2 x 8	6 to 16	$90.00	$62.00	$42.50	$35.50
2 x 5 and wider	6 to 16	$90.00	$62.00	$42.50	$35.50
3 x 3	6 to 16	$91.00	$62.00	$42.50	$34.50
3 x 4	6 to 16	$90.00	$62.00	$42.50	$34.50
3 x 6	6 to 16	$90.00	$62.00	$42.50	$34.50

[9] F.R. 1385, 5169.

[10] 2d Revised: 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036.

grade in 4/4" thickness less the following:

FAS	Selects	No. 1 Common	No. 2 Common
$6.00	$6.00	$6.00	$5.00

(17) *Hardwood barkies.* The maximum price for 1" x 4" hardwood barkies in any species covered by this regulation shall be the same as the maximum price for No. 3 Common lumber 1" thick, of the same species.

"Hardwood barkies" as used here, means a trade practice grade which will admit bark without limit on one face, not more than one-third the thickness of the piece, provided the reverse side has two good edges and is sound, as defined in "Sound Cutting," National Hardwood Lumber Association Rules Issued January 1943.

[Subparagraphs (16) and (17) added by Am. 5, 8 F.R. 5629, effective 5-4-43.]

(18) WHITE OAK OR RED—STRUCTURAL STOCK OR SOUND SQUARE EDGE

Size (inches)	Lengths (feet) 10 to 16	18	20	22	24	26	28
2 x 6	$48	$46	$46	$46	$46	$46	$46
2 x 8	48	46	46	46	46	46	46
2 x 10	48	46	46	46	46	46	46
2 x 12	48	46	46	46	46	46	46
2 x 14	48	46	46	46	46	46	46
2 x 16	48	46	46	46	46	46	46
3 x 6	48	46	46	46	46	46	46
3 x 8	48	46	46	46	46	46	46
3 x 10	48	46	46	46	46	46	46
3 x 12	48	46	46	46	46	46	46
3 x 14	48	46	46	46	46	46	46
3 x 16	48	46	46	46	46	46	46
4 x 4	48	46	46	46	46	46	46
4 x 6	48	46	46	46	46	46	46
4 x 8	48	46	46	46	46	46	46
4 x 10	48	46	46	46	46	46	46
4 x 12	48	46	46	46	46	46	46
4 x 14	48	46	46	46	46	46	46
4 x 16	48	46	46	46	46	46	46
6 x 6	48	46	46	46	46	46	46
6 x 8	48	46	46	46	46	46	46
6 x 10	48	46	46	46	46	46	46
6 x 12	48	46	46	46	46	46	46
6 x 14	48	46	46	46	46	46	46
6 x 16	48	46	46	46	46	46	46
8 x 8	48	46	46	46	46	46	46
8 x 10	48	46	46	46	46	46	46
8 x 12	48	46	46	46	46	46	46
8 x 14	48	46	46	46	46	46	46
8 x 16	48	46	46	46	46	46	46
10 x 10	48	46	46	46	46	46	46
10 x 12	48	46	46	46	46	46	46
10 x 14	48	46	46	46	46	46	46
10 x 16	48	46	46	46	46	46	46
12 x 12	48	46	46	46	46	46	46
12 x 14	48	46	46	46	46	46	46
12 x 16	48	46	46	46	46	46	46
12 x 18	48	46	46	46	46	46	46
12 x 20	48	46	46	46	46	46	46

(14) GRAIN AND COAL DOOR BOARDS

	6"	7"
Grain door boards	$23.00	$26.00
Coal door boards	20.50	23.00

(15) HARDWOOD SQUARES

Length (inches)	1"	1¼"	1½"
12 to 16	$82.00	$91.00	$96.50
18 to 48	76.50	86.00	72.50
54 to 60	74.00	78.00	74.00
64 to 96	84.00	88.00	101.00

[Subparagraph (2) amended by Am. 2, 8 F.R. 121, effective 1-6-43. Subparagraphs (3), (4) and (12) amended by Am. 6, 8 F.R. 8629, effective 8-4-43. Subparagraphs (1) through (15), inclusive, amended by Am. 8, 8 F.R. 14186, effective 10-18-43.]

(16) *Miscut hardwoods.* The maximum price for miscut lumber of any species covered by this regulation shall be the maximum price for standard sawn lumber of the same species and

(12) HARDWOOD HEARTS—Continued

Size (inches)	Length (feet)	No. 3 Common	No. 3A Common	No. 2 Common	No. 1 Common
3 x 8	6 to 16	$33.00	$34.50	$45.00	$61.00
3 x 10	6 to 16	$37.00	$37.00	$45.50	$66.50
3 x 12	6 to 16	$43.50	$38.00	$49.50	$72.50
4 x 4	6 to 16	$31.00	$34.50	$45.00	$61.00
4 x 6	6 to 16	$31.00	$34.50	$45.00	$61.00
4 x 8	6 to 16	$31.00	$37.00	$45.00	$61.00
6 x 6	6 to 16	$31.00	$37.00	$45.00	$61.00
6 x 8	6 to 16	$42.50	$42.50	$45.00	$61.00
8 x 8	6 to 16				

For all one length, 8' or longer, add $2.00.
For all 10' to 16', add $0.50.
For all 12' to 16', add $1.00.
For all 14' to 16', add $1.50.

[Subparagraph (12) amended by Am. 12, effective 5-30-44.]

(13) HARDWOOD BLOCKING

Size (inch)	(No. 3 Common) Length (feet)				Crossing plank
	2'	3'	4'	6'	2' to 6' mixed lengths
2 x 3, 2 x 4, 2 x 6	$27.50	$29.00	$27.50	$27.50	$26.50
3 x 3, 3 x 4, 3 x 6	27.50	29.00	29.00	29.00	27.00
4 x 4, 4 x 5, 4 x 6	27.50	29.00	29.00	29.00	27.00
6 x 6, 6 x 8	30.00	31.00	30.00	30.00	29.50

(18) WHITE OAK OR RED OAK—FREIGHT CAR STOCK, COMMON DIMENSION, MINE CAR LUMBER—Continued

Size (inches)	Lengths (feet) 10 to 16	18	20	22	24	26	28
4 x 14	65	70	75	80	86	92	98
4 x 16	65	70	75	80	86	92	98
4 x 18	65	70	75	80	86	92	98
4 x 20	65	70	75	80	86	92	98
4 x 22	65	70	75	80	86	92	98
4 x 24	65	70	75	80	86	92	98
4 x 26	65	70	75	80	86	92	98
4 x 28	65	70	75	80	86	92	98
4 x 30	65	70	75	80	86	92	98
6 x 12	53	57	61	65	70	75	80
6 x 14	53	57	61	65	70	75	80
6 x 16	53	57	61	65	70	75	80
6 x 18	53	57	61	65	70	75	80
6 x 20	53	57	61	65	70	75	80
6 x 22	53	57	61	65	70	75	80
6 x 24	53	57	61	65	70	75	80
6 x 26	53	57	61	65	70	75	80
6 x 28	53	57	61	65	70	75	80
6 x 30	53	57	61	65	70	75	80
8 x 10	53	57	61	65	70	75	80
8 x 12	53	57	61	65	70	75	80
8 x 14	53	57	61	65	70	75	80
8 x 16	53	57	61	65	70	75	80
8 x 18	53	57	61	65	70	75	80
8 x 20	53	57	61	65	70	75	80
8 x 22	53	57	61	65	70	75	80
8 x 24	53	57	61	65	70	75	80
8 x 26	53	57	61	65	70	75	80
8 x 28	53	57	61	65	70	75	80
8 x 30	53	57	61	65	70	75	80
10 x 12	53	57	61	65	70	75	80
10 x 14	53	57	61	65	70	75	80
10 x 16	53	57	61	65	70	75	80
10 x 18	53	57	61	65	70	75	80
10 x 20	53	57	61	65	70	75	80
10 x 22	53	57	61	65	70	75	80
10 x 24	53	57	61	65	70	75	80
10 x 26	53	57	61	65	70	75	80
10 x 28	53	57	61	65	70	75	80
10 x 30	53	57	61	65	70	75	80
12 x 12	53	57	61	65	70	75	80
12 x 14	53	57	61	65	70	75	80
12 x 16	53	57	61	65	70	75	80
12 x 18	53	57	61	65	70	75	80
12 x 20	53	57	61	65	70	75	80
12 x 22	53	57	61	65	70	75	80
12 x 24	53	57	61	65	70	75	80
12 x 26	53	57	61	65	70	75	80
12 x 28	53	57	61	65	70	75	80
12 x 30	53	57	61	65	70	75	80
14 x 14	53	57	61	65	70	75	80
14 x 16	53	57	61	65	70	75	80
14 x 18	53	57	61	65	70	75	80
14 x 20	53	57	61	65	70	75	80
14 x 22	53	57	61	65	70	75	80
14 x 24	53	57	61	65	70	75	80
14 x 26	53	57	61	65	70	75	80
14 x 28	53	57	61	65	70	75	80
14 x 30	53	57	61	65	70	75	80
16 x 16	53	57	61	65	70	75	80
16 x 18	53	57	61	65	70	75	80
16 x 20	53	57	61	65	70	75	80
16 x 22	53	57	61	65	70	75	80
16 x 24	53	57	61	65	70	75	80
16 x 26	53	57	61	65	70	75	80
16 x 28	53	57	61	65	70	75	80
16 x 30	53	57	61	65	70	75	80
18 x 18	53	57	61	65	70	75	80
18 x 20	53	57	61	65	70	75	80
18 x 22	53	57	61	65	70	75	80
18 x 24	53	57	61	65	70	75	80
18 x 26	53	57	61	65	70	75	80
18 x 28	53	57	61	65	70	75	80

Notes on White Oak or Red Oak—Freight Car Stock, Common Dimension, Mine Car Lumber

Random widths; in 2" and 3" thicknesses—$90.00.

Free of heart; in 2" and 3" thicknesses—add $8.00 to maximum price for same thickness, width and length in above schedule.

Prices for specific sizes not in schedule. The maximum price for material of a length not included in this schedule shall be determined by adding to the maximum price for the next shorter length the proportionate amount of the difference between the maximum price of such next shorter length and the maximum price of the next longer length.

In the case of any item for which the thickness or the width is not included in the schedule, the maximum price shall be the maximum price for the material of the next greater thickness or width.

The maximum prices set forth above supersede the maximum prices for like material authorized for individual sellers under the special pricing provisions of this regulation.

Deduction for mixed hardwoods. For Mixed Hardwoods—Freight Car Stock, Common Dimension, Mine Car Lumber, deduct $4.00 from the maximum price for White Oak or Red Oak—Freight Car Stock, Common Dimension, Mine Car Lumber, in the same size in above schedule.

[Above paragraph added by Am. 10, 8 F.R. 17375, effective 1-3-44.]

[Subparagraphs (18) and (19) added by Am. 6, 8 F.R. 8945, effective 7-3-43.]

(c) *Deduction for green.* For lumber shipped in a "green" condition, deduct from the maximum prices for air-dried lumber established in this Appendix A. 10 percent of the maximum price for rough, air-dried material in the same specifications.

This deduction shall not apply to special sawn timbers, tough ash lumber, or to lumber customarily used without air seasoning, but it shall apply to any lumber which requires further air seasoning by the purchaser before being placed in the kiln for kiln-drying, or before fabrication if not kiln-dried.

The mere fact that the lumber is not used immediately, but is stored on the purchaser's yard, does not necessarily mean that green lumber has been shipped, but in case of dispute any lumber which weighs 25 percent or more in excess of the air-dried weight as published in the Rules for the Measurement and Inspection of Hardwood Lumber, issued by the National Hardwood Lumber Association, January 1, 1943, or for weights filed with the Office of Price Administration by the individual shippers, shall be considered to be "green."

Any purchaser who accepts "green" lumber at prices applicable to "dry" lumber is guilty of violation of the regulation to the same extent as the seller.

[Paragraph (c) amended by Am. 6, 8 F.R. 8945, effective 7-3-43 and Am. 10, 8 F.R. 17375, effective 1-3-44.]

(d) *Additions for kiln drying and working.* The following additions per 1,000 feet of Northern hardwood lumber may be charged for the specified treatments and workings:

(1) Kiln drying the lumber to a moisture content not exceeding 7 percent as of the time the lumber leaves the kiln.

Species	¼", ⅝", ¾", thick	1" thick	1¼" thick	1½" thick	2" thick	2½" thick	3" thick
Basswood, Soft Elm, Soft Maple, Ash, Beech, Birch, Rock Elm, Hard Maple, Oak	$6.50	$7.50	$8.50	$9.50	$10.50	$12.50	$14.50
Cottonwood	7.00	9.00	10.50	12.00	14.50	17.50	22.00

(2) Kiln drying the lumber to a moisture content greater than 7 percent but not exceeding 12 percent as of the time the lumber leaves the kiln.

Species	¼", ⅝", ¾", thick	1" thick	1¼" thick	1½" thick	2" thick	2½" thick	3" thick
Basswood, Soft Elm, Soft Maple, Ash, Beech, Birch, Rock Elm, Hard Maple, Oak	$5.50	$6.50	$7.50	$8.50	$9.00	$11.00	$12.50
Cottonwood	6.00	8.00	9.00	10.50	12.50	15.00	19.00

[Subparagraph (2) added by Am. 2, 8 F.R. 121, effective 1-6-43 and amended by Am. 8, 8 F.R. 14136, effective 10-15-43.]

(3) Kiln drying the lumber to a moisture content greater than 12 percent but not exceeding 20 percent as of the time the lumber leaves the kiln: One-half of the addition permitted in subparagraph (1) above except that a minimum of $4.00 per 1,000 feet may be charged.

[Subparagraph (3), formerly (2), amended by Am. 2, 8 F.R. 121, effective 1-6-43. Former (2), (3), (4) and (5) redesignated (3), (4), (5) and (6) respectively by Am. 2.]

(4) Inspecting, grading, and measuring after kiln drying: 5 percent of the f. o. b. mill price of the lumber in a rough air dried condition. This addition may be made only where the seller performs all three of these services, at the request of the purchaser, after kiln drying.

(5) Anti-stain treatment: 50 cents.

(6) Millworking:

Species	Surfacing 1 or 2 sides	Surfacing 1 or 2 sides and resawing 1 cut	Surfacing 1 or 2 sides and resawing 2 cuts	Surfacing 4 sides	Dressed and matched	Resawing 1 cut	Resawing each additional cut	Ripping per cut	Bunding
Ash, Beech, Birch, Rock Elm, Soft Elm, Hard Maple, Soft Maple, Oak	$2.50	$4.00	$7.00	$6.00	$6.00	$2.50	$2.50	$1.50	$1.50
Basswood	2.00	4.00	5.50	4.00	4.00	2.50	2.00	1.50	1.50

[Subparagraph (6) amended by Am. 8, 8 F.R. 14136, effective 10-15-43.]

(e) *Small quantities.* The following additions per M' may be made when the purchaser (or purchasers in the case of a pool car) orders an item consisting of one species, thickness, and grade, in the following quantities:

Quantity ordered:	Addition per M'
3000 to 4000 feet	$1.00
2000 to 2999 feet	2.00
1000 to 1999 feet	2.50
999 feet or less	3.00

(f) *Cross-cutting.* An addition of $1.50 per cut per M' may be made, when the purchaser specifically requires cross-cutting to specified nonstandard lengths.

[Paragraphs (e) and (f) added by Am. 5, 8 F.R. 5629, effective 5-4-43.]

(g) *N. H. L. A. inspection certificate.* Where the purchaser requests an inspection by, and an inspection certificate issued by, the National Hardwood Lumber Association, the seller may make an added charge which does not exceed the inspection fees and expenses charged by the Association to the seller and shown on the certificate.

[Paragraph (g), formerly (e) added by Am. 2, 8 F.R. 121, effective 1-6-43. Redesignated as (g) and headnote added by Am. 5, 8 F.R. 5629, effective 5-4-43.]

(h) *Custom kiln-drying and milling.* Where Northern hardwood lumber is kiln-dried or milled for the seller by a custom kiln or milling establishment, and the custom kiln or milling establishment is not owned or operated by, or connected with, the sawmill, the seller may add the actual cost of this custom kiln-drying or milling. The amount added may not be higher than the maximum price established by Maximum Price Regulation 165, as amended," Services, for the custom kiln or milling establishment applicable to the sale of the services of custom kiln-drying or milling. The invoice of the custom kiln or milling establishment must be attached to the lumber invoice of the seller.

[Paragraph (h), formerly (f), added by Am. 4, 8 F.R. 5480, effective 4-29-43. Redesignated as (h) by Am. 6, 8 F.R. 8945, effective 7-3-43.]

§ 1382.164 *Appendix B: Maximum prices for Northern hardwood lumber in "standard special" grades or items*—(a) *Application of Appendix B.* The provisions of this section shall apply to Northern hardwood lumber which is sold in the species and on the "standard special" grades or specifications designated in this section.

(b) *Maximum prices.* The maximum f. o. b. mill price for 1,000 feet of Northern hardwood lumber in "standard special" grades or items in a rough air dried condition shall be as follows:

" 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3824, 4782, 5681, 6364, 5755, 5933, 8506, 8873, 10671, 10939, 11754, 12023, 12710, 13302, 13742, 13920, 14950; 9 F.R. 1819.

(1) STANDARD SPECIAL GRADES, SPECIFIED WIDTHS, AND SPECIFIED LENGTHS

[In specified hardwood species]

Species	Grade or designation	Thickness (inches)	Widths (inches)	Lengths (feet)	Maximum price for 1,000 feet B. M.	Maximum additions to maximum price established in §1382.163 for lumber in corresponding standard grade and thickness
Basswood	No. 2 Common and better	1	Regular	4 and 6	$43.50	
	No. 2 Common	1	3½ to 5½	Regular	$40.50	
	All	1	Regular	10 and 12		$3.00
	All	1¼ and thicker	Regular	10 and 12		6.00
	No. 1 Common and better	All	7 and wider	Regular		7.00
	No. 1 Common and better		10 and wider	Regular		15.00
	No. 1 Common and better		12 and wider	Regular		30.00
	No. 1 Common and No. 2 Common	1		8 and longer (long cutting).		4.00
	Venetian blind stock	1 and 1¼			$121.00	5.00
	FAS Key stock	1			$98.00	
	No. 1 Common and selects key stock	1			$126.50	
	FAS Key stock	1¼			$103.50	
	No. 1 Common and selects key stock	1¼			$98.50	
	1 and 2 face clear	1	4	6 to 16	$94.50	
	1 and 2 face clear	1	5	6 to 16	$94.50	
	Selects and better	1 and 1¼	48% S and wider (10% to 15% 10 and wider).	45% 14 and 16	For each 10% of 14 and 16' in excess of 45%.	2.00
Birch	Selects and better	1 and 1¼	48% S and wider (10% to 15% 10 and wider).	45% 14 and 16	For each 10% of 9" and wider in excess of 45%.	2.50
	Selects and better	1 and 1¾	48% S and wider (10% to 15% 10 and wider).	45% 14 and 16	For each 10% of 14 and 16' in excess of 45%.	2.00
	Straight grained, free from cross-grained or curly stock					20.00
	Knotty	1	4 to 8	8 to 16	$92.00	
	No. 1 common and better	1	4 and wider	4 and 6	$75.00	
	No. 2 common and better	1	4 and wider	4 and 6	$55.00	
	No. 2 common	1	4 and wider	4 and 6	$49.50	
	No. 2 common and better	1¼	4 and wider	4 and 6	$68.50	
	1 and 2 face clear	1	4	6 to 16	$102.50	
	1 and 2 face clear	1	5	6 to 16	$105.00	
	2 face clear	1	4	6 to 16	$114.00	
	2 face clear	1	5	6 to 16	$119.00	
	No. 1 common	1	4	Any	$75.00	
	No. 2 common	1	4	Any	$49.50	
	No. 1 common	1	6	Any	$76.00	
	No. 2 common	1	6	Any	$50.50	30.00
	Selected red birch	1				
Hard maple	1 and 2 face clear	1	4	6 to 16	$107.00	
	1 and 2 face clear	1	5	6 to 16	$114.00	
	1 and 2 face clear	1¼	4	6 to 16	$114.00	
	No. 1 common and better—curly	1 and thicker	Regular	Regular	$190.00	
	FAS Birdseye	1 and thicker	Regular	Regular		25.00
	No. 1 common and better—heel stock	1½ to 2½	Regular	Regular		10.00
	No. 1 common flooring stock	1	4 and wider	4 and longer	$58.50	
	No. 2 common flooring stock	1	4 and wider	4 and longer	$45.00	
	No. 3A common flooring stock	1	4 and wider	4 and longer	$33.50	
	No. 1 common flooring stock	1¼	4 and wider	4 and longer	$60.00	
	No. 2 common flooring stock	1¼	4 and wider	4 and longer	$48.50	
	No. 3A common flooring stock	1¼	4 and wider	4 and longer	$37.00	
	No. 1 white					20.00
	No. 1 and No. 2 white					15.00
	No. 2 white					10.00
	Sap 1 face					7.00
	Straight grain (except in conjunction with No. 1 white, No. 2 white or No. 1 and No. 2 white).					20.00
	Straight grain (in conjunction with No. 1 white, No. 2 white, or No. 1 and No. 2 white)					10.00

[Subparagraph (1) amended by Am. 5, 8 F.R. 5629, effective 5-4-43; Am. 6, 8 F.R. 8945, effective 7-3-43; Am. 8, 8 F.R. 14136, effective 10-15-43 and Am. 11, 9 F.R. 789, effective 1-19-44.]

(2) STANDARD SPECIAL WIDTHS AND LENGTHS IN ALL HARDWOOD SPECIES

(Except as otherwise provided in Appendix A, § 1382.163)

Widths and/or Lengths and Grade:	*Maximum additions to maximum price established in § 1382.163 for lumber in corresponding standard grade and thickness*
5" or 6" and wider; 8' and longer, No. 1 Common and No. 2 Common	$2.00
6" and wider; 8' and longer, Selects	2.00
10' and longer or 12' and longer, No. 2 Common	2.00
7" and wider; standard lengths, No. 1 Common and Better	8.00
8" and wider; standard lengths, No. 1 Common and Better	12.00
9" and wider; standard lengths, No. 1 Common and Better	25.00
10" and wider; standard lengths, No. 1 Common and Better	30.00
12" and wider; standard lengths, No. 1 Common and Better	35.00
11" and wider; standard lengths, Step Plank	[1] 35.00
12" and wider; standard lengths, Step Plank	[1] 40.00

Widths and/or Lengths and Grade:	*Maximum additions to maximum price established in § 1382.163 for lumber in corresponding standard grade and thickness*
1" x 4"; standard lengths, No. 3 Common	$1.00
1" x 5" and wider; standard lengths, No. 3 Common	1.00
1" x 6" and wider; standard lengths, No. 3 Common	1.00
1" x 7" and wider; standard lengths, No. 3 Common	2.00
1" x 8" and wider; standard lengths, No. 3 Common	4.00
1" x 9" and wider; standard lengths, No. 3 Common	5.00

[1] Add to FAS price.

All one width. Same price as for the same width and wider, except as otherwise specifically provided for above or in Appendix A, § 1382.163.

6' and shorter. Deduct $2.00 except where otherwise specifically provided for in Appendix A, § 1382.163.

On items of No. 3 Common in above schedule for stock 8' and longer, add $1.00 per M' to maximum price for random lengths.

NOTE: The maximum additions provided for No. 3 Common lumber in 1" thickness in the widths specified, shall also apply to stock ¾" and ⅞" thick in the same widths.

[Above paragraph added by Am. 8, 8 F.R. 14136, effective 10-15-43.]

[Subparagraph (2) amended by Am. 5, 8 F.R. 5629, effective 5-4-43; and Am. 12, effective 5-30-44.]

(c) *Additions.* Additions to the maximum prices established in this section may be charged in accordance with provisions of paragraph (d) of § 1382.163, Appendix A.

§ 1382.165 *Appendix C: Maximum prices for Northern hardwood lumber in "non-standard special" grades or items*—(a) *Application of Appendix C.* (1) This section shall apply to Northern hardwood lumber which is sold on special specifications not covered by Appendix A or B, §§ 1382.163 or 1382.164.

(2) For purposes of this section the term "Northern hardwood lumber" shall include all items of lumber in the species set forth in paragraph (a) (3) (i) of § 1382.159, but shall not include the following items: (The term "items" includes specifications, workings, services and/or extras.)

(i) Glued stock.
(ii) Moulding.
(iii) Shiplap.
(iv) Risers, step treads, thresholds, handrails.
(v) Bevel and drop siding.
(vi) Flooring.
(vii) Switch, cross, and mine ties.
(viii) Mine material.
(ix) Small dimension stock.
(x) Lath.
(xi) Navy oak ship stock (see Maximum Price Regulation No. 281).

[Item (xi) added by Am. 6, 8 F.R. 8945, effective 7-3-43.]

(b) *Maximum prices for combination grades.* Where Northern hardwood lumber is sold on a Log Run, Mill Run, or No. 1 Common and Better grade for which no maximum price has been established in Appendix A, § 1382.163, the maximum price shall be the maximum price established in that section for the lowest grade of lumber contained in the stock that is sold on such special inspection grade. The seller, however, may grade and ship the lumber on the standard grades included in such special inspection grade and invoice the footage in each of the standard grades at a price not to exceed the maximum price established in this Maximum Price Regulation No. 223 for the respective standard grades.

(c) *Maximum prices for "non-standard special" grades and items other than combination grades.* (1) Northern hardwood lumber, sold on special grades or specifications or with special services or other extras not specifically mentioned in Appendix A or B, is nevertheless subject to this regulation. The maximum price is a price which bears the October 1941 relation to the most comparable standard item. The seller should find his price difference between the special item and this most comparable standard item in October 1941 or the first month before that in which he had sales of both items, or if this is impossible, the price differential he would have used. This difference is then added to or subtracted from the maximum price of the comparable standard grade and the result is the maximum price for the special grade. This price must be reported to the Office of Price Administration, Washington, D.C. on OPA Form 323:1, given in paragraph (3) below. It may be ordered reduced, if it is found excessive. But, if the price is not disapproved within 30 days of the receipt of the report, it is approved. Applications for approval of maximum prices for special grades and items under this section will be considered only when accompanied by (i) a true copy of the order or of customer's inquiry on the basis of which the application has been submitted; and (ii) a statement certified to be true by the purchaser or prospective purchaser to the effect that none of the grades specifically priced in the regulation will serve the purpose for which the stock is intended to be used, which purpose is to be stated; that it has been his custom to purchase lumber on such special specifications. Approval of the price will be conditional on a finding that the purpose for which the special grade item is to be used is classified by the War Production Board as essential to the war effort. Prices, when approved, for such special grades or items will be based on the price differential previously established between the particular special item requirement and the related grade rule specification.

(2) A seller using this pricing section can go ahead with delivery of the lumber and collection of the price he has computed or requested. But, he must tell the buyer that the price is subject to revision within the thirty-day period, and, if the price is ordered reduced, must refund any excess over the final approved price.

(3) Copies of Form 323:1 can be obtained from the Office of Price Administration, or Form 323:1 can be reproduced by the seller, providing no change is made in style or content of the form.

OFFICE OF PRICE ADMINISTRATION

Form 323:1

Lumber Branch — Hardwood Section

Report of Sales of Northern Hardwood Lumber in "Non-Standard Special" Grades or Items other than Combination Grades

Company_____
Address_____
Mill Location_____

SALES OF "NON-STANDARD SPECIAL" GRADES AND ITEMS

(As defined in Appendix C of Maximum Price Regulation No. 223)

(This report must be filed with the Lumber Branch of the Office of Price Administration, Washington, D. C., within 30 days of the date on which the producing mill enters into a contract for the sale of a "non-standard special" grade or item other than a combination grade.)

Date of Order___ Origin of Shipment_____
Order No._____ Destination of Shipment___
Purchaser_____ FOB Mill Price_____
(Including discounts or commissions, if any)

_____ _____ _____ _____
(Species) (Thickness) (Widths) (Lengths)

_____
(Grade or Item Designation)

Differential in relation to most comparable standard or "standard special" grade or item which was employed or would have been employed during October 1-15, 1941_____

Most comparable standard or "standard special" grade or item to which differential is applied_____

Complete description of "non-standard special" grade or item (including a description of any working or treatment and of the condition of the lumber)_____

_____
_____
_____
_____

Detailed explanation of how maximum price was computed or built up_____

_____
_____
_____
_____ _____
(Name) (Office or Title)

Subscribed and sworn to before me, a Notary public, in and for_____ this_____ day of _____, 194__.

(NOTARIAL SEAL) _____

My Commission expires: (Notary Public)

[Paragraph (c) amended by Am. 10, 8 F.R. 17875, effective 1-3-44.]

(d) *Additions.* Additions to the maximum prices established in this section may be charged in accordance with the provisions of paragraph (d) of § 1382.163, Appendix A.

§ 1382.166 *Appendix D: Delivered prices and estimated average weights.* (a) Delivered prices in excess of the maximum f. o. b. mill prices established in this Maximum Price Regulation No. 223 may be charged, consisting of such maximum prices plus the transportation costs permitted by this section: *Provided*, That (1) the invoice shows the point of origin of the shipment, the destination, and the applicable railroad or truck rate, or in place of such rate, where shipment is by motor vehicle owned or controlled by the seller, the amount added for transportation; and (2) the invoice is marked "direct mill shipment".

(b) Where shipment is exclusively by motor vehicle owned or controlled by the seller, the charge may be no greater than the actual cost to the seller of delivery by motor vehicle; and in no event shall the charge exceed the railroad charge at the carload rate for the most nearly comparable haul. If the actual cost is less than such railroad charge, only the actual cost may be added to the maximum price.

(c) Where shipment is by common or contract carrier, the amount added for transportation may be no greater than the actual amount paid to the carrier, except as provided in paragraph (d) of this section: *Provided*, That where shipment is by both rail and truck (either owned or controlled by the seller or a common or contract carrier), the following shall govern:

(1) Where shipment is by rail followed by truck delivery, the amount added for transportation may include, in addition to the amount added for rail transportation, the actual cost of truck delivery, provided such cost is shown separately on the invoice.

(2) *Trucking to railhead.* When a truck haul precedes rail shipment, as when a mill located away from a railhead hauls lumber by truck to the railhead, no addition may be made for the truck haul. However, in the following two cases a mill may apply for special permission to make an addition:

(i) Where the mill was located away from rail connections because it specialized in water-borne lumber, and where shortage of shipping has forced it to operate by rail;

(ii) Where a mill's rail connection has been abandoned since September 5, 1941.

The application should be made by letter to the Lumber Branch of the Office of Price Administration, Washington, D. C. The addition may not be made on quotations or sales until permission has been received.

[Subparagraph (2) amended by Am. 9, 8 F.R. 15193, effective 11-8-43 and Am. 10, 8 F.R. 17375, effective 1-3-44.]

(d) In computing transportation costs, the following practices are permitted:

(1) The computation of transportation costs on the basis of the applicable freight rate and the appropriate estimated average weights set forth in paragraph (e) of this section.

(2) The charging of a sum equivalent to the one-quarter of a dollar nearest to the transportation costs per 1,000 feet of lumber, computed in accordance with subdivision (1) of this paragraph.

(e) (1) The estimated average weights for Northern hardwood lumber in a green or rough air dried condition, shall be as follows:

Species:	Pounds per 1,000 feet BM
Brown Ash	5,300
Basswood	2,500
Beech	4,000
Birch	4,000
Rock Elm	4,000
Soft Elm	3,200
Hard Maple	4,900
Soft Maple	3,700
Oak	4,000

(2) The estimated average weights for Northern hardwood lumber in an air dried condition worked as indicated, shall be as follows:

WEIGHTS IN POUNDS PER 1,000 FEET BM

Species	S1S or 2S	S1S or 2S & Resawn One cut	S1S or 2S & Resawn Two cuts	Rough Resawn 1 cut	Rough Resawn 2 cuts	D & M or S4S
Ash	2,800	2,600	2,400	3,000	2,800	2,500
Basswood	2,000	1,800	1,700	2,200	2,000	1,800
Beech	3,600	3,300	3,100	3,700	3,500	3,200
Birch	3,500	3,300	3,100	3,700	3,500	3,200
Hard maple	3,800	3,600	3,400	4,000	3,800	3,500
Rock elm	3,500	3,300	3,100	3,700	3,500	3,200
Soft elm	2,700	2,500	2,300	2,900	2,700	2,300
Soft maple	3,200	3,000	2,800	3,400	3,200	2,800
Oak	3,500	3,300	3,100	3,700	3,500	3,200

[Subparagraph (2) added by Am. 2, 8 F.R. 121, effective 1-6-43.]

(3) The estimated average weights for Northern Hardwood Lumber in a kiln dried condition shall be the average weights established in subparagraphs (1) and (2) of this paragraph (e) decreased by the average difference in weight between air dried lumber and kiln dried lumber in the particular species and in the condition shipped. This average difference shall be calculated on the basis of the experience during the year 1941 of the mill which produced the lumber shipped.

[Subparagraph (3), formerly (2), amended by Am. 2, 8 F.R. 121, effective 1-6-43.]

NOTE: All record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget, in accordance with Federal Reports Act of 1942.

Issued this 25th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7509; Filed, May 25, 1944; 11:30 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 124]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15937.

Ration Order 5C is amended in the following respect:

Section 1394.7851 (b) (2) (ix) is added to read as follows:

(ix) For the necessary travel of any person specifically designated by the Chairman of the Marketing Committee of the appropriate District of the Petroleum Administration for War, for the purpose of conducting a program of public or industry instruction approved by such Chairman in regard to the need for conserving gasoline and the methods of accomplishing such conservation.

(a) The applicant shall present to the Board a letter from such Chairman stating that travel by the applicant is necessary to conduct such gasoline conservation program. The letter shall also state the amount of mileage required by the applicant for such purpose and the period in which the necessary travel will be accomplished.

(b) No mileage shall be allowed under this subdivision to any person who will not devote his full time to the conservation program during the valid period of the ration.

This amendment shall become effective May 29, 1944.

NOTE: The reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; WPB Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1Q, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 25th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7516; Filed, May 25, 1944; 11:33 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 127]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.8112 (a) is amended to read as follows:

(a) Every consumer who has in his possession or control any Class B–2 or C–2 coupons issued on Forms OPA R–527D or R–528D which were issued to him as a ration and which have not expired may surrender such coupons to the Board having jurisdiction to renew such ration. If such a ration is surrendered before it has expired, the Board shall issue to the consumer, in exchange for such coupons valid ration evidences of any appropriate class having the same expiration date or earliest renewal date as the rations surrendered and having a gallonage value to be determined as follows:

2. Section 1394.8112 (b) is amended to read as follows:

[1] 8 F.R. 15667.

(b) The Board shall either issue appropriate ration evidences only sufficient to provide the aggregate gallonage value of the coupons surrendered, or it shall review the application on the basis of which the surrendered ration was issued, and, in such a case, shall issue appropriate ration evidences sufficient to provide for the established mileage or gallonage need of the consumer until the expiration date or earliest renewal date of the surrendered ration, but not in excess of the gallonage value of the coupons surrendered.

3. Section 1394.8153 (a) (9) is added to read as follows:

(9) On and after June 1, 1944, no transfer may be made in exchange for any Class B–2 or C–2 coupons issued on Forms OPA R–527D or R528D.

4. Section 1394.8206b (a) (15) is added to read as follows:

(15) After June 20, 1944, any Class B–2 or C–2 coupons issued on Forms OPA R–527D or R–528D.

5. Section 1394.8207 (e) is added to read as follows:

(e) On and after June 11, 1944, no distributor shall transfer or offer to transfer gasoline to any dealer and no dealer shall accept a transfer of gasoline from any distributor in exchange for any Class B–2 or C–2 coupons issued on Forms OPA R–527D or R–528D.

6. Section 1394.8215 (i) is added to read as follows:

(i) (1) Immediately upon the close of business on May 31, 1944, each dealer who has in his possession or control Class B–2 or C–2 coupons issued on Forms OPA R–527D or R–528D which he acquired before June 1, 1944, in exchange for lawful transfers of gasoline, shall attach each type of such coupons to separate gummed sheets (OPA R–120) to which no other coupons are attached. Each dealer shall summarize such coupons on a summary form (OPA R–541) on which no other coupons are listed. On or before June 10, 1944, each dealer shall surrender such coupons and summaries either to a distributor in exchange for a transfer of gasoline, or to the Board having jurisdiction over the area in which his place of business is located, in exchange for inventory coupons equal in gallonage value to the coupons so surrendered.

(2) After June 10, 1944, no distributor shall accept from any dealer or distributor any Class B–2 or C–2 coupons issued on Forms OPA R–527D or R–528D nor shall any distributor make any transfers of gasoline in exchange for such coupons. On or before June 20, 1944, each distributor shall deposit in appropriate ration bank accounts maintained by him any such coupons received by him in exchange for any lawful transfer of gasoline made on or before June 10, 1944.

This amendment shall become effective June 1, 1944.

NOTE: The reporting and/or record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 25th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7511; Filed, May 25, 1944; 11:31 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 35]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 27.1 (a) (10) (v) is amended by substituting the word "spaghetti" for the word "tomato".

This amendment shall become effective May 29, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320)

Issued this 25th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7517; Filed, May 25, 1944; 11:33 a. m.]

PART 1429—POULTRY AND EGGS

[RMPR 269,[2] Amdt. 29]

POULTRY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 269 is amended in the following respects:

1. Section 1429.19 (h) (1) (i) (a) is amended to read as follows:

(a) *Temporary maximum base prices for specific portions of poultry and for poultry fat in the basing point cities.* The following Temporary Table A–1 establishes temporary maximum base prices, first, for the wings, legs and breasts of "cut-up poultry", second, for the other specified portions of any poultry item and, third, for poultry fat. These prices, which apply to the enumerated portions and fats delivered at the buyer's customary receiving point in the basing point cities, may be revoked at any time.

TEMPORARY TABLE A-1

(Prices are in cents per pound)

Portions of "cut-up poultry"	Eastern zone basing point city	Western zone basing point cities	
	Chicago	New York	Pacific coast—Los Angeles, San Francisco, Seattle, and Portland
Wings	28.9	29.9	30.4
Legs	60.6	61.6	62.1
Breasts	60.6	61.6	62.1
Portions of any poultry item			
Wing tips, back, neck, or skin	13.1	14.1	14.6
Liver	68.1	69.1	69.6
Gizzard or heart	[1] 28.9	[1] 29.9	[1] 30.4
Poultry fat			
Raw poultry fat	53.0	54.0	54.5
Government inspected raw poultry fat	58.0	59.0	59.5
Rendered poultry fat	72.5	73.5	74.0
Government inspected rendered poultry fat	77.5	78.5	79.0

[1] If the gizzard is not cleaned by removing the contents and lining, the base price shall not exceed ½ of the maximum base price for gizzards as established by this Temporary Table A-1.

2. Section 1429.19 (i) (3) (ii) is amended to read as follows:

(ii) The gizzard of each bird must be cleaned by removing the contents and lining. The cleaned gizzard, heart and liver must all either be inserted within the carcass of the bird from which taken or else all three items must be excluded from the carcass and sold separately at prices not in excess of those established under Temporary Table A–1 of this section for the corresponding portions.

Dressed poultry items not drawn as herein described shall be sold at prices not exceeding those established for the corresponding dressed poultry items, in Table A of this section.

3. Section 1429.19 (i) (4) (v) is amended to read as follows:

(v) The giblets of each bird must be removed and cleaned. All giblets must then either be wrapped in water resistant paper and replaced in the bird from which taken, or else all must be excluded from the bird and sold separately at prices not in excess of those established in Table A–1 of this section for the corresponding portions.

4. Section 1429.19 (i) (4) (x) is amended to read as follows:

(x) The prices established for "frozen eviscerated poultry" items in this section shall apply only when such "frozen eviscerated poultry" items completely meet the requirements listed in this definition. A discount of ¾ cent per pound shall be deducted from the maximum base price for any "frozen eviscerated poultry" item which is not individually weighed, packaged, and identified as provided for in subdivision (vii) of this definition, but which otherwise meets all the requirements of this definition, and is packaged in bulk for sale to institutional, industrial, commercial, or governmental users, or for sale to distributors selling to such users: *Provided*, That a statement is printed on or attached to the exterior of each bulk package certifying that the eviscerated poultry contained therein was eviscerated under federal inspection, and showing the identity of the eviscerator.

In no event may any processed poultry item be sold as "frozen eviscerated poultry" unless all the requirements established for "frozen eviscerated poultry" have been met. If some, but not all, of those requirements have been met, the processed bird, if drawn in accordance with all the requirements established for drawn poultry, shall be sold at a price not in excess of that established for corresponding drawn poultry items in Table A. If not drawn in accordance with all the requirements established for drawn poultry, then the dressed bird shall be sold at a price not in excess of that established for a corresponding dressed poultry item in Table A.

This amendment shall become effective May 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7513; Filed, May 25, 1944; 11:31 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 511,[1] Correction]

OATS, BARLEY AND GRAIN SORGHUMS

Section 1439.11 of Maximum Price Regulation No. 511 is corrected to read as follows:

§ 1439.11 *Maximum prices for oats, barley and grain sorghums.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, Maximum Price Regulation No. 511, which is annexed hereto and made a part hereof, is hereby issued.

This correction shall become effective on May 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7512; Filed, May 25, 1944; 11:31 a. m.]

[1] 9 F.R. 1519, 4133.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 3, 104, 574, 605, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791, 3032, 3073, 3513, 3579, 3708, 3710, 3947, 3944, 4026, 4351, 4475, 4604, 4818, 4876, 4881.

[2] 7 F.R. 10708, 10864, 11118; 8 F.R. 567, 856, 878, 2289, 3316, 3419, 3792, 6736, 9299, 10940, 11631, 13302, 13303, 13813, 14016, 15258, 14854, 15190, 16793; 9 F.R. 95, 612, 902, 906, 1036, 1941, 3233, 3345.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 135]

WHITE RYE FLOUR ADHESIVES FOR CORRUGATED PAPER BOARD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4.26 is added to read as follows:

SEC. 4.26 *White rye flour adhesives for corrugated paper board*—(a) *Applicability*—(1) *Products.* This section applies to adhesives made from chemically treated white rye flour and sold for use in the manufacture of corrugated paper board.

(2) *Geographical applicability.* This section 4.26 applies to the forty-eight states of the United States and the District of Columbia.

(b) *Maximum prices.* (1) The maximum price per 100 pounds for the sale and delivery of a white rye flour adhesive, subject to this section, by any person, shall be the seller's maximum price established under the General Maximum Price Regulation, plus an amount computed by multiplying 65 cents by the percentage by weight of white rye flour contained in the product.

(2) Where the seller's maximum price is determined under § 1499.3 (b) of the General Maximum Price Regulation, the maximum price to be used for the comparable product shall be the maximum price established under § 1499.2 (a) (1), and the report or application required by § 1499.3 (b) shall be filed with the Chemicals and Drugs Branch, Office of Price Administration, Washington, D. C. Such report or application shall include the percentage by weight of white rye flour in the product.

(c) *Notification.* Every seller who increases his maximum price on a white rye flour adhesive under the provisions of this section shall, with or prior to the first delivery at the increased price, furnish each purchaser who is not an ultimate consumer a copy of this section 4.26 of Revised Supplementary Regulation No. 14, and a written notice containing the following information:

(1) Maximum price for sales of the product to that purchaser as determined under the General Maximum Price Regulation.

(2) Adjusted maximum price for sales of the product to that purchaser under this section.

(d) *Reports.* Each seller of a product subject to this section shall file with the Chemicals and Drugs Branch, Office of Price Administration, Washington, D. C. before June 1, 1944, a report containing the following information:

(1) The name or trade designation of each white rye flour adhesive sold by him for use in the manufacture of corrugated paper board.

(2) The percentage by weight of white rye flour in each product.

(3) The maximum price for each product under the General Maximum Price Regulation.

(4) The maximum price calculated under this section. A supplemental report containing the same information shall be filed prior to the first delivery to a buyer of any new or different white rye flour adhesive subject to this section not included in previous reports.

This amendment shall become effective May 30, 1944.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7514; Filed, May 25, 1944; 11:32 a. m.]

*Copies may be obtained from the Office of Price Administration.

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

AMENDMENTS TO REGULATIONS AND APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4481, 4482, 4488, 4491, as amended, 49 Stat. 1384, 1544, 54 Stat. 163–167 (46 U.S.C. 375, 391a, 404, 474, 475, 481, 489, 369, 367, 526–526t), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609) the following amendments to the regulations and approval of equipment are prescribed:

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

PART 153—BOATS, RAFTS, AND LIFESAVING APPLIANCES; REGULATIONS DURING EMERGENCY

ESCAPE PANELS

Section 153.21 is deleted and the following is substituted in its stead:

§ 153.21 *Means of escape on vessels*—(a) *Means of escape on new vessels.* On mechanically propelled ocean and coastwise passenger, cargo, and tank vessels, certificated for the first time after 1 October, 1944, the means of escape or emergency exits required by this section shall be provided.

(b) *Definitions.* Certain terms used in this section are defined as follows:

(1) A "crash panel" is a panel of frangible material or a panel of non-frangible material which, when installed in an opening in a door or other structure, may be readily removed by kicking out.

(2) An "escape panel" is a panel of metal or other non-frangible material hinged or otherwise secured over an opening by "dogs" or other means.

(3) An "escape hatch" is a covering over an opening in a deck or other structure, hinged or otherwise secured to such deck or structure.

(c) *Number and arrangement of means of escape or emergency exits for new vessels.* Plans and specifications showing location, type and arrangement of means of escape or emergency exits shall be submitted to Headquarters for approval. Deviation from the requirements will be considered only when it is shown to the satisfaction of Headquarters that such deviation is unavoidable due to construction features. In all cases, when plans are submitted to and approved by Headquarters and the escapes are installed in accordance with the plans, the vessel shall be considered to be in complete compliance with the regulations. The means of escape or emergency exits shall be provided and arranged as follows:

(1) Each room occupied by one or more persons shall have at least two means of emergency exit and each passageway, compartment, public room, or space serving or containing more than two rooms shall have at least three means of emergency exit. Spaces used as storerooms are not required to be fitted with crash panels, escape panels, or escape hatches.

(2) Each public bath room, wash room, or toilet room, accommodating four (4) or more persons at one time shall have at least two means of emergency exit. The exits may be of any type specified in this section but where entrance doors are not fitted or where half doors are fitted to such bath rooms, wash rooms, or toilet rooms, no other means of escape shall be required.

(3) The exits for each space shall be located as remotely from each other as possible to reduce the likelihood of damage blocking all avenues of escape.

(4) In general, where there are four or more widely separated means of escape from a deckhouse, it will not be necessary to provide these doors with offset hinges or escape panels.

(5) In no case shall a main fire screen bulkhead be pierced to provide a secondary means of escape, nor shall any watertight bulkhead, watertight deck, or watertight door below the bulkhead deck be pierced for the installation of emergency escapes.

(6) Brigs or other spaces for the confinement of persons need be equipped with only one means of emergency exit which shall be a door of the type specified in paragraph (e) (2) of this section and which may be capable of being secured from the outside.

(7) On mechanically propelled vessels of over 1,000 gross tons it is also required that at least two wire or chain ladders (one on each side) leading directly to the highest part of the engine room casing shall be provided and arranged in a way most likely to allow the escape of engine room personnel in the event of damage to the fixed ladders and gratings. On steam vessels a similar ladder shall be provided in the fire room running through the ventilator if practicable. Such ladders are not to be hauled taut. They are to be lashed loosely at the floor plates.

(d) *Designs and arrangements for means of escape for new vessels.* The following requirements shall be followed in the design and installation of means of escape or emergency exits:

(1) The crash panels, escape panels, and escape hatches shall be operable without the use of tools.

(2) All crash panels shall be designed and installed for ready removal from either side.

(3) Crash panels shall have the same fire-resistive qualities as the door or structure in which they are installed.

(4) The crash panels, escape panels, and escape hatches shall have a minimum clear opening of 18" x 18" or 18" diameter; however, where it can be shown that this size opening is unreasonable or impracticable, a minimum clear opening of 16" x 16" or 16" diameter may be allowed.

(5) Crash panels shall be of frangible material substantially secured to the door or other structure or shall be of non-frangible material and so installed that the fastenings will give way easily when kicked, allowing the panel to be removed whole. The escape openings shall be free from garment entangling projections. The crash panel shall be marked with a suitable permanent notice placed on the side from which it is to serve as an exit. A suggested marking is:

EMERGENCY
CRASH PANEL
KICK OUT

(6) All escape panels and escape hatches shall be arranged so that they may be operated from either side. They shall be clearly marked "emergency exit". A maul or a short length of pipe shall be available to free jammed "dogs" where doors and hatches are fitted with "dogs". Where escape panels and escape hatches are so located that there is a possibility of cargo, equipment, or stores interfering with their operation, special care shall be taken to guard against such interferences.

(e) *Acceptable means of escape or emergency exits for new vesels.* As one means of escape or emergency exit, each of the following will be considered satisfactory:

(1) A door having a crash panel or escape panel.

(2) A door without a crash panel or escape panel and with offset hinges so arranged that it fits against the face of the frame with a bearing surface of at least one-half inch, and no part of the door inside the frame.

(3) A crash panel or escape panel in a bulkhead.

(4) An entrance opening to a room to which no door is fitted.

(5) Escape hatch fitted in a deck. Necessary ladders, steps, or hand grabs to insure quick exit shall be fitted in order to reach the escape hatch.

(6) A porthole with a clear opening at least 16" in diameter or a window of at least 16" by 16" when located in a deckhouse and fitted where necessary with steps, hand grabs, or ladders. Portholes in the shell leading directly overboard shall not be considered as a means of escape.

(7) A skylight that may be easily opened at point of exit when fitted with a ladder to afford quick exit and the passage of a person through the skylight will not necessitate the removal or cutting of metal screens or blackout equipment. Skylights which are operated by remote control are not considered as satisfactory means of exit.

(f) *Means of escape on existing vessels.* On all mechanically propelled ocean and coastwise passenger, cargo and tank vessels which are certificated on or prior to 1 October, 1944, the number of means of emergency exits prescribed in this section shall be complied with, insofar as conditions permit. Such compliance shall be made at the time of annual inspection or at such other times as may be appropriate, so as to cause the least interference with the operation of the vessel. While it is not intended that vessels be delayed for non-compliance, it is expected that diligent efforts will be made to meet this requirement as rapidly as is possible.

(g) *Administration.* When the requirements concerning emergency escapes have been substantially complied with to the satisfaction of Headquarters or the District Coast Guard Officer of one district, subsequent changes or additions shall not be required by the District Coast Guard Officer of another district, without prior approval by Headquarters.

Subchapter J—General Rules and Regulations for Vessel Inspection, Rivers

PART 113—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Section 113.14 is amended by the addition of the following paragraph:

§ 113.14 *Carrying capacity of lifeboats.* * * *

Every lifeboat shall have sufficient room, freeboard, and stability to safely carry the number of persons allowed to be carried by the above rule, which fact shall be determined by actual test in the water at the time of the first inspection of the lifeboat, except that where a vessel is carrying lifeboats of different types or capacities, at least one lifeboat of each type or capacity shall be so tested.

APPROVAL OF EQUIPMENT

DISENGAGING APPARATUS FOR LIFEBOATS

Rottmer type releasing gear for use with 24' x 8' x 3'5" lifeboat (Arrangement and Assembly Dwg. No. S82-1-28 dated 28 April, 1944) (Maximum working load of 7,650 pounds per hook, 15,300 pounds per set), submitted by the Imperial Lifeboat & Davit Company, Inc., Athens, N. Y.

LIFEBOATS

16' x 5.5' x 2.3' metallic oar-propelled lifeboat (121 cu. ft. capacity, .6 rule) (General Arrangement and Construction Dwgs. Nos. 557-A, 557-B, and 557-C, dated 10 March, 1944), for use on lakes, bays, sounds and rivers (capacity limit, 12 persons all services), constructed by the Boatcraft Company, Cor. Cropsey & 26th Ave., Brooklyn, N. Y.

24' x 8' x 3'8¾" metallic oar-propelled (Coast Guard built-in-tank type) lifeboat (436 cu. ft. gross, S.R. capacity) (General Arrangement Dwg. No. 5US-935, dated 4 April, 1944), submitted by the Globe American Corp., Kokomo, Ind.

24' x 8' x 3'8¾" metallic motor-propelled (Coast Guard built-in-tank type) lifeboat (436 cu. ft. gross, S.R. capacity) (General Arrangement Dwg. No. 5US-934, dated 4 April, 1944), submitted by the Globe American Corp., Kokomo, Ind.

LIFE PRESERVER

Adult kapok life preserver, Navy Type 23J1c (C & R Plan No. 83927 and 83928, Alts. 2 January, 1934, and Navy Specification 23J1c, dated 1 December, 1936, Approval No. B-214, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N. Y. (For general use and not for use with rubber lifesaving suits.)

SEA ANCHOR

Sea anchor, Type N-1 (U. S. Coast Guard Dwg. No. MM1-562 and specification dated 1 November, 1943), submitted by Neptune Accessories, 190 Columbia Heights, Brooklyn, N. Y.

L. T. CHALKER,
Rear Admiral, USCG,
Acting Commandant.

MAY 25, 1944.

[F. R. Doc. 44-7518; Filed; May 25, 1944; 11:45 a. m.]

Chapter III—War Shipping Administration

[Rev. G. O. 6, Supp. 5]

PART 305—INSURANCE

CARGO INSURANCE

Subpart A—Cargo insurance, of General Order 6, Revised, is amended as follows:

1. Effective thirty (30) days from and after the date of publication of this supplement in the FEDERAL REGISTER, § 305.1 *Introductory* (8 F.R. 3423) is amended by striking out the first paragraph and inserting in lieu thereof the following:

§ 305.1 *Introductory.* War Shipping Administration is prepared to provide marine insurance against loss or damage by the risks of war on only the following described shipments of cargo in the water-borne commerce of the United States and its territories and possessions which is in the interest of the war effort or the domestic economy of the United States as determined by the Administrator:

	Commerce code No.
(1) Imported coffee, raw or green	1511.000–1511.100
(2) Cocoa or cacao beans shipped by water from South American ports	1501.300
(3) Cresylic acid	8010.050; 8020.100
(4) Chrome ore, manganese ore shipped by water from ports in India or Ceylon.	6211.000–6211.300 6213.100–6213.500

2. Effective from the date of the publication of this supplement in the FEDERAL REGISTER, § 305.118 *Warshipopencargo policy form* (8 F.R. 3423, 8875, 15800) is amended by adding the following Clause 21 to Part II of Warshipopencargo form:

21. *Clause paramount.* Notwithstanding any of the terms of this policy, or any provisions set forth in the regulations to a contrary effect, it is understood and agreed that with respect to shipments:

(a) Under ocean bills of lading dated on or after the 25th day of June, 1944 or

(b) If ocean bills of lading not issued, under equivalent shipping documents dated on or after said date, or

(c) If no ocean bills of lading or equivalent shipping documents are issued, or the same are undated, laden on overseas vessel on and after said date,

this policy shall cover only the following described shipments as otherwise insured hereunder and no others:

	Commerce code No.
(1) Imported coffee, raw or green	1511.000–1511.100
(2) Cocoa or cacao beans shipped by water from South American ports	1501.300
(3) Cresylic acid	8010.050; 8020.100
(4) Chrome ore, manganese ore shipped by water from ports in India or Ceylon.	6211.000–6211.300 6213.100–6213.500

(E.O. 9054, 7 F.R. 837, 54 Stat. 689, as amended)

[SEAL] E. S. LAND, *Administrator.*

MAY 24, 1944.

[F. R. Doc. 44–7461; Filed, May 24, 1944; 3:43 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 95—CAR SERVICE

[1st Rev. S. O. 205]

REFRIGERATOR CARS AT ROSEVILLE, SAN JOSE AND STOCKTON, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 24th day of May, A. D. 1944.

It appearing, that the initial bunker icing at Watsonville Junction, California, of refrigerator cars loaded with fresh or green vegetables originating in the Salinas-Watsonville district of California, requires the shipment of ice from other points to Watsonville Junction, thereby interfering with the best utilization of cars, congesting traffic and wasting transportation; in the opinion of the Commission an emergency exists requiring immediate action: *It is ordered*, That:

§ 95.339 *Refrigerator cars, initial bunker icing at Roseville, San Jose or Stockton.* (a) For carriers' convenience refrigerator cars loaded with shipments of fresh or green vegetables originating in the Salinas-Watsonville district of California (defined herein as stations on the Southern Pacific Company, Coast Division, between King City, California, and Gilroy, California, including Santa Cruz, Monterey and Hollister branches), may be intially bunker iced by the Southern Pacific Company at Roseville, California, or by the Western Pacific Railroad Company at San Jose or Stockton, California, where bunker icing on such shipments is not otherwise prohibited by order of this Commission.

(b) *Tariff provisions suspended.* The operation of all tariff rules, regulations, or charges insofar as they conflict with the provisions of this order is hereby suspended.

(c) *Announcement of suspension.* Each of such railroads or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby announcing the suspension of any of the provisions therein. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective at 12:01 a. m., May 29, 1944, and shall supersede Service Order No. 205 on the effective date hereof; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44–7497; Filed, May 25, 1944; 11:17 a. m.]

Notices

FEDERAL POWER COMMISSION.

[Docket No. G–589]

NORTHERN NATURAL GAS CO.

NOTICE OF AMENDED APPLICATION

MAY 25, 1944.

Notice is hereby given that on May 23, 1944, Northern Natural Gas Company (Applicant) filed with the Federal Power Commission an amended application under section 7 of the Natural Gas Act, as amended, seeking authority to acquire from Council Bluffs Gas Company and operate the following described facilities:

(1) Approximately 535 feet of 16-inch O. D. coupled steel pipe line, beginning at the outlet of a 16-inch gate valve located approximately 54 feet east of the interconnection of Applicant's proposed 8⅝-inch pipe line located in Pottawattamie County, Iowa, (described in the original application) and the 16-inch pipe line proposed to be acquired, and extending in a westerly direction to Applicant's 14-inch pipe line on the Douglas Street Bridge spanning the Missouri River between Council Bluffs, Iowa, and Omaha, Nebraska;

(2) A 6-inch orifice meter run and appurtenances thereto located at the beginning of the 16-inch pipe line proposed to be acquired;

(3) A meter station building located near the terminus of the proposed 8⅝-inch pipe line located in Pottawattamie County, Iowa.

Any person desiring to be heard or to make any protest with reference to this amended application should, on or before June 3, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 44–7499; Filed, May 25, 1944; 11:00 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 178, Special Permit 126]

LOADING OF CHEESE AT FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.329, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of two refrigerator cars with cheese and spread in glass by Kraft Cheese Company, at Freeport, Illinois, and the movement of the two such cars so loaded from that point not later than May 24, 1944, to Jersey City, New Jersey, and to Omaha, Nebraska.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of May 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44–7498; Filed, May 25, 1944; 11:18 a. m.]

[S. O. 200, Special Permit 16]

REICING OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only, to full bunker capacity, at Chicago, Illinois, May 20, 1944, as ordered by Edw. H. Anderson & Company, cars of potatoes, WFE, 63707, BRE 75037; WFE 67013 and WFE 32325, then on the Chicago Produce Terminal, account necessary to preserve contents over the weekend.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of May 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44–7499; Filed, May 25, 1944; 11:18 a. m.]

[S. O. 200, Special Permit 17]

REICING OF POTATOES AT DALHART, TEX.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only, to full bunker capacity, as ordered by the U. S. Army, cars of potatoes: IC 52058, moving from Denver, Colorado, May 22, 1944, to Ft. Bliss, Texas (routed C. & S.—F. W. & D. C.—C. R. I. & P.—Sou. Pac.), reice at Dalhart, Texas; and NWX 8121, moving from Denver, Colorado, May 22, 1944, to Fort Sam Houston, Texas (routed C. & S.—Ft. W. & D. C.—M. K. T.), reice at Amarillo, Texas.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of May 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44–7500; Filed, May 25, 1944; 11:18 a. m.]

[S. O. 200, Special Permit 18]

REFRIGERATION OF POTATOES AT NORFOLK, VA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration on car FGE 15378, potatoes, shipped May 23 or 24, 1944, by Guy W. Capps of Norfolk, Virginia, to the Commissary Officer, Naval Operating Base, Key West, Florida (Routed S. A. L. Miami Overseas Transportation).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent

of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of May 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44–7501; Filed, May 25, 1944; 11:18 a. m.]

[S. O. 200, Special Permit 19]

REICING AT CHICAGO PRODUCE TERMINAL

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice FGE 38247, WWX 7659 and WFE 67358, now on Chicago Produce Terminal, shipped from Atmore, Alabama, to Ed. H. Anderson, Chicago, Illinois.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of May 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44–7502; Filed, May 25, 1944; 11:18 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 630, Amdt.]

PIERONI, INC.

Vesting Order Number 630, dated January 6, 1943, is hereby amended as follows and not otherwise:

By deleting therefrom paragraph 2 and substituting therefor the following:

2. Finding that 155 shares of no par value capital stock of Pieroni, Inc., a Massachusetts Corporation, Boston, Massachusetts are registered in the names of and owned by the aforesaid individuals in the following respective amounts:

Names:	Number of shares
Louis Pieroni	65
Amedeo Pieroni	40
Brunilde Maddeleni	50
Total	155

All other provisions of said Vesting Order Number 630 and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under the authority thereof, are hereby ratified and confirmed.

Executed at Washington, D. C. on May 15, 1944.

[SEAL] JAMES E. MARKHAM, *Alien Property Custodian.*

[F. R. Doc. 44–7472; Filed, May 25, 1944; 10:47 a. m.]

[Vesting Order 3649]

CHRISTIAN BOSSE

In re: Estate of Christian Bosse, deceased; File: D–28–8139; E. T. sec. 9036 (H–75).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Hawaiian Trust Company, Limited, Executor, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Ella Bosse Mahnken or her surviving issue, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ella Bosse Mahnken or her surviving issue, and each of them, in and to the Estate of Christian Bosse, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any

claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7473; Filed, May 25, 1944; 10:47 a. m.]

[Vesting Order 3650]

ANDREW DAIGGER

In re: Estate of Andrew Daigger, deceased; File D–28–3532; E. T. sec. 5706–A.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of Cook County, County Building, Chicago, Illinois, Depositary, acting under the judicial supervision of the Probate Court of Cook County, State of Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Trudi Daigger, Germany.
Katie Daigger, also known as Kaethi Daigger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $11,471.88, which is in the possession and custody of the Treasurer of Cook County, County Building, Chicago, Illinois, Depositary, pursuant to an order of the Probate Court of Cook County, Illinois, entered December 7, 1943, representing the distributive shares of Trudi Daigger and Katie Daigger, also known as Kaethi Daigger, in the matter of the estate of Andrew Daigger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7474; Filed, May 25, 1944; 10:47 a. m.]

[Vesting Order 3651]

ANDREW DAIGGER

In re: Estate of Andrew Daigger, deceased; File D–28–3532; E. T. sec. 5706–B.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Herman B. Schuler, 2716 Pine Grove Avenue, Chicago, Illinois, Executor, acting under the judicial supervision of the Probate Court of Cook County, State of Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Trudi Daigger, Germany.
Katie Daigger, also known as Kaethi Daigger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Trudi Daigger and Katie Daigger, also known as Kaethi Daigger, and each of them, in and to the estate of Andrew Daigger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7475; Filed, May 25, 1944; 10:47 a. m.]

[Vesting Order 3652]

HENRY H. DUNKHASE

In re: Estate of Henry H. Dunkhase, deceased; File D–28–2136; E. T. sec. 2684.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Vernon L. Stouffer, 8 East Bread Street, Columbus, Ohio, Administrator, acting under the judicial supervision of the Probate Court of the State of Ohio, in and for the County of Franklin;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mrs. Henry Denker, Germany.
John Dunkhase, Germany.
Frederick Dunkhase, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Mrs. Henry Denker, John Dunkhase and Frederick Dunkhase, and each of them, in and to the estate of Henry H. Dunkhase, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7476; Filed, May 25, 1944; 10:47 a. m.]

[Vesting Order 3653]

ELIZABETH KAMPFER

In re: Estate of Elizabeth Kampfer, deceased; File No. D–28–7954; E. T. sec. 8845–B.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Fred Heidrich, 5446 Grace Street, Chicago, Illinois, Executor, acting under the judicial supervision of the Probate Court of the State of Illinois, in and for the County of Cook;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Martha (sometimes known as Marie) Frauenrath, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Martha (sometimes known as Marie) Frauenrath in and to the estate of Elizabeth Kampfer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7477; Filed, May 25, 1944; 10:48 a. m.]

[Vesting Order 3654]

PETER LIEBER

In re: Trust under agreement of Peter Lieber, dated May 7, 1894, for Emma Lieber for life; File D–28–3424; E. T. sec. 5065–A.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Indiana Trust Company, Trustee, 117 East Washington Street, Indianapolis, Indiana, acting under judicial supervision of the Probate Court of Marion County, State of Indiana;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Emma Lieber Herber, Germany.
Arnold Herber, Germany.
Child or children of Arnold Herber, if any, names unknown, Germany.
Hans Adolph Lieber, Germany.
Child or children of Hans Adolph Lieber, if any, names unknown, Germany.

And determining that—

(3) If such national are persons not within a designated enemy country, the national interest of the United States requires that such person be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Emma Lieber Herber, Arnold Herber, child or children of Arnold Herber, if any, names unknown, Hans Adolph Lieber and child or children of Hans Adolph Lieber, if any, names unknown, and each of them, in and to the trust estate created by Agreement of Peter Lieber, dated May 7, 1894, for Emma Lieber for life,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7478; Filed, May 25, 1944; 10:48 a. m.]

[Vesting Order 3655]

PETER LIEBER

In re: Trust under the will and codicils of Peter Lieber, for Laura Lieber for life; File D–28–3424; E. T. sec. 5065–D.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Indiana Trust Company, Trustee, 117 East Washington Street, Indianapolis, Indiana, acting under judicial supervision of the Probate Court of Marion County, State of Indiana;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

National and Last Known Address

Person or persons, names unknown, entitled to receive the estate of Laura Lieber, deceased, Germany.
Emma Lieber Herber, Germany.
Arnold Herber, Germany.
Hans Adolph Lieber, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of person or persons, names unknown, entitled to receive the estate of Laura Lieber, deceased, Emma Lieber Herber, Arnold Herber and Hans Adolph Lieber, and each of them, in and to the Trust under the Will and Codicils of Peter Lieber, for Laura Lieber for life,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7479; Filed, May 25, 1944; 10:48 a. m.]

[Vesting Order 3656]

GERHARD OVEL

In re: Trust under the will of Gerhard Ovel, deceased; File D–28–2369; E.T. sec. 4286.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Joseph A. Ritter, West Point, Nebraska, Trustee, acting under the judicial supervision of the County Court of the State of Nebraska, in and for the County of Cuming;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Caroline Schepers, Germany.
Johanna Nemann, Germany.
Anna Preun, Germany.
Rosa Wolbers, Germany.
Ignatz Wolbers, Germany.
Gerhard Upsing, Germany.
Herman Upsing, Germany.
Joseph Upsing, Germany.
Anna Upsing, Germany.
Katarina Upsing, Germany.

The heirs, names unknown, of Caroline Schepers, Johanna Nemann, Anna Preun, Rosa Wolbers, Ignatz Wolbers, Gerhard Upsing, Herman Upsing, Joseph Upsing, Anna Upsing, and Katarina Upsing, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Caroline Schepers, Johanna Nemann, Anna Preun, Rosa Wolbers, Ignatz Wolbers, Gerhard Upsing, Herman Upsing, Joseph Upsing, Anna Upsing, Katarina Upsing, and the heirs, names unknown, of Caroline Schepers, Johanna Nemann, Anna Preun, Rosa Wolbers, Ignatz Wolbers, Gerhard Upsing, Herman Upsing, Joseph Upsing, Anna Upsing and Katarina Upsing, and each of them, and to the trust created by the will and codicil of Gerhard Ovel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1 within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7480; Filed, May 25, 1944; 10:49 a.m.]

[Vesting Order 3657]

JOSEPH POHL

In re: Trust under the will of Josef Pohl, deceased; File D–28–8334; E. T. sec. 9634.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William Downey, 967 La Clair Street, Pittsburgh, Pennsylvania, Rudolph Steeger, 716 South Braddock Avenue, Pittsburgh, Pennsylvania, and Adolph G. Frank, 363 South Evaline Street, Pittsburgh, Pennsylvania, Testamentary Trustees, acting under the judicial supervision of the Orphans' Court of Allegheny County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mrs. Marie Herrmann, Czechoslovakia.
Mrs. Marie Kegler, Czechoslovakia.

Person or persons, names unknown, the lawful issue of Mrs. Marie Kegler, Czechoslovakia.

And determining that—

(3) Mrs. Marie Herrmann, Mrs. Marie Kegler, and person or persons, names unknown, the lawful issue of Mrs. Marie Kegler, citizens or subjects of a designated enemy country, Germany, and within an enemy occupied area, Czechoslovakia, are nationals of a designated enemy country, Germany.

(4) To the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mrs. Marie Herrmann, Mrs. Marie Kegler, and person or persons, names unknown, the lawful issue of Mrs. Marie Kegler, and each of them, in and to the trust created under the will of Josef Pohl, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7481; Filed, May 25, 1944; 10:51 a. m.]

[Vesting Order 3658]

GEORGE WATANABE

In re: Guardianship estate of George Watanabe, a minor; File: F–39–2173; E. T. sec. 4910.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described in sub-paragraphs (a) and (b) are property which is in the process of administration by Bank of America National Trust & Savings Association, Guardian, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests described in sub-paragraph (a) are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

George Watanabe, Japan.

(3) The property and interests described in subparagraph (b) are property within the United States owned by a national of a designated enemy country, Japan, namely,

National and Last Known Address

George Watanabe, Japan.

And determining that—

(4) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

(a) All right, title, interest and claim of any kind or character whatsoever of George Watanabe, in and to the Guardianship Estate of George Watanabe, a Minor, in the possession of Bank of America National Trust & Savings Association, Guardian.

(b) All that real property, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to recorded liens and encumbrances and other rights of record, situated in Los Angeles County, State of California, and particularly described as follows:

One-third interest in and to a portion of Lot 1, Tract 1750, County of Los Angeles, State of California, as per map recorded in Book 20, Page 157, of Maps, in the Recorder's Office of said County, described as follows: Commencing at a point on the W. line of said Lot 1, distant 150 ft. S. from the NW corner thereof; thence E. and parallel with the N. line of said Lot 85 ft., thence S. and parallel with the W. line of said Lot 20 ft., thence W. and parallel with the said N. line to the W. line of said lot; thence along the said W. line to the point of beginning.

One-third interest in and to that portion of Lot 1, Tract 1750, County of Los Angeles, State of California, as per map recorded in Book 20, Page 157 of Maps, in the Recorder's Office of said County, described as follows: Commencing at a point on the W. line of said Lot 1, distant 100 ft. S. from the NW corner thereof; thence E. and parallel with the N. line of said Lot 85 ft., thence S. and parallel with the W. line of said Lot 50 ft., thence W. and parallel with the said N. line to the W. line of said Lot; thence N. along the said W. line to the point of beginning.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7482; Filed, May 25, 1944; 10:51 a. m.]

[Vesting Order 3659]

MARTHA MASAKO WATANABE

In re: Guardianship Estate of Martha Masako Watanabe, a Minor; File: F–66–112; E.T. sec. 4802.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Security-First National Bank of Los Angeles, Guardian, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Martha Masako Watanabe, Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Martha Masako Watanabe, in and to the Guardianship Estate of Martha Masako Watanabe, a Minor, in the possession of Security-First National Bank of Los Angeles, Guardian,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7483; Filed, May 25, 1944; 10:51 a. m.]

[Vesting Order 3660]

YOSHIKO WATANABE

In re: Guardianship Estate of Yoshiko Watanabe, a Minor; File: F–66–113; E.T. sec. 4803.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Security-First National

Bank of Los Angeles, Guardian, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Yoshiko Watanabe, Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Yoshiko Watanabe, in and to the Guardianship Estate of Yoshiko Watanabe, a Minor, in the possession of Security-First National Bank of Los Angeles, Guardian,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7484; Filed, May 25, 1944; 10:52 a. m.]

[Vesting Order 3661]

JULIUS G. O. ZEHNTER

In re: Trusts under the will of Julius G. O. Zehnter, deceased; File D–28–2391; E. T. sec. 4331.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Union Trust Company, One West Main Street, Madison, Wisconsin, Testamentary Trustee, acting under the judicial supervision of the County Court of Dane County, Madison, Wisconsin;

(2) Such property and interests are payable or deliverable to, or claimed by, agencies or instrumentalities of a designated enemy country, Germany, namely,

University of Berlin, Berlin, Germany
University of Marburg, Marburg, Germany

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of University of Berlin and University of Marburg, and each of them, in and to the trust estates created by the will of Julius G. O. Zehnter, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7485; Filed, May 25, 1944; 10:52 a. m.]

[Vesting Order 3662]

GOTTFRIED ZOLL

In re: Estate of Gottfried Zoll, deceased; File: D–28–8612; E. T. sec. 10291.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John F. Poole, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hans M. Zoll, and the other six children, names unknown, of Konrad Zoll, deceased, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Hans M. Zoll, and the other six children, names unknown, of Konrad Zoll, deceased, and each of them, in and to the Estate of Gottfried Zoll, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7486; Filed, May 25, 1944; 10:52 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supplementary Order ODT 20A–123]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN CARBONDALE AND MURPHYSBORO, ILL., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Carbondale and Murphysboro, Illinois, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Cairo, Illinois, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–123" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Cairo, Illinois.

8. This order shall become effective May 31, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Yellow Taxicabs, Carbondale, Ill.
Yellow Cab Taxi Service, Murphysboro, Ill.

[F. R. Doc. 44–7408; Filed, May 24, 1944; 10:46 a. m.]

[1] Filed as part of the original document.

[Supplementary Order ODT 20A–124]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN DURHAM, N. C., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Durham, North Carolina, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Raleigh, North Carolina, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–124" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Raleigh, North Carolina.

8. This order shall become effective May 31, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Pine Street Taxi Service, Durham, N. C.
Hawk Taxi Company, Inc., Durham, N. C.
Biltmore Cab Company, Durham, N. C.
Starr Taxi, Durham, N. C.
Hill Side Taxi Service, Durham, N. C.
Royal Cab Company, Durham, N. C.
Dixie Cab Company, Durham, N. C.
Eagle Taxi Service, Durham, N. C.
Carolina Cab Company, Durham, N. C.

[F. R. Doc. 44–7409; Filed, May 24, 1944; 10:46 a. m.]

[Special Order ODT B–13A]

OPERATIONS BETWEEN BOSTON, MASS., AND ST. STEPHEN, NEW BRUNSWICK

COMMON CARRIERS

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, and 9156, and War Production Board Directive 21; and in order to secure maximum use of existing transportation facilities; to conserve and providently utilize vital equipment, material, and supplies; to prevent possible traffic congestion, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; and being satisfied that the fulfilment of requirements for the defense of the United States will result in shortage of transportation materials and facilities for defense and for private account, *It is hereby ordered*, That:

1. Eastern Greyhound Lines of New England (division of The Greyhound Corporation), Cleveland, Ohio, Boston & Maine Transportation Company, Boston, Massachusetts, and Maine Central Transportation Company, Portland, Maine (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between Boston, Massachusetts, and St. Stephens, New Brunswick, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of time of departure of the respective carriers;

(c) Wherever practicable, eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against any such carriers.

2. Eastern Greyhound Lines of New England shall:

(a) Suspend service on its routes between Boston, Massachusetts, and Concord, New Hampshire, and between Portland, Maine, and Belfast, Maine.

(b) Operate no service between Belfast, Maine, and Bangor, Maine;

(c) Accept and transport in intrastate and interstate commerce between Portland, Maine, and St. Stephens, New Brunswick, and intermediate points, all passengers presenting themselves for transportation to the extent of the maximum carrying capacity of the equipment used in such service.

3. Unless otherwise authorized by the Directors, Division of Local Transport, Office of Defense Transportation,

(a) Eastern Greyhound Lines of New England shall not operate in excess of 7 scheduled round trips daily between Boston, Massachusetts, and Portland, Maine;

(b) Eastern Greyhound Lines of New England shall not operate in excess of 2 scheduled round trips daily between Portland, Maine, and Bangor, Maine;

(c) Eastern Greyhound Lines of New England shall not operate in excess of 1 scheduled round trip daily between Bangor, Maine, and St. Stephens, New Brunswick;

(d) Boston & Maine Transportation Company shall not operate in excess of 9 scheduled round trips daily between Boston, Massachusetts, and Portland, Maine;

(e) Maine Central Transportation Company shall not operate in excess of 3 scheduled round trips daily between Portland, Maine, and Bangor, Maine, via Augusta, Maine;

(f) Maine Central Transportation Company shall not operate in excess of 1 scheduled round trip daily between Bangor, Maine, and St. Stephens, New Brunswick;

(g) The time of departure and time of arrival on schedules operated by the Boston & Maine Transportation Company and Eastern Greyhound Lines of New England between Boston, Massachusetts, and Portland, Maine, in effect on May 1, 1944, shall not be changed or altered without the mutual consent of the carriers operating such schedules.

4. Unless first authorized by the Public Utilities Commission, State of Maine, the departure and arrival times on schedules operated by Eastern Greyhound Lines of New England and Maine Central Transportation Company between Portland, Maine, Bangor, Maine, and St. Stephens, New Brunswick, in effect on May 1, 1944, shall not be changed or altered, and no more than one bus shall be operated on each scheduled trip.

5. The carriers forthwith shall file with the Interstate Commerce Commission in receipt of transportation in interstate or foreign commerce, and with each appropriate state regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs, or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

6. Communications concerning this order should be addressed to the Director, Division of Local Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Special Order ODT B–13A."

This Special Order ODT B–13A shall become effective June 4, 1944, and shall remain in full force and effect until June 1, 1945, or such earlier time as the Office of Defense Transportation by further order may designate.

Special Order ODT B–13 is hereby revoked.

Issued at Washington, D. C., this 25th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44–7470; Filed, May 25, 1944; 10:42 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Amdt. 38 to Order A–1]

GYPSUM WALL BOARD, LATH AND SHEATHING

MODIFICATION OF MAXIMUM PRICES

Amendment No. 38 to Order No. A–1 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Modification of maximum prices in Maximum Price Regulation No. 188.

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Paragraph (a) (13) of Order No. A–1 is amended to read as follows:

(13) *Modification of maximum prices for gypsum wall board, lath and sheathing*—(i) *Manufacturers' sales.* Manufacturers' sales of gypsum wall board, lath and sheathing or laminated gypsum products may be made at prices not exceeding the maximum prices specified below when the following conditions have been met:

(*a*) The sale is made f. o. b. at a mill located within the shipping-point originating territory set forth below;

(*b*) The sale must be made:

(*i*) To the War Department, the Navy Department, the Maritime Commission, the Federal Public Housing Authority or the Federal Works Agency;

(*ii*) To any lumber or building material dealer holding a War Production Board priority rating of AA–3 or higher for the purchase of gypsum board products on behalf of any of these designated government agencies; or

(*iii*) To a lumber or building material dealer holding a War Production Board priority rating of AA–3 or higher and the National Housing Agency Allotment symbol "H–1" for the purchase of gypsum board products.

(*c*) The gypsum wall board, lath or sheathing or laminated gypsum products must be for use on a "government project", or a project bearing the symbol "H–1"; and

(*d*) The gypsum wall board, lath or sheathing or laminated gypsum products must be destined for use in California, Arizona, Oregon, or Washington.

Shipping point origin.—Indiana, Iowa, Michigan, Oklahoma, Texas, Ohio:

	Per M sq. ft.
Gypsum wall board ¼"	$20.00
Gypsum wall board ⅜"	23.00
Gypsum wall board ½"	25.00
Gypsum lath	13.00
Gypsum sheathing ½"	20.00
Gypsum sheathing (weatherproof treated) ½"	22.50
Gypsum board roof units (laminated) ¾"	51.00
Gypsum board roof units (laminated) 1"	55.00
Gypsum board roof units (laminated) 1½"	85.00
Gypsum board roof units (laminated) 2"	120.00
Gypsum board siding (laminated) ¾"	51.00
Gypsum board siding (laminated) 1"	55.00
Gypsum board siding, weatherproof treated (laminated) 1"	60.00
Gypsum board, partition panel, (laminated) 1"	55.00
Gypsum board, partition panel, (laminated) 1½"	90.00

(ii) *Dealers' sales.* Any lumber or building material dealer holding a War Production Board priority rating of AA–3 or higher for the purchase of gypsum board products on behalf of any of the government agencies designated in subdivision (i) (*b*) (*i*) or to a dealer holding a War Production Board priority rating of AA–3 or higher and the National Housing Agency Allotment symbol "H–1" for the purchase of gypsum wall board, lath or sheathing or laminated gypsum products for use within the States of California, Arizona, Oregon or Washington from a manufacturer located at any of the shipping point origins specified above, may add to his cost, at such shipping point, the actual cost of transportation from such shipping point to destination plus the same dollars-and-cents mark-up as he would add on a shipment originating at a mill located within the State of California for a comparable sale.

(iii) Every manufacturer making sales subject to this subparagraph (13) shall submit on or before the 15th day of each month after May 26, 1944, to the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., a monthly report showing:

The name and address of each purchaser or dealer
Point of origin of shipment
Kind, quantity and thickness sold
The name and location of job.

(iv) Every lumber or building material dealer making sales subject to this subparagraph (13) shall submit on or before the 15th day of each month after May 26, 1944, to the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., a monthly report showing:

The name and address of each purchaser
Point of origin of shipment and name of manufacturer
Kind, quantity and thickness sold
The name and location of job.

(v) The term "government project" used in this subparagraph (13) shall mean a project constructed pursuant to a contract entered into with any of the following government agencies or any subcontract thereunder; The War and Navy Departments, the Maritime Commission, the Federal Public Housing Authority or the Federal Works Agency.

(vi) This subparagraph (13) may be revoked at any time.

This Amendment No. 38 shall become effective May 26, 1944, and shall terminate July 1, 1944, unless otherwise extended by amendment.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7506; Filed, May 25, 1944; 11:33 a. m.]

[MPR 244, Amdt. 7 to Order 16]

LAKEY FOUNDRY AND MACHINE CO.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 7 to Order No. 16 under § 1421.157 (a) of Maximum Price Regulation 244. Gray iron castings; Docket No. 3244–102.

For the reasons set forth in the opinion issued simultaneously herewith, it is hereby ordered that Order No. 16 under § 1421.157 (a) of Maximum Price Regulation 244 be, and it hereby is, amended as follows:

1. The undesignated paragraph in paragraph (a) of Order No. 16, as amended, beginning with the words "And it is further ordered", is amended to read as follows:

And it is further ordered that Lakey Foundry and Machine Company, Muskegon, Michigan, shall (1) refund to its purchasers any payments they have made to it for gray iron castings delivered on and after December 1, 1943, which are in excess of the maximum prices specified in Order No. 16, as amended by Amendment No. 6, one half of the applicable refunds to each purchaser to be made not later than July 12, 1944, and the other half to be made not later than October 12, 1944, and (2) file statements with the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., not later than July 12, 1944, and October 12, 1944, to the effect that such refunds have been made and stating the dollar amounts of said refunds to each of its purchasers.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued and effective this 25th day of May 1944.

CHESTER BOWLES,
Administrator,

[F. R. Doc. 44–7507; Filed, May 25, 1944; 11:34 a. m.]

[MPR 136, Amdt. 1 to Order 38]

EISEMANN CORPORATION

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 38 under Maximum Price Regulation No. 136 as amended. Machines and parts and machinery services; Docket No. 3136–254.

Pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, it is hereby ordered that Order No. 38 under Maximum Price Regulation No. 136, as amended, adjusting maximum prices for magneto assemblies manufactured by the Eisemann Corporation, Brooklyn, New York, be amended by adding the following items under the respective applicable column headings contained in such order:

Model, Assembly Number, and Applicant's	*New Maximum Price*
RC–2Q; 23,919	$20.00.
RC–4; 24,381	$16.00.

This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective May 26, 1944.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7508; Filed, May 25, 1944; 11:34 a. m.]

Regional and District Office Orders.

[Region IV Order G–17 Under RMPR 122, Amdt. 17]

SOLID FUELS IN ALABAMA

Amendment No. 17 to Order No. G–17 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Appendix XII. Maximum prices for solid fuels in Birmingham, Tarrant City, Fairfield, Homewood, Mountain Brook, Bessemer, Leeds, Irondale, Lipscomb, and Brighton in the State of Alabama.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (e) of Order No. G–17, *It is hereby ordered*, That paragraph (m) of said Order No. G–17 be amended by adding a new subparagraph thereto, designated (m) (12), to read as set forth below:

(m) • • •

(12) *Appendix XII: Maximum prices for specified solid fuels in cities of Birmingham, Tarrant City, Fairfield, Homewood, Mountain Brook, Bessemer, Leeds, Irondale, Lipscomb, and Brighton, in the State of Alabama.* The maximum prices for specified solid fuels sold and delivered within the corporate or township limits of the cities or towns set forth in the caption to this subparagraph (m) (12) and the area lying within twenty miles of said limits by the most direct highway route shall be as follows:

(i) *"Direct delivery or domestic" basis.* (Dealers must determine their source of supply as to each size or classification of solid fuel by reference to Maximum Price Regulation No. 120, as amended, and thus determine their maximum prices by reference to the price list set forth below.)

BITUMINOUS COALS FROM DISTRICT NO. 18

	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
ALL LUMP AND DOUBLE SCREENED EGG COALS (SIZE GROUPS 1 TO 5 INCLUSIVE)			
(From mines in price group No. 8, Sub District No. 1)	$10.20	$5.25	$2.80
(From mines in price groups Nos. 6, 7, Sub District No. 1.) (Exceptions: Mine Index Nos. 11, 13, 212, 1723, Sub District No. 1.)(Trucked from mines in price groups Nos. 1, 2, Sub District No. 2.) (Exceptions: All mine index numbers excepted, Sub District No. 2)	8.90	4.70	2.48
(From mines in price group No. 9, Subdistrict No. 1.) (Exceptions: Mine Index Nos. 56, 69, Subdistrict No. 1.) (Trucked from mines in price group Nos. 3, 5, Subdistrict No. 2)	8.15	4.33	2.29
(From mines in price group Nos. 3, 4, Subdistrict No. 1.) (Exceptions: Mine Index Nos. 35, 53, 68, Subdistrict No. 1.) (Trucked from mines in price groups Nos. 4, 6, 7, Subdistrict No. 2)	7.50	4.00	2.18
(From mines in price group No. 1, Subdistrict No. 1)	7.00	3.75	2.00
NUT AND CHESTNUT SIZE GROUPS 6, 8, 10 WASHED			
(From mines in price group No. 8, Subdistrict No. 1)	8.80	4.65	2.45
(From mines in price group Nos. 6, 7, Subdistrict No. 1.) (Exceptions: Mine Index Nos. 11, 13, 21, 213, 1723, Subdistrict No. 1)	8.40	4.45	2.35
(Trucked from Mines in Price Groups Nos. 1, 2, 3, Sub District No. 2.)(Exceptions: All Mine Index Numbers Excepted Sub District No. 2.)			
(From Mines in Price Group No. 9, Sub District No. 1.) (Exceptions: Mine Index Nos. 56, 69, Sub District No. 1.) (Trucked from Mines in Price Groups Nos. 4, 5, Sub District No. 2)	7.95	4.23	2.24
(From Mines in Price Group Nos. 3, 4, Sub District No. 1.) (Exceptions: Mine Index Nos. 35, 53, 68, Sub District No. 1.) (Trucked from Mines in Price Groups Nos. 6, 7, Sub District No. 2.)	7.40	3.95	2.10
(From Mines in Price Group No. 1, Sub District No. 1.)	7.00	3.75	2.00
NUT AND CHESTNUT SIZE GROUPS 7, 9, 11, RAW			
(From Mines in Price Group No. 8, Sub District No. 1.)	8.70	4.60	2.42
(From mines in price groups Nos. 6, 7, Sub District No. 1). (Exceptions: Mine Index Nos. 11, 13, 21, 212, 1723, Sub District No. 1.) (Trucked from mines in price groups Nos. 1, 2, 3, Sub District No. 2.) (Exceptions: All Mine Index Numbers Excepted, Sub District No. 2)	8.30	4.40	2.32
(From mines in price group No. 9, Sub District No. 1.) (Exceptions: Mine Index Nos. 56, 69, Sub District No. 1.) (Trucked from mines in price groups Nos. 4 and 5, Sub District No. 2)	7.85	4.18	2.21
(From mines in price groups Nos. 3, 4, Sub District No. 1.) (Exceptions: Mine Index Nos. 35, 53, 68, Sub District No. 1.) (Trucked from mines in price groups 6 and 7, Sub District No. 2)	7.35	3.98	2.09
(From mines in price group No. 1, Sub District No. 1)	6.90	3.70	1.98
MINE RUN AND RESULTANTS OVER 3"—SIZE GROUPS 12, 14, 15, AND 16, WASHED			
(From Mines in Price Groups Nos. 3, 4, 6, 7, 8, 9, Sub District No. 1.) (Exceptions: Mine Index Nos. 11, 56, 212, 13, 21, 69, 1942, 1733, Sub District No. 1.) (Trucked from Mines in Price Groups Nos. 1, 2, 3, 4, 5, 6, 7, Sub District No. 2.) (Exceptions: All Mine Index Numbers Excepted, Sub District No. 2.)	7.80	4.15	2.20
(Exceptions: Mine Index Nos. 35, 68, 53, Sub District No. 1.)	7.90	3.90	2.08

BITUMINOUS COALS FROM DISTRICT NO. 13—Con.

	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
MINE RUN AND RESULTANTS OVER 3"—SIZE GROUPS 12, 14, 15, AND 16, WASHED—Con.			
(From Mines in Price Group No. 1, Sub District No. 1.)	$6.95	$3.75	$1.99
MINE RUN AND RESULTANTS OVER 3" SIZE GROUPS 13, 19, 20, 21, RAW			
(From Mines in Price Group No. 8, Sub District No. 1.) (Exceptions: Mine Index No. 1733, Sub District No. 1.) (Trucked from Mine—Exception: Mine Index Nos. 3, 4, Sub District No. 2.)	7.80	4.15	2.20
(From mines in price groups Nos. 3, 4, 6, 7, 9, Sub District No. 1.) (Exceptions: Mine Index Nos. 11, 56, 213, 13, 21, 69, 1492.) (Trucked from mines in price groups Nos. 1, 2, 3, 4, 5, 6, 7, Sub District No. 2.) (Exceptions: Mine Index Nos. 7, 9, 11, 12, 1420, 18, 21, 6, 8, 17, 510, 1543, 22, 23, 1306, 1672, Sub District No. 2)	7.55	4.03	2.14
(Exceptions: Mine Index Nos. 35, 53, Sub District No. 1)	7.15	3.83	2.04
(From mines in price group No. 1, Sub District No. 1)	6.85	3.68	1.96
RESULTANTS AND SCREENINGS 3" AND UNDER SIZE GROUPS 17, 18, WASHED			
(From mines in price group No. 7, Sub District No. 1.) (Exceptions: Mine Index Nos. 21, 1732, Sub District No. 1.) (Exceptions: Mine Index Nos. 18, 21, 22, 23, 1306, 1672, Sub District No. 2)	7.80	4.15	2.20
(From mines in price groups Nos. 3, 4, 6, 8, 9, Sub District No. 1.) (Exceptions: Mine Index Nos. 11, 56, 68, 212, 13, 69, Sub District No. 1.) (Trucked from mines in price groups Nos. 1, 2, 3, 4, 5, 6, 7, Sub District No. 2.) (Exceptions: Mine Index Nos. 3, 4, 7, 9, 11, 12, 6, 8, 17, 510, 1543, 1240, Sub District No. 2)	7.50	4.00	2.18
(Exceptions: Mine Index Nos. 35, 53, Sub District No. 1)	7.15	3.83	2.04
(From mines in price group No.1, Sub District No. 1)	6.90	3.70	1.98
RESULTANTS AND SCREENINGS 2" AND UNDER SIZE GROUPS 22, 23, RAW			
(From mines in price group No. 7, Sub District No.1.) (Exceptions: Mine Index Nos. 21, 1733, Sub District No. 1)	7.55	4.03	2.14
(From mines in price groups Nos. 3, 4, 6, 8, 9, Sub District No. 1.) (Exceptions: Mine Index Nos. 11, 56, 212, 13, 68, 35, 69, Sub District No. 1.) (Trucked from Mines in Price Groups Nos. 1, 2, 3, 4, 5, 6, 7, Sub District No. 2.) (Exceptions: All Mine Index Nos. Excepted, Sub District No. 2)	7.40	3.95	2.10
(From mines in price group No. 1, Sub District No. 1)	6.85	3.68	1.96
COKE—SIZE			
Stove	8.90	4.70	2.48
Stove-Nut	8.90	4.70	2.48
Nut	8.55	4.53	2.30
Nut-Chestnut	8.05	4.28	2.26
Chestnut	7.55	4.08	2.14

(ii) *Special sales and services*—(a) *Yard sales.* When consumers pick up coal at the dealer's yard, the dealer must reduce his price $1.00 per ton. When other dealers pick up coal at the dealer's yard, the dealer must reduce his price $1.50 per ton, except as provided in the next paragraph.

When other dealers pick up coal at Empire Coal Yards, Empire Coal Yards must reduce its price on Egg and Nut Coals $2.10 per ton, and on Resultants $2.40 per ton.

(b) *Chemical, oil or waxing treatment.* When the mine supplying a dealer with coal has made an authorized additional charge for chemical, oil or waxing treatment to allay dust or prevent freezing, the dealer may add to the prices provided in (i) above the sum of 15¢ per ton for coal thus treated and charged for by the mine.

(c) *Sack coal.* For coal sold in 100 pound sacks, the dealer may charge not more than 50¢ at the yard plus 15¢ if the dealer furnishes the sack and 60¢ delivered plus 15¢ if the dealer furnishes the sack.

(d) *Quantity.* On sales of twenty tons or more in less than carload deliveries of two tons or more, the dealer must reduce his price set forth in (i) above 50¢. On carload sales of coal, the dealer may charge not more than the mine price plus freight plus $1.25 per ton.

(e) *Delivery zone.* The dealer may make no extra charge for delivery within the corporate limits of the city or township in which his place of business is located or within five miles from the corporate or township limits of such city or town. For deliveries beyond the free delivery zone thus described but within the area described in (m) (12) above, the dealer may charge not more than 10¢ per ton per mile with a minimum charge of 50¢ for such delivery.

(f) *Carry or wheel service.* If the buyer requests such service, the dealer may charge not more than 75¢ per ton for such service.

(g) *Tax.* The State sales tax may be added to the prices established by this order as well as the transportation tax of 4¢ per ton.

(h) *Credit.* No additional charge over the prices provided in this appendix may be made for the extension of credit.

This Amendment No. 17 to Order No. G–17 shall become effective May 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 9, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44–7392; Filed, May 23, 1944; 4:54 p. m.]

[Region IV Order G–3 Under MPR 280, Amdt. 1]

FLUID MILK IN ATLANTA REGION

Amendment 1 to Order No. G–3 under Maximum Price Regulation No. 280 as amended. Maximum prices for specific food products. Maximum prices for interhandler sales of bulk fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region IV of the Office of Price Administration by § 1351.817a of Maximum Price Regulation 280 as amended, it is hereby ordered that a new paragraph (c–1) be added following paragraph (c) and that subparagraph (j) (6) be amended to read as set forth below:

(c–1) *Adjustment of fractions.* In calculating a maximum price and/or transportation charges for sales and deliveries by handlers of fluid milk in bulk, all calculations shall be carried to the tenth of a cent.

(1) For sales and deliveries of fluid milk in bulk on an f. o. b. basis, final calculation of maximum prices shall be adjusted to the nearest ½¢ whenever the maximum price is calculated on a gallonage basis and to the nearest full cent when such calculation is on a cwt. basis.

(2) For sales and deliveries of fluid milk delivered by handlers to a place designated by the purchaser, calculations of the maximum prices for fluid milk in bulk and for "transportation charges" as determined in accordance with paragraph (c) shall each be carried to the tenth of a cent. The sum of these amounts shall be adjusted to the nearest ½¢ whenever the maximum price is calculated on a gallonage basis and to the nearest full cent when such calculation is on a cwt. basis.

In adjusting to the nearest ½¢, fractions of ¼¢ or more, and ¾¢ or more shall be adjusted to the nearest higher half or whole cent, respectively, and in adjusting to the nearest whole cent, a fraction of ½¢ or more shall be carried to the next higher whole cent.

(j) • • •

(6) *"Handler's fluid milk cost."* (i) "Fluid milk cost" of a primary handler who during July, August, and December, 1943, paid all producers on a basis of not less than $2.75 per cwt. for milk of a 4 per cent butterfat content means the price paid to producers (or the returns made to producer members of a farmers' cooperative, excluding patronage dividends), determined as follows:

The weighted average producer price (or returns to producer members of a cooperative, excluding patronage dividends) paid for milk adjusted to 3.5 per cent butterfat content f. o. b. cooling station, receiving plant or processing plant of the primary handler of all milk regardless of type, grade, utilization, or class, purchased or received directly from producers (or members of a producers' cooperative association) during the months of July, August and December, 1943, or the lowest price paid to producers (or members of a cooperative) during the month of December, 1943 for any grade or type of milk at 3.5 per cent butterfat test, whichever is higher.

(ii) "Fluid milk cost" of a primary handler who during July, August and December, 1943 paid any producer less than $2.75 per cwt. for milk of a 4 percent butterfat content means the price paid to producers (or the returns made to producer members of a farmers' cooperative, excluding patronage dividends), determined as follows: the weighted average of (1) the producer price (or returns to producer members of a cooperative, excluding patronage dividends) paid for milk adjusted to 3.5 per cent butterfat content f. o. b. cooling station, receiving plant or processing plant of the primary handler of all milk, regardless of type, grade, utilization or class, purchased or received directly from producers (or members of a producers' cooperative association) during the months of July, August and December, 1943 for which the handler paid not less than $2.75 per cwt. for milk of 4 per cent butterfat content and (2) the actual producer price paid for all milk regardless of type, grade, utilization or class purchased or received directly from producers (or members of a producers' cooperative association) at any time at a price which reflects less than $2.75 per cwt. for milk of a 4 per cent butterfat content, or the lowest price paid to producers (or members of a cooperative) during the month of December, 1943 for any grade or type of milk at 3.5 per cent butterfat test, whichever is higher.

(iii) "Fluid milk cost" of an intermediate handler means the cost of milk to him f. o. b. his cooling station, receiving plant, or processing plant. This cost must be computed for that portion of milk actually purchased from a primary handler regardless of sale or distribution by the intermediate handler.

This order shall become effective May 9, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: May 4, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44–7391; Filed, May 23, 1944; 4:53 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

ROCHESTER GAS AND ELECTRIC CORPORATION

[File 70–897]

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of May 1944.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Rochester Gas and Electric Corporation, a subsidiary of NY PA NJ Utilities Company, a registered holding company. All interested persons are referred to said application or declaration, which is on file in the offices of the said Commission, for a statement of the transaction therein proposed, which is summarized below:

Rochester Gas and Electric Corporation proposes to redeem, as at September 1, 1944, at the redemption price of $105 plus accrued dividends to the date of redemption, 40,000 shares (to be chosen by lot) of its outstanding 160,000 shares of $100 par value Series D 6% Cumulative Preferred Stock.

Applicant or declarant has designated section 12 (c) of the Act and Rule U–42 as applicable to the proposed transaction. Applicant or declarant further states that no regulatory authority other than this Commission has jurisdiction over the proposed transaction.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matter:

It is ordered, That a hearing on such matter under the applicable provisions of said act and the rules of the Commission thereunder be held on June 7, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file with the Secretary of this Commission, on or before June 5, 1944, his request or an application therefor as provided in Rule XVII of the rules of practice of the Commission.

It is further ordered, That Robert P. Reeder, or any other officer or officers of the Commission designated for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by the said application or declaration, particular attention be directed at such hearing to the following matters and questions:

1. Whether the proposed transaction is necessary or appropriate in the public interest or in the interest of investors or consumers;

2. The propriety of the proposed accounting treatment on the books of the applicant or declarant;

3. What terms and conditions, if any, are necessary or appropriate in the public interest or the interest of investors and consumers to insure compliance with the applicable provisions of the Public Utility Holding Company Act of 1935, or any rules, regulations, or orders promulgated thereunder;

4. Generally, whether the proposed transaction complies with the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder and is not detrimental to the public interest or the interest of investors or consumers.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–7450; Filed, May 24, 1944; 12:01 p. m.]

[File 70–891]

DALLAS RAILWAY & TERMINAL CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Penn-

sylvania, on the 22d day of May A. D. 1944.

Dallas Railway and Terminal Company, a non-utility subsidiary of Electric Power & Light Corporation, a registered holding company, having filed an application and amendments thereto pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 seeking exemption from the provisions of sections 6 (a) and 7 of the Act of the issue and sale, in accordance with Rule U-50 promulgated under said Act, of $3,000,000 aggregate principal amount of First Mortgage Serial Bonds to mature in equal amounts of $200,000 on June 1 of each year from 1945 to 1959, inclusive, the proceeds of the sale of said bonds to be applied together with treasury cash to redeem Dallas' presently outstanding 6% First Mortgage Gold Bonds; and

A public hearing having been held after appropriate notice and the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That said application, as amended, be, and the same hereby is, granted except, however, as to the price to be paid for said bonds, the redemption prices therefor, the interest rate thereon and the underwriters' spread and its allocation, as to which matters jurisdiction be, and the same hereby is, reserved.

It is further ordered, That our order of October 5, 1942 (File No. 70-366) be, and the same hereby is, modified so as to remove the condition contained therein restricting the earned surplus of Dallas.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-7451; Filed, May 24, 1944; 12:01 p. m.]

WAR PRODUCTION BOARD.

SEVEN-UP—ORANGE CRUSH BOTTLING CO.

CONSENT ORDER

W. J. Bell, E. F. Steiner, and Carl L. Gibson, operating as a partnership under the name of Seven-Up—Orange Crush Bottling Company, of Chattanooga, Tennessee, are engaged in the bottling and distribution of non-alcoholic beverages, and were found in an investigation by the War Production Board to have used 15,050 gross of new closures made of restricted materials for the period from April 1, 1943, to October 1, 1943, for the bottling of non-alcoholic beverages, in excess of the quota permitted under the provisions of Conservation Order M-104, as then in effect. Said parties admit the excess use as charged by the War Production Board and have consented to the issuance of this order.

Wherefore, upon the agreement and consent of said parties operating as a partnership under the name of Seven-Up—Orange Crush Bottling Company, of Chattanooga, Tennessee, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) W. J. Bell, E. F. Steiner, and Carl L. Gibson, operating as a partnership under the name of Seven-Up—Orange Crush Bottling Company, of Chattanooga, Tennessee, their successors and assigns, shall, during the calendar year of 1944, reduce their use of new closures made of restricted materials to be affixed to glass containers for non-alcoholic beverages by 15,050 gross under the quota it would otherwise be entitled to use in such a period, as defined by Limitation Order L-103-b, which on January 4, 1944, superseded Conservation Order M-104, controlling the use of such closures. Any exceptions to this reduction in use must be specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve W. J. Bell, E. F. Steiner, and Carl L. Gibson, operating as a partnership under the name of Seven-Up—Orange Crush Bottling Company, of Chattanooga, Tennessee, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect as of the date of issuance, and shall expire on December 31, 1944.

Issued this 23d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,

[F. R. Doc. 44-7386; Filed, May 26, 1944; 4:24 p. m.]

WAR SHIPPING ADMINISTRATION.

"CHIEF JOSEPH"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 8 (b) of the act approved March 24, 1943 (Public Law 17—78th Congress).

Whereas on July 27, 1942, title to the vessel "Chief Joseph" (No. 234002), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17—78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the act of June 6, 1941 (Public Law 101, Seventy-seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking; *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

[SEAL] E. S. LAND, *Administrator.*

MAY 23, 1944.

[F. R. Doc. 44-7393; Filed, May 24, 1944; 9:25 a. m.]

FEDERAL REGISTER

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Washington, Saturday, May 27, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter VIII—War Food Administration (Sugar Determinations)

PART 802—SUGAR DETERMINATION

1944-45 SUGARCANE FARMING PRACTICES IN PUERTO RICO

Determination of farming practices to be carried out in connection with the production of sugarcane during the crop year 1944-45 in Puerto Rico, Pursuant to the Sugar Act of 1937, as amended (Revised).

Pursuant to the provisions of section 301 (e) of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.43g *Farming practices to be carried out in connection with the production of sugarcane during the crop year 1944-45.* The requirements of section 301 (e) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to any farm in Puerto Rico if the farming practices specified herein are carried out on the farm during the period January 1, 1944, to April 30, 1945:

(a) *Farms containing more than 400 acres of sugarcane.* For farms on which more than 400 acres of sugarcane are growing at any time during 1944:

(1) The application to land on which sugarcane is planted during 1944 of sufficient chemical fertilizer to provide an average quantity of plant food of not less than 75 pounds per acre fertilized.

(2) The application to land on which a ratoon crop of sugarcane is started during 1944 of sufficient chemical fertilizer to provide an average quantity of plant food of not less than 50 pounds per acre fertilized.

(b) *Farms containing more than 100, but not more than 400, acres of sugarcane.* For farms on which more than 100, but not more than 400, acres of sugarcane are growing at any time during 1944:

(1) The application to land on which sugarcane is planted during 1944 of chemical fertilizer in an amount averaging not less than 200 pounds per acre fertilized.

(2) The application to land on which a ratoon crop of sugarcane is started during 1944 of chemical fertilizer in an amount averaging not less than 130 pounds per acre fertilized.

(c) *Farms containing 100 acres or less of sugarcane.* For farms on which not more than 100 acres of sugarcane are growing at any time during 1944:

(1) The application to land on which sugarcane is planted during 1944 of chemical fertilizer in an amount averaging not less than 125 pounds per acre fertilized.

(2) The application to land on which a ratoon crop of sugarcane is started during 1944 of chemical fertilizer in an amount averaging not less than 80 pounds per acre fertilizer.

(3) In lieu of the provisions of subparagraphs (1) and (2) of this paragraph the application during the 1944 harvest season to the land from which sugarcane is harvested of the tops and trash cut from such sugarcane.

(d) *Minimum acreage requirements for the application of fertilizer.* In every case in which the application of fertilizer is required as aforesaid, the number of acres on which fertilizer is to be applied prior to April 30, 1945, shall not be less than 100 percent of the number of acres on which sugarcane is planted during 1944, and not less than 80 percent of the number of acres on which a ratoon crop of sugarcane is started during 1944.

(e) *Standards of performance.* The foregoing practices shall be carried out on the farm in accordance with farming methods commonly used in the community in which the farm is located.

(f) *Definitions.* "Chemical fertilizer" means commercial chemical fertilizer of

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

	Page
COAL MINES ADMINISTRATION:	
Kearney Fuel Co., et al., termination of government possession	5739
FEDERAL POWER COMMISSION:	
Certificates of public convenience and necessity, applications for; transferability	5712
Hearings, etc.:	
Idaho Power Co	5742
Memphis Natural Gas Co	5743
Mississippi River Fuel Corp., et al	5742
Wisconsin Southern Gas Co	5742
FEDERAL TRADE COMMISSION:	
Hearings, etc.:	
Americana Corp	5743
Van Camp Sea Food Co., Inc	5743
Wise, William H., and Co	5743
GENERAL LAND OFFICE:	
Phosphate leases, notice of offer	5738
Utah, modification of grazing districts:	
Nos. 5, 7, and 8	5739
Nos. 6 and 9	5740
Wyoming, stock driveway withdrawal No. 3	5740
INTERNAL REVENUE BUREAU:	
Income tax; gain from sale or exchange of property	5713
JUSTICE DEPARTMENT:	
Foreign Agents Registration Act, administration; revision of forms	5715
MARITIME COMMISSION:	
Classes of persons admitted to practice	5738
OFFICE OF DEFENSE TRANSPORTATION:	
Common carriers, coordinated operations; Waterbury, Conn., and Boston, Mass	5744
Corn, transportation from or within designated area	5739
Rail service, substitution for motor common carrier; California to Oregon and Washington	5743

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION:
Adjustments, etc. — Page
Bethlehem Fairmont Coal Co — 5744
Christ, Leon L. — 5747
Collapsible Crib Co. — 5744
Cumberland Parker Seam Coal Corp. — 5746
Grieshaber Mfg. Co. — 5747
Hannaford Valley Coal Co. — 5747
Lakeside Aluminum Co. — 5745
Plating, J. C., Works — 5745
Sheban Mining Co. — 5744
Sooner Coal Mining Co. — 5744
Tiny Tot Furniture Mfg. Co. — 5746
World-Wide Wood Industries Corp. — 5748
Young and Goller Furniture Co. — 5746

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued. — Page
Fuel oil, gasoline and liquefield petroleum gas (MPR 88, Am. 10) — 5725
Hawaii:
Food and drink sold for immediate consumption (MPR 9–1, Am. 1) — 5737
Gasoline rationing (RO 5F, Am. 10) — 5736
Honey, extracted (MPR 275, Am. 7) — 5726
Lumber, Sitka spruce (RMPR 290) — 5727
Machine tools, second-hand (MPR 1, Am. 5) — 5723
Meat, fats, fish and cheeses (RO 16, Am. 141) — 5722
References, changes in (Supp. Order 89) — 5724
Regional and district office orders:
Bread, Union County, S. C. — 5748
Charcoals, San Francisco region — 5753
Community ceiling prices, list of orders filed — 5753
Fluid milk:
Decatur, Ill. — 5749
Elgin, Nebr. — 5749
Elk Point, S. Dak. — 5750
Holt County, Nebr. — 5751
Ocheyedan, Iowa — 5750
Primghar, Iowa — 5751
St. Cloud and Sauk Rapids, Minn. — 5752
Fruits and vegetables, fresh; San Diego, Calif., district (2 documents) — 5753
Ice, Mt. Carmel, Ill. — 5748
Solid fuels, Denver region (2 documents) — 5752, 5753
Rice, finished; rice milling by-products (RMPR 150, Am. 6) — 5726
Tires and tubes:
Recapping and repairing (MPR 528, Order 4) — 5744
New rubber, Government purchases (MPR 415, Am. 6) — 5724
Utilities services, exceptions for (Rev. SR 11, Am. 50) — 5722
PUBLIC CONTRACTS DIVISION:
Minimum wage rates, various industries:
Photographic supplies — 5741
Scientific industrial and laboratory instruments — 5740
Surgical instruments and apparatus — 5741
SECURITIES AND EXCHANGE COMMISSION:
Hearings, etc.:
American States Utilities Corp., et al. — 5757
Central States Utilities Corp., et al. — 5755
Consolidated Natural Gas Co. and New York State Natural Gas Corp. — 5756

CONTENTS—Continued

SECURITIES AND EXCHANGE COMMISSION—Continued.
Hearings, etc.—Continued. — Page
Federal Light and Traction Co. — 5757
International Utilities Corp. — 5757
Northern Indiana Public Service Co. — 5758
Virginia Electric and Power Co., et al. — 5756
West Penn Power Co. — 5755
VETERANS' ADMINISTRATION:
Adjudication, dependents' claims — 5737
Insurance, reinstatement — 5738
WAR FOOD ADMINISTRATION:
Puerto Rico; sugarcane farming practices, 1944–45 — 5711
WAR PRODUCTION BOARD:
Copper, (M–9–c) — 5716
Phthalic anhydride content, revocation and limitation of certain authorizations (M–139, Dir. 2) — 5721
Punch boards, etc. (M–241–a, Int. 3) — 5722
V-boxes, applicability of inventory restrictions (L–317, Int. 2) — 5722
WAR SHIPPING ADMINISTRATION:
"Kiyo Maru", vessel ownership determination — 5758

which not less than 15 percent of the gross weight consists of plant food. "Plant food" means the aggregate amount of nitrogen, available phosphoric acid, and water soluble potash.

This determination supersedes the "Determination of farming practices to be carried out in connection with the production of sugarcane during the crop year 1944–45 in Puerto Rico, pursuant to the Sugar Act of 1937, as amended," issued on December 29, 1943. (Sec. 301, 50 Stat. 910; 7 U.S.C. 1940 ed. 1131; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 25th day of May 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–7577; Filed, May 26, 1944; 11:29 a. m.]

TITLE 18—CONSERVATION OF POWER

Chapter I—Federal Power Commission

[Order 117]

PART 57—APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER SECTION 7 OF THE NATURAL GAS ACT AS AMENDED

TRANSFERABILITY; TEMPORARY CONTINUANCE OF AUTHORIZATION

MAY 23, 1944.

Amending the "Provisional rules of practice and regulations under the Natural Gas Act, with approved forms, effective July 11, 1938."

The Commission, pursuant to authority vested in it by the Natural Gas Act, particularly section 16 thereof, and finding such action necessary and appropriate for carrying out the provisions of said act, hereby adopts, promulgates, and prescribes the following amendments to the "Provisional rules of practice and regulations under the Natural Gas Act, effective July 11, 1938":

Part 57, Applications for Certificates of Public Convenience and Necessity under section 7 of the Natural Gas Act as amended, be and it is hereby amended by adding the following section:

§ 57.12 *Transferability; temporary continuance of authorization.* Certificates of public convenience and necessity (whether "grandfather" clause or non-"grandfather" clause certificates) issued under section 7 of the Natural Gas Act, are not transferable. However, authorization thereunder may continue in effect for a period not to exceed two years, in the event of the involuntary transfer of the facilities used thereunder by operation of law (including such transfers to receivers or trustees).

The Commission may also make such supplemental orders in the premises as it may find necessary or appropriate for the purposes of the act.

The amendments to the "Provisional rules of practice and regulation under the Natural Gas Act, with approved forms, effective July 11, 1938" adopted, promulgated and prescribed by this order shall become effective on June 10, 1944. The Secretary of the Commission shall cause publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44–7556; Filed, May 26, 1944; 10:15 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T. D. 5374]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

GAIN FROM SALE OR EXCHANGE OF PROPERTY

Amending Regulations 111 to conform to section 123 of the Revenue Act of 1943, relating to gain from sale or exchange of property pursuant to orders of Federal Communications Commission.

In order to conform Regulations 111 [Part 29, Title 26, Code of Federal Regulations, Cum. Supp.] to section 123 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended by inserting immediately after § 29.112 (k)–1 the following:

SEC. 123. GAIN FROM SALE OR EXCHANGE OF PROPERTY PURSUANT TO ORDERS OF FEDERAL COMMUNICATIONS COMMISSION. (Revenue Act 1943.)

(a) *In general.* Section 112 is amended by adding at the end thereof a new subsection as follows:

(m) *Gain from sale or exchange to effectuate policies of Federal Communications Commission.* If the sale or exchange of property (including stock in a corporation) is certified by the Federal Communications Commission to be necessary or appropriate to effectuate the policies of the Commission with respect to the ownership and control of radio broadcasting stations, such sale or exchange shall, if the taxpayer so elects, be treated as an involuntary conversion of such property within the meaning of subsection (f) of this section. For the purposes of subsection (f) of this section as made applicable by the provisions of this subsection, stock of a corporation operating a radio broadcasting station, whether or not representing control of such corporation, shall be treated as property similar or related in service or use to the property so converted. The part of the gain, if any, upon such sale or exchange to which subsection (f) of this section is not applied shall nevertheless not be recognized, if the taxpayer so elects, to the extent that it is applied to reduce the basis for determining gain or loss upon sale or exchange of property, of a character subject to the allowance for depreciation under section 23 (l), remaining in the hands of the taxpayer immediately after the sale or exchange, or acquired in the same taxable year. The manner and amount of such reduction shall be determined under regulations prescribed by the Commissioner with the approval of the Secretary. Any election made by the taxpayer under this subsection shall be made by a statement to that effect in his return for the taxable year in which the sale or exchange takes place (or, with respect to taxable years beginning before January 1, 1944, by a statement to that effect filed within six months after the date of the enactment of the Revenue Act of 1943 in such manner and form as may be prescribed by regulations prescribed by the Commissioner with the approval of the Secretary) and such election shall be binding for the taxable year and all subsequent taxable years.

(b) *Taxable years to which applicable.* The amendments made by this section shall be applicable with respect to taxable years beginning after December 31, 1942.

§ 29.112 (m)–1 *Gain from sale or exchange to effectuate policies of Federal Communications Commission.* Applicability only to taxable years beginning after December 31, 1942, and at the election of the taxpayer, subsection (m), in effect, postpones the recognition of gain upon the sale or exchange of property, if the Federal Communications Commission certifies such sale or exchange to be necessary or appropriate to effectuate the policies of the Commission with respect to the ownership or control of radio broadcasting stations. Any taxpayer desiring to obtain the benefits of section 112 (m) shall file with the Commissioner of Internal Revenue, or the collector of internal revenue, a certificate from the Federal Communications Commission clearly identifying the property and showing that the sale or exchange of such property is necessary or appropriate to effectuate the policies of the Commission with respect to the ownership and control of radio broadcasting stations. Such certificate shall be accompanied by a detailed statement showing: the kind of property, the date of acquisition, the cost or other basis of the property, the date of sale or exchange, the name and address of the transferee, and the amount of money and the fair market value of the property other than money received upon such sale or exchange.

Section 112 (m) applies only in the case of a sale or exchange made necessary by reason of the Commission's policies as to ownership or control of radio facilities. The section does not apply in the case of a sale or exchange made necessary as a result of other matters, such as the operation of a broadcasting station in a manner determined by the Commission to be not in the public interest or in violation of Federal or State law.

An election to have the benefits of subsection (m) shall be made in the manner prescribed in § 29.112 (m)–4.

§ 29.112 (m)–2 *Nature and effect of election*—(a) *Alternative elections.* A taxpayer entitled to the benefits of subsection (m) in respect of a sale or exchange of property may elect:

(1) To treat such sale or exchange as an involuntary conversion under the provisions of section 112 (f); or

(2) To treat such sale or exchange as an involuntary conversion under the provisions of section 112 (f), and in addition elect, except as provided in subsection (b) with respect to that portion of the gain included in a replacement fund, to reduce the basis of property, in accordance with the regulations prescribed in § 29.112 (m)–3, by all or part of the gain that would otherwise be recognized under section 112 (f); or

(3) To reduce the basis of property, in accordance with the regulations prescribed in § 29.112 (m)–3, by all or part of the gain realized upon the sale or exchange.

The effect of these provisions is, in general, to grant the taxpayer an election to treat the proceeds of the sale or exchange as the proceeds of an involuntary conversion subject to the provisions of section 112 (f), including the establishment of a replacement fund, and a further election to reduce the basis of certain property owned by the taxpayer by the amount of the gain realized upon the sale or exchange to the extent of that portion of the proceeds which is not treated as the proceeds of an involuntary conversion.

An election under section 112 (m) for any taxable year shall be irrevocable and shall be binding for such taxable year and all subsequent taxable years.

(b) *Application of sections 112 (f) and 113 (a) (9).* If the taxpayer elects,

either under (1) or (2) of paragraph (a) of this section, to treat the sale or exchange as an involuntary conversion, the provisions of sections 112 (f) and 113 (a) (9), as modified by section 112 (m), together with the regulations prescribed under such sections shall be applicable to determine the amount of recognized gain and the basis of property acquired as a result of such sale or exchange. For the purposes of section 112 (m) and these regulations, stock of a corporation operating a radio broadcasting station shall be treated as property similar or related in service or use to the property sold or exchanged. Securities of such a corporation other than stock, or securities of a corporation not operating a radio broadcasting station do not constitute property similar or related in service or use to the property sold or exchanged. If the taxpayer exercises the election referred to in (1) of paragraph (a) of this section, the gain realized upon such sale or exchange shall be recognized to the extent of that part of the money received upon the sale or exchange which is not expended in the manner prescribed in section 112 (f) and the regulations thereunder. If, however, the taxpayer exercises the elections referred to in (2) of paragraph (a) of this section, the amount of the gain which would be recognized, determined in the same manner as in the case of an election under (1) of such paragraph, shall not be recognized but shall be applied to reduce the basis of property, remaining in the hands of the taxpayer after such sale or exchange or acquired by him during the same taxable year, which is of a character subject to the allowance for depreciation under section 23 (l). Such reduction of basis shall be made in accordance with and under the conditions prescribed by § 29.112 (m)–3.

If in pursuance of an election to have the benefits of section 112 (f) the taxpayer establishes a replacement fund and the entire amount of such fund is not subsequently expended in the acquisition of property similar or related in service or use within the meaning of section 112 (f), gain shall be recognized to the extent provided in such section and the amount of such recognized gain may not be applied to reduce the basis of property under the provisions of section 112 (m) and § 29.112 (m)–3.

In the application of sections 112 (f) and 113 (a) (9) to determine the recognized gain and the basis of property acquired as a result of a sale or exchange pursuant to an election under (1) or (2) of paragraph (a) of this section, the entire amount of the proceeds of such sale or exchange shall be taken into account.

The application of the provisions of this section may be illustrated by the following examples:

Example (1). A, who makes his returns on the calendar year basis, sold in 1943, for $100,000 cash, stock of X, a corporation which operates a radio broadcasting station. The stock had a basis in A's hands of $75,000. Forthwith, A used $50,000 of the proceeds of the sale to purchase stock in Y Corporation which also operates a radio broadcasting station. The sale was certified by the Federal Communications Commission as provided in section 112 (m) and A elected in his return for the taxable year in which the sale occurred to treat such sale and purchase as an involuntary conversion subject to the provisions of section 112 (f). He also elected at the same time to reduce the basis of depreciable property, in accordance with the provisions of § 29.112 (m)–3, by the amount of gain that would otherwise be recognized under the provisions of section 112 (f), as made applicable by section 112 (m). The determination of the amount to be applied in reduction of basis under § 29.112 (m)–3 and of the basis under section 112 (a) (9) of the stock of Y Corporation purchased by A is as follows:

Application of section 112 (f) and (m):	
Sale price of X Corporation stock	$100,000
Basis for gain or loss	75,000
Gain realized	25,000
Proceeds of sale	$100,000
Amount expended to replace property sold	50,000
Amount not expended in manner prescribed in section 112 (f)	50,000
Realized gain recognized under section 112 (f) (not to exceed unexpended portion of proceeds of sale)	25,000
Amount applied in reduction of basis	25,000
Gain recognized for tax purposes	None
Application of section 113 (a) (9):	
Basis of property sold (converted)	75,000
Decreased in amount of proceeds not expended under section 112 (f)	50,000
Balance	25,000
Increased in amount of gain recognized under section 112 (f)	25,000
Basis of Y stock in A's hands	50,000

Example (2). B, who makes his returns on the calendar year basis, owned all the stock of R Corporation, a company operating a radio broadcasting station. The stock had a basis of $100,000 in B's hands. During the calendar year 1944, B sold the R Corporation stock for $300,000, cash. The sale was certified by the Federal Communications Commission as provided in section 112 (m) and B elected in his return for the taxable year to have the benefits of section 112 (f) and applied for and received permission to establish a replacement fund with $150,000 of the proceeds of the sale. He also elected to reduce the basis of depreciable property remaining in his hands by the amount of gain that would be recognized under section 112 (f) as made applicable by section 112 (m). During the calendar year 1945, B expended $100,000 from the replacement fund to purchase stock in the S Corporation, which corporation qualifies under section 112 (m) as a corporation operating a radio broadcasting station. The balance of $50,000 in the replacement fund was withdrawn and the fund discontinued.

The computation of recognized gain, the amount to be applied in reduction of basis under § 29.112 (m)–3, and the basis in B's hands of the stock in S Corporation are as follows:

Application of section 112 (f) and (m):	
Sale price of R Corporation stock	$300,000
Basis for gain or loss	100,000
Gain realized	200,000
Proceeds of sale	300,000
Amount expended to establish replacement fund under section 112 (f)	150,000
Balance not expended in manner prescribed in section 112 (f)	150,000
Realized gain recognized under section 112 (f) (not in excess of amount not expended in establishment of replacement fund)	150,000
Amount to be applied in reduction of basis	150,000
Amount of replacement fund	150,000
Amount expended in 1945 to replace converted property	100,000
Balance (withdrawn)	50,000
Amount of realized gain to be recognized for taxable year 1944	50,000
Application of section 113 (a) (9):	
Basis of R Company stock (converted)	100,000
Increased in amount of gain recognized under section 112 (f) ($50,000 recognized for tax purposes plus $150,000 applied in reduction of basis)	200,000
Total	300,000
Decreased in amount of proceeds not expended in manner prescribed in section 112 (f)	200,000
Basis of S Company stock	100,000

§ 29.112 (m)–3 *Reduction of basis of property pursuant to election under section 112 (m)*—(a) *General rule.* In addition to the adjustments provided in section 113 (b), and the sections of these regulations relating thereto, which are required to be made with respect to the cost or other basis of property, a further adjustment shall be made in the amount of the unrecognized gain under section 112 (m), if the taxpayer so elects. Such further adjustment shall be made only with respect to the cost or other basis of property which is of a character subject to the allowance for depreciation under section 23 (l), and which remains in the hands of the taxpayer immediately after the sale or exchange in respect of which the election is made, or which is acquired by the taxpayer in the same taxable year in which such sale or exchange occurs. If the property is in the hands of the taxpayer immediately after the sale or exchange, the time of reduction of the basis is the date of the sale or exchange; in all other cases the time of reduction of the basis is the date of acquisition.

The reduction of basis under section 112 (m) in the amount of the unrecognized gain shall be made in respect of the cost or other basis, as of the time prescribed, of all units of property of the specified character. The cost or other basis of each unit shall be decreased in an amount equal to such proportion of the unrecognized gain as the adjusted basis (for determining gain, determined without regard to this section) of such unit bears to the aggregate of such adjusted bases of all units of such property, but the amount of the decrease shall not be more than the amount of such adjusted basis. If in the application of such rule the adjusted basis of any unit is reduced to zero, the process shall be repeated to reduce the adjusted basis of the remaining units of property by the portion of the unrecognized gain which is not absorbed in the first application of the rule. For such purpose the "adjusted basis" of the remaining units shall be the adjusted basis for determining gain reduced by the amount of the adjustment previously made under this section. The process shall be repeated until the entire amount of the unrecognized gain has been absorbed.

(b) *Special cases.* With the consent of the Commissioner, the taxpayer may, however, have the basis of the various units of property of the class specified in section 112 (m) and this section adjusted in a manner different from the general rule set forth in paragraph (a) of this section. Variations from such general rule may, for example, involve adjusting the basis of only certain units of such property. The request for variations from the general rule should be filed by the taxpayer with his return for the taxable year in which he elects to have the basis of property reduced under section 112 (m) or, if such election is made with respect to a taxable year beginning before January 1, 1944, the request should accompany the statement of election for such year. Agreement between the taxpayer and the Commissioner as to any variations from such general rule shall be effective only if incorporated in a closing agreement entered into under the provisions of section 3760.

§ 29.112 (m)–4 *Manner of election.* An election under the provisions of section 112 (m) shall be in the form of a written statement and shall be executed and filed in duplicate. Such statement shall be signed by the taxpayer or his authorized representative. In the case of a corporation the statement shall be signed with the corporate name, followed by the signature and title of at least two officers of the corporation empowered to sign for the corporation, and the corporate seal must be affixed. An election under section 112 (m) to reduce the basis of property and an election under such section to treat the sale or exchange as an involuntary conversion under section 112 (f) may be exercised independently of each other. An election under section 112 (m) must be filed with the return for the taxable year in which the sale or exchange occurs, except that in the case of a sale or exchange occurring in a taxable year beginning before January 1, 1944, the election must be filed with the Commissioner of Internal Revenue, Washington 25, D. C., attention of the Income Tax Unit, Records Division, on or before August 25, 1944. Where practicable, the certificate of the Federal Communications Commission required by § 29.112 (m)–1 should be filed with the election.

If the taxpayer elects to treat the sale or exchange as an involuntary conversion under the provisions of section 112 (f), any application to establish a replacement fund thereunder shall be made in accordance with the provisions of such section and § 29.112 (f)–3.

If, in pursuance of an election to have the basis of its property adjusted under section 112 (m), the taxpayer desires to have such basis adjusted in any manner different from the general rule set forth in the regulations, in effect at the time of filing the election, prescribed under section 112 (m), the precise method (including allocation of amounts) should be set forth in detail on separate sheets accompanying the election. Consent by the Commissioner of Internal Revenue to any departure from such general rule shall be effected only by a closing agreement entered into under the provisions of section 3760 of the Internal Revenue Code.

(Sec. 123, Revenue Act of 1943 (Pub. Law 235, 78th Cong.) and sec. 62, Internal Revenue Code (53 Stat. 32; 26 U.S.C., 1940 ed., 62))

JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: May 25, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-7601; Filed, May 26, 1944; 11:55 a. m.]

TITLE 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Order 3695, Supp. 5]

PART 5—ADMINISTRATION OF THE FOREIGN AGENTS REGISTRATION ACT

REVISION OF FORMS

MAY 22, 1944.

Pursuant to authority vested in me by the Foreign Agents Registration Act of 1938, as amended, 56 Stat. 248, 22 U.S.C. 611, the following forms copies of which are attached hereto are prescribed,[1] effective as hereinafter provided, for the respective purposes indicated:

1. Forms FA–1 and FA–2 are hereby revised and as so revised are prescribed for registration statements under section 2 (a) of the act.

2. Forms FA–1–6M and FA–2–6M are hereby revised and as so revised are prescribed for supplemental statements pursuant to section 2 (b) of the act and Rule 204 of the rules and regulations thereunder.

3. The form designated Exhibit C is hereby revised and as so revised is prescribed for Exhibits C to registration statements on Forms FA–1 and FA–2 and supplemental registration statements on Forms FA–1–6M and FA–2–6M.

4. Form FA–3F is hereby revised and as so revised is prescribed for original statements pursuant to section 3 (f) of the act and Rule 305 (a) (1) of the rules and regulations thereunder.

5. Form FA–3F–6M is hereby revised and as so revised is prescribed for supplemental statements pursuant to section 3 (f) of the act and Rule 305 (f) (2) of the rules and regulations thereunder.

6. The form designated Exhibit A is hereby revised and as so revised is prescribed for Exhibits A to registration statements on Forms FA–1 and FA–2, original statements on Form FA–3F and supplemental statements on Forms FA–1–6M, FA–2–6M and FA–3F–6M.

This order shall be effective immediately, except that any statement for which any of the above forms is prescribed and which is filed on any other form hereinabove prescribed, or heretofore prescribed under the act, may be accepted for filing upon such terms and conditions as may be reasonably appropriate in the particular case.

(56 Stat. 248, 22 U.S.C. Supp. 611 et seq.)

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 44-7537; Filed, May 25, 1944; 8:21 p. m.]

[1] Filed as part of the original document.

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 933—COPPER

[Conservation Order M-9-c, as Amended May 26, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of copper for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 933.4 *Conservation Order M-9-c*—(a) *Restrictions on manufacture of articles appearing on combined list.* No manufacturer of any article on the combined list attached, or of parts (including repair parts[1]) for any such article, may, if such article or parts contain copper products, or copper base alloy products, continue their manufacture by means of processing, assembling or finishing.

(b) *Restrictions on manufacture of articles not appearing on combined list out of inventory on hand on June 30, 1942.* (1) A manufacturer of any article omitted from the combined list or excepted from that list, or of parts (including repair parts[1]) for such an article, may not continue the manufacture thereof by means of processing, assembling or finishing:

(i) Unless all copper products or copper base alloy products contained in such articles or parts were acquired by the manufacturer after June 30, 1942; or

(ii) Unless such articles or parts are being manufactured to fill a purchase order, existing or prospective,[2] bearing a preference rating of AA-5 or higher or, in the case of a controlled materials producer under the Controlled Materials Plan, to fill an authorized controlled material order; and no such article or part so manufactured shall be delivered except to fill such an order; or

(iii) Unless the manufacturer has been specifically authorized in writing by the War Production Board to manufacture the article or parts in question, with the copper products or copper base alloy products being used. Applications for specific authorizations shall be made by letter addressed to the War Production Board, Copper Division, Washington 25, D. C., Reference: M-9-c.

[1] See also paragraph (f) (3) permitting the manufacture of repair parts to make specific repairs of used articles under certain conditions.

[2] Priorities Regulation No. 1, § 944.14, prohibits the manufacture of more than a practicable minimum working inventory of articles or parts to fill prospective orders.

(2) The provisions of paragraph (b) (1) shall not apply to a manufacturer assembling a completed fractional horsepower electric motor into machinery of any kind omitted from the combined list or excepted from that list. The provisions of paragraph (b) (1) shall also not apply to the manufacturing of any machinery omitted from the Combined List or excepted from that list, or of parts (including repair parts) for such machinery, if the only copper products or copper base alloy products used which were in the inventory of the manufacturer on June 30, 1942 are bushings, bearings, nuts, bolts, screws, washers, and wire weighing in the aggregate less than 5% of the total weight of the article or part.

(c) *General restrictions on manufacture and plating.* (1) No manufacturer may continue the manufacture of any article or parts (including repair parts) omitted from the Combined List or excepted from that list if such article or parts are to contain copper products or copper base alloy products where the use of any less scarce material[3] is practicable. Furthermore, no manufacturer may continue the manufacture of any article or parts (including repair parts) omitted from the combined list or excepted from that list if they are to contain more copper products or copper base alloy products than is necessary for the article's proper operation or a higher type or grade of copper or copper base alloy than is necessary for the article's proper operation.

(2) (i) The use of copper products or copper base alloy products for plating any article on the combined list or for plating any parts (including repair parts) of such an article, is prohibited unless such plating is expressly stated in the list to be permissible or such plating is an undercoating for lead. Undercoatings for lead should, in general, be less than 0.00005 inch in thickness.

(ii) The use of copper products or copper base alloy products for plating any article omitted from the combined list or excepted from that list, and the plating of parts (including repair parts) for such an article, is permitted provided that:

(*a*) Such plating is not for decorative purposes, or part of a decoration.

(*b*) The use of, or the normal wear on, such article or parts would make impracticable any other form of coating.

(d) *Restrictions on deliveries to manufacturers.* No person shall hereafter deliver copper products or copper base alloy products to any manufacturer, directly or indirectly, if he knows or has reason to believe that such products are to be used in violation of the terms of this order.

(e) *General restrictions on deliveries.* The disposition of frozen and excessive inventories containing certain copper products or copper base alloy products shall be subject to the applicable provisions of Priorities Regulation No. 13 (§ 944.34), as amended from time to time.

(f) *Exceptions*—(1) *Applicability of order to certain Governmental agencies.* The provisions of this order shall not apply to the use of copper products or copper base alloy products in the manufacture of any article on the "Military Exemption List", or part therefor, which is being produced for purchase by, or for the account of, or for use by, the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or the Coast Guard, where the use of copper products or copper base alloy products to the extent employed is required by the specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or the Coast Guard applicable to the contract, subcontract or purchase order.

(2) *Installation.* The provisions of this order shall not apply to the installation of any article or part (including a repair part) for the ultimate consumer on his premises when any manufacturing of such article or part is incidental to the installation and is done on the consumer's premises. This exception does not, however, in any way affect or modify the provisions of Supplementary Conservation Order M-9-c-4 (restricting the installation of certain types of copper and copper base alloy pipe, tube, fittings, and building materials) or of any other order restricting installation.

(3) *Repair.* The restrictions of this order (other than those contained in paragraph (c)) shall not apply to the manufacture of repair parts to make a specific repair of a used article, or to a person repairing a used article, on or off the premises of the owner, if the manufacturer of the parts or the person making the repair does not use copper products or copper base alloy products weighing in the aggregate more than two pounds and when all manufacturing done by him is with knowledge of the particular used article to be repaired. The restrictions of this order (other than those contained in paragraph (c)) shall also not apply to the manufacture of repair parts to make a specific repair of a used article, or to a person repairing a used article, on or off the premises of the owner, even if the manufacturer of the parts or the person making the repair uses copper products or copper base alloy products weighing in the aggregate more than two pounds, when (i) the copper scrap or copper base alloy scrap derived from the article being repaired weighs within one pound of the copper product or copper base alloy product used, (ii) all such scrap is delivered to a scrap dealer or to any other person to whom such delivery may be made under the provisions of Copper Order M-9 and (iii) all manufacturing done is with knowledge of the particular used article to be repaired.

[3] The Conservation Division of the War Production Board issues, periodically, a publication showing the relative scarcity of materials entitled "Materials Substitutions and Supply."

(g) *Special products; restrictions and exceptions*—(1) *Printing and publishing industries.* After October 3, 1943, the provisions of this order shall not apply to the use of copper products and copper base alloy products in typography, engraving, photo-engraving, gravure plate making, electrotyping, stereotyping, and printing in the printing and publishing industries. In those processes, the use of bronze powder, bronze ink, bronze paste, and bronze leaf is controlled by Supplementary Conservation Order M-9-c-3. All other uses in those industries of copper products, copper base alloy products, copper scrap, and copper base alloy scrap are governed by Conservation Order M-339. Nothing contained in this paragraph (g) (1) shall affect the prohibition against the manufacture of powder containing copper products or copper base alloy products under paragraph (a) and the Combined List of this order.

(2) *Insect screening.* This order does not restrict the delivery, installation, or cutting of (i) used or second hand insect screening, (ii) insect screening in any roll which was initially cut before April 10, 1942, or (iii) insect screening in rolls which have been rejected by Copper Recovery Corporation or Metals Reserve Company, or their agent, before February 12, 1944 for any reason, or on or after that date for the reason stated in writing that the screening does not meet the specifications of the government buying program. However, no person shall deliver, install, or cut any other copper or copper base alloy insect screening (i) unless such screening is to be delivered to, installed for or cut on the order of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast Guard, any foreign country pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or Defense Supplies Corporation, Metals Reserve Corporation or any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (except Defense Plant Corporation) or any person acting as agent of any such corporation (except Defense Plant Corporation); or (ii) unless such delivery, installation, or cutting shall be with the specific authorization of the War Production Board. Applications for specific authorizations shall be made by letter addressed to the War Production Board, Copper Division, Washington 25, D. C. Reference: M-9-c. Nothing contained in this paragraph (g) (2) affects the prohibitions on the manufacture, processing, assembling or finishing of insect screening with copper products or copper base alloy products under paragraph (a) and the Combined List. (See the item "insect screening" under the heading "Miscellaneous" on the combined list).

(3) *Copper products not controlled by order.* The provisions of this order shall not apply to the manufacture of the following articles and parts (including repair parts) even though they contain copper products, or copper base alloy products, since these articles are specifically governed by the following orders:

Shoe findings and footwear of all kinds governed by Supplementary Conservation Order M-9-c-1.

Fire protective equipment governed by General Limitation Order L-59.

Motorized fire apparatus governed by General Limitation Order L-43.

Bronze paste, bronze ink, and bronze leaf, and products made with bronze paste, bronze ink, bronze leaf and bronze powder (other than decalcomanias and ship bottom paint), governed by Supplementary Conservation Order M-9-c-3.

Jewelry as defined in and governed by Supplementary Conservation Order M-9-c-2.

Musical instruments governed by Supplementary Limitation Order L-37-a.

Water meters governed by Schedule I of Limitation Order L-154.

(4) *Attachment and assembly work.* (i) The provisions of this order do not apply to attaching finished slide fasteners, hook and eyes, brassiere hooks, sewon, machine attached or riveted snap fasteners, buckles, buttons, corset clasps, eyelets (other than eyelets usable as shoe eyelets), garter trimmings, hose supporters, insignia, jewelry, loops, mattress buttons, pin fasteners, pins, staples, slides, and trouser trimmings. The order does apply to the manufacture, processing, assembling and finishing of the closures and associated items listed above where the provisions of this order are more restrictive than other orders of the War Production Board.

(ii) The provisions of this order do not apply to the assembling of watch or clock movements finished prior to June 15, 1942, into cases not made of copper or copper base alloy. The provisions of this order do, however, apply to the manufacture, processing and finishing of watch and clock cases and of all other parts of watches and clocks and to assembling watches and clocks except as specifically exempted in this paragraph.

(h) *Definitions.* For the purposes of this order:

(1) "Copper" means unalloyed copper metal. It shall include unalloyed copper metal produced from scrap.

(2) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. It shall include alloy metal produced from scrap but shall not include alloyed gold produced in accordance with U. S. Commercial Standard CS 67-38.

(3) "Copper products" means products made of copper fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingot, powder, anodes, castings, or forgings, or fabricated to any greater extent.

(4) "Copper base alloy products" means products made of copper base alloy, fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingot, powder, anodes, castings, or forgings, or fabricated to any greater extent.

(5) "Manufacturer" means a person who manufactures, processes, assembles, or finishes. "Manufacture" includes processing, assembling, and finishing.

(i) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Appeal.* Any appeal from the provisions of paragraphs (a) or (c) of this order shall be made by filing Form WPB-1477 (formerly PD-500 revised) with the War Production Board, Washington 25, D. C., Reference: M-9-c. Relief granted pursuant to an appeal under this order shall remain in effect despite any amendment to this order, unless the grant of relief is specifically revoked or modified by the War Production Board.

(3) *Communications.* Any reports required to be filed under this order and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Copper Division, Washington 25, D. C., Reference: M-9-c.

(4) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply irrespective of whether the articles or parts whose manufacture is governed hereby are being manufactured pursuant to a contract made prior or subsequent to the effective date of this order. Insofar as any other order of the War Production Board may have the effect of limiting or curtailing to a greater extent than herein provided the manufacture of any articles or parts, the limitation of such other order shall be observed.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 26th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

COMBINED LIST

The manufacture, processing, assembling or finishing of the items listed below and of all parts (including repair parts) therefor is prohibited if such article or part contains copper products or copper base alloy products, except to the extent permitted by the exceptions noted on the list. Where this list excepts an item if the use of copper products or copper base alloy products in making the item is limited or if the item is being produced for a particular end use, the manufacture, processing, assembling and finishing of the item made under the terms of such an exception is governed by paragraphs (b) and (c) of this order.

AUTOMOTIVE, TRAILER [1] AND TRACTOR EQUIPMENT AND FARM MACHINERY

See also Order L-158 governing the manufacture of automotive replacement parts for passenger automobiles, motor trucks, truck trailers, passenger carriers, and off-the-highway motor vehicles.

Ambulance hardware (for locks, see under the heading "Miscellaneous" on this list).
Automotive maintenance equipment (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-270).
Defrosters (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Heaters (except when the only copper products or copper base alloy products used are (i) for parts necessary for conducting electricity, or (ii) for radiators for passenger carriers having a seating capacity of not less than eleven persons).
Hearse hardware (for locks see under the heading "Hardware" on this list).
Horns (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Hub and gas-tank caps.
Lights, lamps, headlamps and accessories (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity and for plating reflectors as provided by the item "Reflectors • • •" on this list under the heading "Miscellaneous").
Miscellaneous fittings and trim.
Motorcycles (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Motor-driven power cycles as defined in Order L-301 (except when the only copper products or copper base alloy products used are for parts necessary for generating and conducting electricity, or for carburetors, clutch facings or repair parts).
Mouldings.
Rear-view mirrors and hardware.

BUILDING SUPPLIES

(Excluding supplies for ships, boats and aircraft)

Access panels.
Air conditioning equipment and refrigeration equipment (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-126 and the schedules thereto and when the production of the equipment is permitted under the terms of Order L-38, either because the order therefor is an "authorized order" under L-38 or otherwise).
Anchors and dowels.
Blinds, including fixture fittings and trimmings.
Caulking anchors.
Cement flooring and composition flooring (except that crude arsenical copper precipitate may be used for flooring for hospital operating and anesthesia rooms, for places where explosives are handled or stored and for places where explosive vapors may be present).
Conduits.
Cornices.
Doors, door and window frames and sills and parts excluding door handles and knobs. For door handles and door knobs, see under the heading "Hardware."
Drip pans.
Elevators and escalators (except when the only copper products or copper base alloy products used are for bearings, worm gears and parts necessary for conducting electricity).
Expansion bolts and caulking anchors.
Fences and gates.
Grilles, grids and gratings.
Gutters, leaders, downspouts, expansion joints, and accessories thereto.
Lighting fixtures (except when the only copper products or copper base alloy products used are for parts necessary for conduction of electricity).
Linoleum stripping.
Ornamental metal work.
Partitions.
Pile butt protection.
Pipe, tube, tubing and fittings for water supply or water distribution systems and installations or for any gas supply or gas distribution system (except corporation stops and couplings therefor, curb stops and couplings therefor, adapters, unions, solder nipples and ferrules and except for all such pipe, tube, tubing and fittings for use in chlorine gas equipment).
Plumbing and heating supplies:
Bands on pipe covering.
Cistern and low-water floats, and toilet floats.
Hot water heaters, tanks, and coils (except when the only copper products or copper base alloy products used are permitted by the terms of Orders L-185 and L-65).
Pipe, tube, tubing and fittings for piping systems (except solder nipples and ferrules).
Plumbing fixture fittings and trim (except when the only copper products or copper base alloy products used are permitted by the terms of Schedules V and XII of Order L-42 or any schedules or orders taking their place, or are permitted by a specific authorization of the War Production Board granted pursuant to such a schedule or order).
Push, kick, switch, floor and all other device plates.
Radiator shields and covers.
Railings.
Roof, roofing, louvers, marquees, roofing nails, flashings, flashing valleys, and other roofing items.
Sheet, roll, strip and rod for building construction.
Shelves.
Stair and threshold treads, nosing and edgings.
Store fronts.
Termite shields.
Terrazzo strips, regiets, moulding and trim.
Thresholds and saddles.
Tie rods.
Unit heaters, unit ventilators, and convectors, space or local heaters, and blast heating coils, or any apparatus using such coils as part of its construction (except that any copper products or copper base alloy products may be used for valves, controls, or parts necessary for conducting electricity. copper strip may be used for fins, copper tube may be used for water courses and headers, and cast brass also may be used for headers, if the copper content of the cast brass does not exceed 82% and the tin content 3½%).
Vents, ventilators and skylights.
Water containers for humidification.
Weatherstripping and insulation.

BURIAL EQUIPMENT

Burial urns.
Burial vaults.
Caskets and casket hardware. See also Order L-64.
Memorial tablets.
Morticians' supplies.
(See also the item "Boxes, • • •" under the heading "Miscellaneous" on this list.)

CLOTHING AND DRESS ACCESSORIES

(See also Order L-68)

Dress ornaments.
Handbag fittings.
Insignia.
Metal cloths.
(See also the item "Slide fasteners • • •" under the heading "Miscellaneous" on this list.)

FURNISHINGS AND EQUIPMENT

Andirons, screens, and fireplace fittings.
Candlesticks.
Cooking and table utensils.
Counters.
Curtain fasteners, rods and rings.
Cuspidors.
Fans (See the item "Fans • • •" under the heading "Miscellaneous" on this list).
Furniture.
Furniture hardware (except bushings for hospital bed springs if the copper content of the brass does not exceed 74% and the tin content 2%). For locks, see under the heading "Hardware" on this list.
Gas heater and stove installation connections.
Hollow-ware.
Mud scrapers.
Portable heaters. For electric portable heaters, see the item "Electrical appliances • • •" under the heading "Miscellaneous".
Shower curtains.
Stoves and ranges for household cooking use, gas (except when each valve contains not more than ½ oz. of copper base alloy and each control contains not more than 1½ oz. of copper base alloy and the stove or range contains no other copper or copper base alloy whatever; or except when the stove or range contains no copper or copper base alloy whatever other than 1½ oz. of copper base alloy in each control and the copper base alloy contained in any valves which either were finished prior to August 7, 1942, or which were or will be finished subsequent to that date pursuant to the granting of an appeal on or before May 26, 1944, or the issuance of a written specific authorization issued subsequent to May 26, 1944 to a valve manufacturer. Valve manufacturers desiring specific authorization to make valves out of copper base alloy products should apply by letter addressed to the Copper Division, War Production Board, Washington 25, D. C., Reference M-9-c, setting forth the relevant facts including the alloy of the copper base alloy products to be used).

[1] See also under "Passenger Transportation Equipment" on this List.

Stoves and ranges other than gas stoves and ranges for household cooking use (except when the only copper products or copper base alloy products used are for valves, ferrules for compression fittings, controls other than timers, and parts necessary for conducting electricity).
Timers, for stoves and ranges.
Trays.
Upholsterers' supplies, including nails and tacks.
Vases, pitchers, bowls, and artcraft.
Washing tubs and washing boilers.
Waste baskets, hat trees, humidors and similar items.

HARDWARE

(Excluding hardware for aircraft)

Builders' finishing hardware, including hinges, door knockers, door checks, door pulls, door stops, door handles, door knobs, and hangers and tracks (except when the only copper products or copper base alloy products used are permitted by the terms of Schedule I of Order L-236). For locks, latches and padlocks, see below on this list.
Decorative hardware (including house numbers).
Expansion bolts.
Incinerator hardware and fittings.
Letter boxes and mail chutes.
Locks, latches and padlocks (except when the only copper products or copper base alloy products used are permitted by the terms of Schedule I of Order L-236; and except for interior working parts of railway car door locks and railway switch padlocks and for all parts of postal locks when manufactured by the Mail and Equipment Section of the United States Post Office).
Marine joiner hardware (except when the only copper product or copper base alloy product used are permitted by the terms of Schedule II of Order L-236).
Sash balances.

INDUSTRIAL MACHINERY

Pulp and paper manufacturing:
Beater bars and beaters.
Head boxes for jordans, paper machines or any other use for regulating stock flow.
Bars and fillings for jordans, refiners or any similar equipment used in the preparation of paper stock.
Savealls, filters, washers, deckers or any similar equipment (except for screens).
Stock and water lines, including shower pipes.

JEWELRY, GIFTS AND NOVELTIES

All jewelry, gifts and novelties including, but not limited to:
Advertising specialties.
Atomizers (see also this list under "Miscellaneous").
Bar fittings.
Book ends.
Cosmetic containers.
Lighters.
Napkin rings.
Picture frames.
Smokers' accessories, including ash trays.
Souvenirs.

PASSENGER TRANSPORTATION EQUIPMENT

(Including railroad cars, street and interurban cars, busses, and trailers, but excluding locomotives)

All items under the heading "Furnishings and equipment".
Air conditioning equipment and refrigeration equipment (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-126 and the schedules thereto and when the production of the equipment is permitted under the terms of Order L-38, either because the order therefor is an "authorized order" under Order L-38 or otherwise).
Bands on pipe covering.
Decorative, general, and finish hardware, and ornamental metal work (for locks, see under the heading, "Hardware" on this List).
Door knockers, checks, pulls and stops.
Doors and windows, door and window frames and window sills.
Drinking water reservoirs.
Lighting fixtures (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Pipe, tube, tubing, and fitting for plumbing and heating (except for essential repairs).
Shower rods, heads and pans.
Sinks and drainboards.
Screening.
Towel and luggage racks.
Trolley frog bodies, trolley wire crossover bodies, trolley clamps used for supporting Fig. 8 or grooved trolley wire (unless used for carrying current), and miscellaneous items such as machine screws, bolts and studs used with overhead trolley line material.
Water containers for humidification.
Weatherstripping and insulation.

MISCELLANEOUS

Alarm and protective systems, other than fire protective systems covered by Order L-39 (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity or where the use of such products is essential to the proper functioning of the parts).
Arch supports.
Atomizers (except for medicinal purposes and for use in the preparation of dried milk and dried eggs).
Barrel hoops.
Badges.
Bar and counter equipment and fittings.
Barber shop equipment and supplies.
Barrel hooks.
Bathroom accessories.
Beauty parlor equipment and supplies (except for repair and replacement parts of commercial permanent wave equipment and commercial hair driers, when the only copper products or copper base alloy products used are permitted by the terms of Order L-65.
Beverage dispensing units and parts thereof (except for self-contained drinking water coolers as defined in Schedule I of Order L-126 or under any schedule of Order L-38).
Bicycles, and similar vehicles, and equipment therefor (except valves for bicycle tires and tubes). (See also Order L-52.)
Binoculars, including opera glasses.
Bird and pet cages and stands.
Blow torches, gasoline, kerosene and alcohol (except when the only copper products or copper base alloy products used are for the pump barrel, including pump barrel collar, pump check valve assembly, pump cylinder cap, brazing material, pack nut, valve stem, burner and jet block, filler plug bushing, feed pipe bushings and pump bushings).
Bottle coolers.
Boxes, cans, jars and other containers.
Branding, marking, and labeling devices and stock for same (except where the devices and the stock are for affixing governmental, notarial and corporate seals). See also the item "Stencils • • •" on this list.
Brushes (except for the types used in electric motors and generators; and except for industrial brushes used for (a) applications requiring non-sparking characteristics, (b) burring of needles, (c) the manufacture of precision gauges, or (d) the manufacture of combat end-products complete for tactical operations (including, but not limited to, aircraft, ammunition, armament and weapons, ships, tanks, and vehicles), when prescribed for field or combat use by the Army or Navy of the United States, or when prescribed for field or combat use by the Army or Navy of any foreign country, and (e) except for drawing, spacing, or binding wire for other industrial brushes where copper or copper base alloy wire is essential to the efficient performance of the brush). The term "drawing, spacing, or binding wire" does not include "stapling wire."
Cabinets.
Canes.
Carpet rods.
Cash registers.
Change making, and coin handling machines and devices (except for machines and devices, the production of which has been authorized under Order L-54-c).
Chimes and bells (except for any bells when the only copper products or copper base alloy products used are for parts necessary for conducting electricity, and except for bells for use on board ship when the only copper products or copper base alloy products used are for parts necessary for conducting electricity or where the use of such products is essential to the proper functioning of the parts).
Clips.
Cleaning and polishing accessories, such as brooms, carpet sweepers, crumbing sets, dust pans, mops, pot scourers, whisk brooms and floor and furniture polishers.
Clock and watch cases.
Clothes line pulleys and reels and scrubbing boards.
Cooking utensils (except for commercial processing machinery when the only copper products or copper base alloy products used are permitted by the terms of Order L-292 or by a specific authorization of the War Production Board granted pursuant to such order).
Cooling towers (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity, heat exchangers, bearings, and worm gears for speed reducers).
Cutlery, including pocket knives.
Daubers for shoe polish.
Dishwashing machines (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-248 or by a specific authorization of the War Production Board granted pursuant to such order) and domestic garbage grinders.
Dispensers, hand, for hand lotions, paper products, soap and straws.
Dog collars and other similar harness and equipment for pets.
Domestic ice refrigerators as defined in Order L-7.
Domestic laundry equipment as defined in Order L-6 (except that copper products or copper base alloy products may be used in the assembly of new domestic laundry equipment when such assembly is specifically authorized by the War Production Board under Order L-6; and except that copper products or copper base alloy products may be used in the production of repair and replacement parts for domestic laundry equipment to the extent permitted by the terms of Order L-6).
Domestic mechanical refrigerators as defined in Order L-5.
Domestic vacuum cleaners as defined in Order L-18.
Electric blankets.
Electric irons, portable, designed primarily to be used in ironing or pressing wearing apparel and having a self-contained heating element in which heat is generated by the passage of electricity (except that copper

products or copper base alloy products may be used in the manufacture of current carrying parts and for plating).
Electric light bulbs and cord sets for Christmas trees, and bulbs and neon and fluorescent tubes for advertising and display purposes.
Electrical appliances, as defined in Order L–65 (except when the only copper products or copper base alloy products used are permitted by the terms of Order L–65).
Electrolytic devices for the removal and prevention of scale in boilers and condensers.
Flashlights and lanterns powered by dry cell batteries (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity). For other lanterns, see the item "Lanterns • • •" on this list.
Fans, electric, as defined in Order L–176 (except when the only copper products or copper base alloy products used are permitted by the terms of Order L–176 or by a specific authorization of the War Production Board granted pursuant to such order).
Flower pots, boxes and holders for same.
Flower shears.
Food dispensing utensils, devices and machines.
Fountain pens (except that copper products or copper base alloy products may be used as an undercoating in the plating of outside functional parts).
Fountains (except drinking water fountains when the only copper products or copper base alloy products used are permitted by Schedules V and XII of Order L–42).
Furniture grommets.
Games as defined in Order L–81.
Garden tools and equipment.
Hair curlers, hair brushes and combs, shoe horns and button hooks.
Hand saw screws, nuts and washers for attaching saw blades to the handle.
Hammers, including mallets.
Health supplies, except the following:
Acoustic aids
Anaesthesia apparatus and supplies,
Atomizers (medical use only),
Diagnostic equipment and supplies,
Hypodermic syringes and needles,
Infant incubators,
Instruments,
Laboratory equipment and supplies,
Medicinal chemicals (limited to medical use only),
Operating room supplies and equipment,
Ophthalmic products and instruments,
Physical therapy equipment (limited to medical use only),
Respirators, resuscitators and iron lungs,
Rubber hospital sundries,
Splints and fracture equipment,
Sterilizers, blanket and solution warmers,
Surgical and orthopaedic appliances (including artificial limbs and arms but not including arch supports),
Sutures and suture needles, and
X-ray equipment and supplies.
Hooks, including hat and coat hooks.
Ice cream freezers for use in the home.
Insect screening.
Kitchen utensils, devices and machines other than electrical appliances. For electrical appliances see the item "Electrical appliances • • •" on this list.
Kitchen and miscellaneous household articles.
Lace tips.
Ladders and hoists (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity), including fittings.
Lamps, electric (except that copper products or copper base alloy products may be used for parts necessary for conducting electricity, but only in the case of non-portable lamps for use in hospitals or in industry, otherwise than in offices, or in the case of bicycle lamps of the generator type).
Lamps, other than electric (except for industrial, hospital or office use and then only when the only copper products or copper base alloy products used are for valves, controls, and wicks).
Lanterns (except for generators, valves, controls and fonts). This item does not apply to lanterns powered by dry cell batteries which are covered by the item "Flashlights • • •" on this list.
Lawn sprinklers, mowers, seeders and rollers.
Lighting fixtures for use outside of a building (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity). For lighting fixtures in a building see "Lighting fixtures" under the heading "Building Supplies and Hardware" on this list.
Livestock and poultry equipment (except for bull rings; and except when the only copper products or copper base alloy products used are for valves, controls, parts necessary for conducting electricity, and wafer thermostats).
Loose-leaf binders.
Luggage fittings, trim and hardware.
Manicure implements.
Match and pattern plates, matrices, and flasks.
Mattress buttons and furniture glides.
Medals, including decorations.
Mirrors.
Motion picture and projection equipment (i) except for parts to repair and maintain necessary existing equipment in public theaters and educational institutions and (ii) except for motion picture and projection equipment of the types the production and distribution of which is regulated by Order L–267 or Order L–325).
Name, identification, instruction and data plates.
Non-operating or decorative uses of copper or copper base alloy, or the use of the same in such parts of installations and equipment (mechanical or otherwise) as bases, frames, guards, standards and supports.
Package handles and holders.
Paint (except for ship bottoms).
Pari-mutuel, gambling and gaming machines, devices and accessories.
Pencils, mechanical (except that copper products or copper base alloy products may be used as an undercoating in the plating of outside functional parts.
Phonographs or other record players.
Photographic equipment and accessories ((i) except document copying machines and equipment therefor for business purposes and for use by the U. S. Post Office; (ii) except for X-ray equipment; and (iii) except for photographic equipment and accessories of the types the production and distribution of which is regulated by Order L–267).
Pins.
Pleasure boat fastenings, fittings, hardware, and motors.
Pole-line hardware.
Powder, except for non-decorative uses.
Printing rollers (except to the extent that an equivalent poundage in copper or copper base alloy is returned to a brass mill in the form of old rollers or scrapings from old rollers).
Putty and scraping knives.
Radio receiving sets and vacuum tubes (except when their manufacture is permitted by the terms of Order L–265).
Razors operated by electricity (except for repair parts).
Razors not operated by electricity (except when the only copper products or copper base alloy products used in making safety razors or parts are for heads and for plating, and, in making straight razors or parts, are for rivets, pins and washers.
Reclaimers for heating water.
Reflectors (except that copper products or copper base alloy products may be used as an undercoating in electroplating in connection with silvering).
Refrigerator display cases.
Saddlery hardware and harness fittings.
Scales, except commercial, industrial and laboratory scales and laboratory balances. (See also Order L–190.)
Screens and points for oil wells and water wells ((i) except for public and industrial water supply systems and installations and (ii) except for agricultural water supply systems when the only copper products or copper base alloy products used is used fourdrinier wire screening.)
Seismograph loading pole couplings.
Shells and caps for electric sockets except screw shells and except those used in connection with lamp signals in communication facilities.
Signs, including street signs. (See also Order L–29.)
Slide fasteners, hooks and eyes, brassiere hooks, sew-on, machine attached or riveted snap fasteners, buckles, buttons, corset clasps, garter trimmings, hose supporters, personal hardware, pin fasteners, slides, and trouser trimmings; except as may be permitted by the terms of Order L–114 and eyelets, loops, staples, rivets, burrs and tacks for use on wearing apparel, except as may be permitted by the terms of Order L–114.
Slot, game and vending machines, including parking meters (except sanitary napkin vending machines when the only copper products or copper base alloy products used are for tumblers for locks).
Soda fountain equipment (except for repair and replacement parts manufactured in conformity with the inventory restrictions of Order L–38).
Sound equipment attachments for motion picture projection machines (except for attachments the production and distribution of which is regulated by Order L–325).
Sporting goods, and fishing and hunting equipment and supplies, except fishing equipment and supplies for commercial fishing use.
Staples for fastening cartons and containers
Stationery supplies:
Desk accessories. (See also Order L–73.)
Office supplies. (See also Order L–73.)
Pencils. (See also Order L–227–b.)
Pens and penholders.
Statues.
Stencils, adjustable and otherwise (except for hand cut stencils for marking shipments).
Sundials
Table flatware (except that copper products or copper base alloy products may be used as an undercoating in electroplating).
Telescopes
Tent poles and parts.
Thermos jugs and bottles.
Tokens.
Toys.
Tying devices for laundry.
Unions and union fittings (except seats and except for other parts of unions and union fittings where and to the extent that the physical and chemical properties of the liquid or gas passing through the union or union fitting makes the use of any other material dangerous or impractical). (See also Order L–288.)
Umbrellas.
Valve handles.
Valves over 2-inch size (except seats, discs, stems, yoke sleeves, yoke bushings, stem bearings and packing glands, and except for other parts of such valves (i) where and to the extent that the physical and chemical properties of the liquid or gas passing through the valve makes the use of any other material dangerous or impractical or (ii) where and to the extent permitted by the terms of Order L–262 or by a specific authorization of the War Production Board granted pursuant to that order).
Voting machines.
Weather vanes.
Weight reducing and exercising machines.
Wool.

MILITARY EXEMPTION LIST

(The effect of an item being on this list is explained in paragraph (f) (1) of the order.)

Bakery equipment (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see below on this list.
Bicycle coaster brakes.
Binoculars.
Blow torches, gasoline, kerosene and alcohol (parts other than tanks, only).
Boxes, cans, jars and other containers (for radio and communications equipment and for powder charges).
Buttons and insignia for military uniforms when and to the extent that their manufacture is specifically authorized in writing by the War Production Board.
Carbonated beverage dispensing units and soda fountain equipment for use on board ship (functional parts subject to corrosive action or which come in contact with food, only).
Conduits and pipe (for radio and electrical communications equipment).
Chronometer and watch cases.
Decorations as defined in Army and Navy Regulations when produced to fill purchase orders rated AA–3 or higher only.
Electric blankets.
Field ranges and ski stoves.
Fishing equipment and supplies for use on life boats and rafts.
Floats for liquid level control (for use in aircraft and on board ship).
Furniture hardware (for use within magnetic circle on board ship).
Hammers, including mallets.
Heaters, automotive (parts necessary for conducting electricity and radiators only).
Hoists, for handling powder, projectiles and explosives (for use on board ship).
Hot water heater coils for hospital, laundry and bakery projects.
Insect screening, when and to the extent that its manufacture is specifically authorized in writing by the War Production Board.
Instruction and data plates of wrought material of a gauge of 1/32nd of an inch or less (for use in aircraft and on board ship).
Instruction and data plates from cast material of a gauge of 5/32d of an inch or less or of 7/32d of an inch or less in the case of a ship builders name plate (for use on board ship but only if and to the extent specified by the specifications, other than performance specifications, of the governmental agency acquiring the plate).
Kitchen utensils' devices, machines and appliances (parts necessary for conducting electricity or which come in contact with food or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts).
Ladders and stairs, for use in gasoline storage spaces on board ship (treads, only).
Laundry equipment, for use on board ship (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see above on this list.
Laundry equipment, mobile, for field use (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see above on this list.
Lighting equipment and accessories for use in aircraft, on board ship and for use in lighting aids for marine or aerial navigation, and for searchlights.
Locks and latches (for use on board ship) and padlocks (for use where non-sparking metal is necessary to prevent a hazard from explosives).
Mirrors, when they are to be installed on board ship and the only copper product or copper base alloy product used is for coating the backing of the mirror to a thickness not in excess of .0015 inch.
Motion picture and projection equipment.
Paint (for ship bottoms and flying boat hull bottoms).
Phonographs and other record players being produced on a rating of AA–3 or higher.
Photographic equipment and accessories.
Pins for hinges (for use on board ship).
Prescription scales (health supplies).
Safety lamps, flame type (for use on board ship and for use in other places where there is danger of explosion).
Screens and points for water wells.
Shells and caps for electric sockets (for use in aircraft and on board ship).
(i) Slide fasteners and tack buttons for use on jungle clothing and equipment, flying suits and Navy flying boots; and (ii) sew-on, machine attached or riveted snap fasteners, buckles, eyelets, staples, rivets and burrs, being produced on a rating of AA–3 or higher.
Sound equipment attachments for motion picture projection machines.
Telescopes.
Unions and union fittings (for use on board ship).
Valve handles (for use within magnetic circle on board ship).
Valves (for use on board ship).
Valves of vacuum type, up to 3 inches.

NOTE: Interpretations 1–4 are obsolete.

INTERPRETATION 5

USE OF COPPER IN THE MANUFACTURE OF CERTAIN DRAINS AND STRAINERS

Copper Conservation Order M–9–c, as amended December 10, 1941, specifically prohibited any person from using after March 31, 1942, any copper or copper base alloy in the manufacture of gutters, leaders or downspouts, or accessories thereto, and of all roofing items, to go on private buildings. These provisions have remained in the order without interruption.

In addition, since May 7, 1942, paragraph (d) (1) of Order M–9–c (relettered as paragraph (c) (1) when the order was amended on October 4, 1943), has provided that no manufacturer may continue to manufacture from copper or copper base alloy, any article the manufacture of which, with copper or copper base alloy, is not specifically prohibited by the order, if it is practicable to use any material less scarce than copper, brass or bronze to make the article.

For some time, many manufacturers have been making floor, roof, cesspool and shower drains and strainers out of galvanized steel or iron; and it has been demonstrated that the use for such purposes of this type of material instead of copper or copper base alloy is practicable for all uses to which these articles are put except their use in places where explosives are handled or stored or where explosive vapors may be present. Furthermore, the types of iron and steel used as well as zinc, are less scarce materials than copper or copper base alloy.

Accordingly, manufacturers are prohibited by Copper Conservation Order M–9–c from using brass or other copper and copper base alloy materials to make all roof, floor, cesspool and shower drains or strainers, even if the drains or strainers are not accessories to gutters, leaders or downspouts, or roofing items. An exception to the foregoing arises in the case of drains or strainers for floors in places where explosives are handled or stored or where explosive vapors may be present. (Issued Oct. 19, 1943.)

[F. R. Doc. 44–7565; Filed, May 26, 1944; 11:14 a. m.]

PART 1204—PHTHALIC ALKYD RESINS

[General Preference Order M–139, Direction 2]

REVOCATION OF CERTAIN AUTHORIZATIONS AND LIMITATION OF PHTHALIC ANHYDRIDE CONTENT OF OTHER AUTHORIZATIONS

The following direction is issued pursuant to General Preference Order M–139.

(a) *Revocation.* All authorizations issued to any person prior to April 1, 1944, for the use of phthalic alkyd resins, are hereby revoked.

This direction does not apply to phthalic alkyd resins which on May 26, 1944, have been put into process for uses authorized prior to April 1, 1944, and are no longer in the form in which such resins are delivered for resale or consumption. This direction is made necessary because of the critical shortage of phthalic alkyd resins and the ingredients of those resins. All end uses authorized on and after April 1, 1944 are still valid for the quantities authorized for those end uses.

(b) *Phthalic anhydride content limited to 31.5%.* The phthalic anhydride content of phthalic alkyd resins used on or after June 1, 1944 to manufacture protective coatings conforming to the following specifications shall not exceed 31.5 per cent based on the solid content of the vehicle of said coatings:

(1) U. S. Army specification 3–177 (Enamel, Gloss, for Wood—Cleansing Compound, Resistant).
(2) U. S. Army specification 3–178 (Enamel, Gloss, for Metal—Cleansing Compound, Resistant).
(3) U. S. Army specification 3–181 (Enamel, Olive-drab, Rust-inhibiting).
(4) U. S. Army specification 3–183 (Primer, Synthetic, Lacquer, Resisting).
(5) U. S. Army specification 3–187 (Enamel, Glycerol Phthalic, Special Coating for Pipe-Line Equipment).
(6) U. S. Army Corps of Engineers specification T–1760 (Enamel, Lustreless for Coating Metal).
(7) U. S. Army Quartermaster Corps specification CQD–200A (Coatings; Exterior, Air Drying, Camouflage and Rust-inhibiting for Food Cans).
(8) U. S. Army Quartermaster Corps specification CQD–65B (Liner, Helmet, M–1).
(9) Federal specification TT–E–485 (Enamel-Drum Coating Exterior; Rust-inhibiting, Solvent Resistant).

(c) *Phthalic anhydride content limited to 24%.* The phthalic anhydride content of phthalic alkyd resins manufactured on or after June 1, 1944 in conformance with the following specifications may not exceed 24 per cent based on the solid content of the vehicle: U. S. Navy Department, Bureau of Ships, ad Interim specification 52–R–13 (Resin, Alkyd, Solution) and also U. S. Maritime Commission specification 52–MC–21 (Resin, Alkyd, Solution).

(d) *No phthalic anhydride content permitted.* On and after June 1, 1944, no phthalic anhydride may be used in the manufacture of:

(1) Those protective coatings commonly designated in the trade as baking wrinkle finishes or baking wrinkle enamels including materials produced in conformance with U. S. Army specification 3–188 which replaces ES–680A, B Classes 541 and 542.

(2) Lacquer conforming to U. S. Army specifications 3–162B or 3–162C, Grades I and II.

(3) Wood sealer conforming to U. S. Army Ordnance specification TAC–ES–680, Class 638.

(4) U. S. Navy Interim specification 52–P–22 paint, inside, semi-gloss, white; fire retardent.

(5) Those protective coatings conforming to: (i) U. S. Army Ordnance specification TAC–ES–680A, Class 101 or AXS–750, or Corps of Engineers specification T–1599; (ii) ES–680A, B Class 102, or AXS–751; (iii) ES–680A, B Class 200 to 299 inclusive, AXS–752, AXS–753, or Corps of Engineers specification T–1600; (iv) ES–680A, B Classes 439 and 440, or U. S. Army specification 3–175; (v) ES–680A, B Classes 300 to 399 inclusive; and (vi) Bureau of Ships ad Interim specification 52–P–26.

For replacements of these specifications, see paragraph (e) below.

(e) *Replacements for certain specifications.* In the place of those specifications enumerated in paragraph (d) (5) for which phthalic anhydride is prohibited, the following replacement specifications may be used provided the phthalic anhydride content of the vehicle does not exceed 16 per cent of the total vehicle solids:

(1) U. S. Army specification 3–171, Grade II (Primer, Synthetic, for Ferrous Metal).

(2) U. S. Army specification 3–172A, Grade II (Primer, Synthetic Refinishing).

(3) U. S. Army specification 3–173, Grade II (Enamel, Synthetic, Lustreless).

(4) U. S. Army specification 3–174, Grade II (Enamel, Synthetic, Semi-gloss).

(5) U. S. Army specification 3–175A, Grade II (Enamel, Synthetic, Gloss).

(6) Navy Department, Bureau of Ships ad Interim specification 52–P–26 amendment dated June 1, 1944.

Issued this 26th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7564; Filed, May 26, 1944; 11:14 a. m.]

PART 3270—CONTAINERS

[Limitation Order L–317, as amended Mar. 23, 1944, Interpretation 2]

APPLICABILITY OF INVENTORY RESTRICTIONS TO V-BOXES

The following interpretation is issued with respect to Limitation Order L–317.

(a) *Applicability of inventory restrictions to V-boxes.* It has been called to the attention of the War Production Board that there is, in certain quarters, a misimpression to the effect that V-boxes are exempted from the Inventory Restrictions of Order L–317. This impression is completely unfounded. Inventories of V-boxes are controlled to the same extent as other fibre shipping containers by the provisions of paragraph (n) through (q) of Order L–317 and paragraph (b) of Direction 1 of that order.

(b) *Cancellation of excessive V-box orders.* V-box orders are also subject to the restrictions against placing excessive orders set forth in paragraphs (c) and (d) of Direction 1 of Order L–317. Therefore, all orders for V-boxes in excess of the amount which a person would be entitled to receive within these inventory limitations must be cancelled immediately.

(c) *Responsibility of box manufacturers.* Attention is called to the fact that box manufacturers share responsibility for seeing to it that no V-boxes (as well as other fibre shipping containers) are delivered which will cause a customer to exceed his permitted inventory, because under paragraph (d) of Order L–317 they are prohibited from manufacturing, selling, or delivering any new fibre shipping containers which they know or have reason to believe will be used or accepted in violation of the order.

Issued this 26th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7567; Filed, May 26, 1944; 11:14 a. m.]

PART 3281—PULP AND PAPER

[General Conservation Order M–241–a, as Amended May 19, 1944, Interpretation 3]

PUNCH BOARDS, PULL BOARDS AND SIMILAR ARTICLES

The following interpretation is issued with respect to General Conservation Order M–241–a.

This interpretation of General Conservation Order M–241–a applies to punch boards, pull boards and similar articles. Punch boards, pull boards and similar articles are not included in "Games and Toys" on List D of the order. They are to be considered as coming within the provision of paragraph (e) (1) of the order.

Issued this 26th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7566; Filed, May 26, 1944; 11:14 a. m.]

Chapter XI—Office of Price Administration

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 141]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. The fourth sentence of section 1.1 (a) (1) is amended to read as follows: "Meat does not include gelatin, glue, or lard."

2. Sections 1.1 (a) (4), 4.16 (a), 5.5 (a) (2), and 15.4 (d) (1) are amended by deleting the word "lard," wherever it appears.

3. Section 4.8 (a) is amended by deleting the words ", renders 'lard' " in the second sentence.

4. Section 4.11 (c) (1) (ii) is revoked.

5. Section 4.11 (d) is amended by changing the period at the end of the first sentence to a comma and adding the words "except that he need not give any information with respect to lard".

6. The definition of "Lard" in section 24.1 (a) is amended by deleting the word "rationed".

7. The definition of "Meat" in section 24.1 (a) is amended so that the third sentence shall read as follows: "Meat does not include gelatin, glue, or lard."

8. The definition of "Rationed fats or oils" in section 24.1 (a) is amended by substituting the words "calves or lambs" for the words "calves, lambs or swine" in paragraph (2).

This amendment shall become effective May 25, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 25th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7539; Filed, May 25, 1944; 4:10 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 11 to GMPR, Amdt. 50]

EXCEPTIONS FOR CERTAIN UTILITIES SERVICES

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. Subparagraphs (28), (33), (41), (51), (91), (99) and (110) of paragraph (b) of § 1499.46 are amended to read as follows:

(28) Electricity—rates charged for furnishing, to the extent provided in paragraph (c) of this section.

(33) Express companies and freight forwarders—rates charged for their services, to the extent provided in paragraph (c) of this section.

(41) Gas—rates charged for furnishing, to the extent provided in paragraph (c) of this section.

(51) Light, heat, or power—rates charged for furnishing, to the extent provided in paragraph (c) of this section.

(91) Transportation of commodities by rail, water, motor, pipe line, or other means of conveyances—rates charged for, to the extent provided in paragraph (c) of this section.

(99) Water—rates charged for supplying to urban areas, to the extent provided in paragraph (c) of this section.

(110) Toll bridges and toll roads—rates charged for use of, to the extent provided in paragraph (c) of this section.

2. Subparagraphs (1) and (2) of paragraph (c) of § 1499.46 are amended to read as follows:

(1) Any person shall be exempt from the General Maximum Price Regulation, except as otherwise provided in subparagraph (2) of this paragraph, if

(i) He is subject to subparagraph (73), (140), or (141) of paragraph (b) of this section, or

(ii) He furnishes or offers to furnish to the general public any service listed in subparagraph (28), (33), (41), (51), (81), (82), (91), (92), (99), or (110) at rates or charges which are required by law to be non-discriminatory. Unless exempted by subparagraph (3) of this paragraph, any such person shall give notice of any proposed general increase in the rates or charges for such service thirty (30) days before the effective date of the increase. The notice shall be filed with the Transportation and Public Utilities Division of the Office of Price Administration, Washington, D. C., as provided in Procedural Regulation No. 11, as amended, and shall comply with all the applicable requirements of that regulation.

(2) If, in the furnishing of a service listed in subparagraph (28), (33), (41), (51), (91), or (110), the person so doing is subject to subparagraph (1) of this paragraph but if maximum rates or charges for the service have not been established, or are not otherwise regulated, by a federal, state, or municipal authority having jurisdiction, then the rate or charge for the service furnished by such person which was lawfully in effect on March 24, 1944 or, if that rate or charge has been or subsequently is increased in conformity with the requirements of subparagraph (1) of this paragraph (c), such higher rate or charge, shall constitute such person's maximum price for the service under this regulation and the Emergency Price Control Act. In such a case no person furnishing the service shall charge or offer to charge, and no person in the course of trade or business shall pay or offer to pay, a rate or charge higher than the maximum price for the service. Any such charge, payment, or offer to charge or pay shall constitute a violation of this regulation and of the Emergency Price Control Act.

This amendment shall become effective as of May 23, 1944.

(56 Stat. 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R Doc. 44–7538; Filed, May 25, 1944; 4:09 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13128, 13394, 13980, 14399, 14623, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 106, 220, 403, 677, 695, 849, 1054, 1532, 1581, 1728, 1818, 1909, 2235, 2240, 2406, 2568, 2606, 2787, 3033, 3034; 9 F.R. 3034, 3034, 3073, 2830, 3073, 3514, 3580, 3607, 3708, 3708, 3848, 3944, 3746, 4099, 4107, 4612, 4818, 4881, 4876, 5074.

PART 1301—MACHINE TOOLS

[MPR 1,[1] Amdt. 5]

SECOND-HAND MACHINE TOOLS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation 1 is amended in the following respects:

1. In section 6 (a) the text preceding subparagraph (1) is amended to read as follows: "The maximum price for the lease or rental of any second-hand machine tool, attachment or extra shall be determined as follows:"

2. In Appendix A under the heading "Lathes (Engine)" the equivalent for "Simplex Cone" is amended to read as follows:

Simplex Cone—To and including 14½"----------	South Bend.
Simplex Cone—16" and over---	Nebel.

3. In Appendix A the item "South Bend over 16"---- Nebel" which appears under the heading "Lathes (Engine)" is revoked.

4. In Appendix A the serial numbers for the Burke Machine Tool Company are amended to read as follows:

Year of manufacture cannot be determined prior to 1939. Serial numbers for 1939 and the following years have been assigned as follows:

#4–400–39-- 4 means month of manufacture.
400 means size of mill and that it was the first machine numbered that month.
39 means year of manufacture.

5. In Appendix A the information on serial numbers appearing under the heading "Dalton Tool Corp., New York, N. Y.," is amended to read as follows:

Went out of business in 1926 or 1927.

6. In Appendix A the information on serial numbers appearing under the heading "Fitchburg Engineering Corporation" is amended to read as follows:

Began business in January, 1920----------	Serial number #1
Last machine manufactured December, 1935----------	Serial number #61

7. In Appendix A the information on serial numbers for the Hill-Acme Company and the Universal Boring Machine Company is revoked.

8. In Appendix A the base price listed for the No. 5 Keyseater under the heading "Baker Bros., Inc., Toledo, Ohio" is amended to read $6900.

9. In Appendix A the items "Automatic Turret Forming Machines" and "Automatic Cut-Off Machines" appearing under the heading "Brown & Sharpe Manufacturing Co., Providence, R. I." are amended to read as follows:

Automatic turret forming machines:	
#00 Geared for motor drive------	$2,845
#0 Geared for motor drive------	3,500
#2 Geared for motor drive------	3,960
#00 Countershaft----------	2,200
#0 Countershaft----------	2,880
#2 Countershaft----------	3,385
Automatic cut-off machines:	
#00 Geared for motor drive------	2,710
#0 Geared for motor drive------	3,355
#2 Geared for motor drive------	3,810
#00 Countershaft----------	2,060
#0 Countershaft----------	2,725
#2 Countershaft----------	3,235

10. In Appendix A under the heading "Obsolete Machines of Brown & Sharpe" the price listed for the No. OY Plain Mill is amended to read $865.

11. In Appendix A under the heading "Obsolete Machines of Brown & Sharpe" the following item is added under the heading "Mills (Vertical)":

No. 2 Standard with constant speed, compared to Brown & Sharpe No. 2 (standard type)----------	$6,540

12. In Appendix A under the heading "Cincinnati Milling and Grinding Machines, Inc., Cincinnati, Ohio" the following item is added:

OBSOLETE MACHINES

All obsolete horizontal or vertical Cincinnati high power milling machines, except the No. 5, are to be compared to the Model ER medium speed, dial type milling machine of same company. The No. 5 mill shall be compared to the Model HO high power type mill of same company.

13. In Appendix A in the table for foot squaring shears, under the heading "Niagara Machine & Tool Co., Buffalo, N. Y.", the word "Gallons" appearing under the column heading "Capacity" is amended to read "Gauge".

14. In Appendix A under the heading "The Standard Engineering Works, Pawtucket, R. I." the phrase "All for material domestic crate 125 lbs.", which appears before the table of prices is amended to read "Add for material domestic crate 125 lbs."

15. In Appendix A under the heading "The Standard Engineering Works, Pawtucket, R. I." the item "No. 25 Standard hand milling machine, and longitudinal power feed to table, arranged for motor—crated" is amended to read "No. 2 Standard hand milling machine, and longitudinal power feed to table, arranged for motor—crated".

16. In Appendix A under the heading "The Warner & Swasey Co., Cleveland, Ohio" the item "#8 Universal hollow hex. #2A (cone drive)" appearing under the heading "Comparisons For Obsolete Machine Tools" is amended to read "#8 Universal, hollow hex. (cone drive)—Compared to #2A".

17. In Appendix A the note appearing under the heading "South Bend Lathe Works, South Bend, Ind." is amended to read as follows:

NOTE: South Bend Lathes, cone, standard change gear—16" and over use LeBlond Regal, deduct 20% to get base price.

This amendment shall become effective May 31, 1944.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10116, 13104, 9 F.R. 2135, 3075, 4229.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7586; Filed, May 26, 1944; 11:48 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 89]

CHANGES IN REFERENCES TO REVISED PROCEDURAL REGULATION NO. 1

A statement of the reasons involved in the issuance of this Supplementary Order No. 89, issued simultaneously herewith has been filed with the Division of the Federal Register.*

§ 1305.117 *Changes in references to Revised Procedural Regulation No. 1.* (a) All references to Subparts A, B, C, D, E, or F of Revised Procedural Regulation No. 1, contained in orders, regulations and amendments thereto issued by the Office of Price Administration shall hereafter be deemed to be references to Articles II, III, IV, V, VI and VII respectively, of Revised Procedural Regulation No. 1.

(b) All references to any or all of those sections of Revised Procedural Regulation No. 1 numbered 1300.1 to 1300.61, inclusive, contained in orders, regulations and amendments thereto issued by the Office of Price Administration shall hereafter be deemed to be references to the appropriate section or sections of Revised Procedural Regulation No. 1 numbered 1 to 61 inclusive.

This amendment shall become effective May 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7600; Filed, May 26, 1944; 11:54 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 415,[1] Amdt. 6]

CERTAIN FEDERAL GOVERNMENT PURCHASES OF NEW RUBBER TIRES AND TUBES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 415 is amended in the following respects:

1. The preamble is amended to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 8923, 10556, 10725, 14964, 16260.
[2] 8 F.R. 3066, 3849, 4247, 4486, 4794, 4978, 4848, 6047, 6962, 8511, 9026, 9991, 11955, 13754; 9 F.R. 1385, 5169.

In the judgement of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and has been filed with the Division of the Federal Register.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected or have previously been promulgated and their use lawfully required by another Government agency.

2. Section 1 is amended to read as follows:

SECTION 1. *What this regulation covers*—(a) *Transactions covered.* This regulation covers all sales to any agency of the United States Government of new natural rubber tires, tubes, or flaps. However, neither this regulation nor the General Maximum Price Regulation[1] shall apply to sales by Rubber Development Corporation of tires and tubes imported by it into the United States, to sales to Rubber Development Corporation or to Defense Supplies Corporation, to sales of synthetic rubber tires and tubes, or to any sales of aircraft tires or tubes to the War Department or the Department of the Navy. A tire or tube is "new" if it has been used less than 1,000 miles. "Rubber" means substitute rubber and all forms and types of rubber, including scrap, synthetic, balata, and reclaimed rubber. "Synthetic rubber tires or tubes" means tires or tubes which contain any synthetic rubber and which are marked with the symbols designated by the War Production Board, Office of Rubber Director, to identify them as containing synthetic rubber.

(b) *Relation to other regulations.* This regulation supersedes any other regulation issued by the Office of Price Administration as to transactions covered by this regulation.

(c) *Geographical applicability.* This regulation applies in the District of Columbia, the 48 states, and the Territory of Hawaii, but not in the other territories and possessions of the United States.

3. Section 4 is amended to read as follows:

SEC. 4. *Maximum prices*—(a) *Sales to any Government agency other than Foreign Economic Administration (including Lend-Lease), the War Department, the Department of the Navy (including Marine Corps and Coast Guard), or the Maritime Commission.* The maximum prices for such sales are the prices listed in Appendix A, delivered to the buyer.

(b) *Sales to the Foreign Economic Administration (including those for Lend-Lease), the War Department, the Department of the Navy (including the Marine Corps and Coast Guard), and the Maritime Commission.* The maximum prices for such sales shall be determined by deducting 5 percent from the prices listed in Appendix A. Maximum prices for these sales are f. o. b. the seller's shipping point. However, the maximum price for such sales of aircraft tires and tubes shall be the prices listed in Appendix A, delivered to the buyer.

(c) *Packing expenses.* The maximum prices fixed by this regulation include all packing expenses, and Supplementary Order No. 34* shall not apply to this regulation.

(d) *Natural rubber tires and tubes of types and sizes not listed in Appendix A.* (1) The maximum price for sales of a natural rubber tire or tube of a size or type not listed in Appendix A shall be a price consistent with the level of maximum prices otherwise fixed by this regulation, authorized upon specific application to the Office of Price Administration.

(2) In all cases covered by this paragraph (d), the seller must file with the Office of Price Administration, Washington, D. C., a report containing the following information:

(i) A description of the tire or tube for which a maximum price is sought, including the type, brand name, size, number of plies and construction.

(ii) The proposed maximum price, and a description of the pricing method used in calculating such price.

(iii) The reasons why the seller believes that such price is consistent with the level of maximum prices otherwise fixed by this regulation.

(3) No seller required to report a maximum price under this section may accept payment for the tires or tubes (unless specifically authorized to do so by the Office of Price Administration) until the proposed maximum price is approved by the Office of Price Administration. The proposed maximum price, however, shall be deemed to be approved unless, within 20 days after mailing of the report (or within 20 days after the mailing of any additional information which may have been requested), the Office of Price Administration notifies the seller that his proposed maximum price has been disapproved or that action thereon has been deferred pending receipt of further information.

(4) The Office of Price Administration may approve or disapprove, and may at any time after approval, correct maximum prices proposed or established under this section so as to bring them into proper relationship with the level of maximum prices otherwise established by this regulation.

4. A new section 10 is added to read as follows:

SEC. 10. *Applications for adjustment.* (a) A manufacturer who believes that a maximum price established by this regulation impedes or threatens to impede production of a commodity which is essential to the war program may file an application for adjustment of that maximum price in accordance with the provisions of Procedural Regulation No. 6,* issued by the Office of Price Administration.

This amendment shall become effective May 29, 1944, in the District of Columbia and the 48 states of the United States.

This amendment shall become effective July 10, 1944, in the Territory of Hawaii.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7587; Filed, May 26, 1944; 11:47 a. m.]

[1] 8 F.R. 12404, 14073.
[2] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.

PART 1340—FUEL

[MPR 88, Amdt. 10]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 88 is amended in the following respects:

1. Section 2.7 (a) is added to read as follows:

(a) *State of Delaware.* Maximum tank wagon prices for Nos. 2, 3 and 4 distillate fuel oils to consumers in the State of Delaware shall be as designated below:

(1) For single lot deliveries of 100 gallons or more:

Within the area:	Cents per gallon
North of the Chesapeake & Delaware Canal	9.0
South of the Chesapeake & Delaware Canal	9.3

(2) For single lot deliveries of less than 100 gallons the maximum price within each area listed in subparagraph (1) above shall be increased by .5¢ per gallon.

2. Section 2.18 (b) is added to read as follows:

(b) *State of Maryland.* Maximum tank wagon prices for Nos. 2, 3 and 4 distillate fuel oils to consumers in the State of Maryland shall be as designated below:

(1) For single lot deliveries of 100 gallons or more:

Within the county of:	Cents per gallon
Allegany	10.3
Anne Arundel	9.3
Baltimore and City of Baltimore	9.0
Calvert	9.5
Carolina	9.3
Carroll	9.3
Cecil	9.5
Charles	9.5
Dorchester	9.3
Frederick	9.3
Garrett	10.3
Hartford	9.3
Howard	9.3
Kent	9.3
Montgomery	9.4
Prince Georges	9.4
Queen Annes	9.3
St. Marys	9.5
Somerset	9.3
Talbot	9.3
Washington	9.3
Wicomico	9.3
Worcester	9.3

(2) For single lot deliveries of less than 100 gallons the maximum price within each county listed in subparagraph (1) above shall be increased by .5¢ per gallon.

3. Section 2.30 (d) is added to read as follows:

(d) *State of New York.* Maximum tank wagon prices for Nos. 2, 3 and 4 distillate fuel oils to consumers in the State of New York shall be as designated below:

(1) For single lot deliveries of 100 gallons or more:

Within the county of:	Cents per gallon
Albany	9.0
Excepting: Township of Rensselaerville	9.3
Alleghany	10.2
Excepting: Townships of New Hudson, Belfast, Angelica, West Almond, Almond and all townships north thereof	10.5
Bronx	9.0
Broome	10.2
Cattaraugus	10.2
Excepting: Townships of Conewango, Napoli, Little Valley, Great Valley, Humphrey, Ischua, and all townships north thereof	10.4
Cayuga	9.6
Excepting: Townships of Sterling, Moravia, Locke, Summer Hill and Sempronius	9.9
Chautauqua	10.0
Excepting: Townships of Sheridan, Dunkirk, Hanover, Pomfret, Arkwright, Villenova, Cherry Creek, Ellington, Charlotte, Stockton, Portland, Chautauqua, Westfield, Ripley, Mina, Sherman and North Harmony	10.1
Chemung	10.1
Chenango	9.7
Excepting: Townships of Coventry, Greene, Smithville, German, Pitcher, and Lincklaen	10.2
Clinton	9.4
Excepting: Townships of Ausable, Black Brook, Champlain, Clinton, Mooers, Ellenburg, Altoona, and Chasy	9.8
Columbia	9.0
Cortland	10.1
Delaware	9.7
Dutchess	9.0
Excepting: Townships of Pawling, Dover, Amenia, and Northeast	9.8
Erie	10.0
Excepting: Townships of Collins, Concord, Sardinia	10.4
Essex	9.4
Excepting: Townships of Wilmington, Jay, and Chesterfield	9.8
Townships of St. Armand, North Elba, North Hudson, Keene, Newcomb, Minerva and Schroon	10.2
Franklin	10.2
Fulton	9.3
Excepting: Townships of Stratford, Garoga, Bleeker, Mayfield, Northampton, Broadalbin and Oppenheim	9.8
Genessee	10.0
Greene	9.1
Excepting: Townships of Ashland, Durham, Halcott, Hunter, Jewett, Lexington, Prattsville, and Windham	9.4
Hamilton	10.2
Excepting: Townships of Long Lake and Inlet	10.6
Herkimer	9.4
Excepting: Townships of Ohio and Webb	10.1
Jefferson	10.0
Kings	9.0
Lewis	10.2
Livingston	10.0
Excepting: Townships of Portage, Nunda, Ossian, West Sparta, and Mount Morris	10.5
Madison	9.4
Excepting: Township of Sullivan. Townships of Cazenovia, Fenner, Nelson, De Ruyter, Georgetown, Lebanon, Hamilton, Brookfield, Madison, and Eton	10.0
Monroe	9.7
Excepting: Townships of Hamlin, Clarkson, and Sweden	10.0
Montgomery	9.3
Nassau	9.1
New York	9.0
Niagara	10.1
Oneida	9.4
Excepting: Townships of Boonville, Remsen, Steuben, Western, Ava, Lee Annsville, Florence, Camden, and Vienna	9.7
Township of Forestport	10.1
Onondaga	9.6
Excepting: Townships of Lysander and Spafford	9.8
Ontario	9.6
Excepting: Townships of Farmington, Victor, W. Bloomfield, E. Bloomfield, Richmond, Bristol, Canadice, South Bristol, and Naples	9.7
Orange	9.1
Excepting: Townships of Deer Park, Greenville, Mt. Hope, Wallkill, Crawford, Wawayanda, and Minisink	9.4
Orleans	10.0
Oswego	10.0
Otsego	9.6
Excepting: Townships of Unadilla, Butternuts, Morris, Pittsfield, and Edmeston	9.7
Putnam	9.0
Queens	9.0
Rensselaer	9.0
Excepting: Township of Hoosick	9.3
Richmond	9.0
Rockland	9.0
St. Lawrence	10.1
Saratoga	9.3
Schenectady	9.1
Schoharie	9.3
Excepting: Townships of Jefferson, Gilboa and Coneville	9.6
Schuyler	10.1
Seneca	9.6
Excepting: Townships of Lodi and Covert	9.9
Steuben	10.1
Excepting: Townships of Hornellville, Hartsville, Greenwood, West Union, Troupsburg, Jasper, Canisteo, Howard and Freemont	10.4

*Copies may be obtained from the Office of Price Administration.

Within the county of:	*Cents per gallon*
Suffolk	9.2
Excepting: Township of Brookhaven	9.3
Townships of Riverhead, Southampton, Southold, and East Hampton	9.4
Township of Shelter Island	9.9
Sullivan	9.4
Tioga	10.2
Tompkins	9.9
Ulster	9.1
Excepting: Townships of Hardenbergh and Shandaken	9.5
Warren	9.8
Excepting: Townships of Queensbury, Bolton, Luzerne, and Warrensburg	9.3
Washington	9.3
Excepting: Townships of Granville, Hebron, Hartford, and Putnam	9.5
Wayne	9.6
Excepting: Townships of Ontario, Wallworth, Macedon, Palmyra, Marion and Williamson	9.7
Westchester	9.0
Wyoming	10.0
Excepting: Townships of Arcade, Eagle, Pike and Genessee Falls	10.5
Yates	9.6
Excepting: Township of Starkey	10.1

(2) For single lot deliveries of less than 100 gallons the maximum price within any county or township listed in subparagraph (1) above shall be increased by .5¢ per gallon.

4. Section 2.36 (c) is added to read as follows:

(c) *State of Pennsylvania.* Maximum tank wagon prices for Nos. 2, 3 and 4 distillate fuel oils to consumers in the State of Pennsylvania shall be as designated below:

(1) For single lot deliveries of 100 gallons or more:

Within the county of:	*Cents per gallon*
Adams	9.3
Allegheny	9.3
Armstrong	9.3
Beaver	9.3
Bedford	9.8
Berks	9.3
Blair	9.8
Bradford	9.8
Bucks	9.0
Butler	9.3
Cambria	9.8
Cameron	9.8
Carbon	9.8
Centre	9.8
Chester	9.0
Clarion	9.3
Clearfield	9.8
Clinton	9.8
Columbia	9.8
Crawford	9.3
Cumberland	9.3
Dauphin	9.3
Delaware	9.0
Elk	9.8
Erie	9.3
Fayette	9.8
Forest	9.3
Franklin	9.3
Fulton	9.8
Greene	9.8
Huntingdon	9.8
Indiana	9.8
Jefferson	9.8
Juniata	9.8
Lackawanna	9.8
Lancaster	9.3
Lawrence	9.3
Lebanon	9.3
Lehigh	9.3
Luzerne	9.8
Lycoming	9.8
McKean	9.8
Mercer	9.3
Mifflin	9.8
Monroe	9.8
Montgomery	9.0
Montour	9.8
Northampton	9.3
Northumberland	9.8
Perry	9.3
Philadelphia	9.0
Pike	9.8
Potter	9.8
Schuylkill	9.8
Snyder	9.8
Somerset	9.8
Sullivan	9.8
Susquehanna	9.8
Tioga	9.8
Union	9.8
Venango	9.3
Warren	9.3
Washington	9.8
Wayne	9.8
Westmoreland	9.8
Wyoming	9.8
York	9.3

(2) For single lot deliveries of less than 100 gallons the maximum price within each county listed in subparagraph (1) above shall be increased by .5¢ per gallon.

5. Section 2.44 (a) is added to read as follows:

(a) *Counties of Arlington and Fairfax.* Maximum tank wagon prices for Nos. 2, 3 and 4 distillate fuel oils to consumers in the above counties of the State of Virginia shall be as follows:

	Cents per gallon
Tank wagon deliveries in quantities of 100 gallons or over	[1] 9.4
Tank wagon deliveries in quantities of less than 100 gallons	[1] 9.9

[1] These prices are the same as established by section 2.52 (a) (2) for the District of Columbia.

This amendment shall become effective May 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.)

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7588; Filed, May 26, 1944; 11:47 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 150,[1] Amdt. 6]

FINISHED RICE AND RICE MILLING BY-PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. Section 1 is amended to read as follows:

SECTION 1. *Applicability.* Except as provided in section 2 hereof this revised regulation shall apply to all sales within the United States and the District of Columbia of domestic and imported finished rice and rice milling by-products, whether for immediate or future delivery.

2. Section 2 is amended to read as follows:

SEC. 2. *Sales excepted.* This revised regulation shall not apply to:

(a) Sales and deliveries of finished rice at wholesale which shall be and remain subject to Maximum Price Regulation 421, and sales and deliveries at retail which shall be and remain subject to Maximum Price Regulations 422 and 423.

(b) Sales and deliveries of wild rice or sweet rice.

(c) Any finished rice purchased by the United States or any of its agencies under such circumstances of emergency as to make delivery imperative and as to render it impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable, if such purchases and deliveries are made pursuant to the provisions of section 4.3 (f) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation.

This amendment shall become effective May 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7599; Filed, May 26, 1944; 11:55 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 275,[1] Amdt. 7]

EXTRACTED HONEY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 275 is amended in the following respects:

1. Section 1351.1302 is amended to read as follows:

§ 1351.1302 *Exempt sales.* The provisions of this regulation do not apply to sales of "packaged honey" by wholesalers and retailers for which maximum prices are to be determined under the applicable provisions of Maximum Price Regulations 421, 422, and 423.

2. Section 1351.1311 is amended to read as follows:

§ 1351.1311 *Evasion.* Price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to the commodities whose prices are herein regulated alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, brokerage, premium or other privilege or other trade understanding or otherwise.

Specifically, the prices set forth in this regulation shall not be evaded by any understanding between the buyer and seller whereby a seller is to ship or sell, and the buyer receive or buy honey in smaller quantities than ordered or than would have been ordered but for that understanding.

3. New subparagraphs (6) and (7) are added to § 1351.1319 (a) to read as follows:

(6) "Dealer" means any person located in the Continental United States who buys and resells bulk honey. The term includes but is not limited to the following persons: carlot shippers, jobbers, importers, persons selling for the account of foreign shippers, wholesale grocery companies, bakery and confectionery supply houses, and retailers. A producer cannot be a dealer with respect to honey which he produces, but may be a dealer with respect to honey which he has purchased in the normal course of trade or business from another producer or dealer.

(7) "Imported bulk honey" means honey which was produced outside the Continental United States and packed in quantities of more than 15 pounds. Bulk honey which is composed partly of imported honey and partly of domestic honey shall be considered "imported bulk honey".

4. Subparagraphs (3) and (4), including the footnotes applicable to terms used therein, of § 1351.1319 (b) are revoked and new subparagraphs (3), (4), (5), and (6) are added to that section to read as follows:

(3) *Purchase price for bulk honey to be imported.* The price per pound (net landed weight basis) c. i. f. point or port of arrival which any person may pay for bulk honey to be imported into the Continental United States shall be as follows:

0.112 for honey admitted free of U. S. duties	
0.100 for honey shipped from Cuba	
0.097 for all other "imported bulk honey"	

(i) The above prices include foreign export duties, marine and war risk insurance, freight, and all other charges customarily borne by a seller in a c. i. f. sale, but do not include applicable U. S. duties. If the person importing the bulk honey purchases it on a basis other than c. i. f. point or port of arrival, the maximum price which he may pay shall be the appropriate price set out above less the charges and expenses he incurs in bringing it to the U. S. point of port of arrival.

(4) *Dealer maximum selling prices for imported bulk honey.* The dealer's maximum price applicable, U. S. duty paid for imported bulk honey shall be as follows:

[Cents per pound]

	F. o. b. freight car or truck at point or port of arrival, U. S. duty paid	
	Warehoused by dealer in the U. S. A.	Not warehoused by dealer in the U. S. A.
Quantity of sale:		
12,000 pounds or over	11⅛	11¾
Less than 12,000 pounds but not less than 1,500 pounds	12⅛	11¾
Less than 1,500 pounds but not less than 300 pounds	12⅛	11¾
Less than 300 pounds	14¾	11¾

(ii) A dealer's maximum price per pound f. o. b. freight car or truck at a point in the Continental United States other than the point or port of arrival, shall be the maximum price established by this paragraph for the particular quantity and kind of sale made f. o. b. freight car or truck at the point or port of arrival, plus the actual freight charges paid by the dealer to a carrier or prior vendor and incurred on the honey from the point or port of arrival to the point from which the dealer sells f. o. b. The dealer's invoice accompanying the sale shall separately show the points from and to which the freight was paid, and the amounts paid therefore.

(iii) A dealer's maximum price per pound for bulk honey, not warehoused, sold on basis other than f. o. b. car or truck, shall be 11½¢ per pound less the amount of loading and carting charges which would have been incurred if the honey had been sold f. o. b. car or truck.

(iv) A dealer's maximum price per pound for an in-bond sale of imported bulk honey shall be the maximum price established for the same type of sale made on a duty paid basis less the amount of applicable duty.

(5) *Dealers' maximum selling prices for domestic bulk honey.* The dealer's maximum price per pound for domestic bulk honey, f. o. b. dealer's shipping point shall be as follows:

Quantity of sale:	*Prices (cents)*
12,000 pounds or over	12½
Less than 12,000 pounds but not less than 1,500 pounds	13½
Less than 1,500 pounds but not less than 300 pounds	14½
Less than 300 pounds	15½

(i) To the above table of prices the dealer may add the following:

(a) ½¢ per pound in instances where he sells the honey in the container without such container being returned or another one being received in exchange.

(b) The actual freight charges paid by the dealer to a carrier or prior vendor, and incurred on the honey from the "producer's local shipping point" to the point from which the dealer sells f. o. b.; *Provided*, That the dealer states such charges on the invoice accompanying the sale, and lists the "producer's local shipping point" from which such honey was originally obtained.

(6) *Dealers' service charges.* (i) Whenever any dealer (located in the Continental United States) or the dealer (located in the Continental United States) who supplied him has, within the continental limits of the United States, heated and strained, or heated and filtered, and repacked the bulk honey into a new or thoroughly cleaned container, a service charge not exceeding 1¢ per pound for domestic bulk honey so treated or 1½¢ per pound for imported bulk honey so treated may be charged by such dealer to all buyers except buyers engaged in the business of bottling honey (to whom no such charge may be made). In the event such dealer, or such dealer who supplied him received the imported bulk honey in barrels and repacked it into metal containers after heating and straining it, or heating and filtering it, the maximum service charge shall be 2¢ per pound instead of 1½¢ per pound.

(ii) A dealer shall not make any of the service charges provided above unless (a) the invoice which he gives to his purchaser states that the honey has been heated and strained, or heated and filtered, and repacked into a container by a dealer located in the United States, and states the name and address of the dealer who performed such service, and (b) the honey is in a container which is marked "Repacked in the United States."

This amendment shall become effective May 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

Approved: May 18, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-7597; Filed, May 26, 1944; 11:54 a. m.]

PART 1381—SOFTWOOD LUMBER

[RMPR 290]

SITKA SPRUCE LUMBER

Maximum Price Regulation 290 is redesignated Revised Maximum Price Regulation 290 and is revised and amended to read as set forth below:

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the industry affected.

§ 1381.451 *Maximum prices for Sitka spruce lumber.* Under the authority vested in the Price Administrator by the

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4788, 10758, 12873, 14076, 15322, 3346, 4225, 3649.

[1] 7 F.R. 9955; 8 F.R. 542, 1228, 2337, 3947, 8502, 9218; 9 F.R. 3425.

Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, Revised Maximum Price Regulation No. 290 (Sitka Spruce Lumber), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1381.451 is issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

REVISED MAXIMUM PRICE REGULATION 290—SITKA SPRUCE LUMBER

ARTICLE I—SCOPE OF THE REGULATION

Sec.
1. Prices higher than ceiling prohibited.
2. What products are covered.
3. What transactions are covered.
4. What persons are covered.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

5. Basic prices and cash discount.
6. Direct-mail retail sales.
7. Sales on delivered basis.
8. Sales for export.
9. Lumber produced in Canada.
10. Maximum prices for Alaskan lumber.
11. Grades, services, or extras not listed.

ARTICLE III—SPECIFIC DUTIES AND PROHIBITED PRACTICES

12. What the invoice must contain.
13. Averaging out.
14. What records must be kept.
15. Prohibited practices.
16. Adjustable pricing.
17. Special pricing rules.

ARTICLE IV—MISCELLANEOUS

18. Petitions for adjustment or amendment.
19. Enforcement.
20. Licensing.

ARTICLE V—PRICE TABLES

21. Sitka spruce.
22. General notes.

ARTICLE VI—TABLE OF ESTIMATED WEIGHTS

ARTICLE I—SCOPE OF THE REGULATION

SECTION 1. *Prices higher than ceiling prohibited.* (a) On and after May 31, 1944, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Sitka spruce lumber for direct-mill shipment at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 2. *What products are covered.* This regulation covers all Sitka spruce (picea sitchensis) lumber, except aircraft grades as defined in Revised Maximum Price Regulation No. 109[1], Aircraft Lumber, whether the grades, sizes, and specifications are specifically named in the price tables in Article V, or not. Sitka spruce lumber produced in all parts of the United States, in Canada, and in Alaska, is covered. All grade terms have the meaning given in the Standard Grading and Dressing Rules, Number 12, issued by the West Coast Lumbermen's Association, effective March 1, 1943.

[1] 7 F.R. 10100; 8 F.R. 270, 2872, 4326, 4717, 6833, 8614.

SEC. 3. *What transactions are covered.*—(a) *Direct mill shipments.* This regulation applies to all shipments originating at a mill, no matter who the seller is, and no matter whether he usually is known as a mill, wholesaler, retailer or anything else. It does not apply to sales out of distribution yard stock. (The prices for yard sales may be found in Second Revised Maximum Price Regulation No. 215.[2]) A shipment is regarded as originating at a mill if the lumber reaches the purchaser without ever becoming an integral part of the stock of a distribution yard. A sale is considered a sale out of distribution yard stock only if the lumber was a part of regular yard stock at the time the sale was made.

(b) *How to tell a mill from a distribution yard.* The term "mill", as used here, covers what are known in the trade as sawmills, planning mills and concentration yards. Three types of establishment are described below: The first, (1), a typical sawmill or planing mill; the second, (2), a typical concentration yard; and the third, (3), a typical distribution yard. An establishment which resembles (1) or (2) more than it does (3) is considered a mill; and one which resembles (3) more than it does (1) or (2) is considered a distribution yard:

(1) "A typical sawmill or planing mill" is an establishment which is chiefly engaged in manufacturing lumber from logs or rough lumber by sawing or planing; which is located in or near a lumber producing area; which makes and sells chiefly Sitka spruce lumber.

(2) "A typical concentration yard" is an establishment which concentrates and prepares lumber for commercial shipment; which keeps in stock mostly Sitka spruce or other West Coast lumber; which has its lumber brought in chiefly in rough green form by truck from small local sawmills and sells chiefly for rail shipment; and which has been located at its particular site to be near the lumber producing area.

(3) "A typical distribution yard" is a wholesale or retail lumber yard which gets lumber from mills or other yards; unloads, sorts, stores, and resells or redistributes it; which regularly maintains a varied stock of lumber from different regions; which gets its lumber mostly by rail and sells mostly for truck shipment; which is equipped to make quick deliveries of many different items of lumber; and which has been located at its particular site in order to be near a lumber consuming area.

(c) *New yards.* In order to prevent violation of this regulation by unnecessary routing through yards, the Office of Price Administration will not recognize distribution yards set up after January 5, 1943, unless the new yard writes to the Office of Price Administration, Washington, D. C., and proves that it satisfies the requirements of the definition and that the purpose is not to get around this regulation by means of unnecessary yard business. Until approval is received, the new yard cannot consider itself a distribution yard for the purpose either of this regulation or of any other regulation issued by the Office of Price Administration.

(d) *No quantity limits.* There are no quantity limits on the transactions covered by this regulation. All direct-mill sales, large or small, are covered.

SEC. 4. *What persons are covered.* Any person who makes the kind of sale or purchase described above, for himself or others, is subject to this regulation. The term "person" includes an individual, corporation, partnership, association or any other organized group, their legal successors and representatives, the United States or any government or any of their political subdivisions or any agency of any of the foregoing.

[2] 8 F.R. 14145; 9 F.R. 221, 2553, 2948.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 5. *Basic prices and cash discount.*—(a) *Basic prices.* The maximum prices f. o. b. mill are set forth in Article V—Price Tables.

(b) *Cash discount.* If cash is paid, the maximum price must be reduced by the seller's October 1941 cash discount. For example, if the October 1941 discount for cash was 2%, and the maximum price without discount according to this regulation is $30.00, the maximum price when cash is paid is $29.40. If the seller was not in business in October 1941, the discount for cash is 2%. In any case on specific written allocations issued by the Office of the Chief of Engineers, War Department, the terms 30 days net may be used regardless of former practices.

SEC. 6. *Direct-mill retail sales.* An addition of $3.50 per thousand feet may be made on a sale of less than 20,000 ft. BM (or less than carload if by rail), to any buyer who does not purchase for resale, where the shipment originates at a mill and the seller:

(a) Sees that the lumber is delivered to the job site at such time and in such manner as the buyer specifies;

(b) Gives the buyer the privilege of exchanging the lumber and returning unused material; and

(c) Agrees to make good any shortage promptly from stocks kept on hand for this purpose.

The size of the sale is determined by the total quantity involved in the transaction without regard to whether it is broken up into smaller orders or deliveries.

SEC. 7. *Sales on delivered basis.*—(a) *Rail charges.* (1) Only two methods of selling are recognized by this regulation. Any other method is prohibited, as a device to evade the ceiling by manipulation of freight.

The two permitted methods are: On a delivered basis using the estimated weights in Article VI or on an f. o. b. mill basis with actual freight (figured, of course, on actual weights) to be paid by the purchaser.

The two methods may not be combined in a single transaction; that is, a seller may not sell on a basis which gives him the benefit of favorable estimated weights but requires the use of actual weights on items where estimated weights would be unfavorable to him. Note that sales described as "ceiling delivered", or as f. o. b. mill with freight paid or included to a given destination, are to be treated as sales on a delivered basis. In such cases, the given estimated weights must be used. However, sales f. o. b. mill with seller to pay the freight to a stated destination and include it in his invoice to the buyer is a sale on an f. o. b. mill basis, and settlement on the basis of the actual weights must be made.

(2) The estimated green weights may be used only when green lumber is actually specified and shipped.

(3) The transportation charge, when estimated weights are used, must be evened out to the nearest quarter-dollar per 1000 feet board measure (nearest 5 cents per 1000 pieces of lath).

(b) *Common or contract carrier (other than rail).* Where transportation is by common or contract carrier (other than rail) the only rule is that actual cost of transportation may be added to the f. o. b. mill ceiling.

(c) *Private truck.* When shipment is by truck owned or controlled by the seller, the following amounts may be added for transportation: For distances up to and including 10 miles, $1.50 per M'; over 10 and up to and including 20 miles, $2.00 per M'; and over 20 and up to and including 30 miles, $2.50 per M'. Where the distance is greater than 30 miles, the seller may charge the amount of the railroad charge at the carload rate for the most similar haul or $3.00 per M', whichever is greater. Distance, as used in this paragraph, means the distance from the mill to the point of destination as measured by the speedometer. No addition may be made for the return trip.

(d) *Trucking to rail shipping point.* When a truck haul precedes rail shipment, as when a mill located away from a railhead hauls by truck to the railroad, no addition may be made for the truck haul. However, in the following cases a mill may apply for special permission to make an addition:

(1) Where the mill was located away from rail connections because it specialized in water-borne lumber, and where shortage of shipping has forced it to operate by rail;

(2) Where a mill's rail connection has been abandoned since September 5, 1941, and it has no comparable rail shipping point.

The application should be made by letter to the Lumber Branch of the Office of Price Administration, Washington 25, D. C., and may be acted upon by letter or telegram. The addition may not be made on quotations or sales until permission has been received.

(e) *Truck delivery after rail haul.* When truck delivery to yard or job site follows a rail haul, and is specified in the order, the actual cost of truck delivery may be added. This may include the actual cost of handling and reloading involved in transfer from rail cars to trucks.

(f) *All-truck haul.* When an all-truck haul ends in delivery to the job site, no special addition may be made above the charges provided in paragraphs (b) and (c) of this section.

SEC. 8. *Maximum Export Price Regulation.* The maximum price for export sales of Sitka spruce lumber is governed by the Second Revised Maximum Export Price Regulation.[4]

SEC. 9. *Lumber produced in Canada.* The maximum prices for lumber produced in Canada and sold in the United States shall be the maximum prices f. o. b. mill set forth in Article V plus additions for transportation permitted by section 7: *Provided, however,* That the amount of such addition may not be greater than if the shipment had originated at Bellingham, Washington.

SEC. 10. *Maximum prices for Alaska lumber.* The maximum prices f. o. b. mill for shipments originating in Alaska and delivered to points in Alaska or outside the continental United States shall be the maximum f. o. b. mill prices set forth in Article V plus an amount equal to freight under the Maritime Commission's published freight rate from Seattle, Washington, to the mill's shipping point, including surcharges, War Risk insurance, and wharfage and handling charges under the published Seattle Wharfage and Handling rate for comparable lumber. For all other shipments, the regular maximum f. o. b. mill prices apply.

SEC. 11. *Grades, services, or extras not listed.* (a) If a seller wishes to sell a grade which is not specifically priced in the price tables, or wishes to make an addition for special workings, specifications, services, or other extras for which additions are not specifically permitted, he must apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for a maximum price. He must provide the following information:

(1) The requested price;

(2) A complete description of the item to be priced;

(3) The price differential between it and the most comparable item in the price tables, between October 1, 1941 and June 1, 1942, from the seller's own records, or if that is impossible, from the experience of the trade. If no established price differential existed, a detailed analysis of comparative value should be furnished.

(b) As soon as the request has been filed, quotations and deliveries may be made at the requested price, but the final payment may not be made until the price has been approved. Action on the request may be by letter or telegram.

(c) In all cases where special prices have been approved by the Lumber Branch of the Office of Price Administration under § 1381.457 of the earlier regulation, Maximum Price Regulation 290; these special prices shall no longer apply if specific prices for the items are established by this regulation; but if no specific prices are established in the price tables, the price approved under the earlier regulation shall continue in effect.

[4] 8 F.R. 4132, 5987, 7662, 9998, 15198.

(d) On any sale involving a "nonlisted" price or addition contemplated by paragraph (a) of this section, if the seller, for any reason, shall have failed to apply for approval of a maximum price under paragraph (a), the maximum price for the item sold shall be $15.00 per thousand board feet, which maximum price shall include all allowances or additions for grade, size, condition, special workings, specifications or other extras.

ARTICLE III—SPECIFIC DUTIES AND PROHIBITED PRACTICES

SEC. 12. *What the invoice must contain.*—(a) *F. o. b. mill price.* All invoices must contain a sufficiently complete description of the lumber to show whether the price is proper or not. Any working, specification, or extra which affects the maximum f. o. b. mill prices must be mentioned in the description. The amount added for these does not have to be separately shown.

(b) *Charges for transportation.* In all delivered sales, the invoice must show the:

(1) Point of origin of shipment;
(2) Destination;
(3) Rail rate, if estimated weights are used; otherwise the actual amount added for transportation;
(4) The words "Direct-mill shipment".

(c) *Delivery and related charges.* Any separate charge which the seller is permitted to make for truck delivery after rail haul, or for trucking to railhead, must be separately shown on the invoice.

(d) *Direct-mill retail sale.* If the "direct-mill retail sale" mark-up is permissible and is added, this must be separately indicated in the invoice.

SEC. 13. *Averaging out.*—(a) *Different grades, classes or sizes.* Different grades, classes or sizes of lumber may be sold and invoiced at an average price if all of the following conditions are observed:

(1) The footage of each item must be shown separately, and a piece tally must be furnished for each shipment.

(2) The average price for the lumber actually shipped must not be higher than it would have been if all the individual grades, classes, and sizes shipped had been sold separately at the individual ceiling price.

(3) If the order is shipped in more than a single carload, truckload, or boat shipment, the following invoicing and charging practices must also be followed:

(i) The invoice must show that it is part of a larger order and identify the order. It must also show the individual ceiling prices for the various items of lumber actually contained in each shipment, and the average selling price agreed upon.

(ii) The charges which may be made and collected on account for each shipment must not exceed the average price agreed upon or the total of the ceiling prices for the items in the particular shipment, whichever is the lower. Thus, if an average price was quoted on widths from 4" to 12", and if a car of all 4" was shipped, only the 4" price can be charged and collected on that car. But

if a car of all 12" widths was shipped, only the average price quoted could be charged on that car.

(iii) Upon completion of the order the seller must render a final invoice showing the quantity of each shipment or delivery, the freight charge for each if sold on a delivered basis, the amount received on account, the total amount due on the order at the agreed average prices, and a reconciliation of the total amount so computed with the maximum prices permitted by this regulation. Final payment and all necessary adjustments between buyer and seller are to be made upon the final reconciliation.

(b) *Different freight rates.* When a single order, for which a single flat delivered price was quoted and accepted, is shipped from two or more mills to a single destination on varying freight rates, the seller may average-out the transportation charges. For example, if a wholesaler bids $33.00 per MBM on a single order of a hundred thousand feet of lumber, the ceiling price being $30.00 per MBM and the estimated freight $3.00, he can ship half of it on a rate resulting in a $2.00 freight charge and half on a rate resulting in a $4.00 freight charge.

(1) Where this practice is adopted, the seller must observe all of the following conditions:

(i) Each invoice must state that the particular shipment is part of a larger order and identify the order. It must also show the individual rates for each delivery or shipment.

(ii) The transportation charges which may be made and collected for each shipment or delivery, on account, must not exceed the average transportation charge figured on the entire order or the actual transportation charge for the particular shipment based upon the permitted estimated weights, whichever is the lower.

(iii) Upon completion of the order the seller must render a final invoice showing the individual f. o. b. mill prices separately, the amount shipped from each mill, the freight charge for each shipment, and a reconciliation of the total amount so computed with the agreed delivered selling prices and also with the maximum prices permitted by this regulation. In the event that the sale was made at an average price for different grades, classes or sizes of lumber as well as an averaging-out of transportation charges, the provisions of (a) above shall also be observed. Final payment and all necessary adjustments between buyer and seller are to be made upon the final reconciliation.

SEC. 14. *What records must be kept.* All sellers and all buyers who, in any one calendar month, sell or buy 20,000 board feet or more of Sitka spruce lumber, must keep records which will contain a complete description of the lumber involved, the name and address of the other party to the transaction, the date of the sale, and the price. Such records must be retained for two years, for inspection by the Office of Price Administration.

SEC. 15. *Prohibited practices.*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to changes in credit practices and cash discounts and to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific practices.* The following are some of the specific practices prohibited:

(1) Getting the effect of a higher price by changing credit practices from what they were in October 1941. This includes decreasing credit periods or making greater charges for extension of credit.

(2) Refusing, without good reason, to ship except in specified or restricted random lengths, or in mixed cars, or under other circumstances which bring the seller an extra return.

(3) Selling as specified lengths or widths, a specific lot or shipment of lumber which is substantially equivalent to random lengths or widths, or reselling intact as specified lengths or widths a specific lot or shipment bought by the seller as standard or random lengths or widths, unless specifically permitted in the price tables. This prohibition shall not apply to shipments or deliveries which have been sorted out as to widths and lengths and then resold.

(4) Grading as a special grade lumber which can be graded as a standard grade; or wrongly or falsely grading or invoicing lumber.

(5) Making additions for special specifications, services, or other extras which are not specifically permitted.

(6) Refusing to sell on an f. o. b. mill basis, and insisting on selling on a delivered basis.

(7) Failing to invoice properly and in accordance with the requirements of this regulation.

(8) Unnecessarily routing lumber through a distribution yard.

(9) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(10) Making additions for kiln-drying, anti-stain treatment or other services, treatments, or specifications unless they are expressly ordered by the buyer.

(11) Getting a higher price by charging the buyer for ripping or resawing, or charging on the basis of an original size larger than the item actually delivered (for example, charging the price of 4 x 4 ripped to 2 x 4 on a sale and delivery of 2 x 4's) except where the items ordered and delivered are non-standard sizes not specifically priced in the tables. This prohibition has no application where the buyer specifies the larger size to be ripped or resawn into items of smaller size and the resulting items are priced higher in the tables than the original larger size; for example, the buyer may order 1 x 4 x 12' #2 Common, priced at $27.00 per MBM ripped to 1 x 2 x 12'. By buying the larger size ripped the price to the buyer is lower ($28.00) than it would have been had he ordered the 1 x 2 as such ($31.00). In this example the maximum price is $28.00.

(12) Making the buyer take something he does not want in order to get what he does want; for example, making a buyer who orders No. 2 Common take all the upper grades that develop.

(13) Breaking up an order or apportioning deliveries in order to get the $3.50 direct-mill retail sale addition.

(c) *Adding commission to ceiling prohibited.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring (including buying, selling, or locating lumber, or for any related service such as "expediting") which does not involve actual physical handling of lumber, if the commission plus the purchase price results in a total payment by the buyer of lumber which is higher than the maximum price of the lumber. For purposes of this regulation, a commission is any compensation, however designated, which is paid for the procurement of lumber. This prohibition has no application to the case of a bona fide employer-employee relationship where the employee serves only one employer, insofar as lumber procurement is concerned, and where the compensation paid by the employer is a fixed salary and is not based directly or indirectly on the quantity, price or value of the lumber in connection with which the service is rendered.

(d) *Combination grades.* Lumber sold on combination grades may not be sold above the maximum price for the lowest priced grade actually named in the combination. For example, the maximum price for lumber sold as No. 2 and better is the maximum price fixed for No. 2 lumber. It is permissible to quote with specified higher grades as developed, but when the lumber is shipped, the quantities falling in each grade must be tallied separately on a board foot basis, separately identified by grade (except shop grades when sold to millwork establishments), and separately invoiced at prices not in excess of ceiling prices for the respective grades.

SEC. 16. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 17. *Special pricing rules.* (a) Where the buyer specifies restricted lengths or an average length and the shipment or order fails to conform, the entire shipment must be priced at the random length price (unless the agreed price is lower).

(b) Where the buyer orders a random length shipment, and the given percentages of lengths as specified in footnotes to some of the price tables are not met because there is too large a percentage of shorts, the excess shorts must be priced at the separate prices for the short lengths.

(c) Where random length shipments required to average a specified length (e. g. 12' in the Board Table) fall short of this average, the price may not exceed that of the nearest shorter even length below the average length actually shipped.

(d) Where the order fails to specify the grade required, the seller may only ship and charge for No. 2 Common, unless otherwise agreed.

(e) Where the invoice does not specify the grade shipped or delivered, the price of the lowest grade in the shipment shall apply to the whole order.

(f) Where moisture content requirements are waived by the purchaser, the maximum price for the whole order, shipment, or delivery shall be the price herein established for green lumber. Where such a sale is made on a delivered basis, the seller may only use the given estimated weights for dry lumber in computing transportation costs.

(g) None of the additions permitted in the footnotes to the tables in Articles V may be added to the prices of the various items set forth in the tables unless the order expressly requires the working, grade, condition, size, or length for which the additions are permitted.

(h) In any case where a maximum price established in the former MPR 290, or in this revision or any later amendment, is reduced by subsequent amendment, sellers who have entered into firm contracts on the basis of the earlier ceilings may apply for special permission to complete shipment under such firm contracts without regard to the new ceiling, under the following rules and conditions:

(1) The permission, if granted, will allow completion of the contract within 60 days from the effective date of the action setting up the new ceilings.

(2) The existence of a "firm contract" must be shown by the seller's submitting a copy of formal contract or copies of written order and acceptance covering specific items, quantities, and prices.

(3) The application must show that the items covered by the contract were actually being produced and had not been shipped on the effective date of the action which changes the maximum price.

(4) The seller must state in his application—and the permission, if granted, will be so limited—that all prices shown in the contract will be adhered to, even though the maximum price on some items included therein may have been increased by the price action.

(5) Applications must be sent to the Lumber Branch, Office of Price Administration, Washington 25, D. C. The Lumber Branch may grant or deny such applications by letter or telegram.

Note that the seller must apply for the special permission covered in this paragraph, and he may not go ahead on the basis of the contract prices unless and until he has received the authorization to do so.

ARTICLE IV—MISCELLANEOUS

SEC. 18. *Applications for adjustment and petitions for amendment.*—(a) *Government contracts.* See Procedural Regulation No. 6 [8] for adjustment provisions on certain government contracts or subcontracts.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 [9] issued by the Office of Price Administration.

(c) In treating with petitions for amendment or adjustment, consideration will not be given to log and bolt costs which are higher than the applicable maximum purchase prices for logs and bolts established in Revised Maximum Price Regulation No. 161 (West Coast Logs), and 348 (Logs and Bolts), or any revision or amendment of those regulations. This rule shall be followed regardless of whether the petitioner gets logs and bolts by purchasing them, logging his own standing timber, contracting for the logging of his own standing timber, or any other means. All petitions in any way based on the cost of logs or bolts must show the actual cost to the petitioner of logs and bolts received at his plant during the three months immediately prior to filing the petition, and the cost which would have been incurred by the petitioner if all of these logs and bolts had been purchased by him at ceiling prices. To figure these ceiling prices the petitioner should refer to the regulation which fixes the maximum prices for purchases and sales of the kinds of logs and bolts received at his plant.

SEC. 19. *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. Persons who make sales covered by this regulation to war procurement agencies and buyers to whom lumber has been allocated by any such agencies are, however, subject to all the liabilities imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

SEC. 20. *Licensing.* The provisions of Licensing Order No. 1,[7] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

ARTICLE V—PRICE TABLES

SEC. 21. *Sitka spruce lumber.* The maximum prices for Sitka spruce lumber, f. o. b. mill per one thousand feet board measure (or other designated measure where so indicated), where shipment originates at a mill, shall be as follows:

[8] 7 F.R. 5067, 5664; 8 F.R. 6173, 6174, 12024.
[9] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594.

[7] 8 F.R. 13240.

TABLE 1—SITKA SPRUCE NO. 1 BOARDS AND SHIPLAP

Green surfaced A. L. S.	R/L 6′ to 20′	6′	8′	10′	12′	14′	16′	18′	20′	Add for dry	For select merch. par. 594 add to No. 1 green	For rough deduct*
1 x 2″	$33.00	$33.00	$33.00	$33.00	$33.00	$34.50	$35.50	$35.50	$35.50	$4.00	$4.00	$1.00
1 x 3″	33.00	33.00	33.00	33.00	33.00	34.50	35.50	35.50	35.50	4.00	4.00	1.00
1 x 4″	29.00	29.00	29.00	29.00	29.00	30.50	31.50	31.50	31.50	4.00	5.00	1.00
1 x 6″	29.00	29.00	29.00	29.00	29.00	30.50	31.50	31.50	31.50	4.00	6.00	1.00
1 x 8″	29.00	29.00	29.00	29.00	29.00	30.50	31.50	31.50	31.50	4.00	7.00	1.00
1 x 10″	28.00	28.00	28.00	28.00	28.00	29.50	30.50	30.50	30.50	4.00	8.00	1.00
1 x 12″	30.00	30.00	30.00	30.00	30.00	31.50	32.50	32.50	32.50	4.00		

*When full rough 1″ required by buyer add $1.00 to surfaced price.

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE

(See section 15 (b))

Grade differentials:
1. No. 2, dry or green: Deduct $2.00 from price of No. 1 of same size, length and condition of seasoning.
2. No. 3, green: Deduct $8.00 from price of No. 1 green of the same size and length.
3. No. 3, dry: Deduct $10.00 from price of No. 1 dry of the same size and length.
4. No. 4, AW–AL. $15.00—green weight, green: Dry weight, dry.
5. For No. 1 permitting up to 15% of No. 2 deduct $0.50 from price of No. 1 of the same size, length and condition of seasoning.
6. Scaffold plank, 9″ and wider, 5/4 and 6/4, paragraph 598: Add $20.00 to price for No. 1 of the same width and length.

Lengths:
7. Omitting short lengths in R/L loading add to R/L price of the same size and grade.
Omitting 6′: $0.50.
Omitting 6′ and 8′: $0.50.
Omitting 10′ and shorter: $1.00.
Omitting 12′ and shorter: $2.00.
8. For specified lengths longer than 20′: Add $1.00 per foot to specified 20′ price.
9. Odd or fractional lengths: Add $1.00 to the price for, and compute footage on, the next longer even lengths.
10. Random or restricted random lengths, where an average length is required, price the same as the length specified as an average.

Widths:
11. Widths wider than 12″: Add to the price of 12″ of the same grade and length $2.00 for each 2″ wider than 12″.
12. For odd or fractional widths: When specified by buyer add $1.00 to and compute footage on next wider listed width.
13. Odd widths acceptable to buyer in random width shipments, or when they are an accumulation, price as next wider width and compute footage on actual width.

Thickness:
14. 5/4 and 6/4 No. 1 and select merchantable, add $5.00 to 1″ price; 5/4 and 6/4 No. 2, deduct $5.00 from 5/4 and 6/4 No. 1; 5/4 and 6/4 No. 3, deduct $10.00 from 5/4 and 6/4 No. 1.

NOTE: If 5/4 or 6/4 is resawn and sold on surface measure (1″) it must be priced as shims under footnote 18.

Working charges:
15. For 848 ¼″ off in both width and thickness or for any other working not specifically priced in this table and the finished size of which is larger than A. L. S. Add $1.00 to A. L. S. surfaced price.

	Green		Dry	
16. Center matched, flooring, drop siding and other patterns. (The working charges listed contemplate first adding grade differential and then the specified charges.)	828 and CM.	Flooring, drop siding, beaded, other patterns.[1]	828 and CM.	Flooring, drop siding and other patterns.[1]
1″ thickness—no droppings allowed	$1.00	$2.00	$1.00	$2.00

[1] For 1,000 feet or less add $5.00 set-up charge.

17. For ripping or resawing: Add $1.00; product of the piece to be shipped.

Miscellaneous:
Shims. (See note 5—General Notes).
18. No. 3 and better: 9/16″, 5/8″, and 11/16″, $19.50; 7/16″ and ½″, $17.50. If graded out and sold on grade, deduct from grade price for 1″ as follows:
9/16″, 5/8″ and 11/16″, No. 2 and better grades. $7.00
9/16″ and 5/8″ and 11/16″, No. 3 ..... 5.00
7/16″ and ½″, No. 2 and better grades 9.00
7/16″ and ½″, No. 3 ..... 7.00

Log cabin siding:
19. Add $5.00 to respective grade, size and seasoning. Machine droppings up to 15% may be included at a reduction of $5.00. For less than 1,000 feet add set-up charge of flat $5.00.
20. Rough full thickness, not less than 3 3/32″, add $1.00 to surfaced price.

TABLE 2—SITKA SPRUCE NO. 1 DIMENSION

Green rough or surfaced A. L. S.	R/L 6′ to 20′	6′	8′	9′	10′	12′	14′	16′	18′	20′	22′ and 24′	Add for dry
2 x 2″	$33.50	$26.00	$32.00	$35.50	$34.00	$34.00	$34.00	$36.50	$36.50	$36.50	$40.00	$3.50
2 x 3″	30.50	23.00	29.00	32.50	31.00	31.00	31.00	33.50	33.50	33.50	37.00	3.50
2 x 4″	30.50	23.00	30.50	31.00	30.00	30.50	30.50	31.50	31.50	31.50	34.00	3.50
2 x 6″	30.50	23.00	28.50	30.50	29.00	30.50	30.50	31.00	31.00	31.00	33.00	3.50
2 x 8″	29.50	22.00	28.00	29.00	28.00	29.50	29.50	29.50	29.50	29.50	31.50	3.50
2 x 10″	29.50	22.00	28.00	30.00	28.50	30.00	30.00	30.50	30.50	30.50	33.50	4.00
2 x 12″	29.50	22.00	28.00	30.00	29.00	30.00	30.00	30.50	30.50	30.50	32.50	5.50

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE

(See section 15 (b))

Grade differentials:
1. Select merchantable par. 594: Add $3.00 to No. 1 price for same width and length.
2. Scaffold plank 9″ and wider par. 598: Add $20.00 to No. 1 price for same width and length.
3. No. 2 green all widths and lengths 24′ and shorter: Deduct $2.00 from No. 1 green price of same width and length.
4. No. 3, green 24′ and shorter, 2 x 2, 2 x 3, 2 x 4, 2 x 6 and 2 x 8′ deduct $8.00; 2 x 10 and 2 x 12″ deduct $9.00 from No. 1 green price of same width and length.
5. No. 2 dry, all widths and lengths, 24′ and shorter: Deduct $4.00 from the No. 1 dry price of the same width and length.
6. No. 3 dry, 24′ and shorter; 2 x 2, 2 x 3, 2 x 4, 2 x 6 and 2 x 8″ deduct $10.00; and 2 x 10 and 2 x 12″ deduct $11.00 from the No. 1 dry price of the same width and length.
7. For No. 1 permitting up to 15% of No. 2: Deduct $0.50 from the No. 1 price of the same width and length.
8. No. 4, AW—AL, Dry or green $15.00, green weight, green; dry weight, dry.

Lengths:
9. Lengths over 24′: Add $2.00 to the 24′ price of the same grade and width for each 2′ longer than 24′.
10. Odd or fractional lengths: Add $1.00 to and compute footage on next longer even length.
11. For omitting short lengths in R/L loading add to the R/L price of the same size and grade:
6′ and 8′ and/or 10′ $0.50
12′ and shorter 1.00
14′ and shorter at specified length price.
12. Random or restricted random lengths, where an average length is required, price the same as the length specified as an average.

Widths:
13. Wider than 12″: Add $1.00 for each 2″ wider than 12″ to price of 12″ width, of the same grade and length.
14. Odd or fractional widths: Add $1.00 to and compute footage on next wider listed width.

Thickness:
15. Odd or fractional thicknesses over 2″ and under 3″: Add $3.00 to the 3″ price of the same width in all grades and lengths from plank and small timber table. Compute footage on actual rough measure.

Working charges:
16. For 848 ¼″ scant or for any other working not specifically priced in this table and the finished size of which is larger than A. L. S. add $1.00 to A. L. S. surfaced price.

	Green		Dry	
17. Center matched, flooring, outgauging and other patterns. (The working charges listed contemplate first adding grade differentials and then the specified charges).	828 and C. M. or Shiplap	Flooring, out-gauged and other patterns	828 and C. M. or Shiplap	Flooring, out-gauged and other patterns
2″ thickness, no droppings allowed	$1.00	$2.00	$1.50	$2.50

18. For ripping or resawing, not diagonal or tapered: for 2 x 4″ add $2.00; for 2 x 6″ and wider add $1.00. For diagonal or tapered resawing, add $5.00, in either instance, the product of the strip to be shipped.

Log cabin siding:
19. Add $5.00 to respective grade, size and seasoning. Machine droppings up to 15% may be included at a reduction of $5.00. For less than 1,000 feet add set-up charge of flat $5.00.

TABLE 3—SITKA SPRUCE PLANK AND SMALL TIMBERS

Green rough or 848 A. L. S. R/L	No. 1				Select merchantable par. 594			
	8′ to 20′	22′ to 24′	26′ to 32′	34′ to 40′	8′ to 20′	22′ to 24′	26′ to 32′	34′ to 40′
1 x 3	$35.00	$37.50	$40.50	$45.50	$39.00	$41.50	$43.50	$49.50
1 x 4	33.50	36.50	39.50	43.50	37.50	40.50	42.50	46.50
1 x 6 and 1 x 8	32.00	34.00	35.50	38.00	36.00	38.00	39.50	42.50
1 x 10 and 1 x 12	31.50	33.50	35.00	37.50	34.50	36.50	38.00	40.50
4 x 4	33.00	35.00	37.00	40.50	37.00	39.00	41.00	44.50
4 x 6 and 4 x 8	32.00	34.00	35.50	38.50	36.00	38.00	39.50	42.50
4 x 10 and 4 x 12	31.50	33.50	35.00	38.00	34.50	36.50	38.00[1]	41.00

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE

(See section 15 (b))

Grade differentials:
1. For scaffold plank 9″ and wider paragraph 598: Add $18.00 to No. 1 price for same width and length.
2. For No. 1 permitting up to 15% of No. 2: Deduct $0.50 from No. 1 price of the same width and length.
3. For No. 2: Deduct $4.00 from No. 1 price of the same width and length.
4. For No. 3: Deduct $7.00 from No. 1 price of the same width and length.
5. No. 4 AW-AL dry or green, $15.00, green weight, green; dry weight, dry.

Condition:
6. For dry: Add $10.00 to the green price of the same grade, size and length.

or

Lengths:
7. For specified lengths up to 40′: Select merchantable add $2.00; other grades add $1.00 per M feet to the length group price in which the specified length falls.
8. Longer lengths than listed: For specified lengths 41′ to 50′ add $1.00 per foot to the specified 40′ price, 51′ to 70′ add $2.00 per foot to the 50′ specified length price. 71′ and longer add $3.00 per foot to the 70′ specified length price.
9. For odd or fractional lengths: Add $1.00 to, and compute footage on the next longer even length.
10. For omitting short lengths in R/L loading add to the R/L price of the same size and grade:
6′ and 8′ and/or 10′ $0.50
12′ and shorter 1.00
14′ and shorter at specified length price.
11. For omitting lengths longer than 20′ within a R/L group add to the R/L group price:
Omitting 1 length $0.50
Omitting 2 lengths 1.00
Omitting 3 lengths charge specified length price of the lengths shipped.
12. Random or restricted random lengths covering more than one price bracket, price the lengths falling within each bracket at the respective bracket prices.

Widths:
13. Widths wider than listed: Add $1.00 for each additional 2″ to the widest listed width. This applies only to thickness less than 6 inches. For 6 inches and thicker and wider than listed use prices covered by timber schedule.

Thickness:
14. For odd or fractional thickness and/or widths not covered: Add maximum of $3.00 to the next less listed size for one or both conditions. Compute footage on actual rough size.

Working charges:
15. For surfacing ¼″ scant in width: Add $1.00 to the price of the same grade, width and length.
16. Shiplap, T & G, grooved for splines: 3″ add $3.00; 4″ add $4.00; 6″ & thicker add $5.00 to the surfaced price.
17. For outgauged: Add $3.50 to the surfaced price.
18. For diagonal or taper resawing: Add $5.00.

Log cabin siding:
19. Add $6.00 to respective grade, size and seasoning. Machine droppings up to 15% may be included at a reduction of $5.00. For less than 1000 feet add set-up charge of flat $5.00.

TABLE 4—SITKA SPRUCE TIMBERS

Green rough R/L	No. 1			Select merchantable Par. 594		
	8′ to 20′	22′ to 30′	32′ to 40′	8′ to 20′	22′ to 30′	32′ to 40′
4 x 6 & 6 x 8	$31.50	$34.00	$35.00	$35.50	$38.00	$41.00
4 x 10 & 6 x 12	29.50	30.50	31.00	31.50	32.50	33.00
8 x 8	31.50	34.00	34.50	35.50	37.50	40.50
8 x 10 & 8 x 12	29.50	30.50	31.00	31.50	32.50	33.00
10 x 10 & 10 x 12	29.50	31.50	30.50	31.50	33.50	34.00
12 x 12	29.50	31.50	30.50	31.50	33.50	34.00
8 x 14 & 8 x 14	30.00	32.00	31.00	33.00	35.00	35.50
8 x 16 & 8 x 16	31.75	33.75	32.75	34.75	37.75	37.25
8 x 18 & 8 x 18	34.00	36.00	35.00	37.00	40.00	39.50
10 x 14 & 12 x 16	29.50	31.50	30.50	32.50	35.50	35.00
10 x 16	31.50	33.50	33.50	34.50	37.50	37.00
10 x 18	33.75	35.75	34.75	36.75	39.75	39.25
12 x 14 & 14 x 14	30.00	32.00	31.00	33.00	35.00	35.50
12 x 16 & 16 x 16	29.50	31.50	30.50	32.50	35.50	35.00

ADDITIONS AND DEDUCTIONS PER 1.000 FEET BOARD MEASURE

(See section 15 (b))

Grade differentials:
1. For No. 1 permitting up to 15% of No. 2: Deduct $0.50 from the No. 1 price of the same width and length.
2. For No. 2: Deduct $5.00 from the No. 1 price of the same width and length.
3. For No. 3: Deduct $10.00 from the No. 1 price of the same width and length.

Lengths:
4. For specified lengths: In select merchantable add $2.00, other grades add $1.00 to the length group price in which the specified length falls.
5. For lengths longer than listed: Specified lengths 41′ to 50′ add $1.00 per foot to the 40′ specified length price; 51′ to 70′ add $2.00 per foot to the 50′ specified length price; 71′ and longer, add $3.00 per foot to the 70′ specified length price.
6. Specified odd or fractional lengths: Add $1.00 to, and compute footage on next longer even length.
7. Random or restricted random lengths covering more than one price bracket, price the lengths falling within each bracket at the respective bracket prices.

Width:
8. For widths wider than listed up to and including 24″: Add $1.00 for each additional 2″ to widest listed width of the same grade, thickness and length; wider than 24″: Add $2.00 for each additional 2″ to the 24″ price of the same grade, thickness and length.
9. Odd or fractional widths or odd or fractional thicknesses or both: Add $1.80 to next less even size. Compute footage on actual rough measure.

Thickness:
10. For thicker than listed sizes up to and including 24″: Add $1.00 for each additional 2″ to thickest listed size of the same grade, width and length; thicker than 24″ add $2.00 for each additional 2″ to 24″ price of the same grade width and length.

Working charges:
11. For surfacing, add to rough prices:
6″ x 6″ to 12 x 12″ A. L. S. ..... No addition
6″ x 8″ to 12 x 12″ ¾″ off $1.00
6″ x 14″ to 16 x 16″, A. L. S. 2.00
6″ x 14″ to 16 x 16″, ¾″ off 3.00
Thicker than 16″ or wider than 20″ A. L. S. 5.00
Thicker than 16″ or wider than 20″, ¾″ off 6.00
12. For surfacing lengths longer than 40 feet, add $0.25 per lineal foot to 40 foot price.

TABLE 5—SITKA SPRUCE FINISH AND CLEARS

R/L rough dry	B and better		C		D	
	V. G.	F. G.	V. G.	F. G.	V. G.	F. G.
1 x 2″	$65	$60	$55	$50	$45	$40
1 x 3″	70	65	60	55	50	45
1 x 4″	65	60	55	50	45	40
1 x 5″	78	73	68	63	58	53
1 x 6″	74	69	64	59	54	49
1 x 8″	78	73	68	63	58	53
1 x 10″	83	78	73	68	63	53
1 x 12″	93	83	83	73	73	63
4″ and wider	78	69	68	59	58	49
6″ and wider	78	70	68	60	58	50
5/4, 6/4 and 8/4 x 2″	67	62	57	52	47	42
5/4, 6/4 and 8/4 x 3″	72	67	62	57	52	47
5/4, 6/4 and 8/4 x 4″	67	62	57	52	47	42
5/4, 6/4 and 8/4 x 5″	80	75	70	65	60	55
5/4, 6/4 and 8/4 x 6″	76	71	66	61	56	51
5/4, 6/4 and 8/4 x 8″	80	75	70	65	60	55
5/4, 6/4 and 8/4 x 10″	85	75	75	65	65	55
5/4, 6/4 and 8/4 x 12″	97	87	87	77	77	67
4″ and wider	77	71	67	61	57	51
6″ and wider	80	72	70	62	60	52

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE

(See Section 15 (b))

Condition:
1. Green: Deduct $10.00 from the dry price.

Lengths:
2. Random lengths as set forth in standard grading and dressing rules No. 12, paragraph 30.
3. Specified lengths, add to R/L price:
Less than 14′ ..... No addition
14′, 16′, 18′ or 20′ $5.00
22′ or 24′ 12.00
26′, 28′, 30′ or 32′ 15.00
34′, 36′, 38′ or 40′ 26.00
4. Odd or fractional lengths not listed: Price and compute footage on next longer even specified length.
5. Omitting short lengths in R/L loading add to R/L price of the same size and grade:
5′ and shorter $0.50
7′ and shorter ..... .75
9′ and shorter 1.00
10′ and shorter 2.00
12′ and shorter 4.00
6. Restricted random lengths, add to R/L price of the same size and grade:
22′ to 30′ $10.00
32′ to 40′ 20.00
7. Random or restricted random lengths where an average length is required, add to R/L prices as follows:
For average 14′ and under, no addition.
For average 16′, 18′ or 20′ add $5.00.
For average longer than 20′, use specified length price of length specified as an average. No addition may be made under footnote 5.
8. For surplus shorts in excess of percentages permitted in random length loading, deduct from R/L price:
5′ and shorter $30.00
6′ to 9′ 20.00

Widths:
9. Specified widths wider than listed add to the price of the same size and grade.
V. G. add $10.00 for each 2″ wider than 12″.
F. G. add $5.00 for each 2″ wider than 12″.
10. Odd or fractional widths add $2.00 to price of and compute footage on next wider width listed.

Thickness:
11. For fractional thickness between 2″ and 3″: add $5.00 to price for 8/4 of same size, grade, condition and grain specification.
12. Odd and/or fractional thickness not listed: add $5.00 to price of next less listed size.

Working charges:
13. Standard surfacing: add $2.00 to rough price same size and grade.
14. Sanding: add $10.00.
15. Log cabin siding, nosing or other special patterns not covered: add $5.00 to surfaced price same length, grade and size.
16. T. and G., S2S and CM: add $1.00 to surfaced price.

Miscellaneous:
17. Door stock (i. e. graded from poor side): add $4.00.
18. Nosed stepping: add $7.00.
19. Tank and pipe stave stock: add $4.00.
20. Cut stock: Special cut-up stock cut to specified sizes, use R/L price of grade specified.
21. Shims rough or surfaced 8/16″ or 4/16″ thick deduct $10.00; 2/16″ or 3/16″, deduct $12.00.
22. Mast and spar stock containing at least five annual rings per inch, slope of grain not exceeding 1″ in 10″, free of heart centers and of good texture: add $25.00 to price of B and better.
23. Selected B and better eliminating severe cross, curly and coarse grain and otherwise suitable for ordinary ladder construction: add $15.00 to price of B and better.

TABLE 6—SITKA SPRUCE HEAVY CLEARS—ROUGH GREEN

B and better R/L	6′ to 20′		22′ to 30′		32′ to 40′	
	V. G.	F. G.	V. G.	F. G.	V. G.	F. G.
3″ and 4″ x 3″ and 4″	$59	$54	$73	$66	$84	$74
3″ and 4″ x 6″	68	63	82	75	93	83
3″ and 4″ x 8″	70	65	84	77	95	85
3″ and 4″ x 10″	80	70	94	82	105	90
3″ and 4″ x 12″	94	82	108	94	119	102
5″ x 5″ to 8″ x 12″	80	70	94	82	105	90
9″ x 9″ to 12″ x 12″	87	77	101	89	112	97
3″ and thicker 4″ and wider	75	65	87	77	95	85

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE

(See section 15 (b))

Grade differentials:
1. "C": Deduct $10.00 from "B and better".
2. "D": Deduct $10.00 from "C".
3. Turning squares: Add $5.00 to the B and Better price.
4. For mast and spar stock containing at least five annual rings per inch, slope of grain not exceeding 1″ in 10″, free from heart centers, and of good texture: Add $75.00 to the price of B and Better.

Condition:
5. Dry: Add to green price:
8/" and 4/" thickness:
6' to 20'..... $10.00
22' to 30'..... 15.00
32' to 40'..... 20.00
6/" thickness:
6' to 20'..... 15.00
22' to 30'..... 20.00
32' to 40'..... 25.00
8/" and thicker:
6' to 20'..... 20.00
22' to 30'..... 25.00
32' to 40'..... 30.00

Lengths:
6. Specified lengths, add to R. L. price:
6' to 20'..... 3.00
22' to 30'..... 5.00
32' to 40'..... 7.50
7. Shorts in any quantity, when specified or shipped with buyer's approval, deduct from 6/20' price as follows:
8' and shorter..... 30.00
6' to 9'..... 20.00
8. Random or restricted random lengths covering more than one price bracket, price the lengths falling within each bracket at the respective bracket prices.
9. Odd and fractional lengths not listed: Use same price as and compute footage on next longer even specified length.
10. Longer than 40 feet: Add $5.00 for each 2 feet to 40 foot specified length price.

Widths:
11. Wider than listed:
V. G. add $10.00 for each 2/" wider than 12/" to V. G. 12/" price.
F. G. add $5.00 for each 2/" wider than 12/" to F. G. 12/" price.
12. Odd, and/or fractional: Price and compute footage on next wider listed width.

Thickness:
13. Odd and/or fractional thickness not listed: add $5.00 to price of next less listed size.

Working charges:
14. Surfacing S2S or S4S ALS.
Dry: Add $3.00 to rough price.
Green: Add $2.00 to rough price.
15. Workings not provided for: Add $5.00 to rough price.

Miscellaneous:
16. Cutstock: Special cut-up stock to specified sizes, use R/L price of grade specified.

TABLE 7—SITKA SPRUCE LADDER STOCK, PARAGRAPH 582

Rough R/L odd and even 10' to 20'	Green M.G.	Dry M.G.	Green V.G.	Dry V.G.
4/4 and 5/4 x 3/" and wider	$100	$110	$110	$120
6/4 and 8/4 x 3/" and wider	110	120	120	130

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE
(See Section 15 (b))

Lengths:
1. Specified lengths. 10 to 20 feet: add $8.00 to 10' to 20' price.
2. Shorts, in any quantity, when specified or when shipped with buyer's approval, deduct from 10/20' prices as follows:
8' and shorter, 50% of 10/20' price.
6' to 9' 33⅓% of 10/20' price.
3. Restricted random lengths over 20', add to 10/20' price; 22' to 30': $15.00, 32' to 40', $30.00.

Widths:
4. Specified widths. Even and 3/" and 6/" widths: Add $5.00.
5. Odd (other than 3/" and 5/"); and fractional widths: Add $10.00.
6. Widths less than 3/" including pruner-pole stock, deduct $15.00.

Thickness:
7. Fractional thicknesses: add $5.00 to 5/4 price.
8. Full inch: Same as 4/4 price.

Working charges:
9. Surfaced: Add $5.00 to rough price.

TABLE 8—SITKA SPRUCE SHOP

Rough F. G. and/or M. G. R/W and R/L	4/4 x 5 and wider		5/4, 6/4 and 8/4 x 5 and wider		10/4 and 12/4 x 5 and wider	
	Green	Dry	Green	Dry	Green	Dry
For straight grade of:						
Select	$38	$48	$49	$57	$54	$62
No. 1	32	42	36	44	41	49
No. 2	26	30	25	34	31	39
No. 3	18	24	20	28	25	33

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE
(See Section 15 (b))

Grade differentials:
1. Basket spruce and other special grades that contain preponderance of shop cuttings shall be priced on a basis of not more than 5/4 No. 1 green shop.
2. 4/4 shop when shipped in two or more mixed grades; each grade to be tallied and invoiced separately: Deduct $2.00 from price of straight grades.
3. 5/4 and thicker when shipped in mixed grades deduct from the straight grade price as follows: Specified No. 1 and select only, $2.50 from select price and and $1.00 from No. 1 price. If additional grades are included in a shipment other than No. 1 or select deduct $5.00 from the select price and $2.00 from the price of the other grades shipped. Each grade to be tallied and invoiced separately.

Lengths:
4. Standard lengths: 4/4 are 4' and longer, not over 25% 8' and shorter; 5/4 and thicker, 6' and longer, not over 25% 8' and shorter.

Widths:
5. Specified widths: Add $2.00 to R/W and R./L. price.

Working charges:
6. Surfaced: Add $2.00 to rough price.

Miscellaneous:
7. If rough shop is ordered 1/4/" thicker than standard compute footage on actual measure.
8. 3/" and 4/" may be included when specifically ordered by the buyer. The narrow widths must be graded the full width and cutting lengths in accordance with the Standard Grading and Dressing Rules No. 12.
9. When specified all V. G. add $5.00.

TABLE 9—SITKA SPRUCE BOX

4/4 and thicker R/W and R/L rough dry:	
No. 1	$27.50
No. 2	22.50
No. 3	20.50
*Mixed grades	25.50

*(Minimum 65% No. 1, maximum 10% No. 3, balance No. 2)

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE
(See Section 15 (b))

Condition:
1. Green: deduct 10% from rough dry price.

Widths:
2. Specified widths add to the random widths price:
8/" and under; no addition.
10/" and 12/"; $1.00
14/" and wider; $2.00

Thickness:
3. Less than 4/4, price of 4/4 but compute on net size.

Working charges:
4. Surfaced S2S; add $1.00 to rough price.

TABLE 10—SITKA SPRUCE FLOORING

R/L dry	B and better	C	D	E
1 x 3/" and 1 x 4/" V. G	$66	$59	$47	----
1 x 3/" and 1 x 4/" F. G	51	47	40	$25
1 x 6/" V. G	73	64	----	----
1 x 6/" and 1 x 8/" F. G	56	52	42	27
5/4 x 3/" V. G	68	61	----	----
5/4 x 3/" F. G	53	49	39	----
5/4 x 4/" V. G	68	61	----	----
6/4 x 4/" F. G	53	49	39	----
8/8 x 4/" F. G	43	39	30	20

ADDITIONS AND DEDUCTIONS PER 1000 FEET BOARD MEASURE
(See section 15 (b))

Lengths:
1. Random lengths as set forth in Standard Grading and Dressing Rules No. 12, paragraph 30.
2. Omitting short lengths in R/L loading add to R/L price of the same size and grade.
5' and shorter..... $0.50
7' and shorter..... 1.00
9' and shorter..... 2.00
10' and shorter..... 3.00
12' and shorter..... 4.00
3. Specifying lengths add to R/L price of the same size and grade, 12' and shorter, no addition except $2.00 for 1 x 4/" and 5/4 x 4/"—12' in B and better and "C" V. G. or F. G.
14'..... $3.00
16', 18' and/or 20'..... 5.00
4. Short lengths in any quantity in excess of percentage permitted in random lengths loading, when specified, or shipped with buyer's approval, deduct from R/L price:
B and better and C 4' and 5'..... $15.00
D 4' and 5'..... 10.00
B and better and C 6' and 7'..... 5.00
D 6' and 7'..... 5.00

Working charges:
5. For square edge B and better and "C" worked to the same overall size as standard flooring, add $2.00 to the T & G price of the same size and grade. To include up to 20% "C" deduct $3.00 from the B and better price of the same size. Weight 200 pounds more than flooring of the same size.

Miscellaneous:
6. For clear all heart V. G. add $5.00 to the B and better price of the same size.

TABLE 11—SITKA SPRUCE DROP SIDING, ALL PATTERNS, RUSTIC SIDING AND SHIPLAP

R/L dry	B and better	C	D	E
1 x 4/"	$50	$46	$39	$22
5/4 x 6/"	51	47	36	22
1 x 6/"	56	52	42	27
1 x 8/"	59	54	45	30

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE
(See Section 15 (b))

Grain:
1. For V. G. add $10.00 to same grade and size.

Lengths:
2. Random lengths as set forth in Standard Grading and Dressing Rules No. 12, paragraph 30.
3. Omitting short lengths in R/L loading add to R/L price of the same size and grade.
5' and shorter..... $0.50
7' and shorter..... 1.00
9' and shorter..... 2.00
10' and shorter..... 3.00
12' and shorter..... 4.00
4. Specifying lengths add to R/L price of the same size and grade.
12' and shorter..... No addition
14'..... $3.00
16', 18' and/or 20'..... 5.00
5. Short lengths in any quantity in excess of percentage permitted in random lengths loading, when specified, or when shipped with buyer's approval, deduct from R/L price:
B and better and C 4' and 5'..... $15.00
D 4' and 5'..... 10.00
B and better and C 6' and 7'..... 5.00
D 6' and 7'..... 5.00

TABLE 12—SITKA SPRUCE CEILING—ALL PATTERNS

R/L dry	B and better	C	D	E
1/2 x 4/"	$43	$39	$30	----
5/8 x 4/"	43	39	30	$22
5/8 x 6/"	51	47	38	22
1 x 4/"	51	47	40	27
1 x 6/"	56	52	42	27

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE
(See Section 15 (b))

Grain:
1. No addition for grain specifications.

Lengths:
2. Random lengths as set forth in standard grading and dressing rules No. 12, paragraph 30.
3. Omitting short lengths in R/L loading add to R/L price of the same size and grade:
5' and shorter..... $0.50
7' and shorter..... 1.00
9' and shorter..... 2.00
10' and shorter..... 3.00
12' and shorter..... 4.00
4. Specifying lengths add to R/L price of the same size and grade:
12' and shorter..... No addition
14'..... $3.00
16', 18', and/or 20'..... 5.00
5. Short lengths in any quantity in excess of percentage permitted in random lengths loading, when specified, or when shipped with buyers approval, deduct from R/L price.
B & better and C 4' and 5'..... $15.00
D 4' and 5'..... 10.00
B & better and C 6' and 7'..... 5.00
D 6' and 7'..... 5.00

TABLE 13—SITKA SPRUCE CASING AND BASE, ALL PATTERNS

R/L dry S4S and R. E.	B and better V. G.	B and better F. G.	C
1 x 3/"	$74	$64	$60
1 x 4/"	70	58	53
1 x 5/"	78	66	60
1 x 6/"	73	62	57
1 x 8/"	74	62	57
1 x 10/"	80	66	61
1 x 12/"	85	68	61

5/4/" casing and base same price as inch.

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE
(See section 15 (b))

Lengths:
1. Random lengths as set forth in Standard Grading and Dressing Rules No. 12, paragraph 30.
2. Omitting short lengths in R/L loading add to R/L price of the same size and grade:
5' and shorter..... $0.50
7' and shorter..... 1.00
9' and shorter..... 2.00
10' and shorter..... 3.00
12' and shorter..... 4.00
3. Specifying lengths add to R/L price of the same size and grade:
12' and shorter. No addition except $5.00 addition to random lengths price on 7' and/or 10' of the same grade and size in casing only.
14'..... $5.00
16', 18', and/or 20'..... 5.00
4. Specified fractional and odd lengths not listed: add $3.00 to the price of, and compute on the next longer listed length, of the same size and grade.

Widths:
5. Fractional and odd widths not listed; same price as next wider listed width, footage computed on and using weight for next wider listed width.
6. Wider than 12/"; for V. G. add $5.00 to 12/" price for each additional 2/"; for F. G. add $2.50 to 12/" price for each additional 2/".

Working charges:
7. Sanding add $10.00.
8. For less than 2M/ board measure add set-up charge of flat $3.00 for casing only.

TABLE 14—SITKA SPRUCE BEVEL SIDING

R/L dry regular loading and bundling	A (VG)	B	C
1/2 x 4	$34	$31	$26
1/2 x 5	43	40	35
1/2 x 6	43	39	29
1/2 x 8	52	49	39

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE
(See section 15 (b))

Lengths:
1. Surplus shorts—deduct from R/L price:
3' to 5'..... $10.00
6' to 9'..... 5.00
2. Random lengths, regular loading and bundling as set forth in Standard Grading and Dressing Rules No. 12, Paragraph No. 543.

TABLE 15—SITKA SPRUCE BUNGALOW SIDING

R/L dry regular loading and bundling	B and better	C
3/4 x 8	$61	$51
3/4 x 10	63	53
3/4 x 12	70	60

ADDITIONS AND DEDUCTIONS PER 1,000 FEET BOARD MEASURE
(See section 15 (b))

Grain:
1. V. G. 3/4 x 8..... Add $3.00
2. V. G. 3/4 x 10..... Add $6.00
3. V. G. 3/4 x 12..... Add $6.00

Lengths:
4. Regular loading and bundling as set forth in standard grading and dressing rules No. 12, paragraph 540.
5. Surplus shorts, deduct from R/L price:
3' to 5'..... $10.00
6' to 9'..... 5.00

TABLE 16—SITKA SPRUCE LATH AND SHINGLE BANDS

Green or dry, per M pieces	1/2/" fence	No. 1	No. 2
4' lath	$6.25	$5.00	$4.00

Shingle bands 3/4/" x 1 1/2/" x 19 1/2/" $5.00

SECTION 22—GENERAL NOTES
Applicable to entire appendix

1. All grade, size and paragraph references in this regulation refer to standard grading and dressing rules No. 12 issued by the West Coast Lumbermen's Association effective March 1, 1943.
2. All prices are based on 1,000 feet board measure, except lath. No lumber is sold in less than 1/" count.
3. For bundling: Add $1, tables 1 and 2 only.
4. Ripping and/or resawing not otherwise provided: Add $1 per M; diagonal or tapered add $5.00 per M.
5. Shims are boards too thin to be surfaced to standard thickness. They may be surfaced "hit or miss" to 1 1/4/", 5/8/", 7/16/", 1/2/" or 7/16/" or may be sold rough if full thickness.

ARTICLE VI—TABLE OF ESTIMATED WEIGHTS

Permitted estimated weights. The following estimated weights for dry lumber may be used in computing freight charges even though higher than actual weights. When shipped with a moisture content greater than 19%, the estimated green weights may be used in quoting a delivered price, even though higher than actual weights.

SITKA SPRUCE WEIGHT SCHEDULE

Flooring	Finished thickness	Weight per MBM dry, lbs.
1 x 3 & 4/"	25/32/"	1,800
1 x 6/"	25/32/"	1,900
3/4 x 3 & 4/"	13/16/"	2,000
5/8 x 4/"	9/16/"	1,400

Square edge flooring—Add 200 lb.

Ceiling, all patterns	Finished thickness	Weight per MBM dry, lbs.
1/2 x 4/"	7/16/"	1,000
5/8 x 4/"	9/16/"	1,200
5/8 x 6/"	9/16/"	1,300
1 x 4/"	13/16/"	1,800
1 x 6/"	23/32/"	1,700

Ceiling worked 25/32/" net—deduct 100 lbs. from flooring wt.

Drop siding, rustic, clear shiplap	Finished thickness	Weight per MBM dry, lbs.
1 x 4/", pat. 119, 121	3/4/"	1,300
1 x 4/", pat. 120, 122	3/4/"	1,400
1 x 4/", pat. 106	3/4/"	1,500
5/8 x 6/", pat. 105, 106, 115, 117, and rustic	9/16/"	1,300
1 x 6/", pat. 107, 113, 115, 117, 124	3/4/"	1,500
1 x 6/", pat. 103, 108, 111, 114, 118	3/4/"	1,600
1 x 6/", pat. 101, 104, 105, 106, 112, and rustic	3/4/"	1,700
1 x 6/", pat. 102, 109, 110, 116, and V rustic	3/4/"	1,800
1 x 8/", pat. 116, and shiplap	3/4/"	1,900

8/" width—Add 100 lb. to 6/" pat.

Stepping	Finished thickness	Weight per MBM dry, lbs.
5/4 x 10 & 12/"	1 1/16/"	2,200
6/4 x 10 & 12/"	1 5/16/"	2,300

Clears and ship decking	Weight MBM dry S4S std., lbs.	Weight MBM green S4S std., lbs.
1 x 2/"	1,700	2,200
1 x 3 & 4/"	1,800	2,400
1 x 5/" & wider	1,900	2,600
1 1/4/" x 2/"	1,900	2,400
1 1/4/" x 3 & 4/"	2,000	2,600
1 1/4/" x 5/" & wider	2,100	2,800
1 1/2/" x 2/"	2,000	2,500
1 1/2/" x 3 & 4/"	2,100	2,700
1 1/2/" x 5/" & wider	2,200	2,900
2 x 2/"	1,800	2,300
2 x 3 & 4/"	1,900	2,500
2 x 5/" & wider	2,000	2,700
3 x 3 & 3 x 4/"	2,400	2,700
3 x 5, 3 x 6, & 3 x 8/"	2,500	2,800
3 x 10, & 3 x 12/"	2,600	2,900
4 x 4, 4 x 5, 4 x 6, & 4 x 8/"	2,600	2,900
4 x 10, & 4 x 12/"	2,700	3,000
6 x 6/"	2,700	3,000
6 x 8/"	2,800	3,100
6 x 10/"	2,800	3,100
6 x 12/"	2,800	3,100
8 x 8/"	2,800	3,100
8 x 10/"	2,900	3,200
8 x 12/"	2,900	3,200
10 x 10/"	2,900	3,200
10 x 12/"	2,900	3,200
12 x 12/"	3,000	3,300

S. L. or S2S & M, deduct 100 pounds.

SITKA SPRUCE WEIGHT SCHEDULE—Continued

Clears	Weight MBM dry S1S only lbs.	Weight MBM green S1S or S2S only lbs.
1/" surf. to 7/8/"	1,200	1,550
1/" surf. to 1/4/"	1,300	1,750
1/" surf. to 9/16/"	1,500	2,000
1/" surf. to 5/8/"	1,700	2,200
1/" surf. to 11/16/"	1,900	2,400
1/" surf to 3/4/"	2,000	2,650
1/" surf. to 25/32/"	2,100	2,750
1/" surf. to 13/16/"	2,200	2,850
1 1/4/" surf. to 1 1/16/"	2,300	3,000
1 3/8/" surf. to 1 5/32/"	2,250	2,950
1 1/2/" surf. to 1 9/16/"	2,350	3,100
1 5/8/" surf. to 1 13/32/"	2,350	3,050
2/" surf. to 1 3/4/"	2,200	2,850
2/" surf. to 1 23/32/"	2,400	3,150
2 1/4/" surf. to 1 7/8/"	2,250	2,950
2 1/2/" surf. to 2 1/8/"	2,300	3,000
2 3/4/" surf. to 2 3/8/"	2,350	3,050
3/" surf. to 2 5/8/"	2,750	3,050
4/" surf. to 3 5/8/"	2,900	3,200

Casing and base	Finished thickness	Weight per MBM dry, lbs.
1 x 3 to 12/"	25/32/"	1,900
5/4 x 4, 5, 6, and 8/"	9/16/"	1,600

Bevel and bungalow siding	Finished thickness	Weight per MBM dry, lbs.
1/2/" x 4/" and 6/"	1/2/" x 3 5/16/"	800
3/4/" x 8/" and 10/"	3/4/" x 3 5/16/"	1,100

Lath and shingle bands	Weight per M pcs. green lbs.	Weight Per M pcs. dry lbs.
4' Lath	750	500
4' fence lath	1,050	800
3/4/" x 1 1/2/" x 19 1/2/" shingle bands	600	450

Box and factory lumber	Weight MBM S2S dry, lbs.	Weight MBM rough	
		Dry, lbs.	Green, lbs.
4/4 x 5 and wider	1 5/16/", 2,000	2,800	3,500
5/4 x 5 and wider	1 13/16/", 2,200	2,800	3,500
6/4 x 5 and wider	1 13/16/", 2,300	2,800	3,500
8/4 x 5 and wider	1 23/32/", 2,400	2,800	3,500
10/4 x 5 and wider	2 9/32/", 2,500	2,900	3,500
12/4 x 5 and wider	2 3/4/", 2,500	2,900	3,500

Log cabin siding	Clear or common	
	Weight per MBM dry, lbs.	Weight per MBM green, lbs.
2/"	1,700	2,000
3/"	2,000	2,300

Boards and shiplap	Finished thickness	Weight per MBM dry, lbs.	Weight per MBM green, lbs.
4/4 x 2 and wider rough or S1E		2,800	3,300
5/4, 6/4 x 2 and wider rough or S1E		2,800	3,300
5/4 and 6/4 S1S or S2S		2,400	2,800
1 x 2/" S4S	25/32/"	1,800	2,200
1 x 3 and 4/" S4S	25/32/"	2,000	2,400
1 x 6/" and wider S4S	25/32/"	2,100	2,500
S1S or S2S		2,200	2,600

5/4 and 6/4 S4S standard—Add 200 lbs. to weight of 1/" of same width.
S/L—D and M or C. M.—100 lbs. less than S4S.
Surfaced to 3/4/"—100 lbs. less than 25/32/".
Surfaced to 13/16/"—add 100 lbs. to 25/32/".

SITKA SPRUCE WEIGHT SCHEDULE—Continued

Dimension, plank and small timbers	Weight MBM 848 standard		Weight MBM CM and 818 or 828 standard	
	Dry	Green	Dry	Green
2 x 2"	1,900	2,200		
2 x 3"	2,000	2,400		
2 x 4"	2,100	2,400	1,800	2,150
2 x 6"	2,150	2,550	1,980	2,300
2 x 8"	2,150	2,550	2,000	2,400
2 x 10"	2,200	2,600	2,080	2,450
2 x 12"	2,200	2,600	2,050	2,500
3 x 3"	2,300	2,600		
3 x 4"	2,300	2,600	1,950	2,250
3 x 6"	2,500	2,800	2,220	2,400
3 x 8"	2,500	2,800	2,300	2,600
3 x 10"	2,500	2,800	2,350	2,650
3 x 12"	2,600	2,800	2,400	2,700
4 x 4"	2,400	2,700		
4 x 6"	2,500	2,800	2,300	2,600
4 x 8"	2,500	2,800	2,400	2,700
4 x 10"	2,600	2,900	2,450	2,750
4 x 12"	2,600	2,900	2,500	2,800
5 x 5"	2,600	2,900		
5 x 6"	2,600	2,900	2,350	2,650
5 x 8"	2,600	2,900	2,450	2,750
5 x 10"	2,600	2,900	2,500	2,800
5 x 12"	2,600	2,900	2,550	2,850

	Weight MBM S1S or S4S standard green, lbs.
Timbers:	
6 x 6 to 6 x 16"	2,900
6 x 18 to 6 x 24"	3,000
8 x 8 to 8 x 16"	3,000
8 x 18 to 8 x 24"	3,100
10 x 10 to 10 x 16"	3,000
10 x 18 to 10 x 24"	3,100
12 x 12 to 12 x 24"	3,100
14 x 14 to 14 x 24"	3,100
16 x 16 to 16 x 24"	3,100
18 x 18 to 18 x 24"	3,200
20 x 20 to 20 x 24"	3,200
22 x 22 to 22 x 24"	3,200
24 x 24"	3,200
Rough green	3,300

Dimension, surfaced:	*Weight MBM S4S 1/4" off by indicated width green*
2 x 2"—¼" off each way	2,500
2 x 3"—¼" off each way	2,650
2 x 4"—¼" off each way	2,750
2 x 6"—¼" off each way	2,800
2 x 8"—¼" off each way	2,850
2 x 8"—¼" off by ½" off in width	2,750
2 x 10"—¼" off each way	2,850
2 x 10"—¼" off by ½" off in width	2,750
2 x 12"—¼" off each way	2,850
2 x 12"—¼" off by ½" off in width	2,800

Plank and timbers surfaced:	*Weight MBM green, 1/4" off each way*
3 x 3	2,800
3 x 4	2,850
3 x 6, 3 x 8, and 3 x 10	2,950
3 x 12	3,000
4 x 4	2,950
4 x 6	3,000
4 x 8, 4 x 10, and 4 x 12	3,050
6 x 6	3,050
6 x 8 and 6 x 10	3,100
6 x 12	3,150
8 x 8, 8 x 10, and 8 x 12	3,150
10 x 10, and 10 x 12	3,150
12 x 12	3,200

SHIPPING WEIGHT FORMULA FOR SIZES NOT LISTED

Where surfacing is specified other than standard or where weights are not provided in this list, weight is to be computed by applying the following weights, and deducting the equivalent to the percentage of difference between the rough and surfaced size, breaking on the next greater 50 pounds.

	Pounds
Rough green clears	3,500
Rough dry 1" clears	2,700
Rough dry, clears over 1" and under 3" in thickness	2,800
Rough dry, clears 3" and thicker deduct 200 lbs. from corresponding green weight.	
Rough green, all other grades	3,300
Rough dry, all other grades under 3" in thickness	2,800
Rough or surfaced dry 3" and over in thickness, deduct 200 lbs. from corresponding green weight.	

Geographical applicability. This regulation applies in the 48 states of the United States and the District of Columbia.

This revised regulation shall become effective May 31, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7589; Filed, May 26, 1944; 11:47 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5F,[1] Amdt. 10]

MILEAGE RATIONING: GASOLINE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5F is amended in the following respects:

1. The table for motorcycles in Table III of section 6.5 (a) is amended to read as follows:

MOTORCYCLES

Allowed mileage:	*Number of coupons to be issued in official or Fleet Class D book*
0–13	1
14–27	2
28–40	3
41–53	4
54–67	5
68–80	6
81–93	7
94–107	8
108–120	9
121–133	10
134–147	11
148–160	12
161–173	13
174–187	14
188–200	15
201–213	16
214–227	17
228–240	18
241–253	19
254–267	20
268–280	21
281–293	22
294–306	23
307–320	24
321–333	25
334–346	26
347–360	27
361–373	28
374–386	29
387–395	30

2. The words "and motorcycles" in the caption to Table IV of section 6.5 (a) are deleted.

3. The heading to the right hand column in Table IV of section 6.5 (a) is amended to read as follows:

Number of coupons in official or fleet class "C" book.

4. The following table for motorcycles is added to immediately follow the table for Passenger Automobiles in Table IV of section 6.5 (a) to read as follows:

MOTORCYCLES

Allowed Mileage:	*Number of coupons (Supplementary class "D" book)*
396–413	31
414–427	32
428–440	33
441–453	34
454–466	35
467–480	36
481–493	37
494–506	38
507–520	39
521–533	40
534–546	41
547–560	42
561–573	43
574–586	44
587–600	45
601–613	46
614–626	47
627–640	48

5. The second paragraph following the asterisk at the end of Table IV in section 6.5 (a) is deleted and the following paragraph inserted in lieu thereof:

In the event allowed mileage exceeds 960 miles for passenger automobiles, one additional coupon shall be issued for each 20 miles, or fraction thereof, of allowed mileage in excess of 960 miles. In the event allowed mileage exceeds 640 miles for motorcycles, one additional coupon shall be issued for each 13 miles, or fraction thereof, of allowed mileage in excess of 640 miles. Additional books may be issued if necessary to provide additional coupons.

6. Section 16.4 (c) is amended to read as follows:

(c) One (1) gallon of gasoline with respect to Class "D" book coupons issued on Form OPA R-529B, and Class "D" book coupons issued on Form OPA R-529A which have been stamped "S" for use with motorscooters. Class "D" book coupons issued on Form OPA R-529A which have not been stamped "S" shall continue to have a unit value of one and five-tenths (1.5) gallons of gasoline.

This amendment shall become effective as of May 15, 1944.

NOTE: All record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget as required by the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., E.O. 9125, 7 F.R. 562, Supp. Dir. 1-Q 7 F.R. 9121, General Order No. 48, 8 F.R. 2898)

Issued this 26th day of May 1944.

MELVIN C. ROBBINS,
Territorial Director,
Territory of Hawaii.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-7596; Filed, May 26, 1944; 11:54 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10742, 10757, 13126, 14155, 15985; 9 F.R. 2746, 3513, 4433, 4611, 4779.

PART 1418—TERRITORIES AND POSSESSIONS

[Restaurant MPR[1] 9-1 Amdt. 1]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN THE ISLAND OF OAHU, TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Restaurant Maximum Price Regulation 9-1 is amended in the following respects:

1. The title to Restaurant Maximum Price Regulation 9-1 is amended to read as follows: *Maximum Prices for Food and Drink Sold for Immediate Consumption in the Islands of Oahu, Maui and Hawaii, Territory of Hawaii.*

2. A new section 1a is added to read as follows:

SEC. 1a. *Modification of provisions for eating or drinking places in the Islands of Maui and Hawaii.* If you own or operate an eating or drinking place in the Islands of Maui and Hawaii you must comply with all provisions of this regulation, except that:

(a) In section 3 (a), you must substitute the date April 15, 1944 for the date January 10, 1944.

(b) In section 4 (b), you must substitute the date April 15, 1944 for the date January 10, 1944.

(c) In section 11, you must substitute the date April 30, 1944 for the date January 17, 1944.

(d) In section 12, you must substitute the date April 15, 1944 for the date January 10, 1944.

3. Section 21 is amended to read as follows:

SEC. 21. *Geographical application.* This regulation applies to the Islands of Oahu, Maui and Hawaii, Territory of Hawaii.

This amendment shall become effective as of April 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7598; Filed, May 26, 1944; 11:54 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 2478.

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 5—ADJUDICATION: DEPENDENTS' CLAIMS

DEFINITIONS OF RELATIONSHIP

§ 5.2502 *General Law.* For the purposes of the general law the following definitions of relationship shall govern in the adjudication of claims for death pension:

* * * * *

(b) *Child.* (1) (i) The term "child" shall mean a legitimate child under the age of sixteen. Children born before the marriage of their parents, if acknowledged by the father before or after the marriage, shall be deemed legitimate (section 4704 R.S.). State laws as to legitimacy are not applicable. (14 P. D. 428.) The payment of pension may be further continued after the age of sixteen to or for a child who was pensioned or entitled to pension in its own right or with the mother, if such child was insane, idiotic, or otherwise physically or mentally helpless at the date of attaining the age of sixteen years and the helpless condition exists at the date of filing claim. Payments of pension continue during the period of helplessness.

(ii) From and after April 1, 1944, pension may be allowed to a helpless child as defined in subparagraph (1) (i) of this paragraph regardless of his or her age at the time of death of the veteran or date of filing claim: *Provided*, That such person was insane, idiotic or otherwise physically or mentally helpless at the date of attaining the age of sixteen years and the helpless condition exists at the date of filing claim and, *Provided further*, That such person is unmarried. (Public No. 280, 78th Congress, Act of April 1, 1944) See § 5.2584. (May 27, 1944) [Public No. 280, 78th Congress]

* * * * *

COMMENCEMENT OF ORIGINAL AWARDS OF DEATH PENSION OR COMPENSATION

§ 5.2568 *General law.* Original awards of death pension under the general law (sections 4702 and 4707, Revised Statutes, as amended), as to service prior to April 21, 1898, shall commence:

* * * * *

(d) *Helpless children where entitlement arises solely by virtue of Public No. 280, 78th Congress.* Pension or additional pension payable to or for a helpless child within the purview of § 5.2502 (b) (1) (ii) shall commence (1) April 1, 1944, in those cases where the death of the veteran occurred prior to April 1, 1944, and an application was pending on that date or filed on or after that date and within one year following the date of death; (2) the day following the date of death where the death of the veteran occurred on or after April 1, 1944, and application is filed within one year following the date of death; (3) the date of filing application, if application is not filed within one year following the date of death, but in no event prior to April 1, 1944.

(e) *Dependent mothers and fathers.* Original awards of death pension shall commence the day following the date of the veteran's death, if claim is filed within one year from the date of death, otherwise from the date of filing of a formal application.

(f) No award under the general law for death resulting from service in the War with Spain, Boxer Rebellion, or Philippine Insurrection shall commence prior to March 28, 1934, under section 30, Title III, Public No. 141, 73d Congress (Act of March 28, 1934), or prior to August 13, 1935, under Public No. 269, 74th Congress (Act of August 13, 1935).

(g) For the purposes of the general law, as reenacted by the Act of March 28, 1934 (section 30, Title III, Public No. 141, 73d Congress) and the Act of August 13, 1935 (Public No. 269, 74th Congress), when claim was filed prior to August 5, 1939, the date of commencement shall be as prescribed in § 5.2568 (a) to (e). When claim is filed on or after August 5, 1939, the date of commencement shall be as prescribed in § 5.2572 (c). (May 27, 1944) [Public No. 280, 78th Congress]

§ 5.2570 *Service acts, Civil War.* Original awards of death pension under the Service Acts relating to the Civil War (Act of May 1, 1920, 41 Stat. 585; Act of July 3, 1926, 44 Stat. 806; Act of June 9, 1930, 46 Stat. 529) shall commence:

* * * * *

(b) *Children.* The date of filing formal application, except that if the widow is barred under the provisions of section 4706, Revised Statutes, or has forfeited title under the Act of August 7, 1882 (22 Stat. 345), pension shall commence from the date of last payment to the widow if payment of pension has been made to her: *Provided*, That where pension or additional pension is payable to or for a helpless child solely by virtue of the provisions of Public No. 280, 78th Congress (see § 5.2502 (b) (1) (ii), pension shall commence (1) April 1, 1944, where application was pending on that date; (2) date of filing application, if application is filed on or after April 1, 1944. (May 27, 1944) [Public No. 280, 78th Congress]

§ 5.2571 *Service act, Indian Wars.* Original awards of death pension under the Service Act relating to the Indian wars (Act of March 3, 1927, 44 Stat. 1361), as amended shall commence:

* * * * *

(b) *Children.* The date of filing formal application, except that in case of death or remarriage of a pensioned widow or forfeiture of her title, their payments shall commence from the date of such death, remarriage or forfeiture: *Provided*, That, where pension or additional pension is payable to or for a helpless child solely by virtue of the provisions of Public No. 280, 78th Congress (see § 5.2502 (b) (1) (ii), pension shall commence (1) April 1, 1944, where application was pending on that date; (2) date of filing application, if application is filed on or after April 1, 1944. (May 27, 1944) [Public No. 280, 78th Congress]

§ 5.2572 *Service acts, War With Spain, Boxer Rebellion, and Philippine Insurrection.* Original awards of death pension under the service acts (except awards authorized solely by virtue of Public No. 594, 76th Congress,) relating to the War with Spain, Boxer Rebellion and Philippine Insurrection Act of May 1, 1926, 44 Stat. 382, as reenacted by Public No. 269, 74th Congress, Act of August 13, 1935), shall commence: (May 27, 1944) [Public No. 280, 78th Congress]

* * * * *

(f) As to awards of pension or additional pension to or for a helpless child solely by virtue of the provisions of Public No. 280, 78th Congress, see § 5.2568 (d). (May 27, 1944) [Public No. 280, 78th Congress]

EFFECTIVE DATES OF REDUCTIONS AND DISCONTINUANCES OF DEATH PENSION AND COMPENSATION

§ 5.2584 *General law and service acts.* Awards of pension shall be reduced or discontinued as follows under: General law (sections 4702 and 4707, Revised Statutes, as amended), as to service prior to April 21, 1898; and service acts, relating to the Civil War, Act of May 1, 192((41 Stat. 585), Act of July 3, 1926 (44 Stat. 806), and Act of June 9, 1930 (46 Stat. 529); Indian wars, Act of March 3, 1927 (44 Stat. 1361); and War with Spain, Boxer Rebellion, and Philippine Insurrection, Act of July 16, 1918 (40 Stat. 903), Act of September 1, 1922 (42 Stat. 834), and Act of May 1, 1926 (44 Stat. 382), as reenacted by section 30, Title III, Public No. 141, 73d Congress (Act of March 28, 1934), and Public No. 269, 74th Congress (Act of August 13, 1935); and Act of July 13, 1943, Public No. 144, 78th Congress; and Act of April 1, 1944, Public No. 280, 78th Congress.

(a) *Termination by limitation* — (1) *Widows and remarried widows.* (i) Death pension payable to a widow or remarried widow shall terminate the day of death or the day preceding remarriage. If the widow is receiving additional pension for a child or children based on service rendered prior to April 21, 1898, the date of termination of such additional pension shall be the date of death of the child or the day preceding the child's sixteenth birthday: *Provided,* That where additional pension is being paid for a helpless child solely by virtue of the provisions of Public No. 280, 78th Congress (Act of April 1, 1944), the date of termination of such additional payments shall be the day preceding the marriage of the child. If the widow is receiving additional pension for a child or children based on service rendered on and after April 21, 1898, the date of termination of such additional pension shall be the date of death, or the day preceding marriage, or the day preceding the child's eighteenth birthday: *Provided,* That the discontinuance of additional pension for a child or children because of school attendance shall be effective as provided in § 5.2598 (g). Additional death pension being paid on behalf of any child by reason of permanent incapacity for self-support shall be discontinued effective the date of last payment when a determination has been made that such condition no longer exists. (May 27, 1944) [Public No. 280, 78th Congress]

* * * * * * *

(2) *Children.* * * *

(iv) *Marriage of helpless child.* Payments to or for a helpless child who marries shall be discontinued as of the date preceding the marriage. As to a child who is within the definition of the term contained in § 5.2052 (b) (1) (i), the presumption that the helpless condition has ceased may be overcome by positive proof of continuing mental or physical condition resulting in helplessness; as to a child within the definition of the term contained in § 5.2502 (b) (1) (ii) or (b) (2), when pension or compensation is properly discontinued by reason of marriage it shall not thereafter be recommenced. (May 27, 1944) [Public No. 280, 78th Congress]

* * * * * * *

[SEAL] FRANK T. HINES, *Administrator.*

[F. R. Doc. 44-7543; Filed, May 25, 1944; 4:13 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circ. 1574]

PART 196—PHOSPHATE LEASES

NOTICE OF LEASE OFFER

Sections 196.9, 196.10 and 196.12 are amended to read as follows:

§ 196.9 *Notice of lease offer.* The register of the appropriate district land office will be directed to publish notice of the offer of the lands or deposits for lease for a period of 30 days in a newspaper of general circulation to be designated by the Commissioner of the General Land Office in the county in which the lands or deposits are situated. Such notice shall state the place where and the date and hour on which bids will be received and shall describe the land, the amount of royalty and rental to be charged, the minimum investment required, and whether the sale of lease will be made by sealed bids or public auction at the time fixed to the qualified bidder offering the highest bonus for the privilege of leasing the lands or deposits on the terms therein set forth. A copy of the notice will also be posted in the district land office during the period of publication thereof. Publication of the offer will be at the expense of the Government.

All bidders at any public sale of leases are warned against committing any act by intimidation, combination, or unfair management, to hinder or prevent bidding thereat, in violation of section 59 of the Criminal Code of the United States, approved March 4, 1909 (35 Stat. 1099, 18 U. S. C. 113).

§ 196.10 *Auction of lease.* Where the lease is to be sold at public auction the register, at the time fixed in the notice, will offer the land or deposits for lease in that manner at his office on the terms and conditions fixed in the notice to the qualified bidder of the highest amount offered as a bonus for the privilege of leasing the land, subject to the approval of the Secretary of the Interior. Such high bidder must deposit with the register on the day of sale a certified check or cash, for one-fifth of the amount of his bid, such sum to be deposited by the register in his account "Deposits, unearned proceeds, lands, etc."

§ 196.12 *Action by bidder.* The high bidder will be allowed 30 days from date of auction or where sealed bids are submitted, within 30 days from receipt of notice that his bid has been accepted within which to file in the district land office (a) a lease, duly executed by him in quintuplicate in the form prescribed in § 196.14; (b) evidence of qualifications as prescribed by § 196.6, unless such evidence has theretofore been filed; (c) the bond required by section 2 (b) of the lease, or United States bonds in lieu thereof under the Act of February 24, 1919 (40 Stat. 1148, 6 U.S.C. 15); and to pay the remainder of the bonus bid by him and the annual rental for the first year of the lease, together with the required filing fee of $2, for each 160 acres of land, or fraction thereof, but in no case less than $10.

FRED W. JOHNSON, *Commissioner.*

Approved: May 13, 1944.

OSCAR L. CHAPMAN, *Assistant Secretary.*

[F. R. Doc. 44-7557; Filed, May 26, 1944; 10:13 a. m.]

TITLE 46—SHIPPING

Chapter II—United States Maritime Commission

[G. O. 21, Supp. 4]

PART 203—ADMISSION TO PRACTICE BEFORE THE COMMISSION

CLASSES OF PERSONS

Section 203.2 *Classes of persons who may be admitted* is amended by striking out the words and figures, "June 30, 1944", and inserting in lieu thereof the words and figures, "June 30, 1945", so that said section will read:

§ 203.2 *Classes of persons who may be admitted.* The following classes of persons of good moral character found by the Commission to possess the requisite qualifications to represent others may be admitted to practice before the Commission until June 30, 1945:

(a) Attorneys at law who are admitted to practice before the Supreme Court of the United States or the highest court of any State or Territory or the District of Columbia.

(b) Any person not an attorney at law who is a citizen of the United States and who shall file proof to the satisfaction of the Commission that he is possessed with the necessary legal, technical, or other qualifications to enable him to render valuable service before the Commission and is otherwise competent to advise and assist in the presentation of matters before the Commission.

(49 Stat. 1987; 46 U.S.C. 1114 (b))

By order of the United States Maritime Commission.

R. L. McDONALD, *Assistant Secretary.*

MAY 25, 1944.

[F. R. Doc. 44-7551; Filed, May 26, 1944; 9:17 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Order ODT L-2, Corr.]

PART 504—DIRECTION OF MOTOR TRAFFIC MOVEMENT

MOTOR TRANSPORTATION OF CORN FROM OR WITHIN A DESIGNATED AREA

General Order ODT L-2 (9 F.R. 5444) is hereby corrected by inserting the word "corn" between the words "transport" and "by" in the second line of the text of § 504.10.

Issued at Washington, D. C., this 25th day of May 1944.

J. M. JOHNSON, *Director, Office of Defense Transportation.*

[F. R. Doc. 44-7574; Filed, May 26, 1944; 11:23 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Coal Mines Administration.

[Order CMA-29]

KEARNEY FUEL CO., ET AL.

TERMINATION OF GOVERNMENT POSSESSION

On November 1, 1943, by virtue of the authority vested in me by the President of the United States, I signed Order No. 1888 (8 F.R. 15199), taking possession of anthracite and bituminous coal mines in which I found from the available information that a strike or work stoppage had occurred or was threatened. It now appears, however, that the companies listed in the appendix attached hereto did not operate any coal mines as of November 1, 1943.

Accordingly, Order No. 1888 is hereby revoked so far as it affects the companies listed in the appendix attached hereto and made a part hereof.

Dated: May 25, 1944.

[SEAL] ABE FORTAS, *Acting Secretary of the Interior.*

Name of Mining Company and Address

1. Kearney Fuel Co., R. D. No. 2, Kearney, Mo.
2. D'Angelo and Lombardi Coal Co., Pittston, Pa.
3. D. Powell & Lecorre Bros. Coal Co., Houtzdale, Pa.
4. Mountain Side Coal Co., 1109 Somerset Ave., Windber, Pa.

[F. R. Doc. 44-7573; Filed, May 26, 1944; 11:27 a. m.]

General Land Office.

UTAH

MODIFICATION OF GRAZING DISTRICTS 5, 7, AND 8

Under and pursuant to the provisions of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315 et seq.), and subject to the limitations and conditions therein contained, Utah Grazing Districts 5, 7, and 8 are modified as follows:

The following-described lands are hereby eliminated from Utah Grazing District No. 5 and added to Utah Grazing District No. 7:

UTAH

SALT LAKE MERIDIAN

T. 27 S., R. 10 E., unsurveyed, that part north of the Muddy River.
T. 27 S., R. 11 E.,
Secs. 1 to 16, inclusive;
Secs. 17, 18, and 20, those parts north and east of Muddy River;
Secs. 21 to 27, inclusive;
Secs. 28, 29, and 33, those parts east of Muddy River;
Secs. 34, 35, and 36.
T. 28 S., R. 11 E.,
Secs. 1 and 2, those parts north of Fremont River;
Sec. 3, that part north of Fremont and Muddy Rivers;
Sec. 4, that part north of Muddy River;
Sec. 12, that part north of Fremont River.
T. 27 S., R. 12 E.
T. 28 S., R 12 E.,
Secs. 1 to 6, inclusive;
Secs. 7 and 8, those parts north of Fremont River;
Secs. 9 to 15, inclusive;
Secs. 16, 17, 21, and 22, those parts north and east of Fremont River;
Secs. 23 and 24;
Secs. 25, 26, and 27, those parts north and east of Fremont River.

The following-described lands are hereby eliminated from Utah Grazing District No. 7 and added to Utah Grazing District No. 5:

T. 23 S., R. 4 E., partly unsurveyed,
Sec. 1, E½;
Sec. 12, E½;
Sec. 13, E½;
Sec. 24, E½;
Sec. 25, E½;
Sec. 36, E½.
T. 24 S., R. 4 E.,
Sec. 1, lots 1, 2, 9, and 10.
T. 23 S., R. 5 E., partly unsurveyed,
Secs. 6 and 7;
Sec. 8, SW¼;
Sec. 13, S½SW¼ and SE¼;
Sec. 14, S½S½;
Sec. 15, S½;
Sec. 16, S½;
Secs. 17 to 36, inclusive.
T. 24 S., R. 5 E.
T. 25 S., R. 5 E.,
Secs. 1 to 4, inclusive;
Sec. 5, N½ and SE¼;
Sec. 6, N½;
Secs. 9 to 16, secs. 21 to 29, and secs. 32 to 36, inclusive.
T. 26 S., R. 5 E., partly unsurveyed,
Secs. 1 to 5 and secs. 8 to 17, inclusive;
Secs. 20 to 29 and secs. 32 to 36, inclusive.
T. 23 S., R. 6 E.,
Sec. 13, S½;
Sec. 14, S½;
Sec. 15, S½;
Sec. 16, S½SW¼ and SE¼;
Sec. 17, SW¼ and S½SE¼;
Sec. 18, S½;
Secs. 19 to 36, inclusive.
Tps. 24, 25, and 26 S., R. 6 E., partly unsurveyed.
Tps. 23 and 24 S., R. 7 E., unsurveyed, those parts south of Muddy River.
Tps. 25 and 26 S., R. 7 E., unsurveyed.
Tps. 24 and 25 S., R. 8 E., unsurveyed, those parts south of Muddy River.
T. 26 S., R. 8 E., unsurveyed.
Tps. 25 and 26 S., R. 9 E., unsurveyed, those parts south of Muddy River.
T. 26 S., R. 10 E., unsurveyed, that part south of Muddy River.

The following-described lands are hereby eliminated from Utah Grazing District No. 8 and added to Utah Grazing District No. 7:

T. 10 S., R. 13 E.
T. 11 S., R. 13 E.,
Secs. 1 to 18, inclusive.
T. 11 S., R. 14 E.,
Sec. 1, lot 7;
Secs. 7 to 10, inclusive;
Sec. 11, S½N½ and S½;
Sec. 12, NE¼, NE¼NW¼, S½NW¼, and S½;
Secs. 13 to 36, inclusive.
T. 11 S., R. 15 E.,
Sec. 4, SE¼SW¼ and S½SE¼;
Sec. 5, S½SE¼;
Sec. 6, S½S½;
Sec. 7;
Sec. 8, NE¼, S½NW¼, and S½;
Sec. 9;
Sec. 10, NW¼NE¼, S½NE¼, NW¼, and S½;
Sec. 11, S½;
Sec. 12, S½SW¼, NE¼SE¼, and S½SE¼;
Secs. 13 to 36, inclusive.
T. 11 S., R. 16 E.,
Sec. 4, S½S½;
Sec. 5, SE¼SE¼;
Sec. 7, S½NE¼ and S½;
Sec. 8, NE¼, NE¼NW¼, S½NW¼, and S½;
Sec. 9;
Sec. 10, SW¼NW¼, SW¼, and S½SE¼;
Sec. 11, S½S½;
Sec. 13, SE¼NE¼, SW¼NW¼, and S½;
Secs. 14 to 36, inclusive.

T. 11 S., R. 17 E.,
Sec. 17, SW¼NW¼, SW¼, and S½SE¼;
Sec. 18, NE¼NE¼, S½NE¼, S½NW¼, and S½;
Secs. 19 and 20;
Sec. 21, SW¼NE¼, NW¼, and S½;
Sec. 22, S½S½;
Sec. 23, NE¼SW¼, S½SW¼, and S½SE¼;
Sec. 24, SW¼NE¼, NE¼SW¼, S½SW¼, and SE¼;
Secs. 25 to 36, inclusive.
T. 11 S., R. 18 E.,
Sec. 19, W½SW¼;
Sec. 22, lot 1;
Sec. 26, lots 1, 2, and 3;
Sec. 27, lots 1 to 4, inclusive, S½N½, and S½;
Sec. 28, lots 1, 2, 3, NW¼NW¼, S½N½, and S½;
Sec. 29, S½N½ and S½;
Secs. 30 to 33, inclusive;
Sec. 34, lots 1 to 4, inclusive, NE¼NE¼, W½NE¼, NW¼, N½SW¼, and NW¼SE¼;
Sec. 35, lots 1 and 2.

ABE FORTAS,
Acting Secretary of the Interior.

MAY 15, 1944.

[F. R. Doc. 44-7558; Filed, May 26, 1944; 10:13 a. m.]

UTAH

MODIFICATION OF GRAZING DISTRICTS 6 AND 9

Under and pursuant to the provisions of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315 et seq.), and subject to the limitations and conditions therein contained, Utah Grazing Districts Nos. 6 and 9 are hereby modified as follows:

The following-described lands are hereby eliminated from Utah Grazing District No. 6 and added to Utah Grazing District No. 9:

UTAH

SALT LAKE MERIDIAN

T. 25 S., R. 21 E.,
Sec. 24, lots 1, 2, 3, and 4;
Sec. 25, lots 1 to 6, inclusive, W½NE¼, E½NW¼, SW¼, and W½SE¼;
Sec. 26, lots 1 to 4, inclusive, and S½;
Sec. 27, lots 1 and 2;
Sec. 34, lots 1 to 4, inclusive, E½NE¼, and NE¼SE¼;
Secs. 35 and 36.
T. 26 S., R. 21 E.,
Secs. 1 and 2;
Sec. 3, lots 1 and 12;
Sec. 10, lots 1, 5, 6, 7, 8, 12, NE¼SE¼, and S½SE¼;
Secs. 11 to 14, inclusive;
Sec. 15, lots 1, 3, NE¼, E½NW¼, and S½;
Sec. 16, lots 3, 4, and 7;
Sec. 21, SE¼SE¼;
Sec. 22, NE¼, E½NW¼, NW¼NW¼, E½SW¼, SW¼SW¼, and SE¼;
Secs. 23 to 26, inclusive;
Sec. 27, NE¼, E½NW¼, NE¼SW¼, S½SW¼, and SE¼;
Sec. 33, SE¼NE¼ and E½SE¼;
Secs. 34, 35, and 36.
T. 27 S., R. 21 E.,
Secs. 1 and 2;
Sec. 3, NE¼ and E½SE¼;
Sec. 10, NE¼NE¼;
Sec. 11, N½, NE¼SW¼, and SE¼;
Sec. 12;
Sec. 13, NE¼, E½NW¼, NW¼NW¼, E½SW¼, and SE¼;
Sec. 14, N½NE¼;
Sec. 24, N½NE¼, SE¼NE¼, and E½SE¼;
Sec. 25, NE¼NE¼.
T. 24 S., R. 22 E.,
Sec. 26, that part south of Colorado River and west of Castle Creek;
Sec. 27, lots 3, 6, 7, and 8;
Sec. 28, lot 2;
Sec. 33, lots 1, 6, 7, 8, 9, 11, SE¼NE¼, SE¼SW¼, and SE¼;
Sec. 34;
Sec. 35, that part west of Castle Creek.
T. 25 S., R. 22 E.,
Sec. 1, that part south of Castle Creek;
Secs. 2, 3, and 4;
Sec. 5, lots 1, 2, and 3;
Sec. 8, lots 1 and 2;
Sec. 9, lots 1, 2, 3, 4, and N½W¼;
Sec. 10, lots 1 to 7, inclusive, and E½;
Secs. 11 to 14, inclusive;
Sec. 15, lot 1, NE¼, NE¼NW¼, S½NW¼, and S½;
Sec. 16, lots 1, 2, 3, 4, S½SW¼, and SE¼;
Sec. 17, lots 1, 2, 3, and 4;
Sec. 19, lots 1, 2, 3, 4, SE¼SW¼, NE¼SE¼, and S½SE¼;
Sec. 20, lot 1, NE¼, NE¼NW¼, S½NW¼, and S½;
Secs. 21 to 26, inclusive.
T. 26 S., R. 22 E.
T. 27 S., R. 22 E.,
Secs. 1 to 29 inclusive;
Sec. 30, N½NE¼, NW¼, and E½SE¼;
Sec. 31, E½NE¼;
Sec. 32, N½, N½SW¼, SE¼SW¼, and SE¼;
Secs. 33 to 36, inclusive.
T. 28 S., R. 22 E.,
Secs. 1 to 4, inclusive;
Sec. 5, N½, NE¼SW¼, N½SE¼, and SE¼SE¼;
Sec. 8, NE¼NE¼;
Sec. 9, N½N½;
Sec. 10, NE¼NE¼ and NW¼NW¼;
Sec. 11, NW¼NE¼ and N½NW¼;
Sec. 12, NE¼NE¼.
T. 25 S., R. 23 E.,
Secs. 6, 7, 8, 9, 14, 15, 16, those parts south of Castle Creek;
Secs. 17 to 22, inclusive;
Secs. 23, 24, 25, those parts south of Castle Creek;
Secs. 26 to 36, inclusive.
T. 26 S., R. 23 E.,
Secs. 3 to 10, inclusive;
Sec. 11, W½ and SE¼;
Sec. 12, W½SW¼;
Sec. 14, W½NW¼ and NW¼SW¼;
Secs. 15 to 22, inclusive;
Sec. 26, SW¼;
Secs. 27 to 34, inclusive;
Sec. 35, NW¼ and NW¼SW¼.
T. 27 S., R. 23 E.,
Secs. 3 to 10, secs. 15 to 22, and secs. 27 to 34, inclusive.
T. 28 S., R. 23 E.,
Secs. 3 to 6, inclusive;
Sec. 7, N½, NE¼SW¼, N½SE¼, and SE¼SE¼;
Sec. 8, N½, SW¼, and NW¼SE¼;
Sec. 9, N½NE¼, SE¼NE¼, N½NW¼, SW¼NW¼, NW¼SW¼, and NE¼SE¼;
Secs. 10, 13, and 14;
Sec. 15, N½, NE¼SW¼, and SE¼;
Sec. 16, NE¼NE¼;
Sec. 22, N½NE¼ and SE¼NE¼;
Sec. 23, N½ and SE¼;
Sec. 24;
Sec. 26, NE¼NE¼.
T. 25 S., R. 24 E.,
Secs. 29 and 30, those parts south of Castle Creek;
Sec. 32.

ABE FORTAS,
Acting Secretary of the Interior.

MAY 15, 1944.

[F. R. Doc. 44-7559; Filed, May 26, 1944; 10:13 a. m.]

[Stock Driveway Withdrawal 3, Wyoming 1]

WYOMING

ORDER ENLARGING PUBLIC LAND WITHDRAWAL

By virtue of the authority contained in section 7 of the act of June 28, 1934, 48 Stat. 1272, as amended by the act of June 26, 1936, 49 Stat. 1976 (U.S.C., title 43, sec. 315f), and in section 10 of the act of December 29, 1916, 39 Stat. 865, as amended by the act of January 29, 1929, 45 Stat. 1144 (U.S.C., title 43, sec. 300), it is ordered as follows:

The following-described public lands in Wyoming are hereby classified as necessary and suitable for the purpose and, excepting any mineral deposits therein, are withdrawn from all disposal under the public land laws and reserved, subject to valid existing rights, for the use of the general public as an addition to Stock Driveway Withdrawal No. 3, Wyoming No. 1:

SIXTH PRINCIPAL MERIDIAN

T. 44 N., R. 72 W.,
Sec. 7, SE¼;
Sec. 18, E½NE¼ and SW¼NE¼;
Sec. 19, NE¼NE¼.
T. 45 N., R. 72 W.,
Sec. 18, NW¼NE¼.
T. 46 N., R. 72 W.,
Sec. 31, SE¼SE¼.
T. 47 N., R. 72 W.,
Sec. 7, lots 3 and 4.
T. 48 N., R. 78 W.,
Sec. 15, NW¼NW¼, S½NW¼, and SW¼;
Sec. 21, N½N½ and SE¼NE¼;
Sec. 22, NW¼.
T. 49 N., R. 79 W.,
Sec. 3, E½SE¼;
Sec. 9, SW¼SW¼;
Sec. 26, N½NW¼, SW¼NW¼, and NW¼SW¼.
T. 51 N., R. 80 W.,
Sec. 31, lot 7.
T. 42 N., R. 81 W.,
Sec. 10, NE¼SW¼, S½SW¼, and SW¼SE¼;
Sec. 14, NW¼NW¼;
Sec. 15, N½NE¼ and NE¼NW¼.
T. 45 N., R. 82 W.,
Sec. 2, N½SW¼ and W½SE¼.

The areas described aggregate 1901.98 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and such regulations as have been or may be issued thereunder.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

MAY 13, 1944.

[F. R. Doc. 44-7560; Filed, May 26, 1944; 10:13 a. m.]

DEPARTMENT OF LABOR.

Division of Public Contracts.

DETERMINATION OF PREVAILING MINIMUM WAGE IN SCIENTIFIC INDUSTRIAL AND LABORATORY INSTRUMENTS INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

Whereas, the prevailing minimum wage determination for the Scientific Industrial and Laboratory Instruments Industry issued by the Secretary of Labor on September 8, 1941, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U. S. C., Supp. III, sec. 35), provides that learners may be employed in the manufacture or furnishing of any one or more of the hereinafter described products of the Scientific Industrial and Laboratory Instruments Industry at the rate of 35 cents an hour or $14 per week of 40 hours for a period not to exceed 60 days, if the total number of employees so classified does not exceed ten percent of the total number of employees in any one establishment in any given pay roll or workweek.

Products of the Scientific Industrial and Laboratory Instruments Industry:

Instruments and apparatus of the type used in navigation, surveying, engineering, drafting, target detection, fire control, meteorology, laboratories for physical, chemical, clinical, biological, bacteriological, geological, physiological, and psychological teaching, demonstration, research and testing;

Instruments and apparatus for indicating, measuring, recording or controlling the following: Quantity, quality, temperature, combustion, pressure, flow, density, intensity, humidity, conductivity, position, altitude, level, attitude, angle, direction, distance, speed, and acceleration.

Electrically-actuated instruments used to measure physical quantities; and

Optical glass; but not including:

Instruments and apparatus for measuring or controlling flow or consumption of water, gas, or gasoline, used in the services rendered by public utilities and service stations in indicating consumer consumption;

Instruments and apparatus used on automobiles;

Clocks and watches; and

Machinists' gauges;

and

Whereas, it appears that substantially all employees subject to the Scientific Industrial and Laboratory Instruments Industry Wage Determination of the Secretary are engaged in commerce or in the production of goods for commerce as that term is defined in the Fair Labor Standards Act of 1938, and that consequently such employees are subject to the learner regulations established for the Fair Labor Standards Act; and

Whereas, it appears desirable for the purpose of coordinating the administration of the Fair Labor Standards Act of 1938 and the Public Contracts Act to amend the Scientific Industrial and Laboratory Instruments Industry Wage Determination of the Secretary to provide that learners may be employed at subminimum rates in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act of 1938,

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before June 23, 1944, why the Secretary of Labor should not amend the wage determination for the Scientific Industrial and Laboratory Instruments Industry, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act so that learners may be employed at subminimum rates in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act of 1938.

An original and four copies of all objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator, Wage and Hour and Public Contracts Divisions, U. S. Department of Labor, 165 West 46th Street, New York 19, New York, and should be filed with the Administrator not later than June 23, 1944.

Dated: May 19, 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-7545; Filed, May 25, 1944; 4:31 p. m.]

DETERMINATION OF PREVAILING MINIMUM WAGE IN SURGICAL INSTRUMENTS AND APPARATUS INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

Whereas, the prevailing minimum wage determination for the Surgical Instruments and Apparatus Industry issued by the Secretary of Labor on September 8, 1941, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C., Supp. III, sec. 35), provides that learners may be employed in the manufacture or furnishing of any one or more of the hereinafter described products of the Surgical Instruments and Apparatus Industry at the rate of 35 cents an hour or $14 per week of 40 hours for a period not to exceed 60 days, if the total number of employees so classified does not exceed ten percent of the total number of employees in any one establishment in any given pay roll or workweek.

Products of the Surgical Instruments and Apparatus Industry:

Instruments and apparatus used in, or in connection with, or in the aid of the practice of medicine and as particularly applied to surgery, such as surgical and diagnostic instruments and apparatus for medical and surgical treatment, including sutures, ligatures, and sterilisers for surgical purposes, but not including:

Electro-surgical instruments and apparatus in which electricity is the diagnostic, therapeutic or functioning element, such as X-ray, fluoroscope, and high frequency apparatus and equipment, ultra-violet and infra-red ray and other therapeutic and heating lamps, apparatus and equipment;

Orthopedic appliances, such as trusses, braces, supports, splints, artificial limbs, and elastic belts and stockings; and

Surgical dressings;

and

Whereas, it appears that substantially all employees subject to the Surgical Instruments and Apparatus Industry Wage Determination of the Secretary are engaged in commerce or in the production of goods for commerce as that term in defined in the Fair Labor Standards Act of 1938, and that consequently such employees are subject to the learner regulations established for the Fair Labor Standards Act; and

Whereas, it appears desirable for the purpose of coordinating the administration of the Fair Labor Standards Act of 1938 and the Public Contracts Act to amend the Surgical Instruments and Apparatus Industry Wage Determination of the Secretary to provide that learners may be employed at subminimum rates in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act of 1938,

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before June 23, 1944, why the Secretary of Labor should not amend the wage determination for the Surgical Instruments and Apparatus Industry, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act so that learners may be employed at subminimum rates in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act of 1938.

An original and four copies of all objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator, Wage and Hour and Public Contracts Divisions, U. S. Department of Labor, 165 West 46th Street, New York 19, New York, and should be filed with the Administrator not later than June 23, 1944.

Dated: May 19, 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-7546; Filed, May 25, 1944; 4:31 p. m.]

DETERMINATION OF PREVAILING MINIMUM WAGE IN PHOTOGRAPHIC SUPPLIES INDUSTRY (EXCLUSIVE OF BLUEPRINT PAPER COATING INDUSTRY)

NOTICE OF OPPORTUNITY TO SHOW CAUSE

Whereas, the prevailing minimum wage determination for the Photographic Supplies Industry, issued by the Secretary of Labor on July 28, 1939, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U.S.C., Supp. III, sec. 35), provides that learners may be employed by employers in the industry at lower rates than 40 cents an hour or $16 a week of 40 hours, arrived at either upon a time or piece rate basis, for a period not to exceed sixty (60) days if the total number of such workers in any one establishment does not exceed five (5) percent of the workers on the pay roll, and if such learners are paid not less than 80 per cent of the minimum wage as determined, or 32 cents an hour or $12.80 per week of 40 hours, arrived at either upon a time or piece-work basis, in the manufacture and supply of cameras, including motion-picture cameras (except 35 millimeter); photostat and blueprint machines; tripods, film rewinders and reels, shutters, and other photographic accessories (except 35 millimeter); such equip-

ment as flashlight apparatus, plate holders, developing apparatus; supplies such as films, photographic paper and plates; and projectors of all types (except 36 millimeter); and

Whereas it appears that substantially all employees subject to the Photographic Supplies Industry (exclusive of the Blueprint Paper Coating Industry) Wage Determination of the Secretary are engaged in commerce or in the production of goods for commerce as that term is defined in the Fair Labor Standards Act of 1938, and that consequently such employees are subject to the learner regulations established for the Fair Labor Standards Act; and

Whereas it appears desirable for the purpose of coordinating the administration of the Fair Labor Standards Act of 1938 and the Public Contracts Act to amend the Photographic Supplies Industry (exclusive of the Blueprint Paper Coating Industry) Wage Determination of the Secretary to provide that learners may be employed at subminimum rates in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act of 1938,

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before June 23, 1944, why the Secretary of Labor should not amend the wage determination for the Photographic Supplies Industry (exclusive of the Blueprint Paper Coating Industry), pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act so that learners may be employed at submission rates in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act of 1938.

An original and four copies of all objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator, Wage and Hour and Public Contracts Divisions, U. S. Department of Labor, 165 West 46th Street, New York 19, New York, and should be filed with the Administrator not later than June 23, 1944.

Dated: May 19, 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-7547; Filed, May 25, 1944; 4:31 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-462]

MISSISSIPPI RIVER FUEL CORP., ET AL.

ORDER FIXING DATE OF HEARING

MAY 23, 1944.

In the matter of Mississippi River Fuel Corporation, Hope Producing Company, Southern Carbon Company, United Carbon Company, La Del Oil Properties, Inc., The Amalgamated Company, Inc., and The Peerless Carbon Black Company,

It appearing to the Commission that:

(a) By orders of the Commission entered April 6[1] and July 27, 1943,[2] an investigation was instituted for the purpose of enabling the Commission:

(1) To determine with respect to Mississippi River Fuel Corporation whether, in connection with any transportation or sale of natural gas subject to the jurisdiction of the Commission any rates, charges, or classifications demanded, observed, charged or collected, or any rules, regulations, practices or contracts affecting such rates, charges, or classifications are unjust, unreasonable, unduly discriminatory, or preferential; and

(2) To determine with respect to Hope Producing Company, Southern Carbon Company, United Carbon Company, La Del Oil Properties, Inc., The Amalgamated Company, Inc., and The Peerless Carbon Black Company (i) whether they are natural-gas companies within the meaning of the Natural Gas Act, and (ii) whether in connection with any transportation or sale of natural gas subject to the jurisdiction of the Commission, any rates, charges, or classifications demanded, observed, charged or collected, or any rules, regulations, practices or contracts affecting such rates, charges, or classifications are unjust, unreasonable, unduly discriminatory, or preferential.

(b) The said orders of April 6 and July 27, 1943, provided, further, that if the Commission, after hearing has been had, shall find that any of Respondents' rates, charges, classifications, rules, regulations, practices, or contracts subject to the jurisdiction of the Commission are unjust, unreasonable, unduly discriminatory or preferential, the Commission will determine and fix by order or orders the just and reasonable rates, charges, classifications, rules, regulations, practices or contracts to be thereafter observed and in force.

(c) The investigation conducted by the Commission's staff pursuant to the aforementioned orders with respect to the matters set forth in paragraphs (a) (1) and (b) hereof, insofar as such matters relate to Mississippi River Fuel Corporation, has now been substantially completed and discloses conditions, facts and circumstances which warrant a public hearing with respect to such matters.

The Commission orders that:

(a) A public hearing be held commencing on June 21, 1944, at 10:00 a. m., in Room 516, U. S. Customhouse Building, St. Louis, Missouri, with respect to the matters set forth in paragraphs (a) (1) and (b) hereof insofar as such matters relate to Mississippi River Fuel Corporation.

(b) This order is without prejudice to the investigation instituted by the Commission's orders of April 6 and July 27, 1943, with respect to the matters set forth in paragraphs (a) (2) and (b) hereof insofar as such matters relate to Hope Producing Company, Southern Carbon Company, United Carbon Company, La Del Oil Properties, Inc., The Amalgamated Company, Inc. and The Peerless Carbon Black Company.

(c) Interested State commissions may participate in the hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-7552; Filed May 26, 1944; 10:14 a. m.]

[1] The Commission's order of April 6, 1943, named as Respondents Mississippi River Fuel Corporation, Hope Producing Company, Southern Carbon Company and United Carbon Company.

[2] The investigation instituted by the Commission's order of April 6, 1943, was enlarged by order of July 27, 1943, to include an investigation of La Del Oil Properties, Inc., The Amalgamated Company, Inc., and The Peerless Carbon Black Company.

[Docket Nos. G-368, G-536]

WISCONSIN SOUTHERN GAS CO.

ORDER PROVIDING FOR ORAL ARGUMENT IN LIEU OF FILING BRIEFS

MAY 23, 1944.

It appearing to the Commission that:

Good cause exists for substituting oral argument before the Commission sitting en banc (the Trial Examiner sitting with the Commission) in the above-docketed matters, in lieu of filing briefs;

The Commission orders that:

(a) Oral argument on the matters involved and the issues presented in these proceedings be had before the Commission sitting en banc (the Trial Examiner sitting with the Commission) on July 7, 1944, commencing at 10:00 a. m., in the Hearing Room of the Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.;

(b) Any of counsel of record in these proceedings and interested State commissions desiring to do so may file at the time of such oral argument a memorandum of points and authorities.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-7553; Filed, May 26, 1944; 10:14 a. m.]

[Docket No. IT-5895]

IDAHO POWER CO.

NOTICE OF APPLICATION

May 24, 1944.

Notice is hereby given that on May 23, 1944, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Idaho Power Company, a corporation organized under the laws of the State of Maine and doing business in the States of Idaho, Nevada and Oregon, with its principal business office at Boise, Idaho, seeking an order authorizing the issuance of 60,587 shares of 4% Preferred Stock, $100 par value, for the call and redemption of 60,587 shares of Applicant's outstanding $6 and 7% Preferred Stocks; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 9th day of June, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-7554; Filed, May 26, 1944; 10:14 a. m.]

[Docket No. G-549]

MEMPHIS NATURAL GAS CO.

NOTICE OF APPLICATION

MAY 24, 1944.

Notice is hereby given that on May 20, 1944, Memphis Natural Gas Company, a Delaware corporation having its principal place of business in Memphis, Tennessee, filed with the Federal Power Commission its application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of the facilities hereinafter described.

The proposed construction consists of a 12¾-inch O. D. gas pipe line approximately 48½ miles in length, with an initial capacity of approximately 50,000 MCF per day, extending from a point adjacent to the gasoline plant of Claiborne Gasoline Company in the North Lisbon Field in Claiborne Parish, Louisiana, to the Applicant's Guthrie compressor station in the Monroe Field in Ouachita Parish, Louisiana.

Applicant asserts that the construction of the proposed facilities is essential and necessary in order to make available to the Applicant a supply of gas in addition to the Monroe Field supply presently available.

Any person desiring to be heard or to make any protest with reference to said application should on or before the 8th day of June, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's Provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-7555; Filed, May 26, 1944; 10:14 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4841]

VAN CAMP SEA FOOD CO., INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of May, A. D. 1944.

In the matter of Americana Corporation, a corporation; and Fred P. Murphy, Joseph C. Graham, Jr., and Thomas J. Kirk, individually and as officers of Americana Corporation.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, June 5, 1944, at two o'clock in the afternoon of that day (central standard time), in Room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Committee.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-7561; Filed, May 26, 1944; 11:12 a. m.]

[Docket No. 4917]

WILLIAM H. WISE & CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

In the matter of William H. Wise & Company, a corporation, and John J. Crawley, individually and as President of William H. Wise & Company.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of May, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, June 14, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-7562; Filed, May 26, 1944; 11:12 a. m.]

[Docket No. 5085]

AMERICANA CORP.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of May, A. D. 1944.

In the matter of Americana Corporation, a corporation; and Fred P. Murphy, Joseph C. Graham, Jr., and Thomas J. Kirk, individually and as officers of Americana Corporation.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, June 15, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-7563; Filed, May 26, 1944; 11:12 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[ODT Certificate S-1]

CALIFORNIA POINTS TO POINTS IN OREGON AND WASHINGTON

SUBSTITUTION OF RAIL FOR MOTOR COMMON CARRIER SERVICE

Pursuant to Executive Orders 8989, as amended, and 9156, and in order to provide for the conservation and more efficient utilization of vital transportation facilities, and to prevent and alleviate traffic congestion,

I hereby find and certify that the substitution of rail transportation for that of motor common carriers from San Francisco, Oakland, Alameda, San Leandro, Richmond, Bates, or Stege, California, to Portland, Oregon, or Seattle, Washington, by the motor common carriers listed in the appendix hereto, will not adversely affect the transportation of freight by railroad and will aid in con-

serving motor carrier transportation facilities.

Issued at Washington, D. C., this 25th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX—LIST OF MOTOR COMMON CARRIERS COVERED BY ODT CERTIFICATE No. S–1

Consolidated Freightways.
Pierce Auto Freight Lines.
Los Angeles-Seattle Motor Express.
Oregon-Nevada-California Fast Freight, Inc.
System Freight Service.
O. J. Mitchel, doing business as Mitchel Bros. Truck Line.

[F.R. Doc. 44–7575; Filed, May 26, 1944; 11:23 a. m.]

[Supp. Order ODT 3, Rev. 210, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN WATERBURY, CONN., AND BOSTON, MASS.

NOTE: An amendment to Appendix 2 to Supplementary Order ODT 3, Revised 210 (9 F.R. 3469) was filed with the Division of the Federal Register as F. R. Doc. 44–7576 at 11:23 a. m. May 26, 1944.

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 783]

BETHLEHEM FAIRMONT COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES FOR MIXED COALS

Order No. 783 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Bethlehem Fairmont Coal Company in Size Group Nos. 1 to 5, inclusive, at its Scott No. 2 Mine, Mine Index No. 136 in District No. 3, when loaded as a mixture consisting of approximately 77 percent from this mine and 23 percent of similar coals produced at the Scott No. 3 Mine, Mine Index No. 2045 of Hallett Coal Company for rail shipments, including railroad fuel, may be purchased and sold at per net ton prices f. o. b. the rail shipping point not exceeding the following:

	Size group				
	1	2	3	4	5
Maximum prices	$2.93	$2.88	$2.85	$2.65	$2.63

(b) The mixed coals described in paragraph (a) above are hereby assigned Mine Index No. 2054. This number shall be used by applicant in connection with all sales of coal priced under this order.

(c) All prayers of applicant not granted herein are hereby denied.

(d) This order shall not be effective after June 30, 1944 and it may be revoked or amended at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

This order shall become effective May 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7541; Filed, May 25, 1944; 4:09 p. m.]

[MPR 120, Order 784]

SHEBAN MINING CO.

ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MAXIMUM PRICES

Order No. 784 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons given in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Sheban Mining Company of Carter County, Kentucky, Subdistrict No. 1 in District No. 8, is hereby assigned Mine Index No. 7076 and classified in Freight Origin Group No. 61.

(b) Coals produced by the Sheban Mining Company at its Sunburst Mine, Mine Index No. 7076, located in Carter County, Kentucky, in District No. 8 for the uses indicated and by methods of transportation appearing herein, may be sold and purchased at per net ton prices not exceeding the following:

	Size groups													
	1	2	3	4	5	6	7	8	9	10	15, 16 and 17	18	19	20 and 21
Price classifications	M	M	M	M	K	K	J	G	E	G	F	L	L	L
Rail shipment, including railroad fuel	$3.50	$3.50	$3.45	$3.45	$3.45	$3.35	$3.15	$3.10	$3.10	$2.45	$2.95	$2.85	$2.80	$2.80
Truck shipment	3.70	3.50	3.15	3.25	3.10	2.80	2.30	2.25	------	------	------	------	------	------

(c) The maximum prices established herein are f. o. b. the mine for truck shipment and f. o. b. the rail shipping point for rail shipment and for railroad fuel use.

(d) This order may be revoked or amended at any time.

(e) All prayers of the applicant not granted herein are hereby denied.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective May 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7542; Filed, May 25, 1944; 4:09 p.m.]

[MPR 528, Order 4]

TIRES AND TUBES, RECAPPING AND REPAIRING

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Appendix A (d) of Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail price for a 3.85 x 20, 4-ply, synthetic rubber motorcycle tire, shall be $11.30.

(b) The maximum retail price for a 3.85 x 20, synthetic rubber motorcycle tube, shall be $2.20.

(c) All other provisions of Maximum Price Regulation 528 not inconsistent with this order shall apply to such sales.

(d) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective May 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7592; Filed, May 26, 1944; 11:53 a. m.]

[MPR 188, Order 1636]

COLLAPSIBLE CRIB CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1636 under § 1499.158 of maximum price regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two new pressure cookers manufactured by Lakeside Aluminum Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by The Collapsible Crib Company, 2724 West Jefferson, Los Angeles 16, California, of a baby auto seat of its manufacturer, as described in its application dated February 19, 1944, since the effective date of Maximum Price Regulation No. 188 are as follows:

To jobbers who sell against manufacturer's stock	*To retailers*
Baby auto seat	$2.40	$2.82

These maximum prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days.

(b) On and after the effective date of the order, the maximum price for all sales and deliveries at wholesale by jobbers and any other persons from the manufacturer's stock of the baby auto seat described in paragraph (a) above shall be $2.82, f. o. b. shipping point. This maximum price is subject to a cash discount of 2 percent for payment within 10 days.

(c) At the time of or prior to the first invoice to each jobber, The Collapsible Crib Company shall notify the jobber of the maximum prices and conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of May 1944.

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7582; Filed, May 26, 1944; 11:50 a. m.]

[MPR 188, Order 1637]

LAKESIDE ALUMINUM CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1637 under § 1499.158 of maximum price regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two new pressure cookers manufactured by Lakeside Aluminum Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries of two new aluminum pressure cookers manufactured by Lakeside Aluminum Company, 2619–33 Fourth Street, S. E., Minneapolis, Minnesota, and described in its application dated February 11, 1944, by the manufacturer, since those articles became subject to Maximum Price Regulation No. 188, are as follows:

	Model No. 21C	Model No. 25
To jobbers	$9.30	$10.35
To retailers:		
In quantities of 2,000 or more	10.24	11.39
In quantities of 100 to 1,999	11.16	12.42
In quantities of less than 100	12.40	13.80

These prices are f. o. b. factory and are subject to discounts, allowances and terms no less favorable than those customarily granted by the manufacturer.

(b) On and after the effective date of this order, the maximum prices for sales by jobbers of the aluminum pressure cookers described in paragraph (a) above, are those set forth below, f. o. b. sellers' city, subject to cash discounts and terms no less favorable than those customarily granted by the seller:

	Model No. 21C	Model No. 25
In Eastern zone	$12.40	$13.80
In Western zone	13.07	14.53

(c) On and after the effective date of this order, the maximum prices for sales at retail of the aluminum pressure cookers described in paragraph (a) above, are as follows:

	Model No. 21C	Model No. 25
In Eastern zone	$18.60	$20.70
In Western zone	19.60	21.80

(d) To every aluminum pressure cooker shipped to a purchaser for resale, on and after May 27, 1944, the manufacturer shall attach a tag or label containing the following statement with the blanks properly filled in:

Eastern zone retail ceiling price ---- $------
Western zone retail ceiling price ---- $------
This tag shall not be removed until the canner is delivered to the purchaser.

(e) At the time of the first invoice after May 27, 1944, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser. Since this order establishes maximum prices for sales by all jobbers including sales by jobbers to jobbers and jobbers to retailers, each jobber who resells any commodity covered by this order must notify his purchaser in writing of the maximum prices established by this order for resales by the purchaser. The written notice may be given in any convenient form.

(f) The Western zone includes the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, and the following counties in Texas: El Paso, Hudspeth, Culberson, Jeff Davis, Presidio, Brewster, Terrell, Pecos and Reeves. The rest of the country is in the Eastern zone.

(g) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(h) This order may be revoked or amended by the Price Administrator at any time.

This Order No. 1637 shall become effective May 27, 1944.

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7581; Filed, May 26, 1944; 11:49 a. m.]

[MPR 188, Order 1638]

J. C. PLATING WORKS

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1638 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by J. C. Plating Works, 865 North Sangamon Street, Chicago, Illinois, of a new dinette table of its manufacture, as described in its application, after such article became subject to Maximum Price Regulation No. 188 are those as set forth below:

To non-stock jobbers	*To dealers*
$19.51	$22.95

These maximum prices are f. o. b. factory and are subject to a cash discount of 1% for payment within 10 days.

(b) Any person may sell and deliver at wholesale the dinette table manufactured by J. C. Plating Works to dealers at a maximum price no higher than $22.95, f. o. b. shipping point. This maximum price is subject to a cash discount of 1% for payment within 10 days.

(c) At the time of or prior to the first invoice to each purchaser for resale, J. C. Plating Works shall notify the purchaser for resale of the maximum prices and conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of May 1944.

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7580; Filed, May 26, 1944; 11:49 a. m.]

[MPR 188, Order 1649]

YOUNG AND GOLLER FURNITURE CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1649 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of certain new articles of furniture manufactured by Young & Goller Furniture Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries of Young and Goller Furniture Company, Grand Rapids 6, Michigan, of certain new articles of furniture of its manufacture, as described in its application dated March 24, 1944, after such articles became subject to Maximum Price Regulation No. 188, are those as set forth below:

Article	To jobbers who sell against manufacturer's stock	To retail dealers
Carved mahogany ottoman	$13.81	$16.25
Mahogany stool	5.40	6.35
Solid cherry vanity bench	5.82	6.85

These maximum prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net thirty.

(b) On and after the effective date of this order, the maximum prices for all sales and deliveries at wholesale by jobbers and any other persons from the manufacturer's stock of the new articles of furniture described in paragraph (a) above shall be those set forth below, f. o. b. factory, subject to a cash discount of 2% for payment within 10 days.

Article:	*To retail dealers*
Carved mahogany ottoman	$16.25
Mahogany stool	6.35
Solid cherry vanity bench	6.85

(c) At the time of or prior to the first invoice to each purchaser for resale, Young and Goller Furniture Company shall notify the purchaser for resale of the maximum prices and conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of May 1944.

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7579; Filed, May 26, 1944; 11:48 a. m.]

[MPR 188, Order 1641]

TINY TOT FURNITURE MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1641 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a new infant's two-way high chair manufactured by Tiny Tot Furniture Mfg. Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by Tiny Tot Furniture Manufacturing Company, Glouster, Ohio, of a new infant's two-way high chair of its manufacture, as described in its application, after such article became subject to Maximum Price Regulation No. 188 are as follows:

	To jobbers who sell against manufacturer's stock	To dealers
Infant's two-way high chair	$6.00	$7.50

These maximum prices are net, f. o. b. factory.

(b) On and after the effective date of the order, the maximum price for all sales and deliveries at wholesale by jobbers and any other persons from the manufacturer's stock of the infant's two-way high chair described in paragraph (a) above shall be $7.50, net, f. o. b. shipping point.

(c) At the time of or prior to the first invoice to each purchaser for resale, Tiny Tot Manufacturing Company shall notify the purchaser for resale of the maximum prices and conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of May 1944.

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7583; Filed, May 26, 1944; 11:50 a. m.]

[MPR 120, Order 779]

CUMBERLAND PARKER SEAM COAL CORP.

ORDER ESTABLISHING PRICE CLASSIFICATIONS AND MAXIMUM PRICES FOR COALS

Order No. 779 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) and 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Parker No. 2 Mine of Cumberland Parker Seam Coal Corporation, located in Subdistrict No. 43 of District No. 1, is hereby assigned Mine Index No. 5097.

(b) The coals produced at the Parker No. 2 Mine, Mine Index No. 5097, of Cumberland Parker Seam Coal Corporation in District No. 1, are hereby classified as follows, and may be sold and purchased for the indicated uses and movements at per net ton prices not exceeding the following:

	Size group No.				
	1	2	3	4	5
Price classifications	D	D	D	D	D
Rail shipment	$3.60	$3.40	$3.85	$3.25	$3.25
Truck shipment	3.70	3.45	3.85	3.35	3.25
Railroad locomotive fuel	3.20	3.20	3.85	2.95	2.95

(c) The maximum prices established herein are f. o. b. the mine for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad locomotive fuel.

(d) This order may be revoked or amended at any time.

(e) All prayers of applicant not granted herein are hereby denied.

(f) Applicant shall submit monthly cost and realization reports to the Solid Fuels Branch of the Office of Price Administration, Washington, D. C.

(g) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective May 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7594; Filed, May 26, 1944; 11:53 a. m.]

[MPR 120, Order 781]

HANNAFORD VALLEY COAL CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 781 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Hannaford Valley Coal Company Mine of Hannaford Valley Coal Company is hereby assigned Mine Index No. 1006 and classified in Subdistrict "C".

(b) Coals produced by Hannaford Valley Coal Company at its Hannaford Valley Coal Company Mine, Mine Index No. 1006 in District No. 23, may be purchased and sold for the indicated uses and movements at per net ton prices not exceeding the following:

	Size group													
	1	2	3	5	8	12	13	15	16	19	20	21	23	24
Rail shipment	$5.30	$5.20	$4.95	$4.50	$4.50	$4.25	$3.50	$3.80	$3.80	$3.70	$3.60	$3.60	$3.55	$2.45
Truck shipment	5.55	5.45	5.20	4.95	4.95	4.70	3.95	3.95	3.95	4.45	4.20	3.95	3.45	2.70

Railroad Fuel

Size Group No. 26
Maximum price $3.70

(c) The prices established herein are f. o. b.-the mine for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad fuel.

(d) All prayers of applicant not granted herein are hereby denied.

(e) This order may be revoked or amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

This order shall become effective May 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of May, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7593; Filed, May 26, 1944; 11:52 a. m.]

[MPR 120, Order 782]

SOONER COAL MINING CO.

ESTABLISHING MAXIMUM PRICES FOR WASHED COALS

Order No. 782 under Maximum Price Regulation No. 120—Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals of Size Group Nos. 1 to 10, inclusive, produced by Sooner Coal Mining Company, Kansas City, Missouri, at its Sooner Mine, Mine Index No. 1510 in District No. 15, when washed, may be sold and purchased (for all uses except railroad fuel use) at per net ton prices not in excess of the applicable maximum prices for these size groups plus 15 cents, and those of Size Group No. 14, when washed, which are designated Size Group No. 13, may be purchased and sold at a per net ton price of $1.85.

(b) The maximum prices established herein are f. o. b. the mine for truck shipments and f. o. b. the rail shipping point for rail shipments.

(c) The terms "washed coal" used herein shall mean coal that has been sumberged in or thoroughly flushed with water and cleaned by flotation or flushing process in coal washeries. Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to all other terms used herein.

(d) This order may be revoked or amended at any time.

(e) All prayers of applicant not granted herein are hereby denied.

This order shall become effective May 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328 8 F.R. 4681)

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7595; Filed, May 26, 1944; 11:53 a. m.]

[MPR 188, Order 11 Under 2d Rev. Order A-3]

GRIESHABER MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 11 under Second Revised Order A-3 issued under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) This order permits Grieshaber Manufacturing Company, Chicago, Illinois, and its dealers to increase their maximum prices for sales of the Tyding Tonsil Snare, No. G-1130, to the prices set forth below:

(1) *Manufacturer's prices.* On and after May 27, 1944, the maximum price for sales of the Tyding Tonsil Snare, No. G-1130 to dealers by Grieshaber Manufacturing Company, 4505 Armitage Avenue, Chicago, Illinois, shall be $7.50 per unit, subject to discounts, allowances and terms no less favorable than those customarily granted by it.

(2) *Dealers' prices.* If you are a dealer, your maximum price for all sales and deliveries of the Tyding Tonsil Snare, No. G-1130, manufactured by Grieshaber Manufacturing Company, delivered to you by the manufacturer on and after May 27, 1944, shall be $13.00 per unit.

(b) *Notification.* The Grieshaber Manufacturing Company, at the time it sends the first invoice to each dealer after May 27, 1944 on sales of the Tyding Tonsil Snare, must send to each purchaser a written notice listing the catalogue number, the maximum price before the increase, the new maximum price for sales by the manufacturer, and the new maximum price for sales by dealers. A statement in the following form will be sufficient:

The Office of Price Administration has granted permission to the Grieshaber Manufacturing Company to increase its maximum price of its Tyding Tonsil Snare, No. G-1130 from $5.50 to $7.50 per unit. Each dealer may increase his maximum price to $13.00 per unit.

(c) This Order No. 11 may be revoked or amended by the Price Administrator at any time.

This Order No. 11 shall become effective on the 27th day of May 1944.

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7585; Filed, May 26, 1944; 11:51 a. m.]

[MPR 188, Order 1639]

LEON L. CHRIST

APPROVAL OF MAXIMUM PRICES

Order No. 1639 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by Leon L. Christ, 59 Stoneham Drive, Rochester, New York, of a gympen of his manufacture, as described in his application, since such article became subject to Maximum Price Regulation No. 188, are those set forth below:

Article	To retail stores	To persons selling at wholesale
Gympen	$6.50	$5.53

These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within ten days.

(b) Any person may sell and deliver at wholesale the gympen manufactured by Leon L. Christ, to dealers at a maximum price, f. o. b. shipping point, no higher than that set forth below:

Article:	*Jobbers resale prices*
Gympen	$6.50

(c) At the time of or prior to the first invoice to each purchaser for resale, Leon L. Christ shall notify the purchaser for resale of the maximum prices and conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

This Order No. 1639 shall become effective May 27, 1944.

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7590; Filed, May 26, 1944; 11:52 a. m.]

[MPR 188, Order 1640]

WORLD-WIDE WOOD INDUSTRIES CORP.

APPROVAL OF MAXIMUM PRICES

Order No. 1640 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries of World-Wide Wood Industries Corporation, 273 Merrick Road, Lynbrook, New York, of the magazine basket of its manufacture, as described in its application, after such article became subject to Maximum Price Regulation No. 188, are set forth below:

Article	To retail dealer	To jobber selling against the manufacturer's stock
Magazine basket	*Per dozen* $24.00	*Per dozen* $20.40

These maximum prices are subject to the seller's customary discounts, allowances, and other price differentials.

(b) On and after the effective date of this order, the maximum price for all sales and deliveries at wholesale by jobbers and any other persons from the manufacturer's stock of the magazine basket described in paragraph (a) above shall be $24.00 per dozen to retail dealers. This maximum price is subject to the seller's customary discounts, allowances and other price differentials.

(c) At the time of or prior to the first invoice to each purchaser for resale, World-Wide Wood Industries Corporation shall notify the purchaser for resale of the maximum price and conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of May 1944.

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7584; Filed, May 26, 1944; 11:50 a. m.]

Regional and District Office Orders.

[Region IV Order G-37 Under 18 (c)]

BREAD IN UNION COUNTY, S. C.

Order No. G-37 under § 1499.18 (c) of the General Maximum Price Regulation as amended. Adjustment of maximum prices for bread in Union County, South Carolina.

For the reasons set forth in an Opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region IV of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order 32, *It is hereby ordered:*

(a) No person shall sell and deliver at wholesale and no retailer shall buy and receive 15- and 16-ounce loaves of bread at a price higher than 9¢ in Union County, South Carolina.

(b) *Definitions.* (1) "Sell and deliver at wholesale" means a sale and delivery by a person who either bakes the bread or buys it and resells it without substantially changing its form to any person other than the ultimate consumer.

(2) "Union County, South Carolina," means all the territory within the established boundaries of such county.

(3) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 as amended and in the General Maximum Price Regulation shall apply to other terms used herein.

(c) *Applicability of the General Maximum Price Regulation and other supplementary orders of the Office of Price Administration.* Except as otherwise provided herein all transactions subject to this order remain subject to all of the provisions of the General Maximum Price Regulation together with all amendments, supplementary regulations and orders which have heretofore or may be hereafter issued.

(d) This order may be revoked, amended or corrected at any time.

(e) This order shall become effective May 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671 and E.O. 9328, 8 F.R. 4681)

Issued: May 13, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44-7527; Filed, May 25, 1944; 1:42 p. m.]

[Region VI Order G-2 Under MPR 154]

ICE IN MT. CARMEL, ILL.

Order No. G-2 under § 1393.8 (e) of Maximum Price Regulation No. 154. Ice. Adjustment of maximum prices for ice in Mt. Carmel, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1393.8 (e) of Maximum Price Regulation No. 154, it is ordered:

(a) *Maximum processor prices.* The maximum prices for the sale of ice by the Henneberger Ice and Storage Company at or from their plant located at Mt. Carmel, Illinois shall be as follows:

Sales to commercial users—Annual contracts—	
Delivered:	
Mid-West Dairy Company	$7.00 per ton.
Tip Top Creamery Company	7.00 per ton.
Merchants Dispatch, Inc	6.50 per ton for 1st 350 tons. 6.25 per ton for next 350 tons. 6.00 per ton for over 700 tons.
F. o. b. purchaser's cars:	
New York Central R. R. Co	$8.00 per ton
Sales to distributors f. o. b. seller's platform—$6.00 per ton.	
Sales at retail f. o. b. seller's platform—	
100 pounds	.50
75 pounds	.38
50 pounds	.25
25 pounds	.13

All maximum prices for sales of ice not covered by this order, if any, shall be those established under Maximum Price Regulation 154 plus $1.00 per ton and a proportionate amount of $1.00 on sales of ice in lesser amounts than one ton.

(b) *Written notice on sales to distributors and at retail.* On the first delivery of ice on sales at wholesale to any distributor, the Henneberger Ice and Storage Company shall notify each purchaser in writing as follows:

In order to enable us to continue to supply ice, the Office of Price Administration has permitted us to increase our maximum prices to $6.00 per ton for ice sold to distributors at or from our Mt. Carmel, Illinois plant. The same order authorizes you to charge the following prices on your sales at retail: 60¢ for 100 pounds, 45¢ for 75 pounds, 30¢ for 50 pounds and 15¢ for 25 pounds.

(c) *Reports.* The Henneberger Ice and Storage Company shall, not later than August 1, 1944 and February 1, 1945, submit to the Regional Office of the Office of Price Administration, Profit and Loss Statements on its operations at its Mt. Carmel plant for the two six-month periods ending June 30, 1944 and December 31, 1944, respectively.

(d) *Maximum distributor prices.* The maximum prices for sales of ice by distributors who purchase at or from the Mt. Carmel, Illinois plant of the Henneberger Ice and Storage Company shall be the maximum prices determined under Maximum Price Regulation No. 154 or the following prices, whichever shall be the higher:

100 pounds	$0.60
75 pounds	.45
50 pounds	.30
25 pounds	.15

(e) *Written notice on sales by distributors.* On the first delivery of ice by distributors covered by this Order at maximum prices permitted therein, the seller shall notify each purchaser in writing as follows:

In order to enable us to maintain the supply of ice, the Office of Price Administration has permitted distributors purchasing from the Henneberger Ice and Storage Company at or from their Mt. Carmel plant to increase their maximum price on sales of ice at retail to 60¢ per cwt., 45¢ for 75 pounds, 30¢ for 50 pounds, and 15¢ for 25 pounds.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

(g) *Effective dates.* This order shall become effective as to sales by the Henneberger Ice and Storage Company at or from their plant located at Mt. Carmel, Illinois to the Midwest Dairy Company, Tip Top Creamery Company, New York Central R. R. Company, and to the Merchants Dispatch Incorporated as of May 31, 1943. As to all other sales governed by this order, this order shall become effective May 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671 and E.O. 9328, 8 F.R. 4681)

Issued this 10th day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-7521; Filed, May 25, 1944; 1:45 p. m.]

[Region VI Order G-37 Under MPR 329]

MILK IN DECATUR, ILL.

Order No. G-37 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

Producer milk prices in Decatur, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (b) of Maximum Price Regulation No. 329, it is hereby ordered:

(a) *Maximum producer prices.* The maximum price which milk distributors may pay to producers for milk sold for human consumption in fluid form shall be $3.00 for 4% butterfat plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 4% and minus not less than 3¢ for each 1/10 of a pound of butterfat below 4%.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within Springfield, Illinois, or who sell within that city 50% or more of the milk sold by them. Maximum prices provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased fluid milk during the period from August 1, 1943 to December 31, 1943 and are not applicable to purchases from producers who did not in that period sell to distributors covered by this order. Maximum prices for purchases from producers from whom the distributors covered by this order did not purchase during such period, shall be the maximum prices established under MPR No. 329.

(c) *Definitions.* Unless the context otherwise requires, the definitions set forth in § 1351.404 of Maximum Price Regulation No. 329 and section 304 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) *Relation to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk than he paid on deliveries during January 1943. Except as modified by this order, the provisions of Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in the customary delivery practices or other business or trade practices in effect in January of 1943.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order has been approved by the Regional Director of the War Food Administration.

This order shall be effective the 13th day of May 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of May 1944.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-7522; Filed, May 25, 1944; 1:46 p. m.]

[Region VI Order G-51 Under SR 15 and MPR 280]

MILK IN ELGIN, NEBR.

Order No. G-51 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.807 (a) of Maximum Price Regulation 280. Adjustment of fluid milk prices in Elgin, Nebraska.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 (a) of Maximum Price Regulation 280, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption at wholesale and retail in Elgin, Nebraska, shall be the maximum prices determined under the General Maximum Price Regulation and under Maximum Price Regulation 280, or the following prices whichever shall be the higher:

Standard butterfat content fluid milk	Wholesale	Retail
Gallon (in bulk)	$0.37	
Gallon	.37	$0.45
Quart	.10	.12
Pint	.05½	.06½
Half-pint	.03	.04

Where the maximum price set forth is expressed in terms of ½¢ the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Elgin, Nebraska area shall mean:

1. All sales made within the city limits of Elgin, Nebraska and all sales at or from an establishment located in Elgin, Nebraska.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Elgin, Nebraska.

(d) *Definitions.* 1. "Standard butterfat content milk" shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

2. "Sales at wholesale" shall include all sales to retail stores, hotels, restaurants, schools, hospitals, prisons, and other institutions.

3. "Army or Navy" means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of the General Maximum Price Regulation and the Maximum Price Regulation 280 shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective May 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-7531; Filed, May 25, 1944; 1:42 p. m.]

[Region VI Order G-52 Under SR 15 and MPR 280]

FLUID MILK IN ELK POINT, S. DAK.

Order No. G-52 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.807 (a) of Maximum Price Regulation No. 280. Adjustment of fluid milk prices in Elk Point, South Dakota.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 (a) of Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption at wholesale and retail in Elk Point, South Dakota, shall be the maximum prices determined under the General Maximum Price Regulation or under Maximum Price Regulation No. 280, whichever shall be applicable, or the following prices, whichever shall be the higher:

Standard butterfat content fluid milk	Wholesale	Retail
Gallon (in bulk)	$0.37	
Gallon	.37	$0.45
Half gallon	.19	.23
Quart	.10	.12
Pint	.05½	.06½
Half pint	.03	.05

Where the maximum price set forth is expressed in terms of ½¢, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container plus whichever of the following provisions is the higher:

(1) One-half cent per quart or a proportionate amount for a part of a quart.

(2) The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Elk Point, South Dakota area shall mean:

(1) All sales made within the city limits of Elk Point, South Dakota and all sales at or from an establishment located in Elk Point, South Dakota.

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Elk Point, South Dakota.

(d) *Definitions.* (1) Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, hotels, restaurants, schools, hospitals, prisons, and other institutions.

(3) Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, Officers' messes, and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of the General Maximum Price Regulation and the Maximum Price Regulation No. 280 shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective May 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-7538; Filed, May 25, 1944; 1:42 p. m.]

[Region VI Order G-53 Under SR 15]

FLUID MILK IN OCHEYEDAN, IOWA

Order No. G-53 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation. Adjustment of fluid milk prices in Ocheyedan, Iowa.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption at retail by distributors located in Ocheyedan, Iowa, shall be the maximum prices determined under the General Maximum Price Regulation or the following prices, whichever shall be the higher:

Standard butterfat content fluid milk:	Retail
Gallon	$0.45
½ gallon	.23
Quart	.12

(b) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Ocheyedan, Iowa, area shall mean:

1. All sales at retail made within the city limits of Ocheyedan, Iowa and all sales at retail at or from an establishment located in Ocheyedan, Iowa.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Ocheyedan, Iowa.

(c) *Definitions.* Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(d) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective May 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-7529; Filed, May 25, 1944; 1:43 p. m.]

[Region VI Order G-54 Under SR 15, MPR 280]

FLUID MILK IN PRIMGHAR, IOWA

Order No. G-54 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.807 (a) of Maximum Price Regulation No. 280. Adjustment of fluid milk prices in Primghar, Iowa.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 (a) of Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption at wholesale and retail in Primghar, Iowa, shall be the maximum prices determined under the General Maximum Price Regulation or under Maximum Price Regulation No. 280, whichever shall be applicable, or the following prices, whichever shall be the higher:

Standard butterfat content fluid milk	Wholesale	Retail
Gallon (in bulk)	$0.37	
Gallon	.37	$0.45
½ gallon	.19	.23
Quart	.10	.12
Pint	.05½	.06½
Half pint	.03	.04

Where the maximum price set forth is expressed in terms of ½¢, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container plus whichever of the following provisions is the higher:

(1) One-half cent per quart or a proportionate amount for a part of a quart.

(2) The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Primghar, Iowa area shall mean:

(1) All sales made within the city limits of Primghar, Iowa and all sales at or from an establishment located in Primghar, Iowa.

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Primghar, Iowa.

(d) *Definitions.* (1) Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, hotels, restaurants, schools, hospitals, prisons, and other institutions.

(3) Army or Navy means the War Department or the Department of the Navy of the United States, including such departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of the General Maximum Price Regulation and the Maximum Price Regulation No. 280 shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective May 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-7530; Filed, May 25, 1944; 1:44 p. m.]

[Region VI Order G-56 Under SR 15, MPR 280]

FLUID MILK IN HOLT COUNTY, NEBR.

Order No. G-56 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.807 (a) of Maximum Price Regulation No. 280. Adjustment of fluid milk prices in Holt County, Nebraska.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 (a) of Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption at wholesale and retail in Holt County, Nebraska shall be the maximum prices determined under the General Maximum Price Regulation or under Maximum Price Regulation No. 280, whichever shall be applicable, or the following prices, whichever shall be the higher:

Standard butterfat content fluid milk	Wholesale	Retail
Gallon (in bulk)	$0.37	
Gallon	.37	$0.45
½ Gallon	.19	.23
Quart	.10	.12
Pint	.05½	.06½
½ Pint	.03	.05

Where the maximum price set forth is expressed in terms of ½¢, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container plus whichever of the following provisions is the higher:

(1) One-half cent per quart or a proportionate amount for a part of a quart.

(2) The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within Holt County area shall mean:

(1) All sales made within the county limits of Holt County, Nebraska and all sales at or from an establishment located in Holt County, Nebraska.

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Holt County, Nebraska.

(d) *Definitions.* (1) Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, hotels, restaurants, schools, hospitals, prisons, and other institutions.

(3) Army or Navy means the War Department or the Department of the Navy

of the United States, including such departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of the General Maximum Price Regulation and the Maximum Price Regulation No. 280 shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective May 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-7519; Filed, May 25, 1944; 1:44 p. m.]

[Region VI Order G-57 Under SR 15, MPR 280, MPR 329]

FLUID MILK IN ST. CLOUD AND SAUK RAPIDS, MINN.

Order No. G-57 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under Maximum Price Regulation No. 280. Maximum prices for specific food products, and under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk. Adjustment of fluid milk prices for St. Cloud and Sauk Rapids, Minnesota.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation No. 280, and § 1351.408 (a) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum prices which distributors may pay to producers for milk sold for human consumption in fluid form shall be $2.75 per cwt. for 3.5% milk, plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 3.5% and minus not less than 5¢ for each 1/10 of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of fluid milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of the communities of St. Cloud, Minnesota, and Sauk Rapids, Minnesota, or who sell within those communities 50% or more of the milk sold by them. The maximum prices provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased during the period January 1, 1944, to March 31, 1944, and are not applicable to purchases from producers who did not, in that period, sell to distributors located in the communities of St. Cloud, Minnesota, and Sauk Rapids, Minnesota.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk with a butterfat content of 4.5% or more at wholesale and at retail in St. Cloud, Minnesota, and Sauk Rapids, Minnesota, shall be the maximum prices determined under the General Maximum Price Regulation or under Maximum Price Regulation 280, whichever is appropriate for the type of sale being made, or the following prices, whichever shall be the higher:

	Wholesale	Retail
Gallons, in bulk	$0.41	----
Gallon	.41	$0.49
½ gallon	.21	.25
Quart	.11	.13
Pint	.06	.07
½ pint	.03½	.05

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the St. Cloud and Sauk Rapids, Minnesota area shall mean:

1. All sales made within the city limits of St. Cloud and Sauk Rapids, Minnesota, and all sales at or from an establishment located in St. Cloud and Sauk Rapids, Minnesota.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within St. Cloud and Sauk Rapids, Minnesota.

(f) *Definitions.* (1) Sales at wholesale shall include all sales to retail stores, restaurants, schools, hospitals, prisons, and other institutions.

(2) Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation of this order to Office of Price Administration Regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk from producers than he paid on deliveries during January, 1943. Except as modified by this order, the provisions of Maximum Price Regulation No. 280, of Maximum Price Regulation No. 329, and of the General Maximum Price Regulation shall remain in full force and effect, and shall not be evaded by any change in business or trade practices.

(h) *Revocability.* This order may be revoked, amended or corrected at any time. The portion of this order which applies to prices which may be paid to producers has been approved by the Regional Director of the War Food Administration.

This order shall be effective May 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-7520; Filed, May 25, 1944; 1:44 p. m.]

[Region VII Order G-24 Under RMPR 122, Amdt. 10]

SOLID FUELS IN DENVER REGION

Order No. G-24 under Revised Maximum Price Regulation No. 122, Amendment No. 10. Solid fuels sold and delivered by dealers. Adjustment of specific maximum prices of dealers in Region VII to compensate for increases in supplier's price under Amendment 74 to Maximum Price Regulation No. 120.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 10 is issued.

1. Subparagraph (6) of paragraph (d), Appendix A, is hereby deleted.

2. Subparagraph (9) of paragraph (d), Appendix A, is amended by revoking the flat over-all increase of 52¢ per ton and granting specified increases on certain sizes only, thereby making said subparagraph (9) read as follows:

Mines operated by	District	Subdistrict	Index number	Size	Amount	Effective date
(9) Hudson Coal Company: Sweet	20	1	28	(1 thru 6 (7 thru 15	25¢ 50¢	4-29-44 4-29-44

3. *Effective date.* This Amendment No. 10 shall become effective on the 8th day of May 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 8th day of May 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-7524; Filed, May 25, 1944; 1:46 p. m.]

[Region VII Order G-26 Under RMPR 122, Amdt. 2]

SOLID FUELS IN DENVER REGION

Order No. G-26 under Revised Maximum Price Regulation No. 122, Amendment No. 2. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels when sold by dealers within specified trade areas in Region VII.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 2 to Order No. G-26 is issued.

1. Paragraph (4), "Specific maximum prices", of Appendix I, Albuquerque trade area, is hereby amended by making the lines (A), (B), (C), and (D), pertaining to Cerrillos anthracite produced at Madrid, New Mexico, read as follows:

(A) Chestnut	$12.55	$6.55	$12.05
(B) #1, #2, #3 grate, egg, stove and base burner	14.40	7.45	13.90
(C) #7 pea	11.20	5.90	10.80
(D) #8 buckwheat and duff	7.55	4.05	7.05

2. Paragraph (3), "Specific maximum prices", of Appendix II, Santa Fe trade area, is hereby amended by making lines (G), (H), (I), and (J), pertaining to Cerrillos anthracite produced in Madrid, New Mexico, read as follows:

(G) #1 Grate	$15.95	$8.25	$15.20
(H) #2 & #3—egg and stove	15.70	8.10	14.95
(I) Base burner	15.20	7.85	14.45
(J) #7 pea	10.30	5.40	9.55

3. Paragraph (3), "Specific maximum prices", of Appendix III, Las Vegas trade area, is hereby amended by making lines (I) and (J), pertaining to Cerrillos anthracite produced at Madrid, New Mexico, read as follows:

(I) #2—stove	$16.55	$8.55	$16.05
(J) #7—pea	9.60	5.05	9.10

4. *Effective date.* This amendment shall become effective on May 2, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 8th day of May 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-7523; Filed, May 25, 1944; 1:46 p. m.]

[San Diego Order G-1 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN SAN DIEGO, CALIF., DISTRICT

Order No. G-1 under MPR 426, as amended. Fresh fruits and vegetables for table use; sales except at retail.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director, San Diego District, Office of Price Administration, by Maximum Price Regulation 426, Appendix H, paragraph (f), and by order of delegation No. 40 issued by the Regional Administrator, Region 8, Office of Price Administration, *It is hereby ordered:*

(1) The limits of the free delivery zone referred to in said Maximum Price Regulation 426, Appendix H, for the City of San Diego wholesale receiving point is hereby designated and defined as follows: All that area lying within San Diego County bounded on the west by the Pacific Ocean; on the north by a line running from the northwestern boundary of the incorporated City of San Diego, and east to the town of Lakeside; on the east by a line running due south from the town of Lakeside to the Mexican border; and on the south by the Mexican border.

(2) That on deliveries from the City of San Diego wholesale receiving point made by secondary jobbers and service wholesalers, as set forth in Maximum Price Regulation 426, Appendix H, (e) (6), delivered to the premises of purchasers outside of the free delivery zone as designated and defined in paragraph (1) there may be added an amount for transportation of 25¢ cwt for the first 25 miles beyond the limits of the free delivery zone and 5¢ cwt for each additional 25 miles.

(3) This order may be revoked, amended or corrected at any time.

This order shall become effective at 12:01 a. m., Monday, May 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 6th day of May 1944.

STEWART O. WICKLIN,
Acting District Director.

[F. R. Doc. 44-7532; Filed, May 25, 1944; 1:47 p. m.]

[San Diego Order G-2 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN SAN DIEGO, CALIF., DISTRICT

Order No. G-2 under MPR 426, as amended. Fresh fruits and vegetables for table use; sales except at retail.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director, San Diego District, Office of Price Administration, by Maximum Price Regulation 426, Appendix I, paragraph (g), and by order of delegation No. 40 issued by the Regional Administrator, Region 8, Office of Price Administration, *It is hereby ordered:*

(1) The limits of the free delivery zone referred to in said Maximum Price Regulation 426, Appendix I, for the city of San Diego wholesale receiving point is hereby designated and defined as follows: All that area lying within San Diego County bounded on the west by the Pacific Ocean; on the north by a line running from the northwestern boundary of the incorporated city of San Diego, and east to the town of Lakeside; on the east by a line running due south from the town of Lakeside to the Mexican border; and on the south by the Mexican border.

(2) That on deliveries from the city of San Diego wholesale receiving point made by secondary jobbers and service wholesalers, as set forth in Maximum Price Regulation 426, Appendix I, (f) (5) (v), delivered to the premises of purchasers outside of the free delivery zone as designated and defined in paragraph (1) there may be added an amount for transportation of 25¢ cwt for the first 25 miles beyond the limits of the free delivery zone and 5¢ cwt for each additional 25 miles.

(3) This order may be revoked, amended or corrected at any time.

This order shall become effective at 12:01 a. m., Monday, May 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 6th day of May 1944.

STEWART O. WICKLIN,
Acting District Director.

[F. R. Doc. 44-7526; Filed, May 25, 1944; 1:47 p. m.]

[Region VIII Order G-24 Under 18 (c), Amdt. 3]

CHARCOAL IN SAN FRANCISCO REGION

Amendment No. 3 to Order No. G-24 under § 1499.18 (c) as amended, of the General Maximum Price Regulation, Resale of certain charcoals manufactured by George Oravetz & Son, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation, *It is hereby ordered,* That paragraph (a) (1) of Order No. G-24 under § 1499.18 (c), as amended, of the General Maximum Price Regulation be amended to read as follows:

(1) Fir wood charcoal ground to poultry sizes 35/100ths of a cent per pound. The seller may also charge a deposit not to exceed $0.20 per 75 pound bag, to be refunded if the bag is returned in a usable condition.

This Amendment No. 3 shall become effective immediately.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 19th day of May 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-7525; Filed, May 25, 1944; 1:47 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on May 23, 1944.

REGION I

Concord Order 2-F, covering certain fresh fruits and vegetables in New Hampshire, filed 9:43 a. m.

Providence Order W–1, Amendment 1, covering wholesale community food prices in the State of Rhode Island, except Shoreham, filed 9:44 a. m.

Providence Order 1–F, Amendment 4, covering certain fruits and vegetables in the Providence, Rhode Island Metropolitan Area, filed 9:44 a. m.

Providence Order 2–F, Amendment 4, covering certain fruits and vegetables in Rhode Island except certain areas, filed 9:44 a. m.

Providence Order 6, Amendment 2, covering community food prices in Rhode Island excepting Shoreham, filed 9:44 a. m.

REGION II

Albany Order 1–F, Amendment 2, covering fresh fruits and vegetables in certain counties in the Albany district, filed 9:45 a. m.

Albany Order 1–F, Amendment 3, covering fresh fruits and vegetables in certain counties in the Albany district, filed 9:45 a. m.

Albany Order 1–F, Amendment 4, covering fresh fruits and vegetables in certain counties in the Albany district, filed 9:45 a. m.

Albany Order 1–F, Amendment 5, covering fresh fruits and vegetables in certain counties in the Albany district, filed 9:45 a. m.

Albany Order 1–F, Amendment 6, covering fresh fruits and vegetables in certain counties in the Albany district, filed 9:46 a. m.

Albany Order 1–F, Amendment 7, covering fresh fruits and vegetables in Albany, Rensselaer, Troy, Schenectady, Green Island, Cohoes and Watervliet, filed 9:46 a. m.

District of Columbia Order 1–F, Amendment 7, covering fresh fruits and vegetables in Arlington County, Alexandria and Falls Church, Va. and all that portion of Maryland within two miles of the District of Columbia boundary line, filed 10:11 a. m.

Erie Order 3–F, covering fresh fruits and vegetables in Erie, Pa., filed 10:11 a. m.

Erie Order 4–F, covering fresh fruits and vegetables in Erie, Pa., filed 10:12 a. m.

Maryland Order 1–F, Amendment 7, covering fresh fruit and vegetable in Baltimore, Maryland Area, filed 10:07 a. m.

Newark Order 4–F, Amendment 1, covering certain fresh fruit and vegetables in certain named areas in New Jersey, filed 10:12 a. m.

New York Order 1–F, Amendment 8, covering certain fresh fruits and vegetables in the five Boroughs of City of New York, filed 10:06 a. m.

New York Order P–1, Amendment 3, covering fresh fish and seafood in all Boroughs of the City of New York, filed 10:11 a. m.

Philadelphia Order 1–F, Amendment 6, covering fresh fruits and vegetables in Philadelphia, Pennsylvania, filed 10:13 a. m.

Williamsport Order 1–F, Amendment 7, covering fresh fruits and vegetables in certain named counties of the Williamsport District, filed 10:12 a. m.

Wilmington Order 2–F, Amendment 5, covering fresh fruits and vegetables in the area including and north of the Towns of New Castle and Newark to the Delaware State Line, filed 10:09 a. m.

REGION III

Cincinnati Order 1–F, Amendment 31, covering fresh fruits and vegetables in Hamilton County, Ohio, filed 10:09 a. m.

Cincinnati Order 2–F, Amendment 24, covering fresh fruits and vegetables in Butler, Clark, Montgomery & Scioto Counties, Ohio, filed 10.09 a. m.

Cincinnati Order 1–F, Amendment 2, covering fresh fish and seafood in Hamilton County, Ohio, filed 10.06 a. m.

Saginaw Order 1–F, Amendment 2, covering fresh fruit & vegetable prices in certain named counties in Michigan, filed 10:04 a. m.

Saginaw Order 2–F, Amendment 2, covering fresh fruit & vegetable prices in certain named counties in Michigan, filed 10:05 a. m.

Saginaw Order 3–F, Amendment 4, covering fresh fruit & vegetable prices in certain named counties in Michigan, filed 10:05 a. m.

Saginaw Order 4–F, Amendment 5, covering certain fresh fruit & vegetable prices in certain named counties in Michigan, filed 10:05 a. m.

Columbus Order 4–F, Amendment 7, covering certain fresh fruits and vegetables in certain counties in Ohio, filed 10:10 a. m.

Columbus Order 5–F, Amendment 6, covering fresh fruits and vegetables in Belmont, Harrison, Monroe, Jefferson, Noble, & Washington Counties, Ohio, filed 10:10 a. m.

Columbus order 3–F, Amendment 23, covering fresh fruit and vegetables in Columbia and Franklin County, Ohio, filed 10:10 a. m.

Cleveland Order 1–W, Amendment 2, covering fresh fruit and vegetables in the Cleveland district Area, filed 9:46 a. m.

Cleveland Order 29, Amendment 5, covering community food prices in certain specified areas in Ohio, filed 9:46 a. m.

Detroit Order 1–F, Amendment 16, covering fresh fruit and vegetable prices in designated counties in Ohio, filed 10:17 a. m.

Indianapolis Order 8–F, Amendment 13, covering fresh fruits and vegetables in Central Indiana, filed 10:17 a. m.

Indianapolis Order 9–F, Amendment 13, covering fresh fruits and vegetables in Southwestern & Northeastern Indiana. Filed 10:18 a. m.

Indianapolis Order 10–F Amendment 13, covering fresh fruits and vegetables in Northwestern Indiana. Filed 10:19 a. m.

Indianapolis Order 11–F Amendment 13, covering fresh fruits and vegetables in Southeastern Indiana. Filed 10:19 a. m.

Lexington Order 1–W, Amendment 3, covering dry groceries at wholesale in the Lexington-Kentucky District. Filed 10:20 a. m.

REGION IV

Jackson Order 2–F, Amendment 11, covering fresh fruits and vegetables in certain counties in Mississippi, filed 10:21 a. m.

Jacksonville Order 6–F, Amendment 3, covering fresh fruits and vegetables in limits of Jacksonville, Florida, filed 10:10 a. m.

Memphis Order 4–F, Amendment 34, covering fresh fruits and vegetables in Memphis District, filed 10:07 a. m.

Memphis Order 5–F, Amendment 5, covering fresh fruits and vegetables in certain specified counties in the Memphis District, filed 10:20 a. m.

South Carolina Order 2–F, Amendment 7, covering fresh fruits and vegetables in certain areas in South Carolina. Filed 10:06 a. m.

South Carolina Order 3–F, Amendment 11, covering fresh fruits and vegetables in certain areas in South Carolina. Filed 10:07 a. m.

South Carolina Order 4–F, Amendment 3, covering fresh fruits and vegetables in a certain area in South Carolina. Filed 10:20 a. m.

REGION V

Forth Worth Order 1–F, Amendment 17, covering fresh fruits and vegetables in Tarrant County, Texas. Filed 10:24 a. m.

Fort Worth Order 2–F, Amendment 17, covering fresh fruits and vegetables in Taylor County, Texas. Filed 10:25 a. m.

Fort Worth Order 3–F, Amendment 17, covering fresh fruits and vegetables in Tom Green County, Texas. Filed 10:25 a. m.

Fort Worth Order 4–F, Amendment 17, covering fresh fruits and vegetables in McLennan County, Texas. Filed 10:26 a. m.

Fort Worth Order 5–F, Amendment 17, covering fresh fruits and vegetables in Wichita, Texas, filed 10:26 a. m.

Lubbock Order G–12, Amendment 2, covering community food prices in certain areas in Texas, filed 10:22 a. m.

Kansas City Order G–17, covering community food prices in certain areas in Missouri, filed 10:23 a. m.

Kansas City Order G–18, covering community food prices in certain areas in Missouri, filed 10:23 a. m.

San Antonio Order 1–F, Amendment 5, covering fresh fruits and vegetables in certain areas in Texas, filed 10:21 a. m.

San Antonio Order 2–F, Amendment 5, covering fresh fruits and vegetables in Bexar County, Texas, filed 10:21 a. m.

San Antonio Order 3–F, Amendment 1, covering fresh fruits and vegetables in Austin, Texas, filed 10:21 a. m.

San Antonio Order 4–F, Amendment 1, covering fresh fruits and vegetables in Corpus Christi, Texas. Filed 10:22 a. m.

Shreveport Order 2–F, Amendment 14, covering fresh fruits and vegetables in Shreveport, Bossier City, Monroe and West Monroe in Louisiana. Filed 10:26 a. m.

Shreveport Order 3–F, Amendment 3, covering fresh fruits and vegetables in certain Parishes in Louisiana. Filed 10:27 a. m.

Tulsa Order G–4W, covering community food prices in certain counties in Oklahoma. Filed 9:47 a. m.

REGION VI

Chicago, Order 2–F, Amendment 14, covering community food prices in certain areas in Illinois, filed 10:29 a. m.

La Crosse Order 1–F, Amendment 16, covering fresh fruits and vegetables in certain named cities of Wisconsin, filed 10:14 a. m.

La Crosse Order 2–F, Amendment 4, covering community prices for fresh fruits and vegetables in Wisconsin, filed 10:16 a. m.

La Crosse Order 3–F, Amendment 12, covering fresh fruits and vegetables in Eau Claire and Chippewa Falls, Wisconsin, filed 10:15 a. m.

La Crosse Order 4–F, Amendment 12, covering fresh fruits and vegetables in Sparta, Wisconsin, filed 10:13 a. m.

La Crosse Order 4–W, covering community food prices in Barrow, Chippewa, Dunn, Eau Claire, Rusk, and Clark, State of Wisconsin, filed 10:15 a. m.

La Crosse, Order 5–F, Amendment 12, covering fresh fruit and vegetables in Rochester, Minnesota, filed 10:15 a. m.

North Platte Order 1P, covering poultry in certain named counties in Nebraska, filed 10:00 a. m.

North Platte Order 2P, covering poultry in certain named counties in Nebraska, filed 9:56 a. m.

North Platte Order 4–F, covering community food prices in certain named counties of Nebraska. Filed 10:14 a. m.

North Platte Order 17, covering community food prices in certain named counties of Nebraska. Filed 9:57 a. m.

North Platte Order 18, covering community food prices in certain named counties of Nebraska, filed 9:57 a. m.

North Platte Order 19, covering community food prices in certain named counties in Nebraska, filed 9:58 a. m.

North Platte Order 20, covering community food prices in certain named counties of Nebraska, filed 9:52 a. m.

Sioux Falls, Order Adopting Order 3, covering community food prices in counties of South Dakota. Filed 10:24 a. m.

REGION VII

Montana Order Revocation of Order 23–F, covering fresh fruit and vegetables in Absarokee area, filed 10:30 a. m.

Montana Revocation of Order 35, covering community pricing for dry groceries in Absarokee area, filed 10:30 a. m.

Wyoming, Order 1–W, covering community food prices in Cheyenne, Wyoming Area, filed 12:11 p. m.

Wyoming Order 2–W, covering community food prices in Casper, Wyoming Area, filed 12:11 p. m.

Wyoming Order 3–W, covering community food prices in Greybull, Wyoming Area, filed 12:12 p. m.

Wyoming Order 5–W, covering community food prices in Rock Springs, Wyoming Area, filed 12:13 p. m.

Wyoming Order 6–W, covering community food prices in Sheridan, Wyoming Area, filed 12:13 p. m.

REGION VIII

Fresno Order 1–F, Amendment 17, covering fresh fruit and vegetables in certain areas in California, filed 9:49 a. m.

Fresno Order 2–F, Amendment 5, covering fresh fruit and vegetables in certain areas in California, filed 9:50 a. m.

Fresno Order 3–F, Amendment none, covering fresh fruit and vegetables in certain named areas in California, filed 9:45 a. m.

Los Angeles Order 1–F, Amendment 13, covering fresh fruit and vegetables in certain named areas in California, filed 9:50 a. m.

Los Angeles Order L. A.–5, Amendment 15, covering poultry in Los Angeles, California, filed 12:10 p. m.

Los Angeles Order L. A.–6, Amendment 15, covering poultry in Los Angeles, California, filed 12:11 p. m.

Los Angeles Order L. A.–7, Amendment 15, covering poultry in Los Angeles, California, filed 12:11 p. m.

Los Angeles Order L. A.–8, Amendment 15, covering poultry in Los Angeles, California, filed 12:10 p. m.

Los Angeles Order L. A.–10, Amendment 4, covering poultry in Los Angeles, California, filed 12:10 p. m.

Los Angeles Order L. A.–11, Amendment 3, covering poultry in Los Angeles, California, filed 12:10 p. m.

Phoenix Order 1–P, Amendment 5, covering poultry and egg prices in Arizona State Area, filed 9:47 a. m.

Phoenix Order 3–P, Amendment 19, covering fresh fruits and vegetables in Phoenix area, filed 9:48 a. m.

Nevada Order 1–F, Amendment 9, covering fresh fruit and vegetables in Reno-Sparks area, filed 10:29 a. m.

Nevada Order 1–F, Amendment 10, covering fresh fruit and vegetables in Reno-Sparks area, filed 10:29 a. m.

Nevada Order 2–F, covering fresh fruit and vegetables in certain named areas in Nevada, filed 10:30 a. m.

Nevada Order 3–F, covering fresh fruit and vegetables in certain named areas in Nevada, filed 9:42 a. m.

Nevada Order 4–F, covering fresh fruit and vegetables in certain named areas in Nevada, filed 9:42 a. m.

Portland Order 1–F, Amendment 16, covering fresh fruit and vegetables in Portland and Vanport, Oregon and Vancouver, Washington, filed 9:54 a. m.

San Diego Order 1–F, Amendment 37, covering fresh fruit and vegetables in the San Diego area, filed 9:48 a. m.

Spokane Order 1–F, Amendment 9, covering fresh fruits and vegetables in certain areas of Spokane County, Washington, filed 9:54 a. m.

Spokane Order 2–F, Amendment 6, covering fresh fruits and vegetables in certain areas of Kootenai County, Idaho, filed 9:56 a. m.

Spokane Order 7–F, covering fresh fruits and vegetables in certain areas of Benton and Franklin Counties, Washington, filed 9:54 a. m.

Spokane Order 20, Amendment 2, covering community food prices in certain areas of Benton and Franklin Counties, Washington, filed 9:59 a. m.

San Francisco Order 1–F, Amendment 14, covering fresh fruit and vegetables in certain named areas of California. Filed 9:53 a. m.

San Francisco Order 2–F, Amendment 7, Covering fresh fruits and vegetables in San Jose, Santa Clara, Mayfair, Berryessa, Burbank. Filed 9:53 a. m.

San Francisco Order 3–F, Amendment 6, Covering fresh fruits and vegetables in certain named areas of California. Filed 9:52 a. m.

San Francisco Order 4–F, Amendment 5, Covering fresh fruits and vegetables in certain named areas of California. Filed 10:10 a. m.

San Francisco, Order 5–F, Amendment 4, Covering fresh fruits and vegetables in certain named areas of California. Filed 10:01 a. m.

San Francisco, Order 6–F, fresh fruits and vegetables in certain areas. Filed 10:03 a. m.

Copies of any of these orders may be obtained from the OPA office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–7578; Filed, May 26, 1944; 11:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54–42, 54–69, 59–65]

CENTRAL STATES UTILITIES CORP., ET AL.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 24th day of May, A. D., 1944.

In the matters of Central States Utilities Corporation, Central States Power & Light Corporation, Missouri Electric Power Company, Ogden Corporation, File No. 54–42; Ogden Corporation and Subsidiary Companies, File No. 54–69; Ogden Corporation and Subsidiary Companies, File No. 59–65.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Central States Power & Light Corporation ("Central States"), a registered holding company, as an amendment to a plan of liquidation previously filed under section 11 (e) of Act by the above-named parties (File No. 54–42).

Notice is further given that any interested person may, not later than June 3, 1944 at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said declaration or application (or both), as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th & Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration or application (or both) which is on file in the office of the Commission, for a statement of the transaction therein proposed, which is summarized below:

Central States proposes to use $200,000 idle cash to purchase for retirement, for the period ending December 31, 1944, at 100% of unpaid principal amount and accrued interest, its outstanding First Mortgage and First Lien Gold Bonds, 5½% Series, due 1953. In this connection, the company states that for the past several years it has been engaged in reducing, with the approval of this Commission, the outstanding principal amount of said bonds by purchases in the open market and by solicitations of tenders, paying 100 and accrued interest in both instances; that on March 7, 1944 pursuant to authorization of this Commission, as well as that of the United States District Court for the District of Delaware, the company provided for a pro rata payment of 70% of the principal amount of said bonds outstanding on that date; and that as a result of the said purchases and the provision for pro rata payment of said bonds, there is now outstanding $925,800 unpaid principal amount of said bonds.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–7533; Filed, May 25, 1944; 2:31 p. m.]

[File No. 70–887]

WEST PENN POWER COMPANY

SUPPLEMENTAL ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 24th day of May A. D. 1944.

West Penn Power Company, a registered holding company and a subsidiary of American Water Works and Electric Company, Incorporated, a registered holding company, having filed a declaration and amendments thereto pursuant to section 7 of the Public Utility Holding Company Act of 1935, regarding the issuance and sale, in accordance with Rule U-50 promulgated under said act, of $12,500,000 principal amount of first mortgage bonds, Series L, 3%, due May 1, 1974, the sales price of such bonds to be fixed by competitive bidding and the proceeds thereof, together with such other cash as may be required from the company's treasury, to be used to redeem $12,500,000 principal amount of its first mortgage bonds, Series E, 5%, due March 1, 1963, in accordance with the terms thereof; and

The Commission having by order entered herein under date of May 16, 1944 permitted said declaration, as amended, to become effective, subject to the terms and conditions of Rule U-24, and to the further condition that the proposed issu-

ance and sale of securities shall not be consummated until the results of competitive bidding, pursuant to Rule U-50, shall have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record as so completed, which order may contain further terms and conditions as may then be deemed appropriate:

The record herein having now been completed in respect of the results of said competitive bidding, the action proposed to be taken by West Penn Power Company in respect thereof, and the definitive terms of the first mortgage bonds proposed to be issued and sold, and it appearing that West Penn Power Company, pursuant to the invitation for competitive bids, having received four bids on said bonds from four groups of underwriters headed by the firms set forth below:

Underwriting group	*Percent of principal amount*[1]
Halsey, Stuart & Co., Inc.	103.6499
W. C. Langley & Co., and The First Boston Corporation	103.629
Lehman Brothers	103.4329
Mellon Securities Corporation	103.1599

[1] Plus accrued interest.

And it further appearing that West Penn Power Company has accepted the bid of the syndicate headed by Halsey, Stuart & Co., Inc., such bonds to be resold to the public at 104.5% of the principal amount thereof plus accrued interest from May 1, 1944 to the date of delivery, representing a spread to the underwriters of .8510% of the principal amount of said bonds; and

The Commission having examined the record herein and finding no basis for imposing additional terms and conditions with respect to the proposed transactions other than those prescribed by Rule U-24;

It is ordered, That the said declaration, as amended, be and the same is hereby permitted to become effective forthwith subject to the terms and conditions prescribed by Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-7534; Filed, May 25, 1944; 2:31 p. m.]

[File No. 70-894]

CONSOLIDATED NATURAL GAS CO. AND NEW YORK STATE NATURAL GAS CORP.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 24th day of May 1944.

Notice is hereby given that a joint application or declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Consolidated Natural Gas Company (Consolidated), a registered holding company, and its non-utility pipe line subsidiary, New York State Natural Gas Corporation (New York State).

Notice is further given that any interested person may, not later than June 5, 1944, at 10:00 a. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said joint application or declaration, as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said joint application or declaration, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

New York State proposes to issue 30,000 shares of capital stock ($100 par value) to Consolidated for $3,000,000 cash, which amount New York State proposes to use to finance the construction costs of a 127 mile natural gas transmission pipe line, 12 inches in diameter, in the State of Pennsylvania, extending from a point of connection with the system of The Hope Natural Gas Company (a subsidiary of Consolidated) on the Pennsylvania-West Virginia State Line, in a northeasterly direction to a connection with the southerly end of the Potter County Line of the Peoples Natural Gas Company (also a subsidiary of Consolidated).

This transaction is the initial step in a program which contemplates the construction and acquisition by New York State of direct transmission facilities connecting The Hope Natural Gas Company system at the Pennsylvania-West Virginia State Line with the New York State system in Northern Pennsylvania.

The construction and operation of the 127 mile natural gas transmission line has been authorized by the Federal Power Commission and a Preference Rating and Allotment Certificate has been granted by the War Production Board for the materials required in the construction of the pipe line.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-7535; Filed, May 25, 1944; 2:31 p. m.]

[File Nos. 70-846, 70-850]

VIRGINIA ELECTRIC AND POWER CO., ET AL.

APPLICATION GRANTED

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 23d day of May 1944.

In the matter of Virginia Electric and Power Company, Virginia Public Service Company, Engineers Public Service Company, File No. 70-846.

In the matter of General Gas & Electric Corporation, File No. 70-850.

Virginia Electric and Power Company, a subsidiary company of Engineers Public Service Company, a registered holding company, having filed an application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 seeking an exemption from the provisions of section 6 (a) of said act of the issuance and sale of $23,000,000 principal amount of its First and Refunding Mortgage Bonds, Series D 3%, due April 1, 1974, to be sold in accordance with Rule U-50 promulgated under said act; the Commission by its order of April 29, 1944, having granted, among other things, said application, as amended, subject to the condition that the proposed issuance and sale of said bonds should not be consummated until the results of the competitive bidding pursuant to Rule U-50 should have been made a matter of record in this proceeding and a further order should have been entered by this Commission in the light of the record so completed, which order might contain further terms and conditions as might then be deemed appropriate, jurisdiction being reserved for the imposition thereof in connection with the proposed transactions; and

Said Virginia Electric and Power Company having made a report to this Commission in the form of a further amendment to the application, setting forth the action taken to comply with Rule U-50 and showing that, pursuant to the invitation for competitive bids, three bids on said bonds by three groups of underwriters headed by Stone & Webster and Blodget, Incorporated, Eastman, Dillon & Co., and Halsey, Stuart & Co., Inc., respectively, were received, as follows:

Underwriting group	*Percent of principal amount*[1]
Stone & Webster and Blodget, Inc.	102.2999
Eastman, Dillon & Co.	101.8759
Halsey, Stuart & Co., Inc.	101.7699

[1] Plus accrued interest.

and the applicant further reporting that it has accepted the bid of the syndicate headed by Stone & Webster and Blodget, Incorporated, and that said bonds are to be resold to the public at 103.25 and accrued interest, representing a spread to the underwriters of .9501; and

The Commission having examined said amendment and finding no basis for imposing terms and conditions with respect to the price to be paid to the company, the underwriters' spread and the distribution thereof, or the interest rate, and finding no basis for the imposition of additional terms and conditions:

It is ordered, That said application, as amended, be and hereby is granted, subject to the terms and conditions contained in Rule U-24 and to Condition No. 4 to the Commission's order of April 29, 1944, namely: that jurisdiction be and the same hereby is reserved with respect to all legal fees incurred or to be incurred in connection with the consummation of the various transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-7452; Filed, May 24, 1944; 12:01 p. m.]

[File No. 70-899]

INTERNATIONAL UTILITIES CORP.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 25th day of May, A. D. 1944.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by International Utilities Corporation, a registered holding company.

Notice is further given that any interested person may, not later than June 6, 1944, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said declaration or application, as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

International Utilities Corporation proposes to sell to National Food Products Corporation certain Voting Trust Certificates representing 6,784 shares of 5% Cumulative Class A stock, $20 par value, of said National Food Products Corporation for the sum of $135,943.82. Said sum represents a price of $20 per share, the redemption price of said stock, plus accrued dividends thereon from May 1, 1944 to May 15, 1944 in the amount of $263.82. International Utilities Corporation and National Food Products Corporation are affiliates as defined in the act, the above-mentioned securities representing more than 5% of the total outstanding voting securities of National Food Products Corporation.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-7568; Filed, May 26, 1944; 11:15 a. m.]

[File No. 54-87]

FEDERAL LIGHT & TRACTION CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa. on the 24th day of May, A. D. 1944.

Notice is hereby given that a declaration or application or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Federal Light & Traction Company (Federal), a registered holding company. All interested persons are referred to said document which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Federal proposes to sell all of the outstanding common stock, namely, 50,000 shares, without par value, of Springfield Gas and Electric Company to R. H. Teed of Hot Springs, Arkansas, and such associates as he may determine, which may include some or any of the parties active in the operations of said company, for $650,000 in cash, pursuant to an agreement dated April 22, 1944. Of said consideration, $32,500 was paid upon execution of said agreement and the balance is payable on delivery of the securities. The funds received by Federal from such sale will be added to its general funds.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters, that said declaration shall not become effective nor said application be granted except pursuant to further order of this Commission,

It is ordered, That a hearing on such matters under the applicable provisions of said act and rules of the Commission thereunder be held on June 7, 1944, at 10:00 a. m. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa. On such day the hearing room clerk will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such declaration shall become effective or why such application shall be granted. Notice is hereby given of said hearing to the above-named declarant or applicant and to all interested persons, said notice to be given to said declarant or applicant by registered mail and to all other persons by publication in the FEDERAL REGISTER. Any persons desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission on or before June 5, 1944, his request or application therefor as provided by Rule XVII of the rules of practice of this Commission.

It is further ordered, That Allen MacCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of issues presented by said declaration or application otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether and to what extent it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms or conditions in regard to the proposed sale having particular regard for the consideration to be received for such sale, maintenance of competitive conditions, fees and commissions, accounts, disclosures of interest, and similar matters.

2. Generally, whether the proposed transaction is in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder and, if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

3. Whether the proposed transaction is fair and equitable to the persons interested and is necessary to effectuate the provisions of section 11 (b).

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-7569; Filed, May 26, 1944; 11:15 a. m.]

[File No. 59-59]

AMERICAN STATES UTILITIES CORP., ET AL.

MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 25th day of May, A. D. 1944.

In the matter of American States Utilities Corporation, Edison Sault Electric Company, Southern California Water Company, Respondents.

Simplification of holding company system. Extension of time pursuant to section 11 (c) of the act. Application of a registered holding company and its subsidiary companies, filed pursuant to section 11 (c), for an extension of time within which to comply with an order issued pursuant to section 11 (b) (2) requiring the holding company to liquidate and dissolve, granted, for a period of six months, the Commission finding that applicant has been unable in the exercise of due diligence to comply with the order within one year from the date thereof and that such extension is necessary and appropriate in the public interest and for the protection of investors and consumers. Appearances: M. Morton Weinstein of the Public Utilities Division of the Commission.

American States Utilities Corporation ("American States"), a registered holding company, and its subsidiary companies, Edison Sault Electric Company ("Edison Sault") and Southern California Water Company ("Southern California") have filed an application pursuant to section 11 (c)[1] of the Public

[1] Section 11 (c) provides:

(c) Any order under subsection (b) shall be complied with within one year from the date of such order; but the Commission shall, upon a showing (made before or after the entry of such order) that the applicant has been or will be unable in the exercise of due diligence to comply with such order within such time, extend such time for an additional period not exceeding one year if it finds such extension necessary or appropriate in the public interest or for the protection of investors or consumers.

Utility Holding Company Act of 1935 requesting a six months' extension of the period within which it must comply with an order of the Commission dated April 9, 1943.[1] Such order directed, pursuant to section 11 (b) (2) of the act, that American States take such action as is necessary to cause its liquidation and dissolution, and further directed American States and its subsidiaries to submit a plan to effect prompt compliance with the said order.

After appropriate notice, a public hearing was held upon said application, and the Commission, having considered the record, makes the following findings:

At the time of the entry of our order of April 9, 1943, American States had three subsidiary companies, Edison Sault, an electric utility operating in the upper peninsula of Michigan and on Mackinac Island, Michigan, Southern California, a water company operating in and about the City of Los Angeles, California, and Grimes Pass Power Company, an electric utility operating in Boise County, Idaho.

Since April 9, 1943, American States has caused Grimes Pass Power Company to sell and dispose of all its assets and to dissolve. In order to dispose of its interests in Edison Sault and Southern California and to effectuate compliance with the terms of our order of April 9, 1943, American States has filed with this Commission a plan of liquidation which proposes the distribution in kind to its preferred and common stockholders of its interests in the said remaining subsidiaries. Public hearings have been ordered to be held on this plan before a trial examiner of this Commission on June 8, 1944.[2] The record indicates that much time during the year was expended in the formulation of the said plan, including the preparation of various studies on the assets and earning power of Edison Sault and Southern California.

In view of all the circumstances, we find that the applicants have made a showing of due diligence within the purview of section 11 (c) of the act and that an extension of time of six months within which to comply with our order of April 9, 1943 is necessary and appropriate in the public interest and for the protection of investors and consumers.

It is therefore ordered, That American States Utilities Corporation, Edison Sault Electric Company and Southern California Water Company be, and are hereby, granted an additional period of six months from April 9, 1944, within which to comply with the provisions of the said order of April 9, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-7570; Filed, May 26, 1944; 11:15 a. m.]

[1] *American States Utilities Corporation, et al.*, — S. E. C. —, (1943), Holding Company Act Release No. 4230.

[2] See Holding Company Act Release No. 5014.

[File No. 70-862]

NORTHERN INDIANA PUBLIC SERVICE CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of May 1944.

Northern Indiana Public Service Company, a subsidiary of Clarence A. Southerland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company, a registered holding company, having filed applications, as amended, and declarations, as amended, under sections 6, 7, and 12 of the Public Utility Holding Company Act of 1935 and the Rules and Regulations promulgated thereunder, with respect to:

1. The reduction of the stated value of the no par value common stock of Northern Indiana Public Service Company from $18,790,223.34 to $13,851,356.81, thereby creating capital surplus in the amount of $4,938,866.53, to be immediately extinguished by charging it with $4,938,866.53 of the $8,455,526.46 reclassified, as of January 1, 1937, in its plant adjustment account.

2. The refinancing of 220,078 shares of its outstanding cumulative preferred stock (69,858 shares of the 7% series, 124,505 shares of the 6% series, and 25,715 shares of the 5½% series).

3. A request that the Commission enter an order finding that compliance with Rule U-50 requiring competitive bidding is not appropriate or necessary with respect to the refinancing of the preferred stock.

The Commission having issued, on May 5, 1944, an order denying the request for the exception from competitive bidding (Holding Company Act Release No. 5031); and

Northern Indiana Public Service Company having requested that the Commission defer action until the filing of a further amendment upon the refinancing of the preferred stocks; and

Public hearings having been held upon such matters after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That said declaration, as amended, relating to the reduction of the stated value of the no par value common stock of Northern Indiana Public Service Company and the accompanying accounting adjustments, be and hereby is permitted to become effective forthwith, subject to the terms and conditions contained in Rule U-24.

It is further ordered, That jurisdiction be and hereby is reserved over all phases of the refinancing of the preferred stocks.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-7571; Filed, May 26, 1944; 11:15 a. m.]

WAR SHIPPING ADMINISTRATION.

"KIYO MARU"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943 (Pub. Law 17, 78th Cong.)

Whereas on December 23, 1941, title to the vessel "Kiyo Maru," (238251), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Pub. Law 17, 78th Cong.), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress)), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking; *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion or just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

[SEAL] E. S. LAND, *Administrator.*

MAY 24, 1944.

[F. R. Doc. 44-7462; Filed, May 24, 1944; 3:43 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 107

Washington, Tuesday, May 30, 1944

The President

EXECUTIVE ORDER 9444

INSPECTION OF INCOME, EXCESS-PROFITS, DECLARED VALUE EXCESS-PROFITS, AND CAPITAL STOCK TAX RETURNS BY THE SPECIAL COMMITTEE ON UN-AMERICAN ACTIVITIES, HOUSE OF REPRESENTATIVES

By virtue of the authority vested in me by provisions of law enumerated in Executive Order No. 9281[1] issued December 9, 1942, relating to the inspection of certain income, excess-profits, declared value excess-profits, and capital stock tax returns by the Special Committee on Un-American Activities, House of Representatives, or any duly authorized subcommittee thereof, for the purpose of carrying out the provisions of House Resolution 420 (Seventy-seventh Congress, second session), passed March 11, 1942, it is hereby ordered that the returns described in such Executive Order shall be open to inspection by the Special Committee on Un-American Activities, House of Representatives, or any duly authorized subcommittee thereof, for the purpose of carrying out the provisions of House Resolution 65, passed February 10, 1943 (Seventy-eighth Congress, first session); such inspection to be in accordance and upon compliance with the rules and regulations prescribed by the Secretary of the Treasury in Treasury Decision 5200,[2] as amended by Treasury decision approved by me this date.

This order shall be published in the FEDERAL REGISTER.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE
May 25, 1944.

[F. R. Doc. 44-7606; Filed, May 26, 1944; 4:51 p. m.]

[1] 7 F.R. 10355.

[2] 7 F.R. 10424.

Regulations

TITLE 7—AGRICULTURE

Chapter IX—War Food Administration (Marketing Agreements and Orders)

PART 961—MILK IN PHILADELPHIA, PENNSYLVANIA, MARKETING AREA

TRANSFERS OF MILK

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U. S. C. 1940 ed. 601 et seq.) and of the order, as amended, regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area, it is hereby found and determined that certain provisions of § 961.3 (c) (4) of such order are provisions which obstruct and do not tend to effectuate the declared policy of the act with respect to producers of milk under such order.

It is, therefore, ordered, That effective as of 12:01 a. m., May 1, 1944, and continuing during the months of May and June 1944, the following provisions of § 961.3 (c) (4) of the order, as amended, regulating and handling of milk in the Philadelphia, Pennsylvania, marketing area, are hereby suspended: "If less than 20 percent of the milk received at the latter plant is moved therefrom as fluid milk"; "more than 20 percent of the milk received is"; and "except that any of this milk in excess of the amount of fluid milk moved from the latter plant during the month shall be allocated to Class II milk".

(E.O. 9322, 8 F.R. 3807, E.O. 9334, 8 F.R. 5423)

Issued, at Washington, D. C. this 26th day of May 1944.

THOMAS J. FLAVIN, *Assistant to the War Food Administrator.*

[F. R. Doc. 44-7644; Filed, May 27, 1944; 11:20 a. m.]

CONTENTS

THE PRESIDENT

EXECUTIVE ORDER: Page
Income, excess-profits, declared value excess-profits, and capital stock tax returns; inspection by Special Committee on Un-American Activities 5759

REGULATIONS AND NOTICES

ALIEN PROPERTY CUSTODIAN:
Vesting orders:
Altenkirch, Edmund 5843
Balke, Rudolph Luis 5851
Bosch, Robert, G m. b. H 5846
Braun, Emma 5851
Dieckmann, Max, and Otto Scheller 5842
Endo Sutematsu and Haru 5846
Erdmann, Konrad 5840
Felton & Guileaume Carlswerk A. G 5843
Franz, Francis William, et al 5851
Harmans, William 5852
Herzog, Maria, et al 5845
Hoffker, August 5852
I. G. Farbenindustrie A. G 5841
Instituto Nazionale Luce 5842
Kawakita, Haruo 5847
Kettern, Joe 5853
Keyser, Christiane 5853
Kraft, Mathilda 5853
Losenhausenwerk 5840
Mennicke, Emil M. and Emil K 5844
Miura, Nobusuke 5854
Miyazawa, Sakae 5848
Nedars, N. V., Arsphenaminenfabriek and Dr. Ludwig Ritter 5845
Norsk Hydro-Elektrisk Kbaelstofaktieselskab 5840
Riedel, J. D.,—E. De Haen A. G 5843
Shimogawa, Shigeru 5848
Societe des Usines Chimiques Rhone-Poulenc 5844
Takahashi, Teikichi 5849

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

ALIEN PROPERTY CUSTODIAN—Con. Page
Vesting Orders—Continued.
Toyofuku, Shikazo and Sadana 5850
Wagener, Hans, and Heinrich Marzahn 5841
COAL MINES ADMINISTRATION:
Ridgway Coal Co. et al., termination of government possession 5839
CUSTOMS BUREAU:
Airports of entry, redesignation 5768
Wool, invoices and grading 5769
FEDERAL COMMUNICATIONS COMMISSION:
Applications to hold interlocking directorates; form of application, change in status report 5839
Reports, etc., contracts and concessions 5838
FEDERAL POWER COMMISSION:
Hearings, etc.:
Compania Electrica Matamoros, S. A., and Central Power and Light Co 5839
Panhandle Eastern Pipe Line Co 5839
IMMIGRATION AND NATURALIZATION SERVICE: Page
Immigration regulations; miscellaneous amendments to chapter 5767
INTERNAL REVENUE BUREAU:
Income tax, etc., inspection of returns by Special Committee on Un-American Activities 5769
NATIONAL WAR LABOR BOARD:
Wage adjustments, exemption of certain employers 5769
OFFICE OF DEFENSE TRANSPORTATION:
Common carriers, coordinated operations; Amarillo, Tex. 5854
OFFICE OF PRICE ADMINISTRATION:
Adjustments, etc.:
Allied Coal Co., et al 5858
American Sugar Refining Co., et al 5856
Ballou, Fred, et al 5855
Clearfield Mining Corp., et al 5857
Cline Coal Co., et al 5857
Ford Motor Co 5859
Herring, George B., and Son, et al 5856
International Harvester Co 5860
Isbell, Bert 5861
Jaeger Mfg. Co 5860
Massillon Wire Basket Co. (Corr.) 5856
Osborne Bros. and Wilson Coal Co 5857
Bananas, imported fresh; sales except at retail (MPR 285, Am. 8) 5803
Bituminous coal delivered from mine or preparation plant (MPR 120, Am. 100) 5826
Citrus products; 1944 and later packs (MPR 509, Order 4) 5861
Corn meal, etc., made by dry corn milling process (MPR 305, Am. 10) 5827
Corn products for animal consumption (MPR 401, Am. 3) 5828
Defense-rental areas:
Designation of areas, etc:
(Designation and Rent Declaration 25, incl. Am. 1–24) 5820
(Designation and Rent Declaration 31, incl. Am. 1–18) 5823
Hotels:
Fresno, Calif., etc. (Rent Reg. for Hotels and Rooming Houses, Am. 20) 5806
Rent dates and records (Rent Reg. for Hotels and Rooming Houses, Am. 21) 5828
Housing (Rent Reg. for Housing, incl. Am. 1–23) 5807
Feeds, mixed, for animals and poultry (MPR 378, Am. 6) 5828
Fertilizer, mixed, superphosphate and potash (2d Rev. MPR 135, Am. 2) 5804
Food rationing for institutional users (Gen. RO 5, Am. 66) 5826
Foods, processed (Rev. RO 13, Am. 36) 5829
Fruits and berries, canned; wholesale and retail (MPR 197, Rev.) 5802
Fuel oil (Rev. RO 11, Am. 11) 5804
OFFICE OF PRICE ADMINISTRATION—Continued. Page
Gasoline rationing (RO 5C, Am. 125) 5829
Iron castings, malleable (MPR 241, incl. Am. 1–6) 5797
Maximum Price Regulations, procedure for issuance, etc. (Rev. Procedural Reg. 1, incl. Am. 1–7) 5791
Meats, fats, fish and cheeses (RO 16, Am. 139, 140; Rev. Supp. 1, Am. 31) (3 documents) 5805, 5830
Paper, etc.:
Book (MPR 451, Am. 3) 5803
Envelopes, etc. (MPR 129, Am. 20) 5802
Printing paper and printed commodities (MPR 225, Am. 12) 5803
Writing, etc. (MPR 450, Am. 2) 5803
Petroleum products, retail (RMPR 137, Am. 3) 5826
Regional administrators, delegation of authority (Rev. Gen Order 32, Am. 11) 5826
Regional and district office orders:
Automotive vehicles, rentals, San Francisco region 5871
Community ceiling prices, lists of orders filed (2 documents) 5872, 5874
Excelsior, Chicago region 5870
Fluid milk:
Ohio, designated counties (2 documents) 5867, 5868
Wausau, Wis. (Corr.) 5870
Ice, New York, N. Y. 5870
Rims, inside curing, San Francisco region 5871
Solid fuels:
Adams, Mass 5862
Boston region 5862
Dover-Exeter, N. H. 5862
Flint, Mich. 5868
Lexington, Ky. 5866
Newark, Ohio 5865
Topeka, Kans. (Corr.) 5867
Threshholds, Utah 5871
Screen goods, stock (MPR 381, Am. 3, Corr.) 5802
Seeds, vegetable (MPR 496, Am. 4) 5805
Shoes (RO 17, Am. 61) 5805
Soaps and cleansers, household; retail (MPR 390, Am. 5) 5804
Sugar (Rev. RO 3, Am. 20, 21) (2 documents) 5805, 5829
Sugars, direct consumption (RPS 60, Am. 11) 5802
Tissue, facial; paper napkins (SR 15, Am. 25) 5806
PETROLEUM ADMINISTRATION FOR WAR:
Foreign petroleum operations 5830
RAILROAD RETIREMENT BOARD:
Hearings:
Midland Railway Co. of Manitoba 5874
Shipley Co 5874
SECURITIES AND EXCHANGE COMMISSION:
Hearings, etc.:
Capital Transit Co 5875
Keystone Custodian Funds, Inc 5878

(Continued on next page)

CONTENTS—Continued

SECURITIES AND EXCHANGE COMMISSION—Continued.
Hearings, etc.—Continued. Page
North American Co., The 5874
Ohio-Midland Light and Power Co. and Associated Electric Co. 5875
United Gas Corp., et al. 5877
Investment Company Act of 1940, general rules and regulations; miscellaneous amendments 5768
SELECTIVE SERVICE SYSTEM:
Forms discontinued:
Memorandum for Retirement Section, Accounting Division 5769
Notice of selection 5769
Report on occupational deferment of Federal Government employees, etc. 5769
Two Year Work Program C. P. S. Camps 5769
VETERANS' ADMINISTRATION:
Adjudication, dependents' claims (Corr.) 5831
WAR FOOD ADMINISTRATION:
Dairy foods and mix, frozen (WFO 8, Am. 3) 5767
Fluid milk and cream:
Corpus Christi, Tex. 5766
Fall River-New Bedford-Taunton, Mass. 5766
Galveston, Tex. 5766
Houston, Tex. 5766
Los Angeles, Calif. 5767
San Diego, Calif. 5767
Livestock and meats, removal of restrictions upon farmers (WFO 75, Am. 16) 5767
Milk handling, designated marketing areas:
Clinton, Iowa 5878
Philadelphia 5759
Wichita, Kans. 5761
WAR PRODUCTION BOARD:
Aluminum pigment and composition (M–1–g) 5770
Automotive maintenance equipment (L–270; Int. 2, 3, Rev.) (2 documents) 5775, 5777
Cotton textile distribution (M–317) 5780
Drums, steel shipping (L–197; Dir. 1, Rev.) (2 documents) 5771, 5773
Elevators and escalators (L–89; Int. 1, 2) (3 documents) 5777, 5778, 5779
Paper and board, specialty (L–120, Schedule XVI) 5773
Petroleum operations, foreign; approval of amendment to PAW directive (Certificate 150, Am. 1) 5883
Pig iron (M–17) 5780
Rubber, etc. (R–1, Am. 3) 5791
Suspension orders, etc.:
Amis Oil & Butane Co. 5882
Pierce, Raymond J. 5883
Viscol Co., The 5775
Textile bags (M–221) 5779
WAR SHIPPING ADMINISTRATION:
General Agents and Agents, compensation payable 5831
Vessel owners, contracts with and rates of compensation relating thereto; time charter hire 5831

PART 968—MILK IN THE WICHITA, KANSAS, MARKETING AREA

HANDLING OF MILK

Sec.
968.1 Definitions.
968.2 Market administrator.
968.3 Classification of milk.
968.4 Minimum prices.
968.5 Reports of handlers.
968.6 Application of provisions.
968.7 Determination of uniform price to producers.
968.8 Payments for milk.
968.9 Base rating.
968.10 Marketing service.
968.11 Expense of administration.
968.12 Effective time, suspension, or termination.
968.13 Agents.

AUTHORITY: §§ 968.0 to 968.13, inclusive, issued under 48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 601 et seq.

Findings and Determinations

Findings up the basis of the hearing record. Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure covering the formulation of marketing agreements and milk orders (7 CFR, 1941 Supp., 900.1–900.17; 7 F.R. 3350; 8 F.R. 2815) a public hearing was held upon a proposed marketing agreement and upon a proposed order regulating the handling of milk in the Wichita, Kansas, marketing area. Upon the basis of the evidence introduced in such hearing and the record thereof, it is hereby found that:

(1) The issuance of this order regulating the handling of milk in the said marketing area, and all of the terms and conditions of this order, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8 (e) of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices specified in the said order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in the said tentatively approved marketing agreement, upon which a hearing has been held; and

(4) The handling of all milk sold or disposed of in the marketing area, as defined herein, is in the current of interstate commerce, or directly burdens, obstructs, or affects interstate commerce in milk and its products.

Additional findings. (1) It is hereby found and proclaimed in connection with the execution of a marketing agreement and the issuance of an order regulating the handling of milk in the said marketing area, that the purchasing power of such milk during the pre-war period August 1909–July 1914 cannot be satisfactorily determined from available statistics of the Department of Agriculture, but that the purchasing power of such milk for the post-war period August 1919–July 1929 can be satisfactorily determined from available statistics of the Department of Agriculture; and the post-war period August 1919–July 1929 is the base period to be used in connection with the said marketing agreement and this order in determining the purchasing power of such milk.

(2) It is hereby found that the necessary expenses of the market administrator for the maintenance and functioning of such agency will amount to approximately $12,000 per year; and the pro-rata share of such expenses to be paid by each handler is hereby approved in the maximum amount of 4 cents per hundredweight on all milk received from producers and produced by such handler during each delivery period.

Determinations. It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping milk covered by this order) of at least 50 percent of the volume of milk which is marketed within the said marketing area refused or failed to sign the tentatively approved marketing agreement regulating the handling of milk in the said marketing area; and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign such tentatively approved marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order is the only practical means pursuant to the declared policy of the act to advance the interests of the producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of approval of the order and who, during the month of January 1944 (which month is hereby determined to be a representative period), were engaged in the production of milk for sale in the said marketing area.

Order Relative to Handling

It is hereby ordered, That such handling of milk in the Wichita, Kansas, marketing area as is in the current of interstate commerce or as directly burdens, obstructs, or affects interstate commerce shall from the effective date hereof be in compliance with the terms and conditions of this order.

§ 968.1 *Definitions.* The following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(b) "War Food Administrator" means the War Food Administrator of the United States or any officer or employee of the United States who is or who may

hereafter be authorized to exercise the powers and perform the duties, pursuant to the act, of the War Food Administrator of the United States.

(c) "Wichita, Kansas, marketing area," hereinafter referred to as the "marketing area" means all the territory within the corporate limits of the city of Wichita, Kansas, and the territory within Delano, Kechi, Minneha, Riverside, Waco, and Wichita Townships and the city of Eastborough, all in Sedgwick County, Kansas.

(d) "Person" means any individual, partnership, corporation, association, or any other business unit.

(e) "Producer" means any person, irrespective of whether such person is also a handler who, in conformity with the applicable health regulations of the city of Wichita, Kansas, produces milk which is received at the plant of a handler from which milk is disposed of as Class I milk or as Class II milk in the marketing area. This definition shall include any person who produces milk which a cooperative association causes to be delivered to a plant from which no milk is disposed of in the marketing area.

(f) "Handler" means any person who, on his own behalf or on behalf of others, disposes of as Class I or Class II milk in the marketing area all, or a portion of the milk purchased or received by him from (1) producers, (2) his own production, and (3) other handlers. This definition shall include a cooperative association with respect to milk which it causes to be delivered from a producer to a plant from which no milk is disposed of as Class I milk or as Class II milk in the marketing area.

(g) "Market administrator" means the person designated pursuant to § 968.2 as the agency for the administration hereof.

(h) "Delivery period" means the then current marketing period from the first to, and including, the last day of each month.

(i) "Cooperative association" means any cooperative association of producers which the War Food Administrator determines (1) to have its entire activities under the control of its members, and (2) to have and to be exercising full authority in the sale of milk of its members.

§ 968.2 *Market administrator* — (a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the War Food Administrator. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion, of the War Food Administrator.

(b) *Powers.* The market administrator shall: (1) administer the terms and provisions hereof; and (2) report to the War Food Administrator complaints of violation of the provisions hereof.

(c) *Duties.* The market administrator shall:

(1) Within 45 days following the date upon which he enters upon his duties execute and deliver to the War Food Administrator a bond, conditioned upon the faithful performance of his duties, in the amount and with surety thereon satisfactory to the War Food Administrator;

(2) Pay out of the funds provided by § 968.11 hereof the cost of his bond, his own compensation, and all other expenses necessarily incurred by him in the maintenance and functioning of his office;

(3) Keep such books and records as will clearly reflect the transactions provided for herein and surrender the same to his successor or to such other person as the War Food Administrator may designate;

(4) Publicly disclose to handlers and producers, unless otherwise directed by the War Food Administrator, the name of any person who within 10 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to § 968.5 or (ii) made payments pursuant to § 968.8; and

(5) Promptly verify the information contained in the reports submitted by handlers.

§ 968.3 *Classification of milk*—(a) *Basis of classification.* All milk and milk products purchased or received by each handler, including milk of a producer which a cooperative association causes to be delivered to a plant from which no milk is disposed of as Class I milk or Class II milk in the marketing area, shall be reported by the handler in the classes set forth in (b) of this section: *Provided,* That (i) milk sold or disposed of by a handler as fluid milk to a nonhandler who distributes fluid milk or cream shall be classified as Class I milk, and cream sold or disposed of by a handler as cream to such nonhandler shall be classified as Class II milk; (ii) milk or cream sold or disposed of by a handler to a nonhandler who does not distribute fluid milk or cream shall be classified as Class III milk subject to verification by the market administrator; (iii) milk sold or disposed of as fluid milk by a handler who purchases or receives milk from producers to another handler shall be classified as Class I milk: *Provided,* That if such milk, except milk sold or disposed of by such handler to another handler who purchases or receives no milk from producers, is reported by the receiving handler or by the disposing handler as having been utilized as Class II milk or Class III milk, such milk shall be classified accordingly, subject to verification by the market administrator; (iv) cream sold or disposed of as fluid cream by a handler who purchases or receives milk from producers to another handler shall be classified as Class II milk: *Provided,* That if such cream, sold or disposed of by such handler to another handler who purchases or receives no milk from producers, is reported by the receiving handler or by the disposing handler as having been utilized as Class III milk, such cream shall be classified accordingly, subject to verification by the market administrator; and (v) milk or cream sold or disposed of by a handler who receives no milk from producers to another handler who receives milk from producers shall be classified in the lowest use classification of the purchasing handler.

(b) *Classes of utilization.* Subject to the conditions set forth in (a) of this section the classes of utilization shall be as follows:

(1) Class I milk shall be all milk and skim milk disposed of in the form of milk and buttermilk or in the form of flavored milk drinks containing more than 1 percent butterfat and all milk not specifically accounted for as Class II milk or Class III milk.

(2) Class II milk shall be all milk used to produce cream (for consumption as cream, including any cream product in fluid form which contains 6 percent or more butterfat), creamed cottage cheese, aerated cream, eggnog, and flavored milk drinks containing not more than 1 percent butterfat.

(3) Class III milk shall be all milk specifically accounted for (i) as used to produce a milk product other than those specified in Class II milk and (ii) as actual plant shrinkage but not to exceed 3 percent of the total receipts of milk from producers.

(c) *Responsibility of handlers in establishing the classification of milk.* In establishing the classification as required in (b) of this section, of any milk received by a handler from producers, the burden rests upon the handler who receives the milk from producers to account for the milk and to prove to the market administrator that such milk should not be classified as Class I milk.

(d) *Computation of milk in each class.* For each delivery period each handler shall compute, in the manner and on forms prescribed by the market administrator, the amount of milk in each class as defined in (b) of this section, as follows:

(1) Determine the total pounds of milk received as follows: add together the total pounds of milk received from (i) producers, (ii) own farm production, (iii) other handlers, and (iv) other sources.

(2) Determine the total pounds of butterfat received as follows: (i) Multiply by its average butterfat test the weight of the milk received from (a) producers, (b) own farm production, (c) other handlers, and (d) other sources, (ii) add together the resulting amounts.

(3) Determine the total pounds of milk in Class I as follows: (i) Convert to pounds the quantity of Class I milk on the basis of 2.15 pounds per quart, (ii) multiply the result by the average butterfat test of such milk, and (iii) if the quantity of butterfat so computed when added to the pounds of butterfat in Class II milk and Class III milk, computed pursuant to (4) (ii) and (5) (iv) of this paragraph is less than the total pounds of butterfat received computed in accordance with (2) of this paragraph, an amount equal to the difference shall be divided by 3.8 percent and added to the quantity of milk determined pursuant to (i) of this subparagraph.

(4) Determine the total pounds of milk in Class II as follows: (i) multiply the actual weight of each of the several products of Class II milk by its average butterfat test, (ii) add together the resulting amounts, and (iii) divide the result obtained in (ii) of this subparagraph by 3.8 percent.

(5) Determine the total pounds of milk in Class III as follows: (i) Multiply the actual weight of each of the several products of Class III by its average butterfat test, (ii) add together the resulting amounts, (iii) subtract from the total pounds of butterfat computed pursuant to (2) of this paragraph the total pounds of butterfat in Class I milk, computed pursuant to (3) (ii) of this paragraph, the total pounds of butterfat in Class II milk, computed pursuant to (4) (ii) of this paragraph and the total pounds of butterfat computed pursuant to (ii) of this subparagraph which resulting quantity shall be allowed as plant shrinkage for the purposes of this paragraph (but in no event shall such plant shrinkage allowance exceed 3 percent of the total receipts of butterfat from producers by the handler), (iv) add together the results obtained in (ii) and (iii) of this subparagraph, and (v) divide the results obtained in (iv) of this subparagraph by 3.8 percent.

(6) Determine the classification of milk received from producers as follows:

(i) Subtract from the total pounds of milk in each class the pounds of milk which were received from other handlers and used in such class.

(ii) Subtract from the remaining pounds of milk in each class the pounds of milk which were received from sources other than producers, own farm production, and other handlers in series beginning with the lowest class.

(iii) Subtract pro rata from the remaining pounds of milk in each class the total pounds of milk which were received from the handler's own farm production.

(e) *Reconciliation of utilization of milk by classes with receipts of milk from producers.* In the event of a difference between the total quantity of milk used in the several classes as computed pursuant to (d) (6) of this section and the quantity of milk received from producers, except for excess milk or milk equivalent of butterfat pursuant to § 968.6 (d), such difference shall be reconciled as follows:

(1) If the total utilization of milk in the various classes for any handler, as computed pursuant to (d) (6) of this section, is less than the receipts of milk from producers, the market administrator shall increase the total pounds of milk in Class III for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler.

(2) If the total utilization of milk in the various classes for any handler, as computed pursuant to (d) (6) of this section, is greater than the receipts of milk from producers, the market administrator shall decrease the total pounds of milk in Class III for such handler by an amount equal to the difference between the receipts from producers and the total utilization of milk by classes for such handler.

§ 968.4 *Minimum prices* — (a) *Class prices.* Each handler shall pay producers at the time and in the manner set forth in § 968.8 for milk purchased or received from them, not less than the following prices:

(1) Class I milk: $3.65 per hundredweight.

(2) Class II milk: $3.40 per hundredweight.

(3) Class III milk: The price per hundredweight shall be the highest price paid during each delivery period for ungraded milk containing 3.8 percent butterfat by any of the following: De Coursey Cream Company at its plants at Wichita or Anthony, Kansas; the Central Kansas Cooperative Creamery Association at its plant at Hillsboro, Kansas; or the Arkansas City Cooperative Milk Association at its plant at Arkansas City, Kansas.

§ 968.5 *Reports of handlers*—(a) *Periodic reports.* On or before the 5th day after the end of each delivery period each handler who purchased or received milk from sources other than his own production or other handlers shall, with respect to milk or dairy products which were purchased, received, or produced by such handler during such delivery period, report to the market administrator in the detail and form prescribed by the market administrator, as follows:

(1) The receipts at each plant of milk from each producer, the butterfat content, and the number of days on which milk was received from each producer;

(2) The receipts from such handler's own farm production and the butterfat content;

(3) The receipts of milk, cream, and milk products from handlers who purchase or receive milk from producers and the butterfat content;

(4) The receipts of milk, cream, and milk products from any other source and the butterfat content;

(5) The respective quantities of milk and milk products and the butterfat content which were sold, distributed, or used, including sales to other handlers for the purpose of classification pursuant to § 968.3; and

(6) Such other information with respect to the use of the milk as the market administrator may request.

(b) *Reports of payments to producers.* On or before the 20th day after the end of each delivery period, upon the request of the market administrator, each handler who purchased or received milk from producers shall submit to the market administrator his producer pay roll for such delivery period which shall show for each producer: (1) his total deliveries of base milk and total deliveries of milk in excess of base milk, (2) the average butterfat content of his milk, and (3) the net amount of such handler's payments to such producer with the prices, deductions, and charges involved.

(c) *Reports of handlers whose sole source of supply is from such handler's own farm production or from other handlers.* Handlers whose sole source of supply is from such handler's own farm production or from other handlers shall make reports to the market administrator at such time and in such manner as the market administrator may require.

(d) *Verification of reports and payments.* The market administrator shall verify all reports and payments of each handler by audit of such handler's records and of the records of any other handler or person upon whose disposition of milk the classification depends. Each handler shall keep adequate records of receipts and utilization of milk and milk products and shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities as will enable the market administrator to:

(1) Verify the receipts and disposition of all milk and milk products, and in case of errors or omissions, ascertain the correct figures;

(2) Weigh, sample, and test for butterfat content the milk purchased or received from producers and any product of milk upon which classification depends; and

(3) Verify the payments to producers prescribed in § 968.8.

§ 968.6 *Application of provisions.* (a) The provisions of §§ 968.3, 968.7, 968.8, 968.9, 968.10, and 968.11 shall not apply to a handler whose sole source of supply is from such handler's own farm production or from other handlers.

(b) If a handler who purchases or receives milk from producers, purchases or receives milk or cream in bulk from another handler who purchases or receives no milk from producers and sells or disposes of such milk or cream for other than Class III purposes, the market administrator, in determining the net pool obligation of the handler, pursuant to § 968.7 (a) shall add an amount equal to the difference between (1) the value of such milk or cream according to its utilization by the handler and (2) the value at the Class III price.

(c) If a handler has sold or disposed of milk or cream which was received from sources other than producers, his own farm production, or other handlers as Class I or Class II milk within the marketing area to persons other than a handler who purchases or receives milk from producers, the market administrator, in determining the net pool obligation of the handler, pursuant to § 968.7, shall add an amount equal to the difference between (1) the value of such milk according to its utilization by the handler and (2) the value at the Class III price.

(d) If a handler has purchased or received milk or butterfat from sources determined as other than producer, own farm production, or other handlers, the market administrator, in determining the net pool obligation of the handler pursuant to § 968.7, shall consider such milk or the milk equivalent of such butterfat as Class III milk. If the receiving handler sells or disposes of such milk or butterfat for other than Class III purposes, the market administfator shall add an amount equal to the differences between (1) the value of such milk or butterfat according to its utilization by the handler and (2) the value at the Class III price.

(e) The provisions of (b), (c), and (d) above shall not apply if the handler can

prove to the market administrator that such milk or butterfat was used only to the extent that milk of producers was not available.

(f) If a handler, after subtracting receipts from his own farm production, receipts from other handlers, and receipts from sources determined as other than producers, own farm production, or other handlers, has disposed of milk or butterfat in excess of the milk or butterfat which, on the basis of his reports, has been credited to his producers as having been delivered by them, the market administrator, in determining the net pool obligation of the handler, pursuant to § 968.7, shall add an amount equal to the value of such milk or butterfat according to its utilization by the handler.

§ 968.7 *Determination of uniform price to producers*—(a) *Net pool obligations of handlers.* The net pool obligation of each handler for milk received from producers during each delivery period shall be a sum of money computed for such delivery period by the market administrator as follows: multiply the pounds of milk in each class computed pursuant to § 968.3 (d) by the class price pursuant to § 968.4 (a), add together the resulting values, and add the value of any payments required to be made pursuant to § 968.6.

(b) *Computation and announcement of the uniform price.* For each delivery period the market administrator shall compute and announce the uniform price per hundred weight of milk as follows:

(1) Combine into one total the net pool obligations of all handlers computed pursuant to (a) of this section who made the reports prescribed by § 968.5 and who made the payments prescribed by § 968.8;

(2) Add an amount equal to one-half of the cash balance in the producer-settlement fund less the amount due handlers pursuant to § 968.8 (g);

(3) Subtract not less than 4 cents nor more than 5 cents per hundredweight of milk for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments or delinquencies in payments by handlers.

(4) Compute the total quantity of milk which represents the delivered bases of producers and which is included in the computation made pursuant to (a) of this section.

(5) Compute the total value of the milk which is in excess of the delivered bases of producers determined pursuant to (4) of this paragraph and which is included in the computation pursuant to (a) of this section, by multiplying such quantity of milk by the Class III price.

(6) Compute the total value of the milk represented by the delivered bases of producers by subtracting the value obtained in (5) of this paragraph from the value obtained in (1) of this paragraph.

(7) Divide the result obtained in (6) of this paragraph by the quantity of milk represented by the delivered bases of producers as determined in (4) of this paragraph. This result shall be known as the uniform price per hundredweight for such delivery period for base milk of producers containing a 3.8 percent butterfat.

(8) On or before the 8th day after the end of each delivery period notify all handlers and make public announcement of these computations, of the uniform price per hundredweight of base milk, computed pursuant to this paragraph, and of the Class I, Class II, and Class III prices computed pursuant to § 968.4.

§ 968.8 *Payments for milk*—(a) *Time and method of payment.* On or before the 10th day after the end of each delivery period each handler shall make payment, after deducting the amount of the payment made pursuant to (b) of this section, subject to the butterfat differential set forth in (c) of this section, for milk purchased or received from producers by such handler during each delivery period as follows:

(1) To each producer, except as set forth in subparagraph (3) of this paragraph, not less than the uniform price per hundredweight computed pursuant to § 968.7 (b) for that quantity of milk received from each producer not in excess of such producer's base;

(2) To each producer, except as set forth in subparagraph (3) of this paragraph, not less than the Class III price for that quantity of milk received from such producer in excess of such producer's base; and

(3) To a cooperative association for milk which it caused to be delivered to a handler from producers and for which such cooperative association collects payments, a total amount equal to not less than the sum of the individual payments otherwise payable to such producers under subparagraphs (1) and (2) of this paragraph.

(b) *Half delivery period payments.* On or before the 25th day of each delivery period, each handler shall make payment to each producer for the approximate value of the milk of such producer which, during the first 15 days of such delivery period, was received by such handler.

(c) *Butterfat differential.* If, during the delivery period, any handler has purchased or received from any producer milk having an average butterfat content other than 3.8 percent, such handler in making the payments prescribed in (a) of this section, shall add to the prices per hundredweight for such producers for each one-tenth of 1 percent of average butterfat content in milk above 3.8 percent not less than, or shall subtract from such prices for such producer for each one-tenth of 1 percent of average butterfat content in milk below 3.8 percent not more than, an amount computed as follows: to the average price of 92-score butter at wholesale in the Chicago market as reported by the United States Department of Agriculture (or such other Federal agency as may hereafter be authorized to perform this price reporting function) for the delivery period during which such milk was received, add 20 percent and divide the resulting sum by 10.

(d) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to (e) and (g) of this section and out of which he shall make all payments to handlers pursuant to (f) and (g) of this section: *Provided*, That the market administrator shall offset any such payment due to any handler against payments due from such handler. Immediately after computing the uniform price for each delivery period, the market administrator shall compute the amount by which each handler's net pool obligation, including the payments to producers which are required to be made pursuant to § 968.6 is greater or less than the sum obtained by multiplying the hundredweight of milk of producers by the appropriate prices required to be paid producers by handlers pursuant to (a) of this section and adding together the resulting amounts, and shall enter such amount on each handler's account as such handler's pool debit or credit, as the case may be, and render such handler a transcript of his account.

(e) *Payments to the producer-settlement fund.* On or before the 10th day after the end of each delivery period, each handler shall pay to the market administrator for payment to producers through the producer-settlement fund, the amount by which the net pool obligation of such handler including the payments required to be made pursuant to § 968.6 is greater than the sum required to be paid producers by such handler pursuant to (a) (1) and (2) of this section.

(f) *Payment out of the producer-settlement fund.* (1) On or before the 10th day after the end of each delivery period, the market administrator shall pay to each handler for payment to producers the amount by which the sum required to be paid producers by such handler pursuant to (a) (1) and (2) of this section is greater than the net pool obligation of such handler, including the payments required to be made pursuant to § 968.6.

(2) If the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who, on the 10th day after the end of the delivery period, has not received the balance of such reduced payment from the market administrator, shall be deemed to be in violation of (a) of this section if he reduces his payments to producers by not more than the amount of the reduction in payment from the producer-settlement fund.

(g) *Adjustment of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors in payments to the producer-settlement fund made pursuant to (d) of this section the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 5 days of such billing, make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler pursuant to (f) of this section, the market administrator shall, within 5 days, make payment to such handler. Whenever verification by the market administrator of the payment by a handler to any producer discloses payment to such producer of an amount which is less than is required by this section, the handler shall make up such payment to the producer not later than the time of making payment to producers next following the disclosure.

§ 968.9 *Base rating*—(a) *Determination of base.* The base of each producer, who is not also a handler, shall be a quantity of milk for each delivery period calculated by the market administrator in the following manner: Multiply the applicable figure computed pursuant to (b) of this section by the number of days for which such producer's milk was delivered during the delivery period: *Provided*, That, if during any delivery period the total milk not in excess of base, delivered by all producers does not equal 105 percent of Class I and Class II sales for the delivery period, the market administrator shall add thereto as emergency base, in the case of each producer who delivered milk in excess of his base the percent of his excess milk which is the percent of his total excess milk needed to bring total base deliveries up to approximately 110 percent of Class I and Class II sales.

(b) *Determination of daily base.* (1) Effective for the calendar quarter ending June 30, 1944, the daily base of each producer shall be the daily base of such producer on record in the office of the market administrator under the Amended License for Milk No. 44, Wichita, Kansas, Sales Area, issued by the Secretary of Agriculture, August 14, 1935. If no such base is on record for any producer who is not also a handler, the market administrator shall determine a base for such producer in the manner provided in (3) of this paragraph.

(2) For each calendar quarter subsequent to June 30, 1944, the daily base of each producer shall be an amount calculated by the market administrator as follows: (i) Divide the total milk, not in excess of his base, delivered by each producer during the next preceding calendar quarter by the number of days in that quarter and (ii) if the total of the figures so calculated for all producers is not equal to 110 percent of the total sales of Class I and Class II milk by all handlers during that quarter, add to the figure for each producer an equal amount sufficient to bring the total to 110 percent of the total sales of Class I and Class II milk.

(3) In the case of a producer who resumes delivery after not having marketed milk to a handler for a period of more than 30 consecutive days or for whom there is no base on record in the office of the market administrator, a base shall be allotted in the following manner: for each delivery period from the date upon which such producer first markets milk to a handler until the conclusion of one full calendar quarter, the market administrator shall multiply such producer's daily average deliveries of milk by the percentage that base deliveries were to total deliveries to the market during the delivery period by all base holding producers on the market. After the conclusion of one full calendar quarter, the market administrator shall determine a base for such producer in accordance with (2) of this paragraph.

(4) In the case of a producer who is also a handler and who disposes of all of his delivery routes to another handler who is not a producer, the market administrator shall determine the daily average of the total sales of Class I milk and Class II milk by such producer during the preceding 8 months. The figure thus determined shall be such producer's base from the date of such determination until the end of the calendar quarter next following. Thereafter the base of such producer shall be determined in accordance with (2) of this paragraph.

(c) *Base rules.* (1) Any producer who ceases to deliver milk to a handler for a period of more than 30 consecutive days shall forfeit his base. In the event such producer thereafter commences to deliver milk to a handler he shall be allotted a daily base computed in the manner provided in (b) (3) of this section.

(2) A landlord who rents on a share basis shall be entitled to the entire daily base to the exclusion of the tenant if the landlord owns the entire herd. A tenant who rents on a share basis shall be entitled to the entire daily base to the exclusion of the landlord if the tenant owns the entire herd. If the cattle are jointly owned by the tenant and landlord, the daily base shall be divided between the joint owners according to ownership of the cattle when such share basis is terminated.

(3) A producer, whether landlord or tenant, may retain his base when moving his entire herd of cows from one farm to another: *Provided*, That at the beginning of a tenant and landlord relationship the base of each landlord and tenant may be combined and may be divided when such relationship is terminated.

(4) Base may be transferred only under the following conditions: (i) In case of the death of a producer, his base may be transferred to a surviving member or members of his family who carry on the dairy operations, and (ii) on the retirement of a producer, his base may be transferred to an immediate member of his family who carries on the dairy operations.

(5) Any producer desiring to earn a new base may do so by notifying the market administrator that he is relinquishing his base at the beginning of the delivery period next following. In such case all milk delivered by such producer during the next 2 full calendar months shall be considered as milk in excess of base. At the end of 2 months a new base shall be allotted by the market administrator computed in the manner provided in (b) (3) of this section.

§ 968.10 *Marketing service*—(a) *Deduction for marketing service.* Except as set forth in (b) of this section each handler shall deduct 4 cents per hundredweight from the payments made to each producer pursuant to § 968.8 (a) (1) and (a) (2) with respect to all milk of such producer purchased or received by such handler during the delivery period, and shall pay such deductions to the market administrator for market information to, and for the verification of weights, sampling, and testing of milk received from, said producers. The market administrator may contract with a cooperative association or cooperative associations for the furnishing of the whole or any part of such services.

(b) *Producers' cooperative associations.* In the case of producers for whom a cooperative association, which the War Food Administrator determines to be qualified under the provisions of the act of Congress of February 18, 1922, is performing the services set forth in (a) of this section, each handler shall make the deductions from the payments to be made pursuant to § 968.8 (a) (1) and (a) (2), which are authorized by such producers, and, on or before the 10th day after the end of each delivery period, pay over such deductions to the associations of which such producers are members.

§ 968.11 *Expense of administration.* As his prorata share of the expense of the administration hereof, each handler who purchased or received milk from producers, with respect to all milk received from producers during the delivery period, shall pay to the market administrator, on or before the 10th day after the end of such delivery period, an amount not exceeding 4 cents per hundredweight, which amount shall be determined by the market administrator subject to review by the War Food Administrator.

§ 968.12 *Effective time, suspension, or termination*—(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the War Food Administrator may declare and shall continue in force until suspended, or terminated, pursuant to (b) of this section.

(b) *Suspension or termination.* Any or all of the provisions hereof, or any amendment hereto, may be suspended or terminated as to any or all handlers after such reasonable notice as the War Food Administrator shall give and shall, in any event, terminate whenever the provisions of the act cease to be in effect.

(c) *Continuing power and duty of the market administrator.* (1) If, upon the suspension or termination of any or all provisions hereof there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the War Food Administrator so directs, be performed by such other per-

son, persons, or agency as the War Food Administrator may designate.

(2) The market administrator, or such other person as the War Food Administrator may designate, shall (i) continue in such capacity until removed, (ii) from time to time account for all receipts and disbursements and when so directed by the War Food Administrator deliver all funds on hand, together with the books and records of the market administrator, or such person, to such person as the War Food Administrator shall direct, and (iii) if so directed by the War Food Administrator execute assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof the market administrator, or such person as the War Food Administrator may designate, shall, if so directed by the War Food Administrator, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 968.13 *Agents.* The War Food Administrator may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

Issued at Washington, D. C., this 25th day of May, 1944, to be effective on and after the 1st day of June 1944.

MARVIN JONES,
War Food Administrator.

Approved May 27, 1944.

FRED M. VINSON,
Director of Economic Stabilization.

[F. R. Doc. 44-7741; Filed, May 29, 1944; 11:24 a. m.]

[WFO 79-42, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN FALL RIVER-NEW BEDFORD-TAUNTON, MASS., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-42 (8 F.R. 13966, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Fall River-New Bedford-Taunton, Massachusetts, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.73 (1) (2) and inserting, in lieu thereof, the numeral "15."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79-42, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-42, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 26th day of May 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-7602; Filed, May 26, 1944; 2:20 p. m.]

[WFO 79-122, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN HOUSTON, TEX., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-122 (9 F.R. 641, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Houston, Texas, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.155 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79-122, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-122, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 26th day of May 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-7603; Filed, May 26, 1944; 2:20 p. m.]

[WFO 79-127, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN GALVESTON, TEX. SALES AREA

Pursuant to War Food Order No. 79 (8 F. R. 12426, 9 F. R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-127 (9 F.R. 647, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts and cream in the Galveston, Texas, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.162 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79-127, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-127, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 26th day of May 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-7604; Filed, May 26, 1944; 2:20 p. m.]

[WFO 79-134, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN CORPUS CHRISTI, TEX., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-134 (9 F.R. 1078, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Corpus Christi, Texas, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.160 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79-134, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-134, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 26th day of May 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-7605; Filed, May 26, 1944; 2:20 p. m.]

[WFO 8, Amdt. 8]

PART 1401—DAIRY PRODUCTS

FROZEN DAIRY FOODS AND MIX

War Food Order No. 8, as amended, 9 F.R. 4319, 4735 (formerly designated as Food Distribution Order No. 8, as originally issued by the Secretary of Agriculture on January 19, 1943, 8 F.R. 953, and as amended, 8 F.R. 12163), is further amended as follows:

1. By deleting § 1401.31 (b) (1) and § 1401.31 (b) (2) therefrom and inserting, in lieu thereof, the following:

(b) *Restrictions on production of frozen dairy foods and mix.* (1) During the allocation period commencing June 1, 1944, as specified in War Food Order No. 8-1, 9 F.R. 4319 (formerly designated as Food Distribution Order No. 8-1, as issued by the Director on February 1, 1943, 8 F.R. 1330), no processor may utilize in the production of frozen dairy foods or mix more than 85 per centum of the total milk solids used by the respective processor in the production of such products, respectively, during the corresponding portion of the base period, exclusive of all such products processed for, or sold to, a governmental agency by such processor during such corresponding portion of the base period. During the allocation period commencing July 1, 1944, no processor may utilize in the production of frozen dairy foods or mix more than 75 per centum of the total milk solids used by the respective processor in the production of such products, respectively, during the corresponding portion of the base period, exclusive of all such products processed for, or sold to, a governmental agency by such processor during such corresponding portion of the base period. During each allocation period commencing after July 31, 1944, specified by the Director in said War Food Order No. 8-1, or hereafter specified by the Director, no processor may utilize in the production of frozen dairy foods or mix more than 65 per centum of the total milk solids used by the respective processor in the production of such products, respectively, during the corresponding portion of the base period, exclusive of all such products processed for, or sold to, a governmental agency by such processor during such corresponding portion of the base period. The milk solids used in frozen dairy foods or mix manufactured for, or delivered to, or for the account of, a governmental agency, shall be excluded from the amount of milk solids to which the aforesaid percentages are applicable.

(2) During the months of June and July 1944 the maximum total milk solids content of frozen dairy foods manufactured, sold, or delivered by any person shall be 24 per centum (by weight). After July 31, 1944, the maximum total milk solids content of frozen dairy foods manufactured, sold, or delivered by any person, shall be 22 per centum (by weight).

This amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944.

With respect to violations, rights accrued, or liabilities incurred prior to the effective time of this amendment, the provisions of War Food Order No. 8, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 27th day of May 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-7740; Filed, May 29, 1944; 11:23 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 79-73, Amdt. 5]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SAN DIEGO, CALIF., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-73 (8 F.R. 14367, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the San Diego, California, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.85 (1) (2) and inserting, in lieu thereof, the numeral "15."

The provisions of this amendment shall become effective at 12:01 a m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79-73, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-73, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 25th day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-7549; Filed, May 25, 1944; 4:56 p. m.]

[WFO 79-75, Amdt. 5]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN LOS ANGELES, CALIF., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-75 (8 F.R. 14370, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Los Angeles, California, metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.87 (1) (2) and inserting, in lieu thereof, the numeral "15."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79-75, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-75, as amended shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 25th day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-7550; Filed, May 25, 1944; 4:56 p. m.]

[WFO 75, Amdt. 15]

PART 1410—LIVESTOCK AND MEATS

REMOVAL OF RESTRICTIONS UPON FARMERS

War Food Order No. 75, as amended (8 F.R. 11119, 9 F.R. 4319, 4973), § 1410.15, is further amended as follows:

1. By amending (a) (9) to read as follows:

(9) The term "Class 3 slaughterer" means any farmer who slaughters livestock.

2. By deleting (b) (2) and substituting in lieu thereof the following:

(2) Any farmer may, without a license or a permit, slaughter livestock owned by him and deliver the meat derived therefrom.

This order shall become effective at 12:01 a. m., e. w. t., May 25, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 75, as amended, prior to the effective date of this amendment, all provisions of said War Food Order No. 75, as amended, in effect prior to this amendment shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 25th day of May 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-7548; Filed, May 25, 1944; 4:56 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

Subchapter A—Administrative Organization

Subchapter B—Immigration Regulations

AMENDMENTS OF VARIOUS PROVISIONS OF IMMIGRATION REGULATIONS

MAY 16, 1944.

The following amendments to Title 8, Chapter I, Code of Federal Regulations are hereby prescribed:

Section 90.3 (a) (4) is amended by deleting the word "advance".

Section 105.3 is amended by adding the following paragraph:

§ 105.3 *Aliens not subject to head tax.* • • •

(o) *Imported laborers.* Aliens who are native-born residents of foreign countries within the Western Hemisphere being imported for temporary employment and who are admissible under §§ 115.2 and 132.5.

Section 110.29 is amended by deleting from paragraph (a) the words "to maintain their specific status or".

Section 110.52 is amended by adding the following sentence: "Application should be made on Form I–212, when available, and should be sent direct to the Central Office of the Service."

Section 130.7 is amended to read as follows:

§ 130.7 *Alien excluded for removable cause; reopening of case.* Where an alien is excluded merely because of non-possession of a visa, or for any cause which can readily be removed or overcome, the case may be reopened within a period of six months from the date of original exclusion without the alien being required to obtain the permission to reapply for admission prescribed in § 110.51. For statistical purposes, the case of an alien excluded for removable causes shall be considered as a completed case at the time of exclusion and any case reopened within six months shall be considered as a new case. (Sec. 17, 39 Stat. 887; 8 U.S.C. 153)

Part 132 is amended by adding the following new section:

§ 132.5 *Aliens imported to perform labor during wartime.* (a) Any alien who applies for temporary admission into the United States under Title II of Public Law 229 of February 14, 1944 (58 Stat. 11), shall establish to the satisfaction of the examining immigrant inspector:

(1) That he is seeking admission as one of a specific group of workers who are being imported by the War Manpower Commission for employment in the continental United States with industries and services essential to the preservation, marketing, or distribution of agricultural products, including the timber and lumber industries; he shall present an alien laborer's identification card (Form I–100) identifying him as such; such card shall be prepared either prior to embarkation or at the port of entry;

(2) That he is a native-born resident of a foreign country within the Western Hemisphere and that he is not an enemy alien, by the furnishing of a birth certificate or other acceptable evidence;

(3) That he is in all respects admissible under the provisions of the immigration laws except:

(i) The provisions of section 3 of the Immigration Act of February 5, 1917, relating to contract laborers, the requirements of literacy, and the payment of passage by corporations, foreign governments, or others;

(ii) The provisions of section 3 of the Immigration Act of February 5, 1917, and section 1 of the act of March 4, 1929, requiring permission of the Attorney General to reapply for admission in the case of any alien previously arrested and deported or excluded and deported solely because of illegal entry or absence of required documents, if such deportation has not occurred on more than one occasion, and such alien establishes that he is otherwise entitled to temporary admission as a worker under the provisions of this section;

(iii) The requirement of section 2 of the Immigration Act of February 5, 1917, relative to the payment of head tax;

(iv) The prohibitions contained in sections 5 and 6 of the Immigration Act of February 5, 1917;

(v) The provisions of the laws and regulations relating to documents required of aliens entering the United States; and

(vi) The provisions of Title III of the Alien Registration Act of 1940 relating to the registration of aliens.

(4) That if admitted he will comply with the conditions of such admission.

(b) An alien found admissible under the provisions of this section shall be fingerprinted as provided in § 115.3 relating to agricultural workers.

(c) Any such alien shall be admitted, without any requirement of bond, for the period of the validity of his contract entered into pursuant to an agreement between the government of the United States and the government of the country of which he is a native-born resident, but not exceeding one year, on condition that he maintain the status of a worker under the terms of the contract, and depart from the United States at the expiration of his admission or any extension thereof: *Provided, however,* That regardless of the period for which an alien is admitted under this section or any extension thereof, such periods shall automatically terminate thirty days after cessation of all hostilities between the United States and her enemies in the present war.

(d) An alien admitted under the provisions of this section who fails to maintain the status under which he was admitted or who fails to depart from the United States in accordance with the conditions of his admission, shall be deemed to be unlawfully in the United States and shall be taken into custody and deported in accordance with the applicable provisions of Part 150 of this chapter. (Ninth proviso, sec. 3, 39 Stat. 875, 8 U.S.C. 136 (q); 58 Stat. 11)

EARL G. HARRISON,
Commissioner.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 44–7692; Filed, May 27, 1944; 1:01 p. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 270—GENERAL RULES AND REGULATIONS, INVESTMENT COMPANY ACT OF 1940

MISCELLANEOUS AMENDMENTS

Rescission of rules governing temporary exemptions for certain investment companies and rule relating to written statement permitted for dividend payments by management companies during 1941; and amendments to rules relating to solicitation of proxies and confidential treatment of names and addresses of dealers of registered investment companies' securities.

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Investment Company Act of 1940, particularly section 38 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary to carry out the provisions of the act, hereby takes the following action:

I. Sections 270.6c–1, 270.6c–2, 270.6c–4, 270.6c–5, 270.6c–6, 270.6c–7, and 270.19–2 (Rules N–6C–1, N–6C–2, N–6C–4, N–6C–5, N–6C–6, N–6C–7 and N–19–2) are rescinded as of this date.

II. Section 270.20a–1 (Rule N–20A–1) is amended by deleting paragraph (c) thereof and by substituting the words "Subject to paragraph (b)" for the words "Subject to paragraphs (b) and (c)" in paragraph (a) thereof.

III. Section 270.45a–1 (Rule N–45A–1) is amended by substituting the word "Chairman" for the words "Director of the Investment Company Division" in paragraph (b) thereof.

Effective May 27, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–7743; Filed, May 29, 1944; 9:45 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51063]

PART 6—AIR COMMERCE REGULATIONS

REDESIGNATION OF AIRPORTS OF ENTRY

MAY 25, 1944.

The following-named airports are hereby redesignated as airports of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (U. S. C. title 49, sec. 179 (b)), for a period of one year from the dates shown opposite their names:

Name, Location, and Date of Redesignation
John G. Hinde Airport, Sandusky, Ohio, June 1, 1944.
Havre Municipal Airport, Havre, Montana, June 2, 1944.
Watertown Municipal Airport, Watertown, N. Y., June 2, 1944.

The list of temporary airports of entry in § 6.13, Customs Regulations of 1943 (19 CFR 6.13), is hereby amended by changing the dates of the designations opposite the names of these airports as indicated herein.

(Sec. 7 (b), 44 Stat. 572; 49 U.S.C. 177 (b))

[SEAL] JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44–7635; Filed, May 27, 1944; 10:49 a. m.]

[T. D. 51062]

PART 13—SUGARS, SIRUPS, AND MOLASSES; PETROLEUM PRODUCTS; WOOL AND HAIR

INVOICES AND GRADES OF WOOL

Section 13.12 (6), Customs Regulations of 1943 (19 CFR 13.12 (6)), is hereby amended by adding after the comma following the word "wool" the following: "the type number by which it is bought and sold in the country of origin and".

(Pars. 1101–1104; sec. 1, 46 Stat. 646, 647, sec. 33 (a), 52 Stat. 1090; 19 U.S.C. 1001)

Section 13.16, Customs Regulations of 1943 (19 CFR 13.16), is hereby amended by deleting the last three sentences thereof.

(Pars. 1101–1104; sec. 1, 46 Stat. 646, 647, sec. 33 (a), 52 Stat. 1090; 19 U.S.C. 1001)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: May 24, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44–7634; Filed, May 27, 1944; 10:49 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter E—Administrative Provisions Common to Various Taxes

[T. D. 5375]

PART 458—INSPECTION OF RETURNS

INCOME, EXCESS-PROFITS, DECLARED VALUE EXCESS-PROFITS, AND CAPITAL STOCK TAXES

Regulations governing the inspection of income, excess-profits, declared value excess-profits, and capital stock tax returns by the Special Committee on Un-American Activities, House of Representatives.

Treasury Decision 5200,[1] approved December 9, 1942, is hereby amended by changing the period at the end of the first sentence thereof to a comma, and inserting immediately thereafter the following: "and the provisions of House Resolution 65 (Seventy-eighth Congress, first session), passed February 10, 1943."

H. MORGENTHAU, Jr.,
Secretary of the Treasury.

Approved: May 25, 1944.

FRANKLIN D ROOSEVELT,
The White House.

[F. R. Doc. 44–7609; Filed, May 26, 1944; 4:51 p. m.]

[1] 7 F.R. 10424.

TITLE 29—LABOR

Chapter VI—National War Labor Board

[General Order 4,[1] Amdt.]

PART 803—GENERAL ORDERS

EXEMPTION OF CERTAIN EMPLOYERS FROM WAGE ADJUSTMENTS

§ 803.4 *General Order No. 4* • • •

(d) • • •

The National War Labor Board, under this paragraph, has approved the following exceptions to the exemption provided for in paragraph (a) of this order:

• • • • • •

19. All employers engaged in the manufacture of jewelry in Region II of the National War Labor Board, embracing the State of New York and the northern counties of New Jersey (Sussex, Passaic, Bergen, Warren, Morris, Essex, Hudson, Union, Middlesex, Somerset, Monmouth, Hunterdon) (approved May 10, 1944).

20. The jewelry industry in Albuquerque, New Mexico (approved May 10, 1944).

21. Logging and sawmilling operations in the lumber industry in Region IX of the National War Labor Board, embracing the states of Colorado, New Mexico, Montana, Wyoming, Utah and Idaho (approved, May 10, 1944).

22. Pattern makers in the metropolitan areas of Portland, Oregon, and Seattle and Spokane, Washington (approved, April 27, 1944).

23. Machine shop workers in the metropolitan areas of Portland, Seattle, Spokane, Bellingham, Everett and the Willamette Valley in Region XII of the National War Labor Board (approved, April 27, 1944).

24. Truck drivers, shoe repair, radio repair, and watch repair shops, radio broadcasting stations, dry cleaning establishments, restaurants, wholesale and retail distribution establishments, and clerical workers in Region XII of the National War Labor Board, embracing the states of Washington and Oregon (approved, April 27, 1944).

25. Hotels in Region XII of the National War Labor Board, embracing the states of Washington and Oregon (approved, May 16, 1944).

(E.O. 9250, 7 F.R. 7871)

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44–7620; Filed, May 27, 1944; 9:31 a. m.]

[1] 8 F.R. 3067, 3286, 4805, 12967; 9 F.R. 3537.

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 246]

MEMORANDUM FOR RETIREMENT SECTION, ACCOUNTING DIVISION

DISCONTINUANCE OF FORM

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Discontinuance of DSS Form 28, entitled "Memorandum For Retirement Section, Accounting Division," effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing discontinuance shall become a part of the Selective Service regulation effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MAY 25, 1944.

[F. R. Doc. 44–7703; Filed, May 27, 1944; 4:19 p. m.]

[No. 247]

REPORT ON OCCUPATIONAL DEFERMENT OF FEDERAL GOVERNMENT EMPLOYEES, ETC.

DISCONTINUANCE OF FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Discontinuance of DSS Form 38, entitled "Report On Occupational Deferment Of Federal Government Employees," effective immediately upon the filing hereof with the Division of the Federal Register.

Discontinuance of DSS Form 111, entitled "Inventory Report," effective immediately upon the filing hereof with the Division of the Federal Register.

Discontinuance of DSS Form 140A, entitled "Accumulative Report of Classification, etc.," effective immediately upon the filing hereof with the Division of the Federal Register.

Discontinuance of DSS Form 327, entitled "Employment Registration," effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing discontinuance shall become a part of the Selective Service regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MAY 25, 1944.

[F. R. Doc. 44–7704; Filed, May 27, 1944; 4:19 p. m.]

[No. 248]

TWO YEAR WORK PROGRAM C. P. S. CAMPS

DISCONTINUANCE OF FORM

Pursuant to authortiy contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Discontinuance of DSS Form 360, entitled "Two Year Work Program C. P. S. Camps," effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing discontinuance shall become a part of the Selective Service regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MAY 25, 1944.

[F. R. Doc. 44–7705; Filed, May 27, 1944; 4:19 p. m.]

[No. 249]

NOTICE OF SELECTION

DISCONTINUANCE OF FORM

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Discontinuance of DSS Form 148, entitled "Notice of Selection," effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing discontinuance shall become a part of the Selective Service regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MAY 25, 1944.

[F. R. Doc. 44–7706; Filed, May 27, 1944; 4:19 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 921—ALUMINUM AND MAGNESIUM

[Supplementary Order M-1-g, as Amended May 27, 1944]

ALUMINUM PIGMENT AND ALUMINUM COMPOSITION

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of aluminum for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 921.9 *Supplementary Order M-1-g*—(a) *Definitions.* For the purpose of this order.

(1) "Aluminum pigment" means any material containing aluminum which is manufactured, acquired, or disposed of for use, or which is used in making paint, ink, or other coatings, or liquid welding compound.

(2) "Aluminum composition" means any paint, ink, or other coating, or liquid welding compound, in the making of which aluminum pigment is used.

(3) "Producer" means the department of Aluminum Company of America, Reynolds Metals Company, Metals Disintegrating Company, Aluminum Bronze Powder Company, Premier Bronze Powder Works, Malone Bronze Powder Works, Inc., U. S. Bronze Powder Works, Inc., Magna Manufacturing Company, which produces aluminum pigment, and any other person who may be so designated by the War Production Board.

(4) "Distributor" means any person engaged in the business of purchasing aluminum pigment or aluminum composition and re-selling it without further processing it.

(b) *Restrictions upon delivery of aluminum pigment by a producer.* No producer shall deliver any aluminum pigment except pursuant to an order endorsed with a CMP allotment number in the S-2955 series or V-9 and the form of certification provided in either CMP Regulation No. 1 or 7 or in Order P-43. Such an order is an authorized controlled material order under CMP Regulations. Persons seeking to obtain aluminum pigment from a producer should apply to the War Production Board, Aluminum and Magnesium Division, on Form WPB-2360 (formerly Form CMP-13), except that where aluminum pigment is to be acquired for research, developmental or experimental activities under Order P-43, no application is necessary. A producer may refuse to accept an order for less than 100 lbs.

(c) *Deliveries of aluminum pigment and aluminum composition by any person other than a producer.* No person other than a producer shall, without the specific authorization in writing of the War Production Board, deliver to any other person any aluminum composition or aluminum pigment except to fill an order rated AA-5 or higher. However, during the period beginning May 15, 1944, and ending June 30, 1944, delivery by a person other than a producer may be made to any distributor even if the order placed by the distributor is unrated or rated lower than AA-5; and a distributor may at any time deliver to a consumer on unrated orders or orders rated lower than AA-5 if the aluminum composition or aluminum pigment being delivered was in the inventory of the distributor on March 15, 1944.

(d) *Other restrictions on delivery.* Notwithstanding the provisions of paragraphs (b) or (c), no person shall deliver aluminum pigment or aluminum composition if he knows or has reason to believe it is to be used in a manner forbidden by paragraph (e) of this order.

(e) *Restrictions on consumer of aluminum pigment and aluminum composition.* No person (except (1) a distributor purchasing aluminum pigment or aluminum composition during the period beginning May 15, 1944, and ending June 30, 1944, (2) a consumer purchasing this material from a distributor which was or which the distributor states was in his inventory on March 15, 1944, or (3) a person purchasing directly from a producer on an authorized controlled material order as described in paragraph (b) above) shall purchase aluminum pigment or aluminum composition except on a purchase order rated AA-5 or higher. In addition, no person shall use aluminum pigment or aluminum composition in manufacturing, maintenance, repair or construction operations, without the specific authorization in writing of the War Production Board, except as follows:

(1) In the manufacture, maintenance or repair of products and equipment when they are being produced for or used by the Army or the Navy of the United States, the Maritime Commission or the War Shipping Administration, or when they are combat end products being produced for any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(2) On ship engine rooms and equipment and for repair and maintenance thereof.

(3) On trainer, civilian and commercial aircraft.

(4) For sealing of bituminous coated surfaces, unless he knows or has reason to believe that the bituminous coated surface was put on since January 1, 1944.

(5) For interior use in industrial and utility plants and for industrial and utility company equipment and for use in boiler rooms of institutions and commercial establishments, but in each case only where excessive moisture, fumes or temperatures prevail.

(6) For surfaces in the interior of dairies, milk bottling plants, food processing plants, cold storage plants and walk-in refrigerators. The term "dairy" means the portion of a structure in which milk is cooled or pasteurized.

(7) For outdoor storage tanks used for petroleum products and volatile chemicals.

(8) On hospital equipment.

(9) On caskets and casket hardware.

(10) For bridges, highway guard rails and steel transmission towers, but in each case only where already painted with aluminum.

(11) For movable farm equipment and farm implements.

(12) On railway signal equipment and railway signal towers.

(13) For research, developmental or experimental activities.

(14) For underwater protection of steel and iron.

(15) Vehicle license plates.

(16) For automotive busses, trucks and trailers, and for automotive repair parts.

(17) For coating electric light reflectors.

(18) For coating the exterior and interior of new cans and of new can and jar closures, if made of black plate or chemically treated steel.

Notwithstanding the other provisions of paragraph (e), any person may use for any purpose any aluminum composition which he purchases from a distributor and which was or was stated by the distributor to have been in the distributor's inventory on March 15, 1944; and a printing shop may, in addition, in printing and lithographing, use any aluminum composition in its possession on May 15, 1944. An individual acting in his private capacity and not engaged in work for which he is compensated, may use for his own needs any aluminum paint or aluminum composition.

(f) *Applications for authorization.* A person who seeks authorization to use aluminum pigment or aluminum composition for a purpose other than one specified in paragraph (e) of this order, shall apply by letter to the War Production Board, Aluminum and Magnesium Division, Washington 25, D. C., Ref: M-1-g, setting forth:

(1) The pounds of aluminum pigment or the gallons of aluminum composition for which authorization to use is requested;

(2) Type of equipment or surface to be painted;

(3) Reason why aluminum composition is required and why the use of other material is impracticable;

(4) Rating which applicant is entitled to apply to his purchase order; and

(5) Person from whom it is to be acquired.

Special consideration will be given to requests for authorization to use aluminum pigment or composition for industrial purposes where it can be shown that its use is materially more advantageous than less critical material. The War Production Board will not grant authorizations to use aluminum pigment or composition on hydrants, lamp posts, household equipment, or in dwellings, offices, apartments, churches, or institutions, whether for internal or external use.

(g) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Aluminum and Magnesium Division, Washington 25, D. C., Ref: M-1-g.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(i) *Violations.* Any person who willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 27th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7643; Filed, May 27, 1944; 11:18 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-197, as Amended May 27, 1944]

STEEL SHIPPING DRUMS

§ 3270.15 *Limitation Order L-197*—(a) *Definitions.* For the purpose of this order:

(1) "Drum" means any single-walled cylindrical or bilged container with a capacity of 132 gallons or less (including but not limited to buckets, kits and pails) constructed wholly of steel. It does not include cans as defined in Order M-81, high or low pressure gas steel cylinders, storage tanks, or any container not usable commercially for transporting commodities.

(2) "Used drum" means any drum which has been used for shipping, storage or intra-plant transfer of products. The affixing of ends or other parts to used drums shall not cause them to be regarded as new drums.

(3) "New drum" means any drum which is not a used drum and includes rejects or seconds.

(4) "Reject or second" means any newly manufactured drum which cannot be used for the purpose for which it was intended due to some defect in it.

(5) "Industrial order" means any purchase order for or contract to buy a commodity except one placed by, or to be shipped directly to the Army, Navy, Aircraft Resources Control Office, Maritime Commission or War Shipping Administration, or one placed by any United States Government Agency when operating under Lend-Lease.

(6) "Class of Commodity" means any one of the numbered items listed in Schedule A.

Restriction on New Drums

(b) *Restriction against manufacture, sale or delivery.* No person shall manufacture, sell or deliver any new drums which he has reason to believe will be accepted or used in violation of the terms of this order.

(c) *Restriction against acceptance or use.* No person shall accept delivery of or use a new drum for packing any commodity listed in Schedule B to fill an industrial order. Where a specific commodity is listed in Schedule B, the provisions of this paragraph apply even though the general class under which the commodity may be included has a quota under Schedule A.

(d) *Quota restrictions.* (1) No person shall, during any calendar quarter, unless specifically authorized by the War Production Board in accordance with paragraph (d) (2):

(i) Use a greater tonnage of new drums for the packing of any class of commodities listed in Schedule A for industrial orders than 95% of the tonnage of new drums he used for that class of commodities for industrial orders in the corresponding quarter of 1943;

(ii) No person shall, in any calendar quarter, use more new drums for purposes other than packing commodities (such as drums to be used entirely within the plant or installed as integral parts of other equipment) than he used for the same purpose in the corresponding quarter of 1943.

(2) Application for authorization to exceed the quota established in paragraph (d) (1) shall be made by filing Form WPB 3770 in quadruplicate. Such applications will be considered only on the basis of essential need for, and the supply of new drums, and the availability of used or substitute containers.

(3) As an alternative to basing his packing quota for any quarter upon the usage of new drums in the corresponding quarter of 1943 as provided in paragraph (d) (1), a person may determine his packing quota for any class of commodities for any quarter by taking 23¾% of his total usage of new drums for packing that class of commodities for industrial orders during 1943. A person may not change his method of computing his packing quotas in the course of any calendar year.

(4) Where a commodity is listed in Schedule A with a quota based on previous packing in fibre drums during 1943, any person who packed the commodity in fibre drums during 1943 may in any calendar year pack in new steel drums the designated percentage of the quantity of that commodity that he packed in fibre drums in 1943 in addition to his packing quota for that commodity provided for in paragraph (d) (1).

(5) No person shall use any part of a quota given to him to pack one class of commodities to pack another class of commodities.

(6) Any person who has any part of his packing quota for a class of commodities left over from one calendar quarter may use it to pack that class of commodities in the next calendar quarter. He may also borrow up to 25% of the next quarter's quota for that purpose.

(7) The quota restrictions in this order shall apply to all new drums used for packing commodities for industrial orders beginning with May 15, 1944. For the period from May 15, 1944 to July 1, 1944, a person's quota based on usage of steel drums under paragraph (d) (1) shall be one-half of what his quota would have been for the second quarter of 1944 under the terms of this order. For the period from May 15, 1944 to December 31, 1944, a person's quota based on usage of fibre drums under paragraph (d) (4) shall be five-eighths of what it would have been for the calendar year of 1944 under the terms of this order. All authorizations issued prior to May 27, 1944, shall be null and void after May 27, 1944, when the quota restrictions go into effect.

(e) *Inventory restrictions.* No person shall, at any time, accept delivery of any new drum which will increase his total inventory of that type or size of drum to more than his requirements for the following sixty-day period or will increase his total inventory of all types and sizes of drums to more than one and one-half carloads, whichever is the greater. This restriction does not apply to the Army, Navy, Aircraft Resources Control Office, Maritime Commission or War Shipping Administration.

Restrictions on Used Drums

(f) *Prohibition on use.* No person shall pack in used drums for industrial orders a commodity which is listed in Schedule B without an asterisk. Any other commodity not appearing on Schedule B or listed there with an asterisk may be packed in used drums without limitation.

(g) *Prohibition on sale or delivery.* No person shall sell or deliver any used drum which he knows or has reason to believe will be accepted or used in violation of the terms of this order.

(h) *Restrictions.* (1) No person shall sell or deliver any empty drum which was packed with an edible product the last time it was used, and which is capable of being reused for the same purpose, if he knows or has reason to believe that it will be used for packing inedible products.

(2) No person shall sell or deliver any empty drums which were packed with a naval store product the last time it was used, and which is capable of being reused for the same purpose, if he knows or has reason to believe that it will be used for packing anything other than naval store products. Naval store products as used in this paragraph means those materials which are directly de-

rived from the oleo-resinous secretions of various species of coniferous trees; the term includes resins and liquid terpines, both crude and refined, special materials derived from these and such related products as tall oil and pine tars.

(i) *Exceptions.* Nothing in this order shall apply to the use of used drums (1) for storage purposes by any person having less than five drums in use for all purposes or (2) constructed wholly of lighter than 23 gauge steel having a capacity of 25 gallons or more.

(j) *Exception for packing molasses.* Notwithstanding the fact that molasses appears without an asterisk on Schedule B, packers of molasses may pack it in used steel drums owned by a farmer and packed on his order for his use for ensilage. The packer may rely upon a signed statement by the purchaser that he is a farmer, that he owns the steel drum which is to be filled and that the molasses is for his own use for ensilage. If he has knowledge of these facts, he may waive the signed statement.

Preference Ratings

(k) *Use of preference ratings.* No preference rating shall be applied to obtain delivery of new drums except a rating which has been specifically assigned for drums by the Army, Navy, Aircraft Resources Control Office, Maritime Commission, War Shipping Administration or to other persons pursuant to the authorization by the Maritime Commission under Form WPB 646 (formerly PD–300) for direct or ultimate delivery to them of drums either filled or empty.

(l) *Cancellation of ratings previously assigned.* Any order for new drums for which a rating of AA–3 or lower has been assigned before May 27, 1944 shall be considered an unrated order whether it was placed before or after May 27, 1944.

(m) *Certificate.* No person shall sell or deliver any new drums unless he receives a purchaser's certificate, signed manually or as provided in Priorities Regulation No. 7. This certificate shall be in substantially the form attached hereto as Exhibit A. Attention is called to the fact that this certificate, once filed by a purchaser with a supplier, covers all future deliveries from that supplier to that purchaser.

Miscellaneous Provisions

(n) *Reports.* Any person affected by this order shall file such reports and questionnaires as the War Production Board may request from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(o) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB 3770 in quadruplicate.

(p) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(q) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington 25, D. C., Ref: L–197.

(r) *Approval by Bureau of the Budget.* The use of Form WPB 3770 has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 27th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A—PURCHASER'S CERTIFICATE

The following certificate is to be delivered to each person from whom purchases of new drums are made. Such certificate shall cover all purchases, present and future.

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order L–197 of the War Production Board, and that all purchases from you of steel drums, and the use of the same by the undersigned, will be in compliance with the order, as amended from time to time.

_____
(Legal name of purchaser)

By_____
(Authorized official)

_____
(Title of official)

_____
(Address of purchaser)

SCHEDULE A

As provided in paragraph (d) a person may use new steel drums for each class of commodities listed below only to the extent of his packing quota for that class of commodities. Drum usage for one class of commodities may not be included in computing a person's packing quota for another class of commodities. Where no quota appears in Column 2 a person's quota for packing any class of commodities for industrial orders is 95% of his industrial usage of new steel drums in 1943. Quotas appearing in Column (2) are based on the quantity of the commodities which a person packed in the type of containers designated in the base year shown, and is in addition to the packing quota specified in paragraph (d) (1).

1. Commodity class and number	2. Quota based on previous use of other types of containers
CHEMICAL PRODUCTS	
1. Acids—dry	
2. Additives, oil and gasoline	
3. Alcohol & solvents, including but not limited to: Specially denatured alcohol (except Item 2 in Schedule B) and chlorinated solvents.	
4. Aluminum chloride, anhydrous	
5. Anti-freeze	
6. Brake fluid	
7. Calcium carbide	
8. Catalysts, phosphoric acid type	
9. Caulking compounds and sealers, including but not limited to: glazing material, putty and fillers.	
10. Caustic soda, including caustic potash.	
11. Cements, and adhesives	
12. Coal tar solvents	
13. Disinfectants and germicides	
14. Dyestuffs, dry	
15. Dyestuffs, vat	
16. Explosives	
17. Fire extinguisher: liquid and powder.	
18. Insecticides and fungicides	
19. Intermediates, organic compounds not elsewhere listed, including Amines, Ethers, Ketones, Esters, Aromatics, alcohols, aldehydes and acids.	
20. Leather auxiliaries and processing compounds.	
21. Medicinals, human	
22. Medicinals, animal	
23. Naval stores, including but not limited to dipentene, pine oil, turpentine, except rosin.	
24. Paints, enamels and lacquers in clear, pigmented, semi-paste, paste or liquid form, including lead oxides in oil, colors in oil and oil stain, floor wax.	66⅔% of quantity packed in fibre drums in 1943.
25. Peroxygen chemicals including chlorates, perchlorates, permanganates, solid peroxides.	
26. Petroleum solvents (as defined in M–150).	
27. Pitch or tar, including mineral filled, cutbacks, emulsions and road oils.	75% of quantity packed in fibre drums in 1943.
28. Plastic molding compounds	
29. Plasticizers, other than rubber	
30. Printing ink	
31. Rosin	100% of quantity packed in fibre drums in 1943.
32. Rubber cements	
33. Rubber processing chemicals, including but not limited to plasticizers.	
34. Rust preventatives	
35. Synthetic resins	100% of quantity packed in fibre drums in 1943.
36. Sodium and zinc hydrosulphate.	
37. Sulphides, including but not limited to Sodium, potassium and carbon bisulphide.	
38. Textile auxiliaries and processing compounds.	
39. Varnish and varnish stain	100% of quantity packed in fibre drums in 1943.
40. Vitamins	
41. Zinc chloride	
99. Other chemicals not in Schedule B.	
FOODS	
101. Greases, animal and vegetable	
102. Oils, animal, fish, marine animal, vegetable and vitamin oils or any blend thereof.	
199. Other food products not in Schedule B.	
PETROLEUM PRODUCTS (AS DEFINED IN M–301 OR PDO–19)	
201. Asphalt, including mineral filled, cut-backs, emulsions and road oils.	75% of quantity packed in fibre drums in 1943.
202. Fuel oil, kerosene, motor fuel, naphtha, solvents, insecticide base.	
203. Lubricating greases	50% of quantity packed in fibre drums in 1943.
204. Lubricating oil	
205. Microcrystalline wax	
206. Petrolatum, USP grades	
299. Other petroleum products not in Schedule B.	
MISCELLANEOUS PRODUCT	
301. Abrasives	
302. Metallic powders and pastes	
303. Refractories	
304. Other miscellaneous products not in Schedule B.	

SCHEDULE B

As provided by paragraphs (c) and (f), commodities listed below without an asterisk may not be packed in any steel drum, and commodities listed below with an asterisk may not be packed in new drums or in rejects or seconds, but may be packed in used drums.

1. Acid, succinic
2. *Alcohol, specially denatured (except anhydrous grades and the following formulas: #13A, #19, #20, #32, and #42)
3. Aluminum sulphate
4. Ammonia alum
5. Ammonium bicarbonate
6. Ammonium chloride
7. Ammonium nitrate, dry
8. Ammonium phosphates
9. Balsam copaiba
10. Bath salts
11. Bird seed
12. Boiler compounds, dry
13. Borax
14. Boric acid
15. Calcimine
16. Calcium carbonate
17. Calcium chloride
18. Calcium hydroxide
19. Calcium oxide
20. Calcium phosphates
21. Casein paints, dry
22. Cement paint, dry
23. Charcoal
24. Citric acid
25. Colors, inorganic dry
26. *Compounds, solid and semi-solid with a melting point of 65 degrees F. or above, used in cooking, including but not limited to mixtures of lard and hydrogenated oils.
27. Copper oxide
28. Copper sulphate, basic
29. Dairy products
30. Fatty acids (having a melting point of higher than 42 degrees C.)
31. Flour
32. Food products, cold pack and frozen
33. *Formaldehyde
34. Fruit juices
35. Fruits-brine
36. Fruits and peels, glace
37. Furniture polish
38. *Fuse powder, black, sporting powder, "A" blasting powder, and all other potassium nitrate black powder.
39. Gelatin
40. Glue, dry (animal and vegetable)
41. Hexamethylenetetramine
42. *Hydrogenated oils with a melting point of 65 degrees F. or above, including but not limited to shortening.
43. *Indigo paste
44. Jellies, jams and preserves
45. Kraut
46. *Lanolin and wool grease
47. *Lard
48. Lime
49. Linseed oil meal
50. Lithopone
51. Magnesium chloride $6H_2O$
52. Magnesium oxide
53. Meats
54. Molasses
55. Oil, crude petroleum
56. Olives
57. Paints, dry powder, including but not limited to those bound with glue, soya protein casein and cement
58. Paints, paste, water type, except resin or oil emulsion type (the vehicle of this type of product shall contain at least 5% water)
59. Paradichlorobenzene
60. Paste, wall paper
61. Patching plaster
62. Pectin
63. *Petrolatum (except USP grades)
64. Pickles
65. *Pine tar
66. Potash alum
67. Potassium bicarbonate
68. Potassium carbonate
69. Sand
70. Scouring cakes and powder
71. Shellac
72. Silicate of soda, dry ortho silicate, meta silicate, sesqui or mixture thereof
73. Soap, dry
74. Soda alum
75. Soda ash
76. Sodium aluminate
77. Sodium bicarbonate
78. Sodium bisulfate
79. Sodium chloride
80. *Sodium lactate
81. Sodium metaborate
82. Sodium nitrate
83. Sodium nitrite
84. Sodium perborate
85. Sodium phosphates
86. Sodium sesquicarbonate
87. Starches, dry
88. Sweeping compounds
89. Syrup, corn
90. *Syrup, mixed and unmixed (except corn syrup)
91. *Tallow
92. Vegetables—brine
93. Vinegar
94. Water
95. Wax, except floor wax and microcrystalline wax
96. Zeolite

[F. R. Doc. 44–7640; Filed, May 27, 1944; 11:18 a. m.]

PART 3270—CONTAINERS

[Limitation Order L–197, Direction 1, Revocation]

STEEL SHIPPING DRUMS

Section 3270.15 *Direction 1 to Limitation Order L–197,* issued February 24, 1944 is hereby revoked. This revocation does not affect any liabilities incurred under the direction. The direction is superseded by Limitation Order L–197 as issued simultaneously with this revocation.

Issued this 27th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7641; Filed, May 27, 1944; 11:18 a. m.]

PART 3281—PULP AND PAPER

[Limitation Order L–120, Schedule XVI]

SPECIALTY PAPER AND BOARD

§ 3281.32 *Schedule XVI to Limitation Order L–120—(a) Definitions.* For the purpose of this schedule, including the appendix.

(1) The term "specialty paper and board" means and is limited to the kinds of paper and board commonly described and distributed in the paper trade by the names used as captions in the appendix below.

(2) A "grade" means one particular quality within a kind of paper or board such grade having the essential properties peculiar to such kind and common to all grades within such kind, but distinguished from other such grades by a difference in the degree to which one or several of those common properties are emphasised. However, a difference in the degree to which any common property is emphasized, due only to a difference in ash content, in sizing, in the quantity of adhesive in the coating formula, or in the dyes used in the paper or board or coating shall not be considered as resulting in a different grade.

(3) "Color" means any hue of the spectrum, including but not limited to ivory, india and green-white tints, and black, but not including white.

(4) The term "basis weight" means the weight in pounds per 500 sheets in the size indicated under the appropriate caption, or the equivalent weight of 500 sheets in any other size figured proportionately to the size specified.

(5) The term "thickness" means the thickness of a sheet of paper or board expressed either in terms of plies or by caliper in terms of thousandths of an inch measured by the Cady Micrometer.

(6) An "item" means a quantity of paper or board all of which is of the same size, grain, basis weight or thickness, finish, color and grade.

(7) The term "standard" as applied to grade, color, basis weight or thickness, and size means, with respect to each manufacturer, a grade, color, basis weight or thickness, and size selected or specified under A of the appropriate caption in the appendix below.

(8) The term "special" as applied to grade, color, basis weight or thickness, and size means, with respect to each manufacturer, any grade, color, basis weight or thickness, or size that is not standard.

(9) The term "special making order" means a single order placed by a single buyer for manufacture at one time for use by one printer, converter or consumer.

(10) The term "manufacture" includes all making and finishing operations prior to packaging or packing, including pasting whether by a primary manufacturer or otherwise.

(11) The terms "SU" and "WO" and similar terms as applied to tag stock refer to converter tag grades recognized by the trade as standard under A (1) of such caption by these terms, and, in conjunction with numbers indicating the thickness, also indicate certain technical standards and tolerances for weight, thickness and tear which apply thereto.

(12) The term "Converter Tag Board" means and is limited to those grades commonly sold to tag manufacturers and coating mills under the names and technical standards generally recognized by the "Tag Converting" industry.

(13) The term "Dealer Tag Board" means any grade of tag board other than converter tag board grades, commonly sold and distributed in the paper trade to others than tag manufacturers.

(b) *Identification of the paper or board subject to this schedule.* It shall be the duty of each person who manufactures paper or board to determine in the first instance, but subject to review and official classification by the War Production Board at any time thereafter, under which caption, if any, of the appendix belongs each kind of paper and board manufactured by him. There shall be taken into account in

such determination, and in any review and reclassification by the War Production Board the designation by which the manufacturer heretofore identified or distributed the paper or board in question, the common designation in the paper trade of similar papers or boards selling within the same general price range as the paper or board in question, and the common designation in the paper trade of papers or boards possessing the same general physical characteristics, manufactured by the same general processes, or commonly distributed and used for the same general uses as the paper or board in question. If a manufacturer is uncertain as to the proper caption under which to classify a particular kind of paper or board, or whether a particular kind of paper or board is such a paper or board at all or belongs under any caption of the appendix to this schedule, he may apply to the War Production Board, in writing, for an official classification of such paper or board, submitting with his application representative samples of the grade or grades in which he manufactures such paper or board, a full explanation of the processes by which he manufactures the same, the designation by which he has heretofore identified or distributed the same, the general uses for which it is intended, the general price range within which it is sold, and the types of paper or board with which it chiefly competes, and a full explanation of the reasons for his uncertainty. The War Production Board may on its own motion review a manufacturer's classification and substitute therefore an official classification. In any event, an official classification by the War Production Board by telegram or notice in writing sent to the manufacturer shall, unless and until the War Production Board shall amend or revise the same by telegram or notice in writing sent to the manufacturer, be conclusive.

(c) *Selection of grades for regular manufacture.* Each person who manufactures any kind of paper or board shall select such "grade" or "grades" (if selection is indicated under the appropriate caption), not to exceed the number specified in A (1) of the appropriate caption of the appendix below, as he may desire to adopt for regular manufacture, and shall forthwith notify the War Production Board of such selection on Form WPB–1295 (formerly PD–589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board, in writing, the original selection shall remain binding.

(d) *Selection of colors for regular manufacture.* If by the terms of A (2) under the appropriate caption of the appendix below a manufacturer is permitted with respect to a particular grade of a kind of paper or board to select a number of colors and such selection is indicated, each person desiring to manufacture such grade in colors shall immediately select therefor such particular colors, not to exceed the number indicated in A (2) of the appropriate caption, as he may desire to adopt for regular manufacture, and shall immediately notify the War Production Board of such selection on Form WPB–1295 (formerly PD–589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board in writing, the original selection shall remain binding.

(e) *General limitations.* No person shall manufacture any kind of specialty paper and board in any grade, color, basis weight or thickness, or size other than those specified or selected as standard under A of the appropriate caption of the appendix (if such standards are specified or selected under A of the appropriate caption) or contrary to any other provision under the appropriate caption. This general rule, is, however, subject to the following exceptions:

(1) Tolerances and variations are permitted to the extent provided in paragraph (f).

(2) Cutting and slitting to various sizes are permitted to the extent provided in paragraph (g).

(3) Special provision is made for "jobs" and "seconds" in paragraph (h).

(4) Special provision is made for export orders in paragraph (i).

(5) Exceptions are made for "special making orders" under B in certain captions of the appendix. However, regardless of these exceptions where special making orders are so permitted under any caption, the basis weight or thickness must not exceed the greatest standard basis weight or thickness permitted under A of such caption unless specific exception is made therefor under B.

(6) Specialty paper and board in process of manufacture on May 27, 1944, may be completed otherwise than by pasting.

(f) *Tolerances and variations.* The prohibitions and restrictions of this revised schedule are subject to the normal tolerances customary in the manufacture of the kind of paper or board under each caption of the appendix (with such exceptions as may be noted under the caption), and to the normal variations in quantity manufactured customarily acceptable in the paper trade for such kind. Nothing in this schedule shall restrict the remaking, because of faulty manufacture or excessive underrun, of all or any part of a "special making order" accepted in good faith for manufacture in accordance with the terms of this revised schedule.

(g) *Cutting and slitting.* Nothing in this revised schedule shall restrict the cutting of any sheet size to sizes of which the parent size is a multiple, *Provided*, The parent size is manufactured in accordance with the provisions of this schedule, nor restrict the slitting to fractional width rolls of any parent roll size manufactured in accordance with the provisions of this schedule on an order for rolls; however, a special sheet size may not be cut from a standard or special roll size except in a quantity and under the conditions, if any, applying to a "special size" under B of the appropriate caption in the appendix below.

(h) *Jobs and seconds.* Nothing in this schedule shall restrict the sale of "job lots" or "seconds" resulting from faulty manufacture or overruns customarily unacceptable to the buyer, which occur during a bona fide attempt to manufacture paper and board according to the terms of this schedule, provided that the manufacturer clearly informs the purchaser that such paper or board is a "job lot" or "seconds" and so indicates on each package.

(i) *Exception for export.* Regardless of the foregoing provisions of this schedule and of the provisions of Limitation Order L–120, a person may manufacture for export (but may not without permission in writing from the War Production Board sell in the domestic market) any kind of specialty paper or board in any size, basis weight or thickness required, regardless of quantity: *Provided*, All other provisions of this schedule are complied with and (if the basis weight or thickness is greater than permitted) such person has received permission in writing from the War Production Board to manufacture the particular order in question in such basis weight or thickness.

(j) *Records and reports*—(1) *Standard samples.* Each person who manufactures any kind of specialty paper or board shall keep, readily available for inspection by the War Production Board, representative samples of each standard grade and each standard color of such grade selected by him under A (1) and A (2) of the appropriate caption.

(2) *Special making orders.* On and after May 27, 1944, each person who manufactures any "special making order" permitted under B of the appropriate caption of the appendix below shall require from the buyer a statement to the effect that such order is purchased for use by one printer or converter or consumer, shall keep such statement, together with a complete record of such order, readily available for inspection by the War Production Board and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(3) *Export orders.* On and after May 27, 1944, each person who manufactures specialty paper or board for export shall require from the buyer a statement on his purchase order to the effect that such paper or board is purchased for export, shall keep such statement, together with a complete record of the order against which such paper or board is manufactured, readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

NOTE: The reporting requirements of this schedule have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 27th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX—SCHEDULE XVI TO L–120

CONVERTER TAG BOARDS

A. *Grades, colors, weights and sizes for regular manufacture.*

NOTE: "Converter Tag Board" grades may be sold by the manufacturer only to fill individual orders, each placed by a single buyer for use by a tag manufacturer, or for use by a coating mill in manufacturing coated tag board for a tag manufacturer.

(1) *Standard grades.* With respect to each manufacturer, any grade or grades manufactured subsequent to August 1, 1943 as a "converter tag board" grade according to established manufacturing standards, such grade or grades to be selected as standard for regular manufacture and the War Production Board advised thereof as provided in paragraph (c) of the foregoing schedule.

(2) *Standard colors.* No restrictions.

(3) *Standard thicknesses.* WO Grade: Caliper .013 only; SU grade: Calipers .006, .008, .010, .013; and, if for manufacturing tags for use exclusively on cotton bales or for wet strength overseas shipping tags for the Armed Forces or for use in automatic tag marking machines, caliper .015, provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

Other grades. With respect to each manufacturer and each standard grade of such manufacturer, any thickness made subsequent to August 1, 1943 in such standard grade is standard for such grade and such manufacturer. Each manufacturer shall report his standard thickness or thicknesses for each of his standard grades concurrently with his selection of his standard grades.

(4) *Standard sizes.* Any sheet size or roll width is a standard size if manufactured at one time in a quantity of at least 5,000 pounds of an item.

(5) 20% tolerance on Elmendorf tear specifications instead of the usual 10% is permitted for "SU" and "WO" grades.

B. *Exceptions for special making orders to be sold under the provisions of the note under A of this caption*—(1) *Special grades.* A special grade of converter tag board may be manufactured by any manufacturer in a quantity of at least 10,000 pounds of a thickness and at least 5,000 pounds of each item, provided that such grade and such thickness is a standard grade and thickness for any other manufacturer.

(2) *Special thickness.* A special thickness may be manufactured only as provided for in exception (1) above.

(3) *Special sizes.* None permitted.

DEALER TAG BOARDS

(Excluding Rope, Jute or Special Fiber Content)

A. *Grades, colors, basis weights or thicknesses, and sizes for regular manufacture.*—(1) *Standard grades.* Chemical wood pulp: Not more than one; Groundwood content (minimum 25% groundwood): Not more than two; selected according to paragraph (c) of the foregoing schedule.

(2) *Standard colors.* White, natural, and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) *Standard basis weights* (per 500 sheets 24" x 36"). Chemical wood pulp: 100, 125 and 150; groundwood content: 100, 125, 150 and 175.

(4) *Standard sizes* (in inches). Sheets: 24 x 36, 22½ x 28½; Rolls: None permitted as standard.

B. *Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule*—(1) *Specific grades.* None permitted.

(2) *Special colors.* A special color may be manufactured to fill a special making order in a standard grade and basis weight in a quantity of at least 10,000 pounds and in at least 5,000 pounds of each item.

(3) *Special basis weights.* None permitted.

(4) *A special size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item (either sheet or roll)*:

(a) In a standard grade, standard color and standard basis weight, or

(b) In a special color in the quantities provided for under exception (2) above.

FILE FOLDER STOCK

A. *Grades, colors, basis weights or thicknesses, and sizes for regular manufacture*—(1) *Standard grades.* Not more than 3 selected according to paragraph (c) of the foregoing schedule.

(2) *Standard colors.* Natural only.

(3) *Standard thicknesses.* Calipers .008 and .0095.

(4) *Standard sizes.* Any sheet size or roll width is a standard size if manufactured at one time in a quantity of at least 5000 pounds of an item.

B. *Exceptions for special making orders as defined in (a) (9) of the foregoing schedule*—(1) *Special grades.* A special grade may be manufactured to fill a special making order in a quantity of at least 20,000 pounds in caliper .011, provided the chemical woodpulp fibre content does not exceed 50%.

(2) *Special colors.* None permitted.

(3) *Special thicknesses.*

(a) Caliper .011 may be manufactured only in a special grade as provided for under exception (1) above.

(b) Caliper .017 may be manufactured to fill a special making order in any standard grade, *Provided, That:*

(i) The quantity is at least 20,000 pounds in one standard grade and color and at least 5000 pounds of each item, and

(ii) The stock is for use in making file folders to each of which is attached a metal or riveted celluloid index tab, and before the sale thereof the manufacturer of file folder stock shall require from the buyer a statement that the order is exclusively for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

[F. R. Doc. 44–7642; Filed, May 27, 1944; 11:18 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–550]

THE VISCOL COMPANY

The Viscol Company, a corporation located in Stamford, Connecticut, is engaged in the business of packing and selling saddle soap, leather dressings and waterproofing for leather shoes. It is a subsidiary of another corporation which manufactures the product and purchases the cans in which the product is packed, which cans it turns over to The Viscol Company at cost.

During the period between January 1 and June 30, 1943, having a packing quota of 315,863 cans, The Viscol Company accepted delivery of 221,633 cans in excess of said quota, and during the calendar year of 1943, having a packing quota of 631,727 cans, it accepted delivery of 502,798 cans and used 695,560 cans in excess of said quota. These acts were in violation of Conservation Order M–81. The Viscol Company had full knowledge of the provisions of Conservation Order M–81 and the violations resulted from the company's gross negligence.

These violations of Conservation Order M–81 have diverted scarce materials to uses not authorized by the War Prduction Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.550 *Suspension Order No. S-550.* (a) During the balance of the year 1944, The Viscol Company, its successors and assigns, shall reduce its purchases, receipts and use of cans, as defined in Conservation Order M–81, so that its total purchases, receipts or use of such cans during the calendar year 1944 shall not exceed seventy-five per cent of its quota for the year 1944, for cans used for packing shoe polish, leather dressings and saddle soap, as specified by Conservation Order M–81.

(b) Nothing contained in this order shall be deemed to relieve The Viscol Company, its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on May 27, 1944, and shall expire on December 31, 1944.

Issued this 20th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7701; Filed, May 27, 1944; 4:14 p. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L–270, as Amended May 27, 1944]

AUTOMOTIVE MAINTENANCE EQUIPMENT

Section 3292.56 *Limitation Order L–270* is hereby amended to read as follows:

§ 3292.56 *Limitation Order L–270*—(a) *What the order does.* This order explains what is meant by "Automotive Maintenance Equipment", how much and what kinds of such equipment may be made, and how it may be sold.

(b) *Definitions.* For the purposes of this order:

(1) "Producer" means any person who manufactures any automotive maintenance equipment, whether for his own account or for the account of others.

(2) "Manufacture" means to fabricate or assemble any item of automotive maintenance equipment.

(3) "Automotive maintenance equipment" means the items listed in Schedules A, B, C or D to this order.

(4) "Automotive vehicles" means passenger automobiles, light, medium and heavy motor trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles.

(5) "Item" means any product listed in Schedules A, B, C or D to this order and includes all sizes and types in such listing.

(6) "Repair part" means any part or component of any item of automotive maintenance equipment not consumed or used up in ordinary operation of the automotive maintenance equipment.

(7) "Military order" means any contract or purchase order calling for delivery to or for the account of the Army or Navy of the United States, United States Maritime Commission or the War Shipping Administration.

Provisions Relating to Production

(c) *General policy.* In processing applications for priorities assistance on Form CMP–4B, the War Production Board will be guided by the policy that the total production will not exceed the approved WPB program for the products to which this order applies and that the production in any one plant, or labor requirements therefor, will not interfere with war production in that plant or in any other plant located in the same area.

(d) *Restrictions on production of individual items*—(1) *No production of Schedule A items.* Except to fill military orders, no producer shall manufacture any item listed in Schedule A.

(2) *Limitation on production of Schedule B items.* Except to fill military orders, no producer shall manufacture in any calendar quarter any item listed in Schedule B in excess of fifty (50) percent of the number of the like item manufactured by him in the corresponding calendar quarter in 1941.

(i) *Provision for minimum factory runs.* In the event that the limitation imposed by this paragraph (d) (2) should result in restricting production to less than his minimum practical factory run of any item listed in Schedule B, a producer may, notwithstanding the provisions of paragraph (d) (2), manufacture a minimum practical factory run: *Provided,* That the total number of any such item manufactured by him in any two consecutive calendar quarters shall not exceed fifty (50) percent of the total number of the like item manufactured by him in the two corresponding calendar quarters of 1941.

(3) *Limitation on production of Schedule C items.* Except to fill military orders, no producer shall manufacture in any calendar quarter any item listed in Schedule C in excess of one hundred (100) percent of the number of the like item manufactured by him in the corresponding calendar quarter of 1941.

(4) *Limitation on production of Schedule D items.* Except to fill military orders, no producer shall manufacture in any calendar quarter any item listed in Schedule D in excess of one hundred (100) percent of the number of the like item manufactured by him in the corresponding calendar quarter of 1941, unless a quarterly quota in excess of one hundred (100) percent of the corresponding quarter of 1941 production has been assigned to the producer under the following procedure:

(i) *Special Quotas on Schedule D items.* A request for assignment of a special quota for production of any item listed in Schedule D, in excess of one hundred (100) percent of the number of the like item manufactured by him in the corresponding quarter of 1941, may be made by a producer who can increase production within the limitations of paragraph (c).

Such a producer may file an application in writing with the Automotive Division of the War Production Board, Washington 25, D. C., *Ref:* L–270, for permission to increase production at such plant by giving complete explanation of the circumstances justifying such increase. Thereupon the War Production Board may authorize an increase in the production of the item at such plant in such quantities and upon such conditions as it shall find requisite in the public interest. Such authority will be issued either in the form of individual letters or by published directions supplemental to this order.

The War Production Board may likewise direct an increase in the production of items on Schedule D in conformity with paragraph (c), in such quantities and upon such conditions as it shall find requisite in the public interest.

(e) *Limitation on production of repair parts.* Except to fill military orders, no producers shall manufacture in any calendar quarter a dollar volume of repair parts for automotive maintenance equipment in excess of ten (10) percent of the total dollar volume of automotive maintenance equipment manufactured by him in the corresponding calendar quarter of 1941.

Provisions Relating to Critical Materials

(f) *Use of aluminum and steel.*[1] No producer shall use any aluminum, steel or other critical materials in the manufacture of automotive maintenance equipment where the use of less critical materials is practicable, and when so used such aluminum, steel or other critical materials shall be reduced to the minimum quantity and grade necessary for the proper operation of the automotive maintenance equipment.

(g) *Use of copper.*[1] No producer shall use any copper products or copper base alloy products in the manufacture of automotive maintenance equipment other than in the following: (i) conductors of electrical current, (ii) bearings, bushings, thrust washers and similar parts which require oil, grease or water lubrication, (iii) valve seats, tubes, and similar parts where condensation or corrosion make substitutions of less critical materials impracticable: *Provided,* That any copper products or copper base alloy products so used shall be reduced to the minimum practical gauge, size and grade necessary for the proper operation of the automotive maintenance equipment.

Provisions Relating to Distribution

(h) *Sales by producers only on rated orders.* No producer shall sell, transfer or deliver, on consignment or otherwise, any item on Schedules A, B, C or D, except pursuant to orders bearing preference ratings of AA–5 or higher;

(1) Assigned on Forms WPB–541 (PD–1A), on Form WPB–542 (PD–3A), on Form WPB–547 (PD–1X), or on Canadian Form PB–1010.

(2) Assigned on export licenses or requisitions approved by Foreign Economic Administration.

(3) Assigned on Form CMP–4B, on CMP–4A, on Canadian Forms PB–1005, on PB–1006, or on PB–1007 and used only for the procurement of items on Schedules A, B, C or D to be physically incorporated in other end-products. The use of preference ratings assigned on these forms is prohibited for the procurement of any items on Schedules A, B, C or D for resale as such.

(i) *Sales of stationary crankshaft regrinders only on WPB–1319 ratings.* On and after June 1, 1944, notwithstanding the provisions of paragraph (h), no producer shall sell, transfer or deliver, on consignment or otherwise, any stationary crankshaft regrinders, except to fill military orders or pursuant to ratings assigned on Form WPB–1319.

(j) Application should be made by the user on Form WPB–1319, in accordance with the instructions for its use, which is obtainable at all field offices of the War Production Board.

(j) *No ratings required for repair parts.* No preference ratings are required for the purchase of repair parts for automotive maintenance equipment.

Miscellaneous Provisions

(k) *Quarterly reports by producers on Form WPB–3614.* Each producer of automotive maintenance equipment shall execute and file with the Automotive Division of the War Production Board within fifteen days after the close of each calendar quarter a report, (on Form WPB–3614), of the number of units of each item listed in Schedules A, B, C or D produced by him in such calendar quarter. The reporting provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(l) *Appeals.* Any appeal from the provisions of this order may be made by filing Form WPB–1477 in triplicate with the Field Office of the War Production Board for the District in which is located the plant or branch of the appellant to which the appeal relates.

(m) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(n) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(o) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington 25, D. C., Reference: L–270.

Issued this 27th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

See paragraph (d) (1) of this order.

Alignment gauges (except as listed in Schedule B)
Battery chargers: floor, stand and wall type (except as listed in Schedule C)
Battery chargers: trickle type (except industrial installation)
Battery testers (except as listed in Schedule C)
Body and fender tools: hand, pneumatic, hydraulic or electric operated
Brake testing machines: automotive vehicle type
Car washers: pressure or nozzle type
Car washing machinery
Chassis dynamometers
Chuck gauges: any type of air pressure measuring gauge which is attached in any manner to a flexible air line to be used for inflating tires
Combustion analyzers: automotive vehicle type
Distributor setting machines (except as listed in Schedule B)
Electrical testing equipment: automotive vehicle type (except as listed in Schedules B or C)
Engine flushing machines: internal
Engine reconditioning equipment (except as listed in Schedules B, C, or D)
Engine repair stands (except as listed in Schedule C)
Frame straightening equipment (except heavy duty—as listed in Schedule C)
Frame straightening racks
Front end equipment (except as listed in Schedules B or C)
Gasoline mileage testers
Headlight testers: automotive vehicle type
Jacks: bumper or wheel rim
Jacks: pit, lift or vibrating; mechanical or hydraulic (except as listed in Schedule C)
Jacks: portable or tool box type (less than 3-tons lifting capacity, measured by load raising ability through the entire jacking range from minimum to maximum height)
Jacks: shop, wheel type; mechanical or hydraulic (except as listed in Schedules B or C)
Lifts: automotive vehicle type (except heavy duty as listed in Schedule C)
Motor analyzing equipment (except as listed in Schedules B or C)
Spark plug cleaners: pedestal or stand type
Spark plug testers
Tire air hose reels
Tire air pressure gauges (except as listed in Schedules B or C)
Tire air service equipment: tower, pedestal or wall type (except as listed in Schedules B, C or D)
Tire pumps (except as listed in Schedules C or D)
Tire scuff checking devices (except as listed in Schedule B)
Tow bars
Wheel balancers: automotive vehicle type
Wheel spinners

SCHEDULE B

See paragraph (d) (2) of this order.

Alignment gauges: portable (including only caster, camber, king-pin, toe-in, tracking, turning radius, or combinations thereof)
Alignment gauges: stationary, drive-over type
Battery jumpers
Bearing oil-leak detectors
Brake bleeders
Brake fillers
Brake lining appliers: hand type
Brake shoe gauges
Cylinder leakage testers: automotive vehicle testing type
Degreasing flushers: transmission or differential
Distributor setting machines: bench model
Front end machines: light duty; to include all gauges, tools and parts necessary and to be of capacity sufficient for checking and correcting to manufacturers' specifications all angles of steering geometry on all automotive vehicles of 1½ tons and less capacity.
Fuel pump testers: automotive vehicle testing type
Master air gauges: tire air gauge testers
Piston expanding machines
Speedometer testing machines
Transmission jacks
Wheel straightening equipment
Wrecking cranes: truck mounted type

SCHEDULE C

See paragraph (d) (3) of this order.

Air chucks
Air pressure gauges: pencil type or truck service type
Armature growlers: automotive vehicle testing type
Battery chargers: fast type (battery leads not to exceed 7 feet each; AC lead not to extend beyond charger case)
Battery chargers: wall type (six or more battery capacity)
Battery testers (prong type)
Brake drum gauges
Brake drum grinding attachments
Brake drum lathes
Brake lining grinders: portable or spindle mounted
Brake relining machines.
Cam angle meters
Circuit testers: automotive vehicle testing type
Cleaners: steam vapor (self-firing or generating)
Clutch pressure plate grinders
Clutch rebuilding equipment
Coil testers: automotive vehicle testing type
Compression gauges: automotive vehicle testing type
Condenser testers: automotive vehicle testing type
Connecting rod aligners
Crankshaft regrinders: portable
Cylinder head resurfacers
Cylinder hones
Cylinder reboring bars
Cylinder ridge reamers
Engine repair stands: engine revolving type
Frame straightening machines: heavy duty; to include all gauges, tools and parts necessary and to be of capacity sufficient for removing all lateral and vertical beads from the frames of all automotive vehicles.
Front end machines: heavy duty; to include all gauges, tools and parts accessory and to be of capacity sufficient for checking and correcting to manufacturers' specifications all angles of steering geometry on all conventional axle automotive vehicles.
Generator test benches: automotive vehicle testing type
Jacket: pit or lift (not less than 5-tons lifting capacity)
Horses or trestles: automotive shop type
Lifts: automotive vehicle twin post type (capacity not less than 10-tons)
Magneto rechargers
Magneto testers
Main bearing boring machines
Motor block test heads: automotive vehicle testing type
Piston pin bushing hones: portable
Piston regrinders
Piston ring compressors
Piston ring groove cleaning tools
Spark plug cleaners: bench type
Spring testers
Timing lights: automotive vehicle testing type
Tire pumps: hand or foot operated
Tire valve service tools
Vacuum gauges: automotive vehicle testing type
Valve refacers
Valve seat grinders
Valve seat insert tools
Valve spring compressors
Wheel removing dollies: automotive vehicle type

SCHEDULE D

See paragraph (d) (4) of this order.

Bushing grinders
Connecting rod boring attachments
Connecting rod boring machines
Connecting rod rebabbitting jigs
Crankshaft regrinders: stationary
Cylinder sleeve pullers
Jacks: curb wheel type (less than two tons capacity)
Jacks: shop wheel type (four and ten tons capacity)
Shell bearing boring machines
Spark plug pumps

INTERPRETATION 1: obsolete.

[F. R. Doc. 44–7639; Filed, May 27, 1944; 11:18 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L–270, Interpretations 2 and 3, Revocation]

Interpretations 2 and 3 of Limitation Order L–270 are hereby revoked.

Issued this 27th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7700; Filed, May 27, 1944; 4:14 p. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Conservation Order L–89, as Amended May 29, 1944]

ELEVATORS AND ESCALATORS

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the manufacture of elevators and escalators for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.32 *General Conservation Order L–89*—(a) *Definitions.* For the purpose of this order:

(1) "Elevator" means any hoisting or lowering mechanism, equipped with a car or platform which moves in guides in a substantially vertical direction; including electric, hydraulic and hydro-electric elevators, electric dumbwaiters, home lifts and elevettes; but excluding mine material hoists, man lifts, platform

[1] See latest quarterly copy of publication entitled, *Material Substitution and Supply List.* Conservation Division, War Production Board.

lifts and portable elevators. The term shall also mean inclinators, and electrically operated elevating devices appurtenant to stationary stairways.

(2) "Escalator" means a moving inclined continuous stairway or runway used for raising or lowering persons.

(3) "Order" means any commitment or other arrangement for the ultimate delivery of an elevator, escalator, or parts or accessories therefor within the United States or Canada.

(4) "Export order" means any commitment or other arrangement for the ultimate delivery of an elevator, or elevator or escalator parts or accessories therefor, outside the United States or Canada.

[NOTE: Subparagraphs (5) and (6), formerly (4) and (5), redesignated May 29, 1944]

(5) "Approved order" means (i) any order for a new elevator bearing a preference rating of AA-5 or higher authorized on Form WPB-617 (formerly PD-200), except an order for a new elevator to replace the existing one or to install in an existing shaft, (ii) any order for parts or equipment for an elevator or escalator bearing a rating of AA-5 or higher involving less than $500, exclusive of installation labor costs, except an order for spare or maintenance parts not required for immediate use if, by its fulfillment, the parts inventory of the purchaser is increased beyond $50 for each elevator operated by him or if his total purchase of such parts would thereby exceed $100 for each elevator in any calendar year, or (iii) an order for repair or maintenance parts in whatever amount may be the minimum necessary when there has been an actual breakdown, or suspension of operations of an elevator or escalator is imminent because of the necessity for repair and the repair parts are not otherwise available from the purchaser's inventory. No order shall be subdivided for the purpose of coming within subdivision (ii) of this subparagraph. The term "any order" includes a group of orders for equipment for one or more elevators or escalators where all of the equipment is customarily purchased as part of a single order.

(6) "Maintenance" means the minimum upkeep necessary to continued operation of an elevator or escalator in sound working condition, and "repair" means the restoration of an elevator or escalator to sound working condition when rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like.

(b) *Restrictions on accepting orders or export orders.* (1) No person shall manufacture an escalator or accept an order for delivery of an escalator.

(2) The following restrictions apply to acceptance of an order or an export order for a new elevator or for elevator or escalator parts or accessories. (i) No person shall accept an order, except an approved order, without authorization in writing from the War Production Board. Application for authorization shall be filed by the purchaser with the War Production Board on Form WPB-1236 in accordance with instructions contained on the Form. The War Production Board may grant an application filed with it on such conditions, if any, as it may prescribe. (ii) No person shall accept an export order without approval by the Foreign Economic Administration of an application for a license to export the items covered by such order to which a rating has been assigned by the Foreign Economic Administration in accordance with authority delegated to it by the War Production Board. Applications for export licenses shall be filed with the Foreign Economic Administration and shall include a description of the elevators or elevator parts or accessories.

(c) *Restrictions on use of materials.* No non-ferrous metals or stainless steel shall be used in the manufacture of car enclosures, facias, hanger covers, car doors or gates, hoistway doors, car or landing thresholds or face plates of operating or signal fixtures; or in the manufacture of parts therefor.

(d) *Exemptions.* (1) The restrictions of paragraphs (b) and (c) of this order shall not apply to any elevator or elevator parts, equipment or accessories, to be installed and used aboard any ships owned or operated by the Army, Navy, Maritime Commission or War Shipping Administration.

(2) The restrictions of paragraph (b) shall not apply to an order placed by a manufacturer or dealer for elevator or escalator parts, equipment or accessories to be delivered for further manufacture or for resale for maintenance and repair purposes.

(e) *Miscellaneous provisions*—(1) *Records and reports.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales. All persons affected by this order shall execute and file with the War Production Board, such reports and questionnaires as the War Production Board shall from time to time require. Specific reports and questionnaires will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(2) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time. Where the limitations imposed by other L, M or R orders are applicable to the subject matter of this order, the most restrictive limitation shall apply.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Appeals.* Any appeal from the provisions of this order shall be made by filing Form WPB-1477 (formerly PD-500) or by letter, in triplicate, referring to the provisions appealed from and stating fully the grounds for the appeal. The appeal shall be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(5) *Communications.* All reports required to be filed hereunder, and all communications, concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C. Ref: L-89.

Issued this 29th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7783; Filed, May 29, 1944; 11:22 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Conservation Order L-89, Interpretation 1, as Amended May 29, 1944]

The following amended interpretation is issued with respect to General Conservation Order L-89.

Paragraph (b) (2) provides that no person shall accept an order (except an approved order) unless the order has been authorized on Form WPB-1236 (this restriction not applying to acceptance of orders exempted under paragraph (d)). An "approved order" (as defined in paragraph (a) (5) (iii)), includes an order for repair or maintenance parts for an elevator or escalator where suspension of operations is imminent because of the necessity for repair and the repair parts are not otherwise available from the purchaser's inventory. A suspension of operations may be considered imminent if the condition of the cables of an elevator or the steps or hand rails of an escalator or of any other parts of an elevator or escalator would make definitely dangerous its continued operation without making the repairs; and such condition may be assumed where the cables, steps, hand rails, or other parts have been condemned pursuant to a state law or municipal ordinance requiring suspension of operations unless their repair or replacement is made within the period (normally 30 to 90 days) specified on the inspector's report. However, a possible future breakdown cannot be considered as meaning that suspension of operations is imminent.

Issued this 29th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7734; Filed, May 29, 1944; 11:22 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Conservation Order L-89, Interpretation 2, as Amended May 29, 1944]

ELEVATORS AND ESCALATORS; ORDERS FOR MATERIAL AND LABOR EXCEEDING $500

The following amended interpretation is issued with respect to General Conservation Order L-89.

Some question has arisen as to whether an order rated as AA-5 or higher pursuant to CMP Regulation 5 or 5A is an "approved order" as defined in paragraph (a) (5) (ii) of Order L-89 if material alone cost less than $500 but material and labor installation together exceed $500. An order for material costing less than $500, other than material to be incorporated in a minor capital addition or capitalized under CMP Regulation 5 or 5A, is an approved order, as defined in Order L-89, even though the cost of both material and labor exceeds $500 and even though installation is made by the seller of the material as a normal business practice under a single fee for both material and labor. However, an MRO order for material costing less than $500, which will be incorporated in a minor capital addition or capitalized under CMP Regulation 5 or 5A, is not an approved order, as defined in Order L-89, if the material and labor together amount to more than $500 and the installation is made by the seller of the material as a normal business practice under a single fee. (See Interpretations 8 and 11 to CMP Regulation 5.)

Issued this 29th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7735; Filed, May 29, 1944; 11:22 a. m.]

PART 3270—CONTAINERS

[Conservation Order M-221, as Amended May 29, 1944]

TEXTILE BAGS

Section 3270.23 *Conservation Order M-221* as amended is now amended to read as follows:

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of textile bags for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3270.23 *Conservation Order M-221*—(a) *Definitions.* For the purposes of this order:

(1) "Textile bag" means any hand or machine sewed bag made for commercially packing, storing or shipping some commodity and manufactured of cotton, burlap or other textile fabric including open mesh fabrics woven from cotton and twisted paper yarns, but excepting shopping bags, carry-out bags, and combination textile-paper bags (bags made of textile laminated with paper).

(2) "New textile bag" means any textile bag when neither the fabric nor the bag has been previously used.

(3) "Used textile bag" means any textile bag when the bag or the fabric has been previously used.

(4) "Bag maker" means any person engaged in the business of manufacturing new textile bags.

(5) "Dealer" means any person whose principal business is that of buying, selling, or reconditioning empty textile bags.

(6) "User" means any person who acquired 500 or more empty new or used textile bags for use in his business during 1942 or who acquires such amount during any subsequent calendar year.

(7) "Commercial emptier" means any person who in the preceding three months acquired in his business and emptied 400 filled textile bags.

(8) "Export" means any shipment from the United States (the 48 states, the District of Columbia, the territories, the island possessions of the United States and the Panama Canal Zone).

(9) "Agricultural products" includes, but is not limited to, beans; chocolate; coffee; cotton; feed; flour; fruits; grain; meal; nuts; potatoes; poultry grits; rice; salt; seeds; starch; sugar; tobacco; vegetables.

General Restrictions for All Persons

(b) *Joint responsibility.* No person shall deliver textile bags to any other person if he has reason to believe that the other person is not entitled to accept them under the provisions of this order or that they will be used for any purpose prohibited by this order.

(c) *Sampling bag-contents.* No person shall sample the contents of any new or used textile bag except by opening the closure or by inserting a probe or trier without damage to the fabric.

(d) *Sand bags.* No person shall purchase or accept delivery of any new or used textile bag to be used for protection against air raids or other war hazards.

(e) *Size changing.* No dealer, user, or commercial emptier shall change the size of any burlap bag, or convert it into a sheet, sewed burlap or bale covering while it has a commercial use as a bag, with or without mending.

(f) *Processing of used bags for sale.* No dealer, user, or commercial emptier shall sell or deliver any used textile bag to any person for his own use unless the bag has been processed and repaired and all holes, including trier or probe holes, properly mended or patched. Nothing in this paragraph shall prevent the delivery of any bag for the purpose of repair or delivery to the owner. For the purposes of this provision, "process" means to clean a used textile bag by washing, vacuuming, or any other method sufficient to prepare the bag for further reuse.

(g) *Sale of used raw sugar bags.* No dealer, user or commercial emptier shall sell or deliver any jute (gunny) sugar bags of the type used for packing Puerto Rican or Cuban raw sugar to any person for any use other than packing raw sugar. For the purposes of this paragraph, the bags referred to shall be limited to bags which have been used for packing raw sugar and which are still usable as raw sugar bags, with or without such mending as is commercially practical.

(h) *Export of empty bags.* No permission from the War Production Board is necessary to export empty new or used textile bags. The War Production Board has assigned an export quota to the Foreign Economic Administration and no person may export such bags to any destination other than Canada unless authorized by the Foreign Economic Administration. Applications for export licenses should be sent to the Foreign Economic Administration, Bureau of Supplies, Requirements & Supply Branch, Washington 25, D. C. General information and instructions for export are contained in the Comprehensive Export Schedule issued by the Foreign Economic Administration.

Additional Restrictions for Bag Makers

(i) *Prohibited practices.* No bag maker shall overstitch the raw edge or selvage edge of any new cotton textile bag or manufacture any bag in a manner that wastes material, as for example, with a false seam that enables the bag to be packed with a lesser amount of any of the commodities listed in paragraph (j) than its normal capacity.

(j) *Bag sizes for certain commodities*—(1) *Sizes permitted.* No bag maker shall manufacture any new textile bag designed for packing any commodity listed below, except in any size of more than 100 lbs. or in any of the sizes specified below for that commodity:

Bag designed for packing commodity specified	Bag size (net weight capacity unless otherwise specified)
(1)	(2)
Beans	2-5-10-25-50-100 lbs.
Cement (standard portland)	94 lbs.
Flour (milled wheat) [1]	2-5-10-25-50-100 lbs.
Meal	2-5-10-25-50-100 lbs.
Plaster (gypsum)	2-5-10-25-50-100 lbs. (gross weight).
Potatoes [2]	2-5-10-15-25-50-100 lbs.
Processed feed (mixed, mill)	2-5-10-25-50-100 lbs.
Rice	2-3-5-10-15-25-50-100 lbs.
Salt	2-4-10-25-50-60-100 lbs.
Seeds	2-5-10-25-50-100 lbs. 1,2 bu.[3]
Starch (corn)	2-5-10-25-50-100 lbs.
Sugar (refined cane, beet)	2-5-10-25-50-100 lbs.

[1] "Flour (milled wheat)" means any flour product produced by milling wheat, including blends of wheat flours and bleached, promated, enriched phosphated, and self-rising flours, but excluding durum wheat products (semolina), farina, pancake flour, and cake flour.

[2] These restrictions do not apply to open mesh bags used for packing potatoes.

[3] Additional sizes are permitted as follows: ½ bu. of hybrid seed corn; 3 bu. for cotton seed.

(2) *Exception for export.* The size restrictions for paragraph (j) (1) above shall not apply to the manufacture of bags to be exported empty or filled.

Additional Restrictions for Commercial Emptiers

(k) *Emptying bags.* No commercial emptier shall remove the contents of any textile bag except by opening the closure, unless the contents have become so caked or solidified that salvage of the bag is not practicable.

(l) *Time-limit on holding empty bags.* Within 60 days after emptying any number of textile bags, a commercial emptier shall use, or transfer to dealers or users, an equal number of empty used textile bags from his inventory. Such disposition may be deferred beyond the 60-day period in the following cases:

(1) *Seasonal re-use.* If the commercial emptier needs the bags for packing a seasonal product (whether or not produced by him), he may retain them until the product becomes available for packing, subject, however, to the inventory restriction of paragraph (m) below.

(2) *Carload accumulation.* If, in accordance with his past practice, the commercial emptier wishes to accumulate a carload quantity of such bags for return to users for further packing of the kind of product last packed in them, he may retain such bags until he has accumulated a carload quantity.

Additional Restrictions for Users

(m) *Inventory restriction.* No user shall accept delivery of any empty new or used textile bags at a time when, or when by virtue of the delivery, his inventory of new or used empty textile bags is or will be in excess of a practical minimum working inventory for the uses which are not prohibited by this order. Except in the case of bags required by a user for packing a seasonal product (whether or not produced by him), such inventory shall not exceed the aggregate number of new or used empty textile bags which will be required to carry on his business during the next sixty days.

(n) *Bags to be fully packed.* No user shall use a bag, for packing any number of pounds of any of the commodities listed in paragraph (j), that is larger than the bag customarily used by the trade for packing that number of pounds of that commodity.

(o) *Restrictions on use of new Calcutta wheat bags.* During 1944 and each succeeding calendar year, new Calcutta wheat bags shall be used only for packing wheat or small grains and only in the states of Arizona, California, Idaho, Montana, Oregon, Utah and Washington.

(p) *Products permitted for new burlap bags.* No user shall use any new textile bag made of burlap for packing any products other than the following: agricultural products; fertilizer; meat; mohair; petroleum waxes; stearic acid (cakes or slabs); edible or inedible tankage; wool, or wool products.

(q) *Products permitted for new cotton bags.* No user shall use any new textile bags made of cotton for packing any products other than the following: Agricultural products; chemicals; cement; coins; currency; fertilizer; glue; gypsum; malt; meat; abrasives; paste; plaster; samples; sand; securities; shell fish; small parts; edible or inedible tankage; tire chains; or such other uses as may be authorized by the War Production Board in writing. Applications for such authorizations should be made on Form WPB–1319, which is to be filed in accordance with the instructions for its use. Applications will be considered only on the basis of the essential need for new cotton bags, the availability of the supply, and the availability of used cotton bags or substitute containers. The application form and the instructions may be obtained at all War Production Board offices.

(r) *Mohair bags.* No user shall use any new or used textile bag for packing mohair unless the word "mohair" appears in legible type on both sides of the bag.

(s) *Use of wool bags.* Wool bags shall be used only for packing or wrapping wool or wool products. A "wool bag" is any new or used textile bag, made or burlap between 5½ and 7½ feet in length, ordinarily used to package wool. Such bag shall not be considered a wool bag when no longer capable of carrying any of the following: fleece wools, grease wools, pulled wools, scoured wools, noils, wool wastes or mohair.

General Exceptions

(t) *Bags for certain Government agencies.* The restrictions of this order shall not apply (1) to the manufacture of textile bags manufactured to meet the packaging specifications of, and for delivery to or for the account of, the persons listed below or (2) to the purchase, acceptance, use, or export of textile bags by those persons: The Army, Navy, United States Post Office, Federal Reserve System, United States Treasury Department (for Lend-Lease requirements and for coin, currency, and securities requirements), War Shipping Administration, Maritime Commission, any person pursuant to authorization by the Maritime Commission under Form WPB–646 (formerly PD–300), or any agency procuring for delivery pursuant to the Act of Congress of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

Miscellaneous Provisions

(u) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington (25), D. C., Ref: M–221.

(v) *Appeals.* Appeals from Order M–221 shall be filed by addressing a letter to the War Production Board, Containers Division, Washington (25), D. C., Ref: M–221.

The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in undue and excessive hardship, and such other statistical and narrative information as may be pertinent.

(w) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(x) *Budget approval.* The reporting requirements set forth in paragraph (q) of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(y) *Other reports.* All persons affected by this order shall execute and file with the War Production Board, such other reports and questionnaires as said Board shall from time to time request subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(z) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

Issued this 29th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7736; Filed, May 29, 1944, 11:22 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M–317,[1] as Amended May 29, 1944]

COTTON TEXTILE DISTRIBUTION

§ 3290.115 *General Conservation Order M–317*—(a) *Definitions.* In this order:

(1) "Cotton textiles" means the following products, containing 50% or more by weight of cotton or cotton waste, or a combination of the two:

(i) Woven fabrics, whether gray, original mill or regular finish, bleached, dyed or printed, and the following cotton products: bedsheets, pillow cases, blankets, towels, diapers, face cloths and table "linens"; and

[1] Limitation Order L–99 relates to cotton textile production.

(ii) Yarns, whether gray, bleached, colored, mercerized, glazed, polished, single, plied, cabled or braided, including thread, twines and cordage (e. g. tying, sail, seine, etc. twine, rope, sash, cord, etc.) and including any of the foregoing which may be spun on roving, ring, mule or converted twister spindles.

"Cotton textiles" does not include cotton duck as defined in Conservation Order M–91, blankets containing 25 percent or more by weight of wool, or fabrics (other than blankets) or yarns, containing wool and produced on the woolen or worsted system.

(2) (i) "Producer" means any manufacturer who makes cotton textiles in the United States.

(ii) "Intermediate processor" means any person engaged in the United States in the business of bleaching, dyeing or otherwise finishing cotton textiles and delivering or using them in the United States for his own account in the bleached or otherwise finished state.

(iii) "Processor" means any person engaged in the United States in the business of manufacturing or having manufactured in the United States for his account, any product in which cotton textiles are incorporated.

(iv) "Merchant" means any person engaged in the United States in the business of purchasing cotton textiles for resale in the United States in the form in which purchased.

(v) "User" means any person other than a producer, intermediate processor or processor, who purchases cotton textiles for his own use in the United States in any business, industry, profession or occupation.

(vi) Any person who performs the functions of more than one of the foregoing—regardless of his customary manner of conducting his business—shall, for the purpose of the following be deemed a separate person with respect to each of those capacities, and he is required to:

(*a*) Accept rated orders for cotton textiles in preference to any other contracts, orders or uses even though he has not in the past accepted or filled orders for that particular cotton textile, and also to fill them in accordance with the rules of Priorities Regulation No. 1 (In the case of yarn, this requirement applies only to sale yarn defined in the introduction to the Cotton Yarns, Cordage and Twine Distribution Schedule);

(*b*) Use the ratings assigned by this order; and

(*c*) Apply the inventory restrictions of this order.

(vii) The definitions in subdivisions (i) to (v) above do not include the United States Army, Navy, Maritime Commission or War Shipping Administration.

(3) Trade terms used in this order shall have their usual trade significance unless otherwise specified.

(b) *Assignment of ratings.*[2] The preference ratings specified in the Preference Rating Schedules of this order are assigned to the persons in Column I for the cotton textiles in Column II to be used only as specified in Column III. The revocation of any rating and its effect is stated in the appropriate group of the Preference Rating Schedules.

(c) *Compulsory use of ratings assigned in schedules or by Form WPB–2842.* No intermediate processor, processor or merchant (except a retailer) shall purchase or accept delivery of a cotton textile for a purpose for which a rating for that cotton textile is assigned to him in a Preference Rating Schedule, unless he uses that rating or a rating assigned on Form WPB–2842. No retailer or user shall purchase or accept delivery of a cotton textile for a purpose for which a rating for that cotton textile is assigned to him in a Preference Rating Schedule, with any rating except one assigned to him either in that Preference Rating Schedule or on Form WPB–2842. The provisions of this paragraph do not apply to purchases for delivery or ultimate delivery to, or for incorporation into any product for direct or ultimate delivery to, the United States Army, Navy, Maritime Commission or War Shipping Administration, nor do they prohibit the use of an AAA rating.

This rule does not change the rating on the finished product. For example, even though a manufacturer (processor), who is given a rating, according to the AA–2X Preference Rating Schedule, to obtain twills to make coated abrasive products, holds an AA–1 order for coated abrasive products, he must use the AA–2X rating given by the schedule to obtain the twills, and may not use the AA–1 rating for this purpose. The AA–1 rating, however, remains applicable to the finished coated abrasive product for all other purposes (such as to determine the sequence of deliveries).

(d) *How ratings for cotton textiles are to be applied or extended.* Preference ratings shall be applied and extended as provided in Priorities Regulation 3. The standard certification described in Priorities Regulation 7 may be used in applying or extending the rating, but the provisions of subparagraph (1) or (2) below must also be complied with.

[The following subparagraph (1) shall be in effect through June 30, 1944, only.]

(1) *Cotton textiles for export.* In the case of products which are to be exported (or to replace in inventory the exported product) in the form of cotton textiles or in the form of clothing manufactured for the United States Treasury Procurement Division from piece goods purchased by that Division for the Foreign Economic Administration (except where that product or clothing is for direct or ultimate delivery to the United States Army, Navy, Maritime Commission or War Shipping Administration), the purchaser shall place upon the purchase order an appropriate notation (with the blanks properly filled in), substantially as follows:

These cotton textiles will be exported, or will replace in inventory cotton textiles exported after December 24, 1943.

And also one of the following statements is to be made:

The preference rating was applied by the United States Treasury Procurement Division in connection with contract number ------- [In the case of United States Treasury Procurement for Foreign Economic Administration.];

or

The preference rating was applied in connection with Export License number ------- or Release Certificate number ---------- [In the case of export in connection with licenses or release certificates issued by Foreign Economic Administration.];

or

The preference rating was applied in connection with the Canadian Cotton Administrator's serial number --------. [In the case of exports to Canada.]

When the above is complied with, the requirements of M–328 are met and it is unnecessary to use any other notation.

[The following subparagraph (1) shall be in effect beginning July 1, 1944.]

(1) *Cotton textiles for export.* In the case of products which are to be exported (or to replace in inventory the exported product) in the form of cotton textiles or in the form of clothing manufactured for the United States Treasury Procurement Division from piece goods purchased by that Division for the Foreign Economic Administration (except where that product or clothing is for direct or ultimate delivery to the United States Army, Navy, Maritime Commission or War Shipping Administration), the purchaser shall place upon the purchase order a notation substantially as follows:

These cotton textiles will be exported, or will replace in inventory cotton textiles exported after December 24, 1943.

[2] Conservation Order M–328 permits other preference ratings, as well as those assigned by this order, and imposes conditions on the use of all ratings for cotton textiles.

In addition, in the case of exports to Canada, the following notation must be added:

The preference rating was applied in connection with the Canadian Cotton Administrator's serial number ---------

In the case of exports in connection with licenses or release certificates issued by or under the authority of the Foreign Economic Administration or in connection with purchases by the United States Treasury Procurement Division for the Foreign Economic Administration, each purchaser shall deliver to his vendor a copy validated by the issuing agency of the following, whichever is appropriate:

The quadruplicate copy of the export license on FEA form 119.

The quintuplicate copy of the export license on FEA form 166.

The quadruplicate copy of the release certificate.

One of the copies of the Treasury Procurement contract.

When the above is complied with, the requirements of M-328 are met and it is unnecessary to use any other notation.

(2) *Cotton textiles for domestic use.* In all other cases a person (other than the United States Army, Navy, Maritime Commission or War Shipping Administration on their direct purchase orders), applying or extending a rating for a cotton textile, which was assigned by a Preference Rating Schedule or under a War Production Board form, shall place upon the purchase order an appropriate notation, substantially as follows:

This rating has been assigned by M-317, Group(s) No. ---------- [Insert applicable group number or numbers of Preference Rating Schedule.]

or

This rating has been assigned under Form WPB ---------, Serial No. ---------- [Insert the War Production Board form number and its serial number.]

When the above is complied with, the requirements of M-328 are met and it is unnecessary to use any other notation.

(e) *Restrictions relating to fiber or yarn.* (1) No person shall use any preference rating which was assigned, applied or extended for cotton textiles in order to obtain any synthetic fiber or synthetic yarn, except cotton textiles for direct or ultimate delivery to, or for incorporation into any product for direct or ultimate delivery to, the United States Army, Navy, Maritime Commission or War Shipping Administration.

(2) No person shall use any preference rating which was assigned, applied or extended for knitted or woven fabrics, in order to obtain cotton yarns defined in paragraph (a) (1) (ii). If he does not own or control spinning machinery, he may use the rating to obtain cotton yarns for incorporation into products for direct or ultimate delivery to the United States Army, Navy, Maritime Commission or War Shipping Administration. If he does own or control spinning machinery, upon his showing on Form WPB-2842 the extent to which it is insufficient or unsuitable to produce cotton yarns required for incorporation into products for direct or ultimate delivery to the United States Army, Navy, Maritime Commission or War Shipping Administration, the War Production Board may authorize him to use that rating to obtain a specific quantity of cotton yarns for that purpose.

(3) No person owning or controlling spinning machinery shall use any preference rating which was assigned, applied or extended for yarn, in order to obtain cotton yarns defined in paragraph (a) (1) (ii), except to the extent authorized by the War Production Board, upon his showing, on Form WPB-2842, that his own spinning is insufficient or unsuitable to fill that yarn order.

(f) *Distribution schedules.* (1) Each producer—even if he is also an intermediate processor, processor, merchant or user—shall, in each calendar quarter, deliver or set aside for later delivery on rated orders those percentages of his total production (in pounds or yards according to his usual method of operation) of each cotton textile as specified in the Distribution Schedules of this order.

(2) No producer shall be required to fill rated orders in excess of the percentage of his production of each cotton textile as specified in the Distribution Schedules, computed by calendar quarters.

(3) The War Production Board may establish other percentages with respect to any of the cotton textiles listed in the Distribution Schedules.

(4) The requirements of the Distribution Schedules supersede all authorizations, issued before May 29, 1944, on appeal from this order, from Limitation Order L-99 or from Supplementary Limitation Order L-99-a.

NOTE: Paragraphs (g) to (o), formerly (f) (4) and (g) to (n), redesignated May 29, 1944.

(g) *Advance orders.* No person shall be required to accept any rated order for cotton textiles calling for delivery more than 90 days after the receipt of the order, except from the United States Army, Navy, Maritime Commission or War Shipping Administration.

(h) *Special conditions.* No producer, intermediate processor, processor, merchant or user shall sell, deliver, buy, accept or use a cotton textile or any product containing a cotton textile or assign, apply or extend a preference rating contrary to the provisions in Column III of a Preference Rating Schedule, in Column VI of a Distribution Schedule of this order, or in any written direction of the War Production Board.

(i) *Exports.* No person shall purchase for export without a preference rating any cotton textiles, except woven or braided fabrics 12" or less wide, remnants (pieces shorter than ten yards) and rags (pieces shorter than two yards commonly sold by the pound).

(j) *Inventory restrictions.* No person shall accept delivery of any cotton textiles if his aggregate inventory exceeds or would then exceed the lesser of (1) a practicable minimum working inventory, or (2) his requirements for 90 days (except in the case of merchants and users of cotton textiles used in crop cultivation).

In computing inventory include products in process of manufacture but exclude cotton textiles in transit or in process of conversion.

(k) *Allocation.* The War Production Board may assign preference ratings for or allocate and direct deliveries of cotton textiles pursuant to application on Form WPB-2842.

(l) *Applicability of regulations.* Except as otherwise provided herein, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board.

(m) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priorities control, and may be deprived of priorities assistance.

(o) *Communications.* All reports to be filed, appeals and other communications concerning this order should be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref.: M-317.

Issued this 29th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

AA-1—PREFERENCE RATING SCHEDULE

Preference rating AA-1 is assigned for each group to the intermediate processor, processor and merchant in Column I, to obtain deliveries of the cotton textiles in Column II, to be used only as specified in Column III.

Group	Column I	Column II	Column III
1	Intermediate processor. Processor.	Carded yarn. Combed yarn. Hawser cord (ring twisted only). Seine twine (ring twisted only).	Wire and cable insulation. Wire rope centers.
2	Processor. Merchant	Fishing twine.	Commercial fishing gear, as defined in Limitation Order L-282. Twines for mending, repairing, and hanging commercial fish nets. Commercial hand fishing lines.
3	Processor.	Cotton tire cord.	Tires. Fuel cells. Fuel hose.

AA-2X—PREFERENCE RATING SCHEDULE

(Schedule amended May 29, 1944.)

Preference rating AA-2X is assigned for each group to the intermediate processor, processor, merchant and user in Column I, to obtain deliveries of the cotton textiles in Column II, to be used only as specified in Column III.

Group	Column I	Column II	Column III
4	Processor.	Bagging fabrics, leno. Bagging fabrics, other special. Drill. Jean. Osnaburg. Print cloth of less than 60 sley. Sheetings: Class A. Class B. Class C. Cord, filler. Twine, sewing.	New textile bags as defined in Conservation Order M-221, and for a use there permitted. Paper lined bags. Multi-wall paper bags. Spiral tube shipping containers. Barrel covers.
5	Merchant.	Cord, filler. Twine, sewing.	New textile bags as defined in Conservation Order M-221, and for a use there permitted. Paper lined bags. Multi-wall paper bags. Spiral tube shipping containers. Barrel covers.
6	Merchant. User.	Cord, filler. Thread. Twine (other than seine).	For sewing new textile bags as defined in Conservation Order M-221, paper lined bags, multi-wall paper bags and spiral tube shipping containers.
7	Processor.	Flannel, canton. Print cloth of less than 80 sley. Sheetings: Class A. Class C. Soft-filled, for napping.	Buffing wheels or buffs.
8	Intermediate processor. Processor.	Drill. Jean. Print cloth of less than 60 sley. Sheeting: Class C. Twill.	Coated abrasive products.
9	Processor.	Yarn, carded. Yarn, combed.	Transmission belts, tapes and ropes. Polishing, grinding and rouging belts. Harvester webbing. Shuttle strap belt.
10	Processor.	Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C. Special, not listed in column IV of Limitation Order L-99. Special pipe covering fabrics: 38" 54 x 20 4.38. 37" 72 x 20 4.50. Tobacco cloth.	Magnesia, asbestos, fibre glass and other pipe covering.
11	Intermediate processor. Processor.	Covert. Denim. Drill. Moleskin. Print cloth. Sateen. Sheetings: Class A. Class B. Suede. Twill. Tobacco cloth. Thread, sewing.	Safety equipment specifically designed and used to furnish protection against specific occupational hazards (other than weather), as defined and limited in Limitation Order L-114.
12	Intermediate processor. Processor.	Drill. Felt, table, double napped. Flannel, canton. Flannel, outing. Meads cloth. Moleskin. Print cloth. Sheetings: Class C. Soft-filled for napping. Tobacco cloth. Twill. Velveteen.	Surgical dressings such as bandage, gauze, tape, plasters, etc.

AA-2X—PREFERENCE RATING SCHEDULE—Continued

Group	Column I	Column II	Column III
13	Intermediate processor. Processor.	Drill. Flannel. Netting, knitted. Print cloth. Sateen. Sheeting: Class C. Twill.	Rubber gloves as defined and limited in Rubber Order R-1, as amended December 4, 1943, Schedule A, Code 13.
14	Intermediate processor. Processor.	Drill. Jean. Osnaburg. Print cloth of less than 80 sley. Sateen. Sheetings: Class A. Class C. Twill. Yarn, carded.	Rubber hose and tubing for safety and industrial purposes (including mine and shipbold ventilating tubing and fire hose). Rubber packing and gaskets, and other mechanical rubber products, as defined and limited in Rubber Order R-1, as amended December 4, 1943, Schedule A, Code Nos. 11 and 12. Fabric packings and gaskets.
15	Processor. User.	Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C.	Chafer fabrics, flippers, bead wraps, liner and wrapper fabrics used in the manufacture of tires and other rubber products.
16	Intermediate processor. Processor.	Drill. Lawn. Osnaburg. Print cloth. Sheeting: Class C. Tubing, industrial. Window shade cloth.	Cloth and non-selvage tape, of the following kinds, for industrial uses only: Carton tape. Corrugated or fibreboard box stay tape. Varnished cambric tape. Varnished cambric cloth for use in Rubber Industry. Holland cloth for use in Rubber Industry. Separator cloth. Insulating tape. Cable wrapping tape. Friction tape. Pressure sensitive tape. This rating for the cotton textiles in Column II for use in the manufacture of gummed cloth tape, and sealing, supporting and identifying tape is cancelled, and all applications or extensions as to deliveries not made by May 20, 1944, are cancelled.
17	Intermediate processor. Processor.	Sheeting: Class B.	Varnished cambric to be used only for camelbacks (see Group 16 for list of other fabrics which may be purchased with this rating for varnished cambric irrespective of use).
18	Processor.	Yarn, carded.	Insulating materials: Selvage tape. Insulating webbing and sleeving.
19	Intermediate processor. Processor.	Drill. Lawn. Print cloth Sheetings: Class A. Class B. Class C. Twill.	Fabric reinforced laminated plastics.
20	Merchant. User.	Drill. Flannel, canton Jean. Lawn. Print cloth of less than 80 sley. Sheetings: Class B. Class C. Soft-filled for napping. Tobacco cloth. Twill.	Filter and wrapping cloths used in the manufacture of chemicals and chemical products.
21	User.	Cord, solid braided.	Signal or control cords for use by common carriers.
22	Processor.	Yarn, carded. Yarn, combed.	Paper makers' blankets. Woven felts for industrial purposes.
23	Processor.	Yarn, carded. Yarn, combed.	Card clothing fabric.
24	Processor.	Print cloth of less than 80 sley. Yarn, carded.	Blasting caps and fuses.
25	Intermediate processor. Processor. Merchant. User.	Bagging, leno. Drill. Flannel. Osnaburg. Print cloth of less than 80 sley. Sheetings: Bed. Class A. Class B. Class C. Ticking, woven stripe. Tobacco cloth. Twill. Twine (other than seine). Yarn, carded.	Agricultural and food processing uses: Farm equipment: Horse collars and pads. Back bands. Fly nets. Horse and cow blankets. Dairy products equipment. Crop cultivation and harvesting uses. Meat packers supplies. Glass cloth and incubator crinoline for poultry raising and other farm uses. Filter cloths required in the production of sugar, honey, and vegetable oils.

AA-2X—PREFERENCE RATING SCHEDULE—Continued

Group	Column I	Column II	Column III
26	Processor.	Osnaburg. Print cloth. Sheeting: Class C.	Membrane waterproofing (asphalt saturated fabric).
27	Intermediate processor. Processor.	Print cloth of less than 80 sley. Sheeting: Class C. Tobacco cloth.	Waterproof wrapping materials (non-oxidizing cloths, impregnated and laminated fabrics).
28	Intermediate processor. Processor.	Lawn. Print cloth. Sheetings: Bed. Class B. Class C. Window shade cloth.	Tracing cloth. Maps for military or military training use.
29	Processor. Merchant.	Drill. Sheeting: Class C. Sateen. Twill.	Dust arrestors used in manufacturing plants
30	Intermediate processor. Processor.	Lawn. Typewriter ribbon cloth.	Typewriter or duplicating ribbons.

AA-4—PREFERENCE RATING SCHEDULE

(Schedule amended May 29, 1944.)

Preference rating AA-4 is assigned for each group to the intermediate processor, processor and user in Column I, to obtain deliveries of the cotton textiles in Column II, to be used only as specified in Column III.

Group	Column I	Column II	Column III
31	Intermediate processor. Processor. User (non-profit public institutions only).	Blanket lining. Chambray. Corduroy. Cottonade. Covert. Denim. Denim stripes. Drill. Flannel, woven shirting. Gabardine. Hickory stripe. Jean. Moleskin. Pin check. Poplin. Sheetings: Bed. Class A. Class B. Class C. Soft-filled for napping. Sateen. Suede. Tobacco cloth. Twill, (other than three leaf). Whipcord. Thread, sewing.	Men's and boys' work clothing, meaning any garments designed for male workers' wear while engaged in their occupations but only of the type customarily sold as one of the following: Waistband overalls or dungarees. Bib overalls. Overall jumpers or coats. Blanket-lined overall jumpers or coats. One-piece work suits Work pants. Work breeches. Cossack jackets. Work shirts. Work aprons. Lined work coats. Doctors' dentists', internes', or orderlies' gowns, suits or coats. Druggists' coats. Slaughter house workers' coats. Butchers', fish handlers' or dairy workers' coats or apron sets. Cooks' coats. Shop and work caps.
32	Intermediate processor. Processor.	Drill. Print cloth. Sheetings: Bed. Class B. Class C. Thread, sewing.	Oilskin jackets, coats, hats or apron overalls. Occupational protective clothing (i. e. black rubber clothing).
33	Intermediate processor. Processor.	Flannel, mitten. Flannel, colored stripe mitten. Osnaburg. Print cloth of less than 80 sley. Sheeting: Class C. Tubing. Twill. Thread, sewing.	Work gloves, meaning any type of hand covering designed for workers' wear while engaged in their occupations and of the type customarily sold as such.
34	Intermediate processor. Processor.	Drill. Flannel, shoe. Gabardine. Jean. Netting, knitted. Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C. Sateen. Twill.	Rubber footwear, as defined and limited in Rubber Order R-1. All other footwear as defined and limited in Conservation Order M-217.
35	Processor.	Knitting yarns.	Knitted cotton linings to be used only in the manufacture of rubber footwear, as defined and limited in Rubber Order R-1.

AA-4—PREFERENCE RATING SCHEDULE—Continued

Group	Column I	Column II	Column III
36	Intermediate processor. Processor.	Diaper cloths. Birdseye. Gauze. Flannelette. Print cloth of less than 80 sley. Sheeting: soft-filled for napping. Tobacco cloth.	Diapers or finished diaper cloth packaged for consumer distribution.
37	Intermediate processor. Processor.	Tobacco cloth.	Sanitary napkins.
38	Processor.	Yarn, carded.	Wicking for oil lamps and stoves.

AA-5—PREFERENCE RATING SCHEDULE

(Schedule amended May 29, 1944.)

Preference rating AA-5 is assigned for each group to the intermediate processor, processor and user in Column I, to obtain deliveries of the cotton textiles in Column II, to be used only as specified in Column III.

Group	Column I	Column II	Column III
39	User.	Bedspreads, crinkle. Blankets (including crib). Diapers. Flannelette. Pillow cases. Sheetings: Bed and pillow case. Class A. Class B. Class C. Sheets: Bed. Crib. Toweling: Huck. Terry. Towels: Huck. Terry. Washcloths, terry.	Hospital use.
40	Intermediate processor. Processor.	Print cloth of less than 80 sley. Tobacco cloth. Window shade cloth.	Book binding cloths.
41	Intermediate processor. Processor.	Drill. Lawn. Print cloth of less than 80 sley. Sateen. Sheetings: Bed. Class C. Tobacco cloth. Twill.	Artificial leather for replacement and maintenance uses. For manufacture into coated fabrics either for export or for sale to manufacturers of: Book covers. Baby carriages. Bicycle and motorcycle seats. Instrument cases. Infants' waterproof pantles. Sanitary garments. Crib sheets and mattresses. Allergic mattress covers and pillow cases. Bathinettes. Water repellent sheeting or sheets. Play pen pads. High chair pads. N. b. This rating is assigned only to intermediate processors and processors of coated fabrics and is not assigned to the manufacturers of the end products to obtain coated fabrics. This rating for the cotton textiles in Column II for use in the manufacture of shoes, and all applications or extensions as to deliveries not made by May 29, 1944, are cancelled.
42	Processor. Merchant. User.	Cover cloth. Drill. Feed ribbons. Felt, table, double napped. Net, laundry. Sateen. Sheeting, laundry.	Laundry and dry cleaning operating supplies.
43	Intermediate processor. Processor.	Print cloth of less than 80 sley. Seconds, shorts and remnants of print cloth 80 sley and higher.	Laundry and dry cleaning tags.

DISTRIBUTION SCHEDULE—COTTON YARNS, CORDAGE AND TWINE

(Schedule amended May 29, 1944. The changes and the percentage obligations in Columns III, IV, V, and VI are to be calculated from the first of each calendar quarter beginning April 1, 1944.)

Column I indicates the corresponding item numbers of the various cotton textiles in this schedule as each appears on Form WPB-658-E (3/17/44).

Column II shows the cotton textiles covered by this schedule. The calendar quarter in 1943 in which a producer delivered to purchasers the largest percentage of his yarn production is his base period. Each producer must make available for distribution in accordance with this schedule in each calendar quarter the same percentage of his current calendar quarterly yarn production as he sold in his base period and also all the yarn produced from spindles which he acquired since January 1, 1943, unless other disposition is permitted in writing by the War Production Board. This yarn is called "sale yarn".

Column III shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against rated export orders for cotton textiles. Only deliveries on purchase orders given in conformity with the procedures described in paragraph (d) (1) (Cotton textiles for export) may be credited toward this obligation. Exports by or for the United States Army, Navy, Maritime Commission or War Shipping Administration may not be credited toward this obligation.

Column IV shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against all rated orders. However, where the percentage in Column IV amounts to 100, unless otherwise specified, seconds which are produced in the normal course of manufacture may be disposed of without regard to this provision to the extent that rated orders are not offered.

Column V shows the percentage of the producer's current calendar quarterly production beyond which he need not accept rated orders. Priorities Regulation 1 applies up to that percentage. If receipt of an order which is rated higher than a previously accepted rated order would result in having more rated orders than the Column V percentage, then the lowest rated order shall be displaced and it may be filled only from that percentage applicable to a subsequent quarter.

The provisions and explanations stated in Column VI, unless otherwise specified, apply to the producer, intermediate processor, processor, merchant and user and govern the particular cotton textiles, no matter when produced, converted or ordered, and also products containing those textiles. However, the restrictions in Column VI relating to exports do not apply where the export license or release certificate was issued before April 27, 1944.

DISTRIBUTION SCHEDULE—COTTON YARNS, CORDAGE AND TWINE—Continued

Reference No.	Column I	Column II	Column III	Column IV	Column V	Column VI
		Carded cotton sale yarn				
1	16 thru 18	Single machine knitting	2	55	70	These yarns, if of counts finer than 24s, may not be delivered by the producer for export in the form of yarns.
2	1 thru 3, 22, 27, 28	Single (other than machine knitting): 20s and coarser	See Col-t VI	80	100	The Column III obligation for these yarns is up to and including 8s—13⅓% 9s to 14s inclusive—10%, 15s to 20s 8⅓%
3	4, 5, 29	Finer than 20s	5	60	80	
4	6 thru 13, 19, 22, 27, 28, 29	Ply yarn	3	75	90	These yarns, if 2 ply weaving and of counts finer than 20s, may not be delivered by the producer for export in the form of yarns.
5	14, 15, 21, 23, 25, 26	Other ply yarn	.....	75	90	
6	20	Mop yarn	.....	.....	100	
7	51 thru 56	Single and ply machine knitting: 70s and coarser	5	40	55	
8	57 thru 60	Finer than 70s	7	7	100	These yarns, if of counts finer than 100s, may not be delivered by the producer for export in the form of yarns.
9	20 thru 32, 62	Single (other than machine knitting): 40s and coarser	.....	90	100	
10	33 thru 35, 62	Finer than 40s and coarser than 71s.	.....	30	50	
11	36 thru 39, 62	71s and finer	.....	65	85	
12	40 thru 42, 50, 62	Ply yarn (other than machine knitting and thread yarn): 40s and coarser	.....	90	100	
13	43 thru 45, 50, 62	Finer than 40s and coarser than 71s.	.....	65	80	
14	46 thru 50, 62	71's and finer	.....	35	60	
15	61	Thread yarn, combed	.....	.....	100	
16	74, 75	Seine twine and cable cords (including fish net twine, trot lines, stagling twines, etc.).	.....	80	100	
17	76 thru 78	Twines, other than seine twine and cable cords.	.....	60	80	

DISTRIBUTION SCHEDULE—FINE COTTON GOODS

(Schedule amended May 29, 1944. The changes and the percentage obligations in Columns III, IV, V, and VI are to be calculated from the first of each calendar quarter beginning April 1, 1944.)

Column I indicates the corresponding item numbers of the various cotton textiles in this schedule as each appears on Form WPB-658-C (3/17/44).

Column II shows the cotton textiles covered by this schedule.

Column III shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against rated export orders for cotton textiles. Only deliveries on purchase orders given in conformity with the procedures described in paragraph (d) (1) (Cotton textiles for export) may be credited toward this obligation. Export by or for the United States Army, Navy, Maritime Commission or War Shipping Administration may not be credited toward this obligation. In calculating the export obligation the producer shall eliminate his production of cotton textiles wider than 42½". However, if he receives a rated export order for these goods he must treat it as a rated order, and the delivery shall be credited toward his export obligation relating to narrower goods within the same Reference Number.

Column IV shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against all rated orders (including those specified in Column III). However, where the percentage in Column IV amounts to 100, unless otherwise specified, seconds, shorts, remnants, or rags, which are produced in the normal course of manufacture may be disposed of without regard to this provision to the extent that rated orders are not offered.

Column V shows the percentage of the producer's current calendar quarterly production beyond which he need not accept rated orders. Priorities Regulation 1 applies up to that percentage. If receipt of an order which is rated higher than a previously accepted rated order would result in having more rated orders than the Column V percentage, then the lowest rated order shall be displaced and it may be filled only from that percentage applicable to a subsequent quarter.

The provisions and explanations stated in Column VI, unless otherwise specified, apply to the producer, intermediate processor, processor, merchant and user and govern the particular cotton textiles, no matter when produced, converted or ordered, and also products containing those textiles. Piece goods referred to in Column VI includes seconds, shorts and remnants but not rags.

DISTRIBUTION SCHEDULE—FINE COTTON GOODS—Continued

Reference No.	Column I	Column II	Column III	Column IV	Column V	Column VI
		Combed cotton sale yarn				
18	10, 11	Combed broadcloths, 37" 128 x 68 and 37" 136 x 60.	40	100	100	
19	12	All other combed broadcloths	40	50	100	
20	13	Dimities	7½	7½	100	
21	16, 17	Fancy handkerchief fabrics			100	
22	18 thru 27	Lawns (combed, part-combed and carded).	7½	40	70	
23	28 thru 31	Marquisettes	7½	7½	100	
24	33	Oxfords	20	50	100	
25	34	Piques			100	
26	35	Pongees			100	
27	37, 38	Combed poplins	40	75	100	
28	40	Combed and part-combed sateens	2½	30	50	
29	41, 42	Carded sateens (average yarns finer than 35s).	2½	2½	100	
30	43	Combed sheeting including bed sheeting and pillowcases.			100	
31	44	Shirtings (jacquard gray-dobby and colored yarn).	35	35	100	
32	53, 56	Albert and carded twills	2½	15	50	
33	54	Combed gabardines	2½	30	50	
34	55	All other combed twills	2½	80	100	
35	57	Tracing cloth		80	100	
36	58	Typewriter ribbon cloth		7½	100	
37	59	Voiles	7½	7½	100	
38	60, 61	Combinations cotton and rayon fabrics—50% or more cotton.	10	10	100	
39	62	All other combed, part combed and fine carded fabrics (yarn finer than 35s).	20	20	100	
40	1 thru 9, 14, 15, 32, 36, 39, 45, 46 thru 49, 50, thru 52.	Airplane fabrics and balloon cloth, combed ducks, escape boat cloth, insect netting, marquisette (PQD-260), wind resistant poplins—Type II (PQD-1A), wind resistant sateens, 9 oz. (PQD-245-D); twills (combed), Army 6.0 oz. shirting twill (6-311), Army 8.2 oz. uniform twill (6-201-b), Navy twills.		75	100	Except for seconds, shorts, remnants and rags, these cotton textiles, as piece goods, may not be delivered by the producer for export.

DISTRIBUTION SCHEDULE—CORDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES

(Schedule amended May 29, 1944. The changes and the percentage obligations in Columns III, IV, V, and VI are to be calculated from the first of each calendar quarter beginning April 1, 1944.)

Column I indicates the corresponding item numbers of the various cotton textiles in this schedule as each appears on Form 658-B (3/17/44).

Column II shows the cotton textiles covered by this schedule.

Column III shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against rated export orders for cotton textiles. Only deliveries on purchase orders given in conformity with the procedures described in paragraph (d) (1) (Cotton textiles for export) may be credited toward this obligation. Export by or for the United States Army, Navy, Maritime Commission or War Shipping Administration may not be credited toward this obligation.

Column IV shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against all rated orders (including those specified in Column III). However, where the percentage in Column IV amounts to 100, unless otherwise specified, seconds, shorts, remnants, or rags, which are produced in the normal course of manufacture may be disposed of without regard to this provision to the extent that rated orders are not offered.

Column V shows the percentage of the producer's current calendar quarterly production beyond which he need not accept rated orders. Priorities Regulation 1 applies up to that percentage. If receipt of an order which is rated higher than a previously accepted rated order would result in having more rated orders than the Column V percentage, then the lowest rated order shall be displaced and it may be filed only from that percentage applicable to a subsequent quarter.

The provisions and explanations stated in Column VI, unless otherwise specified, apply to the producer, intermediate processor, processor, merchant and user and govern the particular cotton textiles, no matter when produced, converted or ordered, and also products containing those textiles. Piece goods referred to in Column VI includes seconds, shorts and remnants but not rags.

DISTRIBUTION SCHEDULE—CORDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES—Continued

Reference No.	Column I	Column II	Column III	Column IV	Column V	Column VI
		Sheeting and allied coarse and medium yarn fabrics (approx. 6s to 27s)				
41	1 through 8	Osnaburgs	5	100	100	
42	9	Leno bag fabrics		100	100	
43	10	Special bag fabrics		100	100	
44	11	Bale coverings (for cotton, cloth, etc.)			100	
		Class B sheetings:				
45	22	40" 48 x 40 3.75 yd		100	100	These cotton textiles, as piece goods, (other than prison made 31" 5.00 yd.) may not be delivered by the producer for export except to Canada (1, 2)
46	23	37" 48 x 44 4.00 yd		100	100	
47	26	36" 48 x 44 4.11 yd		100	100	
48	25	31" 48 x 44 5.00 yd		100	100	
49	28	32" 38 to 40 x 38 to 40 6.25 yd		100	100	
50	24	40" 44 x 40 4.25 yd	[3] 40	100	100	Shipment to Canada may not be counted as exports for the purpose of complying with the Column III obligations.[1 2]
51	14 thru 21, 26 thru 29.	All class A, and all other class B sheetings (except 36" 4.11 yd. and 32" 6.25 yd.)	15	100	100	
		Class C sheetings:				
52	36	40" 56 x 48 4.30 yd		100	100	Effective July 1, 1944, these cotton textiles, as piece goods, may be delivered by the producer only on ratings assigned in Group 16 of the AA-2X Preference Rating Schedule.
53	30 thru 35, 37 thru 39, 41, 43.	All other Class C constructions, under 42"	25	80	100	
54	40, 42, 45	Class C constructions 42" and wider	15	50	100	
55	44, 45	Bandoleer and Navy mattress cover fabrics, Bed sheetings 42" and wider (including made up sheets and pillow cases).		75	100	
56	47	Muslin, sley of more than 64	12½	65	100	The Column III obligations may be met by delivery, as selected by the producer, of 12½% of the aggregate production of Reference Nos. 56 and 57.
57	46, 48, 49	All other bed sheetings	12½	20	60	
58	50	Pillow tubings			100	
59	50	Industrial tubings		100	100	
60	51	Carded poplins (sheeting yarns)	10	35	50	
61	52	Army 8.5 oz. herringbone twill (Army Spec. No. 6-261).		75	100	
62	53 thru 60	Other three leaf herringbone twills, all drills and jeans.	15	50	100	Jeans, as piece goods, may not be delivered by the producer for export.
63	61	Three leaf pocketing twills 39" 2.58 or 3.00 yd. (sheeting yarns).	10	10	100	
64	62	Three leaf silesia twills (sheeting yarns).		75	100	
65	63 thru 69	Four leaf twill fabrics	15	80	100	
		Warp and filling sateens (sheeting yarns):				
66	70	Narrow (under 42")	10	20	50	
67	71	Wide (42" and wider)		75	100	
68	72	Gabardines (carded)	10	10	50	
69	73	Birdseye Diaper cloth		100	100	May not be used for industrial purposes.
		Print cloth yarn fabrics (approx. 28's to 42's)				
70	74	Print cloth yarn fabrics of window shade quality-all counts.		30	60	
71	75, 81, 82	Plain print cloths, 80 sley and higher		100	100	These cotton textiles, as piece goods, may not be delivered by the producer for export.
72	76	39" 68x72 4.75 yd. and prorata widths		100	100	
73	76	39" 68x64 4.85 yd. and prorata widths	12½	25	50	
74	77, 79	38½" 64x56 5.50 yd. and prorata widths 36" and wider.	12½	50	65	
75	79	Pro rata widths to 5.50 yd. under 36"		100	100	These cotton textiles, as piece goods, may be delivered by the producer only on ratings assigned under Groups 4 and 25 of the AA-2X Preference Rating Schedule.

[1] In the case of osnaburgs (Reference No. 41) and Class A and B sheetings (Reference Nos. 45 to 51 inclusive), seconds, shorts and remnants may not be delivered against unrated orders. Rags, to the extent that rated orders are not offered, may be delivered against unrated orders.

[2] The provisions relating to Reference Nos. 45 to 49, inclusive, shall not prevent delivery for export where the order was accepted before April 8, 1944, in conformity with this order as amended February 21, 1944, for delivery before July 1, 1944. Those contracts shall be filled despite the presentation of higher rated orders for domestic use.

[3] This export provision relating to Reference No. 50 shall not prevent the filling of any order for domestic use accepted before April 8, 1944, in conformity with this order as amended February 21, 1944, for delivery before July 1, 1944.

DISTRIBUTION SCHEDULE—CORDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES—Continued

Reference No.	Column I	Column II	Column III	Column IV	Column V	Column VI
		Print cloth, yarn fabrics (approx. 28s to 42s)—Continued.				
76	78, 79	38½" 64 x 60 5.35 yd. and pro rata widths.	-------	75	100	These cotton textiles, as piece goods, may not be delivered by the producer for export.
77	80	38½" 80 x 46 6.25 yd.	15	15	50	
78	81	All other plain print cloths less than 80 sley under 36".	10	35	80	
79	83	All other plain print cloths less than 80 sley—36" and wider.	15	25	50	
80	84	Pajamas checks	10	60	100	
81	85	Gauze diaper cloth	-------	100	100	May not be used for industrial purposes.
82	86	All other fancy print cloths	15	15	50	
83	87, 88	Bandage cloths (99 to 72 threads per sq. inch).	10	90	100	
		Tobacco and cheesecloths:				
84	89	All widths, 20 x 12 constructions	-------	90	100	
85	90	All widths, 17 to 18 sley, 12 to 14 pick	-------	100	100	May be delivered only for sanitary napkins and milk filters.
86	91	All other constructions	7½	60	100	
87	92 thru 95	Carded broadcloth, plain and fancy	12½	25	50	
88	96	Carded poplins (print cloth warp yarns) plain and fancy	12½	25	50	
89	97	Three leaf twills, print cloth yarns	10	25	50	
		Colored yarn fabrics				
		Denims, pin stripes, pin checks, hickory stripes, etc.				
90	98 thru 100	3.00 yd. and heavier (basis 28")	10	100	100	
91	103, 104	Lighter than 3.00 yd. (basis 28")	30	30	100	
92	107 thru 110	Cottonades and suiting coverts	20	90	100	
93	111	Whipcords and bedford cords	10	90	100	
94	112	Ginghams	30	30	100	
95	113, 114	Seersuckers	30	30	100	
96	115, 116	All other cotton suitings	30	80	100	
97	117, 118	Cotton and rayon suitings (50% or more cotton).	25	25	100	
98	119 thru 121	Shirting coverts	15	75	100	
99	122	Chambrays (36" 3.90 yd.)	-------	100	100	Except for prison made goods, these cotton textiles, as piece goods, may not be delivered by the producer for export.
100	123	All other chambrays	25	25	100	
101	124	Bed tickings	20	20	100	
		Towels, toweling and dishcloths, washcloths and bathmats				
102	125	Turkish and terry woven	7½	37½	50	
103	126	Huck	2½	20	50	
104	126	Damask and Jacquard woven (other than terry).	2½	2½	50	
105	127	Dish towels and other twill and plain woven towels (including all cotton, part linen and part rayon).	2½	2½	50	
106	128	Dishcloths	-------	-------	100	
		Napped fabrics				
107	129	Outing flannels	25	25	50	
108	130, 131	Work shirt flannels	10	70	90	
109	132	Canton flannels	-------	90	100	At least 65% must be delivered by the producer for the manufacture of work gloves.
110	134	Interlining flannels	-------	-------	100	
111	135	Moleskins and suedes	30	100	100	
112	133, 136	All other napped fabrics except blankets	10	75	90	Neither gun patch flannel nor gun patches may be delivered for export.
		Soft filled sheetings for napping:				
113	12	Under 42"	25	25	50	
114	13	42" and wider	25	25	50	
115	137	Blankets and blanketing, crib	-------	-------	50	
116	138 thru 140	Blankets and blanketing, other than crib.	2½	2½	50	
		Other woven cotton fabrics and specialties				
117	153	Corduroys, men's wear weights 36"—12 to 13 oz. Thicksets.	7½	100	100	
118	152, 154	All other corduroys	7½	7½	100	
119	143, 144	Bedspread fabrics—woven style	-------	-------	100	
120	147	Flag bunting	-------	80	100	
121	148 thru 151	Drapery, upholstery tapestry, luggage and automobile seat cover fabrics.	-------	-------	100	
122	155, 156	Velvets, velveteens, plushes and other pile fabrics.	10	10	65	
123	157	Table damask	-------	-------	100	
124	145, 146, 158	All other carded fabrics except ducks and tire fabrics.	20	20	100	

[F. R. Doc. 44-7737; Filed, May 29, 1944; 11:23 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M-17, as Amended May 29, 1944]

PIG IRON

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of pig iron for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3294.66 *General Preference Order M-17*—(a) *Definitions.* For the purposes of this order:

(1) "Pig iron" means iron produced by smelting iron ore in a blast furnace, and containing less than 6 percent silicon.

(2) "Producer" means any person producing pig iron.

(b) *Production and delivery of pig iron*—(1) *Pig iron for ballast purposes.* No person shall accept delivery of any pig iron for ballast purposes from a producer or distributor of pig iron, except upon the specific approval in writing of the War Production Board. Any person wishing to secure approval to accept delivery of pig iron for such purpose may apply to the War Production Board by letter, giving:

(i) Name of company.

(ii) Address of company.

(iii) Location where pig iron is to be installed as ballast.

(iv) Amount and intended source of pig iron.

(v) Reasons why other materials cannot be utilized.

(2) *Special instructions.* The War Production Board may from time to time issue special instructions with respect to production and delivery of pig iron.

(c) *Appeals.* Any appeal from this order or from any instruction issued hereunder shall be made by filing a letter referring to the particular provision appealed from and stating fully the grounds of the appeal. Consumers of pig iron who are unable to obtain their requirements from suppliers may communicate with the War Production Board.

(d) *Reports.* Effective January 1, 1944, consumers of pig iron are no longer required to file forms WPB-3172 and WPB-3173. However, each producer must continue to file monthly reports with the War Production Board on Form WPB-3174. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) *Communications.* All reports and all communications concerning this order or any instruction issued hereunder shall be addressed to the War Production Board, Washington 25, D. C., Ref. M-17.

(f) *Violations.* Any person who wilfully violates any provision of this order or any instruction issued hereunder, or who in connection therewith wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Applicability of other orders and regulations.* Transactions in pig iron are also subject to the provisions of all other orders and regulations of the War Production Board, except that whenever such provisions may be inconsistent with any instruction issued hereunder the provisions of such instruction shall be controlling.

Issued this 29th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7738; Filed, May 29, 1944; 11:22 a. m.]

Subchapter D—Office of the Rubber Director

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Rubber Order R-1, as Amended Jan. 12, 1944, Amdt. 3]

Rubber Order R-1 as amended January 12, 1944 is hereby amended by amending paragraph (n) of § 4600.01 (definition of balata) to read as follows:

"Balata" means any of the gums of recognized commercial grades having a gutta hydrocarbon base and a high resin content, procured from wild forest trees of the Mimusops genus and closely related genera generally found in South and Central America from the Amazon Valley north through Panama, and includes such gums whether in crude or refined (deresinated or partly deresinated) form; it does not mean or include scrap balata or reclaimed balata or any of the following grades: Coquirana, Chicken-Wire, Massarunduba and Peruvian F. A. Q. white balata.

Issued this 29th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7739; Filed, May 29, 1944; 11:23 a. m.]

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Rev. Procedural Reg. 1[1] Incl. Amdts. 1-7]

PROCEDURE FOR THE ISSUANCE, ADJUSTMENT, AMENDMENT, PROTEST AND INTERPRETATION OF MAXIMUM PRICE REGULATIONS

This compilation of Revised Procedural Regulation 1 includes Amendment 7, effective May 31, 1944. The text added or amended by Amendment 7 is underscored with the exception of redesignations and amended Form OPA 1 PR-2.

Pursuant to the authority of sections 201 (d) and 203 (a) of the Emergency Price Control Act of 1942, as amended (Pub. Laws 421, and 729, 77th Cong., E.O. 9250, 7 F.R. 7871) Procedural Regulation No. 1[2]—Procedure for the Issuance, Protest and Amendment of Maximum Price Regulations, is hereby revoked and the following rules are prescribed for the issuance, adjustment, amendment, protest and interpretation of maximum price regulations:

ARTICLE I—PURPOSE OF REVISED PROCEDURAL REGULATION NO. 1

Sec.
1. Purpose.

ARTICLE II—ISSUANCE OF MAXIMUM PRICE REGULATIONS

2. Investigation prior to issuance.
3. Price hearing prior to issuance.
4. Notice of pre-issuance hearing.
5. Conduct of pre-issuance hearing.
6. Statement of considerations.
7. Notice of provisions of a maximum price regulation.
8. Effective date.

ARTICLE III—APPLICATION FOR ADJUSTMENT

9. Right to apply for adjustment.
10. Place of filing.
11. Authorized office.
12. Form of application.
13. Applications must be signed.
14. Joint applications—consolidation.
15. Investigation of application.
16. Action by the authorized office on applications for adjustment.
17. Requests for review.
18. Action on review.
19. Protest of denial of application.

ARTICLE IV—PETITION FOR AMENDMENT

20. Right to file a petition.
21. Time and place for filing petitions.
22. Joint petitions for amendment.
23. Action by the Administrator on petition.

ARTICLE V—PROTESTS

24. Right to protest.
25. Action by representative.
26. Time and place for filing protests.
27. Form of protest.
28. Assignment of docket number.
29. Contents of protest.
30. Affidavits or other written evidence in support of protest.
31. Submission of brief by protestant.
32. Joint protests.
33. Amendment of protest and presentation of supplemental evidence.
34. Protest and evidential material not conforming to this regulation.
35. Action by the Administrator on protest.
36. Statements in support of maximum price regulation.
37. Inclusion of material in the record by the Administrator.
38. Consolidation of protests.

ORAL HEARINGS ON PROTESTS

39. Requests for oral hearing.
40. Conference prior to oral hearing.
41. Continuance or adjournment of oral hearing.
42. Conduct of the oral hearing.
43. Filing of briefs.
44. Subpoenas.
45. Witnesses.
46. Contemptuous conduct.
47. Stenographic report of oral hearing.

OPINION AND RECONSIDERATION

48. Opinion denying protest in whole or in part.
49. Treatment of protest as petition for amendment or an application for adjustment or exception.
50. Petitions for reconsideration.

ARTICLE VI—INTERPRETATIONS

51. Interpretations.
52. Requirements governing interpretations.

ARTICLE VII—MISCELLANEOUS PROVISIONS AND DEFINITIONS

53. Service of papers.
54. Secretary; office hours.
55. Confidential information; inspection of documents filed with the Office of Price Administration.
56. Appearance of employees and former employees before the Office of Price Administration.
57. Definitions.
58. Amendment of this regulatic
59. Effective date of Revised Procedural Regulation No. 1.
60. [Revoked.]
61. Appendix B: Form OPA-1PR-2.

AUTHORITY: § 1300.1 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

[Subparts redesignated as articles and §§ 1300.1 to 1300.61, inclusive, redesignated sections 1 to 61, respectively, by Am. 7, effective 5-31-44]

ARTICLE I—PURPOSE OF REVISED PROCEDURAL REGULATION NO. 1

SECTION 1. *Purpose.* It is the purpose of this regulation to prescribe and explain the procedure used by the Office of Price Administration in making various kinds of price determinations.

(a) Article II deals with the procedure of the Office of Price Administration in issuing maximum price regulations.

(b) Article III deals with individual applications for adjustment of maximum price established by a maximum price regulation. An adjustment ordinarily affects the prices of one particular seller or group of sellers who apply for a change in the prices established for them by the provisions of a maximum price regulation. An adjustment can be granted only if the applicable maximum price regulation contains specific provision for the granting of an adjustment.

(c) Article IV deals with petitions for amendment. A petition for amendment is the appropriate document to file when a seller seeks a change of general applicability in the terms of a maximum price regulation itself.

(d) Article V deals with protests. A protest is the means provided by the Emergency Price Control Act of 1942 for making a formal claim that a maximum price regulation is in some respect invalid. Only if a protest has been filed and denied may the protestant file a complaint with the Emergency Court of Appeals to have the maximum price enjoined or set aside in whole or in part.

(e) Article VI explains the way in which interpretations are rendered by officers or employees of the Office of Price Administration.

[1] 7 F.R. 9861.

[2] 7 F.R. 971, 3663, 5776.

(f) Article VII contains miscellaneous provisions and definitions.

[Sec. 1 amended by Am. 7, effective 5-31-44]

ARTICLE II—ISSUANCE OF MAXIMUM PRICE REGULATIONS

SEC. 2. *Investigation prior to issuance.* A maximum price regulation may be issued by the Administrator after such studies and investigations as he deems necessary or proper. Before issuing a maximum price regulation the Administrator shall, so far as is practicable, advise and consult with representative members of the industry which will be affected by such regulation.

SEC. 3. *Price hearing prior to issuance.* Whenever the Administrator deems it necessary or proper that a price hearing be held prior to the issuance of a maximum price regulation, he may provide for such hearing in accordance with sections 4 and 5 of this revised procedural regulation.

SEC. 4. *Notice of pre-issuance hearing.* Notice of any price hearing ordered prior to the issuance of a maximum price regulation shall be given by publication of such notice in the FEDERAL REGISTER, and may be supplemented by notice given in any other appropriate manner. The notice shall state the time and place of the price hearing and shall contain an appropriate indication of the purposes of such hearing.

SEC. 5. *Conduct of pre-issuance hearing.* A price hearing held prior to the issuance of a maximum price regulation shall be conducted in such manner, consistent with the need for expeditious action, as will permit the fullest possible presentation of evidence by such persons as are, in the judgment of the Administrator, best qualified to provide information with respect to matters considered at the hearing or most likely to be seriously affected by action which may be taken as a result of the hearing.

SEC. 6. *Statement of considerations.* Every maximum price regulation shall be accompanied by a statement of the considerations involved in its issuance. Such statement may include economic data and other facts of which the Administrator has taken official notice and facts found by the Administrator as a result of action taken under section 202 (a) of the act.

SEC. 7. *Notice of provisions of a maximum price regulation.* Notice of the provisions of a maximum price regulation shall be given by filing such regulation with the Division of the Federal Register. As soon as possible after the filing of such regulation, the Administrator shall make copies thereof available to the press.

SEC. 8. *Effective date.* A maximum price regulation shall become effective 5 days after the date of its issuance and a temporary maximum price regulation shall become effective from the date of its issuance, unless an earlier or later date is specified therein.

[Sec. 8 amended by Am. 7, effective 5-31-44]

ARTICLE III—APPLICATIONS FOR ADJUSTMENT

SEC. 9. *Right to apply for adjustment.* Unless otherwise provided, any person subject to a maximum price regulation who seeks adjustment under an adjustment provision thereof, shall make application therefor pursuant to the provisions of this Revised Procedural Regulation No. 1.

[Sec. 9 amended by Am. 7, effective 5-31-44]

SEC. 10. *Place of filing.* All applications may be filed with a district, state or regional office of the Office of Price Administration or with the Office of Price Administration, Washington, D. C., without regard to whether such office is authorized to consider such applications. If the office with which the application is filed is not so authorized it will forward such application to the authorized office and shall notify the applicant by mail of such forwarding. If an adjustment provision in a maximum price regulation indicates which office of the Office of Price Administration is authorized to consider applications for adjustment, action on applications will be expedited if it is filed with the nearest office authorized to consider it.

SEC. 11. *Authorized office.* When used in this Article II the authorized office shall be the Office of Price Administration, Washington, D. C. and, when the Regional Administrator of a regional office or the State or District Director of a district office of the Office of Price Administration is authorized to act upon an application for adjustment, shall include such regional or district office, as the case may be.

[Sec. 11 amended by Am. 7, effective 5-31-44]

SEC. 12. *Form of application.* Applications for adjustment shall be filed upon such forms as the Administrator, or the Regional Administrator or State or District Director of the authorized office, as the case may be, shall from time to time prescribe. If no form has been designated for applications for the particular type of adjustment sought, the application shall set forth the following:

(a) Name and post office address of the applicant, the nature of his business, and the manner in which he is subject to the price regulation in question.

(b) A designation of the provision for adjustment pursuant to which the application is filed.

(c) The information, if any, required by the terms of the applicable adjustment provision.

(d) A clear and concise statement of the facts upon which applicant relies to qualify him for adjustment under the applicable adjustment provision, to the extent that such facts are not furnished under (c) above.

(e) A statement of the specific adjustment or other relief sought.

Applications for adjustment and all accompanying documents shall be filed in duplicate.

[Sec. 12 amended by Am. 7, effective 5-31-44]

SEC. 13. *Applications must be signed.* Any application for adjustment filed pursuant to the provisions of this Revised Procedural Regulation No. 1 shall be signed either by the applicant personally, or if a partnership by a partner, or if a corporation or association by a duly authorized officer thereof.

[Sec. 13 added by Am. 7, effective 5-31-44. Former section 13 revoked by Am. 3, 8 F.R. 6173, effective 5-17-43]

SEC. 14. *Joint applications — Consolidation.* (a) Two or more persons may file a joint application for adjustment where at least one ground is common to all persons joining therein. A joint application shall be signed by each applicant in accordance with section 13 and shall be filed and determined in accordance with the rules governing the filing and determination of applications filed by one person. Whenever the authorized office deems it necessary or appropriate for the disposition of joint applications, it may treat joint applications separately, and, in any event, may require the filing of relevant materials by each individual applicant.

(b) Whenever the authorized office deems it necessary or appropriate for the disposition of the applications filed by more than one person, it may consolidate the applications.

[Sec. 14 amended by Am. 3, 8 F.R. 6173, effective 5-17-43 and Am. 7, effective 5-31-44]

SEC. 15. *Investigation of application.* Upon receipt of an application for adjustment, the authorized office or any office designated by the authorized office may make such investigation of the facts involved in the application, hold such conferences, and request the filing of such supplementary information as may be necessary to the proper disposition of the application.

SEC. 16. *Action by the authorized office on applications for adjustment.* Within a reasonable time after the authorized office receives an application for adjustment, the Administrator, or the authorized Regional Administrator or State or District Director, as the case may be, may either

[Above sentence amended by Am. 7, effective 5-31-44]

(a) Dismiss any application for adjustment which fails substantially to comply with this Revised Procedural Regulation No. 1; or

(b) Grant or deny in whole or in part, any application for adjustment which is properly pending before it. The applicant shall be informed in writing of the action so taken; or

(c) In cases of unusual difficulty or importance, refer the application for action either to the Regional Office for the region in which the authorized office is located; or if the authorized office is itself a regional office, to the Administrator. An office so referring an application shall inform the applicant of such action.

SEC. 17. *Requests for review.* (a) Any applicant whose application for adjustment has been denied in whole or in part by a State or District Director of a district office of the Office of Price Administration may, within 60 days after the date on which notice of denial was mailed to him, file with such office a request for review by the Regional Administrator for the region in which such office is located. Where no form has otherwise been provided, a request for review shall be filed on Form OPA-1PR-2 set out in section 61, Appendix B. This form may be obtained from any field office of the Office of Price Administration or may be copied by the applicant from Appendix B.

(b) Requests for review shall be deemed filed on the date received by the state or district office, *Provided*, That requests for review properly addressed to the appropriate district office, bearing a post-mark dated within 60 days after the date on which the order of denial was mailed, but received after the expiration thereof, shall be deemed to have been filed on the date of the post-mark.

[Sec. 17 amended by Am. 2, 8 F.R. 3533, effective 3-20-43; Am. 3, 8 F.R. 6173, effective 5-17-43; and Am. 7, effective 5-31-44]

SEC. 18. *Action on review.* After due consideration the Regional Administrator shall grant or deny in whole or in part, any application for adjustment as to which a proper request for review has been filed. The applicant shall be informed in writing of the action so taken.

SEC. 19. *Protest of denial of application.* Any applicant whose application for adjustment has been denied in whole or in part by the Administrator or, either in the first instance or upon request for review, by any Regional Administrator may, within 60 days after issuance of an order of denial, file a protest against such order in accordance with the provisions of this Revised Procedural Regulation No. 1. For the purpose of Article V (Protests), such an order of denial shall be considered a maximum price regulation. In no event, however, may a protest be based upon grounds not raised in the application for adjustment.

[Secs. 18 and 19 amended by Am. 7, effective 5-31-44]

ARTICLE IV—PETITION FOR AMENDMENT

SEC. 20. *Right to file a petition.* (a) A petition for amendment may be filed at any time by any person subject to or affected by a provision of a maximum price regulation. A petition for amendment shall propose an amendment of general applicability and shall be granted or denied solely on the merits of the amendment proposed. The denial of a petition for amendment is not subject to protest or judicial review under the act.

(b) Any governmental agency exercising regulatory authority over prices which are subject to a maximum price regulation may file a petition for amendment of either general or specific applicability based upon findings made by such agency after public hearing.

SEC. 21. *Time and place for filing petitions; form and contents.* A petition for amendment shall be filed with the Secretary, Office of Price Administration, Washington, D. C. Five copies of the petition and of all accompanying documents and briefs shall be filed. Each copy shall be printed, typewritten, mimeographed, or prepared by a similar process, and shall be plainly legible. Copies shall be double spaced, except that quotations shall be single spaced and indented. Every petition shall contain, upon the first page thereof, the number and the date of issuance of the maximum price regulation to which the petition relates, and shall be designated "Petition for Amendment;" shall state the name and address of the petitioner, shall specify the manner in which the petitioner is subject to or affected by the provision of the maximum price regulation involved, and shall include a specific statement of the particular amendment desired and the facts which make that amendment necessary or appropriate. The petition shall be accompanied by statements setting forth the evidence upon which the petitioner relies in his petition.

[Sec. 21 amended by Am. 3, 8 F.R. 6173, effective 5-17-43 and Am. 4, 8 F.R. 11806, effective 8-24-43]

SEC. 22. *Joint petitions for amendment.* Two or more persons may file a joint petition for amendment. Joint petitions shall be filed and determined in accordance with the rules governing the filing and determination of petitions filed by one person. A joint petition may be filed only where at least one ground is common to all persons joining it. Whenever the Administrator deems it to be necessary or appropriate for the disposition of joint petitions, he may treat such joint petitions as several and, in any event, he may require the filing of relevant material by each individual petitioner.

SEC. 23. *Action by the Administrator on petition.* In the consideration of any petition for amendment the Administrator may afford to the petitioner and to other persons likely to have information bearing upon such proposed amendment, or likely to be affected thereby, an opportunity to present evidence or argument in support of, or in opposition to, such proposed amendment. Whenever necessary or appropriate for the full and expeditious determination of common questions raised by two or more petitions for amendment, the Administrator may consolidate such petitions.

ARTICLE V—PROTESTS

SEC. 24. *Right to protest.* Any person subject to any provision of a maximum price regulation may file a protest against such provision in the manner set forth below. A person is, for the purposes of this revised procedural regulation, subject to a provision of a maximum price regulation only if such provision prohibits or requires action by him, *Provided, however*, That a producer of an agricultural commodity shall be considered to be subject to a maximum price regulation for the purpose of asserting any right created by section 3 (c) of the Emergency Price Control Act of 1942 or section 3 of the Act of October 2, 1942 (Pub. Law 729, 77th Cong.) for the benefit of producers of such an agricultural commodity. Any protest filed by a person not subject to the provision protested, or otherwise not in accordance with this revised procedural regulation, may be dismissed by the Administrator.

SEC. 25. *Action by representative.* Any action which by this revised procedural regulation is required of, or permitted to be taken by, a protestant may, unless otherwise expressly stated (as in section 29 (g)) be taken on his behalf by any person whom the protestant has by written power of attorney authorized to represent him. Such power of attorney, signed by the protestant, shall be filed with the protest.

[Sec. 25 amended by Am. 7, effective 5-31-44]

SEC. 26. *Time and place for filing protests.* (a) Any protest against a provision of a maximum price regulation shall be filed with the Secretary, Office of Price Administration, Washington, D. C., within a period of sixty days after the date of issuance of such regulation, regardless of the effective date prescribed therein: *Provided, however*, That a protest based solely upon grounds arising after the date of issuance of a maximum price regulation may be filed at any time after such new grounds arise, *Provided, further*, That protests of any person having his principal place of business in a territory, may be filed with the director of the appropriate territorial office.

(b) Protests shall be deemed filed on the date received by the Secretary, Office of Price Administration, Washington, D. C., or by the director of the appropriate territorial office, as the case may be: *Provided*, That protests properly addressed to the Secretary or to the appropriate territorial director, as the case may be, bearing a post-mark dated within the applicable sixty day period specified above, but received after the expiration thereof, shall be deemed to have been filed on the date of the post-mark.

[Sec. 26 amended by Am. 2, 8 F.R. 3533, effective 3-20-43 and Am. 6, 9 F.R. 3075, effective 3-20-44]

SEC. 27. *Form of protest.* Every protest shall contain, upon the first page thereof, the number and the date of issuance of the maximum price regulation against a provision of which the protest is made and shall be clearly designated a "Protest". Five copies of the protest and of all accompanying documents and briefs shall be filed.

[Sec. 27 amended by Am. 7, effective 5-31-44]

SEC. 28. *Assignment of docket number.* Upon receipt of a protest it shall be assigned a docket number, of which the protestant shall be notified, and all further papers filed in the proceedings

shall contain on the first page thereof the docket number so assigned and the number and date of issuance of the maximum price regulation protested.

SEC. 29. *Contents of protest.* Every protest shall set forth the following:

(a) The name and the post office address of the protestant, the nature of his business, and the manner in which the protestant is subject to the provision of the maximum price regulation protested.

(b) The name and post office address of the person filing the protest on behalf of the protestant and the name and post office address of the person to whom all communications from the Office of Price Administration relating to the protest shall be sent.

(c) A clear and concise statement of all objections raised by the protestant against the provision or provisions protested, each such objection to be separately stated and numbered.

(d) A clear and concise statement of all facts alleged in support of the objections.

(e) A statement of the relief requested by the protestant including, if the protestant requests modification of a provision of the maximum price regulation, the specific changes which he seeks to have made in the provision.

(f) In cases where the protest is based upon grounds arising after the date of issuance of the maximum price regulation, a clear and concise statement of facts showing the time when such grounds arose.

(g) A statement signed and sworn to (or affirmed) before an officer authorized to take oaths either by the protestant personally or, if a partnership, by a partner or if a corporation or association, by a duly authorized officer, that the protest and the documents filed therewith are prepared in good faith and that the facts alleged are true to the best of his knowledge, information and belief. The protestant shall specify which of the facts are alleged and known to be true and which are alleged on information and belief.

SEC. 30. *Affidavits or other written evidence in support of protest.* Every protestant shall file, together with his protest, the following:

(a) Affidavits setting forth in full all the evidence, the presentation of which is subject to the control of the protestant, upon which the protestant relies in support of the facts alleged in the protest. Each such affidavit shall state the name, post office address, and occupation of the affiant; his business connection, if any, with the protestant; and whether the facts set forth in the affidavit are stated from personal knowledge or on information and belief. In every instance the affiant shall state in detail the sources of his information.

(b) A statement by the protestant in affidavit form setting forth in detail the nature and sources of any further evidence, not subject to his control, upon which he believes he can rely in support of the facts alleged in his protest.

(c) If necessary, a further statement by the protestant in affidavit form setting forth the nature and sources of any evidence which the protestant is unable to present solely because of the time limit for the filing of protests and supporting material. Such further statement may contain a request for an opportunity to present such further evidence, which request shall state specifically the amount of time needed for preparation of such evidence. Any affidavits providing further evidence, pursuant to order, shall contain the information required by subparagraph (a) of this section 30.

SEC. 31. *Submission of brief by protestant.* The protestant may file with his protest and accompanying evidential material a brief in support of the objections set forth in the protest. Such brief shall be submitted as a separate document, distinct from the protest and evidential material.

SEC. 32. *Joint protests.* Two or more persons may file a joint protest. Joint protests shall be filed and determined in accordance with the rules governing the filing and determination of protests filed by one person. A joint protest shall be verified in accordance with section 29 (g) by each protestant. A joint protest may be filed only where at least one ground is common to all persons joining in it. Whenever the Administrator deems it to be necessary or appropriate for the disposition of joint protests, he may treat such joint protests as several, and, in any event, he may require the filing of relevant materials by each individual protestant.

SEC. 33. *Amendment of protest and presentation of supplemental evidence.* (a) The protestant may amend his protest or his affidavits and briefs submitted therewith, or may add to such material within a period of sixty days after the issuance of the maximum price regulation against a provision of which the protest is filed, or, in the case of a protest based solely on grounds arising after the date of issuance of a maximum price regulation, within sixty days after the protestant has had or could reasonably have had notice of the existence of such grounds.

(b) After the time prescribed in paragraph (a) of this section a protestant may be granted permission to amend his protest or to present further evidence in connection therewith when, in the judgment of the Administrator, such permission will not unduly delay the completion of proceedings on the protest. No amendment which adds a new ground of protest will be permitted.

SEC. 34. *Protest and evidential material not conforming to this regulation.* In any case where a protest or accompanying evidential material does not conform, in a substantial respect, to this revised procedural regulation, the Administrator may dismiss such protest, or, in his discretion, may strike such evidential material from the record of the proceedings in connection with the protest.

SEC. 35. *Action by the Administrator on protest.* (a) Within a reasonable time after the filing of any protest in accordance with this revised procedural regulation, but in no event more than thirty days after such filing or ninety days after the issuance of the maximum price regulation against a provision of which the protest is filed, whichever occurs later, the Administrator shall:

(1) Grant or deny such protest in whole or in part.

(2) Notice such protest for oral hearing, to be held in accordance with the provisions of sections 39 to 47, inclusive, of this revised procedural regulation; or

(3) Provide an opportunity to present further evidence in connection with such protest. Within a reasonable time after the presentation of such further evidence, the Administrator may notice such protest for oral hearing in accordance with subparagraph (2) of this section, may include additional material in the record of the proceedings in connection with the protest in accordance with section 37 of this revised procedural regulation, or may take such other action as may be appropriate to the disposition of the protest.

(b) Notice of any such action taken by the Administrator shall promptly be served upon the protestant.

(c) Where the Administrator has ordered a hearing on a protest or has provided an opportunity for the presentation of further evidence in connection therewith, he shall, within a reasonable time after the completion of such hearing or the presentation of such evidence, grant or deny such protest in whole or in part.

SEC. 36. *Statements in support of maximum price regulation.* (a) Any person affected by the provisions of a maximum price regulation may at any time after the issuance of such regulation submit to the Administrator a statement in support of any such provision or provisions. Such statement shall include the name and post office address of such person, the nature of his business, and the manner in which such person is affected by the maximum price regulation in question, and may be accompanied by affidavits and other data. Each such supporting statement shall conform to the requirements of section 27 of this revised procedural regulation.

(b) In the event that a protest has been, or is subsequently, filed to a provision of a maximum price regulation in support of which a statement has been submitted, the Administrator may include such statement in the record of the proceedings taken in connection with such protest. If such supporting statement is incorporated into the record, and is not so incorporated at an oral hearing, copies of such supporting statement shall be served upon the protestant, and the protestant shall be given a reasonable opportunity to present evidence in rebuttal thereof.

SEC. 37. *Inclusion of material in the record by the Administrator.* The Administrator shall include in the record of the proceedings on the protest such evidence, in the form of affidavits or otherwise, as he deems appropriate in support of the provision against which the protest is filed. When such evidence is incorporated into the record, and is not so incorporated at an oral hearing, copies thereof shall be served upon the protestant, and the protestant shall be given a reasonable opportunity to present evidence in rebuttal thereof.

SEC. 38. *Consolidation of protests.* Whenever necessary or appropriate for the full and expeditious determination of common questions raised by two or more protests the Administrator may consolidate such protests.

ORAL HEARINGS ON PROTESTS

SEC. 39. *Requests for oral hearing.* Any protestant may request an oral hearing. Such request shall be accompanied by a showing by the protestant as to why the filing of affidavits or other written evidence and briefs will not permit the fair and expeditious disposition of the protest. In the event that the Administrator orders an oral hearing in connection with a protest, notice shall be served on the protestant not less than five days prior to such hearing. The time and place of the hearing shall be stated in the notice. Any oral hearing ordered by the Administrator may be limited in such manner and to the extent that he deems appropriate.

SEC. 40. *Conference prior to oral hearing.* At any time prior to the commencement of the oral hearing, the Administrator may request the protestant to appear at a conference to consider: (a) the simplification of issues; (b) the possibility of obtaining stipulations of fact and of documents which will avoid unnecessary proof; and (c) such other matters as may expedite the conduct of the oral hearing. No transcript of such conference shall be kept, but the Administrator shall incorporate in the record of the proceedings any written stipulations or agreements made at, or as a result of, the conference. If the circumstances are such that an oral conference is impracticable, the Administrator may direct that such negotiations be conducted by correspondence.

SEC. 41. *Continuance or adjournment of oral hearing.* The oral hearing shall be held at the time and place specified by the notice of hearing but may be continued or adjourned to a later day or to a different place. Notice of such adjournment or continuance may be by announcement at the oral hearing.

SEC. 42. *Conduct of the oral hearing.* The oral hearing shall be conducted by the Administrator or such officer or employee of the Office of Price Administration (hereinafter referred to as the "presiding officer") as the Administrator may appoint or designate for that purpose.

[Sec. 42 amended by Am. 4, 8 F.R. 11806, effective 8-24-43]

SEC. 43. *Filing of briefs.* The presiding officer shall allow the protestant to file briefs or written arguments within such time as he shall designate.

SEC. 44. *Subpoenas.* (a) Applications for subpoenas, when made prior to the oral hearing, may be filed by the protestant with the Secretary. The Administrator may grant or deny the application or refer it to the presiding officer appointed or designated under section 42, who may thereafter grant or deny the application. Applications for subpoenas made during the oral hearing shall be submitted to the presiding officer, who may grant or deny such application.

(b) All applications for subpoenas shall specify the name of the witness and the nature of the facts to be proved by him and, if calling for the production of documents, shall specify them with such particularity as will enable them to be identified for purposes of production.

(c) Service of a subpoena upon a person named therein shall be made by delivering a copy thereof to such person and by tendering to him the fees and mileage specified in section 202 (f) of the act. When the subpoena is issued at the instance of the Administrator fees and mileage need not be tendered.

SEC. 45. *Witnesses.* Witnesses summoned before the presiding officer at any protest hearing shall be paid the fees and mileage specified by section 202 (f) of the act. Witness fees and mileage shall be paid by the person at whose instance the witness appears.

SEC. 46. *Contemptuous conduct.* Contemptuous conduct at any oral hearing shall be ground for exclusion from the hearing. The refusal of a witness to answer any question which has been ruled to be proper shall, in the discretion of the presiding officer, be ground for the striking out of all testimony previously given by such witness on related matters.

SEC. 47. *Stenographic report of oral hearing.* A stenographic report of the oral hearing shall be made, a copy of which shall be available for inspection during business hours in the Office of the Secretary, Office of Price Administration, Washington, D. C.

OPINION AND RECONSIDERATION

SEC. 48. *Opinion denying protest in whole or in part.* In the event that the Administrator denies any protest in whole or in part, he shall inform the protestant of the grounds upon which such decision is based, and of any economic data and other facts of which the Administrator has taken official notice.

SEC. 49. *Treatment of protest as petition for amendment or an application for adjustment or exception.* Any protest filed against a provision of a maximum price regulation may, in the discretion of the Administrator, be treated not only as a protest but also as a petition for amendment of the regulation protested or as an application for adjustment or exception pursuant thereto, when the facts produced in connection with the protest justify such treatment.

SEC. 50. *Petitions for reconsideration.* An order denying a protest may include leave to file a petition for reconsideration within a specified period. If the order of denial does include leave to file a petition for reconsideration the filing of such a petition within the time provided shall automatically vacate the order of denial and reopen the protest proceeding.

[Sec. 50 added; former Sec. 50 revoked by Am. 7, effective 5-31-44]

ARTICLE VI—INTERPRETATIONS

SEC. 51. *Interpretations.* An interpretation rendered by an officer or employee of the Office of Price Administration with respect to any provision of the act or of any regulation, price schedule, order, requirement, or agreement thereunder, will be regarded by the Office of Price Administration as official only if such interpretation was requested and issued in accordance with section 52 of this regulation. Action taken in reliance upon and in conformity with an official interpretation and prior to any revocation or modification thereof or to any superseding thereof by regulation, order or amendment, shall constitute action in good faith pursuant to the provision of the act, or of the regulation, price schedule, order, requirement or agreement to which such official interpretation relates. An official interpretation shall be applicable only with respect to the particular person to whom, and to the particular factual situation with respect to which, it is rendered, unless publicly announced as an interpretation of general application.

SEC. 52. *Requirements governing interpretations*—(a) *Requests for interpretations; form and contents.* Any person desiring an official interpretation of the Emergency Price Control Act of 1942 or any regulation, price schedule, order, requirement or agreement thereunder shall request it in writing from the nearest district office of the Office of Price Administration. Such request shall set forth in full the factual situation out of which the interpretative question arises and shall, so far as is practicable, state the names and post office addresses of the persons involved. If the inquirer has previously requested an interpretation on the same or substantially the same facts, his request shall so indicate and shall name the official or office to whom his previous request was addressed. If the interpretation will affect operations of establishments located in more than one state, the request shall name the states in which the establishments are located. No interpretation shall be requested or given with respect to any hypothetical situation or in response to any hypothetical question.

[Paragraph (a) amended by Am. 7, effective 5-31-44]

(b) *Interpretation to be written; authorized officials.* Official interpretations shall be given only in writing, signed by one of the following officers of the Office of Price Administration: The Price Administrator, the General Counsel, any Associate or Assistant General Counsel, any Regional Attorney, any Regional Price Attorney, any District Price Attorney, and any Division Counsel to a Price Division or Chief Counsel to a Price Branch in the Office of Price Administration, Washington, D. C., *Provided*, That interpretations of general application shall be announced only by the Price Administrator, the General Counsel, any Associate or Assistant General Counsel, or any Regional Attorney or any Regional Price Attorney.

[Paragraph (b) amended by Am. 1, 8 F.R. 2313, effective 3-16-43; Am. 4, 8 F.R. 11806, effective 8-24-43; and Am. 7, effective 5-31-44]

(c) *Revocation or modification of interpretation.* Any official interpretation, whether of general application or otherwise, may be revoked or modified by publicly announced statement by any official authorized to announce such interpretations of general application or by a statement or notice by the Price Administrator or General Counsel published in the FEDERAL REGISTER. An official interpretation addressed to a particular person may also be revoked or modified at any time by a statement in writing mailed to such person and signed by the General Counsel or any Associate or Assistant General Counsel.

An official interpretation addressed to a particular person by a Regional Attorney, a Regional Price Attorney, or a District Price Attorney may also be revoked or modified at any time by a statement in writing mailed to such person and signed by the Regional Attorney or by the attorney who issued it or his successor.

[Paragraph (c) amended by Am. 7, effective 5-31-44]

ARTICLE VII—MISCELLANEOUS PROVISIONS AND DEFINITIONS

SEC. 53. *Service of papers.* Notices, orders and other process and papers may be served personally or by leaving a copy thereof at the principal office or place of business of the person to be served; or by registered mail, or by telegraph. When service is made personally or by leaving a copy at the principal office or place of business, the verified return of the person serving or leaving the copy shall be proof of service. When service is by registered mail or telegraph the return post office receipt or telegraph receipt shall be proof of service.

SEC. 54. *Secretary; office hours.* The Office of the Secretary, Office of Price Administration, Washington, D. C., shall be open, on week days, from 9 a. m. until 5 p. m. and on Saturdays from 9 a. m. until 1 p. m. Any person desiring to file any papers, or to inspect any documents filed with the Secretary at any time other than the regular office hours stated, may file a written application with the Secretary requesting permission therefor.

SEC. 55. *Confidential information; Inspection of documents filed with the OPA.* General Order No. 55[1] shall govern the disclosure of any information obtained under the Emergency Price Control Act of 1942, as amended. All protests and orders and opinions in connection therewith are open to inspection in the Office of the Secretary, upon such reasonable conditions as the Secretary may prescribe. Information submitted in a protest proceeding with a request for confidential treatment, and confidential material incorporated by the Administrator into a protest proceeding will be treated as confidential to the extent consistent with the proper conduct of the protest proceeding. In the event of a complaint being filed in the Emergency Court of Appeals, such information and such material will be included in the transcript of the protest proceeding to the extent that it is material under the complaint. All letters denying petitions for amendment and all orders and opinions granting or denying in whole or in part any application for adjustment are open to inspection in the office which has issued such letter or orders and opinions, upon such reasonable conditions as may be prescribed by the Secretary or, if the issuing office is a regional or district office, by the Regional Administrator or State or District Director thereof. To the extent that this section provides for the disclosure of confidential information, it shall be deemed a determination by the Administrator, pursuant to section 202 (h) of the Emergency Price Control Act and section 2 of General Order No. 55, that the withholding of such information would be contrary to the interests of the national defense and security.

[Sec. 55 amended by Am. 7, effective 5-31-44]

SEC. 56. *Appearance of employees and former employees before the Office of Price Administration.* Appearance of Office of Price Administration employees and former employees in a representative capacity before the Office of Price Administration shall be governed by the provisions of Procedural Regulation No. 14.[2]

[Sec. 56 amended by Am. 5, 9 F.R. 1594, effective 2-9-44]

SEC. 57. *Definitions.* As used in this revised procedural regulation, unless the context otherwise requires, the terms:

(a) "Act" means the Emergency Price Control Act of 1942, as amended by the Act of October 2, 1942 (Public Laws 421 and 729, 77th Cong., 2d Sess.).

(b) "Administrator" means the Price Administrator of the Office of Price Administration or such person as he may appoint or designate to carry out any of the duties delegated to him by the Act.

(c) "Federal Register" means the publication provided for by the Act of July 26, 1935 (49 Stat. 500), as amended.

(d) "Maximum price regulation" means any regulation or order establishing a maximum price or prices and shall include a "revised price schedule" or "temporary maximum price regulation" as defined below unless otherwise expressly specified.

(e) "Revised price schedule" means any price schedule establishing a maximum price or prices issued by the Administrator of the Office of Price Administration or the Administrator of the Office of Price Administration and Civilian Supply, prior to February 11, 1942, and effective pursuant to section 206 of the act.

(f) "Temporary maximum price regulation" means any temporary regulation or order, issued pursuant to section 2 (a) of the act, establishing as a maximum price or prices the price or prices prevailing with respect to any commodity or commodities within five days prior to the date of issuance of such temporary regulation or order.

(g) "Date of issuance" with respect to a maximum price regulation, means the date on which such maximum price regulation is filed with the Division of the Federal Register, except that, for the purposes of Article V (Protests) the "date of issuance" of an order of denial of an application for adjustment which has not been filed with the Division of the Federal Register shall be the date on which such order of denial was mailed to the applicant.

[Paragraph (g) amended by Am. 7, effective 5-31-44]

(h) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(i) "Protestant" means a person subject to any provision of a maximum price regulation of price schedule who files a protest in accordance with section 203 (a) of the act.

(j) "Price hearing" means any formal or informal opportunity to present evidence which may be ordered by the Administrator in connection with any action or proceedings related to price control.

SEC. 58. *Amendment of this regulation.* Any provision of this Revised Procedural Regulation may be amended or revoked by the Administrator at any time. Such amendment or revocation shall be published in the FEDERAL REGISTER and shall take effect upon the date of its publication, unless otherwise specified therein.

SEC. 59. *Effective date of Revised Procedural Regulation No. 1.* This Revised Procedural Regulation shall become effective 11:59 p. m., November 4, 1942. [Revised Procedural Regulation No. 1 originally issued November 2, 1942]

[Effective dates of amendments are shown in notes following the parts affected]

SEC. 60. [Revoked]

[Sec. 60 revoked by Am. 3, 8 F.R. 6173, effective 5-17-43]

SEC. 61. *Appendix B—Form OPA 1PR-2.*

REQUEST FOR REVIEW OF ORDER DENYING APPLICATION FOR ADJUSTMENT

_____, an applicant for adjustment pursuant to section _____ of Maximum Price Regulation No. _____ and Revised Procedural Regulation No. 1 of the Office of Price Administration hereby requests _____ to review an order of denial of such application for adjustment entered by the _____ District Office and mailed to the applicant on _____, 194__.

(Regional Administrator of the appropriate Regional Office)

The applicant objects to such order of denial as follows:

_____

(Applicant should state briefly and concisely, and separately number, his objections)

_____

_____

_____

_____

_____

(Applicant)

By _____

_____

(Title)

[Sec. 61 amended by Am. 7, effective 5-31-44]

NOTE: All reporting provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7612; Filed, May 26, 1944; 5:01 p. m.]

PART 1421—IRON AND STEEL FOUNDRY PRODUCTS

[MPR 241,[3] Incl. Amdts. 1-6]

MALLEABLE IRON CASTINGS

This compilation of Maximum Price Regulation 241 includes Amendment 6, effected May 31, 1944. The text added or amended by Amendment 6 is underscored. Redesignations are indicated by notes.

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of malleable iron castings by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.[4] In the judgment of the Price Administrator, the maximum prices established by this Maximum Price Regulation No. 241 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. So far as practicable, the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Procedural Regulation No. 1,[5] issued by the Office of Price Administration, Maximum Price Regulation No. 241 is hereby issued.

Sec.
1421.101 Maximum prices for malleable iron castings.
1421.102 Applicability of the General Maximum Price Regulation.
1421.103 Less than maximum prices.
1421.104 Export sales.
1421.105 Federal and state taxes.
1421.106 Adjustable pricing.
1421.107 Petitions and applications for amendment, adjustment or exception.
1421.108 Evasion.
1421.109 Enforcement.
1421.109a Licensing.
1421.110 Records and reports.
1421.111 Filing of prices and pricing methods.
1421.112 Transfers of business or stock in trade.
1421.113 Maximum prices for new sellers other than transferees.
1421.114 Definitions.
1421.115 Effective date.
1421.115a Effective dates of amendments.
1421.116 Appendix A: Maximum prices for malleable iron castings.
1421.117 [Revoked].
1421.118 [Revoked].
1421.119 Appendix D: Regional Offices and states and territories covered.

AUTHORITY: §§ 1421.101 to 1421.119, inclusive, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1421.101 *Maximum prices for malleable iron castings.* (a) On and after October 21, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver malleable iron castings, and no person shall buy or receive malleable iron castings in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1421.116; and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided,* That (1) if the purchaser shall receive from the seller a written affirmation that to the best of his knowledge, information, and belief the price charged does not exceed the maximum price established by this Maximum Price Regulation No. 241, and if in such case the purchaser shall have no knowledge of the maximum price and no cause to doubt the accuracy of the affirmation, the purchaser shall be deemed to have complied with this section and (2) where the contract of sale has been entered into on or before October 20, 1942, the parties thereto may make and accept deliveries of the castings required or specified in such contract and the seller may render bills or invoices for such castings to the purchaser at the contract price, subject to adjustment of said price in accordance with the maximum prices established by this Maximum Price Regulation No. 241, within a period not to exceed 30 days after the billing or invoicing.

(b) The provisions of paragraph (a) of this section prohibiting purchasers from paying in excess of the maximum prices shall not be applicable to any war procurement agency or any contracting officer thereof, and any such contracting officer or any paying finance officer shall be relieved of any or every liability, civil or criminal, imposed by this Maximum Price Regulation No. 241 or by the Emergency Price Control Act of 1942, as amended.

(c) The provisions of this section shall not be applicable to sales or deliveries of malleable iron castings to a purchaser if prior to October 21, 1942 such castings have been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

[NOTE: Supplementary Order No. 31 (7 F.R. 9694; 8 F.R. 1312, 3702) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions, the addition of extra packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

§ 1421.102 *Applicability of General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 241 supersede the provisions of the General Maximum Price Regulation[6] with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1421.103 *Less than maximum prices.* Lower prices than those set forth in this Maximum Price Regulation No. 241 may be charged, demanded, paid or offered.

§ 1421.104 *Export sales.* The maximum price at which a person may export any malleable iron castings shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[7] issued by the Office of Price Administration.

§1421.105 *Federal and state taxes.* Any tax upon, or incident to, the sale, delivery, processing, or use of a malleable iron casting, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such castings:

(a) *As to a tax in effect between October 1 to October 15, 1941.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during the period from October 1 to October 15, 1941, inclusive, the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this Maximum Price Regulation No. 241.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may

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[1] 9 F.R. 3820.

[2] 9 F.R. 1594.

[3] 7 F.R. 8427.

[4] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[5] Revised: 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 3075.

[6] 9 F.R. 1385.

[7] Second Revision: 8 F.R. 4132, 5087, 7662, 9998, 15193; 9 F.R. 1036.

collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 241.

(b) *As to a tax or increase in a tax which becomes effective after October 15, 1941.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1421.106 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

[§ 1421.106 amended by Am. 4, 8 F.R. 12016, effective 9–4–43]

§ 1421.107 *Petitions and applications for amendment, adjustment or exception.* (a) Any seller of malleable iron castings may file an application for adjustment (OPA Form 341.3) of his maximum prices for any or all such castings: *Provided*, That he is prepared to show:

(1) That his maximum prices for such castings are below his costs of producing them, or are inadequate to maintain continued production of such castings, and

(2) That such castings are necessary to the war effort, and either

(3) That he has entered into or proposes to enter into Government contracts or subcontracts under such contracts for the sale of such castings, or

(4) That unless adjustment is granted applicant will cease or will not undertake production of such castings, and as a result the purchaser will be materially handicapped in its operations for one or more of the following reasons:

(i) Applicant possesses special knowledge and experience in the production of such castings,

(ii) No other foundry properly equipped to produce such castings is located within a convenient distance of the purchaser,

(iii) There is a general shortage in the type of facility possessed by applicant for the production of such castings,

(iv) The purchaser will be unable to procure such castings from another satisfactory source except at prices higher than those requested by applicant.

Such adjustments may be granted by the Administrator or by the Regional Administrator for the appropriate regional office of the Office of Price Administration, and shall be based upon a consideration of changes in applicant's costs of production, his over-all returns and such other circumstances as may be pertinent to the maintenance of an adequate supply of malleable iron castings needed for the war effort.

Applications for adjustment under this paragraph (a) shall be filed in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration, except that they shall be filed in triplicate with the appropriate regional office of the Office of Price Administration. Such applications shall be submitted on Form 341:3. Copies of this form may be obtained from the Office of Price Administration, Washington, D. C., or from any of its field offices.

[Paragraph (a) amended by Am. 1, 7 F.R. 8941, effective 11–4–42 and Am. 5, 8 F.R. 13737, effective 10–11–43]

[Paragraph (b) revoked and former (c) redesignated (b) and amended by Am. 1, 7 F.R. 8941, effective 11–4–42]

(b) Any person seeking an amendment of any provision of this Maximum Price Regulation No. 241 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

(c) *Supplementary Order No. 9*[6] *and Procedural Regulation No. 6*[7] *not to apply.* Supplementary Order No. 9 issued by the Office of Price Administration dealing with applications for adjustment under Procedural Regulation No. 6 of maximum prices of sales pursuant to Government contracts or subcontracts shall not apply to applications for adjustment of maximum prices of malleable iron castings.

[Paragraph (c) added by Am. 5, 8 F. R. 13737, effective 10–11–43]

(d) [Revoked]

[Paragraph (d) revoked by Am. 1, 7 F.R. 8941, effective 11–4–42]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1421.108 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 241 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to malleable iron castings, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement, or other trade understanding or otherwise; without limiting the generality of the foregoing, the price limitations set forth in Maximum Price Regulation No. 241 shall not be evaded by improper classification of any malleable iron castings, improper application of extras, splitting of orders into small quantities or exchange of patterns in order to increase prices, or by decreasing or discontinuance of cash discounts.

§ 1421.109 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 241 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 241 or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest district, state, field or regional office of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1421.109a *Licensing.* The provisions of Licensing Order No. 1,[8] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1421.109a added by Supplementary Order No. 72, 8 F.R. 13244, effective 10–1–43]

§ 1421.110 *Records and reports.* (a) Each person selling malleable iron castings shall preserve and keep for inspection by the Office of Price Administration for so long a period as the Emergency Price Control Act of 1942, as amended, remains in effect, all available records of prices, costs, pricing methods, delivery charges, allowances and discounts on all sales of malleable iron castings made by such seller during the period from October 1, 1941 to October 20, 1942, inclusive.

(b) Each person making a sale of malleable iron castings on or after October 21, 1942, shall keep for inspection by the Office of Price Administration for so long a period as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such sale, showing (1) the date thereof, (2) the name and address of the buyer and seller, (3) the list price or prices, if any, on the date of sale, (4) net price or prices after adjustment for discounts or other allowances, and (5) where the sale is made pursuant to a contract or agreement entered into on or after October 21, 1942, and the total selling price exceeds fifty dollars, records substantiating the maximum prices if the castings are priced under paragraph (a) or (d) of Appendix A (§ 1421.116) or summary of the calculations made in computing the maximum prices if the castings are priced under paragraph (b) of Appendix A. The date specified in (1), (2), (3) and (4) of this paragraph (b) shall be kept for inspection by the Office of Price Administration for the same period by each person making a purchase of malleable iron castings in the course of trade or business.

[Paragraph (b) amended by Am. 2, 8 F.R. 325, effective 10–21–42]

(c) Each person making a purchase or sale of malleable iron castings in the course of trade or business shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this section as the Office of Price Administration may from time to time require.

§ 1421.111 *Filing of prices and pricing methods.* (a) Each person selling malleable iron castings shall file with the appropriate Regional Office of the Office of Price Administration within thirty days after the effective date of this Maximum Price Regulation No. 241, three copies, duly certified as being true and correct copies, of his published price lists in effect between October 1 and October 15, 1941, inclusive, and a statement, duly signed and sworn to, submitted in triplicate, of his customary extras, discounts, and allowances in effect during such period; if such person had no such published price lists or no such customary extras, discounts and allowances, he shall file a sworn statement to that effect with the appropriate Regional Office. A list of the Regional Offices of the Office of Price Administration and the states and territories covered is set forth in Appendix D, incorporated herein as § 1421.119.

[NOTE. Revised Supplementary Order No. 28 (8 F.R. 6175) provides that no document filed pursuant to any price regulation or procedural regulation issued by the Office of Price Administration before May 17, 1943, need be sworn to or affirmed, except that protests and documents filed in support thereof shall continue to be sworn to or affirmed as provided in Revised Procedural Regulation No. 1.]

(b) Each person selling malleable iron castings shall file with the appropriate Regional Office of the Office of Price Administration within sixty days after the effective date of this Maximum Price Regulation No. 241, information, on and in the detail required by forms which will be made available to him, as to wage rates, overhead rates, cost of materials, profit margins and pricing methods in effect for such seller at each of his foundries between October 1 and October 15, 1941, inclusive, and for such other periods specified in such forms.

§ 1421.112 *Transfers of business or stock in trade.* If the business, assets or stock in trade of any person producing malleable iron castings are or have been sold or otherwise transferred after October 15, 1941, and the transferee carries on the business or continues to produce the same type of malleable iron castings in an establishment separate from any other establishment previously owned or operated by him; the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligations to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record and filing of price provisions, of this regulation.

§ 1421.113 *Maximum price for new sellers other than transferees.* Every person engaged in, or who proposes to engage in, the business of selling malleable iron castings who was not in such business at his present foundry at any time between October 1 to October 15, 1941, inclusive, and who is not a transferee as described in § 1421.112 shall apply to the Office of Price Administration, Washington, D. C., for a method, and shall adhere to the method so given, of determining maximum prices for malleable iron castings sold by him.

§ 1421.114 *Definitions.* (a) When used in this Maximum Price Regulation No. 241 the term:

(1) "Administrator" means the Price Administrator of the Office of Price Administration, Washington, D. C., or such person as he may appoint or designate to carry out any of his duties.

(2) "Appropriate Regional Office" means the Regional Office of the Office of Price Administration for the region in which the malleable iron foundry of the seller is located, or, if the seller owns and operates two or more malleable iron foundries, the Regional Office of the Office of Price Administration for the region in which the principal operating office of the seller is located.

[Subparagraph (2) amended by Am. 6, effective 5–31–44]

(3) "Export" or "export sale" means any sale of a malleable iron casting located within the continental United States by a seller in the continental United States to a purchaser outside thereof in which the casting sold is transported from the continental United States to a point outside thereof and includes any sale of the exported casting by an agent of the exporter or by a corporation owned or controlled by the exporter within a period of two years after the date of shipment of the casting from the continental United States: *Provided*, That it shall not include such a sale if the agent or subsidiary has processed, fabricated or otherwise substantially changed the form of the casting exported, or if the sale by the agent or subsidiary is through a regularly established retail outlet owned or operated by the agent or subsidiary.

(4) "Machinery service" means any operation in the processing, machining, welding, treating, finishing, testing, inspecting, adjusting, maintaining, repairing or rebuilding of a malleable iron casting owned by another or of a product owned by another, which, as a result of such operation, becomes a malleable iron casting.

(5) (i) "Malleable iron castings" means all ferrous castings sold to railroads and other classes of purchasers having a definite ductility resulting from an annealing process and known as malleable iron, pearlitic malleable iron or by a trade name. The term includes such ferrous castings sold either with or without subsequent processing thereon, such as (without limitation), machining, galvanizing, plating and japanning, but does not include: (*a*) malleable iron castings sold in an assembly with other materials (except bolts, nuts, screws, rivets or other industrial fastenings), (*b*) malleable iron castings purchased from the seller on which the purchaser has performed subsequent processing and (*c*) malleable iron castings sold as another commodity by a regular manufacturer of such other commodity or by a purchaser from such manufacturer.

(ii) A seller of malleable iron castings is considered a regular manufacturer of another commodity when (*a*) he represents himself in the trade as a manufacturer of such other commodity through the issuance of catalogues, price lists or other advertising matter, circulated generally to the trade, in which such commodity is designated by name, (*b*) he owns the patterns used for the production of such other commodity, and (*c*) he customarily produces such other commodity for, and sells such commodity from, stock. A seller of malleable iron castings who believes that he is a regular manufacturer of another commodity, but who does not meet each of the requirements specified in the foregoing items (*a*), (*b*), and (*c*) may nevertheless be considered a regular manufacturer of another commodity if he is recognized in the trade as a source of supply of such other commodity and he applies to the Office of Price Administration for a determination, or the Office of Price Administration makes a determination without such application, that he is a regular manufacturer of such other commodity.

[Subparagraph (5) amended by Am. 3, 8 F.R. 4733, effective 4–15–43]

(6) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(7) "Pricing method" means the formula by which the seller computes a price for malleable iron castings, whether such formula is described to the purchaser or is merely the seller's device for computing costs of labor and materials, other costs, and margin, mark-up or profit.

(8) "Published price list" means a list or schedule of prices for a number of malleable iron castings in which such castings are designated either by weight

[6] Revised: 8 F.R. 6175.

[7] 7 F.R. 5067, 5664; 8 F.R. 6173, 6174, 12024.

[8] 8 F.R. 13240.

or quantity or both, or by name or pattern number, submitted by the seller to more than one purchaser or prospective purchaser of the types of castings represented in the list or schedule.

(9) [Revoked]

[Subparagraph (9) revoked by Am. 5, 8 F.R. 13737, effective 10–11–43]

(10) "Substantially the same" when used with reference to two or more malleable iron castings, means that they are substantially the same in design, specifications and weight, and that they are produced by the same type of pattern equipment.

(11) "Seller" shall include sellers of malleable iron castings who are producers and those who are not producers. For the purpose of determining maximum prices under paragraph (b) of § 1421.116 of this regulation, but for no other purpose, if a seller owns and operates a number of different foundries each such foundry shall be considered a separate seller.

(12) "Producer of malleable iron castings" and "producer" mean a person who is engaged in the business of casting the malleable iron and shall include such person whether or not he performs subsequent processing on such castings or causes subsequent processing to be performed on such castings by another, the producer retaining title to the castings.

(13) "Foundry" includes, in the case of a seller of malleable iron castings who is not a producer, a plant, establishment or place of business.

[Subparagraphs (11), (12) and (13) added by Am. 3, 8 F.R. 4733, effective 4–15–43]

(14) "Government contract" means any contract with the United States or any agency thereof or with the Government or any agency thereof of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States."

(15) "Subcontract" means any purchase order or agreement to perform all or any part of the work required under, or to make or furnish any commodity needed for the performance of, another Government contract or subcontract thereunder.

[Subparagraphs (14) and (15) added by Am. 5, 8 F.R. 13737, effective 10–11–43]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1421.115 *Effective date.* This Maximum Price Regulation No. 241 (§§ 1421.101 to 1421.119, inclusive) shall become effective October 21, 1942. [MPR 241 originally issued October 16, 1942]

§ 1421.115a *Effective dates of amendments.* [Effective dates of amendments are shown in notes following the parts affected.]

§ 1421.116 *Appendix A: Maximum prices for malleable iron castings*—(a) *Castings substantially the same as those which the seller contracted or agreed to sell between October 1 and October 15, 1941, inclusive, or as those for which prices were quoted in the seller's published price list during such period.* (1) The maximum price for each such casting shall be the highest net price at which the seller contracted or agreed to sell such casting between October 1 and October 15, 1941, inclusive, or, if there were no such contract or agreement of sale, the highest net price quoted for such casting between October 1 and October 15, 1941, inclusive, in the seller's published price list: *Provided,* That if the seller has contracted or agreed to sell or has quoted in his published price list such casting at a particular price to a specified purchaser between October 1 and October 15, 1941, inclusive, he may not exceed such price on sales or deliveries of such casting to the same purchaser. "Net price" means the contract or agreed or quoted price, as the case may be, adjusted for all applicable customary charges, discounts, quantity differentials or other allowances in effect for the seller between October 1 and October 15, 1941, inclusive.

[Paragraph (a) amended by Am. 5, 8 F.R. 13737, text designated (1) by Am. 6, effective 5–31–44]

(2) Notwithstanding any provision to the contrary contained in subparagraph (1) of this paragraph (a), the seller may, in computing his maximum price of a malleable iron casting under this paragraph (a), add to the maximum price which would otherwise be arrived at, an amount to compensate for the cost of overtime labor, such amount to be separately invoiced and computed in the manner set forth in paragraph (e) of this section.

[Subparagraph (2) added by Am. 6, effective 5–31–44]

(b) *Castings which are not substantially the same as those which the seller contracted or agreed to sell between October 1 and October 15, 1941, inclusive, or as those for which prices were quoted in the seller's published price lists during such period.* The maximum price for each such casting shall be computed by the seller on the following basis:

(1) *Pricing method.* (i) The seller shall employ the applicable pricing method which was in use at the foundry on October 15, 1941, and which has been or will be filed with the Office of Price Administration in accordance with § 1421.111 herein, employing each of the pricing factors reflected in such method at the levels prevailing at such time, except as specified in subparagraphs (3), (4) and (5) hereinbelow, including: labor rates (applied in accordance with subparagraph (2) below); materials costs (applied in accordance with subparagraph (3) below); overhead (burden) rates (applied in accordance with subparagraph (4) below); subcontracted machinery service costs (applied in accordance with subparagraph (5) below); mark-up, bargin or profit (applied in accordance with subparagraph (6) below: *Provided however,* That in the case of a seller of a malleable iron casting who is not the producer thereof, such seller shall compute his maximum price for such casting by adding to the price at which he purchased such casting, not to exceed the maximum price of the casting under this regulation for the producer thereof, a mark-up, margin or profit determined in accordance with subparagraph (6) of this paragraph (b), and by adjusting this sum in accordance with the following subdivision (ii): *And provided further,* That the seller may, in computing his maximum price of a malleable iron casting under this paragraph, add to the maximum price of such casting which would otherwise be arrived at, an amount to compensate for the cost of overtime labor, such amount to be separately invoiced and computed in the manner set forth in paragraph (e) of this section.

[Subdivision (i) amended by Am. 3, 8 F.R. 4733, effective 4–15–43 and Am. 4, 8 F.R. 12016, effective 9–4–43]

(ii) The price arrived at by use of the pricing method shall be adjusted for all applicable customary charges, discounts, quantity differentials or other allowances in use at the particular foundry on October 15, 1941, inclusive.

[Subdivision (ii) amended by Am. 5, 8 F.R. 13737, effective 10–11–43]

(2) *Labor rates.* (i) Labor costs shall be based upon the labor rates prevailing in the foundry on October 15, 1941, for each classification of labor. If at such time average or piece rates were used, such average or piece rates must be applied, and, in computing such piece rates, the seller shall use the base hourly rates and method in effect for him on October 15, 1941.

(ii) [Revoked]

[Subdivision (ii) revoked by Am. 4, 8 F.R. 12016, effective 9–4–43]

(3) *Direct material costs.* The seller shall compute direct material costs on a basis no higher than the actual costs to him of such materials, not to exceed the applicable maximum prices thereof established by the Office of Price Administration, and, in determining whether items of material costs are direct or indirect, the seller shall employ the same classifications and criteria which he used on October 15, 1941.

(4) *Overhead (burden) rates.* The seller shall determine overhead or burden rates on the basis of labor, material and other costs, for the period from January 1 to June 30, 1942, adjusting, however, labor costs (both direct and indirect) actually incurred during such period according to the allowable labor rates as specified in subparagraph (2) of this paragraph (b). In computing and applying such overhead rates, and in determining whether items of costs are direct or indirect, the seller shall employ the identical method used on October 15, 1941, and, in particular, (i) if his method of computing overhead rates on October 15, 1941 was based in whole or in part on a normal rate of production expressed in terms of tonnage or other measure of production, he shall continue to use such method, and (ii) if his method of computing overhead rates on October 15, 1941, was based in whole or in part on actual production expressed in terms of tonnage or other measure of production, he shall continue to use actual production factors determined by the amount of such production for the period from January 1 to June 30, 1942, inclusive.

(5) *Subcontracted machinery service costs.* To the extent that the pricing method includes or is based on prices paid for subcontracted machinery services, the seller shall use the actual prices paid or to be paid for such services, not in excess of the maximum prices established for such services by the Office of Price Administration, together with such additional charge, if any, as was in effect for such seller on October 15, 1941 for such subcontracted machinery services: *Provided,* That no overhead, mark-up margin or profit may be figured on such additional charge.

(6) *Mark-up, margin or profit.* The seller shall use the mark-up, margin or profit which he used at the foundry on October 15, 1941, for the same type or classification of castings and customers, and which has been or will be filed with the Office of Price Administration in accordance with § 1421.111.

(c) *Reports and recomputations of maximum prices of malleable iron castings priced in accordance with paragraph (b) of this section.* (1) Except as hereinafter provided, the seller is required to make one recomputation of the maximum price for a malleable iron casting priced under paragraph (b) of this section (but not under any other paragraph of this section) to determine whether his cost estimates are in accordance with his production experience (for example, the seller may have first estimated that five man-hours of molding time would be required in the production of the casting, whereas his production experience demonstrates that only four man-hours are necessary; in such a case the recomputed maximum price will be based on four man-hours of molding time rather than five). Overtime additions pursuant to paragraph (e) of this section shall not be deemed recomputations of maximum prices within the meaning of this paragraph. The recomputed maximum price shall be determined in accordance with the rates and pricing method set forth in paragraph (b) of this section and such price shall, subject to the provisions of § 1421.116 (b) (1) (ii) and § 1421.116 (e) of this regulation, thereafter be the maximum price for the casting. Only one recomputation shall be made and it shall be made by the seller in pricing the first order received after completion of the order for which the original maximum price was computed, except that the seller shall make a second recomputation if the first recomputation was made or required to be made before the seller produced one hundred molds of the casting which is being priced. Where a second recomputation is required, it shall be made by the seller in pricing the first order received after completion of the order for which the first recomputation was made.

[Subparagraph (1) amended by Am. 6, effective 5–31–44]

(2) In any case in which a seller, in accordance with the preceding subparagraph (1) of this paragraph (c), recomputes a maximum price which is higher than the maximum price earlier estimated, he shall file a report with the appropriate Regional Office of the Office of Price Administration containing:

(i) Description of the malleable iron casting;

(ii) The maximum price prior to the price increase;

(iii) The new maximum price;

(iv) An explanation of the higher price (in terms of the pricing method and of the appropriate cost factors reflected in such pricing method): *Provided,* That if the price of the malleable iron casting previously has been reported pursuant to this subparagraph (2) without objection from the Office of Price Administration, the seller shall not be required to report subsequent sales or deliveries at the same or a lower price.

(d) *Maximum prices in lieu of those set forth in paragraph (b) for malleable iron castings which are not substantially the same as those which the seller contracted or agreed to sell between October 1 and October 15, 1941, inclusive, or as those for which prices were quoted in the seller's published price lists during such period.* Notwithstanding the provisions of paragraph (b) of this § 1421.116, where the seller contracted or agreed to sell a casting at any time before October 1, 1941, which is the same or substantially the same as the casting for which a maximum price is sought, and if such casting cannot be priced under paragraph (a) of this § 1421.116, he may if he so chooses, in lieu of determining the maximum price of such casting under paragraph (b) of this section, use as his maximum price for such casting the price at which he last contracted or agreed to sell the same or substantially the same casting before October 1, 1941, after adjusting such price in accordance with the applicable customary charges, discounts, quantity differentials and allowances in effect for him between October 1, 1941 and October 15, 1941: *Provided,* That the seller may, in computing his maximum price of a malleable iron casting under this paragraph, add to the maximum price of such casting which would otherwise be arrived at, an amount to compensate for the cost of overtime labor, such amount to be separately invoiced and computed in the manner set forth in paragraph (e) of this section: *And provided further,* That where the casting is sold or offered for sale on or after June 30, 1944, and the maximum price therefor is determined under this paragraph, the seller may not thereafter determine the maximum price for such casting under paragraph (b) of this section.

[Paragraph (d) added by Am. 2, 8 F.R. 325, effective 10–21–42 and amended by Am. 4, 8 F.R. 12016, effective 9–4–43; Am. 5, 8 F.R. 13737, effective 10–11–43; and Am. 6, effective 5–31–44]

(e) *Method of computing overtime addition permitted under paragraphs (a), (b) and (d) of this section.* The addition which may be made to compensate for the cost of overtime labor (both direct and indirect shop and clerical labor) incurred in producing malleable iron castings, as provided in paragraphs (a), (b) and (d) of this section, shall be computed [10] as follows: The seller shall (1) elect to compute overtime on a calendar monthly or a calendar quarterly basis, and such election shall be final, i. e., the seller may not shift from a monthly to a quarterly basis if he has chosen a monthly basis, and vice versa (the calendar month or calendar quarter, whichever is selected, shall be referred to in this paragraph as the "period"), (2) determine the overtime premium (as used in this paragraph, the term "overtime premium" means the excess of total payments to labor incurred in producing malleable iron castings in a period above what would have been made

[10] An example of the method of computing overtime labor costs in accordance with the requirements of § 1421.116 (e) is as follows: Assume that total overtime premium paid to labor involved in the production of malleable iron castings for the period immediately preceding the period in which the casting in question is priced amounts to $1,000; that total gross sales of malleable iron castings invoiced during such preceding period were $20,000; that the percentage increase of average straight time hourly earnings during such preceding period over average straight time hourly earnings during the payroll period immediately preceding October 15, 1941, was 10%; and that the maximum price of the casting established under paragraph (b) of § 1421.116 is $200 without the inclusion of any overtime. Then:

(a) Total overtime premium per dollar of sales of malleable iron casting

$$\frac{\$1,000.00}{\$20,000.00} = \$.05 \text{ per } \$1 \text{ of sales}$$

(b) Total overtime premium per dollar of sales of malleable iron casting reduced to reflect average straight time hourly earnings in the payroll period immediately preceding October 15, 1941.

$$\frac{\$0.05}{110\%} = \$0.0455 \text{ per } \$1 \text{ of sales}$$

(c) Permissible overtime labor charge = $200.00 × $.0455 = $9.10

(d) New maximum price of casting $200.00 + $9.10 = $209.10

The $9.10 charge must be shown separately on the invoice.

If the original maximum price of $200.00 under paragraph (b) of § 1421.116 already included a charge of, say, $4 for overtime labor cost, then:

(c) In the above example would be $196 × $.0455 = $8.92

(d) In the above example would be $196 + $8.92 = $204.92

[Footnote amended by Am. 6, effective 5–31–44]

for the same period if no overtime were paid) per dollar of sales of malleable iron castings for the period immediately preceding the period in which the casting in question is priced, by dividing the overtime premium during such preceding period by the total gross sales of malleable iron castings invoiced during such period, except that if the casting in question is priced within 15 days after the close of the preceding period, the next preceding period shall be used, (3) reduce such overtime premium per dollar of sales to reflect the percentage by which average straight time hourly earnings during such applicable preceding period exceed the average straight time hourly earnings during the payroll period (the time element in a "payroll period" may not be the same as that in a "period") immediately preceding October 15, 1941, and (4) apply the resultant rate in (3) to the maximum price of the casting which would otherwise be arrived at under paragraph (a), (b) or (d) of this section: *Provided however*, That before overtime labor cost, as specified in the foregoing, may be applied and added to the maximum price of a casting which would otherwise be arrived at under paragraph (b) of this section, such maximum price must be reduced to the extent that it already reflects any overtime labor costs.

[Paragraph (e) added by Am. 4, 8 F.R. 12016, effective 9-4-43; amended by Am. 6, effective 5-31-44]

§ 1421.117 [Revoked]

§ 1421.118 [Revoked]

[§§ 1421.117 and 1421.118 revoked by Am. 1, 7 F.R. 8941, effective 11-4-42]

§ 1421.119 *Appendix D.*

UNITED STATES OF AMERICA

OFFICE OF PRICE ADMINISTRATION

Regional Offices and States and Territories Covered

Region I. Boston Regional Office, 55 Tremont Street, Massachusetts, Maine, New Hampshire, Vermont, Rhode Island, and Connecticut.

Region II. New York Regional Office, Empire State Building, New York, New Jersey, Pennsylvania, Delaware, Maryland, and District of Columbia.

Region III. Cleveland Regional Office, 308 Union Commerce Building, Ohio, Michigan, Indiana, Kentucky and West Virginia.

Region IV. Atlanta Regional Office, Candler Building, Peachtree Street, Georgia, Alabama, Mississippi, Florida, Tennessee, North Carolina, South Carolina and Virginia.

Region V. Dallas Regional Office, Fidelity Union Building, Texas, Oklahoma, Louisiana, Missouri, Arkansas, and Kansas.

Region VI. Chicago Regional Office, 226 West Jackson Boulevard, Illinois, Wisconsin, Iowa, Minnesota, North Dakota, South Dakota, and Nebraska.

Region VII. Denver Regional Office, 506 Kittredge Building, Colorado, New Mexico, Utah, Idaho, Montana and Wyoming.

Region VIII. San Francisco Regional Office, 1355 Market Street, California, Nevada, Arizona, Oregon, and Washington.

Region IX. Territorial Office, Office of Price Administration, Washington, D. C., Alaska, Puerto Rico, Virgin Islands, Canal Zone, and Hawaii.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of May, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7611; Filed, May 26, 1944; 4:58 p. m.]

PART 1413—SOFTWOOD LUMBER PRODUCTS

[MPR 381, Amdt. 3]

STOCK SCREEN GOODS

Correction

In F.R. Doc. 44-6132, appearing at page 4608 of the issue for Tuesday, May 2, 1944, in the first column of Table 3, the first line of item "CC-2" should read: "CC-2 7/8" thick—4" stiles and top rail."

PART 1334—SUGAR, CONFECTIONERY, AND SOFT DRINKS

[RPS 60,[1] Amdt. 11]

DIRECT CONSUMPTION SUGARS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1334.51 (c) is added to read as follows:

(c) Where the buyer is a United States Army or Navy procurement agency, sales to it by Atlantic Seaboard refiners shall be exempted from the exception in paragraph (a) (1) and the provisions of paragraph (a) (7) and the maximum prices for those sales shall be the dollar and cents maximum basis prices as set out for f. o. b. deliveries at the seller's refinery regardless of the amount of further transportation costs or the point to which the sugar may be moved.

This amendment shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7684; Filed, May 27, 1944; 12:29 p. m.]

PART 1341—CANNED AND PRESERVED FRUITS

[MPR 197,[2] Revocation]

CANNED FRUITS AND CANNED BERRIES AT WHOLESALE AND RETAIL

A statement of the considerations involved in the issuance of this order of revocation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 197 (§ 1341.151 through 1341.172) is hereby revoked subject to the provisions of Supplementary Order 40.[3]

This order shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7682; Filed, May 27, 1944; 12:28 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 129,[1] Amdt. 20]

ENVELOPES, ETC.

Envelopes.
Paper cups and paper containers.
Sanitary closures and milk bottle caps.
Drinking straws.
Certain sulphate and certain sulphite papers.
Certain tissue papers.
Rope and jute papers.
Technical papers.
Gummed papers.
Tags, pin tickets and marking machine tickets.
Glazed and fancy papers.
Unprinted single weight crepe paper in folds.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 13.47.21 is amended to read as follows:

§ 1347.21 *Petitions for amendment and applications for adjustment.* (a) Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[3] issued by the Office of Price Administration.

(b) The Office of Price Administration may adjust the maximum prices established under this regulation for a seller of a commodity who shows in an application for adjustment:

(1) That such maximum price subjects him to substantial hardship, and that either

(2) Continuance of the seller's production of the commodity is required to meet a military or essential civilian need, or

(3) Loss of the seller's production of the commodity will force his customers to resort to higher priced sources of supply, and that no adequate substitute of the commodity is available to his customers at a price equal to or lower than the adjusted maximum price which he requests.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1320, 2132, 2510, 5664, 6787, 8028, 8949, 8948; 8 F.R. 5809, 6044, 6424, 9288, 10079.

[2] 7 F.R. 5989, 7403, 7738, 8944, 8948; 8 F.R. 13342.

[3] 7 F.R. 3178, 3242, 3482, 3554, 4176, 4668, 5172, 5780, 5943, 7974, 8939, 8948, 9131, 9724, 10152, 10812; 8 F.R. 1389, 2237, 4635, 11809, 12559.

[1] 7 F.R. 9861; 8 F.R. 3313, 3533, 6173.

[2] 8 F.R. 4325.

Applications for adjustment under this paragraph are to be filed in accordance with the provisions of Revised Procedural Regulation No. 1.

This amendment No. 20 to Maximum Price Regulation No. 129 shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7686; Filed, May 27, 1944; 12:30 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 225,[1] Amdt. 12]

PRINTING AND PRINTED PAPER COMMODITIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 225 is amended in the following respects:

1. Section 1347.469, paragraph (a) is amended to read as follows:

(a) The Office of Price Administration, any Regional Administrator or any District Director as may be authorized by order issued by the appropriate Regional Administrator may adjust the maximum price established by this Maximum Price Regulation No. 225 in the case of any seller or group of sellers whenever it can be established that a seller or group of sellers is unable to deliver or supply such commodity or service at the existing maximum price and that either:

(1) The supply of this commodity or service is required to meet military or essential civilian needs; or

(2) The loss of the supply of this commodity or service will force purchasers to resort to higher priced sources of supply, and that no adequate substitute for this commodity or service is available at a price equal to or lower than the requested maximum price.

Any Regional Administrator may at his discretion direct any District Director located within his region to perform any or all of the responsibilities delegated to such Regional Administrator under this § 1347.469.

2. Section 1347.469, paragraph (c) is amended to read as follows:

(c) Applications for adjustment shall be filed in accordance with subpart B of Revised Procedural Regulation No. 1[2] issued by the Office of Price Administration.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4181, 7382, 10963, 12660, 15456.

[2] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 3075.

3. Section 1347.469, paragraph (d) is added to read as follows:

(d) No application for adjustment filed after June 1, 1944, under Procedural Regulation No. 6[1] with respect to commodities and services covered by this regulation will be granted.

This amendment shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7677; Filed, May 27, 1944; 12:27 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 450,[1] Amdt. 2]

WRITING PAPER AND CERTAIN OTHER FINE PAPERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 450 is amended in the following respect:

1. Section 12 (a) is amended to read as follows:

(a) *When adjustments may be granted.* The Office of Price Administration may adjust the maximum price for any grade of paper covered by this regulation in any case in which it finds that the seller is unable to maintain his production of that grade at that price and that either:

(1) Continuance of the seller's production of that grade is required to meet a military or essential civilian need, or

(2) Loss of the seller's production of that grade will force his customers to resort to higher priced sources of supply, and that no adequate substitute for that grade is available to his customers at a price equal to or lower than the adjusted maximum price which he requests.

This amendment shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7675; Filed, May 27, 1944; 12:26 p. m.]

[1] 8 F.R. 3096, 3849, 4347, 4486, 4724, 4848, 4978, 6047, 8962, 8511, 9025.

[2] 7 F.R. 5067, 5665; 8 F.R. 6173, 6174, 12024.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 451,[1] Amdt. 3]

BOOK PAPER

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 451 is amended in the following respect.

1. Section 12 (a) is amended to read as follows:

(a) *When adjustments may be granted.* The Office of Price Administration may adjust the maximum price for any grade of paper covered by this regulation in any case in which it finds that the seller is unable to maintain his production of that grade at that price and that either:

(1) Continuance of the seller's production of that grade is required to meet a military or essential civilian need, or

(2) Loss of the seller's production of that grade will force his customers to resort to higher priced sources of supply, and that no adequate substitute for that grade is available to his customers at a price equal to or lower than the adjusted maximum price which he requests.

This amendment shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7678; Filed, May 27, 1944; 12:27 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 285,[2] Amdt. 8]

IMPORTED FRESH BANANAS, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 1351.1254a (c) is added to read as follows:

The Regional Administrator in Region I, or such district director within Region I as he may in turn authorize, may adjust upward the maximum price of any wholesaler or group of wholesalers within his jurisdiction, not to exceed 35¢ per cwt., to cover the cost of hauling bananas from any point to such wholesalers' ripening rooms or other place of business, regardless of whether such hauling would otherwise constitute local hauling. However, no such adjustment shall be

[1] 8 F.R. 3096, 3849, 4347, 4486, 4724, 4848, 4978, 6047, 8962, 8511, 9025.

[2] 8 F.R. 3050, 10659, 16629; 9 F.R. 219, 1121, 3038, 4016.

made in any case or in any manner which will cause an increase in the price of bananas at retail.

This amendment shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7681; Filed, May 27, 1944; 12:28 p. m.]

PART 1367—FERTILIZERS

[2d Rev. MPR 135,[1] Amdt. 2]

MIXED FERTILIZER, SUPERPHOSPHATE AND POTASH

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new paragraph is added to 2d Revised MPR 135 immediately preceding Schedule A in Article III to read as follows:

The provisions of Schedules O, P and Q shall not be applicable to sales and deliveries of superphosphate or triple superphosphate in the States covered by these schedules when such superphosphate or triple superphosphate has been produced east of the 100th meridian. The maximum cash prices for such superphosphate or triple superphosphate in these states shall be $37.50 per ton for 20% superphosphate and $58.00 per ton for 47% triple superphosphate for delivery in paper bags in carload lots f. o. b. buyer's nearest railway siding on direct shipments from production points or f. o. b. plant or warehouse in such states where the buyer will not accept direct shipment. For increases or decreases in available phosphoric acid in such superphosphate or triple superphosphate, there may be added or deducted $1.00 per ton for each 1% of phosphoric acid over or under the 20% superphosphate or 47% triple superphosphate. On deliveries in bulk there shall be deducted from the prices as determined above $3.00 per ton. Every person selling this material to purchasers in these states shall certify on the invoice that the material was produced east of the 100th meridian.

This amendment shall become effective June 1, 1944.

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7679; Filed, May 27, 1944; 12:28 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 288.

PART 1386—SOAPS AND GLYCERINE

[MPR 390,[1] Amdt. 5]

HOUSEHOLD SOAPS AND CLEANSERS SOLD BY RETAIL FOOD STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 390 is amended in the following respects:

1. Section 3 is amended as follows:

a. Paragraph (c) is redesignated paragraph (d) and the following heading inserted prior to the first sentence thereof: "*New size packs.*"

b. A new paragraph (c) is inserted as follows:

(c) *Reclassification of store groups.* Effective May 25, 1944, this regulation requires that the year 1943 be used for figuring your "annual gross sales" instead of the year 1942. If you find that as a result of that change, your store is now in a group different from the one it was in before, you must, after June 15, 1944, use the ceiling prices fixed for the group in which you are now classified.

2. Section 11 is amended to read as follows:

SEC. 11. *How you figure the annual gross sales of your store in most cases.* (a) To find your "annual gross sales," take your total sales for the calendar year 1943, including all sales whether of foods or not, as shown on your books (except sales made by restaurants operated in conjunction with your store). You can use your Federal Income Tax Return to get your gross sales for all or any part of the calendar year 1943 which is covered by such return. If you own more than one store, figure the sales for each store separately, treating each as a separate retailer.

(b) If you were not in operation during the entire year 1943, you must divide your total gross sales from the time you began operation up to May 25, 1944 by the number of weeks you were in operation. This will give you your weekly average gross sales. Multiply this figure by 52 and the result is your "annual gross sales."

3. The first sentence in section 13 (a) is amended to read as follows:

(a) If you open an "independent" retail food store on or after May 25, 1944, you may consider your store to be in Group 1 and figure your selling prices accordingly.

4. The first sentence in section 13 (b) is amended to read as follows:

(b) If you open a "chain" retail food store on or after May 25, 1944, you may consider your store to be in Group 3 and figure your selling prices accordingly.

[1] 8 F.R. 6428, 9847, 9380, 13499; 9 F.R. 4440.

5. The first sentence in section 16 (c) is amended to read as follows:

(c) *Adjustment provision for Group 3 or 4 stores.* On or before June 24, 1944, any retail food store in Group 3 or 4 which is subject to this regulation may apply to its appropriate state or district office of the Office of Price Administration for an adjustment of its established maximum price for any household soap or cleanser to the price established for such household soap or cleanser for Group 1 stores.

6. The first sentence in section 16 (d) is amended to read as follows:

(d) *Adjustment provision for Group 3 or 4 stores in Region VII.* On or before June 24, 1944, any retail food store in Region VII of the Office of Price Administration which is subject to this regulation as a Group 3 or 4 store may apply to the appropriate regional office or any district office so authorized by its regional office for an adjustment of its established maximum price for any listed household soap or cleanser to the price established for such household soap or cleanser for Group 2 stores.

7. Section 16 (e) is amended to read as follows:

(e) *Delegation of authority to make adjustments.* Any regional office of the Office of Price Administration, or such offices as may be authorized by order issued by the appropriate regional office, may act on all applications for adjustment under the provisions of this regulation, and may deny any application filed under paragraph (c) of this section or revoke any order granting adjustment under that paragraph if denial of such application would not cause the applicant a substantial financial hardship. Applications for adjustment are governed by Revised Procedural Regulation No. 1.

This amendment shall become effective as of May 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7610; Filed, May 26, 1944; 4:58 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 11]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*.

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5707 (b) (1) is amended by adding thereto the following:

[1] 9 F.R. 2357, 3353, 4350, 4391, 4874, 5165, 5219, 5253.

"However, beginning June 1, 1944, a primary supplier within the limitation area may accept such a transfer only if he furnishes to the person making the transfer at the time or in advance of the transfer his permanent registration number assigned by the Washington Office, or if that number has not been received, the temporary registration number assigned by the Board."

2. Section 1394.5732 (e) is amended by changing the phrase "dealers and primary suppliers" to read "dealers, primary suppliers and those persons required to report pursuant to § 1394.5736," and by inserting between the parenthetical phrase "(summary of coupons)," and the word "and" the following: "§1394.5736 (records to be kept by persons shipping fuel oil into the limitation area)."

3. Section 1394.5736 is added to read as follows:

§ 1394.5736 *Reports by persons shipping fuel oil into the limitation area.* (a) Any person who (other than as a common or contract carrier) delivers fuel oil by direct shipment from a place in the continental United States without the limitation area to a person within the limitation area and any person who, at a place in the continental United States without the area, delivers fuel oil to a person for transportation (other than as a common or contract carrier) to a place within the area (if he is not required by § 1394.5731 to report such a transfer in a primary supplier monthly report (OPA Form R-1119 Revised)) shall, on or before the 25th day of each month, commencing on the 25th day of July, 1944, file a written report covering all such transfers of fuel oil which occurred during the preceding month. The report shall be forwarded to the Office of Price Administration, Control and Audit Section, Fuel Oil Rationing Branch, Washington 25, D. C., and shall contain:

(1) His firm name and business address and if he is a primary supplier, his primary supplier registration number;

(2) The period covered by the report;

(3) The firm name and business address (and primary supplier registration number, if any) of each person to whom such a delivery of fuel oil was made. If the fuel oil was delivered for the account of another person (whether within or without the limitation area), the report shall include, in addition, his name and business address (and primary supplier registration number, if any); and

(4) The total gallonage of the fuel oil so transferred to each such transferee.

(b) All records on the basis of which the report required by paragraph (a) of this section is prepared shall be retained at the place of business of the person reporting for a period of at least 2 years from the date of the transfer.

This amendment shall become effective on May 27, 1944.

NOTE: All reporting and record keeping requirements of this amendment to Revised Ration Order 11 have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Directive 1, 7 F.R. 562, Supp. Dir. 1-O, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7676; Filed, May 27, 1944; 12:26 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO. 17,[1] Amdt. 61]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. Section 2.11 (a) (15) is amended to read as follows:

(15) Shoes constructed to be worn over another shoe, which are shipped from the factory before July 15, 1944.

2. Section 2.11 (a) (19) is added to read as follows:

(19) Shoes which contain no leather other than shearling.

3. The second sentence of section 2.11 (g) (2) is amended to read as follows: "Only one application may be made unless the District Office, in its discretion, otherwise permits and no application may be filed after June 30, 1944."

4. The second sentence of section 2.18 (a) is amended to read as follows: "Manufacturers shall mark on one shoe of each pair of women's plastic or fibre box toe safety shoes which is shipped from the factory after May 15, 1944, and on one shoe of each pair of the type specified in section 2.11 (a) (15) (unless it contains no leather other than shearling) which is shipped from the factory after July 14, 1944, the month and year in which the shoe is shipped.

The amendment shall become effective June 3, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1-T, 8 F.R. 1727, 7440; E.O. 9125, 7 F.R. 2719)

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7685; Filed, May 27, 1944; 12:30 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 20]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15839, 16605, 16996; 9 F.R. 92, 573, 764, 2232, 2656, 2947, 3829, 3340, 3944.

[1] 9 F.R. 1433, 1534, 2233.

Revised Ration Order 3 is amended in the following respects:

1. Section 1407.76 (b) (2), (3), and (4) are redesignated § 1407.76 (b) (3), (4), and (5), respectively.

2. Section 1407.76 (b) (2) is added to read as follows:

(2) That the consumers included in the application do not eat at a Group IV institutional user establishment;

This amendment shall become effective May 31, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005; War Food Order No. 64, 8 F.R. 7093)

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7680; Filed, May 27, 1944; 12:28 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 31 to Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (b) (2) and (f) (1) are amended by deleting the word "lard."

This amendment shall become effective May 25, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 25th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7540; Filed, May 25, 1944; 4:10 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 496,[2] Amdt. 4]

VEGETABLE SEEDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 12 is amended to read as follows:

SEC. 12. *Adjustable pricing.* (a) Any person may agree to sell at a price which

[1] 8 F.R. 16834, 16839, 16893, 17278, 17306, 17372; 9 F.R. 105, 184, 731, 1181, 1819, 2007, 2091, 2477, 2553, 2789, 2830.

[2] 8 F.R. 16210; 9 F.R. 1716, 5094.

can be increased up to the maximum price in effect at the time of delivery but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

(b) Notwithstanding any other provision of this regulation, any commercial grower of vegetable seeds whose purchase price is frozen under section 5 of this regulation below the prevailing maximum purchase price of other commercial growers in the same producing area, and as a result of such freeze is unable to obtain an adequate acreage of vegetable seeds may, upon application to the Seeds and Rice Section of the Office of Price Administration, Washington, D. C., obtain permission to increase his maximum purchase price up to an amount not exceeding said prevailing maximum purchase price. Said application shall be filed in accordance with Revised Procedural Regulation No. 1, and shall state the producing area in question, the prevailing maximum purchase price therein, the applicant's maximum purchase price therein, the total acreage last contracted for by the applicant in said producing area, the total acreage he wishes to contract for, and that the applicant will absorb the amount by which he is permitted to increase his maximum purchase price.

This amendment shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9350, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

Approved: May 19, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-7683; Filed, May 27, 1944; 12:29 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 15[1] to GMPR, Amdt. 25]

FACIAL TISSUE AND PAPER NAPKINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, have been filed with the Division of the Federal Register.[2]

Supplementary Regulation No. 15 to the General Maximum Price Regulation is amended in the following respects:

Section 1499.75 (a) (16) is added to read as follows:

(16) *Facial tissue and paper napkins.* The Office of Price Administration may adjust the maximum prices established under the General Maximum Price Regulation for any producer of facial tissue or paper napkins who shows in an application for adjustment:

(i) That such maximum price subjects him to substantial hardship, and that either

(ii) Continuance of the seller's production of facial tissue or paper napkins is required to meet a military or essential civilian need, or

(iii) Loss of the seller's production of facial tissue or paper napkins will force his customers to resort to higher priced sources of supply, and that no adequate substitute for the product is available to his customers at a price equal to or lower than the adjusted maximum price which he requests.

Applications for adjustment under this subparagraph are to be filed in accordance with the provisions of Revised Procedural Regulation No. 1.[3]

This amendment shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7687; Filed, May 27, 1944; 12:30 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses,[1] Amdt. 20]

FRESNO, CALIF., ETC.

Items 27a, 55b, 63a, 74a, 78a, 114b, 120a, 126a, 139a, 292a, 324a, and 216a are added to Schedule A of the Rent Regulation for Hotels and Rooming Houses and items 191 and 257 in the said Schedule A are amended to read as follows:

Name of defense-rental area	State	County or counties in defense-rental area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(27a) Fresno	California	Fresno	Jan. 1, 1944	June 1, 1944	July 15, 1944
(55b) Fort Myers	Florida	Lee	Mar. 1, 1943	do	Do.
(63a) St. Augustine	do	St. Johns	do	do	Do.
(74a) Dublin	Georgia	Laurens	July 1, 1943	do	Do.
(78a) Thomasville	do	Thomas County and those portions of the towns of Pavo and Barwick in Brooks County and that portion of the town of Meigs in Mitchell County.	Mar. 1, 1943	do	Do.
(114b) Sioux City	Iowa	Woodbury	July 1, 1943	do	Do.
	Nebraska	Dakota	do	do	Do.
(120a) Pratt	Kansas	Pratt	Mar. 1, 1943	do	Do.
(126a) Owensboro	Kentucky	Daviess	do	do	Do.
(139a) Frederick	Maryland	Frederick	July 1, 1943	do	Do.
(292a) Lenoir City	Tennessee	Loudon	Mar. 1, 1943	do	Do.
(324a) Matagorda Bay	Texas	Calhoun, Jackson, and Matagorda.	Jan. 1, 1943	do	Do.
(191) Trenton	New Jersey	Warren	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	do	Hunterdon and Mercer	do	Nov. 1, 1942	Dec. 16, 1942
(216a) Greensboro[1]	North Carolina	County of Guilford other than High Point Township.	July 1, 1943	June 1, 1944	July 15, 1944
(257) Allentown-Bethlehem	Pennsylvania	Lehigh and Northampton.	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942

[1] This regulation is applicable only to that portion of the defense-rental area set forth in the third column of this Schedule A.

This amendment shall become effective June 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765)

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7714; Filed, May 27, 1944; 4:47 p. m.]

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[1] 7 F.R. 8959, 9819, 10584, 11006; 8 F.R. 1201, 6443, 8614, 9026, 11873, 13255, 13396, 13724, 15197, 16298, 16791, 17228.

[2] Copies may be obtained from the Office of Price Administration.

[3] 9 F.R. 2165, 3231, 3421, 4194, 4541.

[1] 7 F.R. 8061; 8 F.R. 3813, 3533, 6173.

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing,[1] Incl. Amdts 1-23]

This compilation of Rent Regulation for Housing includes Amendment 23, effective June 1, 1944. The items added or amended by Amendment 23 are indicated by note.

§ 1388.1181 *Rent Regulation for Housing.* The Rent Regulation for Housing is annexed hereto and made a part hereof.

RENT REGULATION FOR HOUSING

CONTENTS

Sec.
1. Scope of this regulation.
2. Prohibition against higher than maximum rents.
3. Minimum services, furniture, furnishings and equipment.
4. Maximum rents.
5. Adjustments and other determinations.
6. Removal of tenant.
7. Registration.
8. Inspection.
9. Evasion.
10. Enforcement.
11. Procedure.
12. Petitions for amendment.
13. Definitions.
Schedule A.

AUTHORITY: § 1388.1181 issued under 56 Stat. 23, 765.

SECTION 1. *Scope of this regulation*—(a) *Housing and defense-rental areas to which this regulation applies.* This regulation applies to all housing accommodations within each of the defense-rental areas and each of the portions of a defense-rental area (each of which is referred to hereinafter in this regulation as the "defense-rental area"), which are listed in Schedule A of this regulation, except as provided in paragraph (b) of this section.

In Schedule A, "the maximum rent date" and "the effective date of regulation" is given for each defense-rental area listed. More than one effective date is given for different portions of a defense-rental area where the same effective date is not applicable to the entire defense-rental area. Wherever the words "the maximum rent date" or the words "the effective date of regulation" are referred to in this regulation, the dates given in Schedule A for the particular defense-rental area or portion of the defense-rental area in which the housing accommodations are located shall apply. The effective date listed in Schedule A in each instance is the date rent regulation was effective in the particular defense-rental area or portion of the defense-rental area.

(b) *Housing to which this regulation does not apply.* This regulation does not apply to the following:

(1) *Farming tenants.* Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon.

(2) *Service employees.* Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part.

(3) *Rooms in hotels, rooming houses, etc.* Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the Rent Regulation for Hotels and Rooming Houses pursuant to the provisions of that regulation.

(4) *Structures in which more than 25 rooms are rented or offered for rent.* Entire structures or premises wherein more than 25 rooms are rented or offered for rent by any lessee, sublessee or other tenant of such entire structure or premises: *Provided,* That this regulation does apply to entire structures or premises wherein 25 or less rooms are rented or offered for rent by any lessee, sublessee or other tenant of such entire structure or premises, whether or not used by the lessee, sublessee or other tenant as a hotel or rooming house: *And provided further,* That this regulation does apply to an underlying lease of any entire structure or premises which was entered into after the maximum rent date and prior to the effective date of regulation, while such lease remains in force with no power in the tenant to cancel or otherwise terminate the lease.

(5) *Rented to National Housing Agency.* Housing accommodations rented to the United States acting by the National Housing Agency: *Provided, however,* That this regulation does apply to a sublease or other subrenting of such accommodations or any part thereof.

(6) *Resort housing.* Housing accommodations located in a resort community and customarily rented or occupied on a seasonal basis, which were not rented during any portion of the period beginning on November 1, 1943 and ending on February 29, 1944.

The exemption provided by this paragraph (b) (6) shall be effective only from June 1, 1944 to September 30, 1944, inclusive.

[Subparagraph (6) amended by Am. 17, 9 F.R. 2176, effective 2-24-44]

(c) *Effect of this regulation on leases and other rental agreements.* The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this regulation.

(d) *Waiver of benefit void.* An agreement by the tenant to waive the benefit of any provision of this regulation is void. A tenant shall not be entitled by reason of this regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of regulation.

SEC. 2. *Prohibition against higher than maximum rents*—(a) *General prohibition.* Regardless of any contract, agreement, lease, or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of regulation of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this regulation may be demanded or received.

(b) *Exception in case of conversion of fuel oil heating units.* Notwithstanding any other provision of this regulation, where housing accommodations are heated with fuel oil the landlord of such accommodations may as hereinafter provided enter into an agreement with the tenant providing for payment by the tenant of part or all of the cost of changing the heating unit to use some fuel other than oil or of installing a new heating unit using some fuel other than oil. Prior to making such agreement the landlord shall in writing report the terms of the proposed agreement to the area rent office. The landlord may enter into the agreement either upon its approval by the Administrator or, unless the Administrator has disapproved the proposed agreement within five days after the filing of such report, upon the expiration of such 5-day period.

(c) *Lease with option to buy.* Where a lease of housing accommodations was entered into prior to the effective date of regulation (or prior to October 20, 1942 where the effective date of regulation is prior to that date) and the tenant as a part of such lease or in connection therewith was granted an option to buy the housing accommodations which were the subject of the lease, with the further provision that some or all of the payments made under the lease should be credited toward the purchase price in the event such option is exercised, the landlord, notwithstanding any other provision of this regulation, may be authorized to receive payment made by the tenant in accordance with the provisions of such lease and in excess of the maximum rent for such housing accommodations. Such authority may be secured only by a written request of the tenant to the area rent office and shall be granted by order of the Administrator if he finds that such payments in excess of the maximum rent will not be inconsistent with the purposes of the Act or this regulation and would not be likely to result in the circumvention or evasion thereof. After entry of such order the landlord shall be authorized to demand, receive and retain payments provided by the lease in excess of the maximum rent for periods commencing on or after the effective date of regulation. After entry of such order, the provisions of the lease may be enforced in accordance with law, notwithstanding any other provision of

[1] 8 F.R. 14663.

this regulation: *Provided, however,* That if at the termination of the lease the tenant shall not exercise the option to buy, the landlord may thereafter remove or evict the tenant only in accordance with the provisions of section 6 of this regulation. Nothing in this paragraph shall be construed to authorize the landlord to demand or receive payments in excess of the maximum rent in the absense of an order of the Administrator as herein provided. Where a lease of housing accommodations has been entered into on or after the effective date of regulation (or on or after October 20, 1942 where the effective date of regulation is prior to that date), and the tenant as a part of such lease or in connection therewith has been granted an option to buy the housing accommodations which are the subject of the lease, the landlord, prior to the exercise by the tenant of the option to buy, shall not demand or receive payments in excess of the maximum rent, whether or not such lease allocates some portion or portions of the periodic payments therein provided as payments on or for the option to buy.

SEC. 3. *Minimum services, furniture, furnishing and equipment.* Except as set forth in section 5 (b), every landlord shall, as a minimum, provide with housing accommodations the same essential services, furniture, furnishings, and equipment as those provided on the date determining the maximum rent, and as to other services, furniture, furnishings and equipment not substantially less than those provided on such date: *Provided, however,* That where fuel oil is used to supply heat or hot water for housing accommodations, and the landlord provided heat or hot water on the date determining the maximum rent, the heat and hot water which the landlord is required to supply shall not be in excess of the amount which he can supply under any statute, regulation or order of the United States or any agency thereof which rations or limits the use of fuel oil.

SEC. 4. *Maximum rents.* Maximum rents (unless and until changed by the Administrator as provided in section 5) shall be:

(a) *Rented on maximum rent date.* For housing accommodations rented on the maximum rent date, the rent for such accommodations on that date.

(b) *Not rented on maximum rent date but rented during two months ending on that date.* For housing accommodations not rented on the maximum rent date, but rented at any time during the two months ending on that date, the last rent for such accommodations during the two-month period.

(c) *First rent after the maximum rent date but before effective date.* For housing accommodations not rented on the maximum rent date nor during the two months ending on that date, but rented prior to the effective date of regulation, the first rent for such accommodations after the maximum rent date. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

(d) *Constructed or changed before effective date.* For (1) newly constructed housing accommodations without priority rating first rented after the maximum rent date and before the effective date of regulation, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

(e) *First rent after effective date.* For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of regulation, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time during the two months ending on the maximum rent date nor between that date and the effective date, the first rent for such accommodations after the change or the effective date, as the case may be, but in no event more than the maximum rent provided for such accommodations by any order of the Administrator issued prior to September 22, 1942. Within 30 days after so renting the landlord shall register the accommodations as provided in section 7. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

If the landlord fails to file a registration statement within the time specified, the rent received for any rental period commencing on or after the date of the first renting or October 1, 1943, whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order under section 5 (c) (1). In such case, the order under section 5 (c) (1) shall be effective to decrease the maximum rent from the date of such first renting or from the beginning of the first rental period after October 1, 1943, whichever is the later. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the act for failure to file the registration statement required by section 7.

[Above paragraph added by Am. 9, 8 F.R. 13390, effective 10-1-43]

(f) *Priority-constructed housing.* For housing accommodations newly constructed with priority rating from the United States or any agency thereof for which the rent is approved by the United States or any agency thereof prior to the maximum rent date or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, the rent so approved, but in no event more than the rent on the maximum rent date, or, if the accommodations were not rented on that date, more than the first rent after that date: *Provided, however,* That if, prior to the maximum rent date or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, the landlord made a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and a higher rent is approved by such agency on or after March 29, 1944, because of such increased costs of construction, the maximum rent on and after the date of such approval shall be the rent so approved.

The provisions of this paragraph (f) shall apply to the approval of rents for such housing accommodations by the United States or any agency thereof in connection with the grant of an application for priority rating filed on any of the application forms of the Office of Production Management or the War Production Board, including the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941.

The provisions of this paragraph (f) shall not apply to housing accommodations resulting from the alteration or remodeling of an existing structure.

[Paragraph (f) amended by Am. 20, 9 F.R. 3422, effective 3-29-44; and Am. 21, 9 F.R. 4026, effective 4-15-44]

(g) *Housing owned and constructed by the government.* For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

(h) *Housing subject to rent schedule of War or Navy Department.* For housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established by such rent schedule.

[Paragraph (h) amended by Am. 8, 8 F.R. 12795, effective 9-20-43]

(i) *Rent established under former section 5* (e). For housing accommodations with a maximum rent established, prior to March 1, 1943, under the first paragraph of section 5 (e) as that paragraph appeared in Maximum Rent Regulations issued prior to such date,[1] the rent on March 1, 1943, or, if the accommodations were not rented on that date, the last rent prior thereto, but in no event more than the maximum rent established under such first paragraph of section 5 (e). The Administrator may order a decrease in the maximum rent as provided in section 5 (c) (8).

(j) *Changed on or after July 1, 1943, from unfurnished to furnished.* For housing accommodations changed on or after July 1, 1943 from unfurnished to fully furnished, the first rent for such accommodations after such change. The Administrator may order a decrease in the maximum rent as provided in section 5 (c) (1).

Within 30 days after the accommodations are first rented fully furnished, the landlord shall register the accommodations as provided in section 7. If the landlord fails to file a registration statement within the time specified, the rent received from the time of such first renting shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order under section 5 (c) (1). In such case, the order under section 5 (c) (1) shall be effective to decrease the maximum rent from the time of such first renting. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the Act for failure to file the registration statement required by section 7.

[Paragraph (j) added by Am. 2, 8 F.R. 9020, effective 7-1-43]

SEC. 5. *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required.

In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, an increase or decrease in the number of subtenants or other occupants, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on the maximum rent date, the difference in the rental value of the housing accommodations by reason of such change: *Provided, however,* That no adjustment shall be ordered where it appears that the rent on the date determining the maximum rent was fixed in contemplation of and so as to reflect such change.

In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date: *Provided,* That in cases under paragraph (c) (8) of this section due consideration shall be given to any increased occupancy of the accommodations since that date by subtenants or other persons occupying under a rental agreement with the tenant.

In cases involving construction, due consideration shall be given to general increases in costs of construction, if any, in the defense-rental area since the maximum rent date.

In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations during the year ending on the maximum rent date.

[Above paragraphs amended by Am. 20, 9 F.R. 3422, effective 3-29-44]

(a) *Grounds for increase of maximum rent.* Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) *Major capital improvement after effective date.* There has been on or after the effective date of regulation a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) *Major capital improvement prior to maximum rent date.* There was, on or prior to the maximum rent date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent on the maximum rent date was fixed by a lease or other rental agreement which was in force at the time of such change.

(3) *Substantial increase in services, furniture, furnishings or equipment.* There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent. No increase in the maximum rent shall be ordered on the ground set forth in this paragraph (a) (3) unless the increase in services, furniture, furnishings or equipment occurred with the consent of the tenant or while the accommodations were vacant: *Provided,* That an adjustment may be ordered, although the tenant refuses to consent to the increase in services, furniture, furnishings or equipment, if the Administrator finds that such increase (i) is reasonably required for the operation of a multiple dwelling structure or other structure of which the accommodations are a part or (ii) is necessary for the preservation or maintenance of the accommodations.

(4) *Special relationship between landlord and tenant.* The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date: *Provided,* That no adjustment under this subparagraph increasing the maximum rent shall be made effective with respect to any accommodations regularly rented to employees of the landlord while the accommodations are rented to an employee, and no petition for such an adjustment will be entertained until the accommodations have been or are about to be rented to one other than an employee.

(5) *Lease for term commencing one year or more before maximum rent date.* There was in force on the maximum rent date, a written lease, for a term commencing on or prior to the date one year before the maximum rent date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date; or the housing accommodations were not rented on the maximum rent date, but were rented during the two months ending on that date and the last rent for such accommodations during that two-month period was fixed by a written lease, for a term commencing on or prior to the date one year before the maximum rent date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date.

(6) *Varying rents.* The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) *Seasonal rents.* The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand, or seasonal variations in the rent, for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(8) *Substantial increase in occupancy.* There has been, since the maximum rent date, either (i) a substantial increase in the number of subtenants or other per-

[1] The first paragraph of section 5 (e) read as follows: "Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units."

sons occupying the accommodations or a part thereof under a rental agreement with the tenant, or (ii) a substantial increase in the number of occupants, in excess of normal occupancy for that class of accommodations on the maximum rent date, or (iii) an increase in the number of occupants over the number contemplated by the rental agreement on the date determining the maximum rent, where the landlord on that date had a regular and definite practice of fixing different rents for the accommodations for different numbers of occupants.

(9) On the date determining the maximum rent the housing accommodations were temporarily exempt from real estate taxes, the landlord was passing the benefit of this tax exemption on to the tenant, and as a result the rent on that date was substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

[Paragraph (9) added by Am. 6, 8 F.R. 12660, effective 9-15-43]

(10) *Priority rating granted on September 1941 application form of Office of Production Management.* The maximum rent for the housing accommodations is established under section 4 (f), the application for priority rating for the construction of the housing accommodations was filed on the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941, the landlord did not make, prior to the maximum rent date or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and the maximum rent for the accommodations is substantially lower than the rent generally prevailing in the defense-rental area for comparable accommodations on the maximum rent date, giving due consideration to general increases in costs of construction, if any, in the defense-rental area since the maximum rent date.

This paragraph (a) (10) shall apply only to housing accommodations which were first rented prior to March 29, 1944.

[Subparagraph (10) added by Am. 20, 9 F.R. 3422, effective 3-29-44; and amended by Am. 21, 9 F.R. 4028, effective 4-15-44]

(b) *Decreases in minimum services, furniture, furnishings and equipment—*(1) *Decreases prior to effective date.* If, on the effective date of regulation, the services provided for housing accommodations are less than the minimum services required by section 3, the landlord shall either restore and maintain such minimum services or, within 30 days (or, for housing accommodations within the Los Angeles Defense-Rental Area, within 60 days) after such effective date, file a petition requesting approval of the decreased services. If, on such effective date (or on December 1, 1942 where the effective date of regulation is prior to that date), the furniture, furnishings or equipment provided with housing accommodations are less than the minimum required by section 3, the landlord shall, within 30 days after such date, file a written report showing the decrease in furniture, furnishings or equipment.

(2) *Decreases after effective date.* Except as above provided, the landlord shall, until the accommodations become vacant, maintain the minimum services, furniture, furnishings, and equipment unless and until he has filed a petition to decrease the services, furniture, furnishings, or equipment and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, furniture, furnishings, or equipment he shall file a petition within 10 days after the change occurs. When the accommodations become vacant the landlord may, on renting to a new tenant, decrease the services, furniture, furnishings, or equipment below the minimum; within 10 days after so renting the landlord shall file a written report showing such decrease.

(3) *Adjustment in maximum rent for decreases.* The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent; and any maximum rent for which a report is required by this paragraph may be decreased in accordance with the provisions of section 5(c)(3). If the landlord fails to file the petition or report required by this paragraph within the time specified, or decreases the services, furniture, furnishings, or equipment without an order authorizing such decrease where such order is required, the rent received by the landlord for any rental period commencing on or after such decrease or the effective date of regulation (or December 1, 1942 where the effective date of regulation is prior to that date), whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by any order decreasing the maximum rent on account of such decrease in services, furniture, furnishings, or equipment. In such case, any order decreasing the maximum rent shall be effective to decrease such rent from the beginning of the first rental period after the decrease in services, furniture, furnishings, or equipment or after the effective date of regulation (or after December 1, 1942 where the effective date of regulation is prior to that date), whichever is the later. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the Act for failure to comply with any requirement of this paragraph.

(c) *Grounds for decrease of maximum rent.* The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable only on the grounds that:

(1) *Rent higher than rents generally prevailing.* The maximum rent for housing accommodations under paragraph (c), (d), (e), (g), or (j) of section 4 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date.

[Subparagraph (1) amended by Am. 2, 8 F.R. 9020, effective 7-1-43]

(2) *Substantial deterioration.* There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) *Decrease in services, furniture, furnishings or equipment.* There has been a decrease in the minimum services, furniture, furnishings or equipment required by section 3 since the date or order determining the maximum rent.

(4) *Special relationship between landlord and tenant.* The rent on the date determining the maximum rent was materially affected by the blood, personal, or other special relationship between the landlord and the tenant and as a result was substantially higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

(5) *Varying rents.* The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) *Seasonal rent.* The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand, or seasonal variations in the rent, for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(7) *Substantial decrease in occupancy.* There has been a substantial decrease in the number of subtenants or other occupants since an order under paragraph (a) (8) or (c) (8) of this section.

(8) *Rent established under section 4 (i).* The maximum rent is established under section 4 (i) and is higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date, taking into consideration any increased occupancy of such accommodations since that date by subtenants or other persons occupying under a rental agreement with the tenant: *Provided*, That no decrease shall be ordered below the rent on the maximum rent date.

(d) *Orders where facts are in dispute, in doubt, or not known.* If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

(e) *Sale of underlying lease or other rental agreement.* Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this regulation to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the act or this regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

(f) *Interim orders.* Where a petition is filed by a landlord on one of the grounds set out in paragraph (a) or (d) of this section, or a proceeding is initiated by the Administrator under paragraph (d), the Administrator may enter an interim order increasing or fixing the maximum rent until further order, subject to refund by the landlord to the tenant of any amount received in excess of the maximum rent established by final order in such proceeding. The receipt by the landlord of any rent authorized by such interim order shall constitute an agreement by the landlord with the tenant to refund to the tenant any amount received in excess of the maximum rent established by final order. The landlord shall make such refund either by repayment in cash or, where the tenant remains in occupancy after the effective date of the final order, by deduction from the next installment of rent, or both.

[Paragraph (f) amended by Am. 12, 8 F.R. 16032, effective 11-25-43]

(g) *Adjustments in case of options to buy.* No adjustment in the maximum rent shall be ordered on the ground that the landlord, since the date or order determining the maximum rent, has, as a part of or in connection with a lease of housing accommodations, granted the tenant an option to buy the accommodations which are the subject of the lease. Where a lease of housing accommodations was in force on the date determining the maximum rent, and the landlord had on that date, as a part of or in connection with such lease, granted the tenant an option to buy the accommodations which are the subject of the lease, the Administrator may, on or after the termination of such lease, on his own initiative or on application of the tenant, enter an order fixing the maximum rent on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations not subject to an option to buy on the maximum rent date.

SEC. 6. *Removal of tenant*—(a) *Restrictions on removal of tenant.* So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, and regardless of any contract, lease, agreement or obligation heretofore or hereafter entered into which provides for entry of judgment upon the tenant's confession for breach of the covenants thereof or which otherwise provides contrary hereto, unless:

(1) *Tenant's refusal to renew lease.* The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement, except insofar as such terms and conditions are inconsistent with this regulation; or

(2) *Tenant's refusal of access to landlord.* The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee, or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however*, That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) *Violating obligation of tenancy or committing nuisance.* The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) *Subtenants on expiration of tenant's lease.* The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the occupants of the housing accommodations are subtenants or other persons who occupied under a rental agreement with the tenant, and no part of the accommodations is used by the tenant as his own dwelling; or

(5) *Demolition or alteration by landlord.* The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(6) *Occupancy by landlord.* The landlord owned, or acquired an enforceable right to buy or the right to possession of, the housing accommodations prior to the effective date of regulation (or prior to October 20, 1942 where the effective date of regulation is prior to that date, or prior to November 6, 1942 for housing accommodations within the Hastings Defense-Rental Area), and seeks in good faith to recover possession of such accommodations for immediate use and occupancy as a dwelling for himself. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, the landlord shall file a written report on a form provided therefor before renting the accommodations or any part thereof during a period of six months after such removal or eviction.

(b) *Administrator's certificate—*(1) *Removals not inconsistent with Act or regulation.* No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this regulation and would not be likely to result in the circumvention or evasion thereof.

(2) *Occupancy by purchaser.* Removal or eviction of a tenant of the vendor, for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after the effective date of regulation (or on or after October 20, 1942 where the effective date of regulation is prior to that date, or on or after November 6, 1942 for housing accommodations within the Hastings Defense-Rental Area) is inconsistent with the purposes of the Act and this regulation and would be likely to result in the circumvention or evasion thereof, unless (i) the payment or payments of principal made by the purchaser, excluding any payments made from funds borrowed for the purpose of making such principal payments, aggregate 20% or more of the purchase price, and (ii) a period of three months has elapsed after the issuance of a certificate by the Administrator as hereinafter provided. For the purposes of this paragraph (b) (2), the payments of principal may be made by the purchaser conditionally or in escrow to the end that they shall be returned to the purchaser in the event the Administrator denies a petition for a certificate. If the Administrator finds that the required payments of principal have been made, he shall, on petition of either the vendor or purchaser, issue a certificate authorizing the vendor or purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law at the expiration of three months after the date of issuance of such certificate.

In no other case shall the Administrator issue a certificate for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after the effective date of regulation (or on or after October 20, 1942 where the effective date of regulation is prior to that date, or on or after November 6, 1942 for housing accommodations within the Hastings Defense-Rental Area) unless he finds (i) that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without removal or eviction of the tenant, or (ii) that other special hardship would result, or (iii) that equivalent accommodations are available for rent, into which the tenant can move without substantial hardship or loss; under such circumstances the payment by the purchaser of 20% of the purchase price shall not be a condition to the issuance of a certificate, and the cer-

tificate may authorize the vendor or purchaser, either immediately or at the expiration of three months, to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law.

[Subparagraph (2) amended by Am. 7, 8 F.R. 12693, effective 9-16-43]

(c) *Exceptions from section 6*—(1) *Subtenants.* The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(2) *Housing subject to rent schedule of War or Navy Department.* The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(3) *One or two occupants in landlord's residence.* The provisions of this section shall not apply to an occupant of a furnished room or rooms not constituting an apartment, located within the residence occupied by the landlord or his immediate family, where such landlord rents to not more than two occupants within such residence.

(4) *Renting to family in landlord's residence.* The provisions of this section shall not apply to a family which on or after August 1, 1943 moves into a furnished room or rooms not constituting an apartment located within the residence occupied by the landlord or his immediate family, where such landlord does not rent to any persons within such residence other than those in the one family.

[Subparagraph (4) added by Am. 3, 8 F.R. 10618, effective 8-1-43]

(d) *Notices required*—(1) *Notices prior to action to remove tenant.* Every notice to a tenant to vacate or surrender possession of housing accommodations shall state the ground under this section upon which the landlord relies for removal or eviction of the tenant. A written copy of such notice shall be given to the area rent office within 24 hours after the notice is given to the tenant.

No tenant shall be removed or evicted from housing accommodations by court process or otherwise, unless at least ten days (or, where the ground for removal or eviction is non-payment of rent, the period required by the local law for notice prior to the commencement of an action for removal or eviction in such cases, but in no event less than three days) prior to the time specified for surrender of possession and to the commencement of any action for removal or eviction, the landlord has given written notices of the proposed removal or eviction to the tenant and to the area rent office, stating the ground under this section upon which such removal or eviction is sought and specifying the time when the tenant is required to surrender possession: *Provided, however,* That the requirement of this sentence shall not apply to housing accommodations within the City of Baltimore, Maryland, the Northeastern New Jersey Defense-Rental Area, or the Trenton Defense-Rental Area, when the ground for the removal or eviction of a tenant is non-payment of rent.

Where the ground for removal or eviction of a tenant is non-payment of rent, every notice under this paragraph (d) (1) shall state the rent for the housing accommodations, the amount of rent due and the rental period or periods for which such rent is due. The provisions of this paragraph (d) (1) shall not apply where a certificate has been issued by the Administrator pursuant to the provisions of paragraph (b) of this section.

(2) *Notices at time of commencing action to remove tenant.* At the time of commencing any action to remove or evict a tenant, including an action based upon non-payment of rent, the landlord shall give written notice thereof to the area rent office stating the title of the case, the number of the case where that is possible, the court in which it is filed, the name and address of the tenant, and the ground under this section on which removal or eviction is sought.

(e) *Local law.* No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

SEC. 7. *Registration*—(a) *Registration statement.* On or before the date specified in Schedule A of this regulation, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof, on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

When the maximum rent is changed by order of the Administrator, the landlord shall deliver his stamped copy of the registration statement to the area rent office for appropriate action reflecting such change.

(b) *Receipt for amount paid.* No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

(c) *Exceptions from registration requirements*—(1) *Housing under section 4 (g).* The provisions of this section shall not apply to housing accommodations under section 4 (g). The owner of such housing accommodations shall file a schedule or schedules, setting out the maximum rents for all such accommodations in the Defense-Rental Area and containing such other information as the Administrator shall require. A copy of such schedule or schedules shall be posted by the owner in a place where it will be available for inspection by the tenants of such housing accommodations.

(2) *Housing subject to rent schedule of War or Navy Department.* The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including any civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(3) *Housing in Cincinnati Defense-Rental Area.* The provisions of this section shall not apply to housing accommodations in the Cincinnati Defense-Rental Area so long as the maximum rent for such accommodations is established solely under paragraph (a) or (b) of section 4: *Provided, however,* That no payment of rent need be made by any tenant of such accommodations unless the landlord tenders a receipt for the amount to be paid.

(d) *Housing in Puerto Rico Defense-Rental Area.* The provisions of this section 7 (d) shall be substituted for the provisions of section 7 (a) for housing accommodations in the Puerto Rico Defense-Rental Area.

On or before the date specified in Schedule A of this regulation, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in the area rent office a form provided by the area rent office for this purpose. The form shall identify each dwelling unit and shall specify the maximum rent provided by this regulation for such dwelling unit and shall contain such other information as the Administrator shall require.

(1) *Notice of maximum rent.* The landlord shall prepare the form known as "Notice of Maximum Rent" if the maximum rent for the dwelling unit is determined under paragraph (a) of section 4. The landlord shall prepare the notice in duplicate and shall send one copy to the tenant and one copy to the area rent office.

(2) *Registration statement.* The landlord shall prepare the form known as "Registration Statement" if the maximum rent for the dwelling unit is determined under any paragraph of section 4 other than paragraph (a), (g), or (h). The landlord shall prepare the Registration Statement in triplicate and shall send the three copies to the area rent office. The Administrator shall retain one copy on file, and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord.

(3) *Change in tenancy.* Within five days after renting to a new tenant, the landlord shall file a form provided by the area rent office for this purpose. The landlord shall state the maximum rent for the dwelling unit, and he shall obtain the new tenant's signature on this form.

[Paragraph (d) added by Am. 15, 9 F.R. 206, effective 2-1-44]

SEC. 8. *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

SEC. 9. *Evasion.* The maximum rents and other requirements provided in this regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges or by modification of the services furnished with housing accommodations, or otherwise.

SEC. 10. *Enforcement.* Persons violating any provision of this regulation are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the act.

SEC. 11. *Procedure.* All registration statements, reports and notices provided for by this regulation shall be filed with the area rent office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Revised Procedural Regulation No. 3 [1] (§§ 1300.201 to 1300.253, inclusive).

SEC. 12. *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this regulation may file petitions therefor in accordance with Revised Procedural Regulation No. 3 (§§ 1300.201 to 1300.253, inclusive).

SEC. 13. *Definitions.* (a) When used in this regulation the term:

(1) "Act" means the Emergency Price Control Act of 1942.

(2) "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) "Area rent office" means the office of the Rent Director in the Defense-Rental Area.

(5) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) "Housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) "Services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) "Landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) "Tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) "Rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of housing accommodations or for the transfer of a lease of such accommodations.

(11) "Hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) "Rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short-time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this regulation.

SCHEDULE A—DEFENSE-RENTAL AREAS

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(1) [Revoked]					
(1a) Baldwin County	Alabama	Baldwin	Mar. 1, 1942	Dec. 1, 1943	Jan. 15, 1944
(2) Birmingham	Alabama	Jefferson	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Alabama	Calhoun, Cleburne, St. Clair, Shelby, and Talladega	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(3) Dothan-Ozark	Alabama	Dale and Houston	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Alabama	Coffee	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(4) Gadsden	Alabama	Etowah	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(5) [Revoked]					
(6) Lanett	Alabama	Chambers	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(7) Mobile	Alabama	Mobile	Apr. 1, 1941	June 1, 1942	July 15, 1942
(8) Montgomery	Alabama	Elmore and Montgomery	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Alabama	Macon	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(9) Muscle Shoals-Huntsville	Alabama	Colbert, Lauderdale, Limestone, Madison, and Morgan	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(10) Selma	Alabama	Dallas	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(11) [Revoked]					
(12) [Revoked]					
(13) Fort Huachuca	Arizona	Cochise and Santa Cruz	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(14) Phoenix-Salt River Valley	Arizona	Gila and Maricopa	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(15) Prescott-Flagstaff	Arizona	Coconino and Yavapai	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
		That portion of the County of Mohave south of the Colorado River.	Mar. 1, 1942	Nov. 1, 1942	Dec. 15, 1943
(16) Tucson	Arizona	Pima	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(17) Yuma	Arizona	Yuma	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(18) [Revoked]					
(19) Blytheville	Arkansas	Mississippi	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(20) El Dorado	Arkansas	Union	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(21) Fort Smith	Arkansas	Sebastian	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(22) [Revoked]					
(23) Little Rock	Arkansas	Lonoke and Pulaski	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Arkansas	Saline	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(24) Newport-Walnut Ridge	Arkansas	Craighead, Independence, Jackson, and Lawrence	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Arkansas	Randolph	Mar. 1, 1942	Feb. 1, 1943	Mar. 18, 1943

See footnotes at end of table.

[1] 9 F.R. 1656, 3337.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(25) Pine Bluff[1]	Arkansas	Jefferson	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Arkansas	Arkansas County and the Southern District of Prairie County consisting of the Townships of Belcher, Center, Hazen, Lower Surrounded Hill, Roe Roe, Tyler, and Watensaw.	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(26) [Revoked]					
(27) [Revoked]					
*(27a) Fresno	California	Fresno	Jan. 1, 1944	June 1, 1944	July 15, 1944
(29) Lassen County	California	Lassen	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(29) [Revoked]					
(30) Los Angeles	California	Los Angeles and Orange	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(31) Marysville-Chico	California	Sutter and Yuba	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	California	Butte	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(32) [Revoked]					
(33) Modesto-Merced	California	Merced and Stanislaus	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(33a) Monterey Bay[1]	California	Monterey County and in Santa Cruz County the Township of Watsonville.	Mar. 1, 1942	Nov. 1, 1942	Dec. 15, 1943
(34) Richmond-Vallejo	California	Contra Costa, Napa, and Solano	Jan. 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(35) Riverside	California	Riverside	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(35a) Sacramento	California	Sacramento, San Joaquin, and Yolo	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(36) San Bernardino	California	San Bernardino	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(37) San Diego	California	In the County of San Diego the Judicial Townships of Encinitas, National, and San Diego in their entireties, and that part of the Judicial Township of El Cajon lying west of the Cleveland National Forest.	Jan. 1, 1941	June 1, 1942	July 15, 1942
	California	County of San Diego other than the Judicial Townships of Encinitas, National, and San Diego in their entireties, and that part of the Judicial Township of El Cajon lying west of the Cleveland National Forest.	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(38) San Francisco Bay	California	Alameda, Marin, San Francisco, San Mateo, Santa Clara, and Sonoma.	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(39) San Luis Obispo	California	San Luis Obispo	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(40) Santa Maria	California	In the County of Santa Barbara Judicial Townships Nos. 4, 5, 6, 7, 9, and 10.	July 1, 1941	Dec. 1, 1942	Jan. 15, 1943
(40a) Ventura	California	Ventura	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(41) Tulare-Kings	California	Kings and Tulare	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(42) Colorado Springs	Colorado	El Paso	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(43) Denver	Colorado	Adams, Arapahoe, Denver, and Jefferson	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(44) [Revoked]					
(45) Leadville-Salida	Colorado	Eagle, Lake, and Summit	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Colorado	Chaffee and Garfield	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
	Colorado	Otero and Pueblo	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(46) Pueblo	Connecticut	In the County of Fairfield the Towns of Bridgeport, Easton, Fairfield, Shelton, Stratford, Trumbull, and Westport.	Apr. 1, 1941	June 1, 1942	July 15, 1942
(47) Bridgeport	Connecticut	County of Fairfield other than the Towns of Bridgeport, Easton, Fairfield, Shelton, Stratford, Trumbull, and Westport.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(48) Hartford-New Britain	Connecticut	In the County of Hartford the Towns of Berlin, Bloomfield, Bristol, East Hartford, East Windsor, Farmington, Glastonbury, Hartford, Manchester, New Britain, Newington, Plainville, Rocky Hill, Southington, South Windsor, West Hartford, Wethersfield, Windsor, and Windsor Locks; in the County of Middlesex the Towns of Cromwell, Middlefield, Middletown, and Portland, in the County of New Haven the Towns of Meriden and Wallingford; and in the County of Tolland the Town of Vernon.	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Connecticut	County of Hartford other than the Towns of Berlin, Bloomfield, Bristol, East Hartford, East Windsor, Farmington, Glastonbury, Hartford, Manchester, New Britain, Newington, Plainville, Rocky Hill, Southington, South Windsor, West Hartford, Wethersfield, Windsor, and Windsor Locks; County of Middlesex other than the Towns of Cromwell, Middlefield, Middletown, and Portland; and the County of Tolland other than the Town of Vernon.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(49) New Haven	Connecticut	In the County of New Haven the Towns of Ansonia, Branford, Derby, East Haven, Guilford, Hamden, Madison, Milford, New Haven, North Branford, North Haven, Orange, Seymour, West Haven, and Woodbridge.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(50) New London	Connecticut	New London and Windham	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(51) Waterbury	Connecticut	In the County of Litchfield the Towns of Plymouth, Thomaston, and Watertown; and in the County of New Haven the Towns of Beacon Falls, Cheshire, Middlebury, Naugatuck, Prospect, Waterbury, and Wolcott.	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Connecticut	County of Litchfield other than the Towns of Plymouth, Thomaston, and Watertown; and in the County of New Haven the Towns of Bethany, Oxford, and Southbury.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(52) [Revoked]					
(53) Delaware	Delaware	New Castle	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Delaware	Kent and Sussex	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(54) [Revoked]					
(55) Banana River	Florida	Brevard	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(55a) Fort Pierce	Florida	St. Lucie	Mar. 1, 1942	Dec. 1, 1943	Jan. 1, 1944
*(55b) Fort Myers	Florida	Lee	Mar. 1, 1942	June 1, 1944	July 15, 1944
(56) Gainesville-Starke	Florida	Alachua, Bradford, and Clay	Jan. 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(57) Jacksonville	Florida	Duval	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(58) Key West	Florida	Monroe	Oct. 1, 1941	Oct. 1, 1942	Nov. 15, 1942
(59) Lake City	Florida	Columbia	Mar. 1, 1942	May 1, 1943	June 15, 1943
(60) Marianna	Florida	Jackson	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(61) Orlando	Florida	Orange	Oct. 1, 1941	Nov. 1, 1942	Dec. 16, 1942
(62) Panama City	Florida	Bay	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Florida	Franklin and Gulf	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(63) Pensacola	Florida	Escambia	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Florida	Okaloosa	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Florida	Santa Rosa	Mar. 1, 1942	May 1, 1943	June 15, 1943
*(63a) St. Augustine	Florida	St. Johns	Mar. 1, 1943	June 1, 1944	July 15, 1944
(64) [Revoked]					
(65) Tallahassee	Florida	Leon	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Florida	Wakulla	Mar. 1, 1942	May 1, 1943	June 15, 1943
(66) Tampa	Florida	Hillsborough, Pinellas, and Polk	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Florida	Highlands	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(67) [Revoked]					
(67a) Americus	Georgia	Sumter	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(68) Albany	Georgia	Dougherty	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(69) Athens	Georgia	Clarke	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(70) Atlanta	Georgia	Clayton, Cobb, De Kalb, and Fulton	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(71) Augusta, Ga	Georgia	Richmond	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	South Carolina	Aiken	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(72) Bainbridge-Cairo, Georgia	Georgia	Decatur and Grady	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(73) Brunswick	Georgia	Brantley, Camden, Glynn, McIntosh, and Wayne	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Georgia	Ware	Mar. 1, 1942	May 1, 1943	June 15, 1943
(74) Columbus, Ga	Georgia	Muscogee	Jan. 1, 1941	June 1, 1942	July 15, 1942
	Alabama	In the County of Russell Election Precinct One, including the City of Phenix City.	Jan. 1, 1941	June 1, 1942	July 15, 1942
*(74a) Dublin	Georgia	Laurens	July 1, 1943	June 1, 1944	July 15, 1944
(75) Hinesville	Georgia	Liberty	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(76) Macon	Georgia	Bibb, Houston, and Peach	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(77) Moultrie	Georgia	Colquitt	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(78) Savannah	Georgia	Chatham	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
*(78a) Thomasville	Georgia	Thomas County and those portions of the towns of Pavo and Barwick in Brooks County and that portion of the town of Meigs in Mitchell County.	Mar. 1, 1943	June 1, 1944	July 15, 1944
(79) Toccoa	Georgia	Stephens	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(80) Valdosta	Georgia	Lowndes	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(80a) Boise	Idaho	Ada and Elmore	Jan. 1, 1943	Jan. 1, 1944	Feb. 15, 1944
(81) Couer d'Alene-Pend Orielle	Idaho	Bonner and Kootenai	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(82) Pocatello-Idaho Falls[1]	Idaho	Bannock	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(83) Chicago	Illinois	Cook, Du Page, Kane, and Lake	Mar. 1, 1942	July 1, 1942	Aug. 31, 1942
(84) Crab Orchard	Illinois	Jackson and Williamson	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(85) Dixon	Illinois	Lee	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(86) Joliet	Illinois	Will	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(87) Kankakee	Illinois	Kankakee	Mar. 1, 1942	May 1, 1943	June 15, 1943
(88) LaSalle County	Illinois	LaSalle	Mar. 1, 1942	May 1, 1943	June 15, 1943
(88a) Macomb-Canton	Illinois	Fulton, McDonough, and Mason	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(89) Quad Cities	Illinois	Rock Island	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Iowa	Scott	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(90) Quincy	Illinois	Adams	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Missouri	Lewis and Marion	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(91) Champaign-Vermilion	Illinois	Champaign and Vermilion	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(91a) Galesburg	Illinois	Knox	July 1, 1943	May 1, 1944	June 15, 1944
(92) Rockford	Illinois	Boone and Winnebago	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
	Illinois	De Kalb	Mar. 1, 1942	Sept. 1, 1943	Oct. 15, 1942
(93) Savanna-Clinton	Illinois	Carroll	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1943
	Iowa	Clinton	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(94) Springfield-Decatur	Illinois	Christian, Logan, Macon, and Sangamon	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(95) [Revoked]					
(96) [Revoked]					
(97) Columbus, Ind	Indiana	Bartholomew, Brown, Johnson, Morgan, and Shelby	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Indiana	Lawrence	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Indiana	Jackson	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(98) Richmond-Connersville	Indiana	Fayette	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Indiana	Wayne	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(99) [Revoked]					
(100) Evansville-Henderson	Indiana	Vanderburgh	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Kentucky	Henderson	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Kentucky	Union	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(101) Fort Wayne	Indiana	Allen	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Indiana	Adams	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(102) Gary-Hammond	Indiana	Lake	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(103) Indianapolis	Indiana	Marion	July 1, 1941	July 1, 1942	Aug. 15, 1942
(104) La Fayette	Indiana	Fountain, Tippecanoe, and Warren	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(105) La Porte-Michigan City	Indiana	La Porte and Starke	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(106) Anderson	Indiana	Huntington, Miami, and Wabash	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Indiana	Delaware, Grant, Howard, and Madison	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(107) [Revoked]					
(108) South Bend	Indiana	St. Joseph and Elkhart	Apr. 1, 1941	June 1, 1942	July 15, 1942
(109) Terre Haute	Indiana	Parke and Vermillion	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Illinois	Edgar	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Indiana	Vigo	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(110) Vincennes	Indiana	Daviess and Knox	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Illinois	Lawrence	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Indiana	Martin	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(111) [Revoked]					
(112) Burlington	Iowa	In the County of Des Moines the Townships of Augusta, Burlington, Concordia, Danville, Flint River, Tama, and Union; in the County of Henry the Townships of Baltimore, Center, Mount Pleasant, and New London; and in the County of Lee the Townships of Denmark, Green Bay, Madison, and Washington.	Jan. 1, 1941	June 1, 1942	July 15, 1942
	Iowa	County of Des Moines other than the Townships of Augusta, Burlington, Concordia, Danville, Flint River, Tama, and Union; County of Henry other than the Townships of Baltimore, Center, Mount Pleasant, and New London; County of Lee other than the Townships of Denmark, Green Bay, Madison, and Washington.	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
	Illinois	County of Henderson	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(113) Cedar Rapids	Iowa	Linn	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(114) Des Moines	Iowa	Polk	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Iowa	Jasper	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(114a) Ottumwa	Iowa	Wapello	Mar. 1, 1942	Sept. 1, 1943	Oct. 15, 1943
*(114b) Sioux City	Iowa	Woodbury	July 1, 1943	June 1, 1944	July 15, 1944
	Nebraska	Dakota	July 1, 1943	June 1, 1944	July 15, 1944
(115) Baxter Springs	Kansas	Cherokee and Crawford	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Oklahoma	Ottawa	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(116) Dodge City	Kansas	Finney, Ford, and Gray	Mar. 1, 1942	May 1, 1943	June 15, 1943
(116a) Great Bend	Kansas	Barton	Mar. 1, 1942	Feb. 1, 1944	Mar. 15, 1944
(117) Hutchinson	Kansas	Reno	Mar. 1, 1942	May 1, 1943	June 15, 1943
(118) Junction City-Manhattan	Kansas	Geary and Riley	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(119) Liberal	Kansas	Seward	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(120) Parsons[1]	Kansas	Labette	July 1, 1941	July 1, 1942	Aug. 15, 1942
*(120a) Pratt	Kansas	Montgomery	July 1, 1941	Sept. 1, 1942	Oct. 16, 1942
(121) Salina	Kansas	Pratt	Mar. 1, 1943	June 1, 1944	July 15, 1944
(122) Topeka-Lawrence	Kansas	Dickinson, McPherson, Ottawa, and Saline	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(123) Wichita	Kansas	Douglas, Franklin, and Shawnee	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(124) Fort Knox	Kentucky	Sedgwick	July 1, 1941	June 1, 1942	July 15, 1942
(125) Louisville	Kentucky	Bullitt, Hardin, and Meade	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Indiana	Jefferson	July 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(126) [Revoked]		Clark and Floyd	July 1, 1941	Aug. 1, 1942	Sept. 15, 1942

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
*(126a) Owensboro	Kentucky	Daviess	Mar. 1, 1943	June 1, 1944	July 15, 1944
(127) Paducah	Kentucky	McCracken	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Kentucky	Ballard	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(128) Richmond, Ky	Kentucky	Madison	Jan. 1, 1941	Nov. 1, 1942	Dec. 16, 1942
(129) Alexandria-Leesville	Louisiana	Parishes of Beauregard, Rapides, and Vernon	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(130) Baton Rouge	Louisiana	Parishes of East Baton Rouge and West Baton Rouge	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(131) Lake Charles	Louisiana	Parish of Calcasieu	July 1, 1941	July 1, 1942	Aug. 15, 1942
(132) Minden	Louisiana	Parish of Webster	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(133) Monroe-Bastrop, Louisiana	Louisiana	Parishes of Morehouse, Ouachita, and Union	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(134) New Orleans	Louisiana	Parishes of Jefferson, Orleans and St. Bernard	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(135) Bangor	Maine	Penobscot	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(136) Bath	Maine	Lincoln and Sagadahoc	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(137) Portland	Maine	Androscoggin and Cumberland	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Maine	York	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(138) Presque Isle	Maine	Aroostook	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(139) Baltimore	Maryland	City of Baltimore and the Counties of Anne Arundel, Baltimore, Carroll, Cecil, Harford, and Howard.	July 1, 1943	June 1, 1944	July 15, 1944
*(139a) Frederick	Maryland	Frederick	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(140) Hagerstown	Maryland	Washington	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(141) Indian Head-Patuxent River	Maryland	Charles	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
	Maryland	St. Marys and Calvert	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(142) Montgomery-Prince Georges	Maryland	Montgomery and Prince Georges	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(143) Eastern Massachusetts	Massachusetts	Barnstable, Bristol, Middlesex, Norfolk, Plymouth, and Suffolk.	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(144) Essex County, Mass	Massachusetts	Essex	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(145) Pittsfield	Massachusetts	Berkshire	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(146) Springfield, Mass	Massachusetts	Hampden and Hampshire	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(147) Worcester	Massachusetts	Worcester			
(148) [Revoked]					
(149) Detroit	Michigan	Macomb, Oakland, and Wayne	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Michigan	Washtenaw	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
	Michigan	Muskegon	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(150) Grand Rapids-Muskegon	Michigan	Kent and Ottawa	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Michigan	Hillsdale	Jan. 1, 1943	Apr. 1, 1944	May 15, 1944
(150a) Hillsdale	Michigan	Jackson	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(151) Jackson, Michigan	Michigan	Lenawee	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Michigan	Calhoun	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(152) Kalamazoo-Battle Creek	Michigan	Kalamazoo	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Michigan	Clinton, Eaton, and Ingham	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(153) Lansing	Michigan	Mason	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(154) Ludington	Michigan	Monroe	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(154a) Monroe, Michigan	Michigan	Berrien	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(155) Niles	Michigan	St. Clair	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(156) Port Huron	Michigan	Bay, Midland, and Saginaw	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(157) Saginaw-Bay City	Michigan	Chippewa	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(158) Sault Ste. Marie	Michigan	Carlton and St. Louis	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(159) Duluth-Superior	Minnesota	Douglas	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Wisconsin	Anoka, Dakota, Hennepin, Ramsey, and Washington	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(160) Minneapolis-St. Paul	Minnesota				
(161) [Revoked]					
(162) Biloxi-Pascagoula	Mississippi	Harrison and Jackson	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(163) Centreville	Mississippi	Adams, Amite, Pike, and Wilkinson	Mar. 1, 1942	May 1, 1943	June 15, 1943
(164) Columbus, Miss	Mississippi	Chickasaw, Clay, Itawamba, Lee, and Munroe	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Alabama	Lamar	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Mississippi	Lowndes	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
	Alabama	Pickens	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(164) Grenada	Mississippi	Carroll, Grenada, Leflore, and Montgomery	Mar. 1, 1942	Feb. 1, 1943	Mar. 18, 1943
	Mississippi	Calhoun and Yalobusha	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(166) Hattiesburg	Mississippi	Forrest	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(167) Jackson, Miss	Mississippi	Hinds, Madison, and Rankin	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(167a) Laurel	Mississippi	Jones	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(168) Meridian	Mississippi	Lauderdale	July 1, 1941	July 1, 1942	Aug. 15, 1942
(169) Joplin-Neosho	Missouri	Jasper and Newton	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(170) Kansas City	Missouri	Clay, Jackson, and Platte	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Kansas	Johnson, Leavenworth, and Wyandotte	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(171) Pike	Missouri	Pike	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Illinois	Pike	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(172) Rolla-Waynesville	Missouri	Laclede, Phelps, and Pulaski	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(173) Sedalia	Missouri	Johnson and Pettis	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(174) St. Louis	Missouri	City of St. Louis and the Counties of Jefferson, St. Charles, and St. Louis.	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
	Illinois	Madison, Monroe, and St. Clair	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(175) Great Falls	Montana	Cascade	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(176) Alliance	Nebraska	Box Butte	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(177) Grand Island	Nebraska	Hall	Mar. 1, 1942	Dec. 12, 1942	Jan. 28, 1943
(178) Hastings	Nebraska	Adams and Clay	Mar. 1, 1942	May 1, 1943	June 15, 1943
(179) Kearney	Nebraska	Buffalo	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(180) Lincoln	Nebraska	Lancaster	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
(180a) McCook	Nebraska	Redwillow	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(181) Omaha	Nebraska	Dodge and Saunders	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Nebraska	Douglas and Sarpy	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Iowa	Pottowatamie	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(182) Sidney, Nebr	Nebraska	Cheyenne			
(183) [Revoked]					
(184) Las Vegas	Nevada	Clark	July 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(185) Reno	Nevada	Washoe	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(186) Manchester	New Hampshire	Sullivan	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	New Hampshire	Hillsborough	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(187) Portsmouth	New Hampshire	Rockingham and Strafford	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(188) [Revoked]					
(188a) Southern New Jersey	New Jersey	Burlington, Camden and Gloucester	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
	New Jersey	Salem	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	New Jersey	Cape May and Cumberland	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(189) [Revoked]					
(190) Northeastern New Jersey	New Jersey	Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset, and Union.	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
	New Jersey	Sussex	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
*(191) Trenton	New Jersey	Warren	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	New Jersey	Hunterdon and Mercer	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(192) Alamogordo	New Mexico	Otero	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(193) Albuquerque	New Mexico	Bernalillo	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(194) Carlsbad	New Mexico	Eddy	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	New Mexico	Lea	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(195) Deming	New Mexico	Luna	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(196) [Revoked]					
(197) Roswell	New Mexico	Chaves	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	New Mexico	Curry, DeBaca, and Roosevelt	Mar. 1, 1942	Feb. 1, 1943	Mar. 18, 1943
(197a) San Miguel County	New Mexico	San Miguel	Mar. 1, 1942	Dec. 1, 1943	Jan. 15, 1944
(198) Silver City-Lordsburg	New Mexico	Hidalgo	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(199) Albany-Troy, N. Y	New York	Albany and Rensselaer	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(200) Binghamton	New York	Broome and Tioga	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(201) Buffalo	New York	Erie and Niagara	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(202) Elmira	New York	Chemung and Steuben	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(203) Jamestown	New York	Chautauqua	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(204) Poughkeepsie	New York	Dutchess, Orange, and Ulster	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(205) Rochester	New York	Genesee, Monroe, Orleans, and Wayne	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(206) St. Lawrence County	New York	St. Lawrence	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(207) Schenectady	New York	County of Schenectady; and in the County of Saratoga the Towns of Ballston, Charlton, and Clifton Park.	Apr. 1, 1941	June 1, 1942	July 15, 1942
	New York	County of Montgomery and the County of Saratoga other than the Towns of Ballston, Charlton, and Clifton Park.	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(208) Seneca	New York	Ontario, Seneca, and Yates	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(209) Sidney, N. Y	New York	Chenango, Delaware, and Otsego	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(210) Syracuse	New York	Cayuga, Onondaga, and Oswego	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(211) Utica-Rome	New York	Herkimer, Madison, and Oneida	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(212) Watertown	New York	Jefferson	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(212a) Burlington, N. C	North Carolina	Alamance	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
(212b) Asheville	North Carolina	Buncombe	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
(213) Durham	North Carolina	Durham	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(214) Elizabeth City, North Carolina	North Carolina	Pasquotank	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	North Carolina	Chowan and Perquimans	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(215) Fayetteville	North Carolina	Cumberland and Hoke	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(216) Goldsboro	North Carolina	Lenoir, Wayne, and Wilson	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
*(216a) Greensboro	North Carolina	County of Guilford other than High Point Township	July 1, 1943	June 1, 1944	July 15, 1944
(217) Henderson	North Carolina	Vance	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(218) Jacksonville, N. C	North Carolina	Onslow	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(219) Laurinburg	North Carolina	Richmond, Robeson, and Scotland	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	South Carolina	Marlboro	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(220) Monroe, N. C	North Carolina	Union	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(221) New Bern	North Carolina	Carteret and Craven	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(221a) Rocky Mount	North Carolina	Edgecombe and Nash	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
(221b) Pender County	North Carolina	Pender	Jan. 1, 1943	May 1, 1944	June 15, 1944
(222) Southern Pines	North Carolina	Moore	Mar. 1, 1942	May 1, 1943	June 15, 1943
(223) Wilmington, N. C	North Carolina	New Hanover	Apr. 1, 1941	June 1, 1942	July 15, 1942
(224) Akron	Ohio	County of Summit and in the County of Medina the Township of Wadsworth.	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Ohio	County of Medina other than the Township of Wadsworth	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(225) Ashtabula	Ohio	Ashtabula	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(226) Canton	Ohio	Stark	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Ohio	Tuscarawas	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(227) Cincinnati	Ohio	Butler, Clermont, Hamilton, and Warren	Mar. 1, 1942	Nov. 1, 1942	May 31, 1942 or within 30 days after Section 7 (a) becomes applicable.
	Kentucky	Boone, Campbell, and Kenton	Mar. 1, 1942	Nov. 1, 1942	May 31, 1942 or within 30 days after Section 7 (a) becomes applicable.
228) Cleveland	Ohio	County of Cuyahoga and in the County of Lake the Township of Willoughby and those parts of the Township of Kirtland included within the corporate limits of the Villages of Waite Hill and Willoughby.	July 1, 1941	June 1, 1942	July 15, 1942
	Ohio	County of Geauga, and the County of Lake other than the Township of Willoughby and those parts of the Township of Kirtland included within the corporate limits of the Villages of Waite Hill and Willoughby.	July 1, 1941	July 1, 1942	Aug. 15, 1942
(229) Columbus	Ohio	Franklin	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Ohio	Licking	Mar. 1, 1942	May 1, 1943	June 15, 1943
(230) Dayton	Ohio	Champaign, Clark, Darke, Greene, Miami, Montgomery, and Preble.	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(231) [Revoked]					
(232) Lima	Ohio	Allen	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(233) Lorain-Elyria	Ohio	Lorain	July 1, 1941	July 1, 1942	Aug. 15, 1942
(234) Mansfield	Ohio	Ashland, Crawford, and Richland	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Ohio	Knox	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(235) Marion	Ohio	Marion	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(236) [Revoked]					
(237) Ravenna	Ohio	Portage	Apr. 1, 1941	June 1, 1942	July 15, 1942
(238) Sandusky-Port Clinton	Ohio	Erie, Huron, Ottawa, and Sandusky	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(239) Sidney, Ohio	Ohio	Shelby	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(240) Toledo	Ohio	Lucas and Wood	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Ohio	Hancock and Seneca	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(241) Youngstown-Warren	Ohio	Mahoning and Trumbull	Apr. 1, 1941	June 1, 1942	July 15, 1942
(242) [Revoked]					
(242a) Altus-Frederick	Oklahoma	Jackson and Tillman	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(243) Choteau	Oklahoma	Craig, Mayes, Rogers, and Wagoner	Oct. 1, 1941	Oct. 1, 1942	Nov. 15, 1942
(244) Clinton-Elk City	Oklahoma	Beckham, Custer, and Washita	Mar. 1, 1942	May 1, 1943	June 15, 1943
(245) Enid	Oklahoma	Garfield	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(246) Lawton	Oklahoma	Comanche	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(247) McAlester	Oklahoma	Atoka, Haskell, Hughes, Latimer, McIntosh, and Pittsburg	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(248) Muskogee	Oklahoma	Muskogee	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(249) [Revoked]					
(250) Oklahoma City	Oklahoma	Cleveland, McClain, and Oklahoma	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Oklahoma	Caddo and Grady	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(251) Tulsa	Oklahoma	Creek, Osage, and Tulsa	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(252) Oklahoma City	Oklahoma	Cleveland, McClain, and Oklahoma	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Oklahoma	Caddo and Grady	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Oklahoma	Canadian	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(253) Corvallis	Oregon	Benton and Linn	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
254) Medford	Oregon	Jackson	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(255) Pendleton	Oregon	Umatilla	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(256) Portland-Vancouver	Oregon	Clackamas, Multnomah, and Washington	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
	Washington	Clark	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
	Oregon	Clatsop	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Oregon	Tillamook	Mar. 1, 1942	Jan. 1, 1943	Feb. 15, 1943
**(257) Allentown-Bethlehem	Pennsylvania	Lehigh and Northampton	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(258) Altoona-Johnstown	Pennsylvania	Blair, Cambria, and Somerset	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(259) [Revoked]					
(260) Emporium	Pennsylvania	Cameron	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Pennsylvania	Elk	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(261) Erie	Pennsylvania	Erie	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(262) Harrisburg	Pennsylvania	Cumberland, Dauphin, Lebanon, and Perry	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Pennsylvania	Franklin	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Pennsylvania	Lancaster and York	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(263) Lancaster-York	Pennsylvania	Crawford and Venango	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(264) Meadville-Titusville					
(265) [Revoked]					
(266) Philadelphia	Pennsylvania	Bucks, Chester, Delaware, Montgomery, and Philadelphia	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(267) Pittsburgh	Pennsylvania	Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Lawrence, Washington, and Westmoreland.	Mar. 1, 1942	July 1, 1942	Aug. 31, 1942
(268) Reading	Pennsylvania	Berks	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(269) [Revoked]					
(270) Sharon-Farrell	Pennsylvania	Mercer	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(270a) Warren	Pennsylvania	Warren	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(271) [Revoked]					
(272) Williamsport	Pennsylvania	Lycoming	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Pennsylvania	Columbia, Montour, Northumberland, Snyder, and Union	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Pennsylvania	In the County of Luzerne, Nescopeck Borough, Nescopeck Township, and Salem Township.	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
	Pennsylvania	Clinton	Mar. 1, 1942	Feb. 1, 1944	Mar. 15, 1944
(273) Newport	Rhode Island	Newport	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(274) Providence	Rhode Island	Bristol, Kent, and Providence	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(275) Washington County	Rhode Island	Washington	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(276) [Revoked]					
(277) Charleston, South Carolina	South Carolina	Charleston and Dorchester	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	South Carolina	Beaufort and Colleton	Mar. 1, 1942	Apr. 15, 1943	May 30, 1943
(278) Columbia, South Carolina	South Carolina	Calhoun, Lexington, and Richland	Mar. 1, 1942	Nov. 1, 1942	Jan. 14, 1943
	South Carolina	Sumter	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	South Carolina	Florence	Mar. 1, 1942	May 1, 1943	June 15, 1943
(279) [Revoked]					
(280) Greenville, S. C	South Carolina	Greenville	Mar. 1, 1942	Nov. 1, 1942	Jan. 14, 1943
(281) Spartanburg	South Carolina	Cherokee, Spartanburg, and Union	Mar. 1, 1942	Nov. 1, 1942	Jan. 14, 1943
(282) [Revoked]					
(283) Provo-Hot Springs, S. Dak	South Dakota	Fall River	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(284) Rapid City-Sturgis	South Dakota	Lawrence, Meade, and Pennington	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(285) Sioux Falls	South Dakota	Lincoln, Minnehaha, and Turner	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Iowa	Lyon	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Minnesota	Rock	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(286) Bristol-Kingsport	Tennessee	Greene, Hawkins, Sullivan, Unicoi, and Washington	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Virginia	Independent City of Bristol and the Counties of Scott and Washington.	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(287) Chattanooga	Tennessee	Bradley, Hamilton, and Marion	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Georgia	Catoosa, Dade, and Walker	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(288) Clarksville	Tennessee	Henry, Montgomery and Stewart	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Kentucky	Christian, Todd, and Trigg	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(289) Copperhill-McCaysville	Tennessee	Polk	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Georgia	Fannin	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(290) Dyersburg	Tennessee	Crockett, Dyer, and Lauderdale	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(291) Jackson-Milan-Humboldt	Tennessee	Carroll, Gibson, and Madison	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(292) Knoxville	Tennessee	Blount and Knox	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Tennessee	Anderson and Roane	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
*(292a) Lenoir City	Tennessee	Loudon	Mar. 1, 1943	June 1, 1944	July 15, 1944
(293) Memphis	Tennessee	Shelby	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Arkansas	Crittenden	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(294) [Revoked]					
(295) Nashville	Tennessee	Davidson and Rutherford	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(296) [Revoked]					
(297) Tullahoma	Tennessee	Bedford, Coffee, Franklin, Lincoln, and Moore	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(298) Abilene	Texas	Callahan, Jones, and Taylor	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(299) Amarillo	Texas	Potter and Randall	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Texas	Dallam, Hansford, Hartley, Moore, and Sherman	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Texas	Bastrop	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(300) Austin	Texas	Hays, Travis, and Williamson	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(301) [Revoked]					
(302) Beaumont-Port Arthur	Texas	Jefferson and Orange	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(303) Big Spring	Texas	Howard	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(304) [Revoked]					
(305) Borger	Texas	Carson, Gray, and Hutchinson	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(305a) Brady	Texas	McCulloch	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
(306) Brownwood	Texas	Brown, Coleman, and Comache	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(307) Bryan	Texas	Brazos	Mar. 1, 1942	May 1, 1943	June 15, 1943
(308) Childress	Texas	Childress	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(309) Corpus Christi	Texas	Nueces and San Patricio	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Texas	Bee and Kleberg	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(310) [Revoked]					
(311) Dallas	Texas	Dallas	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(312) Del Rio	Texas	Kinney, Uvalde, and Val Verde	Mar. 1, 1942	May 1, 1943	June 15, 1943
	Texas	Maverick	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(313) [Revoked]					
(314) [Revoked]					
(315) El Paso	Texas	El Paso	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(316) Fort Worth	Texas	Tarrant	Mar. 1, 1942	{Oct. 15, 1942[1] / Nov. 1, 1942[1]}	Dec. 16, 1942
	Texas	Denton	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(317) Gainsville	Texas	Cooke	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(318) Greenville, Tex	Texas	Hunt	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(319) Houston-Galveston	Texas	Brazoria, Chambers, Galveston, Harris, and Liberty	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(320) Killeen-Temple	Texas	Bell and Coryell	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Texas	Lampasas	Mar. 1, 1942	Jan. 1, 1943	Feb. 15, 1943

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(321) Laredo	Texas	Webb	Mar. 1, 1942	Feb. 1, 1943	Mar. 18, 1943
(321a) Lockhart	Texas	Justices' Precincts 1, 6, and 7 in Caldwell County	Jan. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
(322) Lower Rio Grande Valley	Texas	Cameron, Hidalgo, and Willacy	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(322a) Lubbock	Texas	Lubbock	Mar. 1, 1942	Mar. 1, 1944	Apr. 15, 1944
(323) Marfa-Alpine	Texas	Presidio	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Texas	Brewster	Mar. 1, 1942	Feb. 1, 1943	Mar. 18, 1943
(324) Marshall	Texas	Harrison, Marion, and Upshur	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Texas	Camp, Cass, Morris, Red River, and Titus	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Texas	Smith	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
*(324a) Matagorda Bay	Texas	Calhoun, Jackson, and Matagorda	Jan. 1, 1943	June 1, 1944	July 15, 1944
(325) Paris, Tex	Texas	Lamar	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Oklahoma	Choctaw	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(326) Pecos	Texas	Reeves and Ward	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(327) San Angelo	Texas	Tom Green	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(328) San Antonio	Texas	Atascosa, Bandera, Bexar, Comal, Guadalupe, Kendall, Medina, and Wilson.	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(329) Sherman-Denison	Texas	Grayson	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Texas	Fannin	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(329a) Sweetwater	Texas	Nolan	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
(330) Texarkana	Texas	Bowie	July 1, 1941	July 1, 1942	Aug. 15, 1942
	Arkansas	Miller	July 1, 1941	July 1, 1942	Aug. 15, 1942
(331) Victoria	Texas	Victoria	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(332) Waco	Texas	McLennan	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(333) Wichita Falls	Texas	Wichita	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(334) [Revoked]					
(335) Provo, Utah	Utah	Utah	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(336) Salt Lake City	Utah	Davis, Morgan, Salt Lake, and Weber	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Utah	Box Elder	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Utah	Tooele	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Nevada	Portion of Elko County situated within a radius of three miles from the center of U. S. Highway 40, where the said highway crosses the Nevada-Utah State line.	Mar. 1, 1942	May 1, 1944	June 15, 1944
(337) [Revoked]					
(337a) Burlington, Vermont	Vermont	Chittenden	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
(338) Springfield-Windsor	Vermont	Windsor	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(339) Alexandria-Arlington	Virginia	Independent City of Alexandria and the Counties of Arlington and Fairfax.	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(340) Blackstone	Virginia	Nottoway	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(341) Cape Charles	Virginia	Northampton	Mar. 1, 1942	Jan. 1, 1943	Feb. 15, 1943
(342) Hampton Roads	Virginia	Independent Cities of Hampton, Newport News, Norfolk, Portsmouth, and South Norfolk; the County of Elizabeth City; in the County of Norfolk the Magisterial Districts of Deep Creek, Tanners Creek, Washington, and Western Branch; in the County of Princess Anne the Magisterial Districts of Kempsville and Lynnhaven, and in the County of Warwick the Magisterial District of Newport.	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Virginia	Independent City of Suffolk; the County of Nansemond; the County of Norfolk other than the Magisterial Districts of Deep Creek, Tanners Creek, Washington, and Western Branch; the County of Princess Anne other than the Magisterial Districts of Kempsville and Lynnhaven.	Apr. 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(343) Petersburg	Virginia	Independent Cities of Hopewell and Petersburg; the Counties of Dinwiddie and Prince George; and in the County of Chesterfield the Magisterial District of Matoaca.	Apr. 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(343a) Quantico	Virginia	In the County of Prince William, the Magisterial District of Dumfries.	Mar. 1, 1942	Dec. 1, 1943	Jan. 15, 1944
(344) Radford-Pulaski	Virginia	Independent City of Radford, and the Counties of Montgomery and Pulaski.	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(345) Richmond, Va	Virginia	Independent City of Richmond; the County of Henrico; and in the County of Chesterfield the Magisterial Districts of Bermuda, Clover Hill, Dale, Manchester, and Midlothian.	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(346) Yorktown	Virginia	Independent City of Williamsburg; the Counties of James City and York; and in the County of Warwick the Magisterial Districts of Denbigh and Stanley.	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(347) Bellingham	Washington	Whatcom	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Washington	Skagit	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(347a) Ephrata	Washington	Portion of Grant County lying between the south line of Township 23 North and the north line of Township 16 North.	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(348) Everett	Washington	Snohomish	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Washington	Island	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(349) [Revoked]					
(350) [Revoked]					
(351) Port Angeles-Port Townsend	Washington	Clallam and Jefferson	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(352) Puget Sound	Washington	County of Kitsap and those parts of the Counties of King and Pierce lying west of the Snoqualmie National Forest.	Apr. 1, 1941	June 1, 1942	July 15, 1942
(353) Spokane	Washington	Spokane	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(354) Walla Walla	Washington	Walla Walla	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Washington	Franklin	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Washington	In the County of Benton the Precincts of Finley, South Kennewick, Kennewick Valley, Kennewick, Kennewick Gardens, and Richland.	Mar. 1, 1942	Jan. 1, 1943	Feb. 15, 1943
(354a) Yakima	Washington	In the County of Benton, the precincts of Benton City, Carley, Columbia, East Prosser, Expansion, Hanford, Highlands, Horn Rapids, Hover, Kiona, North Prosser, Paterson, Prosser, Rattlesnake, Riverside, Walnut Grove, Wellington, West Prosser, and White Bluffs, and the County of Yakima.	Mar. 1, 1943	Apr. 1, 1944	May 15, 1944
(355) Charleston, West Virginia	West Virginia	Kanawha	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(356) Huntington	West Virginia	In Putnam County the Magisterial District of Pocatalico	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
	West Virginia	Cabell and Wayne	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Ohio	Lawrence	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Kentucky	Boyd and Greenup	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(356a) Martinsburg	West Virginia	Berkeley	Mar. 1, 1943	Apr. 1, 1944	May 15, 1944
(357) Morgantown	West Virginia	Marion and Monongalia	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(358) Point Pleasant Gallipolis	West Virginia	Jackson and Mason	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Ohio	Gallia and Meigs	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(359) Wheeling-Steubenville	West Virginia	Brooke, Hancock, Marshall, Ohio, and Wetzel	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Ohio	Belmont, Columbiana, and Jefferson	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(360) Beloit-Janesville	Wisconsin	Rock	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(361) Eau Claire	Wisconsin	Chippewa, Dunn, and Eau Claire	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(361a) La Crosse	Wisconsin	La Crosse	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(362) Madison, Wis	Wisconsin	Columbia, Dane, and Sauk	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(363) Manitowoc	Wisconsin	Manitowoc	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Wisconsin	That portion of the City of Kiel in the County of Calumet	Mar. 1, 1942	Apr. 1, 1944	May 15, 1944
(364) Milwaukee	Wisconsin	Kenosha, Milwaukee, Racine, and Waukesha	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(365) Oshkosh-Fond du Lac	Wisconsin	Fond du Lac and Winnebago	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Wisconsin	That portion of the City of Waupun in the County of Dodge	Mar. 1, 1942	Jan. 1, 1943	Feb. 15, 1943
(366) Sparta	Wisconsin	Monroe	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(367) Sturgeon Bay	Wisconsin	Door	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(368) Casper	Wyoming	Natrona	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(369) Cheyenne	Wyoming	Laramie	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(369a) Douglas	Wyoming	Converse	Mar. 1, 1943	May 1, 1944	June 15, 1944
(370) Alaska	Alaska	Territory of Alaska	Mar. 1, 1942	Nov. 1, 1942	Mar. 15, 1943
(371) Puerto Rico	Puerto Rico	Puerto Rico	Oct. 1, 1942	Feb. 1, 1944	Mar. 31, 1944

[1] This regulation is applicable only to that portion of the defense-rental area set forth in the third column of this Schedule A.
[2] Sections 1, 6, 13.
[3] Remaining sections.
[* Items added: ** Items amended by Am. 23, effective 6–1–44]

[Schedule A amended by Am. 1, 8 F.R. 9020, effective 7–1–43; Am. 4, 8 F.R. 10741, effective 8–1–43; Am. 5, 8 F.R. 12025, effective 9–1–43; Am. 10, 8 F.R. 14663, 15585, effective 10–27–43; Am. 11, 8 F.R. 14815, effective 11–1–43; Am. 13, 8 F.R. 16208, 16427, effective 12–1–43; Am. 14, 8 F.R. 17297, effective 1–1–44; Am. 15, 9 F.R. 206, effective 2–1–44; Am. 16, 9 F.R. 972, effective 2–1–44; Am. 18, 9 F.R. 2289, effective 3–1–44; Am. 19, 9 F.R. 3231, effective 4–1–44; Am. 22, 9 F.R. 4541, effective 5–1–44 and as otherwise noted.]

Effective date. This Rent Regulation for Housing shall become effective June 1, 1943. [Rent Regulation for Housing issued May 31, 1943.]

[Effective dates of amendments are shown in notes following the parts affected.]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7711; Filed, May 27, 1944; 4:47 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 25,[1] Incl. Amdts. 1–24]

DESIGNATION OF AREAS AND RENT DECLARATIONS RELATING TO SUCH AREAS

This compilation of Designation and Rent Declaration 25 includes Amendment 24, effective June 1, 1944. The items amended by Amendment 24 are indicated by note.

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Price Administrator such action is necessary or proper in order to effectuate the purposes of that Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area; and that if within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Price Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Price Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of that act; and

In the judgment of the Price Administrator, defense activities have resulted or threaten to result in increases in the rents for housing accommodations in the areas designated in § 1388.1201 inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Price Administrator, it is necessary and proper in order to effectuate the purposes of the said act to issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for defense-area housing accommodations within the defense-rental areas designated in § 1388.1201.

Therefore, under the authority vested in the Price Administrator by said act, this designation and rent declaration is issued.

Sec.
1388.1201 Designation.
1388.1202 Necessity.
1388.1203 Recommendations.
1388.1204 Maximum rent regulation.
1388.1205 Effective date.

AUTHORITY: §§ 1388.1201 to 1388.1205, inclusive, issued under 56 Stat. 23, 765.

§ 1388.1201 *Designation.* The following areas are hereby designated by the Price Administrator as areas where defense activities have resulted or threaten to result in an increase in rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute defense-rental areas to be known by the names listed in the following table;

Name of defense-rental area[1]	In State or States of—	Defense-rental area consists of—
(1) Dothan-Ozark	Alabama	Counties of Coffee, Dale, and Houston.
(2) Gadsden	do	County of Etowah.
(3) Lanett	do	County of Chambers.
(4) Montgomery	do	Counties of Elmore, Macon, and Montgomery.
(5) Selma	do	County of Dallas.
(6) [Revoked.]		
(7) Fort Huachuca	Arizona	Counties of Cochise and Santa Cruz.
(8) Phoenix-Salt River Valley	do	Counties of Gila and Maricopa.
(9) Prescott-Flagstaff	do	Counties of Coconino and Yavapai and that portion of the County of Mohave which is south of the Colorado River.
(10) Tucson	do	County of Pima.
(11) [Revoked.]		
(12) Blytheville	Arkansas	County of Mississippi.
(13) Camden, Ark	do	Counties of Calhoun and Ouachita.
(14) El Dorado	do	County of Union.
(15) Fort Smith	do	County of Sebastian.
(16) Hope	do	County of Hempstead.
(17) Little Rock	do	Counties of Lonoke, Pulaski, and Saline.
(18) Pine Bluff	do	Counties of Arkansas, Jefferson, and Prairie.
(19) Bakersfield	California	County of Kern.
(20) [Revoked.]		
(21) Fresno	do	County of Fresno.
(22) Lassen County	do	County of Lassen.
(23) [Revoked.]		
(24) Los Angeles	do	Counties of Los Angeles and Orange.
(25) Marysville—Chico	do	Counties of Butte, Sutter and Yuba.

[1] The words "Defense-Rental Area" shall follow the name listed in the table in each case to constitute the full name of a defense-rental area, e. g., "Dothan-Ozark Defense-Rental Area," "Gadsden Defense-Rental Area."

[1] 7 F.R. 3195. Title amended by Ams. 3, 6, 9, and 14.

Name of defense-rental area	In State or States of—	Defense-rental area consists of—
(26) [Revoked.]		
(27) Monterey Bay	California	Counties of Monterey and Santa Cruz.
(28) Riverside	do	County of Riverside.
(29) San Bernardino	do	County of San Bernardino.
(30) San Francisco Bay	do	Counties of Alameda, Marin, San Francisco, San Mateo, Santa Clara, and Sonoma.
(31) Santa Barbara	do	Judicial Townships Nos. 1, 2, and 3 in the County of Santa Barbara.
(32) Tulare-Kings	do	Counties of Kings and Tulare
(33) Colorado Springs	Colorado	County of El Paso.
(34) Denver	do	Counties of Adams, Arapahoe, Denver, and Jefferson.
(35) Pueblo	do	Counties of Otero and Pueblo.
(36) Delaware	Delaware	Counties of Kent, New Castle, and Sussex.
(37) Banana River	Florida	County of Brevard.
(38) Fort Myers	do	County of Lee.
(39) Hobe Sound-Stuart	do	County of Martin.
(40) Key West	do	County of Monroe.
(41) Orlando	do	County of Orange.
(42) Panama City	do	Counties of Bay, Franklin and Gulf.
(43) Pensacola	do	Counties of Escambia, Okaloosa, and Santa Rosa
(44) Revoked.]		
(45) Tallahassee	do	Counties of Leon and Wakulla
(46) Tampa	do	Counties of Highlands, Hillsborough, Pinellas and Polk.
(47) [Revoked.		
(48) Albany, Ga	Georgia	County o Dougherty.
(49) Atlanta	do	Counties of Clayton, Cobb De Kalb, and Fulton
(50) Augusta, Ga	do	County of Richmond.
	South Carolina	County of Aiken.
(51) Hinesville	Georgia	County of Liberty.
(52) Moultrie	do	County of Colquitt.
(53) Savannah	do	County of Chatham
(54) Toccoa	do	County of Stephens.
(55) Valdosta	do	County of Lowndes
(56) Chicago	Illinois	Counties of Cook, Du Page, Kane, and Lake.
(57) Crab Orchard	do	Counties of Jackson and Williamson.
(58) Dixon	do	County o. Lee.
(59) Peoria	do	Counties of Peoria and Tazewell.
(60) Quad Cities	do	County of Rock Island
	Iowa	County of Scott.
(61) Quincy	Illinois	County of Adams.
	Missouri	Counties of Lewis and Marion.
(62) Champaign Vermilion	Illinois	Counties of Champaign and Vermilion.
(63) Rockford	do	Counties of De Kalb Boone and Winnebago.
(64) Savanna-Clinton	do	County of Carroll.
	Iowa	County of Clinton
(65) Springfield-Decatur	Illinois	Counties of Christian, Logan, Macon, and Sangamon.
(66) [Revoked.		
(67) [Revoked.]		
(68) Columbus, Ind	Indiana	Counties o. Bartholomew, Brown, Jackson, Johnson, Lawrence, Morgan, and Shelby.
(69) Richmond-Connersville	do	Counties of Fayette and Wayne
(70) Evansville-Henderson	do	County o. Vanderburgh
	Kentucky	Henderson and Union.
(71) Fort Wayne	Indiana	Counties of Adams and Allen
(72) Gary-Hammond	do	County of Lake.
(73) La Fayette	do	Counties of Fountain, Tippecanoe, and Warren
(74) Madison, Ind	do	County of Jefferson
(75) Anderson	do	Counties of Delaware, Grant, Howard, Huntington, Madison, Miami, and Wabash.
(76) Terre Haute	do	Edgar, Parke Vermillion, and Vigo.
(77) Cedar Rapids	Iowa	County o. Linn.
(78) Des Moines	do	Counties of Jasper and Polk.
(79) Waterloo	do	County of Black Hawk.
(80) Baxter Springs	Kansas	Counties of Cherokee and Crawford.
	Oklahoma	County of Ottawa.
(81) Topeka-Lawrence	Kansas	Counties of Douglas, Franklin, and Shawnee
(82) Fort Knox	Kentucky	Counties of Bullitt, Hardin and Meade.
(83) [Revoked.		
(84) Paducah	do	Ballard and McCracken.
(85) Richmond, Ky	do	County of Madison.
(86) Baton Rouge	Louisiana	Parishes of East Baton Rouge and West Baton Rouge.
(87) Lake Charles	do	Parish of Calcasieu.
(88) Monroe-Bastrop, La	do	Parishes of Morehouse, Ouachita, and Union.
(89) New Orleans	do	Parishes of Jefferson, Orleans, and St. Bernard.
(90) Shreveport	do	Parishes of Bossier and Caddo.
(91) Bangor	Maine	County of Penobscot.
(92) Portland	do	Counties of Androscoggin, Cumberland and York.
(93) Presque Isle	do	County of Aroostook.
(94) Hagerstown	Maryland	County of Washington.
(95) Indian Head-Patuxent River	do	Counties of Calvert, Charles and St. Marys.
(96) Eastern Massachusetts	Massachusetts	Counties of Barnstable, Bristol, Middlesex, Norfolk, Plymouth and Suffolk.
(97) Greenfield	do	County of Franklin.
(98) Pittsfield	do	County of Berkshire.
(99) Springfield Mass	do	Counties of Hampden and Hampshire.
(100) Worcester	do	County of Worcester.
(101) [Revoked.]		
(102) Flint	Michigan	County of Genesee.
(103) Grand Rapids-Muskegon	do	Counties of Kent, Muskegon, and Ottawa.
(104) Jackson, Mich	do	Counties of Jackson and Lenawee.
(105) Kalamazoo Battle Creek	do	Counties of Calhoun and Kalamazoo.
(106) Lansing	do	Counties of Clinton, Eaton, and Ingham.
(107) Port Huron	do	County of St. Clair.
(108) Saginaw-Bay City	do	Counties of Bay, Midland, and Saginaw.
(109) Duluth-Superior	Minnesota	Counties of Carlton and St. Louis.
	Wisconsin	County of Douglas.
(110) Minneapolis-St. Paul	Minnesota	Counties of Anoka, Dakota, Hennepin, Ramsey, and Washington
(111) Columbus, Miss	Alabama	Counties of Lamar and Pickens.
	Mississippi	Counties of Chickasaw, Clay, Itawamba, Lee, Lowndes, and Monroe.
(112) Greenville, Miss	do	County of Washington.
(113) Jackson, Miss	do	Counties of Hinds, Madison, and Rankin.
(114) Meridian	do	County of Lauderdale.
(115) Kansas City	Missouri	Counties of Clay, Jackson, and Platte.
	Kansas	Counties of Johnson, Leavenworth, and Wyandotte.
(116) Pike	Missouri	County of Pike.
	Illinois	County of Pike.
(117) Springfield, Mo	Missouri	County of Greene.
(118) St Louis	do	City of St. Louis and the Counties of Jefferson, St. Charles, and St. Louis.
	Illinois	Counties of Madison, Monroe, and St. Clair.
(119) Butte	Montana	County of Silver Bow.
(120) Columbus, Nebr	Nebraska	Counties of Butler, Colfax, Platte, and Polk.
(121) Grand Island	do	County of Hall.
(122) Lincoln	do	County of Lancaster.
(123) Omaha	do	Counties of Dodge, Douglas, Sarpy, and Saunders
	Iowa	Pottawatamie.
(124) Sidney, Nebr	Nebraska	County of Cheyenne.
(125) [Revoked.]		
(126) Las Vegas	Nevada	County of Clark.
(127) Manchester	New Hampshire	Counties of Hillsborough and Sullivan
(128) Portsmouth	do	Counties of Rockingham and Strafford.
(129) [Revoked.]		
(130) Northeastern New Jersey	New Jersey	Counties of Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex, and Union.
(131) Trenton	do	Counties of Hunterdon, Mercer and Warren.
(132) Albuquerque	New Mexico	County of Bernalillo.
(133) Roswell	do	Counties of Chaves, Curry, De Baca, and Roosevelt.
(134) Silver City-Lordsburg	do	Counties of Grant and Hidalgo.
(135) Albany-Troy, N. Y.	New York	Counties of Albany and Rensselaer.
(136) Binghamton	do	Counties of Broome and Tioga.
(137) Buffalo	do	Counties of Erie and Niagara.
(138) Elmira	do	Counties of Chemung and Steuben
(139) Essex County, N. Y	do	County of Essex.
(140) Jamestown	do	County of Chautauqua.
(141) New York City	do	City of New York (including the Boroughs of Bronx, Brooklyn, Manhattan, Queens, and Richmond) and the Counties of Nassau and Suffolk.
(142) Poughkeepsie	do	Counties of Dutchess, Orange, and Ulster.
(143) Rochester	do	Counties of Genesee, Monroe, Orleans, and Wayne.
(144) Seneca	do	Counties of Ontario, Seneca, and Yates.
(145) Sidney, N. Y	do	Counties of Chenango, Delaware, and Otsego
(146) Syracuse	do	Counties of Cayuga, Onondaga, and Oswego.
(147) Utica-Rome	do	Counties of Herkimer, Madison and Oneida.
(148) Charlotte	North Carolina	County of Mecklenburg.
(149) Durham	do	County of Durham.
(150) Elizabeth City, N. C	do	Counties of Chowan, Pasquotank, and Perquimans.
(151) Greensboro	do	County of Guilford.
(152) Jacksonville, N. C	do	County of Onslow.
(153) Mount Airy-Elkin	do	County of Surry.
(154) New Bern	do	Counties of Carteret and Craven
(155) Ashtabula	Ohio	County of Ashtabula.
(156) Celina-St. Marys	do	Counties of Auglaize and Mercer.

Name of defense-rental area	In State or States of—	Defense-rental area consists of—
(157) Cincinnati	Ohio	Counties of Butler, Clermont, Hamilton, and Warren.
	Kentucky	Counties of Boone, Campbell, and Kenton.
(158) Columbus, Ohio	Ohio	Counties of Franklin and Licking.
(159) [Revoked.]		
(160) Lima	do	County of Allen.
(161) Marion	do	County of Marion.
(162) Sandusky-Port Clinton	do	Counties of Erie, Huron, Ottawa, and Sandusky.
(163) Toledo	do	Counties of Hancock Lucas, Seneca, and Wood.
(164) Choteau	Oklahoma	Counties of Craig, Mayes, Rogers, and Wagoner.
(165) Enid	do	County of Garfield.
(166) Muskogee	do	County of Muskogee.
(167) Oklahoma City	do	Counties of Caddo, Canadian, Cleveland, Grady, McClain, and Oklahoma.
(168) Tulsa	do	Counties of Creek, Osage, and Tulsa.
(169) [Revoked.]		
(170) Corvallis	Oregon	Counties of Benton and Linn.
(171) Medford	do	County of Jackson.
(172) Pendleton	do	County of Umatilla.
(173) Portland-Vancouver	do	Counties of Clackamas, Multnomah, Tillamook and Washington.
	Washington	County of Clark.
(174) Allentown Bethlehem	Pennsylvania	Counties of Lehigh and Northampton
(175) Altoona-Johnstown	Pennsylvania	Counties of Blair, Cambria, and Somerset
(176) [Revoked.]		
(177) Erie	do	County of Erie.
(178) Harrisburg	do	Counties of Cumberland, Dauphin Franklin, Lebanon, and Perry
(179) Lancaster-York	do	Counties of Lancaster and York.
(180) Meadville-Titusville	do	Counties of Crawford and Venango
(181) [Revoked.]		
(182) Philadelphia	do	Counties of Bucks, Chester, Delaware, Montgomery, and Philadelphia.
(183) Pittsburgh	do	Counties of Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Lawrence, Washington and Westmoreland
(184) Reading	do	County of Berks.
(185) Scranton-Wilkes-Barre	do	Counties of Carbon, Lackawanna, and Schuylkill and that portion of Luzerne County other than Nescopeck Borough, Nescopeck Township, and Salem Township.
(186) Williamsport	do	Counties of Clinton, Columbia, Lycoming, Montour, Northumberland, Snyder, and Union, and in the County of Luzerne, Nescopeck Borough, Nescopeck Township, and Salem Township.
(187) Newport	Rhode Island	County of Newport.
(188) Providence	do	Counties of Bristol, Kent, and Providence.
(189) Washington County	do	County of Washington.
(190) [Revoked.]		
(191) Charleston, S. C	South Carolina	Counties of Beaufort, Charleston, Colleton, and Dorchester.
(192) Columbia, S. C	do	Counties of Calhoun, Florence, Lexington, Richland, and Sumter.
(193) Greenville, S. C	do	County of Greenville.
(194) Greenwood	do	County of Greenwood.
(195) Spartanburg	do	Counties of Cherokee, Spartanburg, and Union.
(196) [Revoked.]		
(197) Provo-Hot Springs, S. Dak.	South Dakota	County of Fall River.
(198) Rapid City-Sturgis	do	Counties of Lawrence, Meade, and Pennington.
(199) Chattanooga	Tennessee	Counties of Bradley, Hamilton, and Marion.
	Georgia	Counties of Catoosa, Dade, and Walker.
(200) Clarksville	Tennessee	Counties of Henry, Montgomery, and Stewart.
(201) Columbia, Tenn	do	County of Maury.
(202) Copperhill-McCaysville	do	County of Polk.
	Georgia	County of Fannin.
(203) Knoxville	Tennessee	Counties of Anderson, Blount, Knox, and Roane.
(204) Memphis	do	County of Shelby.
	Arkansas	County of Crittendan.
(205) Nashville	Tennessee	Counties of Davidson and Rutherford
(206) [Revoked.]		
(207) Amarillo	Texas	Counties of Dallam, Hansford, Hartley, Moore, Potter, Randall, and Sherman.
(208) Austin	do	Counties of Bastrop, Hays, Travis, and Williamson.
(209) [Revoked.]		
(210) [Revoked.]		
(211) Corpus Christi	do	Counties of Bee, Kleberg, Nueces, and San Patricio.
(212) Fort Worth	do	County of Tarrant.
(213) Gainesville	do	County of Cooke.
(214) Houston-Galveston	do	Counties of Brazoria, Chambers, Galveston Harris, and Liberty.
(215) Killeen-Temple	Texas	Counties of Bell, Coryell, and Lampasas.
(216) Lower Rio Grande Valley.	do	Counties of Cameron, Hidalgo, and Willacy.
(217) Lubbock	do	County of Lubbock
(218) Marfa-Alpine	do	Counties of Brewster and Presidio
(219) Marshall	do	Counties of Camp, Cass, Harrison, Marion, Morris, Red River Smith, Titus, and Upshur
(220) Matagorda Bay	do	Counties of Calhoun, Jackson, and Matagorda.
(221) Midland-Odessa	do	Counties of Ector and Midland.
(222) Paris, Tex	do	County of Lamar.
	Oklahoma	County of Choctaw.
(223) San Angelo	Texas	County of Tom Green.
(224) San Antonio	do	Counties of Atascosa, Bandera, Bexar, Comal, Guadalupe, Kendall, Medina, and Wilson
(225) Sherman-Denison	do	Counties of Fannin and Grayson.
(226) Victoria	do	County of Victoria.
(227) Waco	do	County of McLennan.
(228) Wichita Falls	do	County of Wichita.
(229) Provo, Utah	Utah	County of Utah.
(230) Salt Lake City	do	Counties of Box Elder, Cache, Davis, Morgan, Salt Lake, Tooele and Weber.
	Nevada	Portion of Elko County situated within a radius of three miles from the center of U. S. Highway 40, where the said highway crosses the Nevada-Utah State line.
(231) [Revoked.]		
(232) Burlington, Vt	Vermont	County of Chittenden.
(233) Springfield-Windsor	do	County of Windsor.
(234) Blackstone	Virginia	County of Nottoway.
(235) King George County	do	County of King George.
(236) Quantico	do	Independent City of Fredericksburg and the Counties of Prince William and Stafford.
(237) Richmond, Virginia	do	Independent City of Richmond and the County of Henrico; in the County of Chesterfield the Magisterial Districts of Bermuda, Clover Hill, Dale, Manchester, and Midlothian.
(238) Yorktown	do	Independent City of Williamsburg and the Counties of James City and York; in the County of Warwick the Magisterial Districts of Denbigh and Stanley.
(239) Bellingham	Washington	Counties of Skagit and Whatcom
(240) Everett	do	Counties of Island and Snohomish
(241) [Revoked.]		
(242) Longview-Kelso	do	County of Cowlitz.
(243) [Revoked.]		
(244) Port Angeles-Port Townsend.	do	Counties of Clallam and Jefferson
(245) Spokane	do	County of Spokane.
(246) Walla Walla	do	Counties of Franklin and Walla Walla and in the County of Benton the Precincts of Finley, South Kennewick, Kennewick Valley, Kennewick Gardens, and Richland.
(247) Charleston, W. Va	West Virginia	County of Kanawha and in the County of Putnam the Magisterial District of Poca talico.
(248) Huntington	do	Counties of Cabell and Wayne;
	Ohio	County of Lawrence;
	Kentucky	Counties of Boyd and Greenup.
(249) Point Pleasant-Gallipolis.	West Virginia	Counties of Jackson and Mason;
	Ohio	Counties of Gallia and Meigs.
(250) Wheeling-Steubenville	West Virginia	Counties of Brooke, Hancock Marshall, Ohio, and Wetzel.
	Ohio	Counties of Belmont, Columbiana, and Jefferson.
(251) Beloit-Janesville	Wisconsin	County of Rock.
(252) Madison, Wis	do	Counties of Columbia, Dane and Sauk.
(253) Manitowoc	do	County of Manitowoc and that portion of the City of Kiel in the County of Calumet.
(254) Milwaukee	do	Counties of Kenosha, Milwaukee Racine, and Waukesha.
(255) Oshkosh-Fond du La	do	Counties of Fond du Lac and Winnebago and that portion of the City of Waupun in the County of Dodge.
(256) Sparta	do	County of Monroe.
(257) Sturgeon Bay	do	County of Door.
(258) Cheyenne	Wyoming	County of Laramie.
(259) Puerto Rico		Puerto Rico in Its Entirety
(260) Richmond-Vallejo	California	Counties of Contra Costa, Napa and Solano
(261) Dallas	Texas	County of Dallas
(262) Essex County, Mass	Massachusetts	County of Essex.
(263) Santa Maria	California	Judicial Townships No. 1, 6, 7, 9 and 10 in the County of Santa Barbara.
(264) Southern N. J	New Jersey	Counties of Burlington, Camden Cape May, Cumberland Gloucester, and Salem.
(265) Sacramento	California	Counties of Sacramento San Joaquin, and Yolo
(266) Hot Springs-Malvern, Ark.	Arkansas	Counties of Clark, Garland, and Hot Springs.
(267) Warren	Pennsylvania	County of Warren.
(268) Monroe, Mich	Michigan	County of Monroe.

[Items (131) and (174) amended by Am. 24, effective 6-1-44]

[Table amended by Am. 1, 7 F.R. 3892, effective 5-22-42; Am. 2, 7 F.R. 4179, effective 5-30-42; Am. 3, 7 F.R. 5812, effective 8-1-42; Am. 4, 7 F.R. 6389, effective 8-12-42; Am. 5, 7 F.R. 7245, effective 9-11-42; Am. 6, 7 F.R. 8358, effective 10-14-42; Am. 7, 7 F.R. 8507, effective 10-30-42; Am. 8, 7 F.R. 9954, effective 12-1-42; Am. 9, 7 F.R. 10081, effective 12-1-42; Am. 10, 8 F.R. 121, effective 1-1-43; Am. 11, 8 F.R. 1226, effective 2-1-43; Am. 12, 8 F.R. 4779, effective 4-15-43; Am. 13, 8 F.R. 5738, effective 5-1-43; Am. 14, 8 F.R. 9021, effective 7-1-43; Am. 15, 8 F.R. 10738, effective 8-1-43; Am. 16, 8 F.R. 12094, effective 9-1-43; Am. 17, 8 F.R. 13919, effective 11-1-43; Am. 18, 8 F.R. 14763 and 15581, effective 11-1-43; Am. 19, 8 F.R. 16208, effective 12-1-43; Am. 20, 8 F.R. 17297, effective 1-1-44; Am. 21, 9 F.R. 971, effective 2-1-44; Am. 22, 9 F.R. 3230, effective 4-1-44; Am. 23, 9 F.R. 4540, effective 5-1-44 and as otherwise noted]

§ 1388.1202 *Necessity.* The necessity for the stabilization or reduction of rents for defense-area housing accommodations in the defense-rental areas designated in § 1388.1201 is as follows:

The designated areas now are or will be the location of establishments of the armed forces of the United States or war production industries. An increase in employment has taken place in most of these areas and is about to take place in the other areas. Such increases in employment reflecting the expansion of war activities have resulted or threaten to result in increased demands for rental housing accommodations by persons residing in these areas. The President has already found that an acute shortage of housing exists or impends in most of the areas under Public Law 849, 76th Congress (Lanham Act); Public Law 9, 77th Congress; or Public Law 24, 77th Congress (Title VI, National Housing Act). Most of the areas have been placed on the list of Defense Housing Areas in which builders may secure priority ratings on critical materials for residential construction.

In each of the designated areas defense activities have resulted or threaten to result in an increase in rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942. As war activities continue to expand, the demand for housing accommodations will become more extensive, and further rent increases and threatened rent increases will materialize unless prevented. Accordingly, it is necessary that rents for such housing accommodations be reduced or stabilized.

§ 1388.1203 *Recommendations.* It is the judgment of the Price Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within any of the defense-rental areas designated in § 1388.1201 inconsistent with the purposes of the act. Accordingly, the Price Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within each of the designated areas on or about March 1, 1942. The Price Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes and other costs. It is the judgment of the Price Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the act.

Recommendations with reference to the stabilization or reduction of rents for housing accommodations within each of the designated defense-rental areas are as follows:

(a) The maximum rent for housing accommodations rented on March 1, 1942, should be the rent for such accommodations on that date. Appropriate provision consistent with such maximum rent date should be made for the maximum rent for housing accommodations not rented on March 1, 1942. In appropriate cases, including those relating to new construction or substantial changes of housing accommodations, provision consistent with the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of maximum rents of housing accommodations, but in principle such rents should not be greater than the rents generally prevailing for comparable accommodations in the particular area on March 1, 1942.

(b) Appropriate provision should be made with respect to the restraint of evictions and other actions relating to the recovery of possession.

(c) Appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.

§ 1388.1204 *Maximum rent regulation.* If within sixty days after the issuance of this designation and rent declaration, rents for housing accommodations within any defense-rental area designated in § 1388.1201 have not in the judgment of the Price Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the foregoing recommendations, the Price Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

§ 1388.1205 *Effective date.* This designation and rent declaration (§§ 1388.1201 to 1388.1205, inclusive) shall become effective April 28, 1942. [Designation and Rent Declaration 25 originally issued April 28, 1942.]

[Effective dates of amendments are shown in notes following parts affected.]

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7712; Filed, May 27, 1944; 4:47 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31[1] Incl. Amdts. 1-18]

DESIGNATION OF AREAS AND RENT DECLARATIONS RELATING TO SUCH AREAS

This compilation of Designation and Rent Declaration 31 includes Amendment 18, effective June 1, 1944. The items added or amended by Amendment 18 are indicated by note.

In the judgment of the Price Administrator, defense activities have resulted or threatened to result in increases in the rents for housing accommodations in the areas designated in § 1388.1341 inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Price Administrator, it is necessary and proper in order to effectuate the purposes of the said Act to issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for defense-area housing accommodations within the defense-rental areas designated in § 1388.1341;

Therefore, under the authority vested in the Price Administrator by said act, this designation and rent declaration is issued.

Sec.

1388.1341 Designation.
1388.1342 Necessity.
1388.1343 Recommendations.
1388.1344 Maximum rent regulation.
1388.1345 Effective date.

AUTHORITY: § 1388.1341 to 1388.1345, inclusive, issued under 56 Stat. 23, 765.

§ 1388.1341 *Designation.* The following areas are hereby designated by the Price Administrator as areas where defense activities have resulted or threaten to result in an increase in rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute defense-rental areas to be known by the names listed in the following table:

[1] 7 F.R. 7942. Title amended by Am. 9.

Name of defense rental area	In State of—	Defense-rental area consists of—
(1) Alabama	Alabama	That portion of the State of Alabama not heretofore designated by the Price Administrator as part of any defense-rental area, except the counties of Baldwin, Coffee, and Pickens.
(2) Arizona	Arizona	That portion of the State of Arizona not heretofore designated by the Price Administrator as part of any defense-rental area, except that portion of Mohave County which is south of the Colorado River.
(3) Arkansas	Arkansas	That portion of the State of Arkansas not heretofore designated by the Price Administrator as part of any defense-rental area, except the county of Randolph (which becomes a part of the Newport-Walnut Ridge Defense-Rental Area, effective February 1, 1943).
(4) California	California	That portion of the State of California not heretofore designated by the Price Administrator as part of any defense-rental area.
(5) Colorado	Colorado	That portion of the State of Colorado not heretofore designated by the Price Administrator as part of any defense-rental area, except the counties of Chaffee and Garfield.
*(6) Florida	Florida	That portion of the State of Florida not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Columbia, Dade, St. Johns, St. Lucie, Santa Rosa, and Wakulla, and in the county of Broward the city of Hollywood and the town of Hallandale.
*(7) Georgia	Georgia	That portion of the State of Georgia not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Dublin, Sumter, Thomasville, and Ware.
(8) Idaho	Idaho	That portion of the State of Idaho not heretofore designated by the Price Administrator as part of any defense-rental area, except the counties of Ada and Elmore.
(9) Illinois	Illinois	That portion of the State of Illinois not heretofore designated by the Price Administrator as part of any defense-rental area, except the counties of De Kalb, Fulton, Kankakee, Knox, La Salle, McDonough, and Mason.
(10) Indiana	Indiana	That portion of the State of Indiana not heretofore designated by the Price Administrator as part of any defense-rental area except the county of Wayne.
*(11) Iowa	Iowa	That portion of the State of Iowa not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Jasper, Wapello, and Woodbury.
*(12) Kansas	Kansas	That portion of the State of Kansas not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Barton, Finney, Ford, Gray, Pratt, and Reno.
*(13) Kentucky	Kentucky	That portion of the State of Kentucky not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Ballard and Daviess.
(14) Louisiana	Louisiana	That portion of the State of Louisiana not heretofore designated by the Price Administrator as part of any defense-rental area.
(15) Maine	Maine	That portion of the State of Maine not heretofore designated by the Price Administrator as part of any defense-rental area.
*(16) Maryland	Maryland	That portion of the State of Maryland not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Calvert, Frederick, and St. Marys.
(17) Dukes-Nantucket	Massachusetts	Counties of Dukes and Nantucket.
(18) Michigan	Michigan	That portion of the State of Michigan not heretofore designated by the Price Administrator as part of any defense-rental area, except the county of Hillsdale.
(19) Minnesota	Minnesota	That portion of the State of Minnesota not heretofore designated by the Price Administrator as part of any defense-rental area.
(20) Mississippi	Mississippi	That portion of the State of Mississippi not heretofore designated by the Price Administrator as part of any defense-rental area, except the county of Jones.
(21) Missouri	Missouri	That portion of the State of Missouri not heretofore designated by the Price Administrator as part of any defense-rental area.
(22) Montana	Montana	That portion of the State of Montana not heretofore designated by the Price Administrator as part of any defense-rental area.
*(23) Nebraska	Nebraska	That portion of the State of Nebraska not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Adams, Buffalo, Clay, Dakota, and Redwillow.
(24) Nevada	Nevada	That portion of the State of Nevada not heretofore designated by the Price Administrator as part of any defense-rental area, except that portion of Elko County situated within a radius of three miles from the center of U. S. Highway 40, where the said highway crosses the Nevada-Utah State Line.
(25) New Hampshire	New Hampshire	That portion of the State of New Hampshire not heretofore designated by the Price Administrator as part of any defense-rental area.
(26) Ocean-Atlantic	New Jersey	Counties of Ocean and Atlantic.
(27) New Mexico	New Mexico	That portion of the State of New Mexico not heretofore designated by the Price Administrator as part of any defense-rental area, except the counties of Curry, DeBaca, Roosevelt, and San Miguel.
(28) New York	New York	That portion of the State of New York not designated prior to October 5, 1943 by the Price Administrator as part of any defense-rental area and the counties of Rockland and Westchester.
(29) North Carolina	North Carolina	That portion of the State of North Carolina not heretofore designated by the Price Administrator as part of any defense-rental area, except the counties of Alamance, Buncombe, Chowan, Edgecombe, Moore, Nash, Pender and Perquimans.
(30) North Dakota	North Dakota	The entire State of North Dakota.
(31) Ohio	Ohio	That portion of the State of Ohio not heretofore designated by the Price Administrator as part of any defense-rental area except the county of Licking.
(32) Oklahoma	Oklahoma	That portion of the State of Oklahoma not heretofore designated by the Price Administrator as part of any defense-rental area, except the counties of Beckham, Canadian, Custer, Jackson, Tillman, and Washita.
(33) Oregon	Oregon	That portion of the State of Oregon not heretofore designated by the Price Administrator as part of any defense-rental area, except the county of Tillamook (which becomes a part of the Portland-Vancouver Defense-Rental Area, effective January 1, 1943).
(34) Pennsylvania	Pennsylvania	That portion of the State of Pennsylvania not heretofore designated by the Price Administrator as part of any defense-rental area, except the counties of Clinton and Elk.
(35) South Carolina	South Carolina	That portion of the State of South Carolina not heretofore designated by the Price Administrator as part of any defense-rental area, except the counties of Colleton and Florence.
(36) South Dakota	South Dakota	That portion of the State of South Dakota not heretofore designated by the Price Administrator as part of any defense-rental area.
*(37) Tennessee	Tennessee	That portion of the State of Tennessee not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Anderson, Loudon, and Roane.
(38) Texas	Texas	That portion of the State of Texas not heretofore designated by the Price Administrator as part of any defense-rental area, except the counties of Bee, Brazos, Brewster, Denton, Kinney, Kleberg, Lampasas, McCulloch, Nolan, Smith, Uvalde, Val Verde, and Webb, and Justices' Precincts 1, 6, and 7 in the county of Caldwell.
(39) Utah	Utah	That portion of the State of Utah not heretofore designated by the Price Administrator as part of any defense-rental area.
(40) Vermont	Vermont	That portion of the State of Vermont not heretofore designated by the Price Administrator as part of any defense-rental area.

Name of defense rental area	In State of—	Defense-rental area consists of—
(41) Virginia	Virginia	That portion of the State of Virginia not heretofore designated by the Price Administrator as part of any defense-rental area, except the county of Northampton which becomes the Cape Charles Defense-Rental Area, effective January 1, 1943.
(42) Washington	Washington	That portion of the State of Washington not heretofore designated by the Price Administrator as part of any defense-rental area, except that portion of Grant County lying between the south line of Township 23 North and the north line of Township 16 North, and in the County of Benton the Precincts of Finley, South Kennewick, Kennewick Valley, Kennewick Gardens, Richland, Benton City, Carley, Columbia, East Prosser, Expanston, Hanford, Highlands-Horn Rapids, Hoover, Kiona, North Prosser, Paterson, Prosser, Rattlesnake, Riverside, Walnut Grove, Wellington, West Prosser, and White Bluffs.
(43) West Virginia	West Virginia	That portion of the State of West Virginia not heretofore designated by the Price Administrator as part of any defense-rental area, except the county of Berkeley and the Magisterial District of Pocatalico in the county of Putnam.
(44) Wisconsin	Wisconsin	That portion of the State of Wisconsin not heretofore designated by the Price Administrator as part of any defense-rental area, except the county of La Crosse, that portion of the City of Waupun in the county of Dodge, and that portion of the city of Kiel in the county of Calumet.
(45) Wyoming	Wyoming	That portion of the State of Wyoming not heretofore designated by the Price Administrator as part of any defense-rental area, except the county of Converse.
(46) Cape Charles	Virginia	County of Northampton.
(47) Laredo	Texas	County of Webb.
(48) Lake City	Florida	County of Columbia.
(49) Boise	Idaho	Counties of Ada and Elmore.
(50) Kankakee	Illinois	County of Kankakee.
(51) La Salle County	do	County of La Salle.
(52) Hutchinson	Kansas	County of Reno.
(53) Dodge City	do	Counties of Finney, Ford and Gray.
(54) Kearney	Nebraska	County of Buffalo.
(55) Southern Pines	North Carolina	County of Moore.
(56) Clinton-Elk City	Oklahoma	Counties of Beckham, Custer and Washita.
(57) Florence	South Carolina	County of Florence.
(58) Bryan	Texas	County of Brazos.
(59) Del Rio	do	Counties of Kinney, Maverick, Uvalde, and Val Verde.
(60) Hastings	Nebraska	Counties of Adams and Clay.
(61) Ottumwa	Iowa	County of Wapello.
(62) Miami	Florida	County of Dade and in the county of Broward the City of Hollywood and the town of Hallandale.
(63) Americus	Georgia	County of Sumter.
(64) Macomb-Canton	Illinois	Counties of Fulton, McDonough, and Mason.
(65) Laurel	Mississippi	County of Jones.
(66) McCook	Nebraska	County of Redwillow.
(67) Burlington, N. C.	North Carolina	County of Alamance.
(68) Altus-Frederick	Oklahoma	Counties of Jackson and Tillman.
(70) Brady	Texas	County of McCulloch.
(71) Ephrata	Washington	That portion of Grant County lying between the south land of Township 23 North and the north land of Township 16 North.
(72) Baldwin County	Alabama	County of Baldwin.
(73) Fort Pierce	Florida	County of St. Lucie.
(74) San Miguel County	New Mexico	County of San Miguel.
(75) La Crosse	Wisconsin	County of La Crosse.
(76) Great Bend	Kansas	County of Barton.
(77) Asheville	North Carolina	County of Buncombe.
(78) Rocky Mount	do	Counties of Edgecombe and Nash.
(79) Lockhart	Texas	Justices' Precincts 1, 6, and 7 in the County of Caldwell.
(80) Sweetwater	do	County of Nolan.
(81) Hillsdale	Michigan	County of Hillsdale.
(82) Martinsburg	West Virginia	County of Berkeley.
(83) Galesburg	Illinois	County of Knox.
(84) Fender County	North Carolina	County of Pender.
(85) Douglas	Wyoming	County of Converse.
**(86) St. Augustine	Florida	County of St. Johns.
**(87) Dublin	Georgia	County of Laurens.
**(88) Thomasville	Georgia	Thomas County and those portions of the towns of Pavo and Barwick in Brooks County and that portion of the town of Meigs in Mitchell County.
**(89) Sioux City	Iowa	County of Woodbury.
	Nebraska	County of Dakota.
**(90) Pratt	Kansas	County of Pratt.
**(91) Owensboro	Kentucky	County of Daviess.
**(92) Frederick	Maryland	County of Frederick.
**(93) Lenoir City	Tennessee	County of Loudon.

[*Items amended; **items added by Am. 18, effective 6-1-44]

[§ 1388.1341 amended by Am. 1, 8 F.R. 122, effective 1-1-43; Am. 2; Am. 3, 8 F.R. 1228, effective 2-1-43. Am. 4, 8 F.R. 1749, effective 2-6-43; Am. 5, 8 F.R. 4779, effective 4-15-43; Am. 6, 8 F.R. 5738, effective 5-1-43; Am. 7, 8 F.R. 5739, effective 5-1-43; Am. 8, 8 F.R. 10739, effective 8-1-43; Am. 9, 8 F.R. 12099, effective 9-1-43; Am. 10, 8 F.R. 12624, effective 9-15-43; Am. 11, 8 F.R. 13920, effective 11-1-43; Am. 12, 8 F.R. 14012, effective 10-15-43; Am. 13, 8 F.R. 14687, 15581, effective 11-1-43; Am. 14, 8 F.R. 16209, effective 12-1-43; Am. 15, 9 F.R. 972, effective 2-1-44; Am. 16, 9 F.R. 3232, effective 4-1-44; Am. 17, 9 F.R. 4541, effective 5-1-44 and as otherwise noted]

§ 1388.1342 *Necessity.* The necessity for stabilization or reduction of rents for defense-area housing accommodations in the defense-rental areas designated in § 1388.1341 is as follows:

The designations of defense-rental areas hereby and heretofore made include the entire United States. The problem of inflation is nation-wide, and effective prevention of inflation requires nation-wide action affecting substantially all elements of the national economy. War conditions have caused widespread increases in rents, and threaten further general price and rent rises. Any increases in housing rentals, an important factor in the cost of living, have serious inflationary effects. Additional rental increases are threatened not only by increased migrations from one part of the country to another in connection with war production and new or expanding military establishments, but also by general factors affecting the economy including the greatly increased purchasing power of the people of the nation in relation to a relatively stable and limited supply of housing. In each of the designated defense-rental areas, defense activities have resulted or threaten to result in an increase in rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942.

§ 1388.1343 *Recommendations.* It is the judgment of the Price Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within any of the defense-rental areas designated in § 1388.1341 inconsistent with the purposes of the act. Accordingly, the Price Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within each of the designated areas on or about March 1, 1942. The Price Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes and other costs. It is the judgment of the Price Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the act.

Recommendations with reference to the stabilization or reduction of rents for housing accommodations within each of the designated defense-rental areas are as follows:

(a) The maximum rent for housing accommodations rented on March 1, 1942 should be the rent for such accommodations on that date. Appropriate provision consistent with such maximum rent date should be made for the maximum rent for housing accommodations not rented on March 1, 1942. In appropriate cases, including those relating to new construction or substantial changes of housing accommodations, provision consistent with the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of maximum rents of housing accommodations, but in principle such rents should not be greater than the rents generally prevailing for comparable accommodations in the particular area on March 1, 1942.

(b) Appropriate provision should be made with respect to the restraint of evictions and other actions relating to the recovery of possession.

(c) Appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.

§ 1388.1344 *Maximum rent regulation.* If within sixty days after the issuance of this designation and rent declaration, rents for housing accommodations within any defense-rental area designated in § 1388.1341 have not in the judgment of the Price Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the foregoing recommendations, the Price Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

§ 1388.1345 *Effective date.* This designation and rent declaration (§§ 1388.1341 to 1388.1345, inclusive) shall become effective October 5, 1942. [Designation and Rent Declaration 31 originally issued October 5, 1942]

[Effective dates of amendments are shown in notes following the parts affected]

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7713; Filed, May 27, 1944; 4:47 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 66]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respect:

A new section 10.1 (h) is added to read as follows:

(h) When a seasonal user suspends operations, he must report to the Board the number of days that he was actually in operation during the allotment period in which he suspends operations. If he was not in operation during the number of days for which he obtained an allotment, he must account for the difference. He shall surrender ration evidences (or be charged with excess inventory if he does not have all or part of such ration evidences), in an amount equal to the difference between his allotment as granted, and the allotment reduced in proportion to the number of days that he was not in operation.

This amendment shall become effective June 2, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, E.O. 9280, 7 F.R. 10179; WPB. Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471 respectively)

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7744; Filed, May 29, 1944; 11:54 a. m.]

PART 1305—ADMINISTRATION

[Rev. Gen. Order 32, Amdt. 11]

REGIONAL ADMINISTRATOR'S DELEGATION OF AUTHORITY TO ACT FOR THE PRICE ADMINISTRATOR

Revised General Order No. 32 is amended in the following respects:

1. Paragraph (a) (2) is amended to add the following: "or section 9 (d) of Revised Maximum Price Regulation 287 (Manufacturers' Prices for Women's, Girls', Children's and Toddlers' Outerwear Garments) or section 3.14 (g) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation."

2. Paragraph (a) (3) is amended to add the following: "or sections 5 (c), 9 (c), 12 (a), 12 (b), and 12 (d) of Revised Maximum Price Regulation 287, (Manufacturers' Prices for Women's, Girls', Children's and Toddlers' Outerwear Garments) or section 3.14 (d) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation."

3. Paragraph (a) (4) is amended to add the following: "or sections 4, 6, 9 (a) and 12 (c) of Revised Maximum Price Regulation 287 (Manufacturers' Prices for Women's, Girls', Children's and Toddlers' Outerwear Garments) or of section 3.14 (c) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation."

4. Paragraph (b) (2) is amended to add the following: "or section 9 (d) of Revised Maximum Price Regulation 287 (Manufacturers' Prices for Women's, Girls', Children's and Toddlers' Outerwear Garments) or section 3.14 (g) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation."

5. Paragraph (b) (3) is amended to add the following: "or sections 5 (c), 9 (c), 12 (a), 12 (b) and 12 (d) of Revised Maximum Price Regulation 287 (Manufacturers' Prices for Women's, Girls', Children's and Toddlers' Outerwear Garments) or section 3.14 (d) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation."

6. Paragraph (b) (4) is amended to add the following: "or sections 4, 6, 9 (a) and 12 (c) of Revised Maximum Price Regulation 287 (Manufacturers' Prices for Women's, Girls', Children's and Toddlers' Outerwear Garments) or section 3.14 (c) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation."

This amendment shall become effective June 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7745; Filed, May 29, 1944; 11:53 a. m.]

PART 1340—FUEL

[RMPR 137, Corr. to Amdt. 3]

PETROLEUM PRODUCTS SOLD AT RETAIL ESTABLISHMENTS

Amendment No. 3 to Revised Maximum Price Regulation No. 137 issued May 17, 1944, is corrected in the following respects:

1. The heading is corrected to read as follows: "[RMPR 137, Amdt. 3]"

2. The second paragraph is corrected to read as follows:

Revised Maximum Price Regulation No. 137 is amended in the following respects:

This correction shall be effective as of May 22, 1944.

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7746; Filed, May 29, 1944; 11:54 a. m.]

PART 1340—FUEL

[MPR 120, Amdt. 100]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.*

In § 1340.210 (a) (15) the final period is changed to a comma and the following is added: "and only if the seller customarily added the amount of such tax to the maximum price and separately stated the tax on his invoices prior to May 1, 1944."

This amendment shall become effective May 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7447; Filed, May 29, 1944; 11:54 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2287, 2252, 2476.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 305,[1] Amdt. 10]

CORN MEAL, CORN FLOUR, CORN GRITS, HOMINY, HOMINY GRITS, BREWERS GRITS AND OTHER PRODUCTS MADE BY DRY CORN MILLING PROCESS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 305 is amended in the following respects:

1. Section 1351.1754 is amended to read as follows:

§ 1351.1754 *Maximum base point prices for yellow and white corn products.* (a) The maximum base point price for yellow corn products, except hominy feed, corn bran, corn germ cake and corn germ meal, shall be $2.77 per hundredweight at the basing point of Kansas City, Missouri.

(b) The maximum base point price for white corn products, except hominy feed, corn bran, corn germ cake and corn germ meal, shall be $3.21 per hundredweight at the basing point of Kansas City, Missouri.

(c) The maximum base point price for degerminated corn meal and corn grits which have been enriched by the addition of at least 1.2 milligrams of thiamine, 14 milligrams of niacin and 11 milligrams of iron per pound of such degerminated corn meal and corn grits shall be the foregoing maximum base point price for yellow corn products or white corn products, as the case may be, plus an increase at the rate of 13 and 18 cents per 100 pounds, respectively: *Provided*, That such enriched degerminated corn meal and corn grits are placed in 100 pound cotton sacks or containers other than 100 pound cotton sacks, and each such sack or container bears a tag or label stating that its contents have been enriched as above described. Any 100 pound cotton sack or container other than a 100 pound cotton sack of enriched corn meal or corn grits which does not bear said tag or label shall be priced under paragraph (a) or (b) of this section.

The maximum base point price for hominy feed, corn bran, corn germ cake and corn germ meal, shall be $2.13 per hundredweight at the basing point of Kansas City, Missouri.

2. Section 1351.1756 (b) is amended to read as follows:

(b) In one hundred pound cotton sacks, except hominy feed, corn bran, corn germ cake and corn germ meal, the sum of (1) the maximum base point price, (2) transportation charges as defined herein, and (3) in addition, if in seller's bags, plus the actual cost of a cotton sack which holds one hundred pounds of corn products (but no greater than the maximum price provided in Maximum Price Regulation 151).

3. Section 1351.1756 (c) is amended to read as follows:

(c) In containers other than one hundred pound cotton sacks, except "case goods" and hominy feed, corn bran, corn germ cake and corn germ meal, the sum of (1) the maximum base point price, (2) transportation charges as defined herein, (3) plus or minus the package differential and charge for outside containers listed in Appendix A; and (4) in addition, if in seller's bags, plus the actual cost of a cotton sack, which holds one hundred pounds of corn products (but no greater than the maximum price provided in Maximum Price Regulation 151).

4. Section 1351.1756 (e) is added to read as follows:

(e) For hominy feed, corn bran, corn germ cake and corn germ meal, sacked or packaged, the sum of (1) the maximum base point price, (2) transportation charges as defined herein, and (3) where the seller furnishes the sacks or packages, the reasonable market value thereof, not exceeding their maximum price at the time of the sale or delivery.

5. Section 1351.1757 is amended to read as follows:

§ 1351.1757 *Maximum delivered price for a less than carload shipment of corn products, except hominy feed, corn bran, corn germ cake and corn germ meal, by a processor.* The maximum delivered price for a sale and delivery in a less than carload lot of corn products, except hominy feed, corn bran, corn germ cake and corn germ meal, by a processor, shall be the carload maximum price f. o. b. processor's plant or warehouse, for the identical product, plus the appropriate one of the following:

(a) For a sale and delivery to a wholesaler: 5¢ per hundredweight, and the actual transportation costs to buyer's receiving point provided that such transportation costs are not to exceed 25¢ per hundredweight;

(b) For a sale and delivery to an individual retail store: 25¢ per hundredweight;

(c) For a sale and delivery to a consumer: 30¢ per hundredweight.

6. Section 1351.1758 is amended to read as follows:

§ 1351.1758 *Maximum delivered price for a less than carload shipment of hominy feed, corn bran, corn germ cake and corn germ meal, by a processor.* The maximum delivered price for a sale and delivery in a less than carload lot of hominy feed, corn bran, corn germ cake and corn germ meal by a processor shall be the carload maximum price f. o. b. processor's plant or warehouse for the identical product, plus $1.00 per ton, plus the actual transportation costs to buyer's receiving point.

7. Section 1351.1763 is amended to read as follows:

§ 1351.1763 *Maximum prices for sales by any person other than the processor or jobber.* (a) The maximum price at which any person other than the processor or jobber may resell corn products, except, hominy feed, corn bran, corn germ cake and corn germ meal, shall be the maximum price calculated under Maximum Price Regulation Nos. 421, 422 or 423.

(b) The maximum price at which any person other than the processor or jobber may resell hominy feed, corn bran, corn germ cake and corn germ meal shall be determined by adding to his supplier's lawful maximum per ton price on the sale to him, his transportation cost and, subject to the limitation set forth in subparagraph (1) of this paragraph, a maximum markup of $2.50 per ton if he is a wholesaler, or $4.00 per ton if he is a retailer.

(1) The above maximum markups may be added provided that the aggregate markup for all sales by any one class of seller shall not exceed the maximum per ton markup shown above and the amount which a subsequent seller may add on resale is reduced or eliminated, as the case may be, by the amount of the markups taken by prior sellers of his class.

8. Section 1351.1766 (c) is amended to read as follows:

(c) "Corn products" means every product of corn made by a dry corn milling process from yellow or white corn, including, but not limited to, corn meal, corn flour, corn grits, grits and brewers grits, hominy feed, corn bran, corn germ cake and corn germ meal, but not including ground or cracked corn or corn feed meal which is used for animal feeding purposes, or products made by a dry corn milling process which, prior to sale by a processor, have been materially changed in form by further processing, including but not limited to brewers flakes, confectioners flakes and corn flakes.

9. Section 1351.1766 (d) is amended to read as follows:

(d) "Jobber" (sometimes known as primary jobber) means:

(1) With respect to any lot of corn products other than hominy feed, corn bran, corn germ cake and corn germ meal, a person other than a wholesaler or retailer as defined in Maximum Price Regulation Nos. 421, 422 or 423, who buys such corn products whether in car lots or less than car lots and resells the same to any person; and

(2) With respect to any lot of hominy feed, corn bran, corn bran cake or corn germ meal, a person who buys such corn products and resells the same to any person without unloading them into a warehouse or store.

10. Section 1351.1766 (g) is amended to read as follows:

(g) "Pool car shipment" means a shipment of a carload lot by one seller consisting of two or more less than carload shipments (at least one of which is of corn products), to two or more buyers

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1063, 2501, 3178, 3705, 5316, 6177, 6440, 7567, 16297, 16790; 9 F.R. 3072, 4224.

combined for the purpose of obtaining a carload rate.

11. Section 1351.1766 (i) is amended to read as follows:

(i) "Retailer" means:

(1) With respect to any lot of corn products other than hominy feed, corn bran, corn germ cake or corn germ meal, a person defined as a retailer in Maximum Price Regulation Nos. 422 and 423; and

(2) With respect to any lot of hominy feed, corn bran, corn germ cake or corn germ meal, a person, other than the processor, who sells such corn products after having unloaded the same into a warehouse or store to a consumer.

12. Section 1351.1766 (j) is amended to read as follows:

(j) "Wholesaler" means:

(1) With respect to any lot of corn products other than hominy feed, corn bran, corn germ cake or corn germ meal, a person defined as a wholesaler in Maximum Price Regulation No. 421; and

(2) With respect to any lot of hominy feed, corn bran, corn germ cake or corn germ meal, a person, other than the processor, who sells such corn products after unloading the same into a warehouse or store to any person other than a consumer.

This amendment shall become effective June 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7748; Filed, May 29, 1944; 11:55 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 378,[1] Amdt. 6]

MIXED FEEDS FOR ANIMALS AND POULTRY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 19 is amended to read as follows:

SEC. 19. *Dealings between persons of the same class.* No person shall sell mixed feed or mineral mixed feed bought from a person who, with respect to the particular lot being priced, is in the same class to which he belongs, at higher than the maximum price which his supplier could have charged him on the sale to him.

This amendment shall become effective June 3, 1944.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5810, 5648, 9530, 10435, 14281, 15489.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7750; Filed, May 29, 1944; 11:55 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses,[1] Amdt. 21]

MAXIMUM RENT DATES AND RECORDS

Rent Regulation for Hotels and Rooming Houses is amended in the following respects:

1. Section 2 (b) (5) is amended to read as follows:

(5) *Defense-rental areas with maximum rent date later than March 1, 1942*—(i) *Maximum rent date later than March 1, 1942 but prior to July 1, 1943.* In Defense-Rental Areas with a maximum rent date later than March 1, 1942 but prior to July 1, 1943, in section 2 (b) (2) the words "June 1943" shall be substituted for the words "June 1942" and the words "June 30, 1943" shall be substituted for the words "June 30, 1942"; in section 2 (b) (3) the words "June 1943" shall be substituted for the words "June 1942"; and in section 2 (b) (4) the words "the maximum rent date" shall be substituted for the words "October 1, 1942".

(ii) *Maximum rent date of July 1, 1943, or later.* In Defense-Rental Areas with a maximum rent date of July 1, 1943, or later, in section 2 (b) (2) the words "the thirty days ending on the maximum rent date" shall be substituted for the words "June 1942" and the words "the maximum rent date" shall be substituted for the words "June 30, 1942"; in section 2 (b) (3) the words "the thirty days ending on the maximum rent date" shall be substituted for the words "June 1942"; and in section 2 (b) (4) the words "the maximum rent date" shall be substituted for the words "October 1, 1942."

2. Section 7 (e) (1) is amended to read as follows:

(e) *Records*—(1) *Existing records.* Every landlord of a room rented or offered for rent shall preserve, and make available for examination by the Administrator, all his existing records showing or relating to (i) the rent for each term and number of occupants for which such room was rented or regularly offered for rent during the thirty-day period determining the maximum rent for such room, (ii) the rent on any date determining a maximum rent for such room for a particular term and number of occupants under section 4 (c), (iii) rooms rented and offered for rent on a weekly and monthly basis during June 1942, in Defense-Rental Areas with a maximum rent date of March 1, 1942 or earlier, (iv) rooms rented and offered for rent on a weekly and monthly basis during June 1943, in Defense-Rental Areas with a maximum rent date later than March 1, 1942, but prior to July 1, 1943, (v) rooms rented and offered for rent on a weekly and monthly basis during the thirty days ending on the maximum rent date, in Defense-Rental Areas with a maximum rent date of July 1, 1943, or later.

This amendment shall become effective June 1, 1944.

(56 Stat. 23, 765)

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7751; Filed, May 29, 1944; 11:55 a. m.]

[1] 8 F.R. 7567, 9774, 9 F.R. 2408.

[2] 9 F.R. 3231, 3421, 4194, 4841, 5002.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 125]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7851 (b) (4) (iv) is added to read as follows:

(iv) To operate a commercial motor vehicle in the course of its rebuilding, including operation to and from, within and between, rebuilding plants when such vehicle may be lawfully operated for such purpose without a Certificate of War Necessity. However, no ration may be issued which would permit movement to a rebuilding plant in excess of 200 miles, and from a rebuilding plant in excess of 200 miles unless the Office of Defense Transportation has certified that alternative means of transportation for such movement by rail or water carrier are unavailable or inadequate. (The 200 mile limitation does not apply to movement within and between rebuilding plants.)

2. Section 1394.8183 (b) (7) is added to read as follows:

(7) Any movement of a commercial motor vehicle in the course of its rebuilding, or moving such vehicle within or between plants engaged in its rebuilding.

This amendment shall become effective June 2, 1944.

NOTE: The reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, 77th Cong.; WPB Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1Q, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7752; Filed, May 29, 1944; 11:53 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 21]

SUGAR

A rationale accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1407.86e is added to read as follows:

§ 1407.86e *Special allotments for production of frozen sugared egg yolks between May 29, 1944, and July 31, 1944*—(a) *General.* Any industrial user may apply to the Board (or District Office) with which he is registered for a special allotment for the production of frozen sugared egg yolks between May 29, 1944, and July 31, 1944, inclusive.

(b) *How to apply.* Application shall be made by the industrial user on OPA Form R-315 and must show:

(1) The amount of the special allotment requested;

(2) The number of pounds of egg yolks he will freeze between May 29, 1944, and July 31, 1944, inclusive, excluding any amount which he will produce from his regular allotment.

(c) *When to apply.* Application under this section may be made at any time before August 1, 1944. The Board may not act upon an application but shall forward it to the district office. If the district office finds that the facts stated in the application are true, it shall approve the application and issue a certificate in the amount requested. However, the applicant may not be granted more than one pound of sugar for each nine pounds of egg yolks he will freeze before August 1, 1944, excluding any amount which he will produce from his regular allotment.

(d) *Additional applications may be made.* An industrial user who has obtained sugar under this section and who needs more sugar for freezing sugared egg yolks may, before August 1, 1944, file another application and the District Office may approve it in the way provided by paragraphs (b) and (c). The application, however, must state the number of pounds of egg yolks he froze with any sugar he previously obtained under this section and the District Office shall take such amount into account in acting on the application.

(e) *How sugar obtained under this section may be used.* Sugar obtained under this section may not be used at a rate greater than one pound of sugar for each nine pounds of egg yolks frozen. It may be used only before August 1, 1944, and for the purposes for which it was granted and any sugar not so used shall be considered excess inventory.

(f) *A person obtaining sugar must make a report.* Any person receiving a special allotment under this section must, on or before August 10, 1944, report to the Board (or District Office) with which he is registered in writing the number of pounds of egg yolks he froze with the special allotment.

(g) *Sugar obtained under this section may be used in addition to regular allotment.* Sugar obtained under this section may be used in addition to any other allotments which an industrial user may obtain under this order.

(h) *New industrial user may be registered for purposes of this section.* Any person desiring to get sugar under this section and is not eligible for registration as an industrial user under this order may petition for registration in the way provided by § 1407.163. The District Office may permit such person to register on OPA Form R-1300 for the purpose of obtaining a special allotment under this section. (Such person may not be assigned a base or obtain other allotments.)

This amendment shall become effective May 29, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1-E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005; War Food Order No. 64, 8 F. R. 7093.)

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7753; Filed, May 29, 1944; 11:56 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 36]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. Section 2.4 (c) is amended by deleting the last three sentences of the paragraph.

2. Section 2.4 (d) is amended to read as follows:

(d) *A consumer also uses certificates and ration coupons.* Any consumer to whom a "board" issues a "certificate" or ration coupon may use it to acquire processed foods just as stamps are used. However, a consumer may give up the certificate or ration coupon at or before the time the processed foods are acquired. The number of points a certificate or ration coupon is worth is shown on that certificate or ration coupon. A consumer to whom a certificate has been issued must sign his name on the back before he may use it.

3. Section 2.4 (f) is added to read as follows:

(f) *How consumers acquire and use tokens.* If the consumer is unable to give up points exactly equal to the point value of the processed foods acquired by him because he does not have stamps, certificates, ration coupons, or ration checks of sufficiently small value to make up the proper amount, he may give up, and the transferor may accept, stamps, certificates, ration coupons, or ration checks of the nearest higher value, and the transferor must return the excess number of points to the consumer in the form of tokens. Tokens may be used by a consumer to acquire processed foods only if he has received the tokens in this way from his transferor. A transferor may accept tokens from a consumer, un-

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15037.

[2] 9 F.R. 1433, 1884, 2283, 2936, 3081, 3513, 3579, 3847, 3944, 4090, 4380, 4474, 4960, 5220, 5354, 5220, 5166, 5436, 5946.

[1] 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1737, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2591.

less he knows or has reason to believe that they were not acquired by the consumer in this way.

4. Section 9.4 (a) is amended by deleting the second paragraph and substituting the following therefor:

If the consumer is unable to give up points exactly equal to the point value of the processed foods acquired by him because he does not have stamps, certificates, ration coupons, or ration checks of sufficiently small value to make up the proper amount, he may give up, and the transferor may accept stamps, certificates, ration coupons, or ration checks of the nearest higher value and the transferor must return the excess points to the consumer in the form of tokens.

This amendment shall become effective June 2, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320)

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7754; Filed, May 29, 1944; 11:51 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 139]

MEATS, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 2.3 (c) is amended by deleting the last three sentences of the paragraph.

2. Section 2.3 (d) is amended to read as follows:

(d) *A consumer also uses certificates and ration coupons.* Any consumer to whom a "board" issues a "certificate" or ration coupon may use it to acquire foods covered by the order, just as stamps are used. However, a consumer may give up the certificate or ration coupon at or before the time when the foods are acquired. The number of points a certificate or ration coupon is worth is shown on that certificate or ration coupon. A consumer to whom a certificate has been issued must sign his name on the back before he may use it.

3. Section 2.3 (g) is added to read as follows:

(g) *How consumers acquire and use tokens.* If the consumer is unable to give up points exactly equal to the point value of the foods acquired by him because he does not have stamps, certificates, ration coupons, or ration checks of sufficiently small value to make up the proper amount, he may give up, and the transferor may accept, stamps, certificates, ration coupons, or ration checks of the nearest higher value, and the transferor must return the excess number of points to the consumer in the form of tokens. Tokens may be used by a consumer to acquire foods covered by this order only if he has received the tokens in this way from his transferor. A transferor may accept tokens from a consumer, unless he knows or has reason to believe that they were not acquired by the consumer in this way.

4. Section 10.4 (a) is amended by deleting the last two sentences of the paragraph and substituting the following therefor:

If the consumer is unable to give up points exactly equal to the point value of the foods acquired by him because he does not have stamps, certificates, ration coupons, or ration checks of sufficiently small value to make up the proper amount, he may give up, and the transferor may accept stamps, certificates, ration coupons, or ration checks of the nearest higher value and the transferor must return the excess points to the consumer in the form of tokens.

This amendment shall become effective June 2, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7755; Filed, May 29, 1944; 11:51 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 140]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 19.1 (b) is amended to read as follows:

(b) This section shall not apply to action taken on any application made under sections 13.3 or 15.2, except action taken by a board, district, or regional office which has been authorized by the Office of Price Administration to grant or deny such application.

This amendment shall become effective June 2, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7756; Filed, May 29, 1944; 11:53 a. m.]

Chapter XIII—Petroleum Administration for War

[Petroleum Directive 70, Amdt. 1]

PART 1590—FOREIGN PETROLEUM OPERATIONS

SUPPLY AND IMPORT ALLOCATION SCHEDULES

1. Section 1590.1 (Petroleum Directive 70, 8 F.R. 13983) is hereby amended by changing paragraphs (a) (4) and (a) (9) to read as follows:

(a) *Definitions.* • • • (4) "Director" means the Director of Foreign Supply and Distribution, the Director of Foreign Refining, or the Director of Foreign Production of the Petroleum Administration for War, as the case may be.

• • • • • •

(9) "Allocation" means that process of allotment whereby the total foreign supply, product by product, available for shipment or shipped to a specified foreign country or area, is divided among importers or suppliers, as the case may be, in a manner which the Director deems equitable.

2. Section 1590.1 (Petroleum Directive 70, 8 F.R. 13983) is hereby amended by changing paragraph (f) to read as follows:

(f) *Supply and import allocation schedules.* For the purpose of furthering the war effort by conserving and efficiently utilizing transportation facilities, the Foreign Operations Committee or any committee thereof, subject to the supervision of the Director, shall:

(1) Investigate and determine the petroleum requirements (product by product) of each foreign country or area to be supplied, and within the limits of foreign supply, shall prepare and submit to the Director in accordance with the provisions of paragraph (j) adequate and detailed supply and import allocation schedules for each such country or area. The foreign supply shall be allocated among suppliers or importers in such area or country, in a manner which the Director deems equitable;

(2) Prepare, when requested by the Director, adequate and detailed supply and import allocation schedules covering the importation of petroleum into the United States and shall submit such schedules to the Director in accordance with the provisions of paragraph (j);

(3) With the approval of the Director, adjust among suppliers or importers, in a manner which the Director deems equitable, differences between estimates and actual supplies of petroleum allocated and shipped in conformity with schedules issued in accordance with the provisions of paragraph (j).

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued this 20th day of May 1944.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 44-7692; Filed, May 27, 1944; 10:06 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13128, 13394, 13980, 14399, 14623, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 106, 220, 403, 677, 695, 849, 1054, 1532, 1581, 1728, 1818, 1909, 2235, 2240, 2406, 2568.

[Rev. G. O. 12]

PART 306—GENERAL AGENTS AND AGENTS

COMPENSATION PAYABLE TO GENERAL AGENTS AND AGENTS

General Order 12, including Supplements 1 through 16, is revised to read:

SUBPART I—DRY CARGO VESSELS

Sec.
306.1 Vessels included.
306.2 Effective period.
306.3 General Agent defined.
306.4 Agent defined.
306.5 Berth Sub-Agent and Sub-Agent defined.
306.6 Other definitions.
306.7 Compensation of Agents in continental United States ports.
306.7a Compensation of Agents, General Agents, or Berth Sub-Agents for services incident to way cargo, passengers and mail.
306.8 Compensation of Agents at ports outside of continental United States.
306.9 Compensation of General Agents.
306.9a Commission on fares.
306.10 Adjustment of earnings to cover deficiencies.
306.11 Adjustment for excessive compensation.
306.12 Accounting.

SUBPART II—TANKERS

306.13 Vessels included.
306.14 Effective period.
306.15 Agent defined.
306.15a General Agent defined.
306.16 Sub-Agent defined.
306.17 Compensation of Agents in continental United States ports.
306.18 Compensation of Sub-Agents in continental United States ports.
306.18a Compensation for services in connection with passengers, dry cargo or mail.
306.19 Compensation of Sub-Agents at ports outside of continental United States.
306.20 Brokerage.
306.20a Compensation of General Agents.

SUBPART III—COMBINATION CARGO AND PASSENGER VESSELS

306.21 Vessels included.
306.22 Effective period.
306.23 Definition of terms.
306.24 Compensation of Agents.
306.25 Compensation of Sub-Agents at ports outside of continental United States.
306.26 Compensation of General Agents.
306.26a Commission on fares.
306.26b Brokerage.
306.27 Adjustments.
306.28 Accounting.

SUBPART IV—COLLIERS

306.36 Vessels included.
306.37 Effective period.
306.38 Agent defined.
306.39 Sug-Agent defined.
306.40 Compensation of Agents in continental United States ports.
306.40a Compensation of General Agents.
306.41 Compensation of Sub-Agents in continental United States ports.
306.42 Brokerage.

SUBPART V—TUGS AND BARGES

306.50 Vessels included.
306.51 Effective period.
306.52 General Agent defined.
306.53 Sub-Agent defined.
306.54 Other definitions.
306.55 Compensation of Agents in continental United States ports.
306.56 Compensation of Sub-Agents in foreign ports.
306.57 Compensation of General Agents.
306.58 Reimbursement for agency fees.
306.59 General provisions.
306.60 Accounting.

SUBPART VI—GENERAL PROVISIONS

306.66 Communication expenses.
306.67 Government rate.
306.68 Communication expenses—"one cent" bareboat charters.
306.69 Effective dates.
306.69a Increases and reductions of compensation under certain circumstances.
306.69b Maximum salaries.
306.69c Renegotiation.

AUTHORITY: §§ 306.1 to 306.69c, inclusive, issued under E.O. 9054, 7 F.R. 837.

SUBPART I—DRY CARGO VESSELS

§ 306.1 *Vessels included.* Subpart I of General Order 12 (§§ 306.1 through 306.12) is applicable to services rendered in connection with the operation of dry cargo vessels under the standard form of service agreement for vessels time chartered from others to the War Shipping Administration (TCA-4-4-42) and the services rendered pursuant to standard form of service agreement for vessels of which the War Shipping Administration is owner or owner pro hac viee (GAA-4-4-42).

§ 306.2 *Effective period.* (a) The compensation payable to General Agents, Agents, domestic Sub-Agents and foreign Sub-Agents for services performed in connection with the business of dry cargo vessels under Service Agreements (GAA and TCA) shall be calculated as follows:

(1) Vessels delivered on or after February 25, 1942: From the date of delivery of the vessel;

(2) Vessels delivered prior to February 25, 1942:

(i) As to vessels owned by or bareboat chartered to the Administration: From the commencement of the first voyage on or after April 22, 1942;

(ii) As to vessels time chartered to the Administration: From the commencement of the first voyage on or after February 25, 1942.

(b) For services rendered by an Agent, Berth Sub-Agent or Sub-Agent prior to the attachment of a vessel under this order, as provided in paragraph (a) of this section, the Agent, Berth Sub-Agent, or Sub-Agent shall be paid the compensation provided for in this order, except where otherwise determined by the Administrator.

§ 306.3 *General Agent defined.* A General Agent is one who takes care of the vessel's business on behalf of the War Shipping Administration, under a standard form of service agreement (GAA-4-4-42), appoints agents as directed by the War Shipping Administration to handle those functions which relate to the handling of the cargo and functions incidental thereto, and assumes those duties when not otherwise instructed, obtains

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Chapter III—War Shipping Administration

[G. O. 8, Rev. Supp. 10, Correction]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

ADJUSTMENTS FOR SPEED AND AGE

Basis for the redetermination and readjustment of time charter hire under charter parties tendered by the War Shipping Administration to owners of American-flag vessels chartered or requisitioned for use pursuant to the provisions of sec. 902 of the Merchant Marine Act, 1936, as amended.

Paragraph (g) of § 302.93 *Adjustments* (of Supplement 10, revised, to General Order 8, as published in the FEDERAL REGISTER for Wednesday, May 17, 1944, at page 5268), is corrected by inserting the words "or (d)", following the words "paragraph (c)", so that said paragraph (g) will read:

(g) *Adjustments for speed and age with respect to a vessel built during or after 1935.* With respect to a vessel built during or after 1935, the aggregate of the combined allowances per deadweight ton per month for speed and age, provided in paragraph (a) (1) and paragraph (c) or (d) of this section, shall not be less than an amount equal to the monthly rate of bareboat charter hire applicable to the vessel as calculated in accordance with the provisions of General Order 37 (§§ 302.101 to 302.113, inclusive) less $1.00.

(E.O. 9054, 7 F.R. 837)

E. S. LAND,
Administrator.

MAY 21, 1944.

[F. R. Doc. 44-7718; Filed, May 29, 1944; 10:15 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 5—ADJUDICATION: DEPENDENTS' CLAIMS

Correction

The file number of the document appearing at page 5737 of the issue for Saturday, May 27, 1944, should read "F.R. Doc. 44-7544."

TITLE 46—SHIPPING

all accounting for all revenue and expense and accounts to the War Shipping Administration for all business of the vessel.

§ 306.4 *Agent defined.* All persons, firms or corporations designated as "Agent" under a standard form of service agreement (TCA–4–4–42) shall be entitled to the compensation of Agent hereunder.

§ 306.5 (a) *Berth Sub-Agent defined.* A Berth Sub-Agent is an operator of United States flag vessels who is recognized by the War Shipping Administration as a regular berth operator in a certain service, and who has been designated by the War Shipping Administration as eligible for appointment by an Agent or General Agent as a sub-agent to perform such services of the Agent or General Agent as may be agreed upon for a vessel while it is operated in the regular service of the berth operator.

Berth Sub-Agents shall receive as compensation 80% of the compensation as provided in § 306.7, which compensation shall become effective at the commencement of all voyages begun after midnight, local time, June 30, 1942. For services rendered by Berth Sub-Agents prior to the effective date of the compensation herein provided, such Berth Sub-Agents shall receive the compensation authorized by the Administrator at the time the services were rendered.

(b) *Sub-Agents defined.* A Sub-Agent is one who is appointed by an Agent, General Agent or Berth Sub-Agent to perform any of the functions of the General Agent, Agent or Berth Sub-Agent, and shall be compensated by the General Agents, Agents, or Berth Sub-Agents, respectively, out of the compensation received by such General Agents, Agents, or Berth Sub-Agents hereunder. A Foreign Sub-Agent is a Sub-Agent who performs his functions outside of the continental limits of the United States including Alaska and shall be compensated in accordance with § 306.8.

§ 306.6 *Other definitions.* (a) "Handled tons" means the number of tons of cargo (outward, way, or homeward) loaded and discharged by the vessel at each port taken care of by the Agent or a foreign Sub-Agent, as manifested on a weight or measurement basis in accordance with the practice of the trade in which operated, or the current practices approved by the War Shipping Administration. (A ton of cargo which is billed on a measurement basis for the purpose hereof shall be computed as 40 cubic feet.)

A ton of cargo transported at a rate per 100 lbs. for the purpose hereof shall be computed as 2000 lbs.

A ton of cargo transported at a rate per package for the purpose hereof shall be computed as 40 cubic feet or 2240 lbs., whichever produces the greater tonnage.

A ton of liquid cargo carried in deep tanks of dry cargo vessels shall be computed as 2240 lbs.

(b) "Payable tons" means the vessel tonnage husbanded by the General Agent, arrived at by adding together the dead-weight tonnage of the vessel and 1/40 of the under deck bale capacity and dividing the resulting sum by 2. The "payable tons" of EC–2 (Liberty type) vessels, for the purpose of calculating compensation heretofore or hereafter earned under this order only, shall be deemed to be $\frac{(500{,}000 \text{ cu. ft.}}{40} = 12{,}500+;$ 10,800 dwt $= \frac{23{,}300)}{2}$, 11,650 payable tons.

(c) "Outward" means cargo loaded outward from continental United States port or ports.

(d) "Homeward" means cargo loaded at an outport for discharge at a continental United States port or ports.

(e) "Way" means cargo both loaded and discharged at ports outside the continental limits of the United States.

(f) "Coastwise" means cargo handled between two ports within the the continental limits of the United States.

(g) Lumber billed on the basis of board feet measure, 600 ft. board measure shall constitute one handled ton.

(h) "Bulk cargoes" means cargoes not hand stowed, such as bulk cargoes of grain, ores, coal and similar cargoes.

(i) Piling which is transported at a rate per lineal foot, 30 lineal feet shall be computed as one ton.

(j) Ad valorem cargo is cargo handled at a percentage rate based on the value of the goods.

(k) Express for the purpose hereof shall be considered as cargo.

§ 306.7 *Compensation of Agents in continental United States ports.* As compensation for each handled ton loaded or discharged by the vessel in continental United States ports, each Agent shall be compensated as provided in the following paragraphs, out of which the Agent will pay his Sub-Agents:

(a) 2½¢ per handled ton for all Army and Navy cargo outward or homeward, where the cargo is handled by the Army or Navy and the Agent is not required to check the details of the cargo handled: *Provided further,* Where the vessel handles a full cargo and the detail of the tonnage handled is not made available to the Agent, the Agent shall receive a fee of $250.00, but if the Army or Navy cargo is less than a full cargo or is not the only cargo loaded or discharged the fee for such Army or Navy cargo shall be $100.00. 15¢ per handled ton outward and 12½¢ per handled ton homeward for Army and Navy cargo shipped under standard form of Government bill of lading as required under Traffic Regulations 7, issued February 27, 1943 (Operations Regulations 44), and when not coming within the preceding provisions hereof.

(b) 10¢ per handled ton for all outward and homeward bulk cargo or cargoes, and for all coastwise cargo except, effective October 1, 1942, single cargoes of coal and sulphur coastwise, on which the Agent shall be compensated at one fee of 3½¢ per handled ton. Effective October 1, 1942, where there is a Sub-Agent appointed to handle a single cargo coastwise of coal or sulphur, the Sub-Agent shall receive 80% of the compensation provided herein.

(c) 15¢ per handled ton for outward Lend-Lease cargo and 12½¢ per handled ton for such homeward cargo. 10¢ per handled ton for outward or homeward bulk Lend-Lease cargo.

(d) 25¢ per handled ton for all other cargoes outward and 20¢ per handled ton for all other homeward cargoes, not falling within clauses (a), (b) and (c). (The Administrator reserves the right to determine the reasonableness of commercial rates on bulk and other cargoes, from the effective date of this order.)

(e) 2½% of the vessel's revenue on outward ad valorem cargo and mail, and 1½% of the vessel's revenue on homeward ad valorem cargo and mail. The Agent shall be paid 5¢ for each bag of mail and for each mail bag that is filled with empty mail bags, when such bags are transported without charge.

(f) Payment of customary brokerage is authorized to brokers who performed services in connection with booking, handling, etc., of cargo in trades and on such commodities and under such conditions as it has been in the past customary to pay brokerage on cargo carried aboard dry cargo vessels sailing prior to 12:01 a. m. June 10, 1942. On vessels sailing after 12:01 a. m. June 10, 1942, brokerage may be paid at the customary rate, but not in excess of the following rates:

(1) General commercial cargo, commonly known as package cargo, loaded outward and homeward: 1¼% on the base freight rates before all surcharges, war or otherwise.

(2) Sugar, metals, ores and other bulk cargoes covered by bills of lading, charter party or contract of affreightment, outward, homeward and way, in the nearby trades, which includes Caribbean and Canadian: 1¼% on the base freight charges before all surcharges, war or otherwise: *Provided, however,* That brokerage shall not be paid on that portion of freight charges in excess of $5.00 per handled ton.

(3) Sugar, metals, ores and other bulk cargoes covered by bills of lading, charter party or contract of affreightment, outward, homeward and way, in long voyage trades or in spheres outside of those covered by subparagraph 2 of this paragraph: 1¼% on the base freight before all surcharges, war or otherwise: *Provided, however,* That brokerage shall not be paid on that portion of freight charges in excess of $8.00 per handled ton.

(4) Bulk cargoes coastwise: 1¼% on the base freight before all surcharges, war or otherwise: *Provided, however,* That brokerage shall not be paid on that portion of freight charges in excess of 80¢ per handled ton on any bill of lading, contract of affreightment or charter.

(5) It is further provided that no shipper or consignee of cargo, or Agent or General Agent of the carrying vessel, shall act as broker or be paid brokerage, and that all broker's invoices must be certified that no portion whatsoever of any brokerage received by them is to be refunded to any shipper, consignee or owner of the cargo.

(g) For compensation as Agent in connection with passengers transported on dry cargo vessels, the Agent will be compensated as follows:

(1) *Commercial passengers.* $3.00 for each passenger carried outward, and $2.00 for each passenger carried homeward.

(2) *Military personnel.* $1.50 for each military passenger carried outward, maximum $300.00; $1.00 for each military passenger carried homeward, maximum $200.00.

For the purpose of this paragraph, the terms "passenger" and "military personnel" shall be construed as defined in § 306.23 (c) and (d). This compensation is payable fom the effective dates set forth in § 306.2.

(h) The foregoing scales of compensation are subject to the following special conditions: (1) Minimum compensation for each port of loading or discharging, $100.00; (2) minimum compensation for services rendered whenever a vessel enters a port for purposes other than loading or discharging shall be $50.00 for all services in connection with entry and clearance, arrangements for pilotage and towage and other usual port services of like nature; (3) if a vessel loads cargo at a port outside of the continental United States and is lost prior to arrival at the port of destination of the cargo, the Agent, General Agent, or Berth Sub-Agent that is responsible for the cargo business shall be paid one fee of 50% of the homeward rates provided in this § 306.7. Additional allowances may be made by the Administrator for extraordinary services in such connection.

§ 306.7a *Compensation of Agents, General Agents, or Berth Sub-Agents for services, incident to way cargo, passengers and mail.* (a) On way cargo, passengers, and mail loaded outward from Canadian or Newfoundland ports, the Agent, General Agent, or Berth Sub-Agent who is responsible for such business shall be compensated as provided in § 306.7, out of which the agent will pay his Canadian or Newfoundland sub-agent.

(b) Except as provided in paragraph (a) of this section, or as otherwise determined by the Administrator, the Agent, General Agent, or Berth Sub-Agent who is responsible for the business incident to way cargo, passengers, and mail shall be paid one fee of 25% of the outward rates as provided in § 306.7 for supervisory services rendered, with a minimum fee of $50.00.

§ 306.8 *Compensation of Agents at ports outside of continental United States.* As compensation for services rendered by a Sub-Agent or branch house outside of the continental United States the Agent may pay for the account of the United States, except as provided in § 306.7a, the prevailing commercial rates, but in no event in excess of the following maximum compensation to his foreign Sub-Agents, whose services are utilized in this connection, as follows:

(a) 2½¢ per handled ton for all Army and Navy cargo outward, homeward, or way, where the cargo is handled by the Army or Navy and the Agent is not required to check the details of the cargo handled: *Provided, further,* Where the vessel handles a full cargo and the detail of the tonnage handled is not made available to the Agent, the Agent shall receive a fee of $250.00, but if the Army or Navy cargo is less than a full cargo or is not the only cargo loaded or discharged, the fee for such Army or Navy cargo shall be $100.00. 15¢ per handled ton outward and 12½¢ per handled ton homeward or way for Army and Navy cargo shipped under standard form of Government bill of lading as required under Traffic Regulations 7, issued February 27, 1943 (Operations Regulations 44), and when not coming within the preceding provisions hereof.

(b) 7½¢ per handled ton for outward, homeward, or way bulk cargoes.

(c) 10¢ per handled ton for outward, homeward, or way cargo shipped for Lend-Lease account.

(d) 25¢ per handled ton for all homeward cargo and way cargo loaded, 20 cents for outward and way cargoes discharged not falling within paragraphs (a), (b) or (c).

(e) 2½% of the vessel's revenue on outward ad valorem cargo and mail, and 1½% of the vessel's revenue on homeward and way ad valorem cargo and mail. The foreign Sub-Agent shall be paid 5¢ for each bag of mail and for each mail bag that is filled with empty mail bags, when such bags are transported without charge.

(f) Payment of customary brokerage is authorized to brokers who perform services in connection with booking, handling, etc., of cargo in such trades and on such commodities and under such conditions as it has been customary to pay brokerage: *Provided, however,* That such payment of brokerage shall not exceed that provided in § 306.7 (f), and provided further that no more than one brokerage may be paid on any one cargo or shipment, and that no brokerage shall be paid to the foreign Sub-Agent of the vessel.

(g) For compensation as Sub-Agent at ports outside the continental limits of the United States, including Alaska, for passengers handled on dry cargo vessels, the Agent may pay his foreign Sub-Agent or branch house, with respect to such passengers, at the prevailing commercial rate, but not in excess of the following:

(1) *Commercial passengers.* $2.00 for each passenger embarked, and $1.00 for each passenger disembarked.

(2) *Military personnel.* $2.00 for each military passenger embarked, maximum $500.00; $1.00 for each military passenger disembarked, maximum $250.00.

For the purpose of this paragraph the terms "passenger" and "military personnel" shall be construed as defined in § 306.23 (c) and (d). This compensation is payable from the effective dates set forth in § 306.2.

(h) The foregoing scales of compensation are subject to the following special conditions:

Minimum compensation for each port of call—$100.00.

Additional allowances may be made by the Administrator for extraordinary services.

The Administrator reserves the right to determine the prevailing commercial rates on bulk and other cargoes from the effective date of this order.

§ 306.9 *Compensation of General Agents.* The General Agent shall be compensated both (a) as Agent, and (b) as General Agent as herein provided. He shall receive all agency fees earned from the operation of vessels assigned to him. From the sums received under the agency formula he shall compensate all agents as provided in Article 6 of the standard form of service agreement (GAA–4–4–42). From his compensation as General Agent the General Agent shall compensate all Sub-Agents performing services which are required to be performed by him under the service agreement. In addition to the agency fees, the General Agent shall be paid as follows:

(a) *Basic scale.* For each calendar month or pro rata thereof beginning with the month in which the first vessel subject hereto is delivered to the General Agent and ending with the calendar month or pro rata thereof (part days shall count as whole days) in which the last vessel subject hereto is redelivered by the General Agent, the basic compensation, computed on the basis of payable tons of the vesels handled during each such month, shall be calculated in accordance with the following scale:

First 80,000 tons 50¢ per payable ton per month.
Next 40,000 tons 40¢ per payable ton per month.
Next 40,000 tons 30¢ per payable ton per month.
Next 40,000 tons 25¢ per payable ton per month.
Next 50,000 tons 20¢ per payable ton per month.
Over 250,000 tons 15¢ per payable ton per month.

In computing compensation hereunder all owners of vessels time chartered to the War Shipping Administration will calculate payable tons of such time chartered vessels, which payable ton months will be added to the total payable ton months of assigned vessels. Compensation shall be payable on the assigned vessels only at the rates shown above, which would be applicable to such assigned vessels in the proper brackets after first applying tonnage of time chartered vessels.

(b) *Adjustment when vessels are idle.* The Administrator reserves the right to reduce compensation to the extent that any vessel is idle at any port for causes for which the General Agent is responsible, at the highest applicable rate hereunder.

(c) *Computation of net compensation.* In order to compute the net compensation due with respect to any calendar month, the General Agent shall:

(1) Multiply the number of payable tons of each vessel by the number of days operated each month, vessels time chartered to the War Shipping Administration and assigned vessels to be calculated separately;

(2) Divide each figure resulting from the foregoing calculation by the number of days in said calendar month, thereby obtaining the net payable tons per month on which compensation is to be based;

(3) Calculate the compensation payable at the rates and in the brackets shown on the time chartered vessels for which no bill is to be rendered, using the formula as prescribed in subparagraph (1) hereof, and then calculate the compensation payable in the lower brackets on the assigned vessels in accordance with the formula prescribed in subparagraph (1) hereof, for which compensation will be billed.

The General Agent shall, as soon as may be practicable after the close of each calendar month, render an invoice to the War Shipping Administration covering the compensation due him, computed in accordance with the foregoing.

§ 306.9a *Commission on fares.* On or after February 1, 1943, General Agents and Agents are authorized to pay in all trades to bona fide travel or tourist agents a commission of 5% on fares paid by or for passengers traveling for private or commercial account. No commission shall be allowed on fares paid by or for repatriated seamen traveling as passengers. For commissions incurred for services performed by bona fide travel or tourist agents between the earliest applicable effective date provided in § 306.2 and February 1, 1943, if such commissions were incurred at rates in accordance with customary practice, General Agents and Agents will be reimbursed, following payment of such commissions to such travel or tourist agents.

§ 306.10 *Adjustments of earnings to cover deficiencies.* Whenever it is demonstrated to the satisfaction of the Administrator that any General Agent performing services hereunder has not earned sufficient annual income pursuant to the provisions of this order, plus other earnings against which any portion of the overhead expense is properly allocable, to cover all of such General Agent's fair and reasonable overhead expenses as determined by the Administrator, then the General Agent shall receive as additional compensation hereunder an amount equal to 85% of such deficit, *Provided, however,* That such additional compensation shall not exceed 50% of the compensation otherwise payable hereunder. The deficit shall be determined in accordance with sound accounting rules and regulations of the Administrator promulgated from time to time. In computing such deficit, the Administrator shall take into account income and overhead expense of the General Agent, any subsidiary, or other company whom the Administrator deems should be included for accounting purposes in order to determine fair and reasonable income and expense, in connection with the operation of any other vessels for the account of the War Shipping Administration, for the Agent's own account, for the account of any government or otherwise as well as the overhead allowance included in any charter hire paid to the General Agent by the Administrator.

The effective date of the provisions of this § 306.10 shall be July 1, 1942, and adjustment for the first period shall be for the six months ending December 31, 1942, but the net balance of terminal income and terminal expense for the nine months ending December 31, 1942, shall be included in making the adjustment for the first period; thereafter adjustment under this section shall be made on an annual basis.

§ 306.11 *Adjustment for excessive compensation.* If the amount of compensation received by a General Agent or Agent hereunder, plus sums otherwise earned from other sources and allocable to overhead expense, exceeds the General Agent's or Agent's aggregate fair and reasonable overhead expense on an annual basis as determined by the Administrator, the amount of compensation payable hereunder shall be reduced to the extent of 75% of such excess: *Provided, however,* That compensation in no event shall be reduced below 25% of the compensation otherwise payable. The amount of such reduced compensation shall be determined in accordance with sound accounting rules and regulations promulgated from time to time by the Administrator. All sums earned by the General Agent or Agent, or any subsidiary or other companies who the Administrator deems should be included for accounting purposes, from whatever source, against which any portion of such overhead expense is properly allocable, shall be taken into account in determining such reduction, including sums earned in connection with the operation of vessels for the direct account of the General Agent or Agent, for the account of the United States of America, or any foreign government or otherwise. Such determination shall also reflect allowance for overhead in charter hire paid by the Administrator under any time or bareboat charter. General Agents and Agents shall refund such excess compensation at the end of each calendar year or otherwise as may be required in fiscal regulations issued in connection herewith.

The effective date of the provisions of this § 306.11 shall be July 1, 1942, and adjustment for the first period shall be for the six months ending December 31, 1942, but the net balance of the terminal income and terminal expense for the nine months ending December 31, 1942, shall be included in making the adjustment for the first period; thereafter adjustment under this section shall be made on an annual basis.

§ 306.12 *Accounting.* (a) Beginning with March 31, 1942, all General Agents and Agents will render quarterly income statements twenty-five days after the end of period, and for the calendar year not later than February 28 of the following year, covering results of all operations as General Agents and Agents under GAA and TCA Service Agreements, vessels time chartered by War Shipping Administration and vessels under bareboat charter to War Shipping Administration as well as other operations prepared in accordance with U. S. Maritime Commission General Order 22, issued February 8, 1938, and regulations as issued by the Assistant Deputy Administrator for Fiscal Affairs. Separate columns shall be used separating income as follows:

Overall total.
Income from vessels under time charter to WSA.
Income from vessels under bareboat charter to WSA.
Income under GAA & TCA Agreements.
Income from other operations.

Appropriate expenses shall be allocated against such income with overhead expenses being appropriately allocated to each operation. Income statement shall be accompanied by statement giving basis of allocation of overhead, also surplus statement giving balance at beginning of period and additions thereto and deductions therefrom with balance at end of period.

(b) Except as provided in § 306.46 (c) of General Order 21, Supplement 4, where a vessel is assigned to one person as Agent or General Agent and another person as Berth Sub-Agent, the Berth Sub-Agent shall account to the Agent or General Agent for all income and expenses (including the Berth Sub-Agent's compensation and that paid by him to foreign sub-agents as voyage expenses).

(c) Except as provided in § 306.46 (c) of General Order 21, Supplement 4, each Agent and General Agent shall account directly to the Administration for the income and expenses of the vessels operated, and render monthly invoices to the Administration for their compensation.

SUBPART II—TANKERS

§ 306.13 *Vessels included.* This Subpart II of General Order 12 (§§ 306.13 through 306.20a) is applicable to services rendered in connection with operations of tank vessels under the standard forms of tanker service agreement (Warshipoil–TCA) and GAA (Tankers).

§ 306.14 *Effective period.* This Subpart II of General Order 12 shall become effective as of the date of delivery of each vessel to the General Agents or Agents hereunder.

§ 306.15 *Agent defined.* An "Agent" is a person, firm or corporation designated as "Agent" under the standard form of tanker service agreement (Warshipoil–TCA).

§ 306.15a *General Agent defined.* A "General Agent" is a person, firm or corporation designated as "General Agent" under the standard form of tanker service agreement, GAA (Tankers).

§ 306.16 *Sub-Agent defined.* A "sub-Agent" is one who is appointed by an Agent or General Agent to perform any functions of the Agent or General Agent pursuant to the standard forms of tanker service agreements (Warshipoil–TCA) or GAA (Tankers). A "foreign Sub-Agent" is a Sub-Agent who performs his functions outside the continental limits of the United States.

§ 306.17 *Compensation of Agents in continental United States ports.* As compensation for each tanker allocated to an Agent to conduct the business of the vessel for the War Shipping Administration, such Agent shall be paid at the rate of $400.00 per month. (Out of this compensation the Agent must pay, among other things, all of the Agent's outgoing communication costs except for communications to places outside the continental United States excluding Alaska). It is further provided that, if a vessel is withdrawn from service for repairs in a United States port, Agent's compensation will continue as long as there is cargo aboard and for the first ten days after discharge, or, if no cargo is aboard, upon the expiration of ten days after arrival. Thereafter Agent's compensation will cease until vessel is again placed in service.

§ 306.18 *Compensation of Sub-Agents in continental United States ports.* As compensation for services rendered by a Sub-Agent for both the United States and the Owner, or for a General Agent, the Sub-Agent shall be paid the prevailing commercial rate, but in no event in excess of a lump sum of $125 for the first three days the vessel remains in port, and thereafter at the rate of $25 per day for each additional day; *Provided,* No fee shall be paid for the time during which the vessel is laid up for repairs. One-third of this fee shall be for the account of the United States and the remainder shall be for the account of the owner or the General Agent.

As compensation for services rendered by a Sub-Agent for the United States only, the Sub-Agent shall be paid the prevailing commercial rate, but in no event in excess of a lump sum of $45 for the first three days the vessel remains in port, and thereafter at the rate of $10 per day for each additional day; *Provided,* No fee shall be paid for the time during which the vessel is laid up for repairs. The entire fee provided for in this paragraph shall be for the account of the United States.

§ 306.18a *Compensation for services in connection with passenger, dry cargo or mail.* Except as otherwise provided, the Agent or General Agent for tank vessels who performs services in connection with passengers, dry cargo, or mail carried on a tank vessel shall be compensated at the rates set forth in §§ 306.7 and 306.7a for comparable services performed by agents in connection with dry cargo vessels, except the compensation provided in § 306.7 (h) (2) shall not apply. Out of such compensation the Agent or General Agent shall pay his sub-agents employed by him, except that the United States shall pay sub-agency fees to the extent required to be paid by the United States as provided in §§ 306.18 and 306.19.

306.19 *Compensation of Sub-Agents at ports outside of continental United States.* As compensation for services rendered by a Foreign Sub-Agent for the account of both the United States and the Owner or the General Agent, the foreign Sub-Agent shall be paid the prevailing commercial rate, but in no event in excess of a lump sum of $125 for the first three days the vessel remains in port, and thereafter at the rate of $25 per day for each additional day; *Provided,* No fee shall be paid for the time during which the vessel is laid up for repairs. One-third of this fee shall be for the account of the United States and the remainder shall be for the account of the Owner or the General Agent.

As compensation for services rendered by a foreign Sub-Agent for the United States only, the foreign Sub-Agent shall be paid the prevailing commercial rate, but in no event in excess of a lump sum of $45 for the first three days the vessel remains in port, and thereafter at the rate of $10 per day for each additional day: *Provided,* No fee shall be paid for the time during which the vessel is laid up for repairs. The entire fee provided for in this paragraph shall be for the account of the United States.

§ 306.20 *Brokerage.* No brokerage will be paid except with the prior approval of the Administrator and application for such brokerage will not be considered unless brokerage was formerly paid in such trade.

§ 306.20a *Compensation of General Agents.* The General Agent shall be compensated both (a) as Agent, and (b) as General Agent as herein provided. From his compensation he shall pay Sub-Agents for services which are required to be performed by him as General Agent under his service agreement. In addition to the agency fees, the General Agent shall be paid as follows:

(a) *Basic scale.* For each calendar month or pro rata thereof (part days to count as whole days), beginning with the month and day in which the first vessel subject hereto is delivered to the General Agent and ending with the calendar month and day thereof in which the last vessel subject hereto is redelivered by the General Agent, the basic compensation, computed on the basis of whole months or pro rata thereof for the vessels handled during each such month, shall be calculated in accordance with the following monthly allowance:

First 8 vessels—$2,500.00 per month per vessel.
Over 8 vessels—$2,000.00 per month per vessel.

The Administrator reserves the right to review and make such adjustments in the above rates as may be required to produce what, in his judgment, may be determined as fair and equitable compensation.

(b) *Adjustment when vessels are idle.* The Administrator reserves the right to determine the amount compensation shall be reduced to the extent that any vessel is idle at any port for causes for which the General Agent is responsible.

SUBPART III—COMBINATION CARGO AND PASSENGER VESSELS

§ 306.21 *Vessels included.* This Subpart III of General Order 12 (§§ 306.21 through 306.28) is applicable to services rendered in connection with the operation of combination cargo and passenger vessels for the War Shipping Administration under the standard form of service agreement for vessels time chartered from others for the War Shipping Administration (TCA–4–4–42) and the services rendered pursuant to standard form of service agreement for vessels of which the War Shipping Administration is owner or owner pro hac vice (GAA–4–4–42).

§ 306.22 *Effective period.* This Subpart III of General Order 12 shall become effective at the earliest dates permissible under such service agreements.

§ 306.23 *Definition of terms.* (a) The words defined in §§ 306.3, 306.4, 306.5 and 306.6 shall have the same meaning in this Subpart III, except that the terms "General Agent" and "Agent" shall be deemed to include wholly owned subsidiaries or any other related or interested companies that the Administrator deems should be included for accounting purposes in order to determine fair and reasonable income and expenses.

(b) A "combination passenger and dry cargo vessel" is a vessel which was constructed or materially reconditioned prior to December 7, 1941, to accommodate at least fifty passengers.

(c) A "passenger" is a person carried on the vessel other than members of the gun crew, the Master, and licensed and unlicensed personnel of the vessel, and military personnel.

(d) "Military personnel" are members of the armed forces of the United States or its allies, prisoners of war, and enemy aliens or involuntary passengers traveling under supervision and direction of the United States Army or Navy, regardless of travel status.

§ 306.24 *Compensation of Agents.* Agents for combination cargo and passenger vessels shall be compensated for the handling of cargo, passengers, and mail at the same rates as provided in §§ 306.7 and 306.7a for Agents of cargo vessels.

§ 306.25 *Compensation of Sub-Agents at ports outside of continental United States.* As compensation for services rendered by a Sub-Agent or branch house outside of the continental limits of the United States, including Alaska, the Agent may pay, with respect to cargo handled or for other services performed, at rates provided in § 306.8.

§ 306.26 *Compensation of General Agents.* No compensation shall be paid to any General Agent for his services in connection with the management and operation of the vessels where such vessels are chartered under a charter party that makes allowances for the General Agents' services (whether designated as overhead or otherwise in the charter party), except, however, the General Agent may receive payment for the amounts hereinabove provided for the account of Sub-Agents, where such services are performed by branch office of the General Agent located outside the continental limits of the United States in-

cluding Alaska, and, as to vessels that were originally operated under a Passenger Agency Service Agreement that was cancelled and superseded retroactively by the General Agency Service Agreement, where such Passenger Agency Service Agreement provided for the payment of $1.00 per day per vessel, such compensation of $1.00 per day per vessel shall be paid to the General Agent, unless otherwise determined by the Administrator, for services rendered from the date of delivery of the vessel under the Passenger Agency Service Agreement until redelivery of the vessel to the Administration, or until lost.

In cases where the General Agent does not receive an allowance for services under a charter party for the combination cargo and passenger vessel, he shall be compensated both (a) as Agent to the extent provided in § 306.24, and (b) as General Agent to the extent provided below, except where the Administrator determines that those rates are inappropriate and establishes a separate rate. From the sums received under the agency formula he shall compensate all agents as provided in Article 6 of the standard form of service agreement (GAA-4-42). From his compensation as General Agent he shall compensate all Sub-Agents performing service that are required to be performed by him under the service agreement. In addition to the agency fees, the General Agent in such cases will be paid compensation as provided in § 306.9, except that "payable tons" for combination cargo and passenger vessels shall be the gross tonnage of each such vessel multiplied by two, and, in the event that the General Agent has been allocated cargo vessels as well as combination cargo and passenger vessels, the compensation payable to the General Agent shall not be calculated separately for cargo vessels and combination cargo and passenger vessels, but, in such case, the combined payable tons of both types of vessels shall be used in determining the compensation due the General Agent for services rendered in connection with both types of vessels.

§ 306.26a *Commission on fares.* On or after February 1, 1943, General Agents and Agents are authorized to pay in all trades to bona fide travel or tourist agents a commission of 5% on fares paid by or for passengers traveling for private or commercial account. No commission shall be allowed on fares paid by or for repatriated seamen traveling as passengers. For commissions incurred for services performed by bona fide travel or tourist agents between the earliest applicable effective date provided in §306.22 and February 1, 1943, if such commissions were incurred at rates in accordance with customary practice, General Agents and Agents will be reimbursed, following payment of such commissions to such travel or tourist agents.

§ 306.26b *Brokerage.* The provisions of §§ 306.7 (f) and 306.8 (f) shall apply to cargo carried on combination cargo and passenger vessels.

§ 306.27 *Adjustments.* The compensation of Agents and General Agents payable under this Subpart III of General Order 12 shall be subject to adjustment in accordance with §§ 306.9, 306.10 and 306.11.

§ 306.28 *Accounting.* The provisions of § 306.12 are incorporated in this Subpart III of General Order 12 and made a part hereof by reference.

SUBPART IV—COLLIERS

§ 306.36 *Vessels included.* This Subpart IV of General Order 12 (§§ 306.36 through 306.42) is applicable to services rendered in connection with operations of vessels engaged in the coastwise transportation of coal under the standard forms of Service Agreements (TCA) and (GAA).

The provisions of this Subpart IV and the compensation herein provided for Agents, General Agents, and Sub-Agents shall apply only while the vessel is engaged in the coastwise transportation of coal including ballast or loaded legs of voyages. When the vessel is engaged in other trades, the compensation shall be as provided for services rendered by agents in conducting the business of vessels in such trade. If any provisions of this Subpart IV, General Order 12, are in conflict with the provisions of Subpart I, General Order 12, the provisions of this Subpart IV shall be controlling.

§ 306.37 *Effective period.* This Subpart IV of General Order 12 shall become effective at the earliest dates permissible under said Service Agreements.

§ 306.38 (a) *Agents defined.* All persons, firms or corporations designated as "Agent" under a standard form of Service Agreement (TCA) shall be entitled to the compensation of Agent under this Subpart IV of General Order 12, for services rendered in connection with vessels engaged in the coastwise transportation of coal.

(b) *General Agent defined.* All persons, firms or corporations designated as "General Agents" under a standard form of Service Agreement (GAA) shall be entitled to the compensation of General Agent under this Subpart IV of General Order 12, for services rendered in connection with vessels engaged in the coastwise transportation of coal.

§ 306.39 *Sub-Agent defined.* A "Sub-Agent" is one who is appointed by an Agent or General Agent to perform any of the functions of the Agent or General Agent of colliers pursuant to the standard forms of Service Agreements (TCA) and (GAA).

§ 306.40 *Compensation of Agents in continental United States ports.* As compensation for each vessel allocated to an Agent to conduct the business of the vessel for the War Shipping Administration, such Agent shall be paid at the rate of $400.00 per month. (Out of this compensation the Agent must pay, among other things, all of the Agent's outgoing communication costs.)

§ 306.40a *Compensation of General Agents.* The General Agent shall be compensated as provided in §306.9, subject to adjustments as provided in §§ 306.10 and 306.11. The General Agent shall not be paid the compensation provided for Agents.

§ 306.41 *Compensation of Sub-Agents in continental United States ports.* As compensation for services rendered by a Sub-Agent for the account of the United States, the Sub-Agent shall be paid the prevailing commercial rate, but in no event in excess of a lump sum of $45.00 for the first three days the vessel remains in port, and thereafter at the rate of $10.00 per day for each additional day: *Provided,* No fee shall be paid for the time during which the vessel is laid up for repairs.

§ 306.42 *Brokerage.* The provisions of §§ 306.7 (f) and 306.8 (f) shall apply to cargo carried on colliers.

SUBPART V—TUGS AND BARGES

§ 306.50 *Vessels included.* This Subpart V of General Order 12 (§§ 306.50 through 306.60) is applicable to services rendered in connection with the tugs and barges allocated to General Agents under the standard form of service agreement GAA—Special 8-1-42 (Barge Service).

§ 306.51 *Effective period.* The compensation provided in this Subpart V shall become effective as of the dates of delivery of the vessels to a General Agent under his service agreement.

§ 306.52 *General Agent defined.* A "General Agent" is one who has entered into a standard form of service agreement GAA—Special 8-1-42 (Barge Service) with the Administration, and to whom tugs and barges have been delivered.

§ 306.53 *Sub-Agent defined.* A "Sub-Agent" is one who is appointed by a General Agent pursuant to Article 6 of the standard form of service agreement GAA—Special 8-1-42 (Barge Service).

§ 306.54 *Other definitions.* The definitions contained in § 306.6 shall apply to this Subpart V of General Order 12.

§ 306.55 *Compensation of Agents in continental United States ports.* The General Agent, when he performs any of the following services in continental United States ports, shall be compensated in accordance with the following scale, out of which he shall pay his Sub-Agents:

(a) *Army or Navy cargo.* 2½¢ per handled ton for all Army and Navy cargo outward or homeward where the cargo is handled by the Army or Navy and the Agent is not required to check the details of the cargo handled. Where the full use of the barges is let to the Army or Navy on a lump sum basis, the Agent shall receive 2½¢ per ton on the dead-weight capacity of the barge; if the full use of the barge is not utilized by the Army or Navy, and the detail of the tonnage handled is not made available to the Agent, the Agent shall receive $50.00 for the Army or Navy cargo.

(b) *Bulk cargo.* 10¢ per handled ton outward and homeward on bulk cargo or cargoes. 3½¢ per handled ton on bulk cargo loaded and discharged (both operations) coastwise, including coal.

(c) *General cargo.* 25¢ per handled ton for all other cargo outward and 15¢ per handled ton for all other cargo homeward, not falling within paragraphs (a) or (b) above.

(d) *Miscellaneous.* (1) Where the compensation provided above for loading or discharging is less than $50.00, the General Agent will be compensated in the amount of $50.00.

(2) Compensation for services rendered whenever a tug or tug with tow is required to enter a port for purposes other than loading or discharging cargo, such as for orders, shall be $50.00 for tugs of the V-4 type, and $25.00 for all other tugs, for all services in connection with entrance and clearance, arranging for pilotage and towage, or other usual port services of a like nature.

§ 306.56 *Compensation of Sub-Agents in foreign ports.* As compensation for services rendered outside of continental United States, the General Agent may pay to his foreign Sub-Agents, whose services are utilized in this connection, the prevailing commercial rates, but in no event in excess of the following:

(a) *Tugs.* For handling entrance or clearance of War Shiping Administration tug with or without tow, maximum fee of $25.00 for either service, entering or clearing.

(b) *Barges.* (1) For handling one or more War Shipping Administration barges arriving at Cuban ports in tow of a single tug, maximum fee of $25.00 when empty and $75.00 when loaded or partially loaded.

(2) For handling one or more War Shipping Administration barges with cargo out of Cuban ports in tow of a single tug, maximum fee of $125.00.

§ 306.57 *Compensation of General Agents.* In addition to any agency fees, to which the General Agent is entitled pursuant to § 306.55, the General Agent shall be paid as follows:

(a) *Basic scale.* For each calendar month or pro rata thereof (part days count as whole days), beginning with the day and month in which the first tug or barge subject hereto was delivered to the General Agent and ending with the calendar month or pro rata thereof in which the last vessel subject hereto is redelivered by the General Agent, the basic compensation, computed on the basis of the number of tugs and barges handled during each month, shall be calculated in accordance with the following scale:

Tugs:
First tug assigned, $700.00 per month.
All additional tugs, $350.00 per month per tug.

Barges:
First barge $350.00 per month.
Next 4 barges $250.00 per month per barge.
Next 5 barges $150.00 per month per barge.
Each barge in excess of 10 barges $100.00 per month per barge.

(b) *Adjustment when tugs or barges are idle.* The Administrator reserves the right to reduce the compensation to the extent that any tug or barge is idle at any port for cause for which the General Agent is responsible, at the highest rate applicable hereunder.

§ 306.58 *Reimbursement for agency fees.* Fees paid by General Agents to Sub-Agents, as provided in § 306.56, shall be included in the accounts of the General Agent as an expense of operation, and shall be reimbursable under Article 7 of the service agreement.

§ 306.59 *General provisions.* The Administrator reserves the right to adjust the compensation provided herein from time to time as he may deem appropriate, and to exempt specific operations from the scope of this order.

§ 306.60 *Accounting.* Beginning with December 31, 1942 all General Agents will under quarterly income statements 25 days after the end of the period, and for each calendar year not later than February 28 of the following year, covering results of all operations as General Agents under GAA, agreements, in accordance with United States Maritime Commission General Order No. 22, issued February 8, 1938, and regulations as issued by the Assistant Deputy Administrator for Fiscal Affairs. Income statements shall reflect all compensation received by the General Agent with appropriate general administrative expenses and sub-agency fees disbursed by him, allocated against such income so as to reflect clearly the profit or loss made by the General Agent under the agreement.

SUBPART VI—GENERAL PROVISIONS

§ 306.66 *Communication expenses.* (a) All cablegrams, telegrams, and radiograms that pertain directly and exclusively to the business of the United States, dispatched by Agents, General Agents, Berth Agents, and their branch houses and domestic and foreign Sub-Agents, between the continental United States and points outside of the continental United States, shall be for the account of the United States and the cost thereof shall be included in the voyage accounts. All telegrams, cablegrams, and radiograms that pertain directly and exclusively to the business of the United States, dispatch by foreign Sub-Agents and branch houses, shall be for the account of the United States and the cost thereof shall be included in the voyage accounts. Except as herein provided, communication expenses shall remain a part of the administrative and general expenses of the Agents, General Agents, and Berth Sub-Agents.

(b) Postage or express charges incurred in sending ships' disbursements accounts, manifests and other cargo documents to or from the continental United States, or between foreign ports, may be included in the voyage accounts as reimbursable items of expense.

§ 306.67 *Government rate.* To the extent that the cablegrams and radiograms referred to in § 306.66 (a) are entitled to Government rate and are exempt from the Federal Communication Tax, all Agents, General Agents, Berth Sub-Agents, and their branch houses and Sub-Agents, are authorized and directed to certify that such messages pertain exclusively to official Government business and are for the account of the United States, as may be required to entitle such messages to the Government rate and tax exemption.

§ 306.68 *Communication expenses; "one cent" bareboat charters.* (a) The cost of all cablegrams, telegrams, and radiograms that pertain directly and exclusively to the business of the vessels operated under the so-called one cent bareboat charters dispatched between the continental United States and points outside of the continental United States, shall be included in the voyage accounts. All telegrams, cablegrams, and radiograms that pertain directly and exclusively to the business of the vessels operated under the so-called one cent bareboat charters, dispatched by foreign Sub-Agents and branch houses, shall be included in the voyage accounts. Except as herein provided, all communication expenses under said one cent bareboat charters shall remain a part of the administrative and general expenses of the charterers.

(b) Postage or express charges incurred in sending ships' disbursements accounts, manifests and other cargo documents to or from the continental United States, or between foreign ports, may be included in the voyage accounts as reimbursable items of expense.

§ 306.69 *Effective dates.* Sections 306.66 and 306.67 shall become effective as to operations under Subpart I of General Order 12, as of the dates set forth in § 306.2, and, as to operations under Subparts II, III, IV, and V of General Order 12, as of the effective dates of the Service Agreements. Section 306.68 shall become effective as of the inception of the one cent bareboat charters and shall remain in effect until the termination of those charters.

§ 306.69a *Increases and reductions of compensation under certain circum-*

stances. (a) In addition to the compensation elsewhere provided in this order, the Administrator shall provide compensation in such amount as he shall determine to be fair and reasonable under the circumstances for extraordinary services heretofore or hereafter rendered by an Agent, General Agent, or Berth Sub-Agent, or foreign Sub-Agent or branch house, which the Administrator finds were not intended to be covered by the compensation provided for in this order.

(b) The Administrator reserves the right to make equitable reductions of compensation with regard to any vessel or vessels while idle. No compensation shall be allowed for any period of time lost by reason of the inefficiency of the Agent or General Agent.

(c) The Administrator reserves the right to exempt specific operations from the scope of this General Order 12.

§ 306.69b *Maximum salaries.* For the purpose of adjusting compensation under §§ 306.10 and 306.11, that portion of any salary paid by an Agent, General Agent, or Berth Sub-Agent in excess of the maximum provided by section 805 (c) of the Merchant Marine Act, 1936, as amended, shall be excluded; and all other salaries deemed by the Administrator to be excessive or unreasonable shall be excluded to such extent as they are deemed to be excessive or unreasonable by the Administrator. If an individual is employed by more than one Agent, General Agent, or Berth Sub-Agent, the salary limitation provided in this section shall apply to the aggregate salary received by such individual from all such agents. All Agents, General Agents, and Berth Sub-Agents shall file with the War Shipping Administration, lists of salaries as required from time to time.

§ 306.69c *Renegotiation.* Pursuant to the Renegotiation Act, the compensation paid under the provisions of this general order is subject to renegotiation. Subsection (i) (4) of said act provides, however, that where the profits can be determined with reasonable certainty when the contract price is established, and adequate provision has been made to prevent excessive profits, the compensation may, upon appropriate findings, be exempted from the provisions of said act. Accordingly, pursuant to subsection (i) (4) of said act, the Administrator will consider individual requests for exemption from renegotiation if the profits derived from the compensation payable under this order, after said compensation has been adjusted as provided in § 306.11 of this order, do not exceed the profits that would have resulted if the compensation had been adjusted in accordance with the provisions of § 306.96 (a) of General Order 34, or if the Agent, General Agent, or Berth Sub-Agent agrees, as a condition precedent to the granting of such exemption from renegotiation, to return to the Administrator the amount by which said profits exceed the profits that would have resulted if said compensation had been adjusted in accordance with the provisions of § 306.96 (a) of General Order 34.

[SEAL] E. S. LAND, *Administrator.*

[F. R. Doc. 44-7633; Filed, May 27, 1944; 10:15 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 43—REPORTS (RULES GOVERNING THE FILING OF INFORMATION, CONTRACTS, PERIODIC REPORTS, ETC.)

CONTRACTS AND CONCESSIONS

In the matter of § 43.51 of the Commission's rules and regulations; requirements for filing carrier contracts and concessions:

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of May, 1944;

It appearing that the Commission on March 7, 1944, amended § 43.51 of its rules and regulations by requiring the filing of certain additional contracts and concessions, and, on April 1, 1944, extended from April 7, 1944 to June 7, 1944, the time for compliance with the additional requirements of § 43.51 added by the amendment of March 7, 1944;

It further appearing that upon request of various parties affected by the said rule, an informal conference was held at the Commission's offices on April 28, 1944, and objections to the said rule were presented which have been considered by the Commission;

It is ordered, That, unless otherwise ordered by the Commission upon the filing of objections as hereinafter provided, § 43.51 of the Commission's rules and regulations be, and it is hereby, amended, effective June 23, 1944, to read as follows:

§ 43.51 *Contracts and concessions.* (a) Each carrier subject to the act, unless it has already done so, shall on or before August 7, 1944, file with the Commission in duplicate, verified under oath (or affirmed according to law), complete copies of every contract, agreement, concession, license, authorization, and other arrangement to which it is a party, in relation to traffic affected by the act, concerning the following matters:

(1) The exchange of services between such carrier and any carrier not subject to the act;

(2) The interchange or routing of traffic, rates, division of tolls, or settlement of traffic balances; or

(3) Rights granted to such carrier by any foreign government for the landing, connection, installation, or operation of cables or landlines, the construction or operation of radio stations, the opening and operation of offices, or engaging in wire or radio communications operations of any kind;

(b) Any new contract, agreement, concessions, license, authorization, or other arrangement of the nature required to be filed under paragraph (a) and any modification, amendment, or cancellation of the same or of any of the instruments required to be filed under paragraph (a) shall be filed within 30 days after execution;

(c) If any contract, agreement, concession, license, authorization, or other arrangement, or any modification, amendment or cancellation of the same required to be filed under this section be made other than in writing, duplicate written verified statements of the complete terms thereof shall be filed on or before August 7, 1944 or within 30 days after the making thereof;

(d) Upon the filing of any contract, agreement, concession, license, authorization, or other arrangement by one of two or more persons required hereunder to make such filing, the filing in duplicate of a statement in writing, duly sworn to (or affirmed according to law), by the other person or persons required to make such filing, identifying such document and adopting the filing thereof, shall be regarded as compliance with the requirements of this section by such other person or persons.

It is further ordered, That any interested party may, within 15 days from the date of this order, file a statement in writing as to why § 43.51 as amended herein should not become effective in the above form and request oral argument thereon;

And, *It is further ordered,* That the time for compliance with the additional requirements of § 43.51 added by the amendment of March 7, 1944, be, and the same is hereby extended from June 7, 1944 to June 23, 1944.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-7630; Filed, May 27, 1944; 10:04 a. m.]

PART 62—RULES GOVERNING APPLICATIONS UNDER SECTION 212 OF THE ACT TO HOLD INTERLOCKING DIRECTORATES

FORM OF APPLICATION, CHANGE OF STATUS REPORT, ETC.

The Commission on May 23, 1944, effective immediately, made the following changes in Part 62:

Section 62.23 *Form of application; number of copies; size of paper, etc.* was amended by inserting the word "two" in lieu of the word "six" in the first sentence thereof.

Section 62.24 *Change in status; Commission to be informed* was deleted and the following new sections adopted:

§ 62.24 *Additional or different positions with same companies.* If an applicant has been authorized by the Commission to hold certain positions as officer or director of certain carriers and is subsequently elected or appointed, or anticipates election or appointment, to additional or different positions with one or more of the same carriers, he may report the change in the manner and form provided in § 62.25 relating to "change in status." Authorization for the holding of such additional or different positions shall be deemed granted as of the 15th day following the filing of such report, unless within that time the Commission shall call upon the applicant for additional information or for the filing of a formal application.

§ 62.25 *Change in status; Commission to be informed.* Should any change occur in the situation as reported under § 62.11 above the applicant shall report such change to the Commission within thirty days after such change occurs. Such report may be made by verified letter, in triplicate, signed by the applicant himself, his agent or attorney, or by an officer or attorney of one of the companies involved.

(Sec. 4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i), sec. 212, 48 Stat. 1074; 47 U.S.C. 212)

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-7631; Filed, May 27, 1944; 10:04 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Coal Mines Administration.

[Order CMA-30]

RIDGWAY COAL CO., ET AL.

ORDER TERMINATING GOVERNMENT POSSESSION

I have been advised that the coal mines of the mining companies listed in Appendix A have been worked out, abandoned, or otherwise have become inactive. Based on such advice, and after consideration of all of the circumstances, I find that possession by the Government of such mines is not required for the furtherance of the war program.

Accordingly, I order and direct that the possession by the Government of the mines of the mining companies listed in Appendix A, which is attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines, be, and it is hereby terminated, and that there be displayed conspicuously at those mining properties copies of a poster to be supplied by the Coal Mines Administration, and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Nothing contained herein shall be deemed to preclude the Government from requiring the submission of information relating to operations during the period of Government possession, for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9393 (8 F.R. 14877) may be concluded in an orderly manner, except as those requirements may have been waived in accordance with the provisions of section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712, 11344, 17339).

Dated: May 25, 1944.

[SEAL] ABE FORTAS, *Acting Secretary of the Interior.*

APPENDIX A

Name of Mining Company and Address

1. Ridgway Coal Company, P. O. Box No. 6, Uhrichsville, Ohio.
2. Carlson Coal Comany, P. O. Box 332, Punxsutawney, Pa.
3. Marlin Coal Company, Jordan, Marion Co., W. Va.

[F. R. Doc. 44-7638; Filed, May 27, 1944; 11:14 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-437, G-521]

PANHANDLE EASTERN PIPE LINE CO.

ORDER POSTPONING HEARING

MAY 25, 1944.

It appearing to the Commission that:

(a) By its order of May 16, 1944, the Commission ordered that the hearing in the above-docketed matters commence on June 7, 1944, in the Customs Court Room, U. S. Customhouse, 610 South Canal Street, Chicago, Illinois;

(b) Counsel for the Albion Gas Light Company, intervener, by telegram received May 23, 1944, advised that previous commitments prevent him from attending the hearing at such time and place;

(c) Good cause exists for the postponement of hearing in these matters;

The Commission orders that:

The hearing in these matters now set to commence on June 7, 1944, be and the same is hereby postponed without date and subject to further order of the Commission.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 44-7619; Filed, May 27, 1944; 9:31 a. m.]

[Docket No. IT-5656]

COMPANIA ELECTRICA MATAMOROS, S. A. AND CENTRAL POWER AND LIGHT CO.

NOTICE OF APPLICATION FOR AMENDMENT OF AUTHORIZATION TO EXPORT ELECTRIC ENERGY

MAY 26, 1944.

Notice is hereby given that pursuant to the provisions of section 202 (e) of the Federal Power Act, 16 U.S.C. 791a–825r, Compania Electrica Matamoros, S. A. and Central Power and Light Company have filed with the Federal Power Commission an application for amendment of the authorization previously granted by the Commission under said act so as to permit an increase in the exportation of electric energy from a point near Brownsville, Texas, to a point in or near Matamoros, Mexico, in quantities up to 7,500,000 kilowatt-hours annually, the rate of supply to remain as previously authorized namely, 2,000 kilowatts. The present exportation is limited to 5,000,000 kilowatt-hours annually.

Any person desiring to be heard or to make any protest with reference to the proposed amendment should, on or before June 13, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations under the Federal Power Act.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 44-7715; Filed, May 29, 1944; 9:45 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3453]

NORSK HYDRO-ELEKTRISK KVAELSTOFAKTIESELSKAB

In re: Patent application of Norsk Hydro-Elektrisk Kvaelstofaktieselskab.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Norsk Hydro-Elektrisk Kvaelstofaktieselskab is a corporation organized under the laws of and having its principal place of business in Norway and is a national of a foreign country (Norway);

2. That the property identified in subparagraph 3 hereof is property of Norsk Hydro-Elektrisk Kvaelstofaktieselskab;

3. That the property described as follows: Patent application identified as follows:

Serial Number, Date, Inventor and Title

426,780; 1-14-42; Endre Q. Berner & J. Kielland; Process of recovering potassium from diluted solutions.

is property of a national of a foreign country (Norway);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7645; Filed, May 27, 1944; 11:31 a. m.]

[Vesting Order 3506]

LOSENHAUSENWERK

In re: Interest of Losenhausenwerk in an agreement with Westinghouse Electric & Manufacturing Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Losenhausenwerk is a business organization organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Losenhausenwerk;

3. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue thereof) created in Losenhausenwerk by virtue of an agreement dated March 30, 1931 (including all modifications thereof and supplements thereto, if any) by and between Losenhausenwerk and Westinghouse Electric & Manufacturing Company, which agreement relates, among other things, to Patent No. 1,639,444,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7646; Filed, May 27, 1944; 11:31 a. m.]

[Vesting Order 3507]

KONRAD ERDMANN

Re: Patents and interests of the heirs of Konrad Erdmann in an agreement between Konrad Erdmann and American-Austrian Magnesite Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That all of the executors, administrators, heirs and assigns of Konrad Erdmann are residents of Germany and are nationals of a foreign country (Germany), or, if they are not residents of such foreign country, they are acting, with respect to the property described in subparagraph 3 hereof, for the benefit of a resident of such foreign country, and are to that extent nationals of such foreign country;

2. That the property described in subparagraph 3 hereof is property of the executors, administrators, heirs, and assigns of Konrad Erdmann;

3. That the property described as follows: (a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent Number, Date of Issue, Inventor and Title

1,696,881; 1–15–29; Konrad Erdmann; Method and apparatus for mixing long-fibered materials with powdery substances.

1,772,712; 8–12–30; Konrad Erdmann; Method and machine for manufacturing wood wool.

1,918,462; 7–18–33; Konrad Erdmann; Apparatus for impregnating coarsely fibrous materials to be worked upon into building elements.

1,953,704; 4–3–34; Konrad Erdmann; Apparatus for manufacturing porous bodies from fibrous materials.

1,981,592; 11–20–34; Konrad Erdmann; Method of impregnating fibrous materials for building elements.

2,074,721; 3–23–37; Konrad Erdmann; Building element.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor created in Konrad Erdmann by virtue of an agreement dated July 12, 1930 (including all modifications thereof and supplements thereto, if any) by and between American-Austrian Magnesite Corporation and Konrad Erdmann, relating, among other things, to certain patents,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7647; Filed, May 27, 1944; 11:31 a. m.]

[Vesting Order 3508]

HANS WAGNER AND HEINRICH MARZAHN

In re: Interests of Hans Wagener and Heinrich Marzahn in patents.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Han Wagener and Heinrich Marzahn are residents of Germany and are nationals of a foreign country (Germany);

2. That the property identified in subparagraphs 4a and 4b hereof is property of Hans Wegener;

3. That the property identified in subparagraphs 4c and 4d hereof is property of Heinrich Marzahn;

4. That the property described as follows: (a) An undivided one-fourth interest remaining in Hans Wagener, after the transfer by him to Heinrich Marzahn, by an assignment dated October 6, 1926 and recorded in the assignment records of the United States Patent Office on January 17, 1927 at Liber G–129, Page 467, of an undivided one-half interest therein, and to William M. Barry, by an assignment dated October 6, 1926 and recorded in the assignment records of the United States Patent Office on January 17, 1927 at Liber G–129, Page 466, of an undivided one-fourth intefest therein, in and to the following patent:

Patent Number, Date, Inventor and Title

1,700,604; 1–29–29; Hans Wagener; Internal-combusion engine piston and process for making the same.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government to which the owner of such interest is entitled,

(b) An undivided one-fourth interest remaining in Hans Wagener, after the transfer by him to Heinrich Marzahn, by an assignment dated October 6, 1926 and recorded in the assignment records of the United States Patent Office on January 17, 1927 at Liber G–129, Page 475, of an undivided one-half interest therein, and to William M. Barry, by an assignment dated October 6, 1926 and recorded in the assignment records of the United States Patent Office on January 17, 1927 at Liber G–129, Page 477, of an undivided one-fourth interest therein, in and to the following patent:

Patent Number, Date, Inventor and Title

1,722,025; 7–23–29; Hans Wagener; Process for brazing copper alloys to iron alloys.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government to which the owner of such interest is entitled,

(c) An undivided one-fourth interest remaining in Heinrich Marzahn, after the transfer to him by Hans Wagener, by an assignment dated October 6, 1926, and recorded in the assignment records of the United States Patent Office on January 17, 1927, at Liber G–129, Page 467, of an undivided one-half interest therein, and by him to William M. Barry, by an assignment dated October 25, 1926, and recorded in the assignment records of the United States Patent Office on January 17, 1927 at Liber G–129, Page 471, of an undivided one-fourth interest therein, in and to the following patent:

Patent Number, Date, Inventor and Title

1,700,604; 1–29–29; Hans Wagener; Internal-combustion engine piston and process for making the same.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government to which the owner of such interest is entitled.

(d) An undivided one-fourth interest remaining in Heinrich Marzahn, after the transfer to him by Hans Wagener, by an assignment dated October 6, 1926 and recorded in the assignment records of the United States Patent Office on January 17, 1927 at Liber G–129, Page 475, of an undivided one-half interest therein, and by him to William M. Barry, by an assignment dated October 25, 1926, and recorded in the assignment records of the United States Patent Office on January 17, 1927 at Liber G–129, Page 479, of an undivided one-fourth interest therein, in and to the following patent:

Patent Number, Date, Inventor and Title

1,722,025; 7–23–29; Hans Wagener; Process for brazing copper alloys to iron alloys.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government to which the owner of such interest is entitled.

is property of nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7648; Filed, May 27, 1944; 11:32 a. m.]

[Vesting Order 3509]

I. G. FARBENINDUSTRIE A. G.

In re: Interests of I. G. Farbenindustrie Aktiengesellschaft in contracts between it, Stauffer Chemical Company of Virginia and Stauffer Chemical Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described as follows;

Property identified in Exhibit A attached hereto and made a part hereof,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated July 9, 1936 (including all modifications thereof and supplements thereto, if any) by and between Stauffer Chemical Company of Virginia and I. G. Farbenindustrie Aktiengesellschaft, which agreement relates, among other things, to Patent No. 1,672,948.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated December 27, 1937 (including all modifications thereof and supplements thereof, if any) by and between Stauffer Chemical Company of Virginia and Stauffer Chemical Company, which agreement relates, among other things, to Patent No. 1,672,948.

[F. R. Doc. 44-7649; Filed, May 27, 1944; 11:32 a. m.]

[Vesting Order 3510]

INSTITUTO NAZIONALE LUCE

In re: Interest of Instituto Nazionale Luce in a patent.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Instituto Nazionale Luce is a business organization organized under the laws of and having its principal place of business in Italy and is a national of a foreign country (Italy);

2. That the property described in subparagraph 3 hereof is property of Instituto Nazionale Luce;

3. That the property described as follows:

All right, title and interest (including, but not by way of limitation, all contractual rights) created or reserved in Instituto Nazionale Luce in, to or under United States Letters Patent No. 2,079,115 by (1) an agreement dated April 7, 1939 by and between Bruno Francisci and Instituto Nazionale Luce and/or (2) an assignment from Bruno Francisci to Radio Corporation of America which assignment is dated May 2, 1939 and was recorded in the United States Patent Office on May 13, 1939 in Liber H-179, page 624,

is property of a national of a foreign country (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7650; Filed, May 27, 1944; 11:32 a. m.]

[Vesting Order 3511]

MAX DIECKMANN AND OTTO SCHELLER

In re: Interests of Max Dieckmann and Otto Scheller in a patent.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Max Dieckmann and Otto Scheller are residents of Germany and are nationals of a foreign country (Germany);

2. That the property described in subparagraph 4a hereof is property of Max Dieckmann;

3. That the property described in subparagraph 4b hereof is property of Otto Scheller;

4. That the property described as follows:

(a) An undivided one-third interest remaining in Max Dieckmann, after the transfer by him to each of Otto Scheller and William H. Murphy, by an assignment dated March 7, 1931 and recorded in the assignment records of the United States Patent Office on April 3, 1931 at Liber A-148, Page 385, of a one-third undivided interest therein, in and to the following patent:

Patent Number, Date, Inventor, and Title

1,885,023; 10-25-32; Max Dieckmann; System for locating moving bodies.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled.

(b) An undivided one-third interest transferred to Otto Scheller, by an assignment dated March 7, 1931 and recorded in the assignment records of the United States Patent Office on April 3, 1931 at Liber A-148, Page 386, in and to the following patent:

Patent Number, Date, Inventor, and Title

1,885,023; 10-25-32; Max Dieckmann; System for locating moving bodies.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled,

is property of nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within 1 year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7651; Filed, May 27, 1944; 11:32 a. m.]

[Vesting Order 3512]

FELTEN & GUILLEAUME CARLSWERK A. G.

In re: Interest of Felton & Guilleaume Carlswerk Actien-Gesellschaft in an agreement with General Cable Corporation relating to Patent No. 2,264,803.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Felten & Guilleaume Carlswerk Actien-Gesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Felten & Guilleaume Carlswerk Actien-Gesellschaft;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Felten & Guilleaume Carlswerk Actien-Gesellschaft by virtue of an agreement dated January 23, 1937 (including all modifications thereof and supplements thereto, including, but not by way of limitation, a letter dated March 16, 1937 from General Cable Corporation to Felten & Guilleaume Carlswerk Actien-Gesellschaft) by and between Felten & Guilleaume Carlswerk Actien-Gesellschaft and General Cable Corporation, relating, among other things, to United States Letters Patent No. 2,264,803,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7652; Filed, May 27, 1944; 11:32 a. m.]

[Vesting Order 3513]

J. D. RIEDEL—E. DE HAEN A. G.

In re: Interest of J. D. Riedel—E. De Haen A. G. in an agreement with Monsanto Chemical Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That J. D. Riedel—E. De Haen A. G. is a joint stock company organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of J. D. Riedel—E. De Haen A. G.;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in J. D. Riedel—E. De Haen A. G. by virtue of an agreement dated August 13, 1940 (including all modifications thereof and supplements thereto, if any) by and between Monsanto Chemical Company and J. D. Riedel—E. De Haen A. G., relating, among other things, to United States Patent No. 2,062,205,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7653; Filed, May 27, 1944; 11:33 a. m.]

[Vesting Order 3514]

EDMUND ALTENKIRCH

In re: Patent application of Edmund Altenkirch.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Edmund Altenkirch is a resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Edmund Altenkirch;

3. That the property described as follows:

Patent Application identified as follows:

Serial Number, Filing Date, Inventor, and Title

494,739; 7-14-43; Edmund Altenkirch; Air Conditioning Apparatus.

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be de-

termined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7654; Filed, May 27, 1944; 11:33 a. m.]

[Vesting Order 3515]

SOCIETE DES USINES CHIMIQUES RHONE-POULENC

In re: Patents and interests of Societe des Usines Chimiques Rhone-Poulenc in an agreement with E. I. du Pont de Nemours & Company and Newport Chemical Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Societe des Usines Chimiques Rhone-Poulenc is a corporation organized under the laws of France and is a national of a foreign country (France);

2. That the property described in subparagraph 3 hereof is property of Societe des Usines Chimiques Rhone-Poulenc;

3. That the property described as follows:

(a) All right, title, and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the United States Letters Patent identified in Exhibit A attached hereto and made a part hereof,

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe des Usines Chimiques Rhone-Poulenc by virtue of an agreement dated October 30, 1931 (including all modifications of and supplements to such agreement, including, but without limitation, three letters dated October 30, 1931, September 5, 1939 and May 5, 1941, respectively, and three cables dated January 5, 1940, January 26, 1940 and February 8, 1940, respectively, from E. I. du Pont de Nemours & Company to Societe des Usines Chimiques Rhone-Poulenc, and a letter dated May 17, 1940 and three cables dated January 6, 1940, February 5, 1940 and February 14, 1940, respectively, from Societe des Usines Chimiques Rhone-Poulenc to E. I. du Pont de Nemours & Company) by and between Societe des Usines Chimiques Rhone-Poulenc, E. I. du Pont de Nemours & Company and Newport Chemical Corporation, relating, among other things, to certain United States Letters Patent, including Patent No. 2,279,468, is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Patent Number, Date of Issue, Inventor, and Title
1,627,881; 5-10-27; Alfred F. S. Bellone; Process for the reduction of halogenated hydrocarbons.
1,738,563; 12-10-29; Andre Chagnaud; Recording Device for Measuring Instruments.
1,826,594; 10-6-31; Alfred F. S. Bellone; Process for the Production of Potassium Manganate.
1,854,762; 4-19-32; Jean Paul Prunier; Manufacture of Sodium Thiosulphate.
1,859,002; 5-17-32; Adam Oser and Adrien Laurent; Process for the Manufacture of 1 Phenyl-2, 3-Dimethyl-5-Pyrazolone.
1,882,551; 10-11-32; Henry Gault and Bernard M. R. Angla; Process of Manufacture of Cellulose Esters.
1,906,746; 5-16-33; Henry Gault and Bernard M. R. Angla; Process for the Preparation of Cellulose Esters.
1,956,570; 5-1-34; Claude H. Gallay; Process of Recovering Resorcinol.
1,956,571; 5-1-34; Nicolas B. Grillet; Process of Sulphonation.
1,969,862; 8-14-34; Henry Gault and Bernard M. R. Angla; Manufacture of New Cellulose Esters.
1,988,156; 1-15-35; Maurice M. Bouvier and Louis D. Bardin; Process for the Preparation of Phenols.
1,992,167; 2-26-35; Maurice E. Bouvier, Louis D. Bardin and Jean J. Chavan; Process for the Manufacture of Phenols from Alkali Arylsulphonates.
2,062,946; 6-8-37; Maurice Fluchaire and Serge Javorski; Process of Preparing Beta Bromethyl Benzene.
2,102,262; 12-14-37; Cecile M. Roy; Automatic Apparatus for Determining the Hardness of Water.
2,122,735; 7-5-38; Alfred F. S. Bellone; Manufacture of manganese dioxide.
2,175,842; 10-10-39; Pierre Koetschet; Process for the manufacture of highly acetylated cellulose.
2,213,717; 9-3-40; Louis Poizat and Joseph Lahousse; Alkyl esters of 3-methoxy coumaric acid and pharmaceutical compositions containing same.
2,242,322; 5-20-41; Louis Poizat; Process for preparing p-isopropyl alpha methyl hydrocinnamic aldehyde.
2,279,468; 4-14-42; Joseph E. G. Lahousse, Anne M. L. Casati and Jean L. Gonnard; Product of Antierythemic action.

[F. R. Doc. 44-7655; Filed, May 27, 1944; 11:33 a. m.]

[Vesting Order 3516]

EMIL M. MENNICKE AND EMIL K. MENNICKE

In re: Interests of Emil M. Mennicke and Emil K. Mennicke in a patent.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Emil M. Mennicke and Emil K. Mennicke are residents of Germany and are nationals of a foreign country (Germany);

2. That the property identified in subparagraph 4a hereof is property of Emil M. Mennicke;

3. That the property identified in a subparagraph 4b hereof is property of Emil K. Mennicke;

4. That the property described as follows:

(a) An undivided one-sixth interest remaining in Emil M. Mennicke as coinventor thereof, after the assignment by Emil M. Mennicke to Hugo G. Loesch, by an assignment dated December 10, 1928 and recorded in the assignment records of the United States Patent Office on December 13, 1928 at Liber H-137, Page 416, of an undivided one-third interest therein, in and to the following patent:

Patent Number, Date, Inventor and Title
1,699,303; 1-15-29; Emil M. Mennicke and Emil K. Mennicke; Coffee filter.

together with all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government to which the owner of such interest is entitled,

(b) An undivided one-half interest which stands of record in the assignment records of the United States Patent Office in Emil K. Mennicke, as coinventor thereof, in and to the following patent:

Patent Number, Date, Inventor and Title
1,699,303; 1-15-29; Emil M. Mennicke and Emil K. Mennicke; Coffee filter.

together with all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government to which the owner of such interest is entitled,

is property of nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interests,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7656; Filed, May 27, 1944; 11:33 a. m.]

[Vesting Order 3517]

MARIA HERZOG, ET AL.

In re: Interests of Maria Herzog, Kaiser Wilhelm Society and Helmut Hoffmann in a patent and in certain agreements relating thereto.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Maria Herzog and Helmut Hoffmann are residents and citizens of Germany and are nationals of a foreign country (Germany);

2. That the Kaiser Wilhelm Society is an association organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

3. That the property described in subparagraphs 5a and 5c hereof is property of Maria Herzog and Helmut Hoffmann;

4. That the property described in subparagraph 5b hereof is property of Maria Herzog, Helmut Hoffmann and Kaiser Wilhelm Society;

5. That the property described as follows:

(a) An undivided 60 per cent interest, which stands of record in the United States Patent Office in the names of Helmut Hoffmann and Maria Herzog (administratrix of the estate of Reginald O. Herzog, deceased) in and to the following patent:

Patent Number, Date, Inventor, and Title
2,077,412; 4-20-37; Reginald O. Herzog and Helmut Hoffmann; Process for the preparation of a molded cellulose foam from viscose and product thereof.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owners of such interest are entitled.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Kaiser Wilhelm Society, Prof. Dr. R. O. Herzog and Dr. Helmut Hoffmann by virtue of an agreement dated September 22, 1933, (including all modifications thereof and supplements thereto, if any) by and between Alfred Burgeni, Helmut Hoffmann and Reginald Herzog, which agreement relates, among other things, to United States Letters Patent No. 2,077,412.

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Maria Herzog and Helmut Hoffmann by virtue of an agreement dated June 12, 27 and 30, 1935 (including all modifications thereof and supplements thereto, if any) by and between Maria Herzog, Helmut Hoffmann and Eugene J. Lorand, which agreement relates, among other things, to United States Letters Patent No. 2,077,412,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interest held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States; *Provided, however,* That the property herein vested shall not include any right, title or interest of Eugene J. Lorand or Alfred Burgeni in and to the aforesaid patent and agreements, nor shall such vesting disturb in any way the rights of said Eugene J. Lorand or Alfred Burgeni or affect adversely in any way any right, title, interest or privilege which either of them may have.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within 1 year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7657; Filed, May 27, 1944; 11:33 a. m.]

[Vesting Order 3557]

N. V. NEDARS ARSPHENAMINENFABRIEK AND DR. LUDWIG RITTER

In re: Interests of N. V. Nedars Arsphenaminenfabriek and Dr. Ludwig Ritter in agreements with Albi Chemical Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That N. V. Nedars Arsphenaminenfabriek is a corporation organized under the laws of and having its principal place of business in The Netherlands and is a national of a foreign country (The Netherlands);

2. That Ludwig Ritter is a citizen of Germany, that his last known address is The Hague, The Netherlands and that he is a national of foreign countries (Germany and The Netherlands);

3 That the property described in subparagraph 4 hereof is property of N. V. Nedars Arsphenaminenfabriek and Ludwig Ritter;

4. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part thereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which intereats are held by, and such property itself constitutes interests held therein by, nationals of foreign countries (Germany and The Netherlands);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order

may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in N. V. Nedars Arsphenaminenfabriek and Ludwig Ritter, and each of them, by virtue of an agreement dated March 12, 1941 (including all modifications thereof and supplements thereto, if any) by and between N. V. Nedars Arsphenaminenfabriek, Ludwig Ritter and Albi Chemical Corporation, relating, among other things, to United States Patent Application Serial No. 368,252.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in N. V. Nedars Arsphenaminenfabriek and Ludwig Ritter, and each of them, by virtue of an agreement dated March 12, 1941 (including all modifications of and supplements to such agreement, including, but without limitation, an agreement of March 12, 1941, relating to the rates of royalty for the use of patent application Serial No. 368,258 and a letter agreement of July 22, 1941 (by and between N. V. Nedars Arsphenaminenfabriek, Ludwig Ritter and Albi Chemical Corporation, relating, among other things, to United States Patent Application Serial No. 368,263, now United States Patent No. 2,310,257.

[F. R. Doc. 44–7658; Filed, May 27, 1944; 11:34 a. m.]

[Vesting Order 3558]

ROBERT BOSCH, G. M. B. H. ET AL.

In re: Interest of Robert Bosch, G. m. b. H. in agreements with Eclipse Machine Company and Eclipse Aviation Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Robert Bosch, G. m. b. H. is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Robert Bosch, G. m. b. H.;

3. That the property described as follows:

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Robert Bosch Aktiengesellschaft by virtue of an agreement executed by Eclipse Machine Company on February 16, 1927, and by Robert Bosch Aktiengesellschaft on February 16, 1927 (including all modifications thereof and supplements thereto, if any) by and between Robert Bosch Aktiengesellschaft and Eclipse Machine Company, which agreement relates, among other things, to certain United States Letters Patent,

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Robert Bosch Aktiengesellschaft by virtue of an agreement executed by Robert Bosch Aktiengesellschaft on May 15, 1928 and by Eclipse Machine Company on May 31, 1928 (including all modifications thereof and supplements thereto, if any) by and between Robert Bosch Aktiengesellschaft and Eclipse Machine Company, which agreement relates, among other things, to certain United States Letters Patent,

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Robert Bosch Aktiengesellschaft by virtue of an agreement dated January 1, 1934 (including all modifications thereof and supplements thereto, if any) by and between Robert Bosch Aktiengesellschaft and Eclipse Aviation Corporation, which agreement relates, among other things, to certain United States Letters Patent,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within 1 year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7659; Filed, May 27, 1944; 11:34 a. m.]

[Vesting Order 3569]

SUTEMATSU ENDO AND HARU ENDO

In re: Real property, personal property and property insurance policies owned by Sutematsu Endo and Haru Endo, his wife.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of both Sutematsu Endo and Haru Endo, his wife, is Japan, and that they are residents of Japan and nationals of a designated enemy country (Japan);

2. That Sutematsu Endo is the owner of the property described in subparagraph 4–a hereof;

3. That Sutematsu Endo and Haru Endo, his wife, are the owners of the property described in subparagraphs 4–b, 4–c and 4–d hereof;

4. That the property described as follows:

a. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit B attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

c. One four piece set of wicker furniture, one console model phonograph, one General Electric refrigerator, one linoleum rug, one bedstead, one chiffonier, one dining room table, one chest of drawers, one book case and several statuettes in glass cases, all of which property is presently in the premises known as 410–A Liliha Court Road, Honolulu, T. H., which premises is described as Second Parcel of Land in Exhibit B attached hereto and by reference made a part hereof, and

d. All right, title and interest of Sutematsu Endo and Haru Endo, and each of them, in and to insurance policy No. 389249, issued by the North British & Mercantile Insurance Company, London, England, insurance policy No. 18040, issued by the Providence Washington Insurance Company, Providence, Rhode Island, insurance policy No. 78474, issued by the American Eagle Fire Insurance Company, New York, New York, which policies insure the improvements to the premises described as First Parcel of Land, Second Parcel of Land and Fourth Parcel of Land in Exhibit B attached hereto and by reference made a part hereof, and insurance policy No. D–37622, issued by the National Union Fire Insurance Company of Pittsburgh, Pennesylvania, which policy insures the property described in subparagraph 4–c hereof,

is property within the United States owned or controlled by nationals of a designated enemy country (Japan);

And determining that the property described in subparagraph 4–d hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 4–b and 4–c hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraphs 4–a and 4–b hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 4–c and 4–d hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

First parcel of land. All of those certain parcels of land situate at Kailua, District of Koolaupoko, City and County of Honolulu, Territory of Hawaii, described as follows:

Lot 340, area 15,300.0 square feet, Lot 341, area 15,300.0 square feet, Lot 342, area 15,300.0 square feet and Lot 343, area 15,300.0 square feet, of the tract of land known as the "Kailua Coconut Grove Tract—3rd Series", as shown on Map 10, filed in the Office of the Assistant Registrar of the Land Court of the Territory of Hawaii, with Land Court Application No. 495 of Arthur Hyde Rice.

Second parcel of land. That certain parcel of land situate on Kealia Drive, Honolulu, City and County of Honolulu, Territory of Hawaii, described as follows:

Lot 9, area 9,335.0 square feet, in Block 5 of section "B", of the McInerny Park Tract, as shown on Map 3, filed in the Office of the Assistant Registrar of the Land Court of the Territory of Hawaii with Land Court Application No. 290 of the Trustees under the Will and of the Estate of Bernice P. Bishop, deceased.

EXHIBIT B

First parcel of land. All of that certain parcel of land situate on Belser Street, City and County of Honolulu, Territory of Hawaii, described as follows:

Lot Thirty-Five (35), area 4,500.0 square feet, as shown on Map 2, filed in the Office of the Assistant Registrar of the Land Court of the Territory of Hawaii with Land Court Application No. 761 of Honolulu Construction and Draying Company, Limited.

Second parcel of land. All of that certain parcel of land (portion of the land described in Royal Patent Number 1225, Land Commission Award Number 2626, Apana 1, to Papa) situate, lying and being on Liliha Court Road, off School Street, at Kukanaka, Honolulu, City and County of Honolulu, Territory of Hawaii, being Lot Number Eight (8), of the tract of land known as the "Liliha Court Tract", and thus bounded and described:

Beginning at the North corner of this lot, being also the East corner of Lot 9 of the Liliha Court Tract, and on the Southwest boundary of Land Court Application No. 492, the coordinates of said point of beginning referred to a Government Survey Street Monument, near the East corner of Liliha and School Streets being 6.38 feet South and 447.94 feet East, and running by true azimuths from the above described initial point:

1. 320°22'30", 28.41 feet along Land Court Application No. 492;
2. 40°30', 84.89 feet parallel to and 0.5 of a foot Northwest from fence;
3. 133°30', 67.62 feet parallel to and 0.5 of a foot Northeast from fence;
4. 229°46', 10.03 feet along Road;
5. 314°04', 24.07 feet along Lot 9 of the Liliha Court Tract;
6. 230°39', 79.03 feet along same to the point of beginning.

Containing an Area of 3,357 square feet, or thereabouts.

Third parcel of land. All of that certain parcel of land (portion of the land described in Royal Patent Number 3543, Land Commission Award Number 2166, Apana 2, to Waialeale no Kalakua) situate, lying and being at Kauluwela, Honolulu, City and County of Honolulu, Territory of Hawaii, and thus bounded and described:

Commencing at a point on the North boundary of Apana 2 of L. C. A. 2166 to Waialeale no Kalakua, said point bearing by true azimuth 298° 56' and being distant 492.7 feet from an iron monument placed in the Street at the South corner of Liliha and School Streets by the Hawaiian Territorial Survey, and running by true azimuths:

1. 306°05' 112 feet along konohiki land;
2. 36°05', 99 feet along Lot 3;
3. 123°46', 112 feet along 4 foot Land;
4. 216°05', 103.2 feet along Lot 1, point of commencement.

Containing an Area of 11,325 square feet, or thereabouts.

Fourth parcel of land. All of that certain parcel of land (portion of the land described in Royal Patent Number 1225, Land Commission Award Number 2626, Apana 1, to Papa) situate, lying and being on Liliha Court Road, off School Street, at Kukanaka, Honolulu, City and County of Honolulu, Territory of Hawaii, being Lot Number Nine (9), of the tract of land known as the "Liliha Court Tract", and thus bounded and described:

Beginning at the East corner of this lot, being also the North corner of Lot 8 of the Liliha Court Tract and on the Southwest boundary of Land Court Application Number 492, the coordinates of said point of beginning referred to a Government Survey Street Monument near the East corner of Liliha and School Streets being 6.38 feet South and 447.94 feet East, and running by true azimuths from the above described initial point:

1. 50°39', 79.03 feet long Lot 8, of the Liliha Court Tract;
2. 134°04', 24.07 feet along same;
3. 140°22', 16.10 feet along Road;
4. 230°39', 81.69 feet along Lot 10 of the Liliha Court Tract;
5. 320°22'30", 40.0 feet along Land Court Application No. 492, to the point of beginning.

Containing an area of 3,240 Square Feet, or thereabouts.

[F. R. Doc. 44–7660; Filed, May 27, 1944; 11:34 a. m.]

[Vesting Order 3570]

HARUO KAWAKITA

In re: Real property, farm equipment, and irrigation stock owned by Haruo Kawakita.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Haruo Kawakita is State of Yamaguchi Ken, County of Kuwa Gun, Town of Iwakunishi, Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That Haruo Kawakita is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the City of San Dimas, County of Los Angeles, State of California, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. Certain machinery and tools, fencing materials and a sprinkler system, all of which property is presently on the premises described in subparagraph 3–a hereof, and

c. Five shares of common capital stock issued by the Glendora Independent Water Company, Glendora, California, which shares of stock are registered in the name of Haruo Kawakita,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraph 3–c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3–a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consulta-

tion and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3–a hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3–b and 3–c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used hefein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

The Southeast quarter of the Southeast quarter of the Northwest quarter of Section 4, Township 1 South, Range 9 West, S. B. B. & M., in the Rancho Addition to San Jose, in the County of Los Angeles, State of California, as per map recorded in Book 22, page 21 et seq., of Miscellaneous Records in the office of the County Recorder of said county.

Excepting therefrom the West 40 feet thereof condemned for the use of the Pacific Electric Railway Company, a corporation, by final order of condemnation, a certified copy thereof being recorded in Book 6510 Page 287 of Deeds, and

Also excepting therefrom the portions thereof included within the streets as shown on the above mentioned map.

[F. R. Doc. 44–7661; Filed, May 27, 1944; 11:34 a. m.]

[Vesting Order 3571]

SAKAE MIYAZAWA

In re: Real property, property insurance policy, and a bank account owned by Sakae Miyazawa.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Sakae Miyazawa is 67 Nishi Naka Machi, Haku Shima, Hiroshima City, Japan, and that she is a resident of Japan and a national of a designated enemy country (Japan);

2. That Sakae Miyazawa is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title, and interest of Sakae Miyazawa in and to fire insurance policy No. 18227094, issued by The Liverpool & London & Globe Insurance Co., Ltd., London, England, which policy insures the improvements to the premises described in subparagraph 3–a hereof, and

c. That certain bank account with the American Security Bank, Honolulu, T. H., which is due and owing to and held for and in the name of Sakae Miyazawa and H. Iwanaga, attorney-in-fact, and any and all security rights in and to any and all collateral for all or part of such account, and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraphs 3–b and 3–c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3–a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3–a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3–b and 3–c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 3, 1944.

[SEAL] JAMES E. MARKHAM.
Alien Property Custodian.

EXHIBIT A

All of that certain parcel of land (portion of the land described in Royal Patent Number 1985, Land Commission Award Number 6245, Part 1, No. 4 to Kaiaeokekoi no Kalakini), situate, lying and being on the Southeast side of Haula Lane (formerly called Kamanauwai Lane), at Kamanauwai, Honolulu, City and County of Honolulu, Territory of Hawaii, and thus bounded and described:

Beginning at a pipe at the West corner of this piece of land, being also the North corner of Land Court Application 577, and on the Southeast side of Haula Lane (formerly Kamanauwai Lane), said point of beginning being also located by the following true azimuth traverse from a Government Survey Street Monument near the West corner of Beretania Avenue and Maunakea Street as follows:

(a) 190°17', 62.40 feet;
(b) 238°30', 148.32 feet;
(c) 225°20', 4.78 feet to the above described initial point and thence running by azimuths measured clockwise from true South:

1. 225°20', 63.60 feet along the Southeast side of Haula Lane (formerly Kamanauwai Lane) to a pipe;
2. 327°27'30", 82.70 feet partly along the Southwest side of concrete foundation of building and same extended to a pipe;
3. 22°00', 4.11 feet along fence to a two (2) inch pipe gate post;
4. 47°49', 49.90 feet along the Northwest side of old Lane to an iron bolt marking the North corner of Land Court Application 406;
5. 70°30', 18.86 feet along Lot "C" of Land Court Application 406 to a concrete post marked "...";
6. 154°02', 76.33 feet along Land Court Application 577 to the point of beginning.

Containing an Area of 5,486 square feet, or thereabouts, and being the same parcel of land that was conveyed to the said Sakae Miyazawa by Takamatsu Akase, unmarried, by deed dated February 15th, A. D. 1936 and recorded in the Office of the Registrar of Conveyances at Honolulu in Liber 1312 on pages 193-195, on February 17th, 1936 at 10:45 o'clock a. m.

[F. R. Doc. 44–7662; Filed, May 27, 1944; 11:35 a. m.]

[Vesting Order 3574]

SHIGERU SHIMOGAWA

In re: Real property, property insurance policies, and a claim owned by Shigeru Shimogawa.

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order No. 9095, as amended and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Shigeru Shimogawa is 348 Nishi Yabara-machi, Fukushima-machi, Yame-gun, Fukuoka-ken, Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That Shigeru Shimogawa is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in Honolulu, City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title and interest of Shigeru Shimogawa in and to insurance policy No. 15223960, issued by The Liverpool and London and Globe Insurance Co., Ltd., of Liverpool, England, war damage policy No. 1173–19–23013, issued by the War Damage Corporation, Washington, D. C., and insurance policy No. OH970108, issued by the Orient Insurance Company of Hartford, Connecticut, which policies insure the improvements to the real property described in subparagraph 3–a hereof, and

c. All right, title, interest and claim of Shigeru Shimogawa in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Shigeru Shimogawa by the Bishop Trust Co., Ltd., Honolulu, T. H., and represented on the books of said Bishop Trust Co., Ltd., as a credit balance due Shigeru Shimogawa, which credit balance has arisen by reason of rent collections issuing from the real property described in subparagraph 3–a hereof made by the said Bishop Trust Co., Ltd., as agent for Shigeru Shimogawa, and any and all security rights in and to any and all collateral for all or part of such claim and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraphs 3–b and 3–c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3–a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3–a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3–b and 3–c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All of that certain parcel of land situate in Honolulu, City and County of Honolulu, Territory of Hawaii, described as follows:

Lot A–1, area 17,371.0 square feet, as shown on Map 2, filed in the Office of the Assistant Registrar of the Land Court of the Territory of Hawaii with Land Court Application No. 903 (amended) of Hawaiian Pineapple Company, Limited, and being a portion of the land described in Transfer Certificate of Title No. 11,883 issued to Hawaiian Pineapple Company, Limited.

[F. R. Doc. 44–7663; Filed, May 27, 1944; 11:35 a. m.]

[Vesting Order 3576]

TEIKICHI TAKAHASHI

In re: Real property, property insurance policies and bank account owned by Teikichi Takahashi.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Teikichi Takahashi is 801 Bunji, Suido-cho, Niigata Prefecture, Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That Teikichi Takahashi is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title and interest of Teikichi Takahashi in and to insurance policies Nos. 989819 and 989820, issued by the Potomac Insurance Company, of the District of Columbia, Washington, D. C., which policies insure the improvements to the premises described in subparagraph 3–a hereof, and

c. That certain bank account with the Bank of Hawaii, Honolulu, T. H., which is due and owing to and held for and in the name of Teikichi Takahashi, and any and all security rights in and to any and all collateral for all or part of such account, and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraphs 3–b and 3–c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3–a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3–a hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3–b and 3–c hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

First parcel of land. All that certain parcel of land situate at Pawaa, City and County of Honolulu, Territory of Hawaii, described as follows: Lot Seventeen (17), area 3800.0 square feet, as shown on Map 3, filed in the office of the Assistant Registrar of the Land Court of the Territory of Hawaii, with Land Court Application No. 652 of Bishop Trust Company, Limited, and being a portion of the land described in Transfer Certificate of Title No. 11197 issued to Hawaiian Properties, Limited, and also being a portion of the land described in Transfer Certificate of Title No. 11623 issued by the Assistant Registrar of the Land Court of the Territory of Hawaii to Teikichi Takahashi.

Second parcel of land. All of that certain parcel of land (portion of the land described in and covered by Royal Patent Number 4452, Land Commission Award Number 935, Apana 2 to Keaka and Royal Patent Number 1824, Land Commission Award Number 1162 to Kanihina) situate, lying and being on the Northeast side of School Street at Waikahalulu, Honolulu, City and County of Honolulu, Territory of Hawaii, and thus bounded and described: Beginning at the south corner of this parcel of land, on the northeast side of School Street (60 feet wide), the coordinates of said point of beginning referred to Government Survey Triangulation Station "Punchbowl" being 2160.96 feet north and 2714.22 feet west, and running by azimuths measured clockwise from true south:

1. 142°53', 32.00 feet along the northeast side of School Street;
2. 232°53', 4.35 feet;
3. 142°53', 43.41 feet;
4. 232°53', 40.00 feet;
5. 341°15', 82.40 feet along land owned by Matsumoto Kawasaki;
6. 61°30', 18.60 feet along same to the point of beginning.

Containing an Area of 2239 Square Feet, or thereabouts.

Together with an easement over and across the following described parcel of land, for and only for the purpose of a roadway:

Beginning at the south corner of this parcel of land, on the southwest side of School Street (60 feet wide), the coordinates of said point of beginning referred to Government Survey Triangulation Station "Punchbowl" being 2181.10 feet north and 2803.94 feet west, and running by azimuths measured clockwise from true south:

1. 142°53', 10.00 feet along the southwest side of School Street;
2. 232°53', 72.00 feet;
3. 322°53', 4.00 feet;
4. 52°53', 7.65 feet;
5. 322°53', 6.00 feet;
6. 52°53', 64.35 feet along face of bridge abutment to the point of beginning, containing an area of 676 square feet.

Said above described premises having been conveyed to the said Teikichi Takahashi, whose wife is Ume Takahashi, by city and county of Honolulu, a municipal corporation, by Exchange Deed dated July 29th, A. D. 1936 and recorded in the Office of the Registrar of Conveyances at Honolulu, in Liber 1336, Pages 190–193, on August 17, 1936 at 8:17 O'clock A. M.

[F. R. Doc. 44-7664; Filed, May 27, 1944; 11:35 a. m.]

[Vesting Order 3577]

SHIKAZO TOYOFUKU AND SADANO TOYOFUKU

In re: Real property, property insurance policies, and claim owned by Shikazo Toyofuku and Sadano Toyofuku.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Shikazo Toyofuku and Sadano Toyofuku is Yamakawa-mura, Kami Otwake, Mitsui-gun, Fukuokaken, Japan, and that they are residents of Japan and nationals of a designated enemy country (Japan);

2. That Shikazo Toyofuku and Sadano Toyofuku are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title and interest of Shikazo Toyofuku and Sadano Toyofuku, and each of them, in and to insurance policy No. 550920, issued by The Potomac Insurance Company of the District of Columbia, Washington, D. C., insurance policy No. 6039, issued by The California Insurance Company of San Francisco, California, and insurance policy No. 18078, issued by the Providence Washington Insurance Company, Providence, Rhode Island, which policies insure the improvements to the premises described in subparagraph 3-a hereof, and

c. All right, title, interest and claim of Shikazo Toyofuku and Sadano Toyofuku, and each of them, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Shikazo Toyofuku and Sadano Toyofuku by The National Mortgage & Finance Co., Ltd., Honolulu, T. H., and represented on the books of The National Mortgage & Finance Co., Ltd., Honolulu, T. H., as a credit balance due and owing to and held for and in the names of Shikazo Toyofuku and Sadano Toyofuku, which credit balance has arisen by reason of rent collections made by The National Mortgage & Finance Co., Ltd., Honolulu, T. H., for Shikazo Toyofuku and Sadano Toyofuku arising out of the property described in subparagraph 3-a hereof, and any and all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect the same.

is property within the United States owned or controlled by nationals of a designated enemy country (Japan);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim..

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All of that certain parcel of land (portion of the land described in Royal Patent Number 2576, Land Commission Award Number 5873, to Kahanaumaikai) situate, lying and being on the Northerly side of Kapahulu Road at Kaluaolohe, Waikiki, Honolulu, City and County of Honolulu, Territory of Hawaii, and thus bounded and described:—

Beginning at a point on the North side of Kapahulu Road adjoining lot of Chong See and wife, this point being distant 150 feet, from corner of W. R. Castle's land, said corner of Castle's land being marked by 1' iron pipe, and running by true azimuths:—

1. 135°25', 306.3 feet along Chong See lot;
2. 225°25', 76.9 feet along portion of L. C. A. 5873;
3. 315°25', 258.36 feet along portion of L. C. A. 5873;
4. 12°03', 91.2 feet along North side of Kapahulu Road to initial point.

Containing an Area of ½ of an Acre, or thereabouts, and being the same parcel of land that was conveyed to the said Shikazo Toyofuku and Sadano Toyofuku, husband and wife, as joint tenants, by Yoshio Kajimura, unmarried, by Deed dated April 1st, A. D. 1931 and recorded in the Office of the Registrar of Conveyances at Honolulu, in Liber 1107 on Pages 355–356, on April 2nd, 1931 at 2:57 O'clock P. M.

Excepting and reserving from the above described parcel of land all that portion conveyed to the City and County of Honolulu, a municipal corporation, by Shikazo Toyofuku and Sadano Toyokufu, husband and wife, as joint tenants, by Deed dated December 6th, 1937 and recorded in said Registry Office in Liber 1422, Pages 1–3 on January 25th, 1938 at 11:50 O'clock A. M. described as follows:

Parcel 73—of Frontage Improvement 64, Kapahulu avenue from Waialae Avenue to Campbell Avenue, being a portion of Royal Patent 2576, Land Commission Award 5873 to Kahanaumaikai, situate on the west side of Kapahulu Avenue, opposite Charles Street, at Kaluaolohe, Waikiki, Honolulu, Oahu, Territory of Hawaii, and particularly described as follows:

Beginning at the northwest corner of this parcel of land, on the new west line of Kapahulu Avenue, the coordinates of said point of beginning referred to a City and County Survey Street Monument at the intersection of the center lines of Kapahulu and Harding Avenues being 1041.66 feet south and 255.45 feet west, and the coordinates of said monument referred to Government Survey Triangulation Station "Waikiki" being 1230.50 feet south and 5488.90 feet east and running by azimuths measured clockwise from true south:

1. 315°36', 15.28 feet;
2. 12°03', 91.20 feet along the present west line of Kapahulu Avenue;
3. 135°25', 14.98 feet;
4. 191°54'30", 91.41 feet along the new west line of Kapahulu Avenue to the point of beginning, containing an area of 1151 square feet.

[F. R. Doc. 44-7665; Filed, May 27, 1944; 11:35 a. m.]

[Vesting Order 3664]

RUDOLPH LUIS BALKE

In re: Estate of Rudolph Luis Balke, deceased; File: D-55-864; E. T. sec. 8619.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Louis M. Byrd, Executor, acting under the judicial supervision of the Superior Court of the State of Arizona, in and for the County of Maricopa;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Elsa Bielig Bodenstadt, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Elsa Bielig Bodenstadt in and to the Estate of Rudolph Luis Balke, deceased, and in and to the trust estate created under the will of Rudolph Luis Balke, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7666; Filed, May 27, 1944; 11:36 a. m.]

[Vesting Order 3665]

EMMA BRAUN

In re: Estate of Emma Braun, deceased; File D-28-7427; E. T. sec. 7609.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Carl J. Peter, 536 First National Bank Building, Omaha, Nebraska, Executor, acting under the judicial supervision of the County Court of the State of Nebraska, in and for the County of Douglas;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Erich Braun, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Erich Braun, in and to the estate of Emma Braun, Deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7667; Filed, May 27, 1944; 11:36 a. m.]

[Vesting Order 3666]

FRANCIS WILLIAM FRANZ

In re: Estate of Francis William Franz, also known as Francis W. Franz, Francis William Chudoba, Francis Wilhelm Chudoba, Frank W. Chudoba and as David W. Franz, deceased; File: D-28-3658; E.T. sec. 5985).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ben H. Brown, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Franciska Boehm, Czechoslovakia.

And determining that—

(3) Franciska Boehm, a citizen or subject of a designated enemy country, Germany, and within an enemy occupied area, Czecho-

slovakia, is a national of a designated enemy country, Germany;

(4) To the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Franciska Boehm, in and to the Estate of Francis William Franz, also known as Francis W. Franz, Francis William Chudoba, Francis Wilhelm Chudoba, Frank W. Chudoba and as David W. Franz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7668; Filed, May 27, 1944; 11:36 a. m.]

[Vesting Order 3667]

WILLIAM HARMANS

In re: Estate of William Harmans, also known as William F. Harmans, deceased; File: D–28–2310; E. T. sec. 3408).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the American Trust Company, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Frederick Harmans, also known as Fritz Harmans or surviving issue, Germany.
Jan Harmans or surviving issue, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Frederick Harmans, also known as Fritz Harmans or surviving issue and Jan Harmans or surviving issue, and each of them, in and to the Estate of William Harmans, also known as William F. Harmans, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereupon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7669; Filed, May 27, 1944; 11:36 a. m.]

[Vesting Order 3668]

AUGUST HOFFKER

In re: Estate of August Hoffker, deceased; File D–28–2231; E.T. sec. 2937.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust and Savings Association, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Kings;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Robert Hoffker, and his heirs, Germany.
Hugo Hoffker, and his heirs, Germany.
Marie Hoffker, and her heirs, Germany.
August Hoffker, and his heirs, Germany.
Gustav Isfort, and his heirs, Germany.

And determining that—

(3) If such nationals are person not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Robert Hoffker, and his heirs; Hugo Hoffker, and his heirs; Marie Hoffker, and her heirs; August Hoffker, and his heirs; Gustav Isfort, and his heirs; and each of them, in and to the estate of August Hoffker, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7670; Filed, May 27, 1944; 11:37 a. m.]

[Vesting Order 3669]

JOE KETTERN

In re: Estate of Joe Kettern, also called Jodak Kettern and J. Kettern, deceased; File: D–28–7600; E. T. sec. 8014.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Phil C. Katz, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mrs. Josef Arens, Germany.
Heirs, or next of kin, names unknown, of Joe Kettern, deceased, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Mrs. Josef Arens, and their heirs, or next of kin, names unknown, of Joe Kettern, deceased, and each of them, in and to the Estate of Joe Kettern, also called Jodak Kettern and J. Kettern, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7671; Filed, May 27, 1944; 11:37 a. m.]

[Vesting Order 3670]

CHRISTIANE KEYSER

In re: Estate of Christiane Keyser, deceased; File D–28–8620; E. T. sec. 10317.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Anna M. Kachel, 514 W. Tabor Road, Philadelphia, Pennsylvania, Executrix, and John T. Dolde, 5501 Angora Terrace, Philadelphia, Pennsylvania, Executor, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals, of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mrs. Rosina Hoger, Germany.
Child or children, names unknown, of Mrs. Rosina Hoger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mrs. Rosina Hoger, child or children, names unknown, of Mrs. Rosina Hoger, and each of them, in and to the estate of Christiane Keyser, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7672; Filed, May 27, 1944; 11:37 a. m.]

[Vesting Order 3671]

MATHILDA KRAFT

In re: Estate of Mathilda Kraft, deceased; File D–28–8603; E. T. sec. 10263.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Albert C. Volk, 371 Stevens Road, Philadelphia, Pennsylvania, Executor, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Katarina Krah, Germany.
August Krah, Germany.
Mathilda Hartmann, Germany.
Franziska Herr, Germany.
Karl Krah, Germany.
Barbara Krah, Germany.
Child or children, names unknown of August Krah, Mathilda Hartmann, Franziska Herr, Karl Krah and Barbara Krah, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Katarina Krah, August Krah, Mathilda Hartmann, Franziska Herr, Karl Krah, Barbara Krah, child or children, names unknown, of August Krah, Mathilda Hartmann, Franziska Herr, Karl Krah and Barbara Krah, and each of them, in and to the estate of Mathilda Kraft, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7673; Filed, May 27, 1944; 11:37 a. m.]

[Vesting Order 3672]

NOBUSUKE MIURA

In re: Estate of Nobusuke Miura, also known as M. Mura and as N. Miura, deceased; File: D–39–1886; E. T. sec. 7273.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Roy Brooks, Administrator with the Will Annexed, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Tulare;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Eisuke Miura, Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Eisuke Miura, in and to the Estate of Nobusuke Miura, also known as M. Mura and as N. Miura, deceased, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7674; Filed, May 27, 1944, 11:37 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 6A–27]

COMMON CARRIERS

COORDINATED OPERATIONS WITHIN AMARILLO, TEX.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority and shall not be construed to include the provisions in paragraph 2 (F) of Appendix 2 hereto, imposing a condition upon the subsequent delivery of a shipment not accepted at the time of a prior offer of delivery, in the event that advance notice of the prior offer of delivery is not given or any increase in rates or charges effected thereby is not authorized by the appropriate regulatory body.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A–27" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective May 31, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 27th day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Adams Truck Line, 1109 Grant Street, Amarillo, Tex.
A & T Truck Line, 1109 Grant Street, Amarillo, Tex.
Canadian Truck Line, 1109 Grant Street, Amarillo, Tex.
Curry Truck Line, 1109 Grant Street, Amarillo, Tex.
Dalby Motor Freight Lines, Inc., 300 North Fillmore Street, Amarillo, Tex.
Dumas Truck Line, 1109 Grant Street, Amarillo, Tex.
Hereford Truck Line, 1109 Grant Street, Amarillo, Tex.
Hill Lines, Inc., 13th and Grant Streets, Amarillo, Tex.
K & B Truck Line, 1109 Grant Street, Amarillo, Tex.
Leeway Motor Freight, Inc., 200 Grant Street, Amarillo, Tex.
Miller & Miller Motor Freight Lines, 206 Johnson Street, Amarillo, Tex.
Mitchell Truck Line, 1109 Grant Street, Amarillo, Tex.
Pampa Motor Freight Line, 13th and Grant Streets, Amarillo, Tex.
Sproles Motor Freight Line, 202 Lincoln Street, Amarillo, Tex.
Texas-Oklahoma Motor Freight Line, 1617 West 3d Street, Amarillo, Tex.
Westerfield Truck Line, 1617 West 3d Street, Amarillo, Tex.
Yellow Transit Company, 111 Tyler Street, Amarillo, Tex.
Tarry Motor Freight Line, 100 Pierce Street, Amarillo, Tex.
Tucumcari Truck Line, 1109 Grant Street, Amarillo, Tex.

[F. R. Doc. 44–7637; Filed, May 27, 1944; 11:10 a. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 780]

FRED BALLOU, ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 780 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 8. The location of each mine is given by county and state. Each producer is subject to all provisions of maximum price regulation No. 120.

FRED BALLOU, KENO, KY., BALLOU MINE, APPALACHIA SEAM, MINE INDEX NO. 7106, PULASKI COUNTY, KY., SUBDISTRICT 6, F. O. G. 171, RAIL SHIPPING POINT: SLOAN'S VALLEY, KY., DRIFT MINE

	Size group Nos.															
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21
Price classification	M	M	M	M	K	K	J	G	E	G	D	D	D	K	K	K	K
Rail shipments and railroad fuel	$3.65	$3.65	$3.60	$3.60	$3.60	$3.50	$3.30	$3.25	$3.25	$3.60	$3.15	$3.15	$3.15	$3.00	$2.95	$2.95	$2.95
Truck shipment	3.70	3.50	3.25	3.25	3.10	2.90	2.35	2.30	----	----	----	----	----	----	----	----	----

GOODE COAL CO., P. O. BOX 241, LONDON, KY., GOODE STRIP MINE, BERNSTEDT SEAM, MINE INDEX NO. 7096, LAUREL COUNTY, KY., SUBDISTRICT 6, F. O. G. 111, RAIL SHIPPING POINT: EAST BERNSTEDT, KY. STRIP MINE

Price classification	M	M	M	M	K	K	J	G	E	G	D	D	D	K	K	K	K
Rail shipments and railroad fuel	$3.65	$3.65	$3.60	$3.60	$3.60	$3.50	$3.30	$3.25	$3.25	$3.60	$3.15	$3.15	$3.15	$3.00	$2.95	$2.95	$2.95
Truck shipment	3.70	3.50	3.25	3.25	3.10	2.90	2.35	2.30	----	----	----	----	----	----	----	----	----

HAMMILL COAL CORP., CINDERELLA, W. VA., HAMMILL NO. 1 MINE, CEDAR GROVE SEAM, MINE INDEX NO. 7031, BUCHANAN COUNTY, VA., SUBDISTRICT 8, F. O. G. 130, RAIL SHIPPING POINT: WARD, VA., STRIP MINE

Price classification	O	O	O	O	L	L	K	H	F	H	D	D	D	F	F	F	F
Rail shipment and railroad fuel	$3.45	$3.40	$3.25	$3.25	$3.20	$3.20	$3.10	$3.05	$3.05	$3.40	$3.00	$3.00	$3.00	$2.95	$2.90	$2.90	$2.90
Truck shipment	3.45	3.40	3.25	3.25	3.20	3.20	3.10	3.10	3.10	3.40	3.00	3.00	3.00	2.95	2.90	2.90	2.90
	3.60	3.40	3.25	3.30	3.05	2.90	2.55	2.50	----	----	----	----	----	----	----	----	----

HATFIELD ALMA MINING CO., MATEWAN, W. VA., HATFIELD ALMA MINE, ALMA SEAM, MINE INDEX NO. 7030, PIKE COUNTY, KY., SUBDISTRICT 8, F. O. G. 130, RAIL SHIPPING POINT: MATEWAN, W. VA., DRIFT MINE

Price classification	O	O	O	O	L	L	K	G	E	G	B	B	B	E	E	E	E
Rail shipment and railroad fuel	$3.45	$3.40	$3.25	$3.25	$3.20	$3.20	$3.10	$3.10	$3.10	$3.45	$3.05	$3.05	$3.05	$2.95	$2.90	$2.90	$2.90
Truck shipment	3.60	3.40	3.35	3.20	3.10	3.00	2.70	2.65	----	----	----	----	----	----	----	----	----

LAUREL HILL MINING CO., ARJAY, KY., LAUREL HILL MINE, RIM SEAM, MINE INDEX NO. 7082, BELL COUNTY, KY., SUBDISTRICT 6, F. O. G. 111, RAIL SHIPPING POINT: PINEVILLE, KY., DRIFT MINE

Price classification	H	H	H	H	F	F	E	D	C	E	D	D	D	K	K	K	K
Rail shipment and railroad fuel	$3.95	$3.90	$3.75	$3.75	$3.70	$3.55	$3.35	$3.35	$3.30	$3.85	$3.15	$3.15	$3.15	$3.00	$2.95	$2.95	$2.95
Truck shipment	3.90	3.70	3.25	3.45	3.20	2.90	2.35	2.30	----	----	----	----	----	----	----	----	----

LENTZ COAL CO., CUMBERLAND, KY., LENTZ MINE, C SEAM, MINE INDEX NO. 7084, HARLAN COUNTY, KY., SUBDISTRICT 2, F. O. G. 80, RAIL SHIPPING POINT: CUMBERLAND, KY., DRIFT MINE

Price classification	E	E	E	E	D	D	C	C	A	C	A	A	A	E	E	E	E
Rail shipment and railroad fuel	$3.95	$3.85	$3.75	$3.70	$3.70	$3.45	$3.25	$3.20	$3.25	$3.70	$3.05	$3.05	$3.05	$2.95	$2.90	$2.90	$2.90
Truck shipment	4.05	3.85	3.40	3.55	3.30	3.05	2.60	2.55	----	----	----	----	----	----	----	----	----

LITTLE WILLARD COAL CO., COMBS, KY., NEW SOLAR MINE, HAZARD NO. 6 SEAM, MINE INDEX 7028, PERRY COUNTY, KY., SUBDISTRICT 3, F. O. G. 100, RAIL SHIPPING POINT: BUTTERFLY, NO. 2, KY., STRIP MINE

Price classification	M	M	M	M	N	N	M	J	G	J	D	D	D	M	M	M	M
Rail shipment and railroad fuel	$3.50	$3.50	$3.45	$3.45	$3.20	$3.15	$3.10	$3.00	$3.00	$3.40	$3.00	$3.00	$3.00	$2.65	$2.60	$2.55	$2.55
Truck shipment	3.50	3.50	3.45	3.45	3.20	3.15	3.10	3.10	3.10	3.40	3.00	3.00	3.00	2.65	2.60	2.55	2.55
	3.70	3.50	3.25	3.10	3.00	2.90	2.25	2.20	----	----	----	----	----	----	----	----	----

MERRILL COAL CO., HENLAWSON, W. VA., MERRILL NO. 3 MINE, ALMA SEAM, MINE INDEX NO. 7065, LOGAN COUNTY, W. VA., SUBDISTRICT 5, F. O. G. 150, RAIL SHIPPING POINT: HENLAWSON, W. VA., DRIFT MINE

Price classification	Q	Q	Q	Q	L	L	K	H	F	H	E	E	E	J	J	J	J
Rail shipment and railroad fuel	$3.30	$3.25	$3.20	$3.20	$3.20	$3.20	$3.10	$3.05	$3.05	$3.40	$3.00	$3.00	$3.00	$2.95	$2.85	$2.80	$2.80
Truck shipment	3.30	3.25	3.20	3.20	3.20	3.20	3.10	3.10	3.10	3.40	3.00	3.00	3.00	2.95	2.85	2.80	2.80
	3.60	3.30	3.20	3.20	3.05	2.85	2.40	2.35	----	----	----	----	----	----	----	----	----

WM. MILLER, ARJAY, KY., CHAPPELL SPRINGS MINE, STRAIGHT CREEK SEAM, MINE INDEX NO. 4008, BELL COUNTY, KY., SUBDISTRICT NO. 6, F. O. G. 111, RAIL SHIPPING POINT: PINEVILLE, KY.

Price classification	F	F	F	F	E	E	D	C	C	A	C	C	C	H	H	H	H
Rail shipment and railroad fuel	$4.00	$3.95	$3.85	$3.85	$3.85	$3.55	$3.40	$3.35	$3.30	$4.20	$3.15	$3.15	$3.15	$3.10	$3.00	$2.95	$2.95
Truck shipment [1]	4.00	3.80	3.30	3.50	3.20	2.95	2.45	2.40	----	----	----	----	----	----	----	----	----

[1] Prices previously established. Repeated for clarity.

MONITOR COAL & COKE CO., WILKINSON, W. VA., MONITOR #2 ISLAND CREEK MINE, ISLAND CREEK SEAM, MINE INDEX NO. 7088, LOGAN COUNTY, W. VA., SUBDISTRICT NO. 6, F. O. G. 150, RAIL SHIPPING POINT: WILKINSON, W. VA., DRIFT MINE

Price classification	Q	Q	Q	Q	L	L	K	H	F	H	E	E	E	J	J	J	J
Rail shipment and railroad fuel	$3.30	$3.25	$3.20	$3.20	$3.20	$3.20	$3.10	$3.05	$3.05	$3.40	$3.00	$3.00	$3.00	$2.95	$2.85	$2.80	$2.80
Truck shipment	3.30	3.25	3.20	3.20	3.20	3.20	3.10	3.10	3.10	3.40	3.00	3.00	3.00	2.95	2.85	2.80	2.80
	3.50	3.30	3.20	3.20	3.05	2.85	2.40	2.35	----	----	----	----	----	----	----	----	----

[MPR 120, Order 785]

GEORGE B. HERRING & SON, ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 785 Under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 4. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

GEORGE B. HERRING AND SON, 90 JUNCTION ST., MANSFIELD, OHIO, BOOTS #2 MINE, NO. 6 SEAM, MINE INDEX NO. 4060, COSHOCTON COUNTY, OHIO, SUBDIST. NO. 4, STRIP MINE

	Size group Nos.								
	1	2	3	4	5	6	7	8	
Truck shipment	$3.65	$3.55	$3.45	$3.30	$3.15	$2.55	$2.30	$2.20	

THE MARSHALL MINING CO., 1283 POLAND AVE., YOUNGSTOWN, OHIO, SALINEVILLE MINE, NO. 6 SEAM, MINE INDEX NO. 4029, COLUMBIANA COUNTY, OHIO, SUBDIST. NO. 4, RAIL SHIPPING POINTS: SALINEVILLE, OHIO, STRIP MINE, CLASSIFIED IN MIDDLE FREIGHT ORIGIN DISTRICT AND RAIL ROAD FUEL PRICE GROUP NO. 113

	Size group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	12
Rail shipments and railroad fuel	$3.30	$3.25	$3.00	$2.95	$2.90	$2.80	$2.50	$2.40	$2.80	$2.35		$2.80
Truck shipment	3.85	3.75	3.60	3.35	3.30	2.95	2.70	2.60				

PINE HOLLOW COAL CO., COLUMBIANA, OHIO, PINE HOLLOW #4 MINE, NO. 7 SEAM, MINE INDEX NO. 4042 COLUMBIANA COUNTY, OHIO, SUBDIST. NO. 4, RAIL SHIPPING POINT: LISBON, OHIO, STRIP MINE, CLASSIFIED IN LEETONIA FREIGHT ORIGIN GROUP AND RAIL ROAD FUEL PRICE GROUP NO. 108

Rail shipments and railroad fuel	$3.30	$3.25	$3.00	$2.95	$2.90	$2.80	$2.50	$2.40	$2.80	$2.35		$2.80
Truck shipment	3.85	3.75	3.60	3.35	3.30	2.95	2.70	2.60				

PINE HOLLOW COAL CO., COLUMBIANA, OHIO, PINE HOLLOW #5 MINE, NO. 6 SEAM, MINE INDEX NO. 4041, COLUMBIANA COUNTY, OHIO SUBDIST. NO. 4, RAIL SHIPPING POINT: LISBON, OHIO, STRIP MINE, CLASSIFIED IN LEETONIA FREIGHT ORIGIN GROUP AND RAIL ROAD FUEL PRICE GROUP NO. 108

Rail shipments and railroad fuel	$3.30	$3.25	$3.00	$2.95	$2.90	$2.80	$2.50	$2.40	$2.80	$2.35		$2.80
Truck shipment	3.85	3.75	3.60	3.35	3.30	2.95	2.70	2.60				

VINTON STONE AND COAL CO., MCARTHUR, OHIO, VINTON #5 MINE, NO. 6 SEAM, MINE INDEX NO. 4035, VINTON COUNTY, OHIO, SUBDIST. NO. 7, RAIL SHIPPING POINT: OBERON, OHIO, STRIP MINE, CLASSIFIED IN JACKSON FREIGHT ORIGIN GROUP AND RAIL ROAD FUEL PRICE GROUP NO. 104

Rail shipments and railroad fuel	$3.50	$3.45	$3.05	$3.05	$3.05	$2.75	$2.55	$2.45	$2.75	$2.45		$2.75
Truck shipment	3.80	3.70	3.60	3.35	3.30	2.65	2.30	2.20				

ATSDERS COAL CO., GREENVIEW, W. VA., SLUSHER NO. 4 MINE, ALMA SEAM, MINE INDEX NO. 7039, HOOPS CREEK DISTRICT, MONONGALIA COUNTY, W. VA., SUBDISTRICT NO. 4, F. O. G. 128, RAIL SHIPPING POINT: GREENVIEW, W. VA., DRIFT MINE

	Size group Nos.																			
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21			
Price classification	Q	Q	Q	Q	L	L	K	H	F	H	F	F	F	F	J	J	J			
Rail shipment and railroad fuel	$3.30	$3.25	$3.20	$3.20	$3.20	$3.20	$3.10	$3.05	$3.10	$3.40	$3.00	$3.00	$3.00	$2.95	$2.55	$2.80	$2.80			
Truck shipment	3.50	3.40	3.20	3.20	3.00	2.90	2.35	2.30												

TURNER & CASSELL COAL CO., STRAIGHT CREEK, KY., TURNER & CASSELL MINE, STRAIGHT CREEK SEAM, MINE INDEX NO. 7067, BELL COUNTY, KY., SUB-DIST. NO. 6, F. O. G. 111, RAIL SHIPPING POINT: PINEVILLE, KY., DRIFT MINE

Price classification	F	F	F	F	E	D	C	A	O	C	H	H	H							
Rail shipment and railroad fuel	$4.00	$3.95	$3.85	$3.85	$3.55	$3.40	$3.35	$3.20	$3.15	$3.15	$3.10	$3.00	$2.95							
Truck shipment	4.00	3.80	3.80	3.50	3.20	2.80	2.45	2.40												

This order shall become effective May 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328; 8 F.R. 4681)

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7591; Filed, May 26, 1944; 11:52 a. m.]

[MPR 188, Order 10 Under 2d Rev. Order A-9]

MASSILLON WIRE BASKET CO.

ORDER GRANTING ADJUSTMENT

Correction

In F.R. Doc. 44-6564, appearing on page 4957 of the issue for Wednesday, May 10, 1944, the table in paragraph (b) should be corrected by adding "New maximum prices" as a box heading following "Maximum prices before increase".

[RPS 60, Order 14]

AMERICAN SUGAR REFINING CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 14 under § 1334.51 (a) (6) (i) of Revised Price Schedule 60. Direct consumption sugar.

For the reasons set forth in an opinion issued simultaneously herewith it is ordered:

(a) *Maximum prices governing sales by primary distributors of certain new grades and packages of direct consumption sugar.* (1) The American Sugar Refining Company and other primary distributors of direct consumption sugar are hereby authorized to determine their maximum price for light brown sugar and old-fashioned brown sugar each in 5 pound paper bags packed twelve 5 pound bags to the container by adding a differential of 30 cents per 100 pounds net to the maximum basis price.

The 5 pound paper bags shall be of Duplex Kraft paper, outer wall 40-pound Kraft, inner wall 90-pound asphalt laminated Kraft, pasted bottom, top closure sewed with tape. The container shall be the regular commercial fibre board container.

(b) This order may be revoked or amended by the Price Administrator at any time.

(c) This order shall become effective May 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7618; Filed, May 26, 1944; 5:03 p. m.]

[MPR 120, Order 786]

CLEARFIELD MINING CORP., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 786 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 1. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

CLEARFIELD MINING CORPORATION, 205 CROSBY BLDG., BUFFALO, NEW YORK; STONE MINE, "B" SEAM, MINE INDEX NO. 5122, CLEARFIELD COUNTY, PA., SUB-DIST. NO. 8, RAIL SHIPPING POINT: DIMELING, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	D	D	D	D	D
Rail shipment	$3.60	$3.40	$3.35	$3.25	$3.25
Railroad locomotive fuel	3.20	3.20	3.05	2.95	2.95
Truck shipment	3.70	3.45	3.45	3.35	3.25

HOTT COAL CORPORATION, 3130 W. LIBERTY AVENUE, PITTSBURGH, PA.; MINE NO. 2, LOWER KITTANNING (B) SEAM, MINE INDEX NO. 5086, CLARION COUNTY, PA., SUB-DIST. NO. 1, RAIL SHIPPING POINT: 5 MI. EAST OF SHIPPENVILLE, PA., STRIP MINE

Price classification	F	F	F	F	F
Rail shipment	$3.35	$3.35	$3.35	$3.05	$3.05
Railroad locomotive fuel	3.20	3.20	3.05	2.95	2.95
Truck shipment	3.60	3.35	3.35	3.25	3.15

JULIETTE COAL COMPANY, 830 GRANT BLDG., PITTSBURGH, PA.; CROSBY NO. 2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 5110, INDIANA COUNTY, PA., SUB-DIST. NO. 22, RAIL SHIPPING POINT: ISELIN, PA., STRIP MINE

Price classification	E	E	E	E	E
Rail shipment	$3.55	$3.35	$3.35	$3.15	$3.15
R. R. locomotive fuel	3.20	3.20	3.05	2.95	2.95
Truck shipment	3.55	3.35	3.35	3.30	3.20

MINOTTI COAL MINING COMPANY, P. O. BOX 373, HUNTINGTON, W. VA.; MINOTTI NO. 1 MINE, LOWER KITTANNING (B) SEAM, MINE INDEX NO. 5095, CLARION COUNTY, PA., SUB-DIST. NO. 1, RAIL SHIPPING POINT: KNOX, PA., STRIP MINE

Price classification	F	F	F	F	F
Rail shipment	$3.35	$3.35	$3.35	$3.05	$3.05
R. R. locomotive fuel	3.20	3.20	3.05	2.95	2.95
Truck shipment	3.60	3.35	3.35	3.25	3.15

PENN RIDGE COAL COMPANY, MARION CENTER, PA., NO. 1 MINE, "D" SEAM, MINE INDEX, NO. 5090, INDIANA COUNTY, PA., SUB-DIST. NO. 15, RAIL SHIPPING POINT: CLYMER, PA., STRIP MINE

Price classification	F	F	F	F	F
Rail shipment	$3.35	$3.35	$3.35	$3.05	$3.05
Railroad locomotive fuel	3.20	3.20	3.05	2.95	2.95
Truck shipment	3.60	3.35	3.35	3.25	3.15

SOUTH HILL MINING COMPANY, WITMER BLDG., SUNBURY, PA.; SOUTH HILL NO. 1 MINE, "D" SEAM, MINE INDEX NO. 5101, CLEARFIELD COUNTY, PA., SUB-DIST. NO. 7, RAIL SHIPPING POINT: BELLS LANDING, PA., STRIP MINE

Price classification	F	F	F	F	F
Rail shipment	$3.35	$3.35	$3.35	$3.05	$3.05
Railroad locomotive fuel	3.20	3.20	3.05	2.95	2.95
Truck shipment	3.60	3.35	3.35	3.25	3.15

SUMMIT COAL MINING COMPANY, BOX 422, INDIANA, PA.; SUMMIT NO. 5 MINE, "D" SEAM, MINE INDEX NO. 5060, INDIANA COUNTY, PA., SUB-DIST. NO. 15, RAIL SHIPPING POINT: STARFORD, PA.

	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment	$3.35	$3.35	$3.35	$3.05	$3.05
Railroad locomotive fuel	3.20	3.20	3.05	2.95	2.95
Truck shipment	3.60	3.35	3.35	3.25	3.15

WILKS BROTHERS STRIPPING COMPANY, OSCEOLA MILLS, PA.; WILKS STRIPPING NO. 3 MINE, "C" SEAM, MINE INDEX NO. 5077, CLEARFIELD COUNTY, PA., SUB-DIST. NO. 14, RAIL SHIPPING POINT: CENTER, PA., STRIP MINE

Price classification	F	F	F	F	F
Rail shipment	$3.55	$3.35	$3.35	$3.05	$3.05
Railroad locomotive fuel	3.20	3.20	3.05	2.95	2.95
Truck shipment	3.60	3.35	3.35	3.25	3.15

This order shall become effective May 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7614; Filed, May 26, 1944; 5:03 p. m.]

[MPR 120, Order 787]

OSBORN BROTHERS AND WILSON COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 787 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (A) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 8. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

OSBORNE BROTHERS, BICKMORE, W. VA.; OSBORNE MINE, NO. 5 BLOCK SEAM; MINE INDEX NO. 7111, CLAY COUNTY, W. VA.; SUB-DIST. NO. 4, F. O. G. 126, RAIL SHIPPING POINT: BICKMORE

	Size Group Nos.																			
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21			
Price Classification	Q	Q	Q	Q	P	P	C	M	K	M	F	F	F	M	M	M	M			
Rail shipment	$3.30	$3.25	$3.20	$3.20	$3.05	$3.00	$2.95	$2.95	$2.90	$3.40	$2.95	$2.95	$2.95	$2.65	$2.60	$2.55	$2.55			
Railroad fuel	3.20	3.25	3.20	3.20	3.10	3.10	3.10	3.10	3.10	3.40	2.95	2.95	2.95	2.65	2.60	2.55	2.55			
Truck shipment	3.50	3.30	3.15	3.00	2.55	2.80	2.25	2.20												

WILSON COAL CO., 522 MAIN ST., CHARLESTON, W. VA.; DAVIS MINE, PITTSBURGH NO. 8 SEAM, MINE INDEX NO. 7025, KANAWHA COUNTY, W. VA., SUB-DIST. NO. 4, DRIFT MINE

	Size Group Nos.							
	1	2	3	4	5	6	7	8
Truck Shipment	$3.70	$3.50	$3.35	$3.35	$3.10	$3.00	$2.15	$2.10

This order shall become effective May 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7615; Filed, May 26, 1944; 5:01 p. m.]

[MPR 120, Order 788]

CLINE COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 788 under Maximum Price Regulation No. 120. Bituminous Coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 7. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

CLINE COAL CO. (HILAND CLINE), IAEGER, W. VA.; CLINE #1 MINE, BIG EAGLE SEAM, MINE INDEX NO. 1017, MCDOWELL COUNTY, W. VA., SUBDIST. 4 RAIL SHIPPING POINT: PANTHER, W. VA., DRIFT MINE

	Size Group Nos.																			
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21			
Price classification	K	K	K	K	E	E	D	E	C	E	A	A	A	D	D	D	D			
Rail shipments	$3.70	$3.65	$3.55	$3.55	$3.75	$3.45	$3.15	$3.10	$3.05	$3.75	$3.10	$3.10	$3.10	$3.05	$3.05	$3.05	$3.05			
Truck shipments	4.00	3.60	3.90	3.00	2.75	2.70														

Railroad locomotive fuel:
All lump or double-screened coal $3.15
Run of mine 3.00

Railroad locomotive fuel—Continued.
Resultant run of mine larger than 2½" x 0 but not exceeding 6" x 0 ..... $2.95
Screenings 2½" x 0 and smaller 2.70

DOUGLAS POCAHONTAS COAL CO., IAEGER, W. VA.; PATTERSON RED ASH MINE, RED ASH SEAM, MINE INDEX NO. 232, MCDOWELL COUNTY, W. VA., SUBDIST. 4, RAIL SHIPPING POINT: GARLAND, W. VA.

	Size Group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	D
Rail shipment	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	$3.00

*Indicates previously classified in these size groups.

EASTERN GAS & FUEL ASSOCIATES (KOPPERS COAL DIVISION), PITTSBURGH, PA.; BEARDS FORK EAGLE MINE, EAGLE SEAM, MINE INDEX NO. 1012, FAYETTE COUNTY, W. VA., SUBDIST. 2, RAIL SHIPPING POINT: BEARDS FORK, W. VA.

	Size Group Nos.																
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21
Price classification	L	L	L	L	F	F	E	E	C	E	A	A	A	A	A	A	A
Rail shipments	$3.55	$3.55	$3.50	$3.50	$3.60	$3.45	$3.15	$3.10	$3.05	$3.75	$3.10	$3.10	$3.10	$3.10	$3.10	$3.05	$3.05
Truck shipments	4.25	3.60	3.90	3.00	2.75	2.70											

Railroad locomotive fuel:
- All lump or double screened coal $3.15
- Run of mine 3.00

Railroad locomotive fuel—Continued:
- Resultant run of mine larger than 2½" x 0 but not exceeding 6" x 0 .... $2.80
- Screenings 2½" x 0 and smaller 2.75

MARYLAND NEW RIVER COAL CO., 718 REAL ESTATE TRUST BLDG., PHILADELPHIA, PA., DUBREE #7 MINE, SEWELL SEAM, MINE INDEX NO. 1015, FAYETTE COUNTY, W. VA., SUB-DIST. 2, RAIL SHIPPING POINT: ROTHWELL, W. VA. STRIP MINE

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification	A	A	A	A	A	A	A	B	B	B
Rail shipment	$4.35	$4.45	$4.10	$3.55	$3.45	$3.80	$3.50	$3.20	$3.15	$3.10
Truck shipment	4.65	3.85	4.15	3.50	3.30	3.25				

Railroad locomotive fuel:
- All lump and double screened coal $3.65
- Run of mine 3.50

Railroad locomotive fuel—Continued.
- Screenings larger than 1¼" x 0 but not exceeding 2½" x 0 .... $3.35
- Screenings 1¼" x 0 and smaller 3.10

V. B. SMITH & PARTNERS, ANSTED, W. VA., BLYCO MINE, SEWELL SEAM, MINE INDEX NO. 1013, FAYETTE COUNTY, W. VA., SUB-DIST. 2, RAIL SHIPPING POINT: LAUREL CREEK, W. VA., STRIP MINE

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification	A	A	A	A	A	A	A	B	B	B
Rail shipment	$4.35	$4.45	$4.10	$3.55	$3.45	$3.80	$3.50	$3.20	$3.15	$3.10
Truck shipment	4.65	3.85	4.15	3.50	3.30	3.25				

Railroad locomotive fuel:
- All lump and double screen coal $3.65
- Run of mine 3.50

Railroad locomotive fuel—Continued.
- Screenings larger than 1¼" x 0 but not exceeding 2½" x 0 .... $3.35
- Screenings 1¼" x 0 and smaller 3.10

V. B. SMITH & PARTNERS, ANSTED, W. VA., LANDISBURG NO. 3 MINE, SEWELL SEAM, MINE INDEX NO. 1029, FAYETTE COUNTY, W. VA., SUB-DIST. 2, RAIL SHIPPING POINT: RUSSELLVILLE, W. VA., STRIP MINE

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification	A	A	A	A	A	A	A	B	B	B
Rail shipment	$4.35	$4.45	$4.10	$3.55	$3.45	$3.80	$3.50	$3.20	$3.15	$3.10
Truck shipment	4.65	3.85	4.15	3.50	3.30	3.25				

Railroad locomotive fuel:
- All lump and double screened coal $3.65
- Run of mine 3.50

Railroad locomotive fuel—Continued.
- Screenings larger than 1¼" x 0 but not exceeding 2½" x 0 .... $3.35
- Screenings 1¼" x 0 and smaller 3.10

This order shall become effective May 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7616; Filed, May 26, 1944; 5:02 p. m.]

[MPR 120, Order 789]

ALLIED COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 789 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 3. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

ALLIED COAL COMPANY, ROUTE #4, TUNNELTON, W. VA., SMOKELESS NO. 1 MINE, M. V. FREEPORT SEAM, MINE INDEX NO. 2035, PRESTON COUNTY, W. VA., RAIL SHIPPING POINT: SIDING NO. 6 W. VA., W. VA. NORTHERN R. R., DRIFT MINE

	Size group Nos.						
	1	2	3	4	5	6	7
Price classification	J	J	J	J	J		
Rail shipments and railroad fuel	$3.00	$3.00	$2.90	$2.85	$2.85		
Truck shipments	3.00	3.00	3.00	2.75	2.75	$2.65	$2.55

L. H. & J. W. BORGMAN, INC., ROUTE #4, TUNNELTON, W. VA., MONTOUR MINE NO. 5, M. V. FREEPORT SEAM, MINE INDEX NO. 2046, PRESTON COUNTY, W. VA., RAIL SHIPPING POINT: SIDING NO. 21 W. VA., W. VA. NORTHERN R. R., DRIFT MINE

Price classification	J	J	J	J	J		
Rail shipments and railroad fuel	$3.00	$3.00	$2.90	$2.85	$2.85		
Truck shipments	3.00	3.00	3.00	2.75	2.75	$2.65	$2.55

COALOIL FUEL COMPANY, P. O. BOX 218, LUMBERPORT, W. VA., GREGORY NO. 1 MINE, PITTSBURGH SEAM, MINE INDEX NO. 2006, HARRISON COUNTY, W. VA., RAIL SHIPPING POINT: POOLE SIDING, NEAR HAYWOOD, W. VA., STRIP MINE

	Size group Nos.						
	1	2	3	4	5	6	7
Price classification	F	F	F	F	F		
Rail shipments and railroad fuel	$2.75	$2.75	$2.60	$2.50	$2.40		
Truck shipments	2.98	2.93	2.93	2.68	2.68	$2.53	$2.43

J. H. DUNCAN, ROUTE 4, WESTON, W. VA., DUNCAN MINE, REDSTONE SEAM, MINE INDEX NO. 1019, LEWIS COUNTY, W. VA., RAIL SHIPPING POINT: WESTON, W. VA., DRIFT MINE

Price classification	F	F	H	F	F		
Rail shipments and railroad fuel	$2.75	$2.75	$2.50	$2.50	$2.40		
Truck shipments*	2.98	2.93	2.93	2.68	2.58	$2.53	$2.43

*Already established.

MILFORD COAL COMPANY, 700 PRUNTY BLDG., CLARKSBURG, W. VA., MILFORD NO. 1 MINE, PITTSBURGH SEAM, MINE INDEX NO. 2032, HARRISON COUNTY, W. VA., RAIL SHIPPING POINT: MILFORD NO. 1 SIDING, W. VA., STRIP MINE

Price classification	F	F	F	F	F		
Rail shipments and railroad fuel	$2.75	$2.75	$2.60	$2.50	$2.40		
Truck shipments	2.98	2.93	2.93	2.68	2.68	$2.53	$2.43

PEARCE COAL & TRADING COMPANY, RACHEL, W. VA., SARA JANE MINE, PITTSBURGH SEAM, MINE INDEX NO. 2037, MARION COUNTY, W. VA., RAIL SHIPPING POINT: FAIRMONT, W. VA., STRIP MINE

Price classification	DE	DE	DE	DF	DF		
Rail shipments and railroad fuel	$2.85	$2.80	$2.70	*$2.50	*$2.40		
Truck shipments	2.98	2.93	2.93	2.68	2.68	$2.53	$2.43

*If sulphur content is 1.35% or less applicable maximum price for rail shipments and railroad fuel for size group No. 4 is $2.65 and for size group No. 5 is $2.60.

SLAGLE & LOUCKS, INCORPORATED, UNION BANK BLDG., CLARKSBURG, W. VA., SYCAMORE NO. 1 MINE, PITTSBURGH SEAM, MINE INDEX NO. 2048, HARRISON COUNTY, W. VA., RAIL SHIPPING POINT: WOLF SUMMIT, W. VA., STRIP MINE

Price classification	F	F	F	F	F		
Rail shipments and railroad fuel	$2.75	$2.75	$2.60	$2.50	$2.40		
Truck shipments	2.98	2.93	2.93	2.68	2.68	$2.53	$2.43

WEST VIRGINIA CONSOLIDATED COAL CO., BOX 707, CLARKSBURG, W. VA., HARDMAN MINE, UPPER (HV) KITTANNING SEAM, MINE INDEX NO. 2007, TAYLOR COUNTY, W. VA., RAIL SHIPPING POINT: HARDMAN BRANCH, W. VA., DRIFT MINE

Price classification	J	J	J	H	H		
Rail shipments and railroad fuel	$2.60	$2.60	$2.50	$2.50	$2.40		
Truck shipments	3.00	3.00	3.00	2.75	2.75	$2.65	$2.55

BERRYBURG COAL CORPORATION, 1006 UNITED STATES NAT'L BANK BLDG., JOHNSTOWN, PA., BERRYBURG NO. MINE, PITTSBURGH SEAM, MINE INDEX NO. 2029, BARBOUR COUNTY, W. VA., RAIL SHIPPING POINT; BERRYBURG NO. 1 SIDING, W. VA., STRIP MINE

Price classification	F	F	F	F	F		
Rail shipments and railroad fuel	$2.75	$2.75	$2.60	$2.50	$2.40		
Truck shipments	2.98	2.93	2.93	2.68	2.68	$2.53	$2.43

HALLETT COAL COMPANY, STONEWALL JACKSON HOTEL, CLARKSBURG, W. VA., SCOTT NO. 3 MINE, PITTSBURGH SEAM, MINE INDEX NO. 2045, HARRISON COUNTY, W. VA., RAIL SHIPPING POINT: SHINNSTON, W. VA., STRIP MINE

Price classification	E	E	E	F	F		
Rail shipments and railroad fuel	$2.85	$2.80	$2.70	$2.50	$2.40		
Truck shipments	2.98	2.93	2.93	2.68	2.68	$2.53	$2.43

NOTE: The Size Group Numbers referred to herein for rail shipments and for railroad fuel are those described in the table of prices in Amendment No. 95 to Maximum Price Regulation No. 120; while the size group numbers for truck shipments are those set forth for such shipments in the Minimum Price Schedule for District No. 3.

This order shall become effective May 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7617; Filed, May 26, 1944; 5:02 p. m.]

[MPR 136, as Amended, Rev. Order 104]

FORD MOTOR COMPANY

MACHINES AND PARTS AND MACHINERY SERVICES

Order No. 104 under Maximum Price Regulation 136, as amended, is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, and § 1390.25a of Maximum Price Regulation 136, as amended, *It is hereby ordered:*

(a) Ford Motor Company, Dearborn, Michigan, (hereinafter called the "manufacturer") may sell each 1½ ton chassis and cab truck, manufactured for civilian purposes, at a price not to exceed a price determined as follows:

The maximum net price for Ford Model 218T81-8 cylinder, 90-HP, 158" chassis with closed cab shall be $738.75. the maximum list price for this truck shall be $985.00. The manufacturer may add to these prices the list price he had in effect on March 31, 1942, for all optional, extra and special equipment added to the truck. However, the manufacturer must deduct from this net price and these list prices all applicable discounts and other deductions he had in effect on March 31, 1942 to a purchaser of the same class.

The manufacturer shall determine the maximum prices of models other than Ford Model 218T81-8 cylinder, 90-HP, 158" chassis with closed cab, for example the 194" chassis and cowl, by adjusting the maximum prices established by this revised order for that model to reflect the manufacturer's March 31, 1942, differential between that model and the model being sold.

Regardless of where the trucks are manufactured, the maximum prices established by this revised order are prices f. o. b. Dearborn, Michigan. Accordingly, the manufacturer may receive freight from Dearborn, Michigan, to point of delivery including the 3% tax on the transportation of all property imposed by the Revenue Act of 1942. In determining freight charges, the freight rate shall be determined on the basis of three built-up 158" chassis cabs and four built-up 194" chassis cowls to a carload.

(b) A reseller of Ford Motor trucks may sell f. o. b. place of business, each of the Ford trucks referred to in paragraph (a) at a price not to exceed the total of the list price in subparagraph (1) below and the applicable allowances in sub-paragraph (2) below, subject to the discounts the reseller had in effect on March 31, 1942 to the applicable class of purchaser.

(1) *List price.* The list price for the truck being sold determined by the manufacturer under paragraph (a).

(2) *Allowances.* (i) An allowance for extra, special and optional equipment not to exceed the allowance the reseller had in effect on March 31, 1942 to the applicable class of purchaser for such equipment when sold in connection with the applicable truck model.

(ii) The reseller's actual transportation costs.

(iii) Allowance to include federal, state, and local taxes on his purchase, and sale, or delivery, of the applicable truck model, computed in accordance with the reseller's method in effect on March 31, 1942.

(iv) The reseller's charge for handling and delivery in effect on March 31, 1942.

(v) The dollar amount of all other charges or allowances which the reseller had in effect on March 31, 1942, to the applicable class of purchaser.

(c) A reseller who cannot establish a price in accordance with paragraph (b)

because he was not in business on March 31, 1942 may apply for a price to the national office of the Office of Price Administration, Washington, D. C.

(d) All requests in the application not granted in this revised order are denied.

(e) This revised order may be revoked or amended by the Office of Price Administration at any time.

[NOTE: The manufacturer's price under paragraph (a) is for a truck equipped with natural rubber tires, or synthetic rubber tires purchased by the manufacturer prior to April 18, 1944. Where the manufacturer has an established price in accordance with § 1390.6 of Maximum Price Regulation 136, as amended, which is higher than a price permitted under paragraph (a) because the truck is equipped with synthetic tires purchased by the manufacturer on and after April 18, 1944, or because of any other substantial specification change or material substitution in the truck, the reseller may add to his price under paragraph (b) the increase in cost to him over the price he would otherwise pay under paragraph (a) plus his customary markup on such cost.]

This revised order shall be effective as of October 12, 1943.

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7690; Filed, May 27, 1944; 12:30 p. m.]

[MPR 136, as Amended, Order 210]

INTERNATIONAL HARVESTER CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 210 under Maximum Price Regulation No. 136, as amended. Machines and parts, and machinery services. International Harvester Company. Docket No. 3136-409.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, and § 1390.25a of Maximum Price Regulation No. 136, as amended, *It is hereby ordered:*

(a) The International Harvester Company, 180 Michigan Avenue, Chicago, Illinois, is authorized to sell to national accounts, fleet accounts, resellers and purchasers at retail, each International motor truck containing a chassis described in subparagraph (1) at a price not to exceed the applicable list price in subparagraph (1), adjusted as provided in that subparagraph, plus the applicable allowances in subparagraph (2):

(1) *List price.* The following applicable list price, f. o. b. factory, to which shall be applied the seller's discount in effect on March 31, 1942 to the applicable class of purchaser:

Chassis model number	Wheelbase (inch)	List price f.o.b. factory
K-6	135	$880
	147	900
	159	920
	177	940
	195	975
K-7	134	1,550
	146	1,570
	158	1,590
	176	1,610
	212	1,695
	230	1,735
	248	1,825

(2) *Allowances.* (i) A charge for extra, special and optional equipment which shall not exceed the list price, or established price, less the discount applicable to the class of purchaser in effect on March 31, 1942 for such equipment when sold as original equipment for the applicable chassis described in subparagraph (1), except that for cab, Model HF, the charge shall not exceed the list price of $120.00, less the discount in effect on March 31, 1942 for the applicable class of purchaser.

(ii) Allowance to cover handling and delivery expense computed in accordance with seller's method in effect on March 31, 1942.

(iii) Allowance to cover freight expense based on current freight rates and computed in accordance with the seller's method in effect on March 31, 1942.

(iv) Allowance to cover federal excise tax and tires-weight tax and state or local taxes on the vehicle being sold, computed in accordance with seller's method in effect on March 31, 1942.

(b) A reseller of International motor trucks may sell, f. o. b. place of business, each International truck containing a chassis described in subparagraph (1) below at a price not to exceed the total of the applicable list price in that subparagraph and applicable allowances in subparagraph (2) below, less the discounts the reseller had in effect on March 31, 1942, to the applicable class of purchaser:

(1) The following applicable list price, f. o. b. factory:

Chassis Model Number	Wheelbase (inch)	List price, f. o. b. factory
K-6	135	$880
	147	900
	159	920
	177	940
	195	975
K-7	134	1,550
	146	1,570
	158	1,590
	176	1,610
	212	1,695
	230	1,735
	248	1,825

(2) *Allowances.* (i) An allowance for extra, special, and optional equipment which shall not exceed the allowance the reseller had in effect on March 31, 1942, to the applicable class of purchaser, for such equipment when sold in connection with the applicable chassis described in subparagraph (1), (except that the allowance for cab, HF Model, shall not exceed the list price of $120.00 less the discount in effect on March 31, 1942 to the applicable class of purchaser).

(ii) Actual freight-in expense.

(iii) Allowance to include federal, state and local taxes on his purchase, and sale, or delivery, of the applicable truck model, computed in accordance with the reseller's method in effect on March 31, 1942.

(iv) The reseller's charge in effect on March 31, 1942, for handling and delivery.

(v) The dollar amount of all other charges or allowances which the reseller had in effect on March 31, 1942 to the applicable class of purchaser.

(c) A reseller who cannot establish a price in accordance with paragraph (b) because he was not in business on March 31, 1942, may apply for a price to the national office of the Office of Price Administration, Washington, D. C.

(d) All requests in the application not granted in this order are denied.

(e) This order may be revoked or amended by the Office of Price Administration at any time.

[NOTE: The manufacturer's price under paragraph (a) is for a truck equipped with natural rubber tires, or synthetic rubber tires purchased by the manufacturer prior to April 18, 1944. Where the manufacturer has an established price in accordance with § 1390.6 of Maximum Price Regulation 136, as amended, which is higher than a price permitted under paragraph (a) because the truck is equipped with synthetic tires purchased by the manufacturer on and after April 18, 1944, or because of any other substantial specification change or material substitution in the truck, the reseller may add to his price under paragraph (b) the increase in cost to him over the price he would otherwise pay under paragraph (a) plus his customary markup on such cost.]

This order shall become effective this 29th day of May 1944.

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7691; Filed, May 27, 1944; 12:31 p. m.]

[MPR 188, Order 1658]

JAEGER MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1658 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of certain juvenile furniture manufactured by The Jaeger Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered*

(a) The maximum prices for all sales and deliveries by The Jaeger Manufacturing Company, Incorporated, Eighth and Vine Streets, Des Moines 9, Iowa, of certain juvenile furniture of its manufacture, as described in its application dated February 8, 1944, since the effective date of Maximum Price Regulation No. 188 are as follows:

Article	To jobbers who sell against manufacturer's stock	To retailers
Play pen	$3.78	$4.45
Toilet chair	1.66	1.95
Crib	7.23	8.50
Child's writing blackboard and table	7.18	8.45

These maximum prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(b) On and after the effective date of this order, the maximum prices for all sales and deliveries at wholesale by jobbers and any other persons from the manufacturer's stock of the juvenile furniture described in paragraph (a) above shall be as follows:

Article:	*Maximum price to retailers*
Play pen	$4.45
Toilet chair	1.95
Crib	8.50
Child's writing blackboard and table	8.45

These maximum prices are f. o. b. shipping point and are subject to a cash discount of 2% for payment within 10 days, net 30.

(c) At the time of or prior to the first invoice to each jobber, The Jaeger Manufacturing Company shall notify the jobber of the maximum prices and conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 29th day of May 1944.

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7689; Filed, May 27, 1944; 12:24 p. m.]

[MPR 509, Order 4]

PACKED CITRUS PRODUCTS OF THE 1944 AND LATER PACKS

REDUCTION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with section 2.1 (c) of Maximum Price Regulation 509, *It is ordered:*

(a) For grapefruit juice packed during the month of April 1944, processors shall reduce the named maximum prices for government sales as listed in section 2.1 (a) of Maximum Price Regulation No. 509 by the amounts set forth below respectively for the period of pack, state or area, and container size. The resulting figures shall be the processors' maximum prices for grapefruit juice packed during April 1944, for sales to government procurement agencies. For the purpose of applying the monthly area grapefruit juice cost reduction, the states of Florida and Texas shall be treated as two separate areas.

(b) Reduction per dozen containers:

State or Area	Style of Pack	Grade	Period of Pack	Reduce maximum price named in section 2.1 (a) for government sales per dozen containers by amounts set forth below.		
				No. 2 can	No. 3 cylinder can	No. 10 can
Florida	All	All	April 1944	None	None	None.
Texas	All	All	April 1944	None	None	None.
California and Arizona	All	All	April 1944	$.0550	$.1375	$.2915.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9238, 8 F.R. 4681)

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7688; Filed, May 27, 1944; 12:25 p. m.]

[MPR 188, Order 1659]

BERT ISBELL

APPROVAL OF MAXIMUM PRICES

Order No. 1659 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of steel wool scouring pads manufactured by Mr. Bert Isbell.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by Mr. Bert Isbell, 4803 North Hoyne Avenue, Chicago, Illinois, of steel wool scouring pads of his manufacture, as described in his application dated November 30, 1943 (designated as "Our Own") after such article became subject to Maximum Price Regulation No. 188, are as follows:

	To jobbers or distributors who ship against the manufacturer's stock
Steel wool scouring pads (soap filled), package of six pads.	$9.30 per gross of packages of six pads each

These maximum prices are subject to a cash discount of 2% for payment within ten days, net thirty days.

(b) The maximum price for all sales and deliveries at wholesale by any person who ships the steel wool scouring pads described in paragraph (a) above from the manufacturer's stock shall be $10.20 per gross of packages of six pads each, delivered. This maximum price is subject to a cash discount of 2% for payment within ten days, net thirty days.

(c) The maximum prices for a sale at retail of the steel wool scouring pads described in paragraph (a) above is $0.10 per package of six pads each.

(d) On each package of steel wool scouring pads shipped to a purchaser for resale, the manufacturer shall plainly stamp or print the retail ceiling price.

(e) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser. Since this order also establishes maximum prices for sales by all jobbers to jobbers and retailers, each jobber who resells any commodity covered by this order must notify his purchaser of the maximum prices established by this order for sales by the purchaser. This written notice may be given in any convenient form.

(f) This order establishes maximum prices for sales to jobbers who do not stock the merchandise. If the manufacturer desires to sell to jobbers who stock the articles or to dealers, he must make an application to the Office of Price Administration, Washington, D. C., for approval of a maximum price for sales to that class of purchaser.

(g) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(h) This Order No. 1659 may be revoked or amended by the Price Administrator at any time.

This Order No. 1659 shall become effective on the 30th day of May 1944.

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7757; Filed, May 29, 1944; 11:56 a. m.]

Regional and District Office Orders.

[Region I Order G–36 Under RMPR 122, Amdt. 2]

SOLID FUELS IN DOVER-EXETER, N. H., AREA

Amendment No. 2 to Order No. G–36 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; Dover-Exeter Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order No. G–36 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In Price Schedule I in subparagraph (1) of paragraph (b), the words "New England coke" are substituted for the word "Coke".

2. In Price Schedule II in subparagraph (1) of paragraph (c), the words "New England Coke" are substituted for the word "Coke."

3. Subparagraph (2) of paragraph (h) is amended to read as follows:

(2) "Specified solid fuels" shall include Pennsylvania anthracite, ambricoal and New England coke.

4. Subparagraph (11) is added to paragraph (h) to read as follows:

(11) "New England coke" means that coke which is produced by New England Coke Company, or its affiliated producing Company, at their plant in Everett, Massachusetts. All other coke shall be priced under the appropriate provision of Revised Maximum Price Regulation No. 122.

This Amendment No. 2 shall become effective May 27, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 20th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–7621; Filed, May 27, 1944; 9:46 a. m.]

[Region I Order G–41 Under RMPR 122, Amdt. 2]

SOLID FUELS IN ADAMS, MASS., AREA

Amendment No. 2 to Order No. G–41 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; Adams, Massachusetts, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order No. G–41 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In Price Schedule I in subparagraph (1) of paragraph (b) the words "Troy coke" are substituted for the word "Coke".

2. In Price Schedule II in subparagraph (1) of paragraph (c) the words "Troy coke" are substituted for the word "Coke".

3. In Price Schedule III in subparagraph (1) of paragraph (d) the words "Troy coke" are substituted for the word "Coke".

4. Subparagraph (2) of paragraph (i) is amended to read as follows:

(2) "Specified solid fuels" shall include Pennsylvania anthracite and Troy coke.

5. Subparagraph (10) is added to paragraph (i) to read as follows:

(10) "Troy coke" means the by-product coke produced by Hudson Valley Fuel Company, Troy, New York. All other coke shall be priced under the appropriate provision of Revised Maximum Price Regulation No. 122.

This Amendment 2 shall become effective May 23, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 23d day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–7622; Filed, May 27, 1944; 9:42 a. m.]

[Region I Order G–70 Under RMPR 122]

SOLID FUELS IN BOSTON REGION

Order No. G–70 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specific maximum prices for solid fuels within specified areas in Region I.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Order G–70 is hereby issued.

(a) *What this order does.* This order establishes specific maximum prices for certain solid fuels when sold in specified areas in Region I. The body of the order contains the general provisions which are applicable to all solid fuels in all of the areas covered by this order. The special provisions and specific prices applicable in particular areas will be set forth in appendices, each of which will be issued as an amendment of this order and will be numbered. If any special provision in an appendix is contrary to or inconsistent with any of the general provisions, the special provision shall be controlling in the area covered by that appendix. Any solid fuel for which specific prices are not provided will continue to be priced under the provisions of Revised Maximum Price Regulation No. 122.

Nothing contained in this order shall be so construed as to permit noncompliance with any statutes of the State or States within which any area covered by this order is located, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *What this order prohibits.* Regardless of any contract or other obligation, no person shall:

(1) Sell, or in the course of trade or business, buy any solid fuel for which a specific price is established by this order, at a price higher than the specific maximum price (but lower prices may be charged, paid or offered); or

(2) Obtain a higher than maximum price, directly or indirectly, by:

(a) Granting less than the discounts, allowances or price differentials which are specifically required;

(b) Charging for a service unless it is expressly requested by the buyer, charging more for a service than the amount authorized by this order, or charging for any service for which a charge is not specifically authorized by this order;

(c) Using any tying agreement or making any requirement that anything other than the fuel requested by the buyer be purchased by him, except that a dealer may comply with the requirements or standards with respect to deliveries which have been or may be issued by any agency of the United States government; or

(d) Using any other device by which a higher than maximum price is obtained.

(c) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier; *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton or any sales of any quantity of bagged fuel; *And provided, further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any State government or any political subdivision thereof.

(d) *Addition of increases in supplier's prices prohibited.* The maximum prices established by this order may not be increased by a dealer to reflect increases in purchase costs or in suppliers' maximum prices occurring after the effective date hereof, and need not be decreased to reflect decreases in such costs or maximum prices. Increases or decreases in the maximum prices established by this order to reflect such increases or decreases are within the discretion of the Regional Administrator.

(e) *Conditions on sales of named anthracites.* Whenever provision is made that specific maximum prices for Pennsylvania anthracite may be increased by specified amounts when designated sizes

of certain named Pennsylvania anthracite coals are sold, said increases may be charged only if:

(1) The named coal is not mixed with a coal which is not named, or with any other named coal, either in storage or delivery; *Provided, however,* That if a purchaser requests a delivery of a mixture of two or more coals, the dealer may comply with such request if the quantity of each is separately weighed, the price charged does not exceed the weighted average of the maximum prices for the individual coals and the invoice or similar document delivered to the purchaser clearly states the quantity of each coal in the mixture, identified by the terms used herein; *And provided, further,* That two or more named coals which carry the same increase may be mixed or two or more which carry different increases may be mixed and sold at the increased price provided for that one which carries the lowest increase, in either of which cases the name used may be that of any named coal in the mixture except one carrying a greater increase than that permitted by this proviso;

(2) An invoice or similar document is delivered to the purchaser which describes the coal by the name used in this order;

(3) The records kept by the dealer, pursuant to the record-keeping clause of this order, clearly identify the named coals by the names used in this order, and are complete and accurate as to any mixtures permitted by subparagraph (1) above and as to the composition thereof and name or names used therefor; and

(4) The dealer preserves and keeps available for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all invoices and other records of his purchases of named coals.

(f) *Geographical applicability.* Specific maximum prices which are established by an appendix to this order for "yard sales", sales f. o. b. transportation facilities at a dealer's yard, dock or other terminal facility or sales at retail stores and other fixed locations shall apply to all such sales at points located in the area covered by the particular appendix, regardless of the ultimate destination of the fuel. Specific maximum prices for sales on a delivered basis shall apply to all such sales to purchasers who receive delivery within the area covered by the appendix, regardless of whether the dealer is located within that area.

(g) *Adjustable pricing.* Any person may agree to sell at whatever maximum price is in effect at the time of delivery; but no person may deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery.

(h) *Applicability of other regulations.* (1) To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122, and dealers whose prices are established by this order are not required to file reports under § 1340.262 (c) thereof for those solid fuels for which specific maximum prices are established. However, Revised Maximum Price Regulation No. 122 shall continue to apply in all cases where specific maximum prices are not established by this or some other order, and as to all transactions prior to the date upon which specific maximum prices become effective, and all dealers shall continue to observe the requirements of § 1340.262 (a) concerning preservation of base period records.

(2) The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(i) *Enforcement.* (a) Persons violating any provision of this order are subject to the criminal penalties, civil and enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have any evidence of any violation of this order are urged to communicate with the State Office of the Office of Price Administration having jurisdiction over the area in which the violation occurred.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, the price charged and the terms of sale; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales, but in the case of bagged fuel, the invoice shall be given on all sales to dealers and retail stores, and it shall show both the price per bag and the total charge.

(3) In the case of all other sales, every dealer who during December 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(l) *Definitions.* When used in this order, except where otherwise provided in an appendix hereto, the following terms shall have the following meanings. These definitions include only those terms which are used generally in this order and in a number of appendices. When necessary, other terms which are used in a particular appendix will be specifically defined therein.

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(3) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling," "sold," seller," "buy," "purchase," and "purchaser", shall be construed accordingly.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck or wagon directly into the buyer's bin or storage space, but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(5) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(6) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(7) "Unequipped dealer" means a seller who is engaged in the business of purchasing solid fuels for resale, and delivers the solid fuel resold by him to consumers from his supplier's place of business, without storing the same except in a truck or wagon, and who has no facilities customarily used for storing solid fuel other than a truck or wagon.

(8) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(9) "Named Pennsylvania anthracite" means the following Pennsylvania an-

thracite coals, or such of them as are specifically provided for in a particular appendix: Jeddo Highland, Franklin, Greenwood, Salem Hill, Colonial, Silver Brook, Legitts Creek and Black Stork, Raven Run, Nesquehaoning, East Bear Ridge, Dial Rock, Orange Disc and Delano.

(10) "Jeddo Highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo Coal", "Highland Coal", or "Hazle Brook Coal".

(11) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley".

(12) "Greenwood" means that Pennsylvania anthracite which is produced by Lehigh Navigation Coal Company, Philadelphia, Pennsylvania, and marketed under the trade name "Old Company's Lehigh Greenwood Premium Anthracite".

(13) "Salem Hill" means that Pennsylvania anthracite which is produced by Haddock Mining Company at the Salem Hill Colliery, Schuylkill County, near Pottsville, Pennsylvania, and which meets the quality and preparation standards established by Order No. 2 under Maximum Price Regulation No. 112.

(14) "Brooder nut" size of Salem Hill means Salem Hill anthracite which meets the following specifications it shall be sized through a 1⅝" and over a 13/16" test mesh with maximum over-size of 2% and under-size of 3%; float and sink test shall not exceed 5% sink on a 1.7 gravity. The differential provided for Salem Hill "brooder nut" shall be applied to the non-premium price for chestnut size.

(15) "Colonial" means that Pennsylvania anthracite which is produced and prepared by Colonial Collieries Corporation, Philadelphia, Pennsylvania, and which meets the quality and preparation standards established by Order No. 4 under Maximum Price Regulation No. 112.

(16) "Silver Brook" means that Pennsylvania anthracite which is prepared by Haddock Mining Company, Wilkes-Barre, Pennsylvania, at its Beaver Meadow Breaker from coal produced at the Derringer Colliery and the Tomhicken Colliery and marketed under the trade name "Silver Brook Coal", and which meets the quality and preparation standards established by Order No. 3 under Maximum Price Regulation No. 112.

(17) "Legitts Creek" and "Black Stork" both means that Pennsylvania anthracite which is produced and prepared by Penn Anthracite Collieries Company, Scranton, Pennsylvania, and which meets the quality and preparation standards established by Revised Order No. 5 under Maximum Price Regulation No. 112. That coal is also sometimes sold by said company under the trade names "Mt. Pleasant" and "Von Storch", but when sold by a dealer in Region I it shall not be identified by any names other than "Legitts Creek" or "Black Stork".

(18) "Raven Run" means that Pennsylvania anthracite which is produced by Hazle Brook Coal Company, Jeddo, Pennsylvania, from its Continental Mines and the property of Raven Run Coal Company, an affiliated company, prepared at its Midvalley breaker and sold under that trade name, and which meets the quality and preparation standards established by Order No. 8 under Maximum Price Regulation No. 112.

(19) "Nesquehaoning" means that Pennsylvania anthracite which is produced and prepared by Edison Anthracite Coal Company and which meets the quality and preparation standards established by Order No. 9 under Maximum Price Regulation No. 112.

(20) "East Bear Ridge" means that Pennsylvania anthracite which is produced and prepared by East Bear Ridge Colliery Company and which meets the quality and preparation standards established by Order No. 11 under Maximum Price Regulation No. 112.

(21) "Dial Rock" means that Pennsylvania anthracite which is produced and prepared by Dial Rock Coal Company, Scranton, Pennsylvania, and which meets the quality and preparation standards established by Order No. 7 under Maximum Price Regulation No. 112; *Provided, however*, That no additional amount may be charged unless said coal was shipped from the mine by rail.

(22) "Orange Disc" means that Pennsylvania anthracite which is produced and prepared by Payne Coal Company, Wilkes-Barre, Pennsylvania, at their Exeter Colliery and sold under the trade name "Orange Disc Anthracite", and which meets the quality and preparation standards established by Order No. 10 under Maximum Price Regulation No. 112.

(23) "Delano" means that Pennsylvania anthracite which is produced and prepared by Delano Anthracite Collieries Company, Ashland, Pennsylvania, and which meets the quality and preparation standards established by Order No. 13 under Maximum Price Regulation No. 112.

(24) "Broken", "egg", "stove", etc. sizes of Pennsylvania anthracite refer, except in the case of deliveries in the State of Rhode Island, and except in the case of deliveries in the Commonwealth of Massachusetts of broken, egg, stove, chestnut and pea sizes, to the sizes of such coal prepared at the mines in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

In the case of deliveries in the State of Rhode Island, said size designations refer to the legal standard sizes for United States anthracite offered for sale in the State of Rhode Island, effective January 9, 1940, as established by the Director of Labor pursuant to Chapter 367 of the Rhode Island General Laws, 1938, as amended by Chapter 733 of the Rhode Island Public Laws of 1939.

In the case of deliveries of broken, egg, stove, chestnut and pea sizes in the Commonwealth of Massachusetts, the reference is to the legal standard sizes for anthracite offered for sale in the Comonwealth of Massachusetts, effective December 1, 1941, as established by the Director of Standards of the Division of Standards of the Department of Labor and Industries of the Commonwealth of Massachusetts pursuant to General Laws Ted. Ed.) Chapter 94, section 239A (Chapter 382, Acts of 1926).

(25) "New England Coke" means that coke which is produced by New England Coke Company, or its affiliated producing company, at their plant in Everett, Massachusetts.

(26) "Koppers Coke" means the by-product coke produced by the Koppers Coke Company at its plant in New Haven, Connecticut.

(27) "Providence Coke" means the retort gas coke produced by the Providence Gas Company, Providence, Rhode Island.

(28) "Ambricoal" means anthracite briquettes manufactured by American Briquet Company at its plant at Lykens, Pensylvania, and marketed under that trade name.

(29) "Chain store" means a retail outlet which is a unit of four or more retail outlets under one ownership.

(30) "Independent outlet" means a retail outlet which is not a unit of four or more retail outlets under one ownership.

(31) "Truck" includes a wagon or other vehicle used for the transportation of solid fuels.

(32) "Bituminous Coal Division" means the Bituminous Coal Division of the United States Department of the Interior as it existed under the Bituminous Coal Act of 1937, as amended, and all references to terms defined by the Bituminous Coal Division (such as "price classifications") are to the definitions thereof which were in effect (or established) as of midnight August 23, 1943. All references to producing districts are to the geogpraphical coal producing districts as defined in the Bituminous Coal Act of 1937, as amended, as they were in effect (or established) as of midnight August 23, 1943.

(33) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(m) *Petitions for amendment.* Any person seeking an amendment of any provision of this order, including any provision of any appendix to this order, may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeal from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(n) *Power to amend, revoke or correct.* This order, or any provision thereof, including all or any portion of any appendix hereto, may be revoked, amended or corrected at any time.

(o) *Appendices establishing specific maximum prices.* (Appendices will subsequently be issued covering specified solid fuels when sold in specified areas, as set forth in paragraph (a). Orders previously issued and now outstanding may also be revoked and replaced by appendices which will cover those fuels and areas.)

NOTE. The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–70 shall become effective June 1, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E. O. 9250, 7 F. R. 7871 and E. O. 9328, 8 F. R. 4681)

Issued this 25th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–7623; Filed, May 27, 1944; 9:46 a. m.]

[Region III Order G–17 Under RMPR 122]

SOLID FUELS IN NEWARK, OHIO, AREA

Order No. G–17 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Newark, Ohio, area.

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the corporate limits of the City of Newark or any territory within eight miles from the Licking County Courthouse. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in such area; they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G–17; but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the schedule price for a service or making a charge for a service not authorized by this order,

(ii) Making a charge higher than the schedule charge authorized for the extension of credit,

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly,

(iv) Using any typing agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with any requirements or standards with respect to deliveries which have been or may be issued by any agency of the United States Government.

(c) *Schedule for sales of coal.* This schedule sets forth maximum prices for sales for specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established; Column II shows maximum prices for cash or credit sales on a "direct delivery" basis, delivered to any point within three miles from the Licking County Courthouse; Column III shows maximum prices for cash or credit "yard sales" to dealers reselling coal or to consumers. All prices are on a net ton basis.

SCHEDULE I

Column I	Column II	Column III
I. High volatile bituminous coals from producing district No. 8 (Eastern Kentucky and Southwestern W. Virginia) excepting coals from Mine Index No. 439		
A. *Lump*—Size group no. 2 (larger than 3" but not exceeding 5")		
1. Mine price classifications D through J	$8.20	$7.70
2. Mine price classifications K through O	7.85	7.35
B. *Egg*—Size group no. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 5" but not exceeding 6" x bottom size larger than 2" but not exceeding 3") in Mine price classifications G through K	7.75	7.25
C. *Stoker*—Size group no. 10 (top size 1¼" and smaller x bottom size smaller than 1¼"). Mine Price Classifications B through E	8.15	7.65
II. High volatile bituminous coals from producing district no. 4 (Ohio). Shipment made by truck or railroad		
A. *Lump* and *egg* (bottom size larger than 2")		
1. From Hocking sub-district	6.95	6.45
2. From the Crooksville and Middle sub-districts	6.55	6.05
3. From the Eastern Ohio sub-district	6.35	5.85
B. *Egg* (bottom size larger than 1¼" but not exceeding 2")		
1. From the Hocking sub-district	6.55	6.05
2. From the Crooksville and Middle sub-districts	6.15	5.65
3. From the Eastern Ohio sub-district	6.05	5.55
III. High volatile bituminous coals from producing district No. 3 (Northwestern W. Virginia excluding Panhandle).		
A. *Lump*—Size group No. 1 (bottom size larger than 2" but not exceeding 5") in mine price classifications D and E from the Pittsburgh Seam	6.65	6.15
B. *Egg*—Size group no. 1 (double screened; bottom size larger than 2") in Mine Price Classification A from the Sewell Seam	8.25	7.75
C. *Stoker*—Size group no. 2 (double screened; top size 2" and smaller) in Mine Price Classifications D through G, from the Pittsburgh Seam	6.60	6.10
IV. Low volatile bituminous egg coal from producing district no. 7 (Southeastern West Virginia and Northwestern Virginia)		
A. *Egg*—Size group no. 2 (top size larger than 3" x bottom size no limit) in mine price classifications B through D	9.00	8.50

All terms used herein to describe size, volatility and producing district are those that were established and defined by the Bituminous Coal Division and in effect as of midnight August 23, 1943.

(d) The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G–17 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service and credit charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Trimming	$0.50
Wheel-in or carrying from curb	.75
Carry up or down one flight of stairs	1.00
Use of double chute to put coal in bin or basement	.50
Delivery to any point beyond three miles and within eight miles of the Licking County Courthouse	.25

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, the dealer need not so separately state this tax on a sale to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(g) *Addition of increase in suppliers price prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoked, or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices; sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any

person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the Columbus District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean sales and deliveries made by the dealer in his customary manner at his yard.

(6) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

This Order No. G-17 under Revised Maximum Price Regulation No. 122 shall become effective May 18, 1944.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 18, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-7624; Filed, May 27, 1944; 9:45 a. m.]

[Region III Order G-22 Under RMPR 122]

SOLID FUELS IN LEXINGTON, KY., AREA

Order No. G-22 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Lexington, Kentucky, area.

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the corporate limits of the City of Lexington, Kentucky, or any territory within one mile of the corporate limits thereof. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in such area; they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-22, but less than maximum prices may at any time be charged, paid or offered.

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the schedule price for a service or making a charge for a service not authorized by this order,

(ii) Making a charge higher than the schedule charge authorized for the extension of credit,

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly,

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with any requirements or standards with respect to deliveries which have been made or may be issued by an agency of the United States Goverment.

(c) *Schedule for sales of coal.* This schedule sets forth maximum prices for cash sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established; Column II shows maximum prices for cash or credit sales on a "direct delivery" basis; Column III shows maximum prices for cash or credit "yard sales" to dealers reselling coal or to consumers. All prices are for sales on a net ton basis.

SCHEDULE I—COAL SHIPPED FROM MINE AND RECEIVED BY RAILROAD

Column I	Column II	Column III
I. High volatile bituminous coals from producing district No. 8 (southwestern Virginia, southern West Virginia, northeastern Tennessee and eastern Kentucky) except Mine Index Nos. 124, 126, 127, 285, 207, 459 and 425.		
A. *Lump*—size group nos. 1 and 2 (larger than 3"):		
1. Mine price classifications D through F	$7.40	$6.90
2. Mine price classifications G through N	7.20	6.70
B. *Egg*:		
1. Size group no. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3")—mine price classifications B through K	6.95	6.45
2. Size group no. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller) mine price classifications B through M	6.80	6.30
C. *Stoker*—Size group No. 10 (double screened; top size 1¼" and smaller x bottom size ¼" and larger):		
1. Mine price classification A:		
a. Treated	7.40	6.90
b. Untreated	7.30	6.80
2. Mine price classifications B and lower:		
a. Treated	7.20	6.70
b. Untreated	7.10	6.60
D. To the prices stated in sections A, B and C of Part I may be added $.15 per ton provided the coal is mined in Sub-district 6 of Producing District No. 8. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.		
E. *Screenings*—(nut and slack), size group No. 20 (larger than ¾" x 0 but not exceeding 2" x 0) mine price classifications G through L.		
1. Sales to all commercial and industrial buyers, provided that coal can be delivered in load lots (three ton or more) and dumped	5.60	----
2. To all other classes of buyers	5.80	5.30
II. *Coke*—(excluding reclaimed or reject coke), Egg and walnut sizes	11.60	11.10

SCHEDULE II—COAL SHIPPED FROM MINE AND RECEIVED BY TRUCK

Column I	Column II	Column III
I. High volatile bituminous coals from Jackson and Clay Counties, Kentucky, producing district No. 8		
A. *Lump*—Size group No. 1 (larger than 2"):		
1. From Clay County	$7.45	$6.95
2. From Jackson County	7.20	6.70
B. *Egg*—Size group No. 4 (top size 5" and smaller x bottom size 2" but not exceeding 3")		
1. From Clay County	6.95	6.45
2. From Jackson County	6.80	6.30
C. *Stoker*—Size group No. 5 (double screened; top size 3" and smaller x bottom size 2" and smaller):		
1. From Clay County:		
a. Treated	7.10	6.60
b. Untreated	7.00	6.50
2. From Jackson County:		
a. Treated	6.95	6.45
b. Untreated	6.85	6.35
D. *Screenings*—(slack) size group No. 7 (larger than ¾" x 0 but not exceeding 2" x 0):		
1. From Clay County	5.25	4.75
2. From Jackson County	5.00	4.50

All terms used herein to describe size, volatility and producing district are those established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

(d) The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G-22 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service and credit charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Trimming in the bin	$0.25
Carrying or wheeling from curb	.60
Carrying up or down one flight of stairs	.50
Treating of coal at dealer's yard	.10
Deliveries of less than one ton	(1)

[1] Fractional ton price, +$0.25.

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, the dealer need not so separately state this tax upon a sale to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(g) *Addition of increase in suppliers price prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provisions of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged and the kind and type of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices; sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in the manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the Lexington District Office of the Office of Price Administration.

(n) *Definition.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except when making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean sales and deliveries made by the dealer in his customary manner at his yard.

(6) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

This Order No. G-22 under Revised Maximum Price Regulation No. 122 shall become effective May 18, 1944.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 18, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-7625; Filed, May 27, 1944; 9:43 a. m.]

[Region V Order G-3 Under RMPR 122]

SOLID FUELS IN TOPEKA, KANS., AREA

Correction

In F.R. Doc. 44-6137, appearing at page 4631 of the issue for Tuesday, May 2, 1944, the heading for Item II at the top of the first column on page 4632 should read: "II. Low volatile bituminous coal from District 14 (Arkansas and Oklahoma):" The continued heading at the top of the middle column on page 4632 should read: "III. High volatile bituminous coal from District 15 (Missouri, Kansas and Oklahoma)—Continued."

[Region III Order G-25 Under 18 (c) Amdt. 6]

FLUID MILK IN OHIO

Amendment No. 6 to Order No. G-25 under § 1499.18 (c) of the General Maximum Price Regulation. General order adjusting the maximum prices of approved fluid milk and special milk in the State of Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280, Order No. G-25 under § 1499.18 (c) of the General Maximum Price Regulation is hereby amended to read as follows:

(a) The following counties be, and the same are, hereby deleted from Paragraph IV of Appendix A: Defiance, Fulton, Henry, Mercer, Paulding, Putnam, Van Wert, and Williams in the State of Ohio.

(b) Paragraph V of Appendix A be, and the same is, hereby amended to read as follows:

V. Adjusted mamixum prices for the sale of approved fluid milk at retail or wholesale in the counties of Darke, Defiance, Fulton, Henry, Mercer, Paulding, Putman, Van Wert, and Williams in the State of Ohio.

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	48¢ per gallon.
Retail	Glass or paper	One half gallon	26¢ per half gallon.
Retail	Glass or paper	One quart	13½¢ per quart.
Retail	Glass or paper	One pint	7½¢ per pint.
Retail	Glass or paper	One half pint	5¢ per half pint.
Wholesale	Glass or other	One gallon or multiples thereof	45¢ per gallon.
Wholesale	Glass or paper	One half gallon	23½¢ per one half gallon.
Wholesale	Glass or paper	One quart	11½¢ per quart.
Wholesale	Glass or paper	One pint	6½¢ per pint.
Wholesale	Glass or paper	One half pint	3½¢ per half pint.

This amendment shall become effective May 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued May 18, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-7626; Filed, May 27, 1944; 9:43 a. m.]

[Region III Order G-30 Under MPR 329]

MILK IN DESIGNATED COUNTIES IN OHIO

Order No. G-30 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk. Adjustment of the maximum prices milk distributors may pay producers in Defiance, Fulton, Henry, Mercer, Paulding, Putnam, Van Wert, and Williams in the State of Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.408 (a) (c) of Maximum Price Regulation No. 329, *It is hereby ordered:*

(a) Any milk distributor in the Counties of Defiance, Fulton, Henry, Mercer, Paulding, Putnam, Van Wert, and Williams in the State of Ohio may pay producers for milk an amount not to exceed $3.30 per cwt. for milk of 3.5% butterfat content, plus 5¢ for each 1/10 of 1% butterfat variation over 3.5% and minus 5¢ for each 1/10 of 1% butterfat variation under 3.5%.

(b) Each milk distributor increasing his price to producers for "milk" pursuant to the provisions of this order shall, within five days of such action, notify the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio, by letter or postcard, of his price established pursuant to the provisions of this order, together with a statement of his previous price.

(c) *Definitions.* (1) *"Milk distributor"* is defined to mean any individual, corporation, partnership, association, or any other organized group of persons or successors of the foregoing who purchases "milk" in a raw and unprocessed state for the purpose of resale as fluid milk in glass, paper or other containers.

(2) "Producer" means a farmer, or other person or representative who owns, superintends, manages, or otherwise controls the operations of a farm on which "milk" is produced. For the purposes of this order, farmers' cooperatives are producers when (1) they do not own or lease physical facilities for receiving, processing, or distributing milk, and (2) they do own or lease physical facilities for receiving, processing or distributing milk, but they act as selling agents for producers, whether members of such cooperatives or not.

(3) "Milk" means liquid cow's milk in a raw, unprocessed state, which is purchased for resale for human consumption as fluid milk. "In a raw, unprocessed state" means unpasteurized and not sold and delivered in glass or paper containers.

(d) This order replaces and supersedes the provisions of Order No. G-3 under Maximum Price Regulation No. 329, Purchases of milk from producers for resale as fluid milk insofar as it applies to milk distributors in the Counties of Defiance, Fulton, Henry, Mercer, Paulding, Putnam, Van Wert, and Williams in the State of Ohio. Said Order No. G-3 under Maximum Price Regulation No. 329 is therefore revoked as to milk distributors located in said counties in the State of Ohio.

(e) This order may be amended, modified or revoked at any time by the Office of Price Administration.

This order shall become effective May 18, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 18, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-7627; Filed, May 27, 1944; 9:42 a. m.]

[Region III Order G-37 Under RMPR 122]

SOLID FUELS IN FLINT, MICH., AREA

Order No. G-37 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Flint, Michigan, Area.

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the corporate limits of the City of Flint, Michigan, or any territory within six miles of the corporate limits thereof excluding Mt. Morris Village. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in such area; they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-37; but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order,

(ii) Making a charge higher than the scheduled charge authorized for the extension of credit,

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly,

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(c) *Schedule for sales of coal.* This schedule sets forth maximum prices for cash sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established; Column II shows maximum prices for sales on a "direct delivery" basis when paid within thirty days. All prices are for sales on a net ton basis.

SCHEDULE I

Column I	Column II
I. High volatile bituminous coals from Producing District No. 8 (Eastern Kentucky, Southwestern West Virginia, Western Virginia, and Northeastern Tennessee) excluding Mine Index Nos. 285 and 405:	
A. Lump—Size Group Nos. 1 and 2 (larger than 3"):	
1. Mine Price Classification A	$10.70
2. Mine Price Classifications D through O	9.65
B. Egg:	
1. Size Group No. 5 (top size larger than 5" but not exceeding 6" x bottom size larger than 2" but not exceeding 3"; top size larger than 6" x bottom size 2" and smaller):	
a. Mine Price Classifications F through K	9.45
b. Mine Price Classifications L through N	9.05
2. Size Group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3")	

SCHEDULE I—Continued

Column I	Column II
B. Egg—Continued.	
2. Size Group No. 6—Con.	
a. Mine Price Classification A	$10.00
b. Mine Price Classifications B through E	9.20
c. Mine Price Classifications L through N	9.05
3. Size Group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller)	
Mine Price Classifications B through M	9.20
C. Stove—Size Group No. 8 (top size larger than 2" but not exceeding 3" x bottom size 2" and smaller) Mine Price Classifications B through H	8.80
D. Stoker—Size Group No. 10 (top size 1¼" and smaller x bottom size ⅛" and larger) excluding Mine Index Nos. 207, 408, 439, 459 and 590:	
1. Mine Price Classification A:	
a. Treated	9.65
b. Untreated	9.55
2. Mine Price Classifications B through E:	
a. Treated	9.45
b. Untreated	9.85
3. Mine Price Classifications F and lower:	
a. Treated	9.15
b. Untreated	9.05
II. High volatile bituminous coals from Producing District No. 4 (Ohio) excluding Mine Index No. 73:	
A. Lump:	
1. From the Ohio No. 8 Freight Origin District, Size Group Nos. 1 and 2 (larger than 2")	8.35
2. From the Hocking Freight Origin District, Size Group No. 2 (larger than 2" but not exceeding 5")	8.75
B. Egg, from the Hocking Freight Origin District, Size Group No. 3 (double screened; bottom size larger than 1¼" but not exceeding 2")	8.35
III. Low volatile bituminous coals from Producing District Nos. 7 and 8 (southern West Virginia, western Virginia, northwestern Tennessee, and eastern Kentucky):	
A. Lump and egg Size Group Nos. 1 and 2 (Lump; bottom size larger than screened run of mine; double screened coals with a top size larger than 3"):	
1. Mine Price Classification A	10.80
2. Mine Price Classification B and C	10.65
B. Stove, Size Group No. 3 (stove or deducted screenings; top size larger than 1¼" but not exceeding 3" x bottom size smaller than 3"), Mine Price Classification A	10.60
C. Stoker, Size Group No. 5 (Pea or dedusted screenings; top size not exceeding ¾" x bottom size smaller than ¾"), Mine Price Classification A	9.45
IV. Coke (excluding reclaimed and reject coke)	
A. Egg, stove and nut sizes	13.10
B. Pea size	12.10
V. Glen Rogers Briquettes	11.35

All terms used herein to describe size, volatility and producing district are those that were established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

(d) The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G-37 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service and credit charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoices.

Carrying or wheeling from curb, $1.00 per ton.

Carrying up or down one flight of stairs, $.35 per ton.

Half ton deliveries, half ton price plus $.75.

Quarter ton deliveries, quarter ton price plus $.90.

Forking (limited to the forking of low volatile coals from Districts 7 & 8), $1.00 per ton.

Extension of credit beyond 30 days, $.25 per ton.

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, the dealer need not so separately state this tax on a sale to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(g) *Addition of increase in suppliers prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged and the kind and type of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices, sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing the date of the sale, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Saginaw District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean sales and deliveries made by the dealer in his customary manner at his yard.

(6) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–37 under Revised Maximum Price Regulation No. 122 shall become effective May 19, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 19, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–7628; Filed May 27, 1944, 9:43 a. m.]

[Region VI Order G–35 Under MPR 329]

MILK IN WAUSAU, WIS.

Correction

In F.R. Doc. 44–6555, appearing on page 5025 of the issue for Friday, May 12, 1944, the fourth line of paragraph (a) should read: "consumption in fluid form shall be 79¢".

[Region VI Order G–103 Under 18 (c)]

EXCELSIOR IN CHICAGO REGION

Order No. G–103 under § 1499.18 (c) of the General Maximum Price Regulation. Adjusted prices for excelsior manufactured by R. W. Davis Company, Crandon, Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, *It is hereby ordered:*

(a) This order shall apply to the R. W. Davis Company, Crandon, Wisconsin, and other sellers whose establishments are located in the States of North Dakota, South Dakota, Minnesota, Nebraska, Wisconsin, Iowa and Illinois, and in the County of Lake in the State of Indiana.

(b) The maximum price for excelsior manufactured by the R. W. Davis Company, and delivered to a purchaser after April 28, 1944, shall be the price established by each seller under the General Maximum Price Regulation, plus $4.00 per ton.

(c) On the first sale, to each purchaser, by the R. W. Davis Company at the increased prices permitted by this order, the R. W. Davis Company shall furnish with each invoice a statement in substantially the following form:

In order to maintain the supply of excelsior, the Office of Price Administration has permitted us to increase our maximum prices by $4.00 per ton.

The order, in turn, gives you the right to pass on this increase. You shall notify any buyer of excelsior in substantially the following language:

In order to maintain the supply of excelsior, the Office of Price Administration has permitted us to increase our maximum prices of excelsior by $4.00 per ton.

(d) Any seller of excelsior manufactured by the R. W. Davis Company, other than said company, shall furnish with the invoice evidencing the first sale to each purchaser of excelsior at the increased prices provided herein, a statement in substantially the following form:

In order to maintain the supply of excelsior, the Office of Price Administration has permitted us to increase our maximum prices of excelsior by $4.00 per ton.

(e) This order may be revoked, amended or modified at any time.

(f) This order shall become effective April 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 26th day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–7629; Filed, May 27, 1944; 9:47 a. m.]

[Region II Order G–1 Under MPR 154]

ICE IN NEW YORK CITY

Order No. G–1 under Maximum Price Regulation No. 154, as amended. Ice. Adjusted maximum prices for the sale and delivery of ice in the City of New York.

For the various reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1393.8 of Maximum Price Regulation No. 154, as amended, it is hereby ordered:

(a) *What this order does—(1) Maximum prices; area covered.* If you are a manufacturer or dealer in ice, this order fixes the maximum prices which you may charge; and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for specific quantities of block, crushed and cubed ice delivered at the manufacturer's platform within the City of New York, or delivered to or at any point within the City of New York. The City of New York is hereby defined as comprising the counties of New York, Kings, Bronx, Queens, and Richmond.

(2) *Schedules of prices, charges and discounts.* The schedule of prices from which you shall determine the applicable maximum prices at which you may sell or purchase, in the course of trade or business, any designated quantity of ice is set forth in Schedule I hereof.

(3) *To what sales this order applies.* If you are a manufacturer or dealer in ice, and deliver ice within the City of New York whether or not you are actually located in the City of New York, you are bound by the maximum prices and all other provisions of this order.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not

(1) Sell, or offer to sell, or in the course of trade or business, buy ice in the quantities set forth in Schedule I hereof, at higher than the maximum prices set forth in said schedule, although you may charge, pay or offer less than such maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Charging for any service which is not especially requested by the buyer;

(ii) Charging for any service for which a charge is not specifically authorized by this order;

(iii) Using any tying agreement or requiring that a buyer purchase any service or commodity from you in addition to the ice requested by him;

(iv) Using any other device by which a price higher than the applicable maximum price is obtained directly or indirectly.

(c) *Schedule I:*

SCHEDULE OF PRICES FOR THE PURCHASE AND SALE OF ICE IN THE CITY OF NEW YORK

BLOCK ICE

Class of customer	Adjusted maximum prices platform sale (including service stations)			Adjusted maximum prices for ice delivered sale		
	300 lb. cake	100 lb.	40 lb. tub	300 lb. cake	100 lb.	40 lb. tub
	Cents	Cents	Cents	Cents	Cents	Cents
All ice dealers	55			75		
Commercial, industrial, institutional (all not otherwise listed)	65				40	
Milk companies	55			75		
Milk companies (white ice)	45				60	
Home consumers		40			35	
		[1] 20			[2] 20	
		[1] 10				
Air conditioning customers					30	
Water cooler service					80	

CUBE AND CRUSHED ICE

Home consumers			45			75
All others			25			30

[1] Per 50 pounds. [2] Per 25 pounds.

NOTE: These ceiling prices do not apply to railroad car, refrigerated truck, or shipping customers.

(d) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may at any time amend, revoke or rescind this order, or any provision thereof.

(e) *Applicability of other regulations.* If you are a manufacturer, or dealer subject to this order, you are governed by the licensing provisions of Supplementary Order No. 72 and Licensing Order No. 1 which provide that a license is required and automatically granted to all persons who make sales subject to Maximum Price Regulation No. 154, as amended. Your license may be suspended for a violation of such regulation or of this order. If your license is suspended, you may not sell ice during the period of suspension.

(f) If you are a manufacturer or dealer subject to this order, you shall keep, preserve and make available for a period of 12 months, all sales slips and receipts for examination by the Office of Price Administration.

(g) *Posting of maximum prices, sales slips and receipts.* (1) If you are a manufacturer subject to this order, you shall post all your maximum prices (as set forth in Schedule I hereof) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall exhibit a list of your maximum prices (as set forth in Schedule I hereof) to each purchaser upon request, and post such list upon each of your wagons or trucks.

(3) If you are a manufacturer or dealer subject to this order, you shall give each purchaser a sales slip or receipt, if requested by such purchaser, or if you customarily gave purchasers such sales slips or receipts, which shall contain your name and address, the quantity of ice sold to him, the date of such sale or delivery, and the price charged.

(h) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties including suits in treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the New York Office of the Office of Price Administration.

(i) *Definitions.* (1) "Manufacturer" means any person, partnership, corporation, or association engaged in the manufacture of artificial ice for sale within the City of New York.

(2) "Dealer" means any person, partnership, corporation, or association selling artificial ice within the City of New York whether or not such person, partnership, corporation, or association is also a manufacturer of such ice.

(3) "Sell" means sell, supply, dispose, barter, exchange, transfer, or deliver and contracts and offers to do any of the foregoing.

(4) "White ice" means a cake of ice, at least 25% of which is opaque.

(5) "Platform sale" is a sale of ice, delivery of which is made to the purchaser at the seller's place of business.

(6) "Delivered sale" is a sale of ice delivered to a purchaser at a point other than the seller's place of business.

(j) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in Maximum Price Regulation No. 154, as amended, shall apply to terms used herein.

This Order No. G–1 shall become effective May 27, 1944.

NOTE: This order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of May 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–7707; Filed, May 27, 1944; 4:45 p. m.]

[Region VII Order G–52 Under 18 (c)]

STANDARD THRESHOLDS IN UTAH

Order No. G–52 under § 1499.18 (c) of the General Maximum Price Regulation. Adjustment of maximum prices on two types of standard thresholds when sold in certain counties of the State of Utah.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Order No. G–52 is issued.

(a) *Geographical applicability.* The adjusted maximum prices hereby established for the two types of standard thresholds known to the trade as No. 8700 and No. 8278 are limited to sales made and transactions had within the Counties of Salt Lake, Weber, Davis, and Utah, in the State of Utah, which area is hereinafter referred to as the Salt Lake Trade Area.

(b) *Specific maximum prices.* On and after the effective date of this Order No. G–52, the maximum prices for standard Oak Threshold No. 8700 (⅝" x 3⅝" x 3') and standard Oak Threshold No. 8278 (⅝" x 3⅝" x 3') shall be, when sold by one dealer to another dealer, 25¢ each, f. o. b. the seller's yard, and when sold by any dealer at retail to an ultimate consumer, 33¢ each, f. o. b. the seller's yard.

(c) *Customary discounts and allowances must be maintained.* Any person selling standard Oak Thresholds No. 8700 and No. 8278 in accordance with this Order No. G–52 shall maintain and continue to give all trade discounts, allowances, and differentials which have heretofore been customarily given by him.

(d) *Applicability of other regulations.* Except to the extent of the price changes made by this Order No. G–52, all of the terms and provisions of the General Maximum Price Regulation shall remain in full force and effect and continue to be applicable to all persons selling standard Oak Thresholds No. 8700 and No. 8278.

(e) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(f) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(g) *Effective date.* This order shall become effective on the 20th day of May 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 20th day of May 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44–7708; Filed, May 27, 1944; 4:46 p. m.]

[Region VIII Order G–3 Under MPR 136, Amdt. 2]

INSIDE CURING RIMS IN LOS ANGELES, CALIF.

Amendment No. 2 to Order No. G–3 under Maximum Price Regulation No. 136, as Amended. Machines and parts and machinery services. Adjusted maximum prices for inside curing rims manufactured by Steel Forming Corporation.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1390.25a of Maximum Price Regulation No. 136, as amended, *It is hereby ordered*, That the unnumbered fourth paragraph of Order No. G–3 under Maximum Price Regulation No. 136, as amended, be amended to read as follows:

This order shall become effective February 21, 1944.

This Amendment No. 2 shall become effective immediately.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of May 1944.

CHAS. R. BAIRD,
Acting Regional Administrator.

[F. R. Doc. 44–7710; Filed, May 27, 1944; 4:45 p. m.]

[Region VIII Order G–13 Under MPR 165]

AUTOMOTIVE VEHICLES IN SAN FRANCISCO REGION

Order No. G–15 under Maximum Price Regulation No. 165, as Amended. *Services.* Maximum rentals for certain persons in Region VIII for rentals of automotive vehicles to defense plants or for use on construction projects.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Office of Price Administration by § 1499.102 (d) of Maximum Price Regulation No. 165, as amended, and § 1499.3 (d) of the General Maximum Price Regulation, and General Order No. 32, *It is hereby ordered:*

(a) The maximum price for the rental of an automotive vehicle to a defense plant or for use in connection with a construction project in Region VIII for any person who is unable to determine a maximum price pursuant to paragraphs (a), (b), or (c) of § 1499.102 of Maximum Price Regulation No. 165, as amended, or (in the case of a rental on a fully operated basis, of such a nature as to constitute a transportation service) § 1499.2 of the General Maximum Price Regulation, shall be the following:

(1) *Rentals of automotive vehicles to defense plants or for use in connection with a construction project; bare basis.* (i) The monthly maximum rental price for any automotive vehicle on a bare basis shall be the sum determined by applying the proper percentage in Table 1 below to the sum of the net cost of the vehicle when new and the net cost of the extra equipment if any, when new, provided that in no event shall the maximum rental price be more than the price, if any, established in Table 2 below for the particular rental.

TABLE 1

	Percent
Value when new $1,000 or under	10
Value when new over $1,000 to $1,500, incl.	9
Value when new over $1,500 to $2,500, incl.	8
Value when new over $2,500	7

TABLE 2[1]

½ ton pick-up	$75.00
¾ ton pick-up	85.00
1 ton pick-up	95.00
1 ton flat bed or stake truck	95.00
1½ ton flat bed or stake truck	125.00
2 ton flat bed or stake truck	175.00
2½ ton flat bed or stake truck	200.00
3 ton flat bed or stake truck	225.00

[1] The above rates are to apply regardless of extra equipment, except that in the case of flat bed or stake trucks $25.00 per month additional may be added if the vehicle is equipped with a winch and that an additional $50.00 per month may be added in the case of flat bed or stake trucks with drive on two rear axles.

(ii) Weekly bare rental rates shall be one-third of the maximum monthly rates above established and daily bare rental rates shall be one-twelfth of the monthly rate.

(iii) In every instance, rental of an automotive vehicle leased on a bare basis shall be calculated as beginning at the time the automotive vehicle is delivered into the posession of the lessee and as terminating at the time when the automotive vehicle is delivered back into the possession of the lessor.

(2) *Rental of automotive vehicles to defense plants or for use in connection with construction projects, fully operated or similar basis.* (i) The maximum rental price for an automotive vehicle rented on a fully operated or similar basis shall be the maximum rental determined under paragraph (1) above for the rental of such automotive vehicle on a bare rental basis plus the following:

(a) If the lessor furnishes an operator, 135% of the wages paid the operator of such automotive vehicle at the government or union rate prevailing on the particular job or if no such rates are applicable, the prevailing rate on March 31, 1942 in the rental area;

(b) If fuel, oil, lubrication, or repair parts and services are supplied by the lessor from his own garage or shop, 135% of the net cost on such items thus supplied.

(c) If fuel, oil, lubrication, or repair parts and services are furnished by the lessee but not from his own garage or shop, the net cost of such items thus supplied.

(ii) In every instance, the foregoing maximum rates shall apply irrespective of the time the automotive vehicle is on the job, except that where the lessor is required to pay his operator on any job because of the overtime operation of the automotive vehicle, there may be added to the maximum rental, the dollar amount, determined in accordance with the applicable government or union wage rates, or if none is applicable, the wage rates in effect on March 31, 1942, in the rental area, of so much of the excess of overtime wages over straight time wages, as is actually paid the operator because of the overtime operation of the automotive vehicle.

(iii) In every instance, rental for any automotive vehicle rented on a fully operated basis shall be calculated in accordance with this paragraph as beginning not sooner than the time the automotive vehicle arrives on the job ready for use and ending when the automotive vehicle is finally released on the job for return to the lessor, except that where the automotive vehicle must be moved daily to and from the job, the lessor may charge the lessee an additional hour's rental at the applicable maximum rate for each day that the automotive vehicle is moved to and from the job.

(3) The lessor shall furnish the lessee an itemized statement showing the bare rental (with an itemized breakdown of costs new of the vehicle and equipment) and in the case of a rental on a fully operated basis, the operator's wages, payroll taxes, fuel costs, oil costs, lubrication costs, and repair costs (other than for normal wear and tear).

(4) As used in this order the term:

"Region VIII" means the states of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River; and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

"Automotive vehicles" means vehicles commonly referred to as pick-ups, flat beds, stake trucks, panels, sedan deliveries, trailers, station wagons, carry-alls, suburbans, and passenger cars.

"Bare basis" refers to any lease, contract, or understanding regardless of whether the same is denominated a rental agreement or forms a part of another agreement whereby one party undertakes to furnish another party with any automotive vehicle without supplying any operating and maintenance services required in connection therewith, for any consideration regardless of how such consideration is determined.

"Fully operated or similar basis" refers to any lease, contract, or understanding, regardless of whether the same is denominated a rental agreement or forms part of another agreement, whereby one party undertakes to furnish the use of or use for another party any automotive vehicle and to supply all or some of the operating and maintenance services required in connection therewith for any consideration regardless of how such consideration is determined.

"Net cost" as used herein means the net amount paid by the lessor for operator's wages, repair parts, mechanic's wages, gasoline, and anything else which the lessor supplies.

(b) This order shall become effective five days from the date of issuance and shall apply to all sales and deliveries or offers to sell whether heretofore or hereafter made of the above described rentals by the aforesaid persons. All maximum prices heretofore established for rental of automotive vehicles by applicants pursuant to section 102 (d) of Maximum Price Regulation No. 165, as amended, are hereby revoked and the maximum prices herein established shall apply to all rentals of the type covered hereby, whether heretofore or hereafter made by said applicants, except to the extent that rentals heretofore made have been paid for at or below a maximum price heretofore established for the particular applicant.

(c) This order shall be subject to revocation or amendment at any time hereafter either by special order or by any price regulation issued hereafter or by any supplement or amendment hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of May 1944.

Effective May 29, 1944.

CHAS. R. BAIRD,
Acting Regional Administrator.

[F. R. Doc. 44-7709; Filed, May 27, 1944; 4:45 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on May 25, 1944.

REGION III

Escanaba Order 9-F, Amendment 12, covering fresh fruit and vegetables in Ishpeming and Negaunee, Marquette County, Michigan Area, filed 9:35 a. m.

Escanaba Order 10-F, Amendment 12, covering fresh fruit and vegetables in certain areas in Michigan, filed 9:36 a. m.

Escanaba Order 11-F, Amendment 12, covering fresh fruit and vegetables in Escanaba, Gladstone, Delta County, Michigan area, filed 9:36 a. m.

Ecanaba Order 12F, Amendment 11, covering fresh fruit and vegetables in certain named areas of Michigan, filed 9:37 a. m.

Escanaba Order 13-F, Amendment 11, covering fresh fruit and vegetables in certain named areas of Michigan, filed 9:37 a. m.

Escanaba Order 14-F, Amendment 11, covering fresh fruit and vegetables in certain named areas of Michigan, filed 9:37 a. m.

Escanaba Order 15-F, Amendment 11, covering fresh fruit and vegetables in certain named areas of Michigan, filed 9:37 a. m.

Escanaba Order 16-F, Amendment 11, covering fresh fruit and vegetables in Sault Ste. Marie, Chi Pewa County, Michigan, filed 9:37 a. m.

Escanaba Order 17-F, Amendment 10, covering fresh fruit and vegetables in certain named areas in Michigan, filed 9:37 a. m.

Harrisburg Order 1-F, Amendment 3, covering fresh fruit and vegetables in Harrisburg, Lancaster, Lebanon and York, Pennsylvania, filed 9:35 a. m.

Saginaw Order 3-F, Amendment 1, covering fresh fruits and vegetables in certain named areas of Michigan, filed 9:32 a. m.

Saginaw Order 19, Amendment 3, covering community food prices in the area under jurisdiction of the Saginaw district office, filed 10:00 a. m.

Saginaw Order 2-W, Amendment 2, covering community food prices in the area under jurisdiction of the Saginaw district office, filed 10:00 a. m.

REGION IV

Jackson Order 2-F, Amendment 12, covering Community food prices in certain counties in Mississippi, filed 9:40 a. m.

Montgomery Order 5-F, Amendment 10, covering community food prices in the community of Chisholm, Dalraida, Montgomery County, Alabama, filed 9:38 a. m.

Montgomery Order 7-F, Amendment 6, covering community food prices in the cities of Dothan, Enterprise and Ozark, Alabama, filed 9:38 a. m.

Montgomery Order 8-F, Amendment 11, covering community food prices in the city of Selma, Alabama, filed 9:39 a. m.

Montgomery Order 9-F, Amendment 6, covering community food prices in Mobile county, Alabama, filed 9:39 a. m.

Nashville Order 5-F, Amendment 16, covering community food prices in Davidson, Hamblen, Hamilton, Knox and Sullivan, Tennessee, filed 9:26 a. m.

Nashville Order 10-F, Amendment 2, covering community food prices in the specified counties of the Nashville Tennessee area, filed 9:27 a. m.

Nashville Order 13, Amendment 1, covering poultry prices in certain areas in Virginia, filed 9:27 a. m.

REGION V

Arkansas Order 2-F, Amendment 12, covering fresh fruits and vegetables in Pulaski County, Arkansas, filed 9:57 a. m.

Arkansas Order 5-F, Amendment 11, covering fresh fruits and vegetables in Garland County, Arkansas, filed 9:58 a. m.

Dallas Order 1-F, Amendment 17, covering fresh fruits and vegetables in the State of Arkansas except certain Counties, filed 9:53 a. m.

Dallas Order G-20, covering community food prices in the area of Texarkana in Bowie County, Texas, filed 9:52 a. m.

Lubbock Order 8-F, Amendment 2, covering fresh fruits and vegetables in El Paso County, Texas, filed 9:35 a. m.

New Orleans Order 2-F, Amendment 19, covering fresh fruits and vegetables in certain Parishes in Louisiana, filed 10:04 a. m.

Oklahoma Order 8-F, Amendment 18, covering fresh fruits and vegetables in certain named areas in Oklahoma City, filed 9:52 a. m.

Shreveport Order 2-F, Amendment 15, covering fresh fruits and vegetables in Shreveport, Bossier City, Monroe, and West Monroe, Louisiana, filed 9:40 a. m.

Shreveport Order 3-F, Amendment 4, covering fresh fruits and vegetables in certain Parishes in Louisiana, filed 9:40 a. m.

REGION VI

Duluth Order 1-F, Amendment 17, covering fresh fruits and vegetables in Duluth, Proctor, City of Superior, and Town of Superior, Minnesota, filed 9:41 a. m.

Duluth Order 10, Amendment 2, covering community food prices in certain areas in Minnesota and Wisconsin, filed 9:41 a. m.

Duluth Order 11, Amendment 2, covering community food prices in Aitkin, Crow Wing, Pine in Minnesota, Burnett, Sawyer, and Washburn in Wisconsin, filed 9:41 a. m.

Fargo-Moorhead Order 2nd Revised 17, covering dry groceries in Bismarck, Devils Lake, Jamestown, Mandan, Minot, and Valley City, all in North Dakota, filed 9:50 a. m.

Fargo-Moorhead Order 2nd Revised 18, covering dry groceries in certain named counties in North Dakota, filed 9:49 a. m.

Fargo-Moorhead Order 2nd Revised 21, covering dry groceries in certain named counties in Minnesota, filed 9:48 a. m.

Fargo-Moorhead Order 2nd Revised 22, covering dry groceries in certain named counties in Minnesota, filed 9:48 a. m.

Milwaukee Order 2-F, Amendment 15, covering fresh fruits and vegetables in Dane County, filed 9:53 a. m.

Milwaukee Order 3-F, Amendment 15, covering fresh fruits and vegetables in Milwaukee County, City of Racine and City of Kenosha, filed 9:53 a. m.

Milwaukee Order 4, Amendment 4, covering community food prices in Milwaukee County and within the city limits of Racine and of Kenosha all in the State of Wisconsin, filed 9:54 a. m.

Milwaukee Order 5-F, Amendment 14, covering fresh fruits and vegetables in Sheboygan and Fond Du Lac Counties in Wisconsin. filed 9:54 a. m.

Sioux Order 2-F, Amendment 15, covering fresh fruits and vegetables in Sioux City, Iowa and South Sioux City, Nebraska, filed 9:55 a. m.

Sioux Order 12, Amendment 1, covering community food prices in Boyd, Brown, Cherry, Holt, Keyapaha, Rock and Wheeler, Iowa, filed 9:55 a. m.

Sioux Order 11, Amendment 1, covering community food prices in certain counties in Iowa, filed 9:57 a. m.

Twin Cities Order 1-F, Amendment 13, covering fresh fruits and vegetables in St. Paul and Minneapolis and Adjoining Municipalities in Minnesota, filed 9:54 a. m.

REGION VII

Boise Order 1-B, covering community food prices in Boise, Idaho, filed 9:25 a. m.

Boise Order 18, covering community food prices in Pocatello, Idaho, filed 9:24 a. m.

Boise Order 19, covering community food prices in Boise City, Idaho, filed 9:23 a. m.

Boise Order 20, covering community food prices in Boise Valley Loop Area, filed 9:21 a. m.

Boise Order 21, covering community food prices in Twin Falls area, filed 9:19 a. m.

Boise Order 22, covering community food prices in City of Idaho Falls, Idaho, filed 9:23 a. m.

Boise Order 23, covering community food prices in the Mountain Home area, filed 9:25 a. m.

Boise Order 24, covering community food prices in the Ontario, Oregon area, filed 9:21 a. m.

New Mexico Order 17, Amendment 6, covering community food prices in certain areas in New Mexico, filed 9:42 a. m.

Wyoming Order B-W-I, covering certain dry groceries and perishable foods in the state of Wyoming, filed 9:51 a. m.

Wyoming Order 1-F, Amendment 4, covering fresh fruits and vegetables in the Cheyenne area, filed 9:51 a. m.

Wyoming Order 2-F, Amendment 2, covering fresh fruits and vegetables in the Laramie area, filed 9:47 a. m.

Wyoming Order 3-F, Amendment 1, covering fresh fruits and vegetables in the Casper area, filed 9:47 a. m.

Wyoming Order 4-F, Amendment 1, covering fresh fruits and vegetables in the Sheridan area, filed 9:47 a. m.

Wyoming Order 20, Amendment 3, covering community food prices in the Rock Springs, Wyoming area, filed 10:02 a. m.

Wyoming Order 20, Amendment 5, covering community food prices in the Rock Springs area, filed 9:17 a. m.

Wyoming Order 21, Amendment 3, covering community food prices in the Cheyenne, Wyoming area, filed 10:00 a. m.

Wyoming Order 22, Amendment 2, covering community food prices in the Casper, Wyoming area, filed 10:02 a. m.

Wyoming Order 23, Amendment 2, covering community food prices in the Sheridan, Wyoming area, filed 10:01 a. m.

Wyoming Order 24, Amendment 3, covering community food prices in the Laramie, Wyoming area, filed 10:00 a. m.

Wyoming Order 24, Amendment 5, covering community food prices in the Laramie, area, filed 9:17 a. m.

Wyoming Order 25, Amendment 1, covering community food prices in the Buffalo, Wyoming area, filed 10:01 a. m.

Wyoming Order 26, Amendment 1, covering community food prices in the Gillette, Wyoming area, filed 10:02 a. m.

Wyoming Order 27, Amendment 1, covering community food prices in the Lander and Riverton, Wyoming area, filed 10:04 a. m.

Wyoming Order 28, Amendment 1, covering community food prices in the Thermopolis, Wyoming area, filed 10:02 a. m.

Wyoming Order 29, Amendment 1, covering community food prices in the Cody, Lovell and Powell area, filed 10:01 a. m.

Wyoming Order 31, Amendment 1, covering community food prices in the Douglas, Wyoming area, filed 10:02 a. m.

Wyoming Order 32 covering community food prices in the Lander, Riverton and Thermopolis, Worland area, filed 9:18 a. m.

Wyoming Order 33, covering community food prices in the Buffalo, Gillette and Sheridan County area, filed 9:18 a. m.

REGION VIII

Sacramento Order 1-F, Amendment 9, covering fresh fruit and vegetables in Sacramento, Stockton area, filed 9:42 a. m.

Sacramento Order 6-F, Amendment 7, covering fresh fruit and vegetables in Sacramento District Central County area, filed 9:43 a. m.

Sacramento Order 7-F, Amendment 7, covering fresh fruit and vegetables in Sacramento district Northern county area, filed 9:43 a. m.

San Diego, Order 6, Amendment 9, covering community food prices in San Diego Metropolitan Market area, filed 9:42 a. m.

San Francisco Order 1-F, Amendment 15, covering fresh fruits and vegetables in certain named areas in California, filed 9:33 a. m.

San Francisco Order 2-F, Amendment 8, covering fresh fruit and vegetables in San

Joss, Santa Clara, Mayfair, Berryessa, Burbank, California, filed 9:34 a. m.

San Francisco Order 3–F, Amendment 7, covering fresh fruit and vegetables in certain named areas in California, filed 9:34 a. m.

San Francisco Order 4–F, Amendment 6, covering fresh fruit and vegetables in Watsonville, Salinas, Monterery, Carmel, Pacific Grove, Santa Cruz, filed 9:34 a. m.

San Francisco Order 5–F, Amendment 5, covering fresh fruits and vegetables in Mill Valley, Sausalito, Marin City, San Anselmo, Fairfax, San Rafael, Petaluma and Santa Rosa, filed 9:34 a.m.

San Francisco Order 6–F, Amendment 1, covering fresh fruits and vegetables in certain named areas in California, filed 9:35 a.m.

San Francisco Order G–8, Amendment 7, covering community food prices in certain named areas in California, filed 9:43 a.m.

San Francisco Order G–9, Amendment 5, covering community food prices in Benicia, Calistoga, Fairfield, Napa, St. Helena, Sonoma, Suisun and Vallejo, filed 9:45 a.m.

San Francisco Order G–10, Amendment 5, covering community food prices in certain named areas in California, filed 9:46 a.m.

San Francisco Order G–11, Amendment 5, covering community food prices in Guerneville, Healdsburg, Petaluma, Santa Rosa and Sebastopol, filed 9:32 a.m.

San Francisco Order G–12, Amendment 5, covering community food prices in certain named areas in California, filed 9:32 a.m.

Copies of any of these orders may be obtained from the OPA office of the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–7759; Filed, May 29, 1944; 11:51 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on May 27, 1944.

REGION II

Trenton Order 1–F, Amendment 6, covering certain fresh fruits and vegetables in Mercer, Middlesex & Monmouth Counties, filed 9:17 a. m.

Trenton Order 2–F, Amendment 3, covering certain fresh fruits and vegetables in Mercer, Middlesex & Monmouth Counties, filed 9:17 a. m.

Trenton Order 3–F, Amendment 2, covering certain fresh fruits and vegetables in Mercer, Middlesex & Monmouth Counties, filed 9:13 a. m.

Trenton Order 14, covering community food prices in certain areas in New Jersey, filed 9:13 a. m.

REGION IV

Savannah Order 15, covering community food prices at retail for dry groceries in certain named counties in Georgia, filed 9:15 a. m.

REGION V

San Antonio Order 2–W, covering community food pricing at wholesale in certain designated areas in Texas, filed 9:16 a. m.

Lubbock Order 3–F, Amendment 3, covering fresh fruits and vegetables in El Paso County, Texas, filed 9:17 a. m.

REGION VI

Peoria Order 2–F, Amendment 2, covering certain fresh fruit and vegetables in Peoria, Peoria Heights, East Peoria, Creve Coeur, Pekin and Burtonville, Illinois, filed 9:16 a. m.

Peoria Order 2–F, Amendment 1, covering certain fresh fruit and vegetables in same area stated above, filed 9:16 a. m.

Peoria Order 3–F, Amendment 1, covering certain fresh fruits and vegetables in Joliet, Rockdale and Ridgewood, Illinois, filed 9:10 a. m.

Peoria Order 3–F, Amendment 2, covering certain fresh fruits and vegetables in Joliet, Rockdale, and Ridgewood, Illinois, filed 9:10 a. m.

Peoria Order 1–F, Amendment 6, covering certain fresh fruits and vegetables in certain named areas in Illinois, filed 9:11 a. m.

REGION VIII

Fresno Order 1–F, Amendment 18, covering certain fresh fruits and vegetables in certain named areas in California, filed 9:11 a. m.

Fresno Order 2–F, Amendment 6, covering certain fresh fruits and vegetables in certain named areas in California, filed 9:11 a. m.

Fresno Order 3–F, Amendment 1, covering certain fresh fruits and vegetables in certain named areas in California, filed 9:11 a. m.

Phoenix Order 3–F, Amendment 20, covering certain fresh fruits and vegetables in the Phoenix Area, filed 9:18 a. m.

Phoenix Order 4–F, Amendment 10, covering certain fresh fruits and vegetables in the Tucson Area, filed 9:18 a. m.

Phoenix Adopting Order 2 under Basic Order 1–B, covering certain food items at retail in certain designated areas, filed 9:19 a. m.

Seattle Order 1–F, Amendment 17, covering certain fresh fruits and vegetables in Seattle, Washington, filed 9:13 a. m.

Seattle Order 2–F, Amendment 14, covering certain fresh fruits and vegetables in Tacoma, Washington, filed 9:12 a. m.

Seattle Order 3–F, Amendment 17, covering certain fresh fruits and vegetables in Everett, Washington; filed 9:12 a. m.

Seattle Order 4–F, Amendment 17, covering certain fresh fruits and vegetables in Bremerton, Washington; filed 9:12 a. m.

Seattle Order 4–F, Amendment 15, covering certain fresh fruits and vegetables for Bellingham, Washington; filed 9:12 a. m.

Portland Order 1–F, Amendment 17, covering certain fresh fruits and vegetables for Portland & Vanport, Oregon; and Vancouver, Washington; filed 9:18 a. m.

San Diego Order 1–F, Amendment 38, covering certain fresh fruits and vegetables in the San Diego Area; filed 9:15 a. m.

San Diego Order 1–F, Amendment 39, covering certain fresh fruits and vegetables in the San Diego Area; filed 9:10 a. m.

Copies of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–7760; Filed, May 29, 1944; 11:51 a. m.]

RAILROAD RETIREMENT BOARD.

[Jurisdictional Docket No. 26]

MIDLAND RAILWAY CO. OF MANITOBA

POSTPONEMENT OF HEARING

In the matter of the status under the Railroad Unemployment Insurance Act of the Midland Railway Company of Manitoba and of the individuals performing service in its operations.

Notice is hereby given to all persons interested that upon the request of one of the parties and pursuant to the authority vested in me by order of the General Counsel Designating Examiner (9 F.R. 5194), the hearing in the above-entitled matter which has been set for May 31, 1944, at 10:00 a. m., in Courtroom No. 3, Uptown Station and Federal Courts Building, St. Paul, Minnesota (9 F.R. 5194), is postponed to June 28, 1944.

Dated: May 25, 1944.

[SEAL] JACOB ABRAMSON,
Examiner.

[F. R. Doc. 44–7606; Filed, May 26, 1944; 3:42 p. m.]

[Jurisdictional Docket No. 27]

THE SHIPLEY COMPANY

POSTPONEMENT OF HEARING

In the matter of the status under the Railroad Unemployment Insurance Act of the Shipley Company and of the individuals rendering service under contracts between the Shipley Company and the Chicago, St. Paul, Minneapolis and Omaha Railway Company.

Notice is hereby given that pursuant to the authority vested in the General Counsel by Part 319 of the regulations under the Railroad Unemployment Insurance Act (45 U.S.C. 351–367; 7 F.R. 4774) the hearing in the above-entitled matter, originally scheduled to be held on May 15, 1944, at 10:00 a. m., in the hearing room of the Railroad Retirement Board, 844 Rush Street, Chicago, Illinois. (9 F.R. 4415) and postponed, will be held on Wednesday, June 14, 1944, at 10:00 a. m., in the hearing room of the Railroad Retirement Board, 844 Rush Street, Chicago, Illinois.

Dated: May 24, 1944.

[SEAL] JOSEPH H. FREEHILL,
General Counsel.

[F. R. Doc. 44–7607; Filed, May 26, 1944; 3:42 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70–890]

THE NORTH AMERICAN CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of May 1944.

The North American Company, a registered holding company, has filed a declaration pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 and Rules U-43 and U-44 of the general rules and regulations promulgated thereunder, regarding a proposal to pay a dividend on its common stock payable in the common stock of Pacific Gas and Electric Company having a par value of $25 per share, owned by The North American Company, at the rate of one share of such stock of Pacific Gas and Electric Company on each one hundred shares of the outstanding common stock of The North American Company. In lieu of certificates for fractions of shares of stock of Pacific Gas and Electric Company, cash will be paid at the rate of 31 cents for each 1/100th of a share of such stock of Pacific Gas and Electric Company, this rate being based on the approximate market price of $31.00 per share as of April 25, 1944, the date the proposed dividend was declared.

Said declaration having been filed on the 29th day of April, 1944, and notice of filing having been duly given in the manner and form prescribed by Rule U-23 under said act and the Commission not having received a request for hearing with respect to said declaration within the period specified in such amended notice, or, otherwise, and not having ordered a hearing thereon; and

The North American Company having requested that the Commission issue its order on or before May 27, 1944; and

The Commission finding that the requirements of section 12 (d) and Rules U-43 and U-44 are satisfied, that no adverse findings are necessary thereunder, and that action upon said declaration should be accelerated, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that said declaration be and the same is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–7572; Filed, May 26, 1944; 11:15 a. m.]

[File No. 70–837]

OHIO-MIDLAND LIGHT AND POWER CO., AND ASSOCIATED ELECTRIC CO.

NOTICE OF FILING OF AMENDMENTS AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of May 1944.

An application-declaration having heretofore been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935, by Associated Electric Company, a registered holding company, and its wholly-owned subsidiary, Ohio-Midland Light and Power Company; and

Said filing having been principally concerned with the proposed sale by Associated Electric Company to Joseph B. Wilson for the base price of $1,885,000, subject to adjustments, of its entire interest in its subsidiary, Ohio-Midland Light and Power Company; and said filing having requested that the proposed sale be exempt from the competitive bidding requirements of Rule U-50;

Hearings having been held, and the Commission having on March 8, 1944, made and filed its findings and opinion and issued its order herein (Holding Company Act Release No. 4930), denying the application for an exemption from the competitive bidding requirements of Rule U-50;

Notice is hereby given that amendments to the said application-declaration have been filed by the said companies; and

All interested persons are referred to the said application-declaration, as amended, which is on file in the office of the said Commission for a statement of the transactions therein proposed, which are summarized below:

Associated Electric Company, having publicly invited and received bids which were opened on April 15, 1944, now proposes to sell to the group submitting the highest bid, namely South Central Rural Electric Cooperation, Inc., Union Rural Electric Cooperative, Inc., and Inter-County Rural Electric Cooperative, Inc., non-affiliates, for the base price of $2,115,000, in cash, subject to adjustments, all of Associated Electric Company's interest in its subsidiary. As at December 31, 1943, the outstanding securities and indebtedness of Ohio-Midland Light and Power Company, which are to be sold, consist of the following:

The Scioto Valley Railway & Power Co.:	
First mortgage, 6% gold bonds, due June 1, 1943, principal amount	$844,000.00
Accrued interest thereon aggregating	4,220.00
The Scioto Valley Railway & Power Co.:	
6% gold notes, due March 1, 1932, principal amount	355,000.00
Accrued interest thereon aggregating	7,100.00
Open account indebtedness (bearing interest at the rate of 6% per year when earned)	443,990.96
Accrued interest thereon aggregating	2,225.00
	Shares
$6.50 series first preferred stock (par value $100 per share)	1,000
$5.00 series preferred stock (no par)	1,975.46⅔
Class A stock (no par)	3,774.16⅔
Common stock (no par)	1,640

Associated Electric Company also proposes to acquire from Ohio-Midland Light and Power Company all of the latter's holdings of 580 shares of common stock of Atlantic Utility Service Corporation, for a total cash consideration of one dollar.

The filing designates sections 9 (a), 10, 12 (d), and 12 (f) of the act, and Rules U-43, U-44, and U-50 promulgated thereunder, as applicable to the filing.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that the hearing be reconvened with respect to such matters:

It is ordered, That a hearing on such matters under the applicable provisions of said act and rules of the Commission thereunder be reconvened on June 12, 1944, at 10 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in room 318 will advise as to the room in which such hearing will be held;

It is further ordered, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that purpose shall preside at the reconvened hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That any person desiring to be heard in connection with the proceeding or proposing to intervene herein shall file with the Secretary of the Commission, on or before June 10, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of this Commission.

It is further ordered, That, without limiting the scope of the issues presented by said application-declaration, particular attention will be directed at such hearing to the following matters;

1. Whether the consideration to be received for the proposed sale is fair and reasonable;

2. Whether the proposed acquisition by Associated Electric Company of the common stock of Atlantic Utility Service Corporation complies with the provisions of section 10 of the act;

3. The propriety of the accounting treatment to reflect the proposed transactions on the books of the applicants-declarants;

4. Whether, and to what extent, it is necessary or appropriate in the public interest to impose terms or conditions in regard to the accounts or capital structure of Ohio-Midland Light and Power Company, or otherwise in regard to the proposed transactions;

5. Whether the proposed transactions are in the public interest and in the interest of investors and consumers, and whether, in all other respects, they comply with all the applicable provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–7694; Filed, May 27, 1944; 2:32 p. m.]

[File No. 70–870]

CAPITAL TRANSIT COMPANY

MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of May 1944.

Requirement of public invitation of proposals for purchase or underwriting of securities of subsidiary of registered holding company.

Denial of exemption. Application by non-utility subsidiary of a registered holding company for exemption from the competitive bidding requirements of Rule U–50 with respect to the issuance and sale of its first mortgage bonds, denied, it not appearing in the light of the particular circumstances that compliance with Rule U–50 is not appropriate in the public interest or for the protection of investors or consumers as a condition to the exemption of such issuance and sale from the provisions of section

6 (a) of the Public Utility Holding Company Act of 1935, or to aid the Commission (in carrying out the provisions of section 6 (b) of said Act) to determine such terms and conditions as it may be appropriate to impose in the public interest or for the protection of investors or consumers in exempting such issuance or sale from the provisions of section 6 (a) of said act.

Appearances: John M. Perry and Frank H. Heiss of Rathbone, Perry, Kelley & Drye and G. Thomas Dunlop, for Capital Transit Company; Frederick Zazove and E. M. Calkin, for the Public Utilities Division of the Commission.

This is an application by Capital Transit Company (Capital Transit), a non-utility subsidiary of The Washington Railway and Electric Company (WR&ECo) The North American Company (North American), both registered holding companies, for an exemption from the competitive bidding requirements of Rule U-50 of the general rules and regulations under the Public Utility Holding Company Act of 1935 (the act).[1] Capital Transit contemplates the issuance and sale of new bonds for the purpose of refunding all or part of its existing funded debt.[2] Although the financing program has not definitely been determined, the company's financial advisers[3] have tentatively suggested the issuance of approximately $16,000,000 principal amount of twenty-year 4% First Mortgage Bonds.

After appropriate notice, a public hearing was held. Requested findings of fact, briefs and oral argument have been waived. Having considered the record, we make the following findings:

Capital Transit was organized in 1933 pursuant to a Joint Resolution of Congress. It operates a surface transportation system of street car and motor bus lines in the City of Washington, D. C. and adjacent areas, and is not a "public-utility company" as that term is defined in the act. One-half of its 240,000 shares of $100 par value capital stock is owned by WR&ECo. and 1.26% by North American.[4] North American also owns 34.55% of the voting securities of WR&ECo.

Capital Transit is subject to the jurisdiction of the Public Utilities Commission of the District of Columbia and must secure that Commission's approval for the issuance of the new bonds.[5] Since the contemplated refunding is solely for the purpose of financing the business of Capital Transit, the proposed refunding would be exempt, upon application by the company, from the provisions of section 6 (a) of the act by reason of section 6 (b) thereof, subject to such terms and conditions as the Commission may deem appropriate in the public interest or for the protection of investors or consumers.

Dillon, Read & Co. and Alex. Brown & Sons have been employed by the company to assist it in formulating a financing program and setting up the terms of the proposed issue.

The company bases its request for an exemption from competitive bidding upon several grounds. The first of these is that in view of the complex nature of the problems involved in a refunding of the company's outstanding debt securities, the company believes that its interest would best be served by negotiating the nature and terms of the refinancing concurrently with negotiations as to the price. In other words, the company contends that a negotiated deal would permit of greater flexibility and afford it an opportunity to weigh alternative financing plans. We have carefully considered this argument but cannot find that the circumstances surrounding Capital Transit's situation are sufficiently distinguishable from other financing programs to warrant a conclusion that it should be accorded different treatment on this ground.

The company also assigns as a reason for an exemption the fact that there has been no public offering of traction bonds within the last decade and that an offer of its bonds at competitive bidding might not attract sufficient interest to insure acceptable results. In this connection we note that Dallas Railway & Terminal Company, a subsidiary of Electric Power & Light Corporation, operating a transportation system in Dallas, Texas, has recently filed an application with respect to the issuance of bonds which it proposes to sell at competitive bidding.[6] Although Capital Transit is a traction company, its 5% bonds due in 1947 have a current market price of around 105 and that in the last five years its total fixed charges had the following coverages: 1939, 1.8 x; 1940, 2.23 x; 1941, 2.84 x; 1942, 3.30 x; 1943, 3.04 x.

The company has also emphasized the essentially local character of the market for the proposed bonds. However, Frederick Brandi, a partner of Dillon, Read & Co., testified that in his opinion the local market would not absorb more than two or three million dollars of the issue. In any event, if the participation of local underwriters or dealers is deemed desirable, it undoubtedly could be obtained by an appropriate requirement in the invitation for bids.

It is our conclusion that the present record does not support a finding that compliance with paragraphs (b) and (c) of Rule U-50 with respect to issuance and sale of the contemplated bonds of Capital Transit is not appropriate in the public interest or for the protection of investors or consumers as a condition to the exemption of such issuance and sale from the provisions of section 6 (a) of the Public Utility Holding Company Act of 1935, or to aid the Commission (in carrying out the provisions of section 6 (b) of said act) to determine such terms and conditions as it may be appropriate to impose in the public interest or for the protection of investors or consumers in exempting such issuance or sale from the provisions of section 6 (a) of said act.

The absence of a definitive refunding program has complicated the resolution of the problems raised by this application and has made our task with respect thereto a difficult one. In the definitive refinancing program, the desirability of a fairly rapid amortization of a substantial part of the company's debt seems obvious, and if the refunding includes serial notes of a maturity of ten years or less, such notes may qualify for automatic exemption from competitive bidding under paragraph (a) (2) of Rule U-50.

It is ordered, That the application for exemption be and the same is hereby denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-7693; Filed, May 27, 1944; 2:32 p. m.]

[1] By its subdivision (a) (5), Rule U-50 excludes from its scope:

"The issuance or sale of securities as to which the Commission finds that compliance with paragraphs (b) and (c) hereof with respect to such issuance or sale is not • • • (b) appropriate in the public interest or for the protection of investors or consumers as a condition to the exemption of such issuance or sale from the provisions of section 6 (a) of the Act, or to aid the Commission (in carrying out the provisions of section 6 (b) of the Act (to determine such terms and conditions as it may be appropriate to impose in the public interest or for the protection of investors or consumers in exempting such issuance or sale from the provisions of section 6 (a) of the Act • • •"

[2] The existing funded debt of Capital Transit, as of December 31, 1943, consisted of the following:

WR&ECo Consolidated 4's due December 1, 1951 (portion assumed by Capital Transit)	$8,720,500
Anacostia & Potomac River Rail Road Company of Washington City, D. C.:	
3¾'s due December 1, 1951 (modified, assumed by by Capital Transit, and guaranteed by WR&ECo)	1,870,000
5's due April 1, 1949 (guaranteed by WR&ECo)	455,000
5's due April 1, 1949 (not specifically assumed or guaranteed)	210,000
City & Suburban Railway of Washington:	
3¾'s due December 1, 1941 (modified, assumed by Capital Transit, and guaranteed by WR&ECo)	1,249,000
5's due August 1, 1948 (not specifically assumed or guaranteed)	93,000
Capital Traction Company First 5's due June 1, 1947	5,150,000
6% Serial Notes due 1944-46 (held by North American)	90,000
Equipment Trust Notes and Conditional Sales Contracts covering street cars and buses due 1944-51	5,126,430
Total	17,963,930

[3] Dillon, Read & Co. of New York, New York, and Alex. Brown & Sons of Baltimore, Maryland.

[4] North American and WR&ECo. by an order dated April 14, 1942, were required to divest themselves of their interest in Capital Transit. The North American Company, et al., Holding Company Act Release No. 3405. Both companies were granted an additional year from April 14, 1943, within which to comply with the order. As to North American, see Holding Company Act Release No. 4380. As to WR&ECo, see Holding Company Act Release Nos. 4335 and 4665.

[5] The District Commission has promulgated an order which requires the solicitation of bids on the issuance and sale of securities such as contemplated by Capital Transit (P.U.C. No. 2962, Order No. 1465, 12 P.U.R. (N. S.) 9.) The applicant states that if we grant an exemption from our rule, it will seek similar action from the local Commission.

[6] *Dallas Railway & Terminal Company*, Holding Company Act Release No. 5029.

[File Nos. 70-314, 70-315, 59-21, 4-33, 54-91 70-868]

UNITED GAS CORP., ET AL.

MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of May, A. D. 1944.

In the matter of United Gas Corporation, United Gas Pipe Line Company, Houston Gulf Gas Company, File No. 70-314; Electric Bond and Share Company, File No. 70-315; Electric Bond and Share Company, Electric Power & Light Corporation, United Gas Corporation, Houston Gas Securities Company, United Gas Pipe Line Company, Houston Gulf Gas Company, File No. 59-21. In the matter of investigation of organization and financing of United Gas Corporation, etc., File No. 4-33; United Gas Corporation, Electric Power & Light Corporation, Electric Bond and Share Company, File No. 54-91; Electric Bond and Share Company, File No. 70-868.

United Gas Corporation ("United"), a subsidiary of Electric Power & Light Corporation ("Electric"), a registered holding company, which in turn is a subsidiary of Electric Bond and Share Company ("Bond and Share"), also a registered holding company, and United's subsidiary, United Gas Pipe Line Company, have filed an amendment to their declaration in these consolidated proceedings concerning, among other things, a proposed issuance and sale by United of $100,000,000 principal amount of First Mortgage and Collateral Trust Bonds.[1] United has stated in the said filing that it believes the proposed issuance and sale are not subject to the provisions of Rule U-50 since the original declaration which the present filing amends was filed two days before the effective date of that rule. It requests, however, in the event that we find that the proposed sale is subject to the provisions of Rule U-50 that it be exempted from the competitive bidding requirements of subsections (b) and (c) thereof. It has further requested that we rule on these matters at the earliest possible date and in advance of any other order in these consolidated proceedings.

After appropriate notice, a public hearing was held on these matters and we have considered the record with respect thereto as well as a brief in opposition to the application filed by a participant in the proceeding.

Consideration of the application of United requires a brief summary of the history of the proposed financing. On May 5, 1941, two days before the effective date of Rule U-50, United filed a declaration seeking permission to issue and sell $75,000,000 principal amount of first Mortgage and Collateral Trust Bonds and to use the major portion of the proceeds to liquidate the $52,925,000 indebtedness of United to Bond and Share. Questions had previously been raised by our staff and communicated to the companies with respect to the debt claims held by Bond and Share in United on the basis of facts developed in the record of the section 11 (b) (2) proceedings of Bond and Share and Electric (File No. 59-12).

Prior to the time of the filing, United has been negotiating[2] with certain insurance companies for the sale of the bonds but had not yet secured an agreement with respect to the precise method and terms of sale. After the filing, on June 12, 1941, a contract fixing a price of 99.34%, an interest rate of 3¼% and other terms of sale was entered into with 14 major insurance companies and the filing was amended to bring this contract before us. In view of the questions previously mentioned above arising from the history of the relations among Bond and Share, Electric and United our Order of May 31, 1941[3] for hearing on this declaration together with a declaration filed by Bond and Share for the use of the proceeds to be received by it, also instituted proceedings with respect to Bond and Share, Electric, United and certain subsidiaries of United under sections 11 (b) (2), 12 (b), 12 (c), 12 (f), 18 (a) and 18 (b) of the act which were consolidated for hearing with the proceedings on the above-described filings. The purpose of these "cross proceedings" was to ensure a comprehensive investigation of all factors relevant to the recapitalization and refinancing of United including a determination of the respective claims and equities of its various security holders in connection therewith and to give notice of our intention to exercise our full statutory powers to resolve the problems facing the company.

In view of the fact that the resolution of the problems raised by the proceedings so consolidated involved a thorough study of the background and organization of United and its entire corporate history together with the roles played by Bond and Share and Electric in connection therewith, extensive hearings were necessary and were undertaken. During the course of these hearings various attempts were made to separate the refinancing problems from the issues surrounding the proposed use of the proceeds, i. e., the problem of the status and rank of the Bond and Share claims in and against United. We have previously described in detail the formulation and the reasons for the failure of the most comprehensive effort in this direction undertaken immediately after Pearl Harbor (Holding Company Act Release No. 3301). In February 1942, subsequent to this unsuccessful attempt, the contract with the insurance companies which had been several times extended was allowed to expire. Hearings were thereafter held with respect to all phases of the proceedings until September, 1943 when they were completed and concluded with respect to all matters except as to the accounts and structures of certain of the subsidiary companies of United.

Following the closing of the record on the major problems in the proceedings, the present section 11 (e) plan was filed, providing for the reorganization of United and the settlement of all claims among United, Electric and Bond and Share arising from the organization and history of United.[4] This plan contemplates the issuance by United of $100,000,000 of First Mortgage and Collateral Trust Bonds and is conditioned upon the ability of United to issue and sell such bonds. Accordingly, the present amendment to its previous declaration with respect to the refinancing was filed by United seeking approval of the proposed issuance and sale of the bonds, as increased from $75,000,000 to $100,000,000 principal amount.

Joe H. Gill, president of United, has testified that if the company is permitted to carry on negotiations, it will not limit such negotiations to the 14 insurance companies with which the previous contract was made although he would anticipate that they would purchase a substantial portion of the issue.

We have determined that in the light of the several unique factors in the present case an exemption from the competitive bidding requirements of Rule U-50 may appropriately be granted.

We have passed at this time, as requested by the company, only the question of the method of sale of the bonds, if made. We have not yet had before us the substantive questions under the act which will determine the propriety of the sale nor have we passed upon the pending section 11(e) plan for United to which the proposed financing is a condition. Any contract resulting from the proposed negotiations will, of course, be subject to our approval of the proposed financing, as such, and the exercise of our jurisdiction over the terms and conditions of sale and all fees and expenses in connection therewith.

It is therefore ordered, That pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, the said application for exemption of the proposed issue and sale by United of $100,000,000 of First Mortgage and Collateral Trust Bonds from the requirements of subsections (b) and (c) of Rule U-50 as to competitive bidding be, and it hereby is, granted subject, however, to the terms and conditions prescribed in Rule U-24 of the general rules and regulations.

It is further ordered That jurisdiction be, and it hereby is, reserved expressly to pass upon all other matters involved in these consolidated proceedings including the propriety of the proposed issue and sale under the applicable provisions of the act and rules and regulations thereunder and the terms and conditions of any such sale and the fees and expenses in connection therewith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-7716; Filed, May 29, 1944; 9:45 a. m.]

[1] See Holding Company Act Release No. 4962.

[2] For a fuller description of these negotiations, see Holding Company Act Release No. 3301.

[3] Holding Company Act Release No. 2790.

[4] Holding Company Act Release No. 4926.

[File No. 812-947]

KEYSTONE CUSTODIAN FUNDS, INC.

NOTICE AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of May, A. D. 1944.

Keystone Custodian Funds, Inc., as trustee for Keystone Custodian Funds, Series B-1, B-2, B-3, B-4, K-1, K-2, S-1, S-2, S-3, and S-4, has filed an application pursuant to sections 6 (c) and 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of section 17 (a) of the said act transactions involving the purchase and sale of portfolio securities from time to time by and between the several Keystone Custodian Funds. Each of the Keystone Custodian Funds is a registered investment company and is an affiliated person of each other Fund.

It is ordered, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on the 13th day of June, 1944 at 10 o'clock in the forenoon of that day in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

It is further ordered, That Allen MacCullen, Esquire, or any officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such application. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the above named applicant, to each of the Keystone Custodian Funds, and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-7717; Filed, May 29, 1944; 9:45 a. m.]

WAR FOOD ADMINISTRATION.

[Docket No. AO 174]

CLINTON, IOWA, MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed marketing agreement and order regulating the handling of milk in the Clinton, Iowa, Marketing Area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and in accordance with the applicable rules of practice and procedure (7 CFR, Cum. Supp., 900.1 et seq.), notice is hereby given of a hearing to be held in the Council Room, City Hall, Clinton, Iowa, beginning at 10 a. m., c. w. t., June 21, 1944, with respect to a proposed marketing agreement and order regulating the handling of milk in the Clinton, Iowa, marketing area, which have been submitted by the Clinton Cooperative Milk Producers Association, Inc.

This public hearing is for the purpose of receiving evidence with respect to a proposed marketing agreement and order, the provisions of which are hereinafter set forth. The proposed marketing agreement and order have not received the approval of the War Food Administrator, and at the hearing evidence will be received relative to all aspects of the marketing conditions which are dealt with by the proposed marketing agreement and order. The provisions of the proposed marketing agreement and order are as follows:

SECTION 1. *Definitions.* The following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(b) "War Food Administrator" means the War Food Administrator of the United States or any officer or employee of the United States who is or who may hereafter be authorized to exercise the powers and to perform the duties, pursuant to the act, of the War Food Administrator of the United States.

(c) "Clinton, Iowa, marketing area", hereinafter called the "marekting area", means the territory lying within the corporate limits of the city of Clinton, and the eastern half of Camanche Township including the city of Camanche, all in the State of Iowa.

(d) "Person" means any individual, partnership, corporation, association, or any other business unit.

(e) "Producer" means any person, irrespective of whether such person is also a handler, who, under certification by the proper health authorities, produces milk which is received at the plant of a handler from which Class I milk is disposed of in the marketing area.

(f) "Handler" means any person who, on his own behalf or on behalf of others, purchases or receives milk from producers, associations of producers, or other handlers, all or a portion of which milk is disposed of as Class I milk in the marketing area. This definition shall include a cooperative association with respect to the milk of any producer which it causes to be diverted from a plant from which milk is disposed of as Class I milk in the marketing area to a plant from which no milk is disposed of as Class I milk in the marketing area.

(g) "Producer-handler" means any person who is both a producer and a handler and who receives no milk from other producers: *Provided*, That (1) the maintenance, care, and management of the dairy animals and other resources necessary to produce the milk is the personal enterprise of and at the personal risk of such person in his capacity as a producer, and (2) the processing, packaging, and distribution of the milk is the personal enterprise of and at the personal risk of such person in his capacity as a handler.

(h) "Delivery period" means the period from the effective date hereof to and including the last day of that month. Subsequent to that month "delivery period" means the period from the first to the last day of each month, both inclusive.

(i) "Market administrator" means the agency which is described in section 2 for the administration hereof.

(j) "Cooperative association" means any cooperative association of producers which the War Food Administrator determines (1) to have its entire activities under the control of its members, and (2) to have and to be exercising full authority in the sale of milk of its members.

(k) "Emergency milk" means milk received by a handler pursuant to section 6 from sources other than producers or other handlers.

SEC. 2. *Marketing administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the War Food Administrator. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the War Food Administrator.

(b) *Powers.* The market administrator shall:

(1) Administer the terms and provisions hereof.

(2) Investigate and report to the War Food Administrator complaints of violations of the provisions hereof.

(3) Make rules and regulations to effectuate the terms and provisions hereof.

(c) *Duties.* The market administrator shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the War Food Administrator a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the War Food Administrator.

(2) Keep such books and records as will clearly reflect the transactions provided for herein and surrender the same to his successor or to such other person as the War Food Administrator may designate.

(3) Submit his books and records to examination by the War Food Administrator at any and all times.

(4) Furnish such information and such verified reports as the War Food Administrator may request.

(5) Obtain a bond with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator.

(6) Publicly disclose to handlers and producers, unless otherwise directed by the War Food Administrator, the name of any person who, within 15 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to section 5 or (ii) made payments pursuant to section 8.

(7) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof.

(8) Pay, out of the funds provided by section 9, (i) the cost of his bond and of the bonds of such of his employees as handle funds entrusted to the market administrator, (ii) his own compensation, and (iii) all other expenses necessarily incurred in the maintenance and functioning of his office.

(9) Promptly verify the information contained in reports submitted by handlers.

SEC. 3. *Classification of milk*—(a) *Basis of classification.* All milk, skim milk, or cream purchased or received by a handler or caused to be delivered by a cooperative association to a plant from which no milk is disposed of as Class I milk in the marketing area shall be reported by the handler and shall be classified by the market administrator in the classes set forth in (b) of this section.

(b) *Classes of utilization.* Subject to the conditions set forth in (a) and (d) of this section, the classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk, skim milk, or cream disposed of in the form of milk, skim milk, buttermilk, flavored milk and milk drinks, and cream, for consumption as cream (including any cream product in fluid form containing 6 percent or more butterfat), and all milk not specifically accounted for as Class II milk.

(2) Class II milk shall be all milk, skim milk, and cream, used to produce a milk product other than those specified in Class I milk and all milk accounted for as actual plant shrinkage: *Provided*, That allowance for such plant shrinkage shall not exceed 3 percent of the total receipts of milk from producers.

(c) *Responsibility of handlers.* In establishing the classification of milk as required in (b) of this section, the burden rests upon the handler who receives milk from producers to account for the milk and to prove to the market administrator that such milk should not be classified as Class I milk.

(d) *Transfers of milk and cream.* (1) Milk, skim milk, and cream shall be classified as Class I milk when moved from the plant of a handler (i) to the plant of another handler who receives milk from producers: *Provided*, That if such milk, skim milk, or cream was utilized in Class II, it shall be classified accordingly subject to verification by the market administrator; (ii) to the plant of a handler who receives no milk from producers other than milk of his own production; and (iii) to the plant of a nonhandler who distributes milk, skim milk, or cream in fluid form for consumption as such.

(2) Milk, skim milk, and cream received at the plant of a handler from sources other than producers or other handlers shall be Class II milk except for such milk in excess of the total Class II utilization of the receiving handler.

(3) Milk, skim milk, and cream, disposed of by a handler to the plant of a nonhandler who does not distribute milk, skim milk, or cream for consumption in fluid form shall be classified as Class II milk.

(e) *Computation of the milk in each class.* For each delivery period, the market administrator shall compute in the case of each handler the amount of milk in each class as defined in (b) of this section as follows:

(1) Determine the total pounds of milk, skim milk, and cream received as follows: add into one sum the total pounds of milk, skim milk, and cream received from (i) producers; (ii) the handler's own farm production; (iii) other handlers; and (iv) other sources.

(2) Determine the total pounds of butterfat received as follows: multiply by its average butterfat test the weight of the milk, skim milk, and cream received from (i) producers; (ii) the handler's own farm production; (iii) other handlers; and (iv) other sources. Add together the resulting amounts.

(3) Determine the total pounds of milk in Class I as follows: (i) Convert to pounds the total quantity of milk, skim milk, and cream, disposed of in each of the several products of Class I on the basis of 2.15 pounds per quart; (ii) add together the resulting amounts; and (iii) of the quantity of milk so computed when added to the pounds of milk in Class II computed pursuant to (5) (iv) of this paragraph is less than the total pounds of milk received in accordance with (1) of this paragraph an amount equal to the difference shall be added to the sum obtained in (ii) of this subparagraph.

(4) Determine to total pounds of butterfat in Class I as follows: (i) Multiply the actual weight of each of the several products of Class I by its average butterfat test; (ii) add together the resulting amounts; and (iii) if the quantity of butterfat so computed, when added to the pounds of butterfat in Class II computed pursuant to (6) (iv) of this paragraph is less than the total pounds of butterfat received in accordance with (2) of this paragraph, an amount equal to the difference shall be added to the sum obtained in (ii) of this paragraph.

(5) Determine the total pounds of milk in Class II as follows: (i) Compute the total pounds of milk, skim milk, and cream which were used to produce each of the several products of Class II; (ii) add together the resulting amounts; (iii) subtract the total pounds of milk in Class I computed pursuant to (3) (ii) of this paragraph and the total pounds of Class II milk computed pursuant to (ii) of this subparagraph from the total pounds of milk received computed pursuant to (1) of this paragraph, which resulting quantity, up to 3 percent of the total receipts of milk from producers, shall be allowed as plant shrinkage for the purpose of this paragraph; and (iv) add together the result obtained in (ii) of this subparagraph and the result obtained in (iii) of this subparagraph, up to 3 percent of the total receipts of butterfat from producers.

(6) Determine the total pounds of butterfat in Class II as follows: (i) Multiply the actual weight of each of the several products of Class II by its average butterfat tests; (ii) add together the resulting amounts; (iii) subtract the total pounds of butterfat in Class I milk computed pursuant to (4) (ii) of this paragraph and the total pounds of butterfat computed pursuant to (ii) of this subparagraph from the total pounds of butterfat computed pursuant to (2) of this paragraph, which resulting quantity, up to 3 percent of the total receipts of butterfat from producers, shall be allowed as plant shrinkage for the purpose of this paragraph; and (iv) add together the result obtained in (ii) of this subparagraph and the result obtained in (iii) of this subparagraph, up to 3 percent of the total receipts of butterfat from producers.

(7) Determine the classification of milk of producers as follows: (i) Subtract from the pounds of milk in each class the pounds of milk, skim milk, and cream received from other handlers and apportioned to each class in accordance with (d) of this section; (ii) subtract from the remaining pounds of milk in Class II the total pounds of milk, skim milk, and cream, except emergency milk, received from other sources: *Provided*, That if the quantity of such milk, skim milk, and cream received is greater than the remaining quantity of Class II milk of such handler, an amount equal to the difference shall be subtracted from the remaining pounds of Class I milk; and (iii) subtract pro rata from the remaining pounds of milk in each class, the total pounds of milk which were received from the handler's own farm production and emergency milk; and (iv) the result shall be known as the "net pooled milk" in each class.

SEC. 4. *Minimum prices*—(a) *Class prices.* Each handler shall, subject to the provisions of (b) of this section, pay at the time and in the manner set forth in section 8 not less than the prices set forth in this section per hundredweight of milk received during each delivery period at such handler's plant or caused by such handler to be delivered to a plant from which no milk is disposed of in the marketing area.

(1) For Class I milk, the price shall be 50 cents per hundredweight more than the price resulting from the following computation by the market administrator: determine the average of the basic or field prices per hundredweight ascertained to have been paid for milk of 3.5 percent butterfat content received during the period beginning with the 16th day of the previous month and ending with the 15th day of the current month at the plants listed in this subparagraph: *Provided*, That if the price so determined is less than the price computed by the market administrator in accordance with the following formula, such formula price shall be used in lieu of the above-stated price: (i) Multiply by six the average wholesale price per pound of 92-score butter at Chicago for the delivery period as reported by the United States Department of Agriculture (or such other Federal agency as may be hereafter authorized to perform this price reporting function); (ii) add 2.4 times the average weekly prevailing price of the cheese known as "Twins" during said delivery period on the Wisconsin Cheese Exchange at Plymouth,

Wisconsin (in the absence of such prices the prevailing price of "Twins" at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be hereafter authorized to perform this price reporting function) shall be used); (iii) divide the resulting sum by 7; (iv) add 30 percent thereof; and (v) multiply the result by 3.5.

Amboy Milk Products Co., Amboy, Ill.
Borden Company, Dixon, Ill.
Borden Company, Sterling, Ill.
Carnation Milk Company, Oregon, Ill.
Dean Milk Company, Belvidere, Ill.
Dean Milk Company, Pearl City, Ill.
Dean Milk Company, Pecatonica, Ill.
Libby, McNeil and Libby Co., Morrison, Ill.
Pet Milk Company, Schullsburg, Wis.
United Milk Products Co., Argo Fey, Ill.

(2) For Class II milk, the price shall be the result of the following computation by the market administrator: Multiply by 3.5 the average wholesale price per pound of 92-score butter at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be hereafter authorized to perform this price reporting function) during the delivery period in which such milk was received, add 20 percent thereof and add any plus amount resulting from the following calculation:

Subtract 6 cents from the average price per pound of casein and multiply such result by 2.3. The price per pound of casein to be used shall be the average of the carlot prices for unground casein f. o. b. drying plants in the Chicago area as reported by the United States Department of Agriculture (or such other Federal Agency as may be hereafter authorized to perform this price reporting function).

(b) *Butterfat differentials to handlers.* (1) If the average butterfat content of the milk of producers disposed of as Class I by any handler computed pursuant to section 3 (e) is more or less than 3.5 percent, such handler shall add to the Class I price per hundredweight computed pursuant to (a) (1) of this section for each one-tenth of 1 percent that the average butterfat content of such Class I milk is above 3.5 percent, or shall subtract from such Class I price for each one-tenth of 1 percent that the average butterfat content of such Class I milk is below 3.5 percent, an amount computed by the market administrator as follows: to the average wholesale price per pound of 92-score butter at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be hereafter authorized to perform this price reporting function) for the delivery period during which such milk was received, add 20 percent, divide the result obtained by 10, and add 1.0 cent.

(2) If the average butterfat content of the milk of producers disposed of as Class II by any handler computed pursuant to section 3 (e) is more or less than 3.5 percent, such handler shall add to the Class II price per hundredweight computed pursuant to (a) (2) of this section for each one-tenth of 1 percent that the average butterfat content of such Class II milk is above 3.5 percent, or shall subtract from such Class II price for each one-tenth of 1 percent that the average butterfat content of such Class II milk is below 3.5 percent, an amount computed by the market administrator as follows: to the average wholesale price per pound of 92-score butter at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be hereafter authorized to perform this price reporting function) for the delivery period during which such milk was received, add 20 percent, and divide the result obtained by 10.

(c) *Emergency price provision.* Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy or other similar payment being made by any Federal agency in connection with the milk or product, associated with the price specified: *Provided*, That if for any reason, the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any subsidy or other similar payment: *Provided*, That if the specified price is not reported or published and there is no applicable maximum uniform price or if the specified price is not reported or published and the War Food Administrator determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the War Food Administrator to be equivalent to or comparable with the prices specified.

SEC. 5. *Reports of handlers*—(a) *Periodic reports.* (1) On or before the 5th day after the end of each delivery period each handler, with respect to all milk or milk products which were, during such delivery period, (i) received from producers; (ii) received from other handlers; (iii) received from such handler's own farm production; (iv) received from any other source; or (v) caused to be delivered to a plant from which no milk is disposed of in the marketing area, shall report to the market administrator, in the detail and on forms prescribed by him, as follows:

(*a*) The receipts at each plant from producers who are not handlers;

(*b*) The receipts at each plant from any other handler, including any handler who is also a producer;

(*c*) The receipts at each plant from such handler's own farm production;

(*d*) The receipts at each plant from any other source;

(*e*) The utilization of all milk and milk products disposed of;

(*f*) The quantity of milk and milk products on hand; and

(*g*) The respective butterfat content of each of the above.

(2) On or before the 5th day after the end of each delivery period, the receipts at each plant of emergency milk as follows: (i) The amount of such milk and the average butterfat content thereof; (ii) the date or dates upon which such milk was received during the delivery period; (iii) the plant from which such milk was shipped; (iv) the prices paid or to be paid for such milk; (v) the utilization of such milk; and (vi) such other information with respect thereto as the market administrator may request.

(b) *Reports as to producers.* Each handler shall report to the market administrator within 10 days after the market administrator's request with respect to any producer and with respect to a period of time designated by the market administrator: (1) The name and address; (2) the total pounds of milk received; (3) the average butterfat test of milk received; and (4) the number of days upon which milk was received.

(c) *Reports of payments to producers.* On or before the 20th day after the end of each delivery period, each handler shall submit to the market administrator his producer pay roll for such delivery period, which shall show for each producer (1) the net amount of such producer's payments with the prices, deductions, and charges involved, and (ii) the total volume of milk received from such producer or caused by the handler to be delivered to a plant from which no milk is disposed of in the marketing area and the average butterfat test of such milk.

(d) *Reports of producer-handlers and handlers whose sole sources of supply are receipts from other handlers.* Producer-handlers and handlers whose sole sources of supply are receipts from other handlers shall report to the market administrator at such time and in such manner as the market administrator may request.

(e) *Verification of reports and payments.* The market administrator shall verify all reports and payments of each handler by audits of such handler's records and the records of any other handler or person upon whose disposition of milk such handler claims classification. Each handler shall keep adequate records of receipts and utilization of milk and shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities as will enable the market administrator to:

(1) Verify the receipts and disposition of all milk required to be reported pursuant to this section and, in the case of errors or omissions, ascertain the correct figures;

(2) Weigh, sample, and test for butterfat content the milk received from producers and any product of milk upon which classification depends; and

(3) Verify the payments to producers prescribed in section 8.

SEC. 6. *Application of provisions*—(a) *Producer-handlers.* (1) Sections 4, 7, 8, 9, and 10 shall not apply to the handling of milk by handlers (i) whose sole sources of supply are receipts from other handlers or (ii) who are producer-handlers pursuant to section 1 (g) as verified by the market administrator in the manner provided in (2) of this paragraph.

(2) Handlers shall furnish to the market administrator for his verification, subject to review by the War Food Administrator, evidence of their qualifications pursuant to section 1 (g), as of the effective date hereof, and they shall furnish evidence of subsequent changes made in the manner of producing or distributing their milk that affects their qualification as producer-handlers; such verification by the market administrator shall be made within 15 days of the date of receipt of the evidence and shall be effective retroactively to the effective date of the provisions hereof in cases verified within 45 days of such effective date and shall be effective retroactively to the first day of the delivery period during which verification is made in subsequent cases.

(b) *Emergency milk.* During any delivery period when the market administrator determines that the supply of milk available to any handler from producers and handlers is not sufficient to fulfill the Class I requirements of such handler, such handler, after giving notice to the market administrator of his intention to purchase milk from other than such sources, may secure milk from emergency sources on terms and conditions other than those provided in section 4 hereof. Emergency milk shall be reported to the market administrator by the receiving handler separately from milk received from producers and handlers in accordance with section 5 (a) (2). The person from whom the handler received such milk shall not be considered a handler with respect to milk disposed of in the marketing area under the circumstances described in this paragraph.

(c) *Payment for excess milk or butterfat.* If a handler, after subtracting receipts from his own farm production, receipts from other handlers, and receipts from sources determined as other than producers or other handlers, has disposed of milk or butterfat in excess of the milk or butterfat which, on the basis of his reports, has been credited to his producers as having been delivered by them, the market administrator in computing the net pool obligation of such handler pursuant to section 7 (a) shall add an amount equal to the value of such milk or milk equivalent of such butterfat in accordance with its actual utilization by the handler.

SEC. 7. *Determination of uniform price to producers*—(a) *Net pool obligation of handlers.* The net pool obligation of each handler for milk received from producers during each delivery period shall be a sum of money computed for such delivery period by the market administrator as follows: multiply the pounds of milk in each class computed pursuant to section 3 (e) by the class prices computed pursuant to section 4 (a) subject to the butterfat differentials set forth in section 4 (b), add together the resulting amounts and add the value of any payments required to be made pursuant to section 6 (c).

(b) *Computation of the uniform price.* For each delivery period the market administrator shall compute the uniform price per hundredweight of milk as follows:

(1) Combine into one total the net pool obligations of all handlers computed pursuant to (a) of this section who made the reports prescribed by section (5) and who made the payments prescribed by section 8 for the previous delivery period;

(2) Add an amount equal to one-half the cash balance in the producer-settlement fund less the amount due handlers pursuant to section 8 (g);

(3) Divide the resulting sum by the total quantity of net pooled milk of all handlers whose reports are included in the computation; and

(4) Subtract not less than 4 cents nor more than 5 cents per hundredweight of milk for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments or delinquencies in payment by handlers.

(c) *Announcement of prices.* On or before the 10th day after the end of each delivery period, the market administrator shall notify all handlers and make public announcement of the computations pursuant to (b) of this section, of the uniform price per hundredweight of milk, of the Class I and Class II prices computed pursuant to section 4 (a), of the butterfat differentials to handlers computed pursuant to section 4 (b), and of the butterfat differential to producers computed pursuant to section 8 (c).

(d) *Notification of handlers.* On or before the 10 day after the end of each delivery period, the market administrator shall notify each handler of the amount of his net pool obligation and of the amount by which such handler's net pool obligation is greater or less than the sum required to be paid producers by such handler pursuant to section 8 (a).

SEC. 8. *Payments for milk*—(a) *Time and method of payment.* Each handler shall make payment, subject to the butterfat differential set forth in (c) of this section, after deducting the amount of the payments made pursuant to (b) of this section, for milk purchased or received from producers by such handler during each delivery period as follows:

(1) To each producer, except as set forth in (2) of this paragraph, on or before the 15th day after the end of the delivery period during which such milk was purchased or received at not less than the uniform price per hundredweight computed pursuant to section 7 (b).

(2) To a cooperative association for milk which it causes to be delivered to a handler from producers and for which such cooperative association collects payments, on or before the 12th day after the end of the delivery period during which such milk was purchased or received, of a total amount equal to not less than the sum of the individual payments otherwise payable to such producers under (1) of this paragraph.

(b) *Half delivery period payments.* (1) On or before the last day of each delivery period, each handler shall, except as set forth in (2) of this subparagraph, make payment to each producer for the approximate value of the milk of such producer which, during the first 15 days of the delivery period, was received by such handler.

(2) At least 3 days before the end of each delivery period, each handler shall make payment to a cooperative association for milk which it causes to be delivered to a handler from producers and for which such cooperative association collects payments for the approximate value of the milk which such cooperative association caused to be delivered to such handler during the first 15 days of the delivery period.

(c) *Butterfat differential to producers.* If, during the delivery period, any handler has purchased or received from any producer milk having an average butterfat content other than 3.5 percent, such handler, in making the payments prescribed in (a) (1) and (2) of this section, shall add to the uniform price per hundredweight paid to such producer for each one-tenth of 1 percent of average butterfat content in milk above 3.5 percent not less than, or shall deduct from the uniform price per hundredweight paid to such producer for each one-tenth of 1 percent of average butterfat content in milk below 3.5 percent, not more than an amount computed by the market administrator as follows: to the average wholesale price per pound of 92-score butter at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be hereafter authorized to perform this price reporting function) add 20 percent, and divide the resulting sum by 10.

(d) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to (e) and (g) of this section and out of which he shall make all payments to handlers pursuant to (f) and (g) of this section: *Provided*, That the market administrator shall offset any such payment due to any handler against payments due from such handler. Immediately after computing the uniform price for each delivery period, the market administrator shall compute the amount by which each handler's net pool obligation is greater or less than the sum obtained by multiplying the mundredweight of milk of producers by the appropriate prices required to be paid producers by handlers pursuant to (a) of this section and adding together the resulting amounts. This amount shall be entered on each handler's account as such handler's pool debit or credit, as the case may be.

(e) *Payments to the producer-settlement fund.* On or before the 12th day after the end of each delivery period, each handler shall pay to the market administrator for payment to producers through the producer-settlement fund the amount by which the net pool obligation of such handler is greater than the sum required to be paid producers by such handler pursuant to (a) of this section.

(f) *Payments out of the producer-settlement fund.* On or before the 15th

day after the end of each delivery period, the market administrator shall pay to each handler for payment to producers the amount by which the sum reported to be paid producers by such handler pursuant to (a) of this section is greater than the net pool obligation of such handler.

(2) If the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who, on the 15th day after the end of each delivery period, has not received the balance of such reduced payment from the market administrator shall be deemed to be in violation of (a) of this section if he reduces his payments to producers by not more than the amount of the reduction in payment from the producer-settlement fund.

(g) *Adjustments of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors in payments to the producer-settlement fund made pursuant to (e) of this section, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 5 days of such billing, make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler pursuant to (f) of this section, the market administrator shall, within 5 days, make such payment to such handler. Whenever verification by the market administrator of the payment by a handler to any producer discloses payment to such producer of an amount which is less than is required by this section, the handler shall make up such payment to the producer not later than the time of making payment to producers next following such disclosure.

SEC. 9. *Marketing service*—(a) *Deductions for marketing services.* Except as set forth in paragraph (b) of this section, each handler shall deduct an amount not exceeding — cents per hundredweight (the exact amount to be determined by the market administrator, subject to review by the War Food Administrator) from the payments made to producers pursuant to section 8 with respect to all milk received by such handler during each delivery period from producers, and shall pay such deductions to the market administrator on or before the 15th day after the end of such delivery period. Such moneys shall be used by the market administrator to verify weights, samples, and tests of milk received by handlers from producers during the delivery period and to provide such producers with market information, such services to be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) *Producers' cooperative association.* In the case of producers for whom a cooperative association, which the War Food Administration determines to be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," is actually performing, as determined by the War Food Administrator, the services set forth in paragraph (a) of this section, each handler shall make, in lieu of the deductions specified in paragraph (a) of this section, such deductions from the payments to be made to such producers as may be authorized by such producers and, on or before the 15th day after the end of each delivery period, pay over such deductions to the cooperative association rendering such services of which such producers are members.

SEC. 10. *Expense of administration*—(a) *Payments by handlers.* As his pro rata share of the expense of the administration hereof, each handler, on or before the 15th day after the end of each delivery period, shall pay to the market administrator a sum not exceeding 5 cents per hundredweight with respect to all milk received during such delivery period from producers or from a producers' cooperative association or produced by such handler, the exact sum to be determined by the market administrator subject to review by the War Food Administrator: *Provided*, That such handler which is a cooperative association shall pay such pro rata share of expense of administration on only that milk of producers received by such association or caused to be delivered by such association to a plant from which no milk is disposed of in the marketing area.

(b) *Suits by market administrator.* The market administrator may maintain a suit in his own name against any handler for the collection of such handler's pro rata share of expense set forth in this section.

SEC. 11. *Effective time, suspension, or termination*—(a) *Effective time.* The provisions hereof or any amendment hereto, shall become effective at such time as the War Food Administrator may declare and shall continue in force until suspended or terminated, pursuant to paragraph (b) of this section.

(b) *Suspension or termination.* The War Food Administrator may suspend or terminate this order or any provision hereof, whenever he finds that this order or any provision hereof, obstructs, or does not tend to effectuate the declared policy of the act. This order shall terminate, in any event, whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the War Food Administrator so directs, be performed by such other person, persons, or agency as the War Food Administrator may designate.

(1) The market administrator, or such other person as the War Food Administrator may designate, shall (i) continue in such capacity until discharged by the War Food Administrator, (ii) from time to time account for all receipts and disbursements, and, when so directed by the War Food Administrator, deliver all funds or property on hand, together with the books and records of the market administrator, or such person to such person, as the War Food Administrator may direct, and (iii) if so directed by the War Food Administrator, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant hereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof, the market administrator, or such person as the War Food Administrator, may designate shall, if so directed by the War Food Administrator, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

SEC. 12. *Agents.* The War Food Administrator may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

Copies of this notice of hearing may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: May 27, 1944.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 44-7742; Filed, May 29, 1944; 11:24 a. m.]

WAR PRODUCTION BOARD.

AMIS OIL & BUTANE CO.

CONSENT ORDER

Edgar Amis, doing business as Amis Oil & Butane Company, at Anthony, New Mexico, is engaged in selling at retail liquefied petroleum gas equipment and plumbing and heating equipment.

He is charged by the War Production Board with having violated Preference Rating Order No. P-98-b by extending an AA-1 rating and placing on six purchase orders the symbol MRO-P-98-b and the certification provided in CMP Regulation No. 7 in purchasing between August 17, 1943, and October 26, 1943, from a manufacturer, 14 items of liquefied petroleum gas equipment consisting of butane systems for resale to his customers.

He is charged by the War Production Board with violating Limitation Order L-86 between December 12, 1942, and October 23, 1943, by making 20 sales to, and installations for, his customers, of butane systems, for the aggregate price of $5,361.64 without filing applications with, or obtaining authority from, the War Production Board.

He is charged by the War Production Board with violating Limitation Order L-79 between January 4, 1943, and October 23, 1943, by making 15 sales of new plumbing and heating equipment for the price of $1,713.34 in filling unrated orders or orders that were not supported by customers' certifications.

He is charged with violating Limitation Order L-23-c on October 7, 1943, by selling a new domestic range for $75 to B. Franklin of La Mesa, New Mexico, without receiving from the purchaser an A-10 preference rating, which sale was not made pursuant to a rationing order issued by the Office of Price Administration.

Edgar Amis admits having committed the aforesaid violations, but denies that the violations were wilful and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Edgar Amis, the Regional Compliance Chief and the Regional Attorney, and upon the approval of a Compliance Commissioner, *It is hereby ordered*, That:

(a) Deliveries of liquefied petroleum gas equipment, as defined in Limitation Order L-86, and new plumbing and heating equipment, as defined in Limitation Order L-79 to Edgar Amis, doing business as Amis Oil & Butane Company, or under any other name, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board unless hereafter specifically authorized, in writing, by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Edgar Amis, doing business as Amis Oil & Butane Company, or under any other name, his successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on May 25, 1944, and shall expire on August 25, 1944.

Issued this 18th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7536; Filed, May 25, 1944; 2:59 p. m.]

[Certificate 150, Amdt. 1]

FOREIGN PETROLEUM OPERATIONS

APPROVAL OF AMENDMENT TO P. A. W. DIRECTIVE

The ATTORNEY GENERAL.

Referring to Certificate No. 150 (8 F.R. 13995) issued pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), on October 7, 1943, I submit herewith Amendment No. 1 to Petroleum Directive 70 [1] of the Petroleum Administration for War.

For the purposes of the statute cited, I approve the amendment; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Petroleum Directive 70 as amended is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

MAY 24, 1944.

[F. R. Doc. 44-7636; Filed, May 27, 1944; 10:54 a. m.]

RAYMOND J. PIERCE

CONSENT ORDER

Raymond J. Pierce, of Brattleboro, Vermont, a building contractor, is charged by the War Production Board with having engaged in construction in violation of Conservation Order L-41 in the following instances: On slaughter house owned by R. L. Brooks, of Bellows Falls, Vermont, September 1943, approximate estimated cost $3,108; on residence of G. M. Householder, of Brattleboro, Vermont, March 1943, approximate estimated cost $303; on bull-barn of Ellsworth Bunker, Putney, Vermont, March, 1943, approximate estimated cost $1,056; on combined residential and business block owned by Harold Putnam, Main Street, Brattleboro, Vermont, December 1943, approximate estimated cost $5,935; on piggery owned by the Putney School, Putney, Vermont, July 1943, approximate estimated cost $4,664; on the main house of the Putney School used as dormitory, administration and class-room building, December 1943, approximate estimated cost $4,147. Raymond J. Pierce admits the violations as charged, but does not admit the wilfulness thereof and does not desire to contest the issue of wilfulness and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Raymond J. Pierce, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Deliveries of material to Raymond J. Pierce, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation or allotment shall be made to Raymond J. Pierce, his successors or assigns, directly or indirectly, of any material or product the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Raymond J. Pierce, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on date of issuance and shall expire on August 15, 1944.

Issued this 27th day of May 1944.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7702; Filed, May 27, 1944; 4:14 p. m.]

[1] *Supra.*

FEDERAL REGISTER

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Regulations

TITLE 7—AGRICULTURE

Chapter IX—War Food Administration

PART 947—MILK IN FALL RIVER, MASSACHUSETTS, MARKETING AREA

HANDLING OF MILK

Order amending the order, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area.

Findings and Determinations

Findings. Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure covering the formulation of marketing agreements and milk orders (7 CFR, Cum. Supp., 900.1–900.17; 7 F.R. 3550; 8 F.R. 2815), a public hearing was held upon certain proposed amendments to the tentatively approved marketing agreement and to the order, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area. Upon the basis of evidence introduced in such hearing and the record thereof, it is hereby found that:

1. The order regulating the handling of milk in the said marketing area, as amended and as hereby amended, will tend to effectuate the declared policy of the act;

2. The prices calculated to give milk produced for sale in said marketing area a purchasing power equivalent to the purchasing power of such milk, as determined pursuant to sections 2 and 8 (e) of the act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk. The minimum prices specified in the said order, as amended and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

3. The said order, as amended and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in the tentatively approved marketing agreement upon which a hearing has been held.

Determinations. It is hereby determined that handlers of at least 50 percent of the volume of milk which is marketed within the said marketing area refused or failed to sign the tentatively approved marketing agreement regulating the handling of milk in the said marketing area; and it is hereby further determined that:

1. The refusal or failure of such handlers to sign such tentatively approved marketing agreement tends to prevent the effectuation of the declared policy of the act;

2. The issuance of this order further amending the aforesaid order, as amended, is the only practical means pursuant to the declared policy of the act to advance the interests of the producers of milk which is produced for sale in the said marketing area; and

3. The issuance of this order further amending the aforesaid order, as amended, is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of the approval of the order, and who, during the determined representative period, were engaged in the production of milk for sale in the said marketing area.

Order Relative to Handling

It is, therefore, ordered, That, from and after the effective date hereof, the handling of milk in the Fall River, Massachusetts, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended; and the aforesaid order, as amended, is hereby further amended in the following respects:

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

	Page
ALIEN PROPERTY CUSTODIAN:	
Vesting orders:	
Chemische Fabrik Joh. A. Benckiser	5940
Chemische Werke Albert	5938
Demeulenaere, Jeanne, et al	5935
Faber & Schleicher A. G	5934
Grunberg, Wsevolode	5940
I. G. Farbenindustrie A. G	5934
New York Hamburger Gummi-Waaren Compagnie and Deutsche Tornesit G. m. b. H	5939
Riedel, J. D.,-E. de Haen A. G.	5940
Schaper, Elsbeth and Friedrich Peter Wolfgang	5936
Schuenzel, Louis G	5938
Siemens & Halske A. G	5936
Societe Anonyme Air Equipement	5937
Societe des Usines Chimiques Rhone-Poulenc	5939
Societe Rhodiaceta	5938
FEDERAL COMMUNICATIONS COMMISSION:	
Hearings:	
Bulova, Arde, et al	5929
Frontier Broadcasting Co., Inc	5930
Jester, Beauford H., et al	5929
Kimzey, Truett	5930
Portsmouth Radio Corp	5931
Shepard, Harwell V	5930
FEDERAL POWER COMMISSION:	
Hearings, etc.:	
Fort Peck Project, Missouri River, Mont	5931
Puget Sound Power and Light Co	5931
FEDERAL TRADE COMMISSION:	
Cease and desist orders:	
Preferred Havana Tobacco Co., etc	5889
Robinson, H. L., Co	5888
INTERSTATE COMMERCE COMMISSION:	
Fruits and vegetables, icing and reicing in designated States	5928
Reconsignment permits, etc:	
Carrots, Kansas City, Mo	5932
Lettuce, Asheville, N. C	5933

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

INTERSTATE COMMERCE COMMISSION—Continued.
Reconsignment permits, etc.—Continued. Page
Onions, Chicago, Ill. 5932
Potatoes:
Chicago, Ill. (2 documents) 5932, 5933
Huntingdon, Pa. 5933
Kansas City, Mo.-Kans. 5932
Pittsburgh, Pa. 5933
Tomatoes, Mexican, Chicago, Ill. 5933
Watermelons, Memphis, Tenn. 5932
OFFICE OF PRICE ADMINISTRATION:
Adjustment; Peerless Fountain Pen and Pencil Co., Inc. 5941
Anthracite, Pennsylvania (MPR 112, Am. 18) 5914
Anti-freeze (MPR 170, incl. Am. 1–8) 5909
Bituminous coal delivered from mine or preparation plant (MPR 120, Am. 100, Corr.) 5915
Cheese (RMPR 289, Am. 4, 5, 6) (3 documents) 5917, 5919, 5921
OFFICE OF PRICE ADMINISTRATION—Continued. Page
Defense-rental areas:
(Designation and Rent Declaration 31, Am. 19) 5915
(Rent Reg. for Hotels and Rooming Houses, Am. 22) 5915
(Rent Reg. for Housing, Am. 24) 5915
District office order; malt and cereal beverages, Memphis, Tenn., district 5941
Export sales to U. S. agencies buying for Lend-Lease purposes (2d Rev. MEPR, Am. 7) 5923
Fish flakes, sales by canners (MPR 537) 5924
Flooring, northern hardwood (MPR 432, Am. 3) 5925
Food rationing for institutional users (Gen. RO 5, Am. 67) 5915
Fruits and vegetables, fresh, for table uses; sales except at retail (MPR 426, Am. 29) 5926
Fuel oil (Rev. RO 11, Am. 9) 5926
Heels, rubber (MPR 200, incl. Am. 1–13) 5903
Hogskins and pigskins, cured domestic (Rev. SR 14, Am. 136) 5927
Logs:
Central (MPR 533–1, Corr.) 5914
Northeastern (MPR 533–5, Corr.) 5915
Pulpwood produced in Minnesota, Michigan and Wisconsin (RMPR 257, Am. 2, Corr.) 5909
Wiping cloths, unwashed and washed (MPR 484, Am. 2) 5916
WAR FOOD ADMINISTRATION:
Fluid milk and cream:
Jacksonville, Fla. 5888
Miami, Fla. 5888
St. Petersburg, Fla. 5888
Tampa, Fla. 5888
Livestock and meats, marking requirements for farmers (WFO 75–1, Am. 2) 5888
Milk, Wichita, Kans.; suspension of license 5944
Milk handling, Fall River, Mass., marketing area 5885
WAR MANPOWER COMMISSION:
Minimum wartime workweek:
Hastings, Nebr. 5944
Lansing, Mich. 5944
WAR PRODUCTION BOARD:
Army and Navy Munitions Board, preference rating authority (Dir. 31) 5890
Containers, fibre shipping; manufacture and use (L–317) 5893
Forgings in controlled material form (CMP Reg. 1, Dir. 25) 5898
Gooseberries, packing (L–103–b, Dir. 1) 5903
Hand trucks and other handling equipment (L–111) 5891
Maintenance, repair and operating supplies for Governmental agencies and institutions (CMP Reg. 5A) 5898
Suspension order; Medwed Footwear Co. 5891

1. In the last sentence of § 947.1 (a) (7) add after the clause "which it causes to be delivered to the plant of a handler," the words "but not a producer-handler,."

2. In § 947.3 (b) (2) change the period to a semicolon and add a second proviso as follows: "*Provided further*, That of any milk received from the type of handler described in § 947.6 (e), not less than the quantity of such milk allocated pursuant to § 947.7 (b) (3) (iii) shall be Class II milk."

3. In § 947.3 (d) revise subparagraphs (2) and (3) to read as follows:

(2) The difference between the amount determined pursuant to (1) of this paragraph and the total quantity of Class II milk allocated to source (3) milk pursuant to § 947.7 (b) (3) shall be such Class I milk.

(3) The total quantity of Class II milk referred to in (2) of this paragraph shall be such Class II milk.

4. Add a proviso to § 947.4 (a) as follows: "*Provided*, That for milk delivered to a handler from producers' farms at a receiving plant located more than 100 miles from the City Hall in Fall River, there shall be deducted the sum of 13 cents plus an amount per hundredweight equal to the lowest rail tariff, for the transportation, in carlots, of milk in 40-quart cans, as published in the New England Joint Tariff M4 (including revisions and supplements thereof), for the distance from the railroad shipping point for such receiving plant to the handler's railroad delivery point for the marketing area."

5. Revise § 947.4 (b) to read as follows:

(b) *Class II Price.* (1) Except as provided in (2) of this paragraph, each handler shall pay producers or associations of producers for their milk in the manner set forth in § 947.9, not less than that price per hundredweight, for milk containing 3.7 percent butterfat, calculated for each delivery period by the market administrator, as follows: divide by 33.48 the weighted average price per 40-quart can of 40-percent bottling quality cream in the Boston market, as reported by the United States Department of Agriculture (or by such other Federal agency as may be authorized to perform this function) for the delivery period during which such milk is delivered, or the last such price reported for a delivery period if no such price is reported for the delivery period during which such milk is delivered, multiply the result by 3.7 and subtract 15 cents: *Provided*, That any plus amount for skim value shall be added which results from the following computation: compute the average for all the dry skim milk powder quotations for carlots for "human food products (roller process) in barrels" and for "animal feed products (hot roller) in bags" (using mid-point of any range as one quotation), published during such delivery period, by United States Department of Agriculture (or by such other Federal agency as may be authorized to perform this function), for New York City, subtract 4.0 cents and multiply by 7.5.

(2) For milk delivered to a handler from producers' farms at a receiving plant located more than 100 miles from

the City Hall in Fall River, the price shall be the amount computed pursuant to (1) of this paragraph minus 14 cents.

6. Delete § 947.4 (d) (1) and renumber subparagraph (2) of the same paragraph to subparagraph (1).

7. Add a new paragraph to § 947.4 as follows:

(e) *Computation of transportation allowances.* For the purpose of this section, the milk which was disposed of during each delivery period by each handler as Class I milk from a receiving plant located within 100 miles of the City Hall in Fall River shall be presumed to have been, first, that milk which was received directly from producers' farms at such plant, and then that milk which was shipped from the nearest receiving plant located more than 100 miles from the City Hall in Fall River.

8. In § 947.6 delete from paragraph (d) the words "except that such handler shall make payments as specified in § 947.9 (i)" and change the comma to a period; in paragraph (e) delete the words "§ 947.9 (h), and § 947.11;" and in § 947.6 (g) (1) and (2) delete the word "and" preceding the word "§ 947.5" and the directly following it the words "and § 947.11."

9. Renumber paragraphs (a) and (b) of § 947.7, and all references thereto, to (b) and (c), respectively, and add a new paragraph (a) as follows:

(a) *Itemization of milk by sources.* For each delivery period, the market administrator shall determine for each handler, for purposes of reference in making the computations in (b) and (c) of this section, the quantity of milk received from the following sources:

(1) Producers and associations of producers on each of any lists maintained pursuant to § 947.6 (c).

(2) Producers pursuant to § 947.6 (d):

(i) With respect to the Greater Boston market; and

(ii) With respect to markets outside of the marketing area, other than Greater Boston.

(3) Producers, except milk listed in (1) and (2) of this paragraph.

(4) Handlers of the type described in § 947.6 (e).

(5) Other handlers, except milk listed in (4) of this paragraph.

(6) Plants, pursuant to § 947.6 (d):

(i) With respect to the Greater Boston market; and

(ii) With respect to markets outside of the marketing area, other than Greater Boston.

10. Revise § 947.7 (b) (3) to read as follows:

(3) For the purpose of this section, milk as referred to by sources described and listed in paragraph (a) of this section, shall be allocated among classes in the order of the subdivisions of this subparagraph, as follows:

(i) Actual plant shrinkage classified as Class II milk shall be allocated pro rata among sources listed in paragraph (a) (1), (2) (i), and (3).

(ii) Remaining Class II milk shall be first allocated to source listed in paragraph (a) (2) (ii),

(iii) Except as provided in (iv), in case a handler has milk from sources listed in (a) (1), (2), (4) or (6) and also has Class II milk remaining (inclusive of any plant shrinkage in Class II allocated to milk of source listed in (a) (3)) equal to 5 percent or more of the total quantity of milk from source listed in (a) (3), such Class II milk shall be first allocated to milk from source listed in (a) (3) up to and including, but not in excess of, 5 percent of the source listed in (a) (3) milk (inclusive of shrinkage allocated to source listed in (a) (3) milk, then remaining Class II milk shall be allocated to the milk from sources listed in (a) (1), (2), (4) and (6) pro rata, and any Class II milk remaining unallocated shall be considered to be from source listed in (a) (3) milk.

(iv) Milk from source listed in (a) (6) (i) received completely processed and packaged for distribution to consumers which is disposed of as Class I shall be allocated to Class I.

11. In § 947.6 (c) (1) and § 947.7 (b) (1) (vi) and 2 (vii), change the reference "§ 947.9 (g)" to "§ 947.9 (h)"; in § 947.9 (a) (1) and (2) change the references "paragraph (g)" and "paragraph (f)" to "paragraph (h)" and "paragraph (g)," respectively; and in § 947.7 (c) (1) and (2) delete the present subdivision (ii) and substitute therefor a new subdivision (ii) as follows:

(ii) Add the amount of the differential applicable pursuant to § 947.9 (f).

12. In § 947.9 delete paragraphs (h) and (i), renumber paragraphs (f) and (g) to (g) and (h), respectively, and add a new paragraph (f) as follows:

(f) *Country receiving plant and freight differentials.* The payments to be made by handlers to producers pursuant to (a) of this section shall be subject to a differential as follows: (1) With respect to milk delivered by a producer to a handler at a receiving plant located more than 100 miles from the City Hall in Fall River, there shall be deducted a sum of 13 cents plus an amount per hundredweight equal to the lowest railroad tariff for transportation in carlots of milk in 40-quart cans, as published in the New England Joint Tariff M4 (including revisions and supplements thereto), for the distance from the railroad shipping point of such receiving plant to the handler's delivery plant for the marketing area.

13. Revise § 947.11 (a) to read as follows:

(a) *Payments by handlers.* As his pro rata share of the expense of administration hereof, each handler, except as set forth in § 947.6, shall, on or before the 15th day after the end of each delivery period, pay to the market administrator 5 cents per hundredweight, or such lesser amount as the market administrator shall determine to be sufficient, with respect to all milk produced and delivered by producers and milk received pursuant to § 947.6 (d) or from handlers subject to § 947.6 (e), and by such handler if he is also a producer during such delivery periods: *Provided*, That such handler, which is an association of producers, shall pay, such pro rata share of expense of administration on such milk which it causes to be delivered by member producers to a handler's plant for the marketing area and for which milk such association of producers collects payment: *And provided further*, That any amounts paid on any of the milk specified herein by any handler for cost of administration of another Federal milk marketing agreement or order may be deducted from the amount due hereunder.

14. The following section shall also be a part of the order, as amended, in addition to §§ 947.1 through 947.14 of said order, as amended:

§ 947.15 *Marketing Committee*—(a) *Establishment.* At the request of handlers of more than 50 percent of the milk which is produced for sale in the marketing area, the Chief of the Dairy and Poultry Branch, Office of Distribution, War Food Administration (hereinafter referred to as "Chief of Branch") may select a committee, to be known as the "Marketing Committee," which shall have as its members representatives of the various groups directly interested in the marketing of milk in the marketing area, all of whom may be selected from among the persons nominated by the handlers in accordance with the procedure established by the Chief of Branch.

(b) *Duties.* The Marketing Committee shall have such duties as the Chief of Branch determines to be necessary and appropriate to effectuate the declared policy of the act in its application to this order, as amended, and the administration thereof; all of which duties shall be prescribed by the Chief of Branch.

(c) *Compensation.* The members of the Marketing Committee shall serve without compensation but shall be entitled to expenses necessarily incurred by them in the performance of their duties; and such expenses shall be paid by the market administrator out of the assessments collected hereunder for the cost of administration hereof.

(d) *Supervision.* Each and every act of the Marketing Committee shall be subject to the continuing right of the Chief of Branch or the War Food Administrator to disapprove at any time.

(e) *Procedure.* The procedure to be followed by the Marketing Committee shall be recommended by the market administrator hereunder and shall be approved by the Chief of Branch.

Issued at Washington, D. C., this 29th day of May, 1944, to be effective on and after the 1st day of June 1944.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 601 et seq.)

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

Approved: May 29, 1944.

FRED M. VINSON,
Director of Economic Stabilization.

[F. R. Doc. 44–7765; Filed, May 29, 1944; 3:28 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 79–115, Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN MIAMI, FLA., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–115 (9 F.R. 632, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Miami, Florida, metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.149 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–115, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–115, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 27th day of May 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–7696; Filed, May 27, 1944; 3:45 p. m.]

[WFO 79–116, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN TAMPA, FLA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–116 (9 F.R. 633, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Tampa, Florida, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.150 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–116, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–116, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 27th day of May 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–7697; Filed, May 27, 1944; 3:45 p. m.]

[WFO 79–117, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN JACKSONVILLE, FLA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–117 (9 F.R. 635, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Jacksonville, Florida, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.148 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–117, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–117, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 27th day of May 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–7698; Filed, May 27, 1944; 3:45 p. m.]

[WFO 79–143, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN ST. PETERSBURG, FLA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–143 (9 F.R. 3763, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the St. Petersburg, Florida, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.177 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–143, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–143, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 27th day of May 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–7690; Filed, May 27, 1944; 3:45 p. m.]

[WFO 75–1, Amdt. 2]

PART 1410—LIVESTOCK AND MEATS

REMOVAL OF MARKING REQUIREMENTS FOR FARMERS

War Food Order No. 75–1, as amended and partially suspended (8 F.R. 11327, 16007, 9 F.R. 4319), § 1410.17, is further amended as follows:

1. By deleting the words "and Class 3" from the first sentence of (o) (1).

2. By deleting subparagraph (4) under (o) thereof.

This order shall become effective at 12:01 a. m., e. w. t., May 27, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 75–1, as amended, prior to the effective date of this amendment, all provisions of War Food Order No. 75–1, as amended, in effect prior hereto shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 8 F.R. 11119, 9 F.R. 4319)

Issued this 27th day of May 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–7695; Filed, May 27, 1944; 3:33 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4906]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

H. L. ROBINSON CO.

§ 3.51 *Enforcing dealings or payments wrongfully:* § 3.71 (f) *Neglecting, unfairly or deceptively, to make material disclosure; terms and conditions:* § 3.72 (n 10) *Offering deceptive inducements to purchase or deal; terms and conditions:* § 3.805 *Securing orders falsely or misleadingly:* § 3.81 *Securing signature*

wrongfully or deceptively. In connection with offer, etc., in commerce, of Neon Signs (1) using forms of lease which provide for automatic renewal at the expiration of the stated lease term unless the provisions for such renewal are set forth in full in immediate connection with and as conspicuously as the provisions which relate to the initial term of the lease; (2) procuring, or attempting to procure, signatures to contracts for lease or purchase by misrepresenting the terms thereof or by preventing the other parties from, or hampering them in, having a sufficient opportunity to discover the true and entire contents thereof, by the use of forms, which upon the side presented for signature appear to be complete but in which are incorporated by reference other contractual provisions set forth on the reverse side thereof, or otherwise; and (3) installing coin meters in which sums to be paid as rental for or the purchase price of such signs are to be deposited, in such a fashion as to deprive the lessee or purchaser of electric current for other purposes in the event that coins are not deposited as required by the lease or sale agreement unless such lessee or purchaser is specifically advised prior to such installation of the said consequences of such installation; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Hubert L. Robinson, trading under the name H. L. Robinson Company, Docket 4906, May 2, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 2d day of May, A. D. 1944.

In the Matter of Hubert L. Robinson, Trading as H. L. Robinson Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of the respondent, in which answer respondent admits all of the material allegations of fact set forth in said complaint and states that he waives all intervening procedure and further hearing as to said facts; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent Hubert L. Robinson, trading under the name H. L. Robinson Company, or any other name, his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of Neon Signs, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using forms of lease which provide for automatic renewal at the expiration of the stated lease term unless the provisions for such renewal are set forth in full in immediate connection with and as conspicuously as the provisions which relate to the initial term of the lease.

2. Procuring, or attempting to procure, signatures to contracts for lease or purchase by misrepresenting the terms thereof or by preventing the other parties from, or hampering them in, having a sufficient opportunity to discover the true and entire contents thereof, by the use of forms, which upon the side presented for signature appear to be complete but in which are incorporated by reference other contractual provisions set forth on the reverse side thereof, or otherwise.

3. Installing coin meters in which sums to be paid as rental for or the purchase price of such signs are to be deposited, in such a fashion as to deprive the lessee or purchaser of electric current for other purposes in the event that coins are not deposited as required by the lease or sale agreement unless such lessee or purchaser is specifically advised prior to such installation of the said consequences of such installation.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44–7785; Filed, May 30, 1944; 11:09 a. m.]

[Docket No. 4983]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PREFERRED HAVANA TOBACCO COMPANY, ETC.

§ 3.6 (cc) *Advertising, falsely or misleadingly—Source or origin—Place—Domestic product as imported:* § 3.66 (k) *Misbranding or mislabeling—Source or origin—Place—Domestic product as imported:* § 3.96 (a) *Using misleading name—Goods—Source or origin—Place—Domestic product as imported:* § 3.96 (b) *Using misleading name—Vendor—Product.* In connection with offer, etc., in commerce, of cigars, (1) using as a brand name, firm name, or otherwise, the words or terms "Eden de Bances y Lopez Habana," "Flor del Mundo de B. Bros. & D. Habana," or "Calixto Lopez y Ca. Habana," or any other word, words, or terms, or any pictorial representation, indicating Cuban manufacture or a Cuban manufacturing location in connection with cigars not made or manufactured in the City of Havana, Cuba, from Cuban tobacco; (2) using the words or term "Fully Prepared in Cuba," or any other words or terms indicating or implying Spanish or Cuban origin, in connection with cigars made or manufactured in the United States, unless the tobacco used in making such cigars is a product of Cuba and has been treated and processed in Cuba as represented, and such words or terms are accompanied by a statement in letters of at least equal conspicuousness that such cigars are of domestic manufacture and that the language "Fully Prepared in Cuba" refers only to the tobacco in such cigars; and (3) using the word "Imported," or any other word or words of similar import, to designate, describe, or refer to any cigar not made or manufactured in a foreign country and imported into the United States, or otherwise misrepresenting the origin of respondent's products; prohibited; subject to the proviso, however, that nothing contained in the order shall operate to prohibit the use by respondent of the word "Havana," alone or in conjunction with any other appropriate word or words, to describe or designate only the type or origin of tobacco composing its cigars, if such tobacco was grown in and is the product of the Island of Cuba. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Preferred Havana Tobacco Company, etc., Docket 4983, April 28, 1944]

In the Matter of Preferred Havana Tobacco Company, a Corporation, Trading Also as Bastillo Bros. & Diaz, Inc., Calixto Lopez & Company, Lopez Hermanos, and Bances y Lopez

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of April, A. D. 1944.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of the respondent, and a stipulation as to the facts entered into between counsel for the Commission and counsel for the respondent which provides, among other things, that without further evidence or other intervening procedure the Commission may enter and serve upon respondent findings as to the facts and conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Preferred Havana Tobacco Company, a corporation, trading as Bustillo Bros. & Diaz, Inc., Calixto Lopez & Company, Lopez Hermanos, and Bances y Lopez, or trading under any other name, and its representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of cigars in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using as a brand name, firm name, or otherwise, the words or terms "Eden de Bances y Lopez Habana," "Flor del Mundo de B. Bros. & D. Habana," or "Calixto Lopez y Ca. Habana," or any other word, words, or terms, or any pictorial representation, indicating Cuban manufacture or a Cuban manufacturing location in connection with cigars not made or manufactured in the City of Havana, Cuba, from Cuban tobacco.

2. Using the words or term "Fully Prepared in Cuba," or any other words or terms indicating or implying Spanish or Cuban origin, in connection with cigars made or manufactured in the United States, unless the tobacco used in making such cigars is a product of Cuba and has been treated and processed in Cuba as represented, and such words or terms are accompanied by a statement in letters of at least equal conspicuousness

that such cigars are of domestic manufacture and that the language "Fully Prepared in Cuba" refers only to the tobacco in such cigars.

3. Using the word "Imported," or any other word or words of similar import, to designate, describe, or refer to any cigar not made or manufactured in a foreign country and imported into the United States, or otherwise misrepresenting the origin of respondent's products.

It is further ordered, That nothing contained herein shall operate to prohibit the use by respondent of the word "Havana," alone or in conjunction with any other appropriate word or words, to describe or designate only the type or origin of tobacco composing its cigars, if such tobacco was grown in and is the product of the Island of Cuba.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-7784; Filed, May 30, 1944; 11:09 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Directive 31, as Amended May 30, 1944]

PREFERENCE RATING AUTHORITY OF THE ARMY AND NAVY MUNITIONS BOARD

§ 903.44 *Directive 31*—(a) *Purpose.* The purpose of this directive is to delegate to and define the authority of the Army and Navy Munitions Board with respect to the assignment of preference ratings.

(b) *Priorities Directives of the Army and Navy Munitions Board.* The Army and Navy Munitions Board, with the concurrence of the War Production Board, may establish schedules of preference ratings within limits prescribed by WPB Program Determinations in the form of ANMB Priorities Directives covering contracts, purchase orders and other similar procurement documents for the delivery of materials to or for the account of:

(1) The Army (including the Panama Canal) and the Navy (including the Marine Corps and the Coast Guard). This does not include material procured by any of the above under the Act of March 11, 1941 (Lend-Lease Act) which is not for the direct use of the armed services of a foreign country.

(2) U. S. Army and Marine Corps Post Exchanges; U. S. Navy and Coast Guard Ship's Service Departments; War Shipping Administration Training Organization Ship's Service activities.

(3) The following agencies of the Federal Government: Coast and Geodetic Survey; National Advisory Committee on Aeronautics; Civil Aeronautics Administration; Selective Service System; Office of Scientific Research and Development; Office of Strategic Services; Maritime Commission; War Shipping Administration; Weather Bureau; U. S. Soldiers Home (Washington, D. C.).

(4) American Red Cross and United Service Organizations, Inc., activities directly connected with military personnel.

(5) Foreign governments, for the procurement of material on a cash basis for the use of their armed services.

(6) Appropriate State officials, for the purchase of State Guard uniforms.

(7) Institutions and schools training military personnel under supervision of the military.

(8) Units of the Reserve Officers Training Corps, for the purchase of uniforms for trainees.

(c) *Deliveries which may be rated.* The Army and Navy Munitions Board may assign preference ratings to:

(1) Deliveries in fulfillment of contracts and purchase orders of the kinds described in paragraph (b), including deliveries of material to be incorporated in command construction, Engineers Corps construction, Panama Canal construction or CAA construction (see subparagraphs (3), (4), (5) and (6) below).

(2) Deliveries of machine tools or other capital equipment to prime contractors or subcontractors to produce items being procured under a prime Army or Navy contract. Directive 23 (§ 903.35) requires War Production Board approval of ratings assigned for machine tools and other capital equipment.

(3) Command construction; that is, the following types of projects ordered built by either the Chief of Staff, U. S. Army, or the Chief of Naval Operations, U. S. Navy: air fields; military housing; alien housing; facilities for the repair of finished items of munitions; overseas or theatre of operations construction; seacoast fortifications; ports and depots; camouflage and other passive defense projects (whether or not owned and operated by the Army or Navy); emergency flood control projects having a value of less than $100,000; military hospitals; maneuver, training and staging areas and proving grounds.

(4) Engineers Corps construction; that is, projects which (i) have been determined by the War Production Board to be essential, (ii) are built by or under the supervision of the Corps of Engineers (and where appropriate, completed by the Army Air Forces) in accordance with a design directive approved by an authorized representative of the War Production Board and (iii) will be owned, leased, maintained or operated by or under the direction of the War Department, and financed by War Department funds.

(5) Panama Canal construction; that is, projects (other than command construction) which are owned by the Panama Canal.

(6) CAA construction; that is, (i) projects for the construction of airports financed under the appropriation for "Development of Landing Areas for National Defense" (Public Law 528, 77th Congress, 2nd Session) and which (a) have been determined by the War Production Board to be essential, (b) are built under the supervision of the Army, Navy or Civil Aeronautics Administration, and (c) are built in accordance with specifications of the Bureau of Yards and Docks, U. S. Navy, or the Corps of Engineers, U. S. Army; and (ii) projects for the construction of the following airway facilities requested by the Army or Navy and financed from Civil Aeronautics Administration, Army or Navy appropriations: (a) Intermediate landing fields to be operated by and situated on property owned or leased by the U. S. Government; (b) airway lighted aids, that is, automatically operated lighted aids to contact flight operations on a designated flying route between airfields; (c) radio facilities, that is, radio transmitting stations producing identifying signals received by aircraft in flight; and (d) communication facilities, that is, facilities to collect and disseminate weather reports and maintain two-way communications with aircraft in flight or with other stations.

(7) Maritime MRO; that is (i) deliveries of materials and equipment immediately required for the maintenance, repair and operation of ships and other property directly related to ships and shipping, including all watercraft, other than pleasure craft, stevedoring equipment, equipment used in the operation of marine terminals, plant equipment of shipyards and ship repair yards and facilities; and (ii) deliveries of materials immediately required for maintenance, repair and operating supplies for neutral ships in ports of the United States, after clearance of the vessels' status has been made with the Foreign Economic Administration.

(d) *Redelegation of authority to assign ratings.* The authority delegated to the Army and Navy Munitions Board in paragraph (c) may be redelegated by that Board, either directly or through channels, to procurement, contracting and inspecting officials or other authorized officials of the Army and Navy and to the agencies enumerated in paragraph (b) and officials thereof. However, the authority delegated in subparagraph (c) (7) may be redelegated by the Army and Navy Munitions Board only to the United States Maritime Commission or War Shipping Administration and officials thereof. Any general instructions regarding the assignment of ratings which are issued by the Army and Navy Munitions Board shall be approved before issuance by the War Production Board. Approval of specific adjustments made by ANMB within the limits prescribed by WPB Program Determinations is not required.

(e) *Method of assigning ratings.*—(1) Where a preference rating is to be assigned to a production schedule at the time allotments are made, or to construction, and the schedule or construction is authorized under the Controlled Materials Plan the preference rating shall be assigned on an allotment form, on a construction authorization form, on Form WPB-542 (formerly PD-3A), or as prescribed in subparagraph (3) below.

(2) All other preference ratings assigned under this directive shall be assigned on Form WPB-542 (formerly PD-3A) or as prescribed in subparagraph (3) below.

(3) When any government agency mentioned in paragraph (b) assigns a preference rating to deliveries to be made to it or for its account, it may do so by placing the rating on the purchase order or contract and endorsing the order or contract with a certification substantially as follows: "By authority of the War Production Board the preference ratings indicated are assigned to the deliveries on this purchase order or contract." This certification may be placed on a purchase order or contract by means of a rubber stamp or printed on the order or contract form. The certification need not be signed separately if the purchase order or contract is signed by an official who is authorized to assign ratings on behalf of the agency which is placing the order or contract. This method of assigning a rating may not be used when machine tools or capital equipment are ordered by prime or subcontractors, even if the delivery is for the account of the government agency assigning the rating. All provisions of War Production Board orders or regulations applicable to Form WPB-542 (formerly PD-3A) including approval of ratings required by Directive 23, shall be applicable to purchase orders and contracts rated under this subparagraph.

(4) Reratings may be issued or effected within WPB program determinations in the manner prescribed by Priorities Regulation 12.

(5) Every rating assigned under this directive on a form or certificate shall be assigned in the manner prescribed therein without attaching any further conditions or qualifications.

(f) *Application and extension of ratings.* Ratings assigned under this directive may be applied and extended only in accordance with applicable regulations of the War Production Board.

(g) *Directives and administrative orders superseded.* This directive supersedes Division Administrative Order No. 1 of the Division of Industry Operations, War Production Board, issued February 23, 1942, all amendments thereof and memoranda supplemental thereto, and all delegations of authority to assign preference ratings which have been heretofore issued to the Army and Navy Munitions Board or to any Service of the Army, to the Army Air Forces, or to any Bureau of the Navy.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696)

Issued this 30th day of May 1944.

WAR PRODUCTION BOARD,
By C. E. WILSON,
Executive Vice Chairman.

[F. R. Doc. 44-7786; Filed, May 30, 1944; 11:01 a. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-552]

MEDWED FOOTWEAR COMPANY

P. E. Medwed, who does business as the Medwed Footwear Company in Bangor, Maine, is a shoe manufacturer and a large part of his business consists of the manufacture of moccasins. On April 7, 1943, he filed an appeal for relief from the provisions of Conservation Order M-217. Pursuant to this appeal, on April 28, 1943, the War Production Board granted the respondent the authority to use scrap and offal of cattle hide upper leather, 4½ ounces or over in the manufacture of moccasins with the understanding he would use no pieces large enough to cut work shoe uppers. Having subsequently obtained 2071 pounds of full grain leather 4½ ounces or over of which from thirty to fifty percent was large enough for cutting work shoe uppers, respondent cut and used all of such leather for the manufacture of moccasins, in violation of Conservation Order M-217. The respondent had full knowledge of the provisions of Conservation Order M-217 and his actions constituted a wilful violation of that order.

These violations of Conservation Order M-217 have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.552 *Suspension Order No. S-552.* (a) P. E. Medwed, doing business as Medwed Footwear Company, or under any other name, his successors or assigns, shall not put into process any cattle hide upper leather (other than kip sides, kip skins and calf) including upper leather splits, gauging 4½ ounces or over for the manufacture of any foot wear except work shoes, cowboy utility boots and lined police type high shoes, as specified in Conservation Order M-217, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve P. E. Medwed, doing business as Medwed Footwear Company, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on May 29, 1944, and shall expire on September 29, 1944.

Issued this 22d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7781; Filed, May 29, 1944; 4:32 p. m.]

PART 1236—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-111, as Amended May 30, 1944]

HAND TRUCKS AND OTHER HANDLING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of steel and other materials, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1236.112 *General Limitation Order L-111*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Manufacturer" means any person who fabricates or assembles hand trucks, platforms, pallets, portable (platform type) elevators, or racks.

(3) "Hand Truck" means any truck, lift truck, lift jack, dolly, or trailer, not self-power propelled, with one or more free running wheels or casters, designed or used for transporting material of any kind; except (i) a hospital cart designed for moving materials in parts of hospitals customarily used by patients; (ii) a concrete buggy or cart covered by Order L-192; or (iii) a trailer for use on the highway or for use in earth moving, mining, logging, or petroleum development.

(4) "Dolly" means any low platform or structure mounted on wheels or casters (or one or more of each), and designed primarily for moving bulky loads on floors.

(5) [Revoked, September 6, 1943].

(6) "Lift truck" means a hand truck designed or used to lift and support a platform or pallet in moving. "Lift jack" means a hand truck designed or used to lift and support a part of a semi-live platform in moving.

(7) "Two wheel hand truck" means a hand truck in which the load is partly carried or balanced by a person, even though such hand truck may be equipped with more than two wheels or casters.

(8) "Platform truck" means a hand truck consisting of a platform on wheels or casters or both, not self-power propelled.

(9) "Trailer" means a platform type truck designed to be towed.

(10) "Platform" means any platform, deck or skid, with or without box top or enclosure, standing on legs or other supports, and used or designed primarily for use in conjunction with hand or power operated lift trucks, portable (platform type) elevators, or similar devices. "Semi-live platform" means a platform with one or more wheels, or casters, and one or more legs or similar supports.

(11) "Pallet" means a single or double faced support designed primarily for the same purposes as a platform.

(12) "Portable (platform type) elevator" means any elevating device, mounted on wheels or casters (or one or more of each), with either power or hand operated lift, used or designed primarily for elevating or lowering material, for purposes of tiering, stacking, or access to elevated places.

(13) "Rack" means any rack or other structure used or designed primarily for the storage of pallets or platforms, or storage or draining (or both) of barrels, drums, carboys, or similar containers.

(14) [Deleted Apr. 1, 1944]

(15) "Copper or copper base alloy" means unalloyed copper metal, or alloy metal containing 40% or more by weight of copper metal. It shall include unalloyed copper metal or alloy metal produced from scrap.

(16) [Deleted Apr. 1, 1944]

(b) *Restrictions on acceptance of orders for hand trucks, platforms, and portable (platform type) elevators, and parts.* (1) No manufacturer, dealer or other person shall accept any order for any new hand truck, platform, or portable (platform type) elevator, or any new parts for any such equipment, or deliver any such equipment or parts under any order tendered on or after April 13, 1943, unless such order bears a preference rating of AA-5 or higher.

(2) The foregoing requirements shall not apply to any order for parts to be delivered to a manufacturer or dealer for resale for repair purposes, or to any other person for use in the repair of any such equipment already owned by such person, if the purchaser furnishes his supplier with a certification in substantially the following form, on the purchase order or in a separate document:

I hereby certify that the above (or attached) order is for parts to be used for repair purposes only, in compliance with paragraph (b) (2) of General Limitation Order L-111.

---------- Company

By ----------
(Authorized Official)

Such certification shall in every case be signed by the purchaser or an authorized official, either manually or as provided in Priorities Regulation No. 7. No person shall make delivery under any such order if he knows or has reason to believe that such certificate is false; and no person shall falsely furnish any such certification. Such certification shall constitute a representation to the War Production Board, as well as to the supplier, that the statements therein are true. Any supplier may rely upon the information therein, and shall not be responsible for any action taken by him under this order in reliance upon inaccurate or untrue statements therein, unless he knows or has reason to believe that such statements are inaccurate or untrue.

(c) [Deleted May 30, 1944]

(d) *Required specifications for hand trucks and other handling equipment.* No person shall manufacture or deliver any new hand trucks, platforms, pallets, racks, or portable (platform type) elevators, or deliver any new wheels, or other parts for use on any such new equipment or for replacement on any such used equipment, except in accordance with the specifications and restrictions set forth below, and no person shall deliver, or accept delivery of, any such equipment which he knows, or has reason to believe, was manufactured, or is being delivered, contrary to such specifications and restrictions:

(1) [Revoked September 6, 1943].

(2) *Restriction on the use of bearings and materials.* No ball bearings or roller bearings shall be used in the manufacture of two-wheel hand trucks, platform trucks, dollies, or semi-live platforms, except (i) where the normal load capacity is 2,500 lbs. or more, and (ii) where carburized rolling elements and unground races are used. This restriction shall not be deemed to prohibit the use of pin bearings using unground steel pins of other than alloy steel.

(3) [Deleted Apr. 1, 1944]

(4) [Deleted Apr. 1, 1944]

(5) *Restrictions on use of copper and copper base alloy.* No copper or copper base alloy shall be used in the manufacture of hand trucks, pallets, or platforms, except in hydraulic packing washers, or where the use of other materials would create a definite explosion hazard as a result of the necessity of using such equipment in the same room with, or in other close proximity to materials subject to explosive reaction from sparks, such as black powder, lead azide, igniter composition, tracer mixtures, primer mixtures, incendiary composition, vapors from combustible substances, or dust from explosives. However, brass may be used in bearings where bearings are permitted under paragraph (d) (2).

(6) *Restrictions on use of aluminum, tin, cadmium, zinc, and metallic plating and finishes.* No aluminum, tin, cadmium, zinc, metallic plating or metallic finishes shall be used in the manufacture of hand trucks, pallets, or platforms, except that zinc may be used for galvanizing.

(e) [Deleted Apr. 1, 1944]

(f) *Exemptions and exceptions.* (1) [Deleted Apr. 1, 1944]

(2) The limitations and restrictions of paragraph (d) of this order shall not apply:

(i) To the manufacture, delivery and acceptance of parts which are to be used for repair and maintenance only and which cannot be used for replacement on existing equipment in a practical manner if made in conformity with such specifications and restrictions;

(ii) To the manufacture, delivery and acceptance of parts which on April 23, 1943, had been fabricated or processed to the extent that any other use would be impractical;

(iii) To the manufacture, delivery and acceptance of any hand trucks or other handling equipment in the process of manufacture on April 23, 1943, and to be used in filling any order accepted by the manufacturer prior to said date;

(iv) [Deleted Apr. 1, 1944]

(3) [Deleted Apr. 1, 1944]

(g) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as issued and amended from time to time.

(2) [Revoked September 6, 1943].

(3) [Revoked September 6, 1943].

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal. This letter must be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(6) *Communications.* All reports to be filed and other communications concerning this order should be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref.: L-111.

Issued this 30th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

Questions have arisen as to whether the term "hand truck", as defined in paragraph (a) (3), includes equipment of the following kinds:

So-called "carriers" of the types furnished for the use of customers in self-service grocery stores for carrying small quantities of groceries to the cashier's desk; equipment of similar design used in offices for moving light wire baskets of correspondence and the like about the office; and canvas covered baskets or hampers used for moving linens, trash, and other very light materials. Items of these kinds of equipment consist of a very light frame work mounted on small wheels or casters.

Equipment of these kinds is not included in the definition of "hand truck", and is not covered by Order L-111.

It is to be noted, however, that hand trucks of heavier construction, such as those used by the employees in retail stores for moving cases or boxes of merchandise about the store in restocking the shelves or for other purposes, are covered by the order along with other trucks of still heavier construction. (Issued Mar. 6, 1944)

INTERPRETATION 2

Book trucks, dish trucks, food carts, laundry trucks and laundry truck tubs, linen trucks, and shelf trucks are within the definition of "hand trucks" in paragraph (a) (3), except for hospital carts of the kinds which are specifically excluded by that definition, and except for "carriers" of the kinds described in Interpretation 1. Neither are such hospital carts and carriers within any of the other classes of equipment which are covered by the order.

It is to be noted that the term "hand trucks" includes both two wheel hand trucks and other kinds which have more than two wheels or casters and that paragraphs (b), (d) (5), and (d) (6) therefore apply to hand trucks of all types which are covered by the order (as well as other kinds of equipment referred to in these paragraphs). (Issued Apr. 1, 1944.

[F. R. Doc. 44-7787; Filed, May 30, 1944; 11:01 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-317 as Amended May 29, 1944]

FIBRE SHIPPING CONTAINERS; MANUFACTURE AND USE

The fulfillment of requirements for the defense of the United States has created shortages in the supply of materials entering into the production of fibre shipping containers for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3270.6 *Limitation Order L-317*—(a) *"Fibre shipping container"*. For purposes of this order, the term "fibre shipping container" means the following items:

(1) Any box, crate, case, basket, or hamper in set-up or knock-down form which is made in whole or in part from solid fibre (.045 or heavier) or corrugated fibre and which is used for the delivery or shipment of materials. This does not include the following: trunks, luggage, or military locker boxes; fibre cans, tubes, or drums; inner cartons (except corrugated inner cartons and except inner cartons made from solid fibre .045 or heavier). It also does not include combination wood-and-fibre shipping containers consisting of 50% or more wood (by area).

(2) Any solid fibre (.045 or heavier) or corrugated fibre sheet or roll to be used for wrapping, packaging, or otherwise protecting a product or material for shipment. This does not include corrugated or solid fibre sheets produced for delivery to plants, of the type commonly referred to in the container-manufacturing industry as "sheet-plants", for their use in manufacturing fibre shipping containers.

(3) Any solid fibre (.045 or heavier) or corrugated fibre interior fitting which is cut to size for use in any type of container to provide content protection, structural strength, or both. This includes, but is not limited to, the following: partitions; pads; liners; sun bursts; corrugated wrappers (single-faced, double-faced, double-walled).

(b) *"User"*. The term "user" means any person who uses fibre shipping containers for the shipment or delivery of materials in connection with his business.

(c) *"Containerboard content"*. The term "containerboard content" means the amount of solid fibre (.045 or heavier) or corrugated fibre containerboard in a fibre shipping container. This amount is computed both in terms of weight and in terms of square feet.

Manufacture and Delivery Prohibitions

(d) *General.* No person shall manufacture or deliver any new fibre shipping container which he has reason to believe will be used or accepted in violation of any provision of this order. No person shall deliver any new fibre shipping container (including "reshippers" defined in paragraph (m)) to any user unless the user furnishes with each purchase order a certification, signed as provided in Priorities Regulation 7, in substantially the following form:

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order L-317 of the War Production Board, and that the fibre shipping containers (or reshippers) covered by this purchase order will not be accepted or used in violation of the terms of that order.

If the user places a rated order, instead of the foregoing certification he may add to the certification of the rating (paragraph (v) of P-146) the following sentence: "The undersigned also certifies that the fibre shipping containers (or reshippers) covered by this purchase order will not be accepted or used in violation of the terms of Order L-317". The person receiving either certification shall be entitled to rely on it as a representation of the user unless he knows or has reason to know that it is false. The standard certification in Priorities Regulation 7 may not be used instead of the certification required by this paragraph.

(e) *Prohibited types (Schedule I).* No person shall manufacture, from solid fibre (.045 or heavier) or corrugated fibre, any container of the types listed in Schedule I of this order.

Use Prohibitions

(f) *Prohibited uses*—(1) *Schedule II.* Schedule II of this order lists certain products which may not be packed in new fibre shipping containers and certain other products which may not be packed in less than specified quantities, in new fibre shipping containers. No user shall accept or use any new fibre shipping container for any product in violation of Schedule II. This restriction does not apply to (i) containers used for wholesalers' or retailers' deliveries (as defined in Schedule III of this order), (ii) empty containers used by the Army or Navy, or (iii) containers which are quota exempt under paragraph (t) below.

(2) *Carlining.* No person shall use in the shipping of any product any new solid fibre (.045 or heavier) or corrugated fibre sheet or roll as carlining except where needed for door-blocking. When such sheet or roll is used for door-blocking, only the necessary practicable minimum quantity shall be used.

(g) *V-boxes.* No user shall use any new V-box for packing any product except for delivery against military or Lend-Lease orders which specify that V-boxes be used. No user shall accept delivery of any V-boxes unless he has reason to believe that he will need them for the use permitted in this paragraph. The restrictions of this paragraph shall not apply to empty V-boxes used by the Army and Navy. The term "V-boxes" means shipping containers of the types designated as V-1, 2 and 3, in Army Specification O. Q. M. G. No. 93, dated December 2, 1942, and of the similar types described in Navy Department Specification 53B11 (INT.) and in Food Distribution Administration Specification 1742-C.

Quota Restrictions

(h) *Quota products (Schedule III).* Schedule III of this order lists certain products, and certain types of container uses. Beginning as of October 1, 1943, users are permitted to accept delivery of or use only a limited amount of new fibre shipping containers for packing any of the listed products (or for any of the listed uses), during each 3-month period (exclusive of amounts which are quota-exempt under paragraph (t) below). The limited amounts are called "quotas". The 3-month periods are called "quota periods". As explained below, there are two types of quotas—"footage quotas" and "tonnage quotas".

(h-1) *Quotas for products added to Schedule III on May 29, 1944.* For all products added to Schedule III for the first time on May 29, 1944, the percentage specified applies immediately, and, until July 1, 1944, users are permitted to accept delivery of or use for those products one-third of the quota which they would have for the quota period covering the second calendar quarter of 1944.

(i) *Quota restriction.* During any 3-month quota period, the total containerboard content of the new fibre shipping containers accepted or used by any user for packing any Schedule III product (or for any Schedule III use) shall exceed neither his footage quota nor his tonnage quota for that product (or use). Quotas are to be computed in accordance with the next four paragraphs below. (The restrictions of this paragraph shall not apply to empty containers used by the Army or Navy or to

containers which are quota-exempt under paragraph (t) below).

(j) *Computing footage quota.* A user's "footage quota" for any Schedule III product (or use) shall be the following amount: the containerboard content (in terms of square feet) of the new fibre shipping containers used by him during the corresponding 3-month period in 1942 (or other year if specified) for packing that product (or for that use) multiplied by the quota percentage listed in Schedule III for that product (or use).

(k) *Computing tonnage quota.* A user's "tonnage quota" for any Schedule III product (or use) shall be the following amount: the containerboard content (in terms of weight) of the new fibre shipping containers used by him during the corresponding 3-month period in 1942 (or other year if specified) for packing that product (or for that use) multiplied by the quota percentage listed in Schedule III for that product (or use). In the case of a Schedule III product, the resulting amount may be increased to the extent permitted in the next paragraph.

(l) *Minimum-pack allowance.* If a user's tonnage quota for any Schedule III product is not enough for a "minimum pack" of that product, his tonnage quota for that product is increased to the extent needed for a minimum pack. However, the footage quota for that product is not increased. "Minimum pack" means the amount of a Schedule III product packed by the user during the corresponding 3-month period in 1942 (or other year if specified) multiplied by the quota percentage listed in Schedule III for that product.

(m) *Adjustments for "reshippers".* For quota purposes, "reshippers" shall be treated as though they were new fibre shipping containers. Accordingly, the containerboard content of all reshippers used by a user during the corresponding quarter of 1942 (or other year if specified) for packing a Schedule III product may be included in figuring his footage and tonnage quotas (paragraphs (j) and (k) above). Likewise, the containerboard content of all reshippers accepted or used by a user during any quota period for packing any Schedule III product shall be charged to his footage and tonnage quotas for that product. The term "reshippers" means new fibre shipping containers in which empty inner containers (such as glass jars, cans, etc.) are shipped to a packer and which are then used by the packer for shipping or delivering inner containers packed by him with some product. Paragraph (d) prohibits any person from delivering reshippers to any user unless the user furnishes with each purchase order the certification required by that paragraph.

Inventory Restrictions

(n) *Inventory restrictions.* No person shall accept any delivery which will increase his inventory of unfilled new fibre shipping containers to more than his maximum permitted inventory. He may figure his maximum permitted inventory in either (but not both) of two ways—"over-all" basis or "individual-item" basis.

(o) *Over-all basis.* On the over-all basis, his maximum permitted inventory of all sizes and types shall be no more than a combined total of 1½ carloads.

(p) *Individual-item basis.* On the individual-item basis he figures a separate inventory for each "container item class." In each class he figures how many he will need to meet his reasonably anticipated requirements in the next 30 days (as restricted by a quota on Schedule III, if any). If that is more than 1200 complete sets of that class his inventory for that class is his 30-day requirement; if not, it is 1200. The total of all his classes figured in this way will be his maximum permitted inventory, which he may divide among his several sizes and types as he sees fit. A "container item class" includes all new fibre shipping containers of the same or similar sizes and types currently being used by him. (A variation in size or type which does not make a container unsuitable for shipping the same amount of a product in substantially the same shape and form shall not be considered as representing a different size or type.)

(q) *Seasonal-foods and military exceptions.* The 30-day supply maximum in paragraph (p) above shall not apply to requirements for packing seasonal foods or to the Army's or Navy's requirements for empty new fibre shipping containers. Instead, the "practicable minimum working inventory" provision in § 944.14 of Priorities Regulation 1 (and Interpretation 1a of that regulation) shall apply in those cases.

Multiple-Unit Organizations

(r) *Multiple-unit organizations.* Any user who uses new fibre shipping containers at more than one place may choose to apply the quota and inventory restrictions of this order either to the operations of each place separately or to the collective operations of all his places. The same choice as to the inventory restrictions is available to any container-distributor who deals in new fibre shipping containers at more than one place. After making his choice, no person shall thereafter change it unless authorized by the War Production Board. Any user or container-distributor organization which consists of a parent corporation and one or more wholly-owned subsidiary corporations may consider itself as a single user or distributor for the purposes of this paragraph.

Exceptions and Exemptions

(s) *Small-user exception.* The quota restrictions of paragraph (i) above do not apply to any user during any calendar year in which he accepts no more than a total of $500 worth (cost price to him) of new fibre shipping containers for all products (whether or not on Schedule III).

(t) *Use and quota exemptions for certain government orders.* The use prohibitions of paragraph (f) above and the quota restrictions of paragraph (i) above do not apply to new fibre shipping containers which are used by any user (whether a manufacturer or a distributor) for delivering any product to any of the following persons or which are used by any user for delivering any product to be redelivered by another party (without further processing, fabrication, or incorporation into any other product, exclusive of wholesalers' and retailers' minor finishing or decorative operations as mentioned in Schedule III) to any of the following persons:

(1) The U. S. Army or Navy (exclusive of post exchanges or ship's service departments located within the 48 states and the District of Columbia).

(2) The Maritime Commission; the War Shipping Administration; or to other persons pursuant to authorization by the Maritime Commission on Form WPB-646 (formerly PD-300).

(3) Any U. S. agency making Lend-Lease purchases.

New fibre shipping containers used for those purposes may be regarded as being in addition to the user's quota for the product involved.

(u) *Exceptions for stocks in transit or on hand.* Any user may use for the purpose for which he acquired them any new fibre shipping containers which were in his possession or which were in transit to him on or before October 11, 1943. In the case of any product added to Schedule II after that date he may use for that product the containers which he had acquired or which were in transit to him for that product on or before the date on which the item was added to the schedule. These exceptions are subject to the quota restrictions of paragraph (i).

Miscellaneous Provisions

(v) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(w) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington 25, D. C., Ref: L-317.

(x) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(y) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 29th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I—PROHIBITED TYPES OF CONTAINERS

Paragraph (e) of Order L-317 prohibits the manufacture of the following types of containers from solid fibre (.045 or heavier) or corrugated fibre.

a. Bottle and can carry-outs
b. Counter boxes
c. Display-shippers
d. Laundry boxes and laundry shells
e. Retail gift boxes

SCHEDULE II—PROHIBITED USES

NOTE: Schedule II, formerly B, amended as indicated by underscoring, and "venetian blinds" under paragraph h deleted May 29, 1944.

Pursuant to paragraph (f) of Order L-317, users' acceptance or use of new fibre shipping containers for packing the products listed below (or, where specified below, for packing less than a specified quantity of certain products listed below) is prohibited. Some exceptions from this prohibition are allowed in paragraphs (t) and (u) of the order. In addition, paragraph (f) specifies that its prohibition does not apply to containers used for wholesalers' or retailers' deliveries (as defined in Schedule III). However, new fibre shipping containers so used for any product below must be charged to the wholesaler's or the retailer's over-all quota under Schedule III.

a. Paper products:
Advertising displays—counter, window, or floor (including the dispenser type of display).
Catalogues.
Magazines, including house organs.
Posters.
Punch boards.
b. Fresh vegetables:
Cucumbers.
Green corn.
Onions.
Potatoes (white).
Rutabagas.
Turnips.
c. Building Materials:
Building brick (except glass brick).
Cement—except household.
Cork—except pipe covering and slabs.
Flooring, wood, molding, mopboards, trim and wainscoting.
Insulation board, rigid (except insulating tile and panel and cork insulation board which are on Schedule III).
Non-rigid insulation—(except slabs, blocks, batts, blankets, and formed and/or metal-encased insulation)
Plaster—cement, lime, gypsum (this does not include dental, orthopedic, and industrial-mold grades)
Sash and doors, except glazed, not finished further than primed
Shingles (except asbestos siding shingles and asphalt shingles which are on Schedule III)
Tile—except acoustical, asphalt, and glazed or unglazed floor, wall or facing tile
d. Textiles (except clothing):
Awnings
Blankets and comforters—less than 6 per package
Carpets and carpeting
Mattresses—less than 4" thick
Rugs
Tents
Waste wiping rags
e. Hardware:
Buckets and pails—wood or metal (except metal pails manufactured solely for use as dairy and milk pails and except porcelain-enameled pails)
Cans—refuse, garbage
Garden and farm tools, 18" or more in length—including but not limited to: Hose, rakes, shovels
e. Hardware—Continued.
Handles, 18" or more in length—including but not limited to: shovels, picks, axes, etc.
Wash tubs—wood or metal
f. Glass products:
1-pt. home canning jars—less than 24 per case
g. Horticultural items:
Bulbs
Ornamental shrubs
Seeds (flower)
h. Miscellaneous:
Athletic uniforms
Ball bats
Baskets—wicker, splint, etc.
Bridles
Brooms and broom handles, except as listed on Schedule III.
Charcoal—except activated carbon
Coal
Cones—fir or pine
Fertilizers
Furniture—lawn and porch (except glass parts)
Furniture—unfinished, set-up (except glass parts)
Horse collars
Hose—rubber and fabric, except wire inserted
Ironing boards
Ladders
Linoleum and printed floor coverings—rugs and rolls
Mops—except oil mops
Nuts, unshelled
Peanuts, unshelled
Peat moss
Playground equipment—wood, metal
Rope, string and twine
Saddles
Tape, gummed—cloth, paper or sisal, in rolls of 500 ft. or more
Trunks (in carload lots)
Whips and crops

SCHEDULE III—PRODUCTS AND USES SUBJECT TO QUOTAS

NOTE: Schedule III amended in its entirety May 29, 1944.

Paragraph (i) of Order L-317 places quotas on the amount of new fibre shipping containers (including reshippers as defined in paragraph (m) of the order) that may be accepted or used for packing the products or for the types of uses listed below. The percentage listed opposite the item is to be used in figuring the quotas. The base period is the corresponding 3-month period in 1942 unless another year is specified in the schedule, for example "Mirrors (1943)".

Code numbers in front of some items (for example, CDGS-429 Batteries: dry cell) refer to the code numbers on the Official CMP Product List set out in "Products and Priorities" published monthly by the War Production Board, the latest copy of which may be found in any War Production Board office or obtained from the United States Government Printing Office. Each such item covers each product listed under that code number and group name in the List. The percentage applicable to the code number is applicable to each separate product and the quota for one item may not be transferred to another item in the same group. In order to find out whether any product is covered by a code number, follow the directions in the front of "Products and Priorities". The restrictions of this order apply to the product even though it may not contain copper, steel or aluminum (controlled materials). An asterisk indicates that there is no code number for the product.

In the case of products which were on the schedule before the amendment of May 29, 1944, (Schedule C) the new percentages do not apply until July 1, 1944. Until that date the percentage which formerly appeared remains applicable. See paragraph (h-1) for the rules relating to products added May 29, 1944.

The products listed below do not include repair parts, which are not restricted by the order.

NOTE: Items marked with an asterisk cover products that are not covered by code numbers.

RESTRICTED PRODUCTS

Code	Product	Quota
		Percent
(*)	Adhesives, household: including but not limited to glue, paste, etc.	70
(*)	Advertising displays: counter, window, floor, including the dispenser type of display (except those made of paper which are listed in Schedule II)	50
PLUM-586	Air (warm) distribution equipment: registers, smoke pipe, ducts	60
(*)	Albums, scrap books, diaries, drawing books, cut-outs	50
(*)	Amusement equipment: automatic phonographs and gaming machines as defined in L-21, pool and billiards	50
(*)	Animal proprietary drug remedies	80
CDGS-424	Appliances, cooking or heating; commercial electric	70
CDGS-425	Appliances, cooking or heating; domestic electric	60
CDGS-426	Appliances, not cooking or heating; commercial electric (1943)	70
CDGS-427	Appliances not cooking or heating; domestic electric (except flat irons)	60
(*)	Art supplies	70
(*)	Artificial fruit	50
(*)	Asphalt tile	70
(*)	Athletic equipment and sporting goods not otherwise listed on Schedule II or III	70
(*)	Automotive polish, waxes and cleaners	70
CDGS-675	Baby carriages and other baby conveyances	70
(*)	Banks, coin	50
TEX-907	Baskets, hampers: canvas	85
CDGS-429	Batteries: dry cell	80
CDGS-543	Bed springs and inner-spring mattresses	60
CDGS-694	Beds, couchee: dual sleeping and seating equipment	70
CDGS-657	Bells and gongs: not electric	70
(*)	Beverage compounds, concentrates and syrups including but not limited to drink powders and soft drink concentrates	80
(*)	Beverages:	
	Distilled spirits, as defined in Schedule VI of Order L-103-b	70
	Malt, as defined in Schedule VI of Order L-103-b	70
	Wines	70
	Non-alcoholic, as defined in Schedule VI of Order L-103-b	70
(*)	Books	70
(*)	Brooms and floor sweeps of the following types (not including handles): staple set, wire drawn and pitch set with wooden blocks and backs	70
(*)	Brushes: (bristle, hair), domestic, etc.	70
TEXT-670	Brushes: fiber, steel, wire	70
CORK-721	Building material accessories, asbestos (except as otherwise listed)	50
BLDG-723	Building products: non-metallic; metal reinforced (except items on Schedule II)	50
BLDG-705	Building products: sheet metal	50
BLDG-700	Building products: wire fabricated	50
LUMB-743	Buildings: prefabricated wooden	50
(*)	Building products and materials not otherwise listed, except cork insulation board	50
PLUM-801	Burners: gas conversion: domestic	50
PLUM-802	Burners: oil: domestic	50
(*)	Calendars, blotters	50
(*)	Candles	70
ODGS-655	Castiron ware	50
(*)	Chewing gum	80

RESTRICTED PRODUCTS—Continued

Code	Product	Quota
		Percent
(*)	China, glass, porcelain, wood, plastic, clay and pottery-ware (for food preparation and serving): including but not limited to plates, dishes, cups, saucers, bowls, platters, baking dishes, and pitchers	70
(*)	China, glass, porcelain, wooden, plastic, clay and pottery-ware (not for food preparation and serving), domestic, including but not limited to vases, pots, statues, decorative products, and art products	50
(*)	Cleaning preparations—household, including but not limited to: soaps, polishes, waxes, bleaches, bluing, laundry starch, water softening compounds, cleaning compounds, wall paper cleaner, glass cleaner, deodorants	80
CDGS-654	Clocks, watches, chronometers (except alarm clocks)	70
(*)	Clothing and clothing accessories (not otherwise listed), including but not limited to suits, overcoats, topcoats, raincoats, shirts, ties, gloves (except rubber), overshoes (except rubber), underwear, socks, stockings, dresses, blouses, bedroom slippers, belts, garters, veils, hats, hose, mufflers, scarfs, aprons, slips, brassieres, work clothes, but excluding safety clothes as defined in Order L-114	70
(*)	Combs	70
CDGS-915	Consumers durable goods, miscellaneous (1943)	50
	Art sets: juvenile.	
	Baby swings.	
	Basing machines, fluorescent lampmaking.	
	Basing machines, incandescent lampmaking.	
	Baskets, willowware, reed, straw.	
	Bins, bench, steel.	
	Boxes, flower, window: metal: not food storage.	
	Boxes: steel shell rigid type for personal items such as eyeglasses, gifts, instruments, jewelry, watches.	
	Cases, for personal accessories such as gifts, jewelry, pen sets: watches: not made by textile or leather goods manufacturers, not paperboard.	
	Costumes: masquerade type.	
	Decorations: Christmas lighting.	
	Dehydrators: food: domestic.	
	Doll accessories.	
	Dolls.	
	Food dehydration equipment: fruit, vegetable: domestic.	
	Frames: photo.	
	Frames: picture.	
	Furniture: toy.	
	Gymnasium equipment: juvenile.	
	Hampers: laundry.	
	Hampers: reedware.	
	Hampers: willowware.	
	Irons: gasoline: domestic.	
	Magic sets: toy.	
	Mahjong.	
	Manikins: mannequins: doll.	
	Mats: stove: metal.	
	Ouija boards.	
	Puzzle sets.	
	Puzzles.	
	Science sets: juvenile.	
	Sleds.	
	Stands: Christmas tree.	
	Swings: baby.	
	Tricks.	
	Vehicles: children's play.	
	Visible record equipment: metal.	
PLUM-609	Controls: combustion, heat generation and distribution: not industrial	85
PLUM-579	Convectors: heating: steel, copper or aluminum	80
PLUM-582	Cooking equipment: commercial: not electric	85

RESTRICTED PRODUCTS—Continued

Code	Product	Quota
		Percent
(*)	Cosmetics	60
CDGS-544	Cots, bunks, berths, metal: not shipboard	70
(*)	Cushions, pillows, stuffed stools, hassocks and ottomans	60
CDGS-648	Cutlery	70
CDGS-110	Cycles: power: not motorcycles	85
(*)	Decalcomanias and transfers: except industrial	80
(*)	Dentifrices	70
PLUM-474	Dishwashing and glass washing machinery: commercial	85
BLDG-701	Doors, windows, metal, metal clad: not shipboard, transportation vehicle	70
CDGS-660	Emblems, pin tickets, tags: not military (1943)	80
CDGS-684	Enamelware (except hospital enamelware as defined in Order L-30-b)	70
(*)	Feathers and cotton batting: packed for domestic use	50
TOOLS-664	Files and rasps	85
CDGS-533	Flashlight cases and portable electric lanterns: incandescent	70
(*)	Floor covering: including mats, pads and runners, except items on Schedule II	70
(*)	Flowers and plants: cut or potted	60
CDGS-583	Food preparation and serving fixtures, equipment, appliances: commercial: not cooking	85
(*)	Food products:	
	Bakery goods	100
	Beans, peas and lentils: dried edible	90
	Butter	80
	Caviar	40
	Cereals	100
	Coffee, tea and spices (1941)	85
	Confectionery	80
	Corn meal	90
	Dessert products	65
	Dried fruits	100
	Filling, pie and cake	65
	Flavorings	65
	Flour (except home baking mixes)	100
	Food coloring	65
	Horseradish	80
	Macaroni	90
	Marshmallow and marshmallow cream	65
	Mustard	80
	Noodles	90
	Oleomargarine	100
	Pectin	90
	Popcorn—candied and otherwise, except unpopped	65
	Popcorn, unpopped	80
	Potato chips	65
	Pretzels	50
	Puddings	65
	Relishes	80
	Rice	90
	Salad Dressings	80
	Salt (for all purposes)	80
	Spaghetti	90
	Sugar	80
	Vermicelli	90
	All other foods (except fishery and dairy products, meat, poultry, eggs and processed seasonal vegetables and fruits) (1943)	85
(*)	Fruit, artificial	50
PLUM-587	Furnaces: warm air	85
CDGS-545	Furniture: wooden, except as listed in Schedule II	70
(*)	Furniture: not otherwise listed	70
CDGS-682	Galvanized ware and nonmetal coated metal articles: buckets, tubs, wash boilers, fire shovels, funnels, storage cans, pails, not garbage pails (except those listed in Schedule II)	85
CDGS-682	Galvanized ware and nonmetal coated metal articles: garbage pails, garbage cans, ash cans, except those listed in Schedule II	85
(*)	Games, toys, children's play equipment: as defined in L-81 and not otherwise listed	85
OOBK-724	Glass products: fibrous	65
(*)	Greeting cards and illustrated post cards, as defined in Order L-289	80
CDGS-661	Hair pins, bob pins, hair curlers (1943)	70

RESTRICTED PRODUCTS—Continued

Code	Product	Quota
		Percent
(*)	Hair tonics, shampoos and hair dressing preparations	60
BLDG-706	Hardware, builders	70
BLDG-708	Hardware: casket, furniture, ladder, locker, luggage, refrigerator, hose fittings, not fire hose or flexible metal hose, screw eyes, and other bright wire goods	75
PLUM-594	Heating facilities: low pressure steam and hot water	85
PLUM-585	Heaters, (Unit) and unit heating ventilators: not direct fired	70
PLUM-595	Heaters: water: not electric	70
TEXT-662	Hooks, eyes, slide and snap fasteners, buckles, buttons, miscellaneous apparel and shoe findings	70
(*)	Ink	70
(*)	Incense, odor neutralizers: except industrial	50
(*)	Insulation board—tile and panel	70
CDGS-651	Jewelry, toilet sets, cigaret holders, etc	70
(*)	Lace and ribbon	70
CDGS-537	Lamps and lanterns: liquid fuel	85
CDGS-423	Lamp bulbs and tubes: electric: including lamp bulb and tube bases	85
CDGS-536	Lamps: portable electric: incandescent: not industrial bench machine or physiotherapy	70
(*)	Leather: goat, kid, cabretta, kangaroo	70
(*)	Leather: all other	70
TEXT-908	Leather goods, textile and clothing, miscellaneous: except as listed in Schedule II	70
PRIN-212	Looseleaf binders and parts	70
CDGS-665	Marking devices	70
(*)	Matches	70
(*)	Mattresses: (except as listed in Schedule II)	60
LUMB-741	Millwork: woodwork (except as listed in Schedule II)	70
CDGS-666	Mirrors (1943)	50
CDGS-670	Morticians goods	85
SERV-547	Motion picture projection equipment: 35 MM	70
CDGS-671	Musical instruments (as defined in L-37-a)	60
TEXT-715	Nails and tacks: cut nails made from tack plate, wire shoe nails, non-ferrous nails, tacks	85
CDGS-663	Needles: domestic	70
CDGS-672	Office supplies	70
(*)	Ornaments—made of glass, plastic, pottery, china, metal, wood, paper, or leather (except those listed in Schedule II or III)	70
(*)	Paper or paper products not otherwise listed, except condenser tissues, closures, inner-containers, cups and dishes	70
(*)	Paint, varnishes, roof coatings and cements. This item includes but is not limited to pigmented oil or oleoresinous: ready mixed, semipaste or paste, white lead in oil, colors in oil, pigmented or clear lacquers, resin emulsion paste, caseinpaste, vegetable protein paste; casein and calcimine paints in dry form or other paints and paint materials in dry form	70
(*)	Party and festivities materials: including but not limited to: favors, tallies, horns, masquerade supplies, party napkins, score pads, place cards, decorative paper dishes and holders, crepe paper, crepe paper products, banners, flags, streamers, decorations, festivity costume supplies	70
CDGS-673	Pens and pencils	70
(*)	Perfume and toilet preparations (not cosmetic)	60
(*)	Pet foods: dry (except proprietary drug remedies)	70
PRIN-229	Photo-engravings	85
CDGS-648	Photographic equipment, accessories: not 35 mm motion picture projection equipment	70
(*)	Pictures, plaques, tapestries, mountings, folders	50
CDGS-664	Pins: common, safety	70
(*)	Pipes, smoking	80

RESTRICTED PRODUCTS—Continued

Code	Product	Quota
		Percent
BLDG-703	Plastering bases and plastering accessories	70
PLUM-923	Plumbing and heating: miscellaneous	85
	Gasoline heaters: perishable food van.	
	Gasoline heaters: shipboard.	
	Gasoline preheaters: aircraft engine.	
	Heaters: gasoline: perishable food van	
	Heaters: gasoline: shipboard	
	Needle valves: domestic heating and cooking appliance	
	Preheaters: gasoline: aircraft engine	
PLUM-571	Plumbing fixture fittings and plumbing fixture trim	70
PLUM-570	Plumbing: sanitary ware	70
(*)	Printing and publishing products except products otherwise listed in Schedules II and III	70
PRIN-226	Printing trades machinery and equipment	85
PLUM-610	Pumps: low pressure heating	85
PLUM-580	Radiators: cast iron	50
CDGS-630	Razor blades	70
CDGS-649	Razors: not electric (1943)	70
(*)	Records: phonograph	50
CDGS-530	Refrigerators: ice: domestic (1943)	70
(*)	Sanitary papers	85
BLDG-704	Screen cloth: insect: metal	70
(*)	Shingles and siding, asbestos and asphalt	70
(*)	Shoes (except rubber)	85
(*)	Shoe polish, cleaners, creams, dressings, dyes and preservatives	70
(*)	Signs and signboards	60
CDGS-652	Silverware: plated (1943)	70
CDGS-653	Silverware: sterling	50
(*)	Shades: household	60
(*)	Soap, except industrial	80
(*)	Souvenirs, novelties, pennants, walking canes	50
(*)	Sponges: natural or artificial, except industrial	60
CDGS-677	Sporting goods: except those listed in Schedule II; not mechanical rubber goods	70
(*)	Sporting goods: all other not listed in Schedule II or III	70
CDGS-688	Staples and staplers: cohered staples and rolls of wire for hand operated stitchers; staple driving tackers: hand or foot operated stapling devices: hand operated stitchers	70
PLUM-581	Stoves and ranges, cooking: domestic: not electric	85
PLUM-584	Stoves, heating: domestic: not electric	85
PLUM-593	Stokers: grate area 36 feet or less	70
CONT-716	Strapping and seals: metal: round, flat	85
PLUM-695	Tanks, hot water storage	50
TEXT-908	Textile, clothing and leather goods, miscellaneous, except those listed in Schedule II	70
	Awning frames.	
	Awnings.	
	Bags: textile luggage.	
	Basins: canvas folding.	
	Belts: duck: conveyor, transmission.	
	Billfolds: leather.	
	Boat covers: duck.	
	Boxes, cases, non-rigid: leather or fabric type for personal items such as combs, files, knives, spectacles.	
	Boxes: hat: shoe: luggage	
	Brief cases: leather	
	Canvas products: fabricated	
	Carriers: animal: luggage	
	Carryalls: luggage	
	Cases: bottle: luggage	
	Cases: canvas.	
	Cases: cosmetic: luggage	
	Cases: dispatch	
	Cases: leather luggage.	
	Cases: salesmen's display: luggage.	
	Coin purses: leather.	
	Collars: dog.	
	Cots: canvas folding	
	Dog furnishings: leather.	
	Handbags.	

RESTRICTED PRODUCTS—Continued

Code	Product	Quota
		Percent
TEXT-908	Textile, etc.—Continued	
	Handles: leather.	
	Handles: luggage.	
	Hat findings:	
	Hat frames.	
	Haversacks.	
	Holsters: pistol.	
	Insignia: textile.	
	Key cases: leather.	
	Leather bags.	
	Leather scabbards.	
	Lockers: Army: luggage.	
	Lockers: foot.	
	Luggage bags.	
	Metal cloths: textile.	
	Novelties: leather.	
	Pocketbooks.	
	Pouches: canvas.	
	Pouches: leather.	
	Purses: leather and textile.	
	Razor strops.	
	Rifle scabbards: leather.	
	Rucksacks.	
	Satchels.	
	Scabbards: leather.	
	School bags.	
	Shoe trees.	
	Suitcases.	
	Tents.	
	Traveling bags.	
	Trees: shoe.	
	Trunks: luggage.	
	Valises.	
	Vanity cases: leather bound.	
	Wallets: leather.	
	Wardrobe bags.	
(*)	Textile, household: covers, draperies, curtains, mats, doilies, pads, ironing board covers	60
(*)	Textiles, household: sheets, pillow cases, towels, work rags, napkins, table cloths, dish cloths, blankets, quilts, comforts	70
(*)	Tobacco and tobacco products	75
(*)	Toilet supplies and equipment: including but not limited to manicuring, hair fixing, massage and bathing; not otherwise listed	60
BLDG-645	Tools: edge	85
BLDG-646	Tools: hand: not mechanics hand service: Except those listed in Schedule II	85
TOOLS-647	Tools: mechanical: hand	85
CDGS-656	Traps and cages: animal, bird, and insect except as listed in Schedule II	70
CDGS-674	Umbrellas and parasols	50
CDGS-691	Utensils: aluminumware: household, kitchen (1943)	70
CDGS-659	Utensils: kitchen and household: miscellaneous	70
(*)	Wall paper	50
LUMB-740	Wooden products: fabricated	70
	Cable reels: wooden.	
	Connectors: timber.	
	Conduit: wooden.	
	Culverts: wooden.	
	Doors: grain: wood.	
	Fabricated trusses: wood.	
	Fences, fencing: wooden.	
	Grids: spike: timber connectors.	
	Pipe: wood.	
	Plates: Clamping: timber connectors.	
	Plates: claw: timber connectors.	
	Plates: shear: timber connectors.	
	Pumps: wooden.	
	Reels: wooden.	
	Rings: split, timber connectors.	
	Rings: toothed: timber connectors.	
	Sanitation equipment: wooden.	
	Scaffolds: wooden.	
	Spike grids: timber connectors.	
	Sucker rods: wood.	
	Tanks: wooden.	
	Troughs: wooden: not hog troughs.	
	Trusses: fabricated wooden.	
	Vats: wooden.	
	Walking sticks.	
	Wire reels: wooden.	
	Wire spools: wooden.	

Restricted Uses	*Quota (percent)*
Wholesalers' deliveries	70
Retailers' deliveries: mail, express and common carrier	70
Retailers' deliveries: other than mail, express and common carrier	60

These "restricted uses" items relate only to deliveries made by persons who have not produced the products delivered nor done any fabrication or processing work on them other than minor finishing or decorative operations usually performed by wholesalers and retailers (such as assembly of knocked-down furniture, monogramming of linen and jewelry, alteration of clothing). "Retailers' deliveries" means deliveries made by any such person who sells exclusively or predominantly at retail. "Wholesalers' deliveries" means deliveries made by any such person who sells exclusively or predominantly at wholesale. The quota for each type of use represents the maximum total amount of containers which can be so used for all products (whether or not listed in Schedule III). The quota takes the place of a separate quota for each Schedule III product.

Issued this 29th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

The restrictions of L-317 (§ 3270.6) are applicable only to new fibre shipping containers. A question has arisen as to the status of such containers which have been rejected during the course of manufacture or upon delivery because of errors in size, printing, etc. Such containers are new containers and subject to the restrictions contained in the order until they have been used for the packing of a product. (Issued Nov. 6, 1943)

INTERPRETATION 2

APPLICABILITY OF INVENTORY RESTRICTIONS TO V-BOXES

(a) *Applicability of inventory restrictions to V-boxes.* It has been called to the attention of the War Production Board that there is, in certain quarters, a misimpression to the effect that V-boxes are exempted from the Inventory Restrictions of Order L-317. This impression is completely unfounded. Inventories of V-boxes are controlled to the same extent as other fibre shipping containers by the provisions of paragraph (n) through (q) of Order L-317 and paragraph (b) of Direction 1 of that order.

(b) *Cancellation of excessive V-box orders.* V-box orders are also subject to the restrictions against placing excessive orders set forth in paragraphs (c) and (d) of Direction 1 of Order L-317. Therefore, all orders for V-boxes in excess of the amount which a person would be entitled to receive within these inventory limitations must be cancelled immediately.

(c) *Responsibility of box manufacturers.* Attention is called to the fact that box manufacturers share responsibility for seeing to it that no V-boxes (as well as other fibre shipping containers) are delivered which will cause a customer to exceed his permitted inventory, because under paragraph (d) of Order L-317 they are prohibited from manufacturing, selling, or delivering any new fibre shipping containers which they know or have reason to believe will be used or accepted in violation of the order. (Issued May 26, 1944)

[F. R. Doc. 44-7780; Filed, May 29, 1944; 4:32 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 25, as Amended May 30, 1944]

FORGINGS IN CONTROLLED MATERIAL FORM

The following amended direction is issued pursuant to CMP Regulation 1:

The following rules apply to steel products which are produced in controlled material form by a forging process:

(1) When sold by a steel producer, they are controlled materials.[1]

(2) When sold by a forger who is not a steel producer, they are Class A products.

(3) When sold by a distributor, they are controlled materials, regardless of who produced them.

(4) In ordering them, a distributor must follow the procedure set forth in paragraph (c) of Order M-21-b-1, regardless of whether the order is placed with a steel producer or with a forger who is not a steel producer.

(5) A forger who is not a steel producer may place orders for the steel required by him to fill orders actually received from a distributor in accordance with paragraph (4) above or to replace inventory used for such purpose. The forger's orders must be identified by the allotment symbol "W. H." and shall be considered authorized controlled material orders.

Issued this 30th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7788; Filed, May 30, 1944; 11:01 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5A, as Amended May 30, 1944]

MAINTENANCE, REPAIR AND OPERATING SUPPLIES FOR GOVERNMENTAL AGENCIES AND INSTITUTIONS

§ 3175.5a *CMP Regulation 5A*—(a) *Purpose and scope.* (1) The purpose of this regulation is to provide for governmental agencies and for institutions a uniform procedure for obtaining materials and products for maintenance, repair, operating supplies and minor capital additions (all frequently referred to collectively as MRO) both in the case of controlled materials obtained by use of allotment symbols under the Controlled Materials Plan and in the case of materials or products obtained by preference ratings. Any agency or institution affected by this regulation requiring maintenance, repair and operating supplies, in any form, in such quantities as are available from warehouses or distributors under CMP Regulation No. 4 or at retail without preference ratings or allotments, may obtain the same without using the procedure provided in this regulation, but subject to all applicable limitations in War Production Board regulations and orders.

(2) The provisions of this regulation shall not apply to any governmental agency or to any institution to the extent that it is engaged in the following services or industries: gas, light, power, water, central heating, or the operation of a sanitary sewerage system or a storm sewerage system combined with a sanitary sewerage system for general use by the public, or to communications (in so far only as communications are provided for in Orders U-3 and U-4).

(3) [Deleted May 30, 1944.]

NOTE: Canadian governmental agencies and Canadian institutions will obtain MRO in the United States under Canadian Order PO 5 B.

(4) The provisions of this regulation shall not apply to Claimant Agencies as defined in CMP Regulation No. 1, except to such extent as may be specifically provided by order of the War Production Board. Any Claimant Agency which desires that this regulation be made applicable to any of its departments or activities may make application therefor by letter in duplicate addressed to the Government Division, War Production Board, Washington 25, D. C., Ref: CMP Regulation 5A.

(5) Any governmental agency of a United Nation may get MRO under the regulation for its own use within the United States. Other foreign agencies and institutions may not use this regulation or CMP Regulation 5 to get MRO.

(6) Any federal agency and the national headquarters of the American Red Cross may use this regulation to get MRO for export, *Provided*, It is for their own use in their own operations. They may not use this regulation to get MRO for export for any other purpose. The term "federal agency" shall apply to the executive departments and all agencies, both temporary and permanent, of the Executive Branch of the Federal Government which have offices in foreign countries, but not to subsidiary corporations operating under federal agencies or to organizations conducting exploratory, production or manufacturing operations financed by and conducted under the direction of federal agencies. Other governmental agencies and other institutions may not use the regulation to get MRO for export.

(b) *Definitions.* The following definitions shall apply for the purpose of this regulation.

(1) "Governmental agency" means any governmental agency in the United States, its territories or possessions, federal, state, county, municipal or local except any agency specifically excluded from this regulation by order of the War Production Board. (See paragraph (a) (5) concerning agency of foreign government and paragraph (a) (6) concerning MRO for export.)

(2) "Institution" means any institution within the United States, its territories or possessions, public or private, including but not limited to, schools, colleges, libraries, hospitals, welfare establishments and churches. (See paragraph (a) (5) denying use of regulation to foreign institutions and paragraph (a) (6) concerning MRO for export.)

(3) "Educational institution" (see Schedule II) means, (i) any elementary or secondary school, and any college or university maintained and operated by any state or any political subdivision thereof, including school districts and cities, or by any agency of the Federal Government, its territories or possessions, or the District of Columbia;

(ii) Any other school, college or university which offers a curriculum substantially the same as that offered by a school, college or university maintained and operated by any state or any political subdivision thereof or the District of Columbia;

(iii) Any school, college, or university which is conducting one or more of the following programs as established and supervised by the United States Office of Education:

(a) Vocational Education for War Production Workers,

(b) Engineering, Science and Management War Training,

(c) Rural War Production Training;

(iv) Any school, college or university, which pursuant to letter of intent from, or contract with, the Army or Navy of the United States is engaged in housing, feeding or training any unit of military personnel;

(v) Any school, college or university which is specifically authorized by the War Production Board to operate under this regulation as an educational institution. Application for such authorization shall be by letter in duplicate stating the relevant facts addressed to the Government Division, War Production Board, Washington 25, D. C., Ref: CMP Regulation 5A.

(4) "Maintenance" means the minimum upkeep necessary to continue a facility in sound working condition, and "repair" means the restoration of a facility to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like: *Provided*, That neither maintenance nor repair shall include the improvement of any plant, facility or equipment, by replacing material which is still usable, with material of a better kind, quality or design.[2] Certain improvements of this kind may be obtained as minor capital additions as explained in paragraph (b) (6).

(5) "Operating supplies" means any material or product which (i) is essential for conducting any activity or rendering any service by any governmental agency or by any institution and (ii) is consumed in the course of conducting such activity or rendering such service and (iii) does not constitute capital equipment. Materials included in any finished product produced by a governmental agency or an institution which are normally chargeable to operating expense may also be treated as operating supplies.

(6) "Minor capital addition" means, as explained in Interpretation 5, any improvement or addition, the cost of which, excluding the purchaser's cost of labor, does not exceed $100. The term includes a group of items customarily purchased together and all items normally purchased as part of a single project or plan. In determining whether a job or project comes within the cost limit, all materials and products used must be included, regardless of whether the MRO symbol or rating is used in getting all or only part of the same. No job or project may be subdivided to come within this paragraph (b) (6).[3] There is no direct limit on the number of minor capital additions. The limit is in the fact that all materials and products used in the jobs or projects and obtained with the MRO symbol or ratings must be charged against the overall MRO quota which must not be exceeded. Where the capital addition involves construction, authorization to construct must be obtained to the extent required by Conservation Order L-41 or by any other applicable order or regulation of the War Production Board.

(7) Production material required by a governmental agency or an institution for physical incorporation in products manufactured by it, which products it sells for use as maintenance, repair or operating supplies, may be obtained as provided in CMP Regulation No. 1 and in CMP Regulation No. 3, and such production materials shall not be deemed maintenance repair or operating supplies, as to such agency or institution.

(c) *Controlled materials*—(1) *Steel, copper and aluminum.* Subject to the quantity restrictions contained in paragraph (f) of this regulation, any governmental agency or any institution engaged in any activity or rendering any service listed in Schedule I or Schedule II attached to this regulation, requiring delivery of any controlled material (as defined in CMP Regulation No. 1) for MRO in the conduct of such activity or service, may obtain the same by placing on or accompanying its delivery order with substantially the following certificate (or the alternative form of certification provided in CMP Regulation No. 7) signed manually or as provided in Priorities Regulation No. 7:

CMP allotment symbol MRO 5A—The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the controlled materials covered by this order are required for essential maintenance, repair or operating supplies, to be used for a purpose listed in Schedule I or Schedule II of CMP Regulation No. 5A and that delivery thereof will not result in a violation of the quantity restrictions contained in paragraph (f) of said regulation.

An order bearing such certification shall constitute an authorized controlled material order.

(2) [Deleted May 30, 1944.]

(3) [Deleted May 30, 1944.]

(d) *Preference ratings for MRO.* (1) Subject to the quantity restrictions contained in paragraph (f) of this regulation, orders by any governmental agency or institution calling for delivery of material or products, other than controlled materials, for maintenance, repairs, operating supplies or minor capital additions are hereby assigned preference ratings as follows:

(i) AA-1 for any activity or service listed in Schedule I.

(ii) AA-2 for any activity or service listed in Schedule II.

(iii) AA-5 for any other activity or service.

(iv) For any building devoted primarily to any service or activity listed in Schedule I or Schedule II, the rating assigned to that service or activity is hereby assigned.

(2) Any governmental agency or any institution which maintains a central stores system for its own MRO where it is impracticable to charge purchases for inventory against a particular service or activity, may establish a scale of percentages for each rating, for each class of items, based upon withdrawals from its central stores system during the calendar year 1942 (or its fiscal year ending nearest to December 31, 1942) by its various departments, branches or units, and may apply the appropriate percentage of each rating to its purchases for its central stores system.

In the alternative, any such agency or institution may apply to the War Production Board, pursuant to the provisions of paragraph (k) for the assignment of ratings for such stores system.

(3) A preference rating assigned under this paragraph (d) shall be applied only by use of the following certification (or the alternative form of certification provided in CMP Regulation No. 7) signed manually or as provided in Priorities Regulation No. 7:

Preference rating ——— (specify rating): MRO 5A. The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the items covered by this order are required for essential maintenance, repair or operating supplies; that this order is rated and placed in compliance with CMP Regulation No. 5A and that the delivery requested will not result in a violation of the quantity restrictions contained in paragraph (f) of said regulation.

(4) [Deleted May 30, 1944.]

(e) *Departments engaged in several activities.* If any governmental agency or any institution, or any department or unit thereof, is engaged in several activities which are not assigned the same preference rating and if it is impracticable to apportion MRO between such activities, the principal activity alone shall be considered for the purpose of determining whether controlled materials may be obtained under paragraph (c) of this regulation, and also for determining which preference ratings may be applied under paragraph (d).

(f) *Quantity restrictions.* Any governmental agency or any institution which uses the MRO symbol or ratings assigned by this regulation must not order for delivery any more materials or products than is permitted by this paragraph.

(1) *General quota.* An agency or institution must not order for delivery in any calendar quarter MRO costing more than one-fourth of what it spent for maintenance, repair and operating supplies in 1942, or in its fiscal year ending nearest to December 31, 1942.

(2) *Seasonal quota.* If operations are seasonal, an agency or institution must not order for delivery in any calendar quarter MRO costing more than the cost of maintenance, repair and operating supplies it had ordered for delivery in the corresponding quarter of 1942, or of its fiscal year ending nearest to Decem-

[1] Forged armor plate, however, is always an A product, as set forth in Direction No. 10 to CMP Regulation No. 1.

[2] See Interpretation 5 (a): MRO symbol and rating cannot be used to buy improvements or additions other than minor capital additions.

[3] See Interpretation 6: Relationship between CMP Regulation 5A and Conservation Order L-41.

ber 31, 1942. Either the general quota or the seasonal quota may be chosen, but change to the other shall not be made without special authorization by the War Production Board.

(3) *Quotas for new agencies and institutions.* In the case of a governmental agency or an institution which was not in operation during the base period mentioned in paragraph (f) (1) and (f) (2), the agency or institution may take as a quota the amount it spent for maintenance, repair and operating supplies during the first quarter of 1943 (or during the part of the quarter it was in operation) reasonably adjusted for seasonal or other variable factors. However, it must first notify the War Production Board, in writing, of the base it is taking and what adjustments it has made. In the case of an agency or institution starting operations after February 28, 1943, MRO may be ordered under the regulation in the minimum amounts necessary for operation but not exceeding $500 per quarter. If more than this amount is needed, application may be made to the War Production Board as provided in paragraph (f) (8).

(4) *Use of increased quota as a base.* Any increased quota for a quarter granted on or after March 16, 1944 by the War Production Board may be used as a quota for all future quarters unless or until this privilege be expressly denied.

(5) *How to figure and make charges against a quota.* In figuring a quota, an agency or institution must include every expense during the base period which it charged to a maintenance, repair or operating supplies account. It must not include amounts spent for minor capital additions. An agency or institution must charge against its quota for a quarter the cost of all MRO ordered for delivery in that quarter, regardless of when the order is placed, the material or products received or paid for. For instance, an item ordered May 15, 1944, scheduled for delivery August 15, 1944, actually received November 15, 1944, and paid for January 15, 1945, must be charged against the quota of the third quarter of 1944. Items to be charged against quota must include (i) all materials and products ordered for delivery for maintenance, repair or operating supplies, regardless of whether the MRO symbol or rating, some other rating, or no symbol or rating at all be used to get them; and (ii) all materials and products ordered for delivery for making minor capital additions for which the MRO symbol or rating is used. Materials or products going into a minor capital addition which are obtained without the use of the MRO symbol or rating need not be charged against quota. Note that in determining whether a particular capital addition falls within the permitted limits, the cost of all materials must be included, as explained in paragraph (b) (6). An agency or institution need not charge against its quota the cost of its own labor or the cost of any item on List A or B of Priorities Regulation No. 3 if, but only if, it did not count the cost of the excluded labor or items in figuring its quota.[6]

(6) *Special records.* Each agency and institution which is subject to this paragraph (f) must determine its quota and must keep its computations in its files for two years after the placing of its last order under this regulation. It must indicate on its computation any selection it makes under this paragraph (f) and in the case of paragraph (f) (3) "Quotas for new agencies and institutions", or paragraph (f) (4) "Use of increased quota as a base", it must indicate the base it selects. A record of expenses must also be maintained for at least two years.

(7) *Treatment of separate departments.* An agency or institution which has several departments, branches or units, which maintain separate records of MRO, shall treat each separately for the purpose of complying with the provisions of this paragraph (f).

(8) *Applications for increased quotas.* In any case where a quota provided in this paragraph is not enough for necessary operations, application for an increased quota may be made by letter in duplicate to the Government Division, Ref: CMP Regulation 5A, War Production Board, Washington 25, D. C. The following questions should be clearly answered:

1. What were your MRO expenses during your base year?
2. If on seasonal basis, what was the dollar volume per quarter of the MRO you ordered for delivery during your base year?
3. What are the dates of your base year and of your operating year?
4. How much have you spent for minor capital additions in each quarter of your current operating year?
5. What increases in quota have you had to date?
6. What amounts of increase (excluding labor costs) are necessary to your operations?
7. What are the specific facts justifying your needs for increase? Explain fully whether your needs for increase will be temporary or permanent.
8. If increase is for a specific operation which may not soon be recurring, between what dates will this operation be carried on?

Increased quotas will not have the effect of retroactively authorizing orders for delivery placed in violation of this regulation. An increased quota will not be granted for any period upon receipt of application after the end of such period.

(9) *Agencies and institutions which use less than $1,000 worth of MRO a year not limited.* The quantity restrictions of this paragraph (f) shall not apply to governmental agencies or institutions which do not require more than $1,000 worth of MRO per year.

(10) *Further reports and limitations in special cases.* The War Production Board may, by further regulations or orders, require specified governmental agencies or institutions to file application or reports regarding their MRO requirements and may prescribe quantitative limits for the same, either larger or smaller than the limits provided in this paragraph (f).

(g) [Deleted May 30, 1944.]

(h) *Special provisions relating to use of MRO symbol and preference ratings.* (1) Any person (such as the operator of a toll bridge or a contract garbage collector) who, pursuant to franchise from, or contract with, any governmental agency, performs any service for such agency may use the same allotment symbol and preference rating to obtain MRO required for such service, which such governmental agency would be entitled to use if it performed such service itself. In computing quantity restrictions under paragraph (f) hereof such service shall be treated as if it were performed by a single department of such governmental agency.

(2) Any person (such as a service repair shop) engaged in the business of doing maintenance or repair work for any governmental agency or any institution may use the same allotment symbol and preference rating to obtain materials needed in the performance of the work which such governmental agency or institution would be entitled to use if it did the work itself. The cost of materials used in the performance of maintenance or repair work shall be treated as expenditures of such agency or institution for the purpose of computing its quantity restrictions under paragraph (f). A person engaged in such business may, instead, request an allotment of controlled materials and a preference rating by applying to the War Production Board, on Form CMP 4–B, but if he does so he must use that method exclusively and may not use such customer's rating or symbol.

(3) Any governmental agency or any institution or any department, branch or unit thereof which is engaged in producing any product or conducting any business listed in Schedule I or Schedule II of CMP Regulation No. 5 may, to the extent, but only to the extent, that it is so engaged use the applicable rating assigned by CMP Regulation No. 5 and the symbol MRO–5A to obtain maintenance, repair and operating supplies required in conducting such business, but in so doing such agency or institution shall be deemed to operate under this regulation and shall be subject to all of the terms and provisions hereof.

(4) When any building is leased to a governmental agency or institution the landlord may use the same allotment symbol and preference rating to obtain MRO required for such building, which such governmental agency or institution would be entitled to use if it owned and maintained such building itself; but if the building is occupied by several tenants and the supplies are not for the benefit of a single tenant, the landlord may use a tenants' rating and symbol only if 75 per cent or more of the leased property is used in activities or services on Schedule I or II of this regulation, and in such case, unless all of such activities and services are listed in Schedule I, only the AA–2 rating may be used. In computing quantity restrictions under paragraph (f) hereof, such building shall be treated as if it were maintained by a single department of a governmental agency or institution.

(i) *Penalties for misrepresentation or diversion.* (1) The placing of any order bearing a certification or symbol as provided by this regulation shall constitute a representation, subject to the criminal penalties of section 35 (A) of the United States Criminal Code (18 U. S. C. 80), that the agency, institution or person placing the order is entitled, under the terms of this regulation to the use of the symbol or preference rating indicated thereon.

(2) *Restrictions on use of MRO symbol and ratings.* No governmental agency and no institution shall use the MRO symbol or the preference rating assigned to it by this regulation to get anything except materials or products which it needs for essential maintenance, repair or operating supplies, or minor capital additions as permitted by paragraph (b) (6). If it is assigned different ratings by this regulation for different activities or services and it is practicable to segregate the purchases, it must not use a higher rating to get material or products for a purpose for which it is assigned a lower rating. If it is not practicable for the agency or institution to segregate its purchases, paragraph (e) explains what rating it may use.

(3) *Restrictions on use of materials.* If a governmental agency or an institution has bought material under this regulation for MRO and then finds that it has another use for it, it may use the material for the other purpose if a preference rating or allotment symbol is assigned the agency or institution by any certificate or order for that purpose. However, if the agency or institution uses the material for another use it may not replace it in its inventory by use of the rating or symbol assigned by this regulation. If the agency or institution replaced the material in inventory, it must use the rating or symbol assigned for the purpose for which the material was used. Also, if a governmental agency or an institution uses material bought under this regulation for another purpose, its records must be adequate to show that its purchases of material are substantially proportionate to its authorized uses. For example, suppose a governmental agency has a rating of AA–2 under this regulation for MRO and also a rating of AA–3 for a construction project. It may take lumber from its MRO inventory which it bought on the AA–2 rating and use it on the construction job, but if it replaces it in its inventory it must use the AA–3 rating for the purpose, so that it will not, in effect, have filled both its MRO and its construction requirements with this AA–2 rating. Exchanges of this kind may be made only where the material is acquired in good faith for use as MRO. A governmental agency or an institution may not use the AA–2 rating to get lumber if it is getting it specifically for use in the construction project.

(j) *Inventory restrictions.* Nothing in this regulation shall be deemed to authorize any governmental agency or any institution to receive any delivery of maintenance, repair or operating supplies if acceptance thereof would increase its inventory above a practicable working minimum as provided in § 944.14 of Priorities Regulation No. 1, or would exceed the inventory limitations prescribed for such person by CMP Regulation No. 2 or by any other applicable regulation or order of the War Production Board.

(k) *Additional assistance in individual cases.* Any governmental agency or any institution being unable to take care of its MRO needs with the rating assigned to it by this regulation, and any such agency or institution, whose activity or service is not listed in Schedule I or II, requiring controlled material and being unable to obtain it from a warehouse or distributor under CMP Regulation No. 4, may apply to the nearest local field office of the War Production Board on Form WPB–541 (formerly PD–1A) for a higher rating or the right to use the MRO symbol to obtain controlled materials. Such form shall bear a notation to the effect that the material applied for is required for MRO and that the applicant is operating under CMP Regulation 5A. However, applications for increased quota shall be made as provided in paragraph (f) (8).

(l) *Effect on other orders and procedures.* (1) The preference ratings and allotment symbols assigned by this regulation may be used by a governmental agency or an institution unless it is engaged in an activity or business which is covered by an order in the "P" or "U" series which specifically provide that the ratings assigned by CMP Regulation 5A may not be used.

(2) [Deleted May 30, 1944.]

(3) [Deleted May 30, 1944.]

(4) When an order in the "E," "L" or "M" series assigns a specific preference rating to deliveries of any particular material to be used by a particular industry or for a specific purpose, such preference rating shall control and the preference ratings hereby assigned may not be applied.

(5) Nothing in this regulation shall be construed to relieve any governmental agency or institution from complying with any applicable priorities regulation or order of the War Production Board (including orders in the "E", "L" and "M" series) or with any order of any other competent authority.

(m) *Reclassification of activities.* Any governmental agency or any institution which is of the opinion that any activity in which it is engaged should be listed in Schedule I, if it is listed in Schedule II, or should be listed in either Schedule I or Schedule II, if it is not listed in either of such schedules, may apply to have such activity so listed by filing a letter, in duplicate, with the Government Division, War Production Board, Washington 25, D. C., Ref: CMP Regulation 5A setting forth the relevant facts and the

[6] See Direction 2 (b): Other items that may be excluded.

reasons why it considers such request should be granted. The War Production Board may cause such activity to be listed in one of the schedules attached to this regulation or, in special cases, may permit the applicant to operate under this regulation to the same extent as though its activity were included in one of such schedules.

(n) *Records.* Each governmental agency and institution or other person acquiring maintenance, repair or operating supplies pursuant to this regulation, shall keep and preserve for a period of not less than two years, accurate and complete records of all such supplies so acquired, and used, which shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(o) *Communications.* All communications concerning this regulation should be addressed to: Government Division, War Production Board, Washington 25, D. C., Ref: CMP Regulation No. 5A.

(p) *Restrictions on use of ratings.* The preference ratings assigned by this regulation shall not be used to get any of the items shown on List A or B of Priorities Regulation No. 3.

Issued this 30th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I—PREFERENCE RATING AA-1

Hospitals.
Refuse and garbage collection and disposal.
Communicable disease control.
Alcan, Richardson, Steese, Glenn, Pan-american and Trans-Isthmian highways.
Public transportation facilities.
Docks, wharves and terminals.
Police and law enforcement agencies.
Anti-espionage and anti-sabotage activities—Federal agencies only.
Fire protection.
Beacons, markers, and radio devices employed as aids to navigation.
U. S. Post Office Department.

SCHEDULE II—PREFERENCE RATING AA-2

Public streets, highways and roads.
Airports and flight strips.
Dams, levees and revetments.
Drainage and irrigation.
Canals—waterways.
Flood control facilities.
Farm labor camps operated as a part of the War Food Administration's migratory labor program.
Mineral resources: exploration for (governmental agencies only).
Storm sewers.
Street lighting, by governmental agencies which are not engaged in the business of furnishing electric power for use by the public, except in cases where equipment is maintained by a utility company.
Supplying gas, water, electric power, or central steam heating, by a governmental agency, when such service is for its own use exclusively.
Public dispensaries, clinics and health stations, governmentally-owned or operated not for profit.
Penal institutions and prisons including prison industries.
Mine safety.
Printing and publishing.
United States Mint.
United States Bureau of Printing and Engraving.
Processing, warehousing, distribution, preparation, serving and inspection of food by Governmental agencies only.
Over-all administration including staff services, such as fiscal, procurement, personnel, etc., by Governmental agencies only.
Repairs made necessary by reason of any breakdown of plumbing, heating, electrical wiring or equipment, or elevator service in any building or to provide against imminent breakdown of any such facilities by Governmental agencies only.
Publicly-owned buildings which are used for governmental activities.
Educational institutions.

INTERPRETATION 1

INTERPRETATIONS OF CMP REGULATION NO. 5

Interpretations of CMP Regulation No. 5 are not all applicable to CMP Regulation 5A. Those which are, and which are of general interest to institutions and governmental agencies, will be republished separately under CMP Regulation 5A. (Issued Jan. 25, 1944.)

INTERPRETATION 2

NON-PROFIT FIRE-FIGHTING ASSOCIATIONS

An association or corporation, operated not for profit, organized for the purpose of fighting and controlling forest fires, and which, through its employees, is actually engaged in the activity of fighting and preventing forest fires, may use the rating assigned by CMP Regulation 5A to the activity of "fire protection" to obtain maintenance, repair and operating supplies required for such activity, but excluding all items on List A and B of Priorities Regulation No. 3. (Issued Jan. 25, 1944.)

INTERPRETATION 3

MRO SYMBOL CANNOT BE USED TO MAKE ALLOTMENTS

A governmental agency or an institution which is permitted to get controlled materials under paragraph (c) of CMP Regulation No. 5A for maintenance, repair and operating supplies is not entitled to use the MRO symbol for purposes of alloting controlled materials to others. For example, a governmental agency requires a spring as a repair part to be used in connection with an activity listed in Schedule I or Schedule II. It may use the MRO symbol to place an authorised controlled material order for steel which it will fabricate into the spring, but if it buys the spring from a spring manufacturer it may not make an allotment with the MRO symbol to the spring manufacturer. The spring manufacturer receives his allotment direct from the War Production Board as provided in CMP Regulation No. 1. (This interpretation is substantially similar to Interpretation No. 2 to CMP Regulation No. 5 issued April 20, 1942.) (Issued Jan. 25, 1944.)

INTERPRETATION 4

RESALE OR GIFT OF MRO MATERIAL

A governmental agency or an institution may not use the ratings or symbol assigned by CMP Regulation No. 5A to obtain supplies which it desires to give or sell to another governmental agency or an institution or to any person. For example, a federal agency desires to purchase office supplies to be given to a state agency. The federal agency may not use CMP Regulation No. 5A to obtain such supplies because they are not operating supplies as far as its own activities are concerned. (Issued Jan. 26, 1944)

INTERPRETATION 5

MRO SYMBOL AND RATING CANNOT BE USED TO BUY ADDITIONS OR IMPROVEMENTS

(a) The MRO symbol and rating assigned by CMP Regulation No. 5A for MRO (maintenance, repair and operating supplies) cannot be used by a governmental agency or institution to buy improvements or additions except to the limited extent permitted under paragraph (b) (6) relating to minor capital additions costing $100 or less.

(b) The regulation is intended to give blanket priorities assistance to governmental agencies and institutions for use in ordering products and materials which are essential to keeping the agency's or institution's existing plant and equipment in running order. Attention is called to the fact that ratings assigned by the War Production Board for MRO are, in general, two degrees higher than those assigned for new construction, additions or improvements. The assignment of higher ratings for MRO reflects the recognition by the War Production Board of the necessity for keeping existing facilities in operating condition while the necessity for additions or improvements to existing facilities must be established, pursuant to application, on the merits of each individual case. This policy should be firmly borne in mind in using the blanket priorities assistance made available by the regulation.

(c) The MRO rating cannot be used to replace machinery or equipment which can be repaired. However, where a piece of machinery or equipment is worn out beyond repair the MRO rating can be used to buy a piece of machinery or equipment of the same general type, capacity and design, to replace it. Where an agency or institution wishes to replace worn out machinery or equipment with machinery or equipment of a different type or of greater capacity or improved design it should file an application for priorities assistance on Form WPB-541 (PD-1A) or such other form as may be prescribed. Attention is called to Interpretation No. 6, which explains how use of CMP Regulation 5A is limited by Construction Order L-41. (Compare Interpretation 8 to CMP Regulation No. 5 which explains the different rule under that regulation. The two regulations prescribe different standards because the accounting practices of business and government agencies are not based on the same principles.) (Issued Jan. 25, 1944)

INTERPRETATION 6

RELATIONSHIP BETWEEN CMP REGULATION NO. 5A AND CONSERVATION ORDER L-41

(a) Order L-41 requires War Production Board authorization before beginning any construction work except in those cases where the order expressly states that authorization is not necessary.

(b) CMP Regulation No. 5A may not be used to get materials or products for any construction work which cannot be built under L-41 without specific authorization unless the authorization specifically says that CMP Regulation No. 5 or 5A may be used.

(c) In those cases where specific War Production Board authorization is not required before beginning construction and where materials needed for construction cost no more than $100, CMP Regulation No. 5A may be used to buy materials and products needed for the construction. (This Interpretation is substantially similar to Interpretation No. 9 to CMP Regulation No. 5, issued July 29, 1943.) (Issued Jan. 25, 1944)

[F. R. Doc. 44-7789; Filed, May 30, 1944; 11:01 a. m.]

PART 3270—CONTAINERS

[Supplementary Order L-103-b, Direction 1]

PACKING OF GOOSEBERRIES

The following direction is issued pursuant to Supplementary Order L-103-b:

Gooseberries may be packed under the same restrictions imposed in Item 6 of Schedule 1 of Order L-103-b for blackberries, etc.

Issued this 30th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7790; Filed, May 30, 1944; 11:02 a. m.]

Chapter XI—Office of Price Administration

PART 1315 — RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 200[1] Incl. Amdts. 1-13]

RUBBER HEELS, RUBBER HEELS ATTACHED, AND ATTACHING OF RUBBER HEELS

This compilation of Maximum Price Regulation 200 includes Amendment 13, effective June 3, 1944. The text added by Amendment 13 is underscored.

In the judgment of the Price Administrator the prices of rubber heels, rubber heels attached and attaching rubber heels have risen to an extent and in a manner inconsistent with the purpose of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of rubber heels, rubber heels attached and attaching rubber heels prevailing between October 1 and October 15, 1941, and has made adjustment for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.[2]

In the judgment of the Price Administrator the standardization required by this regulation is the only practicable means of securing effective price control of rubber heels sold in the shoe repair trade.

[Above paragraph added by Am. 11, 6 F.R. 10980, effective 8-5-43]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[3] issued by the Office of Price Administration, Maximum Price Regulation No. 200 is hereby issued.

Sec.
1315.1401 Prohibition against dealing in rubber heels, rubber heels attached and attaching rubber heels at prices in excess of the maximum.
1315.1402 Maximum manufacturers' prices for rubber heels sold in the shoe repair trade.
1315.1403 Classification and reclassification of brands.
1315.1404 Maximum wholesalers' prices for rubber heels sold in the shoe repair trade and maximum shoe repair-men's prices for rubber heels, attached rubber heels and attaching rubber heels.
1315.1405 Price categories for heels.
1315.1406 Federal and state taxes.
1315.1407 Sales for export.
1315.1408 Less than maximum prices.
1315.1409 Evasion.
1315.1410 Marking and posting.
1315.1411 Records and reports.
1315.1412 Revoked.
1315.1413 Sales slips and receipts.
1315.1414 Enforcement.
1315.1415 Adjustable pricing.
1315.1416 Petitions for amendment.
1315.1417 Exclusions.
1315.1418 Definitions.
1315.1419 Applicability.
1315.1420 Licensing.
1315.1421 Applicability of the General Maximum Price Regulation.
1315.1422 Applicability of Maximum Price Regulation No. 165, as amended.
1315.1423 Effective date.
1315.1423a Effective dates of amendments.
1315.1424 Appendix A: Maximum prices for rubber heels, rubber heels attached and attaching rubber heels.

AUTHORITY: §§ 1315.1401 to 1315.1424, inclusive, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1315.1401 *Prohibition against dealing in rubber heels, rubber heels attached and attaching rubber heels at prices in excess of the maximum.* On and after September 1, 1942, regardless of any contract or other obligation:

(a) No person shall sell or deliver rubber heels or attached rubber heels in the shoe repair trade at prices in excess of the maximum fixed by this regulation;

(b) No person shall attach rubber heels at prices in excess of the maximum fixed by this regulation;

(c) No person shall buy or receive rubber heels or attached rubber heels in the shoe repair trade, in the course of trade or business at prices in excess of the maximum fixed by this regulation; and

(d) No person shall agree, offer, solicit or attempt to do any of the foregoing.

[§ 1315.1401 amended by Am. 11, 8 F.R. 10980, effective 8-5-43]

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions, the addition of extra packing expenses to maximum prices on sales to procurement agencies of the United States.]

§ 1315.1402 *Maximum manufacturers' prices for rubber heels sold in the shoe repair trade.* The maximum manufacturers' prices for sales of rubber heels in the shoe repair trade are set forth in Appendix A. Those prices vary depending upon whether the heel in question is classed as a "corded", "super", "standard", "competitive", or "special competitive" heel. The classification of a heel for pricing purposes is dependent upon the brand name on the heel and the physical tests the heel can meet. Accordingly, in order to be sold at the maximum price for any of the particular grades in Appendix A, the heel must meet both the physical tests set forth in paragraph (c) of § 1315.1405 for that grade of heel and must be of a brand which is listed in paragraph (a) of § 1315.1405 as belonging to that grade of heel. If the brand name of the heel places it in a higher priced category than the physical tests, the physical tests shall control. If the physical tests place the heel in a higher priced category than the brand name, the brand name shall control. However, in such case, the manufacturer may apply for reclassification of the brand name in accordance with § 1315.1403. If the manufacturer marks the heel with a V-marking in accordance with paragraph (a) of § 1315.1410 to indicate the physical tests that the heel can equal or exceed, the V-marking shall control.

§ 1315.1403 *Classification and reclassification of brands.* (a) A manufacturer who introduces a new brand name for a heel or who wishes to have a certain brand name reclassified shall file a report and six pairs of the heel with the Office of Price Administration, Washington, D. C. This report shall include the following:

(1) The abrasion index and tensile strength of the heel.

(2) The classification in which he wishes the brand name to be placed.

(3) A statement indicating that all heels produced by him that bear that brand name will equal or exceed the quality of the sample heels submitted.

After receipt of the report and samples, the Office of Price Administration will either amend the regulation to classify or reclassify the heel or will deny the request for reclassification.

(b) Every manufacturer who after August 4, 1943, sells a rubber heel, the brand name of which places it in a higher price category than the physical

[1] 8 F.R. 1461.

[2] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[3] Revised: 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 8075.

tests it can meet (as set forth in paragraph (c) of § 1315.1405) shall file a report and six pairs of the heel with the Office of Price Administration, Washington, D. C., within five days after he first sells any such heel. The report shall include the abrasion index and the tensile strength of the heel. After receipt of the report and samples, the Office of Price Administration will determine whether the brand name shall be reclassified.

§ 1315.1404 *Maximum wholesalers' prices for rubber heels sold in the shoe repair trade and maximum shoe repairmen's prices for rubber heels, attached rubber heels and attaching rubber heels.* Maximum wholesalers' prices for rubber heels and maximum shoe repairmen's prices for rubber heels, rubber heels attached and attaching rubber heels are set forth in Appendix A. Those prices vary depending upon whether the heel in question is classed as a "corded," "super," "standard," "competitive," or "special competitive" heel. If the heel is not marked with a V–1, V–2, V–3 or V–4, the maximum price for selling or attaching the heel or selling it attached depends on the brand name of the heel. The classification of heels by brand names is set forth in paragraph (a) of § 1315.1405. Thus, for example, if a certain brand of heel is listed in that paragraph as being a competitive grade heel and if that heel is not marked with a V–1, V–2, V–3 or V–4, the heel may not be sold, attached or sold attached at a price in excess of that stated in Appendix A for a "competitive grade" heel. If a heel is marked with a V–1, V–2, V–3 or V–4 the maximum price for selling or attaching the heel or selling the heel attached shall depend on the V-marking on the heel. For example, if a heel is marked with a "V–2" it may not be sold, attached or sold attached at a price in excess of the maximum price listed in Appendix A for a V–2 heel.

§ 1315.1405 *Price categories for heels.* In §§ 1315.1402 and 1315.1404 it is stated that the maximum price of a heel depends upon whether it is classed as a "corded", "super", "standard", "competitive" or "special competitive" heel. This section is for the purpose of classifying heels into the various price categories set forth in Appendix A.

(a) *Classification of heels, not marked with V–1, V–2, V–3 or V–4, by brand names*—(1) *Sales by persons, other than manufacturers.* The classifications of heels not marked with a V-symbol for sales by persons other than manufacturers follows:

(i) *Corded.* "Corded" means rubber heels bearing the following brand names and made by the following manufacturers:

CORDED

Brand	Manufacturer
Aristocrat Cord Grip	O'Sullivan Rubber Company
Cat's Paw Super Cord	Holtite Manufacturing Company
Corded Service	O'Sullivan Rubber Company
Biltrite Cord-on-end	Panther Panco Rubber Company
Goodyear Corded	Goodyear Tire & Rubber Company
Gro-Cord	Lima Cord Sole & Heel Company
Pancord Tuffgrip Hy-Bloc Cord-on-end.	Panther Panco Rubber Company
Tuftex Cord	New Jersey Rubber Co.
U. S. Royal Cord	U. S. Rubber Company
Verticord	O'Sullivan Rubber Company

[Subparagraph (i) amended by Am. 13, effective 6–9–44]

(ii) *Super grade.* "Super grade" means rubber heels bearing the following brand names and made by the following manufacturers:

SUPER

Brand	Manufacturer
Adjusto-Wear	Selberling Rubber Company
Aristocrat	O'Sullivan Rubber Company
Biltrite	Panther Panco Rubber Company
Borman Pneumatic	Borman Pneumatic Heel Company
Cat's Paw	Holtite Manufacturing Company
Custom-50	Goodyear Tire & Rubber Company
Delux Suprex	B. F. Goodrich Co.—Hood Rubber Co.
Goodrich "D" Plywood-Core.	B. F. Goodrich Co.—Hood Rubber Co.
Goodrich Lifelong	B. F. Goodrich Co.—Hood Rubber Co.
G-50	Goodyear Tire & Rubber Company
Monarch Certified	Monarch Rubber Company
Nojar	Cupples Company
No Jar Super 50	Cupples Company
Selberling Bonded	Selberling Rubber Company
Tufnes	The I. T. S. Company
Tufford	The I. T. S. Company
U. S. Super Royal	U. S. Rubber Company

(iii) *Standard grade.* "Standard grade" means rubber heels bearing the following brand names and made by the following manufacturers:

STANDARD

Brand	Manufacturer
Commander	Holtite Manufacturing Company
Fleetfoot 60	New Jersey Rubber Company
Hyflex	Essex Rubber Company
I. T. S.	The I. T. S. Company
Imperial	U. S. Rubber Company
O'Sullivan Service	O'Sullivan Rubber Company
O'Sullivan Stylist	O'Sullivan Rubber Company
Panco Triple Wear	Panther Panco Rubber Company
Presto grip	Cupples Company
Selberling	Selberling Rubber Company
Suprex	B. F. Goodrich Co.—Hood Rubber Co.
U. S. Royal	U. S. Rubber Company
U. S. Royal Nukup	U. S. Rubber Company
Uskide	U. S. Rubber Company
Wingfoot	Goodyear Tire & Rubber Company

(iv) *Competitive grade.* "Competitive grade" means rubber heels bearing the following brand names and made by the following manufacturers:

COMPETITIVE

Brand	Manufacturer
Adlife	Hagerstown Rubber Company
Ambassador	Monarch Rubber Company
Arrow	B. F. Goodrich Co.-Hood Rubber Co.
Cupples Delux	Cupples Company
Cupples Ribbed	Cupples Company
Fleetfoot	New Jersey Rubber Company
Foster	Holtite Manufacturing Company
Gold Crown	Holtite Manufacturing Company
Grippo	Holtite Manufacturing Company
Greyhound	B. F. Goodrich Co.-Hood Rubber Co.
Holtite	Holtite Manufacturing Company
Jax	Holtite Manufacturing Company
L and R	The I. T. S. Company
Mercury	Goodyear Tire & Rubber Company
Monarch	Monarch Rubber Company
Monogram	Panther Panco Rubber Company
Pancrom Diamond Grip.	Panther Panco Rubber Company
Portage	Selberling Rubber Company
Resolute	Goodyear Tire & Rubber Company
Rite Pro	Bradstone Rubber Company
Ritz	The I. T. S. Company
Springstep	U. S. Rubber Company
Tredwell	O'Sullivan Rubber Company
Tite-Edge	Essex Rubber Company
Velveton	Velveton Rubber Heel Corporation

(v) *Special competitive grade.* "Special competitive grade" means rubber heels bearing the following brand names and made by the following manufacturers, or heels bearing no brand name or a brand name not listed in this subparagraph (1).

SPECIAL COMPETITIVE

Brand	Manufacturer
Ace	Plymouth Rubber Company
Ace Double Duty	Plymouth Rubber Company
Airway	Donovan Rubber Company
Armortred	Quabaug Rubber Company
Athletic	Queens Rubber Heel Company
Camel	Victor Products Company
Columbia	New Jersey Rubber Company
Coronet	Holtite Manufacturing Company
Daisy	Schacht Rubber Manufacturing Co.
Dictator	Holtite Manufacturing Company
Duwear	Cupples Company
E. Z	Hagerstown Rubber Company
Eagle	Queens Rubber Heel Company
Elmor	Queens Rubber Heel Company

SPECIAL COMPETITIVE—Continued

Brand	Manufacturer
Gueting	Gueting Rubber Company
Gueting Service	Gueting Rubber Company
Hy Way	Holtite Manufacturing Company
Hi Test	Holtite Manufacturing Company
Leviathan	Victor Products Company
New Yorker	Velveton Rubber Heel Corporation
Regent	U. S. Rubber Company
Reliance	U. S. Rubber Company
Roamer	Monarch Rubber Company
Royal Balloon	P & B Rubber Company
Runner	Goodyear Tire & Rubber Company
Skylark	Essex Rubber Company
Slipknot	Plymouth Rubber Company
Slipknot Double Duty	Plymouth Rubber Company
Spartan	New Jersey Rubber Company
Surestep	Panther Panco Rubber Company
Tsuko	New Jersey Rubber Company
Weartex	Monarch Rubber Company
Windsor	Hagerstown Rubber Company

(2) *Sales by manufacturers.* The classifications of heels not marked with a V-symbol for sales by manufacturers are the same as those set forth in the preceding subparagraph (1). However, the restrictions as to the physical tests the heel can meet which are set forth in paragraph (c) of this section are applicable to sales by manufacturers.

(b) *Classifications of heels marked with V–1, V–2, V–3 or V–4.* The following are the classifications for heels marked with a V-symbol:

Heels marked with—	Grade
V–1	Super
V–2	Standard
V–3	Competitive
V–4	Special Competitive

Sellers, other than manufacturers, may rely on the V-symbol that appears on the heel. No manufacturer may mark a heel with a particular V-symbol unless the heel equals or exceeds the physical tests for that V-symbol set forth in paragraph (c).

(c) *Physical tests for heels sold by manufacturers*—(1) *Non-fiber heels.* The following are the physical tests that "non-fiber" heels sold by manufacturers must meet:

Grade	Minimum abrasive index[1]		Tensile strength
	All types except whole heels	Whole heels	
Super (V–1)	23	20	1,000
Standard (V–2)	18	16	800
Competitive (V–3)	13	12	500
Special Competitive (V–4)	8	8	400

[1] No minus tolerance is permitted. The methods of federal specifications EA–ZZ–H–141 and ZZ–R–601a shall be applicable to the specifications.

"Non-fiber heels" are either heels which do not contain any fiber or heels which contain fiber only in one or more plugs, which are placed in the area of greatest wear.

(2) *Corded heels.* A "corded" heel sold by a manufacturer must have a minimum abrasion of 28. If produced after June 19, 1943, it must contain clearly discernible whole cords which at any given level lie generally parallel to each other.

(i) *Segment fiber heels.* "Segment fiber heels" are heels which have a non-fiber base stock and a segment containing fibers placed at the back of the heel in the area of greatest wear. If such heels are produced before June 20, 1943, the physical tests set forth in subparagraph (1) are applicable. However, those tests shall be applied only to the non-fiber portion of the heel. If such heels are produced on or after June 20, 1943, the physical tests applicable shall be those set forth in the next subdivision.

(ii) *Fiber heels.* A "fiber heel" is any heel containing fiber in any portion of the heel. However, for the purposes of this regulation the term "fiber heel" does not include corded heels, segment fiber heels produced before June 20, 1943, or heels which only contain fiber in one or more plugs placed in the area of greatest wear. If the manufacturer wishes, he may apply the physical tests set forth in subparagraph (1) to fiber heels. If those physical tests are used, each compound used in the manufacture of the heels must meet those requirements. If the tests just set forth are not applied, the physical tests for fiber heels shall be their wearing qualitity as compared with non-fiber heels. In such cases, fiber heels shall be deemed to have wearing qualities which are equal to those of a special competitive heel, until tests are made which prove a better wearing quality. If a manufacturer believes that a fiber heel sold by him has wearing qualities that are equal to a higher grade of non-fiber heel than "special competitive", he shall submit eight pairs of the fiber heel and evidence that the fiber heel wears as well as non-fiber heels in the price category in which the manufacturer wishes to place the fiber heel. After receipt of this report, the Office of Price Administration will determine whether the fiber heel wears as well as non-fiber heels in the price category in which the manufacturer wishes to place the fiber heel. Until the Office of Price Administration notifies the manufacturer that the fiber heel has such wearing qualities, the heel may not be sold at a price in excess of that established for special competitive heels.

[§§ 1315.1402 to 1315.1405, inclusive, added; former §§ 1315.1402 to 1315.1420, inclusive, redesignated 1315.1406 to 1315.1424, respectively, by Am. 11, 8 F.R. 10980, effective 8–5–43]

§ 1315.1406 *Federal and state taxes.* (a) Except as limited in the next paragraph, any tax upon, or incident to, the sale, delivery, or processing of rubber heels, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor.

(b) No shoe repairman may add and after December 31, 1942, no wholesaler may add, the amount of Federal excise tax on rubber products paid by any prior vendor to the maximum prices established by this Maximum Price Regulation No. 200.

[§ 1315.1406, formerly 1315.1402, amended by Am. 3, 7 F.R. 10008, effective 12–5–42]

[NOTE: Supplementary Order No. 31 (7 F.R. 9804) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942, shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

§ 1315.1407 *Sales for export.* The maximum price at which a person may export any rubber heels shall be determined in accordance with the provisions of the Maximum Export Price Regulation[1] issued by the Office of Price Administration.

§ 1315.1408 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1315.1424) may be charged, demanded, paid or offered.

§ 1315.1409 *Evasion.* (a) The price limitation set forth in this Maximum Price Regulation No. 200 shall not be evaded whether by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to rubber heels alone or in conjunction with any other commodity or by way of commission, service, transportation or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise.

(b) Every purchaser shall have the choice of buying rubber heels of a particular type and grade without buying rubber heels of another type and grade or buying any other commodity, and every purchaser, other than a purchaser from a shoe repairman, shall have the choice of buying rubber heels of a particular type and grade without having any service performed.

(c) A purchaser of rubber heels from a shoe repairman shall always have the choice of buying rubber heels and having the seller attach them to shoes without having any other service performed or buying any other commodity.

§ 1315.1410 *Marking and posting*—(a) *Marking.* No person may mark any rub-

[1] Second Revised: 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036.

ber heels produced after August 4, 1943, for sale in the shoe repair trade with the symbol "V–1," "V–2," "V–3" or "V–4" unless the heel in question can equal or exceed the physical tests for the particular symbol set forth in paragraph (c) of § 1315.1405. If a manufacturer uses such a "V" symbol on rubber heels it shall be marked as follows: All rubber heels, except sport heels and women's scoop lifts, toplifts, toplift strips and toplift blocks, shall have the symbol imprinted prominently on the face of every such heel in the place receiving the least wear. If sport heels and women's scoop lifts, toplifts, toplift strips and toplift blocks are marked with a "V" symbol, they shall be marked in a manner which is approved in writing by the Office of Price Administration. The marking of the unit of sale container (in the case of sport heels, a container for 12 or less pairs of heels) is an approved method of marking sport heels and women's scoop lifts (1 and 3 nail hole) and died out toplifts. A paper sticker on each toplift strip or block is also an approved method of marking toplift strips and toplift blocks.

(b) *Posting.* On and after October 5, 1943, every shoe repairman engaged in the business of selling rubber heels or attached rubber heels or of attaching rubber heels shall keep posted in a conspicuous place in each establishment at which rubber heels are offered for sale, or at which the attaching of rubber heels is contracted for, a poster, provided by the Office of Price Administration, setting forth the maximum prices which he is permitted to charge under this regulation.

[§ 1315.1410, formerly 1315.1406, amended by Am. 2, 7 F.R. 7835, effective 10–7–42; Am. 3, 7 F.R. 10008, effective 12–5–42; Am. 4, 8 F.R. 490, effective 1–16–43; Am. 11, 8 F.R. 10980, effective 8–5–43; and Am. 12, 8 F.R. 11687, effective 8–20–43]

§ 1315.1411 *Records and reports.* (a) Every person, other than a shoe repairman or a person making a purchase from a shoe repairman, making a sale or purchase subject to this Maximum Price Regulation No. 200 after August 31, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of each such sale or purchase, showing the date thereof, the name and the address of the buyer or seller, the price paid or received and the quantity of each type and grade of rubber heels sold or purchased.

(b) Every person subject to this regulation shall submit such reports and keep such other records, in addition to or in place of the records required in paragraph (a) of this section, as the Office of Price Administration may from time to time require or permit.

[Section heading and paragraph (b) amended by Am. 5, 8 F.R. 1461, effective 2–6–43]

§ 1315.1412 [Revoked].

[§ 1315.1412, formerly 1315.1409, revoked by Am. 5]

§ 1315.1413 *Sales slips and receipts.* Any person subject to this Maximum Price Regulation No. 200 who has regularly furnished customers with invoices, sales slips, receipts or similar documents shall continue to do so. Every person subject to this Maximum Price Regulation No. 200 shall, regardless of previous custom, upon request of the customer, give such customer a signed receipt showing the date of the transaction, the type, brand, and grade of the rubber heels sold and the price therefor.

§ 1315.1414 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 200 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 200 or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field, district, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1315.1415 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

[§ 1315.1415, formerly 1315.1411, amended by Am. 8, 8 F.R. 8843, effective 7–2–43]

§ 1315.1416 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 200 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[§ 1315.1416, formerly 1315.1412, amended by Supplementary Order 26, 7 F.R. 8948, effective 11–4–42]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1315.1417 *Exclusions.* This Maximum Price Regulation No. 200 shall not apply to sales and deliveries of rubber heels, made in accordance with military specification, pursuant to contract with:

(a) Any war procurement agency of the United States Government; or

(b) Any person who contracts to sell the purchased rubber heels to any war procurement agency of the United States Government or to any contractor or subcontractor who physically incorporates the rubber heels in an article being processed for any such war procurement agency.

§ 1315.1418 *Definitions.* (a) When used in this Maximum Price Regulation No. 200 the term:

(1) "Continental United States" means only the forty-eight states and the District of Columbia.

(2) "Export" means any sale between a seller in the Continental United States and a purchaser outside thereof.

(3) "Manufacturer" means any person engaged in the production of rubber heels.

(4) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representatives of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(5) "Rubber" means all forms and types of rubber, including synthetic and reclaimed rubber.

(6) "Rubber heels" includes all unattached heels, heel bases, scoop lifts, toplifts, toplift strips and toplift blocks, made in whole or in part of rubber.

(7) "Rubber heels sold in the shoe repair trade" means rubber heels sold or offered for sale by or to a shoe repairman, by wholesalers to the persons who sell rubber heels to a shoe repairman, or by manufacturers to any of the persons named in this subparagraph.

(8) "Shoe repairman" includes any person engaged in the business of replacing worn heels for an ultimate consumer, other than an industrial, commercial or governmental consumer.

(9) "Wholesaler" includes any person, other than a manufacturer, who sells or offers to sell rubber heels to a shoe repairman or to persons who sell or offer to sell rubber heels to a shoe repairman.

(10) "War procurement agency" means the War Department, the Department of the Navy, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any agency of any of the foregoing.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1315.1419 *Applicability.* The provisions of this Maximum Price Regulation No. 200 shall be applicable to the Continental United States and the District of Columbia, but not to the territories and possessions of the United States.

§ 1315.1420 *Licensing.* The provisions of Licensing Order No. 1,[8] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[8] 8 F.R. 13240.

§ 1315.1421 *Applicability of the General Maximum Price Regulation.*[9] The provisions of this Maximum Price Regulation No. 200 supersede the provisions of the General Maximum Price Regulation, including §§ 1499.11, 1499.12, 1499.13, 1499.14, and 1499.25 thereof, with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1315.1422 *Applicability of Maximum Price Regulation No. 165, as amended.*[9] The provisions of this Maximum Price Regulation No. 200 supersede the provisions of Maximum Price Regulation No. 165, as amended, with respect to sales of consumer services for which maximum prices are established by this regulation.

[§§ 1315.1420, 1315.1421, 1315.1422, formerly 1315.1416, 1315.1417 and 1315.1418, amended by Supplementary Order 72, 8 F.R. 13244, effective 10–1–43]

§ 1315.1423 *Effective date.* This Maximum Price Regulation No. 200 (§§ 1315.1401 to 1315.1420, inclusive) shall become effective September 1, 1942. [MPR 200 originally issued August 10, 1942]

§ 1315.1423a *Effective dates of amendments.* [Effective dates of amendments are shown in notes following the parts affected]

§ 1315.1424 *Appendix A: Maximum prices for rubber heels, rubber heels attached and attaching rubbers heels.* (a) The maximum prices for rubber heels, sold in the shoe repair trade shall be the prices listed in Table I–A.

TABLE I–A—MAXIMUM PRICES FOR RUBBER HEELS SOLD IN THE SHOE REPAIR TRADE[1]

Item	Maximum price for sales to wholesalers [2]	Maximum price for sales to shoe repairmen [3]	Unit of sales to wholesalers and shoe repairmen	Maximum price to consumers for heels attached by shoe repairmen [4] (per pair)
1. Men's half heels (all sizes):				
Corded	$1.58	$2.10	1 dozen pairs	$0.55
Super grade or V–1	[5] 1.50	[5] 2.00	1 dozen pairs	.55
Standard grade or V–2	[5] 1.39	[5] 1.85	1 dozen pairs	.50
Competitive grade or V–3	1.16	1.55	1 dozen pairs	.45
Special competitive grade or V–4	.94	1.25	1 dozen pairs	.40
2. Men's whole heels (all sizes):				
Corded	1.99	2.65	1 dozen pairs	.65
Super grade or V–1	1.73	2.30	1 dozen pairs	.55
Standard grade or V–2	1.65	2.20	1 dozen pairs	.55
Competitive grade or V–3	1.43	1.90	1 dozen pairs	.50
Special competitive grade or V–4	1.20	1.60	1 dozen pairs	.45
3. Boys' whole heels (all sizes):				
Corded	1.58	2.10	1 dozen pairs	.55
Super or standard grade, V–1 or V–2	1.39	1.85	1 dozen pairs	.50
Competitive grade or V–3	1.16	1.55	1 dozen pairs	.45
Special competitive grade or V–4	.94	1.25	1 dozen pairs	.40
4. Women's Cuban heels (scoops or flat type) and junior wedges (all sizes):				
Super grade or V–1	1.09	1.45	1 dozen pairs	.45
Standard grade or V–2	1.05	1.40	1 dozen pairs	.45
Competitive grade or V–3	.90	1.20	1 dozen pairs	.40
Special competitive grade or V–4	.71	.95	1 dozen pairs	.35
5. Women's toplifts:				
(a) Thin Scoop Lifts (3 nail hole, fiber back, with washers (all sizes):				
Super Grade or V–1 (with nails)	.75	1.00	1 dozen pairs	.40
Super Grade or V–1 (without nails)	.71	.95	1 dozen pairs	.40
All other grades V–2, V–3, V–4, (with nails)	.71	.95	1 dozen pairs	.40
All other grades V–2, V–3, V–4 (without nails)	.68	.90	1 dozen pairs	.40
(b) 1 nail hole toplifts plain or fiber back, no washers (all grades, V–1, V–2, V–3, V–4):				
(1) 1 dozen to carton (with nails) (all colors except white*), by size:				
9–0	.34	.45	1 dozen pairs	.35
7–0	.38	.50	1 dozen pairs	.35
5–0	.45	.60	1 dozen pairs	.35
3–0	.49	.65	1 dozen pairs	.35
2–0	.56	.75	1 dozen pairs	.35
1–0	.56	.75	1 dozen pairs	.35
2	.60	.80	1 dozen pairs	.35
4	.68	.90	1 dozen pairs	.35
6	.71	.95	1 dozen pairs	.35
1	.68	.90	1 dozen pairs	.35
3	.71	.95	1 dozen pairs	.35
5	.71	.96	1 dozen pairs	.35
*For white add to each price	.11	.15		.10
(2) 6 dozen to carton (without nails) (all colors but white*), by size:				
9–0	1.80	2.40	6 dozen pairs	.35
7–0	2.03	2.70	6 dozen pairs	.35
5–0	2.25	3.00	6 dozen pairs	.35

See footnotes at end of table.

[9] 9 F.R. 1385.

[1] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6364, 8506, 8873, 10671, 10939, 11754, 12023, 12710, 13302, 13472, 14990; 9 F.R. 1819.

TABLE I-A—MAXIMUM PRICES FOR RUBBER HEELS SOLD IN THE SHOE REPAIR TRADE [1]—Continued

Item	Maximum price for sales to wholesalers [2]	Maximum price for sales to shoe repairmen [2]	Unit of sales to wholesalers and shoe repairmen	Maximum price to consumers for heels attached by shoe repairmen [4] (per pair)
5. Women's toplifts—Continued.				
(b) I nail hole toplifts plain or fiber back, etc.—Con.				
(2) 6 dozen to carton, etc.—Con.				
3-0	$2.70	$3.60	6 dozen pairs	$0.35
2-0	2.93	3.90	6 dozen pairs	.35
1-0	2.93	3.90	6 dozen pairs	.35
2	3.08	4.10	6 dozen pairs	.35
4	3.49	4.65	6 dozen pairs	.35
6	3.79	5.05	6 dozen pairs	.35
1	3.49	4.65	6 dozen pairs	.35
3	3.79	5.05	6 dozen pairs	.35
5	3.79	5.05	6 dozen pairs	.35
6	3.79	5.05	6 dozen pairs	.35
*For white add to each price	.67	.90		.10
(c) Died out toplifts, plain or fiber back:				
Super grade or V-1, by size:				
10⅛ iron:				
Black	.56	.75	Pound	¶.25
Tan or no mark black	.60	.80	Pound	¶.25
White	.75	1.00	Pound	¶.35
All other grades V-2, V-3, V-4, by size:				
9 iron:				
Black	.56	.75	Pound	¶.25
Tan or no mark black	.60	.80	Pound	¶.25
White	.75	1.00	Pound	¶.35
10⅛ iron:				
Black	.53	.70	Pound	¶.25
Tan or no mark black	.56	.75	Pound	¶.25
White	.68	.90	Pound	¶.35
12 iron:				
Black	.49	.65	Pound	¶.25
Tan or no mark black	.53	.70	Pound	¶.25
White	.68	.90	Pound	¶.35
(d) Toplift stripe (12¼" x 28"):				
(1) Plain back, black:*				
Super grade or V-1, by size:				
7 iron	1.13	1.50	Each	¶.25
7½ iron	1.13	1.50	Each	¶.25
9 iron	1.16	1.55	Each	¶.25
10½ iron	1.24	1.65	Each	¶.25
12 iron	1.35	1.80	Each	¶.25
Standard grade or V-2 by size:				
7 iron	1.09	1.45	Each	¶.25
7½ iron	1.09	1.45	Each	¶.25
9 iron	1.13	1.50	Each	¶.25
10½ iron	1.16	1.55	Each	¶.25
12 iron	1.28	1.70	Each	¶.25
Special competitive or V-3, V-4 by size:				
7 iron	.98	1.30	Each	¶.25
7½ iron	.98	1.30	Each	¶.25
9 iron	1.01	1.35	Each	¶.25
10½ iron	1.05	1.40	Each	¶.25
12 iron	1.16	1.55	Each	¶.25
*Fiber back add to each price	.15	.20		.00
(2) Plain back, tan and no mark black:**				
Super grade or V-1 by size:				
7 iron	1.35	1.80	Each	¶.25
7½ iron	1.35	1.80	Each	¶.25
9 iron	1.43	1.90	Each	¶.25
10½ iron	1.50	2.00	Each	¶.25
12 iron	1.65	2.20	Each	¶.25
Standard grade or V-2 by size:				
7 iron	1.28	1.70	Each	¶.25
7½ iron	1.28	1.70	Each	¶.25
9 iron	1.35	1.80	Each	¶.25
10½ iron	1.43	1.90	Each	¶.25
12 iron	1.58	2.10	Each	¶.25
Competitive or special competitive, V-3 or V-4 by size:				
7 iron	1.16	1.55	Each	¶.25
7½ iron	1.16	1.55	Each	¶.25
9 iron	1.24	1.65	Each	¶.25
10½ iron	1.31	1.75	Each	¶.25
12 iron	1.46	1.95	Each	¶.25
**Fiber back add to each price	.15	.20		.00
(3) Plain back, white:*				
All grades by size:				
7 iron	1.61	2.15	Each	¶.35
7½ iron	1.61	2.15	Each	¶.35
9 iron	1.72	2.30	Each	¶.35
10½ iron	1.91	2.55	Each	¶.35
12 iron	2.17	2.90	Each	¶.35
*Fiber back add to each price	.15	.20	Each	.00
(e) Toplift blocks (8⅛ x 12½"):				
(1) Plain back, black:†				
Super grade or V-1, by size:				
7 iron	4.50	6.00	1 dozen	¶.25
9 iron	4.66	6.20	1 dozen	¶.25
10½ iron	4.95	6.60	1 dozen	¶.25
12 iron	5.40	7.20	1 dozen	¶.25
All other grades V-2, V-3, V-4 by size:				
7½ iron	4.35	5.80	1 dozen	¶.25
9 iron	4.50	6.00	1 dozen	¶.25
10½ iron	4.65	6.20	1 dozen	¶.25
12 iron	5.10	6.80	1 dozen	¶.25
†Fiber back add to each price	.60	.80		.00

See footnotes at end of table.

TABLE I-A—MAXIMUM PRICES FOR RUBBER HEELS SOLD IN THE SHOE REPAIR TRADE [1]—Continued

Item	Maximum price for sales to wholesalers [2]	Maximum price for sales to shoe repairmen [2]	Unit of sales to wholesalers and shoe repairmen	Maximum price to consumers for heels attached by shoe repairmen [4] (per pair)
5. Women's toplifts—Continued.				
(e) Toplift blocks (8⅛ x 12½")—Continued.				
(2) Plain back, tan and no mark black:†				
Super grade or V-1 by size:				
7 iron	$6.40	$7.20	1 dozen	¶$0.25
9 iron	6.70	7.60	1 dozen	¶.25
10½ iron	6.90	8.00	1 dozen	¶.25
12 iron	6.60	8.80	1 dozen	
All other grades V-2, V-3, V-4 by size:				
7½ iron	5.10	6.80	1 dozen	¶.25
9 iron	5.40	7.20	1 dozen	¶.25
10½ iron	5.70	7.60	1 dozen	¶.25
12 iron	6.30	8.40	1 dozen	.00
†Fiber back add to each price	.60	.80		
(3) Plain back, white:†				
All grades, by size:				
7 iron	6.45	8.60	1 dozen	¶.35
9 iron	6.90	9.20	1 dozen	¶.35
10½ iron	7.65	10.20	1 dozen	¶.35
12 iron	8.70	11.60	1 dozen	.00
†Fiber back—add to each price	.60	.80		
6. Orthopedic heels (all sizes):				
Men's whole	2.55	3.40	1 dozen pairs	.75
Men's half	2.11	2.85	1 dozen pairs	.65
Women's half	1.76	2.35	1 dozen pairs	.60
7. Combination leather and rubber lifts (all sizes):				
Men's	¶2.51	¶3.35	1 dozen pairs	.75
Women's	1.76	2.35	1 dozen pairs	.60
8. Heel bases, by thickness:				
2⅛/8"	.71	.96	1 dozen pairs	.25
2/8"	.71	.95	1 dozen pairs	.25
9. Wedge and sport heels (all colors) (all sizes):				
Super, standard, V-1, V-2:				
Men's (cord and natural inserts)	1.99	2.65	1 dozen pairs	.65
Men's	1.61	2.15	1 dozen pairs	.55
Women's	1.35	1.80	1 dozen pairs	.60
10. White heels:				
Man's half	1.80	2.40	1 dozen pairs	.60
Women's cuban (scoop, flat type or junior wedges)	1.24	1.65	1 dozen pairs	.55
Women's thin scoop super	.97	1.30	1 dozen pairs	.50
All other grades	.94	1.25	1 dozen pairs	.50

[1] The maximum prices for sales by wholesalers to certain wholesalers are set forth in paragraph (h) of this section.

[2] These prices shall be reduced by 5 percent if the purchaser pays cash within 30 days after delivery in accordance with the provisions of § 1315.1424 (d) (1). Federal excise taxes and other taxes may be added in accordance with the provisions of § 1315.1406 (a).

[3] These prices shall be decreased by the customary cash discounts in accordance with the provisions of § 1315.1424 (d) (2). Federal excise taxes and other taxes may be added in accordance with the provisions of § 1315.1406 (a).

[4] These prices include the Federal excise tax but other taxes may be added in accordance with § 1315.1406 (b).

* [Revoked.]

** [Revoked.]

† If died out toplifts or toplifts cut from toplift strips or toplift blocks are attached to heels which are larger in size than a size 3-0 thin scoop lift (3 nail hole), the shoe repairman may add $0.05 per pair to the prices stated in Table I-A for attaching these women's toplifts.

¶ For Wilder Quick Work A Style, combination leather and rubber lifts, there shall be substituted in Table I-A 2.75 instead of $2.51 and $3.67 instead of $3.35.

[Table I-A amended by Am. 2, 7 F.R. 7835, effective 10-7-42; and Am. 10, 8 F.R. 10980, effective 8-5-43. Footnotes 5 and 6 revoked by Am. 11, 8 F.R. 10980, effective 8-5-43]

(b) The maximum price stated in Table I-A for a sale by a shoe repairman shall include the price of the rubber heels and the price of attaching the rubber heels to shoes. If rubber heels are sold by a shoe repairman unattached, the maximum price for such sales shall be 40% of the price listed in Table I-A for sales of rubber heels of the same type and grade by a shoe repairman. The maximum price for attaching rubber heels supplied by a purchaser shall be 60% of the price stated in Table I-A for sales of rubber heels of the same type and grade by a shoe repairman.

(c) The maximum price stated in Table I-A for a sale by a shoe repairman includes all repairs made by the shoe repairman in the process of attaching rubber heels.

[Paragraph (c) amended by Am. 2, 7 F.R. 7835, effective 10-7-42]

(d) (1) The maximum prices for sales to wholesalers shall be decreased by 5% if the purchaser pays cash within thirty days after delivery of the rubber heels.

[Subparagraph (1) amended by Am. 2, 7 F.R. 7835, effective 10-7-42]

(2) The maximum price for sales to shoe repairmen shall be reduced by any cash discounts given by the seller to shoe repairmen of the same class during March, 1942.

(e) (1) The maximum price for sales to wholesalers shall include the costs of transportation of the rubbers heels to the buyer's place of business if the order in question amounts to one hundred pounds or more.

[Subparagraph (1) amended by Am. 2, 7 F.R. 7835, effective 10-7-42]

(2) The seller may add to the maximum prices stated in Table I-A for sales to shoe repairmen the same proportion of transportation costs incurred in the delivery of rubber heels, that the seller required purchasers of the same class to pay during March 1942 on deliveries of rubberless heels.

[Subparagraph (2) amended by Am. 1, 7 F.R. 6936, effective 9-1-42]

(f) The prices set forth in Table I-A shall not be increased by any charges for the extension of credit.

(g) [Revoked]

[Paragraph (g) amended by Am. 2, 7 F.R. 7835, effective 10-7-42; Am. 4, 8 F.R. 490, effective 1-16-43; Am. 6, 8 F.R. 4917, effective 4-20-43; Am. 7 8 F.R. 6642, effective 5-20-43; and Am. 9, 8 F.R. 9135, effective 7-8-43; revoked by Am. 11, 8 F.R. 10980, effective 8-5-43]

(h) The maximum price for sales by wholesalers to that class of wholesaler who during March, 1942, purchased rubber heels from wholesalers at prices higher than those set forth in Table I-A for sales to wholesalers is the price set forth in Table I-A for sales of the rubber heels in question to shoe repairmen, less 20 percent. The seller may add to the maximum price calculated in accordance with this paragraph the same proportion of transportation costs incurred in the delivery of rubber heels that the seller required purchasers of the same class to pay during March, 1942, on deliveries of rubber heels. The maximum price determined in accordance with the provisions of this paragraph shall be decreased by 5 percent if the purchaser pays cash within 30 days after delivery of the rubber heels.

[Paragraph (h) added by Am. 2, 7 F.R. 7835, effective 10-7-42; amended by Am. 10, 8 F.R. 10980, effective 8-5-43]

NOTE: All reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7779; Filed, May 29, 1944; 4:04 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIAL FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 257, Amdt. 2]

PULPWOOD PRODUCED IN MINNESOTA, MICHIGAN AND WISCONSIN

Correction

In F.R. Doc. 44-6845, appearing on page 5155 of the issue for Tuesday, May 16, 1944, footnote 2 to the table shown in paragraph 1 should read:

For 147 cubic feet of properly piled wood in 55" lengths.

PART 1412—SOLVENTS

[MPR 170,[1] Incl. Amdts. 1-8]

ANTI-FREEZE

This compilation of Maximum Price Regulation 170 includes Amendment 8, effective June 3, 1944. The text added or

[1] 8 F.R. 8070.

amended by Amendment 8 is underscored. Revocations and redesignations are indicated by notes.

In the judgment of the Price Administrator, seasonal and other factors affecting the sale of anti-freeze by manufacturers and distributors thereof have resulted in the establishment, under the General Maximum Price Regulation,[2] of maximum prices for such sales which are not generally representative and which are not best calculated to assist in securing adequate distribution of such anti-freeze.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations[3] involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

[Above sentence added by Supplementary Order 67, 8 F.R. 12555, effective 9-11-43.]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1[4] issued by the Office of Price Administration, Maximum Price Regulation No. 170 is hereby issued.

Sec.

1412.1 Maximum prices for anti-freeze.
1412.2 Less than maximum prices.
1412.3 Evasion.
1412.4 Adjustable pricing.
1412.5 Records and reports.
1412.6 Marking and posting.
1412.7 Enforcement.
1412.8 Petitions for amendment.
1412.9 Licensing.
1412.10 Federal and state taxes.
1412.11 Applicability of General Maximum Price Regulation.
1412.12 Definitions.
1412.13 Appendix A: Maximum prices for anti-freeze.
1412.14 Effective date.
1412.15 Effective dates of amendments.

AUTHORITY: §§ 1412.1 to 1412.15, inclusive, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1412.1 *Maximum prices for anti-freeze.* (a) On and after June 30, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver anti-freeze and no person shall buy or receive anti-freeze in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1412.13; and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of anti-freeze to a purchaser if prior to June 30, 1942, such anti-freeze had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

(b) Nothing in this Maximum Price Regulation No. 170 shall apply to sales or deliveries of wood alcohol for which maximum prices are established by Revised Price Schedule No. 34[5] or to sales or deliveries of ethyl alcohol for which maximum prices are established by Maximum Price Regulation No. 28[6] or Maximum Price Regulation No. 295.[7]

[Paragraph (b) revoked and (c) redesignated (b) by Am. 8, effective 6-3-44]

[Paragraph (b), formerly (c), amended by Am. 4, 8 F.R. 6951, effective 5-22-43; Am. 7, 8 F.R. 16701, effective 12-10-43]

[NOTE: Revised Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404, 14073) permits, under special conditions, the addition of extra packing expenses to procurement agencies of the United States.]

[NOTE: Supplementary Order No. 42 (8 F.R. 4968) provides that no price regulation of the Office of Price Administration shall apply to sales or deliveries of any commodity or service made to Government agencies pursuant to secret contracts or subcontracts.]

§ 1412.2 *Less than maximum prices.* Lower prices than those set forth in Appendix A hereof (§ 1412.13) may be charged, demanded, paid or offered.

§ 1412.3 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 170 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to anti-freeze alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding or otherwise.

§ 1412.4 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation where a petition for amendment or an application for adjustment requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

[§ 1412.4 amended by Am. 4, 8 F.R. 6951, effective 5-22-43]

§ 1412.5 *Records and reports.* (a) On and after June 30, 1942, every person making purchases or sales of anti-freeze in the course of trade or business shall keep for inspection by the Office of Price Administration, for a period of not less than one year, complete and accurate records of every such purchase or sale except sales at retail, showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, and the quantity of such anti-freeze purchased or sold.

(b) Such persons shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may, from time to time, require.

(c) Any seller who has customarily given a purchaser a sales slip, receipt or similar evidence of purchase shall continue to do so. Upon request from a purchaser any seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, a description of the anti-freeze sold, and the price received for it.

(d) Every person selling Type P anti-freeze shall preserve all of his existing records relating to the price which he charged for Type P anti-freeze during that month of the six month period ending March 31, 1942, in which he delivered the largest amount of such anti-freeze.

§ 1412.6 *Marking and posting*—(a) *By persons packaging anti-freeze.* (1) Except as provided in subparagraph (3) of this paragraph, on and after June 30, 1942, every person who packages Type N, S, P or C anti-freeze in containers shall clearly and conspicuously mark on the outside of such containers or on labels securely affixed thereto the following information:

[Subparagraph (1) amended by Am. 4, 8 F.R. 6951, effective 5-22-43]

(i) The type of anti-freeze contained therein, that is, "Type N", "Type S", "Type P", or "Type C", as the case may be, and in the case of Type C anti-freeze, the following additional statement: "This anti-freeze contains as its principal ingredient (Insert here the common name of the inorganic salt used in preparing the solution)."

[Subparagraph (i) amended by Am. 4, 8 F.R. 6951, effective 5-22-43]

(ii) The strength of the anti-freeze contained therein. Such strength may be designated as follows: "_____ gallon(s) of this anti-freeze added to one gallon of water will reduce the freezing point of the mixture to 10 degrees below zero Fahrenheit." Or, as an alternative, it may be designated by a complete anti-freeze protection table from which the above information may be obtained: *Provided*, That where any anti-freeze is packaged which when added to water in the proportion of ¾ of a gallon or less of such anti-freeze to one gallon of water reduces the freezing point of the resulting mixture to 10 degrees below zero Fahrenheit or lower, the terms "standard," "standard strength," or "full strength" may be used instead of the above statement or protection table.

[Subparagraph (ii) amended by Am. 6, 8 F.R. 11437, 11755, effective 8-16-43]

(iii) The applicable maximum retail price as established by Appendix A (§ 1412.13) for the anti-freeze contained therein. Such price shall be designated as follows: "OPA Retail Ceiling Price $_____." The blank in the quoted phrase shall be filled in with the applicable maximum retail price as established by Appendix A (§ 1412.13) by the packager in the case of Type S, Type N and Type C anti-freeze and by the retailer in the case of Type P anti-freeze, but in the latter case the packager shall supply the retailer with instructions as to the manner of determining the maximum retail price under the provisions of Appendix A (§ 1412.13).

(2) The type (N, S, P, or C) and the applicable maximum retail price established by Appendix A (§ 1412.13) shall be printed in letters at least two inches high on containers of more than five gallons, and in letters at least as large as any other printed matter thereon other than the trade mark or trade name on containers of five gallons or less.

(3) The marking specified in subdivision (iii) of subparagraph (1) of this paragraph may be omitted where anti-freeze is sold directly to the United States, or any agency thereof, or to a commercial or industrial user.

[Paragraph (a) amended by Am. 1, 7 F.R. 5717, effective 7-28-43, and Am. 2, 8 F.R. 1232, effective 2-1-43]

(b) *By retailers.* (1) Every person selling Type N, S, P or C anti-freeze at retail shall post the maximum price of each type (N, S, P or C), and brand of anti-freeze sold by him, in a manner plainly visible to and understandable by the purchasing public. The maximum price may be posted on the shelf, bin, or rack upon or in which the commodity is kept, or it may be posted at the place in the business establishment where the commodity is offered for sale, and shall be marked "Ceiling Price $_____."

[Subparagraph (1) amended by Am. 2, 8 F.R. 1232, effective 2-1-43; Am. 4, 8 F.R. 6951, effective 5-22-43; and Am. 6, 8 F.R. 11437, effective 8-16-43]

(2) Every person selling Type N, S, P or C anti-freeze at retail from containers of more than 5 gallons which do not have properly marked thereon the information required by paragraph (a) of this section shall mark such information on such containers in the form and manner prescribed in said paragraph.

[Subparagraph (2) amended by Am. 4, 8 F.R. 6951, effective 5-22-43]

§ 1412.7 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 170 are subject to criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 170 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest District, State, Field, or Regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1412.8 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 170 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[§ 1412.8 amended by Supplementary Order No. 26, 8 F.R. 8946, effective 11-4-43]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5067, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1412.9 *Licensing.* The provisions of Licensing Order No. 1,[8] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1412.9 amended by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43.]

§ 1412.10 *Federal and state taxes.* Any tax upon, or incident to, the sale, delivery, processing, or use of anti-freeze imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such anti-freeze and in preparing the records of such seller with respect thereto:

(a) *As to a tax in effect during any part of the six-month period ending March 31, 1942.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during any part of the six-month period ending March 31, 1942, the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this Maximum Price Regulation No. 170.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 170.

(b) *As to a tax or increase in a tax which becomes effective after March 31, 1942.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

[NOTE: Supplementary Order No. 31 (7 F.R. 9694; 8 F.R. 1212, 3702) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

§ 1412.11 *Applicability of General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 170 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this Regulation.

§ 1412.12 *Definitions.* (a) When used in this Maximum Price Regulation No. 170, the term:

(1) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Anti-freeze" means any product sold for use, without further processing, as a depressant of the freezing point of coolant water in internal combustion engines, or any fluid composed principally

[2] 9 F.R. 1385, 5169.

[3] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[4] Revised: 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 3075.

[5] 7 F.R. 1269, 8201.

[6] 8 F.R. 2339, 4256, 4852, 9016, 12879; 9 F.R. 2668, 3330, 4198.

[7] 7 F.R. 11115; 8 F.R. 129, 2599, 4930, 15431, 16742; 9 F.R. 2668, 3330; 9 F.R. 4198.

[8] 8 F.R. 13340.

of a petroleum fraction or fractions sold for use, without further processing, as a cooling medium for internal combustion engines of automobiles.

[Subparagraph (2) amended by Am. 4, 8 F.R. 6951, effective 5–22–43; and Am. 7, 8 F.R. 16701, effective 12–10–43.]

(3) "Alcohol" means a monohydric or polyhydric aliphatic alcohol from the group consisting of methyl alcohol, ethyl alcohol, isopropyl alcohol, and ethylene glycol.

(4) "Standard anti-freeze" means any anti-freeze which when added to water in the proportion of ¾ of a gallon or less of such anti-freeze to one gallon of water reduces the freezing point of the resulting mixture to 10 degrees below zero Fahrenheit or lower.

(5) "Sub-standard anti-freeze" means anti-freeze which must be added to water in the proportion of more than ¾ of a gallon of such anti-freeze to one gallon of water to reduce the freezing point of the resulting mixture to 10 degrees below zero Fahrenheit.

(6) "Type P" anti-freeze means an anti-freeze which contains at least 60% ethylene glycol by weight and at least 85% of glycol compounds by weight.

[Subparagraph (6) amended by Am. 1, 7 F.R. 5717, effective 7–28–42.]

(7) "Type N" anti-freeze means anti-freeze which has as its principal component fermentation ethyl alcohol or anti-freeze which has as its principal component wood distilled methyl alcohol and contains at least 95% wood distilled methyl alcohol by volume.

(8) "Type S" anti-freeze means anti-freeze which has as its principal component synthetic ethanol, synthetic methanol, synthetic methanol-isopropyl alcohol mixtures or mixtures of fermentation ethyl alcohol or wood distilled methyl alcohol with any of the foregoing.

[Subparagraphs (7) and (8) amended by Am. 4, 8 F.R. 6951, effective 5–22–43.]

(9) "Manufacturer" means any person who produces anti-freeze.

(10) "Sale at retail" or "selling at retail" means a sale or selling to an ultimate consumer.

(11) "Retailer" means a seller making sales at retail.

(12) "Purchaser of the same class" means a purchaser of the same kind (for example, distributor, jobber, fleet owner, individual consumer) buying under the same or similar conditions of sale.

(13) "Seller of the same class" means a seller (i) performing the same function (for example, manufacturing, distributing, jobbing, retailing) (ii) of similar type (for example, gasoline stations, mail order houses, general stores, cut-rate stores) (iii) dealing in the same type of commodities, and (iv) selling to the same class of purchaser. A seller's "most closely competitive seller of the same class" shall be a seller of the same class who (*a*) is selling anti-freeze of the same type, and (*b*) is closely competitive in the sale of such anti-freeze, and (*c*) is located nearest to the seller.

(14) "Manufacturer's shipping point" means the point at which anti-freeze is delivered by the manufacturer to a carrier for shipment to a purchaser.

(15) "Glycol compounds" means ethylene glycol, ethylene glycol homologs, polyethylene glycols or mixtures of any of the foregoing.

[Subparagraph (15) added by Am. 1, 7 F.R. 5717, effective 7–28–42.]

(16) "Percent by volume." The percent by volume of methyl alcohol contained in a mixture of methyl alcohol and water means the number of gallons of methyl alcohol which when added to the appropriate amount of water gives a total volume of 100 gallons of mixture.

[Subparagraph (16) added by Am. 1, 7 F.R. 5717, effective 7–28–42; and amended by Am. 4, 8 F.R. 6951, effective 5–22–43.]

(17) "Type C" anti-freeze means an anti-freeze which has as its principal component an inorganic salt such as calcium, magnesium, or sodium chloride.

[Subparagraph (17) added by Am. 2, 8 F.R. 1232, effective 2–1–43.]

(18) "Petroleum fractions" includes kerosene, No. 1 fuel oil and heavier distillate fuel oils, naphthas, solvents and mineral spirits.

[Subparagraph (18) added by Am. 7, 8 F.R. 16701, effective 12–10–43.]

(b) Unless the context otherwise requires the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Price Regulation No. 170.

§ 1412.13 *Appendix A: Maximum prices for anti-freeze.* Maximum prices for anti-freeze shall be those specified in this section or by orders issued thereunder. Where a maximum price for a particular sale or delivery of an anti-freeze, such as a sale or delivery by a wholesaler to another wholesaler, is not established in this section or in an order establishing maximum prices for the particular kind of anti-freeze, the maximum price for such sale or delivery shall be the maximum price established for sales to retailers in this section or in an order issued thereunder.

[Above paragraph added by Am. 8, effective 6–3–44]

(a) *Standard anti-freeze, Type N and Type S.* Maximum prices for standard Type N and Type S anti-freeze are established as follows:

(1) *Sales by manufacturers to persons other than retailers.*

[Per gallon delivered]

	Type N	Type S
(i) Tank cars	$0.58	$0.30
(ii) Tank truck deliveries:		
500 gallons or over	.60	.32
Less than 500 gallons	.62	.34
(iii) Carload lots (containers included):		
(*a*) containers over 35 gallons	.70	.42
(*b*) containers over 5 gallons and including 35 gallons	.72	.44
(*c*) containers of 1 to 5 gallons, inclusive	.76	.47
(*d*) containers less than 1 gallon	.80	.51

(iv) Less than carload lots. The maximum prices established above for deliveries in carload lots plus three cents per gallon, f. o. b. manufacturer's shipping point.

(2) *Sales to retailers by any person.*

[Per gallon delivered]

	Type N	Type S
(i) Containers over 35 gallons	$0.87	$0.55
(ii) Containers over 5 gallons and including 35 gallons	.90	.57
(iii) Containers of 1 to 5 gallons, inclusive	.94	.61
(iv) Containers less than 1 gallon	.99	.66

In the case of sales to retailers by sellers other than manufacturers, transportation costs in excess of three cents per gallon may be charged to buyer's account. Any such charges shall be separately stated on an invoice, which shall be furnished the buyer by the seller.

[Subparagraph (2) amended by Am. 8, effective 6–3–44]

(3) *Sales at retail.* Delivered, including installation in automobile cooling system where buyer so requests and where anti-freeze was customarily so installed without charge during the six month period ending March 31, 1942 by the seller or, if the seller did not sell anti-freeze during such period, by like sellers.

	Type N	Type S
(i) In quantities of 1 gallon or more	*Per gal.* $1.40	*Per gal.* $1.00
(ii) In quantities of less than 1 gallon	*Per qt.* .35	*Per qt.* .25

[Paragraph (a) amended by Am. 4, 8 F.R. 6951, effective 5–22–43 and as otherwise noted]

(b) *Sub-standard anti-freeze, Type N and Type S.* For sales covered by subparagraph (1), (2), and (3) of paragraph (a) of this section, the maximum price for any quantity of substandard anti-freeze of Type N or Type S, in any kind of container, shall be the maximum price, as determined under whichever one of said subparagraphs (1), (2), or (3) is applicable, for that quantity of standard anti-freeze of the same type, in the same kind of container, which would produce an anti-freeze effect equal to that produced by the quantity of substandard anti-freeze being priced. Such maximum price shall not exceed the price determined by computation under the following formula: Subtract 25% from the maximum price for a quantity of standard anti-freeze of the same type (in like containers) equal to the quantity of substandard anti-freeze being priced, and divide the result by the number of gallons of such substandard anti-freeze which must be added to 1 gallon of water to reduce the freezing point of the resulting mixture to 10 degrees below zero Fahrenheit.

(c) *Standard anti-freeze, Type P.* (1) The maximum price which any seller may charge for standard Type P anti-freeze shall be the highest price which such seller charged on a delivery of standard Type P anti-freeze in like containers in similar amounts to a purchaser of the same class during that month of the six month period ending March 31, 1942, in which such seller delivered the largest amount of Type P anti-freeze. This maximum price in the case of sales at retail shall not exceed $2.65 per gallon on sales in quantities of 1 gallon or more or $.70 per quart on sales in quantities of less than one gallon. Such maximum prices include installation in automobile cooling systems where the buyer so requests, and where anti-freeze was customarily so installed without charge during the six month period ending March 31, 1942 by the seller or, if the seller did not sell anti-freeze during such period, by like sellers.

[Subparagraph (1) amended by Am. 1, 7 F.R. 5717, effective 7–28–42; and Am. 4, 8 F.R. 6951, effective 5–22–43.]

(2) If a seller cannot determine a maximum price for standard Type P anti-freeze under subparagraph (1), he shall take as his maximum price the maximum price to a purchaser of the same class as established under subparagraph (1) for the seller's most closely competitive seller of the same class for whom such a maximum price has been established under subparagraph (1).

(d) *Sub-standard anti-freeze, Type P.* The maximum price for any quantity of sub-standard Type P anti-freeze, in any kind of container and to any class of purchaser, shall be the maximum price for that quantity of standard Type P anti-freeze, in like containers and to the same class of purchaser, which would produce an anti-freeze effect equal to that produced by the quantity of substandard Type P anti-freeze being priced. Such maximum price shall not exceed the price determined by computation under the following formula: subtract 25% from the maximum price (to the same class of purchasers) for a quantity of standard Type P anti-freeze (in like containers) equal to the quantity of sub-standard Type P anti-freeze being priced, and divide the result by the number of gallons of such sub-standard Type P anti-freeze which must be added to one gallon of water to reduce the freezing point of the resulting mixture to 10 degrees below zero Fahrenheit.

(e) The maximum prices established by this regulation shall not be increased by any charges for containers. The seller may, however, require the return of containers, but in such case the maximum prices which may be charged are the maximum prices specifically set forth in this regulation less $.025 per gallon. The same deduction shall be made in those cases where the buyer furnishes drums. Transportation costs with respect to the return or furnishing of containers shall, in all cases, be borne by the seller.

When sales are made upon a container-returnable basis, the seller may require a reasonable deposit for the return of such containers but such deposit must be refunded to the buyer upon the return of the containers in good condition within a reasonable time.

[Paragraph (e) amended by Am. 4, 8 F.R. 6951, effective 5–22–43; and Am. 5, 8 F.R. 8070, effective 5–22–43.]

(f) *Credit charges.* The maximum prices established by this Maximum Price Regulation No. 170 shall not be increased by any charges for the extension of credit.

(g) *Standard strength anti-freeze, Type C.* Maximum prices for standard strength Type C anti-freeze are established as follows:

(1) *Sales to retailers by any person.*

[Per gallon delivered, containers included]

	Calcium chloride, sodium chloride, or mixed salt base	Magnesium chloride base
Over 5 gallons	$0.40	$0.47
1–5 gallons	.46	.53
Less than 1 gallon	.51	.58

(2) *Sales at retail.* Delivered, including installation in automobile cooling system where buyer so requests and where anti-freeze was customarily so installed without charge during the six month period ending March 31, 1942 by the seller or, if the seller did not sell anti-freeze during such period, by like sellers.

	Calcium chloride, sodium chloride, or mixed salt base	Magnesium chloride base
In quantities of 1 gallon or more	*Per gallon* $0.75	*Per gallon* $0.85
In quantities of less than 1 gallon	*Per quart* .20	*Per quart* .23

[Subparagraph (2) amended by Am. 4, 8 F.R. 6951, effective 5–22–43.]

Provided, That until and including March 15, 1943, any seller of Type C anti-freeze other than a manufacturer or retailer, who prior to February 1, 1943 had purchased Type C anti-freeze and had it in his possession or in the custody of a carrier or warehouse other than a carrier or warehouse owned or controlled by the person from whom such anti-freeze was acquired, may sell such anti-freeze at a price not to exceed the maximum price established in this section or at his cost of acquisition, whichever is higher, *And provided further*, That until and including March 15, 1943, any retailer may sell Type C anti-freeze at a price not to exceed the maximum price established in this section or at his cost of acquisition plus $.25 per gallon, whichever is higher.

[Paragraph (g) added by Am. 2, 8 F.R. 1232, effective 2–1–43. Proviso amended by Am. 8, 8 F.R. 1613, effective 2–1–43.]

(h) *Substandard strength anti-freeze, Type C.* For sales covered by subparagraphs (1) and (2) of paragraph (g) above, the maximum price for any quantity of substandard strength Type C anti-freeze in any kind of container shall be the maximum price, as determined under whichever one of said subparagraphs (1) or (2) is applicable, for that quantity of standard strength Type C anti-freeze, in like containers, which would produce an anti-freeze effect equal to that produced by the quantity of substandard strength Type C anti-freeze being priced. Such maximum price shall not exceed the price determined by computation under the following formula: subtract 25% from the maximum price for a quantity of standard strength Type C anti-freeze (in like containers) equal to the quantity of substandard strength Type C anti-freeze being priced, and divide the result by the number of gallons of such substandard strength Type C anti-freeze which must be added to one gallon of water to reduce the freezing point of the resulting mixture to ten degrees below zero Fahrenheit.

[Paragraph (h) added by Am. 2, 8 F.R. 1232, effective 2–1–43.]

(i) *Wood distilled methyl alcohol base anti-freeze containing less than 95% by volume of wood distilled methyl alcohol—* (1) *Maximum prices.* The maximum price for any sale of wood distilled methyl alcohol base anti-freeze containing less than 95% by volume of wood distilled methyl alcohol shall be the maximum price established in paragraph (a) above for like sales of Type N anti-freeze multiplied by the figure obtained by dividing by 95 the number of percent by volume of wood distilled methyl alcohol contained in the anti-freeze.

(2) *Marking and posting.* The marking and posting requirements of § 1412.6 which are applicable to Type N anti-freeze shall apply to wood distilled methyl alcohol base anti-freeze containing less than 95% by volume of wood distilled methyl alcohol, except that, such anti-freeze shall be designated as "Type W (____%)". The blank in the quoted phrase shall be filled in by the number of percent by volume of wood distilled methyl alcohol contained in such anti-freeze.

(3) Any seller other than a manufacturer or retailer, who, prior to May 22, 1943, had purchased, at the maximum prices established for sales of Type N anti-freeze, anti-freeze containing less than 95 per cent by volume of wood distilled methyl alcohol, may sell such anti-freeze at the maximum prices established for sales of Type N anti-freeze, until and including September 30, 1943. Any seller at retail who purchases such anti-freeze prior to September 30, 1943, at the maximum prices for sales of Type N anti-freeze, may resell such anti-freeze at the maximum prices established for sales of Type N anti-freeze until and including December 15, 1943.

[Subparagraph (3) added by Am. 6, 8 F.R. 11437, effective 8–16–43.]

(j) *Anti-freeze of a type not specifically named.* (1) The maximum prices (except as provided in paragraph (k) below) for an anti-freeze which is of a type for which maximum prices or methods of determining maximum prices for sales by the manufacturer are not specified in this section shall be maximum prices specifically authorized by the Office of Price Administration which are in line with the level of maximum prices established by this regulation.

[Subparagraph (1) amended by Am. 7, 8 F.R. 16701, effective 12–10–43.]

(2) Prior to first offering such an anti-freeze for sale, the manufacturer shall submit by registered mail to the Office of

Price Administration in Washington, D. C., an application for specific authorization of maximum prices. Such application shall contain the following information:

(i) Statement as to the geographical area in which and the types of reseller through which it is proposed to distribute the anti-freeze.

(ii) Proposed maximum prices for sales in each size and type of container for sales at retail and for sales to and by each type of reseller who will handle the anti-freeze, with a detailed explanation of how such prices were calculated and a full explanation of the reasons why the manufacturer considers the proposed prices to be in line with the level of maximum prices established by this regulation.

(iii) The quantitative formula of the anti-freeze; ceiling or actual purchase price, whichever is lower of each material in such formula, per unit of material; corresponding material cost for each material per gallon of anti-freeze; name and address of the supplier of each material whose ceiling price or actual selling price was used.

(iv) Detailed breakdown of costs, other than material costs, per gallon of anti-freeze, showing:

(*a*) Package costs for each size and type of container.

(*b*) Direct labor costs for packaging for each size and type of container.

(*c*) Direct labor costs for preparing the anti-freeze.

(*d*) Estimated freight absorption.

(v) Statement as to the number of gallons of the anti-freeze which must be added to one gallon of water to reduce the freezing point of the resulting mixture to 10 degrees below zero Fahrenheit, to zero degrees Fahrenheit, and by one degree Fahrenheit; specific gravity; boiling point and freezing point of the anti-freeze; boiling points and percentage compositions (by weight) of any constant boiling point mixtures which the anti-freeze forms with water; complete protection table, if available; and description and results of any tests that have been made as to the cooling properties, corrosive effects, other properties of the anti-freeze.

(3) Any authorization of maximum prices under this paragraph (j) may contain such requirements as to the marking and posting of retail prices and other information as the Office of Price Administration determines to be proper.

(4) No deliveries of the anti-freeze may be made prior to authorization of maximum prices therefor by the Office of Price Administration.

[Paragraphs (i) and (j) added by Am. 4, 8 F.R. 6951, effective 5-22-43 and amended as noted.]

(k) *Petroleum fraction anti-freeze.* No person may sell or deliver an anti-freeze composed principally of a petroleum fraction or fractions until maximum prices therefor have been authorized in accordance with paragraph (j) above except as specified below:

(1) A reseller other than a retailer who prior to December 10, 1943 had purchased and received delivery of any such anti-freeze may sell such anti-freeze at his cost of acquisition plus two cents per gallon or at the maximum price, if any, authorized for his sales in accordance with paragraph (j), whichever is higher.

(2) A retailer who prior to December 10, 1943 had purchased and received delivery of any such anti-freeze may sell such anti-freeze at his cost of acquisition plus three cents per gallon or at the maximum price, if any, authorized for his sales in accordance with paragraph (j) above, whichever is higher.

(3) A retailer who on or after December 10, 1943 purchases and receives delivery of any such anti-freeze from a reseller other than a retailer at a price not in excess of the maximum price established for such reseller's sales of such anti-freeze by subparagraph (1) above may sell such anti-freeze at his cost of acquisition plus three cents per gallon or at the maximum price, if any, established for his sales in accordance with paragraph (j) above, whichever is higher.

(4) A buyer who has purchased any such anti-freeze shall be deemed to have received delivery of it if he has it in his possession or in the custody of a carrier or warehouse other than a carrier or warehouse owned or controlled by the person from whom he acquired it.

[Paragraph (k) added by Am. 7, 8 F.R. 16701, effective 12-10-43.]

§ 1412.14 *Effective date.* This Maximum Price Regulation No. 170 (§§ 1412.1 to 1412.14) shall become effective June 30, 1942. [MPR 170 originally issued June 25, 1942.]

§ 1412.15 *Effective dates of amendments.* [Effective dates of amendments are shown in notes following the parts affected.]

NOTE: The reporting requirement of this regulation has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7778; Filed, May 29, 1944; 4:04 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 533-1]

CENTRAL LOGS

Correction

In F.R. Doc. 44-6985, appearing at page 5233 of the issue for Wednesday, May 17, 1944, the following corrections are made:

In sec. 4 (b) (3) on page 5233 the word "minimum" should read "maximum."

The undesignated paragraph under sec. 11 (c) on page 5234 should read:

"If the buyer takes delivery of logs at any place other than f. o. b. cars at a rail siding, f. o. b. barge at towable waters or at his mill, the buyer must deduct from his ceiling price either:"

PART 1340—FUEL

[MPR 112,[1] Amdt. 18]

PENNSYLVANIA ANTHRACITE

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1340.200 (a) is amended to read as follows:

(a) The following maximum prices are established for anthracite f. o. b. transportation facilities at the mine, or preparation plant operated as an adjunct of a mine or mines or ground storage facility from which delivery is made:

Size	*Price per net ton*
(1) Domestic:	
Broken, egg, stove and chestnut	$7.85
Pea	6.80
Steam:	
Buckwheat #1	4.65
Rice, (buckwheat #2)	3.75
Barley (buckwheat #3)	2.75
All sizes smaller than barley (buckwheat #3) if sold for fuel or sintering use, or for use in the manufacture of calcium carbide, graphite or activated carbon, including (specifically but not exclusively), Buckwheat #4, river or dredge barley, and smaller sizes	2.00

(2) EXCEPTIONS

Producer	Colliery or breaker and/or trade name	Prices per net ton								
		Broken	Egg	Stove	Chestnut	Pea	Buckwheat #1	Rice (buckwheat #2)	Barley (buckwheat #3)	All sizes smaller than barley
Jeddo Highland[1] Coal Co.	Prepared at Jeddo #7 and Highland No. 5 breakers. Sold under trade name "Jeddo Coal", "Highland Coal" or "Hazel Brook Coal."	$8.10	$8.10	$8.10	$8.10	$6.55	$4.90	$3.90	$2.75	$2.00
Franklin-Lykens[1] Coal Co.	Prepared at Williamstown breaker. Sold under trade name "The Only Genuine Franklin Coal of Lykens Valley."	8.60	8.85	9.10	8.15	6.30	4.65	3.85	2.75	2.00
Lehigh Navigation[1] Coal Co.	Sold under trade name "Old Company's Lehigh-Greenwood Premium Anthracite."	7.85	8.10	8.10	8.10	6.55	4.65	3.75	2.75	2.00

[1] Premium anthracite price established by amendment to regulation.

The prices set forth in subparagraph (2) of this paragraph shall be the maximum prices for this anthracite for so long as the present quality and preparation standards are maintained; otherwise, the maximum prices shall be those established by subparagraph (1) of this paragraph.

This amendment shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 76th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7774; Filed, May 29, 1944; 4:03 p. m.]

PART 1340—FUEL

[MPR 120, Amdt. 100]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

Correction

The FEDERAL REGISTER serial number and date and time of filing for the document which appears on page 5826 of the issue for Tuesday, May 30, 1944, should read as follows:

[F. R. Doc. 44-7747; Filed, May 29, 1944; 11:54 a. m.]

PART 1388—DEFENSE-RENTAL AREA

[Rent Reg. for Hotels and Rooming Houses,[1] Amdt. 22]

DESIGNATION OF AREAS

Schedule A of the Rent Regulation for Hotels and Rooming Houses is amended in the following respects:

1. Items 84 (Crab Orchard Defense-Rental Area, consisting of the counties of Jackson and Williamson, Illinois) and 158 (Sault Ste. Marie Defense-Rental Area, consisting of the County of Chippewa, Michigan) are hereby revoked to terminate the application of the Rent Regulation for Hotels and Rooming Houses to these two defense-rental areas.

2. Items 155a (Owosso Defense-Rental Area, consisting of the County of Shiawassee, Michigan), and 187a (Atlantic County Defense-Rental Area, consisting of the County of Atlantic, New Jersey) are added to read as follows:

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(155a) Owosso	Michigan	Shiawassee	March 1, 1943	June 1, 1944	July 15, 1944.
(187a) Atlantic County	New Jersey	Atlantic	Sept. 1, 1943	June 1, 1944	July 15, 1944.

This amendment shall become effective June 1, 1944. This amendment shall not release or extinguish any penalty, duty, or liability incurred under the Rent Regulation for Hotels and Rooming Houses.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7775; Filed, May 29, 1944; 4:05 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing,[2] Amdt. 24]

DESIGNATION OF AREAS

Schedule A of the Rent Regulation for Housing is amended in the following respects:

1. Items 84 (Crab Orchard Defense-Rental Area, consisting of the counties of Jackson and Williamson, Illinois) and 158 (Sault Ste. Marie Defense-Rental Area, consisting of the County of Chippewa, Michigan) are hereby revoked to terminate the application of the Rent Regulation for Housing to these two defense-rental areas.

2. Items 155a (Owosso Defense-Rental Area, consisting of the County of Shiawassee, Michigan) and 187a (Atlantic County Defense-Rental Area, consisting of the County of Atlantic, New Jersey) are added to read as follows:

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(155a) Owosso	Michigan	Shiawassee	March 1, 1943	June 1, 1944	July 15, 1944.
(187a) Atlantic County	New Jersey	Atlantic	Sept. 1, 1943	June 1, 1944	July 15, 1944.

This amendment shall become effective June 1, 1944. This amendment shall not release or extinguish any penalty, duty, or liability incurred under the Rent Regulation for Housing.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7776; Filed, May 29, 1944; 4:05 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31,[1] Amdt. 19]

DESIGNATION OF AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

In § 1388.1341 or Designation and Rent Declaration 31, items 18 and 26 are amended and items 69 and 94 are added to read as follows:

(18) Michigan, Michigan, That portion of the State of Michigan, not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Hillsdale and Shiawassee.

(26) Ocean County, New Jersey, County of Ocean.

(69) Atlantic County, New Jersey, County of Atlantic.

(94) Owosso, Michigan, County of Shiawassee.

This amendment shall become effective June 1, 1944.

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7777; Filed, May 29, 1944; 4:05 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 533-5]

NORTHEASTERN LOGS

Correction

In F.R. Doc. 44-6989, which appears at page 5238 of the issue for Wednesday, May 17, 1944, the first sentence of the text in small type in sec. 13 (c) (2) (iii) should read: "A sound knot up to 4" in diameter."

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 67]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith,

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3512, 2739, 2818, 2868, 3521, 4294, 4539, 4640, 10529, 10564, 10714; 8 F.R. 444, 2022, 3367, 8065, 15706, 16037; 9 F.R. 573, 1324.

[1] 9 F.R. 2165, 3231, 3421, 4194, 4541.

[2] 8 F.R. 14663, 14815, 15585, 16032, 16208, 16427, 17297; 9 F.R. 206, 972, 2176, 2289, 3231, 3422, 4028, 4541.

[1] 7 F.R. 7942; 8 F.R. 122, 1229, 1749, 4779, 5738, 5739, 10739, 12099, 12624, 13920, 14012, 14687, 15581, 16209; 9 F.R. 972, 3232, 4541.

[2] 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15483, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2287, 2252, 2476, 2789, 3030, 3075, 3340, 3704, 3577.

has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. Section 27.1 (a) is amended by deleting the words "or vegetables".

2. Section 27.1 (a) (1) is amended by deleting the words "and vegetables".

3. Section 27.1 (b) (2) is amended by deleting the words "and vegetables".

4. Section 27.1 (b) (3) is amended by deleting the words "and vegetables".

5. Section 27.1 (b) (5) is amended by deleting the words "and vegetables, excluding potatoes,".

6. Section 27.1 (d) is amended by deleting the words "and vegetables, excluding potatoes,".

7. Section 27.2 (a) is amended by deleting the words "fresh fish" and the word "or poultry".

8. Section 27.2 (a) (1) is amended by deleting the words "fresh fish," and the words "and poultry".

9. Section 27.2 (b) (2) is amended by deleting the words "fresh fish," and the words "and poultry".

10. Section 27.2 (b) (4) is amended to read as follows:

(4) The number of quarts of fresh milk which the applicant can get and use during the period covered by the application; and

11. Section 27.2 (d) is amended by deleting the words "fresh fish," and the words "and poultry".

This amendment shall become effective June 2, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; War Food Orders 56, 58, 59, 61, 64; 9 F.R. 4319, 4320, 4321)

Issued this 30th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7800; Filed, May 30, 1944; 11:51 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 484,[1] Amdt. 2]

UNWASHED AND WASHED WIPING CLOTHS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 484 is amended in the following respects:

1. Section 4 (a) is amended to read as follows:

(a) The provisions of this regulation supersede the provisions of the General Maximum Price Regulation[2] with respect to sales and deliveries for which maximum prices are established by this regulation, and also supersedes the provisions of Maximum Price Regulation No. 165,[3] as amended, with respect to the rewashing of wiping cloths, maximum prices for which are established by this regulation.

2. In section 14 (a), subparagraphs (8), (9) and (10) are amended and subparagraphs (13), (14) and (15) are added to read as follows:

(8) "Retailer" means an automobile supply dealer or distributor, janitor supply house, or chandler who buys washed wiping cloths and resells them to a consumer. The term "retailer" does not include any person whose principal or major business is the selling or jobbing of waste or salvaged materials or of any textile materials.

(9) "Jobber" means any person who is not a "retailer", as defined above, and who buys and resells washed wiping cloths.

(10) "Foreign materials" includes all materials which cannot be used in the manufacture of washed wiping cloths, except that buttons, hooks, eyes, pins and similar items may be included in shipments of unwashed wiping cloths, unless otherwise specified.

(13) "Outthrow" means useable wiping cloth material which does not meet the specifications established by this regulation for the grade being delivered.

(14) "Most closely competitive seller of the same class." "Seller of the same class" means a seller (1) performing the same function, (2) of similar type, (3) dealing in the same type of commodities or services, and (4) selling to the same class of purchaser. A seller's "most closely competitive seller of the same class" shall be a seller of the same class who is selling the same or a similar commodity or service, and is closely competitive in the sale of such commodities or services, and is located nearest to the seller.

(15) "Purchaser of the same class" refers to the practice adopted by the seller setting different prices for commodities or services for sales to different purchasers or kind of purchasers or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

3. The text of Appendix A (a) preceding the listing of grades of unwashed wiping cloths is amended to read as follows:

(a) The maximum prices set forth below are established for the listed grades of unwashed wiping cloths. These maximum prices are for carload lots, per pound, f. o. b. point of shipment. All grades as defined herein must be free of non-absorbent, oily, greasy and painted materials, rotten or tender stock and other foreign materials, unless otherwise specified. Tare weight and foreign material in excess of 5% must be deducted from the weight of the shipment in computing the maximum price for the shipment. Weight of outthrow in excess of a 5% tolerance must be deducted from the weight of the shipment in computing the maximum price. Mixtures of grades may be sold, providing the price for the mixture does not exceed the maximum price established by this regulation for the lowest-priced grade contained in the assortment.

4. In Appendix A (a) the grades of "Unwashed heavyweight colored wipers" is amended, and a new grade "Unwashed feather ticking" is added to read as follows:

GRADES OF UNWASHED WIPING CLOTHS

	Maximum prices (cents per pound)
Unwashed heavyweight colored wipers: Heavyweight absorbent cotton rags and cotton rags containing wool, silk, or rayon, and free of blue overalls and lined garments. The cloth shall have a minimum dimension of 9 inches and a minimum area of 2 square feet	4.50
Unwashed feather ticking: Lightweight or heavyweight feather ticking, free of quilt covers and tender stock, and free of tapestry or plush	4.50

5. In Appendix B (a) (1) the grades of "Washed lightweight ticking wiping cloths" and "Washed heavyweight ticking wiping cloths" are amended and a new grade "Washed wiperettes" is added to read as follows:

GRADES OF WASHED WIPING CLOTHS

	Maximum prices (cents per pound)
Washed lightweight ticking wiping cloths: Absorbent wiping cloths of lightweight or medium weight ticking, free of quilt covers and tender stock. The ticking shall have a minimum dimension of 3 square feet and shall not be heavier than 4 yards to the pound	16.75
Washed heavyweight ticking wiping cloths: Absorbent wiping cloths of heavyweight ticking, free of awnings, tapestries, slip covers and seat covers. The ticking shall have a minimum dimension of 3 square feet	14.00
Washed wiperettes: Washed absorbent white or colored wiping cloths which may consist of tender stock, stained material and small pieces. This material must be packed separately and cannot be sold as a mixture with any other grade in the regulation	9.00

6. Appendix B (a) (4) is amended to read as follows:

(4) *Transportation charges.* All prices established by Appendix B of this regulation shall be for washed wiping cloths, f. o. b. point of shipment. The point of shipment is the point at which the material is loaded for direct shipment to the buyer. In the case of imported washed wiping cloths, the point of shipment, shall be the point or port of entry in the United States.

Sales may be made on a delivered basis. In such case if the delivery is within the city, town, or municipality from which seller makes the delivery, there may not be added any additional amount to the maximum prices stated above. If the delivery is to a point outside that city, town, or municipality, there may be added to the maximum price the actual costs of delivery incurred by seller, not in excess, however, of an amount equal to the lowest established rail transportation rate for full carload shipment, or, in the case of less than carload shipment, for less than carload shipment of washed wiping cloths to the delivery point.

7. The text of Appendix B (a) (5) preceding subdivision (i) is amended to read as follows:

(5) *Invoice requirements.* All sales of washed wiping cloths shall be invoiced. The invoice shall accompany delivery or be mailed before the end of the third business day following the day upon which shipment is made. A copy of such invoice shall be kept on file by the seller. The invoice shall state as separate items the following data:

8. Appendix B (a) (6) is amended to read as folows:

(6) *Rewashing.* The maximum price which may be charged by anyone for washing wiping cloths belonging to a consumer shall be 6 cents per pound, clean dry weight. Consumer may be required to deliver the wiping cloths for rewashing to the washer. Delivery of the rewashed cloths shall be to consumer or at the washer's usual shipping point. No charge in addition to the maximum price may be made for picking up the wiping cloths to be rewashed or for delivering the rewashed wiping cloths to the consumer.

9. Appendix B (b) is amended to read as follows:

(b) *Sales by retailers.* The maximum price for sales of washed wiping cloths by any retailer shall be the net delivered price he has paid for the wiping cloths, or the maximum net delivered price established for the wiping cloths by this regulation, whichever is lower, plus the average dollar and cent mark-up charged by him upon his sales of all grades of wiping cloths during the month of March 1942. Each retail outlet of any retailer who sells wiping cloths from more than one such outlet shall be considered a separate seller for the purpose of computing this average mark-up. The maximum price for sales of washed wiping cloths by any retailer who did not sell washed wiping cloths during March 1942 shall be the highest price charged to a purchaser of the same class by the most closely competitive seller of the same class whose price has been established in accordance with this paragraph (b).

This amendment shall become effective June 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F. R. 4681)

Issued this 30th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7808; Filed, May 30, 1944; 11:55 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 289[1], Amdt. 4]

CHEESE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 289 is amended in the following respects:

Section 1 (k) is added to read as follows:

(k) Provolone, Parmesan, Monte and Modena, Asiago (Soft), and Romano cheese and all cheeses made by the same respective processes.

Section 29 is added to read as follows:

SEC. 29. *Maximum prices for Provolone, Parmesan, Monte and Modena, Asiago (Soft), and Romano cheese and all cheeses made by the same respective processes*—(a) *Sales by cheese factories or cheese makers, assemblers, primary wholesalers and service wholesalers*—(1) *In Wisconsin.* (i) The maximum price for the sale of any "cheese item" conforming with the standards prescribed in paragraph (c) (8) (i), (ii), (iii), (iv) and (v) respectively of this section, and delivered at any place in Wisconsin shall be the appropriate price set forth in Table A below:

TABLE A

[In cents per pound]

Types of cheese	Sales and deliveries by— Cheese factories	Assemblers	Primary wholesalers	Service wholesalers
Provolone and Group I: Pasta Filata (Stringy Curd)	31½	33	34½	40
Parmesan and Group II: Granular Types	38½	39¾	41¾	47¾
Monte, Modena and Group III	30½	32	33½	39½
Asiago (soft) and Group IV	30½	32	33½	39½
Romano and Group V: Sharp Rennet	41	42½	46¾	53½

(ii) The maximum price for the sale of any "cheese item" containing either more moisture or less milk fat, or, more moisture and less milk fat, than prescribed in paragraph (c) (8) (i), (ii), (iii), (iv) and (v) respectively of this section, and delivered at any place in Wisconsin shall be the appropriate price set forth in Table B below and shall become effective 90 days after June 5, 1944.

TABLE B

[In cents per pound]

Types of cheese	Sales and deliveries by— Cheese factories	Assemblers	Primary wholesalers	Service wholesalers
Provolone and Group I: Pasta Filata (Stringy Curd)	17½	18½	19¾	22¾
Parmesan and Group II: Granular Types	20	21	22	25½
Monte, Modena and Group III	12	12¾	13½	15½
Asiago (soft) and Group IV	12	12¾	13½	15½
Romano and Group V: Sharp Rennet	21	22	23½	26¾

(2) *Outside Wisconsin.* The maximum price for the sale of any "cheese item" delivered at any place outside of Wisconsin shall be the appropriate price set forth in Table A or B above plus the lowest published railroad carlot freight rate per pound gross weight from Wisconsin Rapids, Wisconsin, to the place of delivery multiplied by 1.15. In calculating the transportation charge the 3% transportation tax imposed by section 620 of the Revenue Act of 1942 shall be included.

(b) *General provisions*—(1) *Transportation charges; Cheese factory to assembler.* (i) In addition to the maximum prices established in paragraph (a), a cheese assembler may compensate any cheese factory, cheese maker, or other person who hauls from the cheese factory to the assembler's warehouse for such hauling services. The maximum price which may be paid by a cheese assembler or charged by a cheese factory or hauler or other carrier for this service may not exceed the appropriate price set forth in Table C below. This price must be based on the actual distance from the cheese factory to the assembler's warehouse. The distance between the cheese factory and the assembler's warehouse shall be computed via the shortest publicly traveled route.

TABLE C

Miles—not over (one way)	Cents per 100 lbs. net weight	Miles—not over (one way)	Cents per 100 lbs. net weight
5	17	120	46
10	18	130	47
15	20	140	49
20	21	150	51
25	23	160	53
30	24	170	55
35	26	180	56
40	27	190	58
45	29	200	60
50	30	210	62
55	31	220	63
60	32	230	65
65	34	240	66
70	35	250	68
75	36	260	69
80	37	270	71
85	38	280	72
90	40	290	74
100	42	Over 290	75
110	44		

(ii) Except that if the hauling service is performed by a common or a contract carrier, the maximum price for such hauling service shall be the appropriate published rate of such carrier.

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 14220, 15190, 15455.

[2] 9 F.R. 1385.

[3] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10718; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6363, 8506, 8873, 10671, 10939, 11754, 12023, 12710, 13302, 13472, 14990; 9 F.R. 1819.

[1] 9 F.R. 5140, 5427, 5429.

(iii) An assembler who, either with his own truck or by other means, performs the hauling service from the factory to the assembling warehouse, may not pay the allowable hauling charge or any portion thereof to any person not actually performing the service; and no person, including factory, cheese maker, trustee, or any agent thereof, may charge or accept any payment for such service which is in fact performed by the assembler or his agent.

(2) *Allowances and fees.* (i) The maximum prices established in paragraph (a) shall not be increased by brokerage fees, commissions or other charges not specifically authorized by this paragraph (b).

(ii) When a person described in paragraph (a) employs a person in the brokerage of cheese, the provisions of Maximum Price Regulation 165 [1] shall apply. The fee established by that regulation shall be paid without increasing any of the maximum prices established in paragraph (a).

(3) *Calculations.* All calculations of any transportation rate or charge and of any maximum price established by this section shall be made on a cents per pound basis and shall be carried to the second decimal point. The price per pound (carried to the second decimal point) shall be multiplied by the number of pounds sold and the total price then adjusted to the nearest cent, or the next higher cent where the total price ends with a decimal of $.0050.

(4) *Maximum prices for sales at retail by factories, assemblers and wholesalers.* (i) The maximum price for the sale at retail of any "cheese item" delivered at any place by a cheese factory, cheese maker, assembler, primary wholesaler or service wholesaler, shall be the appropriate maximum price established in that place for a sale by a cheese factory plus 27 percent.

(ii) No sale to any person of a quantity in excess of 25 pounds shall be considered a sale at retail.

(5) *Maximum prices in places not on railroad line or siding.* The maximum price for the sale of any "cheese item" delivered in a place not on a railroad line or siding shall be the maximum price for a similar sale of that "cheese item" in the nearest place that is located on a railroad line or siding. *Provided, however:* Where the latter place is more than 50 miles from the place of delivery, transportation costs from that place to the place of delivery, not to exceed the lowest common carrier rate where one exists may be added.

(6) *Maximum prices for sales not already provided for.* The maximum price for the sale or delivery in any place of any "cheese item" for which a maximum price is not established by this section shall be the maximum price established for "sales by cheese factories" of that "cheese item" in that place by paragraph (a) of this section except that where the requirements of paragraph (c) (1) of this section are satisfied, the appropriate price established for assemblers shall be the maximum price.

(7) *Special provisions for records and reports.* The provisions of section 5 shall apply to all sales of cheese as described in this section other than those by a cheese factory or cheese maker to an assembler. However, for all such latter sales the cheese factory or cheese maker shall preserve for inspection by the Office of Price Administration for so long as the Emergency Price Control Act, as amended, remains in effect, remittance statements furnished to the cheese factory or cheese maker by the assembler.

(c) *Definitions*—(1) "Assembler" means a person who accumulates cheese and grades it in accordance with legal requirements, or, in the absence of such requirements, in accordance with customary industry practices; stores it in a refrigerated space; paraffins (if not already paraffined) or otherwise prepares it for shipment, weighs, packs, and customarily ships it.

(i) No person shall be entitled to charge the maximum prices established for "assemblers" unless he performs all of the above-described functions.

(ii) The prices established for "assemblers" shall include transportation costs, if any, from the cheese factory or cheese maker to the assembling warehouse, whether the assembling warehouse is located inside or outside the State of Wisconsin.

(2) "Cheese item" means any style, form, size and color of any of the particular types of cheese listed or described in this section.

(3) "Delivered at any place." The phrase, "delivered at any place" comprehends all sales whether made on the basis of actual delivery to the point of shipping destination or on the basis of f. o. b. shipping point or some other point. Sales f. o. b. any point shall be considered "delivered" at that point.

(4) "Place" means any city, town, village or hamlet within the United States.

(5) "Primary wholesaler" means a person who sells to a wholesaler or to a retailer distributing warehouse, or who sells to, and makes delivery (on any day) of any one or more of the cheeses described in this section in quantities exceeding 400 pounds to the physical premises of, an individual retail store or individual commercial, industrial, institutional or federal or non-federal governmental users:

(No assembler, however, shall be considered a primary wholesaler as to any cheese sold to a processor for processing.)

(i) The physical premises of an individual retail store means the place where the cheeses described in this section are sold to ultimate household users. The physical premises of individual commercial, industrial, institutional or federal or non-federal governmental users means the place where such cheeses are consumed by such users.

(6) "Retailer distributing warehouse" means a place where cheese is received and held for disposition to retail stores. Chain store warehouses and retailer owned cooperative warehouses are included in the meaning of "retailer distributing warehouse".

(7) "Service wholesaler" means a person who sells to, and makes delivery (on any day) of any one or more of the cheeses described in this section in quantities of 400 pounds or less to the physical premises of, an individual retail store or individual commercial, industrial, institutional or federal or non-federal governmental users.

(i) No person shall be deemed a "service wholesaler" unless he owns or maintains a warehouse in the marketing area in which the physical premises of the above described purchasers are located. The physical premises of an individual retail store means the place where the cheeses described in this section are sold to ultimate household users. The physical premises of individual commercial, industrial, institutional, or federal or non-federal governmental users means the place where such cheeses are consumed by such users.

(ii) The maximum prices established for "service wholesalers" shall not apply to any sale by a cheese factory or cheese maker or association of cheese factories or cheese makers to any purchaser described in this subparagraph (7) whose physical premises are located:

(*a*) At a point on or east of the 99th meridian and more than 50 miles from the place where the cheese factory is located, or

(*b*) At a point west of the 99th meridian and more than 100 miles from the place where the cheese factory is located,

where the sale or delivery is made by, through, or with the assistance of any agent, commission salesman, or trucking or hauling agent or contractor. For any such sales, the maximum price shall not exceed the appropriate maximum price in that place for a sale by a cheese factory or cheese maker for the particular "cheese item" as established in paragragh (a) of this section, plus the total of the exact sums paid by the cheese factory, cheese maker or association, to the agent, commission salesman and trucking or hauling agent or contractor for making the sale to the purchaser, and for performing "local transportation services". *Provided, however:* That in no case may the maximum price exceed the appropriate maximum price established in paragraph (a) for "primary wholesalers", or, in the event the cheese factory, cheese maker or association owns or maintains a warehouse in the marketing area and sales and deliveries are made in small lots as prescribed in this subparagraph (7), in no case may the maximum price exceed the appropriate maximum price established in paragraph (a) for "service wholesalers". "Local transportation services" means, and is limited to, the actual distance traversed from the railroad siding in, or point of entrance to, the city, town, village, or hamlet in which the physical premises of the purchaser are located, to such physical premises.

[1] 7 F.R. 165, 4734, 5028, 5567, 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6364, 8506, 8873, 10671, 10939, 11754, 12023, 12710, 13302, 13472, 14990; 9 F.R. 1819, 3396, 3593, 4747, 5174.

(8) The maximum prices in Table A of paragraph (a) are for cheeses covered by the definitions set forth below which definitions are for the purpose of establishing standards of identity for specific pricing: *Provided, however,* The prescribed moisture and milk fat standards shall become effective 90 days after June 5, 1944.

(i) *"Provolone and Group I" cheese.* The food product commonly known as Provolone cheese is prepared from cow's milk by the following process:

Milk may or may not be pasteurized. It may be standardized by removing a portion of the fat or by adding skim milk. The milk is warmed, when necessary, and subjected to the action of harmless lactic acid forming bacteria which may be present in the milk or which may be added. A special rennet paste is used to set the milk to a semi-solid mass. This mass is so cut, stirred, and heated as to promote acid development and the separation of whey and curd. The final cooking temperature is about 125° F. When the curd is of the proper consistency it is molded into loaves which vary greatly in sizes and shapes, by dipping in hot water, then kneading and pulling until smooth and free from lumps and brittleness. It is then salted in brine and smoked. The cheese may be hung in warehouses or packed in specially constructed wooden crates for curing.

The term "Provolone and Group I" includes Provolone cheese and all other cheese made by the Provolone process or by any minor variations of such process and in any style, form and size, including but not limited to Salami, Provolette and Provolone Giants, which cheese contains not more than 45 percent moisture and its solids contain not less than 45 percent of milk fat.

(ii) *"Parmesan and Group II" cheese.* The food product commonly known as Parmesan cheese is prepared from cow's milk by the following process:

Milk may or may not be pasteurized. It may be standardized to adjust the fat content by removing a portion of the fat or by adding skim milk. The milk is warmed, when necessary, and subjected to the action of harmless lactic acid forming bacteria which may be present in the milk or which may be added. Sufficient rennet is added to cause setting to a semi-solid mass. The mass is so cut, stirred, and heated as to promote the separation of whey and curd. The final cooking temperature is about 125° F. When the curd is sufficiently firm it is removed from the kettle by means of a cloth, drained for a short time and then packed in hoops for pressing. The hoops are about 18 inches in diameter and about 10 inches high. About 3 days after pressing the cheese is salted. After salting the cheese is moved to a cool, well-ventilated room where it may be held on shelves for an indefinite length of time. The surface of the cheese is occasionally rubbed with vegetable oil.

The term "Parmesan and Group II" includes Parmesan cheese and all other cheese (except "Monte, Modena and Group III" cheese) made by the Parmesan process or by any minor variations of such process and in any style, form and size, including but not limited to Reggiano and Asiago, old, which cheese contains not more than 32 percent moisture and its solids contain not less than 36 percent of milk fat.

(iii) *"Monte, Modena and Group III" cheese.* The food products commonly known as Monte cheese and Modena cheese are prepared from cow's milk by the Parmesan process described in paragraph (c) (8) (ii) above.

The term "Monte, Modena and Group III" includes Monte cheese and Modena cheese and all other cheese (except "Parmesan and Group II" cheese) made by the Parmesan process or by any minor variations of such process and in any style, form and size, which cheese contains not more than 32 percent moisture and the solids contain not less than 25 percent of milk fat.

(iv) *"Asiago (soft) and Group IV" cheese.* The food product commonly known as Asiago (soft) cheese is prepared from cow's milk by the following process:

Milk may or may not be pasteurized. It may be standardized to adjust the fat content by removing a portion of the fat or by adding skim milk. The milk is warmed, when necessary, and subjected to the action of harmless lactic acid forming bacteria which may be present in the milk or which may be added. Sufficient rennet is added to cause setting to a semi-solid mass. The mass is so cut, stirred, and heated as to promote the separation of whey and curd. The final cooking temperature is about 125° F. When the curd is sufficiently firm it is removed from the kettle by means of a cloth, drained for a short time, and then packed in hoops for pressing. After pressing the cheese is salted and is then moved to a cool, well ventilated room where it may be held on shelves for an indefinite length of time. The surface of the cheese is occasionally rubbed with vegetable oil.

The term "Asiago (soft) and Group IV" includes Asiago soft cheese and all other cheese made by the Asiago soft cheese process or by any minor variations of such process and in any style, form, and size, including but not limited to Vezzena, Kasseri, Fondue and Fontina, which cheese contains not more than 39 percent moisture and its solids contain not less than 48 percent milk fat.

(v) *"Romano and Group V" cheese.* The food product commonly known as Romano cheese is prepared from cow's milk by the following process:

Milk may or may not be pasteurized. It may be standardized to adjust the fat content by removing a portion of the fat, or by the adding of skim milk. The milk is warmed, when necessary, and subjected to the action of harmless lactic acid forming bacteria which may be present in the milk or which may be added. A special rennet paste is used to set the milk to a semi-solid mass. The mass is so cut, stirred and heated as to promote the separation of whey and curd. The final cooking temperature is about 120° F. The curd is then placed in forms where it is allowed to drain for about 24 hours. It is then salted by immersing in brine or by rubbing salt on the surface. The cheese is ripened at a temperature of about 60° F.

The term "Romano and Group V" includes Romano cheese and all other cheese made by the Romano process or by any minor variations of such process and in any style, form and size, including but not limited to Cacio Cavallo Siciliano, Fioretto Sardo, Incanestrato, Pecorino Toscano, Pepato, Romanello, Romanina, Romano white, Romano yellow, Small Romano, Toscanetto, which cheese contains not more than 32 percent of moisture and its solids contain not less than 40 percent of milk fat.

(d) Reference to other maximum price regulations governing sales of cheese:

(1) Sales at retail in stores shall be priced under the provisions of Maximum Price Regulation Nos. 422 [2] and 423.[3]

(2) Sales of an imported "cheese item", for a period of 90 days after June 5, 1944, shall be priced under the provisions of Maximum Price Regulation No. 280.[4] Upon the expiration of that 90 day period, all of the provisions of this section and section 10 of Revised Maximum Price Regulation No. 289 shall apply to an imported "cheese item.

This amendment shall become effective June 5, 1944, except as provided in paragraphs (a) (1) (ii), (c) (8) and (d) (2).

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7810; Filed, May 30, 1944; 11:56 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 289 [1] Amdt. 5]

CHEESE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 289 is amended in the following respects:

Section 1 (1) is added to read as follows:

(1) Monterey and High Moisture Jack Cheese.

Section 30 is added to read as follows:

SEC. 30. *Maximum prices for Monterey and High Moisture Jack Cheese*—(a)

[1] 9 F.R. 5427, 5429.

[2] 8 F.R. 9395, 10569, 10987, 12243, 12611, 13294, 14853, 15251, 15586, 15607, 17369, 17370; 9 F.R. 95, 3510, 3648, 4017, 4214, 4434.

[3] 8 F.R. 9407; 10570, 10988, 12443, 12611, 13294, 14854, 15587, 15608, 16031, 17371; 9 F.R. 98, 3510, 3648, 4017, 4217, 4434.

[4] 8 F.R. 5165, 7566, 6357, 7196, 7509, 7670, 8065, 8180, 9521, 9386, 9883, 10513, 11811, 13060, 13721, 16296, 16597, 16795; 9 F.R. 343, 753, 1622, 2236, 2176, 4027.

Sales by cheese factories or cheese makers, assemblers, primary wholesalers and service wholesalers—(1) *In Wisconsin.* (i) The maximum prices for the sale of any "cheese item" conforming with the standards prescribed in subdivision (ii) below, and delivered at any place in Wisconsin shall be the appropriate price set forth in Table A below:

TABLE A

[In cents per pound]

Types of cheese	Sales and deliveries by			
	Cheese factories	Assemblers	Primary wholesalers	Service wholesalers
Monterey	26. 25	27	27. 54	29. 97
High Moisture Jack	24	24. 75	25. 24	27. 47

(ii) *Definition.* Monterey and High Moisture Jack Cheese. The food products commonly known as Monterey cheese and High Moisture Jack cheese (also known as California Jack Cheese) are prepared from cow's milk by the following process:

Milk may or may not be pasteurized. It may be standardized to adjust the fat content by removing a portion of the fat, by adding skim milk, or by adding cream. The milk is warmed, when necessary, and subjected to the action of harmless lactic acid forming bacteria which may be present in the milk or which may be added. Sufficient rennet is added to cause setting to a semi-solid mass. This mass is so cut, stirred, and heated as to promote acid development and separation of the whey and curd. The final cooking temperature is about 110° F. About seventy minutes after heat is applied the whey is removed and the curd cooled by circulating cold water through the jacket of the vat or directly into the curd. The curd is then salted and placed in suitable forms of different sizes and shapes for pressing. The cheese is pressed for about 16 hours and then placed on shelves in the curing room at a temperature of about 60° F.

Monterey Cheese contains not more than 44 percent of moisture and its solids contain not less than 50 percent of milk fat.

High Moisture Jack Cheese contains not more than 50 percent of moisture and its solids contain not less than 50 percent of milk fat.

(2) *Outside Wisconsin.* The maximum price for the sale of cheese delivered at any place outside of Wisconsin shall be the appropriate price set forth in Table A above plus the lowest published railroad carlot freight rate per pound gross weight from Plymouth, Wisconsin to the place of delivery multiplied by 1.15. In calculating the transportation charge the 3% transportation tax imposed by section 620 of the Revenue Act of 1942 shall be included.

(b) *General provisions*—(1) *Transportation charges; Cheese factory to assembler.* (i) In addition to the maximum prices established in paragraph (a), a cheese assembler may compensate any cheese factory, cheese maker, or other person who hauls cheese from the cheese factory to the assembler's warehouse for such hauling services. The maximum price which may be paid by a cheese assembler or charged by a cheese factory or hauler or other carrier for this service may not exceed the appropriate price set forth in Table B below. This price must be based on the actual distance from the cheese factory to the assembler's warehouse. The distance between the cheese factory and the assembler's warehouse shall be computed via the shortest publicly traveled route.

TABLE B

Miles—not over (one way)	Cents per 100 lbs. net weight	Miles—not over (one way)	Cents per 100 lbs. net weight
5	17	130	46
10	18	130	47
15	20	140	49
20	21	150	51
25	23	160	53
30	24	170	55
35	26	180	56
40	27	190	58
45	29	200	60
50	30	210	62
55	31	220	63
60	32	230	65
65	34	240	66
70	35	250	68
75	36	260	69
80	37	270	71
85	38	280	72
90	40	290	74
100	42	Over 290	75
110	44		

(ii) Except that if the hauling service is performed by a common or a contract carrier, the maximum price for such hauling service shall be the appropriate published rate of such carrier.

(iii) An assembler who, either with his own truck or by other means, performs the hauling service from the factory to the assembling warehouse, may not pay the allowable hauling charge or any portion thereof to any person not actually performing the service; and no person, including factory, cheese maker, trustee, or any agent thereof, may charge or accept any payment for such service which is in fact performed by the assembler or his agent.

(2) *Allowances and fees.* (i) The maximum prices established in paragraph (a) shall not be increased by brokerage fees, commissions or other charges not specifically authorized by this paragraph (b).

(ii) When a person described in paragraph (a) employs a person in the brokerage of cheese, the provisions of Maximum Price Regulation 165 [1] shall apply. The fee established by that regulation shall be paid without increasing any of the maximum prices established in paragraph (a).

(3) *Calculations.* All calculations of any transportation rate or charge and of any maximum price established by this section shall be made on a cents per pound basis and shall be carried to the second decimal point. The price per pound (carried to the second decimal point) shall be multiplied by the number of pounds sold and the total price then adjusted to the nearest cent, or the next higher cent where the total price ends with a decimal of $.0050.

(4) *Marking of date and place of manufacture.* On and after the effective date of this regulation every person engaged in the manufacture of cheese shall mark plainly and conspicuously on the side of such cheese before it leaves the cheese factory, with dark colored vegetable ink, the name of the state in which the cheese has been manufactured and the day, month, and year of manufacture.

(5) *Maximum prices for sales at retail by manufacturers, assemblers and wholesalers.* (i) The maximum price for the sale at retail of any "cheese item" delivered at any place by a cheese factory, cheese maker, assembler, primary wholesaler or service wholesaler, shall be the appropriate maximum price established in that place for a sale by a cheese factory plus 27 percent.

(ii) No sale of a quantity in excess of 5 pounds shall be considered a sale at retail.

(6) *Maximum prices in places not on railroad line or siding.* The maximum price for the sale of any "cheese item" delivered in a place not on a railroad line or siding shall be the maximum price for a similar sale of that "cheese item" in the nearest place that is located on a railroad line or siding. *Provided, however:* Where the latter place is more than 50 miles from the place of delivery, transportation costs from that place to the place of delivery, not to exceed the lowest common carrier rate where one exists may be added.

(7) *Maximum prices for sales not already provided for.* The maximum price for the sale or delivery in any place of any "cheese item" for which a maximum price is not established by this section shall be the maximum price established for "sales by cheese factories" of that style in that place by paragraph (a) of this section plus (where the requirements of paragraph (c) (1) of this section are satisfied) an assembling allowance of ¾¢ per pound.

(8) *Special provisions for records and reports.* The provisions of section 5 shall apply to all sales of cheese as described in this section other than those by a cheese factory or cheese maker to an assembler. However, for all such latter sales the cheese factory or cheese maker shall preserve for inspection by the Office of Price Administration for so long as the Emergency Price Control Act, as amended, remains in effect, remittance statements furnished to the cheese factory or cheese maker by the assembler.

(c) *Definitions.* (1) "Assembler" means a person who accumulates cheese and grades it in accordance with legal requirements, or, in the absence of such requirements, in accordance with customary industry practices; stores it in a refrigerated space; paraffines (if not already paraffined) or otherwise prepares it for shipment, weighs, packs and customarily ships it.

(i) No person shall be entitled to charge the maximum prices established for "assemblers" unless he performs all of the above described functions.

(ii) The prices established for "assemblers" shall include transportation costs, if any, from the cheese factory or cheese maker to the assembling warehouse, whether the assembling warehouse is located inside or outside the State of Wisconsin.

(2) "Cheese item" mean any style, form, size and color of any of the particular types of cheese listed or described in this section.

(3) "Delivered at any place." The phrase, "delivered at any place" comprehends all sales whether made on the basis of actual delivery to the point of shipping destination or on the basis of f. o. b. shipping point or some other point. Sales f. o. b. any point shall be considered "delivered at that point."

(4) "Place" means any city, town, village or hamlet within the United States.

(5) "Primary wholesaler" means a person who sells to a wholesaler or to a retailer distributing warehouse. (No assembler, however, shall be considered a primary wholesaler as to any cheese sold to a processor for processing.)

(6) "Retailer distributing warehouse" means a place where cheese is received and held for disposition to retail stores. Chain store warehouses and retailer owned cooperative warehouses are included in the meaning of "retailer distributing warehouse".

(7) "Service wholesaler" means a person who sells to, and makes delivery to the physical premises of, an individual retail store or individual commercial, industrial, institutional or federal or non-federal governmental users.

(i) No person shall be deemed a "service wholesaler" unless he owns or maintains a warehouse in the marketing area in which the physical premises of the above described purchasers are located. The physical premises of an individual retail store means the place where the cheeses described in this section are sold to ultimate household users. The physical premises of individual commercial, industrial, institutional or federal or non-federal governmental users means the place where such cheeses are consumed by such users.

(ii) The maximum prices established for "service wholesalers" shall not apply to any sale by a cheese factory or cheese maker or association of cheese factories or cheese makers to any purchaser described in this subparagraph (7) whose physical premises are located:

(a) At a point on or east of the 99th meridian and more than 50 miles from the place where the cheese factory is located, or

(b) At a point west of the 99th meridian and more than 100 miles from the place where the cheese factory is located,

where the sale or delivery is made by, through, or with the assistance of any agent, commission salesman, or trucking or hauling agent or contractor. For any such sales, the maximum price shall not exceed the appropriate maximum price in that place for a sale by a "cheese factory or cheese maker" as established in paragraph (a) of this section, plus the total of the exact sums paid by the cheese factory, cheese maker or association, to the agent, commission salesman and trucking or hauling agent or contractor for making the sale to the purchaser, and for performing "local transportation services". *Provided, however:* That in no case may the maximum price exceed the appropriate maximum price established in paragraph (a) for "primary wholesalers", or in the event the cheese factory, cheese maker or association owns or maintains a warehouse in the marketing area, in no case may the maximum price exceed the appropriate maximum price established in paragraph (a) for "service wholesalers". "Local transportation services" means and is limited to, the actual distance traversed from the railroad siding in, or point of entrance to, the city, town, village, or hamlet in which the physical premises of the purchaser are located, to such physical premises.

(d) Reference to other maximum price regulations governing sales of cheese:

(1) Sales at retail shall be priced under the provisions of Maximum Price Regulations Nos. 422 [2] and 423.[3]

(2) Sales of any "cheese item" containing either more moisture or less milk fat, or, more moisture and less milk fat, than prescribed in paragraph (a) (1) (ii) shall be priced at the prices established for "skim milk cheese" in section 1 (j) of Maximum Price Regulation No. 289 except that for a period of 90 days after June 5, 1944, either the price for the "cheese item" established under the provisions of Maximum Price Regulation No. 280,[4] or, the price established in this section for Monterey cheese, whichever is lower, shall govern.

This amendment shall become effective June 5, 1944, except as provided in paragraph (d) (2).

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328; 8 F.R. 4681)

Issued this 30th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7806; Filed, May 30, 1944; 11:54 a. m.]

[1] 7 F.R. 165, 4734, 5028, 5567, 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10716, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6364, 8506, 8873, 10671, 10939, 11754, 12023, 12710, 13302, 13472, 14990; 9 F.R. 1819.

[2] 8 F.R. 9395, 10569, 10967, 12243, 12611, 13294, 14853, 15251, 15566, 15607, 17369, 17370; 9 F.R. 95, 3510, 3648.

[3] 8 F.R. 9407, 10570, 10988, 12443, 12611, 13294, 14854, 15567, 15608, 16081, 17371; 9 F.R. 95, 3510, 3648.

[4] 8 F.R. 5165, 7566, 8357, 7196, 7599, 7670, 8065, 8180, 9521, 9888, 9668, 10513, 11811, 13080, 13721, 16296, 16567, 16795; 9 F.R. 843, 758, 1622, 2288, 2176, 4027.

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 289 [1], Amdt. 6]

CHEESE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 289 is amended in the following respects:

Section 1 (m) is added to read as follows:

(m) Blue and Gorgonzola cheese and all cheeses made by the same respective processes.

Section 31 is added to read as follows:

SEC. 31. *Maximum prices for Blue and Gorgonzola cheese and all cheeses made by the same respective processes*—(a) *Sales by cheese factories or cheese makers, assemblers, primary wholesalers and service wholesalers*—(1) *In Wisconsin.* (i) The maximum price for the sale of any "cheese item" conforming with the standards prescribed in paragraph (c) (8) (i) and (ii) respectively of this section, and delivered at any place in Wisconsin shall be the appropriate price set forth in Table A below:

TABLE A

[In cents per pound]

Types of cheese	Sales and deliveries by—			
	Cheese factories	Assemblers	Primary wholesalers	Service wholesalers
Blue	36	37½	39¾	46
Gorgonzola	36	37½	39¾	46

(ii) The maximum price for the sale of any "cheese item" containing either more moisture or less milk fat, or, more moisture and less milk fat, than prescribed in paragraph (c) (8) (i) and (ii) respectively of this section, and delivered at any place in Wisconsin shall be the appropriate price set forth in Table B below and shall become effective 90 days after June 5, 1944.

TABLE B

[In cents per pound.

Types of cheese	Sales and deliveries by—			
	Cheese factories	Assemblers	Primary wholesalers	Service wholesalers
Blue	20	21	22¼	25¾
Gorgonzola	20	21	22¼	25¾

(2) *Outside Wisconsin.* The maximum price for the sale of any "cheese item" delivered at any place outside of Wisconsin shall be the appropriate price set forth in Table A or B above plus the lowest published railroad carlot freight rate per pound gross weight from Wisconsin Rapids, Wisconsin, to the place

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5140, 5427, 5429.

of delivery multiplied by 1.15. In calculating the transportation charge the 3% transportation tax imposed by section 620 of the Revenue Act of 1942 shall be included.

(b) *General provisions*—(1) *Transportation charges, cheese factory to assembler.* (i) In addition to the maximum prices established in paragraph (a), a cheese assembler may compensate any cheese factory, cheese maker, or other person who hauls from the cheese factory to the assembler's warehouse for such hauling services. The maximum price which may be paid by a cheese assembler or charged by a cheese factory or hauler or other carrier for this service may not exceed the appropriate price set forth in Table C below. This price must be based on the actual distance from the cheese factory to the assembler's warehouse. The distance between the cheese factory and the assembler's warehouse shall be computed via the shortest publicly traveled route.

TABLE C

Miles—not over (one way)	Cents per 100 lbs. net weight	Miles—not over (one way)	Cents per 100 lbs. net weight
5	17	120	46
10	18	130	47
15	20	140	49
20	21	150	51
25	23	160	53
30	24	170	55
35	26	180	56
40	27	190	58
45	29	200	60
50	30	210	62
55	31	220	63
60	32	230	65
65	34	240	66
70	35	250	68
75	36	260	69
80	37	270	71
85	38	280	72
90	40	290	74
100	42	Over 290	75
110	44		

(ii) Except that if the hauling service is performed by a common or a contract carrier, the maximum price for such hauling service shall be the appropriate published rate of such carrier.

(iii) An assembler who, either with his own truck or by other means, performs the hauling service from the factory to the assembling warehouse, may not pay the allowable hauling charge or any portion thereof to any person not actually performing the service; and no person, including factory, cheese maker, trustee, or any agent thereof, may charge or accept any payment for such service which is in fact performed by the assembler or his agent.

(2) *Allowances and fees.* (i) The maximum prices established in paragraph (a) shall not be increased by brokerage fees, commissions or other charges not specifically authorized by this paragraph (b).

(ii) When a person described in paragraph (a) employs a person in the brokerage of cheese, the provisions of Maximum Price Regulation 165 [1] shall apply. The fee established by that regulation shall be paid without increasing any of the maximum prices established in paragraph (a).

(3) *Calculations.* All calculations of any transportation rate or charge and of any maximum price established by this section shall be made on a cents per pound basis and shall be carried to the second decimal point. The price per pound (carried to the second decimal point) shall be multiplied by the number of pounds sold and the total price then adjusted to the nearest cent, or the next higher cent where the total price ends with a decimal of $.0050.

(4) *Maximum prices for sales at retail by factories, assemblers and wholesalers.* (i) The maximum price for the sale at retail of any "cheese item" delivered at any place by a cheese factory, cheese maker, assembler, primary wholesaler or service wholesaler, shall be the appropriate maximum price established in that place for a sale by a cheese factory plus 27 percent.

(ii) No sale to any person of a quantity in excess of 10 pounds shall be considered a sale at retail.

(5) *Maximum prices in places not on railroad line or siding.* The maximum price for the sale of any "cheese item" delivered in a place not on a railroad line or siding shall be the maximum price for a similar sale of that "cheese item" in the nearest place that is located on a railroad line or siding. *Provided, however:* Where the latter place is more than 50 miles from the place of delivery, transportation costs from that place to the place of delivery, not to exceed the lowest common carrier rate where one exists may be added.

(6) *Maximum prices for sales not already provided for.* The maximum price for the sale or delivery in any place of any "cheese item" for which a maximum price is not established by this section shall be the maximum price established for "sales by cheese factories" of that "cheese item" in that place by paragraph (a) of this section except that where the requirements of paragraph (c) (1) of this section are satisfied, the appropriate price established for assemblers shall be the maximum price.

(7) *Special provisions for records and reports.* The provisions of section 5 shall apply to all sales of cheese as described in this section other than those by a cheese factory or cheese maker to an assembler. However, for all such latter sales the cheese factory or cheese maker shall preserve for inspection by the Office of Price Administration for so long as the Emergency Price Control Act, as amended, remains in effect, remittance statements furnished to the cheese factory or cheese maker by the assembler.

(c) *Definitions.* (1) "Assembler" means a person who accumulates cheese and grades it in accordance with legal requirements, or, in the absence of such requirements, in accordance with customary industry practices; stores it in a refrigerated space; paraffins (if not already paraffined) or otherwise prepares it for shipment, weighs, packs, and customarily ships it.

(i) No person shall be entitled to charge the maximum prices established for "assemblers" unless he performs all of the above described functions.

(ii) The prices established for "assemblers" shall include transportation costs, if any, from the cheese factory or cheese maker to the assembling warehouse, whether the assembling warehouse is located inside or outside the State of Wisconsin.

(2) "Cheese item" means any style, form, size and color of any of the particular types of cheese listed or described in this section.

(3) "Delivered at any place". The phrase, "delivered at any place" comprehends all sales whether made on the basis of actual delivery to the point of shipping destination or on the basis of f. o. b. shipping point or some other point. Sales f. o. b. any point shall be considered "delivered" at that point.

(4) "Place" means any city, town, village or hamlet within the United States.

(5) "Primary wholesaler" means a person who sells to a wholesaler or to a retailer distributing warehouse, or who sells to, and makes delivery (on any day) of any one or more of the cheeses described in this section in quantities exceeding 400 pounds to the physical premises of, an individual retail store or individual commercial, industrial, institutional or federal or non-federal governmental users:

(No assembler, however, shall be considered a primary wholesaler as to any cheese sold to a processor for processing.)

(i) The physical premises of an individual retail store means the place where the cheeses described in this section are sold to ultimate household users. The physical premises of individual commercial, industrial, institutional or federal or non-federal governmental users means the place where such cheeses are consumed by such users.

(6) "Retailer distributing warehouse" means a place where cheese is received and held for disposition to retail stores. Chain store warehouses and retailer owned cooperative warehouses are included in the meaning of "retailer distributing warehouse".

(7) "Service wholesaler" means a person who sells to, and makes delivery (on any day) of any one or more of the cheeses described in this section in quantities of 400 pounds or less to the physical premises of, an individual retail store or individual commercial, industrial, institutional or federal or non-federal governmental users.

(i) No person shall be deemed a "service wholesaler" unless he owns or maintains a warehouse in the marketing area in which the physical premises of the above described purchasers are located. The physical premises of an individual retail store means the place where the cheeses described in this section are sold to ultimate household users. The physical premises of individual commercial, industrial, institutional, or federal or non-federal governmental users means the place where such cheeses are consumed by such users.

(ii) The maximum prices established for "service wholesalers" shall not apply to any sale by a cheese factory or cheese maker or association of cheese factories or cheese makers to any purchaser described in this subparagraph (7) whose physical premises are located:

(a) At a point on or east of the 99th meridian and more than 50 miles from the place where the cheese factory is located, or

(b) At a point west of the 99th meridian and more than 100 miles from the place where the cheese factory is located, where the sale or delivery is made by, through, or with the assistance of any agent, commission salesman, or trucking or hauling agent or contractor. For any such sales, the maximum price shall not exceed the appropriate maximum price in that place for a sale by a cheese factory or cheese maker for the particular "cheese item" as established in paragraph (a) of this section, plus the total of the exact sums paid by the cheese factory, cheese maker or association, to the agent, commission salesman and trucking or hauling agent or contractor for making the sale to the purchaser, and for performing "local transportation services". *Provided, however:* That in no case may the maximum price exceed the appropriate maximum price established in paragraph (a) for "primary wholesalers", or, in the event the cheese factory, cheese maker or association owns or maintains a warehouse in the marketing area and sales and deliveries are made in small lots as prescribed in this subparagraph (7), in no case may the maximum price exceed the appropriate maximum price established in paragraph (a) for "service wholesalers". "Local transportation services" means and is limited to, the actual distance traversed *from* the railroad siding in, or point of entrance to, the city, town, village, or hamlet in which the physical premises of the purchaser are located, *to* such physical premises.

(8) The maximum prices in Table A of paragraph (a) are for cheeses covered by the definitions set forth below which definitions are for the purpose of establishing standards of identity for specific pricing: *Provided, however:* The prescribed moisture and milk fat standards shall become effective 90 days after June 5, 1944.

(i) *Blue cheese.* The food product commonly known as Bleu, Blue or Blue Vein cheese is prepared from cow's milk by the following process:

Milk may or may not be pasteurized. It may or may not be homogenized or it may or may not be homogenized and pasteurized. It may be standardized to adjust the fat content by removing fat, by adding skim milk, or by adding cream. The milk is warmed, when necessary, and subjected to the action of harmless lactic acid forming bacteria which may be present in the milk or which may be added. Sufficient rennet is added to cause setting to a semi-solid mass. In about 1 hour after setting the semi-solid mass of curd is cut into cubes about 1 inch square. About 15 minutes after cutting the whey is drained by dipping the curd onto a cheese cloth spread onto a drain rack or it may be drained in the vat. In about 15 minutes after draining the curd is broken up and placed in perforated hoops or forms for further draining. These forms are about 7¾ inches in diameter and about 6 inches high. As the curd is placed in the forms it is sprinkled with spores commonly spoken of as Penicillium roqueforti. It is then transferred to a draining room held at about 70° F. with a relative humidity of about 85 percent where it is allowed to drain for about 24 hours. At the end of about 24 hours the forms are removed. During the next few days the cheeses are usually washed each day. The cheese is then moved to the salting room which is usually held at about 50° F. The salting operation requires about 3 days. It may be dry salted or brine salted. In about a week after salting or when the cheese has become firm it is pierced through with needles to permit free access of air to the interior of the cheese. It is then placed on edge in racks and transferred to a curing room in which is maintained a temperature of about 50° F. and a relative humidity of about 95 percent. When mold starts to form in the body of the cheese the cheese is usually wrapped tightly in moisture resistant material and then with an overwrap of a suitable paper and packed in boxes for further holding or shipment. The cheese contains not more than 43 percent of moisture and its solids contain not less than 50 percent of milk fat.

When made from sheep's milk this variety of cheese is called Roquefort cheese.

(ii) *Gorgonzola cheese.* The food product commonly known as Gorgonzola cheese is prepared from cow's milk by the following process:

Milk may or may not be pasteurized. It may or may not be homogenized or it may or may not be homogenized and pasteurized. It may be standardized to adjust the fat content by removing fat, by adding skim milk, or by adding cream. The milk is warmed, when necessary, and subjected to the action of harmless lactic acid forming bacteria which may be present in the milk or which may be added. Sufficient rennet is added to cause setting to a semi-solid mass. In about 1 hour after setting the semi-solid mass of curd is cut and the whey is drained by dipping the curd onto a cheese cloth spread onto a drain rack or it may be drained in the vat. In about 15 minutes after draining the curd is broken up and placed in perforated hoops or forms for further draining. As the curd is placed in the forms it is sprinkled with spores commonly spoken of as Penicillium Glaucum. It is then transferred to a draining room held at about 70° F. with a relative humidity of about 85 percent where it is allowed to drain for about 48 hours. At the end of about 48 hours the forms are removed. During the next few days the cheeses are usually washed each day. The cheese is then moved to the salting room which is usually held at about 50° F. The salting operation requires several days. It is usually dry salted but may be brine salted. In about a week after salting or when the cheese has become firm it is pierced through with needles to permit free access of air to the interior of the cheese for the purpose of activating the development of the spores of Penicillium. It is then placed on edge in racks and transferred to a curing room in which is maintained a temperature of about 50° F. and a relative humidity of about 90 percent. When mold starts to form in the body of the cheese, the cheese is usually scraped and then wrapped in paper and held for another period at about 40° F. The cheese may be scraped again and rewrapped before packing in fiber boxes for shipment. The cheese contains not more than 41 percent of moisture and its solids contain not less than 50 percent of milk fat.

(d) Reference to other maximum price regulations governing sales of cheese:

(1) Sales at retail in stores shall be priced under the provisions of Maximum Price Regulations Nos. 422 [2] and 423.[3]

(2) Sales of an imported "cheese item", for a period of 90 days after June 5, 1944 shall be priced under the provisions of Maximum Price Regulation No. 280.[4] Upon the expiration of that 90 day period, all of the provisions of this section and section 10 of Revised Maximum Price Regulation No. 289 shall apply to an imported "cheese item".

This amendment shall become effective June 5, 1944, except as provided in paragraphs (a) (1) (ii), (c) (8) and (d) (2).

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7804; Filed, May 30, 1944; 11:53 a. m.]

PART 1375—EXPORT PRICES

[2d Rev. Max. Export Price Reg.,[1] Amdt. 7]

EXPORT SALES TO U. S. AGENCIES FOR LEND-LEASE PURPOSES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[2]

The Second Revised Maximum Export Price Regulation is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. *Export sales to agencies of the United States buying for Lend-Lease*

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[1] 7 F.R. 165, 4734, 5028, 5567, 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6364, 8506, 8873, 10671, 10939, 11754, 12023, 12710, 13302, 13472, 14990; 9 F.R. 1819.

[2] Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4132, 5987, 7682, 9998, 15193; 9 F.R. 1036, 5435.

[2] 8 F.R. 9395, 10589, 10987, 12243, 12611, 13294, 14853, 15251, 15586, 15607, 17369, 17370; 9 F.R. 95, 3510, 3648.

[3] 8 F.R. 9407, 10570, 10988, 12443, 12611, 13294, 14854, 15587, 15606, 16031, 17371; 9 F.R. 95, 3510, 3648.

[4] 8 F.R. 5165, 7566, 8357, 7196, 7599, 7670, 8065, 8180, 9521, 9386, 9883, 10513, 11811, 13060, 13721, 16296, 16597, 16795; 9 F.R. 343, 753, 1622, 2238, 2176, 4027.

purposes. On a sale to an agency of the United States buying for lend-lease purposes under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States", the maximum price shall be the seller's maximum domestic price applicable to the transaction plus the following charges if shown separately on the seller's invoice:

(a) Extra packing costs to be determined in accordance with Revised Supplementary Order No. 34 [1] issued by the Office of Price Administration:

(b) The difference between the greater cost of installation and other necessary services involved in the sale and the cost of installation and other necessary services which would have been involved in a domestic sale, if such installation or services are contracted for by an agency of the United States, whether such installation or services are performed directly by the seller or by his distributor or agent: Except that, if the applicable domestic price regulation contains express provision with reference to any of the above expenses on sales to such agencies of the United States, that provision shall govern instead of the above provision.

2. The term "Office of Export-Import Price Control" is deleted from section 3 (c) and the term "Export-Import Price Branch" is substituted.

3. The term "Board of Economic Warfare" is deleted from sections 9 (b) and 9 (h) and the term "Office of Export Control, Board of Economic Warfare" is deleted from section 10 (a) and in each instance the term "Foreign Economic Administration" is substituted.

4. Section 11 (a) (1) (iv) is revoked.

5. The expression "for the account of the Office of Lend-Lease Administration" is deleted from sections 11 (a) (1) (iii), 12 and 14, and the expression "for Lend-Lease purposes" is substituted.

This Amendment No. 7 shall become effective June 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9350, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7805; Filed, May 30, 1944; 11:54 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 537]

SALES BY CANNERS OF FISH FLAKES

In the judgment of the Price Administrator, it is necessary in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, that maximum prices be established for sales of canned fish flakes.

[1] 8 F.R. 12404, 14073.

Pursuant to the above authority, the Price Administrator has established prices in this regulation that are generally fair and equitable and will effectuate the purposes of the act, and will promote equitable distribution of canned fish flakes through normal trade channels.

The maximum prices established herein are not below the average prices of canned fish flakes in the year 1941.

Determination of prices established herein has been made after consulting and advising with representative members of the industry which will be affected by the regulation.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected, or insofar as they were not in general use, their use is essential to effective price control and there is no effective alternative.

A statement of the considerations involved in the issuance of the regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

§ 1364.20 *Maximum canners' prices for fish flakes.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 537 (Sales by Canners of Fish Flakes), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1364.20 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 537—SALES BY CANNERS OF FISH FLAKES

ARTICLE I—MAXIMUM CANNERS' PRICES, PROHIBITION AND SCOPE OF REGULATION

Sec.

1. Maximum canners' prices for fish flakes.
2. Sales of canned fish flakes at higher than maximum prices prohibited.
3. Where the regulation applies.
4. Sales to which this regulation does not apply.
5. Relation to other regulations.

ARTICLE II—RECORD KEEPING AND ENFORCEMENT

6. Records and reports.
7. Indirect price increases.
8. Enforcement.

ARTICLE III—MISCELLANEOUS PROVISIONS

9. Petitions for amendment.
10. Adjustable pricing.
11. Definitions.

ARTICLE I—MAXIMUM CANNERS' PRICES, PROHIBITION AND SCOPE OF REGULATION

SECTION 1. *Maximum canners' prices for fish flakes.* (a) The prices set forth below are maximum prices f. o. b. the shipping point nearest the canner's warehouse. [2] The maximum prices are gross prices and the seller shall deduct therefrom his customary allowances, discounts, and differentials to purchasers of different classes.

* Copies may be obtained from the Office of Price Administration.

CANNED FISH FLAKES

Container size	Description: Variety	Maximum price per case of 24 cans
No. 300 x 407	Canned haddock fish flakes	$8.40
No. 307 x 400	do	9.60
No. 307 x 409	do	10.70
No. 300 x 407	Canned codfish flakes	8.00
No. 307 x 400	do	9.10
No. 307 x 409	do	10.05
No. 300 x 407	Canned pollock fish flakes	6.60
No. 307 x 400	do	6.40
No. 307 x 409	do	7.10
No. 300 x 407	Canned hake fish flakes	6.60
No. 307 x 400	do	6.40
No. 307 x 409	do	7.10
No. 300 x 407	Canned flounder fish flakes	6.60
No. 307 x 400	do	7.70
No. 307 x 409	do	8.70
No. 300 x 407	Canned haddock and codfish flakes	8.20
No. 307 x 400	do	9.30
No. 307 x 409	do	10.40

(b) For container sizes, styles of pack or species of canned fish flakes not listed in paragraph (a) the maximum price shall be the price determined by the Office of Price Administration to be in line with the prices listed in paragraph (a). Such determination shall be made upon written request, addressed to the Office of Price Administration, Washington, D. C., and accompanied by sworn statements showing costs and usual differentials.

(c) With the first delivery after June 4, 1944, of any item of canned fish flakes, in any case where a maximum price is determined pursuant to this regulation, the canner determining his maximum price shall supply each wholesaler and retailer who purchases from him with the following written notice:

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item) has been changed under the provisions of Maximum Price Regulation No. 537. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulation No. 421, 422 or 423, and if we are your customary type of supplier, you must refigure your ceiling price for the item in accordance with the applicable pricing provisions of those regulations (see Section 6 in each case). You must refigure your ceiling price on the first delivery of this item to you on and after June 5, 1944.

For a period of 90 days after June 4, 1944, and with the first shipment after the 90-day period to each person who has not made a purchase within that time, the processor shall include in each box, carton or case containing the item the written notice set forth before.

(d) The maximum price for sales of canned fish flakes to any procurement agency of the Armed Forces, the War Food Administration and any procurement agency thereof, the War Shipping Administration, and the Veterans' Administration shall be 97½ percent of the price established in paragraph (a) of this section; from the price thus computed there shall be deducted a cash discount of 1½ percent if payment is made within 10 days of receipt by the designated office of the Government procurement agency of a properly authenticated claim.

SEC. 2. *Sales of canned fish flakes at higher than maximum prices prohibited.* (a) On or after June 5, 1944, regardless of any contract, agreement, or other obligation, no canner shall sell or deliver any fish flakes and no person in the course of trade or business shall buy or receive from a canner any fish flakes at prices higher than the maximum prices established by this regulation, and no person shall agree, offer, solicit, or attempt to do any of these things.

(b) On or after June 5, 1944, regardless of any contract, agreement, or other obligation, no canner shall sell or deliver any fish flakes and no person in the course of trade or business shall buy or receive from a canner any fish flakes unless such fish flakes are of a species or variety, of a style of pack or in a container for which a specific price has been fixed under section 1 (a) or section 1 (b) of this maximum price regulation.

(c) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 3. *Where the regulation applies.* The provisions of this regulation shall apply to the forty-eight states of the United States and the District of Columbia.

SEC. 4. *Sales to which this regulation does not apply.* The provisions of this regulation shall not be applicable to sales or deliveries of canned fish flakes to a purchaser, if prior to June 5, 1944, such canned fish flakes have been received by a carrier other than a carrier owned or controlled by the seller, for shipment to such purchaser.

SEC. 5. *Relation to other regulations.* (a) The provisions of this regulation supersede the provisions of the General Maximum Price Regulation [1] with respect to sales and deliveries for which maximum prices are established by this regulation.

(b) The maximum price at which a person may export canned fish flakes shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation [2] issued by the Office of Price Administration.

ARTICLE II—RECORD KEEPING AND ENFORCEMENT

SEC. 6. *Records and reports.* (a) Every person making a sale subject to this regulation and every person in the course of trade or business making a purchase of canned fish flakes subject to this regulation, or otherwise dealing therein, after June 4, 1944, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such purchase or sale showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, the quantity and a description of the style of pack and species, and the container size of canned fish flakes.

[1] 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962, 8511, 9025, 9991, 11955.

[2] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5435.

(b) Such person shall, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942, submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

SEC. 7. *Indirect price increases.* No person shall evade any of the provisions of this regulation by any scheme or device and no person shall indirectly charge or receive for canned fish flakes a price higher than the maximum price permitted by this regulation. No person shall as a condition of selling any canned fish flakes require a purchaser to buy any other product.

SEC. 8. *Enforcement.* On and after June 5, 1944, any person violating any provision of this regulation is subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for revocation of licenses provided by the Emergency Price Control Act of 1942, as amended.

ARTICLE III—MISCELLANEOUS PROVISIONS

SEC. 9. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 [1] issued by the Office of Price Administration.

SEC. 10. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 11. *Definitions.* (a) When used in this maximum price regulation the term:

"Canned fish flakes" means any species or combination of species of fish from which most of the bones have been removed by a steaming or cooking process and which has been packed in a hermetically sealed container.

"Canned haddock and codfish flakes" means canned fish flakes of haddock and codfish in combination, of which no less than 51 percent is haddock.

[1] 7 F.R. 8961; 8 F.R. 3813, 8533, 6173, 11806.

"Canner" means a person who preserves fish flakes by processing and packing in a hermetically sealed container.

"Codfish" means fish (Gadus callarias and Gadus macrocephalus) that have been caught in the Atlantic and Pacific Oceans and adjoining waters.

"Flounder" means fish (Pseudo-pleuronectes, Hippoglossoides platessoides, Limanda ferruginea, Glyptocephalus cynoglossus, Pseudo pleuronectes dignabilis) that have been caught in the Atlantic Ocean and adjoining waters.

"Haddock" means fish (Melanogrammus aeglefinus) that have been caught in the Atlantic Ocean and adjoining waters.

"Hake" means fish (Urophycis species and Merluccius productus) that have been caught in the Atlantic and Pacific Oceans and adjoining waters.

"No. 300 x 407" means a can packed to a net content of 14 ounces.

"No. 307 x 400" means a can packed to a net content of 16 ounces.

"No. 307 x 409" means a can packed to a net content of 18 ounces.

"Person" includes any individual, corporation, partnership, association, or other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States any agency thereof, or other government, or any of its political subdivisions, and any agency of the foregoing: *Provided*, That no punishment provided by this regulation shall apply to the United States or to any such government, political subdivision or agency.

"Pollock means fish (Pollachius virens) that have been caught in the Atlantic Ocean and adjoining waters.

"Price per case" means the price for 24 cans of fish flakes packed for shipment in the usual container.

Effective date. This regulation shall become effective June 5, 1944.

NOTE: The reporting and recording provisions of this regulation are approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7803; Filed, May 30, 1944; 11:53 a. m.]

PART 1382—HARDWOOD LUMBER

[MPR 432,[1] Corr. to Amdt. 3]

NORTHERN HARDWOOD FLOORING

In Article IV, Table 1, in the item applying to "25/32 x 3¼"—Second and better", the figures covering "Lengths" are corrected to read "1½–16'"; and in Table 7, the item applying to "33/32 x 2¼"—Second" is corrected to read:

Second	1½–16'	92.50
	3–16'	96.00

Issued this 30th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7807; Filed, May 30, 1944; 11:55 a. m.]

[1] 8 F.R. 10079, 12180; 9 F.R. 171, 4476.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 9]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5151 (a) (2) is amended by deleting the words "and can be used," and by adding after the semicolon at the end of the subparagraph, the following:

However, where there is available to the applicant, as a substitute, a facility designed to use an alternate fuel, which is not in serviceable operating condition but which can be placed in such condition at reasonable expense, an interim ration for the fuel oil burning equipment may be issued for the period ending on the earliest date when the facility can be placed in serviceable operating condition;

2. Section 1394.5151 (d) is added as follows:

(d) No ration (other than an additional ration under §§ 1394.5341 to 1394.5355) shall be issued or used for furnishing heat or hot water to any premises served by equipment for the operation of which a currently valid ration for the purpose has been issued. However, a renewed ration may be issued and used even though a currently valid ration has been issued for the purpose if no other renewed ration has been issued for the purpose.

3. Section 1394.5361 (c) is added as follows:

(c) Where application is made for a renewed ration for heating premises by means of both a space heater and central heating equipment, the ration shall be figured only for the central heating equipment. The ration issued, however, may be used for the operation of the central heating equipment or space heater, or both.

4. Section 1394.5362 (b) is added as follows:

(b) Where application is made for a renewed ration for furnishing domestic hot water to any premises by means of (1) an attachment to a space heater or to cooking equipment or by separate water heating equipment and (2) central heating equipment, the ration shall be figured only for the central heating equipment. The ration issued, however, may be used for the operation of all such facilities or any of them.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 2357, 3353, 4350, 4391, 4874, 5165, 5219, 5253.

5. Section 1394.5362 (a) (2) is added as follows:

(2) *Space heaters and cooking equipment.* Where the hot water is furnished by means of an attachment to a space heater or to cooking equipment, the renewed ration shall be, for each such unit of equipment, the figure found by multiplying ten (10) gallons by the number of months for which the ration is needed. (No renewed ration may be issued for domestic hot water furnished by means of a space heater or cooking equipment unless it is equipped with a water heating attachment.)

6. Section 1394.5363 (a) is amended to read as follows:

(a) *General.* The renewed ration for heating any residential premises (other than a house trailer) by means of one or more space heaters shall be the amount of fuel oil required to meet the minimum needs for heating the premises with such equipment. However, the ration may not be more than the maximum heating allowance specified in Column (b) of Table IX for the floor area to be heated. (Table IX will be added by subsequent amendment to this order.)

(1) Where portable space heaters are to be used, the number of rooms that may be included in figuring the floor area to be heated may not exceed the number of portable space heaters to be used for this purpose; and

(2) Where portable or non-portable space heaters are to be used, not more than 550 square feet of floor area may be counted for each such space heater, unless it is a nonportable cabinet-type space heater that circulates heat by means of a factory built-in fan or blower, in which event, not more than 1100 square feet of floor area may be counted for each such space heater; and

(3) If both portable and non-portable space heaters are to be used, the maximum heating allowance for the portable space heater shall first be figured. To that amount shall be added the maximum heating allowance for the nonportable space heater deducting from the total floor area of the rooms to be heated, the floor area counted in figuring the maximum allowance for the portable space heater.

(b) *Only necessary space may be counted.* In figuring the floor area to be heated for the purpose of paragraph (a) of this Section, only necessary living and sleeping quarters and space used for occupational purposes shall be counted.

7. Section 1394.5364 is amended to read as follows:

§ 1394.5364 *How the renewed hot water ration is figured for residential premises (other than a private dwelling) using space heaters, cooking equipment or separate water heating equipment.* (a) The renewed ration for domestic hot water in residential premises (other than a private dwelling) furnished by means of an attachment to a space heater or to cooking equipment, or separate water heating equipment shall be figured as follows:

(1) *Space heaters and cooking equipment.* Where the hot water is furnished by means of an attachment to a space heater or to cooking equipment, the renewed ration shall be, for each such unit of equipment, the figure found by multiplying ten (10) gallons by the number of months for which the ration is needed. (No renewed ration may be issued for domestic hot water furnished by means of a space heater or cooking equipment unless it is equipped with a water heating attachment.)

(2) *Separate water heating equipment.* Where the hot water is furnished by means of separate water heating equipment, the renewed ration shall be two-third (⅔) of the figure obtained by adding twenty (20) gallons for the first person and five (5) gallons for each additional person regularly living in the premises, and multiplying that sum by the number of months for which the ration is needed.

8. Section 1394.5688 is amended to read as follows:

(a) *Acceptance of ration checks.* When a ration check is received by a person (other than a consumer) who neither is nor is required to be a depositor, he may endorse and deliver it to a dealer or primary supplier in exchange for a transfer of fuel oil in the amount of the check, or endorse and deliver it to any Board in the limitation area and obtain in return an exchange certificate or certificates (on Form OPA R–1118) equal in gallonage value to the amount of the check.

9. Section 1394.5801 (b) and (c) is amended by inserting between the words "coupon" and "acknowledgment of delivery," wherever so appearing, the words "ration check."

This amendment shall become effective on June 3, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.; Pub. Law 421, 77th Cong.; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1–O, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 30th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7809; Filed, May 30, 1944; 11:56 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426[1] Amdt. 29]

FRESH FRUITS AND VEGETABLES FOR TABLE USES, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum price regulation No. 426 is amended in the following respects:

1. Section 1 (f) (3) is revoked.

2. Section 1 (f) (5) is revoked.

3. A new section, 14a, is added to read as follows:

SEC. 14a. *Notification provisions*—(a) *"Minimum net weight."* The first person (including a grower) who packs fresh fruits or vegetables in a crate, box, lug, or other container shall place on the container, in legible printing or writing, the "minimum net weight" of the fruit or vegetable.

(b) *Hothouse vegetables.* (1) Any person (including a grower) who packs hothouse vegetables in any container shall place on the container, in legible printing or writing, the word "hothouse".

(2) Every invoice covering the sale of hothouse vegetables shall contain the word "hothouse" in the description of the vegetables being sold.

4. In section 15, Appendix H is amended in the following respects:

a. In paragraph (a) the third undesignated paragraph is amended to read as follows:

The maximum prices for sales of the listed commodities in unbroken packages of not more than five pounds net weight of spinach, or not more than one pound net weight of any other listed commodity, which has been trimmed, cleaned, washed or otherwise prepared for sale to the ultimate consumer ready for consumption without further preparation, other than cooking is, in each case, the same as the seller's maximum price was for the item being priced, under maximum price regulation 376.[1] Such prices may be adjusted under the provisions of paragraph (f) (4) of this appendix.

b. In table 1 of paragraph (b), item 7–8 in column 2, and footnote 3 are amended to read, respectively, as follows:

Item No.	Commodity	Unit
7	Carrots	Carrots without tops (topped) or with a leaf stem up to 1½ inches in length sold in any container.[2]

[2] The maximum price in columns 5 and 6 for clipped topped or topped carrots shall be reduced 10 cents per dozen bunches and ½ cent per pound for sales of carrots in bulk (loose without containers). The maximum price in column 7 for clipped topped or topped carrots shall be reduced ½ cent per pound for sales of carrots in bulk and in calculating that price the column 6 price for sales of carrots in bulk shall be used.

c. In the table in paragraph (c) item 6 is amended to read as follows:

TABLE OF MAXIMUM MARKUPS FOR DISTRIBUTIVE SERVICES

To be added to maximum delivered prices (see col. 6 of tables in paragraph (b))

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9	Col. 10
			Sales by a grower or a country shipper					Sales by a service wholesaler delivered to the premises of any retail store, Government procurement agency, or institutional buyer, within the free delivery zone.	
Item No.	Commodity	Unit	Through a broker, shipper's sales agent or commission merchant in carlots or trucklots or through broker, shipper's sales agent, or terminal auction in less-than-carlot or less-than-trucklot.	Through a commission merchant in less-than-carlots or less-than-truck lots.	Sales by anyone, other than a grower or country shipper, who has purchased a carlot or truck-lot, and sells such a carlot or truck-lot unbroken.	Sales by carlot receivers in less-than-trucklots. (For sales by carlot receivers through terminal auction the markups named in Col. 4 shall be applied.)	Sales by secondary jobbers in any quantity delivered to the premises of the purchaser.	Half container or larger.	Less than half-container.
6	Carrots	L. A. Crate	$0.14	$0.50	$0.14	$0.50	$0.90	$0.90	
		Per dozen bunches	2¼¢	$0.09	2¼¢	$0.09	$0.15	$0.15	20¢ per doz.
		(Minimum net weight per bunch—1 lb.)							
		Other bunches, per pound.	¾¢	¾¢	¾¢	¾¢	1¼¢	1¼¢	1¾¢ per lb.
		Clipped topped 50# (in containers).	$0.07	$0.25	$0.07	$0.25	$0.45	$0.45	
		Topped 50# (in containers).	$0.07	$0.25	$0.07	$0.25	$0.45	$0.45	
		Clipped topped or topped (in containers) per pound.	½¢	½¢	½¢	½¢	¾¢	¾¢	1.2¢ per lb.
		Bulk per lb.	¾¢	¾¢	¾¢	¾¢	¾¢	¾¢	

d. Paragraph (f) (4) is added to read as follows:

(4) On individual application, to adjust upward the maximum price of any seller of any listed commodity (except berries) in unbroken packages, not exceeding 5 pounds (net weight) for spinach and 1 pound (net weight) for any other listed commodity, which has been trimmed, cleaned, washed or otherwise prepared for sale to the ultimate consumer ready for consumption without further preparation other than cooking. The maximum price as adjusted shall not be greater than the seller's former maximum price for the item being priced plus the difference between the applicant's cost of the bulk commodity at the time that price was established under maximum price regulation 376 and the maximum price of the bulk commodity established by this regulation for his customary type of supplier.

e. In paragraph (e) (8) the reference to "1 (f) (5)" is amended to read "14a (a)".

f. In item 6 of column 5 of table 6 in paragraph (b) the figure "9.8" is corrected to read "8.7".

5. In section 15, Appendix I is amended in the following respect:

a. In paragraph (h) (1) the reference to "1 (f). (5)" is amended to read, "14a (a)".

This amendment shall become effective June 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7271; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of May 1944.

CHESTER BOWLES,
Administrator.

Approved: May 22, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44–7801; Filed, May 30, 1944; 11:51 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5487, 7391; 9 F.R. 2402.

[1] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2493.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 136]

CURED DOMESTIC HOGSKINS AND PIGSKINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

has been filed with the Division of the Federal Register.*

1. In section 3.4 (b), the last sentence is amended by changing the period to a comma and by adding the words "cured deer and elk skins as defined in section 3.9 (c) and cured domestic hogskins and pigskins as defined in section 3.15 (c)".

2. Section 3.15 is added to read as follows:

SEC. 3.15 *Cured domestic hogskins and pigskins*—(a) *Maximum prices for cured domestic hogskins and pigskins.* On and after June 5, 1944, the maximum prices for cured domestic hogskins and pigskins shall be the prices established in the table below. The prices in Column I apply to all cured hogskins and pigskins sold by collectors or producers. The prices in Column II apply to all cured hogskins and pigskins sold by dealers. All maximum prices are f. o. b. shipping point.

Kind of skin	Price per skin	
	Column I	Column II
	Collectors and/or producers	Dealers
36" and up [1]		
Packers, renderers, serums #1 and #2	$1.35	$1.45
Packers, renderers, serums #3	.675	.725
Countries and lockers #1 and #2	.85	.95
Under 36" [1]		
Packers, renderers, serums #1 and #2	.80	.85
Packers, renderers, serums #3	.40	.425
Countries and lockers #1 and #2	.425	.475
Sold without measurement		
Countries and lockers #3	.425	.475
Glues	.325	.35

[1] Measured across the butt.

(b) *Maximum brokerage charges.* If the services of a broker are used in connection with the purchase of cured hogskins or pigskins, a commission or fee not higher than the amounts specified below may be paid, in addition to the applicable maximum price, by a purchaser to a broker acting in his behalf. However, no brokerage commission or fee may be paid to a person for purchasing cured hogskins or pigskins unless he discloses to his principal the name and address of the seller of the skins. Nor may any person charge to or receive from the purchaser any commission, fee, service or other charge in connection with a purchase of cured hogskins or pigskins from a seller who controls, is controlled by, or is under common control with the broker, or who is affiliated with him, directly or indirectly, by interlocking personnel, substantial financial investment or any other arrangement whereby the seller benefits from such payment to the broker, or the broker benefits from the payment of the purchase price to the seller, to a degree greater than would have been the case without resort to any of the above arrangements.

KIND OF SKIN	Commission per skin
36" and up [1]	
Packers, renderers, serums #1 and #2	$0.05
Packers, renderers, serums #3	.025
Countries and lockers #1 and #2	.05
Under 36" [1]	
Packers, renderers, serums #1 and #2	.025
Packers, renderers, serums #3	.0125
Countries and lockers #1 and #2	.025
Sold without measurement	
Countries and lockers #3	.025
Glues	.0125

(c) *Definitions.* (1) The term "cured domestic hogskins and pigskins" means untanned whole skins removed from hogs and pigs in the continental United States and preserved by salting or drying.

(2) The term "collector" and/or "producer" means any person, engaged in the business of buying hogskins and pigskins or carcasses which he skins, whose purchases of cured hogskins and pigskins during the preceding twelve months or for such portion thereof as the person has been engaged in such business constituted less than 90% of his total purchases of both cured and uncured hogskins and pigskins.

(3) The term "dealer" means any person, engaged in the business of buying for resale hogskins and pigskins, whose purchases of cured hogskins and pigskins during the preceding twelve months or for such portion thereof as the person has been engaged in such business constituted at least 90% of his total purchases of both cured and uncured hogskins and pigskins.

(4) All other trade terms shall have the meanings generally accepted in the trade.

(d) *Invoices*—(1) *Sellers' invoices.* Every seller shall, in connection with every sale of cured hogskins and pigskins, mail within two days after date of shipment, an invoice or similar document to the purchaser or his agent stating: (i) the date of the invoice or similar document, (ii) the date of sale, (iii) the names and addresses of the seller and purchaser, (iv) the terms of sale, shipping point and destination, (v) the quantity, selling price and description in accordance with paragraph (a), above, of each different kind and grade of hogskins and pigskins sold and (vi) whether the seller is a "collector", "producer" or "dealer" within the definitions set forth in paragraph (c), above.

(2) *Brokers' invoices.* Every person who, in connection with a purchase of cured hogskins and pigskins, renders a brokerage service for compensation shall, within five (5) days from the date of shipment, mail to the purchaser an invoice or similar document showing: (i) the name and address of the broker, (ii) the date of the invoice or similar document, (iii) the date of the purchase, (iv) the names and addresses of the seller and purchaser, (v) the terms of sale, shipping point and destination, (vi) the quantity, selling price and description in accordance with paragraph (a), above, of each different kind and grade of hogskins and pigskins sold and (vii) the commission charged. It is not necessary, however, that a broker submit his own invoice showing the specified data. The requirements of this paragraph will be satisfied by attaching to the invoice for commission a copy of each invoice required to be furnished by the seller.

(e) *Records.* Every seller must keep a duplicate of the invoice delivered in connection with every sale, every purchaser, in the course of trade or business, must keep the invoice received, and every broker acting in his behalf must keep a copy of the invoice given in connection with every purchase, for which a maximum price is established by this regulation. All such records must be kept available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

NOTE: The record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective June 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7802; Filed, May 30, 1944; 11:51 a. m.]

*Copies may be obtained from the Office of Price Administration.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 95—CAR SERVICE

[S. O. 210]

ICING AND REICING OF FRUITS AND VEGETABLES IN DESIGNATED STATES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of May, A. D. 1944.

It appearing, that there is a shortage of ice in certain areas and the establishment of the use of a modified refrigeration service known as half-stage icing, for citrus fruit originating in Florida; and otherwise limiting refrigeration to three-fourths bunker capacity on cars of fruits and vegetables originating in Florida and on vegetables originating in Georgia, South Carolina, and North Carolina, will result in economy of motive power, manpower, and ice; the Commission is of the opinion that an emergency exists requiring immediate action: it is ordered, that:

Half-stage icing—(a) (1) *Definition.* The term half-stage icing as used herein means using only the upper halves of the bunkers of refrigerator cars for carrying ice, this being accomplished by setting the ice grates at a point approximately midway between the bottom and top of the bunkers.

(2) *Furnishing refrigerator cars equipped for half-stage icing for loading with Florida citrus.* When refrigerator cars equipped for half-stage icing are available at the point of origin when shipment is ordered to be initially iced after loading, and at the icing station where cars are to be initially iced when initial icing is ordered prior to loading, and the railroads can so furnish refrigerator cars equipped for half-stage icing without additional switching service in excess of that normally required for initial icing, all common carriers by railroad subject to the Interstate Commerce Act operating in the State of Florida, in complying with a shipper's order for a refrigerator car, shall give priority to the furnishing of and shall furnish refrigerator cars equipped for half-stage icing for loading with citrus fruit originating in the State of Florida, and shall furnish refrigerator cars not equipped for half-stage icing only when cars so equipped are not available as specified in this paragraph.

(3) *Carriers required to furnish half-stage icing service on refrigerator cars equipped for half-stage icing.* No common carriers by railroad subject to the Interstate Commerce Act shall permit, accord or authorize other than half-stage icing service on any refrigerator car equipped for half-stage icing, ordered for loading with, or loaded with citrus fruit originating in the State of Florida when available and furnished in accordance with the provisions of paragraph (a) (2) of this section.

(b) *Icing and reicing on fruits and vegetables restricted to three-fourths bunker capacity.* No common carrier by railroad subject to the Interstate Commerce Act, on any refrigerator car loaded with fruits or vegetables originating in the State of Florida, or loaded with vegetables originating in the States of Georgia, South Carolina, or North Carolina, shall initially ice or reice, or allow or permit initial icing or reicing, with more ice than is necessary to bring the ice in each bunker up to, but not above, three-fourths of that bunker's capacity. This paragraph shall have no application on cars restricted to half-stage icing under the provisions of paragraphs (a) (2) and (3) of this section.

(c) *Application.* The provisions of this order shall apply only to shipments billed on and after the effective date of this order originating in the States listed in paragraph (b) of this section, except that when a shipment has been unloaded under a transit arrangement the provisions of this order shall apply to such shipment if billed at the transit point on or after the effective date of this order.

(d) *Tariff provisions suspended.* The operation of all tariff rules, regulations, or charges insofar as they conflict with the provisions of this order is hereby suspended.

(e) *Announcement of suspension.* Each of such railroads, or its agent, shall publish, file, and post a supplement to each of its tariffs affected thereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(f) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a. m., May 28, 1944, and shall remain in force until further order of the Commission; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-7793; Filed, May 30, 1944; 11:30 a. m.]

Notices

FEDERAL COMMUNICATIONS COMMISSION.

[File No. B1-TC-362]

ARDE BULOVA, ET AL.

NOTICE OF HEARING

In re application of Arde Bulova and Harry D. Henshel, (Transferors) and Murray Mester and Meyer Mester (Transferees); date filed, December 31, 1943; for transfer of control of licensee corporation (WOV); class of service, broadcast; class of station, broadcast; location, New York, New York; operating assignment specified: Frequency, 1280 kc; power, 5 kw (Auxiliary: 1 kw); Hours of operation, Shares WHBI (WHBI 1/7; WOV 6/7) (Directional Antenna); Docket No. 6598.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing for the following reasons:

1. To obtain full information with reference to the qualifications of the proposed transferees.

2. To obtain full information with reference to all contracts, agreements or understandings which have been executed or entered into relative to the transfer of stock in the licensee corporation.

3. To obtain full information with respect to any relationship operation of Station WOV would have with other business enterprises of the proposed transferees, including information as to the extent to which WOV would be used for furtherance of other business interests of the transferees.

4. To obtain full information with respect to the service proposed to be rendered by Station WOV under the control of proposed transferee.

5. To obtain full information as to whether or not, under the control of proposed transferees, the time of Station WOV would be sold through time brokers or through other arrangements of similar character.

6. To obtain full information as to the manner in which the operation of Station WOV would be supervised.

7. To determine whether, in view of the facts adduced under the foregoing issues, public interest would be served by granting the instant application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The transferors' addresses are as follows: Arde Bulova and Harry D. Henshel, c/o Radio Station WOV, 730 Fifth Avenue, New York 19, New York.

The transferees' addresses are as follows: Murray Mester and Meyer Mester, 4419-25 First Avenue, Brooklyn, New York.

The licensee's address is as follows: Wodaam Corporation, Radio Station WOV, 730 Fifth Avenue, New York 19, New York.

Dated at Washington, D. C. May 27, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-7816; Filed, May 30, 1944; 12:00 m.]

[File B3-P-3176]

BEAUFORD H. JESTER, ET AL.

NOTICE OF HEARING

In re application of Beauford H. Jester, individually and as trustee for W. W. Callan, Dewitt T. Hicks, Hilton W. Howell, Wilford W. Naman, Robert G. Levy, Ross M. Sams, and Davis Stribling (NEW); date filed, April 30, 1941; for construction permit; class of service,

broadcast; class of station, broadcast; location, Waco, Texas; operating assignment specified: frequency, 1230 kc; power, 250 w; hours of operation, unlimited. Docket 6218.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for consolidated hearing with Dockets Nos. 6352, 6589, and 6590 for the following reasons:

1. To determine whether the applicant is legally and technically and otherwise qualified to become the licensee of a broadcast station under the provisions of the Communications Act of 1934, as amended.

2. To determine whether the granting of the application would tend toward a fair, efficient and equitable distribution of radio services as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

3. To determine whether the granting of this application would be consistent with the Commission's Supplemental Statement of Policy of January 26, 1944.

4. To determine whether in view of the facts adduced under the foregoing issues, the facts presented in previous hearing in this case, and the facts adduced under the issues in Docket 6590, public interest, convenience or necessity would be served through the granting of this application, the application in Docket 6590, or either of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules and practice and procedure.

The applicant's address is as follows: Beauford H. Jester, Jester Building, Corsicana, Texas.

Dated at Washington, D. C., May 26, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-7811; File , May 30, 1944; 11:58 a. m.]

[File No. B3-P-3600]

HARWELL V. SHEPARD

NOTICE OF HEARING

In re application of Harwell V. Shepard, (KDNT); date filed, October 13, 1941; for Construction permit; class of service, Broadcast; class of station, Broadcast; Location, Denton, Texas; Operating assignment specified: Frequency, 1450 kc; Power, 250 w; Hours of operation, Unlimited; Docket No. 6352.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for consolidated hearing with Dockets Nos. 6218, 6589 and 6590, for the following reasons:

1. To determine the areas and populations which may be expected to gain primary service should Station KDNT operate as proposed, and what other broadcast services are available to those areas and populations.

2. To determine the extent of any interference which would result from a simultaneous operation from KDNT, as proposed, and Stations WACO, KNET and KGFF.

3. To determine the areas and populations which may be expected to lose primary service, particularly from Stations WACO, KNET and KGFF should Station KDNT operate as proposed, and what other broadcast services are available to those areas and populations.

4. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934 as amended.

5. To determine whether the granting of this application would be consistent with the Commission's Supplemental Statement of Policy of January 26, 1944.

6. To determine whether in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Harwell V. Shepard, Radio Station KDNT, 300 W. Ross Street, Denton, Texas.

Dated at Washington, D. C. May 26, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-7812; Filed, May 30, 1944; 11:58 a. m.]

[File No. B3-P-3343]

TRUETT KIMZEY

NOTICE OF HEARING

In re application of Truett Kimzey (New); date filed, October 9, 1941; for construction permit; class of service, broadcast; class of station, broadcast; location, Greenville, Texas; operating assignment specified: frequency, 1400 kc; power, 250 w; hours of operation, unlimited; Docket No. 6589.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for consolidated hearing with Dockets Nos. 6218, 6352, and 6590, for the following reasons:

1. To determine whether the applicant is financially, technically and otherwise qualified to construct and operate the proposed station.

2. To determine the areas and populations which would receive primary service from the operation of the proposed station, and what other broadcast services are available to those areas and populations.

3. To determine the extent of any interference which would result from a simultaneous operation of the proposed station and Station KTEM.

4. To determine the areas and populations which may be expected to lose primary service, particularly from Station KTEM as a result of the operation of the proposed station, and what other broadcast services are available to those areas and populations.

5. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942, or any subsequent modification thereof.

6. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934 as amended.

7. To determine whether in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Truett Kimzey, 3951 Belford Court, Fort Worth, Texas.

Dated at Washington, D. C., May 26, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 43-7813; Filed, May 30, 1944; 11:58 a. m.]

[File No. B3-P-3574]

FRONTIER BROADCASTING CO., INC

NOTICE OF HEARING

In re application of Frontier Broadcasting Co., Inc., (WACO); date filed, February 5, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Waco, Texas; operating assignment specified: Frequency, 1230 kc; power, 250 w; hours of operation, unlimited; Docket No. 6590.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for consolidated hearing with Dockets Nos. 6218, 6352 and 6589, for the following reasons:

1. To determine the areas and populations which would gain primary service, particularly from Station WACO, should Station WACO operate as proposed, and what other broadcast services are available to those areas and populations.

2. To determine the areas and populations which would be expected to gain primary service, particularly from KDNT and KNET, should Station WACO operate as proposed, and what other broadcast services are available to those areas and populations.

3. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion, dated April 27, 1942, or any subsequent modification thereof.

4. To determine whether in view of the facts adduced under the foregoing issues, the facts adduced in Docket 6218, public interest, convenience, or necessity would be served through the granting of this application, the application of Docket 6218 or either of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Frontier Broadcasting Co., Inc., Radio Station WACO Amicable Life Building, Waco, Texas.

Dated at Washington, D. C., May 26, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-7814; Filed, May 30, 1944; 11:58 a. m.]

[File No. B2-P-3575]

PORTSMOUTH RADIO CORP.

NOTICE OF HEARING

In re application of Portsmouth Radio Corporation, (WSAP); date filed, February 12, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Portsmouth, Virginia; operating assignment specified: Frequency, 1240 kc; power, 250 w; hours of operation, unlimited; docket No. 6594.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing for the following reasons:

1. To determine the extent of any interference which would result from the simultaneous operation of Station WSAP, as proposed, and Station WBBL.

2. To determine the areas and populations which may be expected to lose primary service, particularly from Station WBBL should Station WSAP operate as proposed, and what other broadcast services are available to those areas and populations.

3. To determine the areas and populations which may be expected to gain primary service should WSAP operate as proposed, and what other broadcast services are available to those areas and populations.

4. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion of April 27, 1942, or any subsequent modification thereof.

5. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

6. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Portsmouth Radio Corporation, Radio Station WSAP, 505 Washington Street, Portsmouth, Virginia.

Dated at Washington, D. C., May 26, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-7815; Filed, May 30, 1944; 11:58 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5891]

FORT PECK PROJECT, MISSOURI RIVER, MONT.

REQUEST FOR APPROVAL OF RATES AND CHARGES FOR SALE OF POWER FROM FORT PECK DAM

MAY 27, 1944.

Notice is hereby given that pursuant to the provisions of the Fort Peck Act approved May 18, 1938 (52 Stat. 403), the Commissioner of Reclamation has filed with the Federal Power Commission a schedule of rates covering the sale of electric energy from the Fort Peck Project on the Missouri River, Montana, for confirmation and approval of the rates and charges therein provided (Docket No. IT-5891).

Under the schedule submitted, firm energy is to be sold to the rate of:

Demand charge: $0.75 per month per kilowatt maximum 30-minute integrated demand;

Energy charge: First 250 hours use per month per kilowatt of maximum demand at 3½ mills per kilowatt-hour. Balance of energy used at 3 mills per kilowatt-hour;

Minimum charge: $1.00 per month per kilowatt of maximum contract rate of delivery,

except that customers served at voltage of 230 volts or below are to be billed at the rate of two cents per kilowatt-hour for all energy used. In addition, energy is to be sold for irrigational pumping at the rate of two and one-half mills per kilowatt-hour and dump energy at the rate of two and one-half mills per kilowatt-hour.

Any person desiring to make representations with respect to the aforesaid schedule (Fort Peck Project Rate Schedule FPC No. 4) or the irrigational pumping and dump energy rates should, on or before June 21, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations under the Federal Power Act.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 44-7782; Filed, May 30, 1944; 9:40 a. m.]

[Docket No. IT-5893]

PUGET SOUND POWER AND LIGHT CO.

NOTICE OF APPLICATION

MAY 26, 1944.

Notice is hereby given that on May 19, 1944, Puget Sound Power & Light Company of Seattle, Washington, filed an application pursuant to the provisions of section 202 (e) of the Federal Power Act (16 U.S.C. 791-825r), for authority to export energy to the British Columbia Electric Railway Company, Ltd., across the international boundary line between the United States and Canada at a point

about one mile from the town of Sumas, Whatcom County, Washington.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 20th day of June, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations under the Federal Power Act.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-7783; Filed, May 30, 1944; 9:40 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 268]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, May 25, 1944, by Cochrane Brokerage Company of car ART 17906, potatoes, now on the Rock Island Lines to Rogers, Arkansas (St. L.-SF).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7761; Filed, May 29, 1944; 12:00 m.]

[S. O. 70-A, Special Permit 269]

RECONSIGNMENT OF ONIONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, May 24, 1944, by Simon Siegel Company of car PFE 97337, onions, now on the Chicago Produce Terminal to Albertson Company, Boston, Massachusetts.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7762; Filed, May 29, 1944; 12:00 m.]

[S. O. 70-A, Special Permit 270]

RECONSIGNMENT OF WATERMELONS AT MEMPHIS, TENN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Memphis, Tennessee, May 24, 1944, by Wesco Foods Company of car ACL 18580, watermelons, now on the St. L.-S. F. Ry., to Kroger Grocery Company, St. Louis, Missouri.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7763; Filed, May 29, 1944; 12:00 m.]

[S. O. 200, Special Permit 20]

REICING OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only, to full bunker capacity, at Chicago, Illinois, May 24, 1944, as ordered by Edw. H. Anderson and Company, car WFE 67539, potatoes, originating at Wawbeek, Alabama, now on the Chicago Produce Terminal, because the car cannot be unloaded until Friday, May 26, 1944.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7764; Filed, May 29, 1944; 12:00 m.]

[S. O. 70-A, Special Permit 271]

RECONSIGNMENT OF CARROTS AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, not later than May 25, 1944, by A. W. Bonnycastle, of cars PFE 30787 and 94662, carrots, on the M. K. T. Railroad, to Chicago, Illinois, due to carriers' failure to notify.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7794; Filed, May 30, 1944; 11:30 a. m.]

[S. O. 70-A, Special Permit 272]

RECONSIGNMENT OF MEXICAN TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, May 25, 1944, by Gust Relias Company of cars PFE 71707 and 43804, Mexican tomatoes, now on the Chicago Produce Terminal to Schulman Company, Cleveland, Ohio.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7795; Filed, May 30, 1944; 11:30 a. m.]

[S. O. 70-A, Special Permit 273]

RECONSIGNMENT OF LETTUCE AT ASHEVILLE, N. C.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Asheville, North Carolina, May 25, 1944, by Schuman Company of car PFE 17079, lettuce, now on the Southern Railway to Acme Brokerage Company, Columbia, South Carolina, with stop-off at Charlotte, North Carolina, for partial unloading.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7796; Filed, May 30, 1944; 11:30 a. m.]

[S. O. 200, Special Permit 21]

REICING OF POTATOES AT PITTSBURGH, PA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice to full bunker capacity at all regular icing stations between Pittsburgh, Pennsylvania, and Birmingham, Alabama, car PFE 75972, potatoes, at Pittsburgh, Pennsylvania, May 25, 1944, with proper destination Birmingham, Alabama (routed Pennsylvania Railroad, Southern Railway).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7797; Filed, May 30, 1944; 11:30 a. m.]

[S. O. 200, Special Permit 22]

REICING OF POTATOES AT HUNTINGDON, PA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit one time only, to full bunker capacity, at Huntingdon, Pennsylvania (Pennsylvania Railroad) cars ART 79659, ART 17774, ART 18946, and FGE 36535, potatoes, moving May 26, 1944, from Stillwell Cold Storage Company, Hannibal, Missouri, to Supply Officer, Naval Supply Depot, Bayonne, New Jersey (routed C. B. & Q.-P. R. R.)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7798; Filed, May 30, 1944; 11:30 a. m.]

[S. O. 200, Special Permit 23]

REICING OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice WFE 60391, potatoes, now on the Chicago Produce Terminal consigned to Ed. H. Anderson & Company, Chicago, Illinois, May 25, 1944.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7799; Filed, May 30, 1944; 11:30 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3559]

FABER AND SCHLEICHER A. G.

In re: Interest of Faber & Schleicher A. G. in an agreement with Dexter Folder Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Faber & Schleicher A. G. is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Faber & Schleicher A. G.;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Faber & Schleicher A. G. by virtue of an agreement executed by Faber & Schleicher A. G. on September 3, 1937 and by Dexter Folder Company on September 20, 1937 (including all modifications thereof and supplements thereto, if any) by and between Faber & Schleicher A. G. and Dexter Folder Company, relating, among other things, to certain United States Letters Patent, including Patent No. 2,160,905,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7719; Filed, May 29, 1944; 11:15 a. m.]

[Vesting Order 3560]

I. G. FARBENINDUSTRIE A. G.

In re: Interests of I. G. Farbenindustrie Aktiengesellschaft in patents, patent applications and an agreement with Aluminum Company of America.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That I. G. Farbeindustrie Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described as follows:

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated October 23, 1931 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft and Aluminum Company of America, which agreement relates, among other things, to certain United States Letters Patent, including Patent No. 1,614,820,

(b) All right, title and interest of I. G. Farbenindustrie Aktiengesellschaft in and to the patents identified in Exhibit A attached hereto and made a part hereof, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which I. G. Farbenindustrie Aktiengesellschaft in entitled,

(c) All right, title and interest of I. G. Farbenindustrie Aktiengesellschaft in. to and under the following United States Patent Applications:

Serial Number, Date of Filing, Inventor, and Title

236,552; 10–22–38; Franz Sauerwald, L. Holub & G. Eisenreich; Magnesium base alloys.

280,976; 6–24–39; Josef M. Michel & Fritz Henneberger; Process for the production of protective layers on light metals.

291,322; 8–22–39; Adolf Beck & Walter Buchmann; Bearings.

369,747; 12–12–40; Franz Sauerwald, Hans Eisenreich & Ludwig Holub; Magnesium base alloys.

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Patents which are identified as follows:

Patent Number, Date of Issue, Inventor and Title

1,614,820; 1–18–27; Adolf Beck; Making casting molds.

1,650,531; 11–22–27; Wilhelm Moschel and Philipp Siedler, Desiccation of molten metal chlorides.

1,661,526; 3–6–28; Adolf Beck; Process of refining light metals such as magnesium or aluminum or their alloys and recovering such metals from scrap.

1,661,894; 3–6–28; Robert Griessbach and Kurt Rohre; Manufacture of anhydrous magnesium chloride.

1,702,301; 2–19–29; Max Jaeger, Wilhelm Moschel and Robert Suchy; Process for producing metal chlorides free from water and oxides.

1,730,436; 7–9–29; Gustav Pistor; Process of refining magnesium and its alloys.

1,749,854; 3–11–30; Karl Staib; Manufacture of anhydrous magnesium chloride.

1,764,563; 6–17–30; Karl Staib; Method of carrying out erothermic reactions.

1,782,348; 11–18–30; Karl Friedrich Wagner; Pressure die-casting appliance.

1,788,770; 12–2–30; Adolf Beck and Gustav Siebel; Process of improving the resistance to corrosion of articles of magnesium and magnesium alloys.

1,788,185; 1–6–31; Adolf Beck, Walther Schmidt and Gustav Schreiber; Method of treating molten magnesium and its high-percentage alloys.

1,789,675; 1–20–31; Albert Elias; Die extrusion method and apparatus.

1,793,023; 2–17–41; Walther Schmidt; Magnesium alloy for pistons.

1,797,805; 3–24–31; Robert Suchy, Karl Staib and Wilhelm Moschel; Protected carbon electrode.

1,802,265; 4–21–31; Heinz Menking; Method of improving magnesium alloys.

1,818,173; 8–11–31; Karl Staib, Robert Suchy and Wilhelm Moschel; Apparatus for the fusion electrolysis of metallic chlorides.

1,818,174; 8–11–31; Robert Suchy, Karl Staib and Wilhelm Moschel; Partition for separating the products of fusion electrolysis of metallic chlorides.

1,823,489; 9–15–31; Ernst De Ridder; Method of and apparatus for producing profile strips from sheet magnesium alloys.

1,825,342; 9–29–31; Albert Levy Mond; Process of producing castings of magnesium and high grade magnesium alloys.

1,861,592; 6–7–32; Adolf Beck; Production of castings of magnesium alloys in permanent molds.

1,863,002; 6–14–32; Adolf Beck, Walther Schmidt and Hugo Dibelka; Process for grinding etching plates made of magnesium alloys for planographic printing.

1,867,537; 7–12–32; Ernst De Ridder and Hubert Altwicker; Drawing hollow articles.

1,875,760; 9–6–32; Gustav Pistor, Robert Suchy, Karl Staib and Wilhelm Moschel; Process for producing magnesium metal by electrolysis.

1,876,073; 9–6–32; Edward Player; Process of casting light metals in sand molds.

1,876,084; 9–6–32; Karl Staib; Method of making anhydrous magnesium chloride.

1,876,085; 9–6–32; Karl Staib; Method of making Anhydrous magnesium chloride.

1,876,131; 9–6–32; Adolf Beck and Hugo Dibelka; Process for the treatment of articles bade of magnesium or high percentage magnesium alloys.

1,895,596; 1–31–33; Karl Friedrich Wagner; Automatic die-casting apparatus.

1,895,689; 1–31–33; Albert Levy Mond; Process of producing castings of magnesium and high grade magnesium alloys.

1,901,524; 3–14–33; Wilhelm Moschel; Chlorinating apparatus.

1,901,525; 3–14–33; Wilhelm Moschel; Apparatus for performing reactions between molten substances and gases.

1,902,905; 3–28–33; Gustav Schreiber; Process of working magnesium and high percentage magnesium alloys by rolling.

1,905,445; 4–25–33; Ernst De Ridder and Hubert Altwicker; Alloy.

1,909,930; 5–23–33; Ernst De Ridder; Apparatus for producing shaped sections of uniform thickness from sheet metal strips.

1,915,932; 6–27–33; Karl Hiege; Magnesium-cerium alloys.

1,923,591; 8–22–33; Walther Schmidt, Hans Bothmann and Josef Ruhrmann; Process for improving the mechanical properties of magnesium and its alloys.

1,923,592; 8–22–33; Walther Schmidt, Hans Bothmann and Josef Ruhrmann; Process for improving the mechanical properties of magnesium and its alloys.

1,923,594; 8–22–33; Robert Suchy, Karl Staib and Wilhelm Moschel; Process for producing anhydrous .non-volatile metal chlorides.

1,933,499; 10–31–33; Wilhelm Moschel; Process for producing anhydrous magnesium chloride.

1,936,083; 11–21–33; Ernst De Ridder; Welding metal articles.

1,951,494; 3–20–34; Karl Staib and Wilhelm Moschel; Electrolysis of anhydrous fused metal chlorides.

1,953,003; 3–27–34; Josef Martin Michel; Heat treatment of light metals.

1,961,330; 6–5–34; Hans Bothmann; Process for improving the resistance to corrosion of articles made of magnesium-manganese-alloys.

1,962,628; 6–12–34; Karl Friedrich Wagner; Pressure die-casting machine.

1,968,956; 8–7–34; Edward Player; Process for preparing sand molds.

1,980,282; 11–13–34; Josef Martin Michel; Method of protecting magnesium and high grade magnesium alloys from the action of corroding agents.

1,981,380; 11–20–34; Karl Friedrich Wagner; Automatic die-casting apparatus.

1,981,381; 11–20–34; Karl Friedrich Wagner; Means for assuring the safe working of automatic pressure die-casting apparatus.

2,024,242; 12–17–35; Wilhelm Moschel; Apparatus for producing anhydrous magnesium chloride.

2,028,343; 1–21–36; Josef Martin Michel; Method and means for protecting magnesium and magnesium alloys.

2,029,349; 2–4–36; Karl Friedrich Wagner; Automatic control mechanism.

2,029,898; 2–4–36; Walther Schmidt and Adolf Beck; Method of purifying magnesium.

2,030,767; 2–11–36; Walther Schmidt, Paul Spitaler and Werner Schultze; Process for improving magnesium alloys especially in shaped forms.

2,036,563; 4–7–36; Adolf Beck; Heat treatment of magnesium alloys.

2,051,913; 8–25–36; Robert Suchy; Production of magnesium.

2,055,359; 9–22–36; Wilhelm Moschel; Electrolytic process for producing magnesium.

2,063,644; 12–8–36; Karl Friedrich Wagner; Control mechanism for presses.

2,064,323; 12–15–36; Walther Schmidt and Hubert Altwicker; Process of forging magnesium and high percentage magnesium alloys.

2,072,864; 3–9–37; Alfred Bauer; Pressure-casting apparatus.

2,087,262; 7–20–37; Alfred John Murphy; Process of modifying the mechanical properties of magnesium alloys.

2,103,976; 12–28–37; Robert Suchy and Hellmuth Seliger; Production of magnesium from magnesiferous raw materials by thermal reduction;

2,105,342; 1–11–38; Adolf Beck; Process of refining magnesium.

2,107,282; 2–8–38; Adolf Beck; Method of remelting and refining magnesium and light metal alloys containing magnesium.

2,123,890; 7–19–38; Gotthard Gossrau; Surgical clasp.

2,123,891; 7–19–38; Gotthard Gossrau; Surgical tongs.

2,126,825; 8–16–38; Hellmuth Seliger; Recovery of metals from ores.

2,131,524; 9–27–38; Rudolph Schulze; Process for the production of anhydrous magnesium carbonate.

2,134,830; 11–1–38; Josef Martin Michel; Process of producing corrosion resistant coatings on magnesium and high percentage magnesium alloys.

2,143,197; 1–10–39; Hermann Lang; Apparatus for the continuous production of metallic magnesium.

2,148,358; 2–21–39; Hermann Lang, Robert Suchy and Hellmuth Seliger; Process for the production of magnesium.

2,150,878; 5–23–39; Philipp Balz; Process for the recovery of magnesium.

2,150,910; 5–23–39; Hellmuth Seliger, Otto Bretschneider, Bernhard Hubald, Willy Kruger and George Truglitzka; Apparatus for the thermal production of volatilizable metals, particularly of magnesium.

2,162,129; 7–13–39; Julius Soll; Fluorine containing layer on light metals.

2,163,796; 6–27–39; Oskar Meyer; Process for the recovery of magnesium.

2,163,819; 6–27–39; Fritz Wienert; Process of producing magnesium oxychloride.

2,168,750; 8–8–39; Hellmuth Seliger and Otto Bretschneider; Production of metallic magnesium.

2,171,041; 8–29–39; Josef Martin Michel; Flux for welding magnesium and magnesium alloys.

2,178,983; 11–7–39; Fritz Wienert; Production of magnesium hydroxide.

2,201,206; 5–21–40; Walther Schmidt, Fritz Wienert and Hans Georg Lange von Stockmeier; Production of anhydrous magnesium chloride.

2,208,242; 7–16–40; Adolf Beck, Herman Schunck and Gunther Ostermann; Method of melting magnesium and magnesium base alloys in induction furnaces.

2,212,130; 8–20–40; Franz Sauerwald; Heat treatment of magnesium alloys containing zirconium.

2,219,056; 10–22–40; Franz Sauerwald and Hans Eisenreich; Magnesium base alloy.

2,219,059; 10–22–40; Robert Suchy and Hellmuth Seliger; Process for the production of metallic magnesium.

2,221,319; 11–12–40; Hubert Altwicker and Wilhelm Rosenkranz; Magnesium base alloy.

2,228,781; 1–14–41; Franz Sauerwald; Process for the production of magnesium zirconium alloys.

2,229,236; 1–21–41; Adolf Beck, Gustav Siebel and Eduard Nachtigall; Process for the surface treatment of workpieces of magnesium and magnesium base alloys.

2,229,252; 1–21–41; Josef Martin Michel and Fritz Henneberger; Process for increasing the resistance to corrosion of light metals and light metal alloys.

2,235,415; 3–18–41; Hubert Altwicker; Production of light metal forgings.

2,240,584; 5–6–41; Robert Suchy and Hellmuth Seliger; Process for the production of magnesium.

2,256,545; 9–23–41; Hans Bothmann; Apparatus for the production of tapered metal sections by extrusion.

[F. R. Doc. 44–7720; Filed, May 29, 1944; 11:15 a. m.]

[Vesting Order 3561]

JEANNE DEMEULENAERE, ET AL.

In re: Undivided interests in Patent No. 2,282,120.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Jeanne Demeulenaere, Irene Demeulenaere, Paul Demeulenaere and Alfred Demeulenaere are citizens and residents of Belgium and are nationals of a foreign country (Belgium);

2. That the property described in subparagraph 6a hereof is property of Jeanne Demeulenaere;

3. That the property described in subparagraph 6b hereof is property of Irene Demeulenaere;

4. That the property described in subparagraph 6c hereof is property of Paul Demeulenaere;

5. That the property described in subparagraph 6d hereof is property of Alfred Demeulenaere;

6. That the property described as follows:

(a) An undivided 13/40 interest created in Jeanne Demeulenaere, by virtue of an unwritten agreement by and between Marcel Demeulenaere, Robert Demeulenaere, Jeanne Demeulenaere, Irene Demeulenaere, Paul Demeulenaere and Alfred Demeulenaere, and after an assignment to George de Cuevas of an undivided 2½% interest therein, in and to the following patent:

Patent Number, Date, Inventor, and Title

2,282,120; 5–5–42; Marcel Demeulenaere; Cash register.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government to which the owner of such interest is entitled,

(b) An undivided 18/160 interest created in Irene Demeulenaere, by virtue of an unwritten agreement by and between Marcel Demeulenaere, Robert Demeulenaere, Jeanne Demeulenaere, Irene Demeulenaere, Paul Demeulenaere and Alfred Demeulenaere, and after an assignment to George de Cuevas of an undivided 2½% interest therein, in and to the following patent:

Patent Number, Date, Inventor, and Title

2,282,120; 5-5-43; Marcel Demeulenaere; Cash register.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government to which the owner of such interest is entitled,

(c) An undivided 18/160 interest created in Paul Demeulenaere, by virtue of an unwritten agreement by and between Marcel Demeulenaere, Robert Demeulenaere, Jeanne Demeulenaere, Irene Demeulenaere, Paul Demeulenaere and Alfred Demeulenaere, and after an assignment to George de Cuevas of an undivided 2½% interest therein, in and to the following patent:

Patent Number, Date, Inventor, and Title

2,282,120; 5-5-43; Marcel Demeulenaere; Cash register.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government to which the owner of such interest is entitled,

(d) An undivided 18/160 interest created in Alfred Demeulenaere, by virtue of an unwritten agreement by and between Marcel Demeulenaere, Robert Demeulenaere, Jeanne Demeulenaere, Irene Demeulenaere, Paul Demeulenaere, and Alfred Demeulenaere, and after an assignment to George de Cuevas of an undivided 2½% interest therein, in and to the following patent:

Patent Number, Date, Inventor, and Title

2,282,120; 5-5-43; Marcel Demeulenaere; Cash register.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government to which the owner of such interest is entitled,

is property of nationals of a foreign country (Belgium);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7721; Filed, May 29, 1944; 11:15 a. m.]

[Vesting Order 3562]

ELSBETH SCHAPER AND FRIEDRICH PETER WOLFGANG SCHAPER

In re: Interests of Elsbeth Schaper and Friedrich Peter Wolfgang Schaper in an agreement with Martin Othmar Winterhalter.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Elsbeth Schaper (nee Bieber) and Friedrich Peter Wolfgang Schaper are residents of Germany and are nationals of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Elsbeth Schaper (nee Bieber) and Friedrich Peter Wolfgang Schaper;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Elsbeth Schaper and Friedrich Peter Wolfgang Schaper, and each of them, by virtue of an agreement dated February 28, 1933 including all modifications thereof or supplements thereto, including, but without limitation, a supplement dated October 6, 1937 and October 25, 1937) by and between Elsbeth Schaper, Friedrich Peter Wolfgang Schaper and Martin Othmar Winterhalter, relating, among others, to patent number 2,032,858, issued March 3, 1936, inventor Wolfgang Schaper,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitute interests held therein, by nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7722; Filed, May 29, 1944; 11:15 a. m.]

[Vesting Order 3563]

SIEMENS AND HALSKE A. G.

In re: Two patents of Siemens & Halske, A. G.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Siemens & Halske, A. G. is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Siemens & Halske, A. G.;

3. That the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patents:

Patent Number, Date, Inventor, and Title

1,898,915; 2-21-33; Alexander S. Volpin; Razor blade sharpener.

Re. 20,805; 6-11-35; Ferdinand Souczek; Device for grinding and sharpening razor blades.

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7723; Filed, May 29, 1944; 11:15 a. m.]

[Vesting Order 3564]

SOCIETE ANONYME AIR EQUIPEMENT

In re: Interests of Societe Anonyme Air Equipement in agreements with Eclipse Aviation Corporation and Bendix Aviation Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Societe Anonyme Air Equipement is a business organization organized under the laws of France and is a national of a foreign country (France);

2. That the property described in subparagraph 3 hereof is property of Societe Anonyme Air Equipement;

3. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part hereof,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washintgon, D. C., on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe Anonyme Air Equipement by virtue of an agreement dated December 1, 1934 (including all modifications thereof and supplements thereto, if any) by and between Societe Anonyme Air Equipement and Eclipse Aviation Corporation, which agreement relates, among other things, to United States Letters Patent.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe Anonyme Air Equipement by virtue of an agreement dated August 30, 1937 (including all modifications thereof and supplements thereto, if any) by and between Societe Anonyme Air Equipement and Eclipse Aviation Corporation, which agreement relates, among other things, to United States Letters Patent No. 1,639,582.

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe Anonyme Air Equipement by virtue of an agreement dated July 1, 1939 (including all modifications thereof and supplements thereto, if any) by and between Societe Anonyme Air Equipement and Bendix Aviation Corporation, which agreement relates, among other things, to United States Letters Patent No. 2,123,219.

[F. R. Doc. 44-7724; Filed, May 29, 1944; 11:16 a. m.]

[Vesting Order 3565]

SOCIETE RHODIACETA

In re: Patent No. 2,273,633 and interest of Societe Rhodiaceta in an agreement dated March 30, 1939 with E. I. du Pont de Nemours & Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Societe des Usines Chimiques Rhone-Poulenc and Societe Rhodiaceta are corporations organized under the laws of France and are nationals of a foreign country (France);

2. That the property described in subparagraph 4a hereof is property of Societe des Usines Chimiques Rhone-Poulenc and/or Societe Rhodiaceta;

3. That the property described in subparagraph 4b hereof is property of Societe Rhodiaceta;

4. That the property described as follows:

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date of Issue, Inventor, and Title

2,273,633; 2-17-42; Maurice Louis A. Fluchaire and Serg Ivavsky; Process for the manufacture of nitriles.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe Rhodiaceta by virtue of an agreement dated March 30, 1939 by and between E. I. du Pont de Nemours & Company and Societe Rhodiaceta (including all modifications of and supplements to such agreement, including, but without limitation, a letter dated March 30, 1939 from E. I. du Pont de Nemours & Company to Societe Rhodiaceta and Societa Rhodiaceta Italiana and four letters dated June 14, 1939, October 5, 1939, May 5, 1941 and August 13, 1941 from E. I. du Pont de Nemours & Company to Societe Rhodiaceta), relating, among other things, to United States Patent No. 2,273,633,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate accounts or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an

admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7725; Filed, May 29, 1944; 11:16 a. m.]

[Vesting Order 3573]

LOUIS G. SCHUENZEL

In re: Mortgage, interests in property insurance policies, and a claim owned by Louis G. Schuenzel, also known as Louis Gustav Albert Schuenzel and as Louis Schünzel.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Louis G. Schuenzel, also known as Louis Gustav Albert Schuenzel and as Louis Schünzel, is Dresden, Raecknitzstr. 11, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

2. That Louis G. Schuenzel, also known as Louis Gustav Albert Schuenzel and as Louis Schünzel, is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. A certain mortgage executed on August 17, 1927 by Distinctive Homes Realty Company, as mortgagor, in favor of Roger S. Stockdale, as mortgagee, and recorded on the same date in the Office of the Register of Deeds of Milwaukee County, Wisconsin, in Volume 1308 of Mortgages on page 202, which mortgage was assigned to Louis G. Schuenzel by an instrument of assignment recorded on November 9, 1927 in the Office of the Register of Deeds of Milwaukee County, Wisconsin, in Volume 1336 of Mortgages on page 390, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds, and other instruments evidencing such obligations,

b. All right, title and interest of Louis G. Schuenzel in and to the following property insurance policies covering improvements on the land at 9902 West McMyron Street, Wauwatosa, Wisconsin, which is affected by the mortgage described in subparagraph 3-a hereof:

(1) Fire policy No. 879 in the face amount of $2,0000.00 issued by the North River Insurance Company of New York, expiring August 26, 1945, and

(2) Tornado policy No. T 19555 in the face amount of $1,000.00 issued by the North River Insurance Company of New York, expiring August 26, 1945, and

c. All right, title, interest and claim of any name or nature whatsoever of Louis G. Schuenzel in and to any and all obligations, contingent or otherwise and whether or not matured, owing to him and held for his credit by A. L. Grootemaat & Sons, Inc., Milwaukee, Wisconsin, including but not limited to all security rights in and to any and all collateral for any and all such obligations and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7726; Filed, May 29, 1944; 11:16 a. m.]

[Vesting Order 3607]

CHEMISCHE WERKE ALBERT

In re: Interest of Chemische Werke Albert in an agreement with Victor Chemical Works.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Chemische Werke Albert is a business organization organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of Chemische Werke Albert;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Chemische Werke Albert by virtue of an agreement executed by Chemische Werke Albert on February 27, 1939 and accepted by Victor Chemical Works on March 15, 1939 and March 17, 1939 (including all modifications thereof or supplements thereto, including, but without limitation, a license agreement signed by Chemische Werke Albert on November 2, 1940 and by Victor Chemical Works on December 3, 1940, relating to Patent Number 2,209,129; a supplement to such license agreement comprising a letter from Chemische Werke Albert to Victor Chemical Works dated November 28, 1940, and accepted by Victor Chemical Works on February 19, 1941; a letter dated July 10, 1941 and a letter and cable both dated September 12, 1941 from Victor Chemical Works to Chemische Werke Albert, relating to Patent Application Serial Number 276,020; and a letter from Victor Chemical Works to the Alien Property Custodian, dated March 7, 1944, relating to Patent Application Serial Number 342,564, now Patent Number 2,342,786) by and between Chemische Werke Albert and Victor Chemical Works, relating, among others, to Patent Application Serial Number 276,020, filed May 26, 1939, inventors F. Bornemann and H. Huber, for Detergent and Softening Agents,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7727; Filed, May 29, 1944; 11:16 a. m.]

[Vesting Order 3608]

SOCIETE DES USINES CHIMIQUES RHONE-POULENC

In re: Interest of Societe des Usines Chimiques Rhone-Poulenc in agreements with E. I. du Pont de Nemours & Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Societe des Usines Chimiques Rhone-Poulenc is a corporation organized under the laws of France and is a national of a foreign country (France);

2. That the property described in subparagraph 3 hereof is property of Societe des Usines Chimiques Rhone-Poulenc;

3. That the property described as follows: Property identified in Exhibit A attached hereto and made a part hereof;

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe Chimique des Usines du Rhone by virtue of an agreement dated December 31, 1927 by and between Societe Chimique des Usines du Rhone and E. I. du Pont de Nemours & Company (including all modifications of and supplements to such agreement, including, but without limitation, two letters dated October 13, 1932 and March 20, 1940 to E. I. du Pont de Nemours & Company from Societe des Usines Chimiques Rhone-Poulenc and five letters dated July 24, 1930, September 8, 1932, November 23, 1937, January 4, 1938 and May 5, 1941 to Societe des Usines Chimiques Rhone-Poulenc from E. I. du Pont de Nemours & Company) relating, among other things, to certain United States Letters Patent, including Patent No. 2,172,447.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe Chimique des Usines du Rhone by virtue of an agreement dated August 4, 1928 (including all modifications thereof and supplements thereto, if any) executed by E. I. du Pont de Nemours & Company on June 16, 1928 and by Societe Chimique des Usines du Rhone on August 4, 1928, relating, among other things, to certain United States Letters Patent, including Patent No. 1,898,213.

[F. R. Doc. 44-7728; Filed, May 29, 1944; 11:18 a. m.]

[Vesting Order 3609]

N. Y. HAMBURGER GUMMI-WAAREN COMPAGNIE AND DEUTSCHE TORNESIT G. M. B. H.

In re: Patent and interests of New York Hamburger Gummi-Waaren Compagnie and Deutsche Tornesit Gesellschaft m. b. H. in an agreement with Chadeloid Chemical Company and Hercules Powder Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That New York Hamburger Gummi-Waaren Compagnie and Deutsche Tornesit-Gesellschaft m. b. H. are corporations organized under the laws of Germany and are nationals of a foreign country (Germany);

2. That the property described in subparagraph 4a hereof is property of New York Hamburger Gummi-Waaren Compagnie and/or Deutsche Tornesit-Gesellschaft m. b. H.;

3. That the property described in subparagraph 4b hereof is property of Deutsche Tornesit Gesellschaft m. b. H.;

4. That the property described as follows:

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date of Issue, Inventor, and Title

1,823,260; 9-15-31; Max Deseniss; Stencil for copying purposes.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in New York Hamburger Gummi-Waaren Compagnie and Deutsche Tornesit-Gesellschaft m. b. H., and each of them, by virtue of an agreement dated June 30, 1933 (including all modifications of and supplements to such agreement, including, but without limitation a supplemental agreement dated August 12, 1935, a letter-agreement dated August 12, 1936, and a supplemental agreement dated March 16, 1938) by and between Chadeloid Chemical Company, New York Hamburger Gummi-Waaren Compagnie, Deutsche Tornesit-Gesellschaft m. b. H. and Hercules Powder Company, relating, among other things, to United States Patent No. 1,918,370,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate accounts or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7729; Filed, May 29, 1944; 11:19 a. m.]

[Vesting Order 3610]

CHEMISCHE FABRIK JOH. A. BENCKISER

In re: Interest of Chemische Fabrik Joh. A. Benckiser in agreements with Hagan Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Chemische Fabrik Joh. A. Benckiser G. m. b. H. is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Chemische Fabrik Joh. A. Benckiser G. m. b. H.;

3. That the property described as follows:

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Chemische Fabrik Joh. A. Benckiser G. m. b. H by virtue of an agreement dated June 14, 1935 (including all modifications thereof or supplements thereto, if any) by and between Chemische Fabrik Joh. A. Benckiser G. m. b. H., Hagan Corporation, The Buromin Company, Hall Laboratories, Incorporated and Calgon, Incorporated, relating, among others, to Patent Number 2,241,868,

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Chemische Fabrik Joh. A. Benckiser G. m. b. H. by virtue of an agreement executed by Hagan Corporation on or about September 15, 1933 and by Chemische Fabrik Joh. A. Benckiser on or about October 4, 1933 (including all modifications thereof or supplements thereto, if any) by and between Chemische Fabrik Joh. A. Benckiser G. m. b. H. and Hagan Corporation, relating, among others, to Patent Number 1,897,892,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7730; Filed, May 29, 1944; 11:19 a. m.]

[Divesting Order 80]

WSEVOLODE GRUNBERG

In re: Patent application of Wsevolode Grunberg.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned:

1. Having, on March 4, 1943, vested, by Vesting Order No. 1032, as property of Wsevolode Grunberg, the property described as follows:

Patent application identified as follows:

Serial Number, Filing Date, Inventor and Title

322,289; 3/5/40; W. Grunberg; Method of and means for instructing and training student operators.

2. Having found in said Vesting Order No. 1032 that Wsevolode Grunberg was a citizen of Union of Soviet Socialist Republics and a resident of France and was a national of foreign countries (Union of Soviet Socialist Republics and France);

3. Having thereafter received an executed claim by or on behalf of Wsevolode Grunberg, residing at New York, New York, hereinafter called claimant, in which it was decided that the above entitled property was on the date of vesting owned by the said claimant;

4. Having been advised of the summary determination issued by the Vested Property Claims Committee with respect to said claim, wherein it was determined upon the basis of the facts represented to said committee that said property was at the time of vesting owned by claimant, and that the said claimant was at that time, and at all times since then has been and now is an individual residing in the United States or Canada; and that claimant is not a national of a designated enemy country; and that therefore the aforesaid vesting was effected under mistake of fact;

5. Having neither assigned, transferred, or conveyed to anyone the said property, or any part thereof or any interest therein, nor issued any license with respect thereto, nor in any manner created any right or interest in any person whomsoever;

6. Determining that the error committed in vesting said property should be corrected by assigning and conveying said property to claimant, and that such disposition of the said claim, being for the purpose of correcting a mistake in vesting such property originally, does not require the filing of any further claim, nor any further hearing;

Having made all determinations and taken all action required by law; and

Determining that under the aforesaid circumstances the disposition hereinafter effected is in the interest of and for the benefit of the United States, hereby orders that the aforesaid property be assigned to claimant.

Now, therefore, the undersigned, without warranty, assigns, transfers, and conveys to claimant the property identified in subparagraph 1 hereof.

Executed at Washington, D. C. on May 9, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7732; Filed, May 29, 1944; 11:19 a. m.]

[Vesting Order 109, Amdt.]

J. D. RIEDEL-E. DE HAEN, A. G.

In re: Interest of J. D. Riedel-E. de Haen, A. G. in a certain contract.

Vesting Order No. 109, dated August 24, 1942, is hereby amended to read as follows:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation, finding that the property described as follows:

All right, title and interest of J. D. Riedel-E. de Haen, A. G., Berlin, Germany, in and to a certain agreement executed under date of December 4, 1935, by and between said J. D. Riedel-E. de Haen, A. G. and Riedel-de Haen, Inc., a New York corporation, (subject to and including all restatements and modifications thereof and supplements thereto, including, but not by way of limitation, a letter from said J. D. Riedel-E. de Haen, A. G. to Riedel-de Haen, Inc., dated December 4, 1935) and amended under date of March 6, 1941, and all income, profits, royalties and other property heretofore accrued or which may hereafter accrue to or in favor of said J. D. Riedel-E. de Haen, A. G., by virtue of the aforesaid agreement,

is property of, or is property payable or held with respect to a patent or trademark or right related thereto in which an interest is held by, and such property is itself an interest held therein by, a national of a foreign country (Germany), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 26, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7731; Filed, May 29, 1944; 11:19 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Rev. Order 1196]

PEERLESS FOUNTAIN PEN & PENCIL CO., INC.

APPROVAL OF MAXIMUM PRICES

Revised Order No. 1196 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of four new fountain pen and pencil sets and four new fountain pens manufactured by Peerless Fountain Pen & Pencil Co., Inc.

Order No. 1196 under § 1499.158 of Maximum Price Regulation No. 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) This Revised Order No. 1196 establishes maximum prices for sales of four new fountain pen and pencil sets and four new fountain pens manufactured by Peerless Fountain Pen & Pencil Co., Inc., 14-16 West 17th Street, New York, New York. This revised order applies to all sales of the new fountain pen and pencil sets and fountain pens in the forty-eight states and the District of Columbia.

(1) For sales by the manufacturer to jobbers, the maximum prices are those set forth below:

Model	Description	Maximum price
"De Luxe"	Fountain pen and pencil set—Colors: Black, khaki, or pearl in leather carrying case.	$2.43
"De Luxe"	Fountain pen and pencil set—Colors: Black, khaki, or pearl without leather carrying case.	2.04
"Insignia"	Fountain pen and pencil set in leather carrying case.	.77
"Insignia"	Fountain pen and pencil set without leather carrying case.	.54
"De Luxe"	Fountain pen—Colors: Black, khaki, or pearl in leather carrying case.	1.95
"De Luxe"	Fountain pen—Colors: Black, khaki, or pearl without leather carrying case.	1.76
"Insignia"	Fountain pen in leather carrying case.	.45
"Insignia"	Fountain pen without leather carrying case.	.34

All prices are f. o. b. New York, New York, subject to a cash discount of 2% if paid within ten days.

(2) For sales by the manufacturer to retailers, by jobbers to retailers, and all other sales at wholesale, the maximum prices are those set forth below, f. o. b. seller's city:

Model	Description	Maximum price
"De Luxe"	Fountain pen and pencil set—Colors: Black, khaki, or pearl in leather carrying case.	$2.92
"De Luxe"	Fountain pen and pencil set—Colors: Black, khaki, or pearl without leather carrying case.	2.45
"Insignia"	Fountain pen and pencil set in leather carrying case.	.92
"Insignia"	Fountain pen and pencil set without leather carrying case.	.65
"De Luxe"	Fountain pen—Colors: Black, khaki, or pearl in leather carrying case.	2.34
"De Luxe"	Fountain pen—Colors: Black, khaki, or pearl without leather carrying case.	2.11
"Insignia"	Fountain pen in leather carrying case.	.54
"Insignia"	Fountain pen without leather carrying case.	.41

(3) For sales at retail, the maximum prices are those set forth below:

Model	Description	Maximum price
"De Luxe"	Fountain pen and pencil set—Colors: Black, Khaki, or pearl in leather carrying case.	$4.85
"De Luxe"	Fountain pen and pencil set Colors: Black, khaki, or pearl without leather carrying case.	4.10
"Insignia"	Fountain pen and pencil set in leather carrying case.	1.55
"Insignia"	Fountain pen and pencil set without leather carrying case.	1.10
"De Luxe"	Fountain pen—Colors: Black, khaki, or pearl in leather carrying case.	3.90
"De Luxe"	Fountain pen—Colors: Black, khaki, or pearl without leather carrying case.	3.50
"Insignia"	Fountain pen in leather carrying case.	.90
"Insignia"	Fountain pen without leather carrying case.	.70

(b) To every fountain pen and pencil set and to every fountain pen shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price.

(c) The manufacturer shall notify in writing every person who buys from it and every jobber shall notify in writing every retailer who buys the items for which maximum prices are established by this revised order, of the maximum prices set by this revised Order No. 1196 for resale by the purchaser. This notice shall be given at or prior to the first invoice to each purchaser and may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This revised Order No. 1196 may be revoked or amended by the Price Administrator at any time.

This revised Order No. 1196 shall become effective on the 30th day of May 1944.

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7758; Filed, May 29, 1944; 11:56 a. m.]

Regional and District Office Orders.

[Memphis Order G-1 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN DESIGNATED COUNTIES OF TENNESSEE

Order No. G-1 under General Order No. 50. Filing of prices by restaurants and similar establishments; delegation of authority to fix maximum prices. Maximum prices for malt and cereal beverages in certain areas.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Memphis District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. *Purpose of order.* It is the purpose of this order to establish specific maximum prices for malt and cereal beverages including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating, or drinking establishment, either for consumption on the premises or when carried away.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties of the State of Tennessee: Bedford, Benton, Carroll, Chester, Coffee, Crockett, Decatur, Dickson, Dyer, Fayette, Franklin, Gibson, Giles, Grundy, Hardeman, Hardin, Haywood, Henderson, Henry, Hickman, Houston, Humphreys, Lake, Lauderdale, Lawrence, Lewis, Lincoln, McNairy, Madison, Marion, Marshall, Maury, Montgomery, Moore, Obion, Perry, Shelby, Stewart, Tipton, Wayne, and Weakley.

SEC. 3. *Ceiling prices.* (a) On and after May 22, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in Appendix A hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed in Appendix A hereof, and if you believe that the maximum price specified under the applicable heading "All other brands not listed above" is not appropriate to such beverage you may make application to the Memphis District Office of the Office of Price Administration requesting that such beverage be specifically included in Appendix A hereof. With or without such application the Memphis District Office of the Office of Price Administration may, at any time and from

time to time, add new or unlisted beverages, brands, types or sizes, together with maximum prices for same to the lists set forth in Appendix A hereof.

SEC. 4. *How to figure your ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4–10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4–10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. You must figure the group to which you belong as follows:

(1) *Group 1 B.* Your establishment belongs to Group 1 B, if during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than the prices listed in Appendix A hereof for Group 1 B establishments.

(2) *Group 2 B.* Your establishment belongs to Group 2 B, if during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than the prices listed in Appendix A hereof for Group 2 B establishments, but were less than those provided in Appendix A for Group 1 B establishments.

(3) *Group 3 B.* Your establishment belongs to Group 3 B, if during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2 B establishments. All establishments not in operation during the base period of April 4–10, 1943 also belong to Group 3 B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4–10, 1943, and, if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1 B or Group 2 B, you may file an application with the Memphis District Office of the Office of Price Administration requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon and your establishment is reclassified, it must retain the classification of a Group 3 B seller, and must observe the ceiling prices as provided for that group in Appendix A hereof. All such applications for reclassification must contain the following information:

(1) Name and address of the establishment and of its owner or owners.

(2) A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.

(3) The selling prices by brand name of all beverages sold since the beginning of its operation.

(4) The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

(5) Any other information pertinent to such application, or which may be requested by the Office of Price Administration.

SEC. 5. *Filing with War Price and Rationing Board.* When you have figured your proper group under section 4 above, you must, on or before June 1, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number.

SEC. 6. *Modification of prices.* After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4–10, 1943, legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4–10, 1943, were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

SEC. 7. *Exempt sales.* The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 4–1).

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. *Evasion.* If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4, 1943, to April 10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4 to April 10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals.

SEC. 9. *Records and menus.* If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 4–1, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order No. 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. *Posting of prices.* If you are an operator of an eating and drinking establishment you must post and keep posted, the ceiling prices of the beverages subject to this order sold by your establishment, either by:

(a) Supplying the customers menus or bills of fare showing the beverages subject to this order which are sold by the establishment; and showing the brand name, quantity and ceiling price of each kind and type of bottled beverage, and the quantity and ceiling price of all beverages sold on draught.

(b) Posting a sign giving the same information as required on menus or bills of fare by paragraph (a) above. Such a sign must be posted in the establishment at a place where it can easily be read by the customers. If you prefer you may use a similar sign furnished by the Office of Price Administration.

SEC. 11. *Posting of group number.* If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card clearly visible to purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1B", "OPA 2B", or "OPA 3B", whichever is applicable. You may use the card furnished you for this purpose by the War Price and Rationing Board.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same.

If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement action, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to other maximum price regulations.* This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the meal remain subject to the provisions of Restaurant Maximum Price Regulation 4–1.

SEC. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced either within or without the Continental United States, and includes those commonly designated as beer, lager beer, ale, porter, and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer."

(c) "On draught" means dispensed by a seller at retail from any container of ⅛ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sales at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(f) "Eating or drinking establishment" shall include any place, establishment or location, whether temporary or permanent, in which any prepared food item or meal, or any beverage is sold for immediate consumption on the premises or to be carried away without substantial change in form or substance. However, grocery and other stores that do not sell food items or meals, or beverages for immediate consumption on the premises are specifically excluded from this definition.

(g) "Other definitions." Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Memphis District Office.

SEC. 19. *Taxes.* Sellers who are required to pay a Federal Excise Tax on cabarets may add the same to the prices shown in Appendix A, provided such tax is separately stated and collected. All other Federal and State Taxes are included in the prices shown in Appendix A hereof.

SEC. 20. *Revocation and amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 21. *Effective date.* This order shall become effective on the 22d day of May 1944.

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, General Order 50, 8 F.R. 4808)

Issued at Memphis, Tennessee, this 20th day of May 1944.

W. C. MANLEY, Jr.
District Director.

APPENDIX A

GROUP 1 B

Brand or trade name	Maximum price per bottle	
	12 ounce	32 ounce
	Cents	*Cents*
Ballentine Ale	25	45
Barbarossa	25	45
Birk's Trophy	25	45
Budweiser	25	45
Carta Blanca	25	45
Doran's Export Beer and Ale	25	45
Kingsbury Pale	25	45
Keller's Topaz	25	45
Pabst Blue Ribbon	25	45
Peerless Amber	25	45
Schlitz	25	45
Silver Fox DeLuxe	25	45
Van Merritt	25	45
All other brands not listed above	21	40
Draught beer:		
8 ounce glass	09	
10 ounce glass	12	
12 ounce glass	15	
14 ounce glass	17	
16 ounce glass	19	

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected.

GROUP 2 B

	Cents	*Cents*
Ballentine Ale	20	40
Barbarossa	20	40
Birk's Trophy	20	40
Budweiser	20	40
Carta Blanca	20	40
Doran's Export Beer and Ale	20	40
Kingsbury Pale	20	40
Keller's Topaz	20	40
Pabst Blue Ribbon	20	40
Peerless Amber	20	40
Schlitz	20	40
Silver Fox Deluxe	20	40
Van Merritt	20	40
All other brands not listed above	16	35
Draught beer:		
8 ounce glass	08	
10 ounce glass	10	
12 ounce glass	12	
14 ounce glass	14	
16 ounce glass	16	

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

APPENDIX A—Continued

GROUP 2 B

Brand or trade name	Maximum price per bottle	
	12 ounce	32 ounce
	Cents	*Cents*
Ballantine Ale	17	35
Barbarossa	17	35
Birk's Trophy	17	35
Budweiser	17	35
Carta Blanca	17	35
Doran's Export Beer and Ale	17	35
Kingsbury Pale	17	35
Keller's Topaz	17	35
Pabst Blue Ribbon	17	35
Peerless Amber	17	35
Schlitz	17	35
Silver Fox DeLuxe	17	35
Van Merritt	17	35
All other brands not listed above	13	30
Draught beer:		
8 ounce glass	08	----------
10 ounce glass	10	----------
12 ounce glass	12	----------
14 ounce glass	14	----------
16 ounce glass	16	----------

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

[F. R. Doc. 44-7773; Filed, May 29, 1944; 4:02 p. m.]

WAR FOOD ADMINISTRATION.

[License No. 44]

MILK IN WICHITA, KANS., SALES AREA

SUSPENSION OF LICENSE

The license for milk for the Wichita, Kansas, sales area issued by the Secretary of Agriculture, pursuant to the provisions of the Agricultural Adjustment Act of May 12, 1933, on March 16, 1934, effective March 17, 1934, is hereby suspended as of 11:59 p. m., May 31, 1944.

This suspension of the said license shall not affect, waive, suspend, or terminate any right, duty, obligation, or liability which shall have arisen or which may hereafter arise in connection with any of the provisions of the said license, provided such right, duty, obligation, or liability was incurred prior to the effective date hereof.

The market administrator under said license is hereby directed to liquidate the affairs arising under such license in accordance with the provisions thereof and under the direction of the Chief of the Dairy and Poultry Branch, Office of Distribution.

Done at Washington, D. C., this 29th day of May 1944.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 44-7791; Filed, May 30, 1944; 11:13 a. m.]

WAR MANPOWER COMMISSION.

HASTINGS, NEBR., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Hastings, Nebraska, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. VIII by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Hastings, Nebraska, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Hastings, Nebraska, Area shall include:

City of Hastings, Nebraska, including the area within the corporate limits and all area within a radius of five miles of the corporate limits of such city, and including the Naval Ammunition Depot.

II. The effective date of this designation is November 16, 1943.

III. Not later than the effective date, each employer in the Hastings, Nebraska, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director, the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minium wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: October 11, 1943.

F. M. RARIG, Jr.,
Regional Director.

[F. R. Doc. 44-7772; Filed, May 29, 1944; 3:55 p. m.]

LANSING, MICH., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Lansing, Michigan Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Lansing, Michigan, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation the Lansing Area shall include:

Ingham County (except Onondaga, Leslie, Bunker Hill and Stockbridge Townships).
Eaton County (except Kalamo, Bellevue and Walton Townships).
Clinton County (all).

II. The effective date of this designation is July 1, 1944.

III. Not later than the effective date each employer in the Lansing Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work. Such applications must be filed before June 22, 1944.

Date of issuance: May 27, 1944.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-7792; Filed, May 30, 1944; 11:27 a. m.]

VOL 9

INDEX

APRIL - JUNE

Bind at end of Vol.

FEDERAL REGISTER

Volume 9 — INDEX, *April–June 1944* — Nos. 66–130

A

ACCOUNTS AND BUDGET (TITLE 4): Page
Budget Bureau:
Fellowships in public administration for representatives from other American Republics (Part 250) 4799
ACCOUNTS BUREAU. *See* Treasury Department.
ADMINISTRATIVE PERSONNEL (TITLE 5):
Civil Service Commission:
Certification (Part 7) 4127, 4971
War service regulations (Part 18) 4563, 4565, 7235
AGRICULTURAL ADJUSTMENT AGENCY:
Conservation programs:
Insular, 1944; Alaska, Hawaii and Puerto Rico 4671
National; 1943 5397
Corn, transportation in designated areas. *See* Defense Transportation; Interstate Commerce Commission.
Marketing quotas:
Tobacco:
Burley:
Regulations; 1944–45 6487
Acreage allotments for old farms 3959
Flue-cured; 1944–45 6492
AGRICULTURAL CREDIT (TITLE 6):
Commodity Credit Corporation:
Apple freight equalization payment program (Part 242) 4677
Grapefruit juice payment program, 1943–44 (Part 249) 4566
Loans, 1944:
Rye, barley and grain sorghum (Part 253) 7247
Wheat (Part 251) 7243
Farm Credit Administration:
Administrative officers, functions (Part 3) 4565
Banks for Cooperatives:
Loan interest rates and security (Part 70) 5101
Loan policies (Part 71) 5103
Federal land banks (Part 10) 4167, 5289
St. Paul (Part 27) 4167
Farm Security Administration:
General (Part 300) 4523

AGRICULTURAL ECONOMICS BUREAU: Page
Fellowships, award of to applicants from other American Republics. *See* Agriculture Department.
AGRICULTURAL LABOR. *See* War Food Administration.
AGRICULTURE (TITLE 7):
Agricultural Adjustment Agency:
Conservation programs:
Insular (Part 702) 4671
National (Part 701) 5397
Tobacco:
Burley (Part 724) 3959, 6487
Flue-cured (Part 727) 6492
Commodity Credit Corporation:
Oilseeds (Part 1600) 4974
Entomology and Plant Quarantine Bureau:
Quarantine notices:
Domestic (Part 301) 4523, 4524, 6201, 7121
Foreign (Part 319) 6389
Restricted entry orders (Part 321) 3761
Office of the Secretary:
Awards of fellowship to applicants from other American Republics (Part 2) 5031
Oil and gas leases (Part 4) 5103, 5397
War Food Administration:
Bakery products (Part 1404) 4527, 5331, 7122
Beans (Part 1491) 3268, 6295
Canned and processed foods (Part 1425) 6497
Cocoa beans (Part 1433) 6799
Cotton crop insurance contract regulations (Part 412) 3677
Cotton warehouses (Part 101) 6387
Dairy products (Part 1401) 3475, 3477, 3478, 3479, 3535, 3537, 3538, 3623, 3626, 3628, 3762, 3763, 3764, 4065, 4321, 4500, 4566, 4567, 4675, 4676, 4677, 4735, 4802, 5106, 5329, 5330, 5331, 5365, 5366, 5499, 5500, 5627, 5628, 5629, 5766, 5767, 5888, 5945, 5946, 5947, 6051, 6053, 6145, 6801, 6802, 6905, 6906, 6907, 6908, 6981, 6982, 6983, 6984, 7040, 7122
Dehydrated fruit, vegetables, and soups (Part 1406) 6007

AGRICULTURE (TITLE 7)—Con. Page
War Food Administration—Con.
Eggs; official United States standard for palatability scores for dried whole eggs (Part 65) 4971
Farm machinery and equipment (Part 1202) 3927, 5630, 7249
Fats and oils (Part 1460) 3479, 3832, 4736, 4802, 4973, 4974, 5033, 5332, 5333, 5501, 6009, 6147, 6390, 6667.
Feed (Part 1220) 3475, 3831, 4839, 5001, 5106, 6295
Fertilizer (Part 1206) 4575, 5033
Fish (Part 1465) 3891
Food and storage facilities (Part 1470) 5398
Fruits and vegetables (Part 1405) 4501, 4527, 4528, 6053, 6205, 6249, 6583, 7251
General regulations (Part 1598) 4566
Grain (Part 1468) 3628, 4379, 4738, 5397, 6390, 7039
Imported foods (Part 1415) 7251
Livestock and meats (Part 1410) 4003, 4973, 5107, 5767, 5888
Milk handling in various marketing areas:
Boston, Mass., greater (Part 904) 4972, 6007
Fall River, Mass. (Part 947) 5885
New York, metropolitan (Part 927) 4735
Philadelphia, Pa. (Part 961) 5759
Wichita, Kan. (Part 968) 5761
Oilseeds (Part 1461) 5333, 6249, 6851
Peaches grown in State of Georgia (Part 962) 6201
Poultry (Part 1414) 3628, 4375, 6147
Procedural regulations (Part 1599) 6202
Redesignation and renumbering of orders 4319
Rice (Part 1432) 5289
Sugar (Part 1430) 6801
Sugar determinations (Part 802) 3927, 4167, 4283, 5711, 6145
Suspension orders (Part 1590) 4639, 5629, 5630, 7037, 7183
Tobacco (Part 1450) 3891, 6667
Wool (Part 1418) 7185

62000—44——1

AGRICULTURE DEPARTMENT: Page
- *See Agricultural Adjustment Agency.*
- *Animal Industry Bureau.*
- *Commodity Credit Corporation.*
- *Entomology and Plant Quarantine Bureau.*
- *Farm Credit Administration.*
- *Farm Security Administration.*
- *Federal Crop Insurance Corporation.*
- *Forest Service.*
- *Rural Electrification Administration.*
- *Soil Conservation Service.*
- *War Food Administration.*

Fellowships, award to applicants from other American Republics 5031
Oil and gas rights, owned by United States and under jurisdiction of Department of Agriculture; regulations 5103, 5397

ALASKA:
- Coal mining operating and safety regulations. *See* Geological Survey.
- Conservation programs. *See* Agricultural Adjustment Agency.
- Employment stabilization plan, interim. *See* War Manpower Commission.
- Fish canning industry. *See* Fisheries Coordinator, Office of.
- Fisheries. *See* Fish and Wildlife Service; International Fisheries Commission.
- Homesteads. *See* General Land Office.
- Price regulations. *See* Price Administration.
- Public lands; sales, withdrawals, reservations, etc. *See* General Land Office.
- Registration, etc. *See* Selective Service System.

ALIEN PROPERTY CUSTODIAN:
- Appointments, etc.:
  - Appointments and designations of employees, appointees, delegates, etc., by former Alien Property Custodian; ratification 3479
  - Garvey, Frank J., appointment as agent with respect to banks and insurance companies 4485
  - McNamara, Francis J., appointment as Deputy Custodian 3522
- Claims; notice of summary proceedings:
  - Aluminum Co. of America 4365
  - American Cyanamid Co 5613
  - American Diagrid Corp 4365
  - American Rolling Mill Co 4365
  - Bach, Nicls B 4365
  - Builders Iron Foundry 5613
  - Chemipulp Process, Inc 4953
  - Coro, Inc 4953
  - De Becze, George 4485
  - DeKanski, Leon M 4365
  - Dorr Company, Inc 4365

ALIEN PROPERTY CUSTODIAN—Continued. Page
- Claims; notice of summary proceedings—Continued.
  - Ehrlich, Joseph 4364
  - Firestone Tire and Rubber Co 4953
  - Foldes, Francis F 4365
  - Freydberg Bros.-Strauss, Inc 4953
  - General Electric Co 5613
  - Grunberg, Wsevolode 4364
  - Hohenemser, Fritz 5324
  - Honigsberg, Robert 4485
  - Hoover Co 4365
  - Industrial Chemicals, Inc 4365
  - Jacoby, Max 5613
  - Larsen, Louis 4365
  - Lion, Leopold 4485
  - Loeb, Rene 5324
  - Mahler, Joseph 5613
  - Meehanite Metal Corp 4953
  - Nettel, Friedrich 4365
  - No-Sag Spring Co 5613
  - Precise Products Corp 4953
  - Reynolds Metals Co 4365
  - Spoor, Willem L. J 4365
  - Steeves, Bessie E 4485
  - Szekeley, Georg 4485
  - Tampier, Rene 4953
  - U. S. Industrial Chemicals, Inc 4365
  - United States Radium Corp 4365
  - Zipper, Emil 4953
- Copyrights. *See* Vesting orders.
- Dissolution orders:
  - Akawo and Co., Inc 6836
  - Amber Mines, Inc 4252
  - Bodee Realty Corp 5970
  - Castle Rayon Corp 7281
  - Meito China Corp 5969
- Divesting orders:
  - Grunberg, Wsevolode 5940
  - Klotz, Leopold H. P 6471
  - North American Investing Co., Inc 6471
- Hearings, before Vested Property Claims Committee:
  - American Platinum Works 6837
  - Arushee Co., Inc 6837
  - Batzouroff, Dragio 5181
  - Cerutti, Alfred 5450
  - Engelhard, Charles 6837
  - Karl Feller-Schloemann Engineering Co 3924
  - Marigliana, Oretta Magda Maria 5612
- Patents and patent applications. *See* Divesting orders; Vesting orders.
- Ratification of orders, etc., issued under former Alien Property Custodian 3479
- Vesting orders:
  - Aala Service Station, Ltd 6270
  - Abeshima, Hirotsugu and Yoishi 4255
  - Albert, Marie 5318
  - Alfol Insulation Co., Inc 5451
  - Amber Mines, Inc 4494
  - Amerop Travel Service, Inc 3923
  - Andres, Louis 6042
  - Archenhold, Moritz 4359
  - Arndt, Gottlieb 6595
  - Arnold, Mathilde 4360
  - Bachman, Hertha Frieda K 6959
  - Back, Heinrich 5085
  - Bahnsen, Christian 4491
  - Balke, Rudolph Luis 5851

ALIEN PROPERTY CUSTODIAN—Continued. Page
- Vesting orders—Continued.
  - Bamberger, Moritz 4491
  - Bataafsche Negotiation Compagnie, N. V 7211
  - Bauer Type Foundry, Inc 7105
  - Baumann, Anna 6398
  - Beck, Olga 6043
  - Beckenbach, Elise 4492
  - Becker, Ernst 5085
  - Bendix Aviation Corp 5937
  - Benetti, Vincenzo 6960
  - Beres, Andrew and Teres Szegedi 4492
  - Berger, Madeline 4492
  - Bernd, Maria Katerine 4493
  - Biederman, August 4493
  - Bielefeld, Anna 4493
  - Bischof, Gesine 7099
  - Blau, Marie 4494
  - Boehme, Carrie 4494
  - Bosch, Robert, G. m. b. H 5846
  - Bosse, Christian 5699
  - Braun, Emma 5851
  - Braun, Gertrude Weng 6959
  - Bremen, Free and Hansa town of 4255
  - Bremer Handels Museum of Germany 4255
  - Brenner, Mary 6653
  - Bruegger, Caroline 3985
  - Buechner, Louis C 3523
  - Carbonisation et Charbons Actifs 7212
  - Ceccato, Bassani Angelina 6596
  - Ceskomoravska - Kolben-Danek Akciova Spolecnost 7214
  - Charnock, John N 3985
  - Chemische Fabrik Joh. A. Benckiser G. m. b. H 5940
  - Chemische Werke Albert 5938
  - Chemische Werke Schuster 7275
  - Chinoin Chemical and Pharmaceutical Works Co., Ltd 4253
  - Choy minors 4254
  - Chudoba, Francis William 5851
  - Clar, Dr. Erich 4487
  - Comptoir des Textiles Artificiels 7274, 7275
  - Copyrights:
    - Austria 6271, 6467
    - France 6464
    - Diess, R 6122
    - Dillard, Michel 6122
    - Editions Francis Salabert 6465
    - Editions Max Eschig 6124
    - Jobert, Jean 6123
    - Rouart, Lerolle et Cie 6123
    - Germany 6271, 6465
    - Meyer-Foerster, Wilhelm 6124
  - Hungary; Zoltan Kodaly 4485
  - Italy; Eredi Saccardo 3817
  - Japan; Asahi Production 6467
  - Cordes, Charles A 6037
  - Cramer, Joseph 6899
  - Cuneo, Gianbatista 6266
  - Dahnke, Dorothea 5086
  - Daiber, Christiane E 4360
  - Daigger, Andrew 5700
  - Damon, Carlota 3995
  - Delecker, William R 3523
  - Delmar, Paul 4360
  - Desebrock, Hanna 5091

ALIEN PROPERTY CUSTODIAN—Continued. Page
- Vesting orders—Continued.
  - Detert, William Ferdinand 5320
  - Dettmer, Maria 4508
  - De Vries, Gerget 5320
  - Dexter Folder Co 5934
  - Dietrich, Herbert and Gabriele 3982
  - Dispersion Cathodique Societe Anonyme 7211
  - Distelhorst, William 6959
  - Doering, Louisa 6961
  - Doerr, Emelia 7222
  - Dunkhase, Henry H 5700
  - Du Pont de Nemours, E. I., & Co 5939, 7275
  - East Twenty First Street Lighter Corp 5450
  - Ebert, Robert G 6596
  - Echart, Gus 5321
  - Eckert, Gustav 5321
  - Eckhart, Gus 5321
  - Eckmann, George H 3986
  - Eclipse Aviation Corp 5846
  - Edelmann, George 7222
  - Eggart, Gus 5321
  - Eggeling, Albert A 5086
  - Egler, Emma 6896
  - Ehler, Albert 4509
  - Ehlers, Maria, Sr., et al 6651
  - Ehlers, Walter 6038
  - Ehmert, Marie 6961
  - Eigenbrod, Katherine 7223
  - Empire State Properties and Trading Corp 4514
  - Endo, Sutematsu and Haru 5846
  - Enger, Eva 7100
  - European American Trade Development Corp 6652
  - Eyerman, Emily 6596
  - Fabbrica Italiana Magneti Marelli 6605
  - Faber and Schleicher A. G 5934
  - Falco, Mike 6597
  - Feigenspan-Stengel, Marie L 3986
  - Fellmeth, Wilhelmina Bader 4509
  - Ferigo, Joseph 5091
  - Filzen, Paul 6899
  - Findheiss, Richard H 6594
  - Fiehmig, Clara 5086
  - Fletcher, William B., and Alice M. Herz vs. Elizabeth A. Hammer, et al 6599
  - Fortuna-Werke A. G 4955
  - Foulon, Charles 3523
  - Franz, Francis William 5851
  - Frenzel, Charles 4509
  - Freytag, William O 6597, 6598
  - Friebel, Herman G 6598
  - Friend, Henrietta 6038
  - Fritz, Reinhard 6598
  - Fritzsche, Minnie Marie Albertine 4256
  - Fuchs, Franz 6958
  - Fuetscher, Anthony Thomas 5969
  - Fuji Sake Brewing Co., Ltd 6272
  - Fuji Trading Co 3924
  - Fukuda, J. (Jinzo) 5182
  - Fukushina, Tomio 7104
  - Furuya, Riichiro 5087
  - Furuya, Satoshi, Tomoe, Kiyoshi and Sachie 5087
  - Gamberi, Erminio 3526
  - Gausebeck, Beatrice and Augustus T 3981
  - Geipel, Minna A 7100
  - Geldner, Johann Georg 4256
  - Gerbracht, Kurt 3527, 6964

ALIEN PROPERTY CUSTODIAN—Continued. Page
- Vesting orders—Continued.
  - Geres, Andy 4492
  - German American Bund 5452
  - German Railroads Information Office 4830
  - Gillette, William 6599
  - Goehrke, Elise 5081
  - Goldstein, Abraham 6600
  - Goldstine, Abraham 6600
  - Gosho Sales Corp 5351
  - Gottgetreu, Ida 5088
  - Grabendoerfer, Peter 6899
  - Graf, Anna C 5081
  - Gross, Julius A 7101
  - Guenther, Paul 7101
  - Gunze Silk Corp 4830
  - Guthrie, Florence H 5321
  - Haaf, Louis 4510
  - Hafner, Anna 6900
  - Haihnchen, Trintje 7101
  - Halm, Frederick 6895
  - Hamasaki, Albert Tokimasa 4254
  - Hammer, Elizabeth A 6473
  - Hannemann, Katie 7102
  - Harasawa, Keizo 6474
  - Harder, Lina 5081
  - Harmans, William 5852
  - Harnischfeger, Henry 5088
  - Hartwein, Thomas 4361
  - Hattori, Shigenari 6271
  - Heilemann, Karolina 5318
  - Heimers, Peter 4361
  - Hein, George 5088
  - Hejtmanek, Joseph F 4362
  - Hellman, Fred 4510
  - Hellmuth, Hans Otto 4486
  - Hemingway, Alice H 4511
  - Hensen, Detlef 5089
  - Hermann, Adele 5089
  - Hilo Brewery, Ltd 7273
  - Himstedt, Emil 4831
  - Hinkel, Jacob 6599
  - Hoffker, August 5852
  - Hoffmeister, Elizabeth Helene and Elise 6125
  - Hofherr - Schrantz - Clayton-Shuttleworth, A. G 6267
  - Hollister Seed Co 6268
  - Honda, Inoki 7102
  - Honel, Armand, Engelbert, and Josefa 3981, 3995
  - Honolulu Pharmacy 6270
  - Horikoshi, Z., & Co., Inc 4954
  - Hornbach, John 4831
  - Hoyer, Metta 7099
  - Hurd, Paula C 6594
  - I. G. Farbenindustrie A. G 4657, 5613, 5841, 6475, 7215, 7274
  - Ishida, Naoichi and Isami 6957
  - Ito, Michio 3820
  - Iwahara Shoten 6268
  - Iwakami, Konosuke, et al 5181
  - Japan Cotton & Silk Trading Co., Inc 5352
  - Japanese Government Raw Silk Intelligence Bureau 4829
  - Jefferson, Lena Bertha 3987
  - Jelinek, Anna 7103
  - Jerian, Christy 7103
  - Jeschko, John 4362
  - Jobst, Dr. Gunther 4658
  - Juchzs, Louis 3987
  - Kachel, Gustav 4511
  - Kalcic, Hildegard 3981
  - Kalle & Co., A. G 4486
  - Kampfer, Elizabeth 5701
  - Karpi, Albert 3987

ALIEN PROPERTY CUSTODIAN—Continued. Page
- Vesting orders—Continued.
  - Katakura Corp 3923, 4668
  - Kauffmann, Freda 4257, 6474
  - Kawai, Tejiro 6272
  - Kawakita, Haruo 5847
  - Keller, Beatrice 4832
  - Kenziro, Emura 4831
  - Kern, Helene 5089
  - Kettern, Joe 5853
  - Keyser, Christiane 5853
  - Kirshten, Frank 3988
  - Kiyono Nurseries 5613
  - Klein, Charles T 4512
  - Klein, Emil 5090
  - Kletsch, Ernest 4832
  - Knudsen, George F. A 6600
  - Knutzen, George F. A 6600
  - Kobata, Toshiro 7103
  - Kobayashi, Tatsukichi 4254
  - Koch, George H 5090
  - Koischwitz, Erna Bea 4832
  - Koll, Anna E 4362
  - Konigstein, Nettie K 5321, 5322
  - Kopta, Emilie 5183
  - Koreyada, Rikishi 3988
  - Korn, Rev. Anthony 5969
  - Kovats, Joseph 6039
  - Kowohl, Erwin A., vs. Rosa Riedel, et al 6039
  - Kraft, Mathilda 5853
  - Krankenberg, Henry 4512
  - Krohn, Berhnard 6472
  - Kromminga, Gerhard, et al 3988
  - Kromminga, William J 4513
  - Kubat, Vaclav 7223
  - Kuehn, Bernhard Julius Otto 6957
  - Kuehne, Richard 5319
  - Kuga, Mantaro 4257
  - Kuhmann, Alfred 6043
  - Kuhmann, Margarete 5964
  - Kuhne, Charles W 6656
  - Kunze, Richard 3989
  - Lackland, Annie H 4513
  - Lagershausen, Clara 5965
  - Lammich, Frank 6044
  - Lane, Rufus W 4513
  - Laub, Richard 5322
  - Laufer, Anton 5323
  - Lehmann, J. M 7276
  - Lichter, Solomon 7104
  - Lieber, Peter 5323, 5324, 5701
  - Liedke, Christian 5082
  - Lindemann, Verona 5184
  - Lindner, Margaret 4514
  - Lingner Corp 7104
  - Loewe, F. W 5185
  - Lohnes, Henry 7280
  - Lorsch, Josephine M 4666
  - Losenhausenwerk 5840
  - Luca, Peter N 4832
  - Ludwig, Susanne 3670
  - Lunsmann, H. A 4954
  - Maddaleni, Brunilde 3820
  - Magrini, Societa Anonima 7215
  - Mahler, Gesche 7218
  - Maihak, H., A. G 7277
  - Malinka, Amelia (Amalia) 7218
  - Marraccini, Euginio and Eva 3528
  - Marsden, Maria A 3995
  - Martin, Karolina 5318
  - Matsushima, A. (Ayoa) and U. (Umata) 6265
  - Mattiage, Hanah 6601
  - Mauss, Caroline 7218
  - Meise, Louise 3989

ALIEN PROPERTY CUSTODIAN—Continued.
Vesting orders—Continued.
Melchoir, Alexander 6959
Mendelsohn, Mrs. S 5319
Metrawatt A. G. 4955, 6474
Metzger, Friederike Susanne 5082
Meyer, Albert R. 6039, 6126
Meyer, Frederick 4667
Meyran, Marie H 5091
Mikimoto, K., Inc 5352
Miller, Elizabeth 7219
Miller, Mary 4363
Miller, Paul 4363
Miner-Edgar Chemical Corp. 3985, 5965
Minimax A. G 6894
Mitamura, Chizu 5182
Mittrach, Gustav E 6961
Miura, Nobusuke 5854
Miwa, J. S., & Company, Ltd. 4954
Miyazawa, Sakae 5848
Moeller, Ottilie 5185
Mohr, Jacob Friedrich 5324
Morgan, Edwin Vernon 7219
Mueller, Emma 6601
Mueller, John G 6962
Mueller, Leopoldine 6958
Muhlbach, Carl 6601
Muhlenbruck, Diederich H. 6602
Muhlig, Wilhelm 6602
Muller, Amalia 6959
Muller, Conrad 6595
Muller, J. C., N. V 6266
Musashiya Shoten, Ltd 6269
Muselius, Anna K 6962
Nakamura, Haruko 6126
Nakamura, John, May, Ruth, and Toshio 3670
Nakayama, Yemiko and Akira 4953
National Bank of New Jersey, et al 3985
National Merchandise Corp. 5962
National Seed Co., Inc 5451
Nebe, William C 6603
Nestler, Elsie 5966
Neuhauss, Heinrich 4489
Newhouse, Jacob 5187
Nickelsen, Richard C. 3922, 6963
Nissen, Nis 5966
Nissen Stiftung 5453
Noetzel, William 5083
Nunziato, Frank 6897
Obermeyer, Otto 3524
Ochensreither, Anna 5967
Oda, G. J., Contracting Co., Ltd 6268
Oesterreich, Anna 3989, 3990
Ogawa, Saburo 7280
Okawa, F 6265
Okumura, Shotaro 4829
Oppenheimer, Frieda 4363
Ortmeyer, Mary 6603
Osaki Shoten, Ltd 6269
Osborne, Blanche Jacobs 5083
Ostbye, Peter 4486
Otten, Herman, et al 5453
Ottmann, Madeleine L 4659
Ovel, Gerhard 5702
Overbeck, Johanna Caroline 6897
Paepcke, Hermann 6044
Pape, J. Frederick 4660
Patents and patent applications of foreign nationals in enemy or enemy-occupied countries:
Argentina; Compania Platense de Electricidad, Siemens-Schuckert S. A. 3665

ALIEN PROPERTY CUSTODIAN—Continued.
Vesting orders—Continued.
Patents and patent applications of foreign nationals in enemy or enemy-occupied countries—Con.
Belgium:
Automatic Electric Sales Co., S. A. 3665
Demeulenaere, Jeanne, Irene, Paul and Alfred 5935
New Antwerp Telephone and Electrical Works, S. A. 3665
Societe Anonyme Siemens 3665
Brazil; Companhia Brasileira de Electricidade Siemens-Schuckert, S. A. 3665
Bulgaria; Bulgarische Elektrizitats A. G. Siemens 3665
Chile; Siemens-Schuckert Ltda., Cia de Electricidad 3665
Czechoslovakia:
Electrotechna A. G. fur Schwachstromtechnik 3665
Fuchs, Friedrich 3669
Siemens Elektrizitats A. G. 3665
Technische Industrie A. G. 3665
Danzig; Siemens-Gesellschaft m. b. H. 3665
Denmark; Siemens Elektricitets Aktieselskab 3665
Estonia; Estnische Handels-Aktiengesellschaft Siemens 3665
France:
Anciens Etablissements Barbier Bernard & Turenne 3818
Armenault, Rene 4656
Cie Generale de Telegraphie et de Telephonie 3665
Comptoir des Textiles Artificiels 4656
Fabriques de Produits de Chimie Organique de Laire 4656
Mahoux, Georges 4659
Malet, Julien 4656
Resines et Vernis Artificiels 4656
Siemens-France S. A. 3665
Societe Anonyme des Manufactures des Glaces & Produits Chimiques de Saint-Gobain, Chauny & Cirey 3668
Societe de Prospection Electrique Procedes Schlumberger 4657
Societe des Usines Chimiques Rhone-Poulenc 5844
Societe Nobel Francaise 3666
Societe pour la Fabrication de la Soie Rhodiaseta 4489
Societe Rhodiaceta 4489, 4656, 5937

ALIEN PROPERTY CUSTODIAN—Continued.
Vesting orders—Continued.
Patents and patent applications of foreign nationals in enemy or enemy-occupied countries—Con.
Germany:
Aarhus Oliefabrik A/S 7216
Altenkirch, Edmund 5843
Argus Motorengesellschaft m. b. H. 7212
Bergwerkegesellschaft Hibernia A. G. 7213
Brackelsberg-Ofen G. m. b. H. 7276
Brunsviga Maschinenwerke Grimme Natalis & Co., A. G. 3666
Brydl, Anna Franziska 4491
Chemische Fabrik Pott and Co. 4489
Chemische Fabrik Pott and Co., G. m. b. H. 4489
Chemische Fabrik Siegfried Kroch A. G. 3819
Dessauer, Friedrich 3818
Deutsche Tornesit G. m. b. H. 5939
Dieckmann, Max 5842
Eickhoff, Alfred 3985
Epstein, I. H., A. G. 3819
Erdmann, Konrad, heirs of 5840
Faber & Schleicher A. G. 4658
Felton & Guilleaume Carlswerk Actien-Gesellschaft 5843
Fenag A. G. 3984
Fides-Gesellschaft fur die Verwaltung und Verwertung von Gewerblichen Schutzrechten m. b. H. 3665
Friedrich, Walter 4488
Frings, Heinrich 3667
Gasverarbeitungsgesellschaft m. b. H. 7213
Hansa-Muehle G. m. b. H. 7216
Hanseatische Muehlenwerke A. G. 7216
Herzog, Maria 5845
Hoffmann, Helmut 5845
Holzwarth Gasturbinen A. G. 3665
Holzwarth Gasturbinen G. m. b. H. 3665
I. G. Farbenindustrie A. G. 3819, 4488, 5934, 7216, 7281
Junghans, Helmut, & Gebruder Junghans A. G. 4490
Kaiser Wilhelm Society 5845
Kluitmann, Leo 3666
Koch, Albert 3666
Krautzberger, Albert 4491
Lieberknecht, Karl, G. m. b. H. 3982
Lieberknecht, Karl Richard 3982
Magnesital G. m. b. H. 3668
Malhak, H., A. G. 3666, 4490
Marzahn, Heinrich 5841
Maschinenfabrik Einsiedel, G. m. b. H. 3983
Mennicke, Emil M. and Emil K. 5844
Meynen, Karl 3667

ALIEN PROPERTY CUSTODIAN—Continued.
Vesting orders—Continued.
Patents and patent applications of foreign nationals in enemy or enemy-occupied countries—Con.
Germany—Continued.
N. Y. Hamburger Gummi-Waaren Compagnie 5939
Neue Telefongesellschaft m. b. H. 3665
Neuhasse, Heinrich 3667
Petersen, Waldemar 3818
Polyphonwerke A. G. 7216
Ritter, Dr. Ludwig 5845
Roos, Benjamin 4488
Ruhrchemie Aktiengesellschaft 7278
Saureschutzgesellschaft m. b. H. 4487
Scheller, Otto 5842
Schering A.G. 3666
Schoene, Dr. Ing. Kurt 7278
Seelig, R., & Hille Maschinen G. m. b. H. 3666
Siemens & Halske A. G. 3664, 5936
Siemens Apparate und Maschinen, G. m. b. H. 3665, 7213
Siemens-Schukertwerke A. G. 3668
Singer, Fritz 3983
Telephon-Apparat-Fabrik E. Zweitusch & Co. G. m. b. H. 3665
Tschammer, Paul 4490
Vereinigte Bayerische Telefonwerke A. G. 3665
Wagener, Hans 5841
Wagner, Fritz, and Co. 3983
Hungary; Ungarische Siemens-Schukert Werke, Elektrizitats A. G. 3665
Italy:
Autelco Mediterranea S. A. T. A. P. 3665
"Eternit," Pietra Artificiale, Societa Anonima 4658
Instituto Nazionale Luce 5842
Mazza, Adolfo 4658
Nistri, Umberto 7278
Officine Lombarde Apparecchi di Precisione S. A. 3665
Ottico Meccanica Italiana 7278
Piacentini, Marcello 3669
Siemens Societa Anonima 3665
Japan:
Pusi Demki Seizo Kabushiki Kaisha 3665
Pusi Tsushinki Seizo Kabushiki Kaisha 3665
Siemens-Schuckert Denki Kabushiki Kaisha 3665
Jugoslavia; Jugoslavische Siemens A. G. 3665
Latvia; Latvijas Akciju Sabiedriba Siemens 3665
Netherlands, The:
Continental Car Hire Co., N. V. 7277
Jansen, Willem Johann Bernard 3669

ALIEN PROPERTY CUSTODIAN—Continued.
Vesting orders—Continued.
Patents and patent applications of foreign nationals in enemy or enemy-occupied countries—Con.
Netherlands, The—Con.
Nedars Arsphenaminenfabriek, N. V. 5845
Netherlandsche Siemens Maatschappij N. V. 3665
Ritter, Dr. Ludwig 5845
Norway:
Norsk Hydro-Elektrisk Kvaelstofaktieselskab 5840
Siemens Norsk Aktieselskab 3665
Poland; Automatic Sales and Installation Co. 3665
Portugal; Siemens Companhia de Electricidade 3665
Romania; Societatea Romana de Electricitate Siemens-Schukert, S. A. 3665
Spain; Siemens Industria Electrica, S. A. 3665
Sweden; Elektriska Aktiebolget Siemens-Svagstromsafdelningen 3665
Switzerland:
Albiswerk Zurich A. G. 3665
Holzwarth Gasturbinen A. G. 3665
L. A. P. C. O., S. A. 7217
Oxyammon A. G. 7213
Siemens Elektrizitats-Erzeugnisse A. G. 3665
Pavenstedt, Adolf J 4660
Perret, Anna 5185
Pfaff, Anna 7280
Pfefferkron, Thomas 5969
Pichl, Frieda 4660
Picki, Anna 6603
Pieroni, Inc 5699
Pinto, Stanley and Lena 6604
Pohl, Josef 5702
Polasky, Charles N 5083
Poldi Steel Works 4252
Polysius Corp 5318
Prager, Rudolph Karl Emil 3991
Pritzl, Emmerich and Herta B 3991, 4661
Propper, Adolph 3526
Proske, Adolf Josef 5084
Przygodda, John 3992
Pudlich, Max Ludwig Rudolph 6040
Pullman, Louis R. 3992
Pyrene Manufacturing Corp. 6894
Pyrene-Minimax Corp. 6894
Quensel, Alfred 6468
Rahlf, Ferdinand 6601
Ransick, William 6604
Regens Lighter Corp 5317
Rettkowsky, Frank 6595
Richling, Joseph 6900
Riedel, J. D.–E. De Haen A. G. 5843, 5940
Rindler, Frank 4661
Risch, Emma 4662
Robl, Ignaz 6963
Robinson, Charlotte Wernert 6605
Rohrbogenwerk Bohling & Co. 7213
Rolker, Charles M. 5084
Rose, Margaret E. 5963
Rosenthal China Corp 5353
Rosenzweig, Josephine 6653

ALIEN PROPERTY CUSTODIAN—Continued.
Vesting orders—Continued.
Roston, Rosa 6901
Rudert, Emil 6898
Rusch, William H 4633
Saito, Yukuko 6473
Sakai, Sueo 5319
Sandner, Anton 7220
Sattes, Friederike Susanne 5082
Schaefer, Henry 6655
Schafer, Anna Marie 4633
Schaffeld, Bernard Heinrich 5967
Schaper, Elsbeth and Friedrich Peter Wolfgang 5936
Schaus, Adolph 3524
Scheel, John 4364
Scheibe, Hilde 3527, 6964
Schilling, Margaretha 4834
Schinzel, Karl and Ludwig 7214
Schmid, Kathrine 5186
Schmidt, Ernest 6959
Schmidt, Gertrud 5967
Schmidt, Gertrude 6653
Schmidt, Mary 6653
Schneider, Henrietta D. 3992
Schneider, Otto 4662
Schneider, William 6896
Schnyder, Charles 4835
Schoenegg, Anton August 3993
Scholz, Werner 7272
Schramm, William 3524
Schroder, Henry F. W. 4662
Schroeder, Nanny 7220
Schroeder, Pauline 4834
Schuenzel, Louis G. 5938
Schugt, Dr. H. M. 3525
Schuster, Carrie 3993
Schutterle, Jacob 5963
Schwab, Eugene 5966
Schwan-Bleistift-Fabrik A. G. 4253
Schwanz, August 6040
Schweisshelm, Albert 6901, 7220
Security Trust Co 6963
Seegelken, Gottfried 5968
Seemann, Josef 3993
Sellers, William F 3985
Sellner, Josephine 7221
Shibetz, Joseph 6654
Shigemura, Shichiro 7281
Shimogawa, Shigeru 5848
Shishido, Seki 4255
Siemens-Schuckertwerke A. G. 7211
Singer, Sarah 5186
Sitz, Paul G. 5187
Smith, Marie 5968
Societe Anonyme Air Equipement 5937
Societe de la Viscose Francaise 7274
Societe des Usines Chimiques Rhone-Poulenc 5939
Societe Francaise des Crins Artificiels 7274
Society for the Care of German Seamen in the Port of New York 6125
Spiegeleire, Elsie Wagner 5189
Spiesmacher, Maximilian 4514
Spitzer, Alois 6654
Staar, Marie Elisabeth Gubsch 5187
Steel Union-Sheet Piling, Inc. 5353
Stegmiller, Louis 5968
Steinweg, George 5187
Stier, Mathilda A. 6654

ALIEN PROPERTY CUSTODIAN—Continued.
Vesting orders—Continued.
Strauch, Elizabeth Agnes 6040
Streuli, Alfred F. H. 3994
Streuli, Herrmann Alfred 4663
Stumpf, Marie 6959
Suehiro, Umetaro 5184
Suther, Bertha 3994
Suyehiro, Umetaro 5184
Swernofsky, Elsie 5188
Takahashi, Teikichi 5849
Takahashi, Yuki, and/or Tokue 4668
Teikoku Co 6265
Terhart, Louise 4663
Tersan, John 5188
Teuter, Fritz R. 4364
Thellian, Josephine 4663
Tiepolt, Paul 4834
Toyofuku, Shukazo and Sadano 5850
Triebels, Charles H. R. 4664
Tweede Nederlandsche Patenten Maatschappij, N. V. 7211
Uhlich, Carl Rudolf 4486
Ulrich, I. B., Budapest 3664
United States vs. Spokane County, Wash., et al 6041
"Universelle" Cigarettenmaschinen-Fabrik, J. C. Muller & Co 6267
Unseld, Caroline G. 5969
Uyeda, Kamejiro 5080
Vahle, Wilhelm Franz 6895
Varro (Varo), Steve P. (Papp) 5963
Victor Chemical Works 5938
Viohl, George and Henry 7099
Vittorio Emanuele III War Veterans' Foundation, Inc 4829
Vogt, Caroline W. 4664
Voigt, Katie 3525
Von Gortz, Hubert Francis 3526
Von Phillipp, Fritz and Hans 7277
Von Schirach, Emma M. T. 4258
Von Schwerin, Florence Grafin 6901
Von Stern, Hans 4486
Von Stulpnagel, Martha Clara 5090
Wachenfeld, Helen B. and Stephan C. 4665
Wagener, Barbera (Barbara) 6041
Wagner, Elsie 5189
Wagner, Sophie 5965
Wann, John 6901
Watanabe, George 5703
Watanabe, Martha Masako 5703
Watanabe, Yoshiko 5703
Waterloo, Frederic 4665
Weber, Walter (Walther Hermann) 7273
Weishaupt, Bertha 5964
Welp, Heinrich Wilhelm 3922
Weniger and Co 5189
Westinghouse Electric & Mfg. Co 5840, 7214, 7215
Westinghouse Electric International Co 7214, 7215
Weychardt, Alma 4359
Wiechmann, Amalie 4665
Wiese, Carl E. 4666
Wilhelm, Marie Sophie 3922
Wilhemy Patentverwertungsgesellschaft m. b. H. 7275
Williams, Robert W., et al. vs. Jerome N. C. Bonaparte, et al 5085

ALIEN PROPERTY CUSTODIAN—Continued.
Vesting orders—Continued.
Wilson, Florence Ellsworth 5190
Winterhalter, Martin Othmar 5936
Wintjen, Johann 6041
Wisler, Sam 4835
Witmark, Isidore 5190
Wohllebe, Walter 7221
Woitke, Frederick Edward 6898
Wolff, Rudolph 7222
Wolters, Carl and Hermann 4255
Wunsch, Oscar 4835
Wurr, Mamie 3921
Yamanaka, Joe G. 6268
Yamanaka, Toyojiro 5452
Yamanaka & Co., Inc. 6474
Yamanaka & Co., Ltd. 6468, 6472
Yamashita Dairy 4252
Yokomizo, Yoshiharu 3921
Zehnter, Julius G. O. 5704
Zenker, Jack L. 5964
Ziegler, Frieda 6042
Ziegler, Martin 6655
Zilcher, William J. 3994
Zimmerman, Mina 6902
Zoll, Gottfried 5704

ALIENS AND NATIONALITY (TITLE 8):
Alien Property Custodian, Office of:
Special regulations (Part 508) 3479
Immigration and Naturalization Service:
Civil air navigation (Part 116) 7252
Clerks of naturalization courts and their duties (Part 360) 7043
Departmental organization and authority (Part 90) 4975
Enrollment and disbarment of attorneys and representatives (Part 95) 6619
Field service districts and officers (Part 60) 5367
Head tax (Part 105) 7252
Immigration regulations; amendments 5767
Official forms (Part 361) 7043
Preexamination of aliens within the United States (Part 142) 4459
Primary inspection and detention (Part 110) 4975
Records created and naturalization and citizenship documents issued by the Commissioner; revocation (Part 385) 7043
Special classes of persons who may be naturalized:
Alien enemies (Part 335) 7041
Aliens arriving in United States prior to sixteenth birthday (Part 325) 7040
Former United States citizens (Part 330) 7040
Members or veterans of U. S. armed forces during Second World War:
Not within jurisdiction of any naturalization court (Part 339) 7042
Within jurisdiction of naturalization court (Part 338) 7041

AMERICAN RAILROAD COMPANY OF PORTO RICO, termination of Government control. *See* Defense Transportation.

ANIMAL INDUSTRY BUREAU:
Horses; breeds and purebred animals, recognition 6802
Livestock, inspection and handling for exportation (except to Mexico) 4739
Accommodations for humane treatment of animals on vessels 4739
Cleaning and disinfecting vessels, fittings, utensils and equipment 4741
Diagnostic tests for dairy and breeding cattle 4739
Disinfection of cars and other conveyances 4739
Inspection and certification 4739
Ports of export 4739
Rest and inspection before embarkation 4739

ANIMALS AND ANIMAL PRODUCTS (TITLE 9):
Animal Industry Bureau:
Inspection and handling of livestock for exportation (except to Mexico) (Part 91) 4739
Recognition of breeds and purebred animals (Part 151) 6802

ARMED FORCES:
Clothing allowances for enlisted personnel of Navy, Coast Guard, and Reserves (Executive Order 9447) 6293
Foreign service pay adjustment, on account of appreciation of foreign currencies (Executive Order 9449) 6667
Income tax provisions. *See* Internal Revenue Bureau.
Invalid personnel, transportation priority for. *See* Interstate Commerce Commission.

ARMY: WAR DEPARTMENT (TITLE 10):
Aid of civil authorities and public relations:
Deceased personnel, assistance to relatives and others in connection with (Part 11) 4066
Technical information, safeguarding (Part 5) 4065
Troop movements, secrecy surrounding (Part 9) 4066
Areas restricted for national defense purposes:
Military areas, establishment (Part 105) 6699
Claims and accounts:
Claims against United States (Part 36) 3677, 3725, 4169
Claims on behalf of United States (Part 37) 3679
Gratuity upon death (Part 33) 4480
Payment of bills and accounts (Part 35) 4241

ARMY: WAR DEPARTMENT (TITLE 10)—Continued.
Military reservations and national cemeteries:
Military reservations, list of Executive orders, proclamations and public land orders affecting (Part 51) 4441
Military reservations, regulations (Part 52) 6250, 6393, 6583
Service clubs, hostesses and librarians (Part 57) 4741, 6909
Organized reserves:
Enlisted Reserve Corps (Part 64) 5197
Personnel:
Army nurses, dietitians, and physical therapy aides (Part 70) 4529
Commissioned officers, warrant officers, and chaplains, appointment (Part 73) 4999, 6619, 7043
Decorations, medals, ribbons, and similar devices (Part 78) 3771, 5107, 5291
Insane, care and disposition (Part 76) 6621
Medical and dental attendance (Part 77) 4841
Military Academy, admission to (Part 75) 5000
Uniform, prescribed service (Part 79) 5631
Procurement and disposal of equipment and supplies:
Contracts, termination of (Part 88) 4073, 4851, 6311, 6697
Military supplies and animals, procurement of (Part 81) 4066, 4067, 4068, 4070, 4071, 4072, 4380, 4842, 4843, 4844, 4846, 6296, 6297, 6298, 6311, 6669, 6671, 6673, 6691, 6692.
Renegotiation of contracts; regulations by War Contracts Price Adjustment Board 4129, 6148
Surplus and unserviceable property, disposition of (Part 83) 5034, 6673
Transportation of individuals (Part 93) 5199

ARMY AND NAVY MUNITIONS BOARD, assignment of preference ratings; delegation of authority by War Production Board 5111, 5890

ARMY REGULATIONS. *See* War Department.

AWARDS OF FELLOWSHIPS, to applicants from other American Republics. *See* State Department.

B

BANKS AND BANKING (TITLE 12):
Federal Deposit Insurance Corporation:
Voluntary termination of insured status (Part 309) 4927
Federal Reserve System, Board of Governors:
Consumer credit (Part 222) 6802, 6937

BLOCKED NATIONALS:
Proclaimed list; Revision VII:
Cumulative Supplement 1 3833
Cumulative Supplement 2 4858
Cumulative Supplement 3 6056

BRIDGE REGULATIONS. *See* War Department: Engineers Corps.

BUDGET BUREAU:
Fellowships in public administration; award of, to representatives from other American Republics 4799

BUSINESS CREDIT (TITLE 13):
Reconstruction Finance Corporation:
Renegotiation of contracts; regulations by War Contracts Price Adjustment Board 4129, 6148

C

CANADA:
Pacific halibut fisheries. *See* International Fisheries Commission.
Pulpwood produced in provinces of Quebec, New Brunswick, and Nova Scotia; import prices 4478

CENSUS BUREAU:
Fellowships, award to applicants from other American Republics. *See* Commerce Department.

CHILDREN'S BUREAU:
Certificates, acceptance; designation of States 7256
Occupations hazardous to minors between 16 and 18; operation of power-driven woodworking machinery 7095

CIVIL AERONAUTICS ADMINISTRATOR:
Airway traffic control areas; designation 4568, 4930
Aviation training scholarships, award to applicants from other American republics 6499
Civil airways; designations, etc 4567, 4930
Control airports; designations, etc.:
Melbourne Naval Air Station, Fla 4930
Pueblo Municipal Airport, Colo 4930
Radio fixes; designations, etc 4567, 4568, 4930

CIVIL AERONAUTICS BOARD:
Air carrier operating certification:
Eastern Air Lines; Lake Charles Airport, Lake Charles, Louisiana 5501
Pennsylvania-Central Airlines, pilot competency requirements; route between Muskegon, Mich., and Chicago, Ill 6700
Air carrier rules; altitude recording device equipment 5035, 6393
Air carriers, international; uniform system of accounts 4283
Air traffic rules:
Cuba and certain portions of Mexico; official missions of Civil Air Patrol 4858
Foreign flight authorization 4857
Military contact flight operations; special civil air regulations 4075

CIVIL AERONAUTICS BOARD—Continued.
Air traffic rules—Continued.
Range approach channel; definition 4169
Certificates of public convenience and necessity; charter trips and special services by air carriers holding certificates 4803, 4858
Hearings, etc.:
Air Transport Corp 4617
Alaska Airlines, Inc 5447
All American Aviation, Inc 3810
American Airlines, Inc 3866, 4617, 6200
Chicago and Southern Air Lines, Inc 6200
China National Airways Corp 4905
Colonial Airlines, Inc 3866, 4617
Continental Air Lines, Inc 5446
Cordova Air Service, Inc 5447
Delta Air Corp 4617
Eastern Air Lines, Inc 3866, 4617, 6200
Hylan Flying Service 3866
Mid-Continent Airlines, Inc 6200
National Airlines, Inc 4617
Page Airways, Inc 3866
Pan American Airways Corp 4905
Pan American Airways, Inc 4249, 4905, 5962
Pennsylvania-Central Airlines, Corp 3866, 4617
Seaboard Airways, Inc 4617
South East Airlines 4617
State Airlines, Inc 4617
Transcontinental & Western Air, Inc 5446, 6200
Union Airways, Inc 3866
United Air Lines, Inc 3866, 5446, 6200
Uraba, Medellin and Central Airways, Inc 5962
Virginia Central Airlines 4617
Western Air Lines, Inc 5446
Investigations of aircraft accidents; Ely, Minn 6918
Pilots' certificates and ratings; airline transport pilots, assistants 7044
Rules of practice; objection to public disclosure of information relating to contracts, agreements, arrangements, etc 3538

CIVIL AVIATION (TITLE 14):
Civil Aeronautics Administrator:
Designation of certain control airports, radio fixes, etc. (Part 601) 4567, 4568, 4930
Designation of civil airways (Part 600) 4567, 4930
Inter-American aviation training scholarships (Part 602) 6499
Civil Aeronautics Board:
Accounts, records and reports (Part 202) 4283
Air carrier operating certification (Part 40); special civil air regulations 5501, 6700
Air traffic rules (Part 60) 4169, 4857
Special civil air regulations 4075, 4858

CIVIL AVIATION (TITLE 14)—Continued. — Page
- Civil Aeronautics Board—Con.
  - Airline transport pilot rating (Part 21); special civil air regulation — 7044
  - Charter trips and special services (Part 239) — 4803, 4858
  - Rules of practice (Part 285) — 3538
  - Scheduled air carrier rules (Part 61) — 5035, 6393

CIVIL SERVICE:
- Certification; list of positions for which probationary period was extended to one year — 4127
- Probationer, separated; restoration to register of eligibles — 4971
- Priority classifications of Executive departments and agencies, in connection with transfer and release of personnel; revocation (Executive Order 9451) — 6905
- War service regulations — 4563
  - Appointments — 4563, 7238
  - Examinations — 7235
  - Extent of regulations — 7242
  - Promotion — 7239
  - Qualifications of applicants — 7235
  - Rating and eligibility — 7236
  - Reappointment — 4563
  - Persons granted preference — 7239
  - Recruiting and placement — 7237
  - Release from Government employment — 7241
  - Removal — 7239
  - Restoration of persons having reemployment rights — 7242
  - Stabilization of employment — 7242
  - Transfer — 4563, 4565, 7239
  - War reemployment list — 7242

CIVIL SERVICE COMMISSION:
- Apportionment; condition at close of business March 31, 1944 — 3866

CIVILIAN DEFENSE, OFFICE OF:
- Facility Security Program; EO 9165 revoked (Executive Order 9437) — 4319

CLOTHING ALLOWANCES, for armed forces. *See* Armed forces.

COAL MINES ADMINISTRATION:
- Coal mines; terminations of control by Government — 4950, 4989, 5014, 5739, 5839, 5998, 6166, 6264, 6367, 6458, 6834, 6954.

COAST AND GEODETIC SURVEY, UNITED STATES:
- Fellowships, award to applicants from other American Republics. *See* Commerce Department.

COAST GUARD:
- Air raid and blackout regulations for vessels, harbors, ports, and waterfront facilities; Washington, Oregon, and California — 7083
- Alien seamen, security measures — 7270
- Clothing allowances for enlisted personnel of Navy, Coast Guard, and Reserves (Executive Order 9447) — 6293

COAST GUARD—Continued. — Page
- Control of vessels in navigable waters of U. S.:
  - Anchorage areas, miscellaneous amendments — 4397
- Inspection and navigation:
  - "A" Marine Investigation Board rules; temporary wartime rules governing investigations of accidents and casualties; appeal — 6777
  - Bays, sounds, and lakes other than Great Lakes:
    - Boats, rafts, etc.; carrying lifeboats, davits and cranes required — 5997
    - Fire apparatus, fire prevention; steam fire pumps — 6891
  - Emergency regulations:
    - Boats, rafts, etc.:
      - Abandon-ship kit — 3771
      - Escape panels — 5696
      - Signalling mirrors — 5076
    - Enforcement of navigation laws and Coast Guard regulations; reports of violations — 6833
    - Equipment approved, miscellaneous items — 3771, 4126, 4417, 4825, 5077, 5288, 5697, 5997, 6384, 6486, 6892, 7119
    - Approvals withdrawn — 6384
    - Notice of change of address of U. S. Army Transportation Corps — 6143
  - Great Lakes:
    - Boats, rafts, etc.; carrying lifeboats, davits and cranes required — 5997
    - Fire apparatus, fire prevention; steam fire pumps — 6891
  - Life preservers, approval of designs — 6904
  - Load lines:
    - Foreign voyages during national emergency; load line markings — 6891
  - Ocean and coastwise:
    - Boats, rafts, etc.:
      - Coastwise; carrying lifeboats, davits and cranes required — 5997
      - Ocean; davits, strength and operation of — 5997
    - Fire apparatus, fire prevention; steam fire pumps — 6891
  - Pilot rules, inland waters; lights for vessels in tow — 3515, 3593, 4542
  - Rivers:
    - Boats, rafts, etc.:
      - Lifeboats:
        - Carrying capacity — 5697
        - Davits and cranes — 5997
      - Surfboat, wooden, or seine boat — 4825
    - Fire apparatus, fire prevention; steam fire pumps — 6891
  - Seamen; accidents, etc. *See* "A" Marine Investigation Board rules.
  - Tank vessels:
    - Fire-fighting equipment; fire pump relief valves and piping — 6891
    - Lifesaving appliances; lifeboat davits—TB/–ALL — 5997

COAST GUARD—Continued. — Page
- Inspection and navigation—Con.
  - Waiver of navigation and inspection laws; vessels engaged in war business:
    - Alaskan runs, hours of duty and watches of pilots — 4480
    - Great Lakes vessels, qualified members of engine department on — 4402
    - Ocean and coastwise vessels:
      - Monthly reports, requirements waived — 4904
      - Postings under glass on — 3826
  - Merchant Marine Council; hearing on improved life rafts for merchant vessels — 6979
  - Seamen, in the United States; District Coast Guard Officers authorized to take security measures in connection with officers and seamen on merchant vessels in their districts — 7270
  - Telegraph messages. *See* War Communications Board.

COMMERCE (TITLE 15):
- Census Bureau:
  - Fellowships in vital statistics (Part 40) — 6985
- Foreign and Domestic Commerce Bureau:
  - Fellowships in foreign trade statistics for qualified citizens of other American Republics (Part 310) — 6987
- Office of Secretary:
  - Award of fellowships in meteorology (Part 3) — 3832
  - Fellowships in geodetic surveying, map and chart production, etc., for citizens from other American republics (Part 4) — 6984

COMMERCE DEPARTMENT:
- *See Civil Aeronautics Administrator.*
- *Civil Aeronautics Board.*
- *Patent Office.*
- Cotton, cottonseed, and products; mailing of statistical reports — 5014
- Fellowships; awards to applicants from other American Republics:
  - Aviation training — 6499
  - Foreign trade statistics — 6987
  - Geodetic surveying, map and chart production and hydrographic surveying — 6984
  - Meteorology — 3832
  - Vital statistics — 6985
- Montgomery Ward and Company, Chicago, Ill.; possession and operation of plants and facilities by Secretary of Commerce (Executive Order 9438) — 4459
  - Termination of Government possession — 4989
- Training of pilots, mechanics, etc.; revocation of appointment order — 5031

COMMERCIAL MOTOR VEHICLES, NEW, transfers of. *See* Rationing.

COMMERCIAL PRACTICES (TITLE 16): — Page
- Federal Trade Commission:
  - Cease and desist orders (Part 3). *See* Federal Trade Commission.
  - Rules of practice (Part 2) — 7204

COMMITTEES, inspection of tax returns by:
- Select Committee to Investigate the Federal Communications Commission, House of Representatives (Executive Order 9443) — 6387
- Regulations by Internal Revenue Bureau — 6395
- Special Committee on Un-American Activities, House of Representatives (Executive Order 9444) — 5759
- Regulations by Internal Revenue Bureau — 5769

COMMODITY AND SECURITIES EXCHANGES (TITLE 17):
- Securities and Exchange Commission:
  - Investment Company Act of 1940 (Part 270) — 4170, 5768
  - Public Utility Holding Company Act of 1935 (Part 250) — 3538
  - Securities Exchange Act of 1934; forms (Part 249) — 4321

COMMODITY CREDIT CORPORATION:
- Corn:
  - Authorization to purchase and sell — 6486
  - Transportation in designated areas. *See* Defense Transportation; Interstate Commerce Commission.
- Loan and purchase instructions:
  - Rye, barley, and grain sorghums — 7247
  - Wheat — 7243
- Offers of payment:
  - Apple freight equalization program; shipments from Washington, Oregon, and western Idaho — 4677
  - Cheddar cheese, purchase and sale in United States — 6936
  - Dairy products — 5099
  - Feed, dairy — 4061
  - Grapefruit juice, 1943–44 — 4566
  - Oilseeds, restriction on purchase, use, etc.; peanuts, 1944 crop — 4974
  - Orders, redesignation and renumbering — 4319, 4321

CONSERVATION OF POWER (TITLE 18):
- Federal Power Commission:
  - Natural Gas Act; applications for certificates of public convenience and necessity under section 7 (Part 57) — 5712

CONTRACTS:
- Renegotiation. *See* War Contracts Price Adjustment Board; War Department.

CONTRACTS—Continued. — Page
- Termination of. *See* Joint Contract Termination Board; Surplus War Property Administration; War Department.

COORDINATOR OF FISHERIES. *See* Fisheries Coordinator, Office of.

COORDINATOR OF INTER-AMERICAN AFFAIRS. *See* Inter-American Affairs.

CROP INSURANCE. *See* Federal Crop Insurance.

CUSTOMS BUREAU:
- Abandoned or unclaimed commodities sold at auction; exemption from price regulation — 5156
- Airports of entry, redesignation:
  - Havre, Mont — 5768
  - Sandusky, Ohio — 5768
  - Watertown, N. Y. — 5768
- Customs regulations:
  - Articles conditionally free, subject to reduced rate, etc.; copies of passengers' baggage declarations — 6056
  - Cartage and lighterage; identification cards for license renewal or issuance — 6252
  - Customs warehouses and control of merchandise; compensation of storekeepers — 6251
  - Feeds for livestock, poultry and other products, free entry — 3680
- Financial and accounting procedure:
  - Internal-revenue taxes, refunds — 6148
  - Officers, reimbursable services of — 6252
- Imported merchandise; duties etc.:
  - Art objects, release from customs custody — 6239
  - Declaration on entry — 4419
  - Invoices to cancel bond obligations — 5035
  - Notices to importers — 4569
  - Protest and reappraisements; notices to importers — 4569
  - Vessel supplies and equipment, invoices for — 3891, 5398
- Marking articles and containers to indicate country of origin — 6251
- Measurement of vessels; superstructures — 6251
- Relief from duties on merchandise lost, stolen, etc.; wines and liquors lost in transit — 6251
- Transportation in bond and merchandise in transit — 3833
- Vessels, documentation:
  - Change of master — 5638
  - Marine documents, issue and record — 4678
  - Official number and signal letters — 4678
  - Record and endorsement of preferred mortgages and related instruments — 4679

CUSTOMS BUREAU—Continued. — Page
- Customs regulations—Con.
  - Vessels, documention—Con.
    - Recording of bills of sale and mortgages — 4679
    - Registration of private code signals, house flags, and funnel marks — 4679
    - Sale or transfer of vessel — 4678
    - Surrender of documents — 4678
    - Vessel covered by preferred mortgage — 4075
  - Vessels in foreign and domestic trades:
    - Boarding of vessels; cutter and dock passes — 4679
    - Fisheries — 4680
    - Shipping articles and enforcement of Seamen's Act — 4680
    - Tonnage tax and light money:
      - Refund of tonnage tax — 4679
      - Tonnage year — 6251
    - Vessels entitled to engage in coastwise trade — 4680
    - Vessels required to clear — 4680
    - Wool, invoices and grading — 5769
  - Ports of entry, limits extended; Durham and Reidsville, N. C., and Friday Harbor, Wash. (Executive Order 9433) — 3761
  - Silver and black foxes, etc., import quota — 6199

CUSTOMS DUTIES (TITLE 19):
- Customs Bureau:
  - Air commerce regulations (Part 6) — 5768
  - Articles conditionally free, subject to reduced rate, etc. (Part 10) — 6056
  - Cartage and lighterage (Part 21) — 6252
  - Customs financial and accounting procedure (Part 24) — 6148, 6252
  - Customs warehouses and control of merchandise therein (Part 19) — 6251
  - Documentation of vessels (Part 3) — 4075, 4678, 5638
  - Free entry of certain feeds for livestock and poultry (Part 58) — 3680
  - Liability for duties, entry of imported merchandise (Part 8) — 3891, 4419, 4569, 5035, 5398
  - Measurement of vessels (Part 2) — 6251
  - Packing, stamping; marking; trade-marks and trade names; copyrights (Part 11) — 6251
  - Protests and reappraisements (Part 17) — 4569
  - Relief from duties on merchandise lost, stolen, destroyed, injured, abandoned, or short-shipped (Part 15) — 6251
  - Sugars, sirups, and molasses; petroleum products; wool and hair (Part 13) — 5769

CUSTOM DUTIES (TITLE 19)—Continued. Page
Customs Bureau—Continued.
Trading with the Enemy Act, regulations (Part 52) 6239
Transportation in bond and merchandise in transit (Part 18) 3833
Vessels in foreign and domestic trades (Part 4) 4678, 6251

D

DEFENSE PLANT CORPORATION:
Property, surplus, disposal of. *See* Surplus War Property Administration.
Termination of war contracts, fixed price orders or subcontracts. *See* Joint Contract Termination Board; Surplus War Property Administration.

DEFENSE SUPPLIES CORPORATION:
Petroleum compensatory adjustments, mid-continent crude; Districts 2, 3, and 4 5380
Property, surplus, disposal of. *See* Surplus War Property Administration.
Sales and purchases, price regulations:
Butchers' frocks 4506
Ethyl alcohol; sales to, by Publicker Commercial Alcohol Company 4883
Rubber thread and yarn and elastic web and braid 4515
Termination of fixed price orders, subcontracts and war contracts. *See* Joint Contract Termination Board; Surplus War Property Administration.

DEFENSE TRANSPORTATION, OFFICE OF:
American Railroad Co. of Porto Rico, termination of Government control 7170
Authority, delegations of:
Deputy Director, to act for Director; revocation of former order 4615
Employees authorized to administer oaths and affirmations; designation 4825
Federal officers, departments, etc.; authority previously delegated to, continuance of 3861
Highway Transport Department:
Assistant Director, to perform functions and exercise authority delegated to Director, Division of Local Transport, and Director, Division of Motor Transport 5997
District Managers, to perform functions and exercise authority delegated to District Managers, Division of Motor Transport 5997

DEFENSE TRANSPORTATION, OFFICE OF—Continued. Page
Authority, delegations of—Con.
Highway Transport Department—Continued.
Regional Directors, to perform functions and exercise authority delegated to Regional Directors, Division of Local Transport, and Regional Directors, Division of Motor Transport 5997
Railway Transport Division:
Areas and District Directors; for removal of freight from port and storage areas 3673
Director and Regional Directors 4614
Traffic Movement Division; execution and issuance of special permits, etc 4615
Water Transport, Assistant Director; rationing of fuel oil for use in water craft 4402
Certificates by War Production Board, revocations or withdrawals 4636, 4637, 4733, 4924, 4969, 6144
Certificates of war necessity; commercial motor vehicles 4507
Collection of shipments of property for line-haul service; Fort Smith, Ark 6573
Commercial motor vehicles, rationing of. *See* Rationing, *main heading*.
Conventions; delegates, press representatives, etc., traveling to. *See* Rail equipment conservation.
Corn, transportation under War Food Administration order. *See* Traffic movement direction.
Household goods carriers. *See* Motor vehicle services, coordination.
Line-haul service; collection of shipments for, at Fort Smith, Ark 6573
Motor carriers:
Leasing of trucks between; price regulations 4030, 4475
Substitution of rail transportation. *See* Rail transportation.
Motor equipment conservation:
Certificates of war necessity. *See* Certificates of war necessity, *above*.
Commercial motor vehicles, new, rationing. *See* Rationing, *main heading*.
Common carriers of property:
Interchange of traffic; holding shipments, etc 6778
Joint action plans. *See* Motor vehicle services, coordination: freight services.
Substitution of rail for truck service; certificates 6779
Names of carriers. *See* Rail transportation.

DEFENSE TRANSPORTATION, OFFICE OF—Continued. Page
Motor equipment conservation—Continued.
Exceptions, permits, etc.:
Common carriers of property; small and specially designed trucks 4443
Cut flowers and plants, wholesale and retail deliveries increased during holiday period 3516
Motor carriers of property:
Construction project materials 5453
Forest products 5443
Mine products 5443
Small and specially designed trucks 4443
Passenger transportation, local; use by Navy 3714
Motor traffic movement direction. *See* Traffic movement direction.
Motor vehicle services, coordination:
Freight services:
A & T Truck Line 5854
A. B. & C. Motor Transp. Co., Inc 4408
Adams Transfer & Storage Co 4908
Adams Truck Line 5854
Alamo Freight Lines, Inc 6274
Albany-Beacon Express 4410
All American Bus Lines, Inc 5092
Allied Freightways, Inc 4955
Arkansas Motor Freight Lines, Inc 4115, 5393
Ash Truck Lines 6200
Associated Truck Lines, Inc 3602
Atlantic States Motor Lines, Inc 3601
Berndt Express 3602
Betscher Express 3602
Blair Transit Co 3820
Blake Motor Lines, Inc 4956
Blanchard Storage Co., Inc 3673
Blue Ridge Trucking Co 3601
Bos Freight Lines, Inc 4037
Brashear Freight Lines, Inc 4115
Brooks Truck Co 4259
Buckner Transfer Co 3601
Burbridge, A. T 4114
Burlington Transportation Co 4037
Burnett, Charles, Trucking Co 3671
Byers Transportation Co., Inc 4908
Campbell Sixty-Six Express, Inc 4668
Canadian Truck Line 5854
Candler, W. R., Transfer Co 3601
Cape Cod Overland Express 3672, 5394
Cassell Transfer & Storage Co 5394
Clark, E. T., Carting Co 3673
Cleveland, Columbus, and Cincinnati Highway, Inc 4113
Colorado Truck Line 4114
Commercial Motor Freight, Inc 4113

DEFENSE TRANSPORTATION, OFFICE OF—Continued. Page
Motor vehicle services, coordination—Continued.
Freight services—Continued.
Consolidated Freight Co 3820
Cooper's Express, Inc 4955
Cordle Cartage Co 4669
Couch Transfer and Storage Co., Inc 3528
Crowe & Co., Inc 4956
Curry Truck Line 5854
Dalby Motor Freight Lines, Inc 5854
Darcey Transportation Co., Inc 5744
Decatur Cartage Co 3820, 4115
Diffley, E. J., Truck Line 6200
Dixie Ohio Express Co 4515
Dixon Express 3602
Douglas Trucking Lines, Inc 3820
Doyle Freight Lines 3820
Duffy, Wm. B 3673
Dumas Truck Line 5854
Eschruback, Carl, Express 3602
Eschruback, George, Express 3602
ET & WNC Transportation Co 3601
Finnegan's Express & Storage, Inc 4410
Fischer Bros. Express 3602
Fish Transport Co., Inc 3672, 5394
Francis & Macy 3671
Fredrickson Motor Express Corp 3601
Frisco Transportation Co 4115, 6928
Gallatin, Wallace O 4259
Georgia Highway Express, Inc 4036
Georgia Motor Express, Inc 3601
Germann Bros. Motor Transportation, Inc 4358
Gottry, Sam, Carting Co 3673
Graham Ship-By-Truck Co 4908
Great Southern Trucking Co 3601, 3749
Halstead's Express 4410
Harrison Motor Freight 4408
Hayes Truck Line 3528
Hereford Truck Line 5854
Highway Motor Freight, Inc 4956
Hill Lines, Inc 5854
Hi-Speed Motor Express, Inc 5277
Holdcroft Transportation Co 5277
Hoover Motor Express Co., Inc 6927
Hunt Truck Line 3749
Ideal Truck Line 4956
International Motor Co 4037
Johnson Freight Lines, Inc 6927
Johnson Motor Lines 4409
Jones, Fred, Truck Line 4621, 6928
Jones Motor Freight Lines, Inc 4908
K & B Truck Line 5854
Kirby's Express, Inc 3672, 5394
Knaus Truck Lines 4037, 4409
Knox Motor Service, Inc 4446
Laskas Motor Lines, Inc 4909, 4956
Laube Interstate Corp 5744
Laughlin, K. D., Transfer 4669

DEFENSE TRANSPORTATION, OFFICE OF—Continued. Page
Motor vehicle services, coordination—Continued.
Freight services—Continued.
Lay, Burdette A 5970
Lay, Frank 5970
Lay's Motor Freight Line 5970
Leeway Motor Freight, Inc 5854
Lefrancois Transfer & Teaming Co 4408
Liberty-Middletown Express 4410
Litman Motor Freight, Inc 3752
Lombard Bros., Inc 5744
Luper Transportation Co. of Oklahoma 3528
M. & M. Transportation Co 4408
McKay Freight Lines 5277
McLean Trucking Co 4408
Marra Transportation Co 4909
Mason & Dixon Lines, Inc 3601, 4036
Mason City Warehouse Corp 4669
Meeks Motor Freight 4515
Meinking Suburban Express 3602
Merchants Motor Freight, Inc 4037
Miller, Dwight and Ivan 4114
Miller & Miller Motor Freight Lines 5854
Missouri & Arkansas Transportation Co 4621
Mitchell Truck Line 5854
Moon Carrier 3672
Mountain Top Express 4410
N. E. Carrier Corp 4408
Ness, Lewis, Carting Co., Inc 3673
New South Express Lines, Inc 3601
Newburgh Transfer, Inc 4410
North East Texas Motor Lines, Inc 4409, 5393
Northern Trails, Inc 5092
Orsheln Bros. Truck Lines, Inc 4259
Pacific Motor Trucking Co 5393
Pampa Motor Freight Line 5854
Pearce Express 3602
Peter's Express 3672, 5394
Porter's Motor Express 3602
Powell Bros. Truck Lines, Inc 4621, 4668
Premier Motor Transportation Co 3602
Red Arrow Freight Lines, Inc 4908, 6274
Riss & Co., Inc 4115, 6273
Roberts Motor Express 4410
Robinson, J. H., Truck Lines, Inc 5971
Rochester Carting Co 3673
Rock Island Motor Transit Co 4037
Rockford-Milwaukee Dispatch, Inc 4446
Rolstin, Thomas 3602
Rush, J. P., Carting Co 3673
Rusman Express Co 3602
St. Louis-Indianapolis Freight Lines, Inc 4115
Santa Fe Trail Transportation Co 5394, 6200, 6475
Saylor Park Express Co 3602
Schroder Express 3602
Schurbrook Express 3602

DEFENSE TRANSPORTATION, OFFICE OF—Continued. Page
Motor vehicle services, coordination—Continued.
Freight services—Continued.
Security Truck Line 5393
Service Lines, Inc 6927
Shallcross Express 3671
Sioux Transportation Co 5277
Smith's Transfer Corp 3601
Southern Motor Express, Inc 5971
Southern Pacific Co 5393
Southern Tier Trucking Co 4410
Sproles Motor Freight Line 5854
Star Transportation Co 3671
Stephens, H. S 5971
Stubbs Transfer 4669
Sunset Motor Lines 6274
Super Service Motor Freight Co 6927
Tarry Motor Freight Line 5854
Texas-Oklahoma Motor Freight Line 5854
Thompson Express 3602
Toedebusch Transfer, Inc 4259
Townsend's Express 4410
Tucumcari Truck Line 5854
Union Transfer and Storage Co 4358
Veith's Express 3602
Vick Truck Line 6274
Watson Bros. Transportation Co., Inc 4037, 6200, 5277
Watt Bros 4408
Weston Transfer Co., Inc 4410
Worden Transfer 4037
Yeary, Edwin N 4409
Yellow Transit Co 3601, 3820, 5972, 5854, 6475
Youngblood, J. N., Truck Lines 3601
Z. C. W. Transportation Co 4037
Zembrodt Express 3602
Household goods carriers; establishment of registration offices:
Bluefield, W. Va 3749
Parkersburg, W. Va 4411
Joint action plans:
Cartage service, local:
Buffalo, N. Y 6476
Portland, Ore 6475
Freight services; names of companies. *See* Freight services, *above*.
Taxicab operators, various areas:
Alabama:
Florence 7175
Huntsville 7176
Roanoke 6925
Tuscaloosa 6575
Arizona; Tucson 7106
California; Eureka 6926
Colorado; Denver 4544
Georgia; Augusta 3605
Illinois:
Carbondale and Murphysboro 5704
Kankakee, Bradley and Bourbonnais 5092
Indiana:
Madison 3606
Terre Haute 5972
Iowa:
Burlington 5454
Mason City 5624
Ottumwa 5624

DEFENSE TRANSPORTATION, OFFICE OF—Continued.
Motor vehicle services, coordination—Continued.
Joint action plans—Con.
Taxicab operators, various areas—Continued.
Kentucky:
Carrollton 3606
Morganfield, Corydon, and Henderson 4909
Maine; Portland and South Portland 3604, 3605
Massachusetts:
Fall River 6574
North Adams 3603
Springfield 5454
Taunton 6924
Michigan:
Holland 4310
Pontiac 7107
Minnesota:
Hibbing 6575
International Falls 5278
Missouri:
Columbia 7109
Hannibal 6927
Kirksville 4621
Lebanon 4622
Moberly 4544
New Hampshire:
Lebanon 7109
Nashua 7106
Portsmouth 3752
New York:
Gloversville 4545
Hempstead 6926
Hudson 7105
Little Falls 3750
Massena 6574
Ogdensburg 7108
Oneonta 3751
Plattsburg 6924
Rome 7105
Saranac Lake 5623
Saratoga Springs 4545
Schenectady 5455
Troy 7107
North Carolina:
Durham 5705
Goldsboro 4309
Washington 4308
Wilson 5015
North Dakota:
Bismark 3607
Mandan 3607
Ohio:
Cambridge 5279
Cleveland 3604
Portsmouth 3752
Oregon:
Bend 3673
Roseburg 5353
Pennsylvania; Scranton 4309
South Carolina; Columbia 4910
Texas; Amarillo 3751
Wisconsin; Ashland 3602
Passenger services, companies:
Boston & Maine Transportation Co 5706
Eastern Greyhound Lines of New England 5706
Maine Central Transportation Co 5706
Penn-Ohio Coach Lines 7176
Pennsylvania Greyhound Lines, Inc 7176

DEFENSE TRANSPORTATION, OFFICE OF—Continued.
Motor vehicle services, coordination—Continued.
Passenger services, routes:
Boston, Mass.-St. Stephen, New Brunswick 5706
Cleveland-Ravenna, Ohio 7176
Streetsboro-Kent, Ohio 7176
Twinsburg - Ravenna, Ohio 7176
Passenger carriers; modification, suspension, etc., of certain operations:
Deluxe Motor Stages 6126
Trailways of New England, Inc 6126
Virginia Electric and Power Co 4622
Port areas:
Delegation of authority. *See* Authority, delegation of.
List of ports requiring unit permits, amended 3810
Rail transportation, substitution of for motor common carrier service 6779
Consolidated Freightways 5743
Los Angeles-Seattle Motor Express 5743
Mitchell Bros. Truck Line 5743
Oregon - Nevada - California Fast Freight, Inc 5743
Pierce Auto Freight Lines 5743
System Freight Service 5743
Railroad equipment conservation; exceptions, permits and exemptions:
Carload freight traffic; perishable food products 4247
Water-rail, etc., shipments 4403
Passenger train operations; accredited delegates, press representatives, etc., traveling to and from Republican and Democratic National Conventions 4826
Traffic movement direction:
Martin Marine Transportation Co.; operation of tug between Hampton Roads, Va., and New York, N. Y 4495
Motor traffic:
Corn, transportation from or within designated area 5444, 5739
Order revoked 7094
Onions, dry, transportation from or within certain States 4652
Vessels, on Great Lakes:
Coal, suspension of restrictions of movement 5175
Operation of:
Exemptions; listed types of vessels 4652
Suspension of order 3656
Grain vessels 4652

E

ECONOMIC STABILIZATION, OFFICE OF:
Halibut fish industry, allocation plan authorized 6783
Wages and salaries; agricultural labor, increases 6036

EMPLOYEES' BENEFITS (TITLE 20):
Railroad Retirement Board:
Employers' contributions and contribution reports (Part 345) 5398

EMPLOYEES' COMPENSATION COMMISSION, UNITED STATES:
Employees outside continental United States:
Medical benefits; authorization to Office of War Information to provide for initial furnishing of 4837
Payment of benefits in United Kingdom and elsewhere in European theatre of operations 6143

ENGINEERS CORPS. *See* War Department.

ENTOMOLOGY AND PLANT QUARANTINE BUREAU:
Potatoes, foreign; importation into United States 3761
Quarantine notices:
Domestic:
Japanese beetle 6201
Pink bollworm:
Notice of quarantine 4524
Regulations 4524
Certain counties in New Mexico and Texas removed from regulated area 4523
Foreign:
Flag smut; entry of Australian wheat into U. S 6389

EXECUTIVE ORDERS:
American Railroad Company of Porto Rico, termination of Government control. *See* Defense Transportation, Office of, *main heading*.
Civil Service; priority classifications of Executive departments and agencies, in regard to transfer and release of Federal personnel; revocation (No. 9451) 6905
Civilian Defense, Office of; EO 9165, providing for Facility Security Program, revoked (No. 9437) 4319
Clothing allowances for enlisted personnel of Navy, Coast Guard, Naval Reserve, and Coast Guard Reserve (No. 9447) 6293
Coast Guard; clothing allowance for enlisted personnel (No. 9447) 6293
Commerce Department; possession and operation of plants and facilities of Montgomery Ward and Company, Chicago, Ill. (No. 9438) 4459
Termination of control, by order of Secretary of Commerce 4989
Committees, inspection of tax returns by. *See* Tax returns.
Customs ports of entry; limits extended:
Durham and Reidsville, N. C. (No. 9433) 3761
Friday Harbor, Wash. (No. 9433) 3761

EXECUTIVE ORDERS—Con.
Eight-hour law, suspension. *See* Veterans' Administration.
Facility Security Program. *See* Protection of essential facilities.
Foreign Service. *See* State Department.
Foreign service pay adjustment; payment of losses sustained by officers, enlisted men, and employees of United States, on account of appreciation of foreign currencies (No. 9449) 6667
Hummer Manufacturing Division. *See* Montgomery Ward and Co.
Jenkins Brothers, Inc. *See* Navy Department.
Ken-Rad Tube and Lamp Corp., and Ken-Rad Transmitting Tube Corp. *See* War Department.
Montgomery Ward and Company, possession and operation of certain plants and facilities:
By Commerce Department (No. 9438) 4459
Termination of control, by order of Secretary of Commerce 4989
Hummer Manufacturing Division; by War Department (No. 9443) 5395
Naval Radio Station, Summit, Canal Zone; reservation for (No. 9434) 3829
Navy Department:
Clothing allowance for enlisted personnel (No. 9447) 6293
Foreign service pay adjustment, on acount of appreciation of foreign currencies (No. 9449) 6667
Possession of plants, etc.; Jenkins Brothers, Inc., Bridgeport, Conn. (No. 9435) 4063
Nurses, student. *See* Public Health Service.
Priority classification of Executive departments and agencies; revocation (No. 9451) 6905
Protection of essential facilities from sabotage and other destructive acts; EO 9165 revoked (No. 9437) 4319
Public Health Service; establishing uniform monthly rate of pay for student nurses transferred to Federal hospitals (No. 9439) 4839
Reconstruction Finance Corporation; authorized to place orders with other agencies for materials or services (No. 9440) 4999
Sabotage. *See* Protection of essential facilities.
State Department:
Foreign service pay adjustment, on account of appreciation of foreign currencies (No. 9449) 6667

EXECUTIVE ORDERS—Con.
State Department—Continued.
Foreign Service Regulations, amended:
Board of Foreign Service Officers' Training School (No. 9450) 6905
Examination; Board of Examiners (No. 9450) 6905
Secretary of State authorized to prescribe regulations, etc., relating to Foreign Service of United States (No. 9452) 7183
Tax returns; inspection of, by:
Select Committee to Investigate the Federal Communications Commission, House of Representatives (No. 9448) 6387
Special Committee on Un-American activities, House of Representatives (No. 9444) 5759
Veterans' Administration:
Allowance of travel expenses of claimants and beneficiaries and attendents (No. 9446) 6293
Suspension of eight-hour law as to laborers and mechanics employed on public work (No. 9441) 5101
War Department:
Foreign service pay adjustment, on account of appreciation of foreign currencies (No. 9449) 6667
Possession and operation of plants:
Hummer Manufacturing Division of Montgomery Ward and Co., Inc. (No 9443) 5395
Ken-Rad Tube and Lamp Corp., and Ken-Rad Transmitting Tube Corp. (No. 9436) 4063
EXCISE TAXES. *See* Internal Revenue Bureau.
EXPLOSIVES, transportation of. *See* Interstate Commerce Commission.
EXPORTS, control of. *See* Foreign Economic Administration.

F

FACILITY SECURITY PROGRAM. *See* Protection of essential facilities.
FAIR EMPLOYMENT PRACTICE COMMITTEE:
Non-discrimination provision in Government contracts:
Renewed contracts 7126
Sub-contracts, for leasing space in buildings 7126
FARM CREDIT ADMINISTRATION:
Banks for cooperatives:
Lending limits of district banks for cooperatives 5103
Loans on security of Commodity Credit Corporation loan documents, interest rates 5101

FARM CREDIT ADMINISTRATION—Continued.
Cooperative Bank Commissioner, Deputy and Assistants; functions, powers, authority and duties 4565
Federal land banks:
Conditional payments on joint indebtedness to bank and Corporation; reports 5289
Consolidated bonds:
Call for redemption:
4% of May 15, 1944–64 4507
4% of July 1, 1944–46 6592
4% of July 15, 1944–64 6592
Method of calling 4167
Fees and charges, regulations; St. Paul Federal Land Bank 4167
FARM-SAFETY WEEK, NATIONAL, proclamation 6799
FARM SECURITY ADMINISTRATION:
Delegation of authority:
Loans and grants for flood and windstorm relief 6120
To regional directors to perform certain functions in connection with real and personal property 4523
Flood and windstorm restoration program 6117, 6120
Tenant purchase loans, designation of counties:
Alabama 4616, 5445, 6199, 6582
Indiana 3924
Minnesota 7182
Mississippi 5445
Ohio 6582
Pennsylvania 6199
Texas 3924
FEDERAL COMMUNICATIONS COMMISSION:
Hearings and orders, etc.:
Albuquerque Broadcasting Co 5178
American Hotel Assn 4162
Bowman-Biltmore Hotels Corp 4162
Bulova, Arde 5929
Cagle, Gene L 7096
Callan, W. W 5929
Calumet Broadcasting Corp 4406
Columbia Broadcasting System, Inc 6835
Commercial Cable Co 4162
Community Broadcasting Service 3867
Doughty & Welch Electric Co., Inc 5275
Fall River Broadcasting Co., Inc 5275
Frontier Broadcasting Co., Inc 5930
Greensboro Broadcasting Co 6369
Hammett, Raymond C 7096
Henshel, Harry D 5929
Hicks, Dewitt T 5929
Howell, Hilton W 5929
Imes, Birney, Jr 6370
Independent Merchants Broadcasting Co 5178
Jester, Beauford H 5929
KFAB Broadcasting Co 6835
Kimzey, Tfuett 5930
KNOE, Inc 7207
KOMA, Inc 3980
Kramer, Worth 4405

FEDERAL COMMUNICATIONS COMMISSION—Continued. Page
Hearings and orders, etc.—Con.
Levy, Robert G 5929
Liner's Broadcasting Station, Inc 7206
Mackay Radio and Telegraph Co., Inc 4162
Mester, Meyer and Murray 5929
Naman, Wilford W 5929
Portsmouth Radio Corp 5931
Sams, Ross M 5929
Shepard, Harwell V 5930
Sidles Co 6835
Star Printing Co 6835
State Journal Printing Co 6835
Stribling, Davis 5929
Stuart, Charles Edward 5447
Tacoma Broadcasters, Inc 3866
Western Union Telegraph Co 4162
Radio broadcasting stations, gain from sale or exchange of property. *See* Internal Revenue Bureau: income taxes.
Rules and regulations:
Applications to hold interlocking directorates; form of application, change in status report, etc 5839
Aviation services, non-scheduled stations, suspension of inspection requirement 6114, 6264
Broadcast services and stations:
High frequency and standard:
Mechanical records 5447
Multiple ownership 3860
Program and operating logs 6114
Other than standard:
License period; renewal 6115
Multiple ownership 5442
Communications Act of 1934; discontinuance, reduction and impairment of service 6362
Contracts and concessions; reports 3747, 5837
Emergency radio services; municipal and marine fire stations 5174
Frequency allocations 5174
Radiocommunications systems in railroad operations 4905
Radiotelephone stations, Great Lakes area:
Coastal harbor 7087
Ship 7087
Ship service:
Alarm receivers, automatic extension of 7-year limitation provision 3546, 3711
Radiotelephone stations. *See* Radiotelephone stations.
Reports 6833
Telegraph communications, Government; rates and charges 6115
Uniform system of accounts:
Class A and B telephone companies 7088
Class C telephone companies 7088, 7205

FEDERAL COMMUNICATIONS COMMISSION—Continued. Page
Rules and regulations—Con.
Uniform system of accounts—Continued.
Radiotelegraph carriers 7088
Wire-telegraph and ocean-cable carriers 7088
FEDERAL CROP INSURANCE CORPORATION:
Crop insurance; cotton, amount of loss 3677
FEDERAL DEPOSIT INSURANCE CORPORATION:
Insured status, voluntary termination 4927
Insured nonmember bank in liquidation 4927
Member bank in liquidation (both State and national) 4929
Where deposits are assumed by another insured bank 4929
FEDERAL HOUSING ADMINISTRATION:
Mutual mortgage insurance; fee to accompany application 7186
Property improvement loans, class 1 and 2 7253
War housing insurance; conditions of default in mortgage, upon transfer of property to Commissioner 3480
FEDERAL PERSONNEL. *See* Civil Service.
FEDERAL POWER COMMISSION:
Bonneville Project, Columbia River, Oreg.-Wash.; modification of wholesale power rate schedule 5348
Hearings, etc.:
Amalgamated Co., Inc 5742
Arkansas Power & Light Co 3954, 5179
Benton County Utilities Corp 7096
Bonneville Project, Oreg.-Wash 3516
California Electric Power Co 4406
Central Nebraska Public Power and Irrigation District 3954
Central Power and Light Co 5839, 6836
Cincinnati Gas Transportation Co 6918
Compania Electrica Matamoros, S. A 5839
Consolidated Gas Utilities Corp 6242
El Paso Lines, Inc 4826
El Paso Natural Gas Co 4356, 5999, 5609, 6781, 6836
Empire District Electric Co 7096
Empire Gas and Fuel Co 5608
Fort Peck Project, Missouri River, Mont 5931
Home Gas Co 4542
Hope Natural Gas Co 4542
Hope Producing Co 5742
Huntington Development and Gas Co 6918
Idaho Power Co 5742
Interstate Natural Gas Co., Inc 4827, 5179
Interstate Pipe Line Co 3867, 6241
Kansas Consolidated Gas Corp 4163

FEDERAL POWER COMMISSION—Continued. Page
Hearings, etc.—Continued.
Kansas Power and Light Co 3661, 6241
Kentucky Natural Gas Corp 6264, 7271
La Del Oil Properties, Inc 5742
La Junta Federal de Mejoras Materiales 6836
Lawrence County Water, Light & Cold Storage Co 7096
Loup River Public Power District 3954
Manufacturers Gas Co 4542
Manufacturers Light and Heat Co 4542
Memphis Natural Gas Co 5743, 6651
Mississippi River Fuel Corp 5742
Missouri Western Gas Co 5447, 6241
Mondakota Development Co 4481
Montana-Dakota Utilities Co 4357, 4481, 6892
New York State Natural Gas Corp 4542, 7207
Northern Natural Gas Co 3810, 3811, 4035, 5179, 5698, 5962, 6918
Ozark Utilities Co 7096
Panhandle Eastern Pipe Line Co 162, 4653, 4728, 5317, 5839
Peerless Carbon Black Co 5742
Philadelphia Electric Power Co 6037
Potomac Electric Power Co 4249
Puget Sound Power and Light Co 5931
Southern Carbon Co 5742
Southern Natural Gas Co 4653, 6592
Southern Union Gas Co 5609
Southwestern Power Administration 5317, 6955
Spearman Gas Co 6121
Susquehanna Power Co 6037
Texas Power & Light Co 5317, 6919
Union Electric Company of Missouri 5014
United Carb Co 5742
United Fuel Gas Co 4542, 6918
Warfield Natural Gas Co 6918
West Texas Gas Co 6122
Wisconsin Southern Gas Co 4304, 4305, 5742, 6836
Rules and regulations under Natural Gas Act; transferability of certificates of public convenience and necessity 5712
FEDERAL PUBLIC HOUSING AUTHORITY:
Signal and alarm equipment; delegation of authority by War Production Board to issue authorizations to receive 4865
FEDERAL RESERVE SYSTEM:
Consumer credit:
Automobiles and motorcycles, down payments and loans 6802
Extension of credit for mixed purposes 6937
FEDERAL SAVINGS AND LOAN SYSTEM:
Voting rights of members; amendment to Charter K clarifying provisions governing 3930

FEDERAL SECURITY AGENCY: Page
See Food and Drug Administration.
Public Health Service.
Pay rates for employees, procedure for adjustment 4639
FEDERAL TRADE COMMISSION:
Cease and desist orders:
A. & N. Trading Co 4569
A. & N. Trading Co., Inc 4569
Acme Asbestos Covering and Flooring Co 5333
All-Winter Anti-Freeze Co 5108
American Art Clay Co 6394
American Association of Law Book Publishers 5289
American Chemical Co 5108
American Law Book Co 5289
American Tissue Mills 5107
Anderson, John A 6394
Anderson, W. H., Co 5289
Asbestos, Asphalt and Insulation Mfg. Co 5333
Atlantic Asbestos Corp 5333
Auerbach, Alexander 4904
Bainbridge's Sons 5107
Baker, Voorhis and Co 5289
Bancroft-Whitney Co 5289
Bastillo Bros. & Diaz, Inc 5889
Bausch & Lomb Optical Co 6054
Belt Oil & Chemical Corp 6055
Bender, Matthew, and Co., Inc 5289
Bender-Moss Co 5289
Bennett, A. H., Co 5333
Bennett, William Parrish 6393
Bill's Peanut Co 6393
Bisel, George T., Co 5289
Bishop & Babbin, Inc 4461
Blitz, William 6055
Boardman, Clark, Co., Ltd 5289
Bobbs-Merrill Co 5289
Buchbinder, Ernest 6055
Bureau of Industrial Allocation 5637
Callaghan & Co 5289
Carey, Philip, Mfg. Co 5333
Central States Supply Co 6803
Clark Asbestos Co 5333
Clermont Cravat Co., Inc 6802
Cohen, Frank 4804
Commonwealth Training Institute 6937
Corwin, Frank, Co 4804
Demerer, David 4804
Denison Mfg. Co 5107
Dennis and Co., Inc 5289
Dupree Medical Co 6056
Empire Asbestos Products, Inc 5333
Fallon Law Book Co 5289
Force Co 6206
Force, Howard J., Lawson H., and Lillian S 6206
Fort Howard Paper Co 5107
Fort Worth Peanut Co 6393
General Baking Co 5109
Gillem-Cole Co 5333
Gold Medal Haarlem Oil Co 4529
Goldberg, Nathan I 6938
Greenberg, Rose 6803
Gulf Oil Co 3929
Haband Co 6394
Habernickel, Max, Jr 6394
Hamiel, D. E 5108
Hanover Wool Stock Co 4804
Harrison Co 5289
Havner, Harrison H 4803

FEDERAL TRADE COMMISSION—Continued. Page
Cease and desist orders—Con.
Hermanos, Lopez 5889
Hunt, John S 4803
Imperial Drug Exchange, Inc 6056
International Research 5637
Iversen, Philip E 4803
Johns-Manville Corp 5333
Johnstone, Arthur F 5200
Johnstone, Jorene 5200
Kastor, H. W., & Sons Advertising Co., Inc 6331
Keasbey & Mattison Co 5333
Keen, Thomas and Marian 6010
Keen, Thomas B., Co 6010
King, Philip M., Jr., Lila and Stella 6055
Kressin, Maurice and Esther 6009
L. A. Rubber & Asbestos Works, Inc 5333
Lawrence Blanket Co 6010
Lawyers Co-operative Publishing Co 5289
Leonard, J. P., Co 5637
Liberty Sales System, Inc 5637
Lincoln, George J., Jr 5107
Little, Brown and Co 5289
Lopez, Calixto & Co 5889
Lusk, C. F., Co 3679
MacArthur, G. A., Co 5333
MacDougal Bros 4461
McKinley, Lillian 6055
Mars, Robert 6010
Michie Co 5289
Mueller, Clifford W 5289
National Crepe Paper Assn. of America 5107
National Law Book Co 5289
Norristown Magnesia and Asbestos Co 5333
Nott, W. S., Co 5333
Overman & Co 6055
Pacific Asbestos & Supply Co 5333
Papyrus Co 5107
Park, Philip R., Inc 4803
Parodney, Abraham 6056
Plant Rubber & Asbestos Works 5333
Preferred-Havana Tobacco Co 5899
Public Utilities Reports, Inc 5289
Reed, C. A., Co 5107
Reiner, Richard 5289
Reyburn Mfg. Co 5107
Robinson, H. L., Co 5888
Ruberoid Co 5333
Sall Mountain Co 5333
Scientific Manufacturing Co., Inc 6206
Shepard, Frank, Co 5289
Smith, Burdette, Co 5289
Soney and Sage Co 5289
Spillane, James R 5289
Sport Center 4569
Standard Asbestos Mfg. Co 5333
Thomas Law Book Co 5289
Thompson, Edward, Co 5289
Tulloch, Donald, Jr 5333
Tuttle Press Co 5107
United Delivery System 6009
Vernon Law Book Co 5289
Washington Institute 5200
Washington Law Book Co 5289
West Publishing Co 5289
White, R. Walter 5289
Williamson Law Book Co 5289
Zonite Products Corp 6330

FEDERAL TRADE COMMISSION—Continued. Page
Hearings, etc.:
Acme and Acme Mail Order House 7097
Air Reduction Co., Inc 3661
American Arts 7098
American Chemical Paint Co 5489
America Corp 5743
Bengo Yarn Shop 3811
Boothby Fibre Can Co 4827
Burton Brothers & Co., Inc 7098
Canaday, Ward M 3869
Caradine Hat Co 4305
Champion Container Co 4827
Chicago Vitreous Enamel Product Co 4906
Cohn, Benjamin and Sidonia 6371
Cohn & Lubow 6371
Commercial Art Co 7098
Cookware Associates 7098
Crawford Clothes, Inc 3869
Dip Net Smelt Fishermen's Assn 7272
Dorene Publishing Co., Inc 6242
Ferro Enamel Corp 4906
Fonda Container Co., Inc 4827
Frazer, Joseph W 3869
Friedlander, M. J 6371
Friedman, Albert A., and Elizabeth 7097
General Diaries, Inc 7097
Georges River Woolen Mills 3811
Globe Trading Co., Inc 6371
Goldberg, Louis 7097
Goldman, Benjamin 3811
Goldman's Yarn Shop 3811
Good Value Bargain House 4407
Griffin, J. Claud 7098
Haber & Co 6371
Haber, Harry 6371
Hailey, Robert W 7098
Hall, H. F 7098
Hardtmuth, L. & C., Inc 3519
Harvest House 7097
Hensler, Ben A 4406
Herb, Wakita, Co 5999
Hommel, O., Co 4906
House of Royalsun 3811
Howard Clock Corp 3869
Hubble, G. P 7098
Hurwitz, Jacob 6371
Ingram-Richardson Mfg. Co. of Indiana, Inc 4906
Irving, H. A., Co 4481
Kallman, L. R., and Co 5610
Karlton Vogue Shop 6370
Kastor, H. W., and Sons Advertising Co 5610
Ketchikan Packing Co 5999
Koh-I-Noor Pencil Co., Inc 3519
Lande, S. Theodore 4407
Leventhal, Edward 6371
Leventhal & Hurwitz 6371
Levine, Benjamin H 7097
Levy, David and Joseph 3869
Levy, Joseph, Clothing Mfg. Co., Inc 3869
Lewis, Arthur R 4406
Liquid Carbonic Corp 3661
Liquid Tight Paper Container Assn 4827
Lubow, Meyer and Vera 6371
Malk, Ceil, Inc 6370
Marks, Samuel B. and Hortense 6371
Matheison Alkali Works, Inc 3661
Maxwell, Sarah Alma 7207

FEDERAL TRADE COMMISSION—Continued.
Hearings, etc—Continued.
Menasha Products Co. 4827
Michigan Alkali Works, Inc. 3661
Milo Container Co. 4827
Minneapolis-Moline Power Implement Co. 3869
Minnette Yarn Co. 3811
Modern Art Co. 7098
Moody, Harry L. 4906
Northern Kentucky Independent Food Dealers Assn., Inc. 5999
Peggy Shops, Inc. 6371
Pemco Corp. 4906
Progressive Portrait Co. 7098
Pure Carbonic, Inc. 3661
Richter, F. Ad., and Co., Inc. 5610
Ries, Daniel G. 7098
Ritter, George W. 3869
Roos, Delmar G. 3869
Rosenfeld, Al, Inc. 4407
Russell Box Co. 4827
Sales Stimulators 5610
Scowcroft, John & Sons Co. 7271
Sealright Company, Inc. 4827
Seidenwurm, Frank 3869
Shuts, Leon 6371
Smith Baby Chix 7207
Smith, Emmett J., and Daughter Poultry Farms 7207
Stanley, William H., Inc. 5999
Stetson, John B., Co 6242
Stevenson, Jordan & Harrison 4906
Susquehanna Woolen Mills 6371
Sutherland Paper Co. 4827
Swain, R. L., Tobacco Co., Inc. 7271
Symns-Utah Grocery Co. 7271
Tiger Yarn Co. 3811
Tru-Health Garments Corp. 5610
Ullman, Maxwell M., Theodore E., and Herman 6371
United Diathermy, Inc. 5610
United States Advertising Corp. 3869
Utah Wholesale Grocery 7271
Van Camp Sea Food Co., Inc. 5743
Vawne Foundations 4406
Wagner, Allen P. and William W 4407
Watts-Wagner Co., Inc. 4407
Willys-Overland Motors 3869
Wise, Rothermel 6371
Wise, William H., & Co. 5743
Wolf, Charles W., Inc. 3811
World Publishing Co. 7098
Zion's Wholesale Grocery 7271
Rules of practice; hearings on complaints 7204

FEDERAL WORKS AGENCY:
Property, surplus, of War Department, Navy Department and Maritime Commission; designation as disposal agency. *See* Surplus War Property Administration.

FELLOWSHIPS, awards to applicants from other American Republics. *See* State Department.

FISCAL SERVICE. *See* Treasury Department.

FISH AND WILDLIFE SERVICE:
Alaska commercial fisheries:
Clams, methods of taking 6116
Salmon, designated areas:
Alaska Peninsula 5175
Chignik area 5175, 6116
Prince William Sound 6116
Southeastern Alaska area:
Clarence Strait District 5176
Icy Strait District 5175
South Prince of Wales Island District 5176
Stikine District 5176
Western District 5175
Alaska game regulations; game animals, fur animals, game birds, nongame birds, and game fishes 5270
Lands in Cheraw Recreational Demonstration Project, South Carolina, transferred from National Park Service 5489
Noxubee National Wildlife Refuge, Miss.; fishing regulations 3546

FISHERIES COORDINATOR, OFFICE OF:
Halibut, allocation within ports 6780
Pilchard, coordinated production plan 7171
Salmon canning industry:
Alaska 5078
Washington, Puget Sound area 3979

FLAG DAY, 1944, proclamation 4799

FOOD AND DRUG ADMINISTRATION:
Cacao products, definitions and standards of identity 3911
Cheese, use of sodium and calcium propionates as optional ingredients 3517
Drugs and devices; directions for use 3867
Fluorine; spray residue on apples and pears, tolerances for 4654
Inspection regulations:
Oysters, canned 6584
Shrimp, canned 6583
Tea standards 3929

FOOD AND DRUGS (TITLE 21):
Bureau of Narcotics:
Narcotic drugs conservation (Part 205) 3929
Food and Drug Administration:
Regulations for the enforcement of the Federal Tea Act (Part 170) 3929
Sea food inspection (Part 155) 6583

FOREIGN AND DOMESTIC COMMERCE BUREAU:
Fellowships; awards to applicants from other American Republics. *See* Commerce Department.

FOREIGN ECONOMIC ADMINISTRATION:
Export control:
General regulations:
Prohibited exportations 5370
List 3490, 4504, 4931, 5001, 5370, 6012, 6621

FOREIGN ECONOMIC ADMINISTRATION—Continued.
Export control—Continued.
Licenses:
Blanket license (BLT), listed commodities 5368, 5975
General:
Countries, list 5370, 6585
Cuba and Dominican Republic; export of jute bags 4931
Exportation of vessels 6585
Exports to U. S. Government 4683
General license numbers 5368
Gifts to prisoners of war and internees 4931, 6621
Metal drums and containers 5370
Personal baggage 6585
Ship and plane stores, supplies and equipment 4505, 5368, 6585
Shipments not exceeding specified value 3681, 4505, 4575, 5370, 6012
Individual; rubber and rubber manufactures 4931
Selected destinations, clearance procedure 5368
Licensing privileges, orders regarding denial, etc.:
Bittson, A. John, Engineering Co 7098
World Distributors Corp. 7098
Priorities action, length of validity of ratings assigned on export licenses; delegation of authority by War Production Board 5400
Property, surplus, disposal of. *See* Surplus War Property Administration.
Termination of war contracts, fixed price orders or subcontracts. *See* Joint Contract Termination Board; Surplus War Property Administration.

FOREIGN FUNDS, control of. *See* Treasury Department.

FOREIGN RELATIONS (TITLE 22):
Proclaimed list of blocked nationals; Revision VII:
Cumulative Supplement 1 3833
Cumulative Supplement 2 4858
Cumulative Supplement 3 6056

FOREIGN SERVICE. *See* State Department.

FOREIGN SERVICE PAY ADJUSTMENT, on account of appreciation of foreign currencies; payment of losses sustained by officers, enlisted men, and employees of United States in foreign countries (Executive Order 9449) 6667

FOREST SERVICE:
Minidoka National Forest, Idaho; lands transferred from Soil Conservation Service 3953

FOREST SERVICE—Continued.
Nantahala National Forest, N. C., lands transferred from Tennessee Valley Authority 6263
Timber in national forests, sustained yield units established 4248, 5442
Trespass cases, civil; settlement of 4542

FORESTS, NATIONAL, lands withdrawn, etc. *See* Forest Service; General Land Office.

FREIGHT, handling of. *See* Defense Transportation; Interstate Commerce Commission.

G

GAS LEASES. *See* Leases.

GENERAL LAND OFFICE:
Air-navigation site withdrawals:
California 3865, 4248
Oregon, revocation 6199
Wyoming 4616, 4652, 6651, 6833
Grazing districts, modification and establishment of; Utah 3861, 4950, 5079, 5739, 5740, 6571
Homesteads:
Applications, execution of 6917
In Alaska; officers qualified to administer oaths 6916
Lands, transfers, withdrawals, etc.:
Alaska:
Chugach National Forest, reserving additional lands for townsite purposes 3860
Classification 4949
Interior Department; prosecution of the war 6570
War Department; aviation purposes 4904
Arizona:
War Department; aviation purposes 6916
Colorado:
Forest administrative site; revocation 5347
Interior Department; prosecution of war, revocation 6198
Resurvey; revocation of EO 5894 5079
Idaho:
War Department; practice bombing ranges, partial revocation of EO 8932 4247
Montana:
War Department:
Aerial gunnery range, partial revocation 4401
Maneuver area, partial revocation 4247
Nevada:
Proposed grazing districts 4950, 7094
New Mexico:
War Department:
Auxiliary landing fields, partial revocation 3655
Use as demolition range 5445

GENERAL LAND OFFICE—Con.
Lands, transfers, withdrawals, etc.—Continued.
Oklahoma:
Forest administrative site; revocation 5347
Fort Sill Military Reservation; certain lands transferred to Interior Department 5348
Wichita Mountains Wildlife Refuge; certain lands transferred to War Department 5348
Utah:
Interior Department; prosecution of war 4033
Washington:
Agriculture Department; Greenleaf Mountain lookout site, revocation of EO 5976 6571
Interior Department; for use in connection with Olympic Public Works Project 5445, 6459
Wyoming:
Interior Department; prosecution of war 6198
Leases:
Coal; form and contents of application 4401
Mineral leases; computation of rental on surrender of lease 7170
Oil and gas; application for renewal 4507
Phosphate; notice of offer, etc 5738
Sodium; notice of offer, etc 7085
National forests; consolidation and redesignation of areas:
Boise National Forest 3655
Payette National Forest 3655
Oaths, officers qualified to administer 6917
Oregon and California Railroad-Coos Bay Wagon Road grant lands; sale of timber, acceptance and rejection of bids 4402
Stock driveway withdrawals:
Arizona 6241
California 3659
Nevada 3659
New Mexico 6241
Wyoming 5176, 5348, 5740
Wildlife refuges; Mesilla National Wildlife Refuge, New Mexico and Texas, establishment 4031, 4077

GEOGRAPHICAL NAMES, UNITED STATES BOARD ON. *See* Interior Department.

GEOLOGICAL SURVEY:
Coal mining in Alaska; operating and safety regulations 6853

GIFT TAXES. *See* Internal Revenue Bureau.

GOVERNMENT EMPLOYEES. *See* Civil Service.

GREAT LAKES, navigation regulations. *See* Coast Guard.

H

HAWAII:
Conservation programs. *See* Agricultural Adjustment Agency.
Employment stabilization plan; interim. *See* War Manpower Commission.
Foreign funds control. *See* Treasury Department.
Price regulations. *See* Price Administration
Rationing. *See* Rationing.
Registration, etc. *See* Selective Service System.

HOME OWNERS' LOAN CORPORATION:
Accounting procedure; accrual of interest at 4½ percent 4397
Treasury Division; paid loan section 5399

HOUSING CREDIT (TITLE 24):
Federal Housing Administration:
Mutual mortgage insurance under section 203 of National Housing Act; administrative rules (Part 521) 7186
Property improvement loans, Class 1 and Class 2 (Part 501) 7253
War housing insurance; administrative regulations (Part 577) 3480
Federal Savings and Loan System:
Incorporation, conversion, and organization (Part 202) 3930
Home Owners' Loan Corporation:
Accounting Division (Part 408) 4397
Treasury Divison (Part 407) 5399
National Housing Agency:
Private war housing (Part 702) 4680

HUMMER MANUFACTURING DIVISION. *See* Montgomery Ward and Co., Inc.

I

ICING OF FRUITS AND VEGETABLES IN TRANSIT. *See* Interstate Commerce Commission.

IMMIGRATION AND NATURALIZATION SERVICE:
Administration:
Enrollment and disbarment; admission to practice of persons other than attorneys and representatives 6619
Field service districts; transfer of Warren County, N. Y., from District 3 to District 1 5367
General Counsel; powers and duties 4975
Aliens:
Airmen, status 7252
Excluded for removable cause; reopening of case 5768
Head tax 5768, 7252
Imported laborers 5768

IMMIGRATION AND NATURALIZATION SERVICE—Con. — Page
Aliens—Continued.
Naturalization of. *See* Nationality regulations.
Preexamination 4459
Public charge bonds; approval, cancellation, etc. 4975
Nationality regulations, amendments:
Clerks of naturalization courts and their duties 7043
Official forms 7043
Records, and naturalization and citizenship documents issued by the Commissioner, revocation 7043
Special classes of persons who may be naturalized:
Alien enemies 7041
Aliens arriving in U. S. prior to sixteenth birthday 7040
Former United States citizens 7041
Members or veterans of U. S. armed forces during Second World War:
Not within jurisdiction of naturalization court 7042
Within jurisdiction of naturalization court 7041
INCOME TAXES. *See* Internal Revenue Bureau.
INDIAN AFFAIRS OFFICE:
Cooperative associations:
Loans to 4570
Organization 4569
Credit associations:
Loans by 4571
Loans to 4571
Individual Indians, loans by United States to 4572
Irrigation projects; operation and maintenance charges:
Colorado River Project, Ariz. 4572
Colville Indian Irrigation Project, Wash. 4930
Flathead Indian Irrigation Project:
Flathead district, Mont. 5399
Jocko Valley district, Mont. 5399
Mission district, Mont. 6910
Navajo Agency 7256
Wind River Project, Wyo. 4003
INDIANS (TITLE 25):
Indian Affairs Office:
Loans:
By Indian Credit Associations (Part 25) 4571
By United States to individual Indians (Part 26) 4572
To Indian Cooperative Associations (Part 23) 4570
To Indian Credit Associations (Part 24) 4571
Operation and maintenance charges (Part 130) 4003, 4572, 4930, 5399, 6910, 7256
Organization of Indian Cooperative Associations (Part 22) 4569
INTER-AMERICAN AFFAIRS, OFFICE OF:
Designation of officials to act as Acting Coordinator 3717

INTERIOR DEPARTMENT: — Page
See Coal Mines Administration.
Fish and Wildlife Service.
General Land Office.
Geological Survey.
Indian Affairs Office.
Mines Bureau.
National Park Service.
Reclamation Bureau.
Solid Fuels Administration for War.
Fort Sill Military Reservation, Oklahoma; lands transferred from War Department 5348
Office of the Secretary:
Colonial National Historical Park, Va.; transfer of jurisdiction to Navy Department 4905
Delegation of authority; to Director of United States Board on Geographical Names 4249
Mammoth Cave National Park, Kentucky, police jurisdiction assumed by United States 4481
Mine safety inspections of mining operations on public domain and Indian lands, etc., by Bureau of Mines 3748
INTERNAL REVENUE (TITLE 26):
Internal Revenue Bureau:
Administrative provisions common to various taxes:
Export to U. S. possessions of certain manufactures without payment of tax, etc. (Part 451) 3480
Inspection of returns (Part 458) 5769, 6395
Persons violating Internal Revenue Laws, rewards for information leading to detection and punishment of (Part 455) 7046
Estate and gift taxes:
Gift tax under Chapter 4 of Internal Revenue Code (Part 86) 4859
Gift tax under Revenue Act of 1932, as amended (Part 85) 4858
Excise taxes, miscellaneous:
Distilled spirits, bottling in bond (Part 188) 5367
Retailers' excise taxes (Part 320) 3540
Transportation of property, tax on (Part 143) 3539
Income and excess-profits taxes:
Excess-profits tax; taxable years beginning after December 31, 1941 (Part 35) 4329, 4501
Income tax; taxable years beginning after December 31, 1941 (Part 29) 4322, 4325, 4326, 4573, 4975, 4976, 5109, 5110, 5501, 5713, 6056, 6252, 7044, 7123.

INTERNAL REVENUE (TITLE 26)—Continued. — Page
Internal Revenue Bureau—Con.
Income and excess-profits taxes—Continued.
Income tax under Internal Revenue Code (Part 19) 4321, 4322, 4572, 4573, 6056
Income tax under Revenue Act of 1938 (Part 9) 4321
Relief from double payments in 1943 (Part 36) 4329
Tax Court of United States:
Rules of practice (Part 701) 7046
INTERNAL REVENUE BUREAU:
Administrative provisions common to various taxes:
Exports to U. S. possessions, without payment of tax; playing cards for use of armed forces in Alaska, Hawaii, etc 3480
Rewards for information leading to detection and punishment of persons violating Internal Revenue Laws 7046
Tax returns, inspection of. *See* Tax returns.
Alcoholic beverages. *See* Excise taxes.
Excess profits tax; taxable years beginning after December 31, 1941:
Debt retirement credit 4501
Production bonus payments 4329
Excise taxes:
Collection by retailers; statement on receipts 3506, 4607
Distilled spirits; capacity of cases 5367
Playing cards. *See* Administrative provisions, *above.*
Retailers' taxes on jewelry, furs, toilet preparations and luggage 3540
Transportation of property; Governmental exemptions 3539, 4615, 5383
Wireless and wire services, certain; exemption from taxes 4615, 5383
Federal Communications Commission; gain from sale or exchange of property. *See* Income taxes.
Gift taxes:
Regulations under Internal Revenue Code (gifts during 1940 and thereafter):
Certain discretionary trusts 4859
Release of power of appointment, extension of time 4859
Regulations under Revenue Act of 1932, amended:
Certain discretionary trusts 4858
Cessation of grantor's control 4858
Income taxes:
Double payments in 1943, relief from; increased income 4329

INTERNAL REVENUE BUREAU—Continued. — Page
Income taxes—Continued.
Internal Revenue Code; years after December 31, 1941:
General provisions:
Accounting periods and methods of accounting; returns for periods of less than 12 months 5502
Armed forces, mustering-out payments of 5111
Computation of net income:
Armed forces, mustering-out payments 5111
Bad debts 6057
Blind individuals, special deductions for 5111
Bonds and similar obligations, worthless 6057
Corporate contributions to veterans' organizations 5111
Corporate liquidations, recognition of gain and basis of property received 4323
Credits of individual against net income 5501
Deficiency, uncollectible, upon sale of mortgaged or pledged property 6057
Earned income credit; repeal of, and amount of for years before January 1, 1944 5501
Personal exemption and credit for dependents, determination of status 5501
Inventories under elective method; last-in first-out inventory 4574
Involuntary liquidation and replacement 4574
Securities in affiliated corporations, deductions for losses:
Bond losses 6057
Stock losses 6056, 6057
Taxes; deductions for Federal duties and excise taxes 5111
Returns and payment of tax:
Individual returns 5502
Organizations exempt from taxation; records and forms 7123
Supplemental provisions:
Aliens, nonresident, brought into United States under authority of War Manpower Commission; returns and payment of tax 4328

INTERNAL REVENUE BUREAU—Continued. — Page
Income taxes—Continued.
Internal Revenue Code; years after December 31, 1941—Continued.
Supplemental provisions—Continued.
Computation of net income:
Corporate liquidations, recognition of gain and basis of property received 4323
Cost-of-living allowances, certain; exclusion from gross income 4976
Determining gain or loss; basis adjustment as result of cancellation of indebtedness 5110
Dividends 6252
Earned income from sources without United States 5502
Personal holding companies, distributions by 6252
Property; gain from sale or exchange to effectuate policies of Federal Communications Commission 5713
Railroad reorganizations, nonrecognition of loss made retroactive 4322
Estates and trusts, relief in case of excess deductions 7044
Individuals with gross income from certain sources of $3,000 or less; alternative tax 4325
Tables 4326
Insurance companies 5109
Partnerships; earned income credit of partners 5502
Rates of tax:
Annual returns, certain; extension of time for filing 4975
Annual returns for accounting periods beginning on or after January 1, 1943 7123
Proof of exemption prior to January 1, 1943 7123
Returns and payment of tax:
Aliens, nonresident, brought into United States under authority of War Manpower Commission 4328
Fiduciary returns for taxable years beginning before Jan. 1, 1944 5502

INTERNAL REVENUE BUREAU—Continued. — Page
Income taxes—Continued.
Internal Revenue Code; years prior to December 31, 1941:
General provisions:
Computation of net income:
Bad debts 6057
Bonds and similar obligations, worthless 6057
Deficiency, uncollectible, upon sale of mortgage or pledged property 6057
Inventories under elective method; last-in first-out inventory 4573
Involuntary liquidation and replacement 4573
Supplemental provisions:
Computation of net income:
Basis adjustment as result of cancellation of indebtedness; applicability to former acts 5110
Railroad reorganizations, nonrecognition of loss made retroactive 4322
Overpayments:
Limitations upon crediting and refunding of taxes paid 4573
Applicability to former Acts (1924 to 1938) 4573
Refunds and credits:
Bad debts, statute of limitations on; retroactivity, effective dates 4321, 4572
Relief from double payments in 1943. *See* Double payments.
Revenue Act of 1938:
Overpayments:
Limitations upon crediting and refunding of taxes paid 4322
Refunds and credits; retroactivity of statute of limitations on bad debts and worthless securities 4321
Playing cards, shipment to possessions of United States for use of armed forces, tax free 3480
Renegotiation of war contracts, tax effect; statement of policy of Bureau incorporated in regulations of War Contracts Price Adjustment Board 4157
Tax returns, inspection of, by:
Select Committee to Investigate the Federal Communications Commission, House of Representatives (Executive Order 9448) 6387
Regulations 6395

INTERNAL REVENUE BUREAU—Continued. Page
Tax returns, inspection of, by—Continued.
Special Committee on Un-American Activities, House of Representatives (Executive Order 9444) 5759
Regulations 5769

INTERNATIONAL FISHERIES COMMISSION:
Pacific halibut fisheries; regulations 3656

INTERSTATE COMMERCE COMMISSION:
Car service:
Barley, malting. *See* Grain.
Corn. *See* Grain.
Follow-lot and two-for-one rules; exemption on bulk freight in open top cars transshipped from ocean vessels 7206
Fruits and vegetables:
Bananas, transported between foreign countries; special and general permits 4543, 4989
Cars held for reconsignment, diversion or orders:
In designated States 5316
General permits 5351, 6572, 6894, 7211
Special and general permits 3519, 3520, 3598, 3662, 3812, 3813, 3814, 3816, 3817, 3869, 3870, 3919, 3955, 4112, 4250, 4306, 4307, 4308, 4358, 4407, 4408, 4443, 4444, 4445, 4483, 4484, 4508, 4617, 4618, 4619, 4654, 4989, 4992, 5014, 5180, 5275, 5276, 5349, 5448, 5449, 5490, 5491, 5611, 5932, 5933, 6001, 6244, 6372, 6373, 6461–6463, 6571, 6572, 6592, 6782, 6892, 6893, 6920, 6921, 6956, 7207–7209.
Tariffs, suspension of certain. *See* Tariffs.
Icing provisions. *See* Refrigerator cars: icing provisions, *below*.
Onions, dry, transportation by railroad or motor vehicle from or within certain States 4651
Potatoes:
Low grade; use of refrigerator cars and boxcars for transport from listed States, prohibited 4033
Orders vacated 4033, 5960
Special and general permits 3521, 3599, 3600, 3663, 3716, 3816, 3871, 4113, 4251, 4307, 4446, 4618, 4620, 4655, 5015.
Transportation of by railroad freight cars and refrigerator cars 4988

INTERSTATE COMMERCE COMMISSION—Continued. Page
Car service—Continued.
Grain and seed shipments:
Acceptance, restrictions; shipments covered by order notify or straight-advise bills of lading 3598, 3716, 4728
Canadian malting barley, shipments from Duluth, Minn 3815, 3870, 4408, 4952, 5350
Corn, transportation in designated areas 5442, 5605
Movement of; agent appointed, Cincinnati, Ohio 4988
Meat shipments, bill of lading requirements; change in effective date 3594, 4442
Refrigerator cars:
Bunker icing, initial, at designated California points 4613, 5698
Demurrage charge 3747, 4442
Intraterminal 3748, 4728
Icing provisions:
Cabbage 6363
Citrus fruits; special and general permits 3520, 3598, 3662, 3919, 4308, 4357, 4358, 4408, 4445, 4484, 4617, 4619, 4620, 4655, 4729, 4730, 4827, 4828, 4989, 4990, 4992, 4993, 5015, 5180, 5276, 5350, 5449, 5491, 5492, 5611.
Fruits and vegetables in designated States 5928, 6591
Potatoes 4402, 5960
Permits 4484, 4508, 4620, 4655, 4730, 4828, 4953, 4991, 4993, 5180, 5276, 5351, 5449, 5450, 5492, 5612, 5698, 5699, 5932, 5933, 6001, 6002, 6003, 6245, 6246, 6374, 6375, 6463, 6464, 6572, 6593, 6594, 6782, 6783, 6893, 6894, 6922–6924, 7209–7211.
Substitution of, for box cars at designated Texas points 5316
Use of for transportation of various commodities:
Canned goods 4442
Commodities and containers, certain, use prohibited; special and general permits 3520, 3598, 3599, 3662, 3815, 3816, 3817, 3870, 3871, 3919, 3920, 3955, 3956, 4112, 4250, 4308, 4484, 4508, 4991, 5350, 5351, 5698, 6245, 6265, 6921.
Potatoes. *See* Fruits and vegetables, *above*.
RS, etc., type 4480, 5078
Special and general permits 4508, 4655, 4953, 4992, 4993, 5015, 5080.
Unloading orders. *See* Unloading.

INTERSTATE COMMERCE COMMISSION—Continued. Page
Carriers by motor vehicle. *See* Motor carriers.
Coal, unloading. *See* Unloading.
Explosives, transportation of:
Carriers by rail freight 3713
Common, contract, or private carriers by public highway 3714, 4904
List, amended 3712
Shippers regulations 3712
Container specifications 3713, 4904
Supplement No. 1 6363
Military, naval, and merchant marine personnel, invalid, and their attendants, transportation priority for 7088
Agents appointed to direct cancelations, etc 7089
Motor carriers:
Determination of commercial zones and terminal areas; notice of investigation 3920
Emergency substitution of rail for truck service 5077
Surety bonds and insurance; qualifications of companies 4480
Priority transportation for invalid military personnel. *See* Military, naval, etc., personnel.
Routing of traffic:
Freight cars, rerouting of empty and loaded:
Baltimore and Ohio Railroad 5078
Reading Co 5078
Western Railway Co 5078
Freight traffic:
Rerouting because of high water and floods:
Alabama, Tennessee, & Northern Railroad Corp 3663, 3920
Canton and Carthage Railroad Co 4483, 5277
Illinois Central Railroad Co 5611
Illinois Terminal Railroad Co 4543
New York Central Railroad Co 4251, 5080
Ohio, Missouri and Mississippi River valleys 4613, 5175
Routing from Monroe and West Monroe, La. to destinations east of Mississippi River; restrictions suspended 3861
Securities, railroad, authority to sell without competitive bidding 7205
Tariffs, suspension of, permitting shipments to Potomac Yards, Va., for diversion, reconsignment, etc.; railroads listed 6372
Uniform system of accounts:
Common and contract carriers; inventories of materials and supplies, requirements waived:
Passenger carriers 6833
Property carriers 6834

INTERSTATE COMMERCE COMMISSION—Continued. Page
Uniform system of accounts—Continued.
Water carriers; inventories of materials and supplies, requirements waived 4988
Unloading, at certain points:
Coal:
Massachusetts, Charlestown 4729
New Jersey:
Jersey City 3717, 4759
Juaniata Scales 3600
Port Reading 3600
South Amboy 3600
New York:
Brooklyn 3600
Oak Point 3663, 4729
Patchogue, Riverhead and Bayport, L. I. 5180
Van Nest 3521, 3600
Pennsylvania:
Clearfield 3663, 3920, 4729
Harrisburg 3871, 4729
Coke; Corona Station, Long Island, N. Y. 7175
Cotton; Alexandria, La. 6591
Furnace slag; Memphis, Tenn 4251, 4618
Honey; Laredo, Texas 6783
Scrap tin cans; Chicago, Ill 3717
Water carriers:
Inventories of materials and supplies. *See* Uniform system of accounts.
Oil field equipment, marshlands, La.-Tex 5316

J

JENKINS BROTHERS, INC., Bridgeport, Conn., possession of plants and facilities by the Secretary of the Navy (Executive Order 9435) 4063
JOINT ACTION PLANS, for coordination of motor vehicle services. *See* Defense Transportation.
JOINT CONTRACT TERMINATION BOARD:
Surplus War Property Administration, delegation of authority to, with respect to price policies in disposal of supplies, equipment, etc. 5192
Termination of Government fixed price supply contracts, fixed price orders, or subcontracts:
Government organizations for settlement of claims for manufacture of supplies under Government war contracts; statements of policy 6135, 6483
Government organizations for settlement of contracts, and review of settlement; statements of policy 5193
Price policies in disposal of supplies, equipment, etc.; delegation of authority to Surplus War Property Administration 5192
Uniform termination article; policy determinations 5192

JUDICIAL ADMINISTRATION (TITLE 28): Page
Justice Department:
Foreign Agents Registration Act, administration (Part 5) 5035, 5715
JUSTICE DEPARTMENT:
Foreign Agents Registration Act, administration 5035
Forms; revision 5715

K

KEN-RAD TUBE AND LAMP CORP., and Ken-Rad Transmitting Tube Corp., Owensboro, Ky.; possession of plants and facilities by Secretary of War (Executive Order 9436) 4063

L

LABOR (TITLE 29):
Agricultural labor:
Regulations relative to salaries and wages (Part 1100) 6011
Salaries and wages of agricultural labor in various States:
California (Part 1102) 3681, 4170, 4333, 4574, 4805, 4976, 5471, 6396, 7047, 7256.
Delaware (Part 1109) 6700
Idaho (Part 1108) 6585
Oregon (Part 1110) 6701
Children's Bureau:
Acceptance of State certificates (Part 402) 7256
Fair Employment Practice Committee:
Interpretation of Executive Order 9346 (Part 1202) 7126
National War Labor Board:
General orders (Part 803) 4639, 4805, 5769, 6395, 6396
Rules of organization (Part 801) 6851
Rules of procedure (Part 802) 4332, 4681, 4860, 6851, 6852
Office of the Secretary:
Overtime, Sunday, and holiday pay, determinations relating to (Part 4) 4129, 4503
Wage and Hour Division:
Employment of handicapped persons pursuant to section 14 of the Fair Labor Standards Act of 1938 (Part 524) 3629
Employment of learners (Part 522) 4330, 7125
Industrial homework; needlework industries in Puerto Rico (Part 545) 4860
Minimum wage rates, various industries:
Communication, utilities and miscellaneous transportation (Part 652) 6940
Finance, insurance, real estate, motion picture, miscellaneous industries (Part 651) 6939
Fruit and vegetable packing and farm products assembling (Part 645) 4503

LABOR (TITLE 29)—Continued. Page
War Manpower Commission:
Employment stabilization programs (Part 907) 5400
Temporary migration of workers in Western Hemisphere for employment in United States in essential agricultural products industries (Part 910) 6803
LABOR DEPARTMENT:
See Children's Bureau.
Public Contracts Division.
Wage and Hour Division.
Office of the Secretary:
Contracts in prosecution of war effort, findings:
Barker-Fowler Co 4249
Deep Rock Oil Co 3865
Detroit and Cleveland Navigation Co 3980
East Lansing Electric Co 4249
Hayes, F. D., Electric Co 4249
Hub City Jobbing Co 3748
Reed Tyler Electric Co 4249
Union Street Railway 6120
Overtime, Sunday, and holiday pay determinations:
Building and construction trades; premium compensation 4129
Fish processing industry 4503
LANDS, transfer, withdrawal, etc. *See* Forest Service; General Land Office.
LEASES, OIL AND GAS, rights owned by United States. *See* Agriculture Department; General Land Office.
LICENSES, export. *See* Foreign Economic Administration.

M

MARINE CORPS. *See* Navy Department.
MARITIME COMMISSION, UNITED STATES:
Admission to practice before the Commission; classes of persons 5738
Preference ratings, assignment of; delegation of authority by War Production Board 5113
Property, surplus; disposal of. *See* Surplus War Property Administration.
Renegotiation of contracts. *See* War Contracts Price Adjustment Board.
Termination of war contracts, fixed price orders or subcontracts. *See* Joint Contract Termination Board; Surplus War Property Administration.
MARITIME DAY. *See* National Maritime Day.
MARITIME WAR EMERGENCY BOARD:
Bonus, voyage, area, and port attack; payment to crew members of merchant marine 3521
MERCHANT MARINE COUNCIL. *See* Coast Guard.

METALS RESERVE COMPANY: Page
Property, surplus, disposal of. *See* Surplus War Property Administration.
Termination of war contracts, fixed price orders or subcontracts. *See* Joint Contract Termination Board; Surplus War Property Administration.

MILITARY ACADEMY. *See* War Department.

MILITARY PERSONNEL, INVALID, transportation priority for. *See* Interstate Commerce Commission.

MINERAL RESOURCES (TITLE 30):
Geological Survey:
Operating and safety regulations governing mining of coal in Alaska (Part 216) 6853
Solid Fuels Administration for War:
Administrative; general (Part 601) 5334
General orders and directives (Part 602) 3481, 3486, 3487, 3543, 4003, 4005, 4380, 4419, 4575, 5367, 5947, 6252, 6940, 6941, 6942.

MINES BUREAU:
Explosives:
Control in time of war or national emergency:
Definitions 4130, 4384
Ingredients in small quantities, exception 4130
Licenses:
Copies 4384
Reissuance 4384
Revocations, etc.:
Gribble, Richard 4787
Hardin, G. H., and Co. 6649
Mounts, Boyd 4615
Newton and Hill Explosives Corp 4248
Sodium nitrate and ammonium nitrate as fertilizer, and sodium chlorate as weed eradicator; general license to purchasers 3489
Mine safety inspections of mining operations on public domain and Indian lands, etc., by Bureau of Mines 3748

MONEY AND FINANCE; TREASURY (TITLE 31):
Fiscal Service:
Accounts Bureau:
Checks of United States, issuance of duplicates (Part 204) 4682
Surety companies (Part 226) 6806
Public Debt Bureau:
United States bonds and notes, regulations (Part 306) 4575
United States Savings Bonds:
Offering of, Series F and G (Part 318) 6332
Regulations (Part 315) 4787, 6331

MONEY AND FINANCE: TREASURY (TITLE 31)—Continued. Page
Monetary Offices:
Foreign funds control (Part 131):
General Licenses; No. 32A 3489, 5975
Public Circulars (Appendix B):
No. 7B 4384
No. 14 4462
Hawaii:
Foreign funds control (Part 132) 3892, 3893, 3894
Regulations of the Governor (Part 133) 3894, 3895, 4283
Values of foreign moneys (Part 129) 4075

MONTGOMERY WARD AND COMPANY; possession and operation of plants and facilities:
By Secretary of Commerce (Executive Order 9438) 4459
Termination of possession 4989
Hummer Manufacturing Division, by Secretary of War (Executive Order 9443) 5395

MOTHER'S DAY, 1944; proclamation 4499

MOTOR CARRIERS, operations, etc. *See* Defense Transportation; Interstate Commerce Commission.

MOTOR VEHICLES, equipment, operations, etc. *See* Defense Transportation.

N

NARCOTICS BUREAU:
Narcotic drugs conservation; opium and coca leaves, purchases and sales of derivatives 3929

NATIONAL DEFENSE (TITLE 32):
See Defense Supplies Corporation.
Economic Stabilization, Office of.
Foreign Economic Administration.
Mines Bureau.
Petroleum Administration for War.
Price Administration, Office of.
Selective Service System.
Smaller War Plants Corporation.
War Communications Board.
War Production Board.

NATIONAL FARM-SAFETY WEEK, 1944, proclamation 6799

NATIONAL FORESTS, lands withdrawn, etc. *See* Forest Service; General Land Office.

NATIONAL HOUSING AGENCY:
Housing construction, delegation of authority by War Production Board 3547, 5595, 5638
Private war housing; total monthly payments, limitation on 4680

NATIONAL HOUSING AGENCY—Continued. Page
Property, surplus, of War Department, Navy Department and Maritime Commission; designation as disposal agency. *See* Surplus War Property Administration.

NATIONAL MARITIME DAY, 1944; proclamation 4499

NATIONAL PARK SERVICE:
Lands in Cheraw Recreational Demonstration Project, South Carolina, transferred to Fish and Wildlife Service 5489
National Park Trust Board; rules 6240
National parks:
Isle Royale National Park, Mich.; assumption of jurisdiction 6367
Mammoth Cave National Park; fishing regulations 6916
Olympic National Park:
Fishing regulations 6915
Speed limits, special 6916
Pine Mountain Recreational Demonstration Area; fishing regulations 6916
Yellowstone National Park:
Admission tax 4903
Fishing; open season, special areas 4904
Pack trains and saddle horse parties 6649
Yosemite National Park; fishing regulations 6915

NATIONAL WAR LABOR BOARD:
Rules of procedure:
Dispute cases:
Acceptance of cases; decision of New Case Committee 4332
Cases not involving wages or salaries; procedure 4860
Interpretation and clarification of directives and rulings 4333
Petitions for review 4332
Reconsideration of directives and rulings 4333
Regional War Labor Boards, authority 4860
Stay of order or ruling 4332
Joint Committees, functions of 6851
Regional boards, constitution 6852
Violation proceedings 4681
Tripartite committees, appointment of members 6851
Wage and salary adjustments:
Exemption of certain employers:
Exceptions to 4805, 5769, 6395
Hawaii 6395, 6396
Federal Security Agency employees, procedure for adjusting rates of pay 4639
Hawaii, prior approval of Board required 6396

NAVAL RADIO STATION, Summit, Canal Zone; reservation for (Executive Order 9434) 3829

NAVIGATION AND NAVIGABLE WATERS (TITLE 33): Page
Coast Guard:
Air raid and blackout regulations for vessels, harbors, ports, and waterfront facilities (Part 10) 7083
Control, documentation and security intelligence interrogation of seamen in the United States 7270
Pilot rules for inland waters (Part 312) 3515, 3593, 4542
Security of ports and control of vessels in navigable waters of United States (Part 6) 4397
Engineers Corps, War Department:
Bridge regulations (Part 203) 4076, 4727, 4728, 5014
Navigation regulations (Part 207) 4398

NAVIGATION REGULATIONS. *See* Coast Guard; War Department: Engineers Corps.

NAVY (TITLE 34):
Navy Department:
Claims (Part 14) 4480
General regulations affecting the public (Part 1) 3860, 3953, 7204
Renegotiation of contracts; regulations by War Contracts Price Adjustment Board 4159, 6198
United States Marine Corps (Part 7) 3859

NAVY DEPARTMENT:
See Coast Guard.
Advertising, commercial; photographs of naval subjects 3860, 3953
Claims; reimbursement of Marine Corps personnel for loss, damage, or destruction of private personal property 4480
Clothing allowance for enlisted personnel of Navy, Coast Guard, and Reserves (Executive Order 9447) 6293
Colonial National Historical Park, Va.; order of acting Secretary of Interior transferring jurisdiction from Interior Department 4905
Construction, priority orders for controlled materials. *See* War Production Board.
Foreign service pay adjustment, on account of appreciation of foreign currencies (Executive Order 9449) 6667
Marine Corps, United States:
Claims by personnel; authorization to consider, adjust, etc. 4480
Promotion, separation 3859
Possession of plants, facilities, etc.; Jenkins Brothers, Inc., Bridgeport, Conn. (Executive Order 9435) 4063
Property, surplus; disposal of. *See* Surplus War Property Administration.
Renegotiation of contracts. *See* War Contracts Price Adjustment Board.

NAVY DEPARTMENT—Con. Page
Security control of personnel on merchant vessels in United States waters 7204
Termination of war contracts, fixed price orders or subcontracts. *See* Joint Contract Termination Board; Surplus War Property Administration.
Tires and tubes sold to Navy Department; exemption from taxes 5998

NURSE CORPS, U. S. CADET. *See* Public Health Service.

NURSES, STUDENT, transferred to Federal hospitals; uniform monthly rate of pay (Executive Order 9439) 4839

O

OIL LEASES. *See* Leases.

OPTICAL MANUFACTURERS GROUP. *See* Smaller War Plants Corporation.

P

PACKERS AND STOCKYARDS ACT. *See* War Food Administration.

PANAMA CANAL (TITLE 35):
Canal Zone regulations:
Photographing (Part 28) 5441, 6590

PANAMA CANAL ZONE:
Naval Radio Station, Summit, Canal Zone; reservation for (Executive Order 9434) 3829
Photographing; areas where possession of cameras prohibited 5441, 6590

PARKS AND FORESTS (TITLE 36):
Forest Service:
Nantahala National Forest, N. C., transfer of lands from Tennessee Valley Authority 6263
Timber (Part 221) 4248, 5442
Trespass (Part 261) 4542
National Park Service:
General rules and regulations (Part 2) 4903, 6649, 6915
National Park Trust Fund Board; rules and regulations governing procedure and business (Part 31) 6240
Special regulations (Part 20) 4903, 6915, 6916

PATENT OFFICE:
Government interest in patents, register of 4159

PATENTS AND COPYRIGHTS (TITLE 37):
Patent Office, Department of Commerce:
Register of Government interest in patents (Part 2) 4159

PENSIONS, BONUSES, AND VETERANS' RELIEF (TITLE 38): Page
Veterans' Administration:
Adjudication:
Dependents' claims (Part 5) 4399, 5737, 5831
Disallowance and awards (Part 3) 3593

PENSIONS, BONUSES, AND VETERANS' RELIEF (TITLE 38)—Continued. Page
Veterans' Administration—Con.
Adjudication—Continued.
Veterans' claims (Part 2) 4245
Veterans' claims, Central Office section (Part 4) 3593, 6113
Finance (Part 17) 7085
Insurance (Part 10) 5738
Veterans' regulations (Part 35) 3910

PETROLEUM ADMINISTRATION FOR WAR:
Foreign Operations Committee; supply and import allocation schedules 5830, 5883
Inland waterway equipment, use of in Great Lakes–New York areas; appointment of Joint Great Lakes–New York State Barge Canal Subcommittee for Districts One and Two 6112, 6114
Marketing:
Fuel oil 5346, 7203
Material conservation 3858
Motor fuel 5346, 6952
Naphtha, quarterly quota 3859
Petroleum industry; materials distribution program No. 2 6111
Processing and refining:
Fuel oil 5346, 7203
Motor fuel 5346, 6952
Production operations:
Aviation grade petroleum 6263
Oil and gas wells, abandonment 7020
Well-drilling, in various areas; use of materials:
California 6031
Illinois Basin 4303
Texas 4651
Supply:
Foreign petroleum operations; supply and import allocation schedules 5830, 5883
Inventory restrictions 4304
Program for effective utilization of supplies, facilities and transportation; Districts, 1, 2, 3 4897, 4923

PLAYING CARDS, tax free shipment to U. S. possessions, for use of armed forces 3480

PRICE ADMINISTRATION, OFFICE OF:
Administration and procedure:
Authority delegations:
Hearing Administrator, Hearing Commissioners, etc.; suspension order hearings 4911
Regional Administrators, District Directors, etc.:
See also specific commodities under Price regulations.
Adjustments; applications, issuance, and determinations regarding various commodities 5826
Issue subpoenas and inspection requirements in rent and price investigations 5191

PRICE ADMINISTRATION, OFFICE OF—Continued.
Administration and procedure—Continued.
Authority delegations—Con.
Secretary of OPA; authenticate copies of records, documents, etc. 4789
Disclosure of information from official files, etc. 3820
Exemption from price control of certain commodities and services 5374
Household accessories 5374
Lost, abandoned, etc., commodities sold at auction by:
Customs Bureau 5156
District of Columbia 7008
General maximum price regulation 5169, 6106
Exceptions for certain services, reissued regulations 4775
See also specific services under Price regulations.
Exceptions of commodity transactions from; reissued regulations 3581, 4391
See also specific commodities under Price regulations.
Maximum prices for commodities and services which cannot be priced under § 1499.2 5169
Forms for reporting 5171
Information from processors and packers of certain processed foods, order requiring 4121
Licensing of sales of second-hand machines, machine tools, and parts; registration of dealers 3852
Maximum price regulations; revised procedure for issuance, adjustment, protest, interpretation and amendment 5724, 5791
Rationing. *See* Rationing, *main heading.*
Records, files, documents, etc., authentication of; authority of Secretary of OPA 4789
Regional Offices I and II, assumption of functions of Boston and New York City District Offices 3821
Surplus commodities, sales by United States Government or agencies 4879
Tax, Federal excise, on jewelry, fur articles, toilet preparations, and leather goods; collection by retailers 3506, 4607
United States Government or its agencies:
Contracts and subcontracts, adjustment procedure for commodities and services under 6256
Surplus commodities, sales of 4879

PRICE ADMINISTRATION, OFFICE OF—Continued.
Defense-rental areas, rent control in:
Designations of defense-rental areas, various States 4540, 4541
Reissued 5820, 5823
Amendments affecting localities in:
Michigan 5915
New Jersey 5915
Hotels and rooming houses; regulations 5002, 5828, 6569
Amendments affecting localities in:
Arkansas 4194
California 5806
Florida 5806
Georgia 5806
Illinois 4541, 5915
Iowa 5806
Kansas 5806
Kentucky 5806
Maryland 5806
Michigan 4541, 5915
Nebraska 5806
Nevada 4541
New Jersey 5806, 5915
North Carolina 4541, 5806
Pennsylvania 5806
Tennessee 5806
Texas 5806
Utah 4541
Wyoming 4541
Special areas:
Florida; Miami area 5003
New York City 5003
Housing; regulations 4028, 4541
Reissued regulations 5807, 6359, 6569
Amendments affecting localities in:
Illinois 5915
Michigan 5915
New Jersey 5915, 6819
Special areas:
Florida; Miami area 4028, 6360, 7168
New Jersey; Atlantic County area 6819
New York City area 4028, 6360
Price regulations; commodities and services:
Abalone, canned. *See* Processed foods.
Adhesives, white rye flour; for corrugated paper board 5696
Agricultural commodities:
See also names of specific types.
Services in connection with raising and preparation for market, rates 7020
Transportation by other than common carrier; demurrage charges in California 6975
Alaska:
Alcoholic beverages 5485
Canned beef, pork and poultry products 4199
Commodities not actually produced or manufactured in 3710
Eye glasses and spectacles sold in 4392

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Alaska—Continued.
Macaroni and noodle products 4029, 4245, 4985
Milk 5168
Alaska fur seal skins and fox pelts. *See* Leather.
Alcohol:
Ethyl 4198, 4883
Laboratory reagent specialty solutions containing 4195
Sales to Defense Supplies Corporation 4883
West Coast 4198
Menthol, natural; purchases before importation 4163, 5357
Alcoholic beverages. *See* Liquors.
Alfalfa hay 7199
Products (meal, etc.) 3745
Meal; Nevada 4044
Seed. *See* Seeds.
Almonds. *See* Nuts.
Aluminum scrap and secondary ingot 4089, 5587
Ammonia, bottled; Seattle, Wash 4415
Animal feed. *See* Feedingstuffs.
Anti-freeze; reissued regulations 5909
Apparel:
Butchers' frocks sold by Defense Supplies Corporation, the American Meat Institute, and meat packers 4506
Fall and winter outerwear; manufacturers' prices 6024
Footwear. *See* Footwear.
Fur garments; Federal excise tax on, collection by retailers 3506, 4607
Gloves, staple work; revised regulations 5004, 6239
Hosiery. *See* Hosiery.
In territories and possessions. *See* Hawaii; Virgin Islands.
Knit underwear, fall and winter; manufacturers' prices 5174
Uniforms:
Military uniforms, alteration and repair services; San Diego area 4878
Sailor, ready-made; sales in certain Washington counties 6611
Women's, girls', children's and toddlers' outerwear garments; adjustments, authority of Regional Administrators 5826
Artificial flowers, foods, etc. 5374
Artists' supplies 4038, 6888
Asbestos-cement. *See* Building materials.
Ash removal services 4747, 4778
Asphalt tile. *See* Building materials.

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Auction sales; exemption of lost, abandoned, etc., commodities sold at:
By Customs Bureau 5156
By District of Columbia 7008
Automobiles and parts. *See* Motor vehicles.
In Hawaii. *See* Hawaii.
Bagasse 6648
Bakery products:
Bread, rolls, crumbs, cracker meal 4896, 5489, 6107
Bread, in Unio County, S. C. 5748
Cakes, pastries, pies, etc., revised regulations 3705, 4224, 4882
Bananas. *See* Fruits.
Barbed wire concertinas; sales to Government agencies, exception 3587
Barium chemicals. *See* Chemicals.
Barley 4133, 5695
Flour. *See* Flour.
Barrels. *See* Containers.
Baskets. *See* Containers.
Batteries, dry; military salvage and scrap 6832
Bearings and bushings. *See* Machinery.
Beds and bedding 5375
Bedsprings, new coil and flat 3942
Cots, new metal 3996
Dog and cat 5374
Double deck 3996
Upholstered sofa beds, studio couches, etc. 4262
Bee feeders 5374
Beer. *See* Liquors.
Berries. *See* Fruits.
Bluing and ammonia; Seattle, Wash 4415
Boilers. *See* Building materials.
Bottling of soft drinks. *See* Soft drinks.
Boxes. *See* Containers.
Bread. *See* Bakery products.
Brick. *See* Building materials.
Broom corn. *See* Corn.
Brooms:
For industrial use 4038, 6888
Imported from Mexico 6130
Brushes for industrial use 4038, 6888
Buckwheat flour. *See* Flour.
Building materials and services:
Asbestos-cement 4985
Boilers and radiation:
Cast-iron 3709
Corrosion inhibiter services 5441
Brick, building 3858
Common:
Hudson River 5354, 6478
Region VIII; California, Los Angeles County 4630
Shale and clay produced in Ohio 4265
Cement 4089

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Building materials and services—Continued.
Clay products. *See* Ceramic, etc., products.
Concrete and concrete products 4397, 5384
Blocks:
Indiana 4311
Produced in Southern Florida 6837
Ready-mixed concrete 6477
Produced in Southern Florida 6837
Truck-mixed concrete; Los Angeles County, Calif. 6975, 7115, 7181
Furnaces, warm air, and repair parts 7022
Gysum:
Crude 4506
Wall board, lath and sheathing 5706
Limestone, Miami Oolite, and aggregates 6837
Locks and lock sets 3590
Plumbing fixture trim, victory type; Region VIII 6046
Putty 5355, 5388
Refractory products. *See* Ceramic, etc., products.
Rock, sand, gravel; Los Angeles County, Calif. 6975, 7115, 7181
Services:
Plumbing and heating:
St. Cloud, Minn., area 5361
Westfield, Mass., area 5020
Roofing, sales on installed or applied basis; Tennessee 4630
Siding products, insulated brick or stone 4371
Stone products, cast 4397, 5384
Tile:
Asphalt 4089
Drain; common brick and concrete, Region VIII 3825
Valves. *See* Valves.
Bulletin boards 4038, 6888
Butcher chopping blocks and tops. *See* Lumber: hardwood.
Butchers' frocks. *See* Apparel.
Butter. *See* Dairy products.
Cable. *See* Wire.
Caffeine, anhydrous. *See* Chemicals.
Cake mixes. *See* Food and food products.
Cakes. *See* Bakery products.
Calfskin. *See* Leather.
Camelback. *See* Tires.
Canned food. *See* Processed food.
Cans. *See* Containers.
Canteen cups and meat cans. *See* Military supplies.
Carbolate or sodium phenolate. *See* Chemicals.
Carburated water gas by-products. *See* Chemicals.

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Carrier services:
By common carriers, rates:
Exceptions 4441, 5722
Notice of increases; reissued regulations 5645
By other than common carriers:
Adjustments 3858
Agricultural demurrage charges in California 6975
Pick-up and delivery service; Spokane, Wash. 3824
Property carriers; tank trucks or those performing pick-up and delivery service for line haul carriers 4100
Leasing of trucks between carriers pursuant to certain ODT directions 4030, 4475
Transportation of commodities. *See under specific commodities.*
Tugboats and towboats, charter of 4101
Castings:
Iron and steel. *See* Iron and steel.
Nonferrous 3856, 5590
Cats; beds and other accessories for 5374
Cedar tow; Region VIII 6383
Washington 4277
Cedarleaf, oil of. *See* Chemicals.
Ceiling prices:
Food. *See* Community ceiling prices; Fish and seafood; Food and food products; Meat and meat products.
Used consumer durable goods. *See* Consumer durable goods.
Cement. *See* Building materials.
Ceramic, structural clay, etc., products:
Brick, building. *See* Building materials.
Clay:
Crude and processed plastic and flint fire 7179
Pigeons 4392
Silo staves 4038, 6888, 7179
Vitrified clay sewer pipe and allied products 4349
Extra strength pipe produced in Eastern area 4370
Resale; modification of prices 4355
Refractory products, basic:
Magnesite; hearth ramming mix 4098
Charcoal 3848, 6362, 6831
Pine wood 5344
Region VIII 5286, 5753
Cheese. *See* Dairy products.
Chemicals and drugs:
Alcohol. *See* Alcohol.
Barium chemicals 7196, 7258
Carbolate or sodium phenolate 4948

82000—44—4

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Chemicals and drugs—Con. Page
Carburated water gas by-products 4948
Cedarleaf, oil of 4197
Coal carbonization by-products 4948
Cosmetics, packaged 4225, 6830
Crude light oil 4946
Crude pyridine or crude tar bases 4948
Ethyl benzoyl acetate 6915
Fine chemicals; anhydrous caffeine 3648
Laboratory reagent specialty solutions 4195
Lemon, oil of 6710
Menthol. *See* Alcohol.
Packaged drugs 6257
Private formula drug and cosmetic products 6257
Spruce, oil of 4197
Sulfuric acid sold on long term contracts 6362
Tar acid oil or carbolic oil 4948
Chopping blocks, butcher. *See* Lumber: hardwood.
Chrome ores 3857
Cigars. *See* Tobacco.
Citrus fruit. *See* Fruits; Processed foods.
Clams. *See* Fish and seafood.
Clay products. *See* Ceramic, etc., products.
Cleansers. *See* Soaps.
Clocks and watches:
Federal excise tax on, collection by retailers 3506, 4607
Watches, imported Swiss 7261
Closures for containers. *See* Containers.
Cloths, wiping. *See* Wiping cloths.
Coal. *See* Fuels, solid.
Carbonization by-products. *See* Chemicals.
Coffee, green 7261
Combs, for personal use 4038, 6888
Commodities:
Agricultural. *See* Agricultural commodities.
Excepted from general maximum price regulation. *See under* Administration.
Lost, abandoned, etc.; sold at auction. *See* Auction sales.
Surplus; sales by United States Government or its agencies 4879
Common carriers. *See* Carrier services.
Community ceiling prices, list of orders filed 3533, 3618, 3674, 3675, 3756, 3886, 3887, 4044, 4124, 4266, 4277, 4279, 4314, 4315, 4372, 4373, 4516, 4517, 4558, 4790, 4915, 4916, 4964, 5280, 5281, 5325, 5358, 5465, 5496, 5753, 5872, 5874, 5974, 6130, 6134, 6288, 6479, 6482, 6612, 6845, 6847, 6903, 6934, 6973, 7033, 7115, 7180, 7181, 7283.

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Concertinas, barbed wire. *See* Barbed wire concertinas.
Concrete. *See* Building materials.
Concrete reinforcing bars. *See* Iron and steel.
Construction:
Machinery. *See* Machinery.
Materials. *See* Building materials.
Consumer durable goods, used 4020
Containers:
Barrels, servicing of. *See* Services, *below*.
Baskets, wire, for commercial use 4038, 6888
Closures, embossed wood top cork 4038, 6888
Glass:
Bottles and containers 6661
Wide mouth 4197, 6647
Paper or paperboard. *See* Paper.
Services; used wooden barrels 6263
Tin cans, packers' 4982
Wooden:
Boxes, industrial 5435
Wirebound 6915
Cooperage:
Slack cooperage and stock 3512, 4965
Used tight 4687
Crates and boxes for fruits and vegetables; Denver, Colo 5284, 6006
Cooking and heating equipment:
Gas ranges, used domestic 4017
Kitchen utensils, commercial 4038, 6888
Repair services; rates 6818
Stoves, used domestic cooking and space heating 4020
Copper scrap and alloy scrap 4394, 5374
Cordwood. *See* Firewood; Lumber.
Cork closures. *See* Containers.
Corn 4610, 6628
Broom corn 7169
Meal, flour, grits, hominy, etc 4224, 5827, 6109
See also Flour; Food and food products.
Oil. *See* Fats and oils.
Popcorn 4612
Products for animal consumption. *See* Feedingstuffs.
Starch and dextrine products 5972
Wet corn milling products (starch, dextrine, syrup, sugar) 5959
Corrosion inhibiter services for boilers. *See* Building materials.
Cosmetics, packaged. *See* Chemicals.
Cotton goods. *See* Textiles.

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Cotton rug materials. *See* Rugs.
Cottonseed:
Flour. *See* Flour.
Hauling services; Texas and New Mexico 4269
Oil. *See* Fats and oils.
Oil meal, hulls, etc. *See* Oilseed meal.
Cracker meal. *See* Bakery products.
Crackers in Puerto Rico. *See* Puerto Rico.
Crude pyridine or crude tar bases. *See* Chemicals.
Cucumbers. *See* Fruits.
Custom milling of Western softwoods. *See* Lumber.
Customs Bureau, commodities sold at auction by. *See* Auction sales.
Customs house brokers; fees and charges 5314
Dairy products:
See also Food and food products.
Butter, cheese, evaporated milk and other listed products:
Regional office orders; butter:
Michigan 4963
Ohio 4959
Regulations 3649, 3947, 4440
Revised 5140, 5427, 5429, 5588, 5917, 5919, 5921, 6105
Cheese:
Blue and Gorgonzola 5921
Colby, curd, and skim milk 5430
Limburger, Brick and Munster 5427
Monterey and High Moisture Jack 5919
Provolone, Parmesan, etc 5917
Condensed milk products 6105
Evaporated milk 5588
Ceiling prices. *See* Food.
Ice cream mix 5586
In territories and possessions. *See* Alaska; Hawaii; Puerto Rico; Virgin Islands.
Malted milk 4027, 6520
Milk and cream, fluid:
Purchases from producers for resale as:
Regional office orders:
California 6795
Connecticut 5019
Idaho 4043
Illinois 4270, 4272, 5749, 6005, 6788, 6789, 6904
Iowa 5025
Kentucky 4627, 4628, 5360
Maine 5191, 5192
Massachusetts 3877, 5094, 5095
Michigan 4046, 5359
Minnesota 4271, 4276, 5025, 5752, 6790, 6791, 6792

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Dairy products—Continued.
Milk and cream, fluid—Con.
Purchases from producers for resale as—Continued.
Regional office orders—Continued. Page
Montana 5284
Nebraska 5024
New Hampshire 5095
Ohio 4045, 4453, 4963
Pennsylvania 4962
Rhode Island 5095
Vermont 5192
Wisconsin 4270, 4274, 5025, 5870, 6788, 6793
Wyoming 6794
Sales at wholesale and retail 3655, 4985, 5586, 6451
Atlanta regional area 4985
Maryland; Areas I and III 6451
Regional office orders:
Alabama 4453, 5708, 6284
California 3824, 5286, 5462, 6795
Colorado 5027, 6482, 7180
Delaware 3618
District of Columbia 3618
Florida 4453, 5708
Georgia 4453, 5708
Idaho 6796
Illinois 4272, 4273, 4275, 5027, 6789, 6790, 6794
Indiana 5463
Iowa 5750, 5751
Kentucky 4450, 5463
Maryland 3618, 5359
Massachusetts 3877, 5094, 5095
Michigan 5463, 6465
Minnesota 4271, 4276, 5752, 6790, 6791, 6792, 6793.
Mississippi 4453, 5283, 5708
Montana 4313, 5283
Nebraska 5026, 5749, 5751
Nevada 6612
New Hampshire 5020, 5095
New Jersey 3618
New York 3618, 6378
North Carolina 4453, 5708
Ohio 5463, 5867, 5868
Oregon 4042
Pennsylvania 3618
Rhode Island 5095
South Carolina 4453, 5708
South Dakota 5750
Tennessee 3825, 4453, 5708
Virginia 4453, 5708
Washington 3618, 3824, 3876
West Virginia 5463
Wisconsin 4270, 4273, 4274, 4275, 6793
Transportation; raw milk, Pennsylvania 3675
Dates and date products:
Ceiling prices. *See* Food.
Domestic; pitted and macerated, etc. *See* Processed foods.
Dental supplies 4038, 6888
Dipentene 6648
Distilled spirits. *See* Liquors.

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
District of Columbia, commodities sold at auction by. *See* Auction sales.
Dogs; beds and other accessories for 5374
Doors. *See* Lumber.
Drugs. *See* Chemicals and drugs.
Eggs and egg products 6458
See also Food and food products: specific.
In Hawaii. *See* Hawaii.
Elastic web and braid. *See* Rubber.
Electric light bulbs and tubes; Federal excise tax 7077
Electrical equipment. *See* Machinery.
Wire and cable. *See* Wire.
Electricity, services. *See* Public utilities.
Ethyl benzoyl acetate. *See* Chemicals.
Excelsior. *See* Wood.
Export prices 5923, 7201
Iron and steel products 5435
Sales to U. S. agencies for Lend-Lease purposes 5923
Express companies, rates. *See* Carrier services.
Eye glasses, corrective, sold in Alaska 4392
Farm equipment; manufacturers' and wholesale prices 6110, 6881
Farming services; rates 7020
Fats and oils:
In territories and possessions. *See* Hawaii; Puerto Rico; Virgin Islands.
Regulations, reissued 4200, 5314, 6232, 6434, 6452, 6817
Lard 5314, 6232, 6817
Linseed oil shortening and margarine 6434
Sunflower seed oil 6452
Feedingstuffs:
Animal product 5162
Fish meal and scraps 5312
Ground, cracked, etc., for animal consumption 5828
In territories and possessions. *See* Hawaii, Puerto Rico, Virgin Islands.
Malt grain, etc. *See* Malt.
Meal:
Alfalfa. *See* Alfalfa hay.
Oilseed meal, etc. *See* Oilseed meal.
Mixed feeds for animals and poultry 5828, 6565
Pet foods, ceiling prices. *See* Food.
Salt, animal feeding; Region VII 4313
Fence posts. *See* Wood products.
Ferro alloys:
Chrome ores. *See* Chrome ores.
Manganese ores. *See* Manganese ores.

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Fertilizer:
Mixed, superphosphate and potash 5804
Superphosphates; Searsport, Maine 4985
Field ranges. *See* Military supplies.
Firewood; regional office orders:
Colorado 5285, 6795
Georgia 6286
Idaho 5286
Montana 5284
New Hampshire 5494
New Mexico 5285
North Carolina 6284, 6285
South Carolina 5494
Tennessee 6284
Virginia 6286
Washington 4914, 6287, 6613, 6614, 6796
Fish and seafood:
Abalone, canned, imported; Region VIII 4915
Canned items sold by primary and other distributors, ceiling prices 6882
Clams 6450
Fish flakes 5924
Sardines, California 5482
Shrimp 6023
Fish livers and viscera; Alaska 6383
Fresh:
Producers' and wholesale prices 3576, 3940, 4350, 4821, 6103, 6452, 7168
Halibut 3578, 4350, 6103
Regional office orders:
Region III; transportation allowances, Greater Louisville area 4046
Region VIII:
Barracuda, halibut, bass, crab 6130
Boxed and barreled; Washington 7032
Salmon 4413
Retail ceiling prices 3511, 3512, 4540, 5163
Region VIII; barracuda, halibut, bass, crab 6381, 6611
Frozen 4182, 4650, 5163
In territories and possessions. *See* Hawaii; Puerto Rico; Virgin Islands.
Meal and scraps. *See* Feedingstuffs.
Shrimp, California; cooked in shell and fresh picked; San Francisco area 4624
Floor coverings, felt base; adjustments 5973
Flour:
From wheat, rye, buckwheat, rice, corn, oats, barley, soybeans, potatoes, cottonseed, peanuts, etc 7020, 7077

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Flour—Continued.
From wheat, semolina and farina sold by millers, blenders, primary distributors and flour jobbers 5985
Vitamin enriched concentrates used for enriching wheat flour 5996
Flour mixes:
See also Food and food products.
Pancake and waffle; general pricing provisions 6711, 6724
Food and food products:
Ceiling prices:
Community. *See* Community ceiling prices.
Retail:
Group 1 and Group 2 stores:
Poultry; Region II 4552, 5094
Regulations 3510, 3648, 4017, 4217, 4443
Reissued regulations 5671, 6829
Group 3 and Group 4 stores:
Poultry; Region II 4552, 5020
Regulations 3510, 3648, 4017, 4214, 4434
Reissued regulations 5656, 6828, 6951
Wholesale; regulations 3647, 4016
Reissued regulations 5648
General pricing provisions for Group I food products 6711
Sold for immediate consumption. *See* Restaurant prices.
Specific (fluid milk and products, eggs, poultry, canned citrus fruits and juices, cake and flour mixes, dried peas and lentils); regulations 4027, 5586
Reissued regulations 6520
Footwear:
Adjustments 6451
Authority of Regional Administrators 6045
In territories and possessions. *See* Hawaii; Puerto Rico; Virgin Islands.
Fox pelts. *See* Leather, etc.
Freight forwarders:
Foreign; fees and charges 5314
Services; rates for 5722
Fruits, berries, vegetables:
Bananas, fresh imported; sales except at retail 4016, 5803
Authority of Region I Administrator 5803
Connecticut 6613
Detroit, Mich., District 4958
Lexington, Ky., District 6004
Louisville, Ky., District 4415
PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Fruit, berries, vegetables—Con.
Bananas, fresh imported; sales except at retail—Continued.
North Georgia District Area 4041
Raleigh, N. C., District 4789
Sacramento, Calif 4414
Canned. *See* Processed foods.
Ceiling prices. *See* Food and food products.
Fresh:
For table use, sales except at retail 4030, 4086, 4088, 4434, 4779, 4786, 4787, 4877, 5926, 5959, 6104, 6108, 6420, 6711, 7259, 7269.
Apples 4787
Cabbage 6104, 6108
Carrots 5927, 7268
Citrus fruit 7269
Cucumbers 4030, 4786, 4877, 6104, 6108, 7268
Deciduous tree fruits (cherries, apricots, plums, prunes) 6420, 6711
Grapes; New York City 4495
Peppers 4786
Snap beans 4877, 6104, 6108
Strawberries 4435, 4779
Watermelons 7259
General sales and deliveries (lettuce, spinach, tomatoes, cabbage, carrots, snap beans, green peas, sweet potatoes) 4948
Regional office orders:
Region I:
Carrots and other vegetables 3758
Citrus fruit 3757, 3758
Massachusetts 3757, 4277, 4631, 4962
Freight allowances; Albany, N. Y., area 6003
Region II:
Lettuce 5282, 5463, 6005, 6377
Miscellaneous:
Albany, N. Y., District 4789, 5282
Freight allowances; certain New York counties 7031
Trenton, N. J., District 4958
Region III:
Beans, peppers, egg plant, cucumbers, spinach, carrots, peas; Detroit, Mich. 5462
Citrus fruits; Michigan 3823
Deliveries; Louisville, Ky., area 6797
Transportation; Detroit area 5358
PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Fruit, berries, vegetables—Con. Continued.
Fresh—Continued.
Regional office orders—Continued.
Region IV:
Citrus fruit packing services; Florida 5360, 6787
Lettuce; Alabama, Montgomery District 4046
Miscellaneous:
North Carolina 4669, 4790, 6798, 6844
Tennessee 4960
Sweet potatoes; North Georgia District area 4414, 5094, 6974
Region V; lettuce, New Orleans, La., District 6286
Region VI; deliveries:
Illinois 6380, 6975
Iowa; Scott County 6380
Minnesota - Wisconsin; Duluth- Superior area 6004
Region VII; sweet potatoes, Colorado and Wyoming 5391
Region VIII:
Deliveries; San Diego, Calif., District 5753
Lettuce 4630
Spokane, Wash. 6797
Transportation by other than common carrier; California 7031
Demurrage charges 6975
In territories and possessions. *See* Hawaii; Puerto Rico; Virgin Islands.
Onions 3589, 4027, 4647
Region VIII:
California 7283
Washington and Oregon 5361
Potatoes 3589, 4027, 4647, 5379, 6151
Region VIII:
California 7283
Transportation 3876, 6382
Washington and Oregon 5361
Sweet potatoes. *See* Fresh: regional office orders, *above*.
Seeds. *See* Seeds.
Fuel oil. *See* Petroleum.
Fuels, solid:
Anthracite coal:
See also Dealers' sales, *below*.
Pennsylvania anthracite 5914
Commission selling 7203
Sold to testing laboratories 3615

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Fuels, solid—Continued.
Anthracite coal—Con.
Semi-anthracite produced in Virginia. *See* Miscellaneous, *below*.
Bituminous coal:
See also Dealers' sales, *below*.
Delivered from mine or preparation plant:
Appanoose County, Iowa 4495
Commission selling 7203
Regulations 3578, 3590, 4219, 4540, 4686
Reissued 5042, 5375, 5587, 5826, 5915, 6433, 6451, 7261
Sold for direct use as fuel 5216, 6231, 6451
Dealers' sales and deliveries 3966, 4438, 5965, 6151, 6257, 6825
Areas, special; Washington area and Alexandria, Va. 3718, 4368, 6127
Regional office orders:
Region I 5862, 6607, 6608, 6783, 7023
Anthracite, Pennsylvania 3609, 4548, 5282, 6277, 6278, 6279
Bituminous coal 3609, 3611
Connecticut 3823, 4266, 6275, 6934, 7032
Maine 5456
Massachusetts 3754, 3821, 4039, 4266, 4548, 4625, 4629, 5456, 5493, 5862, 6005, 6274, 6275, 6479, 6608, 6842, 7023.
Boston metropolitan area 4310, 6274
New Hampshire 3718, 3876 4311, 4548, 5862, 6607
Vermont 3718, 3876, 4548, 6275, 6276
Region II:
Anthracite 6844
"Colonial," "Salem Hill," etc 4267, 4557, 6280
Pennsylvania anthracite 4267, 6281
Bituminous coal, emergency 5020
Coke, emergency sales 5020
Maryland 4311, 5456
Baltimore metropolitan area 4629, 5390
New Jersey 3611, 3877, 3879, 4039, 6784, 7024
New York 4267, 7026
New York City, boroughs 3614, 3617, 5456
Pennsylvania 3881, 3883, 4554, 4557, 5359, 6843
Region III:
Indiana 3529, 3530, 4449, 4627, 6968
Kentucky 3531, 4045, 4312 4313, 4960, 5866, 6971
Michigan 3874, 3875, 4628, 5868, 6282
PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Fuels, solid—Continued.
Dealers' sales and deliveries—Continued.
Regional office orders—Continued.
Region III—Con.
Ohio 3530, 3874, 3875, 4045, 4312, 4313, 4448, 4627, 4628, 4960, 5464, 5865, 6969, 6971
West Virginia 4959, 6281
Region IV 6787, 6788
Alabama 5707
Georgia 4042, 4495, 5021, 5493
North Carolina 3719, 4042, 4415
South Carolina 3719
Tennessee 3886
Virginia 5021, 5190, 5360, 6788
Region V:
Kansas 4631, 4633, 5867
Kansas - Missouri; Kansas City area 5461
Missouri 5022, 6974, 6976
St. Louis 3823, 6610, 6788
Region VI:
Illinois 6480
Illinois - Iowa; Quad Cities area 3618, 6482
Iowa 6480
Minnesota 4629, 6479
Twin Cities area 4495, 4636, 5094, 7179
Wisconsin 4497, 4636, 6479, 6481
Region VII 3758, 4047, 4276, 5028, 5284, 5752, 5753, 6482, 7029, 7030
Miscellaneous, delivered from producing facilities; regulations 3966
Reissued regulations 5069
Region VII 6006
Transportation of coal:
Deliveries in Pasco and Kennewick, Washington 6382
Wartime increases in cost 3514, 4612
Furnaces. *See* Building materials.
Furniture 5376
Beds and bedsprings. *See* Beds.
Household 4038, 6888
Rebuilt; Charleston, W. Va., district 5281
Wooden; adjustment of prices 5016
Frames for upholstered furniture 5016, 6661
Wage increases 5016
In Hawaii. *See* Hawaii.
Office. *See* Office fixtures.
Furs and fur trimmed articles:
See also Leather.
Tax, Federal excise; collection by retailers 3506, 4607
Games. *See* Toys.
PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Garbage removal services 4747, 4778
Gas, services. *See* Public utilities.
Gas mantle rings 4038, 6888
Gas ranges. *See* Cooking and heating equipment.
Gasoline. *See* Petroleum.
Glass products, technical, scientific and industrial. *See* Machinery.
Glassware:
Containers. *See* Containers.
Freehand blown 4038, 6888
Illuminating 4038, 6888
Scientific glass apparatus 4038, 6888
Globes. *See* Paper.
Gloves. *See* Apparel.
Government contracts. *See* Administration: United States agencies.
Grain:
See also specific grains.
In territories and possessions. *See* Hawaii; Puerto Rico; Virgin Islands.
Malt dried. *See* Malt dried, etc., grain.
Sorghums 4133, 5695
Grapes. *See* Fruits.
Grass seed. *See* Seeds.
Greases. *See* Fats and oils.
Grocery items. *See* Food.
In territories and possessions. *See* Alaska; Hawaii; Puerto Rico; Virgin Islands.
Gum rosin. *See* Rosin.
Gypsum and gypsum materials. *See* Building materials.
Hair curlers, wood 5374
Handbags, women's and children's 4822
Adjustments, authority of Regional Administrators 5826
Hawaii 4239, 4245, 6238, 6817, 6818
Alcoholic beverages 6810
Automobiles, used passenger 3514, 4245, 5438
Block printing. *See* Textile printing, *below*.
Children's and infants' wear 4194
Dairy products. *See* Meat, *below*.
Domestics; pillows and cushions 6885
Eggs. *See* Meat, *below*.
Fats and oils:
Peanut oil 4351
Salad oil 5438
Feed, animal and poultry 4783
Fish, imported frozen 5168, 6814
Food and drink sold for immediate consumption. *See* Restaurant prices.
Fruits, berries, vegetables:
Canned 6814
Fresh fruits and vegetables 4240, 4351, 4540, 4785, 5482, 6814, 6818

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Hawaii—Continued.
Furniture and bedding 6259, 6261, 6885
Grocery items, miscellaneous 3947, 5438
Jewelry, shell 7262
Liquor and liquor drinks. *See* Alcoholic beverages, *above.*
Luggage, imported 3945
Meats, poultry, eggs, and dairy products 3967, 4194, 4785, 4819
Men's and boys' wear 4194
Molasses 4821
Poultry. *See* Meat, *above.*
Restaurant prices 5737, 7078
Shoes and slippers 6885
Textile printing 6815
Women's and girls' wear and accessories 4194
Hay:
See also Alfalfa hay.
Transportation by motor carriers other than common carriers; California 6381
Heating equipment. *See* Building materials; Cooking and heating equipment.
Heels and soles:
Hardwood heel blocks, heels, and wood shanks 3592
Rubber:
Shoe factory and home replacement trades 5311, 6256, 6629
Shoe repair trade; heels and attaching of, reissued regulations 5903, 7079
Hides. *See* Leather.
Hogs, live. *See* Livestock.
Honey, extracted 5726, 7261
Hosiery, women's rayon 4024, 4475
Hospital fixtures 4038, 6888
Household accessories 5374
Ice; regional office orders:
Colorado; San Luis Valley 5361
Idaho; Idaho Falls 7033
Illinois; Mt. Carmel 5748
Indiana; Hancock and Shelby Counties 5092
Kansas; Wichita 6611
New York City 5870, 6279
Ice boxes. *See* Refrigerators.
Ice cream mix. *See* Dairy products.
Industrial materials, idle or frozen; special sales under certain WPB orders 5376, 6819, 7077
Insecticide dusters and sprayers 4038, 5076, 6888
Inside curing rims. *See* Machinery.
Iron and steel:
Boilers and radiation, cast-iron. *See* Building materials.

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Iron and steel—Continued.
Castings:
Gray iron 6451
Malleable iron; reissued regulations 5797, 7077
Concrete reinforcing bars, fabricated; revised regulations 5987
Pig iron 5156
Products:
Export prices 5435
Resale 3649, 4390, 4944, 5987, 6505
Scrap 4599
Steel wool scouring pads 5861
Istle. *See* Jute and istle.
Jewelry:
Clocks and watches. *See* Clocks.
Federal excise tax on; collection by retailers 3506, 4607
In Hawaii. *See* Hawaii.
Jute and istle yarn, rove and rope 3952
Kips. *See* Leather.
Kitchen utensils. *See* Cooking and heating equipment.
Laboratory equipment:
Fixtures 4038, 6888
Reagent specialty solutions 4195
Laminates, thermosetting plastic. *See* Plastics.
Lard. *See* Fats and oils.
Laundry services:
Commercial; New York City area 6886
Hand laundries; Detroit area 7169
In Virgin Islands. *See* Virgin Islands.
Regional office orders:
Region II 3617
Region VIII 6795
Leather, furs, skins, etc.:
Furs and peltries; raw, dressed, dressed and dyed 4435, 6565, 7002
Alaska fur seal skins and fox pelts 4433, 6569
Handbags. *See* Handbags.
Hides, kips, and calfskins 5987
Pigskins and hogskins, cured domestic 5927
Raw skins and hides 4435, 7002
Tax, Federal excise, on certain fur and leather articles; collection by retailers 3506, 4607
Lemon, oil of. *See* Chemicals.
Lend-Lease; export sales to U. S. agencies buying for Lend-Lease purposes 5923
Light bulbs. *See* Electric light bulbs.
Linseed oil. *See* Fats and oils.
Liquors, wines, malt beverages, etc.:
Distilled spirits and wines, reissued regulations 4687

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Liquors, wines, malt beverages, etc—Continued.
In territories and possessions. *See* Alaska; Hawaii; Puerto Rico.
Increases in tax, effect on price 3581, 4010
Malt beverages 3946, 4107
Permitted price increases 3946
Sold for immediate consumption. *See* Restaurant prices.
Wines:
Fruit, berry, and grape (other than California grape) 3515
Increases in tax, treatment 3515
High, produced from potatoes 4224
Livestock:
Live hogs 5075, 5435
Services in connection with raising or preparation for market, rates 7020
Locks. *See* Building materials.
Logs. *See* Lumber.
Luggage:
In Hawaii. *See* Hawaii.
Regulations; calculation of retail ceiling prices 3508
Tax, Federal excise; collection by retailers 3506, 4607
Lumber and lumber products:
See also Wood.
Cedar tow. *See* Cedar tow.
Cordwood:
Chemical 5250
Chestnut 5249
Excelsior wood 5309, 6256
Insulation and felt, and related products 5306
Lake States 5246
New England 5248
Hardwood:
Aromatic red cedar 5313, 5956
Butcher chopping blocks and tops 4882
Commercial veneer 6530, 7079
Distribution yard sales 5313
Flooring, Northern hardwood 4476, 5925, 7201
Logs. *See* Logs, *below.*
Northeastern; reissued regulations 4184
Northern; reissued regulations 5686
Small dimension 6110
Southern; reissued regulations 5223
Veneer, box grade, southern rotary cut; reissued regulations 5376, 5589
Logs and bolts 5268
See also Cordwood, *above.*
Appalachian logs 5302, 6108
Black walnut logs 5241
Central logs 5233, 5914, 6108
Florida logs 5303
Hickory and ash logs and other specialty woods 5243, 6109

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Lumber and lumber products—Continued.
Logs and bolts—Continued.
Lake States logs 5299, 5959
Northeastern logs 5238, 5915
Red cedar logs 5232
Regulations 3577, 4104, 4599, 4686, 4983, 5155
Revised regulations. *See specific types.*
Southern logs 5235, 6109
Stave and heading bolts 5305
Veneer logs (hardwood) 5344
West Coast logs 3848, 5165, 5956
Graders and scalers 4622
Overtime additions 4623, 6660
Services:
Custom milling and kiln drying of Western softwoods 4227, 6151, 6152
Custom re-sawing, surfacing and kiln-drying; Memphis and Shelby counties, Tenn 5093
Drying, milling, processing, treating, inspection, grading, certification, etc 6151
Logging services, Western contract 4882, 6831
Softwood:
Distribution yard sales 4227, 5314, 6457
Doors:
Douglas fir 3745
"General Manager Type" and coal doors for box cars 4985
Douglas fir and other West Coast lumber 3513, 4227
Douglas fir plywood 4882
Logs. *See* Logs, *above.*
Millwork, stock 3514, 3747
Jobber sales 3735
Northeastern 4604
Red cedar shingles 4225
Redwood lumber and millwork 5482
Screen goods, stock 4608, 5802, 6915
Sitka spruce; revised regulations 5727
Southern pine 6232
Western pine and associated species; revised regulations 6634
Western red cedar 5422
Yellow cypress 3652
Stumpage 5268
Macaroni and noodle products. *See* Processed foods.
In territories and possessions. *See* Alaska; Puerto Rico.
Machine tools:
New; revised regulations 7003
Second-hand 4229, 5723
Licensing of dealers; registration 3852

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Machinery and transportation equipment:
Construction and road maintenance equipment, rental prices and service charges 4396
Machines and parts, and machinery services:
Regulations 3578, 4020, 4134, 4303
Reissued 4748, 6239, 6420, 6884, 7079, 7168
Motor graders, crawler tractors, etc 6420
Textile bobbins and spools 6239
Rims, inside curing, manufactured by Steel Forming Corp 5871
Second-hand dealers; registration 3852
Trucks, motor:
Ford 5859
International 5860
Motors, electric; second-hand fractional horse power 6888
Pressure vessels, used 3578, 3855
Licensing 3856
Sewing machines, used industrial 3855, 4196
Licensing 3855
Valves. *See* Valves.
Magnesite. *See* Ceramic products.
Malt beverages. *See* Liquors.
Malt dried and dried brewers' grain, cleanings, hulls and sprouts 3853
Malted milk. *See* Dairy products.
Manganese ores 3856
Maple syrup and sugar. *See* Syrups.
Marine animal oils. *See* Fats and oils.
Matches, resale book 3653
Meals. *See* Restaurant prices.
Meat and meat products:
Beef and veal:
Carcasses and wholesale cuts 4648, 4782, 5955
Frozen boneless beef 4782
Cuts and variety meats and edible by-products, retail ceiling prices; regulations 3652, 4356
Reissued regulations 5504
Canned, ceiling prices. *See* Food.
In territories and possessions. *See* Alaska; Hawaii; Puerto Rico; Virgin Islands.
Lamb and mutton:
Carcasses and wholesale cuts 5956
Cuts and variety meats and edible by-products, retail ceiling prices; regulations 3652, 4356
Reissued regulations 5504

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; commodities and services—Continued.
Meat and meat products—Continued.
Pork:
Cuts and certain sausage products; retail ceiling prices 3709, 4356, 5589
Dressed hogs and wholesale cuts 4099
Poultry. *See* Poultry.
Sausage items, wholesale ceiling prices 6730
Transportation by other than common carriers 6239
Menthol. *See* Alcohol.
Military supplies and equipment:
Barbed wire concertinas 3587
Batteries, dry; military salvage and scrap 6832
Ski troop equipment, field ranges and accessories, canteen cups and meat cans 3590
Uniforms. *See* Apparel.
Milk. *See* Dairy products.
Molasses. *See* Syrups and molasses.
In territories and possessions. *See* Hawaii; Puerto Rico.
Motor vehicles:
Automobiles, passenger:
New 6829
Used 6434
Automotive parts:
Manufacturers' prices; rebuilt motors, Region IV 5021, 6005
Wholesalers' and retailers' prices 3651
Commercial:
New 4030
Used 3847, 4396, 7009
In Hawaii. *See* Hawaii.
Motor graders, crawler tractors, etc. *See* Machinery.
Rentals, Region VIII:
Sprinkler trucks 5287
To defense plants or for use on construction projects 5871, 6006, 6611
Tires. *See* Tires.
Trucks, motorcycles, trailers. *See* Machinery.
Motors. *See* Machinery; Motor vehicles.
Mussel shells 4195
Nails, in Puerto Rico. *See* Puerto Rico.
Naval stores:
Pine tar and pine tar oil. *See* Pine tar.
Rosin, gum. *See* Rosin.
Turpentine. *See* Turpentine.
Noodle products. *See* Processed foods.
In territories and possessions. *See* Alaska; Hawaii; Puerto Rico.
Notions; wood hair curlers 5374
Nuts, edible tree 4238
Oats 4133, 5695
Flour. *See* Flour.
Rolled, packaged 4031

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Price regulations; commodities and services—Continued.
Office fixtures, machines, supplies, etc 4038, 6888
See also Typewriters.
Trade-in allowances on machines and typewriters 6903
Oil burner services. *See* Petroleum.
Oils. *See* Chemicals and drugs; Fats and oils; Pine tar.
Oilseed meal, cake, hulls, bran, etc.:
Cottonseed oil meal, hulls whole pressed cottonseed, etc 4098
Soybean oil meal, cake, pellets, etc 3592, 4605
Oleo. *See* Fats and oils.
Oleomargarine 3653, 3953
Olive oil. *See* Fats and oils.
Onions. *See* Fruits, berries, vegetables.
Optical supplies 4038, 6888
Paints. *See* Protective coatings.
Pancake mix. *See* Flour mixes.
Paper and paper products:
Book paper 5803
Converted products and industrial papers, regulations 5802
Revised regulations 6825
Envelopes. *See* Converted products, *above.*
Fine papers 5803, 6711
Groundwood specialty papers 6633
Napkins, paper 5806
Newsprint paper 3589, 4540, 7079
Paperboard:
Products:
Corrugated garment boxes 4782
Egg cartons; Region VIII 6006
Shipping containers:
Corrugated; New York County, N. Y. 6280
Second hand 4438, 6232
Sold east of Rocky Mountains 5482, 7261
Printing and printed paper commodities 3709, 5803
Products having editorial or informational content 6570
Globes 6570
Pulpwood 5268
Produced in:
Minnesota, Michigan, Wisconsin 5155, 5909
Pennsylvania, Maryland, West Virginia, Ohio, Kentucky, Indiana, Illinois and Missouri 6359
Provinces of Quebec, New Brunswick and Nova Scotia, Canada 4478
Raw materials:
Cotton rug. *See* Rugs.
Wiping cloths. *See* Cloths.

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Price regulations; commodities and services—Continued.
Paper and paper products—Continued.
Sealing tape, gummed Kraft 6810
Seed flax tow. *See* Seed flax tow.
Tissue paper products:
Facial tissue 5806
Regulations, reissued 4090
Wastepaper 6107
Woodpulp; revised regulations 6630, 6951
Writing paper 5803, 6711
Pastries. *See* Bakery products.
Peanuts:
Flour. *See* Flour.
Oil. *See* Fats and oils.
Pecans. *See* Nuts.
Pelts. *See* Leather, etc.
Petroleum and petroleum products:
Crude petroleum; regulations 3851, 4237
Revised regulations 6024
Gas, natural and petroleum; regulations 3851
Revised regulations 6024
Lubricating oils, greases, etc 4686
Oil burner services 5174, 6570
Baltimore, Md., metropolitan area 6845
Louisville, Ky., area 4627
Products sold at retail establishments (motor fuel, gasoline, lubricating and fuel oil, greases, naphthas, etc.) 5312, 5826
Products sold by refiners, blenders, etc. (fuel oil, gasoline and liquefied petroleum gas); regulations 3849, 4236, 4395, 4505, 4686, 4779, 5725
Reissued regulations 7137
Transportation in bulk by barge and charter rates therefor on designated waterways 4101
Phonographs, portable hand wound, originally purchased by U. S. Commercial Co 4118
Pickles. *See* Processed foods.
Pigskins. *See* Leather.
Pine tar and pine tar oil 6647
Pineapple, packed. *See* Processed foods.
Plastics:
Products 6951
Synthetic resins, plastic materials, substitute rubber 6885
Thermosetting laminates 3581
Plow and cultivator handles. *See* Farm equipment.
Plumbing services. *See* Building materials.
Pocketbooks. *See* Handbags.
Poles. *See* Lumber; Wood.
Popcorn. *See* Corn.

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Price regulations; commodities and services—Continued.
Potatoes. *See* Fruits, berries, vegetables.
Flour. *See* Flour.
Wine. *See* Liquors.
Poultry 4356, 5695
See also Food and food products: specific.
Feed. *See* Feedingstuffs.
In territories and possessions. *See* Alaska; Hawaii.
Regional office orders:
Region I 6609
Region II 4553, 5096
Kosher-killed, except ducks; New York City metropolitan area 4554
Live poultry, except turkeys; transportation allowances 4554
Region III 4959
Region VIII, custom dressing of turkeys 5287
Retail ceiling prices. *See* Food and food products.
Services in connection with raising or preparation for market, rates 7020
Pressure vessels. *See* Machinery.
Printing. *See* Paper.
Textile, in Hawaii. *See* Hawaii.
Processed foods:
See also Food and food products.
Beans, processed; general pricing provisions 6711, 6722
Canned fruits and berries, at wholesale and retail; revocation 5802
Ceiling prices. *See* Food.
Citrus fruits. *See* Packed products, *below.*
Dates, pitted and macerated domestic, and domestic date products (1943 crop and after); general pricing provisions 6711, 6726
Dried:
Fruits: 1943 and later crop 7199
Peas and lentils. *See* Food and food products.
Fish and seafood. *See* Fish and seafood.
In territories and possessions. *See* Alaska; Hawaii; Puerto Rico; Virgin Islands.
Information from processors and packers, order requiring 4121
Macaroni and noodle products; general pricing provisions 6711, 6720, 6881
Cooked and combined with sauce 6711, 6722
Meat. *See* Meat.

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Price regulations; commodities and services—Continued.
Processed foods—Continued.
Packed products (fruits, berries, vegetables) 4349, 5075, 6109
Citrus products:
See also Food and food products.
1944 and later packs 5587
General pricing provisions 6711, 6727
Grapefruit juice, Government sales:
Packed March 1944 4413
Packed April 1944 5861
Peas, snap beans, corn, tomatoes and tomato products of 1944 pack; sales to Government agencies 7178
Pineapple, imported 4605
Pickles and certain pickled products 4351
Protective coatings:
Paints, ready mixed exterior linseed oil 4994
Shellac varnish 4397
Waxes, vegetable, and beeswax; revised regulations 5956
Public utilities, rates; exceptions 4441, 5722
Puerto Rico 3949, 5221
Alcoholic beverages 3952, 4821, 5255, 5257
Canned foods 3514, 3949, 3950, 4820, 5255, 5256, 6258, 6884
Crackers 3950, 5255, 5257
Dairy products, manufactured 3951
Cheese 4821, 5256
Evaporated milk 4820
Powdered milk 3747
Fats and oils, edible 3950, 4820, 5255, 5257, 6884
Feed, animal 3952
Fish:
Canned 3951, 4820, 5255, 5256
Dried, smoked, etc 4820
Grains and cereals, packaged 3951, 4820, 5255, 5257
Grocery products, miscellaneous:
Baby foods 5256
Cornstarch 3951
Dog meal 6258
Dried or dehydrated fruits imported 5258
Food drinks 3952
Laundry bluing 3951
Laundry starch 3951
Olives and capers 3952, 5256, 5257
Pickles, relish, condiments 6258, 6885, 7077
Raisins 4821
Salt 4821
Vinegar 5257
Macaroni, spaghetti, etc 3951, 5255
Milk, fluid 3952
Molasses, cane blackstrap 4821
Nails 4821

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Price regulations; commodities and services—Continued.
Puerto Rico—Continued.
Packing house products 3952, 5257, 6259
Sausages 5257, 6259
Seeds; beans, peas, garbanzos, grain 5591
Shoes 5167
Soap and cleaners 3952, 5256, 6885
Textile products 3514, 5436
Vegetables, fresh; potatoes 6885, 7060
Pulpwood. *See* Paper.
Purses. *See* Handbags.
Putty. *See* Building materials.
Quebracho extract. *See* Tanning materials.
Radiation. *See* Building materials.
Radios 5375
Receiver parts; tubes 4349, 5221, 6888
Railroad equipment. *See* Machinery.
Rayon hosiery. *See* Hosiery.
Refractory products. *See* Ceramic, etc., products.
Refrigerators:
Household mechanical, new; resale 3652
Ice boxes, new; reissued regulations 5258
Repair of certain appliances and equipment 6818
Resins, synthetic. *See* Plastics.
Restaurant prices; food and drink sold for immediate consumption:
General regulation 7263
Permitted price increases for liquors, wines, malt beverages, etc 3561, 4010
Region III; Michigan, Upper Peninsula 4351
Region IV; Tennessee, Memphis District, malt and beverages 5941
Region V:
Louisiana, New Orleans District; revised regulations 4743
Texas; Dallas District 4220
Region VII; New Mexico, Albuquerque District, beer and ale 4961, 4964
Region VIII; California, San Francisco 4277
Region IX; Hawaii 5737, 7076
Rice:
Finished, and milling by-products 3649, 5726, 6564
Flour. *See* Flour.
Rough 5440
Rims, inside curing. *See* Machinery.
Roofing. *See* Building materials.
Rosin:
Gum 7258
Wood:
FF wood 3653
Processed (solros) 6648
Size 6648

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Price regulations; commodities and services—Continued.
Rubber and rubber products:
Elastic web and braid, sales to Defense Supplies Corporation 4515
Heels and soles. *See* Heels.
Miscellaneous commodities (apparel, cements, coated fabric products, etc.) 6431, 7198
Cable wrapping tape 7198
Reclaimed rubber 3852, 6629
Scrap rubber 3852, 4879
Thread and yarn, sales to Defense Supplies Corporation 4515
Tires and tubes. *See* Tires.
Rugs; cotton rug materials, revised regulations 4105
Rye flour. *See* Flour.
Salt, animal feeding. *See* Feedingstuffs.
Sardines. *See* Fish.
Sausage. *See* Meat.
Scrap materials. *See under commodity names.*
Seal skins. *See* Leather.
Seed flax tow 6570
Seeds:
In Puerto Rico. *See* Puerto Rico.
Legume and grass 4948
Spice. *See* Spices.
Vegetable 5076, 5805
Services:
See also under name of type of service.
Exceptions to general maximum price regulation; reissued regulations 4775
Non-retail; adjustments in case of purchaser buying from numerous sellers 3593
Sewing machines, industrial. *See* Machines.
Shellac varnish. *See* Protective coatings.
Shells, mussel. *See* Mussel shells.
Shoes. *See* Footwear.
Shrimp. *See* Fish.
Siding products. *See* Building materials.
Silver:
Modifications 5996
Newly mined domestic 6023
Consumers' articles containing 6246
Regulations, revised 5930
Ski troop equipment. *See* Military supplies.
Skins. *See* Leather.
Soaps and cleansers:
Household:
Sold by manufacturers and certain wholesalers; regulations 4441
Reissued regulations 7070
Sold by retail food stores, regulations 4440, 5804
Reissued regulations 7061
In territories and possessions. *See* Puerto Rico; Virgin Islands.
Soapstocks. *See* Fats and oils.

62600—44——8

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Price regulations; commodities and services—Continued.
Sofa beds. *See* Beds.
Soft drinks, bottling of 6263
Solros 6648
Sorghums. *See* Grains.
Soybeans:
Crop, 1943 4506
Flour. *See* Flour.
Meal, etc. *See* Oilseed meal.
Oil. *See* Fats and oils.
Spectacles. *See* Eye glasses.
Spices, raw, and spice seeds 4883
Sprayers, insecticide. *See* Insecticide dusters and sprayers.
Spruce, oil of. *See* Chemicals.
Steel. *See* Iron and steel.
Stone products, precast. *See* Building materials.
Storage, warehousing, and terminal services: rates, exceptions 4441
Store fixtures, machines, and equipment 4038, 5374, 6888
Stoves. *See* Cooking and heating equipment.
Studio couches. *See* Beds.
Stumpage. *See* Lumber.
Sugars:
Bagasse. *See* Bagasse.
Corn sugar, crude; adjustments 5973
Direct consumption 5802
Sales by primary distributors 4124, 4516, 5856
Hauling of sugar cane. *See* Virgin Islands.
Maple. *See* Syrups.
Raw cane 4880
Adjustable pricing 4880
Sulfuric acid. *See* Chemicals.
Superphosphate. *See* Fertilizer.
Syrups and molasses:
Corn syrup, unmixed; adjustments 5973
Maple syrup and sugar 4390
Molasses:
Cane blackstrap and beet sugar final 3593, 3647, 4196
In territories and possessions. *See* Hawaii; Puerto Rico.
Tallows. *See* Fats and oils.
Tanks, wooden. *See* Farm equipment.
Tanning materials, vegetable; imported 4893
Tar:
Acid oil. *See* Chemicals.
Crude tar bases. *See* Chemicals.
Pine. *See* Pine tar.
Textiles:
Bobbins and spools. *See* Machinery.
Coated and combined fabrics; reissued regulations 5411
Cotton:
Carded grey and colored-yarn goods 4016
Fine goods 3577, 4879, 5162
Produced pursuant to WPB direction 3734

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Price regulations; commodities and services—Continued.
Textiles—Continued.
Finished piece goods 4029, 4879
In territories and possessions. *See* Hawaii; Puerto Rico; Virgin Islands.
Tobacco cloth manufactured by Fitzgerald Cotton Mills 7077
Woolen and worsted civilian apparel fabrics; reissued regulations 3973, 4396
Thread, rubber. *See* Rubber.
Thresholds. *See* Wood.
Tile. *See* Building materials.
Tires and tubes:
Bicycle; new 5990
Motorcycle tires and tubes 5744
New:
Purchases by certain Federal Government agencies 5724
Special packing for overseas shipment 6581
Wholesale prices, revised regulations 4286, 7260
Imported 4546, 7178
Manufacturers' sales to brand owners adjustable pricing 4731
New, used, recapping, and repairing; retail prices 4291, 4348, 4540
Farm tractor tires, certain types 7178
Original equipment, revised regulations 4010, 6881
Reliners, passenger tire, made from scrap tires 4747
Repair materials, camelback, etc 4394
Tire mileage 4945
Tobacco:
Chewing tobacco, native or island twist 4391
Cigar cuttings and clippings 4392, 7060
Cigars 3710, 7060
Cloth. *See* Textiles.
Maryland; regulations 4942
Revised regulations 5433
Smoking tobacco, private brands 3953
Toilet preparations, Federal excise tax on; collection by retailers 3506, 4607
Toll bridges and roads, rates. *See* Public utilities.
Tool cases 4038, 6888
Tow:
Cedar. *See* Cedar tow.
Seed flax. *See* Seed flax tow.
Toys and games 3528, 5374
Transportation services. *See* Carrier services.
Trash removal services 4747, 4778
Trucks, motor. *See* Machinery and transportation equipment; Motor vehicles.
Tubes, radio. *See* Radio.
Tugboats, charter of. *See* Carrier services.

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Price regulations; commodities and services—Continued.
Turpentine, steam distilled 6648
Typewriters:
Trade-in allowances made by manufacturers 6903
Used; sale and rental 4350
Underwear. *See* Apparel.
Uniforms. *See* Apparel.
Utilities. *See* Public utilities.
Valves:
Irrigation valves and parts 7179
Reconditioned and used 4747
Varnish. *See* Protective coatings.
Vegetable oils. *See* Fats and oils.
Vegetables. *See* Fruits, berries, vegetables.
Virgin Islands 4100, 6456
Cheese 4194
Children's and infants' wear 6816
Domestics, household sundries and dry goods; imported 6774
Fats and oils 6456
Feed, animal and poultry 4194
Fish:
Canned:
Dry salted, smoked or pickled 6457
Fruit and vegetable products, fresh and dried 6457
Grain and grain products 6456
Household sundries. *See* Domestics, *above*.
Laundry, cleaning, and pressing services; St. Thomas and St. John 3857
Meat and meat products 6457
Pork, locally produced 6457
Men's and boys' wear and accessories 6816
Milk, evaporated 6456
Piece goods, imported 4194, 4542
Shoes, imported 6776
Soap, laundry 6457
Soup bones 3857
Sugar cane hauling; St Croix 6262
Women's and girls' wear and accessories 6773, 6881
Vitamin enriched concentrates used for enriching wheat flour 5996
Waffle mix. *See* Flour mixes.
Wallboard. *See* Building materials.
Washboards; adjustments 5973
Washing machines, domestic; used 5217
Watches. *See* Clocks.
Water, rates. *See* Public utilities.
Wattle extract and bark. *See* Tanning materials.
Waxes. *See* Protective coatings.
Wheat 5440
Flour. *See* Flour.
Wines. *See* Liquors.
Wiping cloths 5916, 7079
Wire, cable, and cable accessories 5588

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Price regulations; commodities and services—Continued.
Wood and wood products:
See also Lumber.
Excelsior:
Baled southern pine wood, manufactured in certain southern States 4896
Region VI 5870
Fence posts:
Eastern 5591
Western 5592
Primary forest products, Western (mine materials, railroad ties, poles); reissued regulations 4883
Thresholds, standard oak; Utah 5871
Western timber 6457
Wood rosin. *See* Rosin.
Woodenware 4038, 6888
Woodpulp. *See* Paper.
Wool grease. *See* Fats and oils.
Woolen fabrics. *See* Textiles.
Yarn:
Jute and istle. *See* Jute and istle.
Rubber. *See* Rubber.
Price regulations; special orders for individual firms:
Ables, Roy, Coal Co 6377
Acorn Coal Co., Inc 4369
Adams, H. R 7032
Alabama Fuel & Iron Co 3957
Allen and Codell Co 3674
Allied Coal Co 5858
American Boiler and Foundry Co 6477
American Distilling Co 4118, 4120, 4164
American Fuel Corp 6129
American Furniture Co 6841
American Hydraulics, Inc 6660
American Meat Institute 4506
American Sugar Refining Co., et al 4124, 4516, 5856
American Woodcraft Co 5018
American Woodworking Co 7227
Amherst Coal Co 6376
Anders Coal Co 5856
Andrews, Joseph 7178
Angel Novelty Co 3957
Ansul Chemical Co 3717
Anthracite Industries, Inc 3515
Appalachian Mills Co 5279
Arkansas Mills, Inc 7229
Automatic Electrical Device Co 4372
Automatic Range Corp 4260
Avonmore Coal Co 7176
Azzara, S. J 4366
B. and M. Manufacturing Co 7228
B-Line Mfg. Co 4912
Baird, Miller 6377
Ballou, Fred 5855
Barrows Lock Works 3591
Basic Refractories, Inc 5356
Basiorka, Frank A 5385
Beacon Fuel Co 5385
Bear Brand Hosiery Co 5357
Beechnut Coal Co 4366
Beighley, Raymond 7177
Bell, A. R., Co 4624
Bennett, Gordon 4913
Bernhardt, Michael 4623
Berryburg Coal Corp 5859

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Price regulations; special orders for individual firms—Con.
Bethlehem Fairmont Coal Co 5744
Big Creek Winifrede Coal Co 4370
Birmingham Clay Products Co 6379
Bishop, Harvey 4367, 4836
Black Arrow Mining Co 5387
Black Crown Coal Co 6128
Black-Jack Coal Co 5387
Blakeley Coal Co 3674
Bland, Jesse A., Inc 4730
Blue Creek Coal Co 6377
Bohannan, Wilson, Co 6580
Boots, J. L., & Co 5387
Borgman, L. H. & J. W., Inc 5858
Bortz and Borts Coal Co 5385
Bowie Coal Co 5385
Brach, E. J., & Sons 5960
Bradford, C. L., and Associates 4371
Bransford Fuel Co 4369
Brashear, William 6658, 6660
Brewer, R 6003
Brookville Glove Co 6965
Burnett & Burnett Coal Co 6128
Bush, W. G., and Co 5355
Bussy, J. H 3956
C. & R. Coal Co 3957
Cadle Mining Co 4367, 4836
California Bakery 7032
Campbell, W. H 7224
Carbon Mining Co 7110
Carolina Craft Shop 7232
Carolina Washboard Co 6841
Central Minerals Co 6658
Central West Coal Co 4731
Chafin Branch Coal Co 6377
Chambers, J. C 7111
Chattanooga Mattress Co 7112
Christ, Leon L 5747
Christian Coal Co 4370
Chrysler Corporation 5493, 6838
Chumley, J. R 4370
Cinci Coal Co 7177
Citro Chemical Company of America 3648
Clark, A. D., Coal Co 3608, 4495
Clearfield Mining Corp 5857
Cline Coal Co 5857
Clinton Lock Co 3590
Coal River Collieries, Inc 4366
Coaloil Fuel Co 5859
Cobun, Walter D 7282
Collapsible Crib Co 5744
Collins & Schweinberg & Co 5385
Columbia Art Mfg. Co 4913
Comfort Run Coal Co 3872
Coneby Brothers Coal Co 7177
Congress Coal Co 3873
Conklin Pen Co 5389
Consolidated Coal Co 4731
Cooley Brothers 6659
Cooley, Harry R 7177
Corbin, P. & F 3591
Corbin Cabinet Lock Co 6576
Cornelia Mfg. Co 7230
Crivelli & Lobert 7177
Cross and Rogers 7224
Crystal Block Mining Co 6377
Crystal Lakes Coal Co 4413
Cumberland Parker Seam Coal Corp 5746
D and B Coal Co 4447
Dakin Manufacturing Co 6933
Dalton Brick and Tile Co 5325
Dann, Nick 6377

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Price regulations; special orders for individual firms—Con.
Dartmont Coal Co 3872
Davis, R. W., Co 5870
Day Brothers Mfg. Co 7231
De Bardeleben Coal Corp 3956
De Lauter Coal Co 4623
Denise Coal Co 4369
Dismond Coal Co 3608
Diamond Coal Mining Co 6376
Diamond "D" Coal Co 3873
Diamond Elkhorn Coal Co 4367, 4836
Dillon, D. C., & Co 6129
Dixon, Elmer, Coal Co 7110
Domestic Coal Co 4116
Donelly, F. V 7177
Dotson, Ira 6377
Douglas Pocahontas Coal Co 5858
Duncan, J. H 5859
Dunlo Coal Co 4369
Eagle Lock Co 6577
Earle Hardware Mfg. Co 3591
Eastern Gas & Fuel Associates 5858
Eastern Gas and Fuel Associates, Kopper Coal Division 4731
Edison General Electric Appliance Co., Inc 3652
Eisemann Corp 5707
Eleanora Coal Co 4369, 4837
Electromatic Distributors, Inc 4914, 6129
Elkhorn, J. B., Coal Co 7110
Elkhorn, Regina, Coal Co 7110
Elkhorn, Sampson, Coal Co 7110
Elrama Coal Co 5385
Estey Piano Corp 6930
Evans, S. E., Construction Co., Inc 3608
F. K. & G. Mining and Stripping Co 4368
Farrar and Nagode 4412, 7177
Feldman, Frank 4261
Finberg Coal Co 4366
Findley Run Coal Co 4994
Finer Chrome Products Co 6929
Finley Rose Coal Co 4367, 4836
Firestone Tire and Rubber Co 7178
Fisher Co 7229
Ford Coal Co 4116
Ford Motor Co 5859
Forsgren Brothers 3608
Fox, H. E 5385
Fraim, E. T., Lock Co 6578
Franklin Coal Mining Co 3957
Fugate Construction Co 6376
Fulton Sales Corp 7113
Gabor, John 5191
Gallo, Paulo & Gabrielli 5385
Gardetto, B. A., Inc 4448, 4994
Garman Coal Co 6658, 7115
Gate City Table Co 7232
Gauley Tioga Coal and Coke Co 7282
General Construction Co 5191
General Electric Co. of Bridgeport, Conn 3874, 3995
General Motors Corp 6478
Geneva Steel Co 5455
Georgia Alabama Road Construction Co., Inc 6003
Gilleland Coke Co 5385
Glade Run Coal Co 6658
Gobbard, Glindon 6376

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; special orders for individual firms—Con.
Godin & Saricks 6658, 7115
Goldie Mfg. Co 5017
Goode Coal Co 5855
Goodyear Tire and Rubber Co 4447
Granite Lumber and Furniture Co 4912
Grant Collieries, Inc 3957
Great Northern Chair Co 6934
Greer, Eddie 6376
Grieshaber Mfg. Co 5747
Grossman, L., Sons, Inc 6045
Gulf Oil Corp 3852, 5076, 6831
Gulf Refining Co 6831
H. M. T. Coal Co 4623, 6840
Haberman Coal Co 5385
Hallett Coal Co 5859, 6658
Hammill Coal Corp 5855
Hancock Brick and Tile Co 4994
Hanna, J. A 4994
Hannaford Valley Coal Co 5747
Hansel, Stephen R 6657
Harman & Hulsey Co 6967
Harmon Branch Coal Co 4730
Harrington & Richardson Arms Co 5390
Harvill Coal Co 7177
Hatfield Alma Mining Co 5855
Heinz, H. J., Co 3873
Helen Furnace Coal Co 4366
Herring, George B., & Son 5856
Highland Construction Co 4369
Hill, W. A 4368
Hill Bros. (Coal) 6658, 7115
Hindman and Faust Coal Co 5387
Ho-Mar Coal Co 4412
Homecraft Baking Co 6935
Homer Furnace and Foundry Corp 4446
Homestead Coal Co 6128
Hopper & Hall Coal Co 4731
Hott Coal Corp 5857
House of Shoemaker, Inc 4788
Howson Cabinet and Millwork Co 5018
Imperial Coal Co 5385
Independent Companies 6931
Indiana Academy 5356
Indianapolis Glove Co 6964
International Harvester Co 5860
Isbell, Bert 5861
J. C. Plating Works 5745
Jaeger Mfg. Co 5860
Jenkins, George O., Co 5357
Johnston Manufacturing Co 6478
Johnstown Coal and Coke Co 7282
Juliette Coal Co 5857
Kanawha Coal Corp 7110
Keenan, Wilfred B 7112
Kelley's Creek Colliery Co 7110
Kentucky Strip Mining Co 4261
Kephart Bros., Inc 4994
Keys, W. A., Coal Co 4994
Kimberling Collieries Co 4370
Klein, S., Coal Co 4116
Kol-Gas Heater Co 4260
Kopper Coal Division, Eastern Gas and Fuel Associates 4731
Krick-Tyndall Co 7231
Lakeside Aluminum Co 5745
Lakey Foundry and Machine Co 3957, 5707
Landen Putty Works 5388, 6968
Langenfelder Mining Co 4836, 5385
Laurel Hill Mining Co 5855

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; special orders for individual firms—Con.
Lawrence Coal Co 6375
Leatherman, Martin, Mfg. Co 4546
Lentz Coal Co 5855
Lifton, Harold, Co 5018
Little Willard Coal Co 5855
Lockwood Hardware Mfg. Co 3591
Lonergan, Joseph A 7113
Loyalhanna Fuel Co 7282
McCray Refrigerator Co 6840
McGinnis & Grafe 6659
McQueen, Price 7110
Mahan-Cheely Coal Co 4370, 4912
Mandt & Brashear Coal Co 4731
Manning Coal Co 7177
Manurep 6130
Marcum and Vanderpool 6376
Marlin Firearms Co 7225
Marshall Mining Co 5856
Maryland New River Coal Co 5858
Mason, Au & Magenheimer Confectionery Mfg. Co 4392
Massillon Wire Basket Co 4957, 5856
Matthews, Henry 5385
Maurer, G. M 4994
Means, Walter 4994
Memphis Wood Products Co 7230
Menetti Brothers 4994
Merrill Coal Co 5855
Miami Margarine Co 7078
Micro-Lite Co., Inc 4371
Milford Coal Co 5859
Miller, Wm 5855
Miller-Gilley Coal Co 4367, 4836
Miller Rubber Co 3754
Mills Furniture Mfg. Co 4912
Millstone Coal Co 4367, 4836
Minotti Coal Mining Co 5857
Mitchell, Clyde O 6966
Mitchell Coal Co 4994
Moderne Textile Co 6929
Monitor Coal & Coke Co 5855
Monticello Novelty Co 5019
Moore & Conrad 4994
Moore & Spicer 4367, 4836
Morgan, Elry 6660
Morgan Coal Co 4623
Morocco & Warren Coal Co 4117, 4495
Mossberg, O. F., and Sons, Inc 3718
Mt. Vesta Coal Co 3608
Mullett, D. D 4117, 4495
Mulligan, J. F., Coal Co 4261
Mulzer Mines 6659
Muroc Clay Co 7178
Nassar Coal Co 7177
Nassau Brick Company, Inc 6478
Natali, Marino 5385
National Mitten Works 5492
National Pressure Cooker Co 4836
National Wood Products Co 5388, 5973
Naylor Pattern Co 5017
North Prairie Mining Co., Inc 3753
Northern Furniture Co 4913
Norton Coal Corp 4261, 4624
Norwalk Lock Co 3591
Ogden Perfection Filter Co 3824
Oravetz, George, & Son, Inc 5286, 5753
Orr and Sembower, Inc 6045
Osborne Brothers 5857
Pacific Coast Vinegar Co 4415
Pacific Plastic and Manufacturing Co 3590

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; special orders for individual firms—Con.
Pantalone, Antonio 5385
Parkinson Coal Co 5385
Paul, R. W., Construction Co 4117
Paulis, H., Plastics Co 5017
Peach Hill Coal Co 5385
Pearce Coal & Trading Co 5859
Peerless Fountain Pen and Pencil Co 5941
Peerless Glove Co 6606
Peerless Woodworking Corp 5016
Pell Coal Corp 6659, 7115
Pen-Hlo Clay Co 3607
Penn Hardware Co 3591
Penn Ridge Coal Co 5857
Pennsylvania Coal & Coke Corp 7114
Pennsylvania Rubber Co 4447
Perry Coal Co 5385
Pet Milk Co 6935
Pine Hollow Coal Co 5856
Plasto Mfg. Co 5390
Pletcher, Clarence B 7177
Pliner and Sandler 7226
Plummer & James 5385
Poore, J. T 4370
Porter Elkhorn Coal Co 4369
Possum Hollow Coal Co 6657
Powell Coal Co 4366, 4789, 6658, 7115
Praytor & DuBose 6003
Prefabricators Inc 7227
Prentiss Wabers Products Co 6044
Principini, (Mrs.) M 7177
Queer, Thomas H 5385
R. & R. Coal Co 3957
Rainelle Coal Co 6841
Rambo, L. L 3608
Ramey Coal Co 3674
Ramsey and Siler 3872
Rathgeb & Gorr 7177
Reading Hardware Corporation 3591
Red Ash Pocahontas Coal Co 6129
Red Warrior Coal & Mining Corp 6659
Redd's Coal Mine 7178
Reed, W. W., Coal Co 4994
Rend-Mar Coal Co 5387
Riffe, D. A 6376
Robel & Ziants Coal Co 4117
Robins, A. K., and Co 6581
Rohr, C. L., & Son 5385
Rose, Isaac 6377
Rose, J., and Co., Inc 4260
Roswell Seating & Cabinet Co 7226
Russell & Erwin Mfg. Co 3591
Russell Stover Candies 5960
Rutstein Coal Mining Co 6128
Ryan Bros., Inc 4368
S. and S. Coal Co 3674
S and W Coal Co 6376
Safe Padlock and Hardware Co 6579
Sager Lock Works 3591
St. Clair Coal Co 4368
St. Johns Portable Building Co 6931
Sanders & Frey 4368
Sargent & Co 3591, 6576
Sasso, Leonard 4117
Sawyer, C. F 7114
Scott Haven Coal Co 4117
Servel Inc 6903
Sexton & Blankenship Coal Co 4367, 4386

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; special orders for individual firms—Con.
Shaw, Joseph, Co 5356
Sheban Mining Co 5744
Sheesley, Horace A 6658
Sherrick Coal Co 6657
Shore Instrument and Manufacturing Co 6377
Sigesmund Coal Co 7178
Siler Blue Gem (Hubert Smith) 6377
Sisler and Berry Coal Co 7282
Sivakoff & Miner, Inc 7225
Skillman Hardware Mfg. Co 3591
Slaymaker Lock Co 6579
Smalley-General Co 4957
Smith, V. B., & Partners 5858
Smith-Warner Co 3608
Smyrna Novelty Mfg. Co 7282
Somerset Construction Co 6658
Sooner Coal Mining Co 5747
Sooren's Bakery 7032
Sorkin Music Co 4372
South Hill Mining Co 5857
Southern California Pottery Co., Inc 6902
Southern Cotton Oil Co., Alta Coal Division 6968
Southern Properties, Inc 6840
Standard Coal Co 4448
Standard Manufacturing Co 3873
Star Coal Co 7178
Steel Forming Corp 5871
Stephenson Brick Co., Inc 6379
Stiglitz Furnace and Foundry Co 4368
Stuart Mansfield Co 6930
Stubbs, S. J., Lumber Co 7224
Summit Coal Mining Co 5857
Sutherland, Frank 4730
Sweets Company of America, Inc 7078
Taylor, C. I 4117
Tennessee Products Corp 6003
Tiny Tot Furniture Mfg. Co 5746
Tippet, J. L 5019
Tolen, Wm., & Sons, Inc 6932
Turner & Cassell Coal Co 5856
Union Coal Co 4366
United States Rubber Co 4447
Vermont Talc Co 7232
Vicari, Dominick, & Sons Coal Co 7178
Vinton Stone and Coal Co 5856
Wagner, H. E 5385
Wallinder Sash & Door Co 7111
Walter, D. N. & E., & Co 6967
Wanango Coal Co 5385
Waroquier, V., & Son 4366
Warren Telechron Co 4261
Watkins Brick Co 6380
Weiss, George, Co., Inc 6932
Wells Lamont Glove Co 6966
West Gulf Coal Co 4413
West Virginia Consolidated Coal Co 5859
Westcort Co 6933
Wilks Brothers Stripping Co 5857
Wilson, Lloyd 4367, 4836
Wilson Coal Co 5857
Wisconsin Aluminum Foundry Co 5389
Wise Lock Co 6577
Wolsky, Harry 7228
Woodwork Specialty Co 7114
World-Wide Wood Industries Corp 5748

PRICE ADMINISTRATION, OFFICE OF—Continued.
Price regulations; special orders for individual firms—Con.
Wunderley, John M 4117
Yale & Towne Mfg. Co 3591
Yoland Coal Co 7282
Young and Goller Furniture Co 5746
Regulations by document designation:
Compensatory adjustment Regulations:
No. 1, revised:
Amendment 2 3514
Amendment 3 4612
Export price regulation, maximum, 2d revision:
Amendment 6 5435
Amendment 7 5923
Amendment 8 7201
Food products regulations:
No. 1 6711
Supplement 1 6720, 6881
Supplement 2 6722
Supplement 3 6724
Supplement 4 6726
Supplement 5 6727
General maximum price regulation:
Amendments:
No. 61 5169
No. 62 6106
Supplementary regulations:
No. 1, revised:
Amendment 52 3515
Amendment 53 3587
Amendment 54 3590
Amendment 55 4948
Amendment 56 5268
Amendment 57 5996
Amendment 58 7020
Amendment 59 6570
Amendment 60 6648
Amendment 61 7077
As amended April 1, 1944 3581, 4391
No. 11, revised:
Amendment 45, correction 4441
Amendment 46 4030, 4475
Amendment 47 4778
Amendment 48 5314
Amendment 49 5441
Amendment 50 6722
Amendment 51 7020
As amended May 3, 1944 4775
No. 14, revised:
Amendment 112 3515
Amendment 113 3653
Amendment 114 3593
Amendment 115 4030
Amendment 116 4100
Amendment 117 4101
Amendment 118 4101
Amendment 119 4195
Amendment 120 4195
Amendment 121 4031
Amendment 122 4355
Amendment 123 4392
Amendment 124 4297
Amendment 125 4435
Amendment 126 4605
Amendment 127 4506
Amendment 128 4747
Amendment 129 4747
Amendment 130 4822
Amendment 131 4896

PRICE ADMINISTRATION, OFFICE OF—Continued.
Regulations by document designation—Continued.
General maximum price regulation—Continued.
Supplementary regulations—Continued.
No. 14, revised—Con.
Amendment 132 4985
Amendment 133 5076
Amendment 134 5221, 6888
Amendment 135 5696
Amendment 136 5927
Amendment 137 5996
Amendment 138 6239
Amendment 139 5959
Amendment 140 6263
Amendment 141 6362
Amendment 142 6648
Amendment 143 6832
Amendment 144 6888
Amendment 145 6915
Amendment 146 7077
Amendment 147 7077
Amendment 148 7092
No. 14A:
Amendment 14 3655
Amendment 15 4985
Amendment 16 5586
Amendment 17 6451
No. 14B:
Amendment 2 4896, 5489
Amendment 3 6107
No. 15:
Amendment 22, correction 3954
Amendment 23 3653, 3953
Amendment 24 3858
Amendment 25 5806
Amendment 26 6451
General maximum price regulation for Hawaii:
Amendment 3 4239
Amendment 4 6238
Amendment 5 6817
General orders:
No. 32, revised:
Amendment 11 5826
Amendment 12 6045
No. 46, revised 4911
No. 53, revised 5191
No. 55 3820
No. 56 3821
No. 57 4789
No. 58 6662
Licensing orders:
No. 3; amendment 1 3852
Price regulations, maximum:
No. 1:
Amendment 4 4229
Amendment 5 5723
No. 2:
Amendment 4 4089
Amendment 5 5587
No. 11:
Amendment 15 3577
Amendment 16 4879
Amendment 17 5162
No. 13, 2d revision; amendment 1 4882
No. 19, 2d revision; amendment 3 6232
No. 20, revised:
Amendment 1 4349
Amendment 2 5374
No. 26, revised:
Amendment 6 3513
Amendment 7 4227

Page

PRICE ADMINISTRATION, OFFICE OF—Continued.
Regulations by document designation—Continued.
Price regulations, maximum—Continued.
No. 28:
Amendment 6 4198
Amendment 7 4883
No. 30; amendment 7 6107
No. 35, temporary 4392
No. 36, temporary 7258
No. 53:
Amendment 19 4207
Amendment 20 5314
Amendment 21 6232
Amendment 22 6434
Amendment 23 6452
Amendment 24 6817
As amended April 18, 1944 4200
No. 67 7003
No. 74, revised; amendment 6 5162
No. 88:
Amendment 4 3849
Amendment 5 4236
Amendment 6 4395
Amendment 7 4505
Amendment 8 4686
Amendment 9 4779
Amendment 10 5725
Amendment 11 7137
As amended June 26, 1944 7137
No. 94, revised 6634
No. 97, revised:
Amendment 13 5227
As amended May 15, 1944 5223
No. 107, revocation 4348
No. 110; amendment 8 3652
No. 112; amendment 18 5914
No. 114, revised 6630, 6951
No. 119, revised 4010
Amendment 1 6381
No. 120:
Amendment 91 4540
Amendment 93, correction 3578, 3590
Amendment 95 4219
Amendment 96 4636
Amendment 97 5042
Amendment 98 5375
Amendment 99 5587
Amendment 100 5826, 5915
Amendment 101 6433
Amendment 102 6433
Amendment 103 7261
As amended May 11, 1944 5042, 6451
No. 121:
Amendment 30 3966
Amendment 31 5069
As amended May 11, 1944 5069
No. 122, revised:
Amendment 20 3966, 4438
Amendment 21 5985
Amendment 22 6257
Amendment 23 6151
Amendment 24 6825
No. 125, revised:
Amendment 4 3856
Amendment 5 5590
No. 127:
Amendment 20 4029
Amendment 21 4879
No. 129:
Amendment 20 5802
Revised 6825

Page

PRICE ADMINISTRATION, OFFICE OF—Continued.
Regulations by document designation—Continued.
Price regulations, maximum—Continued.
No. 130, revised:
Amendment 6 3589
Amendment 7 4540
Amendment 8 7079
No. 131, revised; amendment 1 4394
No. 134; amendment 15 4396
No. 135, 2d revision; amendment 2 5804
No. 136, as amended:
Amendment 113 3578
Amendment 114 4020
Amendment 115 4134
Amendment 116 4748
Amendment 117 6420
Amendment 118 6239
Amendment 119 6884
Amendment 120 7079
Amendment 121 7168
As amended May 3, 1944 4748
No. 137, revised; amendment 3 5312, 5826
No. 143, revised 4286
Amendment 1 7260
No. 148, revised; amendment 17 4099
No. 150, revised:
Amendment 4, correction 3549
Amendment 6 5726
Amendment 7 6564
No. 159, revised 5987
No. 161, revised:
Amendment 12 3848
Amendment 13 5165
Amendment 14 5956
No. 162, revised; amendment 2 4350
No. 163:
Amendment 15 3972, 4396
As amended April 13, 1944 3972, 4396
No. 164; amendment 8 4225
No. 165, as amended:
Amendment 36 3593
Amendment 37 4747
Amendment 38 5174
Amendment 39 6263
Amendment 40 6151
Amendment 41 7020
Supp. service reg. 19, revised; amendment 1 6570
Supp. service reg. 22; amendment 2 6818
Supp. service reg. 27 4227
Revocation 6151
Supp. service reg. 28 4878
Supp. service reg. 29 6885
Supp. service reg. 30 7203
Supp. service reg. 31 7169
No. 169, revised:
Amendment 40 4648
Amendment 41 4782
Amendment 42 5955
No. 170:
Amendment 8 5912
As amended May 29, 1944 5909
No. 176:
Amendment 9 5378
Amendment 10 5589
As amended May 18, 1944 5376

Page

PRICE ADMINISTRATION, OFFICE OF—Continued.
Regulations by document designation—Continued.
Price regulations, maximum—Continued.
No. 183, revised:
Amendment 27, correction 3747
Amendment 30 3514
Amendment 31 3949
Amendment 32 4820
Amendment 33 4821
Amendment 34 5255
Amendment 35 5221
Amendment 36 5167
Amendment 37 5256
Amendment 38 5436
Amendment 39 5591
Amendment 40 6258, 7077
Amendment 41 6884, 7060
No. 187, revised; amendment 5 4782
No. 188:
Amendment 31 3858
Amendment 32 4396
Amendment 33 4506
Amendment 34 4882
Amendment 35 5357
No. 189:
Amendment 21 5216
Amendment 22 6231
Amendment 23 6451
No. 194; amendment 12 3710
No. 195, revised; amendment 4 5435
No. 197, revocation 5802
No. 198, revised 5990
No. 200:
Amendment 13 5904
Amendment 14 7079
As amended May 29, 1944 5903
No. 201; amendment 9 4100
No. 204, revised:
Amendment 2 5376
Amendment 3 6819
Amendment 4 7077
No. 206, revised; amendment 2 4349
No. 209, correction 5482
No. 213, 2d revision; amendment 1 3942
No. 215, 2d revision:
Amendment 4 4227
Amendment 5 5314
Amendment 6 6457
No. 219, 2d revision; amendment 1 4604
No. 220:
Amendment 15 6431
Amendment 16 7198
No. 221; amendment 5 5174
No. 223:
Amendment 12 5686
As amended May 25, 1944 5686
No. 224; amendment 6 4089
No. 225:
Amendment 11 3709
Amendment 12 5803
No. 231; amendment 2 4883
No. 239, revised; amendment 13 5956
No. 241:
Amendment 6 5797
Amendment 7 7077
As amended May 26, 1944 5797
No. 244; amendment 8 6451

Page

PRICE ADMINISTRATION, OFFICE OF—Continued.
Regulations by document designation—Continued.
Price regulations, maximum—Continued.
No. 246:
Amendment 12 6110
Amendment 13 6881
No. 248; amendment 4 3856
No. 253; amendment 6 5482
No. 257, revised; amendment 2 5155, 5909
No. 258; amendment 4 3857
No. 259, as amended:
Amendment 4, correction 3946
Amendment 5 4107
No. 260:
Amendment 7, correction 3710
Amendment 8 7060
No. 264, revised 5956
No. 266:
Amendment 8 4091
As amended April 15, 1944 4090
No. 269:
Amendment 28 4356
Amendment 29 5695
No. 271, revised:
Amendment 12 3589
Amendment 13 4027
Amendment 14 4647
Amendment 15 5379
Amendment 16 6151
No. 272; amendment 4, correction 3709
No. 275:
Amendment 7 5726
Correction 7261
No. 276; amendment 4 4089
No. 280:
Amendment 44 4027
Amendment 45 5586
Amendment 46 6520
As amended June 14, 1944 6520
No. 282, revised; amendment 1 6257
No. 284, revised:
Amendment 3 4883
As amended May 8, 1944 4883
No. 285:
Amendment 7, correction 4016
Amendment 8 5803
No. 288:
Amendment 22 4029, 4245, 4985
Amendment 23 4199
Amendment 24 5168
Amendment 25 5485
No. 289:
Amendment 30 3649
Amendment 31 3947
Amendment 32 4440
Revised 5140
Amendment 1 5427
Amendment 2 5429
Amendment 3 5588
Amendment 4 5917
Amendment 5 5919
Amendment 6 5921
Amendment 7 6105
No. 290, revised 5727
No. 291, revised; amendment 3 3647, 4196
No. 293, revised:
Amendment 4 3514
Amendment 5 3747

Page

PRICE ADMINISTRATION, OFFICE OF—Continued.
Regulations by document designation—Continued.
Price regulations, maximum—Continued.
No. 295; amendment 7 4198
No. 296, revised; amendment 3 5985
No. 305:
Amendment 10 5827
Amendment 11 6109
No. 306:
Amendment 28 4349
Amendment 29 6109
As amended December 16, 1943; correction 5075
No. 311; amendment 1 6023
No. 312; amendment 1 4390
No. 313, revised 5344
No. 317; amendment 3 3590
No. 319, revised 3705, 4224
Amendment 1 4882
No. 322, 2d revision 7199
No. 324, revised; amendment 3 5591
No. 333; amendment 26 6458
No. 336:
Amendment 12 3709
Amendment 13 4356
Amendment 14 5589
No. 339, 2d revision:
Amendment 1 4024
Amendment 2 4475
No. 340; amendment 2, correction 3952
No. 341, revised:
Amendment 2 3847
Amendment 3 4396
Amendment 4 7009
No. 346, 2d revision:
Amendment 2 4610
Correction 6628
No. 348:
Amendment 44 3577
Amendment 45 4104
Amendment 46 4686
Amendment 47 4599
Amendment 48 4983
Amendment 49 5155
Revised 5232
No. 350; amendment 2 4982
No. 353; amendment 4 3648
No. 355:
Amendment 14 3652
Amendment 15 4356
Amendment 16 5504
As amended May 24, 1944 5504
No. 364:
Amendment 16 4182
Amendment 17 4650
Amendment 18 5163
No. 365; amendment 3 3653
No. 368:
Amendment 7 4184
As amended April 17, 1944 4184
No. 372; amendment 1 5217
No. 373:
Amendment 29, correction 3514
Amendment 46 3967
Amendment 47 3947
Amendment 48 3945
Amendment 49 4240, 4540
Amendment 50 4194
Amendment 51 4245
Amendment 52 4351
Amendment 53 4783

Page

PRICE ADMINISTRATION, OFFICE OF—Continued.
Regulations by document designation—Continued.
Price regulations, maximum—Continued.
No. 373—Continued.
Amendment 54 4821
Amendment 55 4785
Amendment 56 4319
Amendment 57 5168
Amendment 58 5438
Amendment 59 5482
Amendment 60 6259
Amendment 61 6810
Amendment 62 6813
Amendment 63 6814
Amendment 64 6815
Amendment 65 6818
Amendment 66 6818
Amendment 67 6885
Amendment 68 7262
No. 375; amendment 2 3855, 4196
No. 376; amendment 3 4948
No. 378:
Amendment 6 5828
Amendment 7 6565
No. 381:
Amendment 3 4608, 5802
Amendment 4 6915
No. 382:
Amendment 5 4197
Amendment 6 6647
No. 389; amendment 14 6730
No. 390:
Amendment 4 4440
Amendment 5 5804
Amendment 6 7061
As amended June 24, 1944 7061
No. 391:
Amendment 2 4441
Amendment 3 7070
As amended June 24, 1944 7070
No. 392:
Amendment 4 6257
Amendment 5 6257
No. 393:
Amendment 4 4225
Amendment 5 6830
No. 395:
Amendment 17 3857
Amendment 18 4194, 4542
Amendment 19 6262
Amendment 20 6456
Amendment 21 6457
Amendment 22 6773, 6881
Amendment 23 6816
Amendment 24 6816
Amendment 25 6774
Amendment 26 6776
Correction 6456
No. 399:
Amendment 14 5258
As amended May 15, 1944 5258
No. 401; amendment 3 5828
No. 402; amendment 1 5422
No. 406; amendment 3 6885
No. 414; amendment 1 4945
No. 415; amendment 6 5724
No. 416; amendment 4 4098
No. 418:
Amendment 29 3578, 4350
Amendment 30 3940, 4821
Amendment 31 6103
Amendment 32 6452
Amendment 33 7168

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Regulations by document designation—Continued.
Price regulations, maximum—Continued.
No. 420; amendment 4 ---- 3592
No. 421:
Amendment 8 ---- 3647
Amendment 9 ---- 4016
Amendment 10 ---- 5648
As amended May 24, 1944 ---- 5648
No. 422:
Amendment 12 ---- 3510
Amendment 13 ---- 3648
Amendment 14 ---- 4017
Amendment 15 ---- 4214
Amendment 16 ---- 4434
Amendment 17 ---- 5656
Amendment 18 ---- 6828
As amended May 24, 1944 ---- 5656, 6951
No. 423:
Amendment 13 ---- 3510
Amendment 14 ---- 3648
Amendment 15 ---- 4017
Amendment 16 ---- 4217
Amendment 17 ---- 4434
Amendment 18 ---- 5671
Amendment 19 ---- 6829
As amended May 24, 1944 ---- 5671
No. 426:
Amendment 22 ---- 4030
Amendment 23 ---- 4086
Amendment 24 ---- 4088
Amendment 25 ---- 4434, 4779
Amendment 26 ---- 4786
Amendment 27 ---- 4787
Amendment 28 ---- 4877
Amendment 29 ---- 5926
Amendment 30 ---- 5959
Amendment 31 ---- 6104, 6108
Amendment 32 ---- 6420, 6711
Amendment 34 ---- 7259
Amendment 35 ---- 7268
No. 429; amendment 3 ---- 4020
No. 431:
Amendment 8 ---- 3848
Amendment 9 ---- 5344
Amendment 10 ---- 6362
Amendment 11 ---- 6831
No. 432:
Amendment 3 ---- 4476, 5925
Amendment 4 ---- 7201
No. 435; amendment 4 ---- 5990
No. 436:
Amendment 11 ---- 3851
Amendment 12 ---- 4237
Revised ---- 6024
No. 438; amendment 5 ---- 6024
No. 443; amendment 3 ---- 3592, 6405
No. 444, revised; correction ---- 4098
No. 445:
Amendment 15 ---- 4687
As amended May 2, 1944 ---- 4687
No. 446; amendment 2 ---- 6647
No. 448; amendment 1 ---- 6450
No. 449; amendment 2 ---- 6633
No. 450:
Amendment 2 ---- 5803
Amendment 3 ---- 6711
No. 451; amendment 3 ---- 5803
No. 453; amendment 3 ---- 3651
No. 454; amendment 1 ---- 5313, 5956
No. 456, 2d revision; amendment 1 ---- 3745
No. 459; amendment 3 ---- 6810

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Regulations by document designation—Continued.
Price regulations, maximum—Continued.
No. 460; amendment 2 ---- 6457
No. 464, revised; amendment 2 ---- 6359
No. 465:
Amendment 3 ---- 3578
Amendment 4 ---- 3855
No. 466; amendment 3 ---- 4985
No. 467; amendment 3 ---- 5313
No. 468; amendment 2 ---- 7169
No. 469:
Amendment 6 ---- 5075
Amendment 7 ---- 5435
No. 471; amendment 4 ---- 4948
No. 472:
Amendment 2 ---- 4197
Amendment 3 ---- 6710
No. 475; amendment 3 ---- 7199
No. 476; amendment 3 ---- 3508
No. 477:
Amendment 4 ---- 5311
Amendment 5 ---- 6256
Amendment 6 ---- 6629
No. 478:
Amendment 3 ---- 5411
As amended May 19, 1944 ---- 5411
No. 481; amendment 3 ---- 3512, 4985
No. 483; amendment 2 ---- 4985
No. 484; amendment 2 ---- 5916, 7079
No. 485; amendment 1 ---- 6915
No. 487, revised; amendment 2 ---- 5440
No. 488; amendment 3 ---- 4351
No. 490; amendment 4 ---- 4238
No. 496:
Amendment 3 ---- 5076
Amendment 4 ---- 5805
No. 499; amendment 2 ---- 7261
No. 501; amendment 1 ---- 6110
No. 502; amendment 1 ---- 4612
No. 503:
Amendment 1, correction ---- 4882
Amendment 2 ---- 6831
No. 504, revised ---- 4105
No. 506, revised ---- 5004
Amendment 1 ---- 6239
No. 507:
Amendment 1 ---- 3511
Amendment 2 ---- 3512
Amendment 3 ---- 4540
Amendment 4 ---- 5163
No. 509; amendment 2 ---- 5587
No. 510; amendment 2 ---- 4686
No. 511:
Amendment 1 ---- 4133
Correction ---- 5695
No. 513; amendment 2 ---- 3652
No. 515, correction ---- 4506
No. 518; amendment 1 ---- 5440
No. 519, correction ---- 3581
No. 523; amendment 1 ---- 6951
No. 524; amendment 1 ---- 4687
No. 525 ---- 3735
No. 526 ---- 3853
No. 527 ---- 4017
No. 528 ---- 4291, 4540
No. 529 ---- 4438
Amendment 1 ---- 6232
No. 530 ---- 4478
No. 531 ---- 4893
No. 532 ---- 4942
Revised ---- 5433

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Regulations by document designation—Continued.
Price regulations, maximum—Continued.
No. 533–1 ---- 5233, 5914
Amendment 1 ---- 6108
No. 533–2 ---- 5299, 5959
No. 533–3 ---- 5302
Amendment 1 ---- 6108
No. 533–4 ---- 5235
Amendment 1 ---- 6109
No. 533–5 ---- 5238, 5915
No. 533–6 ---- 5303
No. 534–1 ---- 5241
No. 534–2 ---- 5243
Amendment 1 ---- 6109
No. 535–1 ---- 5306
No. 535–2 ---- 5246
No. 535–3 ---- 5309, 6256
No. 535–4 ---- 5248
No. 535–5 ---- 5249
No. 535–6 ---- 5305
No. 535–7 ---- 5250
No. 536 ---- 5592
No. 537 ---- 5924
No. 538 ---- 6530, 7079
No. 539 ---- 6152
No. 540 ---- 6434
No. 541 ---- 6565
No. 542 ---- 6882
No. 543 ---- 7196, 7258
Restaurant MPR's:
No. 2 ---- 7263
No. 3–15 ---- 4351
No. 5–4, revised ---- 4229
No. 5–9, revised ---- 4743
No. 9–1:
Amendment 1 ---- 5737
Correction ---- 7076
Price schedules, revised:
No. 4; amendment 15 ---- 4599
No. 9; amendment 9 ---- 5987
No. 10; amendment 9 ---- 5156
No. 16; amendment 6 ---- 4880
No. 32:
Amendment 13 ---- 5482
Amendment 14 ---- 7261
No. 35; amendment 19, correction ---- 4016
No. 44; amendment 4 ---- 3745
No. 49:
Amendment 21 ---- 3649
Amendment 22 ---- 4390
Amendment 23 ---- 4944
Amendment 24 ---- 5987
Amendment 25 ---- 6505
No. 50; amendment 10 ---- 7261
No. 56; correction ---- 6629
No. 60; amendment 11 ---- 5802
No. 63; revocation ---- 4348
No. 66, as amended; revocation ---- 4348
No. 73; amendment 6 ---- 5312
No. 82; amendment 9 ---- 5588
No. 83; amendment 4 ---- 5375
No. 84; amendment 7 ---- 4349
No. 85; amendment 15 ---- 6829
No. 87; amendment 11 ---- 4879
Procedural regulations:
No. 1, revised:
Amendment 7 ---- 5791
As amended May 26, 1944 ---- 5791
No. 4, revised; amendment 1 ---- 5426
No. 6; amendment 5 ---- 6256
No. 9; amendment 13 ---- 4539

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Regulations by document designation—Continued.
Procedural regulations—Con.
No. 11:
Amendment 3 ---- 5646
As amended May 24, 1944 ---- 5645
No. 12; amendment 5 ---- 6108
No. 56; amendment 4 ---- 3852
No. 87; amendment 10 ---- 3852
Ration orders:
No. 1A:
Amendment 73 ---- 4132
Amendment 74 ---- 4224
Amendment 75 ---- 4236
Amendment 76 ---- 4610
Amendment 77 ---- 5685
No. 1B:
Amendment 6 ---- 3849
Amendment 7 ---- 6629
No. 1C, revised ---- 5156
No. 1E:
Amendment 8 ---- 4743
Amendment 9 ---- 6231
No. 2B; amendment 12 ---- 6880
No. 3, revised:
Amendment 6 ---- 3513
Amendment 7 ---- 3579
Amendment 8 ---- 3847
Amendment 9 ---- 3944
Amendment 10 ---- 4099
Amendment 11 ---- 4350
Amendment 12 ---- 4474
Amendment 13 ---- 4880
Amendment 14 ---- 5220
Amendment 15 ---- 5254
Amendment 16 ---- 5220
Amendment 17 ---- 5166
Amendment 18 ---- 5426
Amendment 19 ---- 5346
Amendment 20 ---- 5805
Amendment 21 ---- 5829
Amendment 22 ---- 6233
Amendment 23 ---- 6562
Amendment 24 ---- 6562
Amendment 25 ---- 6564
Amendment 26 ---- 7080
Amendment 27 ---- 6881
Amendment 28 ---- 7202
Eleventh rev. zoning order 1 ---- 3654
Amendment 1 ---- 4650
No. 4A; amendment 9 ---- 4350
No. 5C:
Amendment 113, correction ---- 3578
Amendment 115 ---- 3734
Amendment 116 ---- 3745
Amendment 117 ---- 4196
Amendment 118 ---- 4396
Amendment 119 ---- 4239
Amendment 120 ---- 4390
Amendment 121 ---- 4945
Amendment 122 ---- 5165
Amendment 123 ---- 5435
Amendment 124 ---- 5694
Amendment 125 ---- 5829
Amendment 126 ---- 5590
Amendment 127 ---- 5694
Amendment 128 ---- 6030
Amendment 129 ---- 6110
Amendment 130 ---- 6647
Amendment 131 ---- 6830
Supplement 1, revised; amendment 2, correction ---- 3943
No. 5E; amendment 5 ---- 5165

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Regulations by document designation—Continued.
Ration orders—Continued.
No. 5F:
Amendment 6 ---- 3513
Amendment 7 ---- 4433
Amendment 8 ---- 4611
Amendment 9 ---- 4779
Amendment 10 ---- 5736
Amendment 11 ---- 6111
Amendment 12 ---- 7262
No. 6A:
Amendment 9 ---- 3943
Amendment 10 ---- 5379
Amendment 11 ---- 6361
Amendment 12 ---- 7202
No. 8:
Amendment 7 ---- 5219
Amendment 8 ---- 5219
No. 9A:
Amendment 8 ---- 3946
Amendment 9 ---- 6952
Supplement 1; amendment 8 ---- 5439
No. 9C ---- 6587
No. 10:
Amendment 19 ---- 5166
Amendment 20 ---- 5220
Amendment 21 ---- 5380
No. 11, revised:
Amendment 2 ---- 4099
Amendment 3 ---- 4391
Amendment 4 ---- 4874
Amendment 5 ---- 5165
Amendment 6 ---- 5219
Amendment 7 ---- 5253
Amendment 8 ---- 5502
Amendment 9 ---- 5926
Amendment 10 ---- 6030
Amendment 11 ---- 5804
Amendment 12 ---- 6360
Amendment 14 ---- 7201
No. 13, revised:
Amendment 19 ---- 3513
Amendment 20 ---- 3579
Amendment 21 ---- 3708
Amendment 22 ---- 3710
Amendment 23 ---- 3847
Amendment 24 ---- 3944
Amendment 25 ---- 4026
Amendment 26 ---- 4351
Amendment 27 ---- 4475
Amendment 28 ---- 4604
Amendment 29 ---- 4818
Amendment 30 ---- 4876
Amendment 31 ---- 4881
Amendment 32 ---- 5254
Amendment 33 ---- 5074
Amendment 34 ---- 5436
Amendment 35 ---- 5695
Amendment 36 ---- 5829
Amendment 37 ---- 6234
Amendment 38 ---- 6235
Amendment 39 ---- 6647
Amendment 40 ---- 6951
Amendment 41 ---- 7080
Amendment 42 ---- 7081, 7198
Amendment 43 ---- 7202
Amendment 44 ---- 7257
Supplement 1, 2d revision:
Amendment 8 ---- 3707
Amendment 9 ---- 3580
Amendment 10 ---- 4542
Amendment 11 ---- 4605
Amendment 12 ---- 4883
Amendment 13 ---- 4607

PRICE ADMINISTRATION, OFFICE OF—Continued. Page
Regulations by document designation—Continued.
Ration orders—Continued.
No. 13, revised—Continued.
Supplement 1, 2d revision—Continued.
Amendment 14 ---- 4883
Amendment 15 ---- 5956
Amendment 16 ---- 6103
Amendment 17 ---- 6455
Amendment 18 ---- 6151
No. 16:
Amendment 121 ---- 3514
Amendment 122 ---- 3580
Amendment 123 ---- 3707
Amendment 124 ---- 3708
Amendment 125 ---- 3708
Amendment 126 ---- 3848
Amendment 127 ---- 3944
Amendment 128 ---- 3746
Amendment 129 ---- 4099
Amendment 130 ---- 4475
Amendment 131 ---- 4107
Amendment 132 ---- 4505
Amendment 133 ---- 4505
Amendment 134 ---- 4612
Amendment 135 ---- 4818
Amendment 136 ---- 4881
Amendment 137 ---- 4876
Amendment 138 ---- 5074
Amendment 139 ---- 5830
Amendment 140 ---- 5830
Amendment 141 ---- 5722
Amendment 142 ---- 6236
Amendment 143 ---- 6238
Revised ---- 6731
Amendment 1 ---- 7081
Amendment 2 ---- 7081
Amendment 3 ---- 7082
Amendment 4 ---- 7167
Amendment 5 ---- 7060
Amendment 6 ---- 7203
Amendment 7 ---- 7258
Amendment 10 ---- 7262
Supplement 1, revised:
Amendment 23 ---- 3707
Amendment 24 ---- 3581
Amendment 25 ---- 4107
Amendment 26 ---- 4505
Amendment 27 ---- 4607
Amendment 28 ---- 4877
Amendment 29 ---- 5315
Amendment 30 ---- 5586
Amendment 31 ---- 5805
Amendment 32 ---- 6103
Amendment 33 ---- 6455
2d revision ---- 6772
Amendment 1 ---- 6825
Amendment 2 ---- 7262
No. 17:
Amendment 57 ---- 3944
Amendment 58 ---- 4391
Amendment 59 ---- 5254
Amendment 60 ---- 5254
Amendment 61 ---- 5805
Amendment 62 ---- 6233
Amendment 63 ---- 6647
Amendment 64 ---- 6455
Amendment 65 ---- 7080
Ration orders, general:
No. 3:
Amendment 6 ---- 5426
Amendment 7 ---- 6810
Amendment 8 ---- 6825

PRICE ADMINISTRATION, OFFICE OF—Continued.
Regulations by document designation—Continued.
Ration orders, general—Con.
No. 5:
Amendment 55 — 3704
Amendment 56 — 3577
Amendment 57 — 4196
Amendment 58 — 4393
Amendment 59 — 4873
Amendment 60 — 4647
Amendment 61 — 4647
Amendment 62 — 5041
Amendment 63 — 4873
Amendment 64 — 5232
Amendment 65 — 5684
Amendment 66 — 5826
Amendment 67 — 5915
Amendment 68 — 6108
Amendment 69 — 6504
Amendment 70 — 6628
Amendment 71 — 7167
Amendment 72 — 7260
Supplement 3:
Amendment 2 — 4647
Amendment 3 — 6504
No. 7; amendment 8 — 5216
No. 8:
Amendment 7 — 4196
Amendment 8 — 4878
No. 9:
Amendment 5 — 4348
Amendment 6 — 4874
No. 11:
Amendment 13 — 7169
Amendment 14 — 4010
Amendment 15 — 5374
Amendment 16 — 6628
No. 12; amendment 3 — 6504
No. 14; amendment 1 — 6504
No. 17 — 3508
Rent control orders:
Defense-rental areas; designations and rent declarations:
No. 25:
Amendment 23 — 4540
Amendment 24 — 5820
As amended May 27, 1944 — 5820
No. 31:
Amendment 17 — 4541
Amendment 18 — 5823
Amendment 19 — 5915
As amended May 27, 1944 — 5823
Hotels and rooming houses:
Areas:
Miami:
Amendment 3 — 5003
New York City:
Amendment 8 — 5003
Rent regulations:
Amendment 18 — 4541
Amendment 19 — 5002
Amendment 20 — 5806
Amendment 21 — 5828
Amendment 22 — 5915
Amendment 23 — 6569
Housing:
Areas:
Atlantic County — 6819
Miami:
Amendment 4 — 4028
Amendment 5 — 6360
Amendment 6 — 7168
New York City:
Amendment 7 — 4028
Amendment 8 — 6360

PRICE ADMINISTRATION, OFFICE OF—Continued.
Regulations by document designation—Continued.
Rent control orders—Con.
Housing—Continued.
Rent regulations:
Amendment 21 — 4028
Amendment 22 — 4541
Amendment 23 — 5807
Amendment 24 — 5915
Amendment 25 — 6359
Amendment 26 — 6569
Amendment 27 — 6819
As amended May 27, 1944 — 5807
Supplementary orders:
No. 45; amendment 7 — 5374
No. 80:
Amendment 1 — 3581
Correction — 4010
No. 85 — 3506
Amendment 1 — 4697
No. 86 — 3734
No. 87 — 4879
No. 88 — 5156
No. 89 — 5724
No. 90 — 7003

PRIORITY CLASSIFICATIONS, of Executive departments and agencies. *See* Civil Service.

PRIORITY TRANSPORTATION FOR INVALID MILITARY PERSONNEL. *See* Interstate Commerce Commission.

PROCLAMATIONS:
Flag Day, 1944 (No. 2614) — 4799
Mother's Day, 1944 (No. 2612) — 4499
National Farm-Safety Week, 1944 (No. 2615) — 6799
National Maritime Day, 1944 (No. 2613) — 4499

PROPERTY, SURPLUS. *See* Surplus War Property Administration.

PROTECTION OF ESSENTIAL FACILITIES, from sabotage and other destructive acts; EO 9165 revoked (Executive Order 9437) — 4319

PUBLIC CONTRACTS (TITLE 41):
Procurement Division:
Renegotiation of contracts; regulations by War Contracts Price Adjustment Board — 4160, 6198
Supplies to be procured by the Procurement Division (Part 4) — 6240
Public Contracts Division:
Handicapped persons, employment at wages less than applicable minimum rates — 3655
Minimum wage determinations (Part 202) — 6888, 6889, 6890, 7270
Walsh-Healey Act, exceptions from provisions of; evaporated and powdered skimmed milk contracts — 5996

PUBLIC CONTRACTS DIVISION:
Exceptions from provisions of Walsh-Healey Act; evaporated and powdered skimmed milk contracts — 5996

PUBLIC CONTRACTS DIVISION—Continued.
Handicapped persons; employment of veterans at wages less than minimum rates — 3655
Minimum wage rates, various industries:
Dental goods and equipment manufacturing — 7270
Dimension granite — 6888
Evaporated milk — 6890
Fertilizer — 6889
Paper and pulp — 6889
Photographic supplies — 5741
Scientific industrial and laboratory instruments — 5740
Structural clay products — 6890
Surgical instruments and apparatus — 5741
Renegotiation of contracts. *See* War Contracts Price Adjustment Board.

PUBLIC DEBT BUREAU. *See* Treasury Department.

PUBLIC HEALTH (TITLE 42):
Public Health Service:
Foreign quarantine (Part 11) — 3978, 3979
Payments to provide training for nurses (Part 28) — 7085
Uniform and insignia of the United States Cadet Nurse Corps (Part 30) — 4246

PUBLIC HEALTH SERVICE:
Foreign quarantine; inspection and bills of health for vessels:
In United States ports — 3979
Flying between United States and foreign ports — 3978
Nurses:
Student, establishing uniform monthly rate of pay for student nurses transferred to Federal hospitals (Executive Order 9439) — 4839
Training, requirements for participation in postgraduate program — 7085
United States Cadet Nurse Corps; uniforms and insignia — 4246

PUBLIC LANDS: INTERIOR (TITLE 43):
General Land Office:
Homesteads (Part 65) — 6916
Homesteads; original, additional, second and adjoining farm homesteads, under general provisions of homestead laws (Part 166) — 6917
Mineral lands; coal permits and leases and permits for free use of coal (Part 70) — 4401
Mineral permits, leases and licenses (Part 191) — 7170
Oaths, affirmations, and acknowledgments (Part 52) — 6916
Officers and employees (Part 210) — 6917
Oil and gas leases (Part 192) — 4507
Phosphate leases (Part 196) — 5738
Public land orders (Appendix) — 3655, 3860, 4031, 4033, 4077, 4247, 4401, 4904, 4949, 6198, 6570, 6833, 6916.

PUBLIC LANDS: INTERIOR (TITLE 43)—Continued.
General Land Office—Con.
Revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands in Oregon (Part 115) — 4402
Sodium permits and leases (Part 195) — 7085
Office of the Secretary:
Cheraw Recreational Demonstration Project lands, S. C., transfer from National Park Service to Fish and Wildlife Service — 5489

PUERTO RICO:
Conservation programs. *See* Agricultural Adjustment Agency.
Price regulations. *See* Price Administration.
Rationing. *See* Rationing.
Registration, etc. *See* Selective Service System.
Special Industry Committee. *See* Wage and Hour Division.

R

RAILROAD RETIREMENT BOARD:
Employers' contributions and contribution reports; adjustments, records, etc — 5398
Hearings; employees' status:
Midland Railway Co. of Manitoba — 5194, 5874, 6614
Shipley Company and Chicago, St. Paul, Minneapolis and Omaha Railway Company — 4415, 5874, 6289, 7117

RAILROADS:
Freight and passenger services, etc. *See* Defense Transportation; Interstate Commerce Commission.
Securities, competitive bidding. *See* Interstate Commerce Commission.
Substitution of rail for motor carrier service. *See* Defense Transportation; Interstate Commerce Commission.
Transportation of delegates, press representatives, etc., to national conventions. *See* Defense Transportation.

RATIONING:
Administration and procedure:
Appeals, procedure — 4539
Authority of Deputy and Assistant Deputy Administrator in Charge of Rationing — 6662
Banking; banks — 5426, 6810, 6825
Disclosure of information from official files, etc — 3820
Ration documents; stamps, coupons, etc.:
Lost, stolen, destroyed, mutilated or wrongfully withheld; replacement — 6108
Method of surrender — 5216
Prohibitions, penalties, and conditions — 4196
Use of suspension orders — 4196, 4878

RATIONING—Continued.
Administration and procedure—Continued.
Ration documents; stamps, coupons, etc.—Continued.
War Ration Book Three for imported laborers — 6504
War Ration Book Four for imported laborers — 6504
Regional Offices I and II, assumption of functions of Boston and New York City District Offices — 3821
Replacement of rationed foods used in products acquired by designated agencies — 4010
Suspension orders:
Delegation of authority to Hearing Administrator and Hearing Commissioners to issue and hold hearings regarding — 4913
Issuance, procedure — 5426
Export of rationed foods. *See* Foods.
Farm machinery and equipment, new — 5630
Milk cans and covers, metal; distribution — 7249
Pressure canners — 3927
Food rationing:
See also Meats; Processed foods; Sugar.
Export of — 3508
In Virgin Islands. *See* Virgin Islands.
Institutional users — 3577, 3704, 4196, 4393, 4647, 4873, 5041, 5232, 5684, 5826, 5915, 6108, 6504, 6628, 7167, 7260.
Allotments; reduction for Ration Order 16 foods — 4873, 7260
Point values, factors, allowances, etc — 4647, 6504
Temporary rations — 4348, 4874
Used in products acquired by designated Government or other agencies; replacement — 4010, 5374, 6628
Footwear:
Rubber; men's boots and work shoes — 3943, 5379, 6361, 7202
Release of certain footwear, application to National Office — 3943
Shoes — 3944, 4391, 5254, 5805, 6233, 6455, 6647, 7080
Acquisition by members of armed forces and by civilians required to wear army uniform overseas — 7080
Odd lot release — 6455
Period of validity for stamps — 4391
Special stamps for residents of Mexico — 6233
Fuel oil — 4099, 4391, 4874, 5165, 5219, 5253, 5502, 5804, 5926, 6030, 6360, 7169, 7201
Consumer's coupon sheet, acceptance by dealer — 5503
For use in water craft; authority to issue permits — 4402
Renewal of heat and hot water rations for 1944–45 heating year — 4874, 5219, 5926, 6030, 6360, 7201
Reports by persons shipping oil into limitation area — 5804

RATIONING—Continued.
Fuel oil—Continued.
United States Steel Corporation of Delaware, registration of affiliates as primary suppliers — 3958
Violations; issuance of orders by District Directors — 5253
Gasoline — 3578, 3734, 3745, 4196, 4239, 4390, 4396, 4945, 5165, 5435, 5590, 5694, 5829, 6030, 6110, 6647, 6830.
Coupon unit values — 3943
Exception; certain transactions of Defense Supplies Corporation acting by and through War Emergency Pipelines Inc — 6656
For transportation:
For persons conducting petroleum conservation program — 5694
In connection with elections — 6647
To and from agricultural or food processing establishment — 5590
To cultivate garden — 3734
In territories and possessions. *See* Hawaii; Puerto Rico.
Issuance of rations where board is served by Ration Currency Issuing Center — 5435
Tax exempt gasoline for nonhighway purposes; authorization of distributors to accept Class R coupons:
Kansas — 4411
North Dakota — 5625
Oklahoma — 5973
Hawaii:
Gasoline — 3513, 4433, 4611, 4779, 5736, 6111, 7262
Tires — 4743, 6231
Institutional users. *See* Food rationing.
Meat, fats, fish and cheeses:
Point values and factors, regulations — 3581, 4107, 4607, 4877, 5315, 5586, 5805, 6103, 6455.
Revised regulations — 6772, 6825, 7262
Ration periods, regulations — 3707, 4605
Revised regulations — 6772
Regulations — 3514, 3580, 3707, 3708, 3746, 3848, 3944, 4099, 4107, 4475, 4505, 4612, 4818, 4876, 4881, 5074, 5722, 5830, 6236.
Revised regulations — 6731, 7060, 7081, 7082, 7167, 7203, 7258, 7262.
Household salvage fats; master collectors — 7082
Lost, destroyed, etc., certificates, coupons, stamps, or tokens; replacement — 7081
Registration of persons dealing only in zero point value foods — 7258
Suspension orders; modification of, in case of foods with zero point value — 5019

RATIONING—Continued. Page
Motor vehicles:
Commercial, new:
Authority delegation to Office of Defense Transportation by War Production Board 6989
Issuance of certificates of transfer and exemption permits 7089
Procedure upon filing application 7092
Passenger 6880
Processed foods 3513, 3579, 3708, 3710, 3944, 3947, 4026, 4351, 4475, 4604, 4818, 4876, 4881, 5074, 5254, 5436, 5695, 5829, 6234, 6235, 6238, 6647, 6951, 7080, 7081, 7198, 7202, 7257.
Acquisition by residents of Mexico 6234
Cases of illness 3579
Export 3513
See also Foods.
Frozen; excess inventories 5254
Lost, destroyed, etc., certificates, coupons, stamps, or tokens; replacement 7080
Point values and factors 3580, 4542 4607, 4883, 5956, 6103, 6151, 6455
Sales by certain activities of Army, Navy, Marine Corps or Coast Guard at less than point value 4818
Ration periods 3707, 4605
Registration by persons dealing only in zero point value foods 7257
Tokens which may not be used 7081, 7198

Puerto Rico:
Fertilizer, chemical; requirement for tobacco crop 5033
Gasoline 5165
Stoves, new cooking 6587
Tires 3849, 6629
Rubber footwear. *See* Footwear.
Shoes. *See* Footwear.
Stoves 3946, 5439, 6952
In Puerto Rico: *See* Puerto Rico.
Sugar 3513, 3579, 3847, 3944, 4099, 4350, 4474, 4880, 5166, 5220, 5254, 5346, 5426, 5805, 5829, 6233, 6562, 6564, 7080, 7202
Acquisition by sugarcane and sugar beet growers 3579
Areas with substantial increase in population listed 6562
Export and replacement 3513
See also Foods.
For bakery and cereal products 5346, 6881
For feeding bees 7080
For production of frozen sugared egg yolks 5829
Ration period 6233
Zones 3654, 4650
Temporary food rations. *See* Food rationing.
Tires, tubes, recapping and camelback 4132, 4224, 4236, 4610, 5685
In territories and possessions. *See* Hawaii; Puerto Rico; Virgin Islands.
Typewriters 4350

RATIONING—Continued. Page
Virgin Islands:
Food:
Cornmeal 3652, 5166, 5220
Wheat flour 5380
Gasoline 5219
Tires; revised regulations 5156
RECLAMATION BUREAU:
Annual water charges:
Boise Project, Idaho 4160
Minidoka Project, Idaho 3714
Yakima Project, Wash. 6036
Yuma Auxiliary Project, Ariz. 3658
First and second form withdrawals:
Boise Project, Idaho; partial revocation 5606, 6651
Columbia River Project, Wash 4160
Deschutes Project, Oreg. 6650
Hassayampa Project, Ariz. 4035
Hondo Project, New Mexico; partial revocation 6571
Humboldt Project, Nev., partial revocation 6917
Klamath Project, Oreg., partial revocation 5606
Newland Project, Nev., partial revocation 6366
Okanogan Project, Wash.; partial revocation 4034, 5606
Priest Rapids Project, Wash.; partial revocation 4034
Salt River Project, Ariz.; partial revocation 6116
Tieton Project, Wash., partial revocation 6650
Vale Project, Oreg., partial revocation 5606
Yakima Project, Wash., partial revocation 5606
RECONSTRUCTION FINANCE CORPORATION:
Materials or services to be obtained by contract or otherwise; authorization to place orders with other agencies (Executive Order 9440) 4999
Property, surplus, of War Department, Navy Department and Maritime Commission; designation as disposal agency. *See* Surplus War Property Administration.
Renegotiation of contracts. *See* War Contracts Price Adjustment Board.
War Damage Corporation; extension of insurance 3758
RELIGIOUS OBJECTORS. *See* Selective Service.
RENEGOTIATION OF CONTRACTS. *See* War Contracts Price Adjustment Board; War Department.
RETRAINING AND REEMPLOYMENT ADMINISTRATION:
Veterans' information service centers, organization and operation 5391
RUBBER RESERVE COMPANY:
Property, surplus, disposal of. *See* Surplus War Property Administration.

RUBBER RESERVE COMPANY—Continued. Page
Termination of war contracts, fixed price orders or subcontracts. *See* Joint Contract Termination Board; Surplus War Property Administration.
RURAL ELECTRIFICATION ADMINISTRATION:
Allocation of funds for loans:
Alabama 7095
Arkansas 5446, 6459
California 7094
Colorado 4111, 4249, 5383, 5445
Georgia 4111, 4249
Illinois 4111, 4788, 5383, 6459, 7094
Indiana 4111, 4788, 5383, 7095
Iowa 3596, 4111, 4788, 6459, 7094
Kansas 4249
Kentucky 4249, 5446, 6036, 7095
Louisiana 4788, 5383, 5445, 6036, 6037
Maryland 5446
Michigan 4249, 4788
Minnesota 3596, 5383, 5445, 5446, 6036, 6459, 7094, 7095
Mississippi 4249, 4788, 6037, 7094, 7095
Missouri 4788, 5176, 5446, 6459, 7095
Nebraska 4111, 4788, 5383, 7095
New Jersey 4249
New Mexico 4111
New York 4249, 6459
North Carolina 3596, 4111, 4249, 5446, 6037
North Dakota 6037
Ohio 7094, 7095
Oklahoma 3596, 4249, 4788, 5446, 6459, 6037
Oregon 4249
Pennsylvania 5446, 6037, 6459
South Carolina 3596, 4788, 6037, 6459
Tennessee 6459
Texas 4111, 4249, 4788, 5383, 5445, 5446, 6037, 6459, 7094
Utah 6037
Vermont 4111
Virginia 4111, 4788, 5445, 5446, 6037, 6459
Washington 4249, 4788, 5445, 6459
Wisconsin 3596, 4111, 4788, 6459, 7094

S

SABOTAGE. *See* Protection of essential facilities.
SECURITIES, RAILROAD, competitive bidding. *See* Interstate Commerce Commission.
SECURITIES AND EXCHANGE COMMISSION:
Notices, hearings, orders, etc.:
Agincourt Land Corp 4519
Aldrich, Edward B 6290
Alpha Assn 5468
American Gas and Electric Co 3721, 3825, 4060, 4497, 4797
American Gas and Power Co 4060, 6141, 6618, 5468, 6978
American Power & Light Co 4374
American States Utilities Corp 3720, 4517, 5757
American Utilities Service Corp 5392, 6978
Arizona Power Utilities Corp 4995

SECURITIES AND EXCHANGE COMMISSION—Continued. Page
Notices, hearings, orders, etc.—Continued.
Associated Electric Co 5325, 5393, 5875, 7035
Associated Gas and Electric Co 4416, 4417, 5030, 6978
Associated Gas and Electric Corp 4416, 4417, 5030, 6978
Associated Utilities Corp 6978
Atlantic City Electric Co 3721, 4060, 4797
Atlas Corp 5469
Bank of Silesian Landowners Assn 4518, 6142
Bankers Securities Corp 3889
Benton County Utilities Corp 6137
Bliven, George F 6290
Brooks, Herbert H 6290
Buffalo, Niagara, and Eastern Power Corp 3924, 4798, 6935
Bunte Brothers 6485
Capital Transit Co 5875
Central Arkansas Public Service Corp 6137, 7117
Central New York Power Corp 6664
Central Public Utility Corp 3888, 6617
Central States Power & Light Corp 5755, 6484
Central States Utilities Corp 5755, 6484
Central Vermont Public Service Corp 6847
Chicago and North Western Railway Co 6142
Cincinnati, Newport and Covington Railway Co 4060
Cincinnati Stock Exchange 7119
Cities Service Co 4920, 5195, 6136, 6137, 7117
Cities Service Power and Light Co 3533, 6137, 7117, 7118
Cleveland Stock Exchange 4796
Columbia Gas & Electric Corp 4558, 4790, 5467, 7233
Commonwealth and Southern Corp 5363
Commonwealth & Southern Corp. (Delaware) 6247
Commonwealth Distribution, Inc 6977
Commonwealth Light and Power Co 6848
Commonwealth Utilities Corp 4995
Community Gas and Power Co 4060, 5468, 6141, 6618, 6978
Community State Corp 4059
Connecticut River Conservation Co 4000, 5029
Consolidated Electric and Gas Co 3888, 4125, 6247, 6617
Consolidated Natural Gas Co 4558, 5467, 5756, 6140, 6664
Consumers Gas Co 6847
Continental Cushion Spring Co 4922, 6143
Continental Gas & Electric Corp 3998
Cushman's Sons, Inc 5196
Dallas Railway & Terminal Co 4917, 5709, 6290
Detroit and Cleveland Navigation Co 6136, 6247
Dominion Gas and Electric Co 4124, 6850

SECURITIES AND EXCHANGE COMMISSION—Continued. Page
Notices, hearings, orders, etc.—Continued.
Edison Sault Electric Co 4517, 5757
Electric Bond and Share Co 5877
Electric Power & Light Corp 3997, 4732, 5362, 5877, 7233
Ellis, Fred D 5392
El Paso Electric Co 6936, 6977
Empire District Electric Co 6137, 7117
Engineers Public Service Co 4315, 4316, 4796, 5756, 6936, 6977
Essex Storage Electric Co., Inc 4006, 5029
Fayette County Gas Co 7233
Federal Light and Traction Co 3533, 5757, 6137, 7117
Federal Water and Gas Corp 4280 5467, 6484
Federal Water Service Corp 4280, 6484
Fiduciary Fund, Inc 5362
Florida Power Corp 4918
Florida Public Service Co 4918
Gardner-Denver Co 3719, 6143
General Gas & Electric Corp 4316, 4796, 4918, 5626, 6615, 6978
Georgia Power and Light Co 4918
Granville Electric Co 5363
Great Lakes Utilities Co 3723, 4559
Greensboro Gas Co 7233
Harrington, Russell C 6290
Haugh, Edmund J 5392
Houston Gas Securities Co 5377
Houston Gulf Gas Co 3997, 4732, 5877
Hudson Trading and Investing Corp 4126
Illinois Iowa Power Co 6046
Indiana Gas Utilities Co 7035
Indiana Hydro-Electric Power Co 4921, 6139
Inland Power and Light Corp 4316, 6848
Interbanc Investors, Inc 5196
International Utilities Corp 4124, 5757, 6485, 6850
Investment Counsel Investment Fund, Inc 7118
Iowa Union Electric Co 4919, 6848
Jersey Central Power & Light Co 4519
Kanata Realty Co., Inc 6664
Keystone Custodian Funds, Inc 5878
Laclede Gas Light Co 6048
Laclede Power & Light Co 6048
La Porte Gas and Electric Co 3826, 6248
La Porte Heat Corp 3826, 6248
Lawrence County Water, Light & Cold Storage Co 6137
Lehman Bros 5469
Louisiana Power & Light Co 3999, 4373
McGowan, Charles C 6290
Manchester Gas Co 6617
Manufacturers Gas Co 7233
Manufacturers Light and Heat Co 7233
Maryville Electric Light and Power Co 3998
Mascoma River Improvement Co 4000, 5029

SECURITIES AND EXCHANGE COMMISSION—Continued. Page
Notices, hearings, orders, etc.—Continued.
Massachusetts Power and Light Associates 3721
Massachusetts Utilities Associates 3721
Massachusetts Utilities Associates Common Voting Trust 3721
Middle West Corp 5029
Midland United Co 6139
Milwaukee Electric Railway & Transport Co 5392, 6140
Mississippi River Power Co 4919, 6348
Missouri Electric Power Co 5755, 6484
Missouri Power & Light Co 3998
National Association of Securities Dealers, Inc 6139
National Aviation Corp 3534
New England Gas and Electric Assn 6978
New England Power Assn 3721
New England Public Service Co 6847
New Jersey Power & Light Co 4280, 5049, 5362
New Orleans Public Service Inc 7233
New River Co 5392, 7284
New York and Harlem Railroad Co 6143
New York Curb Exchange 4519
New York, Ontario, and Western Railway Co 4796
New York State Electric & Gas Corp 6483
New York State Natural Gas Corp 5756, 6664
New York Stock Exchange 4519
New York Water Service Corp 5467
Niagara Hudson Power Corp 6935
North American Co 3887, 4280, 4917, 5874
North American Light and Power Co 3887, 3998, 4280
North American Light and Power Co. Holding Company System 3887, 4280
North Boston Lighting Properties 3721
North Continent Utilities Corp 4455, 6484, 6615, 6616, 7034
North Shore Coke & Chemical Co 6616
North Shore Gas Co 6616
Northern Development Corp 664
Northern Indiana Public Service Co 3826, 3888, 4921, 4922, 5758, 6139, 6248
Northern Pacific Railway Co 6140
Northern Paper Mills 6485
Northern States Power Co. (Del.) 3619, 6048, 7118
Northern States Power Co. (Minn.) 3619, 6048, 7118
NY PA NJ Utilities Co 5029, 5362, 5363
Ogden Corp 5755, 6048, 6140, 6484
Ohio-Midland Light and Power Co 5875
Ohio Public Service Co 6137, 7117
Oklahoma Power and Water Co 6850
Ozark Utilities Co 6137

SECURITIES AND EXCHANGE COMMISSION—Continued.
Notices, hearings, orders, etc.—Continued.
Patchogue Electric Light Co... 6483
Payson, Harold C..... 3999, 6617
Pecos Valley Power & Light Co..... 4669
Pennsylvania Electric Co..... 5325
Pennsylvania Fuel Supply Co.. 7233
Philadelphia Electric Co..... 4000
Philadelphia Stock Exchange.. 5393
Phoenix Light, Heat and Power Co..... 6048
Porto Rico Gas & Coke Co.... 6247
Prudential Investors, Inc..... 5470
Public Service Co. of Colorado..... 6137, 7117
Public Service Co. of New Hampshire..... 6847
Public Service Co. of Oklahoma..... 4315
Public Service Coordinated Transport..... 4417
Public Service Corp. of New Jersey..... 4416, 4417, 5195
Radio-Keith-Orpheum Corp.. 5469
Railway and Bus Associates... 5468
Republic Service Corp..... 6665
Rhode Island Public Service Co..... 3721, 5625, 6290
Rochester Gas and Electric Corp..... 5709, 7034
Sanford Gas Co..... 4918
Santa Fe Land Co..... 4918
Scranton Lace Co..... 3619
Scranton-Spring Brook Water Service Co..... 3720, 6615, 7118
Simmonds, Godfrey B..... 6290
Southern California Water Co..... 4517, 5757
Southern Union Gas Co..... 4124
Suburban Electric Securities Co..... 5468
Toledo Edison Co..... 6137, 7117
Trusco Shares, Inc..... 3720
Tucker, James C..... 4995
Twin State Gas & Electric Co..... 6847
208 South La Salle Street Corp..... 5468, 6136, 6935
Union Electric Co. of Illinois..... 4919, 6848
Union Electric Co. of Missouri..... 3888, 4374, 4919, 6848
Union Producing Co..... 3997, 4732
Union Securities Corp..... 6289
United Corp..... 4315
United Gas Corp..... 3997, 4732, 5877
United Gas Improvement Co..... 3999, 4000, 6617, 6847
United Gas Pipe Line Co..... 3997, 4732, 5877
United Light and Power Co..... 3826, 3998, 6248
United Light and Railways Co..... 3998
Utilities Employees Securities Co..... 6978
Utility Operators Co..... 4280, 6484
Virginia Electric and Power Co..... 4316, 4796, 5756
Virginia Public Service Co..... 4315, 4796, 5756
Wabash Railway Co..... 5362
Warner & Swasey Co..... 4796
Washington Railway and Electric Co..... 6662
West Penn Power Co..... 3889, 4498, 5363, 5364, 5755
West Texas Utilities Co..... 4669

SECURITIES AND EXCHANGE COMMISSION—Continued.
Notices, hearings, orders, etc.—Continued.
Western Light and Telephone Co..... 4316
Wheeling Electric Co..... 3825, 4497
Wisconsin Electric Power Co... 5392, 6140
Rules and regulations:
Investment Company Act of 1940:
Certain rules rescinded..... 5768
Preservation of records, books, other documents by registered companies..... 4170
Public Utility Holding Company Act of 1935; extension of time for filing original cost studies and additional statements thereto..... 3538
Securities Exchange Act of 1934; foreign governments and political subdivisions thereof, form amended..... 4321
SELECTIVE SERVICE SYSTEM:
Boards of transfer; Hawaii and Alaska:
Transfer for induction..... 5206
Transfer for preinduction physical examination..... 5206
Classification:
Aliens (Class IV–C)..... 4386, 5201
Classes discontinued; list..... 4387
Conscientious objector, available for noncombatant military service (Class I–A–O)..... 4385
Government employees, deferment..... 4385
Identifying registrants:
Classified registrants over 38 and under 45..... 4387
Deceased registrants..... 4387
Registrants qualified for limited service only..... 4387
Man deferred by reason of age (Class IV–A)..... 5201
Man deferred by reason of extreme hardship and privation to wife, child, or parents (Class III–D)..... 4386
Man in agriculture (Class II–C)..... 4385, 5201
Identifying registrants..... 4387
Length of deferments.. 4385, 5201
Man in war production (Class II–B)..... 4385, 5201
Certain procedure followed to entitle Federal Government employees to Class II–B deferment.. 4385
Identifying registrants..... 4387
Length of deferments.. 4385, 5201
Man supporting war effort, national health, safety, or interest (Class II–A).. 4385, 5200
Certain procedure followed to entitle Federal Government employees to Class II–A deferment.. 4385
Identifying registrants..... 4387
Length of deferments.. 4385, 5201
Members of land or naval forces of United States (Class I–C)..... 4385, 5200
Identifying registrants..... 4387

SELECTIVE SERVICE SYSTEM—Continued.
Classification—Continued.
Men relieved from liability for training and service (Class IV–B)..... 4386
Minister of religion or divinity student (Class IV–D).. 5202
"Necessary man" defined..... 4385
Official deferred by law (Class IV–B)..... 4386
Physically, mentally or morally unfit (Class IV–F)... 4386, 5201
Classification procedure:
Aliens; steps to be taken by local board..... 5203
Classification and change of classification..... 5202
Duty of registrant; compliance with order..... 5203
Manner in which registrants are to be examined..... 5202
Order in which classes are to be considered..... 5202
Reclassification of separated or disqualified men..... 5202
Registrants disqualified for service..... 5202
Reopening classification..... 5203
Steps to be taken by local board after action by armed forces..... 5203
Steps to be taken by registrant and local board..... 5203
Conscientious objectors:
Appeal to board of appeal... 7048
Camps:
Direction of..... 6207
Operated by:
National Service Board for Religious Objectors; regulations..... 4861
United States Government; regulations... 4863
Classification; availability for noncombatant military service..... 4385
Physical examination..... 6207
Projects established:
Independence State Hospital Project, Iowa..... 4965
Seney Wildlife Project, Mich..... 3621
Skillman Project, N. J..... 4965
Release for induction into land or naval forces..... 6207
Travel and subsistence expenses..... 6207
Work projects..... 6207
Authority for supervision and control over..... 6207
Funds for..... 6207
Consolidation of offices..... 4000
Delivery and induction:
Certain registrants inducted without calls..... 5205
Manner of allocating requisitions and calls..... 5204, 5292
Definition of "father".. 5205, 5292
Place of deliveries..... 5205
Procedure for registrants requesting immediate induction and for delinquents..... 5205
Forms prescribed, revised, discontinued, etc.:
Acceptance of Governor's appointment (13)..... 6806

SELECTIVE SERVICE SYSTEM—Continued.
Forms prescribed, revised, discontinued, etc.—Continued.
Certificate for person not required to register (357).. 6012
Certificate of fitness (218).... 6701
Individual appeal record (66).. 6332
Memorandum for retirement section, accounting division (28)..... 5769
Notice of call (10)..... 6701
Notice of call on State (12)... 6701
Notice of selection (148)..... 5769
Physical examination list (217)..... 6701
Report on occupational deferment of Federal Government employees (38).... 5769
Two year work program C. P. S. camps (360)..... 5769
Government employees, classification. *See* Classification.
Induction. *See* Delivery and induction.
Physical examination:
Action when registrant disqualified for service..... 5204
Conscientious objectors. *See* Conscientious objectors.
Local board physical examination authorized for certain registrants..... 5203
Preinduction:
Duty of registrant to report for..... 5204
Request for immediate induction following..... 5204
Records, handling outside continental United States and its possessions; delegation of authority to any officer, employee or representative of the State Department or Panama Canal..... 4922
Registrant's file, forwarding to State Director..... 5472
Registration cards, grouping and serial numbering; registrants outside local board area..... 5200
Registration outside continental United States; Alaska, Hawaii, and Puerto Rico..... 7047
Work of national importance under civilian direction. *See* Conscientious objectors.
SHIPPING (TITLE 46):
Coast Guard: Inspection and Navigation:
Bays, sounds, and lakes other than Great Lakes:
Boats, rafts, bulkheads, and life-saving appliances (Part 94)..... 5997
Fire apparatus; fire prevention (Part 95)..... 6891
Emergency regulations; boats, rafts, and lifesaving appliances (Part 153).. 3771, 5076, 5696
Enforcement (Part 180)..... 6833
Equipment approved, miscellaneous items..... 3771, 4126, 4417, 4825, 5077, 5288, 5697, 5997, 6384, 6486, 6892, 7119

SHIPPING (TITLE 46)—Con.
Coast Guard: Inspection and Navigation—Continued.
Great Lakes:
Boats rafts, bulkheads, and lifesaving appliances (Part 76)..... 5997
Fire apparatus; fire prevention (Part 77)..... 6891
Load lines; foreign voyages during national emergency (Part 48)..... 6891
Ocean and coastwise:
Boats, rafts, bulkheads, and lifesaving appliances:
Coastwise (Part 60)..... 5997
Ocean (Part 59)..... 5997
Fire apparatus; fire prevention (Part 61)..... 6891
Rivers:
Boats, rafts, bulkheads, and lifesaving appliances (Part 113)... 4825, 5697, 5997
Fire apparatus; fire prevention (Part 114)..... 6891
Seamen; "A" Marine Investigation Board rules (Part 136)..... 6777
Tank vessels:
Fire-fighting equipment (Part 34)..... 6891
Specifications for lifesaving appliances (Part 37)..... 5997
Waiver of navigation and inspection laws:
Ocean and coastwise passenger vessels; monthly reports of number of passengers carried..... 4904
Pilots on Alaskan runs; hours of duty and watches..... 4480
Qualified members of engine department on Great Lakes vessels... 4402
Maritime Commission, United States:
Admission to practice before the Commission (Part 203)..... 5738
Renegotiation of contracts; regulations by War Contracts Price Adjustment Board..... 4160, 6199
War Shipping Administration:
Contracts for carriage on owned or chartered vessels (Part 303)..... 6954
Contracts with vessel owners (Part 302)..... 3772, 3773, 3787, 3801, 3806, 4108, 4304, 4442, 4987, 5077, 5268, 5831, 6114, 6240, 6777, 6778
General agents and agents (Part 306)..... 4110, 5831, 7086
General provisions (Part 300)..... 4613
Insurance (Part 305)..... 5697
Labor (Part 304)..... 4108, 5077, 5315, 7086
Merchant Marine Training (Part 310)..... 6199
Renegotiation of contracts; regulations by War Contracts Price Adjustment Board..... 4160, 6199

SHIPPING (TITLE 46)—Con.
War Shipping Administration—Continued.
Ship warrant rules and regulations (Part 341)..... 6114
SMALLER WAR PLANTS CORPORATION:
Plan of organization, etc., of U. S. Management & Engineering Co.-Optical Manufacturers Group, New York City; approval by War Production Board..... 4637
Property, surplus, disposal of. *See* Surplus War Property Administration.
Termination of war contracts, fixed price orders or subcontracts. *See* Joint Contract Termination Board; Surplus War Property Administration.
SOIL CONSERVATION SERVICE:
Fellowships, award to applicants from other American Republics. *See* Agriculture Department.
Lands in Minidoka National Forest, Idaho, transferred to Forest Service..... 3953
SOLID FUELS ADMINISTRATION FOR WAR:
Coal, distribution:
Anthracite:
Distribution at wholesale level..... 3621
Poultry brooders and hatcheries, preferred deliveries..... 3481, 3621
Production and distribution schedules; Pennsylvania anthracite... 3481, 5947
Icebound ports, destination; Maine and Rhode Island..... 4575
Bituminous:
Distribution by producers and wholesalers..... 3487
Shipments to lakes; regular equal monthly shipments..... 4419
Distribution by retail dealers; bituminous coal and western coke..... 3543
Shipments to dealers; Utah bituminous coal, District 20..... 3486
Stock limitations upon industrial consumers..... 4380
Producers, commercial dock operators, and lake or tide-water forwarders; report form..... 4951
By-product, special purpose, and lake coal; information to be included in orders..... 3621
Coke:
Distribution of, delegation of authority by War Production Board..... 4580
Reclaimed beehive, maximum ash content..... 6942

SOLID FUELS ADMINISTRATION FOR WAR—Con. — Page
Coal, distribution—Continued.
Coke—Continued.
Shipments:
Domestic use — 6941
Foreign use, outside United States — 6940
Consumer declaration requirement:
Coke; exceptions, additional restrictions, etc — 5367
Ohio — 6252
National Advisory Coke Committee, establishment and functions — 5334
Railroad companies; prohibition of shipments to certain companies — 6955
Records and reports; maintenance and filing of, by producers, wholesalers, etc — 4005
Suppliers of Government agencies, direction as to shipments — 4003

STATE DEPARTMENT:
Awards of fellowships to applicants from other American Republics:
Agriculture Department; agricultural economics — 5031
Budget Bureau; public administration — 4799
Commerce Department:
Aviation training — 6499
Foreign trade statistics — 6987
Geodetic surveying, map and chart production, etc — 6984
Meteorology — 3832
Vital statistics — 6985
Foreign Service:
Regulations, amended:
Board of Foreign Service Officers' Training School (Executive Order 9450) — 6905
Examinations; Board of Examiners (Executive Order 9450) — 6905
Secretary of State authorized to prescribe regulations, etc., relating to Foreign Service of United States (Executive Order 9452) — 7183
Foreign service pay adjustment, on account of appreciation of foreign currency (Executive Order 9449) — 6667

SUPPORT PRICES, for certain agricultural commodities. *See* War Food Administration.

SURETY COMPANIES, issuance of certificates of authority to. *See* Treasury Department.

SURGEON GENERAL. *See* Public Health Service.

SURPLUS WAR PROPERTY ADMINISTRATION:
Contract termination inventories, sale of; policies to be followed by Government agencies — 4559
Designation of disposal agencies — 5096

SURPLUS WAR PROPERTY ADMINISTRATION—Continued. — Page
Disposal of surplus property of War Department, Navy Department, Maritime Commission; procedure — 5096
Price policies in disposal of supplies and equipment, taken at termination of war contracts; delegation of authority by Joint Contract Termination Board — 5192, 5193
Surplus commodities; sales by Government agencies, price regulation — 4879

T

TARIFFS, suspension. *See* Interstate Commerce Commission.

TAX COURT OF THE UNITED STATES:
Rules of practice:
Commissioners — 7046
Costs; printing of record on review — 7046
Counsel, substitution or withdrawal — 7046
Special assessment — 7047

TAX RETURNS, inspection of. *See* Internal Revenue Bureau.

TAXES. *See* Internal Revenue Bureau.

TAXICAB SERVICES, joint action plans. *See* Defense Transportation.

TELECOMMUNICATION (TITLE 47):
Federal Communications Commission:
Applications under section 212 of the Act to Hold Interlocking Directorates (Part 62) — 5839
Aviation services (Part 9) — 6114, 6264
Broadcast services other than standard broadcast (Part 4) — 5442, 6114
Coastal and marine relay services (Part 7) — 7087
Emergency radio services (Part 10) — 5174
General rules and regulations (Part 2) — 5174
Government communications by telegraph — 6115
Reports; filing of information, contracts, etc. (Part 43) — 3747, 5838
Rules relating to section 214 (Part 63) — 6362
Ship service (Part 8) — 3546, 3711, 6833, 7087
Standard and high frequency broadcast stations (Part 3) — 3860, 6114
Uniform system of accounts:
Class A and B telephone companies (Part 31) — 7088
Class C telephone companies (Part 33) — 7088, 7205
Radiotelegraph carriers (Part 34) — 7088
Wire-telegraph and ocean-cable carriers (Part 35) — 7088

TENNESSEE VALLEY AUTHORITY: — Page
Nantahala National Forest, N. C., transfer of lands to Forest Service — 6263

TERMINATION OF WAR CONTRACTS. *See* Joint Contract Termination Board; Surplus War Property Administration.

TIRES AND TUBES SOLD TO WAR AND NAVY DEPARTMENTS, tax on. *See* Treasury Department.

TRANSPORTATION AND RAILROADS (TITLE 49):
Defense Transportation, Office of:
Administration (Part 503) — 3810, 3861, 4402, 4614, 4615, 4825, 5997, 7092.
Common and contract carriers:
Passenger carriers (Part 181) — 6833
Property carriers (Part 182) — 6834
Motor equipment conservation (Part 501) — 6778, 7089
Exceptions, permits and exemptions (Part 521) — 3516, 3714, 4443, 4507, 5443
Motor traffic movement direction (Part 504) — 4652, 5444, 5739, 7094
Rail equipment conservation; exceptions, permits and special directions (Part 520) — 4247, 4403, 4826
Traffic movement direction (Part 502) — 3656, 4652
Exceptions, suspensions and permits (Part 522) — 5175
Interstate Commerce Commission:
Car service (Part 95) — 3594, 3860, 4033, 4402, 4442, 4480, 4613, 4651, 4728, 4988, 5078, 5316, 5442, 5605, 5698, 5928, 5960, 6363, 7206
Carriers by motor vehicle:
Freight rate tariffs, schedules, and classifications (Part 187) — 5077
Surety bonds and policies of insurance (Part 174) — 4480
Explosives, transportation of (Parts 71–85) — 3711, 4904, 6363
Issuance of securities by carriers (Part 56) — 7205
Military personnel transportation priority (Part 98) — 7088
Routing of traffic (Part 97) — 4613, 5078, 5175
Water carriers:
Contract carrier operations; exemption (Part 315) — 5316
Uniform system of accounts (Part 22) — 4988

TREASURY DEPARTMENT:
Accounts Bureau:
Checks of United States, issuance of duplicates — 4682
Surety companies, issuance of certificates of authority to:
American States Insurance Co — 6806
Anchor Casualty Co — 6363

TREASURY DEPARTMENT—Continued. — Page
Monetary Offices:
Foreign funds control:
Remittances to certain areas for living expenses:
Liberated areas — 3489, 5975
Switzerland — 4384
Securities for blocked accounts, limitations on acquisitions — 4462
Foreign moneys, values of — 4075
Hawaii; regulations governing enemy nationals, etc.:
Authorized transactions, and reporting of — 3892, 3894
Credit; payments and transfers:
From blocked accounts — 3892, 3893
To blocked nationals — 3894
Individuals, partnerships, etc., designated as generally licensed nationals — 3893
Japanese:
Nationals — 3894, 4283
U. S. citizens — 3894
Licenses, filing of applications — 3895
Life insurance policies, blocked; transactions authorized — 3893
Property, real or personal, transactions with respect to; nationals of blocked countries — 3894
Safe deposit boxes of enemy nationals, etc — 3895
War Savings Bonds, in blocked accounts — 3894
Office of the Secretary:
Tires and inner tubes sold to War and Navy Departments; exemption from taxes — 5998
Wireless, wire and transportation services furnished to United States Government, exemptions from payment of taxes on — 4615, 5383
Procurement Division:
Property, surplus, disposal of. *See* Surplus War Property Administration.
Renegotiation of contracts. *See* War Contracts Price Adjustment Board.
Supplies to be procured by; typewriters — 6240
Termination of war contracts. *See* Joint Contract Termination Board; Surplus War Property Administration.
Public Debt Bureau:
Debentures, call for redemption:
2¾% Mutual Mortgage Insurance Fund:
Series B — 3594
Series E — 3595
Treasury bonds:
2% of 1952–54 — 6365
2½% of 1965–70 — 6363
Treasury certificates:
Series C–1945, ⅞% — 6366
Series D–1945, ⅞% — 4403

TREASURY DEPARTMENT—Continued. — Page
Public Debt Bureau—Con.
Treasury notes:
Series B–1947, 1¼% — 6365
United States registered bonds; officers authorized to witness assignments of — 4575
United States Savings Bonds:
Payment or reissue — 4787
Series F and G:
Authorized forms of registration — 6331, 6332
Limitation on holdings — 6331, 6332
War Savings Bonds, Series E; additional denomination of $10 authorized for members of armed forces — 6649
Silver and black fox import quotas. *See* Customs Bureau.

U

U. S. COMMERCIAL COMPANY:
Phonographs, portable hand wound, originally purchased by; prices — 4118

U. S. MANAGEMENT & ENGINEERING CO. *See* Smaller War Plants Corporation.

UNITED STATES BOARD ON GEOGRAPHICAL NAMES. *See* Interior Department.

V

VETERANS, employment of. *See* Public Contracts Division; Retraining and Reemployment Administration; Veterans' Administration; Wage and Hour Division.

VETERANS' ADMINISTRATION:
Dependents' claims; adjudication:
Death pension and compensation:
Apportionment, rates payable — 4400
Commencement of original awards — 4400, 5737, 5831
Effective dates of increase — 4400
Pensionable and compensable service — 4400
Protected awards — 4401
Rates payable — 4401
Reductions and discontinuances; effective dates — 5738, 5831
Relatives; "widow", etc., defined — 4399
Eight-hour law, suspension of, as to laborers and mechanics employed on public work in United States (Executive Order 9441) — 5101
Finance; survey and inventory of personal effects and funds upon death or absence without leave — 7085

VETERANS' ADMINISTRATION—Continued. — Page
Insurance, reinstatement; policies in force under extended insurance — 5738
Travel expenses of claimants and beneficiaries and their attendants; allowances for (Executive Order 9446) — 6293
Veterans' claims; adjudication:
Determinations as to basic entitlement — 6113
Disallowance and awards; apportionment not authorized — 3593
Rates of service pension — 3593
Service requirements:
Cadets and midshipmen — 4245
Medical officers, Public Health Service — 4245
Rating board decisions, revision — 4246
Women's Reserve, Navy, Marine, and Coast Guard — 4246
Veterans' regulations; trainees, induction at subminimum wage rates — 3910

VIRGIN ISLANDS:
Price regulations. *See* Price Administration.
Rationing. *See* Rationing.
Registration, etc. *See* Selective Service System.
Special Industry Committee. *See* Wage and Hour Division.

W

WAGE AND HOUR DIVISION:
Employment of learners:
Certificates:
Cancellations, affirmations, etc — 3865
Issuance, various industries:
Apparel — 3954, 4951, 5177, 5446, 5961, 6121, 6461
Bathinette — 6835
Battery and electric — 6121
Box, paper — 4952
Broom and mop — 6461
Brush — 3953
Button — 6835
Cigar — 4330, 5177
Diamond — 6835
Furniture — 5962
Glove — 3954, 4405, 4653, 4951, 5177, 5446, 6121, 6835
Hosiery — 3597, 3954, 4112, 4405, 4653, 4952, 5177, 5446, 5961, 6121, 6461, 6835, 7175
Knitted wear — 3954, 4653
Lumber — 4952
Pottery — 4404, 4952
Printing — 4952, 5177
Publishing — 3597
Telephone — 4112, 5446, 5961, 6461, 7125, 7175
Textile — 3597, 4112, 4405, 4652, 4653, 5177, 5446, 5961, 6121, 7175.
Industrial homework, various industries:
Embroideries — 4952, 7095
Needlework in Puerto Rico — 4860

WAGE AND HOUR DIVISION—Continued. Page
- Minimum wage rates; recommendations by industry committees:
  - Communication, utilities and miscellaneous transportation 6940
  - Finance, insurance, real estate, motion pictures, etc. 6939
  - Fruit and vegetable packing and farm products assembling 4503
- Record keeping regulations, exceptions granted:
  - Schrank, M. C., Co. 4542
  - Wennonah Cotton Mills Co. 7174
- Seasonal industries; cane sugar bagasse, in Louisiana 6460
- Special industry committees, designated areas:
  - Puerto Rico; Committee No. 3, resignations and appointments 3810, 3865, 4035, 4304, 4356, 4404, 4826
  - Virgin Islands:
    - St. Croix:
      - Committee meeting, postponement 3596
      - Minimum wage rate hearing 4161
      - Resignation and appointment 4404
    - St. Thomas and St. John:
      - Committee meeting, postponement 3596
      - Minimum wage rate hearing 4161
- Veterans, disabled, employed under vocational rehabilitation program; issuance of certificates 3629
- Designation of Veterans' Administration officials as representatives to issue temporary certificates 3661
- Western Union Telegraph Co.; employment of messengers at less than minimum wages 7174

WAR COMMUNICATIONS BOARD:
- Telegraph messages essential to war effort or public safety; precedence 4986
- Traffic coordinator and assistant traffic coordinator; establishment of offices and definition of duties 4455, 4561

WAR CONTRACTS PRICE ADJUSTMENT BOARD:
- Renegotiation regulations 4135, 6154, 7020
- Agreements and statements 6181
- Agreements and clearances 6181
- Statements to contractors 6184
- Authority and organization 4135, 6154
- Patents; relation of Renegotiation Act and Royalty Adjustment Act 4139, 6156
- Preliminary material 4138, 6156
- Price Adjustment Boards and sections, organization and functions 4139, 6156
- Renegotiation Act of 1943 and related statutes, summary 4135, 6154

WAR CONTRACTS PRICE ADJUSTMENT BOARD—Con. Page
- Renegotiation regulations—Continued.
  - Excessive profits, determination and elimination 6175
  - Deliveries, future; price reductions for 6179
  - Principles and factors in determining 6175
  - Recovery of excessive profits already realized 6178
  - Renegotiation and taxes 6180
- Forms 4143, 6188, 7021
  - Addresses 4155, 6195
  - Agreements 6189
  - Identification, assignment and cancellation of cases 4144, 6186
  - Operation of renegotiation 4152, 6188
  - Reports, forms of 6191, 7021
  - Tax credit 6188
- Impasse procedure 6184
  - Failure to agree 6185
  - Refusal of information, procedure upon 6184
  - Tax Court proceedings 6186
- Procedure for renegotiation 4140, 6157
  - Assignments for renegotiation and cancellations 4140
  - Completion of renegotiation 6157
  - Conduct of renegotiation 4143, 6157
  - Preliminary information required of contractors 4142, 6157
  - Preparation for renegotiation 4143
- Renegotiable business and costs, determination 6158, 7020
- Commencement and completion of renegotiation; limitations 6170
- Contracts and subcontracts within scope of 1943 act 6162
- Costs allocable and allowable against renegotiable business 6170
- Exemptions and exclusions from renegotiation, mandatory 6164, 7020
- Exemptions from renegotiation, permissive 6168, 7021
- Over-all basis for renegotiation and exceptions 6159
- Sales, methods for segregating between renegotiable and nonrenegotiable business 6160, 7020
- Termination of renegotiation 6170
- Statutes, orders, joint regulations and directives 4156, 6196, 7022
- Authority delegations 4157
- Exemptions 6196, 7022
- Orders (other than Executive orders) and directives 4157
- Statutes, Executive orders and Tax Court rules 4156, 6196

WAR DAMAGE CORPORATION. *See* Reconstruction Finance Corporation.

WAR DEPARTMENT: Page
- Appointments:
  - Former officers and R. O. T. C. graduates previously found disqualified 4999, 7043
  - Officers in Army of the United States 6619
- Baggage. *See* Transportation.
- Claims:
  - Against United States:
    - Absentees, apprehension of 3725
    - Marine casualties 3677
    - Mustering out payments; claims of surviving spouse, children, parents 4169
  - On behalf of United States: *See also* Deceased personnel.
    - Marine casualties 3679
- Real estate. *See* Military reservations.
- Construction, priority orders for controlled materials. *See* War Production Board.
- Contracts, renegotiation of. *See* War Contracts Price Adjustment Board.
- Deceased personnel:
  - Death gratuity pay; beneficiaries 4460
  - Disposition of effects 4066
- Decorations, medals, etc.: *See also* Uniforms.
  - Air Medal 5635
  - American Campaign Medal 5636
  - American Defense Service Medal 3771, 5636
  - Army Occupation of Germany Medal 5636
  - Asiatic-Pacific Campaign Medal 5636
  - Distinguished Unit Badge 5635
  - European - African - Middle Eastern Campaign Medal 5636
  - Fourragere (first World War) 5635
  - Good Conduct Medal 5635
  - Lapel buttons 5636
  - Medal of Honor 5635
  - Miniatures 5636
  - Oak-Leaf Cluster 5635
  - Purple Heart 5107, 5291
  - Service ribbons and service stars 5636
- Dietitians and physical therapy aides; appointment and promotion requirements 4529
- Engineer Corps:
  - Bridge regulations:
    - Bridges where constant attendance of draw tenders is not required; bridge locations listed:
      - Arkansas 5014
      - Wisconsin 4728
    - New Jersey State Highway Dept. bridge, Millville, N. J. 4076
    - Tacony, Pa.-Palmyra, N. J. 4727
  - Navigation regulations:
    - Atchafalaya River (Berwick Bay), Morgan City, La.; movement of vessels and composition of tows 4398
- Enlisted Reserve Corps; procedures governing enlistments, etc 5197

WAR DEPARTMENT—Con. Page
- Foreign service pay adjustment, on account of appreciation of foreign currencies (Executive Order 9449) 6667
- Hostesses. *See* Military reservations.
- Insane persons, transfer 6621
- Insignia. *See* Uniforms.
- Librarians. *See* Military reservations.
- Libraries. *See* Military reservations.
- Medals. *See* Decorations, medals, etc.
- Medical and dental attendance:
  - Army hospitals; subsistence charges 4841
- Military Academy; admission to, requirements 5000
- Military areas; Eastern Defense Command, prohibited and restricted zones designated 6699
- Military information, safeguarding:
  - Classified, right to possess 4065
  - Definitions 4065
  - Dissemination 4065
  - Government contractors, responsibility of 4066
  - Photographs of classified matter 4065
- Troop movements. *See* Troop movements.
- Military reservations:
  - Hostesses and librarians. *See* Service clubs, *below*.
  - Libraries. *See* Service clubs, *below*.
  - List of Executive orders, public land orders, etc., affecting 4441
  - Private cemeteries 6583
- Real estate; claims for rent, damage and other payments 6250, 6393
- Service clubs and libraries 4741, 6909
- Payment of bills and accounts; formal and informal payments under contracts 4841
- Physical therapy aides. *See* Dietitians and physical therapy aides.
- Possession and operation of plants, facilities, etc., of:
  - Hummer Manufacturing Division of Montgomery Ward and Co., Inc. (Executive Order 9443) 5395
  - Ken-Rad Tube and Lamp Corp., and Ken-Rad Transmitting Tube Corp. (Executive Order 9436) 4063
- Priority orders. *See* War Production Board, *main heading*.
- Procurement regulations:
  - Contracts and purchases:
    - *See also* War Contracts Price Adjustment Board.
    - Bonds and insurance 4843, 6297
    - Contracts 4068, 4842, 6296, 6671
    - Forms 4072
    - Termination. *See* Termination of contracts.

WAR DEPARTMENT—Con. Page
- Procurement regulations—Con.
  - Contracts and purchases—Continued.
    - General instructions:
      - Application of regulations; Army Air Forces 6669
      - Distribution of regulations 4066
    - Labor:
      - Overtime wage compensation 6311
      - Regional War Labor Boards 4844, 6691
      - Wage and salary stabilization 4844
      - Walsh-Healey Public Contracts Law 4070, 4844
    - Plant facilities expansion 4071
    - Purchases:
      - Foreign 4070
      - General policies:
        - Contract placement, factors governing 4067, 6296
        - Smaller war plants policy 6669
        - Interbranch and interdepartmental 4070, 4843, 6298, 6673
    - Renegotiation and price adjustment 4846, 6311, 6692
    - *See also* War Contracts Price Adjustment Board, *main heading*.
    - Pricing and repricing of articles and services, mandatory 6693
    - Statutory renegotiation 4847
    - Contract articles 4071, 4380
    - Taxes, Federal, State and local:
      - Exemptions 6302
      - Policy as to claiming 6309
      - Federal excise 6298
      - Collection and payment by the Government 6307
      - State and local 6307
      - Tax exemption certificate forms and procedure 6304
    - Property, disposition of 6673
    - *See also* Surplus War Property Administration, *main heading*.
    - Disposal of surplus property 6681
    - Non-repairable property 6678
    - Salvage, sale of 5034
    - Serviceable:
      - Military 6679
      - Non-military 6680
    - Termination inventories 6675
    - War purposes 6677
  - Termination of contracts:
    - *See also* Joint Contract Termination Board; Surplus War Property Administration, *main headings*.
    - For Government convenience 4073, 4851, 6311, 6697
- Renegotiation of contracts. *See* War Contracts Price Adjustment Board.

WAR DEPARTMENT—Con. Page
- Service clubs. *See* Military reservations.
- Termination of fixed price orders or subcontracts. *See* Joint Contracts Termination Board.
- Tires and tubes sold to War Department; exemption from taxes 5998
- Transportation; authorized baggage 5199
- Troop movements and individual travel; maintenance of secrecy surrounding 4066
- Uniforms:
  - Badges 5636
  - Changes in; personnel authorized to wear out existing articles 5631
  - Clothing; various articles, specifications 5631
  - Cloths; standards 5631
  - Colors of arms, services, bureau, etc. 5636
  - Decorations and service medals. *See* Decorations, medals, etc.
  - Fitting, correct 5631
  - Insignia 5633

WAR EMERGENCY TANKERS, INC., transfer of stock; approval by War Production Board 7120

WAR FOOD ADMINISTRATION:
- *See Agricultural Adjustment Agency.*
- *Commodity Credit Corporation.*
- *Farm Security Administration.*
- *Federal Crop Insurance Corporation.*
- Agricultural commodities; 1944 announcement of support prices for certain listed commodities 4837
- Agricultural labor:
  - Claims of workers recruited from foreign countries, authority delegated regarding 3675
  - Specific wage ceiling regulations:
    - California:
      - Alfalfa hay workers 3681, 6396
      - Apricot pickers 7047
      - Asparagus workers 4574
      - Cherry pickers 5471
      - Lettuce harvesters 7256
      - Orange pickers 4333
      - Peas, fresh market; pickers 4805
      - Potato harvesters 4170, 4976
    - Delaware; asparagus, workers 6700
    - Idaho; fresh market peas, pickers 6585
    - Oregon; fresh market peas, pickers 6701
    - Stabilization of salaries and wages 6011
    - California WFA Wage Board; delegation of authority 6050
    - Regulations by Office of Economic Stabilization 6035

WAR FOOD ADMINISTRATION—Continued.
Authority delegations of:
Administration officials:
See also specific commodities under Commodities and supplies.
Agricultural labor, stabilization of salaries and wages; California WFA Wage Board 6050
Claims of workers recruited from foreign countries; Director of Labor 3675
Designations of persons to hold hearings, sign subpoenas, etc 4965
Fresh fruits and vegetables, approval of maximum prices established by regional offices of Office of Price Administration; Director and Regional Directors of Food Distribution 4922, 4923
Grain Standards Act, performance of functions under; Director of Distribution 4061
Requisitioning of property: Sidney N. Gibin, Office of the Director, Office of Distribution 7119
State Chairman, Agricultural Conservation committees; idle farm machinery, requisitioning and disposal 6384
Farm lumber; delegation of authority by War Production Board 7048
Commodities and supplies; restrictions, handling, deliveries, transportation, etc.:
Bakery products 4527
Ingredients, lard 5331
Beans 3628
Reports, required 6295
Butter:
Reports; requirements 4802
Set aside 3623, 4567, 6905
Canned and processed foods:
Fish, canned; restriction on sale 3891
Fruits, vegetables and juices, set aside 6497
Cheese:
Cheddar, set aside 4566, 6906
Cheese foods, reports relative to 4065
Cocoa beans, quotas and records prescribed 6799
Corn 4738, 5397
Acquired by Commodity Credit Corporation, purchase of 6390
Authority delegation 6486
Limitations on sale, transportation and use 4379
Set aside 3628, 7039
Suspension of set aside requirements 4379
Cotton warehouses; miscellaneous amendments to regulations under Warehouse Act 6387
Dairy foods and mix, frozen 4735, 5767
Reports relative to 4675
Eggs, dried whole; preparation of samples for palatability tests 4971
Farm machinery and equipment, rationing. *See* RATIONING.
Fats 4802
Fatty acids, inventories 5033
Lard and rendered fat 5333
Use in bakery products 5331, 7122
Margarine 3832
Restrictions on use 6391
Tallow and grease, inedible 6147
Inventories 5501
Feed:
Oilseed meal, set aside 3831, 4839, 6295
Protein meal; limitations on sales, shipments, inventories 3475
Authority delegation 3958
Soybean products, use of 3475
Authority delegation 3958
Oil meal, shipments into designated areas 5001
Vitamin A, use in mixed feed 5106
Fertilizer:
Chemical, in Puerto Rico. *See* RATIONING.
Chemical nitrogen materials 4375
Fish:
Canned. *See* Canned foods.
Oil. *See* Oil.
Flaxseed 5333
Removal of restrictions for California and Oregon 6249, 6851
Food:
Purchases of set aside, restricted and designated foods; ship suppliers, licensed 4566
Refrigerated storage; facilities 5398
Fruits:
Alcoholic purposes, use for 4528
Apples 6249, 6583
Delegation of authority 4527
Fresh, pricing of; authority delegations 4922, 4923
Grapefruit grown in Cameron, Hidalgo, or Willacy Counties, Tex 7251
Peaches, Georgia:
Handling order suspended 6201
Shipping restrictions 6205
Glycerine 5332
Grain:
Corn. *See* Corn.
Standards, establishment of; authority delegated 4061
Ice cream, mixes, etc. *See* Dairy foods, etc.
Lard. *See* Fats.
Livestock and meats:
Slaughtering and delivery restrictions 4973, 5767
Marking requirements for slaughterers 5888
Meat set aside; beef 4003, 5107
Margarine. *See* Fats.
Meat. *See* Livestock and meats.
Milk and cream 4321, 6982, 7122
Authority delegation to market agents 4500
Certain War Food orders, general amendments 7122
Conservation and distribution; various sales areas:
Arkansas; Little Rock 5629
California:
Los Angeles, metropolitan 3628, 5106, 5767
San Diego 5106, 5767
San Jose 7040
Connecticut 3479, 5629
District of Columbia 3475, 4676
Florida:
Jacksonville 5888
Miami 3478, 4676, 5888
St. Petersburg 3479, 3763, 4677, 5888, 5947
Tampa 3479, 5888
Georgia:
Atlanta 5499, 6051
Augusta 5629
Macon 5500, 6053
Savannah 5499, 6051
Illinois:
Chicago, metropolitan 3626
Davenport-Rock Island-Moline 3535
Decatur 3537
Springfield 3538
Indiana:
Evansville 6908
St. Joseph County 5365
Iowa:
Cedar Rapids 3537, 5628
Davenport-Rock Island-Moline 3535
Des Moines 6981
Sioux City 6983
Waterloo 3537, 5628
Kansas:
Kansas City, greater 6801
Topeka 6908
Wichita 6801
Louisiana; New Orleans 5627
Maine; Portland 3478
Maryland; Baltimore 3535, 6801
Massachusetts:
Eastern metropolitan areas 3477, 3762
Fall River-New Bedford-Taunton 5766
Springfield-Holyoke 3477
Worcester 3764, 6802
Michigan:
Battle Creek 5366
Detroit 6907
Flint 3478, 6907
Grand Rapids 5365
Kalamazoo 5365
Lansing, metropolitan area 6802
Muskegon 5366
Saginaw-Bay City 6907
Minnesota:
Duluth 6801
Minneapolis 6907
St. Paul 6907
Superior 6801
Milk and cream—Continued.
Conservation and distribution; various sales areas—Continued.
Mississippi; Jackson 5629
Missouri:
Kansas City, greater 6801
St. Joseph 6908
St. Louis metropolitan 3535, 5627
Springfield 6908
Nebraska:
Lincoln 6983
Omaha-Council Bluffs 6981
New Hampshire; Manchester 3478
North Carolina:
Asheville 5331
Charlotte 5330
Columbia 5331
Durham 5331
Greensboro 5331
Winston-Salem 4676, 5329
Oklahoma:
Oklahoma City 6907
Tulsa 6908
Oregon; Portland 3538
Pennsylvania:
Altoona 5945
Erie 5947
Johnstown 5947
Pittsburgh 5946
York 5499
Rhode Island; Eastern metropolitan areas 3477, 3762
South Carolina; Charleston 5500, 6051
Tennessee:
Chattanooga 6983
Knoxville 6983
Memphis 6983
Nashville 6981
Texas:
Amarillo 6984
Corpus Christi 5766
Galveston 5766
Houston 5766
San Antonio 4676
Virginia:
Norfolk-Portsmouth-Newport News 3477
Richmond 3477
Roanoke 5329
Washington; Seattle, metropolitan 5329
West Virginia:
Charleston 5945
Wheeling 5946
Cream 6145
Dried skim milk, set aside 4676, 7040
Handling in various marketing and sales areas:
Illinois; Quad Cities 4317
Iowa:
Clinton 5878
Quad Cities 4317
Kansas; Wichita 5761
Massachusetts:
Boston, greater 4972, 6007
Fall River 5885
Milk and cream—Continued.
Handling in various marketing and sales areas—Continued.
New York; New York, metropolitan 4735
Ohio; Cincinnati 4837, 7035
Pennsylvania; Philadelphia 5759, 7284
License suspensions and terminations:
Twin Cities, Minn 4166
Wichita, Kan 5944
Oil 4802
Animal 6391
Cashew nut shell liquid 4974
Castor 4973
Corn 6009
Cottonseed 6009
Fish 4736
Linseed 3479, 4974
Margarine. *See* Fats.
Mustard seed 5332
Neats' foot 6391
Oiticica 4973
Peanut 6009
Rapeseed 5332
Red 6391
Soybean 6009
Sperm 4974
Tung 6390
Oilseed meal. *See* Feed.
Onions. *See* Vegetables.
Peanuts, 1944 crop 4974
Pickles, pickle products 6053
Poultry:
In cold storage, restrictions terminated 3628
Turkeys, hens and processed turkeys 4375, 6147
Protein meal. *See* Feed.
Rice 5289
Soap 6667
Soybean products. *See* Feed.
Sugar:
Florida, sugarcane crop:
Wage rates:
1943–1944 4283
1944 6145
Louisiana, sugarcane crop; wage rates, 1944 4167
Mainland cane sugar area, wages; hearing and designation of presiding officers 6581
Puerto Rico, sugarcane crop:
Commercially recoverable sugar; 1943–1944 3927
Farming practices; 1944–45 5711
Raw sugar allotments 6801
Support prices, listed commodities; 1944 announcement 4837
Tea, designation of qualified distributors 3826
Quotas, packaging, etc 7251
Tobacco:
Cigar filler and binder types 6667
Fire-cured, 1942 crop 3891
Turkeys. *See* Poultry.
Vegetables:
Dehydrated 6007
Fresh, pricing of; authority delegation 4922, 4923
Onions, dry 4501
Wool, domestic 7185
Cotton warehouses. *See* Warehouses.
Packers and Stockyards Act; notices, orders, etc.:
Producers Stock Yards, formerly Lexington Live Stock Commission Company Stockyards 3758
Priority orders, allocation orders, and regulations; violations, procedure for issuance of resultant orders 6202
Property, surplus, of War Department, Navy Department and Maritime Commission; designation as disposal agency by Surplus War Property Administration 5097
Redesignation and renumbering of orders 4319, 5333
Support prices, listed commodities; 1944 announcement 4637
Suspension orders:
Deems Ice Cream Corp 5629, 7037
Sunnydale Ice Cream Co., Inc 5630, 7037
Van Dyke, James, Tea & Coffee Co 4639
White Way Retail Dairy 7183
Warehouses, cotton; miscellaneous amendments to regulations under Warehouse Act 6387
WAR LABOR BOARD. *See* National War Labor Board.
WAR MANPOWER COMMISSION:
Cotton textile industry, minimum wartime workweek for 4001
Critical occupations, listed 6144
Employment stabilization plans:
Interim employment stabilization plan; Region I 5326
Optional provisions 5400
Federal employees, transfer and release 3534
Minimum wartime workweek; designated areas:
Region I:
Massachusetts; Boston 6143
Region II:
New York; Rochester 4001
Region III:
New Jersey:
Bridgeton 4965
Paterson 3534
Region IV:
North Carolina; New Bern 4456
Virginia; Front Royal-Winchester 3724

WAR MANPOWER COMMISSION—Continued. Page
Minimum wartime workweek; designated areas—Con.
Region V:
Michigan:
Adrian 4519
Battle Creek 4519
Bay City-Saginaw-Midland area 4520
Benton Harbor-St. Joseph area 4520
Detroit 4520
Lansing 5944
Monroe 4520
Muskegon 4521
Niles 4521
Owosso 4521
Port Huron 4521
Ohio:
Akron 4966
Canton 4966
Cincinnati 4732
Cleveland 4966
Columbus 4966
Dayton 4967
Fremont-Port Clinton area 4969
Lima 4967
Lorain 4968
Marion 4670
Newark 4968
Sidney-Piqua-Troy area 4968
Toledo 4969
Warren-Niles 4457
Youngstown 4732
Region VI:
Illinois; Shelby County 4670
Indiana 4522
Wisconsin 4522
Region VIII:
Nebraska; Hastings 5944
Region XI:
Idaho; Pocatello 6291
Montana; Great Falls 6291
Region XII:
California:
San Francisco Bay area 4456
Southern California area 4457
Washington; Seattle-Bremerton-Tacoma 4456
Workers from foreign countries within Western Hemisphere, temporary migration for employment in United States in essential agricultural products industries 6803

WAR MOBILIZATION, OFFICE OF:
Termination of contracts. *See* Joint Contract Termination Board.

WAR PRODUCTION BOARD:
Authority, delegations of:
Army and Navy Munitions Board; preference ratings 5111, 5890
Defense Transportation, Office of; rationing control over new commercial vehicles 6989
Federal Public Housing Authority; to issue authorizations to receive signal and alarm equipment 4865
Foreign Economic Administration; priorities action 5400

WAR PRODUCTION BOARD—Continued. Page
Authority, delegations of—Con.
Maritime Commission, U. S.; preference ratings 5113
National Housing Agency; housing construction 3547, 5595, 5638
Solid Fuels Administration for War; distribution of coke 4580
War Food Administration; farm lumber 7048
War Production Board officials; military rating procedures 3490, 3681
War Shipping Administration; preference ratings 5113
Certificates:
Butadiene; exchange and use in Canada of technical information relating to 7234
Catalytic refining; approval of proposal for cross licensing and licensing arrangement between Shell Development Co., et al 4281
Defense Transportation, Office of; equipment conservation and coordination of motor vehicle operations 4636, 4637, 4733, 4924, 4969, 6144
Penicillin; approval of collaboration in exchange of technical information 7036
Petroleum Administration for War:
Directives 4923, 5883, 6144
Lubricating greases, recommendation; certificate withdrawn 4924
Smaller War Plants Corporation; plan of organization, etc., of U. S. Management & Engineering Co.—Optical Manufacturers Group, New York City 4637
Synthetic rubber; exchange and use in Canada of technical information relating to 7234
Transportation of essential materials; haulage request 4457
War Emergency Tankers, Inc.; approval of transfer of stock 7120
Preference ratings, *See* Priorities system operation.
Priorities system operation:
Canadian agencies, applicability to of provisions regarding military requirements 4641
Changes made by customers 4530
Concentration or transfer of production by War, Navy, Maritime Commission, etc 6702
Excess materials, application for permission to use 7048
Farm supplies 4866, 6351
Minimum sale quantities and production runs 4005
Preference ratings; Lists A and B 4421, 6989
Blanket MRO ratings, identification of 4426

WAR PRODUCTION BOARD—Continued. Page
Priorities system operation—Continued.
Preference ratings; Lists A and B—Continued.
Chemicals, printing inks, paints, etc., used both as production materials and for maintenance, repair, and operating supplies; special rules for use of ratings 4684
Exporters, records of 4426
Flat wick lamp burners 6586
Leased machinery 4425
Paper cups and food containers 4581, 5121, 5977
Time limit on use of ratings 6994
Sales of idle or excess industrial materials by persons not regularly selling 3548, 4581, 6058
Transfer of title in financing rated orders 6623
Priority orders:
Abrasives:
Abrasive grain 4428
Use of small order certification by producer-distributors 4430
Use of small order exemption by consumers 4430
Bonded and coated products 3898
Sales by persons not regularly selling 4588
Acetic acid, acetic anhydride, etc. *See* Chemicals.
Acetylene black. *See* Chemicals.
Acrylic monomer and resin. *See* Chemicals.
Air conditioning equipment. *See* Refrigerating and air conditioning equipment.
Aircraft, civilian 6333
Aircraft lighting equipment. *See* Lamps, lights, etc.
Alarm clocks. *See* Clocks.
Alcohol:
Ethyl 3498, 3699
Beverage cane spirits 4473, 5116
Hexahydric alcohols 5977, 5980, 6227
Isopropyl 4006, 4009, 4347, 4812, 6226, 6416
Aluminum:
Controlled material. *See* Controlled materials plan.
Distributors 4334
Pigment and composition 5119, 5121, 5770
Sales by persons not regularly selling 3550, 4584
Ammonium silico-fluoride. *See* Chemicals.
Anhydrous hydrofluoric acid. *See* Chemicals.
Antimony, sales by persons not regularly selling 3550, 4584

WAR PRODUCTION BOARD—Continued. Page
Priority orders—Continued.
Apparel:
Children's; nightwear, outerwear, etc 4534, 4934, 6022, 7195
Footwear. *See* Footwear.
Hosiery. *See* Hosiery.
Knitwear 6023, 6350
Men's, shorts, shirts 6860
Special programs 4934
Underwear, knit. *See* Knitwear, *above*.
Women's and misses'; dresses, coats, suits, slips, play clothes, etc 4532, 6861, 6862
Work gloves 5036
Army programs. *See* Controlled materials plan.
Asbestos. *See* Scheduled products.
Automotive vehicles. *See* Motor vehicles.
Bags. *See* Containers.
Balata. *See* Rubber.
Barium chemicals. *See* Chemicals.
Bathtubs. *See* Plumbing and heating.
Bauxite, sales by persons not regularly selling 3550, 4584
Bearings:
Anti-friction 4642
Jewel 4007
Radial type. *See* Scheduled products.
Benzaldehyde. *See* Chemicals.
Benzene. *See* Chemicals.
Beryllium, sales by persons not regularly selling 3550, 4584
Beverage cane spirits. *See* Alcohol.
Bismuth, sales by persons not regularly selling 3550, 4584
Blowers:
See also Scheduled products.
For cleaning purposes 5403
Blue prints, materials. *See* Controlled materials plan; Paper and paperboard.
Boilers. *See* Scheduled products.
Books. *See* Printing and publishing.
Boxes. *See* Containers.
Brass. *See* Copper.
Bristles, sales by persons not regularly selling 3554, 4588
Building materials:
See also Scheduled products.
Controlled materials. *See* Controlled materials plan.
Copper. *See* Copper.
Finishing hardware, cabinet locks and padlocks 4338
Fuse, time delay non-renewable cartridge 3936
Metal doors, frames, shutters 5477
Metal plastering bases, etc. 5476
Metal windows 6019
National emergency specifications for:
Lumber, stress grade 3491, 3683
Reinforced concrete 3491, 3683
Structural steel 3490, 3683

WAR PRODUCTION BOARD—Continued. Page
Priority orders—Continued.
Building materials—Con.
Siding, maintenance and repair 3638
Burlap. *See* Fiber, cordage.
Busways. *See* Electrical supplies.
Cable, radio-frequency. *See* Scheduled products: radio and radar.
Cabrettas. *See* Leather.
Cadmium 5335
Sales by persons not regularly selling 3550, 4584
Calfskin. *See* Leather.
Canadian agencies, applicability to of provisions of regulations regarding military requirements 4641
Cans; packing quotas, various products 3767, 5209, 5216, 6019, 6342, 6349
Capacitors. *See* Scheduled products: radio and radar.
Car materials. *See* Transportation systems.
Carbon forms. *See* Paper.
Casein. *See* Chemicals.
Cattlehide. *See* Leather.
Cellophane 6357
Centrifuges. *See* Scheduled products: processing machinery.
Chains 3494, 3568
Sprocket chain. *See* Sprocket chain.
Chairs. *See* Furniture.
Chemicals:
Acetic acid, acetic anhydride and acetaldehyde 6416, 6417
Acetylene black 6418
Acrylic monomer and acrylic resin 4809, 4813, 6227
Alcohol. *See* Alcohol.
Allocation of materials 4347, 4812, 6222, 6226, 6416
Ammonium silicofluoride 6419
Anhydrous hydrofluoric acid 4347, 4812, 5980, 6226
Aromatic solvents 5979
Barium chemicals 6879
Benzaldehyde 4347, 4812, 6226
Benzene 5979, 5982, 6226
Casein 3907
Cellophane. *See* Cellophane.
Chlorine 7059
In pulp, paper, and paperboard. *See* Paper.
Chromium chemicals, primary 6415
Cinchona bark and alkaloids 4936, 6355
Citric acid 4347, 4812, 6227
DDT 6626
Dichlorostyrene 6227
Dipentene 4077, 4347, 4812, 6227
Formaldehyde 3726, 3765, 4347, 4812, 6226
Glue; hide, bone extract, etc. *See* Glue.
Glycols 4806, 4811, 4813, 6227
Hexahydric alcohols. *See* Alcohol.
Hexamethylenetetramine 3726, 3727, 3765, 4347, 4812, 6226

WAR PRODUCTION BOARD—Continued. Page
Priority orders—Continued.
Chemicals—Continued.
Metallic sodium 4812, 4815, 6226
Methyl isobutyl ketone 6857, 6878
Miscellaneous chemicals 3908, 4644, 5040, 5983, 6353, 6626
Nicotinic acid 4347, 4812, 6226
Paraformaldehyde 3726, 3765, 4347, 4812, 6626
Penicillin 5137
Exchange of technical information 7036
Pentaerythritol 3726, 3728, 3765, 4347, 4812, 6226
Peroxygen chemicals 4347, 4812, 6227
Phenolic resins and molding compounds 4938
Phosphorus 6878, 6879
Pine tar. *See* Pine tar.
Polydichlorostyrene 6226
Polystyrene. *See* Styrene, *below*.
Potash 3573
Preference ratings 4684
Riboflavin 4347, 4812, 6227, 6878
Sales by persons not regularly selling 3551, 4585
Styrene, polystyrene, etc 4806, 4812, 4813, 4814, 6226, 6227
Thiamine hydrochloride 4347, 4812, 6227
Toluene (toluol) 5977, 6226
Vitamin A 5298
Xylene 5982, 6226
Zinc sulphide. *See* Pigments.
Chlorine. *See* Chemicals.
In paper. *See* Paper.
Chromium 7187
Sales by persons not regularly selling 3550, 4584
Chromium chemicals. *See* Chemicals.
Church goods 4472
Cinchona bark, etc. *See* Chemicals.
Circuit breakers 3566
See also Scheduled products.
Circulators. *See* Machines: construction.
Citric acid. *See* Chemicals.
Clay, inventory restriction. *See* Inventories.
Cleaning machinery. *See* Machines.
Clocks, alarm 4008
Coal and coke:
Coke, distribution of; delegation of authority to Solid Fuels Administration 4580
Inventories 6910
Coke. *See* Coal and coke.
Columns. *See* Scheduled products: processing machinery.
Combustion equipment. *See* Scheduled products.
Communications; telephones, limitation on manufacture of 3770
Compressors. *See* Scheduled products.
Concentrators. *See* Scheduled products: processing machinery.

WAR PRODUCTION BOARD—Continued.
Priority orders—Continued.
Concrete, reinforced; national emergency specifications for design of buildings of 3491, 3683
Concrete mixers. *See* Machines: construction.
Condensers. *See* Scheduled products.
Construction 4172, 6845
Blanket authorizations 4175
Farm houses 3638, 4175
Housing 3564, 3685
Authority of National Housing Agency 3547, 5595, 5638
Insulation materials 5472
Limitations. *See* Controlled materials plan.
Machinery. *See* Machines.
Maintenance, repair, etc. *See* Controlled materials plan.
Materials. *See* Building materials.
Public highways and streets 4175
Containerboard. *See* Paper.
Containers:
Bags, textile 4470, 5779
Cans. *See* Cans.
Farm use. *See* Farm supplies.
Glass:
Quotas, various products 3567, 5123, 5131, 5903, 6334, 6349
Simplification schedules 6399
Distilled spirits, etc 6406
Malt beverages 6501
Inventory and excessive ordering 3959
Machinery. *See* Machines.
Milk powder; rating for containers for Lend-Lease shipments of 6995
Paper cups and food containers 4581, 5121, 5977, 5978
Army and Navy orders, cut-off date 6586
Shipping:
Fibre 4595, 5893
Steel drums 5771, 5773, 6809
Strapping for 3936
V-Boxes 4389
Inventory restrictions 5722
V-board for. *See* Paper.
Wooden; use for listed commodities 4467, 6410
Controlled materials plan:
Allotments and schedules 3897, 4005
Allotments returned by secondary consumers to claimant agencies or to Industry Division 3729, 6910
Aluminum ingot 4869
Army programs 5002
Carbon steel; chain link fence 5406
Excess materials, application for permission to use 7049
Purchases or sales through an intermediary 3766

WAR PRODUCTION BOARD—Continued.
Priority orders—Continued.
Controlled materials plan—Continued.
Allotments and schedules—Continued.
Records of exporters 4131
Ship repair and conversion 5371
Allotment procedure for manufacturers of Class A products used for 3493
Steel, definition of 3567
Steel forgings 5896
War Department small orders 6074
Construction and facilities:
Abbreviated allotment number U–2; special procedure for use of, by utilities, contractors, and manufacturers 6018
Agricultural, commercial and industrial construction; authorization, GA 1456 5475
Limitation on construction 5473
Materials, restrictions 5473
Special authorizations; list of equipment requiring 5474
Special procedure for Army and Navy construction 5406
Controlled materials, sales by persons not regularly selling 3548, 4581, 6058
Inventories:
Alloy steel tubing 6399
Concentration of transfer of production 6710
Excess inventory 6586
Maintenance, repair and operating supplies 5337
Aluminum pattern equipment 4464
Barrel staves, heading and hoops 4131
Blue print material 5002
For Governmental agencies and institutions 5898
Purchaser's cost of labor for minor capital additions 5952
Increased quotas for seasonal business 3846
Purchaser's labor costs for minor capital additions 5406
Steel shoe wire 4387
Repairs; parts and materials for 4077, 4079, 4642
Aircraft repair shops; Alaska 6703
Sales by warehouses and distributors:
Aluminum 4335, 4426
Copper 4426
Steel 4335, 4426
Tobacco flue sheets, hot rolled carbon steel 4869
Wire, sales by distributors of automotive replacement parts 4428

WAR PRODUCTION BOARD—Continued.
Priority orders—Continued.
Cooking equipment:
See also Plumbing and heating equipment.
Cooking and food and plate warming equipment, commercial 6229, 6231
Domestic cooking appliances 4180, 6349, 6858
Electric applicances. *See* Electrical supplies.
Ranges, electric 5644, 6416
Restrictions on deliveries of certain items; List B 4431
Sales by persons not regularly selling 3561, 4595
Stoves; top work space 3563, 4181, 6350
Coolers, desert 5337
Copper and copper products:
Controlled materials. *See* Controlled materials plan.
Installations, restrictions on:
Building materials; gutters, radiators, flashings, strip, ornamental metal work, etc 5405
Building supplies and hardware; heaters, ventilators, blast heating coils, etc 5121
Fittings for pipe, tubing etc 5405
Insect screening 5717
Manufacture of articles on combined list; restrictions 3630, 5716, 6208, 6622
Raw materials and scrap 5951
Sales by persons not regularly selling 3550, 4584
Shoe findings 6622
Cordage. *See* Fiber, cordage, etc.
Cork 7195
Corundum, sales by persons not regularly selling 3550, 4584
Cotton:
Extra staple 5477
Sales by persons not regularly selling 3555, 4589
Textiles. *See* Textiles.
Crushers. *See* Scheduled products: processing machinery.
Cryolite, sales by persons not regularly selling 3550
Cutlery 3495
DDT. *See* Chemicals.
Desert coolers. *See* Coolers.
Diamonds, industrial; sales by persons not regularly selling 3555, 4589
Dichlorostyrene. *See* Chemicals.
Dipentene. *See* Chemicals.
Dishwashers, commercial 6228, 6229
Display cases, refrigerated. *See* Refrigerating, etc., equipment.
Doors, etc., metal. *See* Building materials.

WAR PRODUCTION BOARD—Continued.
Priority orders—Continued.
Driers. *See* Scheduled products: processing machinery.
Dry cleaning equipment. *See* Machines.
Duck, cotton. *See* Textiles.
Electric power. *See* Utilities.
Electrical supplies, etc.:
Appliances; heaters, cookers, irons, permanent wave equipment, etc 6149
Busways 4463
Fans, domestic and commercial 5604
Fuses 3936
Indicating instruments 4077
Lamps. *See* Lamps.
Meters, domestic watthour 7050
Ranges. *See* Cooking equipment.
Sales by persons not regularly selling 3548, 4581, 6058
Test instruments. *See* Scheduled products: radio and radar.
Electronic equipment:
Laboratory research and development 4532
Maintenance, repair, and operating supplies 5036
Precedence list designations 6074
Sales by persons not regularly selling 3557, 4591
Elevators and escalators:
Orders for material and labor exceeding $500 3696
Repair or maintenance parts 5777, 5778, 5779
Enamel. *See* Protective coatings.
Enameled ware 3572
Engines. *See* Scheduled products.
Escalators. *See* Elevators.
Evaporative coolers. *See* Coolers.
Evaporators. *See* Scheduled products: processing machinery.
Exporters, records. *See* Controlled materials plan.
Exports, licenses; authority of Foreign Economic Administration 5400
Extractors. *See* Scheduled products: processing machinery.
F–22 gas. *See* Refrigerating gas.
Fans:
Electric. *See* Electrical supplies.
Industrial. *See* Scheduled products.
Farm machinery and equipment:
Cut-away discs 4388, 6015
Domestic quotas 6211
Special applications for additional quotas 6332
Surplus materials, exquota production from 6228
Electricity for farm equipment. *See* Utilities.

WAR PRODUCTION BOARD—Continued.
Priority orders—Continued.
Farm machinery and equipment—Continued.
Export quotas 3635, 6218
Farm supplies; priorities to buy tools, batteries, chains, fencing, thermometers, valves, etc 4866
Lumber, deliveries to manufacturers of farm machinery. *See* Lumber.
Tractors, wheel-type; sales for industrial use 4530
Fence, chain link 5406
Ferroalloys, sales by persons not regularly selling 3550, 4584
Fiber, cordage, etc.:
Burlap, sales by persons not regularly selling 3554
Cordage fiber and yarn 3689, 4387, 7187
Istle 4389
Jute 4931
Sales by persons not regularly selling 3548, 4581, 6058
Waste manila rope and manila fibre 7131
Fire protective equipment. *See* Safety equipment.
Floor finishing, etc. machines. *See* Machines.
Fluorescent lighting fixtures. *See* Lamps.
Food processing machinery. *See* Machines.
Footwear 4342, 7132
See also Leather.
Shoes manufactured for dyeing by retailers or consumers 4472
Two-color bows 5638
Formaldehyde. *See* Chemicals.
Fountain pens. *See* Pens.
Freezers. *See* Refrigerating, etc., equipment.
Freon. *See* Refrigerating gas.
Frequency changers. *See* Scheduled products.
Furnaces, interior heating. *See* Plumbing and Heating equipment.
Furniture 3844, 7057
Medical and surgical. *See* Medical and surgical equipment.
Metal furniture and fixtures 5478, 5479
Remodeling by inclusion of springs 4131
Swivel chairs 5645
Fuse, cartridge. *See* Building materials.
Gages and precision measuring hand tools. *See* Tools.
Garment hangers. *See* Household articles.
Gas:
Petroleum. *See* Petroleum gas.
Public utility. *See* Utilities.
Gas tanks. *See* Tanks.
Gauges:
Indicating dial pressure 5603
Railroad 5603

WAR PRODUCTION BOARD—Continued.
Priority orders—Continued.
Gears. *See* Scheduled products.
Generators. *See* Scheduled products.
Glass, fibrous; textiles. *See* Scheduled products.
Glass containers and closures. *See* Containers.
Glasses, sun 4941, 5002
Gloves, work. *See* Apparel.
Glue; hide, bone extract, etc 4347, 4812, 6226
Glycols. *See* Chemicals.
Goatskin. *See* Leather.
Graphite 4641
Grills. *See* Cooking equipment.
Grinders. *See* Scheduled products: processing machinery.
Hand trucks; platform, dolly, lift, etc 3562, 3563, 5891
Hardware. *See* Building materials; Scheduled products.
Haulage conservation; transportation of Schedule X materials 4457, 4458
Heat exchangers 4466
Heaters:
Tank car. *See* Machines: construction.
Water. *See* Plumbing and heating equipment.
Hemp seed 4176
Sales by persons not regularly selling 3555
Hexahydric alcohols. *See* Alcohol.
Hexamethylenetetramine. *See* Chemicals.
Hides, skins, leather. *See* Leather.
Hosiery 4642, 6023
Hospital equipment. *See* Medical and surgical equipment.
Household articles:
Enameled ware 3572
Fire buckets 6914
Galvanized ware and nonmetal coated metal articles; garbage pails, incinerators, wash boilers, tubs, etc 6913
Garment hangers 6586
Knives, etc. *See* Cutlery.
Liquid and dry measures 6914
Supplementary quota of iron and steel for. *See* Iron and steel.
Housing construction. *See* Construction.
Imports of strategic materials; Lists I, II, III 5292, 5297, 6942
Balsa wood 6948
Indicating instruments, electrical. *See* Electrical supplies.
Industrial materials, idle or excess; sales by persons not regularly selling such materials 3548, 4581, 6058
Ink, printing; preference ratings 4684

WAR PRODUCTION BOARD—Continued. Page
Priority orders—Continued.
Instruments, industrial 4742
Insulation. *See* Construction.
Insulators, high voltage 4577
Inventories; minerals, clay, salt, sulphur, etc., restriction exceptions (Schedule A) 4531
Iridium, sales by persons not regularly selling 3550, 4584
Iron and steel:
Carbon steel bars, hot rolled 3896
Castings, malleable iron 4474
Conservation:
List A 3498, 5403, 5645
List C 3498, 5645
Controlled material. *See* Controlled materials plan.
Pails, buckets, tubs, etc.; supplementary quotas for 6914, 6915
Pig iron 5790
Production; List A 4181
Sales by persons not regularly selling 3550, 4584
Shoe wire, steel 4387
Steel forgings 5898
Steel shipping drums. *See* Containers.
Steel, structural, for buildings; national emergency specifications 3490, 3683
Tin plate, terne plate. *See* Tin.
Tobacco flue sheets, hot rolled carbon steel 4869
Isopropyl. *See* Alcohol.
Istle. *See* Fiber, cordage, etc.
Jacks. *See* Motor vehicles.
Japanese tissue. *See* Paper.
Jewel bearings. *See* Bearings.
Jewelry 4537
Jute. *See* Fiber, cordage, etc.
Kapok 5408
Kip. *See* Leather.
Knives. *See* Cutlery.
Lacquer. *See* Protective coatings.
Lambskins. *See* Leather.
Lamps, lights, etc.:
Aircraft lighting equipment 4430
Fluorescent lighting fixtures 3569, 4006, 4531
Incandescent, fluorescent, etc 6862, 6878
Lamps, portable electric, and shades 5479
Repairing, etc 5480
Laundry equipment:
See also Machines.
Sales by persons not regularly selling 3558
Lead, sales by persons not regularly selling 3550, 4584
Leather; hides, skins, etc 3903, 5639
Cabrettas, lambskins, sheepskins; mandatory processing, sale and delivery for military purposes 4433

WAR PRODUCTION BOARD—Continued. Page
Priority orders—Continued.
Leather; hides, skins, etc.—Continued.
Cattlehide, calfskin, and kip; restriction on processing 7051
Military quality calfskins, tanning of 7001
Effect of ratings on equitable distribution 3907
Footwear. *See* Footwear.
Goatskin glove and garment leather 3732, 6860
"Military order"; OFRA and UNRRA orders not within definition of 4082
Sales by persons not regularly selling 3555, 4589
Sole leather; manufacturers' bends 5604
Lighting equipment. *See* Lamps, lights, etc.
Lithium, sales by persons not regularly selling 3550, 4584
Locks. *See* Building materials.
Logs. *See* Lumber.
Loud speakers. *See* Scheduled products: radio and radar.
Luggage 4536
Lumber:
Ash specialists 3571
Consumers requirements (control orders) 3731, 3846, 3961, 3962, 6995, 7049
Douglas fir 6995
Hardwood:
Conservation order, interpretation 3963, 3966
Deliveries to manufacturers of:
Controlled materials 3571
Farm machinery 3571
Railroad rolling stock and passenger carriers 3731
Truck and trailer bodies 3731
Delivery from sawmill stock 7000
Mines and smelters 4342
Purchases through wholesalers 3571
Logs:
Black walnut 4342
Noble fir logs 5337
Western hemlock aircraft 3567
Plywood; softwood 7049
Sales by persons not regularly selling 3555, 4589
Softwood 6999
Southern yellow pine:
Conservation order interpretation 3963
Deliveries to manufacturers of:
Controlled materials 3570
Farm machinery 3646
Railroad rolling stock and passenger carriers 3731
Truck and trailer bodies 3731
Delivery from sawmill stock 6999
Mines and smelters 4342

WAR PRODUCTION BOARD—Continued. Page
Priority orders—Continued.
Lumber—Continued.
Southern yellow pine—Con.
Purchases through wholesalers 3570
Stress grade lumber for buildings; national emergency specifications 3491, 3684
Use in construction restricted. *See* Controlled materials plan.
Western; deliveries from sawmill stock 6995
Machine tools:
Production and delivery 6948
Sales by persons not regularly selling 3561, 4595, 6071
Machines and machinery:
Air conditioning and refrigerating. *See* Refrigerating etc. equipment.
Bakery; quotas 7127
Brewing, winery, and beverage; quotas 7130
Canning; quotas 7128
Meat canning, packing, and processing; quotas 7130
Cleaning; blowers, vacuum cleaners, rug scrubbing, etc 5403
Construction 4388
Bituminous materials maintenance units 5122
Installation or relocation 4174
Portable concrete mixers 4388
Sales by persons not regularly selling 4591
Tank car heaters and pumping boosters or circulators 5122
Track-laying tractors; repair parts 6015
Container 3933
Conveying 3931, 4466
Dairy; quotas 6397, 7126
Egg and poultry processing; restrictions in lieu of quotas 7128
Farm. *See* Farm machinery and equipment.
Floor sanding, finishing, etc 5403
Flour, grain, feed milling and processing; quotas 6398, 7129
Food processing 3492, 3566
Laundry, dry cleaning and tailors' pressing equipment 5408, 5410, 6708
Office, sales by persons not regularly selling 3560
Paper mill machinery 3960, 4337
Paper products, etc 5403
Plastics molding 6994
See also Scheduled products: processing machinery.
Processing. *See* Scheduled products.
Sales by persons not regularly selling 3548, 4581, 6058

WAR PRODUCTION BOARD—Continued. Page
Priority orders—Continued.
Machines and machinery—Continued.
Sugar processing; restrictions in lieu of quotas 7129
Typewriters. *See* Typewriters.
Vending, merchandise 3495
Magazines. *See* Printing and publishing.
Magnesium and magnesium products, sales by persons not regularly selling 3550, 4584
Manufacturers' bends. *See* Leather: sole.
Medical and surgical equipment 4809
Furniture and related equipment 6351
Metal doors, windows, etc. *See* Building materials.
Metal signs and accessories. *See* Signs.
Metallic sodium. *See* Chemicals.
Meters:
Domestic watthour. *See* Electrical supplies.
Water. *See* Power, steam, etc. equipment.
Methyl isobutyl ketone. *See* Chemicals.
Mica; sales by persons not regularly selling 4589
Microphones. *See* Scheduled products: radio and radar.
Minerals:
Inventories. *See* Inventories.
Silver. *See* Silver.
Mines and smelters 3686, 5400
Mining equipment, sales by persons not regularly selling 4593
Molding compounds. *See* Chemicals.
Molybdenum, sales by persons not regularly selling 3550, 4584
Monochlorodifluoromethane. *See* Refrigerating gas.
Motion picture projection equipment. *See* Photographic and projection equipment.
Motor vehicles:
Automotive maintenance equipment 6101
Fire apparatus, motorized. *See* Safety equipment.
Jacks:
Lifting capacity 3498
Mechanical, hydraulic, etc 4538, 6413
Maintenance equipment; lists 5775, 5777
Motor equipment, sales by persons not regularly selling 3556, 4590
Rationing of new commercial motor vehicles, delegation of authority to ODT 7002

WAR PRODUCTION BOARD—Continued. Page
Priority orders—Continued.
Motor vehicles—Continued.
Replacement parts 3936
Army orders 3939, 4473
British military vehicles 4346
Distributors, sales of parts containing controlled materials 4428
Production of 4806
Motors. *See* Scheduled products.
Navy, construction. *See* Controlled materials plan.
Nickel 5207, 5208
Sales by persons not regularly selling 3551, 4585
Nicotinic acid. *See* Chemicals.
Nylon. *See* Synthetic yarns, fabrics, etc.
Oil burners. *See* Plumbing and heating equipment.
Oils, for protective coatings 3939
Osmium, sales by persons not regularly selling 3551, 4585
Ovens. *See* Cooking equipment.
Paints. *See* Protective coatings.
Paper and paperboard:
Blueprint and direct line papers, base stock for 7132
Chlorine in pulp, paper and paperboard 4131, 6624, 6626
Containerboard 3934, 3935, 4006
V-board 6019
Containers. *See* Containers.
Converted paper products 3834, 5371
Punch boards, etc 5722
Retail units 3836
Waxed paper conversion 3836
Fine writing papers 6085
Groundwood 6098
Japanese tissue 3567
Machinery. *See* Machines.
Paper mill machinery. *See* Machines.
Print paper. *See* Printing and publishing.
Printed carbon forms, interleaved 5638
Production, restrictions and reserves:
Paperboard 6255
Pulp and paper 6253
Specialty paper and board 5773
File folder stock 5775
Tag board 5775
Tablets, notebooks, loose-leaf fillers, etc 6094, 6096, 6809, 6880
Waste paper 5476
Wax paper, in cutter boxes 4869
Wood pulp 3689, 7131
Paraformaldehyde. *See* Chemicals.
Pentaerythritol. *See* Chemicals.
Penicillin. *See* Chemicals.
Pens, fountain, and mechanical pencils 3564, 3728
Permanent wave equipment. *See* Electrical supplies: appliances.
Peroxygen chemicals. *See* Chemicals.

WAR PRODUCTION BOARD—Continued. Page
Priority orders—Continued.
Petroleum; production, transportation and marketing 6071, 7052
Petroleum gas, liquefied:
Equipment 3765
Tanks for. *See* Tanks.
Use as motor fuel in passenger automobiles 3766
Phenolic resins. *See* Resins.
Phosphorus. *See* Chemicals.
Photographic and projection equipment, sales by persons not regularly selling 3559, 4593
Phthalic alkyd resins. *See* Resins.
Physical therapy equipment 3768
Pigments, zinc sulphide 6221
Pine oil, sales by persons not regularly selling 3554, 4588
Pine tar and tar oil 4132, 4347, 4812, 6226
Pipe, metal. *See* Scheduled products.
Plastering bases. *See* Building materials.
Plastics:
Molding machinery. *See* Machines.
Sales by persons not regularly selling 3554, 4588
Platinum, sales by persons not regularly selling 3551, 4538
Plumbing and heating equipment:
See also Cooking equipment; Scheduled products.
Bathtubs, cast iron 5001, 6351, 7050
Copper. *See* Copper.
Distribution systems, changes prohibited 3966
Electric appliances. *See* Electrical supplies.
Fittings and trim 3638, 7000
Fixtures, plumbing 3931
Furnaces 7000
Heating stoves, domestic 4180, 6349, 6858
Oil burners 4285
Radiators, cast iron 6408
Restrictions on deliveries of certain items; List A and B 4431
Simplification schedules, issuance of 6353
Space heaters, oil and gas burning 6073
Tanks, plumbing and heating 6021, 6859
Water heaters 4870, 6020
Polystyrene. *See* Chemicals.
Polydichlorostyrene. *See* Chemicals.
Potash. *See* Chemicals.
Power, steam, etc equipment; water meters 6623
Power products; turbines, generators, etc. *See* Scheduled products.
Power transmission equipment, mechanical 3931, 4466
Power trucks, industrial 6017, 6073
Sales by persons not regularly selling 3558, 4592

WAR PRODUCTION BOARD—Continued.
Priority orders—Continued.
Precipitators. *See* Scheduled products: processing machinery
Preference ratings. *See* Priorities system operation, *above*.
Presses; oil. *See* Scheduled products: processing machinery
Pressure instruments. *See* Scheduled products: radio and radar.
Printing and publishing:
Carbon forms, interleaved 5638
Print paper for:
Books and booklets 5601, 6081
Commercial printing 5596, 5599, 6077
Magazines 5599, 6096
Newspapers 6096
Reprints 6624
Printing ink. *See* Ink.
Protective coatings:
Can enamel 4083
Oils for. *See* Oils.
Paints, varnishes, lacquers; preference ratings 4684
Sales by persons not regularly selling 3554, 4588
Shellac 4334
Pulp and paper. *See* Paper and paperboard.
Pulverizers. *See* Scheduled products.
Pumping boosters. *See* Machines: construction.
Pumps, industrial. *See* Scheduled products.
Punch boards, etc. *See* Paper.
Purifiers. *See* Scheduled products: processing machinery.
Pyrometers. *See* Scheduled products: radio and radar.
Quinine. *See* Chemicals: cinchona.
Radiators, cast iron. *See* Plumbing and heating equipment.
Radio and radar equipment. *See* Electronic equipment; Scheduled products.
Railroad gauges. *See* Gauges.
Rails. *See* Transportation systems.
Ranges. *See* Cooking equipment.
Rayon. *See* Synthetic yarns, fabrics, etc.
Refrigerating and air conditioning equipment, industrial and commercial 4978
Coil and tube assemblies for condensers or coolers 4084
Refrigerating gas (F–22) 4334
Refrigerators:
Domestic ice 7001
Sales by persons not regularly selling 4595
Regulators. *See* Valves.
Reprints. *See* Printing and publishing.

WAR PRODUCTION BOARD—Continued.
Priority orders—Continued.
Resins:
Phthalic alkyd 5721
Phenolic 4938
Sales by persons not regularly selling 3554, 4588
Resistors. *See* Scheduled products: radio and radar.
Rhodium, sales by persons not regularly selling 3551, 4585
Riboflavin. *See* Chemicals.
Rope. *See* Fiber, cordage, etc.
Rubber:
Balata 5791
Sales by persons not regularly selling 3555, 4589, 6065
Synthetic; exchange of technical information on, in Canada 7234
Tires and tubes. *See* Tires and tubes.
Use of crude rubber and latex in manufactured goods; wire and cable, mechanical goods, footwear, heels and soles, cement, drug sundries, etc 3702
Rug scrubbing machines. *See* Machines.
Safety equipment 4597
Fire apparatus, motorized 4817
Fire buckets. *See* Household articles.
Fire extinguishers, for use by farmers. *See* Farm supplies.
Fire protective, signal and alarm equipment 4595
Signal and alarm equipment; authority of Federal Public Housing Authority to issue authorizations to receive 4865
Salt, inventory restriction. *See* Inventories.
Sanitary napkins 4933
Sanitation services, public; maintenance, repair, and operating supplies 6911
Saws. *See* Tools.
Scheduled products:
Bearings, radial type; use of Miniature Precision Bearing Company's bearings, restricted 5002
Boilers 3834
See also Power products, *below*.
Cork, asbestos and fibrous glass 5407
Dental handpieces 3494
Fire extinguishers 3494
Hardware, marine fittings 3730
Industrial equipment; motors, generators, compressors, pumps, blowers, pressure vessels, etc 4465
Metal pipe, fabricated 3834

WAR PRODUCTION BOARD—Continued.
Priority orders—Continued.
Scheduled products—Con.
Power products; turbines, generators, engines, boilers, pulverizers, combustion equipment, stokers, blowers, condensers, frequency changers, circuit breakers, transformers, etc 6075
Printing; carbon forms, interleaved 5638
Processing machinery; oils, chemicals, drugs, plastic molding, paint, etc 6995
Radio and radar; capacitors, resistors, transformers, generators, valves, etc 4079
Sales by persons not regularly selling 3548, 4581, 6058
Shipbuilding; boilers, engines, gears, turbines, valves, pipe fittings 3730
Rescheduling of orders for valves and pipe fittings for destroyer escort program 4177
Shipping schedules; Class X, Y, etc., products 4335
Tools; abrasives, bearings, chain, cranes, hand service tools, etc 3494
Scissors. *See* Cutlery.
Screening. *See* Copper.
Seasonal business. *See* Controlled materials plan.
Separators. *See* Scheduled products: processing machinery.
Sewerage services. *See* Sanitation services.
Sheepskins. *See* Leather.
Sheetings. *See* Textiles.
Shellac. *See* Protective coatings.
Shipping containers. *See* Containers.
Ships:
Engines, valves, etc. *See* Scheduled products.
Materials for repairs. *See* Controlled materials plan.
Shoes. *See* Footwear; Leather.
Signal and alarm equipment. *See* Safety equipment.
Signs and accessories, metal 5117
Silk; sales by persons not regularly selling 3555, 4589
Silver 5131
Sales by persons not regularly selling 3551, 4585
Skins. *See* Leather.
Sodium. *See* Chemicals.
Solvents. *See* Chemicals.
Sound distribution; electronic equipment for. *See* Electronic equipment.
Spades, shovels, scoops, etc. *See* Tools.

WAR PRODUCTION BOARD—Continued.
Priority orders—Continued.
Specifications, national emergency, for building materials. *See* Building materials.
Springs, for furniture. *See* Furniture.
Sprocket chain, attachment links, and chain wheels 4335, 4576, 6623
Steam heat. *See* Utilities.
Steel. *See* Iron and steel.
Sterilizer equipment 3575, 5480
Sales by persons not regularly selling 4595
Stokers. *See* Scheduled products.
Stoves, heating. *See* Plumbing and heating equipment.
Strategic materials. *See* Imports of strategic materials.
Styrene. *See* Chemicals.
Sulphur, inventory restriction. *See* Inventories.
Sun glasses. *See* Glasses.
Surgical equipment. *See* Medical and surgical equipment.
Switches:
Radio, aircraft, etc. *See* Scheduled products.
Safety, knife, etc 3566
Swivel chairs. *See* Furniture.
Synthetic yarns, fabrics, etc.:
Nylon 4082, 5643
Rayon 4082, 5643, 5644
Sales by persons not regularly selling 3555, 4589
Tablets, notebooks, etc. *See* Paper and paperboard.
Tailors' pressing equipment. *See* Machines.
Tanks:
Liquified petroleum gas tanks 3766, 5298
Plumbing and heating. *See* Plumbing and heating equipment.
Tantalum 4176
Sales by persons not regularly selling 3551, 4585
Telephones. *See* Communications.
Textiles:
Cotton:
Distribution 5780, 6501
Schedules; preference rating 3836, 5783, 5787
Sheetings 4580
Production 3898, 6703
Army tent twill 4982
Duck 3836, 5344
Fibrous glass. *See* Scheduled products.
Synthetic. *See* Synthetic yarns, fabrics, etc.
Wool content. *See* Wool.
Thiamine hydrochloride. *See* Chemicals.
Tin 6208
Cans. *See* Cans.
Sales by persons not regularly selling 3551, 4585
Scrap, tinned and detinned 5115

WAR PRODUCTION BOARD—Continued.
Priority orders—Continued.
Tin—Continued.
Tin plate, terne plate, tin mill black plate 4815
Use in construction restricted. *See* Controlled materials plan.
Tires and tubes 3702
For farm machinery 6231
Retreading, recapping, repair equipment 4977
Tire allotment plan 5952
Tissue. *See* Paper.
Toluene (toluol). *See* Chemicals.
Tools;
See also Scheduled products.
Farm. *See* Farm supplies.
Gages and precision measuring hand tools 6221
Hand service 5113, 6076, 7056
Machine. *See* Machine tools.
Sales by persons not regularly selling 3561, 4595, 6071
Saws, manually-operated and special purpose 3639
Spades, shovels, scoops, etc 6408
Wrenches 3642
Tracks. *See* Transportation systems.
Tractors:
Farm. *See* Farm machinery.
Track-laying; repair parts for 6015
Transformers. *See* Scheduled products.
Transportation. *See* Haulage conservation.
Transportation systems, materials 4177
Car materials 5977, 6624
Rails, ties, etc 5473
Track materials 3898
Trucks:
Hand. *See* Hand trucks.
Motor. *See* Motor vehicles.
Power. *See* Power trucks.
Tungsten; sales by persons not regularly selling 3551, 4585
Turbines. *See* Scheduled products.
Twill. *See* Textiles.
Typewriters 4387, 5138
Underwear. *See* Apparel.
Uranium; sales by persons not regularly selling 3551, 4585
Utilities; electric power, gas, water, and steam heat:
Allotment number U–2; use by utilities to obtain controlled materials 6018
Army, Navy, etc., use 3733
Extensions to premises under construction; domestic, industrial, etc 3732, 3733
Farm production equipment use 3732, 5139
V-boxes. *See* Containers.
Vacuum cleaners, industrial. *See* Machines.
Vacuum tubes. *See* Scheduled products; radio and radar.

WAR PRODUCTION BOARD—Continued.
Priority orders—Continued.
Valves; gate, globe, cross, and check and valve parts 4742, 6806
See also Scheduled products.
Vanadium; sales by persons not regularly selling 3551, 4585, 6061
Varnish. *See* Protective coatings.
Vending machines. *See* Machines.
Vibrators, electronic. *See* Scheduled products: radio and radar.
Vitamin A. *See* Chemicals.
Votators. *See* Scheduled products: processing machinery.
Water. *See* Utilities.
Water coolers. *See* Refrigerating etc. equipment.
Water heaters. *See* Plumbing and heating equipment.
Welding equipment:
Resistance 3492, 4085
Sales by persons not regularly selling 3551, 4585, 6061
Windows. *See* Building materials.
Wire:
Sales by distributors of automotive replacement parts 4428
Steel shoe wire 4387
Wood pulp. *See* Paper and paperboard.
Wool:
Restrictions on putting into process 4872, 5136
Sales by persons not regularly selling 3555, 4589
Wrenches. *See* Tools.
Xylene (xylol). *See* Chemicals.
Zein 4284
Zinc 6013
Sales by persons not regularly selling 3551, 4585
Use in construction restricted. *See* Controlled materials plan.
Zinc oxide 6701
Zinc sulphide pigments. *See* Pigments.
Regulations by document designation:
CMP regulations:
No. 1:
As amended February 2, 1944:
Amendment 2 3897, 4005
Amendment 3 5406
Direction 25, as amended May 30, 1944 5898
Direction 26:
As amended April 6, 1944 3729
As amended June 21, 1944 6910
Direction 41:
As amended March 31, 1944 3493
As amended May 19, 1944 5371
Direction 48 3766

WAR PRODUCTION BOARD—Continued. Page
Regulations by document designation—Continued.
CMP regulations—Continued.
No. 1—Continued.
Direction 49 4869
Direction 50 5002
Direction 51 6074
Direction 52 7049
Interpretation 7, as amended April 14, 1944 4005
Interpretation 23 3567
Interpretation 24 4131
No. 2:
Interpretation 3 6586
Inventory Direction 16 6399
Inventory Direction 17 6710
No. 4:
As amended February 10, 1944; amendment 1 4335
As amended April 25, 1944 4426
Direction 2 4869
No. 5:
As amended May 18, 1944 5337
Direction 1, as amended April 26, 1944 4464
Direction 2, as amended April 22, 1944 4387
Direction 19 5002
Interpretation 11, as amended May 22, 1944 5406
Interpretation 12 3846
Interpretation 13 4131
No. 5A:
As amended May 30, 1944 5898
Interpretation 7 5952
No. 6:
Direction 1, as amended May 23, 1944 5475
Direction 3 5406
Direction 4 6018
Schedule A 5473
No. 9A:
As amended April 15, 1944 4077
Direction 2; interpretation 1 4642
Direction 3 6703
Interpretation 2 4079
Certificates:
No. 24, revocation 4924
No. 34, revocation 4636
No. 65, revocation 4637
No. 66, revocation 4637
No. 74, revocation 4733
No. 78, revocation 4733
No. 80, revocation 6144
No. 92, revocation 4733
No. 93; amendment 3 4457
No. 117, revocation 4924
No. 122, revocation 4733
No. 124; amendment 1 6144
No. 131, revocation 4733
No. 132, revocation 4733
No. 134, revocation 4924
No. 138, revocation 4924
No. 143, revocation 4969
No. 150; amendment 1 5883
No. 151; amendment 1 7120
No. 158; amendment 2 4923
No. 161, revocation 4924
No. 185, revocation 4924
No. 187, revocation 4924

WAR PRODUCTION BOARD—Continued. Page
Regulations by document designation—Continued.
Certificates—Continued.
No. 201 4281
No. 202 4637
No. 203 7036
No. 204 7234
No. 205 7234
Directives:
No. 8:
Amendment 1 3490
As amended March 30, 1944 3683
No. 9, as amended:
December 19, 1943; amendment 1 3491
March 30, 1944 3683
No. 23, as amended:
January 7, 1944; amendment 1 3490
March 30, 1944 3681
No. 24:
As amended May 24, 1944 5595, 5638
As amended April 1, 1944 3547
Supplement 1, as amended May 5, 1944 4865
No. 26, as amended June 23, 1944 7048
No. 27; interpretation 2 5400
No. 29, as amended March 30, 1944 3684
No. 31:
As amended May 15, 1944 5111
As amended May 30, 1944 5890
No. 32 5113
No. 33, as amended April 28, 1944 4580
No. 36 6989
E–1–b, as amended June 22, 1944 6948
E–5–a, as amended June 6, 1944 6221
E–6, as amended:
May 31, 1944 5113
June 5, 1944 6076
June 26, 1944 7056
L–7–c, as amended June 23, 1944 7001
L–11:
As amended June 15, 1944 6624
Interpretation 1 4131
Revocation 6626
L–13–a:
As amended May 22, 1944 5478
Interpretation 1, revocation 5479
L–20, as amended June 9, 1944 6357
L–22, as amended June 23, 1944 7000
L–23–b:
As amended May 25, 1944 5644
Interpretation 1 6416
L–23–c:
As amended:
April 19, 1944 4180
June 7, 1944 6349
June 20, 1944 6858
Interpretation 1 3563
Revocation 6350
L–27, as amended March 31, 1944 3495

WAR PRODUCTION BOARD—Continued. Page
Regulations by document designation—Continued.
L–28–a:
As amended June 20, 1944 6862
Interpretation 1, as amended June 20, 1944 6878
L–29; interpretation 1 5117
L–30–a:
As amended June 21, 1944 6913
Direction 1, revocation 6914
Direction 2, revocation 6915
Interpretation 1, revocation 6914
Interpretation 2, revocation 6914
L–30–b, as amended April 3, 1944 3572
L–30–d; Direction 2 6586
L–33:
As amended May 23, 1944 5479
Interpretation 1, revocation 5480
L–38:
As amended May 10, 1944 4978
Direction 1 5337
L–39, as amended May 1, 1944 4595
L–40, as amended May 15, 1944 5298
L–41:
As amended April 19, 1944 4172
As amended June 20, 1944 6854
Direction 2, as amended April 19, 1944 4174
Direction 3, as amended April 19, 1944 4175
Interpretation 5 3638
As amended April 19, 1944 4175
Interpretation 6 3638
Interpretation 7 5472
L–41–e 4175
L–42:
As amended June 9, 1944 6353
Direction 2:
As amended May 11, 1944 5001
Interpretation 1 6351
Direction 3 7050
Schedule V:
As amended April 4, 1944 3638
As amended June 23, 1944 7000
Schedule VI, as amended June 10, 1944 6408
Schedule XII, as amended April 12, 1944 3931
L–43, as amended May 5, 1944 4817
L–45, as amended April 28 1944 4537
L–53–b, as amended June 2, 1944 6015
L–54–a:
As amended September 20, 1943; amendment 1 4387
As amended May 15, 1944 5138
L–59–b, as amended May 23, 1944 5476
L–61, as amended May 10, 1944 4977
L–65, as amended June 3, 1944 6149
L–74, as amended April 20, 1944 4285
L–77, as amended June 2, 1944 6019

WAR PRODUCTION BOARD—Continued. Page
Regulations by document designation—Continued.
L–78, as amended:
April 3, 1944 3569
April 14, 1944 4006
April 28, 1944 4531
L–79:
As amended April 25, 1944 4431
Interpretation 3 3966
L–83, as amended:
April 13, 1944 3960
April 20, 1944 4337
L–85:
Schedule III, as amended April 28, 1944 4532
Schedule V, as amended April 28, 1944 4534
L–86:
As amended April 7, 1944 3765
Direction 1 3766
As amended May 17, 1944 5298
Direction 2 3766
L–89:
As amended May 29, 1944 5777
Interpretation 1, as amended May 29, 1944 5778
Interpretation 2 3896
As amended May 29, 1944 5779
L–91:
As amended May 22, 1944 5408
As amended June 16, 1944 6708
Interpretation 1 5410
L–95, as amended May 9, 1944 4933
L–99:
As amended April 11, 1944 3898
Amendment 1 4982
Amendment 2 5344
As amended June 16, 1944 6703
L–103:
As amended June 10, 1944 6399
Schedule A, as amended June 10, 1944 6406
Schedule B, as amended June 10, 1944 6501
L–103–b:
As amended May 15, 1944 5123
As amended June 8, 1944 6334
Direction 1 5903
Interpretation 2 3567
Interpretation 3 5131
L–111:
As amended April 1, 1944 3562
As amended May 30, 1944 5891
Interpretation 2 3563
L–112, as amended June 2, 1944 6017
L–112–a, as amended June 5, 1944 6073
L–114, as amended May 1, 1944 4597
L–120:
Schedule I, as amended June 5, 1944 6077
Schedule II, as amended June 5, 1944 6081
Schedule III, as amended June 5, 1944 6085
Amendment 1 7132
Schedule IV, as amended June 5, 1944 6094
Schedule IX, as amended June 5, 1944 6096, 6809, 6880
Schedule X, as amended May 8, 1944 4869
Schedule XIV, as amended June 5, 1944 6096
Schedule XV 6098
Schedule XVI 5773

WAR PRODUCTION BOARD—Continued. Page
Regulations by document designation—Continued.
L–126; Schedule III, as amended April 17, 1944 4084
L–134, revocation 4742
L–136, as amended April 26, 1944 4472
L–140, as amended March 31, 1944 3495
L–142, as amended May 23, 1944 5477
L–150–a, as amended June 24, 1944 7049
L–151, as amended June 24, 1944 7050
L–154:
Schedule I, as amended June 15, 1944 6623
Schedule V, as amended April 29, 1944 4577
L–157:
Schedule I, as amended June 12, 1944 6408
Schedule III, as amended April 4, 1944 3639
L–158:
As amended April 12, 1944 3936
As amended May 5, 1944 4806
Direction 1, as amended April 12, 1944 3939
Direction 2 4346
Interpretation 3 4473
L–159, revocation 6994
L–161; interpretation 2 3936
L–173, as amended June 3, 1944 6073
L–176, as amended May 24, 1944 5604
L–182:
As amended June 7, 1944 6229
Interpretation 1, revocation 6231
L–183–a, Direction 1 6074
L–185:
As amended May 8, 1944 4870
As amended June 2, 1944 6020
L–193, as amended April 12, 1944 3931
L–193–a 4335
As amended April 29, 1944 4576
As amended June 15, 1944 6623
L–197:
As amended May 27, 1944 5771
Direction 1, revocation 5773
Interpretation 1 6809
L–199:
As amended June 2, 1944 6021
As amended June 20, 1944 6859
Interpretation 2, revocation 6021
L–201, as amended April 3, 1944 3568
L–203, revocation 4077
L–211; Schedule 15, as amended April 11, 1944 3896
L–214; Schedule 3:
As amended May 5, 1944 4809
As amended June 9, 1944 6351
L–216; Schedule II, as amended April 4, 1944 3642
L–217:
As amended April 24, 1944 4388
Schedule V, as amended April 24, 1944 4388
Schedule IX, as amended May 15, 1944 5122
Schedule XIII, as amended May 15, 1944 5122
L–218, revocation 6995

WAR PRODUCTION BOARD—Continued. Page
Regulations by document designation—Continued.
L–222, as amended May 20, 1944 5403
L–227, as amended April 1, 1944 3564, 3728
L–232:
As amended April 26, 1944 4467
As amended June 12, 1944 6410
L–236; Schedule I as amended April 21, 1944 4338
L–238:
As amended May 9, 1944 4941
Interpretation 1 5002
L–241:
As amended May 24, 1944 5596
Interpretation 1, revocation 5599
L–244:
As amended May 24, 1944 5599
Direction 1 6624
L–245, as amended May 24, 1944 5601
L–248:
As amended June 7, 1944 6228
Interpretation 1, revocation 6229
L–252, as amended June 17, 1944 6806
L–257:
As amended June 6, 1944 6211
Direction 1 4388
As amended June 2, 1944 6015
Direction 2 4530
Direction 3 6228
Direction 4 6332
L–257–a:
As amended June 6, 1944 6218
Export Schedules X–11 through X–18, as amended April 4, 1944 3635
L–259, as amended April 7, 1944 3768
L–260, revocation 3844
L–260–a:
As amended April 8, 1944 3844
As amended June 26, 1944 7057
Interpretation 1 4131
L–265; interpretation 2 4532
L–266:
As amended April 3, 1944 3575
As amended May 23, 1944 5480
L–270:
As amended May 27, 1944 5775
As amended June 5, 1944 6101
Interpretation 2, revocation 5777
Interpretation 3 3498
Revocation 5777
L–272:
Schedule IV, as amended May 24, 1944 5603
Schedule VIII, as amended May 24, 1944 5603
L–273, as amended April 26, 1944 4463
L–274, as amended May 2, 1944 4642
L–275 4008
L–284, as amended April 28, 1944 4536
L–290, revocation 6995
L–292:
Interpretation 1, as amended March 31, 1944 3492
Interpretation 2 3566
Quota Schedule I, as amended June 10, 1944 6397

WAR PRODUCTION BOARD—Continued. Page
Regulations by document designation—Continued.
L–292—Continued.
Quota Schedule I–A 7126
Quota Schedule II–A 7127
Quota Schedule III–A 7128
Quota Schedule IV–A 7128
Quota Schedule V–A 7129
Quota Schedule VI, as amended June 10, 1944 6398
Quota Schedule VI–A 7129
Quota Schedule VII–A 7130
Quota Schedule VIII–A 7130
L–297, revocation 3567
L–298, as amended:
March 31, 1944 3492
April 17, 1944 4085
L–315, as amended April 3, 1944 3567
L–317:
As amended March 23, 1944; interpretation 2 5722
As amended May 29, 1944 5893
Direction 1 3959
L–322:
As amended April 28, 1944 4538
As amended June 12, 1944 6413
L–327, as amended April 25, 1944 4430
L–332, as amended April 12, 1944 3933
L–335:
Amendment 1 3731
As amended:
April 6, 1944 3846
April 13, 1944 3961
June 23, 1944 6995
Interpretation 1 3962
Revocation 7049
L–336 5978
Direction 1 6586
M–1–g:
As amended May 15, 1944 5119
As amended May 27, 1944 5770
Interpretation 1, revocation 5121
M–1–j 4334
M–6–b:
As amended May 16, 1944 5207
Direction 1, as amended May 16, 1944 5208
M–8–a; Direction 1 7195
M–9, as amended May 31, 1944 5951
M–9–c:
As amended April 4, 1944 3630
Amendment 1 5121
As amended May 26, 1944 5716
Amendment 1 6208
Amendment 2 6622
M–9–c–1, as amended June 15, 1944 6622
M–9–c–4, as amended May 22, 1944 5405
M–11–a, as amended June 16, 1944 6701
M–11–b, as amended June 2, 1944 6013
M–17, as amended May 29, 1944 5790
M–18–a; Direction 2 7187
M–18–b, as amended June 12, 1944 6415
M–19, as amended June 26, 1944 7059
M–21, as amended May 8, 1944 4871

WAR PRODUCTION BOARD—Continued. Page
Regulations by document designation—Continued.
M–21–e, as amended May 5, 1944 4815
M–21–i, as amended April 26, 1944 4474
M–25, revocation 3726
M–28–a 4334
M–30, as amended:
February 3, 1944; amendment 1 3498
March 31, 1944 3699
M–34, revocation 5977
M–43, as amended June 6, 1944 6208
M–50, as amended April 14, 1944 4007
M–61, as amended May 2, 1944 4641
M–63:
As amended May 17, 1944 5292
As amended June 22, 1944 6942
M–63–a, as amended May 17, 1944 5297
M–63–f, revocation 6948
M–65, as amended May 18, 1944 5335
M–70, as amended May 9, 1944 4931
M–73:
As amended May 6, 1944 4872
As amended May 13, 1944 5136
M–81:
As amended:
April 7, 1944 3767
May 16, 1944 5209
June 8, 1944 6342
Direction 2 3767
As amended June 2, 1944 6019
Direction 3 6349
Interpretation 1, revocation 6349
Interpretation 2, revocation 5216
M–82, revocation 4176
M–84:
As amended April 5, 1944 3689
Amendment 1 4387
As amended June 28, 1944 7187
M–85, as amended May 22, 1944 5408
M–93:
Direction 1 3689
As amended June 27, 1944 7131
M–97, revocation 6910
M–100, revocation 7002
M–106, revocation 4334
M–117, as amended May 23, 1944 5477
M–126, as amended March 31, 1944 3498
Amendment 1 4181
Amendment 2 5403
Amendment 3 5645
M–128, revocation 6221
M–131:
As amended May 9, 1944 4936
As amended June 9, 1944 6355
M–137, revocation 5979
M–138, as amended April 21, 1944 4389
M–139; Direction 2 5721
M–150, as amended June 1, 1944 5979

WAR PRODUCTION BOARD—Continued. Page
Regulations by document designation—Continued.
M–156, as amended April 19, 1944 4176
M–161, as amended April 28, 1944 4531
M–168, revocation 4006
M–170, revocation 4806
M–170–a, revocation 4806
M–199, as amended May 15, 1944 5131
M–208, revocation 6999
M–215, revocation 4806
M–217:
As amended April 21, 1944 4342
As amended June 27, 1944 7132
Interpretation 5 4472
Interpretation 6 5638
M–221:
As amended April 26, 1944 4470
As amended May 29, 1944 5779
M–228, revocation 5337
M–229, revocation 3567
M–230, revocation 6878
M–241, as amended March 22, 1944; amendment 1 6253
M–241–a:
As amended April 8, 1944 3834
As amended May 19, 1944 5371
Interpretation 3 5722
M–243, revocation 6416
M–246, as amended May 9, 1944 4938
M–260, revocation 4809
M–261, revocation 3936
M–270, revocation 5977
M–290:
As amended April 12, 1944 3934
Direction 1 4006
Direction 2 4389
Direction 3 6019
Interpretation 1 3935
M–291, as amended April 3, 1944 3573
M–293:
As amended April 21, 1944 4335
Table 5, as amended April 6, 1944 3730
Table 6, as amended April 26, 1944 4465
Table 8, as amended June 5, 1944 6075
Table 9, as amended April 15, 1944 4079
Table 10, as amended March 31, 1944 3494
Table 11, as amended April 6, 1944 3730
Direction 1 4177
Table 12:
As amended March 31, 1944 3494
Direction 1, as amended May 2, 1944 4642
Direction 2 5002
Table 13:
As amended May 22, 1944 5407
Table 14, as amended April 8, 1944 3833
Table 15, as amended June 23, 1944 6994
Table 16 5638
M–294, as amended June 27, 1944 7131

WAR PRODUCTION BOARD—Continued. Page
Regulations by document designation—Continued.
M–300:
Appendix A, as amended June 6, 1944 6226
Appendix B, as amended June 6, 1944 6226
Appendix C, as amended June 6, 1944 6226
As amended March 16, 1944:
Amendment 1 6416
Amendment 2 3765
Amendment 3 4347
Amendment 4 4812
As amended June 6, 1944 6222
Direction 1 6226
Schedule 2, revocation 6878
Schedule 4, as amended June 1, 1944 5980
Schedule 9 3726
Schedule 10 3727
Schedule 11 3728
Schedule 12 4009
As amended June 12, 1944 6416
Schedule 13 4077
Schedule 14 4132
Schedule 15 4811
Schedule 16 4812
Schedule 17 4813
Schedule 18 4814
Schedule 19 4814
Schedule 20 5980
Schedule 21 5981
Schedule 22 5982
Schedule 23 5982
Schedule 24 6878
Schedule 25 6626
Schedule 26 6417
Schedule 28 6418
Schedule 29 6419
Schedule 30 6879
Schedule 31 6879
M–307, as amended April 11, 1944 3907
M–310:
As amended April 11, 1944 3903
As amended May 25, 1944 5639
General Direction 1, as amended May 24, 1944 5604
General Direction 2 3732
Revocation 6860
General Direction 3 4433
General Direction 4 7001
General Direction 5 7051
Interpretation 1 3907
Interpretation 2 4082
M–317:
As amended April 8, 1944 3836
Amendment 1 4580
As amended May 29, 1944 5780
Amendment 1 6101
Amendment 2 6501
M–319:
As amended April 25, 1944 4428
Interpretation 1, revocation 4430
Interpretation 2, as amended April 25, 1944 4430
M–319–a, revocation 3898
M–320, revocation 4284
M–322, revocation 6857
M–325, as amended May 13, 1944 5115
M–328, General Direction 1 6350

WAR PRODUCTION BOARD—Continued. Page
Regulations by document designation—Continued.
M–328B 4934
General Direction 1 7195
Schedule A 4934
As amended June 1, 1944 6021
Supplement I 6860
Supplement II 6860
Supplement III 6861
Supplement IV 6862
M–332, as amended April 12, 1944 3939
M–338, as amended May 15, 1944 5137
M–340, as amended:
April 11, 1944 3908
May 2, 1944 4645
May 12, 1944 5040
June 1, 1944 5983
June 9, 1944 6353
June 15, 1944 6626
M–356:
As amended April 15, 1944 4082
As amended May 25, 1944 5643
Interpretation 1 5644
M–357, revocation 4815
M–358, revocation 4342
M–361:
Direction 1, as amended April 3, 1944 3646
Direction 2, revocation 3570
April 6, 1944 3731
Direction 4, amended April 6, 1944 3731
Direction 5, as amended April 3, 1944 3570
Direction 6 4342
Interpretation 2 3963
Revocation 6999
M–364:
Direction 1, as amended April 3, 1944 3571
Direction 2, revocation 3571
Direction 3, as amended April 3, 1944 3571
Direction 4, as amended April 6, 1944 3731
Direction 5, as amended April 3, 1944 3571
Direction 6 4342
Interpretation 2 3966
Revocation 7000
M–374:
As amended April 26, 1944 4473
As amended May 13, 1944 5116
M–375 5036
M–377 5476
M–378 6255
P–47, as amended June 8, 1944 6333
P–55–c:
Amendment 1 3564
As amended April 1, 1944 3685
P–56:
As amended April 5, 1944 3686
As amended May 20, 1944 5400
P–98–b, as amended June 26, 1944 7052
P–98–c, as amended June 3, 1944 6071
P–133; interpretation 1 5036
P–140; direction 1 6995

WAR PRODUCTION BOARD—Continued. Page
Regulations by document designation—Continued.
P–141, as amended June 21, 1944 6911
P–142:
As amended April 19, 1944 4177
Direction 2 3898
Direction 3 5977
As amended June 15, 1944 6624
Interpretation 1, revocation 4180
P–146; direction 1 4595
P–149 4083
Priorities regulations:
No. 1:
Direction 1 4530
Direction 2 6623
Direction 3 6702
Direction 4 7048
No. 3:
As amended April 25, 1944 4421
As amended June 23, 1944 6989
Direction 2:
As amended May 1, 1944 4581
As amended May 15, 1944 5121
Revocation 5977
Direction 5, as amended May 3, 1944 4684
Direction 8 6586
Interpretation 10 4425
Interpretation 11 4426
Interpretation 12 4426
Interpretation 13 6994
No. 13:
As amended April 1, 1944 3548
As amended May 1, 1944 4581
As amended June 3, 1944 6058
No. 14, as amended May 2, 1944 4641
No. 19:
As amended May 6, 1944 4866
Direction 1 6351
R–1:
Appendix III, as amended April 5, 1944 3702
Appendix IV, as amended May 31, 1944 5952
As amended January 12, 1944:
Amendment 3 5791
Amendment 4 6231
U–1–c:
As amended April 6, 1944 3732
As amended May 15, 1944 5139
U–1–d, as amended April 6, 1944 3732
U–1–f, as amended April 6, 1944 3733
U–1–h, as amended April 6, 1944 3733
U–8, as amended April 7, 1944 3770
Suspension, revocation, and consent orders:
Aetna Oil Burner Company 4284
All State Pipe Supply Co 5206, 6809
Amalgamated Steel Co 4924
American Furniture Co 4996
Amis Oil & Butane Co 5882
Anderson Furniture Co 4798

WAR PRODUCTION BOARD—Continued.
Suspension, revocation, and consent orders—Continued.
Aquadro & Cerutti 5117
Bailey, M. C., & Co., Inc 5119
Berkowitz, Harry 6050
Bloomfield Manufacturing Co 4684, 4742, 6148, 6809
Brody, William 5404
Bromwell Wire Goods Co 6050
Brucker, L., Stove & Hardware Company, Inc 4462
Butane Gas & Plumbing Co., Inc 7051
Cartmell's Sales & Service 4462
Cascade Paper Co 6980
Ceramic Color and Chemical Manufacturing Company 3491
Chattanooga Mattress Co 6622
Crown Tailoring Company 4417
Davis Manufacturing Co 3684, 6253
DeLay, Albert 6980
DeSilvia Electric Co 4576
Dr. Pepper Bottling Co 6408
Elliott, Joe and Clara 4976
Elwell & Chenet 5118
Engvall, Theodore H 5207
Estfan, George T 7051
Fava, Dante 4576
Federal Home Heating Co 5193
Four Star Upholstery Co 6013
Freehold Lumber Co 6486
G. T. E. Co 7051
Garrett and Co 6500
Gavin, James A., & Sons, Inc 3630
General Playground Equipment, Inc 4421, 6501
Georgian Furniture Co., Inc 4923
Geyarn Manufacturing Co 6980
Globe Upholsters, Inc 3622
Gordon Stores Co., Inc 6853
Granick Furniture Co 4061
Granite Furniture Co 3675
Gray and Co 6248
Hayward, H. T., Co 5122, 5207
Heller, Samuel, Leather Co., Inc 4005
Hershey Beverage Corp 6582
Hines, Earl J 5118
Home Builders Corp 7257
Hope Webbing Co., Inc 3895
Horst, William S 6227
Hutton-Jones Electric Co., Inc 4561, 6904
Imperial Manufacturing Company 3561
Jackson Upholstery Co., Inc 6397
Kaplan, Mary and Reuben 7186
King, Warner N 5118
Kohler, Leroy A 5288
Kubik, Stephen 3676
Laurehk Radio Manufacturing Co 3930
Leather Lounge Co 4062
Lorenzetti, Joseph, and Sons 3725
Lowell Shoe Co., Inc 6146
McKay Plumbing Co 4742
Marsam Novelty Corp 4977
Masteller, O. G 6384
Master Manufacturing Corporation 3563
Medwed Footwear Co 5891
Meldon, Joseph F 3492
Miller Shoe Co 6854
Mittman, M., and Co., Inc 4062
Modern Custom Tailors, Inc 6050
National Supply Corporation 5036
Newton, Cheney F 3726
Parisi, L., Estate 3684
Park Place Mercantile Co., Inc 4284
Period Chairs, Inc 3826
Photo Process Engraving Co 5638
Pierce, Raymond J 5883
Pilgrim Village, Inc 4419
Raleigh Coca-Cola Bottling Works 4131
Ray Brothers 6013
Remington Rand, Inc 5370
Salinas, Jose Maria 4683
Sellers', George T., Sons 6227
Seven-Up Bottling Co., Inc 4670
Seven-Up-Orange Crush Bottling Co 5710
Shapiro, Saul R 6486
Silver, Dr. Abraham 4640
Simson Bros. Refining Corp 6384
Singer Steel Co 5400
Singley, Heyward S 4641
Skinner & Kennedy Stationery Co 5113
Soilless Growers Guild 3563
Spiegel Brothers Corp 6248
Standard Oil Co. of Indiana 4418
Stromwasser, Coleman 6486
Strys, Fred 5364, 7120
Sugarman-Moore Co., Inc 4172
Sun Co 5950
Suriner & McBreen 5117
Union Oil Co. of California 4418
United Association of Plumbers and Steamfitters, Social Union 538 6486
Varnerin's Sons 3492
Viscol Company 5775
Voisine Steel Co 3931, 5117, 5119
Vose, Harry C 4575
Voss, William R 4575
Walton Industries, Inc 4869
Wells, Robert O 6980
Wetherill, C. S., Jr 4865
Williamson Home Heating Co 6384
Winthrop Mills 4421
Yearwood, Nile E 5404

WAR SAVINGS BONDS. *See* Treasury Department.

WAR SHIPPING ADMINISTRATION:
Contracts for carriage on owned or chartered vessels; bills of lading 6954
Contracts with vessel owners:
Charter hire; values and rates 3806, 5077, 6777
Time charter hire; basis for redetermination and readjustment 3772, 5266, 5831, 6778
Time lost by charterer; order revoked 4442
Charters:
Requisition bareboat charter; dry cargo and tank vessels 3801, 4304
Time charters:
Dry cargo vessels 3773, 4987, 6114
Tank vessels 3787, 4987, 6114

WAR SHIPPING ADMINISTRATION—Continued.
Contracts with vessel owners—Continued.
Charters—Continued.
Time charters—Continued.
Uniform addendum to, covering adjustments of certain disputed questions 4106, 6240
General agents and agents:
Agents' contracts, mandatory clauses 4110
Compensation payable 5831
Colliers 5836
Combination cargo and passenger vessels 5835
Dry cargo vessels 5831
Tankers 5834
Tugs and barges 5836
Freight brokerage and commission on fares 7086
Insurance, war risk; cargo 5697
Labor:
Certified for substantially continuous service of seamen 5315
Employment on vessels under control of War Shipping Administration:
Foreign nationals, on American, Panamanian and Honduran flag vessels; restrictions 7086
Issuance of cards for seamen on Panamanian flag vessels 4108, 5077
Merchant marine training; appointment and training of cadets 6199
Oaths, administration for election purposes 4613
Preference ratings, assignment of; delegation of authority by War Production Board 5113
Renegotiation of contracts. *See* War Contracts Price Adjustment Board.
Requisitioned vessels:
Deposit of just compensation for; "Ketchikan" 5100
Determination as to ownership:
"Avelinda" 3622
"Benson" 4924
"Chief Joseph" 5710
"City of Sacramento" 4997
"Dorothy" 4522
"Hopestill" 6144
"Jennie and Lucia" 4001
"Kiska" (214852) 3759
"Kiyo Maru" 5758
"Paul L." 5100
"Princess Pat" 3759
Ship warrant rules and regulations; rate ceilings suspended 6114

WEATHER BUREAU:
Award of fellowships in meteorology to applicants from other American Republics 3832

WILDLIFE (TITLE 50):
Coordinator of Fisheries, Office of:
Production of fishery commodities or products (Part 401) 3979, 5078, 6780, 7171

WILDLIFE (TITLE 50)—Con.
Fish and Wildlife Service:
Alaska commercial fisheries, designated areas:
Alaska fisheries general regulations (Part 201) 6116
Alaska Peninsula area (Part 205) 5175
Chignik area fisheries (Part 207) 5175, 6116
Prince William Sound area (Part 211) 6116
Southeastern Alaska area; salmon fisheries:
Clarence Strait District (Part 227) 5176
Alaska commercial fisheries, designated areas—Con.
Southeastern Alaska area; salmon fisheries—Con.
Icy Strait District (Part 222) 5175
South Prince of Wales Island District (Part 228) 5176
Stikine District (Part 225) 5176
Western District (Part 223) 5175
Alaska game regulations (Part 91) 5270
National wildlife refuges, various regions; Southern (Part 25) 3546
International Fisheries Commission:
Pacific halibut fisheries (Part 301) 3656

WILDLIFE REFUGES. *See* Fish and Wildlife Service; General Land Office.

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Washington, Thursday, June 1, 1944

Notices

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 79-56, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN ALTOONA, PA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-56 (8 F.R. 14258, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Altoona, Pennsylvania, milk sales area, is hereby further amended by deleting therefrom the provisions in § 1401.109 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of WFO 79 shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79-56, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-56, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 27th day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

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[WFO 79-59, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN CHARLESTON, W. VA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes there of, War Food Order No. 79-59 (8 F.R. 14261, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Charleston, West Virginia, milk sales area, is hereby further amended by deleting therefrom the provisions in § 1401.111 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of WFO 79 shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79-59, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-59, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

	Page
ALIEN PROPERTY CUSTODIAN:	
Vesting orders:	
Bodee Realty Corp.	5970
Kuhmann, Margarete	5964
Lagershausen, Clara	5965
Meito China Corp.	5969
Miner-Edgar Chemical Corp.	5965
National Merchandise Corp.	5962
Nestler, Elsie	5966
Nissen, Nis	5966
Ochsenreither, Anna	5967
Pfefferkron, Thomas	5969
Rose, Margaret E.	5963
Schaffeld, Bernard Heinrich	5967
Schmidt, Gertrud	5967
Schutterle, Jacob	5963
Seegelken, Gottfried	5968
Smith, Marie	5968
Stegmiller, Louis	5968
Unseld, Caroline G.	5969
Varro, Steve P.	5963
Wagner, Sophie	5965
Weishaupt, Bertha	5964
Zenker, Jack L.	5964
CIVIL AERONAUTICS BOARD:	
Pan American Airways, Inc., and Uraba, Medellin and Central Airways, Inc., hearing	5962
FEDERAL POWER COMMISSION:	
Northern Natural Gas Co., hearing	5962
INTERSTATE COMMERCE COMMISSION:	
Potatoes:	
Reicing	5960
Transportation	5960
OFFICE OF DEFENSE TRANSPORTATION:	
Common carriers, coordinated operations:	
Alice and Freer, Tex.	5970
Meridian, Miss., and New Orleans, La.	5971
San Antonio and Houston, Tex.	5971
Taxicab operators, coordinated operations; Terre Haute, Ind.	5972
OFFICE OF PRICE ADMINISTRATION:	
Adjustments, etc.:	
Brach, E. J., and Sons	5960
National Wood Products Co.	5973
Stover, Russell, candies	5960

(Continued on next page)

General
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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

	Page
OFFICE OF PRICE ADMINISTRATION—Continued.	
Beef and veal carcasses and wholesale cuts (RMPR 169, Am. 42)	5955
Corn, wet; certain milling products (Rev. SR 14, Am. 139)	5959
Corn starch and dextrine products (Order 11 under 19a, Rev.)	5972
Corn syrup unmixed and crude corn sugar (Order 20 under 19a, Rev.)	5973
Floor coverings, felt base (MPR 188, Order A–2, Am. 15)	5973
Foods, processed (Rev. RO 13, 2d Rev. Supp. 1, Am. 15)	5956
Fruits and vegetables, fresh, for table use; sales except at retail (MPR 426, Am. 30)	5959
Gasoline rationing, Oklahoma (RO 5C, Order 5)	5973
Lamb and mutton carcasses and wholesale cuts (RMPR 239, Am. 13)	5956
Logs:	
Lake States (MPR 533–2, Corr.)	5959
West Coast (RMPR 161, Am. 14)	5956
Lumber, aromatic red cedar (MPR 454, Am. 1, Corr.)	5956
Regional and district order; community ceiling prices, list of orders filed	5974
Washboards (MPR 188, Order A–2, Am. 14)	5973
Waxes, vegetable, and beeswax (RMPR 264)	5956
SOLID FUELS ADMINISTRATION FOR WAR:	
Pennsylvania anthracite	5947
WAGE AND HOUR DIVISION:	
Learner employment certificates, issuance to various industries (2 documents)	5961
WAR FOOD ADMINISTRATION:	
Fluid milk and cream:	
Altoona, Pa.	5945
Charleston, W. Va.	5945
Erie, Pa.	5947
Johnstown, Pa.	5947
Pittsburgh, Pa.	5946
St. Petersburg, Fla. (Corr.)	5947
Wheeling, W. Va.	5946
WAR PRODUCTION BOARD:	
Controlled materials plan; purchaser's cost of labor (CMP Reg. 5A, Int. 7)	5952
Copper (M–9)	5951
Suspension order; Sun Co.	5950
Tire allotment plan (R–1, Appendix IV)	5952

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

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C. W. KITCHEN,
Acting Director of Distribution.

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[WFO 79–61, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN WHEELING, W. VA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–61 (8 F.R. 14263, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Wheeling, West Virginia, milk sales area, is hereby further amended by deleting therefrom the provisions in § 1401.101 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of WFO 79 shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–61, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–61, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

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C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–7768; Filed, May 29, 1944; 3:34 p. m.]

[WFO 79–68, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN PITTSBURGH, PA., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–68 (8 F.R. 14270, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts and cream in the Pittsburgh, Pennsylvania, metropolitan milk sales area, is hereby further amended by deleting therefrom the provisions in § 1401.102 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of WFO 79 shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–68, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–68, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 27th day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–7769; Filed, May 29, 1944; 3:34 p. m.]

[WFO 79–69, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN JOHNSTOWN, PA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–69 (8 F.R. 14272, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Johnstown, Pennsylvania, milk sales area, is hereby further amended by deleting therefrom the provisions in § 1401.110 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of WFO 79 shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–69, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–69, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

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C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–7770; Filed, May 29, 1944; 3:34 p. m.]

[WFO 79–70, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN ERIE, PA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–70 (8 F.R. 14273, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Erie Pennsylvania, milk sales area, is hereby further amended by deleting therefrom the provisions in § 1401.108 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of WFO 79 shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79–70, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–70, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

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C. W. KITCHEN,
Acting Director of Distribution.

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[WFO 79–143, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN ST. PETERSBURG, FLA., SALES AREA

Correction

The FEDERAL REGISTER serial number and date and time of filing for the document which appears on page 5888 of the issue for Wednesday, May 31, 1944, should read as follows:

[F. R. Doc. 44–7699; Filed, May 27, 1944; 3:45 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[SFAW Reg. 18, Amdt. 1]

PART 602—GENERAL ORDERS AND DIRECTIVES

PENNSYLVANIA ANTHRACITE

Since the issuance of SFAW Regulation No. 18, it has become necessary to include that size of anthracite known as No. 2 buckwheat (rice) within its provisions. It has also become necessary to provide a method whereby shipments of No. 1 and No. 2 buckwheat by producers and wholesalers to retail dealers may be accelerated under certain conditions; to impose restrictions upon the shipment of anthracite for industrial use; and to make other minor amendments designed to clarify the regulation. Accordingly, SFAW Regulation No. 18 is hereby amended in the following respects:

1. Paragraphs (a), (g), (l), (m), (o), (p) and (r) of § 602.331 are amended to read as follows:

(a) "Anthracite" means that coal which is generally referred to as Pennsylvania anthracite produced or prepared in the following counties in Pennsylvania: Carbon, Columbia, Dauphin, Lebanon, Lackawanna, Luzerne, Northumberland, Schuylkill, Susquehanna and Wayne; and for the purposes of this regulation is limited to the following sizes: broken, egg, stove, chestnut, pea, No. 1 buckwheat and No. 2 buckwheat (rice).

(g) "Retail dealer" means any person (including the retail outlet, branch or department of one who is also a producer, wholesaler or lake dock operator) to the extent that he acts in the capacity of a supplier, shipper, or seller of anthracite in any transaction, except a wholesale transaction, involving a shipment, sale, or sale and delivery, of broken bulk anthracite physically handled in a truck, wagon, or other less than carload facility, without regard to quantity or frequency of delivery.

(l) "Industrial process or the production of power" includes without limitation any manufacturing or commercial processing, the generation of electrical energy for resale or otherwise, and the ordinary operations of a commercial bakery or laundry. Industrial process or the production of power does not include the ordinary operations of the following, among others: apartment houses, hotels (exclusive of functions as restaurant), schools and office buildings.

(m) "Local sales in the producing region" means all sales or deliveries of anthracite at retail to consumers (other than mine employees) within the following townships and boroughs in the ten counties specified in paragraph (a) of this section:

Carbon County: Townships: Banks, Lehigh, Mahoning, Mauch Chunk, and Packer. *Boroughs:* Mauch Chunk and East Mauch Chunk.

Columbia County: Townships: Beaver, Conyngham, Locust, Mifflin, and Roaring Creek.

Dauphin County: Townships: Jackson, Jefferson, Lykens, Rush, Wiconisco, and Williams.

Lackawanna County: All townships.

Lebanon County: Cold Spring township only.

Luzerne County: All townships except Ross, Fairmont and Huntington.

Northumberland County: Townships: Coal, East Cameron, West Cameron, Mount Carmel, Upper Mahoney, and Zerbie.

Schuylkill County: All townships.

Susquehanna County: Clifford township only.

Wayne County: Townships: Clinton and Canaan.

(o) "Base period" means the period from April 1, 1942 to March 31, 1943, inclusive, except that with respect to No. 2 buckwheat (rice) the base period in respect to shipments to destinations in the United States means the period April 1, 1943 to March 31, 1944, inclusive. Under this definition the base period with respect to No. 2 buckwheat (rice) shipments to destinations in the Dominion of Canada is the period April 1, 1942 to March 31, 1943, inclusive.

(p) "Base period tonnage" means the total number of tons of anthracite shipped by any person to any person during the base period, except excludable tonnage as defined in this regulation. Base period tonnage consists of three separate tonnages for all statistical and regulatory purposes, as follows:

(i) A total base period tonnage for the following sizes: broken, egg, stove, chestnut and pea;

(ii) A base period tonnage for No. 1 buckwheat; and

(iii) A base period tonnage for No. 2 buckwheat (rice). The persons as between whom base period tonnages are established under this regulation are specified in §§ 602.334, 602.336, 602.337 (b), 602.339, 602.340 and 602.341.

(r) "Available tonnage" means the total tonnage of anthracite which a producer or wholesaler has in any calendar month for distribution after deducting the tonnage lawfully shipped or scheduled for shipment in that calendar month as follows:

(i) Pursuant to Solid Fuels Administration for War directions;

(ii) As excludable tonnage;

(iii) To mine employees to the extent permitted by § 602.333;

(iv) On local sales in the producing region to the extent permitted by § 602.334;

(v) To timber truckers in the manner and to the extent permitted by § 602.335;

(vi) To consumers in the manner and to the extent permitted by § 602.345.

2. Section 602.336 (a) is amended to read as follows:

(a) *Distribution by producer or wholesaler to equipped retail dealers (except deliveries moving by truck from mine or preparation plant).* (1) Except as otherwise provided in paragraphs (b) and (c) of this section and subparagraphs (2) and (3) of this paragraph (a), each producer and wholesaler (including a lake dock operator) shall arrange his schedule for the distribution of his available tonnage (exclusive of deliveries by truck from a mine or preparation plant which are governed by paragraph (d) of this section) so that during the period April 1, 1944 to March 31, 1945, inclusive, on the basis, to the maximum extent practicable, of regular equal monthly shipments, he shall have supplied anthracite—except No. 2 buckwheat (rice)—to each equipped retail dealer in the United States and Canada, up to but not in excess of 90 percent of the base period tonnage, as adjusted, established between such producer or wholesaler and each such equipped retail dealer.

(2) From and after June 1, 1944, each producer and each wholesaler shall arrange his schedule for the distribution of his available tonnage of No. 2 buckwheat (rice) so that during the period June 1, 1944 to March 31, 1945, inclusive, on the basis, to the maximum extent practicable, of regular equal monthly shipments, he shall have supplied to each equipped retail dealer in the United States and Canada up to but not in excess of 75 per cent of the base period tonnage, as adjusted, established between such producer or wholesaler and each such equipped retail dealer.

Shipments of No. 2 buckwheat (rice) to persons in the United States and Canada during the months of April and May 1944 shall not be taken into account in computing the amount of excess tonnage which producers and wholesalers may have to distribute pursuant to §§ 602.337 and 602.338 of this regulation. However, for the period April 1, 1944 to March 31, 1945, inclusive, no producer or wholesaler shall have shipped to any equipped retail dealer a tonnage of No. 2 buckwheat (rice) in excess of the base period tonnage established between such producer or wholesaler and such equipped retail dealer. For the period April 1, 1944 to March 31, 1945, inclusive, no equipped retail dealer may receive from all sources combined a tonnage of No. 2 buckwheat (rice) which exceeds the sum of the base period tonnages established between such equipped retail dealer and each of the producers and wholesalers who supplied him during the base period.

(3) In the event that a producer or wholesaler is unable to make equal monthly shipments to an equipped retail dealer who advises in writing that he does not have storage facilities to accommodate all of the tonnage of either No. 1 buckwheat or No. 2 buckwheat (rice) which may be shipped to him pursuant to § 602.336 (a), and that he cannot dispose of such coal upon receipt, such producer or wholesaler may accelerate shipments of either No. 1 buckwheat or No. 2 buckwheat (rice) to other equipped retail dealers prior to October 1, 1944, without regard to equal monthly shipments to such equipped retail dealers. However, in no event shall the total tonnage shipped to each equipped retail dealer during the period April 1, 1944 to March 31, 1945, inclusive, exceed the total tonnage permitted by this regulation to be shipped by such producer or wholesaler to each such equipped retail dealer. In addition, the total tonnage of either No. 1 buckwheat or No. 2 buckwheat (rice) shipped by such producer or wholesaler to equipped retail dealers in the aggregate in any calendar month shall in no event exceed one-twelfth of the total tonnage permitted by this regulation to be shipped by such producer or wholesaler to equipped retail dealers in the aggregate to March 31, 1945.

3. Section 602.336 (d) is amended to read as follows:

(d) *Distribution by producer or wholesaler of anthracite moving by truck from mine or preparation plant (except sales to mine employees, local sales and sales to timber truckers).* This paragraph governs the distribution of anthracite (except that referred to in §§ 602.333, 602.334, and 602.335) moving by truck from a mine or preparation plant located in any of the counties designated in § 602.331 (a). Each person who received anthracite by such method of transportation during the base period shall be deemed to have an established base period tonnage with the producer or wholesaler from whose mine or preparation plant the anthracite was received. In the event that such a person distributed such anthracite to retail dealers in the base period, he shall be required to distribute such anthracite to retail dealers with whom he has an established base period tonnage in accordance, so far as practicable, with the provisions of paragraph (a) of this section.

(This section does not govern the distribution of anthracite by a truck which is loaded at a point outside of the townships and boroughs designated in § 602.331 (m) and which is delivered at a point outside of those townships and boroughs. Such distribution is governed by § 602.339 entitled "Distribution by Equipped Retail Dealer to Unequipped Retail Dealers.")

(1) Each producer and wholesaler shall arrange his schedule for the distribution of his available tonnage of anthracite—except No. 2 buckwheat (rice)—for shipment by truck to each person with whom he has an established base period tonnage for truck shipments so that during the period April 1, 1944 to March 31, 1945, inclusive, he shall have supplied to each such person, on the basis, to the maximum extent practicable, of regular equal monthly shipments up to but not in excess of 90 per cent of the base period tonnage, as adjusted, of each such person.

(2) From and after June 1, 1944, each producer and wholesaler shall arrange his schedule for the distribution of his available tonnage of No. 2 buckwheat (rice) for shipment by truck to each person with whom he has an established base period tonnage for truck shipments of such coal, so that by March 31, 1945, on the basis, to the maximum extent practicable, of regular equal monthly shipments to that date, he shall have supplied each such person up to but not in excess of 75 per cent of the base period tonnage, as adjusted, of each such person.

(3) If in any calendar month during the period April 1, 1944 to March 31, 1945, inclusive, a person who has an established base period tonnage for truck shipments fails to send trucks to a mine or preparation plant to receive his proportionate share of the available tonnage of the producer or wholesaler with whom he has established such a base period tonnage, such producer or wholesaler may, subject to the restrictions of this regulation, distribute to retail dealers a tonnage equivalent to such undelivered tonnage. However, if a person demonstrates to the satisfaction of the appropriate Regional Representative of SFAW that after diligent effort he is unable to obtain trucks to haul his monthly quota of anthracite from a mine or preparation plant, then the producer or wholesaler may, with the approval of the appropriate Regional Representative, ship such tonnage to such person by any other reasonable mode of transportation either directly or through a wholesaler chosen by the producer and upon direction of SFAW shall make such shipments.

(4) If a producer or a wholesaler does not have records which establish a base period tonnage of a person receiving anthracite by truck, such producer or wholesaler may distribute anthracite to such person for shipment by truck: *Provided*, That the aggregate tonnage of truck shipments by such producer or wholesaler to all persons does not in any calendar month during the period April 1, 1944 to March 31, 1945, inclusive, exceed one-twelfth of 90 per cent of the aggregate base period tonnage, as adjusted, of truck shipments by such producer or wholesaler to all such persons.

(5) Before making any distribution for shipment by truck pursuant to this paragraph, a producer or wholesaler shall first obtain the following statement, filled out and signed by the driver of the truck:

Bureau of the Budget No. 42–R660

UNITED STATES
DEPARTMENT OF THE INTERIOR

SOLID FUELS ADMINISTRATION FOR WAR

I have this day received for _____
(Name of retail dealer purchaser)

_____ tons of anthracite from _____
(Insert name of producer or wholesaler)

which will be delivered to _____
(Insert destination

_____ This is a
and name of retail dealer, if any)

destination to which I, or the retail dealer purchaser, delivered anthracite during the period April 1, 1942 to March 31, 1943, inclusive.

I understand that all the foregoing statements are representations to the Solid Fuels Administration for War and that any wilfully false statement, in a matter within the jurisdiction of a department or agency of the United States, is a criminal offense and that I may be subject to criminal penalties for making such false statement. I also understand that section 35 (A) of the Criminal Code (18 U. S. C. 80) provides, upon conviction, for a fine of not more than $10,000 or imprisonment for not more than 10 years, or both.

_____
(Signature of truck driver)

Date: _____

Sales Ticket No. _____

State License No. of Truck _____

4. Section 602.339 is amended to read as follows:

§ 602.339 *Distribution by equipped retail dealer to unequipped retail dealers.* (a) Each equipped retail dealer (including a lake dock operator or a tidewater dock operator) shall arrange his distribution schedule so that during the period April 1, 1944 to March 31, 1945, inclusive, on the basis, to the maximum extent practicable, of regular equal monthly shipments, he shall have supplied anthracite—except No. 2 buckwheat (rice)—to each unequipped retail dealer up to but not in excess of 90 percent of the base period tonnage, as adjusted, established between such equipped retail dealer and such unequipped retail dealer.

(b) From and after June 1, 1944, each equipped retail dealer (including a lake dock operator or a tidewater dock operator) shall arrange his schedule for the distribution of his available tonnage of No. 2 buckwheat (rice) so that by March 31, 1945, on the basis, to the maximum extent practicable, of regular equal monthly shipments to that date, he shall have supplied to each unequipped retail dealer up to but not in excess of 75 per cent of the base period tonnage, as adjusted, established between such equipped retail dealer and such unequipped retail dealer.

(c) If in any calendar month an equipped retail dealer's available tonnage is not sufficient to enable him to supply, pursuant to paragraphs (a) and (b) of this section, each unequipped retail dealer to whom he supplied anthracite in the base period, with the appropriate monthly portion of the base period tonnage, as adjusted, of each such unequipped retail dealer, such equipped retail dealer shall, during that month, apply a uniform percentage of reduction in shipments to each of his unequipped retail dealers.

(d) If in any calendar month during the period April 1, 1944 to March 31, 1945, inclusive, an unequipped retail dealer fails to send trucks to the yard of the equipped retail dealer to receive his proportionate share of the available tonnage of the equipped retail dealer with whom he has an established base period tonnage, such equipped retail dealer may, subject to the restrictions of applicable regulations, distribute to other unequipped retail dealers or to consumers a tonnage equivalent to such undelivered tonnage.

5. Section 602.341 is amended to read as follows:

§ 602.341 *Receipts by retail dealers restricted.* Except as provided in § 602.336 (a) (2) and (3) and paragraph (e) of § 602.338, no retail dealer may receive (1) from all sources combined a tonnage of anthracite which either exceeds 90 percent of the sum of his base period tonnage, as adjusted, established between such retail dealer and each of the producers, wholesalers or equipped retail dealers who supplied him during the base period or (2) any anthracite which a producer, wholesaler or equipped retail dealer is not authorized to ship under this regulation.

No retail dealer may receive anthracite except on condition that he will distribute it in accordance with SFAW Regulation No. 17, or other applicable regulations of SFAW.

6. A new § 602.343 is added, to read as follows:

§ 602.343 *Restrictions upon distribution by producers and wholesalers of anthracite for industrial use or production of power.* (a) During the period April 1, 1944 to March 31, 1945, inclusive, no producer or wholesaler may ship to any person and no person may acquire from all sources combined, anthracite for use in an industrial process or for the production of power or for space heating which is incidental thereto, in an amount which, when added to the anthracite in the possession or under the control of such person, exceeds the consumption requirements of such person for such purposes for a period of ninety days from the date of such shipment.

(b) During the period April 1, 1944 to March 31, 1945, inclusive, no producer, wholesaler or retail dealer may ship anthracite to any person in Canada for use in an industrial process or for the production of power or for space heating which is incidental thereto, in an amount which, when added to the anthracite in the possession or under the control of the person acquiring anthracite for such purpose, exceeds the consumption requirements of such person for such purpose for a period of ninety days from the date of such shipment: *Provided*, That the total of such shipments made during the period April 1, 1944 to March 31, 1945, inclusive, shall not exceed 90 percent of the consumption requirements of such person for such purpose during that period.

7. A new § 602.344 is added, as follows:

§ 602.344 *Restrictions upon distribution of excludable tonnage by producers and wholesalers.* (a) Unless required by § 602.336 of this regulation to make shipments out of the available tonnage of anthracite to a particular equipped retail dealer or to a particular person who receives anthracite by truck from a mine or preparation plant, a producer or wholesaler shall not ship any excludable tonnage to such an equipped retail dealer or person without first obtaining the written permission of SFAW.

(b) During the period April 1, 1944 to March 31, 1945, inclusive, no producer or wholesaler may ship excludable ton-

nage to any equipped retail dealer or to any person who receives anthracite by truck from a mine or preparation plant pursuant to § 602.336 (d) of this regulation in excess of the total excludable tonnage shipped by such producer or wholesaler to such equipped retail dealer or person during the period April 1, 1943 to March 31, 1944, inclusive, unless and until the producer or wholesaler has been notified by SFAW that (1) the retail dealer has filed a written statement in duplicate with the appropriate Regional Representative of SFAW, setting forth, among other things, the name and address of the consumer who claims to need the increased tonnage; the use to which such anthracite will be put; the tonnage of each size required; and the name and address of the producer or wholesaler that will supply the coal; and (2) SFAW has authorized the shipment of such tonnage.

8. A new § 602.345 is added as follows:

§ 602.345 *Distribution by producers or wholesalers to consumers other than mine employees and consumers on local sales in the producing region.* A producer or wholesaler may ship anthracite to a consumer (other than mine employees and consumers on local sales in the producing region) in amounts limited to what the consumer may receive pursuant to the provisions of SFAW Regulation No. 17: *Provided, however,* That the restrictions of § 602.304 (a) of that regulation shall not apply to rail shipments to consumers whose annual requirements amount to only one railroad car and who customarily receive anthracite in a railroad car lot. Each producer and wholesaler who ships or delivers anthracite to a consumer shall obtain from such consumer a Consumer Declaration upon the form prescribed by SFAW Regulation No. 17 and in accordance with the provisions thereof.

9. Existing § 602.343 is re-numbered § 602.346 and is amended to read as follows:

§ 602.346 *Producers and wholesalers to advise retail dealers of base period tonnages and adjustments.* (a) Each producer and wholesaler, on or before the 25th day of April, 1944, shall notify each retail dealer to whom he made shipments during the base period of the actual tonnage of anthracite—except No. 2 buckwheat (rice)—shipped during the base period, including any adjustments thereof approved by SFAW. One copy of such notice shall be forwarded to the Regional Representative of SFAW for the region in which the dealer has his place of business and one copy of such notice shall be forwarded to the Solid Fuels Administration for War, Washington 25, D. C. The figures shown on such notification shall be subject to review, and may be increased or decreased, by SFAW.

(b) Each producer and wholesaler, on or before the 25th day of June 1944, shall notify each retail dealer to whom he made shipments during the base period of the actual tonnage of No. 2 buckwheat (rice) shipped during the base period. One copy of such notice shall be forwarded to the Regional Representative of SFAW for the region in which the dealer has his place of business, and one copy of such notice shall be forwarded to the Solid Fuels Administration for War, Washington 25, D. C. The figures shown on such notification may be increased by SFAW upon approval of an application filed pursuant to § 602.349.

10. Existing § 602.344 is re-numbered § 602.347 and paragraph (a) is amended by the addition of the following:

The report shall also set forth as a separate total the tonnages of No. 2 buckwheat (rice).

11. Existing § 602.345 is re-numbered § 602.346.

12. A new § 602.349 is added, to read as follows:

§ 602.349 *Adjustments of base period tonnage of No. 2 buckwheat (rice).* Because the base period of No. 2 buckwheat (rice) is different in the United States from the base period for the other regulated sizes and because shipments of this size have been almost entirely unregulated, some dealers may feel that inequities will result from this amendment. Therefore, SFAW will grant an equitable upward adjustment of the base period tonnage of No. 2 buckwheat (rice) of any retail dealer in the United States, or any person who receives anthracite by truck from a mine or preparation plant pursuant to § 602.336 (d) of this regulation, who demonstrates that (1) he received substantially less tonnage of this size during the period April 1, 1943 to March 31, 1944, than he received during the corresponding period April 1, 1942, to March 31, 1943, and (2) unless his base period tonnage of this size is adjusted upward, hardship will result to consumers he supplies with this size in the community he serves. Applications for such adjustments shall be filed in triplicate prior to August 25, 1944 with the Regional Representative of SFAW for the Region in which the retail dealer has his place of business. In no event will SFAW approve an upward adjustment that will result in a tonnage in excess of the total number of tons received by the applicant during the period April 1, 1942 to March 31, 1943, inclusive.

13. Existing § 602.346 is re-numbered § 602.350.

14. Existing § 602.347 is re-numbered § 602.351 and is amended to read as follows:

§ 602.351 *Producers or wholesalers without a base period tonnage.* Any producer or wholesaler who did not make shipments of anthracite during the base period shall make shipments only (1) to or for the account of another producer or wholesaler who made shipments of anthracite to retail dealers during the base period or (2) upon specific direction of SFAW.

15. Existing §§ 602.348, 602.349, 602.350, 602.351, 602.352, and 602.353 are re-numbered §§ 602.352, 602.353, 602.354, 602.355, 602.356 and 602.357, respectively.

16. A new § 602.358 is added, to read as follows:

§ 602.358 *Damages for breach of contract.* No person shall be held liable under any contract for damages or penalties for any default which shall result directly or indirectly from compliance with this regulation.

17. Existing §§ 602.354, 602.355, 602.356 and 602.357 are re-numbered §§ 602.359, 602.360, 602.361 and 602.362, respectively.

18. Existing § 602.358 is re-numbered § 602.363 and is amended to read as follows:

§ 602.363 *Short title.* This regulation may be cited as SFAW Regulation No. 18, as amended.

This amendment shall become effective at 12:01 a. m., June 1, 1944.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 31st day of May 1944.

HAROLD L. ICKES,
Solid Fuels Administrator for War

[F. R. Doc. 44-7853; Filed, May 31, 1944; 11:27 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-556]

SUN COMPANY

Jacob L. Sohn, doing business as Sun Company, in Providence, Rhode Island, is a jewelry manufacturer. During the period between February 25 and July 1, 1943, having a quota under Conservation Order M-199 of 429.12 ounces of domestic silver, he purchased, received, and put into process for restricted uses 570.88 ounces in excess of his quota; during the third quarter of 1943, with a quota of 321.84 ounces, he purchased, received, and put into process for restricted use 3,678.16 ounces in excess of his quota; and in the fourth quarter, with a quota of 321.84 ounces he purchased and received for restricted uses 6,078.16 ounces in excess of his quota, and put into process for restricted uses 3,160.16 ounces in excess of his quota. During the period between February 17 and June 7, 1943, he purchased, received, and put into process for restricted uses, to fill unrated orders, 9,828.14 ounces of foreign silver as defined in Order M-199; all the purchases were made without the certifications or endorsements on the purchase orders required by the order. Mr. Sohn was familiar with Conservation Order M-199 and the quota it established. The purchase, receipt, and putting into process of silver in excess of the quota was in violation of the order, and the violations were wilful.

These violations of Order M-199 diverted critical materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.556 *Suspension Order No. S-556.* (a) Jacob L. Sohn, doing business as Sun Company, or otherwise, his agents and assigns, shall not purchase, accept delivery of, or put into process any silver as defined in Conservation Order M-199, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Jacob L. Sohn, doing business as Sun Company, or otherwise, his agents or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on May 30, 1944, and shall expire on September 30, 1944.

Issued this 23d day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7825; Filed, May 30, 1944; 4:30 p. m.]

PART 933—COPPER

[Copper Order M-9, as Amended May 31, 1944]

§ 933.1 *Copper Order M-9.*—(a) *Purpose.* The primary purpose of this order is to govern the acceptance of delivery (whether on purchase, toll agreement or otherwise) of specified types of copper and copper-base alloy materials (other than controlled materials), and copper-clad and copper-base alloy-clad steel scrap, all of which for convenience are called copper raw materials throughout this order. The production, delivery and acceptance of controlled materials are governed by applicable CMP and priorities regulations.

(b) *Acceptance of delivery of copper raw materials.* Except as specifically authorized in writing by the War Production Board, no person shall accept a delivery of any copper raw material other than those shown opposite his class in column B of the following table:

NOTE: Item 1, column B amended May 31, 1944.

Class of person (A)	Copper raw materials: Acceptance of delivery authorized by this order without application to the War Production Board. (B)	Report form used to apply for specific WPB authorization to accept delivery of copper raw materials other than those shown in Column B. (C)	Other WPB report forms regarding copper raw materials and copper controlled materials. (D)
Refiner—Any person who produces refined copper. This includes any person who converts copper-clad or copper-base alloy-clad steel scrap into refined copper or other usable forms of copper.	Other unalloyed copper scrap. Other copper-base alloy scrap. Copper precipitates.	WPB-2959 [1]	WPB-3212.
Scrap Dealer—Any person regularly engaged in the business of buying and selling scrap but who does not melt such scrap.	Other unalloyed copper scrap. Other copper-base alloy scrap. Brass mill scrap.	None	WPB-202 or WPB-3202.
Jobber Dealer—Any person who receives physical delivery of refined copper, copper-base alloy ingot or copper or copper-base alloy shot and sells or holds the same for sale without change in form.	None	WPB-2959	None.
Brass Mill—Any person who produces brass mill products, brass mill castings or intermediate shapes.	Brass mill scrap. Fired cartridge and artillery cases (from Government plants only).	WPB-3112 WPB-2954	WPB-3508. WPB-3007. WPB-3244.[3] WPB-3113.[2]
Copper Wire Mill—Any person who produces copper wire mill products or intermediate shapes.	None	WPB-2963	WPB-3505.
Brass and Bronze Foundry—Any person who produces foundry copper or copper-base alloy products.	(2)	WPB-2958	WPB-3506.
Ingot Maker—Any person who produces copper-base alloy ingot for delivery as such.	(2)	WPB-2959	WPB-3159.
Miscellaneous Producer—Any person not falling in one of the classes described above, who requires copper raw materials in his regular production operation. Examples: Chemical plants, iron foundries, aluminum foundries, electrotypers, etc.	None	WPB-2959	None.
Scrap Generator—Any person, other than a scrap dealer, who in his normal operations generates or accumulates scrap or copper-clad or copper-base alloy-clad steel scrap but who is not in the business of producing copper raw materials or copper controlled materials.	None	None	WPB-452 or WPB-2915.

[1] Refiners requiring copper-clad or copper-base alloy-clad steel scrap should apply by supplementary letter setting forth the copper raw material involved, the amount required, and other pertinent data such as inventory, receipts, production, consumption and shipments, on the basis of which authorization to accept delivery is requested.
[2] Forms WPB-3244 and WPB-3113 apply only to beryllium copper brass mill products.
[3] Foundries and ingot makers may exchange copper-base alloy ingot on an equivalent copper content basis without charging such deliveries against their authorizations.

(c) *Restriction on disposal of scrap and copper-clad and copper-base alloy-clad steel scrap.* (1) No person (other than one who is in the business of producing copper raw materials or copper controlled materials) shall melt or process any scrap or copper-clad or copper-base alloy-clad steel scrap, generated in his plant through fabrication or accumulated in his operations through obsolescence, except as specifically authorized by the War Production Board, or dispose of such material in any way other than by delivery to a person authorized to accept such delivery. In no event shall any such person keep on hand more than thirty (30) days' accumulation of scrap or copper-clad or copper-base alloy-clad steel scrap unless such accumulation aggregates less than five tons.

(2) No person shall dispose of any material, the delivery of which he accepted as scrap, other than as scrap except with the specific authorization of the War Production Board in writing.

(3) Nothing herein contained shall prohibit any public utility from using in its own operations wire or cable which has become scrap by obsolescence, provided the lengths of such wire or cable are in excess of five feet and the quantity of such material so used by such public utility in any calendar month does not exceed five tons.

(d) *Specific authorization and directions.* This order is designed to prescribe the general regulations under which deliveries of copper raw materials may be accepted. At times the provisions of this order will not fit the needs of a particular person. In any such case, the person affected may apply by letter to the Copper Division, War Production Board, for a specific authorization to cover his needs. Situations may arise which will require the War Production Board, from time to time, to issue specific authorizations or directions to a person as to the source, destination, amount or grade of copper raw materials to be delivered, acquired or used by him.

(e) *Definitions.* (1) "Copper" means unalloyed copper.

(2) "Copper-base alloy" means any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. Copper-base alloy does not include alloyed gold produced in accordance with United States Commercial standards CS 51-35 and CS 67-38.

(3) "Scrap" means all copper or copper-base alloy materials or objects (except those containing 0.10% or more beryllium and governed by supplemental order M-160a) which are the waste or by-product of industrial fabrication, or which have been discarded on account of obsolescence, failure or other reason. This does not include fired cartridge and artillery cases or copper-clad or copper-base alloy-clad steel scrap.

(4) "Copper wire mill product" means bare, insulated or armored wire and

cable for electrical conduction made from copper, copper-base alloy, or copper-clad steel containing over 20% copper by weight.

(5) "Brass mill product" means sheet, rod, wire or tube made from copper or copper-base alloy. This does not include copper wire mill products.

(6) "Foundry copper or copper-base alloy product" means cast copper or copper-base alloy shapes or forms suitable for ultimate use without remelting, rolling, drawing, extruding or forging. (The process of casting includes the removal of gates, risers and sprues and sand-blasting, tumbling or dipping, but does not include any further machining or processing.)

(7) "Copper raw materials" as used in this order, includes the following materials as defined:

(i) "Refined copper"—Copper metal which has been refined by any process of electrolysis or fire refining to a grade and in a form suitable for fabrication, such as cathodes, wire bars, ingot bars, ingots, cakes, billets, wedge bars, or other refined shapes. This does not include copper-base alloy ingot, brass mill castings, intermediate shapes or controlled materials.

(ii) "Brass mill scrap"—Scrap which is the waste or by-product of industrial fabrication or production of brass mill products or copper wire mill products. This does not include material which has been reclaimed from use or which is unsuitable for brass mill use because of contamination.

(iii) "Other copper-base alloy scrap"—Copper-base alloy scrap other than brass mill scrap. This includes spent bullets but does not include fired cartridge and artillery cases.

(iv) "Other unalloyed copper scrap"—Unalloyed copper scrap other than brass mill scrap.

(v) "Copper-clad or copper-base alloy-clad steel scrap"—All copper-clad or copper-base alloy-clad or -coated steel materials or objects in which the cladding or coating amounts to 3% or more by weight and (*a*) which are the waste or by-product of industrial fabrication, or (*b*) which have been discarded on account of obsolescence, failure or other reasons. This does not include spent bullets.

(vi) "Fired cartridge and artillery cases"—Unreloadable fired cartridge cases or artillery cases which have been manufactured from brass mill products.

(vii) "Brass mill casting"—A copper-base alloy casting from which brass mill or copper wire mill products or intermediate shapes may be rolled, drawn or extruded without remelting.

(viii) "Copper-base alloy ingot"—a copper-base alloy casting used in remelting, alloying or deoxidizing operations.

(ix) "Copper or copper-base alloy shot"—shot produced from copper or copper-base alloy and to be used in remelting, alloying, deoxidizing or chemical operations.

(x) "Copper or copper-base alloy powder"—copper or copper-base alloy in the form of powder or flake, other than flake type bronze powder which is governed by Supplementary Conservation Order M-9-c-3.

(xi) "Intermediate shape"—any product which has been rolled, drawn or extruded from refined copper or brass mill castings and which will be re-rolled, redrawn, insulated or further processed into finished brass mill or copper wire mill products by other producers of such products.

(xii) "Copper precipitates (or cement copper)"—Copper metal precipitated from mine water by contact with iron scrap, tin cans, or iron in other forms.

(*f*) *Addressing of communications.* Except as provided by instructions accompanying application forms, all communications filed pursuant to this order or concerning the subject matter hereof should be addressed: "Copper Division, War Production Board, Washington 25, D. C."

(*g*) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the War Production Board in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries or from processing or using material under priority control and may be deprived of priorities assistance.

(*h*) *Revocations.* General Preference Order M-9-a and Supplementary Order M-9-b are hereby revoked as these orders are superseded by this order, M-9. These revocations do not affect any liabilities incurred under orders M-9-a and M-9-b.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7855; Filed, May 31, 1944; 11:21 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5A, Interpretation 7]

PURCHASER'S COST OF LABOR FOR MINOR CAPITAL ADDITIONS

The following interpretation is issued with respect to CMP Regulation 5A:

Paragraph (b) (3) of CMP Regulation No. 5A permits the use of the MRO symbol and rating to get materials or equipment for a minor capital addition, where the cost of the minor capital addition does not exceed $100 "excluding the purchaser's cost of labor".

This means that the cost of the materials or equipment going into the minor capital addition must not exceed $100. The cost of labor for the manufacture of the materials or equipment must be included in figuring their cost. The cost of labor used in construction or installation of the minor capital addition need not be included.

This applies whether the agency or institution uses its own employees to do the construction or installation work or hires an independent contractor to supply this construction or installation labor.

It also applies where the agency or institution gets an independent contractor to furnish the materials and the labor for the job, and where the agency or institution buys a machine or other article and has the seller do the work of installation.

NOTE: This interpretation is substantially similar to Interpretation No. 11 to CMP Regulation No. 5, issued May 22, 1944.

Issued this 31st day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7855; Filed, May 31, 1944; 11:20 a. m.]

NOTE: Table amended May 31, 1944.

Dead Line	Action required	Paragraph
Feb-May-Aug-Nov.:		
1	Claimants' requirements	(d)(1)
1	Producer's production estimates	(c)
15	Allotments to Claimants	(d)(2)
20	Claimants' break-down between original equipment and replacement.	(d)(3)
25	Production directive to producers	(e)
Mar-Jun-Sept-Dec.:		
1	Vehicle manufacturer's authorization	(g)
15	Vehicle manufacturer's certification to his supplier	(h)
	Procuring agency's certification for replacement	(i)
20	Unplaced orders referred to ORD	(j)
20	Producers' open capacity reports	(k)
Beginning of quarter	Placement of unplaced orders	(j)
	Frozen schedule	(p)

Subchapter D—Office of the Rubber Director

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Rubber Order R-1, Appendix IV as Amended May 31, 1944]

TIRE ALLOTMENT PLAN

(a) *What this order does.* This order places truck-bus tires, tractor-implement tires, and industrial tires under allocation and prescribes a procedure for the distribution of these products among claimant agencies on a quarterly basis.

For convenient reference, a summary of the "dead line" dates provided in the order as applied to any quarterly period, follows:

Definitions

(b) *Meaning of certain terms.* As used in this order:

(1) "Tires" means tires in the groups subject to allotment. These tire groups are defined in paragraph (d). Each group is divided into sub-groups.

(2) "Producer" means a manufacturer of tires in the groups subject to allotment.

(3) "Vehicle manufacturer" means a manufacturer of rubber-borne vehicles or equipment having tires in the groups subject to allotment as part of the original equipment.

(4) "Claimant agency" means any of the following Government Offices (identifying symbols are indicated):

Military Claimants

War Department (except Ordnance, which is identified by the Symbol (O)	(W)
Navy Department	(N)
Maritime Commission	(M)
Aircraft Resources Control Office	(C)
Foreign Economic Administration—Lend-Lease	(L)

Indirect Military Claimants

Office of Defense Transportation	(T)
Office of Operations Vice Chairman[1]	
Foreign Economic Administration—Economic Warfare	(E)
War Food Administration	(A)

[1] See Table 1 attached.

Requirements, Capacities and Allotments

(c) *Forward estimates of production by producers.* Two months preceding the quarter to be covered by allotments to the claimant agencies or on or before February 1, May 1, August 1, November 1, each producer shall submit by letter to the Office of Rubber Director forward estimates of his production for the quarterly period in each of the groups and sub-groups set forth in the following paragraph. In addition, each producer shall submit similar forward estimates of his production for the following three quarterly periods.

(d) *Allotments to claimant agencies.* (1) Two months preceding the quarter to be covered by the allotment or on or before February 1, May 1, August 1, November 1, each claimant agency shall transmit to the Office of Rubber Director its total requirements for the quarterly period in each of the following groups and sub-groups:

Group A—Truck-bus tires: (This group includes truck-bus type and special purpose type pneumatic tires in all treads, whether for use on trucks, buses, farm equipment, construction machinery or other vehicles. It also includes highway type solid tires for use on any vehicles or equipment.)

A-1—Combat tires.

A-2—Extra large size tires, 16.00 and larger cross-section.

A-3—Large size tires, 9.00 through 14.00 cross-section except 9.00 x 16, 8 ply; also the following tires: 7.50 x 15, 10-12 ply; 8.25 x 15—10, 12 and 14 ply.

A-4—Medium size tires (dual bead), all 10 ply up to and including 8.25 cross-section, excluding 7.50 x 15 and 8.25 x 15.

A-5—Small size truck type tires (single bead) 8 ply and under, and 9.00 x 16, 8 ply; but excluding tires described in subgroup A-6 below.

A-6—Tires with 15 inch and 16 inch rim diameters, up to and including 7.50 cross-section (4, 6 and 8 ply only).

A-7—Solid tires.

Group B—Tractor-implement tires: (This group includes pneumatic tractor-implement type tires over 7.50 cross-section, in all treads for use on any vehicles or equipment.)

B-1—Large size tires over 7.50 cross-section.

Group C—Industrial tires: (This group includes pneumatic and pressed-on solid tires designed for industrial equipment and also includes bogie rollers.)

C-1—Bogie rollers.

C-2—Pressed-on industrial type solids, including industrial-tractor pressed-on solids, all sizes.

C-3—(Deleted).

C-4—Industrial type pneumatic tires (all sizes).

These requirements shall be divided between original equipment and replacement for each group and sub-group.

In addition, each claimant agency shall furnish to the Office of Rubber Director its estimated requirements for each group and sub-group for the following three quarterly periods.

(2) Upon the basis of requirements submitted by each claimant agency to the Office of Rubber Director, War Production Board will allot on or before the 15th day of the second month preceding the quarter to be covered by the allotment, to each claimant a quantity of tires by groups and sub-groups for the following quarterly period and shall also make tentative allotments to each claimant for the following three quarterly periods.

(3) Within 5 days after receipt of its allotment, each claimant agency shall furnish to the Office of Rubber Director a statement showing the break-down of its allotment by group and sub-group between original equipment and replacement.

(e) *Issuance of production directives to producers.* Not later than 10 days after the time prescribed in the preceding paragraph for the issuance of allotments to the claimant agencies, War Production Board will issue to each producer a directive for the period covered by the allotments, prescribing the percentage of the producer's facilities by groups and sub-groups allocated to the production of the following classes of orders:

(1) Original equipment; (2) replacement by military claimants; (3) indirect military replacement.

"Indirect Military" refers to claimants not designated as military claimants in paragraph (b) (4).

(f) [Deleted May 31, 1944]

Original Equipment

(g) *Vehicle manufacturer's authorization.* (1) Each manufacturer of vehicles or equipment listed in Table I must file his application for original equipment tires on Form WPB-3663 with the appropriate industry division of the War Production Board in accordance with instructions accompanying the form, unless he is specifically excused from filing. A manufacturer of vehicles or equipment not listed in Table I need not file Form WPB-3663, unless he is specifically instructed to do so.

(2) On or before the first day of the month preceding each quarter, manufacturers of vehicles and equipment listed in Table I for which tires have been allotted, will be authorized by the War Production Board on Form GA-1733 to accept delivery of a specified number of tires by group and sub-group. In the case of tire mounted vehicles or equipment not listed in Table I, similar authorizations will be issued to vehicle manufacturers by the appropriate claimant agency.

(3) No manufacturer may accept delivery of tires for his production of vehicles or equipment (including tire mounted components of vehicles or equipment) unless he has been specifically authorized to accept such delivery under this order.

(h) *Vehicle manufacturer's certification to his supplier.* (1) In order to receive tires for original equipment, each vehicle manufacturer authorized under the preceeding paragraph must certify to his supplier not later than the 15th day of the month preceding the first month of the quarter in which shipments are to be made, in substantially the following form signed by an authorized official:

Agency identification number or symbol ——. The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that he is authorized to accept delivery of the following tires for his production during the quarterly period commencing ——, 1944; that the monthly deliveries specified will not result at any time in an inventory exceeding 10 days' supply based upon his total authorized monthly production:

Size	*Ply*	*Type*	*Quantity*

The identification number shall consist of the appropriate symbol followed by the major program number (see Table I, unless authorization is issued by claimant agency).

No certification other than the above is required. The standard form of certification provided in Priorities Regulation 7 may not be substituted.

(2) By using the above certification, a vehicle manufacturer who buys tire mounted components for his production may authorize the manufacturer of the components to accept delivery of tires. On the basis of the certification received from his customer, the manufacturer of the tire mounted components shall use the same certification in placing his orders for tires with a producer. He must place his certified orders within the time prescribed for vehicle manufacturers.

(3) A vehicle manufacturer's authorization for tires may be reduced or cancelled at any time by the War Production Board or claimant agency issuing the same. A manufacturer who is notified that his authorization has been reduced or cancelled must immediately reduce or cancel delivery orders which he has placed under his authorization to the extent necessary to bring scheduled deliveries within the authorized amount.

(4) A vehicle manufacturer's authorization for tires may be increased by the War Production Board or claimant agency issuing the same at any time during the quarter covered by the authorization.

In placing orders under an increase in authorization, a vehicle manufacturer must certify to the producer that he does so under "Increase dated ---------," and in addition, must use the above certification for vehicle manufacturers signed by an authorized official. This may be done by preceding the certification with "Increase dated ---------" (inserting date of increase). If the vehicle manufacturer is unable to place his certified order for additional tires, it may be referred to the Office of Rubber Director, War Production Board, for placement.

The procedure described in (2) above may be followed in authorizing a manufacturer of tire mounted components to receive tires under the increase, but the increase must be identified by date in the certification.

(5) No manufacturer shall certify an order for original equipment tires until he has received his authorization under this order.

Replacement

(i) *Replacement by procuring claimant agency.* In order to receive tires for replacement purposes under its allotment for any quarter, a claimant agency which purchases tires must certify to its supplier on or before the 15th day of the month preceding the quarter in substantially the following form signed by an authorized official:

Agency identification symbol ---------. The undersigned certifies that the claimant agency identified by the above symbol is authorized to procure the following tires for replacement during the quarter commencing ---------, 1944 and that the tires have been charged against its allotment for that period:

Size	*Ply*	*Type*	*Quantity*

Open Capacity and Unplaced Orders

(j) *Placement against open capacity.* Unplaced certified orders may be referred to the Office of Rubber Director, War Production Board, for placement on the basis of open capacity reports received from producers. Unplaced orders must be received by the Office of Rubber Director on or before the 20th day of the month preceding the first month of the quarter for which the orders are certified.

(k) *Report by producer of his open capacity.* Each producer shall report to the Office of Rubber Director, War Production Board, by letter not later than the 20th day of the month preceding the first month of the quarter, the open capacity he has available for the production of tires in each group and sub-group, after making provision for the scheduling of all orders placed with him as of the last day for placement of orders for production during the quarter. This report shall be based upon the percentage allocation of his production facilities made by directive issued to him under paragraph (e).

Producer's Acceptance and Shipment of Orders

(l) *General restrictions on acceptance.* Unless otherwise directed under the provisions of this order, no producer shall accept or fill any orders for tires except: (1) Orders certified under paragraphs (h) or (i) and presented to him within the prescribed time for placement; (2) orders for indirect military replacement.

Orders certified under paragraphs (h) or (i) must be presented not later than the 15th day of the month preceding the first month of the quarter in which shipments are to be made, except certified orders based upon an increase in a vehicle manufacturer's authorization, which may be presented at any time during the quarter.

(m) *Acceptance or fulfillment of orders in excess of authorized production.* No producer shall accept or fill any orders for tires to be delivered in any quarter in excess of the percentage allocation of his facilities for the particular class of order established by his production directive issued under paragraph (e), unless otherwise directed under the provisions of this order. No producer shall accept orders in excess of 100% of his expected production for the quarter.

(n) *Limitation on size of shipments.* No producer may ship in any calendar month to a vehicle manufacturer or claimant agency more than 40% of the tires in any size or type scheduled by him for shipment during the quarter to the particular manufacturer or agency under certified orders unless he can do so without interfering with other certified orders on his schedule. Shipments for indirect military replacement may be made only to the extent that the shipments do not interfere with the producer's frozen schedule under paragraph (p).

Scheduling Provisions

(o) *Directions by claimant agency.* A claimant agency which purchases tires may issue the following written directions to a producer: (1) Diverting a particular shipment of tires scheduled for its account by the producer; (2) changing tire sizes to be produced for its account within a particular sub-group but only if the production capacity required and the total number of tires scheduled for its account are not increased by the change.

(p) *Frozen production schedule.* On the first day of the quarter, each producer's production schedule shall become a frozen schedule within the meaning of Priorities Regulation 18 for the quarterly period, and may not be altered except as provided in that regulation. A producer may, however, accept certified orders based upon an increase in a vehicle manufacturer's authorization unless the production or shipment of any such orders will interfere with his frozen schedule. In addition, written directions may be issued by a claimant agency under paragraph (o).

The following orders shall automatically become part of a producer's frozen schedule:

(1) Orders for original equipment tires which have been certified under paragraph (h) and which the producer has accepted and agreed to ship during the quarter.

(2) Orders placed with him by the Office of Rubber Director, War Production Board on the basis of his open capacity report for the quarterly period.

(3) Orders for replacement tires which he has accepted and agreed to fill during the quarterly period.

(q) *Other scheduling provisions.* With respect to the production or shipment of tires, the War Production Board may notwithstanding any other order, preference rating, directive, rule, or regulation (except Priorities Regulation No. 18) of the War Production Board or other Governmental agency:

(1) Direct the return or cancellation of any purchase order on the books of a producer.

(2) Direct changes in the production or shipping schedule of a producer.

(3) Cancel purchase orders placed with one producer and direct that they be placed with another producer.

Miscellaneous Provisions

(r) *Effect of preference ratings.* Within the limits established by his production directive, a producer shall accept orders certified under paragraphs (h) and (i) in the order in which they are received by him without regard to preference ratings.

(s) *Status of unfilled orders at end of quarter.* Unless authorized in writing by the Office of Rubber Director, War Production Board, no producer shall carry over any order which he has accepted for delivery during a particular quarter and which he has been unable to produce and ship during that quarter to the following quarter.

(t) *Duplication of orders.* No purchaser of tires shall duplicate an order for tires in any group or sub-group even though he intends to cancel or reduce his orders to the authorized or allotted amount prior to delivery.

(u) *Use of producer's interchangeable facilities.* A producer shall use his interchangeable facilities in accordance with List 6, Appendix II, Rubber Order R–1 as amended.

(v) [Deleted May 31, 1944.]

(w) *Applicability of regulations.* Except as otherwise provided, this order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(x) *Appeals.* Any appeal from the provisions of this order shall be made in writing to the Office of Rubber Director, War Production Board, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(y) *Communications.* All reports required to be filed under this order and all communications concerning this order shall, unless otherwise directed, be addressed to the Production and Priorities Department, Office of Rubber Director, War Production Board, Washington 25, D. C., Reference: Order R–1.

Issued this 31st day of May 1944.

RUBBER DIRECTOR
WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE I

NOTE: Table I amended in its entirety May 31, 1944.

All original equipment tires for the following products and programs will be distributed by the War Production Board through its Industry Divisions and vehicle manufacturers should direct their applications to the War Production Board, Washington 25, D. C., Attention: the appropriate Industry Division, regardless of the claimant agency for which the vehicle will be produced.

The Office of Operations Vice Chairman is designated as the claimant for the programs listed in Table I to the extent that they involve the manufacture of rubber-borne vehicles and equipment (indirect military only) having tires in the groups subject to allotment as part of the original equipment, except for Foreign Economic Administration, Economic Warfare or as otherwise noted in the table:

AUTOMOTIVE DIVISION

Program [1] symbol	CMP code	Product description
B-4	251	Automotive maintenance equipment.
B-4	256	Aircraft ground servicing equipment.
B-4	400	Diesel and gasoline engine driven generator sets.

AUTOMOTIVE (C/O OCO-D) [2]

S-9	[4] 763	Trucks and truck-tractors, highway type.[4]
S-9	764	Off-the-highway motor vehicles.
S-9	[4] 765	Truck trailers, highway type.[4]
S-9	[4] 767	Third axle attachments for trucks.[4]
		Other vehicles scheduled on Form GA-1188.

BUILDING MATERIALS DIVISION

B-7	646	Hand tools (wheelbarrows).
S-4	742	House trailers.

CONSTRUCTION MACHINERY DIVISION

B-9	308	Construction equipment, tractor-mounted.
G-1	309	Construction equipment, specialized.
G-1	310	Construction material mixers, pavers, spreaders.
G-1	311	Construction material processing equipment.
B-8	312	Powor, cranes, shovels, etc.
G-1	313	Scrapers, maintenance and graders.
B-8	316	Drilling and boring machinery.

CONSUMERS DURABLE GOODS DIVISION

G-2	110	Power cycles.
G-2	484	Lawn movers.
G-2	583	Commercial food preparation and service equipment.

FARM MACHINERY AND EQUIPMENT DIVISION

A-2	[3] 319	Industrial tractors, wheel type.[4]
A-2	[4] 450	Earth working, fertilizing, spraying, etc. machinery.[4]
A-2	[4] 451	Farm elevators, harvesting, haying machinery.[4]
A-2	[4] 471	Wheeled tractors, farm.[4]

GENERAL INDUSTRIAL EQUIPMENT DIVISION

G-7	138	Compressors and dry vacuum pumps.
J-5	145	Conveyors and conveying systems.
J-5	147	Industrial hand-operated trucks and casters.
J-5	148	Industrial trucks and tractors, power-operated.
J-5	149	Industrial fans, blowers and exhausters.
J-5	163	Industrial spraying equipment.
J-5	167	Industrial lubricating equipment.
J-5	236	Logging and sawmill machinery and power pulpwood saws.
J-1	366	Welding equipment and apparatus, electric.
G-6	401	Portable motor generator sets.
J-3	406	Motor control equipment and portable rectifiers.

MINING DIVISION

J-7	300	Shuttle cars.
J-7	301	Cutting machines (and trucks).
J-7	315	Coal drills and core drills.

OFFICE OF OPERATIONS VICE CHAIRMAN (C/O P., A., W.,) [5]

P-2	137	Petroleum dispensing pumps.
P-2	317	Petroleum machinery and equipment.

TABLE I—Continued

SAFETY AND TECHNICAL EQUIPMENT DIVISION

Program [1] symbol	CMP code	Product description
J-6	107	Motorized fire apparatus.
J-6	434	Mobile X-ray equipment.
J-6	613	Surgical and medical equipment.
J-6	669	Surgical and medical supplies.

SERVICE EQUIPMENT DIVISION

S-4	428	Vacuum cleaners.
S-4	483	Floor finishing equipment.

TOOLS DIVISION

K-7	146	Cranes and hoists.
K-7	363	Foundry machinery.

TRANSPORTATION EQUIPMENT DIVISION

K-8	164	Railroad and transit maintenance-of-way equipment.
K-9 or T-4	[4] 754	Motor buses.[4]
K-9 or T-4	[4] 756	Trolley buses.[4]

[1] This is the program symbol under which authorization for tires for original equipment in these groups will be issued, regardless of the symbol under which the order for the vehicle was placed.

[2] WPB-3663 applications for tires for vehicles in CMP codes 763, 764, 765, and 767 should be addressed to War Production Board, Automotive Division, c/o Office, Chief of Ordnance, Detroit 32, Michigan, and should be marked "Route Direct."

[3] WPB-3663 applications for tires for vehicles in CMP codes 137 and 317 should be addressed to the Petroleum Administrator for War, Washington 25, D. C.

[4] The Office of Defense Transportation is claimant for tires for highway vehicles in CMP codes 763, 765, 767, 754 and 756.

[4] The War Food Administration is claimant for tires for vehicles in CMP codes 319, 450, 451, and 471 for on-farm use within the United States.

[5] Office of Operations Vice-Chairman is also designated as Claimant for replacement tires for miscellaneous off-the-highway (including in-plant) vehicles and equipment (indirect military only).

[F. R. Doc. 44–7856; Filed, May 31, 1944; 11:21 a. m.]

Chapter XI—Office of Price Administration

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 169,[1] Amdt. 42]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. In Zone 7, § 1364.452 (g) (1), the New York area is amended to read as follows:

The county of Chautauqua in New York.

2. In Zone 8, § 1364.452 (h) (1), the New York area is amended to read as follows:

All that portion of New York west of and including the counties of Oswego, Oneida, Madison, Chenango, Broome, but excluding the county of Chautauqua.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1121, 2023, 2135, 3424, 4648, 4782.

This amendment shall become effective May 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7820; Filed, May 30, 1944; 3:40 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 239,[1] Amdt. 13]

LAMB AND MUTTON CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 239 is amended in the following respects:

1. In Zone 7, § 1364.180, Appendix E, the New York area is amended to read as follows:

The county of Chautauqua in New York.

2. In Zone 8, § 1364.181, Appendix F, the New York area is amended to read as follows:

All that portion of New York west of and including the counties of Oswego, Oneida, Madison, Chenango, Broome, but excluding the county of Chautauqua.

This amendment shall become effective May 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7821; Filed, May 30, 1944; 3:40 p. m.]

PART 1381—SOFTWOOD LUMBER

[RMPR 161,[2] Amdt. 14]

WEST COAST LOGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In § 1381.154, Table (K) Ponderosa Pine, in the column heading "Southern Oregon-Tillamook District" an asterisk is added after "District", and the following footnote is added below the table:

*These prices apply in the entire district except in Jackson and Josephine Counties.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F. R. 2894.

[2] 8 F.R. 1117, 2992, 5678, 6619, 9381, 10660, 11509, 16602, 16603, 17327; 9 F.R. 694, 3848, 5165.

This amendment shall become effective May 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7824; Filed, May 30, 1944; 3:43 p. m.]

PART 1384—HARDWOOD LUMBER PRODUCTS

[MPR 454, Amdt. 1]

AROMATIC RED CEDAR LUMBER

Correction

In F.R. Doc. 44-7001, appearing on page 5313 of the issue for Thursday, May 18, 1944, the seventh line of the second paragraph of section 6 (a) should read: "1941 or the first month before that in".

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 15 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (e) (4) is added to read as follows:

(4) R8, S8, T8, U8, and V8 are valid beginning June 1, 1944.

This amendment shall become effective June 1, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320)

Issued this 31st day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7857; Filed, May 31, 1944; 11:18 a. m.]

PART 1415—PROTECTIVE COATINGS

[RMPR 264]

VEGETABLE WAXES AND BEESWAX

Maximum Price Regulation No. 264, as amended, is redesignated Revised Maximum Price Regulation No. 264 and is revised and amended to read as set forth herein:

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

§ 1415.51 *Maximum prices for vegetable waxes and beeswax.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Revised Maximum Price Regulation No. 264 (Vegetable Waxes and Beeswax), which is annexed hereto and made a part hereof, is hereby issued.

[1] 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2947, 2830, 3707, 3580, 4542, 4605, 4607, 4883.

AUTHORITY: § 1415.51 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

REVISED MAXIMUM PRICE REGULATION No. 264—VEGETABLE WAXES AND BEESWAX

CONTENTS

Sec.
1. Prohibition against sales and purchases of vegetable waxes and beeswax at higher than maximum prices.
2. Less than maximum prices.
3. Adjustable pricing.
4. Relationship of this regulation to other maximum price regulations.
5. Geographical applicability.
6. Federal and state taxes.
7. Records and reports.
8. Evasion.
9. Enforcement.
10. Licensing.
11. Definitions.
12. Maximum prices for undesignated grades and types of vegetable waxes and beeswax.
13. Petitions for amendment.

Appendix A: Maximum prices for vegetable waxes and beeswax purchased from a foreign seller for importation into the United States.
Appendix B: Maximum prices for domestic sales of imported vegetable waxes and beeswax.
Appendix C: Maximum prices for domestically refined or bleached vegetable waxes and beeswax.
Appendix D: Maximum prices for crude pure domestic beeswax.

SECTION 1. *Prohibition against sales and purchases of vegetable waxes and beeswax at higher than maximum prices.* On and after May 30, 1944, regardless of any contract, lease or other obligation:

(a) No person shall sell, deliver or transfer any vegetable wax or beeswax at higher prices than the maximum prices established by this regulation.

(b) No person shall buy or receive any vegetable wax or beeswax in the course of trade or business at higher prices than the maximum prices established by this regulation.

(c) No person in the United States who deals directly or through his purchasing agent with a foreign seller or with the selling agent of such foreign seller shall (1) buy, or (2) receive delivery in the United States of, any vegetable wax or beeswax, in the course of trade or business at higher prices than the maximum prices established by Appendix A of this regulation; *Provided, however,* That a purchase of South American beeswax at a higher price may be consummated and delivery received in the United States if such purchase was made prior to May 17, 1944 under the authority of the War Production Board's General Imports Order M-63 and if, prior to the expiration of one week after issuance of this revised regulation, the War Production Board has received a report of such purchase in accordance with conditions set forth in Form WPB-3390.

(d) No person shall agree, offer, solicit or attempt to do any of the foregoing.

SEC. 2. *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid, or offered.

SEC. 3. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 4. *Relationship of this regulation to other maximum price regulations—*(a) *The General Maximum Price Regulation.*[1] The provisions of this regulation supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of vegetable waxes and beeswax for which maximum prices are established by this regulation. For example, sales and deliveries of less than two pounds of a vegetable wax or beeswax remain subject to the General Maximum Price Regulation.

(b) *The Maximum Import Price Regulation.*[2] The provisions of this regulation supersede the provisions of the Maximum Import Price Regulation with respect to sales and deliveries of vegetable waxes and beeswax for which maximum prices are established by this regulation.

(c) *Second Revised Maximum Export Price Regulation.*[3] The provisions of this regulation do not apply to sales and deliveries of vegetable waxes or beeswax for export from the United States. Such sales and deliveries shall continue to be subject to the Second Revised Maximum Export Price Regulation.

SEC. 5. *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight states of the United States and the District of Columbia.

SEC. 6. *Federal and state taxes.* Any tax upon, or incident to, the sale, delivery, processing, or use of a product covered by this regulation imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the maximum price and in preparing records with respect thereto. If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor from whom he purchased.

SEC. 7. *Records and reports.* (a) Every person making sales or purchases of vegetable waxes or beeswax after May 30, 1944, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records of each purchase or sale, showing the date thereof, the name and address of the buyer and the seller, the price contracted for or received and the quantity of each type and grade of such vegetable waxes or beeswax purchased or sold.

(b) Such persons shall keep such other records and shall submit such other reports to the Office of Price Administration in addition to or in place of the records required in paragraph (a) of this section or the reports required by section 12 (a) and Appendix C hereof as the Office of Price Administration may from time to time require.

SEC. 8. *Evasion.* Price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to vegetable waxes or beeswax alone, or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, discount, premium, or other privilege, or other trade understanding, or otherwise.

SEC. 9. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

SEC. 10. *Licensing.* The provisions of Licensing Order No. 1,[4] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 11. *Definitions.* (a) When used in this regulation, the term

(1) "Vegetable waxes" means the following:

(i) "Carnauba wax," which includes all commercial grades of the exudation product from the leaves of the Carnauba palm tree (corypha cerifera).

(ii) "Ouricury wax," which is produced from the fronds or leaves of the Ouricury palm tree (syageus cororata).

(iii) "Candelilla wax," which is produced from the candelilla weed (euphorbia anti-syphilitica).

(2) "Beeswax," means wax secreted by bees.

(3) "Trading price" means the price allowed by beekeepers' supply houses to beekeepers for beeswax in a barter transaction in which beeswax is traded for beekeeping equipment.

(4) "One ton" means 2,000 pounds.

(5) "United States" means the forty-eight states of the United States and the District of Columbia.

(6) "Actual insurance rates" means War Risk Insurance premium rates posted by the War Shipping Administration at the time of shipment, or charged by commercial underwriters, whichever are lower, and actual marine insurance premium rates.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

SEC. 12. *Maximum prices for undesignated grades and types of vegetable waxes and beeswax—*(a) *Carnauba, ouricury, candelilla and beeswax.* Maximum prices for grades or types of carnauba wax, ouricury wax, candelilla wax and beeswax for which no maximum prices are specified in the appendices hereto, or shipped from points not designated therein, shall be the maximum prices authorized by the Office of Price Administration in response to an application therefor filed by the seller or buyer and in line with the level of maximum prices established by this regulation.

Applications for the establishment of such maximum prices shall be submitted by registered mail to the Chemicals and Drugs Price Branch, Office of Price Administration, Washington, D. C., prior to sale or purchase and shall be accompanied by a description of the particular vegetable wax or beeswax and of the nature of the transaction involved, the present maximum price (if any), the current selling price, and the maximum price proposed.

Sales and purchases may be made at such proposed price after the date of mailing such application subject, however, to approval of the proposed price by the Administrator. If, at the expiration of 20 days from the date of mailing the application, the seller or buyer has not been advised by the Office of Price Administration of its disapproval of the proposed maximum price, such proposed price may be considered as authorized. In the event of any modification of an unauthorized price, refund shall be made accordingly. The Office of Price Administration may at any time, by order, disapprove and modify any maximum price established under this section 12.

SEC. 13. *Petitions for amendment.* Any person seeking an amendment to any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.*

APPENDIX A—MAXIMUM PRICES FOR VEGETABLE WAXES AND BEESWAX PURCHASED FROM A FOREIGN SELLER FOR IMPORTATION INTO THE UNITED STATES

The following maximum prices may not be increased by reason of any charge for con-

[1] 9 F.R. 1385, 5169.

[2] 9 F.R. 2850.

[3] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036.

[4] 8 F.R. 132040.

(b) *Candelilla wax, imported from Mexico via rail.*

Grade	Lump or flake, in cents per pound net	Powdered, in cents per pound net		
		20-mesh	80-mesh	100/120-mesh
F. o. b. New York, N. Y.	38	43.00	43.50	44.00

APPENDIX C—MAXIMUM PRICES FOR DOMESTICALLY REFINED AND BLEACHED VEGETABLE WAXES AND BEESWAX

The prices set forth in (a) and (b) below are f. o. b. refinery or bleachery in quantities of one ton or more. Such prices may not be increased by reason of any charge for containers or extension of credit for sales in total quantities of less than one ton, addition may be made to these prices as follows:

	Cents per pound net
Sales of 200 lbs. to one ton	1
Sales of more than 100 lbs. but less than 200 lbs.	3
Sales of 50 lbs. or more but less than 100 lbs.	5
Sales of 2 lbs. or more but less than 50 lbs.	10

The following maximum prices (except for candelilla refined from wax imported from Mexico via rail, and except for beeswax refined or bleached from domestic crude) are based on net landed weight and on an ocean freight rate of $2.00 per 100 lbs. and marine insurance at ½ per cent. They also include war risk insurance premium at 1½ per cent for shipments from South and Central America, Mexico and the Caribbean area or war risk insurance premium at 3 per cent for shipments from any other part of the world. Any increase or decrease of actual ocean freight rates and actual insurance rates from those specified above shall be for buyer's account.

For vegetable waxes or beeswax, refined or bleached at any point other than the port of arrival, the following maximum prices may be increased by an amount not in excess of the actual transportation charges incurred by the refiner or bleacher in transporting the crude imported waxes from the port of arrival to the refinery or bleachery. This does not apply to candelilla refined from wax imported from Mexico via rail, or to beeswax refined or bleached from domestic crude. The additional charges and the method of calculating same, shall be shown separately on the invoice which shall be furnished the buyer prior to payment by him and a copy thereof furnished the Office of Price Administration on request.

(a) *Refined carnauba, ouricury and candelilla waxes.*

Grade	Lump or flake, in cents per pound net	Powdered, in cents per pound net		
		20-mesh	80-mesh	100/120-mesh
Refined Carnauba	80.00	85.00	85.50	86.00
Refined Ouricury	62.00	67.00	67.50	68.00
Refined Candelilla	44.00	49.00	49.50	50.00

(b) Refined and bleached beeswaxes.

(1) *Refined beeswax, U. S. P. Standard.*

Size or package:	*Cents per pound net*
Slabs	52.50
Approx. 1 pound bricks	53.50
Approx. 1 ounce discs	55.50
Approx. 1 ounce discs packed in 5 lb. cartons	56.50
Approx. 1 ounce discs packed in 2 lb. cartons	57.50
Approx. 1 ounce discs packed in 1 lb. cartons	58.50
Approx. 1 ounce "rounds or squares" packed in 5 lb. cartons	57.50
Approx. 1 ounce "rounds or squares" packed in 2 lb. cartons	58.50
Approx. 1 ounce "rounds or squares" packed in 1 lb. cartons	59.50

(2) *Sun or chemically bleached beeswax, U. S. P. Standard.*

	Cents per pound net
Slabs	57
Approx. 1 pound bricks	58
Approx. 1 ounce discs or cakes	60
Approx. 1 ounce discs or cakes in 5 lb. cartons	61
Approx. 1 ounce discs or cakes in 2 lb. cartons	62
Approx 1 ounce dics in 1 lb. cartons	63

APPENDIX D—MAXIMUM PRICES FOR CRUDE PURE DOMESTIC BEESWAX

The following maximum prices may not be increased by reason of any charge for containers or extension of credit.

Cents per pound, net

(1) From South and Central America, Mexico and the Caribbean Area 44.75

(11) From Africa 37.50

(2) *Ouricury wax.*

(3) *Crude pure beeswax.*

Grade:	*Cents per pound net*
(1) From South and Central America, Mexico and the Caribbean Area	44.75
(11) From Africa	37.50

This regulation shall become effective May 30, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7822; Filed, May 30, 1944; 3:41 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 533-2]

LAKE STATES LOGS

Correction

In F.R. Doc. 44-6986, appearing at page 5209 of the issue for Thursday, May 18, 1944, the third sentence of section 4 should read: "It must contain enough specifications and details to show whether the price is proper or not."

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 30]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

In section 15, Appendix G is amended in the following respects:

1. The title of Appendix G is amended to read as follows: "Appendix G—Maximum Prices for Apples of the 1943 Crop."[2]

2. In the tables in paragraph (b) (1), (2) and (4), and (d) (1) and (e), item 4 in the column "Month" in each case, is amended to read as follows: "April and after."

3. Paragraph (b) (5) is amended by adding an undesignated paragraph to read as follows:

If the seller desires he may sell by variety and size on the basis of the average minimum net weight per box of each variety and size. Sales may be made on the basis of such average minimum net weight only if prior to the sales the seller furnishes the auction company with a manifest on which shall appear, for each variety and size of apples being sold, the number of boxes and the average minimum net weight per box.

4. In paragraph (e) footnote 2 to the table is amended to read as follows:

[2] The maximum prices stated above shall not apply where community prices are established by district or regional offices of the Office of Price Administration for apples sold at retail.

5. A new paragraph (f) is added to read as follows:

(f) *Determination of minimum net weight in certain cases.* The "minimum net weight" of apples in standard northwest apple boxes is the gross weight of the box and contents minus the appropriate tare for the particular type of boxing, from the table below:

Type of boxing	*Tare—Pounds*
Box without lid and without cleats, containing loose apples with no paper wrap or other material	7
Box with either lid or cleats, but not both, containing loose apples with no paper wraps or other material	7½
Box with lid and paper wraps and liner, containing wrapped and packed apples which have been weighed and marked at time of packing in 1943	7½
Box with lid and paper wraps and liner, containing wrapped packed apples which are weighed and marked at the time of shipment by country shipper in 1944	8

This amendment shall become effective June 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of May 1944.

CHESTER BOWLES,
Administrator.

Approved: May 16, 1944.

GROVER B. HILLS,
Acting War Food Administrator.

[F. R. Doc. 44-7860; Filed, May 31, 1944; 11:17 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 139]

CERTAIN WET CORN MILLING PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 6.41 is amended to read as follows:

SEC. 6.41 *Certain wet corn milling products—(a) Maximum prices.* The maximum price which any seller may charge any class of purchaser for corn starch and dextrine products in bulk, corn syrup unmixed in bulk, corn syrup solids in bulk, and for crude corn sugar in bulk shall be:

(1) For corn starch and dextrine products in bulk, the sum of:

(i) His maximum price per hundredweight to the same class of purchasers established by the General Maximum Price Regulation for the same type, condition, brand (if any), and container type and size; and

(ii) $0.62 per hundred-weight in the case of any type or grade of corn starch or dextrine product in bulk with an average March 1942 moisture content between and including 11½ percent and 14 percent. In the case of any type or grade of corn starch or dextrine product in bulk which had a March 1942 moisture content below 11½ percent or above 14 percent the maximum shall be computed by adjusting the figure $0.62 on the basis of dry starch of 11½ percent moisture content. In the case of products not wholly corn starch or dextrine the figure $0.62 shall be adjusted by multiplying it by the percentage (by weight) of the corn starch or dextrine contained therein, also on the basis of dry starch of 11½ percent moisture content.

(2) For bulk corn syrup unmixed the sum of:

(i) His maximum price per hundredweight to the same class of purchasers established by the General Maximum Price Regulation for the same type, condition, brand (if any), and container type and size; and

(ii) $0.30 per hundred-weight; *Provided, however,* That for sales in barrels or half-barrels the resulting figure may be further increased by

(*a*) $0.24 per hundred-weight for sales in barrels.

(*b*) $0.29 per hundred-weight for sales in half-barrels.

(3) For corn syrup solids in bulk, and for crude corn sugar in bulk, the sum of;

(i) His maximum price per hundredweight to the same class of purchasers established by the General Maximum Price Regulation for the same type, condition, brand (if any), and container type and size; and

(ii) $0.30 per hundred-weight.

(b) *Definitions.* As used in this section, the term:

(1) "Corn starch and dextrine" means the carbohydrates extracted from corn grain by the wet milling process commercially dry, in suspended form, thin boiling, thick boiling, oxidized, rolled or roasted, but does not include products commercially known as refinery products.

(2) "Corn syrup unmixed" means all commodities manufactured by the wet corn milling process commercially known as refinery products except crude corn sugar, hydrol or corn molasses, corn syrup solids, and fully refined sugar.

(3) "Corn syrup solids" means all types and grades of dehydrated commodities manufactured by the wet corn milling process and commercially known as refinery products having a dextrose equivalent of 65 percent or less.

(4) "Crude corn sugar" means those commodities manufactured by the wet corn milling process and commercially known as refinery products having an average dextrose content between and including 70 percent to 80 percent; 70 sugar and 80 sugar when used in reference to crude corn sugar refer to minimum average dextrose content.

(5) "Bulk" or "in bulk" means in tank cars, tank wagons, barrels, half-barrels, steel drums, in bags, in bulk in cars, or in other containers of more than 10 pounds net weight, except that when sales of corn starch and dextrine are made to any government purchasing agency, "bulk" or "in bulk" means in tank cars, tank wagons, barrels, half-

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16409, 16394, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2493, 4030, 4066, 4068, 4434, 4786, 4787, 4877.

[2] These prices cover packed and wrapped fruit, loose fruit or any other style of pack.

[3] 7 F.R. 3961; 8 F.R. 3315, 3633, 6173.

barrels, steel drums, in bags, in bulk in cars, or in other containers of more than 4 pounds net weight.

This amendment shall become effective May 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7823; Filed, May 30, 1944; 3:41 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 375 Under 3 (b), Order 37]

RUSSELL STOVER CANDIES

Order No. 37 issued under Order No. 375 of § 1499.3 (b) of the General Maximum Price Regulation. Russell Stover Candies. Docket No. N6352-13b-122-7.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered that:

§ 1499.2165 *Authorization of maximum prices governing sales of "Honey Suckle Straws", a confectionery item manufactured by Russell Stover Candies, Kansas City, Missouri.* (a) Russell Stover Candies is hereby authorized to sell to retailers its Honey Suckle Straws as described in its price application, wrapped in ribbon-tied bundles of 25 straws each and packed 8 bundles to the carton (200 straws) at a maximum delivered price of $1.33 per carton.

(b) Retailers are authorized to sell this item at a maximum price of 1 cent per straw.

(c) The price established in paragraph (a) is the highest price for which applicant may sell "Honey Suckle Straws." Applicant shall maintain its customary discounts and allowances applying to sales of comparable candy items on sales of "Honey Suckle Straws."

(d) For a period of at least 90 days after the effective date of this order and with the first shipment after the 90 day period to each retailer who has not made a purchase within that time, Russell Stover Candies shall attach to the invoice accompanying the shipment a notice as follows:

The Office of Price Administration has authorized us to sell to retailers our Honey Suckle Straws Wrapped in ribbon-tied bundles of 23 straws each and packed 8 bundles to the carton (200 straws) at a maximum delivered price of $1.33 per carton subject to our customary discounts and allowances. Retailers are authorized to sell this item at a maximum price of 1 cent per straw.

(e) This order may be revoked or amended at any time by the Office of Price Administration.

(f) This order No. 37 shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7858; Filed, May 31, 1944; 11:19 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 375 Under 3 (b), Order 38]

E. J. BRACH & SONS

Order No. 38 under Order No. 375 of § 1499.3 (b) of the General Maximum Price Regulation; E. J. Brach & Sons. Docket No. N6352-13b-101-7.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.2164 *Authorization of maximum prices governing sales of "4 ounce cellophane bag South Sea Jellies" and "3¾ ounce cellophane bag Wintergreen Lozenges", two confectionery items, manufactured by E. J. Brach & Sons, Chicago, Illinois.* (a) That E. J. Brach & Sons, 4600 to 4700 West Kenzie Street, Chicago, Illinois, is authorized to sell to wholesalers its 10 cent retail "4 ounce cellophane bag South Sea Jellies" and "3¾ ounce cellophane bag Wintergreen Lozenges" as described in its price application dated March 14, 1944, each packed 12 bags to the box at the maximum delivered price of 68 cents per box less 2% discount—10 days.

(b) That wholesalers are authorized to sell these items to retailers at a maximum delivered price of 85 cents per box of 12 bags.

(c) That retailers are authorized to sell these items at a price not in excess of 10 cents per bag.

(d) That E. J. Brach & Sons shall mail or otherwise supply to its purchasers of these items at the time of or prior to the first delivery to such purchasers a written notice as follows:

The Office of Price Administration has authorized us to sell to wholesalers our 4 ounces cellophane bag South Sea Jellies and our 3¾ ounce cellophane bag Wintergreen Lozenges each packed 12 bags to the box, at a maximum delivered price of 68 cents per box less 2% discount 10 days. Wholesalers are authorized to sell these items to retailers, packed 12 bags to the box, at a maximum delivered price of 85 cents per box.

(e) That E. J. Brach & Sons for a period of at least ninety days shall place in or on the smallest retail packing unit of each of these items a written notice as follows:

The Office of Price Administration has authorized us to sell our 4 ounce cellophane bag South Sea Jellies and our 3¾ ounce cellophane bag Wintergreen Lozenges. Wholesalers are authorized to sell these items to retailers, packed 12 bags to the box, at a maximum delivered price of 85 cents per box. Retailers are authorized to sell these items at a price not in excess of 10 cents per bag.

(f) This order may be amended or revoked at any time by the Office of Price Administration.

(g) This order shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7859; Filed, May 31, 1944; 11:20 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 95—CAR SERVICE

[S. O. 197-A]

TRANSPORTATION OF POTATOES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of May, A. D. 1944.

Upon further consideration of First Revised Service Order No. 197 (9 F.R. 4988) of May 8, 1944, and good cause appearing therefor:

It is ordered, That:

First Revised Service Order No. 197 (9 F.R. 4988) of May 8, 1944, 49 CFR § 95.336, prohibiting the use of any railroad freight cars or refrigerator cars for transporting potatoes, other than sweet, below prescribed minimum grade, from various states named therein be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 6:00 p. m., May 29, 1944; that a copy of this order and direction shall be served upon each State Commission enumerated in the first ordering paragraph of this order; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-7829; Filed, May 31, 1944; 11:02 a. m.]

PART 95—CAR SERVICE

[S. O. 200, Amended]

REICING OF POTATOES IN REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of May, A. D. 1944.

Upon further consideration of the provisions of Service Order No. 200 (9 F.R. 4402) of April 22, 1944, and good cause appearing therefor:

It is ordered, That Service Order No. 200 (9 F.R. 4402) of April 22, 1944, be, and it is hereby amended by substituting the following paragraphs (a) (1) and (a) (2) in lieu of paragraph (a) of § 95.337, thereof:

§ 95.337 *Refrigerator cars; reicing of potatoes*—(a) (1) *Cars of potatoes originating in states other than those specified in paragraph (a) (2) not be reiced in transit.* After the first or initial icing no common carrier by railroad subject to the Interstate Commerce Act after the effective date of this order shall reice or allow or permit reicing, or a subsequent icing after the first or initial icing, of a refrigerator car or cars loaded with potatoes originating in states other than the states specified in paragraph (a) (2) of this order.

(a) (2) *Cars of potatoes originating in certain states not to be initially iced or reiced.* No common carrier by railroad subject to the Interstate Commerce Act shall initially ice or reice or allow or permit initial icing or reicing of, any refrigerator car or cars loaded with potatoes originating in the States of North Carolina, Virginia, West Virginia, Maryland, Pennsylvania, Delaware, New Jersey or New York (Long Island only).

It is further ordered, That this order shall become effective 12:01 a. m., May 30, 1944; that a copy of this order and direction shall be served upon the State Commission of each state specified in paragraph (a) (2) herein; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-7830; Filed, May 31, 1944; 11:02 a. m.]

Regulations

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4208).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446) as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

APPAREL INDUSTRY

Derby Underwear Company, Inc., Bowling Green, Kentucky; men's and boys' cotton shorts, Army and Navy drawers; 10 percent (T); effective June 1, 1944, expiring November 30, 1944.

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES, AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Blue Buckle Overall Company, Inc., Fourteenth & Kemper Street, Lynchburg, Virginia; men's and boys' overalls, dungarees and jackets, Army & Navy trousers; 10 percent (T); effective May 30, 1944, expiring May 29, 1945.

Del Monte Frocks, Inc., 113 No. Broadway, Long Branch, New Jersey; rayon dresses and negligees; 5 learners (T); effective June 3, 1944, expiring June 2, 1945.

The Theodore Kotzin Company, Ltd., 1242 Santee Street, Los Angeles, California; single pants and breeches, sportswear; 10 percent (T); effective May 27, 1944, expiring May 26, 1945.

The Mack Shirt Corporation, 1416 Vine Street, Cincinnati, Ohio; men's dress and sport shirts; 10 learners (T); effective May 27, 1944, expiring May 26, 1945.

HOSIERY INDUSTRY

Belknap Mills Corporation, 37 Mill Street, Laconia, New Hampshire; seamless hosiery; 5 percent (T); effective June 3, 1944, expiring June 2, 1945.

Carpenter Hosiery Mills, Wytheville, Virginia; seamless hosiery; 15 learners (AT); effective June 1, 1944, expiring November 30, 1944.

Guilford Hosiery Mills, Inc., 706 Grimes Street, High Point, North Carolina; seamless hosiery; 10 percent (AT); effective May 27, 1944, expiring November 26, 1944.

Holeproof Hosiery Company, South Pittsburg, Tennessee; seamless hosiery; 35 learners (AT); effective May 23, 1944, expiring November 22, 1944.

Elizabeth James Mills No. 2, So. Logan Street, Marion, North Carolina; full-fashioned hosiery; 15 learners (AT); effective June 1, 1944, expiring November 30, 1944.

The Locke Hosiery Mills, 4937 Mulberry Street, Philadelphia, Pennsylvania; seamless hosiery; 5 learners (T); effective June 1, 1944, expiring May 31, 1945.

Maurice Mills Company, Thomasville, North Carolina; seamless hosiery; 5 percent (T); effective May 22, 1944, expiring May 21, 1945.

TELEPHONE INDUSTRY

Central Iowa Telephone Company, Cedar Rapids, Iowa; to employ learners as commercial switchboard operators at its Traer exchange, located at Traer, Iowa; effective June 3, 1944, expiring June 2, 1945.

Northern Indiana Telephone Company, North Manchester, Indiana; to employ learners as commercial switchboard operators at its Bourbon exchange, located at Bourbon, Indiana; effective May 24, 1944, expiring May 23, 1945.

Northern Indiana Telephone Company, North Manchester, Indiana; to employ learners as commercial switchboard operators at its Akron exchange, located at Akron, Indiana; effective May 24, 1944, expiring May 23, 1945.

TEXTILE INDUSTRY

Culpeper Textile Mills, Inc., Culpeper, Virginia; linings, dress goods, underwear; 6 learners (AT); effective June 2, 1944, expiring December 1, 1944.

Darlington Manufacturing Company, Darlington, South Carolina; cotton print cloths; 3 percent (T); effective May 30, 1944, expiring May 29, 1945.

Signed at New York, N. Y., this 27th day of May, 1944.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-7828; Filed, May 31, 1944; 10:38 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner

provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Frost Veneer & Plywood Co., Inc., 11 S. Water Street, Sheboygan, Wisconsin; furniture; 16 learners (T); veneer drying, sawing, clipping, joining, taping, sanding, inspecting and matching for a learning period of 160 hours at 35 cents per hour; effective June 2, 1944, expiring December 2, 1944.

La Belle Creamery Company, 712 State Street, Belle Fourche, South Dakota; dairy products; 2 learners (T); butter and ice cream making for a learning period of 480 hours at 35 cents per hour; effective May 29, 1944, expiring November 29, 1944.

O. L. Shackelford & Company, Greenville, North Carolina; garnishing and degarnishing camouflage nets; 50 learners (E); hand weaving for a learning period of 160 hours at 85 cents per hour; effective May 24, 1944, expiring July 31, 1944.

O. L. Shackelford & Company, Kinston, North Carolina; garnishing and degarnishing camouflage nets; 50 learners (E); hand weaving for a learning period 160 hours at 35 cents per hour; effective May 24, 1944, expiring July 31, 1944.

Signed at New York, New York, this 27th day of May 1944.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-7827; Filed, May 31, 1944; 10:38 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 298]

PAN AMERICAN AIRWAYS, INC., AND URABA, MEDELLIN AND CENTRAL AIRWAYS, INC.

NOTICE OF ORAL ARGUMENT

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith being paid to Pan American Airways, Inc., and Uraba, Medellin and Central Airways, Inc.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said act, in the above-entitled proceeding, that oral argument is hereby assigned to be held on June 5, 1944, at 9:45 a. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue, NW., Washington, D. C.

Dated Washington, D. C., May 30, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-7870; Filed, May 31, 1944; 11:42 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-501, G-533, G-535 and G-539]

NORTHERN NATURAL GAS COMPANY

ORDER SUPPLEMENTING ORDER FIXING DATE OF HEARING

MAY 27, 1944.

It appearing to the Commission that:

(a) On April 10, 1944, Applicant filed an application in Docket No. G-539 for a certificate of public convenience and necessity to authorize the construction and operation of certain facilities;

(b) By its order dated May 11, 1944, the Commission consolidated the above-docketed proceedings for purpose of hearing and ordered that a public hearing be held commencing on June 5, 1944, at 10:00 a. m., in the Customs Court Room, U. S. Customhouse, Chicago, Illinois;

(c) On May 23, 1944, Applicant filed an amendment to its application in Docket No. G-539 under section 7 of the Natural Gas Act, as amended, seeking authority to acquire from the Council Bluffs Gas Company and operate the following described facilities:

(1) Approximately 535 feet of 16-inch O. D. coupled steel pipe line beginning at the outlet of a 16-inch gate valve located approximately 54 feet east of the interconnection of Applicant's proposed 8⅝-inch pipe line located in Pottawattamie County, Iowa, (described in the original application) and the 16-inch pipe line proposed to be acquired, and extending in a westerly direction to Applicant's 14-inch pipe line on the Douglas Street Bridge spanning the Missouri River between Council Bluffs, Iowa, and Omaha, Nebraska;

(2) A 6-inch orifice meter run and appurtenances thereto located at the beginning of the 16-inch pipe line proposed to be acquired;

(3) A meter station building located near the terminus of the proposed 8⅝-inch pipe line located in Pottawattamie County, Iowa.

The Commission finds that:

Good cause exists for permitting the amendment to the application in said docket and for supplementing the order of May 11, 1944, to include a hearing on said amendment, as hereinafter ordered.

Wherefore, the Commission orders that:

(A) Applicant is hereby granted leave to file the amendment referred to in paragraph (c) hereof to its application in Docket No. G-539;

(B) The Commission's order of May 11, 1944, be and it is hereby supplemented for the purpose of including a hearing respecting the matters involved and the issues presented by the amendment to the application in Docket No. G-539 at the same time and place heretofore fixed for hearing in the above-docketed matters.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-7826; Filed, May 31, 1944; 9:55 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3428]

NATIONAL MERCHANDISE CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That all of the outstanding capital stock of National Merchandise Corporation, a corporation organized under the laws of the State of California and a business enterprise within the United States, consisting of 40,322 shares having a par value of $10 a share, are registered in the names of the persons listed below in the number appearing opposite each name and are beneficially owned by M. Kawasaki (also known as Morinosuke Kawasaki) and M. S. Komatsu (also known as Mark Shinnosuke Komatsu), as their respective interests may appear, and is evidence of ownership and control of said business enterprise:

Name	Number of shares
M. S. Komatsu	5,443
J. Philip Da Costa, Sr	4,137
J. Philip Da Costa, Jr	30,242
P. H. O'Neill	200
Ray Kaneko	200
Joe Ohashi	100
Total	40,322

2. That M. Kawasaki and M. S. Komatsu, whose last known addresses are Tokyo, Japan, are nationals of a designated enemy country (Japan):

and determining:

3. That National Merchandise Corporation is controlled by M. Kawasaki and M. S. Komatsu and is a national of a designated enemy country (Japan):

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 40,322 shares of stock of National Merchandise Corporation, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 5, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7831; Filed, May 31, 1944; 11:22 a. m.]

[Vesting Order 3673]

MARGARET E. ROSE

In re: Estate of Margaret E. Rose, deceased; File D-66-1641; E. T. sec. 10133.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by August L. Meyland, Clerk of the Superior Court of New Hanover County, 3rd and Princess Street, Wilmington, North Carolina, acting under the judicial supervision of the Superior Court of New Hanover County, North Carolina;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Johanna Reiband, Germany.
Mrs. Gertrude Joniechkeit, Germany.
Richard Lehman, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Johanna Reiband, Mrs. Gertrude Joniechkeit and Richard Lehman, and each of them, in and to the estate of Margaret E. Rose, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7852; Filed, May 31, 1944; 11:26 a. m.]

[Vesting Order 3674]

JACOB SCHUTTERLE

In re: Estate of Jacob Schutterle, deceased; File D-66-1675; E. T. sec. 10221.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Emilie Limberg, Clerk of the County Court of Travis County, Texas, Depositary, acting under the judicial supervision of the Probate Court of Travis County, Texas;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Mrs. Maria Ferrer, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and,

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Mrs. Maria Ferrer in and to the estate of Jacob Schutterle, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7838; Filed, May 31, 1944; 11:23 a. m.]

[Vesting Order 3675]

STEVE P. VARRO

In re: Estate of Steve P. (Papp) Varro (Varo), deceased; File D-66-1516; E. T. sec. 9627.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Floyd A. Frye, Administrator, 1442 Majestic Building, Detroit, Michigan, acting under the judicial supervision of the Probate Court for the County of Wayne, Michigan;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Stephen Varro, Hungary.
Helen Varro, Hungary.
Elizabeth Bak Lajos, Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Stephen Varro, Helen Varro and Elizabeth Bak Lajos, and each of them, in and to the estate of Steve P. (Papp) Varro (Varo), Deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an ap-

propriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7839; Filed, May 31, 1944; 11:24 a. m.]

[Vesting Order 3676]

BERTHA WEISHAUPT

In re: Estate of Bertha Weishaupt, deceased; File D–28–4009; E. T. sec. 7030.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Marie Ellen Jones and John Gemer, Co-executors, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Paul Braunes, Germany.
Martha Braunes, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Paul Braunes and Martha Braunes, and each of them, in and to the estate of Bertha Weishaupt, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7840; Filed, May 31, 1944; 11:24 a. m.]

[Vesting Order 3677]

JACK L. ZENKER

In re: Estate of Jack L. Zenker, deceased; File D–57–345; E. T. sec. 9658.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Phil C. Katz, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Roumania, namely,

Nationals and Last Known Address

Tony Zenker, Roumania.
Stella Zenker, Roumania.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Roumania; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Tony Zenker and Stella Zenker, and each of them, in and to the estate of Jack L. Zenker, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7841; Filed, May 31, 1944; 11:24 a. m.]

[Vesting Order 3687]

MARGARETE KUHMANN

In re: Mortgage Participation Certificate #N143104 in Series F–729 MC (170839) issued by the Title Guarantee and Trust Company to Margarete Kuhmann, and guaranteed as to payment by Bond & Mortgage Guarantee Company. File F–28–2786; E. T. sec. 3849.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Manufacturers Trust Company, 55 Broad Street, New York City, New York, as Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, County of Kings; and

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Margarete Kuhmann, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Margarete Kuhmann in and to a mortgage participation certificate #N143104 of Series F–729MC (170839) issued by Title Guarantee and Trust Company, of New York City, New York, and guaranteed as to payment by the Bond & Mortgage Guarantee Company, of New York,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order, may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country", as used herein, shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 19, 1944.

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7842; Filed, May 31, 1944; 11:24 a. m.]

[Vesting Order 3688]

CLARA LAGERSHAUSEN

In re: Estate of Clara Lagershausen, deceased; File No. F–28–4144; E. T. sec. 3784.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Lawrence R. Condon, as Ancillary Executor, acting under the judicial supervision of the Surrogate's Court, Kings County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Thea Jordan, Germany.
Adolf Lagershausen, Germany.
Friedrich Lagershausen, Germany.
Herman Tammen, as domiciliary executor of the estate of Clara Lagershausen, deceased, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Thea Jordan, Adolf Lagershausen, Friedrich Lagershausen and Herman Tammen, as domiciliary executor of the estate of Clara Lagershausen, deceased, and each of them, in and to the Estate of Clara Lagershausen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7843; Filed, May 31, 1944; 11:25 a. m.]

[Vesting Order 3689]

SOPHIE WAGNER

In re: Estate of Sophie Wagner, also known as Sophie Johanna Wagner, deceased; File D–28–8634; E. T. sec. 10347.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Caroline S. Feller, Administratrix, c. t. a., acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Louisa Weis and her children, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Louisa Weis and her children, and each of them, in and to the estate of Sophie Wagner, also known as Sophie Johanna Wagner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7844; Filed, May 31, 1944; 11:25 a. m.]

[Vesting Order 3699]

MINER-EDGAR CHEMICAL CORP.

In re: Bankruptcy proceedings: Miner-Edgar Chemical Corporation, a corporation, Bankrupt; file D–28–7826; E.T. sec. 8397.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process

of administration by Cyrus W. Hall, 3914 Kanawha Avenue, Charleston, West Virginia, Trustee in Bankruptcy, and L. S. Echols, 402 Morrison Building, Charleston, West Virginia, Depositary, acting under the judicial supervision of The District Court of the United States for the Southern District of West Virginia;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Fritz Dressel, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Fritz Dressel in and to all indebtedness, contingent, or otherwise, and whether or not matured, owing to him by the Miner-Edgar Chemical Corporation, Bankrupt,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 20, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7845; Filed, May 31, 1944; 11:25 a. m.]

[Vesting Order 3700]

ELSIE NESTLER

In re: Trust under the will of Elsie Nestler for the benefit of Eugene Schwab; File No. D–28–6518; E. T. sec. 4482.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Lincoln-Alliance Bank and Trust Company, as Trustee, acting under the judicial supervision of the Surrogate's Court, Monroe County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Eugene Schwab, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Eugene Schwab in and to the Trust established for the benefit of Eugene Schwab under the will of Elsie Nestler, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 20, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7846; Filed, May 31, 1944; 11:25 a. m.]

[Vesting Order 3701]

NIS NISSEN

In re: Estate of Nis Nissen, deceased; File D–19–299; E. T. sec. 8699.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Albert Maust, County Judge of Richardson County, Falls City, Nebraska, Depositary, acting under the judicial supervision of the County Court of the State of Nebraska, in and for the County of Richardson;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Johanna Wunderlich, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $1,496.25, which is in the process of administration by, and in the possession and custody of Albert Maust, County Judge of Richardson County, Nebraska, depositary, pursuant to decree entered July 2, 1941, by the County Court of Richardson County, Nebraska, in the matter of the estate of Nis Nissen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 20, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7847; Filed, May 31, 1944; 11:25 a. m.]

[Vesting Order 3702]

ANNA OCHSENREITHER

In re: Estate of Anna Ochsenreither, deceased; File D–28–8562; E. T. sec. 10147.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Gottlob Schaefer, Executor, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Margaretta Schaefer, Germany.
Catherine Schaefer, Germany.
Karl Schaefer, Germany.
Fritz Schaefer, Germany.
Margareta Hertel, Germany.
Sophie Schaefer, Germany.
Barbara Schollkopp, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Margaretta Schaefer, Catherine Schaefer, Karl Schaefer, Fritz Schaefer, Margareta Hertel, Sophie Schaefer and Barbara Schollkopp, and each of them, in and to the estate of Anna Ochsenreither, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 20, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7848; Filed, May 31, 1944; 11:26 a. m.]

[Vesting Order 3703]

BERNARD HEINRICH SCHAFFELD

In re: Estate of Bernard Heinrich Schaffeld, deceased; File D–28–5516; E. T. sec. 5843.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as Depositary, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Johanna Adelheid-Aleida Schaffeld, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Johanna Adelheid-Aleida Schaffeld in and to the Estate of Bernard Heinrich Schaffeld, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 20, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7849; Filed, May 31, 1944; 11:26 a. m.]

[Vesting Order 3704]

GERTRUD SCHMIDT

In re: Mortgage Participation Certificate #152321 in Mortgage Series F–112 (180646) issued by Bond and Mortgage Guarantee Company to Gertrud Schmidt; File D–28–6597; E.T. sec. 5080.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Manufacturers Trust Company, 55 Broad Street, New York City, New York, as Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, County of Queens;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Gertrud Schmidt, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Gertrud Schmidt in and to a Mortgage Participation Certificate #152321 in Series F–112 (180646), issued by Bond and Mortgage Guarantee Company of New York City, New York.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be

paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 20, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7850; Filed, May 31, 1944; 11:26 a. m.]

[Vesting Order 3705]

GOTTFRIED SEEGELKEN

In re: Estate of Gottfried Seegelken, deceased; File D–28–7661; E. T. sec. 8344.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Arnold A. Schulse, as administrator, acting under the judicial supervision of the Court of Probate, District of Danbury, Danbury, Connecticut;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Anna Seegelken, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Seegelken in and to the estate of Gottfried Seegelken, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 20, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7851; Filed, May 31, 1944; 11:26 a. m.]

[Vesting Order 3706]

MARIE SMITH

In re: Estate of Marie Smith, deceased; File D–28–8410; E.T. sec. 9791.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Harry M. Aronson, Executor and Trustee, acting under the judicial supervision of the Orphans' Court of Allegheny County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Elise Bloedel, Germany.
Leonard Schmidt, Germany.
Marie Schmidt, Germany.
Michael Schmidt, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determination and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Elise Bloedel, Leonard Schmidt, Marie Schmidt and Michael Schmidt, and each of them, in and to the estate of Marie Smith, deceased,

All right, title, interest and claim of any kind or character whatsoever of Elise Bloedel, in and to the trust created under the will of Marie Smith, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 20, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7832; Filed, May 31, 1944; 11:22 a. m.]

[Supplemental Vesting Order 3707]

LOUIS STEGMILLER

In re: Matter of Estate of Louis Stegmiller, deceased; File D–28–1603; E. T. sec. 422.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William S. Turner and Keith J. Sheckler, care of The Northern Trust Company, 50 South La Salle Street, Chicago, Illinois, Trustees, acting under the supervision of the Probate Court for the County of Delta, Escanaba, Michigan;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

John Stegmiller, Germany.
The issue, names unknown, of John Stegmiller, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

(a) Cash in the hands of William S. Turner and Keith J. Sheckler as trustees and The Northern Trust Company as depositary in the sum of $12,601.81 distributable and payable to John Stegmiller representing income of said Trust accrued and unpaid.

(b) All right, title and interest of John Stegmiller and the issue, names unknown, of John Stegmiller, and each of them, in and to the estate of Louis Stegmiller, deceased, and in and to the trust estate created under the Will of Louis Stegmiller, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 20, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7833; Filed, May 31, 1944; 11:22 a. m.]

[Vesting Order 3708]

CAROLINE G. UNSELD

In re: Estate of Caroline G. Unseld, deceased; File D–28–7363; E. T. sec. 7470.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ben H. Brown, Administrator with the Will Annexed, acting under the judicial supervision of the Superior Court of the State of California in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Katherine Stotz, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Katherine Stotz, in and to the estate of Caroline G. Unseld, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 20, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7834; Filed, May 31, 1944; 11:22 a. m.]

[Vesting Order 3710]

THOMAS PFEFFERKRON

In re: Estate of Thomas Pfefferkron, aka Anthony Thomas Pfefferkron, aka Thomas Anthony Korn, aka Anthony Thomas Fuetscher, aka Anthony Korn, aka Thomas A. Korn, aka Rev. Anthony Korn, aka Rev. Thomas Fuetscher, deceased; File D–6–1113; E. T. sec. 9896.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Potter Title and Trust Company Administrator, acting under the judicial supervision of the Orphans' Court of Allegheny County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Maria Pfefferkorn, Germany.
Alfonso Pfefferkorn, Germany.
Jakob Pfefferkorn, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Maria Pfefferkorn, Alfonso Pfefferkorn and Jakob Pfefferkorn, and each of them, in and to the estate of Thomas Pfefferkron, aka Anthony Thomas Pfefferkron, aka Thomas Anthony Korn, aka Anthony Thomas Fuetscher, aka Anthony Korn, aka Thomas A. Korn, aka Rev. Anthony Korn, aka Rev. Thomas Fuetscher, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such reurn should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 26, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7835; Filed, May 31, 1944; 11:22 a. m.]

[Dissolution Order 7]

MEITO CHINA CORP.

Whereas by Vesting Order No. 176, dated September 28, 1942 (7 F.R. 8835, October 31, 1942), and by Vesting Order No. 379 dated November 18, 1942 (7 F.R. 9832, November 26, 1942), the Alien Property Custodian vested all the issued and outstanding shares of the capital stock of Meito China Corporation, a New York corporation, and undertook the direction, management, supervision and control of said corporation; and

Whereas Meito China Corporation has been substantially liquidated under the supervision of the undersigned;

Now, under the authority of the Trading with enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Finding that a notice of tax deficiency for the fiscal year ended March 31, 1942, in the total sum of $2256.26 filed by the Internal Revenue Bureau against Meito China Corporation, which claim is disputed, is the only known claim against the said corporation; and

2. Finding that the Alien Property Custodian has incurred direct expenses (exclusive of general administrative expenses of the Office of Alien Property Custodian) in connection with services rendered to said Meito China Corporation; and

3. Determining that it is in the national interest of the United States to dissolve said corporation and to distribute its assets;

It is ordered, That the officers and directors of Meito China Corporation, to-wit, L. V. McLean, President and Director, E. W. Hardy, Treasurer and Director, and S. B. Reid, Secretary and Director, shall cause the dissolution of Meito China Corporation in accordance with the statutes of the State of New York in such cases made and provided: *And it is further ordered*, That the said officers and directors above-named wind up the affairs of the corporation and distribute the assets thereof coming into their possession as follows:

(a) They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of said corporation and the dissolution thereof;

(b) They shall then pay all known taxes and fees of the United States and of the State of New York owed by or accruing against said corporation; and

(c) They shall then pay to the undersigned the sum to be determined to be due as reimbursement for the value of services rendered said corporation by the Alien Property Custodian as above set forth; and

(d) They shall then distribute and pay over to the undersigned as the holder of all the outstanding and issued stock of the corporation all other funds and property remaining in their hands after the payments as aforesaid;

And it is further ordered That nothing herein set forth shall be construed as prejudicing the rights, under the laws of the State of New York, of any person who may claim against said corporation, *provided, however*, That nothing herein contained shall be construed as creating additional rights in such persons; and such persons or any of them may file claims with the undersigned against any funds or property received by the undersigned as stockholder as above set forth, *provided, however*, That any such claim shall be filed with or presented to the undersigned within the time prescribed for such claim by the Statutes of New York; *And it is ordered*, That all actions taken and acts done by the officers and directors of Meito China Corporation, above-named, pursuant to this order and the directions contained therein shall be deemed to have been taken and done in reliance on and pursuant to paragraph numbered (2) of subdivision (b) of section 5 of the Trading with the Enemy Act, as amended, and the acquittance and exculpation provided for therein.

Executed at Washington, D. C., May 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7836; Filed, May 31, 1944; 11:23 a. m.]

[Dissolution Order 8]

BODEE REALTY CORP.

Whereas by Vesting Order No. 100, dated August 7, 1942 (7 F.R. 7054, September 5, 1942), the Alien Property Custodian vested all the issued and outstanding shares of the capital stock of Bodee Realty Corporation, a New Jersey corporation; and

Whereas by Vesting Order No. 711, dated January 18, 1943 (8 F.R. 1657, February 5, 1943), the Alien Property Custodian vested all claims of any name or nature whatsoever of Emil Betzel and Willy Bolle and each of them against said corporation; and

Whereas Bodee Realty Corporation has been substantially liquidated under the supervision of the Alien Property Custodian;

Now, under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the books and records of Bodee Realty Corporation indicate that the corporation is indebted to Emil Detzel and Willy Bolle in the sum of $11,150.00 and to the State of New Jersey in the sum of $10.00; and

2. Finding that the said claims are all the known claims against Bodee Realty Corporation; and that the known assets of the Corporation are insufficient to pay all known claims against it in full; and

3. Finding that the Alien Property Custodian has incurred direct expenses (exclusive of general administrative expenses of the Office of Alien Property Custodian) in connection with services rendered to said Bodee Realty Corporation; and

4. Determining that it is in the national interest of the United States to dissolve the said corporation and to distribute its assets;

It is ordered, That the officers and directors of Bodee Realty Corporation, to-wit: Martin S. Watts, President and Director, D. W. Pratt, Secretary and Director, Milton Yanowich, Director, and Z. G. McGee, Director, shall cause the dissolution of Bodee Realty Corporation in accordance with the statutes of the State of New Jersey in such cases made and provided; and *It is further ordered*, That the said officers and directors above-named wind up the affairs of said corporation and distribute the assets thereof coming into their possession as follows:

(a) They shall first pay the current expenses and necessary charges of winding up the affairs of said corporation and the dissolution thereof;

(b) They shall then pay all known taxes and fees of the United States and of the State of New Jersey owed by or accruing against said corporation; and

(c) They shall then pay to the undersigned the sum found to be due as reimbursement for the value of services rendered said corporation by the Alien Property Custodian as above set forth; and

(d) They shall then distribute and pay over to the undersigned all of the funds and property remaining in their hands after the payments as aforesaid, to be applied on account of the claims against the corporation vested as aforesaid;

And *It is further ordered*, That nothing herein set forth shall be construed as prejudicing the rights, under the laws of the State of New Jersey, of any person who may claim against said corporation, *Provided, however*, That nothing herein contained shall be construed as creating additional rights in such persons; and such persons or any of them may file claims with the undersigned against any funds or property received by the undersigned as above set forth, *Provided, however*, That any such claim shall be filed with or presented to the undersigned within the time prescribed for such claims by the Statutes of New Jersey; and *It is further ordered*, That all actions taken and acts done by the officers and directors of Bodee Realty Corporation, above-named, pursuant to this order and the directions contained therein, shall be deemed to have been taken and done in reliance on and pursuant to paragraph numbered (2) of subdivision (b) of section 5 of the Trading with the Enemy Act, as amended, and the acquittance and exculpation provided for therein.

Executed at Washington, D. C., May 26, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7837; Filed, May 31, 1944; 11:23 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 21, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ALICE AND FREER, TEX.

Upon consideration of a petition to substitute Frank Lay, doing business as Lay's Motor Freight Line, in lieu of Burdette A. Lay, doing business as Lay's Motor Freight Line, as a party to Supplementary Order ODT 3, Revised-21, (8 F.R. 5322), and good cause appearing therefore. *It is hereby ordered*, That:

1. Supplementary Order ODT 3, Revised-21 be, and it hereby is, amended by substituting Frank Lay, doing business as Lay's Motor Freight Line, in lieu of Burdette A. Lay, doing business as Lay's Motor Freight Line, and

2. Frank Lay, doing business as Lay's Motor Freight Line, on and after the effective date of this amendment, shall perform, subject to the provisions of such order, the functions of Burdette A. Lay, doing business as Lay's Motor Freight Line, as described in the plan for joint action effectuated by, and made a part of, that order.

This amendment shall become effective May 31, 1944.

Issued at Washington, D. C. this 31st day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-7866; Filed, May 31, 1944; 11:30 a. m.]

[Supp. Order ODT 3, Rev. 240]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN MERIDIAN, MISS. AND NEW ORLEANS, LA.

Upon consideration of a plan for joint action, as amended, filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, 7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt, and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, It is *hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carrier's possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractural arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 5, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[1] Filed as part of the original document.

APPENDIX 1

Southern Motor Express, Inc. (a corporation), 1901 Fourth Avenue, So., Birmingham, Ala.

H. S. Stephens, Commerce Street, Laurel, Miss.

[F. R. Doc. 44-7867; Filed, May 31, 1944; 11:31 a. m.]

[Supp. Order ODT 3, Rev. 241]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN SAN ANTONIO, TEX., AND HOUSTON, TEX.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform

any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 5, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. J. H. Robinson Truck Lines, Inc. (a corporation) 1500 N. Broadway, Corpus Christi, Tex.

2. Yellow Transit Co. (a corporation), 311 S. Western Avenue, Oklahoma City, Okla.

[F. R. Doc. 44-7868; Filed, May 31, 1944; 11:31 a. m.]

[Supp. Order ODT 20A-125]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN TERRE HAUTE, IND., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Terre Haute, Indiana, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Terre Haute, Indiana, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-125" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Terre Haute, Indiana.

8. This order shall become effective June 7, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Black & White Cab Co., Inc., 20½ South 7th Street, Terre Haute, Ind.

Victor Brandriff, d/b/a Independent Cab Association, 17 North 8th Street, Terre Haute, Ind.

Jack Kelly, d/b/a Loop Cab Company, 12 South 8th Street, Terre Haute, Ind.

Homer Furgeson, d/b/a Circle Cab Co., 8 South 5th Street, Terre Haute, Ind.

Leslie Stanfield, d/b/a All Points Cab Co., 1302 Maple Avenue, Terre Haute, Ind.

Terre Haute Transfer Co., d/b/a Yellow Cab Co., 207 Fairbanks Building, Terre Haute, Ind.

[F. R. Doc. 44-7869; Filed, May 31, 1944; 11:31 a. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[Order 11 Under 19a, Revocation]

CORN STARCH AND DEXTRINE PRODUCTS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered,* That:

Order No. 11 under § 1499.19a of the General Maximum Price Regulation is hereby revoked.

This order of revocation shall become effective May 30, 1944.

Issued this 30th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7818; Filed, May 30, 1944; 3:48 p. m.]

[Order 20 Under 19a, Revocation]

CORN SYRUP UNMIXED AND CRUDE CORN SUGAR

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered,* That:

Order No. 20 under § 1499.19a of the General Maximum Price Regulation is hereby revoked.

This order of revocation shall become effective May 30, 1944.

Issued this 30th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7819; Filed, May 30, 1944; 3:43 p .m.]

[MPR 188, Amdt. 14 to Order A-2]

WASHBOARDS

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 14 to Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

An opinion accompanying this Amendment No. 14 to Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Order No. A-2 under Maximum Price Regulation No. 188 is amended in the following respect:

1. A new paragraph (a) (15) is added as follows:

(15) *Washboards.* (i) In order to remove price impediments to the supply of washboards for civilian use in cases where the loss of the seller's output would raise the average level of washboard prices to the trade, this adjustment provision permits the granting of relief to manufacturers and jobbers of these washboards. An adjustment may be granted if:

(*a*) The manufacturer's present ceiling price is below the prevailing market level of maximum prices of competitive manufacturers producing a similar washboard:

(*b*) The manufacturer's entire operation is being conducted at an over-all loss, or will be so within 30 days.

(*c*) The established maximum price does not permit the manufacturer to recover his total unit costs for the washboard.

(ii) A manufacturer's maximum price for washboards adjusted under authority of this subparagraph will not exceed either of the following:

(*a*) A price equal to the manufacturer's total unit cost to make and sell the washboard; or

(*b*) A price equal to the prevailing market level of maximum prices of similar washboards manufactured by competive firms.

(iii) Any order granting an adjustment under this subparagraph may also adjust the maximum prices for sales of these washboards by jobbers. Such adjustments will be made only if it is found that jobbers would not otherwise receive their normal peacetime dollar margins; and the adjustments will in no event exceed the dollar amount of the manufacturer's adjustment.

This Amendment No. 14 shall become effective on the 1st day of June, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250; 7 F.R. 7871; E.O. 9328, 8 F.R. 4531)

Issued this 31st day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7864; Filed, May 31, 1944; 11:18 a. m.]

*Copies may be obtained from the Office of Price Administration.

[MPR 188, Amdt. 15 to Order A-2]

FELT BASE FLOOR COVERING

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 15 to Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

An opinion accompanying this Amendment No. 15 to Order No. A-2 under §1499.159b of Maximum Price Regulation No. 188 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Order No. A-2 under Maximum Price Regulation No. 188 is amended in the following respects:

1. A new paragraph (a) (14) is added to read as follows:

(14) *Felt base floor coverings.* (i) The purpose of this adjustment provision is to remove price impediments to the continued supply of felt base floor coverings by manufacturers, under the conditions stated below, in cases where the cost of living will not be affected, and where the supply would otherwise be lost. And adjustment may be made if it is found that:

(*a*) The manufacturer's maximum prices for his felt base floor coverings are below the prevailing level of maximum prices for other manufacturers of the same or substantially the same articles; and

(*b*) His maximum prices are below his total costs to make and sell his felt base floor coverings; and

(*c*) His entire operation is being conducted at an overall loss, or will be so within thirty days.

(ii) A manufacturer's maximum prices for felt base floor coverings may be adjusted under authority of this subparagraph in amounts sufficient to permit the manufacturer to make and sell felt base floor coverings without loss, but in no event shall the adjusted maximum price on any one item exceed the prevailing market level of maximum prices of similar felt base floor coverings manufactured by competitive firms.

(iii) Any order granting an adjustment under this subparagraph may also adjust the maximum prices for sales of these felt base floor coverings by jobbers. Such adjustments will be made only if it is found that jobbers would not otherwise receive their normal peace time dollar margins; and the adjustments will in no event exceed the dollar amount of the manufacturer's adjustment.

This amendment shall become effective on the 1st day of June 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7865; Filed, May 31, 1944; 11:17 a. m.]

[MPR 188, Order 1616]

NATIONAL WOOD PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

Correction

In F.R. Doc. 44-7183, appearing at page 5388 of the issue for Saturday, May 20, 1944, the last sentence of paragraph (a) should read: "These maximum prices are net f. o. b. factory."

[RO 5C,[1] Order 5]

GASOLINE RATIONING IN OKLAHOMA

AUTHORIZATION TO ACCEPT CLASS R COUPONS

Pursuant to the authority conferred upon the Deputy Administrator In Charge of Rationing by § 1394.8153 (b) (4) (iv) of Ration Order No. 5C, as amended, the following order is prescribed:

(a) *Findings.* Under the laws of the State of Oklahoma, tax exempt gasoline for nonhighway purposes may be sold by licensed distributors and the retail facilities operated by such distributors for which duplicated licenses have been issued, and such transfers must be made in quantities of fifty gallons or more. Purchasers of tax exempt gasoline are required to make application to the State Tax Commission, file a signature card and are then issued a tax exempt permit number. Purchase permits expire on the 31st day of December each year; distributors' licenses remain in force until surrendered, suspended or cancelled. Licenses are revocable for a violation of any provision of the statute.

Tax exempt gasoline may be sold to farmers for agricultural purposes, aircraft and aircraft schools financed by the Federal Government or State and Federal Governments for training of enlisted army men, industrial establishments for cleaning and dyeing purposes or for manufacturing paints and rubber goods (all other industrial users are subject to tax), State Boards of Public Welfare in the distribution of commodities donated to the State by the United States or any Bureau or Commission thereof for relief among needy citizens,

[1] 8 F.R. 15937.

and district school busses whether owned, leased or hired and used solely for the transportation of children to and from school. All farm equipment and public welfare trucks used for the above purposes must be registered with the Tax Commission.

At the time of a bulk sale the seller is required to execute a delivery invoice giving the date of sale or delivery, name, location and license number of the seller, the quantity sold or delivered, price per gallon and total sale price, name of buyer and whether the tax is to be paid by seller or purchaser. If the bulk sale is tax exempt the seller must execute a tax exemption invoice in triplicate which is signed by both seller and purchaser and stipulates the number of gallons purchased, the purpose for which the fuel is to be used, date and place of purchase, name and license number of seller, name, address and exemption permit number of purchaser and place of delivery. Copies of this invoice are retained by the buyer and the seller, and the original is transmitted to the Tax Commission in lieu of taxes. Tax exemption invoices are serially numbered in book form and each invoice must be accounted for. Both seller and buyer must retain copies of these invoices for a period of three years.

Approximately 2300 distributors' licenses or duplicates thereof have been issued. Of this number 800 to 1000 represent refineries or bulk operators who are not required to apply for authorization to accept "R" coupons. Therefore, only about 1300 additional operators would be authorized to accept "R" coupons under this order. Each of these bulk sellers is required to maintain records of all purchases, receipts and sales and retain copies of delivery and tax exemption invoices for a period of three years. Each outlet is required to file a monthly report with the State Tax Commission showing the daily retail sales and an itemized statement of bulk sales setting forth the amount of gasoline sold, delivery and tax exemption invoice numbers, and name and address of purchasers. Original tax exemption invoices must be attached in order to obtain credit for such tax exempt sales.

Industrial users of non-highway gasoline for purposes other than cleaning or dyeing or manufacturing paints and rubber goods are not tax exempt. Retail distributor outlets should not be authorized to accept "R" coupons from such users since verification of the proper use of "R" coupons cannot be made. No problem is created by this decision as a very large percentage of such gasoline is delivered in tank wagons or purchased at bulk plants not subject to the prohibition against the acceptance of "R" coupons. In the small number of cases where tank delivery facilities are not available, "E" coupons may be made available. The order, therefore, should be limited to the acceptance of "R" coupons for the transfer of tax exempt gasoline only.

In substance the laws of the State of Oklahoma carefully safeguard the sale of tax exempt gasoline and contain strict standards in order to assure that such transfers will be made for non-highway purposes. The issuance of tax exemption invoices and the keeping of full records together with the right to inspect such records will enable the investigators of the Office of Price Administration to determine whether or not prohibited transfers are being made. Hence, it appears that authority may be extended to licensed distributors and retailers to whom duplicate licenses have been issued, located in the State of Oklahoma, to make tax exempt transfers of gasoline in exchange for Class "R" coupons to duly licensed purchasers without facilitating the unlawful acquisition of Class "R" coupons.

(b) *Order.* It is hereby ordered that licensed distributors in the State of Oklahoma who are permitted by that State to make tax exempt sales of gasoline are authorized to accept Class R coupons at their retail facilities for which duplicate licenses have been secured for such tax exempt sales where these sales are made in quantities of 50 gallons or more, for non-highway use, and are made as tax exempt sales in compliance with the laws of the State of Oklahoma; *Provided,* That such distributors and their retail facilities maintain records of such sales, at the place of business where such transfers of gasoline are made, in accordance with the laws and regulations of the State of Oklahoma and permit employees of the Office of Price Administration to inspect such records during business hours.

(c) *Definitions.* The definition of terms and rules of construction contained in § 1394.7551 of Ration Order 5C shall apply to the order.

(d) *Effective period.* This order shall become effective June 1, 1944, and shall remain in effect until modified or revoked.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 31st day of May 1944.

CHARLES F. PHILLIPS,
Deputy Administrator,
in Charge of Rationing.

[F. R. Doc. 44-7862; Filed, May 31, 1944; 11:17 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on May 27, 1944.

REGION II

Syracuse Order 1-F, Amendment 7, covering fresh fruits and vegetables in Syracuse, New York. Filed 3:59 p. m.

REGION III

Cincinnati Order 1-F, Amendment 32, covering fresh fruits and vegetables in Cincinnati and certain other areas in Hamilton County, Ohio, filed 3:48 p. m.

Cincinnati Order 2-F, Amendment 25, covering fresh fruits and vegetables in Butler, Clark, and Montgomery Counties, Ohio, filed 3:48 p. m.

Lexington Order 1-F, Amendment 81, covering certain fresh fruits and vegetables in Fayette County, Kentucky, filed 3:50 p. m.

Lexington Order 2-F, Amendment 25, covering fresh fruits and vegetables in Campbell and Kenton counties, Kentucky, filed 3:49 p. m.

Lexington Order 3-F, Amendment 22, covering fresh fruits and vegetables in Boyd county, Kentucky, filed 3:49 p. m.

REGION IV

Savannah Order (Correction to Order) 15, covering dry groceries in certain specified counties in Georgia, filed 4:00 p. m.

Nashville Order 2-W, Amendment 2, covering dry groceries in jurisdiction of the Nashville District office, filed 3:54 p. m.

Nashville Order 3-W, covering dry groceries in certain areas under jurisdiction of Nashville District office, filed 3:52 p. m.

Nashville Order 5-F, Amendment 17, covering community food prices in Hamblen, Hamilton, Knox and Sullivan counties, Tennessee, filed 3:55 p. m.

Nashville Order 12, Amendment 6, covering community food prices in certain counties in Tennessee, filed 3:54 p. m.

Charlotte Order 2-F, Amendment 5, covering fresh fruits and vegetables in Buncombe, Forsyth, Guilford and Mecklenburg counties, North Carolina, filed 3:55 p. m.

REGION V

St. Louis Order 3-F, Amendment 5, covering fresh fruits and vegetables in city of St. Louis and St. Louis county, Missouri, filed 3:56 p. m.

Shreveport Order G-13, Amendment 1, covering community food prices in certain Parishes in the State of Louisiana, filed 3:57 p. m.

Shreveport Order G-14, Amendment 1, covering community food prices in certain parishes in Louisiana, filed 3:58 p. m.

San Antonio Order G-11, Amendment 1, covering community food prices in certain designated counties in Texas, filed 3:58 p. m.

San Antonio Order G-12, Amendment 1, covering community food prices in certain designated counties in Texas, filed 3:58 p. m.

REGION VI

Springfield Order 34, covering community food prices in Champaign, Douglas, Edgar, Moultrie, Piatt, and Vermilion Counties, all in Illinois, filed 4:01 p. m.

Springfield Order 29, covering community food prices in certain counties in Illinois, filed 4:02 p. m.

Springfield Order 30, covering community food prices in Adams, Brown, Pike, and Schuyler counties, all in Illinois, filed 4:03 p. m.

Copies of any of these orders may be obtained from the OPA office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-7861; Filed, May 31, 1944; 11:17 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 110

Washington, Friday, June 2, 1944

Regulations

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

[General License 32A, Amdt.]

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER No. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

FOREIGN FUNDS CONTROL; REMITTANCES FOR LIVING EXPENSES IN LIBERATED AREAS

JUNE 1, 1944.

Amendment to General License No. 32A, under Executive Order No. 8389, as amended, Executive Order No. 9193, section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

General License No. 32A (9 F.R. 3489) is hereby amended by changing § 131.32 (a) (2) thereof to read as follows:

§ 131.32a *General License No. 32A*— (a) *Certain remittances to specified liberated areas for living expenses authorized.* * * *

(2) If the payee is not a citizen of the United States, the total of all remittances to such payee and his household effected in any one calendar month under this general license may not exceed $50;

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 838; EO 8389, April 10, 1940, as amended by EO 8785, June 14, 1941, EO 8832, July 26, 1941, EO 8963, Dec. 9, 1941, and EO 8998, Dec. 26, 1941; EO 9193, July 6, 1942; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44-7903; Filed, June 1, 1944; 10:49 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 178]

PART 811—BLANKET LICENSE "BLT"

PHARMACEUTICAL COMMODITIES

Paragraph (f) of § 811.2 *General provisions* is hereby amended by adding to the commodities listed therein the following commodities:

Commodity	*Schedule B Number*
Pharmaceutical chemicals:	
Bismuth carbonates and mixtures	8396.34
Bismuth chlorides and mixtures	8396.30
Bismuth gallates and mixtures	8396.35
Bismuth iodides	8346.01
Bismuth nitrates and mixtures	8396.31
Bismuth oxide and mixtures	8396.32
Bismuth saccharate and mixtures	8396.36
Bismuth sulfates and mixtures	8396.33
Bismuth salts and compounds, other	8396.38
Bromine	8344.01
Camphor, natural	8329.95
Ethyl ether	8329.70
Ethylene dibromide	8344.15
Potassium bromide	8344.02
Potassium iodides	8346.10
Reagent chemicals for laboratory use	8299.70
Sodium bromide	8344.03
Thymol	8329.98
Drugs, pharmaceuticals, medicinals and proprietary preparations:	
Empty gelatine capsules	0099.00
Drugs, herbs, leaves and roots, crude:	
Aconite root and leaves	2209.27
Arnica flowers, leaves, or root, whole, granulated or powdered	2209.33
Belladonna leaves and root	2209.01
Cascara bark	2201.00
Cinchona bark	2209.04
Colchicum roots and seeds	2209.29
Digitalis seed	2209.09
Ginseng	2205.00
Hyoscyamus (Henbane)	2209.11
Mandrake root (Mayapple root or podophyllum)	2206.00
Nux vomica	2209.15

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

	Page
COAL MINES ADMINISTRATION:	
Termination of Government possession:	
American Rolling Mill Co	5998
Mines in designated districts	5998
COAST GUARD:	
Amendment of regulations and approval of equipment	5997
FEDERAL POWER COMMISSION:	
El Paso Natural Gas Co., postponement of hearing (2 documents)	5999
FEDERAL TRADE COMMISSION:	
Hearings, etc.:	
Ketchikan Packing Co. and William H. Stanley, Inc.	5999
Northern Kentucky Independent Food Dealers Assn., Inc	5999
Wakita Herb Co	5999
FOREIGN ECONOMIC ADMINISTRATION:	
Blanket license, listed commodities	5975
INTERSTATE COMMERCE COMMISSION:	
Icing permits, etc., for potatoes:	
Chicago, Ill. (6 documents)	6001, 6002, 6003
Fort Smith, Ark., or Monett, Mo	6001
Georgia	6001
Hood River, Oreg	6002
Huntingdon, Pa	6002
Sparks, Nev	6002
OFFICE OF DEFENSE TRANSPORTATION:	
Delegated authority; exercise by Assistant Director, etc., Highway Transport Department	5997
OFFICE OF PRICE ADMINISTRATION:	
Adjustment; R. Brewer, et al	6003
Concrete reinforcing bars, fabricated (RMPR 159)	5987
Flour from wheat, semolina and farina, etc. (RMPR 296, Am. 3)	5985
Hides, kips and calfskins (RPS 9, Am. 9)	5987
Iron and steel products, resale (RPS 49, Am. 24)	5987

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued.
Regional and district office orders—Continued. Page
Solid fuels:
Denver region 6006
Lowell, Mass. (Corr.) 6005
Silver (RMPR 198; Rev. SR 14, Am. 137) (2 documents) 5990, 5996
Solid fuels sold and delivered by dealers (RMPR 122, Am. 21) 5985
Tires and tubes, new bicycle (MPR 435, Am. 4) 5990
Vitamin enriched concentrates (Rev. SR 1, Am. 57) 5996
PUBLIC CONTRACTS DIVISION:
Milk, evaporated and powdered skimmed; continuation of exception 5996
TREASURY DEPARTMENT:
Foreign funds control; remittances for living expenses in liberated areas 5975
Tires and inner tubes sold to War and Navy Departments, exemption from taxes 5998
WAR PRODUCTION BOARD:
Car materials, advance authorization for special items (P–142, Dir. 3) 5977
Chemicals:
Anhydrous hydrofluoric acid (M–300, Sch. 4) 5980
Aromatic solvents (M–150) 5979
Benzene (M–300, Sch. 22; M–137, Rev.) (2 documents) 5979, 5982
Hexahydric alcohols (M–270, Rev.; M–300, Sch. 20) (2 documents) 5977, 5980
Miscellaneous (M–340) 5983
Toluene (M–34, Rev.; M–300, Sch. 21) (2 documents) 5977, 5981
Xylene (xylol) (M–300, Sch. 23) 5982
Paper cups and food containers (L–336; PR 3, Dir. 2, Rev.) (2 documents) 5977, 5978

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued. Page
Regional and district office orders:
Automobile motors, rebuilt; Atlanta region 6005
Automotive vehicles, San Francisco region (Corr.) 6006
Bananas, imported fresh; Lexington, Ky., district 6004
Crates and boxes, fruit and vegetable; Denver region (Corr.) 6006
Egg cartons, San Francisco region 6006
Fluid milk, Springfield, Ill. 6005
Fruits and vegetables, fresh:
Albany, N. Y., district 6003
Duluth-Superior district 6004
Lettuce, New York region (Corr.) 6005

Commodity	Schedule B Number
Drugs, pharmaceuticals, medicinals and proprietary preparations—Continued.	
Drugs, herbs, leaves and roots, crude—Continued.	
Red squill	2209.21
Stramonium	2209.25
Other crude vegetable drugs (Include deer tongue leaves)	2209.98
Gums and resins, other:	
Arabic tragacanth, Karaya	2189.98
Gum benzoin	2189.93
Medicinal and pharmaceutical preparations:	
Biologics:	
For animal and veterinary use	8120.00
Glandular products, organotherapeutics, enzymes, ferments, and culture media (Include thyroid, ovarian, pituitary, insulin, etc.)	8123.00
Drugs, pharmaceuticals, medicinals and proprietary preparations—Continued.	
Medicinal and pharmaceutical preparations—Continued.	
Biologics—Continued.	
Serums and antitoxins for human use	8121.00
Vaccines for human use	8122.00
Druggists' nonproprietary preparations:	
Elixirs, tinctures, fluid extracts, ampoules, and similar liquid solutions:	
Fluid extract of belladonna leaf, and root tincture of belladonna, U. S. P. and belladonna liniment	8124.03
Fluid extract and tincture of hyosyamus	8124.13
Fluid extract and tincture of stramonium and stramonium ointment	8124.19
Elixers, tinctures, fluid extracts, ampoules, and similar liquid solutions n. e. s.	8124.98
Fish oils and fish liver oils and concentrates thereof (medicinal grade)	8119.05
Menthol	8125.00
Tablets, pills, capsules, powders, ointments and similar manufactures, n. e. s.:	
Acetylsalicylic acid (aspirin) in tablet form	8127.92
Extract of belladonna, and belladonna ointment and plaster, U. S. P.	8127.93
Extract of hyoscyamus (Henbane)	8127.94
Extract of stramonium	8127.95
Scopolamine (Hyoscine)	8127.96
Tablets, pills, capsules, powders, ointments, and similar manufactures, other, n. e. s.	8127.98
Vitamins and viosterols, n. e. s. (include food hormones, concentrates A, B, C, D, E, F, G, P, and X, synthetics such as ascorbic acid, thiamin hydrochloride, yeast concentrate, wheat germ oil, etc.	8119.98
Household medicinal chemicals and pharmaceuticals in small packages:	
Liquids (include camphorated oil, aromatic spirits of ammonia, sweet spirits of nitre, Dobell solution, chloroform liniment, medicinal oils, rubbing alcohol, rhubarb and soda, hydrogen peroxide, etc.	8142.00
Solids (include alum, boric acid, sulphur, soda, epsom and rochelle salts, fuller's earth, zinc stearate, bicarbonate of soda, etc.)	8141.00
Medicinal chemicals for prescription use:	
Acetylsalicylic acid (aspirin) in bulk	8135.30
Atropine hydrochloride	8135.01
Atropine hydrobromide	8135.02
Atropine methyl bromide	8135.03
Atropine methylnitrate	8135.04
Atropine nitrate	8135.05
Atropine salicylate	8135.06
Atropine sulphuric acid	8135.07
Atropine sulfate	8135.08
Atropine valerate	8135.10
Drugs, pharmaceuticals, medicinals and proprietary preparations—Continued.	
Medicinal and pharmaceutical preparations—Continued.	
Medicinal chemicals for prescription use—Continued.	
Bonsocaine-benzoate, ethocaine, novacaine, P-aminobenzoyl - diethylaminoethanol, planocaine, and all forms of procaine (include procaine base, procaine borate, procaine hydrochloride, and procaine nitrate)	8135.25
Medicinal chemicals for prescription use, n. e. s. (include pharmaceutical dextrose (glucose))	8135.98
Proprietary medicinal preparations:	
Asthma, catarrh, and hay-fever preparations, including inhalants	8155.00
Belladonna liniment	8151.01
Liniments, other, n. e. s.	8151.98
Belladonna plasters, U. S. P.	8150.01
Plasters, other, n. e. s.	8150.98
Cold, cough and bronchial preparations, other (not containing quinine)	8154.98
Corn and foot remedies	8149.00
Digestive preparations, other (not containing quinine)	8165.98
Extract and fluid extract of belladonna leaf and root; tincture of belladonna, U. S. P.; belladonna ointment, U. S. P.; homatropine (belladonna root)	8180.03
Extract and fluid extract of stramonium (Jimson weed)	8180.14
Extract, fluid extract, and tincture of hyoscyamus	8180.13
Headache, neuralgia, and pain remedies, other (not containing quinine)	8167.98
Laxatives, purgatives, and cathartics	8161.00
Milk of magnesia	8162.00
Mouth washes, gargles, and personal antiseptics	8148.00
Salves and ointments for burns, cuts, skin diseases, insect bites, inflammation, etc.	8152.00
Salves and ointments for coughs, colds, catarrh, and bronchial infection	8153.00
Tincture of stramonium, stramonium ointment, and scopolamine (hyoscine) (stramonium)	8180.19
Tonics, blood purifiers, emulsions, and appetizers, other (include medicated wines and bitters) (not containing quinine)	8160.98
Other proprietary medicinal preparations, n. e. s.	8180.98

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: May 30, 1944.

S. H. LEBENSBURGER,
Director, Requirements and Supply Branch, Bureau of Supplies.

[F. R. Doc. 44–7890; Filed, June 1, 1944; 10:06 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, Revocation of Direction 2]

PAPER CUPS AND PAPER FOOD CONTAINERS

Direction 2 to Priorities Regulation No. 3 is hereby revoked. This revocation does not affect any liabilities incurred under the direction. The direction is superseded by Limitation Order L–336 as issued simultaneously with this revocation.

Issued this 1st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7907; Filed, June 1, 1944; 11:08 a. m.]

PART 974—TOLUENE (TOLUOL)

[Allocation Order M–34, Revocation]

Section 974.1 *Allocation Order M–34* is hereby revoked, effective when toluene becomes subject to allocation under General Allocation Order M-300, Appendix A, Schedule 21. This revocation does not affect any liabilities incurred under the order.

Use, delivery and acceptance of delivery of these materials prior to July 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M-34.

Issued this 1st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7908; Filed, June 1, 1944; 11:09 a. m.]

PART 3152—HEXAHYDRIC ALCOHOLS

[General Preference Order M–270, Revocation]

HEXAHYDRIC ALCOHOLS

Section 3.52.1 *General Preference Order M–270* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Hexahydric alcohols are subject to allocation under General Allocation Order M–300 as Appendix C materials, subject to Schedule 20, issued simultaneously with this revocation.

Use, delivery and acceptance of delivery of hexahydric alcohols prior to July 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M–270. Allocations on applications for the period June 15 to July 15 will be decreased to cover the period June 15 to July 1.

Issued this 1st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7911; Filed, June 1, 1944; 11:09 a. m.]

PART 3216—MATERIAL ENTERING INTO THE OPERATION OF TRANSPORTATION SYSTEMS

[Preference Rating Order P–142, Direction 8]

ADVANCE AUTHORIZATION FOR SPECIAL ITEMS OF CAR MATERIALS

The following direction is issued pursuant to Preference Rating Order P–142:

(a) This direction permits railroad operators to place advance orders for the following items of car materials listed in paragraph (b) (2) of Order P–142:

Air Brakes—AB	Code No. CA
Hand Brakes—Power	Code No. CB
Brake Beams	Code No. CH
Couplers and Coupler Bodies	Code No. MA
Bolster Springs—Car	Code No. MC

subject to the following conditions:

(1) Advance orders for items under this direction may be placed for delivery during each of the three calendar quarters following the quarter in which the order is placed. Thus during the second quarter of 1944, advance orders may be placed for delivery in the third and fourth quarters of 1944 and the first quarter of 1945.

(2) The operator may order for delivery in each advance quarter up to 75% of the amount of each of the above items authorized for him under Order P–142 for the first quarter of 1944. With the exception of power hand brakes (Code CB), he may use the same preference ratings, to the same extent, as were authorized for the particular item for the first quarter of 1944. For power hand brakes, he may use only a rating of AA–3 for advance quarters, regardless of the ratings authorized for that item in the first quarter of 1944.

For example, if an operator was authorized in the first quarter of 1944 to buy 100 AB Air Brakes with AA–1 rating and 200 with AA–3 rating, he may, under this direction, place orders for each advance quarter for not more than 75 with AA–1 rating and 150 with AA–3 rating. Also, if he was authorized in the first quarter of 1944 to buy 10 power hand brakes with AA–1 rating and 50 with AA–3 rating, he may, under this direction, place advance orders each quarter for 45, all with AA–3 rating.

(b) Each operator must continue to apply each quarter on Form WPB–2585 for firm authorizations in accordance with paragraph (k) (3) of Order P–142. To the extent that the firm authorization on that form differs from the advance authorization for any item under this direction, orders must be cut back, or new orders may be placed, accordingly.

(c) This direction applies only to railroad operators under Order P–142 (serial numbers below 1000), and not to transit or other operators.

Issued this 1st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7913; Filed, June 1, 1944; 11:08 a. m.]

PART 3270—CONTAINERS

[Limitation Order L–336]

PAPER CUPS AND PAPER FOOD CONTAINERS

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of paper cups and paper food containers and the material used in their manufacture, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

Definitions

§ 3270.61 *Limitation Order L–336*—(a) *Definitions.* For the purpose of this order:

(1) "Paper cups and paper food containers" means all empty open nested paper cups and round nested paper food containers with or without lids. The term does not include flat envelope types of cup, wedge-shaped food pails or nested paper plates.

(2) "In-plant feeding" means the serving of food, drink or refreshments on the premises of a plant, business activity, governmental agency or institution to its employees when the food or drink is prepared on the premises of the plant, business activity, governmental agency or institution or when the food, or drink prepared in bulk (such as coffee or soup), is brought to the plant, business activity, governmental agency or institution and served in paper cups or paper food containers on the premises. It shall also include the serving of food, drink and refreshments by (i) military exchanges and service departments, (ii) hospitals serving their patients, (iii) service welfare organizations such as USO, Red Cross, etc., (iv) persons engaged in serving passengers in trains and in planes, and (v) educational institutions in serving their students. In-plant feeding includes the serving of food, drink and refreshments between meals as well as at meal-time. For instance, the use of paper cups for drinking water is included within the meaning of the term.

(3) "A caterer or concessionaire" means a person who has an agreement with an operator of a plant, business activity, governmental agency or institution to regularly provide in-plant feeding for its employees, and who prepares his food or drink on the premises of the plant, or brings his food, or drink prepared in bulk (such as coffee or soup), to the plant and serves it on the premises. It does not include persons supplying drink or refreshments in paper cups or paper food containers from outside the plant.

(4) "Hot drink cup" means any unwaxed tall cup, double-wrapped, or single-wrapped of comparable weight, which is suitable for dispensing hot liquids.

(5) "Cold drink cup" means any one or two-piece waxed cup of six-ounce size or larger.

(6) "Military exchanges and service departments" means U. S. Army and Marine Corps Post Exchanges; U. S. Navy and Coast Guard Ship's Service Departments; War Shipping Administration Training Organization Ship's Service activities.

General Restrictions

(b) *Prohibited uses.* No person shall sell or deliver the following types of paper cups if he knows or has reason to believe that they will be used for the purposes stated, and no person shall commercially use such paper cups for those purposes: (1) packages of cups for retail sales, (2) hot drink cups for any purpose other than in-plant feeding, (3) hot drink cups for serving cold foods or beverages, (4) paper cups to be served with individual bottled beverages in paper or glass containers (except for in-train feeding) and (5) portion control cups for party favors, or in any other form, for sale through retail stores.

(c) *Quantity limitation of hot drink cups.* No person shall commercially use more hot drink cups in any month than 80% of his average monthly consumption during the months of January through March 1944. This provision does not apply to the Army, Navy, military exchanges or service departments. However, the War Production Board may authorize a quota to a person who does not have one or an increase in quota, where there has been an increase in the number of production workers, installation of new in-plant feeding facilities, or where such action appears justified from the facts presented. Application for authorization of a quota to a person who does not have one or an increase in quota may be made by letter to the appropriate field office of the War Production Board.

(d) *Inventory.* No user shall accept delivery of any paper cups and paper food containers which will increase his inventory of any size and type to more than his reasonably anticipated requirements for the ensuing thirty days, except that the minimum standard commercial packing case quantity may be purchased whenever the purchaser's inventory is less than a thirty days' supply.

Restriction on Manufacturers

(e) *Maintenance of production of hot drink cups and flat bottom cold drink cups.* To meet the requirements of the armed forces and in-plant feeding operations, manufacturers of hot drink cups and flat bottom cold drink cups shall maintain a rate of monthly production of these items equivalent to the highest monthly production attained during 1943 and the first quarter of 1944 to the extent permitted by Paragraph (f) and subject to contingencies beyond his control.

(f) *Restriction on tonnage of paper stock to be processed.* No person shall accept more paper stock for the manufacture of paper cups and paper food containers in the second and third quarters of 1944 than the sum of the amounts determined to be his quota for those two quarters. A person's quota for the second quarter of 1944 is 100% of the amount that he used for the manufacture of paper cups and paper food containers in the fourth quarter of 1943. His quota for the third quarter of 1944 will be determined after the amount of pulp to be allocated to the entire industry for that period has been determined. Any person who accepts delivery of more than his quota of paper stock for the second quarter must deduct the excess from his quota for the third quarter.

Restrictions on Distribution

(g) *Distribution of production between military and civilian requirements.* Regardless of preference ratings, each manufacturer of paper cups must set aside the following percentage of his production of paper cups in each month beginning with July 1944, for delivery to the Army and the Navy on orders received from them before the 15th of the preceding month:

17% of his monthly production of 6 to 9 oz. hot drink cups.
45% of his monthly production of 6 to 10 oz. flat bottom cold drink cups.
80% of his monthly production of 12 to 24 oz. flat bottom cold drink cups.

If he has not received orders from the Army or Navy by the 15th of the preceding month for the full amount of the set-aside, he may release any surplus for delivery on orders as specified below. He shall make up his set-aside of flat bottom cold drink cups within each of the two size groupings specified above from sizes in accordance with orders placed by the Army and Navy. Set-asides under this paragraph shall be computed on the basis of the number of cups.

The balance of each manufacturer's monthly production of hot drink cups and flat bottom cold drink cups shall be used exclusively to fill non-military orders and orders from domestic military exchanges and service departments in accordance with Priorities Regulation No. 1 and the provisions of this order.

Use of Preference Ratings

(h) *Assignment of ratings.* Any person may use the blanket MRO rating assigned to him by any regulation of the War Production Board (including CMP Regulation No. 5, CMP Regulation No. 5A and orders in the P or U series to buy paper cups and paper food containers for in-plant feeding, subject to the restrictions contained in this order.

(i) *Use of rating by caterer.* A caterer or concessionaire may use his customer's blanket MRO rating to buy paper cups and paper food containers for use in providing in-plant feeding to employees of the customer.

(j) *Ratings on application.* Preference ratings for users not included above and preference ratings differing from those assigned may be assigned on application by any person on Form WPB–541 (formerly PD–1A). The assignment of a rating to an applicant on this form will permit him to use that rating to get only the specific quantities and items authorized. This application shall be filed with the appropriate field office, and shall be given consideration on the basis of the requirements for extreme emergencies in in-plant feeding operations, disaster and blood donor feeding by the Red Cross or operating supplies for industrial plants.

(k) *Application and extension of ratings.* The ratings assigned pursuant to

or permitted to be used by this order may be applied or extended in accordance with Priorities Regulation No. 3. Ratings applied or extended to get paper cups or paper food containers may not be extended to obtain materials for use in their manufacture.

(l) *Equipment for use of chinaware.* No person may use his blanket MRO rating to purchase paper cups or paper food containers for the serving of hot food or beverages if such person is equipped to use chinaware or other containers. In the event that such equipment can only serve a portion of his needs, he may use his MRO rating to order only the quantity of paper cups or paper food containers required in excess of such equipment.

(m) *Paper cups for packaging purposes.* Attention is called to the fact that persons buying paper cups and paper food containers for use in packaging food or other products for shipment or delivery are not permitted to use blanket MRO ratings for this purpose. Persons engaged in in-plant feeding operations also may not use their blanket MRO ratings to buy paper cups and paper food containers which are to be sent to a food packer to be filled and returned to the plant for in-plant feeding.

Miscellaneous

(n) *Appeals.* Appeals from Order L–336 shall be filed by addressing a letter to the appropriate field office of the War Production Board.

The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provisions appealed from, the precise relief desired, the reasons why denial of the appeal would result in undue and excessive hardship, and such other statistical and narrative information as may be pertinent.

(o) *Reports.* Any person affected by this order shall file such reports and questionnaires as the War Production Board may request from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(p) *Communications.* All inquiries relating to this order other than requests for authorization or appeals shall be addressed to War Production Board, Containers Division, Washington 25, D. C., reference Order L–336.

Issued this 1st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7915; Filed, June 1, 1944; 11:08 a. m.]

PART 1195—BENZENE

[Allocation Order M–137, Revocation]

Section 1195.1 *Allocation Order M–137* is hereby revoked, effective when benzene becomes subject to allocation under General Allocation Order M–300, Appendix A, Schedule 22. This revocation does not affect any liabilities incurred under the order.

Use, delivery and acceptance of delivery of this material prior to July 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M–137.

Issued this 1st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7909; Filed, June 1, 1944; 11:09 a. m.]

PART 3293—CHEMICALS[1]

[Conservation Order M–150, as amended June 1, 1944]

AROMATIC SOLVENTS

Section 1227.1, Allocation Order M–150, is hereby amended to read:

§ 3293.171[1] *Conservation Order M–150*—(a) *Definitions.* For the purposes of this order:

(1) "Aromatic solvents" means Class A solvents and Class B solvents as defined herein.

(2) "Class A solvents" mean solvents or naphthas containing more than 30 per cent by volume of aromatic hydrocarbons, regardless of source, as determined by the analytical procedure described in "Approximate Analysis of Hydrocarbon Thinners" published in the Scientific Section Circular No. 568 of the National Paint, Varnish and Lacquer Association, November, 1938, pages 381 and 388, and having an A. S. T. M. 50% distillation point lower than 330° F. (165.5° C.). The term does not include solvents containing toluene, which are defined below as "Class B solvents", or benzene as defined in Order M–300, Schedule 22, toluene as defined in M–300, Schedule 21, or xylene as defined in M–300, Schedule 23.

(3) "Class B solvents" mean toluene range solvents from petroleum or coal tar origin having a distillation range of 200° F. to 285° F. (93° C. to 140° C.), and containing more than 30 per cent by volume of aromatic hydrocarbon, as determined by the analytical procedure described in paragraph (a) (2) above. The term does not include solvents containing xylene which are defined above as Class A solvents, or benzene as defined in Order M–300, Schedule 22, toluene as defined in M–300, Schedule 21, or xylene as defined in M–300, Schedule 23.

(4) "Civilian order" means any purchase order which is not a military order.

(5) "Military order" means any purchase order for a product to be delivered to, or to be used on, or incorporated in, material or equipment delivered or to be delivered to the United States Army, Navy, Marine Corps, Coast Guard, Maritime Commission, the War Shipping Administration or to or for the account of any foreign country under the Act of March 11, 1941 (Lend-Lease Act).

(b) *Limitation on use of aromatic solvents.* On and after July 1, 1944, the use of aromatic solvents shall be limited in the following manner:

(1) *Class A solvents.* No person may use any Class A solvent for the production of dry cleaning fluid, printing press and type washes, or paint, varnish or lacquer remover which are to be sold on civilian orders, or for the production of coatings which are to be sold on civilian orders for any of the end uses shown on Schedule A.

(2) *Class B solvents.* No person may use any Class B solvents except for the production of coatings for the end uses shown on Schedule B attached to this order.

(c) *Changes in prohibited or permitted end uses.* The War Production Board may from time to time make whatever changes it may deem necessary in the prohibited end uses listed on Schedule A, or in the permitted end uses listed on Schedule B.

(d) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(e) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Communications to War Production Board.* All communications concerning this order, unless otherwise directed, shall be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–150.

Issued this 1st day of June 1944.

WAR PRODUCTION BOARD,
By JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—CLASS A SOLVENTS

Prohibited coating uses for class A solvents. Listed below are the end uses for which coatings containing Class A solvents are prohibited on civilian orders:

Code[1] *and prohibited uses*	
0341	Railroad freight cars, maintenance.
0342	Railroad refrigerator cars, interior, new or maintenance.
0344	Railroad refrigerator cars, exterior, maintenance.
0346	Railroad tank cars, exterior.
0359	Trucks, maintenance, including parts.
0360	Automobiles, excluding parts.
0362	Trailers & carts (maintenance).

[1] Code symbols refer to the symbols appearing in the "Primary Products and End Use List" (WPB I–217) prepared by the Protective Coatings Section, Chemicals Bureau, War Production Board.

[1] Formerly Part 1227, § 1227.1 Allocation Order M–150.

SCHEDULE A—CLASS A SOLVENTS—Con.

Code and prohibited uses—Continued

0365 Motorcycles & bicycles (maintenance).
0366 Skis.
0369 Road signs.
0370 Highway markings.
0430 Fluorescent lighting fixtures—domestic and institutional, maintenance.
0432 Fluorescent lighting fixtures—industrial, maintenance.
0440 Radio cabinets.
0507 Cranes, derricks, hoists and winches, maintenance.
0509 Industrial trucks and tractors (including trailers for tractors), maintenance.
0523 Other general purpose industrial equipment.
0543 Other special industrial machinery and equipment.
0552 Agricultural equipment (including farm tractors) motorized, maintenance.
0554 Agricultural equipment, horsedrawn, maintenance.
0709 Umbrella fabrics.
0712 Other foul weather fabrics.
0713 Women's and infants' sanitary wear.
0714 Waterproof sheeting.
0715 Non-allergic pillow cases and covers.
0725 Other waterproof goods.
0728 Book cloth and book binding.
0729 Baby carriage cloth.
0730 Oilcloth—except floor oilcloth (such as table and shelf oilcloth).
0731 Enamelled oilcloth or silk oilcloth.
0732 Floor oil cloth (Linoleum).
0734 Wall covering.
0735 Business machine covers.
0736 Upholstery (vehicle).
0737 Upholstery other than vehicle.
0739 Window hollands (shade cloth).
0740 Display cloth.
0741 Shower curtains.
0745 Other curtain cloth.
0746 Printed textiles.
0748 Novelty case cloth.
0750 Luggage and kits.
0751 Handbags (except frames and handles).
0752 Belts.
0819 Sun goggles.
0821 Eye shades and visors.
0838 Safety equipment, not elsewhere specified.
1106 Safes.
1109 Mechanical pencils.
1110 Fountain pens.
1125 Other stationery and office supplies.
1201 Bedsteads and bunks.
1202 Trunks and foot lockers.
1206 Venetian blinds.
1207 Mirrors and picture frames.
1208 Wood furniture—except bedsteads and bunks.
1209 Metal furniture—except bedsteads and bunks.
1210 Store fixtures—wood.
1211 Store fixtures—metal.
1212 Prefabricated partitions and shelving—wood.
1213 Prefabricated partitions and shelving—metal.
1214 Industrial and factory furniture, i. e. bins, lockers, tables, stools, etc.
1301 Restaurant table tops.
1308 Other restaurant equipment—except table tops and refrigerators.
1309 Kitchen equipment—except refrigerators.
1310 Laundry equipment and accessories—(except washing machines & ironers).
1401 Prefabricated wall board.
1402 Prefabricated flooring.
1403 Weather stripping.
1405 Heating insulation.

SCHEDULE A—CLASS A SOLVENTS—Con.

Code and prohibited uses—Continued

1406 Heating equipment (such as boilers, heating units, stoves, ranges, smoke pipe, pipe fittings, etc.).
1407 Plumbing (such as metal or nonmetal sanitary ware, pipe and pipe fittings, low pressure valves, etc.).
1408 Ventilation ducts.
1409 Other building supplies.
1430 Institutional—except hospital operating rooms.
1431 Industrial plants.
1432 Defense housing.
1435 Other buildings—commercial and residential.
1525 Other containers, closures, and parts, interior.
1526 Other containers, closures, and parts, exterior.
1545 Other packaging uses.
1601 Musical instruments.
1602 Bowling alleys and pins.
1603 Athletic equipment.
1605 Toys and games.
1606 Statuary.
1607 Baby carriages (except coated fabric).
1610 Handbag frames and handles.
1611 Umbrella frames and handles.
1620 Jewelry, novelties, cosmetic compacts and cigarette cases.
1623 Artificial flowers, feathers and plumes.
1624 Nail polish.

SCHEDULE B—CLASS B SOLVENTS

Permitted uses for Class B solvents. Listed below are the only end uses for which coatings containing Class B solvents are permitted:

1. Aircraft parts (as listed below):
0201 [1] Body and wing—metal.
0202 [1] Body and wing—wood and fabric.
0203 [1] Propellers.
0204 [1] Motors, generators and engines.
0205 [1] Fuel tanks and cells.
2. Barrage balloon fabric
3. Manufacturing and processing of synthetic rubber
4. Interior linings for cans and metal closures and interior Liners for metal closures where such cans and closures are to be used for the packaging of foods, drugs and pharmaceuticals
5. Cable saturants and impregnating varnishes for coils and wound apparatus
6. Bonded mica for insulation purposes.

[F. R. Doc. 44-7910; Filed, June 1, 1944; 11:09 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 4, as Amended June 1, 1944]

ANHYDROUS HYDROFLUORIC ACID

§ 3293.1004 *Schedule 4 to General Allocation Order M-300*—(a) *Definition.* "Anhydrous Hydrofluoric Acid" means anhydrous hydrofluoric acid in liquid or gaseous form.

(b) *General restrictions.* Anhydrous hydrofluoric acid is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is March 1, 1944. The allocation period is the calendar month, and the small order exemption is 5 tons per month.

(c) *Suppliers' applications on Form WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). The filing date is the 20th day of the month preceding the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-300-4. The unit of measure is the ton. An aggregate quantity may be requested, without specifying customers' names, for delivery on small orders of 5 tons or less per person per month. Fill in Table II.

(d) *Customers' applications for authorization on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 15th day of the month preceding the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-300-4, one copy (reverse side blank) to the supplier and retain one copy. File separate sets of forms for each different supplier. The unit of measure is the ton. In Column 3 specify each primary product, or specify "Resale" or "Export" if the anhydrous hydrofluoric acid is to be resold or exported as such. Fill in the other columns of Table I, and fill in Tables II and III as indicated. Leave Tables IV and V blank.

(e) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget pursuant to Federal Reports Act of 1942.

(f) *Communications to War Production Board.* Communications concerning this schedule shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-4.

Issued this 1st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7917; Filed, June 1, 1944; 11:09 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 20]

HEXAHYDRIC ALCOHOLS

§ 3293.1020 *Schedule 20 to General Allocation Order M-300*—(a) *Definition.* "Hexahydric alcohol" means d-sorbitol, mannitol and non-crystallizing sorbitol-isomeric mixtures of any and all proportions.

(b) *General provisions.* Hexahydric alcohols are subject to the provisions of General Allocation Order M-300 as an Appendix C material. The initial allocation date is December 15, 1942, when hexahydric alcohols first became subject to allocation under Order M-270 (revoked). The allocation period is the calendar month. The small order exemption per person per month is as follows:

	Pounds
d-sorbitol crystalline	25
Technical grade d-sorbitol (75% aqueous solution)	50
Commercial grade non-crystalline sorbitol-isomeric mixtures	600
Mannitol-crystalline	50

Customers must furnish use certificates when ordering in amounts described in paragraph (f) and must file on Form WPB-2945 when ordering in amounts described in paragraph (e).

(c) *Special interim provisions.* Use, delivery and acceptance of delivery prior to July 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in the hexahydric alcohol Order M-270 (revoked). Allocations on applications for the period June 15 to July 15 will be reduced to cover the period June 15 to July 1.

(d) *Suppliers' applications on Form WPB-2947.* Each supplier seeking authorization to deliver shall file application on Form WPB-2947 (formerly PD-602). The filing date is the 20th day of the month preceding the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-20. The unit of measure is pounds. File a separate set of forms for each kind of hexahydric alcohol. In Table I first list in Column 1 the names of customers who have filed WPB-2945 forms with the applicant and in Column 1a specify "WPB-2945"; second, list in Column 1 the names of customers who have filed use certificates with the applicant and in Column 1a transcribe the uses stated in such certificates; third, specify in Column 1 "Aggregate small order deliveries" and leave Column 1a blank; fill in other columns as indicated. Leave columns blank relating to rolling stock requirements. Fill in Table II as indicated. Inventory of hexahydric alcohols previously allocated for the supplier's own manufacturing use should not be reported on Form WPB-2947 (but should be reported in Table II of Form WPB-2945).

(e) *Customers' applications on WPB-2945.* Each person seeking delivery of hexahydric alcohols in excess of the following amounts per month from all suppliers shall file application for authorization on Form WPB-2945 (formerly PD-600):

	Pounds
d-sorbitol-crystalline	1,000
Technical grade d-sorbitol (75% aqueous solution)	6,000
Commercial grade non-crystalline sorbitol-isomeric mixtures	6,000
Mannitol-crystalline	1,000

The filing date is the 12th day of the month preceding the month for which allocation is requested. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-20, one copy (reverse side blank) to the supplier and retain one copy. The unit of measure is pounds. File a separate set of forms for each kind of hexahydric alcohol. Fill in Column 3 as follows:

Ascorbic acid.
Chemical manufacture (specify).
Diabetic foods.
Electrolytic condensers.
Esters.
Explosives.
Gelatin and glue extender.
Laboratory reagent.
Legume innoculant.
Paper.
Pharmaceuticals (identify).
Plasticizer for gelatin capsules.
Resins.
Textiles.
Miscellaneous.
Inventory (in original form).
Export (in original form).
Resale (in original form).

Leave Column 4 blank except opposite "export" in Column 3, in which case in Column 4 specify "Lend-Lease" or the destination and export license number. Fill in Table II as indicated, specifying inventory on a physical basis regardless of authorizations or exemptions. However, a supplier who keeps separate inventories of hexahydric alcohols, both physically and on his books, for the purpose of sale and for his own manufacturing use, shall report in Table II only his inventory for his own use. Leave Tables III, IV and V blank.

(f) *Certified uses with purchase orders.* Each person placing purchase orders for delivery of hexahydric alcohols between the following amounts per month in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use. Describe proposed use as shown in paragraph (e) above and certify in the form prescribed in Appendix D of order M-300:

d-sorbitol-crystalline	25–1,000 lbs.
Technical grade d-sorbitol (75% aqueous solution)	50–6,000 lbs.
Commercial grade non-crystalline sorbitol isomeric mixtures	600–6,000 lbs.
Mannitol-crystalline	50–1,000 lbs.

(g) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

(h) *Communications to War Production Board.* Communications concerning this schedule shall, unless otherwise directed, be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-20.

Issued this 1st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7918; Filed, June 1, 1944; 11:10 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 21]

TOLUENE

§ 3293.1021 *Schedule 21 to General Allocation Order M-300*—(a) *Definitions.* (1) "Toluene" means the chemical compound known by the name of toluene or toluol, from whatever source derived.

(2) "Nitration grade toluene" means toluene which meets the requirements of Grade "A" in United States Army Specification No. 50-11-38C, as the same may from time to time be revised.

(3) "Commercial grade toluene" means toluene other than nitration grade toluene.

(b) *General provisions.* Toluene is subject to the provisions of General Allocation Order M-300 as an Appendix A material. The initial allocation date is February 1, 1942, when toluene first became subject to allocation under Order M-34 (revoked). The allocation period is the calendar month.

(c) *Special provisions.* (1) Use, delivery and acceptance of delivery of toluene prior to July 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M-34.

(2) No person shall use or deliver oils containing commercially extractable toluene, except for the purpose of distillation or refining, unless otherwise authorized by the War Production Board, pursuant to application by letter in triplicate addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-21.

(3) Each person processing coal tar oils for the extraction of toluene, or hydrocarbons for the production of toluene, shall produce therefrom the maximum quantity of nitration grade toluene which his equipment and facilities are capable of producing, unless otherwise directed by the War Production Board, pursuant to application by letter in triplicate addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-21.

(4) All stocks of toluene are subject to this Schedule, notwithstanding the "consumers' stocks" exemption in paragraph (n) of Order M-300.

(5) The above special provisions are in addition to the special provisions of M-300-22, relating to benzene, and M-300-23, relating to xylene.

(d) *Laboratory exemption.* Laboratories may, without authorization, use and accept delivery of not more than 60 gallons of toluene in the aggregate from all sources, within the twelve month period beginning July 1, 1944, and within any twelve month period thereafter. Only suppliers principally engaged in supplying laboratories may deliver toluene to laboratories without authorization and such suppliers may deliver no more than 60 gallons within any twelve month period as described above.

(e) *Suppliers' applications on Form WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). The filing date is the 15th of the month preceding the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-21. The unit of measure is gallons. Specify grade as "nitration" or "commercial".

[1] Code symbols refer to the symbols appearing in the "Primary Products and End Use List" (WPB I-217) prepared by the Protective Coatings Section, Chemicals Bureau, War Production Board.

In Columns 10 and 13 of Table II, enter only those stocks of toluene not authorized for delivery on the date specified.

(f) *Customers' applications on Form WPB–2945.* Each person seeking authorization to use or accept delivery (including suppliers seeking authorization to use) shall file application on Form WPB–2945 (formerly PD–600). The filing date is the 10th of the month preceding the month in which the material will be used or received. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–21, one copy (with reverse side left blank) to the supplier, and retain one copy. File separate sets of forms for each different supplier and for each of applicant's receiving points. The unit of measure is gallons. Specify grade as "nitration" or "commercial".

In Column 3, specify primary products in terms of the following:

Aviation oils.
Coated fabrics.
Dyes and intermediates.
Explosives.
Medicinals.
Navy cable saturant.
Neoprene solvent.
Paint, varnish and lacquer.
Petroleum additives.
Printing ink.
Quinacrine.
Other primary product (specify).
Export (as toluene).
Resale (as toluene).
Inventory (as toluene).

In column 4, specify end use (see paragraph 11 of Appendix E to Order M–300). Leave Columns 9 and 10 blank except for remarks, if any, in Column 10. In Table II fill in as indicated for each grade of toluene referred to in Table I. Suppliers shall report only quantities of toluene which have been allocated to them for their own use. Fill in Table IV as indicated for each primary product specified in Column 3 of the application, except for primary products under direct allocation (such as quinacrine).

(g) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications to the War Production Board.* Communications concerning this Schedule shall, unless otherwise directed, be addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–21.

Issued this 1st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7919; Filed, June 1, 1944; 11:10 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 22]

BENZENE

§ 3293.1022 *Schedule 22 to General Allocation Order M–300*—(a) *Definition.* "Benzene" means the chemical compound known by that name or by the name benzol, from whatever source derived.

(b) *General provisions.* Benzene is subject to the provisions of General Allocation Order M–300, as an Appendix A material. The initial allocation date is July 1, 1942, when benzene first became subject to allocation under Order M–137 (revoked). The allocation period is the calendar month. The small order exemption is one drum (55 gallons) or less per person per month.

(c) *Special provisions.* (1) Use, delivery, and acceptance of delivery of benzene prior to July 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M–137.

(2) No person shall use or deliver oils containing commercially extractable benzene, except for the purpose of distillation or refining, unless otherwise directed by the War Production Board pursuant to application by letter in triplicate addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–22.

(3) Each person processing coal tar oils for the extraction of benzene, or hydrocarbons for the production of benzene, shall produce therefrom the maximum quantity of 2°C. benzene which his equipment and facilities are capable of producing, unless otherwise directed by the War Production Board pursuant to application by letter in triplicate addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–22.

(4) All stocks of benzene are subject to this Schedule, notwithstanding the "consumers' stocks" exemption in paragraph (n) of Order M–300.

(5) The above special provisions are in addition to the special provisions of Order M–300–23, relating to xylene, and Order M–300–21, relating to toluene.

(d) *Suppliers' applications on Form WPB–2946.* Each supplier seeking authorization to deliver shall file application on Form WPB–2946 (formerly PD–601). The filing date is the 15th of the month preceding the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–22. The unit of measure is gallons. Specify grade as "1° nitration", "2° pure" or other specified grade.

In Table II, Columns 10 and 13, enter only those stocks of benzene not authorized for delivery under date specified.

(e) *Customers' applications on Form WPB–2945.* Each person seeking authorization to use or accept delivery (including suppliers seeking authorization to use) shall file application on Form WPB–2945 (formerly PD–600). The filing date is the 10th of the month preceding the month in which the material will be used or received. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., one copy (with reverse side left blank) to the supplier and retain one copy. File separate sets of forms for each different supplier and for each of the applicant's receiving points. The unit of measure is gallons. Specify grade as "1° nitration", "2° pure" or other specified grade.

In Column 3 specify primary products in terms of the following:

Aniline.
Cumene.
Diphenyl.
Diphenylamine.
Dyestuffs and intermediates.
Medicinals.
Monochlorobenzene.
Phenol.
Solvents and thinners.
Styrene.
Other primary products (specify).
Export (as benzene).
Resale (as benzene).
Inventory (as benzene).

In Column 4 specify end use (see paragraph 11 of Appendix E to Order M–300). Leave Columns 9 and 10 blank except for remarks, if any, in Column 10. Fill in Table IV as indicated. For each primary product specified in Column 3 of the application, except for primary products under direct allocation (such as aniline, phenol and styrene).

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to the War Production Board.* Communications concerning this schedule shall, unless otherwise directed, be addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–22.

Issued this 1st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7920; Filed, June 1, 1944; 11:10 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 23]

XYLENE (XYLOL)

§ 3293.1023 *Schedule 23 to General Allocation Order M–300*—(a) *Definition* "Xylene" means the chemical compounds known by the name of xylene or xylol, from whatever source derived, or mixtures of ortho xylene, meta xylene and para xylene in any proportion, with or without paraffinic, olefinic or aromatic hydrocarbons, having the following characteristics:

(1) Distillation range (as described in the "Standard Method of Tests for Distillation of Gasolines, Naphthas, Kerosenes and Similar Petroleum Products A. S. T. M. designation D86–40", published by the American Society of Testing Materials or by the MCA procedure) as follows: initial boiling point (minimum) 130° C. (266° F.), 90 per cent point (maximum) 149° C. (300° F.), end point (maximum) 165.5° C. (330° F.); and

(2) Aromatic hydrocarbon content not less than 85 per cent by volume as determined by "Emergency Methods of Tests for Olefins, Aromatic Hydrocarbons, Paraffins and Naphthas in Aviation Gasoline (without distillation into fractions) A. S. T. M. designation ES–45", published by the American Society of Testing Materials.

(b) *General provisions.* Xylene is subject to the provisions of General Allocation Order M–300, as an Appendix A material. The initial allocation date is October 1, 1942, for limited types of xylene previously allocated under Order M–150 as in effect prior to July 1, 1944, and for xylene as defined above, the initial allocation date is July 1, 1944. The allocation period is the calendar month. The small order exemption is one drum (fifty-five gallons) or less per person per month.

(c) *Special provisions.* (1) Use, delivery and acceptance of delivery of certain kinds of xylene prior to July 1, 1944 will be authorized on the basis of applications filed in the form heretofore prescribed in Order M–150.

(2) No person shall use or deliver oils containing commercially extractable xylene except for the purpose of distillation or refining, unless otherwise authorized by the War Production Board pursuant to application by letter in triplicate addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–23.

(3) Each person processing coal tar oils for the extraction of xylene, or hydrocarbons for the production of xylene, shall produce therefrom the maximum quantity of xylene which his equipment and facilities are capable of producing unless otherwise directed by the War Production Board, pursuant to application by letter in triplicate addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–23.

(4) All stocks of xylene are subject to this schedule, notwithstanding the "consumers' stocks" exemption in paragraph (n) of Order M–300.

(5) The above special provisions are in addition to the special provisions of M–300–22, relating to benzene, and M–300–21, relating to toluene.

(d) *Suppliers' applications on Form WPB–2946.* Each supplier seeking authorization to deliver shall file application on Form WPB–2946 (formerly PD–601). The filing date is the 15th of the month preceding the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–23. The unit of measure is gallons.

Columns 5–a, 6 and 7 should be left blank, except for remarks, if any, in Column 7.

(e) *Customers' applications on Form WPB–2945.* Each person seeking authorization to use or accept delivery (including suppliers seeking authorization to use) shall file application on Form WPB–2945 (formerly PD–600). The filing date is the 10th of the month preceding the month in which the material will be used or received. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–23, one copy (with reverse side left blank) to the supplier and retain one copy. File separate sets of forms for each different supplier and for each of applicant's receiving points. The unit of measure is gallons.

In Column 3 specify primary products in terms of the following:

Coated fabrics.
Dyestuffs & intermediates.
General solvents.
Natural and synthetic rubber solution.
Other organic chemicals.
Paint, varnish and lacquer.
Printing ink.
Other (specify).
Resale (in original form).
Export (in original form).
Inventory (in original form).

In Column 4 specify end use. (See paragraph 11 to Appendix E, Order M–300). Leave Columns 9 and 10 blank, except for remarks, if any, in Column 10. Leave Table IV blank.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this Schedule shall, unless otherwise directed, be addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–23.

Issued this 1st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7921; Filed, June 1, 1944; 11:10 a. m.]

PART 3293—CHEMICALS

[Allocation Order M–340, as Amended June 1, 1944]

MISCELLANEOUS CHEMICALS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of the chemicals subject to this order for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.491 *Allocation Order M–340*—(a) *Definitions.* (1) "Subject chemical" means any chemical listed in Appendix A, as therein defined.

(2) "Producer" means any person engaged in the production of any subject chemical and includes a person who imports any subject chemical or has it produced for him pursuant to toll agreement.

(3) "Distributor" means any person who buys any subject chemical for the purpose of resale without further processing and without changing the form thereof.

(4) "Supplier" means a producer or distributor.

(b) *Restrictions on deliveries.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall deliver a subject chemical to any person except as specifically authorized or directed in writing by War Production Board. No person shall accept delivery of a subject chemical which he knows or has reason to believe is delivered in violation of this order.

(2) Authorization or directions as to deliveries to be made by suppliers in each calendar month will generally be issued by War Production Board prior to the beginning of such month, but may be issued at any time. They will normally be issued on Form WPB–2947 (formerly PD–602) which is to be filed by the supplier with War Production Board as explained in paragraph (g) below.

(3) If a supplier is authorized or directed by War Production Board to deliver a subject chemical to any specific customer or group of customers, but is unable to make the delivery either because of receipt of notice of cancellation or otherwise, the subject chemical shall revert to inventory, and shall not be delivered, or used, without further instructions.

(c) *Exceptions for small deliveries.* (1) Specific authorization in writing of War Production Board is not required for delivery by any supplier to any person in any calendar month of a subject chemical in a quantity not exceeding the quantity stated in Column 3 of Appendix B.

(2) The aggregate quantity of a subject chemical which any supplier may deliver in any calendar month pursuant to paragraph (c) (1), shall not exceed:

(i) The quantity which he has been specifically authorized, upon application pursuant to Appendix D, to deliver on small orders; or

(ii) If he is a distributor, the quantity which he acquired upon certification that it was required to fill small orders or the quantity which he acquired himself on such a small order, or

(iii) If he is a distributor who customarily delivers exclusively on small orders, any quantity.

(d) *Exceptions for deliveries for other reasons.* Specific authorization in writing of War Production Board is not required for delivery of a subject chemical by any supplier to any other person for a purpose stated in Column 4 of Appendix B.

(e) *Restrictions on use.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall use a subject chemical except as specifically authorized or directed in writing by War Production Board.

(2) Each person who with an order for a subject chemical furnishes a certificate required by paragraph (f) shall use the subject chemical delivered on such order only as specified on such certificate except as otherwise specifically authorized or directed in writing by War Production Board.

(3) War Production Board may from time to time issue directions with respect to the use or uses which may or may not be made of a subject chemical to be delivered to, or then in inventory of the prospective user.

(f) *Supplier to obtain from customer a certificate of use.* No supplier shall in any calendar month (beginning in the case of each subject chemical with the

calendar month in which the order becomes effective as to that chemical as stated in Appendix A) deliver to any person a greater quantity of such subject chemical than is stated in Column 3 of Appendix B unless he shall have received from such person a certificate as to the use for which such person is ordering such subject chemical. Such certificate shall be substantially in the form and shall be subject to the instructions stated in Appendix C and shall be in the hands of the supplier not later than the 15th day of the month preceding the month in which delivery is to be made. It need not be filed with War Production Board. A supplier must not deliver a subject chemical where he knows or has reason to believe the purchaser's certificate is false, but in the absence of such knowledge or reason to believe he may rely on the certificate.

(g) *Applications by suppliers for leave to deliver or use.* (1) Each supplier requiring authorization to make delivery of, or to use, a subject chemical during any calendar month shall file application on or before the 20th day of the preceding month. The application should be made on Form WPB–2947 (formerly PD–602) in the manner set forth in the general instructions appearing on that form, subject to the special instructions contained in Appendix D. If there is an inconsistency between the general and special instructions, the special instructions must be followed.

(2) War Production Board may issue to any supplier other and further directions with respect to preparing and filing Form WPB–2947 (formerly PD–602).

(h) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref: M–340,.

Issued this 1st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

Chemicals subject to this order. (1) "Acetaldol" means the chemical known by that name and by the names aldol, beta hydroxy butyric aldehyde oxybutanol, 3-hydroxy butanal.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(2) "ST–115" means the preparation known by that trade name, as defined and specified in Appendix to Regulation No. 3 (1942 Revision) of the Bureau of Internal Revenue.

Effective date—August 1, 1943. Comes in the following grades; no grades.

(3) "Dehydrol-O" means the chemical known by that trade name as defined and specified in Appendix to Regulation No. 3 (1942 Revision) of the Bureau of Internal Revenue.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(4) "G. C.–78" means the chemical known by that trade name.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(5) "By-product—phosphoric acid" means phosphoric acid obtained as a by-product in the manufacture of methyl methacrylate.

Effective date—September 1, 1943. Comes in the following grades: no grades.

(6) "Oxidized petrolatum" means high paraffinic petrolatum oxidized and processed to contain aliphatic ketones, and which is suitable for use as a base in the manufacture of rust preventive compounds or corrosion inhibitors meeting specification Nos. AXS–673, 52–C–18 and AN–C–52, such as those petrolatums known by the trade marks Par-Al-Ketone, Alox 707, Alox 701 and Alox 600.

Effective date—October 9, 1943. Comes in the following grades: no grades.

(7) "Vinsol" resin and "Truline" binder means the resins known by those registered trade marks or any similar resin obtained from the oleo-resin of pine wood and having the following properties:

Maximum solubility in petroleum naphtha 20%; complete solubility in lower alcohols; toluene insoluble 10 to 30 per cent; methoxy content 4 to 6 per cent; acid number 90 to 110; softening point (ASTM ball and ring method) 103° to 116° Centigrade.

Effective date—October 9, 1943. Comes in the following grades: no grades.

(8) [Deleted Mar. 27, 1944]

(9) [Deleted Mar. 27, 1944]

(10) [Deleted Oct. 22, 1943.]

(11) "DDT" means the chemical 2, 2-bis (para chlorophenyl) 1, 1, 1-tri-chloroethane, and is also known by the trade name "Neocid".

Effective date—January 1, 1944. Comes in the following grades: no grades.

(12) "Enamel wire naphtha" (also known as E. W. naphtha) means a mixture of aromatic solvents derived from coke oven light oil, drip oil or coal tar, distilling between 150 and 290° C., with at least 15 per cent distilling above 200° C. and containing 20 to 60 per cent monomeric polymerizable constituents of the cumorone-indene type. The term does not include aromatic material for the production of E. W. naphtha, or for the production of cumorone-indene resin, or for the production of other chemicals or intermediates, or for use as solvents in the crude state.

Effective date—February 1, 1944. Comes in the following grades: no grades.

(13) "Methyl Bromide" means the chemical CH_3Br.

Effective date—March 1, 1944. Comes in the following grades: no grades.

(14) "Precipitated calcium carbonate" means ultra fine particle calcium carbonate such as the chemical known as Kalvan, Witcarb R and Multifex.

Effective date—April 1, 1944. Comes in the following grades: no grades.

(15) "Pyronate" means the pyroligneous alcohol known by that trade name which is produced as a by-product of the destructive distillation of hardwood.

Effective date—May 1, 1944. Comes in the following grades: No grades.

(16) "Hi-flash naphtha" means water white coal tar solvent naphtha, having a distillation range of 145° C. (293° F. to 200° C. (392° F.), derived from coke oven light oils, coal tar distillates, drip oils or holder oils.

Effective date—July 1, 1944. Comes in the following grades: No grades.

APPENDIX B

NOTE: Item 16 added June 1, 1944.

1	2	3	4
Name of chemical	Unit of measure	Maximum quantity deliverable to any one person in any calendar month without specific authorization and without certificate required by paragraph (f)	Purpose for which delivery may be made without specific authorization, regardless of quantity (See par. (d).)
(1) Acetaldol	Gallon	54 gallons	None.
(2) ST–115	Gallon	54 gallons	None.
(3) Dehydrol-O	Gallon	54 gallons	None.
(4) G. C.–78	Gallon	54 gallons	None.
(5) By-product phosphoric acid.	Ton	5 tons	None.
(6) Oxidized petrolatum.	Pound	25 pounds	None.
(7) Vinsol resins.	Pound	500 pounds	None.
(8) [Deleted Mar. 27, 1944.]			
(9) [Deleted Mar. 27, 1944.]			
(10) [Deleted Oct. 22, 1943.]			
(11) DDT	Pound	1 pound	None.
(12) E.W.Naphtha.	Gallons	54 gallons	None.
(13) Methyl Bromide.	Pound	10 pounds	None.
(14) Precipitated calcium carbonate.	Pound	50 pounds	None.
(15) Pyronate	Gallon	54 gallons	None.
(16) Hi-flash naphtha.	Gallons	54 gallons	None.

APPENDIX C—CUSTOMER'S CERTIFICATE OF INTENDED USE

The undersigned purchaser hereby certifies to War Production Board and to his supplier, pursuant to Order No. M–340, that the ---------- (specify subject chemical) ordered for delivery in ----------, 194-- Month will be used by him for the manufacture or preparation of the following product(s), and that such product(s) will be put to the following end use(s):

	Quantity	Primary product	End use
(A)			
(B)			

Name of purchaser

By ----------
Date Duly authorized official Title

Instructions for customer's certificate. (1) The certificate shall be signed by an authorized official of the purchaser, either manually or as provided in Priorities Regulation No. 7.

(2) Where a purchaser wishes to receive more than the exempted quantity of each of two or more subject chemicals, a separate certificate shall be obtained as to each.

(3) The purchaser will specify under "Primary product", the exact product or products in the manufacture or preparation of which the subject chemical will be used or incorporated. A distributor ordering the subject chemical for resale as such will specify "resale" or, if ordering exclusively for resale on exempt small orders, will specify "small orders of ---------- or less" (specify quantity stated in Column 3 of Appendix B). If purchase is for inventory state "inventory."

(4) Under "End use", purchaser will specify the ultimate or end use to which the primary product will be put. He will also indicate whether civilian, Lend-Lease, other export or military, and if the product is for uses falling in two or more such categories, the percentage falling in each. Also, he will give contract numbers in the case of military use or Lend-Lease, and in the case of export, export license numbers. A distributor ordering the subject chemical for resale as such will leave blank the "End Use" column.

APPENDIX D—SPECIAL INSTRUCTIONS FOR SUPPLIER'S FORM WPB–2947 (FORMERLY PD–602)

(1) *Obtaining forms.* Copies of Form WPB–2947 (formerly Form PD–602) may be obtained at local field offices of the War Production Board.

(2) *Number of copies.* Prepare an original and three copies. File original and two copies with War Production Board, Chemicals Division, Washington 25, D. C., Ref.: M–340, retaining the third copy for your files. The original filed with the War Production Board shall be manually signed by a duly authorized official.

(3) *Separate set for each chemical.* Where the supplier's application relates to deliveries of two or more subject chemicals, he will file a separate set of Form WPB–2947 (formerly Form PD–602) for each.

(4) *Information at top of form.* In the heading, under "Name of Material", specify the subject chemical to which the Form WPB–2947 (formerly Form PD–602) relates; under "Grade", specify grade stated in Appendix A, or if no grade specified, leave blank; under "WPB Order No.", specify "M–340"; indicate month and year during which deliveries covered by the application are to be made; under "Unit of Measure", specify unit of measure stated in Column 2 to Appendix B; under name of company, specify your name and the address of the plant or warehouse from which shipment will be made.

(5) *Listing of customers.* In Column 1 (except for small orders as explained in (7) below) list the name of each customer from whom an order for delivery of the subject chemical during the applicable month has been received. If it is necessary to use more than one sheet to list customers, number each sheet in order and show the grand total on last sheet which is the only one that need be certified.

(6) *Primary product and end use.* In Column 1–a (except for small orders as explained in (7) below) specify the product or products in the manufacture or preparation of which the subject chemical will be used by your customer, the end use to which such product or products will be put, and military or Lend-Lease contract numbers, and export license numbers, all as indicated by the certificate obtained under paragraph (f) of this order. The quantity of the subject chemical used in the manufacture or preparation of each primary product for each product use shall be shown separately. If the subject chemical ordered by a customer is for two or more uses, indicate each use separately and indicate the quantity of the subject chemical ordered for each use.

(7) *Small orders.* The supplier need not list the name of any customer to whom he is to deliver in the applicable month a quantity of the subject chemical not exceeding the maximum quantity (indicated in Column 3 of Appendix B) which he is permitted to deliver to any one person in any calendar month without specific authorization. Also, in the case of any such delivery, he need not show the name of the product or the end use. Instead, he must write in Column 1 "Total small order deliveries (estimated)" and in Column 4, must specify the total estimated quantity of the subject chemical to be delivered on such orders.

(8) *Use by producers.* A producer requiring permission to use a part or all of his own production of the subject chemical shall list his own name as customer in Column 1 on Form WPB–2947 (formerly Form PD–602) specifying 'quantity required and product manufactured. Written approval of War Production Board on such Form WPB–2947 (formerly Form PD–602) shall constitute authority to the producer to use the subject chemical in the quantity and for the purposes indicated in such approved form.

(9) *Table II.* Each producer will report production, deliveries and stocks as required by Table II, Columns 9 to 16, inclusive. Distributors will fill out only Columns 10, 12 and 13. Producers and distributors will show in Column 8 Grade, as stated in Appendix A, or if no Grade is there specified, will leave Column 8 blank.

[F. R. Doc. 44–7916; Filed, June 1, 1944; 11:10 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[RMPR 122, Amdt. 21]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

A statement of considerations involved in the issuance of this amendment is issued simultaneously herewith has been filed with the Division of Federal Register.*

Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In § 1340.255 (a) (5) a new sentence is added to read as follows: "The maximum prices set forth in Maximum Price Regulation No. 112 for May 1944 shall be deemed by the dealer to be the supplier's maximum price until and including June 10, 1944."

2. In § 1340.256 (c) (3), the heading of the first column is changed to read: "To and including June 10, 1944" and the heading of the second column is changed to read "On and after June 11, 1944 to and including June 30, 1944".

This amendment shall become effective May 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–7888; Filed, May 31, 1944; 4:35 p. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 296,[1] Amdt. 3]

FLOUR FROM WHEAT, SEMOLINA AND FARINA SOLD BY MILLERS, BLENDERS, PRIMARY DISTRIBUTORS AND FLOUR JOBBERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 296 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. *Maximum prices for flour from wheat, semolina and farina.* Regardless of any contract, agreement or other obligation, no person shall sell or deliver, or agree, offer, solicit or attempt to sell or deliver, and no person shall in the course of trade or business buy or receive any flour from wheat, semolina or farina at prices higher than the maximum prices permitted by Appendix A hereof: *Provided,* That any contract entered into while the original Maximum Price Regulation No. 296 was in effect may be performed according to its terms if such contract complies with the provisions of said original Maximum Price Regulation No. 296; and *Further provided,* That any contract entered into prior to June 1, 1944, may be performed according to its terms, notwithstanding the changes in maximum prices specified by Amendment No. 3, issued May 31, 1944, if such contract complies with the maximum prices established prior to June 1, 1944, and with all of the other provisions of Revised Maximum Price Regulation No. 296.

2. Section 16 (a) (6) is amended to read as follows:

(6) "Flour from wheat" means: (i) Any product of the milling of wheat, other than durum wheat, whose ash content is not more than the sum of $\frac{1}{20}$ of the percent of protein therein calculated to a moisture-free basis, and 0.35, including granular flour used in the distillation of alcohol, except that farina shall not be deemed to be flour from wheat, (ii) any product of the milling of durum wheat whose ash content calculated to a moisture-free basis is not more than 1.5%, except that semolina shall not be deemed to be a flour from wheat, (iii) whole wheat flour, crushed wheat and cracked wheat used for human consumption, (iv) whole durum wheat flour, (v) blends of the foregoing flours from wheat. "Bleached," "bromated", "enriched", "phosphated" and "self-rising" flours shall be considered flour and, in determining whether the ash content of such flours complies with ash requirements as set forth herein, allowances shall be made for the increase in the

[1] 8 F.R. 16282; 9 F.R. 576, 2790.

ash content resulting from the addition of the bleaching, bromating, enriching, phosphating and self-rising ingredients.

3. Appendix A I(a) 1, 2 and 3 are amended to read as follows:

1. At destinations in Central Freight Association territory including destinations in Kentucky as covered by Central Freight Association Freight Tariff No. 535 series, also Paducah, Kentucky, and at destinations in Trunk Line and New England territories as covered by Trunk Line Freight Tariff No. 245 series and including destinations on the Chesapeake and Ohio Railway west of Ashland, Kentucky, to Preston, Kentucky, inclusive, and destinations in Kentucky on the Chesapeake and Ohio Railway south of Cattlettsburg, Kentucky, the maximum prices shall be $3.34 per hundredweight for such flour with a protein content of 13.5% or less and $3.54 per hundredweight for such flour with a protein content greater than 13.5%, plus the charge at the domestic carload proportional all-rail rate from Minneapolis to the destinations, applicable on traffic from Northwest territory.

2. At destinations in Southeastern Freight Association territory and in Carolina rate territory, as covered by Southeastern and Carolina Grain tariff No. 94 series, but not including destinations in Kentucky covered by said tariff, the maximum prices shall be $3.31 per hundredweight for such flour with a protein content of 13.5% and less and $3.38 per hundredweight for such flour with a protein content greater than 13.5%, plus the charge at the domestic carload proportional all-rail rate from Kansas City to Louisville or Cincinnati or beyond, and plus the charge at the domestic carload proportional all-rail rate from Louisville or from Cincinnati to the destination, applicable on billing originating in Ohio and Indiana, whichever is lower.

3. At destinations in Mississippi Valley Territory as covered by Mississippi Valley Grain Tariff No. 133 series, except those in Louisiana, also at destinations in Kentucky, except those covered in paragraph 1, the maximum prices shall be $3.31 per hundredweight for such flour with a content of 18.5% protein or less and $3.38 per hundredweight for such flour with a protein greater than 13.5%, plus the charge at the lowest domestic carload proportional all-rail rate from Kansas City, Missouri, to the destination.

4. Appendix A III (b) is amended to read as follows:

(b) At destinations in the following States: Kentucky, Tennessee, Alabama, Mississippi, Georgia, Florida, North Carolina, and South Carolina, the maximum prices for cake flour and other soft wheat bakery flour shall be $4.42 per hundredweight for cake flour, $3.75 per hundredweight for other soft wheat bakery flour with an ash content of .41% or less, and $3.52 per hundredweight for other soft wheat bakery flour with an ash content greater than .41%, plus such one of the following rail charges as results in the lowest delivered price: (i) The lowest carload proportional rail rate from Memphis, Tennessee; Cairo, Illinois; or Evansville, Indiana, to the destination; or (ii) The lowest carload proportional rail rate from Louisville, Kentucky, or Cincinnati, Ohio, to the destination, applicable on billing originating in Ohio and Indiana.

5. Appendix A III (c) (ii) and (iii) are amended to read as follows:

(ii) For flour milled in the States of California, Nevada, Utah, Idaho (south of the southern boundary of Idaho County), Colorado, Arizona, and New Mexico, the maximum prices shall be $3.90 per hundredweight for cake flour and $3.00 per hundredweight for other soft wheat bakery flour, plus the charge at the lowest flat carload rail rate from Ogden, Utah, to the destination.

(iii) For flour milled in any state other than those mentioned in subdivisions (i) and (ii) hereof, the maximum prices shall be $4.67 per hundredweight for cake flour and $4.00 for other soft wheat bakery flour with an ash content of .41% or less, and $3.77 per hundredweight for other soft wheat bakery flour with an ash content greater than .41%, less the charge at the lowest flat domestic carload rail rate from the milling point to New York City, plus the charge at the lowest flat domestic carload rail rate from the milling point to the destination: *Provided*, That, at or within twenty-five miles of the milling point the maximum price for carload quantities shall be the price obtained by deducting the transportation charge to New York City as directed in this subdivision (iii) and then adding 10 cents per hundredweight.

6. Appendix A V is amended to read as follows:

V. *Maximum prices for family flours in carload quantities, packed in 100 pound sacks delivered at specified destinations.* The maximum prices for family flour in carload quantities, packed in 100 pound cotton sacks delivered at destinations in the various states and the District of Columbia, shall be as follows:

	Per hundredweight
Colorado, east of the Rocky Mountains	$3.70
Montana, Wyoming	3.83
Colorado, except east of the Rocky Mountains, Kansas, Nebraska, New Mexico, North Dakota, South Dakota	3.95
Oregon, Washington	4.08
Idaho	4.13
Arizona, Oklahoma and Utah	4.21
Iowa and Missouri	4.29
Texas	4.31
Arkansas, Minnesota	4.34
Illinois	4.39
Indiana, Wisconsin	4.44
Nevada	4.46
Michigan, Ohio	4.49
Delaware, District of Columbia, Maryland, Pennsylvania and West Virginia	4.59
New Jersey, New York	4.62
The New England States	4.64
California	4.72
Kentucky, Louisiana, Virginia	4.69
Tennessee	4.82
Alabama, Georgia, Mississippi, South Carolina, Florida	4.87
North Carolina	4.92

7. Appendix A VI (a) (i) is amended to read as follows:

(i) When packed 12 2¾ pound packages or 24 1¼ pound packages to the case, $2.75 per case. When packed in cases of other sizes the maximum price shall be determined by dividing $2.75 by 12 when pricing 2¾ pound packages and by 24 when pricing 1¼ pound packages and multiplying the applicable result by the number of packages packed in the case.

8. Appendix A XII is amended to read as follows:

XII. *Maximum prices applicable to export sales and sales to exporters.* Maximum prices applicable to export sales shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation.[1] For the purposes of that regulation the applicable maximum basic domestic price for export sales or for sales to exporters and the United States or any of its agencies, shall be as follows:

(a) The maximum price for the sale of any family flour packed in 100 pound cotton sacks, in carload quantities, delivered shipside at any Gulf or Atlantic port for exportation outside of the continental United States shall be $4.21 per hundredweight, plus the charge at the shipside export all rail proportional carload rate, or shipside domestic all rail proportional carload rate, whichever is lower, from Minneapolis, Minnesota, to the port of export.

(b) The maximum price for the sale of any bakery flour packed in 100 pound cotton sacks, in carload quantities, delivered shipside at any Gulf or Atlantic port for exportation outside of the continental United States, shall be $3.34 per hundredweight for such bakery flour with a protein content of 13.5% or less and $3.54 per hundredweight for such bakery flour with a protein content greater than 13.5%, plus the charge at the shipside export all rail proportional carload rate or the shipside domestic all rail proportional carload, rate, whichever is lower, from Minneapolis, Minnesota, to the port of export.

(c) The maximum price for the sale of any cake flour or other soft wheat bakery flour packed in 100 pound cotton sacks, in carload quantities, delivered shipside at any Gulf or Atlantic port for exportation outside of the continental United States, shall be $4.44 per hundredweight for cake flour and $3.77 for other soft wheat flour with an ash content of .41% or less and $3.54 per hundredweight for other soft wheat bakery flour with an ash content greater than .41%, plus the charge at the shipside export all rail proportional carload rate or the shipside domestic all rail proportional carload rate, whichever is lower, from St. Louis, Missouri, to the port of export.

(d) The maximum price for the sale of any family or cake flour packed in 100 pound cotton sacks, in carload quantities, delivered shipside at any Pacific Coast port for exportation outside of the continental United States shall be $3.82 per hundredweight for family flour and $3.67 per hundredweight for cake flour, plus the charge at the shipside export all rail flat carload rate or the shipside domestic all rail flat carload rate, whichever is lower, from Spokane, Washington, to the Pacific Coast port of export.

(e) The maximum price for the sale of any bakery flour packed in 100 pound cotton sacks, in carload quantities, delivered shipside at any Pacific Coast port for exportation outside of the continental United States, shall be $2.77 per hundredweight for bakery flour with a protein content of less than 10.0%, $3.06 per hundredweight for bakery flour with a protein content of 10.0% or greater but less than 13.5% and $3.26 per hundredweight for bakery flour with a protein content of 13.5% or greater, plus the charge at the shipside export all rail flat carload rate or shipside domestic all rail flat carload rate, whichever is lower, from Spokane, Washington, to the Pacific Coast port of export.

(f) The maximum price for the sale of any semolina or durum flour in carload quantities in buyers' 100 pound sacks, delivered shipside at any port for exportation outside of the continental United States, shall be the appropriate maximum price specified in Appendix A IV at Minneapolis, Minnesota, plus, in the case of shipside deliveries at any Gulf or Atlantic port, the charge at the shipside export all rail proportional carload rate or the shipside domestic all rail proportional carload rate, whichever is lower, from Minneapolis, Minnesota, to the port of export, and, in the case of shipside deliveries at any Pacific Coast port the charge at the lowest carload transit balance rail rate from Minneapolis, Minnesota, to the destination payable on billing with a paid-in rate of 14 cents per hundred pounds.

(g) The maximum price for the sale of any family cake flour, family wholewheat flour or family farina, enriched or unenriched, at any port for exportation outside of the continental United States, shall be the appropriate maximum price specified in Appendix A VI.

(h) The maximum prices for bakery patent flours, farina (except family farina) enriched flour and farina (except family farina) and self-rising flour shall be determined by adding the applicable amount set forth in Appendix A VII to the appropriate maximum price at the port of export as set forth in this section.

(i) When the flour from wheat or farina is delivered in buyers' sacks or when containers other than cotton sacks are used, the foregoing maximum prices shall be adjusted as provided in Appendix A VIII.

(j) All maximum prices herein set forth on a per hundredweight basis may be converted to maximum prices per barrel as provided in Appendix A XVI.

This amendment shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7857; Filed, May 31, 1944; 4:35 p. m.]

[1] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036.

PART 1314—RAW MATERIALS FOR SHOES AND LEATHER PRODUCTS

[RPS 9,[1] Amdt. 9]

HIDES, KIPS AND CALFSKINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 9, as amended, is amended in the following respect:

The effective date of Amendment 3 is hereby postponed from June 1, 1944 to July 1, 1944.

This amendment shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7886; Filed, May 31, 1944; 4:35 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1227, 2000, 2132, 5706, 8948; 8 F.R. 2997, 11676, 12312, 13513, 15259, 16279; 9 F.R. 1325.

PART 1306—IRON AND STEEL

[RPS 49, Amdt. 24]

RESALE OF IRON AND STEEL PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1306.166 (f) (1) is amended by adding the following proviso: *"Provided*, That the seller need not so mark his invoice when the three conditions set forth in paragraph (e) (1) of this section have been satisfied."

This amendment shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7929; Filed, June 1, 1944; 12:08 p. m.]

PART 1306—IRON AND STEEL

[RMPR 159]

FABRICATED CONCRETE REINFORCING BARS

Maximum Price Regulation 159[1] is redesignated Revised Maximum Price Regulation 159 and is revised and amended to read as set forth herein. A statement of the considerations involved in the issuance of this Revised Maximum Price Regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1306.361 *Maximum prices for fabricated concrete reinforcing bars*—Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Orders Nos. 9250 and 9328, Revised Maximum Price Regulation 159 (Fabricated Concrete Reinforcing Bars), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1306.361 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

REVISED MAXIMUM PRICE REGULATION 159—FABRICATED CONCRETE REINFORCING BARS

CONTENTS

Sec.
1. Scope of this regulation.
2. Prohibition against dealing in fabricated concrete reinforcing bars sold or offered for sale at prices above the maximum.
3. Less-than-maximum prices.
4. Adjustable pricing.
5. Taxes.
6. Evasive practices.
7. Enforcement.
8. Licensing.
9. Records and reports.
10. Petitions for amendment.
Appendix A—Maximum prices.

[1] 7 F.R. 4339, 4428, 5710, 8948; 8 F.R. 970, 1202.

SECTION 1. *Scope of this regulation*—(a) *Products covered.* This regulation applies to fabricated concrete reinforcing bars, mill lengths and random stock lengths.

(1) "Fabricated concrete reinforcing bars" means any concrete reinforcing bars which are cut to specified lengths, or are bent to a specific radius, or are specifically bent or cut in a manner customarily performed by fabricators. It also includes mill lengths and random stock lengths.

(2) "Mill lengths" means concrete reinforcing bars in the lengths originally delivered to the fabricator.

(3) "Random stock lengths" means concrete reinforcing bars in other than mill lengths which are sold from a fabricator's inventory without cutting or bending.

(4) "Concrete reinforcing bars" means any or all plain or deformed steel bars, customarily used in concrete construction and whether square or round, of the following areas and diameters:

Area (in square inches):	*Diameter (in inches)*
0.05	¼ round
.11	⅜ round
.20	½ round
.25	½ square
.31	⅝ round
.44	¾ round
.60	⅞ round
.79	1 round
1.00	1 square
1.27	1⅛ square
1.56	1¼ square

and also means any or all plain round steel rods or wire, customarily used in concrete construction, of the following areas and diameters:

Area (in square inches):	*Diameter (in inches)*
0.05	¼
.11	⅜
.20	½
.31	⅝

(b) *Persons covered.* This regulation applies only to fabricators and resellers selling fabricated concrete reinforcing bars and persons purchasing fabricated concrete reinforcing bars from fabricators or resellers. The following definitions apply:

(1) "Fabricator" means a person in the business of selling fabricated concrete reinforcing bars who (i) maintains a warehouse stock of such materials, (ii) operates a plant or plants equipped with adequate machinery for the cutting and bending of concrete reinforcing bars, and (iii) supplies engineering service.

(2) "Reseller" means a person who sells fabricated concrete reinforcing bars fabricated by and purchased from others.

(3) "Person" means an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representatives of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(c) *Transactions covered.* This regulation applies to all sales and deliveries of fabricated concrete reinforcing bars for delivery within the 48 states or the District of Columbia except those transactions enumerated in paragraph (d) of this section 1.

(d) *Transactions not covered.* This regulation does not apply to the following transactions except as provided in the regulation noted:

(1) *Installed sales.* Where fabricated concrete reinforcing bars are sold on an installed basis, the maximum prices therefor are established by Maximum Price Regulation No. 251.[2]

(2) *Export sales including sales for the account of Lend-Lease.* An "export" or an "export sale" is defined in the Second Revised Maximum Export Regulation[3] and the definition therein includes sales to Government agencies for the account of Lend-Lease. The Second Revised Maximum Price Regulation applies to all such sales.

(3) *Sales of unfabricated concrete reinforcing bars by a "producer" as defined in Revised Price Schedule No. 6.* Where unfabricated concrete reinforcing bars are sold by a "producer" as defined in Revised Price Schedule No. 6, the maximum prices therefor are not established by this regulation, but are established by Revised Price Schedule No. 6. "Unfabricated concrete reinforcing bars" are concrete reinforcing bars sold by a producer in lengths and quantities customarily considered to be mill or stock lengths by the same producer on April 16, 1941, or prior thereto.

(4) *Sales of straight concrete reinforcing bars by a "seller" as defined in Revised Price Schedule No. 49 who is not also a "fabricator" as defined in this regulation.* Where a seller, as defined in Revised Price Schedule No. 49, operates a warehouse at which he does not qualify as a fabricator, the maximum prices for straight concrete reinforcing bars delivered from such warehouse are determined by Revised Price Schedule No. 49. Where a seller operates a warehouse at which he qualifies as a fabricator, the maximum prices for all concrete reinforcing bars delivered from such warehouse are determined by this regulation.

SEC. 2. *Prohibition against dealing in fabricated concrete reinforcing bars sold or offered for sale at prices above the maximum.* Regardless of any contract, lease or other obligation:

(a) No person shall sell or deliver fabricated concrete reinforcing bars at prices higher than the maximum prices set forth in Appendix A of this regulation.

(b) No person shall buy or receive, in the course of trade or business, fabricated concrete reinforcing bars at prices higher than the maximum prices set forth in Appendix A of this regulation.

(c) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

SEC. 3. *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

SEC. 4. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by an official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 5. *Taxes.* As to any tax upon, or incidental to, sales or deliveries of fabricated concrete reinforcing bars imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, if the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller under this regulation may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of the tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

SEC. 6. *Evasive practices.* The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to fabricated concrete reinforcing bars alone or in conjunction with any other commodity or by mixing fabricated concrete reinforcing bars in an order for mill or random stock lengths, or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

SEC. 7. *Enforcement.* Persons violating any provision of this regulation shall be subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 8. *Licensing.* The provisions of Licensing Order No. 1,[4] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale of any commodity for the sale of which his license has been suspended.

SEC. 9. *Records and reports.* (a) Every person making a purchase or sale of fabricated concrete reinforcing bars under this regulation shall keep for inspection by the Office of Price Administration for a period of not less than two years, or as long as the Emergency Price Control Act of 1942, as amended, shall be in effect, whichever period is shorter, complete and accurate records of every such purchase or sale (including but not limited to copies of invoices, statements of refunds and copies of calculations required under paragraphs (a) (11) and (c) (7) of Appendix A).

(b) Persons affected by this regulation shall submit such reports to the Office of Price Administration as it may from time to time require.

SEC. 10. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[5]

Appendix A—Maximum prices. The maximum prices for fabricated concrete reinforcing bars shall be the aggregate of the base price at the applicable basing point, extras and transportation charges, all as set forth in paragraphs (a), (b) and (c) of this Appendix A. "Applicable basing point" as used in this appendix means the basing point at which the maximum price of the concrete reinforcing bars is computed for delivery to the fabricator's plant under Revised Price Schedule No. 6.[6]

(a) *Base prices.*—(1) *General.* Except as otherwise provided in this appendix, the maximum base prices at the applicable basing point per one hundred pounds for delivery within the 48 states of the United States and the District of Columbia are:

Reinforcing bars	$2.40
Spirals (with spacers) manufactured from bars, rods or wire smaller than ⅜" round	4.45
Spirals (with spacers) manufactured from bars, rods or wire ⅜" round or larger	3.95

(2) *Gulf Port basing points.* Where the concrete reinforcing bars were obtained by the fabricator at a Gulf Port basing point the maximum base prices per one hundred pounds are:

Reinforcing bars	$2.75
Spirals (with spacers) manufactured from bars, rods or wire smaller than ⅜" round	4.80
Spirals (with spacers) manufactured from bars, rods or wire ⅜" round or larger	4.30

"Gulf Port basing point" is any one of the cities of Galveston, Houston, Orange, Port Arthur and Beaumont in the State of Texas.

(3) *Pacific Coast basing points.* Where the concrete reinforcing bars were obtained by the fabricator at a Pacific Coast basing point the maximum base prices per one hundred pounds are:

Reinforcing bars	$2.60
Spirals (with spacers) manufactured from bars, rods or wire smaller than ⅜" round	4.85
Spirals (with spacers) manufactured from bars, rods or wire ⅜" round or larger	4.35

"Pacific Coast basing point" is anyone of the cities of San Pedro, Wilmington, Long Beach, San Diego, San Francisco, Los Angeles, Oakland, Sacramento or Stockton in the State of California, or Portland in the State of Oregon, or Tacoma or Seattle in the State of Washington.

(4) *Carload in Toledo.* The maximum base prices per one hundred pounds for carload quantities for delivery within the switching limits of the City of Toledo, Ohio, are:

Reinforcing bars	$2.55
Spirals (with spacers) manufactured from bars, rods or wire smaller than ⅜" round	4.60
Spirals (with spacers) manufactured from bars, rods or wire ⅜" round or larger	4.10

(5) *Carload in Detroit.* The maximum base prices per one hundred pounds for carload quantities for delivery within the switching limits of the City of Detroit, Michigan, are:

Reinforcing bars	$2.50
Spirals (with spacers) manufactured from bars, rods or wire smaller than ⅜" round	4.55
Spirals (with spacers) manufactured from bars, rods or wire ⅜" round or larger	4.05

(6) *Less carload in Detroit.* The maximum base prices per one hundred pounds for less carload quantities for delivery within the switching limits of the City of Detroit, Michigan, are:

Reinforcing bars	$2.59
Spirals (with spacers) manufactured from bars, rods or wire smaller than ⅜" round	4.64
Spirals (with spacers) manufactured from bars, rods or wire ⅜" round or larger	4.14

(7) *Spirals without spacers.* If spirals are furnished without spacers $0.25 per one hundred pounds shall be deducted from the applicable maximum base price.

(8) *Spirals made from cold drawn wire.* If spirals are made from cold drawn wire $0.50 per one hundred pounds may be added to the applicable maximum base price.

(9) *Welded stirrups.* The maximum prices per one hundred pounds for welded stirrups for delivery within the forty-eight states and the District of Columbia are:

Welded stirrups made from bars, rods or wire ¼" round	$7.80
Welded stirrups made from bars, rods or wire ⅜" round	6.55
Welded stirrups made from bars, rods or wire ½" round	5.80

No addition for transportation charges may be made except as provided in paragraph (c) (6) of this Appendix A.

(10) *Carload quantities of mill or random stock lengths.* Where a carload or more of mill lengths or random stock lengths, or both, are specified by the purchaser as all or part of a sale and the quantity of such lengths exceeds 25 per cent by weight of the total quantity, for such quantity as is furnished in such lengths $0.25 per one hundred pounds shall be deducted from the maximum prices as otherwise established in this Appendix A.

(11) *Lump sum and average price bids and contracts.* The maximum price for lump sum and average price bids for fabricated concrete reinforcing bars shall not exceed an amount equal to the sum of the products of the total estimated weight of each category of bars multiplied by the applicable maximum price therefor as otherwise established by this regulation: *Provided*, That where such a bid is accepted the total amount which may be charged by the seller or paid by the purchaser for fabricated concrete reinforcing bars delivered pursuant to such contract shall not exceed the applicable maximum prices set forth in this regulation for such bars and within ten days after final shipment the seller shall furnish the purchaser with a written statement of the total weights of and prices for the total of all deliveries made under such contract which statement shall separately reveal the price for each of the following items: (i) the bars exclusive of extras; (ii) each extra, if any; and (iii) transportation charges. Nothing in this subparagraph shall be construed to prohibit such interim invoicing as the parties may agree upon. If in any case the total amount which is paid on interim invoices exceeds the applicable maximum prices for the total of all deliveries as shown on the seller's final statement as required above, the seller shall refund to the purchaser the amount of such excess.

(b) *Extras.* The following extras may be added where applicable (size extras and bending extras are not applicable extras for spirals or welded stirrups):

(1) Size extras:	*Per 100 pounds*
¾" and larger	None
⅝"	$0.10
½"	.20
⅜"	.40
¼"	1.00

(2) *Quantity extras.* Extras for quantity shall be determined on the basis of the weight of all fabricated concrete reinforcing bars furnished by a single fabricator or reseller to a single purchaser for a specific project, except that if the quantity has been increased from that originally contemplated by a supplemental order or by a change in plans or specifications and the fabricator or reseller has not been informed of the change by the purchaser in time to include the increased quantity in the final shipment, he may add the quantity extra on the increased quantity as determined by the weight of the increase.

	Per 100 pounds
Less than 20 tons, but not less than 5 tons	$0.25
Less than 5 tons, but not less than 1 ton	.35
Less than 1 ton	.50

(3) Bending extras:

Heavy bending: Includes bars other than ¼" and ⅜" bent at not more than 6 points; also radius bending and types not otherwise defined as light bending	.40
Light bending: Includes all ¼" and ⅜" bars and ½" stirrups and column ties, and all bars of any size bent at more than 6 points	.90

(4) Extras for milled or square cut ends:

Bars 4'0" long and over	.20
Bars less than 4'0"	.30

(5) *Galvanizing extra.* A charge may be made for galvanizing not in excess of the actual cost of the galvanizing to the seller.

(6) *Restrictive specification extras.* For a tensile range more restrictive than the current ASTM specification for the specified grade, the reduction in range to be not more than 5,000 lbs. per square inch: $0.05 per cwt. For a weight tolerance more restrictive than the current ASTM specification but in no case with a restriction less than 2½ per cent over or under for lot shipments: $0.10 per cwt.

(7) *Engineering extras.*—Extras for engineering shall be determined on the basis of the weight of all fabricated concrete reinforcing bars furnished by a single fabricator or reseller to a single purchaser for a specific project, except that if the quantity has been increased from that originally contemplated by a supplemental order or by change in plans or specifications and the fabricator or reseller has not been informed of the change by the purchaser before the engineering has been completed, he may add the engineering extras on the increased quantity as determined by the weight of the increase:

(i) Details and placing plans, including listing, from designs by others:

	Extra Per 100 lbs.	*Maximum charges*
Less than 5 tons	$0.50	$35.00
5 tons to 19.99 tons	.35	120.00
20 tons to 199.99 tons	.30	800.00
200 tons to 499.99 tons	.20	1,500.00
500 tons and over	.15	None

In no case need the charge on any single order be less than $10.00.

(ii) Listing where no extras are added pursuant to Appendix A (b) (7) (i): $0.05 per 100 pounds.

(iii) For designing: $0.30 per 100 pounds in addition to above detailing extras.

(c) *Transportation charges.*[7] The following are the transportation charges which may be added:

(1) *Incoming freight.* (i) Except as otherwise provided in this paragraph (c), where delivery of the concrete reinforcing bars is made to the fabricator outside of the limits of the switching district of a basing point, there may be added the lowest applicable railroad charge for the transportation of an identical quantity of concrete reinforcing bars from the applicable basing point to the railroad siding nearest the plant of the fabricator. (ii) Where delivery of the concrete reinforcing bars is made to the fabricator within the limits of the switching district of a basing point, there may be added the applicable switching charge under Revised Price Schedule No. 6 for an identical quantity: *Provided*, That such switching charge may not exceed $0.025 per hundred pounds for a sale in carload quantities of twenty-five tons or more, or $0.10 per hundred pounds for a sale in less than carload quantities, except that for deliveries of thirty tons or more within the limits of the switching district of Chicago, Illinois, such charge may not exceed $0.03 per hundred pounds; and that in no instance need the switching charge provided for in this subparagraph fall below $2.00 for any single sale.

(2) *Outgoing freight.* Except as otherwise provided in this paragraph (c), there may also be added the lowest applicable railroad charge for the transportation of an identical quantity of fabricated concrete reinforcing bars from the plant of the fabricator to the point of delivery to the consumer: *Provided*, That where such delivery is made in whole or in part by truck, $0.10 per hundred pounds may also be added.

(3) *Fabrication in transit.* Except as otherwise provided in this paragraph (c), if the privilege of fabrication in transit at the plant of the fabricator is available between the point of origin of the concrete reinforcing bars and the point of delivery to the consumer, and yields a charge lower than the total charge calculated pursuant to the provisions of paragraphs (c) (1) and (c) (2) for the transportation of an identical quantity

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[2] 7 F.R. 8878; 8 F.R. 3628, 9334.

[3] 8 F.R. 4132, 5927, 7662, 9998, 15193, 9 F.R. 1036, 5435.

[4] 8 F.R. 13240.

[5] 7 F.R. 8878; 8 F.R. 3628, 9334.

[6] 7 F.R. 1215, 1886, 2132, 2153, 2999, 2997, 3115, 3941, 4780, 6385, 7240, 8946; 8 F.R. 6042, 7257, 6440.

[7] It should be noted that where the bars are sold by a reseller rather than by a fabricator the transportation charges apply in accordance with the location of whatever plant fabricates the bars rather than the location of the reseller.

from the applicable basing point to the point of delivery to the consumer, the total transportation charge which may be added under paragraph (c) (1) and (c) (2) of this paragraph shall not exceed such lower charge.

(4) *Michigan and Toledo.* (i) No additions for rail freight transportation charges may be made on less than carload quantities for delivery within the switching limits of the City of Detroit, Michigan. (ii) No additions for rail freight transportation charges may be made on carload quantities for delivery within the switching limits of the City of Toledo, Ohio, or the City of Detroit, Michigan. (iii) On less than carload quantities for delivery in the State of Michigan other than the switching limits of the City of Detroit, there may be added: (*a*) where the lowest applicable railroad charge at the carload rate from Pittsburgh, Pennsylvania, to the point of delivery to the consumer is 32 cents or less per hundred pounds, 15 cents per hundred pounds plus the difference between the lowest applicable railroad charge for the transportation of an identical quantity from Pittsburgh, Pennsylvania, to the point of delivery to the consumer and the lowest railroad charge at the carload rate; or (*b*) where the lowest applicable railroad charge at the carload rate from Pittsburgh, Pennsylvania, to the point of delivery to the consumer is more than 32 cents per hundred pounds, the lowest applicable railroad charge for the transportation of an identical quantity from the applicable basing point to the point of delivery to the consumer. (iv) On carload quantities for delivery in the State of Michigan other than the switching limits of the City of Detroit there may be added: (*a*) where the lowest applicable railroad charge at the carload rate from Pittsburgh, Pennsylvania, to the point of delivery to the consumer is 32 cents or less per hundred pounds, 15 cents per hundred pounds; or (*b*) where the lowest applicable railroad charge at the carload rate from Pittsburgh, Pennsylvania, to the point of delivery to the consumer is more than 32 cents per hundred pounds: the lowest applicable railroad charge for the transportation of an identical quantity from the applicable basing point to the point of delivery to the consumer.. (v) In case delivery is made in whole or in part by truck to any point in the State of Michigan or in the City of Toledo, Ohio, $0.10 per hundred pounds may also be added.

(5) *Direct shipments.* Where a shipment is made directly from the mill to the consumer, irrespective of whether the bars are fabricated or not, the maximum charge which may be added for transportation is the lowest applicable railroad charge for the transportation of an identical quantity from the applicable basing point to the consumer: *Provided*, That where such delivery is made in whole or in part by truck, $0.10 per hundred pounds may also be added. This subparagraph (5) does not apply to sales for delivery within the State of Michigan and within the switching limits of the City of Toledo, Ohio.

(6) *Welded stirrups.* In the case of welded stirrups the only transportation charges which may be added are: (i) the lowest applicable railroad charge for the transportation of an identical quantity of welded stirrups from Pittsburgh, Pa., Birmingham, Ala., or Chicago, Ill., whichever is most favorable to the purchaser; and (ii) $0.10 per hundred pounds when delivery is made in whole or in part by truck.

(7) *Segregation.* In computing the rail freight charges pursuant to this paragraph (c), the specific concrete reinforcing bars or fabricated concrete reinforcing bars purchased and sold need not be segregated or otherwise identified by the fabricator: *Provided*, That during any calendar year after January 1, 1943, should the difference between the total amounts invoiced by a fabricator for freight charges on sales from any plant, office or point of shipment, and the total amounts for freight charges actually incurred by the fabricator at the same plant, office or point of shipment result in an excess or a deficit to the fabricator at such plant, office or point of shipment, such excess shall be dissipated or such deficit may be retrieved by the fabricator by adjustment of freight charges on outgoing shipments from said plant, office or point of shipment on sales during the first three months following such year or, if there are no sales or sales are insufficient during said three months, as soon as sufficient sales are made. In the event a fabricator intends to liquidate his business at any plant, office or point of shipment such excess shall be dissipated immediately on freight charges to be invoiced on subsequent deliveries. In the event that a change in inventory has occurred at the end of any year, the fabricator may adjust any deficit and shall adjust any excess on the basis of the actual weight of reinforcing bars shipped by the fabricator during such year. For the purpose of determining the amount of the deficit to be retrieved or the amount of excess to be dissipated the amount of incoming freight shall be calculated using the weighted average of all incoming freight paid by the fabricator during the year in which the change in inventory occurred. In computing rail freight charges for the purposes of this paragraph no dissipation is required of an excess occasioned for shipments to a purchaser in less than carload quantities where the concrete reinforcing bars were received at the plant of the fabricator in carload quantities and the fabricator subsequently invoiced his purchaser on a less than carload basis for the incoming shipment. Furthermore, in computing the amount of rail freight charges pursuant to this paragraph the fabricator shall adjust for amount due from carriers under shipments on the basis of a fabrication in transit privilege.

Effective date. This regulation shall become effective June 6, 1944.

NOTE: The reporting provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 1st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7926; Filed, June 1, 1944; 12:06 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 435,[1] Amdt. 4]

NEW BICYCLE TIRES AND TUBES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 435 is amended in the following respects:

1. In Table I–C, Appendix C, under the appropriate columns and on the appropriate lines, the maximum price per pair of 26 x 2.125 bicycle tires of the Super Roadmaster brand owned by the Columbus Cycle & Sporting Goods Co. shall be $3.30, and the maximum price per pair of 20 x 2.125, 24 x 2.125, or 26 x 2.125 bicycle tires of the Super Value brand owned by the Columbus Cycle & Sporting Goods Co. shall be $2.95.

2. In Table I–D, Appendix D, under the appropriate columns and on the appropriate lines, the maximum retail price for a 26 x 2.125 bicycle tire of the Super Roadmaster brand owned by the Columbus Cycle & Sporting Goods Co. shall be $2.45; the maximum retail price for a 20 x 2.125, 24 x 2.125, or 26 x 2.125 bicycle tire of the Super Value brand owned by the Columbus Cycle & Sporting Goods Co. shall be $2.20; and the maximum retail price for a 26 x 1.375 bicycle tire of the Cornell Clipper brand owned by The Pep Boys (Philadelphia) shall be $1.80.

3. In Table II–D, Appendix D, under the appropriate column and on the appropriate line, the maximum retail price for a 26 x 1.375 bicycle tube of the Cornell brand owned by The Pep Boys (Philadelphia) shall be $1.00.

This amendment shall become effective June 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7928; Filed, June 1, 1944; 12:07 p. m.]

* Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10419, 12444, 15609; 9 F.R. 973.

PART 1387—SILVER

[RMPR 198]

SILVER

Maximum Price Regulation No. 198 is redesignated as Revised Maximum Price Regulation No. 198, and is revised and amended to read as follows:

In the judgment of the Price Administrator it is necessary and proper to revise and combine existing regulations and orders relating to silver and to establish maximum prices for silver bullion, semifabricated articles and scrap in a single regulation.

The maximum prices established by this regulation are, in the judgment of the Administrator, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

The Administrator has given due consideration to prices prevailing between October 1 and 15, 1941, and to relevant factors of general applicability, and so far as practicable has consulted with representatives of the industries affected. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Such specifications and standards as are used in this Regulation were, prior to such use, in general use in the trade or industry affected.

§ 1387.1 *Maximum prices for silver.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Revised Maximum Price Regulation No. 198 (Silver), which is annexed hereto and made a part hereof is hereby issued.

AUTHORITY: § 1387.1 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681.

REVISED MAXIMUM PRICE REGULATION 198—SILVER

CONTENTS

Sec.
1. Commodities covered by this regulation.
2. Transactions and persons to which this regulation applies.
3. Maximum prices for standard commercial bars.
4. Maximum prices for semifabricated articles.
5. Maximum prices for sales by manufacturers of semifabricated articles which cannot be priced under section 4.
6. Maximum prices for semifabricated articles, which cannot be priced under section 4, when sold by a seller other than a manufacturer.
7. Maximum prices for silver scrap.
8. Maximum prices at which silver may be imported.
9. How domestic, Treasury and foreign silver are distinguished.
10. Requirements where a refiner sells silver as domestic silver.
11. Requirements where a seller, other than a refiner selling domestic silver, sells silver as domestic or Treasury silver.
12. Toll or service charges.
13. Records and reports.
14. Applicability of regulation.
15. Adjustable pricing.
16. Petitions for adjustment.
17. Petitions for amendment.
18. Prohibitions.
19. Enforcement.
20. Licensing.
21. Definitions.

SECTION 1. *Commodities covered by this regulation.* (a) This regulation establishes maximum prices for:

(1) Standard commercial bars and all other forms of silver bullion, whether foreign, domestic or Treasury;

(2) Semifabricated articles;

(3) Silver scrap; and

(4) The processing of silver and silver scrap.

(b) *Definitions.* (1) "Silver bullion" means silver which has been melted, smelted or refined and which is in such state or condition that its value depends primarily upon the silver content and not upon its form.

(2) "Standard commercial bars" means silver bullion in the form of bars weighing approximately 1,000 troy ounces, .999 fine.

(3) "Semifabricated article" means silver which has been melted, smelted or refined, and further processed or combined with other materials by alloying, machining, rolling, drawing, turning, blanking, slitting, cutting, spinning, remelting, recasting or other similar process, or by being subjected to special refining processes, but which is not suitable for ultimate use without further processing or combination with other materials. The term includes, but is not restricted to, silver alloys, grain, shot, crystals, powder, wire, sheet, blanks, circles, solders, brazing alloys, sintered products, silver-clad metals, silver inlays, and bar silver in weights or degrees of fineness different from the weight or fineness of standard commercial bars. The term also includes sheet, wire and tubing of rolled gold plate or gold filled stock consisting of fine or carat gold on a silver alloy base. It also includes silver scrap produced by suppliers in semifabricating operations and sold by such suppliers as silver casting metal. The term does not include standard commercial bars or any article, other than those specifically referred to herein, which is suitable for ultimate use without further processing or combination with other materials. The term semifabricated article, however, includes any silver bullion in a form other than standard commercial bars and such silver bullion shall be priced in accordance with the provisions of this regulation for the pricing of semifabricated articles containing silver.

(4) "Silver scrap" means materials containing silver, whether in metallic form or not, which are the waste or by-product of metal working of any kind, or of any use of silver in industry or the arts; it also includes all articles containing silver which have been discarded from their original use because of obsolescence, failure, or other reasons. It is, however, limited to materials which derive their principal value from the silver contained therein; and it does not include articles which are still useful in their existing state for their original purpose if such articles are bought and sold for reuse in their existing state for their original purpose. Neither does it include scrap produced by suppliers in semifabricating operations and sold by such suppliers as silver casting metal.

(c) This regulation does not apply to:

(1) Any commodity which is listed in Appendix A or B of Maximum Price Regulation No. 136[1] [Machines and Parts and Machinery Services]; nor to any commodity listed in Appendix A of Maximum Price Regulation No. 188[2] [Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel]; nor to any commodity for which a maximum price is established by Revised Maximum Price Regulation No. 171[3] [Film Scrap]; nor to any commodity for which a maximum price is established by any other price schedule or maximum price regulation, except the General Maximum Price Regulation;[4]

(2) Babbitt metal; silver salts; and lead-base, tin-base, and tin-lead-base solders containing 6 percent silver or less;

(3) Component parts and subassemblies of (i) aircraft, ammunition, armored trains, artillery, balloon barrage equipment, bombs, bomb-sights, caissons, fire control equipment, gas masks, grenades, gun sights, military bridges, mines, mortars, projectiles, pyrotechnics, small arms, ships and boats and torpedoes; and (ii) amphibians, armored vehicles, automobiles, tanks, trailers and trucks sold or delivered for military purposes to the United States or any agency thereof, or the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An act to Promote the Defense of the United States" or any agency of any such Government. The term "component parts and subassemblies" includes all metallic and nonmetallic component parts, adjuncts and accessories which have been machined or fabricated. The term does not include raw or unfinished materials or any other materials which are in such form as to permit their use in the manufacture of products other than those listed in this subparagraph.

SEC. 2. *Transactions and persons to which this regulation applies.* (a) This regulation applies to all sales and deliveries of the commodities covered except:

(1) Sales for export, which are covered by the Second Revised Maximum Export Price Regulation[5];

(2) Sales of silver scrap to persons other than consumers;

(3) Sales by an owner of his used personal or household effects or other personal property used by him; and

(4) Sales of silver by the United States Treasury Department pursuant to an act approved July 12, 1943, entitled "An Act to Authorize The Use For War Purposes of Silver Held or Owned by the United States, (Pub. Law 137, 78th Cong.)." Such sales are likewise exempt from the General Maximum Price Regulation.

(b) This regulation applies to the importation of silver.

(c) This regulation applies to toll or service charges for the processing of scrap or other forms of silver.

SEC. 3. *Maximum prices for standard commercial bars—(a) Definitions.* (1) "Seller's most favorable basing point" means the basing point to which the cost of transportation from the point of shipment is lowest.

(2) "Point of shipment" means the point at which the silver is first loaded on a conveyance for shipment directly to the buyer, except that, in the case of imports, it means the port of entry, or the station of the common carrier nearest to the point on the international boundary at which the shipment first enters the Continental United States.

(b) *Base prices.* The maximum price for standard commercial bars, delivered, free of all charges, to the seller's most favorable basing point, shall be:

For foreign silver: 45 cents per troy ounce .999 fine.

For domestic silver: 71.111 cents per fine troy ounce.

(NOTE: For pricing purposes, Treasury silver is to be considered as domestic silver.)

(c) *Basing points.* The following basing points, or free delivery points, are

[1] 8 F.R. 16132, 9 F.R. 1523.

[2] 7 F.R. 5872, 7967, 8943, 8948, 10155; 8 F.R. 537, 1815, 1980, 3105, 3788, 3860, 4140, 4931, 5759, 7107, 8751, 8754, 9836, 10433, 10906, 11037, 12406, 12479, 12186, 12668, 14622, 14766, 16298, 17415; 9 F.R. 1912, 2556, 3095, 3858, 4396, 4506, 4882, 5375.

[3] 8 F.R. 8547.

[4] 9 F.R. 1385, 5169.

[5] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036.

established for standard commercial bars:

For foreign silver: New York, N. Y., San Francisco, Calif.
For domestic silver: New York, N. Y.; San Francisco, Calif.; Philadelphia, Pa.; Denver, Colo.

(d) *Delivered price.* If delivery is made to the buyer at any point other than the seller's most favorable basing point, the maximum delivered price shall be the applicable one of the prices set out in paragraph (b) of this section, plus the cost of transportation from the point of shipment to the destination, minus the cost of transportation from the point of shipment to the seller's most favorable basing point.

(e) *Price f. o. b. point of shipment.* Standard commercial bars may, of course, be sold f. o. b. point of shipment. The maximum price f. o. b. point of shipment is the maximum delivered price at the seller's most favorable basing point, minus the cost of transportation from the point of shipment to the seller's most favorable basing point.

(f) *Distributor's differentials.* A seller other than a refiner may sell or deliver standard commercial bars in lots of less than 200,000 ounces at the base prices set out in paragraph (b) above, plus the differentials established by this paragraph. Moreover such sales or deliveries, at the prices provided in this paragraph, may be f. o. b. the seller's shipping point rather than on the basis of the seller's most favorable basing point; and, if the seller makes delivery to the buyer's place of business, he may add an amount not in excess of express charges.

Quantity differentials for sellers other that refiners are as follows:

	Cents
100,000 ounces up to but not including 200,000 ounces	.25
25,000 ounces up to but not including 100,000 ounces	.375
10,000 ounces up to but not including 25,000 ounces	.50
5,000 ounces up to but not including 10,000 ounces	.75
2,000 ounces up to but not including 5,000 ounces	1.25
Under 2,000 ounces	2.00

In addition to these quantity differentials a seller other than a refiner may add .375¢ per fine troy ounce on sales of domestic silver.

(g) *Refiner's differentials.* A refiner may add the following quantity differentials to his maximum prices for delivery of standard commercial bars in lots of less than 25,000 ounces at his most favorable basing point:

	Cents
10,000 ounces up to but not including 25,000 ounces	.50
5,000 ounces up to but not including 10,000 ounces	.75
2,000 ounces up to but not including 5,000 ounces	1.25
Under 2,000 ounces	2.00

(h) *Credit charges.* A seller of standard commercial bars may add his customary charges for the extension of credit beyond 10 days from date of invoice. However, no charge may be added for credit of shorter duration.

SEC. 4. *Maximum prices for semifabricated articles.*

(NOTE: The provisions of this section are applicable to sales of silver bullion other than standard commercial bars. However, the maximum prices at which silver bullion (or semifabricated articles) other than standard commercial bars may be imported are to be determined under section 8 rather than under this section).

(a) *Maximum prices.* Maximum prices for semifabricated articles shall be determined by taking as a base the highest price charged by the seller during March 1942 for the same commodity containing foreign silver and adding to this base price 9.634 cents per fine troy ounce of foreign silver, or 36.125 cents per fine troy ounce of domestic silver contained in the article to be priced. (NOTE: For pricing purposes Treasury silver is to be considered as domestic silver.)

(b) *Determination of base price.*—The seller shall determine his base price by applying the first one of the following rules which is applicable: (In applying these rules, the seller must remember that an article he handled in March 1942 which has the same design and specifications as the article to be priced is "the same commodity", even though it was made of foreign silver while the article to be priced may be made of domestic silver. For the purpose of finding the base price, the change from foreign to domestic silver makes no difference.)

Rule 1. Take the highest price at which the seller delivered the same commodity to a purchaser of the same class during March 1942.

Rule 2. Take the highest price at which the seller offered the same commodity for delivery to a purchaser of the same class during March 1942.

Rule 3. Take the highest price at which the seller delivered the same commodity to a purchaser of a different class during March 1942, and adjust it to reflect his customary differential between the two classes of purchasers.

Rule 4. Take the highest price at which the seller's most closely competitive seller of the same class delivered the same commodity to a purchaser of the same class during March 1942.

(c) *Additions to base price.* To find the maximum price, take the base price, figured according to the rules in paragraph (b) of this section, and add 9.634 cents per fine troy ounce of foreign silver or 36.125 cents per fine troy ounce of domestic silver contained in the article sold.

(d) *Terms of sale.* No seller shall change his customary allowances, discounts or other differentials unless the change results in a lower price; and no seller shall require the purchaser to pay any greater proportion of the transportation cost than he required purchasers of the same class to pay in March 1942.

SEC. 5. *Maximum prices for sales by manufacturers of semifabricated articles which cannot be priced under section 4*—(a) *Definitions.* (1) "Comparable product" is a silver containing product which has an established maximum price, and which has a similar use and is made by a similar process and by the same manufacturer as the product being priced. If more than one product can be regarded as comparable, then the one whose current direct costs are nearest to the current direct costs of the product being priced shall be the comparable product. A product is not comparable with the product being priced if its current direct costs vary by more than 25% from the current direct costs of the product being priced. Neither is a product containing foreign silver to be considered as comparable with a product containing domestic or Treasury silver.

(2) "Direct costs" means the sum of direct labor costs and direct material costs. Direct labor costs shall in no event be figured on wage rates higher than those permitted by law, and direct material costs shall in no event be figured on prices higher than the maximum prices established by the applicable price schedule or maximum price regulation.

(b) *Pricing method.* A manufacturer shall determine his maximum price for a semifabricated article which cannot be priced under section 4 by using the following formula:

The maximum price of the comparable product divided by the current direct costs of the comparable product equals the markup factor, which multiplied by the current direct costs of the product to be priced yields the seller's maximum price.

(c) *Terms of sale.* All customary discounts, practices relating to the payment of transportation charges, and other trade practices in effect with respect to the sale of the comparable product shall apply to the maximum price determined under paragraph (b).

(d) *Reports.* Within 10 days after determining a maximum price for a product under paragraph (b), the manufacturer shall submit a report to the Non-Ferrous Metals Branch of the Office of Price Administration, containing a description of the product, a statement of the maximum price determined under paragraph (b), and a statement of how he figured such price. Maximum prices so reported shall thereafter be subject to adjustment (not to apply retroactively) by order issued by the Administrator.

(e) *Pricing method for products which cannot be priced under paragraph (b).* The maximum price for a product which cannot be priced under paragraph (b) shall be a price, in line with the level of maximum prices established by this regulation, to be determined upon specific application to the Office of Price Administration. Prior to the sale of such product, the seller shall submit to the Non-Ferrous Metals Branch of the Office of Price Administration an application for establishment of a maximum price. Such application shall contain a description of the product to be priced, a statement as to why it cannot be priced under paragraph (b), a statement of the seller's proposed maximum price, detailed explanation of how he arrived at that price, and an explanation of the basis upon which such price is believed to be in line with the level of maximum prices established by this regulation. The price submitted for approval shall be deemed to be approved unless the Office of Price Administration specifically disapproves such price and establishes an approved maximum price within 15 days from the date on which the application is received by the Office of Price Administration, or, if further information is requested from the seller within such 15 day period, then within 15 days from the date on which all such information is received. A price once approved shall thereafter be subject to adjustment (not to apply retroactively) by order issued by the Administrator. A price once approved under this regulation or under regulations previously applicable to silver need not be reported again by the same person.

SEC. 6. *Maximum prices for semifabricated articles which cannot be priced under section 4, when sold by a seller other than a manufacturer*—(a) *Pricing method.* A seller, other than a manufacturer, shall determine his maximum price for a semifabricated article which cannot be priced under section 4, as follows:

(1) Select, from the same general classification and price range as the commodity being priced, the comparable commodity containing silver for which a maximum price is established under section 4 of this regulation, and of which the seller sold the largest number of units during March 1942;

(2) Divide this maximum price for that commodity by his replacement cost of that commodity; and

(3) Multiply the percentage so obtained by the cost to him of the commodity to be priced.

The resulting figure shall be the maximum price for the commodity.

(b) *Terms of sale.* All customary discounts, practices relating to the payment of transportation charges, and other trade practices in effect with respect to the sale of the comparable product shall apply to the maximum price determined under paragraph (a).

(c) *Reports.* Within 10 days after determining a maximum price for a commodity under paragraph (a), the seller shall submit a report to the Non-Ferrous Metals Branch of the Office of Price Administration containing a description of the commodity, a statement of the maximum price determined under paragraph (a), and a statement of how he figured such price. Maximum prices so reported shall thereafter be subject to adjustment (not to apply retroactively) by order issued by the Administrator.

(d) *Pricing method for commodities which cannot be priced under paragraph (a).* If the seller cannot determine his maximum price under paragraph (a) of this section, he shall apply to the Non-Ferrous Metals Branch of the Office of Price Administration for the establishment of a maximum price in accordance with the provisions of section 5 (e).

SEC. 7. *Maximum prices for silver scrap.* The maximum price for silver scrap shall be 44.75¢ per fine troy ounce of silver contained, delivered free of all charges to the buyer's receiving point.

For the purposes of this regulation there is no difference between scrap derived from foreign, domestic or Treasury silver. The maximum price for all silver scrap shall be 44.75¢ per fine troy ounce, except that scrap produced by suppliers in semifabricating operations and sold by such suppliers as silver casting metal may be priced as a semifabricated article containing domestic or Treasury silver if the seller complies with the provisions of this regulation governing the sale of semifabricated articles containing domestic or Treasury silver.

SEC. 8. *Maximum prices at which silver may be imported*—(a) *Standard commercial bars.* Silver in the form of standard commercial bars may not be imported at prices higher than those established in section 3.

(b) *Semifabricated articles and silver bullion other than standard commercial bars.* The maximum price at which semifabricated articles and silver bullion other than standard commercial bars may be imported shall be a price in line with the general level of maximum prices established by this regulation. This price will be established by the Office of Price Administration upon application by the importer to the Non-Ferrous Metals Branch of the Office of Price Administration. This application may be in the form of a letter which shall contain:

(1) The names and addresses of the importer, the party from whom he is purchasing, any agents involved in the transaction, and the point to which delivery is to be made;

(2) A description of the commodity for which a maximum price is sought, including the form and the degree of fineness; and

(3) The maximum price proposed by the applicant, together with any facts tending to show that the proposed price is in line with the general level of maximum prices established by this regulation.

Pending establishment of a maximum price, any person, otherwise authorized by law, may import, or offer or agree to import, semifabricated articles or silver bullion other than standard commercial bars, so long as the contract provides that the price shall not exceed the price to be approved by the Office of Price Administration. A price once approved under this regulation or under regulations previously applicable to silver need not be reported again by the same person.

(c) *Silver scrap.* Silver scrap may not be imported at a price higher than that established in section 7.

SEC. 9. *How domestic, Treasury and foreign silver are distinguished*—(a) *Definitions.* (1) "Domestic silver" means silver which the Director of the Mint, subject to any regulations which have been or may hereafter be prescribed by the Secretary of the Treasury pursuant to section 4 (c) of the Act of July 6, 1939, is satisfied has been mined subsequent to July 1, 1939, from natural deposits in the United States or any place subject to the jurisdiction thereof.

(2) "Treasury silver" means silver sold by the United States Treasury Department pursuant to an Act approved July 12, 1943, entitled "An Act to Authorize the Use for War Purposes of Silver Held or Owned by the United States", (Pub. Law 137, 78th Cong.).

(3) "Foreign silver" is any silver other than domestic or Treasury silver, as defined above.

(b) *Pricing of Treasury silver.* Treasury silver is to be considered as domestic silver for pricing purposes.

(c) *Fungibility of silver stocks recognized.* Although this regulation deals with three kinds of silver (domestic, Treasury and foreign), it is recognized that all three kinds of silver are physically identical and no person is required to keep his stocks of silver physically separate as to kind in order to charge the higher prices authorized for domestic or Treasury silver or for semifabricated articles containing such silver. Sale at such higher prices is permitted, however, only when the seller complies with the provisions, where applicable, of sections 10 and 11.

SEC. 10. *Requirements where a refiner sells silver as domestic silver*—(a) *Surrender of miner's affidavits.* As a condition to his right to charge the higher price allowed for domestic silver, a refiner must prove that the silver which he sells is domestic silver by submitting, not later than the 25th day of the month following the month in which the sale is made, to the Director of the Mint, Washington, D. C., miners' affidavits executed on Treasury Department Forms TSA–2 and/or TSA–2A, pursuant to section 80.7 of the Newly-Mined Domestic Silver Regulations of July 6, 1939, sufficient to cover the quantity of silver sold; and must authorize and direct the Director of the Mint to cancel such affidavits.

(b) *Invoice.* The refiner must give an invoice to the buyer containing:

(1) The names and addresses of the buyer and seller;

(2) A description of the silver sold, including the degree of fineness and the quantity in troy ounces;

(3) The prices charged; and

(4) The following certification:

We certify that the silver covered by this invoice is domestic silver, and that miners' affidavits on Treasury Department Forms TSA–2 and/or TSA–2A, sufficient to cover this quantity of silver, have been forwarded to the Director of the Mint for verification and cancellation, or are in our possession and will be so forwarded within the time allowed by the Office of Price Administration.

The buyer must retain this invoice, and the seller must retain a copy for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(c) *Corrections.* If the proper affidavits are filed in accordance with paragraph (a) of this section, and if the silver is invoiced and certified as required in paragraph (b), the character of the silver as domestic silver shall be deemed to be prima facie established. However, if within one year from the date on which affidavits applicable to the last sale under this regulation are received,

the Director of the Mint notifies the refiner that the United States Coinage Mints are not satisfied that such silver (or part of it) was in fact eligible for deposit under the Act of July 6, 1939; then:

(1) The refiner must submit for cancellation additional affidavits sufficient to cover an equivalent amount of silver and transfer such amount of silver from its domestic silver account to its foreign silver account for sale only as foreign silver; or

(2) The price must be adjusted downward to the maximum price for foreign silver; the refiner must refund any payment in excess of that maximum price; and the buyer must accordingly adjust his records of the amount of domestic silver purchased by him.

SEC. 11. *Requirements where a seller, other than a refiner selling domestic silver, sells silver as domestic or Treasury silver*—(a) *Explanation.* A person who buys domestic or Treasury silver, and who resells silver bullion or manufactures and sells semifabricated articles, is permitted to pass on to the buyers of such commodities the higher cost of domestic or Treasury silver. In order to do this, however, the seller is required to keep an account of the domestic and the Treasury silver which he buys and sells; and he is permitted to deliver, or settle for, and to receive payment for bullion or semifabricated articles as being or containing domestic or Treasury silver only if the silver contained in the commodities thus sold is not in excess of the amount of domestic and Treasury silver which he has bought and has not sold or otherwise disposed of.

(b) *Inventory of domestic and Treasury silver.* (1) No seller (other than a refiner selling under section 10), shall sell bullion or semifrabricated articles as being or containing domestic or Treasury silver unless his inventory record shows that his purchases of domestic and Treasury silver have exceeded his sales or other disposals of such silver by an amount at least equal to the silver which he proposes to sell.

(2) This inventory record must be kept in terms of fine troy ounces of silver. Domestic or Treasury silver purchased in the form of standard commercial bars or in other forms of bullion or as semifabricated articles may be added to this inventory account; and such silver under firm contract of purchase for future delivery may be considered as purchased and may be added to this inventory account within 5 months of the contract delivery date, subject to later adjustment if not actually delivered within that time. No silver shall, however, be added to or considered a part of this inventory account unless invoiced and certified at the time of delivery as domestic or Treasury silver.

(3) The fine silver content of all bars, semifabricated articles and other commodities which the seller disposes of as being or containing domestic or Treasury silver must be subtracted from this inventory account. Thus, if a seller has sold an article subject to Maximum Price Regulation 188 at the price allowed by that regulation for certain articles containing domestic silver, he must, when the article is delivered, reduce his inventory account of domestic and Treasury silver by an amount equal to the fine silver content of the article sold. It is not necessary to make any deduction from this inventory account of domestic or Treasury silver by reason of scrap and processing losses. With these two exceptions, however, any loss or disposition of domestic or Treasury silver must be deducted from this inventory account.

(4) For purposes of determining current inventory of domestic and Treasury silver, bullion, semifabricated articles and other articles containing silver will be considered to have been "delivered" if they have been delivered to the buyer or loaded on any carrier, including a carrier owned and controlled by the seller, for delivery to the buyer. Where there is no physical delivery, settlement shall be considered as the equivalent of delivery. If bullion or semifabricated articles sold as being or containing domestic or Treasury silver are rejected or returned by the buyer, the seller may adjust his inventory account accordingly.

(5) Any person subject to this regulation may begin his inventory record with the closing inventory figure shown on the latest report filed with the Office of Price Administration on Form OPA 677:125A.

(c) *Invoice and certificate.* No seller (other than a refiner selling domestic silver) shall sell bullion or semifabricated articles as being or containing domestic or Treasury silver unless he gives to the buyer an invoice containing:

(1) The names and addresses of the buyer and the seller;

(2) A description of the articles sold, including the silver content in fine troy ounces;

(3) The prices charged; and

(4) The following certification:

We hereby certify that the articles listed in this invoice contain domestic (Treasury) silver as defined in Revised Maximum Price Regulation No. 198.

The buyer must retain this invoice, and the seller must retain a copy thereof, for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

SEC. 12. *Toll or service charges*—(a) *Services covered.* This regulation applies to charges made for the refining, casting or other processing of silver, silver scrap, or other material containing silver so as to produce silver bullion or semifabricated articles. This regulation does not apply, however, to any charge made for the milling, smelting or refining of copper, lead or zinc ores, concentrates, mattes, speiss, bullion, slimes or dore. Neither does it apply to any charge made for the processing of any other material unless the principal value of such material is derived from the silver contained therein.

(b) *Maximum charges.* The maximum charge or price for any service covered by this regulation shall be the first of the following which is applicable:

(1) The highest price which the same person charged for the same service during March 1942;

(2) The highest price which the same person quoted for the same service to be performed during March 1942; or

(3) A price to be determined upon specific application to the Office of Price Administration in accordance with the provisions of section 5 (e).

SEC. 13. *Records and reports.* (a) On sales of domestic silver by refiners both seller and buyer must retain the records required by section 10 (b) above.

(b) On sales of domestic or Treasury silver by other sellers both seller and buyer must retain the records required by section 11 (c) above. The seller must likewise keep a record of his purchases and sales of domestic and Treasury silver for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(c) This regulation requires the submission of reports by the following:

(1) Sellers determining maximum prices for semifabricated articles under section 5 or section 6.

(2) Importers determining maximum prices for semifabricated articles and silver bullion other than standard commercial bars under section 8 (b).

(3) Persons determining maximum prices for services under section 12 (b) (3).

(d) Persons subject to this regulation shall keep such other records and submit such other reports to the Office of Price Administration as the Administrator may from time to time require, subject to approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SEC. 14. *Applicability of regulation*—(a) *Geographical.* This regulation applies to the 48 states of the United States and the District of Columbia (referred to in the regulation as "the continental United States").

(b) *Export sales.* The maximum price at which any person may export silver bullion, semifabricated articles or scrap shall be determined in accordance with the Second Revised Maximum Export Price Regulation issued by the Office of Price Administration.

(c) *Import sales.* The maximum price at which anyone may import silver bullion, semifabricated articles or scrap shall be determined under this regulation. (See section 8).

(d) *Relation to other regulations.* (1) This regulation supersedes the General Maximum Price Regulation and all orders (except individual adjustment orders) and supplementary regulations under the General Maximum Price Regulation as to all sales and deliveries which are covered by this regulation or specifically exempted therefrom. Specifically, this regulation supersedes the following:

(i) Order 62 under § 1499.3 (b) of the General Maximum Price Regulation (Standard Commercial Bars of Newly-mined Domestic Silver);

(ii) Section 5.4 of Revised Supplementary Regulation 14 to the General Maximum Price Regulation (Semifabricated articles containing newly-mined domestic silver); and

(iii) Section 5.5 of Revised Supplementary Regulation 14 to the General Maximum Price Regulation (Silver other than newly-mined domestic silver).

(2) This regulation does not affect Maximum Price Regulation No. 136 (Machines and Parts and Machinery Services), nor Maximum Price Regulation No. 177 (Film Scrap), nor Maximum Price Regulation No. 188 (Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods other than Apparel), nor any other price schedule or maximum price regulation, except as stated above. Nor does it affect the following parts of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation:

(i) Section 5.1 (Silver salts); and

(ii) Section 5.2 (Solder and babbitt metal containing silver).

SEC. 15. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorizations has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of individual application for adjustment.

SEC. 16. *Applications for adjustment*—(a) *When available.* The Office of Price Administration may, by order, adjust any maximum price established by this regulation whenever it finds, from an application for adjustment or on its own motion, that the price impedes or threatens to impede any seller's production or distribution of any commodity and that the seller's production or distribution is necessary for essential war or civilian purposes. (This section is, under like conditions, applicable to the maximum price of services as well as commodities.)

(b) *Considerations.* In determining whether production is impeded or threatened, among other factors, consideration will be given to: (1) costs of and revenue from the commodity in question; (2) the relative importance of the commodity in the seller's over-all business; (3) the profitableness of the seller's business; and (4) any special facts which the seller calls to the attention of the Office of Price Administration.

(c) *Amount of adjustment.* Increase in price will be permitted in an amount which the Office of Price Administration considers sufficient to avoid the impeding of production or the threat of impeding production.

(d) *Form of application.* An original and copy of an application for adjustment must be filed with the Office of Price Administration, Washington, D. C. It is suggested that, before filing an application for adjustment under the provisions of this section, the seller obtain from the Non-Ferrous Metals Branch, Office of Price Administration, Washington, D. C., a statement of the specific information that will be necessary in order that his application may receive prompt action.

SEC. 17. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of the Revised Procedural Regulation No. 1* issued by the Office of Price Administration.

SEC. 18. *Prohibitions.* (a) Regardless of any contract or other obligation,

(1) No person shall sell or deliver silver scrap to a consumer at a price higher than the maximum;

(2) No consumer shall buy or receive silver scrap in the course of trade or business at a price higher than the maximum;

(3) No person shall sell or deliver silver bullion or any semifabricated article to any person at a price higher than the maximum;

(4) No person in the course of trade or business shall buy or receive silver bullion or any semifabricated article at a price higher than the maximum;

(5) No person in the course of trade or business shall import silver bullion, semifabricated articles, or silver scrap at a price higher than the maximum;

(6) No person shall invoice, sell, deliver or settle for any silver bullion or any semifabricated article at a price higher than the maximum price which would be applicable if the silver in the commodity sold were foreign silver, unless the silver in the commodity sold qualifies as domestic or Treasury silver under this regulation, and unless the seller complies fully with all the applicable provisions of sections 10, 11 and 13 of this regulation, relating to evidence of origin, invoicing, certification and record-keeping; and

(7) No person shall pay or receive a price higher than the maximum for any service covered by section 12 of this regulation.

(b) No person shall agree, offer, solicit or attempt to do any of the acts prohibited in paragraph (a) of this section.

(c) Any practice or device which is an attempt to get the effect of a price higher than the maximum price without actually charging or paying more than the maximum is prohibited, and is just as much a violation of this regulation as an outright excessive price. This applies to devices involving commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like. It likewise applies to the practice of sawing standard commercial bars and selling the resulting part bars in quantities of 1,000 ounces or more as semifabricated articles.

(d) Prices lower than the maximum prices established by this regulation may be charged, demanded, paid or offered.

SEC. 19. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended, and proceedings for the suspension of licenses.

SEC. 20. *Licensing.* The provisions of Licensing Order No. 1,† licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violation of the license or of any one or more maximum price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 21. *Definitions.*

(NOTE: Definitions are interspersed throughout this regulation where it seems desirable to include them in the text. These definitions are not repeated below but reference is made to the place in the regulation at which they appear. Certain definitions which do not appear elsewhere are set out below.)

(a) (1) "Bullion", see section 1 (b) (1).

(2) "Comparable product", see section 5 (a) (1).

(3) "Component parts and subassemblies", see section 1 (c) (3).

(4) "Consumer" means any person whose business consists in whole or in part of smelting, refining, melting, or otherwise processing scrap into a form other than scrap, or in having scrap so processed for his account by another person under a toll or conversion agreement. Any parent or subsidiary corporation of a consumer corporation, and any corporation owned, operated, affiliated with, under common control with, or otherwise controlled by a consumer, and any corporation owned, operated, or otherwise controlled by a consumer or an officer or director of a consumer corporation shall also be considered to be a consumer.

(5) "Continental United States", see section 14 (a).

(6) "Delivered during March 1942" means received during that month by the purchaser or by any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(7) "Direct costs", see section 5 (a) (2).

(8) "Domestic silver", see section 9 (a) (1).

(9) "Foreign silver", see section 9 (a) (3).

(10) "Import" means to buy, to receive, or in any manner to pay for silver bullion,

*7 F.R. 8961; 8 F.R. 8313, 3533, 6173, 11806; 9 F.R. 1594.

†8 F.R. 13240.

semifabricated articles or silver scrap pursuant to or in connection with any transaction, contract or agreement whereby any silver bullion, semifabricated article, or silver scrap is transported or is to be transported into the continental United States from any place outside the continental United States.

(11) "Most closely competitive seller of the same class" means the seller of the same class, selling the same (or a similar) commodity, who is closely competitive in the sale of such commodities and is located nearest to the seller who is seeking to determine a maximum price.

(12) "Person" includes an individual, corporation, partnership, association or other organized group of persons, or the legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of any of the foregoing.

(13) "Point of shipment", see section 3 (a) (2).

(14) "Price at which a seller offered a commodity" means the price quoted in his price list, or, if he had no such price list, the price which he regularly quoted in any other manner. But a price intended to withhold a commodity from the market, or a price offered as a bargaining price by a seller who usually sells for less than his asking price, is not an offering price for the purposes of this regulation.

(15) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for commodities for sale to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, government agency, public institution) or for purchasers in different areas, or for different quantities or grades, or under different conditions of sale.

(16) "Refiner" means a person who produces silver bullion from ores, ore concentrates, or other silver-bearing materials. Such a producer shall not, however, be considered a refiner when selling or delivering silver other than that which he has produced from ores, concentrates or other materials.

(17) "Scrap silver", see section 1 (b) (4).

(18) "Seller of the same class" means a seller of similar type, performing the same function, dealing in the same type of commodities, and selling to the same class of purchaser.

(19) "Seller's most favorable basing point", see section 3 (a) (1).

(20) "Semifabricated articles", see section 1 (b) (3).

(21) "Silver bullion", see section 1 (b) (1).

(22) "Silver scrap", see section (1) (b) (4).

(23) "Standard commercial bars", see section 1 (b) (2).

(24) "Supplier" means a person who, in the regular course of his business, processes silver and produces and sells semifabricated articles.

(25) "Treasury silver", see section 9 (a) (2).

(b) Unles the text otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

This regulation shall become effective on the 6th day of June 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 1st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7927; Filed, June 1, 1944; 12:07 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1,[1] to GMPR, Amdt. 57]

VITAMIN ENRICHED CONCENTRATES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 2.3 (v) is added to read as follows:

(v) Vitamin enriched concentrates when used exclusively for enriching wheat flour in the manner provided for in the definition and standard of identity for enriched flour as promulgated by the Federal Security Administrator.

This amendment shall become effective June 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7930; Filed, June 1, 1944; 12:07 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 137]

SILVER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 is amended in the following respect:

1. Section 5.4 (Semifabricated Articles Containing Newly-mined Domestic Silver) and section 5.5 (Silver Other Than Newly-mined Domestic Silver) are hereby revoked.

This amendment shall become effective June 6, 1944.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4978.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7931; Filed, June 1, 1944; 12:07 p. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts

CONTRACTS FOR EVAPORATED AND POWDERED SKIMMED MILK

NOTICE OF CONTINUANCE OF EXCEPTION

In the matter of an exception from the provisions of the Walsh-Healey Public Contracts Act of contracts for evaporated milk and powdered skimmed milk.

A public hearing was held before Merle D. Vincent, Director of the Exemptions Branch of the Wage and Hour and Public Contracts Division in Room 7129, Labor Department Building, Washington, D. C., on March 21, 1944, pursuant to a public notice by the Secretary of Labor published in the FEDERAL REGISTER on March 10, 1944 (9 F.R. 2697), for the purpose of receiving evidence and hearing argument from all interested parties on the question whether the exception of November 31, 1942, permitting the award of Government contracts for evaporated milk and powdered skimmed milk without the inclusion in such contracts of the representations and stipulations of section 1 of the Walsh-Healey Public Contracts Act shall be extended to December 31, 1944, in accordance with the provisions of section 6 of the act. The testimony and documents received pursuant to the notice have been duly considered by the presiding officer and he has filed a report with me finding that there is insufficient data in the record upon which to make a proper final determination of this matter and recommending (1) that further evidence be secured on costs of production, and (2) that the exception be extended temporarily until September 1, 1944, pending a final determination upon receipt of such evidence. I have reviewed the report of the presiding officer and have determined to accept his recommendations.

Now, therefore, it is ordered, That:

1. The parties specified in the presiding officer's report shall furnish the information described therein to the Secretary of War prior to July 15, 1944; and

2. The exception from the provisions of the Walsh-Healey Public Contracts Act of contracts for evaporated milk and powdered skimmed milk shall be continued to September 1, 1944, pending a final determination upon receipt of such information.

Signed at Washington, D. C., this 26th day of May 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-7871; Filed, May 31, 1944; 12:16 p. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

AMENDMENTS TO REGULATIONS AND APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4488, 4491, as amended, 49 Stat. 1544 (46 U. S. C. 375, 391a, 404, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendments to the regulations and approval of equipment are prescribed:

Subchapter D—Tank Vessels

PART 37—SPECIFICATIONS FOR LIFESAVING APPLIANCES

Section 37.1-4 (f) is amended by the addition of the following sentence:

§ 37.1-4 *Lifeboat davits—TB/ALL.* • • •

(f) • • • For each reduction of 0.01 percent below the maximum specified carbon content, an increase of 0.04 percent manganese above the specified maximum will be permitted up to a maximum of 1.00 percent.

Subchapter G—General Rules and Regulations for Vessel Inspection, Ocean and Coastwise

PART 59—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (OCEAN)

Section 59.3 (1) is amended by the addition of the following sentence to immediately follow the table:

§ 59.3 *Strength and operation of davits.* • • •

(1) • • •

For each reduction of 0.01 percent below the maximum specified carbon content, an increase of 0.04 percent manganese above the specified maximum will be permitted up to a maximum of 1.00 percent.

PART 60—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (COASTWISE)

Section 60.21 is amended in the 9th undesignated paragraph on "Chemical composition of castings intended to be fabricated by fusion welding" by the addition of the following sentence to immediately follow the table:

§ 60.21 *How lifeboats shall be carried; davits and cranes required.* • • •

For each reduction of 0.01 percent below the maximum specified carbon content, an increase of 0.04 percent manganese above the specified maximum will be permitted up to a maximum 1.00 percent.

Subchapter H—General Rules and Regulations for Vessel Inspection, Great Lakes

PART 76—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Section 76.15 is amended in the 9th undesignated paragraph on "Chemical composition of castings intended to be fabricated by fusion welding" by the addition of the following sentence to immediately follow the table:

§ 76.15 *How lifeboats shall be carried; davits and cranes required.* • • •

For each reduction of 0.01 percent below the maximum specified carbon content, an increase of 0.04 percent manganese above the specified maximum will be permitted up to a maximum of 1.00 percent.

Subchapter I—Bays, Sounds and Lakes Other Than the Great Lakes: General Rules and Regulations

PART 94—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Section 94.14 is amended in the 9th undesignated paragraph of "Chemical composition of castings intended to be fabricated by fusion welding" by the addition of the following sentence to immediately follow the table:

§ 94.14 *How lifeboats shall be carried; davits and cranes required.* • • •

For each reduction of 0.01 percent below the maximum specified carbon content, an increase of 0.04 percent manganese above the specified maximum will be permitted up to a maximum of 1.00 percent.

Subchapter J—General Rules and Regulations for Vessel Inspection, Rivers

PART 113—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Section 113.23 is amended in the 9th undesignated paragraph on "Chemical composition of castings intended to be fabricated by fusion welding" by the addition of the following sentence to immediately follow the table:

§ 113.23 *How lifeboats shall be carried; davits and cranes required.* • • •

For each reduction of 0.01 percent below the maximum specified carbon content, an increase of 0.04 percent manganese above the specified maximum will be permitted up to a maximum of 1.00 percent.

APPROVAL OF EQUIPMENT

LIFE RAFT

20-person, improved type, aluminum-plywood life raft (Arrangement and Details Dwg. No. R-205-X, dated 26 February, 1944, revised 10 April, 1944), manufactured by Gunderson Bros. Engineering Corp., 4700 Northwest Front Avenue, Portland, Oregon.

R. R. WAESCHE,
Vice Admiral, U. S. C. G.,
Commandant.

MAY 31, 1944.

[F. R. Doc. 44-7889; Filed, June 1, 1944; 9:11 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Administrative Order ODT 18]

PART 503—ADMINISTRATION

EXERCISE OF DELEGATED AUTHORITY

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, the Act of October 16, 1941, as amended, the Act of December 1, 1942, Executive Orders 8989, as amended, 9156, 9214, and 9294, War Production Board Directive 21, and War Production Board General Conservation Order M-100, as amended, it is hereby ordered that:

Sec.
503.375 Assistant Director, Office of Defense Transportation, in charge of the Highway Transport Department.
503.376 Regional Directors, Highway Transport Department, Office of Defense Transportation.
503.377 District Managers, Highway Transport Department, Office of Defense Transportation.

AUTHORITY: §§ 503.375 to 503.377, inclusive, issued under Act of May 31, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 App. U. S. Code 631 through 645a; Act of October 16, 1941, 55 Stat. 742, 50 App. U. S. Code 721 through 724; Act of December 1, 1942, 56 Stat. 1024, 50 App. U. S. Code 841, 842; E.O. 8989, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221; War Production Board Directive 21, 8 F.R. 5834; War Production Board Conservation Order M-100, 7 F.R. 1632, 4030 and 5705.

§ 503.375 *Assistant Director, Office of Defense Transportation, in charge of the Highway Transport Department.* The Assistant Director, Office of Defense Transportation, in charge of the Highway Transport Department, is hereby authorized and directed to perform the functions and exercise the authority delegated to the Director, Division of Local Transport, Office of Defense Transportation, and the Director, Division of Motor Transport, Office of Defense Transportation, in outstanding orders issued by the Office of Defense Transportation. Such authority may be exercised by the Assistant Director through such members of the staff of the Office of Defense Transportation as he may designate.

§ 503.376 *Regional Directors, Highway Transport Department, Office of Defense Transportation.* The Regional Directors, Highway Transport Department, Office of Defense Transportation, are hereby authorized to perform the functions and exercise the authority delegated to the Regional Directors, Division of Local Transport, Office of Defense Transportation, and the Regional Directors, Division of Motor Transport, Office of Defense Transportation, in outstanding orders issued by the Office of Defense Transportation.

§ 503.377 *District Managers, Highway Transport Department, Office of Defense Transportation.* The District Managers, Highway Transport Department, Office of Defense Transportation, are hereby authorized and directed to perform the functions and exercise the authority delegated to the District Managers, Division of Motor Transport, Office of Defense Transportation, in outstanding orders issued by the Office of Defense Transportation.

This Administrative Order ODT 18 shall become effective June 1, 1944.

Issued at Washington, D. C., this 31st day of May 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-7891; Filed, June 1, 1944; 10:27 a. m.]

Notices

TREASURY DEPARTMENT.

Office of the Secretary.

TIRES AND INNER TUBES SOLD TO WAR AND NAVY DEPARTMENTS

EXEMPTION FROM TAXES

MAY 31, 1944.

By virtue of the authority vested in me by section 307 (c) of the Revenue Act of 1943 (Public Law 235, 78th Congress, 2d Session) exemption is hereby authorized from the taxes imposed under section 3400 of the Internal Revenue Code, as amended, (26 U.S.C. 3400) relating to tires and inner tubes, when such tires and tubes are sold under appropriate tax-exemption certificates to any person for use as component parts in the manufacture of an article which is to be sold direct to the War Department of the United States or direct to the Navy Department of the United States at a price not including the tax on the tires and tubes.

Unless sooner terminated this authorization shall expire at the close of the last day of the sixth full calendar month following the date of the termination of hostilities in the present war.

[SEAL] JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-7884; Filed, May 31, 1944; 4:06 p. m.]

DEPARTMENT OF THE INTERIOR.

Coal Mines Administration.

[Order CMA-31]

AMERICAN ROLLING MILL CO., ET AL.

ORDER TERMINATING GOVERNMENT POSSESSION

On December 17, 1943, a wage agreement was entered into by the United Mine Workers of America and the representatives of the bituminous coal operators who produce the great preponderance of the nation's tonnage. This agreement has been approved by the National War Labor Board and the Director of Economic Stabilization.

I have been advised that the operators listed in Appendix A, attached hereto, have executed or are about to execute contracts and will put them into effect immediately upon termination of Government possession of their mining properties. On the basis of such advice and the available information and evidence, and after consideration of all of the circumstances, I find that Government possession of the mines of such operators is no longer required, and in accordance with the provisions of Executive Order No. 9393 (8 F.R. 14877) and the War Labor Disputes Act (Pub. 89, 78th Cong. 1st Sess.) should be terminated.

Accordingly, I order and direct that the possession by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds and other assets used in connection with the operation of such mines, be, and it is hereby terminated, and that there be displayed conspicuously at those mining properties copies of a poster to be supplied by the Coal Mines Administration, and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

In accordance with section 40 of the regulations for the operation of coal mines under Government control, as amended (8 F.R. 6655, 10712, 11344, 17339), the appointments of the Operating Managers for the United States for all of the aforesaid mines with respect to which the mining companies have on file with the Administrator effective instruments of agreement and certification as provided for in section 25 of the regulations, as amended (8 F.R. 6655, 10712, 11344, 17339), are automatically terminated.

Nothing contained herein shall be deemed to preclude the Government from requiring the submission of information relating to operations during the period of Government possession, for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9393 (8 F.R. 14877) may be concluded in an orderly manner.

Dated: May 31, 1944.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

APPENDIX A

Name of Mining Company and Address

American Rolling Mill Co., 703 Curtis Street, Middletown, Ohio.
Black Mountain Corp., 231 S. La Salle St., Chicago, Illinois.
Crab Orchard Improvement Co., Room 407, 332 S. Michigan Ave., Chicago, Illinois.
Deepwater Coal Co., Crownhill, West Virginia.
Diamond Coal Mining Company, 1010 Hamilton Bank Bldg., Knoxville, Tennessee.
Elkhorn Coal Co., 230 South Clark Street, Chicago, Illinois.
Inland Steel Co., 38 South Dearborn St., Chicago, Illinois.
Kanawha and New River Barge & Rail Coal Mines, Inc., Crownhill, West Virginia.
Kingston-Pocahontas Coal Co., 40 Rector St., New York, New York.
Peabody Coal Co., 231 S. La Salle St., Chicago, Illinois.
Raleigh-Wyoming Mining Co., 230 South Clark St., Chicago, Illinois.
Republic Steel Corp., 609 Fayette Title and Trust Bldg., Uniontown, Pennsylvania, and Box 2594, Birmingham, Alabama.
Riverton Coal Company, Crownhill, West Virginia.
Semet Solvay Company, 40 Rector Street, New York, New York.
Stone Coal Co., P. O. Box 1230, Beckley, West Virginia.
Tennessee Coal, Iron & Railway Co., Brown-Marx Bldg., Birmingham, Alabama.
United States Coal & Coke Co., Frick Bldg., Pittsburgh, Pennsylvania.
West Virginia Coal & Coke Corp., 705 Atlas Bank Bldg., P. O. Box 1460, Cincinnati, Ohio.

[F. R. Doc. 44-7922; Filed, June 1, 1944; 11:30 a. m.]

[Order CMA-32]

MINES IN DESIGNATED DISTRICTS

ORDER TERMINATING GOVERNMENT POSSESSION

On December 17, 1943, a wage agreement was entered into by the United Mine Workers of America and the representatives of the bituminous coal operators who produce the great preponderance of the nation's tonnage. This agreement has been approved by the National War Labor Board and the Director of Economic Stabilization.

I have been advised that these operators and other operators who have executed or are about to execute contracts produce the great preponderance of tonnage in the districts listed in Appendix A, attached hereto, and that they will put the contracts into effect immediately upon termination of Government possession of their mining properties. On the basis of such advice and the available information and evidence, and after consideration of all of the circumstances, I find that Government possession of the coal mining properties located in the districts listed in Appendix A is no longer required, and in accordance with the provisions of Executive Order No. 9393 (8 F.R. 14877) and the War Labor Disputes Act (Pub. No. 89, 78th Cong. 1st Sess.) should be terminated.

Accordingly, I order and direct that the possession by the Government of the bituminous coal mines located in the districts listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds and other assets used in connection with the operation of such mines and the distribution and sale of their products be, and it is hereby terminated, and that there be displayed conspicuously at those mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

In accordance with section 40 of the regulations for the operation of coal mines under government control, as amended, (8 F.R. 6655, 10712, 11344, 17339), the appointments of the Operating Managers for the United States for all of the aforesaid mines with respect to which the mining companies have on file with the Administrator effective instruments of agreement and certification as provided for in section 25 of the regulations, as amended (8 F.R. 6655, 10712, 11344, 17339), are automatically terminated.

Nothing contained herein shall be deemed to preclude the Government from requiring the submission of information relating to operations during the period of Government possession, for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9393 (8 F.R. 14877) may be concluded in an orderly manner.

Dated: May 31, 1944.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

APPENDIX A

The mines of which Government possession is terminated by this order are all of the coal mines, now in Government possession, which are located within the boundaries of the following producing districts, as defined in the Bituminous Coal Act of 1937:

Districts Nos. 1, 2, 3, 4, 5, 6, 10, 11 and 23.

Also, all mines in District No. 13, except those located in the State of Tennessee.

[F. R. Doc. 44-7923; Filed, June 1, 1944; 11:30 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-472]

EL PASO NATURAL GAS CO.

ORDER POSTPONING HEARING

MAY 30, 1944.

It appearing to the Commission that:

(a) By its order of May 20, 1944, the Commission ordered that the record in the above-docketed matter be reopened for the purpose of taking evidence respecting the matters involved and the issues presented by the amendatory application filed February 15, 1944, at a public hearing to be held commencing June 12, 1944, in Court Room No. 417, U. S. Courthouse Building, Ft. Worth, Texas;

(b) Counsel for applicant, by telegrams received May 22, 1944, and May 25, 1944, advised that previous commitments prevent him and his witnesses from attending the hearing at such time and place;

(c) Good cause exists for the postponement of the hearing in this matter;

The Commission orders that:

The hearing in the above-entitled matter now set to commence on June 12, 1944, be and the same is hereby postponed to June 21, 1944, at 10:00 a. m. (c. w. t.) in Court Room No. 417, U. S. Courthouse Building, Ft. Worth, Texas.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-7924; Filed, June 1, 1944; 11:53 a. m.]

[Docket No. G-542]

EL PASO NATURAL GAS CO.

ORDER POSTPONING HEARING

MAY 30, 1944.

It appearing to the Commission that:

(a) By its order of May 20, 1944, the Commission ordered that the hearing in the above-docketed matter commence on June 13, 1944, at 9:45 a. m., in Court Room No. 417, U. S. Courthouse Building, Ft. Worth, Texas;

(b) Counsel for applicant, by telegrams received May 22, 1944, and May 25, 1944, advised that previous commitments prevent him and his witnesses from attending the hearing at such time and place;

(c) Good cause exists for the postponement of the hearing in this matter.

The Commission orders that:

The hearing in the above-entitled matter be and the same is hereby postponed to June 22, 1944, at 10:00 a. m. (c. w. t.) in Court Room No. 417, U. S. Courthouse Building, Ft. Worth, Texas.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-7925; Filed, June 1, 1944; 11:53 a. m.]

FEDERAL TRADE COMMISSION.

[Docket 5091]

WAKITA HERB CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 31st day of May, A. D. 1944.

In the matter of Gladys Goldberg, an individual trading as Wakita Herb Company,

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That W. W. Sheppard, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, June 26, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-7904; Filed, June 1, 1944; 11:11 a. m.]

[Docket 5140]

NORTHERN KENTUCKY INDEPENDENT FOOD DEALERS ASSOCIATION, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 31st day of May, A. D. 1944.

In the matter of Northern Kentucky Independent Food Dealers Association, Inc., and its officers, as follows: Paul Ogden, President, R. H. Goderwis, Vice President, Larry T. Hiltz, Secretary, and Barney J. Malloy, Treasurer, and its members, including said officers and the following as representatives of the members: Virgil Clinkenbeard, George Stegner, T. C. Alpaugh, Richard Guenther, Daniel Roy, Charles Hindersman.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Webster Ballinger, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, June 23, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Court Room, Federal Building, Cincinnati, Ohio.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-7905; Filed, June 1, 1944; 11:11 a. m.]

[Docket 5164]

KETCHIKAN PACKING CO. and WILLIAM H. STANLEY, INC.

NOTICE OF HEARING

Complaint. The Federal Trade Commission, having reason to believe that the parties respondent named in the caption hereof and hereinafter more particularly designated and described, since June 19, 1936, have violated and are now violating the provisions of subsection (c) of section 2 of the Clayton Act, (U. S. C. Title 15, section 13) as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH ONE: Respondent Ketchikan Packing Company is a corporation organized and existing under the laws of the Territory of Alaska, with its principal office and place of business located in the City of Ketchikan, Territory of Alaska, where it has engaged and is engaged in the business of canning and packing canned salmon, which are thereafter shipped to Seattle, Washington, where the respondent maintains a general sales office, for labeling, warehousing, distribution and sale. This respondent is hereinafter designated as the respondent seller.

PAR. TWO: The respondent seller, since June 19, 1936, has engaged in the business of distributing and selling canned salmon, in its own name, and for its own account, for resale; to promote such sales and to distinguish its canned sal-

mon from the canned salmon sold by competitors, respondent seller utilizes registered trade-marks or brands, which brands are generally known to the trade as packers' or sellers' brands, as distinguished from the trade-marks or brands utilized by buyers, which brands are generally known to the trade as buyers' brands or private brands.

The respondent seller's brands are utilized by it to identify its canned salmon in the consumer's mind so that respondent seller may establish a market for its branded products and enhance and maintain the resulting benefits of consumer acceptance and good will created by its products.

The respondent sells and distributes its canned salmon under its own registered brands "Nemo", "Sea" and "K. P. Co.", and also sells and distributes such products under the private brands of its buyers and also under the private brands of its buyers' customers.

PAR. THREE: The respondent seller, since June 19, 1936, has distributed and sold and distributes and sells its canned salmon through direct sales to certain buyers, who are paid commissions or brokerage fees on purchases made by them in their respective names and for their respective accounts, and the respondent seller's method of distribution and sale to them, as hereinafter illustrated, is representative of the distribution and sales methods of a number of West Coast packers.

Such buyers customarily designate themselves as "brokers", "merchandise brokers", or as "primary distributors", although they are known to the trade as "buying brokers" or "speculative brokers". Such "buying brokers" or "speculative brokers" customarily operate by placing orders for merchandise with those sellers, and only with those sellers, who will grant and pay them commissions or brokerage fees on their own purchases, including purchases under their own private brands. Some of such buyers are large scale buyers and sellers of merchandise distributed under their own private brands, which brands usually show the name and address of the buyer but not of the packer, and identifies the merchandise as being the product of the respective buyer who owns the label.

Such buyers place their orders for merchandise with respondent seller and other sellers, who, on receiving and accepting such orders, deliver the merchandise to a common carrier for delivery, but require that the buyer pay the purchase price as a condition precedent to the delivery of the merchandise. If such merchandise is lost or damaged in transit, such buyers file claims in their own names and collect damages from the carrier for their own account.

On receipt of the merchandise, such buyers insure such merchandise and warehouse it in their own warehouses or in public warehouses, and thereafter generally utilize the warehouse receipts covering the merchandise, together with the insurance contract, as collateral or security to obtain bank loans.

Such buyers mask these operations under the fictitionalized designation of "brokers", "merchandise brokers", or "primary distributors", for the sole purpose of coloring the name and method of their operation in order to collect commissions or brokerage fees from respondent seller and other sellers who will pay such buyers commissions or brokerage fees on their own purchases, notwithstanding the fact that it is well known to be the custom of such buyers to invoice and sell such merchandise in their own names, for their own accounts, at their own prices, and on their own terms, and to assume full and complete credit risks.

PAR. FOUR: Respondent William H. Stanley, Inc., is a corporation organized and existing under the laws of the State of New York with its principal office and place of business located at 103 East 125th Street, New York, New York. Since June 19, 1936, it has engaged in the business of buying for resale and selling for its own account and in its own name, canned salmon and other sea food products, and is one of the largest exclusive purchasers of sea food products in the United States. This respondent's method of purchase and sale, as herein illustrated, is generally representative of the purchase and sales methods of a number of the respondent seller's other buyers. This respondent at various periods since June 19, 1936, has utilized at its own expense considerable space in many public warehouses located in various sections of New York City and the States of New York and New Jersey, to store in its own name and for its own account its large, extensive and valuable stock of salmon and other sea food products. This respondent is hereinafter designated as respondent buyer.

PAR. FIVE: The respondent buyer since June 19, 1936, to promote its sales of canned salmon and other sea food products, to establish a demand and create good will for its own private brands of salmon and other sea food products, and to build up a business in its own name and for its own account under its own private brands as distinguished from the various packers' brands of salmon and other sea food products it buys and sells, has utilized several registered trademarks as brands.

Some of the respondent buyer's private brands are:

Alasker
Fish Net
Sea Spray
Servmor
Eatmor
Upstream
Everfine
Good Buy
Our First
Stream King

The respondent buyer has created a wide demand for its salmon and other sea food products sold under its own private brands and is one of the largest, if not the largest private brand distributor of such products in the United States.

This respondent buys its private brand products from many packers, and often in a given season, or during the same approximate period of time, will purchase canned salmon and other canned sea food products under one or more of its private brands from several competing sellers.

PAR. SIX: Respondent buyer, William H. Stanley, Inc., since June 19, 1936, in the course and conduct of its said business, has purchased in its own name and for its own account, for resale, a substantial portion of its requirements of packer's brands, its private brands and its customers' private brands of canned salmon products, from respondent seller Ketchikan Packing Company, which company is located, and distributes its commodities from states other than the state where the respondent buyer is located, and pursuant to said respondent buyer's purchase and said respondent buyer's instructions, such commodities are caused to be shipped and transported by the respondent seller across state lines to the respondent buyer, or to respondent buyer's customers.

The respondent buyer's purchases from the respondent seller are representative of the respondent buyer's purchases of salmon and other sea food products, since June 19, 1936, from the packers and distributors listed below, which commodities are purchased under the respective packers' brands, respondent buyer's own private brands, and respondent buyer's customers' brands:

Alaska Salmon Company, San Francisco, Calif.
Columbia River Packers Assn., Astoria, Oregon.
Coast Fishing Company, Wilmington, Calif.
Funsten & Company, San Francisco, Calif.
Halfhill Company, Ltd., Los Angeles, Calif.
E. H. Hamlin Company, Seattle, Wash.
H. A. Irving & Co., San Francisco, Calif.
L. P. Maggioni & Company, Savannah, Ga.
Marine Products Company, San Diego, Calif.
Parrott & Company, San Francisco, Calif.

PAR. SEVEN: Respondent seller, Ketchikan Packing Company, since June 19, 1936, in connection with the sale of its canned salmon, in interstate commerce, to respondent buyer, William H. Stanley, Inc., for its own account for resale, and to other buyers for their own account for resale, as hereinbefore set forth, has transmitted, paid and delivered, and does transmit, pay and deliver, directly or indirectly, to said respondent buyer, William H. Stanley, Inc., and to other buyers for their own respective accounts, commissions, brokerage or other compensation or allowances in lieu thereof, in substantial amounts, and respondent buyer William H. Stanley, Inc., since June 19, 1936, has received and accepted, and is now receiving and accepting commission, brokerage and other compensation or allowances in lieu thereof in connection with its purchases of canned salmon, in interstate commerce, from respondent seller Ketchikan Packing Company, and from other sellers from whom respondent buyer purchases and has purchased canned salmon and other sea food products in its own name, and for its own account, for resale.

PAR. EIGHT: The foregoing acts of respondent seller, Ketchikan Packing Company, in granting and paying commissions or brokerage fees on its sales of salmon to William H. Stanley, Inc., and to other buyers, and the foregoing acts of respondent buyer William H. Stanley, Inc., in receiving and accepting commissions or brokerage fees on its purchases of salmon from Ketchikan Packing Company, and from other sellers, are in violation of the provisions of subsection (c) of section 2 of the Clayton Act, as amended.

Wherefore, the premises considered, the Federal Trade Commission, on this 23rd day of May, A. D., 1944, issues its complaint against said respondents.

Notice. Notice is hereby given you, Ketchikan Packing Company, a corporation, and William H. Stanley, Inc., a corporation, respondents herein, that the 30th day of June, A. D., 1944, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance be not required, due notice to that effect will be given you. The rules of practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer, the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 23d day of May, A. D. 1944.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-7906; Filed, June 1, 1944; 11:11 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 274]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.5, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, May 26, 1944, by National Produce Company of car WFE 63855, potatoes, now on the Chicago Produce Terminal, to Illinois State Penitentiary, Joliet, Illinois.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7892; Filed, June 1, 1944; 11:05 a. m.]

[S. O. 200, Gen. Permit 6]

REICING OF POTATOES FROM GEORGIA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes originating at any point in the state of Georgia: at the carriers option, to accord the first or initial icing at a regular icing station en route after the car is loaded and billed; and to reice in transit one time only, to full bunker capacity at any regular icing station en route beyond the station where car was initially iced.

This general permit shall become effective at 12:01 a. m., May 30, 1944, and the icing and reicing authorized herein may be accorded on such refrigerator cars moving at that time. This general permit shall expire with June 30, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7893; Filed, June 1, 1944; 11:05 a. m.]

[S. O. 200, Gen. Permit 7]

ICING OF POTATOES AT FORT SMITH, ARK., OR MONETT, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes originating at those points in the States of Arkansas and Oklahoma located on the St. Louis-San Francisco Railway between Ft. Smith, Arkansas, and Wister, Oklahoma, both inclusive, at the carrier's option, to accord the first or initial icing at either Ft. Smith, Arkansas, or Monett, Missouri.

This general permit shall become effective at 12:01 a. m., May 31, 1944, and the icing authorized herein may be accorded on such refrigerator cars moving at that time. This general permit shall epire with July 31, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it

with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 30th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7894; Filed, June 1, 1944; 11:05 a. m.]

[S. O. 200, Special Permit 24]

REICING OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only, to full bunker capacity, at Chicago, Illinois, May 26, 1944, as ordered by National Produce Company, car NRC 4533, potatoes, originating in Mississippi, now on the Chicago Produce terminal, reconsigned to Philadelphia, Pennsylvania, because previous reconsigning orders, placed May 24, 1944, to divert this car to St. Louis, Missouri, were not executed.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7895; Filed, June 1, 1944; 11:05 a. m.]

[S. O. 200, Special Permit 25]

REICING OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only, to full bunker capacity, May 26, 1944, at Chicago, Illinois, as ordered by Bacon Brothers, car URT 9484, potatoes, originating in Louisiana, now on the Chicago Produce Terminal, diverted to Rock Island, Illinois.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7896; Filed, June 1, 1944; 11:05 a. m.]

[S. O. 200, Special Permit 26]

REICING OF POTATOES AT HUNTINGDON, PA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, to full bunker capacity, at Huntingdon, Pennsylvania (Pennsylvania Railroad), car FGE 25848, potatoes, moving May 27, 1944 from North American Cold Storage Company, St. Louis, Missouri, to The Naval Supply Depot, Bayonne, New Jersey (routed Pennsylvania RR).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7897; Filed, June 1, 1944; 11:05 a. m.]

[S. O. 200, Special Permit 27]

REICING OF POTATOES FROM HOOD RIVER, OREG.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once in transit not to exceed 25 cars of potatoes shipped from storage at Hood River, Ore., via Union Pacific consigned to the U. S. Navy at San Francisco, California, six of the cars to be shipped May 27, others to follow.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7898; Filed, June 1, 1944; 11:05 a. m.]

[S. O. 200, Special Permit 28]

REICING OF POTATOES AT SPARKS, NEV.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, to full bunker capacity, at Sparks, Nevada, (Southern Pacific Company) cars PFE 52651 and URT 10557, moving May 27, 1944, from Pocatello Cold Storage Company, Pocatello, Idaho, to Navy Overseas Freight Terminal, Pier 46, San Francisco, California (routed U. P.-S. P.)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7899; Filed, June 1, 1944; 11:05 a. m.]

[S. O. 200, Special Permit 29]

REICING OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only, to full bunker capacity, at Chicago, Illinois, May 26, 1944, as ordered by National Produce Company, cars PFE 52651 and NRC 10426, potatoes, now on the Chicago Produce Terminal, reconsigned to Philadelphia, Pennsylvania, and McKeesport, Pennsylvania, respectively.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7900; Filed, June 1, 1944; 11:06 a. m.]

[S. O. 200, Special Permit 30]

REICING OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only, to full bunker capacity, at Chicago, Illinois, May 29, 1944, as ordered by Edward H. Anderson and Company, cars FGEX 9127, PFE 43432, WFE 60385, and WFE 62488, potatoes, now on the Chicago Produce Terminal, because without ice and unable to unload before May 31, 1944.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-7901; Filed, June 1, 1944; 11:06 a. m.]

[S. O. 200, Special Permit 31]

REICING OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only, to full bunker capacity, at Chicago, Illinois, May 29, 1944, as ordered by Bacon Brothers, car PGE 19361, potatoes, now on the Chicago Produce Terminal, reconsigned to Defiance, Ohio.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of May 1944.

V. C. CLINGER,
Director.
Bureau of Service.

[F. R. Doc. 44-7902; Filed, June 1, 1944; 11:06 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 795]

R. BREWER, ET AL.

ORDER ESTABLISHING MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 795 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120: *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 13. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

R. BREWER, ROUTE #1 MAYLENE, ALA., BREWER MINE, GHOLSON SEAM, MINE INDEX NO. 2009, SHELBY COUNTY, ALA., RAIL SHIPPING POINT: STRAVEN, ALA., SLOPE MINE

	Size group Nos.						
	1-2-3-4-5	6-8-10	7-9-11	12-14-15-16	13-19-20-21	17-18	22-23
Rail shipment and R. R. fuel-price group 6	$5.30	$4.80	$4.70	$3.90	$3.80	$3.70	$3.60
Truck shipment-price group 2	5.05	4.75	4.55	4.25	4.15	4.00	3.65

GA. ALA., ROAD CONSTRUCTION CO. INC., 1801 COMER BLDG., BIRMINGHAM, ALA., HILLIARD NO. 1 MINE, MARY LEE SEAM, MINE INDEX NO. 2022, WALKER COUNTY, ALA., RAIL SHIPPING POINT: HILLIARD, ALA., STRIP MINE

Rail shipment and R. R. fuel-price group 1	$3.50	$3.50	$3.40	$3.45	$3.35	$3.40	$3.30
Truck shipment-price group 7	4.20	4.35	4.15	3.80	3.70	3.75	3.40

PRAYTOR & DUBOSE, 2212 20TH AVENUE S., BIRMINGHAM, ALA., MINE INDEX NO. 2015 MARION COUNTY, ALA., PRAYTOR & DUBOSE, RAIL SHIPPING POINT: GLEN MARY, ALA., BLACK CREEK SEAM, STRIP MINE

Rail shipment and R. R. fuel-price group 7	$5.60	$5.10	$5.00	$4.35	$4.25	$4.25	$4.15
Truck shipment-price group 1	5.25	4.75	4.55	4.40	4.30	4.15	4.05

TENNESSEE PRODUCTS CORP., MINE INDEX NO. 2021, AMERICAN NATIONAL BANK BLDG., NASHVILLE (3) TENN., MARION COUNTY, TENN., REEL'S COVE MINE, RAIL SHIPPING POINT: WHITWELL, TENNESSEE, SEWANEE SEAM, DEEP MINE

	Size group Nos.				
	1-2-3	4-5-6	7-8-9	10-11-12	13-14
Rail shipment and R. R. fuel-price group 10	$4.00	$3.50	$3.40	$3.20	$2.80
Truck shipment-price group 9	4.55	4.00	3.75	3.45	3.40

This order shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7863; Filed, May 31, 1944; 11:19 a.m.]

Regional and District Office Orders.

[Albany Order G-1 Under MPR 426, Amdt. 2]

FRUITS AND VEGETABLES IN ALBANY, N. Y., AREA

Amendment No. 2 to Order No. G-1 under section 8 (a) (7) of Maximum Price Regulation No. 426. Fresh fruits and vegetables for table use, sales except at retail. Amount of freight from basing point to wholesale receiving point allowed for determining maximum prices of certain fruit and vegetable items at points in the Albany District.

For the reasons stated in an opinion issued simultaneously herewith and pursuant to the authority contained in section 8 (a) (7) of Maximum Price Regulation No. 426, this amendment is hereby issued.

SECTION 1. *What this amendment does.* This amendment changes the amount of freight which may be added to the maximum basing point price for the purpose of determining the maximum selling prices of the food items set forth in section 3 (b) of Order G-1, as amended, at the secondary wholesale receiving point

of Granville, N. Y., and the markets which it serves.

SEC. 2. *Revocation.* Paragraph (b) of section 3 of said Order G–1, as amended, is hereby revoked and a new paragraph (b) is herewith substituted therefor.

SEC. 3. *The determination of the amount of freight allowed in establishing maximum selling prices.* • • • (b) The amount of freight from basing point to wholesale receiving point which may be added to the maximum basing point price for the purpose of determining maximum selling prices of carrots, snap beans, spinach, cucumbers (except hot house), egg-plant, peas, sweet peppers, lettuce, oranges, grapefruit, lemons and tangerines, at the secondary wholesale receiving point hereinafter named, and in the markets which they serve, shall be:

Commodity	Package	Amsterdam, Catskill, Gloversville, Hudson, Johnstown, Saratoga & Cobleskill	Canajoharie, Glens Falls, Kingston, Whitehall & Granville	Saranac Lake, Plattsburg & Malone
Carrots	LaCrate	1.60	1.64	1.78
Carrots, topped	bushel	.98	1.01	1.09
Snap Beans	bushel	.82	.84	.89
Spinach	bushel	.38	.39	.42
Cucumbers (except Hot House)	bushel	1.06	1.15	1.24
Eggplant	1½ bushel	.87	.89	.95
Eggplant	bushel	1.13	1.16	1.25
Peas	1½ bushel	1.01	1.02	1.07
Sweet Peppers	bushel	1.02	1.03	1.11
Sweet Peppers	LaCrate	.74	.75	.80
Lettuce	Crate or box	1.67	1.69	1.82
Oranges, Fla. & Texas	Crate or box	1.21	1.28	1.41
Oranges, Calif	Crate or box	1.44	1.48	1.61
Grapefruit, white, Fla. & Texas	Crate or box	1.16	1.20	1.34
Grapefruit, white, Calif	Crate or box	1.29	1.33	1.44
Grapefruit, pink	Crate or box	1.43	1.47	1.61
Lemons, All States	Crate or box	1.47	1.51	1.65
Tangerines, All States	Crate or box	1.23	1.28	1.42

SEC. 4. Except as otherwise expressly stated herein, all other provisions of said Order G–1 (as amended) remain in full force and effect.

SEC. 5. *Effective date.* This amendment shall become effective on the 26th day of May 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; MPR 426, 8 F.R. 16409)

Issued this 22d day of May 1944.

LESTER W. HERZOG,
District Director.

[F. R. Doc. 44–7872; Filed, May 31, 1944; 1:13 p. m.]

[Lexington Order G–1 Under MPR 285]

IMPORTED FRESH BANANAS IN LEXINGTON, KY.

Order No. G–1 under Maximum Price Regulation No. 285. Imported fresh bananas; sales except at retail.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.1254a (b) of Maximum Price Regulation No. 285 and by him delegated to the District Director of the Lexington District under the provisions of Delegation Order 1–A, Revised; *It is hereby ordered:*

In any instance where there is hauling of imported fresh bananas for sales except at retail from a wholesaler's customary receiving point to his place of business or to his ripening facilities, such wholesaler may adjust his maximum prices upward to include the actual cost of such hauling, not to exceed 35 cents per hundredweight.

This order does not provide for any charge or addition for the cost of local hauling within the free delivery zone surrounding the wholesaler's customary receiving point.

This order shall become effective May 18, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this the 18th day of May 1944.

E. REED WILSON,
District Director.

[F. R. Doc. 44–7873; Filed, May 31, 1944; 1:13 p. m.]

[Duluth-Superior Order G–1 Under MPR 426 and MPR 285]

FRESH FRUITS AND VEGETABLES IN DULUTH-SUPERIOR, MINN.-WIS., AREA

District Order No. G–1 under § 1439.3–15 Appendix H (f), Appendix I (g) of Maximum Price Regulation No. 426, and § 1351.1254a (a) of Maximum Price Regulation No. 285, as amended. Delivery differentials for wholesalers and secondary jobbers of certain fresh fruits and vegetables located in the cities of Duluth, Hibbing, Virginia, Bemidji, and Brainerd, Minnesota; and Superior and Ashland, Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith and under authority of the delegation orders issued by the Regional Administrator of the Office of Price Administration for Region VI at Chicago, Illinois, on the 14th day of February, 1944, effective February 14th, 1944, on the 29th day of February, 1944, effective February 29th, 1944, and on the 24th day of March, 1944, effective March 24th, 1944, delegating to the District Director of the Duluth-Superior District Office of the Office of Price Administration the authority vested in the Regional Administrator for Region VI of the Office of Price Administration, by §§ 1439.3–15, Appendix H (f), Appendix I (g) of Maximum Price Regulation No. 426, and § 1351.1254a (a) of Maximum Price Regulation No. 285, as amended, it is hereby ordered:

(a) *What this order does:* This order determines the limits of the free delivery zones at the wholesale receiving points of Duluth, Hibbing, Virginia, Bemidji, and Brainerd, Minnesota, and Ashland and Superior, Wisconsin. It also establishes differentials for non-delivered sales in the free delivery zones and for delivered sales beyond the free delivery zones. The order applies to such fresh fruit and vegetable items as are now or may hereafter be subject to the pricing provisions of Maximum Price Regulation No. 285, as amended, and Appendices H and I of Maximum Price Regulation No. 426. The only sellers who are subject to this order are those wholesalers who price under Maximum Price Regulation No. 285, as amended, and secondary jobbers and service wholesalers, as these terms are used in Appendices H and I of Maximum Price Regulation No. 426.

(b) *Establishment of free delivery zones.* (1) The free delivery zones established by this order shall be as follows:

(i) For wholesalers and secondary jobbers located in the Cities of Duluth, Minnesota, or Superior, Wisconsin, all the areas located within the corporate boundaries of said Cities of Duluth and Superior, and the Village of Proctor, Minnesota, and the Town of Superior, Wisconsin.

(ii) For wholesalers and secondary jobbers located in the City of Hibbing, Minnesota, all the area located within the corporate boundaries of the City of Hibbing, Minnesota.

(iii) For wholesalers and secondary jobbers located in the City of Virginia, Minnesota, all the area located within the corporate boundaries of the City of Virginia, Minnesota.

(iv) For wholesalers and secondary jobbers located in the City of Bemidji, Minnesota, all the area located within the corporate boundaries of the City of Bemidji, Minnesota.

(v) For wholesalers and secondary jobbers located in the City of Brainerd, Minnesota, all the area located within the corporate boundaries of the City of Brainerd, Minnesota.

(vi) For wholesalers and secondary jobbers located in the City of Ashland, Wisconsin, all the area located within the corporate boundaries of the City of Ashland, Wisconsin.

(2) The zones in which charges may be made for delivery are the area outside the free delivery zones.

(c) *Differentials for non-delivered and delivered sales of items listed in Appendices H and I of Maximum Price Regulation No. 426.*—(1) *Non-delivered sales.* For sales on a non-delivered basis there shall be deducted from the price for delivered sales in the free delivery zone, 5¢ per container for standard shipping containers weighing under 50 pounds gross weight, and 10¢ per container for standard shipping containers weighing 50 pounds or over gross weight. A deduction of 2¢ or 5¢, respectively, shall be made for non-delivered sales of half standard shipping containers or more, or for bulk sales weighing as much as or more than half a standard container of the item being sold. No deduction need be made for sales in less than half containers and for bulk sales which weigh less than half a standard container of the item being sold.

(2) *Delivered sales in the free delivery zone.* For deliveries in the free delivery zone the maximum delivered price shall be the maximum delivered price computed under Maximum Price Regulation No. 426 for the type of sale being made without any deduction from or addition thereto.

(3) *Delivered sales beyond the free delivery zone.* For deliveries beyond the free delivery zone the amount set out below may be added to the price for delivered sales in the free delivery zone. Mileage beyond the free delivery zone shall be computed via the nearest publicly traveled route.

All containers and in bulk	50 miles or less beyond free delivery zone	More than 50 but not more than 75 miles beyond free delivery zone	More than 75 miles beyond free delivery zone
Gross weight..	25¢ per cwt..	30¢ per cwt..	35¢ per cwt.

(d) *Differentials for non-delivered and delivered sales of items under Maximum Price Regulation No. 285, as amended*—(1) *Non-delivered sales and delivered sales in the free delivery zone.* For non-delivered sales and for deliveries in the free delivery zone the maximum price shall be the maximum delivered price computed under Maximum Price Regulation No. 285, as amended, for the type of sale being made. Discounts and price differentials including any differential or discounts for f. o. b. seller or non-delivered sales must be maintained.

(2) *Delivered sales beyond the free delivery zone.* For deliveries beyond the free delivery zone the amount set out below may be added to the price for delivered sales in the free delivery zone. Deliveries beyond the free delivery zone shall be computed via the nearest publicly traveled route. Delivery charge shall be computed for the net weight of bananas delivered.

	50 miles or less beyond free delivery zone	More than 50 but not more than 75 miles beyond free delivery zone	More than 75 miles beyond free delivery zone
Net weight..	25¢ per cwt..	30¢ per cwt..	35¢ per cwt.

(e) *Applicability.* No person subject to this order may deliver or offer to deliver to retailers any of the food items, the delivery of which is covered by this order, at a price for delivery higher than the price for the delivery of such items fixed in this order.

(f) *Evasion.* No person subject to this order may evade any of the provisions of this order by any stratagem, scheme or device. No person may, as a condition of selling and delivering any particular item of the food items, the delivery of which is covered by this order, require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

(g) *Information for retailers buying from wholesalers or secondary jobbers located outside the areas covered by this order.* Inasmuch as this order applies only to wholesalers and secondary jobbers located within the areas defined in section (a) of this order, any retailer buying from a wholesaler or secondary jobber who is located outside of that area, may obtain a copy of the order applying to such wholesaler or secondary jobber, upon request to the nearest War Price and Rationing Board or the nearest OPA District Office.

(h) *Enforcement.* On and after the effective date of this order, any person covered by this order, who delivers or offers to deliver any of the food items, the delivery of which is covered by this order, at a price for delivery higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended. In addition, any person who, in the course of trade or business, buys from a person covered by this order at a price higher than the ceiling price permitted by this order, is subject to the criminal penalties and enforcement actions provided by that act.

(i) *Definitions.* "Delivery" means delivery to the physical premises of a retail store, hotel, restaurant or institution.

Unless the context otherwise requires, the terms used herein shall have the same meaning as given them in Maximum Price Regulation No. 285, as amended, and Maximum Price Regulation No. 426.

(j) This order may be revoked, revised, amended or corrected at any time.

(k) *Effective date.* This order shall become effective on June 5, 1944.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 22d day of May 1944.

P. A. BURKE,
District Director.

Approved by:

E. O. POLLOCK,
Regional Director,
War Food Administration.

[F. R. Doc. 44–7875; Filed, May 31, 1944; 1:15 p. m.]

[Region I Order G–14 Under RMPR 122, Amdt. 5]

SOLID FUELS IN LOWELL, MASS., AREA

Correction

In F.R. Doc. 44–7232, appearing on page 5456 of the issue for Tuesday, May 23, 1944, under the column headed "100 lbs." in the first table the price for pea size coke should be "$0.75."

[Region IV Order G–1 Under MPR 452, Amdt. 1]

REBUILT AUTOMOBILE MOTORS IN ATLANTA REGION

Amendment No. 1 to Order No. G–1 under Maximum Price Regulation No. 452. Manufacturers' maximum prices for automotive parts. Adjustment of maximum prices for the sale of rebuilt automobile motors in Region IV.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by section 16 (b) of Maximum Price Regulation No. 452 and paragraph (g) of Order No. G–1, *It is hereby ordered,* That said Order No. G–1 be amended by adding thereto two new subparagraphs designated as paragraphs (b) (5) and (e) (3) as set forth below:

(b) • • •

(5) The statement required in 1 and 2 of this paragraph (b) shall be filed in duplicate.

• • • • • •

(e) • • •

(3) As used in this order the term "automobile motors" includes motors of passenger automobiles, trucks, and buses.

This Amendment No. 1 to Order No. G–1 shall become effective May 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 20, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44–7874; Filed, May 31, 1944; 1:13 p. m.]

[Region II Order G–2 Under MPR 426]

LETTUCE IN NEW YORK REGION

Correction

In F.R. Doc. 44–6968, which appears on page 5282 of the issue for Wednesday, May 17, 1944, the last word in the seventh line of sec. 3 should read "provisions."

[Region VI Order G–36 Under MPR 329]

FLUID MILK IN SPRINGFIELD, ILL.

Order No. G–36 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk. Producers' milk prices in Springfield, Illinois.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (b) of Maximum Price Regulation No. 329, it is hereby ordered:

(a) *Maximum producer prices.* The maximum price which milk distributors may pay to producers for milk sold for human consumption in fluid form shall be $3.05 per cwt. for 4% butter fat test milk, plus not more than 5¢ for each 1/10 of a pound of butter fat in excess of 4% and minus not less than 5¢ for each 1/10 of a pound of butter fat below 4%.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within Springfield, Illinois, or who sell within that city 50% or more of the milk sold by them. Maximum prices provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased fluid milk during the period from August 1, 1943, to December 31, 1943, and are not applicable to purchases from producers who did not in that period sell to distributors covered by this order. Maximum prices for purchases from producers from whom the distributors covered by this order did not purchase during such period, shall be the maximum prices established under MPR No. 329.

(c) *Definitions.* Unless the context otherwise requires, the definitions set forth in § 1351.404 of Maximum Price Regulation No. 329 and section 304 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) *Relation to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk than he paid on deliveries during January 1943. Except as modified by this order, the provisions of Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in the customary delivery practices or other business or trade practices in effect in January 1943.

(e) *Revocability.* This order may be revoked, amended, or corrected at any time.

This order has been approved by the Regional Director of the War Food Administration.

This order shall become effective on the 10th day of May 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of May 1944.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-7876; Filed, May 31, 1944; 1:20 p. m.]

[Region VII Order G-3 Under MPR 121, Amdt. 2]

SOLID FUELS IN DENVER REGION

Order No. G-3 under Maximum Price Regulation No. 121, Amendment No. 2. Miscellaneous solid fuels delivered from producing facilities.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1340.247a (b) of Maximum Price Regulation No. 121, as amended, and for the reasons set forth in the accompanying opinion, this Amendment No. 2 is issued.

1. Amendment No. 1, issued on May 10, 1943, is hereby revoked as of the effective date of this Amendment No. 2.

2. Paragraph (b), "Sizes and prices", of said Order No. G-3 is hereby amended to read as follows:

(b) *Sizes and prices.*	*Per ton*
No. 1 Anthracite grate coal	$9.55
No. 2 Anthracite egg coal	9.55
No. 3 Anthracite stove coal	9.55
Baseburner Anthracite coal	9.55
No. 7 Anthracite pea coal	5.55
No. 8 Anthracite buckwheat coal	4.05
No. 9 Anthracite chestnut coal	7.55
No. 10 Anthracite Duff coal	4.05

3. *Effective date.* This Amendment No. 2 to Order No. G-3 shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 8th day of May 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-7877; Filed, May 31, 1944; 1:16 p. m.]

[Region VII Rev. Order G-41 Under 18 (c)]

FRUIT AND VEGETABLE CRATES AND BOXES IN DENVER, COLO., AREA

Correction

In F. R. Doc. 44-6967, appearing at page 5284 of the issue for Wednesday, May 17, 1944, the effective date in paragraph (h) should read April 26, 1944.

[Region VIII Order G-95 Under 18 (c)]

PAPERBOARD EGG CARTONS IN SAN FRANCISCO REGION

Order No. G-95 under § 1499.18 (c), as amended, of the General Maximum Price Regulation. Adjusted maximum prices for sales by wholesale grocers of paperboard 3" x 4" egg cartons manufactured by the Pacific Paperboard Corporation.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The adjusted maximum prices at which wholesale grocers may sell paperboard 3" x 4" egg cartons manufactured by the Pacific Paperboard Corporation shall be the particular wholesale grocer's present maximum price plus 80¢ per thousand egg cartons.

(b) This order may be revoked, amended, or corrected at any time.

This order shall become effective five days after date of issuance.

(56 Stat. 23, 765; Pub Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 25th day of May 1944.

CHAS. R. BAIRD,
Acting Regional Administrator.

[F. R. Doc. 44-7880; Filed, May 31, 1944; 1:14 p. m.]

[Region VIII Order G-13 Under MPR 165]

AUTOMOTIVE VEHICLES IN SAN FRANCISCO REGION

NOTE: A correction to the opinion accompanying Order No. G-13 under Maximum Price Regulation No. 165, as amended, was filed with the Division of the Federal Register as F.R. Doc. 44-7879 at 1:14 p. m., May 31, 1944.

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Regulations

TITLE 7—AGRICULTURE

Chapter IX—War Food Administration (Marketing Agreements and Orders)

PART 904—MILK IN THE GREATER BOSTON, MASSACHUSETTS, MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.) and of the order, as amended, regulating the handling of milk in the Greater Boston, Massachusetts, marketing area, it is hereby found and determined that the provisions of such order which exclude from participation in the marketwide equalization pool the handling of milk of a handler who sells or distributes less than 10 percent of his total receipts of milk as Class I milk in the marketing area, are provisions which obstruct and do not tend to effectuate the declared policy of the act with respect to producers of milk under such order.

It is, therefore, ordered, That, effective as of 12:01 a. m., June 1, 1944, and continuing during the month of June 1944, §§ 904.8 (d) and 904.10 (g) of the order, as amended, regulating the handling of milk in the Greater Boston, Massachusetts, marketing area, are hereby suspended.

(E.O. 9322, 8 F.R. 3807, E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 1st day of June 1944.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 44-7977; Filed, June 2, 1944; 11:37 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 30, Amdt. 4]

PART 1406—DEHYDRATED FRUIT, VEGETABLES, AND SOUPS

CONSERVATION AND DISTRIBUTION OF DEHYDRATED VEGETABLES

War Food Order No. 30, as amended, 9 F.R. 4319 (formerly designated as Food Distribution Order No. 30, issued by the Secretary of Agriculture on March 19, 1943, 8 F.R. 3385, as amended, 8 F.R. 16887), is further amended to read as follows:

§ 1406.1 *Dehydrated vegetables*—(a) *Definitions.* (1) "Dehydrated vegetables" means Irish potatoes, sweet potatoes, cabbage, carrots, beets, onions, and rutabagas (and such other vegetables as the Director may from time to time designate) that have been dried by artifically produced heat under controlled conditions of humidity, temperature, and air flow or that have been dried under reduced pressure ("vacuum") where the factors of humidity and air flow are not controlled.

(2) "Processor" means any person who (i) produces dehydrated vegetables for sale as such, or (ii) produces dehydrated vegetables for sale as a part of any food product.

(3) "Governmental agency" means (i) the Quartermaster Corps of the United States Army; (ii) the War Food Administration (including, but not restricted to, any corporate agency thereof); (iii) a consignee designated in written shipping instructions issued pursuant to a contract executed with a governmental agency specified in (a) (3) (i) or (a) (3) (ii) hereof; or (iv) any other instrumentality or agency designated by the War Food Administrator.

(4) "Director" means the Director of Distribution, War Food Administration.

(5) "Person" means any individual, partnership, corporation, business trust, association, or any organized group of persons whether incorporated or not.

(b) *Restrictions on processors.* Without regard to existing contracts, every processor shall set aside for sale and delivery to governmental agencies 100 percent of all dehydrated onions owned, controlled, or in his possession on, or processed by him after, the effective time hereof. All dehydrated Irish potatoes, dehydrated sweetpotatoes, dehydrated cabbage, dehydrated carrots, dehydrated beets, and dehydrated rutabagas heretofore set aside are hereby released, and no such dehydrated vegetables, produced heretofore or hereafter, need be set aside after the effective time hereof unless the Director, pursuant to the authority contained herein, so directs. The Director

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

	Page
ALIEN PROPERTY CUSTODIAN:	
Vesting orders:	
Andres, Louis	6042
Beck, Olga	6043
Cordes, Charles A	6037
Ehlers, Walter	6038
Friend, Henrietta	6038
Kovats, Joseph	6039
Kowohl, Erwin A., et al	6039
Kuhmann, Alfred	6043
Lammich, Frank	6044
Meyer, Albert R	6039
Paepcke, Hermann	6044
Pudlich, Max Ludwig Rudolph	6040
Schwanz, August	6040
Strauch, Elizabeth Agnes	6040
United States vs. Spokane County, Wash., et al	6041
Wagener, Barbera	6041
Wintjen, Johann	6041
Ziegler, Frieda	6042
ECONOMIC STABILIZATION OFFICE:	
Agricultural labor, wages and salaries	6035
FEDERAL POWER COMMISSION:	
Susquehanna Power Co. and Philadelphia Electric Power Co., determination of actual legitimate original cost, etc	6037
FEDERAL TRADE COMMISSION:	
Cease and desist orders:	
Lawrence Blanket Co., et al	6010
United Delivery System and Esther Kressin	6009
FOREIGN ECONOMIC ADMINISTRATION:	
Exportations, prohibited	6012
Shipments not exceeding a specified value	6012
OFFICE OF PRICE ADMINISTRATION:	
Adjustments, etc.:	
Grossman, L., Sons, Inc	6045
Orr and Sembower, Inc	6045
Prentiss Wabers Products Co	6044
Fuel oil (Rev. RO 11, Am. 10)	6030
Gasoline rationing (RO 5C, Am. 128)	6030
Outerwear, fall and winter; manufacturers' prices (MPR 438, Am. 5)	6024

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

	Page
OFFICE OF PRICE ADMINISTRATION—Continued.	
Petroleum, crude, and natural and petroleum gas (RMPR 436)	6024
Regional Administrators, delegation of authority (Rev. Gen. Order 32, Am. 12)	6045
Regional office order; victory type plumbing fixture trim, northern California	6046
Shrimp, sales by canners (MPR 311, Am. 1)	6023
Silver, newly-mined domestic (Order 62 under 3b, Rev.)	6023
PETROLEUM ADMINISTRATION FOR WAR:	
Production operations in California	6031
RECLAMATION BUREAU:	
Sunnyside Division, Yakima Project, Wash.; operation and maintenance charges	6036
RURAL ELECTRIFICATION ADMINISTRATION:	
Allocation of funds for loans (4 documents)	6036, 6037
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.:	
Illinois Iowa Power Co	6046
Laclede Gas Light Co., et al	6048
Northern States Power Co. (Minnesota and Delaware)	6048
SELECTIVE SERVICE SYSTEM:	
Certificate for person not required to register, addition of new form	6012
WAR FOOD ADMINISTRATION:	
Agricultural labor, wages and salaries	6011
California WFA Wage Board, delegation of authority	6050
Cottonseed, peanut, soybean, and corn oil; use and distribution (WFO 29, Partial Suspension, Am. 3)	6009
Milk handling, Greater Boston, Mass., marketing area	6007
Vegetables, dehydrated; conservation and distribution (WFO 30, Am. 4)	6007
WAR PRODUCTION BOARD:	
Controlled materials plan, special procedure for use of abbreviated allotment number by utilities (CMP Reg. 6 Dir. 4)	6018
Discs, cut-away (L–257, Dir. 1)	6015
Packing quotas for second and third quarters of 1944 (M–81, Dir. 2)	6019
Suspension orders, etc.:	
Bromwell Wire Goods Co	6050
Four Star Upholstery Co	6013
Modern Custom Tailors, Inc., and Harry Berkowitz	6050
Ray Bros	6013
Tanks, plumbing and heating (L–199; Int. 2) (2 documents)	6021
Textile, clothing and leather (M–328B, Sch. A)	6021
Tractors, track-laying; repair parts (L–53–b)	6015
Trucks, industrial power (L–112)	6017
V-board requirements, reports of reductions (M–290, Dir. 3)	6019
Water heaters (L–185)	6020
Windows, metal (L–77)	6019
Zinc (M–11–b)	6013

shall have the right to change at any time the above percentage applicable to dehydrated onions, and to fix percentages and change them from time to time on such other dehydrated vegetables as he may designate, pursuant to the authority contained in (a) (1) hereof. All dehydrated vegetables produced on, or subsequent to, the effective time hereof which are to be set aside for sale and delivery to governmental agencies shall, when the Director so determines, be processed, packaged, labeled, and cased in accordance with such directions as he may issue. Quantities of dehydrated vegetables set aside may be released at any time by notice to that effect from the Director.

(c) *Exceptions.* (1) The restrictions of paragraph (b) hereof shall not apply to contracts now existing or hereafter made between processors and governmental agencies. In the event of any conflict between the specifications of a contract entered into between a processor and a governmental agency and directions issued under (b) hereof, the contract specifications shall prevail for the quantities of dehydrated vegetables specified in the contract.

(2) The restrictions of (b) hereof shall not apply to those quantities of dehydrated vegetables which properly fall within the two following categories: (i) Sample lots distributed in quantities not to exceed 25 pounds of any dehydrated vegetable to any one user, over a three-month period, for research or experimental purposes; and (ii) quantities of dehydrated vegetables needed as essential ingredients by food product manufacturers under existing contracts, or contracts that may hereafter be made, with a governmental agency: *Provided*, That processors first receive a certificate duly executed on Form FDO 30–3 by the purchasing officer of the contracting governmental agency specifying the total quantity of the restricted dehydrated vegetable needed by the manufacturer in the performance of his contract and that the processor immediately endorse and deliver said certificate to the Director.

(3) The Director may specify quotas and issue certificates of quotas, for the year beginning July 1, 1943, and ending June 30, 1944, and for any period or periods subsequent thereto, for industrial or commercial users of dehydrated vegetables, and each processor may, on or subsequent to July 1, 1943, sell and deliver to each such user a part or the whole of the quota of dehydrated vegetables allotted to said user: *Provided*, That processors (i) obtain from each such user purchasing dehydrated vegetables the certificate of quota issued by the Director on Form FDO 30–5; and (ii) immediately endorse and mail each such certificate to the Director.

(d) *Records and reports.* (1) All dehydrated vegetables disposed of by a processor pursuant to (c) (2) and (c) (3) hereof, shall be reported in detail by the respective processor to the Director at the end of each calendar month on Form FDO 30–1 and such supplements thereto as the Director may prescribe.

(2) Each processor of a dehydrated vegetable shall keep and preserve, for not less than 2 years, the following accurate records with respect to all dehydrated vegetables enumerated in (a) (1) hereof: (i) an inventory of each dehydrated vegetable, by styles (for example, shredded, sliced, diced, powdered, flaked, or stripped), which the respective processor had on hand on March 21, 1943; (ii) an inventory of each dehydrated vegetable, by styles, as aforesaid, which the respective processor has on hand at the close of each calendar month; (iii) the quantity of each dehydrated vegetable, by styles, as aforesaid, produced during each calendar month by

the respective processor; (iv) the shipments to governmental agencies, enumerated in (a) (3) hereof, of each dehydrated vegetable, by quantities and styles, as aforesaid, during each calendar month; and (v) the shipments and sales (including the name and address of each consignee and each purchaser) of all dehydrated onions, by quantities and styles, as aforesaid, during each calendar month. The foregoing records shall be kept with respect to each dehydrated vegetable without regard to whether it may be required to be set aside, under the provisions of this order, for sale to a governmental agency.

(3) Each processor of dehydrated vegetables shall mail to the Director, within two days (Sundays excepted), after the final date of each calendar month, a report on Form FDO 30–1 containing all of the information called for by Form FDO 30–1. A report, as aforesaid, shall be filed with respect to each dehydrated vegetable enumerated in (a) (1) hereof without regard to whether it is required, by the provisions of this order, to be set aside for sale to a governmental agency.

(4) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(e) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of dehydrated vegetables of any person, and to make such investigations, as may be necessary or appropriate, in the Directors' discretion, to the enforcement or administration of the provisions of this order.

(f) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the administrator of this order. Such petition shall be addressed to Administrator, War Food Order No. 30, Fruit and Vegetable Branch, Office of Distribution, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall obtain, by requesting the Order Administrator therefor, a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (f) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(g) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using dehydrated vegetables, or any other material subject to priority or allocation control by any governmental agency. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(h) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO–30.

(j) *War Food Order No. 30–1, as amended, terminated.* War Food Order No. 30–1, as amended, 9 F.R. 4319 (formerly designated as Director Food Distribution Order 30–1, issued by the Director of Distribution on March 19, 1943, 8 F.R. 3386, as amended, 9 F.R. 1564), is hereby terminated.

(k) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 30, as amended, and War Food Order No. 30–1, as amended, rights accrued, liabilities incurred, or appeals taken under said orders, prior to the effective time of this order, all provisions of War Food Order No. 30, as amended, and War Food Order No. 30–1, as amended, in effect prior to the effective time of this order shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 30, 8 F.R. 3385, 16887, 9 F.R. 4319)

Issued this 31st day of May 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–7862; Filed, May 31, 1944; 3:35 p. m.]

[WFO 29, Partial Suspension, Amdt. 3]

PART 1460—FATS AND OILS

USE AND DISTRIBUTION OF COTTONSEED, PEANUT, SOYBEAN, AND CORN OIL

The order, as amended (8 F.R. 12255, 16353; 9 F.R. 2816), partially suspending War Food Order 29, is amended to read as follows:

Unless otherwise ordered by the Director of Distribution, War Food Administration, the restrictions of paragraph (b) of War Food Order 29 (8 F.R. 5619, 8623, 10970, 15551; 9 F.R. 651, 3252, 4319), § 1460.13 (b), shall not apply to the delivery of crude oil by any person to a refiner, or to the acceptance of delivery of crude oil by a refiner, when such delivery or acceptance of delivery occurs during the period beginning on October 1, 1943, and ending on September 30, 1944. The term "refiner", as used herein, means any person who is a refiner as defined in said War Food Order 29.

This amendment shall become effective at 12:01 a. m., e. w. t., May 30, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 30th day of May 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–7817; Filed, May 30, 1944; 3:30 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4873]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

UNITED DELIVERY SYSTEM AND ESTHER KRESSIN

§ 3.55 *Furnishing means and instrumentalities of misrepresentation or deception:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Nature, in general:* § 3.72 (n 10) *Offering deceptive inducements to purchase or deal—Terms and conditions:* § 3.96 (b) *Using misleading name—Vendor—Nature, in general.* In connection with offer, etc., in commerce of cards, form letters, envelopes, or any other printed or written material for use in obtaining information concerning debtors or alleged debtors, (1) representing, or placing in the hands of others means of representing, directly or by implication, that persons concerning whom information is sought are the consignees of merchandise or other property being held for delivery to them; (2) using the name "United Delivery System," or any other name which imports or implies the shipment, transportation, or distribution of merchandise, to designate, describe, or refer to respondents' business insofar as said business is concerned with obtaining information to be used in the collection

of debts; and (3) using, or placing in the hands of others for use, cards, form letters, envelopes, or other printed or written material by means of which respondents' business of obtaining information for the purpose of facilitating the collection of debts is represented as a business of some other nature or character; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Maurice Kressin trading under the name United Delivery System and Esther Kressin, Docket 4873, May 1, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of May, A. D. 1944.

In the Matter of Maurice Kressin, an Individual, Trading Under the Name United Delivery System, and Esther Kressin

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, testimony and other evidence in support of and in opposition to the allegations of said complaint, report of the trial examiner and exceptions thereto, briefs filed herein, and the oral arguments of counsel; and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Maurice Kressin, an individual, trading as United Delivery System or under any other name, and respondent Esther Kressin, an individual, jointly or severally, their representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of cards, form letters, envelopes, or any other printed or written material for use in obtaining information concerning debtors or alleged debtors, do forthwith cease and desist from:

1. Representing, or placing in the hands of others means of representing, directly or by implication, that persons concerning whom information is sought are the consignees of merchandise or other property being held for delivery to them.

2. Using the name "United Delivery System," or any other name which imports or implies the shipment, transportation, or distribution of merchandise, to designate, describe, or refer to respondents' business insofar as said business is concerned with obtaining information to be used in the collection of debts.

3. Using, or placing in the hands of others for use, cards, form letters, envelopes, or other printed or written material by means of which respondents' business of obtaining information for the purpose of facilitating the collection of debts is represented as a business of some other nature or character.

It is further ordered, That respondents shall, within sixty (60) days after the service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-7970; Filed, June 2, 1944; 11:15 a. m.]

[Docket No. 4946]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

LAWRENCE BLANKET COMPANY, ET AL.

§ 3.66 (a 7) *Misbranding or mislabeling—Composition—Wool Products Labeling Act:* § 3.71 (a) *Neglecting, unfairly or deceptively, to make material disclosure — Composition — Wool Products Labeling Act.* In connection with the introduction or manufacture for introduction into commerce or the sale, transportation or distribution in commerce, misbranding blankets or other "wool products", as such products are defined in the Wool Products Labeling Act of 1939, which contain, purport to contain, or in any way are represented as containing "wool", "reprocessed wool", or "reused wool", as defined therein, by failing to securely affix to or place on such products a stamp, tag, label or other means of identification showing in a clear and conspicuous manner, (a) the percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five per centum of said total fiber weight of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers; (b) the maximum percentage of the total weight of such wool products of any non-fibrous loading, filling, or adulterating matter; (c) the name of the manufacturer of such wool products; or the manufacturer's registered identification number and the name of a seller of such wool product; or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939; prohibited, subject to the proviso, however, that the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939; and to the further proviso, that nothing contained in the order shall be construed as limiting any applicable provisions of said act or the rules and regulations promulgated thereunder. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b; 54 Stat. 1128; 15 U.S.C., Sec. 68) [Cease and desist order, Lawrence Blanket Company, et al., Docket 4946, May 6, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of May A. D. 1944.

In the Matter of Lawrence Blanket Company, a Corporation, Thomas B. Keen and Marian C. Keen, Individually and as Copartners Trading Under the Name Thomas B. Keen Company, and Robert Mars, an Individual

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answers of respondents, in which answers respondents admit all the material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act, and the provisions of the Wool Products Labeling Act of 1939;

It is ordered, That respondents Lawrence Blanket Company, a corporation, Thomas B. Keen and Marian C. Keen, individually and as copartners trading under the name Thomas B. Keen Company, or trading under any other name, and Robert Mars, an individual, jointly or severally, their respective agents and employees, directly or through any corporate or other device in connection with the introduction or manufacture for introduction into commerce or the sale, transportation or distribution in commerce, as "commerce" is defined in the aforesaid acts, do forthwith cease and desist from misbranding blankets or other "wool products", as such products are defined in the Wool Products Labeling Act of 1939, which contain, purport to contain, or in any way are represented as containing "wool", "reprocessed wool", or "reused wool", as those terms are defined in said act, by failing to securely affix to or place on such products a stamp, tag, label or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers.

(b) The maximum percentage of the total weight of such wool products of any non-fibrous loading, filling, or adulterating matter.

(c) The name of the manufacturer of such wool product; or the manufacturer's registered identification number and the name of a seller of such wool product; or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939.

Provided, That the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by Paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939; *And provided, further*, That nothing contained in this order shall be construed as limiting any applicable provisions of said act or the rules and regulations promulgated thereunder.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-7971; Filed, June 2, 1944; 11:15 a. m.]

TITLE 29—LABOR

Chapter IX—War Food Administration (Agricultural Labor)

PART 1100—REGULATIONS RELATIVE TO SALARIES AND WAGES OF AGRICULTURAL LABOR

SALARY OR WAGE INCREASES REQUIRING APPROVAL

The regulations relative to salaries and wages of agricultural labor issued by the War Food Administrator on January 17, 1944 (9 F.R. 655) are hereby amended as follows:

1. The fifth sentence of § 1100.8 is amended to read as follows: "The hearing shall be conducted by two or more members of the board as the board shall direct."

2. Section 1100.9 is amended to read as follows:

§ 1100.9 *Salary or wage increases requiring approval.* Section 4001.7 of the general regulations provides that salaries or wages of agricultural labor may be increased up to $2,400.00 without approval, unless the Administrator has issued a specific wage ceiling regulation as described in § 1100.7 hereof. That section of the general regulations provides that the phrase "$2,400.00 per annum" shall mean $200.00 a month or the equivalent weekly, hourly, piece work rate or comparable basis.

However, no increase in salary or wage payments may be made to employees engaged in agricultural labor who, on December 9, 1943, received such payments in the amount of $2,400.00 per annum or more, or when the effect of the increase will be to increase salary or wage payments to more than $2,400.00 per annum, without the prior approval of the Administrator. It makes no difference whether the salary or wage increase is accomplished by salary or wage increases per se, or by means of bonuses or other forms of additional compensation. All such payments which will have the effect of raising the earnings of an employee who earns $2,400.00 per annum or more, or of raising the earnings of the employee to more than $2,400.00 per annum, must be approved to be lawful.

Any increase in the rate of overtime or any payment of overtime where it was not the practice of the employer to pay overtime prior to December 9, 1943, may not be made without prior approval of the Administrator. Lawful overtime payments need not be included in determining whether an employee receives "$2,400.00 per annum", but all other additional forms of compensation such as bonuses, perquisites and the like, must be included.

Payments by the same employer of the same salary rates or wage rates for the same type of work for the similar period or season made lawfully between December 9, 1942 and December 9, 1943, may be made without approval of the Administrator. Increases in such rates to more than the rate of $2,400.00 or increases in such rates which are a rate of $2,400.00 or more per annum must be approved to be lawful: *Provided, however*, That nothing in these regulations is to be construed to prevent an increase, without prior approval, in the hours of employment or amount or volume of work performed on a piece rate basis.

Payment of total compensation, including bonuses, perquisites, and other additional forms of compensation in the same amount or at the same rates as those made lawfully between December 9, 1942 and December 9, 1943, may be made without approval even though that compensation is more than $2,400.00 per annum. Bonus payments lawfully in existence before December 9, 1943, based on a percentage of business or profits or other factor, may be paid without approval regardless of the dollar amount of the bonus, as long as the basic salary or wage rate and the method of computing the bonus are not changed, even though the total compensation is more than $2,400 per annum. A change from a salary to a commission basis of pay, however, requires prior approval.

An employer who has established a new job classification or who has begun business after December 9, 1943, must obtain approval of the Administrator for the payment of wages or salaries in excess of $2,400 per annum for such job classification, or in such new business: *Provided, however*, In the case of new employees, that if the wage or salary rates in question are not in excess of the maxima of those prevailing for similar job classifications within his own organization, or if no such rates are available, then within the local area in the year preceding December 9, 1943, the approval of the Administrator is not required. An increase in the wage or salary rate for job classifications established after December 9, 1943, where the rate of payment is $2,400 or more per annum or where the proposed increase will make the rate of payment more than $2,400 per annum, must have prior approval. Additional new workers may be employed to do the same type of work that other employees are performing without approval: *Provided*, That payments are made at the same rate as that made to such other workers doing the same type of work. Approval is not required to fill a vacancy in a position as long as no greater payments are made to the new employee hired to fill the vacancy than were paid to the employee who last previously occupied the position.

Adjustments in instances of promotions, reclassifications, merit increases and the like, may be made only with the approval of the Administrator, when such adjustments are with reference to wages or salaries which are at the rate of $2,400.00 or more per annum, or if the proposed adjustment will increase the rate to more than $2,400.00. However, reasonable adjustments for the following purposes may be made without approval of the Administrator if made pursuant to a salary or wage plan or schedule submitted to and approved by the Administrator:

(a) Individual promotions or reclassifications.

(b) Individual merit increases within established wage or salary rate ranges.

(c) Operation of an established plan of wage or salary increases based on length of service.

(d) Increased productivity under incentive plans.

(e) Operation of a trainee system.

(f) Such other reasons or circumstances as may be prescribed in rules or regulations of the Administrator from time to time.

Promotions and reclassifications for the purposes of the preceding paragraph comprehend only cases involving materially increased responsibilities or a substantial change in the nature of the work performed. Merit increases within a given salary range and increases based upon length of service shall not exceed in frequency or in maximum amount the frequency or maximum amount given in such positions in that salary or wage range during a normal period, and there shall be no substantial increase in the average salary rate in any given job classification range. Changes in salary rates in a single job classification may not be increased without approval, even though the salary or wage schedule has been approved by the Administrator.

When a specific wage ceiling regulation relating to an area, crop, class of employer, or otherwise, is issued, as described in § 1100.7 hereof, no payments above the rates described in such specific regulation may be made without the prior approval of the Administrator; *Provided*, That, if an employer was paying a particular employee doing the same type of work at a higher wage or salary rate between January 1, 1942 and September 15, 1942, such employer may pay such employee at the wage or salary rate paid during that period. Payments may be made by those affected, up to and including the rates prescribed by such specific wage ceiling regulations, without the approval of the Administrator. Except in those instances where a lower rate has been established by a specific wage ceiling regulation, no approval is required to increase salary or wage payments to agricultural labor up to $2,400.00 per annum ($200.00 per month).

The existence of prior contracts for salary or wage payments or increases will not justify payments or increases without the prior approval of the Administrator where such approval is required by these regulations or by any specific wage ceiling regulation.

Any increases in wage or salary payments where approval is required will be

in contravention of the act, if made without approval. Any increase will be lawful only from the date specified in the approval, if prior approval is required.

3. Section 1100.10 is amended by adding the following at the end thereof:

(d) Wage or salary adjustments may be made with the approval of the Administrator to correct inequalities between immediately inter-related job classifications where such inequalities have arisen because of elimination of substandards of living or because of the applicability of the Little Steel formula, but only to the extent required to keep the minimum differentials necessary to maintain productive efficiency. Such adjustments are to be tapered off rigorously when applied to higher job classifications.

4. Section 1100.12 is amended by changing the first sentence to read as follows:

In the case of salary or wage payments existing on December 9, 1943, by means of which an employee is paid $5,000.00 or less per annum for any particular work, the general rule is that no decrease can be made by an employer in such salary or wage rate paid for such work in the local area between January 1, 1942 and September 15, 1942.

5. Paragraph (a) of § 1100.16 is amended by adding the following at the end thereof:

Where the hearing is conducted by a Wage Board, three members of the Wage Board shall constitute a quorum authorized to conduct such hearing, and the chairman of the Wage Board, or temporary chairman in the absence of the regular chairman, shall act as presiding officer at the hearing, administer oaths and affirmations and rule on motions, requests, and on the admission and exclusion of evidence.

6. The first sentence of paragraph (d) of § 1100.16 is amended to read as follows:

Upon conclusion of the hearing, if the Director or a majority of the Board, as the case may be, is satisfied that the charge is supported by substantial evidence, the Director or the Board, as the case may be, shall find accordingly.

7. The last sentence of paragraph (e) of § 1100.16 is amended to read as follows:

The determination of the Administrator shall be final and shall not be subject to review by The Tax Court of the United States or by any court in any civil proceedings except as set forth in § 1100.14 (b) hereof.

(56 Stat. 765, 50 U.S.C. Supp. II 961 et seq., as amended by Pub. Law No. 34, 78th Cong.; E.O. 9328, 8 F.R. 9681; regulations of Economic Stabilization Director, dated August 28, 1943, as amended, 8 F.R. 11960, 12139, 16702,)

Issued this 1st day of June 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-7976; Filed, June 2, 1944, 11:36 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 250]

CERTIFICATE OF PERSON NOT REQUIRED TO REGISTER

ORDER PRESCRIBING FORM

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Addition of a new form designated as DSS Form 357, entitled "Certificate For Person Not Required to Register," effective immediately upon the filing hereof with the Division of the Federal Register.[1]

The foregoing addition shall become a part of the Selective Service Regulations effective within the Continental United States immediately upon the filing hereof with the Division of the Federal Register and effective outside the Continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 1, 1944.

[F. R. Doc. 44-7939; Filed, June 1, 1944; 3:44 p. m.]

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 180]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the column headed "General License Group" the group and country designations assigned to the commodities listed below, at every place where said commodities appear in said section, are hereby amended to read as follows:

Commodity and Department of Commerce No.	*General License Group*
Animals, edible:	
Cattle for breeding, 0010.00	K
Hogs (swine), 0013.00	K
Sheep (include Karakul sheep), 0016.00	K
Grains and preparations:	
Buckwheat (bu. 48 lbs.), 1021.00	None
Corn cereal foods, ready to eat, 1037.00	None
Cornmeal (bbl. 196 lbs.), 1032.00	None
Hominy and corn grits, 1033.00	None
Kafir and milo (bu. 56 lbs.), 1036.00	None
Macaroni, spaghetti, noodles, vermicelli and macaroni products, 1077.00	None
Oatmeal, groats and rolled oats, in bulk, 1043.00	None
Oatmeal, groats and rolled oats, in packages (cases or cartons), 1044.00	None
Oats (bu. 32 lbs.) 1041.00	None
Rye (bu. 56 lbs.), 1061.00	None
Wheat (bu. 60 lbs.), 1071.00	None

Shipments of the above commodities listed under the heading "Grains and preparations" which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. This amendment shall be effective immediately upon publication except with respect to those commodities listed under the heading "Grains and preparations" which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. This amendment shall be effective immediately upon publication except with respect to those commodities listed under the heading "Grains and preparations" as to which this amendment shall become effective on June 10, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: May 30, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-7969; Filed, June 2, 1944; 11:09 a. m.]

[Amdt. 179]

PART 802—GENERAL LICENSES

SHIPMENTS NOT EXCEEDING SPECIFIED VALUE

Paragraph (a) of § 802.10 *General licenses which permit shipments not exceeding a specified value* is hereby amended by adding to the commodities listed therein the following commodity:

Commodity	*Schedule B Number*
Freon refrigerants	8391.00

Shipments of the above commodity which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment, may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may be exported under the previous general license provisions. This amendment shall become effective June 10, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: May 30, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-7968; Filed, June 2, 1944; 11:09 a. m.]

[1] Form filed as part of original document.

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3660, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-554]

FOUR STAR UPHOLSTERY COMPANY

The Four Star Upholstery Co., a partnership composed of Benny Barmash and Lawrence Kaplan is engaged in the business of manufacturing furniture at 753 Broadway, New York, New York. During the period beginning February 3, 1943 and ending August 26, 1943, the respondents processed, fabricated, worked on and assembled 150 pieces of new wood upholstered furniture containing steel springs and coils in violation of Limitation Order L-135. Since the respondents were familiar with the provisions of Limitation Order L-135, their actions must be deemed to constitute wilful violations of that order.

These violations of Limitation Order L-135 diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.554 *Suspension Order No. S-554.* (a) Benny Barmash and Lawrence Kaplan, individually, and as partners doing business as Four Star Upholstery Company, or under any other name, their and its successors or assigns, during the three months period beginning July 1, 1944 and ending September 30, 1944, shall not use in the production of upholstered furniture more metal upholstery springs than 7½% by weight of the total weight of metal upholstery springs used by them in the year 1941; and during the three months period beginning October 1, 1944 and ending December 31, 1944, they shall not use in the production of upholstered furniture more metal upholstery springs than 7½% by weight of the total weight of metal upholstery springs used by them in the year 1941.

(b) Nothing contained in this order shall be deemed to relieve Benny Barmash and Lawrence Kaplan, individually, and as partners doing business as the Four Star Upholstery Company, or under any other name, their and its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on July 1, 1944, and shall expire on December 31, 1944.

Issued this 25th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7945; Filed, June 1, 1944; 4:22 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-555]

RAY BROTHERS

Abraham Harry Ray and Moses Ray, co-partners, are furniture manufacturers doing business as the Ray Brothers located at 131 Prince Street, New York, New York. During the period beginning November 1, 1942 through May 25, 1943, the respondents processed, fabricated, worked on and assembled more than 1,080 pieces of new wood upholstered furniture containing steel springs and coils, in violation of Limitation Order L-135. Respondents were aware of the provisions of Limitation Order L-135 and their actions constituted a wilful violation of that order.

These violations of Limitation Order L-135 diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.555 *Suspension Order, No. S-555.* (a) Abraham Harry Ray and Moses Ray doing business as the Ray Brothers, or otherwise, their successors or assigns, during the three months period beginning July 1, 1944 and ending September 30, 1944, shall not use in the production of upholstered furniture more metal upholstery springs than 5% by weight of the total weight of metal upholstery springs used by them in the year 1941; and during the three months period beginning October 1, 1944 and ending December 31, 1944, the respondents shall not use in the production of upholstered furniture more metal upholstery springs than 7½% by weight of the total weight of metal upholstery springs used by them in the year 1941.

(b) Nothing contained in this order shall be deemed to relieve Abraham Harry Ray and Moses Ray, doing business as the Ray Brothers, or otherwise, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions of this order.

(c) This order shall take effect on July 1, 1944 and shall expire on December 31, 1944.

Issued this 25th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7946; Filed, June 1, 1944; 4:22 p. m.]

PART 937—ZINC

[Conservation Order M-11-b, as Amended June 2, 1944]

§ 937.3 *Conservation Order M-11-b—*(a) *Prohibition on use of zinc or zinc products in articles appearing on List A.* (1) No person shall use any zinc or zinc products to make any item on List A. Additional items may, from time to time, be added to List A by amendment and the restrictions of this order made applicable to such items after a specified date. In each such case the effective date for the particular item will be indicated in parenthesis after the item.

(2) No person shall use any metal which has a protective coating or plating (other than paint) of zinc to make any item on List A and no person shall apply a protective coating or plating (other than paint) of zinc to any item on List A unless the item on List A has a notation to the contrary.

(b) *Limitation of use of zinc or zinc products to make items not on List A.* In addition to the prohibitions of paragraph (a) above no person shall, during any calendar quarter, use more:

(1) Zinc products in the manufacture of any item, or

(2) Zinc in the production of any zinc product not requiring further processing, assembling, or finishing, or

(3) Zinc or zinc products for the purpose of applying a protective coating or plating (other than paint),

than 15% of the amount by weight of zinc or zinc products, respectively, used by him for such purpose during the entire calendar year 1941.

(c) *General exceptions.* The prohibitions and restrictions in paragraphs (a) and (b) shall not apply to the use of zinc or zinc products for the manufacture of any of the items or for any of the purposes following:

(1) Under a specific contract or subcontract covering the manufacture of any product, or any component to be physically incorporated into such product, produced by or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration to the extent required by specifications, including performance specifications, applicable to the contract, sub-contract or purchase orders.

(2) For use to comply with safety regulations issued under government authority which require the use of zinc to the extent employed, or in safety equipment as permitted by General Limitation Order L-114, where and to the extent the use of any less scarce material is impractical.

(3) For use in chemical and industrial plants to the extent that corrosive or chemical action makes the use of any other material impractical.

(4) For use in research laboratories where and to the extent that the physical or chemical properties make the use of any other material impractical.

(5) For health supplies of the following types only:

(i) Dental instruments, apparatus and equipment;
(ii) Dental supplies and appliances;
(iii) Lamps, health electric;
(iv) Medicinal chemicals (limited to medical uses only);
(v) Ophthalmic products and instruments;
(vi) Physiotherapy products, electrical;
(vii) Surgical and medical instruments, equipment and supplies;
(viii) Orthopedic appliances;
(ix) X-Ray apparatus and tubes;

(6) For precision measuring, recording and control instruments, systems or equipment for use in industrial processes.

(7) For stamping and forming dies.

(8) For use as zinc dust in the following:

(i) Metal refining and recovery;
(ii) Smoke mixtures;
(iii) Rubber processing;
(iv) Chemicals for medicinal products;
(v) Sodium hydrosulfite and sulfoxylate and zinc hydrosulfite;
(vi) Dyestuffs, intermediates and dyes;
(vii) Electroplating.

(9) For adjustable stencils for marking shipments and products.

(10) For applying a protective coating or plating (other than paint) of zinc to any item for which the processor has used cadmium for the same purpose after September 1, 1943.

(11) For protective coatings on coins made by the Bureau of the Mint or on fare tokens.

(12) For dry cell batteries and portable electric lights. (See, however, General Limitation Order L-71.)

(13) For printing plates. (See, however, General Limitation Order M-339.)

(14) For the manufacture of zinc oxide.

(15) For eyelets and grommets.

(16) For applying a protective coating or plating of zinc on plumbing fixture fittings and trim.

(17) For universal portable electric tools as defined in Schedule I to Limitation Order L-216.

(18) For portable pneumatic tools which, in the course of normal use, are lifted, held, and operated by not more than two persons.

(19) For light power driven tools as defined in General Limitation Order L-237.

(20) For data, instruction and identification plates.

(21) For air compressors (functional parts).

(22) For airline, water, and oil separators.

(23) For air regulators, as part of spraying equipment.

(24) For closures for glass containers. (See, however, General Limitation Order L-103-b.)

(25) For repair parts to replace similar parts of zinc.

(26) For motors, electric.

(27) For pulleys for power transmission.

(28) For flexible couplings.

(29) For coal stokers. (See, however, General Limitation Order L-75.)

(30) For domestic electric ranges. (See, however, Limitation Order L-23-b.)

(31) For electric fans. (See, however, General Limitation Order L-176.)

(32) For mechanical pencils. (See, however, General Limitation Order L-227.)

(33) For motorized fire apparatus. (See, however, General Limitation Order L-43.)

(34) For applying a protective coating or plating of zinc on loose leaf metal parts and units. (See, however, General Limitation Order L-188.)

(35) For air brakes.

(36) For communication equipment.

(37) For condensers.

(38) For fare boxes for public conveyances.

(39) For sterilizer equipment (See Limitation Order L-266).

(40) For temperature, humidity, and pressure control devices.

(41) For textile machinery.

(42) For industrial turbines.

(43) For protective coating on railroad freight car running boards.

(44) For fire protective, signal and alarm equipment. (See General Limitation Order L-39.)

(45) For research, developmental or experimental activities. Zinc may be used to make experimental models or test runs, but only the minimum number of models or minimum size run needed to determine the suitability of the item for commercial production. Such models or materials shall not be distributed for the purpose of promoting sales or creating a consumer demand for such items, nor shall such item designed primarily for future civilian markets, be exhibited to the public. Research, developmental or experimental activities in connection with products or materials designed primarily for future civilian markets must be carried on without diverting any manpower, technical skill, or facilities from activities connected with the war effort.

(d) *Prohibitions against sales or deliveries of zinc or zinc products.* No person shall sell or deliver any zinc or zinc products to any person if he knows, or has reason to believe, such material is to be used in violation of the terms of this order.

(e) *Miscellaneous provisions*—(1) *Appeals.* Any appeal from the provisions of this order must be by letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal, filed with the field office of the War Production Board for the District in which is located the plant or branch of the appellant to which the appeal relates. The appeal shall contain, in addition, the following: (i) Zinc consumed in the year 1941 for the purpose for which the appeal is made; (ii) whether the quantity appealed for is to establish or exceed quota; (iii) the reason why zinc must be used if it was not consumed during the base period. The reporting requirements of paragraph (e) (1) of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Definitions.* (i) "Zinc" means zinc metal which has been produced by any electrolytic, electro-thermic, or fire refining process. It shall include zinc scrap and zinc metal produced from scrap and any alloy in the composition of which the percentage of zinc metal by weight equals or exceeds the percentage of all other metals.

(ii) "Zinc products" means zinc in the form of sheet, strip, rod, wire, castings, or dust.

(iii) "Use" means to process, assemble, or finish zinc products or to consume zinc.

(iv) "Item" means any article or component part thereof.

Issued this 2d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

NOTE: List A amended June 2, 1944.

The use of zinc in the items below and in all component parts of such items is prohibited except to the extent permitted by the foregoing Conservation Order M-11-b. Where sublistings appear under a general heading on this list, the prohibition against the use of zinc and zinc products applies only to the sublisted items.

Art craft and furnishings:
- Andirons.
- Bookends.
- Candlesticks.
- Coat hooks.
- Door chimes.
- Fireplace fittings.
- Mirror frames.
- Picture frames.
- Statues.

Automotive (except mechanical or functional items and except motorized fire apparatus):
- Diesel engines.
- Locking devices for wheels, tires or gasoline tanks.
- Passenger cars.
- Trailers.
- Tractors.
- Trucks.
- Truck tractors.

Banks, personal, toy, miniature.

Beauty shop and barber shop equipment and supplies (whether for home or business uses):
- Hair curlers.
- Hair dryers.
- Lotion dispensers.
- Permanent waving machines.

Bicycles and Tricycles:
- Bicycles (except for protective coatings on wire for spokes).
- Tricycles.

Binoculars.

Builders' finishing hardware (except as permitted by General Limitation Order L-236, Schedule I, whether specifically or by reference to this order)

Builders' supplies (except protective coatings):
- Down spouts.
- Drainage fittings.
- Flashing.
- Gutters.
- Metal plastering bases.
- Roofing

Bulletin and menu boards, directories and similar items, and letters for same

Burial equipment:
- Caskets
- Casket hardware
- Markers
- Vaults

Coin operated devices:
- Automatic phonographs
- Gaming machines
- Vending machines (except sanitary napkin machines as permitted by General Limitation Order L-27)

Clock & watch cases

Closures and associated items (except as permitted by General Limitation Order L-68)

Cosmetics:
- Cosmetic containers, compacts and lipstick holders
- Lotion dispensers
- Perfume dispensers

Costume jewelry

Electrical household appliances

Gas-fired stoves and ranges

Grilles

Handbag fittings

Health supplies (except as permitted by paragraph (c) (5) of this order)

Insignia

Insulation

Key blanks (except protective coatings)

Kitchen, household, restaurant & soda fountain items:
- Butter chippers
- Can openers
- Coffee grinders
- Coffee urns
- Dishwashing machines (except protective coatings)
- Drink mixers and shakers
- Egg slicers
- Food mixers
- Fruit juicers
- Grilles
- Ice cream cabinets
- Ice crushers
- Meat slicers
- Patent medicine dispensing machines
- Potato slicers & mashers
- Toasters

Lamps (except protective coatings)

Lawn mowers and lawn sprinklers

Lighting equipment, interior (except protective coating)

Luggage:
- Fittings
- Hardware

Metal furniture

Musical instruments

Novelties:
- Advertising novelties
- Jewelry cases
- Letter openers
- Novelty jewelry
- Souvenirs

Office supplies:
- Box openers
- Calendar bases & holders
- Envelope openers
- Envelope sealing machines
- List finders
- Paper weights
- Pen bases
- Pencil sharpeners
- Stapling machines

Ornamental and decorative uses (whether or not the item is included in List A)

Outboard motors

Paper and paper product dispensing machines and devices (except protective coatings)

Paper coatings

Parking meters

Photographic equipment, accessories, and parts (except as permitted by General Limitation Order L-267)

Portable and standing lamps (except protective coatings)

Portable gasoline and Diesel engines (except mechanical or functional items)

Radios and non-coin operated phonographs

Refrigerators, mechanical, electric or gas (except for essential food storage, food transportation and industrial uses)

Sewing machines

Signs:
- Advertising specialities
- Billboards
- Merchandise displays of all kinds
- Name plates

Smokers' supplies:
- Ash trays
- Cigar and cigarette lighters
- Smokers' accessories

Soap dispensers

Slugs and tokens of all kinds (except as permitted by paragraph (c) (11) of this order)

Soot removers (except as produced from scrap)

Spittoons

Stair treads and thresholds

Stationary gasoline and Diesel engines (except mechanical and functional items)

Stenciling devices (except as permitted by paragraph (c) (9) of this order)

Ticket vending machines

Toys and games

Vacuum cleaners and sweepers

Venetian blind slats and hardware (except protective coatings)

Washing machines

[F. R. Doc. 44-7986; Filed, June 2, 1944; 11:46 a. m.]

PART 1029—FARM MACHINERY

[Limitation Order L-257, Direction 1, as Amended June 2, 1944]

CUT-AWAY DISCS

The following amended direction is issued pursuant to Limitation Order L-257:

(a) Until further notice, no disc producer may manufacture "cut-away" disc or coulter blades for farm machinery and equipment (including repair parts), except:

1. To the extent necessary to fill orders for cut-away disc blades over 20" diameter which the disc producer knows are needed for "brush and bog" harrows or repairs therefor, or which his customers certify to him are needed for this purpose; or

2. To the extent necessary to fill orders for cut-away disc or coulter blades which the disc producer knows are needed for "cane tools" (i. e., tools specially designed for use in the production of sugar cane) or repairs therefor, or which his customers certify to him are needed for this purpose; or

NOTE: Paragraph (3), formerly (2), redesignated June 2, 1944.

3. Any cut-away disc or coulter blades which are in the process of manufacture on April 24, 1944.

(b) If any order of a farm machinery producer for cut-away discs cannot be filled because of this direction, he may place a substitute order for an equivalent tonnage (or less) of standard discs without losing his place on the disc producer's schedule.

(c) As used in this direction, "disc producer" means any person who makes agricultural disc or coulter blades from primary forms or shapes of steel, such as billets or sheets.

Issued this 2d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R Doc. 44-7985; Filed, June 2, 1944; 11:46 a. m.]

PART 1157—CONSTRUCTION MACHINERY

[General Limitation Order L-53-b, as Amended June 2, 1944]

REPAIR PARTS FOR TRACK-LAYING TRACTORS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain repair parts necessary to service track-laying tractors for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1157.7 *General Limitation Order L-53-b*—(a) *What this order does.* The purposes of this order are to regulate the sale and delivery of repair parts for track-laying tractors; to prohibit dealers and distributors from obtaining excessive inventories of repair parts; to prohibit tractor owners from getting more repair parts than they actually need; and to allocate deliveries of repair parts between military and non-military purchasers. The order tells how repair parts can be sold and who can buy them.

(b) *Restrictions on sales and deliveries of repair parts.* (1) A producer, dealer or distributor located in the United States must not sell or deliver repair parts to any person except for export unless he has received from such person an emergency certificate. (Certain exemptions are explained in paragraph (c) below and special restrictions on export sales are explained in paragraph (d) below.) The emergency certificate must be in substantially the form set forth below, signed by hand or signed as provided in Priorities Regulation 7:

In accordance with Order L-53-b, I certify, subject to criminal penalties for misrepresentation, that all the repair parts covered by this order are immediately necessary to put my tractor(s) in serviceable condition and are not for stock; that I do not have like parts on hand; that I have not placed another order for any of these parts with any other person, and that the parts will only be used on the following tractor(s) _____
(Give serial number(s))
_____
Name of Purchaser
_____
Address of Purchaser

The certificate shall constitute a representation to the seller and to the War Production Board that all the statements in it are true. Any producer, dealer or distributor who receives this certificate may rely on it unless he knows or has reason to believe it to be false.

(2) The standard certification of Priorities Regulation 7 must not be used instead of the emergency certificate provided for above. The emergency certificate must not be waived in the manner provided in Priorities Regulation 7; however, the seller may sign the emergency certificate in his own name for the buyer if he knows all the facts and is willing to assume full responsibility for the truth of every statement contained in it. Telegraph, telephone and verbal orders may be accepted by complying with the applicable provisions for telegraph, telephone and verbal orders of Priorities Regulation 7.

(c) *Exemptions.* The following sales and deliveries are exempt from the requirement of an emergency certificate:

(1) Where the producer, dealer or distributor receives from the purchaser Form WPB–1319 approved by the War Production Board. Any person who is unable to furnish an emergency certificate may apply for this approval by filing the required number of copies of this form in accordance with the current instructions for the form;

(2) Where the purchaser is a producer, or a dealer or distributor located in the United States or Canada;

(3) Where a military agency is buying repair parts direct from a producer;

(4) Where the order is for fuel filters or oil filters in a quantity to permit not more than 500 hours operation.

(d) *Repair parts for export.* (1) A producer, dealer ,or distributor located in the United States must not sell or deliver repair parts for export outside the United States unless he receives from the purchaser Form WPB–1319 approved by the War Production Board. Application for this approval may be made by filing the required number of copies of this form in accordance with the current instructions for the form.

(2) The following sales and deliveries for export are exempt from this requirement:

(i) Sales and deliveries to dealers and distributors located in Canada;

(ii) Sales and deliveries by a producer to an export dealer or distributor within the dealer's or distributor's annual quota as approved by the War Production Board pursuant to a quota application filed by the producer on Form WPB–1319 in accordance with the current instructions for the form;

(iii) Direct sales to military agencies by producers;[1]

(iv) Any sale or delivery not exceeding $100 to any other person for export;[2]

(e) *Allocation of repair parts deliveries by manufacturers of track-laying tractors.* (1) Unless otherwise directed by the War Production Board, each manufacturer of track-laying tractors must deliver to the military agencies during the period from July 1, 1944, to December 31, 1944, and during each succeeding calendar year, all repair parts ordered by them in sufficient time for delivery in each such period except that such deliveries must not exceed 65% of his total deliveries of repair parts by value at invoice price during any such period.

(2) Whenever unfilled orders in the hands of a manufacturer of track-laying tractors calling for immediate delivery of any repair part shall exceed his inventory of that repair part, he shall, so long as such condition exists, make no delivery of that part to dealers or distributors in the United States and Canada for stock until he has filled all other orders and shall apportion his deliveries of such repair part as follows:

(i) Deliveries directly to military agencies: not more than 65% of his total deliveries of such repair part,. if there are unshipped orders on hand from other persons for such repair part.

(ii) Deliveries to or for the account of other persons: not more than 35% of his total deliveries of such repair part, if there are unshipped orders on hand from military agencies for such repair part.

(3) Whenever a manufacturer of track-laying tractors receives a repair parts order from a dealer or distributor located in the United States or Canada, he must, for the purposes of paragraph (e) (2) above, treat it as a stock order unless the dealer or distributor states that the parts are to fill customers' orders actually received which he is unable to fill from his stock. Each such statement shall constitute a representation of the truth thereof, and any producer may rely on it unless he knows or has reason to believe it to be false.

(f) *Quotas for dealers and distributors in the United States and Canada.* Unless specifically authorized in writing by the War Production Board, a producer must not, during any calendar quarter, ship to any dealer or distributor located in the United States or Canada, more than $10,000 worth of repair parts at invoice price or 50% of the value of his shipments to such dealer or distributor during the preceding six calendar months, whichever is the greater. However, a producer may ship to any such dealer or distributor during any calendar quarter 10% more than the quota of such dealer or distributor but such excess shipments must be charged against the quota of the dealer or distributor for the next calendar quarter and must not be counted in computing any future quotas. Similarly, excess shipments made during the second quarter of 1944 or any prior quarter under paragraph (b) (5) of Order L–53–b, as amended March 6, 1944, must not be counted in computing any quotas. It will be against the policy of the War Production Board to authorize any increase in quotas on account of sales by such dealers or distributors for overseas use.

(g) *Filing orders upon specific direction of the War Production Board.* A producer, dealer or distributor shall, upon specific direction of the War Production Board, make delivery of any repair part in accordance with such direction.

(h) *Preference ratings.* No person shall apply or extend any rating to get any repair parts from a producer, dealer or distributor, and no producer, dealer or distributor shall require a rating as a condition of the sale or delivery of repair parts. Any rating purporting to be applied or extended to any such transaction shall be void and no producer, dealer or distributor shall give any effect to it in filling an order.

(i) *Definitions.* (1) "Track-laying tractor" means a vehicle powered by an internal combustion engine, used for pushing or pulling heavy loads, obtaining traction and steered by a full crawler or track-type device; but not Ordnance models of tank-type construction such as models M–2, M–4, M–5 and M–6 or U. S. Engineer models specifically designed for transport by air (airborne tractors).

(2) "Repair part" means:

(i) Any part manufactured or sold by a producer, for use in the repair of track-laying tractors, but not parts sold by a producer to other manufacturers for incorporation into or for repair of other products manufactured by them;

(ii) Tools which bear a producer's standard parts number and which are used in servicing track-laying tractors.

(3) "Producer" means any person engaged in the business of manufacturing track-laying tractors; it also includes any other person to the extent that he is engaged in the business of manufacturing parts specifically designed for use in the repair of track-laying tractors. It does not include any person primarily engaged in the business of manufacturing common components or any person to the extent that he supplies parts to a manufacturer of track-laying tractors.

(4) "Dealer or distributor" means any person engaged in the business of buying repair parts for the purpose of resale but the term does not include any producer.

(5) "Export dealer or distributor" means any dealer or distributor who is engaged in the business of selling repair parts outside the United States and Canada.

(6) "United States" means the forty-eight states of the United States and the District of Columbia.

(7) "Military agency" means the Army, Navy, Maritime Commission, War Shipping Administration and any other agency or person so designated by the War Production Board.

(j) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time, except where otherwise stated.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Reporting requirements.* The form of application (Form WPB–1319) provided for in this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(4) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. The letter must be filed with the field office of the War Production Board in the district in which is located the plant or branch of the appellant to which the appeal relates.

(5) *Communications.* All reports required to be filed hereunder and all other communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Construction Machinery Division, Washington 25, D. C., Ref: L–53–b.

(6) *Effective date.* Paragraph (e) of this order shall become effective June 2, 1944, and all other provisions shall become effective July 3, 1944. All provisions of Order L–53–b, as amended March 6, 1944, except paragraph (e) of that amendment, shall remain in full force and effect until July 3, 1944.

Issued this 2d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7979; Filed, June 2, 1944; 11:45 a. m.]

[1] Military agencies must not purchase repair parts for overseas use from dealers or distributors located in the United States unless the purchases are approved on Form WPB–1319 in accordance with paragraph (d) (1). (See paragraph (f) for effect of such purchases on dealers' and distributors' quotas.)

[2] A producer, dealer or distributor must not accept any order under this provision if he knows or has reason to believe that the purchaser has subdivided his purchase for the purpose of coming within the exemption.

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L–112 as Amended June 2, 1944]

INDUSTRIAL POWER TRUCKS

The fulfillment of the requirements of the defense of the United States has created a shortage in the supply of certain critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.117 *General Limitation Order L–112—(a) Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(2) "Industrial power truck" means any self-power-propelled industrial truck or wheel tractor designed primarily for handling material (either by carrying or towing) on floors or paved surfaces in and around industrial plants, warehouses, docks, airports or depots. The term shall not include automotive tractors, trucks, or wheeltype industrial tractors designed for use on tax-built highways, or in such operations as construction, earth-moving, mining, logging, industrial yard work, or petroleum development.

(3) "Manufacturer" means any person who manufactures, fabricates or assembles new industrial power trucks, and includes any sales and distribution outlets of a manufacturer.

(4) "Parts producer" means any person, other than a manufacturer, who manufactures parts to be incorporated in industrial power trucks.

(5) "Standard model" as applied to a manufacturer, means one model only of each type and capacity of industrial power truck listed in List A attached hereto, described in such manufacturer's catalogue or bulletin on July 10, 1942.

(6) "Approved standard model" means a standard model listed hereafter and from time to time by supplementary order or orders, as provided in paragraph (d) (2).

(7) "New", when applied to any industrial power truck, means any truck which has never been sold to a person acquiring the same for use. "Used" means any such truck which has been sold to a person acquiring the same for use, whether or not such truck has subsequently been reconditioned or rebuilt.

(8) "Dealer" means any person, other than a manufacturer, engaged in the business of selling or distributing new or used industrial power trucks, whether at wholesale, retail, or otherwise.

(9) "Owner" means any person (including a manufacturer or dealer) who owns any industrial power truck, regardless of whether such truck was acquired for resale or for use by such person.

(b) *Restrictions on orders and deliveries*—(1) *New trucks.* (i) No manufacturer shall accept any order for a new industrial power truck unless such order is accompanied by the authorization of the War Production Board provided for in paragraph (b) (3) below. Orders so authorized shall be placed only with the supplier specified by the War Production Board.

(ii) No manufacturer shall hereafter deliver any new industrial power truck, except in fulfillment of an order (*a*) accepted before October 15, 1942, and rated A–9 or better on Form WPB–541 (formerly PD–1A) or WPB–542 (formerly PD–3A or on a form in the WPB–837 (formerly PD–408), or (*b*) accepted on or after October 15, 1942, and accompanied by the authorization of the War Production Board provided for in paragraph (b) (3) below.

(2) *Used trucks.* (i) On and after July 20, 1943 no manufacturer, dealer or owner shall accept any order for a used industrial power truck unless such order is accompanied by the authorization of the War Production Board provided for in paragraph (b) (3) below. Orders so authorized shall be placed only with the supplier specified by the War Production Board.

(ii) On and after July 20, 1943, no manufacturer, dealer or owner shall deliver any used industrial power truck, except in fulfillment of an order accompanied by the authorization of the War Production Board provided for in paragraph (b) (3) below.

(iii) Any manufacturer, dealer or owner specified as a supplier in the authorization for a used truck shall accept any order placed with him for such truck (if the order is accompanied by the authorization), as if such order bore a preference rating, unless he is permitted to, and does, reject the same under the provisions of Priorities Regulation No. 1, § 944.2. However, nothing herein shall require the sale of any used industrial power truck by any person who acquired and holds such truck for his own use and not for resale.

(iv) The restrictions contained in (i), (ii), and (iii) of this paragraph (b) (2) shall not apply to deliveries of used industrial power trucks made by one branch, division, or section of a single enterprise to another branch, division, or section of the same enterprise under common ownership where no transfer of title or ownership of such trucks is involved, or to deliveries of any used industrial power trucks owned by the Army, Navy, Maritime Commission or War Shipping Administration, from one department to another within any such agency, or from any of such agencies to any other of such agencies.

(3) *Authorizations.* Application for authorization of the War Production Board required by paragraph (b) (1) and (2) shall be made by the purchaser on Form WPB–1319 prepared in accordance with the instructions for such form. The War Production Board may grant such application unconditionally or upon specified conditions, including the requirement that the order be placed with a supplier named by the War Production Board, or that the order shall only cover such model, type or size of truck as may be designated by such Board.

(c) [Deleted Mar. 16, 1944]

(d) *Standardization of models.* (1) No manufacturer shall after July 10, 1942 begin the manufacture of any industrial power truck which is not a standard model. The design and structure of any standard model shall be only as specified or described in such manufacturer's catalogue or bulletin; except that electric fork trucks with capacities from 2,000 pounds to 6,000 pounds may be built in both center and end control types; and that alterations may be made in counter weights, die pullers (power winch), height of lift, voltage, battery capacity, explosion or fire prevention features, and the length or width or type of fork or ram.

(2) On and after August 15, 1942, no manufacturer shall begin the manufacture of any standard model which is not an approved standard model. Approved standard models for each manufacturer shall be only those industrial power trucks listed hereafter and from time to time by order or orders supplementary to this order. The provisions of paragraph (d) (1) hereof relative to changes in design and structure shall be applicable to approved standard models.

(3) On or before the 15th day of October and of each succeeding calendar month, every manufacturer shall file with the War Production Board a report on Form WPB–1262 (formerly PD–385), which shall include (i) such manufacturer's proposed production schedules so far as then planned, but in any event, for not less than the three calendar months following the filing of the report; and (ii) his proposed delivery schedules so far as then planned, but in any event for not less than the one calendar month

following such filing. The production schedules for the three calendar months, and the delivery schedules for the one calendar month following the filing of the report shall be deemed to be approved by the War Production Board upon the receipt of the report by the War Production Board, unless the War Production Board shall otherwise direct. The War Production Board may, at any time, change any schedules; direct the cancellation of any order shown on any schedule; prescribe any other schedule for production or deliveries for any period, regardless of whether a schedule for such period, or any part thereof, has been reported by the manufacturer, or theretofore approved by the War Production Board; allocate any order listed on the report to any other manufacturer; or direct the delivery of any industrial power truck so listed to any other person, at the established price and terms. No manufacturer shall produce or deliver any industrial power truck except in accordance with schedules approved or prescribed by the War Production Board, as above provided; and no manufacturer shall alter any such approved or prescribed production or delivery schedules unless authorized or directed to do so by the War Production Board.

(e) *Experimental models.* In addition to the approved standard models of industrial power trucks which a manufacturer is permitted to produce under paragraph (d) of this order and Order L–112–a, a manufacturer may also produce experimental models (in any design and structure), if he does so in accordance with all of the following restrictions:

(1) He may not produce more than the minimum number of experimental models or any larger ones than the minimum capacity, required to determine their suitability for commercial production, operation, and application; in no case may he produce more than two units of the same model and capacity;

(2) He may not acquire for such purpose any facilities which are capital additions;

(3) He may not produce any such model if he knows or has reasonable cause to believe that such action would divert any materials, manpower, technical skill, or other facilities needed by him or any other person for any defense order (as defined in Priorities Regulation 1) or for any order rated AA–5 or higher, or to fill any order specifically authorized by the War Production Board; and he shall immediately discontinue such production whenever and as long as it causes or threatens to cause such diversion;

(4) Such experimental models may not be offered for sale or be demonstrated, displayed or distributed.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as issued and as amended from time to time.

(2) *Existing contracts.* Fulfillment of contracts in violation of this order is prohibited regardless of whether such contracts are entered into before or after July 10, 1942. No person shall be held liable for damages or penalties for default under any contract or order, which shall result directly or indirectly from his compliance with the terms of this order.

(3) *Reporting requirements.* The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[NOTE: Paragraphs (4), (5) and (6), formerly (5), (6) and (7), redesignated June 2, 1944.]

(4) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the War Production Board in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(5) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. This letter must be filed with the field office of the War Production Board for the district in which is located the plan or branch of the appellant to which the appeal relates.

(6) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C.; Ref.: L–112.

Issued this 2d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

No lift, high platform	1,000 lbs. to 20,000 lbs.
No lift, low platform	1,000 lbs. to 20,000 lbs.
Low lift, high platform	2,000 lbs. to 20,000 lbs.
Low lift, low platform	2,000 lbs. to 20,000 lbs.
High lift, low platform	2,000 lbs. to 10,000 lbs.
Fork or ram	2,000 lbs. to 60,000 lbs.
Crane	2,000 lbs. to 20,000 lbs.
Tractor	[1] 1,500 lbs. to 6,000 lbs.
Motorized low lift	2,000 lbs. to 6,000 lbs.
Straddle trucks	10,000 lbs. to 30,000 lbs.

[1] Max D.B.P.

[F. R. Doc. 44–7981; Filed, June 2, 1944; 11:45 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 6, Direction 4]

SPECIAL PROCEDURE FOR USE OF ABBREVIATED ALLOTMENT NUMBER U–2 BY UTILITIES

The following direction is issued pursuant to CMP Regulation 6:

(a) *Scope of this direction.* This direction applies to construction, installations and purchases by utilities, which are authorized by the War Production Board on Form WPB–2774, except as provided in paragraph (f) below. The term "utilities" includes all producers as defined in Utilities Order U–1 and operators as defined in Utilities Order U–3 or U–4.

(b) *Use of abbreviated allotment number U–2 by utilities.* The abbreviated allotment number U–2 may be used by utilities to obtain controlled materials and Class A products when such number is assigned on Form WPB–2774 by the War Production Board. The utility may not order controlled materials or use the statement described in paragraph (d) below on a contract or purchase order until it has received its approved Form WPB–2774.

(c) *Use of abbreviated allotment number U–2 by contractors and manufacturers.* The abbreviated allotment number U–2 may be used by contractors, subcontractors and manufacturers of Class A products to obtain controlled materials or Class A products needed for incorporation into utility construction, installations or purchases authorized on Form WPB–2774 when such persons have received a contract or order bearing the statement described in paragraph (d) below. A contractor, subcontractor, or manufacturer of Class A products may not order controlled materials or Class A products for the construction, installation or purchase until he has received a contract or order endorsed with such statement.

(d) *Statement to be placed on contracts or purchase orders.* The following statement, in addition to the certification required by Priorities Regulation No. 7, should be placed on contracts or purchase orders when required for the purpose of paragraph (c) above:

> WPB–2774, OWU Serial Number——
> You are hereby authorized to use the abbreviated allotment number U–2 to order controlled materials and Class A products needed to fill this contract or order.

The standard form of certification described in Priorities Regulation No. 7 may *not* be used instead of the above statement.

(e) *Status of orders for controlled materials bearing abbreviated allotment number U–2.* Delivery orders for controlled materials, bearing the abbreviated allotment number U–2 in accordance with this direction, are authorized controlled materials orders if they are in sufficient detail to be placed on a mill schedule and if they specify the month in which delivery is requested. The use of the abbreviated allotment number U–2 is not limited to any particular month or quarter, and no quarterly identification need be shown on orders bearing such number.

(f) *Specific allotments.* This direction does not apply in the case of any controlled materials or Class A products for which allotments are made on Form WPB–2774 in specific quantities and for specific quarters, with the allotment identified by a seven-digit allotment number. The procedures to be used to obtain such controlled materials or Class A products are described in CMP Regulation 6.

(g) Nothing in this direction shall affect any restriction contained in any E, L, or M order.

Issued this 1st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7912; Filed, June 1, 1944; 11:06 a. m.]

PART 3270—CONTAINERS

[Conservation Order M–81, Direction 2, as Amended June 2, 1944]

PACKING QUOTAS FOR THE SECOND AND THIRD QUARTERS OF 1944

Direction 2, issued April 7, 1944, with respect to Conservation Order M–81 is hereby amended to read as follows:

(a) Notwithstanding the provisions of paragraph (b) of this order putting packing quotas on an annual basis, no person shall, during the second quarter of 1944, purchase, accept delivery of or use for packing any product which is listed in Schedule III of the order, more cans than (1) 25% of his 1944 packing quota for that product, or (2) 50% of his 1944 packing quota for that product less what he packed in the first quarter, whichever is larger. In the case of paints or paint products he may purchase, accept delivery of or use 65% of his 1944 packing quota, less what he packed in the first quarter, if this is larger than 25% of his 1944 packing quota.

(b) During the third quarter of 1944 no person shall purchase, accept delivery of or use for packing any product which is listed either in Schedule III or at the end of this paragraph, more cans than (1) 25% of his 1944 packing quota for that product or (2) 50% of his unused 1944 packing quota, whichever is larger. In the case of paints or paint products, he may not purchase, accept delivery of or use more cans than (1) 20% of his 1944 packing quota or (2) 50% of his unused 1944 packing quota, whichever is larger.

Product	Item No.	Schedule
Beans, with or without tomato sauce (from dried beans)	26	I
Nonseasonal soups	30b	I
Corned beef hash	6	II
Chili con carne, with or without beans	7	II
Turkey, boned, and chicken, boned	9	II

(c) This direction shall not apply to (1) the following commodities listed in Schedule III:

Item and product

2 Alcohol—pharmaceutical and chemically pure.
4 Antifreeze, ethylene glycol type.
14 Chloroform and ether.
21 Disinfectants and germicides, liquid.
26 Grain fumigant, liquid.
34 Insecticides and fungicides, liquid.
37 Nicotine sulphate.
46 Phenol.

(2) A small user as provided for in paragraph (m) of the order.

(3) A person in a quarter in which he only uses the equivalent of a minimum carload of all sizes of cans.

(4) Cans used for packing under the exceptions contained in paragraph (k) of the order entitled, "Exceptions."

(d) Nothing in this direction shall permit anyone to pack more of a product during 1944 than his packing quota for that product as specified under paragraph (b) of Order M–81.

Issued this 2d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7967; Filed, June 2, 1944; 11:46 a. m.]

PART 3270—CONTAINERS

[Conservation Order M–290, Direction 3]

REPORTS OF REDUCTIONS IN V-BOARD REQUIREMENTS

The following direction is issued pursuant to Conservation Order M–290:

(a) *Reports by V-box manufacturers.* Any manufacturer of V-boxes whose requirements of V-board for boxes to be delivered prior to June 30th are reduced (due to cancellations or cut-backs or for any other reason) below the amount he was authorized to get during the second quarter under Order M–290 must report, within 48 hours after such reduction in requirements, to the Paperboard Division of the War Production Board; Ref: M–290, the kind and quantity of containerboard for which he will not require his second quarter authorization. This applies even if the manufacturer already has the board in inventory.

This reporting requirement has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(b) Interpretation No. 2 of Order L–317. In this connection the attention of all manufacturers of fibre shipping containers is called to Interpretation No. 2 of Limitation Order L–317 which reads as follows:

> (a) Applicability of inventory restrictions to V–boxes. It has been called to the attention of the War Production Board that there is, in certain quarters, a misimpression to the effect that V–boxes are exempted from the Inventory Restrictions of Order L–317. This impression is completely unfounded. Inventories of V–boxes are controlled to the same extent as other fibre shipping containers by the provisions of paragraph (n) through (q) of Order L–317 and paragraph (b) of Direction 1 of that order.
>
> (b) *Cancellation of excessive V-box orders.* V-box orders are also subject to the restrictions against placing excessive orders set forth in paragraphs (c) and (d) of Direction 1 of Ord r L–317. Therefore, all orders for V-boxes in excess of the amount which a person would be entitled to receive within these inventory limitations must be cancelled immediately.
>
> (c) *Responsibility of box manufacturers.* Attention is called to the fact that box manufacturers share responsibility for seeing to it that no V-boxes (as well as other fibre shipping containers) are delivered which will cause a customer to exceed his permitted inventory, because under paragraph (d) of Order L–317 they are prohibited from manufacturing, selling, or delivering any new fibre shipping containers which they know or have reason to believe will be used or accepted in violation of the order.

Issued this 1st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7914; Filed, June 1, 1944; 11:08 a. m.]

PART 3284—BUILDING MATERIALS

[Limitation Order L–77, as Amended June 2, 1944]

METAL WINDOWS

§ 3284.31[1] *General Limitation Order L–77*—(a) *Definitions.* For the purposes of this order:

(1) "Metal window" means any metal sash, metal casement or other metal framework of any type produced for installation in an opening, constructed in the side of a building primarily to admit light, and any component part of such a metal sash, metal casement or metal framework.

(2) "Manufacture" means to manufacture, fabricate or assemble a metal window.

(3) "Put in process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

(b) *Restrictions.* On and after the 3d day of April 1943, notwithstanding any contract, agreement, or preference rating, no person shall manufacture any metal window except:

(1) To fill an order from the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration when such metal window is required by specifications (including performance specifications) applicable to such order; or

(2) To fill an order bearing a preference rating of AA–5 or better; or

(3) A metal storm window provided the material for such metal storm window was put in process prior to the 3d day of April 1943.

Nothing in this order shall supersede the directive for wartime construction, dated May 20, 1942, issued by the Chairman of the War Production Board, the Secretary of War and the Secretary of the Navy, or the "List of Prohibited Items for Construction Work", dated June 29, 1942, issued by the Army and Navy Munitions Board as amended from time to time.

(c) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(d) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(e) *Reports.* Each manufacturer to whom this order applies shall execute and file with the War Production Board

[1] Formerly Part 1152, § 1152.1.

such reports and questionnaires as said Board shall from time to time request, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(f) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further delivery of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of the order shall be filed on Form WPB–1477 with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(i) *Routing of correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Building Materials Division, Washington, D. C. Ref.: L–77.

Issued this 2d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7980; Filed, June 2, 1944; 11:45 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L–185, as Amended June 2, 1944]

WATER HEATERS

Section 3288.51. General Limitation Order L–185 is hereby amended as follows:

§ 3288.51 *General Limitation Order L–185*—(a) *Definitions.* (1) "Direct fired water heater" means any device for the direct transference of heat produced by the combustion of coal, wood, fuel oil or gas, or derived from solar rays, to the water of a hot water supply system. The term includes, but is not limited to, coils, side-arm water heaters, bucket-a-day stoves, laundry stoves (with cored water sections), dome type water heaters, steel hot water supply heaters, or service water tank heaters having not more than two cored water sections, automatic storage water heaters, instantaneous or continuous flow water heaters, underfired storage water heaters, and solar water heaters. The term does not include any low pressure cast iron or steel boiler designed for the purpose of heating water to provide heat for the interior of a building by means of circulating steam or hot water.

(2) "Indirect water heater" means any device to which steam or hot water is piped for the transference of the heat of such steam or hot water to the water of a hot water supply system, or the water of a hot water space heating system. The term includes, but is not limited to, coils, side arm water heaters, submerged type water heaters or any indirect water heater (including tanks) commonly referred to as a storage water heater consisting of a heating element installed in a hot water storage tank for the purpose of heating and storing hot water for any use, and any indirect water heater consisting of a coil or a nest of tubes installed in a shell or pressure vessel having a diameter 12" or less (if other than circular in cross section and internal cross sectional area 113 sq. in. or less), designed for the purpose of supplying hot water to a hot water supply system or a hot water space heating system. The term does not include any storage tank, the manufacture of which is governed by Limitation Order L–199, even though used in conjunction with any indirect water heater. It is not intended by the foregoing definition to include any product which is controlled by Limitation Order L–123.

(3) "Hot water supply system" means any system of supplying hot water used in whole or in part for bathing, washing, cleaning, cooking or other similar purposes. The term does not include any system for supplying hot water for specialized industrial or agricultural purposes.

(4) "Hot water space heating system" means any system which is designed for the purpose of heating the interior of a building or other structure (including ships) by utilizing the heat of hot water.

(5) "Metal jacket" means any metal covering, lining, or portion thereof (but not any metal band two inches or less in width used to support a jacket which holds dry insulation) for any direct fired or indirect water heater, except any metal covering, lining, or portion thereof which conducts flue gases, water, or steam through and to the outside of a direct fired or indirect water heater, and except any ferrous metal wire netting used as a base for the wet application of insulating material.

(6) "Copper base alloy" means any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(b) *Use of copper, stainless steel, and monel metal in manufacture.* No person shall use in the manufacture, fabrication, or assembly of any direct fired or indirect water heater, any copper, copper base alloy, stainless steel, or monel metal except:

(1) For repair parts not including tanks;

(2) For temperature, pressure, vacuum or electrical controls, safety devices or valves;

(3) For tank spuds or tappings;

(4) For coils and tubular units built with copper tubing of 1½" outside diameter or less, in indirect water heaters only. However, the shells, steam heads, tube plates and other cast parts of indirect water heaters shall be of ferrous metal, or non-metallic materials except that terminal outlets and spacer plates may be of a copper base alloy in which no primary tin or copper is used, and the alloy shall be of no higher grade than alloy 5A of the A. S. T. M. specification B–145–42–T.

The exceptions to the restrictions in the use of copper, stainless steel, or monel metal contained in paragraphs (b) (2) and (b) (4) thereof do not apply to the production of indirect water heaters designed for hot water space heating systems.

(5) For coils and terminal outlets for direct fired side-arm water heaters, except that any copper base alloy used in the production of terminal outlets may contain no primary tin or copper, and the alloy shall be of no higher grade than alloy 5A of the A. S. T. M. Specification B–145–42–T.

(c) *Use of copper, stainless steel, and monel metal in the installation of repair and replacement parts.* (1) No person shall in any repair or replacement use or install parts containing in the aggregate more than two pounds of copper or copper base alloy, stainless steel, or monel metal, if the weight of the copper, copper base alloy, stainless steel, or monel metal so used or installed exceeds by more than one pound the weight of copper, copper base alloy, stainless steel, or monel metal replaced. The restrictions in this subparagraph do not apply to the replacement of ferrous heating elements for direct or indirect water heaters.

(2) All copper and copper base alloy replaced in any repair shall be delivered by the person making the repair to a scrap dealer or other person specified under Supplementary Order M–9.

(d) *Manufacture and installation of metal jackets.* No producer shall manufacture or fabricate any metal jackets except:

(1) From materials in his inventory on May 8, 1944, or obtained from frozen, idle and excess inventories; or

(2) From allotted material when used to manufacture metal jackets to be installed pursuant to a specific contract or purchase order in any aircraft or vessel other than a pleasure craft, or to be installed on any direct-fired water heater using fuel oil as fuel.

(e) *Restrictions on production.* No person shall manufacture, fabricate or assemble more units of direct fired or indirect water heaters than the percentage of his 1941 unit production of the same classification of hot water heaters which is indicated in Schedule A hereto attached.

(f) *Exceptions.* The restrictions of this order do not apply to the production of articles or parts not available in the producer's inventory when the same are required by the Army, Navy, Maritime Commission, War Shipping Administration, or Coast Guard, or by the rules and regulations promulgated by the Coast Guard for merchant vessels, for use in ships, boats, planes, laundries, kitchens, hospitals, bakeries, or advance bases.

(g) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB–1477 with the Field Office of the War Production Board, for the district in which is located the plant or branch of the appellant to which the appeal relates.

(h) *Communications.* All communications concerning this order, unless otherwise directed should be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Reference L–185.

(i) *Reports.* Each producer shall execute and file with the War Production Board such reports as the War Production Board may specify from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 2d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—PERMITTED PERCENTAGES OF 1941 UNIT PRODUCTION

	Percent
A. Direct fired water heaters:	
1. Underfired water heaters	65
2. Coal and wood fired water heaters	70
3. Side-arm heaters	70
4. All others	80
B. Indirect water heaters	20

[F. R. Doc. 44–7982; Filed, June 2, 1944; 11:45 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L–199 as Amended June 2, 1944]

PLUMBING AND HEATING TANKS

Section 3288.6 General Limitation Order L–199 as amended February 7, 1944, is hereby amended to read as follows:

§ 3288.6 *General Limitation Order L–199*—(a) *Definitions.* For the purpose of this order:

(1) "Tank" means any metal expansion tank, metal hot water storage tank and metal range boiler, if the tank or range boiler is used in hot water supply systems or in hot water space heating systems. The term does not include any tank used as an integral part of a direct fired water heater or indirect water heater, the manufacture of which is covered by Limitation Order L–185.

(2) "Hot water supply system" means any system for supplying hot water used in whole or in part for bathing, washing, cleaning, cooking or other similar purposes. The term does not include any system for supplying hot water for specialized industrial or agricultural purposes.

(3) "Hot water space heating system" means any system which is designed for the purposes of heating the interior of a building or other structure (including ships) by utilizing the heat of hot water.

(4) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(5) "Base period" means the calendar year 1941.

(b) *Use of copper, stainless steel, and monel metal in manufacture.* No person shall use in the manufacture, fabrication or assembly of any tank, any copper, copper base alloy, stainless steel, or monel metal except:

(1) For repair parts;

(2) For temperature, pressure, and vacuum safety valves;

(3) For tank spuds or tappings.

(c) *Restrictions on sizes and design of tanks.* No person may fabricate, manufacture, or assemble black iron, galvanized iron, or porcelain enameled range boilers or black iron or galvanized iron expansion tanks, except in accordance with the specifications in Schedules A, B and C.

(d) *Use of non-ferrous tanks for replacement.* No person may deliver or install copper, copper base alloy or monel metal tanks in existing inventories except to replace a non-ferrous tank of similar capacity or larger.

(e) *Restrictions on production.* During any calendar year, no person shall manufacture, fabricate or assemble more tanks than the percentage of his base period unit production of the same classification of tanks which are indicated below:

	Percent
Range boilers and expansion tanks	70
Storage tanks	75

(f) *General exceptions.* The restrictions of paragraphs (b) and (c) do not apply to the production of articles or parts not available in the producer's inventory for use in ships, boats, planes or advance bases when required by the Army, Navy, Maritime Commission, War Shipping Administration, or Coast Guard, or by rules and regulations promulgated by the Coast Guard for merchant vessels.

(g) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB–1477 (formerly PD–500) with the field office of the War Production Board, for the district in which is located the plant or branch of the person filing the appeal.

(h) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Reference L–199.

(i) *Reports.* Each producer shall execute and file with the War Production Board such reports as the War Production Board may specify from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 2d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

BLACK IRON OR GALVANIZED RANGE BOILERS—STANDARD-EXTRA HEAVY, AND DOUBLE EXTRA HEAVY—PERMITTED SPECIFICATIONS

Inside diameter of tank	Length of shell (length of sheet—not over-all length)	Nominal capacity	Tappings pipe size	Tappings
Inches	*Inches*	*U. S. Gals.*	*Inches*	*Number*
12	30	15	1	6
12	60	30	1	6
14	60	40	1	6
18	60	66	1	6
20	60	82	1	6
24	60	120	1¼	6

Construction: Welded seams only.
Hand Holes and Manholes: None permitted.
Inspection Tappings: None permitted.
Tappings: Six tappings: One side tapping, 6 inches from the top edge of sheet, and one 6 inches from the bottom edge of sheet in line; two tappings in the top; one tapping in the bottom; and one tapping on the side at 180° from the line of the other two side tappings—15 gallon size tanks to have such tappings 9 inches from the bottom edge of sheet, all other size tanks to have such tapping 18 inches from the bottom edge of sheet.

SCHEDULE B

PORCELAIN ENAMELED RANGE BOILERS—PERMITTED SIZES (NOMINAL CAPACITY)

30 U. S. Gallons.
40 U. S. Gallons.
52 U. S. Gallons.

SCHEDULE C

EXPANSION TANKS—PERMITTED SPECIFICATIONS

Inside diameter	Length of shell (length of sheet—not over-all length) (inches)	Nominal capacity (U. S. gal.)
12	20	10
12	30	15
12	60	30
14	30	20
14	60	40

Construction: Welded seams only.

INTERPRETATION 1: Superseded Nov. 22, 1943.

[F. R. Doc. 44–7983; Filed, June 2, 1944; 11:45 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L–199, Revocation of Interpretation 2]

PLUMBING AND HEATING TANKS

Interpretation 2 of General Limitation Order L–199 is superseded by the amendment of § 3288.6 (a) (1) and is therefore revoked.

Issued this 2d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7984; Filed, June 2, 1944; 11:45 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M–328B, Schedule A, as Amended June 1, 1944]

§ 3290.120a *Conservation Order M–328B, Schedule A.* The following

Schedule A is issued pursuant to Conservation Order M-328B.

Application forms can be obtained at nearest field office or from the War Production Board—Clothing, Knit Goods and Equipage Division, Washington 25, D. C. All applications must be mailed to War Production Board—Clothing, Knit Goods and Equipage Division, Washington 25, D. C., not later than the date specified.

CHILDREN'S SNOW SUITS PLAN NO. 1

CHILDREN'S WOOL AND PART WOOL SNOW SUITS, SKI SUITS, AND LEGGINGS SETS

Item No.	Item	Sizes	
1	Snow or ski suits—Toddlers'	1 to 4 years	Application Form WPB-3601.
2	Snow or ski suits—Children's	2 to 6 years or 3 to 8	Filing date—April 15, 1944.
3	Snow or ski suits	7 to 14 years	These items are required to be produced during the period May 1 to October 15, 1944.
4	Legging sets or coat and ski pants sets—Toddlers'	1 to 4 years	Applications heretofore filed may be withdrawn by applicant before May 15, 1944.
5	Legging sets or coat and ski pants sets	2 to 6 years or 3 to 8	
6	Legging sets or coat and ski pants sets	7 to 14 years	
7	Separate ski pants—Children's	2 to 6 years or 3 to 8	60% of requirements are in manufacturers' price ranges—$8.75 or lower for suits, and $3.25 or lower for separate pants.
8	Separate ski pants	7 to 14 years	

Materials for which priorities assistance will be given:

Body cloth: Meltons or Fleeces (wool or part wool; no others). Linings: rayon, kasha, wool. Interlinings: cotton. Wristlets and Anklets: Cotton.

Manufacturers will be required to place their orders for materials not later than May 25, 1944, for equal monthly deliveries during June, July, August and September, 1944.

Rules applicable to granting assistance:

1. Applications will be granted only to persons who were regularly engaged in the production of the items in 1942 or 1943, if the applications from such persons are sufficient to carry out the program.

2. If the applications exceed the quantity of production of a particular item required, grants of priority assistance will be made on the basis of the percentage of applications needed to fill the requirements.

3. Applications to produce suits in manufacturer's price ranges higher than $12.75, and separate pants in manufacturer's price ranges higher than $4.50 will be denied.

4. Applications that do not contain all the information requested may be denied.

Manufacturers of wristlets and anklets may apply on Form WPB-2842 for priority assistance to obtain cotton yarn to make wristlets and anklets to fill rated orders received by them from persons to whom assistance has been granted under the above program.

CHILDREN'S APPAREL PLAN NO. 2

Item No.	Item	Size range	Minimum yards per dozen required	Price ranges up to and including
1	Creepers, rompers, crawlers	6 mos.–2 yrs	11	$8.50
	Flannelette nightwear			
2	Two-piece button-on pajamas with feet	1 to 4	17	9.00
3	Two-piece button-on pajamas with extra pants	1 to 4	25	10.50
4	Gowns	1 to 3	12	4.50
5	One-piece pajamas with feet	2 to 8	18	9.00
6	One-piece pajamas without feet	2 to 8	17	8.50
7	Two-piece jacket type pajamas	3 to 8	25	10.50
8	Gowns	2 to 8	16	7.50
9	Jacket type pajamas	8 to 16	32	12.00
10	Gowns	8 to 16	28	10.50
11	Infants' gowns	Infants	8	4.50
12	Infants' kimonos	Infants	8	4.50
13	Infants' gertrudes	Infants	6	3.75
	Plisse crepe nightwear			
14	Two-piece button-on pajamas	1 to 3	22	10.50
15	Gowns	1 to 3	14	6.00
16	One-piece pajamas	2 to 8	19	8.50
17	Jacket type pajamas	3 to 8	26	10.50
18	Gowns	2 to 8	17	7.50
19	Jacket type pajamas	8 to 16	35	13.50
20	Gowns	8 to 16	31	12.00
21	Kimonos	Infants	10	4.50
22	Gowns	Infants	10	4.50
23	Gertrudes	0 to 1 yr	7½	4.50
24	Infants' dresses	1 to 3	10	9.75
25	Toddlers' dresses	3 to 6x	12	10.50
26	Children's dresses	1 to 4	10½	9.00
27	Overalls and coveralls	1 to 4	10½	10.50
28	Overalls and coveralls	2 to 8	12½	9.00
29	Overalls and coveralls	2 to 8	12½	10.50
30	Overalls and coveralls	1 to 6x	8	8.50
31	Children's sun suits	1 to 4	13	9.25
32	Boys' wash suits, toddlers'	2 to 6x	15½	9.25
33	Boys' wash suits, juvenile	2 to 12	5½	3.75
34	Underwear, girls' panties	1 to 3	5½	3.75
35	Slips, toddlers	2 to 14	10	6.75
36	Slips, girls' (gertrude type)	10 to 16	15	8.75
37	Slips, girls' (shoulder strap)	1 to 6	8	8.50
38	Girls' blouses	7 to 14	13½	9.75
39	Girls' blouses	1 to 6	8½	7.50
40	Boys' shirts and blouses	3 to 10	13	8.50
41	Boys' shirts and blouses	11 to 14½	23	10.50
42	Boys' shirts, neck-band size	4 to 10	12	10.50
43	Boys' pants, short	4 to 18	16	13.50
44	Boys' pants, long	6 to 16	9½	8.25
45	Boys' underwear, shorts			

Materials Minimum Constructions Allowed

Item No.

1. Carded broadcloth 100 x 60—Carded poplin 100 x 44
2. Flannelette
3. Flannelette
4. Flannelette
5. Flannelette
6. Flannelette
7. Flannelette
8. Flannelette
9. Flannelette
10. Flannelette
11. Flannelette
12. Flannelette
13. Flannelette
14. Plisse crepe yardage based on 29 in. width material
15. Plisse crepe
16. Plisse crepe
17. Plisse crepe
18. Plisse crepe
19. Plisse crepe
20. Plisse crepe
21. Plisse crepe
22. Plisse crepe
23. Plisse crepe
24. Carded broadcloth 100 x 60—Carded poplin 100 x 44—Combed sheer goods
25. Carded broadcloth 80 x 60—Carded poplin 100 x 44—Print cloth 68 x 64
26. Carded broadcloth 80 x 60—Carded poplin 100 x 44—Print cloth 68 x 64
27. Sport denim 36 in. Suiting
28. Twills and drills
29. Sport denim 36 in. Suiting
30. Twills and drills
31. Carded broadcloth 100 x 60—Carded poplin 100 x 44
32. Carded broadcloth 112 x 56 Slub—Carded poplin 100 x 44
33. Carded broadcloth 112 x 56 Slub—Carded poplin 100 x 44
34. Carded broadcloth 80 x 60—Combed sheers
35. Carded broadcloth 80 x 60—Combed sheers
36. Carded broadcloth 80 x 60—Combed sheers
37. Carded broadcloth 80 x 60—Combed sheers
38. Carded broadcloth 100 x 60—Carded poplin 100 x 44—Dimities
39. Carded broadcloth 100 x 60—Carded poplin 100 x 44—Dimities
40. Carded broadcloth 80 x 60—Print cloth 68 x 64—Carded poplin 100 x 44
41. Carded broadcloth 80 x 60—Print cloth 68 x 64—Carded poplin 100 x 44
42. Carded broadcloth 80 x 60—Print cloth 68 x 64—Carded poplin 100 x 44
43. Twills and drills
44. Twills and drills
45. Carded broadcloth 80 x 60—Print 64 x 56

Application Form WPB 3468.

Filing date May 25, 1944.

These items are required to be produced during June, July and August, 1944.

Priorities assistance will be given only for materials specified above, with respect to each item.

Manufacturers will be required to present their orders for materials not later than June 24, 1944.

Applicants should base their estimated production on their present labor and machinery.

Rules applicable to granting assistance:

If the applications exceed the quantity of production of a particular item required, grants of priority assistance will be made on the basis of the percentage of applications needed to fill the requirements.

Applications that are not completely and accurately filled out may be denied.

KNIT GOODS PROGRAM NO. 3

[NOTE: The following table added June 1, 1944]

Item No.	Items	Sizes	Yarns
	Hosiery:		
1	Infants' long ribbed hose	3 to 5½	Cotton.
2	Infants' half socks	4 to 6½	Do.
3	Infants' anklets	4 to 6½	Do.
4	Boys' half socks—Boys' crew socks	7 to 11½	Do.
5	Boys' golf hose	7 to 11½	Do.
6	Children's ¾ and ⅞ hose	6 to 10½	Do.
7	Men's work socks	Finished weight not less than 1½ pounds per dozen.	Do.
	Underwear:		
8	Boys' knitted briefs and shorts	2 to 16	Do.
9	Children's heavy weight union suits	2 to 16	Do.
10	Children's waist suits	2 to 12	Do.
11	Children's vests and pants	2 to 16	Do.
12	Children's and Infants' sleepers and gowns.	0 to 12	Do.
13	Infants' shirts, wrappers and bands	0 to 6	Do.
14	Infants' pants	1 to 6	Do.
	Outerwear:		
15	Boys' and girls' sweaters	Ages 2 to 6X	Worsted, or worsted & cotton.
16	Boys' and girls' sweaters	Ages 6 to 14	Do.
17	Infants' creepers	6–12–18 months	Cotton.
18	Boys' and girls' knit suits	Ages 2 to 6X	Do.
19	Infants' knit headwear		Worsted, or worsted & cotton.
20	Children's caps, toques, helmets		Do.
21	Infants' and children's mittens: Seamless fingered.		Do.
22	Infants' and children's mittens: Cut and sewed.		Do.

Application Form WPB–3732

Filing Date June 15, 1944.

Items 1 to 14 are required to be produced during July, August and September, 1944.

Items 15 to 22 are required to be produced during period July 1 to December 1, 1944.

Priorities assistance will be given only for materials specified above, with respect to each item.

Applicants should base their estimated production on their present labor and machinery.

Each applicant whose application is granted is required to produce the items within the same price lines within which he produced these items in the corresponding calendar quarter of 1942 (base period); and the proportion of his production of each item within each price line to his entire production of the item (under this program) shall be the same as his production of the item within each price line in the base period was to his total production of the item in the base period. The whole or part of a quota of any item within any price line may be shifted from a higher to a lower price line, but not from a lower to a higher price line. "Price line" means the manufacturer's sale price for an item.

Additional rules applicable to granting assistance

If the applications exceed the quantity of production of a particular item required, grants of priority assistance will be made on the basis of the percentage of applications needed to fill the requirements.

Applications that are not completely and accurately filled out may be denied.

Applications with respect to items 8 to 22 from persons not reporting to the Bureau of the Census on Form WPB–3093 or Form WPB–3156 may be denied.

Issued this 1st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–7944; Filed, June 1, 1944; 4:22 p. m.]

No. 111——3

Chapter XI—Office of Price Administration

PART 1499—COMMODITIES AND SERVICES

[Order 62 Under § (b), Revocation]

NEWLY-MINED DOMESTIC SILVER

Order 62 under § 1499.3 (b) of the General Maximum Price Regulation. Authorization of sellers of standard commercial bars of newly-mined domestic silver. Order of revocation.

An opinion accompanying this order of revocation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Order No. 62 under § 1499.3 (b) of the General Maximum Price Regulation (§ 1499.276) is hereby revoked, subject to the provisions of Supplementary Order No. 40.

This order shall become effective June 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc 44–7933; Filed, June 1, 1944; 12:06 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 311,[1] Amdt. 1]

SALES BY CANNERS OF SHRIMP

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 311 is amended in the following respects:

1. Section 1364.761 (a) (3) is amended to read as follows:

(3) "Shrimp" means shrimp or prawn.

2. Section 1364.761 (a) (9) is added to read as follows:

(9) "Jumbo" means shrimp cooked and peeled for canning of such size that less than 3½ shrimp shall weigh at least one ounce.

3. Section 1364.761 (a) (10) is added to read as follows:

(10) "Large" means shrimp cooked and peeled for canning of such size that 3½ to, but not including, 5 shrimp shall weigh at least one ounce.

4. Section 1364.761 (a) (11) is added to read as follows:

(11) "Medium" means shrimp cooked and peeled for canning of such size that 5 to, but not including, 8 shrimp shall weight at least one ounce.

5. Section 1364.761 (a) (12) is added to read as follows:

(12) "Small" means shrimp cooked and peeled for canning of such size that 8 or more shrimp shall weigh at least one ounce.

6. Section 1364.761 (a) (13) is added to read as follows:

(13) "Broken" means canned shrimp of which broken pieces constitute more than 5 percent of the weight of the shrimp in the can.

7. Section 1364.763 is amended to read as follows:

§ 1364.763 *Appendix A: Maximum canners' prices for canned shrimp.* (a) The prices set forth below are maximum prices per dozen f. o. b. the shipping point nearest cannery. The maximum prices are gross prices and the seller shall deduct therefrom his customary allowances, discount, and differentials to purchasers of different classes. The maximum prices for canned veined shrimp are the prices below plus 60 cents per dozen.

Grade	Wet pack (per dozen cans)	Dry pack (per dozen cans)
Jumbo	$3.60	$3.70
Large	3.05	3.15
Medium	2.80	2.90
Small	2.70	2.80
Broken	2.45	2.55

(b) For varieties and container sizes of canned shrimp and styles of pack not listed in paragraph (a), the price shall be a price determined by the Office of Price Administration to be in line with the prices listed in paragraph (a). Such determination shall be made upon written request, addressed to the Office of

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1269.

Price Administration, Washington, D. C., and accompanied by sworn statements showing costs and usual differentials.

(c) *Notification of new maximum price.* With the first delivery after June 1, 1944, of jumbo and large canned shrimp, and with the first delivery of any grade of canned shrimp not covered by this regulation prior to June 1, 1944, the seller determining his maximum prices for these items under this regulation shall supply each wholesaler and retailer who purchases from him with the following written notice:

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item by kind, variety, grade and container, type and size) has been changed by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulation No. 421, 422 or 423, you must refigure your ceiling price for this item on the first delivery of it to you from your customary type of supplier containing this notification after June 1, 1944. You must refigure your ceiling price following the rules in section 6 of Maximum Price Regulation No. 421, 422 or 423, whichever is applicable to you.

For a period of 60 days after determining the new maximum price for the item, and with the first shipment after the 60-day period to each person who has not made a purchase within that time, each seller shall include in each receptacle containing the item, the written notice set forth above, or securely attach it to the outside. However, for sales direct to any retailer, the seller may supply the notice by attaching it to, or stating it on, the invoice covering the shipment, instead of providing it with the goods.

(d) The maximum price for sales to any procurement agency of the Armed Forces, the War Food Administration and any procurement agency thereof, the War Shipping Administration, and the Veterans' Administration shall be 97½ percent of the price established pursuant to this section; from the price thus computed there shall be deducted a cash discount of 1½ percent if payment is made within 10 days from date of receipt by the designated office of the government procurement agency of a properly authenticated claim.

This amendment shall become effective June 1, 1944

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7940; Filed, June 1, 1944; 4:06 p. m.]

PART 1389—APPAREL

[MPR 438,[1] Amdt. 5]

MANUFACTURERS' PRICES FOR CERTAIN FALL AND WINTER OUTERWEAR

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 438 is amended in the following respects:

1. The date in the third unnumbered paragraph of section 3 is amended to read September 1, 1944.

2. The date in the fourth unnumbered paragraph of section 4 (a) is amended to read September 1, 1944.

3. The date in the last sentence of section 6 (b) (1) is amended to read September 11, 1944.

4. The date in the fifth sentence of section 6 (b) (2) is amended to read September 11, 1944.

5. The date in the last sentence of the text of section 6 (b) (3) is amended to read September 21, 1944.

6. The date in the first sentence of the effective date provision is amended to read September 1, 1944. The date June 1, 1944 in the third sentence of this provision is amended to read September 1, 1944.

This amendment shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7941; Filed, June 1, 1944; 4:06 p. m.]

PART 1340—FUEL

[RMPR 436]

CRUDE PETROLEUM, AND NATURAL AND PETROLEUM GAS

Maximum Price Regulation No. 436 is redesignated Revised Maximum Price Regulation No. 436, and is revised and amended to read as follows:

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328. Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1340.165 *Maximum prices for crude petroleum, and natural and petroleum gas.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order Nos. 9250 and 9328 Revised Maximum Price Regulation No. 436 (Crude Petroleum, and Natural and Petroleum Gas), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1340.165 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328; 8 F.R. 4681.

REVISED MAXIMUM PRICE REGULATION NO. 436—CRUDE PETROLEUM, AND NATURAL AND PETROLEUM GAS

ARTICLE I—GENERAL PROVISIONS

Sec.
1. Prohibition against sales of petroleum, and natural and petroleum gas at prices above the maximum.
2. To what transactions and persons this regulation is applicable.
3. Adjustable pricing.
4. Prior orders.
5. Evasion.
6. Transfers of business or stock in trade.
7. Licensing.
8. Petitions for amendment and applications for adjustment.
9. Definitions.

ARTICLE II—MAXIMUM PRICES FOR CRUDE PETROLEUM

10. Specific prices.
11. Formula for determining maximum prices.

ARTICLE III—MAXIMUM PRICES FOR NATURAL AND PETROLEUM GAS

12. Specific prices.
13. Formula for determining maximum prices—Wet gas.
14. Formula for determining maximum prices—Dry gas.

ARTICLE I—GENERAL PROVISIONS

SECTION 1. *Sales of petroleum, and natural and petroleum gas at higher than maximum prices prohibited.* (a) On and after June 7, 1944 regardless of any contract or obligation no person shall sell or deliver and no person shall buy or receive in the course of trade or business any crude petroleum, or natural and petroleum gas covered by this regulation at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 2. *To what transactions and persons this regulation is applicable.* This regulation covers all sales and deliveries of crude petroleum and natural and petroleum gas either by producers, sellers, refiners or by any other person except crude petroleum transported through the War Emergency Pipelines System and sold by the Defense Supplies Corporation at the terminals of such system and except crude petroleum when sold either to a consumer for a purpose other than the production of more than one petroleum fraction therefrom or to a tank wagon reseller for resale to a consumer for a purpose other than the production of more than one petroleum fraction therefrom. Nothing in this price regulation shall be construed to authorize the regulation of a rate that is exempt from control by the Office of Price Administration under the Emergency Price Control Act of 1942, as amended.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10503, 12712, 14012, 9 F.R. 172, 2477.

SEC. 3. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery. Where a petition for adjustment or amendment is pending, the buyer and seller may agree that prices for deliveries made during the pendency of the petition shall be determined in accordance with the disposition of the petition. Such change in prices will be allowed if the deliveries are necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

SEC. 4. *Prior orders.* (a) Orders of adjustment Nos. 1, 2, 3, 4, 5 and 6 were issued pursuant to Maximum Price Regulation No. 436. Sellers affected by such orders may notwithstanding the other provisions of this regulation charge the maximum prices authorized by such orders.

SEC. 5. *Evasion.* (a) The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery or transfer of crude petroleum alone or in conjunction with any other materials, or by way of any commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding or by a change in the quality of a product, or otherwise.

SEC. 6. *Transfers of business or stock in trade.* (a) If the business, assets or stock in trade of any seller or any person as defined in section 9 (c) are sold or otherwise transferred after October 15, 1941, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records and make reports shall be the same. The transferor shall either preserve and make available, or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the records and reports provisions of this regulation and amendments thereto.

SEC. 7. *Licensing, applicability of the registration and licensing provisions of the General Maximum Price Regulation.* (a) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation[1] are applicable to every person subject to this regulation selling at wholesale or retail any petroleum covered by this regulation. When used in this section the terms "selling at wholesale" and "selling at retail" have the definitions given them by §§ 1499.20 (p) and 1499.20 (o) respectively of the General Maximum Price Regulation. Said registration and licensing provisions became effective as to person selling at wholesale on May 11, 1942, and as to persons selling at retail on May 18, 1942.

SEC. 8. *Petitions for amendment and applications for adjustment—(a) Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment with the Petroleum Branch, Office of Price Administration, Washington, D. C., in accordance with the provisions of Revised Procedural Regulation No. 1.[2]

NOTE: Procedural Regulation No. 6 (7 F.R. 8087, 8665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 8444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.

NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petition for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.

(b) *Applications for adjustment.* (1) Any corporation subject to the provisions of this regulation all of whose securities are owned by another corporation, or which owns all of the securities of another corporation or all of whose securities and all of those of another corporation are owned directly or indirectly by a third corporation may file an application for adjustment to a maximum price established under Article II or III for the sale of crude petroleum, or petroleum or natural gas to such other corporation.

(2) Such application for adjustment shall be accompanied by a statement under oath setting forth, (i) The percentage of shares or units of any issues of securities of the subsidiary corporation or corporations held beneficially or of record by any person or persons and the names and post office addresses of such person or persons, (ii) The hardship or inequity which would result to the petitioner from failure to grant the petition.

(3) An application for adjustment under this paragraph shall be filed with the Petroleum Branch, Office of Price Administration, Washington, D. C. in the manner provided for applications for adjustment under Revised Procedural Regulation No. 1.

(c) *Local shortages.* The Office of Price Administration, or any duly authorized representative thereof, may adjust by order any maximum price established under this regulation for any seller or group of sellers when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of petroleum gas and natural gas which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such petroleum gas and natural gas; and

(3) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Applications for adjustment shall be filed in Washington, D. C., in accordance with Revised Procedural Regulation No. 1.

SEC. 9. *Definitions.* (a) "Crude petroleum." The term "crude petroleum" does not extend to petroleum products. Crude petroleum does not become a petroleum product until put through a bona fide refinery process which results in the production of more than one petroleum fraction.

(b) "Posted purchase price as of October 1, 1941" means a price posted by a person who during the 60-day period after October 1, 1941, actually purchased from a producer crude petroleum produced at any pool to which the posted price was applicable.

(c) "Person" when used in this regulation includes any individual, corporation, partnership, association, or any other organized group of persons, their legal successors and representatives.

(d) "Pool" means any underground accumulation of crude petroleum or associated hydrocarbon substances, including but not limited to natural gas, constituting a single and separate reservoir or source of supply within a field, area, or horizon whether or not presently discovered or developed.

(e) "Contract" means an agreement, the existence of which is established by written evidence.

(f) "Producers" means royalty owners or other sellers of crude petroleum.

(g) "Receiving tank" means the tank of the producer of crude petroleum, sometimes called stock tank or shipping tank, in which the oil from one or more wells is first gauged or measured for sale, delivery or storage.

(h) "Seller of the same class" means a seller (1) performing the same function, (2) of similar type, (3) dealing in the same type of commodity, and (4) selling to the same class of purchaser.

(i) "Wet gas" means any natural or petroleum gas, and refinery gas, which is sold to be processed for the extraction of vapors and liquids, from which operation some residue gas results.

(j) "Dry gas" means any natural or petroleum gas, and refinery gas, sold for consumption either directly as fuel or to be consumed in the production of any other commodity or for use in gas lift, pressure maintenance or repressuring operations, and includes such gas when delivered directly from wells, and the residue gas resulting from extraction operations.

ARTICLE II—MAXIMUM PRICES FOR CRUDE PETROLEUM

NOTE: *How to determine maximum prices for crude petroleum.* To determine the maximum price for crude petroleum, first examine section 10 to see whether a specific price has been established for the particular field. If no specific price has been established for the particular field, then the formula in section 11 shall be used to determine the maximum price.

SEC. 10. *Specific prices.* The following specific prices shall be the maximum prices for the items named at the points enumerated below. Except for specific maximum prices established for the Lance Creek Field under section 10 (o) (2), where a contract was in effect on

[1] 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962, 8511, 9025.

[2] 7 F.R. 8961, 8 F.R. 3313, 3583, 6173.

October 1, 1941, for the purchase of crude petroleum at the receiving tank at a price in excess of the highest posted purchase price as of October 1, 1941, for the given pool applicable to such production and deliveries were made prior to or within 60 days after October 1, 1941, in accordance with such contract, and if a specific maximum price has been established for crude petroleum produced at such pool under section 10, then the maximum price at the receiving tank for the production covered by the contract or any renewal of such contract or a new contract between the same buyer and seller concerning the same production shall be the sum of the price actually charged on October 1, 1941, or if no delivery was made on October 1, 1941, on the first delivery after such date and the difference between the specific price as set out in this section 10 and the highest posted price as of October 1, 1941, except that on and after May 17, 1943, the maximum price at the receiving tank for crude petroleum produced in the Franklin heavy sand crude area located in Venango County, Pennsylvania, shall be the sum of the two amounts specified above and 20¢ per barrel.

Illustration: A contract for the purchase of crude petroleum was in effect on October 1, 1941, at 25¢ per barrel above the posted price, which posted price was $1.00 per barrel, and a specific price for the pool is established at $1.10 per barrel. The maximum price will be the sum of the contract price and the difference between the specific price and the posted price. The difference between the specific price ($1.10) and the posted price ($1.00) is .10, therefore, the maximum price would be 10¢ plus the contract price ($1.25) or $1.35.

Where contracts of the type described above were in effect on October 1, 1941, duly authenticated copies of such contracts shall be filed by the purchaser with the Petroleum Branch of the Office of Price Administration at Washington, D. C., within thirty days after August 19, 1943, unless copies of said contracts have heretofore been filed with the Office of Price Administration.

(a) *Arkansas*—(1) *McKamie, Dorcheat, Macedonia and Big Creek pools.* The maximum price at the receiving tank for sour distillate produced in the McKamie pool, Lafayette County, Arkansas, and in the Dorcheat pool, the Macedonia pool and Big Creek pool, Columbia County, Arkansas, shall be $1.25 per barrel.

(2) *Smackover Field.* The maximum price at the receiving tank for crude petroleum produced in the Smackover Field, Ouachita and Union Counties, Arkansas, shall be a flat price of 98¢ per barrel.

(3) *Smart Field.* The maximum price at the receiving tank for crude petroleum of 40° API gravity and above, produced in the Smart Field in Columbia County, Arkansas shall be $1.18 per barrel with the customary differentials for lower gravity crudes.

(4) *Stephens Field.* The maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Stephens Field in Nevada, Ouachita and Columbia Counties, Arkansas, shall be $1.18 per barrel with the customary differentials for lower gravity crudes.

(5) *Urbana Field.* Effective January 12, 1944, the maximum price at the receiving tank for heavy Urbana crude oil produced in the Urbana Field, Union County, Arkansas, shall be 88¢ per barrel.

(b) *California*—(1) *Ventura Avenue Field.* Effective February 2, 1942, the maximum price at the receiving tank for royalty crude petroleum produced in the Ventura Avenue Oil Field on all sales made to Shell Oil Company, Inc., lessee, and its successors and assigns by the persons entitled from time to time to share in the royalty interests reserved under oil leases known as the Taylor, Edison and Gosnell leases, shall be as follows:

[Dollars per 42-gallon barrel]

API gravity	Fields—see key below																			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
8–8.9			0.71																		
9–9.9			.73																		
10–10.9			.75																		
11–11.9		0.92	.77	0.92																	
12–12.9		.94	.79	.94			0.94														
13–13.9		.96	.81	.96			.96												0.91		
14–14.9	0.98	.98	.83	.98	0.98	0.98	.98		0.98	0.98			0.97	0.95	0.98	0.98	0.95		.93		0.95
15–15.9	.98	.98	.85	.98	.98	.98	.98	0.94	.98	1.00	1.01	0.89	.97	.97	.97	.98	.97	0.93	.98	1.01	.95
16–16.9	.98	.98	.85	.98	.98	.95	.98	.94	.98	1.00	1.01	.89	.97	.97	.97	.98	.97	.93	.98	1.01	.95
17–17.9	.98	.98	.85	.98	.98	.95	.98	.94	.98	1.00	1.01	.89	.97	.97	.97	.98	.97	.93	.98	1.01	.95
18–18.9	.98	.98		.98	.98	.95	.98	.94	.98	1.00	1.01	.89	.97	.97	.97	.98	.97	.93	.98	1.01	.95
19–19.9	.98	.98		.98	.98	.95	.98	.94	.98	1.00	1.01	.89	.97	.97	.97	.98	.97	.93	.98	1.01	.95
20–20.9	.98	.98		.98	.98	.95	.98	.94	.98	1.00	1.01	.89	.97	.97	.97	.98	.97	.93	.98	1.01	.95
21–21.9	.98	.98		.98	.98	.95	.98	.94	.98	1.00	1.01	.91	.97	.97	.97	.98	.97	.98	.98	1.02	.95
22–22.9	.98	.98		.98	.98	.95	.98	.94	.98	1.02	1.01	.95	.97	.98	.97	.98	1.00	1.00	1.02	1.05	.95
23–23.9	.98	.99		.98	.98	.95	.98	.94	.98	1.02	1.01	.95	.97	.98	.97	.98	1.00	1.00	1.02	1.05	.95
24–24.9	.98	1.03		.98	.99	.96	.98	.95	.98	1.06	1.04	.99	.97	1.01	1.01	1.02	1.03	1.03	1.06	1.07	.95
25–25.9	.98	1.07		.98	1.01	.95	.98	.99	.98	1.08	1.07	1.02	.98	1.04	1.05	1.06	1.07	1.07	1.09	1.10	.95
26–26.9	.98	1.11			1.04	.95	.98	1.03	1.01	1.11	1.10	1.06	1.01	1.08	1.09	1.10	1.11	1.11	1.12	1.12	.95
27–27.9	1.01	1.15			1.07	.96	.98		1.04	1.14	1.14		1.05	1.11	1.13		1.15	1.15	1.15	1.15	.95
28–28.9	1.04	1.19			1.10	.99	1.00		1.07	1.17	1.17		1.08	1.14	1.17			1.18	1.18	1.17	.97
29–29.9	1.07	1.24			1.13	1.02	1.02		1.10	1.20	1.20		1.12					1.20	1.21		.99
30–30.9	1.10	1.28			1.16	1.05	1.04			1.23	1.22		1.15					1.23	1.24		1.02
31–31.9	1.14				1.17	1.07	1.06				1.24		1.19								1.04
32–32.9	1.17				1.18	1.10	1.09						1.23								1.07
33–33.9					1.19	1.12	1.11						1.27								1.09
34–34.9					1.20	1.15	1.13						1.31								1.12
35–35.9					1.21	1.17							1.35								1.14
36–36.9					1.22	1.20							1.39								1.17
37–37.9					1.23	1.24							1.43								1.20
38–38.9					1.24								1.47								
39–39.9					1.25								1.51								
40 and above					1.26								1.53								

The price specified for the highest gravity crude oil in each column is the maximum price for crude oil of higher gravities.

KEY TO FIELDS

1. Edison.
2. Midway, Lake View Area, Elk Hills, Buena Vista Hills, Mountain View.
3. Los Flores, Casmalia, Oxnard, Cat Canyon, Santa Maria Valley, Gato Ridge.
4. Round Mountain, McKittrick, Newhall, Coffee Canyon, Mt. Poso, Poso, Kern River, Kern Front, Fruitvale.
5. Belridge, Lost Hills.
6. South Mountain, Santa Paula, Wheeler Ridge.
7. Coalinga.
8. Venice, Playa Del Ray.
9. Orcutt.
10. Huntington Beach.
11. Inglewood.
12. Aliso Canyon.
13. Montebello.
14. Olinda, Brea Canon.
15. Torrance.
16. Richfield.
17. La Habra, Whittier, East Coyote.
18. Signal Hill.
19. Wilmington, Beverly Hills.
20. El Segundo.
21. Oak Canyon.

API gravity:	Prices per barrel
26–26.9	$1.075
27–27.9	1.11
28–28.9	1.14
29–29.9	1.1675
30–30.9	1.195

Maximum prices for crude petroleum of gravities higher or lower than those set forth above shall be the prices for such gravities established as of October 1, 1941, between Tidewater Associated Oil Company and certain of its lessors in the Ventura Avenue Oil Field.

(2) *Various designated fields.* The maximum prices at the receiving tank for crude petroleum of the gravities specified in the table below and produced in the fields designated therein shall be as follows:

API gravity:	Price per barrel
14–14.9	$0.95
15–15.9	.95
16–16.9	.95
17–17.9	.95
18–18.9	.95
19–19.9	.95
20–20.9	.95
21–21.9	.95
22–22.9	.95
23–23.9	.95
24–24.9	.95
25–25.9	.95
26–26.9	.99
27–27.9	1.03
28–28.9	1.21
29–29.9	1.25
30–30.9	1.23
31–31.9	1.32
32–32.9	1.35
33–33.9	1.38

(3) *Capitan Field.* The maximum price at the receiving tank for crude petroleum produced in the Capitan Field, California, shall be as follows:

API gravity:	Price per barrel
14–14.9	$0.95
15–15.9	.95
16–16.9	.95
17–17.9	.95
18–18.9	.95
19–19.9	.95
20–20.9	.95
21–21.9	.95
22–22.9	.95
23–23.9	.95
24–24.9	.95
25–25.9	.95
26–26.9	.99
27–27.9	1.03
28–28.9	1.21
29–29.9	1.25
30–30.9	1.23
31–31.9	1.32
32–32.9	1.35
33–33.9	1.38

(4) *Price based on posted price of one of fields designated in* (2) or (3) *above.* If crude petroleum produced at a pool which had no posted price was on the last delivery prior to March 26, 1943, sold to a particular purchaser on the basis of the posted price for another pool and at such price, the seller's maximum price for the crude petroleum produced at the former pool shall be the same as the posted price of the latter pool as shown in (2) or (3) above for the same gravity crude oil.

Any purchaser who pays for crude petroleum on the basis of this provision shall within 30 days from the effective date of this regulation, report the following information to the Office of Price Administration, Petroleum Branch, Washington, D. C.

(i) Copy of posted price bulletin of field on which purchase price is based, and the date effective.

(ii) The total production of the pool for the month of March, 1943.

(iii) The total amount purchased from the pool during March, 1943.

(5) *Other fields than listed in* (2), (3) *and* (4) *above.* The maximum price at the receiving tank for crude petroleum produced in fields in California other than those named in Article II, sections 10 (b) (2) and (3) and other than those fields determining maximum prices under Article II, section 10 (b) (4) shall be the sum of the maximum price as determined by other provisions of this regulation and the amount designated below:

API gravity:	Increase per barrel
Below 15	$0.25
15–15.9	.25
16–16.9	.22
17–17.9	.19
18–18.9	.16
19–19.9	.13
20–20.9	.10
21–21.9	.07
22–22.9	.04
23–23.9	.01

Provided, however, That the maximum price for a particular gravity crude shall not be less than that for a lower gravity crude from the same seller's receiving tank in the same pool.

(c) *Colorado*—(1) *Moffat, Tow Creek and Wilson Creek Fields.* The maximum price at the receiving tank for crude petroleum produced in the Moffat, Tow Creek and Wilson Creek Fields in the State of Colorado shall be as follows:

API gravity:	Dollars per 42 gallon barrel
Below 29	1.01
29–29.9	1.03
30–30.9	1.05
31–31.9	1.07
32–32.9	1.09
33–33.9	1.11
34–34.9	1.13
35–35.9	1.15
36–36.9	1.17
37–37.9	1.19
38–38.9	1.21
39–39.9	1.23
40 and above	1.25

(d) *Illinois*—(1) *Plymouth Pool.* The maximum price at the receiving tank for crude petroleum produced in the Plymouth Pool, McDonough County, Illinois, shall be $1.15 per barrel.

(e) *Kentucky*—(1) *Uniontown Field.* The maximum price at the receiving tank for crude petroleum produced in the Uniontown Field, Union County, Kentucky, shall be $1.37 per barrel.

(2) *Various designated areas.* The maximum prices at the receiving tank for crude oil produced in the areas, in the State of Kentucky, designated below shall be:

Area:	Prices per 42 gallon barrel
Big Sandy River (Somerset crude)	$1.43
Sebree Field, Webster County	1.37
Belton Field, Muhlenberg County	1.37
Spottsville, Henderson County	1.37
Owensboro Area	1.37
Bowling Green Area	1.17
Butler County	1.32

Maximum prices established herein may be charged any purchaser who agreed on or prior to June 1, 1943, to pay a price determined in accordance with the disposition of the petition filed with the Office of Price Administration.

(f) *Louisiana*—(1) *Anse La Butte Field.* The maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Anse La Butte Field in St. Martin Parish, Louisiana, shall be $1.30 per barrel with the customary differentials for lower gravity crudes.

(2) *Bayou Des Allemands, Raceland, Gibson, Lake Arthur, Tepetate, North Tepetate, and Abbeville Fields.* The maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Bayou Des Allemands Field in La Fourche and St. Charles Parishes, Raceland Field in La Fourche Parish, Gibson Field in Terrebonne Parish, Lake Arthur, Tepetate, North Tepetate and Abbeville Fields all located in Louisiana, shall be $1.30 per barrel with the customary differentials for lower gravity crudes.

(3) *Caddo Pool.* The maximum price at the well for crude petroleum of 40° API gravity and above, produced in the Caddo Pool in Louisiana shall be $1.20 per barrel with the customary differentials for lower gravity crudes.

(4) *Olla, South Olla and Little Creek Pools.* The maximum price at the receiving tank for crude petroleum of 40° API gravity and above, produced in the Olla, South Olla, and Little Creek Pools, LaSalle Parish, Louisiana, shall be $1.35 per barrel, with the customary differentials for lower gravity crudes.

(5) *Ritchie Field.* The maximum price at the well for crude petroleum of 40° API gravity and above, produced in any pool in Ritchie Field, Acadia Parish, Louisiana, shall be $1.48 per barrel with the customary differentials for lower gravity crudes.

(6) *South Elton Field.* The maximum price at the receiving tank for crude petroleum and crude distillate produced in the South Elton Field, Jefferson Davis Parish, Louisiana, shall be as follows:

API gravity:	Dollars per 42-gallon barrel
Below 21	0.90
21–21.9	.92
22–22.9	.94
23–23.9	.96
24–24.9	.98
25–25.9	1.00
26–26.9	1.02
27–27.9	1.04
28–28.9	1.06
29–29.9	1.08
30–30.9	1.10
31–31.9	1.12
32–32.9	1.14
33–33.9	1.16
34–34.9	1.18
35–35.9	1.20
36–36.9	1.22
37–37.9	1.24
38–38.9	1.26
39–39.9	1.28
40 and above	1.30

(7) *Tullos-Urania Field.* The maximum price at the receiving tank for crude petroleum produced in the Tullos-Urania Field, LaSalle Parish, Louisiana, shall be a flat price of $1.25 per barrel.

(8) *University Field.* The maximum price at the well for crude petroleum of 40° API gravity and above, produced in any pool in University Field, East Baton Rouge Parish, Louisiana, shall be $1.48 per barrel with the customary differentials for lower gravity crudes.

(9) *Ville Platte Field.* The maximum price at the receiving tank for crude petroleum produced in the Ville Platte Field, Evangeline Parish, Louisiana, shall be $1.30 per barrel.

(g) *Michigan*—(1) *Headquarters Field.* The maximum price at the receiving tank for crude petroleum produced in the Headquarters Field, Roscommon County, Michigan, shall be $1.48 per barrel.

(2) *South Bangor Pool.* The maximum price at the receiving tank for crude petroleum produced in the South Bangor Pool, Bangor Township, Van Buren County, Michigan, shall be $1.27 per barrel.

(h) *Mississippi*—(1) *Pickens Field.* The maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Pickens Field, Yazoo and Madison Counties, Mississippi, shall be $1.18 per barrel with the customary differentials for lower gravity crudes.

(2) *Tinsley Field.* The maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Tinsley Field, Yazoo County, Mississippi, shall be $1.18 per barrel with the customary differentials for lower gravity crudes.

Such maximum price is effective as of May 22, 1943, except that where a buyer agreed that prices for deliveries made during the pendency of his petition for amendment should be determined in accordance with the disposition of such petition he may pay and the seller may charge a price in accordance with such agreement.

(i) *Nebraska*—(1) *Falls City Field and Barada Field.* The maximum price at the receiving tank for crude petroleum produced in the Falls City Field and the Barada Field, Richardson County, Nebraska, shall be as follows:

API gravity:	Dollars per 42-gallon barrel
Below 21	0.85
21–21.9	.87
22–22.9	.89
23–23.9	.91
24–24.9	.93
25–25.9	.95
26–26.9	.97
27–27.9	.99
28–28.9	1.01
29–29.9	1.03
30–30.9	1.05

API gravity:	Dollars per 42-gallon barrel
31–31.9	1.07
32–32.9	1.09
33–33.9	1.11
34–34.9	1.13
35–35.9	1.15
36–36.9	1.17
37–37.9	1.19
38–38.9	1.21
39–39.9	1.23
40 and above	1.25

(j) *New Mexico*—(1) *Loco Hills Area.* The maximum price at the well for crude petroleum of 40° API gravity and above, produced in the Loco Hills Area of Eddy County, New Mexico shall be $1.12 per barrel with the customary differentials for lower gravity crudes.

(k) *Ohio*—(1) *Lima Oil Field in Northwestern Ohio and Northeastern Indiana.* The maximum price for crude petroleum produced in the Lima Oil Field, located in Northwestern Ohio and Northeastern Indiana, shall be $1.50 a barrel at the receiving tank: *Provided*, That where the price paid for crude petroleum from a particular receiving tank in the Lima Oil Field as of October 1, 1941, exceeded $1.50 per barrel, the maximum price at the same receiving tank shall be the price so paid or $1.60 a barrel, whichever is the lower.

(l) *Oklahoma*—(1) *Tussy Field in Garvin County and Healdton and Oscar Pools.* The maximum price at the well for crude petroleum of 40° API gravity and above, produced in Carter County, in that portion of the Tussy Field located in Garvin County, and in the Healdton and Oscar Pools in Oklahoma shall be $1.25 per barrel with the customary differentials for lower gravity crudes.

(m) *Pennsylvania grade area*—(1) *Various designated areas.*

Grade of crude petroleum:	Maximum price per barrel
Pennsylvania Bradford	$3.00
Southwest Pennsylvania	2.65
Eureka	2.59
Southeastern Ohio	2.55
Oil City-Titusville:	
Group A (including Cochran, Franklin, Hamilton, and Doolittle Districts)	2.93
Group B (Titusville District)	2.92
Group C (including Turkey and Tidioute)	2.91
Group D (including Bear Creek and Porkey Districts)	2.90
Group E (including Edeneau, Bowl Creek, Rough Run, Carbon, Ditner, Bredin, McJunkin, Jameson, Kennerdall, Emlenton, Tiona, Lacy, and Kinzua Districts)	2.88

(2) *Commissions prohibited except as provided herein.* The price limitations set forth above shall prohibit the addition of commissions above said maximum prices except that persons who buy Pennsylvania grade crude petroleum for resale under contracts and who had contracts in existence on August 23, 1941, which provide that the price on resale shall be the "posted price" plus a specified commission may receive the maximum price plus said commission specified in the contracts: *Provided*, That (i) said contracts were entered into in writing prior to August 14, 1941; (ii) said contracts are binding and valid in character; (iii) certified copies of each such contract were filed with the Office of Price Administration within ten (10) days after August 23, 1941; and (iv) no such contracts have been extended or amended without the approval of this office. Persons who buy for resale and wish to enter into contracts, or wish to extend or amend contracts, providing for prices on resale higher than the maximum prices listed above, may make application to this office for permission to receive such higher prices.

(n) *Texas*—(1) *East Texas.* Effective February 2, 1942, the maximum price for East Texas crude petroleum sold by the Houston Oil Company of Texas delivered into tank No. 11, Peterson Tank Farm, Isaac Ruddle Survey, Rusk County, Texas, shall be $1.30 per barrel.

(2) *North and North Central Texas and Red River bed in Tillman County, Oklahoma.* The maximum price at the receiving tank for crude petroleum of 40° API gravity and above, produced in Archer, Baylor, Brown, Callahan, Clay, Coleman, Comanche, Cooke, Eastland, Erath, Fisher, Foard, Haskell, Jack, Jones, Montague, Ualo, Pinto, Shackelford, Stephens, Taylor, Throckmorton, Wichita, Wilbarger, and Young Counties, Texas, and in the bed of the Red River in Tillman County, Oklahoma, shall be $1.25 per barrel with the customary differentials for lower gravity crudes.

(3) *Panhandle area.* The maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in Carson, Gray, Hutchinson, Moore, and Wheeler Counties, Texas, shall be $1.22 per barrel, with the customary differentials for lower gravities.

(4) *Partlow lease.* Effective February 2, 1942, the maximum price at the receiving tank for crude distillate of 50° API gravity and above produced from the Partlow lease, Hardin Field, Liberty County, Texas, shall be $1.53 per barrel.

(5) *Pettus Field.* The maximum price at the well for crude distillate produced in the Pettus Field, Bee County, Texas, shall be $1.50 per barrel.

(6) *Rincon Field.* The maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Rincon Field, Starr County, Texas, shall be $1.45 per barrel, with the customary differentials for lower gravity crudes.

(7) *Shields Field.* Effective December 1, 1942, the maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Shields Field, Nueces County, Texas, shall be $1.35 per barrel, with the customary differentials for lower gravity crudes.

(8) *Talco and Sulphur Bluff Fields.* The maximum price at the receiving tank for crude petroleum produced in the Talco and Sulphur Bluff Fields in Franklin, Titus and Hopkins Counties, Texas, shall be as follows:

API gravity:	Dollars per 42-gallon barrel
Below 20	0.80
20–20.9	.82
21–21.9	.84
22–22.9	.86
23–23.9	.88
24–24.9	.90
25 and above	.92

(9) *Woodsboro Field.* The maximum price at the receiving tank for crude petroleum produced in the Woodsboro Field, Refugio County, Texas, and sold by owners of royalty interests shall be a flat price of $1.35 per barrel.

(o) *Wyoming*—(1) *Big Muddy Field.* The maximum price for crude petroleum produced in the Big Muddy Field, Wyoming, shall be a flat price of $1.13 per barrel.

(2) *Lance Creek Field, Salt Creek Field, Iron Creek Field and G. P. Lease.* The maximum price at the receiving tank for crude petroleum produced in the Lance Creek Field, Niobrara County, Salt Creek Field, Natrona County, Iron Creek Field, Natrona County, and G. P. Lease, Carbon County, all in the State of Wyoming except crude petroleum produced from the Tensleep Sand shall be as follows:

API gravity:	Dollars per 42-gallon barrel
Below 21	0.85
21–21.9	.87
22–22.9	.89
23–23.9	.91
24–24.9	.93
25–25.9	.95
26–26.9	.97
27–27.9	.99
28–28.9	1.01
29–29.9	1.03
30–30.9	1.05
31–31.9	1.07
32–32.9	1.09
33–33.9	1.11
34–34.9	1.13
35–35.9	1.15
36–36.9	1.17
37–37.9	1.19
38–38.9	1.21
39–39.9	1.23
40 and above	1.25

(3) *Various designated fields.* The maximum prices at the receiving tank for black oils produced in the fields designated below shall be:

Field:	Price per barrel
Black Mountain	$0.55
Byron	.70
Circle Ridge	.65
Dallas and Derby	.55
Elk Basin (Tensleep Crude)	.90
Frannie, heavy	.62
Frannie, light	.85
Garland	.60
Grass Creek, heavy	.65
Hamilton Dome	.60
Hudson (Lander)	.725
Maverick Springs	.8625
Notches	.75
Oregon Basin	.65
Pilot Butte	.80
Poison Spider	.65
Salt Creek (Tensleep)	.8285
Sheep Creek	.65
Shoshone	.65
South Casper Creek	.65
Spindletop	.65

SEC. 11. *Formula for determining maximum prices.* (a) The maximum price at the receiving tank for crude petroleum from any given pool shall be the posted purchase price as of October 1, 1941, for such pool.

(b) Where on October 1, 1941, there was for any given pool no posted purchase price, or more than one posted purchase price, the maximum price for a particular producer at the receiving tank for crude petroleum from such pool shall be the price paid for crude petroleum at any receiving tank of the same producer as of October 1, 1941, unless this price is below the highest of the posted purchase prices, if any, and in that case, the maximum price shall be the highest posted purchase price: *Provided, however*, That a price paid pursuant to a contract in effect on October 1, 1941, and entered into prior to that date, shall not be considered in determining the maximum price for crude petroleum unless the contract price reflected current market conditions on or about October 1, 1941.

(c) Where a contract was in effect on October 1, 1941, for the purchase of crude petroleum at the receiving tank at a price in excess of the highest posted purchase price for the given pool applicable to such production and deliveries were made prior to or within 60 days after October 1, 1941, in accordance with such contract, then the price actually charged on October 1, 1941, or if no delivery was made on October 1, 1941, on the first delivery after such date, shall be the maximum price for the production covered by the contract.

(d) Where the maximum price for any sale of crude petroleum at the receiving tank cannot be determined under (a) through (c) above, the seller or purchaser shall set a tentative price for the crude petroleum at the particular receiving tank or tanks which shall be in line with the maximum prices for comparable crude petroleum in the same general area. Within ten days after setting such a tentative price the seller or purchaser shall file with the Petroleum Branch of the Office of Price Administration, Washington, D. C., a written request for approval of such tentative price. The person filing such request shall file in connection therewith a statement setting forth:

(1) Such tentative price.

(2) An explanation as to why it is impossible to determine his maximum price under paragraph (a), (b) or (c) of this section 11.

(3) A description of the available transportation facilities, and a description of the gravity, characteristics and source of the crude petroleum in question.

Such tentative price shall be the maximum price for crude petroleum produced from the same pool until a substitute maximum price is set in writing by the Petroleum Branch of the Office of Price Administration, Washington, D. C. If a seller and purchaser have agreed upon a price for the sale of crude petroleum subject to the approval of the Office of Price Administration, a maximum price determined in accordance with this paragraph (d) shall be effective retroactively to February 2, 1942, or the date of the agreement whichever is later.

(e) The maximum price for crude petroleum sold at a point other than the receiving tank shall be at no greater differential at such point over the maximum price for such crude at the receiving tank than the highest differential that existed on October 1, 1941, between the price at the receiving tank and the price at such point: *Provided, however*, That such a differential established pursuant to a contract in effect on October 1, 1941, and entered into prior to that date shall not be considered in determining the maximum price at that point unless the differential reflected current market conditions on or about October 1, 1941.

(f) Where a maximum price at a point other than at the receiving tank cannot be determined under paragraph (e) above, the seller shall establish a tentative differential for a sale of crude petroleum at such point where such is possible. Where such is not possible, the seller shall set a tentative price. Within ten days after setting such tentative differential or price, the seller shall file with the Petroleum Branch of the Office of Price Administration in Washington, D. C., a written request for approval of such tentative differential or price accompanied by a statement setting forth:

(1) Such tentative differential or price.

(2) An explanation as to why it is impossible to determine his maximum price at the particular point under paragraph (e) of this regulation.

(3) The location of the source of the crude petroleum in question and of the particular delivery point, and

(4) An itemized statement of the costs involved in transporting the crude petroleum from the receiving tank to the particular delivery point and of any other items comprising the tentative differential or price.

Such tentative differential or price shall be the seller's maximum differential or maximum price for the particular sale and for all subsequent sales of crude petroleum from the same receiving tank delivered at that point unless it is disapproved in writing or a substitute maximum differential or maximum price is set in writing by the Office of Price Administration. If a seller and purchaser have agreed upon a price for a sale of crude petroleum at a point other than at the receiving tank subject to the approval of the Office of Price Administration, a maximum differential or maximum price determined in accordance with this paragraph (f) shall be effective retroactively to February 2, 1942, or the date of the agreement, whichever is later.

ARTICLE III—MAXIMUM PRICES FOR NATURAL AND PETROLEUM GAS

NOTE: *How to determine maximum prices for natural and petroleum gas.* To determine the maximum price for natural and petroleum gas, first examine section 12 to see whether a specific price has been established. If no specific price has been established, then the maximum price for wet gas shall be determined in accordance with section 13 and the maximum price for dry gas shall be determined in accordance with section 14.

SEC. 12. *Specific prices.* The following specific prices shall be the maximum prices for the items named at the points enumerated below:

(a) *Sweet natural gas, Hugoton Field, Oklahoma.* The maximum price for sweet natural gas, without liquid hydrocarbon fractions being extracted, produced in the Hugoton Field, located in the State of Oklahoma, for use in the manufacture of furnace black, shall be 4¢ per thousand cubic feet at a base pressure of 16.4 pounds per square inch absolute.

SEC. 13. *Formula for determining maximum prices—Wet gas.* (a) A seller's maximum price at any particular time for wet gas produced from any given field shall be the highest prices that could be charged at that time under the terms and conditions of any contract which was in effect on May 1, 1942, between the seller and the purchaser for the sale of wet gas produced from such field.

(b) If a seller had no contract in effect with a particular purchaser on May 1, 1942, for wet gas produced from any given field, then such seller's maximum price to such purchaser at any given field shall be the highest price that could be charged at that time under the terms and conditions of any contract which was in effect on May 1, 1942, between such seller and a purchaser of the same class for the sale of wet gas produced from such field.

(c) Where a maximum price for wet gas cannot be determined under (a) or (b), or where a maximum price has been determined under (a) or (b) and the purchaser wishes to extract, condense and save additional products from the wet gas not contemplated by the contract nor by any contract between a seller and a purchaser of the same class in the given field, a tentative maximum price may be set. The purchaser shall make a request in writing to the Petroleum Branch of the Office of Price Administration in Washington, D. C., for approval of such tentative maximum price within 15 days after it has been set by him. In connection with his request, the purchaser shall file with the said office a statement setting forth (1) an explanation as to why it is impossible for the seller to establish a maximum price under paragraphs (a) or (b) of this section 13; (2) the tentative maximum price, and an explanation of the method used in arriving at such price; (3) the maximum prices for sellers and purchasers of the same class at the two nearest fields to the one in question, if known; and (4) if a written contract has been entered into, an authenticated copy thereof. The tentative maximum price shall be the maximum price for the production from the field to purchasers of the same class unless the tentative price is disapproved by the Office of Price Administration within 15 days from the date it is filed as provided above. Ordinarily a tentative price set under this paragraph (c) will not be approved unless such tentative price is in line with the maximum prices for sellers and purchasers of the same class at the nearest fields to the one in question. A tentative price which has been approved as a maximum price hereunder, may subsequently be changed by order of the Price Administrator.

SEC. 14. *Formula for determing maximum prices; dry gas.* (a) Where a contract for the sale of dry gas was in effect on May 1, 1942, the seller's maximum price to the same purchaser for deliveries of dry gas produced from the same

source or sources as the dry gas covered by the contract shall not exceed the price that could be charged for such deliveries under the terms of the contract that was in effect on May 1, 1942: *Provided, however,* That where under the terms of any contract in effect on May 1, 1942, between a seller and a purchaser, the price for dry gas was adjustable to the price of fuel oil, the seller's maximum price to such purchaser shall be computed by regarding the maximum price of fuel oil on May 1, 1942, as the price of such fuel oil.

(b) Where a seller had contracts in effect on May 1, 1942, for the sale of dry gas but did not then have a contract with a particular purchaser for dry gas produced from the same source or sources as the dry gas covered by those contracts, the seller's maximum price to that purchaser for deliveries of dry gas shall not exceed the highest price that could be charged for such deliveries under (a) to a purchaser of the same class. If the seller had no contracts in effect on May 1, 1942, with purchasers of the same class, then, his maximum price shall be determined under (c) below.

(c) Notwithstanding the provisions of other paragraphs of this section 14, a seller's maximum price for deliveries of dry gas to a particular purchaser shall be either the maximum price established under paragraphs (a) or (b) of this section 14 or a price agreed upon between the seller and the purchaser and reported in writing to the Petroleum Branch of the Office of Price Administration, Washington, D. C., by such seller within 10 days of the date of the agreement, which price must be in line with the level of maximum prices for dry gas generally prevailing in the general producing area, or if there is only one producer of dry gas in one general producing area, a price in line with the level of maximum prices prevailing in the nearest producing area in which similar conditions obtain. Once the seller has determined his maximum price for deliveries of dry gas to a particular purchaser under this paragraph (c) that price is his maximum price to that purchaser thereafter.

The seller may not accept payment for deliveries of dry gas subject to a maximum price determined under paragraph (c) until fifteen days have elapsed after mailing the report of such maximum price. Within the fifteen day period, the price so reported shall be subject to adjustment of the Office of Price Administration. Subsequent to this fifteen day period, such price shall be subject to adjustment any time upon written order of the Office of Price Administration.

In connection with the report required in paragraph (c), and concurrently therewith the following information shall be submitted to the Petroleum Branch of the Office of Price Administration.

By the seller. (1) The seller's present maximum price for dry gas established by this regulation and the maximum price agreed upon accompanied both by a statement as to the point (such as the well-head, the pipe line or pipe line terminus) at which delivery to the purchaser is made, and by copies of the contract (if any) on the basis of which the present maximum price is established and of the proposed renewal thereof, or of the new contract for the sale of dry gas contemplated by the parties.

(2) Names and addresses of the purchasers of the seller's production.

By the purchaser. (3) The disposition made of the gas purchased from the seller by each purchaser thereof.

(4) Maximum prices of dry gas established for other sellers in the particular producing area or, if the seller is the only producer in the particular area, in the nearest producing areas in which similar conditions obtain. Maximum prices should be stated for each class of purchasers together with a description of each class. Estimated percentage of total volume moving at each price should be stated and the nature of the facilities used in making delivery to each purchaser should be described.

(5) A statement in writing signed by the purchaser or purchasers that they will absorb any increase in the cost of dry gas resulting from the reported price and that they do not intend prior to the expiration of the Emergency Price Control Act of 1942, as amended, to rely upon such cost increase as a basis of application for increase in their resale prices or in the prices of other commodities or services sold or supplied by them.

The information required to be submitted by either the purchaser or the seller may be filed either with the report or separately. Information required of either the seller or the purchaser, if filed separately, will, upon request, be treated as confidential.

(d) Where a seller is unable to determine his maximum price for dry gas under (a) or (b) above, a tentative maximum price may be set, and the seller shall comply with the requirements of filing as provided in section 13, paragraph (c), and the tentative maximum price shall be subject to disapproval and change as therein provided.

Effective date. This Regulation No. 436 shall become effective June 7, 1944.

NOTE: All reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 2d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7988; Filed, June 2, 1944; 11:51 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 128]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15937.

Ration Order 5C is amended in the following respects:

In § 1394.7852 (b) (4) the following sentence is inserted at the end of the first sentence:

If the total quantity of gasoline determined exceeds twenty gallons, the Board may issue both coupons and one or more gasoline purchase permits to provide the amount of gasoline determined.

This amendment shall become effective June 6, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 2d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7969; Filed, June 2, 1944; 11:51 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 10]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5353 (a) (1) is amended by adding after the period at the end of the subparagraph the sentence, "However, such a ration may be issued only for equipment acquired before June 1, 1944 unless the applicant was, at the time he acquired the equipment, eligible for a new oil cooking stove under section 2.4 (a) (9) of Ration Order 9A."

2. The text of § 1394.5368 (b) is amended to read as follows:

(b) *When and where unit value coupons may be used by consumers.* Fuel oil may be transferred to a consumer in exchange for a unit value coupon only during the validity period and in the zone printed on the coupon. (The zones are described in § 1394.5330.) There are five (5) validity periods, all extending through August 31, 1945. Fuel oil may be transferred to a consumer in exchange for any Period 1 coupons on and after the date (but not before June 1, 1944) on which the consumer receives the coupon sheet from the Board, *Provided,* That the date of receipt is entered by him on the coupon sheet. The date on which each period, other than Period 1, begins for each zone is as follows:

3. Section 1394.5368 (b) (1), (2), (3) and (4) is amended by deleting from each of the subparagraphs the following: "1–July 1, 1944."

4. Section 1394.5682 (b) (3) is added to read as follows:

(3) Any registered fuel oil dealer, who is not required or permitted to become a depositor under subparagraphs (1) or (2) of this section and who is also a distributor of gasoline, under Ration Order No. 5C, may open a fuel oil ration bank account for each one of his fuel oil dealer establishments, or for any group of them. If he opens a fuel oil ration bank account for any fuel oil dealer establishment he must become a depositor as to all his fuel oil dealer establishments (including those where he is and those where he is not a distributor under Ration Order No. 5C). However, no separate fuel oil ration bank account may be opened for any fuel oil dealer establishment, or any group of them, for which he does not maintain a gasoline ration bank account.

This amendment shall become effective on June 6, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1–O, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 2d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7990; Filed, June 2, 1944; 11:51 a. m.]

[1] 9 F.R. 2357, 3353, 4350, 4391, 4874, 5165, 5219, 5253.

Chapter XIII—Petroleum Administration for War

PART 1515—PETROLEUM PRODUCTION OPERATIONS

[PAO 11 as Amended Jan. 1, 1944, Supp. Order 4, as Amended June 1, 1944]

OPERATIONS IN CALIFORNIA

§ 1515.10 *Supplementary Order No. 4, as amended June 1, 1944, to Petroleum Administrative Order No. 11, as amended January 1, 1944*—(a) *Scope of this order.* Except as otherwise modified by the provisions of any other order issued as a supplement to Petroleum Administrative Order No. 11, as amended January 1, 1944, or by the provisions of any specific exception issued pursuant to Conservation Order M–68 or to Petroleum Administrative Order No. 11, as amended January 1, 1944, the provisions of this supplementary order shall to the extent provided herein be applicable to the use of material in petroleum production operations in the fields and pools of the State of California listed in Exhibit A, but not elsewhere.

(b) *Definitions.* The definitions of Petroleum Administrative Order No. 11, as amended January 1, 1944, shall apply in this supplementary order. In addition:

(1) "Designated area" means the pools specified in Exhibit A of this supplementary order.

(2) "New well" means any well spudded subsequent to December 23, 1941.

(c) *Authorized uses of material to drill new wells in the designated area.* Notwithstanding the provisions of Petroleum Administrative Order No. 11, as amended January 1, 1944, material may be used to drill, complete, and provide additions to any new well in the designated area, only where:

(1) The well is drilled to, and completed in, a pool listed in Columns 3 and 4 of Exhibit A opposite the name of the field in which such pool is located, and

(2) The well is drilled to a vertical depth not greater than the depth specified in Column 5 of Exhibit A opposite the name of the pool to which such well is drilled, and

(3) The well is completed in only one pool, and

(4) The well is drilled, with respect to the pool in which it is to be completed, on a drilling unit of at least the size prescribed for that pool in Column 6 of Exhibit A and in conformity with all of the uniform well spacing provisions for such size drilling unit contained in paragraph (d): *Provided,* That where no drilling unit size is prescribed for a pool in Column 6 of Exhibit A the provisions of this paragraph (c) shall not extend to such pool, and

(5) All separate property interests in the drilling unit upon which the well is located are first consolidated, and

(6) The well is drilled with due diligence to maintain a vertical well bore.

However, a well may be intentionally deviated from the vertical if the surface location of the well (in this case, the place on the surface directly over the bore hole at the lowest at which the well is open to production) conforms to the other provisions of this supplementary order.

Where a well is intentionally deviated from the vertical, a directional survey of the well bore must be filed with the Director of Production, District Five, within thirty days after completion of the well.

(d) *Uniform well-spacing provisions*—(1) *Uniform 5 acre well-spacing.* Each new well drilled pursuant to paragraph (c) may be considered to conform to "uniform 5 acre well-spacing" only where, with respect to the pool in which the well is to be completed,

(i) The well is located on a drilling unit consisting of at least 5 contiguous surface acres, no portion of which drilling unit is attributable to or falls within 200 feet of any other drilling or producible oil or gas well located on the same lease or property, and

(ii) The well is located at least 400 feet from every other drilling or productible oil or gas well, and

(iii) The well is located at least 200 feet from every lease line, property line, or subdivision line separating unconsolidated property interests, and

(iv) The distance between any two points farthest apart on the drilling unit upon which the well is located does not exceed a distance of 750 feet.

(2) *Uniform 10 acre well-spacing.* Each new well drilled pursuant to paragraph (c) may be considered to conform to "uniform 10 acre well-spacing" only where, with respect to the pool in which the well is to be completed,

(i) The well is located on a drilling unit consisting of at least 10 contiguous surface acres, no portion of which drilling unit is attributable to or falls within 250 feet of any other drilling or producible oil or gas well located on the same lease or property, and

(ii) The well is located at least 500 feet from every other drilling or producible oil or gas well, and

(iii) The well is located at least 300 feet from every lease line, property line, or subdivision line separating unconsolidated property interests, and

(iv) The distance between any two points farthest apart on the drilling unit upon which the well is located does not exceed a distance of 1100 feet.

(3) *Uniform 20 acre well-spacing.* Each new well drilled pursuant to paragraph (c) may be considered to conform to "uniform 20 acre well-spacing" only where, with respect to the pool in which the well is to be completed,

(i) The well is located on a drilling unit consisting of at least 20 contiguous surface acres, no portion of which drilling unit is attributable to or falls within 300 feet of any other drilling or producible oil or gas well located on the same lease or property, and

(ii) The well is located at least 800 feet from every other drilling or producible oil or gas well, and

(iii) The well is located at least 300 feet from every lease line, property line, or subdivision line separating unconsolidated property interests, and

(iv) The distance between any two points farthest apart on the drilling unit upon which the well is located does not exceed a distance of 1500 feet.

(4) *Uniform 40 acre well-spacing.* Each new well drilled pursuant to paragraph (c) may be considered to conform to "uniform 40 acre well-spacing" only where, with respect to the pool in which the well is to be completed,

(i) The well is located on a drilling unit consisting of at least 40 contiguous surface acres, no portion of which drilling unit is attributable to or falls within 300 feet of any other drilling or producible oil or gas well located on the same lease or property, and

(ii) The well is located at least 900 feet from every other drilling or producible oil or gas well, and

(iii) The well is located at least 300 feet from every lease line, property line, or subdivision line separating unconsolidated property interests, and

(iv) The distance between any two points farthest apart on the drilling unit upon which the well is located does not exceed a distance of 2,100 feet.

(e) *Computation of acreage attributable to wells.* (1) The acreage attributable to any well spudded on or before December 23, 1941, shall be determined by assigning to the well an acreage equivalent to that of the existing well density contiguous to the well. In no event need the attributed acreage be greater than that provided in Exhibit A for a new well to the same pool in which such well is completed.

(2) The acreage attributable to any well spudded after December 23, 1941, shall be the same as the drilling unit assigned to such well pursuant to Conservation Order M–68, Petroleum Administrative Order No. 11, as amended

January 1, 1944, or any supplement or exception thereto, or any amendment thereof, whichever is applicable.

(f) *Authorized uses of material for deepening, plugging back or reworking, and recompletion of wells.* Notwithstanding the provisions of Petroleum Administrative Order No. 11, as amended January 1, 1944, to the extent that the use of material for deepening, plugging back, or reworking, and recompletion operations in connection therewith, is not prohibited or otherwise limited by the provisions of any exception heretofore or hereafter issued pursuant to Conservation Order M–68, Petroleum Administrative Order No. 11, as amended January 1, 1944, or any amendments thereof, such deepening, plugging back, or reworking, and recompletion operations in connection therewith, may be undertaken in the designated area without obtaining further authorization, only where the material is used for or in connection with any of the following operations:

(1) Plugging back or redrilling, and recompletion of any well in or to a shallower pool, *Provided*, That,

(i) The well is not recompleted in any shallower pool from which production is regulated pursuant to allocation schedules issued by the Petroleum Administration for War pursuant to Recommendation No. 19 or in any other manner, and

(ii) Redrilling does not commence from a point more than 500 feet above the top of the pool in which the well is to be recompleted, and

(iii) No well shall thereafter be drilled or deepened to replace a plugged-back well in the pool in which it was abandoned, unless such well could have been drilled or deepened, before the plug-back operation, under the terms of paragraph (c);

(2) Reworking or deepening, and recompletion of any well in or to the same pool in which the well was last completed, *Provided*, That,

(i) The well, in the reworking or deepening operation, is not drilled into a deeper pool, and

(ii) The operation does not involve drilling or redrilling from a point more than 500 feet above the top of the pool;

(3) Deepening and recompletion of any well in another pool, if, with respect to the pool in which the well is to be deepened and recompleted, the well is located on a drilling unit of at least the size prescribed for that pool in Column 6 of Exhibit A and in conformity with the provisions of paragraph (c).

If any well recompleted in conformity with the provisions of this paragraph (f) is recompleted as a gas or condensate well, it shall not be produced other than for a test period of not exceeding 15 days, and no material may be used to produce the well or provide additions therefor, except as necessary for such testing of the well, until authorization has been granted by an authorized official of the Petroleum Administration for War. However, this provision shall not apply to the recompletion of any gas or condensate well in conformity with paragraph (f) (2).

(g) *Restrictions on wells in pools designated "E" in Column 6 of Exhibit A.* Notwithstanding the provisions of Petroleum Administrative Order No. 11, as amended January 1, 1944, or this Supplementary Order, no material may be used to drill, complete, or recomplete any well, except to recomplete in conformity with paragraph (f) (2), in any pool marked "E" in Column 6 of Exhibit A opposite the name of the field in which such pool is located, unless the use is authorized by specific exception issued by the Petroleum Administration for War in response to an application filed as provided for by paragraph (j).

(h) *Restriction on exposing more than one pool in same well-bore.* Notwithstanding the provisions of Petroleum Administrative Order No. 11, as amended January 1, 1944, or this supplementary order, no material may be used to complete or recomplete any well in the State of California in more than one pool, unless the use is authorized by specific exception issued by the Petroleum Administration for War in response to an application filed as provided for by paragraph (j).

(i) *Authorized uses of material for installation of pumping or other artificial lifting facilities.* Material may be used on any well to install, reinstall, or transfer pumping or other artificial lifting equipment, including a central pumping power unit, or to install additional tubing or sucker rods.

However, in no instance may pumping or other artificial lifting equipment be installed on any well which will produce its allotment by natural flow or be installed on any well unless the equipment is to be used regularly thereafter in producing the well to the extent permitted by allocation schedules approved by the Petroleum Administration for War.

(j) *Applications for exception to this order.* Where a person desires to use material in connection with production operations but cannot do so under the provisions of this supplementary order or Petroleum Administrative Order No. 11, as amended January 1, 1944, he may make an application for an exception by filing the information requested in PAW Form 3 (revised) attached to this supplementary order. The application shall be filed in duplicate and both copies addressed to:

(1) The District Director of Production, District Five, Petroleum Administration for War, Subway Terminal Building, Los Angeles 13, California, for a crude oil operation, including pressure maintenance, repressuring, and secondary recovery operations, or

(2) The District Director of Natural Gas and Natural Gasoline, District Five, Petroleum Administration for War, Subway Terminal Building, Los Angeles 13, California, for a natural gas, natural gasoline, or condensate operation.

(k) *Violations.* Any person who willfully violates any provision of this supplementary order, or who, by any act or omission, falsifies records kept or information furnished in connection with this supplementary order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this supplementary order may be prohibited from delivering or receiving any material under priority control, or may be subject to other appropriate action.

(l) *Effective date.* This supplementary order shall take effect on the date of issuance.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; E.O. 9125, 7 F.R. 2719; sec. 2 (a) Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of June, 1944.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

EXHIBIT A

COASTAL

(1) Field	(2) County	Pool (3) Name of pool	Pool (4) Formations included in pool	Pool (5) Vertical depth limit (feet)	(6) Drilling unit size (acres)
Aliso Canyon	Los Angeles	Porter (Pliocene)	"P$_1$" to "P$_4$"		10
		Sesnon (Miocene)	"S-1" to "S-13"		1
Bardsdale	Ventura		All	3,500	5
Capitan	Santa Barbara	Vaqueros	Above Vaqueros-Sespe Contact.		5
		Sespe	Below Vaqueros-Sespe Contact.	4,000	10
Casmalia	do	All Zones	Sisquoc and Monterey	3,500	10
Cat Canyon East and West.	do	Sisquoc (Shallow)	Above Pliocene-Miocene Contact.		10
		Las Flores	Monterey Chert	7,000	10
Del Valle	Los Angeles and Ventura.	Sepulveda	"PS$_1$" to "PS$_3$"		E
		Vasquez-Videgain (Sherman).	"DV$_1$" to "DV$_4$"		E
		Del Valle	"DD$_1$" to "DD$_3$"		20
		DL Zone	"DL$_1$" to "DL$_4$"		20
		"DL$_4$" to "DL$_5$"	"DL$_5$" to "DL$_6$"		20
		Bering	"MB$_1$" to "MB$_4$"		20
		West Del Valle	"DV$_1$" to "DV$_4$"		E
		Sterry	Above top of Vaqueros		10
Elwood	Santa Barbara	Monterey	Top of Vaqueros to top of Sespe.		10
		Vaqueros East and West.	Below top of Sespe		E
		Sespe			E

EXHIBIT A—Continued

COASTAL—continued

(1) Field	(2) County	Pool (3) Name of pool	Pool (4) Formations included in pool	Pool (5) Vertical depth limit (feet)	(6) Drilling unit size (acres)
Gato Ridge	Santa Barbara	Sisquoc (Shallow)	Above Pliocene-Miocene Contact.		10
Hoiser Canyon	Ventura	Topanga	Monterey Chert	5,000	10
Hopper Canyon	do		Holser Zone		10
Lompoc	Santa Barbara	All Zones	All	3,000	10
Newhall-Potrero	Los Angeles	1st, 2nd, and 3rd Zones	Sisquoc and Monterey	3,500	10
Oak Canyon	do	Wickham	Above "K"	6,500	10
		Gilmour	"K" to "K-5"		10
Orcutt	Santa Barbara	Lechler	"K-4" to "L" plus 500'		10
		1st, 2nd, and 3rd Zones	All above base of Point Sal Sand.	4,000	10
Oxnard	Ventura	All	All	3,000	10
Padre Canyon	do	All	All	8,000	10
Rincon	do	Top-Intermediate	Above top of Miley Shale		10
		Miley	First 2000' below top of Miley		10
		Deep	Below bottom of Miley Pool		10
San Miguelito	do	Grubb One	Above "K" plus 100'		10
		Grubb Two	"L" to "M"		10
Santa Barbara	Santa Barbara	All Zones	All	2,500	10
Santa Maria Valley	do		All	6,000	10
Sespe Canyon	Ventura		All	3,000	10
Shiells Canyon	do		All	3,000	10
Simi-Bellevue-Read	do		All	3,000	10
South Mountain	do		All	6,500	10
Temescal	do		All	3,000	10
Torrey Canyon	do		All	2,500	10
Ventura Avenue	do	A-2	"S" to "AC" in the "A" Block		10
		A-3, B-3	"AC" in the "A" Block to "AP" in the "B" Block		10
		B-1, B-2	"P" to "X" in "B" Block		10
		B-4, B-5	"AP" to "DC" in "B" Block		10
		C-1, C-2 West [a]	Taylor Thrust Fault to "AC"		10
		C-3, West [a]	"AC" to "AG" in the "C" Block		10
		C-4, West [a]	"AB" to "DC" in the "C" Block		10
		C Block East [b]	Taylor Fault to the Barnard Fault		10
		D-3	Barnard Fault to "AO" in the "D" Block		10
		D-4	"AO" to "AT" in the "D" Block		10
		D-5	"AT" to "DC" in the "D" Block		10
		D-6	"DC" to "DS" in the "D" Block		10
		D-7	Below "DS" in the "D" Block		10
Zaca	Santa Barbara	Davis	Miocene Chert	11,000	40
				6,500	20

[a] West of Taylor 90 Fault plane.
[b] East of Taylor 90 Fault plane.

EXHIBIT A—Continued

COASTAL—continued

(1) Field	(2) County	Pool (3) Name of pool	Pool (4) Formations included in pool	Pool (5) Vertical depth limit (feet)	(6) Drilling unit size (acres)
Alamitos Heights	Los Angeles	All	Above base of McGrath Zone	7,200	20
Huntington Beach District: Bixa-Canyon	Orange and Los Angeles	Pliocene ("A" sand)	Above Pliocene-Miocene Contact.		20
		Miocene (Upper and Lower "B" sand)	Miocene Contact to "AZ"	6,000	20
Olinda	Orange	Pliocene	Above base of Pliocene basal conglomerate.	5,500	5
		Miocene	Below base of Pliocene basal conglomerate.		10
Trojan Canyon	do	All	All	5,500	5
Coyote-East	do	Hyatic-Anaheim or 1st Zone	Above "O" or base of Union "O" or "Offset marker "BA."		10
		2d & 3d Zone	"O" to "U"		10
		Stern or 5th Zone	Below "U"	7,500	10
Coyote-West	Orange and Los Angeles	Upper and Main	Above "F"		10
		"99" Zone	"F" to "V"		10
Dominguez	Los Angeles	Emery	"V" to "AQ" plus 100'		10
		1st Zone	Above "AM"		10
		2d Zone	"AM" to "AU"		10
		3d, 4th, & 5th Zones	"AU" to base "CK" Contact).		10
		6th & 7th West Central Block.[a]	Base "CK" Contact) to base "CW". Shale.		20
		8th Block West Central Pool.[a]	Base "CW" Shale to "DM" plus 100'.		5
		West Block Miocene Pool.[a]	Base "CW" Shale to "DM" plus 100'.		5

[a] Between Main Inglewood Shear Fault and the X Thrust Fault.
[a] West of X Thrust Fault.

EXHIBIT A—Continued

LOS ANGELES BASIN—continued

(1) Field	(2) County	Pool (3) Name of pool	Pool (4) Formations included in pool	Pool (5) Vertical depth limit (feet)	(6) Drilling unit size (acres)	
El Segundo	Los Angeles	Schist-Conglomerate	Top Nodular Shale to Schist	8,000	20	
Huntington Beach-New	Orange	Townsite Onshore and Offshore Areas:				
		Tar	All above the Jones Pool		5	
		Jones (Upper)	"D" to "AM"		10	
		Main (Lower)	Below "AM"	5,000	10	
		A-37 Area:				
		Tar	All above the A-37 Pool		5	
		A-37	"TM$_3$" to "TM$_4$" plus 100'		10	
Huntington Beach-Old	Orange	Bolsa Area:[a]				
		Bolsa	Above "M"		5	
		Upper Ashton	"M" to "U"		5	
		Lower Ashton	"U" to "U" plus 1,000'		5	
		Balance East:[b]				
		Bolsa	Above "M"		5	
		Ashton	Below "M"	5,000	10	
Inglewood	Los Angeles	Vickers-Machado	Above "P"		5	
		Rindge	"P" to "AB"		5	
		Rubel	"AB" to "AG"		5	
		Sentous	1st 600' below base of Nodular Shale.		E	
Long Beach	do	Wilbur - Alamitos - Brown-Deep.	Above "BA"		5	
		De Soto	Below "BA"	10,600	E	
Montebello	do	Baldwin (1-4)	All Zones	5,000	5	
		West End (5-8)	Top of 5th Zone Shale thru 8th Zone.	8,000	E	
		East End (Cruz-Nutt)	All Zones	7,500	E	
Newport Area	Orange	All	All	3,500	5	
Playa Del Rey-Venice	Los Angeles	Upper (Shallow)	Above top of Nodular Shale	5,000	20	
		Deep (Conglomerate)	Top Nodular Shale to Schist	7,000	20	
Potrero	do	Pliocene	Above Pliocene-Miocene Contact.		10	
		Potrero Two	All Miocene Formations		E	
Richfield	Orange	Chapman-Kraemer (excluding Breen Pool).	Below Chapman Shale	5,000	10	
		Breen [c]	From point 400' below top of Chapman Sand to the top of Kraemer Shale.		10	
Rosecrans-Athens	Los Angeles	All above Zins	All above top of Zins Shale		10	
		Zins	Top of Zins Shale to top of 7th Zone (O'Dea Shale).		10	
		7th (O'Dea)	Top of 7th (O'Dea) Shale to top of 8th Zone Shale.		10	
		8th Zone	All below 8th Zone Shale	8,600	10	
Santa Fe Springs	do		All	8,000	10	
Seal Beach	Orange and Los Angeles.	Bixby	Above Selover (60') Shale		10	
		Selover	Top Selover (60') Shale to top Wasem (30') Shale.		10	
		Wasem	Top Wasem (30') Shale to "T"		10	
		Upper McGrath	"T" to "Y" plus 100'		10	
		Lower McGrath	"Y" plus 100' to "Y" plus 1100'.		5	
Torrance-Hermosa-Redondo.	Los Angeles	Shallow (Main)	Above base "I" Shale		10	
		Deep (D&B, 34, Flint, etc.).	From base of "I" Shale to Schist.		10	
Turnbull Canyon	do	Clevenger	Top of "F" to bottom of "G"			
Whittier District: LaHabra, Rideout Heights, Hartolo, Central	do	All	All	3,500	10	

[a] Area west and northwest of the common Signal-Standard "Bolsa" lease property line.
[b] Area east of the common Signal-Standard "Bolsa" property line.
[c] Area within Section 34, T. 3 S., R. 9 W., only.

EXHIBIT A—Continued

LOS ANGELES BASIN—continued

(1) Field	(2) County	Pool (3) Name of pool	Pool (4) Formations included in pool	Pool (5) Vertical depth limit (feet)	(6) Drilling unit size (acres)	
Wilmington	Los Angeles	Block I[b]				
		Tar-Ranger-Upper Terminal	Above "AC"		5	
		Ford	"AM" to "AW" plus 80'		10	
		Blocks II, III, IV and V:				
		Tar	"S" to "F"		5	
		Ranger	"F" to "HX"		5	
		Upper and Lower Terminal	"HX" to "AE"		5	
		Union Pacific	"AE" to "AM"		10	
		Ford	"AM" to "AW" plus 80'		10	
Yorba Linda	Orange	Shell-Smith	Above base of Pliocene	3,500	10	
Los Angeles District: Beverly Hills, Los Angeles, Salt Lake	Los Angeles	All	All	3,500	E	
Other Fields: Chino, Kraemer, Lawndale, Puente Hills, Western Avenue	Los Angeles and Orange.	All	All	3,500	10	

SAN JOAQUIN VALLEY

Antelope Hills	Kern	Williams	Above Lower Santos Shale	3,500	5	
Bellevue	do	Stevens	Above base of Stevens Sand		40	
Belridge North	do	Shallow	Above top of Temblor		5	
		Temblor	"A" to "P"		10	
		"R" Sand	"R" to "U"		E	
		Wagon Wheel	"U" to top Black Shale ("W" plus 500'.		E	
		"Y" Sand (includes Gibson).	Base Black Shale to "Y" plus 400'.		20	
Belridge South	do	Shallow	Above top of Belridge Diatomite plus 200'.		5	
		Etchegoin	Top of Etchegoin plus 200' to top of Reef Ridge.		5	
		Deep	Top of Reef Ridge to top of Temblor.		10	
Buena Vista Hills and Front.	do	Upper	Above base of Calitroleum Sand.	5,000	10	
		Basal Etchegoin	Base of Calitroleum Sand to top of Miocene Sand.	6,000	10	
Canal	do	Stevens	Above base of Stevens Sand	8,500	20	
Coalinga East	Fresno	Cretaceous	To base of Cretaceous Sand	3,500	10	
		Temblor	Above top of Kreyenhagen Shale.	5,000	10	
Coalinga Nose	do	Gatchell	"EGA" to "EGZ"	8,500	20	
Coalinga Northwest	do	Gatchell	"EGA" to "EGZ"	8,500	E	
Coalinga West	do	Tar-Main	Above top of Kreyenhagen Shale.	3,500	5	
Coffee Canyon—Old and New.	Kern	All Zones	To base Lower Vedder Sand	2,500	5	
Coles Levee North	do	"21-1"	"N" plus 250' to "N" plus 550'		E	
		Western	"N" plus 350' to "N" plus 1500' exclusive of 21-1 Pool.		E	
Coles Levee South	do	Stevens	"N" to "N" plus 2,000'		E	
Edison	do	East and West	Above Schist	5,000	10	
Elk Hills	do	Pliocene	All Pliocene Formations		10	
		Miocene	Below Pliocene-Miocene Contact.			

[b] Area West of Wilmington Fault Plane.
[f] Area East of Wilmington Fault Plane.

EXHIBIT A—Continued

SAN JOAQUIN VALLEY—continued

(1) Field	(2) County	Pool (3) Name of pool	Pool (4) Formations included in pool	Pool (5) Vertical depth limit (feet)	(6) Drilling unit size (acres)	
Fresno Area: Burrel, Helm, Lanare, Raisin City, Riverdale	Fresno	Temblor	Above top of Kreyenhagen Shale.		E	
		Eocene	Top of Kreyenhagen Shale to top of cretaceous and including subjacent sand in Cretaceous.		E	
Fruitvale	Kern	Martin-Kernco	Above base Lower Kernco Zone.	5,000	10	
Greeley	do	Stevens (Greeley)	Above "S" plus 500'		E	
		Rio Bravo-Vedder (11-2).	"RB" to base Lower Vedder Sand.	11,600	20	
Jacalitos Anticline	Fresno	Temblor	Above top o Kreyenhagen Shale.	7,000	20	
Kern Front-Poso Creek	Kern	Kern Front-Premier-Knas.	To base of Chanac Formation	3,500	5	
Kern River		Kern River	To base Kern River Formation.	2,000	5	
Kettleman North Dome	Fresno and Kings.	Temblor (I-V Zone)	"A" to "S" plus 100'		E	
		Temblor (Basal V Zone).	"S" plus 100' to "VA"		E	
		Vaqueros (VI Zone)	"VA" to "KR"		20	
		Eocene	Below "MS"	11,500	E	
Lost Hills	Kern	All zones	To base Santa Margarita	3,500	5	
McKittrick District	do	Cymric, McKittrick, McKittrick Front, Temblor Ranch, Southwestern Areas.	Above top Reef Ridge (Santa Margarita).		5	
Midway Sunset	do	H & T	Conglomerate beds below the Etchegoin (Tulare) and above the true Maricopa Shale.	3,500	5	●
		Republic	The Republic Sands within the upper 3000' of the true Maricopa Shale.	3,500	5	
		Quality	Productive Sands within the upper 3500' of the true Maricopa Shale.	3,500	5	
		Lakeview	Productive Sands at the base of the Etchegoin and in Upper Miocene.	4,500	10	
		Evans	Productive Sands within the upper 2500' of the true Maricopa Shale.	3,500	5	
		Webster (Ruby)	Productive Sands within the upper 3000' of the true Maricopa Shale.	3,500	5	
		Gibson	Productive Sands within the upper 1000' of the Miocene Shale.	4,000	10	
		Hoyt	Productive Sands in the transition zone between the Pliocene and Miocene.	3,500	5	
		15-19D (Standard)	Undifferentiated Miocene Sands.	4,500	10	
		33-B	Undifferentiated Miocene Sands.	5,000	10	
		Main	All productive sands not otherwise classified.	5,000	5	
Mt. Poso District: Baker, Dominion, Dorsey, Dyer Creek, McVan, Mt. Poso, Mt. Poso East	do	All	To base of Lower Vedder Sand	3,500	5	

EXHIBIT A—Continued

SAN JOAQUIN VALLEY—continued

(1) Field	(2) County	Pool (3) Name of pool	Pool (4) Formations included in pool	Pool (5) Vertical depth limit (feet)	(6) Drilling unit size (acres)	
Mt. Poso District—Con. Mt. Poso North, Mt. Poso West, Sunset, Vedder	Kern	All	To base of Upper Vedder Sand		5	
	do	All	To base of Lower Vedder Sand	3,500	5	
Mountain View District: Arvin, Northwest, Southeast, Earl Fruit	do		To base of Santa Margarita	6,500	10	
Paloma	do					
Panoche Creek	Fresno		All		E	
Pleasant Valley	do	Eocene	"EGA" to "EGZ"		40	
Pyramid	Kern	Vedder	To base Lower Vedder Sand	2,600	20	
Pyramid Hills	Kings	All	All	1,500	5	
Rio Bravo	Kern	Rio Bravo-Vedder	To base Lower Vedder Sand	11,600	E	
Round Mountain	do	Jewett	"J" to "P" (or to the top of Vedder Sand.)		5	
		Vedder	"T" to base of Lower Vedder Sand.		5	
Strand	do	Upper (1 & 2 Zones)	Above "8S"		20	
		Lower (3 & 4 Zones)	"8S" to "8S" plus 200'	9,000	20	
Strand East	do	Stevens	All	9,000	40	
Ten Section	do	Stevens	Above base Stevens Sand	9,000	E	
Wasco	do	Vedder	To base Vedder Sand		40	
Wheeler Ridge	do		All Zones	4,500	10	
Other Fields: Arvin South, Blackwell's Corner, Canfield Ranch, Cirico Martinez, Devil's Den, Grapevine, McClung, Shafter, Sharktooth, Tejon Ranch, Terra Bella, Union Avenue			All	7,500	20	
				3,500	5	
				8,500	20	
				1,500	5	
				1,500	5	
		All		5,000	20	
			To base of Vedder Sand		E	
		Vedder		13,000	E	
			To baseof Lower Vedder		5	
			To base of Chanac	3,500	10	
				1,000	20	
				4,500	20	

[F. R. Doc. 44-7885; Filed, May 31, 1944; 4:30 p. m.]

Chapter XVIII—Office of Economic Stabilization

Subchapter A—Office of Director of Economic Stabilization

PART 4001—WAGES AND SALARIES

AGRICULTURAL LABOR

By virtue of the authority vested in the President by the Constitution and the laws of the United States, and particularly by the act of October 2, 1942, entitled "An Act to Amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes" (Public Law No. 729, 77th Cong., 2d Sess.), as amended by the Public Debt Act of 1943, entitled "An Act to increase the debt limit of the United States, and for other purposes" (Public Law No. 34, 78th Cong., 1st Sess.), and vested in turn by the President in the Economic Stabilization Director by Executive Order 9328 (8 F.R. 4681) the following amendments to the regulations promulgated by the Director of Economic Stabilization, dated August 28, 1943 (8 F.R. 11960, 12139, 16702), are hereby promulgated:

1. Section 4001.6 is amended to read as follows:

§ 4001.6 *Authority of the War Food Administrator.* Notwithstanding the provisions of §§ 4001.2, 4001.4, 4001.10 and 4001.13, the War Food Administrator shall have the authority to determine whether any salary or wage payments to agricultural labor are made in contravention of the Act or any rulings, orders or regulations promulgated thereunder: *Provided, however,* That the provisions hereof shall not be construed to affect any authority which the National War Labor Board may have by virtue of the War Labor Disputes Act (P.L. 89, 78th Cong.) and Executive Order 9017 (7 F.R. 237) as extended by Section 1, Title III of Executive Order 9250 (7 F.R. 7871, 7873). Any such determination by the Administrator shall be conclusive upon all Executive Departments and agencies of the Government in determining the costs or expenses of an employer for the purpose of any law or regulations, either heretofore or hereafter enacted or promulgated, including the Emergency Price Control Act of 1942 or any maximum price regulation thereof, or for the purpose of calculating deductions under the revenue laws of the United States, or for the purpose of determining costs or expenses under any contract made by or on behalf of the United States. Any determination of the Administrator made pursuant to the authority conferred on him shall be final and shall not be subject to review by the Tax Court of the United States or by any court in any civil proceedings.

2. Section 4001.7 is amended to read as follows:

§ 4001.7 *Wage and salary increases for agricultural labor.* Considering that the general level of salaries and wages for agricultural labor is substandard, that a wide disparity now exists between salaries and wages paid labor in agriculture and salaries and wages paid labor in other essential war industries, and that the retention and recruitment of agricultural labor is of prime necessity in supplying the United Nations with needed foods and fibers, no increases in wages and salaries of agricultural labor, notwithstanding any other provision of any rules, orders or regulations under the Act of October 2, 1942, shall be deemed in violation of the Act or of any rules, orders or regulations thereunder except as follows:

(a) After determination by the War Food Administrator of maximum permissible rates of compensation with respect to areas, crops, classes of employers or otherwise, and public notice of such determination, no increases in or payment of salaries or wages for agricultural labor shall be made above the rates specified in the public notice without the approval of the War Food Administrator. In no case, however, shall there be any reduction of wages or salaries for any particular work below the highest wages or salaries paid therefor between January 1, 1942 and September 15, 1942. As used in the preceding sentence, the words "for any particular work" refer to the particular work of the particular employee and not merely to a particular type of work.

(b) No increases shall be made in salary or wage payments to agricultural labor which are $2,400.00 per annum or more, or which will raise such salary or wage payments to more than $2,400.00 per annum, without the prior approval of the War Food Administrator.

As used in this section, the phrase "$2,400 per annum" shall mean $200 a month, or the equivalent weekly, hourly, piece work rate or comparable basis.

Dated this 1st day of June 1944.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-7938; Filed, June 1, 1944; 3:28 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

[No. 42]

SUNNYSIDE DIVISION, YAKIMA PROJECT, WASH.

NOTICE OF ANNUAL OPERATION AND MAINTENANCE CHARGES

MAY 25, 1944.

1. *Operation and maintenance charges for lands subject to public notice rates.* The major portion of the lands of the Sunnyside Division, Yakima Project, Washington, subject to public notice rates, has been divided by the Sunnyside Valley Irrigation District into three classes, according to water requirements, which classification has been extended and modified by the District during the irrigation seasons of 1941 and 1942. Notice is hereby given that for the irrigation season of 1944, each acre of irrigable land subject to public notice rates in the Sunnyside Division, Yakima Project, Washington, shall be charged, whether water is used or not, with an operation and maintenance charge of three dollars ($3.00), which will permit the delivery of the acre-foot quantities of water per irrigable acre in accordance with the District's classification as modified, and in accordance with the following schedule:

MONTHLY SCHEDULE OF DELIVERIES

	Percent
April	11.7
May	16.7
June	16.7
July	18.3
August	18.3
September	13.3
October	5.0

Additional water, when available, will be delivered without charge upon the signing of a request therefor. The above deliveries will be contingent on beneficial use.

2. *Operation and maintenance charges for old supplemental lands.* For lands (so-called Old Supplemental Lands) receiving water under said division of said project by virtue of certain supplemental water right contracts with the United States, there will be made, whether water is used or not, for the irrigation season of 1944, a minimum operation and maintenance charge of one dollar ($1.00) per acre, which will permit the delivery, on the above monthly schedule of deliveries, of the amounts of water designated by the Sunnyside Valley Irrigation District in 1941 and 1942. Additional water, when available will be delivered without charge upon the signing of a request therefor. The above deliveries will be contingent on beneficial use.

3. *Water rental charges for lands outside the division.* For water which may be furnished lands outside the limits of said division of said project, the charge shall be one dollar and twenty-five cents ($1.25) per acre-foot for the irrigation season of 1944, due and payable in advance of the delivery of water.

4. *Time of payments.* All water charges announced herein are due and payable on December 31 following the irrigation season, except as provided in paragraph 3.

(Departmental Order 1903, November 17, 1943 (8 F.R. 15872), issued under the Act of December 19, 1941, 55 Stat. 842)

[SEAL] H. W. BASHORE,
Commissioner.

[F. R. Doc. 44-7949; Filed, June 2, 1944; 10:08 a.m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[A. O. 827]

ALLOCATION OF FUNDS FOR LOANS

MAY 13, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Louisiana 4-2019A1 Jefferson Davis	$60,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-7972; Filed, June 2, 1944; 11:36 a. m.]

[A. O. 828]

ALLOCATION OF FUNDS FOR LOANS

MAY 17, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Kentucky 4054C4 Wayne	$60,000
Louisiana 4009E3 Lafayette	50,000
Louisiana 4012D1 Franklin	100,000
Louisiana 4015C1 Pointe Coupee	82,000
Louisiana 4017F1 Claiborne	107,000
Minnesota 4012E3 St. Louis	50,000
Minnesota 4055F2 Watonwan	50,000
Minnesota 4071D3 Blue Earth	50,000
Mississippi 4030C4 Jones	60,000
North Carolina 4053A3 Burke	12,500
North Dakota 4017C1 McHenry	113,000
Oklahoma 4016C2 Pontotoc	35,000
Oklahoma 4022E2 Cotton	50,000
Pennsylvania 4012C2 Sullivan	15,000
Pennsylvania 4015F4 Bradford	25,000
South Carolina 4021B3 Lancaster	30,000
South Carolina 4036A2 Barnwell	20,000
Texas 4074C1 B. E.	60,000
Utah 4011A1 Millard	31,000
Virginia 4041A2 Prince William	34,650

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-7973; Filed, June 2, 1944; 11:36 a. m.]

[A. O. 829]

ALLOCATION OF FUNDS FOR LOANS

MAY 17, 1944.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Louisiana 4022S1 Homer	$25,000
Texas 4126S2 Gregg	5,000
Texas 4127S2 Gilmer	5,000
Texas 4128S2 Emory	10,000
Texas 4130S2 Itasca	6,000
Texas 4131S2 Stanton	5,000
Texas 4132S2 Merkel	5,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-7974; Filed, June 2, 1944; 11:36 a. m.]

[A. O. 830]

ALLOCATION OF FUNDS FOR LOANS

MAY 18, 1944.

I hereby amend:

(a) Administrative Order No. 618, dated September 12, 1941, by rescinding the allocation of $750,000 therein made for "South Carolina 2044A1 Charleston";

(b) Administrative Order No. 776, dated September 20, 1943, by rescinding the allocation of $5,000 therein made for "Texas 4087S4 Karnes."

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-7975; Filed, June 2, 1944; 11:36 a.m.]

FEDERAL POWER COMMISSION.

[Project No. 405]

SUSQUEHANNA POWER COMPANY, AND PHILADELPHIA ELECTRIC POWER COMPANY

ORDER DETERMINING ACTUAL LEGITIMATE ORIGINAL COST AND PRESCRIBING ACCOUNTING THEREFOR

MAY 23, 1944.

Upon consideration of the matters of record with respect to the actual legitimate original cost of Project No. 405, The Susquehanna Power Company and Philadelphia Electric Power Company, Licensees, as of December 31, 1932; and having on this date made and entered its Opinion No. 115, which is hereby referred to and made a part hereof by reference; and

It appearing to the Commission that:

The Licensees, in their initial cost statement, filed with the Commission on March 1, 1934, claimed $54,866,625.57 as the actual legitimate original cost of this project as of December 31, 1932;

The Commission finds and determines that:

(1) The record in this proceeding is inadequate for the disposition of the items totaling $1,301,042.05, which is the total of the amounts listed in Column (4) under the heading "Reserved" in the tabulation appended to the opinion, designated Table "A," and said amounts are reserved for future disposition by the Commission;

(2) The amounts totaling $47,432,546.09, listed in Column (5) under the heading "Allowed" in said Table "A," are a part of the actual legitimate original cost of this project as of December 31, 1932, and said amounts totaling $47,432,546.09 are allowed;

(3) The amounts totaling $6,133,037.43, listed in Column (6) under the heading "Disallowed" in said Table "A," do not constitute part of the actual legitimate original cost of this project as of December 31, 1932, and said amounts totaling $6,133,037.43 are disallowed;

The Commission orders that:

(A) The Licensees establish and maintain control accounts with reference to this project showing a total debit balance in their plant accounts of $47,432,546.09 (being the total of the amounts listed in Column (5) under the heading "Allowed" in said Table "A") as actual legitimate original cost of this project as of December 31, 1932;

(B) The Licensees establish and maintain subsidiary accounts showing and substantiating all entries in such control accounts and classifying the total for plant in appropriate detail and in accordance with the provisions of the Commission's Uniform System of Accounts Prescribed for Public Utilities and Licensees, revised to December 31, 1936;

(C) The Licensees remove from project plant accounts and transfer to Account No. 110, Other Physical Property, the amounts totaling $46,961.44, listed in Column (7) under the heading "Other Physical Property" in said Table "A";

(D) The Licensees remove from project plant accounts and transfer to Account No. 111.1, Investments in Securities of Associated Companies, on the books of Philadelphia Electric Power Company, Pennsylvania Licensee, the amounts totaling $103,133.79, listed in Column (8) under the Heading "P. E. P. Co. Investment in Securities of The S. P. Co." in said Table "A"; subject, however, to the reservation by the Commission of full jurisdiction and authority to determine the adjustments which should be made to the latter account as a result of the disallowances made by this order of amounts claimed as project costs;

(E) The Licensees remove from project plant accounts and charge to Account No. 223.2, Accounts Payable to Associated Companies, on the books of The Susquehanna Power Company, Maryland Licensee, the amount of $380,000.00, listed in Column (9) under the heading "Accounts Payable to Associated Companies" in said Table "A";

(F) The Licensees remove from project plant accounts and charge to Account No. 271, Earned Surplus, the amounts totaling $5,602,942.20, listed in Column (10) in said Table "A": *Provided, however,* The amounts marked by an asterisk in said Column (10), totaling $4,372,263.67, may be charged to Account No. 270, Capital Surplus, if a capital surplus is properly created for that purpose;

(G) A further hearing be held on a date to be set by the Commission with respect to the portions of the claimed cost totaling $1,301,042.05 (including applicable interest, and being the total of the items in Column (4) of said Table "A") incident to the construction of a second-track road-bed for the Pennsylvania Railroad in connection with the relocation of a portion of the Columbia and Port Deposit Branch of said railroad in the area of the project reservoir;

(H) Within sixty (60) days of service of this order, Licensees comply with this order and submit to the Commission certified copies of their entries showing such compliance.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-7948; Filed, June 2, 1944; 10:08 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3713]

CHARLES A. CORDES

In re: Estate of Charles A. Cordes, deceased; File D-28-8604; E. T. sec. 10246.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Victor A. Cordes, Falls Building, North Front Street, Memphis, Tennessee, Administrator, acting under the judicial supervision of the Probate Court of Shelby County, Tennessee;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Clara Musmann, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Clara Musmann in and to the estate of Charles A. Cordes, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 29, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7950; Filed, June 2, 1944; 10:30 a. m.]

[Vesting Order 3714]

WALTER EHLERS

In re: Trust created under will of Walter Ehlers, deceased; File D–28–2127; E. T. sec. 3069.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust and Savings Association, Trustee, acting under the judicial supervision of the Superior Court, State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Else Amanda Wilhelmine Wichman or her children, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Else Amanda Wilhelmine Wichman or her children, and each of them, in and to the trust created under the will of Walter Ehlers, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 29, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7951; Filed, June 2, 1944; 10:30 a. m.]

[Vesting Order 3715]

HENRIETTA FRIEND

In re: Trust under the will of Henrietta Friend (also known as Henriette Friend), deceased; File D–66–466; E. T. sec. 2961.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by First Wisconsin Trust Company, 735 North Water Street, Milwaukee, Wisconsin, Trustee, acting under the judicial supervision of the County Court of Milwaukee County, State of Wisconsin;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Child or children, names unknown, of Wolf Rosenbaum, deceased, and their legitimate descendants, names unknown, Germany.

Child or children, names unknown of Isaac Rosenbaum, deceased, and their legitimate descendants, names unknown, Germany.

Clara Stern and her legitimate descendants, names unknown, Germany.

Cilly Marx and her legitimate descendants, names unknown, Germany.

Dina Eis and her legitimate descendants, names unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of child or children, names unknown, of Wolf Rosenbaum, deceased, and their legitimate descendants, names unknown; child or children, names unknown, of Isaac Rosenbaum, deceased, and their legitimate descendants, names unknown; Clara Stern and her legitimate descendants, names unknown; Cilly Marx and her legitimate descendants, names unknown; Dina Eis and her legitimate descendants, names unknown; and each of them, in and to the Trust created by the Will of Henrietta Friend, also known as Henriette Friend, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 29, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7952; Filed, June 2, 1944; 10:30 a. m.]

[Vesting Order 3716]

JOSEPH KOVATS

In re: Estate of Joseph Kovats, deceased; File D–34–684; E. T. sec. 8411.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of Cook County, Chicago, Illinois, Depositary, acting under the judicial supervision of the Probate Court of Cook County, Chicago, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Mrs. George Kiss, nee Theresa Kovacs, Hungary.

Mrs. Alexander Ivan, nee Maria Kovacs, Hungary.

Joseph Monek, Hungary.

Maria Monek (Masca Monek), Hungary.

Mrs. Eugenia Lanchort, nee Anna Monek (Mrs. Eugen E. Lanekost), Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $2,337.81, which is in the possession and custody of the Treasurer of Cook County, Illinois, Depositary, pursuant to an order of the Probate Court of Cook County, Illinois, dated February 16, 1944, in the matter of the estate of Joseph Kovats, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 29, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7953; Filed, June 2, 1944; 10:30 a. m.]

[Vesting Order 3717]

ERWIN A. KOWOHL vs. ROSA RIEDEL, ET AL.

In re: Erwin A. Kowohl vs. Rosa Riedel, et al.; File D–28–3573; E. T. sec. 5782.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of Cook County, County Building, Chicago, Illinois, Depositary, acting under the judicial supervision of the Superior Court of Cook County, Chicago, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Rosa Riedel, Germany.
Leo Kowohl, Germany.
Wilhelm Kowohl, Germany.
Johannes Kowohl, Germany.
Maria Beier, Germany.
Herbert Kowohl, Germany.
Gerhard Kowohl, Germany.
Kurt Kowohl, Germany.
Sophie Kowohl, Germany.
Maria (Marie) Passon, Germany.
Martha Wotzlawske (Wotzlawski), Germany.
Anna Okos, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $850.91 which is in the possession and custody of the Treasurer of Cook County, Illinois, Depositary, and which amount was deposited with the Treasurer of Cook County, Illinois on July 6, 1942 pursuant to an order of the Superior Court of Cook County, Illinois entered June 30, 1942 to the credit of the aforesaid nationals, in the matter of Erwin A. Kowohl vs. Rosa Riedel, et al,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 29, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7954; Filed, June 2, 1944; 10:30 a. m.]

[Vesting Order 3817]

ALBERT R. MEYER

In re: Trust under the will of Albert R. Meyer, deceased; File D–66–919; ET Sec. 4355.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Hudson Trust Company, as Trustee, acting under the judicial supervision of the Hudson County Orphans' Court, Hudson County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Geneinde Vorsteher, Germany.

Burgomaster of the City of Bremen, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Geneinde Vorsteher and Burgomaster of the City of Bremen, and each of them, in and to the Trust under the Will of Albert R. Meyer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 29, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7955; Filed, June 2, 1944; 10:31 a. m.]

[Vesting Order 3719]

MAX LUDWIG RUDOLPH PUDLICH

In re: Estate of Max Ludwig Rudolph Pudlich, deceased; File D–27–986; E. T. sec. 7698.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Frank C. Hesse, Executor, acting under the judicial supervision of the County Court of the State of Oregon, in and for the County of Clatsop;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mrs. Agnes Pudlich, Germany.
Mrs. Anna Marie Lanitz (nee Pudlich), Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mrs. Agnes Pudlich and Mrs. Anna Marie Lanitz (nee Pudlich), and each of them, in and to the estate of Max Ludwig Rudolph Pudlich, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 29, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7956; Filed, June 2, 1944; 10:32 a. m.]

[Vesting Order 3720]

AUGUST SCHWANZ

In re: Estate of August Schwanz, deceased; File D–28–6506; E. T. sec. 4129.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William R. Schmidt, 3671 South Ahmedi Avenue, Milwaukee, Wisconsin, Administrator, acting under the judicial supervision of the County Court of Milwaukee County, State of Wisconsin;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Helene Lange, Germany.
Meta Holland, Germany.
Friedrich Schwanz, Germany.
Karl Schwanz, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Helene Lange, Meta Holland, Friedrich Schwanz, Karl Schwanz, and each of them, in and to the estate of August Schwanz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 29, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7957; Filed, June 2, 1944; 10:32 a. m.]

[Vesting Order 3721]

ELIZABETH AGNES STRAUCH

In re: Guardianship of the estate of Elizabeth Agnes Strauch, also known as Elizabeth Strauch, a Minor; File: D–28–4238; E. T. sec. 7257.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Robert G. Clostermann, Trustee, acting under the judicial supervision of the Circuit Court of the State of Oregon, for the County of Multnomah;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Elizabeth Agnes Strauch, also known as Elizabeth Strauch, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Elizabeth Agnes Strauch, also known as Elizabeth Strauch, in and to the trust created by the decree of the Circuit Court of the State of Oregon, for the County of Multnomah, entered on December 9, 1943, in the matter of the Guardianship of the Estate of Elizabeth Agnes Strauch, also known as Elizabeth Strauch, a Minor,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the means prescribed in section 10 of said Executive order.

Dated: May 29, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7958; Filed, June 2, 1944; 10:32 a. m.]

[Vesting Order 3722]

UNITED STATES VS. SPOKANE COUNTY, WASH., ET AL.

In re: Trust created by Court Order in the case of United States vs. Spokane County, Washington, et al.; File: D–39–17376; E. T. sec. 9354.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Old National Bank of Spokane, Trustee, acting under the judicial supervision of the District Court of the United States for the Eastern District of Washington, Northern Division;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Hisao Nozu, Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Hisao Nozu in and to the trust created by order of the District Court of the United States for the Eastern District of Washington, Northern Division, entered in the case of United States vs. Spokane County, Washington, et al., No. 331,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated May 29, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7959; Filed, June 2, 1944; 10:32 a. m.]

[Vesting Order 3723]

BARBERA (BARBARA) WAGENER

In re: Estate of Barbera (Barbara) Wagener, deceased; File D–28–3544; E. T. sec. 5754.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of Cook County, County Building, Chicago, Illinois, Depositary, acting under the judicial supervision of the Probate Court of Cook County, Chicago, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Katrina Schum, Germany.
Godfrey Keebler, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $235.30 which is in the possession and custody of the Treasurer of Cook County, Illinois, Depositary, which amount was deposited with the Treasurer of Cook County, Illinois, on April 20th, 1939, pursuant to an order of the Probate Court of Cook County, Illinois, entered April 18th, 1939, to the credit of the aforesaid nationals, in the matter of the estate of Barbera (Barbara) Wagener, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 29, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7960; Filed, June 2, 1944; 10:33 a. m.]

[Vesting Order 3724]

JOHANN WINTJEN

In re: Estate of Johann Wintjen, also known as John Wintjen, deceased; and

trust under the will of Johann Wintjen, also known as John Wintjen, deceased; File D–27–2177; E. T. sec. 4504.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Chemical Bank & Trust Company, as trustee and administrator, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Johann (John) Wintjen, son of Martin Wintjen, Germany.
August Wintjen, son of Martin Wintjen, Germany.
August Wintjen, son of Herman Wintjen, grandson of Martin Wintjen, Germany.
Katarina Ziegenbein, Germany.
Cort Wintjen, son of Martin Wintjen, Germany.
Cort Wintjen, son of Cort Wintjen, grandson of Martin Wintjen, Germany.
Martin Wintjen, Germany.
Johann Wintjen, son of Herman Wintjen, grandson of Martin Wintjen, Germany.
Anna Meyer, Germany.
Hinrich Wintjen, son of Herman Wintjen, grandson of Martin Wintjen, Germany.
Hinrich Wintjen, son of Cort Wintjen and grandson of Martin Wintjen, Germany.
Karl Wintjen, Germany.
Katharina Meyer, Germany.
Mathilda Lau, Germany.
Johanne Stelljes, Germany.
Martha Schroder, Germany.
Katharina Kuck, Germany.
Friedrich Wintjen, Germany.
Bertha Dammann, Germany.
Heinrich Wintjen, Germany.
Johannes Wintjen, Germany.
Erna Lange, Germany.
Gustav Wintjen, Germany.
Sophie Ringe, Germany.
Christoph Wintjen, Germany.
Frieda Friedrichsen, Germany.
Maria Galls, Germany.
Anna Rusch, Germany.
Martha Seebeck, Germany.
Mathilde Garms, Germany.
Dietrich Wintjen, Germany.
Heinrich Huenken, Germany.
Sophie Schlusing, Germany.
Auguste Bornemann, Germany.
Marie Strathmann, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Johann Wintjen, August Wintjen, August Wintjen, Katarina Ziegenbein, Cort Wintjen, Martin Wintjen, Johann Wintjen, Anna Meyer, Hinrich Wintjen, Hinrich Wintjen, Karl Wintjen, Katharina Meyer, Mathilda Lau, Johanne Stelljes, Martha Schroder, Katharina Kuck, Friedrich Wintjen, Bertha Dammann, Heinrich Wintjen, Johannes Wintjen, Erna Lange, Gustav Wintjen, Sophie Ringe, Christoph Wintjen, Frieda Friedrichsen, Maria Galls, Anna Rusch, Martha Seebeck, Mathilde Garms, Dietrich Wintjen, Heinrich Huenken, Sophie Schlusing, Auguste Bornemann and Marie Strathmann, and each of them, in and to the trust created under the will of Johann Wintjen, also known as John Wintjen, deceased.

All right, title, interest and claim of any kind or character whatsoever of Cort Wintjen, in and to the Estate of Johann Wintjen, also known as John Wintjen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 29, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7961; Filed, June 2, 1944; 10:38 a. m.]

[Vesting Order 3725]

FRIEDA ZIEGLER

In re: Estate of Frieda Ziegler, deceased; File D–28–8639; E. T. sec. 10384.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by J. C. Ziegler, 17 Warren Avenue, Brownsville, Texas, Temporary Administrator, acting under the judicial supervision of the County Court of Wichita County, Texas;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Elzie Schaff, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Elzie Schaff in and to the Estate of Frieda Ziegler, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 29, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7962; Filed, June 2, 1944; 10:33 a. m.]

[Vesting Order 3726]

LOUIS ANDRES

In re: Estate of Louis Andres, deceased; File D–57–285; E. T. sec. 7432.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Edward J. Merkert, 80 Howard Avenue, Brooklyn, New York, Executor, acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Roumania, namely,

Nationals and Last Known Address

Franz Andres, Roumania.
George Andres, Roumania.
Elenore Syep, Roumania.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Roumania; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Franz Andres, George Andres and Elenore Syep, and each of them, in and to the estate of Louis Andres, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 30, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7963; Filed, June 2, 1944; 10:33 a. m.]

[Vesting Order 3727]

OLGA BECK

In re: Estate of Olga Beck, deceased; File D–28–2086; E. T. sec. 2423.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Edward Clough, Administrator, 1421 South Monroe Street, Green Bay, Wisconsin, acting under the judicial supervision of the County Court of Brown County, Wisconsin.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Alma Schultz, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Alma Schultz in and to the estate of Olga Beck, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 30, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7964; Filed, June 2, 1944; 10:33 a. m.]

[Vesting Order 3728]

ALFRED KUHMANN

In re: Mortgage Participation Certificate #N143103 of Series F–729MC (170839) issued by the Title Guarantee and Trust Company to Alfred Kuhmann, and guaranteed as to payment by Bond & Mortgage Guarantee Company; File F–28–2785; E. T. sec. 3848.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Manufacturers Trust Company, 55 Broad Street, New York City, New York, as Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, County of Kings; and

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Alfred Kuhmann, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Alfred Kuhmann in and to a mortgage participation certificate #N143103 of Series F–729MC (170839) issued by Title Guarantee and Trust Company, of New York City, New York, and guaranteed as to payment by the Bond & Mortgage Guarantee Company, of New York,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 30, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–7965; Filed, June 2, 1944; 10:34 a. m.]

[Vesting Order 3729]

FRANK LAMMICH

In re: Estate of Frank Lammich, deceased; File D-28-4138; E. T. sec. 7161.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Charles Wm. Kappes, as Administrator, acting under the judicial supervision of the Hudson County Orphans' Court, Jersey City, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Florian Lammich, Germany.
Paul Lammich, Germany.
Johanna Schaffarsick, Germany.
Paul Held, Germany.
Frieda Held, Germany.
Ernstia Held, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Florian Lammich, Paul Lammich, Johanna Schaffarsick, Paul Held, Frieda Held, and Ernstia Held, and each of them, in and to the estate of Frank Lammich, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 30, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7966; Filed, June 2, 1944; 10:34 a. m.]

[Vesting Order 3730]

HERMANN PAEPCKE

In re: Trust under Clause 3 of the will of Hermann Paepcke, deceased; File D-28-1320; E. T. sec. 376.)

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Walter P. Paepcke, 111 W. Washington Street, Chicago, Illinois; Alice Paepcke Guenzel, 219 Lake Shore Drive, Chicago, Illinois; J. F. Griswold, 111 W. Washington Street, Chicago, Illinois, and Paula Wilms Henderson, 4 East 88th Street, New York, New York, Trustees, acting under the judicial supervision of the Circuit Court of Cook County, Chicago, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Sophie (Sophia) Pflueger, Germany.
Elisa Pagels, Germany.
Paula Paepcke, Germany.
Hertha Pflueger Gelpcke, Germany.
Mary Alice Pflueger Seibel, Germany.
Lawful issue of Sophie (Sophia) Pflueger, names unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Sophie (Sophia) Pflueger, Elisa Pagels, Paula Paepcke, Hertha Pflueger Gelpcke, Mary Alice Pflueger Seibal, and the lawful issue of Sophie (Sophia) Pflueger, names unknown, and each of them, in and to the Trust created under Clause 3 of the Will of Hermann Paepcke, deceased, including but not by way of limitation all rights, claims, demands and causes of action at law or in equity, of any kind or nature whatsoever growing out of the administration of said trust, which said persons or any of them may have against the trustees of said Trust, their predecessors in office, or the executors, administrators, heirs, devisees and assigns of the said trustees or former trustees, or any of them, in their capacity as trustees or individually,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 30, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7967; Filed, June 2, 1944; 10:34 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 64, Order 141]

PRENTISS WABERS PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

Order No. 141 under Maximum Price Regulation No. 64. Domestic cooking and heating stoves. Approval of maximum prices for resales of Model No. 752 kerosene heater manufactured by Prentiss Wabers Products Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328, and in accordance with Section 11 of Maximum Price Regulation No. 64, *It is ordered:*

(a) Any wholesale distributor may sell and deliver to retailers the Model No. 752 two burner kerosene heater manufactured by Prentiss Wabers Products Co., Wisconsin Rapids, Wisconsin, at prices no higher than the following:

$9.89 per unit in all areas except the west coast area.
$10.44 per unit in the west coast area.

These prices are f. o. b. distributors' cities.

(b) Any person, other than a mail order house, may sell and deliver at retail the Model No. 752 two burner kerosene heater manufactured by Prentiss Wabers Products Co., Wisconsin Rapids, Wisconsin, at prices no higher than the following:

$15.50 per unit in all areas except the west coast area.
$16.75 per unit in the west coast area.

(c) Any mail order house may sell and deliver at retail through a retail store the Model No. 752 two burner kerosene heater manufactured by Prentiss Wabers Products Co., Wisconsin Rapids, Wisconsin, at prices no higher than the following:

$14.45 per unit in all areas except the west coast area.
$15.75 per unit in the west coast area.

(d) At the time of or prior to the first invoice to each purchaser for resale after the effective date of this order, Prentiss Wabers Products Co. and each distributor shall notify the purchaser of the maximum prices and conditions set by this order for resale by the purchaser. This notice shall be given in any convenient form. In addition, Prentiss Wabers Products Co. shall, before delivering any model No. 752 kerosene heater, attach securely to each heater, a tag or label which plainly states the maximum retail ceiling price established by this Order for sales by the particular class of retailer who will make the sale at retail. This tag or label shall be attached to the front of the heater.

(f) For the purposes of this order the west coast area shall comprise the following states: Washington, Oregon, California, Idaho, Nevada, Utah, Arizona, Montana, Wyoming, and New Mexico.

(g) This Order No. 141 may be revoked or amended by the Price Administrator at any time.

This Order No. 141 shall become effective June 2, 1944.

Issued this 1st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7932; Filed, June 1, 1944; 12:06 p. m.]

[MPR 136, Order 215]

ORR AND SEMBOWER, INC.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 215 under Maximum Price Regulation No. 136, as amended. Machines and parts and machinery services. Orr and Sembower, Inc. (Docket No. 3136-410).

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered:*

(a) The maximum prices for sales of vertical tubeless boilers and horizontal scotch marine boilers by Orr and Sembower, Inc., Reading, Pennsylvania, shall be determined as follows:

The manufacturer shall multiply the price he had in effect to a purchaser of the same class on October 1, 1941, by the following percentages:

Type of boiler:	Percentage
Vertical Tubeless	116
Horizontal Scotch Marine	110

(b) Dealers of Orr and Sembower, Inc. may increase their maximum net selling prices for the boilers listed above by an amount equal to the dollar amount of the increase for each boiler granted to Orr and Sembower, Inc., by this order.

(c) Orr and Sembower, Inc., shall notify its dealers of the increase in the dealer's maximum price authorized by this order. If the dealer has no reason to doubt the validity of the notification received from the manufacturer, he may rely on that notification.

(d) All requests in the application not granted in this order are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 2, 1944.

Issued this 1st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7935; Filed, June 1, 1944; 12:08 p. m.]

[MPR 188, Order 1680]

L. GROSSMAN SONS, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 1680 § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two new chairs manufactured by L. Grossman Sons, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries of L. Grossman Sons, Inc., Plymouth, New Hampshire, of certain Adirondack Chairs of its manufacture, as described in its application dated April 11, 1944, after such articles became subject to Maximum Price Regulation No. 188, are those as set forth below:

Article	Model No. style	To retail dealers	To jobbers who sell against manufacturer stock
Adirondack Chair	A	$2.58	$2.19
Adirondack Chair	B	2.82	2.40

These prices are net f. o. b. factory.

(b) On and after the effective date of this order, the maximum prices for all sales and deliveries at wholesale by jobbers and any other persons from the manufacturer's stock of the articles described in paragraph (a) above shall be those set forth below, net f. o. b. shipping point.

Article	Model No.	To retail dealers
Adirondack Chair	A	$2.58
Adirondack Chair	B	2.82

(c) At the time of or prior to the first invoice to each jobber, L. Grossman Sons, Inc. shall notify the jobber of the maximum prices and conditions set by this Order for resale by the purchaser.

This notice may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 2d day of June 1944.

Issued this 1st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7934; Filed, June 1, 1944; 12:08 p. m.]

[Rev. Gen. Order 32, Amdt. 12]

REGIONAL ADMINISTRATOR

DELEGATION OF AUTHORITY TO ACT FOR THE PRICE ADMINISTRATOR

Revised General Order No. 32 is amended in the following respects:

1. Paragraph (a) (8) is added to read as follows:

(8) Determinations of maximum prices for sales of footwear, other than hosiery, pursuant to § 1499.3 (b) (2) of the General Maximum Price Regulation. Applications for approval of proposed maximum prices for footwear, other than hosiery, under this section shall be filed with the District Office of the Office of Price Administration for the district in which the seller's main office is located rather than with the Office of Price Administration in Washington, D. C.

2. Paragraph (b) (6) is added to read as follows:

(6) Determinations of maximum prices for sales of footwear, other than hosiery, pursuant to § 1499.3 (b) (2) of the General Maximum Price Regulation.

This amendment shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7942; Filed, June 1, 1944; 4:06 p. m.]

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[1] 8 F.R. 1760, 2902, 2906, 4143, 5417, 7054, 10685, 14413, 15341, 16589; 9 F.R. 3112.

Regional and District Office Orders.

[Region VIII Order G–6 Under 3 (c)]

VICTORY TYPE PLUMBING FIXTURE TRIM IN NORTHERN CALIFORNIA

Order No. G–6 under § 1499.3 (c) of the General Maximum Price Regulation. Establishment of maximum prices for certain plumbers located in northern California for sale of victory type plumbing fixture trim.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Office of Price Administration by § 1499.3 (c) of the General Maximum Price Regulation and General Order No. 32; *It is hereby ordered:*

(a) The maximum price which plumbers located in Northern California, who are unable to determine a maximum price pursuant to § 1499.2 or § 1499.3 (a) of the General Maximum Price Regulation, may sell the hereinafter described Victory type plumbing fixture trim shall be the maximum prices set forth after each:

Fig. No.	Item	Maximum price
V–10	Sink ftg., 3½" adj., less dish	$6.25
V–10H	Sink (g., w/hose and spout	6.25
V–11	Sink ftg., 3½" adj., with dish	6.63
V–20	Lav. faucet, less tailpiece, lever handle, no ladex	1.88
V–21	Ditto—w/Black plastic cross hdle indexed "H" & "C"	1.53
V–21SC	Self-close Lavatory faucet	3.51
	ADD to above for tailpiece	.09
V–42	½" Compression hose, tee hdle	1.13
V–42	Ditto ¾"	1.18
V–42F	½" Hose faucet w/flange	1.24
V–42F	¾" Ditto	1.30
V–42LK	½" Loose key hose faucet, less key	1.41
V–42LK	¾" Ditto	1.46
V–42SC	½" Self-close hose faucet	2.99
V–42SC	¾" Ditto	3.05
V–43	½" Compression plain, tee hdle	1.08
V–43	¾" Ditto	1.13
V–43F	½" Plain faucet w/flange	1.18
V–43F	¾" Ditto	1.25
V–43LK	½" Loose key plain faucet, less key	1.36
V–43LK	¾" Ditto	1.41
V–43SC	½" Self-close plain faucet	2.94
V–43SC	¾" Ditto	2.99
V–72	Loose keys only	.12
V–58	½ x 14" or ⅞" angle stop, tee hdle	.71
V–63	½ x 14" or ⅞" straight stop, tee hdle	.86
V–75SC	½" Self-close angle valve	2.62
V–75SC	¾" Ditto	2.82
V–76SC	½" Self-close straight valve	2.62
V–76SC	¾" Ditto	2.82
V–80	½" Angle valve, iron wheel hdle	.64
V–80	¾" Ditto	.89
V–81	½" Strgt. valve, iron wheel hdle	.64
V–81	¾" Ditto	.89
V–85	½" Stop and waste valve	.81
V–85	¾" Ditto	1.08
V–96	½" Loose key angle valve, less key	1.02
V–96	¾" Ditto	1.18
V–98	½" Loose key straight, less key	1.02
V–96	¾" Ditto	1.18
V–72	Loose keys only	.12
V–111	½" Straight pattern shower valve	2.23
V–116	½" Screwdriver shower valve	1.78
V–174	½" Pull chain shower valve	4.47
V–174	¾" Ditto	4.73
V–125	Tub filler, w/spout	5.60
V–1107	Bath faucet, non-syphoning	3.63
V–123X	Shower cabinet fitting	6.30
V–127	Stall fitting w/plastic shower set	7.09
V–1145	Plastic rigid "April" shower head w/swivel, bent arm and plastic flge	1.74
V–1146	Plastic "April" shower head, tapped ½" IPS female	1.08
V–1146V	Ditto w/vandal proof set screw	1.18
V–123X	Shower cabinet fitting	6.30
V–1123	Exposed shower fitting	3.46
	Soap dish for V–1123—ADD	.63
	Brackets for above exposed showers	.65
	"P" Trap—1½ x 1½ C. I. w/steel tube waste	1.93
	"P" Trap—1½ x 1½" C. I. w/steel tube waste	1.93
	"S" Trap—1½ x 1½" C. I. w/steel tube waste	$2.46
	"S" Trap—1½ x 1½" C. I. w/steel tube waste	2.46
	"S" Trap—1¼ x 1¼" steel tubing	2.46
	1¼ x 4" w/steel tube tailpiece, plated top w/chain and stopper	.87
	1¼ x 4" All C. I. w/coated top w/chain and stopper	.87
	1¼ x 4" Steel w/enameled coating w/chain and stopper	1.44
	Sink Strainers—For 2¼" outlet, w/coated top, 1¼ x 4" tailpiece	1.17
	Sink strainers—for 3½" outlet, w/coated top, 1¼ x 4" tailpiece	1.60

(b) The maximum prices herein established are subject to the seller's customary discounts, allowances, and differentials.

(c) The term "Northern California," as used herein means:

That portion of California bounded on the south by the northern boundaries of San Luis Obispo, Kern, and San Bernardino Counties, California.

(d) This order shall become effective five days after date of issuance and shall apply to all sales and deliveries and offers to sell whether heretofore or hereafter made of the above described commodities by the aforesaid persons.

(e) This order shall be subject to revocation or amendment at any time hereafter either by special order or by any price regulation issued hereafter or by any supplement or amendment hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 26th day of May 1944.

CHAS. R. BAIRD,
Acting Regional Administrator.

[F. R. Doc. 44–7878; Filed, May 31, 1944; 1:14 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70–704]

ILLINOIS IOWA POWER COMPANY

AMENDMENT OF PRIOR ORDERS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of May 1944.

The Commission, pursuant to a request based upon the requirements of sections 371 and 1808 of the Internal Revenue Code, as amended, having found, in its findings and opinion filed in the above-styled and numbered matter on August 16, 1943, that the sale by Illinois Iowa Power Company (whose name has since been changed to Illinois Power Company) to Continental Gas & Electric Corporation of (a) securities and indebtedness of Des Moines Electric Light Company consisting of $35,000 shares of common stock, General Refunding Mortgage Bonds in the principal amount of $1,750,000 and open account indebtedness in the amount of $3,000,000 owing to Illinois Iowa Power Company, and (b) certain securities of Iowa Power and Light Company consisting of 230,000 shares of common stock and 2,600 shares of 7% Cumulative Preferred Stock was necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935; and the Commission having entered an order in accordance with such findings; and

The Commission having inadvertently omitted to make findings or enter an order (or orders) in conformance with the formal requirements of sections 371 and 1808 of the Internal Revenue Code, as amended, to the effect that (a) the transfer by Des Moines Electric Light Company to Illinois Iowa Power Company of 230,000 shares of the common stock of Iowa Power and Light Company as a distribution in partial liquidation of Des Moines Electric Light Company, and (b) the application by Illinois Iowa Power Company of the proceeds from the sale of the securities and indebtedness of Des Moines Electric Light Company and Iowa Power and Light Company to Continental Gas & Electric Corporation in the amount of $15,220,000, together with other cash, to the redemption of its Series B, 5½% First and Refunding Mortgage Bonds, in the principal amount of $15,827,600, were necessary and appropriate to effectuate the provisions of section 11 (b) of said act, and Illinois Iowa Power Company having requested that the Commission enter an order (or orders) with respect to said transactions conforming with the requirements of sections 371 and 1808 of the Internal Revenue Code, as amended;

It is hereby ordered, That the order of the Commission entitled, "Order Granting Applications and Permitting Declarations to become Effective," made and entered in the above-styled and numbered matter on the 16th day of August, 1943, be and the same is hereby amended to read as follows:

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of August, A. D. 1943.

In the matter of the United Light and Railways Company, Continental Gas & Electric Corporation, Iowa-Nebraska Light and Power Company, Iowa Power and Light Company, and Des Moines Electric Light Company, File No. 70–717; Illinois Iowa Power Company, File No. 70–704. Order granting applications and permitting declarations to become effective.

The Commission having, by order dated April 14, 1942, directed, among other things, that Illinois Iowa Power Company ("Illinois Iowa Power"), a registered public-utility holding company, sever its relationship with Des Moines Electric Light Company ("Des Moines Electric"), a registered holding company, and Iowa Power and Light Company ("Iowa Power"), a public utility subsidiary of Des Moines Electric, in an appropriate manner not in contravention of the applicable provisions of the act or the rules, regulations and orders promulgated thereunder;

The above-named companies and The United Light and Railways Company ("Railways"), a registered holding company and a subsidiary of The United Light and Power Company, also a registered holding company, Continental Gas & Electric Corporation ("Continental"), a registered holding company and a subsidiary of The United Light and Railways Company, and Iowa-Nebraska Light and Power Company ("Iowa-Nebraska Light"), a subsidiary of Continental, having filed with this Commission applications and declarations, and certain amendments thereto, pursuant to sections 6, 7, 9, 10, 11, and 12 of the act and Rules U-42, U-43, U-44, U-45, U-46, and U-50, and any other applicable sections of the Act or Rules thereunder, with respect to various proposed transactions, all as more particularly described in said applications and declarations, designed to accomplish, among other things, the disposition of all interest, direct and indirect, of Illinois Iowa Power in Iowa Power and Des Moines Electric, and the direct or indirect acquisition of such interest by Continental;

The Commission having found that (1) the transfer by Des Moines Electric to Illinois Iowa Power of 230,000 shares of the common stock of Iowa Power as a distribution in partial liquidation of Des Moines Electric, and (2) the sale by Illinois Iowa Power to Continental of (a) securities and indebtedness of Des Moines Electric consisting of 35,000 shares of common stock, General Refunding Mortgage Bonds in the principal amount of $1,750,000 and open account indebtedness in the amount of $3,000,000 owing to Illinois Iowa Power, and (b) certain securities of Iowa Power consisting of 230,000 shares of common stock and 2,600 shares of 7% Cumulative Preferred Stock are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935; and Illinois Iowa Power having requested that the order of the Commission herein conform to the formal requirements of sections 371 and 1808 of the Internal Revenue Code, as amended, relative to the necessity of the consummation of the proposed transactions to enable it to comply with the provisions of section 11 (b) of the act;

The Commission having issued a notice of filing and order for hearing on said applications and declarations and a public hearing having been held thereon in which all security holders of the applicants-declarants, and other interested persons, were given opportunity to be heard; and requests for findings and briefs having been filed by some of the applicants-declarants and waived by others, and oral argument having been waived by all applicants-declarants; and

The Commission having considered the record of the proceedings and having entered its findings and opinion herein, and deeming it appropriate in the public interest and in the interest of investors and consumers to permit the declarations, as amended, to become effective and to approve the applications, as amended, subject to the conditions hereinafter enumerated;

It is hereby ordered, That, subject to the terms and conditions prescribed in Rule U-24 and to the terms and conditions hereinafter specified, the aforesaid declarations, as amended, be and hereby are permitted to become effective and the aforesaid applications, as amended, be and hereby are granted forthwith; and without limiting the generality of the foregoing, the following specific transactions are authorized and approved:

(1) The surrender by Des Moines Electric to Iowa Power, and the acquisition by Iowa Power, of 20,000 shares of the common stock of Iowa Power and the credit by Iowa Power of $200,000 to its paid-in surplus.

(2) The transfer by Des Moines Electric of 230,000 shares of common stock of Iowa Power to Illinois Iowa Power in partial liquidation of Des Moines Electric and the acquisition of such stock by Illinois Iowa Power.

(3) The purchase by Continental from Illinois Iowa Power, and the sale by that company to Continental, of 335,000 shares of common stock of Des Moines Electric and 230,000 shares of common stock of Iowa Power upon the terms and conditions set forth in the agreement entered into between Continental and Illinois Iowa Power as of March 1, 1943.

(4) The transfer by Continental to Iowa Power, and the acquisition by Iowa Power, of 335,000 shares of common stock of Des Moines Electric in exchange for 237,500 additional shares of common stock to be issued by Iowa Power; the issuance of such additional shares of common stock by Iowa Power and the acquisition thereof by Continental; and the credit by Iowa Power of 2,486,685 to its paid-in surplus account in connection with said transactions.

(5) The sale by Illinois Iowa Power to Iowa Power, and the purchase by Iowa Power, of $1,750,000 principal amount of General Refunding Mortgage Bonds of Des Moines Electric, $3,000,000 of open account indebtedness owing by Des Moines Electric to Illinois Iowa Power and 2,600 shares of 7% Cumulative Preferred Stock of Iowa Power, for $5,010,000 in cash plus the amount of accrued interest and dividends thereon at the date the transactions are consummated.

(6) The complete liquidation and dissolution of Des Moines Electric, involving (a) the transfer by Des Moines Electric of all its property and assets to Iowa Power, (b) the surrender by Iowa Power to Des Moines Electric for cancellation of all securities and indebtedness of Des Moines Electric at the time owned by Iowa Power and (c) the assumption by Iowa Power of all other liabilities and obligations of Des Moines Electric.

(7) The acquisition by Iowa Power from Iowa-Nebraska Light, and the transfer by Iowa-Nebraska Light to Iowa Power, of all properties of Iowa-Nebraska Light located in the State of Iowa, together with the current assets appertaining to the operations of such properties, all upon the terms and conditions outlined in Division 6 of Form U–1 filed herein by Railways, et al., which include (a) the assumption by Iowa Power of all liabilities of Iowa-Nebraska Light appertaining to its Iowa properties and business, (b) the payment by Iowa Power to Iowa-Nebraska Light of approximately $1,000,000 in cash and (c) the issuance by Iowa Power to Iowa-Nebraska Light of 462,500 shares of common stock of Iowa Power.

(8) The partial liquidation of Iowa-Nebraska Light involving (a) the transfer by Iowa-Nebraska Light to Continental, as a partial liquidating dividend, of $1,500,000 in cash, 462,500 shares of common stock of Iowa Power, and all the outstanding securities of Maryville Electric owned by Iowa-Nebraska Light (4,000 shares of common stock and $340,000 of open account indebtedness); (b) the surrender by Continental to Iowa-Nebraska Light for cancellation, and the acquisition by Iowa-Nebraska Light, of 68,650 shares of common stock of Iowa-Nebraska Light; (c) the transfer by Continental to Iowa-Nebraska Light, as a credit to paid-in surplus, of 10,758 shares (par value $1,075,800) of the common stock of Iowa-Nebraska Light; and (d) the write-off of Iowa-Nebraska Light's earned surplus deficit against such paid-in surplus.

(9) The issuance by Iowa Power of $17,000,000 principal amount of 3¼% First Mortgage Bonds under an Indenture of Mortgage and Deed of Trust and Supplemental Indenture substantially in the form appearing as Exhibits J and K to Form U–1 filed by Railways, et al. and the sale of such bonds to underwriters selected by competitive bidding upon the terms and conditions set forth in the Registration Statement of Iowa Power filed under the Securities Act of 1933 as such registration statement shall become effective: *Provided, however*, That the authorization referred to in this paragraph shall not become effective unless and until the Commission by supplemental order shall approve the underwriters' spread and the price at which such bonds are to be sold.

(10) The issuance by Iowa Power of $2,500,000 principal amount of promissory notes maturing in ten equal annual installments on August 1, 1944 to August 1, 1953, inclusive, and bearing interest at the rate of 2⅜% for the first five maturities and 2¾% for the last five maturities, and the sale of such notes to commercial banks and insurance companies upon substantially the terms and conditions set forth in the form of Loan Agreement appearing as Exhibit L to Form U–1 filed herein by Railways, et al.

(11) The application by Iowa Power of the proceeds to be received from the sale of the bonds and notes referred to in paragraphs 10 and 11 hereof for the purposes set forth in Division 8 of Form U–1 filed herein by Railways, et al., which will include the redemption by Iowa Power on or before January 1, 1944, of 10,133 shares of its 7% Cumulative Preferred Stock at 105% of the par value thereof plus accrued dividends, which redemption is hereby approved;

It is further ordered, That the accounting entries submitted by the applicants-declarants to reflect the foregoing transactions are approved: *Provided, however*, That Jurisdiction is reserved over the accounting entires to be made to record the partial liquidation of Iowa-Nebraska Light as proposed and our approval of said partial liquidation is subject to the condition that if the remaining properties of Iowa-Nebraska Light, located in Nebraska, are not disposed of by December 1, 1943 the entries to be reflected in the year-end statements of Continental shall be submitted to us for approval;

It is further ordered, That Iowa Power, which may temporarily become a holding company pending consummation of the foregoing transactions, is hereby exempted from all provisions of the Act and Rules of the Commission thereunder applicable to holding companies, including the provisions of the act providing for the registration of holding companies;

It is further ordered, That, in accordance with the request of applicants-declarants, the ten-day period for inviting bids with respect to the bonds of Iowa Power, as provided by Rule U-50 (b), be shortened to a period of not less than six days;

It is further ordered, That the foregoing authorizations are subject to the following additional terms and conditions:

1. Jurisdiction is reserved to determine in the pending section 11 (b) (1) proceedings (a) whether properties of the Railways system in Kansas and Missouri and those in Illinois and Iowa may ultimately be retained in combination, either as part of the same integrated system or otherwise, (b) whether the system's electric properties in Fort Dodge and Mason City, Iowa are retainable, and (c) whether the gas properties and non-utility assets now owned by the system and those to be acquired in conjunction with the electric facilities of Des Moines Electric and Iowa Power are permanently retainable in the system.

2. Jurisdiction is reserved to pass upon the facts disclosed by the report with respect to the results of competitive bidding as required by Rule U-50 (c), to pass upon the sale price of the bonds of Iowa Power and the spread thereon, and to issue a supplemental order with respect thereto.

3. Jurisdiction is reserved with respect to the use of the proceeds received by Illinois Iowa Power from the sale of its interest in Des Moines Electric and Iowa Power.

4. Jurisdiction is reserved with respect to the reasonableness and the allocation of fees and expenses paid or incurred by the appli-

cants-declarants in connection with the foregoing transactions except as to the fees and expenses, in the aggregate amount of $164,230, referred to specifically and passed upon in our Findings and Opinion herein.

It is further ordered, That (1) the transfer by Des Moines Electric to Illinois Iowa Power of 230,000 shares of the common stock of Iowa Power as a distribution in partial liquidation of Des Moines Electric, and (2) the sale by Illinois Iowa Power to Continental of (a) securities and indebtedness of Des Moines Electric consisting of $35,000 shares of common stock, General Refunding Mortgage Bonds in the principal amount of $1,750,000, and open account indebtedness in the amount of $3,000,000 owing to Illinois Iowa Power, and (b) certain securities of Iowa Power consisting of 230,000 shares of common stock and 2,600 shares of 7% Cumulative Preferred Stock are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

ORVAL L. DUBOIS,
Secretary.

It is further ordered, That the order of the Commission entitled, "Order Releasing Jurisdiction with Respect to Use of Proceeds of Sale," made and entered in the above-styled and numbered matter on the 29th day of September, 1943, be and the same is hereby amended to read as follows:

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of September 1943.

In the matter of Illinois Iowa Power Company, File No. 70-704. Order releasing jurisdiction with respect to use of proceeds of sale.

Illinois Iowa Power Company, a registered public-utility holding company, having heretofore filed a declaration and an amendment thereto, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules promulgated thereunder, with respect to the sale of its entire interests in Des Moines Electric Light Company and Iowa Power and Light Company; and

The Commission having on August 16, 1943 permitted the said declaration, as amended, to become effective and having reserved jurisdiction with respect to the use of the proceeds ($15,220,000) to be received by Illinois Iowa Power Company from such sale (Holding Company Act Release No. 4497); and

Illinois Iowa Power Company having filed a further amendment to said declaration stating (a) that in accordance with the provisions of its First and Refunding Mortgage, dated April 2, 1928, the aforesaid proceeds have been deposited with Harris Trust and Savings Bank as Corporate Trustee under said Mortgage and (b) that Illinois Iowa Power Company now desires to exercise its option, under the provisions of the said Mortgage, to apply the aforesaid proceeds together with necessary current cash to the redemption of all ($15,827,000) its outstanding Series B 5½% First and Refunding Mortgage Bonds, due December 1, 1954, which Bonds are callable at 106 upon 60 days' notice prior to December 1, 1943; and

Illinois Iowa Power Company having requested the Commission to release jurisdiction of the use of the aforesaid proceeds so that they may be applied for the purpose stated; and

It appearing to the Commission that it is in the public interest and in the interest of investors and consumers to grant such request; and

Illinois Iowa Power Company having requested that this order conform to the formal requirements of sections 371 and 1808 of the Internal Revenue Code, as amended, relative to the necessity of the application of the proceeds from such sale in the manner aforesaid to enable it to comply with the provisions of section 11 (b) of the act; and the Commission finding that the application by Illinois Iowa Power Company of the proceeds from the sale of the aforesaid securities and indebtedness of Des Moines Electric Light Company and Iowa Power and Light Company to Continental Gas & Electric Corporation in the amount of $15,220,000, together with other cash, to the redemption of its Series B, 5½% First and Refunding Mortgage Bonds, in the principal amount of $15,827,000, is necessary and appropriate to effectuate the provisions of section 11 (b) of said act:

It is therefore ordered, That jurisdiction reserved in the order heretofore entered herein on August 16, 1943, with respect to the use of the proceeds received by Illinois Iowa Power Company from the sale of its interests in the Des Moines Electric Light Company and Iowa Power and Light Company be and the same is hereby released.

It is further ordered, That the application by Illinois Iowa Power Company of the proceeds from the sale of the aforesaid securities and indebtedness of Des Moines Electric Light Company and Iowa Power and Light Company to Continental Gas & Electric Corporation in the amount of $15,220,000, together with other cash, to the redemption of its Series B, 5½% First and Refunding Mortgage Bonds, in the principal amount of $15,827,000, is necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

ORVAL L. DUBOIS,
Secretary.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-7987; Filed, June 1, 1944; 2:32 p. m.]

[File No. 70-900]

NORTHERN STATES POWER COMPANY (MINNESOTA) AND NORTHERN STATES POWER COMPANY (DELAWARE)

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of May 1944.

Notice is hereby given that a joint declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Northern States Power Company (Delaware), a registered holding company, and its subsidiary, Northern States Power Company (Minnesota), also a registered holding company; and

Notice is further given that any interested person may, not later than the 19th day of June 1944 at 5:30 P. M., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time, thereafter, such joint declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said joint declaration or application, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

The aforesaid companies propose:

(1) To postpone further the payment of $806,517.09, the balance of installments on open account indebtedness due on or before June 30, 1944 from Northern States Power Company (Delaware) to Northern States Power Company (Minnesota) until December 31, 1944 by which date it is contemplated that said indebtedness will be fully extinguished in connection with the consummation of the plan of liquidation and dissolution, as amended, filed pursuant to section 11 (e) of said act for dissolution of Northern States Power Company (Delaware) which plan provides for disposition of said indebtedness. The 1944 installment, $460,886.91, on said indebtedness is payable on or before December 31, 1944, and since it will not be overdue until after that date, no request has been made for its postponement.

(2) That pending action on said plan, as amended, or until December 31, 1944 (whichever date shall be earlier) Northern States Power Company (Minnesota) will continue to segregate on its books $806,517.09 of its earned surplus as not being available for the declaration of dividends on its common stock.

(3) That Northern States Power Company (Minnesota) will waive all interest due on said indebtedness for the period from June 30, 1944 to December 31, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-7936; Filed, June 1, 1944; 2:32 p. m.]

[File Nos. 54-39, 54-69, 59-65]

LACLEDE GAS LIGHT CO., ET AL.

ORDER APPROVING AMENDED PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 27th day of May, A. D. 1944.

In the matters of The Laclede Gas Light Company, Laclede Power & Light Company, Phoenix Light, Heat and Power Company, Ogden Corporation, File No. 54-39; Ogden Corporation and subsidiary companies, File No. 54-69; Ogden Corporation and subsidiary companies, Respondents, File No. 59-65.

Proceedings having been instituted by the Commission pursuant to section 11 (b) (1), 11 (b) (2) and other applicable sections of the Public Utility Holding Company Act of 1935 with respect to Ogden Corporation ("Ogden"), a registered holding company, and its subsidiary companies (File No. 59-65); the Commission having by order dated May 20, 1943, directed Ogden and subsidiaries to take certain steps therein specified to comply with section 11 (b) of the said Act; and declarations and applications for approval of a plan under section 11 (e) and other applicable sections of said act to meet the requirements of section 11 (b) and the said order of May 20, 1943, having been filed by The Laclede Gas Light Company "Laclede Gas"), Laclede Power & Light Company ("Laclede Electric"), and Phoenix Light, Heat and Power Company ("Phoenix"), subsidiaries of Ogden, and by Ogden (File No. 54-39);

All the foregoing proceedings having been duly consolidated by order of the Commission; hearings having been held and oral argument having been heard after appropriate notice; and the Commission having been fully advised and having entered its findings and opinion on May 24, 1944, and its supplemental findings approving amended plan this day;

Said amended plan providing, among other things, for the following transactions:

(a) The sale by Laclede Gas, Laclede Electric, and Phoenix, Sellers, to Union Electric Company of Missouri, Buyer of the electrical properties described and specified in an agreement, dated August 12, 1942, as amended, entered into between the said sellers and the said buyer, for a base cash price of $8,600,000, subject to certain adjustments set forth in the said agreement as amended;

(b) Transfer to Laclede Gas by Laclede Electric of its remaining assets (except cash and 233,112 voting trust certificates of Granite City Generating Company which certificates are to be transferred to Ogden), such remaining assets being estimated at $14,321.33 as of December 31, 1943, and the dissolution of Laclede Electric, after discharge of its liabilities;

(c) Restatement on the books of Laclede Gas of the properties to be owned by it upon consummation of the plan at original cost as determined by the Missouri Public Service Commission by charging surplus with the difference between book amounts of such property and the original cost thereof;

(d) The issuance and sale by Laclede Gas of $19,000,000 principal amount of Twenty-Year First Mortgage Bonds and $3,000,000 principal amount of Ten-Year Serial Debentures;

(e) Payment and discharge, at the principal amount thereof, together with accrued interest thereon to the effective date of the plan, of Laclede Gas' Refunding and Extension Mortgage 5% Bonds and its First Mortgage Collateral and Refunding 5½% Bonds, Series C and D;

(f) The issuance by Laclede Gas of fourteen shares of new Common Stock, par value $4 per share, in place of each share of presently outstanding 5% Cumulative Preferred Stock, $100 par value, and all unpaid dividend accumulations thereon;

(g) The issuance by Laclede Gas of one share of said new Common Stock in place of each share of presently outstanding Common Stock, $100 par value;

(h) The issuance by Laclede Gas of 2,165,296 shares of said new Common Stock to Ogden in exchange for:

(1) Surrender of 5,345 shares of Preferred Stock and 90,466 shares of Common Stock of Laclede Gas owned by Ogden;

(2) Surrender for retirement of $2,000,000 principal amount of Collateral Trust 6% Notes, Series A and B, of Laclede Gas;

(3) $905,000 cash;

(4) All, or substantially all, of the share of Laclede Electric in the cash proceeds from the sale of the electrical properties referred to in paragraph (a) above, after the discharge by Laclede Electric of its liabilities;

(5) Other miscellaneous assets of Laclede Electric referred to in paragraph (b) above;

(i) Payment by Ogden to the minority holders of the stock of Laclede Electric upon surrender for cancellation of such stock, of a cash amount equal to their pro rata share in the net assets of Laclede Electric as of the effective date of the plan after consummation of the sale referred to in paragraph (a) above;

(j) Sale by Ogden of its entire holdings in the said new Common Stock of Laclede Gas which Ogden will receive as a result of consummation of the reorganization of Laclede Gas.

Laclede Gas, Laclede Electric, and Ogden having requested that the Commission enter herein its order approving said plan, as amended, and that the Commission's order conform to, and set forth the recitals specified in, sections 371 and 1808 (f) of the Internal Revenue Code as amended; and having further requested, pursuant to the provisions of section 11 (e) of the act, that the Commission apply to a court in accordance with the provisions of section 18 (f) of the act to enforce and carry out the terms and provisions of the plan;

The Commission finds that the foregoing transactions are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and to make effective the Commission's order herein and are fair and equitable to the persons affected thereby, and

It is hereby ordered, subject to the terms and conditions enumerated below:

(1) That, pursuant to section 11 (e) of said act, said plan as amended be, and it hereby is, approved; and that the applications and declarations in connection therewith are approved and permitted to become effective;

(2) That the sale and conveyance to Union Electric Company of Missouri of the electric properties owned by Laclede Gas and Laclede Electric for the base purchase price of $8,600,000, all as more fully described in the schedules and sketches annexed to a certain agreement of sale, dated August 12, 1942, as amended, a copy of which agreement as amended, including said schedules and sketches, is a part of the record in these proceedings and is hereby incorporated by reference in this order with the same force and effect as if set forth at length herein, and the issuance by Laclede Gas of new securities consisting of (a) $19,000,000 principal amount of First Mortgage Bonds, (b) $3,000,000 principal amount of Serial Debentures, and (c) 2,433,620 shares of Common Stock of the par value of $4 per share, are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

This order is subject to the following terms and conditions:

1. That the applicants undertake to pay such fees and reimburse such expenses incurred or to be incurred in connection with said plan, the transactions incident thereto, and the consummation thereof, as are approved, allocated, or awarded by further order or orders of this Commission;

2. That jurisdiction be, and it hereby is, reserved to the Commission, to determine the number of shares of new Common Stock of Laclede Gas which shall be issued to Ogden in the event that the total of cash, including the share of Laclede Gas in the proceeds of the sale of the said electric properties, turned over by Laclede Electric and Ogden to Laclede Gas is less than $9,080,000;

3. That jurisdiction be, and it hereby is, reserved to the Commission with respect to the price and spread pertaining to the sale of the said $19,000,000 principal amount of First Mortgage Bonds and $3,000,000 principal amount of Serial Debentures, with respect to the accounting entries relating to the retirement and issuance of securities under the plan, and with respect to the proposed sale by Ogden of the new Common Stock of Laclede Gas issuable to it under the plan;

4. That jurisdiction be, and it hereby is, reserved to the Commission to entertain such further proceedings, to make such supplemental findings, and to take such further action, as it may deem appropriate in connection with the plan, the transactions incident thereto and the consummation thereof, and, in the event the plan be not consummated, to enter such further orders as it may deem appropriate under sections 11 (b) (1), 11 (b) (2), 15 (f) and 20 (a) of the act; and

5. That this order shall not be operative to authorize the consummation of transactions proposed in the plan as amended until an appropriate federal district court shall, upon application thereto, enter an order enforcing such plan.

It is further ordered, That within 30 days after the final effectuation of the plan, the applicants shall file a certificate of notification advising the Commission of the steps which have been taken to consummate the plan.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-7881; Filed, May 31, 1944; 2:55 p. m.]

WAR FOOD ADMINISTRATION.

STABILIZATION OF SALARIES AND WAGES OF AGRICULTURAL LABOR

DELEGATION OF AUTHORITY TO CALIFORNIA WFA WAGE BOARD

Pursuant to the authority granted the War Food Administrator by regulations of the Director of the Office of Economic Stabilization issued August 28, 1943 (8 F.R. 11960, 12139, 16702), by virtue of the authority vested in the President by the Act of October 2, 1942, entitled "An Act to Amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes" (Pub. No. 729, 77th Cong. 2d Sess.), as amended by the Public Debt Act of 1943 entitled "An Act to increase the debt limit of the United States and for other purposes" (Pub. No. 34, 78th Cong. 1st Sess.), and vested by the President in the Economic Stabilization Director under Executive Order 9328 dated April 8, 1943 (8 F.R. 4681) there is hereby delegated to the California WFA Wage Board all the powers conferred upon the War Food Administrator with respect to the program for stabilization of salaries and wages of agricultural labor employed in the State of California, insofar as the powers relate to the granting or denying of approval of applications for wage or salary increases or decreases, pursuant to the regulations relative to salaries and wages of agricultural labor issued by the War Food Administrator on January 17, 1944 (9 F. R. 655). For the purposes of this delegation to approve or deny wage or salary increases or decreases pursuant to the regulations aforesaid, three members of the California WFA Wage Board shall constitute a quorum authorized to act with regard to such matters.

Any ruling of the California WFA Wage Board upon an application for increase or decrease in wages or salaries of agricultural labor shall be final, subject only to the Administrator's right of review on his own initiative. Any reversal or modification of such a ruling by the Administrator shall take effect from the date the affected party is notified thereof or at such later date as is specified in the notification: *Provided, however*, That if a ruling denying an application for permission to make a wage increase or decrease is overruled, the final ruling by the Administrator shall incorporate the effective date of the approval.

The California WFA Wage Board shall forward to the Director, Office of Labor, War Food Administration, a copy of each application for wage or salary increase or decrease made pursuant to the regulations relative to salaries and wages of agricultural labor issued January 17, 1944 (9 F.R. 655) and a copy of the Board's ruling thereon. Such copies shall be forwarded every two weeks.

Issued this 1st day of June 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-7978; Filed, June 2, 1944; 11:36 a. m.]

WAR PRODUCTION BOARD.

THE BROMWELL WIRE GOODS COMPANY

CONSENT ORDER

The Bromwell Wire Goods Company, a corporation, with its main office at 312 United Bank Building, Cincinnati, Ohio, is engaged in the business of manufacturing farm equipment, household utensils, garden tools and fire shovels, and was found on investigation by the War Production Board to have exceeded its permitted quotas during the fourth quarter of 1943 and the first quarter of 1944, as follows: In the use of carbon steel in the amount of about 36 tons in the manufacture of food mills, jar wrenches and wire strainers over the quota permitted by the provisions of Supplementary Limitation Order L-30-d as then in effect; and in the use of carbon steel in the amount of about 160 tons in the manufacture of fire shovels less than 22 inches in length over the quota permitted by the provisions of Supplementary Limitation Order L-30-a as then in effect. The Bromwell Wire Goods Company admits the excess use as charged by the War Production Board, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of The Bromwell Wire Goods Company, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) The Bromwell Wire Goods Company, its successors or assigns, shall, during the calendar year of 1944, reduce its use of carbon steel by 196 tons under the quotas it would otherwise be entitled to use in such a period, as defined in Limitation Orders L-30-a, L-30-d, and L-257, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve The Bromwell Wire Goods Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect as of the date of issuance and shall expire December 31, 1944.

Issued this 31st day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7883; Filed, May 31, 1944; 3:42 p. m.]

MODERN CUSTOM TAILORS, INC., AND HARRY BERKOWITZ

CONSENT ORDER

Modern Custom Tailors, Inc., a corporation organized and existing under the laws of the State of New York, with its principal office and place of business at 804 Lexington Avenue in the Borough of Manhattan, City, County and State of New York, and Harry Berkowitz, individually, doing business at the same address, are engaged in the retail clothing and tailoring business. They are charged by the War Production Board with having, during the period June 22, 1943, to March 16, 1944, caused to be put into process for the account of Modern Custom Tailors, Inc., wool cloth for the manufacture of men's clothing in violation of the limitations and restrictions contained in Limitation Order L-224. They are also charged with delivering such clothing in violation of Order L-224. They represent to the War Production Board that Modern Custom Tailors, Inc., has on hand approximately 122 yards of tropical worsteds, approximately 840 yards of year-round suitings, approximately 200 yards of sport coatings, approximately 225 yards of top coatings, and approximately 350 yards of winter weight suitings, making an approximate total of 1,737 yards of cloth on hand.

Modern Custom Tailors, Inc. and Harry Berkowitz, individually, admit the violations as charged, and do not wish to contest the issue of wilfulness, and they have consented to the issuance of this order.

Wherefore, upon the agreement and consent of Modern Custom Tailors, Inc., Harry Berkowitz, individually, the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Modern Custom Tailors, Inc., its successors or assigns, and Harry Berkowitz, individually, his successors or assigns, shall not, directly or indirectly, buy, order, receive, or accept delivery of or put into process any wool cloth or men's wool clothing except as hereinafter provided and except as hereafter specifically authorized in writing by the War Production Board.

(b) The restrictions of this order shall not apply to the 122 yards of tropical worsteds, the 200 yards of sport coatings, and 600 of the 840 yards of year-round suitings on hand, as above represented, or in process, on the effective date of this order.

(c) Nothing contained in this order shall be deemed to relieve Modern Custom Tailors, Inc. or Harry Berkowitz, individually, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on May 31, 1944, and shall expire on July 31, 1944.

Issued this 24th day of May, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7943; Filed, June 1, 1944; 4:22 p. m.]

JUN 6 '44

FEDERAL REGISTER

THE NATIONAL ARCHIVES — LITTERA SCRIPTA MANET — 1934 — OF THE UNITED STATES

VOLUME 9 NUMBER 112

Washington, Tuesday, June 6, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 79-107, Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN ATLANTA, GA., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-107 (9 F.R. 140, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Atlanta, Georgia, metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "0.015" in § 1401.141 (p) and inserting, in lieu thereof, the numeral "0.00".

The provisions of this amendment shall be effective as of 12:01 a. m., e. w. t., May 1, 1944. With respect to violations of said War Food Order No. 79-107, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said War Food Order No. 79-107, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 FR. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 2d day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-7993; Filed, June 2, 1944; 1:17 p. m.]

[WFO 79-118, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SAVANNAH, GA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-118 (9 F.R. 636, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Savannah, Georgia, milk sales area, is hereby further amended by deleting therefrom the numeral "0.015" in § 1401.151 (p) and inserting, in lieu thereof, the numeral "0.00".

The provisions of this amendment shall be effective as of 12:01 a. m., e. w. t., May 1, 1944. With respect to violations of said War Food Order No. 79-118, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said War Food Order No. 79-118, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 2d day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-7994; Filed, June 2, 1944; 1:17 p. m.]

[WFO 79-120, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN CHARLESTON, S. C., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-120 (9 F.R. 638, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Charleston, South Carolina, milk sales area, is hereby further amended by deleting therefrom the numeral "0.015" in § 1401.153 (p) and inserting, in lieu thereof, the numeral "0.00".

The provisions of this amendment shall be effective as of 12:01 a. m., e. w. t., May 1, 1944. With respect to violations

(Continued on p. 6052)

CONTENTS

REGULATIONS AND NOTICES

	Page
AGRICULTURE DEPARTMENT. *See also* Farm Security Administration; War Food Administration.	
Flood and windstorm relief, delegation of authority to Farm Security Administration	6120
ALIEN PROPERTY CUSTODIAN:	
Vesting orders:	
Copyright interests:	
Deiss, R.	6122
Dillard, Michel	6122
Eschig, Max, Edition	6124
German nationals	6124
Jobert, Jean	6123
Rouart, Lerolle et Cie	6123
Hoffmeister, Elizabeth Helene, et al	6125
Meyer, Albert R. (Corr.)	6126
Nakamura, Haruko	6126
Society for the care of German seamen in the Port of New York	6125
COAL MINES ADMINISTRATION:	
District 20, termination of government possession	6116
COAST GUARD:	
Kapok life preserver, notice of change in New York address of U. S. Army Transportation Corps	6143
CUSTOMS BUREAU:	
Articles conditionally free, subject to reduced rate, etc.; copies of baggage declarations	6056
EMPLOYEES' COMPENSATION COMMISSION:	
Civilian employees of U. S., authorization of local payment of benefits in United Kingdom, etc	6143
FARM SECURITY ADMINISTRATION:	
Flood and windstorm restoration program	6117
FEDERAL COMMUNICATIONS COMMISSION:	
Aviation services; suspension of inspection requirement, non-scheduled stations	6114
Broadcast services other than standard; license period; renewal	6114

(Continued on p. 6052)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

FEDERAL COMMUNICATIONS COMMISSION—Continued. Page
- Broadcast stations, standard and high frequency; program and operating logs 6114
- Government telegraph communications, rates and charges 6115

FEDERAL POWER COMMISSION:
- Hearings, etc.:
  - Spearman Gas Co 6121
  - West Texas Gas Co 6122

FEDERAL TRADE COMMISSION:
- Bausch and Lomb Optical Co., hearing 6054
- Cease and desist orders:
  - Belt Oil & Chemical Corp., et al 6055
  - Imperial Drug Exchange, Inc., et al 6055

FISH AND WILDLIFE SERVICE:
- Alaska commercial fisheries, miscellaneous amendments to subchapter 6116

INTERNAL REVENUE BUREAU:
- Income tax; deductions for certain losses 6056

CONTENTS—Continued

JOINT CONTRACTS TERMINATION Board. *See* Office of War Mobilization.

LABOR DEPARTMENT. *See also* Wage and Hour Division: Page
- Union Street Railway, finding as to contract 6120

OFFICE OF DEFENSE TRANSPORTATION:
- Suspension of operations, designated routes:
  - Deluxe Motor Stages 6127
  - Trailways of New England, Inc 6126

OFFICE OF PRICE ADMINISTRATION:
- Adjustments, etc.:
  - American Fuel Corp 6129
  - Black Crown Coal Co., and Burnett & Burnett Coal Co 6128
  - Dillon, D. C., & Co 6129
  - Electromatic Distributors, Inc 6129
  - Manurep 6130
  - Red Ash Pocahontas Coal Co 6129
  - Rutstein Coal Mining Co., and Homestead Coal Co 6128
- Bread and bakery products (SR 14B, Am. 3) 6106
- Commodities and services, miscellaneous; maximum prices (GMPR, Am. 62) 6106
- Corn meal, flour, etc. (MPR 305, Am. 11) 6109
- Dairy products (RMPR 289, Am. 7) 6105
- Farm equipment, manufacturers' and wholesale prices (MPR 246, Am. 12) 6110
- Fish and seafood, fresh (MPR 418, Am. 31) 6103
- Food products, packed (MPR 306, Am. 29) 6109
- Food rationing for institutional users (Gen. RO 5, Am. 68) 6108
- Foods, processed (Rev. RO 13, Am. 16 to 2d Rev. Supp. 1) 6103
- Fruits and vegetables, fresh (MPR 426, Am. 31) (2 documents) 6104, 6108
- Gasoline rationing (RO 5C, Am. 129) 6110
- Hawaii (RO 5F, Am. 11) 6111
- Lumber:
  - Hardwood small dimension (MPR 501, Am. 1) 6110
  - Logs:
    - Appalachian (MPR 533–3, Am. 1) 6108
    - Central (MPR 533–1, Am. 1) 6108
    - Hickory and ash, etc. (MPR 534–2, Am. 1) 6109
    - Southern (MPR 533–4, Am. 1) 6109
- Meat, fats, fish and cheeses (RO 16, Am. 32 to Rev. Supp. 1) 6103
- Ration books or coupon sheets, lost, stolen, etc.; replacement (PR 12, Am. 5) 6108
- Regional and district office orders:
  - Community ceiling prices, lists of orders filed (3 documents) 6130, 6134
  - Fish and seafood, fresh, San Francisco region 6130
- Solid fuels (MPR 122, Am. 10 to Rev. Order 47) 6127
- Wastepaper (MPR 30, Am. 7) 6107

CONTENTS—Continued

OFFICE OF WAR MANPOWER: Page
- Settlement of claims under terminated subcontracts, statement of policy by Joint Contracts Termination Board made effective 6135

PETROLEUM ADMINISTRATION FOR WAR:
- Inland waterways equipment, transportation 6112
- Materials redistribution program, schedules amended 6111

RECLAMATION BUREAU:
- Salt River Project, Ariz., partial revocation of land withdrawals 6116

SECURITIES AND EXCHANGE COMMISSION:
- Hearings, etc.:
  - Bank of Silesian Landowners Assn 6142
  - Chicago and North Western Railway Co 6142
  - Cities Service Co., et al. (2 documents) 6136, 6137
  - Community Gas and Power Co. and American Gas and Power Co 6141
  - Consolidated Natural Gas Co. and Northern Pacific Railway Co 6140
  - Continental Cushion Spring Co 6143
  - Detroit and Cleveland Navigation Co 6136
  - Empire District Electric Co., et al 6137
  - Federal Light & Traction Co 6137
  - Gardner-Denver Co 6143
  - Indiana Hydro-Electric Power Co., and Northern Indiana Public Service Co 6139
  - Milwaukee Electric Railway and Transport Co., and Wisconsin Electric Power Co 6140
  - National Association of Securities Dealers, Inc 6139
  - New York and Harlem Railroad Co 6143
  - Ogden Corp., et al 6140
  - 208 South LaSalle Street Corp 6136

STATE DEPARTMENT:
- Blocked nationals, revision of proclaimed list 6056

VETERANS' ADMINISTRATION:
- Adjudication: Veterans claims, Central Office Section 6113

WAGE AND HOUR DIVISION:
- Learner employment certificates, issuance to various industries (2 documents) 6121

WAR FOOD ADMINISTRATION:
- Cucumber pickles and pickle products (WFO 101) 6053
- Fluid milk and cream:
  - Atlanta, Ga 6051
  - Augusta, Ga 6053
  - Charleston, S. C 6051
  - Macon, Ga 6053
  - Savannah, Ga 6051

WAR MANPOWER COMMISSION:
- Boston, Mass., area, minimum wartime workweek 6143
- Critical occupations, list amended 6144

(Continued on next page)

CONTENTS—Continued

WAR PRODUCTION BOARD: Page
- Automotive equipment, maintenance (L–270) 6101

Certificates:
- Flowers and related articles, transportation by motor vehicles in Columbus, Ohio (No. 80, Rev.) 6144
- Inland waterways equipment, approval of PAW directive (No. 124, Am. 1) 6144

Controlled materials plan, War Department small orders (CMP Reg. 1, Dir. 51) 6074
Electronic equipment (L–183–a, Dir. 1) 6074
Heaters, domestic oil and gas (L–173) 6073
Paper:
- Book publishing (L–120, Sch. II) 6081
- Commercial printing (L–120, Sch. I) 6077
- Fine writing (L–120, Sch. III) 6085
- Groundwood (L–120, Sch. XV) 6098
- Newspapers or magazines (L–120, Sch. XIV) 6096
- Tablet (L–120, Sch. IV) 6094
- Tablets, notebooks, etc. (L–120, Sch. IX) 6096

Petroleum, production etc. (P–98–c) 6071
Power trucks, industrial (L–112–a) 6073
Priorities system operating regulations (PR 13) 6058
Scheduled products, Power Division, Office of War Utilities (M–293, Table 8) 6075
Textiles, cotton, distribution (M–317, Am. 1) 6101
Tools, hand service (E–6) 6076

WAR SHIPPING ADMINISTRATION:
- Contracts with owners; time charters amended with respect to certain vessels:
  - Dry cargo 6114
  - Tank 6114
- Ship warrant rules; suspension of rate ceilings, vessels of less than 1,000 tons 6114
- "Hopestill," vessel ownership determination 6144

of said War Food Order No. 79–120, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said War Food Order No. 79–120, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 2d day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–7995; Filed, June 2, 1944; 1:17 p. m.]

[WFO 79–136, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN AUGUSTA, GA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–136 (9 F.R. 1408, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Augusta, Georgia, milk sales area, is hereby further amended by deleting therefrom the numeral "0.015" in § 1401.171 (p) and inserting, in lieu thereof, the numeral "0.00".

The provisions of this amendment shall be effective as of 12:01 a. m., e. w. t., May 1, 1944. With respect to violations of said War Food Order No. 79–136, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said War Food Order No. 79–136, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 2d day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–7996; Filed, June 2, 1944; 1:17 p. m.]

[WFO 79–138, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN MACON, GA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–138 (9 F.R. 1481, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Macon, Georgia, milk sales area, is hereby further amended by deleting therefrom the numeral "0.015" in § 1401.173 (p) and inserting, in lieu thereof, the numeral "0.00".

The provisions of this amendment shall be effective as of 12:01 a. m., e. w. t., May 1, 1944. With respect to violations of said War Food Order No. 79–138, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said War Food Order No. 79–138, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 2d day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–7997; Filed, June 2, 1944; 1:17 p. m.]

[WFO 101]

PART 1405—FRUITS AND VEGETABLES

CUCUMBER PICKLES AND PICKLE PRODUCTS

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of cucumber pickles and pickle products for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1405.42 *Restrictions relative to cucumber pickles and pickle products*—(a) *Definitions.* (1) "Cucumber pickle" means any cucumber, whether or not mature, whole, cured, or partially cured.

(2) "Pickle product" means any product of cucumber pickles including, but not being limited to, any product composed of cucumber pickles or any portion or product thereof. This term shall not, however, include any pickle products which, on the effective date hereof, are already packed in separate containers of less than one gallon capacity.

(3) "Packer" means:

(i) Any person who, during the calendar year 1943 or the period from January 1, 1944, up to and including June 4, 1944, acquired, in the aggregate, a total quantity of 3,000 bushels, or more, of cucumber pickles or pickle products, or both, and performed any of the following functions or had any such performed for his account: (*a*) cured or partially cured cucumber pickles for sale; (*b*) prepared cucumber pickles for curing or partial curing for sale; (*c*) produced pickle products for sale; and (*d*) packaged pickle products for sale; or

(ii) Any person who, during the calendar year 1944 or any subsequent calendar year, acquires, in the aggregate, a total quantity of 3,000 bushels, or more, of cucumber pickles or pickle products, or both, and performs any of the following functions or has any such performed for his account: (*a*) cures or partially cures cucumber pickles for sale; (*b*) prepares cucumber pickles for curing or partial curing for sale; (*c*) produces pickle products for sale; and (*d*) packages any pickle products for sale.

(4) "Salter" means any person who cures cucumber pickles, only in brine, for sale and performs no other function specified, in (a) (3) hereof, for a packer.

(5) "Cure" means to treat cucumber pickles with brine, vinegar, or any other liquid with or without other ingredients.

(6) "Brine" means a solution of salt and water to which no other ingredient has been added.

(7) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(8) "Army" means the Chicago Quartermaster Depot, Subsistence Branch, 1819 West Pershing Road, Chicago 9, Illinois.

(9) "Bushel" means (i) a quantity of cucumber pickles or pickle products, or both, weighing 50 pounds drained weight, or (ii) a quantity of pickle products equal to 6 gallons of pickle products.

(10) "Director" means the Director of Distribution, War Food Administration.

(b) *Restriction.* (1) No packer shall sell, contract to sell, or deliver, except to the Army, any cucumber pickles or pickle products owned by him on the effective date of this order (i) unless such packer contracted, prior to the effective date hereof, to sell to the Army, out of such cucumber pickles and pickle products, or (ii) until such packer sells, contracts to sell, or delivers to the Army, out of such cucumber pickles and pickle products, a quantity of pickle products equal at least to 25 percent of the total number of bushels of such cucumber pickles and pickle products.

(2) No packer shall sell, contract to sell, or deliver, except to the Army, any cucumber pickles, acquired by him after the effective date of this order, or any pickle products produced therefrom unless such packer first sells, contracts to sell, or delivers to the Army a quantity of pickle products, produced from such cucumber pickles, equal at least to 25 percent of the total number of bushels of such cucumber pickles.

(3) No salter is required to comply with the provisions of (b) (1) or (b) (2) hereof.

(c) *Contracts.* The provisions of this order shall be observed without regard to contracts heretofore or hereafter entered into or any rights accrued or any payments made thereunder. This order shall not, however, be construed as reducing the amount of pickle products which any packer is required to offer or deliver pursuant to contracts heretofore or hereafter entered into with the Army.

(d) *Records and reports.* (1) Each person who, on the effective date hereof, is a packer or a salter shall mail to the Chicago Quartermaster Depot, Subsistence Branch, 1819 West Pershing Road, Chicago 9, Illinois:

(i) Not later than 10 calendar days after the effective date hereof, a report (in triplicate) on Form FDO No. 101–1;

(ii) Not later than October 10, 1944, a report (in triplicate) on Form FDO No. 101–2 for the period commencing on the calendar day following the effective date hereof and ending on September 30, 1944, inclusive; and

(iii) Not later than 10 calendar days following the last day of each consecutive three-month period thereafter, a report (in triplicate) on Form FDO No. 101–2.

(2) Each person who, after the effective date hereof but prior to October 1, 1944, becomes a packer or a salter shall mail, as aforesaid, such reports as are required pursuant to the provisions of (d) (1) (ii) and (iii) hereof, respectively.

(3) Each person who, after September 30, 1944, becomes a packer or a salter shall mail, as aforesaid, such reports as are required pursuant to the provisions of (d) (1) (iii) hereof.

(4) The reports required by the provisions hereof shall be correctly made, by each person required to submit a report, and all information shall be submitted by completely filling in the respective report forms required by the provisions hereof.

(5) The Director shall be entitled to obtain such additional information from, and require such additional reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(6) Every person subject to this order shall for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in cucumber pickles and pickle products.

(e) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of cucumber pickles and pickle products of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, for the enforcement or administration of the provisions of this order.

(f) *Petitions for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, War Food Order No. 101, Fruit and Vegetable Branch, Office of Distribution, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall obtain, by requesting the Order Administrator therefor, a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (f) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(g) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using cucumber pickles or pickle products, or any other material subject to priority or allocation control by any governmental agency. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(h) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order; and one such employee shall be designated by the Director to serve as Order Administrator.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided herein or in instructions issued by the Director, be addressed to the Order Administrator, WFO 101, Fruit and Vegetable Branch, Office of Distribution, War Food Administration, Washington 25, D. C.

(j) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., June 5, 1944.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 2d day of June 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–8050; Filed, June 3, 1944; 3:25 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4903]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

BAUSCH & LOMB OPTICAL COMPANY

§ 3.6 (a 10) *Advertising falsely or misleadingly—comparative data or merits.* In connection with offer, etc., in commerce, of spectacle lenses representing by means of comparative photographs in which the lenses or types of lenses compared are not clearly and accurately identified, or in any other manner, that the marginal correction provided by respondent's Orthogon lenses is substantially greater in comparison with other toric or meniscus lenses than it is in fact; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Bauch & Lomb Optical Company, Docket 4903, May 9, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 9th day of May, A. D. 1944.

In the Matter of Bausch & Lomb Optical Company, a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence taken before an examiner of the Commission theretofore duly designated by it, report of the trial examiner, and briefs in support of and in opposition to the complaint, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Bausch & Lomb Optical Company, a corporation, its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of spectacle lenses in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing by means of comparative photographs in which the lenses or types of lenses compared are not clearly and accurately identified, or in any other manner, that the marginal correction provided by respondent's Orthogon lenses is substantially greater in comparison with other toric or meniscus lenses than it is in fact.

It is further ordered, That respondent shall, within sixty (60) days after the service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44–8016; Filed, June 3, 1944; 10:41 a. m.]

[Docket No. 4973]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

BELT OIL & CHEMICAL CORP., ET AL.

§ 3.6 (j 10) *Advertising falsely or misleadingly—History of product or offering:* § 3.6 (n) *Advertising falsely or misleadingly — Nature — Product:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.96 (a) *Using misleading name—Goods—Qualities or properties.* In connection with offer, etc., in commerce, of respondents' "Rubber-Life" or any similar substance, (1) using the term "Rubber-Life" or any like or similar name to describe the paint like substance sold by it as a tire or rubber preservative; (2) representing that said product penetrates into the minute pores of rubber, increases its resistance to wear; will add 25% or any other percentage to the life of tires; that it is a new invention which increases tire mileage and prevents deterioration of rubber; that it will add thousands of extra miles to the life of a tire; that it is a tire life saver and seals the tiny pores preventing the entrance of dirt and humidity to a tire; that it solidifies the millions of rubber particles on the surface of a tire into one mass; that it improves the molecular structure of rubber or makes rubber harder and more resistant to wear; and (3) representing that said product adds anything to the life or wearing qualities of rubber or to an automobile tire in any way whatsoever; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Belt Oil & Chemical Corporation, et al., Docket 4973, May 10, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of May, A. D. 1944.

In the Matter of Belt Oil & Chemical Corporation, a Corporation, Ernest Buchbinder, and William Blitz, Individually and as Officers of Belt Oil & Chemical Corporation; and Philip M. King, Jr., Stella King, Lila King, and Lillian McKinley, Individually and as Copartners Doing Business Under the Firm Name and Style of Overman & Co.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, and the substitute answer of respondents, in which substitute answer respondents admit all the material allegations of fact set forth in said complaint, and state that they waive all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents Belt Oil & Chemical Corporation, a corporation, its officers, agents and employees, Ernest Buchbinder, being one and the same person known as Ernst Buchbinder, and William Blitz, individually and as officers of Belt Oil & Chemical Corporation; and Philip M. King, Jr., Stella King, Lila King, and Lillian McKinley, being one and the same person known as Lilian McKinley, individually and as copartners doing business under the firm name and style of Overman & Co., their representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of the product sold under the trade name "Rubber-Life" or any similar or like substance, whether sold under that name or any other name, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the term "Rubber-Life" or any like or similar name to describe the paint like substance sold by it as a tire or rubber preservative;

2. Representing that said product penetrates into the minute pores of rubber, increases its resistance to wear; will add 25% or any other percentage to the life of tires; that it is a new invention which increases tire mileage and prevents deterioration of rubber; that it will add thousands of extra miles to the life of a tire; that it is a tire life saver and seals the tiny pores preventing the entrance of dirt and humidity to a tire; that it solidifies the millions of rubber particles on the surface of a tire into one mass; that it improves the molecular structure of rubber or makes rubber harder and more resistant to wear;

3. Representing that said product adds anything to the life or wearing qualities of rubber or to an automobile tire in any way whatsoever.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44–8077; Filed, June 5, 1944; 11:22 a. m.]

[Docket No. 5094]

IMPERIAL DRUG EXCHANGE, INC., ET AL.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure—Safety.* In connection with offer, etc., of respondents' "Dupree Brand New Formula Pills" and "Dupree Pills Double Strength, New and Improved Formula," or any other similar medicinal preparations, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, etc., to induce, etc., directly or indirectly, purchase in commerce, etc., of respondents' said preparations, which advertisements represent, directly or by implication, that said preparations constitute competent and effective treatments for delayed menstruation arising from colds, nervous strain, poor nutrition, anemia, fright, over-exposure, inadequate clothing, change of climate, or from any other cause, or which advertisements fail to reveal that said preparations should not be used in the presence of abdominal pains, nausea, vomiting, or other symptoms of appendicitis; prohibited, subject to the proviso, however, that such advertisements need contain only the statement, "Caution: Use only as directed," if and when the directions for use, wherever they appear, on the label, in the labeling, or both on the label and in the labeling, contain a warning to

the above effect. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec 45b) [Cease and desist order, Imperial Drug Exchange, Inc., et al., Docket 5094, May 9, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 9th day of May, A. D. 1944.

In the Matter of Imperial Drug Exchange, Inc., a corporation, also trading as Dupree Medical Company, and Abraham Parodney, individually, and as an officer of Imperial Drug Exchange, Inc.

This proceeding having been heard by the Federal Trade Commission on the complaint of the Commission and the answer of respondents, in which answer respondents admit all the material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Imperial Drug Exchange, Inc., a corporation, also trading as Dupree Medical Company, or trading under any other name, its officers, and Abraham Parodney, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of respondents' medicinal preparations designated "Dupree Brand New Formula Pills" and "Dupree Pills, Double Strength, New and Improved Formula" or any other medicinal preparations composed of substantially similar ingredients or possessing substantially similar properties, whether sold under the same names or any other name or names, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisements represents, directly or by implication, that said preparations constitute competent and effective treatments for delayed menstruation arising from colds, nervous strain, poor nutrition-anemia, fright, over-exposure, inadequate clothing, change of climate, or from any other cause, or which advertisement fails to reveal that said preparations should not be used in the presence of abdominal pains, nausea, vomiting, or other symptoms of appendicitis: *Provided, however*, That such advertisement need contain only the statement, "Caution: Use only as directed," if and when the directions for use, wherever they appear, on the label, in the labeling, or both on the label and in the labeling, contain a warning to the above effect.

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of said preparations in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any representation prohibited in paragraph 1 hereof, or which fails to comply with the affirmative requirements set forth in paragraph 1 hereof.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON.
Secretary.

[F. R. Doc. 44-8076; Filed, June 5, 1944; 11:21 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51066]

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

PASSENGERS' BAGGAGE

Section 10.17 (i), Customs Regulations of 1943, relating to certified copies of baggage declarations, amended.

Section 10.17 (i), Customs Regulations of 1943 (19 CFR 10.17 (i), is hereby amended by deleting the words "which are not subject to duty and" from the third sentence and by inserting the following as the fourth and fifth sentences thereof:

If the full exemption from duty to which the passenger was entitled in respect of all the articles declared by him at the time of his arrival has previously been exhausted, an entry shall be required in the same manner as if the articles had not previously been declared. However, the requirement of an entry in such cases shall not deprive the articles of the exemption from invoice requirements provided for in § 8.15 (a) (6).

(Par. 1798; sec. 201, 46 Stat. 683, sec. 337, 49 Stat. 1959, sec. 36, 52 Stat. 1093, sec. 498, 46 Stat. 728; 19 U.S.C. 1201, 1498)

W. R. JOHNSON,
Commissioner of Customs.

Approved: June 2, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-8043; Filed, June 3, 1944; 11:24 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

[Rev. VII, Cumulative Supp. 3]

ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Administrator of Foreign Economic Administration, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), Cumulative Supplement 3 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision VII of March 23, 1944 (9 F.R. 3285), is hereby promulgated.[1]

By direction of the President.

CORDELL HULL,
Secretary of State.
D. W. BELL,
Acting Secretary of the Treasury.
FRANCIS BIDDLE,
Attorney General.
WAYNE C. TAYLOR,
Acting Secretary of Commerce.
LEO T. CROWLEY,
Administrator, Foreign Economic Administration.
NELSON A. ROCKEFELLER,
Coordinator of Inter-American Affairs.

JUNE 2, 1944.

[F. R. Doc. 44-8049; Filed, June 3, 1944; 1:53 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T. D. 5376]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

DEDUCTIONS FOR CERTAIN LOSSES

Regulations 111 amended to conform to section 112 of the Revenue Act of 1943, relating to deductions for losses on securities in affiliated corporations; and Regulations 111 and 103 amended to conform to section 113 of the Revenue Act of 1943, relating to partially worthless bad debts.

In order to conform Regulations 111 [Part 29, Title 26, Code of Federal Regulations, Cum. Supp.] to section 112 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, and to conform Regulations 111 and Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Supp.] to section 113 of the Revenue Act of 1943, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 29.23 (g)-1 of Regulations 111 the following:

SEC. 112. DEDUCTION FOR LOSSES ON SECURITIES IN AFFILIATED CORPORATIONS. (Revenue Act of 1943, Title I.)

(a) *Stock losses.* Section 23 (g) (4) (B) of the Internal Revenue Code (relating to losses on stock of affiliated corporations) is amended to read as follows:

(B) More than 90 per centum of the aggregate of its gross incomes for all taxable years has been from sources other than royalties, rents (except rents derived from rental of properties to employees of the company in the ordinary course of its operating business), dividends, interest (except interest received on deferred purchase price of operating assets sold), annuities, or gains from sales or exchanges of stocks and securities; and

* * * * *

(c) *Taxable years to which applicable.* The amendments made by this section shall be applicable with respect to taxable years beginning after December 31, 1941.

PAR. 2. Section 29.23 (g)-2 of Regulations 111 is amended by changing that part designated as (b) to read as follows:

(b) More than 90 percent of the aggregate of the gross incomes of such corporation for all the taxable years during which it has been in existence has been from sources other than royalties, rents (except rents derived from rental of properties to employees of the company in the ordinary course of its operating business), dividends, interest (except interest received on deferred purchase price of operating assets sold), annuities, or gains from sales or exchanges of stocks and securities, and

PAR. 3. There is inserted immediately preceding § 29.23 (k)-1 of Regulations 111 the following:

SEC. 112. DEDUCTION FOR LOSSES ON SECURITIES IN AFFILIATED CORPORATIONS. (Revenue Act of 1943, Title I.)

* * * * *

(b) *Bond losses.* Section 23 (k) (5) (B) of the Internal Revenue Code (relating to losses on securities of affiliated corporations) is amended to read as follows:

(B) More than 90 per centum of the aggregate of its gross incomes for all taxable years has been from sources other than royalties, rents (except rents derived from rental of properties to employees of the company in the ordinary course of its operating business), dividends, interest (except interest received on deferred purchase price of operating assets sold), annuities, or gains from sales or exchanges of stocks and securities; and.

(c) *Taxable years to which applicable.* The amendments made by this section shall be applicable with respect to taxable years beginning after December 31, 1941.

SEC. 113. PARTIALLY WORTHLESS BAD DEBTS. (Revenue Act of 1943, Title I.)

(a) *In general.* The first sentence of section 23 (k) (1) (relating to deductions for bad debts) is amended to read as follows: "Debts which become worthless within the taxable year; or (in the discretion of the Commissioner) a reasonable addition to a reserve for bad debts; and when satisfied that a debt is recoverable only in part, the Commissioner may allow such debt, in an amount not in excess of the part charged off within the taxable year, as a deduction."

(b) *Years to which applicable.* The amendment made by this section shall be effective with respect to taxable years beginning after December 31, 1938.

PAR. 4. There is inserted immediately preceding § 19.23 (k)-1 of Regulations 103 the following:

SEC. 113. PARTIALLY WORTHLESS BAD DEBTS. (Revenue Act of 1943, Title I.)

(a) *In general.* The first sentence of section 23 (k) (1) (relating to deductions for bad debts) is amended to read as follows: "Debts which become worthless within the taxable year; or (in the discretion of the Commissioner) a reasonable addition to a reserve for bad debts; and when satisfied that a debt is recoverable only in part, the Commissioner may allow such debt, in an amount not in excess of the part charged off within the taxable year, as a deduction."

(b) *Years to which applicable.* The amendment made by this section shall be effective with respect to taxable years beginning after December 31, 1938.

PAR. 5. Section 29.23 (k)-1 of Regulations 111, and § 19.23 (k)-1 of Regulations 103 as amended by Treasury Decision 5234, approved March 1, 1943, are each amended as follows:

(A) By striking from the third sentence of the second paragraph of paragraph (a) of such sections the words "which becomes worthless", and inserting in lieu thereof the words "which becomes wholly worthless".

(B) By striking the first two sentences of the first paragraph of paragraph (b) of such sections, and inserting in lieu thereof the following:

If, from all the surrounding and attending circumstances, the Commissioner is satisfied that a debt is partially worthless, the amount which has become worthless, to the extent charged off during the taxable year, shall be allowed as a deduction in computing net income. If a taxpayer claims a deduction for a part of a debt for the taxable year within which such part of the debt is charged off and such deduction is disallowed for such year and the debt becomes partially worthless subsequent to such year, a deduction may be allowed for a subsequent taxable year, not in excess of the amount charged off in the prior year plus any amount charged off in the subsequent year, the charge-off in the prior year, if consistently maintained as such, being sufficient to that extent to meet the charge-off requirement. Before a taxpayer may deduct a debt in part, he must be able to demonstrate to the satisfaction of the Commissioner the amount thereof which is uncollectible and the part thereof which was charged off.

(C) By striking the last sentence of paragraph (c) of such sections, and inserting in lieu thereof the following:

If a taxpayer does not claim a deduction in its return for such a totally or partially worthless debt for the year in which such charge-off takes place, but claims such deduction for a later year, then such charge-off in the prior year will be deemed to have been involuntary and the deduction shall be allowed for the year for which claimed, if the taxpayer produces sufficient evidence to show (1) that the debt became wholly worthless in such later year or became recoverable only in part subsequent to the year of such involuntary charge-off, as the case may be, and (2) that, to the extent that the deduction claimed in the later year for a debt partially worthless was not involuntarily charged off in prior years, it was charged off in the later year.

PAR. 6. Section 29.23 (k)-3 of Regulations 111, and § 19.23 (k)-3 of Regulations 103 as amended by Treasury Decision 5234, are each amended by changing the first sentence of the first paragraph of such sections to read as follows:

If mortgaged or pledged property is lawfully sold (whether to the creditor or another purchaser) for less than the amount of the debt, and the portion of the indebtedness remaining unsatisfied after such sale is wholly or partially uncollectible, the mortgagee or pledgee may deduct such amount (to the extent that it constitutes capital or represents an item the income from which has been returned by him) as a bad debt for the taxable year in which it has become wholly worthless or is charged off as partially worthless.

PAR. 7. Section 29.23 (k)-4 of Regulations 111, and § 19.23 (k)-4 of Regulations 103 as amended by Treasury Decision 5258, approved April 13, 1943, are each amended by striking out the second sentence of the fourth paragraph in such sections, and inserting in lieu thereof the following:

If, however, due, for instance, to the financial condition of a debtor, or conditions other than market fluctuation, the taxpayer will recover upon maturity none or only a part of the debt evidenced by the bonds or other similar obligations (which bonds or other obligations are not securities as defined in this section) and he so demonstrates to the satisfaction of the Commission, and if he has made a proper charge-off with respect to the debt partially uncollectible, he may deduct in computing net income the uncollectible part of the debt evidenced by the bonds or other similar obligations.

PAR. 8. Section 29.23 (k)-4 of Regulations 111 is amended by changing the last sentence of the last paragraph to read as follows:

For the purpose of this section, a corporation is deemed to be affiliated with the taxpayer only if the taxpayer owns at least 95 percent of each class of the stock of such corporation, if more than 90 percent of the aggregate of the gross incomes of such corporation for all taxable years has been from sources other than royalties, rents (except rents derived from rental of properties to employees of the company in the ordinary course of its operating business), dividends, interest (except interest received on deferred purchase price of operating assets sold), annuities, or gains from the sales or exchanges of stocks and securities, and if the taxpayer is a domestic corporation.

(Secs. 112 and 113, Revenue Act of 1943 (Pub. Law 235, 78th Cong.), enacted Feb. 25, 1944, and sec. 62, Internal Revenue Code (53 Stat. 32, 26 U. S. C., 1940 ed., 62))

[SEAL] HAROLD N. GRAVES,
Acting Commissioner, of Internal Revenue.

Approved: June 3, 1944.

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44-8096; Filed, June 5, 1944; 11:48 a. m.]

[1] Filed with the Division of the Federal Register. Requests for printed copies should be addressed to the Federal Reserve Banks or the Department of State.

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 13, as Amended June 3, 1944]

§ 944.34 *Priorities Regulation 13*—(a) *Purpose of this regulation.* This regulation, in general, describes the rules under which materials may be sold by persons who are not in the regular business of selling such materials. While most sales of this kind will be sales of frozen, idle, or excess materials the regulation also covers any sale from inventory by such persons. For example, a person who has idle materials on hand because his business has been converted to war work, or because the business he used to carry on has been stopped or limited by War Production Board orders, or whose contract has been cancelled or changed, may sell off the idle or excess materials only under the rules in this regulation and, if he follows this regulation, he does not have to look at any other order or regulation except in a few cases which are described in paragraph (f) (2) below. This regulation also controls liquidation sales, bankruptcy sales, general auction sales, and other special sales, as defined in paragraph (b) (1).

(b) *Special definitions used in this regulation.* This regulation deals only with "special sales" of "industrial materials" or "finished products." As used in the regulation, those terms have the following meanings:

(1) "Special sale" means a sale of a material or product by a person who does not, in the regular course of his business, sell it in that form. For example, if a manufacturer sells the raw material he has bought to use in making his regular product, it is a special sale because selling raw material is not his regular business. Or, if a contractor has bought building materials and equipment to build a building and cannot finish it and sells them, that is a special sale because his business is building houses, not selling lumber and nails and lighting fixtures. Liquidation sales by trustees in bankruptcy, receivers and other kinds of liquidators (unless they are continuing to operate a business) and sales by general auctioneers are special sales as that type of person is not considered to be regularly in the business of selling any particular products.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind. It includes both "industrial materials" and "finished products."

(3) "Industrial materials" means the simple kinds of materials that finished products are made out of. It includes simple material forms like pipe, metal sheet and rod, wire, lumber, chemicals, nails, nuts and bolts. These are things that are bought for use in making something else, or are to be put together with other things to make a finished product.

(4) "Finished products" means completed articles which are ready for use just as they are and which do not need to be put together with something else before they can be used. It includes wrenches and hammers, assembled parts, replacement parts and products like tools, machinery, motors, valves, drums and fabricated industrial, agricultural or household equipment. Other examples of what it includes are clothing, furnishings, light bulbs, etc.

(5) "Used materials" means any industrial materials or finished products which have been put into actual use.

(6) Materials not covered by this regulation. There are three types of materials which are not covered by this regulation. They are the following:

(i) Scrap. This includes both scrap normally generated in production and other material which is sold as scrap. There are special orders covering certain types of scrap and except in those cases scrap may be sold to a scrap dealer.

(ii) Rationed products which are controlled by another government agency.

(iii) Foods for humans or animals, medicines, tobacco, oils and fats, petroleum and petroleum products including natural and liquefied petroleum gases.

(c) *Kinds of special sales which may be made.* If a person wants to make a "special sale" (as described above), the rules in this regulation apply and only these rules. There is no need to look at any other order or regulation, and these rules must be followed, no matter how the material was bought, and no matter what any other order or regulation provides. The only exceptions to this rule are stated in paragraphs (f) (2) and (3). The types of special sales which may be made are the following:

(1) *Materials not on Lists A or B.* (i) Industrial materials not on List A may be sold freely to anyone.

(ii) Finished products not on List B may be sold freely to any producer who makes such a product in the form in which the holder has it, or to a wholesaler whose regular business is selling that sort of a product either to industrial users or to other distributors for resale. They also may be sold to anyone else on a rating of AA-5 or higher. If a holder has a total of not more than $100.00 worth of the particular finished product he wants to sell, he may sell it freely to anyone. In deciding whether he has $100.00 worth, he must count all products of the same type and style. For example, all wrenches, or chairs or ash cans. This does not mean that a person may sell freely separate lots worth less than $100.00 if he has more than that amount. It only allows the sale if all he has of that product is worth $100.00 or less. A holder may also make a special sale of a finished product which is not on List B if he obtains permission from the War Production Board as explained below in paragraph (c) (2) (iii).

(2) *Materials on List A or List B.* If the material that the holder wants to sell is one of the industrial materials listed on List A or is a finished product appearing on List B, the following are the only kinds of sales that can be made.

(i) Sales may be made in accordance with List A or List B. Those lists have four columns showing classes of buyers who might want to buy materials. Opposite each material on the lists in each column is shown whether, and under what conditions, sales can be made to the class of buyer described in the heading of the column.

(ii) A holder may sell freely to one of the following Government corporations, or to anyone buying as agent for one of them: Commodity Credit Corporation, Defense Supplies Corporation, Metals Reserve Company or Rubber Reserve Company.

(iii) A holder may sell if he has been given permission by the War Production Board to make the particular sale. Form WPB-1161 (FD-470) should be used in applying for permission. It shows the information which is needed before permission can be given and it should be sent to the regional office of the War Production Board in the region where the material is located. Copies of this form can be obtained from district or regional offices of the War Production Board. If a note in List A or List B states that another form is to be used, application should be made on that form.

(iv) A holder may sell freely to anyone if he has a total of not more than $100 worth of the particular material to be sold, unless it is one of the few materials for which special rules and amounts are stated in Column 6 of List A or List B. In deciding whether the holder has $100 worth he must count all material of the same type and composition. For example, all zinc sheet or cattle hides, or all cotton duck, or all shovels or hammers. This paragraph does not mean that a person may sell freely lots worth less than $100 if he has more than that amount. It only allows the sales if all he has of that kind of material is worth $100 or less.

(v) If the material is copper, copper base alloy, aluminum or steel in a form described as a "controlled material" in CMP Regulation 1, the holder may sell it to a buyer who gives him an order bearing a CMP allotment symbol or number and this certification:

> The undersigned purchaser certifies that he is entitled under CMP regulations to place an authorized controlled material order for the above material.
>
> ---

Or the certification may be in the form set out in CMP Regulation 7 or in any other form which may be used in placing an authorized controlled material order. The buyer must charge material bought under this paragraph, against his CMP allotment account. If the material which the holder wants to sell is steel he may also sell it to steel warehouses, dealers or distributors on orders bearing the endorsements described in M-21-b-1 and M-21-b-2.

(vi) Special permission to sell controlled materials. The War Production Board may give special permission to sell idle or excess controlled materials for any use which is permitted under War Production Board orders or regulations either to a person who has no allotment or to a person who already has an allotment and an authorized production schedule under the Controlled Material Plan. This permission may be given only if the material has been reported to the War Production Board as idle or excess and if the material is iron, steel, aluminum, copper or copper base alloy in controlled material form. If this permission is given, the holder need not get from the buyer the certification provided in paragraph (c) (2) (v) above and if the buyer has an allotment he does not have to charge against his allotment account the amount of controlled materials bought under this special permission. In the case of copper and copper base alloy in controlled material form, the above permission may be given only if the buyer has a production schedule authorized under the Controlled Materials Plan and will use the material for the same purpose for which the production schedule was authorized. The seller may apply for this permission in person or by writing, wiring or telephoning, giving full details about the size, shape, analysis, specifications and quantity of the material and the purpose for which it will be used. Requests for such permission should be directed to the regional office of the War Production Board for the region in which the material is located or to the appropriate materials division.

(3) *Special orders.* If the War Production Board, by an order or in any other way, has ruled that all persons engaged in a particular business may sell or exchange materials between themselves, they can do so.

(4) *Used materials.* Used materials may be sold freely to anyone unless there is a notation in List A or List B restricting the sale of the particular used material which the holder wants to sell.

(d) *Transfers within a company.* If a person wants to transfer material from one of his plants or operating units to another one which normally purchases separately, the transfer is considered equivalent to a sale and he may make it only under the same conditions as he could make a special sale under this regulation. In any other case where a person who has obtained material with priorities assistance wants to use it for another purpose, he should refer to § 944.11 of Priorities Regulation 1 or (in the case of controlled materials or Class A products obtained with an allotment) to paragraph (u) of CMP Regulation 1.

(e) *Replacing material sold.* If a person sells material under this regulation to someone who gives him a priority rating or a CMP allotment symbol or number, the seller cannot use this rating or allotment to replace the material he has sold. The effect of this rating or symbol or number stops when the seller receives it.

(f) *Sales covered by this regulation.* (1) This regulation applies only to "special sales" (as described in paragraph (b) (1)) and if the holder is regularly engaged in selling a material a sale of it by him is not a special sale and he is governed by all orders and regulations of the War Production Board which apply to the material he is selling.

(2) Provisions in any orders or regulations issued before June 1, 1944 which say that this regulation does not apply may be disregarded, except for Order U-1 affecting utilities, WPB Directive 16, which provides special rules for aircraft inventory transfers, and Order P-98-c, which applies to special sales in the petroleum industry. To find the rules for making a special sale there is no need to refer to any order or regulation other than Priorities Regulation 13, outside of the three exceptions stated. However, if another order or regulation issued after June 1, 1944 expressly mentions Priorities Regulation 13 and says that this regulation does not apply to a particular type of sale, then that order or regulation takes the place of this regulation.

(3) If any seller is allowed to make a sale under this regulation, the buyer is permitted to buy and accept delivery, except that:

(i) The buyer may not violate any regulation or order controlling the quantity of material which he may have or buy or receive or the amount of any product he may make or the use that he may make of any particular material. All the prohibitions in orders against the use of materials for particular purposes remain in effect.

(ii) If any order or regulation provides that a buyer of material must make any report or furnish any information either to the War Production Board or to the seller, this regulation does not excuse him from these requirements.

(iii) If any holder of material knows that a person who wants to buy it will use it for a prohibited purpose or would have more of it than he is permitted to have, the sale cannot be made.

(g) *Records.* Any person making a sale under this regulation must keep sufficient records so that he can show that the sale was permitted under this regulation.

(h) *Listing materials with the War Production Board.* If anyone has any excess, idle or frozen material that he wants to sell, he should report it to his nearest War Production Board office giving full details about its size, shape, analysis, specifications and quantity, and they will try to help him.

(i) *Letters and questions.* Any letters or questions about this regulation should be sent either to the Redistribution Division of the War Production Board in Washington, marked "Ref: P.R. 13", or to any of the field offices of the War Production Board.

(j) *Revisions of Lists A and B.* Lists A and B attached to this regulation will be revised on the first of each month. A person wishing to sell material under this regulation should be sure that he has the list which is in effect at the time of the sale. Copies may be obtained from any field office of the War Production Board.

Issued this 3d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LISTS A AND B

Explanation of Lists A and B: Column (1) of List A lists the industrial materials (as defined in paragraph (b) (3) that are restricted under the regulation. This shows in some instances the class or group of materials and does not always list all the trade names and related materials.

Column (1) of List B lists the finished products to which the general sales rules in paragraph (c) (1) (ii) do not apply because the finished product is either more or less restricted than the general rule.

Columns (2), (3), (4) and (5) each apply to a type of possible buyer. Opposite each material in each column is shown the conditions under which a special sale of the particular material may be made to the person described in the heading of the column.

Column (2) applies to persons who make or produce material in the form in which the holder bought it. This includes non-integrated producers. If the holder bought copper wire, column (2) refers to a wire mill, which makes copper wire. If he bought a machine tool, it refers to a company which makes that kind of a product.

Column (3) refers to persons who are permitted to buy and use the material for production, construction, maintenance, repair or operating supplies or for capital expansion or replacement.

Column (4) refers to persons who buy new, rejected or second grade materials and who rework them. This includes persons who change the form of the material by redrawing, rerolling, etc., except that it does not include controlled material producers.

Column (5) refers to persons who are wholesale dealers in the material the holder has like a wholesaler in chemicals or textiles. A wholesaler means anyone whose regular business consists in whole or in part of the sale from stock or inventory of the particular materials or products to other persons for the purpose of resale, or for fabrication or assembly into other products. It also includes persons who recondition or rebuild equipment and machinery for resale to industrial users. Such a person is not, however, relieved from compliance with any orders or regulations of the War Production Board which control the distribution of the material by him.

Column (6) contains notes which should be read whenever a star (*) or note shows on the list.

If the list shows "no," it means that the holder cannot sell to the class of person mentioned in the column head without special permission of the War Production Board except when a note in column (6) allows certain kinds of sales. Paragraph (c) (2) (iii) of the regulation tells how to get permission.

If the list shows "PR" followed by a letter and number, like "PR AA-5," it means that the holder can sell to anyone who gives him an AA-5 priority rating for the sale, or a higher rating.

If the list shows "W. O. P.," it means the holder can sell to the person at the head of the column without any priority rating or allocation or allotment being necessary.

If the list shows "X," it means that there are no persons who fall in the description at the top of the column so far as that particular material is concerned.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION

This list refers only to new industrial material unless used industrial material is specifically mentioned. Industrial material not on this list may be sold freely to anyone.

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
PART I—METALS AND METALLIC ORES					
Alumina	W. O. P.	W. O. P.*	X	W. O. P.	*Only for the manufacture of aluminum or abrasives.
Aluminum (new and used):					
In controlled material form	W. O. P.	No.*	W. O. P.**	W. O. P.	*Only to fill orders under paragraphs (c) (2) (v) and (vi) of the regulation. **Only to approved reprocessors. Lists available at WPB offices.
Not in controlled material form	W. O. P.	W. O. P.	W. O. P.**	W. O. P.	
Antimony:					
Antimony*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes ores and concentrates, metal, liquated antimony and any alloy containing 50% or more of antimony by weight.
Chemicals (see Chemicals).					
Antimonial lead (see Lead).					
Babbitt (see Tin).					
Bauxite	W. O. P.	W. O. P.*	X	X	*Only for the manufacture of alumina or abrasives.
Beryllium*	W. O. P.	No	No	W. O. P.	* Includes ores, concentrates, and metal beryllium.
Bismuth	W. O. P.	No	No	W. O. P.	
Brass (see Copper).					
Brass mill and wire mill products (see Copper).					
Bronze (see Copper).					
Cadmium:					
Cadmium*	No	No	No	No	*Includes metallic cadmium in all forms, residues, dross, and other cadmium bearing material.
Chemicals (see Chemicals)					
Chromium:					
High carbon ferro-chromium over .50 carbon.	W. O. P.	W. O. P.	X	W. O. P.	
Low carbon ferro-chromium under .50 carbon.	W. O. P.	W. O. P.	X	W. O. P.	
Copper:					
In controlled material form (new and used)*:					*A holder may sell freely to anyone, any item of copper or copper base alloy material if the total amount of that item held by him (determined as provided in para. (c) (2) (iv) of this regulation) does not exceed $25.00 in value. "Item" means any sheet, wire, rod, tube or cable made from copper or copper base alloy which is different from all other items of that form, by reason of one or more differences of its specifications such as size, shape, gauge, thickness, alloy, or insulation. Differences in temper or length do not differentiate items.
Brass mill products	W. O. P.	No**	No***	No****	**Only to fill orders under para. (c) (2) (v) and (vi) of the regulation. ***Only to persons permitted to accept delivery pursuant to Copper Order M-9. ****Only to persons having specific authorization to buy.
Copper wire mill products (bare and insulated).	W. O. P.	No**	No***	No****	
Foundry copper or copper base alloy products.	X	No**	X	X	
Not in controlled material form (new and used):					
Copper raw materials (Ref. shapes & Cu. and Cu. base alloy ingots).	No***	No***	X	No***	
Semi-fabricated or fabricated unassembled parts or products, etc. (including bolts, nuts, screws, rivets, washers, studs, and pins (such as cotter, clevis, brake, knuckle and taper)).	W. O. P.	PR-AA5	PR-AA5	PR-AA5	
Corundum (see Part III).					
Cryolite	No	No	No	No	
Electrical resistance material*	W. O. P.	PR-AA5	PR-AA5	W. O. P.	* Material in form of ribbon or wire in which nickel or chromium or both are used to create electrical resistance for development of heat.
Ferroalloys* (other than ferrocolumbium).					* May be sold as provided for principal non-ferrous element.
Ferrocolumbium*	W. O. P.	W. O. P.**	X	X	* Includes any alloy containing 45% or more of columbium. ** 500 lbs. or less may be sold to any one buyer in any month.
Inconel (see Nickel).					
Iridium	W. O. P.	No	No	No	
Iron:					
Alloy iron castings*	W. O. P.	W. O. P.	W. O. P.	X	*Does not include materials commonly known as "ferro-alloys."
Cast iron products	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Malleable iron castings	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Pig iron	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wrought iron (see steel).					
Lead:					
Lead	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Antimonial lead	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Lithium:					
Lithium ore	W. O. P.	No	No	No	
Lithium chemicals (see Chemicals).					
Magnesium and magnesium products*	W. O. P.	W. O. P.	W. O. P.**	No	*Includes castings, extrusions, sheet, strip, plate, forgings and powder. **Only to approved reprocessors. Lists available at WPB offices.
Molybdenum wire products*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes hydrogen reduced powder.
Monel (see Nickel).					
Nickel (new and used):					
Nickel pig, ingot, cathode, pellet, shot and anode.	W. O. P.	No	No	W. O. P.	
Other nickel* (including monel and inconel).	W. O. P.	PR-AA5	PR-AA5	W. O. P.	*Includes any other alloyed or unalloyed metallic nickel, ferro-nickel, matte and materials from which nickel is commercially recoverable.
Chemicals (see Chemicals)					
Osmium	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Can be used only in implements of war.
Platinum:					
Platinum	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Cannot be used for jewelry.
Chemicals (see Chemicals).					
Rhodium:					
Rhodium	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Cannot be used for jewelry.
Chemicals (see Chemicals).					
Silver:					
Foreign silver	W. O. P.	No	W. O. P.	W. O. P.	
Domestic silver	W. O. P.	No	W. O. P.	W. O. P.	
Treasury silver	W. O. P.	No	W. O. P.	W. O. P.	

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Solder	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Steel, alloy and carbon (including wrought iron)*:					*Pursuant to para. (c) (2) (iv), a holder may sell freely to anyone any item of iron or steel if the total amount of that item held by him does not exceed $50.00 in value. "Item" means steel or iron which is identical in form, shape, rolling treatment, (hot rolled or cold finished) chemistry, specifications, finish and size.
In controlled material form:					
Alloy steel castings	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Axles (railway)	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rails and track accessories (rail joints, tie plates, track spikes, and track bolts).	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Sheet piling	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tin plate, terne plate, and tin mill black plate	W. O. P.	W. O. P.	X	No**	**Only to fill orders under para. (c) (2) (v) and (vi) of the regulation.
Tires	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wheels	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
All other controlled material forms of steel (including wrought iron).*	W. O. P.***	No**	No**	No**	*See CMP Reg. 1 for list of controlled material forms. ***Also includes nonintegrated steel producers who further process steel.
Not in controlled material form:					
Bolts, nuts, screws, rivets, washers, studs, and pins (such as cotter, clevis, brake, knuckle, and taper).	W. O. P.	W. O. P.	X	W. O. P.	
Cotton bale ties	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Forgings	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Track materials:					
Frogs, switches, crossings, switch stands, guard rails, guard rail clamps, rail braces, rail anchors, gauge rods, clip bolts, rail clips and nut locks	W.O.P.	W.O.P.	W.O.P.	W.O.P.	
Steel, other	W.O.P.	PR-AA5	PR-AA5	PR-AA5	
Wrought iron	W.O.P.	W. O. P.	W.O.P.	W.O.P.	
Tantalum*	No	No	X	No	*Includes ores, ferro-tantalum, concentrates and materials containing commercially recoverable tantalum.
Tin:					
Tin	No	No	No	No	
Babbitt	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tin solder (see Solder).					
Tin bearing alloys	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Foil	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tungsten wire products*	W. O. P.	No	W. O. P.	W. O. P.	*Includes hydrogen reduced powder.
Uranium*					*Includes metal, crude ores, residues, matte and any alloy or mixture containing 1/10 of 1% or more uranium by weight.
Vanadium*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes ores, concentrates, metal, ferro-vanadium, and material containing commercially recoverable vanadium.
Welding rods and electrodes	W. O. P.	PR AA-5	X	W. O. P.	
Wrought iron (see steel).					
Zinc:					
Zinc	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Chemicals (see Chemicals).					
Dust	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Zippers (see slide fasteners)					
PART II—CHEMICALS					
Chemicals listed herein when sold under trade names may be sold as provided for the particular chemical.					
Acetaldehyde	W. O. P.	No*	W. O. P.	W. O. P.	*54 gals. Mo.[1]
Acetate, vinyl (and polymers of)	W. O. P.	No*	X	No	*25 lbs. Mo.[1]
Acetic anhydride**	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1] **Also called ethanoic anhydride, acetyl oxide and acetic oxide.
Acetone	W. O. P.	No*	X	W. O. P.	*5 drums Mo.[1]
Acids:					
Acetic	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Adipic**	W. O. P.	No*	X	W. O. P.	*10 lbs. Mo.[1] ** Includes all derivatives except "Nylon."
Anhydrous hydrofluoric	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (5 tons No.)
Arsenious**	W. O. P.	W. O. P.	W. O. P.	W. O. P.	**Also called arsenic trioxide and white arsenic.
Citric	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (440 lbs. Qr.)
Maleic	W. O. P.	No*	X	W. O. P.	*200 lbs. Mo.[1]
Naphthenic	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Nicotinic acid	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (1 kilogram Mo.)
Sulfuric	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Phosphoric	W. O. P.	No*	X	W. O. P.	*5 tons Mo.[1]
Acrylic Monomers and Acrylic Resins:					
Cast sheet	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (50 sq. feet Mo.)
Molding sheet	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (50 sq. feet Mo.)
Molding powder	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (100 lbs. Mo.)
Cast shapes	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (50 lbs. Mo.)
Tube	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (25 lbs. Mo.)
Rod	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (25 lbs. Mo.)
Solution	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (400 lbs. Mo.)
Emulsion	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (400 lbs. Mo.)
Monomer	W. O. P.	W. O. P	X	W. O. P.	*See footnote (2) (10 gals. Mo.)
Granular polymers	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (100 lbs. Mo.)
Acrylonitrile**	W. O. P.	No*	X	W. O. P.	**Also called vinyl cyanide.
Agar	W. O. P.	W. O. P.	X	W. O. P.	
Alcohols:					
Butyl**	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1] **Includes isobutyl, secondary butyl, and tertiary butyl.
Caprylic**	W. O. P.	No*	X	W. O. P.	*70 lbs. Mo.[1] **Also called methyl hexyl carbinol or 2-Octanol.
Ethyl	W. O. P.	No	X	W. O. P.	

[1] This quantity may be sold freely, but the buyer's aggregate purchases may not exceed the amount shown during the period stated.
[2] May be sold freely to a user, but the buyer must make application on Form WPB-[illegible] or by letter to the Chemicals Bureau, War Production Board, Washington 25, D. C., for permission to use the particular chemical, if the amount to be used exceeds the exempt quantity shown in col. 6 above.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Alcohols—Continued.					
Hexahydric Alcohols:					
d-Sorbitol	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Technical grade d-Sorbitol	W. O. P.	No*	X	W. O. P.	*90 lbs. Mo.[1]
Commercial grade	W. O. P.	No*	X	W. O. P.	*600 lbs. Mo.[1]
Mannitol-crystalline	W. O. P.	No*	X	W. O. P.	*280 gals. Mo.[1]
Higher Aliphatic Alcohols:					
Normal octanol	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Normal decanol	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Lauryl alcohol	W. O. P.	No*	X	W. O. P.	*360 lbs. Mo.[1]
Mixed aliphatic alcohols	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
2-ethyl hexanol	W. O. P.	No*	X	W. O. P.	*370 lbs. Mo.[1]
Isopropyl	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (270 gals. Mo.)
Methyl (methanol)	W. O. P.	No*	X	W. O. P.	*540 gals. Mo.[1]
Alcohols, denaturants					
Acetaldol	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Dehydrol	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
G. C. 78	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
St. 115	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Alkanolamines	W. O. P.	No*	X	W. O. P.	*5 gals. Mo.[1]
Allyl Alcohol	W. O. P.	No*	X	X	*50 lbs. Mo.[1]
Allyl Chloride	W. O. P.	No*	X	X	*50 lbs. Mo.[1]
Aluminum hydrate	W. O. P.	No	X	W. O. P.	
Aluminum chloride, anhydrous	W. O. P.	No*	X	W. O. P.	*600 lbs. Mo.[1]
Ammonia:					
By-product ammonia**	W. O. P.	No	X	W. O. P.	**Includes salts and solutions.
Sulphate of ammonia**	W. O. P.	W. O. P.	X	W. O. P.	**Containing 20.5% nitrogen or less.
Synthetic ammonia**	W. O. P.	No	X	W. O. P.	**Includes salts and solutions.
Aniline, aniline oil, and aniline salts	W. O. P.	No*	X	W. O. P.	*500 lbs. Mo.[1]
Antimony sulphide	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Antimony oxide	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Antimony chemicals, other	W. O. P.	W. O. P.	X	W. O. P.	
Aromatic petroleum solvents** (excluding toluol and benzol)	W. O. P.	No*	X	W. O. P.	*60 gals. Mo.[1] **Includes solvents or naphthas of petroleum origin containing more than 30% of aromatic hydrocarbons and all grades of Xylol.
Barbasco root	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Benzaldehyde	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (50 lbs. Mo.)
Benzene	W. O. P.	No*	No	W. O. P.	*50 gals. Mo.[1]
Benzene containing oils	W. O. P.	No	No	W. O. P.	
Beryllium chemicals	W. O. P.	No	No	W. O. P.	
Butadiene	W. O. P.	No*	X	W. O. P.	*125 lbs. Mo.[1]
2-butanol	W. O. P.	No	X	W. O. P.	
Butyl phthalyl butyl glycollate	W. O. P.	No*	X	W. O. P.	*55 gals. Mo.[1]
Cadmium pigment	W. O. P.	No*	No	W. O. P.	*25 lbs. Mo.[1]
Calcium carbide	W. O. P.	No*	X	W. O. P.	*30 tons Mo.[1]
Calcium carbonate, precipitated	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Calcium hypochlorite, high test**	W. O. P.	No	X	No	**A available chlorine content 65% or more by weight.
Calcium metal	W. O. P.	No*	X	W. O. P.	*3 lbs. Mo.[1]
Other forms	W. O. P.	No*	X	W. O. P.	*2 lbs. Mo.[1]
Carbolates, containing 10% or more of phenols (see Phenols).					
Carbon black, furnace type	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Carbon tetrachloride	W. O. P.	No*	W. O. P.	W. O. P.	*52 gals. Mo.[1]
Casein	W. O. P.	No*	No	W. O. P.	*2000 lbs. Mo.[1]
Castor oil phthalate	W. O. P.	No	X	W. O. P.	
Castor oil phthalate hydrogenated	W. O. P.	No	X	W. O. P.	
Cellophane (See list B).					
Cellulose acetate**	W. O. P.	No	X	W. O. P.	**In primary unfabricated forms.
Cellulose acetate butyrate**	W. O. P.	No	X	W. O. P.	**In primary unfabricated forms.
Cellulose ester flake**	W. O. P.	No*	X		*100 lbs. Mo.[1] **Including cellulose acetate flake, cellulose acetate, butyrate flake, cellulose acetate propionate.
Cellulose ester sheets, rods, tubes and molding powder:					
Cellulose plastic molding powder	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Cellulose plastic sheets	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Cellulose plastic rods	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Cellulose plastic tubes	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Cellulose nitrate, plasticized**	W. O. P.	W. O. P.[1]	X	X	**In primary unfabricated forms, except that used in explosives and protective coatings.
Charcoal	W. O. P.	No*	X	W. O. P.	*1,000 lbs. Mo.[1]
Chestnut extract	No	No	No	No	
Chlorate and perchlorate chemicals**	W. O. P.	No*	No	W. O. P.	*25 lbs. Mo.[1] **Includes potassium, sodium and barium chlorates, potassium and ammonium perchlorates; perchloric acid; and any other chlorate or perchlorate chemical.
Chlorobenzenes:					
Monochlorobenzene	W. O. P.	W. O. P.	X	W. O. P.	
Orthodichlorobenzene	W. O. P.	W. O. P.	X	W. O. P.	
Paradichlorobenzene	W. O. P.	W. O. P.	X	W. O. P.	
Chlorethylene	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Chloride of lime**	W. O. P.	W. O. P.	X	W. O. P.	**Calcium hypochlorite with available chlorine content of from 30 to 65% weight.
Chlorine	W. O. P.	No	X	W. O. P.	
Chlorinated hydrocarbon solvents	W. O. P.	No	No	W. O. P.	
Chlorinated rubber (see Rubber Part III).					
Chrome Pigments:					
Class A	W. O. P.	No*	X	W. O. P.	*Class A products, subject to quota (See M-370).
Class B	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1] of zinc chromate and 25 lbs. Mo.[1] of chromium oxide green.
Chromium Chemicals:					
Ammonium bichromate	W. O. P.	No*	No	W. O. P.	*300 lbs. Mo.[1]
Chromic Acid	W. O. P.	No*	No	W. O. P.	*300 lbs. Mo.[1]
Chromium tanning compounds	W. O. P.	No*	No	W. O. P.	*See sodium bichromate.
Sodium bichromate	W. O. P.	No*	No	W. O. P.	*4,000 lbs. Mo.[1] or its equivalent in chromium tanning compounds.
Sodium chromate	W. O. P.	No*	No	W. O. P.	*300 lbs. Mo.[1]
Potassium bichromate	W. O. P.	No*	No	W. O. P.	*300 lbs. Mo.[1]
Potassium chromate	W. O. P.	No*	No	W. O. P.	*300 lbs. Mo.[1]

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* May be sold freely to a user, but the buyer must make application on Form WPB-2945 or by letter to the Chemicals Bureau, War Production Board, Washington 25, D. C., for permission to use the particular chemical, if the amount to be used exceeds the exempt quantity shown in col. 6 above.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Cobalt oxide	W. O. P.	No	X	W. O. P.	*1,000 lbs. quarter.[1]
Copper carbonate	W. O. P.	No*	X	W. O. P.	*1,000 lbs. quarter.[1]
Copper chloride	W. O. P.	No*	X	W. O. P.	*1,000 lbs. quarter.[1]
Copper cyanide	W. O. P.	No*	X	W. O. P.	*1,000 lbs. quarter.[1]
Copper oxide (except cuprous oxide)	W. O. P.	No*	X	W. O. P.	*4,000 lbs. quarter.[1]
Copper sulphate	W. O. P.	No*	X	W. O. P.	
Cotton pulp, chemical	W. O. P.	No	X	W. O. P.	
Cresols: ortho, meta, and para	W. O. P.	No	No	W. O. P.	
Cuprous oxide	W. O. P.	No	W. O. P.	W. O. P.	
Cyanamid	W. O. P.	No*	X	W. O. P.	*500 lbs. Mo.[1]
Cyanide (sodium)	W. O. P.	No*	X	W. O. P.	*1,000 lbs. Mo.[1]
DDT	W. O. P.	No*	X	W. O. P.	*1 lb. Mo.[1]
Diacetone	W. O. P.	No*	X	W. O. P.	*5 drums Mo.[1]
Diamyl phthalate	W. O. P.	No	X	W. O. P.	
Di-butoxy ethyl phthalate	W. O. P.	No	X	W. O. P.	
Dibutyl phthalate	W. O. P.	No	X	W. O. P.	
Dicaprylphthalate	W. O. P.	No	X	W. O. P.	
Dichlorethyl ether	W. O. P.	No	No	No	*550 lbs. Mo.[1]
Dichlorodifluoromethane	W. O. P.	No	X	W. O. P.	*See footnote (2) (5 lbs. Mo.)
Dichlorostyrene	W. O. P.	W. O. P.*	X	W. O. P.	
Dicyandiamide	W. O. P.	No	X	W. O. P.	
Di-cyclohexyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Diethanolamine	W. O. P.	No*	X	W. O. P.	*5 gals. Mo.[1]
Diethyl ethanolamine	W. O. P.	No*	X	W. O. P.	*5 gals. Mo.[1]
Diethyl phthalate	W. O. P.	No	X	W. O. P.	
Di 2-ethyl hexyl phthalate	W. O. P.	No	X	W. O. P.	
Di-ethoxy ethyl phthalate	W. O. P.	No	X	W. O. P.	
Di-methylcyclohexyl phthalate	W. O. P.	No	X	W. O. P.	
Dimethyl phthalate	W. O. P.	No	X	W. O. P.	*See footnote (2) (5 gals. Mo.)
Dipentene	W. O. P.	W. O. P.*	X	W. O. P.	**Also called phenylaniline.
Diphenylamine**	W. O. P.	No	X	W. O. P.	
Dyestuffs and organic pigments	W. O. P.	No	X	W. O. P.	
E. W. naphtha	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Ethyl acetate	W. O. P.	No*	W. O. P.	W. O. P.	*270 gals. Mo.[1] of ethyl acetate and isopropyl acetate.
Ethyl cellulose	No	No*	X	No	*10 lbs Mo.[1]
Ethyl chloride	W. O. P.	W. O. P.	X	W. O. P.	
Ethylene dichloride	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Ethyl phthalyl ethyl glycollate	W. O. P.	No	X	W. O. P.	
Formaldehyde	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (10,000 lbs. Mo.)
Furfural	W. O. P.	No*	X	W. O. P.	*110 gals. Mo.[1]
Gasoline Gum inhibitors	W. O. P.	No*	X	W. O. P.	*10 lbs. Mo.[1]
Glycols:					
Ethylene glycol	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (5,000 lbs. Mo.)
Propylene glycol	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (950 lbs. Mo.)
Diethylene glycol	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (1,000 lbs. Mo.)
Triethylene glycol	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*See footnote (2) (600 lbs. Mo.)
Mixed glycols	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (1,000 lbs. Mo.)
Glycol ethers:					
Monobutyl ether of ethylene glycol	W. O. P.	No*	X	W. O. P.	*400 lbs. Mo.[1]
Monomethyl ether of ethylene glycol	W. O. P.	No*	X	W. O. P.	*430 lbs. Mo.[1]
Monoethyl ether of ethylene glycol	W. O. P.	No*	X	W. O. P.	*410 lbs. Mo.[1]
Monoethyl ether of diethylene glycol	W. O. P.	No*	X	W. O. P.	*460 lbs. Mo.[1]
Guanidine	W. O. P.	No	X	W. O. P.	
Hexamethylenetetramine	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (10,000 lbs. Mo.)
Hydrogen peroxide	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2, (600 lbs. Mo.)
High glue, extracted bone glue and green bone glue	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (1,200 lbs. of hide and extracted bone glue and 6,000 lbs. of green bone glue Mo.)
Isobutyl castor oil phthalate	W. O. P.	No	X	W. O. P.	
Isopropyl acetate	W. O. P.	No*	W. O. P.	W. O. P.	*270 gals. Mo.[1] of isopropyl acetate and ethyl acetate.
Lacquer, lacquer thinners (see Paints).					
Lithopone	W. O. P.	W. O. P.	X	W. O. P.	**Excluding crude lithium sodium phosphate.
Lithium chemicals**	W. O. P.	No	No	W. O. P.	*200 lbs. Mo.[1]
Magnesium oxide, light	W. O. P.	No*	X	W. O. P.	*500 lbs. Mo.[1]
Maleic Anhydride	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Melamine Aldehyde molding compound and resins.	W. O. P.	No*	X	W. O. P.	
Methacrylic acid (see acrylic monomer and acrylic resins).					
Methanol	W. O. P.	No	X	W. O. P.	
Methyl bromide	W. O. P.	No*	X	W. O. P.	*10 lbs. Mo.[1]
Methyl ethyl ketone	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Methyl Isobutyl ketone	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Methyl phthalyl ethyl glycollate	W. O. P.	No*	X	W. O. P.	*55 gals. Mo.[1]
Mineral oil polymers	W. O. P.	No*	X	W. O. P.	*50 gals. Mo.[1]
Molding compounds:					
Melamine aldehyde	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Phenolic	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Urea aldehyde	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Monoethanolamine	W. O. P.	No*	X	W. O. P.	*5 gals. Mo.[1]
Naphthalene	W. O. P.	No	W. O. P.	W. O. P.	
Naphthanates**	W. O. P.	No*	X	W. O. P.	*70 gals. Mo.[1] **Excluding crude or refined sodium naphthanate intended for manufacture of other naphthanates.
Naptha, high flash	W. O. P.	No*	X	W. O. P.	*60 gals Mo.[1]
Nickel chemicals**	W. O. P.	No	No	W. O. P.	**Salts, oxides, and carbonates.
Oleum	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Oxidized petrolatum	W. O. P.	No*	X	W. O. P.	*25 lbs. Mo.[1]
Paints, varnishes, lacquers and lacquer thinners:					
Aluminum paint	W. O. P.	No	X	W. O. P.	*55 gals. Mo.[1]
Paints, varnishes, lacquer and lacquer thinners containing any of the ingredients listed in Column 6**	W. O. P.	No*	X	W. O. P.	**Paraphenyl phenol resins, Phenolic resins, Phthalic alkyd resins, Urea melamine formaldehyde resins, Aromatic petroleum solvents, Butyl alcohols and butyl acetates, Ethyl acetate and isopropyl acetate, Toluene, Phthalate plasticizers, Methyl ethyl ketone, Methyl isobutyl ketone, Acetone and Di-acetone.
Paints, other	W. O. P.	W. O. P.	X	W. O. P.	

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LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Paraformaldeyhde	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (2,000 lbs. Mo.)
Pentaerythritol	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (100 lbs. Mo.)
Perchlorate chemicals	W. O. P.	No*	No	W. O. P.	*25 lbs. Mo.[1]
Perchlorethylene	W. O. P.	No*	X	W. O. P.	*1 drum Mo.[1]
Perchloric acid	W. O. P.	No*	No*	W. O. P.	*25 lbs. Mo.[1]
Phenols (tar acids)**	W. O. P.	No*	No	W. O. P.	*55 gals. Mo.[1] **Includes: phenol, cresols, and Xylenols and mixtures thereof.
Phosphorus (yellow and white)	W. O. P.	No*	W. O. P.	W. O. P.	*10,000 lbs. Mo.[1]
Phthalic anhydride	W. O. P.	No*	X	W. O. P.	*700 lbs. Mo.[1]
Pine oil	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Pine tar	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (5 gals. Mo.)
Plasticisers:					
Phosphate**	No	No*	X	No	*1,000 lbs. Mo.[1] **Tricresyl and triphenyl.
Phthalate	W. O. P.	No	X	W. O. P.	
Plastics, cellulose (see cellulose ester flake)					
Platinum chemicals	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Polydichlorostyrene	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (5 lbs. Mo.)
Polyethylene	W. O. P.	No	X	W. O. P.	
Polystyrene	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (100 lbs. Mo.)
Polyvinyl acetal	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Polyvinyl butyral resin	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Polyvinyl formal	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Potash**	W. O. P.	No*	X	W. O. P.	*5 tons Mo.[1] **Includes muriate of potash, sulphate of potash, sulphate of potash-magnesia, and run-of-the-mine potash.
Potassium tantalum fluoride	No	No	X	No	
Pyrethrum	W. O. P.	No	W. O. P.	W. O. P.	
Pyridine	W. O. P.	No*	No	W. O. P.	*80 lbs. Mo.[1]
Pyronate	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Resin:					
Melamine aldehyde	W. O. P.	No*	X	W. O. P.	*1,000 lbs. Mo.[1]
Para-phenyl-phenol	W. O. P.	No*	X	W. O. P.	*5 lbs. Mo.[1]
Phenolic	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Phthalic alkyd	W. O. P.	No*	X	W. O. P.	*750 lbs. Mo.[1]
Urea aldehyde	W. O. P.	No*	X	W. O. P.	*1,000 lbs. Mo.[1]
Vinsol	W. O. P.	No*	X	W. O. P.	*500 lbs. Mo.[1]
Rhodium chemicals	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Riboflavin	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (100 grams Mo.
Rotenone	W. O. P.	No*	W. O. P.	W. O. P.	*5 lbs. or 1 gal. Mo.[1]
Rubber, synthetic (see Rubber, Part III).					
Sodium metallic	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (100 lbs. Mo.)
Sodium metasilicate	W. O. P.	No*	X	W. O. P.	*800 lbs. Mo.[1]
Sodium nitrate	W. O. P.	W. O. P.	X	W. O. P.	
Sodium perborate	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (25 lbs. Mo.)
Sodium peroxide	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (75 lbs. Mo.)
Sodium phosphates	W. O. P.	No*	X	W. O. P.	*2000 lbs. bi-monthly.[1]
Stabilized rosin	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Styrene	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (375 lbs. Mo.)
Synthetic resins (see Resins).					
Synthetic rubber (see Rubber, Part III).					
Tanning Materials, Vegetable (see Part III).					
Tantalum chemicals**	No	No	X	No	**Potassium tantalum fluoride tantalum oxide, tantalum carbide.
Tapioca flour	W. O. P.	W. O. P.	X	W. O. P.	
Thiamine hydrochloride	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (100 grams Mo.)
Tin chemicals	No	No	No	No	
Titanium dioxide	W. O. P.	W. O. P.	X	W. O. P.	
Titanium pigments	W. O. P.	W. O. P.	X	W. O. P.	
Toluene (toluol)	W. O. P.	No*	No	W. O. P.	*60 gals. yr.[1] for laboratories only.
Tributyl glycerol triphthalate	W. O. P.	No	X	W. O. P.	
Trichlorethylene	W. O. P.	No*	X	W. O. P.	*1 drum Mo.[1]
Tungsten chemicals	W. O. P.	No	W. O. P.	W. O. P.	
Uranium chemicals	W. O. P.	No	W. O. P.	W. O. P.	
Vanadium chemicals	W. O. P.	No	W. O. P.	W. O. P.	
Varnishes (see Paints).					
Vat dyes (see Dyestuffs).					
Vinyl Polymers**	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1] **Plasticized or unplasticized polymers and copolymers of vinyl acetate, vinyl chloride and polyvinyl alcohol and includes their condensation products.
Xylenols	W. O. P.	No	No	W. O. P.	
Xylol	W. O. P.	No*	X	W. O. P.	*60 gals. Mo.[1]
Zinc oxide	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Zinc sulphide-pigments	W. O. P.	W. O. P.	X	W. O. P.	
PART III—MISCELLANEOUS					
Abrasive, manufactured,* crude and grain.	W. O. P.	No	W. O. P.	W. O. P.	*Includes silicon carbide and used aluminum oxide only.
Agave Cordage	W. O. P.	W. O. P.	No	W. O. P.	
Agave fibre:					
Suitable for cordage	No	No	No	No	
Not suitable for cordage	No	W. O. P.	No	No	
Balsa	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Bristles, pigs' and hogs' (two inches and over)	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Burlap	W. O. P.	W. O. P.	No	W. O. P.	
Cantala (see Agave fibre)					
Cattlehides, calf and kip skins (raw)	W. O. P.	W. O. P.	X	W. O. P.	
Cattle tail hair	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Coir fibre	W. O. P.	W. O. P.	No	W. O. P.	
Coir products	W. O. P.	W. O. P.	No	W. O. P.	
Coke, petroleum	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Cordage (see Rope).					
Corundum*	W. O. P.	No	No	W. O. P.	*Emery, ruby, sapphire and Boulder Corundum BC Fines are not included.

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LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Cotton duck (see Duck).					
Cotton, American extra staple, reserved	W. O. P.	W. O. P.	X	W. O. P.	
Cotton, Egyptian, reserved	W. O. P.	W. O. P.	X	W. O. P.	
Cotton linters*	W. O. P.	No	X	W. O. P.	*Produced after July 31, 1943.
Deerskins*	W. O. P.	W. O. P.	X	W. O. P.	*Suitable for military use.
Diamonds, industrial*	W. O. P.	PR-AA-5	PR-AA-5	PR-AA-5	*Report sales as required by M-109.
Duck, Cotton*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Width 15" or wider.
Feathers: Waterfowl (new or used)	No*	No*	No*	W. O. P.	*Only to persons holding permits issued pursuant to M-109 or to the Philadelphia Quartermaster Depot.
Flax fibre products	W. O. P.	W. O. P.	No	W. O. P.	
Flax fibre	W. O. P.	W. O. P.	No	W. O. P.	
Graphite, strategic grades	No	No	No	No	
Hemp Sunn	W. O. P.	W. O. P.	No	W. O. P.	
Hennequen (see Agave fibre)					
Horsehide*	W. O. P.	W. O. P.	X	W. O. P.	*Suitable for military use.
Horse Mane Hair	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Istle, raw*	W. O. P.	W. O. P.	No	W. O. P.	* Unprocessed istle.
Jewel bearings	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Jewel bearing material*	W. O. P.	No	X	W. O. P.	*Natural sapphire and spinel not included.
Jute:					
Raw jute	W. O. P.	W. O. P.	No	W. O. P.	
Jute products	W. O. P.	W. O. P.	No	W. O. P.	
Kapok	No	No*	No	No	*Only to Defense Supplies Corporation.
Lacquer, lacquer thinners (see Paints, Part II).					
Leather, sole*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Suitable for military use.
Logs (see Woods)					
Loofa sponges*	W. O. P.	AA-5	X	W. O. P.	*Suitable for military use.
Maguey (see Agave fibre).					
Mahogany (see Woods).					
Manila fibre and cordage:					
Cordage	W. O. P.	W. O. P.	No	W. O. P.	
Fibre	No	No*	No	No	*May be sold W. O. P. to the U. S. Navy.
Mica:					
Strategic	W. O. P.	W. O. P.	X	W. O. P.	
Splittings	W. O. P.	W. O. P.	X	W. O. P.	
Nylon*	W. O. P.	No	No	No	*Includes fibers, yarn, thread and fabrics made of nylon.
Nylon waste	W. O. P.	No	W. O. P.	No	
OD wool clips (see Wool).					
Paints (see Part II).					
Plywood (see Woods).					
Quartz crystals	X	No	No	No	
Rattan (see Woods).					
Rayon yarn, high tenacity	W. O. P.	No	No	No	
Rayon yarn reserved	No	No	No	No	
Rope*	W. O. P.	W. O. P.	No	W. O. P.	*"Rope" means any rope or cable, treated or untreated, composed of three or more strands, manufactured from cotton or any cordage fiber each strand composed of two or more yarns.
Rubber.					
Latex and crude	No	No	No	No	
Balata	No	No	No	No	
Compounded latex	No	No	No	No	
Chlorinated	W. O. P.	No	No	X	
Synthetic	W. O. P.	No	No	X	
Reclaimed	W. O. P.	W. O. P.	W. O. P.	X	
Rubber products:					
Cement	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Elastic thread	No	No	X	No	
Elastic fabrics	No	No	X	No	
Yarn	No	No	X	No	
Other products	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Silk:					
Raw	No	No	X	No	
Waste, noils, etc.	No	W. O. P.**	W. O. P.**	W. O. P.	**Use certificate required.
Sisal (see Agave fibre).					
Slide fasteners	W. O. P.	No*	No*	No*	*Sales of slide fasteners may be made pursuant to any AA-2X or higher rated order from the Army, Navy, Maritime Commission or War Shipping Administration or from any prime or subcontractor of any of them who will incorporate the slide fasteners in a product being manufactured by him. Otherwise may be sold only on WPB authorization.
Sole leather (see Leather).					
Tanning material, vegetable*	No	No	No	No	*Only to Defense Supplies Corp. or any other agency designated by W. P. B.
Varnishes (see Paints, Part II).					
Wood pulp	No	No	X	No	
Woods:	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Balsa					
Logs:					
Douglas Fir	W. O. P.	W. O. P.	X	W. O. P.	
Port Orford Cedar and derivatives.	W. O. P.	W. O. P.	X	W. O. P.	
Lumber:					
Softwood Lumber	W. O. P.	PR-AA-5	W. O. P.	W. O. P.	
Hardwoods except Mahogany	W. O. P.	PR-AA-5	W. O. P.	W. O. P.	
Mahogany:					
Firsts, Seconds, Selects	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wormy grades (pattern stock).	W. O. P.	PR-AA-1	PR-AA-1	W. O. P.	
No. 1 Common and poorer	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Plywood:					
Softwood	W. O. P.	PR-AA-2X	X	W. O. P.	
Hardwood	W. O. P.	W. O. P.	X	W. O. P.	
Rattan, round	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rattan, slab	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wool:					
Wool	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
OD Clips	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Zippers (see Slide fasteners).					

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION

This list refers only to new finished products unless used finished products are specifically mentioned. Finished products not on this list may be sold freely to producers and wholesalers and to all others on a rating of AA-5 or higher.

Finished products	Persons who produce material in the form in which the holder bought it	Users permitted to buy and use under existing WPB orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
Abrasive products, bonded and coated.	WOP	WOP	WOP	WOP	
Automotive equipment:					
Axles	WOP	PR-AA-2X	X	WOP [1]	[1] This applies only to a holder who has $500 or less cost value of the material. Such a person may sell freely to a wholesaler. If a holder has more than $500 worth (cost value) of the material he may sell to a wholesaler only with special permission of the War Production Board.
Brakes	WOP	PR-AA-2X	X	WOP [1]	
Clutches	WOP	PR-AA-2X	X	WOP [1]	
Off-the-highway vehicles	WOP	PR-AA-2X	X	WOP [1]	
Propeller shafts	WOP	PR-AA-2X	X	WOP [1]	
Rims	WOP	PR-AA-2X	X	WOP [1]	
Transfer cases	WOP	PR-AA-2X	X	WOP [1]	
Transmissions	WOP	PR-AA-2X	X	WOP [1]	
Truck-trailers	WOP	PR-AA-2X	X	WOP [1]	
Trucks	WOP	PR-AA-2X	X	WOP [1]	
Wheels	WOP	PR-AA-2X	X	WOP [1]	
Engines:					
Air-cooled gasoline engines (except aircraft propulsion).	WOP	PR-AA-2X	X	WOP [1]	
Diesel and gas (not gasoline) (non-marine only).	WOP	PR-AA-2X	X	WOP [1]	
Liquid-cooled gasoline engines (except aircraft propulsion).	WOP	PR-AA-2X	X	WOP [1]	
Internal combustion engines components, except those used on aircraft propulsion engines:					
Bearings, friction (flanged and sleeve type only).	WOP	PR-AA-2X	X	WOP [1]	[1] This applies only to a holder who has $500 or less cost value of the material. Such a person may sell freely to a wholesaler. If a holder has more than $500 worth (cost value) of the material he may sell to a wholesaler only with special permission of the War Production Board.
Camshafts (finished only)	WOP	PR-AA-2X	X	WOP [1]	
Carburetors, gasoline	WOP	PR-AA-2X	X	WOP [1]	
Crankshafts (finished drop forged)	WOP	PR-AA-2X	X	WOP [1]	
Electric starting motors, engine mounted only	WOP	PR-AA-2X	X	WOP [1]	
Exhaust and intake valves and seats—internal combustion engines	WOP	PR-AA-2X	X	WOP [1]	
Fuel injection equipment	WOP	PR-AA-2X	X	WOP [1]	
Generators, internal combustion engine mounted	WOP	PR-AA-2X	X	WOP [1]	
Magnetic starting switches—internal combustion engines	WOP	PR-AA-2X	X	WOP [1]	
Magnetos	WOP	PR-AA-2X	X	WOP [1]	
Mechanical governors	WOP	PR-AA-2X	X	WOP [1]	
Piston rings	WOP	PR-AA-2X	X	WOP [1]	
Voltage regulators	WOP	PR-AA-2X	X	WOP [1]	
Bearings—anti-friction, including the following component parts: Inner and outer races, alloy steel balls and balls, and rollers assembled in retainers.	No [2]	No [2]	No [2]	No [2]	[2] Sales of excess bearings are limited to the following: 1. To the original supplier, or 2. On any AAA order; or 3. On any AA-5 or higher rated order placed directly by the Army, the Navy, the Maritime Commission or the War Shipping Administration, or directly by any prime or subcontractor, of any of them, who will incorporate the bearings into, or will deliver them as spare bearings with a product being manufactured by him; or 4. If the quantity to be sold in any month costs less than $250, they may be sold on any order rated AA-5 or higher regardless of order's source; or 5. Specific sales authorized by the War Production Board
Blowers, portable electric hand	WOP	WOP	WOP	WOP	
Cellophane	WOP	WOP	WOP	WOP	
Chain saws	WOP	No [3]	X	No [4]	[3] May be sold only on WPB authorization (Form WPB-3131).
Clocks, alarm	WOP	WOP	WOP	WOP	
Construction machinery:					
Backhoes (new and used), power, crawler mounted, rubber tired mounted, or walking. (Manufactured after January 1, 1930.)	No [5]	No [5]	No [5]	WOP	[5] May be sold only on WPB authorization (Form WPB-1219). Application should be made by filing four copies of Form WPB-1219 with the Construction Machinery Specialist for the WPB region in which the applicant's home office is located.

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Finished products	Persons who produce material in the form in which the holder bought it	Users permitted to buy and use under existing WPB orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
Construction machinery—Con.					
Cranes (new and used), power, crawler mounted, rubber tired mounted, or walking. (Manufactured after January 1, 1930.)	No [5]	No [5]	No [5]	WOP	This restriction does not apply to sales outside the 48 states of the United States and the District of Columbia and does not apply to the following special sales: 1. Sales to distributors. The term "distributor" means any person who is engaged in the business of purchasing new, used or reconditioned construction machinery for the purpose of resale. 2. Transfers at a judicial or sheriff's auction or sale, tax sale, or other similar transaction conducted by a judicial or other legal officer. 3. Sales by any Governmental agency to any other Governmental agency. 4. Sales by farmers. The term "farmer" means a person who engages in farming as a business, by raising crops, livestock, bees or poultry. It also includes a custom operator who uses farm supplies in performing services for farmers. It does not include a person who merely has a "victory garden" or raises food or other agricultural products entirely for his own use.
Draglines (new and used), power, crawler mounted, rubber tired mounted, or walking. (Manufactured after January 1, 1930.)	No [5]	No [5]	No [5]	WOP	
Motorgraders (new and used), self propelled, earth moving, rubber tired mounted, 16,000 lbs. and heavier, tandem and four wheel drive types.	No [5]	No [5]	No [5]	WOP	
Shovels (new and used), power crawler mounted, rubber tired mounted or walking. (Manufactured after January 1, 1930.)	No [5]	No [5]	No [5]	WOP	
Tractors (new and used), crawler or track-laying type, all gauges, bare and including tractor mounted equipment such as bulldozers, angledozers, cranes, loaders, power control units, etc. (all diesel and semi-diesel powered models and the following gasoline powered models: M, WM, AG, H, T6 and R2.	No [5]	No [5]	No [5]	WOP	
Containers:					
Crowns: metal, beverage	WOP	WOP	WOP	WOP	
Metal closures for glass: home canning.	WOP	WOP	WOP	WOP	
Closures: metal, not home canning: and crowns, metal, not beverage, for glass containers.	WOP	WOP	WOP	WOP	
Glass containers (bottles, jars, etc.).	WOP	WOP	WOP	WOP	
Metal cans	WOP	WOP	WOP	WOP	
Fluid milk shipping containers	WOP	WOP	WOP	WOP	
Textile bags	WOP	WOP	WOP	WOP	
Compressed gas cylinders	WOP	PR-AA5 [6]	PR-AA5	PR-AA5	[6] Liquefied Petroleum gas cylinders may be sold only if prior authorization is obtained from PAW for the installation of liq. pet. gas equipment under the terms of General Limitation Order L-86.
Collapsible tubes	WOP	WOP	WOP	WOP	
Containers: Consumer type, miscellaneous. [6]	WOP	WOP	WOP	WOP	[6] Paper cups and nested food containers are excepted from List B and fall under para. (c) (1) (ii) of this regulation.
Cork products	WOP	WOP	WOP	WOP	
Dental burs	WOP	WOP	WOP	WOP	
Diamond dies (large) [8]	WOP	WOP	WOP	WOP	[8] With hole diameter larger than .0015.
Diamond dies (small) [7]	No	No	No	No	[7] With hole diameter of .0015 and smaller.
Electronic parts and equipment:					
Electronic equipments	WOP	AA-5	X	No	
Capacitors (variable)	WOP	AA-5	X	No	
Capacitors (fixed)	WOP	AA-5	X	No	
Coaxial cable	WOP	AA-5	X	No	
Crystal assemblies	WOP	AA-5	X	No	
Instruments, electrical indicating, combat type [9]	WOP	AA-5	X	No	[9] Except fire control equipment, and navigation instruments.
Insulators [8]	WOP	AA-5	X	No	[8] Ceramic, micalex, plastic.
Loudspeakers	WOP	AA-5	X	No	
Microphones	WOP	AA-5	X	No	
Relays, other than motor control as used in radio communication equipment.	WOP	AA-5	X	No	
Resistors (radio and radar)	WOP	AA-5	X	No	
Sockets, tube (radio and radar)	WOP	AA-5	X	No	
Test equipment [10] (new and used).	WOP	AA-5	X	No	[10] All items cleared as recognized B-1 items, (standard) electronic.
Transformers and reactors [11]	WOP	AA-5	X	No	[11] Radio and radar including coils and chokes other than R. F. and I. F.
Tubes (radio and radar)	WOP	AA-5	X	No	
Vibrator [12]	WOP	AA-5	X	No	[12] A device containing a mechanically oscillating element which interrupts direct electrical current in Electronic Equipment.

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Engines, marine Diesel	WOP	No [14]	X	No	[14] Does not apply to the sale, exchange or other transfer of Marine Diesel Engines between the Army, Navy, Maritime Commission, War Shipping Administration, their contractors or subcontractors provided the marine Diesel engines will be used in the completion of a contract of the Army, Navy, Maritime Commission or War Shipping Administration rated AA-2X or higher.
Fans, domestic and commercial powered by a fractional H. P. motor, 200 watts or less.	WOP	No [8]	X	No [8]	[8] May be sold only on WPB authorization on Form WPB-1319.
Floor sanding machines	WOP	WOP	WOP	WOP	
Graphite crucibles	WOP	WOP	WOP	WOP	
Industrial power trucks (new and used).	WOP	No [15]	X	WOP	[15] Sales of industrial power trucks may be made pursuant to any AA-2X or higher rated order from the Army, Navy, Maritime Commission or War Shipping Administration or from any prime or subcontractor of any of them who will incorporate the industrial power trucks into or will deliver them as equipment with a product being manufactured by him. Otherwise may be sold only on WPB authorization (Form WPB-1319)
Laundry equipment, commercial, dry cleaning equipment, commercial, and tailors pressing equipment:					
Group 1					
Boards, steam spotting	WOP	No [16]	X	WOP	[16] May be sold freely to the Army or Navy or any prime contractor or subcontractor for delivery to the Army or Navy, otherwise WPB Form 924 authorization is required.
Conveyors, monorail	WOP	No [16]	X	WOP	
Dry cleaning units, naphtha	WOP	No [16]	X	WOP	
Dry cleaning units, synthetic	WOP	No [16]	X	WOP	
Dryers, garment, hot air	WOP	No [16]	X	WOP	
Dryers, hosiery and sock	WOP	No [16]	X	WOP	
Dye machines	WOP	No [16]	X	WOP	
Extractors (including mechanical unloading).	WOP	No [16]	X	WOP	
Forms, collar	WOP	No [16]	X	WOP	
Forms, hosiery and sock	WOP	No [16]	X	WOP	
Forms, overall	WOP	No [16]	X	WOP	
Forms, sleeve	WOP	No [16]	X	WOP	
Forms, trouser	WOP	No [16]	X	WOP	
Filters, solvent, for drycleaning	WOP	No [16]	X	WOP	
Fluffers, handkerchief	WOP	No [16]	X	WOP	
Folding machines, automatic	WOP	No [16]	X	WOP	
Ironers, collar	WOP	No [16]	X	WOP	
Ironers, flatwork	WOP	No [16]	X	WOP	
Ironers, handkerchief	WOP	No [16]	X	WOP	
Ironer attachments:					
Canopies	WOP	No [16]	X	WOP	
Feeding devices	WOP	No [16]	X	WOP	
Listing machines	WOP	No [16]	X	WOP	
Marking machines	WOP	No [16]	X	WOP	
Presses	WOP	No [16]	X	WOP	
Shakers, flatwork	WOP	No [16]	X	WOP	
Shapers, sleeve	WOP	No [16]	X	WOP	
Shapers, trouser	WOP	No [16]	X	WOP	
Spreaders, flatwork	WOP	No [16]	X	WOP	
Stackers, flatwork automatic	WOP	No [16]	X	WOP	
Stackers, handkerchief automatic.	WOP	No [16]	X	WOP	
Starch cookers	WOP	No [16]	X	WOP	
Starching and extracting machines.	WOP	No [16]	X	WOP	
Starching machines	WOP	No [16]	X	WOP	
Stills, vacuum, for drycleaning.	WOP	No [16]	X	WOP	
Stretchers, trouser	WOP	No [16]	X	WOP	
Tables, marking	WOP	No [16]	X	WOP	
Tumblers	WOP	No [16]	X	WOP	
Washers (except glove)	WOP	No [16]	X	WOP	
Group 2					
Blocking machines, garment	WOP	WOP	WOP	WOP	
Boards, pressing	WOP	WOP	WOP	WOP	
Boards, pressing, velvet and nap	WOP	WOP	WOP	WOP	
Boards, shirt folding	WOP	WOP	WOP	WOP	
Boards, ironing	WOP	WOP	WOP	WOP	

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Laundry equipment, etc.—Con.					
Boards, spotting, except steam	WOP	WOP	WOP	WOP	
Boards, steam	WOP	WOP	WOP	WOP	
Cabinets, deodorizing, drying or sterilising	WOP	WOP	WOP	WOP	
Collar shapers	WOP	WOP	WOP	WOP	
Collar tippers	WOP	WOP	WOP	WOP	
Conveyors, bag (wet wash)	WOP	WOP	WOP	WOP	
Conveyors, "go back"	WOP	WOP	WOP	WOP	
Conveyors, shirt	WOP	WOP	WOP	WOP	
Cuff cleaners	WOP	WOP	WOP	WOP	
Dampeners, cloth	WOP	WOP	WOP	WOP	
Dampeners, collar and seam	WOP	WOP	WOP	WOP	
Dryers, blanket and curtain	WOP	WOP	WOP	WOP	
Dryers, rug	WOP	WOP	WOP	WOP	
Dryers, windwhip	WOP	WOP	WOP	WOP	
Dry rooms, conveyor	WOP	WOP	WOP	WOP	
Dry rooms, sectional	WOP	WOP	WOP	WOP	
Dye kettles	WOP	WOP	WOP	WOP	
Feather sanitising machines	WOP	WOP	WOP	WOP	
Finishers, garment	WOP	WOP	WOP	WOP	
Finishers, sleeve	WOP	WOP	WOP	WOP	
Fluting machines	WOP	WOP	WOP	WOP	
Forms, glove	WOP	WOP	WOP	WOP	
Fur cleaning equipment	WOP	WOP	WOP	WOP	
Glazers, fur	WOP	WOP	WOP	WOP	
Glove cleaning machines	WOP	WOP	WOP	WOP	
Hangers, revolving shirt	WOP	WOP	WOP	WOP	
Hatters' equipment	WOP	WOP	WOP	WOP	
Holders, bag	WOP	WOP	WOP	WOP	
Holders, net	WOP	WOP	WOP	WOP	
Irons, puff	WOP	WOP	WOP	WOP	
Irons, rotary	WOP	WOP	WOP	WOP	
Irons, steam	WOP	WOP	WOP	WOP	
Ironers, edger	WOP	WOP	WOP	WOP	
Ironers, hat crown	WOP	WOP	WOP	WOP	
Ironers, ruffle	WOP	WOP	WOP	WOP	
Ironer attachments:					
String mark eliminators	WOP	WOP	WOP	WOP	
Napping machines (carding machines for blanket finishing).	WOP	WOP	WOP	WOP	
Puffers, steam	WOP	WOP	WOP	WOP	
Rug cleaning machines (stationary).	WOP	WOP	WOP	WOP	
Sand bags, hat	WOP	WOP	WOP	WOP	
Seam cleaners	WOP	WOP	WOP	WOP	
Shirt envelop machines	WOP	WOP	WOP	WOP	
Steamers, garment	WOP	WOP	WOP	WOP	
Steamers, velvet	WOP	WOP	WOP	WOP	
Sterilizers, feather	WOP	WOP	WOP	WOP	
Stretchers, blanket and curtain.	WOP	WOP	WOP	WOP	
Stretchers, dress	WOP	WOP	WOP	WOP	
Tables, steam	WOP	WOP	WOP	WOP	
Tubs, scrub	WOP	WOP	WOP	WOP	
Tubs, starch	WOP	WOP	WOP	WOP	
Tubs, stationary laundry	WOP	WOP	WOP	WOP	
Washers, glove	WOP	WOP	WOP	WOP	
Mining Equipment and machinery [17] (new and used).	No	No	No	No	[17] Any equipment or machinery (whether mining, construction, industrial or otherwise) acquired by a producer as defined in P-56 may be transferred by such producer only to another producer who holds a serial number under such order or with permission of the Mining Division, WPB.
Motion Picture (35 mm.) projection equipment and accessories:					
List 1					
Amplifiers	No [18]	No [18]	No [18]	No [18]	[18] May be sold only on WPB authorization (Forms WPB-3253 WPB-3254).
Bases	No [18]	No [18]	No [18]	No [18]	
Complete portable projectors.	No [18]	No [18]	No [18]	No [18]	
Complete projection arc	No [18]	No [18]	No [18]	No [18]	
Complete projectors	No [18]	No [18]	No [18]	No [18]	
Complete sound systems	No [18]	No [18]	No [18]	No [18]	
Current converting devices	No [18]	No [18]	No [18]	No [18]	
Loud speakers	No [18]	No [18]	No [18]	No [18]	
Pedestals	No [18]	No [18]	No [18]	No [18]	[18] May be sold only on WPB authorization (Forms WPB-3253, WPB-3254).
Projection arc lamphouses	No [18]	No [18]	No [18]	No [18]	
Projector mechanisms	No [18]	No [18]	No [18]	No [18]	
Sound heads	No [18]	No [18]	No [18]	No [18]	

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Finished products	Persons who produce material in the form in which the holder bought it	Users permitted to buy and use under existing WPB orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
List 2					
Motion Picture, etc.—Con.					
Automatic enclosed rewinders.	WOP...	WOP.....	WOP...	WOP...	
Change-over devices.....	WOP...	WOP.....	WOP...	WOP...	
Film splicers.....	WOP...	WOP.....	WOP...	WOP...	
Hand rewinders.....	WOP...	WOP.....	WOP...	WOP...	
Nitrate film storage cabinets.	WOP...	WOP.....	WOP...	WOP...	
Repair units and repair parts (except electronic parts).	WOP...	WOP.....	WOP...	WOP...	
Steel fireproof booth tables..	WOP...	WOP.....	WOP...	WOP...	
Take-up reels.....	WOP...	WOP.....	WOP...	WOP...	
Motors and generators, electric (fractional horsepower) excepting those used as starters or magnetos on internal combustion engines.	WOP...	No [20].....	X.....	No.....	[20] Does not apply to the sale, exchange or other transfer of fractional horsepower motors between the Army, Navy, Maritime Commission or War Shipping Administration, their contractors or subcontractors provided the fractional horsepower motors will be used in the completion of a contract of the Army, Navy, Maritime Commission or War Shipping Administration rated AA-2X or higher.
Office machinery:					
List 1					
Accounting machines, bookkeeping machines and billing machines (accounting principle.) Also continuous forms handling machines (typewriter principle) having carbon paper handling devices constructed as an integral part of the machine, and collateral equipment, except autographic registers.	WOP...	No [21].....	No.....	No.....	[21] May be sold only on WPB authorization. (Form WPB-1688).
Adding machines.....	WOP...	No [21].....	No.....	No.....	
Addressing machines, including but not limited to embossing machines for plates, and stencil cutting machines embodying typewriter principle.	WOP...	No [21].....	No.....	No.....	
Calculating and computing machines:					
Rotary and others.....	WOP...	No [21].....	No.....	No.....	
Duplicating machines including but not limited to ink ribbon gelatin, spirit, stencil and reproducing typewriter principle machines and Multifilth and Davidson duplicators:					
Gelatin.					
Offset and relief					
Spirit.					
Stencil.....	WOP...	No [21].....	No.....	No.....	
Machines and collateral equipment intended for use for dictating purposes.	WOP...	No [21].....	No.....	No.....	[21] May be sold only on WPB authorization (Form WPB 1688).
Microfilm machines designed for office functions.	WOP...	No [21].....	No.....	No.....	
Office composing machines (changeable type, changeable horizontal and vertical spacing, uniform impression).	WOP...	No [21].....	No.....	No.....	
Payroll denominating machines.	WOP...	No [21].....	No.....	No.....	
Punched card tabulating and accounting machines and collateral equipment.	WOP...	No [21].....	No.....	No.....	
Time recording machines and collateral equipment, except watchmen's clocks.	WOP...	No [21].....	No.....	No.....	[21] May be sold on WPB authorization. (Form WPB-1688).
Time stamp machines and collateral equipment.....	WOP...	No [21].....	No.....	No.....	

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Finished products	Persons who produce material in the form in which the holder bought it	Users permitted to buy and use under existing WPB orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
List 2					
Office machinery—Con.					
Autographic registers.....	WOP...	WOP.....	WOP...	WOP...	
Cash (registering machines).	WOP...	WOP.....	WOP...	WOP...	
Change making machines...	WOP...	WOP.....	WOP...	WOP...	
Check cancelling machines..	WOP...	WOP.....	WOP...	WOP...	
Check cutting machines.....	WOP...	WOP.....	WOP...	WOP...	
Check dating machines.....	WOP...	WOP.....	WOP...	WOP...	
Check endorsing machines...	WOP...	WOP.....	WOP...	WOP...	
Check numbering machines..	WOP...	WOP.....	WOP...	WOP...	
Check protecting machines..	WOP...	WOP.....	WOP...	WOP...	
Check signing machines.....	WOP...	WOP.....	WOP...	WOP...	
Check sorting machines.....	WOP...	WOP.....	WOP...	WOP...	
Check writing machines.....	WOP...	WOP.....	WOP...	WOP...	
Coin counting machines.....	WOP...	WOP.....	WOP...	WOP...	
Coin sorting machines.....	WOP...	WOP.....	WOP...	WOP...	
Coin wrapping machines.....	WOP...	WOP.....	WOP...	WOP...	
Currency counting machines.	WOP...	WOP.....	WOP...	WOP...	
Envelope contents folding machines.....	WOP...	WOP.....	WOP...	WOP...	
Envelope handling machines.	WOP...	WOP.....	WOP...	WOP...	
Envelope mailing machines.	WOP...	WOP.....	WOP...	WOP...	
Envelope opening machines.	WOP...	WOP.....	WOP...	WOP...	
Envelope sealing machines..	WOP...	WOP.....	WOP...	WOP...	
Envelope stuffing machines..	WOP...	WOP.....	WOP...	WOP...	
Mail room folding machines..	WOP...	WOP.....	WOP...	WOP...	
Perforating machines (marking and cancelling).	WOP...	WOP.....	WOP...	WOP...	
Postal permit mailing machines.	WOP...	WOP.....	WOP...	WOP...	
Post office cancelling machines.	WOP...	WOP.....	WOP...	WOP...	
Shorthand writing machines.	WOP...	WOP.....	WOP...	WOP...	
Stamp affixing machines.....	WOP...	WOP.....	WOP...	WOP...	
Typewriters—new nonportable.	WOP...	WOP.....	WOP...	WOP...	
Typewriters—new portable.	WOP...	WOP.....	WOP...	WOP...	
Printing and publishing machinery, parts and supplies (new and used):					
Graphic arts machinery:					
Machine composition.....	WOP...	No [21].....	WOP...	WOP...	[21] May be sold only on WPB authorization. (Form WPB-1319). Does not apply to machinery put into use before May 1, 1937, which may be sold freely.
Hand composition.....	WOP...	No [21].....	WOP...	WOP...	
Photoengraving, lithographic and gravure plate making.	WOP...	No [21].....	WOP...	WOP...	
Electrotype, stereotype rubber and plastic.	WOP...	No [21].....	WOP...	WOP...	
Presses.....	WOP...	No [21].....	WOP...	WOP...	
Bindery.....	WOP...	No [21].....	WOP...	WOP...	
Paper mill machinery (new and used).	WOP...	No [4].....	WOP...	WOP...	[4] May be sold only on WPB authorization on Form WPB-1319.
Ranges, domestic electric.....	WOP...	WOP [22].....	X.....	WOP...	[22] See Order L-23-b for persons eligible to buy new domestic electric ranges.
Refrigerators, domestic mechanical.	No [21].....	No [21].....	X.....	No [21].....	[21] WPB Form 869 required.
Slide fasteners (See List A, Part III)					[23] May be sold freely to fill contracts or purchase orders for delivery to or for the account of the U. S. Maritime Commission; or the War Shipping Administration for shipboard use only, otherwise WPB Form-867 is required.
Sterilizer equipment.....	WOP...	WOP.....	WOP...	WOP...	
Tools:					
Machine tools [24].....	WOP...	WOP.....	WOP...	WOP...	[24] The term "Machine Tool" means all machines (except portable machine tools) for the cutting (except heat cutting) abrading, shaping, forming, straightening and forging of metals.
Metal cutting [25].....	WOP...	WOP.....	WOP...	WOP...	[25] Except chasers.
Track-laying tractor parts.....	WOP...	WOP.....	WOP...	WOP...	

[F. R. Doc. 44-8044; Filed, June 3, 1944; 11:23 a. m.]

PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM

[Preference Rating Order P-98-c, as Amended June 3, 1944]

To facilitate sales of idle or excess materials, equipment and facilities by persons engaged in the petroleum industry to other persons engaged in the petroleum industry and to control the acquisition of materials by persons engaged in the petroleum industry, the following order is deemed necessary and appropriate in the public interest and to promote the national war effort:

Section 1041.3 *Preference Rating Order P-98-c, as amended August 24, 1943* is hereby amended to read as follows:

(a) *Definitions.* (1) "Operator" means any person to the extent that he is engaged in the petroleum industry.

(2) "Surplus material" means that quantity of any item of material, usable for purposes other than scrap, in the operator's possession or under his control, which is determined as follows:

(i) For material listed on Schedule A, B or C, the quantity which is determined to be surplus critical material in accordance with the provisions of the applicable schedule.

(ii) For material not listed on Schedule A, B or C, the quantity which exceeds the quantity required or scheduled for use during the succeeding 90 days.

(3) All other definitions of Preference Rating Order P-98-b shall apply in this order.

(b) *Sales of material between operators.* (1) Any operator may sell or transfer material to any operator, and may sell or transfer material from one branch, division or section of a single enterprise to another branch, division or section of the same enterprise under common ownership or control.

(2) Any operator may sell or transfer material to any supplier. Any sale or transfer of such material by a supplier to an operator may be freely made, but must conform to the provisions of this order.

(3) Any transaction effected pursuant to this paragraph (b) must be accomplished without the use of a preference rating or an allotment number or symbol, as the case may be.

(4) Where any material is to be used by an operator outside of the United States, its territories or possessions, no operator may sell, transfer or accept delivery of such material under the provisions of this paragraph (b) unless Form WPB-1161 is filed with the Petroleum Administration for War prior to any such sale or transfer. For the purposes of this subparagraph, Form WPB-1161 will be treated as an information form only and not as an application, and the sale or transfer may be effected immediately after its filing.

(c) *Restrictions on acquisition of material.* No operator may accept delivery

of any material for ultimate use in the United States, its territories (other than Hawaii) or possessions, in a quantity which, if accepted by the operator, would result in surplus material for that operator.

(d) *Participation in Materials Redistribution Program.* Where any material is to be used by an operator in the United States, its territories or possessions, such operator shall file such applications as are required by the PAW–Materials Redistribution Program No 2 and shall participate in such program to the extent required by its terms and provisions. Any operator required to make a certification of compliance under the provisions of the PAW–Materials Redistribution Program No. 2 may be deprived of priorities assistance where a determination has been made that such operator has surplus material which he has not made available for redistribution in accordance with such program.

(e) *Communications and appeals.* (1) All reports which may be required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the Materials Division, Petroleum Administration for War, Interior Building, Washington 25, D. C., Ref: P–98–c.

(2) Any person affected by this order or the applicable provisions of Part 1 of the PAW–Materials Redistribution Program No. 2, who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, may file an appeal with the Petroleum Administration for War, setting forth in a letter in triplicate, the pertinent facts and the reasons such person considers that he is entitled to relief. Action with respect to this order and the PAW–Materials Redistribution Program No. 2 may thereupon be taken as is deemed appropriate.

(f) *Applicability of orders and regulations.* (1) An operator may sell or transfer material to any person other than an operator or a supplier in accordance with the provisions of Priorities Regulation 13.

(2) Any sale, delivery or transfer of material or the use of implementing documents accomplished under the provisions of paragraph (b) of this order shall not be subject to the provisions of CMP Regulation 2 or paragraph (f) of CMP Regulation 5 (except for any sale, delivery or transfer to an operator in the Territory of Hawaii), or to the provisions of Priorities Regulation 1 or 13, and shall be expressly permitted by paragraph (c) (3) of Priorities Regulation 13.

(3) In the event that a supplier sells or transfers to any person other than an operator any merchant trade products, as defined in Order M–21–b–2, acquired from an operator under this order, the merchant trade products so sold or transferred shall be deemed to have been acquired by the supplier under Order M–21–b–2.

(4) This order does not authorize the violation of any acquisition, inventory, quota or use provisions imposed by any applicable order or regulation of the War Production Board.

(g) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the War Production Board or the Petroleum Administration for War in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(h) *Further limitations on use of priorities assistance.* The Petroleum Administration for War may issue in its own name further restrictions or limitations on the use of priorities assistance by operators in the petroleum industry.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 3d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

DETERMINATION OF SURPLUS CRITICAL MATERIAL FOR THIS SCHEDULE

To determine surplus critical material for Schedule A: Subtract from the total quantity of any item of critical material (of a type identified on this schedule), that quantity by item which is required or scheduled for use during the succeeding 90 days.

Critical material:	*Branch of industry used in*
Carbon and alloy steel:	
Tubular goods (oil country):	
Casing	P
Tubing—2" and up	P
Drill pipe	P
Line pipe—2" and up	P, NG, R, T

SCHEDULE B

DETERMINATION OF SURPLUS CRITICAL MATERIAL FOR THIS SCHEDULE

To determine surplus critical material for Schedule B: Subtract from the total quantity of any item of critical material (of a type identified on this schedule), one-half of the quantity by item actually installed or put into service (use) in 1942 plus that quantity by item which is required or scheduled for use during the succeeding 90 days for any facilities which have been put into operation since December 31, 1942.

Critical material:	*Branch of industry used in*
Carbon and alloy steel:	
Condenser tubes	NG, R
Boiler tubes	R
Still tubes	R
Copper:	
Wire (wire mill copper products)	P, NG, R
Pipe and tubing (including tubes)	NG, R
Copper base alloys:	
Pipe and tubing (including tubes)	NG, R
Valves [1] (check, gate, globe, plug, relief, safety):	
Steel 2" and up	P, NG, R, T
Cast iron 12" and up	P, NG, R, T

SCHEDULE C

DETERMINATION OF SURPLUS CRITICAL MATERIAL FOR THIS SCHEDULE

To determine surplus critical material for Schedule C: Total by item all critical material whether or not installed (of a type identified on this schedule): (a) which has not been in productive service during the past 90 days and is not required or scheduled for such service during the succeeding 60 days; or (b) which has not been in productive service during the past 180 days.

Critical material:	*Branch of industry used in*
Compressors [2]:	
75 HP or more (including direct driven)	P
200 HP or more (direct driven only)	NG, R
7½ HP or less (complete with storage tank)	M
Control instruments [3]:	
Industrial (including regulators and control valves)	NG, R
Electric motors [4]:	
10 HP or more	P, NG, R, T
3 HP or more	M
Electric motor controls [4]:	
10 HP or more	P, NG, R, T
3 HP or more	M
Engines [5]:	
Multi-cylinder Gas and Gasoline, 10 HP or more	P, NG, T
Diesel 150 HP or more	P, NG, T
Heat exchangers (including complete shells)	NG, R
Line pipe (oil or gas in place) 4" or over	P
Line pipe (in place), 4" or over	NG, T
Oil country boilers:	
100 HP or more and 125 lbs. WP or more	P
Pressure vessels and towers, 200 or more cubic feet contents	NG, R
Pumps [4a], Dispensing, motor driven meter type	M
Pumps [4c] (steam or power driven):	
Centrifugal	NG, R, T
Horizontal reciprocating	NG, R, T
Rotary	NG, R, T
Pumping units, Oil well (excluding standard rig front), 10 HP or more	P
Tanks, Steel storage, 10,000 bbls. or larger	P, NG, R, T
Tanks [7], Steel storage, 65 gallons or larger	M

Footnotes

(These footnotes are applicable to any footnoted material, regardless of the schedule in which such material is listed.)

[1] Only unused, reconditioned, or rebuilt material of this type.

[2] Only material of this type which was sold new to any person (not necessarily to the required participant) at any time since December 31, 1937.

[3] Only material of this type which is not actually installed at the time a report under the program is submitted.

[4] Only material of this type with a new replacement cost (excluding the power unit) of $600 or more.

[4a] (This footnote was deleted June 3, 1944.)

[4c] Only explosion proof material of this type.

[7] Only material of this type which is not actually installed underground at the time a report under the program is submitted.

The symbols P, NG, R, T, and M as used in the right-hand column above have the following meanings:
P means Production (oil or gas).
NG means Natural Gasoline Recovery.
R means Refining.
T means Transportation.
M means Marketing.

[F. R. Doc. 44–8046; Filed, June 3, 1944; 11:23 a. m.]

PART 3288 [1]—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L–173 as amended June 3, 1944]

OIL AND GAS BURNING DOMESTIC SPACE HEATERS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metals for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3288.41 [1] *General Limitation Order L–173*—(a) *Definitions.* For the purposes of this order:

(1) "Domestic space heaters" means any device (except electric) for the direct heating of the space in and adjacent to that in which the device is located, designed for use without heat distribution pipes or ducts as integral parts of such heating devices, and includes but is not limited to circulating heaters, radiant heaters, floor furnaces and wall furnaces: *Provided*, That "domestic space heaters" does not include direct fired gas unit heaters.

(2) "Fuel oil" means any liquid petroleum classified as grade No. 1, 2, 3, 4, 5, or 6, including Bunker "C" fuel oil, kerosene range oil, gas oils and any other liquid petroleum product used for the same purpose as the above designated grades.

(b) *General restrictions.* (1) No person shall manufacture, fabricate or assemble any domestic space heaters using fuel oil as fuel, except:

(i) To fill a contract, subcontract or purchase order for such heaters for delivery to or for the account of the Army, Navy, War Shipping Administration, or Maritime Commission of the United States; or

(ii) For approved installation in a building or project authorized under an order in the P–19 or P–55 series or on Form GA–1456 or Form WPB–2896, provided that such space heaters of the types controlled by Limitation Order L–23–c are limited to the sizes and capacities permitted by that order.

(iii) Any number of such heaters (other than floor or wall furnaces) in any calendar quarter beginning after June 30, 1943, which he can manufacture, fabricate, or assemble by using a total weight of iron and steel not in excess of 8% of the total weight of iron and steel which he used in the manufacture, fabrication or assembly of such heaters during the twelve months' period, July 1, 1940 to June 30, 1941: *Provided*, That any heater manufactured under this subparagraph (iii) conforms to the models and BTU ratings stipulated in Limitation Order L–23–c, Schedule B—Stoves—Item 4.

(2) No person shall manufacture, fabricate, or assemble any floor or wall furnaces using gas as fuel except:

(i) To fill a contract, subcontract or purchase order for such floor or wall furnaces for delivery to or for the account of the Army, Navy, War Shipping Administration, or Maritime Commission of the United States; or

(ii) For approved installation in a building or project authorized under an order in the P–19 or P–55 series or on Form GA–1456 or Form WPB–2896.

(c) *Replacement parts.* Nothing in this order shall be construed to prohibit or limit the production, by any manufacturer, of replacement parts for domestic space heaters using fuel oil or gas as fuel.

(d) *Violations and false statements.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(e) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB–1477 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(f) *Applicability of regulations.* All persons and transactions affected by this order are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(g) *Applicability of other orders.* Insofar as any other order issued by the War Production Board, or to be issued by it hereafter, limits the use of any material to a greater extent than the limits imposed by this order, the restrictions of such other order shall govern, unless otherwise specified therein.

(h) *Routing of correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L–173.

Issued this 3d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–8045; Filed, June 3, 1944; 11:23 a. m.]

[1] Formerly Part 3023, § 3023.1.

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Supplementary Limitation Order L–112–a, as Amended June 5, 1944]

INDUSTRIAL POWER TRUCKS

In accordance with the provisions of § 1210.1 *General Limitation Order L–112*, which the following order supplements: it is hereby ordered, that:

§ 1226.122 *Supplementary Limitation Order L–112–a*—(a) *Approved standard models.* Pursuant to paragraph (d) (2) of Limitation Order L–112, approved standard models of industrial power trucks for each manufacturer named in this supplementary order shall be those models listed below for such manufacturer: *Provided, however*, That notwithstanding any other provision of Limitation Order L–112, as supplemented, no such model shall be manufactured which is not produced in accordance with the following restrictions:

(1) No such model shall be manufactured in more than one size of platform width and length, nor shall any such model contain battery boxes built to accommodate larger capacity batteries than the manufacturer's standard battery for the model; and

(2) No fork truck (other than Army or Navy Ordnance models) having a load capacity rated at less than ten thousand (10,000) pounds shall be manufactured which is not (i) of the tilting, telescopic type and having a standard minimum overall height not in excess of eighty-three (83) inches, and a standard maximum lift height, adopted for such model of fork truck by the manufacturer thereof, except that if any such model of fork truck has a rated load capacity for which one or more alternative (in addition to standard) maximum lift heights are shown in Table I below, then such model of fork truck may also be manufactured with any maximum lift height thus shown and with a standard minimum overall height which may be in excess of eighty-three (83) inches, adopted for such fork trucks by the manufacturer; and (ii) equipped with a standard fork of the length designated in Table I for trucks of such capacity (but this restriction shall not be deemed to prohibit the furnishing of separate fork extensions):

TABLE I

Rated load capacity	Maximum lift height	Fork length
2,000 lb	Standard	30"
3,000 lb	Standard or 144"	36"
4,000 lb	Standard or 144"	36"
6,000 lb	Standard, 144" or 168"	42"
7,000 lb	Standard or 144"	42"

Any manufacturer who has been engaged, prior to July 10, 1943, in producing fork trucks without standard heights or in heights not permitted by this order, shall determine upon and adopt a standard minimum over-all height and a standard maximum lift height for each of the approved standard models (and for each of the permitted maximum lift heights which he proposes to furnish in

any model) being produced by him, in accordance with this order, within ten (10) days after July 20, 1943 (and for any proposed new model which he may propose to manufacture, within ten (10) days after the listing of such model in this order as an approved standard model); and such manufacturer shall not thereafter commence the manufacture of any model which is not produced in accordance with the standard heights so adopted by him.

Name of manufacturer and approved standard models
NOTE: Table amended June 5, 1944
Atlas Car & Mfg. Co. — HP–3, 3–EA–62, 3–EA–17, 3–DWT–2, 2–WT–2
Automatic Transportation Co. — LN–2, LN–3, LO–5, TLN–2, TLN–3, TLO–5, CHTF–2, THTF–L–4, THTF–L–6, THTF–L–6 (Ordnance Model), THTF–L–7, THTF–M–10, TN–4, TN–6, TW–4, TW–6– in platform lengths 36, 48, 60, and 72 inches and heights 6, 7, 9, and 11 inches, P–427, 2000 # crane attachment
Baker-Raulang Co. — E–2, E–3, E–5, H–2, H–3, H–5 JOMH–20, JOMH–40, JOMH–60, CXA, CXB, CXF
Barrett-Cravens Co. — Power OX—in platform lengths 48 and 60 inches, widths 19 and 25 inches, and heights 7, 9, and 11 inches.
Berry Motor Car Co. — TT3–2NC, FHLT–3, FHLT–3
Buda Co. — Chore Boy, Chore Boy–FF
Clark Equipment Co. — Favorite, Tops, Plate, Elec–Plate, Stalwart–6025, Elec–Stalwart–6025, Clarkat, Standard, Mill, Transport
Crescent Truck Co. — LA–3, NA–4, NA–6, LDLF, NBR–4, NDRE–4, NDRE–6, NCRE–4, NCRE–6, NCDE–4, NCTE–10, NTW
Dallas Machine & Locomotive Works, Inc. — PH–462–130, PH–562–130, PH–662–130, 4MH–4560, 4MH–5170, SMH–4560, SRH–5660, SRH–5770, SRH–5778, SRH–6978, SMH–5170, SRH–4560
Easton Car & Construction Co. — HP–4, HP–6, LP–4, LP–6, LL–4, LL–6, LL6–10, TL6–10, TLC–4, TLC–6
Elwell-Parker Electric Co. — EQ–4, EP–4–11, EP–6, GEP–6, EP–10, ELN–6, ELN–10, F–23, F–19, F–25, C–4, C–X, C–Z, 2000 # crane attachment
John Engelson — 66B
Erickson Special Equipment Mfg. Co. — FT, FA
Harry Ferguson, Inc. — Moto–Tug–25, Moto–Tug–40
Hadley & Dye Aircraft Parts Co. — Model 101
W. F. Hebard Equipment Co. — A–3–Victory, A–14–Victory, J–233, J–233–N, J–233–P
"HH" Manufacturers — 1646, 1646TV, 2NC, 2NHD, 3GHD C–2T, C–34
Hi-way Service Corp. — Drott L
Howell Industrial Truck Co. — 112, 30, 90, 80–FC, 5
Lansing Co. — Models J and R
Lewis-Shepard Co. — KFTT3, KFTT4, GFTT3, GFTT4
Lift Trucks, Incorporated — EHN–3000 # in platform lengths 38, 44, 50, and 62 inches, EHW–3000 #, EHW–4000 #, EHW–6000 # in platform lengths 44, 50, 62, and 74 inches. All in 6, 7, 9, and 11 inch platform heights.
MacDonald Truck Co. — A, B, C
Mercury Manufacturing Co. — A–1007, A–1006, A–1020, A–1001, A–1017, A–1018, A–1360, A–1480, A–1540, A–540, Banty
Moto-Truc Co. — NMSD–1, WE–1, MT–1, MT–3 MT–5, MT–6—Moto Truck platform in widths 20 and 26½ inches; lengths 36, 48, 60, and 90; heights 6, 7, 9, and 11 inches
Nutting Truck & Caster Co. — SCT, SLT, STT
Prescott Iron Works, Inc. — Model B
Rocky Mountain Steel Products, Inc. — Pony Express–24 volt, Pony Express–32 volt, Pony Express–Gas
Ross Carrier Co. — 20–H, 18–H, 16–H, 15–H, 12–H, 70–5445, 70–6051, 90–6544, 90–6556, 90–7056, 90–7968, 90–10868
Schwitzer-Cummins Co. — F–462
Silent Hoist Winch & Crane Co. — A, AX, AY, DY, CK
Superior Grinding & Motor Parts Co. — STD, HD, TRX
Towmotor Co. — LT–40, LT–44, LT–50, LT–56, LT–62, LT–72
Vaughan Motor Co. — TAW
Whiting Corp. — 3–DHLT.
Willamette Hyster Co. — Karry Krane, Hyster–20, Hyster–75, Space Saver, M–4560, M–5766, MH–4566, MH–5778, MH–57–106, MH–6870, MH–6878
Wright-Hibbard Industrial Electric Truck Co., Inc. — RBH and TRC in platform widths of 18 or 24 inches, platform lengths of 42 or 58 inches and lowered heights of 6½, 9, or 11 inches in 4000 # capacity
Yale & Towne Mfg. Co. — K20–4, K20–6, KM–4L, K23–E4, K23–E6, K26–S10, K22–4, KM–4H, K–28, K–38, KN30–2M, K41–II, K41–III, K41–V, K42–3–7–65, K42–SH6–78, K42–G10–5½–78, C2–T
Yard-Man, Incorporated — D–Truck–Man

Issued this 5th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–8081; Filed, June 5, 1944; 11:47 a. m.]

PART 3037—ELECTRONIC EQUIPMENT

[General Limitation Order L–183–a, Direction 1]

EFFECT OF PRECEDENCE LIST DESIGNATIONS ON COMPONENT ORDERS PLACED BY JOBBERS AND DISTRIBUTORS

The following direction is issued pursuant to General Limitation Order L–183–a.

A precedence list designation on a purchase order placed with a component manufacturer by a jobber or distributor must not be given any effect by the component manufacturer in scheduling shipment on that order, unless the purchase order also has all of the other information required by paragraph (b) (4) of Limitation Order L–183–a (name of contracting agency or customer on the prime contract; prime contract number; definite minimum delivery schedule required to support production according to the precedence list; and producer's manufacturing lead factor). It also must not be given any effect by the component manufacturer in any case where the component manufacturer knows, or has reason to believe, that the purchase order of the jobber or distributor is for replacement of inventory, even though the order purports to carry the other information required by paragraph (b) (4).

This means, in effect, that precedence list designations when accompanied by the other required information have effect on the scheduling of jobbers' and distributors' orders only when those orders are placed by the jobber or distributor as an intermediary for an equipment manufacturer for equipment being produced under a contract carrying Precedence.

For example, if Brown Radio Manufacturing Company places an order for resistors on White Resistor Company through a distributor, the distributor placing the order directly on White Resistor Company may use the precedence list designation, minimum delivery schedule, contract and contractor information and lead factor furnished by Brown Radio Manufacturing Company. White Resistor Company in turn may schedule that order according to precedence. If Brown Radio Manufacturing Company buys resistors from the distributor's stock, however, and the distributor extends the rating and precedence on his order with White Resistor Company to replace his inventory, then in that case the precedence list designation on the distributor's order shall not be given any effect.

Issued this 5th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–8082; Filed, June 5, 1944; 11:47 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 51]

WAR DEPARTMENT SMALL ORDERS

The following direction is issued pursuant to CMP Reg. 1.

(a) This direction provides for the use by the War Department of the symbol SO in placing purchase orders for controlled materials and Class A products. This supersedes all previous orders, regulations, and instructions on the same subject.

(b) Any one purchase order for any Class A product may be placed as a small order where the total amount of controlled materials needed to produce the products for that one order do not exceed the quantities specified in paragraph (L) of CMP Regulation No. 1.

(c) Any single authorized controlled material order may be placed where the total amount of the controlled materials covered by such order do not exceed the amount specified in paragraph (L) of CMP Regulation No. 1.

(d) Purchase orders may not be split in order to fall within this direction.

(e) Orders placed under this direction shall be treated as though placed under paragraph (L) of CMP Regulation No. 1. Orders placed under this direction must bear the allotment symbol SO. An order so placed for a controlled material is an authorized controlled material order.

Issued this 5th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–8083; Filed, June 5, 1944; 11:47 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M–293, Table 8, as Amended June 5, 1944]

POWER DIVISION, OFFICE OF WAR UTILITIES

§ 3208.9 *Table for Power Division.* (a) The following amended table is issued pursuant to the provisions of General Scheduling Order M–293.

Type of M–293 product	Designation	Applicable forms columns: 1 Operations report	2 Shipping schedule [1]	3 Application and authorization	4 Calendar months frozen [4]
1. Steam turbines unless designed for ship propulsion or aircraft use	X		3003		6
2. Hydraulic turbines	X		3003		12
3. Gas-propelled turbines unless designed for ship propulsion or aircraft use	X		3003		10
4. Steam turbine generator sets for land use unless designed for locomotive headlight service	X		3003		12
5. Steam turbine generator sets for shipboard use unless designed for ship propulsion	X		3003		10
6. Generators designed to be propelled by a hydraulic turbine	X		3003		12
7. Generators designed to be propelled by a steam engine, a steam turbine, or a gas turbine, unless designed for ship propulsion, aircraft use or locomotive headlight service	X		3003		10
8. Generators designed to be propelled by a diesel or natural gas engine, 750 r. p. m. and less, excluding equipment for marine use	X		3003		10
9. Diesel and natural gas engines, 750 r. p. m. and less, excluding equipment for marine use	X		3003		10
10. Boilers and boiler units, exclusive of those for marine shipboard or locomotive use: [1]					
a. Boilers and boiler units (including such auxiliaries as superheaters, desuperheaters and water walls or water-cooled furnaces, when such auxiliaries are fabricated by the manufacturer who reports and fabricates the related boiler) of any type listed below if such boilers and boiler units are (i) designed for a steam pressure of more than 15 pounds per square inch, and (ii) have a boiler heating surface of 500 square feet or more, but less than boilers and boiler units listed in c below:					
(i) Water tube; (ii) Scotch marine; (iii) Horizontal return tubular; (iv) Refractory lined firebox; (v) Oil country	X		1790		10
b. Boilers and boiler units designed for steam pressures over 15 pounds per square inch, all sizes, of the following types:					
(i) Waste heat; (ii) Dowtherm; (iii) Mercury; (iv) Electric	XY		1790	2645	
c. Boilers and boiler units listed in a above which have a combined boiler, water wall, economiser, and air heater heating surface of 3,000 square feet or more	XY		1790	2645	
d. Boiler auxiliaries, such as superheaters, desuperheaters, economizers, air heaters and water walls or water-cooled furnaces, (i) for a new boiler installation if fabricated by a manufacturer other than the manufacturer reporting and fabricating the related new boiler, or (ii) for a boiler unit already in use	X		1790		12
11. Pulverizers and related combustion equipment installed for the primary purpose of pulverizing solid fuel for firing any type of furnace, excluding those for marine shipboard and locomotive use	X		1790		12
12. Automatic stokers designed for burning solid fuel, with an active projected grate surface in excess of 36 square feet, excluding stokers for locomotive use. The term active projected grate surface means grate surface through which air is supplied to the fuel bed, either continuously or intermittently	X		1790		12

[1] See Table 14 of this order for listings of land boilers not included in this Table 8.
[3] Form WPB–3401 may be used instead of Form WPB–3003.
[4] For explanation of time during which shipping schedule is frozen see paragraph (o) of M–293.

Type of M-293 product	Designation	Applicable forms columns 1 Operations report	2 Shipping schedule	3 Application and authorization	4 Calendar months frozen
13. Soot blowers—any device using steam or air to blow soot, cinders, or slag from the heating surfaces of furnaces, boilers, stills and other types of direct-fired heat exchangers, excluding those for locomotive or marine use		732	3003		3
14. Steam condensers (surface, jet and barometric), inter and after condensers, and air ejectors, or any combination thereof, including marine condensers and air ejectors other than those produced for the United States Navy for use on ships	X		3003		6
15. Power frequency changers, 62½ cycles and below	XX		1790		8
16. Synchronous condensers	XX		1790		8
17. Oil circuit breakers of 2,200 volts or higher	X		[1] 1790		5
18. Air circuit breakers except types AB, ET, or similar	X		[1] 1790		5
19. Metal clad switchgear containing oil or air circuit breakers listed in 17 and 18 above and power switchboards	X		[1] 1790		6
20. Liquid-filled and dry-type power or distribution transformers, 250 KVA and larger; unit substations and unit load centers containing such transformers	XY		2642	2643	
21. Liquid-filled and dry-type power or distribution transformers smaller than 250 KVA and single phase, of the following classes only:					
a. Transformers which do not conform to EEI-NEMA Standards					
b. Transformers not listed, with a catalog number, in a manufacturer's catalog on January 1, 1944	Y			2643	
c. Transformers for purchase orders which are rated lower than AA-5					
22. Liquid-filled and dry-type power or distribution transformers, smaller than 250 KVA and multiple phase	Y			2643	
23. Crankshafts, finished, open hammer forged and press forged; also finished cast crankshafts for engines of 750 r. p. m. and less	X	878C	878C		3
24. Hydraulic governors except for aircraft application	X		3003		3

[1] A manufacturer of these products may file on Form WPB-3003 at his option.

Issued this 5th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8084; Filed, June 5, 1944; 11:45 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[General Preference Order E-6, as Amended June 5, 1944]

HAND SERVICE TOOLS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of hand service tools and of alloy steel used in their manufacture, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3274.51 *General Preference Order E-6*—(a) *Definitions.* For the purposes of this order:

(1) "Mechanic's hand service tool" means any tool listed on Exhibit A hereto attached which is used by hand, and is made of iron or steel or has a principal component part made of iron or steel.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(3) "Producer" means any person engaged in the production of mechanics' hand service tools.

(4) "WPB-547 order" means any order for mechanics' hand service tools now or hereafter placed with a producer by any person acquiring such tools for his own inventory or shelf stock pursuant to a rating assigned on Form WPB-547 (formerly PD-1X).

(5) "Other order" means any purchase order for mechanics' hand service tools except WPB-547 orders.

(6) "Total monthly production" means either.

(i) The total dollar value of each kind of mechanic's hand service tool listed on Exhibit A hereto attached, scheduled to be produced in any given month by a producer, including both special and standard tools of that kind; or

(ii) The total number of units of each kind of mechanic's hand service tool listed on Exhibit A hereto attached, scheduled to be produced in any given month by a producer.

(b) *Restriction on use of steel.* No producer shall manufacture any mechanics' hand service tools out of any alloy steel except those which are in the series specified in Exhibit B hereto attached or except pursuant to specific permission of the War Production Board.

(c) *Allocation of production between WPB-547 orders and other orders.* Commencing with the month of July 1943 and each month thereafter, each producer shall schedule his total monthly production and the delivery thereof as follows:

(1) To the extent that he has WPB-547 orders on hand, he shall schedule between 20 and 25 percent of his total monthly production of each kind of mechanic's hand service tool specified in Exhibit A hereto attached for delivery against WPB-547 orders requiring delivery in such month. No producer shall schedule any order pursuant to this paragraph (c) (1) unless it clearly appears from such order that the rating applied thereto was assigned on Form WPB-547 (formerly PD-1X).

The sequence of deliveries on WPB-547 orders within the percentage limitation thereon which may be delivered in any given month shall be scheduled according to applicable War Production Board regulations.

(2) To the extent that he has other orders on hand, he shall schedule between 75 and 80 percent of his total monthly production of each kind of mechanic's hand service tool specified in Exhibit A hereto attached for delivery against other orders requiring delivery in such month.

The sequence of deliveries on other orders within the percentage limitation thereon which may be delivered in any given month shall be scheduled according to applicable War Production Board regulations.

(3) Any portion of the percentage allocated to WPB-547 orders which has not been taken up by such orders on or before the fifteenth day of the month preceding the month being scheduled, shall be scheduled for delivery against other orders, and vice versa.

(d) *Necessity for preference ratings and authorizations to place orders.* Notwithstanding any other provisions of this order:

(1) No producer shall sell or deliver any mechanics' hand service tools pursuant to any purchase order placed prior to June 12, 1943 unless such order bears a preference rating of A-9 or higher, nor shall any producer sell or deliver any mechanics' hand service tools pursuant to any purchase order placed subsequent to June 12, 1943 unless such order bears a preference rating of AA-5 or higher, or except pursuant to specific permission of the War Production Board.

(2) [Deleted Feb. 19, 1944]

NOTE: Specific authorization to purchase certain types of mechanics' hand service tools is now required by Table 12 under General Scheduling Order M-293.

(e) *Restrictions on inventory.* On and after June 12, 1943, no person purchasing more than ten mechanics' hand service tools of any kind specified on Exhibit A shall accept delivery of any such tools the delivery of which will effect an increase in his inventory beyond a supply required by his current practices for use or for resale during a sixty-day period. In the event that the provisions of Suppliers' Inventory Limitation Order L-63 as applied to any supplier as defined in that order are more restrictive, such provisions shall govern. The restrictions on inventory contained in this paragraph (e) shall not apply to the following designated types of purchase orders:

(1) Purchase orders for mechanics' hand service tools made pursuant to the purchaser's special design or specifications which are not standard items in the producer's production schedules.

(2) Purchase orders placed by the Army, Navy, or Maritime Commission for mechanics' hand service tools required for bases or supply depots outside the continental United States (comprising the several States and the District of Columbia), or for bases or supply depots within the continental United States which are maintained for emergency purposes, or to supply such bases or supply depots outside the continental United States.

(3) Any other purchase order specifically excepted from this restriction by the War Production Board.

(f) *Repair parts.* Nothing in this order shall be construed to prevent the sale and delivery of repair parts for mechanics' hand service tools in accordance with applicable regulations and orders of the War Production Board concerning repair parts.

(g) [Revoked Feb. 19, 1944]

(h) *Applicability of General Scheduling Order M-293.* Those mechanics' hand service tools which are listed on the schedule attached to General Scheduling Order M-293 are also subject to the terms and provisions of that order.

(i) *Reports.* Each producer shall execute and file with the War Production Board Form WPB-2057 and such other reports and questionnaires as said Board may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(j) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board.

(l) *Communications.* All reports, appeals, and other communications concerning this order shall be addressed to: War Production Board, Tools Division, Washington 25, D. C., Ref.: E-6.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 5th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A

Mechanics' cold chisels and punches.
Metal cutting files.
Machinists' ball pein hammers.
Metal cutting snips and shears.
Pliers, slip joint.
Pliers, solid joint.
Metalworking punches, lever type.
Screw drivers, all types.
Wrenches, socket and driving units.
Wrenches, open end and combination box.
Wrenches, adjustable, 22½° angle.
Wrenches, box.
Wrenches, adjustable auto.
Wrenches, monkey.
Wrenches, pipe.
Piston ring compressors.
Ring groove cleaning tools.
Spring testers: Valve or clutch spring.
Valve spring compressors.

NOTE: Tools subject to L-53-b are not included herein.

EXHIBIT B

NE 1000 Series with or without Boron or Vanadium addition agents
NE 1300 Series
NE 8600 Series
NE 8700 Series
NE 9200 Series
NE 9400 Series

[F. R. Doc. 44-8065; Filed, June 5, 1944; 11:47 a. m.]

PART 3281—PULP AND PAPER

[Limitation Order L-120, Schedule I, as Amended June 5, 1944]

PAPER AND PAPERBOARD FOR USE IN COMMERCIAL PRINTING

§ 3281.17 *Schedule I to Limitation Order L-120*—(a) *Definitions.* For the purpose of this schedule, including the appendix:

(1) The term "paper and paperboard" means and is limited to the kinds of paper and paperboard commonly described and distributed in the paper trade by the names used as captions in the appendix below.

(2) The term "paper and paperboard for use in commercial printing" means all paper and paperboard commonly manufactured and distributed for use in printing, including but not limited to the printing of house organs, music, labels and posters; and excluding only those manufactured and distributed for use in printing newspapers and magazines, pamphlets published for resale, and books, or for conversion into another paper product or products otherwise than by printing.

(3) A "grade" means one particular quality within a kind of paper or paperboard such grade having the essential properties peculiar to such kind and common to all grades within such kind, but distinguished from other such grades by a difference in the degree to which one or several of those common properties are emphasized. However, a difference in the degree to which any common property is emphasized, due only to a difference in ash content, in sizing, in the quantity of adhesive in the coating formula, or in the dyes used in the paper or paperboard, or coating shall not be considered as resulting in a different grade.

(4) "Color" means any hue of the spectrum, including but not limited to ivory, india and green-white tints, and black, but not including white.

(5) The term "basis weight" means the weight in pounds per 500 sheets in the size indicated under the appropriate caption, or the equivalent weight of 500 sheets in any other size figured proportionately to the size specified.

(6) The term "thickness" means the thickness of a sheet of paper or paperboard expressed either in terms of plies or in terms of thousandths of an inch measured by the Cady Micrometer.

(7) An "item" means a quantity of paper or paperboard all of which is of the same size, grain, basis weight, finish, color and grade.

(8) The term "standard" as applied to grade, color, basis weight, and size means, with respect to each manufacturer, a grade and color selected and a basis weight or thickness, and size specified under A of the appropriate caption in the appendix below.

(9) The term "special" as applied to grade, color, basis weight, and size means, with respect to each manufacturer, any grade, color, basis weight, thickness or size that is not standard.

(10) The term "special making order" means a single order placed by a single buyer for manufacture at one time for use by one printer or consumer.

(11) The term "manufacture" includes all making and finishing operations prior to packaging or packing, including pasting whether by a primary manufacturer or otherwise.

(12) "Person" means any individual, partnership, association, or other form of enterprise, including within one "person" all affiliates, subsidiaries, individuals, corporations, partnerships, or other forms of enterprise subject to a common executive or operating management or with a common sales organization.

(b) *Identification of the papers or paperboards subject to this schedule.* It shall be the duty of each person who manufactures paper or paperboard to determine in the first instance, but subject to review and official classification by the War Production Board at any time thereafter, under which caption, if any, of the appendix belongs each of the "paper and paperboard for use in commercial printing" manufactured by him. There shall be taken into account in such determination, and in any review and reclassification by the War Production Board the designation by which the manufacturer heretofore identified or distributed the paper or paperboard in question, the common designation in the paper trade of similar papers or paperboards selling within the same general price range as the paper or paperboard in question, and the common designation in the paper trade of papers or paperboards possessing the same general physical characteristics, manufactured by the same general processes, or commonly distributed and used for the same general uses as the paper or paperboard in question. If a manufacturer is uncertain as to the proper caption under which to classify a particular kind of "paper or paperboard for use in commercial printing", or whether a particular kind of paper or paperboard is such a paper or

paperboard at all or belongs under any caption of the appendix to this schedule, he may apply to the War Production Board, in writing, for an official classification of such paper or paperboard, submitting with his application representative samples of the grade or grades in which he manufactures such paper or paperboard, a full explanation of the processes by which he manufactures the same, the designation by which he has heretofore identified or distributed the same, the general uses for which it is intended, the general price range within which it is sold, and the types of paper or paperboard with which it chiefly competes, and a full explanation of the reasons for his uncertainty. The War Production Board may on its own motion review a manufacturer's classification and substitute therefore an official classification. In any event, an official classification by the War Production Board by telegram or notice in writing sent to the manufacturer, shall, unless and until the War Production Board shall amend or revise the same by telegram or notice in writing sent to the manufacturer, be conclusive.

(c) *Selection of grades for regular manufacture.* Each person who manufactures any kind of "paper or paperboard for use in commercial printing", shall select such "grade" or "grades" (if selection is indicated under the appropriate caption and has not already been made by him), not to exceed the number specified in A (1) of the appropriate caption of the appendix below, as he may desire to adopt for regular manufacture, and shall forthwith notify the War Production Board of such selection on Form WPB 1295 (formerly PD-589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board, in writing, the original selection shall remain binding.

(d) *Selection of colors for regular manufacture.* If by the terms of A (2) under the appropriate caption of the Appendix below a manufacturer is permitted with respect to a particular grade of a kind of "paper and paperboard for use in commercial printing", to select a number of colors and such selection is indicated and has not already been reported by him, each person desiring to manufacture such grade in colors shall immediately select therefor such particular colors, not to exceed the number indicated in A (2) of the appropriate caption, as he may desire to adopt for regular manufacture, and shall immediately notify the War Production Board of such selection on Form WPB 1295 (formerly PD-589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board in writing, the original selection shall remain binding.

(e) *General limitations.* No person shall manufacture any kind of "paper or paperboard for use in commercial printing" in any grade, color, basis weight, or size other than those specified or selected as standard under A of the appropriate caption of the appendix (where such standards are specified or selected under A of the appropriate caption), or contrary to any other provision under the appropriate caption. This general rule is, however, subject to the following exceptions:

(1) Tolerances and variations are permitted to the extent provided in paragraph (f).

(2) Cutting and slitting to various sizes are permitted to the extent provided in paragraph (g).

(3) Special provision is made for "jobs" and "seconds" in paragraph (h).

(4) Special provision is made for export orders in paragraph (i).

(5) Exceptions are made for "special making orders" under certain captions of the appendix. However, regardless of these exceptions where special making orders are so permitted under any caption, the basis weight or thickness must not exceed the heaviest standard basis weight or thickness permitted under A of such caption.

(6) Paper or paperboard in process of manufacture on June 5, 1944, and conforming to the requirements of this order prior to the amendment effective that date, may be completed otherwise than by pasting.

(7) Paper or paperboard may be manufactured for a particular use in any basis weight or thickness permitted for such use by this or any other order of the War Production Board, provided the basis weight or thickness does not exceed the maximum specified by the War Production Board for such use, and provided all other provisions of this or such other orders are fully complied with.

(f) *Tolerances and variations.* The prohibitions and restrictions of this revised schedule are subject to the normal tolerances customary in the manufacture of the kind of paper or paperboard under each caption and to the normal variations in quantity manufactured customarily acceptable in the paper trade for such kind. Nothing in this revised schedule shall restrict the remaking, because of faulty manufacture or excessive underrun, of all or any part of a "special making order" accepted in good faith for manufacture in accordance with the terms of this revised schedule.

(g) *Cutting and slitting.* Nothing in this revised schedule shall restrict the cutting of any sheet size to sizes of which the parent size is a multiple, provided the parent size is manufactured in accordance with the provisions of this revised schedule, nor restrict the slitting to fractional width rolls of any parent roll size manufactured in accordance with the provisions of this revised schedule on an order for rolls; however, a special sheet size may not be cut from a standard or special roll size except in a quantity and under the conditions, if any, applying to a "special size" under B of the appropriate caption in the Appendix below.

(h) *Jobs and seconds.* Nothing in this revised schedule shall restrict the sale of "job lots" or "seconds" resulting from faulty manufacture or overruns customarily unacceptable to the buyer, which occur during a bona fide attempt to manufacture "paper and paperboard" according to the terms of this revised schedule, provided that the manufacturer clearly informs the purchaser that such paper or paperboard is a "job lot" or "seconds" and so indicates on each package.

(i) *Exception for export.* Regardless of the foregoing provisions of this revised schedule and of the provisions of Limitation Order L-120, a person may manufacture for export (but may not without permission in writing from the War Production Board sell in the domestic market) any "kind" of "paper or paperboard for use in commercial printing" in any size, basis weight or thickness required, regardless of quantity, provided all other provisions of this schedule are complied with and (if the basis weight or thickness is heavier than permitted) such person has received permission in writing from the War Production Board to manufacture the particular order in question in such heavier basis weight.

(j) *Records and reports*—(1) *Standard samples.* Each person who manufactures any kind of "paper or paperboard for use in commercial printing" shall keep, readily available for inspection by the War Production Board, representative samples of each standard grade and each standard color of such grade selected by him under A (1) and A (2) of the appropriate caption.

(2) *Special making orders.* On and after September 1, 1943, each person who manufactures any "special making order" permitted under B of the appropriate caption of the appendix below shall require from the buyer a statement to the effect that such order is purchased for use by one printer or consumer, shall keep such statement, together with a complete record of such order, readily available for inspection by the War Production Board and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(3) *Export orders.* On and after September 1, 1943 each person who manufactures "paper or paperboard for use in commercial printing" for export shall require from the buyer a statement on his purchase order to the effect that such paper is purchased for export, shall keep such statement, together with a complete record of the order against which such paper is manufactured, readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

NOTE: The reporting requirements of paragraphs (c) and (d) have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 5th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX—STANDARDIZATION AND SIMPLIFICATION OF PAPER AND PAPERBOARD FOR USE IN COMMERCIAL PRINTING

NOTE: "Groundwood Printing Papers," "Novel News" "Groundwood Directory Papers" and "Railroad Manila" tables deleted June 5, 1944.

UNCOATED ENGLISH (MACHINE) FINISH BOOK PAPERS

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: In one of the grades selected under A (1), White and India only. The other grade selected may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard basis weights (Per 500 sheets 25" x 38"): 80, 35, 40; and, if for use in printing sheet music, basis weight 80, or music other than sheet music, basis weight 50, or cigarette cups, basis weight 65, or seed packets, basis weight 60, or labels, basis weight 45; provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) Standard Sizes (in inches):

Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. *Exceptions for "special making orders"* as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either white or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing Schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or white; or a special color in the quantities provided for under Exception (2) above

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

(5) Basis Weights below 30 pound. No restriction on grade, basis weights or sizes in basis weights below 30 pound.

UNCOATED BOOK PAPERS, SUPERCALENDERED

A. *Grades, Colors, Weights and Sizes for regular manufacture:*

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule, provided they correspond to the two selected for Uncoated English (Machine) Finish Book Papers.

(2) Standard Colors: In one of the grades selected under A (1), White and India only. The other grade selected may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard basis weights (For 500 sheets 25" x 38"): 35, 40, 45; and, if for use in printing sheet music, basis weight 80, or music other than sheet music, basis weight 50; or cigarette cups, basis weight 65, or seed packets, basis weight 60; provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) Standard Sizes (in inches):

Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. *Exceptions for "special making orders"* as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A special basis weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing Schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

ANTIQUE (EGGSHELL) FINISH BOOK PAPERS

A. *Grades, Colors, Weights and Sizes for regular manufacture.*

(1) Standard grades: Not more than two, selected according to paragraph (c) of the foregoing schedule, but only one may carry a watermark and/or a laid mark.

(2) Standard colors: In one of the grades selected under A (1), White and India only. The other grade selected may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard basis weights (Per 500 sheets 25" x 38"): 35, 40, 45; and, if in a standard watermarked text grade, basis weight 50.

(4) Standard sizes (in inches):

Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. *Exceptions for "special making orders"* as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A special basis weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing Schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

UNCOATED OFFSET BOOK PAPERS

A. *Grades, colors, weights and sizes for regular manufacture.*

(1) Standard Grades: Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: The grade selected under A (1) may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard basis weights (Per 500 sheets 25" x 38"): 50; and, if for use in multi-color printing on an offset press, basis weight 60; provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for use exclusively in multi-color printing on an offset press. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

Definition of multi-color printing. Multi-color printing means the use of more than two colors of ink including black, two or more colors being superimposed on the base color ink to produce the desired design or illustration.

(4) Standard Sizes (in inches):

Sheets: 22½ x 35, 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50, 41 x 54, 44 x 64.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

(5) Any fancy finish may be applied to any item conforming to the other conditions of this caption.

(6) No laid mark or other watermarks permitted.

(7) No supercalendered Offset Paper permitted.

B. *Exceptions for "special making orders"* as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A special basis weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight, in the quantities provided for under exceptions (1), (2) and (3) above.

(5) Any fancy finish may be applied to any item conforming to the other conditions of this caption.

(6) A laid mark or other watermark may be incorporated in a special making order of 5,000 pounds or more of any item conforming to the other conditions of this caption.

(7) A Supercalender Finish may be applied to fill a special making order for 2,000 pounds or more of any item conforming to the other conditions of this caption.

PROCESS (MACHINE) COATED BOOK PAPERS

A. *Grades, Colors, Weights and Sizes for regular manufacture.*

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule.

NOTE: A person may, upon application to and approval by the War Production Board select for regular manufacture not more than 2 additional grades of Process (Machine) Coated Book Papers, each in lieu of a grade of Glossy Coated Two Sides Book Papers and, if his application is granted, may not thereafter, unless and until permitted by the War Production Board, regularly manufacture the grade or grades of Glossy Coated Two Sides Book Papers thus replaced.

(2) Standard Colors: White only.

(3) Standard basis weights (Per 500 sheets 25" x 38"): 45, 50, 60 and 70; providing the basis weight of the body stock is no heavier than 45.

(4) Standard Sizes (in inches):
Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50.
Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. *Exceptions for "special making orders"* as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade, and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

COATED ONE SIDE BOOK PAPERS

A. *Grades, Colors, Weights and Sizes for regular manufacture.*

(1) Standard Grades: Not more than one grade of body stock to which may be applied two grades of coating, selected according to paragraph (c) of the foregoing schedule, one for general use and the other suitable for varnishing and gloss ink printing.

(2) Standard Colors: White only.

(3) Standard basis weights (per 500 sheets 25" x 38"): 50, 60; and if for use in printing cigarette cups, basis weight 70, or if for use in printing sheet music, basis weight 85: *Provided*, That before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement together with a complete record of the order, readily available for inspection by the War Production Board.

(4) Standard sizes (in inches):
Sheets: 25" x 38", 28" x 42", 28" x 44", 32" x 44", 35" x 45", 38" x 50".
Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. *Exceptions for "special making orders"* as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

GLOSSY COATED TWO SIDES BOOK PAPERS

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than three, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: In each of two of the grades selected under A (1), White and either India or Ivory but not both. The other grade selected may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard basis weights (Per 500 sheets 25" x 38"): 50, 60; and, providing the basis weight of the body stock (i. e., finished paper minus coating) is no heavier than 45, basis weight 70.

(4) Standard Sizes (in inches):
Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50.
Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. *Exceptions for "special making orders"* as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight, or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

(5) Special Coating Formulae: Any glossy coated two sides coating formula may be applied to a grade of body stock regularly manufactured under A (1) to fill a special making order:

(a) In 5,000 pounds or more of one item in White only, and in any basis weight permitted under A (3); or

(b) In 10,000 pounds or more of White or any one color, standard or special, and in any one basis weight permitted, standard or special, and with at least 5,000 pounds of each item.

(6) Glossy Coated One Side: Any body stock and coating used for a standard grade of Glossy Coated Two Sides Book Papers may be used to manufacture a similar grade coated one side to fill a special making order, provided that:

(a) The quantity of each basis weight permitted for coated one side is at least 10,000 pounds; and

(b) The quantity of each item is at least 5,000 pounds.

COATED TWO SIDES OFFSET PAPERS

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White only.

(3) Standard basis weights (Per 500 sheets 25" x 38"): 50, 60; and, providing the basis weight of the body stock (i. e., finished paper minus coating) is no heavier than 45, basis weight 70.

(4) Standard Sizes (in inches):
Sheets: 22½ x 35, 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50, 41 x 54.
Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. *Exceptions for "special making orders"* as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one calar, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A special basis weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

DULL COATED BOOK PAPERS

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: The grade selected under A (1) may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard basis weights (Per 500 sheets 25" x 38"): 50, 60; and, providing the basis weight of the body stock (i. e., finished paper minus coating) is no heavier than 45, basis weight 70.

(4) Standard Sizes (in inches):
Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50.
Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. *Exceptions for "special making orders"* as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade, and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A special basis weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above; and

(c) Provided that before the sale of Plain Coated Cover in any basis weight lighter than 20" x 26"—50 the manufacturer shall require from the buyer a statement that the order is for use only as a cover. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

BOGUS (TICKET) BRISTOL

Maximum basis weight permitted: 22½" x 28½—120.

POSTER PAPERS

Maximum basis weight permitted: 25" x 38"—50; and, if for 24 sheet poster for outdoor billboards, 25" x 38"—55, provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

COATED POSTCARD BRISTOL

Maximum thickness permitted: .011 of an inch.

NEWSPRINT

Maximum basis weight permitted: 24" x 36"—32.

SCHOOL DRAWING

(Excluding "Artists Drawing" and "Drafting")

Maximum basis weight permitted: 25" x 38"—45.

[F. R. Doc. 44-8086; Filed, June 5, 1944; 11:45 a. m.]

PART 3281—PULP AND PAPER

[Limitation Order L-120, Schedule II, as Amended June 5, 1944]

PAPER AND PAPERBOARD FOR USE IN BOOK PUBLISHING

§ 3281.18 *Schedule II to Limitation Order L-120*—(a) *Definitions.* For the purpose of this schedule, including the appendix:

(1) The term "paper" means and is limited to the kinds of paper commonly

described and distributed in the paper trade by the names used as captions in the appendix below.

(2) The term "paper for use in book publishing" means all "paper" commonly manufactured and distributed for use in books and in publishing pamphlets for resale.

(3) A "grade" means one particular quality within a kind of paper, such grade having the essential properties peculiar to such kind of paper and common to all grades within such kind, but distinguished from other such grades by a difference in the degree to which one or several of those common properties are emphasized. However, a difference in the degree to which any such property is emphasized, due only to a difference in ash content, in sizing, in the quantity of adhesive in the coating formula, or in the dyes used in the paper or coating shall not be considered as resulting in a different grade.

(4) "Color" means any hue of the spectrum, including but not limited to ivory india and green-white tints, and black, but not including white.

(5) The term "basis weight" means the weight of a kind of paper in pounds per 500 sheets in the size indicated under the appropriate caption, or the equivalent weight of 500 sheets in any other size figured proportionately to the size specified.

(6) An "item" means a quantity of paper all of which is of the same size, grain, basis weight, finish, color and grade.

(7) The term "standard" as applied to grade, color, basis weight, and size means, with respect to each manufacturer, a grade and color selected and a basis weight and size specified under A of the appropriate caption in the appendix below.

(8) The term "special" as applied to grade, color, basis weight, and size means, with respect to each manufacturer, any grade, color, basis weight or size that is not standard.

(9) The term "special making order" means a single order placed by a single buyer for manufacture at one time for use by one printer or publisher.

(10) The term "manufacture" includes all making and finishing operations prior to packaging or packing, including pasting whether by a primary manufacturer or otherwise.

(11) "Person" means any individual, partnership, association, or other form of enterprise, including within one "person" all affiliates, subsidiaries, individuals, corporations, partnerships, or other forms of enterprise subject to a common executive or operating management or with a common sales organization.

(b) *Identification of the papers subject to this schedule.* It shall be the duty of each person who manufactures paper to determine in the first instance, but subject to review and official classification by the War Production Board at any time thereafter, under which caption of the appendix, if any, belongs each of the "papers for use in book publishing" manufactured by him. There shall be taken into account in such determination, and in any review and reclassification by the War Production Board, the designation by which the manufacturer heretofore identified or distributed the paper in question, the common designation in the paper trade of similar papers selling within the same general price range as the paper in question, and the common designation in the paper trade of papers possessing the same general physical characteristics, manufactured by the same general processes, or commonly distributed and used for the same general uses as the paper in question. If a manufacturer is uncertain as to the proper caption under which to classify a particular kind of "paper for use in book publishing", or whether a particular kind of paper is such a paper at all or belongs under any caption of the appendix to this schedule, he may apply to the War Production Board, in writing, for an official classification of such paper, submitting with his application representative samples of the grade or grades in which he manufactures such paper, a full explanation of the processes by which he manufactures the same, the designation by which he has heretofore identified or distributed the same, the general uses for which it is intended, the general price range within which it is sold, and the types of papers with which it chiefly competes, and a full explanation of the reasons for his uncertainty. The War Production Board may on its own motion review a manufacturer's classification and substitute therefor an official classification. In any event, an official classification by the War Production Board by telegram or notice in writing sent to the manufacturer shall, unless and until the War Production Board shall amend or revise the same by telegram or notice in writing sent to the manufacturer, be conclusive.

(c) *Selection of grades for regular manufacture.* Each person who manufactures any kind of "paper for use in book publishing" shall, with respect to each such kind he manufactures select such "grade" or "grades" thereof (if such selection is indicated under the appropriate caption and has not already been reported by him to the War Production Board), not to exceed the number specified in A (1) of the appropriate caption of the appendix below, as he may desire to adopt for regular manufacture, and shall immediately notify the War Production Board of such selection on Form WPB 1295 (formerly PD-589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board in writing the original selection shall remain binding.

(d) *Selection of colors for regular manufacture.* If by the terms of A (2) under the appropriate caption of the appendix below a manufacturer is permitted, with respect to a particular grade of a kind of "paper for use in book publishing", to select a number of colors, and such selection is indicated and has not already been reported by him to the War Production Board, each person desiring to manufacture such grade in colors shall immediately select therefor such particular colors, not to exceed the number indicated in A (2) of the appropriate caption, as he may desire to adopt for regular manufacture and shall immediately notify the War Production Board of such selection on Form WPB 1295 (formerly PD-589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board in writing the original selection shall remain binding.

(e) *General limitations.* No person shall manufacture any kind of "paper for use in book publishing" in any grade, color, basis weight, or size other than those specified or selected as standard under A of the appropriate caption of the appendix (where such standards are specified or selected under A of the appropriate caption), or contrary to any other provision under the appropriate caption. This general rule is, however, subject to the following exceptions:

(1) Any item the manufacture of which is permitted under Schedule I to Limitation Order L-120 may be manufactured for use in books or in publishing pamphlets for resale, provided the basis weight of the item is no heavier than permitted under the maximum weight provisions of this Schedule II for the grade.

(2) Tolerances and variations are permitted to the extent provided in paragraph (f).

(3) Cutting and slitting to various sizes are permitted to the extent provided in paragraph (g).

(4) Special provision is made for "jobs" and "seconds" in paragraph (h).

(5) Special provision is made for export orders in paragraph (i).

(6) Exceptions are made for "special making orders" under certain captions of the appendix. However, regardless of these exceptions where special making orders are so permitted under any caption, the basis weight or thickness must not exceed the heaviest standard basis weight or thickness permitted under A of such caption.

(7) Paper in process of manufacture on June 5, 1944, and conforming to the requirements of this order prior to the amendment effective that date, may be completed otherwise than by pasting.

(8) Paper may be manufactured for a particular use in any basis weight or thickness permitted for such use by this or any other order of the War Production Board, provided the basis weight or thickness does not exceed the maximum specified by the War Production Board for such use, and provided all other provisions of this or such other orders are fully complied with.

(f) *Tolerances and variations.* The prohibitions and restrictions of this revised schedule are subject to the normal tolerances customary in the manufacture of the kind of paper under each caption and to the normal variations in quantity manufactured customarily acceptable in the paper trade. Nothing in this revised schedule shall restrict the remaking, because of faulty manufacture or excessive underrun, of all or any part of a "special making order" accepted in good faith for manufacture in accordance with the terms of this revised schedule.

(g) *Cutting and slitting.* Nothing in this revised schedule shall restrict the cutting of any sheet size to sizes of which the parent size is a multiple, provided the parent size is manufactured in accordance with the provisions of this revised schedule, nor restrict the slitting to fractional width rolls of any parent roll size manufactured in accordance with the provisions of this revised schedule on an order for roll paper; however, a special sheet size may not be cut from a standard or special roll size except in a quantity and under the conditions, if any, applying to a "special size" under B of the appropriate caption in the appendix below.

(h) *Jobs and seconds.* Nothing in this revised schedule shall restrict the sale of "job lots" or "seconds", resulting from faulty manufacture or overruns customarily unacceptable to the buyer, which occur during a bona fide attempt to manufacture paper according to the terms of this revised schedule, provided that the manufacturer clearly informs the purchaser that such paper is a "job lot" or "seconds" and so indicates on each package.

(i) *Exception for export.* Regardless of the foregoing provisions of this revised schedule and of the provisions of Limitation Order L-120, a person may manufacture for export (but may not without permission in writing by the War Production Board sell in the domestic market) any kind of paper for use in book publishing in any size or basis weight required, regardless of quantity, provided all other provisions of this schedule are complied with and (if the basis weight is heavier than permitted by this schedule) such person has received permission in writing from the War Production Board to manufacture the particular order in question in such heavier basis weight.

(j) *Records and reports*—(1) *Standard samples.* Each person who manufactures any kind of "paper for use, in book publishing" shall keep readily available for inspection by the War Production Board, representative samples of each standard grade and each standard color of such grade selected by him under A (1) and A (2) of the appropriate caption.

(2) *Special making orders.* On and after September 1, 1943, each person who manufactures any "special making order" permitted under B of the appropriate caption of the appendix below shall require from the buyer a statement to the effect that such order is purchased for use by one printer or publisher, shall keep such statement, together with a complete record of such order, readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(3) *Export orders.* On and after September 1, 1943, each person who manufactures "paper for use in book publishing" for export shall require from the buyer a statement on his purchase order to the effect that such paper is purchased for export, shall keep such statement, together with a complete record of the order against which such paper is manufactured, readily available for inspection by the War Production Board, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, and shall submit reports of such orders to the War Production Board as it may from time to time require.

(4) *Buyer's statement of use.* On and after September 1, 1943, each manufacturer, before filling any order for "paper for use in book publishing" manufactured after September 1, 1943, shall require from the buyer a statement that such order is for use in books or in publishing pamphlets for resale, and shall keep such statement, together with a complete record of such order, readily available for inspection by the War Production Board.

(k) Deleted June 5, 1944.

NOTE: The reporting requirements of WPB 1295 (formerly PD 589) have been approved by the Bureau of the Budget pursuant to Federal Reports Act of 1942.

Issued this 5th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX—STANDARDIZATION AND SIMPLIFICATION OF PAPER AND PAPERBOARD FOR USE IN BOOK PUBLISHING

NOTE: "Groundwood Printing Papers", "Novel News" and "Groundwood Directory Paper" tables deleted June 5, 1944.

UNCOATED ENGLISH (MACHINE) FINISH BOOK PAPERS

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: In the grades selected under A (1), White and India only.

(3) Standard Basis Weights (per 500 sheets 25" x 38"): 30, 35, 40; and, if for use in printing text books for elementary school grades 1 and 2 or for juvenile books, or for music books, basis weight 50, or other school and college text books and technical books, basis weight 45, provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) Standard Sizes (in inches):
Sheets: 38 x 50, 41 x 61, 44 x 66, 46 x 69.
Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:
(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and
(b) The quantity of each permitted basis weight is at least 10,000 pounds; and
(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:
(a) The quantity of each special color is at least 20,000 pounds in one grade; and
(b) The quantity of each permitted basis weight is at least 10,000 pounds; and
(c) The quantity of each item is at least 5,000 pounds.

(3) A special Basis Weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:
(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and
(b) In a standard color or white; or a special color in the quantities provided for under Exception (2) above.

(4) A special size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:
(a) In a standard grade, standard color or standard basis weight; or
(b) In a special grade, special color or special basis weight in the quantities provided for under Exceptions (1), (2) and (3) above.

(5) Basis weights below 30 pound. No restriction on grade, basis weights or sizes in basis weights below 30 pound.

UNCOATED BOOK PAPERS, SUPERCALENDERED

A. Grades, Colors, Weights and Sizes for regular manufacture:

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule, provided they correspond to the two selected for Uncoated English (Machine) Finish Book Papers.

(2) Standard Colors: In the grades selected under A (1), White and India Only.

(3) Standard basis weights (Per 500 sheets 25" x 38"): 30, 35, 40, 45; and, if for use in printing text books for elementary school grades 1 and 2 or for juvenile books or for music books, basis weight 50; provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) Standard Sizes (in inches):
Sheets: 38 x 50, 41 x 61, 44 x 66, 46 x 69.
Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:
(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and
(b) The quantity of each permitted basis weight is at least 10,000 pounds; and
(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:
(a) The quantity of each special color is at least 20,000 pounds in one grade; and
(b) The quantity of each permitted basis weight is at least 10,000 pounds; and
(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item.

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or white; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under Exceptions (1), (2) and (3) above.

ANTIQUE (EGGSHELL) FINISH BOOK PAPERS (INCLUDING HIGH BULK AND EXTRA HIGH BULK)

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule, but only one may carry a watermark and/or a laid mark.

(A difference in bulk does not in itself constitute a difference in Grade.)

(2) Standard Colors: In the grades selected under A (1), White and India only.

(3) Standard Basis Weights (Per 500 sheets 25"x38"): 35, 40, 45; and, if in a standard watermarked text grade or for use in printing text books for elementary school grades 1 and 2 or juvenile books or music books, basis weight 50, provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) Standard Sizes (in inches):

Sheets: 38 x 50, 41 x 61, 44 x 66, 46 x 69.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "Special making orders" as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either white or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order provided that:

(a) The quantity of each special color is at least 20,000 pounds, in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pcunds.

(3) A Special Basis Weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or white; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under Exceptions (1), (2) and (3) above.

(5) Any fancy finish may be applied to any item conforming to the other conditions of this caption.

(6) No laid mark or other watermarks permitted.

(7) No supercalendered Offset Paper permitted.

B. Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or white; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under Exceptions (1), (2) and (3) above.

(5) Any fancy finish may be applied to any item conforming to the other conditions of this caption.

(6) A laid mark or other watermark may be incorporated in a special making order of 5,000 pounds or more of any item conforming to the other conditions of this caption.

(7) A Supercalendar Finish may be applied to fill a special making order for 2,000 pounds or more of any item conforming to the other conditions of this caption.

COATED TWO SIDES BOOK PAPERS

(Including glossy coated, dull coated, and coated offset)

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Not more than one in each of the three kinds included, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: In the grade selected under A (1), White and Ivory and India only.

(3) Standard basis weights (Per 500 sheets 25"x38"): 50, 60; and, provided the basis weight of the body stock (i. e., finished paper minus coating) is no heavier than 45, basis weight 70.

(4) Standard Sizes (in inches):

Sheets:

38 x 50, 41 x 61, 44 x 66, 46 x 69.

Rolls:

Any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under Exceptions (1), (2), and (3) above.

PROCESS (MACHINE) COATED BOOK PAPERS

Maximum Basis Weight Permitted: 25" x 38"—60; and, any heavier finished basis weight made with a basis weight body stock (i. e., finished paper minus coating) no heavier than 25" x 38"—45.

COATED ONE SIDE BOOK PAPERS

Maximum Basis Weight Permitted: 25" x 38"—60.

PLAIN COATED COVER

Maximum basis weight permitted: for the inside: any finished weight resulting from the use of a body stock (i. e., finished paper minus coating) no heavier than basis weight 25" x 38"—45. For a cover: 20" x 26"—60; and, if for use as a soilproof, greaseproof, or moisture resistant cover, any basis weight which results from coating a body stock in basis weight 20" x 26"—65, provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement together with a complete record of the order, readily available for inspection by the War Production Board.

END LEAF PAPER

Maximum Basis Weight Permitted: 25" x 38"—80.

SCHOOL DRAWING PAPER

(Exclude "Artists Drawing" and "Drafting")

Maximum Basis Weight Permitted: 25" x 38"—45 and, if for use in school drawing or water coloring books, basis weight 24" x 36"—60.

NEWSPRINT

Maximum Basis Weight Permitted: 24" x 36"—32.

NOTE: The report forms called for in this Schedule have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

[F. R. Doc. 44-8067; Filed, June 5, 1944; 11:45 a. m.]

PART 3281—PULP AND PAPER

[Limitation Order L-120, Schedule III as Amended June 5, 1944]

FINE WRITING PAPERS

§ 3281.19 *Schedule III to Limitation Order L-120*—(a) *Definitions.* For the purpose of this schedule, including the appendix:

(1) The term "fine writing papers" means and is limited to the kinds of paper commonly described and distributed in the paper trade by the names used as captions in the Appendix below.

(2) A "grade" means one particular quality within a kind of fine writing paper, such grade having the essential properties peculiar to such kind of paper and common to all grades within such kind, but distinguished from other such grades by a difference in the degree to which one or several of those common properties are emphasized. However, a difference in the degree to which any such property is emphasized, due only to a difference in ash content, in sizing, in the quantity of adhesive in the coating formula, or in the dyes used in the paper or coating shall not be considered as resulting in a different grade.

(3) "Color" means any hue of the spectrum, including but not limited to ivory, india and green-white tints, and black, but not including white.

(4) The term "substance weight" means the weight of a kind of fine writing paper in pounds per 500 sheets in the size indicated under the appropriate caption, or the equivalent weight of 500 sheets in any other size figured proportionately to the size specified.

(5) The term "thickness" means the thickness of a sheet of paper or paperboard expressed either in terms of plies or in terms of thousandths of an inch measured by the Cady Micrometer.

(6) An "item" means a quantity of paper all of which is of the same size, grain, substance weight, finish, color and grade.

(7) The term "standard" as applied to grade, color, substance weight, and size means, with respect to each manufacturer, a grade and color selected and a substance weight and size specified under A of the appropriate caption in the Appendix below.

(8) The term "special" as applied to grade, color, substance weight, and size means with respect to each manufacturer, any grade, color, substance weight or size that is not standard.

(9) The term "special making order" means a single order placed by a single buyer for manufacture at one time for use by one printer, converter or consumer.

(10) The term "manufacture" includes all making and finishing operations prior to packaging or packing, including pasting whether by a primary manufacturer or otherwise.

(11) "Person" means any individual, partnership, association, or other form of enterprise, including within one "person" all affiliates, subsidiaries, individuals, corporations, partnerships, or other form of enterprise subject to a common executive or operating management or with a common sales organization.

(b) *Identification of the papers subject to this schedule.* It shall be the duty of each person who manufactures paper to determine in the first instance, but subject to review and official classification by the War Production Board at any time thereafter, under which caption of the Appendix, if any, belongs each of the "fine writing papers" manufactured by him. There shall be taken into account in such determination, and in any review and reclassification by the War Production Board, the designation by which the manufacturer heretofore identified or distributed the paper in question, the common designation in the paper trade of similar papers selling within the same general price range as the paper in question, and the common designation in the paper trade of papers possessing the same general physical characteristics, manufactured by the same general processes, or commonly distributed and used for the same general uses as the paper in question. If a manufacturer is uncertain as to the proper caption under which to classify a particular kind of "fine writing paper," or whether a particular kind of paper is such a paper at all or belongs under any caption of the Appendix to this schedule, he may apply to the War Production Board, in writing, for an official classification of such paper, submitting with his application representative samples of the grade or grades in which he manufactures such paper, a full explanation of the processes by which he manufactures the same, the designation by which he has heretofore identified or distributed the same, the general uses for which it is intended, the general price range within which it is sold, and the types of papers with which it chiefly competes, and a full explanation of the reasons for his uncertainty. The War Production Board may on its own motion review a manufacturer's classification and substitute therefor an official classification. In any event, an official classification by the War Production Board by telegram or notice in writing sent to the manufacturer shall, unless and until the War Production Board shall amend or revise the same by telegram or notice in writing sent to the manufacturer, be conclusive.

(c) *Selection of grades for regular manufacture.* Each person who manufactures any kind of "fine writing paper" shall with respect to each such kind he manufactures, select such "grade" or "grades" thereof (if such selection is indicated under the appropriate caption and has not already been reported by him to the War Production Board) not to exceed the number specified in A (1) of the appropriate caption of the Appendix below, as he may desire to adopt for regular manufacture, and shall immediately notify the War Production Board of such selection on Form WPB 1295 (formerly PD-589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board in writing the original selection shall remain binding. Each person who regularly manufactures any Extra 100 percent rag content grade of any kind of "fine writing paper" shall notify, as above, the War Production Board thereof on Form WPB 1295 (formerly PD-589), stating, in addition, in what respect each such grade differs from his standard 100 percent rag grade, and submitting with his statement representative samples of each such grade and a list of sizes, weights and colors regularly manufactured.

(d) *Selection of colors for regular manufacture.* If by the terms of A (2) under the appropriate caption of the Appendix below a manufacturer is permitted, with respect to a particular grade of a kind of "fine writing paper", to select a number of colors each person desiring to manufacture such grade in colors (and such selection is indicated and has not already been reported by him to the War Production Board), shall immediately select therefor such particular colors, not to exceed the number indicated in A (2) of the appropriate caption, as he may desire to adopt for regular manufacture, and shall immediately notify the War Production Board of such selection on Form WPB 1295 (formerly PD-589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board in writing the original selection shall remain binding.

(e) *General limitations.* No person shall manufacture any kind of "fine writing paper" in any grade, color, basis weight, or size other than those specified or selected as standard under A of the

appropriate caption of the Appendix (where such standards are specified or selected under A of the appropriate caption), or contrary to any other provision under the appropriate caption. This general rule is, however, subject to the following exceptions:

(1) Tolerances and variations are permitted to the extent provided in paragraph (f).

(2) Cutting and slitting to various sizes are permitted to the extent provided in paragraph (g).

(3) Special provision is made for "jobs" and "seconds" in paragraph (h).

(4) Special provision is made for export orders in paragraph (i).

(5) Exceptions are made for "special making orders" under certain captions of the Appendix. However, regardless of these exceptions where special making orders are so permitted under any caption, the basis weight or thickness must not exceed the heaviest standard basis weight or thickness permitted under A of such caption.

(6) Paper or paperboard in process of manufacture on June 5, 1944, and conforming to the requirements of this order prior to the amendment effective that date, may be completed otherwise than by pasting.

(7) Paper or paperboard may be manufactured for a particular use in any basis weight or thickness permitted for such use by this or any other order of the War Production Board, provided the basis weight or thickness does not exceed the maximum specified by the War Production Board for such use, and provided all other provisions of this or such other order are fully complied with.

(f) *Tolerances and variations.* The prohibitions and restrictions of this revised schedule are subject to the normal tolerances customary in the manufacture of the kind of "fine writing papers" under each caption and to the normal variations in quantity manufactured customarily acceptable in the paper trade. Nothing in this revised schedule shall restrict the remaking, because of faulty manufacture or excessive underrun, of all or any part of a "special making order" accepted in good faith for manufacture in accordance with the terms of this revised schedule.

(g) *Cutting and slitting.* Nothing in this revised schedule shall restrict the cutting of any sheet size to sizes of which the parent size is a multiple, provided the parent size is manufactured in accordance with the provisions of this revised schedule, nor restrict the slitting to fractional width rolls of any parent roll size manufactured in accordance with the provisions of this revised schedule on an order for rolls; however, a special sheet size may not be cut from a standard or special roll size except in a quantity and under the conditions, if any, applying to a "special size" under B of the appropriate caption in the Appendix below.

(h) *Jobs and seconds.* Nothing in this revised schedule shall restrict the sale of "job lots" or "seconds", resulting from faulty manufacture or overruns customarily unacceptable to the buyer, which occur during a bona-fide attempt to manufacture "fine writing paper" according to the terms of this revised schedule, provided that the manufacturer clearly informs the purchaser that such paper is a "job lot" or "seconds" and so indicates on each package.

(i) *Exception for export.* Regardless of the foregoing provisions of this revised schedule and of the provisions of Limitation Order L–120, a person may manufacture for export (but may not without permission in writing by the War Production Board sell in the domestic market) any kind of "fine writing paper" in any size or substance weight required, regardless of quantity, provided all other provisions of this schedule are complied with and (if the substance weight or thickness is greater than permitted by this schedule) such person has received permission in writing from the War Production Board to manufacture the particular order in question in such greater substance weight or thickness; and further, bonds, ledgers and writings may be manufactured with any percent of rag content specified by any foreign government to fill a special making order for such government.

(j) *Records and reports*—(1) *Standard samples.* Each person who manufactures any kind of "fine writing paper" shall keep, readily available for inspection by the War Production Board, representative samples of each standard grade and each standard color of such grade selected by him under A (1) and A (2) of the appropriate caption.

(2) *Special making orders.* On and after September 1, 1943, each person who manufactures any "special making order" permitted under B of the appropriate caption of the Appendix below shall require from the buyer a statement to the effect that such order is purchased for use by one printer, converter or consumer, shall keep such statement, together with a complete record of such order, readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(3) *Export orders.* On and after September 1, 1943, each person who manufactures "fine writing paper" for export shall require from the buyer a statement on his purchase order to the effect that such paper is purchased for export and, in the case of a foreign government that such paper is purchased for such government, shall keep such statement, together with a complete record of the order against which such paper is manufactured readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

NOTE: The reporting requirements of WPB 1295 (formerly PD–569) have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 5th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX—FINE WRITING PAPERS

RAG CONTENT BOND PAPERS

A. *Grades, colors, weights and sizes for regular manufacture:*

(1) *Standard grades.* Any or all of the five following, selected in accordance with (c) of the foregoing Schedule:

25 percent rag content.
50 percent rag content.
75 percent rag content.
100 percent rag content.
Extra 100 percent rag content.

(2) *Standard colors.* White and Ivory and six other colors, selected according to paragraph (d) of the foregoing Schedule.

(3) Standard weights (per 500 sheets 17" x 22"): substance weights 11, 13, 16; and, if for use in manufacturing envelopes, substance weight 20; or for use as a protective paper or for checks, or for use on an addressing machine substance weights 20 and 24, provided that, before the sale thereof for any one of such uses, the manufacturers shall require from the buyer a statement that the order is for such particular use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) *Standard sizes* (in inches):

For White and Ivory

Sheets. 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 36, 28 x 34, 34 x 44.

Rolls: Any roll width in a permitted weight is a standard size when manufactured as part of, and at the same time as, a full machine deckle of the identical grade.

For Other Colors

Sheets. 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 36, 28 x 34.

Rolls. None permitted as standard.

Typewriter sizes may be made, if no larger than 8½ x 14 and no smaller than 7¼ x 10½.

(5) Ash content: not less than 5% in substances 16 and heavier or 3% in substances 13 and lighter.

NOTE: Paragraphs (6), (7), (8), formerly (5), (6), (7), redesignated June 5, 1944.

(6) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(7) No restriction as to finish.

(8) Extra 100 percent rag content: if selected, unrestricted in any respect except as to maximum weight permitted and except for the report required by paragraph (c) of the foregoing schedule.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) Special Grades: A person may manufacture any grade listed in A (1) above, whether or not selected by him, in White or in any color and size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds and the quantity of each special size is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any watermark or watermarks (name or design) is at least 2,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantity provided for under Exception (2) above; and

(b) The quantity of each standard sheet size is at least 1,000 pounds, and the quantity of each special sheet size is at least 2,000 pounds, or the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 2,000 pounds of continuous manufacture under one dandy roll without changing a mark.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a rag content bond paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

RAG CONTENT LEDGER PAPERS

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than four of the following, selected according to Paragraph (c) of the foregoing Schedule:

25 percent rag content
50 percent rag content
75 percent rag content
85 percent rag content
100 percent rag content

and in addition to the four selected. Extra 100 percent rag content.

(2) Standard Colors: White and Blue, Buff and Green—White tint only.

(3) Standard weights (Per 500 sheets 17" x 22"): substance weights 24, 28; and, if for county record books and other permanent government records, substance weights 32 and 36; or if for loose leaf accounting forms used on an automatic posting machine, substance weight 32; provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such particular use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) Standard Sizes (In inches):

White and Colors

Sheets: 17 x 22, 17 x 28, 19 x 24, 22½ x 22½, 22 x 34, 24 x 36, 28 x 34.

ROLLS: Any roll width in a permitted weight is a standard size when manufactured as part of, and at the same time as, a full machine deckle of the identical grade.

(5) Ash content: Not less than 5%.

NOTE: Paragraphs (6), (7), (8), formerly (5), (6), (7), redesignated June 5, 1944.

(6) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(7) No restriction as to finish.

(8) Extra 100 percent rag content: if selected, unrestricted in any respect except as to maximum weight permitted and except for the report required by paragraph (c) of the foregoing schedule.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) Special Grades: A person may manufacture any grade listed in A (1) above, whether or not selected by him, in White or in any color and size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds and the quantity of each special size is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any watermark or watermarks (name or design) is at least 2,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantity provided for under Exception (2) above; and

(b) The quantity of each standard sheet size is at least 1,000 pounds, and the quantity of each special sheet size is at least 2,000 pounds, or the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 2,000 pounds of continuous manufacture under one dandy roll without changing a mark.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Rag Content Ledger Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

RAG CONTENT LOOSE LEAF LEDGER PAPERS

(Including Machine Posting Ledger Papers)

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than four of the following, selected according to paragraph (c) of the foregoing schedule:

25 percent rag content
50 percent rag content
75 percent rag content
85 percent rag content
100 percent rag content

and in addition to the four selected, Extra 100 percent rag content.

(2) Standard Colors: White, and six colors, selected according to paragraph (d) of the foregoing Schedule.

(3) Standard Weights (per 500 sheets 17" x 22"): substance weights 24, 28; and, if for county record books and other permanent government records, substance weights 32 and 36; or if for loose leaf accounting forms used on an automatic posting machine, substance weight 32; provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such particular use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 17½ x 22½, 19½ x 24½, 22½ x 22½, 22½ x 28½, 22½ x 35, 24½ x 24½, 24½ x 28½, 24½ x 39.

Rolls: Any roll width in a permitted weight is a standard size when manufactured as part of, and at the same time as, a full machine deckle of the identical grade.

(5) Ash content: Not less than 5%.

NOTE: Paragraphs (6), (7), (8), formerly (5), (6), (7), redesignated June 5, 1944.

(6) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(7) No restriction as to finish.

(8) Extra 100 percent rag content: if selected, unrestricted in any respect except as to maximum weight permitted and except for the report required by paragraph (c) of the foregoing schedule.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) Special Grades: A person may manufacture any grade listed in A (1) above, whether or not selected by him, in White or in any color and size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds and the quantity of each special size is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that

(a) The quantity of paper made with any watermark or watermarks (name or design) is at least 2,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantity provided for under Exception (2) above; and

(b) The quantity of each standard sheet size is at least 1,000 pounds, and the quantity of each special sheet size is at least 2,000 pounds, or the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 2,000 pounds of continuous manufacture under one dandy roll without changing a mark.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Rag Content Loose Leaf Ledger Paper or Machine Posting Ledger Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard

weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

RAG CONTENT WRITING PAPERS

(Including Linens Rag Content Envelope)

A. *Grades, Colors, Weights, and Sizes for regular manufacture.*

(1) Standard Grades: Any or all of the following three, selected according to paragraph (c) of the foregoing schedule:

25 percent rag content
50 percent rag content
100 percent rag content

(2) Standard Colors: White, and Ivory and three other colors selected according to paragraph (d) of the foregoing schedule.

(3) Standard weights (per 500 sheets 17" x 22"): substance weights 13, 16; and, if for use in manufacturing envelopes, substance weight 20; or if for use as a protective paper or for checks, substance weights 20 and 24 for all grades; provided that, before the sale thereof for any one of such uses, the manufacturer shall require from the buyer on the purchase order, a statement that the order is for such particular use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 17 x 22, 17 x 28, 19 x 24, 22 x 34.

Rolls: Any roll width in a permitted weight is a standard size when manufactured as part of, and at the same time as, a full machine deckle of the identical grade.

(5) Ash content: Not less than 5%.

NOTE: Paragraphs (5) and (7), formerly (5) and (6), redesignated June 5, 1944.

(6) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(7) No restriction as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds and the quantity of each special size is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any watermark or watermarks (name or design) is at least 2,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantity provided for under Exception (2) above; and

(b) The quantity of each standard sheet size is at least 1,000 pounds, and the quantity of each special sheet size is at least 2,000 pounds, or the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 2,000 pounds of continuous manufacture under one dandy roll without changing a mark.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Rag Content Writing Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

RAG CONTENT ONION SKIN PAPERS

(Including Manifold Papers)

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Any or all of the three following, selected in accordance with (c) of the foregoing schedule.

25 percent rag content.
75 percent rag content (White only).
100 percent rag content.

(2) Standard Colors: White and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance Weights 7 to 9 inclusive.

(4) Standard Sizes (in inches):

For White

Sheets: 21 x 32, 22 x 34, 24 x 38, 26 x 34, 28 x 34.
Rolls: None permitted as standard.

For Colors

Sheets: 22 x 34, 24 x 38, 28 x 34.
Rolls: None permitted as standard.
Typewriter sizes may be made, if no larger than 8½ x 14 and no smaller than 7¼ x 10½.

5. Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(6) No restriction as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) Special Grades: Any person may manufacture any grade listed in A (1) above, whether or not selected by him, and in addition 50 percent rag content, in White or in any color and size, to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each item is at least 500 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 500 pounds of a sheet size or at least 500 pounds of a roll width:

(a) In a standard grade, standard color or White, standard weight and one finish; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any watermark or watermarks (name or design) is at least 1,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantity provided for under Exception (2) above; and

(b) The quantity of each item is at least 500 pounds; and

(c) There is at least 1,000 pounds of continuous manufacture under one dandy roll without changing a mark.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Rag Content Onion Skin Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

RAG CONTENT WEDDING PAPERS

(Including Wedding Bristols)

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than three, selected (by percentage of rag content) according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and Ivory only.

(3) Standard weights (per 500 sheets): Substance weight (17" x 22")—20; substance weights (22½" x 28½") 100 and 120.

(4) Standard Sizes (in inches):

For White

Sheets: 22 x 34, 22½ x 28½.
Rolls: None permitted as standard.

For Ivory

Sheets: 22 x 34.
Rolls: None permitted as standard.
(5) Ash content: Not less than 10%.

NOTE: Paragraphs (6), (7), (8), formerly (5), (6), (7), redesignated June 5, 1944.

(6) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(7) No restriction as to finish.

(8) Extra 100 percent rag content: if selected, unrestricted in any respect except as to maximum weights permitted and except for the report required by paragraph (c) of the foregoing schedule.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds and the quantity of each special size is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making

order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any watermark or watermarks (name or design) is at least 2,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantity provided for under Exception (2) above; and

(b) The quantity of each standard sheet size is at least 1,000 pounds, and the quantity of each special sheet size is at least 2,000 pounds, or the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 2,000 pounds of continuous manufacture under one dandy roll without changing a mark.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Rag Content Wedding Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

RAG CONTENT INDEX

A. *Grades, Colors, Weights and Sizes for regular manufacture:*

(1) Standard Grades: Not more than four of the following, selected according to paragraph (c) of the foregoing schedule.

25 percent rag content.
50 percent rag content.
75 percent rag content.
100 percent rag content.
Extra 100 percent rag content.

(2) Standard Colors: White, and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard weights (per 500 sheets 25½" x 30½"): substance weights 90, 110, 140; and, if for use exclusively as guide cards in filing cabinets, substance weight 180, provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such a statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 20½ x 24¾, 25½ x 30½.

(5) Ash Content: Not less than 7%.

NOTE: Paragraphs (6) and (7), formerly (5) and (6), redesignated June 5, 1944.

(6) No restrictions as to finish.

(7) Extra 100 percent rag content: if selected, unrestricted in any respect except as to maximum weight permitted and except for the report required by paragraph (c) of the foregoing schedule.

B. *Exceptions for "Special Making Orders"* as defined in (a) (9) of the foregoing schedule:

(1) Special Grades: A person may manufacture any grade listed in A (1) above, whether or not selected by him, in White or in any color and size to fill a special making order for the United States Government in a standard substance weight.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds in one standard grade; and the quantity of each special size is at least 2,000 pounds.

(3) Special Weights; None permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or white and standard weight; or

(b) In a special color in the quantities provided for under Exceptions (2) and (3) above.

BASE STOCK FOR BLUEPRINT AND DIRECT LINE PAPERS

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Any or all of the four following, selected in accordance with (c) of the foregoing schedule.

100 percent rag content.
50 percent rag content.
25 percent rag content.
No rag content.

(2) Standard Colors: No restrictions.

(3) Standard weights (per 500 sheets 17" x 22"): for 100% rag content: substance weights 17 and 20½; for all other grades: substance weight 17 only.

(4) Standard Sizes:

Rolls only: 24, 30, 36, 42, 48, and 54 inches wide.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) Special Grades: Variations only because of different treatment in the beater or on the paper machine, or the use of different non-fibrous materials shall not be considered as resulting in a different grade.

(2) Substance weight 20½ in 50% rag content or substance weight 24 in 100% rag content may be made to fill a special making order for the armed forces of the U. S. A. in a quantity of at least 10,000 pounds of one grade, shade and substance weight.

(3) Special Width Rolls may be manufactured to fill a special making order in a quantity of 5,000 pounds, in a standard grade, in one shade and standard weight.

BASE STOCK FOR NEGATIVE PAPERS

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Only the one following, if selected in accordance with (c) of the foregoing schedule: 100 percent rag content.

(2) Standard Colors: No restrictions.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance weight 14.

(4) Standard Sizes:

Rolls only: 24, 30, 36, 42, 48, and 54 inches wide.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule.

(1) Special Grades: Variations only because of different treatment in the beater or on the paper machine, or the use of different non-fibrous materials shall not be considered as resulting in a different grade.

(2) No Special Weights permitted.

(3) Special Width Rolls may be manufactured to fill a special making order in a quantity of 10,000 pounds, in a standard grade, in one shade and standard weight.

RAG CONTENT ANTIQUE (MACHINE FINISH) COVER PAPERS

(Excluding Manuscript Covers)

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than two, selected (by percentage of rag content) according to paragraph (d) of the foregoing schedule.

(2) Standard Colors: White, and six colors in addition to either Ivory or India; or five colors in addition to Ivory and India, selected according to paragraph (c) of the foregoing schedule.

(3) Standard weights (per 500 sheets 20" x 26"): substance weights 40, 50 and 65, provided that before the sale of substance weight 40 the manufacturer shall require from the buyer a statement that the order is for use only as a cover. The manufacturer shall keep such statement, together with a complete record of the order readily available for inspection by the War Production Board.

(4) *Standard Sizes* (in inches):

White and Colors

Sheets: 20 x 26, 23 x 35, 26 x 40.

(5) Ash content: Not less than 10%.

NOTE: Paragraph (6), formerly (5), redesignated June 5, 1944.

(6) Any secondary finish may be applied to any item conforming to the other conditions of this caption.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured to fill a special making order: *Provided*, That:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds and the quantity of each special size is at least 2,000 pounds.

(3) No Special Weights permitted

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

CHEMICAL WOOD PULP ANTIQUE (MACHINE FINISH) COVER PAPERS

(Including Ground Wood Content Cover Papers but Excluding Manuscript Covers)

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades:

Chemical Wood Pulp: Not more than two;
Ground Wood Content: Not more than one;

selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and six colors in addition to either Ivory or India; or five colors in addition to Ivory and India; selected according to paragraph (d) of the foregoing schedule.

(3) Standard weights (per 500 sheets 20" x 26"):

Chemical wood pulp: Substance weights 40, 50 and 65, provided that before the sale of

substance weight 40 the manufacturer shall require from the buyer a statement that the order is for use only as a cover. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

Groundwood content: Substance weights 40, 50 and 65, provided that before the sale of substance weight 40 the manufacturer shall require from the buyer a statement that the order is for use only as a cover. The manufacturer shall keep such statement together with a complete record of the order, readily available for inspection by the War Production Board.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 20 x 26, 23 x 35, 26 x 40.
Rolls: None permitted as standard.
(5) Ash content: Not less than 10%.

NOTE: Paragraph (6), formerly (5), redesignated June 5, 1944.

(6) Any secondary finish may be applied to any item conforming to the other conditions of this caption.

B. *Exceptions for "special making orders"* (as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each standard size is at least 1,000 pounds and the quantity of each special size is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

SPECIALTY COVER PAPERS

(Fancy Coated, Embossed or Decorative Specialty Covers, and including "S. and S. C. Cover")

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: With respect to each manufacturer, any grade or grades regularly stocked as an established cover line as of December 1, 1941, selected in accordance with paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and six colors in addition to Ivory or India or five colors in addition to Ivory and India, selected according to paragraph (c) of the foregoing schedule.

(3) Standard Weights: With respect to each manufacturer and each standard grade under A (1), any weight, not exceeding 25" x 38"—70 for "S. and S. C. Cover" or 20" x 26"—65 for other grades, regularly stocked as of December 1, 1941, such weight or weights to be reported, if not already reported, to the War Production Board as standard for each such grade; however a manufacturer whose standard basis weight, or weights, is heavier than basis weight 20" x 26"—65 for a particular grade may substitute in such grade basis weights 65# or any lower basis weight for such higher weight by notifying the War Production Board of such change in his standards, and thereafter such substituted basis weight shall be standard for him for such grade. In a soilproof, grease or moisture resistant coated cover line which has been manufactured in a basis weight heavier than 20" x 26"–65 the manufacturer may substitute, in place of the basis weight 20" x 26"–65 or lower weight, a weight which results from coating a 20" x 26"–65# raw stock. The notification as described above is required before such substitution shall take place.

(4) Standard Sizes: With respect to each manufacturer and each standard grade under A (1), any size regularly stocked as of December 1, 1941, such size or sizes to be reported to the War Production Board, as standard for each such grade.

(5) Ash content—Not less than 10%.

B. *Exceptions for "special making orders"* (as defined in (a) (9) of the foregoing schedule):

(1) Any Grade of Specialty Cover Papers may be manufactured by any person to fill a special making order, provided that:

(a) The quantity of such grade is at least 5,000 pounds, all in either White or any one color and finish; and

(b) The quantity of each permitted substance weight is at least 5,000 pounds; and

(c) The quantity of each item is at least 2,000 pounds; and

(d) Such person can show that such grade was manufactured by some person prior to December 1, 1941.

(2) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of an item in a standard grade, standard color or White and standard weight.

CHEMICAL WOOD PULP BOND PAPERS

A. *Grades, Colors, Weights, and Sizes for regular manufacture.*

(1) *Standard Grades:* Not more than three, selected according to paragraph (c) of the foregoing schedule.

(2) *Standard Colors:* White, and Ivory and six other colors, selected according to paragraph (d) of the foregoing schedule.

(3) *Standard Weights:* (per 500 sheets 17" x 22"): Substance weights 13, 16; and, if for use in manufacturing envelopes, substance weight 20; or if for use as a protective paper or for checks, or for use on an addressing machine, substance weights 20 and 24; provided that, before the sale thereof for any one of such uses, the manufacturer shall require from the buyer a statement that the order is for such particular use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) Standard Sizes (in inches):

For White and Ivory

Sheets: 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 38, 28 x 34, 34 x 44.

Rolls: Any roll width in a permitted weight is a standard size when manufactured as part of, and at the same time as, a full machine deckle of the identical grade.

For Other Colors

Sheets: 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 38, 28 x 34.

Rolls: Any roll width in a permitted weight is a standard size when manufactured as part of, and at the same time as, a full machine deckle of the identical grade.

Typewriter sizes may be made, if no larger than 8½ x 14 and no smaller than 7¼ x 10½.

(5) Ash content: Not less than 5% in substance 16 and heavier or 3% in substance 13.

NOTE: Paragraphs (6) and (7), formerly (5) and (6), redesignated June 5, 1944.

(6) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(7) No restriction as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above; and

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or white and standard weight, or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in white or a standard color is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Chemical Wood Pulp Bond Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or white, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

CHEMICAL WOOD PULP LEDGER PAPERS

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than three, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and Buff and Green-White tint only.

(3) Standard weights (per 500 sheets 17" x 22"): substance weights 24, 28; and, if for county record books and other permanent government records, substances weights 32 and 36; or if for loose leaf accounting forms used on an automatic posting machine, substance weight 32; provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such particular use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 38, 26 x 34, 22½ x 22½, 22½ x 34½, 24½ x 24½, 24½ x 30.

Rolls: Any roll width in a permitted weight is a standard size when manufactured as part of, and at the same time as, a full machine deckle of the identical grade.

(5) Ash content: Not less than 5%.

NOTE: Paragraphs (6) and (7), formerly (5) and (6), redesignated June 5, 1944.

(6) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(7) No restriction as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in white or in any color or size to fill a special making order for the United States Government provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width.

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White or a standard color is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Chemical Wood Pulp Ledger Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

CHEMICAL WOOD PULP WRITING PAPERS

(Wove or Laid)

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White only.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance weights 14, 16; and, if to fill an order for the Federal Government substance weight 18; or if for use in manufacturing envelopes, substance weight 20; or if for use as a protective paper or for checks, substance weights 20 and 24; provided that before the sale thereof for any one of such uses, the manufacturer shall require from the buyer a statement that the order is for such particular use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) Standard Sizes (in inches):

Sheets: 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 38, 28 x 34.

Rolls: Any roll width in a permitted weight is a standard size when manufactured as part of, and at the same time as, a full machine deckle of the identical grade.

(5) Ash content: Not less than 5%.

NOTE: Paragraphs (6) and (7), formerly (5) and (6), redesignated June 5, 1944.

(6) Standard Watermarks: Any mill watermarks if used to identify standard mill grades; none otherwise.

(7) No restriction as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, White and standard weight; or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Chemical Wood Pulp Writing Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

REGISTER, CONTINUOUS FORM, AND SALES BOOK CHEMICAL WOOD PULP BOND PAPERS

A. *Grades, Colors, Weights and Sizes for regular manufacture and to be distributed only to fill a special making order or orders as defined in (a) (viii) in the foregoing schedule:*

(1) Standard Grades: Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White and five colors selected according to paragraph (d) of the foregoing schedule.

(3) Standard basis weights (per 500 sheets 17" x 22"): substance weights 10, 11, 12, 13, 14, 15.

(4) Standard Sizes: Any size, sheet or roll, if manufactured in a quantity of at least 5,000 pounds of a sheet item or 2,000 pounds of a roll item.

(5) Ash content: Not less than 3%.

NOTE: Paragraph (5), formerly (5), redesignated June 5, 1944.

(6) Standard Watermarks: None permitted.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) Special Sizes: Only as permitted under A (4) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight; or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

CHEMICAL WOOD PULP MANIFOLD PAPERS

(Including Onion Skin Papers)

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than three, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance weights 7 to 9 inclusive.

(4) Standard Sizes (in inches):

White

Sheets: 21 x 32, 22 x 34, 24 x 38, 26 x 34, 28 x 34.
Rolls: None permitted as standard.

Colors

Sheets: 22 x 34, 24 x 38, 28 x 34.
Rolls: None permitted at standard.
Typewriter sizes may be made, if no larger than 8½ x 14 and no smaller than 7¼ x 10½.

(5) Standard Watermarks: Any laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

(6) No restriction as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 5,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 5,000 pounds; and

(c) The quantity of each item is at least 1,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 1,000 pounds of a sheet size or at least 500 pounds of a roll width:

(a) In a standard grade, standard color or white, and standard weight and one finish; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 2,000 pounds of a standard grade, standard color or White and standard weight; or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each item is at least 1,000 pounds; and

(c) There is at least 2,000 pounds of continuous manufacture under one dandy roll.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Chemical Wood Pulp Manifold Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

CHEMICAL WOOD PULP MIMEOGRAPH PAPERS

(Including rag content mimeograph)

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard weights (Per 500 sheets 17" x 22"): substance weight 16.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 17 x 22, 17 x 28, 22 x 34, 28 x 34.

Rolls: Any roll width in a permitted weight is a standard size when manufactured as part of, and at the same time as, a full machine deckle of the identical grade.

Typewriter sizes may be made, if no larger than 8½ x 14 and no smaller than 7¼ x 10½.

(5) Ash content: Not less than 5%.

NOTE: Paragraph (5), formerly (5), redesignated June 5, 1944.

(6) Standard Watermarks: A laid mark, or any mill watermarks used to identify standard mill grades; none otherwise.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government provided the substance weight is standard or in substance 18 as provided for in paragraph (3) below.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) Special weights: Substance 18 may be manufactured to fill a special making order for the United States Government in a quantity of at least 10,000 pounds of a grade, standard or special.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White or a standard color is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Rag Content or Chemical Wood Pulp Mimeograph Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

GELATIN AND SPIRIT PROCESSES

RAG CONTENT AND WOOD PULP DUPLICATING PAPERS

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Gelatin Process—Not more than two; Spirit Process—Not more than two; selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and six colors selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 17" x 22"): For White: Substance weights 13, 16, and 20. For colors: Substance weights 16 and 20. Substance weight 24 in white or colors, if coated (raw stock not to exceed substance weight 20).

(4) Standard Sizes (in inches):

White and Colors

Sheets: 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 38, 28 x 34.

Rolls: Any roll width in a permitted weight is a standard size when manufactured as a part of, and at the same time as, a full machine deckle of the identical grade.

Typewriter sizes may be made, if no larger than 8½ x 14 and no smaller than 7¼ x 10½.

(5) Ash content: Not less than 7% in substance weight 20 or 5% in substance weights 13 and 16.

NOTE: Paragraph (5), formerly (5), redesignated June 5, 1944.

(6) Standard Watermarks. Any mill watermarks used to identify standard mill grades; none otherwise.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight, or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White or a standard color is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of papers under this caption for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a Special Watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

CHEMICAL WOOD PULP OPAQUE CIRCULAR PAPERS

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White only.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance weights 13, 16.

(4) Standard Sizes (in inches):

Sheets: 17 x 22, 17 x 28, 22 x 34, 25 x 38, 28 x 34, 35 x 45, 38 x 50.

Rolls: Any roll width in a permitted weight is a standard size when manufactured as part of, and at the same time as, a full machine deckle of the identical grade.

(5) Ash content: Not less than 7% in substance weight 16 or 5% substance weight 13.

NOTE: Paragraphs (5) and (7), formerly (5) and (6), redesignated June 5, 1944.

(6) Standard Watermarks: Any mill watermarks used to identify standard mill grades; none otherwise.

(7) No restriction as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, White and a standard weight, or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of a Chemical Wood Pulp Opaque Circular Paper for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, White, standard weight and standard size, and in the quantities required above for a special watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

CHEMICAL WOOD PULP VELLUM AND WEDDING PAPERS

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and Ivory, Granite and six other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard weights (per 500 sheets in the size indicated): White 22" x 34"–40; White 35" x 45"–84; White 22½" x 28½"–100, 120, Colors: 22" x 34"–40; 35" x 45"–84.

(4) Standard Sizes (in inches) for the weights indicated above:

White

Sheets: 22 x 34, 35 x 45, 22½ x 28½.
Rolls: None permitted as standard.

Colors

Sheets: 22 x 34, 35 x 45.
Rolls: None permitted as standard.
(5) Ash content: Not less than 10%.

NOTE: Paragraphs (6) and (7), formerly (5) and (6), redesignated June 5, 1944.

(6) Standard Watermarks: Any mill watermarks used to identify standard mill grades; none otherwise.

(7) Standard Finishes: Any vellum primary finish and any secondary finish; none otherwise.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight; or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each standard sheet size in White or a standard color is at least 1,000 pounds, and the quantity of each special sheet size is at least 5,000 pounds, and the quantity of each roll width is at least 2,000 pounds; and

(c) There is at least 5,000 pounds of continuous manufacture under one dandy roll.

NOTE: The provisions applying to Special Watermarks shall not prevent the manufacture of Chemical Wood Pulp Vellum and Wedding Papers for a merchant's stock with a mark used to identify a merchant's regular stock line, provided such paper is manufactured in a standard grade, standard color or White, standard weight and standard size, and in the quantities required above for a special watermark; otherwise such merchant watermarks are subject to the provisions applying to a Special Watermark.

(6) Deckle Edges: Papers under this caption may be manufactured deckle edge to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or a roll width:

(a) In a standard grade, standard color or White, standard weight and a primary finish; or

(b) In a special color in a quantity of at least 20,000 pounds in one standard grade; provided that:

(i) the quantity of each standard weight is at least 10,000 pounds; and

(ii) the quantity of each item is at least 5,000 pounds.

CHEMICAL WOOD PULP INDEX BRISTOLS

A. *Grades, Colors, Weights and Sizes for regular manufacture:*

(1) Standard Grades: Not more than three, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard weights (Per 500 sheets 25½" x 30½"): Basis weights 90, 110, 140; and, if for use exclusively as guide cards in filing cabinets, basis weight 180, provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily

CONVERTING GRADES OF PAPETERIE AND GREETING CARD PAPERS (INCLUDING ALL FURNISHES)

A. *Grades, Colors, Weights and Sizes for regular manufacture and to be distributed only to fill a special making order or orders as defined in (a) (9) of the foregoing schedule:*

(1) Standard Grades: Not more than three, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White, and Ivory and six other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 17" x 22"): Substance weights: 16, 20.

(4) Standard Sizes: Any size, sheet or roll, if manufactured in a quantity of at least 5,000 pounds of a sheet item or 2,000 pounds of a roll item.

(5) Ash content: Not less than 10%.

NOTE: Paragraphs (6) and (7), formerly (5) and (6), redesignated June 5, 1944.

(6) Standard Watermarks: No laid or other watermark permitted.

(7) No restriction as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in white or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured, watermarked or unwatermarked, to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

(5) A Special Watermark may be used in manufacturing a special making order, provided that:

(a) The quantity of paper made with any one watermark (name or design) is at least 5,000 pounds of a standard grade, standard color or White and standard weight; or in a special color in the quantities provided for under Exception (2) above; and

(b) The quantity of each sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(6) Deckle Edges: Papers under this caption may be manufactured deckle edge to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or a roll width:

(a) In a standard grade, standard color or white, standard weight and a primary finish; or

(b) In a special color in a quantity of at least 20,000 pounds in one standard grade; provided that

(i) The quantity of each standard weight is at least 10,000 pounds; and

(ii) The quantity of each item is at least 5,000 pounds.

CHEMICAL WOOD PULP INDEX BRISTOLS

A. *Grades, Colors, Weights and Sizes for regular manufacture:*

(1) Standard Grades: Not more than three, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard weights (Per 500 sheets 25½" x 30½"): Basis weights 90, 110, 140; and, if for use exclusively as guide cards in filing cabinets, basis weight 180, provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily

available for inspection by the War Production Board.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 20½ x 24¾, 22½ x 28½, 25½ x 30½.

(5) Ash content: Not less than 7% in a fourdrinier sheet; Not less than 5% in a cylinder sheet.

NOTE: Paragraph (6), formerly (5), redesignated June 5, 1944.

(6) No restriction as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) Special Weights: None permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under exceptions (2) and (3) above.

CHEMICAL WOOD PULP PRINTING BRISTOLS

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

(1) Standard Grades: Not more than three, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Weights (per 500 sheets 22½" x 28½"):

Substance weights 90, 100, 120.

(4) Standard Sizes (in inches):

White and Colors

Sheets: 22½ x 28½.

(5) Ash content: Not less than 7% in a fourdrinier sheet; Not less than 5% in a cylinder sheet.

NOTE: Paragraph (6), formerly (5), redesignated June 5, 1944.

(6) No restriction as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured in White or in any color or size to fill a special making order for the United States Government, provided the substance weight is standard.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one standard grade; and

(b) The quantity of each standard weight is at least 10,000 pounds; and

(c) The quantity of each standard size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds and the quantity of each roll width is at least 2,000 pounds.

(3) No Special Weights permitted.

(4) A Special Size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or at least 2,000 pounds of a roll width:

(a) In a standard grade, standard color or White and standard weight; or

(b) In a special color in the quantities provided for under Exception (2) above.

GROUND WOOD CONTENT BOND PAPERS (INCLUDING WRITING PAPERS) [Deleted June 5, 1944]

GROUND WOOD CONTENT MIMEOGRAPH PAPERS [Deleted June 5, 1944]

TEXT PAPERS

(Specialty, Deckle Edge, Fancy or Water Marked)

Maximum Substance Weight permitted: 25" x 38"—50, and, if for use in multi color printing on an offset press, basis weight 60, provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for use exclusively in multi color printing on an offset press. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

Definitions of multi color printing: Multi color printing means the use of more than two colors of ink including black, two or more colors being superimposed on the base color ink to produce the desired design or illustration.

UNCOATED POSTCARD BRISTOL

Maximum Substance Weight permitted: 22½" x 28½"—94.

Ash content: Not less than 10%.

MANUSCRIPT COVER

Maximum Substance Weight permitted: 18" x 31"—40.

Ash content: Not less than 10%.

[F. R. Doc. 44-8088; Filed, June 5, 1944; 11:45 a. m.]

PART 3281—PULP AND PAPER

[Limitation Order L-120, Schedule IV, as Amended June 5, 1944]

TABLET PAPER

§ 3281.20 *Schedule IV to Limitation Order L-120*—(a) *Definitions.* For the purposes of this schedule including the appendix:

(1) The term "tablet paper" means and is limited to the kinds of paper commonly known in the paper trade by the names used as captions in the Appendix below.

(2) A "grade" means one particular quality of "tablet paper", such grade having the essential properties peculiar to such kind of paper and common to all grades within such kind, but distinguished from other such grades by a difference in the degree to which one or several of those common properties are emphasized. However, a difference in the degree to which any such property is emphasized, due only to a difference in ash content, in sizing, or in the dyes used in the paper shall not be considered as resulting in a different grade.

(3) "Color" means any hue of the spectrum, including but not limited to ivory, india and green-white tints, and black, but not including white.

(4) The term "basis weight" means the weight of a tablet paper in pounds per 500 sheets in the size indicated in the Appendix, or the equivalent weight of 500 sheets in any other size figured proportionately to the size specified.

(5) An "item" means a quantity of paper all of which is of the same size, basis weight, grain, finish, color and grade.

(6) The term "standard" as applied to grade, color, basis weight, and size means, with respect to each manufacturer, a grade and color selected and a basis weight and size specified under A of the appropriate caption in the Appendix below.

(7) The term "special" as applied to grade, color, basis weight, and size means, with respect to each manufacturer, any grade, color, basis weight or size that is not standard.

(8) The term "special making order" means a single order placed by a single buyer for manufacture at one time for use by one converter or consumer.

(9) The term "manufacture" includes all making and finishing operations prior to packaging or packing.

(10) "Person" means any individual, partnership, association, or other form of enterprise, including within one "person" all affiliates, subsidiaries, individuals, corporations, partnerships, or other forms of enterprise subject to a common executive or operating management, or with a common sales organization.

(b) *Identification of the papers subject to this schedule.* It shall be the duty of each person who manufactures paper to determine in the first instance, but subject to review and official classification by the War Production Board at any time thereafter, which papers manufactured by him belong under the caption "tablet paper" in the Appendix below. There shall be taken into account in such determination, and in any review and reclassification by the War Production Board, the designation by which the manufacturer heretofore identified or distributed the paper in question, the common designation in the paper trade of similar papers selling within the same general price range as the paper in question, and the common designation in the paper trade of papers possessing the same general physical characteristics, manufactured by the same general processes, or commonly distributed and used for the same general uses as the paper in question. If a manufacturer is uncertain as to whether or not a particular paper manufactured by him is such a paper he may apply to War Production Board, in writing, for an official classification of such paper, submitting with his application representative samples of the grade or grades in which he manufactures such paper, a full explanation of the processes by which he manufactures the same, the designation by which he has heretofore identified or

distributed the same, the general uses for which it is intended, the general price range within which it is sold, and the types of papers with which it chiefly competes, and a full explanation of the reasons for his uncertainty. The War Production Board may on its own motion review a manufacturer's classification and substitute therefor an official classification. In any event, an official classification by the War Production Board, by telegram or notice in writing sent to the manufacturer shall unless and until the War Production Board shall amend or revise the same by telegram or notice in writing sent to the manufacturer, be conclusive.

(c) *Selection of grades for regular manufacture.* Each person who manufactures "tablet paper" shall select such "grade" or "grades" thereof, not to exceed the number specified in A (1) of the Appendix below, as he may desire to adopt for regular manufacture and shall immediately notify the War Production Board of such selection on Form WPB 1295 (formerly PD 589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board in writing the original selection shall remain binding.

(d) *Selection of colors for regular manufacture.* If by the terms of A (2) of the Appendix below a manufacturer is permitted, with respect to a particular grade of "tablet paper", to select a number of colors, each person desiring to manufacture such grade in colors shall immediately select therefor such particular colors, not to exceed the number indicated in A (2) of the Appendix, as he may desire to adopt for regular manufacture, and shall immediately notify the War Production Board of such selection on Form WPB 1295 (formerly PD 589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board in writing the original selection shall remain binding.

(e) *General limitations.* (1) Except to the extent and upon the conditions indicated in paragraphs (e) (2), (f), (g), (h) and (i) of this revised schedule, or under B of the Appendix below, no person shall manufacture "tablet paper" in any grade, color, basis weight or size other than those selected or specified as standard under A of the Appendix, or contrary to any other provision under A of the Appendix; nor shall a manufacturer sell tablet paper otherwise than as provided under A of the Appendix.

(2) *Exceptions to paragraph* (e) (1). Nothing in this revised schedule shall prevent the manufacture of tablet paper in any basis weight or with any ash content not prohibited by the provisions of this schedule as previously amended, provided such tablet paper was in process of manufacture prior to June 5, 1944; nor shall the provisions of this revised schedule prevent the manufacture of tablet paper for a particular use in any basis weight permitted for such by this or any other order of the War Production Board, provided the basis weight does not exceed the maximum specified by the War Production Board for such use, and provided all other provisions of this or such other order are fully complied with.

(f) *Tolerances and variations.* The prohibitions and restrictions of this revised schedule are subject to the normal tolerances customary in the manufacture of "tablet papers" and to the normal variations in quantity manufactured customarily acceptable in the paper trade. Nothing in this revised schedule shall restrict the remaking, because of faulty manufacture or excessive underrun, of all or any part of a "special making order" accepted in good faith for manufacture in accordance with the terms of this revised schedule.

(g) *Cutting and slitting.* Nothing in this revised schedule shall restrict the cutting of any sheet size to sizes of which the parent size is a multiple, provided the parent size is manufactured in accordance with the provisions of this revised schedule, nor restrict the slitting to fractional width rolls of any parent roll size manufactured in accordance with the provisions of this revised schedule on an order for roll paper; however, a special sheet size may not be cut from a standard or special roll size except in a quantity and under the conditions applying to a "special size" under B of the Appendix below.

(h) *Jobs and seconds.* Nothing in this revised schedule shall restrict the sale of "job lots" or "seconds", resulting from faulty manufacture of overruns customarily unacceptable to the buyer, which occur during a bona fide attempt to manufacture "tablet paper" according to the terms of this revised schedule, provided that the manufacturer clearly informs the purchaser that such paper is a "job lot" or "seconds" and so indicates on each package.

(i) *Exception for export.* Regardless of the foregoing provisions of this revised schedule and of the provisions of Limitation Order L-120, a person may manufacture for export (but may not without permission in writing from the War Production Board sell in the domestic market) any grade of "tablet paper" in any size or basis weight required, regardless of quantity, provided all other provisions of this schedule are complied with, and (if the basis weight is heavier than permitted under the appropriate caption) such person has received permission in writing from the War Production Board to manufacture the particular order in question in such heavier basis weight.

(j) *Records and reports*—(1) *Standard samples.* Each person who manufactures any grade of "tablet paper" shall keep, readily available for inspection by the War Production Board, representative samples of each standard grade and each standard color of such grade selected by him under A (1) and A (2) of the Appendix below.

(2) *Special making orders.* On and after September 1, 1943 each person who manufactures any "special making order" permitted under B of the Appendix below shall require from the buyer a statement to the effect that such order is purchased for use by one converter or consumer, shall keep such statement, together with a complete record of such order, readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(3) *Export orders.* On and after September 1, 1943 each person who manufactures "tablet paper" for export shall require from the buyer a statement on his purchase order to the effect that such paper is purchased for export, shall keep such statement, together with a complete record of the order against which such paper is manufactured, readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

NOTE: The reporting requirements of WPB 1295 (formerly PD 589) have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 5th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX—TABLET PAPER

BOOK GRADE TABLET PAPER

A. *Grades, Colors, Weights, and Sizes for regular manufacture:*

NOTE: "Tablet paper" may be sold by a manufacturer only to fill individual orders, each placed by a single buyer for use by one converter or consumer.

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule.

(2) Standard colors: White, and two colors selected according to paragraph (d) of the foregoing schedule from the three following: Canary, Green-white tint, and Pastel Nile

(3) Standard weights (per 500 sheets 17" x 22")—16.

(4) Standard Sizes: Any sheet size or roll width, if manufactured at one time in a quantity of at least 5,000 pounds of a sheet item or at least 2,000 pounds of a roll item

(5) Ash content: Not less than 5%.

NOTE: Paragraphs (6) and (7), formerly (5) and (6), redesignated June 5, 1944.

(6) Standard Watermarks: None permitted.

(7) No restrictions as to finish.

B. *Exceptions for "special making orders"* as defined in (a) (8) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order provided that:

(a) The quantity of such special grade is at least 40,000 pounds all in either White or any one color, standard or special; and

(b) The quantity of each standard weight is at least 10,000 pounds and the quantity of each special weight permitted is at least 40,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order: *Provided*, That:

(a) The quantity of each such color is at least 20,000 pounds; and

(b) The quantity of each standard weight is at least 10,000 pounds and the quantity of each special weight permitted is at least 40,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Weight, if in basis weight 17" x 22"—14# may be manufactured to fill a special making order in a quantity of at least 40,000 pounds and at least 5,000 pounds of each item:

(a) In a standard grade, or in a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or in a special color in the quantities provided for under Exception (2) above.

(4) Special Size: Any size may be manufactured in the quantities provided for under A (4) above.

(5) Any watermark may be used in manufacturing a special making order in a quantity of at least 20,000 pounds of continuous manufacture with one mark, provided all the other provisions of this caption are complied with.

[F. R. Doc. 44-8089; Filed, June 5, 1944; 11:46 a. m.]

PART 3281—PULP AND PAPER

[Limitation Order L-120, Schedule IX, as Amended June 5, 1944]

TABLETS, NOTEBOOKS, PADS, LOOSELEAF FILLERS, AND SHEETS

§ 3281.25 *Schedule IX to Limitation Order L-120*—(a) *Definitions.* For the purpose of this schedule:

(1) "Person" means any individual, partnership, association, or other form of enterprise, including within one "person" all affiliates, subsidiaries, individuals, corporations, partnerships, or other forms of enterprise subject to a common executive or operating management or with a common sales organization.

(2) The term "substance weight" means the weight of paper or paperboard in pounds per 500 sheets in the size specified for the particular grade, or the equivalent weight of 500 sheets in any other size figured proportionately to the size specified.

(3) The term "thickness" means the thickness of a sheet of paper or paperboard expressed either in terms of plies or by caliper in terms of thousandths of an inch measured by the Cady Micrometer.

(b) *Applicability.* The following converted paper items (other than textbooks) are subject to the restrictions of this schedule:

(1) Memorandum and notebooks.
(2) Stenographer notebooks.
(3) Looseleaf fillers.
(4) Pads.
(5) Typewriter tablets.
(6) Writing tablets.
(7) School supplies including but not limited to:
(i) Blue books.
(ii) Composition books.
(iii) Music work books.
(iv) Spelling books.
(v) Paper products for drawing and coloring.
(vi) Examination tablets.
(vii) Spelling tablets.
(viii) Theme tablets.

(c) *General limitations.* From and after June 5, 1944:

(1) *Papers.* (i) No person shall manufacture tablets, notebooks, pads or loose-leaf fillers or sheets from any grade of paper the substance weight of which is greater than that specified for such grade by the following table:

NOTE: Table amended June 5, 1944.

Article	Grade	Substance weight per 500 sheets
Books, tablets, pads, fillers and sheets for drawing or coloring (excluding "artists' drawing" and "drafting")	Manila and Gray	24" x 36"—60
	Groundwood drawing	24" x 36"—80
	All other grades	24" x 36"—32
Writing tablets (except as provided for in Schedule VIII)	Pencil tablet	17" x 22"—16
	All other grades	17" x 22"—16
All articles in paragraph (b) not listed herein	All grades	17" x 22"—16

(ii) [Deleted June 5, 1944]

(2) *Miscellaneous.* (i) No person shall manufacture tablets or pads with backboards heavier than the count specified in the following table:

Count of back-board (25" x 40"—50 lbs. per bundle)

Kind of tablet or pad:	Sheets per bundle
Tablets manufactured from newsprint grades	80
Tablets manufactured from rag and chemical wood grades	60
Pads, the sheet size of which is in excess of 60 square inches	60
Pads, the sheet size of which is 60 square inches or less	80

(ii) In the manufacture of tablets, no person shall use for the cover any grade of paper or paperboard in a substance weight or thickness greater than the maximum substance weight or thickness specified for such grade in the following table:

Grade:	Substance weight or thickness
Uncoated cover	20" x 26"—50
Coated cover	20" x 26"—60
Imitation pressboard	17" x 22"—70
Other pressboard	caliper .006
Tag board	24" x 36"—100
Bogus bristol	22½" x 28½"—120
All other grades of bristol and paperboard	22½" x 28½"—100

Issued this 5th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8090; Filed, June 5, 1944; 11:46 a. m.]

PART 3281—PULP AND PAPER

[Limitation Order L-120, Schedule XIV, as Amended June 5, 1944]

PAPER FOR USE IN NEWSPAPERS OR MAGAZINES

§ 3281.30 *Schedule XIV to Limitation Order L-120*—(a) *Definitions.* For the purpose of this schedule, including the appendix:

(1) The term "paper for use in newspapers or magazines" means and is limited to the kinds of paper commonly described and distributed in the paper trade by the names used as captions in the appendix below.

(2) The term "basis weight" means the weight of a kind of paper in pounds per 500 sheets in the size indicated under the appropriate caption, or the equivalent weight of 500 sheets in any other size figured proportionately to the size specified.

(3) The term "manufacture" includes all making and finishing operations prior to packaging or packing, including pasting whether by a primary manufacturer or otherwise.

(4) "Person" means any individual, partnership, association, or other form of enterprise, including within one "person" all affiliates, subsidiaries, individuals, corporations, partnerships, or other forms of enterprise subject to a common executive or operating management or with a common sales organization.

(b) *Identifications of the papers subject to this schedule.* It shall be the duty of each person who manufactures paper to determine in the first instance, but subject to review and official classification by the War Production Board at any time thereafter, under which caption, if any, of the appendix, belongs each of the "papers for use in newspapers or magazines" manufactured by him. There shall be taken into account in such determination, and in any review and reclassification by the War Production Board, the designation by which the manufacturer heretofore identified or distributed the paper in question, the common designation in the paper trade of similar papers selling within the same general price range as the paper in question, and the common designation in the paper trade of papers possessing the same general physical characteristics, manufactured by the same general processes, or commonly distributed and used for the same general uses as the paper in question. If a manufacturer is uncertain as to the proper caption under which to classify a particular kind of "paper for use in newspapers or magazines," or whether a particular kind of paper is such a paper at all or belongs under any caption of the appendix to this schedule, he may apply to the War Production Board, in writing, for an official classification of such paper, submitting with his application representative samples of the grade or grades in which he manufactures such paper, a full explanation of the processes by which he manufactures the same, the designation by which he has heretofore identified or distributed the same, the general uses for which it is intended, the general price range within which it is sold, and the types of papers with which it chiefly competes, and a full explanation of the reasons for his uncertainty. The War Production Board may on its own motion review a manufacturer's classification and substitute therefor an official classification. In any event, an official classification by the War Production Board by telegram or notice in writing sent to the manufacturer shall, unless and until the War Production Board shall amend or revise the same by telegram or notice in writing sent to the manufacturer, be conclusive.

(c) *General limitations.* (1) Except to the extent and upon the conditions indicated in paragraph (c) (2) and paragraphs (d), (e) and (f) of this schedule, no person shall manufacture any kind of "paper for use in newspapers or magazines" in any basis weight heavier than the basis weight specified as the maximum for the kind of paper indicated by each caption in the appendix below, or contrary to any other provision in the appendix.

(2) Exceptions to paragraph (c) (1). Nothing in this schedule shall prevent the manufacture, otherwise than by pasting, of "paper for use in newspapers or magazines" in any basis weight exceeding the maximum specified, provided such paper was in process of manufacture prior to June 5, 1944, nor shall the provisions of this schedule prevent the manufacture of paper for a particular use in any basis weight permitted for such use by any other order of the War Production Board, *Provided*, the basis weight does not exceed the maximum specified by the War Production Board for such use, and provided all other provisions of this or such other order are fully complied with.

(d) *Tolerances and variations.* The prohibitions and restrictions of this schedule are subject to the normal tolerances customary in the manufacture of the kind of paper indicated by each caption and to the normal variations in quantity manufactured customarily acceptable in the paper trade.

(e) *Jobs and seconds.* Nothing in this schedule shall restrict the sale of "job lots" or "seconds" resulting from faulty manufacture or overruns customarily unacceptable to the buyer, which occur during a bona fide attempt to manufacture "paper for use in newspapers or magazines" according to the terms of this schedule, provided that the manufacturer clearly informs the purchaser that such paper is a "job lot" or "seconds" and so indicates on each package.

(f) *Exception for export.* Regardless of the foregoing provisions of this schedule and of Limitation Order L-120, a person may manufacture for export (but may not without permission in writing from the War Production Board sell in the domestic market) any kind of "paper for use in newspapers or magazines" in any basis weight required, provided that (if the basis weight is heavier than permitted by this schedule) such person has received permission from the War Production Board to manufacture the particular order in question in such heavier basis weight.

(g) *Records and reports.* (1) Each person who manufactures "paper for use in newspapers or magazines" shall keep, readily available for inspection by the War Production Board, records of the basis weights of each manufacturing run of such paper.

(2) On and after September 1, 1943, each person who manufactures "paper for use in newspapers or magazines" for export shall require from the buyer a statement on his purchase order to the effect that such paper is purchased for export, shall keep such statement, together with a complete record of the order against which such paper is manufactured, readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 5th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX—STANDARDIZATION AND SIMPLIFICATION OF "PAPER FOR USE IN NEWSPAPERS OR MAGAZINES"

NOTE: Appendix amended June 5, 1944.

The following maximum weight limitations do not prevent the manufacture of basis weights lower than the maximum specified.

Supercalendered rotogravure:
Maximum basis weight permitted:
25" x 38"—30.

Uncoated English (machine) finish book papers:
Maximum basis weight permitted:
For the inside: 25" x 38"—40;
For the cover: 25" x 38"—70, provided that before the sale thereof in any basis weight heavier than permitted above for the inside, the manufacturer shall require from the buyer a statement that the order is for use exclusively as a cover. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board:

Uncoated book papers, supercalendered:
Maximum basis weight permitted:
For the inside: 25" x 38"—45;
For the cover: 25" x 38"—70, provided that before the sale thereof in any basis weight heavier than permitted above for the inside, the manufacturer shall require from the buyer a statement that the order is for use exclusively as a cover. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

Antique (eggshell) finish book papers:
Maximum basis weight permitted:
For the inside: 25" x 38"—45;
For the cover: 25" x 38"—70, provided that before the sale thereof in any basis weight heavier than permitted above for the inside, the manufacturer shall require from the buyer a statement that the order is for use exclusively as a cover. The manufacturer shall keep such statement, together with a complete record of the order, readily available for the inspection by the War Production Board.

Uncoated offset book papers:
Maximum basis weight permitted:
25" x 38"—50; or, if for use in multicolor printing on an offset press, 25" x 38"—60; or, if for use as a cover, 25" x 38"—70; provided that before the sale thereof for either one of such uses the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

Definition of multicolor printing. Multicolor printing means the use of more than two colors of ink including black, two or more colors being superimposed on the base color ink to produce the desired design or illustration.

Coated two sides and coated one side book papers (including Process (Machine) Coated, Glossy Coated Two Sides, Dull Coated, Coated Offset and all kinds of Coated Cover).
Maximum basis weights permitted:
For the inside: The heaviest finished basis weight, with respect to each kind of Coated Book Paper, made with a body stock (i. e., finished paper minus coating) in basis weight 25" x 38"—45.
For the cover: The heaviest finished basis weight, with respect to each kind of Coated Book Paper, made with a body stock (i. e., finished paper minus coating) in basis weight 25" x 38"—62, provided that before the sale thereof in any basis weight heavier than permitted above for the inside, the manufacturer shall require from the buyer a statement that the order is for use exclusively as a cover. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

Uncoated cover papers (all grades):
Maximum basis weight permitted:
For the inside: 25" x 38"—45;
For the cover: 25" x 38"—70, provided that before the sale thereof in any basis weight heavier than permitted above for the inside, the manufacturer shall require from the buyer a statement that the order is for use exclusively as a cover. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

Newsprint:
Maximum basis weight permitted:
24" x 36"—32.
School drawing: (Excluding "Artists Drawing" and "Drafting")
Maximum Basis weight permitted:
25" x 38"—45.

[F. R. Doc. 44-8091; Filed, June 5, 1944; 11:46 a. m.]

PART 3281—PULP AND PAPER

[Limitation Order L-120, Schedule XV]

GROUNDWOOD PAPER

§ 3281.31 *Schedule XV to Limitation Order L-120*—(a) *Definitions.* For the purpose of this schedule, including the appendix:

(1) The term "groundwood paper" means and is limited to the kinds of paper (not less than 26% of the fibre content of which is groundwood pulp) commonly described and distributed in the paper trade by the names used as captions in the appendix below.

(2) A "grade" means one particular quality within a kind of groundwood paper, such grade having the essential properties peculiar to such kind of paper and common to all grades within such kind, but distinguished from other such grades by a difference in the degree to which one or several of those common properties are emphasized. However, a difference in the degree to which any such property is emphasized, due only to a difference in ash content, in sizing, or in the dyes used in the paper shall not be considered as resulting in a different grade.

(3) "Color" means any hue of the spectrum, including but not limited to ivory, india and green-white tints, and black, but not including white, and the term "color" includes only those specific depths and hues associated with color names in the volume of color samples entitled "Groundwood Paper Manufacturers' Standard Color Nomenclature System and Manual."

(4) The term "basis weight" means the weight in pounds of the number of sheets and in the size indicated under the appropriate caption, or the equivalent weight of the same number of sheets in any other size figured proportionately to the size specified.

(5) The term "thickness" means the thickness of a sheet of paper expressed either in terms of plies or by caliper in terms of thousandths of an inch measured by the Cady Micrometer.

(6) An "item" for sheets means one size, grain, basis weight, finish and color in one grade. An "item" for rolls means one basis weight, finish, color, and diameter in one grade.

(7) The term "standard" as applied to grade, color, basis weight, and size means, with respect to each manufacturer, a grade and color selected and a basis weight and size specified under A of the appropriate caption in the appendix below.

(8) The term "special" as applied to grade, color, basis weight and size means, with respect to each manufacturer, any grade, color, basis weight or size that is not standard.

(9) The term "special making order" means a single order placed by a single buyer for manufacture at one time for use by one printer, consumer, or converter.

(10) The term "manufacture" includes all making and finishing operations prior to packaging or packing.

(11) "Person" means any individual, partnership, association, or other form of enterprise, including within one "person" all affiliates, subsidiaries, individuals, corporations, partnerships, or other forms of enterprise subject to a common executive or operating management or with a common sales organization.

(b) *Identification of papers subject to this schedule.* It shall be the duty of each person who manufactures paper to determine in the first instance, but subject to review and official classification by the War Production Board at any time thereafter, under which caption, if any, of the appendix belongs each of the groundwood papers manufactured by him. There shall be taken into account in such determination, and in review and reclassification by the War Production Board, the designation by which the manufacturer heretofore identified or distributed the paper in question, the common designation in the paper trade of similar papers selling within the same general price range as the paper in question, and the common designation in the paper trade of papers possessing the same general physical characteristics, manufactured by the same general processes, or commonly distributed and used for the same general uses as the paper in question. If a manufacturer is uncertain as to the proper caption under which to classify a particular kind of groundwood paper, or whether a particular kind of paper is such a paper at all or belongs under any caption of the appendix to this schedule, he may apply to the War Production Board in writing for an official classification of such paper, submitting with his application representative samples of the grade or grades in which he manufactures such paper, a full explanation of the processes by which he manufactures the same, the designation by which he has heretofore identified or distributed the same, the general uses for which it is intended, the general price range within which it is sold, and the types of papers with which it chiefly competes, and a full explanation of the reasons for his uncertainty. The War Production Board may on its own motion review a manufacturer's classification and substitute therefor an official classification. In any event, an official classification by the War Production Board by telegram or notice in writing sent to the manufacturer, shall, unless and until the War Production Board shall amend or revise the same by telegram or notice in writing sent to the manufacturer, be conclusive.

(c) *Selection of grades for regular manufacture.* Each person who manufactures any kind of "groundwood paper", shall, with respect to each such kind he manufactures, select such "grade" or "grades" thereof, not to exceed the number specified in A (1) of the appropriate caption of the appendix below, as he may desire to adopt for regular manufacture, and shall forthwith notify the War Production Board of such selection on Form WPB 1295 (formerly PD-589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection by dropping a "grade" or "grades" and substituting another or others but unless and until such leave is granted by the War Production Board in writing the original selection shall be and remain binding.

(d) *Selection of colors for regular manufacture.* If by the terms of A (2) under the appropriate caption of the appendix below a manufacturer is permitted, with respect to a particular grade of a kind of "groundwood paper", to select a number of colors, each person who manufactures such grade, if he desires to manufacture such grade in colors, shall immediately select therefor such particular colors, not to exceed the number indicated in A (2) of the appropriate caption, as he may desire to adopt for regular manufacture, and shall forthwith notify the War Production Board of such selection on Form WPB 1295 (formerly PD-589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection by dropping a color or colors and substituting another or others, but unless and until such leave is granted by the War Production Board in writing the original selection shall be and remain binding.

(e) *General limitations.* No person shall manufacture any kind of "groundwood paper" in any grade, color, basis weight, or size other than those specified or selected as standard under A of the appropriate caption of the appendix (where such standards are specified or selected under A of the appropriate caption), or contrary to any other provision under the appropriate caption. This general rule is, however, subject to the following exceptions:

(1) Tolerances and variations are permitted to the extent provided in paragraph (f).

(2) Cutting and slitting to various sizes are permitted to the extent provided in paragraph (g).

(3) Special provision is made for "jobs" and "seconds" in paragraph (h).

(4) Special provision is made for export orders in paragraph (i).

(5) Exceptions are made for "special making orders" under certain captions of the appendix. However, regardless of these exceptions where special making orders are so permitted under any caption, the basis weight or thickness must not exceed the heaviest standard basis weight or thickness permitted under A of such caption.

(6) Paper in process of manufacture on June 5, 1944, and conforming to the provisions of Order L-120 prior to that date, may be completed otherwise than by pasting.

(7) Paper may be manufactured for a particular use in any basis weight or thickness permitted such use by this or any other order of the War Production Board, provided the basis weight or thickness does not exceed the maximum specified by the War Production Board for such use, and provided all other provisions of this or such other order are fully complied with.

(f) *Tolerances and variations.* The prohibitions and restrictions of this revised schedule are subject to the normal tolerances customary in the manufacture of the kind of paper indicated by the appropriate caption and to the normal variations in quantity manufactured customarily acceptable in the paper trade. Nothing in this schedule shall restrict the remaking, because of faulty manufacture or excessive underrun, of all or any part of any order accepted in good faith for manufacture in accordance with the terms of this schedule.

(g) *Cutting and slitting.* Nothing in this schedule shall restrict the cutting of any sheet size to sizes of which the parent size is a multiple, provided the parent size is manufactured in accordance with the provisions of this schedule, nor restrict the slitting to fractional width rolls of any parent roll size manufactured in accordance with the provisions of this schedule on an order for roll paper; however, a special sheet size may not be cut from a standard or special roll size except in a quantity and under the conditions applying to a "special size" under B of the appropriate caption in the appendix below.

(h) *Jobs and seconds.* Nothing in this schedule shall restrict the sale of "job lots" or "seconds", resulting from faulty manufacture or overruns customarily unacceptable to the buyer, which occur during a bona fide attempt to manufacture "groundwood paper" according to the terms of this schedule, provided the manufacturer clearly informs the purchaser that such paper is a "job lot" or "seconds" and so indicates on each package.

(i) *Exception for export.* Regardless of the foregoing provisions of this schedule and of the provisions of Limitation Order L-120 a person may manufacture for export (but may not without permission in wrting by the War Production Board sell in the domestic market) any kind of "groundwood paper" in any size required, regardless of quantity, provided all other provisions of this schedule are complied with.

(j) *Records and reports*—(1) *Standard samples.* Each person who manufactures any kind of "groundwood paper" shall keep, readily available for inspection by the War Production Board, representative samples of each standard grade and each standard color of such grade selected by him under A (1) and A (2) of the appropriate caption.

(2) *Special making orders.* On and after "issuance date" each person who manufactures any "special making order" permitted under (b) of the appropriate caption of the appendix below shall require from the buyer a statement to the effect that such order is purchased for use by one printer, converter or consumer, shall keep such statement together with a complete record of such order readily available for inspection by the War Production Board and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(3) *Export orders.* On and after June 5, 1944, each person who manufactures "groundwood paper" for export shall require from the buyer a statement on his purchase order to the effect that such paper is purchased for export, shall keep such statement, together with a complete record of the order against which such paper is manufactured, readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

NOTE: The reporting requirements of paragraphs (c) and (d) have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 5th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX

"A" GRADE GROUNDWOOD PRINTING

A. *Grades, colors, weights and sizes for regular manufacture.*

1. *Standard grades:* Not more than three selected according to paragraph (c) of the foregoing schedule, one of which three is to be designated as not to be supercalendered.

2. *Standard colors:* In two of the grades selected under A (1), White and India only. The other grade selected may be manufactured in White, India, and three other colors, selected according to paragraph (d) of the foregoing schedule.

3. *Standard basis weights* (Per 500 sheets 25" x 38"): 21, 23, 25, 28, 31, 35 and 40 in English, Machine, Antique, Supercalendered and M. F. Roto Finishes; and the additional weight of 45 in Supercalendered and Antique Finishes; and for all finishes, if for use in printing text books for elementary grades 1 and 2 or for juvenile books, 50, or other school and college text books and technical books, 45, provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

4. *Standard sizes:* Any roll width or sheet size is a standard size if manufactured at one time in a quantity of at least 5,000 pounds of an item.

5. *Standard finish:* No restrictions.

B. *Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule.*

1. *Special grade:* None permitted.

2. *Special color:* None permitted.

3. *Special basis weights:* A special basis weight, not lighter than basis weight 30, nor heavier than permitted in A 3, may be manufactured to fill a special making order in a quantity of at least 20,000 pounds of a standard grade and color and at least 5,000 pounds of each item.

"B" GRADE GROUNDWOOD PRINTING

A. *Grades, colors, weights and sizes for regular manufacture.*

1. *Standard grades:* Not more than one, selected according to paragraph (c) of the foregoing schedule.

2. *Standard colors:* White and India only.

3. *Standard basis weights* (Per 500 sheets 24" x 36"): 30, 32, 35 in English, Machine, Antique and M. F. Roto Finishes; and, if in Antique Finish, basis weight 40; and, if in Antique Finish for printing text books for elementary school grades 1 and 2 or for juvenile books, basis weight 45, provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement, together with a complete record of the order readily available for inspection by the War Production Board.

4. *Standard sizes:* Any roll width or sheet size is a standard size if manufactured at one time in a quantity of at least 5,000 pounds of an item.

5. *Standard finish:* No restrictions.

B. *Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule.*

1. *Special grade:* None permitted.

2. *Special color:* None permitted.

3. *Special basis weights:* A special basis weight, not lighter than basis weight 30, nor heavier than permitted in A 3, may be manufactured to fill a special making order in a quantity of at least 20,000 pounds of a standard grade and color and at least 5,000 pounds of each item.

NOVEL NEWS

A. *Grades, colors, weights and sizes for regular manufacture.*

1. *Standard grades:* Not more than one, selected according to paragraph (c) of the foregoing schedule.

2. *Standard colors:* White only.

3. *Standard basis weights* (Per 500 sheets 24" x 36"): 30 and 32.

4. *Standard sizes:* Any roll width or sheet size is a standard size if manufactured at one time in a quantity of at least 5,000 pounds of an item.

5. *Thickness:* Not less than .004 of an inch.

B. *Exceptions:* None permitted.

SUPERCALENDERED ROTOGRAVURE

A. *Grades, colors, weights and sizes for regular manufacture.*

1. *Standard grades:* Not more than one, selected according to paragraph (c) of the foregoing schedule.

2. *Standard colors:* White and India only.

3. *Standard basis weights* (Per 500 sheets 25" x 38"): 30, 35, 39; and if for use in commercial printing, 45.

4. *Standard sizes:* Rolls: Any roll width is a standard size if manufactured in a quantity of at least 5,000 pounds of an item.

Sheets: None permitted.

5. *Standard finish:* Supercalendered only.

6. *Standard watermarks:* No watermarkings or waterlining permitted.

B. *Exceptions:* None permitted.

LIGHTWEIGHT CATALOGUE PAPER

A. *Grades, colors, weights and sizes for regular manufacture.*

1. *Standard grades:* Not more than one, selected according to paragraph (c) of the foregoing schedule.

2. *Standard colors:* White and Canary only.

3. *Standard basis weights* (Per 500 sheets 24" x 36"): 22½, 25 and 28.

4. *Standard sizes:* Any sheet size or roll width is a standard size if manufactured at one time in a quantity of at least 10,000 pounds of an item.

5. *Standard finish:* No restrictions, except that this grade may not be supercalendered.

6. *Filler:* No filler of high refractive Index such as titanium dioxide or zinc oxide or the equivalent thereof shall be used in amounts greater than 2% of the furnish.

B. *Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule.*

1. *Special grades:* None permitted.

2. *Special color:* A special color may be manufactured to fill a special making order in a quantity of at least 40,000 pounds of an item, in a standard grade.

3. *Special basis weights:* A special basis weight, not lighter than basis weight 19, nor heavier than permitted in A 3, may be manufactured to fill a special making order in a quantity of at least 40,000 pounds of a standard grade and color and at least 5,000 pounds of each item; or in a special color in the quantity provided for under exception 2 above.

DIRECTORY PAPER

A. *Grades, colors, weights and sizes for regular manufacture.*

1. *Standard grades:* Not more than one, selected according to paragraph (c) of the foregoing schedule.

2. *Standard colors:* White and Canary only.

3. *Standard basis weights* (Per 500 sheets 24" x 36"): 22½, 25, and 28.

4. *Standard sizes:* Any sheet size or roll width is a standard size if manufactured at one time in a quantity of at least 20,000 pounds of an item.

5. *Standard finish:* No restrictions, except that this grade may not be supercalendered.

6. *Fillers:* No pigment of high refractive Index, such as titanium dioxide or zinc oxide, shall be used in the manufacture of this grade.

B. *Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule.*

1. *Special grades:* None permitted.

2. *Special colors:* A special color may be manufactured to fill a special making order in a quantity of at least 40,000 pounds of an item in a standard grade.

3. *Special basis weights:* A special basis weight, not lighter than basis weight 19, nor heavier than permitted in A 3, may be manufactured to fill a special making order in a quantity of at least 40,000 pounds of an item in a standard grade.

BOARD AND BOX LINING

A. *Grades, colors, weights and sizes for regular manufacture.*

1. *Standard grades:* Not more than one, selected according to paragraph (c) of the foregoing schedule.

2. *Standard colors:* White only.

3. *Standard basis weights* (Per 500 sheets 24" x 36"): 30 and 32 only.

4. *Standard sizes:* Rolls: Any roll width is a standard size if manufactured at one time in a quantity of at least 5,000 pounds of an item.

Sheets: None permitted.

5. *Standard finish:* No restrictions, except that this grade may not be supercalendered.

B. *Exceptions:* None permitted.

CARBONIZING

A. *Grades, colors, weights and sizes for regular manufacture.* This "kind" of paper shall be manufactured only to fill special making orders as defined in (a) (9) of the foregoing schedule.

1. *Standard grades:* Not more than one, selected according to paragraph (c) of the foregoing schedule.

2. *Standard colors:* White, and two colors, selected according to paragraph (d) of the foregoing schedule.

3. *Standard basis weights* (Per 480 sheets 24" x 36"): Any basis weight not in excess of 58. (No ounce stock).

4. *Standard sizes* (in inches):
Roll widths: 19⅜, 21⅞ and 29⅜.
Sheets: None permitted.

5. *Standard watermarks:* None permitted.

6. *Standard finish:* No restrictions, except that this grade may not be supercalendered.

B. *Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule.*

1. *Special grades:* None permitted.

2. *Special colors:* None permitted.

3. *Special basis weights: None permitted.*

4. *Special sizes:* Rolls of a width narrower in each case than 19⅜, 21⅞, and 29⅜ may be manufactured, provided such widths are to be manufactured into wallpaper to lay 18", 20" and 27" widths respectively on the wall.

POSTER PAPER

A. *Grades, colors, weights and sizes for regular manufacture.*

1. *Standard grades:* Not more than one, selected according to paragraph (c) of the foregoing schedule.

2. *Standard colors:* No. 2 Poster: White and light colors of Pink, Jade, Mandarin, Sulphur and Gold and medium color Azure. No. 1 Poster: Any color, of no greater depth than medium, other than light colors listed as standard for No. 2 Poster. No White permitted.

3. *Standard basis weights* (Per 500 sheets 24" x 36"): 32.

4. *Standard sizes (in inches):*
Sheets: 16 x 24, 22 x 30, 24 x 36, 25 x 38, 26 x 42, 30 x 44, 30½ x 44, 36 x 48.
Rolls: Any roll width in a permitted weight is a standard size when manufactured as part of, and at the same time as, a full machine deckle of the identical grade.

5. No restriction as to finish.

B. *Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule.*

1. *Special grades:* None permitted.

2. *Special colors:* None permitted in No. 2 poster; A special color may be manufactured in No. 1 Poster in a greater color depth than medium to fill a special making order in a quantity of at least 20,000 pounds of a standard grade and at least 10,000 of a permitted basis weight and at least 5,000 pounds of each item.

3. *Special basis weights:* Basis weight 30 lb. may be manufactured to fill a special making order in a quantity of at least 10,000 of an item in a standard grade and color or in a special color in the quantities provided for under exception 2 above.

4. *Special sizes:* A special size, either sheet or roll, may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet size or 2,000 pounds of a roll width in a standard grade, standard color and standard basis weight; or in a special color or special basis weight in the quantities provided for under exceptions 2 and 3 above.

RAILROAD MANILA

A. *Grades, Colors, Weights and Sizes for regular manufacture.*

1. *Standard grades:* Not more than one, selected according to paragraph (c) of the foregoing schedule.

2. *Standard colors:* No. 1 Railroad Manila: No white permitted; Sulphur and Cream only.
No. 2 Railroad Manila: White, and Sulphur, Pink and Cream.

3. *Standard basis weights* (Per 500 sheets 17" x 22"): 13, 14 and 16.

4. *Standard sizes* (in inches): Sheets: 8½ x 11, 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 38, 28 x 34, 34 x 44.
Rolls: Any roll width in a permitted weight is a standard size when manufactured as part of, and at the same time as, a full machine deckle of the identical grade.
Typewriter sizes may be made if no larger than 8½ x 14 and no smaller than 7¼ x 10½.

5. No restrictions as to finish.

6. Ash content: Not less than 5%.

B. *Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule.*

1. *Special grades:* None permitted.

2. *Special colors:* A special color may be manufactured to fill a special making order, provided that:
(a) The quantity of each special color is at least 20,000 lbs. in one standard grade, and
(b) The quantity of each standard weight is at least 10,000 lbs., and
(c) The quantity of each standard sheet size is at least 2,000 pounds and the quantity of each special sheet size is at least 5,000 pounds.

3. *Special basis weights:* None permitted.

4. *Special sizes:* A special sheet size or roll width may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet item or 2,000 pounds of a roll item.
(a) In a standard color and in a standard basis weight; or
(b) In a special color in the quantities provided for under Exception 2 above.

MIMEOGRAPH PAPER

A. *Grades, colors, weights and sizes for regular manufacture.*

1. *Standard grades:* No more than two, selected according to paragraph (c) of the foregoing schedule.

2. *Standard colors:* White and six colors: Selected according to paragraph (d) of the foregoing schedule.

3. *Standard weights* (Per 500 sheets 17 x 22): Substance weight 16.

4. *Standard sizes* (in inches):
Sheets: 17 x 22, 17 x 28, 22 x 34, 28 x 34.
Rolls: Any roll width in a permitted weight is a standard size when manufactured as part of, and at the same time as, a full machine deckle of the identical grade.
Typewriter sizes may be made if no larger than 8½ x 14 and no smaller than 7¼ x 10½.

5. No restrictions as to finish.

6. *Ash content:* Not less than 5% in substance weight 16 or 3% in substance weight 13.

B. *Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule.*

1. *Special grades:* None permitted.

2. *Special colors:* None permitted.

3. *Special weights:* Substance weight 16 may be manufactured to fill a special making order for the United States Government.

4. *Special sizes:* A special sheet size or roll width may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of a sheet item or 2,000 pounds of a roll item in a standard grade, standard color or white and a standard weight, or in a special weight as provided for in exception 3 above.

5. *Ash content:* Not less than 5%.

PENCIL TABLET PAPERS

A. *Grades, colors, weights and sizes for regular manufacture.*

1. *Standard grades:* Not more than one, selected according to paragraph (c) of the foregoing schedule.

2. *Standard colors:* White, and Canary only.

3. *Standard basis weights* (per 500 sheets 24" x 36"): 30, 32.

4. *Standard sizes:* Sheets: Any sheet size not larger than 8½" x 14" or roll width is a standard size if manufactured at one time in a quantity of at least 5,000 pounds of an item.

5. *Standard finish:* No restrictions as to finish, except that this grade may not be supercalendered.

6. *Ash content:* Not less than 5%.

B. *Exceptions:* None permitted.

GROUNDWOOD WRITING TABLET PAPERS

A. *Grades, colors, weights and sizes for regular manufacture.*

1. *Standard grades:* Not more than one, selected according to paragraph (c) of the foregoing schedule.

2. *Standard colors:* White, and two colors, selected according to paragraph (d) of the foregoing schedule from the three following: Canary, Green-White tint, and Pastel Nile.

3. *Standard basis weights* (Per 500 sheets 17" x 22"): 16.

4. *Standard sizes:* Any roll width or sheet size is a standard size if manufactured at one time in a quantity of at least 5,000 pounds of an item.

5. *Standard finish:* No restrictions.

6. *Ash content:* Not less than 5%.

B. *Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule.*

1. *Special grades:* None permitted.

2. *Special colors:* None permitted.

3. *Special weights:* Basis weight 14 may be manufactured to fill a special making order in a quantity of at least 40,000 pounds of a standard grade and color and at least 5,000 pounds of an item.

GROUNDWOOD BOND PAPERS

A. *Grades, colors, weights and sizes for regular manufacture.*

1. *Standard grades:* Not more than one, selected according to paragraph (c) of the foregoing schedule.

2. *Standard colors:* White, and six colors—Sky, Buff, Sulphur, Lime, Corn, Pink.

3. *Standard basis weights* (Per 500 sheets 17" x 22"): 13 and 16.

4. *Standard sizes* (in inches): Sheets: 17 x 22, 17 x 28, 19 x 24, 22 x 34, 24 x 38, 28 x 34; Rolls: Any roll width in a permitted weight is a standard size when manufactured as part of, and at the same time as, a full machine deckle of the identical grade.
Typewriter sizes may be made if no larger than 8½ x 14 and no smaller than 7¼ x 10½.

5. No restrictions as to finish.

6. *Ash content:* Not less than 5% in substance weight 16 or 3% in substance weight 13.

B. *Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule.*

1. *Special grades:* None permitted.

2. *Special colors:* None permitted.

3. *Special weights:* None permitted.

4. *A Special size:* A special sheet size or roll width may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item in a standard grade, color and basis weight.

GROUNDWOOD ENVELOPE PAPER

A. *Grades, colors, weights and sizes for regular manufacture.*

1. *Standard grades:* Not more than one, selected according to paragraph (c) of the foregoing schedule.

2. *Standard colors:* White, and six colors, selected according to paragraph (d) of the foregoing schedule.

3. *Standard basis weights* (Per 500 sheets 17" x 22"): 16, 20.

4. *Standard sizes:* Any roll width or sheet size is a standard size if manufactured at one time in a quantity of at least 5,000 pounds of an item.

5. *Watermarks:* A laid mark or a name or design mark may be incorporated in a continuous run of at least 40,000 pounds of paper under one mark; none otherwise.

6. *Standard finish:* No restrictions.

B. *Exceptions:* None permitted.

[F. R. Doc. 44-8002; Filed, June 5, 1944; 11:46 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-317, as Amended May 29, 1944, Amdt. 1]

COTTON TEXTILE DISTRIBUTION

Section 3290.115 *General Conservation Order M-317* is amended as follows:

In paragraph (e) (3) delete "to fill that yarn order."

In paragraph (f) (1), fourth line, delete "in" and substitute for it "from the production of".

Issued this 5th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8003; Filed, June 5, 1944; 11:45 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-270, as Amended June 5, 1944]

AUTOMOTIVE MAINTENANCE EQUIPMENT

§ 3292.56 *Limitation Order L-270*—(a) *What the order does.* This order explains what is meant by "Automotive Maintenance Equipment", how much and what kinds of such equipment may be made, and how it may be sold.

(b) *Definitions.* For the purposes of this order:

(1) "Producer" means any person who manufactures any automotive maintenance equipment, whether for his own account or for the account of others.

(2) "Manufacture" means to fabricate or assemble any item of automotive maintenance equipment.

(3) "Automotive maintenance equipment" means the items listed in Schedules A, B, C or D to this order.

(4) "Automotive vehicles" means passenger automobiles, light, medium and heavy motor trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles.

(5) "Item" means any product listed in Schedules A, B, C or D to this order and includes all sizes and types in such listing.

(6) "Repair part" means any part or component of any item of automotive maintenance equipment not consumed or used up in ordinary operation of the automotive maintenance equipment.

(7) "Military order" means any contract or purchase order calling for delivery to or for the account of the Army or Navy of the United States, United States Maritime Commission or the War Shipping Administration.

Provisions Relating to Production

(c) *General policy.* In processing applications for priorities assistance on Form CMP-4B, the War Production Board will be guided by the policy that the total production will not exceed the approved WPB program for the products to which this order applies and that the production in any one plant, or labor requirements therefor, will not interfere with war production in that plant or in any other plant located in the same area.

(d) *Restrictions on production of individual items*—(1) *No production of Schedule A items.* Except to fill military orders, no producer shall manufacture any item listed in Schedule A.

(2) *Limitation on production of Schedule B items.* Except to fill military orders, no producer shall manufacture in any calendar quarter any item listed in Schedule B in excess of fifty (50) percent of the number of the like item manufactured by him in the corresponding calendar quarter in 1941.

(i) *Provision for minimum factory runs.* In the event that the limitation imposed by this paragraph (d) (2) should result in restricting production to less than his minimum practical factory run of any item listed in Schedule B, a producer may, notwithstanding the provisions of paragraph (d) (2), manufacture a minimum practical factory run: *Provided,* That the total number of any such item manufactured by him in any two consecutive calendar quarters shall not exceed fifty (50) percent of the total number of the like item manufactured by him in the two corresponding calendar quarters of 1941.

(3) *Limitation on production of Schedule C items.* Except to fill military orders, no producer shall manufacture in any calendar quarter any item listed in Schedule C in excess of one hundred (100) percent of the number of the like item manufactured by him in

the corresponding calendar quarter of 1941.

(4) *Limitation on production of Schedule D items.* Except to fill military orders, no producer shall manufacture in any calendar quarter any item listed in Schedule D in excess of one hundred (100) percent of the number of the like item manufactured by him in the corresponding calendar quarter of 1941, unless a quarterly quota in excess of one hundred (100) percent of the corresponding quarter of 1941 production has been assigned to the producer under the following procedure:

(i) *Special quotas on Schedule D items.* A request for assignment of a special quota for production of any item listed in Schedule D, in excess of one hundred (100) percent of the number of the like item manufactured by him in the corresponding quarter of 1941, may be made by a producer who can increase production within the limitations of paragraph (c).

Such a producer may file an application in writing with the Automotive Division of the War Production Board, Washington 25, D. C., Ref: L-270, for permission to increase production at such plant by giving complete explanation of the circumstances justifying such increase. Thereupon the War Production Board may authorise an increase in the production of the item at such plant in such quantities and upon such conditions as it shall find requisite in the public interest. Such authority will be issued either in the form of individual letters or by published directions supplemental to this order.

The War Production Board may likewise direct an increase in the production of items on Schedule D in conformity with paragraph (c), in such quantities and upon such conditions as it shall find requisite in the public interest.

(e) *Limitation on production of repair parts.* Except to fill military orders, no producers shall manufacture in any calendar quarter a dollar volume of repair parts for automotive maintenance equipment in excess of ten (10) percent of the total dollar volume of automotive maintenance equipment manufactured by him in the corresponding calendar quarter of 1941.

Provisions Relating to Critical Materials

(f) *Use of aluminum and steel.*[1] No producer shall use any aluminum, steel or other critical materials in the manufacture of automotive maintenance equipment where the use of less critical materials is practicable, and when so used such aluminum, steel or other critical materials shall be reduced to the minimum quantity and grade necessary for the proper operation of the automotive maintenance equipment.

(g) *Use of copper.*[1] No producer shall use any copper products or copper base alloy products in the manufacture of automotive maintenance equipment other than in the following: (i) conductors of electrical current, (ii) bearings, bushings, thrust washers and similar parts which require oil, grease or water lubrication, (iii) valve seats, tubes, and similar parts where condensation or corrosion make substitutions of less critical materials impracticable: *Provided*, That any copper products or copper base alloy products so used shall be reduced to the minimum practical gauge, size and grade necessary for the proper operation of the automotive maintenance equipment.

Provisions Relating to Distribution

(h) *Sales by producers only on rated orders.* No producer shall sell, transfer or deliver, on consignment or otherwise, any item on Schedules A, B, C or D, except pursuant to orders bearing preference ratings of AA-5 or higher;

(1) Assigned on Forms WPB-541 (PD-1A), on Form WPB-542 (PD-3A), on Form WPB-547 (PD-1X), or on Canadian Form PB-1010.

(2) Assigned on export licenses or requisitions approved by Foreign Economic Administration.

(3) Assigned on Form CMP-4B, on CMP-4A, on Canadian Forms PB-1005, on PB-1006, or on PB-1007 and used only for the procurement of items on Schedules A, B, C or D to be physically incorporated in other end-products. The use of preference ratings assigned on these forms is prohibited for the procurement of any items on Schedules A, B, C or D for resale as such.

(i) *Sales of stationary crankshaft regrinders only on WPB-1319 ratings.* On and after June 1, 1944, notwithstanding the provisions of paragraph (h), no producer shall sell, transfer or deliver, on consignment or otherwise, any stationary crankshaft regrinders, except to fill military orders or pursuant to ratings assigned on Form WPB-1319.

(1) Application should be made by the user on Form WPB-1319, in accordance with the instructions for its use, which is obtainable at all field offices of the War Production Board.

(j) *No ratings required for repair parts.* No preference ratings are required for the purchase of repair parts for automotive maintenance equipment.

Miscellaneous Provisions

(k) *Quarterly reports by producers on Form WPB-3614.* Each producer of automotive maintenance equipment shall execute and file with the Automotive Division of the War Production Board within fifteen days after the close of each calendar quarter a report, (on Form WPB-3614), of the number of units of each item listed in Schedules A, B, C or D produced by him in such calendar quarter. The reporting provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(l) *Appeals.* Any appeal from the provisions of this order may be made by filing Form WPB-1477 in triplicate with the Field Office of the War Production Board for the District in which is located the plant or branch of the appellant to which the appeal relates.

(m) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(n) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(o) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington 25, D. C., Reference: L-270.

Issued this 5th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

See paragraph (d) (1) of this order.

Alignment gauges (except as listed in Schedule B)
Battery chargers: floor, stand and wall type (except as listed in Schedule C)
Battery chargers: trickle type (except industrial installation)
Battery testers (except as listed in Schedule C)
Body and fender tools: hand, pneumatic, hydraulic or electric operated
Brake testing machines: automotive vehicle type
Car washers: pressure or nozzle type
Car washing machinery
Chassis dynamometers
Chuck gauges: any type of air pressure measuring gauge which is attached in any manner to a flexible air line to be used for inflating tires
Combustion analyzers: automotive vehicle type
Distributor setting machines. (except as listed in Schedule B)
Electrical testing equipment: automotive vehicle type (except as listed in Schedules B or C)
Engine flushing machines: internal
Engine reconditioning equipment (except as listed in Schedules B, C, or D)
Engine repair stands (except as listed in Schedule C)
Frame straightening equipment (except heavy duty—as listed in Schedule C)
Frame straightening racks
Front end equipment (except as listed in Schedules B or C)
Gasoline mileage testers
Headlight testers: automotive vehicle type
Jacks: bumper or wheel rim
Jacks: pit, lift or vibrating; mechanical or hydraulic (except as listed in Schedule C)
Jacks: portable or tool box type (less than 3-tons lifting capacity, measured by load raising ability through the entire jacking range from minimum to maximum height)
Jacks: shop, wheel type; mechanical or hydraulic (except as listed in Schedule D)
Lifts: automotive vehicle type (except heavy duty as listed in Schedule C)
Motor analyzing equipment (except as listed in Schedules B or C)
Spark plug cleaners: pedestal or stand type
Spark plug testers
Tire air hose reels
Tire air pressure gauges (except as listed in Schedules B or C)
Tire air service equipment: tower, pedestal or wall type (except as listed in Schedules B, C or D)
Tire pumps (except as listed in Schedules C or D)
Tire scuff checking devices (except as listed in Schedule B)
Tow bars
Wheel balancers: automotive vehicle type
Wheel spinners

SCHEDULE B

See paragraph (d) (2) of this order.

Alignment gauges: portable (including only caster, camber, king-pin, toe-in, tracking, turning radius, or combinations thereof)
Alignment gauges: stationary, drive-over type
Battery jumpers
Bearing oil leak detectors
Brake bleeders
Brake fillers
Brake lining appliers: hand type
Brake shoe gauges
Cylinder leakage testers: automotive vehicle testing type
Degreasing flushers: transmission or differential
Distributor setting machines: bench model
Front end machines: light duty; to include all gauges, tools and parts necessary and to be of capacity sufficient for checking and correcting to manufacturers' specifications all angles of steering geometry on all automotive vehicles of 1½ tons and less capacity.
Fuel pump testers: automotive vehicle testing type
Master air gauges: tire air gauge testers
Piston expanding machines
Speedometer testing machines
Transmission jacks
Wheel straightening equipment
Wrecking cranes: truck mounted type

SCHEDULE C

NOTE: Schedule C amended June 5, 1944.

See paragraph (d) (3) of this order.

Air chucks
Air pressure gauges: pencil type or truck service type
Armature growlers: automotive vehicle testing type
Battery chargers: fast type (battery leads not to exceed 7 feet each; AC lead not to extend beyond charger case)
Battery chargers: wall type (six or more battery capacity)
Battery testers (prong type)
Brake drum gauges
Brake drum grinding attachments
Brake drum lathes
Brake lining grinders: portable or spindle mounted
Brake relining machines.
Cam angle meters
Circuit testers: automotive vehicle testing type
Cleaners: steam vapor (self-firing or generating)
Clutch pressure plate grinders
Clutch rebuilding equipment
Coil testers: automotive vehicle testing type
Compression gauges: automotive vehicle testing type
Condenser testers: automotive vehicle testing type
Connecting rod aligners
Crankshaft regrinders: portable
Cylinder head resurfacers
Cylinder hones
Cylinder reboring bars
Engine repair stands: engine revolving type
Frame straightening machines: heavy duty; to include all gauges, tools and parts necessary and to be of capacity sufficient for removing all lateral and vertical bends from the frames of all automotive vehicles.
Front end machines: heavy duty; to include all gauges, tools and parts accessory and to be of capacity sufficient for checking and correcting to manufacturers' specifications all angles of steering geometry on all conventional axle automotive vehicles.
Generator test benches: automotive vehicle testing type
Jacks: pit or lift (not less than 5-tons lifting capacity)
Horses or trestles: automotive shop type
Lifts: automotive vehicle twin post type (capacity not less than 10-tons)
Magneto rechargers
Magneto testers
Main bearing boring machines
Motor block test heads: automotive vehicle testing type
Piston pin bushing hones: portable
Piston regrinders
Spark plug cleaners: bench type
Timing lights: automotive vehicle testing type
Tire pumps: hand or foot operated
Tire valve service tools
Vacuum gauges: automotive vehicle testing type
Valve refacers
Valve seat grinders
Valve seat insert tools
Wheel removing dollies: automotive vehicle type

SCHEDULE D

See paragraph (d) (4) of this order.

Bushing grinders
Connecting rod boring attachments
Connecting rod boring machines
Connecting rod rebabbitting jigs
Crankshaft regrinders: stationary
Cylinder sleeve pullers
Jacks: curb wheel type (less than two tons capacity)
Jacks: shop wheel type (four and ten tons capacity)
Shell bearing boring machines
Spark plug pumps

INTERPRETATION 1, 2 AND 3: obsolete.

[F. R. Doc. 44-8094; Filed, June 5, 1944; 11:47 a. m.]

Chapter XI—Office of Price Administration

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 16 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (a) is amended to read as follows:

(a) Processed foods shall have the point values set forth in the Official Table of Point Values (No. 16) (OPA Form R-1313) which is made a part hereof.

This amendment shall become effective at 12:01 a. m., June 4, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 462; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320)

Issued this 2d day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-8007; Filed, June 2, 1944; 4:17 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 32 to Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (a) is amended to read as follows:

(a) Foods covered by Ration Order 16 shall have the point values set forth in the Official Tables of Consumer and Trade Point Values (No. 15) (OPA Forms R-1313 and 1611) which are made a part hereof.

This amendment shall become effective at 12:01 a. m., June 4, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E. O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 2d day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-8006; Filed, June 2, 1944; 4:17 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 418,[2] Amdt. 31]

FRESH FISH AND SHELLFISH

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 418 is amended in the following respects:

1. In section 20, footnote 38 following Table A applicable to Schedule No. 23, Halibut (Hippoglossus hippoglossus) is amended to read as follows:

[38] When landed in the following Alaskan ports deduct the following amounts: Ketchi-

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[1] See latest quarterly copy of publication entitled, *Material Substitution and Supply List*. Conservation Division, War Production Board.

[1] 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2947, 3707, 4542, 4605, 4607, 4883.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16834, 16839, 16893, 17278, 17306, 17372; 9 F.R. 105, 184, 731, 1181, 1819, 2007, 2091, 2477, 2553, 2789, 2830, 2948, 3092, 3581, 3707, 4107, 4605, 4607, 4877, 5315, 5586.

[2] 7 F.R. 8609, 9005, 8948, 8 F.R. 544, 2922, 3367, 4785, 7322, 7671, 7826, 8376, 8677, 9998, 10571 10732, 11380, 13296, 15191, 15609, 16426, 9 F.R. 1996, 43083.

kan, 3¼ cents; Wrangell and Petersburg, 2½ cents; Juneau, Sitka and Pelican City, 3⅝ cents; Port Williams, 4¼ cents. When landed in any other ports in Alaska, deduct the amount specified for the nearest port listed.

Deduct 2½ cents in American currency for sales of halibut landed on the Pacific Coast of Canada.

For sales of dressed halibut landed on the Atlantic Coast add 2 cents.

For sales of round halibut deduct 5½ cents from the appropriate dressed price.

For sales of drawn halibut deduct 1¾ cents from the appropriate dressed price.

2. In section 20, footnote 39 following Table B applicable to Schedule No. 23, Halibut (Hippoglossus hippoglossus) is read as follows:

[39] Deduct the following amounts for sales of steaks processed from halibut landed in the following Alaskan ports: Ketchikan, 4 cents; Wrangell and Petersburg, 4½ cents; Juneau, Sitka and Pelican City, 4¾ cents; Port Williams, 5¼ cents. For sales of steaks processed from halibut landed in any other port in Alaska, deduct the amount specified for the nearest port listed.

For sales of steaks processed from halibut landed on the Atlantic Coast, add 2¾ cents.

For sales of steaks processed from halibut landed on the Pacific Coast of Canada, deduct 3¼ cents.

This amendment shall become effective June 2, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-8005; Filed, June 2, 1944; 4:15 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 31]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 426 is amended in the following respects:

1. In Appendix B of section 15 the headnote to paragraph (a) (3) is amended by deleting the figure "1943" and Column 1 of the table is amended to read as follows:

	Column 1 June *Cents per lb.*
Zone 1: States of Texas, Louisiana, Mississippi, Alabama, Georgia, South Carolina, Florida	4.3
Zone 2: States of Kansas, Oklahoma, Missouri, Arkansas, Kentucky, Tennessee, Virginia, North Carolina, California, Arizona, Utah, New Mexico, Nevada, Wyoming, Montana, North Dakota, South Dakota, Nebraska and Idaho	4.0
Zone 3: All other states including District of Columbia	3.9

2. Appendix H is amended in the following respects:

a. Items 5 and 10 of Table 4 are amended to read as follows:

TABLE 4—MAXIMUM PRICES FOR SNAP BEANS (GREEN OR WAX)

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f. o. b. shipping points in Florida and California [1]	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than truck-lots delivered to the premises of any retail store, Government procurement agency or institutional buyer [4]
•	•	•	•	•	•	•
5	Snap beans in bushel containers with a net weight of 28 pounds or more.	Bushel	June 1–June 30	$2.70	$2.70 plus freight (including 3% transportation tax) from Pompano, Florida, plus 10 cents for protective services for all markets east of and including Chicago, Illinois; and from San Jose, California, plus 10 cents for protective services for all markets west of Chicago, Illinois.[3]	Col. 6 price plus 75 cents.
			July 1–October 31	To be announced later.		
•	•	•	•	•	•	•
10	Snap beans in bushel containers with a net weight of less than 28 pounds and in all other containers.[2]	Pound	June 1–June 30	9.6 cents per pound	Maximum price above (item 5) divided by 28.	Col. 6 price plus 2⅝₀ cents per pound.
			July 1–October 31	To be announced later.		

b. Footnote 2 to Table 4 is amended to read as follows:

[2] For all wholesale receiving points in Florida for the period November 1 to June 30, and in California during the period March 1 to June 30, no allowance shall be added for protective services.

c. The headnote to column 5 of Table 7 is amended by inserting the word "Louisiana" between the words "Florida" and "California".

d. Items 4, 8, 12 and 16 of Table 7 are amended to read as follows:

TABLE 7—MAXIMUM PRICES FOR CUCUMBERS

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f. o. b. shipping points in Florida, Louisiana, California and Iowa [4]	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than truck-lots delivered to the premises of any retail store, Government procurement agency or institutional buyer [4]
4	Cucumbers, except hothouse cucumbers, in bushel containers with a net weight of 48 pounds or more.	Bushel	June 1–June 15 June 16–June 30	$2.15 $2.10	Col. 5 price plus freight (including 3% transportation tax) from Ponchatoula, Louisiana, plus 10 cents for protective services [1] for all markets east of and including Chicago, Illinois, and from Chula Vista, California, plus 10 cents for protective services for all markets west of Chicago, Illinois.	Col. 6 price plus 75 cents.
			July 1–October 31	To be announced later.		

[4] Copies may be obtained from the Office of Price Administration.
[1] 8 F.R. 16409, 16294, 16519, 16423, 17872; 9 F.R. 790, 902, 1581, 2006, 2022, 2091, 2426, 4030, 4066, 4068, 4434, 4786, 4787, 4877.

TABLE 7 MAXIMUM PRICES FOR CUCUMBERS—continued

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f. o. b. shipping points in Florida, Louisiana, California and Iowa	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than truck-lots delivered to the premises of any retail store, Government procurement agency or institutional buyer
•	•	•	•	•	•	•
8	Cucumbers, except hothouse cucumbers, in lug boxes with a net weight of 25 pounds or more.	Lug	June 1–June 15 June 16–June 30	$1.84 $1.22	Col. 5 price plus freight (including 3% transportation tax) from Ponchatoula, Louisiana, plus 8 cents for protective services [1] for all markets east of and including Chicago, Illinois, and from Chula Vista, California, plus 8 cents for protective services for all markets west of Chicago, Illinois.	Col. 6 price plus 45 cents.
			July 1–October 31	To be announced later.		
•	•	•	•	•	•	•
12	Cucumbers, except hothouse cucumbers, in bushel containers with a net weight of less than 48 pounds and in lug boxes with a net weight of less than 25 pounds and in all other containers.[1]	Pound	June 1–June 15 June 16–June 30	6.6 cents per pound 4.4 cents per pound	Maximum price for item 4 above divided by 48.	Col. 6 price plus 1⅝₀ cents per pound.
			July 1–October 31	To be announced later.		
•	•	•	•	•	•	•
16	Hothouse cucumbers in any container.	Pound	June 1–June 30	11.3 cents per pound	Col. 5 price plus express (including 3% transportation tax) from Davenport, Iowa.[1]	Col. 6 price plus 2½ cents per pound.
			July 1–October 31	To be announced later.		

e. Footnote 1 to Table 7 is amended to read as follows:

[1] For all wholesale receiving points in California, Louisiana, and Florida, no allowance shall be added for protective services.

f. For the period June 1–June 10 (inclusive) the maximum delivered price for all sellers of the listed commodities in Table 4 and Table 7 (snap beans and cucumbers) in each case shall be the maximum delivered price in effect during the month of May.

This amendment shall become effective at 12:01 a. m. June 2, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of June 1944.

CHESTER BOWLES,
Administrator.

Approved: June 1, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-8004; Filed, June 2, 1944; 4:17 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 289,[1] Amdt. 7]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 289 is amended in the following respects:

1. Section 26 (a) is amended to read as follows:

(a) *Sales by processors of condensed milk products in bulk or bulk packed.* (1) Maximum prices for sales to any class of purchasers shall be those listed in Items 1 and 2 of Table A, f. o. b. processor's plant, subject to the composition adjustments set forth in Item 4 of Table A.

TABLE A

Product	Composition percentage (exclusive of moisture)			In cents per liquid pound (f. o. b. plant)			
	Milk fat	MSNF	Sugar	In wooden barrels		In containers (except wooden barrels) and in tank cars or tank trucks	
				Zone A	Zone B	Zone A	Zone B
Item 1:							
Plain condensed skim milk	0	20	0	----------	----------	4.06	4.13
Super-heated condensed skim milk	0	20	0	----------	----------	4.39	4.46
Item 2:							
Plain condensed milk	8	22	0	----------	----------	8.26	8.53
Super-heated condensed milk	8	22	0	----------	----------	8.61	8.86
Sweetened condensed skim milk	0	30	42	8.06	8.15	7.33	7.40
Sweetened condensed milk	8½	10½	42	12.28	12.53	11.53	11.78

[1] Copies may be obtained from the Office of Price Administration.
[2] 9 F.R. 5140, 5427, 5429, 5588.

Item 3.—*Description of zones.* (i) Zone A shall be all states not included in Zone B.

(ii) Zone B shall be Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Delaware, District of Columbia, Virginia and West Virginia.

Item 4:—*Adjustments.* (i) The maximum prices for products listed in Item 1 of Table A, in bulk or bulk packed, shall be adjusted up or down by adding or deducting $0.0014 per pound for each change of 1% in the composition percentage of milk solids not fat in the finished product, and fractions of 1% shall be adjusted proportionately.

(ii) The maximum prices for products listed in Item 2 of Table A and for any "miscellaneous condensed product", in bulk or bulk packed, shall be adjusted up or down by the amounts stated below for each change of 1% in the composition percentage of the ingredients in the comparable finished product, and fractions of 1% shall be adjusted proportionately. (See examples.)

Ingredient:	*Add or deduct per pound*
Milk solids not fat	$0.00145
Milk fat	.0065
Sugar	.0006

Example A. If a product contains only 7% fat and 18% MSNF it is not "plain condensed milk". However, if a processor in Zone A wishes to supply such a "miscellaneous condensed product" he would figure his maximum price as follows:

Find the price in Table A for the comparable finished product (plain condensed milk) which is 8.28¢. Since the butterfat is 1% less and MSNF are 4% less than the stated composition of plain condensed milk, he will deduct $0.0065 for reduction in fat and $0.0058 ($0.00145 x 4) for reduction in MSNF, resulting in a price of 7.05¢ per lb. for the "miscellaneous condensed product".

Example B. If "plain condensed milk" should contain 8½% fat and 20% MSNF the price is figured by adding to the price in Table A, $.00325 (½ of $.0065) for ½% increase in fat and deducting $.0029 (.00145×2) for 2% decrease in MSNF to obtain a price of 8.315¢ instead of 8.28¢ per pound in Zone A.

(2) *Dry solids.* "Dry solids" means the number of pounds of dry milk solids not fat in a condensed liquid product.

(3) *Records.* The invoice which the seller is required to deliver to the buyer under section 5 of this regulation shall also state the total net weight of the finished product together with the percentage content of dry solids not fat.

(4) *F. o. b. and delivered prices.* The processor's prices are f. o. b. the processor's plant, however, sales may be made on a delivered basis as follows:

(i) If delivery is made from the processor's plant to the buyer's place of business or customary receiving point by a vehicle owned or controlled by the processor, add to the price (f. o. b. the processor's plant) either $.0015 per liquid pound, or, the lowest published rate of a common or contract carrier available for the delivery service;

(ii) If delivery is made from the processor's plant to the buyer's customary receiving point or place of business by a common or contract carrier, add to the price (f. o. b. the processor's plant) the established transportation charge of such carrier and the actual icing charge, if any, incurred from the processor's plant to the buyer's customary receiving point or place of business;

(iii) If, before April 28, 1942, a processor made deliveries of small or less carload lots of condensed milk products to the buyer's place of business from a public warehouse or distributing branch, which was in whole or in part, used, leased, owned or controlled by the processor before April 28, 1942, for the purpose of receiving, storing and shipping (or repacking and shipping) condensed milk products, and which is located more than 15 miles from the processor's plant, his maximum price for such deliveries shall be the price f. o. b. his processing plant plus

(a) The lowest published common or contract carrier rate, and icing charge, if any, incurred from his processing plant to the above described warehouse or distributing branch, and plus

(b) ¾ cent per liquid pound if delivery from the warehouse or distributing branch to the buyer's place of business is made in a vehicle owned or controlled by the processor, or plus

(c) Either ¾ cent per liquid pound, or, ⅛ cent per liquid pound and the lowest published rate of a common or contract carrier available for the delivery service, if delivery is made from the warehouse or distributing branch by a vehicle not owned or controlled by the processor, whichever is lower.

(iv) If the processor performs any of the transportation services described below by his own vehicle or by a vehicle not owned or controlled by a common or contract carrier, the appropriate maximum prices established in subdivisions (ii) and (iii) may be increased by $0.001 per liquid pound for that part of the services actually performed:

(a) From the processor's plant to the receiving point of a common or contract carrier;

(b) From the terminal of a common or contract carrier to the buyer's customary receiving point or place of business or to the warehouse or distributing branch described in subdivision (iii), and

(c) From the processing plant to the warehouse or distributing branch described in subdivision (iii).

2. Section 26 (b) is amended to read as follows:

(b) *Sales by or through brokers, jobbers and other persons in bulk or bulk packed.* (1) The maximum prices on sales of condensed milk products, in bulk and bulk packed, by or through brokers, jobbers and other persons to any class of purchasers shall not exceed the maximum prices set forth in paragraph (a) for processors, except that,

(i) In the case of a jobber, as defined in subdivision (iv), who resold condensed milk products, in bulk or bulk packed, before April 28, 1942, his maximum price (f. o. b. his place of business) shall be the appropriate price set forth in paragraph (a) f. o. b. processor's plant, plus the actual transportation charge and actual icing charge, if any, to the jobber's place of business plus the appropriate markup (in cents per liquid pound) as follows:

	Cents
Plain condensed skim milk	¾
Super-heated condensed skim milk	¾
Plain condensed milk	¾
Super-heated condensed milk	¾
Miscellaneous condensed product	⅞
Sweetened condensed (Milk and skim milk):	
In lots of 5 barrels or less	¾
In lots of more than 5 barrels	9/10
When the products listed above are repacked or sold in lots of less than 50 pounds	¾

(ii) In the case of a jobber, as defined in subdivision (iv), who did not resell condensed milk products, in bulk or bulk packed, before April 28, 1942, his maximum prices (f. o. b. his place of business) shall be the appropriate price set forth in paragraph (a) f. o. b. processor's plant, plus the actual transportation charge and actual icing charge, if any, to the jobber's place of business.

(iii) In the event a sale is made on a delivered basis by a jobber, as defined in subdivision (iv), his maximum prices shall be increased by the cost of transportation (exclusive of icing cost, if any) from the jobber's place of business to the buyer's customary receiving point computed in the same manner as delivery charges by a processor are computed in paragraph (a) (4).

(iv) The term "jobber" as used in subdivisions (i), (ii) and (iii) above means and is limited to a person who purchases from a processor all bulk condensed milk products he sells (for his own account) and customarily receives shipment, in large or carload lots, at a warehouse owned or leased and maintained by him and not owned or controlled by any processor of condensed milk products or by any of the jobber's customers and whose sale or delivery on any day to any individual customer of any of the bulk condensed milk products listed in subdivision (i) above, does not exceed 1,350 pounds in containers (other than wooden barrels) and 7,500 pounds in wooden barrels.

(v) "Jobber's place of business" means the place where the jobber's warehouse described in subdivision (iv) above, is located.

3. Section 26 (d) (6) is amended to read as follows:

(6) "Bulk" or "bulk packed" means packed or shipped in any container or in any form other than in hermetically sealed containers of one gallon capacity or smaller, and other than in glass or paper containers of one quart capacity or less.

This amendment shall become effective June 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8058; Filed, June 3, 1944; 4:37 p. m.]

PART 1499—COMMODITIES AND SERVICES

[GMPR, Amdt. 62]

ADJUSTMENT OF MAXIMUM PRICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.18 (d) is amended to read as follows:

(d) In the case of any seller at retail who shows:

(1) Either that his maximum price for any commodity established under this regulation is less than the minimum price at which he was lawfully required to sell the commodity during March 1942 pursuant to the provisions of a State Fair Trade Act; or that he has been permanently enjoined by a court from selling the commodity at less than such minimum price; and also

(2) That the commodity was generally sold at retail during March 1942 at prices no lower than such minimum price within the locality in which his selling establishment is located.

In such cases, the maximum price of the seller will be increased to such minimum price.

This amendment shall become effective June 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 3d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8059; Filed, June 3, 1944; 4:38 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14B [1] to GMPR,[2] Amdt. 3]

BREAD AND BAKERY PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Supplementary Regulation 14B is amended in the following respects:

1. The first paragraph of the preamble is amended to read as follows:

The purpose of Supplementary Regulation 14B to the General Maximum Price Regulation is to provide a more logical and convenient arrangement for certain provisions which modify the General Maximum Price Regulation so far as it applies to bread and other bakery products. Supplementary Regulation 14B does not apply to the bakery products that are subject to Maximum Price Regulations 262 and 495, Revised Maximum Price Regulation 319 and section 1.21 of Revised Supplementary Regulation 14.

2. Section 9 (a) (4) is added to read as follows:

(4) If the figure resulting contains a fraction of one-half cent or more, it shall be adjusted to the next higher cent, or if it contains a fraction of less than one-half cent it shall be adjusted to the next lower cent.

3. Section 10 (c) is amended by adding the following sentence at the end thereof: "The Administrator or any Regional Administrator may adjust, and any Regional Administrator may authorize any District Director within his region to adjust, maximum prices in the manner provided in this section."

4. Section 12 is hereby revoked.

This amendment shall become effective June 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E. O. 9250, 7 F.R. 7871; E. O. 9328, 8 F.R. 4681)

Issued this 3d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8060; Filed, June 3, 1944; 4:38 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 30,[1] Amdt. 7]

WASTEPAPER

A statement of considerations involved in the issuance of this amendment, is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 30 is amended in the following respects:

1. Section 1347.11 (a) (4) is amended to read as follows:

(4) A dealer means a person in the business of collecting and/or buying and selling waste materials, including wastepaper, for private profit.

2. Two new subparagraphs (12) and (13) are added to § 1347.11 (a) as follows:

(12) An "accumulator" means any person who accumulates wastepaper in the course of and as a result of a manufacturing, converting, printing, publishing, merchandising or similar operation conducted by him, or any person who accumulates wastepaper for sale with the intent of voluntarily devoting the proceeds to some public or charitable purpose, and not for the private profit of such person.

(13) "Sales agent" means a person who represents an accumulator of wastepaper and arranges and makes a sale of wastepaper to a consumer for the account and in the name of the accumulator.

3. A new paragraph (i) is added to § 1347.14 as follows:

(i) "Selling agents". (1) In the event that wastepaper is sold to a consumer through a sales agent, as defined in § 1347.11 (a) (13), the maximum price which the seller may charge the consumer may equal, but shall in no event exceed, the amount which a broker may charge in a sale of the same wastepaper to a consumer. *Provided,* That the amount which the seller may receive and realize from the sale for his own use shall in no event exceed the appropriate maximum price established by this Maximum Price Regulation for the grade or grades sold before the addition of brokerage fees: *And provided,* That the difference between the price charged and the price realized is paid to the selling agent. In no event shall a selling agent receive more for his services than the difference established by this paragraph (h); i. e., an amount equal to the amount of brokerage commission which a broker may receive in a similar sale under paragraph (g), exclusive of any other merchandizing profit. In no event shall the selling agent's commission be split or divided with any other person.

(2) In order that the accumulator may charge the consumer the higher price hereinbefore established, the following conditions must be met:

(i) The invoice must show the selling agent's commission as a separate item, and must identify the selling agent. The invoice must contain a statement that the selling agent has not prepared the wastepaper covered, prior to its delivery to the consumer, and that the charges are not in excess of those established in this Maximum Price Regulation No. 30.

(ii) The accumulator and the selling agent must record the name of the selling agent and the accumulator, respectively, in each transaction, the quantity and grade of wastepaper purchased, the price f. o. b. point of shipment paid by the consumer, the method of shipment to such consuming purchaser, and the amount of the selling agent's commission.

(iii) All pertinent provisions in this Maximum Price Regulation No. 30 must be strictly complied with.

This amendment shall become effective June 3, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-8057; Filed, June 3, 1944; 4:37 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16794; 9 F.R. 584.

[2] 9 F.R. 1385.

[1] 7 F.R. 9732; 8 F.R. 3845, 6109, 7350, 7199, 7821, 13049, 17483.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Corr. to Amdt. 31]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this correction has been issued and filed with the Division of the Federal Register.*

In Amendment 31 to Maximum Price Regulation No. 426 the effective date provision is amended to read:

This amendment shall become effective 12:01 a. m. June 4, 1944.

This correction shall be effective as of June 2, 1944.

Issued this 3d day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-8061; Filed, June 3, 1944; 4:57 p. m.]

PART 1300—PROCEDURE

[PR 12,[1] Amdt. 5]

REPLACEMENT OF LOST, STOLEN, DESTROYED, MUTILATED OR WRONGFULLY WITHHELD RATION BOOKS OR COUPON SHEETS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1300.953 (c) of Procedural Regulation No. 12 is redesignated (d); § 1300.953 (b) is redesignated (c); and a new § 1300.953 (b) is added to read as follows:

(b) A ration book is not mutilated merely because a stamp for which a validation period has not yet been designated is accidentally or mistakenly detached and an application for replacement of such a book cannot be made. However, if a validation period is subsequently designated for that stamp, the book shall then be deemed to be mutilated and application for its replacement may be made.

This amendment shall become effective June 9, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 728, 77th Cong.; E.O. 9125, 7 F.R. 562; E.O. 9335, 8 F.R. 5423; Sec. of Agr. War Food Order No. 56, 8 F.R. 2005; War Food Order No. 58, 8 F.R. 2251; War Food Order No. 59, 8 F.R. 3471; War Food Order No. 61, 8 F.R. 3471; War Food Order No. 64, 8 F.R. 7093)

Issued this 5th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8102; Filed, June 5, 1944; 11:52 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2171, 6843, 11696, 14787, 15461.

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 66]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

General Ration Order No. 5 is amended in the following respects:

1. A new section 5.7(d) is added to read as follows:

(d) (1) A Group III, IV, V or VI institutional user whose December 1942 use of foods covered by Ration Order 16 was composed principally of foods which still have a point value, may apply for an adjustment of his May-June 1944 meal service allotment for those foods;

(2) His application must be made, on OPA Form R-318, and must show his December 1942 use, in pounds, of meats which still have a point value. (In giving that information he may give his best estimate if he does not have records, and indicate that the figures given are estimates.) If he used no such meats, he need state only that he requests an adjustment under this section;

(3) The Board shall determine the percentage which his December 1942 use of foods covered by Ration Order 16 which still have a point value (other than "canned milk") bears to his total use of foods covered by Ration Order 16 (other than "canned milk") in that month, and if that percentage is more than 50 percent, shall grant him an adjustment. In making this determination, each type of food covered by Ration Order 16 shall be converted into points by using the factors set forth in Supplements 3 and 3;

(4) If the Board finds that the applicant is entitled to an adjustment, it shall multiply his May-June 1944 meal service allotment, as computed prior to the reduction required by paragraph (a) of this section by the percentage determined in (3). The result is his adjusted allotment. It shall issue certificates (or reduce his excess inventory) in an amount equal to the difference between such adjusted allotment and the allotment as reduced under paragraph (a).

2. A new section 15.5 (b) (4) is added to read as follows:

(4) Processed foods or foods covered by Ration Order 16 while they still have a zero point value.

This amendment shall become effective June 9, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; War Food Orders 56, 58, 59, 61, 64, 9 F.R. 4319, 4320, 4321)

Issued this 5th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8105; Filed, June 5, 1944; 11:51 a. m.]

[1] 8 F.R. 10002, 11676, 11680, 11679, 13489, 13587, 13606, 12744, 14472, 15486, 16787, 17456; 9 F.R. 401, 455, 602, 1610, 2213, 2287, 2282, 3476, 3789, 3980, 3975, 3940, 3704, 3577, 4196, 4998.

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 533-1,[1] Amdt. 1]

CENTRAL LOGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In section 9, a new paragraph (c) is added to read as follows:

(c) In no event, however, shall the prices paid for logs exceed those maximum prices established in Revised Maximum Price Regulation 313, Veneer Logs.

This amendment shall become effective June 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8096; Filed, June 5, 1944; 11:53 a. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 533-3,[2] Amdt. 1]

APPALACHIAN LOGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In section 9, a new paragraph (c) is added to read as follows:

(c) In no event, however, shall the prices paid for logs exceed those maximum prices established in Revised Maximum Price Regulation 313, Veneer Logs.

This amendment shall become effective June 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8097; Filed, June 5, 1944; 11:54 a. m.]

[1] 9 F.R. 5238.

[2] 9 F.R. 5902.

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 533-4,[1] Amdt. 1]

SOUTHERN LOGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 533-4 is amended in the following respects:

1. In section 9, a new paragraph (c) is added to read as follows:

(c) In no event, however, shall the prices paid for logs exceed those maximum prices established in Revised Maximum Price Regulation 313, Veneer Logs.

2. In section 10 (h) (2), the listing of prices under heading "Pine" is amended to read as follows:

Pine

Woodsrun 8" and up—$22.00.
For Dense Shortleaf 12" and up, add $2.00.
For Longleaf 12"-14", add $3.00.
For Longleaf 15" and up, add $5.00.
For Pine lengths 22'-28', 15" and up, add $2.00.

This amendment shall become effective June 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8106; Filed, June 5, 1944; 11:49 a. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 534-2,[1] Amdt. 1]

HICKORY AND ASH LOGS AND OTHER SPECIALTY WOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In section 12, a new paragraph (f) is added to read as follows:

(f) In any case where the maximum price established in section 12 is lower than the individual seller's legal maximum price as of January 12, 1944, buyers and sellers affected by such change, who had entered into contracts or firm commitments on the basis of the maximum prices applicable to them on January 12, 1944, may apply for special permission to complete such contracts or commitments without regard to the new ceilings, under the following conditions:

(1) The permission, if granted, will allow use of the contract prices or deliveries in completion of the contract before July 15, 1944.

(2) The existence of a "firm contract" must be shown by the seller's submitting a copy of formal contract or copies of written order and acceptance covering specific items, quantities and prices.

(3) The application must show that actual production of the items covered by the contract was commenced prior to May 15, 1944.

(4) The seller must state in his application—and the permission if granted will be so limited—that all prices shown in the contract will be adhered to, even though the maximum price on some items included therein may have been increased by the regulation.

(5) Application must be sent to the Lumber Branch, Office of Price Administration, Washington 25, D. C. The Lumber Branch may grant or deny such application by letter or telegram.

Note that the seller and buyer must apply for the special permission covered in this paragraph, and may not go ahead on the basis of the contract prices unless and until they have received the authorization to do so.

This amendment shall become effective June 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-8100; Filed, June 5, 1944; 11:53 a. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 306,[1] Amdt. 29]

CERTAIN PACKED FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 306 is amended in the following respects:

1. Section 1341.551 (g) is amended to read as follows:

(g) The provisions of this regulation shall apply to items packed during the year 1943 and after, except that § 1341.553b shall apply to items packed prior to 1943. (This regulation applies to items packed on and after January 1, 1944, until such time as they are covered by a superseding regulation.) If the major portion of any item was packed in 1943 the item shall be considered to be packed during the year 1943. Any canned citrus juices packed after November 1, 1942, shall be deemed to be packed during the year 1943.

2. Section 1341.553b is added to read as follows:

§ 1341.553b *Maximum prices for resales by processors of items which have been sold to them by government agencies.* The maximum price for sales by a processor, to purchasers other than government procurement agencies, of any item packed prior to 1943 which has been sold to the processor by a government agency, shall be that processor's maximum price, f. o. b. factory, as established under this regulation for the same item when packed in 1943. However, differences in brand shall be ignored.

This amendment shall become effective June 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8099; Filed, June 5, 1944; 11:53 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 305,[1] Amdt. 11]

CORN MEAL, CORN FLOUR, CORN GRITS, HOMINY, HOMINY GRITS, BREWERS GRITS AND OTHER PRODUCTS MADE BY A DRY CORN MILLING PROCESS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 305 is amended in the following respects:

1. Section 1351.1754 (c) is amended to read as follows:

(c) The maximum base point price for degerminated yellow or white corn meal or corn grits which have been enriched by the addition of at least 1.2 milligrams of thiamine, 14 milligrams of niacin and 11 milligrams of iron per pound of such degerminated corn meal and corn grits shall be the foregoing maximum base point price for yellow corn products or white corn products, as the case may be, plus an increase at the rate of 13 cents per hundred pounds for corn meal and 18 cents per hundred pounds for corn grits: *Provided*, That such enriched degerminated corn meal and corn grits are placed in 100 pound cotton sacks or containers other than 100 pound cotton sacks and each such sack or container bears a tag or label stating that its contents has been enriched as above described. Any 100 pound cotton sack or container other than a 100 pound cotton sack of enriched corn meal or corn grits which does not bear said tag or label shall have the base price established under paragraph (a) or (b) of this section.

2. Section 1351.1756 (d) is amended to read as follows:

(d) For case goods, other than degerminated enriched corn meal and corn grits priced under paragraph (f) below, the price determined by the following method:

(1) The seller shall first determine the maximum price he would be permitted to charge under the General Maximum Price Regulation, as amended, if the sale were not exempted from the General Maximum Price Regulation.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5235.

[2] 9 F.R. 5243.

[1] 8 F.R. 16896, 17224, 17295, 17482; 9 F.R. 287, 96, 1710, 2237, 4349, 5075.

[1] 8 F.R. 1063, 2501, 3178, 3705, 5316, 6177, 6440, 7567, 16297, 16790; 9 F.R. 3072, 4224.

(2) To the price so determined, he shall add a sum equal to 40 cents per 100 pounds computed upon the net weight of the product in the case.

3. Section 1351.1756 (f), is added to read as follows:

(f) For case goods consisting of degerminated corn meal or corn grits which have been enriched by the addition of at least 1.2 milligrams of thiamine, 14 milligrams of niacin and 11 milligrams of iron, per pound, when the individual packages of such enriched corn meal or corn grits bear a label stating that the contents has been so enriched, the price determined by the following method:

(1) The seller shall first determine the maximum price he would be permitted to charge under the General Maximum Price Regulation for the same case goods if they were unenriched, if such sale were not exempted from the General Maximum Price Regulation, as amended.

(2) To the price so determined, he shall add a sum equal to 53¢ per 100 pounds for corn meal or 58¢ per 100 pounds for corn grits, computed upon the net weight of the product in the case.

This amendment shall become effective June 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8107; Filed, June 5, 1944; 11:49 a. m.]

PART 1361—FARM EQUIPMENT

[MPR 246,[1] Amdt. 12]

MANUFACTURERS' AND WHOLESALE PRICES FOR FARM EQUIPMENT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation 246 is amended in the following respects:

1. In § 1361.66 (a) (4) the items ironed "singletrees", "doubletrees" and "neck yokes" are added to the specific list of items covered by the regulation.

2. Section 1361.67 (b) (6) is added to read as follows:

(6) Plow and cultivator handles.

3. Section 1361.67 (b) (7) is added to read as follows:

(7) Wooden tanks.

This amendment shall become effective June 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8106; Filed, June 5, 1944; 11:50 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 17814.

PART 1384—HARDWOOD LUMBER PRODUCTS

[MPR 501,[1] Amdt. 1]

HARDWOOD SMALL DIMENSION

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 501 is amended in the following respects:

1. In section 2, the last sentence of the first undesignated paragraph is amended, and a new sentence is added immediately thereafter, to read together, as follows:

The term includes items that have been sawed, surfaced, molded, glued, equalized, tenoned, bored, mortised, sanded, etc. Specifically, wooden plow and cultivator handles are covered: *Provided, however,* That specific maximum prices heretofore established by individual order under Maximum Price Regulation 246 for the following manufacturers may be continued in effect by those sellers, and deemed to be consistent with section 3 (a):

Farmville Manufacturing Company, Farmville, Va.
Southern Plow Company, Columbus, Ga.
J. O. Goshorn Company, Memphis, Tenn.
J. H. Phipps Lumber Company, Fayetteville, Ark.
Harriman Manufacturing Company, Harriman, Tenn.
King Plow Company, Atlanta, Ga.
Manchester Manufacturing Company, McMinnville, Tenn.
W. G. Barron Lumber Company, Rogers, Ark.

2. In section 3 (a), sub-paragraph (5) is redesignated paragraph (b); the figure "(1)" is inserted immediately after the heading "Reports"; and a new sub-paragraph (2) is added, to read as follows:

(2) Regardless of any provisions to the contrary in paragraph (b) (1) above, manufacturers of plow and cultivator handles must report their first computation of maximum price under this section.

This amendment shall become effective June 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8103; Filed, June 5, 1944; 11:51 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[2] Amdt. 129]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

[1] 8 F.R. 16791.
[2] 8 F.R. 15937.

Ration Order 5C is amended in the following respects:

1. Section 1394.7704 (b) is amended by substituting a comma for the colon following the phrase "to provide such mileage," in the third sentence and substituting for the remainder of the paragraph following such phrase the following provisions:

subject to the following provisions:

(i) No Board shall allow an average mileage in excess of the maximum set forth below, unless the mileage in excess of such maximum is defined as preferred mileage under the provisions of § 1394.7706 or is additional mileage allowed pursuant to § 1394.7707:

(i) If the Board is in Area A the maximum mileage is 400 miles per month.

(ii) If the Board is in Area B the maximum mileage is 475 miles per month.

(iii) If the Board is in the gasoline shortage area the maximum mileage is 325 miles per month.

(2) If the applicant fails to establish eligibility for occupational mileage in accordance with the provisions of this section for a period of three months, but establishes such eligibility for a period of less than three months, the Board shall determine and allow occupational mileage for the period for which such eligibility has been established, but not to exceed a period of one month, subject to the limitations of subparagraph (1) of this paragraph (b). In such a case, the Board shall issue the ration in accordance with the provisions of § 1394.7705 (e).

2. The text of § 1394.7705 (a) preceding subparagraph (1) is amended to read as follows:

Supplemental rations shall be issued to provide the total mileage allowed by the Board in accordance with § 1394.7704 or § 1394.7707. If the Board issues the ration in the form of Class B or Class C coupons such coupons shall be in strip form, shall bear serial numbers in consecutive order and shall be accompanied by a folder. The Board may issue strip coupons in separate sets if each set bears serial numbers in consecutive order and a separate folder is issued for each such set. The person issuing the ration shall note on each ration book or folder issued the date of issuance as the date on which coupons become valid, and the earliest renewal date. If the mileage has been allowed on a basis of a period of one month, or less, pursuant to § 1394.7704 (b) (2), the number of coupons issued shall be determined pursuant to paragraph (e) of this section. If the mileage has been allowed on the basis of a period of three months, the number of coupons issued shall be determined as follows:

3. Section 1394.7705 (c) is amended to read as follows:

(c) For the purposes of paragraphs (a) and (e) of this section, a passenger automobile is conclusively presumed to operate fifteen miles, and a motorcycle forty miles, per gallon of gasoline.

4. Section 1394.7705 (e) is added to read as follows:

(e) If a Board allows a supplemental ration for a period of one month or less pursuant to § 1394.7704 (b) (2), it shall issue a sufficient number of coupons of an appropriate class to provide the total mileage allowed. It shall issue Class B or Class C coupons for use with a passenger automobile and a Class D book (marked supplemental) for use with a motorcycle.

5. In § 1394.8051 (b) (1) the parenthetical phrase in the first sentence is amended to read as follows: "(except in the case of a basic or transport ration, a supplemental ration issued for a period of less than three months; or a special ration issued pursuant to §§ 1394.7851, 1394.7854 or 1394.7855)."

6. Section 1394.8052 (b) is amended to read as follows:

(b) Application for a further ration shall be made in the same manner as the application for the current ration, and the applicant shall append to the application a statement showing:

(1) The reason or reasons why a further ration will be needed for use before the end of the period for which the current ration was issued.

(2) If the further ration is needed for the reason set forth in subparagraph (2) of paragraph (a) of this section, that the current ration is insufficient to meet his needs for more than thirty days from the date of the application.

This amendment shall become effective June 9, 1944.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 5th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8101; Filed, June 5, 1944; 11:53 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5F,[1] Amdt. 11]

MILEAGE RATIONING: GASOLINE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5F is hereby amended in the following respects:

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10742, 10757, 13125, 14155, 15985; 9 F.R. 2746, 3513, 4433, 4611, 4779.

1. Section 9.4 (b) is amended to read as follows:

A Board may refuse to issue a ration for the operation of machinery or equipment (other than boats or airplanes) used for recreational, amusement or commercial purposes, if in its opinion, taking into consideration the gasoline supply available, the use of gasoline for such purpose is not important as to the war effort or to the welfare of the Territory.

This amendment will become effective May 29, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong., N.O. 9125, 7 F.R. 562, Supp. Dir. 1-Q, 7 F.R. 9121, General Order No. 48, 8 F.R. 2898)

NOTE: All record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget as required by the Federal Reports Act of 1942.

Issued this 5th day of June 1944.

MELVIN C. ROBBINS,
Territorial Director.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-8104; Filed, June 5, 1944; 11:51 a. m.]

Chapter XIII—Petroleum Administration for War

[MRP 2,[1] Amdt. 1]

PART 1575—PETROLEUM INDUSTRY

Schedules A, B, and C attached to § 1575.2 (PAW Materials Redistribution Program No. 2) are hereby amended to read as follows:

NOTE: Additions or changes in the schedules appear in brackets. The following deletions were made June 3, 1944.

1. In Schedule A, from the column entitled "Production (oil or gas)":

Wire rope.
API steel sucker rods.

2. In Schedule C, from the column entitled "Marketing":

Meters[1][2].
Petroleum displacement type.

Pumps[2][3] *(power driven only)*
Centrifugal.
Rotary.

Tanks[3]
Steel storage, 65 gallons to 500 bbls.

SCHEDULE A

DETERMINATION OF SURPLUS CRITICAL MATERIAL FOR THIS SCHEDULE

To determine surplus critical material for Schedule A: Subtract from the total quantity of any item of critical material (of a type identified on this Schedule), that quantity by item which is required or scheduled for use during the succeeding 90 days.

Critical material used in—

Production (oil or gas)	Natural gasoline [recovery]	Refining	Transportation	Marketing
Carbon and alloy steel	*Carbon and alloy steel*	*Carbon and alloy steel*	*Carbon and alloy steel*	
Tubular Goods (oil country): Casing. Tubing–2" and up. Drill pipe. Line Pipe–2" and up.	Line Pipe–2" and up.	Line Pipe–2" and up.	Line Pipe–2" and up.	

SCHEDULE B

DETERMINATION OF SURPLUS CRITICAL MATERIAL FOR THIS SCHEDULE

To determine surplus critical material for Schedule B: Subtract from the total quantity of any item of critical material (of a type identified on this Schedule), one-half of the quantity by item actually installed or put into service (use) in 1942 [plus that quantity by item which is required or scheduled for use during the succeeding 90 days for any facilities which have been put into operation since December 31, 1942.]

Critical material used in—

Production (oil or gas)	Natural gasoline [recovery]	Refining	Transportation	Marketing
	Carbon and alloy steel	*Carbon and alloy steel*		
	Condenser tubes.	Condenser tubes. Boiler tubes. Still tubes.		
Copper	*Copper*	*Copper*		
Wire (wire mill copper products).	Wire (wire mill copper products). Pipe and tubing (including tubes).	Wire (wire mill copper products). Pipe and tubing (including tubes).		
	Copper base alloys	*Copper base alloys*		
	Pipe and tubing (including tubes).	Pipe and tubing (including tubes).		
Valves[1] *(check, gate, globe, plug, relief, safety)* Steel–2" and up. Cast iron–12" and up.	*Valves*[1] *(check, gate, globe, plug, relief, safety)* Steel–2" and up. Cast iron–12" and up.	*Valves*[1] *(check, gate, globe, plug, relief, safety)* Steel–2" and up. Cast iron–12" and up.	*Valves*[1] *(check, gate, globe, plug, relief, safety)* Steel–2" and up. Cast iron–12" and up.	

[1] 8 F.R. 9460.

SCHEDULE C

DETERMINATION OF SURPLUS CRITICAL MATERIAL FOR THIS SCHEDULE

To determine surplus critical material for Schedule C: Total by item all critical material whether or not installed (of a type identified in this Schedule): (a) which has not been in productive service during the past 90 days and is not required or scheduled for such service during the succeeding [60] days or (b) which has not been in productive service during the past 180 days.

Critical material used in—

Production (oil or gas)	Natural gasoline [recovery]	Refining	Transportation	Marketing
Compressors [1]	*Compressors* [1]	*Compressors* [1]		*Compressors* [1]
75 HP or more (including direct driven).	200 HP or more (direct driven only).	200 HP or more (direct driven only).		7½ HP or less (complete with storage tank).
	Control instruments [1] [2]	*Control instruments* [1] [2]		
	Industrial (including regulators and control valves).	Industrial (including regulators and control valves).		
Electric motors [1]	*Electric motors* [1]	*Electric motors* [1]	*Electric motors* [1]	*Electric motors* [1]
10 HP or more.	10 HP or more.	10 HP or more.	10 HP or more.	[3] HP or more.
Electric motor controls [1]	*Electric motor controls* [1]	*Electric motor controls* [1]	*Electric motor controls* [1]	*Electric motor controls* [1]
10 HP or more.	10 HP or more.	10 HP or more.	10 HP or more.	[3] HP or more.
Engines [1]	*Engines* [1]		*Engines* [1]	
Multi-cylinder gas and gasoline, 10 HP or more. Diesel, 150 HP or more.	Multi-cylinder gas and gasoline, 10 HP or more. Diesel, 150 HP or more.		Multi-cylinder gas and gasoline, 10 HP or more. Diesel, 150 HP or more.	
	Heat Exchangers (including complete shells)	*Heat Exchangers (including complete shells)*		
Line pipe (oil or gas in place)	*Line pipe (in place)*		*Line pipe (in place)*	
4" or over.	4" or over.		4" or over.	
[*Oil Country boilers*]	*Pressure vessels and towers*	*Pressure vessels and towers*		
[100 HP or more and 125 lbs. WP or more]	200 or more cubic feet contents.	200 or more cubic feet contents.		
				Pumps [1]
	Pumps [1] [4] *(steam or power driven)*	*Pumps* [1] [4] *(steam or power driven)*	*Pumps* [1] [4] *(steam or power driven)*	Dispensing, motor driven meter type.
	Centrifugal. Horizontal reciprocating. Rotary.	Centrifugal. Horizontal reciprocating. Rotary.	Centrifugal. Horizontal reciprocating. Rotary.	
Pumping units				
Oil well (excluding standard rig front), 10 HP or more.				
Tanks	*Tanks*	*Tanks*	*Tanks*	*Tanks* [1]
Steel storage, 10,000 bbls. or larger.	Steel storage, 10,000 bbls. or larger.	Steel storage, 10,000 bbls. or larger.	Steel storage, 10,000 bbls. or larger.	Steel storage, [55 gallons] or larger.

FOOTNOTES

[These footnotes are applicable to any footnoted material, regardless of the Schedule in which such material is listed.]

[(1) Only unused, reconditioned, or rebuilt material of this type.]

[(2) Only material of this type which was sold new to any person (not necessarily to the required participant) at any time since December 31, 1937.]

[(3) Only material of this type which is not actually installed at the time a report under the Program is submitted.]

[(4) Only material of this type with a new replacement cost (excluding the power unit) of $600 or more.]

[(5) (This footnote was deleted June 2, 1944.)]

[(6) Only explosion proof material of this type.]

[(7) Only material of this type which is not actually installed underground at the time a report under the Program is submitted.]

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of June 1944.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 44-8029; Filed, June 3, 1944; 10:21 a. m.]

PART 1585—TRANSPORTATION

[Petroleum Directive 69, as Amended May 29, 1944]

INLAND WATERWAYS EQUIPMENT

To minimize the effects of the tanker shortage on the Atlantic Seaboard, it is necessary to insure the most efficient utilization of available inland waterways equipment operating on the Great Lakes, the New York State Barge Canal and the Hudson River as far south as and including Rensselaer, New York, and the following operating directive is deemed necessary for the prosecution of the war.

§ 1585.1 *Petroleum Directive 69 as amended May 29, 1944*—(a) *Appointment of Joint Great Lakes-New York State Barge Canal Subcommittee.* With the view to obtaining maximum efficiency in the use of all inland waterways equipment employed by the petroleum industry on the Great Lakes, New York State Barge Canal, and Hudson River as far south as and including Rensselaer, New York, and of assuring that all such inland waterways equipment is utilized to meet the critical problems of petroleum supply in each District, the Chairman of the Transportation Committees for Districts One and Two shall appoint, subject to the approval of the Petroleum Administrator for War or the Deputy Petroleum Administrator, a Joint Great Lakes-New York State Barge Canal Subcommittee for Districts One and Two, comprised of eleven members, of which five shall be appointed to represent each District and one shall be appointed jointly by both Chairmen as a member-at-large.

(b) *Surveys and studies.* The Joint Great Lakes-New York State Barge Canal Subcommittee shall make such surveys and studies and shall obtain such information with respect to the use, location, port-to-port movement and availability of inland waterways equipment operated in the inland waterways specified in paragraph (a) as may be necessary or desirable to accomplish the objective specified in paragraph (a). All users of inland waterways equipment in, or available for, the service of the petroleum industry on the inland waterways specified in paragraph (a) are requested to cooperate with the subcommittee in furnishing such information to the subcommittee, at such times as it shall specify.

(c) *Plans for the allocation and use of inland waterways equipment.* The Subcommittee shall analyze all pertinent available facts, figures, and other data obtained under paragraph (b), including facts, figures, and other data with respect to the past and present utilization of all such inland waterways equipment by specific persons, natural and artificial, for the transportation of petroleum, petroleum products, and other commodities, and it shall estimate therefrom the additional inland waterways equipment and facilities necessary for the efficient transportation and handling of the increased supply of petroleum and petroleum products available for transportation on the inland waterways specified in paragraph (a). This analysis and estimate shall be made with the object in view of submitting plans to the Director of Supply and Transportation of the Petroleum Administration for War with respect to:

(1) The number of additional lake tankers, barges, and power equipment which specific owners have available to divert from other trades, uses, and services to the transportation of petroleum and petroleum products on the inland waterways specified in paragraph (a) during the open navigation season;

(2) The necessary improvement of terminal and storage facilities which should be made by specific owners to facilitate the handling of the increased supply of petroleum and petroleum products available for transportation on the inland waterways specified in paragraph (a); and,

(3) The kinds of petroleum and petroleum products that specific types of lake tankers and barges are best adapted to carry, and to make such information available to refineries and shippers in order to secure the most efficient use and conservation of available tonnage capacity of vessels in service on the inland waterways specified in paragraph (a).

Any such plans shall include the correlation of inter-district operations and port-to-port movements to eliminate unnecessary cross-hauling and back-hauling and to assure a continuous, adequate, and efficient transportation system on the inland waterways specified in paragraph (a).

(d) *Meetings.* Meetings of the Supply and Transportation Committees for Districts One and Two, the Great Lakes-New York State Barge Canal Subcommittee, representatives of the persons, natural and artificial, engaged in the petroleum industry in Districts One and Two and all other persons wherever located who may be affected may be held from time to time for the purpose of gathering information, rendering reports, and preparing plans provided in paragraph (c). The aforesaid committees, subcommittees, representatives, and persons, or any of them, may meet from time to time for the purpose of doing all things necessary to carry into effect any plan issued in accordance with the provisions of this directive.

(e) *Effectuating plans and schedules.* All suggested plans required to be submitted hereunder shall, after such modification or revision as the Director of Supply and Transportation shall determine to be necessary to accomplish the objectives of this directive, be transmitted to the Chief Counsel of the Petroleum Administration for War. No plan provided for herein shall become effective until it has been approved by the Chief Counsel of the Petroleum Administration for War and issued by the Petroleum Administrator for War or the Deputy Petroleum Administrator. Upon the approval of any such plan by the Chief Counsel and the issuance of such plan by the Petroleum Administrator for War or the Deputy Petroleum Administrator, copies thereof shall be forwarded to the appropriate committees, subcommittees and all persons named therein, and all committees, subcommittees, and persons, natural or artificial, who may be affected by such plan, shall carry into effect such plan according to its terms, conditions and intent.

(f) *Supervision of inland waterways equipment operations.* The Subcommittee created pursuant to paragraph (a) shall keep informed concerning the loading, unloading, routing and handling of all inland waterways equipment used in petroleum service on the inland waterways specified in paragraph (a) and, subject to the prior approval of the District Director of Supply and Transportation for the District in which the recommendation is to be carried out, shall make appropriate recommendations to the owners, users, and handlers of such equipment to the end that maximum efficiency in use of inland waterways equipment in appropriate supply services may be attained.

(g) *Administration.* In carrying out the duties, responsibilities, and functions provided under this directive and any approved plan authorized herein, the Great Lakes-New York State Barge Canal Subcommittee shall consult with other appropriate committees and subcommittees in Districts One and Two to the extent that plans or activities hereunder may affect such other committees and, to this end, all such committees and subcommittees shall provide the Great Lakes-New York State Barge Canal Subcommittee with such information, material, and assistance as may be necessary or desirable to carry into effect the provisions of this directive. The Great Lakes-New York State Barge Canal Subcommittee shall maintain such staff, and appoint such persons as it finds necessary to carry out its duties, responsibilities, and functions under this directive or any plan adopted pursuant thereto. Any vacancies in membership of the said subcommittee shall be filled through appointment of new members by the appropriate Chairman of the Supply and Transportation Committee of the District involved, subject to the approval of the Petroleum Administrator for War or the Deputy Petroleum Administrator.

(h) *Reports.* The Great Lakes-New York State Barge Canal Subcommittee shall file a weekly progress report with the Chairman of the Supply and Transportation Committees for Districts One and Two. A copy of all reports, schedules or other documents prepared pursuant to the terms of this directive shall be forwarded to the Director of Supply and Transportation in the Petroleum Administration for War and to all other appropriate Directors in that Office.

(i) *Expenses.* Any expenses incurred by any committee or subcommittee pursuant to the operation of this directive shall be defrayed by the appropriate general committee or committees pursuant to the provisions of Recommendation No. 7.

(j) *Transfer of functions from Joint Barge Subcommittee for Districts One, Two and Three.* The functions of the Joint Barge Subcommittee for Districts One, Two and Three with respect to all inland waterways equipment operating on the Great Lakes, New York State Barge Canal, and Hudson River as far south as and including Rensselaer, New York, are hereby transferred to the Joint Great Lakes-New York State Barge Canal Subcommittee for Districts One and Two, and Recommendation No. 51 of the Office of Petroleum Coordinator for War (§§ 1505.88 to 1505.96, inclusive) is hereby amended accordingly.

(k) *Appeals.* Any person affected by this directive or any action taken hereunder who considers that compliance therewith or the results thereof would work an exceptional and unreasonable hardship upon him may appeal to the District Director in Charge of District One, Petroleum Administration for War, 1104 Chanin Building, 122 East 42nd Street, New York 17, New York, or to the District Director in Charge of District Two, Petroleum Administration for War, Blum Building, 624 South Michigan Avenue, Chicago 5, Illinois, whichever is appropriate, setting forth pertinent facts and reasons why he considers himself entitled to relief. If dissatisfied with the decision of the said District Director in Charge, such person may appeal within fifteen days after receipt of notice of the said Director's decision to the Petroleum Administration for War, Interior Building, Washington 25, D. C.

(E.O. 9276, 7 F.R. 10091)

Issued this 29th day of May 1944.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 44-8075; Filed, June 5, 1944; 11:15 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 4—ADJUDICATION: VETERANS' CLAIMS, CENTRAL OFFICE SECTION

DETERMINATIONS AS TO BASIC ENTITLEMENT

In § 4.2044, paragraph (c) is amended to read as follows:

§ 4.2044 *Misconduct.* • • •

(c) *Indian wars.* Vicious habits do not constitute a bar under the Act of March 3, 1944. (June 5, 1944) (58 Stat. 108)

In § 4.2071, the heading and paragraph (a) are amended to read as follows:

SERVICE CONNECTION AND EVALUATION

§ 4.2071 *Act of March 3, 1927, Indian wars, as amended by Public No. 245, 78th Congress*—(a) *Definition of disability.* In claims of veterans of the Indian wars under Public No. 723, 69th Congress (Act of March 3, 1927, as amended), evaluation of disability will be made without regard to service connection on the basis of aggregate permanent mental or physical incapacity, for the performance of manual labor, proportioned to the degree of inability to earn support. (June 5, 1944) (58 Stat. 108)

[SEAL] FRANK T. HINES,
Administrator.

[F. R. Doc. 44-7992; Filed, June 2, 1944; 1:06 p. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

[G. O. 11, Supp. 3, Amdt. 1]

TIME CHARTER FOR DRY CARGO VESSELS

Paragraph 1 of Clause B of Special Conditions of WARSHIPREQ Policy as prescribed by § 302.50, published in the FEDERAL REGISTER for Saturday, April 8, 1944, at Page 3781, is amended by adding the words: *"Provided, however,* If the vessel is subject to section 802 of the Merchant Marine Act of 1936, as amended, this policy shall respond to claims for partial losses covered under this Special Condition B and repaired by the owner with the approval of the War Shipping Administration (subject to the Franchise Warranty) even though the cost of such repairs may exceed the sum insured hereby", so that said paragraph will read:

1. During the time that Insurance Plan II of the Charter Party is effective, this insurance covers only those risks which would be covered by this policy (including the Collision Clause) in the absence of the F. C. & S. Warranty contained herein but which are excluded by that warranty (such insurance being subject to the warranties and additional clauses contained in the War Risk Clauses): *Provided, however,* If the vessel is subject to section 802 of the Merchant Marine Act, 1936, as amended, this policy shall respond to claims for partial losses covered under this Special Condition B and repaired by the owner with the approval of the War Shipping Administration (subject to the Franchise Warranty) even though the cost of such repairs may exceed the sum insured hereby," so that said paragraph will read:

1. During the time that Insurance Plan II of the Charter Party is effective, this insurance covers only those risks which would be covered by this policy (including the Collision Clause) in the absence of the F. C. & S. Warranty contained herein but which are excluded by that warranty (such insurance being subject to the warranties and additional clauses contained in the War Risk Clauses); *Provided, however,* If the vessel is subject to section 802 of the Merchant Marine Act of 1936, as amended, this policy shall respond to claims for partial losses covered under this Special Condition B and repaired by the owner with the approval of the War Shipping Administration (subject to the Franchise Warranty) even though the cost of such repairs may exceed the sum insured hereby.

Reference heretofore or hereafter made to WARSHIPREQ Policy shall be deemed to refer to said WARSHIPREQ Policy as amended above.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND, *Administrator.*

JUNE 2, 1944.

[F. R. Doc. 44-8019; Filed, June 3, 1944; 10:48 a. m.]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

[G. O. 11, Supp. 4, Amdt. 1]

TIME CHARTERS FOR TANK VESSELS

Paragraph 1 of Clause B of Special Conditions of WARSHIPREQ Policy as prescribed by § 302.55, published in the FEDERAL REGISTER for Saturday, April 8, 1944, at page 3793, is amended by adding the words: *Provided, however,* If the vessel is subject to section 802 of the Merchant Marine Act of 1936, as amended, this Policy shall respond to claims for partial losses covered under this Special Condition B and repaired by the owner with the approval of the War Shipping Administration (subject to the Franchise Warranty) even though the cost of such repairs may exceed the sum insured hereby," so that said paragraph will read:

1. During the time that Insurance Plan II of the Charter Party is effective, this insurance covers only those risks which would be covered by this policy (including the Collision Clause) in the absence of the F. C. & S. Warranty contained herein but which are excluded by that warranty (such insurance being subject to the warranties and additional clauses contained in the War Risk Clauses); *Provided, however,* If the vessel is subject to section 802 of the Merchant Marine Act of 1936, as amended, this policy shall respond to claims for partial losses covered under this Special Condition B and repaired by the owner with the approval of the War Shipping Administration (subject to the Franchise Warranty) even though the cost of such repairs may exceed the sum insured hereby.

Reference heretofore or hereafter made to WARSHIPREQ Policy shall be deemed to refer to said WARSHIPREQ Policy as amended above.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND, *Administrator.*

JUNE 2, 1944.

[F. R. Doc. 44-8016; Filed, June 3, 1944; 10:48 a. m.]

PART 341—SHIP WARRANT RULES AND REGULATIONS

[G. O. 29, Supp. 8]

SUSPENSION OF RATE CEILINGS

General Order 29 (§ 341.75 *Suspension of rate ceilings with respect to vessels of less than 1,000 gross tons*), as amended, is amended by striking out the word "June", and inserting in lieu thereof the word "September".

(E.O. 9054)

[SEAL] E. S. LAND, *Administrator.*

JUNE 2, 1944.

[F. R. Doc. 44-8017; Filed, June 3, 1944; 10:48 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 3—RULES GOVERNING STANDARD AND HIGH FREQUENCY BROADCAST STATIONS

LOGS

The Commission on May 30, 1944, effective immediately, amended § 3.404 *Logs* by adding a new subparagraph (4) to paragraph (a) as follows:

§ 3.404 *Logs.* The licensee of each broadcast station shall maintain program and operating logs and shall require entries to be made as follows:

(a) • • •

(4) An entry showing, for each program of network origin, the name of the network originating the program.

(Sec. 4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i))

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-8081; Filed, June 5, 1944; 10:33 a. m.]

PART 4—RULES GOVERNING BROADCAST SERVICES OTHER THAN STANDARD BROADCAST

LICENSE PERIOD; RENEWAL

The Commission on May 30, 1944, effective immediately, amended § 4.3 (6 F.R. 5258; 8 F.R. 185) as follows:

§ 4.3 *License period; renewal.* • • •

(b) Licenses for relay broadcast and special relay broadcast stations authorized under § 4.22 of the rules and regulations will be issued for a period running concurrently with the license of the broadcast station with which it is to be used.

(Sec. 4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i))

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-8082; Filed, June 5, 1944; 10:33 a. m.]

PART 9—RULES AND REGULATIONS GOVERNING AVIATION SERVICES

[Order 122]

SUSPENSION OF RULE REQUIRING INSPECTION OF NON-SCHEDULED AIRCRAFT STATIONS

At a session of the Federal Communications Commission held in its offices in Washington, D. C., on the 30th day of May, 1944;

Whereas the Commission has under consideration relaxation of certain of its requirements relating to the inspection of non-scheduled aircraft radio stations, and

Whereas it appears that there are certain wartime restrictions on nonessential aircraft travel and a need for conservation of critical war materials used in the operation of such aircraft, which have resulted in great curtailment of use of non-scheduled aircraft and which give rise to certain practical difficulties in effecting periodic inspections of radio stations aboard such aircraft;

It is ordered, That until October 1, 1944, § 9.52 of the Commission's rules and regulations requiring the licenses of non-scheduled aircraft radio stations to submit their stations for inspection by representatives of the Commission at least once during the license period be, and the same is hereby suspended.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-8083; Filed, June 5, 1944; 10:33 a. m.]

[Commission Order 121]

GOVERNMENT COMMUNICATIONS BY TELEGRAPH

RATES AND CHARGES

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 30th day of May 1944;

The Commission having under consideration the matter of rates and charges for Government communications by telegraph: *It is ordered:*

1. That the charges for telegraph communications between the several departments of the Government and their officers, relating exclusively to the public business in their transmission over the lines or circuits of any telegraph company subject to the Post Roads Act, approved July 24, 1866, 14 Stat. 221, as amended, (U.S.C. Title 47), shall not exceed eighty (80) per centum of the charges applicable to commercial communications of the corresponding classification, of the same length, and between the same points in the United States, which shall be deemed herein to include Alaska, subject to the following: (a) the minimum charge for Day Messages (telegrams) shall be 25 cents, for Day Letters 45 cents, for Night Messages 20 cents, for Night Letters 30 cents, for Serial messages 54 cents, for serial Longrams 60 cents and for Day Letter/Longrams 45 cents, unless any of these amounts shall be greater than the minimum for a corresponding commercial message in which event the provision set forth in paragraph 4 below shall apply; (b) a Day Letter shall be charged for as a Day Letter or a Day Message, according to which of these classifications shall produce the lower charge for the particular message; (c) a Day Letter/Longram shall be charged for as a Day Letter/Longram or as a Day Message, according to which of these classifications shall produce the lower charge for the particular message; (d) an overnight message shall be charged for as a Night Message or a Night Letter, according to which of these two classifications shall produce the lower charge for the particular message; (e) when the first section of a Serial message is not followed by another on the same day, it shall be charged for as a Day Message; when more than one section is filed on the same day, the sections shall be charged for at the Serial rates or each section shall be charged for as a Day Message, according to which of these classifications shall produce the lower total charge; (f) when the first section of a serial Longram is not followed by another on the same day, it shall be charged for as a Day Letter/Longram or as a Day Message, according to which of these two classifications shall produce the lower charge for the particular message; when more than one section of a serial Longram is filed on the same day, the sections shall be charged for at serial Longram rates or at Serial rates, or each section of the serial Longram shall be charged for as a Day Letter/Longram or as a Day Message, according to which of these four classifications shall produce the lowest total charge; and (g) the provisions of this paragraph shall apply only to Government messages filed as Day Messages, Day Letters, Day Letter/Longrams, Night Messages, Night Letters, Serial messages, and serial Longrams.

2. That the rates and charges for telegraph communications between the several departments of the Government and their officers, relating exclusively to the public business between points in the United States and points in possessions of the United States, between points in different possessions, and between points in the United States including such possessions and points in foreign countries and ships at sea, transmitted by any carrier or carriers subject to the Post Roads Act, or subject to the terms of a permit or license granted by the President of the United States giving the Postmaster General authority to fix rates for Government communications by telegraph (such a carrier being hereinafter called a domestic carrier) shall, between all points embraced within the scope of such Act, permit or license, not exceed fifty (50) per centum of the full ordinary charges applicable to commercial communications of the same length and between the same points, except that charges for Government code messages shall not exceed fifty (50) per centum of the charges for like commercial code messages, subject to the following: (a) in cases where Government messages are transmitted between any of such points in part over the facilities of any domestic carrier and in part over the facilities of any other carrier, or administration, (hereinafter called a foreign carrier), the charges for Government communications shall not exceed the following: (1) for Government communications between points in the United States and Mexico or Canada, the amounts derived by applying the percentages stated in the first ordering paragraph herein, to the prevailing commercial charges between the points of origin or destination in the United States and the border, plus the prevailing charges applicable to United States Government messages between points of origin or destination in Mexico or Canada and the border; and (2) for Government communications between all other points, the amounts derived by applying the percentages specified in this paragraph, to the full portion of the commercial charges accruing to the domestic carriers, plus the charges actually made for United States Government communications by foreign carriers; (b) the charges for Government ordinary messages between the following named points, shall be:

	Per word
Between Fisherman's Point, Guantanamo Bay, Cuba and Canal Zone	$0.09
Between Limon, San Jose, and Puntarenas, C. R., and Canal Zone	.075
Between Manila and China:	
Shanghai	.10
Hongkong	.0575
Kwangsi, Kwangtung Provinces	.11
Macao	.11
Manchuria (Other than Japanese Offices)	.15
All other places	.15
Between Manila and Japan:	
Formosa	$0.23
All other places, including Caroline Islands, Chosen-Corea, Jaluit (Marshall Islands), Japanese Saghalien, Kwangtung Peninsula (China), Palaos Islands, Pescadores Islands, Saipan (Marianne Islands) and Japanese Office in Manchuria	.235

and the charges for Government code messages between the foregoing points shall be 60 per centum of the charges above specified for Government ordinary messages; (c) with respect to Government messages to and from ships at sea the percentages specified shall not apply to the coastal station and ship station charges; and (d) with respect to Government night messages to and from points in Canada or Mexico transmitted by carriers having both night message and night letter classifications in effect to and from such points but having only night letter classifications in effect between points in the United States, such Government night messages shall be regarded as night letters for the purpose of determining the prevailing commercial charges for such messages to and from points in the United States and the border.

3. That if any new service shall be established, a supplementary order may be issued fixing the Government charge for such service.

4. That in no case shall the charge for a Government message exceed the charge for a corresponding commercial message.

5. That in cases where the charge for a Government message, as determined herein, shall include a fraction of a cent, such fraction, if less than one-half, shall be disregarded, if one-half or more, it shall be counted as one cent; except that the charge for Government code messages shall be rounded up to the next higher half cent, if the fraction be less than one-half and to a full cent, if the fraction be more than one-half.

6. That every Government message shall have priority over all other messages of the same classification, and every Government day message, serial message, ordinary message and code message shall also have priority over all other messages regardless of the classification; and every Government message shall, unless otherwise provided herein, be subject to the classifications, practices and regulations applicable to the corresponding commercial communications.

7. That every domestic carrier which is subject to the Communications Act of 1934, shall immediately file with this Commission all schedules of charges applicable to Government communications established pursuant to this order, said schedules to be filed in full compliance with the requirements of section 203 of the Communications Act of 1934, and with Part 61 of the Commission's rules and regulations (Title 47—Telecommunication), to be constructed in such manner and form that the full charges for all Government messages from origins to destinations can be exactly and readily ascertained therefrom, and to name

effective dates as of July 1, next ensuing: *Provided, however*, That if schedules applicable to Government messages are already on file and in effect and are in accord with the provisions of this order, new and revised schedules need not be filed.

8. That in every case where any schedule containing charges applicable to commercial messages shall be changed, or the charges made by any foreign carrier shall be changed, the schedule containing the charges applicable to Government messages shall be correspondingly changed, effective on the same date.

9. That nothing herein contained shall apply to charges fixed by agreement between any department of the United States Government and the companies performing the service if such agreement be authorized in any statute of the United States.

10. That nothing herein contained shall be construed to give Government messages priority over radio communications or signals which are given a higher priority under section 321 (b) of the Communications Act of 1934, as amended; or under Article 26 of the General Radio Regulations (Cairo Revision, 1938) Annexed to the International Telecommunications Convention (Madrid, 1932); nor shall anything contained herein be construed to give Government messages priority over messages given a higher priority under any order of the Board of War Communications.

This order shall become effective on the first day of July, 1944, and shall continue in effect until June 30, 1945, both dates inclusive, unless subsequently changed by order of the Commission.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-8080; Filed, June 3, 1944; 10:33 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, United States Department of the Interior

Subchapter Q—Alaska Commercial Fisheries

PART 201—ALASKA FISHERIES GENERAL REGULATIONS

A new section, to be known as § 201.21d is hereby inserted, following § 201.21c, to read as follows:

§ 201.21d *Methods of taking clams.* The taking of any species of clam, for commercial purposes, on any of the beaches of Alaska, except by hand-operated shovels, spades, or forks, is prohibited at all times.

PART 207—CHIGNIK AREA FISHERIES

Effective only through December 31, 1944, § 207.16 is hereby amended as follows:

In § 207.16 *Areas open to salmon traps*, paragraphs (e), (g), and (h) are hereby suspended.

PART 211—PRINCE WILLIAM SOUND AREA FISHERIES

Effective only through December 31, 1944, § 211.12 is hereby amended as follows:

In § 211.12 *Areas open to salmon traps*, paragraph (f) is suspended and paragraph (a) is hereby amended to read as follows:

(a) Knight Island, (1) from a point on the southeast coast at 60 degrees 9 minutes 50 seconds north latitude southerly to Point Helen, and (2) from a point at the entrance to Little Bay at 60 degrees 10 minutes 45 seconds north latitude, 147 degrees 49 minutes 35 seconds west longitude, northerly to a point at 60 degrees 11 minutes 15 seconds north latitude, 147 degrees 50 minutes 40 seconds west longitude.

OSCAR L. CHAPMAN, *Assistant Secretary.*

MAY 31, 1944.

[F. R. Doc. 44-8014; Filed, June 3, 1944; 9:35 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

SALT RIVER PROJECT, ARIZ.

PARTIAL REVOCATION OF LAND WITHDRAWAL

APRIL 18, 1944.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Salt River project, the withdrawal of the hereinafter described land, withdrawn in the first and second forms prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388) by Departmental Orders of July 2 and August 26, 1902, March 2, 1903, and July 20, 1905, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the land hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other land by said orders or affect any other orders withdrawing or reserving the land hereinafter listed.

SALT RIVER PROJECT

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 3 N., R. 7 E.,
Sec. 34, SE¼NE¼SE¼, NE¼SE¼SE¼;
Sec. 35, W½SW¼.

Respectfully,

F. W. BASHORE, *Commissioner.*

I concur: May 12, 1944.

FRED W. JOHNSON, *Commissioner of the General Land Office.*

The foregoing recommendation is hereby approved, and it is so ordered. The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS, *Assistant Secretary.*

MAY 22, 1944.

[F. R. Doc. 44-8013; Filed, June 3, 1944; 9:35 a. m.]

Coal Mines Administration.

[Order CMA-33]

BITUMINOUS MINES IN DISTRICT 20

ORDER TERMINATING GOVERNMENT POSSESSION

On December 17, 1943, a wage agreement was entered into by the United Mine Workers of America and the representatives of the bituminous coal operators who produce the great preponderance of the nation's tonnage. This agreement has been approved by the National War Labor Board and the Director of Economic Stabilization.

I have been advised that the operators who produce the great preponderance of the tonnage in District No. 20, as defined in the Bituminous Coal Act of 1937, have executed or are about to execute contracts, and that they will put the contracts into effect immediately upon termination of Government possession of their mining properties. On the basis of such advice and the available information and evidence, and after consideration of all of the circumstances, I find that Government possession of the coal mining properties located in District No. 20 is no longer required, and in accordance with the provisions of Executive Order No. 9393 (8 F.R. 14877) and the War Labor Disputes Act (Pub. Law 89, 78th Cong.) should be terminated.

Accordingly, I order and direct that the possession by the Government of the bituminous coal mines located in District No. 20, as defined in the Bituminous Coal Act of 1937, including any and all real and personal property, franchises, rights, facilities, funds and other assets used in connection with the operation of such mines and the distribution and sale of their products be, and it is hereby terminated, and that there be displayed conspicuously at those mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

In accordance with section 40 of the regulations for the operation of coal mines under Government control, as amended, (8 F.R. 6655, 10712, 11344, 17339), the appointments of the operating managers for the United States for all of the aforesaid mines with respect to which the mining companies have on file with the Administrator effective instruments of agreement and certification as provided for in section 25 of the regulations as amended, (8 F.R. 6655, 10712, 11344, 17339), are automatically terminated.

Nothing contained herein shall be deemed to preclude the Government from requiring the submission of information relating to operations during the period of Government possession, for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9393 (8 F.R. 14877) may be concluded in an orderly manner.

Dated: June 2, 1944.

[SEAL] HAROLD L. ICKES, *Secretary of the Interior.*

[F. R. Doc. 44-8015; Filed, June 3, 1944; 10:26 a. m.]

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

[FSA Instruction 471.1 Rev.]

FLOOD AND WINDSTORM RESTORATION PROGRAM

I. *General.* In July of 1943 Congress made available to the Secretary of Agriculture a fund of $15,000,000 for assistance to farmers whose property was destroyed or damaged by floods in 1943. Current legislation has made available the unused balance of this fund for assistance to farmers whose property was destroyed or damaged by floods or windstorms in 1944. The Secretary of Agriculture has designated the Farm Security Administration as the Agency to administer the Flood and Windstorm Restoration Program.

A. *Purpose of program.* The Flood and Windstorm Restoration Program will provide assistance to farmers in designated counties, who, because of damage or destruction of property by such floods or windstorms, will not be in a position to continue agricultural production needed in the war unless credit and/or grants are made available from this source. The purpose of this program is to correct situations which appear reasonably to have resulted from such floods or windstorms and to enable eligible farmers, (a) to resume or continue agricultural production in 1944, or (b) to make arrangements for such production in 1945.

B. *Scope of program.* The Flood and Windstorm Restoration Program will be restricted to counties designated by the Secretary of Agriculture. No activity will be initiated in any county until the regional director of the Farm Security Administration has been officially notified of such designation by the Secretary of Agriculture. Regional directors will submit recommendations for the designation of counties and will include information regarding the date and extent of damage and whether such damage was caused by flood or windstorm or both to the Office of the Administrator for referral to the Secretary of Agriculture.

C. *Local assistance from other agencies.* Although the actual making of loans and grants and the servicing of loans will be the responsibility of the FSA, there will be a need, particularly at the county level, for the full cooperation and assistance of other agricultural agencies and representatives. War Boards, representatives of other agricultural credit sources (Federal, State, and local), and other community leaders can furnish valuable advisory assistance, publicity, and other services. It will be particularly important in administering the grant program for FSA supervisors to cooperate fully with the National Red Cross, and local welfare agencies in order to prevent the duplication of relief and in such other respects as may be appropriate and consistent with this instruction.

II. *Eligibility.* Any farm owner or any farm operator (including tenants and sharecroppers) whose farm lies in a designated county and whose property was destroyed in whole or in part by floods or windstorms in 1944 will be eligible to apply for financial assistance under this program, *Provided*, Such applicants are unable to obtain credit elsewhere at reasonable terms, and *Provided further*, That such financial assistance is necessary to resume or continue agricultural production in 1944 or 1945, except that owners other than owner-operators are not eligible to receive grants. Final determination of the eligibility of individual applicants will be made by County FSA Committees. (Farmers who suffered only from flood damage in 1943 are eligible to receive Flood Restoration loans only until June 30, 1944.)

III. *Loan policies and purposes.* A. Two types of loans, "Production Restoration Loans" and "Real Estate Restoration Loans," (see paragraphs III B and C below) will be available to applicants under this program. Loans made under this program will be identified as FW loans. Recipients of loans will be identified as FW borrowers.

1. *Refinancing.* a. No indebtedness secured by a mortgage upon real estate will be refinanced under this program. Indebtedness other than real estate debt may be refinanced with FW loans in exceptional cases if such refinancing becomes necessary by reason of flood or windstorm damage and is essential to the resumption or continuance of production and then, only after such debts have been properly adjusted.

b. Loans including amounts for refinancing must be supported by a signed narrative statement explaining the circumstances of the individual case which makes refinancing necessary as a last resort. Such statement should be prepared by an FSA supervisory official having personal knowledge of the case. The narrative statement should explain:

(1) The action taken by an FSA employee or committeeman to obtain a subordination agreement, non-disturbance agreement, extension agreement or other form of debt adjustment.

(2) Why such refinancing is essential to the applicant's future farming operations.

(3) Whether the value of essential security property which is being refinanced, or the value of the applicant's equity in property which is in jeopardy, is equal to or greater than the amount recommended for refinancing.

2. *Debt adjustment.* There will be many situations under this program where the damage or loss resulting from floods or windstorms will have created circumstances that prohibit the orderly liquidation of existing debts and, therefore, necessitate a careful and thorough adjustment of debts.

a. *Real estate debts.* In those situations where the existing indebtedness on real estate merits adjustment to justify the additional credit necessary to restore the land to production, efforts should be made to induce creditors to (1) reduce the amount of such indebtedness, (2) extend the terms thereof, or (3) otherwise, satisfactorily adjust the indebtedness to the debt-paying ability of the applicant by any combination of these or other methods.

b. *Other debts.* In those situations where the adjustments of debts other than real estate debts is essential to the resumption or continuance of production, efforts should be made to induce creditors to adjust debts through reduction, extension or other appropriate methods, to within the reasonable debt-paying ability of the applicant. If it appears necessary to refinance such debts, the amount recommended for refinancing must not exceed the sum of a conservative estimate of the borrower's ability to repay annually, multiplied by the number of years over which repayment should be extended (this may not, in any case, exceed 10 years), or in the case of secured debts a conservative estimate of the value of the security, whichever is the lesser.

3. *Alternative protective actions.* In those situations where adjustment of debts appears desirable but may not be vitally essential to the resumption or continuance of production, alternative measures may be followed for the protection of the Government's and the applicant's interests:

a. Subordination agreements may be obtained from secured creditors, either real estate or nonreal estate, in lieu of debt reductions where it appears that ultimate repayment of the total debt could be made without serious financial injury to the applicant.

b. Nondisturbance agreements may be obtained from either secured or unsecured creditors (real estate or nonreal estate debts) in those instances where it appears that the applicant will be able to either repay or place himself in a safe financial position provided he is not disturbed during an ample period of time.

4. *Protective tenure improvements.* There may be some situations where contract purchasers of land and mortgagors with small equities will desire to make so-called permanent improvements to real estate which are necessitated by flood or windstorm damage and which appear essential to bringing about production of essential agricultural commodities in 1944 or 1945. In passing upon these loan applications, due consideration must be given to the approximate cost of such improvements in relation to the borrower's equity in the land. If it

appears that the borrower may, through foreclosure, cancelation of contract, or otherwise, fail to realize the reasonable value of the expenditure, the loan should not be made, unless the mortgagee or title owner of the real estate (a) assumes liability for the amount loaned for such improvements, or (b) agrees that the improvements may be removed in the event of termination of the contract or foreclosure of the mortgage, or (c) agrees to compensate the borrower for the residual value of the improvements at the time of termination. If the applicant is a tenant the same tests must be followed, and the loan for such improvements must not be made unless the mortgagee or title owner of the real property will agree (a) to become liable for the amount loaned to make the improvements, or (b) to permit the removal of the improvements at the termination of the lease, or (c) to pay for the residual value of such improvements at the termination of the lease, or (d) to extend the period of the tenure sufficient to enable the applicant to obtain full utilization of the cost of the improvement.

B. *Production restoration loans.* Loans may be made to eligible applicants, for a period of not to exceed 10 years or a shorter period consistent with the borrower's anticipated ability to repay, or the useful life of the security, at an interest rate of five percent per annum for production needs including repairs or replacement of equipment, livestock, minor repairs and replacements on real estate, and other needs essential to the resumption or continuance of production. In those states in which the chattel mortgage will not be capable of extension over the entire repayment period of the loan, the installment due under the note for the year when the lien, created by a chattel mortgage, is to be terminated must be the aggregate of the normal installment for that year and the normal installments for all subsequent years. The borrower should be advised that the note will be renewed or extended to provide for payments over the desired period of the loan if the action is justified and if a new chattel mortgage is given by the borrower immediately preceding the end of the statute period covering security adequate to justify the renewal or extension. In all cases in which the property to be purchased consists of movable property which can be made the subject of a chattel mortgage, a chattel mortgage should be obtained. The regional attorney should be requested to prepare instructions concerning the taking of mortgages on chattels to be affixed to the real estate. Production Restoration loans may include funds for the following purposes:

1. Purchase of feed, seed and fertilizer.
2. The repair or purchase of machinery and farm and home equipment.
3. Purchase of livestock.
4. Minor real estate repairs or replacement of buildings, fences, and other farm improvements and facilities.
5. Refinancing of adjusted debts other than real estate debts.
6. Other general farm operating expenses.
7. Home operating expenses.

C. *Real estate restoration loans.* Loans may be made to eligible farmers, for a period of not to exceed 20 years or a shorter period consistent with the borrower's anticipated ability to repay, or the useful life of the security, whichever is the lesser, at an interest rate of four percent per annum for major repairs or replacements to real property dstroyed or damaged in whole or in part by floods or windstorms. Such loans may include funds for the following purposes:

1. Leveling land or clearing of debris.
2. Major repairs or replacements of drainage, irrigation or flood control systems.
3. Major repairs or replacements of farm buildings.
4. Major repairs or replacements of fencing, orchards, windbreaks or other farm improvements and facilities.
5. Expenses incidental to the making of the loan.

IV. *Making of loans.* FW loans will be made under existing FSA procedures except as otherwise provided in this Instruction.

A. *Applications.* 1. Applications for either type of FW loan will be made on Form FSA–663 (Revised), "Application for Flood and Windstorm Restoration Assistance." No other form of application will be required under this program.

2. Applications will be referred by the FSA supervisor to the county FSA committee for its consideration and determination of the applicant's eligibility and for recommendations on the type and amount of the loan needed. In determining eligibility, the committee will be guided by policies and instructions governing the Flood and Windstorm Restoration Program.

3. Certain applications, particularly among applications for Real Estate Restoration loans, will contemplate repairs or replacements requiring engineering services. In any such case, a request for the services of the district engineer's staff should be made through the proper channels. The office of the district engineer will provide required surveys, plans, specifications, contract documents and supervision, at appropriate times where such engineering services are determined to be necessary.

B. *Preparation and processing of loan dockets.* Dockets for either type of FW loan will be prepared on the same forms and in the same number of copies and will be processed and case numbers assigned in the same manner as standard RR loans except as follows:

1. All forms will be prominently marked "Restoration Loans."

2. Form FSA–663 (Revised) "Application for Flood and Windstorm Restoration Assistance," will be prepared in an original and two copies; the original will be included in the loan docket, and forwarded to the regional director from the Finance area office upon certification of the Loan Voucher; one copy will be given to the applicant and one copy retained in the county office. (See also Par. V, C, 1, b.)

3. Form FSA–664, "Flood and Windstorm Restoration Loan Agreement," will be required for both types of FW loans and prepared and distributed in the same manner as the Loan Agreement for standard RR loans, except both an original and one copy must be included in the docket where two or more advances are required under one loan agreement.

4. Form FSA–FI 5 (Revised) "Public Voucher" must include information to distinguish whether the advance is the result of "Flood" or "Windstorm" damage. This will be shown by typing the word "Flood" or the word "Windstorm" in the space on the form for "Remarks." (Where the voucher provides for advances for both Flood and Windstorm damage the amount for each must be shown in this space.)

5. Where refinancing is involved a narrative statement must be included in the application, Form FSA–663. (See Par. III, A, 1, b.)

c. *Loan approval.* 1. Loan applications under this program exceeding $10,000 to a borrower but not exceeding $15,000, will require the approval of the Administrator and should be forwarded to the Assistant Administrator, Cincinnati, with the recommendation of the regional director.

2. Regional directors are hereby authorized to approve FW loans in amounts not to exceed an aggregate of $10,000 to a borrower under this program. This authority may be redelegated in writing to an appropriate member of the regional director's staff, with a copy of the delegation to the appropriate Finance area office.

3. Individual district FSA supervisors and associate district FSA supervisors may be delegated authority in writing by the regional director to approve FW loans, except those involving "Refinancing" (Par. III B 5) in amounts not in excess of $5,000 with a copy of the delegation to the appropriate Finance area office. The authority delegated to district and associate district FSA supervisors will constitute a limitation on the aggregate amount of FW loans to a borrower that may be approved by such employees under this program.

4. Individual FSA supervisors may be delegated authority in writing by district FSA supervisors to approve FW loans, except those involving "Refinancing" (Par. III B 5) in amounts not in excess of $2,500, with a copy of the delegation to the appropriate Finance area office. The delegated loan approval authority will represent the aggregate amount of FW loans for any borrower which may be approved by an FSA supervisor under this program.

D. *Security.* Loans will be secured in the first instance and security will be maintained to a degree of reasonable adequacy, usually by liens on the property purchased or produced with loan funds.

1. *Real estate restoration loans.* Real estate restoration loans will be secured by liens on the real estate unless other collateral security is offered which is determined to be reasonably adequate. Liens on real estate may be junior liens: *Provided*, That the outstanding indebtedness against the real estate, plus the amount of the FW loan, will not exceed the value of the realty and the total indebtedness appears to be within the debt-paying ability of the applicant and arrangements are made so that the tenure of the applicants will be reasonably secure. In all cases of loans of $1,000 or more, the title will be approved by the regional attorney or a mortgagee title insurance policy issued by a company approved by the Solicitor's office shall be furnished. In cases of loans under $1,000, there will be included in the docket Form FSA–665, "Owner's Affidavit", Form FSA–LE 238, "Third Party Affidavit", or Form FSA–RP 70, "Tract Data Obtained from Public Records", completed and signed by either the FSA supervisor, county recorder, county treasurer, an abstractor or other appropriate person or official. The applicant must pay all costs in connection with the title insurance policy or the preparation and continuance of the abstract or other expense necessary in the furnishing of proper title evidence and the costs of recording, but the Government may advance money necessary for this purpose by including sufficient funds in the loan. It will be the responsibility of the regional attorney to prepare appropriate instructions for the obtaining of title evidence, the closing of loans and the obtaining of a mortgagee title insurance policy if required.

2. *Production restoration loans.* Production Restoration loans will be secured by a first lien on all property purchased and the best lien obtainable on property repaired (except real estate) or crops produced with loan funds. It is anticipated that such liens will ordinarily represent reasonably adequate security, however, in those cases in which the major portion of the loan funds are advanced for items not customarily made subject to a lien, additional security may be required by the approving official in order to establish a situation of reasonable adequacy. In cases where liens are taken on property being repaired or on property representing additional security, junior liens will be acceptable provided the borrower owns a mortgageable equity in such property.

3. *Other security.* Other security, such as assignments of farm income, may be required by the approving official where it appears necessary for the protection of the Government's interests in the orderly retirement of the FW loan.

V. *Grants policies and procedures.* Grants made under this program will be identified as FW grants.

A. *Grant policies.* 1. Grants may be made to eligible applicants only in cases such as those for which grants are provided under the regular FSA program or where grants are necessary to carry out the purposes of this program. Such grants may be made only to the extent that necessary advances of funds under this appropriation are beyond the amount which could be loaned to any applicant with a reasonable probability that such loan could be repaid.

2. Grants may not be made:

a. Under this appropriation in an aggregate amount in excess of $1000 to any individual recipient. Generally the amount of grant to any individual applicant should not exceed the amount necessary to meet the subsistence needs of the family.

b. To make repayments on any indebtedness to any creditor.

c. For major real-estate improvements.

d. For goods or services which the applicant can supply out of his own current resources or out of available income, or where the debt paying ability of the applicant will justify a loan for the purpose.

e. For purposes which would permit a family to divert income, which should otherwise be used to meet its needs, for the payment of excessive debts or inequitable rental. (In other words, grant funds must not be used in such a way as to accrue indirectly to the unjustified benefits of creditors.)

3. A determination of the best estimate of the amount which could be loaned to any applicant with a reasonable probability that such loan could be repaid must be made upon the considered judgment of the county FSA committee and FSA employees. The county FSA supervisor will assemble all factual information he is able to obtain for the use of the committee as a basis for the exercise of its judgment. Form FSA–663 will be useful in recording this information.

4. Grant checks should be mailed to the recipient in care of the FSA supervisor. The FSA supervisor will, thereafter, mail or deliver such checks to the recipients. Where it is advisable to make the grant in multiple advances, subsequent payments to several recipients may be included on the same voucher, Form FSA–FI 58.

B. *Grant approval.* In cases where an FW loan and an FW grant are recommended for the same applicant the authority delegated herein shall not be exercised unless the approving officer's authority is broad enough to approve both the particular loan and the particular grant.

1. Applications for grants exceeding $500, will be referred to the Administrator of the Farm Security Administration. In all such cases the complete docket will be forwarded to the Assistant Administrator, Cincinnati, through the office of the regional director with his analysis and recommendation.

2. Regional directors are hereby authorized to approve grants in amounts not to exceed an aggregate of $500 to an applicant and to redelegate in writing to individual associate district FSA supervisors and individual FSA supervisors authority to approve grants in amounts not to exceed an aggregate of $300 to an applicant. Copies of such redelegations will be forwarded to the District FSA Supervisor and appropriate Finance area office.

3. District FSA supervisors are hereby authorized to approve grants in amounts not to exceed an aggregate of $300 to an applicant.

C. *Grant procedures.* Grants made under this program will be designated FW grants. Forms used for the making of FW grants must show whether such grants are made because of "Flood" damage or "Windstorm" damage.

1. Form FSA–663 (Revised), "Application for Flood and Windstorm Restoration Assistance" will be used to show the need for and the type and amount of FW grant which may be recommended. If for any reason the anticipated operatitons for this year will vary from operations which can reasonably be expected over the period of debt repayment, adjusted figures reflecting an expected average year's operation during the period of debt repayment should be shown in the column headed "Expected Av. Yr." in part VI. The proper number of years to figure debt repayment will be dependent upon such factors as: the useful life of items to be purchased with FW advances, the amount and kind of other debts owed by the applicant, the likelihood of future hazards on this farm and other pertinent factors. A narrative justification will be required in part VII for all applications involving a grant.

a. County FSA committees will clearly designate over their signatures in the space provided for this purpose, the amount of FW grant recommended.

b. Where grant advances are recommended it will be necessary to prepare an extra copy of this form submitting an original and one copy to the Finance area office. An original and two copies to the Finance area office, are necessary where multiple grant advances are recommended. (See also Par. IV B 2).

2. Form FSA–FI 58, "Public Voucher for Direct Relief, Stricken Agricultural Area", will be prepared in an original and three copies for all grants approved or recommended for approval. The original and two copies will be included in the docket. One copy will be retained in the county FSA office to be held until the "paid copy" is received from the Treasury Disbursing office. The word "Flood" or "Windstorm" will be typed in column "4" of this voucher. Where both types of grants are made to a single applicant on the same voucher, the amount to be charged to each type should be shown in column "4" and the total advance for both types shown as a single item in column "6".

VI. *Supervision and loan servicing—* A. *Supervision.* It is not contemplated that FW borrowers and grant recipients will be given the type of detailed supervision of farm and home practices and operations characteristic of the RR program. However, there may be situations where financial assistance would not be advisable unless supervision of farm and home operations is provided. The county FSA committee, in passing upon the eligibility of each applicant, will determine whether such supervision is necessary. When any FW borrower requests supervisory assistance of the type ordinarily given under the RR program, provision will be made for the extension of supervisory services within the limits of available personnel. Only in cases designated for "supervision" by county FSA committees and where the FSA supervisor and the FSA committee determine that extra precaution is necessary, may the loan or grant funds be placed in a Supervised Bank Account to insure

that such funds are used for the purposes authorized.

B. *Loan servicing.* FW loans will be serviced under the procedures and with forms applicable to standard RR loans except as provided herein. FSA officials who are delegated similar authority with respect to RR loans are hereby authorized to do all acts necessary and incidental to the making, servicing, renewing and collecting of all FW loans, subject to monetary restrictions and other restrictions applicable to similar acts under the RR program. FSA officials who are similarly authorized to act under the RR program are likewise authorized to accept, record, release and satisfy instruments of security for all FW loans subject to monetary restrictions and other restrictions imposed under the RR program (8 F.R. 7413, June 4, 1943). Specific exceptions to these general authorizations are as follows:

1. Partial release of security may be granted under procedures applicable to standard RR loans but only for the following purposes:

a. Repayments on FW loans.

b. Exchange (including sale and repurchase) of security better suited to the future needs of the borrower.

c. For the protection and maintenance of remaining security.

d. For payment of emergency expenses essential to the welfare of the family.

e. (The following authority may be exercised only with respect to crops, livestock products and livestock, produced for sale.) For general farm and home expenditures after annual maturities on the FW loans have been paid; or, prior to such payment where there is assurance that annual maturities will be paid.

2. The renewal of FW loans will be accomplished on the same forms and handled under the same general procedures applicable to standard RR loans except that Real Estate Restoration loans or Production Restoration loans will not be combined with any other type of loan. Separate renewal notes will be required for each of these loan types, although such a renewal may include several loan advances of the same type.

VII. *Reports.* Borrowers obtaining loans from the 1943 appropriation, formerly identified as "FR Borrowers" will henceforth be identified as "FW Borrowers". Likewise loans formerly identified as "FR" loans will henceforth be identified as "FW" loans. FSA borrowers who suffer flood or windstorm damage in 1944 are eligible for FW loans within the limitations set forth in this instruction but will retain their present classification of FSA borrowers.

A. Finance area offices will prepare as of the last day of each month reports by States showing:

1. The number of FW loans and amount (by loan types segregated as to "Flood Restoration Loans" and "Windstorm Restoration Loans" separately) of FW loan funds obligated, the total amount advanced such borrowers, the amount of principal and interest repaid and the balance of principal and interest unpaid.

2. The number of FW grants and amount of FW grant funds obligated (segregated as to "Flood Grants", and "Windstorm Grants") and the total amount advanced such recipients.

B. Regional directors will prepare on the 10th of each month, a report by States based on applications processed through the Finance area officers during the preceding month, showing the number of FW applications involving funds for each of the purposes indicated on paragraphs III B & C, and the total amount of funds for each of the purposes indicated in these paragraphs.

C. County FSA supervisors in designated counties will provide on Form FSA-322:

1. The number of FW applications received during the month, and the number of FW applications on hand at the end of the month. (Monthly)

2. The number of families receiving FW assistance. (Quarterly)

[SEAL] FRANK HANCOCK,
Administrator.

Approved: June 2, 1944.

GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 44-8048; Filed, June 3, 1944; 11:21 a. m.]

Office of the Secretary.

AUTHORIZATION OF FARM SECURITY ADMINISTRATION TO MAKE LOANS AND GRANTS FOR FLOOD AND WINDSTORM RELIEF

Pursuant to the authority vested in me under the Act of May 20, 1944, (Pub. Law No. 367, 78th Congress), I hereby authorize and direct the Farm Security Administration to make loans and grants in such areas as I may designate to provide assistance to farmers whose property was destroyed or damaged, in whole or in part, by floods or windstorms in 1944 where necessary to enable such farmers to resume or continue agricultural production in 1944, or to make arrangements for such production in 1945 in order to produce for the war effort.

1. Loans may be made for the purpose of aiding any farmer, who is unable to obtain credit elsewhere at reasonable terms, to replace or repair any property so destroyed or damaged, and to finance the purchase of feed, seed, livestock, equipment and other farming supplies, materials, and operating costs and expenses necessary to carry on such farming operations.

2. No loan shall be made for an amount in excess of $15,000, or for a longer period than 20 years. Interest shall be charged at a rate of not greater than 5 percent nor less than 4 percent. Different interest rates may be fixed for different classes of loans.

3. Grants may be made to eligible applicants only in cases such as those for which grants are provided under the regular FSA program or where grants are necessary to carry out the purposes of this program. Such grants may be made only to the extent that necessary advances of funds under this appropriation are beyond the amount which could be loaned to any applicant with a reasonable probability that such loan could be repaid.

4. Grants may not be made under this appropriation in an aggregate amount in excess of $500 to any individual recipient except in unusually meritorious cases and with the approval of the Administrator or some other official specifically designated by him for that purpose.

5. The Farm Security Administration shall have authority to do all acts necessary and incidental to the making, servicing, renewing, and collecting of such loans and the making of grants. Reasonably adequate security shall be taken for all loans made pursuant to this delegation of authority and for this purpose authority is hereby granted to accept, record, release and satisfy instruments of security of all kinds.

6. The Administrator of the Farm Security Administration or, in his absence, the Acting Administrator, shall exercise the authority contained herein, shall issue instructions which shall be in conformity with regulations approved by me, and may delegate and authorize redelegation of this authority to subordinate officers and employees of the Farm Security Administration.

(Pub. Law 307, 78th Cong.)

Done at Washington, D. C, this 2d day of June, 1944. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 44-8047; Filed, June 3, 1944; 11:21 a. m.]

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD 25]

UNION STREET RAILWAY

FINDING IN REGARD TO CONTRACT

In the matter of Union Street Railway, New Bedford, Massachusetts, (Case No. S-725).

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943 published in the FEDERAL REGISTER, August 14, 1943, and

Having been advised of the existence of a labor dispute involving the Union Street Railway, New Bedford, Massachusetts;

I find that the transportation by the Union Street Railway of United States mails in passenger cars between New Bedford and South Dartmouth, Massachusetts, pursuant to contract with the United States Post Office Department, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Dispute Act.

Signed at Washington, D. C., this 3d day of June 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-8095; Filed, June 5, 1944; 11:45 a. m.]

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-lined Garments Division of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificate issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

APPAREL INDUSTRY

The Hermann Handkerchief Company, Inc., 8th & Water Streets, Lebanon, Pennsylvania; handkerchiefs; 5 percent (T); effective June 4, 1944, expiring June 3, 1945.

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Easton Trouser Company, Pine and Elder Streets, Easton, Pennsylvania; men's trousers; 10 percent (T); effective June 13, 1944, expiring June 12, 1945.

Faultless Pants Corporation, 420 Pine Street, Scranton, Pennsylvania; boys' and men's pants; 10 percent (T); effective June 11, 1944, expiring June 10, 1945.

Frackville Manufacturing Company, Inc., Broad Mt. Avenue & Oak St., Frackville, Pennsylvania; men's and boys' pajamas and night shirts; 30 learners (E); effective June 5, 1944, expiring December 2, 1944.

Hartwell Garment Company, Hartwell, Georgia; pants, shirts, 10 percent (T); effective May 29, 1944, expiring October 26, 1944. (This certificate replaces the certificate previously issued to the Hartwell Manufacturing Company, Inc., effective October 27, 1943 and expiring October 26, 1944.)

S. Liebovitz & Sons, Inc., Strausstown, Pennsylvania; men's dress shirts; 10 learners (T); effective June 13, 1944, expiring June 12, 1945.

Woolrich Woolen Mills, Avis, Pennsylvania; woolen and coat shirts; 10 learners (T); effective May 30, 1944, expiring May 29, 1945.

GLOVE INDUSTRY

Tennessee Glove Company, Inc., South Atlantic Street, Tullahoma, Tennessee; work gloves; 10 learners (AT); effective June 11, 1944, expiring December 10, 1944.

HOSIERY INDUSTRY

Continental Hosiery Company, Henderson, North Carolina; Seamless hosiery; 10 learners (AT); effective May 30, 1944, expiring November 29, 1944.

Millheim Hosiery Mills, Inc., Millheim, Pennsylvania; seamless hosiery; 5 percent (T); effective June 3, 1944, expiring June 2, 1945.

TEXTILE INDUSTRY

Summerville Manufacturing Company, Summerville, Georgia; duck cotton goods; 3 percent (T); effective June 10, 1944, expiring June 9, 1945.

Tifton Cotton Mills, Tifton, Georgia; cotton yarn; 25 learners (AT); effective June 8, 1944, expiring December 7, 1944.

Signed at New York, N. Y., this 3d day of June 1944.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-8079; Filed, June 5, 1944; 11:41 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Battery & Electric Company, 300 Buncombe Street, Greenville, South Carolina; automotive machine and electrical service parts distribution; 4 learners (T); automotive mechanic and machinist for a learning period of 480 hours at 30 cents per hour; effective June 5, 1944, expiring December 5, 1944.

Joseph B. English Company, 223 Nelson St., SW, Atlanta, Georgia; wooden and leatherette picture frames; 7 learners (T); joining, boring, chopping and assembling operations in the manufacture of wooden and leatherette picture frames for a learning period of 160 hours at 30 cents per hour; effective June 6, 1944, expiring December 6, 1944.

Signed at New York, New York, this 3d day of June 1944.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-8080; Filed, June 5, 1944; 11:41 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-520]

SPEARMAN GAS COMPANY

ORDER FIXING DATE OF HEARING

JUNE 1, 1944.

Upon consideration of the application filed May 4, 1944, by Spearman Gas Company (Applicant) for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to authorize the acquisition and operation by Applicant of all the natural gas pipe lines and appurtenant facilities of Eldorado Gas Company, subject to the jurisdiction of the Commission, which facilities are located in Oklahoma;

The Commission orders that:

(A) A public hearing be held, commencing on June 24, 1944, at 9:30 a. m. (C. W. T.) in Courtroom No. 417, U. S. Courthouse Building, Ft. Worth, Texas, respecting the matters involved and the issues presented in this proceeding; Interested State commissions may participate in this hearing, as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-8063; Filed, June 5, 1944; 10:38 a. m.]

[Docket Nos. G-489 and G-550]

WEST TEXAS GAS CO.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

JUNE 1, 1944.

Upon consideration of the following applications filed by West Texas Gas Company (Applicant) for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended:

(a) Application filed September 3, 1943, as amended September 11, 1943, in Docket No. G-489, for authority (1) to operate approximately eight miles of 10¾-inch O. D. loop line immediately south of Applicant's Plainview Compressing Station in Hale County, Texas; (2) to operate an additional 400 H. P. engine at Applicant's Turkey Creek Compressing Station in Potter County, Texas;

(b) Application filed May 20, 1944, in Docket No. G-550, for authority to construct and operate an additional 400 H. P. engine at Applicant's McSpadden Compressing Station in Randall County, Texas; and

It appearing to the Commission that:

(1) The above-docketed proceedings may involve substantially similar issues and facts;

(2) Good cause exists for consolidating the above-entitled proceedings;

The Commission orders that:

(A) The above-entitled proceedings be and the same are consolidated for the purpose of hearing;

(B) A public hearing be held commencing on June 23, 1944, at 9:45 a. m. (C. W. T.) in Courtroom No. 417, U. S. Courthouse Building, Fort Worth, Texas, respecting the matters involved and the issues presented in such consolidated proceedings;

(C) Interested State commissions may participate in such hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-8064; Filed, June 5, 1944; 10:38 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3499]

R. DEISS

In re: Copyright interests of R. Deiss.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that R. Deiss, a resident of Paris, France, is a national of a foreign country (France);

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and the several States thereof, of the aforesaid R. Deiss, of Paris, France, in, to and under the following:

(a) Every copyright, claim of copyright and right to copyright in each and all of the works designated in Exhibit A,[1] which exhibit is attached hereto and hereby made a part hereof;

(b) Every copyright, claim of copyright and right to copyright in each and all of the works subject to copyright, in which such rights and claims are held by the aforesaid R. Deiss, whether or not such works are specifically designated in this order;

(c) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the right of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

(d) All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

(e) All rights of reversion or revesting, if any, in any or all of the foregoing;

(f) All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

(g) All right, title, or interest in any paper or other copies of the works described in the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, a national of a foreign country;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States: *Provided, however*, That this order shall not vest any right of any person to renew any copyright in any or all of the works above described.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8020; Filed, June 3, 1944; 10:46 a. m.]

[1] Filed as part of the original document.

[Vesting Order 3500]

MICHEL DILLARD

In re: Copyright interests of Michel Dillard.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Michel Dillard, doing business as La Sirene Musicale, and having his principal place of business at Paris, France, is a national of a foreign country (France);

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and the several States thereof, of the aforesaid Michel Dillard of Paris, France, in, to and under the following:

(a) Every copyright, claim of copyright and right to copyright in each and all of the works designated in Exhibit A,[1] which exhibit is attached hereto and hereby made a part hereof;

(b) Every copyright, claim of copyright and right to copyright in each and all of the works subject to copyright, in which such rights and claims are held by the aforesaid Michel Dillard, whether or not such works are specifically designated in this order;

(c) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

(d) All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

(e) All rights of reversion or revesting, if any, in any or all of the foregoing;

(f) All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

(g) All right, title or interest in any paper or other copies of the works described in the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, a national of a foreign country;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; *Provided, however*, That this order shall not vest any right of any person to renew any copyright in any or all of the works above described.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8021; Filed, June 3, 1944; 10:46 a. m.]

[1] Filed as part of the original document.

[Vesting Order 3501]

ROUART, LEROLLE ET CIE.

In re: Copyright Interests of Rouart, Lerolle et Cie.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Rouart, Lerolle & Cie, a company organised under the laws of France, which has its principal place of business at Paris, France, is a national of a foreign country (France);

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and the several States thereof, of the aforesaid Rouart, Lerolle & Cie, of Paris, France, in, to and under the following:

(a) Every copyright, claim of copyright and right to copyright in each and all of the works designated in Exhibit A,[1] which exhibit is attached hereto and hereby made a part hereof;

(b) Every copyright, claim of copyright and right to copyright in each and all of the works subject to copyright, in which such rights and claims are held by the aforesaid Rouart, Lerolle & Cie, whether or not such works are specifically designated in this order;

(c) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

(d) All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

(e) All rights or reversion or revesting, if any, in any or all of the foregoing;

(f) All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

(g) All right, title or interest in any paper or other copies of the works described in the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, a national of a foreign country;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; *Provided, however*, That this order shall not vest any right of any person to renew any copyright in any or all of the works above described.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8022; Filed, June 3, 1944; 10:46 a. m.]

[1] Filed as part of the original document.

[Vesting Order 3502]

JEAN JOBERT

In re: Copyright interests of Jean Jobert.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Jean Jobert, a resident of Paris, France, is a national of a foreign country (France);

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and the several States thereof, of the aforesaid Jean Jobert of Paris, France, in, to and under the following:

(a) Every copyright, claim of copyright and right to copyright in each and all of the works designated in Exhibit A,[1] which exhibit is attached hereto and hereby made a part hereof;

(b) Every copyright, claim of copyright and right to copyright in each and all of the works subject to copyright, in which such rights and claims are held by the aforesaid Jean Jobert, whether or not such works are specifically designated in this order;

(c) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

(d) All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

(e) All rights of reversion or revesting, if any, in any or all of the foregoing;

(f) All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

(g) All right, title or interest in any paper or other copies of the works described in the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, a national of a foreign country;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or

otherwise dealt with in the interest of and for the benefit of the United States: *Provided, however,* That this order shall not vest any right of any person to renew any copyright in any or all of the works above described.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8023; Filed, June 3, 1944; 10:47 a. m.]

[Vesting Order 3503]

EDITIONS MAX ESCHIG

In re: Copyright interests held by French music publishers.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each person whose name and last known address is listed in Exhibit A attached hereto and by reference made a part hereof, if an individual is a resident of, or if a business organization is organized under the laws of, and is a national of the foreign country appearing after his or its respective name;

2. Finding that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in said Exhibit A, in to and under the following:

(a) Every copyright, claim of copyright and right to copyright in each and all of the compositions described in the assignments registered in the Copyright Office on the dates stated and on the respective books and pages described in said Exhibit A, held by the individuals and companies, and each of them, whose names and last known addresses are listed in said Exhibit A;

(b) Every copyright, claim of copyright and right to copyright in each and all of the works subject to copyright, in which such rights and claims are held by the persons designated in said Exhibit A, whether or not such works are specifically designated in this order;

(c) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

(d) All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

(e) All rights or reversion or reverting, if any, in any or all of the foregoing;

(f) All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

(g) All right, title or interest in any paper or other copies of the works described in the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, a national of a foreign country;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; *Provided, however,* That this order shall not vest any right of any person to renew any copyright in any or all of the works above described.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Names and addresses of individuals and companies holding interests under copyrights; description of assignments of copyrights, date of entry, book, and page:

Editions Max Eschig, Paris, France; Apr. 29, 1929; 219; 182–196.

Editions Max Eschig, Paris, France; Aug. 19, 1930; 251; 219–231.

Editions Max Eschig, Paris, France; Oct. 25, 1930; 256; 90–93.

Editions Max Eschig, Paris, France; Apr. 29, 1931; 268; 131–134.

Editions Max Eschig, Paris, France; Jan. 5, 1932; 281; 89–91.

Editions Max Eschig, Paris, France; May 19, 1932; 286; 195–196.

Editions Max Eschig, Paris, France; Apr. 8, 1933; 300; 10–13.

Editions Max Eschig, Paris, France; Oct. 23, 1934; 321; 170–172.

Editions Max Eschig, Paris France; Jan. 29, 1935; 327; 30–32.

Editions Max Eschig, Paris, France; Jan. 6, 1936; 343; 40–44.

Editions Max Eschig, Paris, France; Nov. 27, 1936; 361; 229–232.

Editions Max Eschig, Paris, France; Aug. 21, 1937; 380; 163–165.

[F. R. Doc. 44–8024; Filed, June 3, 1944; 10:47 a. m.]

[Vesting Order 3505]

CERTAIN GERMAN NATIONALS

In re: Interests in copyrighted works held by certain foreign nationals.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the person or persons, names unknown, heirs next of kin, devisees, legatees, distributees, personal representatives, administrators, executors and assigns of Wilhelm Meyer-Foerster, whose last known addresses are Germany, are nationals of a foreign country (Germany), and own or control the property hereinafter described in subparagraph 2 hereof;

2. Determining that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each of the persons identified in subparagraph 1 hereof, in, to and under the following:

All monies and amounts and all right to receive such monies and amounts including, but not limited to, all monies and amounts in that certain account with the Central Hanover Bank and Trust Company, New York, New York, in the name of the "Estate of Wilhelm Meyer-Foerster, account subject to the authorization of the Alien Property Custodian," paid by Metro-Goldwyn-Mayer Corporation for the purpose of exercising an option for extending the term of "all motion picture and all sound, talking and musical motion picture rights" with respect to the copyrighted play known as "Alt Heidelberg," and the novel known as "Carl Heinrich," which option was given, and rights were transferred, by Wilhelm Meyer-Foerster, to Metro-Goldwyn-Mayer Corporation by virtue of an agreement dated March 15, 1932;

is property of, or is property payable or held with respect to copyrights or rights related thereto, in which interests are held by nationals of a foreign country (Germany);

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8025; Filed, June 3, 1944; 10:47 a. m.]

[Vesting Order 3682]

SOCIETY FOR CARE OF GERMAN SEAMEN IN PORT OF NEW YORK

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the Society for the Care of German Seamen in the Port of New York, a membership corporation organized under the laws of the State of New York and doing business under the laws of the State of New Jersey, is a business enterprise within the United States and is controlled by a designated enemy country (Germany) or persons within such designated enemy country;

and determining:

2. That the Society for the Care of German Seamen in the Port of New York is controlled by and is acting for or on behalf of or as a cloak for a designated enemy country (Germany) or persons within such designated enemy country and is a national of a designated enemy country (Germany);

3. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to the Society for the Care of German Seamen in the Port of New York, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 10, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8026; Filed, June 3, 1944; 10:48 a. m.]

[Vesting Order 3643]

ELIZABETH HELENE HOFFMEISTER AND ELISE HOFFMEISTER

In re: Interest in real property and property insurance policies owned by Elisabeth Helene Hoffmeister and the unknown heirs, legatees and distributees of Elise Hoffmeister, deceased.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Elise Hoffmeister, at the time of her death on May 27, 1942, was Rosenthal 12, Bonn-On-Rhine, Germany, and that she was a resident of Germany and a national of a designated enemy country (Germany);

2. That on May 27, 1942 Elise Hoffmeister was the owner of the property described in subparagraph 5 hereof;

3. That Elisabeth Helene Hoffmeister, an heir of Elise Hoffmeister, deceased, whose last known address is Muensterplatz 22, Bonn-On-Rhine, Germany, and the unknown heirs, legatees, distributees, of Elise Hoffmeister, deceased, are residents of Germany and nationals of a designated enemy country (Germany);

4. That Elisabeth Helene Hoffmeister and the unknown heirs, legatees and distributees of Elise Hoffmeister are the owners of the property described in subparagraph 5 hereof;

5. That the property described as follows:

a. The undivided one-half interest in real property situated in Kings County, New York, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements, and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. The undivided one-half interest in real property situated in Queens County, New York, particularly described in Exhibit B attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

c. All right, title and interest of Elizabeth Helene Hoffmeister and the unknown heirs, legatees and distributees of Elise Hoffmeister, deceased, in and to the insurance policies particularly described in Exhibit C, attached hereto and by reference made a part hereof, which policies insure the improvements to the premises described in subparagraphs 5–a and 5–b hereof,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraph 5–c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 5–a and 5–b hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraphs 5–a hereof and 5–b hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 5–c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such prop-

erty or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All that certain plot, piece or parcel of land with the buildings thereon erected, or to be erected, and all fixtures and articles attached, or to be attached to or used in connection with the said premises, situate, lying, and being in the Borough of Brooklyn, County of Kings, City and State of New York, bounded and described as follows:

Beginning at a point on the northerly side of Parkway Court distant 80 feet easterly from the corner formed by the intersection of the northerly side of Parkway Court, with the easterly side of East Third Street; running thence northerly parallel with East Third Street, and part of the distance through a party wall, 100 feet; thence easterly parallel with Parkway Court, 20 feet; thence southerly again parallel with East Third Street, 100 feet to the northerly side of Parkway Court, and thence westerly along the said northerly side of Parkway Court 20 feet to the point or place of beginning.

Together with all the right, title and interest, of in and to the land lying within the bed of the street or avenue in front of and adjoining said premises to the center line thereof.

EXHIBIT B

All that certain plot, piece or parcel of land, with the buildings thereon erected, or to be erected, and all fixtures and articles attached, or to be attached to or used in connection with said premises, situate, lying and being in the Borough and County of Queens, City and State of New York and bounded and described as follows:

Beginning at a point on the easterly side of 201st Street distant 280.5 feet southerly from the corner formed by the intersection of the easterly side of 201st Street, and the southerly side of 113th Avenue; thence easterly, at right angles to 201st Street, 100 feet; thence southerly at right angles to 113th Avenue, 31 feet; thence westerly at right angles to 201st Street, 100 feet, to the easterly side of 201st Street, and thence northerly along the said easterly side of 201st Street 31 feet to the point or place of beginning.

Together with all the right, title and interest, of, in and to the land lying on 201st Street, in front of and adjoining the said premises to the center line thereof.

EXHIBIT C

Fire Insurance Policy No. 679711 of the New Hampshire Fire Insurance Company of Manchester, New Hampshire, issued to Helen Simon as Administratrix of the Estate of Anna Emma Kny, covering premises 11 Parkway Court, Brooklyn, New York, in the amount of $7,500.

Liability Insurance Policy No. LPS 24607 and Renewal Certificate No. 56781 of the Sun Indemnity Company of New York, issued to Helen Simon, as Administratrix of the Estate of Anna Emma Kny, and Richter & Kaiser, Inc., as agents, covering premises 11 Parkway Court, Brooklyn, New York, in the amount of $10,000/$20,000.

War Damage Corporation Insurance Policy No. 596–54–9231, the Pacific Insurance Company, assuring agent, issued in the name of Helen Simon as Administratrix of the Estate of Anna Emma Kny, covering premises 11 Parkway Court, Brooklyn, New York, in the amount of $7,000.

Fire Insurance Policy No. 507533 of the Granite State Fire Insurance Company of Portsmouth, New Hampshire, issued to Helen Simon as Administratrix of the Estate of Anna Emma Kny, covering premises 113–31 201st Street, St. Albans, New York, in the amount of $5,000.

Public Liability Policy No. LP 22780 and Renewal Certificate No. 49173 of the Sun Indemnity Company of New York, issued to Helen Simon as Administratrix of the Estate of Anna Emma Kny, and Richter & Kaiser, Inc., as agents, covering premises 113–31 201st Street, St. Albans, New York, in the amount of $5,000/$10,000.

[F. R. Doc. 44–8027; Filed, June 3, 1944; 10:48 a. m.]

[Vesting Order 3646]

HARUKO NAKAMURA

In re: Land contract rights and property insurance policy rights owned by Haruko Nakamura.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Haruko Nakamura is c/o Kametaro Nakagawa, Nakaji, Yahatamura, Saiki-gun, Hiroshima-ken, Japan, and that she is a resident of Japan and a national of a designated enemy country (Japan);

2. That Haruko Nakamura is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. All right, title and interest of Haruko Nakamura in and to that certain land sale contract entered into February 1, 1939, by and between San Diego Trust & Savings Bank, San Diego, California, as seller, and Koichi Nakamura and Haruko Nakamura, husband and wife, as joint tenants, as buyer, whereby in consideration of certain payments and conditions, particularly set forth therein, the seller agrees to deliver a grant deed to certain real property, particularly described in said land sale contract, and

b. All right, title and interest of Haruko Nakamura in and to that certain fire insurance policy issued by the Boston Insurance Company, Boston, Massachusetts, which policy insures the improvements to the premises which are the subject of the land sale contract described in subparagraph 3–a hereof,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraph 3–b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3–a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8028; Filed, June 3, 1944; 10:48 a. m.]

[Vesting Order 3718]

ALBERT R. MEYER

Correction

In F.R. Doc. 44–7955, appearing at page 6039 of the issue for Saturday, June 3, 1944, the vesting order number should read as set forth above.

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT B–54]

TRAILWAYS OF NEW ENGLAND, INC.

SUSPENSION OF OPERATIONS BETWEEN NORTHAMPTON AND EASTHAMPTON, MASSACHUSETTS

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, and 9156, and War Production Board Directive 21; and in order to secure maximum use of existing transportation facilities; to conserve and providently utilize vital equipment, material, and supplies; to prevent possible traffic congestion, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; and being satisfied that the fulfilment of requirements for the defense of the United States will result in a shortage of transportation materials and facilities for defense and for private account, *It is hereby ordered*, That:

1. Trailways of New England, Inc., Springfield, Massachusetts, (hereinafter called "carrier"), in the transportation of passengers as a common carrier by motor vehicle, shall suspend operations between Northampton, Massachusetts, and Easthampton, Massachusetts, and all intermediate points.

2. The carrier shall file a copy of this order forthwith with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and shall likewise file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

3. Communications concerning this order should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C., and should refer to "Special Order ODT B–54."

This Special Order ODT B–54 shall become effective June 12, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44–8071; Filed, June 5, 1944; 10:41 a. m.]

[Special Order ODT B–55]

DELUXE MOTOR STAGES

SUSPENSION OF OPERATIONS BETWEEN GARY, IND., TOLEDO, OHIO, AND DETROIT, MICH.

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, and 9156, and War Production Board Directive 21; and in order to secure maximum use of existing transportation facilities; to conserve and providently utilize vital equipment, material, and supplies; to prevent possible traffic congestion, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; and being satisfied that the fulfilment of requirements for the defense of the United States will result in a shortage of transportation materials and facilities for defense and for private account, *It is hereby ordered*, That:

1. Frank Arquillo, doing business as Deluxe Motor Stages, Detroit, Michigan, (hereinafter called "carrier"), in the transportation of passengers between Gary, Indiana, and Detroit, Michigan, as a common carrier by motor vehicle, shall suspend operations over the following route:

From Gary over Indiana Highway 55 to junction U. S. Highway 6, thence over U. S. Highway 6 via Bremen and Kendallville, Indiana, to Bryan, Ohio, thence over Ohio Highway 2 to Toledo, Ohio, thence over U. S. Highway 24 to junction U. S. Highway 25, thence over U. S. Highway 25 to junction North Line Road, thence over North Line Road to junction Fort Superhighway, and thence over Fort Superhighway to Detroit, and return over the same route.

2. The carrier shall file a copy of this order forthwith with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and shall likewise file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

3. Communications concerning this order should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C., and should refer to "Special Order ODT B–55."

This Special Order ODT B–55 shall become effective June 12, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44–8072; Filed, June 5, 1944; 10:41 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 122, Amdt. 10 to Rev. Order 47]

SOLID FUELS IN WASHINGTON, D. C., AREA AND ALEXANDRIA, VA.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 10 to Revised Order No. 47 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued herewith and in accordance with § 1340.260 of Revised Maximum Price Regulation No. 122, *It is ordered*, That Revised Order No. 47 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

1. In paragraph (c) (1), the prices for Pennsylvania anthracite and coke are amended; and prices for reclaimed coke are inserted to read as follows:

Kind and size	Per ton		Per ½ ton	
	Gross 2,240 lbs.	Net 2,000 lbs.	Gross 1,120 lbs.	Net 1,000 lbs.
Pennsylvania anthracite:				
Egg, stove, nut	$14.90	$13.32	$7.95	$7.11
Pea	13.00	11.62	7.00	6.26
#1 Buckwheat	10.95	9.78	6.00	5.31
Rice (#2 Buckwheat)	10.05	8.97	5.50	4.93
	•	•	•	•
Coke		13.50		7.20
Reclaimed coke		12.20		6.55
Nut		10.45		5.68
Pea				

2. In paragraph (d), the prices for Pennsylvania anthracite and coke are amended; and prices for reclaimed coke are inserted to read as follows:

	Consumer prices			Dealer prices	
	Gross 2240 lbs.	Net 2000 lbs.	Per 100 lbs.	Gross 2240 lbs.	Net 2000 lbs.
Pennsylvania anthracite:					
Egg, stove, nut	$13.90	$12.43	•	$12.35	$11.04
Pea	11.00	10.73	•	10.50	9.39
#1 Buckwheat	9.95	8.89		8.55	7.64
Rice (#2 Buckwheat)	9.05	8.08		7.60	6.78
	•	•	•	•	•
Coke		12.80			11.60
Reclaimed Coke		11.20			10.30
Nut		8.45			8.55
Pea					

3. In paragraph (f), the prices for Pennsylvania anthracite and coke are amended; and prices for reclaimed coke are inserted to read as follows:

Kind and size	Quantity	
	Per ton	Per ⅛ ton
Pennsylvania anthracite:		
Egg, stove, nut	$13.80	$7.40
Pea	12.25	6.60
#1 Buckwheat	10.30	5.65
Rice (#2 Buckwheat)	9.05	5.30
Coke	14.00	7.30
Reclaimed coke		
Nut	12.70	6.85
Pea	10.98	6.00

4. Paragraph (f1) is revoked.

5. In paragraph (f2), the first clause is amended to read as follows:

(f2). The prices set forth in paragraphs (c) (1), (d) and (f) for the respective areas and for "direct delivery" and "yard sales" may be increased for sales of "Penn anthracite" by no more than 40 cents per gross ton or 35 cents per net ton for the egg, stove, nut and pea sizes; by no more than 25 cents per gross ton or 20 cents per net ton for the #1 buckwheat; of by no more than 10 cents per net or gross ton for the rice size; if:

6. In paragraph (f3), the numeral 30 is changed to 11 and the numeral 25 is changed to 10.

7. New paragraph (f4) is added to read as follows:

(f4) If bituminous coal from Districts No. 2, 3, 7 or 8 has been subjected to oil or chemical treatment to allay dust or to prevent freezing, the dealer selling such coal may add to the applicable maximum prices set by this Order a treatment charge at the rate of 11 cents per gross ton or 10 cents per net ton. No such charge may be made on sales of a quantity of less than one half net ton. The dealer shall state the treatment charge separately from all other items on his invoice.

This Amendment No. 10 to Revised Order No. 47 shall become effective June 11, 1944, except that where the prices for coke are amended, it shall become effective as of January 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of June, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7991; Filed, June 2, 1944; 11:50 a. m.]

[MPR 120, Order 796]

RUTSTEIN COAL MINING CO. AND HOMESTEAD COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 796 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 9. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

RUTSTEIN COAL MINING CO., BOX 411, MEMPHIS, TENNESSEE, PEWS HILL NO. 2 MINE, 11TH AND/OR 12TH SEAM, MINE INDEX NO. 2009, HOPKINS COUNTY, KY., RAIL SHIPPING POINT: MADISONVILLE, KY., STRIP MINE, MAXIMUM PRICE GROUP NO. 3 FOR RAIL SHIPMENTS AND R. R. FUEL

	Size group Nos.								
	1-2-3-4-5-6	7	8-9-10-11-12	13-14	15-16	17-18-19-20-21-22	23-24	25	26-27-28-29
Rail shipment and railroad fuel	$2.20	$2.10	$2.00	$1.75	$1.25	$2.30	$2.30	$1.65	$1.80

HOMESTEAD COAL CO., 114 W. 11TH ST., KANSAS CITY, 6, MO., HOMESTEAD MINE, NO. 9 SEAM, MINE INDEX NO. 2010, HOPKINS COUNTY, KY., RAIL SHIPPING POINT: EARLINGTON, KY., STRIP MINE, MAXIMUM PRICE GROUP NO. 3 FOR RAIL SHIPMENTS AND R. R. FUEL

	Size group Nos.								
	1-2-3-4-5-6	7	8-9-10-11-12	13-14	15-16	17-18-19-20-21-22	23-24	25	26-27-28-29
Rail shipment and railroad fuel	$2.20	$2.10	$2.00	$1.75	$1.25	$2.30	$2.30	$1.65	$1.80

Prices for truck shipments in District No. 9:

All single-screened lump coals, bottom size larger than 1½" and all double-screened raw, washed or air cleaned coals, bottom size larger than 1½"	$2.80
All single-screened lump coals, bottom size 1½" and smaller, and all double-screened coals, bottom size 1½" and smaller	2.45
Mine run, modified mine run and mine run, resultants larger than 9"	2.35
Screenings, top size not exceeding 9"	2.00

This order shall become effective June 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-8000; Filed, June 2, 1944; 4:16 p. m.]

BLACK CROWN COAL CO., 1706 NORTH BROADWAY, PITTSBURG, KANSAS, NO. 2 MINE, CHEROKEE SEAM, MINE INDEX NO. 2008, CRAWFORD COUNTY, KANSAS, PRODUCTION GROUP NO. 1, RAIL SHIPPING POINT: FRONTENAC, KANSAS, SHAFT MINE

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Rail and truck shipment	$3.85	$3.85	$3.85	$3.85	$3.60	$3.45	$3.30	$3.35	$3.45	$3.20	$2.95	$2.80	$2.80	$2.60	$1.60

Railroad locomotive fuel, All sizes, $3.20.

BURNETT & BURNETT COAL CO., ROUTE NO 1 BOX 79, HARTSHORNE, OKLAHOMA, BURNETT & BURNETT COAL CO. MINE, HARTSHORNE SEAM, MINE INDEX NO. 2009, LATIMER COUNTY, OKLAHOMA, PRODUCTION GROUP NO. 8, RAIL SHIPPING POINT: CAMBRIA, OKLAHOMA, SLOPE MINE

	Size group Nos.								
	1	2	3	4	6	8	9	10	14
Rail and truck shipment	$5.90	$5.90	$5.90	$5.10	$4.60	$3.35	$4.20	$2.25	$1.90

Railroad Locomotive Fuel: All sizes, $5.90.

[MPR 120, Order 797]

BLACK CROWN COAL CO. AND BURNETT & BURNETT COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 797 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *it is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in district No. 15. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

This order shall become effective June 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-7999; Filed, June 2, 1944; 4:15 p. m.]

[MPR 120, Order 798]

RED ASH POCAHONTAS COAL COMPANY

ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MAXIMUM PRICES

Order No. 798 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons given in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

(a) The pile of reject coal of the Red Ash Pocahontas Coal Company, located near the former NYCO Mine in Boone County, West Virginia, Subdistrict No. 4 in District No. 8, is hereby assigned Mine Index No. 7115 and classified in Freight Origin Group No. 123.

(b) The pile of reject coal of the Red Ash Pocahontas Coal Company located near the former NYCO Mine, Boone County, West Virginia, Subdistrict No. 4 in District No. 8, for rail shipment and railroad fuel use shall have the "D" classification and may be sold and purchased at per net ton price not to exceed $2.50.

(c) The maximum prices established herein are f. o. b. the rail shipping point for rail shipment and for railroad fuel.

(d) This order may be revoked or amended at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective June 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of June, 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-8001; Filed, June 2, 1944; 4:16 p. m.]

[MPR 120, Order 799]

AMERICAN FUEL CORPORATION

ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MAXIMUM PRICES

Order No. 799 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons given in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

(a) The pile of reject coal of the American Fuel Corporation located near the former Bethlehem No. 26 Mine in Morgantown, Preston County, West Virginia in District No. 3, is hereby assigned Mine Index No. 2039.

(b) The pile of reject coal of the American Fuel Corporation, Mine Index No. 2039, located near the former Bethlehem No. 26 Mine in Morgantown, Preston County, West Virginia in District No. 3 for rail shipment and for railroad fuel use may be sold and purchased at a per net ton price not to exceed $1.75.

(c) The maximum price established herein is f. o. b. the rail shipping point for rail shipment and for railroad fuel use.

(d) All prayers not granted herein are hereby denied.

(e) This order may be revoked or amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective June 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-8002; Filed, June 2, 1944; 4:16 p. m.]

[RPS 83, Corr. to Order 8]

ELECTROMATIC DISTRIBUTORS, INC.

APPROVAL OF MAXIMUM PRICES

Correction to Order No. 8 under Revised Price Schedule No. 83. Radio receivers and phonographs.

The effective date of Order No. 8 (9 F.R. 4914) is corrected to read as set forth below:

This order shall become effective on the 16th day of May 1944.

Issued this 2d day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-8003; Filed, June 2, 1944; 4:16 p. m.]

[MPR 188, Order 1684]

D. C. DILLON & CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1684 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a safety razor kit manufactured by D. C. Dillon & Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for sales and deliveries by D. C. Dillon and Company, 485 South Twenty-First Street, Irvington, New Jersey, of a safety razor kit called "Plastipak" are those set forth below:

Maximum prices to jobbers:	*Each*
In quantities less than five gross	$0.245
In quantities of more than five gross	.233
Maximum prices to retailers	.294

These prices are f. o. b. factory, subject to a cash discount of 2% for payment within ten days, net thirty days.

(b) The maximum price for all sales of the safety razor kit described in paragraph (a) above, by jobbers who ship from the manufacturer's stock, shall be $0.294 per unit subject to discounts, allowances, and terms no less favorable than those customarily granted by the seller.

(c) The maximum price for sales and deliveries of the safety razor kit described in paragraph (a) above by jobbers who stock the merchandise shall be $0.327 per unit, f. o. b. sellers' city, subject to discounts, allowances, and terms no less favorable than those customarily granted by the seller.

(d) The maximum price for a sale at retail of the safety razor kit described in paragraph (a) above shall be $0.49 per unit.

(e) To every safety razor kit shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price.

(f) At the time of the first invoice after June 5, 1944, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser. Since this order establishes maximum prices for sales by all jobbers including sales by jobbers to jobbers and jobbers to retailers, each jobber who resells the commodity covered by this order must notify his purchaser in writing of the maximum prices established by this order for resales by the purchaser. The written notice may be given in any convenient form.

(g) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(h) This Order No. 1684 may be revoked or amended by the Price Administrator at any time.

This Order No. 1684 shall become effective June 6, 1944.

Issued this 5th day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-8110; Filed, June 5, 1944; 11:52 a. m.]

[Maximum Import Price Reg., Order 17]

MANUREP

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Effect of this order.* This order establishes maximum prices at which the importer may sell, and maximum prices at which wholesalers and retailers may buy and sell, brooms imported from Mexico by Manurep of Mobile, Alabama. These brooms are identified by the label "Made in Mexico, Alberto de Leon, Zaragoza No. 61, Cadereyta, N. L."

(b) *Maximum prices on sales by Manurep.* Manurep may sell such brooms at prices, f. o. b. Mobile, not exceeding $7.00 per dozen for 4-string, $7.75 per dozen for 5-string, and $8.50 per dozen for 6-string. No person may pay Manurep higher prices.

(c) *Maximum wholesale and retail prices.* No wholesaler or retailer may sell, and no person buying from them may pay, prices higher than the following for such brooms;

Class of sellers	Maximum prices f. o. b. seller's shipping point		
	4-string	5-string	6-string
Sales by wholesalers.	$8.05 per doz.	$8.90 per doz.	$9.75 per doz.
Sales by retailers.	$0.89 each..	$0.99 each..	$1.10 each.

(d) *Manurep to notify wholesalers.* Manurep shall furnish a copy of this order to each wholesaler to whom such brooms are sold and shall also include on the invoice the following statement:

The enclosed Order No. 17 issued under the Maximum Import Price Regulation by OPA establishes your maximum selling prices for these brooms and requires you to notify your customers what are their maximum prices as stated in the order.

(e) *Wholesalers to notify retailers.* Every wholesaler selling such brooms shall include on his invoice to each retailer the following statement:

Your maximum selling prices for these brooms, as established by Order No. 17 under the Maximum Import Price Regulation by OPA, are 89¢ each for 4-string, 99¢ each for 5-string, and $1.10 each for 6-string.

(f) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective on June 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 5th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8111; Filed, June 5, 1944; 11:52 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on May 29, 1941.

REGION II

Binghamton Order 1-F, Amendment 8, covering fresh fruits and vegetables in certain areas in New York. Filed 3:35 p. m.

Camden Order W-2-B, covering dry groceries in designated counties in New Jersey. Filed 3:47 p. m.

Maryland Order 1-F, Amendment 8, covering fresh fruits and vegetables in Baltimore, Maryland area. Filed 3:32 p. m.

District of Columbia Order 1-F, Amendment 8, covering fresh fruits and vegetables in the jurisdiction of District of Columbia Office. Filed 3:32 p. m.

District of Columbia Order 2-F, covering fresh fish and seafood in jurisdiction of District of Columbia Office. Filed 3:27 p. m.

Newark Order 4-F, Amendment 2, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 3:38 p. m.

Newark Order 9, covering dry grocery items and certain items of perishables in certain counties in New Jersey.

Philadelphia Order 1-F, Amendment 7, covering fresh fruits and vegetables in Philadelphia, Pennsylvania. Filed 3:40 p. m.

Pittsburgh Order 1-F, Amendment 5, covering fresh fruits and vegetables in Pittsburgh and certain communities in Allegheny County. Filed 3:30 p. m.

Pittsburgh Order 1-F, Amendment 7, covering fresh fruits and vegetables in Pittsburgh and certain communities in Allegheny county. Filed 3:35 p. m.

Scranton Order 3-F, Amendment 2, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 3:42 p. m.

Williamsport Order 1-F, Amendment 8, covering fresh fruits and vegetables in Williamsport, Duboistown and Monoursville, Pennsylvania. Filed 3:33 p. m.

Wilmington Order 2-F, Amendment 6, covering fresh fruits and vegetables in territory between New Castle and Newark—North of Delaware State Line. Filed 3:43 p. m.

REGION III

Detroit Order 1-F, Amendment 17, covering fresh fruits and vegetables in designated counties in Michigan. Filed 3:31 p. m.

REGION VI

Fargo-Moorhead Order Rev. 15, Amendment 2, covering community food prices in Dickinson and Williston, North Dakota. Filed 3:47 p. m.

Fargo-Moorhead Order Rev. 16, Amendment 2, covering community food prices in certain counties in North Dakota. Filed 3:47 p. m.

Fargo-Moorhead Revised Order 17, Amendment 2, covering community food prices in certain counties in North Dakota. Filed 3:46 p. m.

Fargo-Moorhead Revised Order 18, Amendment 2, covering community food prices in certain counties in North Dakota. Filed 3:46 p. m.

Fargo-Moorhead Revised Order 19, Amendment 2, covering community food prices in certain areas in North Dakota. Filed 3:46 p. m.

Fargo-Moorhead Revised Order 20, Amendment 2, covering comunity food prices in certain areas in North Dakota. Filed 3:44 p. m.

Fargo-Moorhead Revised Order 21, Amendment 1, covering community food prices in certain areas in Minnesota. Filed 3:44 p. m.

Fargo-Moorhead Revised Order 22, Amendment 1, covering community food prices in certain areas in Minnesota. Filed 3:44 p. m.

Fargo-Moorhead Revised Order 23, Amendment 1, covering community food prices in certain areas in Minnesota. Filed 3:44 p. m.

Fargo-Moorhead Revised Order 24, Amendment 1, covering community food prices in certain counties in Minnesota. Filed 3:43 p. m.

Sioux City District Order 2-F, Amendment 16, covering fresh fruits and vegetables in Sioux City, Iowa, and South Sioux City, Nebraska. Filed 3:37 p. m.

Springfield Order W-8, covering dry grocery items in Adams, Schuyler, Brown, and Pike Counties, all in Illinois. Filed 3:28 p. m.

Springfield Order W-11, covering dry grocery items in certain counties in Illinois. Filed 3:29 p. m.

Springfield Order 35, covering community food prices in certain counties in Illinois. Filed 3:38 p. m.

Twin Cities District Office Order 2-F, Amendment 3, covering community food prices in certain designated counties in Minnesota and Wisconsin. Filed 3:36 p. m.

Copies of any of these orders may be obtained from the OPA office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-7998; Filed, June 2, 1944; 4:15 p. m.]

[Region VIII Order G-6 Under MPR 418]

FRESH FISH AND SEAFOOD IN SAN FRANCISCO REGION

Order No. G-6 under Maximum Price Regulation No. 418, as amended. Fresh fish and seafood.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by section (d) and section 20 (a) of Maximum Price Regulation No. 418, as amended, it is hereby ordered:

(a) *Listed fresh fish and seafood items.* The items covered by this order, hereafter referred to as "listed fresh fish and seafood items," are: barracuda, California halibut, black sea-bass, white sea-bass (including Mexican sea-bass or totuava), rock bass (including cabrilla), live crab, cooked crab in shell, and crabmeat. This order shall apply to Region VIII of the Office of Price Administration.

(1) *Sales by producers.* The maximum prices for such sales of listed fresh fish and seafood items shall be as set forth in Table A of Appendix A.

(2) *Sales by primary fish shipper wholesalers*—(i) *Undelivered.* The maximum prices for such sales of listed fresh fish and seafood items shall be as set forth in Table B of Appendix A.

(ii) *Delivered*—(a) *At ports of entry.* The maximum prices for such sales of listed fresh fish and seafood items shall be as set forth in Table B of Appendix A.

(b) *To localities other than ports of entry.* The maximum prices for such sales of listed fresh fish and seafood items shall be the prices at the basing point port of entry specified in Table B of Appendix A for the particular fresh fish and seafood item, plus freight to the purchaser's place of business. Where more than one basing point port of entry is specified for the same item the maximum price shall be the lowest amount resulting when prices are computed according to this method from each of such basing points.

(3) *Sales by wholesalers other than primary fish shipper wholesalers to other wholesalers.* The maximum prices for such sales of listed fresh fish and seafood items shall be the applicable prices as set forth in paragraph (a) (2) above plus one cent per pound.

(4) *Sales by all other wholesalers except to other wholesalers*—(i) *Undelivered*—(a) *At ports of entry.* The maximum prices for such sales of listed fresh fish and seafood items shall be as set forth in Table D of Appendix A.

(b) *At localities other than ports of entry.* The maximum prices for such sales of listed fresh fish and seafood items shall be the maximum prices at the basing point port of entry specified for the particular fresh fish or seafood item plus freight from the basing point port of entry to the wholesaler's place of business. Where more than one basing point port of entry is specified, the maximum price shall be the lowest amount resulting when prices are computed according to this method from each of such basing point ports of entry.

(ii) *Delivered*—(a) *Deliveries by common carrier.* The maximum prices for such sales of listed fresh fish and seafood items shall be the applicable prices for undelivered sales as specified in subparagraph (4) (i) (a) or (4) (i) (b) above plus actual transportation charges to the premises of the buyer.

(b) *Deliveries by means other than common carrier.* The maximum prices for such sales of listed fresh fish and seafood items shall be the applicable prices for undelivered sales as specified in subparagraph (4) (i) (a) or (4) (i) (b) above plus a transportation allowance calculated from the wholesaler's place of business as follows:

Deliveries made:	Cents per pound
Within the local delivery zone	0.01
Beyond the boundary of local delivery zone but not exceeding 50 miles	.015
More than 50 but not exceeding 100 miles	.0175
More than 100 but not exceeding 175 miles	.02
More than 175 miles	.0225

(5) *Additions to maximum prices*—(i) *Broken-lot charges.* When wholesalers other than primary fish shipper wholesalers pack listed fresh fish or seafood items for shipment to retailers or purveyors of meals in amounts less than 75 pounds, consisting of at least two varieties, a charge of ½ cent per pound may be added to the maximum prices established under subparagraphs (3) and (4) above.

(ii) *Container charges.* When any seller buys listed fresh fish or seafood items in containers, he may add to the maximum prices established for his sales the amount of container charges paid by him, up to one and one-half cents per pound, except that when any seller packs or repacks listed fresh fish or seafood items in containers other than those in which the items were bought by him, he may add to the established maximum prices container charges, computed according to the following table:

Size container (lb.):	Cents allowance
5	1¾
10	1½
15	1
20	1
50	1½
75	1¼
100	1
150	¾
200	⅝
250	½
300	½

The weight of the fish packed shall be multiplied by the cents allowance for the container in which the fish is packed, except that when the weight of the fish packed exceeds the weight specified for the particular container, the weight specified for the container shall be multiplied by the cents allowance. For any size container not listed in this section, the maximum charges shall be the charge established for the nearest size container listed. Any seller who processes listed fresh fish or seafood items which he purchased in containers may add to the established maximum prices amounts not to exceed three cents per pound which will enable him to recover the full amount of the container charge paid by him.

(b) *Definitions.* (1) Barracuda means all types of barracuda (Sphyraenidae) caught off the Pacific coast.

(2) California halibut means those species of the flounder family (Paralichthys californicus) caught off the Pacific Coast including what is commonly called bastard halibut, southern halibut, alabato.

(3) Black sea-bass means those fish caught off the Pacific Coast belonging to the sea-bass family (Serranidae) commonly known as jewfish or giant bass.

(4) White sea-bass means those fish caught off the Pacific Coast of the species Cynoscion nobilis and including those commonly known as Mexican sea-bass, corbina, or totuava (totoaba).

(5) Rock bass means those fish caught off the Pacific Coast belonging to the family Serranidae and commonly known as rock bass, kelp bass, sand bass, cabrilla, and johnny verde.

(6) Crab means all crab caught off the Pacific Coast.

(7) Local delivery zone for any wholesaler means that area contained within the city limits of the locality where the wholesaler's place of business is located, except that:

(i) The Portland, Oregon, local delivery zone shall include the area within the city limits of Portland, North Portland, and Faloma, Oregon, and Vancouver, Washington.

(ii) The Oakland, California, local delivery zone shall include the cities of Oakland, Alameda, Berkeley, Emeryville, and Albany, California.

(iii) The Los Angeles, California, local delivery zone shall be that area within a radius of twenty miles from the Los Angeles City Hall, plus that portion of the City of Los Angeles outside such area, except that area included within the San Pedro local delivery zone.

(iv) The San Pedro, California, local delivery zone shall be that area within Los Angeles County south of Roosevelt Highway and the southern boundary of Redondo Beach.

(8) A port of entry shall mean any place at which fish are landed by fishermen, except that in the case of imported fish a port of entry shall mean the place at which the fish enter the United States.

(9) Freight means cost of transportation by the cheapest available method of transportation, not to exceed, however, the lowest available common carrier rate. Freight charges may include the actual cost of refrigeration and other protective services, but not local cartage or unloading. The transportation tax imposed by section 620 of the Revenue Act of 1942 may be added.

(10) Producer shall mean any person as defined in section 18 of Article III of Maximum Price Regulation No. 418, as amended, except that in the case of imported fish, the importer or the agent of any foreign seller shall be considered to be a producer.

(11) Delivered means physical transportation of any listed fresh fish and seafood item to the premises of the buyer, except in the case of shipment by rail.

(12) Undelivered means any sale other than a delivered sale.

(13) Region VIII of the Office of Price Administration means the States of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River, and the following Counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce and Shoshone.

(14) All other terms used in this order shall have the same meaning as set forth in Maximum Price Regulation No. 418, as amended, unless the context clearly otherwise requires.

(c) *General provisions.* The provisions of Maximum Price Regulation No. 418, as amended, contained in section 9 (Sales to Government agencies), section 12 (Relation to other regulations), Article II (Record keeping and enforcement), Article III (Miscellaneous provisions), apply to this order, to the extent that they are applicable.

(d) This order may be revoked, amended, or corrected at any time.

This order shall become effective May 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 18th day of May 1944.

L. F. GENTNER,
Regional Administrator.

TABLE C—MAXIMUM PRICES FOR SALES OF LISTED FRESH FISH AND SEAFOOD BY WHOLESALERS[1]

Ports of entry[2]

Item	Style of dressing	All ports in southern Calif.[3]	Monterey, Calif.	San Francisco, Calif.	Eureka, Calif.	Nogales, Ariz.
Barracuda	Round	$0.155				
	Drawn	.1775				
	Dressed	.20				
	Dressed, collars off	.2425				
	Fillet	.3125				
California halibut	Round	.165	$0.17	$0.175		
	Drawn	.195	.2025	.2075		
	Dressed	.2425	.253	.2625		
	Dressed, collars off	.2675	.28	.30		
	Fillet	.37	.38			$0.12
Black Sea-bass	Round	.13				.1425
	Drawn	.1575				.17
	Dressed	.2075				.2225
	Fillet	.3075	.16	.17	$0.16	.1575
White Sea-bass	Drawn	.17	.1675	.1675	.1675	.1825
	Dressed	.1975	.2075	.2075	.2075	.2075
	Dressed, collars off	.2175	.2275	.2275	.2275	.2275
	Fillet, skin on	.2875	.2925	.2925	.2925	.2975
	Fillet, skinless	.3525				.3525
Rock bass	Round	.155				.14
	Drawn	.1875				.1725
	Dressed	.2275				.2125
	Fillet	.43				.38

[1] Prices in cents per pound.
[2] Maximum prices at all other ports of entry shall be the maximum prices established for the nearest port of entry listed.
[3] Basing points for table D: (a) For sales of barracuda and California halibut, San Diego and San Pedro shall be basing points for all localities in Region VIII, except that Santa Barbara shall be a basing point for localities in the counties of Santa Barbara and San Luis Obispo and Ventura in the State of California. (b) For sales of rock bass, San Diego and San Pedro shall be basing points for all localities in Region VIII, except that Santa Barbara shall be a basing point for localities in the counties of Santa Barbara, San Luis Obispo, and Ventura in the State of California, and San Pedro shall be a basing point for localities in the State of Arizona. (c) For sales of white sea-bass, San Diego and San Pedro shall be basing points for all localities in Region VIII, except Arizona, and Nogales shall be a basing point for localities in the State of Arizona. (d) For sales of black sea-bass, San Diego and San Pedro shall be basing points for all localities in Region VIII, except that Santa Barbara shall be a basing point for localities within the counties of Santa Barbara, San Luis Obispo, and Ventura in the State of California, Nogales shall be a basing point for localities within the State of Arizona.
[4] Maximum prices for steaks or slices shall be the price for dressed or dressed collars off, of the particular species.

APPENDIX A

TABLE A—MAXIMUM PRICES FOR SALES OF LISTED FRESH FISH AND SEAFOOD ITEMS BY PRODUCERS[1]

Ports of entry[2]

Item	Style of dressing	All ports in southern Calif.[3]	Monterey, Calif.	San Francisco, Calif.	Eureka, Calif.	Nogales, Ariz.
Barracuda	Round	$0.13				
	Drawn	.1475				
	Dressed	.165				
	Dressed, collars off	.1875				
	Fillet	.265				
California halibut	Round	.145	$0.13	$0.135		
	Drawn	.165	.16	.165		
	Dressed	.1875	.1825	.1825		
	Dressed, collars off	.205				
	Fillet	.295				$0.06
Black Sea-bass	Round	.085				.095
	Drawn	.1275				.1325
	Dressed	.1625	.1625	.1625	$0.1625	.1675
	Fillet	.23	.23	.23	.23	.235
White Sea-bass	Drawn	.13	.14	.14	.14	.135
	Dressed	.165	.1525	.165	.1525	.15
	Dressed, collars off	.115				.125
	Fillet	.17				.155

[1] Prices in cents per pound. Maximum prices are for sales ex-vessel; for boxed fish a charge of 1¢ per pound may be added to the maximum prices established.
[2] Maximum prices at all other ports of entry shall be the maximum prices established for the nearest port of entry listed.
[3] Southern California includes that portion of the coast of the State of California south of the southern boundary of Monterey County.

TABLE B—MAXIMUM PRICES FOR SALES OF LISTED FRESH FISH AND SEAFOOD BY PRIMARY FISH SHIPPERS

Ports of entry[2]

Item	Style of dressing	All ports in southern California.[3]	Monterey, Calif.	San Francisco, Calif.	Eureka, Calif.	Nogales, Ariz.
Barracuda	Round	$0.135				
	Drawn	.155				
	Dressed	.175				
	Dressed, collars off	.1925				
	Fillet	.275				
California Halibut	Round	.145	$0.15	$0.155		
	Drawn	.1725	.18	.185		
	Dressed	.1975	.205	.215		
	Dressed, collars off	.23	.2275	.2375		
	Fillet	.3375	.3375	.3475		
Black Sea-bass	Round	.11				$0.10
	Drawn	.1375				.12
	Dressed	.1675				.1425
	Fillet	.2625	.115	.1225	$0.115	.1125
White Sea-bass	Drawn	.15	.14	.15	.14	.1375
	Dressed	.175	.165	.175	.165	.16
	Dressed, collars off	.1925	.18	.1925	.18	.1775
	Fillet, skin on	.265	.2525	.265	.2525	.2675
	Fillet, skinless	.31	.2925	.31	.2925	.2875
Rock bass	Round	.1325				.12
	Drawn	.165				.15
	Dressed	.20				.185
	Fillet	.37				.33

[1] Prices in cents per pound.
[2] Maximum prices at all other ports of entry shall be the maximum prices established for the nearest port of entry listed.
[3] Basing points for table B: (a) For sales of barracuda and California halibut, San Diego and San Pedro shall be basing points for all localities in Region VIII, except that Santa Barbara shall be a basing point for localities in the counties of Santa Barbara and San Luis Obispo and Ventura in the State of California. (b) For sales of rock bass, San Diego and San Pedro shall be basing points for all localities in Region VIII, except that Santa Barbara shall be a basing point for localities in the counties of Santa Barbara, San Luis Obispo, and Ventura in the State of California, and San Pedro shall be a basing point for localities in the State of Arizona. (c) For sales of white sea-bass, San Diego and San Pedro shall be basing points for all localities in Region VIII, except Arizona, and Nogales shall be a basing point for localities in the State of Arizona. (d) For sales of black sea-bass, San Diego and San Pedro shall be basing points for all localities in Region VIII, except that Santa Barbara shall be a basing point for localities within the counties of Santa Barbara, San Luis Obispo, and Ventura in the State of California, Nogales shall be a basing point for localities within the State of Arizona.

TABLE A—MAXIMUM PRICES FOR SALES OF LISTED FRESH FISH AND SEAFOOD ITEMS BY PRODUCERS[1]

Item	Style of dressing	Port of entry[2]	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Crab	Live	All in Oregon and Washington[3]	$0.10	$0.08	$0.08	$0.07	$0.07	$0.07	$0.08	$0.08	$0.08	$0.08	$0.08	$0.10
		All in Washington[3]	$1.75 per dozen all months											
		Seattle, Wash., and Portland, Oreg.	$0.1125	$0.0925	$0.0925	$0.0625	$0.0625	$0.0825	$0.0925	$0.0925	$0.0925	$0.0925	$0.0925	$0.1125
		Crescent City, Calif.						$0.10 all months						
		Eureka, Calif.						.105 all months						
		San Francisco, Calif.						.12 all months						
		Bodega Bay, Calif.						.11 all months						
		Monterey, Calif.						.11 all months						
		Half Moon Bay, Calif.						.11 all months						
		Point Reyes, Calif.						.11 all months						
	Cooked in Shell	All in Oregon and Washington[3]	$0.13	$0.11	$0.11	$0.0975	$0.0975	$0.0975	$0.11	$0.11	$0.11	$0.11	$0.11	$0.13
		Seattle, Wash., and Portland, Oreg.	.1475	.125	.125	.1125	.1125	.1125	.125	.125	.125	.125	.125	.1475
		Crescent City, Calif.						$0.13 all months						
		Eureka, Calif.						.1375 all months						
		San Francisco, Calif.						.155 all months						
		Bodega Bay, Calif.						.1425 all months						
		Monterey, Calif.						.1425 all months						
		Half Moon Bay, Calif.						.1425 all months						
		Point Reyes, Calif.						.1425 all months						

[1] Prices are per pound, except where otherwise indicated. Maximum prices are for sales ex-vessel; for boxed fish a charge of 1¢ per pound may be added to the maximum prices established.
[2] Maximum prices at all other ports of entry shall be the maximum prices established for the nearest port of entry listed.
[3] Except Seattle, Washington, and Portland, Oregon.

TABLE B—MAXIMUM PRICES FOR SALES OF LISTED FRESH FISH AND SEAFOOD ITEMS BY PRIMARY FISH SHIPPER WHOLESALERS[1]

Item	Style of dressing	Port of entry[2]	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Crab	Live	All in Oregon and Washington[3]	$0.12	$0.10	$0.10	$0.09	$0.09	$0.09	$0.10	$0.10	$0.10	$0.10	$0.10	$0.12
		Seattle, Wash., and Portland, Oreg.	.1325	.1125	.1125	.1025	.1025	.1025	.1125	.1125	.1125	.1125	.1125	.1325
		Crescent City, Calif.						$0.12 all months						
		Eureka, Calif.						.125 all months						
		San Francisco, Calif.						.14 all months						
		Monterey, Calif.						.13 all months						
	Cooked in shell	All in Oregon and Washington[3]	.155	.135	.135	.1225	.1225	.1225	.135	.135	.135	.135	.135	.155
		Seattle, Wash., and Portland, Oreg.	.1725	.15	.15	.1375	.1375	.1375	.15	.15	.15	.15	.15	.1725
		Crescent City, Calif.						$0.155 all months						
		Eureka, Calif.						.1625 all months						
		San Francisco, Calif.						.15 all months						
		Monterey, Calif.						.1725 all months						
Crabmeat		All in Oregon and Washington[3]						$0.73 all months						
		Eureka, Calif., Seattle, Wash. and Portland, Oreg.						.75 all months						
		San Francisco, Calif.						.77 all months						

[1] Prices in cents per pound unless otherwise indicated.
[2] Maximum prices at all other ports shall be the maximum prices established for the nearest port of entry listed.
[3] Except Seattle, Washington, and Portland, Oregon.

NOTE: Basing points for Table B:
(a) For sales of live crab and cooked crab in shell, Seattle shall be the basing point for localities in the State of Washington, except Klickitat, Wahkiakum, Skamania, and Cowlitz counties; all ports of entry in Oregon shall be basing points for localities in the State of Oregon west of the summit of the Coast Range; Portland shall be a basing point for localities in the State of Oregon east of the summit of the Coast Range and for localities in Klickitat, Wahkiakum, Skamania, and Cowlitz counties; Eureka and San Francisco shall be basing points for localities in California, Nevada, and Arizona.
(b) For sales of crabmeat, Seattle, Portland, and Eureka shall be basing points for all localities in Region VIII.

TABLE D—MAXIMUM PRICES FOR SALES OF LISTED FRESH FISH AND SEAFOOD BY WHOLESALERS OTHER THAN PRIMARY FISH SHIPPER WHOLESALERS[1]

Item	Style of dressing	Port of entry[2]	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Crab	Live	All in Oregon & Washington[3]	$0.14	$0.12	$0.12	$0.11	$0.11	$0.11	$0.12	$0.12	$0.12	$0.12	$0.12	$0.14
		Seattle, Wash. & Portland, Oreg.	.1525	.1325	.1325	.1225	.1225	.1225	.1325	.1325	.1325	.1325	.1325	.1525
		Crescent City, Calif.						$0.14 all months						
		Eureka, Calif.						.145 all months						
		San Francisco, Calif.						.16 all months						
		Monterey, Calif.						.155 all months						
	Cooked in shell	All in Oregon & Washington[3]	.175	.155	.155	.1425	.1425	.1425	.155	.155	.155	.155	.155	.175
		Seattle, Wash. & Portland, Oreg.	.1925	.17	.17	.1575	.1575	.1575	.17	.17	.17	.17	.17	.1925
		Crescent City, Calif.						$0.175 all months						
		Eureka, Calif.						.1825 all months						
		San Francisco, Calif.						.20 all months						
		Monterey, Calif.						.1925 all months						
Crabmeat		All in Oregon & Washington[3]						.83 all months						
		Eureka, Calif., Seattle, Washington, & Portland, Oregon.						.85 all months						
		San Francisco, Calif.						.87 all months						

[1] Prices in cents per pound unless otherwise indicated.
[2] Maximum prices at all other ports shall be the maximum prices established for the nearest port of entry listed.
[3] Except Seattle, Washington, and Portland, Oregon.

NOTE: Basing points for Table D.
(a) For sales of live crab and cooked crab in shell, Seattle shall be the basing point for localities in the State of Washington, except for Klickitat, Wahkiakum, Skamania, and Cowlitz counties; all ports of entry in Oregon shall be basing points for localities in the State of Oregon west of the summit of the Coast Range; Portland shall be a basing point for localities in the State of Oregon east of the summit of the Coast Range and for localities in Klickitat, Wahkiakum, Skamania, and Cowlitz counties; Eureka and San Francisco shall be basing points for localities in California, Nevada, and Arizona.
(b) For sale of crabmeat, Seattle, Portland, and Eureka shall be basing points for all localities in Region VIII.

[F. R. Doc. 44-7390; Filed, May 23, 1944; 4:55 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on May 30, 1944.

REGION II

New York Order 1–F, Amendment 9, covering fresh fruits and vegetables in certain counties in New York State, filed 10:20 a. m.

Pittsburgh Order 1–F, Amendment 6, covering fresh fruits and vegetables in City of Pittsburgh and certain communities in Alleghany County, filed 10:24 a. m.

Newark Order 1–P, Amendment 4, covering fresh fish and seafood in certain named counties in New Jersey, filed 10:35 a. m.

Binghamton Order 10, covering community food prices in certain counties of New York, filed 10:14 a. m.

Wilmington Order P–1, Amendment 3, covering fresh fish and seafood in that part of Delaware lying north of the Chesapeake and Delaware Canal, filed 10:38 a. m.

Wilmington Order 11, covering dry grocery items in that part of Delaware north of the Chesapeake and Delaware Canal, filed 10:37 a. m.

Wilmington Order 12, covering certain dry grocery items in that part of Delaware south of the Chesapeake and Delaware Canal, filed 10:36 a. m.

Trenton Order 2–W, covering dry grocery items in certain areas in New Jersey, filed 10:22 a. m.

Trenton Order 13, Amendment 1, covering community food prices in certain areas in New Jersey, filed 10:21 a. m.

Trenton Order 14, Amendment 1, covering community food prices in certain counties in New Jersey, filed 10:21 a. m.

Maryland Order P–1, Amendment 4, covering fresh fish and seafood in Baltimore, Maryland area, filed 9:46 a. m.

Maryland Order 18, covering community food prices in Baltimore, Maryland area, filed 9:43 a. m.

Maryland Order 20, covering community food prices in Allegany, Garrett, and Washington counties, Maryland, filed 9:44 a. m.

Maryland Order 21, covering community food prices in certain counties in Maryland, filed 9:44 a. m.

Maryland Order 22, covering community food prices in the State of Maryland, filed 10:38 a. m.

REGION III

Charleston Order 1–F, Amendment 27, covering fresh fruits and vegetables in certain counties in West Virginia, filed 10:09 a. m.

Charleston Order 1–F, Amendment 28, covering fresh fruits and vegetables in Kanawha County and City of Montgomery, Fayette County, West Virginia, filed 10:19 a. m.

Charleston Order 3–F, Amendment 21, covering fresh fruits and vegetables in Brooke, Hancock, Marshall, Ohio, filed 10:10 a. m.

Charleston Order 3–F, Amendment 22, covering fresh fruits and vegetables in certain counties in West Virginia, filed 10:18 a. m.

Charleston Order 6–F, Amendment 15, covering fresh fruits and vegetables in McDowell, Mercer and Wyoming counties, West Virginia, filed 10:11 a. m.

Charleston Order 7–F, Amendment 8, covering fresh fruits and vegetables in certain counties of West Virginia, filed 9:48 a. m.

Charleston Order 7–F, Amendment 9, covering fresh fruits and vegetables in certain counties of West Virginia, filed 10:17 a. m.

Charleston Order 8–F, Amendment 8, covering fresh fruits and vegetables in certain counties in West Virginia, filed 9:47 a. m.

Charleston Order 8–F, Amendment 9, covering fresh fruits and vegetables in certain counties in West Virginia, filed 10:17 a. m.

Charleston Order 9–F, Amendment 7, covering fresh fruits and vegetables in certain counties in West Virginia, filed 10:14 a. m.

Charleston Order 9–F, Amendment 8, covering fresh fruits and vegetables in Cabell County and the City of Huntington in Wayne County, West Virginia, filed 9:49 a. m.

Charleston Order 10–F, Amendment 7, covering fresh fruits and vegetables in certain counties in West Virginia, filed 10:12 a. m.

Charleston Order 10–F, Amendment 8, covering fresh fruits and vegetables in certain counties in West Virginia, filed 9:49 a. m.

Charleston Order 11–F, covering fresh fruits and vegetables in Berkeley, Jefferson and Morgan Counties, West Virginia, filed 10:07 a. m.

Charleston Order 11–F, Amendment 1, covering fresh fruits and vegetables in Berkeley, Jefferson and Morgan Counties, West Virginia, filed 10:05 a. m.

REGION IV

South Carolina Order 13, covering certain poultry items in South Carolina, filed 10:23 a. m.

Roanoke Order 1–F, Amendment 16, covering fresh fruits and vegetables in certain areas in Virginia, filed 10:26 a. m.

Memphis Order 4–F, Amendment 35, covering community food prices in the City of Memphis and County of Shelby in the State of Tennessee, filed 10:27 a. m.

REGION V

Oklahoma City Order 2–F, Amendment 5, covering fresh fruits and vegetables in certain areas in Oklahoma, filed 10:27 a. m.

New Orleans Order 2–F, Amendment 20, covering fresh fruits and vegetables in the Parishes of Orleans, St. Bernard and Jefferson in the State of Louisiana, filed 10:28 a. m.

Kansas City Order 1–W, Amendment 2, covering community food prices in certain areas in Missouri and Kansas, filed 10:29 a. m.

Kansas City Order G–15, Amendment 3, covering community food prices in the Kansas City District, filed 10:30 a. m.

Kansas City Order G–16, Amendment 3, covering community food prices in the Kansas City district, filed 10:29 a. m.

Arkansas Order G–19, covering certain dry grocery items in Arkansas except for certain counties, filed 10:08 a. m.

REGION VI

Springfield Order W–7, covering dry grocery items in Cass, Christian, DeWitt, Logan, Macon, Menard, Morgan, Sangamon, Scott, and Shelby Counties, all in Illinois, filed 10:06 a. m.

Springfield Order W–9, covering dry grocery items in certain counties in Illinois, filed 10:30 a. m.

Springfield Order W–10, covering dry grocery items in certain counties in Illinois, filed 10:31 a. m.

Springfield Order W–12, covering dry grocery items in Champaign, Douglas, Edgar, Moultrie, Piatt, and Vermillion Counties, all in Illinois, filed 10:32 a. m.

Springfield Order 32, covering community food prices in certain counties in Illinois, filed 10:33 a. m.

Springfield Order 33, covering community food prices in certain counties in Illinois, filed 10:34 a. m.

Twin Cities Order 2–W (Revocation of), covering community food prices in the "Twin Cities Area", filed 10:15 a. m.

REGION VIII

Nevada Order 15, Amendment 1, covering community food prices in certain areas in Nevada, filed 10:13 a. m.

Copies of any of these orders may be obtained from the OPA office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–8062; Filed, June 3, 1944; 4:38 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on May 31, 1944.

REGION I

Concord Order 1–W, Amendment 1, covering dry groceries wholesale in the State of New Hampshire, filed 10:39 a. m.

Concord Order II, Amendment 1, covering certain food items in the State of New Hampshire, filed 10:37 a. m.

REGION II

Scranton Order 3–F, Amendment 1, covering fresh fruits and vegetables in Carbon, Columbia, Lackawanna, Luzerne, Monroe, Schuylkill, Wyoming in the State of Pennsylvania, filed 10:39 a. m.

Scranton Order P–3, covering fresh fish and seafood in Lackawanna, Luzerne and the City of Pottsville in Schuylkill County in the State of Pennsylvania, filed 10:26 a. m.

Scranton Order 11, covering dry grocery items in certain counties in Pennsylvania, filed 10:25 a. m.

Syracuse Order P–2, covering fresh fish and seafood in Syracuse, Rome, Utica, Watertown, Oswego and Auburn, in the State of New York, filed 10:29 a. m.

Syracuse Order P–3, covering fresh fish and seafood in certain areas in the State of New York, filed 10:28 a. m.

Trenton Order P–2, covering fresh fish and seafood in Mercer, Hunterdon, Ocean, Middlesex, Monmouth, Warren and all of Somerset County, except that portion comprising the Borough of North Plainfield, in the State of New Jersey, filed 10:24 a. m.

Trenton Order 13, covering community food prices in the Counties of Mercer, Hunterdon and Ocean, in the State of New Jersey, filed 10:30 a. m.

REGION III

Columbus Order 3–F, Amendment 24, covering fresh fruits and vegetables in Columbus and Franklin County, Ohio, filed 10:31 a. m.

Indianapolis Order 4–F, Amendment 14, covering fresh fruits and vegetables in Marion, Tippecanoe and Vigo Counties, Indiana, filed 10:40 a. m.

Indianapolis Order 5–F, Amendment 14, covering fresh fruits and vegetables in Wayne, Delaware, and Allen Counties, Indiana, filed 10:40 a. m.

Indianapolis Order 6–F, Amendment 14, covering fresh fruits and vegetables in St. Joseph County, Indiana, filed 10:41 a. m.

Indianapolis Order 7–F, Amendment 1, covering fresh fruits and vegetables in Vanderburgh County, Indiana, filed 10:42 a. m.

Indianapolis Order 8–F, Amendment 14, covering fresh fruits and vegetables in Central Indiana, filed 10:42 a. m.

Indianapolis Order 9–F, Amendment 14, covering fresh fruits and vegetables in Southwestern and Northeastern Indiana, filed 10:43 a. m.

Indianapolis Order 10–F, Amendment 14, covering fresh fruits and vegetables in Northwestern Indiana, filed 10:44 a. m.

Indianapolis Order 11–F, Amendment 14, covering fresh fruits and vegetables in Southeastern Indiana, filed 10:45 a. m.

Saginaw Order 2–F, Amendment 17, covering fresh fruits and vegetables in Saginaw, Genesee, Bay, Midland, Shiawassee, Tuscola and Lapeer, Michigan, filed 10:45 a. m.

Saginaw Order 2–F, Amendment 18, covering fresh fruits and vegetables in Saginaw, Genesee, Bay, Midland, Shiawassee, Tuscola and Lapeer, Michigan, filed 10:46 a. m.

Saginaw Order 2–F, Amendment 19, covering fresh fruits and vegetables in Saginaw, Genesee, Bay, Midland, Shiawassee, Tuscola and Lapeer, Michigan, filed 10:47 a. m.

REGION IV

Charlotte Order 13, covering community food prices in certain named counties in the State of North Carolina, filed 10:23 a. m.

REGION V

Dallas Order G–18, covering community food prices in certain named counties in Texas, filed 10:37 a. m.

Arkansas Order G–17, covering dry grocery items in the State of Arkansas, filed 10:35 a. m.

Arkansas Order 2–W, covering community food prices in the State of Arkansas, filed 10:34 a. m.

REGION VI

Springfield Order 31, covering community food prices in certain areas in Illinois, filed 10:32 a. m.

Des Moines Order 1–F, Amendment 16, covering fresh fruits and vegetables in the Des Moines Area, filed 10:31 a. m.

REGION VIII

Seattle Order 1–P, Amendment 5, covering fresh fish and seafood in Seattle, Washington, filed 10:33 a. m.

Spokane Order 27, Amendment 2, covering community food prices in certain areas of Latah County, Idaho, and Whitman County, Washington, filed 10:20 a. m.

Spokane Order 23, Amendment 2, covering community food prices in Benton and Franklin Counties, Washington, filed 10:22 a. m.

Phoenix Order 1–B, Amendment 1, covering community food prices in the Kingman area, filed 10:33 a. m.

Phoenix Order 1–B, covering community food prices in the Phoenix area, filed 10:21 a. m.

Copies of any of these orders may be obtained from the OPA office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–8112; Filed, June 5, 1944; 11:49 a. m.]

OFFICE OF WAR MOBILIZATION.

[Directive Order 6]

SETTLEMENT OF CLAIMS UNDER TERMINATED FIXED PRICE ORDERS OR SUBCONTRACTS

STATEMENT OF POLICY BY JOINT CONTRACTS TERMINATION BOARD MADE EFFECTIVE

The statement of policy adopted by the Joint Contract Termination Board concerning Settlement of Claims Under Terminated Fixed Price Orders or Subcontracts for the Manufacture of Supplies Under Government War Contracts is made effective for use by the War, Navy and Treasury Departments, the Maritime Commission, Smaller War Plants Corporation, Defense Plant Corporation, Defense Supplies Corporation, Metals Reserve Company, Rubber Reserve Company and Foreign Economic Administration. These agencies will recommend to contractors and subcontractors the use, in accordance with the Statement of Policy, of Exhibit A attached thereto, which is an Approved Termination Provision for Use in Fixed Price Orders or Subcontracts for the Manufacture of Supplies Under Government War Contracts. Other departments or agencies of the Government administering the settlement of terminated war contracts will follow the statement of policy and will recommend use of the exhibit to the extent they deem it practicable to do so.

JAMES F. BYRNES,
Director.

MAY 29, 1944.

STATEMENT OF POLICY CONCERNING SETTLEMENT OF CLAIMS UNDER TERMINATED FIXED PRICE ORDERS OR SUBCONTRACTS FOR THE MANUFACTURE OF SUPPLIES UNDER GOVERNMENTS WAR CONTRACTS

29 May 1944.

1. Procedures for the expeditious settlement of subcontracts on a fair basis are essential. Delay in the settlement of subcontractor to perform further war work and would seriously interfere with quick transition to peacetime production when the war is over. The settlement of subcontracts will be greatly facilitated by the adoption of an approved form of termination article for use in subcontracts and by the establishment of uniform general principles governing the settlement and payment of claims of subcontractors.

2. The Uniform Termination Article for Fixed Price Supply Contracts made effective by order of the Office of War Mobilization dated 8 January 1944[1] requires the prime contractor, on notice of termination, to terminate all subcontracts and purchase orders chargeable to the contract, except as otherwise directed by the notice. The Article requires that settlements of subcontracts and purchase orders made by prime contractors shall be approved or ratified by the contracting officer only if and to the extent that the contracting officer may require.

3. It is the policy of the Government to favor the settlement of first tier or more remote subcontracts or purchase orders on the basis of the rights and principles embodied in the "Approved Termination Provision for Use in Fixed Price Orders or Subcontracts for the Manufacture of Supplies under Government War Contracts" hereto attached as Exhibit A. Exhibit A is recommended for use in first tier or more remote fixed price subcontracts or purchase orders for the manufacture of supplies under Government war contracts. Exhibit A sets forth in short form the same general principles as the Uniform Termination Article for use in Fixed Price Supply Contracts made effective by the Office of War Mobilization on 8 January 1944. For the sake of brevity, Exhibit A omits certain provisions of the Uniform Termination Article which may be appropriate for, and which contractors may desire to incorporate in, particular subcontracts, as for instance the provision of paragraph (f) for a proper adjustment, in the case of partial termination, in the price of work not terminated, or the provision of paragraph (g) for partial payments. The Statement of Principles for Determination of Costs upon Termination of Government Fixed Price Supply Contracts, made effective by the Office of War Mobilization on the same date, will be recognized by the Government as representing "recognized commercial accounting practices" as that term is used in Exhibit A. Other Governmental policies applicable to the Uniform Termination Article will also be recognized as applying to Exhibit A, as for example the policy against reimbursing contractors *at the contract rate* on termination for completed undelivered articles which represent unreasonable anticipations of production schedules, and the policy against taking advantage of technical defaults when the real reason for termination is the termination of a prime contract by the Government.

[1] 9 F.R. 478, 2251.

4. It is the policy of the Government to encourage the use of the process of negotiation for settlement of terminated subcontracts to the same extent as for settlement of terminated prime contracts, and subject to substantially the same general principles. Such settlements will be reviewed in the manner and to the extent indicated in paragraphs 5 and 6, and will be approved if found to be fair and reasonable. The Government reserves the right to determine whether the basis of the settlement and the amount agreed upon are fair and reasonable. Settlements based upon reasonable estimates by the parties of the aggregate amount which would be due under subparagraphs (1), (2) and (3) of paragraph (b) of Exhibit A will be considered fair and reasonable.

5. When settlements of subcontracts are submitted to the contracting officer for approval or ratification, they should be treated like any other element of cost in a prime contractor's settlement proposal, and procedures determining the extent to which they will be scrutinised should recognise the necessity for the accomplishment of speedy and final settlement as well as the protection of the interests of the Government. A high degree of reliance must and should be placed upon the investigation made by the contractor of the basis for the settlement. The procuring agency has, of course, the right, where circumstances indicate the necessity for so doing, to make full investigation of the settlement of any first tier or more remote subcontract.

6. If settlements are to be effected with the necessary speed, it will obviously be impracticable for all procuring agencies to review every settlement of subcontracts and purchase orders in every tier. Therefore, whenever and as long as the procuring agency is satisfied that the procedures and personnel employed by a prime contractor in making settlement with subcontractors are adequate, the procuring agency may provide for the payment of any settlement made by the prime contractor upon appropriate certificates. Likewise, in the case of those intermediate subcontractors, the number of whose lower tier subcontracts makes it important to do so, the procuring agency, whenever and as long as it is satisfied that the procedures and personnel employed by an intermediate subcontractor in making settlements thereof are adequate, may provide for the payment of any settlement made by the intermediate subcontractor upon appropriate certificates.

7. The Government in some instances will be under an obligation either to make reimbursement for, or to assure the defense against, demands by subcontractors or suppliers chargeable to the prime contract which are greater in amount than would be recognized by the principles of Exhibit A. On the submission of a settlement which recognizes any such demand, the procuring agency will decide whether the settlement should be approved or ratified and whether the Government should protect the prime contractor or intermediate subcontractor from the asserted liability.

8. It is the policy of the Government not to delay the making or approval of settlements after agreement is reached for the purpose of disposing of property chargeable to the terminated subcontract. When agreement is concluded on a financial settlement, title to all property not theretofore disposed of or taken over should be taken by or for the account of the Government.

9. This statement deals with the settlement of subcontracts under the vertical basis of settlement, through the prime contractor and intervening subcontractors. If methods of direct or horizontal settlement of subcontracts are adopted, other implementation may be required.

10. Though Exhibit A is recommended for use in orders or subcontracts under Govern-

ment war contracts, it is recognized that it may be used in subcontracts or orders having no connection with the war. The fact that a subcontract or purchase order contains Exhibit A has, therefore, no bearing on whether the particular subcontract or order is allocable or relates to war production.

11. The requirement of paragraph (a) of Exhibit A that "the seller will, as and to the extent directed by the buyer * * * terminate work under orders and subcontracts outstanding hereunder" is not intended to affect the seller's right to allow such subcontracts or orders to continue to completion, if he desires to do so for his own account without making any claim against the seller by reason thereof. The buyer's termination notice should make this clear, and also should specify in so far as possible which subcontracts or orders, or classes of them, the buyer wants completed for his account, and which he wants cancelled.

EXHIBIT A—APPROVED TERMINATION PROVISION FOR USE IN FIXED PRICE ORDERS OR SUBCONTRACTS FOR THE MANUFACTURE OF SUPPLIES UNDER GOVERNMENT WAR CONTRACTS

29 MAY 1944.

ARTICLE ____. (a) The buyer may terminate work under this order in whole or in part at any time by written or telegraphic notice, whenever, without the fault of the buyer, (1) the Government requests the termination of this order or (2) a contract between the buyer and a third person requiring for its performance articles or services of the kind or type covered by this order is terminated, in whole or in part, or amended to eliminate or reduce such requirements. Such notice shall state the extent and effective date of such termination; and, upon the receipt thereof, the seller will, as and to the extent directed by the buyer, stop work under this order and the placement of further orders or subcontracts hereunder, terminate work under orders and subcontacts outstanding hereunder, and take any necessary action to protect property in the seller's possession in which the buyer has or may acquire an interest.

(b) If the parties cannot by negotiation agree within a reasonable time upon the amount of fair compensation to the seller for such termination, the buyer in addition to making prompt payment of amounts due for articles delivered or services rendered prior to the effective date of termination, will pay to the seller the following amounts without duplication:

(1) The contract price for all articles or services which have been completed in accordance with this order and not previously paid for.

(2) (i) The actual costs incurred by the seller which are properly allocable or apportionable under recognized commercial accounting practices to the terminated portion of this order, including the cost of discharging liabilities which are so allocable or apportionable, and (ii) a sum equal to 2% of the part of such costs representing the costs of articles or materials not processed by the seller, plus a sum equal to 8% of the remainder of such costs, but the aggregate of such sums shall not exceed 6% of the whole of such costs. For the purpose of subdivision (ii) such costs shall exclude any charge for interest on borrowings and shall exclude the cost of discharging liabilities for parts, materials and services not received by the seller before the effective date of termination.

(3) The reasonable costs of the seller in making settlement hereunder and in protecting property in which the buyer has or may acquire an interest.

Payments made under this paragraph (b), exclusive of payments under subparagraph (3), shall not exceed the aggregate price specified in this order, less payments otherwise made or to be made.

(c) With the consent of the buyer, the seller may retain at an agreed price or sell at an approved price any completed articles, or any articles, materials, work in process or other things the cost of which is allocable or apportionable to this order under paragraph (b) (2) above, and will credit or pay the amounts so agreed or received as the buyer directs. As directed by the buyer, the seller will transfer title to, and make delivery of, any such articles, materials, work in process or other things not so retained or sold. Appropriate adjustment will be made for delivery costs or savings therein.

(d) The provisions of this Article _____ shall not limit or affect the right of the buyer to terminate this order for the default of the seller.

[F. R. Doc. 44-7947; Filed, June 1, 1944; 4:22 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-2726]

208 SOUTH LA SALLE STREET CORP.

ORDER CHANGING DATE OF HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of May, A. D. 1944.

The 208 South La Salle Street Corporation, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Common Stock, No Par Value, from listing and registration on the Board of Trade of the City of Chicago;

The Commission having ordered that a hearing be held in this matter on June 15, 1944 at the Chicago office of the Commission;

It being found necessary to change the date of the hearing;

It is ordered, That said hearing be held at 10:00 a. m. on Monday, June 5, 1944, at the office of the Securities and Exchange Commission, 105 West Adams Street, Chicago, Illinois, and continue thereafter at such times and places as the Commission or its officer conducting such hearing may determine.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8008; Filed, June 2, 1944; 5:03 p. m.]

[File No. 7-737]

DETROIT AND CLEVELAND NAVIGATION CO.

ORDER SETTING HEARING ON APPLICATION TO EXTEND UNLISTED TRADING PRIVILEGES

In the matter of application by the Cleveland Stock Exchange to extend unlisted trading privileges to Detroit and Cleveland Navigation Company, common stock, $5 par value; File No. 7-737.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of May, A. D. 1944.

The Cleveland Stock Exchange, pursuant to section 12 (f) of the Securities Exchange Act of 1934, and Rule X-12F-1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the above-mentioned security;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Thursday, June 8, 1944, at the office of the Securities and Exchange Commission, 1370 Ontario Street, Cleveland, Ohio, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Charles J. Odenweller, Jr., or any other officer or officers of the Commission named by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8009; Filed, June 2, 1944; 5:03 p. m.]

[File No. 59-24]

CITIES SERVICE CO. AND ITS SUBSIDIARY COMPANIES

ORDER DISMISSING PROCEEDING AS TO PARTIES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa. on the 30th day of May, A. D., 1944.

The Commission having instituted a proceeding under section 11 (b) (1) of the Public Utility Holding Company Act of 1935 with respect to Cities Service Company and its subsidiary companies, including Public Service Company of Colorado and Cheyenne Light, Fuel and Power Company, Colorado-Wyoming Gas Company, The Green and Clear Lakes Company, The East Boulder Ditch Company, The Hillcrest Ditch and Reservoir Company and The Arvada Electric Company, subsidiary companies of Public Service Company of Colorado; and

Public Service Company of Colorado, Cheyenne Light, Fuel and Power Company, Colorado-Wyoming Gas Company, The Green and Clear Lakes Company, The East Boulder Ditch Company, The Hillcrest Ditch and Reservoir Company and The Arvada Electric Company having filed a petition herein requesting that the Commission issue an order dismissing this proceeding as to them; and

The Commission finding that petitioners are no longer subsidiaries of Cities Service Company within the meaning of section 2 (a) (8) (A) of the act, and that an order dismissing this proceeding as to them would not be detrimental to the public interest or to the interests of investors or consumers;

It is ordered, That this proceeding be and it is hereby dismissed as to Public Service Company of Colorado, Cheyenne Light, Fuel and Power Company, Colorado-Wyoming Gas Company, The Green and Clear Lakes Company, The East Boulder Ditch Company, The Hillcrest Ditch and Reservoir Company and The Arvada Electric Company.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8010; Filed, June 2, 1944; 5:03 p. m.]

[File No. 59-53]

CITIES SERVICE CO., ET AL.

ORDER DISMISSING PROCEEDING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa. on the 30th day of May, A. D. 1944.

In the matter of Cities Service Company, Cities Service Power & Light Company, Federal Light & Traction Company, Central Arkansas Public Service Corporation, Public Service Company of Colorado, The Ohio Public Service Company, The Toledo Edison Company, and The Empire District Electric Company, Respondents, File No. 59-53.

The Commission having instituted a proceeding under sections 11 (b) (2), 12 (c), 12 (f) and 15 (f) of the Public Utility Holding Company Act of 1935 with respect to Cities Service Company, Cities Service Power & Light Company and certain of their subsidiary companies, including Public Service Company of Colorado; and

Public Service Company of Colorado having filed a petition for an order dismissing said proceeding as to it; and

The Commission finding that Public Service Company of Colorado is no longer a subsidiary company of Cities Service Company or of Cities Service Power & Light Company within the meaning of section 2 (a) (8) (A) of the Act, and that an order dismissing this proceeding as to Public Service Company of Colorado would not be detrimental to the public interest or to the interests of investors or consumers;

It is ordered, That this proceeding be and it is hereby dismissed as to Public Service Company of Colorado.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8011; Filed, June 2, 1944; 5:03 p. m.]

[File No. 54-67]

FEDERAL LIGHT & TRACTION CO.

ORDER EXTENDING DATE FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 1st day of June, A. D. 1944.

The Commission having previously issued a notice of filing and order for hearing in this matter providing for a hearing to be held at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa., at 10:00 a. m., e. w. t., on June 7, 1944; and

The declarant having requested that the date for hearing be extended because of the inability of certain witnesses to appear at such hearing on June 7, 1944; and

The Commission finding that an extension of such hearing date until June 13, 1944, at the same hour and place could not be detrimental to the public interest or to the interest of investors and consumers; *It is ordered*, That the date for hearing in this matter be extended until June 13, 1944, at the same hour and place as previously ordered.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8086; Filed, June 3, 1944; 11:13 a. m.]

[File No. 70-902]

EMPIRE DISTRICT ELECTRIC CO., ET AL.

NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa. on the 1st day of June, A. D. 1944.

In the matter of the Empire District Electric Company, Ozark Utilities Company, Lawrence County Water, Light & Cold Storage Company, Benton County Utilities Corporation, Cities Service Power & Light Company.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The Empire District Electric Company ("Empire"), Ozark Utilities Company ("Ozark"), Lawrence County Water, Light & Cold Storage Company ("Lawrence County"), Benton County Utilities Corporation ("Benton"), and Cities Service Power & Light Company ("Power & Light"). Power & Light is a registered holding company and a subsidiary company of Cities Service Company, also a registered holding company. Empire, Ozark, Lawrence County and Benton are public utility subsidiary companies of Power & Light and of Cities Service Company.

All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

I—*Introductory*

1. Empire, Ozark, Lawrence County and Benton have outstanding the following securities owned respectively by Power & Light and by others:

	Par value or principal amount	
	Held by Power & Light	Held by others
Empire:		
Common stock ($100 par)	$1,942,900	----------
6% Cumulative preferred stock ($100 par); arrears $19.50 per share	4,080,200	$3,251,800
First mortgage and refunding 5% bonds	1,559,100	10,044,900
Underlying bonds	----------	879,500
Ozark:		
Common stock ($100 par)	150,000	----------
Income demand note	874,921	----------
Lawrence County:		
Common stock ($100 par)	250,000	----------
8% Cumulative preferred stock (100 par)	100,000	----------
First mortgage bonds (6%)	60,000	----------
6% demand notes	417,384	----------
Open account debt	47,000	----------
Benton:		
Common stock ($100 par)	30,000	----------
7% Cumulative preferred stock	7,500	----------
Income demand notes	368,120	----------

2. By orders dated respectively August 17, 1943 (Holding Company Act Release No. 4489) and March 14, 1944 (Holding Company Act Release No. 4944), Power & Light has been directed to dispose of its interests in Empire, Ozark, Lawrence County and Benton.

3. By order dated August 29, 1942 (Holding Company Act Release No. 3769), this Commission instituted a proceeding regarding Power & Light and certain of its subsidiaries which involves, among other matters, issues relating to the distribution of voting power among security holders of Empire and possible adjustments to the accounts of Empire.

II—*Proposed Merger*

4. It is proposed that Ozark, Lawrence County and Benton be merged into Empire as the continuing or surviving corporation, said merger to be effected under and pursuant to the statutes of the States of Kansas, Missouri and Arkansas. All the common and preferred stocks of Empire, Ozark, Lawrence County and Benton held by Power & Light, aggregating $6,560,600 par value, would be converted into $1,500,000 aggregate par value of common stock of the surviving corporation. All the debt securities of Empire, Ozark, Lawrence County and Benton held by Power & Light, aggregating $3,357,025 principal amount, would be surrendered by Power & Light to the surviving corporation in exchange for an additional $2,000,000 aggregate par value of its common stock. Thus, for all its holdings in Empire, Ozark, Lawrence County and Benton, aggregating $9,917,625 par value and principal amount, and all accumulated and unpaid dividends and interest on said securities (except interest on the bonds of Empire and of

Lawrence County, which Power & Light would receive in cash), Power & Light would receive $3,500,000 par value of common stock of the surviving company, divided into 350,000 shares of $10 par value each.

5. Each of the 32,518 shares ($3,251,800 par value) of the 6% cumulative preferred stock of Empire held by others than Power & Light, less the holdings of such holders, if any, as would dissent from the merger and take such action as may be required by law to obtain payment of the fair value of their shares, would be converted into one share of the 5% cumulative preferred stock of the surviving company. An amount equal to all cumulative and unpaid dividends to the merger date on the shares of preferred stock of Empire so converted would be paid in cash, upon surrender to Empire of the certificates representing such shares.

6. Empire proposes to solicit proxies in favor of the merger agreement from the holders of its preferred stock other than Power & Light. If any holders of preferred stock of Empire dissent from the merger and take such action as may be required by law to obtain payment of the fair value of their shares, in lieu of accepting shares of the 5% cumulative perferred stock of the surviving corporation, Empire proposes, at its option, to issue and sell at not less than par and accrued dividends any or all of the shares of 5% cumulative preferred stock not accepted by such dissenting holders and to apply the proceeds of such sale to the payment of the amounts to which such dissenting holders would be entitled for their shares of Empire preferred stock.

III—Bond Refunding and Security Sales

7. As soon as the proposed merger becomes effective, and in addition to the sales that may be made pursuant to the provisions summarized in paragraph 6 hereof, the surviving corporation proposes to issue and sell $650,000 par value of 5% cumulative preferred stock at not less than par and accrued dividends, and $10,600,000 aggregate principal amount of first mortgage bonds 3½% series due 1969, at not less than principal amount and interest accrued to the date of payment of the purchase price. The net proceeds of the sale of said preferred stock and bonds would be applied to the redemption of all the outstanding bonds, held by others than Power & Light, secured by lien on property of Empire as follows:

Title of bonds	Principal amount	Redemption price
First Mortgage and Refunding Gold Bonds, 5¼% Series, Due 1962, of Empire	$10,044,000	$10,220,686
First Mortgage, Sinking Fund Five Per Cent. Gold Bonds of Ozark Power and Water Company	877,500	921,375
Town of Fairland, Oklahoma, 6% Electric Light Bonds of 1922, due serially to June 1, 1945	2,000	2,000
Total	$10,924,400	11,144,061

8. Simultaneously with the above sales of preferred stock and bonds by the surviving corporation, Power & Light proposes, subject to satisfactory market conditions, to sell all the 350,000 shares of common stock of the surviving corporation into and for which its interests in the constituent corporations will have been converted and exchanged. Power & Light will apply the net proceeds from the sale of said common stock to prepayment of its bank loan notes in accordance with the terms thereof.

IV—Accounting Adjustments

9. The conversion and exchange of securities of the constituent corporations held by Power & Light into and for $3,500,000 par value of common stock of the surviving corporation, as of February 29, 1944, would result in credits to capital surplus amounting to $6,484,387. The earned and capital surplus of the constituent corporations as of that date amounted to $2,395,659, making a total of $8,880,046 credits to surplus existing or to be created as of February 29, 1944. Against the surplus items making up said $8,880,046 would be charged the following:

Aggregate of the balances in Accounts 107 and 100.5 of Empire as reflected in the 2-D Statement filed with Federal Power Commission	$6,544,050
Balance in Account 100.5 of Benton	29,637
An amount equal to dividend arrears to be paid to holders (other than Power & Light) of preferred stock of Empire except those, if any, who do not participate in the merger	707,421
Unamortized bond discount and expense of constituent corporations	461,481
Estimated premium and duplicate interest on bonds of constituent corporations to be retired	856,191
Estimated total of balances in Account 100.5 of Lawrence County	72,612
Intangibles of Ozark	146,913
Organization expense of Lawrence County and Ozark	7,257
Total	8,825,562

leaving an estimated capital surplus on a pro forma basis as of February 29, 1944, of $554,484, and no earned surplus.

10. Following is a condensed pro forma balance sheet of the surviving corporation as of February 29, 1944, reflecting consummation of the proposed transactions summarized above:

ASSETS AND OTHER DEBITS

Utility Plant	$23,131,107
Investment and Fund Accounts	4,250
Current and Accrued Assets	1,417,165
Deferred Debits	171,051
Capital Stock Discount and Expense	50,000
	24,773,573

LIABILITIES AND OTHER CREDITS

Capital Stock:	
Common Stock, $10 par value, 350,000 shares	$3,500,000
Preferred Stock, 5% Cumulative, $100 par value, 39,018 shares	3,901,800
	7,401,800
Long Term Debt:	
First Mortgage Bonds, 3½%, due 1969	10,600,000
Current and Accrued Liabilities	894,105
Deferred Credits	496,053
Reserves:	
Depreciation	4,486,122
Other	370,667
Contributions in Aid of Construction	88,822
Capital Surplus	554,484
	24,773,573

V—General

11. It is requested that the Commission issue an appropriate order and findings in connection with the proposed transactions, conforming to the requirements of sections 371 and 1808 of the Internal Revenue Code.

12. Empire requests the Commission to make a report on the plan of merger, to permit Empire to solicit proxies from the holders, other than Power & Light, of its preferred stock and to exempt Empire from the requirement of Rule U-62 that a declaration be filed on Form U-R-1 with respect to such solicitation.

13. It is requested that the Commission's order be entered not later than June 25, 1944.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said matters, and that said declaration and application shall not be permitted to become effective or granted except pursuant to further order of the Commission; *It is ordered*, That a hearing on said matters under the applicable provisions of said act and the rules of this Commission thereunder be held on June 20, 1944, at 10:00 a. m., e. w. t., at the offices of this Commission, 18th & Locust Streets, Philadelphia, Pa. On such date the hearing room clerk in Room 318 will advise as to the room in which said hearing will be held. At such hearing, cause shall be shown why such declarations shall be permitted to become effective and such applications granted.

It is further ordered, That William W. Swift or any other officer or officers of this Commission designated by it for that purpose shall preside at the hearings on such matters. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues otherwise to be considered in the consolidated proceedings, particular attention will be directed at the hearings to the following matters and questions:

1. Whether the proposed transactions are fair and equitable to the security holders of Empire, Power & Light and Cities Service Company, and whether such transactions are necessary or appropriate to effectuate the provisions of section 11 (b) of the act.

2. Whether the proposed acquisitions by Empire of securities and assets will serve the public interest by tending toward the economical and efficient development of an integrated public-utility system.

3. Whether the preferred stock and bonds proposed to be issued and sold by Empire are reasonably adapted to the security structure and earning power of Empire, and whether the terms and conditions of said proposed issues and sales are detrimental to the public interest or the interest of investors or consumers.

4. Whether the proposed sale by Power & Light of the common stock of Empire is in conformity with the applicable requirements and standards of section 12 (d) of the act and the applicable rules and regulations promulgated thereunder.

5. Whether the proposed accounting entries to be recorded on the books of Empire in connection with the proposed transactions will be in conformity with the standards of section 15 of the act and the applicable rules and regulations promulgated thereunder.

6. Whether Empire should be exempted from the filing of a statement on Form U-R-1 in connection with the proposed solicitation of holders of its preferred stock other than Power & Light.

7. Generally, whether the proposed transactions are in all respects in the public interest and in the interests of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder, and, if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

It is further ordered, That notice of said hearing is hereby given to Empire, Ozark, Lawrence County, Benton and Power & Light, to their security holders, and to all interested persons; said notice to be given to Empire, Ozark, Lawrence County, Benton and Power & Light by registered mail, and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by a general release of this Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

It is further ordered, That at least fifteen days prior to the date of said hearing, Empire shall mail a copy of this notice and order to each record holder of any of its preferred stock, addressed to them at their respective addresses shown on its stock books.

It is requested that any person desiring to be heard in these proceedings shall file with the Secretary of this Commission on or before June 16, 1944, an appropriate request or application to be heard, as provided by Rule XVII of the Commission's rules of practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8037; Filed, June 3, 1944; 11:18 a. m.]

[File Nos. 70-793, 54-64, 59-60]

INDIANA HYDRO-ELECTRIC POWER CO., ET AL.

ORDER RELEASING JURISDICTION OVER LEGAL FEES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of June, 1944.

In the matter of Indiana Hydro-Electric Power Company, Northern Indiana Public Service Company, File No. 70-793; Indiana Hydro-Electric Power Company, File No. 54-64; Indiana Hydro-Electric Power Company, Hugh M. Morris, trustee of the Estate of Midland United Company, File No. 59-60.

The Commission, by order dated May 4, 1944, having approved a plan under section 11 (e) for the merger of Indiana Hydro-Electric Power Company into Northern Indiana Public Service Company; and having by said order reserved jurisdiction over the legal expenses of Indiana Hydro-Electric Power Company in connection with the plan; and

Indiana Hydro-Electric Power Company having filed amendments with respect to such legal expenses consisting of $11,500 to be paid to Sidley, McPherson, Austin & Burgess, and $8,500 to be paid to Barnes, Hickam, Pantzer & Boyd, plus an amount not in excess of $5,000, as this Commission shall approve, in settlement of the claim of Robert S. Ashe as a preferred stockholder of Hydro for reimbursement for attorney fees and expenses incurred by him in connection with the proceedings herein; and it appearing to the Commission that the fees to be paid to counsel for Indiana Hydro-Electric Power Company are not unreasonable, and that the sum of $5,000 is not unreasonable for services rendered by Robert S. Ashe and his counsel;

It is hereby ordered, That jurisdiction over the legal fees and expenses to be paid to Sidley, McPherson, Austin & Burgess and Barnes, Hickman, Pantzer & Boyd by Indiana Hydro-Electric Power Company be and hereby is released.

It is further ordered, That Indiana Hydro-Electric Power Company be and hereby is permitted to pay to Robert S. Ashe a sum not exceeding $5,000.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8038; Filed, June 3, 1944; 11:18 a. m.]

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of June, A. D. 1944.

I. The Commission's official files disclose that:

1. The National Association of Securities Dealers, Inc. is a national securities association registered pursuant to the provisions of section 15A (a) of the Securities Exchange Act of 1934 as amended.

2. The rules of such Association include a provision reading as follows:

A member, in the conduct of his business, shall observe high standards of commercial honor and just and equitable principles of trade.

being found in section 1 of Article III of the Rules of Fair Practice of said Association.

3. By letter dated October 25, 1943, the Board of Governors of said Association announced to its members, among other things, that it had approved the following interpretation of the meaning of the rule quoted in the preceding paragraph:

It shall be deemed conduct inconsistent with just and equitable principles of trade for a member to enter into any transaction with a customer in any security at any price not reasonably related to the current market price of the security.

4. Subsequently and on November 9, 1943, the Chairman of the Board of Governors of the Association and its Executive Director sent a letter to all of its District Business Conduct Committees containing the following, among other things:

The general import of this statement and the construction that should be placed upon it is that, when transactions show a mark-up of over 5% on the part of a member, it raises the question as to whether there is a violation of the Rule and interpretation. In such a situation, a duty is imposed upon the member to show to the satisfaction of the Business Conduct Committee that no violation has occurred.

5. Following the events recited in the preceding paragraphs, the New York Security Dealers Association adopted a resolution asserting that the Association's letter of October 25, 1943 has the practical effect of a rule and requesting the Commission to direct the National Association of Securities Dealers, Inc., "to submit said 'rule' to its membership as required in Article IV, section 2 of its by-laws," or in the alternative that the Commission "grant to the representatives of the New York Security Dealers Association an opportunity for a hearing to present its point of view."

6. Thereafter, Messrs. William S. Baren, Baron G. Helbig, and Benjamin S. Lichtenstein, as "representatives of a voluntary committee of the securities dealers known as 'Securities Dealers Committee'" filed a petition referring to the letters of October 25 and November 9, 1943 aforesaid, as a "rule" of the Association, asserting that the action taken was illegal upon various grounds stated in the petition, requesting a hearing upon their petition, and requesting "the rule herein referred to be cancelled, revoked and declared a nullity."

II. The Commission, having considered the aforesaid, deems it necessary and appropriate in the public interest and for the protection of investors that a hearing be held on the question whether the aforesaid letters of October 25 and November 9, 1943 constitute a rule or rules and, if so, whether the Commission should take any action pursuant to section 15A (k) of the Securities Exchange Act of 1934 as amended.

III. *It is hereby ordered*, That a hearing on such question be held before the Commission at 10:30 a. m. on Tuesday, June 13, 1944 at the office of the Securities and Exchange Commission, 18th and Locust Streets, in the City of Philadelphia, Pennsylvania.

It is further ordered, That this order and notice be served on the National Association of Securities Dealers, Inc., the New York Security Dealers Association, and the "Securities Dealers Committee" personally or by registered mail not less than seven (7) days prior to the time of the hearing.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8039; Filed, June 3, 1944; 11:13 a. m.]

[File Nos. 7-735, 7-736]

CONSOLIDATED NATURAL GAS CO. AND NORTHERN PACIFIC RAILWAY CO.

ORDER SETTING HEARING ON APPLICATIONS TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of June, A. D. 1944.

In the matter of applications by the San Francisco Stock Exchange to extend unlisted trading privileges to: Consolidated Natural Gas Company, Capital Stock, $15 Par Value, File No. 7-735; Northern Pacific Railway Company, Capital Stock, $100 Par Value, File No. 7-736.

The San Francisco Stock Exchange, pursuant to section 12 (f) of the Securities Exchange Act of 1934, and Rule X-12F-1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the above-mentioned securities;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Wednesday, June 14, 1944, at the office of the Securities and Exchange Commission 625 Market Street, San Francisco, California, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That John G. Clarkson, or any other officer or officers of the Commission named by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8040; Filed, June 3, 1944; 11:13 a. m.]

[File No. 70-892]

MILWAUKEE ELECTRIC RAILWAY & TRANSPORT CO. AND WISCONSIN ELECTRIC POWER CO.

ORDER APPROVING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of June 1944.

The Milwaukee Electric Railway & Transport Company, a wholly-owned subsidiary of Wisconsin Electric Power Company, and said Wisconsin Electric Power Company, a subsidiary of The North American Company, a registered holding company, having filed a joint declaration and application, and amendment thereto, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the General Rules and Regulations promulgated thereunder, relating to the proposal of The Milwaukee Electric Railway & Transport Company (a) to redeem on June 15, 1944 at par plus accrued interest $100,000 principal amount of its First Mortgage 4% Bonds owned by Wisconsin Electric Power Company and pledged as collateral to the latter company's Mortgage and Deed of Trust dated October 28, 1938 and (b) to purchase for cash at par for retirement 9,000 shares of its capital stock of the aggregate par value of $900,000 from Wisconsin Electric Power Company, and the proposal of Wisconsin Electric Power Company to surrender the bonds and the stock on the basis described; and

Said joint declaration and application having been filed on the 5th day of May 1944, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said act, and the Commission not having received a request for a hearing with respect to said joint declaration and application, as amended, within the period specified in such notice, or otherwise, and not having ordered a hearing thereon, and applicants having requested accelerated action upon said declaration and application, as amended; and

The Commission finding that the requirements of sections 10, 12 (c) and 12 (f) and Rules U-42 and U-43 are satisfied, that no adverse findings are necessary thereunder, and that action upon said declaration and application should be accelerated, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers to approve said amended application and to permit said amended declaration to become effective;

It is hereby ordered, That, pursuant to said Rule U-23 and the applicable provisions of said act, said joint amended application be and the same is hereby approved and said joint amended declaration be and the same is hereby permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 of the general rules and regulations, and subject further to continuation of the condition imposed on The Milwaukee Electric Railway & Transport Company by the Commissions' order of June 29, 1943 (Release No. 4394) by the terms of which it is provided that if from time to time in the future additional common stock is retired by said company, its bonds will be retired to the extent necessary in order that the aggregate par amount of stock outstanding will at least equal two and one-half times the aggregate principal amount of the outstanding bonds.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8041; Filed, June 3, 1944; 11:14 a. m.]

[File Nos. 54-69, 59-55]

OGDEN CORPORATION AND SUBSIDIARY COMPANIES

NOTICE OF FILING OF APPLICATION FOR EXTENSION OF TIME AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 2d day of June, A. D. 1944.

The Commission having entered its order herein on May 20, 1943 pursuant to section 11 (b) of the Public Utility Holding Company Act of 1935 directing, among other things, that:

(1) Ogden Corporation shall take such action as may be necessary to divest itself of all of its interests, held directly or indirectly, in holding and public utility companies and to cause its elimination as a public utility holding company; *Provided, however*, That in the cases of Central States Power & Light Corporation, Interstate Power Company, The Laclede Gas Light Company, Missouri Natural Gas Company and Missouri Electric Power Company, such divestments shall not be effected by means of disposition of securities prior to the recapitalization of such companies to the extent necessary to comply with section 11 (b) (2); and that in the case of Central States Utilities Corporation, Ogden shall not divest itself of the outstanding securities of such company;

(2) Central States Power & Light Corporation, Interstate Power Company, and The Laclede Gas Light Company shall take such steps as may be necessary to recapitalize so as to distribute voting power fairly and equitably among the security holders of such companies: *Provided*, That in the case of Central States Power & Light Corporation, such recapitalization need not be effected if the company is liquidated and dissolved within the statutory period provided by section 11 (c);

(3) Ogden Corporation and Central States Utilities Corporation shall take such action as may be necessary to cause the liquidation and dissolution of Central States Utilities Corporation;

(4) Ogden Corporation and its subsidiaries shall proceed with due diligence to take such steps as may be necessary or appropriate to effectuate this order, including the consummation of plans by Ogden Corporation, Central States Utilities Corporation, Central States Power & Light Corporation, Interstate Power Company, and The Laclede Gas Light Company to effect compliance with the foregoing order.

Notice is hereby given that on May 18, 1944 Ogden Corporation on behalf of itself and its subsidiary companies affected by the said order of May 20, 1943, filed an application requesting the entry of an order by this Commission under section 11 (c) of the act, extending for one year the time within which to comply with the aforesaid order of May 20, 1943.

All interested persons are referred to said application which is on file in the office of the Commission for full details concerning the application.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held for the purpose of considering said application and for other purposes;

It is ordered, That a hearing in this proceeding be held at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 10:00 a. m., e. w. t., on the 13th day of June, 1944, in such room as may be designated on such day by the hearing room clerk.

All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner provided by Rule XVII of the Commission's rules of practice, on or before June 10, 1944.

It is further ordered, That Robert P. Reeder, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a Trial Examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by such application, particular attention will be directed at the hearing to (1) whether the applicants have exercised due diligence to comply with the Commission's order of May 20, 1943, and (2) whether an extension of time of one year for compliance with said order is necessary or appropriate in the public interest or for the protection of investors or consumers.

It is further ordered, That the Secretary of this Commission shall serve notice of this order by mailing a copy thereof by registered mail to Ogden Corporation and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8042; Filed June 3, 1944; 11:14 a. m.]

[File Nos. 54-68, 59-55]

COMMUNITY GAS AND POWER CO., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of June A. D., 1944.

In the matter of Community Gas and Power Company, American Gas and Power Company, File No. 54-68; Community Gas and Power Company, American Gas and Power Company, and the subsidiary companies thereof, Respondents, File No. 59-55.

Notice is hereby given that Community Gas and Power Company ("Community"), a registered holding company, and American Gas and Power Company ("American"), a registered holding company and a subsidiary company of Community, have filed Amendment No. 7 to the plan heretofore submitted pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for the purpose of effecting compliance with section 11 (b) of the act. All interested persons are referred to said Amendment No. 7 for a statement of the transactions therein proposed, which are summarized as follows:

I. Introductory

1. At December 31, 1943, American had outstanding, or held for issuance in accordance with the company's 1935 plan of reorganization consummated under the Bankruptcy Act, the following securities, in addition to certificates of indebtedness held by Minneapolis Gas Light Company and Jacksonville Gas Corporation:

Security	Principal amount or number of shares
6% secured debentures (fixed interest 3.6%)	$4,213,500
5% secured debentures (fixed interest 3%)	6,114,500
Total secured debentures	10,328,000
	Shares
Common stock, $1 par value	189,637.5
Warrants to subscribe to common stock at $5 per share for	40,000

2. By order dated July 3, 1943, the Commission ordered, among other things, that American change its capital structure into a capital structure consisting of common stock only. Thereafter, pursuant to section 11 (e) of the act, Community and American filed an amended plan, and amendments thereto, for compliance with the provisions of section 11 (b). The proceeding on the amended plan (File No. 54-68) has been consolidated with the proceeding instituted by the Commission pursuant to section 11 (b) and other sections of the act (File No. 59-55).

II. Amendment No. 7

3. Amendment No. 7 proposes that American will issue shares of new common stock, which will be exchanged for debentures and presently outstanding common stock on the following bases:

(a) 64 shares of new common stock for each $1,000 principal amount of 6% (3.6%) secured debentures.

(b) 60 shares of new common stock for each $1,000 principal amount of 5% (3%) secured debentures.

(c) ½ of a share of new common stock for each share of American's common stock presently outstanding.

4. Holders of warrants for subscription at $5 per share to presently outstanding common stock of American would be entitled to subscribe to shares of new common stock, at the rate of $5 for ½ share of new common stock in respect of each warrant for subscription to one share of presently outstanding common stock. Such right to subscribe would expire December 31, 1944 and 20,000 shares of new common stock of American would be reserved against exercise of such warrants. As soon as practicable and convenient after December 31, 1944, the new common stock unsubscribed and remaining reserved for the warrants would be sold in the open market, and any proceeds in excess of $5 for each ½ share attributable to each then outstanding warrant would be held in a special account for the benefit of such warrant holders and paid to them upon presentation and surrender of their respective warrants.

5. The following tabulation shows the securities proposed to be issued in respect of the outstanding debentures, common stock and warrants of American, (a) under the terms of the amended plan contained in Amendment No. 1, (b) under the terms of Amendment No. 3, and (c) under the terms of Amendment No. 7:

	Per amendment No. 1		Per amendment No. 3		Per amendment No. 7	
	Shares	Percent	Shares	Percent	Shares	Percent
6% (3.6%) debentures	198,034.5	37.60	198,034.5	32.69	209,664	35.89
5% (3%) debentures	281,267	53.40	281,267	46.44	366,870	48.83
	479,301.5	91.00	479,301.5	79.13	636,534	84.72
Common stock	47,409.375	9.00	126,425	20.87	94,819.75	12.62
Warrants plus $200,000					20,000	2.66
	526,710.875	100.00	605,726.5	100.00	751,353.75	100.00

6. Pursuant to Amendment No. 7, Community would receive 17,125 shares (2.28%) of the new common stock of American. Such stock would be sold by Community and the net proceeds distributed pro rata to the stockholders of Community, as of a date to be fixed by Community's Board of Directors, except that stockholders of Community would have the right to receive distribution in-kind of shares of American's new common stock, to the extent that distribution could be made of full shares.

7. Interest would cease to accrue or be payable on the secured debentures of American subsequent to the fixed and

conditional interest payable August 1, 1944. Holders of secured debentures and of shares of preferred stock of American not presented or surrendered pursuant to American's 1935 plan of reorganization under the Bankruptcy Act would be entitled to receive shares of new common stock of American on the same basis as though such securities had been presented or surrendered under said 1935 plan and the holders thereof had received the amended or new certificates to which they were entitled under that plan.

8. Amendment No. 7 provides that non-interest bearing, non-dividend bearing and non-voting scrip (exchangeable in round amounts for full shares and to become void unless exchanged on or before December 31, 1946) would be initially issued in lieu of fractional shares of new common stock, but that no scrip certificates would be issued representing less than ¼ of a share of new common stock and no recognition given to interests less than that amount. As soon as practicable and convenient after December 31, 1946, American would sell in the open market the shares of new common stock then held in respect of outstanding scrip certificates, and the proceeds of sales would be held in a special account for the benefit of such scrip holders and paid to them upon presentation and surrender of their scrip certificates.

9. Upon the proposed merger of Minneapolis Gas Light Company into American Gas and Power Company, to be consummated after the proposed recapitalization of American and after sale of the other subsidiaries of American, the balance sheet of the merged corporation would reflect utility plant and reserve for depreciation after elimination of appraisal revaluations.

10. Except as specifically amended by the provisions of Amendment No. 7, the provisions of the plan as set forth in Amendments Nos. 1 and 3 (summarized in Holding Company Act Releases Nos. 4481 and 4665, respectively) are to continue in full force and effect.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to the plan of Community and American as amended by said Amendment No. 7, and that said plan, as amended, should not be approved except pursuant to further order of this Commission;

It is ordered, That a hearing on such matters under the applicable provisions of the act and rules of this Commission thereunder be held on July 11, 1944, at 10:00 a. m., e. w. t., at the offices of the Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held.

It is further ordered, That William W. Swift, or any officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented in the consolidated proceeding, particular attention will be directed at the hearings to the following matters and questions, in addition to those stated in the orders of this Commission dated respectively August 12, 1943 (Holding Company Act Release No. 4481), and November 8, 1943 (Holding Company Act Release No. 4665):

1. Whether the amended plan of Community and American, as heretofore or hereafter amended or modified, is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected.

2. Generally, whether the proposed transactions are in all respects in the public interest and in the interests of investors and consumers and consistent with all applicable requirements of the Act and Rules thereunder, and, if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

It is further ordered, That notice of said hearing is hereby given to Community, American Gas and their subsidiary companies and to all interested persons; said notice to be given to Community and American Gas by registered mail, and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by a general release of this Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

It is further ordered, That American shall give additional notice of said hearing to the registered holders of its Secured Debentures, by causing a copy of this notice and order to be mailed to them at their respective addresses, according to the records of The New York Trust Company, as Successor Trustee, as of a date not more than four weeks prior to the date of said hearing, and that Community and American shall give additional notice of said hearing to the record holders of their respective common stocks and warrants for subscription to common stock, as of a date not more than four weeks prior to the date of said hearing, said mailings to be made not less than fifteen days prior to the date of said hearing.

It is further ordered, That jurisdiction be and is hereby reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters herein set forth or which may arise in these proceedings, to consolidate with these proceedings other filings or matters pertaining to said amended plan, and to take such other action as may appear conducive to an orderly, prompt, and economical disposition of the matters involved.

It is requested that any person desiring to be heard in these proceedings shall file with the Secretary of this Commission on or before July 7, 1944, an appropriate request or application to be heard, as provided by Rule XVII of the Commission's rules of practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8070; Filed, June 5, 1944; 10:40 a. m.]

[File No. 1-806]

CHICAGO AND NORTH WESTERN RAILWAY CO.

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 2d day of June, A. D. 1944.

The Chicago Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the $100 Par Common Stock and the $100 Par 7% Non-Cumulative Preferred Stock of Chicago and North Western Railway Company;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on June 12, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8065; Filed, June 5, 1944; 10:38 a. m.]

[File No. 1-2295]

BANK OF SILESIAN LANDOWNERS ASSOCIATION

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of June, A. D. 1944.

The Boston Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the 6% First Mortgage Collateral Sinking Fund Gold Bonds, due 1947, of Bank of Silesian Landowners Association;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on June 12, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8069; Filed, June 5, 1944; 10:39 a. m.]

[File No. 1-2980]

CONTINENTAL CUSHION SPRING CO.

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of June, A. D. 1944.

The Board of Trade of the City of Chicago pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Capital Stock, $1.00 Par Value, of the Continental Cushion Spring Company;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on June 12, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8068; Filed, June 5, 1944; 10:39 a. m.]

[File No. 1-1616]

NEW YORK AND HARLEM RAILROAD CO.

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of June, A. D. 1944.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the $50 Par 10% Rental Preferred Stock of New York and Harlem Railroad Company;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on June 12, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8067; Filed, June 5, 1944; 10:38 a. m.]

[File No. 1-1182]

GARDNER-DENVER CO.

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of June, A. D. 1944.

The Gardner-Denver Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its Common Stock, No Par Value, and $3 Cumulative Convertible Preferred Stock, $20 Par Value, from listing and registration on The Chicago Stock Exchange;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on June 12, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8066; Filed, June 5, 1944; 10:38 a. m.]

UNITED STATES COAST GUARD.

U. S. ARMY TRANSPORTATION CORPS KAPOK LIFE PRESERVER

NOTICE OF CHANGE IN ADDRESS

NOTE: Since the publication of F.R. Doc. 44-5775 which appeared on page 4417 of the issue for Tuesday, April 25, 1944, the address given in connection with the U. S. Army Transportation Corps adult kapok life preserver has been changed to read "U. S. Army Transportation Corps, New York Port of Embarkation, Water Division, Marine Safety Inspection Section, 1st Avenue and 58th Street, Brooklyn, N. Y."

UNITED STATES EMPLOYEES' COMPENSATION COMMISSION.

[A. O. 6, Amended]

CIVILIAN EMPLOYEES OF UNITED STATES

AUTHORIZATION OF LOCAL PAYMENT OF BENEFITS IN UNITED KINGDOM AND ELSEWHERE IN EUROPEAN THEATRE OF OPERATIONS

By virtue of the authority vested in the United States Employees' Compensation Commission by the Employees' Compensation Act of September 7, 1916, as amended, Foreign Claims Commission No. 16 (including such coordinate claims commissions as may be designated by the United States Employees' Compensation Commission or by its representative in the European Theatre of Operations, pursuant to the recommendation of the Chief of Claims of such Theatre), is authorized to process claims, to make initial payments of compensation, and to furnish other benefits initially, as provided by such act of September 7, 1916, as amended, and pursuant to the regulations of the Commission promulgated thereunder (20 C. F. R., Chapt. I, Subchapter A) and such supplementary instructions as may from time to time be issued by the Commission in cases of civilian employees of the United States who are injured while in the performance of their duties for the United States in employment in the United Kingdom and elsewhere within the European Theatre of Operations as defined by the War Department.

As used herein the phrase "to process claims" means (1) to receive, assemble, and file reports of injury, medical reports, reports of investigation, and other papers relating to cases of injury; (2) to make investigations and to secure necessary supplementary information in connection with cases or claims; (3) to obtain medical examinations; (4) to arrange for medical, surgical, and hospital services and supplies in the treatment and care of employees in disability cases; (5) to examine and adjudicate claims for compensation in injury cases, including making of findings of fact and award; (6) to prepare vouchers for local disbursement of benefits and local payment of medical and other expenses; (7) to review cases for readjustment of compensation.

As used herein the phrases "to make initial payments of compensation" and "to furnish other benefits initially" mean the payment of compensation in cases of injury, and the furnishing of any other benefits provided for by such act, except compensation for death, for a period not to exceed 180 days.

The action of the Foreign Claims Commission in any case, and the payments made under this authority, are subject to review and final decision by the representative of the United States Employees' Compensation Commission in the area to which this administrative order is applicable, and to readjustment if found necessary.

Order approved by the Commission January 6, 1944, as amended June 2, 1944.

WILLIAM MCCAULEY, *Secretary.*

[F. R. Doc. 44-8078; Filed, June 5, 1944; 11:22 a. m.]

WAR MANPOWER COMMISSION.

BOSTON, MASS. AREA

MINIMUM WARTIME WORKWEEK

Designation of the Boston, Massachusetts Labor Market Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. I by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate all less essential activities in the Boston, Massachusetts, Labor Market Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Boston, Massachusetts Labor Market Area shall include:

The cities of Cambridge, Everett, Malden, Medford, Melrose, Newton, Somerville, Waltham, Woburn and the towns of Acton, Arlington, Bedford, Belmont, Burlington, Carlisle, Concord, Lexington, Lincoln, North Reading, Reading, Stoneham, Wakefield, Watertown, Wayland, Weston, Wilmington and Winchester all in Middlesex County;

The city of Quincy and the towns of Braintree, Brookline, Cohasset, Milton, Needham, Wellesley and Weymouth all in Norfolk County;

The towns of Hingham, Hull, Norwell and Scituate all in Plymouth County; and

The cities of Boston, Chelsea, Revere and the town of Winthrop all in Suffolk County.

II. The effective date of this designation is June 21, 1944.

III. Not later than the effective date, each employer in the Boston, Massachusetts, Labor Market Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose releases would be involved, together with proposed schedules for their releases, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: May 23, 1944.

JOSEPH A. SMITH,
Regional Director, Region I.

[F. R. Doc. 44-8035; Filed, June 3, 1944; 11:00 a. m.]

[G. O. 10, Amdt. 1]

LIST OF CRITICAL OCCUPATIONS

By virtue of the authority vested in me as Chairman of the War Manpower Commission by Executive Orders Nos. 9139 (7 F.R. 2919) and 9279 (7 F.R. 10177), War Manpower Commission General Order No. 10 (8 F.R. 11420), List of Critical Occupations, is hereby amended, effective March 10, 1944, by designating as critical occupations and including in the List of Critical Occupations the following occupations:

Repairman, all around, electric-motor equipment.

Repairman and installation man, all around, gas or oil burner equipment.

Electroplater, all around.

PAUL V. MCNUTT,
Chairman.

MAY 30, 1944.

[F. R. Doc. 44-8034; Filed, June 3, 1944; 11:00 a. m.]

WAR PRODUCTION BOARD.

[Certificate 80, Revocation]

TRANSPORTATION AND DELIVERY OF FLOWERS IN COLUMBUS, OHIO

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw my certificate and finding dated June 8, 1943, concerning a Recommendation of the Director of the Office of Defense Transportation with respect to the transportation and delivery of flowers and related articles by motor vehicle in Columbus, Ohio.

Dated: May 30, 1944.

DONALD M. NELSON,
Chairman.

[F. R. Doc. 44-8012; Filed, June 3, 1944; 10:00 a. m.]

INLAND WATERWAYS EQUIPMENT

APPROVAL OF PAW DIRECTIVE

[Certificate 124, Amdt. 1]

The ATTORNEY GENERAL.

Referring to Certificate No. 124 issued pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), on September 7, 1943, I submit herewith Amendment No. 1 to Petroleum Directive 69 of the Petroleum Administration for War.

For the purposes of the statute cited, I approve the amendment; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Petroleum Directive 69, as amended,[1] is requisite to the prosecution of the war.

Dated: May 30, 1944.

DONALD M. NELSON,
Chairman.

[F. R. Doc. 44-8074; Filed, June 5, 1944; 11:15 a. m.]

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[1] *Supra.*

WAR SHIPPING ADMINISTRATION.

"HOPESTILL"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress).

Whereas on June 11, 1943, title to the vessel *Hopestill* (213905) (including all spare parts, appurtenances and equipment), was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: June 3, 1944.

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 44-8073; Filed, June 5, 1944; 10:59 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 113

Washington, Wednesday, June 7, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter VIII—War Food Administration
(Sugar Regulations)

PART 802—SUGAR DETERMINATIONS

1944 WAGE RATES FOR FLORIDA SUGARCANE

Determination of fair and reasonable wage rates for persons employed in the production and cultivation of sugarcane in Florida during the calendar year 1944.

Pursuant to section 301 (b) of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.24p *Fair and reasonable wage rates for persons employed in the production and cultivation of sugarcane in Florida during the calendar year 1944.* The requirements of section 301 (b) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to the production and cultivation of sugarcane in Florida during the period from January 1, 1944, to December 31, 1944, if all persons employed on the farm during that period in the production and cultivation of sugarcane shall have been paid in full for all such work and shall have been paid wages in cash therefor at the rates agreed upon between the producer and the laborer, but not less than the following:

(a) *On a time basis.*

	Cents per hour
All work except as otherwise specified:	
Adult Males	30.0
Adult Females	25.0
Tractor drivers	37.5
Children between 14 and 16 years (Maximum employment per day is 8 hours)	25.0

(b) *On a piece rate basis.* For all classes of work performed on a piece rate basis the earnings per hour shall be not less than the applicable rate per hour specified under (a) above; *Provided, however,* That minimum earnings per hour shall not apply to prisoners of war but they shall be paid at the same piece rate as other laborers.

(c) *General provisions.* (1) The producer shall furnish to the laborer, without charge, the customary perquisites, such as a habitable house, a suitable garden plot with facilities for its cultivation, pasturage for livestock, medical attention, and similar incidentals.

(2) The producer shall not, through any subterfuge or device whatsoever, reduce the wage rates to laborers below those determined above.

(Sec. 301, 50 Stat. 909; 7 U.S.C. 1131; E.O. 9322, 9334, 8 F.R. 3807, 5423)

Done at Washington, D. C., this 6th day of June 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-8129; Filed, June 6, 1944; 11:15 a. m.]

Chapter XI—War Food Administration
(Distribution Order)

[WFO 13, Amdt. 2]

PART 1401—DAIRY PRODUCTS

CREAM

War Food Order No. 13, as amended, 9 F.R. 4319 (formerly designated as Food Distribution Order No. 13, as originally issued by the Secretary of Agriculture on February 2, 1943, 8 F.R. 1479, as amended, 8 F.R. 11835), is further amended to read as follows:

§ 1401.13 *Restrictions with respect to cream*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Handler" means any person who engages in the business of transporting or processing milk or cream, or of manufacturing any dairy product. Such term shall not include persons who merely deliver milk or cream to consumers, institutional or otherwise.

(3) "Milk" means cow's milk.

(4) "Cream" means the class of food which is the sweet, fatty liquid or semi-liquid separated from milk, with or without the addition thereto and the mixing

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

	Page
CIVIL AERONAUTICS BOARD:	
Transcontinental & Western Air, Inc., et al., hearing	6200
CUSTOMS BUREAU:	
Financial and accounting procedure; refunds of internal-revenue taxes	6148
Foxes, silver and black, import quota for period May 1 to November 30, 1944	6199
FARM SECURITY ADMINISTRATION:	
Designation of localities for loans, Pennsylvania and Alabama	6199
GENERAL LAND OFFICE:	
Colorado, revocation of land withdrawal	6198
Oregon, revocation of air-navigation site withdrawal	6199
Wyoming, land withdrawn and reserved under jurisdiction of Interior Department	6198
MARITIME COMMISSION:	
Renegotiation of contracts; insertion of cross reference	6199
NAVY DEPARTMENT:	
Renegotiation of contracts; insertion of cross reference	6198
OFFICE OF DEFENSE TRANSPORTATION:	
Common carriers, coordinated operations between points in Kansas	6200
OFFICE OF PRICE ADMINISTRATION:	
Foods, processed (Rev. RO 13, Am. 18 to 2d Rev. Supp. 1)	6151
Lumber:	
Certain lumber services (MPR 165, Am. 40)	6151
Western softwoods, custom milling and kiln drying (MPR 539; MPR 165, Rev. of Supp. Service Reg. 27) (2 documents)	6151, 6152
Potatoes and onions (RMPR 271, Am. 16)	6151
Solid fuels (RMPR 122, Am. 23)	6151
PROCUREMENT DIVISION:	
Renegotiation of contracts; insertion of cross reference	6198
RECONSTRUCTION FINANCE CORPORATION:	
Renegotiation of contracts; insertion of cross reference	6148

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

	Page
WAR DEPARTMENT:	
Renegotiation of contracts; insertion of cross reference	6148
WAR FOOD ADMINISTRATION:	
Cream (WFO 13, Am. 2)	6145
Sugarcane in Florida, 1944 wage rates	6145
Tallow or grease, inedible (WFO 67, Am. 3)	6147
Turkeys, hen and processed, (WFO 97, termination)	6147
WAR PRODUCTION BOARD:	
Electrical appliances (L–65)	6149
Suspension orders:	
Bloomfield Mfg. Co.	6148
Lowell Shoe Co., Inc.	6148
WAR CONTRACTS PRICE ADJUSTMENT BOARD:	
Renegotiation regulations:	
Agreements and statements	6181
Authority and organization	6154

CONTENTS—Continued

	Page
WAR CONTRACTS PRICE ADJUSTMENT BOARD—Continued.	
Renegotiation regulations—Con.	
Excessive profits, determination and elimination	6175
Forms	6188
Procedure	6157
Impasse cases	6184
Renegotiable business and costs, determination	6158
Statutes, orders, joint regulations, and other related material	6196
WAR SHIPPING ADMINISTRATION:	
Merchant marine training; appointment and training of cadets	6199
Renegotiation of contracts; insertion of cross reference	6199

therewith of sweet milk or sweet skim milk, irrespective of whether it is pasteurized or homogenized, and which contains not less than 18 percent of milk fat. Such term shall, for the purposes of this order, include, but not be restricted to, (i) light cream, coffee cream, table cream, whipping cream, heavy cream, plastic cream, sour cream, aerated cream, and any other cream by whatever name known; and (ii) reconstituted cream made from butter and one or more of the following ingredients: milk, skim milk, evaporated milk, condensed milk, cream, dried whole milk, dried skim milk, dried cream, or water.

(5) "Cream product" means cream to which there has been added, or which has been blended or compounded with, a culture, stabilizer, or like agent or ingredient; or with sugar, salt, condiments, spices, flavoring, or similar ingredients; whether or not the resultant product is pasteurized, homogenized, or sterilized.

(6) "Filled cream" means any milk, cream, or skim milk, whether or not condensed, evaporated, concentrated, powdered, dried, or desiccated, to which there has been added, or with which there has been blended or compounded, any fat or oil other than milk fat, so that the resulting product is an imitation of cream or in semblance thereof, whether or not such resulting product contains any other ingredient.

(7) "Milk fat," sometimes known as "butterfat," means the fat of milk; the proportionate content of such milk fat in milk or cream to be determined by the method prescribed in "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists," Fifth Edition, 1940, page 287, under "Fat, Babcock Method—Official."

(8) "Director" means the Director of Distribution, War Food Administration.

(9) "State" means any of the forty-eight States of the United States, the District of Columbia, or any Territory or Possession of the United States.

(b) *Restrictions.* (1) No person shall sell or deliver, except to a handler, any cream or cream product having a milk fat content in excess of 19 percent: *Provided*, That any person may sell or deliver cream having a milk fat content not exceeding by more than 1 percent the minimum milk fat content required by State law or administrative regulation in effect on November 25, 1942, in the State where such delivery is made.

(2) No person shall sell or deliver, except to a handler, any cream or cream product which has been fortified with, or to which there has been added, or with which there has been blended or compounded, evaporated milk, condensed milk, dried whole milk, or dried skim milk.

(3) No person shall, after July 31, 1944, sell or deliver filled cream having a total content of all oil and fat, including milk fat, in excess of 19 percent, but this shall not be construed to permit the manufacture, sale, or delivery of filled cream in violation of the Filled Milk Act (21 U. S. C., 1940 ed., 61–64).

(4) Notwithstanding the provisions of (b) (1) and (b) (2) hereof, any person may sell or deliver to any restaurant, hotel, or other public eating place any cream or cream product having a milk fat content in excess of that permitted by (b) (1) hereof or any cream or cream product of the type described in (b) (2) hereof, if the purchaser certifies in writing to the seller that such cream or cream product is to be used in the manufacture of frozen dairy foods in accordance with the provisions of War Food Order No. 8, issued by the War Food Administrator.

(5) No restaurant, hotel, or other public eating place shall use any cream or cream product having a milk fat content in excess of 19 percent, except in the manufacture of frozen dairy foods in accordance with the provisions of said War Food Order No. 8: *Provided*, That any such restaurant, hotel, or other public eating place may use for all purposes cream having a milk fat content not exceeding by more than 1 percent the minimum milk fat content required by State law or administrative regulation in effect on November 25, 1942, in the State where such use takes place.

(c) *Exemptions.* (1) Notwithstanding the provisions of (b) hereof, any person may sell or deliver to or for any patient, or to any establishment engaged in the care and treatment of the sick, cream of such milk fat content, and in such quantities, as may be necessary for supervised medical treatment of such patient or the patients of such establishment: *Provided*, That such person is supplied with a written statement from the patient's physician or, in the case of an establishment engaged in the care and treatment of the sick, from a responsible official thereof who is a practicing physician, and such written statement shall be valid for a period of not to exceed sixty days from the date of issuance and shall specify (i) the milk fat content of cream required for such use, (ii) the daily quantity of such cream, and (iii) with regard to the necessity of such cream for supervised medical treatment: *Provided further*, That such written statement shall not be valid for obtaining such cream after July 31, 1944, unless approved by the public health officer, or the secretary of the county medical society, of the municipality or county wherein such patient resides or such establishment is located.

(2) Upon application by one or more persons in any marketing area and after demonstration to the satisfaction of the Director that compliance with the provisions of (b) (1) hereof will not tend to conserve milk fat for war and essential civilian needs, the Director may grant an exemption from the provisions of (b) (1) hereof to any or all persons in such area.

(d) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of cream, cream products, or filled cream of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(e) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in cream, cream products, and filled cream.

(f) *Petition for relief from hardship.* Any person affected by this order, who considers that compliance herewith would work an exceptional and unreasonable hardship on him, may file a petition for relief with the Regional Director of Distribution, War Food Administration, serving the area (8 F.R. 15764) in which such person resides or does business. Petitions for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Regional Director may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Regional Director on the petition, he shall, by requesting the Regional Director therefor, obtain a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (f) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto as he deems appropriate, and such action shall be final.

(g) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using cream, cream products, and filled cream, or any other material subject to priority or allocation control by any governmental agency. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(h) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall be addressed to the Regional Director of Distribution, War Food Administration, serving the area (8 F.R. 15764) in which the person affected by the order resides or does business.

(j) *Territorial extent.* This order shall apply to the forty-eight States of the United States, the District of Columbia, and the Territories and Possessions of the United States.

(k) *Effective date.* This order shall become effective at 12: 01 a. m., e. w. t., June 7, 1944. With respect to any violation of War Food Order No. 13, as amended, or rights accrued, liabilities incurred, or appeals taken under said order, as amended, prior to the effective date hereof, said War Food Order No. 13, as amended, shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783).

Issued this 2d day of June 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–8051; Filed, June 3, 1944; 4:12 p. m.]

[WFO 97, Termination]

PART 1414—POULTRY

HEN TURKEYS AND PROCESSED TURKEYS

War Food Order No. 97 (9 F.R. 4375) is hereby terminated.

This order shall become effective at 12:01 a. m., e. w. t., June 3, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 97, prior to the effective time hereof, all provisions of such order in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper action, suit, or other proceeding with respect to any such violations, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 3d day of June 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–8052; Filed, June 3, 1944; 4:12 p. m.]

[WFO 67, Amdt. 3]

PART 1460—FATS AND OILS

INEDIBLE TALLOW OR GREASE

War Food Order 67, as amended (8 F.R. 15810; 9 F.R. 2255, 4319), § 1460.27, is amended as follows:

1. By deleting the provisions of paragraph (b) thereof and inserting in lieu thereof the following:

(b) *Certification of orders for inedible tallow or grease which is not to be used for the production of soap.* Any manufacturer who desires to obtain inedible tallow or grease from a producer or dealer in any calendar month, for the manufacture of any product other than soap, and who desires to avail himself of the provisions of paragraph (d) hereof, may, in the period of twenty days immediately prior to the tenth day of such month, deliver to such producer or dealer a written order for such inedible tallow or grease which has attached thereto, or included therein, a certificate properly filled out and signed by him, in the following form:

The undersigned hereby certifies to the War Food Administration and to ----------
(producer or dealer)
that this certificate constitutes a part of an order by him to said producer or dealer for ---------- pounds of inedible tallow or grease, to be delivered on or about ----------,
(date)
and that all of the inedible tallow or grease which may be received by the undersigned pursuant to such order will be used by him in the manufacture of a product other than soap, and that such acceptance of delivery by him during any period when inventory restrictions are in effect will not cause his inventory of inedible tallow or grease to exceed the amount permitted under the terms of War Food Order 67, as amended.

(Purchaser)

By ----------
(Authorized Official)

(Date)

No person who receives inedible tallow or grease as a result of such a certified

order shall use any of the inedible tallow or grease so received in the production of soap.

2. By deleting the provisions of paragraph (c) thereof.

3. By deleting the provisions of paragraph (d) thereof and inserting in lieu thereof the following:

(d) *Restrictions on delivery in order to give certified orders preference.* No producer or dealer shall deliver inedible tallow or grease during any month to any manufacturer, except pursuant to a specific authorization by the Director or an order certified in accordance with the provisions of paragraph (b) hereof, unless and until he has, before the end of such month, delivered, offered to deliver, or made provision to deliver all inedible tallow or grease for which, in the period of twenty days immediately prior to the tenth day of such month, he has received orders certified in accordance with the provisions of paragraph (b) hereof: *Provided, however,* That no dealer shall be required to deliver, offer to deliver, or make provision to deliver on such certified orders in the aggregate, in any month, more inedible tallow or grease than 30% of the total amount of inedible tallow or grease delivered by him in such month, and no producer shall be required in any month to deliver, offer to deliver, or make provision to deliver on such certified orders from any one plant operated by him more than 30% of the total deliveries of inedible tallow or grease made by him from such plant in such month, and no producer or dealer shall be required to make delivery of any quantity of inedible tallow or grease other than a commercial quantity, or in an amount less than the smallest commercial quantity of inedible tallow or grease delivered by him in the base period.

This amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. However, certified orders may be delivered pursuant to paragraph (b) hereof after June 20, 1944, and such orders shall be deemed valid for the purposes of this amendment. With respect to violations of said War Food Order 67, as amended, or rights accrued, or liabilities incurred thereunder, prior to July 1, 1944, said War Food Order 67, as heretofore amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 3d day of June 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-8053; Filed, June 8, 1944; 4:12 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

RENEGOTIATION REGULATIONS

CROSS REFERENCE: For Renegotiation Regulations issued by the War Contracts Price Adjustment Board, see Title 32, Chapter XIV, infra.

TITLE 13—BUSINESS CREDIT

Chapter I—Reconstruction Finance Corporation

RENEGOTIATION REGULATIONS

CROSS REFERENCE: For Renegotiation Regulations issued by the War Contracts Price Adjustment Board, see Title 32, Chapter XIV, infra.

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51068]

PART 24—CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

REFUNDS OF INTERNAL-REVENUE TAXES

Section 24.36 (b), Customs Regulations of 1943 (19 CFR Cum. Supp.), is hereby amended by inserting the words "of internal-revenue tax" before the comma following the word "refund" in the first sentence. (R. S. 161, 251, sec. 624, 46 Stat. 759; 5 U. S. C. 22, 19 U. S. C. 66, 1624)

W. R. JOHNSON,
Commissioner of Customs.

Approved: June 3, 1944.

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44-8119; Filed, June 5, 1944; 4:21 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3665, 3666; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-500, Amdt. 1]

LOWELL SHOE CO., INC.

Lowell Shoe Company, Inc., 341 Middlesex Street, Lowell, Massachusetts, has appealed from the suspension order upon the ground that it would put the respondent permanently out of business. The Chief Compliance Commissioner has reviewed the case, and has concluded that the business of the respondent will be permanently affected unless the suspension order is modified. He, therefore, on June 3, 1944, directed that the suspension order be, and hereby is, amended by substituting in paragraph (a) "fifty thousand (50,000) pairs" for "thirty-five thousand (35,000) pairs".

In view of the foregoing:

It is hereby ordered, That § 1010.500, Suspension Order No. S-500, issued March 10, 1944, and effective March 17, 1944, be, and hereby is, amended by the substitution of the following paragraph (a) for the present paragraph (a):

(a) Lowell Shoe Company, Inc., its successors or assigns, shall not complete the manufacture of more than fifty thousand (50,000) pairs of civilian footwear during the effective period of this order. Such footwear shall be limited to Lowell Shoe Company's existing price lines, but may be divided among such lines as the company may determine under paragraph (i) (iv) of Conservation Order M-217 as amended January 12, 1944.

Issued this 3d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8054; Filed, June 8, 1944; 4:17 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-527, Reinstatement]

BLOOMFIELD MANUFACTURING CO.

The Bloomfield Manufacturing Company, of 3333 South Wells Street, Chicago, Illinois, which is a corporation engaged in the production of various war materials and metal kitchen equipment was suspended on May 2, 1944, by Suspension Order No. S-527. It appealed from the provisions of the suspension order and, pending determination of the appeal, the suspension order was stayed by the Chief Compliance Commissioner on May 2, 1944. The appeal has been considered by the Chief Compliance Commissioner, who has dismissed the appeal and directed that the stay be terminated and the suspension order reinstated.

In view of the foregoing:

It is hereby ordered, That: § 1010.527, Suspension Order No. S-527 issued April 25, 1944, and effective May 2, 1944, be and hereby is reinstated; the stay of execution directed by the Chief Compliance Commissioner on May 2, 1944, be and hereby is revoked; and paragraph (d) be and hereby is amended to read as follows:

(d) This order shall take effect on June 8, 1944, and shall expire on September 5, 1944.

and that the suspension order be and hereby is amended by inserting the following paragraph (c) after paragraph (b) and by relettering the present paragraphs (c) and (d) respectively (d) and (e):

(c) The Bloomfield Manufacturing Company, Chicago, Illinois, its successors and assigns, shall not directly or indirectly transfer to any person or persons or corporation, and no person or persons or corporation shall receive or use the facilities of the Bloomfield Manufacturing Company, Chicago, Illinois, to cut, shape, form, put in process, process or manufacture any metal as set forth in the lists attached to Priorities Regulation 13, to make any metal kitchen equipment in any of the shapes or forms as defined in or governed by any Order of the L-30 series, as each regulation and order may be amended from time to time, unless hereafter specifically authorized in writing by the War Production Board.

Issued this 3d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8055; Filed, June 8, 1944; 4:17 p. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L-65, as Amended June 3, 1944]

ELECTRICAL APPLIANCES

§ 3291.311 *General Limitation Order L-65*—(a) *Definitions.* For the purposes of this order:

(1) "Electrical appliances" means only those appliances listed on Schedule A of this order which have as functional parts, electrical heating units (of any wattage), or which are powered by an electrical vibrator or electrical fractional horsepower motor.

(2) "Heating unit" means any electric heating unit designed primarily for use in an electrical appliance or in a domestic type electric range.

(3) "Electrical resistance material" means material in the form of ribbon or wire to be incorporated in heating units, in which either nickel or chromium or both, are used to create electrical resistance for the development of heat.

(4) "Manufacturer" means any person engaged in the business of manufacturing or assembling any heating units, electrical appliances or parts for such appliances, including a person who assembles parts of an electrical appliance for sale in knock-down form.

(5) "Distributor" means any person engaged in the business of transferring heating units, electrical appliances or parts for such appliances to his retail outlets or to other dealers.

(6) "Dealer" means any person engaged in the business of transferring or repairing heating units, electrical appliances or parts for such appliances to or for ultimate consumers.

Any person who acts in more than the single capacity of manufacturer, distributor or dealer as defined in paragraphs (a) (4), (a) (5) and (a) (6) of this order shall for the purposes of this order be deemed a manufacturer, distributor or dealer, depending upon the capacity in which he acts in each specific transaction.

(7) "Preferred order" means any purchase order, contract or subcontract for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(8) "Repair or replacement part" means any heating unit for a domestic electric range or any heating unit or other part for an electrical appliance when such heating unit or part is not produced for use in the manufacture or assembly of any new electrical appliance or new domestic electric range.

(9) "Current-carrying parts" include only the following parts: Heating units, thermostats and temperature controls, relays, lead-in and connection wires, switches, terminals, fuses, receptacles and parts of motors which conduct electric current, but shall not include cord sets.

(b) *General restrictions on production.* (1) On and after June 17, 1943, no manufacturer shall produce any new electrical appliance (or parts therefor) other than repair or replacement parts, except:

(i) The following new electrical appliances (or parts therefor) may be produced in fulfillment of preferred orders: Coffee makers, flat irons, air heaters, water heaters, and commercial or heavy duty equipment of the following types: broilers, food choppers, food mixers, food grinders, food servers, food slicers, fry kettles, griddles, hotplates, juicers, ovens, ranges, toasters, urns and vegetable peelers.

(ii) During the period beginning June 17, 1943, and ending September 30, 1943, inclusive, and during each three months period thereafter, a manufacturer may produce for other than preferred orders as specified in paragraph (b) (1) (i) above, no more units of any of the following types of new electrical appliance (or parts therefor) than 10% of the number of units of that particular electrical appliance (or parts therefor) produced by him during 1940: Commercial or heavy duty equipment of the following types: broilers, food choppers, food mixers, food grinders, food servers, food slicers, fry kettles, griddles, hotplates, juicers, ovens, ranges, toasters, urns and vegetable peelers; *Provided,* that no manufacturer shall produce any units of any type of new electrical appliance (or parts therefor) listed in this paragraph (ii) if such production will result in an accumulation of inventory of that particular type of new electrical appliance (or parts therefor) greater than 15% of the number of units of that particular electrical appliance (or parts therefor) produced by him during 1940.

(2) On and after June 17, 1943, no manufacturer shall use copper or copper base alloys in the production of any new electrical appliances, or parts therefor (whether or not in fulfillment of preferred orders) specified in paragraph (b) (1) of this order, except for such minimum amounts as are necessary for the conduction of electric current or essential to the proper functioning of parts.

(c) *Restrictions on transfer of new electrical appliances.* On and after June 17, 1943, no manufacturer shall transfer the physical possession of or title to any new electrical appliance manufactured after that date, except

(1) In fulfillment of preferred orders.

(2) Pursuant to specific authorization of the War Production Board on Form WPB-1319 pursuant to an application filed on said Form. Form WPB-1319 should be filed with the nearest field office of the War Production Board for all orders except for export, and with the War Production Board, Washington 25, D. C., Ref: L-65, for export orders.

(d) *Repair or replacement parts.* (1) Except in fulfillment of preferred orders, on and after June 17, 1943, no manufacturer shall use copper or copper base alloys in the production of any repair or replacement parts, other than the specific parts listed on the following table, or any part thereof:

Type of equipment	*Repair or replacement parts for which copper or copper base alloys are permitted*
Air heaters	Current-carrying parts.
Commercial permanent wave equipment and commercial hair driers.	Current-carrying parts, other than copper or copper base alloy disposable grids for permanent wave equipment.
Flat irons	Cord sets pursuant to paragraph (d) (3) of this order and current-carrying parts.
Commercial or heavy duty equipment of the following types: broilers, food choppers, food mixers, food grinders, food servers, food slicers, fry kettles, griddles, hotplates, juicers, ovens, ranges, toasters, urns and vegetable peelers.	Current-carrying parts and motor bearings where the use of other material is impracticable.
Heating units for domestic electric ranges	Current-carrying parts.
Hotplates and disc stoves	Current-carrying parts.
Roasters	Current-carrying parts.
Water heaters	Current-carrying parts and immersion units.

(2) On and after June 17, 1943, no manufacturer shall use copper or copper base alloys in the production of repair and replacement parts in fulfillment of preferred orders, except for such minimum amounts necessary for the conduction of electric current or essential to the proper functioning of parts.

(3) On and after June 17, 1943, no manufacturer shall produce any replacement cord sets except for flat irons. Replacement cord sets produced for flat irons shall conform to the following specifications: The cord shall be of a quality which tests 3,000 or more cycles in flexure and shall be not more than 6 feet in length; plugs and caps shall be so constructed that they can be readily dismantled and reassembled for repair purposes. During the period beginning June 17, 1943, and ending December 31, 1943, and during each six month period thereafter, no manufacturer shall produce more replacement cord sets for flat irons than 25% of the number of such replacement cord sets produced by him during the year 1940.

(4) On and after June 17, 1943, no manufacturer shall produce any repair or replacement parts (other than replacement cord sets for flat irons) if he has, or as a result of such production will have, more parts of such type in his inventory than the number of parts of such type which he sold during the preceding six calendar months.

(5) Except in fulfillment of preferred orders, on and after June 17, 1943, no manufacturer or distributor shall transfer any repair or replacement parts unless a similar used part has been delivered to him in exchange therefor, or unless he has been informed that a similar used part is being held or will be secured by the dealer or distributor to whom the new part is being transferred, or has been disposed of in accordance with this paragraph. The used parts shall be held subject to disposition at the direction of the manufacturer or distributor who transferred the new part. If no such direction is given within 60 days, the person holding the used part shall promptly dispose of it through regular scrap channels.

(e) *Restriction on use or transfer of electrical resistance material.* On and after June 17, 1943, no manufacturer shall use in the production of heating units or transfer for any purpose whatsoever, any electrical resistance material reported by him in columns 4 and 8 of Form PD-370 prior to September 30, 1942, except pursuant to specific authorization of the War Production Board on Form WPB-1319. Application on that form should be filed with the War Production Board, Washington 25, D. C., Ref.: L-65.

(1) [Deleted Feb. 19, 1944]

(2) [Deleted Feb. 19, 1944]

(f) *Inventory restrictions.* No manufacturer shall accumulate for use in the manufacture of electrical appliances, heating units, or repair or replacement parts, any inventories of raw materials, semi-processed materials or finished parts in quantities in excess of the minimum amount necessary to maintain production as permitted by this order.

(g) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the Office of Production Management or the War Production Board limits the use of any material in the production of electrical appliances, heating units, or repair or replacement parts to a greater extent than the limits imposed by this order, the provisions of such other order shall govern unless otherwise specified therein.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(i) *Reports.* Every manufacturer affected by this order shall execute and file Form WPB-1600 (formerly PD-655) with the War Production Board, Washington 25, D. C., Ref.: L-65, on or before the 10th day following the close of each calendar month.

(j) *Appeals.* Any appeal from the provisions of this order should be made on Form WPB-1477 (formerly PD-500).

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref.: L-65.

Issued this 3d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

The following is the list of electrical appliances specified in paragraph (a) (1) of this order:

Air Heaters (except as covered by L-107 and L-158)
Aquarium Heaters
Baking Ovens
Barbecue Machines
Biscuit and Muffin Bakers
Blankets
Bottle Warmers
*Bread Slicers (except as covered by L-83)
Bread Toasters (except as covered by L-182)
Broilers
Casseroles
Chafing Dishes
Choppers, food and meat
Cigar and Cigarette Lighters
Clothes Driers
Coffee Makers
Coffee Mills
Coffee Roasters
Commercial Cooking and Food and Plate Warming Equipment
Corn Poppers
Curling Irons
*Dishwashing Equipment (domestic)
Double Boilers
Doughnut Cookers
Dry Shavers
Egg Boilers
Face and Hand Driers
Fan Type Heaters (except as covered by L-107 and L-158)
Faucet Heaters
Flat Irons
Fly Screens and Traps
Fireplaces
Food Choppers and Slicers
Food Conveyance Equipment
Food Cooking Equipment
Food Grinders
*Food Mixers
*Food Preparation Machinery
Food Servers
Fry Kettles
Griddles
Grills
Hair Clippers
Hair Driers
Heating Pads
Hedge Clippers
Hotplates and Disc Stoves
Ice Cream Freezers, Domestic
**Immersion Heaters
*Juice Extractors
Knife Sharpeners and Grinders
Massage Vibrators
*Meat, Fish and Bone Cutters
Neckwear and Trousers Pressers
Ovens (except as covered by L-182)
Peanut Roasters
Percolators
Permanent Wave Equipment
Popcorn Machinery
Portable Air Heaters
Pyrographic Pencils
Radiant Heaters
Ranges, Commercial (except as covered by L-182)
Roasters
Roasting Ovens
Sandwich Toasters
Soup Cookers
Steak and Meat Tenderising Equipment
Steam Tables
**Steamers
Stock Pots
**Strip Heaters
Table Stoves
Tea Kettles
**Unit Heaters
Urns
Vibrators
**Vane Heaters
Waffle Irons
Water Heaters (except as covered by L-185)

[F. R. Doc. 44-8056; Filed, June 8, 1944; 4:17 p. m.]

*Only those using a fractional horsepower motor.

**Except for industrial applications.

Chapter XI—Office of Price Administration

PART 1340—FUEL

[RMPR 122,[1] Amdt. 23]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 122 is amended in the following respect:

Section 1340.256 (c) (3) is amended to read as follows:

(3) In the case of Pennsylvania anthracite, the amount per net ton for the sizes and for the time specified as follows:

Size	To and including June 10, 1944	On and after June 11, 1944 to and including June 30, 1944	On and after July 1, 1944
Egg, stove and nut	$1.25	$1.10	$0.55
Pea	1.20	1.05	.50
Buckwheat	1.05	.90	.45
Rice	.95	.85	.45
Barley	.70	.60	.35
Smaller than barley	.65	.50	.30

This amendment shall become effective June 5, 1944.

Issued this 5th day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-8117; Filed, June 5, 1944; 4:28 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 271,[2] Amdt. 16]

POTATOES AND ONIONS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

In section 24, Table V is amended to read as follows:

TABLE V—1944 CROP WHITE FLESH POTATOES

(The following prices apply to all varieties of U. S. No. 1 grade white potatoes of the 1944 crop, harvested and sold during the 1944 marketing season, sacked and loaded on carrier, except those actually sold before May 22, 1944, and except those shipped from the country shipping point, whether sold or unsold, before May 18, 1944. The differentials set forth in section 25 are to be used in determining maximum prices for other grades, special sizes and special packs or packages. However, for the month of June, 1944, and with respect to all states other than California and Arizona, the terms "U. S. No. 1 grade" and "U. S. Commercial grade" wherever they appear in this table or in section 25, shall mean U. S. No. 1 grade or U. S. Commercial grade, as the case may be, of a minimum diameter of 1⅛ inches, and the provisions of section 25 with respect to U. S. Size B shall not be applicable.)

Period	Producing area	Maximum price per 100 pounds
May 16-31	Florida, area north of counties of Charlotte, Glades and Martin, and east of the Suwanee River.	$3.40
	California	2.60
	All other areas	3.25
June 1-15	California	2.40
	Arizona	3.05
	All other areas	3.25
June 16-30	California	2.40
	Arizona	2.90
	All other areas	3.10

This amendment shall become effective at 12:01 a. m. June 6, 1944.

Issued this 5th day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: June 3, 1944.

GROVER B. HILL,
Acting War Food Administrator.

[F. R. Doc. 44-8109; Filed, June 5, 1944; 11:49 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[3] Amdt. 18 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (c) (8) is added to read as follows:

(8) For the reporting period beginning July 2, 1944 and ending July 29, 1944—3.5

This amendment shall become effective June 5, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320)

Issued this 5th day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-8118; Filed, June 5, 1944; 4:28 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165,[1] Amdt. 40]

CERTAIN LUMBER SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.101 (c) (37) is amended to read as follows:

(37) Lumber—drying, milling, processing, and non-pressure treating of, on a custom basis, except the custom milling and kiln-drying services covered in Maximum Price Regulation 539; and inspection, grading, reinspection, certification and grademarking of, for manufacturers, distributors, or purchasers.

This amendment shall become effective June 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-8114; Filed, June 5, 1944; 4:27 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165, Supp. Service Reg. 27,[2] Revocation]

CUSTOM MILLING AND KILN DRYING OF WESTERN SOFTWOODS

For the reasons set forth in the statement of considerations which is issued simultaneously herewith and filed with the Division of the Federal Register,* *It is ordered:*

Supplementary Service Regulation 27—Custom Milling and Kiln Drying of Western Softwoods (§ 1499.2258) is hereby revoked, Supplementary Order No. 40[3] applying to such revocation.

This order shall become effective June 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-8116; Filed, June 5, 1944; 4:27 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 2128, 2477, 3966, 4436.

[2] 8 F.R. 15587, 15663; 9 F.R. 2298, 3589, 4027, 4647, 5379.

[1] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6364, 8506, 8873, 10671, 10689, 11754, 12023, 12710, 13302, 13472, 14990; 9 F.R. 1819, 3395, 3593, 4747, 5174.

[2] 9 F.R. 4227.

[3] 8 F.R. 4325.

PART 1499—COMMODITIES AND SERVICES

[MPR 539]

CUSTOM MILLING AND KILN DRYING OF WESTERN SOFTWOODS

In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.* Such specifications and standards as are used in this regulation were, prior to such use, in general use in the industry affected.

§ 1499.2260 *Maximum prices for custom milling and kiln drying of Western softwood lumber.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, Maximum Price Regulation 539, which is annexed hereto and made a part hereof, is hereby issued:

AUTHORITY: § 1499.2260 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 539—CUSTOM MILLING AND KILN DRYING OF WESTERN SOFTWOODS

CONTENTS

Sec.
1. Higher than maximum prices prohibited.
2. What is Western softwood lumber.
3. What is "custom milling service".
4. What is a custom mill.
5. Invoicing and records.
6. Services not listed.
7. No quantity limitations.
8. Transportation and demurrage charges.
9. Enforcement.
10. Licensing.
11. Geographical applicability.
12. Maximum prices.

SECTION 1. *Sales of custom milling or custom kiln drying services on Western softwood lumber at higher than maximum prices prohibited.* (a) On and after June 5, 1944, no person shall sell or provide, and no person shall buy or receive in the course of trade or business, custom milling or kiln drying services on Western softwood lumber, at prices higher than the maximum prices set by this regulation; and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 2. *What is Western softwood lumber.* "Western softwood lumber" under this regulation means any lumber which on sales by the sawmill is subject to RMPR 26[1] (Douglas Fir and other West Coast Lumber), MPR 94[2] (Western Pine and Associated Species of Lumber), MPR 253[3] (Redwood Lumber), MPR 290[4] (Sitka Spruce Lumber), or MPR 402[5] (Western Red Cedar Lumber).

SEC. 3. *What is "custom milling service".* Under this regulation "custom milling" means only the operations specifically included under Section 12 performed, as a service for others, upon lumber in which the person performing these services has no financial interest.

SEC. 4. *What is a custom mill.* Even though the services you perform may meet the definition of "custom milling" above, this regulation does not apply to you unless you qualify as a custom mill under this section.

(a) *General.* A custom mill is one which performs custom milling services upon lumber subject at mill level to RMPR 26, MPR 94, MPR 253, MPR 290, or MPR 402, and which:

(1) Does not operate as a "mill" under the definitions contained in RMPR 26, MPR 94, MPR 253, MPR 290, or MPR 402.

(2) Does not own or control, is not owned or controlled by and is not under common control with a "mill" producing the species covered by RMPR 26, MPR 94, MPR 253, MPR 290, or MPR 402, wherever located.

(b) *Operation not qualifying under paragraph (a) may get special permission.* If you do not qualify as a "custom mill" under paragraph (a) above, you may under certain special conditions get authority to operate under this regulation. The rules covering this are as follows:

(1) An application must be filed with the OPA Regional Office nearest the operation. This application must show:

(i) The location of the plant, with a description of the physical lay-out of operations in relation to any other activities relating to forest products carried on by the applicant wherever located.

(ii) The extent of ownership or control of or by any other operations relating to forest products, or of common ownership or control, giving name, location, and nature of the other operations.

(iii) Applicant's milling facilities, and the capacity thereof in MBM per day, together with a statement of total footage in rough boards and dimension and rough or surfaced plank and timbers, and green or partially dry lumber in these sizes, sold during the 30 day period preceding date of application.

(iv) Any other information the applicant may wish to submit.

(2) Special authorization under this paragraph (b) will be granted only where the application enables the Regional Office to make findings that the authorization:

(i) Will result in a greater production of surfaced boards or dimension or kiln dried lumber.

(ii) Will not encourage producing sawmills having remanufacturing and kiln drying facilities to ship their lumber green, partially dry, rough, or in thicknesses over 2".

(iii) Will provide necessary milling services which cannot reasonably be supplied by producing mills, or by custom mills qualifying under paragraph (a).

(iv) Will not result in unnecessarily increasing the cost of finished lumber to the ultimate consumer.

In granting the authority, the Regional Office may make such limitations and conditions as to duration of the authority, quantity of lumber to be milled, etc., as may be appropriate and consistent with the above findings. The authorization may be granted, or the application denied, by letter or telegram.

(c) Unless the operation qualifies, or is specially authorized, as a "custom mill" under paragraphs (a) or (b) above, its maximum prices for custom milling of Western softwood lumber are the charges set forth as additions for workings in the appropriate lumber price regulation.

(d) Special permissions heretofore granted under section 3 (b) of the former Supplemental Service Regulation 27, shall continue in full force and effect under this regulation according to the terms in which they were originally granted.

SEC. 5. *Invoicing and records.* Invoices must show the species, size, condition, and workings of the lumber before and after milling, with a detailed description of all services performed thereon for which a charge is made. Copies of invoices, or similar records, must be kept at the place where the custom milling is performed, available for examination by the Office of Price Administration. These records must be kept for two years.

SEC. 6. *Services not listed.* If a custom mill is required to perform a service for which prices are not specifically provided, these services are still under Maximum Price Regulation 165.

SEC. 7. *No quantity limitations.* The maximum prices set forth in this regulation apply to all transactions regardless of the quantity of lumber involved.

SEC. 8. *Transportation and demurrage charges.* No charge may be made by a custom mill for demurrage on railroad cars at its plant, nor for the arrangement of transportation of lumber or advancement of freight charges thereon.

SEC. 9. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

SEC. 10. *Licensing.* The provisions of Licensing Order No. 1[6] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 11. *Geographical applicability.* This regulation applies in the 48 states and the District of Columbia.

SEC. 12. *Maximum prices.* The maximum prices per one thousand feet board measure for "custom milling" of lumber which on mill sales is subject to RMPR 26, MPR 94, MPR 253, MPR 290, or MPR 402 shall be as follows:

TABLE 1.—CUSTOM MILLING BOARDS AND DIMENSION

	1x2	1x3	1x4	1x6	1x8	1x10	1x12	2x2	2x3	2x4	2x6	2x8	2x10	2x12
Resawing—1 line	$7.50	$6.50	$6.00	$4.00	$3.00	$3.00	$2.50	$5.00	$4.00	$3.00	$2.50	$2.00	$2.00	$2.00
Add for each additional line	2.00	2.00	1.50	1.50	1.50	1.50	1.00	1.50	1.50	1.50	1.00	1.00	1.00	1.00
Ripping—1 line	7.50	6.50	5.00	4.00	3.00	3.00	2.50	5.00	4.00	3.00	2.50	2.00	2.00	2.00
Ripping each additional line	2.00	2.00	1.50	1.50	1.50	1.50	1.00	1.50	1.50	1.50	1.00	1.00	1.00	1.00
81E, 82E, 81S or 82S	7.50	6.50	5.00	4.00	3.00	3.00	2.50	5.00	4.00	3.00	2.50	2.00	2.00	2.00
81S1E, 81S2E, 82S2E, 84S or S/L	10.50	9.50	6.50	4.00	3.00	3.00	2.50	5.00	4.00	3.00	2.50	2.00	2.00	2.00
D. and M., rustic and siding (all patterns) add to 84S	.50	.50	.50	.50	.50	.50	.50	.50	.50	.50	.50	.50	.50	.50
Grooved for splines add to 84S								1.00	1.00	1.00	1.00	1.00	1.00	1.00
Bundling, add	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00					
Grading, marking and tallying after remilling (applicable only when all three services performed) add	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Unloading, handling and reloading open cars or trucks[1]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
For closed-type cars add to open-car charge[1]	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00

[1] May not be added more than once on any order.

TABLE 2.—CUSTOM MILLING—PLANK AND TIMBERS

	3x4	3x6	3x8	3x10	3x12	4x4	4x6	4x8	4x10	4x12	6x6	6x8 and larger
Resawing—1 line	$3.00	$3.00	$2.50	$2.50	$2.50	$3.00	$3.00	$2.50	$2.50	$2.50	$2.50	$2.00
Add for each additional line	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	.50
Ripping—1 line	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.00
Add for each additional line	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	.50
81E, 82E, 81S or 82S	3.00	3.00	2.50	2.50	2.50	3.00	3.00	2.50	2.50	2.50	2.50	2.00
81S1E, 81S2E, 82S1E or 84S	3.00	3.00	2.50	2.50	2.50	3.00	3.00	2.50	2.50	2.50	2.50	2.00
D & M or S/L add to 84S	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00		
Grooved for splines add to 84S	1.00	1.00	1.00	2.00	2.00	1.00	1.00	2.00	2.00	2.00	3.00	3.00
Grading, marking and tallying (applicable only when all three services performed) add	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Unloading, handling and reloading, open cars or trucks[1]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
For closed-type cars add to open-car charge[1]	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00

[1] May not be added more than once on any order.

TABLE 3

Custom kiln drying. Kiln drying including all handling (unloading from cars, handling through kilns and reloading cars, etc.)

Thinner than 10/4	$10.00
10/4 & 12/4 inc	12.00

General notes. 1. Charges for additional lines of both resawing and ripping are based on original size of piece ripped or resawn.

2. Where surfacing is done following resawing and/or ripping, surfacing charges shall be based on size or sizes of stock resulting from the resawing and/or ripping operation.

3. Fractional or odd thickness: use price of next thinner even size. Compute footage on actual rough measure.

4. Fractional or odd widths not listed: use price of next even width, either wider or narrower, whichever is lower. Compute footage on actual rough measure.

5. Where only one operation is performed on the lumber, for instance, surfaced only, or ripped or resawed one line only, add $1.00 per MBM.

6. Prices on combination milling, such as ripping and resawing, must be computed on the cheapest method of producing the end product from the particular sizes remanufactured, regardless of how the custom mill actually produces the end product.

7. For milling quantities of less than 1,000 feet board measure of any size or operation, the charge for 1,000 feet may be made.

8. The custom kiln drying charges cover only standard grades as described in the official grading rules covering the various Western softwoods subject to RMPR 26, MPR 94, MPR 258, MPR 290 or MPR 402, when dried to ordinary commercial standards. Prices on drying special grades, or drying to moisture content lower than standard will be given on application to the Office of Price Administration, Washington 25, D. C. The application must state the requested price, and contain a complete description of the item to be priced, including species, size and the maximum moisture content allowed.

9. Customer must furnish inbound piece tally on each shipment; otherwise custom mill may add $.50 per M for tallying.

Effective date. This regulation shall become effective June 5, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-8115; Filed, June 5, 1944; 4:27 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1016, 3513, 4227.

[2] 7 F.R. 10848; 8 F.R. 859, 1188, 4118, 7352, 8009, 8756, 11040, 12136, 12296, 12878, 16199; 9 F.R. 206, 789, 1162.

[3] 7 F.R. 9230, 10848; 8 F.R. 1139, 4136, 4720, 7197, 11479.

[4] 8 F.R. 19, 2270, 6959.

[5] 8 F.R. 7662.

[6] 8 F.R. 13240.

Chapter XIV—War Contracts Price Adjustment Board

Renegotiation Regulations

June 7, 1944.

On April 19, 1944, Parts 1601, 1602, 1607 and 1608 of the Renegotiation Regulations, as revised by Revision 1, were published in the Federal Register (9 F.R. 4135).

There are herewith published in this issue the additions and amendments to the Renegotiation Regulations through Revision 6, consisting of Parts 1603, 1604, 1605, and 1606 and changes and additions to Parts 1601, 1602, 1607 and 1608.

Subsequent changes and additions to these regulations will also be published in the Federal Register from time to time as directed by the War Contracts Board.

[SEAL] JAMES S. FEIGHT,
Lt., U. S. N. R.,
Secretary.

Part 1601—Authority and Organization for Renegotiation [1]

Subpart A—Summary of Renegotiation Act of 1943 and Related Statutes

Sections 1601.103 to 1601.112 are amended by the insertion of cross references, so that the text thereof, as amended, will read as follows.

§ 1601.103 *Coverage.* (a) In general the 1943 act applies to amounts received or accrued in fiscal years ending after June 30, 1943 under all contracts with the Departments and subcontracts, with the exceptions stated under § 1601.104 (subsection (c) (6) discussed in § 1603.348).

(b) Subcontracts include purchase orders or agreements to perform all or any part of the work, or to make or furnish any article, required for the performance of any other contract or subcontract but do not include any purchase order or agreement to furnish office supplies. A contract or arrangement to procure a contract with a Department is also a subcontract. Subcontracts are not limited to those made by a prime contractor but include those made by a subcontractor or sub-subcontractor down through the various tiers (subsection (a) (5), discussed in § 1603.333).

(c) The coverage of the 1943 act is discussed in detail in Part 1603. [RR 103]

§ 1601.104 *Exclusions and exemptions*—(a) *Mandatory.* The 1943 act does not apply to:

(1) Contracts between the Departments and other Governmental agencies (subsection (i) (1) (A), discussed in § 1603.343);

(2) Contracts or subcontracts for certain raw materials (subsection (i) (1) (B), discussed in § 1603.344);

(3) Contracts or subcontracts for agricultural commodities in a certain form or state, (subsection (i) (1) (C), discussed in § 1603.342 (b));

(4) Contracts or subcontracts with tax exempt charitable, religious or educational institutions (subsection (i) (1) (D), discussed in § 1603.345);

(5) Construction contracts with a Department let under competitive bidding (subsection (i) (1) (E), discussed in § 1603.346); or

(6) Subcontracts under prime contracts or other subcontracts of the types listed above which are exempted by subsection (i) (1) (subsection (i) (1) (F), discussed in § 1603.347). [RR 104.1]

(b) *Permissive.* The War Contracts Board may, in its discretion, exempt from any or all of the provisions of the 1943 act:

(1) Any contract or subcontract:

(i) To be performed outside of the continental United States or in Alaska (subsection (i) (4) (A), discussed in § 1603.351);

(ii) Under which the profits can be determined with reasonable certainty when the contract price is established (subsection (i) (4) (B), discussed in § 1603.352);

(iii) During a specified period or periods, to the extent that the contract provisions are adequate to prevent excessive profits (subsection (i) (4) (C), discussed in § 1603.353);

(iv) For a standard commercial article if competitive conditions are such as will reasonably protect the Government (subsection (i) (4) (D), discussed in § 1603.354);

(v) If competitive conditions affecting the making of such contract or subcontract are likely to result in effective competition with respect to the contract price (subsection (i) (4) (E), discussed in § 1603.355); or

(2) Any subcontract or group of subcontracts, if it is not administratively feasible to segregate the renegotiable from the non-renegotiable business (subsection (i) (4) (F), discussed in § 1603.356).

The Board may make such exemptions by individual contracts or by general classes or types of contracts (subsection (i) (4), discussed in § 1603.357). [RR 104.2]

(c) *Exemption measured by volume of business.* Subsection (c) (6) provides that renegotiation shall not apply to any contractor or subcontractor unless the aggregate of the amounts received or accrued by the contractor or subcontractor (and all persons under the control of or controlling or under common control with the contractor or subcontractor) under contracts with the Departments and subcontracts, not including subcontracts for procuring contracts or subcontracts, exceed $500,000 (discussed in § 1603.348). In the case of subcontracts for the procuring of contracts or subcontracts, this figure is $25,000 (discussed in § 1603.348). [RR 104.3]

(d) *Profits from increment in value of excess inventories.* The 1943 act excludes from renegotiation that portion of the profits derived from contracts with the Departments and subcontracts attributable to the increment in value of excess inventories of certain raw materials and agricultural commodities (subsection (i) (3), discussed in § 1603.344 (d)). [RR 104.4]

§ 1601.105 *Renegotiation clauses in contracts.* (a) The 1943 act directs each Secretary to insert in each contract made by his Department, involving more than $100,000, terms under which the contractor agrees (1) to renegotiation, (2) to the withholding or recovery of excessive profits by the United States and (3) that he will insert like terms in all subcontracts made by him involving more than $100,000, and will require the subcontractor to insert like terms in contracts entered into by him. In the case of subcontracts for procuring contracts with the Departments these terms are to be placed in all such subcontracts for more than $25,000 (subsection (b), discussed in § 1603.331).

(b) The 1943 act permits these terms to be incorporated in contracts and subcontracts by reference and each contract or subcontract is made subject to such terms whether or not they are incorporated either physically or by reference. [RR 105]

§ 1601.106 *Determination of excessive profits*—(a) *Costs.* In determining the profits from renegotiable business, the 1943 act requires the War Contracts Board to allow costs determined in accordance with the method of cost accounting regularly employed by the contractor or if such method does not properly reflect such costs, the Board is authorized to prescribe the method under which such costs shall be determined. No item of cost shall be allowed which is unreasonable or which is not properly chargeable to the contract or subcontract. Notwithstanding these provisions, all items estimated to be allowable as deductions or exclusions for income tax purposes to the extent they are allocable to renegotiable business, are to be allowed in determining excessive profits. State income taxes, to the extent they are attributable to the portion of the contractor's profits determined to be excessive, however, are not allowable (subsection (a) (4) (B), discussed in § 1603.389). [RR 106.1]

(b) *Unused amortization deduction.* The 1943 act provides for the repayment by the United States to a contractor or subcontractor, without interest, of the amount of the net renegotiation rebate determined in accordance with procedures and principles set forth in the 1943 act in the event of a recomputation of the amortization deduction provided for in section 124 (d) of the Internal Revenue Code (subsections (a) (4) (C) and (D), discussed in § 1603.383 (b)). [RR 106.2]

(c) *Fair cost allowance in the exempted state for raw materials and agricultural commodities in the case of integrated producers.* In order to provide for equitable treatment of the integrated producer, the 1943 act provides for the allowance of a fair amount of cost in the exempted state for certain raw materials and agricultural commodities in the case of integrated producers who produce or acquire such materials or commodities below such state and process them up to and beyond such state (subsection (i) (3), discussed in § 1603.344 (c)). In this connection attention is also directed to § 1604.104 (d) supra, which in effect gives the contractor or subcontractor who acquires the exempted raw materials and agricultural commodities at the exempt stage the benefit of a similar special cost allowance to the extent that such products constitute excess inventory of such a contractor or subcontractor. [RR 106.3]

(d) *Factors in determining excessive profits.* The 1943 act defines excessive profits to be the portion of the profits from the renegotiable business of the contractor or subcontractor which in the light of a list of factors set out in subsection (a) (4) (A) of the act is determined to be excessive. These factors cover such matters as efficiency, costs, capital, risk, contribution to the war effort, character of business, and such other factors as the public interest and fair and equitable dealing may require (discussed fully in § 1604.406 and following). [RR 106.4]

§ 1601.107 *Renegotiation by fiscal years.* The 1943 act applies to fiscal years ending after June 30, 1943, and requires that renegotiation be conducted on an over-all fiscal year basis. Renegotiation may relate to any period other than a full fiscal year only with the consent of the contractor or subcontractor. The 1943 act requires that renegotiation must relate to the aggregate of the contractor's war business for the year unless the contractor consents to the renegotiation of separate contracts (subsection (c) (1), discussed in § 1603.303). [RR 107]

§ 1601.108 *Renegotiation procedure*—(a) *Mandatory filing of statement.* The 1943 act requires every contractor or subcontractor not specifically exempted from renegotiation to file with the Board on or before the first day of the fourth month following the close of the fiscal year, or after the date of the enactment of the Revenue Act of 1943, whichever is the later, a statement containing such information as the Board may by regulations prescribe (subsection (c) (5) (A), discussed in § 1602.220 and following). In addition to this statement, which is considered to be the statement for the purposes of the beginning of the statute of limitations, the War Contracts Board may require from the contractor or subcontractor any other data, information or records deemed desirable. [RR 108.1]

(b) *Commencement of renegotiation proceedings.* The contractor or subcontractor will be given reasonable notice of the time and place for a conference with respect to renegotiation. The mailing of such notice by registered mail to the contractor or subcontractor constitutes the commencement of the renegotiation proceedings (subsection (c) (1), discussed in § 1602.241). [RR 108.2]

(c) *Statute of limitations.* Renegotiation proceedings must be commenced within twelve months from the close of the fiscal year or within twelve months of the date of the filing of the statement referred to in paragraph (a) of this section, whichever is the later. If such proceedings are not completed or if an agreement or order determining the amount of excessive profits is not made within one year from the commencement of the renegotiation proceedings, the liability of the contractor or subcontractor under the 1943 act will be discharged. However, this one year period may be extended by mutual agreement (subsection (c) (3), discussed in §§ 1603.363 and 1603.363). [RR 108.3]

(d) *Agreement or order determining excessive profits.* Upon the mailing of the notice and the commencement of the renegotiation, the Board will endeavor to make a final or other agreement with the contractor or subcontractor with respect to the elimination of excessive profits. If such an agreement is not made, the act authorizes the Board to issue an order determining the amount of the excessive profits (subsection (c) (1), discussed in § 1606.620 and following). [RR 108.4]

(e) *Statement to the contractor or subcontractor.* Whenever a determination is made as to the amount of excessive profits, whether by order or by agreement, the Board or its authorized agency, at the request of the contractor or subcontractor, will furnish a statement setting out the determination of excessive profits made in his case, the facts used as a basis therefor, and the reasons for such determination (subsection (c) (1), discussed in § 1605.520 and following). [RR 108.5]

(f) *Eliminating excessive profits.* When the excessive profits have been determined either by agreement or order, the War Contracts Board shall forthwith direct the Secretaries to eliminate such excessive profits (1) by reductions in price and other contract revisions; (2) by withholding from amounts otherwise due the contractor or subcontractor; (3) by directing a contractor to withhold from amounts otherwise due to a subcontractor; (4) by recovery from the contractor by repayment, credit or suit; or (5) by any combination of these methods. In eliminating such excessive profits there is allowed a credit for Federal income and excess profits taxes in accordance with section 3806 of the Internal Revenue Code (subsection (c) (2), discussed in § 1604.440 and following). [RR 108.6]

§ 1601.109 *Delegation and review*—(a) *Delegation.* The War Contracts Board may delegate in whole or in part any of its powers, functions or duties to the Secretary of a Department and such Secretary may, in turn, redelegate such powers, functions or duties to such officers or agencies of the United States as he may designate. He may authorize successive redelegations (subsection (d) (4), discussed in § 1601.131 (c)). [RR 109.1]

(b) *Review by the War Contracts Board.* The determination by any person or agency exercising the delegated powers of the War Contracts Board may be reviewed by the Board either upon its own motion, or, in its discretion, at the request of the contractor or subcontractor. The Board's determination may be less than, equal to, or greater than the determination reviewed. Unless the War Contracts Board upon its own motion initiates a review of the prior determination within sixty days from the date of such determination, or at the request of the contractor or subcontractor made within sixty days from the date of such determination initiates a review of such determination within sixty days from the date of such request, such determination becomes the determination of the War Contracts Board (subsection (d) (5), discussed in §§ 1606.624 and 1606.625. [RR 109.2]

§ 1601.110 *Redetermination of excessive profits by The Tax Court of the United States.* The Renegotiation Act provides that any contractor or subcontractor aggrieved by a unilateral determination of excessive profits by the War Contracts Board (under the Renegotiation Act of 1943), or by the Secretary of a Department (under the Renegotiation Act of 1942), may petition The Tax Court of the United States for a redetermination of such excessive profits. Proceedings before the Tax Court are de novo. The Court may find an amount of excessive profits less than, equal to, or greater than the amount found by the Board. The petition for a redetermination must be made to the Tax Court within ninety days after the entry of the order or the date of the enactment of the Revenue Act of 1943 (February 25, 1944), whichever is the later (subsection (e), discussed in § 1606.630 and following). [RR 110]

§ 1601.111 *Applicability*—(a) *Applicability of the 1943 act in general.* In general, the provisions of the 1943 act apply to all fiscal years ending after June 30, 1943. Prior fiscal years are covered by the Renegotiation Act of 1942 (section 701 (d) of the Revenue Act of 1943 cited in §§ 1608.801 and 1601.122 (j) and (k)). [RR 111.1]

(b) *Applicability in special cases.* There are several exceptions to the general rule set forth in paragraph (a).

(1) Provisions of the 1943 act made retroactive:

(i) Subsections (a) (4) (C) and (a) (4) (D) relating to the adjustment of excessive profits for any year on account of the recomputation of the amortization deduction (discussed in § 1603.383 (b));

(ii) Subsection (i) (3) which provides for a fair cost allowance in the exempted state for certain raw materials and agricultural commodities in the case of integrated producers and which excludes from renegotiation the profits realized because of the increment in value of excess inventories of raw materials and agricultural products acquired in the exempted state (discussed in § 1603.344 (c) and (d));

(iii) Subsection (i) (1) (C) which exempts from renegotiation contracts or subcontracts for certain agricultural commodities (discussed in § 1603.344 (b));

(iv) Subsection (i) (1) (D) which exempts contracts or subcontracts with tax exempt charitable, religious or educational organizations (discussed in § 1603.345);

(v) Subsection (i) (1) (F) which exempts subcontracts under prime contracts or other subcontracts exempted by subsection (i) (1) (discussed in § 1603.347); and

[1] 9 F.R. 4135.

(vi) Subsection (l) which provides a short title (see § 1601.122 (l)).

(2) Provisions of the 1943 act made effective from the date of the enactment of the Revenue Act of 1943, February 25, 1944:

(i) Subsection (d) which creates the War Contracts Price Adjustment Board and sets out its organization, powers, and duties (discussed in § 1601.131);

(ii) Subsection (e) (2) which provides for the redetermination of excessive profits by the Tax Court in the case of unilateral determinations by the Secretaries under the provisions of the Renegotiation Act of 1942. [RR 111.2]

(c) *Termination of renegotiation.* The 1943 act provides that amounts received or accrued after December 31, 1944, will not be subject to renegotiation unless the President finds and proclaims before December 1, 1944, that competitive conditions have not been restored; in which case renegotiation would extend to amounts received or accrued up to any date specified in such proclamation which is not later than June 30, 1945. The 1943 act also provides that in case the President finds and proclaims on or before June 30, 1945, that competitive conditions have been restored as of any date within 6 months prior to such proclamation, renegotiation will not apply to amounts received or accrued after such termination of the statute. A special provision is made in the case of long term contracts which are begun before and completed after the termination date (subsection (h), discussed in § 1603.371). [RR 111.3]

§ 1601.112 *Applicable and related statutes*—(a) *Renegotiation Act of 1943.* The full text of the Renegotiation Act of 1943 is cited in § 1608.801 of these regulations. [RR 112.1]

(b) *Section 3806 of the Internal Revenue Code.* Section 3806 of the Internal Revenue Code, referred to in subsection (a) (4) (D) and subsection (c) (2) of the Renegotiation Act of 1943, is cited in § 1608.802. Under that section the amount of Federal income and excess profits taxes assessed with respect to any excessive profits for a prior taxable year is credited against the amount of such profits in computing the amount to be refunded by the contractor or otherwise recovered. The effect of section 3806 of the Internal Revenue Code and of the Current Tax Payment Act of 1943 is discussed in § 1604.440 and following. [RR 112.2]

(c) *Title XIII of Second War Powers Act.* Under subsection (c) (5) (B), the War Contracts Board is given the powers of inspection and audit of an agency designated by the President to exercise powers under Title XIII of the Second War Powers Act, 1942. For convenience, Title XIII is cited in § 1608.803 of these regulations. The authority to make such inspections and audits is discussed in § 1606.601 and following. [RR 112.3]

(d) *Repricing of war contracts.* Title VIII of the Revenue Act of 1943 provides that in cases in which the Secretary of a Department considers the price of any article or service required by his Department, to be unreasonable or unfair he may fix by agreement, if possible, a fair and reasonable price therefor. If no agreement can be reached, the Secretary is authorized to fix, by order, a fair and reasonable price for deliveries after the date of such order and to prescribe the period during which such price shall be effective and such other terms and conditions as he deems appropriate. Contractors or subcontractors aggrieved by such an order may sue the United States for fair and just compensation. Repricing under Title VIII applies to both prime and subcontractors and applies without exemption or restriction until the end of the war. The statutory provisions relating to repricing are cited in § 1608.804. [RR 112.4]

SUBPART B—PRELIMINARY MATERIAL

1. Section 1601.121 is amended by the addition of paragraph (b), as follows:

§ 1601.121 *Applicability of Renegotiation Regulations.* • • •

(b) *Rescission of prior instructions.* (1) These regulations supersede all outstanding instructions of the War Contracts Board.

(2) Regulations of general application will be issued by the War Contracts Board only through amendments or additions to these Renegotiation Regulations.

(3) The revocation of prior instructions shall not affect the validity of any action taken in conformity with them before their revocation. [RR 121.2]

2. Section 1601.122 (k) is corrected to read as follows:

§ 1601.122 *Definition of terms.* • • •

(k) *"Renegotiation Act of 1942", "1942 act".* The terms "Renegotiation Act of 1942", and "1942 act", mean section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942 (Public 528, 77th Congress, approved April 28, 1942), as amended by section 801 of the Revenue Act of 1942 (Public 753, 77th Congress, approved October 21, 1942), by section 1 of the Military Appropriations Act, 1944 (Public 108, 78th Congress, approved July 1, 1943), and by Public 149 (78th Congress, approved July 14, 1943), and as further amended by section 701 (b) of the Revenue Act of 1943 (Public 235, 78th Congress, enacted February 25, 1944) to the extent that section 701 (d) of the Revenue Act of 1943 makes the amendments made by section 701 (b) effective as if they had been a part of section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, on the date of its enactment, April 28, 1942. [RR 122.11]

3. Sections 1601.124, 1601.126, and 1601.127 are amended, and § 1601.128 is added, as set forth below.

§ 1601.124 *Amendments and additions.* (a) When amendments or additions to these regulations are adopted by the War Contracts Board, they will become effective at once unless otherwise specified, but will not affect the validity of any determination theretofore made in accordance with prior regulations.

(b) All changes in these regulations and all additions to them will be issued in the form of additional or revised pages for this document. These regulations in loose-leaf form will be placed in the hands of interested personnel in the Departments. New and revised pages will be sent from time to time to the Departments for distribution to holders of the Renegotiation Regulations within the Departments. [RR-124]

§ 1601.126 *Federal Register.* These regulations are being published in the FEDERAL REGISTER. Changes and additions will be so published from time to time as directed by the War Contracts Board. [RR 126]

§ 1601.127 *Official copies.* Official copies of the statutes referred to herein may be obtained from the Superintendent of Documents, U. S. Government Printing Office, Washington 25, D. C. Official copies of Executive Orders cited herein are set out in the FEDERAL REGISTER, which may also be procured from the Superintendent of Documents. [RR 127]

§ 1601.128 *Copies of Renegotiation Regulations.* It is anticipated that the original Renegotiation Regulations, along with twelve monthly supplements embodying additions and amendments thereto published during the preceding month in the FEDERAL REGISTER, will be available in loose-leaf form for a subscription price of $2.00 from the Superintendent of Documents, U. S. Government Printing Office, Washington 25, D. C. [RR 128]

SUBPART C—ORGANIZATION AND FUNCTIONS OF THE PRICE ADJUSTMENT BOARDS AND SECTIONS

Section 1601.133 is amended to read as follows:

§ 1601.133 *Navy Department organization*—(a) *Navy Price Adjustment Board.* The Secretary of the Navy has established the Navy Price Adjustment Board to conduct renegotiation under the supervision of the Chairman of the Board. The Board has four divisions located in Washington, New York, Chicago and San Francisco, respectively. [RR 133.1]

(b) *Services and Sales Renegotiation Section.* In the Procurement Legal Division, Office of the Under Secretary of the Navy, there has been established a Services and Sales Renegotiation Section which specializes in the renegotiation of sales agents and brokers. This section has its headquarters in Washington and divisional offices in Washington, New York, Chicago and Los Angeles. [RR 133.2]

SUBPART D—RELATION OF RENEGOTIATION ACT AND ROYALTY ADJUSTMENT ACT CONCERNING PATENTS

Sections 1601.142 and 1601.143 are amended by the insertion of cross references, so that the text thereof, as amended, will read as follows.

§ 1601.142 *Patent licenses subject to renegotiation.* Patent licenses granted to the United States and those granted to Departmental contractors or subcontractors are subject to renegotiation. (See §§ 1603.334 (c) and 1603.388 (a)). [RR 142]

§ 1601.143 *Allowance of royalties as costs.* The allowance of royalties under patent licenses as costs in renegotiation and the effect given to determinations under the Royalty Adjustment Act are discussed in § 1603.388 (a). [RR 143]

PART 1602—PROCEDURE FOR RENEGOTIATION [1]

SUBPART B—PRELIMINARY INFORMATION REQUIRED OF CONTRACTORS

Section 1602.222 is amended in the following respects: Subparagraph (4) is added to that portion of the text preceding paragraph (a); paragraph (a) is amended by redesignating the text thereof as paragraph (a) (1), and by adding subparagraph (2); paragraph (f) is added.

§ 1602.222 *Filing of mandatory financial statements.* • • •

(4) There is hereby prescribed as the form of mandatory financial statement required to be filed by public utilities (including but not limited to those furnishing gas, electric power, rail, air or water transportation, telegraph, telephone, cable or radio communication) and by steamship operating companies, a statement containing the following:

Name and address of contractor.
Names of companies, if any, under the control of, or controlling, or under common control with the contractor.
Nature of principal business.
Date of expiration of fiscal year.
Balance Sheet, Profit and Loss Statement and Surplus Statement of the contractor for latest completed fiscal year.
Declaration by the contractor that it will furnish such further and additional information as may be required by or on behalf of the War Contracts Board.

Such statement shall be executed on behalf of the contractor by his duly authorized representative and shall contain a certificate that the representations thereby submitted are true and correct to the best of his knowledge and belief. [RR 222]

(a) *Sufficiency of contents.* (1) Except as hereinafter stated, the forms of "Standard Form of Contractor's Report" are required to be prepared in duplicate in accordance with the instructions which relate to them respectively and which appear in § 1607.701 (b), (d), and (f). The Reports are required to comprise all the information and exhibits specified by the forms and the instructions. However, if all the information called for by the appropriate "Standard Form of Contractor's Report" has been furnished by the contractor to an Agency authorized to conduct renegotiation proceedings under the 1943 act, the contractor may complete the "Standard Form of Contractor's Report" by incorporating by reference the information so furnished and making a specific statement of the time and place of such filing. In such case, the fact that the information has been received will be certified to by the renegotiating Agency on the copy of the "Standard Form of Contractor's Report" which it will forward to the War Contracts Board within sixty days after the date of receipt of the Report by such Agency. A "Standard Form of Contractor's Report" so prepared and filed will be deemed to constitute a sufficient compliance with the mandatory filing requirements of this section in the absence of a notice of insufficiency sent to the contractor within 90 days after the Report has been filed.

(2) Where a Department to which a contractor has been assigned for renegotiation or the Assignments and Statistics Branch determines that it is not feasible for a contractor to furnish all of the information provided for in the Standard Form of Contractor's Report on or before the date specified in the 1943 act, such contractor may file such report containing such information as he can feasibly supply, which in all cases shall include at least the contractor's balance sheet, profit and loss statement and surplus statement for his latest completed fiscal year and shall state in such report that the information not contained therein or such other information as the Department or such Branch may require, will be furnished within such period as the Department or such Branch may designate. In any such case the filing of such a statement on or before the date specified in the act and its acceptance by such Department or such Branch shall constitute compliance by the contractor with the provisions of subsection (c) (5) (A). [RR 222.1]

• • • • •

(f) *Filing of mandatory financial statements by parent and subsidiary corporations on a consolidated basis.* Parent and subsidiary corporations which constitute an "affiliated group" as defined in subsection (d) of section 141 of the Internal Revenue Code may satisfy the requirements for filing of mandatory financial statements under the first sentence of subsection (c) (5) (A) of the Renegotiation Act of 1943 by filing a "Standard Form of Contractor's Report" on a consolidated basis. When such a consolidated "Standard Form of Contractor's Report" is filed there shall also be filed a "Standard Form of Contractor's Report" for each subsidiary corporation (except as noted below) but any such subsidiary corporation report may be completed by writing thereon a statement that a consolidated report has been filed by the parent company. Where any such subsidiary corporation has not received or accrued during the applicable period any amount whatever under renegotiable contracts with the Departments and subcontracts (i. e., contracts or subcontracts not exempt from renegotiation by contractual provision pursuant to subsection (i) or contracts or subcontracts which are not exempted under subsection (i) of the Renegotiation Act of 1943), no report need be filed by it. [RR 222.6]

SUBPART D—CONDUCT OF RENEGOTIATION

Section 1602.243 is added as set forth below.

§ 1602.243 *Process of renegotiation.* The general principles applicable to the conduct of renegotiation and the process of arriving at a renegotiation determination are discussed in § 1604.402 (c). [RR 243]

SUBPART E—COMPLETION OF RENEGOTIATION

Subpart E is added, as set forth below.

Sec.
1602.250 Scope of subpart.
1602.251 Preparation of agreement.
1602.252 Preparation of statement to contractor.
1602.253 Administration of agreements.
1602.254 Progress reports.
1602.255 Control of documents.

SUBPART E—COMPLETION OF RENEGOTIATION

§ 1602.250 *Scope of subpart.* This subpart refers to the steps taken upon the completion of a renegotiation resulting in a voluntary agreement, to the administration of agreements and unilateral determinations, and to progress reports. [RR 250]

§ 1602.251 *Preparation of agreement.* When a tentative settlement has been agreed upon, the Department conducting the renegotiation will promptly prepare a form of agreement (see Subpart A of Part 1605). [RR 251]

§ 1602.252 *Preparation of statement to contractor.* In Subpart B of Part 1605, the furnishing of a statement to the contractor is dealt with. [RR 252]

§ 1602.253 *Administration of agreements.* Administration of voluntary agreements or of unilateral determinations by the Department to whom the contractor was assigned for renegotiation is referred to in § 1605.509. [RR 253]

§ 1602.254 *Progress reports.* (a) The organization designated as the Assignments and Statistics Branch of the War Department Price Adjustment Board will be regarded by the War Contracts Board as the official source of information as to the Government's over-all progress of renegotiation. This Branch will in effect actually serve the War Contracts Board although constituted in the Renegotiation Division, Army Service Forces.

(b) The several Departmental Boards and services will prepare and furnish to the Assignments and Statistics Branch as at the close of business each Friday the appropriate Weekly Progress Report (Form SPRA-O in the case of Departments, see § 1607.751 (a) and (b), and Form SPRA I in the case of Services, § 1607.751 (c) and (d)). On the basis of the information supplied in the Weekly Progress Reports of the several Departments, the Assignments and Statistics Branch will prepare bi-weekly Status of Renegotiation Reports (Form SPRA I–BB) and Operations Reports (Form SPRA I-CC) and will furnish the same to the War Contracts Board and the Departmental Boards (see § 1607.751 (f) and (h)). On the basis of the information supplied in the Weekly Progress Reports of the Services, the Assignments and Statistics Branch will prepare bi-weekly Status of Renegotiation Reports (Form SPRA I-B, set forth in § 1607.751 (e) and Operations Reports (Form SPRA I-C, set forth in § 1607.751 (g)). [RR 254]

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[1] 9 F.R. 4140.

§ 1602.255 *Control of documents.* (a) Renegotiation Agreements, Reports of Renegotiation, records, files, correspondence, memoranda and all other documents containing financial and business information pertaining to renegotiation with specific contractors are the property of the Government of the United States.

(b) Such documents are not to be distributed, nor their contents revealed, to any person having no legitimate right thereto.

(c) Upon transfer or separation from employment in renegotiation, or any other employment in which possession or custody of such documents is authorized, all personnel will return such documents to a responsible official. [RR 255]

PART 1603—DETERMINATION OF RENEGOTIABLE BUSINESS AND COSTS

Part 1603 governing determination of renegotiable business and costs is added, as set forth below.

SUBPART A—OVER-ALL BASIS FOR RENEGOTIATION AND EXCEPTIONS

Sec.
1603.301 Over-all basis for renegotiation.
(a) Statutory provisions.
(b) Use of over-all basis.
1603.302 Differing accounting methods.
1603.303 Renegotiation on an individual or group contract basis.
1603.304 Cost-plus-fixed-fee contracts.
(a) Separate consideration.
1603.305 Joint venture contracts.
1603.306 Treatment of contracts with fixed profit limitations.
(a) Included in renegotiation.
(b) Method of renegotiation in such cases.
1603.307 Treatment of contracts with price adjustment provisions.
(a) Subject to renegotiation.
(b) Method of renegotiation.
(c) Certain shipbuilding contracts.
1603.308 Treatment of other contract claims.
1603.309 Renegotiation of parent and subsidiaries on consolidated basis.
(a) When authorized.
(b) Definition of "affiliated group".
1603.310 Consolidated basis in cases of common ownership.
(a) When authorized.
1603.311 Allocation of excessive profits in cases of consolidated renegotiation.
1603.312 Where consolidated basis not used.

SUBPART B—METHODS FOR SEGREGATING SALES BETWEEN RENEGOTIABLE AND NON-RENEGOTIABLE BUSINESS

1603.320 Scope of subpart.
1603.321 Responsibility for segregation.
(a) Making of segregation.
(b) Suggested methods.
1603.322 Methods of segregating sales.
(a) General approach.
(b) Specific segregation.
(c) Sales not susceptible of specific segregation.
(d) Types of classification for general segregation.
(e) Applicable basis for percentages of allocation.
(f) Use of reports to Government.
1603.323 Segregation with respect to contracts with RFC subsidiaries.

SUBPART C—CONTRACTS AND SUBCONTRACTS WITHIN THE SCOPE OF THE 1943 ACT

1603.330 Scope of subpart.
1603.331 General coverage of 1943 act.
(a) Statutory provision.
(b) Contracts without renegotiation clauses.
(c) Exemptions and exclusions.
1603.332 Contracts with the Departments.
(a) General.
(b) Treasury procurement schedule of supplies.
(c) Lend-lease contracts.
(d) Cost-plus-fixed-fee contracts.
(e) Management fee contracts.
(f) Army Post Exchange and Army Exchange Service contracts.
(g) Navy ship's service stores contracts.
(h) Panama Canal contracts.
(i) Panama Railroad Company contracts.
1603.333 General interpretation of subcontracts.
(a) Statutory definitions.
(b) Interpretation of definition.
(c) When machinery, equipment or materials "used in processing".
(d) General effect of interpretation.
(e) Allocation of sales.
1603.334 Specific interpretations of "subcontract".
(a) Standard commercial articles.
(b) OPA price ceilings.
(c) Patent licenses as subcontracts.
(d) Subcontracts for office supplies.
1603.335 Contracts and subcontracts involving real property.
(a) Contracts and subcontracts for existing real property.
(b) Agreements for fixtures, construction and improvements on real property.
1603.336 Brokers, manufacturers' agents, and dealers; subcontracts.

SUBPART D—MANDATORY EXEMPTIONS AND EXCLUSIONS FROM RENEGOTIATION

1603.340 Scope of subpart.
1603.341 The mandatory exemptions.
1603.342 Authority to interpret.
(a) Statutory provision.
(b) Scope of authority.
1603.343 Contracts and subcontracts with other Governmental agencies.
(a) Statutory exemption.
(b) Interpretation and application of exemption.
1603.344 Contracts and subcontracts for certain raw materials and agricultural commodities.
(a) Raw materials.
(b) Agricultural commodities.
(c) Cost allowance for raw materials and agricultural commodities in the case of integrated producers.
(d) Profits from increment in value of excess inventories.
1603.345 Contracts or subcontracts with tax-exempt charitable, religious and educational institutions.
(a) Statutory exemption.
(b) Internal Revenue Code.
1603.346 Construction contracts awarded as a result of competitive bidding.
(a) Statutory exemption.
(b) Interpretation and application of exemption.
1603.347 Subcontracts under exempt contracts and subcontracts.
(a) Statutory exemption.
(b) Interpretation and application of exemption.
1603.348 Annual receipts under statutory minimum.
(a) Statutory provision.
(b) Computation of aggregate receipts and accruals.
(c) No reduction by refund below exemption.
(d) Tests of "control".
(e) Subcontracts under contracts exempt under the statutory minimum.

SUBPART E—PERMISSIVE EXEMPTIONS FROM RENEGOTIATION

1603.350 Scope of subpart.
1603.351 Contracts and subcontracts to be performed outside of the United States.
(a) Statutory authority.
(b) Exemption.
1603.353 Contracts and subcontracts where profits determinable when price established.
(a) Statutory authority.
(b) Exemption.
1603.353 When contract provisions adequate to prevent excessive profits.
(a) Statutory authority.
1603.354 Contracts and subcontracts for standard commercial articles.
(a) Statutory authority.
(b) Interpretation and application.
1603.355 Contracts and subcontracts when effective competition is likely to exist.
(a) Statutory authority.
(b) General interpretation of exemption.
(c) Application of exemption to construction contracts.
1603.356 Subcontracts as to which it is not administratively feasible to determine and segregate profits.
(a) Statutory authority.
(b) Exemption.
1603.357 Delegation of authority to make permissive exemptions.
1603.358 Requests for exemption.

SUBPART F—LIMITATIONS ON COMMENCEMENT AND COMPLETION OF RENEGOTIATION

1603.360 Scope of subpart.
1603.361 Statutory provision.
1603.362 Commencement of renegotiation proceedings.
1603.363 Completion of renegotiation proceedings.

SUBPART G—TERMINATION OF RENEGOTIATION

1603.370 Scope of subpart.
1603.371 Statutory provision.

SUBPART H—COSTS ALLOCABLE AND ALLOWABLE AGAINST RENEGOTIABLE BUSINESS

1603.380 Scope of subpart.
1603.381 Statutory provisions and general regulations.
(a) Determination of costs.
(b) "Recomputation" of amortization deduction prior to renegotiation; carry-overs and carry-backs.
(c) Renegotiation rebate where "recomputation" of amortization deduction follows renegotiation.
(d) Profit, cost allocation and allowance; general.
1603.382 Salaries, wages and other compensation.
(a) Allocation.
(b) Allowances.
(c) Wage and salary stabilization.
(d) Application of stabilization orders in renegotiation.
(e) Brokers' commissions.
(f) Pension, annuity, stock bonus and profit sharing plans.
1603.383 Amortization and depreciation.
(a) Allocation.
(b) Accelerated amortization and renegotiation rebate.
(c) Depreciation.
1603.384 Conversion to war production.
1603.385 Losses.
(a) Costs or losses on non-war ventures.
(b) War losses.
(c) Losses from prior or subsequent years.
1603.386 Interest.
(a) Allocation.
(b) Allowance.
1603.387 Advertising expenses.
(a) Allocation.
(b) Allowance.
1603.388 Other costs, expenses and reserves.
(a) Patent royalties.
(b) Corporate charitable contributions.
(c) Cost allowance in connection with raw materials.
1603.389 State income taxes.
(a) In general.
(b) Adjustment for State tax imposed at a "flat rate".
(c) Adjustment for graduated State tax.
(d) Multiple State income taxes.
(e) State income tax measured by income for preceding year.
(f) Adjustment for State income tax of contractor operating as a partnership or sole proprietorship.

SUBPART A—OVER-ALL BASIS FOR RENEGOTIATION AND EXCEPTIONS

§ 1603.301 *Over-all basis for renegotiation*—(a) *Statutory provisions.* Subsection (c) (1) of the Renegotiation Act of 1943 provides in part:

> • • • The Board shall exercise its powers with respect to the aggregate of the amounts received or accrued during the fiscal year (or such other period as may be fixed by mutual agreement) by a contractor or subcontractor under contracts with the Departments and subcontracts, and not separately with respect to amounts received or accrued under separate contracts with the Departments or subcontracts, except that the Board may exercise such powers separately with respect to amounts received or accrued by the contractor or subcontractor under any one or more separate contracts with the Departments or subcontracts at the request of the contractor or subcontractor.

[RR 301.1]

(b) *Use of over-all basis.* (1) This provision requires the War Contracts Board to renegotiate on a fiscal year basis (or such other period as may be fixed by mutual agreement). It also requires that renegotiation be conducted upon an over-all basis unless the contractor or subcontractor requests, and the Board agrees, that such renegotiation be conducted with respect to his contracts and subcontracts separately or as two or more groups.

(2) Generally, renegotiation will be conducted on the basis of the amounts received or accrued by a contractor from his renegotiable contracts and subcontracts for a past fiscal year. Under this method excessive profits are determined by examining the contractor's financial position and the profits from such contracts and subcontracts taken as a whole for a particular fiscal year rather than by separate analysis of each contract or subcontract. This avoids problems of allocation of costs and profits, as between each contract and subcontract, allows the contractor to offset the results of one contract against another and simplifies administration. [RR 301.2]

§ 1603.302 *Differing accounting methods.* Should there be employed a method of computing profit in a renegotiation under the 1943 act which is different from that employed in renegotiation for a past fiscal year, the Department conducting the renegotiation under the 1943 act must see that the interest of the Government with respect to renegotiation for the past fiscal year is adequately protected against renegotiable business escaping renegotiation because of the change. The interest of the Government in connection with renegotiation for future years must also be protected. These principles apply to renegotiation conducted with respect to a fiscal year, to a period other than a fiscal year or on a single or group contract basis. [RR 302]

§ 1603.303 *Renegotiation on an individual or group contract basis.* (a) At the request of the contractor or subcontractor renegotiation may be conducted "separately with respect to amounts received or accrued by the contractor or subcontractor under any one or more separate contracts with the Departments or subcontracts. • • •" Some contractors in construction, shipbuilding or other industries account for profits on contracts only in the fiscal year in which such contracts are completed rather than currently in proportion to the percentage of work completed, percentage of estimated cost incurred, or otherwise. In view of the difficulties of accurately apportioning the profits on contracts of some types to specific fiscal years, contractors may request that contracts be renegotiated on a completed contract basis, although some other basis may be used for Federal income tax purposes. Such request may be granted by the Department to which the contractor is assigned for renegotiation and will ordinarily be granted, provided (1) the contractor agrees to include in the renegotiation all such contracts and subcontracts completed up to the end of the latest completed fiscal year which is under renegotiation and (2) the contractor's accounting procedures are such as to establish or provide an accurate basis for the determination of costs and profits under such contracts and subcontracts. The contracts and subcontracts renegotiated on this basis may be renegotiated individually or when practicable as a group subject to such separate treatment as may be required because of the different types of contracts involved (such as fixed-price, cost-plus-fixed-fee, price minus contracts, contracts subject to contractual or statutory fixed-profit limitations and contracts providing for redetermination or revision of the contract price during the life of the contract). In this connection, attention is directed to §§ 1603.306 and 1603.307.

(b) In the event that contracts to be renegotiated on a completed contract basis are uncompleted at the termination date of the 1943 act, the Department to which the contractor is assigned for renegotiation will be guided by the provisions of § 1603.302 as well as by the principles of subsection (h) of the 1943 act (see § 1603.370 and following). [RR 303]

§ 1603.304 *Cost-plus-fixed-fee contracts*—(a) *Separate consideration.* The financial and other data upon which the renegotiation is based must clearly reflect the financial results of performance of cost-plus-fixed-fee contracts and subcontracts separately from the financial results of performance of other contracts and subcontracts. Accordingly, the amounts received or accrued and costs paid or incurred on such cost-plus-fixed-fee contracts must be segregated from such amounts relating to other renegotiable contracts and subcontracts, so that an appropriate appraisal of the profits from such cost-plus-fixed-fee contracts and subcontracts can be made. [RR 304.1]

§ 1603.305 *Joint venture contracts.* Where two or more parties enter into an arrangement for the performance jointly of one or more projects, the combination resulting from such arrangement is commonly referred to as a "joint venture." Such a joint venture is regarded as an entity which, with respect to its contracts or subcontracts within the scope of the Renegotiation Act of 1943, is a "contractor" or "subcontractor" within the meaning of the act. Therefore, the joint venture is renegotiated with respect to its renegotiable contracts and subcontracts without regard to other contracts or subcontracts which may be held by the members of the joint venture. [RR 305]

§ 1603.306 *Treatment of contracts with fixed profit limitations*—(a) *Included in renegotiation.* Certain contracts with various Departments, particularly the Navy Department, Maritime Commission, and War Shipping Administration, are subject to provisions limiting the contractor's profit thereunder to a fixed percentage of the total sales or contract prices or costs within the scope of such limitation. Such contracts will be included in renegotiation but the agreement made therein shall reserve to the Department having this independent duty, the corresponding right to determine and collect profits, if any, in excess of such limitation. [RR 306.1]

(b) *Method of renegotiation in such cases.* The contractor's sales or contract prices and costs under contracts subject to such profit limitation shall be included with the sales or contract prices and costs of his other renegotiable business, unless segregation shall be deemed necessary by a Department. Where the contract has not been finally audited the contractor shall be allowed to set up and shall be required to maintain an actual reserve to cover his liability in connection with such profit limitation in an amount by which the contractor's profit within the scope of such limitation is estimated to exceed the maximum allowable profit thereunder. The provision for the establishment of the reserve will be treated as a reduction in net profits rather than an increase in costs or a reduction of sales. This reserve should be allowed on the condition that the contractor will report to the Department conducting the renegotiation and will pay to the United States as excessive profits in renegotiation so much of such reserve as he is not required to repay under such profit limitation and as shall be required to be so paid by such Department. [RR 306.2]

§ 1603.307 *Treatment of contracts with price adjustment provisions*—(a) *Subject to renegotiation.* Certain contracts provide for escalation, redetermination or revision of the contract price during the life of the contract. These contracts are subject to renegotiation unless otherwise exempted, but their provisions necessitate special treatment. Except for certain shipbuilding contracts referred to in paragraph (c), the method of handling certain situations arising in connection with such contracts on renegotiation is discussed in paragraph (b). [RR 307.1]

(b) *Method of renegotiation.* (1) Upon over-all renegotiation involving such contracts, if the price for the period under review is expected to be retroactively reduced after the completion of the renegotiation proceedings, then in determining excessive profits the contractor should be permitted to set up a reasonable reserve to cover the estimated refund under the contract for the period under review. Similarly, if the contract clause is expected to result in a retroactive upward revision of the price for the period under review, an allowance therefor should be made on the basis of reasonable estimates and included in the renegotiable income of the contractor.

(2) In making such estimates the contracting officer should be consulted. Whenever the retroactive adjustment under such clauses will substantially affect the contractor's over-all profits for the period covered by renegotiation, production experience will generally be sufficient to permit a reasonable estimate of the amount of the probable refund or additional payment.

(3) Where the retroactive effect of the price adjustment clause would materially affect the basis of the settlement, but cannot be reasonably estimated, the matter may in certain instances be handled by disregarding the operation of the clause in over-all renegotiation and by amending the contract provision to make any retroactive adjustment inapplicable to the period covered by renegotiation, as is the case under the more recent forms of such price adjustment clauses.

(4) This paragraph does not cover the method of handling certain shipbuilding contracts referred to in paragraph (c) below. [RR 307.2]

(c) *Certain shipbuilding contracts.* Certain shipbuilding contracts with the Navy Department and Maritime Commission provide for escalation, price savings and for redetermination or revision of the contract price during the life of the contract and the Department with which the contract is made is charged with the duty of auditing and determining the amount to be paid the contractor for work performed under such contracts. Furthermore, under regulations of the Maritime Commission when two or more vessels are constructed under separate contracts as a single undertaking the profit or loss resulting from performance of the single undertaking may be allocated equally to each vessel. Such contracts are subject to renegotiation unless otherwise exempt, but their provisions necessitate special treatment with respect to which the Department with which the contracts are made should be consulted. [RR 307.3]

§ 1603.308 *Treatment of other contract claims.* If a contractor has claims other than of the kind discussed in §§ 1603.306 and 1603.307 which may affect his profits from renegotiable business for the period under review, such claims should be revealed in the financial or other data upon which the renegotiation is based. [RR 308]

§ 1603.309 *Renegotiation of parent and subsidiaries on consolidated basis*—(a) *When authorized.* Renegotiation of parent and subsidiary companies may, in the discretion of the Department conducting the renegotiation, be conducted on a consolidated basis whether or not the parent and subsidiaries constitute an "affiliated group" as defined in subsection (d) of section 141 of the Internal Revenue Code. [RR 309.1]

(b) *Definition of "affiliated group".* Section 141 (d) of the Internal Revenue Code is as follows:

(d) *Definition of "affiliated group."* As used in this section, an "affiliated group" means one or more chains of includible corporations connected through stock ownership with a common parent corporation which is an includible corporation if—

(1) Stock possessing at least 95 per centum of the voting power of all classes of stock and at least 95 per centum of each class of the nonvoting stock of each of the includible corporations (except the common parent corporations) is owned directly by one or more of the other includible corporations; and

(2) The common parent corporation owns directly stock possessing at least 95 per centum of the voting power of all classes of stock and at least 95 per centum of each class of the nonvoting stock of at least one of the other includible corporations.

As used in this subsection, the term "stock" does not include nonvoting stock which is limited and preferred as to dividends.

[RR 309.2]

§ 1603.310 *Consolidated basis in cases of common ownership*—(a) *When authorized.* If two or more business enterprises are under common control as a result of common ownership, rather than as a result of parent-subsidiary relationship, renegotiation on a consolidated basis may be appropriate if:

(1) Such consolidation is reasonably necessary for the protection of the interests of the Government. This is especially likely if one or more of such enterprises is a subcontractor of another of the enterprises commonly owned; and

(2) The extent of the common ownership is such that consolidation for renegotiation purposes is not, in the opinion of the Department conducting the renegotiation, inequitable to minority interests in one or more of the enterprises.

It is not essential that the interests of the common owners be identical in extent or nature in each of the enterprises commonly owned. [RR 310.1]

§ 1603.311 *Allocation of excessive profits in cases of consolidated renegotiation.* (a) In renegotiation on a consolidated basis, careful scrutiny will be given to the methods employed in segregating costs as well as income as between the corporations or enterprises included in the consolidated repegotiation, particularly where the type of business conducted by one is different and distinct from the type of business conducted by the others in the consolidated group.

(b) Excessive profits must be allocated among the corporations or enterprises included in the renegotiation, and the renegotiation agreement must disclose the allocation. If excessive profits have been realized and the renegotiation agreement merely imposes liability generally on the entire consolidated group for the profits found to be excessive, without fixing the separate liability, then the members of the group may not be allowed a deduction from their income for Federal tax purposes for the amount of excessive profits to be eliminated under the agreement, or a tax credit under section 3806 of the Internal Revenue Code. The excessive profits must be so allocated even though some or all of the members of the consolidated group participate in filing a consolidated Federal tax return.

(c) In case the group consists only of parent and subsidiaries, only the parent need sign the renegotiation agreement, unless the renegotiation agency requires otherwise. (See § 1605.502 (l).) In other cases one agreement will suffice but it must be executed by all members of the group.

(d) To make such allocations of the excessive profits, a review of the unconsolidated financial statements of each member of the group must be made, and the record must show a proper basis for the allocation. [RR 311]

§ 1603.312 *Where consolidated basis not used.* Whenever parent and subsidiary companies are renegotiated not on a consolidated basis but separately, renegotiations with the individual members of the controlled group should be conducted concurrently if possible. [RR 312]

SUBPART B—METHODS FOR SEGREGATING SALES BETWEEN RENEGOTIABLE AND NON-RENEGOTIABLE BUSINESS

§ 1603.320 *Scope of subpart.* The Renegotiation Act prescribes what types of contracts are subject to renegotiation. In practice, the difficulty of tracing and identifying all sales with exactness, especially under lower tier subcontracts, often necessitates the use of general methods of segregating renegotiable and non-renegotiable business and expenses. This subpart deals with such methods of segregation, and Subparts C, D, and E discuss in detail the principles for determining whether particular contracts are subject to the act or exempt. [RR 320]

§ 1603.321 *Responsibility for segregation*—(a) *Making of segregation.* The contractor should in all cases make the segregation of sales and the allocation of costs and expenses between renegotiable business and non-renegotiable business. The contractor should submit a signed statement of this segregation and allocation, explaining and justifying the methods used. The segregation and allocation must be satisfactory to the Department conducting the renegotiation. [RR 321.1]

(b) *Suggested methods.* The following section outlines general principles which may aid in determining an equitable method of segregation. [RR 321.2]

§ 1603.322 *Methods of segregating sales*—(a) *General approach.* (1) Often, there is more than one method available for segregating sales between renegotiable business and non-renegotiable business. In such cases the methods available for equitably allocating the cost of sales should be carefully considered before a final determination is made as to the method to be used in segregating sales.

(2) In determining whether specific contracts or subcontracts are subject to renegotiation, the principles stated in Subparts C, D, and E will be followed.

(3) Where specific segregation is possible, this should be done in accordance with paragraph (b) of this section. Where this is not feasible, the methods discussed in paragraphs (c) to (f) of this section should be used. [RR 322.1]

(b) *Specific segregation.* (1) Certain sales can be specifically classified as subject to renegotiation, such as sales known to be under:

(i) Prime contracts which are not exempt.

(ii) Non-exempt subcontracts under specific non-exempt prime contracts.

(iii) Non-exempt subcontracts for specific products, the end use of which is known to be within the scope of the Renegotiation Act, such as tank parts, cartridge disks, etc.

(2) Other sales can be specifically classified as not subject to renegotiation, such as sales known to be under:

(i) Prime contracts which by their terms or the application of an exemption provided by or established pursuant to subsection (i) of the Renegotiation Act are exempt or have been exempted.

(ii) Subcontracts known to be under prime contracts or subcontracts to which, in either case, a mandatory exemption provided by subsection (i) (1) of the Renegotiation Act is applicable.

(iii) Subcontracts to which a mandatory exemption or a discretionary exemption provided by or established pursuant to subsection (i) of the Renegotiation Act is applicable.

(iv) Agreements and purchase orders for products, the end use of which is known to be outside the scope of the Renegotiation Act. For example, the sale of safety clothing to a steel mill for the use of its employees (see § 1603.333 (d) (2)) or the sale of building material to a contractor for use in the construction of a privately owned home (see § 1603.335 (b) (4)).

(3) The contractor should indicate the basis of classification used and should state the principles applied thereto. (See paragraph (a) (2) of this section.) [RR 322.2]

(c) *Sales not susceptible of specific segregation.* (1) The contractor may not be able specifically to identify all or part of his sales as subject or not subject to renegotiation. Such sales may include sales to retailers, wholesalers, jobbers, fabricators, assemblers and others selling for both war and commercial use. The identity of the original product may be lost in processing. The contractor's sales and cost of sales records may be in such form that specific segregation cannot be made.

(2) These types of sales should be classified in such a manner as to permit the application to them of certain principles, percentages, etc., calculated to provide a reasonable and equitable division between renegotiable business and non-renegotiable business. (See § 1603.333 (e).) [RR 322.3]

(d) *Types of classification for general segregation.* For the purpose of making a general segregation of sales, they may commonly be classified by:

(1) Industry, customer or customer group.

(2) Product or group of products.

(3) End use classification as shown on reports to the WPB.

(4) Division, department or plant, where the extent to which each division is devoted to business subject to renegotiation can be determined.

(5) Periods of the year, where the percent of business subject to renegotiation varies with the period. [RR 322.4]

(e) *Applicable basis for percentages of allocation.* When sales have been classified according to paragraph (d) of this section such sales may be segregated by applying ratios or percentages based upon general or specific factors such as:

(1) The recognized or estimated extent to which certain products are being used for war purposes as shown by governmental, trade association or other reports.

(2) The recognized or estimated extent to which certain industries (to whom the contractor sells) may be engaged in war business.

(3) Percentages developed through spot check of the end use of the products for one or more months of the year. The selection of the month or months should be made only after a thorough review of the equity of the choice by the Departments and by the contractor. [RR 322.5]

(f) *Use of reports to Government.* (1) The great majority of companies to be renegotiated for the year 1943 used one or more of the so-called "controlled materials" (steel, copper, and aluminum in various types and shapes) as primary raw materials, secondary materials, or in the form of component parts.

(2) Because the war demand for these materials greatly exceeded the supply, their distribution was closely regulated and they could be obtained only with proper authorization by the War Production Board:

(i) During the fourth quarter 1942, under the Production Requirements Plan ("PRP").

(ii) During the first quarter 1943, under "PRP".

(iii) During the second quarter 1943, under either "PRP" or the Controlled Materials Plan ("CMP").

(iv) During the third and fourth quarters 1943, under "CMP".

(3) In order to secure the necessary authorization, all companies (except those using customer-furnished materials) were required to file with the War Production Board applications showing, among other things, shipments and orders analyzed by preference ratings and by end use or claimant agencies (Army, Navy, Aircraft, Maritime, Lend-Lease, etc.). Inasmuch as section 35 (A) of the United States Criminal Code, 18 U.S.C. 80, makes it a criminal offense to make a willfully false statement or representation to any department or agency of the United States as to any matter within its jurisdiction, the data contained in these applications can be considered reliable. Material deviations from representations in WPB reports in sales segregations for renegotiation purposes should be accepted only when extraordinary circumstances exist, and such circumstances must be explained fully in renegotiation reports to the department or agency conducting the renegotiation.

(4) Names of "claimant agencies" and their symbols are set forth in the WPB pamphlet "Controlled Materials Plan Major Identification Symbols" dated January 3, 1944. Copies of this pamphlet can be obtained by writing War Production Board, Controller Division, Washington 25, D. C.

(5) "CMP" applications and reports to the WPB provide a ready basis for segregating 1943 sales for purposes of renegotiation.

(i) For manufacturers of Class A products (military items such as aircraft, ammunition, artillery, tanks, ships, electronic, etc., and their major component parts), section A of WPB Form 732 shows analysis of shipments by claimant agencies.

For—	*Refer to—*
1st Q 1943	WPB732 Budget Bureau No. 12-RO27.2
2nd Q 1943	WPB732 Budget Bureau No. 12-RO27.5
3rd Q 1943	WPB732 Budget Bureau No. 12-RO27.8
4th Q 1943	WPB732 Budget Bureau No. 12-RO27.10
1st Q 1944	WPB732 Budget Bureau No. 12-RO27.11

NOTE: Separate reports usually were filed for each plant or division. To avoid omission of part of the company's operations, all WPB732 forms should be scrutinized.

Because of the character of products manufactured, Class A producers will in almost every instance be found to be fully renegotiable. In rare cases, however, certain sales by Class A producers will prove to be exempt from renegotiation because ultimate payment was not made by one of the nine "Departments" specified in the Renegotiation Act.

(ii) For manufacturers of Class B products (minor military items such as bulldozers, component parts such as pumps included in a number of military items, and non-military items), forms CMP-4B and WPB732 show analyses of shipments by claimant agencies.

For—	*Refer to—*
4th Q 1942	Sec. E of CMP-4B Budget Bureau No. 12-R780-42
1st Q 1943	Sec. C of CMP-4B Budget Bureau No. 12-R780.1 Sec. A of WPB732 Budget Bureau No. 12-RO27.2
2nd Q 1943	Sec. A of CMP-4B Budget Bureau No. 12-R780.5 Sec. A of WPB732 Budget Bureau No. 12-RO27.5
3d Q 1943	Sec. A of CMP-4B Budget Bureau No. 12-R780.6 Sec. A of WPB732 Budget Bureau No. 12-RO27.8

For—	Refer to—
4th Q 1943	Sec. A of CMP–4B Budget Bureau No. 12–R780.7 Sec. A of WPB732 Budget Bureau No. 12–RO27.10
1st Q 1944	Sec. A of CMP–4B Budget Bureau No. 12–R780.8 Sec. A of WPB732 Budget Bureau No. 12–RO27.11

NOTE: A separate CMP–4B form was made out for each B product. Separate WPB732 forms also were prepared for each plant or division. The CMP–4B and WPB732 forms contain, for renegotiation purposes, essentially the same information; therefore, use whichever is the later.

With possible rare exceptions, shipments classified as follows should be treated as renegotiable:

Claimant	Symbol
Aircraft	C
Army	W, O
Navy	N
Maritime	M
Lend-Lease	L

Careful analysis of shipments classified as follows will be necessary to ascertain that ultimate payment was made by one of the nine "Departments" specified in the Renegotiation Act.

	Probable classification	
	Predominantly Renegotiable	Predominantly Exempt
Office of Economic Warfare		E
Canadian Division		D
War Food Administration		A
National Housing Agency		H
Petroleum Administration for War		P
Office of Defense Transportation		T
Office of War Utilities		U
Office of Rubber Director	R, F	
WPB Office of Operations Vice Chairman	B, G, J, K	
WPB Facilities Bureau	F	
WPB Office of Civilian Requirements	S	V
Special Purpose	AM, FC, PX, X-1 MRO	WH, RO, SO

The most expeditious method of classifying shipments of these types would appear to be through an analysis of purchase orders, either by customers or by typical months, on the basis of "major program identification symbols". (See pages 1 to 4 of WPB pamphlet referred to in subparagraph (4) above.) The same type of analysis is also suggested for companies using customer-furnished materials inasmuch as orders received by them are required to carry the "major program identification symbol".

(6) The segregation of sales for manufacturers of wood products, textiles, chemicals, foods, tobacco products, and printing and publishing items usually can be accomplished most easily through an analysis in terms of end-use orders by customers. PD25A applications to the WPB will provide information useful for this purpose. End-use symbols are still used by companies not operating under "CMP". [RR 322.6]

§ 1603.323 *Segregation with respect to contracts with RFC subsidiaries.* In connection with prime contracts between a contractor and Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation or Rubber Reserve Company, a segregation of sales and allocation of costs is necessary in order that excessive profits, if any, attributable to such contracts may be computed. (See § 1605.502 (e) and note to article 4 of the Standard Form of Agreement, Form I § 1607.741 (a) requiring repayment of such profits to the RFC Price Adjustment Board.) [RR 323]

SUBPART C—CONTRACTS AND SUBCONTRACTS WITHIN THE SCOPE OF THE 1943 ACT

§ 1603.330 *Scope of subpart.* This and the following Subparts D and E deal with the contracts and subcontracts subject to renegotiation. This subpart discusses the kinds of prime contracts and subcontracts which are within the 1943 act, aside from exemptions, and the following subparts cover the exemptions (mandatory and permissive, respectively) from renegotiation. [RR 330]

§ 1603.331 *General coverage of 1943 act*—(a) *Statutory provision.* Subsection (c) of the 1943 act confers the basic authority to renegotiate, and paragraph (6) of subsection (c), which deals with its application, provides that, with certain exceptions, it shall apply "to all contracts and subcontracts, to the extent of amounts received or accrued thereunder in any fiscal year ending after June 30, 1943, whether such contracts or subcontracts were made on, prior to, or after the date of the enactment of the Revenue Act of 1943, and whether or not such contracts or subcontracts contain the provisions required under subsection (b)." [RR 331.1]

(b) *Contracts without renegotiation clauses.* Subsection (b) of the 1943 act requires the insertion of renegotiation provisions in certain contracts and subcontracts and provides that these provisions may be incorporated by reference to such subsection. However, both subsections (b) and (c) provide that renegotiation under subsection (c) applies whether or not the contract or subcontract contains such provisions unless such contract or subcontract is specifically excluded or exempted. [RR 331.2]

(c) *Exemptions and exclusions.* Subsections (c) (6) and (1) of the 1943 act provide for various exclusions and exemptions of contracts and subcontracts from renegotiation. These are discussed in detail in Subparts D and E. [RR 331.3]

§ 1603.332 *Contracts with the Departments*—(a) *General.* Subject to the exemptions contained in the 1943 act, all contracts made by the War and Navy Departments, the Maritime Commission, the War Shipping Administration, Defense Plant Corporation, Defense Supplies Corporation, Rubber Reserve Company, and Metals Reserve Company are subject to renegotiation. Contracts of the Treasury Department subject to renegotiation include:

(1) Contracts placed under section 201 of Title II of the First War Powers Act, 1941, 55 Stat. 839. These are principally lend-lease contracts which may be identified by the symbols "DA-TPS" preceding the contract number.

(2) Contracts for strategic and critical materials placed under the authority of the Act of June 7, 1939, 53 Stat. 811. Such contracts made after March 1, 1943 may be identified by the symbols "SCM-TPS" preceding the contract number.

(3) Contracts for supplies for refugee relief under the Red Cross program, placed under the authority contained in Title II of the Third Supplemental National Defense Appropriation Act, 1942, 55 Stat. 817, or in section 40 of the Emergency Relief Appropriation Act, fiscal year 1941, 54 Stat. 627, and Title I of the Second Deficiency Appropriation Act, 1942, approved July 2, 1942. Such contracts may be identified by the symbols "TRR" preceding the contract number. [RR 332.1]

(b) *Treasury procurement schedule of supplies.* Contracts of the Procurement Division of the Treasury Department of the type regularly made by it in the ordinary course of business prior to the war period, as such, are not subject to renegotiation unless negotiated under authority contained in Title II of the First War Powers Act, 1941. However, purchase orders, issued by other Departments under General Schedule of Supplies Contracts, which are entered into by the Procurement Division of the Treasury Department on behalf of all departments and establishments of the Government, are considered as subject to the provisions of the 1943 act. Purchase orders issued by the Treasury Department itself under such contracts are also considered as subject to the provisions of the 1943 act if such purchases are for lend-lease or for the Red Cross program. [RR 332.2]

(c) *Lend-lease contracts.* All so-called lend-lease contracts entered into by any of the Departments having renegotiation authority are subject to the provisions of the 1943 act. However, lend-lease contracts entered into by any other department or agency of the Government are not subject to renegotiation under existing law. [RR 332.3]

(d) *Cost-plus-fixed-fee contracts.* Cost-plus-fixed-fee contracts are subject to renegotiation unless otherwise exempt. The treatment of such contracts in renegotiation is discussed in § 1603.304. [RR 332.4]

(e) *Management fee contracts.* Contracts providing for a management fee are subject to renegotiation. [RR 332.5]

(f) *Army Post Exchange and Army Exchange Service contracts.* Contracts with Army Exchanges for the sale of items carried by such exchanges for resale are not subject to statutory renegotiation. Contracts entered into by the Army Exchange Service (through the intermediary of the Quartermaster General but without involving the use of appropriated funds) are not subject to statutory renegotiation. These conclusions are based on opinions of the Judge Advocate General of the War Department respectively dated February 20, 1943, and August 13, 1943, relating to the 1942 act. [RR 332.6]

(g) *Navy ship's service stores contracts.* Ship's service activities, including ship's service stores, are conducted by Navy personnel but their operations do not involve Navy Department funds. Their contracts are not Navy Department contracts and are not subject to renegotiation. Ship's stores, as distinguished from ship's service stores, are operated with Navy Department funds. Their contracts are Navy Department contracts and are subject to renegotiation. [RR 332.7]

(h) *Panama Canal contracts.* Contracts with the Panama Canal Zone are subject to statutory renegotiation. Under the Panama Canal Act (48 U.S.C. 1306), the President in time of war may designate an Army officer to assume exclusive authority and jurisdiction over the Panama Canal and the government of the Canal Zone and, by Executive Order 8232 (September 5, 1939), the President has done so. Contracts made by the Canal Zone are therefore treated as contracts with the War Department. Reference to the Panama Canal Zone includes the Panama Canal. [RR 332.8]

(i) *Panama Railroad Company contracts.* Contracts made by the Panama Railroad Company, a New York corporation whose stock is owned by the United States, are not subject to renegotiation. [RR 332.9]

§ 1603.333 *General interpretation of subcontracts*—(a) *Statutory definitions.* (1) Subsection (a) (5) and (6) of the 1943 act provide:

(5) The term "subcontract" means

(A) Any purchase order or agreement to perform all or any part of the work, or to make or furnish any article, required for the performance of any other contract or subcontract, but such term does not include any purchase order or agreement to furnish office supplies; or

(B) Any contract or arrangement other than a contract or arrangement between two contracting parties, one of which parties is found by the Board to be a bona fide executive officer, partner, or full-time employee of the other contracting party, (i) any amount payable under which is contingent upon the procurement of a contract or contracts with a Department or of a subcontract or subcontracts, or determined with reference to the amount of such a contract or subcontract or such contracts or subcontracts, or (ii) under which any part of the services performed or to be performed consists of the soliciting, attempting to procure, or procuring a contract or contracts with a Department or a subcontract or subcontracts: *Provided*, That nothing in this sentence shall be construed (1) to affect in any way the validity or construction of provisions in any contract with a Department or any subcontract, heretofore at any time or hereafter made, prohibiting the payment of contingent fees or commissions; or (2) to restrict in any way the authority of the Secretary or the Board to determine the nature or amount of selling expenses under subcontracts as defined in this subparagraph, as a proper element of the contract price or as a reimbursable item of cost, under a contract with a Department or a subcontract.

(6) The term "article" includes any material, part, assembly, machinery, equipment, or other personal property.

[RR 333.1]

(b) *Interpretation of definition.* By this definition of "subcontract", profits on the production and sale of articles required for the performance of another contract or subcontract are subject to renegotiation, as well as profits on the production or sale of all materials incorporated into the end product, down to and including raw materials, except certain specified raw materials and agricultural commodities exempted under subsection (1) of the 1943 act. This definition is interpreted to include contracts not only with prime contractors but also with other subcontractors, if such contracts are:

(1) For the sale or processing of an end product or of an article incorporated therein,

(2) For the sale, furnishing or installation of machinery, equipment or materials used in the processing of an end product or of an article incorporated therein,

(3) For the sale, furnishing or installation of machinery used in the processing of other machinery to be used in the processing of an end product or of an article incorporated therein,

(4) For the sale, furnishing or installation of component parts of or subassemblies for machinery included in (3) above and machinery, equipment and materials included in (2) above, and

(5) For the performance of services directly required for the performance of contracts or subcontracts included in (1), (2), (3) and (4) above.

The term "component part" as used in this paragraph shall be deemed to include materials and ingredients. [RR 333.2]

(c) *When machinery, equipment or materials "used in processing".* Under this interpretation machinery, equipment or materials will be deemed to be used in the processing of an end product or an article incorporated in an end product in all cases where such machinery, equipment or materials are used:

(1) To produce or otherwise operate directly on an end product or an article incorporated in an end product by chemical, physical or mechanical methods; such, for example, as shaping, cutting, constructing, combining, refining, assembling, testing, inspecting or (in the case of end products) packaging. Examples of this category include not only such machinery as rolling mills and machine tools, but also gauges and other measuring instruments, torches and chemicals or other materials consumed in the course of the manufacturing process, such for example as hydrogen, oxygen, coke and acetylene;

(2) To transport within the contractor's plant an end product or an article incorporated in an end product or other articles used in connection with the production thereof. Examples of this category include tote boxes, tractors, trucks and traveling cranes;

(3) In connection with the repair, maintenance, equipping, or operation in the contractor's plant of machinery or equipment there used in the production of an end product, or an article incorporated in an end product. Examples of this category include spare parts, auxiliary tools, abrasives, wrenches, screwdrivers, other hand tools, lubricating oil, cutting oil and dry ice; also machine tools or equipment located in the tool room of a contractor's plant and special equipment used for the manufacture, preparation or maintenance of tools, dies, jigs, fixtures, equipment or machinery. [RR 333.3]

(d) *General effect of interpretation.* (1) In general it is intended to include as subject to statutory renegotiation the sale of all machinery, equipment, materials and other articles which contribute directly to the actual production of an end item or an article incorporated therein, in connection with the physical handling of the item from the time of entry of the component materials to departure of the item from the plant in question and to include all machinery which similarly contributed directly to the actual production of other machinery so used.

(2) It is intended to exclude the sale of articles which contribute only indirectly to the actual manufacturing process, such as products used for general plant maintenance, including fuel and equipment to produce light, heat and general power requirements and such as equipment needed for general office maintenance, including all types of office machinery and supplies, and such as safety equipment and clothing.

(3) It is not intended to exclude from renegotiation any articles sold to a contractor when the items are to be ultimately resold to a Department either as end products or as component parts included therein. However, subcontracts to furnish office supplies are specifically excluded from the definition of subcontract. Therefore, subcontracts for office supplies, although such office supplies are ultimately sold to a Department, are not subject to renegotiation. Office supplies are interpreted to include paper, ink, typewriter ribbons, binders, covers, blotters, paper clips, staples and other items of consumable character, as well as related items of relatively short life and minor cost, such as pens, pen holders, pencils, blotter pads and calendars; they do not include office furniture, machinery and equipment, such as desks, chairs, lamps, rugs, waste baskets, filing cases, typewriters and calculating, recording, reproducing and dictating machines. [RR 333.4]

(e) *Allocation of sales.* Sales of such machinery and equipment are allocated on the basis of the use thereof (i.e., for renegotiable or non-renegotiable produc-

tion); and when the extent of the use can not be readily established, such sales are considered renegotiable in substantially the same proportion as the production of the purchasers of such machinery and equipment is subject to renegotiation. (See Subpart B, including § 1603.322 (c).) [RR 333.5]

§ 1603.334 *Specific interpretations of "subcontract"*—(a) *Standard commercial articles.* The term "standard commercial article" is defined by subsection (a) (7) of the 1943 act which provides in subsection (i) that agreements for such articles may be exempted by the War Contracts Board under certain conditions. (See § 1603.354.) Unless agreements for standard commercial articles are exempted pursuant to such subsection, their renegotiability will be determined by the same tests applied to agreements for equipment specially fabricated for war uses or purposes. [RR 334.1]

(b) *OPA price ceilings.* The fact that articles are sold under price ceilings fixed by the Office of Price Administration does not exclude the sale of such articles from renegotiation. Excessive profits have been realized within OPA price ceilings. Such ceilings do not prevent some producers from realizing excessive profits. The increase in volume of sales of such articles may lower costs to such extent that excessive profits are realized. [RR 334.2]

(c) *Patent licenses as subcontracts.* Patent licenses for processes or inventions required in performing contracts with the Departments and subcontracts are subcontracts as defined in subsection (a) (5) (A) of the 1943 act subject to statutory renegotiation (unless exempted), whether or not the licensor furnishes or agrees to furnish any technical or other service to the licensee and without regard to the time that the license agreement was made. Such patent licenses are not subcontracts under subsection (a) (5) (B) of the 1943 act. [RR 334.3]

(d) *Subcontracts for office supplies.* The definition of "subcontract" as contained in subsection (a) (5) (A) of the 1943 act specifically excludes therefrom agreements or purchase orders for office supplies. (Also see § 1603.333 (d).) [RR 334.4]

§ 1603.335 *Contracts and subcontracts involving real property*—(a) *Contracts and subcontracts for existing real property.* (1) Action taken with respect to exempting contracts and subcontracts for certain interests in real property is referred to in § 1603.352 (b).

(2) Moreover, aside from such exemption, the statutory definition of "subcontract" is construed to exclude agreements for the purchase of real property by contractors and subcontractors. Since it refers to the making or furnishing of any "article" which in turn is defined to mean any "material • • • or other personal property", the definition implies that agreements for the acquisition of real property are not subcontracts.

(3) The exemptions and exclusions discussed in this paragraph govern agreements for existing real property, but do not apply to agreements for fixtures or for improvements to or construction of real property which are discussed in the following paragraph. [RR 335.1]

(b) *Agreements for fixtures, construction and improvements on real property.* (1) Where an agreement is for work or articles which become real property in the course of its performance, as distinguished from existing real property, the principles stated in this paragraph govern.

(2) Where an agreement to sell, furnish or install machinery, equipment, materials or other personal property would otherwise constitute a renegotiable contract or subcontract, the fact that such property is to be installed in a building or otherwise affixed to real estate and will be treated as real property for some purposes does not exclude the agreement from renegotiation.

(3) Where a contract for the construction of a building or improvements on or to real property is made by a Department, or if not made by a Department the Government acting through a Department is to obtain title to such property either immediately or ultimately (such as contracts for plant and facilities), then such contract is renegotiable unless exempted. Likewise all subcontracts under such a renegotiable contract for furnishing services, or articles, such as building materials and structural steel, which are personal property when furnished, but which became real property during the course of construction, are renegotiable unless exempted, and so are subcontracts for furnishing any machinery and equipment installed in the building.

(4) Where, however, an agreement is for the construction of a building or improvement on or to real property for a contractor or subcontractor for the purpose of performing a renegotiable contract or subcontract and the Government acting through a Department is not to acquire title thereto, either immediately or ultimately, then except as provided in (2) above, such agreement and subcontracts thereunder are not subject to renegotiation even though the improvements may be covered by Certificates of Necessity.

(5) In determining whether a subcontract for an item is renegotiable under subparagraph (2) or not renegotiable under subparagraph (4), it is helpful to consider its character at the time of installation. If the item is one which has a predominantly prefabricated character at the time of installation or assembly, it should be classified as machinery or equipment and the subcontract for its sale is therefore subject to renegotiation. A subcontract for an item is not considered subject to renegotiation if the item has no substantial existence as such until its construction from materials at the time of installation, i. e., where the principal component parts did not have a prior existence as machinery or equipment (in the ordinary sense) off the premises but result from construction on the premises.

(6) Attention is directed to the mandatory and discretionary exemption of contracts or subcontracts for the construction of buildings, structures, improvements or other similar facilities and the regulations relating thereto. (See §§ 1603.346 and 1603.355 (c).) [RR 335.2]

§ 1603.336 *Brokers, manufacturers' agents, and dealers; subcontracts.* (1) The definition of subcontract in subsection (a) (5) of the 1943 act includes any contract or arrangement (i) which makes the compensation thereunder depend on procuring one or more contracts with a Department or subcontracts or on their amount, or (ii) under which any part of the services performed or to be performed consists of the soliciting or attempting to procure or procuring one or more such contracts or subcontracts. This provision subjects such agreements to renegotiation under the 1943 act to the same extent as other subcontracts. It does not, of course, validate any such agreement if otherwise illegal, or affect the allowance or disallowance of amounts paid under such contracts as items of cost.

(2) In addition, even when not within (1) above, contracts between manufacturers and their representatives are subject to renegotiation as subcontracts if the representative is performing, or agrees to make available on request, engineering, mechanical, or other services related to the performance of one or more prime contracts with the Departments or subcontracts, including assistance in obtaining priority certificates and in other matters required in connection with performance of the contract. For example, manufacturers' agents in the machine tool industry customarily hold themselves ready to furnish engineering advice, mechanical service, and advice on training in the use of tools. By contract or custom the manufacturer usually pays the commissions of the agent whether or not these services are used, and charges the amount into the cost of the tool. These activities comprise "part of the work • • • required for the performance of any other contract or subcontract" within the definition of subcontract in subsection (a) (5) (A) of the 1943 act. (See § 1602.203 (d).)

(3) When a manufacturer's representative also acts as dealer, he is in substantially the same position as a jobber and his sales of articles to one of the Departments or to a contractor with a Department or a subcontractor are subject to renegotiation, whether the articles are delivered from his own inventory or shipped direct by the manufacturer. The fact that the prices on articles handled by manufacturers' representatives and jobbers are regulated under Office of Price Administration ceilings does not affect the result. (See § 1603.334 (b).) [RR 336]

SUBPART D—MANDATORY EXEMPTIONS AND EXCLUSIONS FROM RENEGOTIATION

§ 1603.340 *Scope of subpart.* The preceding subpart deals with the general interpretation of the coverage of the Renegotiation Act of 1943 and with the meaning of the terms "contract" and "subcontract" as used in the act. The act contains various specific exemptions and exclusions of mandatory character, which are found in subsections (i) and (e) (6) of the act. These exemptions and exclusions will be outlined in this subpart. Permissive exemptions are covered by the succeeding Subpart E. [RR 340]

§ 1603.341 *The mandatory exemptions.* (1) Contracts and subcontracts with other Governmental agencies are exempted by subsection (i) (1) (A). (See § 1603.343.)

(2) Contracts and subcontracts for certain raw materials are exempted by subsection (i) (1) (B). See § 1603.344.)

(3) Contracts and subcontracts for agricultural commodities are exempted by subsection (i) (1) (C). (See § 1603.344 (b).)

(4) Contracts or subcontracts with tax-exempt charitable, religious and educational institutions are exempted by subsection (i) (1) (D). (See § 1603.345.)

(5) Construction contracts awarded as a result of competitive bidding are exempted by subsection (i) (1) (E). (See § 1603.346.)

(6) Subcontracts under exempt contracts and subcontracts are exempted by subsection (i) (1) (F). (See § 1603.347.) [RR 341]

§ 1603.342 *Authority to interpret*—(a) *Statutory provisions.* Subsection (i) (2) of the Renegotiation Act of 1943 provides:

> (2) The Board is authorized by regulation to interpret and apply the exemptions provided for in paragraph (1) (A), (B), (C), (E), and (F) • • •

[RR 342.1]

(b) *Scope of authority.* The authority to interpret covers all of the mandatory exemptions except the exemption of tax-exempt charitable, religious and educational institutions. (Subparagraph (i) (1) (D) of the 1943 act; § 1603.345.) [RR 342.2]

§ 1603.343 *Contracts and subcontracts with other governmental agencies*—(a) *Statutory exemption.* Subsection (i) (1) (A) of the 1943 act provides that it shall not apply to:

> (A) any contract by a Department with any other department, bureau, agency, or governmental corporation of the United States or with any Territory, possession, or State, or any agency thereof or with any foreign government or any agency thereof;

[RR 343.1]

(b) *Interpretation and application of exemption.* The War Contracts Board has adopted the following interpretation:

(1) Under this provision of the act no contract between one of the Departments and any other federal, local or foreign government agency is subject to renegotiation. A municipal corporation, whether acting in a proprietary or governmental capacity, is considered to be an agency of a State for the purposes of this exemption.

(2) Contracts between such other agencies or governmental corporations and private contractors, and subcontracts thereunder, are likewise not subject to renegotiation, except in those instances where the agency or governmental corporation is acting as a direct agent for a Department. In these instances, the contract is deemed to be with the Department for which the agency or governmental corporation is acting as direct agent, and not with the agency or governmental corporation, and accordingly, if otherwise subject to renegotiation, is not exempted.

(3) Certain of the agencies and governmental corporations referred to sometimes place orders called "pool" orders. Under this type of order the agency or corporation orders large quantities of a particular item from a manufacturer. Before delivery under this order the manufacturer may sell all or a portion of the items to a Department or to a Departmental contractor or subcontractor and the order of the governmental corporation or agency is reduced to the extent of these purchases by others. In such cases the sales by the manufacturer to a Department or to a Departmental contractor or subcontractor are not exempt from renegotiation. [RR 343.2]

§ 1603.344 *Contracts and subcontracts for certain raw materials and agricultural commodities*—(a) *Raw materials*—(1) *Statutory exemption.* Subsection (i) (1) (B) of the 1943 act provides that it shall not apply to:

> (B) any contract or subcontract for the product of a mine, oil or gas well, or other mineral or natural deposit, or timber, which has not been processed, refined, or treated beyond the first form or state suitable for industrial use;

(2) *Interpretation and application of exemption.* In determining whether or not a particular product is an "exempted product" under the exemption in subsection (i) (1) (B) of the act, the following principles shall govern:

(i) Exempted products: The phrase "other mineral or natural deposit" shall be interpreted to include only mineral or natural deposits of a wasting or depletable character similar to products "of a mine, oil or gas well". Accordingly, water, sea water and air, and products derived therefrom, are not considered to be other mineral or natural deposits within the meaning of the act, and contracts or subcontracts therefor, or for products derived therefrom, shall be subject to renegotiation.

(ii) State at which exemption terminates: In general a product will be considered to be an exempted product until it has arrived at its dispersal point, i. e., the point at which a substantial proportion of the product is used by the ultimate consumer, or by industries other than the industry of origin. The industry of origin includes not only the primary industry of extraction or severance, but also any processing, refining or treatment directly supplementing its extraction or severance or to produce one or more of the chemical elements or compounds present in it in the state in which it may be found in abundance in nature; but excludes other processing, refining or treatment to produce various end products for the ultimate consumer, or a substantial variety of products which vary materially in size, shape or content from the original product.

(iii) Combination of several materials: Where substantial quantities of two or more materials or ingredients are combined to produce a product for industrial use, the product resulting from such combination is considered to be non-exempt, unless the other material or materials are used as a catalyst, carrying agent or in some other subordinate capacity in connection with processing, refining or treatment of the principal product which is in the course of preparation for its first industrial use.

(iv) Different processes: Where a product is made in substantial quantities by two or more different processes, one of which would result in the exemption of the product under the above tests and the other would result in its inclusion, such a product will be considered to be renegotiable only where made by a process which would result in its inclusion.

(v) *Byproducts:* Where a process for making a product or material subject to renegotiation under the above tests also produces byproducts, such byproducts shall be treated as subject to renegotiation since any benefits resulting from use or sale of such byproducts operate in substance to reduce the cost of the principal product. The principle of the preceding sentence is inapplicable to byproducts which would otherwise be exempt under this subparagraph (2). In the case of byproducts resulting from processes principally designed to produce an "exempted product" under the above tests, such byproducts shall be treated as "exempted products" if they are not further processed, refined or treated. If further processing, refining or treatment of such byproducts takes place, the status of the ultimate product resulting will be determined in accordance with the general principles set forth above.

(3) A list of products which, subject to the foregoing interpretation are considered exempt, is set forth in § 1608.841. [RR 344.1]

(b) *Agricultural commodities*—(1) *Statutory exemption.* Subsection (i) (1) (C) of the 1943 act provides that it shall not apply to:

> (C) any contract or subcontract for an agricultural commodity in its raw or natural state, or if the commodity is not customarily sold or has not an established market in its raw or natural state, in the first form or state, beyond the raw or natural state, in which it is customarily sold or in which it has an established market. The term "agricultural commodity" as used herein shall include but shall not be limited to—
>
> (i) commodities resulting from the cultivation of the soil such as grains of all kinds, fruits, nuts, vegetables, hay, straw, cotton, tobacco, sugar cane, and sugar beets;
>
> (ii) natural resins, saps and gums of trees;
>
> (iii) animals such as cattle, hogs, poultry, and sheep, fish and other marine life, and the produce of live animals, such as wool, eggs, milk and cream;

(2) *Interpretation and application of exemption.* (i) Applicability: The provision exempting agricultural commodities under subsection (i) (3) of the 1943 act is retroactive as if it were a part of the Renegotiation Act on the date of its enactment, April 28, 1942.

(c) *Cost allowance for raw materials and agricultural commodities in the case*

of integrated producers—(1) *Statutory provision.* Subsection (i) (3) of the Renegotiation Act of 1943 provides, in part, as follows:

(3) In the case of a contractor or subcontractor who produces or acquires the product of a mine, oil or gas well, or other mineral or natural deposit, or timber, and processes, refines, or treats such a product to and beyond the first form or state suitable for industrial use, or who produces or acquires an agricultural product and processes, refines, or treats such a product to and beyond the first form or state in which it is customarily sold or in which it has an established market, the Board shall prescribe such regulations as may be necessary to give such contractor or subcontractor a cost allowance substantially equivalent to the amount which would have been realized by such contractor or subcontractor if he had sold such product at such first form or state.

(2) *Interpretation and application.* Where a contractor (i) processes, refines, or treats a product of a mine, oil or gas well, or other mineral or natural deposit, or timber, to the first form or state suitable for industrial use, and further refines, processes or treats such product beyond the first form or state suitable for industrial use in order to perform his contract, or (ii) produces or acquires an agricultural product and processes, refines or treats such agricultural product to and beyond the first form or state in which it is customarily sold or in which it has an established market, then in such cases for the purposes of statutory renegotiation the product will be treated as an item of cost of the performance of such contract in such amount as, in the opinion of the Board, fairly represents a properly applicable allowance. In determining the proper allowance, due consideration shall be given to the established sale or market price where there is a representative market for the product in the exempt state, and to such other factors as may be necessary to reflect the purpose and intent of the statutory exemption. In general it is the purpose and intent of this provision to allow to the contractor engaged in an integrated process of the type described, an item of cost substantially equivalent to that granted by the statute to others who sell an exempt product, namely what he could have realized if he had sold the exempt product at the intermediate stage. [RR 344.3]

(d) *Profits from increment in value of excess inventories*—(1) *Statutory exclusion.* Subsection (i) (3) of the Renegotiation Act of 1943, insofar as it relates to the exclusion of profits from the increment in value of excess inventories provides:

(3) • • • Notwithstanding any other provisions of this section there shall be excluded from consideration in determining whether or not a contractor or subcontractor has received or accrued excessive profits that portion of the profits, derived from contracts with the Departments and subcontracts, attributable to the increment in value of the excess inventory. For the purposes of this paragraph the term "excess inventory" means inventory of products, hereinbefore described in this paragraph, acquired by the contractor or subcontractor, in the form or at the state in which contracts for such products on hand and on contract would be exempted from this section by subsection (i) (1) (B) or (C), which is in excess of the inventory reasonably necessary to fulfill existing contracts or orders. That portion of the profits, derived from contracts with the Departments and subcontracts, attributable to the increment in value of the excess inventory, and the method of excluding such portion of profits from consideration in determining whether or not the contractor or subcontractor has received or accrued excessive profits, shall be determined in accordance with regulations prescribed by the Board. In the case of a renegotiation with respect to a fiscal year ending prior to July 1, 1943, the portion of the profits, derived from contracts with the Departments and subcontracts, attributable to the increment in value of the excess inventory shall (to the extent such portion does not exceed the excessive profits determined) be credited or refunded to the contractor or subcontractor, and in case the determination of excessive profits was made prior to the date of the enactment of the Revenue Act of 1943, such credit or refund shall be made notwithstanding such determination is embodied in an agreement with the contractor or subcontractor, but in either case such credit or refund shall be made only if the contractor or subcontractor, within ninety days after the date of the enactment of the Revenue Act of 1943, files a claim therefor with the Secretary concerned.

(2) *Interpretation and application*—(i) *Statement of general principles by the Committee of Conference.* The basic principles of this exclusion are set forth in the following excerpt from the Statement of the Managers of the Committee of Conference on the Revenue Act of 1943.

The profits realized by a contractor or subcontractor by reason of the increment in value of his excess inventory of the materials described in subsection (i) (1) (B) or (i) (1) (C), in the form or state in which contracts therefor are exempted under such subsections, to the extent that such profits are applicable to contracts with the departments or subcontracts, shall be excluded from consideration in determining excessive profits. The test as to whether or not any contractor or subcontractor has an excess inventory of such materials turns upon whether or not the contractor or subcontractor has in inventory quantities of such materials in excess of the amount reasonably necessary to fulfill existing contracts or orders. The method of determining the portion of the profits applicable to contracts with the departments or subcontracts realized by reason of the increment in value of an excess inventory and the method of excluding such portion of such profits from renegotiation will be set out in regulations prescribed by the Board. In the case of a renegotiation with respect to a fiscal year ending prior to July 1, 1943, the portion of the excess inventory (to the extent it does not exceed the excessive profits determined) shall be credited or refunded to the contractor or subcontractor. Where the determination of the excessive profits was made prior to the date of the Revenue Act of 1943, such credit or refund shall be made whether or not the determination is embodied in an agreement with the contractor or subcontractor. In all such cases the credit or refund will be made only if the contractor or subcontractor within 90 days after the date of the enactment of the Revenue Act of 1943, files claim therefor with the secretary concerned.

The following example will show how the amendment operates. A has, through the purchase of long cotton, 600,000 pounds of cotton on hand on a particular date, which has a book cost of ten cents a pound. On this date, A has future orders which will consume only 100,000 pounds of such cotton. A thus has a long position of 500,000 pounds of cotton. The next contract that A takes is for Government goods and requires the use of 500,000 pounds of such cotton. On the day A takes the Government contract, the current market price of such cotton is 15 cents a pound. In such a situation A has placed himself in a position to realise an inventory profit of $25,000. This inventory profit, if realized, is not a manufacturing profit, but is in the nature of an investment or speculative profit which could be realized. It has no relationship to the profits to be derived from the Government contract, and, therefore, represents a profit from an excess inventory, which is excluded from renegotiation under the amendment.

The same situation might also apply in the case of a tobacco and cigarette manufacturer. Suppose for example, when the tobacco markets opened in the fall of 1942 A had on hand 20,000,000 pounds of tobacco of the 1940 crop, 20,000,000 pounds of the 1941 crops, and A then went into the market and bought some 20,000,000 pounds of 1942 grown tobacco, although his existing orders would not cause him to expect to manufacture more than 20,000,000 pounds into cigarettes. He thus has an excess inventory of 40,000,000 pounds of tobacco, and his case would fall within the amendment.

(ii) *Definitions.* For the purposes of this paragraph the following definitions shall apply:

(a) Materials: Materials are products described in paragraphs (a) and (b) of this section (of the grade, class and type to be used by the contractor or subcontractor in fulfilling contracts with a Department or subcontracts for processed or finished goods under which the amounts received or accrued are subject to renegotiation) acquired by the contractor or subcontractor in the last form or state in which contracts therefor are exempt under the provisions set forth in those paragraphs.

(b) Inventory: Inventory is the quantity of materials on hand or under contract for purchase (including the quantity of such materials, adjusted for waste, contained in the work in process inventory and the inventory of uninvoiced finished goods) reduced by the quantity of materials under contract for sale. It should be noted that profits or losses from the sale of materials are excluded from renegotiation under the raw material and agricultural commodity exemptions and that such transactions must be considered separately in the application of these regulations. A contract for purchase or a contract for sale is a contract under the terms of which (1) the quantity, the delivery of which the buyer is committed to accept, is certain, (2) the time limits in which such fixed quantity is to be delivered are certain, and (3) the price is certain or is to be made certain solely by factors existing at a time specified in the contract. Special or unusual contractual arrangements with respect to the acquisition or disposition of materials or finished or processed goods will be given special consideration in accordance with the facts in the individual case.

(c) Existing contracts or orders: Existing contracts or orders, at any time, are the uninvoiced portions of those contracts or orders for processed or finished goods, the fulfillment of which requires the use of the materials in inventory.

(d) Excess inventory: Excess inventory is the inventory of materials which is in excess of the quantity reasonably necessary to fulfill existing contracts or orders.

(e) Replacement value: Replacement value of excess inventory is the value of such excess inventory calculated by determining as of the date on which the contractor or subcontractor enters into a contract with a Department or subcontract, under which the amounts received or accrued are subject to renegotiation, the market value of the materials of the grade, of the quality, and in the quantities to be used by the contractor or subcontractor in fulfilling the contract or subcontract. Where no quotations for the particular grade or quality of material are available as of the date the contract or subcontract is entered into, any factors tending to establish a fair market value may be taken into consideration.

(f) Increment in value: Increment in value is the amount by which the replacement value of the portion of the excess inventory, allocated to the fulfillment of any contract or subcontract, exceeds the cost of such portion of the excess inventory as determined by the method of inventory accounting regularly employed by the contractor or subcontractor.

(iii) *Time for determining excess inventory.* Accounting for the purposes of determining excess inventory will commence as of the beginning of the month, four weeks period, or other similar period of inventory accounting employed by the contractor or subcontractor, in which the contractor or subcontractor entered into the first contract with a Department or subcontract under which any part of the amounts received or accrued were subject to renegotiation. Subsequently, excess inventory will be determined as of the beginning of each month, four weeks period, or other similar accounting period in which the contractor or subcontractor enters into contracts with a Department or subcontracts under which the amounts received or accrued are subject to renegotiation. If any excess inventory is found to exist at the beginning of any month, it shall be deemed to exist throughout that month; if no excess inventory is found to exist at the beginning of a month, it shall be deemed that none existed throughout that month. In the absence of adequate records, the amount of materials contained in any inventory category at the beginning of each month shall be deemed to be one-half of the quantity contained in the combined opening and closing inventories of materials in such category for the shortest inventory accounting period for which such information is available, and during which the determination of excess inventory is applicable.

(iv) *Treatment of excess inventory.* Upon the establishment of the existence of the excess inventory, such inventory is deemed to be the inventory first used by the contractor or subcontractor thereafter and shall be allocated pro-rata to the processing under contracts with Departments and subcontracts, under which the amounts received or accrued are subject to renegotiation, in chronological order, and other processing carried on by the contractor or subcontractor up to the end of the month in which such excess inventory is exhausted.

(v) *Exclusion of profits attributable to increment in value of excess inventory.* In any case in which it appears that profits attributable to the increment in value of the excess inventory may exist, a tentative determination of excessive profits, will be made without regard to this provision. The tentative excessive profits, so determined, will then be reduced by the portion of the profits attributable to the increment in value of the excess inventory. For the purposes of determining the portion of the profits attributable to the increment in value of the excess inventory which is to be so excluded, replacement value shall be allowed only to that portion of the excess inventory allocated to each such contract or subcontract and the profits to be so excluded attributable to such contracts shall be limited to the portion of such profits received or accrued under such contract or subcontract during the fiscal year. If, for the fiscal year, profits derived from contracts with the Departments or subcontracts under which the amounts received or accrued are subject to renegotiation, attributable to increment in value of the excess inventory, exceed losses derived from such contracts or subcontracts attributable to decreases in value of the excess inventory, such excess of profits over losses will be excluded in determining excessive profits. [RR 344.4]

§ 1603.345 *Contracts or subcontracts with tax-exempt charitable, religious and educational institutions*—(a) *Statutory exemption.* Subsection (i) (1) (D) of the 1943 act provides that it shall not apply to:

(D) any contract or subcontract with an organization exempt from taxation under section 101 (6) of the Internal Revenue Code.

[RR 345.1]

(b) *Internal Revenue Code.* Section 101 (6) of the Internal Revenue Code exempts from taxation:

(6) Corporations, and any community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation.

[RR 345.2]

§ 1603.346 *Construction contracts awarded as a result of competitive bidding*—(a) *Statutory exemption.* Subsection (i) (1) (E) of the 1943 act provides that it shall not apply to:

(E) any contract with a Department, awarded as a result of competitive bidding, for the construction of any building, structure, improvement, or facility.

[RR 346.1]

(b) *Interpretation and application of exemption.* (1) The exclusion from renegotiation of construction contracts with a Department awarded as a result of competitive bidding applies only to contracts for the construction of buildings, structures, improvements and other similar facilities let to the lowest qualified bidder and which were entered into after advertisement and for which bids have been received from two or more independent, responsible and qualified contractors in actual competition with each other. (See § 1603.355 (c).)

(i) As used herein "advertisement" shall be interpreted as meaning published advertising or such other solicitation for bids as will open the bidding to all probable bidders under the circumstances of the particular case.

(ii) In any case in which it is claimed that a contract is excluded from renegotiation by reason of the application of this subparagraph (1) and such contract was not entered into after published advertising, the Department conducting the renegotiation may deny such claim but shall not approve the same without submitting the matter, together with all relevant information in the possession of such Department, to the War Contracts Board for a final determination.

(2) This section of the act is applicable only to amounts received or accrued under such contracts for fiscal years ending after June 30, 1943, and applies regardless of the date when the contracts were made.

(3) Contracts for the furnishing of materials or supplies or for the lease, sale or manufacture of machinery or equipment are not within the scope of this exemption. In determining whether a particular contract or subcontract constitutes a contract for the construction of a building, structure, improvement or other similar facility or constitutes a contract for the lease, sale or manufacture of machinery or equipment, the essential character of the performance under the contract will control. In those cases where the items to be furnished under the contract have a predominantly prefabricated character at the time of installation or assembly, the contract will ordinarily be regarded as one of sale or manufacture rather than of "construction". This question arises most frequently in connection with contracts for the sale and installation of machinery or equipment where both the furnishing of the machinery or equipment and its installation are embraced within a single contract. In cases of this character an undertaking to furnish the article may be severed from an agreement to install and an appropriate finding made as to that portion of the contract undertaking which might properly be exempted. On the other hand, where an item to be furnished under a contract has no substantial existence as such until its construction from materials at the site and time of installation so that the contract in its essence is one of construction as distinguished from manufacture or sale, the exemption will be applicable. The essential distinction does not depend upon whether the item involved does or does not become part

of the real estate, but depends rather on whether the contract is essentially one for "construction" as distinguished from a contract for manufacture or sale. (See § 1603.335 (b)). [RR 346.2]

§ 1603.347 *Subcontracts under exempt contracts and subcontracts*—(a) *Statutory exemption.* Subsection (i) (1) (F) of the 1943 act provides that it shall not apply to:

(F) any subcontract, directly or indirectly under a contract or subcontract to which this section does not apply by reason of this paragraph,

[RR 347.1]

(b) *Interpretation and application of exemption.* It should be noted that the exemption applies only where the subcontract is under a contract or subcontract exempted by paragraph (1) of subsection (i) of the 1943 act. Thus, subcontracts under prime contracts or subcontracts exempted under the discretionary exemptions authorized by subsection (i) (4) of the 1943 act, the exemption measured by renegotiable volume under subsection (c) (6), or any other exemption or exclusion contained in the 1943 act, are not exempted by this provision. (See § 1603.348 (e).) [RR 347.2]

§ 1603.348 *Annual receipts under statutory minimum*—(a) *Statutory provision.* Subsection (c) (6) of the 1943 act provides

(6) This subsection shall be applicable to all contracts and subcontracts * * * unless (A) the contract or subcontract provides otherwise pursuant to subsection (i) or is exempted under subsection (i) or (B) the aggregate of the amounts received or accrued in such fiscal year by the contractor or subcontractor and all persons under the control of or controlling or under common control with the contractor or subcontractor, under contracts with the Departments and subcontracts (including those described in Clause (A), but excluding subcontracts described in subsection (a) (5) (B)) do not exceed $500,000 and under subcontracts described in subsection (a) (5) (B) do not exceed $25,000 for such fiscal year. If such fiscal year is a fractional part of twelve months, the $500,000 amount and the $25,000 amount shall be reduced to the same fractional part thereof for the purposes of this paragraph.

[RR 348.1]

(b) *Computation of aggregate receipts and accruals.* (1) In order to qualify for this exemption a contractor must meet two conditions:

(i) The gross receipts or accruals of the contractor and his affiliates for his fiscal year from subcontracts within the scope of subsection (a) (5) (B) of the 1943 act (that is, for services in procuring contracts or subcontracts) must not exceed $25,000; and

(ii) The gross receipts or accruals of the contractor and his affiliates for his fiscal year from all contracts with the Departments and from all subcontracts within the scope of subsection (a) (5) (A) of the 1943 act, including contracts and subcontracts exempt from renegotiation under subsection (i) of the 1943 act but excluding subcontracts covered in (1) above, must not exceed $500,000.

(2) Affiliate is used in this section to refer to a person who controls or is controlled by or under common control with the contractor. Total receipts or total billings under cost-plus-fixed-fee contracts are included in gross receipts or accruals in computing the limits referred to in this section.

(3) When the fiscal years of the respective members of the affiliated group differ, the test will be whether, during the twelve months period (or fraction thereof) which is the fiscal year of the member of the group being considered for renegotiation, the group had gross receipts or accruals in excess of the statutory minimum.

(4) If the contractor meets one of the conditions referred to in subdivision (1) hereof but not the other, renegotiation will be conducted only with respect to his contracts and subcontracts as defined in subsection (a) (5) (A) of the 1943 act or with respect to his subcontracts as defined in subsection (a) (5) (B) of the 1943 act, as the case may be, as to which the condition is not met. [RR 348.2]

(c) *No reduction by refund below exemption.* (1) In connection with the renegotiation of contracts and subcontracts (other than subcontracts referred to in subsection (a) (5) (B) of the 1943 act), no determination of excessive profits shall be made in an amount greater than that which, when deducted from the aggregate amount of gross receipts or accruals referred to in paragraph (b) (1) (ii) of this section will reduce them below $500,000.

(2) In connection with the renegotiation of subcontracts referred to in subsection (a) (5) (B) of the 1943 act, no determination of excessive profits shall be made in an amount greater than that which, when deducted from the aggregate amount of gross receipts or accruals referred to in paragraph (b) (1) (i) of this section will reduce them below $25,000.

(3) In the case of a fiscal year of less than twelve months, ending after June 30, 1943, these rules are applied on a prorated basis.

(4) In the renegotiation of contractors who are subject to renegotiation by reason of the common control provisions of the 1943 act (see paragraph (a) of this section) the aggregate of the recoveries from such contractors must not reduce the combined adjusted sales of the contractors below the minimum referred to in this paragraph. [RR 348.3]

(d) *Tests of "control".* In determining whether the contractor controls or is controlled by or under common control with another person, the following principles should be followed:

(1) Corporate control: A parent corporation which owns more than 50% of the voting stock of another corporation controls such other corporation and also controls all corporations controlled by such other corporation.

(2) Individual control: An individual who owns more than 50% of the voting stock of a corporation controls the corporation and also controls all corporations controlled by the corporation.

(3) Partnership control: A general partner who is entitled to more than 50% of the profits of a partnership controls the partnership.

(4) Joint Venture control: A joint venturer who is entitled to more than 50% of the profits of a joint venture controls the joint venture.

(5) Other cases: Actual control is a question of fact. Whenever it is believed that actual control exists even though the foregoing conditions are not fulfilled, the matter may be determined by the Department or Service conducting the renegotiation. [RR 348.4]

(e) *Subcontracts under contracts exempt under the statutory minimum.* Sales under subcontracts are not exempt solely because the purchaser is a contractor who is exempt because his annual receipts and accruals are under the statutory minimum, since the exemption of subsection (i) (1) (F) of the 1943 act is limited to subcontracts under contracts and subcontracts exempt by reason of subparagraph (1) of paragraph (i) of the 1943 act. (See § 1603.347 (b).) [RR 348.5]

SUBPART E—PERMISSIVE EXEMPTIONS FROM RENEGOTIATION

§ 1603.350 *Scope of subpart.* The preceding subpart deals with mandatory exemptions and exclusions from the operation of the Renegotiation Act of 1943. The act contains certain provisions authorizing the War Contracts Board, or persons to whom its authority shall be delegated, to exempt other contracts and subcontracts from the operation of the act. This subpart will deal with these permissive exemptions. [RR 350]

§ 1603.351 *Contracts and subcontracts to be performed outside of the United States*—(a) *Statutory authority.* Subsection (i) (4) of the 1943 act authorizes the War Contracts Price Adjustment Board, in its discretion, to exempt from some or all of the provisions of the act

(A) any contract or subcontract to be performed outside of the territorial limits of the continental United States or in Alaska.

[RR 351.1]

(b) *Exemption.* (1) Each contract or subcontract to be performed outside the territorial limits of the continental United States, outside the territories of Alaska and Hawaii, outside the Panama Canal Zone, and outside the other territories and island possessions of the United States shall be exempt from the provisions of the Renegotiation Act of 1943 unless it shall be determined by the War Contracts Board or by any authority to whom power to exempt individual contracts under subsection (i) (4) (A) of the 1943 act has been or may be delegated or redelegated;

(i) That administrative difficulties do not make impracticable the renegotiation of such contract or subcontract,

(ii) That the procurement program of the United States in foreign countries will not be adversely affected by such renegotiation, and

(iii) That such renegotiation will not otherwise be contrary to the interests of the United States.

(2) In determining whether the procurement program of the United States in foreign countries or the interests of the United States generally will be adversely affected by such renegotiations, it is considered desirable that representatives of the Department of State of the United States be consulted, if practicable; such consultation shall not, however, be essential to the valid renegotiation of any contractor or subcontractor.

(3) Such determination may be made at any time whether before or after the execution of the contract or subcontract and whether or not it contains a renegotiation clause. [RR 351.2]

§ 1603.352 *Contracts and subcontracts where profits determinable when price established*—(a) *Statutory authority.* Subsection (i) (4) of the 1943 act authorizes the War Contracts Price Adjustment Board, in its discretion, to exempt from some or all of the provisions of the act

(B) any contracts or subcontracts under which, in the opinion of the Board, the profits can be determined with reasonable certainty when the contract price is established, such as certain classes of agreements for personal services, for the purchase of real property, perishable goods, or commodities the minimum price for the sale of which has been fixed by a public regulatory body, of leases and license agreements, and of agreements where the period of performance under such contract or subcontract will not be in excess of thirty days;

[RR 352.1]

(b) *Exemption.* In the opinion of the War Contracts Board the profits from contracts and subcontracts for the purchase or lease of any interest in real estate can be determined with reasonable certainty when the contract price is established, and such contracts and subcontracts are accordingly exempted from the provisions of the Renegotiation Act of 1943. (See § 1603.336 (a)). For an exemption relating to certain contracts and subcontracts involving electric power, gas, transportation by railroad, motor vehicle, or air, and communications and subcontracts thereunder, see § 1608.842. [RR 352.2]

§ 1603.353 *When contract provisions adequate to prevent excessive profits*—(a) *Statutory authority.* Subsection (i) (4) of the 1943 act authorizes the War Contracts Price Adjustment Board, in its discretion, to exempt from some or all of the provisions of the act

(C) any contract or subcontract or performance thereunder during a specified period or periods, if in the opinion of the Board, the provisions of the contract are otherwise adequate to prevent excessive profits.

[RR 353.1]

§ 1603.354 *Contracts and subcontracts for standard commercial articles*—(a) *Statutory authority.* (1) Subsection (i) (4) of the 1943 act authorizes the War Contracts Price Adjustment Board, in its discretion, to exempt from some or all of the provisions of the act

(D) any contract or subcontract for the making or furnishing of a standard commercial article, if, in the opinion of the Board, competitive conditions affecting the sale of such article are such as will reasonably protect the Government against excessive prices;

(2) Subsection (a) (7) of the 1943 act provides

(7) The term "standard commercial article" means an article—

(A) which is identical in every material respect with an article which was manufactured and sold, and in general civilian, industrial, or commercial use prior to January 1, 1940,

(B) which is identical in every material respect with an article which is manufactured and sold, as a competitive product, by more than one manufacturer, or which is an article of the same kind and having the same use or uses as an article manufactured and sold, as a competitive product, by more than one manufacturer, and

(C) for which a maximum price has been established and is in effect under the Emergency Price Control Act of 1942, as amended, or under the Act of October 2, 1942, entitled "An Act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes", or which is sold at a price not in excess of the January 1, 1941, selling price.

An article made in whole or in part of substitute materials but otherwise identical in every material respect with the article with which it is compared under subparagraphs (A) and (B) shall be considered as identical in every material respect with such article with which it is so compared.

(3) Subsection (i) (2) of the 1943 act provides

(2) The Board is authorized by regulation * * * to interpret and apply the definition contained in subsection (a) (7).

[RR 354.1]

(b) *Interpretation and application.* (1) Exemption of standard commercial articles will be made on the basis of "articles" by types or classes and not on the basis of individual contracts or individual contractors. Exemptions will be effective with respect to such date as may be specified in the exemption and will apply to amounts received or accrued or to contracts entered into after the specified date.

(2) Studies made with respect to the existence of excessive profits in the standard commercial article field in connection with the Congressional hearings on the amendments to the Renegotiation Act indicated that the production of standard commercial articles purchased in substantial volume for war purposes had generally resulted in excessive profits on renegotiable business both in 1942 and in 1943. The Congress rejected the suggestion that a basis for exemption existed by reason of the fact a particular article constituted a standard commercial article or was sold under OPA ceiling prices. Furthermore, it is to be noted that the fact that an individual contractor may not be making excessive profits on such an article is of little significance. The status of the individual contractor is more readily dealt with through renegotiation where he can be given a clearance if after examination it is found that no excessive profits exist in the particular case. Accordingly, in order that useless requests for exemption may be avoided, it should be noted that exemptions under section 403 (i) (4) (D) can only be made where competitive conditions have been such as reasonably to protect the Government against excessive prices and on the basis of broad national conditions and considerations and after complete research and development of the factual and legal questions involved. [RR 354.2]

§ 1603.355 *Contracts and subcontracts when effective competition is likely to exist*—(a) *Statutory authority.* Subsection (i) (4) of the 1943 act authorizes the War Contracts Price Adjustment Board, in its discretion, to exempt from some or all of the provisions of the act

(E) any contract or subcontract, if, in the opinion of the Board, competitive conditions affecting the making of such contract or subcontract are such as are likely to result in effective competition with respect to the contract or subcontract price.

[RR 355.1]

(b) *General interpretation of exemption.* The War Contracts Board will make exemptions under this provision only as to classes or types of contracts on the basis of the subject matter with which the contract or subcontract is concerned. Exemptions by the Board will be based upon broad national conditions and considerations and will be limited to those fields where, in the opinion of the Board, not only do competitive conditions exist, but the competition is such that it may be presumed to be effective in the sense of producing fair and reasonable prices for the Government and in generally eliminating excessive profits. [RR 355.2]

(c) *Application of exemption to construction contracts.* The Board has found that competitive conditions affecting the making of construction contracts and subcontracts entered into subsequent to June 30, 1943, were such as to result in effective competition with respect to the contract or subcontract price where all of the following conditions exist:

(1) The contract or subcontract is one for the construction of buildings, structures, improvements or other similar facilities. Contracts or subcontracts for the furnishing of materials or supplies or for the lease or sale of machinery or equipment are not within the scope of this exemption. Also see § 1603.346 (b) for interpretation of mandatory exemption relating to such construction and see § 1603.335 (b).

(2) The contract was entered into subsequent to June 30, 1943, and did not constitute a substitute for or a revision or extension of an existing contract entered into on or before June 30, 1943.

(3) The work covered by the contract was substantially the same as the work for which the bids were requested.

(4) Bids were received from two or more responsible and qualified contractors, who were independent of each other and were in actual competition with each other for the work for which bids were requested.

(5) The contract price was not in excess of the low bid received. [RR 355.3]

§ 1603.356 *Subcontracts as to which it is not administratively feasible to determine and segregate profits*—(a) *Stat-*

utory authority. Subsection (i) (4) of the 1943 act authorizes the War Contracts Price Adjustment Board, in its discretion, to exempt from some or all of the provisions of the Act

(F) any subcontract or group of subcontracts not otherwise exempt from the provisions of this section, if, in the opinion of the Board, it is not administratively feasible in the case of such subcontract or in the case of such group of subcontracts to determine and segregate the profits attributable to such subcontract or group of subcontracts from the profits attributable to activities not subject to renegotiation.

[RR 356.1]

(b) *Exemption.* For an exemption relating to subcontracts under certain contracts and subcontracts involving electric power, gas, transportation by railroad, motor vehicle, or air, and communications, see § 1608.842. [RR 356.2]

§ 1603.357 *Delegation of authority to make permissive exemptions.* The authority to make exemptions of contracts or subcontracts under subsection (i) (4) of the 1943 act by general classes or types has not been delegated by the War Contracts Board. The War Contracts Board has, however, delegated to each Secretary authority to make exemptions under this subsection of individual contracts or subcontracts under such contracts entered into pursuant to the authority of such Secretary. Such delegation of authority, however, must be exercised in accordance with interpretations of the act and regulations relating thereto issued by the War Contracts Board. Also, subject to interpretations and regulations of the War Contracts Board, the Secretary to whom an assignment for renegotiation is made has authority to interpret and apply exemptions under subsection (i) (4) of the 1943 act. The Secretaries have been given full power to redelegate this authority and to authorize further redelegation within their respective Departments. (See § 1608.821 (a).) [RR 357]

§ 1603.358 *Requests for exemption.* All requests or petitions for the exemption by general classes or types of contracts and subcontracts for a standard commercial article or of contracts or subcontracts where it is claimed there is "effective competition" or of other general classes or types of contracts under subsection (i) (4) of the 1943 act should be made in writing in quintuplicate and addressed to the War Contracts Price Adjustment Board at the address specified in § 1607.791 (e), and should be supported by a full statement of facts setting forth the basis for the requested exemption. [RR 358]

SUBPART F—LIMITATIONS ON COMMENCEMENT AND COMPLETION OF RENEGOTIATION

§ 1603.360 *Scope of subpart.* The Renegotiation Act of 1943 contains certain limitations on the commencement of renegotiation proceedings and their completion, which will be outlined in this subpart. The related subject of termination of all renegotiation under the act is covered by the succeeding subpart. [RR 360]

§ 1603.361 *Statutory provision.* Subsection (c) (3) of the Renegotiation Act of 1943 provides:

(3) No proceeding to determine the amount of excessive profits shall be commenced more than one year after the close of the fiscal year in which such excessive profits were received or accrued, or more than one year after the statement required under paragraph (5) is filed with the Board, whichever is the later, and if such proceeding is not so commenced, then upon the expiration of one year following the close of such fiscal year, or one year following the date upon which such statement is so filed, whichever is the later, all liabilities of the contractor or subcontractor for excessive profits received or accrued during such fiscal year shall thereupon be discharged. If an agreement or order determining the amount of excessive profits is not made within one year following the commencement of the renegotiation proceeding, then upon the expiration of such one year all liabilities of the contractor or subcontractor for excessive profits with respect to which such proceeding was commenced shall thereupon be discharged, except that (A) if an order is made within such one year by the Secretary (or an officer or agency designated by the Secretary) pursuant to a delegation of authority under subsection (d) (4), such one-year limitation shall not apply to review of such order by the Board, and (B) such one-year period may be extended by mutual agreement.

[RR 361]

§ 1603.362 *Commencement of renegotiation proceedings.* Unless renegotiation proceedings are commenced either (1) within one year after the close of the fiscal year in which the excessive profits were received or accrued, or (2) within one year after the statement required under subsection (c) (5) of the 1943 act is filed with the War Contracts Board, whichever is later, the liability of the contractor or subcontractor for the fiscal year involved will be discharged. Under subsection (c) (1) of the Renegotiation Act of 1943 the mailing of notice by registered mail of the time and place of a conference to be held with respect to the determination of excessive profits constitutes the commencement of the renegotiation proceeding. [RR 362]

§ 1603.363 *Completion of renegotiation proceedings.* Renegotiation must be completed by the making of an agreement or the entry of an order within one year following the commencement of the renegotiation proceeding, or the liability of the contractor or subcontractor for the fiscal year involved will be discharged. The one year period of limitation on completion of renegotiation proceedings does not apply, however, to the review by the War Contracts Board of an order made by a Secretary of a Department or any officer or agency to whom his authority in this respect has been redelegated. Also, the one year period may be extended by mutual agreement. [RR 363]

SUBPART G—TERMINATION OF RENEGOTIATION

§ 1603.370 *Scope of subpart.* This subpart deals with termination of renegotiation in general under the provisions of subsection (h) of the Renegotiation Act of 1943. [RR 370]

§ 1603.371 *Statutory provision.* (a) Subsection (h) of the 1943 act provides that the act shall apply only with respect to profits which are attributable to performance prior to the termination date, and for the determination of such profits, as follows:

(A) in the case of any contract or subcontract the performance of which requires more than twelve months, or in the case of any contract, or subcontract with respect to which the powers of the Board are exercised separately pursuant to subsection (c) (1) rather than on a fiscal-year basis, the portion of the profits so derived which is determined by the Board to be equal to the same percentage of the total profits so derived as the percentage of completion of the contract prior to the termination date; and

(B) in all other cases, the profits so derived which are received or accrued prior to the termination date;

(b) Subsection (h) (2) of the 1943 act defines the "termination date" as follows:

(A) December 31, 1944; or

(B) If the President not later than December 1, 1944, finds and by proclamation declares that competitive conditions have not been restored, such date not later than June 30, 1945, as may be specified by the President in such proclamation as the termination date; or

(C) If the President, not later than June 30, 1945, finds and by proclamation declares that competitive conditions have been restored as of any date within six months prior to the issuance of such proclamation, the date as of which the President in such proclamation declares that competitive conditions have been restored;

except that in no event shall the termination date extend beyond the date proclaimed by the President as the date of the termination of hostilities in the present war, or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier.

[RR 371]

SUBPART H—COSTS ALLOCABLE AND ALLOWABLE AGAINST RENEGOTIABLE BUSINESS

§ 1603.380 *Scope of subpart.* When the amount of the contractor's business subject to renegotiation has been determined, it is necessary to determine the costs properly chargeable against the business in order to find the amount of profits derived therefrom. This subpart discusses the principles for determining the allocation and allowance of such costs. [RR 380]

§ 1603.381 *Statutory provisions and general regulations*—(a) *Determination of costs.* Subsection (a) (4) (B) of the 1943 act provides:

(B) The term "profits derived from contracts with the Departments and subcontracts" means the excess of the amount received or accrued under such contracts and subcontracts over the costs paid or incurred with respect thereto. Such costs shall be determined in accordance with the method of cost accounting regularly employed by the contractor in keeping his books, but if no such method of cost accounting has been employed, or if the method so employed does not, in the opinion of the Board or, upon redetermination, in the opinion of The Tax Court of the United States properly reflect such costs, such costs shall be determined in accordance with such method as in the opinion of the Board or, upon redetermination, in the opinion of The Tax Court of the United States does properly reflect such costs. Irrespective of the method employed or prescribed for determining such costs, no item of cost shall be charged to any contract with a Department or subcontract or used in any manner for the purpose of determining such cost, to the extent that in the opinion of the Board or, upon redetermination, in the opinion of The Tax Court of the United States, such item is unreasonable or not properly chargeable to such contract or subcontract. Notwithstanding any other provisions of this section, all items estimated to be allowable as deductions and exclusions under Chapters 1 and 2 E of the Internal Revenue Code (excluding taxes measured by income) shall, to the extent allocable to such contracts and subcontracts (or, in the case of the recomputation of the amortization deduction, allocable to contracts with the Departments and subcontracts), be allowed as items of cost, but in determining the amount of excessive profits to be eliminated proper adjustment shall be made on account of the taxes so excluded, other than Federal taxes, which are attributable to the portion of the profits which are not excessive.

[RR 381.1]

(b) *"Recomputation" of amortization deduction prior to renegotiation; carry-overs and carry-backs.* Subsection (a) (4) (C) of the 1943 act provides:

(C) Notwithstanding any of the provisions of this section to the contrary, no amount shall be allowed as an item of cost (i) by reason of a recomputation of the amortization deduction pursuant to section 124 (d) of the Internal Revenue Code until after such recomputation has been made in connection with a determination of the taxes imposed by Chapters 1, 2A, 2B, 2D, and 2E of the Internal Revenue Code for the fiscal year to which the excessive profits determined by the renegotiation are attributable or (ii) by reason of the application of a carry-over or carry-back under any circumstances. The absence of such a recomputation of the amortization deductions referred to in clause (i) above shall not constitute a cause for postponing the making of an agreement, or the entry of an order, determining the amount of excessive profits, or for staying the elimination thereof.

[RR 381.2]

(c) *Renegotiation rebate where "recomputation" of amortization deduction follows renegotiation.* Subsection (a) (4) (D) of the 1943 act provides:

(D) Notwithstanding any of the provisions of subsection (c) (4) of this section to the contrary, in the case of a renegotiation which is made prior to such recomputation, there shall be repaid by the United States (without interest) to the contractor or subcontractor after such recomputation the amount of a net renegotiation rebate computed in the following described manner. There shall first be ascertained the portion of the excessive profits determined by the renegotiation which is attributable to the fiscal year with respect to which a net renegotiation rebate is claimed by the contractor or subcontractor (hereinafter referred to as "renegotiated year"). There shall then be ascertained the amount of the gross renegotiation rebate for the renegotiated year, which amount shall be an allocable part of the additional amortization deduction which is allowed for the renegotiated year upon the recomputation made pursuant to section 124 (d) of the Internal Revenue Code in connection with the determination of the taxes for such year and which is attributable to contracts with the Departments and subcontracts, except that the amount of the gross renegotiation rebate shall not exceed the amount of excessive profits eliminated for the renegotiated year pursuant to the renegotiation. The allocation of the additional amortization deduction attributable to contracts with the Departments and subcontracts, and the allocation of the additional amortization deduction to the renegotiated year shall be determined in accordance with regulations prescribed by the Board. There shall then be ascertained the amount of the contractor's or subcontractor's Federal tax benefit from the renegotiation for the renegotiated year. Such Federal tax benefit shall be the amount by which the taxes for the renegotiated year under Chapters 1, 2A, 2B, 2D, and 2E of the Internal Revenue Code were decreased by reason of omitting from gross income (or by reason of the application of the provisions of section 3806 (a) of the Internal Revenue Code with respect to) that portion of the excessive profits for the renegotiated year which is equal to the amount of the gross renegotiation rebate. The amount by which the gross renegotiation rebate for the renegotiated year exceeds the amount of the contractor's or subcontractor's Federal tax benefit from the renegotiation for such year shall be the amount of the net renegotiation rebate for such year.

[RR 381.3]

(d) *Profit, cost allocation and allowance; general*—(1) *Profit.* The term "profits derived from contracts with the departments and subcontracts" is defined by the act as the excess of the amount received or accrued under contracts and subcontracts over the costs paid or incurred with respect thereto. The term "costs" includes selling, general and administrative expenses. Such profits will be determined with respect to the aggregate of the amounts received or accrued under all contracts and subcontracts for the taxable year of the contractor on either the cash or the accrual basis, according to the method by which the contractor keeps his books, and will not be determined on a contract-by-contract basis unless the contractor so requests and the Department conducting the renegotiation consents.

(2) *Allocation of cost.* In general the costs paid or incurred with respect to renegotiable contracts will be those costs allocated thereto by the contractor's established cost accounting method if that method reflects recognized accounting principles and practices. If, in the opinion of the War Contracts Board there is no adequate or effective cost accounting method in use, or if the method employed does not properly reflect such costs because there are unjustified or improper allocations of items of cost in the accounting records or in the reports or statements filed for the purpose of renegotiation, costs shall be determined in accordance with such method as in the opinion of the Board properly reflects such costs. No item of cost shall be charged to any contract or subcontract or used in any manner in determining costs to the extent that such item is not properly chargeable to such contracts or subcontracts.

(3) *Tax deductions.* Costs allocable to renegotiable business shall be determined in accordance with the principles set forth above. Where the full amount of an item of cost is allocable to renegotiable business, it shall be allowed in the amount estimated by the War Contracts Board, or any agency to which its functions are delegated, to be allowable as a deduction or exclusion under Chapters 1 and 2E of the Internal Revenue Code. No such item of cost shall be allowed in an amount less than or in excess of that which is estimated to be deductible or excludible from income under the Internal Revenue Code. Where only a portion of an item of cost is allocable to renegotiable business, the War Contracts Board, or any agency to which its functions have been delegated, shall estimate the total amount allowable to the contractor, as a deduction or exclusion under Chapters 1 and 2E of the Internal Revenue Code and the portion of this estimated amount which is allocable to renegotiable business in accordance with the principles set forth above shall be allowed as a cost of renegotiable business. Where it is clear that a contractor's deductions and exclusions under the Internal Revenue Code result in allowable costs of renegotiable business which are either high or low on a comparative basis, this circumstance shall be considered in connection with the factor of the "reasonableness of costs" of the contractor and the determination of the amount of the profit adjustment to be required of the contractor. [RR 381.4]

§ 1603.382 *Salaries, wages and other compensation*—(a) *Allocation.* Salaries, wages and other compensation should be allocated between renegotiable and non-renegotiable business according to principles established in § 1603.381 (d). [RR 382.1]

(b) *Allowances.* (1) Under section 23 (a) of the Internal Revenue Code, salaries or other compensation for personal services are allowed to the extent found "reasonable". In determining whether any salaries or other compensation paid by a contractor to its officers or employees are unreasonable, consideration shall be given to the nature of the work, extent of responsibility, experience and effectiveness of the officer or employee, and increases in compensation since January 1, 1941. Comparison shall be made where possible with the compensation of officers or employees in similar positions in other companies within the particular industry. Reasonableness of compensation may be determined only within broad limits, and weight shall be given to the determination by the contractor of the worth to it of the services of an officer or employee.

(2) Whether or not the profit and loss statement of a partnership includes salaries or drawing accounts for partners as an expense, a so-called "salary allowance" may be made for reasonable salaries for such partners as are active in the business in determining the amount of excessive profits to be eliminated.

(3) Reasonable salaries paid to employees who are absent on military or

naval service or who are serving the Government in other ways at a nominal compensation but who intend to return at the conclusion of the emergency will be allowed as a cost if such salaries are paid under some standard arrangement adopted by the contractor for general application, and are properly allocated between renegotiable and non-renegotiable business. [RR 382.2]

(c) *Wage and salary stabilization.* (1) The renegotiating agency, in considering wages and salaries as costs, will observe the provisions of the Stabilization Act of 1942, approved October 2, 1942, as amended, and all Executive Orders and regulations issued pursuant to said act.

(2) The Director of Economic Stabilization has issued regulations effective October 27, 1942 and amended regulations effective August 27, 1943.

(3) The Commissioner of Internal Revenue has issued regulations covering that portion of salary stabilization which is administered by the Commissioner.

(4) The National War Labor Board has issued directives setting forth its policies with respect to that portion of the wage and salary stabilization which is administered by such Board.

(5) In any case in which the renegotiating agency determines that there may have been a violation of any applicable stabilization law, executive order or regulation, the renegotiating agency will promptly submit all of the pertinent facts to the War Contracts Price Adjustment Board for a decision as to the proper procedure to be followed.

(6) Full compliance with the Stabilization Act does not preclude the disallowance as a deduction under the Internal Revenue Code of wage and salary payments in excess of "a reasonable allowance". No part of any amount estimated to be not allowable under the Internal Revenue Code will be allowed as a cost against renegotiable business. [RR 382.3]

(d) *Application of stabilization orders in renegotiation.* For fiscal years ending after October 27, 1942, the only limitation on salaries other than the usual test of reasonableness, is the prohibition (with exceptions) of increases in salary rate of over $5,000 annually, existing on October 3, 1942, and in salary rate of $5,000 or less annually, existing on October 27, 1942, without prior approval of governmental authorities. The exceptions referred to are cited in § 1608.851. They first appeared in § 4001.6 of the stabilization regulations and later in substantially similar form in § 4001.10 of the amended stabilization regulations referred to in paragraph (b) (2). As cited in § 1608.851, they appear in the form contained in the amended stabilization regulations. [RR 382.4]

(e) *Brokers' commissions.* Commissions paid or payable to brokers or agents in connection with the procurement or performance of war contracts pursuant to a legally binding arrangement made in good faith prior to the fiscal year covered by the renegotiation will be allowed as a cost in the absence of special circumstances. Such special circumstances might exist where the broker or agent was a partner, officer or director of the contractor; or where any partner, officer or director of the contractor participated in the commissions paid to the broker or agent; or where the original arrangement between the contractor and the broker or agent was not made at arm's length. If it appears that the payment of the commissions might violate the provision in the contracts of any Department against contingent fees other than those paid to "bona fide established commission or selling agencies maintained by the contractor for the purpose of securing business", the question ordinarily will be taken up with the Purchases Division, Army Service Forces, the Procurement Legal Division of the Navy Department, or the appropriate division of the other Departments, and, subject to the provisions of § 1603.381 (d) (2), the commissions may be disallowed. Whenever the payment of commissions is allowed to the contractor, consideration will be given to the prompt renegotiation of the broker or agent if the services he performed bring him within the definition of "subcontractor". (See §§ 1602.203 (d) and 1603.336.) [RR 382.5]

(f) *Pension, annuity, stock bonus and profit sharing plans.* The policy set out below will be followed in connection with the allowance as an item of cost against renegotiable business of payments made by a contractor on account of any employee pension, annuity, stock bonus, or profit sharing plan (hereinafter referred to as "the plan").

(1) The deductibility for Federal income tax purposes of payments pursuant to the plan is governed by sections 23 (a), 23 (p) and 165 of the Internal Revenue Code. If the Bureau of Internal Revenue has determined that payments (including payments to bring annuities up to date) on account of the plan of the particular contractor concerned are deductible, such payments shall be allowed as an item of cost in renegotiation to the extent allocable to renegotiable business.

(2) If the Bureau of Internal Revenue has not finally determined the deductibility of such payments, the renegotiating Department must estimate the amount of such payments which is allowable as a deduction under sections 23 (a), 23 (p) and 165 of the Internal Revenue Code. The Department will be guided by the following general principles:

(i) The employer's payment into the plan, when added to other compensation paid the employee, cannot exceed reasonable compensation for services rendered by the employee beneficiary of the plan.

(ii) The employees' rights under the plan must be nonforfeitable at the time the employer's payment is made or the plan must qualify under the provisions of section 165 of the Internal Revenue Code. In determining whether it does so qualify, the renegotiating agency should consult section 165 and the appropriate Treasury Regulations for the exact requirements for qualification. In general, the following requirements must be met: (a) the plan must imply a permanent as distinguished from a temporary program; (b) it must not be a subterfuge for distribution of profits; (c) it must be for the exclusive benefit of employees; (d) it must be impossible, under the trust, to divert the trust property or income to purposes other than the employees' benefit; (e) it must cover a sufficient number of employees so as to be non-discriminatory; and (f) in operation, the plan must not discriminate in favor of employees who are officers, stockholders or highly compensated employees. A plan which qualifies under the foregoing is not disqualified by the fact that the employer may be entitled to receive back amounts which result from erroneous actuarial computations.

(iii) In any event, the payments on account of the plan, to be allowed as deductions for Federal income tax purposes, must actually have been paid within the taxable year or, if the taxpayer is on an accrual basis, within 60 days after the close of such taxable year.

(3) Payments made pursuant to any plan, like any other expense, should be allowed only to the extent allocable to renegotiable business, such amount to be determined in accordance with the principles applicable to the allocation of expenses generally. [RR 382.6]

§ 1603.383 *Amortization and depreciation*—(a) *Allocation.* (1) General depreciation, maintenance and other such charges should be allocated between renegotiable and non-renegotiable business according to the principles established in § 1603.381 (d).

(2) Where stand-by facilities are customary or necessary to a particular type of business, the cost of depreciation, maintenance, etc. should be allocated between renegotiable and non-renegotiable business according to the principles established in § 1603.381 (d).

(3) Statutory amortization on facilities covered by certificates of necessity should be allocated between renegotiable and non-renegotiable business according to the principles established in § 1603.381 (d), giving consideration, however, to the basis of original issuance of such certificates where the facilities are not in active use.

(4) Depreciation and maintenance charges on properties which are not in use but which are being maintained in an idle status pursuant to written request of an authorized official of a Department may be allocated as a charge against renegotiable business. [RR 383.1]

(b) *Accelerated amortization and renegotiation rebate.* (1) Under section 124 of the Internal Revenue Code, a contractor who has acquired or constructed with his own funds facilities especially adapted for use in war production may, upon securing a Certificate of Necessity, amortize their cost over a five-year period, at the rate of 20 per cent per year. Prior to December 17, 1943, the Secretary of War and the Secretary of the Navy were by such statute authorized to act upon applications for Certificates of Necessity. Under Executive Order No. 9406, dated December 17, 1943, as amended by Executive Order No. 9429, dated March 2, 1944, this authority (except with reference to certain pending applications) was transferred to the War Production Board. The Facilities Bureau of the War Production Board will pass upon requests for such certificates made after December 17, 1943.

(2) Amortization so allowed at the rate of 20 percent per year under section 124 of the Internal Revenue Code shall be allowed as an item of cost for purposes of renegotiation, to the extent it is properly allocable to renegotiable business.

(3) If the emergency is terminated during the five-year period; or if the Secretary of War or the Secretary of the Navy certifies pursuant to regulations issued by the President, that an emergency facility ceases to be necessary for national defense, the amortization period may for Federal tax purposes be shortened accordingly, and the contractor will be entitled to adjust his taxes for prior years, on the conditions stated in the Internal Revenue Code, to give effect to the corresponding increase in the deduction taken in each such year.

(4) Under subsection (a) (4) (C) of the 1943 act, no allowance as an item of cost in renegotiation shall be made on account of the increased amortization deduction referred to in the preceding subparagraph (3) unless the computation thereof is made by the Bureau of Internal Revenue, in connection with an adjustment of taxes pursuant to section 124 (d) of the Internal Revenue Code, before the renegotiation is concluded. The Department shall not, however, permit the absence of such a recomputation of the amortization deduction to be a cause for postponing closing a renegotiation agreement.

(5) Subsection (a) (4) (D) of the 1943 act provides for payment of a renegotiation rebate to the contractor in those cases where the increased amortization deduction for a prior tax year is so computed by the Bureau of Internal Revenue after the determination of excessive profits has been made by agreement or order. However, no computation of the increased amortization deduction incident to the tax adjustment above referred to can be made until regulations have been prescribed for the issuance by the Secretary of War or the Secretary of the Navy of a certificate that an emergency facility has ceased to be necessary for national defense. It is contemplated that upon the issuance of such regulations, instructions will be issued hereunder for the computation and granting of the renegotiation rebate. [RR 383.2]

(c) *Depreciation.* (1) War facilities not covered by Certificates of Necessity, representing permanent capital additions for the manufacture of war products or materials, are depreciated in accordance with the provisions of the Internal Revenue Code and will be depreciated in renegotiation, at the ordinary rates of depreciation for corresponding property.

(2) A Department conducting a renegotiation may allow depreciation on machinery and equipment at higher than ordinary rates when, because of its use for extraordinary consecutive periods of day and night shifts, or other circumstances, it is concluded that such higher rates would be allowable under the Internal Revenue Code. [RR 383.3]

§ 1603.384 *Conversion to war production.* The full amount of costs of converting facilities to war production which do not represent permanent additions, such as rearrangement of machinery, is allowed by the Bureau, and will be allowed in renegotiation, for the year in which it is incurred to the extent allocable to renegotiable business. This does not include losses on commercial inventory which has become unsalable as a result of wartime regulations or loss of market, for such losses are not properly allocable to renegotiable business. [RR 384]

§ 1603.385 *Losses*—(a) *Costs or losses on non-war ventures.* Losses and costs incurred in connection with business activities or ventures not connected with renegotiable business will be charged against such business activities or ventures and not to renegotiable business. [RR 385.1]

(b) *War losses.* Section 127 of the Internal Revenue Code provides that the amount of the loss on account of property destroyed or seized on or after December 7, 1941, in the course of military or naval operations by the United States or any other country engaged in the present war may be allowed as a deduction from income in the year in which such destruction or seizure occurs. The fact that the property has been destroyed or seized in the course of the war does not of itself, however, establish that the loss is properly allocable to renegotiable business. Such a loss may be recognized in renegotiation only to the extent that on appropriate cost accounting principles such loss is chargeable against the performance of renegotiable contracts or subcontracts. [RR 385.2]

(c) *Losses from prior or subsequent years.* Subsection (a) (4) (C) of the 1943 act prohibits the allowance of any amount as an item of cost by reason of the application of a carry-over or carry-back. Therefore, notwithstanding that section 122 of the Internal Revenue Code authorizes a taxpayer, under certain prescribed rules, to take a deduction for a taxable-year by a "carry-over" or "carry-back" of net operating losses for certain preceding or subsequent taxable years, no such deduction shall be allowable in renegotiation as an item of cost or as a deduction or exclusion from excessive profits. [RR 385.3]

§ 1603.386 *Interest*—(a) *Allocation.* (1) All interest on borrowed funds should be allocated between renegotiable and non-renegotiable business according to the principles established in § 1603.381 (d).

(2) Where a contractor has incurred obligations obviously disproportionate to the current volume of business, careful study should be made to ascertain the total amount of interest to be distributed in accordance with the above procedure. [RR 386.1]

(b) *Allowance.* Interest on borrowed capital is deductible under the Internal Revenue Code and will, therefore, be allowed in renegotiation to the extent allocable to renegotiable business. [RR 386.2]

§ 1603.387 *Advertising expenses*—(a) *Allocation.* Advertising costs should be allocated between renegotiable and non-renegotiable business according to the principles established in § 1603.381 (d). [RR 387.1]

(b) *Allowance.* (1) In estimating the amount allowable under the Internal Revenue Code as a deduction for advertising expenses, consideration will be given to the following statement issued by the Commissioner of Internal Revenue on September 29, 1942:

To be deductible, advertising expenditures must be ordinary and necessary and bear a reasonable relation to the business activities in which the enterprise is engaged. The Bureau recognizes that advertising is a necessary and legitimate business expense so long as it is not carried to an unreasonable extent or does not become an attempt to avoid proper tax payments.

The Bureau realizes that it may be necessary for taxpayers now engaged in war production to maintain through advertising, their trade names and the knowledge of the quality of their products and good will built up over past years, so that when they return to peacetime production their names and the quality of their products will be known to the public.

In determining whether such expenditures are allowable, cognizance will be taken of (1) the size of the business, (2) the amount of prior advertising budgets, (3) the public patronage reasonably to be expected in the future, (4) the increased cost of the elements entering into the total of advertising expenditures, (5) the introduction of new products and added lines, and (6) buying habits necessitated by war restrictions by priorities, and by the unavailability of many of the raw materials formerly fabricated into the advertised products.

Reasonable expenses incurred by companies in advertising and advertising technique to speed the war effort among their own employees, and to cut down accidents and unnecessary absences and inefficiency, will be allowed as deductions. Also reasonable expenditures for advertisements, including the promotion of Government objectives in wartime, such as conservation, salvage, or the sale of War Bonds, which are signed by the advertiser, will be deductible provided they are reasonable and are not made in an attempt to avoid proper taxation.

(2) Expenditures for advertising which does not identify the particular company or product but which is solely for the purpose of aiding the war effort may, subject to certain limitations, be deductible as contributions for public purposes under section 23 (o) or 23 (q) of the Internal Revenue Code (see special ruling by the Commissioner of Internal Revenue on this question, dated November 10, 1942).

(3) Advertising of specific products of a character different from those furnished under renegotiable contracts or subcontracts should not ordinarily be allocated as a cost against renegotiable business. However, where a normal volume of peacetime products have been wholly or partly replaced by war products, an amount of product advertising not inconsistent with the past practice of the business may be considered as es-

sentially institutional advertising designed to keep an advertiser's name or the identity of his peacetime products before the public and so subject to allocation against renegotiable as well as non-renegotiable business. In considering advertising expenditures in connection with the determination of the "reasonableness of costs" of the contractor's business, the relationship between advertising costs and sales in present and past periods should be considered and a determination made as to whether or not the total advertising costs are reasonable and proper under the circumstances. [RR 387.2]

§ 1603.388 *Other costs, expenses and reserves*—(a) *Patent royalties.* (1) When in renegotiation, a contractor has included substantial amounts in costs for royalties, paid or payable under patent licenses, the Departments will determine whether any action has been taken, or is pending or contemplated under the Royalty Adjustment Act (see § 1601.141), and will be guided by the principles set out below.

(2) An order under the Royalty Adjustment Act fixing the rates and amounts of royalties to be paid under a license agreement has no legal effect retroactively. The order applies only to royalties payable to the licensor after the effective date of the notice under the statute, whether or not accruing before or after the date, and does not and cannot require the refund of any royalties which have been paid prior thereto.

(3) In determining excessive profits of a licensee upon renegotiation for a period in which royalty accruals are subject to an order under the Royalty Adjustment Act, the Departments will give full effect to the rates or amounts of royalties fixed in the Royalty Adjustment Act order as fair and just under the conditions of wartime production. No allowance will be made in renegotiation for royalties paid or accruing during that period in excess of the rates or amounts fixed in the order.

(4) In renegotiation with a license for a period prior to that in which royalty accruals are subject to an order under the Royalty Adjustment Act, no weight will normally be given to the determination made in a later order as to what rates and amounts of royalties are fair and just. In such a case as well as in one where no action under the Royalty Adjustment Act is involved, the renegotiating Department will estimate the amount of the royalties allowable as a deduction for Federal income tax purposes. Ordinarily the licensee will be allowed to include in his costs royalties properly allocable to renegotiable business provided they are actually paid to the licensor prior to the service of a notice in any royalty adjustment proceedings. However, an amount paid pursuant to an arrangement not entered into at arm's length or without a full disclosure of interest, or in bad faith, should be disallowed as an item of cost if it is not an "ordinary and necessary" business expense within the meaning of section 23 (a) of the Internal Revenue Code. Particular attention should be given to any relationship or affiliation to the licensor; for example where the licensor was a partner, officer or director of the licensee; or where any partner, officer or director of the licensee participated in the royalties paid to the licensor.

(5) In determining excessive profits of a licensor under the renegotiation statute, where the licensor sells the patented article in competition with like articles sold by others under license from the licensor, the licensor will not include in his costs any development charges except such amortization and development expenses as, it is estimated, are allowable as deductions under the Internal Revenue Code, even though the obligation to pay the royalties requires his licensees to charge a higher price for the competing product.

(6) No royalties paid or incurred by a licensee and no amortization or development expense charged by a licensor will be allocated as a cost in determining excessive profits under the renegotiation statute, whether or not allowable as a deduction under the Internal Revenue Code, unless such payments or charges are allocable to the sales made under contracts subject to renegotiation. In deciding this question as to any particular patent, the Departments should consider the extent to which the products sold involve the use of the invention or inventions covered by the patent, and as a general rule it should appear that the patent has not expired, that no final adjudication has been made by a court of competent jurisdiction holding the patent invalid, and that it is not in fact the property of the licensee. [RR 388.1]

(b) *Corporate charitable contributions.* Contributions of the character described in section 23 (q) of the Internal Revenue Code by a corporation will, to the extent allocable, be allowed as an expense against renegotiable business if such contributions are allowable as deductions in the fiscal year concerned for Federal income tax purposes under section 23 (q). [RR 388.2]

(c) *Cost allowance in connection with raw materials.* Reference is made to § 1603.344 (c) and (d) for a discussion of the non-renegotiable nature of certain excess raw material inventory and the allowance to be made for the value of exempt raw materials. [RR 388.3]

§ 1603.389 *State income taxes*—(a) *In general.* Under subsection (a) (4) (B) of the 1943 act, taxes measured by income cannot be allowed as items of cost for purposes of renegotiation. However, this subsection provides specifically that in determining the amount of excessive profits to be eliminated, proper adjustment shall be made on account of the taxes measured by income (other than Federal taxes) so excluded, which are attributable to non-excessive renegotiable profits. The amount of any such adjustment will in no case exceed that part of such taxes actually payable which is payable because of the inclusion in income of the non-excessive renegotiable profits. Such taxes are herein referred to generally as "State income taxes" although actually they may not be called "income taxes" and although they may be imposed by a political subdivision other than a State. [RR 388.1]

(b) *Adjustment for State tax imposed at a "flat rate".* (1) The amount of unadjusted excessive profits, without consideration of any State income tax, is first determined. This amount is then deducted from renegotiable profits to obtain the amount of non-excessive renegotiable profits. The State income tax attributable to such non-excessive renegotiable profits is computed and this amount is deducted from the unadjusted excessive profits. The remainder constitutes the excessive profits to be eliminated, subject of course to any Federal tax credit to which the contractor may be entitled under section 3806 of the Internal Revenue Code. (See § 1604.440 and following.) If the contractor has a loss on non-renegotiable business, the unadjusted excessive profits will be deducted from the total profits (including renegotiable and non-renegotiable business) to obtain the tentative retained profits. The tax attributable to the non-excessive renegotiable profits will then be the amount of tax computed on such tentative retained profits.

(2) The general method of calculation is illustrated by the example set forth in the reports of the House Committee on Ways and Means and the Senate Committee on Finance in dealing with subsection (a) (4) (B) of the 1943 act:

For example, if the amount due on a contract is $1,000 and the cost is $800, the profit before adjustment for such tax is $200. Suppose that of the $200 profit, $90 is considered excessive before adjustment for the State tax. If in such case the State income tax on the remaining $110 is $11, then the $11 is to be applied against the $90, reducing to $79 the amount of excessive profits to be eliminated.

(3) The amount of unadjusted excessive profits (i. e. before the adjustment for State income tax) will be a "rounded" figure, but after the tax attributable to the non-excessive renegotiable profits has been ascertained, there will be no "rounding-off" in deducting such amount from the unadjusted excessive profits to obtain the final amount of excessive profits to be eliminated. [RR 389.2]

(c) *Adjustment for graduated State tax.* If the State income tax is imposed at graduated rates as distinguished from a "flat rate", the adjustment is to be made as follows:

(1) The contractor's total profits subject to the State tax, including non-renegotiable and renegotiable profits, is determined. The unadjusted excessive profits are deducted from such total profits to obtain the contractor's tentative retained profits. The unadjusted excessive profits are also deducted from the renegotiable profits to obtain the non-excessive renegotiable profits.

(2) The State tax on the tentative retained profits is computed as though such profits were the only profits of the contractor.

(3) The tax attributable to the non-excessive renegotiable profits will then be the amount which bears the same ratio to the tax computed in subparagraph (2) above as the amount of non-excessive renegotiable profits bears to the tentative retained profits.

(4) The tax attributable to the non-excessive renegotiable profits computed in subparagraph (3) is deducted from the unadjusted excessive profits to obtain the amount of excessive profits to be eliminated.

(5) If the contractor has a loss on non-renegotiable business, the tax attributable to the non-excessive renegotiable profits will be the amount of tax computed on the tentative retained profits determined as provided in subparagraph (1) above. [RR 389.3]

(d) *Multiple State income taxes.* If the contractor is doing business in more than one State, he may be subject to more than one income tax. In such event, the adjustment should be made by an accurate determination of the tax attributable to the non-excessive renegotiable profits imposed by each State, if such a computation is feasible. If an exact computation is not feasible, the adjustment should be made upon the best estimate of the renegotiating agency and the contractor, made in good faith and with reasonable care. This estimate may take the form of a pro-rata application to each State of the non-excessive renegotiable profits based upon the profits before renegotiation attributable to each State, if no more accurate method is available. If all such taxes are imposed at flat rates, a composite rate may be obtained by dividing total State income taxes by total profits, and this composite rate may be applied to the non-excessive renegotiable profits. [RR 389.4]

(e) *State income tax measured by income for preceding year.* In some States, the tax is measured by the income for the year subject to renegotiation but is a liability of the contractor not for such year but for the next succeeding year. In this event, the adjustment for such tax will be made as though such tax measured by the income subject to renegotiation were in fact a liability for the year subject to renegotiation. [RR 389.5]

(f) *Adjustment for State income tax of contractor operating as a partnership or sole proprietorship.* (1) A contractor doing business as a partnership or sole proprietorship is entitled to an adjustment for State income tax based upon the tax liability of the individual partners or of the proprietor. In general, the same procedure will be followed as stated above. Thus, in the case of a partnership, adjustment will be made for the aggregate of the state taxes attributable to each partner's share of non-excessive renegotiable profits.

(2) Normally the State income tax is imposed upon individuals on a graduated basis. Reference is therefore made to paragraph (c) of this section.

(3) If a contractor is a partnership or sole proprietorship and is subjected to an unincorporated business tax measured by income, adjustment must be made therefor as well as for the State income taxes of the partners or the proprietor.

(4) If a so-called "salary allowance" is made in renegotiation for the services of partners or proprietors, the amount of such "salary" allowed to each partner or to the proprietor will be deducted from the partner's or proprietor's share of the non-excessive renegotiable profits before calculation of the State income tax attributable to such non-excessive renegotiable profits. Such "salary allowance" will also be deducted before calculating any such unincorporated business tax adjustment. [RR 389.6]

PART 1604—DETERMINATION AND ELIMINATION OF EXCESSIVE PROFITS

Part 1604 governing determination and elimination of excessive profits is added, as set forth below.

SUBPART A—PRINCIPLES AND FACTORS IN DETERMINING EXCESSIVE PROFITS

Sec.
1604.401 Scope of subpart.
1604.402 General considerations.
(a) General approach.
(b) General objectives.
(c) Process of renegotiation.
1604.403 Specific considerations.
(a) Profits before taxes.
(b) Separation of fixed-price and other special fee contracts.
(c) Comparisons.
(d) Factors considered.
(e) Significance of settlements for prior years.
(f) Reserves against possible renegotiation refunds.
1604.404 Computing margins of profit.
1604.405 Overextended contractors.
1604.406 Minimum refund.
1604.407 Cost-plus-fixed-fee contracts.
(a) Policy.
(b) Procedure.
(c) Treatment of disallowed costs and adjustment of fees.
(d) Profit margins.
1604.408 Factors requiring consideration.
1604.409 General policy.
1604.410 Efficiency of contractor.
(a) Statutory provision.
(b) Comment.
1604.411 Reasonableness of costs and profits.
(a) Statutory provision.
(b) Comment.
1604.412 Capital employed.
(a) Statutory provision.
(b) Comment.
1604.413 Extent of risk assumed.
(a) Statutory provision.
(b) Comment.
1604.414 Contribution to the war effort.
(a) Statutory provision.
(b) Comment.
1604.415 Character of business.
(a) Statutory provision.
(b) Comment.
1604.416 Additional factors.
(a) Statutory provision.
(b) Factors provided by regulations.

SUBPART B—RECOVERY OF EXCESSIVE PROFITS ALREADY REALIZED

1604.420 Scope of subpart.
1604.421 Statutory provision.
1604.422 Recovery by voluntary repayment.
(a) In general.
(b) Time of repayment, general rule.
(c) Relation to income tax payments.
(d) Interest.
(e) Repayment by credit memoranda.
(f) Tax anticipation notes not acceptable.
(g) Authority to enforce payment.
1604.423 Withholding as a method of recovery.
1604.424 Repayment of excessive profits determined by order.

SUBPART C—PRICE REDUCTIONS FOR FUTURE DELIVERIES

1604.430 Scope of subpart.
1604.431 Statutory references.
1604.432 Necessity for future pricing in renegotiation.
1604.433 General policy on price reductions for future deliveries.
1604.434 Determination of amounts of price reductions.
1604.435 Reductions not final.
1604.436 Performance of agreement to reduce prices.

SUBPART D—RENEGOTIATION AND TAXES

1604.440 Scope of subpart.
1604.441 Statutory provisions.
(a) Subsection (c) (2) of the 1943 act.
(b) Section 3806 of the Internal Revenue Code.
1604.442 Renegotiation after filing of Federal tax returns.
(a) Allowance of credit for Federal taxes.
(b) Computation of credit for Federal taxes.
(c) Federal tax credit of individuals under Current Tax Payment Act.
(d) Determination of Federal tax credit for partnerships.
1604.443 Renegotiation prior to filing of Federal tax returns.
(a) Exclusion of excessive profits from returns.
(b) Effect of tentative tax return.
1604.444 Special allocations of excessive profits elimination required for Federal tax purposes.

SUBPART A—PRINCIPLES AND FACTORS IN DETERMINING EXCESSIVE PROFIT

§ 1604.401 *Scope of subpart.* This subpart deals with general principles to be applied and certain factors which are specified in the act to be considered in the determination of excessive profits under the terms of the act. [RR 401]

§ 1604.402 *General considerations*—(a) *General approach.* (1) Under war conditions the Government is the nation's principal buyer. Its purchases are paid for by taxation and borrowing. The lower the costs of production and the prices paid directly or indirectly by the Government, the less will be the financial burden on the people of the country. War materials are essential to the life of a nation at war. The Government as buyer must acquire these products and the producers of them, as a group, are the only sources of supply. Renegotiation protects the Government and the public on the cost of war goods purchased and against excessive profits arising from the prices paid for them. Control of price and profit through renegotiation is a general substitute for the pressure of competition on prices and profits in peacetime, which is largely eliminated in a war economy when the demand for war goods greatly exceeds the available supply.

(2) Sound pricing in many instances was difficult or impossible under the complications of such a vast and diversified volume of purchasing in terms of individual contracts. Renegotiation is intended to insure that prices charged for war products include only a reasonable profit after full consideration of all the pertinent facts and factors of a contractor's business over a full fiscal year's operations and after the actual costs and profits for the period have been established.

(3) Renegotiation is in effect an overall repricing, in which the contractor has the advantage of combining, in the fiscal year, prices, costs and profits on all ele-

ments of his production after actual production experience. Prices are composed of costs and profits. Where the prices have been so high as to produce excessive profits, the adjustment of prices is accomplished primarily through an adjustment of the profits included in the prices.

(4) An important goal of renegotiation is to bring sufficient pressure on excessive prices to induce constructive action toward reductions in unit costs and subsequent reductions in prices.

(5) The Renegotiation Act contemplates the elimination of excessive profits from war production primarily through voluntary agreements between the contractor and the Government. It is intended that a just and reasonable wartime profit be allowed. It is not intended to reduce profits to the narrowest possible margin but to eliminate profits considered excessive and allow the contractor to retain a profit, computed before Federal taxes on income, in an amount that will represent reasonable compensation for war production in the light of the contractor's peacetime experience, expanded volume of production, efficiency, invested capital, risks assumed and other contributions to the prosecution of the war. However, it should be recognized that the weapons and war goods which the nation needs should be produced at a modest profit. [RR 402.1]

(b) *General objectives.* The general objectives in renegotiation are briefly as follows:

(1) To eliminate profits which may be considered excessive after careful review of the circumstances of a contractor's business.

(2) To maintain or provide a substitute for competitive pressures on prices and costs.

(3) To induce reductions in prices and costs.

(4) To reward efficiency and stimulate production.

(5) To encourage prompt adjustment to a reasonable price basis when production experience indicates the original price basis was unreasonably high. [RR 402.2]

(c) *Process of renegotiation.* In making renegotiation determinations, the Departments and their representatives shall apply the following general principles:

(1) All of the information necessary to a sound and supportable determination shall be obtained.

(2) The contractor shall be given an opportunity to develop and present whatever information is available to him which he may consider pertinent to the determination.

(3) Requests for additional information and the number of meetings held with the contractor or his representatives shall be held to a minimum.

(4) Financial and factual information is to be reviewed with the contractor and his agreement to its accuracy obtained whenever possible.

(5) The contractor is to be given every possible assistance and all necessary information with respect to the technical requirements of renegotiation, the Renegotiation Act and the Renegotiation Regulations.

(6) The facts and conclusions with respect to the contractor's business are to be fully developed before a determination of excessive profits.

(7) Determinations, either proposed or final, are to be carefully considered and are to weigh all the facts and factors of the contractor's business as presented and established. [RR 402.3]

§ 1604.403 *Specific considerations—*(a) *Profits before taxes.* In renegotiation the amount of excessive profits is to be determined before provision for Federal taxes on income. Profit margins on war contracts should not be increased or maintained at a high level in order to offset higher taxes. To permit such a practice would nullify the intent of Congress as expressed in the Revenue Act. [RR 403.1]

(b) *Separation of fixed-price and other special fee contracts.* Cost-plus-fixed-fee and other special fee contracts of a contractor are to be treated separately from fixed-price contracts. It is necessary to set forth separately the amount of renegotiable business done on cost-plus-fixed-fee or other special fee contracts. (See § 1604.407.) [RR 403.2]

(c) *Comparisons.* In evaluating a contractor's performance, comparisons should be made with the prices, costs and profits of other contractors engaged in the production of the same or similar products or using the same or similar processes. [RR 403.3]

(d) *Factors considered.* The factors required to be given consideration are stated in §§ 1604.408 through 1604.416. [RR 403.4]

(e) *Significance of settlements for prior years.* (1) Notwithstanding the existence of a renegotiation settlement for a previous fiscal year, all the facts applicable to a contractor's business for the year being renegotiated are to be examined and considered. The previous basis of determination is not a controlling precedent and the renegotiation of a succeeding fiscal year shall be predicated solely on the facts and circumstances of that period.

(2) Loss of 1942 exempt volume of sales should not be compensated for by an increase in the profit margin on renegotiable sales. [RR 403.5]

(f) *Reserves against possible renegotiation refunds.* It is recognized that sound accounting principles may make it desirable for contractors to establish reserves against possible renegotiation refunds, but that the amount of reserves established in individual situations will vary widely depending upon the policy of the particular contractor concerned. Neither the existence nor the amount of such reserves is to be considered directly or indirectly in connection with the determination of excessive profits to be eliminated in renegotiation. The renegotiating agencies will recognize that conservative practice may result in setting up such reserves in excess of the anticipated liability and will not directly or indirectly penalize a contractor for such action. [RR 403.6]

§ 1604.404 *Computing margins of profit.* In computing the margin of profit a contractor receives on his renegotiable business or sales after making a refund, the amount of the refund is always deducted from the renegotiable business or sales as well as from the profit thereon. [RR 404]

§ 1604.405 *Overextended contractors.* It is not the function of renegotiation to provide contractors with capital funds from excessive profits created by the prices of war goods. The contractor's right to a reasonable profit and his need for working capital should be distinguished. A contractor should not be allowed to retain excessive profits on war contracts because he lacks adequate working capital in relation to a greatly increased volume of business. Other measures may be availed of to provide adequate financing. In certain cases the payment of the refund may be deferred but only for a reasonable period and under circumstances which justify such deferment. This policy is explained in § 1604.422. [RR 405]

§ 1604.406 *Minimum refund.* No refund of excessive profits should, in the absence of unusual circumstances, be required in an amount less than $10,000 after credit for the adjustment for State income taxes (see § 1603.389). [RR 406]

§ 1604.407 *Cost-plus-fixed-fee contracts—*(a) *Policy.* Cost-plus-fixed-fee contracts are to be considered separately from fixed-price contracts. Paragraphs (b), (c) and (d) of this section refer to supply contracts. [RR 407.1]

(b) *Procedure.* In renegotiating cost-plus-fixed-fee contracts, the contractor should set forth the actual and prospective costs as well as the fees, stated separately, for each individual contract. The following information should be obtained:

(1) Comparison of the actual and prospective costs of each contract should be made with the estimated cost upon which the fee was based.

(2) The dates, amounts and fees of each contract should be assembled in chronological order. Note whether the fixed fee decreased as the volume of the same product to be produced on successive contracts increased.

(3) The proportion of the sales, costs and profits attributable to the fiscal year under renegotiation should be set forth.

(4) The factors referred to in § 1604.408 and following should be considered. [RR 407.2]

(c) *Treatment of disallowed costs and adjustment of fees.* (1) Disallowances of costs under cost-plus-fixed-fee contracts made in accordance with the terms of the contracts will, except as noted below, be deducted from the fee. If, however, any part of the amounts so disallowed are determinable business expenses which would otherwise necessarily have been incurred for the continued operation of the business as an enterprise and, if such amounts are deductions of the character permitted under the applicable provision of the Internal Revenue Code and the contractor has fixed-price business, the amount of such disallowances may be allocated to fixed-price renegotiable and non-renegotiable business in proper proportions.

(2) The resultant net fee in terms of percent of costs will be related to the percent fee provided for under the contract or contracts.

(3) Actual product costs will be related to the prices specified in the contract or contracts on which the fee is based.

(4) The resultant dollar fee will be related to the work done under the contract or contracts, the performance results, and the volume of business resulting from the contract or contracts.

(5) The elements stated in subparagraphs (1), (2), (3) and (4) above should be reviewed, when appropriate, with the procurement officers responsible for the placing and supervision of the cost-plus-fixed-fee contracts for the purpose of determining whether or not the fee result is consistent with that intended when the contract or contracts were entered into. [RR 407.3]

(d) *Profit margins.* (1) The margin of profit on cost-plus-fixed-fee contracts should be less than that on fixed-price contracts for the same volume of the same product under similar circumstances.

(2) If there has been a reduction of costs below the estimated costs on which the fee was based and it is clearly demonstrated that such reduction of costs is attributable to the contractor's own efforts, the fee should not be reduced merely because of this reduction in costs. The fees received under a cost-plus-fixed-fee contract should have a reasonable relationship to the services performed by the contractor. [RR 407.4]

§ 1604.408 *Factors requiring consideration.* The Renegotiation Act of 1943 specifies factors which must be taken into consideration in determining excessive profits and requires the consideration of additional factors when published in the regulations of the War Contracts Board. [RR 408]

§ 1604.409 *General policy.* Reasonable profits in every case should be determined with reference to the particular factors present without limitation or restriction by any fixed formula with respect to rate of profit, or otherwise. Renegotiation should not result in a margin of profit based on the principle of a percentage cost as profit. Contractors who sell at lower prices and produce at lower costs through good management, improved methods of production, close control of expenditures and careful purchasing should receive a relatively more favorable determination than those who do not. Mere claims of the contractor, in the above terms, for favorable consideration cannot be recognized. They must be supported by established facts, analyses and appropriate comparisons which clearly demonstrate their validity. [RR 409]

§ 1604.410 *Efficiency of contractor—*(a) *Statutory provision.* Subsection (a) (4) (A) of the Renegotiation Act of 1943 provides that in determining excessive profits there shall be taken into consideration the following factor:

(i) efficiency of contractor, with particular regard to attainment of quantity and quality production, reduction of costs and economy in the use of materials, facilities, and manpower.

[RR 410.1]

(b) *Comment.* Consideration is to be given to the contractor's record for efficiency or lack of efficiency in operations with particular attention to the following:

(1) The quantity of production; for example, in relation to available physical facilities; the meeting of production schedules; the expansion of facilities; the maximum use of available production facilities.

(2) The quality of production; for example, the record of maintenance of standards of quality; the rejection record; reported mechanical or other difficulties in the use or installation of the product.

(3) The reduction of costs; for example, the decrease in costs per unit of production or per unit of sales as between fiscal years and as compared with other contractors producing the same or similar products where the operations are reasonably comparable; the decrease in administrative, selling or other general and controllable expenses; the decrease in prices paid vendors on purchased materials and subcontracted items or units. (See § 1604.411 (b) (1) to (b) (3), inclusive.)

(4) The economy in the use of materials, facilities and manpower; for example, the decrease in quantity of materials used in relation to production and the number of employees in relation to production; the substitution of non-critical materials for critical materials; the reduction of waste. [RR 410.2]

§ 1604.411 *Reasonableness of costs and profits—*(a) *Statutory provision.* Subsection (a) (4) (A) of the Renegotiation Act of 1943 provides that in determining excessive profits there shall be taken into consideration the following factor:

(ii) reasonableness of costs and profits, with particular regard to volume of production, normal pre-war earnings, and comparison of war and peacetime products.

[RR 411.1]

(b) *Comment.* (1) Consideration is to be given to the reasonableness or the excessiveness of costs and profits of the contractor. Comparisons should be made with the contractor's own costs and profits in previous years and with current costs and profits of other contractors, if the information is available. In comparisons, uncontrollable variations in labor, material or other costs should be taken into account. Particular attention should be given to relative changes in controllable costs such as selling, advertising and general administrative expenses. Low costs with relation to other contractors and lowered costs with relation to the prior fiscal year, where clearly established and shown to be the result of efficiency in management, are especially significant and should receive favorable consideration.

(2) Consideration should be given to the corresponding profits in pre-war base years of the contractor and for the industry, especially in cases where the war products are substantially like pre-war products. In the absence of exceptional circumstances, the years 1936–39 will be used as a base period. In making comparisons with the base period, consideration should be given to any fundamental changes in the contractor's business, including the difference in character between war and peacetime products. The contractor's peacetime profits will be of greater significance where there is little change in the product or manufacturing process since the base years. The rate of profit made on peacetime business is not of itself a basis for profits to be made on war contracts. It should not be assumed that under war conditions a contractor is entitled to as great a margin of profit as that obtained under competitive conditions in normal times.

(3) Consideration is to be given to the effect of volume on costs and profits. Increased volume usually serves to reduce average unit costs and increase profits accordingly. Where the volume has been created by Government purchasing, the Government should receive the principal benefit from the decreased costs and increased profits resulting therefrom. In general, the margin of profit on expanded war sales should be reduced in reasonable relationship to the expanded volume.

(4) Where a contractor is engaged in more than one class or type of business, the varying characteristics of the several classes of business should be taken into consideration. [RR 411.2]

§ 1604.412 *Capital employed—*(a) *Statutory provision.* Subsection (a) (4) (A) of the Renegotiation Act of 1943 provides that in determining excessive profits there shall be taken into consideration the following factor:

(iii) amount and source of public and private capital employed and net worth.

[RR 412.1]

(b) *Comment.* Consideration is to be given to the amount and source of capital employed: This should include establishing and considering the proportion of plant or equipment or materials supplied by Government agencies or other contractors; the amount of production from plant and equipment furnished by the Government or others; the amount and proportion of investment covered by Certificates of Necessity; the amount of private capital at the beginning of the year; the extent and source of additional investment during the year in fixed assets; and loans, advances or Government guarantees. The relationship of the profit realized before and after renegotiation from the use of capital to the value thereof at the beginning of the year should be used as a check to determine the return being realized on such investment. A contractor using his own capital is generally entitled to more favorable consideration than a contractor largely dependent upon Govern-

ment financing or Government furnished facilities. Where a large part of the capital or facilities is supplied by the Government, the contractor's contribution tends to become one of management only and the profit margin should be considered accordingly. [RR 412.2]

§ 1604.413 *Extent of risk assumed*—(a) *Statutory provision.* Subsection (a) (4) (A) of the Renegotiation Act of 1943 provides that in determining excessive profits there shall be taken into consideration the following factor:

(iv) extent of risk assumed, including the risk incident to reasonable pricing policies.

[RR 413.1]

(b) *Comment.* (1) Consideration is to be given to the extent of risk assumed by the contractor; for example, possible increase in the cost of materials and wages; delays from inability to obtain materials; "cutbacks" in quantities; guarantees of quality and performance of the product; and such other risks as may be clearly determined.

(2) Particular consideration should be given to the risks assumed incident to reasonable pricing policies. The pricing policy of the contractor is more clearly indicated by the reasonableness of his billing prices and the reasonableness of the profit margin included in billing prices than by his final profit position. Voluntary refunds establishing a lower profit margin for the fiscal year are significant only when having the effect of consistently adjusting prices and profits throughout the period. The contractor whose pricing policy results in comparatively reasonable original profit margins on renegotiable business from original billing prices should receive more favorable consideration than a contractor whose pricing policy results in substantially excessive profits. The contractor who maintains low cost and only a reasonable margin of profit is subjected to the risks normally incident to the performance of a fixed-price contract secured under competitive conditions, while the contractor who overprices usually has taken few, if any, of such risks. In the latter case, the profit margin of the contractor should be adjusted in the direction of the fee that might have been allowed under a cost-plus-a-fixed-fee contract for the production of similar articles. Since many contractors have now had sufficient experience in production of contracted materials to eliminate or reduce the risks that may have justified liberal prices earlier, renegotiation agencies are to emphasize pricing policy by giving less favorable consideration to contractors who have not followed a reasonably close pricing policy. (See subparagraph (5) of this paragraph.)

(3) The record of the contractor, during the fiscal year being renegotiated, in reducing prices to reflect reductions in costs and to avoid the accumulation of excessive profits should be taken into account. The record in fulfilling or not fulfilling, in the year under consideration, price reduction commitments in a renegotiation agreement made in the previous year should be given substantial weight.

(4) Price comparisons should be made with other contractors making the same or essentially similar products.

(5) While prices which are actually lower than those of competitors are a favorable fact, it should be recognized that a low profit margin may be the result of comparatively low prices being coupled with comparatively high costs in which event neither the low prices nor the low profit margin should receive full consideration as favorable facts.

(6) Where the entry of a contractor into war business involved physical and other adjustments which will create substantial problems in a reconversion to pre-war business such as possible loss on capital investments made for war production purposes, loss or saturation of markets or other similar problems, the increased risk incident to such contractor's entry into war business as compared with other contractors who do not have similar risks is to be given consideration. [RR 413.2]

§ 1604.414 *Contribution to the war effort*—(a) *Statutory provision.* Subsection (a) (4) (A) of the Renegotiation Act of 1943 provides that in determining excess profits there shall be taken into consideration the following factor:

(v) nature and extent of contribution to the war effort, including inventive and developmental contribution and cooperation with the Government and other contractors in supplying technical assistance.

[RR 414.1]

(b) *Comment.* Consideration is to be given to the nature and extent of the contractor's contribution to the war effort. Favorable consideration for unusual contributions should begin at a high level of performance. Experimental and developmental work of high value to the war effort, and new inventions, techniques and processes of unusual merit are examples of special contributions. The extent to which a contractor cooperates with the Government and with other contractors in developing and supplying technical assistance to alternative or competitive sources of supply is a fact which should be given favorable consideration and the effect of such sharing of knowledge on the contractor's future peacetime business should also be taken into account. [RR 414.2]

§ 1604.415 *Character of business*—(a) *Statutory provision.* Subsection (a) (4) (A) of the Renegotiation Act of 1943 provides that in determining excessive profits there shall be taken into consideration the following factor:

(vi) character of business, including complexity of manufacturing technique, character and extent of subcontracting, and rate of turn-over.

[RR 415.1]

(b) *Comment.* (1) Consideration is to be given to the character of the business of the contractor. The manufacturing contribution will vary with the nature of the product and the degree of skill and precision required in the work performed by the contractor. A contractor who performs a large proportion of the work under his contract directly contributes a greater part of the ultimate value of his product and generally has a lower turnover than companies acting primarily in an assembly capacity. The work done by a contractor who subcontracts a substantial portion of the manufacturing process differs from the work done by a contractor who makes the end product through all or most of its production stages. The ratio of labor and burden (overhead) to materials included in costs is usually significant. The relative complexity of the manufacturing technique and the relative integration of the manufacturing process are the basic considerations in evaluating this factor.

(2) Maximum war production and the policy of Congress require that subcontracting be used to the maximum extent practicable. A contractor who, through subcontracting, materially increased the volume of war production in addition to making full use of his own plant and facilities, has shown ingenuity and resourcefulness in making use of the facilities of small plants, has assisted with engineering and production advice and has devoted time and managerial ability to such subcontractors should be considered as having made a greater contribution than one who has merely subcontracted certain parts of his production requirements. The contribution made by a contractor with respect to organizing the volume of his business produced by subcontractors varies substantially and must be evaluated in each instance.

(3) Rate of turnover will indicate the use of plant, materials and net worth. Low rate of turnover may indicate more complete integration in production or be related to the type of product and nature of the manufacturing process. High rate of turnover may indicate relatively smaller manufacturing contribution or by comparison with other manufacturers of similar products a relatively greater efficiency. [RR 415.2]

§ 1604.416 *Additional factors*—(a) *Statutory provision.* Subsection (a) (4) (A) of the Renegotiation Act of 1943 provides that in determining excessive profits there shall be taken into consideration the following factor:

(vii) such other factors the consideration of which the public interest and fair and equitable dealing may require, which factors shall be published in the regulations of the Board from time to time as adopted.

[RR 416.1]

(b) *Factors provided by regulations.* No additional factors have been adopted by the War Contracts Board as, in its opinion, the statutory factors are broad enough to provide a basis for consideration of any element of a contractor's business necessary to be considered in renegotiation. [RR 416.2]

SUBPART D—RECOVERY OF EXCESSIVE PROFITS ALREADY REALIZED

§ 1604.420 *Scope of subpart.* This subpart deals with the repayment of excessive profits already realized. Subpart C deals with the elimination of excessive profits through voluntary agreement to reduce prices on deliveries to be made in the future. Subpart D deals with the allowance of the tax credit to which the contractor is entitled under section 3806 of the Internal Revenue Code. [RR 420]

§ 1604.421 *Statutory provision.* Subsection (c) (2) of the 1943 act provides:

Upon the making of an agreement, or the entry of an order, under paragraph (1) by the Board, or the entry of an order under subsection (e) by The Tax Court of the United States, determining excessive profits, the Board shall forthwith authorize and direct the Secretaries or any of them to eliminate such excessive profits (A) by reductions in the amounts otherwise payable to the contractor under contracts with the departments, or by other revision of their terms; or (B) by withholding from amounts otherwise due to the contractor any amount of such excessive profits; or (C) by directing a contractor to withhold for the account of the United States, from amounts otherwise due to a subcontractor, any amount of such excessive profits of such subcontractor; or (D) by recovery from the contractor, through repayment, credit, or suit any amount of such excessive profits actually paid to him; or (E) by any combination of these methods, as is deemed desirable. Actions on behalf of the United States may be brought in the appropriate courts of the United States to recover from the contractor any amount of such excessive profits actually paid to him and not withheld or eliminated by some other method under this subsection. The surety under a contract or subcontract shall not be liable for the repayment of any excessive profits thereon. Each contractor and subcontractor is hereby indemnified by the United States against all claims by any subcontractor on account of amounts withheld from such subcontractor pursuant to this paragraph. All money recovered in respect of amounts paid to the contractor from appropriations from the Treasury by way of repayment or suit under this subsection shall be covered into the Treasury as miscellaneous receipts. Upon the withholding of any amount of excessive profits or the crediting of any amount of excessive profits against amounts otherwise due a contractor, the Secretary shall certify the amount thereof to the Treasury and the appropriations of his Department shall be reduced by an amount equal to the amount so withheld or credited. The amount of such reductions shall be transferred to the surplus fund of the Treasury. In eliminating excessive profits the Secretary shall allow the contractor or subcontractor credit for Federal income and excess profits taxes as provided in section 3806 of the Internal Revenue Code. For the purposes of this paragraph the term "contractor" includes a subcontractor.

[RR 421]

§ 1604.422 *Recovery by voluntary repayment*—(a) *In general.* In renegotiation with respect to a completed fiscal period, the elimination of excessive profits will ordinarily be effected pursuant to an agreement providing for a refund. This refund may be made by the contractor in a single payment or in installments as the agreement may provide. [RR 422.1]

(b) *Time of repayment; general rule.* (1) Generally, when excessive profits are eliminated by installment payments, the final installment must be paid not later than the end of the fiscal year following that to which the renegotiation relates, or within 30 days after the execution and delivery of the agreement, whichever is later.

(2) If, in the opinion of the Department conducting the renegotiation, the application of the policy stated in subparagraph (1) of this paragraph will result in undue hardship to a contractor, then the renegotiation agreement may provide for further extensions of the time of payment for such period or periods, not extending beyond two years after the close of the fiscal year to which renegotiation relates, as may be approved by such Department.

(3) Installments must be arranged so that there is no contravention of principle stated in paragraph (c) with respect to income tax payments. [RR 422.2]

(c) *Relation to income tax payments.* In any case where the excessive profits have been or may be excluded from income for Federal income and excess profits tax purposes for the year to which renegotiation relates, the installments in which the renegotiation refund is to be paid must be so arranged that the total cash payments required on or before each payment date for Federal income and excess profits taxes upon income for such year are at least equal to the Federal income and excess profits taxes the contractor would have had to pay by each such date upon the excessive profits eliminated. [RR 422.3]

(d) *Interest.* No renegotiation agreement when originally made shall require the payment of interest on installments of the refund which are not in default thereunder and which are provided to be payable within the time prescribed in paragraph (b). [RR 422.4]

(e) *Repayment by credit memoranda.* The elimination of excessive profits may, but only if the renegotiation agreement so provides, be effected by reductions in the amounts otherwise payable to the contractor under contracts with the Departments or by other revision of their terms. This may be accomplished in whole or in part by the issuance by the contractor of credit memoranda to a Department or Departments applicable against specified existing prime contracts in a sum not in excess of the amounts then unpaid thereon. [RR 422.5]

(f) *Tax anticipation notes not acceptable.* Tax anticipation notes cannot be accepted in discharge of an obligation to eliminate excessive profits. However, the Treasury Department has informed all Federal Reserve Banks that they are authorized to redeem currently Series B or Series C tax notes if the proceeds of the notes are to be used in payment of sums due as a result of renegotiation. [RR 422.6]

(g) *Authority to enforce payment.* The authority to enforce payment is dealt with in §§ 1604.421, 1606.626 (a), and 1608.321, (a). See also § 1604.423 below.) [RR 422.7]

§ 1604.423 *Withholding as a method of recovery.* (a) In a proper case, excessive profits may be eliminated by the withholding of the amount of excessive profits from amounts otherwise due to a contractor or by directing a contractor to withhold for the account of the United States amounts otherwise due to a subcontractor.

(b) Withholding on subcontracts will be effected by a contractor or subcontractor upon a direction issued by a Secretary of a Department or pursuant to his authority. The contractor should make payment to his subcontractor in accordance with the terms of the subcontract until otherwise so directed. The 1943 act indemnifies any contractor or subcontractor against all claims under any subcontractor for an amount withheld pursuant to such a direction. Any amount so withheld by a contractor or subcontractor shall be held by him for the account of the United States and shall be paid over to a Department upon a direction issued by or pursuant to the authority of a Secretary of a Department.

(c) Action to withhold under contracts and subcontracts may be taken upon default in the elimination of excessive profits determined by agreement, as well as in cases of determinations of excessive profits made by unilateral order. [RR 423]

§ 1604.424 *Repayment of excessive profits determined by order.* The elimination of excessive profits determined by order is dealt with in § 1606.626. [RR 424]

SUBPART C—PRICE REDUCTIONS FOR FUTURE DELIVERIES

§ 1604.430 *Scope of subpart.* This subpart deals with future repricing and its relationship to renegotiation. [RR 430]

§ 1604.431 *Statutory references.* (a) The Renegotiation Act of 1943 gives the War Contracts Price Adjustment Board no authority to compel price reductions for future deliveries, section 403 (c) (1) of the 1943 act conferring the power to renegotiate only with respect to "amounts received or accrued." This section in the 1942 act dealt with "profits realized or likely to be realized."

(b) The 1943 act does contain, however, permissive language with respect to forward pricing, section 403 (c) (1) providing that any renegotiation agreement may, "with the consent of the contractor or subcontractor, also include provisions with respect to the elimination of excessive profits likely to be received or accrued."

(c) The authority to compel repricing of war contracts is now contained in Title VIII, section 801 of the Revenue Act of 1943. Thereunder, when the Secretary of a Department deems prices unreasonable or unfair, whether under existing agreements or with respect to prospective procurement, he may by order fix the price to be paid and other terms. Any person aggrieved may, within six months after the date of the order, sue in an appropriate court for the difference between the price fixed by the order and what he claims to be fair and just compensation. Should any person willfully refuse or fail to furnish any articles or services at the price so fixed, the President has power to take over and operate

any plant of such person under section 9 of the Selective Training and Service Act of 1940, as amended. (For citation of the repricing statute see § 1608.804.) [RR 431]

§ 1604.432 *Necessity for future pricing in renegotiation.* (a) Compulsory repricing of contracts with respect to future deliveries will be separately administered by the Secretaries of the several Departments, and is not by statute an obligatory part of renegotiation.

(b) In every case where there has been a determination of excessive profits and it appears excessive profits may be realized in the future from current prices, an attempt should be made to include in the renegotiation agreement a provision for reduction of prices on future deliveries. If the contractor is unwilling to adjust future prices, his failure so to do will be taken into consideration in the next renegotiation. In such case, a report shall be made to the procurement officials having authority to reprice under Title VIII. [RR 432]

§ 1604.433 *General policy on price reductions for future deliveries.* (a) The reduction of excessive prices for future deliveries is especially vital to the cost of the war production program. A contractor maintaining a high margin of profit, but refunding part of these profits at the time of renegotiation will not have the same need to control or curtail costs as a contractor who is operating with a reasonable current margin of profit.

(b) The contractor who maintains an excessive profit margin on current sales has eliminated risks to almost the same extent as a cost-plus-fixed-fee contractor. On subsequent over-all renegotiation such a contractor will receive less favorable consideration than a contractor who has operated throughout the year on prices which include only a reasonable profit. (See § 1604.411.) [RR 433]

§ 1604.434 *Determination of amounts of price reduction.* In general an attempt should be made to reduce the prices for future deliveries sufficiently to avoid the future realization by a contractor of excessive profits under his contracts and subcontracts. The actual reductions indicated as necessary should be determined from the financial and other information obtained on renegotiation for the preceding period and from available current cost and price data. [RR 434]

§ 1604.435 *Reductions not final.* The provision for reduction should clearly state that any reduced prices or price reductions for the succeeding period, provided in the agreement, are not a final determination under the act and do not operate as a clearance for those prices or for the succeeding period. [RR 435]

§ 1604.436 *Performance of agreement to reduce prices.* The contractor's record in fulfillment of his agreement to reduce prices made in renegotiation for a previous year will be given substantial weight in the renegotiation determination of the current year. [RR 436]

SUBPART D—RENEGOTIATION AND TAXES

§ 1604.440 *Scope of subpart.* This subpart deals with the effect of renegotiation upon a contractor's Federal income and excess profits taxes. [RR 440]

§ 1604.441 *Statutory provisions*—(a) *Subsection (c) (2) of the 1943 act.* Subsection (c) (2) of the 1943 act provides in part as follows:

In eliminating excessive profits the Secretary shall allow the contractor or subcontractor credit for Federal income and excess profits taxes as provided in section 3806 of the Internal Revenue Code.

[RR 441.1]

(b) *Section 3806 of the Internal Revenue Code.* Section 3806 of the Internal Revenue Code is set forth in § 1608.802. This section requires, as a general rule, that the amount of a contractor's Federal income and excess profits taxes, which have been assessed for a prior taxable year in respect of excessive profits realized in such year, be allowed as a credit against the total excessive profits to be eliminated. By reason of the amendments to section 3806 made by section 701 (c) of the Revenue Act of 1943, it also provides special rules covering the allowance of tax credits against excessive profits to be eliminated for taxable years beginning in 1942 in cases involving individuals who are subject to the Current Tax Payment Act of 1943. [RR 441.2]

§ 1604.442 *Renegotiation after filing of Federal tax returns*—(a) *Allowance of credit for Federal taxes.* (1) The allowance of a credit for Federal taxes is provided by section 3806 of the Internal Revenue Code for the purpose of relieving contractors from double payments of excessive profits to the Treasury, once in the form of taxes and again as excessive profits, and to avoid the necessity for tax refunds by the Treasury.

(2) Where excessive profits are determined for a taxable year for which complete Federal income and excess profits tax returns, as distinguished from tentative returns, have been filed, the difference between the amount of Federal income and excess profits taxes assessed in respect of the contractor's income for the period (including the excessive profits) and the amount of Federal income and excess profits taxes which would have been assessed if the excessive profits had been excluded from the returns, is allowed as a credit against the excessive profits determined.

(3) The amount of the credit is based upon the amount of taxes assessed prior to the credit computation. If the assessment based upon the return filed has not been revised by the Bureau of Internal Revenue then the credit is computed upon the basis of such assessment. If such assessment has been revised, then the credit is computed upon the basis of the revised assessment.

(4) Adjustments of a contractor's returns to reflect the reduction of taxable gross and net income and the amounts of tax and postwar credit are made by the Bureau of Internal Revenue after tax credits have been allowed. Any subsequent changes in the contractor's net income or tax liabilities are based upon these adjusted figures. Amended returns are not to be filed. When the tax credit is computed and applied it will not be revised thereafter.

(5) The effect of this credit provision is to require precisely the same aggregate amount of payments to the Government (as taxes and excessive profits) where renegotiation occurs after the filing of Federal tax returns, as would have been required if the gross amount of the excessive profits had been repaid to the Government prior to the filing of the Federal tax returns and no Federal taxes had been assessed thereon. [RR 442.1]

(b) *Computation of credit for Federal taxes.* (1) The Bureau of Internal Revenue computes the credit allowable under section 3806 of the Internal Revenue Code for Federal income and excess profits taxes assessed for a prior taxable year. The contractor should submit written requests for such determinations directly to the Internal Revenue Agent in Charge of the Division of the Bureau of Internal Revenue where the contractor filed its tax return for the fiscal year involved. Forms for requesting computation of the credit appear at §§ 1607.731, 1607.732 and 1607.733. The requests should not be sent to the Collector of Internal Revenue.

(2) Where the original returns have been filed so recently that they are not available to the office of the Internal Revenue Agent in Charge, he will compute the amount of the tax credit from the contractor's retained copies of the returns. It usually requires at least six months after filing, for a return to reach the office of the Internal Revenue Agent in Charge. In such cases, photostat or certified copies of the returns should accompany the request to the Internal Revenue Agent in Charge. In the case of corporations, copies of pages one and two of the corporation forms 1120 and 1121 will ordinarily suffice.

(3) A copy of the contractor's request to the Internal Revenue Agent in Charge should be mailed to the Department handling the renegotiation. [RR 442.2]

(c) *Federal tax credit of individuals under Current Tax Payment Act.* (1) Under the Current Tax Payment Act of 1943, there is only one tax liability with respect to the income of individuals for 1942 and 1943, and this tax liability is determined on the basis of the return for 1943. Accordingly, the tax credit allowable to individuals in such cases will *not* be the decrease in the tax for the particular year which is renegotiated, but the decrease in the total tax for 1943 which results from the elimination of excessive profits realized in 1942 or in 1943.

(2) The amount of an individual's total tax for 1943 which is to be decreased by the elimination of excessive profits is either his tax liability for 1943, as shown on his return for 1943, or his total payments on account of his tax for 1942 and 1943, whichever amount is the larger.

(3) Where excessive profits determined for 1942 or 1943 were included by the contractor in the computation of his tax liability as shown on his 1943 return, the tax credit computation should be requested in accordance with the form appearing at § 1607.732.

(4) Where excessive profits determined for 1942 or 1943 were included by the individual in computing his estimated tax for 1943 but such excessive profits were omitted in computing his tax liability as shown on his return for 1943, the tax credit computation should be requested in accordance with the form appearing at § 1607.733.

(5) Where, before renegotiation, the excessive profits were included in the tax computation as described in subparagraph (3) or (4), the amount of the credit is the excess of (i) the amount of the tax which is to be decreased, described under subparagraph (2), over (ii) the tax as computed after the excessive profits have been eliminated from income.

(6) Under the Current Tax Payment Act, a 1942 taxable year of an individual is any taxable year which began in 1942. Such a 1942 taxable year may, therefore, be a fiscal year ended at any time in 1943 prior to December 31, 1943.

(7) In no case will a tax credit be computed by the Internal Revenue Agent in Charge, or allowed in renegotiation, prior to the filing of the return for 1943. [RR 442.3]

(d) *Determination of Federal tax credit for partnerships.* (1) Since a partnership files only an information return and the Federal tax is imposed on the individual incomes of the partners, the tax credit to which a partnership is entitled under section 3806 for a prior taxable year is the aggregate amount of the separate credits to which the individual partners are entitled because their shares of the partnership's income are reduced by the elimination of the excessive partnership profit. A request for a credit computation should be made for each partner on the form set forth at §§ 1607.732 or 1607.733, whichever is appropriate under the circumstances.

(2) For example, if A and B are partners with 60% and 40% interests respectively, and the partnership has realized excessive profits of $1,000,000 for a prior taxable year, then the elimination of $1,000,000 excessive profits of the partnership will reduce A's taxable income for the year by $600,000 and B's by $400,000. Upon request for a determination of the credit under section 3806, the Internal Revenue Agent in Charge will determine the amount by which the elimination of these excessive profits would reduce A's and B's individual income tax for the year. The aggregate amount of such reductions in A's and B's individual Federal income tax will represent the credit to be allowed under section 3806 against the partnership's obligation to refund excessive profits of $1,000,000. [RR 442.4]

§ 1604.443 *Renegotiation prior to filing of Federal tax returns*—(a) *Exclusion of excessive profits from returns.* (1) When, as a result of renegotiation, the amount of excessive profits is determined for a period for which Federal income and excess profits tax returns have not been filed, such amount of excessive profits may be excluded from the contractor's returns for the period.

(2) The amount of excessive profits eliminated for a particular taxable year may not be deducted or excluded from taxable income for any other taxable year.

(3) The tax effect of renegotiation for periods for which Federal income and excess profits tax returns have not been filed is more fully set forth in IT 3577 and IT 3611 at §§ 1608.852 (b) and (c). [RR 443.1]

(b) *Effect of tentative tax return.* When a contractor has filed a tentative return for the year involved and has been granted an extension of time for filing his completed return, the provisions of IT 3577 and IT 3611 as outlined above will apply if the renegotiation takes place before the filing of the complete return. [RR 443.2]

§ 1604.444 *Special allocations of excessive profits elimination required for Federal tax purposes.* (a) Where a renegotiation is conducted on a consolidated basis, excessive profits to be eliminated must be allocated between the entities so consolidated (see (§ 1603.311).

(b) Where a renegotiation is conducted on a contract by contract basis and the profits from such contracts are taxed on a percentage of completion basis, excessive profits to be eliminated must be allocated among the taxable years in which such profits were subject to Federal income and excess profits taxes.

(c) Special allocations of excessive profits to be eliminated under (a) and (b) above should appear in the renegotiation agreement or in the order determining excessive profits and also in any request to an Internal Revenue Agent in Charge for tax credit computations. [RR 444]

PART 1605—AGREEMENTS AND STATEMENTS

Part 1605 governing agreements and clearances is added, as set forth below.

SUBPART A—AGREEMENTS AND CLEARANCES

Sec.
1605.501 General.
(a) Statutory authority.
(b) Uses of agreements and clearances.
1605.502 Standard form of agreement.
(a) In general
(b) Article 1: Profits to be eliminated.
(c) Article 2: Warranty: Exhibit A: Exhibit B.
(d) Article 3: Tax Credit under section 3806 of the Internal Revenue Code.
(e) Article 4: Terms of payment.
(f) Article 5: Article requiring elimination of additional excessive profits.
(g) Article 6: Covenant against contingent fees.
(h) Article 7: Officials not to benefit.
(i) Article 8: Discharge of liability.
(j) Article 9: Renegotiation rebate.
(k) Article 10: Execution of the agreement.
(l) Formalities of execution.
1605.503 Exhibit A.
1605.504 Exhibit B.
1605.505 Exhibit C.
1605.506 Additional provisions; variations.
(a) In general.
(b) Forward pricing clause.
(c) Anti-discrimination clause.
(d) Other special provisions.

Sec.
1605.507 Prohibited provisions.
(a) Reservations impairing finality of agreement.
(b) Provision for refund by the Government.
(c) Periodic refunds of future excessive profits.
1605.508 Clearances.
(a) When given.
(b) Use and form of clearance notice.
(c) Use and form of clearance agreement.
1605.509 Administration of determinations by agreement or order.
1605.510 Agreements for periods involving different acts.

SUBPART B—STATEMENTS TO CONTRACTORS

1605.520 Scope of subpart.
1605.521 Statutory provision.
1605.522 Request for statement.
1605.523 Contents of statement.
1605.524 Statement prior to final determination.
(a) Where statutory determination has not yet been made.
(b) Where determination is by order which may not be final.

SUBPART A—AGREEMENTS AND CLEARANCES

§ 1605.501 *General*—(a) *Statutory authority.* (1) Subsection (c) (4) of the 1943 act provides as follows:

For the purposes of this section the Board may make final or other agreements with a contractor or subcontractor for the elimination of excessive profits and for the discharge of any liability for excessive profits under this section. Such agreements may contain such terms and conditions as the Board deems advisable. Any such agreement shall be conclusive according to its terms; and except upon a showing of fraud or malfeasance or a willful misrepresentation of a material fact, (A) such agreement shall not for the purposes of this section be reopened as to the matters agreed upon, and shall not be modified by any officer, employee, or agent of the United States, and (B) such agreement and any determination made in accordance therewith shall not be annulled, modified, set aside, or disregarded in any suit, action, or proceeding.

(2) Subsection (c) (1) of the 1943 act provides, in part, as follows:

Any such agreement, if made, may, with the consent of the contractor or subcontractor, also include provisions with respect to the elimination of excessive profits likely to be received or accrued.

[RR 501.1]

(b) *Uses of agreements and clearances.* The following types of instruments are used in connection with renegotiation:

(1) *Renegotiation agreements.* These are to be used when, upon conclusion of the renegotiation proceedings, a final agreement is reached between the contractor and the renegotiation officials of the Government that a certain amount of excessive profits is to be eliminated. A form of such agreement is set forth in § 1607.741 (a).

(2) *Clearances.* These are to be used where, upon a review of the financial and other data submitted by the contractor, it is formally determined that there are no excessive profits for the fiscal year under review. (See § 1607.742.) [RR 501.2]

§ 1605.502 *Standard form of agreement*—(a) *In general.* When, as a re-

sult of renegotiation, an agreement has been reached with a contractor for the elimination of excessive profits, such agreement will ordinarily be evidenced by the execution of the standard form of renegotiation agreement, which is set forth in § 1607.741 (a) of these regulations. The provisions of the standard form of agreement are discussed in the succeeding paragraphs. [RR 502.1]

(b) *Article 1: Profits to be eliminated.* The agreed dollar amount of excessive profits to be eliminated, after giving effect, in accordance with subsection (a) (4) (B) of the 1943 act, to any adjustment for taxes, other than Federal taxes, measured by income, will be set forth in Article 1. Ordinarily such amount will be the excessive profits determined to have been received or accrued during a particular fiscal year under all of the contractor's contracts and subcontracts subject to renegotiation. When the renegotiation covers only contracts and subcontracts completed during a fiscal year or has been conducted only with respect to certain contracts and subcontracts, the language used in Article 1 should be modified accordingly. [RR 502.2]

(c) *Article 2: Warranty: Exhibit A: Exhibit B.* Renegotiation is, in large measure, conducted upon the basis of information and data submitted by the contractor, particularly financial data. Since such material is accepted in good faith by the Government as the basis for conducting the renegotiation, it is appropriate that the contractor warrant its correctness. Article 2 contains such a warranty, which extends to and includes the summarized data set forth in Exhibit A (see § 1605.503) which is to be annexed to the agreement. If the renegotiation includes subsidiaries of the contractor and has been conducted on a consolidated basis, a list of the subsidiaries will be set forth on an Exhibit B to be annexed to the agreement, the correctness of which the contractor will also warrant (see § 1605.504). An appropriate modification will be made in Article 2 when Exhibit B is used. (See § 1607.741 (b) (2).) [RR 502.3]

(d) *Article 3: Tax credit under section 3806 of the Internal Revenue Code.* (1) In most instances the contractor will have been assessed Federal income or income and excess profits taxes on the profits to be eliminated. A credit equal to the amount of such taxes is required by the Renegotiation Act to be allowed against the refund to be made in accordance with section 3806 of the Internal Revenue Code. The provisions of Article 3 cover the contractor's representation that the profits to be eliminated were included in income in his tax return for the fiscal period involved and his agreement to procure a computation by the Bureau of Internal Revenue of the amount by which his taxes for that fiscal period are decreased by reason of the elimination of such profits from income. The procedure for procuring such computation is set forth in § 1604.442 of these regulations. [RR 502.4]

(2) If the renegotiation is concluded before the contractor has filed his Federal income or income and excess profits tax returns for the fiscal period involved, the contractor will ordinarily exclude from income as reported in such returns the amount of profits to be eliminated. In such case no tax credit will be allowable and the agreement should, in lieu of the provisions of Article 3 of the standard form, contain the provisions set forth in § 1607.741 (b) (3) (i) of these regulations.

(3) In some instances less than all of the profits to be eliminated may have been included in the income for the fiscal period upon which Federal income or income and excess profits taxes have been assessed. In such circumstance, a tax credit under section 3806 of the Internal Revenue Code will be allowable only as against the part of the profits to be eliminated upon which such Federal taxes have been assessed. A clause covering this type of situation is set out in § 1607.741 (b) (3) of these regulations. [RR 502.4]

(e) *Article 4: Terms of payment.* (1) The schedule of the payments to be made will be set forth in Article 4. A suggested form of such schedule is set forth in § 1607.741 (b) (5) of these regulations. The Department or Service which has conducted the renegotiation will also provide, in this article, for the place of payment. In the event that the profits agreed in Article 1 to be eliminated are derived in part from prime contracts with Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation and Rubber Reserve Company or any of such corporations, the payment provision, in accordance with the footnote to Article 4 on the standard form will require payment of the amount thereof to the RFC Price Adjustment Board.

(2) If a portion of the refund is to be made to the RFC Price Adjustment Board, any such tax credit should be apportioned ratably between the portion of the refund payable to the RFC Price Adjustment Board and the portion payable to the Treasurer of the United States.

(3) Specially detailed terms for elimination of excessive profits may be set forth on an Exhibit C and incorporated by reference in Article 4 (see § 1605.505). If no subsidiaries are involved and there is, therefore, no Exhibit B referring to such subsidiaries, this exhibit setting forth the terms of payment should, of course, be designated "Exhibit B," instead of "Exhibit C."

(4) Limitations upon the period of time beyond which the schedule of payments must not extend are set forth in § 1604.422 of these regulations. [RR 502.5]

(f) *Article 5: Article requiring elimination of additional excessive profits.* The provision set forth in § 1607.741 (a) of these regulations is designed to protect the interest of the Government if by reason of reduction of certain costs shown as paid or incurred, in the financial data submitted by the contractor, the profits of the contractor for the period covered by the renegotiation from contracts or subcontracts subject to the Renegotiation Act of 1943 are increased. [RR 502.6]

(g) *Article 6: Covenant against contingent fees.* This article contains the provisions required by Executive Order 9001 to be included in certain types of Government contracts. [RR 502.7]

(h) *Article 7: Officials not to benefit.* This article is also a standard provision in most Government contracts, required by Revised Statutes, section 3741, as amended (41 U.S.C. sec. 22). [RR 502.8]

(i) *Article 8: Discharge of liability.* In consideration of performance by the contractor of the terms of the agreement he is granted a discharge of liability in accordance with subsection (c) (4) of the Renegotiation Act. When the renegotiation covers only contracts and subcontracts completed during the fiscal year or has been conducted only with respect to certain contracts or subcontracts, care should be taken that Article 8, when read in connection with Article 1 (see paragraph (b)) discharges the liability of the contractor only with respect to the contracts and subcontracts actually renegotiated. [RR 502.9]

(j) *Article 9: Renegotiation rebate.* This article specifically reserves to the contractor his rights under subsection (a) (4) (D) of the Renegotiation Act in the event that a recomputation of his amortization deduction under section 124 (d) of the Internal Revenue Code should entitle him to a rebate. [RR 502.10]

(k) *Article 10: Execution of the agreement.* The persons executing the agreement on behalf of the contractor and on behalf of the Government state that they do so upon proper authority. [RR 502.11]

(l) *Formalities of execution.* (1) If the contractor is a corporation, the agreement must be accompanied by a certified resolution of the Board of Directors of the contractor (or the equivalent committee or other body). The form of the resolution, the adoption of the resolution, and the execution of the certificate must all be in accordance with the formalities required by the particular state laws involved. The resolution itself should state:

(i) That the agreement is being entered into pursuant to the Renegotiation Act;

(ii) The amount of profits to be eliminated—and the fiscal year for which they are to be eliminated;

(iii) The title of the corporate officer who is being authorized to execute the agreement on behalf of the corporation; and

(iv) The title of the corporate officer authorized to affix and attest the corporate seal thereon.

The certificate, certifying the adoption of the resolution should state:

(i) The name and capacity of the officer signing the certificate;

(ii) The body adopting the resolution (normally this will be the Board of Directors, but may, in a particular case, be an Executive Committee or similar body);

(iii) The date of the meeting;

(iv) The fact that a quorum of the Board (or other body) was present throughout the meeting;

(v) That the resolution was duly adopted;

(vi) If the particular agreement is specifically referred to in the resolution, that the agreement to which the certified resolution is attached is the same as that referred to in the resolution; and

(vii) That the resolution has not been modified or rescinded and that it is in full force and effect.

If the resolution is adopted by an Executive Committee or similar body (other than the Board of Directors) the certificate must also include satisfactory evidence of the body's authority to act.

(2) If subsidiaries of the contractor are included with the contractor in a consolidated renegotiation, execution by the contractor alone will be sufficient unless the renegotiating agency requires otherwise. (See § 1603.311.)

(3) If the contractor is a partnership, all general partners therein should execute the agreement.

(4) If the contractor is a joint venture, each participant should execute the agreement.

(5) The Department conducting the renegotiation has authority to depart from the requirements of this paragraph in its discretion. [RR 502.12]

§ 1605.503 *Exhibit A.* There shall be attached to every renegotiation agreement providing for the elimination of excessive profits an exhibit designated "Exhibit A," which shall contain as a minimum, the financial data and information referred to in § 1607.741 (c). In the discretion of the Department conducting the renegotiation, any additional financial data or information may be included in Exhibit A. [RR 503]

§ 1605.504 *Exhibit B.* When the contractor has subsidiaries, there shall be attached to the renegotiation agreement a list of such subsidiaries in detail. Such list shall be designated as "Exhibit B." Ordinarily, all of such subsidiaries will have been consolidated with the parent company for purposes of the renegotiation agreement, and if any has not been so consolidated, that fact should be specially noted on Exhibit B. The amount of excessive profits, if any, allocated to each subsidiary must be shown on such exhibit. A form of clause referring to Exhibit B for insertion in the renegotiation agreement and a form of Exhibit B are set out in § 1607.741 (b) (2). (See also § 1607.741 (d).) [RR 504]

§ 1605.505 *Exhibit C.* If the provisions for payment of the cash refund or for other method of elimination of excessive profits are such as cannot be readily set out in Article 4 of the standard form of agreement, such provisions may be set out in an additional exhibit to the agreement, designated "Exhibit C" which should be attached to the agreement and incorporated therein by a reference thereto in Article 4 of the agreement. [RR 505]

§ 1605.506 *Additional provisions: Variations*—(a) *In general.* The basic provisions of the standard form of agreement set forth in § 1607.741 (a) of these regulations are to be used in all cases except as otherwise noted in this section. Additional provisions may be added when required to fit particular situations. Section 1607.741 (b) of these regulations contains forms of clauses which, when appropriate, should be used to meet certain of these special situations. Variations in language are permissible where necessary, but unless otherwise noted in this section in no event may any such change be made, or any provision be added to the agreement, when the effect would be to alter or modify the substance or intent of the basic provisions. The conclusion of the official signing the agreement on behalf of the Government pursuant to duly delegated authority that the agreement meets the requirments of this regulation shall be evidenced by the fact of execution and shall be conclusive. (See § 1608.821 (a).) [RR 506.1]

(b) *Forward pricing clause.* The Renegotiation Act of 1943 specifically authorizes provision in the renegotiation agreement, by agreement with the contractor, for the elimination of excessive profits likely to be received or accrued in the future. When agreement cannot be reached upon specific price reductions, use may be made in the renegotiation contract of the article set forth at § 1607.741 (b) (1). In this connection reference is made to § 1604.430 and following. [RR 506.2]

(c) *Anti-discrimination clause.* (1) Executive Order No. 9346 dated May 27, 1943 requires "all contracts hereafter negotiated or renegotiated" to contain an article of the type set forth in § 1607.741 (b) (4) of these regulations.

(2) Whenever a renegotiation agreement, executed under the act, expressly purports to modify the terms of specified existing prime contracts with any of the Departments with respect to future deliveries, and the contract or contracts to be modified do not contain an anti-discrimination clause, then the renegotiation agreement shall include the provision set forth in § 1607.741 (b) (4) of these regulations. Except in such cases the requirements stated in (1) above do not apply to renegotiation agreements.

(3) If the renegotiation agreement is to be followed by a supplemental agreement or agreements modifying the terms of existing contracts with respect to future deliveries, each such supplemental agreement will provide for the inclusion in the contracts so modified, of the anti-discrimination clause. [RR 506.3]

(d) *Other special provisions.* Examples of additional special clauses are set out in the supplement to the standard form of agreement (§ 1607.741 (b)). It is recognized that these provisions are not exclusive and that many circumstances will be encountered requiring other clauses and provisions. The form and substance of such provisions will be within the discretion of the Department conducting the renegotiation, subject to the limitation indicated in paragraph (a) of this section. [RR 506.4]

§ 1605.507 *Prohibited provisions*—(a) *Reservations impairing finality of agreement.* No renegotiation agreement is acceptable if it or any authorizing resolution or letter of transmittal contains any reservation which might be interpreted as permitting the contractor to reopen the agreement if the Renegotiation Act is amended or declared unconstitutional, or interpretations of the act are changed, or new exemptions are established or for any similar reason. [RR 507.1]

(b) *Provision for refund by the Government.* Other than recognition of the right to a renegotiation rebate in accordance with subsection (a) (4) (D) of the 1943 act by reason of a future recomputation of the amortization deduction pursuant to section 124 (d) of the Internal Revenue Code (see § 1605.502 (j)), no provision shall be made in any renegotiation agreement which would have the effect of requiring the Government under any circumstances to repay all or any part of any payment made to it thereunder. [RR 507.2]

(c) *Periodic refunds of future excessive profits.* Final agreements in renegotiation should not contain provisions for the current or periodic elimination through refunds of excessive profits to be subsequently realized. [RR 507.3]

§ 1605.508 *Clearances* — (a) *When given.* If, as a result of renegotiation, it is found that no excessive profits have been received by or accrued to the contractor during the fiscal year under consideration, the contractor should be given a clearance for such year. [RR 508.1]

(b) *Use and form of clearance notice.* (1) The form of clearance notice set forth in paragraph § 1607.742 should be used in all cases unless the contractor requests a formal clearance agreement.

(2) If any subsidiaries of the contractor are to be included in the clearance notice, appropriate modification may be made in the form. [RR 508.2]

(c) *Use and form of clearance agreement.* Upon request of the contractor, a clearance agreement executed by the contractor and the Government may be used in place of the clearance notice. Such agreement should follow the general structure of the standard form of renegotiation agreement (see § 1605.506 and § 1607.741 (a)) except that Articles 3, 4, 5 and 9 of the standard agreement should be omitted. The articles used shall be renumbered consecutively. The first article should be substantially the same as that contained in the standard form, except that the finding and agreement should be that no profits should be refunded pursuant to the act. [RR 508.3]

§ 1605.509 *Administration of determinations by agreement or order.* It is the practice of the War Contracts Price Adjustment Board to have the Department to which the contractor was assigned for renegotiation also administer the resulting renegotiation agreement or unilateral determination. This practice results in such Department being responsible for the collection of any amounts due, the supervision of any forward pricing provisions in an agreement, and other matters involved in such administration. [RR 509]

§ 1605.510 *Agreements for periods involving different acts.* Should a contractor conclude renegotiation at the same time relating to a fiscal year ended on or prior to June 30, 1943 and a fiscal year ended subsequent to June 30, 1943, it will ordinarily be desirable to prepare separate agreements for each fiscal period. The first period is governed by the 1942 act and the second period is governed by the 1943 act. In the discretion of the Department conducting the renegotiation, one agreement may be used provided that in its form and execution the requirements of the Renegotiation Act of 1942 to the extent applicable and the requirements of the Renegotiation Act of 1943 to the extent applicable are observed. Such discretion may be exercised in the case of renegotiation on a contract basis of a long term contract or in such other cases as the Department conducting the renegotiation may deem suitable. [RR 510]

SUBPART B—STATEMENTS TO CONTRACTORS

§ 1605.520 *Scope of subpart.* This subpart describes, in general, the statement to be furnished the contractor pursuant to subsection (c) (1) of the 1943 act, the manner in which the contractor may request the statement and the time at which the statement is furnished. It also generally describes the statement furnished where statutory determination has not yet been made. The form of the statements, the material to be included and the instructions for their preparation are set forth in § 1607.752 and following of these regulations. [RR 520]

§ 1605.521 *Statutory provision.* Subsection (c) (1) of the Renegotiation Act provides, in part, as follows:

Whenever the Board makes a determination with respect to the amount of excessive profits, whether such determination is made by order or is embodied in an agreement with the contractor or subcontractor, it shall, at the request of the contractor or subcontractor, as the case may be, prepare and furnish such contractor or subcontractor with a statement of such determination, of the facts used as a basis therefor, and of its reasons for such determination. Such statement shall not be used in The Tax Court of the United States as proof of the facts or conclusions stated therein.

[RR 521]

§ 1605.522 *Request for statement.* A request for the statutory statement shall be made in writing by the contractor and addressed to the agency conducting the renegotiation not later than thirty (30) days after receipt by the contractor of an executed copy of the agreement, if the determination of excessive profits is embodied in an agreement, or within thirty (30) days after receipt of a determination made by order. The request for a statement need not be a formal document. [RR 522]

§ 1605.523 *Contents of statement.* (a) The statement will contain:

(1) The determination of excessive profits.

(2) A summary of the facts upon which the determination is based.

(3) The reasons for the determination.

(b) The following data or material will not be included in the statement:

(1) Information, the furnishing of which would be contrary to regulations for military security.

(2) Information with respect to the operations of other contractors which is of confidential character or the disclosure of which would not be in the interest of the war effort. [RR 523]

§ 1605.524 *Statement prior to final determination.*—(a) *Where statutory determination has not yet been made.* When all of the facts relating to the renegotiation have been assembled and considered and the contractor has been advised by the renegotiating agency as to the amount which, in the opinion of such agency, represents the excessive profits which should be eliminated, there shall be submitted to the contractor, upon the latter's request, a written summary of the facts and reasons upon which such opinion is based. Such statement shall be prepared and furnished only upon the request in writing of the contractor including a statement that he has submitted all the evidence which he believes to be relevant to the renegotiation. The purpose of such statement will be to assist the contractor in determining whether or not he will enter into an agreement providing for the elimination of such excessive profits. The contents of such statement shall be prepared in accordance with the instructions set forth in § 1607.752 (b) with respect to the statutory statement, but in lieu of the paragraphs set forth in § 1607.752 (b) (1) and (2) it shall conform to the paragraphs in § 1607.752 (c) (1) and (2). By agreement with the contractor, detailed information submitted by the contractor which is not necessary to the contractor's understanding of the opinion reached, may be omitted. [RR 524.1]

(b) *Where determination is by order which may not be final.* Whenever the determination is made by the entry of an order, the statutory statement will be furnished to the contractor if requested within the time prescribed in § 1605.522 of these regulations. Such statement accompanying and determination by order which, pursuant to subsection (d) (5) of the Renegotiation Act, is subject to review by and approval of the War Contracts Board, will contain the following clause:

This statement is final only in the event that the determination to which it relates is final.

[524.2]

PART 1606—IMPASSE PROCEDURE

Part 1606 governing impasse procedure is added, as set forth below.

SUBPART A—PROCEDURE UPON REFUSAL OF INFORMATION

Sec.
1606.601 Scope of subpart.
1606.602 Authority to obtain data.
(a) Renegotiation Act of 1943.
(b) Title XIII of the Second War Powers Act, 1942.
(c) Title 10, U. S. Code.
1606.603 Procedure under Title XIII of the Second War Powers Act, 1942.
(a) Departmental authority under Title XIII of the Second War Powers Act, 1942.
(b) Preliminary steps.
1606.604 Reports of criminal conduct in connection with war contracts.

SUBPART B—FAILURE TO AGREE

1606.620 Scope of subpart.
1606.621 Statutory provisions.
1606.622 Departmental procedures with respect to impasse cases.
1606.623 Authority of Departments to make unilateral determinations.
1606.624 Procedure for review by the War Contracts Board.
(a) Review on request by the contractor.
(b) Review by the War Contracts Board on its own motion.
(c) Discretion of the War Contracts Board.
(d) Nature of review by the War Contracts Board.
1606.625 Finality of orders determining excessive profits.
(a) Orders made by delegated authority.
(b) Orders entered by the War Contracts Board.
(c) Notice of final order to be given to the contractor.
(d) Time to appeal to Tax Court.
1606.626 Elimination of excessive profits determined by order.
(a) Authorization to Secretaries to eliminate excessive profits.
(b) No delay in elimination of excessive profits determined by order.
(c) Elimination of excessive profits determined by the Tax Court.

SUBPART C—PROCEEDINGS IN THE TAX COURT

1606.630 Scope of subpart.
1606.631 Statutory provisions.
1606.632 Right to institute proceedings in the Tax Court.
(a) Forum for redetermination.
(b) Statutory authority.
(c) Determinations embodied in agreements.
1606.633 Nature of the proceeding in the Tax Court.
1606.634 Power of the Tax Court.
(a) As to the determination of excessive profits.
(b) Finality of determination.
1606.635 Proceedings before the Tax Court.
(a) Institution of proceeding.
(b) Rules of the Tax Court.
(c) Time for filing petition.
(d) Effect of petition.
(e) Conduct of proceedings before the Tax Court.
1606.636 Determination of excessive profits by the Tax Court.
(a) Statement of the War Contracts Board.
(b) Determination of costs.
(c) Factors to be considered by the Tax Court.
1606.637 Enforcement of redetermination made by the Tax Court.

SUBPART A—PROCEDURE UPON REFUSAL OF INFORMATION

§ 1606.601 *Scope of subpart.* In some cases the contractor may refuse to submit information required in the conduct of renegotiation. This subpart describes the authority to obtain information and the procedure to be followed in such cases. [RR 601]

§ 1606.602 *Authority to obtain data.*—(a) *Renegotiation Act of 1943.* Subsection (c) (5) of the 1943 act provides as follows:

(5) (A) Every contractor and subcontractor who holds contracts or subcontracts, to which the provisions of this subsection are applicable, shall, in such form and detail as the Board may by regulations prescribe, file with the Board on or before the first day of the fourth month following the close of the fiscal year (or if such fiscal year has closed on the date of the enactment of the Revenue Act of 1943, on or before the first day of the fourth month following the month in which such date of enactment falls), a financial statement setting forth such information as the Board may by regulations prescribe as necessary to carry out this section. In addition to the statement required under the preceding sentence, every such contractor or subcontractor shall, at such time or times and in such form and detail as the Board may by regulations prescribe, furnish the Board any information, records, or data which is determined by the Board to be necessary to carry out this section. Any person who willfully fails or refuses to furnish any statement, information, records, or data required of them under this subsection, or who knowingly furnishes any such statement, information, records, or data containing information which is false or misleading in any material respect, shall, upon conviction thereof, be punished by a fine of not more than $10,000 or imprisonment for not more than two years, or both.

(B) For the purposes of this section the Board shall have the same powers with respect to any such contractor or subcontractor that any agency designated by the President to exercise the powers conferred by Title XIII of the Second War Powers Act, 1942, has with respect to any contractor to whom such title is applicable. In the interest of economy and the avoidance of duplication of inspection and audit, the services of the Bureau of Internal Revenue shall, upon request of the Board and the approval of the Secretary of the Treasury, be made available to the extent determined by the Secretary of the Treasury for the purpose of making examinations and audits under this section.

The similar provisions of subsection (e) of the 1942 act relating to false information were invoked in United States v. Joseph Decker and Gustav Kann, 51 Fed. Supp. 20 (D. C., Dist. of Md., July 24, 1943). The court ruled that the defendant, an officer of the corporate contractor, violated the provisions of subsection (e) of the 1942 act by referring the representative of the Navy Department, who had made written demand for statements of actual costs of production, to the contractor's books which the defendant knew contained false and misleading information. [RR 602.1]

(b) *Title XIII of the Second War Powers Act, 1942.* (1) This statute gives the Government the right to inspect and audit the books of any contractor holding a contract, subcontract, or order placed in furtherance of the war effort. (See § 1608.803) The inspection and audit may be made by the War Contracts Board. (See paragraph (a) of this section.)

(2) Title XIII of the Second War Powers Act further provides that such inspection and audit may be made by any Governmental agency or official designated by the President or by the Chairman of the War Production Board. By Executive Order No. 9127 issued April 10, 1942 (see § 1608.803 (c)), the President designated the War Production Board, the War Department, the Navy Department, the Treasury Department, the United States Maritime Commission and the Reconstruction Finance Corporation, to exercise the authority contained in the statute. As to the power of the War Shipping Administration to act under Executive Order No. 9127, reference is made to paragraph 2.i. of Executive Order 9054 as amended by Executive Order 9244 (see § 1608.805). [RR 602.2]

(c) *Title 10, U. S. Code.* Section 310 (1) of Title 10, Chapter 18, U. S. Code authorizes the War and Navy Departments to obtain information by audit and inspection from any aircraft contractor. (See § 1608.803 (b).) [RR 602.3]

§ 1606.603 *Procedure under Title XIII of the Second War Powers Act, 1942.*—(a) *Departmental authority under Title XIII of the Second War Powers Act, 1942.* The Departments referred to in § 1606.602 (b) have authority to act under Title XIII of the Second War Powers Act, 1942, and Executive Order No. 9127, quite independently of any authority given the War Contracts Board by the 1943 act. [RR 603.1]

(b) *Preliminary steps.* (1) No audit is to be made by any of the Departments pursuant to Executive Order No. 9127 (see § 1608.803 (c)) without first advising the War Production Board. Communications on this subject should be addressed to Chief, Contract Review Branch, Procurement Policy Division, War Production Board, 4th & Independence Avenue SW., Washington 25, D. C. It is the intent of this notification to prevent conflict and duplication of audit with other Departments. Approval from the War Production Board should therefore be obtained before proceeding with an audit. This preliminary step is directed in the interest of orderly administration, but no failure to take such step will invalidate action under such act. [RR 603.2]

§ 1606.604 *Reports of criminal conduct in connection with war contracts.* (1) There has been set up in the Criminal Division of the Department of Justice a special unit whose duty it is to take appropriate action as expeditiously as possible in all cases in which criminal conduct is shown to exist in connection with contracts entered into by the Government with business concerns in connection with the war program.

(2) Reports of any instances of criminal conduct in such cases should contain a full statement of the facts indicating criminal conduct. Such reports should be transmitted through appropriate channels to the Department of Justice. [RR 604]

SUBPART B—FAILURE TO AGREE

§ 1606.620 *Scope of subpart.* This subpart deals with procedure on impasses in renegotiation up to the stage of court review. Court review is dealt with in Subpart C. [RR 620]

§ 1606.621 *Statutory provisions.* The Renegotiation Act of 1943 provides as follows:

Sec. 403 (a):

(3) The terms "renegotiate" and "renegotiation" include a determination by agreement or order under this section of the amount of any excessive profits.

Sec. 403 (c):

(1) Whenever, in the opinion of the Board, the amounts received or accrued under contracts with the Departments and subcontracts may reflect excessive profits, the Board shall give to the contractor or subcontractor, as the case may be, reasonable notice of the time and place of a conference to be held with respect thereto. The mailing of such notice by registered mail to the contractor or subcontractor shall constitute the commencement of the renegotiation proceeding. At the conference, which may be adjourned from time to time, the Board shall endeavor to make a final or other agreement with the contractor or subcontractor with respect to the elimination of excessive profits received or accrued, and with respect to such other matters relating thereto as the Board deems advisable. Any such agreement, if made, may, with the consent of the contractor or subcontractor, also include provisions with respect to the elimination of excessive profits likely to be received or accrued. If the Board does not make an agreement with respect to the elimination of excessive profits received or accrued, it shall issue and enter an order determining the amount, if any, of such excessive profits, and forthwith give notice thereof by registered mail to the contractor or subcontractor. In the absence of the filing of a petition with The Tax Court of the United States under the provisions of and within the time limit prescribed in subsection (e) (1), such order shall be final and conclusive and shall not be subject to review or redetermination by any court or other agency. The Board shall exercise its powers with respect to the aggregate of the amounts received or accrued during the fiscal year (or such other period as may be fixed by mutual agreement) by a contractor or subcontractor under contracts with the Departments and subcontracts, and not separately with respect to amounts received or accrued under separate contracts with the Departments or subcontracts, except that the Board may exercise such powers separately with respect to amounts received or accrued by the contractor or subcontractor under any one or more separate contracts with the Departments or subcontracts at the request of the contractor or subcontractor. Whenever the Board makes a determination with respect to the amount of excessive profits, whether such determination is made by order or is embodied in an agreement with the contractor or subcontractor, it shall, at the request of the contractor or subcontractor, as the case may be, prepare and furnish such contractor or subcontractor with a statement of such determination, of the facts used as a basis therefor, and of its reasons for such determination. Such statements shall not be used in The Tax Court of the United States as proof of the facts or conclusions stated therein.

Sec. 403 (d) (4) and (5):

(4) The Board may delegate in whole or in part any power, function, or duty to the Secretary of a Department, and any power, function, or duty so delegated may be delegated in whole or in part by the Secretary to such officers or agencies of the United States as he may designate, and he may authorize successive redelegations of such powers, functions, and duties.

(5) The chairman of the Board may from time to time divide the Board into divisions of one or more members, assign the members of the Board thereto, and in case of a division of more than one member, designate the chief thereof. The Board may also, by regulations or otherwise, determine the character of cases to be conducted initially by the Board

through an officer or officers of, or utilized by, the Board; the character of cases to be conducted initially by the various officers and agencies authorized to exercise powers of the Board pursuant to paragraph (4), the character of cases to be conducted initially by the various divisions of the Board, and the character of cases to be conducted initially by the Board itself. The Board may review any determination by any such officer, agency, or division on its own motion, or in its discretion at the request of any contractor or subcontractor aggrieved thereby. Unless the Board upon its own motion initiates a review of such determination within 60 days from the date of such determination, or at the request of the contractor or subcontractor made within 60 days from the date of such determination initiates a review of such determination within 60 days from the date of such request, such determination shall be deemed the determination of the Board. Upon any review by the Board the Board may determine as the amount of excessive profits an amount either less than, equal to, or greater than that determined by the officer, agency, or division whose action is so reviewed.

[RR 621]

§ 1606.622 *Departmental procedures with respect to impasse cases.* The organization of the renegotiating agencies in the various Departments and the extent to which authority within each such Department has been delegated, differ materially. Accordingly, the procedures applicable to an impasse case up to and including the entry of an order determining excessive profits will differ in each Department. [RR 622]

§ 1606.623 *Authority of Departments to make unilateral determinations.* The War Contracts Board has delegated to each Secretary the authority to issue and enter an order determining the amount of the excessive profits of a contractor who has not entered into an agreement to eliminate the same. (See § 1608.821 (a).) Successive redelegations of such authority are authorized and have been made. Any such order entered pursuant to such delegated authority is, however, subject to review by the War Contracts Board. Upon the entry of such an order notice will be given forthwith by registered mail to the contractor and a copy of such order and notice shall be sent to the Secretary of the War Contracts Board at the address specified in § 1607.791 (e). Such order will become final (that is, be deemed the determination of the War Contracts Board) when and as prescribed in subsection d (5) of the 1943 act. (See §§ 1606.621 and 1606.625.) [RR 623]

§ 1606.624 *Procedure for review by the War Contracts Board*—(a) *Review on request by the contractor.* A contractor who desires review by the War Contracts Board of a unilateral determination made under delegated authority should, promptly after notice of the order, and in any event within sixty days from the date of such determination, file a request for review. Such request should be addressed to the Secretary of War Contracts Price Adjustment Board at the address specified in § 1607.791 (e). Such request need not be in any particular form but should set forth:

(1) The name of the contractor.

(2) The fiscal period with respect to which the renegotiation has been conducted (or in the case of a renegotiation on a contract by contract basis, a description of such contracts and subcontracts).

(3) A brief summary of the issues involved. [RR 624.1]

(b) *Review by the War Contracts Board on its own motion.* Any order determining excessive profits made by delegated authority may be reviewed by the War Contracts Board on its own motion within sixty days from the date of such order. [RR 624.2]

(c) *Discretion of the War Contracts Board.* Review by the War Contracts Board is not a matter of right but may be granted by the War Contracts Board in its discretion on timely request of the contractor or on its own motion. [RR 624.3]

(d) *Nature of review by the War Contracts Board.* The War Contracts Board may review an order determining excessive profits made pursuant to its delegated authority on the basis of the record theretofore made. In the event that the Board determines that a further conference is desirable, notice thereof will be given to the contractor. [RR 624.4]

§ 1606.625 *Finality of orders determining excessive profits*—(a) *Orders made by delegated authority.* The War Contracts Board has reserved the right to review any order entered pursuant to any delegated authority determining excessive profits. Accordingly, no such order becomes final (that is, is deemed the determination of the War Contracts Board) until the earliest of the following:

(1) Sixty days after the order has been entered, if review is neither requested by the contractor concerned nor intiated by the War Contracts Board within that period; or

(2) Denial of review and adoption of the order by the War Contracts Board after timely request for review by the contractor (see paragraph (b)); or

(3) Sixty days after the date of a timely request for review if such review is not granted by the War Contracts Board within that period. [RR 625.1]

(b) *Orders entered by the War Contracts Board.* Upon any review by the War Contracts Board whether pursuant to request by the contractor or initiated by the Board on its own motion, the Board will enter an order determining as the amount of excessive profits an amount either less than, equal to, or greater than that determined by the order which has been reviewed. Such order of the War Contracts Board is final immediately upon its entry. [RR 625.2]

(c) *Notice of final order to be given to the contractor.* When an order determining excessive profits made by delegated authority has become final or an order is entered by the War Contracts Board determining excessive profits (which, as stated in paragraph (b), is final upon entry), notice thereof will be given forthwith by registered mail to the contractor. [RR 625.3]

(d) *Time to appeal to Tax Court.* The ninety day period for filing a petition for redetermination in The Tax Court will run from the date of the mailing of the notice referred to in paragraph (c) in either of the cases referred to therein. [RR 625.4]

§ 1606.626 *Elimination of excessive profits determined by order*—(a) *Authorization to Secretaries to eliminate excessive profits.* (1) All of the powers, functions and duties conferred upon the War Contracts Board by subsection (c) (2) of the 1943 act have been delegated by the Board under the date of February 26, 1944 to each Secretary with right of successive redelegation (see §§ 1608.801 and 1608.821 (a)). Among the methods available to each Secretary to eliminate excessive profits are reductions in amounts otherwise payable to the contractor under contracts with the Departments, withholding of amounts otherwise due the contractor, directing a contractor to withhold amounts otherwise due to a subcontractor, recovering through repayment, credit or suit, or any combination of the methods specified in such subsection as is deemed desirable.

(2) The power of each of the Secretaries to eliminate excessive profits by any of the methods or any combination of the methods referred to in subsection (c) (2) of the 1943 act, including clauses (A), (B), (C), (D) and (E) thereof, may be exercised by each Secretary in his discretion (or by such person or persons as may have authorization to act by delegation, subdelegation or otherwise) immediately upon the making of an agreement by or on behalf of the War Contracts Board, or the entry of an order which is, or which is deemed to be the determination of the War Contracts Board, or the entry of an order under subsection (e) by The Tax Court of the United States. Such power may be so exercised without further action by the War Contracts Board.

(3) The delegation dated February 26, 1944 by the War Contracts Board delegated all the authority referred to in this paragraph. (See §1608.821 (a).) [RR 626.1]

(b) *No delay in elimination of excessive profits determined by order.* (1) Under a renegotiation agreement, provision is frequently made for the elimination of the excessive profits over a period of time by refunds in installments or by other provisions. But if excessive profits are determined by order, no provision will be contained in such order for deferment of the obligation thereby created or any part thereof. The collection of the amount called for by such an order will be effected in accordance with the general principles governing the enforcement and collection of obligations owing to the United States as supplemented by the special powers and procedures contained in the Renegotiation Act.

(2) The filing of a petition in The Tax Court of the United States for a redetermination does not operate to stay the execution of the order determining excessive profits (see subsection (e) (1) of the 1943 act). [RR 626.2]

(c) *Elimination of excessive profits determined by the Tax Court.* Any excessive profits determined by order of the Tax Court in proceedings for redetermination and which have not theretofore been eliminated will also be eliminated by appropriate action. (See § 1606.637.) [RR 626.3]

SUBPART C—PROCEEDINGS IN THE TAX COURT

§ 1606.630 *Scope of subpart.* The 1943 act provides that certain contractors and subcontractors may institute proceedings in The Tax Court of the United States for a redetermination of the amount of excessive profits received or accrued by them. This subpart is devoted to a considcration of the provisions of the act applicable to such proceedings with respect to fiscal years ending after June 30, 1943. [RR 630]

§ 1606.631 *Statutory provisions.* Portions of section (c) (1) and the whole of section (e) (1) of the 1943 act are set out below:

(c) (1) • • • If the Board does not make an agreement with respect to the elimination of excessive profits received or accrued, it shall issue and enter an order determining the amount, if any, of such excessive profits, and forthwith give notice thereof by registered mail to the contractor or subcontractor. In the absence of the filing of a petition with The Tax Court of the United States under the provisions of and within the time limit prescribed in subsection (e) (1), such order shall be final and conclusive and shall not be subject to review or redetermination by any court or other agency. • • • Whenever the Board makes a determination with respect to the amount of excessive profits, whether such determination is made by order or is embodied in an agreement with the contractor or subcontractor, it shall, at the request of the contractor or subcontractor, as the case may be, prepare and furnish such contractor or subcontractor with a statement of such determination, of the facts used as a basis therefor, and of its reasons for such determination. Such statement shall not be used in The Tax Court of the United States as proof of the facts or conclusions stated therein.

• • • • •

(e) (1) Any contractor or subcontractor aggrieved by an order of the Board determining the amount of excessive profits received or accrued by such contractor or subcontractor may, within ninety days (not counting Sunday or a legal holiday in the District of Columbia as the last day) after the mailing of the notice of such order under subsection (c) (1), file a petition with The Tax Court of the United States for a redetermination thereof. Upon such filing such court shall have exclusive jurisdiction, by order, to finally determine the amount, if any, of such excessive profits received or accrued by the contractor or subcontractor, and such determination shall not be reviewed or redetermined by any court or agency. The court may determine as the amount of excessive profits an amount either less than, equal to, or greater than that determined by the Board. A proceeding before the Tax Court to finally determine the amount, if any, of excessive profits shall not be treated as a proceeding to review the determination of the Board, but shall be treated as a proceeding de novo. For the purposes of this subsection the court shall have the same powers and duties, insofar as applicable, in respect of the contractor, the subcontractor, the Board and the Secretary, and in respect of the attendance of witnesses and the production of papers, notice of hearings, hearings before divisions, review by the Tax Court of decisions of divisions, stenographic reporting, and reports of proceedings, as such court has under sections 1110, 1111, 1113, 1114, 1115 (a), 1116, 1117 (a), 1118, 1120, and 1121 of the Internal Revenue Code in the case of a proceeding to redetermine a deficiency. In the case of any witness for the Board or Secretary, the fees and mileage, and the expenses of taking any deposition shall be paid out of appropriations of the Board or Department available for that purpose, and in the case of any other witnesses, shall be paid, subject to rules prescribed by the court, by the party at whose instance the witness appears or the deposition is taken. The filing of a petition under this subsection shall not operate to stay the execution of the order of the Board under subsection (c) (2).

[RR 631]

§ 1606.632 *Right to institute proceedings in the Tax Court*—(a) *Forum for redetermination.* Subsection (e) (1) of the 1943 act confers exclusive jurisdiction upon The Tax Court of the United States to entertain proceedings "to finally determine the amount" of excessive profits received or accrued by contractors or subcontractors who are authorized to institute proceedings for a redetermination. [RR 632.1]

(b) *Statutory authority.* Subsection (e) (1) of the 1943 act grants the right to institute proceedings before the Tax Court only to contractors or subcontractors (including subcontractors described in subsection (a) (5) (B)—i.e., war contracts brokers), aggrieved by an order of the War Contracts Board determining the amount of excessive profits. (Note: As to the rights of a contractor or subcontractor aggrieved by a determination of a Secretary with respect to a fiscal year ending before July 1, 1943, see subsection (e) (2).) [RR 632.2]

(c) *Determinations embodied in agreements.* A contractor or subcontractor who has entered into an agreement with respect to the elimination of excessive profits is granted no right to institute proceedings for a redetermination. [RR 632.3]

§ 1606.633 *Nature of the proceeding in the Tax Court.* Subsection (e) (1) of the 1943 act expressly provides that the proceeding before the Tax Court "shall not be treated as a proceeding to review the determination of the Board, but shall be treated as a proceeding de novo." Thus, the 1943 act contemplates that the redetermination to be made by the Tax Court shall not be made upon the basis of the record of the prior determination made by the War Contracts Board, but shall be arrived at by the Tax Court on the basis of the record made before it. The redetermination proceeding in the Tax Court is apparently intended to be de novo in the same sense as the redetermination of a tax deficiency in the same court. In such proceeding neither the aggrieved party nor the Government is restricted by or limited to the issues, facts or legal theories presented in the renegotiation proceeding. [RR 633]

§ 1606.634 *Power of the Tax Court*—(a) *As to the determination of excessive profits.* The Tax Court has statutory power to determine as the amount of excessive profits an amount either less than, equal to, or greater than, that determined by the War Contracts Board. [RR 634.1]

(b) *Finality of determination.* The 1943 act, in conferring jurisdiction upon the Tax Court, provides that upon the filing of a petition within the prescribed time the court shall "have exclusive jurisdiction by order, to finally determine the amount, if any, of such excessive profits received or accrued by the contractor or subcontractor, and such determination shall not be reviewed or redetermined by any court or agency." (See also subsection (c) (1) of the 1943 act in § 1606.631.) [RR 634.2]

§ 1606.635 *Proceedings before the Tax Court*—(a) *Institution of proceeding.* A proceeding for a redetermination in the Tax Court is instituted by the filing of a petition by the contractor or subcontractor. [RR 635.1]

(b) *Rules of the Tax Court.* The rules of the Tax Court with respect to proceedings before it under the 1943 act are cited in § 1608.806. [RR 635.2]

(c) *Time for filing petition.* The contractor or subcontractor who desires to institute proceedings in the Tax Court must file his petition within 90 days (not counting Sunday or a legal holiday, in the District of Columbia, as the last day) after the mailing of the notice of the order of the War Contracts Board determining the amount of excessive profits. (See § 1606.625 (c) and (d).) [RR 635.3]

(d) *Effect of petition.* The filing of a petition does not operate to stay the execution of the order of the War Contracts Board. (See § 1606.626 (b) (2).) [RR 635.4]

(e) *Conduct of proceedings before the Tax Court.* Subsection (e) (1) of the 1943 act provides that the Tax Court shall have the same powers and duties insofar as applicable in respect of the contractor, the subcontractor, and the War Contracts Board, and in respect of the attendance of witnesses and the production of papers, notice of hearings, hearings before divisions, review by the Tax Court of decisions of divisions, stenographic reporting and reports of proceedings, as the Tax Court has under sections 1110, 1111, 1113, 1114, 1115 (a), 1116, 1117 (a), 1118, 1120 and 1121 of the Internal Revenue Code in the case of a proceeding to redetermine a deficiency. [RR 635.5]

§ 1606.636 *Determination of excessive profits by the Tax Court*—(a) *Statement of the War Contracts Board.* Under the provisions of subsection (c) (1) of the 1943 act, the War Contracts Board is required, at the request of the contractor or subcontractor, to prepare and furnish a statement of its determination, of the facts used as the basis therefor, and of its reasons for such determination. It is expressly provided that "such statement shall not be used in The Tax Court of the United States as proof of the facts or conclusions stated therein." Under the rules of the Tax Court, however, a copy of such statement is to be appended to the contractor's petition. (See § 1608.806.) [RR 636.1]

(b) *Determination of costs.* (1) Subsection (a) (4) (B) of the 1943 act provides that the costs of the contractor

shall be determined in accordance with the method of cost accounting regularly employed by him in keeping his books, but further provides that if no such method of cost accounting has been employed, or if, in the opinion of the Tax Court, such method does not properly reflect such costs, such costs shall be determined in accordance with such method as in the opinion of the Tax Court does properly reflect such costs.

(2) The Tax Court under this subsection is also required to disallow as a cost any item of cost which is unreasonable or not properly chargeable to the contracts or subcontracts involved in the proceeding before it. The Tax Court must allow as items of cost, to the extent allocable to such contracts and subcontracts, all items estimated to be allowable as deductions and exclusions under Chapters 1 and 2E of the Internal Revenue Code (excluding taxes measured by income) and to adjust the amount of excessive profits to be eliminated to the extent of taxes measured by income (other than Federal taxes) which are attributable to the portion of the profits which are not excessive.

(3) Unless there has been an agreement or stipulation with respect to the proper segregation of renegotiable and non-renegotiable business, the proceeding in the Tax Court necessarily will involve a determination by the Tax Court with respect to such segregation. [RR 636.2]

(c) *Factors to be considered by the Tax Court.* Subsection (a) (4) (A) provides that the factors set forth therein shall be taken into consideration in determining "excessive profits." Inasmuch as the Tax Court is charged with the duty of determining the amount of excessive profits, it, as well as the War Contracts Board, must take into consideration such factors. [RR 636.3]

§ 1606.637 *Enforcement of redetermination made by the Tax Court.* As subsection (e) (1) of the 1943 act provides that the filing of a petition thereunder shall not operate to stay the execution of the order of the Board under subsection (c) (2), it is likely that excessive profits will have been partially or wholly eliminated prior to a redetermination of excessive profits by the Tax Court. To the extent that such profits are not so eliminated prior to the decision of the Tax Court, action will be taken to eliminate them thereafter. In this connection reference is made to § 1606.626 (c). [RR 637]

PART 1607[1]—FORMS FOR RENEGOTIATION[2]

SUBPART A—FORMS RELATING TO IDENTIFICATION, ASSIGNMENT AND CANCELLATION OF CASES

1. In § 1607.705, paragraph (a) is corrected and paragraph (h) is amended to read as set forth below.

§ 1607.705 *Transmittal forms to and from Departments*—(a) *Form No. SPRA I–1 (Assignment Transmittal to Departments).*

SPRA I–1 Assignment Transmittal WDPAB
Transmittal Report No. _____
From: Assignments and Statistics Branch
WDPAB—Statistics and Progress Section
To _____
(Department or Service) (Date)

The following 1943 Assignments are transmitted to you as indicated below:

1943 Assignment Number	Name
Previous total delivered by WDPAB	

Cumulative total gross assignments delivered to date:

(Submit in duplicate)

[RR 705.1]

(h) *Form No. SPRA–8 (Identification, Tabulation Form).*

TABULATION FORM

Identification (All Cards)

1. Assignment Number-- ( )( )( )( )( )
2. Corporation, Partnership or Owner (C, P, or O)---------- ( )
3. Assignment & Location----- ( )( )( )
4. Based on Approved or Final Figures (A or F)---------- ( )
5. Fiscal Year ends, Month-------- ( )( )
6. Fiscal Year ends, Year---------- ( )

Card No. 1

7. Fixed Price Net Sales (After Adjustment) _____
8. Fixed Price Basic Profit Before Taxes (After Adjustment) _____
9. Amount Recovered _____
10. CPFF Net Sales (After Adjustment) _____
11. CPFF Basic Profit Before Taxes (After Adjustment) _____
12. CPFF Amount Recovered _____
13. % Basic Profit on Fixed Price Sales (After Adjustment) _____
14. % CPFF Basic Profit Before Taxes (After Adjustment) _____

Card No. 2

15. Non-Renegotiable Net Sales _____
16. Non-Renegotiable Basic Profit (Before Taxes) _____
17. Total Business (Except CPFF) Net Sales After Adjustment _____
18. Total Business (Except CPFF) Basic Profit Before Taxes, After Adj. _____
19. Net Profit After Federal Income Taxes (Including EPT Credit) _____
20. _____
21. % Basic Profit (Before Taxes) on Non-Renegotiable Sales _____
22. % Basic Profit Before Taxes on Total Business After Adj. (Exc. CPFF) _____
23. % Profit on Net Worth _____

Card No. 3

24. 1st Prior Year Total Net Sales _____
25. 1st Prior Year Basic Profits Before Taxes _____
26. 2nd Prior Year Total Net Sales _____
27. 2nd Prior Year Basic Profit Before Taxes _____
28. Total Business 1936–39 Average Net Sales _____
29. Total Business 1936–39 Average Basic Basic Profit Before Taxes _____
30. 1st Prior Year % Basic Profit Before Taxes _____
31. 2nd Prior Year % Basic Profit Before Taxes _____
32. % Basic Profit on Sales 1936–39 Average (Before Taxes) _____

Card No. 4

33. Govt. Fac. fix price _____
34. Govt. Fac. CPFF _____
35. Govt. Fac. Advances _____
36. Cert. of Necessity _____
37. V Loans _____
38. Net Plant _____

Card No. 5

39. 2nd Prior Year No. Persons _____
40. Compensation 2nd Prior Year _____
41. 1st Prior Year No Persons _____
42. Compensation 1st Prior Year _____
43. Current Year No. Persons _____
44. Compensation Current Year _____

Card No. 6

Product	State	City

Do Not Write In This Space

Card No. 7

Company Name

(_____)

Card No. 8

City and State

(_____)

Principal Function of Contractor_____

Products (In order of importance):

1. _____
2. _____
3. _____

Assignment No. and names of all subsidiaries included in agreement:

_____

_____

(Use reverse side for additional subsidiaries)

SPRAE–8 24–79111–2M
4–4–44

[RR 705.8]

SUBPART B—FORMS RELATING TO OPERATION OF RENEGOTIATION

The page number in the last paragraph of section n of the Contractor's Information and Work Sheet for Renegotiation (§ 1607.722) is corrected to read "4154".

SUBPART C—FORMS RELATING TO TAX CREDIT

Subpart C is added, as set forth below.

Sec.
1607.731 Letter from corporation to Internal Revenue Agent in Charge.
1607.732 Letter from individual to Internal Revenue Agent in Charge relating to a taxable year not beginning in 1941 (no overpayment of 1943 tax liability).
1607.733 Letter from individual to Internal Revenue Agent in Charge relating to a taxable year not beginning in 1941 (overpayment of 1943 tax liability).

§ 1607.731 *Letter from corporation to Internal Revenue Agent in Charge.*

Internal Revenue Agent in Charge,
_____,
_____.

Dear Sir:

The Price Adjustment Board of the _____ requests your advice as to the amount of the credit as defined by Section 3806 of the Internal Revenue Code with respect to a proposed elimination of excessive profits by _____
(taxpayer's name and address)
in the amount of $_____ for the taxable year ended _____, 194__. These excessive profits were included in the taxpayer's income for said taxable year in computing his estimated tax for 1943, and $_____ thereof were included in his income for said taxable year in computing his total income and Victory tax in his return for the year ended _____, 194__, as filed with the Collector of Internal Revenue at _____.
A certified (photostat) copy of this return is enclosed for your assistance in computing the amount of this credit.

Please forward your reply directly to _____ with a copy to the undersigned.

Very truly yours,

_____

[1] 9 F.R. 4143.

[2] The reporting requirements in this part have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

at _____ [Certified (photostat) copies of the returns (pages 1 and 2 of Forms 1120 and 1121) as filed for such taxable year are enclosed for your assistance in computing the amount of the credit. If you require copies of schedules or other papers attached to the returns, they will be furnished promptly upon request.]

Please forward your reply directly to _____ with a copy to the undersigned.

Very truly yours,

_____

NOTE: In the case of an individual, with respect to a taxable year beginning in 1941, this form should be revised with proper adjustment to give effect to the individual return rather than the corporate returns.

[RR 731]

§ 1607.732 *Letter from individual to Internal Revenue Agent in Charge Relating to a taxable year not beginning in 1941 (no overpayment of 1943 tax liability).*

Internal Revenue Agent in Charge,
_____,
_____.

Dear Sir:

The Price Adjustment Board of the _____ requests your advice as to the amount of the credit as defined by Section 3806 of the Internal Revenue Code with respect to a proposed elimination of excessive profits by _____
(taxpayer's name and address)
of $_____ for the taxable year ended _____, 194__ $_____ of these excessive profits were included in income for said taxable year in computing the total income and Victory tax in the taxpayer's return for the year ended _____, 194__ as filed with the Collector of Internal Revenue at _____.
A certified (photostat) copy of this return is enclosed for your assistance in computing the amount of this credit.

Please forward your reply directly to _____ with a copy to the undersigned.

Very truly yours,

_____

[RR 732]

§ 1607.733 *Letter from individual to Internal Revenue Agent in Charge relating to a taxable year not beginning in 1941 (overpayment of 1943 tax liability).*

Internal Revenue Agent in Charge,
_____,
_____.

Dear Sir:

The Price Adjustment Board of the _____ requests your advice as to the amount of the credit as defined by Section 3806 of the Internal Revenue Code with respect to a proposed elimination of excessive profits by _____
(taxpayer's name and address)
in the amount of $_____ for the taxable year ended _____, 194__. These excessive profits were included in the taxpayer's income and excess profits tax returns for said fiscal year and that the Contractor has applied or will promptly apply for a computation by the Bureau of Internal Revenue, based upon the assessments made to the date of such computation, of the amount by which the taxes of the Contractor for said fiscal year payable under Chapters 1, 2A, 2B, 2D, and 2E of the Internal Revenue Code are decreased by reason of the application of Section 3806 of the Internal Revenue Code. The amount, if any, so computed will be allowed as a credit against the amount of profits agreed in Article 1 to be eliminated.

4. *Terms of payment.* The Contractor agrees to pay to the Government the sum of _____ Dollars ($_____), being the amount determined in Article 1 hereof to be eliminated, as follows:

Payment shall be made by check to the order of the Treasurer of the United States and forwarded _____
_____
_____** All unpaid installments hereunder may at the option of the Government be declared, and thereupon shall become, immediately due and payable, in the event of a default in the payment of any installment continuing for twenty days.

5. *Additional profits to be eliminated.* If, as a result of the elimination of the amount of profits determined pursuant to Article 1 hereof, the Contractor shall either receive a refund (whether by repayment or credit) or shall recognize a reduction in its liability (by giving effect thereto on its books) in respect of any item which was allowed as an item of cost in the determination of such profits, then promptly thereafter, the Contractor shall pay to the Government, as additional profits which should be eliminated a sum equal to the amount of such refund or reduction in liability, by the delivery to _____ of a check payable to the order of the Treasurer of the United States in such amount.

In the elimination of said additional profits the Contractor shall be allowed the tax credit, if any, provided by Section 3806 of the Internal Revenue Code.

6. *Covenant against contingent fees.* The Contractor warrants that it has not employed any person to solicit or secure this agreement upon any agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the Government the right to annul this agreement.

7. *Officials not to benefit.* No member of or delegate to Congress or resident commissioner or any other person in the employ or service of the United States shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

8. *Discharge of liability.* This agreement shall be final and conclusive according to its terms, and performance by the Contractor in accordance herewith shall be in full discharge of all liability of the Contractor under the Renegotiation Act for excessive profits received or accrued under said contracts and subcontracts for the fiscal year covered hereby and, except upon a showing of fraud or malfeasance or a willful misrepresentation of a material fact, this agreement shall not for the purposes of the Renegotiation Act be reopened as to the matters agreed upon, and shall not be modified by any officer, employee, or agent of the United States, and this agreement and any determination made in accordance herewith shall not be annulled, modified, set aside, or disregarded in any suit, action or proceeding.

---

*Delete inapplicable language.

**If any part of the profits to be eliminated were derived from prime contracts with Defense-Plant Corporation, Metals Reserve Company, Defense Supplies Corporation or Rubber Reserve Company, insert here: "to the extent of $_____ and by check to the order of and delivered to the RFC Price Adjustment Board, 811 Vermont Avenue, Washington 25, D. C., to the extent of $_____."

9. *Renegotiation rebate.* Nothing contained in this agreement shall prejudice any right which the Contractor may have to recover a renegotiation rebate pursuant to subsection (a) (4) (D) of the Renegotiation Act.

10. *Execution of agreement.* This agreement has been duly executed by or on behalf of the Contractor pursuant to proper authority and by or on behalf of the Government by the War Contracts Price Adjustment Board by its duly authorized representative to whom authority to execute this agreement has been delegated by the War Contracts Price Adjustment Board pursuant to subsection (d) (4) of the Renegotiation Act.

In witness whereof, the parties hereto have executed this agreement in_____ counterparts as of the day and year above written.

(Corporate Seal if a Corporation)

By _____
(Title of Officer)

Attest:

_____
Secretary

(To be used if executed by a corporation)

UNITED STATES OF AMERICA.

By _____
(Title)

Acting on behalf of the War Contracts Price Adjustment Board created by the Renegotiation Act, under due delegations of authority made pursuant to subsection (d) (4) of the Renegotiation Act.

Each exhibit attached hereto is to be initialed for identification by the persons signing on behalf of the Contractor.

A duly certified copy of the resolution of the Board of Directors of the Contractor, if a corporation, authorizing the execution and delivery of this agreement is to be attached hereto.

[RR 741.1]

(b) *Variations in the standard form—*(1) *Forward pricing.* When agreement cannot be reached upon specific price reductions, use may be made of the following clause:

The Contractor agrees that so long as it shall have contracts and subcontracts which are by law subject to renegotiation, it will from time to time adjust its prices under such contracts and subcontracts to eliminate the accumulation of profits thereunder regarded by the Contractor as excessive. Within twenty days after the close of that quarter of the Contractor's current fiscal year in which the Contractor has received a fully executed counterpart of this agreement, the Contractor agrees to file with _____ a report setting forth the price reductions, if any, made during all then expired quarters of such current fiscal year applicable to its contracts and subcontracts subject to renegotiation. The Contractor further agrees to file a similar report within twenty days following each subsequent quarter of its current fiscal year setting forth its price reductions, if any, made during such quarter. Each such report may be in such general terms or in such detail as the Contractor deems necessary to an intelligent appraisal thereof, but shall set forth, if feasible, the unit prices before and after each such reduction, and shall set forth an estimate of the aggregate reduction effected thereby during such fiscal year under contracts and subcontracts subject to renegotiation; and shall include, if available, a summary profit and loss statement for the period covered by the report. It is understood and agreed that price reductions will be taken into consideration in any renegotiation which may hereafter be conducted with the Contractor with respect to its current fiscal year, but that, with respect to periods subsequent to the date of this agreement, the obligations of the Contractor under this article will not be deemed to be satisfied by refunds or retroactive price reductions.

Failure on the part of the Contractor to comply fully with this article shall not constitute grounds for reopening this agreement or for setting aside the discharge provided for in Article 6 hereof.

(2) *Variations in Article 2 of the standard form.* When the renegotiation covers a parent and subsidiaries the following clause should be added to Article 2 of the standard form of agreement by insertion after the first paragraph of Article 2:

Exhibit B annexed hereto and made a part hereof contains a complete list, as represented by the Contractor, of its subsidiaries, all of which are consolidated with the Contractor for the purposes hereof, except such, if any, as may be expressly excluded from such consolidation, as indicated by proper notation on said Exhibit B. Also noted on Exhibit B is the part, if any, of the profits to be eliminated which is allocated to each subsidiary so consolidated with the Contractor. The part unallocated to subsidiaries is allocated to the Contractor.

Such exhibit may take the following form:

EXHIBIT B—LIST OF, AND ALLOCATION OF, PROFITS TO BE ELIMINATED AMONG SUBSIDIARIES OF CONTRACTOR INCLUDED IN THE RENEGOTIATION

Subsidiaries (1)	Allocation of Profits to be Eliminated (2)

NOTES

(1) Give State of incorporation of each subsidiary.

(2) Allocation of profits should be in dollar amounts.

(3) *Variations in Article 3 of the standard form.* (i) If the contractor has not filed his Federal income or income and excess profits tax returns, or has filed the return but has not included in income as reported therein the profits to be eliminated, the following provisions should be used in lieu of the provisions of Article 3 as contained in the standard form of agreement:

3. Tax Credit Under Section 3806 of the Internal Revenue Code: The amount of profit agreed in Article 1 hereof to be eliminated has not been included in income in the Contractor's Federal income tax return (or income and excess profits tax returns) for said fiscal year and, accordingly no tax credit under Section 3806 of the Internal Revenue Code is allowed against the amount of such profits to be eliminated. In the event, however, that Federal income or excess profits taxes shall be assessed upon the amount of profits agreed in Article 1 hereof to be eliminated, or any part thereof, there will be allowed to the Contractor the credit, if any, to which it is entitled under Section 3806 of the Internal Revenue Code with respect to such profits.

(ii) In some instances, a contractor will have included in income as reported in his tax returns less than all of the profits to be eliminated. In such a case Article 3 should be modified to read as follows:

3. Tax Credit Under Section 3806 of the Internal Revenue Code. The Contractor represents that of the profits agreed in Article 1 hereof to be eliminated $_____ were included in income in the Contractor's Federal income tax return (or income and excess profits tax returns) for said fiscal year and that the Contractor has applied or will promptly apply for a computation by the Bureau of Internal Revenue, based upon the assessments made to the date of such computation, of the amount by which the taxes of the Contractor for said fiscal year payable under Chapters 1, 2A, 2B, 2D, and 2E of the Internal Revenue Code are decreased by reason of the application of Section 3806 of the Internal Revenue Code. The amount, if any, so computed will be allowed as a credit against the amount of profits agreed in Article 1 to be eliminated. In the event, however, that Federal income or excess profits taxes shall be assessed upon the amount of the profits agreed in Article 1 hereof to be eliminated and which were excluded from income in the Contractor's income tax return (or income and excess profits tax returns) for said fiscal year, there will be allowed to the Contractor the credit, if any, to which it is entitled under Section 3806 of the Internal Revenue Code with respect to such profits.

(iii) In the case of a partnership, the tax credit applicable against the amount of the profits to be eliminated is the aggregate of the credits to which each of the partners is entitled. Accordingly, in such a case Article 3 may be modified to read as follows:

3. Tax Credit Under Section 3806 of the Internal Revenue Code. Each of the partners comprising the Contractor represents that his proportionate share of the profits, the amount of which is agreed in Article 1 hereof to be eliminated, was included in his income for his taxable year in which said fiscal year ended in computing his total tax in his Federal income tax return for said taxable year. Each of such partners has applied or will promptly apply for a computation by the Bureau of Internal Revenue, based upon the assessments made to the date of such computation, of the amount by which his taxes for such taxable year under Chapter 1 of the Internal Revenue Code are decreased by reason of the application of Section 3806 of the Internal Revenue Code. The aggregate of the amounts, if any, so computed will be allowed as a credit against the amount of profits agreed in Article 1 to be eliminated.

(4) *Anti-discrimination clause.* Whenever a renegotiation agreement executed under the Act expressly purports to modify the terms of specified existing prime contracts with any of the Departments with respect to future deliveries, and the contract or contracts to be modified do not contain an anti-discrimination clause then the agreement shall include the following provision:

Anti-discrimination. (a) The Contractor, in performing the work required by this contract, shall not discriminate against any employee or applicant for employment because of race, creed, color, or national origin.

(b) The Contractor agrees that the provision of paragraph (a) above will also be inserted in all of its subcontracts. For the purpose of this article, a subcontract is defined as any contract entered into by the Contractor with any individual partnership, association, corporation, estate, or trust, or other business enterprise or other legal entity, for a specific part of the work, to be performed in connection with the supplies or services furnished under this contract: *Provided, however,* That a contract for the furnishing of standard or commercial articles or raw material shall not be considered as a subcontract.

(5) *Variations in Article 4 of the standard form—*(i) If the profits to be eliminated are to be paid in installments, and the amount of the tax credit has not been ascertained, Article 4 may be drafted to read as follows:

4. Terms of Payments. The Contractor agrees to pay to the Government the amount agreed in Article 1 hereof to be eliminated, less the tax credit, if any, applicable thereto pursuant to Article 3, as follows:

(a) $_____, less the pro rata proportion of the tax credit applicable thereto, within ten days after the Contractor shall have received a fully executed counterpart of this agreement or written notice of the amount of the tax credit, whichever is later; and

(b) $_____, less the pro rata proportion of the tax credit applicable thereto, on or before _____ or the due date of the first schedule payment, whichever shall be later.

Payment shall be made by check to the order of the Treasurer of the United States and forwarded _____ _____.*

All unpaid installments hereunder may at the option of the Government be declared, and thereupon shall become, immediately due and payable, in the event of a default in the payment of any installment continuing for twenty days.

(ii) If the amount of the tax credit has been ascertained before the agreement is drawn, Article 4 may be drafted to read as follows:

4. Terms of Payment. The Contractor agrees to pay to the Government the sum of _____ ($_____), being the difference between the amount agreed in Article 1 hereof to be eliminated and the amount of the tax credit referred to in Article 3 which has been determined to be applicable thereto, as follows:

$_____ within ten days after the Contractor shall have received a fully executed counterpart of this agreement, and

$_____ on or before _____; and

$_____ on or before_____.

Payment shall be made by check to the order of the Treasurer of the United States and forwarded _____ _____.*

All unpaid installments hereunder may at the option of the Government be declared, and thereupon shall become, immediately due and payable, in the event of a default in the payment of any installment continuing for twenty days.

[RR 741.2]

(c) *Contents of Exhibit A to the Standard Form of Agreement.* Exhibit A referred to in the Standard Form of Agreement shall contain, as a minimum, the following financial data and information:

(1) The amount of net sales under fixed price contracts in the aggregate and segregated as between renegotiable and non-renegotiable business.

(2) The net profit on each such amount of fixed price business before Federal taxes on income.

(3) The aggregate amount of billings under cost-plus-fixed-fee contracts subject to renegotiation (i. e., costs plus gross fees).

(4) The net fees earned under renegotiable cost-plus-fixed-fee contracts before Federal taxes on income.

(5) The amount of adjustment in the profits to be eliminated on account of taxes other than Federal taxes measured by income.

(6) The amount of profits to be eliminated shown separately as to fixed price and cost-plus-fixed-fee business. If any part of the profits to be eliminated were derived from prime contracts with RFC subsidiaries, such part of such profits shall be indicated.

The form of the exhibit and the manner in which such financial data and information shall be shown shall be within the discretion of the Department which has conducted the renegotiation. In the discretion of such Department, any additional financial data or information may be included in Exhibit A. [RR 741.3]

(d) *Contents of Exhibit B to the Standard Form of Agreement.* See § 1607.741 (b) (2). [RR 741.4]

(e) *Contents of Exhibit C to the Standard Form of Agreement.* See § 1605.505. [RR 741.5]

§ 1607.742 *Clearance Notice.*

Form _____

WAR CONTRACTS PRICE ADJUSTMENT BOARD

_____
(Department)

CLEARANCE

_____, 194__

To:

As a result of renegotiation pursuant to the Renegotiation Act, between the United States of America (hereinafter referred to as "the Government") and _____ _____ _____
(If not a corporation, insert proper description)

corporation having its principal office at _____ in the City of _____ State of _____ (hereinafter referred to as "the Contractor"), it has been determined that no excessive profits have been received by or accrued to the Contractor during the contractor's fiscal year ended _____ (hereinafter referred to as "said fiscal year"), from contracts and subcontracts of the Contractor which are subject to renegotiation pursuant to the Renegotiation Act and which were included as renegotiable business in the financial and other data upon which this determination is based (hereinafter referred to as "said contracts and subcontracts").

The determination and discharge herein are based upon data submitted by the Contractor including a statement of income and other financial data for said fiscal year.

This instrument shall constitute a final determination that no excessive profits have been received by or accrued to the Contractor during said fiscal year from said contracts and subcontracts and shall finally discharge the Contractor of any liability under the Renegotiation Act for excessive profits derived during said fiscal year from said contracts and subcontracts, subject, however, to the right of the Government, or it duly authorized representative, to reopen this renegotiation and modify or annul the determination and discharge herein upon a showing of fraud or malfeasance or a willful misrepresentation of a material fact, including a willful omission by the Contractor to state a material fact required to make any representation of the Contractor not misleading.

This determination and discharge shall not be effective with respect to any amounts heretofore or hereafter received by the Contractor under any of the contracts or subcontracts of the Contractor which are subject to renegotiation unless such amounts were reflected in income for said fiscal year in the financial data submitted by the Contractor and upon which the determination and discharge herein are based.

This determination and discharge are made upon the conditions that (a) no member of or delegate to Congress or resident commissioner, or any other person in the employ or service of the United States, shall be admitted to any share or part of this instrument or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this instrument if made with a corporation for its general benefit, and (b) the Contractor has not employed any person to solicit or secure this instrument upon any agreement for a commission, percentage, brokerage or contingent fee; and (c) the Contractor will notify the War Contracts Price Adjustment Board promptly of the receipt of any amounts paid to the Contractor under any of the contracts or subcontracts referred to above, which amounts are applicable to said fiscal year and which were not reflected in income for said fiscal year in the financial data submitted by the Contractor. Breach of any of the foregoing conditions will give the Government the right to annul this determination.

UNITED STATES OF AMERICA.

By _____
(Title)

Acting on behalf of the War Contracts Price Adjustment Board created by the Renegotiation Act, under due delegations of authority made pursuant to subsection (d) (4) of the Renegotiation Act.

[RR 742]

SUBPART E—FORMS OF REPORTS

Subpart E is added, as set forth below.

Sec.

1607.751 Progress and operations reports.

(a) Form No. SPRA-O (Weekly Progress Report of Departments).

(b) Instructions for Preparation of Departmental Board Weekly Progress Report (Form SPRA-O).

(c) Form No. SPRA I (Weekly Progress Report of War Department Services).

(d) Instructions for Preparation of War Department Weekly Progress Report (Form SPRA I).

(e) Form No. SPRA I–B (War Department Price Adjustment Board "Status of Renegotiation Report").

(f) Form No. SPRA I–BB (1943 Fiscal Year Assignments "Status of Renegotiation Report").

(g) Form No. SPRA I–C (War Department Price Adjustment Board "Operations Report").

(h) Form No. SPRA I–CC (1943 Fiscal Year Assignments "Operations Report").

1607.752 Statement to be furnished contractor.

(a) General instructions.

(b) Form of statement and specific instructions as to its preparation (statutory).

(c) Substitute paragraphs for the statement where statutory determination has not yet been made.

*If any part of the profits to be eliminated were derived from prime contracts with Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation or Rubber Reserve Company, appropriate provision should be made so that the portion of the profits eliminated allocable to such prime contracts is paid by check payable and delivered to the RFC Price Adjustment Board, 811 Vermont Avenue, Washington 25, D. C.

§ 1607.751 *Progress and operations reports.* (Note: Of the forms referred to in this section, only SPRA I (see § 1607.751 (c) and (d)) is prepared by divisions of the War Department.)

(a) *Form No. SPRA–O (Weekly Progress Report of Departments).*

SPRA–O

DEPARTMENTAL BOARD WEEKLY PROGRESS REPORT

(Fiscal Year 1943 Assignments)

From: _____ Close of Friday _____
(Department)

To: Assignments & Statistics Branch WDPAB—Statistics & Progress Section

*NOTE: Before transmitting Weekly Progress Report indicate in appropriate box the number of the last Transmittal Report to or from WDPAB—for reconcilement purposes.

(*)		Number of Tabulation Forms SPRAE–8 Attached
☐	1. Gross assignments received to date	
☐	2a. Less—Reassignments requested, pending at WDPAB	
☐	2b. Less—Reassignments approved, confirmed by WDPAB	
	3. Net—Assignments charged to this Department	
	4. Report of progress on net assignments in process:	
	a. Renegotiation not initiated	
	b. Statutory renegotiation begun	
	c. Bona fide oral agreements reached	
	d. Signed agreements in process	
	e. Sub-total (4a through 4d)	
	5. Report on completed assignments:	
☐	5a. Completed settlements	
☐	5b. Impasse cases—Unilateral determinations (final)	
☐	5c. Completed clearances	
	Cancellations:	
☐	5d–1. Requested—Pending at WDPAB	
☐	5d–2. Approved—Confirmed by WDPAB	
	5e. Sub-total (5a through 5d–2)	
	6. Grand Total (4e plus 5e should agree with line 3)	

Rev. 26 May 1944

[RR 751.1]

(b) *Instructions for Preparation of Departmental Board Weekly Progress Report (Form SPRA–O).*

INSTRUCTIONS FOR THE PREPARATION OF DEPARTMENTAL BOARD WEEKLY PROGRESS REPORT (SPRA–O)

(Fiscal Year 1943 Assignments)

The Weekly Progress Report SPRA–O to be submitted by the

1. Navy Department—Price Adjustment Board
2. Navy Department—Procurement Legal Division
3. Maritime Commission
4. Reconstruction Finance Corporation
5. Treasury Department
6. War Shipping Administration

to the Assignments and Statistics Branch of the War Department Price Adjustment Board for the information of the War Contracts Price Adjustment Board and the Joint Price Adjustment Board is designed to show (a) the progress of renegotiation (items 4a to 4d) and (b) the degree of accomplishment on assignments completed (items 5a to 5d–2) and (c) as a reconciliation on net Assignments for which the Department is responsible as well as the end result on Completed Settlements and Clearances and Impasse Cases which have finally resulted in unilateral determinations.

Items Reported: (In order of lines on Form SPRA–O).

Line 1. *Total gross assignments received to date* (It will be noted this figure is never adjusted downward). Information source: Cumulative total on last Assignment Trans. Report SPRA I–1 received by you from WDPAB:

Line 2a. *Less reassignments requested—Pending at WDPAB.* Information source: Plus—Cumulative total on last Reassignment Request Trans. Report SPRA I–2a5d1. Minus—Cumulative total on last Disapproved Reassignment Trans. Report SPRA I–2ax5d1x. Minus—Cumulative total on last Approved Reassignment Trans. Report SPRA I–2b5d2. Net — Reassignments requested—pending. Total to be reported on line 2a.

Line 2b. *Less reassignments approved — Confirmed by WDPAB.* Information source: Cumulative total on last Approved Reassignment Trans. Report SPRA I–2b5d2 delivered to you by WDPAB.

Line 3. *Net assignments charged to this Department.* Information source: Line 1 minus lines 2a and 2b.

Line 4. *Report of progress on net assignments in process.*

Line 4a. *Renegotiation not initiated.* Information source: Report to you from your Field Offices covering 1943 assignments on which renegotiation has *not* begun.

Line 4b. *Statutory renegotiation begun.* Information source: Report to you from your Field Offices covering 1943 assignments on which renegotiation *has* begun but on which a bona fide oral agreement has *not* been reached with contractor.

Line 4c. *Bona fide oral agreements reached.* Information source: Report to you from your Field Offices covering 1943 assignments on which a bona fide oral agreement *has* been reached with contractor.

Line 4d. *Signed agreements in process.* Information source: Report to you from your Field Offices plus completed cases under review in Office of Chief *prior* to delivery to WDPAB of Tabulation Report SPRAE–8 attached to Completed Settlement Transmittal Report SPRA I–5a.

Line 4e. *Sub-total of lines 4a through 4d.*

Line 5. *Report on completed assignments.*

Line 5a. *Completed settlements.* Information source: Cumulative total on your last numbered Completed Settlement Transmittal Report SPRA I–5a already delivered to WDPAB with Tabulation Form SPRAE–8 for each Settlement attached.

Line 5b. *Impasse cases—Unilateral determinations.* Information source: Cumulative total on your last numbered Impasse Unilateral Determination Transmittal Report SPRA I–5b already delivered to WDPAB with Tabulation Form SPRAE–8 for each Unilateral Determination attached.

Line 5c. *Completed clearances.* Information source: Cumulative total on your last numbered Completed Clearance Transmittal Report SPRA I–5c already delivered to WDPAB with Tabulation Form SPRAE–8 for each Completed Clearance attached.

Line 5d–1. *Cancellations requested—Pending at WDPAB.* Information source: Plus—Cumulative total on last Cancellation Request Trans. Report SPRA I–2a5d1. Minus—Cumulative total on last Disapproved Cancellation Trans. Report SPRA I–2ax5d1x. Minus—Cumulative total on last Approved Cancellation Trans. Report SPRA I–2b5d2. Net—Cancellations requested—pending. Total to be reported on line 5d–1.

Line 5d–2. *Cancellations approved—Confirmed by WDPAB.* Information source: Cumulative total on last Approved Cancellation Trans. Report SPRA I–2b5d2 delivered to you by WDPAB.

Line 5e. *Sub-total of lines 5a through 5d–2.*

Line 6. *Grand total* (Line 4e plus line 5e should agree with line 3).

Rev. 26 May 1944.

[RR 751.2]

(c) *Form No. SPRA I (Weekly Progress Report of War Department Services).*

SPRA I

WAR DEPARTMENT

WEEKLY PROGRESS REPORT

(Fiscal Year 1943 Assignments)

From: _____ Close of Friday _____

To: Assignments & Statistics Branch WDPAB—Statistics & Progress Section

*NOTE: Before transmitting Weekly Progress Report to WDPAB indicate in approximate box the number of the last Transmittal Report to or from WDPAB—for reconcilement purposes.

(*)	
☐	1. Gross assignments received to date
☐	2a. Less—Reassignments requested, pending at WDPAB
☐	2b. Less—Reassignment approved, confirmed by WDPAB
	3. Net—Assignments charged to this Service
	4. Report of progress on net assignments with service:
	a. Renegotiation not initiated
	b. Statutory renegotiation begun
	c. Bona fide oral agreements reached
	d. Signed agreements in process
	e. Sub-total (4a through 4d)
	5. Reconciliation report on assignments delivered to WDPAB:
	Completed Settlements:
☐	5a–1. For WDPAB Review
☐	5a–2. For WDPAB Approval
☐	5b Impasse Cases
	Completed Clearances:
☐	5c–1. For WDPAB Review
☐	5c–2. For WDPAB Approval
	Cancellations:
☐	5d–1. Requested—Pending at WDPAB
☐	5d–2. Approved—Confirmed by WDPAB
	5e. Sub-total (5a through 5d)
	6. Grand total (4e plus 5e should agree with line 3)

Rev. 26 May 1944

[RR 751.3]

(d) *Instructions for preparation of War Department Weekly Progress Report (Form SPRA I).*

INSTRUCTIONS FOR THE PREPARATION OF WAR DEPARTMENT WEEKLY PROGRESS REPORT (SPRA I)

(Fiscal Year 1943 Assignments)

Submitted by the Services at the Close of Each Friday to the War Department Price Adjustment Board

The Weekly Progress Report SPRA I to be submitted by the Chiefs of Price Adjustment Sections to the War Department Price Adjustment Board is designed to show (a) the progress of renegotiation in each Service (Items 4a to 4d), (b) the degree of accomplishment on assignments delivered to the War Department Price Adjustment Board for appropriate action (Items 5a to d), and (c) as a reconciliation of the records of the Chief of Price Adjustment Section with the Assignments and Statistics Branch, War Department Price Adjustment Board. Those items contained in the report which require weekly reconciliation with the records of the Assignments and Statistics Branch have been provided boxes for the posting of the number of the last Transmittal Report on items delivered to or received from the War Department Price Adjustment Board.

Items Reported: (In order of lines on form SPRA I)

Line 1. *Total gross assignments received to date.* (It will be noted that this figure is never adjusted downward). Information source: Cumulative total on last Assignment Trans. Report SPRA I–1 received by you from WDPAB.

Line 2a. *Less—Reassignments requested—Pending at WDPAB.* Information source: Plus—Cumulative total on last Reassignment Request Trans. Report SPRA I–2a5d1. Minus—Cumulative total on last Disapproved Reassignment Trans. Report SPRA I–2ax5d1x. Minus—Cumulative total on last Approved Reassignment Trans. Report SPRA I–2d5d2. Net — Reassignments requested — Pending. Total to be reported on line 2a.

Line 2b. *Less—Reassignments approved—Confirmed by WDPAB.* Information source: Cumulative total on last Approved Reassignment Trans. Report SPRA I–2b5d2 delivered to you by WDPAB.

Line 3. *Net assignments charged to this Service.* Information source: Line 1 Minus lines 2a and 2b.

Line 4. *Report of progress on net assignments with Service.*

Line 4a. *Renegotiation not initiated.* Information source: Report to you from your Field Offices covering 1943 Assignments on which renegotiation has *not* begun.

Line 4b. *Statutory renegotiation begun.* Information source: Report to you from your Field Offices covering 1943 Assignments on which renegotiation *has* begun but on which a bona fide oral agreement has *not* been reached with Contractor.

Line 4c. *Bona fide oral agreements reached.* Information source: Report to you from your Field Offices covering 1943 Assignments on which a bona fide oral agreement *has* been reached with Contractor.

Line 4d. *Signed agreements in process.* Information source: Report to you from your Field Offices plus completed cases under review in Office of Chief of Service *prior* to delivery to WDPAB attached to Completed Settlement Trans. Report SPRA I–5abc.

Line 4e. *Sub-total of lines 4a through 4d.*

Line 5. *Reconciliation report on assignments delivered to WDPAB.*

Line 5a–1. *Completed settlements for WDPAB review.* Information source: Plus—Cumulative total on your last numbered Completed Settlements Trans. Report SPRA I–5abc covering completed settlements delivered to WDPAB *for review.* Minus—Cumulative total on last Returned Settlements Trans. Report SPRA I–5abcx. Net—Completed settlements in hands of WDPAB for review. Total to be reported on line 5a–1.

Line 5a–2. *Completed settlements for WDPAB approval.* Information source: Plus—Cumulative total on your last numbered Completed Settlements Trans. Report SPRA I–5abc covering Completed Settlements delivered to WDPAB *for approval.* Minus—Cumulative total on last Returned Settlements Trans. Report SPRA I–5abcx. Net—Completed settlements in hands of WDPAB for approval. Total to be reported on line 5a–2.

Line 5b. *Impasse cases.* Information source: Plus—Cumulative total on your last numbered Impasse Trans. Report SPRA I–5abc delivered to WDPAB. Minus—Cumulative total on last Returned Impasse Trans. Report SPRA I–5abcx. Net—Impasse cases in hands of WDPAB—Total to be reported on line 5b.

Line 5c–1. *Completed clearances for WDPAB review.* Information source: Plus—Cumulative total on your last numbered Completed Clearance Trans. Report SPRA I–5abc delivered to WDPAB *for review.* Minus—Cumulative total on last Returned Clearance Trans. Report SPRA I–5abcx. Net—Completed clearances in hands of WDPAB for review. Total to be reported on line 5c–1.

Line 5c–2. *Completed clearances for WDPAB approval.* Information source: Plus—Cumulative total on your last numbered Completed Clearance Trans. Report SPRA I–5abc delivered to WDPAB *for approval.* Minus—Cumulative total on last Returned Clearance Trans. Report SPRA I–5abcx. Net—Completed clearance in hands of WDPAB for approval—Total to be reported on line 5c–2.

Line 5d–1. *Cancellations requested—Pending at WDPAB.* Information source: Plus—Cumulative total on last Cancellation Request Trans. Report SPRA I–2a5d1. Minus—Cumulative total on last Disapproved Cancellation Trans. Report SPRA I 2ax5d1x. Minus—Cumulative total on last Approved Cancellation Trans. Report SPRA I–2b5d2. Net—Cancellations requested—Pending. Total to be reported on line 5d–1.

Line 5d–2. *Cancellations approved—Confirmed by WDPAB.* Information source: Cumulative total on last Approved Cancellation Trans. Report SPRA I–2b5d2 delivered to you by WDPAB.

Line 5e. *Sub-total of lines 5a–1 through 5d–2.*

Line 6. *Grand total* (Line 4e plus line 5e should agree with line 3).

Rev. 26 May 1944.

[RR 751.4]

(g) *Form No. SPRA I-C (War Department Price Adjustment Board "Operations Report").*
SPRA I-C

1943 FISCAL YEAR ASSIGNMENTS
WAR DEPARTMENT PRICE ADJUSTMENT BOARD
OPERATIONS REPORT
Close of Friday _____

[Details of column (F) SPRA I-B covering 1943 fiscal year assignments delivered by services to WDPAB]

Service	Army Air Forces	Chemical Warfare Service	Engineers	Ordnance	Quartermaster	Signal Corps	Surgeon General	Transportation	War Dept. PAB	Total	Percent of total
5a. Completed settlements:											
For WDPAB Review											
For WDPAB Approval											
b. Impasse cases:											
In Process at WDPAB											
Completed—Agreement											
Completed—Unilateral											
c. Completed clearances:											
For WDPAB Review											
For WDPAB Approval											
d. Cancellations:											
Requested—Pending											
Approved by WDPAB											
Total (Lines 5a to 5d)											100%

Prepared by: Assignments and Statistics Branch WDPAB, Statistics and Progress Section.
Rev. 26 May 1944.
[RR 751.7]

(h) *Form No. SPRA I-CC (1943 Fiscal Year Assignments "Operations Report").*
SPRA I-CC

1943 FISCAL YEAR ASSIGNMENTS
OPERATIONS REPORT
Close of Friday _____

Details of column (F) SPRA I-BB covering 1943 fiscal year assignments delivered by Services and reported by departments to WDPAB]

	War Department	Navy PAB	Navy PLD	Maritime	RFC	Treasury	War shipping	Total (column (F) of status report)	In Process at WDPAB	Completed by WDPAB
5a. Completed Settlements										
b. Impasse Cases:										
In Process at WDPAB		XX	XX	XX	XX	XX	XX			
Completed—Agreement		XX	XX	XX	XX	XX	XX			
Completed—Unilateral										
c. Completed Clearances										
d. Cancellations:										
Requested—Pending									XX	
Approved by WDPAB										
Total (Lines 5a to 5d)										100%

Prepared by: Assignments and Statistics Branch, Statistics and Progress Section.
Rev. 26 May 1944.
[RR 751.8]

(e) *Form No. SPRA I-B (War Department Price Adjustment Board "Status of Renegotiation Report").*
SPRA I-B

1943 FISCAL YEAR ASSIGNMENTS
WAR DEPARTMENT PRICE ADJUSTMENT BOARD
STATUS OF RENEGOTIATION REPORT
Close of Friday _____

Service	Net assignments	(A) Renegotiation not initiated %	(B) Statutory renegotiation begun %	(C) Bona fide oral agreements reached %	(D) Signed agreements in process %	(E) Total assignments with the services %	**(F) Total assignments delivered to WDPAB %	Memorandum: Total assignments in Column (F) evidenced by following number of agreements
Army Air Forces	100%							
Chemical Warfare	100%							
Engineers	100%							
Ordnance	100%							
Quartermaster	100%							
Signal Corps	100%							
Surgeon General	100%							
Transportation	100%							
War Dept. PAB	100%							
Total								
Percent of total	100%	%	%	%	%	%	%	

**Note: Details of Column (F) are shown on attached Operations Report SPRA I-C.

Prepared by: Assignments and Statistics Branch WDPAB
Statistics and Progress Section.
Rev. 26 May 1944.
[RR 751.5]

(f) *Report No. SPRA I-BB (1943 Fiscal Year Assignments "Status of Renegotiation Report").*
SPRA I-BB

1943 FISCAL YEAR ASSIGNMENTS
STATUS OF RENEGOTIATION REPORT
Close of Friday _____

Service	Net assignments	(A) Renegotiation not initiated %	(B) Statutory renegotiation begun %	(C) Bona fide oral agreements reached %	(D) Written agreements in process %	(E) Total assignments with the Department and services %	**(F) Total assignments delivered or reported to WDPAB %	Memorandum: Total assignments in column (F) evidenced by following number of agreements
War Dept.	100%							
Navy PAB	100%							
Navy PLD	100%							
Maritime	100%							
R. F. C.	100%							
Treasury	100%							
War Shipping	100%							
Total								
Percent of total	100%	%	%	%	%	%	%	

**Note: Details of Column (F) are shown on attached Operations Report SPRA I-CC.

Prepared by: Assignments and Statistics Branch WDPAB.
Statistics and Progress Section.
Rev. 26 May 1944.
[RR 751.6]

§ 1607.752 *Statement to be furnished contractor—(a) General instructions.* (1) Subsection (c) (1) of the Renegotiation Act of 1943 requires that whenever the War Contracts Board makes a determination by agreement or order, there must be furnished to the contractor, at his request, a statement showing the determination of excessive profits, the facts used as a basis therefor and the reasons for such determination.

(2) The manner in which and the time at which the statement will be given to the contractor are described in § 1605.520 and following, of these regulations.

(3) The statement cannot be used in The Tax Court of the United States as proof of the facts or conclusions stated therein.

(4) The statement is divided into four principal parts:

(i) Designation of the contractor and the fiscal year under review.

(ii) Determination of excessive profits.

(iii) Summary of the relevant facts upon which the determination is based.

(iv) Reasons for the determination.

[RR 752]

(b) *Form of statement and specific instructions as to its preparation (statutory)—(1) Designation of the contractor and fiscal period.*

To: _____
(Contractor's name and address)

Fiscal Year _____

In accordance with the provisions of subsection (c) (1) of the Renegotiation Act, you are hereby furnished a statement showing, for your fiscal year above set forth, the determination of excessive profits for said fiscal year and the facts and reasons upon which the determination is based.

If the determination is by order other than an order of the War Contracts Price Adjustment Board, the following clause will be inserted at this point:

This statement is final only in the event that the determination by order to which it relates is final.

(2) *Determination of excessive profits.*

Pursuant to the provisions of the Renegotiation Act, it has been determined by _____
(order)

_____, dated _____
(agreement)

that, of the profits received by or accrued to you during said fiscal year under contracts or subcontracts subject to renegotiation, the amount of $_____ constitutes profits which should be eliminated.

(3) *Summary of the relevant facts—(i) Financial comparisons.* There shall be made part of this statement comparative financial statements of the contractor which may be in the form of exhibits attached to the statement. If exhibits are used, they should be described and referred to in this part of the statement.

Comparative balance sheets prepared from those furnished by the contractor, as of the end of the fiscal year 1936 and of each fiscal year thereafter, including the fiscal year under review, shall be included.

Comparative income statements for the same fiscal periods shall be included.

In the case of a statement furnished after a determination by agreement, documentary information furnished by the contractor and properly identified, relating to the financial comparisons above referred to in this subparagraph (3) (i), may be incorporated by reference. In the case of a statement furnished after a determination by agreement or order, such financial comparisons may be omitted to the extent information therefor is not made available by the contractor.

The statements shall be supplemented by such statistical data related to the fiscal periods as may be deemed pertinent to the renegotiation.

Any disallowance (or additional allowance) as compared with costs shown on the contractor's books shall be indicated.

(ii) *Other facts related to the determination.* The statutory factors required to be taken into consideration by subsection (a) (4) (A) of the Renegotiation Act of 1943 must receive consideration and the basic facts related thereto set forth, whether favorable or unfavorable to the contractor. The basic facts will be those resulting from consideration of the data submitted or assembled for the purpose of the renegotiation. Any other facts considered and pertinent to the consideration of the determination shall also be set forth.

(4) *Reasons for the determination.* A statement shall be made of the reasons for the determination in the light of all of the facts and factors referred to in the foregoing portions of the statement, indicating generally the relative significance and importance of such facts and factors. [RR 752.2]

(c) *Substitute paragraphs for the statement where statutory determination has not yet been made.* (1) Designation of the contractor and purpose of statement.

To _____
(Contractor's name and address)

Fiscal Year _____

You are hereby furnished with a statement of the facts and reasons upon which the opinion of (name of Board or Section) as to the amount of excessive profits for your fiscal year above set forth was based. Such statement is furnished for the purpose of assisting you in determining whether or not you wish to enter into an agreement providing for the elimination of such excessive profits. It is not a statutory statement as provided in subsection (c) (1) of the Renegotiation Act.

(2) *Statement of opinion of excessive profits.*

In the opinion of (name of Board or Section) the amount of excessive profits received or accrued by you during such fiscal year under contracts or subcontracts subject to renegotiation is $_____

[RR 752.3]

SUBPART I—ADDRESSES

Subpart I is amended to read as follows:

§ 1607.791 *War Contracts Price Adjustment Board.*

(a) *Principal Office.* 718 18th Street NW., Washington 6, D. C. Tel. Republic 7400, Ext. 4786.

[RR 791.1]

(b) *Chairman.* War Contracts Price Adjustment Board, Attention: Mr. Joseph M. Dodge, Chairman, Room 3D 634, The Pentagon, Washington 25, D. C. Tel. Republic 6700, Ext. 73173.

[RR 791.2]

(c) *Office of General Counsel.* War Contracts Price Adjustment Board, Attention: Mr. W. James MacIntosh, General Counsel, Room 3D 630, The Pentagon, Washington 25, D. C. Tel. Republic 6700, Ext. 72191.

[RR 791.3]

(d) *Assignment Office.* Assignments and Statistics Branch, Renegotiation Division, Room 3D 573, The Pentagon, Washington 25, D. C. Tel. Republic 6700, Ext. 73678; or Clearance and Assignment Officer, Post Office Box 2707, Washington 25, D. C. Tel. Republic 6700, Ext. 73678.

[RR 791.4]

(e) *Pentagon Office.* Room 3E 592, The Pentagon, Washington 25, D. C. Tel. Republic 6700, Ext. 73636.

[RR 791.5]

§ 1607.792 *Departmental Price Adjustment Boards.*

War Department Price Adjustment Board, Attention: Lt. Col. W. H. Coulson, Executive Officer, Room 3D 573, The Pentagon, Washington 25, D. C. Tel. Republic 6700, Ext. 5672.

Navy Price Adjustment Board, Attention: Mr. Laird Bell, Chairman, 718 18th Street, NW., Washington 6, D. C. Tel. Republic 7400, Ext. 5169 or 62729.

Treasury Department Price Adjustment Board, Attention: Captain H. C. Maull, Jr., Chairman, 5304 Procurement Building, 7th and D Streets SW., Washington 25, D. C. Tel. District 5700, Ext. 2105.

Maritime Commission Price Adjustment Board, Attention: Commander A. G. Rydstrom, Room 512, Electrical Workers Building, 1200 15th Street NW., Washington 25, D. C. Tel. Executive 3340, Ext. 606 or 607.

War Shipping Administration Price Adjustment Board, Attention: Mr. James L. Murphy, Chairman, 39 Broadway, New York 6, New York. Tel. Whitehall 3-8000.

Reconstruction Finance Corporation Price Adjustment Board, Attention: Mr. Charles T. Fisher, Jr., Chairman, Lafayette Building, 811 Vermont Avenue NW., Washington 25, D. C. Tel. Executive 3111, Ext. 8 or 48.

§ 1607.793 *War Department Price Adjustment Sections.*

(a) *Headquarters.* Price Adjustment Branch, Control Office, AC/AS M. M. & D. Army Air Forces, Room 5C 964, The Pentagon, Washington 25, D. C. Tel. Republic 6700, Exts. 72209, 4420, 4577.

Price Adjustment Office, Material Command, Army Air Forces, Wright Field, Dayton, Ohio. Tel. Kenmore 7111, Exts. 22135, 23292, 25225.

The Chief of Chemical Warfare, Attention: Major Robert M. Estes, Purchase Policies Branch, Baltimore Sub-Office, OC CWS, 200 West Baltimore Street, Baltimore 1, Maryland. Tel. Lexington 0710.

The Chief of Engineers, Attention: Mr. H. W. Loving, Price Adjustment Section, Room 5160, New War Department Building, Washington 25, D. C. Tel. Republic 6700, Ext. 76225.

The Chief of Ordnance, Attention: Major John M. Marble, Purchase Policy Section, Room 5D 400, The Pentagon, Washington 25, D. C. Tel. Republic 6700, Ext. 2268.

The Quartermaster General, Attention: Lt. Col. H. F. Colt, Price Adjustment Section, Room 2327, Temp. B., 2nd and Q Streets SW.,

Washington 25, D. C. Tel. Republic 6700, Ext. 3744 or 6485.

The Chief Signal Officer, Attention: Mr. Wilfred Goodwyn, Price Adjustment Section, Room 2C 285, The Pentagon, Washington 25, D. C. Tel. Republic 6700, Ext. 73278.

The Surgeon General, Attention: Lt. Col. Lee I. Park, Renegotiation Division, Room 518, Maritime Building, 1518 H Street NW, Washington 25, D. C. Tel. Republic 6700, Ext. 78455.

The Chief of Transportation, Attention: Col. James F. Mitchell, Jr., Price Adjustment Section, Room 3A 670, The Pentagon, Washington 25, D. C. Tel. Republic 6700, Ext. 4505.

[RR 793.1]

(b) *Field Offices of Price Adjustment Sections*—(1) *Army Air Forces.* 39 South La Salle Street, Chicago 3, Illinois, Tel. Randolph 9720.

Enquirer Building, 617 Vine Street, Cincinnati, Ohio, Tel. Cherry 8329.

4614 Prospect Avenue, Cleveland 3, Ohio, Tel. Endicott 7200.

8505 West Warren Avenue, Detroit 32, Michigan, Tel. Hogarth 8730.

3636 Beverly Boulevard, Los Angeles 54, California, Tel. Drexel 7081.

67 Broad Street, New York 4, New York, Tel. Whitehall 4–1600.

420 West Douglas Avenue, Wichita 1, Kansas, Tel. Wichita 5–4621.

(2) *Corps of Engineers.* 50 Whitehall Street, Atlanta 2, Georgia, Tel. Jackson 6180.

101 East Fayette Street, Baltimore 2, Maryland, Tel. Plaza 8060.

75 Federal Street, Boston 10, Massachusetts, Tel. Hubbard 8100.

20 North Wacker Drive, Chicago 6, Illinois, Tel. Randolph 1311.

1120 Huntington Bank Building, Columbus 16, Ohio, Tel. Main 6461.

Santa Fe Building, 1114 Commerce Street, Dallas 2, Texas, Tel. LD 930.

270 Broadway, New York 7, New York, Tel. Barclay 7–1616.

Farm Credit Building, 19th and Douglas, Omaha 1, Nebraska, Tel. Webster 5966.

351 California Street, San Francisco, California, Tel. Garfield 6900.

(3) *Ordnance Department.* 700 Frank Nelson Building, Birmingham 1, Alabama, Tel. Birmingham 4–7511.

140 Federal Street, Boston 10, Massachusetts, Tel. Hubbard 9800.

38 South Dearborn Street, Chicago 3, Illinois, Tel. Franklin 4500.

Big Four Building, Cincinnati 1, Ohio, Tel. Cherry 3800.

4008 Terminal Tower Building, Cleveland 13, Ohio, Tel. Main 0670.

1832 National Bank Building, Detroit 32, Michigan, Tel. Randolph 9360.

Room 1815—90 Broadway, New York 5, New York, Tel. Hanover 2–7300.

150 South Broad Street, Philadelphia 2, Pennsylvania, Tel. Locust 4020.

1202 Chamber of Commerce Building, Pittsburgh 9, Pennsylvania, Tel. Grant 5966.

1238 Mercantile Building, Rochester 4, New York, Tel. Stone 3203.

3663 Lindell Boulevard, St. Louis 8, Missouri, Tel. Jefferson 7350.

402 Hotel Empire, San Francisco 1, California, Tel. Underhill 3306.

95 State Street, Springfield 3, Massachusetts, Tel. 7–0211.

(4) *The Quartermaster General.* 1 State Street, Boston 9, Massachusetts, Tel. Lafayette 3712.

333 North Michigan Avenue, Chicago 1, Illinois, Tel. Franklin 5910.

521 Fifth Avenue, New York 17, New York, Tel. Murray Hill 2–2622.

520 Kohl Building, Montgomery and California Streets, San Francisco 4, California, Tel. Exbrook 7467.

16th Floor Woodside Building, Greenville, South Carolina, Tel. 7140.

(5) *Signal Corps.* 1 North La Salle Street, Chicago 2, Illinois, Tel. State 9150.

17th and Sansom Streets, Architects Building, Philadelphia 3, Pennsylvania, Tel. Rittenhouse 5950.

(6) *Surgeon General.* 52 Broadway, New York 4, New York, Tel. Hanover 2–5200.

Room 1425, Civic Opera Building, 20 North Wacker Drive, Chicago 6, Illinois, Tel. Randolph 1311.

[RR 793.2]

§ 1607.794 *Navy Department*

(a) *Navy Price Adjustment Board.* (1) Washington Division, 716 18th Street, N. W., Washington 6, D. C. Tel. Republic 7400, Ext. 62729.

(2) New York Division, Room 310, 630 Fifth Avenue, New York 20, New York. Tel. Columbus 5–3851.

(3) Chicago Division, 21st Floor, 100 West Monroe Street, Chicago 3, Illinois. Tel. Andover 5740.

(4) San Francisco Division, 727 Financial Center Building, 405 Montgomery Street, San Francisco 4, California. Tel Exbrook 1161.

[RR 794.1]

(b) *Services and Sales Renegotiation Section.* (1) Office of the Under Secretary of the Navy, Services and Sales Renegotiation Section, Washington 25, D. C. Tel. Republic 7400, Ext. 61468.

(2) Office of the Under Secretary of the Navy, Services and Sales Renegotiation Section, Washington Divisional Office, Washington 25, D. C. Tel. Republic 7400, Ext. 61263.

(3) Office of the Under Secretary of the Navy, Services and Sales Renegotiation Section, New York Divisional Office, Room 310, 630 Fifth Avenue, New York 20, New York. Tel. Columbus 5–3851.

(4) Office of the Under Secretary of the Navy, Services and Sales Renegotiation Section, Chicago Divisional Office, Room 916, 610 South Canal Street, Chicago 7, Illinois. Tel. Wabash 2900, Ext. 372–3.

(5) Office of the Under Secretary of the Navy, Services and Sales Renegotiation Section, Los Angeles Divisional Office, Room 907, Van Nuys Building, Seventh and Spring Streets, Los Angeles 14, California. Tel. Trinity 1432 .

[RR 794.2]

(c) *Price Revision Division.* Price Revision Division, PM320; Office of Procurement and Material, Main Navy Building, Room 2234, Washington 25, D. C. Tel. Republic 7400, Ext. 63009.

[RR 794.3]

§ 1607.795 *Related Offices.*

General Accounting Office, Washington 25, D. C. Tel. Executive 4621.

Chief, Contract Review Branch, Procurement Policy Division, War Production Board, 4th & Independence Avenue SW., Washington 25, D. C. Tel. Republic 7500, Ext. 6261.

[RR 795]

PART 1608—STATUTES, ORDERS, JOINT REGULATIONS AND DIRECTIVES[1]

SUBPART A—STATUTES, EXECUTIVE ORDERS AND TAX COURT RULES

Section 1608.806 is added, as follows:

§ 1608.806 *Tax Court rule governing renegotiation of war contracts cases.* (See 9 F.R. 3286) [RR 806]

[1] 9 F.R. 4156.

SUBPART D—EXEMPTIONS

Subpart D is added, as set forth below:

Sec.
1608.841 Raw material exemption.
1608.842 Public utility exemptions.
(a) Electric power.
(b) Gas.
(c) Transportation.
(d) Communications.
(e) Subcontracts.
(f) Scope of exemptions.
1608.843 List of exempted foods.

§ 1608.841 *Raw material exemption.* Pursuant to subsection (i) (2) of the 1943 act the War Contracts Board has issued the following regulation concerning the exemption of contracts and subcontracts for certain products of the kind described in subsection (i) (1) (B) of the 1943 act.

(a) The term "exempted products", as used in this regulation, shall mean any of the following products:

Aggregates including such items as washed or screened sand, gravel or crushed stone.
Alumina; aluminum sulfate; aluminum ingots and pigs.
Asphalt, natural.
Antimony ore, crude; antimony ore, concentrated; antimony metal; antimony oxide; antimony sulfide.
Arsenic, crude; arsenic powder; arsenious oxide (white arsenic).
Asbestos rock; asbestos fibre.
Bauxite, crude; calcined or dried bauxite; bauxite abrasive grains.
Beryl ore and concentrates; beryllium oxide; beryllium metal; beryllium master alloys.
Bismuth metal.
Borax.
Cadmium flue dust; cadmium oxide; cadmium balls and slabs.
China clay; kaolin; fire clay; brick and tile made from clays other than kaolin, china and fire clay.
Chromium ore and ferrochrome; chromite not processed beyond the form or state suitable for use as a refractory; bichromates.
Coal, prepared; run-of-mine coal.
Cobalt oxide; cobalt anodes, shot and rondelles.
Columbium ore and concentrates; columbium oxide; ferrocolumbium.
Copper ore, crude; copper ore, concentrated; copper matte; blister copper; copper billets, cathodes, cakes, ingots, ingot bars, powder, slabs and wirebars.
Corundum ore and concentrates; corundum grain.
Cryolite ore and concentrates.
Diaspore; diaspore brick.
Diatomaceous silica, lump, block, brick and powder.
Feldspar, crude and ground.
Ferrosilicon.
Fluorspar ore; fluorspar fluxing gravel; lump ceramic ground fluorspar; acid grades of fluorspar.
Gas, natural, not processed or treated further than the processing or treating customarily occurring at or near the well.
Graphite ore and concentrates; flake graphite; graphite fines, lump and chip; graphite powder.
Gypsum, crude; calcined gypsum.
Indium metal.
Industrial diamonds.
Iridium metal, including ingot and powder.
Iron ore, crude; pig iron.
Kyanite ore and concentrates; kyanite brick.
Lead ore; refined lead bars, ingots and pigs; antimonial lead bars, ingots and pigs.
Limestone; crushed limestone.
Magnesite; dead burned magnesite.

Magnesium-bearing minerals, including brucite; magnesium oxide; magnesium chloride; metallic magnesium, pigs and ingots.
Mercury ore; mercury metal.
Manganese ore; ferromanganese, including spiegeleisen; silicomanganese.
Mica, crude, hand-cobbed; block mica; sheet mica, including splittings; wet or dry ground mica.
Molybdenum ore and concentrates; molybdenum oxide; calcium molybdate; ferromolybdenum.
Nickel ore and concentrates; nickel matte; nickel oxide; nickel ingots, cathodes and shot.
Oil, crude, not processed or treated further than the processing or treating customarily occurring at or near the well.
Osmium metal, including ingot and powder.
Palladium metal, including ingot and powder.
Phosphate rock; elemental phosphorus; ferrophosphorus; phosphorus pentoxide and phosphoric acid derived directly by treatment of phosphate rock; superphosphate.
Platinum ore and concentrates; platinum metal, including ingot and powder.
Pumice, lump.
Radium bromide; radium sulfate; radium gas.
Rhodium metal, including ingot and powder.
Ruthenium metal, including ingot and powder.
Salt, rock; evaporated salt; soda ash, ammonia and electrolytic caustic soda and bicarbonate of soda when derived directly by treatment of brine.
Sea shells; oyster shells; clam and reef shells.
Selenium metal.
Silver, refined, including bars, shot, powder and grains.
Stone, rough dimension.
Sulfur, crude.
Sulfuric acid; oleum (other than sulfuric acid or oleum produced from crude sulfur or any other product having an industrial use).
Standing timber, logs, logs sawed into length, and logs with or without bark.
Talc, crude, ground and sawed.
Tantalum ore and concentrates; tantalum double fluoride.
Tellurium metal.
Tin ore and concentrates; refined pig tin.
Titanium-bearing ores and concentrates, including ilmenite and rutile; titanium oxide; ferrotitanium.
Tungsten ore and concentrates; sodium tungstate; ferrotungsten; tungsten metal, including powder; tungstic oxide.
Uranium ores and concentrates; uranium oxide.
Vanadium ores and concentrates; sodium vanadate; vanadium pentoxide; ferrovanadium.
Whiting; chalk lump.
Zinc ores and concentrates; zinc anodes, bars, oxide, powder and slabs.
Zirconium ores and concentrates.

(b) Subject to the provisions of paragraph (c) hereof, it is determined that each of the exempted products is "the product of a mine, oil or gas well, or other mineral or natural deposit, or timber, which has not been processed, refined, or treated beyond the first form or state suitable for industrial use" within subsection (i) (1) (B) of the Renegotiation Act. The provisions of such act shall not apply to contracts and subcontracts for any of the exempted products.

(c) This determination is made under the principles set forth in § 1603.344 (a) of this chapter, including subdivision (2) (iv) thereof. The products listed under paragraph (a) of this section are exempt only when they represent products of a mine, oil or gas well, or other mineral or natural deposit, which have not been processed, refined or treated beyond the first form or state suitable for industrial use and are not exempt if manufactured from raw materials which do not fall within the above description or which have at some prior stage been processed, refined or treated beyond such first form or state suitable for industrial use. For example, magnesium products derived from sea water, products manufactured from the atmosphere, secondary aluminum pigs and ingots, and other similar products are not considered exempted products.

(d) This determination applies to fiscal years ending after June 30, 1943.

(e) This section may be amended from time to time, revising, amending or supplementing the list of exempted products contained in paragraph (a) hereof. [RR 841]

§ 1608.842 *Public utility exemptions*—(a) *Electric power.* (1) Pursuant to subsection (i) (4) of the Renegotiation Act of 1943 (including subsection (i) (4) (B) and (i) (4) (F)) the following classes and types of contracts and subcontracts are exempt to the extent provided in this paragraph from all of the provisions of the Renegotiation Act of 1943:

(i) Any contract or subcontract with a public utility for the delivery of electric power of less than 1,000 kilowatts of contractual demand, except that if the actual demand was 1,000 kilowatts or more at any time during any particular fiscal year, amounts received or accrued under such contract or subcontract for such fiscal year shall not be exempt from renegotiation by reason of this subdivision (i).

(ii) Any subcontract with a public utility for the delivery of electric power without regard to the contractual or actual demand, except that:

(a) If such subcontract for electric power is with a contractor having a contract with a Department providing for the reimbursement by a Department of costs of the contractor incurred under such subcontract for electric power, or

(b) If a Department has contracted to pay or guarantee the payment of amounts payable under such subcontract for electric power,

then in either such case such subcontract for electric power shall not be exempt from renegotiation by reason of this subdivision (ii).

(2) Amounts received or accrued under any contract or subcontract with a public utility with respect to the construction or installation of facilities for the generation, transmission or distributon of electric power shall not be exempt from renegotiation by reason of this paragraph (a) even though such contract or subcontract also calls for the delivery of electric power. [RR 842.1]

(b) *Gas.* (1) Pursuant to subsection (i) (4) of the Renegotiation Act of 1943 (including subsection (i) (4) (B) and (i) (4) (F)) the following classes and types of contracts and subcontracts are exempt to the extent provided in this paragraph from all of the provisions of the Renegotiation Act of 1943:

(i) Any contract or subcontract with a public utility for the delivery of gas, except that if the amounts received or accrued under any such contract or subcontract during any particular fiscal year were $50,000. or more, amounts received or accrued under such contract or subcontract for such fiscal year shall not be exempt from renegotiation by reason of this subdivision (i). (If such fiscal year is a fractional part of twelve months, the $50,000. amount shall be reduced to the same fractional part thereof for the purposes of this subdivision.

(ii) Any subcontract with a public utility for the delivery of gas without regard to the amounts received or accrued thereunder during any fiscal year, except that:

(a) If such subcontract for gas is with a contractor having a contract with a Department providing for the reimbursement by a Department of costs of the contractor incurred under such subcontract for gas, or

(b) If a Department has contracted to pay or guarantee the payment of amounts payable under such subcontract for gas,

then in either such case such subcontract for gas shall not be exempt from renegotiation by reason of this subdivision (ii).

(2) Amounts received or accrued under any contract or subcontract with a public utility with respect to the construction or installation of facilities for the generation, transmission or distribution of gas shall not be exempt from renegotiation by reason of this paragraph (b) even though such contract or subcontract also calls for the delivery of gas. [RR 842.2]

(c) *Transportation.* Pursuant to subsection (i) (4) of the Renegotiation Act of 1943 (including subsection (i) (4) (B) and (i) (4) (F)) the following classes and types of contracts and subcontracts are exempt from all of the provisions of the Renegotiation Act of 1943:

(1) Contracts and subcontracts with common carriers to furnish transportation by railroad, motor vehicle or air, when made at published rates or charges, fixed, approved or subject to regulation as to the reasonableness thereof by a public regulatory body, or when made at rates or charges which the Department conducting the renegotiation in its discretion shall determine to be no higher than such published rates or charges for transportation of a comparable character. [RR 842.3]

(d) *Communications.* Pursuant to subsection (i) (4) of the Renegotiation Act of 1943 (including subsection (i) (4) (B) and (i) (4) (F)) the following classes and types of contracts and subcontracts are exempt from all of the provisions of the Renegotiation Act of 1943:

(1) Contracts and subcontracts with telephone, telegraph, cable and radio companies to furnish the service of transmitting messages, when made at published rates or charges, fixed, ap-

proved or subject to regulation as to the reasonableness thereof by a public regulatory body, or when made at rates or charges which the Department conducting the renegotiation in its discretion shall determine to be no higher than such published rates or charges for service of a comparable character. [RR 842.4]

(e) *Subcontracts.* Pursuant to subsection (i) (4) of the Renegotiation Act of 1943 (including subsection (i) (4) (B) and (i) (4) (F)) the following classes and types of contracts and subcontracts are exempt from all of the provisions of the Renegotiation Act of 1943.

(1) Subcontracts under any contracts or subcontracts exempted pursuant to paragraphs (a) through (d) inclusive, of this section. [RR 842.5]

(f) *Scope of exemptions.* All of the exemptions made under paragraphs (a) through (e) inclusive, apply to contracts and subcontracts of the specified classes and types, whether heretofore or hereafter made or performed, and whether or not they contain renegotiation provisions. [RR 842.6]

§ 1608.843 *List of exempted foods.* Determination of the War Contracts Price Adjustment Board of the exemption from renegotiation of contracts and subcontracts for perishable foods under section 403 (i) (4) (B) of the Renegotiation Act of 1943.

Pursuant to the authority conferred upon the War Contracts Price Adjustment Board by section 403 (i) (4) (B) of the Renegotiation Act of 1943, concerning the exemption of contracts and subcontracts for certain perishable goods from renegotiation under the Renegotiation Act of 1943, the War Contracts Price Adjustment Board hereby determines that the foods set forth in the list attached hereto and designated as Exhibit 1 are perishable; and that, in the opinion of the Board, the profits under contracts and subcontracts for the purchase of such foods can be determined with reasonable certainty when the contract price is established; and that contracts and subcontracts, heretofore or hereafter made, for the purchase of such foods are hereby declared to be exempt from all of the provisions of the Renegotiation Act of 1943.

EXHIBIT 1

Fresh Fruits:
- Apples.
- Apricots.
- Bananas.
- Berries (blue and black).
- Cantaloupes.
- Cherries.
- Cranberries.
- Grapes.
- Grapefruit.
- Honeydew Melons.
- Lemons.
- Limes.
- Oranges.
- Pears.
- Peaches.
- Plums.
- Strawberries.
- Tangerines.
- Watermelons.
- Other Miscellaneous Fresh Fruits.

Fresh Vegetables:
- Asparagus.
- Beans, Lima.
- Beans, String.
- Beets.
- Broccoli.
- Cauliflower.
- Corn.
- Cucumbers.
- Egg Plant.
- Endive (chicory).
- Greens (collards, etc.).
- Kale.
- Lettuce.
- Onions, Green.
- Onions, Dry.
- Parsley.
- Parsnips.
- Peas.
- Peppers, Green.
- Potatoes, Irish.
- Potatoes, Sweet.
- Radishes.
- Spinach.
- Squash.
- Tomatoes.
- Turnips and Rutabagas.
- Mushrooms.
- Rhubarb.
- Other Miscellaneous Fresh Vegetables.

Dairy Products:
- Butter (except canned).
- Cheese (except processed canned).
- Ice Cream; ice cream mix in unsealed containers.
- Fresh Fluid Milk.
- Fresh Fluid Cream.

Poultry:
- Chicken (except canned).
- Turkey (except canned).
- Other Poultry (except canned).

Meats:
- Beef (except canned and dehydrated).
- Pork (except canned and dehydrated).
- Lamb and Mutton (except canned and dehydrated).
- Veal (except canned and dehydrated).
- Smoked or Processed Meats (except canned and dehydrated).
- Other Meats (except canned and dehydrated).
- Lard and Lard Substitutes.
- Offals (except canned and dehydrated).

Fish and Sea Foods:
- Fresh or Frozen.
- Salted or Smoked (except canned).

Frozen Vegetables.

Frozen Fruits.

Bread and other Bakery Products (except biscuits, crackers, cracker meal, breakfast cereals, hard bread and zwieback).

Potato Chips.

Compressed Yeast.

Shell Eggs.

Margarine.

Any other perishable food of a similar nature which may be determined from time to time by any of the Departments to be of the same general character as the items specifically set forth on the above list: *Provided, however,* That any items so added shall be reported to the Secretary of the War Contracts Price Adjustment Board.

[RR 843]

[F. R. Doc. 44-8121; Filed, June 6, 1944; 9:22 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

RENEGOTIATION REGULATIONS

CROSS REFERENCE: For Renegotiation Regulations issued by the War Contracts Price Adjustment Board, see Title 32, Chapter XIV, supra.

TITLE 41—PUBLIC CONTRACTS

Chapter I—Procurement Division, Department of the Treasury

RENEGOTIATION REGULATIONS

CROSS REFERENCE: For Renegotiation Regulations issued by the War Contracts Price Adjustment Board, see Title 32, Chapter XIV, supra.

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Public Land Order 231]

COLORADO

REVOCATION OF PUBLIC LAND WITHDRAWAL

Revoking Public Land Order No. 86 of February 3, 1943, withdrawing public lands for use in connection with the prosecution of the war. Colorado.

By virtue of the authority vested in the President, and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Public Land Order No. 86 of February 3, 1943, withdrawing certain public lands in the Montezuma and San Juan National Forests and lands withdrawn for reclamation purposes in the State of Colorado, from sale, location, selection and entry under the public land laws of the United States, including the mining laws, and from leasing under the mineral leasing laws, and reserving the minerals in such lands under the jurisdiction of the Secretary of the Interior for use in connection with the prosecution of the war is hereby revoked.

This order shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L.D. 254) and 43 CFR, Part 296, to the extent that these regulations are applicable.

ABE FORTAS,
Acting Secretary of the Interior.

MAY 24, 1944.

[F. R. Doc. 44-8123; Filed, June 6, 1944; 9:55 a. m.]

[Public Land Order 232]

WYOMING

WITHDRAWAL OF PUBLIC LANDS FOR USE IN PROSECUTION OF WAR

By virtue of the authority vested in the President, and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and reserved under the jurisdiction of the Secretary of the Interior for use in connection with the prosecution of the war:

SIXTH PRINCIPAL MERIDIAN

T. 16 N., R. 72 W.,
Sec. 4.

The area described contains 769.92 acres.

ABE FORTAS,
Acting Secretary of the Interior.

MAY 29, 1944.

[F. R. Doc. 44-8124; Filed, June 6, 1944; 9:55 a. m.]

TITLE 46—SHIPPING

Chapter II—United States Maritime Commission

Chapter III—War Shipping Administration

RENEGOTIATION REGULATIONS

CROSS REFERENCE: For Renegotiation Regulations issued by the War Contracts Price Adjustment Board, see Title 32, Chapter XIV, supra.

Chapter III—War Shipping Administration

[G. O. 24, Supp. 5]

PART 310—MERCHANT MARINE TRAINING

APPOINTMENT AND TRAINING OF CADETS IN U. S. MERCHANT MARINE CADET CORPS

War Shipping Administration emergency regulations governing the appointment and training of cadets in the United States Merchant Marine Cadet Corps.

Effective May 1, 1944, General Order 24 is amended as follows:

1. Section 310.47 *General requirements,* as amended (Supp. 2), is amended by striking out paragraphs (b), (c), and (d), and inserting in lieu thereof the following:

(b) A candidate must be not less than seventeen years of age nor more than twenty-three years of age on the date the application is approved.

(c) A candidate may be admitted to a basic school or the Academy for preliminary training at an age of not less than seventeen years and after satisfactory completion of such training may be assigned to a merchant vessel or a training ship for sea training. In event a candidate fails to report to a basic school or the Academy and execute oath as cadet-midshipman within six months of date of approval of application his name shall be removed from the eligible list.

(d) No waivers for under age or over age shall be granted.

2. Section 310.56 *Course of training* is amended by revoking paragraph (f) (3), and by striking out paragraph (a) and inserting in lieu thereof the following:

(a) For the duration of the emergency the courses for cadet-midshipmen shall be, in general, four months at Basic Schools or the Academy for preliminary training followed by not less than six months aboard merchant or training vessels and nine or twelve months, as determined by the Supervisor with the approval of the Assistant Deputy Administrator for Training, at the Academy for advanced study.

(E.O. 9054, 7 F.R. 837; E.O. 9198, 7 F.R. 5383)

[SEAL] E. S. LAND,
Administrator.

JUNE 5, 1944.

[F. R. Doc. 44-8125; Filed, June 6, 1944; 10:39 a. m.]

Notices

DEPARTMENT OF THE TREASURY.

Bureau of Customs.

[T. D. 51069]

SILVER AND BLACK FOX QUOTA

DETERMINATION OF IMPORT QUOTA

Declaration of the Secretary of the Treasury determining the import quota of silver or black foxes, furs and skins for the period May 1 to November 30, 1944, inclusive.

MAY 15, 1944.

Acting pursuant to paragraph (5) of article II of the new supplementary trade agreement with Canada signed on December 13, 1940 (T. D. 50295), I have determined and hereby declare and make public that the number of silver or black foxes valued at less than $250 each and whole silver or black fox furs and skins (with or without paws, tails, or heads) which may be entered, or withdrawn from warehouse, for consumption without reference to the country of exportation during the period May 1 to November 30, 1944, inclusive, is 59,174.

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-8120; Filed, June 5, 1944; 4:20 p. m.]

DEPARTMENT OF THE INTERIOR.

General Land Office.

[ANS Withdrawal 135, Revocation]

OREGON

AIR NAVIGATION SITE WITHDRAWAL

The order of the Secretary of the Interior of February 26, 1940, withdrawing the following-described land in Oregon for the use of the Civil Aeronautics Authority in the maintenance of air-navigation facilities, and modifying the first form reclamation withdrawal of August 16, 1906, for the Umatilla Reclamation Project, is hereby revoked:

WILLAMETTE MERIDIAN

T. 3 N., R. 24 E.,
Sec. 26, NE¼NE¼SE¼.
The area described contains 10 acres.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

MAY 29, 1944.

[F. R. Doc. 44-8122; Filed, June 6, 1944; 9:55 a. m.]

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

PENNSYLVANIA AND ALABAMA

DESIGNATION OF LOCALITIES FOR LOANS

Designation of localities in counties in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's delegation of authority issued November 3, 1943, loans made in the counties mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION I

PENNSYLVANIA

County, Blair

Locality I—Consisting of the townships of Catharine, Frankstown, Huston, North Woodbury, Taylor, Tyrone, and Woodbury; boroughs of Hollidaysburg, Martinsburg, Roaring Spring, and Williamsburg	$6,093
Locality II—Consisting of the townships of Allegheny, Antis, Blair, Freedom, Greenfield, Juniata, Logan, and Snyder; boroughs of Duncansville, and Tyrone; city of Altoona	3,831

County, Huntingdon

Locality I—Consisting of the townships of Barree, Brady, Franklin, Henderson, Jackson, Lincoln, Logan, Miller, Morris, Oneida, Penn, Porter, Shirley, Smithfield, Spruce Creek, Walker, Warriorsmark, and West; boroughs of Marklesburg, and Shirleysburg	5,059
Locality II—Consisting of the townships of Carbon, Cass, Clay, Cromwell, Dublin, Hopewell, Juniata, Springfield, Tell, Tod, Union, and Wood; boroughs of Dudley, Cassville, Mapleton, Saltillo, and Three Springs; city of Broad Top	2,855

County, Mifflin

Locality I—Consisting of the townships of Armagh, Brown, Decatur, Derry, Granville, Menno, Oliver, and Union	6,082
Locality II—Consisting of the townships of Bratton and Wayne	2,859

REGION V

ALABAMA

County, Butler

Locality I—Consisting of the precincts of Daisy, Dead Fall, Manningham, Monterey, and Springhill	1,718
Locality II—Consisting of the precincts of Butler Springs, Dock, Forest Home, Garland, Greenville, McKenzie, Midway, Oakey Streak, Pigeon Creek, and Shell	2,237
Locality III—Consisting of the precincts of Bolling, Georgiana, Mount Olive, Rocky Creek, and Starlington	1,486

The purchase price limits previously established for the counties above-mentioned are hereby cancelled.

Approved: June 5, 1944.

FRANK HANCOCK,
Administrator.

[F. R. Doc. 44-8136; Filed, June 6, 1944; 11:15 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 208, 460, 427, 429, 591, 1119, 988, 1060, 1052]

TRANSCONTINENTAL & WESTERN AIR, INC., ET AL.

NOTICE OF ORAL ARGUMENT

In the matter of the applications of Transcontinental & Western Air, Inc., Chicago and Southern Air Lines, Inc., Eastern Air Lines, Inc., American Airlines, Inc., Mid-Continent Airlines, Inc., and United Air Lines, Inc., for certificates and amendments of existing certificates of public convenience and necessity, under section 401 of the Civil Aeronautics Act of 1938, as amended, Detroit-St. Louis-Memphis Service.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of the Act, in the above-entitled proceeding, that oral argument is assigned for June 19, 1944, at 10:00 a. m. (eastern war time) in Room 5042, Commerce Building, 14th Street and Constitution Avenue, N. W., Washington, D. C.

Dated: Washington, D. C., June 5, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-8126; Filed, June 6, 1944; 10:42 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supplementary Order ODT 3, Revised-342]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN KANSAS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2703, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 10, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Watson Bros. Transportation Co., Inc., Omaha, Nebr.

E. J. Diffley, doing business as E. J. Diffley Truck Line, Topeka, Kans.

The Santa Fe Trail Transportation Company, Wichita, Kans.

Ash Truck Lines, Inc., Holton, Kans.

[F. R. Doc. 44-8140; Filed, June 6, 1944; 11:44 a. m.]

[1] Filed as part of the original document.

FEDERAL REGISTER

VOLUME 9 NUMBER 114

Washington, Thursday, June 8, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q. 535]

PART 301—DOMESTIC QUARANTINE NOTICES

JAPANESE BEETLE QUARANTINE; EFFECTIVE DATE OF CERTAIN RESTRICTIONS

Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by § 301.48-4 (b) (Notice of quarantine No. 48, on account of the Japanese beetle), he having determined that the period of the heavy flight of the Japanese beetle will begin in the respective counties, *It is hereby ordered*, That on request,

§ 301.48-4a *Effective instructions designating the time when restrictions on fruit, vegetables, and cut-flower shipments shall be effective under the provisions of § 301.48-4 (b) of the Japanese beetle quarantine.* The restrictions of §§ 301.48-4 to the heavily [illegible] 301.48-5 relating to the heavily [illegible] areas (§ 301.48-3), and applying

(a) Unprocessed fresh, cut flowers when moved [illegible] direct from the field or greenhouse [illegible] grown, or from a distributor; and

(b) Fresh vegetables of all kinds when [illegible] by refrigerator car or motortruck

Shall begin [illegible] present season on the following [illegible]

(1) On June 26 in the following area:

Virginia: Northampton County: Magisterial district of Tangier Island; Accomac County: Magisterial district of Chincoteague Creek; Princess Anne County: Magisterial district of Kempsville; Entire county. Accomac and Northampton.

Maryland: Entire counties of Worcester, Somerset, Wicomico, and Dorchester.

Delaware: Sussex County.

(2) On June 26 in the remainder of the heavily infested area.

These restrictions shall remain in effect during the current season until due notice of their discontinuance shall have been given.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 1940 ed. 161; 7 CFR 301.48-4)

Done at Washington, D. C., this 2d day of June 1944.

P. N. ANNAND,
Chief, Bureau of Entomology and Plant Quarantine.

[F. R. Doc. 44-8236; Filed, June 7, 1944; 11:24 a. m.]

Chapter IX—War Food Administration (Marketing Agreements and Orders)

PART 962—FRESH PEACHES GROWN IN THE STATE OF GEORGIA

SUSPENSION OF HANDLING ORDER

Pursuant to the provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), hereinafter referred to as the "act," it is hereby found and determined that the provisions of the order regulating the handling of fresh peaches grown in the State of Georgia, effective pursuant to said act, obstruct or do not tend to effectuate the declared policy of the said act.

It is, therefore, ordered, That the provisions of said order regulating the handling of fresh peaches grown in the State of Georgia be, and the same hereby are, suspended, effective at 12:01 a. m., e. w. t., June 9, 1944.

It is further ordered, That the suspension of said order shall not (1) affect or waive any right, obligation, or liability which has arisen or which, prior to the time that the suspension becomes effective, may arise under the provisions of the said order; (2) release or extinguish any violation of the said order which has occurred, or which, prior to the time that the suspension becomes effective, may occur; or (3) affect or impair any right or remedy of the United States, the War

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

	Page
CUSTOMS BUREAU:	
Art objects, release from customs custody	6239
ENTOMOLOGY AND PLANT QUARANTINE BUREAU:	
Japanese beetle quarantine, effective date of restrictions on shipments	6201
FEDERAL POWER COMMISSION:	
Hearings:	
Consolidated Gas Utilities Corp.	6242
Interstate Pipe Line Co.	6241
Kansas Power and Light Co.	6241
Missouri Western Gas Co.	6241
FEDERAL TRADE COMMISSION:	
Cease and desist order; Scientific Mfg. Co., Inc., et al.	6206
Hearings, etc.:	
Dorene Publishing Co., Inc.	6242
Stetson, John B., Co.	6242
GENERAL LAND OFFICE:	
Stock driveway withdrawals reduced:	
Arizona	6241
New Mexico	6241
INTERSTATE COMMERCE COMMISSION:	
Processed cheese, etc., loading or movement of refrigerator cars	6245
Reconsignment permits:	
Potatoes:	
Kansas City, Mo.	6244
Tomatoes:	
Chicago, Ill. (2 documents)	6244
Kansas City, Mo.-Kans.	6244
Watermelons, Raleigh, N. C.	6244
Reicing permits:	
Potatoes:	
Chicago, Ill.	6246
Florida	6245
Georgia	6245
Kansas City, Mo.-Kans. (2 documents)	6245, 6246
Lerdo, Calif.	6246
Montgomery, Ala.	6246
Norfolk, Va.	6246
South Carolina	6245
NATIONAL PARK SERVICE:	
National Park Trust Fund Board, rules of procedure	6240

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

	Page
OFFICE OF PRICE ADMINISTRATION:	
Bituminous coal (MPR 189, Am. 22)	6231
Carriers of meat and meat products (Rev. SR 14, Am. 138)	6239
Containers, second hand paperboard shipping (MPR 529, Am. 1)	6232
Fats and oils (MPR 53, Am. 21)	6232
Foods, processed (Rev. RO 13, Am. 37, 38) (2 documents)	6234, 6235
Gloves, staple work (RMPR 506, Am. 1)	6239
Hawaii:	
General commodities (GMPR for Hawaii, Am. 4)	6238
Mileage rationing (RO 1E, Am. 9)	6231
Lumber, Southern pine (2d Rev. MPR 19, Am. 3)	6232
Machines and parts and machinery services (MPR 136, Am. 118)	6239
Meat, fats, fish and cheese (RO 16, Am. 142, 143) (2 documents)	6236, 6238
Shoes (RO 17, Am. 62)	6233
Silver, newly mined domestic (MPR 188, Am. 3 to Order 226)	6246
Sugar (Rev. RO 3, Am. 22)	6233
PROCUREMENT DIVISION:	
Supplies, exclusive procurement of typewriters by Procurement Division	6240
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.:	
Commonwealth & Southern Corp. (Del.)	6247
Consolidated Electric and Gas Co., and Porto Rico Gas & Coke Co	6247
Detroit and Cleveland Navigation Co	6247
Northern Indiana Public Service Co., et al	6248
SELECTIVE SERVICE SYSTEM:	
Conscientious objectors; amendments of regulations governing work of national importance under civilian direction	6207
WAR FOOD ADMINISTRATION:	
Peaches, Georgia:	
Handling order suspended	6201
Shipping restrictions (WFO 102)	6205
Procedural regulations, violations of priority or allocation orders (WFO 78, Am. 1)	6202
WAR PRODUCTION BOARD:	
Chemicals and allied products (M–300; Appendices A, B, and C; Dir. 1) (3 documents)	6222, 6226
Cooking, etc., equipment, commercial (L–182; Rev. of Int. 1) (2 documents)	6229, 6231
Copper (M–9–c, Am. 1)	6208
Dishwashers, commercial (L–248; Rev. of Int. 1) (2 documents)	6226, 6229
Farm machinery:	
Ex-quota production in small plants (L–257, Dir. 3)	6228
Manufacture for:	
Continental U. S. (L–257)	6211
Export (L–257–a)	6218
Gages and precision measuring hand tools (E–5–a)	6221
Rubber (R–1, Am. 4)	6231
Suspension orders, etc.:	
Gray and Co	6248
Sellers, George T., Sons	6227
Spiegel Bros. Corp	6248
Tin (M–43)	6208
Zinc sulphide pigments (M–128, Rev.)	6221
WAR SHIPPING ADMINISTRATION:	
Contracts with vessel owners; uniform addendum to time charters covering adjustment of certain disputes	6240

Food Administrator, or any other person with respect to any such violation which has occurred, or which, prior to the time that such suspension becomes effective, may occur.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 52 Stat. 215; 53 Stat. 782; 7 U.S.C. 1940 ed. 601 et. seq.)

Issued at Washington, D. C., this 7th day of June 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–8247; Filed, June 7, 1944; 11:47 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 78, Amdt. 1]

PART 1599—PROCEDURAL REGULATIONS

ISSUANCE OF ORDERS RESULTING FROM VIOLATIONS OF PRIORITY OR ALLOCATION ORDERS

War Food Order No. 78, 9 F.R. 4321, 4319 (formerly known as Procedural Regulation 1, issued December 4, 1943, 8 F.R. 16497), is hereby amended to read as follows:

The following regulations are prescribed with respect to the issuance of orders necessitated by violations of priority or allocation orders or regulations administered by the Office of Distribution:

§ 1599.1 *Definitions.* When used in these regulations, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(a) The term "Director" means the Director of Distribution, War Food Administration.

(b) The term "compliance officer" means the official in charge of the field office of the Compliance Branch, Office of Distribution, War Food Administration, serving the area in which a respondent resides or does business.

(c) The term "respondent" means any person against whom a proceeding is instituted in accordance with these regulations.

(d) The term "person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

§ 1599.2 *Meaning of words.* Words in these regulations in the singular form shall be deemed to import the plural, and, vice versa, as the case may demand.

§ 1599.3 *Institution of proceeding.* A proceeding under these regulations shall be instituted by the service of a notice upon the respondent by the compliance officer. The notice shall include a statement of the factual basis for, and the purpose of the proceeding.

§ 1599.4 *Filing of answer and request for hearing.* The respondent may, within five days after service of the notice upon him, file a written answer with the compliance officer setting forth his position with respect to the matters contained in the notice and, if he so desires, the respondent may, as a part of his answer, request an opportunity to be heard. The answer need not be in any particular form. The failure of respondent to file an answer shall constitute a waiver of any objection to the taking of such action as is deemed warranted.

§ 1599.5 *When a request for a hearing is not filed.* When the respondent fails to file an answer, or files an answer but does not request an opportunity to be heard, the compliance officer shall, on the basis of the information before him, including that contained in the answer, if such be filed, proceed as follows:

(a) When, for any reason, the compliance officer determines that the issues should be resolved in favor of respondent, he shall issue and cause to be served upon respondent, an order dismissing the proceeding;

(b) When, in the opinion of the compliance officer, the facts disclose that the proceeding should be terminated by the issuance of a warning letter, he may dispose of the proceeding by serving a warning letter upon the respondent; or

(c) When the compliance officer determines that an order (including, but not limited to, an order suspending, revoking, or withdrawing, in any manner, any quota, license, or authorization) should be issued against the respondent, the compliance officer shall cause an order to be prepared for the signature of the Director and transmit the proposed order, together with the docket containing all of the papers in the proceeding, to the Director.

§ 1599.6 *When a request for hearing is filed.* When, in connection with his answer, a respondent files with the compliance officer a request for a hearing, a notice fixing the time and place of the hearing shall be served on the respondent as hereinafter prescribed in these regulations: *Provided*, That, if the compliance officer determines that the information contained in the answer should result in resolving the issues in favor of the respondent, or if, for any other appropriate reason, the compliance officer determines to settle the issues in favor of the respondent, the compliance officer may, without a hearing, issue and serve upon the respondent such order, including a warning letter, as the compliance officer deems advisable in finally disposing of the matter.

§ 1597.7 *Designation of presiding officer.* The hearing shall be conducted by a presiding officer designated, by the Solicitor or his representative, from among those persons authorized to hold hearings. No person who has any pecuniary interest in the outcome of the proceeding; who has participated in any investigation preceding the institution of the proceedings; or who is related to any of the parties to the proceeding shall be designated to serve as presiding officer. In case of the absence, illness, resignation, or death of the presiding officer who has been assigned to a proceeding or, in case the Solicitor or his representative determines that, for other good cause, the presiding officer should not act, the powers and duties to be performed by him in connection with the proceeding may be assigned to any other person authorized to hold hearings.

§ 1599.8 *Powers of presiding officer.* In any proceeding assigned to him, the presiding officer shall have power to:

(a) Rule upon motions and requests (all motions shall be in writing except that those made during the hearing may be stated orally);

(b) Adjourn the hearing from time to time and change the place of hearing (this power includes the right, for good cause shown, to continue the hearing so as to give the respondent a chance to appear where he has failed to appear at the designated time and place of hearing);

(c) Administer oaths or affirmations and take affidavits;

(d) Admit or exclude evidence;

(e) Issue subpenas requiring the attendance and testimony of witnesses and the production of books, papers, and other documentary evidence;

(f) Authorize, take, or order the taking of depositions;

(g) Hear oral arguments on facts or law;

(h) Consolidate hearings where he deems such consolidation appropriate;

(i) Issue notices of hearings; and

(j) Do all acts and take all measures necessary for the maintenance of order at the hearing and the efficient conduct of the proceeding.

§ 1599.9 *Notice of hearing.* The presiding officer, upon being designated, shall immediately prepare and have served upon the respondent a notice of hearing, requiring the respondent to appear before him at a designated time and place. The notice shall state that if the respondent does not appear as directed, his nonappearance shall be deemed a waiver of any objection to the taking of such action as is deemed warranted. The notice of hearing, fixing a date for a hearing, shall be issued within a reasonable time after the filing with the compliance officer of a request for hearing by the respondent.

§ 1599.10 *Prehearing conferences.* In any proceeding in which it appears that such procedure will expedite the proceeding, the presiding officer may, at any time, request the parties or their counsel to confer with him to consider: (a) the simplification of the issues, (b) the possibility of obtaining stipulations of fact and agreements with respect to documents which may avoid unnecessary proof and examination of witnesses; and (c) such other matters as may expedite and aid in the disposition of the proceeding. No transcript of such conference shall be made but there shall be prepared and filed for the record a copy of any stipulations or agreements made as a result of the conference.

§ 1599.11 *Appearances.* Parties may appear at a hearing in person or by counsel.

§ 1599.12 *Contemptuous conduct.* Contemptuous conduct by any person at a hearing shall be ground for exclusion of the person from the hearing.

§ 1599.13 *Transcript or summary of evidence.* No written transcript of the hearing is required unless requested on behalf of the War Food Administration or the respondent. If the respondent requests a transcript, he must provide for the making thereof and for the payment of expenses therefor. Where a transcript is made, two legible copies thereof shall be furnished to the presiding officer without charge within such time after completion of the taking of testimony as he shall direct. No transcript shall be made or considered part of the record until approved and certified by the presiding officer. In the event that no stenographic transcript of the testimony is taken, the presiding officer shall provide for the taking of such notes at the time of the hearing as will enable him to make a written summary of the relevant evidence received at the hearing.

§ 1599.14 *Fees and mileage.* Witnesses who are subpenaed and who appear in the proceeding, including witnesses whose depositions are taken, shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and persons before whom depositions are taken shall be entitled to the same fees as are paid for like services in the courts of the United States, to be paid by the party at whose request the deposition is taken. Witness fees and mileage shall be paid by the party at whose instance the witnesses appear, and claims therefor, as to witnesses subpenaed on behalf of the War Food Administration, shall be proved before the presiding officer and, as to witnesses subpenaed on behalf of any other party, shall be presented to such party.

§ 1599.15 *Depositions.* Upon the application of a party to the proceeding, the presiding officer may, at any time, order the taking of testimony by deposition. Applications for such an order shall be in writing. The presiding officer's order for the taking of a deposition shall be served upon the parties and shall state: (a) The time and place of the examination; (b) the name of the officer before whom the examination is to be made; and (c) the name of the deponent. The deposition shall be taken before the presiding officer, or before an officer authorized by the law of the United States or by the law of the place of the examination to administer oaths, or before a person authorized by the War Food Administrator to administer oaths. The deponent shall be examined under oath or affirmation and shall be subject to cross-examination. The testimony of the deponent shall be recorded by the officer or by some person under his direction and in his presence. The officer shall certify on the deposition that the deponent was duly sworn by him and that the deposition is a true record of the deponent's testimony. He shall then securely seal the deposition, together with two copies thereof, in an envelope, and mail the same to the presiding offi-

cer, where the deposition is not taken before the presiding officer. A deposition ordered and taken in accordance with the provisions of this section may be placed in evidence by any of the parties to the proceeding if the presiding officer finds that the use thereof will expedite the proceeding.

§ 1599.16 *Defaults and admissions.* (a) The failure of a respondent to appear at a hearing shall be deemed a waiver by him of the right to an opportunity to be heard and of any objection by him to the taking of such action as is deemed warranted by the facts. On such failure of the respondent to appear, the presiding officer shall prepare a certification as to the non-appearance of the respondent for the record and forward it, together with the docket, to the compliance officer. The compliance officer may take such action as is prescribed by § 1599.5 of these regulations.

(b) Upon the admission at the hearing by the respondent of the facts alleged in the notice served upon him, the presiding officer shall prepare a formal statement of such admission for the record. The presiding officer may, in his discretion, permit the introduction of evidence with respect to mitigating circumstances and conditions which will tend to assist in the determination of the nature of the final action to be taken. The presiding officer shall then forward the docket containing the record of the proceeding to the compliance officer. The compliance officer may thereupon take such action as is prescribed by § 1599.25 of these regulations.

§ 1599.17 *Evidence.* The testimony of witnesses at a hearing shall be upon oath or affirmation and subject to cross-examination. Any witness may, at the discretion of the presiding officer, be examined separately and apart from all other witnesses except those who are parties to the proceeding. The rules of evidence prevailing in courts of law and equity shall not be controlling. The test of admissibility shall be the reliability, relevancy, and probative force of the evidence offered. Remote hearsay and unreliable evidence, which would not be convincing to the ordinary man, should not be received. Likewise, purely cumulative evidence should be avoided whenever possible. The grounds of any objection to the admission or rejection of any evidence may be briefly stated. The transcript, if any, shall not include argument except as permitted by the presiding officer. The ruling of the presiding officer shall be a part of the transcript, if any. Evidence may be offered in written form where the parties agree. The presiding officer shall mark all of the exhibits received in evidence. Whenever practicable, an exhibit should be submitted with three copies. The refusal of a witness at a hearing to answer any question which has been ruled to be proper shall, in the discretion of the presiding officer, be ground for striking out all testimony previously given by such witness as to all matters. If a party to a proceeding or a witness refuses to testify on the ground of his privilege against self-incrimination, he shall not be compelled to testify unless directed by the presiding officer, with the consent of the representative of the War Food Administration, to testify pursuant to Public Law 507, 77th Congress, approved March 27, 1942 (Second War Powers Act). Affidavits may be received at the discretion of the presiding officer if the evidence is otherwise admissible.

§ 1599.18 *Order of proceeding.* The presiding officer shall open the hearing with such statement of the purpose of the hearing and the procedure that will be followed as he may deem appropriate. A representative of the War Food Administration, if present, shall then proceed to introduce either through an investigator or otherwise such data and information as is deemed appropriate in explanation and clarification of the position of the War Food Administration. Thereafter the respondent shall present such data and information in support of his position as he or his counsel deems appropriate and the presiding officer deems relevant. This presentation by the person affected may be in narrative form or in response to questions and may be presented through the respondent or other persons familiar with the relevant facts. At the close of the hearing the presiding officer may allow a short period for the presentation of oral argument or for a summary of the facts disclosed at the hearing and if he deems it advisable may allow briefs to be filed within a period prescribed by him not to exceed five days. Where practicable, three copies of briefs shall be filed.

§ 1599.19 *Manner of service.* Service of all documents required by these regulations to be served shall be made by personal service or registered mail.

§ 1599.20 *Personal service.* Personal service shall be made upon an individual other than an infant by delivering a copy of the document to him personally or by leaving a copy thereof at his dwelling house or usual place of abode with some person of suitable age and discretion then residing therein, or by leaving a copy thereof with his agent or a responsible individual at his usual place of business, or by delivering a copy of such papers to an agent authorized by appointment or by law to receive service of process. Personal service shall be made upon an infant by serving such papers in the manner prescribed by the law of the State in which service is made for the service of summons or other like process upon any such person in an action brought in the courts of general jurisdiction of that State. Personal service shall be made upon a domestic or foreign corporation or upon a partnership or other unincorporated association which is subject to suit under a common name by delivering a copy of such papers to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to such person.

§ 1599.21 *Registered mail.* Documents shall be served by registered mail by causing to be registered and mailed a copy addressed to the individual, partnership, corporation, organization, or association, who is the respondent, at his or its last known residence, principal office, or place of business.

§ 1599.22 *Proof of service.* When service has been effected, the person making such service shall prepare the proof of service as follows: (a) In case of personal service, he shall execute a certificate showing the date, time, and place where service was effected, and the person upon whom service was effected, and the nature of the document served; and (b) in the case of service by registered mail, he shall execute a certificate showing the date, time, and place at which the document was mailed, and to whom addressed, and the nature of the document mailed, and shall attach thereto the registered mail receipt. The certificate in both cases shall disclose that the person was not a party to the proceeding and was over 18 years of age.

§ 1599.23 *When answer or request for hearing shall be deemed filed.* An answer or a request for hearing shall be deemed to have been filed on the date of mailing, as evidenced by the post mark at the place of mailing, or, if otherwise delivered to the office of the compliance officer, on the date of such delivery, as evidenced by the time it is marked "filed" in such office.

§ 1599.24 *Record.* (a) As soon as practicable after the close of the hearing, the presiding officer shall certify to the compliance officer an original and, where practicable, one copy of the record of the proceeding which shall contain the following:

(1) The procedural documents, including the initiating notice, the notice of hearing, and the certifications of service;

(2) The evidence received at the hearing, either stenographically transcribed or summarized by the presiding officer, including exhibits, stipulations, or other documents which have been received by the presiding officer; and

(3) Briefs, if any, received by the presiding officer.

(b) Where a summary statement of the evidence is made by the presiding officer, he shall, at the time of transmitting the record to the compliance officer, also submit copies of the summary statement of the evidence to the parties to the proceeding or to their representatives.

§ 1599.25 *Action by compliance officer upon receipt of docket from presiding officer.* Upon receipt of the docket containing the record from the presiding officer, the compliance officer shall, on the basis of the information before him, proceed as follows:

(a) When the compliance officer determines that the proceeding should be dismissed, he may issue and serve upon the respondent such order, including a warning letter, as the compliance officer deems advisable in finally disposing of the matter.

(b) When the compliance officer does not decide to terminate the proceeding as described in § 1599.25 (a) of these regulations, he shall transmit the docket, together with his recommended order, to the Director for final action.

§ 1599.26 *Issuance and service of orders by the Director.* The Director, upon receipt of a docket containing all of the papers in the proceeding, may issue an order as recommended by the compliance officer or, where the Director does not follow the recommendation of the compliance officer, he may prepare and issue such other order as may be required to effectuate the disposition of the proceeding in the manner determined by him. The final order of the Director shall be served upon the respondent.

§ 1599.27 *Reconsideration.* The respondent may, within five days after a final order of the Director is served on him, apply in writing to the Director for reconsideration. The filing of such an application shall not stay the operation of the order unless it is otherwise directed. Facts or arguments bearing on the merits of the policy embodied in the priority or allocation order or regulation violated will not be considered.

§ 1599.28 *Modification or revocation of orders.* The Director may, upon a determination that an order issued pursuant to these regulations tends to interfere with the maintenance of an adequate supply and efficient distribution of food to meet war and essential civilian needs, modify or revoke such order. This action may be taken upon his own initiative or upon application made by persons affected by the operation of the order.

§ 1599.29 *Delegation of authority to Deputy Director of Distribution.* Any Deputy Director of Distribution, designated from time to time by the Director, may exercise the functions, duties, powers, authority, and discretion of the Director as set forth in these regulations.

Effective date. This order shall become effective at 12:01 a. m., e. w. t., on June 5, 1944. Unless the Director shall otherwise order, all proceedings pending on the effective date hereof shall be concluded in accordance with this amendment.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783 and Delegation of Authority, 8 F.R. 13696)

Issued this 3d day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-8113; Filed, June 5, 1944; 1:57 p. m.]

[WFO 102]

PART 1405—FRUITS AND VEGETABLES

GEORGIA PEACHES

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of peaches produced in the State of Georgia, for defense and private account, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1405.43 *Restrictions relative to the shipment of peaches.*—(a) *Definitions.* (1) "Peaches" means any and all peaches in fresh form, grown and located in the State of Georgia.

(2) "Person" means any individual, partnership, association, corporation, business trust, or any organized group of persons whether incorporated or not.

(3) "Ship" means to ship peaches by private carrier or common carrier from a point within Georgia to a point outside of Georgia.

(4) "U. S. No. 2 grade" means U. S. No. 2 grade as defined in "U. S. Standards For Peaches (1933)," issued by the U. S. Department of Agriculture on April 22, 1933, and reissued by the War Food Administration on June 22, 1943, as in effect at the time peaches subject hereto are shipped.

(5) "Director" means the Director of Distribution, War Food Administration.

(b) *Restrictions.* (1) No person shall ship peaches which fail to meet the requirements of U. S. No. 2 grade with respect to decay, maturity, worms, and worm holes, but in any bulk lot of peaches or in any lot of packages of peaches not more than an average of 10%, by count, of the peaches may fail to meet such requirements, but no more than an average of 1/10 of this tolerance (1%) shall be allowed for decay: *Provided*, That not more than 15%, by count, of the peaches in an individual package in any lot shipped may fail to meet the requirements with respect to maturity, decay, worms, and worm holes, but of this tolerance, not more than 3/15 (2%) shall be allowed for decay. The peaches may fail to meet the requirements of the U. S. No. 2 grade other than for maturity, decay, worms, and worm holes.

(2) No person shall ship peaches unless such peaches have been inspected by an authorized representative of the Federal-State inspection service, and each shipper of peaches shall submit promptly, to the Director, Office of Distribution, 305 Grand Bldg., Macon, Georgia, the Federal-State shipping point inspection certificate with respect to each shipment of peaches by such person. Such certificate shall set forth whether the peaches, contained in such shipment, comply with or meet the minimum requirements set forth in (b) (1) hereof. Peaches once inspected pursuant hereto may be shipped without further inspection if such peaches meet the requirements of (b) (1) hereof.

(3) The restrictions hereof shall be observed by each person affected by this order without regard to the rights of creditors, existing contracts, or payments made.

(4) The Director may release from the provisions of this order any lot of peaches for use in the production for sale of any product containing 7 percent, or more, of alcohol, by volume, if such use of the lot of peaches has been authorized pursuant to WFO 60, as amended, 9 F.R. 4321, 4319 (formerly designated as Food Distribution Order No. 69, as amended, 8 F.R. 10477, 9 F.R. 4321, 4319, 4528).

(c) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of peaches of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(d) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(2) Every person who ships peaches shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in peaches.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

(f) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using peaches, or any other material subject to priority or allocation control by any governmental agency. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(g) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(h) *Communications.* All reports required to be filed hereunder and all communications, other than those required to be submitted pursuant to (b) (2) hereof, concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO 102.

(i) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., June 9, 1944.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322; 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 7th day of June 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-8246; Filed, June 7, 1944; 11:47 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4482]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

SCIENTIFIC MANUFACTURING COMPANY, ET AL.

§ 3.6 (t) *Advertising falsely or misleadingly, qualities of properties of product or service.* In connection with offer, etc., of respondent's medicinal preparations designated "Pheno-Isolin", "Pheno-Isolin Ointment", and "Dialin", or any other similar preparation, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondent's preparations which advertisements represent, directly or through inference, (1) that respondent's preparation Pheno-Isolin or his preparation Pheno-Isolin Ointment is a powerful germicide or antiseptic or that its use will prevent infection or destroy bacteria; (2) that the germicidal and antiseptic properties of respondent's preparation Pheno-Isolin or Pheno-Isolin Ointment are sufficient to be of value in surgery or as surgical dressings or that said preparations have any therapeutic value in the treatment of peritonitis, gangrene, or ulcerated cancer; or that respondent's preparation Pheno-Isolin or his preparation Pheno-Isolin Ointment has any therapeutic value in the treatment of (3) ankylosis, or stiffening of the joints; (4) coughs, colds, sore throat, sinus conditions, influenza, or other respiratory diseases; (5) diphtheria or septic sore throat; (6) infections or infectious conditions, such as ulcers, sores, boils, carbuncles, or abscesses; (7) athlete's foot or that its use will relieve the burning and itching inflammation caused by such conditions or help heal the irritated tissues; or which advertisements represent, as aforesaid; (8) that respondent's preparation Pheno-Isolin or his preparation Pheno-Isolin Ointment constitute a competent or effective treatment of skin infections, eczema, or burns; or that (9) respondent's preparation Pheno-Isolin has any therapeutic value in the treatment of hemorrhoids or piles; or that (10) respondent's preparation Dialin constitutes a competent or effective treatment for diabetes or has any therapeutic value in the treatment of diabetes, and that the use thereof will assist the pancreas to produce insulin, correct abnormal conditions of the body caused by diabetes, or eliminate the necessity for the use of insulin where the condition of diabetes exists; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Scientific Manufacturing Company, Inc., et al., Docket 4482, May 11, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of May, A. D. 1944.

In the Matter of Scientific Manufacturing Company, Inc., a Corporation, and Howard J. Force, Lawson H. Force, and Lillian S. Force, Individually and as Copartners Trading as The Force Company

This proceeding having been heard by the Federal Trade Commission upon the complaint and amended and supplemental complaint of the Commission, answers of the respondents filed thereto, testimony and other evidence in support of and in opposition to the allegations of said complaint and amended and supplemental complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, briefs filed in support of the complaint and amended and supplemental complaint and in opposition thereto, and stipulation as to the facts entered into between counsel for the Commission and counsel for the respondents dated October 30, 1943; and the Commission having made its findings as to the facts and its conclusion that respondent Howard J. Force has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent Howard J. Force, an individual, and his representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, or distribution of his medicinal preparations designated "Pheno-Isolin," "Pheno-Isolin Ointment," and "Dialin," or any other preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same names or under any other names, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce as "commerce" is defined in the Federal Trade Commission Act which advertisement represents directly or through inference:

a. That respondent's preparation Pheno-Isolin or his preparation Pheno-Isolin Ointment is a powerful germicide or antiseptic or that its use will prevent infection or destroy bacteria.

b. That the germicidal and antiseptic properties of respondent's preparations Pheno-Isolin or Pheno-Isolin Ointment are sufficient to be of value in surgery or as surgical dressings or that said preparations have any therapeutic value in the treatment of peritonitis, gangrene, or ulcerated cancer.

c. That respondent's preparation Pheno-Isolin or his preparation Pheno-Isolin Ointment has any therapeutic value in the treatment of ankylosis, or stiffening of the joints.

d. That respondent's preparation Pheno-Isolin or his preparation Pheno-Isolin Ointment has any therapeutic value in the treatment of coughs, colds, sore throat, sinus conditions, influenza, or other respiratory diseases.

e. That respondent's preparation Pheno-Isolin or his preparation Pheno-Isolin Ointment has any therapeutic value in the treatment of diphtheria or septic sore throat.

f. That respondent's preparation Pheno-Isolin or his preparation Pheno-Isolin Ointment has any therapeutic value in the treatment of infections or infectious conditions, such as ulcers, sores, boils, carbuncles, or abscesses.

g. That respondent's preparation Pheno-Isolin or his preparation Pheno-Isolin Ointment has any therapeutic value in the treatment of athlete's foot or that its use will relieve the burning and itching inflammation caused by such condition or help heal the irritated tissues.

h. That respondent's preparation Pheno-Isolin or his preparation Pheno-Isolin Ointment constitutes a competent or effective treatment of skin infections, eczema, or burns.

i. That respondent's preparation Pheno-Isolin has any therapeutic value in the treatment of hemorrhoids or piles.

j. That respondent's preparation Dialin constitutes a competent or effective treatment for diabetes or has any therapeutic value in the treatment of diabetes.

k. That the use of respondent's preparation Dialin will assist the pancreas to produce insulin, correct abnormal conditions of the body caused by diabetes, or eliminate the necessity for the use of insulin where the condition of diabetes exists.

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce as "commerce" is defined in the Federal Trade Commission Act of respondent's preparations, which advertisement contains any of the representations prohibited in paragraph 1 hereof and the respective subdivisions thereof.

It is further ordered, That this matter be, and the same hereby is, closed as to the corporate respondent Scientific Manufacturing Company, Inc., and the individual respondents Lilliam S. Force and Lawson H. Force, without prejudice to the right of the Commission, should the facts so warrant, to reopen the same and resume trial thereof in accordance with its regular procedure.

It is further ordered, That the respondent Howard J. Force shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-8239; Filed, June 7, 1944; 11:23 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 206]

PART 653—WORK OF NATIONAL IMPORTANCE UNDER CIVILIAN DIRECTION

MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (c) of § 653.1 to read as follows:

§ 653.1 *Work projects.* • • •

(c) The responsibility and authority for supervision and control over all projects is vested in the Director of Selective Service.

2. Amend paragraph (b) of § 653.2 to read as follows:

§ 653.2 *Camps.* • • •

(b) Government-operated camps may be established in which the work of national importance and camp operations will both be under the civilian direction of a technical agency using funds provided by the Selective Service System and operating under such camp rules as may be prescribed by the Director of Selective Service.

3. Amend paragraphs (a), (e), and (f) of § 653.3 to read as follows:

§ 653.3 *Property and finance.* (a) The Director of Selective Service will make available for each technical agency having supervision over a work project such funds as he may determine are required for the operation of camps under the civilian direction of such technical agencies. Such funds will be made available and accounted for in the manner administratively provided by the Director of Selective Service.

• • • • •

(e) The Director of Selective Service is authorized to provide, without expense to assignees in Government-operated camps, subsistence, proper clothing for the performance of their duties, and such personal supplies or equipment as he deems necessary for such assignees. In lieu of providing such items, the Director of Selective Service is authorized to pay to assignees in Government-operated camps such cash allowances as he deems necessary.

(f) Except when otherwise specifically authorized for a particular purpose by the Director of Selective Service, the purchase and procurement of food, supplies, clothing, and equipment; the maintenance and repair of buildings and equipment; the pay of administrative personnel; the payment of allowances to assignees; and any and all other transactions involving the obligation and expenditure of selective service funds in connection with Government-operated camps shall be in accordance with the laws, rules, and regulations governing such transactions within the Selective Service System.

4. Amend paragraph (a) of § 653.4 to read as follows:

§ 653.4 *Special provisions concerning travel and subsistence expenses.* (a) Unless necessary transportation, meals and lodgings are provided at no expense to the Selective Service System, Government Requests for Transportation (Standard Form No. 1030) and Government Request for Meals or Lodgings for Civilian Registrants (Form 256) shall be supplied by the Director of Selective Service to the National Service Board for Religious Objectors or to the technical agency operating the camp, which in turn shall supply camp directors with such requests as are necessary. Upon receiving from the Director of Selective Service an order of transfer of an assignee, the camp director shall issue requests to the assignee to provide for necessary transportation, meals and lodgings between the place where the assignee is and the place to which he is being transferred. Upon receiving from the Director of Selective Service a Certificate of Release (Form 45) or an Interim Certificate (Form 46) for an assignee, the camp director shall issue requests to the assignee to provide for necessary transportation, meals and lodgings between the camp (or other place of release) and (1) the local board from which the assignee was assigned; or (2) the assignee's home, if the distance thereto is equal to or less than the distance to the local board of assignment; or (3) any other place chosen by the assignee if the distance thereto is equal to or less than the distance to the local board of assignment; provided that if an assignee has been transferred to the camp (or other place of release) for the convenience of the assignee, he shall not be provided with requests in excess of the requests that would have been required had such transfer not taken place. Government Requests for Transportation (Standard Form No. 1030) and Government Request for Meals or Lodgings for Civilian Registrants (Form 256) shall be issued in accordance with the provisions of §§ 608.44 and 608.45.

5. Amend paragraphs (b), (c), and (d) and add paragraph (e) to § 653.11 to read as follows:

§ 653.11 *Reception at camps.* • • •

(b) As soon as possible after the assignee has reported to camp, the camp physician shall give him a physical examination and shall determine whether there has been any change in the assignee's physical or mental condition since his preinduction physical examination. If a camp physician is not available, the camp director, to the extent that he is capable of doing so, shall, by observing and questioning the assignee, make such determination. The camp physician or the camp director, as the case may be, shall, on the bottom of page 4 of the original and first copy of the Report of Physical Examination and Induction (Form 221), make a record of such determination.

(c) Irrespective of the determination which is made as a result of the examination of an assignee made under the provisions of paragraph (b) of this section, the camp director shall, on the bottom of page 4 of the original and first copy of the Report of Physical Examination and Induction (Form 221), place a statement that a registrant is accepted for work of national importance at the civilian public service camp to which the registrant has been assigned. The statement shall specify the date and place of such acceptance and shall be signed by the camp director who shall retain the first copy of the Report of Physical Examination and Induction (Form 221) and shall forward the original to the Director of Selective Service.

(d) Upon receiving notice that a registrant has been accepted for work of national importance, the local board shall not change his classification but shall note the fact of his aceptance for such work in the Classification Record (Form 100).

(e) In the event an assignee does not report to the camp at the time prescribed in his Order to Report for Work of National Importance (Form 50) or pursuant to the instructions of the local board, the camp director will report such fact to the Director of Selective Service.

6. Amend paragraph (d) of § 653.15 to read as follows:

§ 653.15 *Release for induction into the land or naval forces.* • • •

(d) An assignee's application to volunteer for induction into the land or naval forces either for combatant or noncombatant service shall be submitted to the Director of Selective Service through his camp director. Such application need not be in any particular form but shall contain the following information: The assignee's name, residence address at the time of assignment, order number, local board number and location, a request for immediate induction, and the name of the camp to which he is assigned. The camp director is not required to approve or disapprove such request, but if he sees fit, he may submit a report concerning the assignee to the Director of Selective Service. Such assignee shall retain his status as an assignee and will remain in camp until released by the Director of Selective Service.

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 6, 1944.

[F. R. Doc. 44-8235; Filed, June 7, 1944; 11:22 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 18, 1943, 8 F.R. 6727.

PART 933—COPPER

[Conservation Order M-9-c, as Amended May 26, 1944, Amdt. 1]

Section 933.4 *Conservation Order M-9-c* is hereby amended by changing paragraph (c) as follows:

a. By inserting the following language immediately after the numeral (1): The restrictions of this subparagraph are in addition to those contained elsewhere in this order and in other orders and regulations of the War Production Board.

b. By inserting a new subparagraph (2) to read as follows:

(2) The restrictions of this subparagraph are in addition to those contained elsewhere in this order and in other orders and regulations of the War Production Board. No person shall use for any purpose in manufacture, any copper base alloy foundry product, either rough or finished, containing more than 74% copper or 2% tin, unless one or more of the following conditions is satisfied:

(i) He was lawfully using copper base alloy for the particular purpose some time during the last six months of 1943;

(ii) A War Production Board order or regulation specifically allows an alloy with a higher copper or tin content;

(iii) The specifications of the Army or Navy of the United States, the U. S. Maritime Commission or the War Shipping Administration, applicable to the contract, subcontract or purchase order call for an alloy with a higher copper or tin content; or

(iv) He has been specifically authorized in writing by the War Production Board to use an alloy with a higher copper or tin content. (Applications for specific authorization under this subparagraph to use copper base alloy foundry products containing more than 74% copper or 2% tin, where such use would otherwise be in violation of the restrictions stated above, should be made by letter in duplicate addressed to the Copper Division of the War Production Board, Washington 25, D. C., Reference: M-9-c. A provision similar to this subparagraph (2) appears in Order M-43 and one application is sufficient under both Orders M-9-c and M-43).

c. By renumbering paragraph (c) (2) as paragraph (c) (3).

Issued this 6th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8130; Filed, June 6, 1944; 11:36 a. m.]

PART 1001—TIN

[General Preference Order M-43, as Amended June 6, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of tin for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1001.1 *General Preference Order M-43*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to the use of material in all items or articles hereafter manufactured irrespective of whether such items or articles are manufactured pursuant to a contract made prior or subsequent to January 10, 1944, or pursuant to a contract supported by an allotment symbol or a preference rating. Insofar as any other order of the War Production Board may have the effect of limiting or curtailing to a greater extent than herein provided the use of tin in the production of any item or article, the limitations of such other order shall be observed.

(c) *Definitions.* For the purposes of this order:

(1) "Tin" means and includes both pig tin and secondary tin.

(2) "Pig tin" means metal containing 98% or more by weight of the element tin, in shapes current in the trade (including anodes, small bars, and ingots) produced from ores, residues or scrap.

(3) "Secondary tin" means any material (except tin plate and terne plate as those terms are defined in Supplementary Order M-21-e) which contains less than 98% but not less than 1.5% by weight of the element tin.

(4) "Manufacture" means to fabricate, assemble, melt, cast, extrude, roll, turn, spin, produce, coat, or process in any way, but does not include the processing of tin ore, concentrates, residues or scrap into metallic tin.

(5) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of or under common control with, or available for the use of such person.

(6) "Implements of war" means combat end-products, complete for tactical operations (including, but not limited to, aircraft, ammunition, armaments, weapons, ships, tanks, military vehicles and radio and radar equipment), and any parts, assemblies or materials to be incorporated in any of the foregoing items. This term does not include facilities or equipment used to manufacture the foregoing items.

(7) "Base period" means the corresponding calendar quarter of 1940.

(8) "Distributor" means any person regularly engaged in the business of buying and selling tin, and includes warehousemen and jobbers.

(d) *General restrictions on use of tin.* (1) No product or article or part thereof shall be manufactured of pig tin if it is possible to use secondary tin for such purpose.

(2) No tin in any form shall be used in the manufacture of any item or in any process appearing on List A of this order; nor shall tin be used for any purpose except to manufacture the items or for the purposes listed in Schedule I, II, III or IV of this order, and then, only within the limitations and restrictions specified in Schedule I, II, III or IV with respect to such item or purpose.

(e) *Restrictions on the use of certain tin products.* Except with the specific permission in writing of the War Production Board granted pursuant to appeal under paragraph (k) no person shall use any of the tin-bearing products on List B of this order in the manufacture or treating of any other product or article; *Provided*, That when any such tin-bearing product is listed in Schedule I, II, III or IV it may be used for the purposes for which it is permitted to be manufactured as specified in Schedule I, II, III or IV.

(f) *Restrictions on deliveries.* (1) No person shall deliver or accept delivery of pig tin without the specific authorization in writing of the War Production Board; *Provided, however*, That in the absence of a contrary direction by the War Production Board, pig tin may be delivered without specific authorization:

(i) To the Metals Reserve Company or to any other corporation organized under section 5(d) of the Reconstruction Finance Corporation Act as amended (15 U. S. C., sec. 606 (b)), or to any duly authorized agent of any such corporation.

(ii) By any distributor in lots of three long tons or less up to but not exceeding a total of five long tons to any one customer in the same calendar month; *Provided*, That the aggregate of such deliveries which any person may receive from all distributors pursuant to the authority of this paragraph shall in no event exceed five long tons in any calendar month; and provided further, that any person seeking such a delivery shall, at the time of placing his purchase order, file with the distributor a statement substantially in the following form, signed manually or as provided in Priorities Regulation No. 7 by an official duly authorized for such purpose:

The undersigned hereby certifies:

(a) That no allocation of pig tin has been made to the undersigned by the War Production Board during the calendar month in which delivery of the pig tin covered by the accompanying purchase order is specified:

(b) That such pig tin if delivered will not cause the undersigned's total receipts of pig tin from all distributors during the same calendar month pursuant to the authorization of paragraph (f) of General Preference Order M-43, as amended, to exceed five long tons; and

(c) That such pig tin will not be used or disposed of by the undersigned in violation of any order or regulation of the War Production Board.

(Name of purchaser)

By _____
(Duly authorized official)

(2) On or before the 10th day of each calendar month, each distributor shall report to the War Production Board in such form and detail as said Board may from time to time prescribe, (subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942) his transactions in all pig tin during the previous month.

(g) *Allocations.* The War Production Board will from time to time allocate the supply of pig tin, including all pig tin released by the Metals Reserve Company, and issue specific directions as to the source, destination, and the amount of pig tin to be delivered or acquired. The War Production Board may also specifically direct the purposes and end products for which any person may convert, process or fabricate pig tin allocated to him.

(h) *Applications for, and reports of pig tin.* Application for allocations of pig tin or for specific authorization to accept delivery thereof under paragraph (f) shall be made to the War Production Board not later than the 20th day of the month next preceding the month in which delivery is desired, on Form WPB-412 or such other form as the War Production Board may from time to time prescribe. Any person who on the first day of a calendar month has in his possession or under his control two long tons or more of pig tin or who used during the preceding calendar month, 3,000 pounds or more of pig tin, shall, not later than the 20th day of such month, report to the War Production Board on Form WPB-412 in accordance with the instructions accompanying such form, regardless of whether or not he seeks an allocation of pig tin or specific authorization to accept delivery thereof during the next succeeding month.

(i) *Prohibitions against sales or deliveries with knowledge of intended misuse.* Notwithstanding the authorization by the War Production Board of a sale or delivery of tin, no person shall sell or deliver any tin or tin-bearing material or product thereof in the form of raw materials, semi-processed materials, finished parts or sub-assemblies to any person if he knows or has reason to believe such material or any product thereof is to be used in violation of the terms of this order. A supplier may rely upon the written statement of the customer seeking delivery of any such material, as to the purposes for which it will be used, unless the supplier knows or has reason to believe such statement to be false, and any such statement shall constitute on the part of the person making the same, a representation to the War Production Board within the meaning of section 35 (A) of the United States Criminal Code, 18 U. S. C. Sec. 80.

(j) *Limitation on inventories.* No person shall receive delivery of tin, or products thereof, in the form of raw materials, semi-processed materials, finished parts or sub-assemblies nor shall he put into process any raw material, in quantities which in either case shall result in an inventory of such raw, semi-processed or finished material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the production of tin products by this order. In the absence of special permission to acquire or hold a greater supply of pig tin, forty-five days' inventory of such tin shall, for the purpose of this order, be deemed a practicable working inventory for any person except a manufacturer of tin plate as tin plate is defined in Supplementary Order M-21-e, as from time to time amended. Application for such special permission shall be made by letter to the War Production Board setting forth fully the facts upon which the applicant relies.

(k) *Appeals and communications.* Any appeal from the provisions of this order shall be made by filing a letter, referring to the particular provision appealed from and stating fully the grounds of the appeal. Appeals, reports and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Tin and Lead Division, Washington 25, D. C., reference: M-43.

(l) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 6th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

NOTE: Item 19 deleted; Items 20 through 27 redesignated 19 through 26, June 6, 1944.

Pursuant to the foregoing order, the use of tin in any form, including semi-finished and finished products, in the manufacture of the items and for the purposes listed below is prohibited:

1. Advertising specialties.
2. Art objects.
3. Automobile body solder, or any similar material commonly used as a filler or smoother for automobile or truck bodies or fenders except as permitted in Schedule II, paragraph (8) (a).
4. Band and other musical instruments (except as permitted in Schedule I under the item "pipe organs", paragraph 11).
5. Britannia metal, pewter metal or other similar tin bearing alloy.
6. Broom wire.
7. Buckles.
8. Buttons.
9. Chimes and bells.
10. Emblems and insignia.
11. Fasteners: eyelets, spiral binders, office and industrial staples, book match clips, paper clips, slide fasteners, dress hooks.
12. Foil (except as permitted in Schedule I under the item "foil", paragraph 4).
13. Zinc galvanizing.
14. Household furnishings and equipment.
15. Jewelry.
16. Kitchen equipment (including cutlery and tableware), except as permitted in Schedule I, paragraphs 6 and 15.
17. Novelties, souvenirs and trophies.
18. Ornaments and ornamental fittings.
19. Plating or coating for decorative purposes.
20. Powder (decorative).
21. Refrigerator trays and shelves.
22. Seals and labels.
23. Slot, game and vending machines.
24. Coated paper.
25. Tin oxide and other tin chemicals (except as permitted in Schedule I, paragraph 18).
26. Toys and games.

LIST B

The following tin-bearing products shall not be used in the manufacture or treating of any other products except in accordance with the provisions of paragraph (e) of the foregoing order:

1. Automobile body solder or any similar material containing tin, commonly used as a filler or smoother for automobile or truck bodies or fenders.
2. Tin oxide and other tin chemicals (except as permitted in Schedule I, paragraph 18).
3. Solder containing more than 21% by weight of tin.
4. Babbitt metal or similar alloys used as babbitt containing more than 12% by weight of tin.
5. Britannia metal, pewter metal or other similar tin-bearing alloy.
6. Foil containing more than 1% tin by weight.
7. Copper-base alloy containing more than 2% tin by weight.

[NOTE: Schedule I rescinded; Schedules I to IV added June 6, 1944.]

SCHEDULES

Pursuant to the foregoing order, tin may be used only in the production of the items and for the purposes set forth in these Schedules, subject to any limitations, restrictions or conditions specified with respect to any such items or purpose and then, only to the extent that substitution of either a less critical material or one of lesser tin content is impracticable.

The conditions, restrictions and limitations set forth in these Schedules with respect to any listed item or purpose shall apply to the manufacture of "Implements of War" produced for the Army or Navy of the United States, U. S. Maritime Commission or the War Shipping Administration, except where the use of tin in the grade and to the extent employed is required either by the latest applicable specifications, on drawings, or by letter or contract of the government service or agency for which the same are being produced.

SCHEDULE I—MISCELLANEOUS

1. *Detonators and blasting caps (including electric blasting caps).* This item includes all necessary parts and accessories but is limited to detonators and blasting caps which are to be used in mining, quarrying, or oil drilling operations. Necessary materials to be incorporated in such detonators or blast-

ing caps shall be exempt from the limitations, conditions and restrictions specified in this schedule with respect to any such material.

2. *Tin plate, terne plate, and terne metal.* Tin plate, terne plate and terne metal, as respectively defined in Supplementary Order M-21-e, as from time to time amended, may be manufactured as permitted under the provisions of said supplementary order. Terne metal, however, may be manufactured from secondary tin only.

3. *Collapsible tubes.* The use of tin in the manufacture of collapsible tubes is permitted subject to the limitations and restrictions of Conservation Order M-115, as amended from time to time.

4. *Foil.* In the manufacture of foil the tin content shall be limited as follows, according to the purposes for which it is to be used:

(i) Electrotypers foil—not more than 15% tin by weight.

(ii) Dental foil—not more than 30% tin by weight.

(iii) Foil to be used in condensers—not more than 4½% tin by weight.

(iv) Soft babbit foil for the preparation of industrial metallic packing—not more than 1.5% tin by weight.

(v) Foil to be used in aircraft magnetos—not more than 50% tin by weight.

The quantity of tin which any person may use in the manufacture of foil during any calendar quarter shall be limited to 25% of the quantity used by him in the manufacture of foil during the base period.

5. *Dairy equipment.* Tin may be used to coat fluid milk shipping containers which are manufactured within the restrictions and in accordance with the provisions of Conservation Order M-200. Tin may be used to manufacture dairy equipment other than such fluid milk shipping containers, but the total quantity used by any person in the manufacture of such other dairy equipment during any calendar quarter, shall be limited to the quantity used by him for such purposes during the base period. Any dairy equipment may be retinned, *Provided only*, That the amount of tin which any retinner may use during any calendar quarter, for the retinning of dairy equipment, shall be limited to 150% of the quantity used by him for such purposes during the base period.

6. *Kitchen, galley and mess equipment* for the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Forest Service of the United States Department of Agriculture. Tin may be used to coat the foregoing equipment excluding flat ware, to the extent required by the applicable specifications of the service or agency to which such equipment is to be delivered.

7. *Wire—Coating.* Tin or tin alloys may be prepared and used for coating wire only as follows and then, only when specified:

(a) *For copper wire.* There shall be no limitation upon the tin content of the coating alloy when the copper wire to be coated therewith is of a size of .0320" nominal diameter or finer. If the wire to be coated is of size larger than .0320" nominal diameter, the tin content of the coating alloy shall be limited to 12% tin by weight.

(b) *For steel wire.* (i) To be used as armature binding wire.

(ii) To be used in the manufacture of equipment for the production of textiles.

(iii) To be used in the packaging or marking of meat where the wire comes into actual contact with the meat.

(iv) In the liquor finishing process of fine steel bright wire.

8. *Foundry chaplets—Coating.* Alloys containing not more than 5% of tin by weight may be manufactured and used for coating foundry chaplets. Tin in no other form may be used for such coating, except as permitted under Supplementary Order M-21-e, as amended.

9. *Printing plates and type metal* for use by the printing, publishing and related service industries. Secondary tin only may be used in the manufacture of such plates and type metal. The quantity of secondary tin which any person may use in the manufacture of such plates and type metal during any calendar quarter, shall be limited to 75% of the quantity of tin used by him for such purposes during the base period.

10. *Dental amalgam alloys.* Tin may be used in the manufacture of dental amalgam alloys but the tin content of any such alloy shall be limited to 30% tin by weight.

11. *Pipe organs for religious and educational institutions.* Tin may be used only in the repair and maintenance of such organs and only where and to the extent that the substitution of a less critical material is impossible.

12. *Bolster metal* for use in the manufacture of cutlery and surgical instruments for the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration. The tin content of such bolster metal shall not exceed 10% by weight and shall be derived from secondary tin only.

13. *Fusible alloys and dry pipe valve seat rings.* Tin may be used in the manufacture of fusible alloys and dry pipe valve seat rings to the extent required to meet performance specifications with respect to the operation of the product in which such alloy is to be contained.

14. *Lead-base alloys for coating sheet, tube or wire.* Lead-base alloys containing tin may be manufactured and used to coat steel sheet, steel tubes or steel wire provided the tin content of any such alloy does not exceed 2.5% by weight and is not derived from pig tin.

15. *Equipment for preparing and handling food.* In addition to the purposes specified in item (5) of this schedule with respect to dairy products, tin may be used in the manufacture or repair of the following types of equipment, but only to the extent herein indicated:

(i) To coat or to retin articles of equipment used in the processing or handling of meat in the meat-packing industry, to the extent that any such articles come into actual contact with meat. The equipment intended to be covered by this provision includes, but is not limited to: bacon combs, hangers, metal molds, shovels, forks and scoops for handling sausage and cooking utensils.

(ii) To coat or retin equipment used in the processing or cooking of any food by institutions or by industrial or commercial establishments, but only such equipment as actually comes into contact with food.

16. Tin pipe and sheet tin for lining for use in the repair or maintenance of beverage dispensing units and parts thereof. Tin pipe and sheet tin may be manufactured only for use in the repair or maintenance of beverage dispensing units and parts thereof, provided that any customer for whom such pipe or sheet tin is manufactured shall return to the manufacturer a quantity of used pipe or scrap tin equal in tin content to that of the new pipe or sheet tin delivered to him.

17. *Descaling of metal castings.* Tin may be used in descaling of metal castings to the extent specifically authorized by the War Production Board upon application made to it by letter.

18. *Tin chemicals.* Tin may be used in the manufacture of tin chemicals for use as reagents, and also for use in the electrolytic plating process, where tin plating is permitted.

Schedule II—Solders

In the manufacture of solder the tin content by weight shall be limited as follows, according to the purpose for which the solder is to be used, *Provided, however*, That no supplier shall deliver any solder, containing more than 30% tin by weight, to any manufacturer or user and no manufacturer or user shall accept delivery of any solder, containing more than 30% tin by weight, from any supplier, unless the manufacturer or user shall have furnished the supplier with the following certificate.

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that the tin contained in the material covered by this order shall be used solely for the purpose listed in schedule ____ section ____ of General Preference Order M-43, or is to be incorporated in an "Implement of War" and the tin content of the material has been definitely specified.

1. Manufacture of all cellular type radiators—solder per radiator shall average not more than 21% tin by weight.

2. Manufacture of all fin and tube type radiators for military and civilian use—solder per radiator shall average not more than 32% tin by weight.

3. Solder containing not more than 50% tin by weight may be used for the following:

(a) Ammunition box liners.

4. Solder containing not more than 40% tin by weight may be used for the following:

(a) Manufacture and repair of all galvanized iron or zinc tanks.

(b) Installation and repair of water service pipes connecting the piping of a structure with the outside water main.

5. Solder containing not more than 35% tin by weight may be used for the following:

(a) All radiator repair, but only in the form of solid or cored wire solder not to exceed ⅛" in diameter.

(b) Manufacture and repair of any type of indicating, recording, measuring or controlling instruments and their associate control valves.

(c) Manufacture and repair of dairy ware and dairy equipment where solder comes in contact with products.

(d) Manufacture, assembly and repair of galvanized iron items (except tanks) where the assembly is done with a "soldering iron."

(e) Manufacture, maintenance and repair of electric motors, generators and armatures.

(f) Manufacture of electrical fuses.

(g) Manufacture of gas meters. (For the repair of gas meters in accordance with Supplementary Order M-43-b—not more than 38% tin by weight.)

(h) Wiping lead sheathed cable joints or lead pipe joints.

(i) Manufacture or repair of lap and top combs, and other equipment used in the textile industry.

(j) Manufacture of foundry patterns and for soldering patterns to the gates.

(k) Manufacture and repair of the following dairy and egg processing equipment: cheese vats, clarifiers, separators, coolers, heaters and preheaters, dehydrators, fillers, filters, fore-warmers, hot wells, homogenizers and high pressure sanitary pumps, pasteurizers, sanitary centrifugal and positive pumps, vacuum pans and sanitary pipe lines in connection with soldering on sanitary ferrules and fittings.

6. Solder containing not more than 21% tin by weight may be used for the following:

(a) Sealing of milk cans. (Solder used for this purpose is commonly referred to as "tipping solder".)

(b) Soldering side seams of the all-seam-soldered can until August 31, 1944 and after August 31, 1944, a maximum of 5% tin by weight shall be used.

7. Solder containing not more than 5% tin by weight may be used for the following:

(a) Manufacture of cans made with either lock or lap side seam or with a combination of lock and lap side seam, except for the manufacture of the all-seam-soldered can.

8. Solder containing not more than 2% tin by weight may be used for the following:

(a) Repair of automobile bodies and fenders—solder to be derived from secondary sources only.

9. Solder containing not more than 80% tin by weight may be used for the following:

(a) All other uses not covered above and then, only to the extent that substitution of either a less critical material or one of lesser tin content is impracticable.

The total quantity of tin, which any person may use in the manufacture of solder during any calendar quarter, shall be limited to 40% of the quantity used by him in the manufacture of solder during the base period. The tin content of all solder used in the manufacture of "Implements of War", where required by specifications, is wholly exempt from this quota restriction.

Schedule III—Babbitt

In the manufacture of babbitt metal and similar alloys used as babbitt, the tin content shall be limited as follows, according to the purposes for which it is to be used, *Provided, however*, That no supplier shall deliver any babbitt, containing more than 12% tin by weight, to any manufacturer or user and no manufacturer or user shall accept delivery of any babbitt containing more than 12% tin by weight from any supplier, unless the manufacturer or user shall have furnished the supplier with the following certificate:

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that the tin contained in the material covered by this order shall be used solely for the purpose listed in Schedule _____ section ____ of General Preference Order M-43, or is to be incorporated in an "Implement of War" and the tin content of the material has been definitely specified.

1. Repair, maintenance or replacement in existing diesel engines, turbines, locomotive connecting rod or coupling rod bearings, and irrigation water pumping engines and equipment—not more than 90% tin by weight.

2. Manufacture, repair, maintenance or replacement of multivane crosshead linings in locomotives and for lining aluminum crossheads—no restriction.

3. Repair, maintenance or replacement in an industrial engine, compressor, or pump being used by operator engaged in the petroleum industry: *Provided*, In any such case, that any priorities assistance required for such repair, maintenance or replacement is obtained in accordance with Preference Rating Order P-98-b, as amended—not more than 90% tin by weight.

4. Repair, maintenance or replacement in vessels or shipping facilities pursuant to a preference rating duly established or assigned by the United States Maritime Commission—not more than 90% tin by weight.

5. Repair, maintenance or replacement of connecting rod and main engine bearings for trucks and tractors, and for passenger carriers having a seating capacity of not less than 11 persons as defined in Limitation Order L-158—not more than 90% tin by weight.

6. For all other purposes—not more than 12% tin by weight and only secondary tin shall be used.

The total quantity of tin which any person may use in the manufacture of babbitt metal, or other similar alloys used as babbitt, during any calendar quarter, shall be limited to 40% of the quantity used by him in the manufacture of babbitt during the base period. The tin content of all babbitt used in the manufacture of "Implements of War", where required by specifications, is wholly exempt from this quota restriction.

Schedule IV—Brass and Bronze

A. CAST ALLOYS

(1) Restrictions on new uses of copper-base alloy foundry products. The restrictions of this sub-paragraph are in addition to those contained elsewhere in this order and in other orders and regulations of the War Production Board. No person shall use for any purpose in manufacture, any copper-base alloy foundry product, either rough or finished, containing more than 74% copper or 2% tin, unless one or more of the following conditions is satisfied:

(i) He was lawfully using copper base alloy for the particular purpose some time during the last six months of 1943;

(ii) A War Production Board order or regulation specifically allows an alloy with a higher copper or tin content;

(iii) The specifications of the Army or Navy of the United States, the U. S. Maritime Commission or the War Shipping Administration, applicable to the contract, sub-contract or purchase order call for an alloy with a higher copper or tin content, or

(iv) He has been specifically authorized in writing by the War Production Board to use an alloy with a higher copper or tin content. (Applications for specific authorization under this sub-paragraph to use copper-base alloy foundry products containing more than 74% copper or 2% tin, where such use would otherwise be in violation of the restrictions stated above, should be made by letter in duplicate addressed to the Copper Division of the War Production Board, Washington 25, D. C., Ref: M-9-c and M-43.)

(2) *General restrictions.* In any case where the tin content of brass or bronze foundry products used by a person is not restricted by the provisions of paragraph (1) of this Schedule IV, the tin content of the brass and bronze foundry products which he uses shall be limited as follows, according to the purpose for which such products are used:

(a) For the manufacture of high ratio worm gears, fire engine pump gears, jack nuts, feed nuts, elevating nuts, thrust washers or disks, machine tool spindle bearings, hydraulic pump bodies and ends for gear pumps, grinder spindle sleeve bearings or step bearings—not more than 12% tin by weight.

(b) For the manufacture of heavy, slow cooling castings (such as, for example, steel mill screw-down nuts) where the performance characteristics require that the alpha-delta eutectoid must be retained—not more than 16% tin by weight.

(c) For the manufacture of piston rings for airbrake equipment—not more than 21.5% tin by weight.

(d) For the manufacture of piston rings for locomotives—not more than 20% tin by weight.

(e) For all other purposes, a maximum tin content of 9% tin by weight, unless the lead content of the alloy is equal to, or greater than, the tin content, and in such event, not to exceed 13% tin by weight.

B. WROUGHT ALLOYS

(3) *Restrictions on new uses of wrought copper-base alloy products.* The restrictions of this sub-paragraph are in addition to those contained elsewhere in this order and in other orders and regulations of the War Production Board. No person shall use for any purpose in manufacture, any wrought copper-base alloy product, containing more than 2% tin, unless one or more of the following conditions is satisfied:

(i) He was lawfully using copper-base alloy for the particular purpose some time during the last six months of 1943;

(ii) A War Production Board order or regulation specifically allows an alloy with a higher tin content;

(iii) The specifications of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, applicable to the contract, sub-contract or purchase order call for an alloy with a higher tin content; or

(iv) He has been specifically authorized in writing by the War Production Board to use an alloy with a higher tin content. (Applications for specific authorization under this sub-paragraph to use wrought copper-base alloy products containing more than 2% tin, where such use would otherwise be in violation of the restrictions stated above, should be made by letter in duplicate addressed to the Tin and Lead Division of the War Production Board, Washington 25, D. C., Ref: M-43.)

(4) *General restrictions.* In any case where the tin content of wrought brass or bronze products used by a person is not restricted by the provisions of paragraph (3) of this Schedule IV, the tin content of the wrought brass and bronze products which he uses shall be limited as follows, according to the purpose for which such products are used:

(i) For the manufacture of thermostatic discs or diaphragms, bronze welding rods, fourdrinier warp wire or rifle nuts in air hammers—not more than 9% tin by weight.

(ii) For all other purposes—not more than 5.8% tin by weight.

[F. R. Doc. 44-8131; Filed, June 6, 1944; 11:36 a. m.]

Part 1029—Farm Machinery

[Limitation Order L-257, as Amended June 6, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of critical materials entering into the manufacture of farm machinery and equipment and repair parts therefor, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1029.15 *Limitation Order L-257*—(a) *What this order does.* This order describes the rules governing the manufacture of farm machinery and equipment and repair parts for sale in the continental United States and possessions. (Manufacture for export is covered by Order L-257-a.) To aid manufacturers in planning a continuous production cycle, it is the intention that this will be the basic order from year to year. However, it is expected that a new schedule of quota percentages will be issued as a part of the order each year for the "current quota period" starting July 1 of that year, and this will become the "applicable schedule" for that period. For example, the applicable schedule for the period July 1, 1943 to June 30, 1944, is Schedule A; for the following twelve-month period starting July 1, 1944, the new applicable schedule might be called

Schedule B, etc. In order that producers may plan their production and order materials in advance, they may assume that the schedule in effect at any particular time will continue into the next "current quota period", until such time as a new schedule is issued. At present, there is no quota limitation on repair parts.

In addition to quota and other limitations on manufacture, this order also has rules on the filing and approval of production schedules, covering machinery and equipment (both farm and non-farm) and repair parts. Producers affected must stick to their schedules, with certain exceptions, so that the various programs, both farm and non-farm, can be met on time.

(b) *Definitions.* For the purpose of this order (and any orders supplementary hereto, unless otherwise indicated):

(1) "Producer" means any person, other than a supplier, to the extent that he is actively engaged in the current manufacture (in the United States) of farm machinery and equipment or of repair parts for farm machinery and equipment, but does not include any person who did not manufacture any farm machinery and equipment or repair parts in 1940 or 1941.

(2) "Small producer" means any producer whose total net sales (including exports and sales by affiliates) of all products did not exceed $100,000 during the calendar year 1941; and includes any other producer who has been classified by the Smaller War Plants Corporation as a "smaller, distressed producer" and is specifically designated as such for the purpose of this order by the War Production Board, on such terms and conditions as may be proper.

(3) "Manufacture" means to put into process, machine, fabricate, or otherwise alter materials by physical or chemical means.

(4) "Supplier" means any person engaged in the manufacture (for sale to a producer in the United States) of materials, parts, assemblies or subassemblies to be physically incorporated into farm machinery and equipment or repair parts manufactured by such producer, or to be resold by such producer as repair parts.

(5) "Machinery and equipment" means agricultural machinery, mechanical equipment and implements (including all attachments used in conjunction therewith) of the types ordinarily manufactured for farm use, and listed on the applicable schedule attached hereto.

(6) "Farm use" means use for the production or care of crops, livestock, livestock products, or other produce on a farm (or elsewhere in the case of poultry). The term also includes use for the production or care of crops in "victory gardens" with respect to atomizing hand sprayers, hand dusters, wheel-type hand cultivators and wheel-type hand plows, and use for any civilian purpose with respect to horseshoes, muleshoes, oxenshoes and harness hardware.

(7) "Farm machinery and equipment" means machinery and equipment which is manufactured specifically for farm use, including irrigation and drainage equipment (excluding tile), horseshoes, muleshoes, oxenshoes, harness hardware, and water well casing (fabricated by other than pipe mills); but excluding repair parts, and also excluding all of the following: tracklaying type tractors, fencing, poultry netting and wire, wire fencing, bale ties or straps, oil well casing and water pipe, grain bins and corn cribs, water storage tanks, nails (all kinds), and sundry hardware (including hand tools, chains, barn door track, pulleys, scales, and similar items not specified on the applicable schedule).

(8) "Non-farm machinery and equipment" means machinery and equipment, as defined in paragraph (b) (5) above, which is manufactured pursuant to rated orders for any purpose other than farm use.

(9) "Attachment" for machinery and equipment means a supplementary appliance which may be added to an otherwise complete machine to extend the utility of such machine.

(10) "Repair parts" means all types of replacement parts considered separately or as assemblies which are manufactured for use and used in the repair and maintenance of "farm machinery and equipment" and shall include plow shares and shapes, and water pump cylinders. No item listed on the applicable schedule shall be deemed a repair part.

(11) "Base production" means the weight of a producer's total manufacture in the United States of any item of farm machinery and equipment for sale in the United States during either the calendar year 1940 or 1941, in whichever year such weight was the greater.

(12) "United States" means the forty-eight states, the District of Columbia, Alaska, Hawaii, Puerto Rico, the Virgin Islands, and all other territories and possessions of the United States.

(13) "Current quota period" means the twelve-month period which starts July 1 of any year and ends June 30 of the following year, as identified on the applicable schedule.

(14) "Applicable schedule" means the particular schedule relating to a current quota period, and fixing manufacturing quotas (for sale in the United States) for each item listed for that period.

(c) *Restrictions on production for domestic farm use*—(1) *Manufacturing quotas.* During any current quota period, no producer shall manufacture, for sale in the United States, more of any item of farm machinery and equipment (by weight) than his quota for that item. This quota is figured by taking the percentage shown for the item on the applicable schedule, and multiplying it by his base production of the item. Exceptions to this general rule are stated in paragraph (d). Special restrictions are set forth in subparagraph (2) below and in paragraph (f).

(2) *Special restrictions.* (i) No person who is not a "producer" has any quota. However he may manufacture farm machinery and equipment and repair parts of an aggregate value up to $2,500 during any current quota period.

(ii) No item which is not provided for in the applicable schedule shall be manufactured as "farm machinery and equipment" for sale in the United States.

(iii) No person shall manufacture for sale in the United States any item of farm machinery and equipment requiring rubber tires except the following items:

Wheel type tractors including garden type.
Combines.
Pick-up hay balers and field hay harvesters.
Corn pickers.
Power sprayers over ten gallons per minute.
Any item requiring tires to be mounted on wheel rims of the following sizes (diameter): 15", 16", 18", 20" and 21".

(iv) No producer who is not a "small producer" shall manufacture, for sale in the United States, any item of farm machinery and equipment (or non-farm machinery and equipment) except to the extent listed on an approved production schedule under paragraph (e).

(3) *Adjustments in quotas.* The War Production Board may, by specific written directions or authorizations issued to any producer or other person affected by this order, increase or decrease any quota or authorized use of materials; and may transfer any portions of quotas between producers, taking into account the amount and weight of materials to be used, the need for particular items at the time required in particular areas, the labor and transportation situation in the manufacturing areas involved, and such other factors as may be proper.

(d) *Exceptions*—(1) *No quota for repair parts.* Producers may manufacture repair parts for sale in the United States without any restrictions as to quota. However, they must comply with paragraph (e) with respect to production schedules.

(2) *Bracketed items.* Wherever, in an applicable Schedule, two or more items are bracketed together, the producer must apply the individual percentages to his base production of each item in the bracket and add up the various weights. This total permissible weight may then be distributed among all or any one or more of the items in that bracket as he chooses (regardless of the individual quota percentages).

(3) *Attachments may be lumped together.* Any producer may choose not to follow the individual quota percentages for items of attachments as indicated on the applicable schedule, and instead manufacture not more than an aggregate of 75% of his total base production of all attachments. This total may be distributed among all or any one or more of the attachments made by him. However, once this choice is made, the producer must stick to it for all attachments to be made during the current quota period.

(4) *Small producers.* Any "small producer" may use the quota percentage "100%" instead of the quota percentage listed on any applicable schedule for any item or items which he makes, but only to the extent that the weight of his total manufacture of all items of farm machinery and equipment during the current quota period does not exceed, in the aggregate, 100% of his base production of these items. In addition, small producers do not have to comply with certain provisions of this order with respect to production schedules or other reports, as stated in subparagraph (c) (2) (iv) and paragraphs (e) and (k). However, this does not relieve them from complying with all CMP Regulations and procedures.

(5) *Production before or after current quota periods*—(i) *Advance planning of production.* Before the beginning of any current quota period, producers may plan their production, order materials and start initial fabrication in accordance with the applicable schedule for the coming period. For this purpose, until such time as a new applicable schedule is issued, it may be assumed that the schedule currently in effect will apply for this next period. In other words, the schedule in effect is always the "applicable schedule" unless and until displaced by a new schedule.

(ii) *Carry-over of uncompleted portions of quotas.* Any portions of quotas for sale in the United States under an applicable schedule (including all amendments, appeals and specific authorizations) which are not completely manufactured by the end of the current quota period, may be carried over and added to the corresponding quotas of the next current quota period but only to the extent that they can be completed by July 31 of this next period. However, uncompleted quotas (domestic, and those under Schedule B–6) under Order L–170 may be carried over as explained above for completion any time before June 30, 1944. In addition, uncompleted quotas for the following items of harvesting machinery and equipment under Schedule A (including special authorizations, etc.) may be carried over for completion any time before September 30, 1944:

Combines (Items 126 and 126a only).
Corn binders (Items 132 and 132a only).
Corn pickers (Items 135–136).
Field ensilage harvesters (Item 137).
Peanut pickers (Item 161).
Corn shellers (Items 166 and 167 only).
Hay balers (Items 172, 172a and 172b only).
Feed grinders and crushers (Items 174, 175, and 175a only).
Portable elevators (Item 188).

(6) *Substitute materials.* Any person may manufacture for sale in the United States the following items, without regard to the restrictions of this order, if they are made from the substitute materials listed:

Bee hives.
Farm gates.
Feed trucks.
Grit boxes.
Hog troughs.
Laying nests.
Livestock feeders.
Milk stools.
Poultry feeders.
Poultry waterers.

These items are unrestricted only if they are made entirely (except for nails and essential strappings and fastenings, and except for doors in the case of livestock feeders) from any one or more of the following materials:

Glass or other ceramic products.
Plain concrete.
Fibre board.
Wood fibre products.
Plywood (produced with binder or adhesive not restricted by Schedules 9, 10, and 11 of General Allocation Order M–300 or any other applicable M or L order).
Gum and other hardwood lumber.
Softwood lumber (subject to the restrictions of Conservation Order M–208 and all other applicable M and L Orders).

Some of the items listed above are also given quotas on the applicable schedule. These quotas apply only to the extent that the items are to be made from iron or steel.

(7) *Substitution for critical materials encouraged.* If the weight of any item of farm machinery and equipment manufactured by a producer has been or will be increased by his substituting for more critical materials any of the materials listed above in subparagraph (d) (6), he may still manufacture in any current quota period the number of units which would have been within his domestic quota before making the substitution. Also a producer may apply for additional quota for any item in which he can substitute these materials entirely for more critical materials.

(8) *Assignments of quota.* All assignments of quota specifically authorized by appeal under Limitation Order L–170 for the period starting November 1, 1942, or under this Order L–257, are re-authorized for each current quota period. The assignee, in figuring his additional quota, must take the percentage on the applicable schedule for each item transferred and multiply it by the assignor's base production of that item. The assignor's quota is, to that extent, reveked.

(e) *Production schedules*—(1) *AA–2 for purpose of scheduling production.* Producers and other persons authorized to manufacture under this order may schedule their production of items of farm machinery and equipment and repair parts as if the orders for these items bore a rating of AA–2.

(2) *Production schedules must be filed: exemption for "small producers".* With respect to each item of machinery and equipment (both farm and non-farm) and repair parts, each producer must file a production schedule on Form WPB–3181, listing the quantities he plans to have available for shipment (within his quota and other authorizations under this order) to various classes of customers, in accordance with the instructions on the form. This production schedule is deemed approved as filed, unless the producer is notified in writing to the contrary by the War Production Board. "Small producers" do not have to file this form.

(3) *Items on approved schedule to be available for shipment; changes in schedule.* Each producer must have available for shipment each month to each class of customer the quantities of each item and of repair parts as indicated on his approved schedule. However, he may complete (within his approved total) more than his schedule in any month, except that, in the case of wheel-type tractors, a producer may not complete in any calendar quarter more tractors than the total shown on his approved schedule for that quarter, plus any approved amounts scheduled but not completed in previous quarters. He may also, if necessary, delay completion of any quantities scheduled for any class of customer for any month up to the last day of the next month. Any other change in an approved schedule must be reported on Form WPB–3181 and the change will be deemed approved as filed, unless the producer is notified in writing to the contrary by the War Production Board.

(4) *Deliveries for farm use protected.* A producer must deliver all quantities of items listed on an approved schedule (WPB–3181) for farm use and for export without regard to preference ratings, unless otherwise specifically directed in writing by the War Production Board. Small producers and other persons under this order not required to file production schedules may deliver items for farm use and for export without regard to any orders bearing preference ratings of AA–2x or lower.

(f) *Further restrictions*—(1) [Deleted Mar. 23, 1944]

(2) *Restrictions on sale for domestic use.* Subject to such directions as may be issued from time to time as to rationing control by the War Food Administrator, no person shall sell any item of new farm machinery and equipment (except poultry equipment, horseshoes, muleshoes, oxenshoes, and harness hardware) which was manufactured for sale in the United States, and which he knows or has reason to believe will not be used in the hands of the ultimate consumer for farm use, except to fill a contract or purchase order bearing a preference rating of AA–4 or higher. If the rated order is for an item which farmers can get only by furnishing purchase certificates under Food Production Order 14 or any other applicable regulation of the War Food Administration, the seller must not fill the order from stock. However, in the following special cases, the seller may sell any of these items from stock for non-farm use on an order rated AA–4 or higher:

(i) If the item is in his stock as a replacement for one previously sold on a rated order, or

(ii) After he has extended the rated order to his supplier and has actually received the particular item, or

(iii) If the rated order is placed with him directly by the Army or Navy (and

not indirectly by a contractor or otherwise), or

(iv) If he is a producer (but producers must comply with all applicable orders and regulations, particularly paragraph (e) (4) of this order).

(g) *Excess inventory.* Any producer may sell to any other producer any material in his inventory which is in excess of his requirements for the items of farm machinery and equipment and repair parts authorized to be manufactured under the provisions of this order. Such sales shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13.

(h) *Conservation of materials.* (1) If any other order of the War Production Board limits the use of critical materials in the manufacture of farm machinery and equipment, non-farm machinery and equipment, or repair parts to a greater extent than this order does, the other order shall govern unless it states otherwise.

(2) The War Production Board may also from time to time issue special orders requiring standardization, simplification, substitution, or other measures to save critical materials in the manufacture of farm machinery and equipment, non-farm machinery and equipment, or repair parts.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Reports.* Each producer who is not a "small producer" must file by the 10th day of each month a report on Form WPB–1768 of his production during the previous month in accordance with the accompanying instructions. The first report must be filed on or before September 10, 1943. In addition, if any serious production trouble or delay develops between dates of filing the above Form WPB–1768, the producer should immediately advise the War Production Board, including the following information where applicable:

(1) The name of any material or component part, the non-delivery of which is, or will be, materially retarding his production.

(2) The name of the manufacturer or supplier with whom the order was placed.

(3) Producer's purchase order number.

(4) Date of the order.

(5) Supplier's order number.

(6) Promised date of delivery.

(l) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board, unless this order states otherwise.

(m) *Order L–170.* Except as otherwise stated in this order, it supersedes Limitation Order L–170 as of July 1, 1943.

(n) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Farm Machinery and Equipment Division, Washington 25, D. C. Ref: L–257.

NOTE: The reporting requirements in paragraphs (k), (c) (2) (iii), (e) (2) and (e) (3) have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A TO L–257

APPLICABLE SCHEDULE FOR CURRENT QUOTA PERIOD JULY 1, 1943 TO JUNE 30, 1944, INCLUSIVE

Manufacturing Quotas for Items of Farm Machinery and Equipment for Domestic Farm Use

Producers are not restricted by any quota percentage in the manufacture of repair parts.

Quotas for new machinery and equipment for farm use are expressed as a percentage of the net shipping weight of each item produced during 1940 or 1941, whichever was higher. In accordance with paragraph (d) (2), production of "bracketed items" may be distributed among all or any one or more items included in the particular bracket, so long as the total weight does not exceed that determined by applying the various quota percentages to the items in the particular bracket.

"Small producers" may use the quota percentage of 100% for any item or items they manufacture, so long as their aggregate production of all items does not exceed 100% of their total 1940 or 1941 production, whichever was higher, as provided in paragraph (d) (4).

Quotas for each item of attachments, unless election is made to lump together all attachments pursuant to paragraph (d) (3), are expressed as the same percentage as that listed for the machine with which the particular attachment is used (except engines).

Any item of farm machinery and equipment not provided for in this Schedule A is not to be manufactured for sale in the United States, unless specifically exempted under the order. Moreover, any manufacture of an item in excess of the percentages established in this Schedule A, even though it may be scheduled for production under paragraph (c), is permitted only if specifically authorized pursuant to paragraph (c) (3) or on appeal.

GROUP 1: PLANTING, SEEDING, AND FERTILIZING MACHINERY

Division 1: Planters (Horse and Tractor Drawn)

Item No.		Quota Percent
1	One row, one horse, corn	81
2	One row, one horse, corn and cotton, peanut and bean	64
2a	One-horse legume planters for middles (Southern)	64
3	One row, two horse, corn and cotton	75
3a	Vetch	75
4	Two row, corn	77
5	Two row, corn and cotton	100
6	Three row and over, corn	65
7	Three row and over, corn and cotton	100
8	One row, corn	91
9	One row, corn and cotton	58
10	Two row, corn	94
11	Two row, corn and cotton	61
12	Three row and over, corn	100
13	Three row and over, corn and cotton	100

Division 2: Potato Planters (Horse and Tractor Drawn)

14	One row	100
14a	Two row and larger	100

Division 4: Transplanters

15	One row, horse or tractor drawn	126
15a	Two row; horse or tractor drawn	126
15b	Two row, tractor mounted	126
15c	Celery, self propelled	126
15d	Onion, set, horse or tractor drawn	126
16	Hand, wheel type	112

Division 5: Listers with Planting Attachments (Horse or Tractor Drawn)

17	One row	0
18	Two row	82
19	Three row and over	64

Division 6: Listers with Planting Attachments (Tractor Mounted)

20	One row	78
21	Two row	62
22	Three row and over	100

Division 7: Beet and Bean Drills or Planters

23	Four row, horse or tractor drawn	90
23a	Six row, horse or tractor drawn	90
23b	Four row, tractor mounted	90
23c	Six row, tractor mounted	90

Division 8: Grain Drills

24	One horse, plain or fertilizer, three to seven disc or run	100
25	Fertilizer, 14 run and under, horse or tractor drawn	93
25a	Fertilizer, over 14 run, horse or tractor drawn	93
26	Plain, 14 run and under, horse or tractor drawn	73
26a	Plain, over 14 run, horse or tractor drawn	73
26b	Press drill, horse or tractor drawn	73
26c	Plain drill, lister type, horse or tractor drawn	73

Division 9: Broadcast Seeders

27	Wheeled, horse or tractor drawn	52
28	End-gate	68
29	Hand (wheelbarrow and other)	49

Division 10: Garden Planters

30	Hand, wheel type	66
31	Horse or tractor drawn, one row or multiple row (one row is a unit)	73

Division 11: Fertilizer Distributors

32	One row, horse drawn	75
32a	Two row, horse drawn	75
32b	Two row, tractor mounted	75
32c	Broadcast, horse or tractor drawn	75
32d	Hand propelled	72

Division 12: Lime Spreaders (Sowers)

33	Wheeled hopper type sower, horse or tractor drawn	61
34	End-gate type	61
34a	Trailer type	61
35	Truck body type	100

Division 13: Manure Spreaders and Loaders

36	Four wheel, horse or tractor drawn	66
37	Two wheel, tractor drawn	51
37a	Manure loaders	100

Division 14: Other Planting, Seeding and Fertilizing Machinery

38	Limestone pulverizers (farm size, under 14")	49
39	Uni-carrier, chassis or rear tool bar (short and long) for mounting tools, pull type	80
39a	Tool frame, attached or rear tool bar (short and long) for mounting tools on tractor	80
40	Potato cutter	100
40a		80
40b		80
41	Attachments for all items in Group 1 expressed in terms of net shipping weight in pounds	(1)

GROUP 2: PLOWS AND LISTERS

Division 1: Moldboard, Plows (Horse Drawn)

42	Walking, one horse, steel bottom	76
43	Walking, one horse, chilled bottom	57
44	Walking, two horse and larger	62
45	Sulky	90
46	Gang, two bottom and larger	90

[1] Percentage quota is the same as that listed for the machine with which the attachment is used, unless option is chosen as provided for in paragraph (d) (3) of the order (L–257).

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY—Continued

Division 8: Grain Drills—Continued

Item No.		Quota Percent
47	One bottom, tractor drawn	35
47a	One bottom, two way (one furrow) tractor drawn	35
48	Two bottom, tractor drawn	56
48a	Two bottom, two-way (two furrow) tractor drawn	60
49	Three bottom, tractor drawn	52
50	Four bottom, tractor drawn	34
51	Five bottom and larger, tractor drawn	44
52	One bottom, tractor mounted	14
52a	One bottom, two-way (one furrow) tractor mounted	35
53	Two bottom, tractor mounted	53

Division 9: Disc Plows (Horse Drawn)

54	Single disc, and larger	0

Division 4: Disc Plows (Tractor Drawn)

55	One disc	0
56	Two disc	78
57	Three disc	71
58	One disc—direct connected (one wheel type)	78
58a	Two disc—direct connected (one wheel type)	51
58b	Three disc—direct connected (one wheel type)	61
59	Three disc, tool bar type	61
60	Four disc, tractor drawn	65
61	Five disc, tractor drawn	84
62	Six disc and larger, tractor drawn	54

Division 5: One-way Disc Plows or Tillers

63	Under five feet	58
63a	Five foot and under eight foot	58
63b	Eight foot and over	58

Division 6: Listers (Horse or Tractor Drawn) (Middlebusters Without Planting Attachments)

64	One row, horse or tractor drawn	77
65	Two row, horse or tractor drawn	100
66	Three row and larger, horse or tractor drawn	0

Division 7: Listers (Tractor Mounted) (Middlebusters Without Planting Attachments)

67	One row, tractor mounted	12
68	Two row, tractor mounted	25
69	Three row and larger, tractor mounted	48
69a	Three row ridgers	86

Division 8: Sub-Soil Plows

70	Horse drawn	60
71	Tractor drawn	60
72	Tractor mounted	60

Division 9: Plow Stocks

73	Single or double stocks	0

Division 10: Other Plows and Listers

74	Basin Tiller	100
75	Cane row plows	100
76		60
76a		60

Division 11: Attachments

77	Attachments for all items in Group 2 expressed in terms of net shipping weight in pounds	(1)

GROUP 3: HARROWS, ROLLERS, PULVERIZERS AND STALK CUTTERS

Division 1: Harrows

78	Spike tooth harrow sections (steel), horse or tractor drawn	66
78a	Spike tooth harrow sections (wood), horse or tractor drawn	66
79	Spring tooth harrow sections (steel), horse or tractor drawn	68
79a	Spring tooth harrow sections (wood), horse or tractor drawn	68
80	Disc harrows, reversible, row disc, horse or tractor drawn	60
80a	Disc harrows, single, six foot and under (horse drawn type)	60
80b	Disc harrows, single over six foot (horse drawn type)	60
80c	Disc harrows, tandem attachment for horse drawn type	60
80d	Disc harrows, single and tandem, six foot and under, tractor drawn	60
80e	Disc harrows, single and tandem, over six foot and under eleven foot, tractor drawn	60
80f	Disc harrows, tandem "heavy duty" "cover crop", "wide disc spacing" tractor drawn	80
80g	Disc harrows, wide disc harrows over ten foot, tractor drawn	60
80h	Disc harrow, offset—tractor drawn	60
80i	Disc harrows, brush and bog, tractor drawn	60
81	Disc harrows, tractor mounted and tool bar type	60
81a	Cane disc harrows, tractor mounted and tool bar type	100

[1] Percentage quota is the same as that listed for the machine with which the attachment is used, unless option is chosen as provided for in paragraph (d) (3) of the order (L–257).

GROUP 3: HARROWS, ROLLERS, PULVERIZERS AND STALK CUTTERS—Continued

Division 2: Smooth Land Rollers

82	Smooth and rollers, not including lawn rollers	61

Division 3: Soil Pulverizers and Packers

83	Soil pulverizers and packers, single	57
83a	Soil pulverizers and packers, double	57

Division 4: Stalk Cutters

84	Stalk cutters, horse drawn	63
84a	Stalk cutters, tractor drawn	63
84b	Weed cutters (rotary blade type)	63
84c	Cane stubble shavers	85

Division 5: Ridge Busters

85	Ridge busters, horse or tractor drawn	100
86	Ridge busters, tractor mounted	100

Division 6: Others Harrows and Rollers

87	Combination harrow and rollers	61
87a	Seed-bed row rollers	72
88	Field Markers	60
89		60
89a		60

Division 7: Attachments

90	Attachments for all items in Group 3 expressed in terms of net shipping weights in pounds	(1)

GROUP 4: CULTIVATORS AND WEEDERS

Division 1: Cultivators (Horse and Tractor Drawn)

91	One horse (all types), including hillers, disc hoes, shovel plows, little joes, and similar type harrows and rotary harrows	45
92	One row, walking, two horse	79
93	One row, riding, two horse, shovel type	90
93a	One row, riding, two horse, disc type	90
93b	Two row, riding, horse drawn, shovel or disc type	90
94	One row, riding, two horse listed corn type	79
94a	Two row, horse drawn, listed corn type	79
94b	Two row, tractor drawn, listed corn type	100
94c	Three row, tractor drawn, listed corn type	100
94d	Four row, tractor drawn, listed corn type	100
94e	Five row, tractor drawn, listed corn type	100
95	Beet and bean cultivators, two row, horse drawn	70
95a	Beet and bean cultivators, four row, horse or tractor drawn	50
95b	Two row wing and disc hoes and hillers, potato, horse or tractor drawn	144
95c	Two row wing and disc hoes and hillers, potato, tractor mounted	144
96	Field cultivators, spring tooth type, seven foot and under	70
96a	Field cultivators, spring tooth type, over seven foot	70
96b	Field cultivators, stiff tooth type, seven foot and under	70
96c	Field cultivators, stiff tooth type, over seven foot	70
96d	Chisels and orchard cultivators, tractor drawn	48
97	Hand cultivators, wheel type, including hand plows	74

Division 2: Cultivators (Tractor Mounted)

98	One row	21
99	Two row, shovel type	71
99a	Two row, listed corn type	71
99b	Two row, potato cultivator	100
99c	Two row, disc type	71
100	Three and four row, shovel type	116
101	Narrow row, four and six row (beet, bean, and vegetable cultivators)	104
101a	Combination cultivators and planters, two row, corn and cotton	60
101b	Two row, cane cultivators	100
101c	Three row, cane cultivators	100
101d	Field cultivator, mounted and tool bar type	70
101e	Chisel and orchard cultivators, mounted and tool bar type (See also Item 96c)	48

Division 3: Rotary Hoes

102	Rotary hoes, horse or tractor drawn	48

Division 4: Weeders

103	Rod weeders, horse or tractor drawn	60
103a	Rod weeders, tractor mounted and tool bar	60
104	Tooth weeders, one horse, walking	150
104a	Tooth weeders, two horse, riding	150
104b	Tooth weeders, tractor drawn	150
104c	Tooth weeders, tractor mounted	150

GROUP 4—CULTIVATORS AND WEEDERS—Continued

Division 5: Other Cultivators and Weeders

Item No.		Quota Percent
105	Beet thinners	120
105a	Vegetable weeder and thinner	122
105b	Cyclone weeder	95
106		85
106a		85

Division 6: Attachments

107	Attachments for all items in Group 4 expressed in terms of net shipping weight in pounds	(1)

GROUP 5: SPRAYERS, DUSTERS, AND ORCHARD HEATERS

Division 1: Power Sprayers

108	Market garden type, under six g. p. m.	63
108a	Orchard type, six to ten g. p. m. auxiliary engines	63
108b	Orchard type, six to ten g. p. m. power take off	63
108c	Orchard type, eleven to twenty g. p. m. auxiliary engines	63
108d	Orchard type, eleven to twenty g. p. m. power take-off	63
108e	Orchard type, over twenty g. p. m. auxiliary engines	63
108f	Orchard type over twenty g. p. m. power take-off	63
108g	Field or row crop type, six to ten g. p. m. auxiliary engines	63
108h	Field or row crop type, six to ten g. p. m. power take-off	63
108i	Field or row crop type, eleven to twenty g. p. m. auxiliary engines	63
108j	Field or row crop type, eleven to twenty g. p. m. power take-off	63
108k	Field or row crop type, over twenty g. p. m. auxiliary engines	63
108l	Field or row crop type, over twenty g. p. m. power take-off	63
108m	Field or row crop type, tractor mounted	100
108n	Propeller blast type	100
109	Traction sprayers under six g. p. m.	100
109a	Traction sprayers six g. p. m. and over	100

Division 2: Hand Sprayers with Tank, Barrel, Knapsack, etc., with Complete Equipment (Capacity 1 qt. or over but less than 6 gallons)

110	Compressed air	70
111	Knapsack, self-contained	68
112	Trombone pump type	61
113	Bucket, pump type, single cylinder	73
114	Bucket, pump type, double cylinder	70
115	Atomizing, simple action (1 qt. and larger capacity)	62
116	Atomizing, continuous (1 qt. and larger capacity)	64

Division 3: Hand Pump Sprayers (Capacity 6 gallons or more)

117	Barrel pump sprayer	87
118	Wheelbarrow sprayer	75

Division 4: Spray Pumps, Power

119	Spray pumps, power	104

Division 5: Weed and Pear Burners

120	Weed and pear burners	40

Division 6: Dusters

121	Power duster, auxiliary engines	128
121a	Power duster, power take-off	128
122	Traction dusters	79
123	Hand dusters, rotary type	74
123a	Hand dusters, plunger type	74

Division 7: Orchard Heaters

124	Orchard heaters	75
124a	Wind frost protection machines	75

Division 8: Attachments

125	Attachments for all items in Group 5 expressed in terms of net shipping weight in pounds	(1)

GROUP 6: HARVESTING MACHINERY

Division 1: Combines (Harvester-Threshers)

126	Width of cut, 6 ft. and under, auxiliary engines	57
126a	Width of cut, 6ft. and under, power take off	57
127	Width of cut, over 6 ft. including 10 ft	90
128	Width of cut, over 10 feet	97
128a	Windrowers or swathers	78

GROUP 6: HARVESTING MACHINERY—Continued

Division 2: Grain and Rice Binders

Item No.		Quota Percent
129	Grain binders (ground drive)	42
130	Grain binders (power take-off drive)	64
131	Rice binders	88

Division 3: Corn Binders

132	Corn binders, ground drive	70
132a	Corn binders, power take-off	75
132b	Corn harvester, sled and wheel type	75

Division 4: Corn Pickers

133	One row, mounted type	110
134	Two row, mounted type	76
135	One row, pull type	78
136	Two row, pull type	108

Division 5: Field Ensilage Harvesters—Row Type

137	Field Ensilage Harvesters (row type)	100

Division 6: Potato Diggers and Pickers

138	Walking plow type	114
139	One row, ground drive	135
139a	One row, power take off	125
139b	Two row, power take off	125
139c	Potato pickers	135

Division 7: Bean Cutters or Pullers

140	Two row, horse or tractor drawn	85
140a	Four row, horse or tractor drawn	85

Division 8: Sugar Beet and Cane Harvesting Equipment

141	Beet lifters, horse or tractor drawn	27
141a	Beet lifters, tractor mounted	27
141b	Beet harvesters	150
141c	Beet loaders	150
141d	Cane harvesters	85
141e	Cane loaders	150

Division 9: Other Harvesting Equipment

142	Cotton harvesters, stripper type	150
142a	Cotton pickers	150
143	Vegetable pullers and pickers	150
143a	Green pea harvesters	150
143b	Spinach harvesters	150
144	One row soybean harvesters	150
144a	Grass seed harvesters or strippers	90
144b	Flax pullers	100
144c	Hop pickers	67
144d	Peanut diggers	150
144e		90
144f		90

Division 10: Attachments

145	Attachments for all items in Group 6 expressed in terms of net shipping weight in pounds	(1)

GROUP 7: HAYING MACHINERY

Division 1: Mowers

146	Horse or tractor drawn (ground drive)	49
147	Tractor mounted or semi-mounted (power take-off drive)	69

Division 2: Rakes

148	Sulky (dump)	47
149	Side delivery (incl. comb. side rakes and tedders)	84
150	Sweep (horse)	90
150a	Sweep (tractor mounted)	90

Division 3: Hay Loaders

151	Hay loaders	67

Division 4: Stackers

152	Stationary	90
152a	Combination stacker-loaders	146

Division 5: Pick-up Hay Balers and Bale Loaders

153	Pick-up hay balers—power take-off	78
153a	Pick-up hay balers—auxiliary engine	78
153b	Field bale loader	150

Division 6: Other Haying Machinery

154	Field hay choppers and harvesters	150
155		90
156		90

[1] Percentage quota is the same as that used for the machine with which the attachment is used, unless option is chosen as provided for in Paragraph (d) (3) of the Order (L-257).

GROUP 7: HAYING MACHINERY—Continued

Division 7: Attachments

Item No.		Quota Percent
157	Attachments for all items in Group 7 expressed in terms of net shipping weight in pounds	(1)

GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE

Division 1: Stationary Threshers—Grain, Rice and Alfalfa

158	Threshers, width of cylinder under 28 inches	65
159	Threshers, width of cylinder 28 inches and over	67

Division 2: Stationary Pea and Bean Threshers

160	Stationary pea and bean threshers	132

Division 3: Peanut Pickers

161	Peanut pickers	61

Division 4: Ensilage Cutters—Silo Fillers

162	Ensilage cutters (Silo Fillers)	69

Division 6: Feed Cutters—Hand and Power

163	Feed cutters, hand and power	80

Division 6: Corn Shellers

164	Corn shellers (hand)	43
165	Spring (2, 4, 6 and 8 hole)	0
166	Cylinder (150 bu. and under)	83
167	Cylinder (over 150 bushels)	45

Division 7: Corn Huskers and Shredders

168	Combination corn huskers-shredders	74
169	Corn huskers	41
170	Corn shredders	0

Division 8: Stationary Hay and Straw Balers

171	Horse	76
172	Auxiliary engine	36
172a	Belt driven	36
172b	Power take-off	36
172c	Broom corn balers	79

Division 9: Feed Grinders and Crushers

173	Hand	52
174	Power, burr type	58
175	Hammer type	58
175a	Roughage mills, combination type with cutter head and grinders	58
175b	Feed mixers (not concrete mixers)	58

Division 10: Grain Cleaners and Graders

176	Cleaners and graders—farm type (smallgrain and seed)	63

Division 11: Sorters and Graders

177	Potato sorters and graders	111
177a	Vegetable graders, washers, sackers and conveyors	90
177b	Vegetable toppers	90
177c	Fruit graders, washers, crushers, conveyors	90
177d	Nut hullers graders, sackers, conveyors	90

Division 12: Maple Syrup Evaporators

178	Complete sets of pans, not including furnaces	69
179	Furnaces	58

Division 13: Cane Syrup Evaporators

180	Complete sets of pans, not including furnaces	95
181	Furnaces	77

Division 14: Cane Mills—Farm Size

182	Cane mills (farm size)	63

Division 15: Cider Mills and Fruit Presses

183	Cider mills and fruit presses	32

Division 16: Other Machines for Preparing Crops for Market or Use

184	Tobacco Curers	40
185	Broom corn de-seeders	80
186		80
186a		80

GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE—Con.

Division 17: Attachments

Item No.		Quota Percent
187	Attachments for all items in Group 8 expressed in terms of net shipping weight in pounds	(1)

GROUP 9: FARM ELEVATORS AND BLOWERS

Division 1: Elevators—Portable

188	Elevators, Portable	100

Division 2: Elevators—Stationary

189	Elevators, stationary	36

Division 3: Blowers—Grain and Forage

190	Blowers (grain)	118
190a	Blowers (forage)	150

Division 4: Attachments

191	Attachments for all items in Group 9 expressed in terms of net shipping weight in pounds	(1)

GROUP 10: TRACTORS

Division 1: Tractors, Wheel Type, by Rated Belt H. P.

192	Special purpose, under 30 H. P.	82
193	Special purpose, 30 and over	44
194	All purpose under 30 H. P.	41
195	All purpose 30 and over	63

Division 2: Garden Tractors

196	Garden tractors (incl. motor tillers)	65

Division 3: Attachments

197	Attachments for all items in Group 10 expressed in net shipping weight in pounds.	(1)

GROUP 11: ENGINES (CANCELLED—SCHEDULED BY AUTOMOTIVE DIVISION)

Division 1: Engines Under 1 H. P.

198	Air Cooled	(1)

Division 2: Engines, 1 or More but Under 5 H. P.

199	Air Cooled	(1)
200	Water Cooled	(1)

Division 3: Engines, 5 or More but Under 10 H. P.

201	Air Cooled	(1)
202	Water Cooled	(1)

Division 4: Engines, 10 or More but Under 20 H. P.

203	Water cooled	(1)

Division 5: Attachments

204	Attachments for all items in Group 11 expressed in terms of net shipping weight in pounds	75

GROUP 12: FARM WAGONS, GEARS AND TRUCKS (NOT MOTOR)

Division 1: Wagons and Trucks

205	Wagon gears (less box)	55
206	Truck gears (less box)	55
206a	One horse wagon (less box)	55

Division 2: Wagon Bodies

207	Wagon and truck boxes, farm	77

Division 3: Farm Sleighs

208	Sleighs and Bob-Sleds, farm	150

Division 4: Trailers—Farm

209	Trailers, farm	0

Division 5: Other Transporting Equipment Not Motor Trucks

210	Tobacco trucks	56
210a	Buggies and spring wagons, farm	55
211	Cane wagons and carts	47
211a		50
211b		50

Division 6: Attachments

212	Attachments for all items in Group 12 expressed in terms of net shipping weight in pounds	(1)

[1] Quota percentage not necessary.

GROUP 13: DOMESTIC WATER SYSTEMS

Division 1: Deep and Shallow Well Systems

Item No.		Quota Percent
213	Deep well, reciprocal	55
214	Deep or shallow well, jet type	70
215	Shallow well, 250–499 gals. per hour	66
216	Shallow well, 500 gals. per hour and over	56

Division 2: Power Pumps

217	Horizontal type, up to and incl. 75 gal. p. m. 100 lbs. pressure	55

Division 3: Water Well Casing

218	Water well casing (fabricated by other than pipe mills)	100

Division 4: Attachments

219	Attachments for all items in Group 13 expressed in terms of net shipping weight in pounds	(1)

GROUP 14: FARM PUMPS AND WINDMILLS

Division 1: Pumps, Water

220	Pitcher pumps	69
221	Hand and windmill pumps	84

Division 2: Windmills

222	Windmill heads	95
223	Windmill towers	80

Division 3: Pump Jacks

224	Pump jacks	67

Division 4: Attachments

225	Attachments for all items in Group 14 expressed in terms of net shipping weight in pounds	(1)

GROUP 15: IRRIGATION AND DRAINAGE EQUIPMENT

Division 1: Irrigation and Drainage Pumps

227	Turbine Pumps, 0 to 1,200 G. P. M.	64
228	Turbine Pumps, 1,200 G. P. M. and up	135
229	Centrifugal pumps	64
230	Hydraulic rams	100

Division 2: Distribution Equipment

231	Land levelers	45
231a	Blade ditchers and terracers	45
231b	One disc terracers	45
231c	Corrugators	45
231d	Scrapers	45

(Items 231 to 231d are exclusive of power ditchers, draglines, and other self-powered machines.)

232	Portable pipe and extensions, sprinklers (excluding lawn sprinklers), valves and gates, expressed in terms of net shipping weight in pounds	70

Division 3: Other Farm Irrigation Equipment (List each item separately)

233		40
234		40
235		40

Division 4: Attachments

236	Attachments for all items in Group 15, expressed in terms of net shipping weight in pounds	(1)

GROUP 16: DAIRY FARM MACHINES AND EQUIPMENT

Division 1: Milking Machines

237	Milking machines.....(Complete Outfits)	60

Division 2: Farm Cream Separators

238	Capacity 250 lbs. per hour or less	86
239	Capacity 251 lbs. to 800 lbs. per hour	87
240	Capacity 801 lbs. to 1800 lbs. per hour	88

[1] Percentage quota is the same as that listed for the machine with whom the attachment is used, unless option is chosen as provided for in paragraph (d) (3) of the order (L-257).

GROUP 16: DAIRY FARM MACHINES AND EQUIPMENT—Continued

Division 3: Farm Milk Coolers

Item No.		Quota Percent
241	Immersion type	84
242	Surface or Tubular type	84

Division 4: Farm Butter Making Equipment

243	Butter churns	70
244	Butter molds	80

Division 5: Other Dairy Farm Equipment

245	Milk pails	98
246	Milk strainers	98
247	Stirrers	50
248	Cream setter cans	50
248a	Sterilizing tanks	70
248b	Dairy washing tanks	60
248c	Dairy water heaters (excluding boiler-type heaters)	60
248d	Can racks	60
	(List additional items separately)	
248e		50
248f		50
248g		50

Division 6: Attachments

249	Attachments for all items in Group 16, expressed in terms of net shipping weight in pounds	(1)

GROUP 17: BARN AND BARNYARD EQUIPMENT

Division 1: Feed Carriers, Litter Carriers, and Feed Trucks

250	Feed carriers	50
251	Litter carriers	82
252	Track for feed and litter carriers	75
253	Feed trucks (iron and steel)	67

Division 2: Hay Unloading Equipment

254	Hay carriers	90
255	Track for hay carriers	73
256	Hay forks, harpoon and grapple	90

Division 3: Cattle Stalls, Pen Equipment and Stanchions

258	Cattle stalls and fittings	50
259	Livestock pens	40
260	Cattle stanchions and fittings	65

Division 4: Livestock Drinking Cups and Watering Bowls

261	Livestock drinking cups	92
262	Outside livestock watering bowls	80

Division 5: Barnyard Stock Tanks

263	Barnyard stock tanks	65
264	Hog troughs (iron and steel)	56
265	Livestock dipping tanks	50

Division 6: Feeders, Feed Cookers & Tank Heaters

265a	Livestock feeders (iron and steel)	50
266	Feed cookers	77
267	Tank heaters	90

Division 7: Barn Door Track & Hangers

Division 8: Other Barn & Barnyard Equipment

270	Hog waterers	105
270a	Hog oilers	65
271	Hog rings	110
271a	Hog ringers	55
272a	Cattle dehorning equipment	50
272f	Anti-cow-kickers	45
272h	Hay hoists	60
272i	Bull staffs	100
272j	Bull rings	100
	(List additional items separately)	
272k		50
272l		50

Division 9: Attachments

273	Attachments for all items in Group 17, expressed in terms of net shipping weight in pounds	(1)

GROUP 18: FARM POULTRY EQUIPMENT

Division 1: Incubators

274	Incubators, 1,000-egg capacity & smaller	51
275	Incubators, over 1,000-egg capacity	75

Division 2: Floor Brooders

276	Oil (over 100 chick capacity)	100
277	Coal (over 100 chick capacity)	100
278	Gas (over 100 chick capacity)	100
279	Wood (over 100 chick capacity)	100
280	Electric (over 100 chick capacity)	100
280a	All types 100 chick capacity and smaller	100

Division 3: Battery Brooders (Heated)

281	Three deck and smaller (heated)	80
282	Four deck (heated)	70
283	Five deck (heated)	85

GROUP 18: FARM POULTRY EQUIPMENT—Continued

Division 4: Growing and Laying Batteries

Item No.		Quota Percent
284	Growing	52
285	Laying	0

Division 5: Poultry Feeders

286	Poultry feeders (iron and steel)	70

Division 6: Poultry Waterers and Water Heaters

287	Poultry waterers (iron and steel)	70
287a	Automatic float valves	75
287b	Fountain heaters	75

Division 7: Laying Nests and Grit Boxes

288	Laying nests (iron and steel)	40
289	Egg baskets	100
289a	Grit boxes (iron and steel)	40

Division 8: Other Farm Poultry Equipment

290	Leg bands	110
290a	Wing bands	110
291	Egg graders	100
292	Egg candlers	100
292a	Poultry punches	50
292b	Roof saddles	100
292c	Draft equalizers	100
292d	Chimney caps	100
292e	Killing cones	50
292h	Fowl catchers	50
	(List additional items separately)	
292i		50
292j		50
292k		50

Division 9: Attachments

293	Attachments for all items in Group 18, expressed in terms of net shipping weight in pounds	(1)

GROUP 19: MISCELLANEOUS FARM EQUIPMENT

Division 1: Beekeepers' Supplies

294	Beekeepers' supplies (except bee hives)	100
295	Bee hives (not limited) (1).	

Division 2: Silos

296	Silos (total weight of iron and steel)	60

Division 3: Horse Shoes—Including Mule and Oxen Shoes

297	Horseshoes (incl. mule and oxen shoes)	107

Division 4: Harness Hardware

298	Harness hardware	100

Division 5: Power Sheep Shearing Machines

299	Power sheep shearing machines	100
299a	Power cattle and horse clippers	50

Division 6: Electric Fence Controllers

300	Electric fence controllers	100
301	Electric fence accessories	120

Division 8: Farm Wood-Sawing Machines

309	Farm wood-sawing machines including self-powered cross-cut and drag 5 H. P. and less	56

Division 9: Farm Gates

310	Farm gates	25

Division 10: Farm Electric Plants (wind-driven)

311	Farm electric plants (wind-driven electric generating plants only—does not include batteries or towers)	55
311a	Towers for wind-driven electric generating plants (Engine driven farm lighting plants and batteries transferred to Automotive Division.)	55

Division 11: Attachments

312	Attachments for all items in Group 19, expressed in terms of net shipping weight in pounds	(1)

[F. R. Doc. 44-8134; Filed, June 6, 1944; 11:37 a. m.]

PART 1029—FARM MACHINERY

[Limitation Order L–257–a as Amended June 6, 1944]

EXPORTS

§ 1029.16 *Limitation Order L–257–a*—(a) *What this order does.* This order describes the rules governing the manufacture for export of machinery and equipment (both farm and non-farm) and repair parts, and supplements Limitation Order L–257 covering domestic production. All general provisions of the domestic order, such as definitions and rules for production schedules, will apply to producers for export under this order, unless this order indicates otherwise. It is expected that this order L–257–a will be the basic export order from year to year, but that "applicable export schedules" of quotas will be issued for each "current quota period", just as explained in Order L–257 for domestic quotas. It may be assumed that the applicable export schedules in effect at any particular time will continue into the next "current quota period", until such time as new schedules are issued.

(b) *Additional definitions.* The definitions of Order L–257, unless otherwise indicated in this order, shall apply for the purpose of this order, and also the following:

(1) "Base shipment" means one-half the net shipping weight of the total quantity (as reported on Form PD–388) of farm machinery and equipment and repair parts in the aggregate exported by a producer during the calendar years 1940 and 1941 combined to any country or group of countries (except Canada) listed on an applicable export schedule.

(2) "Lend-Lease order" means any order for machinery and equipment (both farm and non-farm) or repair parts placed by any agency of the United States Government in response to a requisition filed pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(3) "Applicable export schedule" means any schedule which relates to a current quota period and fixes manufacturing quotas for the foreign country or countries listed for that period.

(c) *Restrictions on production for export*—(1) *General export quotas (except Canada).* During any current quota period, no producer shall manufacture for shipment, or ship, to foreign countries more machinery and equipment (both farm and non-farm) and repair parts than his quota for the particular country or countries, as indicated on the applicable export schedule. Where countries are listed on an applicable export schedule as a group with only one quota percentage, the producer's quota for all countries in the group as a whole is the listed percentage of his base shipments to those countries. Where countries are listed individually with separate quota percentages, the producer's quota for each country is the applicable percentage of his base shipment to that country. Where the quota percentage is 0% for any country or group of countries listed, or where a particular foreign country is not listed at all, shipments can be made only by getting a special quota under paragraph (c) (4). These special quotas will be given only as the need arises.

Each export quota for a country or group of countries (except Canada) is an over-all tonnage, which the producer can divide up among farm machinery and equipment, non-farm machinery and equipment, and repair parts, as he chooses.

Exceptions to these general rules are stated in paragraph (d).

(2) *Canadian quotas.* During any current quota period, no producer shall manufacture for shipment to Canada more of any item of farm machinery and equipment (in units) or attachments and repair parts (by weight) than his quota as indicated on the applicable export schedule. For each item of farm machinery and equipment (excluding attachments) the producer's quota is half the number of that item (in units) shipped by him to Canada during the calendar years 1940 and 1941, multiplied by the percentage shown for the item on the schedule. (Quotas for Canada do not include non-farm machinery and equipment.)

For each item of attachments, the quota is half the net shipping weight of that item shipped by the producer to Canada during the calendar years 1940 and 1941, multiplied by the percentage shown for the item on the schedule. However, the producer may choose to lump all attachments as explained in paragraph (d) (3).

For repair parts, the quota is half his total 1940 and 1941 shipments by weight of all repair parts to Canada, multiplied by the indicated percentage.

Exceptions to these general rules are stated in paragraph (d).

(3) *Special restrictions.* No producer shall manufacture for shipment, or ship, to any foreign country (including Canada):

(i) Any item of farm machinery and equipment requiring rubber tires except the following items:

Wheel type tractors including garden type.
Combines.
Pick-up hay balers and field hay harvesters.
Corn pickers.
Power sprayers over ten gallons per minute.
Any item requiring tires to be mounted on wheel rims of the following sizes (diameter): 15", 16", 18", 20" and 21".

(ii) Any item of farm machinery and equipment or repair parts except to the extent listed on an approved production schedule under paragraph (e).

(4) *Adjustments in quotas.* The War Production Board may, by specific written directions or authorizations issued to any producer or other person affected by this order, increase or decrease any export quota or authorized use of materials; and may transfer any portions of quotas between producers, taking into account the amount and weight of materials to be used, the need for particular items at the time required in particular countries, the labor and transportation situation in the manufacturing areas involved, and such other factors as may be proper.

(d) *Exceptions*—(1) *Production before or after current quota periods*—(i) *Advance planning of production.* Before the beginning of any current quota period, producers may plan their advance production for export as explained for domestic production in subparagraph (d) (5) (i) of Order L–257.

(ii) *Carry-over of uncompleted portions of quotas.* Any portions of export quotas under an applicable export schedule (including all amendments, appeals and specific authorizations) which are not completely manufactured by the end of the current quota period, may be carried over and added to the corresponding quotas of the next current quota period, but only to the extent that the particular items are covered by an export license issued by the Office of Economic Warfare or by a Lend-lease order, dated before July 1 of this next period. However, items for Canada may be carried over to the extent that they can be completed by July 31 of this next period.

(iii) *Uncompleted L–170 quotas.* Uncompleted export quotas under Order L–170 (except Canada) may be carried over as explained in subparagraph (d) (1) (ii) above to the extent that they are covered by an export license or Lend-Lease order dated before October 1, 1943. Uncompleted L–170 quotas for Canada may be completed up to June 30, 1944.

(2) *Bracketed items for Canada.* Wherever, in an applicable export schedule for Canada, two or more items are bracketed together, the producer may distribute his total quota (in units) for that bracket among all the items in that bracket, as set forth for domestic items in paragraph (d) (2) of Order L–257.

(3) *Attachments for Canada.* Any producer may choose not to follow the individual quota percentages for attachment items for Canada as indicated on the applicable export schedule, and instead manufacture up to 75% of half his total 1940 and 1941 shipments of all attachments (by weight) to Canada, under the terms set forth for domestic attachments in paragraph (d) (3) of Order L–257.

(e) *Production schedules.* Each producer who is not a "small producer" must have available for shipment export the quantities of items of machinery and equipment (both farm and non-farm) and repair parts as indicated on his production schedules which have been filed and approved in accordance with paragraph (e) of Order L–257. All provisions of that paragraph apply to production schedules for export, unless otherwise indicated. However, any item manufactured for export, whether for an O. E. W. country or Lend-Lease country (excluding Canada), may be shipped to any foreign country (except Canada) regardless of the schedule filed on Form WPB–3053 or WPB–3181, *Provided*, That the total shipments to any country or group of countries during the current quota period must not be more than the quota for that country or group of countries established under this order. Shifts of this nature do not have to be reported on Form WPB–3181.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(g) *Communications.* All communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Farm Machinery and Equipment Division, Washington 25, D. C., Ref.: L–257–a.

Issued this 6th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPLICABLE EXPORT SCHEDULES OF ORDER L–257–A FOR CURRENT QUOTA PERIOD JULY 1, 1943 TO JUNE 30, 1944

Quotas for countries listed on Schedules X–1, X–3, X–4, X–5, X–6, X–7 below are expressed as a percentage of one-half the total net shipping weight of the 1940 and 1941 shipments of farm machinery and equipment and repair part to all the countries in the particular group.

Quotas for countries listed on Schedule X–8 below are expressed as a percentage of one-half the total net shipping weight of the 1940 and 1941 shipments to each such country.

NOTE: Quota percentages are not established for countries listed in Schedules X–2 and X–9 below. Quotas for these countries, and for special projects in any country, will be allocated specifically from time to time under paragraph (c) (4).

O. E. W. COUNTRIES

Schedule X–1—Quota Percentage 45%

Argentina	Guatemala
Bolivia	Haiti
Brazil	Honduras
Chile	Mexico
Colombia	Nicaragua
Costa Rica	Panama
Cuba	Paraguay
Dominican Republic	Peru
Ecuador	Uruguay
El Salvador	Venezuela

Schedule X–2—Other O. E. W. Countries Quota Percentage—0%

Azores	Mozambique
Belgian Congo	Newfoundland and Labrador
British Oceania	Portugal
Canary Islands	Portuguese Guinea and Angola
Cape Verde Islands	Rio de Oro and Spanish Guinea
Curacao (N. W. Indies)	Spain
Eire	Spanish Morocco
French Guiana	Surinam (Dutch Guiana)
French Oceania	Sweden
French West Indies	Switzerland
Greenland	Tangier
Liberia	
Madagascar	
Miquelon and St. Pierre	

LEND-LEASE COUNTRIES

Schedule X–3—Quota Percentage 87%

United Kingdom:
Great Britain
North Ireland
Scotland
Wales

Schedule X–4—Quota Percentage 580%

French North Africa:
Algeria
French Morocco
Tunisia

LEND-LEASE COUNTRIES—continued

Schedule X–5—Quota Percentage 479%

Other French Africa:
French Equatorial Africa
French Somaliland
Cameroons (French)

Schedule X–6—Quota Percentage 151%

British West Indies:
Bahamas
Barbados
Bermuda
Jamaica
Leeward Islands
Trinidad and Tobago
Windward Islands

Schedule X–7—Quota Percentage 37%

British West Africa:
Cameroons (British)
Gambia
Gold Coast
Nigeria
Sierra Leone

Schedule X–8

Countries:	Quota percentages
Australia	399%
British East Africa	167%
British Honduras	70%
British Guiana	200%
Egypt and Sudan	360%
Iceland	922%
India	55%
Iran	53%
Iraq (Mesopotamia)	469%
New Zealand	232%
Palestine	415%
North & South Rhodesia	132%
Turkey	43%
Union of South Africa	121%

Schedule X–9—Other Areas Quota Percentage—0%

Aden
Arabia Peninsula States
Belgium
British Somaliland
Ceylon
China (Free)
Cyprus
Italian Somaliland
Ethiopia
Falkland Islands
French West Africa
France
Greece
Denmark
Gibraltar
Italy
Malta and Gozo
Mauritius and Dependencies
Netherlands
Norway
Poland
State of Bahrein
St. Helena and Dependencies
Syria
U. S. S. R.
Yugoslavia

CANADA

Schedule X–10

Quotas for the following items of farm machinery and equipment (excluding attachments) are expressed as a percentage of one-half the number of units of each item shipped to Canada during the combined calendar years 1940 and 1941; where applicable, the item numbers correspond to those in Schedule A of Order L–257. Bracketed items may be handled as indicated in paragraph (d) (2).

The quota base for each item of attachments, and for repair parts, is one-half the net shipping weight of the 1940 and 1941 shipments thereof. Note option to lump all attachments as provided in paragraph (d) (3).

Items not listed are not to be manufactured for shipment to Canada.

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY

Division 1: Planters (Horse and Tractor Drawn)

Item		Quota percentage
4	Two row corn planters	81
6	Three row and over corn planters	81
	Division 2: Planters (Tractor Mounted)	
10	Two row corn planters	81
12	Three row and over corn planters	81
	Division 3: Potato Planters (Horse or Tractor Drawn)	
14	One row	152
14a	Two row and larger	125
	Division 4: Transplanters	
(1)	Horse or tractor drawn	77
16	Hand, wheel type	77
	Division 7: Beet Drills	
(1)	Horse or tractor drawn	69
	Division 8: Grain Drills	
(1)	Fertilizer drills, horse or tractor drawn	75
(1)	Plain drills, horse or tractor drawn	75
(1)	Press drills, horse or tractor drawn	82
	Division 10: Garden Planters	
80	Hand planters wheel type	100
	Division 12: Lime Spreaders (Sowers)	
83	Wheeled type, horse or tractor drawn	70
	Division 13: Manure Spreaders	
86	Four wheeled, horse or tractor drawn	133
87	Two wheeled tractor drawn	133

GROUP 2: PLOWS AND LISTERS

Division 1: Moldboard Plows (Horse Drawn)

42	Walking, one horse, steel bottom	0
43	Walking, one horse, chilled bottom	0
44	Walking, two horse, or larger	51
46	Gang, two bottom and larger	26
	Division 2: Moldboard Plows (Tractor Drawn or Mounted)	
47	One bottom, tractor drawn	57
48	Two bottom, tractor drawn	57
49	Three bottom, tractor drawn	57
50	Four bottom, tractor drawn	57
51	Five bottom, and larger, tractor drawn	57
52	One bottom, tractor mounted	51
53	Two bottom, tractor mounted	51
	Division 5: One Way Disc Plows or Tillers	
63	Under five feet	72
63a	Five foot and under eight foot	72
63b	Eight foot and over	72
	Division 11: Seeding Boxes	
(1)	Seeding boxes for one way plows or tillers	92

[1] No applicable item number on Schedule A of Order L–257.

GROUP 3: HARROWS, ROLLERS, PULVERIZERS AND STALK CUTTERS

Division 1: Harrows

Item		Quota Percentage
78	Spike tooth harrow sections, horse or tractor drawn (steel)	63
79	Spring tooth harrow sections, horse or tractor drawn (steel)	65
(1)	Disc harrows, horse or tractor drawn:	
	(1) wide tractor disc harrow	42
	(2) tandem tractor disc harrow	56
	(3) horse disc harrow	51

Division 3: Soil Pulverizers and Packers

(1)	Trailer packers for one way disc, drill and plow	41

GROUP 4: CULTIVATORS AND WEEDERS

Division 1: Cultivators (Horse and tractor drawn)

91	One horse, all types	58
93	Corn cultivators, one row	96
95	Beet cultivators	76
(1)	Field cultivators	66
97	Hand cultivators and weeders	100

Division 2: Cultivators (Tractor Mounted)

98	One row	83
99	Two row, shovel type	83
100	Three or four row, shovel type	83
101	Five row and over	83

Division 4: Weeders

103	Rod weeders, horse or tractor drawn	25

Division 5: Other Cultivators and Weeders

(1)	Tobacco cultivators	50

GROUP 5: SPRAYERS, DUSTERS, AND ORCHARD HEATERS

Division 1: Power Sprayers and Traction Sprayers

(1)	Power sprayers	116
(1)	Traction sprayers	98

Division 2: Hand Sprayers (Capacity one quart & over)

110	Compressed air	84
111	Knapsack self-contained	
112	Trombone pump type	
113	Bucket pump type, single cylinder	
114	Bucket pump type, double cylinder	
115	Atomizing single action (1 qt. and larger)	
116	Atomizing continuous (1 qt. and larger)	

Division 3: Sprayers with Tank, Barrel, Knapsack, etc., (6 gals. or more)

117	Barrel pump sprayer	84
118	Wheelbarrow type	

Division 4: Spray Pump (Power)

119	Spray pumps, power	100

Division 6: Dusters

121	Power dusters, auxiliary engine	162
121a	Power dusters, power take-off	162
122	Traction dusters	162
123	Hand dusters, rotary type	84

[1] No applicable item number on Schedule A of Order L-257.

GROUP 6: HARVESTING MACHINERY

Division 1: Combines (Harvesting threshers)

Item		Quota Percentage
126	Width of cut, 6 feet and under	110
127	Width of cut, over 6 feet including 10 feet	110
128	Width of cut, over 10 feet	110
(1)	Pickup for combines	200
128a	Swather	244

Division 2: Grain and Rice Binders

129	Grain binder (ground drive)	61
130	Grain binder (power take-off drive)	64

Division 3: Corn Binders

132	Corn binders (row binder) horse or tractor drawn	75

Division 4: Corn Pickers

133	One row, mounted type	128
134	Two row, mounted type	128
135	One row, pull type	128
136	Two row, pull type	128

Division 5: Field Ensilage Harvester (Row type)

137	Field ensilage harvester (40 units to be allotted)	0

Division 6: Potato Diggers

(1)	Horse or tractor	158

Division 8: Beet Lifters

141	Horse or tractor	97

GROUP 7: HAYING MACHINERY

Division 1: Mowers

146	Horse or tractor drawn (ground drive)	77
147	Tractor mounted or semi-mounted (Power take-off drive)	77
(1)	Knife or sickle grinder	71

Division 2: Rakes

148	Sulky, dump	93
149	Side delivery	229
150	Sweep, horse	75

Division 3: Hay Loaders

151	Hay loaders	189

Division 4: Stackers

152	Stackers (Stationary type)	100

Division 5: Hay Balers

(1)	Pick-up hay balers (50 units to be allotted)	0

GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE

Division 1: Stationary Thrashers

158	Thrashers, width of cylinder under 28 inches	32
159	Thrashers, width of cylinder 28 inches or over	32
162	Ensilage cutters (silo fillers)	89

Division 5: Feed Cutter (Hand and Power)

168	Feed Cutters, hand and power	105

Division 6: Corn Shellers

164	Corn shellers, hand	33
165	Power corn shellers (2, 4, 6 and 8 hole)	33
166	Power corn shellers, cylinder (150 bu. and under)	33
167	Power corn shellers, cylinder (over 150 bu.)	33

GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE—continued

Division 9: Feed Grinders and Crushers

Item		Quota Percentage
174	Power Burr type	183
175	Hammer	66
175a	Roughage mills	66
175b	Feed mixer (not concrete mixer)	126

Division 10: Cleaners and Graders (Farm type)

176	Cleaners and graders (corn and grain)	100

Division 11: Potato Sorters and Graders

177	Potato sorters and graders	86

Division 16: Other Machines for Preparing Crops for Market Use

(1)	Roller or crusher type feed cutters	33
(1)	Pulper (feed)	100

GROUP 9: FARM ELEVATORS AND BLOWERS

Division 1: Elevators (portable)

186	Elevators, portable	50

Division 2: Elevators (stationary)

189	Elevators, stationary	

GROUP 10: TRACTORS

Division 1: Tractors, Wheel Type, by Rated Belt H. P.

192	Special purpose under 30 h. p.	75
193	Special purpose 30 or over h. p.	
194	All purpose under 30 h. p.	
195	All purpose 30 and over h. p.	

Division 2: Garden Tractors

196	Garden tractors including motor tillers (225 units to be allotted)	

GROUP 11: ENGINES

NOTE: Engines and repairs for same are not controlled by this order, but are scheduled by the Automotive Division.

GROUP 12: FARM WAGONS AND TRUCKS (NOT MOTOR)

Division 1: Wagons

205	Wagons, farm, without boxes	90
206	Trucks, farm, without boxes	97

Division 2: Wagon Bodies

207	Wagon and truck boxes, farm	141

GROUP 13: DOMESTIC WATER SYSTEMS

Division 1: Deep and Shallow Well System

213	Deep well, reciprocal	135
214	Deep well, jet pumps	135
215	250–499 gals. per hour, shallow well	135
216	500 to 3000 gals. per hour, shallow well	135

Division 2: Power Pumps

217	Horizontal type up to and including 50 gals. per min. 100 lb. pressure	135

GROUP 14: FARM PUMPS AND WINDMILLS

Division 1: Pumps, Water

220	Pitcher pumps or cistern pumps	86
221	Hand and windmill pumps	162

Division 2: Windmills

222	Windmill heads	86
223	Windmill towers	35

GROUP 14: FARM PUMPS AND WINDMILLS—continued

Division 3: Pump Jacks

Item		Quota Percentage
224	Pump jacks	160

GROUP 15: IRRIGATION EQUIPMENT

Division 2: Distribution Equipment

(1)	Repairs, sprinklers, valves and gates for truck garden sprinkling equipment, excluding piping and lawn sprinklers: (1,000 pounds to be allotted)	0

GROUP 16: DAIRY FARM MACHINES AND EQUIPMENT

Division 1: Milking Machines

237	Milking machines (with 2 pails per pump)	185

Division 2: Farm Cream Separators

238	Farm cream separators, capacity 250 lbs. per hour or less	0
239	Farm cream separators, cap. 251–800 lbs. per hour	186
240	Farm cream separators, capacity 801–1500 lbs. per hour	186

Division 3: Farm Milk Coolers

241	Immersion type (200 units to be allotted)	0

Division 4: Farm Butter Making Equipment

243	Butter churns	80

GROUP 17: BARN AND BARNYARD EQUIPMENT

Division 2: Hay Unloading Equipment

254	Hay carriers	103
255	Track for hay carriers	103
256	Hay forks, harpoon and grapple	103
257	Pulleys and fittings	103

Division 4: Livestock Drinking Cups and Watering Bowls

261	Livestock drinking cups	138

Division 5: Hog Troughs

264	Hog troughs	80

Division 8: Other Barn and Barnyard Equipment

270	Hog waterers	80
271	Hog rings (15,000 lbs. to be allotted)	0
272	Bull rings (15,000 lbs. to be allotted)	0

GROUP 18: FARM POULTRY EQUIPMENT

Division 1: Incubators

274	Incubators, 1000 egg capacity and smaller	105
276	Incubators, over 1000 egg capacity	105

Division 3: Floor Brooders (over 100 chick capacity)

277	Coal	
279	Wood	189
280	Electric	

NOTE: Producers may use one-half their production of oil brooders (over 100 chick capacity), as well as one-half their production of coal, wood and electric types, during 1940 and 1941, in figuring their total brooder quota; but they can produce for shipment to Canada only the coal, wood, and electric types listed above.

[1] No applicable item number on Schedule A of Order L-257.

GROUP 18: FARM POULTRY EQUIPMENT—continued

Division 2: Egg Cleaners and Brushes (hand use only)

Item		Quota Percentage
(1)	Egg cleaners and brushes (hand use only)	150

GROUP 19: MISCELLANEOUS FARM EQUIPMENT

Division 4: Harness Hardware

296	Harness hardware (pounds)	156

Division 6: Electric Fence Controllers

300	Electric fence controllers	225
301	Electric fence accessories (pounds)	200

Division 8: Farm Wood-Sawing Machines

309	Farm wood-sawing machines	89

Division 10: Farm Lighting Plants

311	Wincharger type (battery not included)	25

ATTACHMENTS AND REPAIR PARTS

(1)	Repair parts, in the aggregate (base is one-half the net shipping weight of total 1940–1941 shipments of repairs)	156
(1)	Attachments: Quota percentage for each attachment item is the same as that listed above for the machine or item with which the attachment is used, except that the base is net shipping weight instead of units. However, option may be chosen to lump all attachments as provided in paragraph (d) (3) of Order L-257-a.	

[F. R. Doc. 44-8135; Filed, June 6, 1944; 11:37 a. m.]

PART 1180—ZINC SULPHIDE PIGMENTS

[General Preference Order M-128, Revocation]

Section 1180.1 *General Preference Order No. M-128* is hereby revoked. This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said Order M-128.

Issued this 6th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8132; Filed, June 6, 1944; 11:36 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[General Preference Order M-5-a, as Amended June 6, 1944]

GAGES AND PRECISION MEASURING HAND TOOLS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of gages and precision measuring hand tools, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3274.41 *General Preference Order E-5-a*—(a) *Definitions.* For the purpose of this order:

(1) "Gages and precision measuring hand tools" means those types of tools which are listed on Exhibit A attached hereto, excluding tools made of wood or plastics.

(2) "Producer" means any person who is engaged in the manufacture of gages or precision measuring hand tools.

(3) "Stock order" means any purchase order for gages or precision measuring hand tools now or hereafter placed with a producer by any person acquiring such tools pursuant to a rating assigned on Form WPB-547 (formerly PD-1X), Form WPB-646 (formerly PD-300), or Canadian Form PB-1010.

(4) "Other order" means any purchase order for gages or precision measuring hand tools except stock orders.

(5) "Total monthly production" means either, (i) The total dollar value of each of the types of gages and precision measuring hand tools listed on Exhibit A scheduled to be produced in any given month by a producer or, (ii) The total number of units of each of the types of gages and precision measuring hand tools listed on Exhibit A scheduled to be produced in any given month by a producer. Each producer may choose between computing his total monthly production on a dollar or a unit basis.

(b) *Necessity for preference ratings.* On and after June 6, 1944, no producer shall sell or deliver any gages or precision measuring hand tools except to fill purchase orders bearing a preference rating of AA-5 or higher.

(c) *Allocation of production between stock orders and other orders.* Beginning with the month of July 1944, and in each month thereafter, each producer shall schedule his monthly production and delivery of gages and precision measuring hand tools as follows:

(1) To the extent that he has stock orders on hand he shall schedule between 20 and 25 percent of his total monthly production of each type of gages and precision measuring hand tools listed on Exhibit A for delivery against stock orders requiring delivery in such month. No producer shall schedule any purchase order pursuant to this paragraph (c) (1) unless it clearly appears from such order that the rating was assigned on Form WPB-547 (PD-1X), Form WPB-646 (PD-300) or Canadian Form PB-1010.

The sequence of deliveries of stock orders within the percentage limitations which may be delivered in any given month shall be scheduled according to § 944.7 of Priorities Regulation No. 1 and other applicable War Production Board regulations.

(2) To the extent that he has other orders on hand he shall schedule between 75 and 80 percent of his total monthly production of each type of gages and precision measuring hand tools listed on Exhibit A for delivery against other orders requiring delivery in such month.

The sequence of deliveries of other orders within the percentage limitations which may be delivered in any given month shall be scheduled according to § 944.7 of Priorities Regulation No. 1 and other applicable War Production Board regulations.

(3) Any portion of the percentage allocated to stock orders which has not been taken up by such orders on or before the 15th day of the month preceding the month being scheduled shall be scheduled for delivery against other orders and vice versa.

(d) *Repair parts.* Nothing in this order shall be deemed to prevent the sale and delivery of any part manufactured for use in the repair or maintenance of gages and precision measuring hand tools. Purchase and delivery of such repair parts shall be in accordance with applicable regulations and orders of the War Production Board.

(e) *Intra-company deliveries.* Notwithstanding the provisions of § 944.12 of Priorities Regulation No. 1, the provisions of this order shall not apply to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(f) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(g) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall, from time to time request, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(h) *Appeals.* Any appeal from the provisions of this order shall be made on Form WPB–1477 (formerly PD–500) or by letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal. All appeals should be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Tools Division, Washington 25, D. C., Ref: E–5–a.

Issued this 6th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A

Bevels, all types, excluding carpenter's.
Buttons, tool makers'.
Calipers, all types, including attachments, but excluding dial equipped calipers.
Center testers and wigglers.
Clamps, key seat, parallel, rule and tool makers'.
Dividers, all types, including attachments, but excluding draftsmen's and carpenters' dividers.
Drill or V-Blocks and clamps for same—Hardened and/or ground only, with capacity of 3" round and under.
Gages, the following types only:
- Angle, excluding universal.
- Ball or radius.
- Button.
- Center, including attachments.
- Circumference.
- Cutter clearance.
- Cylinder.
- Depth, all types.
- Drill, drill point.
- Fillet or radius.
- Height, all types.
- Hole, excluding dial equipped.
- Screw pitch.
- Screw and wire.
- Surface.
- Taper, all types.
- Telescope.
- Thread, used for grinding and setting tools for thread cutting.
- Thickness or feeler, including stock and holders.
- Wire or rolling mill, and attachments.

Hold downs, tool makers'.
Indicators, dial, excluding AGD dials specified in commercial standard CS 8–41, U. S. Bureau of Standards.
Indicators, test, excluding those having AGD dials specified in commercial standard CS 8–41, U. S. Bureau of Standards, and/or test indicators which have base dimensions greater than 3" or have a magnetic base.
Levels, machinist and precision.
Micrometers, external and internal, including attachments and standards for same.
Micrometer heads.
Parallels, under 6" in length.
Protractors, all types, excluding draftsmen's.
Sets, combination.
Squares, calibrated 1/32" and finer, all types, including attachments, but excluding draftsmen's squares.
Steel rules, calibrated 1/32" and finer, excluding draftsmen's rules and steel tape rules.
Straight edges, excluding cast iron or cast steel, and draftsmen's and carpenters'.
Trammels, all types, including attachments, but excluding draftsmen's trammels.
Vernier tools, all types.

[F. R. Doc. 44–8136; Filed, June 6, 1944; 11:37 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300, as Amended June 6, 1944]

CHEMICALS AND ALLIED PRODUCTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of those chemicals and allied products subject to this order for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.1000 *General Allocation Order M–300*—(a) *Purpose and effect.* The purpose of this general allocation order is to provide a central framework for allocation of chemicals and allied products.

Three general systems of allocation are provided for in this order, following the outline of allocations now in general use for chemicals. Appendix A materials are allocated on customers' Form WPB–2945 (formerly PD–600) and suppliers' Form WPB–2946 (formerly PD–601). Appendix B materials are allocated on suppliers' Form WPB–2947 (formerly PD–602), on the basis of certified statements of proposed use from each customer. Appendix C materials are allocated on suppliers' Form WPB–2947 (formerly PD–602), on the basis of applications on customers' Form WPB–2945 (formerly PD–600) for large orders and certified statements of end use to the supplier from customers ordering intermediate quantities.

A separate schedule under this general order is issued for each subject material. The schedule details the information required for applications, and may contain special exemptions or additional requirements modifying the terms of the general order.

The appendices in this order outline the requirements for applying for each material and show the governing schedule numbers.

The general order will be amended and reprinted in its entirety whenever a change is made in the body of the order. Appendices A, B and C will be amended and reprinted separately about once a month, showing all materials subject to the order at that time. Schedules may be issued or amended at any time, and remain in effect until individually amended or revoked. A material is subject to the order as an Appendix A, B or C material as stated in the applicable schedule although the corresponding amendment to the appendix has not issued. In the event of inconsistency between a schedule and the general order or its appendices, the provisions of the schedule shall govern.

(b) *Definitions.* For the purpose of this order:

(1) "Material" means any chemical or allied product defined and made subject to this order as an Appendix A, B or C material by an M–300 schedule.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(3) "Supplier" means any person who produces or imports a material or who purchases a material for resale as such.

(4) "Initial allocation date" means the date when a material first becomes subject to allocation under this order, or when it first became subject to allocation under another order prior to its transfer to this order, whichever date is earlier.

Appendix A Materials—General Requirements

(c) *Delivery, acceptance of delivery, and use.* On and after the initial allocation date, no supplier of an Appendix A material shall deliver it to any person, no person shall accept delivery of an Appendix A material from a supplier, and no person shall use an Appendix A material, except as specifically authorized in writing by the War Production Board upon application under this order.

Appendix B Materials—General Requirements

(d) *Delivery and use.* On and after the initial allocation date:

(1) No supplier of an Appendix B material shall use or deliver it to any person, except as specifically authorized in writing by the War Production Board upon application under this order.

(2) A person who places a certified purchase order for an Appendix B material must use the material for the purpose stated, subject to advice by the supplier that a particular specified use has been denied or limited by the War Production Board. Material acquired after the initial allocation date from any person other than a supplier shall not be used except in exempt small order quantities, unless specifically authorized in writing by the War Production Board.

(e) *Certified purchase orders.* With respect to material ordered for delivery on and after the initial allocation date:

(1) Each person ordering an Appendix B material from a supplier shall furnish a certified statement of end use with his purchase order in accordance with Appendix D.

NOTE: Former paragraph (2) revoked; former paragraph (3) redesignated June 6, 1944.

(2) Each supplier within a week after receipt of authorization to ship shall notify his customer of denial in whole or in part by the War Production Board of any item or items on a certified purchase order placed by the customer.

Appendix C Materials—General Requirements

(f) *Delivery.* On and after the initial allocation date, no supplier of an Appendix C material shall deliver it to any person, except as specifically authorized in writing by the War Production Board upon application under this order.

(g) *Acceptance of delivery.* On and after the initial allocation date, no person shall accept delivery during any allocation period from all suppliers of an aggregate quantity of an Appendix C material in excess of the quantity specified in Column 3 of Appendix C, except as specifically authorized in writing by the War Production Board upon application under this order.

(h) *Use.* On and after the initial allocation date, no person shall use an Appendix C material except as follows:

(1) As specifically authorized in writing by the War Production Board upon application on Form WPB–2945 (formerly PD–600); or

(2) For the purpose and in the quantity stated in the use certificate furnished with the purchase order against which the material was delivered, unless advised by the supplier that a particular specified use has been denied or limited by the War Production Board.

(i) *Certified purchase orders.* (1) Each person ordering an aggregate quantity of an Appendix C material within the limits specified in Column 4 of Appendix C from all suppliers for delivery during any allocation period, shall furnish each supplier with a use certificate in accordance with Appendix D.

(2) Each supplier within a week after receipt of authorization to ship shall notify his customers of denial in whole or in part by the War Production Board of any item or items on their certified purchase orders.

Additional Reports and Certificates—Special Requirements

(j) *Past use and inventory report.* Periodic or one-time reports on Form WPB–3442 covering past use and inventory may be required by the applicable schedule.

(k) *Supplementary use certificates.* Persons required to file statements of use with respect to materials subject to this order may be required by the applicable schedule to obtain supplementary statements of use from their customers.

Existing Stocks on Initial Allocation Date

(l) *Suppliers' stocks.* The restrictions on delivery and use of Appendix A, B, and C materials shall apply to all stocks of each supplier on the initial allocation date. Stocks of suppliers who resell exclusively on small orders are exempted by paragraph (o) (4).

(m) *Exemption for stocks of suppliers who consume.* If a supplier customarily maintains inventories of an Appendix A, B or C material for his own consumption separately, both physically and on his books, from his inventory of the material for sale, his stocks on the initial allocation date for his own consumption shall be subject to the provisions of the following paragraph (n) regarding consumers' stocks and not to the restrictions of paragraph (l) above regarding suppliers' stocks. Prior to the initial allocation date, no supplier shall transfer any more material to his inventory as a consumer than his rated orders for derivatives of the material compared with his rated orders for the material itself would permit under Priorities Regulation No. 1.

(n) *Consumers' stocks.* Any person not a supplier may freely use, deliver or accept delivery of any Appendix A, B or C material which he had in stock on the initial allocation date or which was in transit consigned to him prior to that date, unless otherwise expressly provided in the applicable Schedule (indicated by asterisk in Column 7 of Appendix A).

Small Order Exemption

(o) *Small order deliveries by suppliers.* A supplier may fill small orders without application or specific authorization, if he delivers not more than the small order exemption quantity specified in Appendix A, B or C to any customer in any allocation period, if he has received small order certificates when so required, and if the total amount delivered does not exceed the sum of the following:

(1) The amount which he has been specifically authorized, upon application on the applicable supplier's form (WPB–2946 or 2947) to deliver on small orders;

(2) The amount which he has received pursuant to specific authorization or certification for redelivery on small orders;

(3) The amount which he himself acquired on small orders and has not used for other purposes;

(4) The amount which he had on hand on the initial allocation date, if he sells exclusively on small orders.

(p) *Acceptance of delivery and use of small order quantities.* Any person during each allocation period may use and accept delivery of the small order exemption quantity provided in Appendices A, B and C for each material, provided that:

(1) The total accepted from all suppliers during each allocation period shall not exceed in the aggregate one small order exemption quantity;

(2) Quantities received under the small order exemption shall be used only for experimental purposes if additional quantities of the material are received during the same allocation period on specific allocation;

(3) Use of the material is subject to any special limitations on use contained in the applicable schedule (noted with a "u" in the small order exemption columns of Appendices A, B and C);

(4) Acceptance is subject to the filing of a special small order certificate when required by the applicable schedule (noted with a "c" in the small order columns of Appendices A and C).

(5) Material allocated for a particular purpose (other than inventory) must be used for that purpose and not under this exemption, unless changing circumstances or expiration of the authorization to use make it impractical or impossible to use the material for the original purpose.

(6) An operating unit need not consider the purchases or allocations of other units in determining whether it comes within this exemption, if the unit normally buys separately and has not changed its practice to come within this provision.

Territorial and Import-Export Provisions

(q) *Territorial limitations.* This order applies only to acts occurring within the continental United States (the forty-eight States and the District of Colum-

bia), and deliveries across the borders of the continental United States shall constitute imports and exports for the purpose of this order. This provision may, however, be expressly modified in the applicable schedule.

(r) *Imports.* Application and authorization under this order shall not be required for importation of an Appendix A, B and C material into the United States, acceptance of delivery of the material by the consignee and delivery by such consignee to, and acceptance by, any person who purchased or contracted to purchase the material prior to its importation. No person who acquires an Appendix A, B or C material under this exemption shall use it after the initial allocation date except as specifically authorized in writing by the War Production Board upon application under this order. Nothing contained in this order limits the requirements of General Imports Order M–63.

(s) *Exports.* (1) No supplier shall export or deliver for export on Appendix A, B or C material after the initial allocation date except as specifically authorized in writing by the War Production Board upon application under this order, or except to fill exempt small orders. A producer who is also an exporter shall treat the export part of his operations as a separate entity for the purpose of this order. An exporter applying on Form WPB–2945 (formerly PD–600) for allocation and to the Foreign Economic Administration for an export license for the same material subject to this order, shall file both sets of applications together with the Foreign Economic Administration.

(2) Authorized deliveries for export must be made within the authorized period, unless the exporter notifies the supplier and the War Production Board in writing that delivery must be postponed to a later specific period, in which case the limitation of duration of authorization in paragraph (t) is automatically waived, subject to any special directions from the War Production Board. After an exporter has accepted an authorized delivery for export he may export the material at any time to the destination for which allocation was made without further application or authorization under this order.

(3) Customers located and ordering for delivery outside of the continental United States need not file small order certificates which might otherwise be required under this order.

(4) An exporter (meaning any supplier located in the continental United States) who has or expects to have exempt small orders from customers located and ordering for delivery outside of the continental United States, may place a consolidated purchase order for the required material accompanied by a statement signed by an authorized official: "For exempt small orders outside continental United States—Ref: M–300". The supplier receiving the exporter's consolidated order with this statement may fill it from quantities of material which, upon his application, have been allocated by the War Production Board specifically for "Exporters, paragraph (s) (4) of M–300". The exporter may accept delivery of the material without further certification, application or authorization, and may deliver it only to customers located and ordering in exempt small order quantities for delivery outside of the continental United States.

Duration of Authorizations

(t) *Duration of authorization for delivery.* If it is not practicable for a supplier to make all deliveries in the allocation period for which authorized, he may complete them as early as practicable in the next month. However, authorization shall terminate if the purchaser fails to place his order before the end of the allocation period or if the purchaser requires postponement of delivery beyond 10 days after the allocation period. When authorization to deliver is received before the specified allocation period, advance delivery may be made if it does not delay previously authorized deliveries.

(u) *Duration of authorization for acceptance of delivery.* A purchaser may accept delivery before or after the allocation period but shall notify the War Production Board and hold the material intact subject to direction from the War Production Board if he knows or has reason to believe that the shipment was made before authorization for delivery has been received or after the authorization for delivery had expired.

(v) *Duration of authorization for use.* Authorization for use on Form WPB–2945 (formerly PD–600) shall be valid from the time it is received until the end of the month following the allocation period for which the authorization was issued. The applicable schedule may extend this period. Any unused portion remaining thereafter shall not be used for any purpose until further authorized or directed by the War Production Board. This order does not limit duration of authorization for use of materials not allocated on Form WPB–2945.

Action by War Production Board

(w) *Individual actions.* In addition to regular allocations under this order, the War Production Board may at any time issue special directions to any person with respect to:

(1) Use, delivery or acceptance of delivery of an Appendix A, B or C material; or

(2) Production or processing of an Appendix A, B or C material; or

(3) Preparation and filing of forms and certificates required by this order or by its schedules, subject to approval by the Bureau of the Budget when required by Federal Reports Act of 1942.

Miscellaneous Provisions

(x) *Rules governing disposition of materials.* After the initial allocation date a person may use or deliver Appendix A, B or C materials only as follows:

(1) He may use material in accordance with specific written authorization, subject to the limitations in paragraph (v) on duration of authorizations for use on Form WPB–2945.

(2) He may use material as specified in a use certificate required to be filed with the purchase order for the material, unless advised by the supplier that a particular specified use has been denied or limited by the War Production Board.

(3) He may freely use stocks which he had on the initial allocation date if exempt under paragraph (n).

(4) He may use material within the quantity and use limitations of paragraph (p), without application or specific authorization.

(5) Pending receipt of material allocated for a particular purpose, he may use stocks on hand for that purpose but must replace the stocks upon receipt of the allocated material.

(6) He must obtain specific authorization under this order for use of material which cannot be used as described above. This includes material allocated for inventory and material received under Priorities Regulation 13, unless used in small quantities under paragraph (p). Application for authorization to use this material may be made on Form WPB–2945 or by letter, containing the same information as to quantity, grade and proposed use which would have to be given when applying for the material from a supplier.

(7) If he is a supplier he may deliver material only as authorized by or pursuant to this order. If he is not a supplier he may deliver material in accordance with Priorities Regulation 13, without application or specific authorization under this order for the delivery or its acceptance.

(y) *Other provisions*—(1) *Toll arrangements.* In the case of any toll arrangement where raw materials are converted into any Appendix A, B or C material by any person for the owner of the raw materials, the owner shall be considered the producer for the purpose of applications and authorizations under this order, and the Appendix A, B or C material may be delivered to him without restriction. However, no supplier may process on toll agreement any Appendix A, B or C material which the supplier previously delivered under small order exemption.

(2) *Laboratories.* This order is subject to the provisions of Supplementary Order P–135–a, which contains optional provisions for filing of small order and end use certificates by laboratories ordering reagent chemicals, and for acceptance by laboratories of small order deliveries of reagent chemicals.

(3) *Equivalent quantities.* The provisions of this order relate to quantities of material and not to the identity of any particular lot of material.

(4) *Full container adjustments.* A specifically authorized delivery (not including an exempt small order delivery) may be increased to the extent necessary to avoid shipping partly filled containers, if a container in the nearest practicable size is used. The person accepting overshipment shall hold the excess material as an advance shipment on subsequent allocations, and shall use it only for the purpose authorized for the subsequent allocation against which it is credited, or shall hold it in inventory subject to further directions from the War Production Board.

(5) *Brokers and sales agents.* Application and specific authorization shall not be required for the participation by a broker and sales agent in either of the following cases: (i) When material is ordered through a broker or sales agent and is to be delivered by the supplier direct to the purchaser and not to the broker or sales agent for redelivery to the purchaser; (ii) When material is sold by a supplier through an agent who submits the customers' purchase orders to the supplier for approval.

In either of these cases, the purchaser shall furnish the broker or sales agent with the necessary application forms or certificate, which the broker or sales agent shall transmit to the supplier. The supplier shall then apply for authorization to deliver as if the order had been placed directly with him. Similarly, exempt small orders may be transmitted to the supplier and filled in accordance with paragraph (o) as if placed directly with the supplier.

(6) *Applicability of regulations.* This order, its schedules, and all transactions affected thereby, are subject to all applicable War Production Board regulations, as amended from time to time.

(7) *Approval of reporting requirements.* Forms WPB–2945, 2946, 2947 and 3442, and the instructions in this order and in its Appendices and schedules for applications and reports regarding materials subject to this order, have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(8) *Violations.* Any person who wilfully violates any provision of this order or of its schedules or who, in connection with such order or schedule, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priority assistance.

(9) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemical Bureau, Washington 25, D. C.; Ref: M–300—(specify applicable schedule number).

Issued this 6th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDICES A, B AND C

Lists of materials with outline of allocation requirements.[1] These appendices are issued and printed separately.

APPENDIX D—USE CERTIFICATES—GENERAL INSTRUCTIONS

(1) Each person required to file a use certificate with a purchase order for material subject to this order shall furnish the supplier with a certified statement of proposed use of the material in substantially the following form, either placed on or attached to the purchase order:

(*Statement of quantity of listed material required for each specified product and end use—see instructions in the applicable schedule and the instructions in paragraphs (10) and (11) of Appendix E for description of proposed use.*)

USE CERTIFIED—REF. M–300

Name of purchaser

By: ---
(Signature and title of duly authorized officer)

(2) In the event two or more end uses are involved in a single purchase order, the amount of the material required for each use shall be listed as a separate item. Each item shall bear an identifying number so that it will be possible for the supplier to advise his customer by purchase order number and item number as to the action taken in the supplier's application for authorization to make delivery.

(3) A written purchase order placed by any department or agency of the United States Government pursuant to the Act of March 11, 1941 (Lend-Lease Act) shall constitute a use certificate for the purpose of this order, if the purchase order specifies the Lend-Lease contract or requisition number.

(4) A certified statement on Form WPB–2945 (formerly PD–600), or on any equivalent form, of quantities of material ordered for each intended product and end use, shall constitute a use certificate for the purpose of this order.

(5) The special certificate specified in Supplementary Order P–135–a may be used by laboratories when applicable instead of the above certificate.

(6) The standard form of certificate in Priorities Regulation 7 may be used instead of the above form of certificate if accompanied by the statement of proposed use.

APPENDIX E—FORMS WPB–2945, 2946 AND 2947—GENERAL INSTRUCTIONS

CUSTOMERS' FORMS

Customers' Form WPB–2945 (formerly PD–600). Each person requiring specific authorization to use or accept delivery of a material subject to this order shall file application on Form WPB–2945 in the manner prescribed therein, subject to the following general instructions:

(1) *Where to obtain copies.* Copies may be obtained at local field offices of the War Production Board.

(2) *Special instructions in schedules.* The applicable schedule may contain special instructions for applying for the particular material, supplementing or modifying the following general instructions.

(3) *When application is required.* Application for specific authorization is required for use or acceptance of delivery during any allocation period of a quantity exceeding the small order exemption in Column 5 of Appendix A, or of a quantity specified in Column 3 of Appendix C, or for use of an Appendix A, B or C material which has previously been allocated for a different purpose or for inventory.

(4) *Time of filing.* Application for regular allocation shall be filed or mailed in time to reach the War Production Board on or before the date specified in Column 3 of Appendix A or C.

(5) *Number of copies and where to file.* Prepare five copies (a continuation sheet for Table 1 is available), retain one, send one (reverse side blank) to the supplier, if any, and send three copies (original certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M–300-----(specify schedule number). Exporters, however, when applying to the Foreign Economic Administration for an export license for material for which War Production Board allocation is requested, shall send both sets of applications to the Foreign Economic Administration.

(6) *Applications regarding suppliers and inventory.* When applying only for use from inventory, specify "Inventory" as supplier in the heading. When applying for material from other companies as suppliers, file separate sets of applications for each supplying company. A combined application may be made to accept delivery and use material from another company as supplier, and to use an additional quantity from inventory. It will be presumed that applications which name another company in the heading as supplier relate only to acceptance of delivery and use of material from that supplier, unless it is clearly indicated that part of the application relates to use of an additional quantity from inventory. This may be indicated by specifying the requested quantity from inventory separately in Column 2 (quantities requested) and by specifying in Column 10 (Remarks) "From Inventory").

(7) *Heading.* Fill in as indicated, specifying as WPB Order No., "M–300-----" (specify Schedule number).

(8) *Table I.* Specify in the heading the allocation period for which authorization for acceptance of delivery or use is sought.

(9) *Columns 1 and 2.* Fill in as indicated, subject to the instructions in the applicable Schedule.

(10) *Column 3.* Specify the proposed primary use of the material sought in terms of the proposed primary product to be made from the material (as indicated in the applicable Schedule), or specify the use as for resale, export or inventory of the requested material in original form.

(11–a) *Column 4.* Fill in as follows:

Opposite any primary product in Column 3 which is subject to allocation, specify in Column 4 only the allocation order number (and Schedule number, if allocated under General Allocation Order M–300).

Opposite any primary product in Column 3 which is not under allocation, specify in Column 4 the end use accurately and briefly, giving Army or Navy specification or contract numbers, or Lend-Lease requisition and contract numbers, when practicable.

Opposite "resale" in Column 3, suppliers shall write into Column 4 "upon further authorization" or "for exempt small orders". Suppliers who resell in both large and small quantities should specify "upon further authorization" for the total quantity ordered, and should apply on their suppliers' Form WPB–2946 or 2947 for authorization to deliver an aggregate quantity for small orders.

Opposite "export" in Column 3 specify in Column 4 the name of the individual company or governmental agency to whom, or for whose account, the material will be exported, the country of destination, and the governing export license or contract number, unless Lend-Lease, in which case merely spec-

ify the Lend-Lease contract and requisition number.

Opposite "inventory" in Column 8, write into Column 4, "subject to further authorization".

[NOTE: Paragraph (11–a) formerly (11) redesignated June 6, 1944.]

(11–b) *Protective coatings.* When materials are sought for protective coatings columns 3 and 4 may be filled out in accordance with the Primary Products and End Use List for the Protective Coatings Industry (WPBI–217).

(12) *Columns 9 and 10.* Leave blank, except for remarks, if any, in Column 10.

(13) *Tables II, III and IV.* Fill in as indicated except as otherwise provided in the applicable schedule. In Columns 15 and 16, report entire physical inventory, whether or not subject to valid authorization or exemption on the dates specified. Suppliers who both sell and consume the material shall keep separate accounts of their sales and consumption inventories, reporting only the latter on customers' Form WPB–2945.

(14) *Table V.* Fill in only when and as required by the applicable schedule.

SUPPLIERS' FORMS

Suppliers' Forms WPB–2946 and 2947 (formerly PD–601 and 602). Each supplier requiring specific authorization to make delivery shall file application on Form WPB–2946 for an Appendix A material and on Form WPB–2947 for an Appendix B or C material, in the manner prescribed in these forms, subject to the following general instructions:

(15) *Where to obtain copies.* Copies may be obtained at local field offices of the War Production Board.

(16) *Special instructions in schedule.* The applicable schedule may contain special instructions for applications to deliver the particular material, supplementing or modifying the following general instructions.

(17) *When application to deliver is required.* Application for specific authorization to deliver an Appendix A, B or C material is required for any delivery by a supplier after the initial allocation date which is not subject to small order exemption.

A supplier who wishes to divert to his own use any part of his own production shall list his own name on the applicable supplier's form as in the case of any other customer, in addition to applying on customer's Form WPB–2945 (formerly PD–600) when so required.

(18) *Time of filing.* Applications for regular allocation shall be filed or mailed in time to reach the War Production Board on or before the date specified in Column 4 of Appendix A or Column 3 of Appendix B or Column 6 of Appendix C.

(19) *Number of copies and where to file.* Unless otherwise instructed in the applicable schedule, prepare four copies, retain one, and send three copies (original certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300– —— (specify schedule number).

(20) *Number of sets.* File a separate set of forms for each separately located plant or distributing point, unless otherwise expressly provided in the applicable schedule.

(21) *Heading.* Fill in as indicated, specifying as WPB Order No. "M–300 ——". (specify schedule number).

(22) *Table I.* Fill in as indicated on Form WPB–2946 (formerly PD–601). List customers alphabetically, as far as practicable. On Form WPB–2947 (formerly PD–602) group customers according to end use and list alphabetically within each group, as far as practicable. If the applicant supplier wishes to use any part of his own production, he should list his own name as a customer on his supplier's form as in the case of any other customer. An aggregate quantity may be requested for exempt small orders without listing individual customers' names. In the case of Appendix C materials specify "WPB–2945" without further use description in Column 1–a of Form WPB–2947 opposite the names of customers who have filed copies of Form WPB–2945 with the applicant supplier.

(23) *Table II.* Fill in as indicated. In Column 10 and 13 report stocks on physical inventory basis regardless of whether any part of the stock is subject to valid authorization to deliver on the date specified. In Column 16, specify a quantity no greater than what is estimated will be available for allocation during the requested allocation period, taking into account undelivered balances on still valid prior authorizations.

[F. R. Doc. 44–8133; Filed, June 6, 1944; 11:36 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300, Direction 1]

CHEMICALS AND ALLIED PRODUCTS—APPLICABILITY OF M–300 TO OTHER ORDERS

The following direction is issued pursuant to General Allocation Order M–300:

All orders which require applications to be filed on Form WPB–2945, 2946 or 2947 (PD–600, 601 or 602) and to be addressed to the Chemicals Bureau, Division or Branch, are subject to the following provision of Order M–300:

(a) Paragraph (a) (4), regarding small order exports.

Issued this 6th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–8139; Filed, June 6, 1944; 11:36 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300, Appendices A, B, and C]

CHEMICALS AND ALLIED PRODUCTS

Appendices A, B, and C of General Allocation Order M–300 (§ 3293.1000) are amended to read as follows:

APPENDIX A—ALLOCATION USING FORMS WPB–2945 AND WPB–2946

(NOTE.—Benzene, toluene and xylene added, and anhydrous hydrofluoric acid schedule amended since May 5, 1944)

Material	Schedule	Customers' (including suppliers seeking to purchase) filing date (WPB–2945)	Suppliers' filing date (WPB–2946)	Small order exemption per allocation period. ("n" indicates use restriction in schedule; "c" indicates small order certificate required by schedule.)	Report on Form WPB–3442	Initial allocation date and allocation period. (* indicates consumers stocks frozen.)
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Anhydrous hydrofluoric acid.	4 (am'd 6–1–44)	15th	20th	5 tons	None	3–1–44 month.
Benzaldehyde	7 (issued 3–15–44)	15th	20th	50 lbs	None	4–1–44 month.
Benzene	22 (issued 6–1–44)	10th	15th	One drum (55 gal.)	None	7–1–42, month.
Formaldehyde Paraformadehyde	9 (issued 4–6–44)	15th (10th if supplier not producer).	20th	10,000 lbs. (37% sol.) 3,000 lbs.	None	3–1–43, month.
Hexamethylenetetramine	10 (issued 4–6–44)	15th	20th	10,000 lbs	None	3–1–43, month.
Hide glue, extracted bone glue and green bone glue.	8 (issued 3–22–44)	15th	20th	1,200 lbs. of hide and extracted bone glue, and 6,000 lbs. of green bone glue per quarter.	Yes	4–1–44, quarter.
Isopropyl alcohol	12 (issued 4–14–44)	15th	20th	270 gals	None	7–1–42, month.
Metallic sodium	16 (issued 5–5–44)	10th	20th	100 lbs	None	12–1–43, month.
Nicotinic acid	1 (issued 2–11–44)	15th	20th	One kilogram	None	5–4–43, month.
Pentaerythritol	11 (issued 4–6–44)	15th	20th	100 lbs	None	3–1–43, month.
Pine tar	14 (issued 4–18–44)	15th	20th	5 gals	None	5–1–44, month.
Polystyrene Polydichlorostyrene.	19 (issued 5–5–44)	15th	22d	100 lbs 5 lbs	None	(5–1–43. (6–1–44, month.
Toluene (toluol)	21 (issued 6–1–44)	10th	15th	60 gals. per 12 mo. for laboratories only.	None	2–1–42 month.
Xylene (xylol)	23 (issued 6–1–44)	10th	15th	One drum (55 gals.)	None	*7–1–44 (10–1–42 for types then under M–150), month.

APPENDIX B—ALLOCATION USING SUPPLIERS' FORM WPB–2947 WITH CUSTOMERS' USE CERTIFICATES

(NOTE: No additions since May 5, 1944)

Material	Schedule	Suppliers' filing date (WPB–2947)	Small order exemption per allocation period—No certificate required ("n" indicates use restriction in schedule)	Report on Form WPB 3442	Initial allocation date and allocation period
1	2	3	4	5	6
Acrylic monomer and resin.	17 (issued 5–5–44)	15th	Cast sheet 50 sq. ft. Molded sheet 50 sq. ft. Molding powder 100 lbs. Cast shapes 50 lbs. Tube 25 lbs. Rod 25 lbs. Solution 400 lbs. (1 bbl.) Emulsion 400 lbs. (1 bbl.) Monomer 10 gals. (80 lbs.) Granular polymers 100 lbs.	None	1–1–43, month.
Dipentene	13 (issued 4–17–44)	20th	5 gals	Yes	5–1–44, month.
Peroxygen chemicals: Hydrogen peroxide. Sodium peroxide. Sodium perborate.	5 (issued 2–28–44)	20th	600 lbs. 75 lbs. 25 lbs.	Yes	4–1–44, month.
Riboflavin	2 (issued 2–11–44)	20th	100 grams	None	4–1–43, month.
Styrene Dichlorostyrene.	18 (issued 5–5–44)	20th	375 lbs. 5 lbs.	None	6–1–42. 6–1–44, month.

APPENDIX C—ALLOCATION USING FORM WPB–2947 FOR SUPPLIERS WITH CUSTOMERS' FORM WPB–2945 FOR LARGE ORDERS AND USE CERTIFICATES FOR INTERMEDIATE ORDERS

(NOTE: Hexahydric alcohols added since May 5, 1944)

Material	Schedule	Customers' applications: On Form WPB–2945, filing date and quantities per allocation period from all suppliers	Customers' applications: Use certificate quantities per allocation period from all suppliers	Small order exemption per allocation period. ("u" indicates use restriction in schedule; "c" indicates small order certificate required by schedule)	Suppliers' filing date (WPB–2947)	Report on Form WPB–3442	Initial allocation date and allocation period
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Citric Acid	6 (issued 2–28–44)	1st—15,000 lbs. or more	Between 440–15,000 lbs.	440 lbs. per quarter.	10th	On Form WPB–2772 instead.	7–1–43, quarter.
Glycols:	15 (issued 5–5–44)	12th—more than:	Between:		19th	None	10–1–42, month.
Ethylene glycol		75,000 lbs.	5000–75,000 lbs.	5000 lbs.			
Propylene glycol		10,000 lbs.	950–10,000 lbs.	950 lbs.			
Diethylene glycol		7,500 lbs.	1000–7,500 lbs.	1000 lbs.			
Triethylene glycol		2,600 lbs.	600–2,600 lbs.	600 lbs.			
Mixed glycols		5,000 lbs.	1000–5,000 lbs.	1000 lbs.			
Hexahydric alcohols:	20th (issued 6–1–44)	12th more than:	Between:		20th	None	12–15–42, month.
d-sorbitol crystalline		1000 lbs.	25–1000 lbs.	25 lbs.			
Technical grade d-sorbitol (75% aqueous sol.).		6000 lbs.	50–6000 lbs.	50 lbs.			
Commercial grade non-crystalline sorbitol-isomine mixtures.		6000 lbs.	600–6000 lbs.	600 lbs.			
Mannitol-crystalline		1000 lbs.	50–1000 lbs.	50 lbs.			
Thiamine hydrochloride	3 (issued 2–11–44)	15th 2000 grams or more	Between 100–2000 grams	100 grams	20th	None	5–4–43, month.

Issued this 6th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–8138; Filed, June 6, 1944; 11:36 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–558]

GEORGE T. SELLERS' SONS

William S. Horst, doing business as George T. Sellers' Sons, is engaged in the business of buying and selling plumbing and heating equipment and hardware at Gap, Pennsylvania.

During the period from February 5 to December 31, 1943, he made seventeen deliveries of new metal plumbing and heating equipment totaling $9,523 to ultimate consumers, on orders which did not bear preference ratings and which were not within any of the excepted sales under General Limitation Order L–79. These acts constituted violations of General Limitation Order L–79. Between August 21 and December 31, 1943, he applied a preference rating of AA–5–MRO P–84 on orders for plumbing and heating equipment totaling $4,206 in amount, without first securing from the consumers the certification required by Preference Rating Order P–84, and in violation of the order. He was grossly negligent in failing to find out what restrictions were imposed by War Production Board orders governing these transactions.

These violations of General Limitation Order L–79 and Preference Rating Order P–84 have diverted scarce materials to uses not authorized by the War Production Board, and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.558 *Suspension Order No. S–558.* (a) William S. Horst, doing business as George T. Sellers Sons, or otherwise, his and its successors or assigns, are hereby prohibited from accepting delivery of or receiving any new plumbing and heating equipment as defined in or governed by General Limitation Order L–79, unless hereafter specifically authorized in writing by the War Production Board.

(b) Deliveries of material to William S. Horst, doing business as George T. Sellers' Sons, or otherwise, his or its successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference ratings shall be assigned, applied or extended to such deliveries by means of

preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) No allocation, including allotments, shall be made to William S. Horst, doing business as George T. Sellers' Sons, or otherwise, his or its successors or assigns, of any material or product the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(d) Nothing contained in this order shall be deemed to relieve William S. Horst, doing business as George T. Sellers' Sons, or otherwise, his or its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect June 6, 1944, and shall expire September 6, 1944.

Issued this 31st day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8303; Filed, June 6, 1944; 4:26 p. m.]

PART 1029—FARM MACHINERY

[Limitation Order L-257, Direction 3]

EX-QUOTA PRODUCTION IN SMALL PLANTS FROM SURPLUS MATERIALS

The following direction is issued pursuant to Limitation Order L-257:

(a) *What this direction does.* This direction removes the quota restrictions of Order L-257 for any person (whether or not he is a "producer" as defined in paragraph (b) (1) of L-257), who can make farm machinery and equipment or repair parts in a "small plant" from surplus materials or materials which he can get with a rating of AA-4.

(b) *Conditions on ex-quota production.* You may make any item of farm machinery and equipment or repair parts without regard to quotas if you qualify under all of the following conditions:

(1) *Small plant.* You must make it in a plant employing and continuing to employ 100 production workers or less (50 or less in the critical West Coast labor areas of San Diego, Los Angeles, San Francisco, Portland and Seattle). In addition, if your plant is in one of the above West Coast areas, or in any other Group #1 Labor Market Area where an Area Production Urgency Committee has been established, its total employment of production workers must not be increased by reason of any production under this direction.

(2) *Surplus materials.* You must make the item entirely from materials needing no allotments and no other priorities assistance higher than a rating of AA-4. Under this condition, you may use materials and components which you can buy with that rating. You may also use materials and components which you buy pursuant to a "special sale" under Priorities Regulation 13 (i. e., a sale of material by a person who does not, in the regular course of his business, sell the material in that form), as well as used materials and components. You may also use surplus material and components from your own inventory if they have been reported as such in detail to your WPB field office and you get written WPB permission to use them. You may not use any material or components in your inventory obtained under allotments or preference ratings (higher than AA-4) for the manufacture of farm machinery and equipment or related repair parts.

(c) *Priorities assistance.* If you need priorities assistance to get any non-controlled materials or components for production under this direction, a rating of AA-4 is hereby assigned for that purpose. You may not use any allotment to get any controlled materials or Class A products which may be needed.

(d) *Scheduling production and delivery.* You may schedule the production of any items you make under this direction as if the orders placed with you for these items bore a rating of AA-2. If you do not need to have an approved production schedule under paragraph (e) of Order L-257, you may also deliver the items without regard to orders rated AA-2x or lower. If you have an approved production schedule under that paragraph, you must indicate any additional production under this direction by filing separate revised schedules.

(e) *Appeals.* If you want an exception from the provisions of paragraph (b) (1) regarding increases in employment, you may appeal under paragraph (j) of Order L-257.

Issued this 7th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8341; Filed, June 7, 1944; 11:26 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-248 as Amended June 7, 1944]

COMMERCIAL DISHWASHERS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron, steel and other metals for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3288.61 *General Limitation Order L-248*—(a) *Definitions.* For the purposes of this order:

(1) "Commercial dishwasher" means any new mechanical device designed for washing dishes, cutlery, glassware or kitchen utensils in establishments where food is prepared for consumption or sale on the premises. The term does not include dishwashers designed for domestic use.

(2) "Ultimate consumer" means any person who uses a commercial dishwasher for washing dishes, cutlery, glassware and kitchen utensils.

(3) [Deleted June 7, 1944]

(4) [Deleted June 7, 1944]

(5) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. It shall include alloy metal produced from scrap.

(b) *Restrictions on production.* (1) No person shall produce any commercial dishwashing equipment except:

(i) For delivery to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration; or

(ii) As authorized by the War Production Board on Form GA-1850.

(2) The restrictions of paragraph (b) (1) do not apply to the production of repair and replacement parts. However, no person shall produce repair or replacement parts in excess of the quantity required to maintain a minimum practicable working inventory.

(3) A person wishing to produce commercial dishwashing equipment which will not be delivered to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration, should apply for authorization by letter addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L-248. This letter should give all pertinent information with respect to proposed production. Where the applicant will need controlled materials in order to produce the equipment, the letter requesting authorization should be accompanied by application on Form CMP-4B for the controlled materials.

(4) Production will be authorized so that the total production will not exceed the approved War Production Board program and so that the production in any one plant, or labor requirements therefor, will not interfere with war production in that plant, or in any other plant located in the same area. This program calls in each calendar quarter for production by the industry as a whole of not more than 23% of the aggregate production of the industry in the year 1941, in addition to production of repair and replacement parts and of equipment to be delivered to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration. Individual authorizations will be issued in amounts sufficient to carry out this program.

(c) *Restrictions on delivery.* No manufacturer, distributor, or dealer may deliver or accept delivery of new commercial dishwashers except as follows:

(1) To fill orders of or for ultimate delivery to the Army,[1] Navy, Maritime Commission or War Shipping Administration, or to any agency of the United States Government placing orders for equipment to be delivered to, or for the account of, any other country under the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or to fill orders authorized by the Maritime Commission on Form WPB-646.

(2) For approved installation in a building or project authorized by any order of the P-19 series on Form CMPL-224 or Form GA-1456, or in the P-55 series on Form WPB-2896.

(3) As approved by the War Production Board on Form WPB-1319. The ultimate consumer should apply to the Plumbing and Heating Division, War Production Board, Washington 25, D. C., on this form, describing the equipment to be delivered. The War Production Board will return a copy to him with its approval or denial of the application indicated. If approval is granted, the ultimate consumer may certify by endorsement on his purchase order in the standard form prescribed in Priorities Regulation 7, adding the serial number of authorization on Form WPB-1319 he has received, or, if he prefers, he may certify as follows:

The War Production Board has authorized me to accept delivery on this order, under the terms of Order L-248 (and L-182) with which I am familiar. Delivery approved on Form WPB-1319, serial number ----------

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(Consumer)

A dealer or distributor receiving an order so certified may obtain delivery of equipment to fill the order if he endorses a similar certificate unless he knows or has reason to believe it to be false. A dealer or distributor who wants to buy for inventory must also apply on Form WPB-1319, filed with the Plumbing and Heating Division, War Production Board, Washington 25, D. C., indicating the manufacturer of the product he wishes to buy. If his application is approved, the procedure to be followed is the same as set forth above with respect to consumers' applications except that he may buy only the product of the manufacturer indicated. Applications for equipment under this order and Order L-182 may be made on a single Form WPB-1319.

(4) Delivery of repair parts may be made as limited in Order L-79.

(5) A dealer or distributor may make delivery to another dealer or distributor or to a manufacturer.

(d) *Delivery of repair and replacement parts.* Nothing in this order shall prevent the delivery of repair or replacement parts for commercial dishwashers.

(e) *Simplified practices.* No person shall manufacture, fabricate or assemble any commercial dishwasher designed for washing cutlery, glassware or kitchen utensils exclusively. No person shall manufacture, fabricate or assemble any other type of commercial dishwasher except in accordance with the specifications and practices given below in this paragraph. However, this paragraph does not revoke or modify the terms of any appeal granted under this order.

(1)

Minimum capacity (dishes per hour)	Maximum content exclusive of motor, switches and wiring (pounds)		Maximum motor size (h. p.)
	Iron and steel	Copper base alloy	
1,500	800	18	¾
3,500	900	22	2
5,000	1,150	35	3

(2) Body (hood and tanks) shall be manufactured of not heavier than 14 gauge black iron or 14 gauge galvanized iron.

(3) No thermostatic controls shall be used.

(4) Spray pipes, feed pipes, and other piping shall be galvanized iron.

(5) To the extent that copper base alloy castings are permitted by this order, the alloy shall be of a type and grade in the production of which the use of refined copper or refined tin is not necessary.

(6) No metal other than iron, steel or copper base alloy shall be used, except zinc for coating or spraying, and metal necessary for assembling or installing.

(f) *Exceptions from simplified practices.* None of the restrictions in paragraph (e) shall apply to commercial dishwashers manufactured to specifications of the Army, Navy, Maritime Commission or War Shipping Administration of the United States for use on ships.

(g) *Reports.* Every manufacturer of any commercial dishwashers who has an inventory of such equipment, either new or used, shall execute and file with the War Production Board on or before the 10th day of each calendar quarter a report on Form WPB-1509 (formerly PD-638), which may be obtained from the nearest field office of the War Production Board. Reports under this order and Order L-182 may be made on a single Form WPB-1509. The Bureau of the Budget has approved the reporting requirements of this order in accordance with the Federal Reports Act of 1942.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of all the regulations of the War Production Board, as amended from time to time.

(i) *Applicability of other orders.* Insofar as any other order issued, or to be issued hereafter, limits the production or delivery of commercial dishwashers to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(j) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB-1477 (formerly PD-500) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(k) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington (25), D. C., Ref: L-248.

(l) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing and using, materials under priority control and may be deprived of priorities assistance.

(m) *Effective date.* This order, as amended, shall take effect July 1, 1944.

Issued this 7th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8345; Filed, June 7, 1944; 11:25 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-248, Revocation of Interpretation 1]

Interpretation 1 to Limitation Order L-248 is superseded by paragraph (c), footnote, of the order as amended June 7, 1944.

Issued this 7th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8344; Filed, June 7, 1944; 11:25 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-182, as Amended June 7, 1944]

COMMERCIAL COOKING AND FOOD AND PLATE WARMING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the production of commercial cooking and food and plate warming equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3288.46 *General Limitation Order L-182*—(a) *Definitions.* For the purposes of this order:

[1] Under Interpretation 1 to the preceding version of this order, material for Army Pre-Flight training schools, to be owned privately and not by the Army, could not be delivered without War Production Board approval. This is still true.

(1) "Commercial cooking and food and plate warming equipment" means new equipment (except equipment specially designed to use electricity as the heating agent) designed for the heating of kitchen utensils or plates, or for the cooking or baking of food for consumption or sale on the premises in which the equipment is located. It does not include cooking appliances for household use. It does include, but is not limited to, such items as the following:

Bakers.
Broilers.
Fryers.
Griddles.
Grills.
Hot plates.
Ovens (except built-in types).
Ranges.
Roasters.
Steamers.
Toasters.
Urns.
Warmers.

It also includes new steam-jacketed kettles, regardless of any use to which they may be put, which are designed to use steam at working pressures of less than 90 pounds per square inch, except enamel and glass lined kettles specifically designed for use by the chemical and pharmaceutical industry for the rendering of oils and fats.

(2) "Ultimate consumer" means any person who uses commercial cooking and food and plate warming equipment for the heating of kitchen utensils or plates, or for the cooking or baking of food for consumption or sale.

(b) *Restrictions on production.* (1) No person shall produce any commercial cooking and food and plate warming equipment listed on Schedule I to this order. No person shall produce any other commercial cooking and food and plate warming equipment except:

(i) For delivery to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration; or

(ii) As authorized by the War Production Board on Form GA-1850.

(2) The restrictions of paragraph (b) (1) do not apply to the production of repair and replacement parts, including repair and replacement parts for equipment listed on Schedule I. However, no person shall produce repair or replacement parts in excess of the quantity required to maintain a minimum practicable working inventory.

(3) A person wishing to produce commercial cooking and food and plate warming equipment which will not be delivered to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration, should apply for authorization by letter addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Reference L-182. This letter should give all pertinent information with respect to proposed production. Where the applicant will need controlled materials in order to produce the equipment, the letter requesting authorization should be accompanied by application on Form CMP-4B for the controlled materials.

(4) Production will be authorized so that the total production will not exceed the approved War Production Board program and so that the production in any one plant, or labor requirements therefor, will not interfere with war production in that plant, or in any other plant located in the same area. This program calls in each calendar quarter for production by the industry as a whole of not more than 18% of the aggregate production of the industry in the year 1941, in addition to production of repair and replacement parts and of equipment to be delivered to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration. Individual authorizations will be issued in amounts sufficient to carry out this program.

(c) *Restrictions on delivery.* No manufacturer, distributor or dealer may deliver or accept delivery of new commercial cooking and food and plate warming equipment except as follows:

(1) To fill orders of or for ultimate delivery to the Army,[1] Navy, Maritime Commission or War Shipping Administration, or to any agency of the United States Government placing orders for equipment to be delivered to or for the account of any other country under the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or to fill ship chandlers' or marine distributors' orders authorized by the Maritime Commission on Form WPB-646 and to fill orders for equipment obtained by ship chandlers or marine distributors by the use of Form WPB-646 for delivery only to persons as authorized by that form.

(2) For approved installation in a building or project authorized by any order of the P-19 series on Form CMPL-224 or Form GA-1456, or in the P-55 series on Form WPB-2896.

(3) As appproved by the War Production Board on Form WPB-1319. The ultimate consumer should apply to the Plumbing and Heating Division, War Production Board, Washington 25, D. C. on this form, describing the equipment to be delivered. The War Production Board will return a copy to him with its approval or denial of the application indicated. If approval is granted, the ultimate consumer may certify by endorsement on his purchase order in the standard form prescribed in Priorities Regulation 7, adding the serial number of authorization on Form WPB-1319 he has received, or, if he prefers, he may certify as follows:

The War Production Board has authorized me to accept delivery on this order, under the terms of Order L-182 (and L-248) with which I am familiar. Delivery approved on Form WPB-1319, serial number _____.

(Consumer)

[1] Under Interpretation 1 to the preceding version of this order, material for Army Pre-Flight training schools, to be owned privately and not by the Army, could not be delivered without War Production Board approval. This is still true.

A dealer or distributor receiving an order so certified may obtain delivery of material to fill the order if he endorses a similar certificate on his purchase order. Any person may deliver in reliance on such a certificate unless he knows or has reason to believe it to be false. A dealer or distributor who wants to buy for inventory must also apply on Form WPB-1319, filed with the Plumbing and Heating Division, War Production Board, Washington 25, D. C., indicating the manufacturer of the product he wishes to buy. If his application is approved, the procedure to be followed is the same as set forth above with respect to consumers' applications, except that he may buy only the product of the manufacturer indicated. Applications for material under this order and Order L-248 may be made on a single Form WPB-1319.

(4) Delivery of repair parts may be made as limited in Order L-79.

(d) *Exceptions.* The restrictions of paragraph (c) do not apply to griddles, hot plates, grills and coffee urns (1 to 3 gallon), provided the net weight of each does not exceed 50 lbs., nor do they apply to coffee makers of any weight. Also, the restrictions of this paragraph do not apply to deliveries by an ultimate consumer to a dealer, or by a dealer to another dealer or manufacturer.

(e) *Reports.* Every manufacturer of any commercial cooking and food and plate warming equipment who has an inventory of such equipment, either new or used, shall execute and file with the War Production Board on or before the 10th day of each calendar quarter a report on Form WPB-1509 (formerly PD-638), which may be obtained from the nearest field office of the War Production Board. Reports under this order and Order L-248 may be made on a single Form WPB-1509. The Bureau of the Budget has approved the reporting requirements of this order in accordance with the Federal Reports Act of 1942.

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(g) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB-1477 (formerly PD-500) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(h) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, except appeals, shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref.: L-182.

(i) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using materials under priority control and may be deprived of priorities assistance.

(j) *Effective date.* This order, as amended, shall take effect July 1, 1944.

Issued this 7th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I

Barbecue machines.
Chicken singers.
Chop suey ranges (ranges with built-in kettles—water and sewer connections).
Cruller fryers.
Cup warmers.
Dish warmers.
Egg boilers.
Nut blancher ovens.
Nut fryers.
Nut roasters.
Oyster stoves.
Peanut roasters.
Plate warmers.
Potato chip fryers.
Roll warmers.
Rotisseries (revolving spit barbecue machine).
Sausage warmers.
Waffle irons.
Warming ovens.

[F. R. Doc. 44-8242; Filed, June 7, 1944; 11:25 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-182, Revocation of Interpretation 1]

Interpretation 1 to Limitation Order L-182, issued May 8, 1943, is superseded by paragraph c, footnote, to the order as amended June 7, 1944.

Issued this 7th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8243; Filed, June 7, 1944; 11:25 a. m.]

Subchapter D—Office of the Rubber Director

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Rubber Order R-1, as Amended Jan. 12, 1944, Amdt. 4]

Rubber Order R-1 as amended January 12, 1944, is hereby amended by deleting the last three paragraphs in § 4600.16 and by substituting therefor the following:

For items of farm machinery and equipment which may be made, requiring tires, see Orders L-257 and L-257-a.

Issued this 6th day of June 1944.

RUBBER DIRECTOR,
WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8137; Filed, June 6, 1944; 11:37 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1E,[1] Amdt. 9]

MILEAGE RATIONING: TIRE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 1E is amended in the following respects:

1. Section 6.7 (c) is amended to read as follows:

(c) *Transfers on vehicles.* Unless prohibited by an order or regulation issued by the Office of Price Administration or the War Production Board a person may, without certificate, transfer a tire or tube as part of the equipment of a vehicle in conjunction with the transfer of such vehicle: *Provided, however,* That a tire or tube acquired in exchange for a certificate may be so transferred only after six (6) months of the acquisition of such tire or tube by the transferor, or, prior to the expiration of such period, upon the written authorization of the Director of the Office of Price Administration for the Territory of Hawaii. The Director may authorize a transfer in cases where in his judgment it shall not operate as an evasion of this order. No person shall accept the transfer of such tire or tube unless in accordance with the provisions of this paragraph.

This amendment shall become effective May 31, 1944.

(Pub. Law 871, 76th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1-Q, 7 F.R. 9121, General Order No. 48, 8 F.R. 2898)

Issued this 6th day of June 1944.

MELVIN C. ROBBINS,
Territorial Director,
Territory of Hawaii.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-8167; Filed, June 6, 1944; 12:00 m.]

PART 1340—FUEL

[MPR 189, Amdt. 22]

BITUMINOUS COAL SOLD FOR DIRECT USE AS BUNKER FUEL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 189 is amended in the following respects:

1. In § 1340.313, a new paragraph (g) is added to read as follows:

(g) *Maximum prices for deliveries of bituminous coal at United States ports on the Great Lakes and their connecting or tributary waters for direct use as bunker fuel.* All such maximum prices are in net tons and are f. o. b. vessel.

(1) The maximum price for any grade or size of bunker coal delivered to cargo-carrying vessels directly through car unloading facilities at Lake Erie and Lake Ontario ports where cargo coal is loaded shall be $6.25.

Exception: For coal delivered by self-propelled fuel lighters, $6.75.

(2) The maximum price for any grade or size of run of pile or dock run bunker coal delivered to cargo-carrying vessels from facilities other than direct car unloading facilities at lower Lake Erie or Lake Ontario ports where cargo coal is loaded shall be $6.75.

Exceptions: For Chicago, South Chicago and Waukegan, Illinois, $7.00 for high volatile coals and $9.00 for District No. 7 low volatile nut and $9.70 for District No. 7 low volatile run of mine.

(3) The maximum price for any grade or size of dock-rescreened bunker coal delivered to cargo-carrying vessels from facilities other than direct car unloading facilities at lower Lake Erie or Lake Ontario ports shall be $7.25.

Exceptions: For Chicago, South Chicago and Waukegan, Illinois, $7.50.

(4) The maximum price for bunker coal delivered to cargo-carrying vessels from iron ore loading facilities at Lake Superior or Lake Michigan ports shall be:

$7.25 for dock run or run of pile coal;
$7.75 for any grade or size of coal rescreened at the coal loading dock.

(5) The maximum price for bunker coal for fishing and towing tugs, scows, barges, dredges and other floating equipment (except cargo-carrying vessels) for consumption thereon shall be the above applicable maximum price, plus 25 cents per ton.

(6) *Permissible additions to the above prices.* In addition to the above prices, the bunker supplier may add no more than 50 cents per net ton for wheeling and extra trimming or deliveries by truck.

(7) The provisions of §§ 1340.310 and 1340.313 (c) (2) (i) shall not apply to this paragraph (g).

2. In § 1340.313 (f) (7), the following sentence is added.

The provisions of §§ 1340.310 and 1340.313 (c) (1) (i) shall not apply to this paragraph (f).

This amendment shall become effective June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8160; Filed, June 6, 1944; 12:00 m.]

[1] 8 F.R. 12434, 13920, 15378, 17566, 17223; 9 F.R. 727.

*Copies may be obtained from the Office of Price Administration.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 529,[1] Amdt. 1]

SECOND HAND PAPERBOARD SHIPPING CONTAINERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 529 is amended in the following respects:

1. Section 1 (a) is amended to read as follows:

(a) *Commodity.* This regulation establishes maximum prices for sales of second hand paperboard shipping containers. The term, "second hand paperboard shipping container," means any used corrugated or solid fibre paperboard shipping containers except fibre drums which is either:

(1) "Reusable," that is, can be used as a shipping container without being repaired, or

(2) "Repairable," that is, can be made reusable by repair or alteration, or

(3) "Reconditioned," that is, has been repaired or altered so as to be reusable.

Any used paperboard shipping container which is not reusable or repairable is wastepaper and is not a second hand paperboard shipping container. Any used container which has an outside surface tear or a hole in the fibre shall not be considered as a reusable or repairable container. Where a container is customarily knocked down flat before reuse, it shall not be considered either repairable or reusable until it has been opened and knocked down. All sales of used or second hand paperboard shipping containers to any person who uses wastepaper as a raw material in any manufacturing process are sales of wastepaper, regardless of the condition of the containers, unless such containers are sold to and used by such person for shipping purposes rather than as a raw material for fabrication into another product. Maximum prices for sales of wastepaper are determined under Maximum Price Regulation No. 30.[2]

This amendment shall become effective June 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-8161; Filed, June 6, 1944; 12:01 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 4438.

[2] 7 F.R. 9732; 8 F.R. 8645, 6109, 7350, 7199, 7821, 13049, 17483.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53,[1] Amdt. 21]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 11.11 is amended to read as follows:

SEC. 11.11 *Loose prime steam lard sold to processors located in basing points.* Where loose prime steam lard is sold and delivered in tankcars or tanktrucks to a processor who is located within the corporate limits of any of the above basing points, and is delivered by the seller from a plant located within the railroad switching limits of the same basing point, the seller may add to the maximum prices hereinabove set forth the railroad switching charge incurred where delivery is in tankcars, or, where delivery is in tanktrucks, an amount, per pound, not greater than the sum that would be charged, per pound, by a railroad carrier for the most comparable switching movement of a tankcar containing 60,000 pounds.

This amendment shall become effective June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8159; Filed, June 6, 1944; 12:00 m.]

PART 1361—SOFTWOOD LUMBER

[2d Rev. MPR 19,[1] Amdt. 3]

SOUTHERN PINE LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Second Revised Maximum Price Regulation 19 is amended in the following respects:

1. In section 3, the last sentence in the first paragraph is amended to read as follows:

This means all lumber of the species included in the following definitions of shortleaf and longleaf yellow pine (the term lumber as used in this regulation includes mouldings):

2. In section 5 a new paragraph (f) is added as follows:

(f) *Tally card requirement.* Every person selling any Southern pine lumber for direct-mill shipment shall post within the freight car, truck, or other means of transport, a tally card showing the point of origin of the shipment and a complete description of the lumber contained in the shipment including the species, condition, working and the number of pieces of each grade, size and length. Any working, specification or extra which affects the maximum f. o. b. mill prices must be mentioned in the description.

3. In section 6, a new sentence is added at the end of paragraph (e) as follows:

This registration provision does not apply to distribution yards.

4. In section 7 (a), the last sentence is deleted.

5. In section 14 (b) a new subparagraph (3) is added as follows:

(3) Selling as specified lengths or widths a specific lot or shipment of lumber which is substantially equivalent to random lengths or widths, or reselling intact as specified lengths or widths a specific lot or shipment bought by the seller as standard or random lengths or widths, unless specifically permitted in this regulation. This prohibition shall not apply to shipments or deliveries which have been sorted out as to widths and lengths and then resold.

6. In section 14 (b), that part of subparagraph (11) beginning with the words "for example" is amended to read as follows: "for example, the buyer may order 1 x 4 x 12' No. 2 Common Shortleaf, priced at $38.00 per M'BM ripped to 1 x 2 x 12'. By buying the larger size ripped the price to the buyer is lower ($39.00) than it would have been had he ordered the 1 x 2 as such ($41.00). In this example the maximum price is $39.00".

7. Section 17 (a) is amended to read as follows:

(a) See Procedural Regulation No. 6[1] for adjustment provisions on certain government contracts and subcontracts.

8. In section 21 "Southern Pine Association" is corrected to read "Southern Pine Inspection Bureau".

9. In Table 4, footnote 3 is deleted.
10. In Table 6, footnote 2 is deleted.
11. In Table 7, footnote 9 is deleted.
12. In Table 17, footnote 3 is deleted.
13. In Table 19, footnote 2 is deleted.
14. In Table 21, footnote 9 is deleted.

This amendment shall become effective June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8158; Filed, June 6, 1944; 11:58 a. m.]

[1] 9 F.R. 4200, 5314.

[2] 9 F.R. 1162, 2026.

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 62]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. Section 1.4 (b) is amended to read as follows:

(b) *Certain residents of Mexico may get special shoe stamps.* (1) Any person who resides in Baja California, Mexico, within 90 kilometers of the border between Mexico and the United States, or in any other part of Mexico within 20 kilometers of the border, may apply for a special stamp to acquire shoes in the United States, if he meets the need requirements of section 1.5. The application shall be made by the applicant, or a duly authorized agent, on OPA Form R-1714, to the Board whose office is nearest his customary point of entry into the United States. One application form shall be filed for each applicant. The application must contain or be accompanied by all information needed to establish the applicant's eligibility. The applicant and the agent, if any, must appear before the Board in person. However, the Board may excuse the applicant's appearance if it finds that this requirement would cause him undue hardship. The application shall be accompanied by a currently valid "immigration document" for the applicant or one on which he is regularly listed or shall contain information necessary to show why he does not have, or is not listed on, such a document. If an "immigration document" is presented, it shall be returned by the Board to the applicant or his agent after the Board has examined it.

(2) If the application is accompanied by the required "immigration document", the Board may issue to the applicant one special shoe stamp (OPA Form R-1708A), if he meets the need requirements of section 1.5 and satisfies the other requirements of subparagraph (1). However, the Board may not issue to the applicant more than one special shoe stamp in any period between the opening validity date of one war ration shoe stamp and the opening validity date of the next war ration shoe stamp. If a second special shoe stamp is applied for in that period, the Board shall forward the application to the District Office together with the Board's recommendations and a statement that the required "immigration document" has been submitted.

(3) If the application is not accompanied by the required "immigration document", the Board shall not grant the application, but shall forward it to the District Office, together with the Board's recommendations.

(4) If the District Office finds with respect to an application forwarded to it under subparagraph (2) or (3) that the applicant satisfies the need requirements of section 1.5 and the provisions of subparagraph (1) and that he has a currently valid "immigration document" or is regularly listed on one, or that he is not entitled to have or be listed on one, the District Office shall approve the application and return it to the Board with instructions to issue the stamp. If the applicant is not entitled to have, or be listed on, an "immigration document", the District Office shall also instruct the Board to insert the word "waived" on the stamp.

(5) The Board shall insert on each stamp issued under this paragraph the word "Mexico", the date on which the stamp expires (which shall be 30 days from the date of issuance) and the serial number of the "immigration document", if any. The Board shall mark on the "immigration document" the letter "S" and the date of issuance of the stamp.

2. Section 2.7 (e) is added to read as follows:

(e) A dealer, before accepting a special shoe stamp marked "Mexico", shall compare the serial number of each shoe stamp with the corresponding number of each "immigration document" held by the consumer. The dealer may transfer shoes to the consumer only if the number on the special shoe stamp corresponds with the number on the "immigration document" unless the special shoe stamp is marked "waived."

3. Section 2.7 (f) is added to read as follows:

(f) Special shoe stamps issued to residents of Mexico and accepted by an establishment located in an area under the jurisdiction of a District Office located in Lubbock, Texas; San Antonio, Texas; Albuquerque, New Mexico; Phoenix, Arizona or San Diego, California, shall not be further negotiable by the establishment. The establishment may apply to the Board on OPA Form R-1704 for replacement of all such valid stamps that are received by the establishment in accordance with the provisions of this order. A special shoe stamp marked "Mexico" must be surrendered by any establishment described above to the Board within 30 days after the expiration date appearing on the stamp. The Board shall request the District Office to, and the District Office shall, issue a replacement certificate to the establishment on Form R-1705A, for the number of such valid stamps surrendered, which were received by the establishment in accordance with the provisions of this order.

4. Section 2.9 (a) (3) is amended to read as follows:

(3) If the stamp contains an issue date it is valid for 30 days thereafter.

5. Section 2.9 (c) is amended by adding the following:

"However, stamps marked 'Mexico' and received by an establishment within the jurisdiction of a District Office located in Lubbock, Texas; San Antonio, Texas; Albuquerque, New Mexico; Phoenix, Arizona, or San Diego, California, shall not be valid for deposit."

6. The definition of "immigration document" in section 3.13 is added to read as follows:

"Immigration document" means a Border Crossing Identification Card or Passport issued to a non-resident alien, bearing either a visa for entry into the United States or a notification showing that such a visa has been issued. It also includes a U. S. Citizen's Identification Card, passport, or other immigration papers issued to non-resident citizens for entry into Mexico.

This amendment shall become effective July 1, 1944.

NOTE: The record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1-T, 8 F.R. 1727, 7440; E.O. 9125, 7 F.R. 2719)

Issued this 6th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8168; Filed, June 6, 1944; 11:59 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15839, 16605, 16996; 9 F.R. 92, 573, 764, 2232, 2656, 2947, 2829, 3340, 3944, 4391, 5254.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 22]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respect:

A new item is added to § 1407.243 to read as follows:

§ 1407.243 *Schedule C: Designation of ration periods and weight value of stamps valid therein.*

Ration period	Stamp valid during ration period	Weight value of stamp
• •	• •	•
No. 18 (June 16, 1944, to date to be announced by the Office of Price Administration).	Book Four, Sugar Stamp 32.	5 pounds.

This amendment shall become effective June 10, 1944.

[1] 9 F.R. 1433, 1584, 2233, 2826, 2828, 3031, 3513, 3579, 3847, 3944, 4099, 4350, 4474, 4480, 5220, 5264, 5166, 5426, 5346.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005; War Food Order No. 64, 8 F.R. 7093)

Issued this 6th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8166; Filed, June 6, 1944; 11:59 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 37]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. Article XXV is amended to read as follows:

ARTICLE XXV—ACQUISITION OF PROCESSED FOODS BY RESIDENTS OF MEXICO

SEC. 25.1 *Residents of Mexico may acquire processed foods in the United States.* (a) Any "consumer" who resides in Baja California, Mexico, within ninety kilometers of the border between Mexico and the United States, or in any other part of Mexico within twenty kilometers of that border, may apply for points to "acquire" "processed foods" in the United States. The application must be made in person on OPA Form R-183 (Revised), to the "board" whose office is nearest his customary point of entry into the United States. A single application must be made by the applicant for himself and for all members of his family unit (that is, for all persons living in his household who are related to him by blood, marriage, or adoption) who wish to acquire processed foods. An application may be made by a person under eighteen years of age only if he is the head of a household or is not a member of a family unit. However, if an applicant is unable to complete and sign the application or is unable to appear in person before the board, anyone may act for him if the board is satisfied that such person has been given authority to act as agent for the applicant in completing, signing, and presenting the application.

(b) The application must be completed and signed by the applicant or his agent and must show:

(1) The applicant's name, address and age;

(2) The names and ages of all consumers living in his household who are related to him by blood, marriage or adoption and who wish to acquire processed foods in the United States;

(3) The serial number of the applicant's "immigration document" and any immigration documents issued for use by the consumers named in the application. The applicant, or his agent must present all such immigration documents to the board at the time the application is made and shall also give any other information that the board may request. The immigration documents shall be returned by the board to the applicant or his agent as soon as the board has examined them.

(c) If the applicant complies with the requirements of paragraphs (a) and (b), the board shall grant the application and shall issue ration cards (OPA Form R-184, Revised) for processed foods as provided in this article.

(d) A consumer who has previously applied on OPA Form R-183 for points to acquire processed foods in the United States is not required to make a new application on OPA Form R-183 (Revised) unless, since the date of his last application, there has been a change in the number or identity of the members of his household related to him by blood, marriage, or adoption who wish to acquire processed foods in the United States. The board will issue ration cards (OPA Form R-184, Revised) for processed foods to such a consumer at any time after July 1, 1944, without requiring a new registration, if the applicant or his agent appears in person at the board and surrenders the expired punch card (OPA Form R-184) issued to him under this article as it read before July 1, 1944, and presents any immigration document issued for use by the consumers named in the card. The immigration documents shall be returned by the board to the applicant or his agent as soon as the board has examined them. If any such punch card has been lost, destroyed or stolen, and the applicant has not received a duplicate card, the board may waive the requirement that such card must be surrendered.

(e) The monthly ration of processed foods for each consumer for whom the application is granted shall not exceed the number of points fixed by the district director for the area in which the applicant's board is located, as provided in paragraph (f) of this section.

(f) Each district director whose area includes a point of entry between Mexico and the United States, shall, on or before July 1, 1944, fix the number of points per month (in multiples of ten) which the respective boards may issue for each consumer for whom rations are granted for the acquisition of processed foods in the United States. The amount of such monthly ration may be changed at any time thereafter by such district director. However, in no event may the monthly ration exceed 50 points per month. In determining the amount of the monthly ration, the district director shall take into consideration the available supply of processed foods in the parts of Mexico adjacent to the customary points of entry in his district.

SEC. 25.2 *Issuance of ration cards.* (a) Ration cards (OPA Form R-184, Revised) for processed foods shall be issued for periods of three calendar months or less. All ration cards (OPA Form R-184, Revised) shall have an earliest renewal date, which shall be the first day after the expiration of the period for which the card is issued. A board may, in its discretion, issue ration cards for any period of time less than three months.

(b) The board shall issue one ration card (OPA Form R-184, Revised) for each consumer or group of consumers for whom an application has been granted. However, if the application is granted for more than four consumers, one additional ration card shall be issued for each additional four consumers or less. The board shall write in the place provided on such cards, the date on which the card is issued, the earliest renewal date and the name and serial number of the immigration documents of the applicant and all other consumers for whom the application is granted. Before issuing a ration card for processed foods, the board shall remove in horizontal strips, starting at the bottom of the card, the requisite number of coupons, so that the card, when issued, will contain coupons only for the number of points for which the application is granted, for the consumers whose names appear on the ration card. The board shall also write upon the immigration document of each consumer for whom rations are granted the letters "P. F." and the serial number of the ration card issued for him.

(c) If any consumer for whom a ration card has been issued under this article secures a new immigration document, such ration card may not be used to acquire processed foods in the United States until the applicant or his agent appears in person at the board and presents such ration card and the new immigration document. The board shall delete the serial number of the old immigration document and record in its place the serial number of the new immigration document. The person who records the serial number of the new immigration document must initial the change. He must at the same time record the serial number of the new immigration document on the application (OPA Form R-183 or OPA Form R-183, Revised) for that consumer. The board shall also write upon the new immigration document the letters "P. F." and the serial number of the ration card.

(d) A ration card for processed foods shall have no expiration date and may be used at any time by the consumer for whom it is issued or any member of his family unit for the acquisition of processed foods from any "processor", "wholesaler", "retailer", "country shipper" or "grower" in the United States.

(e) On or after the earliest renewal date of a ration card for processed foods, the applicant's board shall issue a new ration card (OPA Form R-184, Revised) if the applicant, or his agent appears in person at the board and returns the cards of the consumers for whom rations were previously issued. (However, if a previously issued card has been lost, destroyed, or stolen, the board may waive the requirement that such card must be returned.) He must also present the immigration document of each consumer for whom rations are requested. No new application (on OPA Form R-183, Revised) is needed for the issuance of ration cards to replace previously issued ration cards unless, since the date of the last application, there has been a change in the number or identity of the members of applicant's household related to him by blood, marriage or adoption who wish to acquire processed foods in the United States. Acceptance by the applicant of ration cards for succeeding periods shall constitute a representation by the applicant that the consumers for whom rations are requested are the same as those covered on the cards or cards previously issued by the board and that the number of such consumers has not been reduced. New ration cards will be issued for periods of three calendar months or less and no rations may be granted for any period of time which has elapsed since the earliest renewal date of any previously issued ration card.

SEC. 25.3 *Issuance of ration cards to certain applicants by the district office.* (a) Any consumer who resides in Mexico, within the area described in section 25.1 (a) who desires to acquire processed foods in the United States and who is not eligible for rations under any other provisions of this article, or who needs more processed foods than he can get with his ration card (OPA Form R-184, Revised) may apply on OPA Form R-183 (Revised) to the board nearest his customary point of entry into the United States for additional rations. The application must show why the applicant cannot receive a ration card under the other provisions of this article or why he needs more processed foods. A board may not act upon an application under this section, but shall send it, together with all other information received and its recommendations to the district office. If the district office finds that the applicant resides within the area described in section 25.1 (a) and that he does not have and cannot get an immigration document or that his health depends upon his getting more processed foods or that he needs more processed foods than the monthly ration fixed by the district director, it may approve the application and return it to the board with instructions for the issuance of such rations as may be directed by the district office. If the district office finds that the applicant does not have an immigration document it shall instruct the board to insert the word "waived" in the space provided for the serial number of the applicant's immigration document.

SEC. 25.4 *Value and use of coupons by residents of Mexico.* (a) Each coupon on a ration card (OPA Form R-184, Revised) is worth ten points and is good for use as provided in this article for an unlimited time by the consumer or consumers for whom it is issued. A resident of Mexico gives up points when he acquires processed foods in the United States by surrendering coupons from his ration card or tokens. Coupons must be given up at the time the processed foods are acquired and must be detached from the ration card (OPA Form R-184, Revised) in the presence of the person who is selling or tranferring the processed foods. Loose coupons may not be used by a resident of Mexico or any other person and they must not be accepted by the seller or transferor. If it is impossible to detach coupons exactly equal to the point value of the processed foods transferred because their point value is not an exact multiple of ten, coupons of the nearest higher point value must be detached and the transferor must return the excess number of points to the consumer in the form of tokens.

SEC. 25.5 *How suppliers may replace inventory of processed foods transferred to residents of Mexico.* (a) A processor, wholesaler, retailer, country shipper, or grower who gets coupons from a resident of Mexico in the way permitted by this article, may not deposit those coupons in his ration bank account or use them to acquire processed foods. He may only surrender such coupons, at any time, to the board for the area in which his establishment is located in exchange for a certificate equal to the point value of the surrendered coupons.

SEC. 25.6 *Surrender of points by suppliers from whom processed foods were acquired before July 1, 1944.* (a) Any retailer, wholesaler, processor, country shipper or grower who was designated as a supplier on punch cards issued before July 1, 1944, to residents of Mexico, must surrender the total number of points he owes, if any, on or before July 10, 1944, to the board for the area in which he is located. (The total number of points which he owes is the total number of points given him by all certificates previously issued to him under this article as it read before July 1, 1944, less the point value of all processed foods transferred by him to residents of Mexico up to July 1, 1944.) He shall, at the same time, give to the board a written statement showing:

(1) The total point value of all such cards issued for the months of May and June 1944;

(2) The total number of unused points left on such cards; and

(3) The total number of points given to him by certificates issued under this article for the months of May and June 1944.

SEC. 25.7 *Records of suppliers from whom processed foods were acquired before July 1, 1944.* (a) Any retailer, wholesaler, processor, country shipper or grower who was designated by an applicant as the supplier from whom processed foods were to be acquired before July 1, 1944, shall maintain and keep at his place of business the cards which he was required to make out for each such applicant before July 1, 1944.

SEC. 25.8 *Records and reports by suppliers who transferred processed foods to residents of Mexico before July 1, 1943.* (a) Any retailer, wholesaler, processor, country shipper or grower to whom a certificate has been issued under this article prior to July 1, 1943, shall maintain and keep at his place of business a record showing the name of each applicant for whom he has received such certificate, the point value of each certificate and of all processed foods transferred against it and the dates of such transfers. Before the 10th day of July 1943, he must give to his board a written statement showing the total point value of all certificates received by him for June 1943 and the total point value of all transfers of processed foods made under such certificates during that month.

2. Section 27.1 (a) (31) is added to read as follows:

(31) "Immigration document", as used in Article XXV of this order, means a border crossing identification card or passport issued to a non-resident alien, bearing either a visa for entry into the United States or a notification showing that such a visa has been issued. It also includes a U. S. Citizen's Identification Card, passport, or other immigration papers issued to non-resident citizens of the United States for entry into Mexico.

This amendment shall become effective July 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005; 9 F.R. 4320; and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320)

Issued this 6th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8165; Filed, June 6, 1944; 11:58 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 38]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. The first sentence of section 6.6 (f) is amended by inserting "(other than those having a zero point value at the time he acquired them)" between the words "at any time after February 28, 1943, acquired processed foods" and the words "without giving up points".

2. The title of Article X is amended to read as follows:

ARTICLE X—POINT FREE TRANSFERS

NOTE: The limitations, restrictions, conditions, record-keeping and reporting requirements set forth in this Article X do not apply to processed foods while they have a

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791, 3032, 3073, 3513, 3579, 3708, 3710, 3947, 3944, 4026, 4351, 4475, 4604, 4818, 4876, 4881, 5074, 5254, 5436, 5695.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2947, 2830, 3707, 3580, 4542, 4505, 4605, 4883, 4607, 4883.

zero point value. For the purposes of this article, such foods are treated, and may be transferred or acquired, just as if they were not rationed at all.

3. The title of Article XXVI is amended to read as follows:

ARTICLE XXVI—HOME PROCESSED FOODS

NOTE: The limitations (including limitations on amounts of foods which may be transferred), restrictions, conditions, record-keeping and reporting requirements set forth in this Article XXVI do not apply to processed foods while they have a zero point value. For the purposes of this article, such foods are treated, and may be transferred or acquired, just as if they were not rationed at all.

This amendment shall become effective June 10, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005; 9 F.R. 4320; and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320)

Issued this 6th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8163; Filed, June 6, 1944; 11:57 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 142]

MEAT, FATS, FISH AND CHEESE

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Article XXV is amended to read as follows:

ARTICLE XXV—ACQUISITION OF FOODS COVERED BY THIS ORDER BY RESIDENTS OF MEXICO

SEC. 25.1 *Residents of Mexico may acquire foods covered by this order in the United States.* (a) Any "consumer" who resides in Baja California, Mexico, within ninety kilometers of the border between Mexico and the United States, or in any other part of Mexico within twenty kilometers of that border, may apply for points to "acquire" foods covered by this order in the United States. The application must be made in person on OPA Form R-183 (Revised), to the "board" whose office is nearest his customary point of entry into the United States. A single application must be made by the applicant for himself and for all members of his family unit (that is, for all persons living in his household who are related to him by blood, marriage, or adoption) who wish to acquire foods covered by this order. An application may be made by a person under eighteen years of age only if he is the head of a household or is not a member of a family unit. However, if an applicant is unable to complete and sign the application or is unable to appear in person before the board, anyone may act for him if the board is satisfied that such person has been given authority to act as agent for the applicant in completing, signing, and presenting the application.

(b) The application must be completed and signed by the applicant or his agent and must show:

(1) The applicant's name, address and age;

(2) The names and ages of all consumers living in his household who are related to him by blood, marriage or adoption and who wish to acquire foods covered by this order in the United States;

(3) The serial number of the applicant's "immigration document" and any immigration documents issued for use by the consumers named in the application. The applicant, or his agent must present all such immigration documents to the board at the time the application is made and shall also give any other information that the board may request. The immigration documents shall be returned by the board to the applicant or his agent as soon as the board has examined them.

(c) If the applicant complies with the requirements of paragraphs (a) and (b), the board shall grant the application and shall issue ration cards (OPA Form R-185, Revised) for foods covered by this order as provided in this article.

(d) A consumer who has previously applied on OPA Form R-183 for points to acquire foods covered by this order in the United States is not required to make a new application on OPA Form R-183 (Revised) unless, since the date of his last application, there has been a change in the number or identity of the members of his houshold related to him by blood, marriage or adoption who wish to acquire foods covered by this order in the United States. The board will issue ration cards (OPA Form R-185, Revised) for foods covered by this order to such a consumer at any time after July 1, 1944, without requiring a new registration, if the applicant or his agent appears in person at the board and surrenders the expired punch card (OPA Form R-185) issued to him under this article as it read before July 1, 1944, and presents any immigration document issued for use by the consumers named in the card. The immigration documents shall be returned by the board to the applicant or his agent as soon as the board has examined them. If any such punch card has been lost, destroyed or stolen, and the applicant has not received a duplicate card, the board may waive the requirement that such card must be surrendered.

(e) The monthly ration of foods covered by this order for each consumer for whom the application is granted shall not exceed the number of points fixed by the district director for the area in which the applicant's board is located, as provided in paragraph (f) of this section.

(f) Each district director whose area includes a point of entry between Mexico and the United States, shall, on or before July 1, 1944, fix the number of points per month (in multiples of ten) which the respective boards may issue for each consumer for whom rations are granted for the acquisition of foods covered by this order in the United States. The amount of such monthly ration may be changed at any time thereafter by such district director. However, in no event may the monthly ration exceed 30 points per month. In determining the amount of the monthly ration, the district director shall take into consideration the available supply of foods covered by this order in the parts of Mexico adjacent to the customary points of entry in his district.

SEC. 25.2 *Issuance of ration cards.* (a) Ration cards (OPA Form R-185 Revised) for foods covered by this order shall be issued for periods of three calendar months or less. All ration cards (OPA Form R-185, Revised) shall have an earliest renewal date, which shall be the first day after the expiration of the period for which the card is issued. A board may, in its discretion, issue ration cards for any period of time less than three months.

(b) The Board shall issue one ration card (OPA Form R-185, Revised) for each consumer or group of consumers for whom an application has been granted. However, if the application is granted for more than four consumers, one additional ration card shall be issued for each additional four consumers or less. The board shall write in the place provided on such cards, the date on which the card is issued, the earliest renewal date and the name and serial number of the immigration documents of the applicant and all other consumers for whom the application is granted. Before issuing a ration card for foods covered by this order, the board shall remove in horizontal strips, starting at the bottom of the card, the requisite number of coupons, so that the card, when issued, will contain coupons only for the number of points for which the application is granted, for the consumers whose names appear on the ration card. The board shall also write upon the immigration document of each consumer for whom rations are granted the letters "M. F." and the serial number of the ration card issued for him.

(c) If any consumer for whom a ration card has been issued under this article secures a new immigration document, such ration card may not be used to acquire foods covered by this order in the United States until the applicant or his agent appears in person at the board and presents such ration card and the new immigration document. The board shall delete the serial number of the old immigration document and record in its place the serial number of the new immigration document. The person who records the serial number of the new immigration document must initial the change. He must at the same time record the serial number of the new immigration document on the application (OPA Form R-183 or OPA Form R-183, Revised) for the consumer. The board shall also write upon the new immigration document the letters "M. F." and the serial number of the ration card.

(d) A ration card for foods covered by this order shall have no expiration date and may be used at any time by the consumer for whom it is issued or any member of his family unit for the acquisition of foods covered by this order from any "retailer", "wholesaler", or "primary distributor" in the United States.

(e) On or after the earliest renewal date of a ration card for foods covered by this order, the applicant's board shall issue a new ration card (OPA Form R-185, Revised) if the applicant, or his agent appears in person at the board and returns the cards of the consumers for whom rations were previously issued. (However, if a previously issued card has been lost, destroyed, or stolen, the board may waive the requirement that such card must be returned.) He must also present the immigration document of each consumer for whom rations are requested. No new application (on OPA Form R-183, Revised) is needed for the issuance of ration cards to replace previously issued ration cards unless, since the date of the last application, there has been a change in the number or identity of the members of applicant's household related to him by blood, marriage or adoption who wish to acquire foods covered by this order in the United States. Acceptance by the applicant of ration cards for succeeding periods shall constitute a representation by the applicant that the consumers for whom rations are requested are the same as those covered on the card or cards previously issued by the board and that the number of such consumers has not been reduced. New ration cards will be issued for periods of three calendar months or less and no rations may be granted for any period of time which has elapsed since the earliest renewal date of any previously issued ration card.

SEC. 25.3 *Issuance of ration cards to certain applicants by the district office.* (a) Any consumer who resides in Mexico, within the area described in section 25.1 (a) who desires to acquire foods covered by this order in the United States and who is not eligible for rations under any other provisions of this article, or who needs more rations than he can get with his ration card (OPA Form R-185, Revised) may apply on OPA Form R-183 (Revised) to the board nearest his customary point of entry into the United States for additional rations. The application must show why the applicant cannot receive a ration card under the other provisions of this Article or why he needs more rations. A board may not act upon an application under this section but shall send it, together with all other information received and its recommendations, to the district office. If the district office finds that the applicant resides within the area described in section 25.1 (a) and that he does not have and cannot get an immigration document or that his health depends upon his getting more foods covered by this order or that he needs more foods than the monthly ration fixed by the district director, it may approve the application and return it to the board with instructions for the issuance of such rations as may be directed by the district office. If the district office finds that the applicant does not have an immigration document it shall instruct the board to insert the word "waived" in the space provided for the serial number of the applicant's immigration document.

SEC. 25.4 *Value and use of coupons by residents of Mexico.* (a) Each coupon on a ration card (OPA Form R-185, Revised) is worth ten points and is good for use as provided in this article for an unlimited time by the consumers for whom it is issued. A resident of Mexico gives up points when he acquires foods covered by this order in the United States by surrendering coupons from his ration card or tokens. Coupons must be given up at the time the foods are acquired and must be detached from the ration card (OPA Form R-185, Revised) in the presence of the person who is selling or transferring the foods. Loose coupons may not be used by a resident of Mexico or any other person and they must not be accepted by the seller or transferor. If it is impossible to detach coupons exactly equal to the point value of the foods transferred because their point value is not an exact mutiple of ten, coupons of the nearest higher point value must be detached and the transferor must return the excess number of points to the consumer in the form of tokens.

SEC. 25.5 *How suppliers may replace inventory of foods covered by this order transferred to residents of Mexico.* (a) A retailer, wholesaler, or primary distributor who gets coupons from a resident of Mexico in the way permitted by this article, may not deposit those coupons in his ration bank account or use them to acquire foods covered by this order. He may only surrender such coupons, at any time, to the board for the area in which his establishment is located in exchange for a certificate equal to the point value of the surrendered coupons.

SEC. 25.6 *Surrender of points by suppliers from whom foods covered by this order were acquired before July 1, 1944.* (a) Any retailer, wholesaler, or primary distributor who was designated as a supplier on punch cards issued before July 1, 1944, to residents of Mexico, must surrender the total number of points he owes, if any, on or before July 10, 1944, to the board for the area in which he is located. (The total number of points which he owes is the total number of points given him by all certificates previously issued to him under this article as it read before July 1, 1944, less the point value of all foods covered by this order transferred by him to residents of Mexico up to July 1, 1944.) He shall, at the same time, give to the board a written statement showing:

(1) The total point value of all such cards issued for the months of May and June 1944;

(2) The total number of unused points left on such cards; and

(3) The total number of points given to him by certificates issued under this article for the month of May and June 1944.

SEC. 25.7 *Records of suppliers from whom foods covered by this order were acquired before July 1, 1944.* (a) Any retailer, wholesaler, or primary distributor who was designated by an applicant as the supplier from whom foods covered by this order were to be acquired before July 1, 1944, shall maintain and keep at his place of business the cards which he was required to make out for each such applicant before July 1, 1944.

SEC. 25.8 *Records and reports by suppliers who transferred foods covered by this order to residents of Mexico before July 1, 1943.* (a) Any retailer, wholesaler, or primary distributor to whom a certificate has been issued under this article prior to July 1, 1943, shall maintain and keep at his place of business a record showing the name of each applicant for whom he has received such certificate, the point value of each certificate and of all foods covered by this order transferred against it and the dates of such transfers. Before the 10th day of July, 1943, he must give to his board a written statement showing the total point value of all certificates received by him for June 1943 and the total point value of all transfers of foods covered by this order made under such certificates during that month.

2. The definition of "immigration document" is added as follows to the definitions in section 24.1 (a):

"Immigration document", as used in Article XXV of this order, means a border crossing identification card or passport issued to a non-resident alien, bearing either a visa for entry into the United States or a notification showing that such a visa has been issued. It also includes a U. S. citizen's identification card, passport or other immigration papers issued to non-resident citizens of the United States for entry into Mexico.

This amendment shall become effective July 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 78th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4330; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 6th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8164; Filed, June 6, 1944; 11:58 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13128, 13394, 13980, 14399, 14623, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16506, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 106, 220, 403, 677, 695, 849, 1054, 1532, 1861, 1728, 1818, 1909, 2235, 2340, 2406, 2568, 2406, 2787, 3033, 3034, 3034, 3073, 2830, 3073, 3514, 3580, 3707, 3708, 3848, 3944, 3746, 4099, 4107, 4612, 4818, 4881, 4876, 5074.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 143]

MEAT, FATS, FISH AND CHEESE

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. The second sentence of section 2.2 (b) is amended by inserting between the words "such foods" and the words "at any one time" the words "(other than foods which have a zero point value at the time of the loan)".

2. Section 2.7 (a) is amended by deleting the words "fresh fish, fresh milk, poultry" and inserting in lieu thereof the words "fresh milk".

3. Section 2.7 (b) (2) is amended by deleting the words "fresh fish, fresh milk, poultry" and inserting in lieu thereof "fresh milk".

4. Section 2.7 (b) (3) is amended by deleting the words "fresh fish, fresh milk, poultry" and inserting in lieu thereof "fresh milk".

5. Section 2.7 (b) (7) is amended by deleting the words "fresh fish and poultry, fresh milk," and inserting in lieu thereof the words "fresh milk".

6. Section 2.7 (d) is amended by deleting from the third sentence thereof the words "fresh fish, fresh milk, poultry" and inserting in lieu thereof "fresh milk".

7. The title of Article III is amended to read as follows:

ARTICLE III—HOME PRODUCERS

NOTE: The limitations (including limitations on amounts of foods which may be transferred), restrictions, conditions, record-keeping and reporting requirements set forth in this Article III do not apply to foods covered by this order while they have a zero point value. For the purposes of this article, such foods are treated and may be transferred or acquired, just as if they were not rationed at all.

8. The first sentence of section 7.6 (f) is amended by inserting between the words "after March 28, 1943" and the words "without giving up points" the words "(other than those having a zero point value at the time he acquired them)".

9. Section 10.10 (a) is amended by deleting the word "However," at the beginning of the last sentence and by adding the following sentence at the end of the paragraph: "However, he need not give up points for pork, veal, lamb, mutton or for cuts of beef which have a zero point value or for cuts of beef which contain only beef which has a zero point value."

10. The title of Article XI is amended to read as follows:

ARTICLE XI—POINT FREE TRANSFERS

NOTE: The limitations, restrictions, conditions, record-keeping and reporting requirements set forth in this article XI do not apply to foods covered by this order while they have a zero point value. For the purposes of this article, such foods are treated and may be transferred or acquired, just as if they were not rationed at all.

11. Section 22.10 is revoked.

This amendment shall become effective June 10, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005; 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

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CHESTER BOWLES,
Administrator.

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13128, 13394, 13960, 14399, 14623, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 106, 220, 403, 677, 695, 849, 1054, 1532, 1561, 1728, 1818, 1909, 2235, 2240, 2406, 2566, 2787, 2830, 3033, 3084, 3078, 3514, 3480.

PART 1418—TERRITORIES AND POSSESSIONS

[GMPR[1] for Hawaii, Amdt. 4]

MODIFICATION OF MAXIMUM PRICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The General Maximum Price Regulation for the Territory of Hawaii is amended in the following respects:

1. A new section 1a is added to read as follows:

SEC. 1a. *Modification of provisions for the sale or delivery of any commodity in the Island of Hawaii.* (a) Any person who sells or delivers any commodity in the Island of Hawaii shall comply with all provisions of this regulation, except that:

(1) In section 2, he shall substitute the date February, 1944 for the date April, 1942, wherever it appears, and the date March 1, 1944 for the date May 1, 1942.

(2) In section 3 (a) (2), he shall substitute the date February, 1944 for the date April, 1942.

(3) In section 5 (a), he shall substitute the date February, 1944 for the date April, 1942.

(4) In section 7 (a), he shall substitute the date April 24, 1944 for the date May 26, 1942.

(5) In section 8 (a) (1), he shall substitute the date April, 1944 for the date April, 1942, wherever it appears.

(6) In section 8 (a) (2), he shall substitute the date April 30, 1944, for the date April 30, 1942.

(7) In section 11, he shall substitute the date February, 1944 for the date April, 1942, wherever it appears, and the date May 1, 1944 for the date August 1, 1942.

(8) In section 13, he shall substitute the date June 1, 1944 for the date June 16, 1942, and the date June 1, 1944 for the date August 1, 1942.

(9) In section 20 (a) (4), he shall substitute the date February, 1944 for the date April, 1942.

2. Section 3 (a) (1) is amended by deleting the last sentence and substituting therefor the sentence "The price so reported shall be subject to adjustment at any time by order of the Director of the Office of Price Administration for the Territory of Hawaii."

3. Section 3 (a) (2) is amended by deleting the first sentence and substituting therefor the sentence "In case of a sale other than at wholesale or retail of a commodity, the maximum price shall be a price determined by the seller after specific authorization from the Director of the Office of Price Administration for the Territory of Hawaii."

4. Section 3 (a) (3) is amended to read as follows:

(3) In the case of a sale at wholesale or retail of a commodity which cannot be priced under paragraph (a) of this section, the maximum price shall be a price determined by the seller after specific authorization by the Director of the Office of Price Administration for the Territory of Hawaii. A seller who seeks an authorization to determine a maximum price under the provisions of this paragraph shall file with the office of the Office of Price Administration for the district in which his principal place of business is located an application setting forth (i) a description of the commodity or commodities for which a maximum price is sought; (ii) a statement of the reasons why such commodity or commodities cannot be priced under section 2 or 3 (a) of this General Maximum Price Regulation; and (iii) any other facts which the seller wishes to submit in support of the application. The seller shall also submit such additional pertinent information as the Office of Price Administration may require. Such authorization will be given in the form of an order prescribing a method of determining the maximum price for the applicant or for sellers of the commodity generally, including purchasers for resale, or for a class of such sellers.

This amendment shall become effective as of April 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E. O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8167; Filed, June 6, 1944; 11:58 a. m.]

[1] 8 F.R. 5307, 6362, 14765, 15585.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 128]

MEAT AND MEAT PRODUCTS

The statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 7.8 (b) of Revised Supplementary Regulation No. 14 is hereby revoked.

This amendment shall become effective June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 6th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8156; Filed, June 6, 1944; 11:57 a. m.]

PART 1389—APPAREL

[RMPR 506,[1] Amdt. 1]

STAPLE WORK GLOVES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 506 is amended in the following respects:

1. Section 6 (a) is amended to read as follows:

SEC. 6. *Marking of gloves*—(a) *Marking required at retail.* Every person is forbidden to sell or offer to sell at retail or display in a retail store any pair of staple work gloves which is not marked as required by this section. If any part of the required marking has not been performed by the manufacturer, it must be supplied by the retailer.

(1) On and after June 21, 1944, the marking must show the retail ceiling price.

(2) On and after September 15, 1944, the marking must show, in addition to the retail ceiling price, the manufacturer's lot number or brand name for the glove and a statement of defects (if any).

2. The first sentence of section 6 (b) is amended to read as follows:

(b) *Marking and information required of manufacturers.* Every manufacturer is forbidden to deliver any pair of work gloves which is put into the process of manufacture on or after August 6, 1944, unless it contains markings showing the manufacturer's lot number or brand name for the glove, and a statement of defects (if any).

3. In section 6, a new paragraph (e) is added to read as follows:

(e) *Exceptions to marking requirements.* (1) Industrial users need not attach the markings required by this section to any gloves which they sell to their employees at or below the net prices actually paid by the industrial user plus any charges for transportation actually paid by him. On all other sales by industrial users to their employees the industrial user is required to mark only the retail ceiling price.

(2) On sales and deliveries by manufacturers to industrial users it is not necessary to attach the required markings to each pair of gloves. In such cases, the seller may place the required markings on the package, wrapper or other container in which the gloves are packed.

4. Section 7 (d) (3) is amended to read as follows:

(3) A description of each pair of gloves bearing a different lot number or brand name, similar to the description in Appendix A, or some identifying reference to the description set forth in the "retail ceiling price list" (described in section 6 (b)) previously supplied the same purchaser for the same lot number or brand name.

5. In the example in section 9 (f), the figure "17¢" in the description column is amended to read "21¢".

6. In Table 2 of Appendix A, the reference to footnote number 4 is deleted after the following items:

Quilted palm, Double safety, Men's 18 oz. palm, 8 oz. stripe back, with turtle neck;

Quilted palm, Double safety, Men's 18 oz. palm, 10 oz. white back, with turtle neck;

Processed palm, Double safety, Men's 18 oz. material palm, 8 oz. stripe back, with turtle neck;

Processed palm, Double safety, Men's 18 oz. material palm, 10 oz. white back, with turtle neck.

This amendment shall become effective June 6, 1944.

Issued this 6th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8208; Filed, June 6, 1944; 4:41 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, Amdt. 118]

TEXTILE BOBBINS AND SPOOLS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1390.25 (a) (44) is amended to read as follows:

(44) *Textile bobbins and spools.* Notwithstanding any other provisions of this regulation, the manufacturers' maximum prices for textile bobbins and spools calculated under this regulation apart from this subparagraph shall be increased to 9% above their base date (October 1, 1941) net prices.

Payment at the maximum prices established herewith may be made and received, or completed, for bobbins and spools delivered under the terms of adjustable pricing agreements effected pursuant to § 1390.25a (a) (4) of this regulation.

This amendment shall become effective June 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8207; Filed, June 6, 1944; 4:41 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 6772.

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51072]

PART 52—REGULATIONS UNDER TRADING WITH THE ENEMY ACT

RELEASE OF ART OBJECTS FROM CUSTOMS CUSTODY

JUNE 8, 1944.

Regulations under sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended, relative to the release of art objects from customs custody which have been imported after March 12, 1938.

The following regulations are prescribed under the authority of sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended, with respect to the release of art objects from customs custody:

Sec.
52.12 Prohibitions against release of imported art objects.
52.13 Requirements for release of art objects.
52.14 Definition of art objects.

AUTHORITY: §§ 52.12 to 52.14, inclusive, issued under secs. 3 (a), 5 (b), Trading With the Enemy Act; 40 Stat. 412, 415, as amended; 50 U.S.C. App. and Supp. 3, and 12 U.S.C. and Supp. 95a.

§ 52.12 *Prohibitions against release of imported art objects.* No art object hereafter imported from any foreign country, except one which constitutes a part of the United Kingdom, the British Dominions, or British Colonies, and no art object which is now in customs custody which was imported after March 12, 1938 from any foreign country except one which constitutes a part of the United Kingdom, the British Dominions, or British Colonies, shall be released from customs custody, whether for consumption or exportation, or shall be sold or forfeited under the customs laws and regulations, unless such release, sale, or forfeiture has been licensed or otherwise authorized by the Secretary of the Treasury.

§ 52.13 *Requirements for release of art objects.* (a) Persons seeking release of any such art object from customs custody for consumption or exportation shall file

an application on Form TFE–1 in duplicate in the manner prescribed in §130.2 of the Regulations issued under Executive Order No. 8389, as amended. Form FFC 168 must be filled out and attached to the application.

(b) With respect to art objects in customs custody which are subject to sale or forfeiture under the customs laws and regulations, the Collector of Customs concerned shall file a report in duplicate on Forth FFC 168 with Foreign Funds Control, Treasury Department, Unit 244, Washington, D. C.

§ 52.14 *Definition of art objects.* As used herein, the term "art object" shall include any of the following, if there is reasonable cause to believe that the article or lot of articles included in one importation, export shipment, or sale lot (a) is worth $5,000 or more, or (b) is of artistic, historic, or scholarly interest irrespective of monetary value:

(1) Paintings in oil, mineral, water, or other colors, tempera, pastels, drawings and sketches in pen, ink, pencil, or water colors, engravings, woodcuts, prints, lithographs, miniatures;
(2) Statuary, sculptures;
(3) Chinaware, glassware, pottery, porcelain;
(4) Rugs, tapestries, laces, and other textiles;
(5) Jewelry, metalwork;
(6) Books, manuscripts, archival materials and records;
(7) Furniture;
(8) Curios.

The provisions hereof shall be effective on and after June 8, 1944.

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44–8209; Filed, June 6, 1944; 4:59 p. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

PART 31—RULES AND REGULATIONS GOVERNING THE PROCEDURE AND BUSINESS OF THE NATIONAL PARK TRUST FUND BOARD

Pursuant to the authority contained in the Act of July 10, 1935 (49 Stat. 477), the following rules and regulations are adopted and promulgated to govern the procedure and business of the National Park Trust Fund Board.

Sec.
31.1 Definition.
31.2 Officers.
31.3 Meetings; duties of officers.
31.4 Donations.
31.5 Acceptance of donations.
31.6 Disposition of income.

AUTHORITY: §§ 31.1 to 31.6 inclusive, issued under 49 Stat. 477; 16 U.S.C. 19.

§ 31.1 *Definition.* As used in the regulations in this part, the term "Board" means the National Park Trust Fund Board.

§ 31.2 *Officers.* The Secretary of the Interior shall be the Chairman of the Board, and the Director of the National Park Service shall be the Secretary.

§ 31.3 *Meetings; duties of officers.* (a) The Chairman may call meetings of the Board at such times and places as he may determine upon due notice to all members. The Chairman shall preside at the meetings, and in the temporary absence or disability of the Chairman the members present shall select a temporary Chairman to act in his stead.

(b) The Secretary shall keep a complete and accurate record of all meetings of the Board, and shall be the custodian of the records of the Board and of its seal. It shall be the duty of the Secretary to attest under the seal of the Board all certified copies of the official records of the Board that may be required. The Secretary shall prepare and submit to the Congress on behalf of the Board an annual report of the moneys or securities received and held by the Board and of its activties.

§ 31.4 *Donations.* Trust funds in the form of money, securities, or other personal property may be given or bequeathed to the National Park Trust Fund in form substantially as follows: "To the United States of America, to be held and administered by the National Park Trust Fund Board, for the benefit of, or in connection with, the National Park Service, its activities, or its services." The donor may, if he or she so desires, specify a particular purpose or purposes for which the gift or bequest is made: *Provided, however,* That the Board may reject any gift or bequest which entails any terms or conditions unacceptable to the Board.

§ 31.5 *Acceptance of donations.* (a) Gifts or bequests may be accepted on behalf of the Board upon the written approval of three of its members.

(b) The Director of the National Park Service may, as a member and Secretary of the Board, accept on behalf of the Board any gift or bequest not exceeding $250 in amount.

(c) Upon the acceptance of any gift or bequest, it shall be the duty of the Secretary to record the same in the records of the Board, showing the nature and amount thereof, and the name of the donor. The Secretary shall advise the donor or his representative of the Board's acceptance of the gift or bequest.

§ 31.6 *Disposition of income.* Unless otherwise restricted by the instrument of gift or bequest, the income derived from any gift or bequest heretofore or hereafter accepted by the Board shall be subject to disbursement by the Division of Disbursement, Treasury Department, on the basis of certified vouchers of the Director of the National Park Service, for the benefit of, or in connection with, the National Park Service, its activities, or its services, as authorized by a resolution of the Board.

Issued this 7th day of February 1944.

NATIONAL PARK TRUST FUND BOARD,
HAROLD L. ICKES,
Member.
NEWTON B. DRURY,
Member.
LOUIS HERTLE,
Member.
J. HORACE MCFARLAND,
Member.
HENRY MORGENTHAU, Jr.,
Member.

[F. R. Doc. 44–8228; Filed, June 7, 1944; 10:33 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter I—Procurement Division, Department of the Treasury

PART 4—SUPPLIES TO BE PROCURED BY THE PROCUREMENT DIVISION

TYPEWRITERS

Paragraph (h) of § 4.1 *Exclusive procurement by Procurement Division; commodities* (41 C.F.R. Cum. Supp., Part 4), is hereby amended by read as follows:

(h) *Typewriters.* Typewriters, new and used, but excluding requirements of the War and Navy Departments, the Marine Corps and the Maritime Commission.

Dated: June 6, 1944.

(Sec. 1, E.O. 6166, June 10, 1933, sec. 2, Director's Order 73, approved by the President June 10, 1939 (41 CFR 1.2, 3.2), Procurement Division Circular Letter: B-Series, No. 13, effective May 15, 1944)

CLIFTON E. MACK,
Director of Procurement.

[F. R. Doc. 44–8170; Filed, June 6, 1944; 1:00 p. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

[G. O. 11, Supp. 2, Correction]

UNIFORM ADDENDUM TO TIME CHARTER COVERING ADJUSTMENTS OF CERTAIN DISPUTES

The designation of regulations of United States Coast Guard (46, U. S. C. R.), appearing in paragraph *Fourth* in Uniform Addendum to Time Charter Covering Adjustments of Certain Disputed Questions as prescribed by § 302.57, published in the FEDERAL REGISTER for Friday, March 31, 1944 at page 3464, is corrected by striking out the words and figures, "sub-chapter O of chapter 11" and inserting in lieu thereof the words and figures "sub-chapter O of Chapter I".

Reference heretofore or hereafter made to paragraph *Fourth* shall be deemed to refer to said paragraph *Fourth* as corrected above.

[SEAL] A. J. WILLIAMS,
Secretary.

JUNE 7, 1944.

[F. R. Doc. 44–8248; Filed, June 7, 1944; 11:59 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

NEW MEXICO

REDUCTION OF STOCK DRIVEWAY WITHDRAWALS

Stock Driveway Withdrawals Nos. 58 and 81, New Mexico Nos. 7 and 12, reduced.

The orders of the Secretary of the Interior of February 4 and April 29, 1919, and June 24, 1920, establishing Stock Driveway Withdrawal No. 58, New Mexico No. 7, and establishing and modifying Stock Driveway Withdrawal No. 81, New Mexico No. 12, under section 10 of the act of December 29, 1916, 39 Stat. 865, 43 U.S.C. 300, are hereby revoked so far as they affect the following-described lands, which are within New Mexico Grazing District No. 1:

NEW MEXICO PRINCIPAL MERIDIAN

T. 25 N., R. 4 E.,
Sec. 11, NW¼.
T. 26 N., R. 4 E.,
Sec. 3, W½;
Sec. 4, E½;
Sec. 10, W½;
Sec. 15, W½;
Sec. 22, E½ and NW¼.
T. 27 N., R. 4 E.,
Sec. 33, N½ and NW¼SW¼.
T. 24 N., R. 3 W.,
Sec. 4, N½.
T. 25 N., R. 3 W.,
Sec. 14, SE¼NE¼, SW¼SW¼, E½SW¼, and SE¼.

The areas described, including both public and nonpublic lands, aggregate 2931.14 acres.

This order shall not otherwise become effective to change the status of the lands until 10:00 a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

MAY 29, 1944.

[F. R. Doc. 44–8229; Filed, June 7, 1944; 10:33 a. m.]

ARIZONA

REDUCTION OF STOCK DRIVEWAY WITHDRAWAL

Stock Driveway Withdrawal No. 114, Arizona No. 5, reduced.

The order of the First Assistant Secretary of the Interior of April 15, 1929, enlarging Stock Driveway Withdrawal No. 114, Arizona No. 5, under section 10 of the act of December 29, 1916, 39 Stat. 865, 43 U. S. C. 300, is hereby revoked so far as it affects the following-described lands, which are within Arizona Grazing District No. 1:

GILA AND SALT RIVER MERIDIAN

T. 34 N., R. 7 W.,
Sec. 6, W½E½ and E½W½;
Sec. 7, W½E½ and E½W½;
Sec. 17, SW¼NW¼ and SW¼;
Sec. 18, W½NE¼, E½NW¼, NE¼SW¼, N½SE¼, and SE¼SE¼;
Sec. 19, E½NE¼;
Sec. 20, NW¼ and S½;
Sec. 21, SW¼SW¼;
Sec. 28, W½;
Sec. 33, W½.
T. 35 N., R. 7 W.,
Sec. 7, E½SW¼ and SE¼;
Sec. 8, N½ and SW¼;
Sec. 9, NW¼;
Sec. 18, W½E½ and E½W½;
Sec. 19, W½E½ and E½W½;
Sec. 30, W½E½ and E½W½;
Sec. 31, W½E½ and E½W½.

The areas described, including both public and nonpublic lands, aggregate 4559.24 acres.

This order shall not otherwise become effective to change the status of the public lands until 10:00 a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L.D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

MAY 29, 1944.

[F. R. Doc. 44–8230; Filed, June 7, 1944; 10:33 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G–532]

INTERSTATE PIPE LINE CO.

ORDER FIXING DATE OF HEARING

JUNE 1, 1944.

Upon consideration of the application filed March 23, 1944, by Interstate Pipe Line Company for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, for authority to operate approximately 8½ miles of 2-inch to 6-inch pipe line extending from a point in Miami County, Kansas, in an easterly direction to the town of Drexel, Missouri, acquired by Applicant on August 21, 1943, from its affiliate, Interstate Gas Company; the Commission orders that:

(A) A public hearing be held, commencing on June 27, 1944, at 10:00 a. m., in Grand Jury Room No. 519, U. S. Court House, Kansas City, Missouri, respecting the matters involved and the issues presented in this proceeding;

(B) Interested State Commission may participate in the hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44–8232; Filed, June 7, 1944; 10:37 a. m.]

[Docket No. G–545]

MISSOURI WESTERN GAS CO.

ORDER FIXING DATE OF HEARING

JUNE 1, 1944.

Upon consideration of the application filed May 2, 1944, by Missouri Western Gas Company for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to construct and operate approximately 21 miles of 3½-inch and 4-inch pipe line extending from Panhandle Eastern Pipe Line Company's measuring station, located 1½ miles north of Harrisonville, Missouri, along U. S. Highway No. 71 to Applicant's 4-inch gas transmission pipe line at Adrian, Missouri, together with a regulator station; the Commission orders that:

(A) A public hearing be held, commencing on June 28, 1944, at 9:30 a. m., in Grand Jury Room No. 519, U. S. Court House, Kansas City, Missouri, respecting the matters involved and the issues presented in this proceeding;

(B) Interested State Commissions may participate in the hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44–8233; Filed, June 7, 1944; 10:37 a. m.]

[Docket No. G–534]

KANSAS POWER AND LIGHT CO.

ORDER FIXING DATE OF HEARING

JUNE 1, 1944.

Upon consideration of the application filed March 27, 1944, by The Kansas Power and Light Company for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, for authority to construct and operate approximately 38,000 feet of 8-inch pipe line extending in a southwesterly direction from the Cities Service Gas Company's Breitenbach No. 1 and English No. 1 gas wells in Edwards County, Kansas, and connecting with Applicant's existing 8-inch pipe line at a point in the southeast corner of sec-

tion 3, Township 26 South, Range 17 West in Edwards County, Kansas; the Commission orders that:

(A) A public hearing be held, commencing on June 27, 1944, at 2:00 p. m., in Grand Jury Room No. 519, U. S. Court House, Kansas City, Missouri, respecting the matters involved and the issues presented in this proceeding;

(B) Interested State Commissions may participate in the hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-8234; Filed, June 7, 1944; 10:37 a. m.]

[Docket Nos. G-524 and G-528]

CONSOLIDATED GAS UTILITIES CORP.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

JUNE 1, 1944.

Upon consideration of the following applications filed by Consolidated Gas Utilities Corporation (Applicant) for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended:

(a) Application filed February 7, 1944, in Docket No. G-524 for authority (1) to construct and operate 5,280 feet of 4½-inch O. D. steel pipe line beginning at a connection with Applicant's 6⅝-inch pipe line in Rice County, Kansas, and extending in a southerly direction 5,280 feet to a point of connection with Applicant's existing distribution system in Sterling, Kansas; (2) abandon approximately 1½ miles of 5½-inch boiler flue pipe line commencing at a connection with Applicant's 8-inch transmission pipe line in Rice County, Kansas, and extending in a southwesterly direction to a connection with Applicant's 4-inch pipe line at the West line of the South half of section 14, Township 21 South, Range 8 West, Rice County, Kansas;

(b) Application filed February 17, 1944, in Docket No. G-528 for authority to construct and operate approximately 3½ miles of 8⅝-inch pipe line beginning at a connection with Applicant's 6-inch pipe line at the Southeast corner of section 32, Township 6 North, Range 9 West, Caddo County, Oklahoma, and extending in a westerly direction approximately 2¾ miles and thence northwesterly approximately 3,960 feet to a point of connection with the 8-inch pipe line of Ray Stephens, Inc., Caddo County, Oklahoma; and it appearing to the Commission that:

Good cause exists for consolidating the above-entitled proceedings; the Commission orders that:

(A) The above-entitled proceedings be and the same are hereby consolidated for the purpose of hearing;

(B) A public hearing be held commencing on June 26, 1944, at 10 a. m., in the Ninth Floor District Courtroom in the U. S. Post Office and Courthouse, Oklahoma City, Oklahoma, respecting the matters involved and the issues presented in such consolidated proceedings;

(C) Interested State commissions may participate in such hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-8231; Filed, June 7, 1944; 10:37 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5153]

DORENE PUBLISHING CO., INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of June, A. D. 1944.

In the matter of Dorene Publishing Company, Inc., a corporation, and Joseph Kay, individually and as president of Dorene Publishing Company, Inc.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John W. Addison, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, June 22, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-8237; Filed, June 7, 1944; 11:23 a. m.]

[Docket No. 5172]

JOHN B. STETSON CO.

Complaint. The Federal Trade Commission having reason to believe that the party respondent named in the caption hereof, and hereinafter more particularly designated and described, has, since June 19, 1936, violated and is now violating the provisions of subsections (a) and (d) of section 2 of the Clayton Act (U.S.C. title 15, sec. 13) as amended by the Robinson-Patman Act approved June 19, 1936, hereby issues its complaint, stating its charges with respect thereto as follows:

Count I. Charging violation of subsection (a) of section 2 of the Clayton Act, as amended, the Commission alleges:

(1) Respondent John B. Stetson Company is a corporation organized and existing under and by virtue of the laws of the State of Pennsylvania, with its principal office and place of business located at Fifth Street and Montgomery Avenue, Philadelphia, Pennsylvania.

(2) Respondent corporation is now and has been since June 19, 1936, engaged in the business of manufacturing, offering for sale, selling and distributing men's hats under various brand names, all of which feature the name "Stetson" in addition to arbitrary brand names selected denoting style and price range, such as "Play Boy", "Sportlite", "Fast Colors", "Medalist", "Stratoliner", "Premier", "Royal", "Imperial", "Sovereign", etc. The resale or retail prices of these brands range from $5 to $150. Respondent enters into contracts with its various customers to whom it sells its hats, and said contracts fix the price and terms of sale at which such hats are sold by such customers at retail to the consuming public. Respondent, by volume of sales, is the largest producer and distributor of men's hats in the United States. Respondent sells and distributes its hats in commerce between and among the various states of the United States and in the District of Columbia and, as a result of such sales, causes said hats to be shipped and transported from its place of business to purchasers thereof who are located in the various states of the United States other than the state in which respondent's place of business is located. There is and has been at all times mentioned herein a continuous course of trade and commerce in said hats across state lines between respondent's factory and the purchasers of said hats. Said hats are sold and distributed for use and resale within the various states of the United States and in the District of Columbia. Respondent sells its men's hats directly to several thousand retail resellers located in cities and towns throughout the United States.

(3) In the course and conduct of its business as aforesaid, respondent is now and during the times herein mentioned has been in substantial competition with other corporations and with individuals, partnerships and firms who are likewise engaged in the business of manufacturing, selling and distributing men's hats in interstate commerce.

Many of respondent's customers are competitively engaged with each other and with the customers of respondent's competitors in the resale of men's hats within the trade areas in which respondent's said customers respectively offer for sale and sell the men's hats purchased from the respondent.

(4) In the course and conduct of its said business, since June 19, 1936, respondent has been and is now discriminating in price between different purchasers buying hats from the respondent, by selling such hats to some of its customers at higher prices than it sells its hats of like grade and quality to other customers who are competitively engaged with customers receiving the lower prices, in the resale of said hats within the United States.

Respondent grants and allows to all of its customers a regular trade discount of 2% to be deducted from the invoice price if the invoice is paid within a specified time. The price discriminations herein alleged, and those hereinafter set forth, are in the form of discriminatory additions to the regular trade discount of 2%.

(5) The respondent has discriminated in price by the use of a so-called "cumulative quantity" discount schedule whereby it has sold to some customers at higher prices than it has sold men's hats of like grade and quality to other customers who are in competition with them in the resale of said hats within the United States. The so-called "quantity discount" schedule varied for the years 1940, 1941, and 1942, and was and is governed by the customer's cumulative total of purchases during each year. For the year ending October 31, 1941, the so-called "cumulative quantity" discount schedule effected by the respondent was as follows:

Annual purchases ranging from:	Percent
$25,000 to $49,999.99	2
$50,000 to $99,999.99	4½
$100,000 and over	7

From November 1, 1941, to October 31, 1942, the respondent's "cumulative quantity" discount schedule was as follows:

Annual purchases ranging from:	Percent
$25,000 to $49,999.99	2
$50,000 to $74,999.99	4½
$75,000 to $99,999.99	6
$100,000 to $249,999.99	7
$250,000 and over—6% overage on the volume exceeding $250,000.	

From November 1, 1942 to October 31, 1943, and thereafter, the respondent's "cumulative quantity" discount schedule has been and is as follows:

Annual shipments:	Quantity discounts (percent)
$5,000 to $7,499.99	2
$7,500 to $9,999.99	2½
$10,000 to $14,999.99	3
$15,000 to $24,999.99	3½
$25,000 to $34,999.99	4
$35,000 to $49,999.99	4½
$50,000 to $74,999.99	5
$75,000 to $99,999.99	6
$100,000 to $199,999.99	7
$200,000 and over	8

(6) In addition to the discriminations effected by the aforementioned "cumulative quantity" discount schedules, respondent discriminates in price between different purchasers of its products who are in competition with each other by making lower prices on hats to some customers based upon the total quantity or volume sold and delivered to all of the separate branches or outlets of such customers, although separate delivery is made to the several branches or outlets of such customers, if and when such total quantity or volume amounts to certain required minima during the fiscal year period without regard to the quantity or volume delivered to the respective branches or outlets of such customers.

(7) The effect of the discriminations in price generally alleged in paragraph four hereof and of the discriminations specifically set forth in paragraphs five and six hereof has been or may be substantially to lessen competition in the line of commerce in which the purchasers receiving and those denied the benefits of such discriminatory prices are engaged and to injure, destroy or prevent competition between purchasers receiving the benefit of said discriminatory prices and those from whom they are withheld.

Such discriminations in price by respondent between different purchasers of men's hats of like grade and quality in interstate commerce in the manner and form aforesaid are in violation of the provisions of subsection 2 (a) of section 1 of said Act of Congress approved June 19, 1936 entitled "An Act to amend section 2 of an act entitled 'An Act to Supplement Existing Laws Against Unlawful restraints and Monopolies and for Other Purposes' Approved October 15, 1914, as Amended U. S. C. Title 15, section 13 and for Other Purposes".

Count II. Charging violation of subsection (d) of section 2 of the Clayton Act as amended, the Commission alleges:

(1) Paragraphs (1) to (3), inclusive, of Count I of this complaint are hereby repeated and made a part of this charge as fully and with the same effect as though herein again set forth at length.

(2) In the course and conduct of its business as aforesaid, respondent, since June 19, 1936, has been and is now granting compensation in the form of cash payments and allowances to some of its customers who are selected by the respondent for advertising display and other promotional activities. Such payments or allowances have been and are granted to favored customers in consideration of the advertising display and other promotional services furnished by them in connection with the resale of the respondent's hats. The respondent makes such cash payments or allowances to its favored customers without making them available on proportionally equal terms to other of its customers who compete with such favored customers in the resale and distribution of respondent's said hats. Such other customers are able and willing to furnish the same kind of advertising or display services and promotional facilities to the respondent as those furnished by its favored customers.

Instances and illustrations of the general practice above alleged and thus pursued by the respondent in granting allowances and compensation to its favored customers are the following:

1. The respondent paid to its favored customer, Young's Merchandising Corporation, operating 26 retail men's hat stores in New York City, for the fiscal year 1941 the sum of $11,904.78, and for the fiscal year 1942 the sum of $14,889.91 as an advertising and display allowance, while the respondent did not make such payments available on proportionally equal terms, or on any terms, to competing customers.

2. The respondent paid to its favored customer, Wallach's, Inc., of New York City, a corporate subsidiary of Hart, Schaffner, & Marx, Chicago, Illinois, operating 9 men's furnishings stores in the Metropolitan area of New York City, the sum of $6,600 per year for window displays of "Stetson" hats, in the Fifth Avenue windows of Wallach's, Inc. stores located at 45th St. and Fifth Avenue, and 33rd St. and Fifth Avenue, New York, for 32 weeks each year, and similar window displays during 22 weeks of each year on the 45th St. side of Wallach's, Inc. store located at 45th St. and Fifth Avenue, while respondent did not and does not make such payments available on proportionally equal terms, or on any terms, to competing customers.

3. The respondent paid to its favored customer, Maurice L. Rothschild, of Chicago, Illinois, having branches at St. Paul, Minnesota and Minneapolis, Minnesota, the sum of $1,000 per month for advertising and window display, while the respondent did not and does not make such payment available on proportionally equal terms, or on any terms, to competing customers.

(3) The respondent has not made known to its customers generally but only to its favored customers, that it grants and allows any compensation for advertising, display and other promotional services.

(4) The above acts and practices of respondent are in violation of subsection (d) of section 2 of the Clayton Act as amended by the Robinson-Patman Act approved June 19, 1936, U.S.C. Title 15, sec. 13.

Wherefore, the premises considered, the Federal Trade Commission, on this 3d day of June, 1944, issues its complaint against said respondent.

Notice. Notice is hereby given you, John B. Stetson Company, respondent herein, that the 7th day of July, A. D. 1944, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The rules of practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifi-

cally admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

* * * * * * *

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 3d day of June, A. D. 1944.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-8238; Filed, June 7, 1944; 11:28 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 276]

RECONSIGNMENT OF TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, May 31, 1944, by Chicago Tomato Company of car ART 20126, tomatoes, now on the Wabash Railroad, to Kroger Grocery Company, Roanoke, Virginia.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8141; Filed, June 6, 1944; 11:49 a. m.]

[S. O. 70-A, Special Permit 277]

RECONSIGNMENT OF TOMATOES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, June 1 or 2, 1944, by T. V. Woolam Gin and Produce Company of car ART 18314, tomatoes, now on the Missouri Pacific Railroad to unknown destination.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8142; Filed, June 6, 1944; 11:49 a. m.]

[S. O. 70-A, Special Permit 278]

RECONSIGNMENT OF TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Ill., of the following cars of tomatoes:

Car Number, Shipper, Consigned, Destination, and Now On
ART-16871, Barnett, R. L. Shafton Co., Stevens Point, Wis., Wabash R. R.
NP-90814, C. B. Williams, Kroger, Indianapolis, Ind., Wabash R. R.
ART-16242, Inland Trading Co., A. Cohen Co., Rochester, N. Y., C. P. T.

Permit given to Riley McFarland Co., Chicago, Ill., by telephone 4:30 p. m., June 1.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8143; Filed, June 6, 1944; 11:49 a. m.]

[S. O. 70-A, Special Permit 279]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act;

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, June 2, 1944, by Michael Swanson Brady of cars FGE 34178 and GARX 67061, potatoes, now on the Missouri Pacific to unknown destination.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8144; Filed, June 6, 1944; 11:49 a. m.]

[S. O. 70-A, Special Permit 280]

RECONSIGNMENT OF WATERMELONS AT RALEIGH, N. C.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Raleigh, North Carolina, June 1 or 2, 1944, by Acco of car SAL 89055, watermelons, now on the Seaboard Air Line Railway to New York, New York.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8145; Filed, June 6, 1944; 11:49 a. m.]

[S. O. 178, General Permit 10]

LOADING OF PROCESSED CHEESE

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading or movement of refrigerator cars loaded with straight carloads of processed cheese in glass containers; or mixed carloads of processed cheese in glass containers and other commodities requiring refrigeration provided that the car contains an amount of the other commodities requiring refrigeration which is not less than the published tariff minimum weight applicable on such other commodities.

This permit shall become effective at 12:01 a. m., June 2, 1944, and shall expire at 12:01 a. m., September 1, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8146; Filed, June 6, 1944; 11:49 a. m.]

[S. O. 200, Amended General Permit 3]

REICING OF POTATOES FROM FLORIDA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide one reicing in transit, after the first or initial icing, on any refrigerator car loaded with potatoes originating at any point in the State of Florida.

This general permit shall become effective at 12:01 a. m., June 3, 1944, and shall expire at 12:01 a. m., June 10, 1944. The reicing authorized herein may be accorded cars rolling on the effective date hereof.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8147; Filed, June 6, 1944; 11:49 a. m.]

[S. O. 200, 2d Amended General Permit 5]

ICING AND REICING OF POTATOES FROM SOUTH CAROLINA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes originating at any point in the state of South Carolina; at the carriers option, to accord the first or initial icing at a regular icing station en route after the car is loaded and billed; and to reice in transit one time only, at any regular icing station en route beyond the station where car was initially iced.

This general permit shall become effective at 12:01 a. m., June 3, 1944, and the icing and reicing authorized herein may be accorded on such refrigerator cars moving at that time. This general permit shall expire with June 30, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8148; Filed, June 6, 1944; 11:49 a. m.]

[S. O. 200, Amended General Permit 6]

ICING AND REICING OF POTATOES FROM GEORGIA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes originating at any point in the state of Georgia: at the carrier's option, to accord the first or initial icing at a regular icing station en route after the car is loaded and billed; and to reice in transit one time only, at any regular icing station en route beyond the station where car was initially iced.

This general permit shall become effective at 12:01 a. m., June 3, 1944, and the icing and reicing authorized herein may be accorded on such refrigerator cars moving at that time. This general permit shall expire with June 30, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8149; Filed, June 6, 1944; 11:49 a. m.]

[S. O. 200, Special Permit 32]

REICING OF POTATOES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only, to full bunker capacity at Kansas City, Missouri-Kansas, May 30 or 31, 1944, as ordered by Michael Swanson Brady Produce Company, cars ART 20629, ART 73826 and SFRD 34393, potatoes, now on the Missouri Pacific Railroad, because necessary to recondition; ice now low; and cars will be reconsigned to unknown destinations after reconditioning.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 30th day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8150; Filed, June 6, 1944; 11:50 a. m.]

[S. O. 200, Special Permit 33]

STANDARD REFRIGERATION OF POTATOES FROM NORFOLK, VA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration on car NP 94660, potatoes, shipped prior to June 3, 1944, by Guy W. Capps from Norfolk, Virginia, to Naval Operating Base, Key West, Florida, for overseas transportation. (SAL-FEC).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8151; Filed, June 6, 1944; 11:50 a. m.]

[S. O. 200, Special Permit 34]

REICING OF POTATOES FROM LERDO, CALIF.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice at all regular icing stations en route car PFE 15399, potatoes, shipped May 22, 1944, from Lerdo, California, destined Indianapolis, Indiana (routed Santa Fe-P. R. R.); because made bad order at Barstow and through error returned to Bakersfield and not discovered until May 28, 1944, when inspection showed sacks spotty.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of May 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8152; Filed, June 6, 1944; 11:50 a. m.]

[S. O. 200, Special Permit 35]

REICING OF POTATOES AT MONTGOMERY, ALA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

In lieu of the one reicing permitted by Third Amended General Permit No. 1 under this order, to reice one time only to full bunker capacity at Montgomery, Alabama, car WFE 67269, potatoes, initially iced at Montgomery May 28, 1944, shipped from Atmore, Alabama, May 31, 1944, as weather interference prevented earlier loading and no ice available locally.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8153; Filed, June 6, 1944; 11:50 a. m.]

[S. O. 200, Special Permit 36]

REICING OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only, to full bunker capacity, June 1, 1944, as ordered by Edw. H. Anderson & Company, the following cars of potatoes: FGE 51123, FGE 52726, WFE 63860 and ART 16400, at Chicago on Chicago Produce Terminal; also FGE 85491, reconsigned via Illinois Central Railroad from Kankakee, Illinois, to Birmingham, Alabama, to be reiced at first station en route where car can be located; also PFE 17623, WFE 61331, ART 21633 and MDT 22569, all now on Chicago Produce Terminal.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8154; Filed, June 6, 1944; 11:50 a. m.]

[S. O. 200, Special Permit 37]

REICING OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only, to full bunker capacity, at Kansas City, Missouri, as ordered by Michael Swanson Brady Produce Company, FGE 34178, 18733 and GARX 67051, potatoes, now on the Missouri Pacific Railroad, account reconditioning.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8155; Filed, June 6, 1944; 11:50 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Amdt. 3 to Order 226]

NEWLY MINED DOMESTIC SILVER

ESTABLISHMENT OF MAXIMUM PRICES

Amendment No. 3 to Order No. 226 issued under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Maximum prices for sales of certain consumers' articles containing newly mined domestic silver.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered*, That Order No. 226 under Maximum Price Regulation No. 188 be amended in the following respects:

1. The text preceding subparagraph (1) of paragraph (f) is amended to read as set forth below:

(f) Every person delivering to a purchaser for resale, an article for which the seller's maximum price has been established under paragraph (b) or (c), shall, at or prior to the first invoice to such purchaser after March 23, 1943, file with his customer for each item a statement either on the invoice or separately, containing the following information:

2. The last sentence of the notice provided for in paragraph (g) is deleted.

This amendment shall become effective on the 7th day of June 1944.

Issued this 6th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8206; Filed, June 6, 1944; 4:42 p. m.]

*Copies may be obtained from the Office of Price Administration.

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-75, 70-726]

COMMONWEALTH & SOUTHERN CORP. (DELAWARE)

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3d day of June, A. D. 1944.

The Commonwealth & Southern Corporation (Commonwealth), a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly section 12 (c) thereof and Rule U-46 thereunder regarding the proposed payment of a dividend of $1.25 per share (payable on the 28th day after approval by this Commission to stockholders of record at the close of business on the 14th day thereafter) on its 1,482,000 shares of preferred stock outstanding, the aggregate amount of such dividend payment being $1,852,500; and

Said declaration having been filed on May 16, 1944 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in the said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission regarding the proposed payment as similar in principle to those proposed by Commonwealth and permitted by the Commission's orders of June 24, September 13, November 26, 1943 and March 8, 1944 (Holding Company Act Release Nos. 4383, 4560, 4709 and 4933) and, as in the case of said prior dividend payments, as being made out of capital; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective; and

Commonwealth having requested that the effective date of the declaration be accelerated to facilitate the prompt payment of the proposed dividends to the preferred stockholders and the Commission deeming it appropriate that such request for acceleration be granted,

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration be, and the same hereby is, permitted to become effective forthwith, subject to the condition that Commonwealth accompany the dividend checks with a statement indicating that the dividend is being paid out of capital.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-8197; Filed, June 6, 1944; 2:48 p. m.]

[File No. 7-737]

DETROIT AND CLEVELAND NAVIGATION CO.

ORDER CHANGING DATE OF HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3rd day of June, A. D. 1944.

In the matter of application by the Cleveland Stock Exchange to extend unlisted trading privileges to Detroit and Cleveland Navigation Company Common Stock, $5 Par Value, File No. 7-737.

The Cleveland Stock Exchange, pursuant to section 12 (f) of the Securities Exchange Act of 1934, and Rule X-12F-1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the abovementioned security;

The Commission having ordered that a hearing be held in this matter on June 8, 1944 at the Cleveland office of the Commission;

It being found necessary to change the date of the hearing;

It is ordered, That said hearing be held at 10:00 a. m. on Friday, June 9, 1944, at the office of the Securities and Exchange Commission, 1370 Ontario Street, Cleveland, Ohio, and continue thereafter at such times and places as the Commission or its officer conducting such hearing may determine.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-8196; Filed, June 6, 1944; 2:48 p. m.]

[File No. 70-901]

CONSOLIDATED ELECTRIC AND GAS CO. AND PORTO RICO GAS & COKE CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of June, A. D. 1944.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Consolidated Electric and Gas Company, a registered holding company, and its subsidiary, Porto Rico Gas & Coke Company.

All interested persons are referred to said declaration or application (or both), which is on file in the office of the Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

Porto Rico Gas & Coke Company proposes to redeem from time to time during the remainder of 1944 not to exceed 1,500 shares of its 6% cumulative preferred stock of the par value of $100 per share by payment to Consolidated Electric and Gas Company therefor of the redemption price of $105 per share and the accrued and unpaid dividends presently aggregating $9.00 per share.

Consolidated Electric and Gas Company is the sole owner of such preferred stock, which is presently outstanding in the amount of 4,945 shares, and owns all of the company's outstanding common stock, which consists of 10,000 shares ($25 par value). Porto Rico Gas & Coke Company also has outstanding in the hands of the public $376,300 principal amount of First Mortgage Thirty-Year 6% Sinking Fund Gold Bonds, due July 1, 1952.

Consolidated will deposit the cash received as the result of the aforestated transaction with the Trustee under the Indenture securing the Southern Cities Utilities Company Thirty-Year 5% First Lien Collateral Trust Bonds, Series A, due April 1, 1958 (assumed by Consolidated Electric and Gas Company), and in accordance with the terms of said indenture, Consolidated proposes to effect the retirement of said bonds by purchases thereof in the open market.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matter and that said application or declaration shall not be granted or permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on said matter under the applicable provisions of said act and rules of the Commission thereunder be held on June 19, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held;

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing copies of this order by registered mail to Consolidated Electric and Gas Company and Porto Rico Gas & Coke Company; and that notice of said hearing be given to all persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings, or proposing to intervene herein shall file with the Secretary of the Commission on or before June 16, 1944 his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Charles S. Lobinger or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by said application and declaration, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed use of the proceeds from the redemption of said preferred stock in the acquisition of Southern Cities Bonds by purchase in the open market is in conformity with the applicable provisions of the act;

(2) Generally, whether in any respect the proposed transactions are detrimental to the public interest or to the interests of investors, particularly the public bondholders of Porto Rico Gas & Coke Company, or will tend to circumvent any provisions of the Act or the rules and regulations promulgated thereunder;

(3) Whether, if the proposed transactions are authorized, the imposition of terms and conditions is necessary and appropriate in the public interest or for the protection of investors and consumers, and, if so, what terms and conditions should be imposed.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8199; Filed, June 6, 1944; 2:48 p. m.]

[File Nos. 70-725, 59-11, 59-17, 54-25]

NORTHERN INDIANA PUBLIC SERVICE CO., ET AL.

ORDER MODIFYING CONDITION AND GRANTING EXTENSION OF TIME

In the matter of Northern Indiana Public Service Company, La Porte Heat Corporation, File No. 70-725; The United Light and Power Company, et al., La Porte Gas and Electric Company, File Nos. 59-11, 59-17, 54-25, Application No. 16.

The United Light and Power Company, a registered holding company, and La Porte Gas and Electric Company (La Porte), a subsidiary thereof, having filed applications and declarations and amendments thereto pursuant to sections 11, 12 (c), 12 (d) and 12 (f) of the Public Utility Holding Company Act of 1935, and Rules U-42, U-43, U-44 and U-46 promulgated thereunder, with respect to the sale by La Porte of its electric, gas and heat properties to Northern Indiana Public Service Company (Northern), a subsidiary of Clarence A. Southerland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company, and La Porte Heat Corporation (Heat Corporation), a subsidiary of Northern, and with respect to the dissolution and liquidation of La Porte; and

Northern and Heat Corporation having filed applications and declarations and amendments thereto, pursuant to sections 6 (b), 9 (a), 10, and 12 of the act and Rule U-44 promulgated thereunder, with respect to the issue and sale by Northern of $1,400,000 principal amount of serial notes of a maturity of seven years or less, and by Heat Corporation of 3,750 shares of its common stock of the par value of $100 per share, and with respect to the acquisition by Northern of such common stock and the acquisition by Heat Corporation of the heat properties of La Porte; and

The Commission having by order dated December 7, 1943, granted the applications and permitted the declarations to become effective subject to the terms and conditions, among others, prescribed in Rule U-24; and having by subsequent orders extended the time within which the transactions might be consummated to June 5, 1944; and

A request having been made that the time, within which the transactions as set forth in the applications and declarations may be consummated, be further extended to August 5, 1944; and

The Commission having considered such request and deeming it appropriate that it be granted;

It is ordered, That the conditions contained in the order of December 7, 1943, be and hereby are modified to the extent necessary to extend the time within which such transactions may be consummated to August 5, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8200; Filed, June 6, 1944; 2:49 p. m.]

WAR PRODUCTION BOARD.

GRAY AND COMPANY

CONSENT ORDER

Gray & Co., 1305 N. W. Davis St., Portland, Oregon, engaged in the business of distributing new and used bakery machinery and equipment and the wholesale selling of bakery and confectionery supplies, is charged by the War Production Board with having made eleven sales of restricted machinery and equipment in violation of Limitation Order L-83 and General Limitation Order L-292 between April 12 and October 2, 1943. Gray & Co. admits the violations as charged, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Gray & Co., the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Gray & Co., its successors and assigns shall not make, assemble, accept delivery of or deliver any food processing machinery as food processing machinery is defined in General Limitation Order L-292, in an amount of total gross selling price exceeding one thousand dollars, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Gray & Co., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on June 6th, 1944, and shall expire on October 6th, 1944.

Issued this 27th day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8205; Filed, June 6, 1944; 4:28 p. m.]

SPIEGEL BROTHERS CORP.

CONSENT ORDER

The Spiegel Brothers Corporation, a corporation organized and existing under the laws of the State of New York with its principal office and place of business at 806-808 Broadway, Borough of Manhattan, City, County and State of New York, is engaged in the business of buying and selling hardware, tools, flashlights, and general merchandise. This corporation is charged by the War Production Board with having accepted delivery, during the period January 8, 1943, to August 2, 1943, of 2,538 high speed metal cutting tools on unrated orders, and with having sold and delivered, during the period January 8, 1943, to October 6, 1943, 2,538 high speed metal cutting tools on unrated orders, thereby violating General Preference Order E-2-b. The corporation admits the violations, as charged, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of The Spiegel Brothers Corporation, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) The Spiegel Brothers Corporation, its successors and assigns, shall not order, buy, accept delivery of, or accept orders for, sell or deliver flashlights, as defined in General Limitation Order L-71, unless hereafter specifically authorized in writing by the War Production Board.

(b) This order shall not apply to flashlights which the company has on hand for delivery or which are in transit to its customers, on purchase orders received and accepted prior to the effective date of this order and bearing preference ratings within the requirements of Limitation Order L-71.

(c) Nothing contained in this order shall be deemed to relieve The Spiegel Brothers Corporation, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on June 6, 1944, and shall expire on August 6, 1944.

Issued this 31st day of May 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8204; Filed, June 6, 1944; 4:28 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 115

Washington, Friday, June 9, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 83, as Amended, 83-1, and 83-2, as Amended, Termination]

PART 1405—FRUITS AND VEGETABLES

APPLES

War Food Orders Nos. 83, as amended (8 F.R. 13379, 15663; 9 F.R. 4319), 83-1 (8 F.R. 13841; 9 F.R. 4319), and 83-2, as amended (8 F.R. 14419, 15902; 9 F.R. 4319), are hereby terminated.

This order shall become effective at 12:01 a. m., e. w. t., June 6, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under the aforesaid orders, respectively, prior to the effective time hereof, all provisions of such orders in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper action, suit, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 6th day of June 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-8202; Filed, June 6, 1944; 3:13 p. m.]

[WFO 94, Amdt. 2]

PART 1461—OILSEEDS

REMOVAL OF RESTRICTIONS FOR CALIFORNIA AND OREGON

War Food Order No. 94, as amended (9 F.R. 2323, 4319, 5323), § 1461.1, is further amended by deleting (b) and substituting in lieu thereof the following:

(b) *Restrictions.* (1) No crusher or seed dealer shall, except as otherwise authorized by the Director, purchase or accept delivery of flaxseed of the 1943 crop in a total quantity which, together with his total existing supplies of flaxseed in the following areas, would be in excess of his requirements for (i) crushing at plants located in such areas during the period ending on the date set opposite such areas and (ii) seed deliveries from storage points located in such areas during such periods: *Provided*, That this restriction shall not apply to purchases or deliveries of flaxseed to crushers or seed dealers located in California or Oregon.

Area:	Period ends
Iowa, Kansas, Minnesota, Oklahoma, and Texas	August 15, 1944
Illinois and Wisconsin	August 22, 1944
Ohio; and Erie County in New York	September 1, 1944

No flaxseed of the 1943 crop purchased or received by a crusher or seed dealer after the effective date of this order shall be used by him except for meeting such requirements or for sale to persons eligible under this order to purchase or accept delivery of such flaxseed. Unless otherwise authorized by the Director, no flaxseed shall be transferred from any of the above-specified areas to any place, except California or Oregon, not included in one of such areas.

This order shall become effective at 12:01 a. m., e. w. t., May 31, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 94, as amended, prior to the effective date of this amendment, all provisions of said War Food Order No. 94, as amended, in effect prior to this amendment, shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 9 F.R. 14783)

Issued this 6th day of June 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-8201; Filed, June 6, 1944; 3:13 p. m.]

CONTENTS

REGULATIONS AND NOTICES

	Page
ALIEN PROPERTY CUSTODIAN:	
Vesting orders, etc.:	
Aala Service Station, Ltd	6270
Copyright interests, certain German and Austrian nationals	6271
Cuneo, Gianbatista	6266
Fuji Sake Brewing Co., Ltd	6272
Hattori, Shigenari	6271
Hofherr - Schrantz - Clayton-Shuttleworth A. G	6267
Hollister Seed Co	6268
Honolulu Pharmacy	6270
Kawai, Tejiro	6272
Muller, J. C., N. V	6266
Oda, G. J. Contracting Co., Ltd	6268
Okawa, F	6265
Shoten, Iwahara	6268
Shoten, Musashiya, Ltd	6269
Shoten, Osaki, Ltd	6269
Teikoku Co	6265
"Universelle" Cigarettenmaschinen-Fabrik, J. C. Muller & Co	6267
COAL MINES ADMINISTRATION:	
Apex Coal Co., et al., termination of Government possession	6264
CUSTOMS BUREAU:	
Cartage and lighterage; licensing of cartmen and lightermen	6252
Financial and accounting procedure; reimbursable services of officers	6252
Marking of articles and containers to indicate country of origin	6251
Measurement of vessels; superstructures	6251
Relief from duties on merchandise lost, stolen, etc.: wines and liquors lost in transit	6251
Vessels in foreign and domestic trades; tonnage tax and light money	6251
Warehouses; compensation of storekeepers	6251

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

	Page
FEDERAL COMMUNICATIONS COMMISSION:	
Aviation services; suspension of inspection requirement, non-scheduled stations (Corr.)	6264
FEDERAL POWER COMMISSION:	
Kentucky Natural Gas Corp., application filed	6264
FOREST SERVICE:	
Nantahala National Forest, N. C., transfer of lands from Tennessee Valley Authority	6263
INTERNAL REVENUE BUREAU:	
Income tax; distributions by personal holding companies	6252
INTERSTATE COMMERCE COMMISSION:	
Processed cheese, loading of refrigerator cars	6265
OFFICE OF DEFENSE TRANSPORTATION:	
Common carriers, coordination of operations in:	
Illinois and Missouri	6273
Texas	6273
OFFICE OF PRICE ADMINISTRATION:	
Barrels, used wooden (MPR 165, Am. 39)	6263
Drugs:	
Packaged (MPR 392, Am. 4, 5) (2 documents)	6257
Private formula drugs and cosmetic products (RMPR 262, Am. 1)	6257
Hawaii, furniture and bedding (MPR 373, Am. 60)	6259
Lumber, excelsior wood (MPR 535–3)	6256
Procedure, adjustment of maximum prices under Government contracts or subcontracts (PR 6, Am. 5)	6256
Puerto Rico, food products (RMPR 183, Am. 40)	6258
Regional and district office orders:	
Community ceiling prices, list of orders filed (2 documents)	6288
Containers, New York	6280
Firewood:	
Albemarle, N. C	6285
Alexandria, Va., and Arlington and Fairfax counties	6286
Bath, N. C	6285
Floyd County, Ga	6286
Lawrenceburg, Tenn	6284
Mooresville, N. C	6284
Roanoke Rapids Township, N. C	6285
Seattle, Wash	6287
Fluid milk, Aliceville, Ala	6284
Fruits and vegetables, fresh, New Orleans district	6286
Ice, New York City, N. Y	6279
Solid fuels:	
Boston, Mass. (4 documents)	6274, 6277, 6278, 6279
Burlington, Vt	6275
Detroit, Mich	6282
Lawrence, Mass	6274
Martinsburg, West Va	6281
Montpelier, Vt	6276
New Haven, Conn	6275
New York region (2 documents)	6280, 6281
St. Johnsbury, Vt	6276
Taunton, Mass	6275
Rubber heels and soles (MPR 477, Am. 5)	6256
Soft drink bottlers (Rev. SR 14, Am. 140)	6263
Solid fuels (RMPR 122, Am. 22)	6257
Virgin Islands; sugar cane (MPR 395, Am. 19)	6262
PETROLEUM ADMINISTRATION FOR WAR:	
Aviation grade petroleum, production: revocation of recommendation	6263
RAILROAD RETIREMENT BOARD:	
Shipley Co., et al., postponement of hearing	6289
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.:	
Dallas Railway & Terminal Co	6290
Rhode Island Public Service Co	6290
Union Securities Corp	6289
SOLID FUELS ADMINISTRATION FOR WAR:	
Ohio, consumer declaration of inventory and requirements	6252
TENNESSEE VALLEY AUTHORITY:	
Nantahala National Forest, N. C., transfer of lands to Forest Service	6263
WAR DEPARTMENT:	
Claims against U. S.; real estate damages, etc	6250
WAR FOOD ADMINISTRATION:	
Apples (WFO 83, 83–1, 83–2, termination)	6249
Oilseeds, removal of restrictions for California and Oregon (WFO 94, Am. 2)	6249
WAR MANPOWER COMMISSION:	
Minimum wartime workweek:	
Great Falls, Mont	6291
Pocatello, Idaho	6291
WAR PRODUCTION BOARD:	
Paperboard (M–378)	6255
Pulp and paper (M–241, Am. 1)	6253
Suspension order revoked; Davis Mfg. Co	6253

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 36—CLAIMS AGAINST THE UNITED STATES

REAL ESTATE; CLAIMS FOR RENT, DAMAGE AND OTHER PAYMENTS

Section 52.16a is rescinded and the following substituted therefor. The regulations in this section are also contained in AR 100–64, 22 May 1944, the particular paragraphs being shown in brackets at end of sections.

§ 52.16a *Real estate; claims for rent, damage, and other payments*—(a) *Scope.* The regulations in this section provide a method of investigation, processing, and settlement of claims against the United States for rent, damages, and other payments arising under the terms and conditions, whether express or implied, of leases or other contracts for the use or occupancy of real estate by the War Department or the Army, or arising from the use or occupancy of real estate by the War Department or the Army with the express or implied consent of the owner thereof in the absence of any formal lease or other contract therefor. Utilization of the provisions of these regulations in cases where provisions of regulations referred to in paragraph (b) of this section are also applicable is optional in any case. Utilization of the provisions of these regulations outside the United States, its territories and possessions, is optional with the commander concerned. [Par. 2]

(b) *Regulations applicable to particular cases*—(1) *Claims for damage to or loss or destruction of property incident to noncombat activities of the War Department or of the Army.* The act of 3 July 1943 (57 Stat. 372; 31 U.S.C. 223b, 223c) provides for the payment of claims, arising on or after 27 May 1941, for damage to or loss or destruction of real property caused by military personnel or civilian employees of the War Department or of the Army while acting within the scope of their employment, or otherwise incident to noncombat activities of the War Department or of the Army, including claims for damage to real property (but not for rent or other payments) incident to the use and occupancy thereof under a lease, express or implied, or otherwise, and including claims of the foregoing categories arising out of civil works, provided they do not exceed $500 or, if approved in time of war, provided they do not exceed $1,000. See §§ 36.12 to 36.23.

(2) *Claims under Article of War 105.* Article of War 105 (Sec. 1, Ch. II, act of 4 June 1920; 41 Stat. 808; 10 U.S.C. 1577) provides for the payment, by the offender through stoppage of pay, of certain claims for damage to or loss or destruction of property by persons subject to military law provided such damage, loss, or destruction is caused by riotous, violent, or disorderly conduct, or acts of depradation, willful misconduct, or such reckless disregard of property rights as to carry an implication of guilty intent. See § 36.25.

(3) *Claims for damage to or loss or destruction of property caused by Army forces in foreign countries.* The act of 2 January 1942 (55 Stat. 880; 31 U.S.C. 224d), as amended by the act of 22 April 1943 (57 Stat. 66), provides for the payment of claims for damage to or loss or destruction of real property (but not for rent or other payments) caused by Army forces, or individual members (whether military personnel or civilian employees) thereof, or otherwise incident to noncombat activities of such forces, in a foreign country to public property located therein or to the privately owned property of inhabitants of such country. See § 36.26. [Par. 3]

(c) *Procedure—§§ 36.1 to 36.5 applicable.* So far as applicable, the procedure set forth in the above sections will be followed as to claims within the provisions of these regulations. [Par. 4] (R.S. 161; 5 U.S.C. 22) [Pars. 2, 3 and 4, AR 100–64, 22 May 1944]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44–8278; Filed, June 8, 1944; 10:15 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51073]

PART 2—MEASUREMENT OF VESSELS

SUPERSTRUCTURES

Paragraphs (d) and (e) of § 2.40 (19 CFR Cum. Supp., 2.40 (d), (e)) are amended to read as follows:

(d) *Round-end erections.* If the after end of an ordinary poop or a house is in the form of a continuous arc of a curve, its breadth at the extreme after end of its length shall be one-half of the preceding breadth. If the after end of such a poop or house is in the form of an arc of a curve which is broken at its extreme after end by a decided flat, its breadth at the extreme after end of its length shall be two-thirds of the preceding breadth. See figures 32 and 33.

(e) *Round-end erections.* If the forward end of a house is in the form of a continuous arc of a curve, its breadth at the extreme forward end of its length shall be one-half of the succeeding breadth. If the forward end of such a house is in the form of an arc of a curve which is broken at its extreme forward end by a decided flat, its breadth at the extreme forward end of its length shall be two-thirds of the succeeding breadth. (R.S. 161, sec. 3, 23 Stat. 119, sec. 4, 28 Stat. 743; 5 U.S.C. 22, 46 U.S.C. 3, 79. E.O. 9083; 7 F.R. 1609)

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

TONNAGE TAX AND LIGHT MONEY

Section 4.20 (b) (19 CFR, Cum. Supp., 4.20 (b)) is amended to read as follows:

(b) The tonnage year shall be computed from the date of the first entry of the vessel concerned, without regard to the rate of the payment made at that entry, and shall expire on the day preceding the corresponding date of the following year." (R.S. 161, sec. 3, 23 Stat. 119, R.S. 4219, as amended; 5 U.S.C. 22, 46 U.S.C. 3, 121. E.O. 9083; 7 F.R. 1609)

W. R. JOHNSON,
Commissioner of Customs.

Approved: June 5, 1944.

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44–8254; Filed, June 7, 1944; 4:07 p. m.]

[T. D. 51074]

PART 15—RELIEF FROM DUTIES ON MERCHANDISE LOST, STOLEN, DESTROYED, INJURED, ABANDONED, OR SHORT-SHIPPED

LOSS OF WINES AND LIQUORS IN TRANSIT

Section 15.9 (d), Customs Regulations of 1943 (19 CFR, Cum. Supp., 15.9 (d)), is hereby amended by deleting the third and fourth sentences and substituting the following:

No allowance can be made unless breakage, leakage, or damage was found on inspection at the port of arrival. If the existence, but not the extent, of the loss is determined upon such inspection, the amount of loss found at destination in the casks or packages found broken, leaking, or damaged at the port of arrival, shall be considered as reflecting the extent of the loss existing at the time of arrival of the merchandise in this country. The inspection of the merchandise in connection with its removal from the importing carrier under customs supervision constitutes an inspection within the meaning of this regulation.

Section 15.9 (e), Customs Regulations of 1943 (19 CFR, Cum. Supp., 15.9 (e)), is hereby amended by inserting after the word "losses" in the second sentence the following: "amounting to 10 per centum or more of the value of the contents of the cask or package". (Par. 813; sec. 8, 46 Stat. 430. R.S. 161, 251, sec. 624, 46 Stat. 759; 5 U.S.C. 22, 19 U.S.C. 66, 1001, 1624)

W. R. JOHNSON,
Commissioner of Customs.

Approved: June 5, 1944.

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44–8255; Filed, June 7, 1944; 4:07 p. m.]

[T. D. 51075]

PART 11—PACKING AND STAMPING; MARKING; TRADE-MARKS AND TRADE NAMES; COPYRIGHTS

MARKING OF ARTICLES AND CONTAINERS TO INDICATE NAME OF COUNTRY OF ORIGIN

The first sentence of § 11.8 (m), Customs Regulations of 1943 (19 CFR, Cum. Supp., 11.8 (m)), is amended by deleting the words, "at the gross regular hourly rate of pay of the customs officer or employee so assigned," and substituting the words, "in accordance with § 19.5 (c) of these regulations." Section 11.8 (m) is further amended by deleting the fourth sentence. (Sec. 304, 46 Stat. 687, sec. 3, 52 Stat. 1077, R.S. 251, sec. 624, 46 Stat. 759, R.S. 161; 19 U.S.C. 66, 1304, 1624, 5 U.S.C. 22)

PART 19—CUSTOMS WAREHOUSES AND CONTROL OF MERCHANDISE THEREIN

COMPENSATION OF STOREKEEPERS

Sections 19.5 (b) and 19.5 (c), Customs Regulations of 1943 (19 CFR, Cum. Supp., 19.5 (b) (c)), are amended to read as follows:

(b) The full compensation of storekeepers permanently assigned to bonded warehouses, including all overtime pay for services rendered after regular hours of duty, shall be reimbursable.

(c) The charge to be made for services of a customs officer temporarily assigned to act as a storekeeper at a bonded warehouse, except for services rendered under the overtime act of February 13, 1911, as amended (19 U.S.C. 267), shall be computed at a rate per hour based on the applicable following fractional part of the gross annual rate of pay of the employee performing the service:

Regular hours per week:	*Fractional part of gross pay*
39	1/1644
40	1/1696
44	1/1904
48	1/2112

The Bureau will furnish, on request, the fractional part of the gross annual pay of any employee whose regular hours of service per week are not covered by the above. The time charged shall be computed on the basis of the regular hours for performance of the work to which the employee is assigned even though

such hours differ from the regular working hours of the employee so assigned. The time charged shall include any time within the regular working hours of the employee required for travel between the duty assignment and the place where the employee is regularly employed, and shall be not less than one hour for each visit with time after the first hour, excluding lunch periods, charged in multiples of one hour, fractional parts of an hour of less than 30 minutes being disregarded and those of 30 minutes or more being charged as one hour. In no case shall the charge be less than one dollar. (Secs. 555, 556, 624, 46 Stat. 743, 759; 19 U.S.C. 1555, 1556, 1624)

PART 24—CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

REIMBURSABLE SERVICES OF OFFICERS

Section 24.17 (d), Customs Regulations of 1943 (19 CFR, Cum. Supp., 24.17 (d)), is amended to read as follows:

(d) The reimbursable compensation charge shall be computed in accordance with § 19.5 (c) of these regulations. (Sec. 1, 24 Stat. 79, sec. 2, 25 Stat. 80, sec. 524, 46 Stat. 741, sec. 19, 52 Stat. 1087, R.S. 161; 46 U.S.C. 331, 19 U.S.C. 1524, 5 U.S.C. 22)

W. R. JOHNSON,
Commissioner of Customs.

Approved: June 5, 1944.

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44-8256; Filed, June 7, 1944; 4:07 p. m.]

[T. D. 51076]

PART 21—CARTAGE AND LIGHTERAGE

LICENSING OF CARTMEN AND LIGHTERMEN; IDENTIFICATION CARDS

Sections 21.1 and 21.2, Customs Regulations of 1943, relating to licensing of cartmen and issuance of identification cards, amended.

Section 21.1 (a), Customs Regulations of 1943, as amended by T. D. 50954 (19 CFR Com. Supp. 21.1 (a)), is hereby further amended by deleting the last sentence and substituting the following:

No license shall be issued or renewed until the applicant submits to the collector a current list showing the names and present addresses of the managing officers or members of the organization and of the employees thereof who are required by § 21.2 to possess identification cards (customs Form 3873), and surrenders any outstanding identification cards of former employees or gives reasons satisfactory to the collector why such cards cannot be surrendered. (Secs. 565, 624, 46 Stat. 747, 759; 19 U.S.C. 1565, 1624)

Section 21.2, Customs Regulations of 1943 (19 CFR, Cum. Supp., 21.2) is amended by adding the following sentence at the end thereof:

An identification card shall not be issued to any person whose employment in connection with the transportation of bonded merchandise will, in the judgment of the collector, endanger the revenue. (Secs. 565, 624, 46 Stat. 747, 759; 19 U.S.C. 1565, 1624)

W. R. JOHNSON,
Commissioner of Customs.

Approved: June 5, 1944.

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44-8257; Filed, June 7, 1944; 4:07 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T. D. 5377]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

DISTRIBUTIONS BY PERSONAL HOLDING COMPANIES

Regulations 111, amended to conform to section 512 of the Revenue Act of 1943, relating to distributions by personal holding companies.

In order to conform Regulations 111 (26 CFR, Cum. Supp., Part 29) to section 512 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 29.115-1 the following:

SEC. 512. DISTRIBUTIONS BY PERSONAL HOLDING COMPANIES. (Revenue Act of 1943, Title I.)

(a) *In general.* The last sentence of section 115 (a) of the Internal Revenue Code is amended by adding after the word "distribution", where it first appears, the following: "(to the extent of its subchapter A net income, whether or not a dividend as defined in the preceding sentence)".

(b) *Effective date.* The amendment made by subsection (a) shall be effective for all taxable years beginning after December 31, 1941.

PAR. 2. Section 29.115-1 is amended as follows:

(A) The second paragraph is amended to read as follows:

The term "dividend" also includes any distribution to shareholders to the extent of its subchapter A net income for the taxable year as hereinafter indicated in which, or with respect to which, the distribution is made, whether or not a dividend as defined in the first sentence of section 115 (a), made by a corporation which, for the taxable year in which such a distribution is made or for the taxable year in respect of which it is made under section 504 (c), relating to dividends paid within 2½ months after the close of the taxable year, or section 506, relating to deficiency dividends, or corresponding provisions of a prior income tax law, was under the applicable law a personal holding company. Such a distribution, if made on or after October 21, 1942 (see section 186 (g) of the Revenue Act of 1942 which is set forth immediately preceding § 29.504-1), will constitute a taxable dividend even if not paid out of accumulated or current earnings or profits. The term "dividend" does not include distributions under section 115 (c), relating to distributions in liquidation, section 115 (e), relating to distributions by personal service corporations, and section 115 (f), relating to stock dividends. For treatment of any distribution made prior to October 21, 1942, which is a dividend solely by reason of the last sentence of section 115 (a), see § 29.504-3.

(B) The fourth paragraph is amended by striking out the words "following example" and inserting in lieu thereof "following examples"; by changing the word "Example," in italics to "*Example (1).*"; and by inserting the following new examples:

Example (2). At the beginning of the calendar year 1942 the N Corporation, a personal holding company, had no accumulated earnings or profits. During that year it made no earnings or profits but its subchapter A net income, due to the disallowance of certain deductions, was $16,000. It distributed to shareholders on December 15, 1942, $15,000 and on February 1, 1943, $1,000, the latter amount being claimed as a deduction under section 504 (c) in its personal holding company return for 1942 filed on March 15, 1943. Both distributions are taxable dividends in full, since they do not exceed the subchapter A net income for 1942, the taxable year in which the distribution of $15,000 was made and with respect to which the distribution of $1,000 was made. It is immaterial whether the N Corporation is a personal holding company for the taxable year 1943 or whether it had any income for that year.

Example (3). In 1944 a deficiency in personal holding company tax was established against the O Corporation for the taxable year 1940 in the amount of $34,430 based on a subchapter A net income of $42,000. The O Corporation complied with the provisions of section 506 and in 1944 distributed to its stockholders as "deficency dividends" $42,000. The distribution of $42,000 is a taxable dividend since it does not exceed the subchapter A net income for 1940, the taxable year with respect to which the distribution was made. It is immaterial whether the O Corporation is a personal holding company for the taxable year 1944 or whether it had any income for that year.

(Sec. 512, Revenue Act of 1943 (Pub. Law 235, 78th Cong.), enacted Feb. 25, 1944, and sec. 62, Internal Revenue Code (53 Stat. 32; 26 U.S.C., 1940 ed., 62))

JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: June 6, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-8253; Filed, June 7, 1944; 4:06 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

PART 602—GENERAL ORDERS AND DIRECTIVES

[Reg. 21, Local Adjustment 1]

CONSUMER DECLARATIONS OF INVENTORY AND REQUIREMENTS IN OHIO

The Area Advisory Committee on Local Distribution for Area V in the State of Ohio has recommended, pursuant to § 602.417 (b) of SFAW Regulation No. 21, that within said Area V no retail dealer be permitted to deliver, and no consumer be permitted to receive, any of the solid fuels whose distribution by retail dealers is governed by Regulation No. 21, unless the consumer has first filed a declaration of inventory and requirements with the retail dealer.

After considering this recommendation and the retail dealer distribution conditions in said Area V, I have decided that the recommended requirement with respect to consumer declarations should be put into effect in the public interest and to promote the national defense. Accordingly, *It is hereby ordered:*

(1) Except as provided in paragraph (2) below, during the period from June 15, 1944 to March 31, 1945, inclusive, no retail dealer may deliver and no consumer may receive any bituminous coal, western coke, packaged fuel or briquettes (as defined in § 602.411 of Regulation No. 21), unless at or prior to the time of the first delivery after June 15, 1944 the consumer shall have filed with the retail dealer from whom he expects to purchase such solid fuels a statement on a form (referred to herein as a consumer declaration) to be reproduced and furnished by the retail dealer, setting forth, among other things, the consumer's estimated annual needs for all solid fuels, the consumer's inventory, the number of rooms to be heated and the type of burning equipment. A consumer shall be required to file only one such declaration during the period June 15, 1944 to March 31, 1945, inclusive: *Provided, however,* That a separate consumer declaration shall be filed for each building which the consumer expects to heat in whole or in part by the use of any of the solid fuels listed above.

(2) A retail dealer may deliver and a consumer may receive any of the solid fuels listed in paragraph (1) of this local adjustment without the filing of the consumer declaration if the consumer receives, and has customarily received, any of such solid fuels in less than a ¼-ton lot.

(3) Statements contained in any consumer declaration are representations to the Solid Fuels Administration for War. Retail dealers shall retain the consumer declarations filed with them for and on behalf of the Solid Fuels Administration for War for a period of not less than two years. A consumer declaration or statement filed by any consumer with any retail dealer before the issuance of this local adjustment shall not be deemed to be filed pursuant to its requirements.

(4) The prescribed form of consumer declaration is set forth in Appendix A to this local adjustment which is attached hereto and made a part hereof.

For the purpose of determining the amount of solid fuels that may be delivered under Regulation No. 21 by dealers to consumers in said Area V in the State of Ohio, "consumer's annual requirements" shall mean either (i) such requirements as defined by § 602.411 (o) of Regulation No. 21, or (ii) the consumer's annual needs, as stated in Item 1 of the consumer declaration, whichever is less.

This local adjustment applies only to deliveries and receipts of the solid fuels listed in paragraph (1) above within Area V in the State of Ohio. Area V includes the following counties in the State of Ohio: Butler, Warren, Hamilton, Clermont, Brown and Adams. The provisions of SFAW, Regulation No. 21 are to be deemed in full force and effect in Area V in the State of Ohio except to the extent that they are modified by the provisions of this local adjustment.

This local adjustment shall become effective June 15, 1944.

Issued this 7th day of June 1944.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

APPENDIX A

Bureau of the Budget No. 42-R685
Approval Expires April 30, 1945

CONSUMER DECLARATION

(Any consumer who wishes to buy bituminous coal, western coke, packaged fuel or briquettes is required to fill out and file this form with his dealer before he receives a delivery of any one of such solid fuels.)

I, _____
do hereby certify to the Solid Fuels Administration for War that the statements contained herein regarding premises at_____
_____ are true to the best of my knowledge and belief. I make this certification with knowledge that if I make any false statement or false representation herein, I am subject to criminal prosecution under the laws of the United States and with knowledge that I may be prohibited from receiving any further deliveries of certain kinds of solid fuel.

1. Judging from past experience, and assuming normal weather conditions, I would ordinarily burn during the period April 1, 1944 to March 31, 1945, inclusive, the following tons of Anthracite _____, Coke _____, Bituminous _____.

2. My annual needs for solid fuels, as indicated in statement 1 above, can be filled in part by what I had on hand April 1, 1944, namely, the following tons of Anthracite _____, Coke _____, Bituminous _____; and by what I received during the period April 1 to June 15, 1944, namely, the following tons of Anthracite _____, Coke _____, Bituminous _____.

3. I am filing this Consumer Declaration with _____, and I have no outstanding Consumer Declaration or order for bituminous coal, western coke, packaged coal or briquettes with any other dealer except
(name of dealer)
_____
(name of other dealer and tonnage ordered)

4. If any other Consumer Declaration is filed, or an order for any solid fuels for these premises is placed with any other dealer, during the above period, by me or anyone else, I will immediately advise in detail the dealer with whom I filed this Consumer Declaration.

5. I need to heat the following number of rooms at these premises: _____

6. I use the following type of heating equipment at these premises (indicated by check mark): Furnace ( ), Boiler ( ), Stove ( ), Fireplace ( ), Kitchen Range ( ), Other Type ( ) (describe fully) (also state if stoker is used) _____
_____
_____

7. I will keep my heating equipment in good order and will conserve all solid fuels so far as possible.

Dated:
Signed _____
Address _____

This is not an order for fuel. An order should be placed separately.

No retail dealer is authorized to deviate from or add to the prescribed form without written permission of Solid Fuels Administration for War.

[F. R. Doc. 44-8295; Filed, June 8, 1944; 11:03 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-519, Revocation]

DAVIS MANUFACTURING CO.

Suspension Order No. S-519 was issued against Zean W. Davis and Dorothy E. Davis, co-partners, doing business as Davis Manufacturing Company, 233 West Lee St., Plano, Illinois, effective April 4, 1944. An appeal was filed with the Chief Compliance Commissioner on May 10, 1944. The case was reviewed by the Deputy Chief Compliance Commissioner, as a result of which on June 3, 1944, the Deputy Chief Compliance Commissioner directed that Suspension Order No. S-519 be revoked.

In view of the foregoing:

It is hereby ordered, That: § 1010.519, Suspension Order No. S-519 be revoked.

Issued this 7th day of June, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8258; Filed, June 7, 1944; 4:26 p. m.]

PART 3281—PULP AND PAPER

[General Conservation Order M-241, as Amended March 22, 1944, Amdt. 1]

Section 3281.63, General Conservation Order M-241 is hereby amended in the following respects:

Amend the heading of paragraph (a) to read as follows: "This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except to the extent of any inconsistency, in which event the provisions of this order shall govern."

Amend paragraph (b) (4) to read as follows:

(4) "Grade" means any kind of paper or paperboard for which a caption or subcaption is provided in Form WPB-514 or any particular grade even though not specifically mentioned within such kind, except those grades listed below which are covered by other WPB orders as specified. Also included are all the

coated papers not mentioned by captions but for which any captioned grade or item thereunder is used as a base stock.

The following types of paperboard production are specifically excluded from the order:

Type	WPB-514 Caption	Controlling order
Container board---- Paperboard----------	211000 to 219,000, inc... 221000 through 269000 (except 241000 to 249000, inclusive and 253000).	M-290 M-378
Asbestos and asbestos filled paper.	123000----------	M-79

Amend paragraph (d) as follows:

(d) *Reserve production.* (1) (i) Each manufacturer shall reserve in his total overall production of paper or paperboard for the month of June 1944 and for each calendar month thereafter time and supplies sufficient to produce and deliver within such month the following percentage or percentages applied either to his total production or to his production of a stated grade or combination of grades as indicated below:

Type	WPB-514 Caption	Percent
(Grade) Condenser tissue.	047200----------	100
(Class) Rag content papers.	046100 and 041110 to 041190 inc. and 043100 to 043190 inc.	25
(Class) All other papers and paperboards.	All other captions (including specialty grades 240,000 to 249,000 and 253,000) except those covered by other orders and listed in paragraph (b) (4).	20

The War Production Board may from time to time change such percentage or percentages and apply percentages to other grades or combination of grades, by notice in writing to each manufacturer or by publication in the FEDERAL REGISTER at least ten days prior to the first of the month, to the production of which such change is applicable.

(ii) When production is reserved by applying a percentage to a stated grade or grades, the production of such grade or grades for which a manufacturer is obligated shall be determined by applying the stated percentage to the average monthly finished production of such grade or grades which the manufacturer has reported on Form WPB-514 for the most recent three calendar quarters.

When production is reserved by applying a percentage to a class or classes such as Rag Content Papers the production of such class or classes for which a manufacturer is obligated shall be determined by applying the percentage to the lesser of: (a) the monthly production of the class or classes which the manufacturer can produce subject to his authorized use of pulp under Order M-93, or (b) the average monthly production of the class or classes which the manufacturer has reported on Form WPB-514 for the most recent calendar quarter.

(iii) On or before the 15th day of any month, the War Production Board may direct any manufacturer to employ his reserve production for any month to produce any grade of paper or paperboard which such manufacturer is qualified to produce and in any quantity not exceeding the percentage of his production designated for such month by the War Production Board less his tonnage credit current at the time against such month's reserve production under the provisions of paragraph (d) (4). Similar directions may be issued by the War Production Board after the 15th day of any month under paragraph (d) (2) (ii). The War Production Board may require the manufacturer to sell and deliver such tonnage to any person it may name. The manufacturer may refuse to so produce, sell or deliver such reserve production only for the reasons specified for the refusal of rated orders in § 944.2 of Priorities Regulation No. 1.

(2) (i) If, on or before the 15th day of any month in which production is reserved, the manufacturer does not receive from the War Production Board directions as to the disposition of all production reserved in such month, he may employ, subject to the provisions of paragraph (d) (2) (ii) below, the production for which no directions have been received, as he may desire consistent with the provisions of this and other orders of the War Production Board.

(ii) If, as of record with the War Production Board on the 15th day of any month, a manufacturer of paper or paperboard has not been credited with accepting voluntarily or by directive from the War Production Board, an order or orders for paper and paperboard to be delivered, directly or through another person to the Armed Forces (i. e., the first six procurement activities listed in paragraph (d) (5) from his production in such month in a total amount equal to 30% of his reserve production by type the manufacturer shall continue to be obligated for such month until the close of the fourth calendar day prior to the first day of the next succeeding month, for that portion of such percentage of his reserve production for which he has accepted no orders for delivery to the Armed Forces

(3) The War Production Board may establish in an appendix or appendices to this Order M-241 additional controls over the production, distribution, delivery and use of any grade or combination of grades of paper or paperboard for which 100 percent production is reserved. The reserve of such grade or combination of grades shall then be subject to direction for the entire month and continuously for so long as 100 percent of such production is reserved. When 100 percent of the production of any grade or combination of grades is reserved, the use of reporting Form WPB-3270 is not required for such grade or combination since the full control will be specified in the proper appendix.

(4) (i) *Credit for directed tonnage.* Should the War Production Board direct a manufacturer of paper or paperboard to accept an order to be shipped from his reserve production, the reserve production for which such manufacturer is obligated shall be reduced (except as provided in the paragraph immediately following by the tonnage specified in such directive, and such reduction concurrently recorded to each manufacturer's credit on the records of the War Production Board.

(ii) *When directed tonnage is not credited.* Credit against the reserve production obligations of a manufacturer is not given for the tonnage specified in a directive when the following conditions prevail:

(a) Any one of the first six procurement activities (the Armed Forces) requests a qualified manufacturer to bid on a contract or accept a purchase order from such activity, and

(b) The manufacturer fails to bid on the contract or refuses to voluntarily accept the purchase order, and

(c) The War Production Board records on the acceptance of contracts and purchase orders by such manufacturer against his reserve production show that the acceptance of such contract or part thereof or such purchase order at the time the request was issued would not have caused him to produce more tonnage in any month than his reserve production obligations for such month, and

(d) Because of such failure to bid on the contract or refusal to accept the purchase order a directive, is issued to the manufacturer by the War Production Board.

(iii) Any manufacturer who has accepted, directly or through another person, an order or orders for paper or paperboard to be produced for the account of any activity or use listed in paragraph (d) (5), shall immediately report such acceptance in triplicate on Form WPB-3270 and thereafter shall immediately report to the War Production Board on such form any change requested by the purchaser in any previously reported order or orders, if such change involves cancellation, or a change in quantity or in the month of manufacture. When the proper order or orders or requested changes reported on Form WPB-3270 have been correctly reported to the War Production Board, the manufacturer will be notified accordingly and credit against the manufacturer's reserve production will be recorded, subject to the provisions of paragraph (d) (2) (ii). Thereafter the manufacturer shall produce such orders according to his schedule as so reported to the War Production Board. (The reporting requirements of this paragraph have been approved by the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.)

Renumber paragraph (d) (3) to read (d) (5).

Change the title and the opening paragraph of (e) (1) to read as follows:

(1) *Consumers inventories except those covered by M-241-a, L-241, L-244, L-245, and (after July 1st, 1944) L-289*

Change (f) (6) fourth line to read "War Production Board, Paper Division" instead of "Pulp and Paper Division".

Issued this 7th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A—CONDENSER TISSUE

(a) *Definitions.* For the purpose of this appendix: "Condenser tissue" includes the following mill grades: Kraft Condenser Tissue, Linen Condenser Tissue; Tan Condenser Tissue; Kraft Electrolytic; Manila Electrolytic; Kraft Coil; Rag Coil; and Cream and Grey Special Tissue, and any other similar grade which may be produced from time to time.

Restriction on delivery and receipt of condenser tissue.

(b) *Restrictions on acceptance of delivery.* On and after July 1, 1944, no consumer shall accept delivery from a producer of condenser tissue except as authorized by the War Production Board in writing.

(c) *Delivery restrictions.* On and after July 1, 1944 no producer shall deliver condenser tissue except on an order accompanied by a written statement, manually signed by the consumer or an authorized official of the consumer in the following form:

Authorized under M-241 Appendix A. Date of authorization ----------, authorization number ----------.

This written statement shall constitute a representation (subject to the penalties of Section 35A of the United States Criminal Code) that the consumer is authorized under this and other applicable War Production Board regulations and orders to place the delivery order and receive the items ordered for the purpose for which ordered. The standard certification of Priorities Regulation 7 must not be used instead of the certification described in this paragraph (c).

(d) *Ratings.* Ratings shall be used in connection with condenser tissue only as may be directed by the War Production Board on Form WPB-3680. No consumer shall apply any other rating to any order for condenser tissue or use a rating in any other way to procure condenser tissue from a producer.

(e) The War Production Board may at any time by wire or letter revise a previously issued authorization so as to make any of the paper covered by such authorization available for another use, and, for the purpose of fulfilling a time requirement of the armed forces, may direct a producer to produce and deliver condenser tissue for such requirement prior to the production and delivery of any other condenser tissue.

(f) *Applications and reports.* (1) Each person who desires to receive a delivery or deliveries of condenser tissue in any calendar month shall file his application in triplicate on Form WPB-3680 with the War Production Board on or before the fifth day of the month immediately preceding such month, or at any other time currently required in such form, and shall furnish the information provided for on such form.

(2) The reporting requirements set forth in paragraphs (f) (1) of this appendix have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(g) This Appendix A of M-241 is subject to all the provisions of M-241 not inconsistent with the provisions of this appendix.

[F. R. Doc. 44-8261; Filed, June 7, 1944; 4:26 p. m.]

PART 3305—PAPERBOARD

[Conservation Order M-378]

PAPERBOARD

The fulfillment of requirements for the defense of the United States has created shortages in the supply of paperboard and of materials entering into the production of paperboard for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3305.1 *Conservation Order M-378*—(a) *What this order does.* This order requires that each manufacturer of paperboard set aside a reserve production, subject to direction by War Production Board, provides for credits against that reserve production, limits the amount of paperboard that may be accepted by any person, and restricts the production of paperboard.

(b) *Definition.* For the purpose of this order "paperboard" means the types and grades of paperboard classified under caption numbers 221,000 through 269,000, except 253,000 (pressboard), 261,100 (homogeneous wallboard), 261,200 (hard pressed wallboard), 262,000 (insulating building board), and 241,000 through 249,000 (nonbending cardboards), in Form WPB-514, as currently revised, in sheet or roll form and whether or not lined, pasted or specially treated. It does not include containerboard as defined in Order M-290.

(c) *Restrictions on production of paperboard.* Unless specifically authorized by the War Production Board, no person shall produce paperboard on any paper machine (Yankee, Harper, Fourdrinier, Cylinder or Wet Machine), which did not produce paperboard in the period May 1, 1943, to July 15, 1943, inclusive.

(d) *Reserve production.* Each manufacturer of paper or paperboard shall reserve for the month of June, 1944, and for each succeeding month thereafter, time and supplies sufficient to produce within each month the amount of paperboard designated by the War Production Board as his reserve production. The amount so designated for June, 1944, and and for each month thereafter, until the War Production Board determines otherwise, is forty percent of the average monthly finished production of paperboard which each manufacturer reported to the War Production Board on Form WPB-514 for the most recent three calendar quarters.

(e) *Direction of reserve production.* On or before the 15th day of any month, the War Production Board may direct any manufacturer to employ his reserve, subject to the provisions of paragraph (f), to produce any grades of paperboard which the manufacturer is able to produce and in any quantity not exceeding the tonnage of his reserve production. The War Production Board may require a manufacturer to sell and deliver his reserve production to any person. Any order taken by a manufacturer at the direction of the War Production Board shall reduce his reserve production by the amount of finished production represented by that order. A manufacturer may refuse to produce and deliver his reserve production in accordance with the directions of the War Production Board only for the reasons specified for the refusal of rated orders in § 944.2 of Priorities Regulation No. 1. If a manufacturer is not directed by the War Production Board as to the disposition of part or all of his reserve production on or before the 15th day of the month in which such production is reserved, he may employ the production for which no directions have been received in any way he wishes that is consistent with the provisions of this and other orders of the War Production Board.

(f) *Production for federal agencies*—(1) *Reporting orders and changes in orders.* Any manufacturer who has accepted an order for paperboard, directly or through another person, to be produced for the account of any of the agencies or uses listed in paragraph (f) (3) shall immediately report such acceptance in triplicate on Form WPB-3270, including the other information called for therein. Thereafter any change in a reported order which involves cancellation or an alteration in the quantity or month of manufacture shall be reported immediately by the manufacturer to the War Production Board on Form WPB-3270. The manufacturer shall produce such orders according to his schedule as reported to and approved by the War Production Board.

(2) *Credit against reserve production.* If a manufacturer accepts an order from one of the sixteen agencies listed in paragraph (f) (3) and properly reports that fact to the War Production Board on Form WPB-3270, the War Production Board will credit the tonnage in his order against any unused portion of his reserve production for the month in which the tonnage is to be produced, and will notify him.

(3) *List of agencies.* The agencies referred to in paragraph (f) (1) are:

1. United States Army.
2. United States Army Map Service.
3. United States Army Air Forces.
4. United States Navy.
5. The United States Marine Corps.
6. The United States Coast Guard.
7. The United States Maritime Commission War Shipping Administration.
8. Lend-Lease Administration—Foreign Economic Administration.
9. Panama Canal.
10. Bureau of Public Debt.
11. United States Government Printing Office.
12. United States Bureau of Engraving and Printing.
13. Procurement Division of the United States Treasury.
14. Office of Economic Warfare—Foreign Economic Administration (orders with an O. E. W. or F. E. A. approved export license).

15. United States Post Office.
16. Producers of products or parts of products which are to be delivered on a contract or purchase order issued by any of the agencies listed above, if the paperboard furnished to such producers is to be used exclusively either as a component part, or for the necessary packaging, of products or parts of products so ordered. (Report Government Department Order number and name of converter or user).

(g) *Inventory restrictions.* No person shall knowingly deliver to any person, and no person shall accept delivery of, any quantity of paperboard, if the total inventory in the hands of the person accepting delivery is, or by virtue of the acceptance will become, either (a) in excess of two carloads, or (b) in excess of his reasonably anticipated requirements for the next thirty days, whichever is greater. No person shall order any quantity of paper board for delivery to him, or for his account, on any future date, if receipt thereof on that date would increase his inventory of such paperboard to more than the amount permitted in the first sentence of this paragraph.

The restrictions of this paragraph apply equally to paperboard of foreign and domestic origin, and to intra-company deliveries as defined in § 944.12 of Priorities Regulation 1.

(h) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(i) *Audit and inspection.* All records required to be kept by this order shall upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) *Reports.* The reporting requirements of paragraph (f) of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942. All persons affected by this order shall execute and file with the War Production Board such other reports and questionnaires as may be required, subject to the approval of the Bureau of the Budget.

(k) *Appeals.* Appeals from this order shall be filed by addressing a letter to the War Production Board, Paperboard Division, Washington 25, D. C., Ref: M-378.

The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in undue and excessive hardship, and such other statistical and narrative information as may be pertinent.

(l) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of or from processing or using materials under priority control and may be deprived of priorities assistance.

(m) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable War Production Board regulations, as amended from time to time.

(n) *Communications to War Production Board.* All communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Paperboard Division, Washington 25, D. C., Ref: M-378.

Issued this 7th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8262; Filed, June 7, 1944; 4:27 p. m.]

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Procedural Reg. 6,[1] Amdt. 5]

PROCEDURE FOR THE ADJUSTMENT OF MAXIMUM PRICES FOR COMMODITIES OR SERVICES UNDER GOVERNMENT CONTRACTS OR SUBCONTRACTS

Procedural Regulation 6 is amended in the following respects:

1. Section 1300.406 is revoked.
2. Paragraph (a) of § 1300.407 is revoked.
3. Paragraphs (b) and (c) of § 1300.407 are redesignated paragraphs (a) and (b) respectively.
4. Section 1300.408 is amended to read as follows:

§ 1300.408 *Protest of denial of application.* Any applicant whose application for adjustment is denied in whole or in part may, within sixty days after the issuance of the order finally denying such application, file a protest against such order in accordance with the provisions of Revised Procedural Regulation No. 1.

5. Section 1300.414, Appendix C is revoked.

This amendment shall become effective June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8271; Filed, June 7, 1944; 4:42 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 535-3,[2] Correction]

EXCELSIOR WOOD

Section 15 (c) is corrected to read as follows:

(c) *Maximum prices.*

TABLE 2—ZONE 857-433

[Per cord of 128 cubic feet]

	Unpeeled	Peeled
Pine	$7.60	$10.20
Poplar	8.10	10.80

Issued this 7th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8267; Filed, June 7, 1944; 4:41 p. m.]

PART 1315—RUBBER AND RUBBER PRODUCTS OF WHICH RUBBER IS A COMPONENT

[MPR 477,[1] Amdt. 5]

SALES OF RUBBER HEELS AND SOLES IN THE SHOE FACTORY AND HOME REPLACEMENT TRADES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 477 is amended in the following respects:

1. The table in Appendix A, under the heading "Standard Carbon-black Type Composition Soling Slabs" is amended to read as follows:

Thickness	Size and price		
	31" x 31"	24" x 36"	24" x 24"
14 iron	$2.27	$2.13	$1.[illegible]
12 iron	2.18	1.96	1.31
10½ iron	2.00	1.80	1.20
9 iron	1.80	1.62	1.08
8 iron	1.60	1.44	.96
7 iron	1.45	1.30	.87
6 iron	1.35	1.21	.81
5 iron	1.30	1.17	.78

2. The table in Appendix A, under the heading "Full Soles—HM Compound, Standard Carbon-black Type", is amended to read as follows:

Men's:	
14 Iron	$0.245
12 Iron	.225
10½ Iron	.205
9 Iron	.19
Boy's:	
14 Iron	.205
12 Iron	.185
10½ Iron	.175
9 Iron	.165
Youths':	
12 Iron	.16
10½ Iron	.145
9 Iron	.135
Little gents':	
10½ Iron	.135
9 Iron	.125
Women's:	
9 Iron	.13
7 Iron	.12
Misses':	
9 Iron	.12
7 Iron	.11
Children's:	
9 Iron	.11
7 Iron	.10

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 14004, 16196; 9 F.R. 89, 794, 5311.

[2] 7 F.R. 5067, 5664; 8 F.R. 6173, 6174, 12024.

[3] 9 F.R. 5309.

3. In footnote 6, Table 1, Appendix A, the word "tear" is substituted for the word "wear".

This amendment shall become effective June 7, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8275; Filed, June 7, 1944; 4:44 p. m.]

PART 1340—FUEL

[RMPR 122, Amdt. 22]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.*

The following is added to Rule 3 in § 1340.254 (b) (2):

However, if the fuel priced under this Rule 3 is a fuel purchased as a substitute for fuel which the dealer cannot obtain because of limitations ordered by the Solid Fuels Administration for War or because of insufficient production, the dealer shall follow these rules in addition to this Rule 3 to determine what margin he shall add to his delivered cost of the substitute fuel:

If the dealer had sold only anthracite and buys bituminous coal as a substitute, he shall add his margin obtained on his anthracite sale most nearly like the sale he will make of bituminous coal.

If the dealer had sold low volatile bituminous coal and buys high volatile bituminous coal as a substitute, he shall add his margin obtained on his sale of low volatile bituminous coal most nearly like the sale he will make of high volatile bituminous coal.

If the dealer had sold both high and low volatile bituminous coals, and buys high volatile bituminous coal as a substitute for the low volatile bituminous coal, he shall add his margin obtained on his sale of the similar high volatile bituminous coal most nearly like the sale he will make of the substitute high volatile bituminous coal.

In all other situations, the dealer shall add the margin on his sale of the replaced fuel most nearly like the sale he will make of the substitute fuel. In any event, he shall take into account similarity in size, quality and use, class of purchaser, quantity purchased, method of delivery (e. g., by truck, rail, etc.) and terms of delivery (e. g., delivered price, f. o. b. yard, etc.).

Before the dealer may sell substitute fuels at a price calculated under the foregoing rules relating to substitute fuels, he shall file a statement with his District O. P. A. office stating the price he has thus calculated, and:

First: The size, kind, quality and possible use or uses of the substitute fuel being priced;

Second: The name of its producer and its origin and, for bituminous coal, its price classification and group, size group, and mine index number in the minimum price schedules of the Bituminous Coal Division, as in effect at midnight August 23, 1943.

Third: The per net ton cost, f. o. b. supplier's shipping point;

Fourth: The actual transportation cost to the dealer's yard, dock, or other terminal facility; (a dealer eligible for compensatory adjustment under Revised Compensatory Adjustment Regulation No. 1 shall substitute for this item the lowest transportation cost he would have incurred during December 1941 in bringing the fuel to his terminal facility);

Fifth: a proposed schedule of prices for each class of purchaser involved, stating price variations for different quantities, methods and terms of delivery;

Sixth: the margin over delivered cost used in the calculation of the maximum price for the substitute fuel and description of the solid fuel used as the basis for pricing the substitute fuel; that is, a description of the fuel being replaced or the fuel customarily handled which is in the same general category as the substitute fuel and the margin of which is used in the calculation of the maximum price for the substitute fuel.

The dealer's maximum price for the substitute fuel shall exactly reflect any increase or decrease in his cost per net ton f. o. b. supplier's facilities or cost of transportation to his terminal facility, or both, and the dealer shall inform his District OPA office in writing of any such change in his maximum price within 10 days after the change is made.

This amendment shall become effective June 12, 1944.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8276; Filed, June 7, 1944; 4:43 p. m.]

PART 1396—FINE CHEMICALS, DRUGS AND COSMETICS

[RMPR 282,[1] Amdt. 1]

CERTAIN PRIVATE FORMULA DRUG AND COSMETIC PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 282 is amended in the following respects:

1. Section 1 (a) (6) (ii) (*a*) is amended to read:

(*a*) If the material costs are being determined for a private formula product whose maximum price was established prior to February 11, 1944, $5.00 per proof gallon.

2. Section 1 (a) (6) (ii) (*b*) is amended to read:

(*b*) If material costs are being determined for any other private formula product as to which the manufacturer would be eligible to receive a drawback under section 3250 (1) of the Internal Revenue Code, $6.00 per proof gallon.

This amendment shall become effective June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8268; Filed, June 7, 1944; 4:41 p. m.]

PART 1396—FINE CHEMICALS, DRUGS AND COSMETICS

[MPR 392,[1] Amdt. 4]

PACKAGED DRUGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 392 is amended in the following respects:

1. Section 1 (a) (19) (ii) (*a*) is amended to read:

(*a*) If the material costs are being determined for an old packaged drug whose maximum price was established prior to May 12, 1943 or whose maximum price as established since that date under this regulation is the same as the maximum price of a packaged drug sold under the same name, whose maximum price was established prior to May 12, 1943, $5.00 per proof gallon.

2. Section 1 (a) (19) (ii) (*b*) is amended to read:

(*b*) If material costs are being determined for any other packaged drug as to which the manufacturer would be eligible to receive a drawback under section 3250 (1) of the Internal Revenue Code, $6.00 per proof gallon.

This amendment shall become effective June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8273; Filed, June 7, 1944; 4:43 p. m.]

PART 1396—FINE CHEMICALS, DRUGS AND COSMETICS

[MPR 392,[1] Amdt. 5]

PACKAGED DRUGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 7 (a) is amended by adding the following paragraphs at the end thereof:

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1523.

[1] 8 F.R. 6262, 12477, 12660; 9 F.R. 2440.

In those cases where the changed size is an intermediate size, that is, where there is a smaller as well as a larger size of an old packaged drug sold under the same name, the base price of the changed-size packaged drug may, at the manufacturer's option, be computed as follows:

(1) Subtract the base price of the next smaller size of the old packaged drug sold under the same name from the base price of the next larger size.

(2) Subtract the number of quantity units in the next smaller size from the number in the next larger size.

(3) Subtract the number of quantity units in the next smaller size from the number in the changed-size packaged drug being priced.

(4) Divide the result of step (3) by the result of step (2), multiply by the result of step (1), and add the product to the base price of the next smaller size to find the base price of the changed-size packaged drug being priced.

Example: The manufacturer of a packaged drug markets it in a 100-tablet size with a base price of $1.00 and a 500-tablet size with a base price of $3.50. He now wishes to determine a base price for a new size of 200 tablets.

(1) The difference between the base prices of the next larger and next smaller old sizes is $3.50 minus $1.00 or $2.50.

(2) The difference in quantity units between the two old sizes is 500 minus 100 or 400.

(3) The difference in quantity units between the changed-size and the next smaller old size is 200 minus 100 or 100.

(4) The base price of the changed-size packaged drug is 100 (step (3)) divided by 400 (step (2)) and multiplied by $2.50 (step (1)), the result being added to $1.00, or

$$\text{Base price} = \$1.00 + \frac{100}{400} \times \$2.50 = \$1.00 + .625 = \$1.625.$$

Where the base price of the changed-size packaged drug is determined by reference both to the next larger and the next smaller sizes of the old packaged drug sold under the same name, the next larger size of the old packaged drug sold under the same name shall be used as the most comparable packaged drug in determining maximum prices by the method set forth in section 6. In such case, the manufacturer shall include with the report required by section 11 a full explanation of how he computed the base price for the changed-size packaged drug.

This amendment shall become effective June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8269; Filed, June 7, 1944; 4:42 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 183,[1] Amdt. 40]

FOOD PRODUCTS IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously, herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 183 is amended in the following respects:

1. Section 22 Table 6a is amended to read as follows:

TABLE 6a—MAXIMUM PRICES FOR CERTAIN CANNED PORK PRODUCTS

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Deviled Ham:				
First grade	Case 24/2¼ oz. tin	$3.50	$3.80	$0.19
Second grade	Case 24/3¼ oz. tin	2.75	3.05	.16
Potted meat:				
First grade	Case 48/3¼ oz. tin	3.00	3.30	.09 or .17 for 2
Second grade	Case 48/3¼ oz. tin	2.35	2.60	.07
First grade	Case 36/5½ oz. tin	3.45	3.75	.13
Treet, Prem, Honey Mor	Case 24/12 oz. tin	8.10	8.75	.46
Spiced meat: Cream City	6 lbs. tins		.4525 lb.	.57 lb.
Spiced Ham: All brands	6 lbs. tins		.49 lb.	.61 lb.
Luncheon meat: All brands	6 lbs. tins		.46 lb.	.58 lb.
Luncheon meat: Premier	Case 24/12 oz tin	8.75	9.45	.49
Pork luncheon tongue: All brands	6 lbs. tins		.54 lb.	.68
Pork luncheon tongue: All brands	Case 24/6 oz tins	4.95	5.40	.29
Pork sausages: All brands	2# tins		.54 lb.	.68 lb
Chorizos:				
El Baturro	Case 6/2 kilos tins		13.65	2.85
El Baturro	Case 12/1 kilo tins		15.15	1.60
Tamales: all brands	Case 12/10¾ oz. tins	1.95	2.20	.22
Tamales: all brands	Case 12/9¾ oz. tins	1.90	2.15	.22
Tamales: all brands	Case 12/16 oz tins	2.65	2.90	.30

2. Section 25 Table 10 is amended by revising the price of one item as follows:

Item and brand name	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Beets, sliced: Libby	Case 24/16 oz. glass	$2.15	$2.65	$0.12

3. Section 42 Table 33f is amended by adding new items to read as follows:

Item and brand name	Unit (case of)	Price to wholesaler	Price at wholesale	Retail price (per unit)
Dog meal:				
Ken-L-Biskit small cakes	18/26 oz	$4.10	$4.75	$0.14
Ken-L-Biskit Kib. Med	18/2 lbs	4.60	5.30	.15
Ken-L-Meal	12/3 lbs	3.10	3.55	.12

4. Section 42 Table 33l is added to read as follows:

TABLE 33l—MAXIMUM PRICES FOR PICKLES, RELISH AND CONDIMENTS

Items and brand names	Unit (case of)	Price at wholesale	Retail price (per unit)
Libby Brand:			
Mustard	24/9 oz. glass	$2.75	$0.13
Mustard	4/1 gal. glass	4.35	1.25
Dill pickles	4/108 (96 oz.) glass	3.75	.13
Del Monte Brand:			
Pickles (all varieties)	24/6 oz. glass	3.25	.13
Relishes (all varieties)	24/12 oz. glass	5.70	.25
Relishes (all varieties)	12/21 oz. glass	4.50	.25
Midget sweet pickles	24/12 oz. glass	6.00	.25
Whole dill pickles	12/21 oz. glass	3.90	.20
Chow chow	12/21 oz. glass	3.90	.20

* Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9532, 10768, 10906, 11437, 11847, 12549, 10937, 12582, 13165, 13847, 14090, 14765, 15198.

TABLE 33—MAXIMUM PRICES FOR DRY AND FRESH SAUSAGES AND SALAMI—Continued

Items and brand names	Unit	Price to wholesaler (per pound)	Price at wholesale (per pound)	Retail price (per pound)
Dry sausage—Continued.				
Frankfurters in brine	Pound		$0.42	$0.55
(If prepackaged per pound add 1¢ more per pound.)				
Pork sausages first S. C			.3950	.51
Pork sausages second S. C			.3450	.47
Pork sausages II. C			.24	.44
Pork sausages II. C			.31	
(If prepackaged per pound add 1¢ more per pound.)				
Bologna:				
Large or ring:				
First grade			.3000	.43
Second grade			.2750	.39
Smoked liver sausage (liverwurst, long, ring, braunschweiger):				
First grade			.34	.46
Second grade			.32	.46
Fresh liver sausage:				
First grade			.31	.43
Second grade			.29	.41

[1] On sales of less than four pounds the maximum retail price shall be 45¢ a pound.

6. Section 45 Table 37 is amended by changing the price of one item to read as follows:

Items and brand names	Unit	Price to wholesaler (per pound)	Price at wholesale (per pound)	Retail price (per pound)
Pork: Picnic hams, smoked		$0.26	$0.31	[1]$0.41

This amendment shall become effective June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8263; Filed, June 7, 1944; 4:40 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 60]

FURNITURE AND BEDDING IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 373 is amended in the following respects:

1. Section 67 is added to read as follows:

SEC. 67 *Ceiling prices for sales of imported furniture and bedding at wholesale and retail, and for sales of locally manufactured furniture and bedding at retail*—(a) *Scope of this section.* This section applies to all sales at wholesale and at retail of furniture and bedding which has been imported into the Territory of Hawaii, and to all sales at retail of locally manufactured furniture and bedding. The term "furniture and bedding" includes:

(1) *Living room furniture:* All types of upholstered furniture, whether entirely or partially upholstered, and shall include studio couches, pullees, pullee cushions, hassocks and ottomans.

* Copies may be obtained from the Office of Price Administration.

TABLE 33—MAXIMUM PRICES FOR PICKLES, RELISH AND CONDIMENTS—Continued

Items and brand names	Unit—Case of—	Price at wholesale	Retail price (per unit)
Heinz brand:			
Tomato chutney	12/12¼ oz. flags	$3.45	$0.37
Mustards	24/7 oz. glass	2.70	.15
Mustard	24/9 oz. glass	3.30	.15
Mustard	4/1 gal. glass	5.35	1.75
Pickles	24/5 oz. flas.	4.35	.24
"57" Sauce	12/8 oz. flas.	2.65	.29
Worcestershire	12/6 oz. flas.	2.65	.22
Horse radish	24/2¼ oz. glass	3.95	.22
Cucumber pickles	24/12 oz. glass	3.25	.35
Cucumber pickles	12/24 oz. glass	3.15	.20
Chow chow pickles	24/5 oz. glass	3.75	.34
Pickles (all varieties)	12/10 oz. glass	3.15	.55
Sweet mustard	12/10 oz. glass	3.00	.47
Pickles (all varieties)	12/24 oz. glass	5.00	.95
Relishes (all varieties)	12/24 oz. glass	5.00	.80
Sour pickles	12/24 oz. glass	4.35	.55
Sweet gherkins	12/24 oz. glass	5.20	.22
Sweet midget gherkins	12/8 oz. glass	5.45	2.10
Sweet mustard	12/24 oz. glass	5.00	.42
Sweet mustard	12/24 oz. glass	5.00	.51
India relish	24/7½ oz.	3.90	.36
Sweet relish	4/810 jar	6.50	.57
Colonial brand:			.27
Sour pickles	12/32 oz. glass	3.90	.30
Sweet pickles	12/32 oz. glass	4.75	.30
Libby brand:			3.14
Party sweet, whole and mixed	24/12 oz	6.60	.18
Family homemade	12/23 oz	3.85	.23
Sweet pickles tomato relish	24/8308—16 oz	6.80	.23
Premium brand:			.42
Mayonnaise	12/8 oz. glass	2.50	.51
Mayonnaise	12/16 oz. glass	4.65	.36
Red hot sauce	12/2 oz. glass	2.75	.42
Sweet pickles	4/1 gal. glass	6.95	.11
Prepared mustard	24/9 oz. glass	2.30	.23
Other brands:			.18
Oaconata, Progresso	100/5 oz. tin	13.50	.23
Spaghetti meat sauce, Zucca	48/10 oz. tin	8.63	.42
Mushroom sauce, Zucca	48/10 oz. tin	8.63	.42
Chow mein sauce, La Choy	24/6 oz. glass	5.90	.11
Prepared mustard	24/9 oz. glass	7.70	.23
Worcestershire sauce, Lea & Perrins	36/6 oz. glass	11.50	.18
Red pepper sauce, Trappeys	24/3 oz. glass	2.10	.19
Green pepper sauce, Trappeys	24/3 oz. glass	2.75	.18
Sweet pickles, Sun Beam	24/8 oz. glass	3.40	
Sweet mixed pickles, Sun Beam	24/8 oz. glass	3.40	
Sour pickles, Sun Beam	24/8 oz. glass	3.60	
Sour mixed pickles, Sun Beam	24/8 oz. glass	3.40	

5. Section 46 Table 38 is amended to read as follows:

TABLE 38—MAXIMUM PRICES FOR DRY AND FRESH SAUSAGES AND SALAMI

Items and brand names	Unit	Price to wholesaler (per pound)	Price at wholesale (per pound)	Retail price (per pound)
Dry sausage:				
Farmer	Pound	$0.47	$0.55	$0.66
Holstein	Pound	.47	.50	.66
Mortadella	Pound	.454	.484	.64
Cervelat, Genoa	Pound	.475	.505	.66
Salami, Genoa:				
First grade	Pound	.63	.66	.92
Second grade	Pound	.59	.62	.87
Third grade	Pound	.55	.58	.81
Salami second	Pound	.45	.53	.67
Salami Cotto BC	Pound		.3150	.44
Salami Tramonto	Pound		.4150	.58
Frankfurters (loose):		.39		
First grade in lots	Pound		.3650	.51
Second grade in lots	Pound		.3350	.47
H. C. or skinless	Pound		.3050	.43

(2) *Case goods:* All types and pieces of bedroom and dining room furniture and shall include all types of novelty and occasional furniture such as end tables, coffee tables, smoking stands, mirrors, wall racks, radio cabinets that are sold without the radio set installed, record cabinets, folding chairs, folding card tables, ice-refrigerators (except electric), kitchen tables and chairs, bases, cabinets, dinette sets, stools and bars.

(3) *Outdoor and lanai furniture:* All types of furniture used on lanais or outdoors, whether stationary, portable or collapsible, and shall include steamer and deck chairs, portable barbecue sets, hammocks of all types, umbrellas, portable awnings or sun shades and cabanas.

(4) *Juvenile furniture and bedding:* All types of juvenile furniture, chests, cribs, bunks, chairs and tables, all types of mattresses and protective pads, bassinets; but shall not include such items as are used for children's entertainment such as slides, sand boxes, swings for larger children, velocipedes, or wagons.

(5) *Beds and bedding:* All types of beds and cots, including folding or collapsible types; all types of bedding, made of new materials and bedding made with reprocessed cotton, hair and feathers and down, including mattresses, pillows and pads, but not including domestics such as sheets, pillow cases, blankets and comforters; and all types of bed springs regardless of material used for construction.

(6) *Office furniture:* All types of office furniture, tables such as are used for supporting machines, filing cabinets and other cabinets; but shall not include safes or any type of office machines.

(7) *Institutional furniture:* All types of institutional furniture and such items as are used for similar purposes as household furniture; and shall include portable blackboards, map cases or racks, tablet arm chairs; all types of hospital furniture other than surgical or medical appliances; wheel chairs, invalid chairs and bed trays.

(8) *Unpainted furniture:* All types of unpainted furniture and bedding. The term "furniture and bedding" does not include lamps, floor coverings, rugs, stoves or musical instruments. However, the term "furniture and bedding" as used in this section applies only to new furniture and bedding. Used or reconditioned furniture and bedding are not covered by this section, other than bedding made with reprocessed cotton, hair, feathers and down.

(b) *Wholesaler's ceiling prices.* If you are a wholesaler, you calculate your ceiling prices in the following manner:

(1) For out of stock sales: Add your manufacturer's selling price and your landing costs. Then multiply this amount by 1.25. The resulting price is your ceiling price.

(2) For sales on a drop shipment basis:

(i) Bedding articles: Multiply your manufacturer's selling price by 1.10. The resulting price is your ceiling price.

(ii) All other articles: Multiply your manufacturer's selling price by 1.15. The resulting price is your ceiling price.

(3) For sales of furniture and bedding purchased from a local wholesaler: If your purchase furniture and bedding from another local wholesaler whose ceiling price is established under subparagraphs (1) or (2) above, you must secure a written record of your supplier's ceiling price, and your ceiling price shall be your supplier's ceiling price.

(c) *Retailer's ceiling prices.* If you are a retailer, you calculate your ceiling prices in the following manner:

(1) For sales of articles purchased directly from mainland manufacturers:

(i) Add your manufacturer's selling price and your landing costs. Then multiply this amount by 1.70. The resulting price is your ceiling price.

(2) For sales of articles purchased directly from mainland wholesalers:

(i) Add your wholesaler's selling price and your landing costs. Then multiply this amount by 1.36. The resulting price is your ceiling price.

(3) For sales of articles imported from the mainland and purchased from local wholesalers out of locally warehoused stock:

(i) Multiply your wholesaler's selling price by 1.36. The resulting price is your ceiling price.

(4) For sales of articles imported from the mainland and purchased from local wholesalers on a drop shipment basis:

(i) Add your manufacturer's selling price and your landing costs. Then multiply this amount by 1.70. The resulting price is your ceiling price.

(5) For sales of all locally manufactured articles:

(i) Multiply your manufacturer's selling price by 1.70. The resulting price is your ceiling price.

(d) *Landing costs.* (1) "Landing cost" for articles imported from the mainland shall be the total of the following amounts:

(i) An amount equal to the transportation charges, if any, actually incurred by the purchaser for transportation from the mainland point at which the purchaser received delivery to the mainland port of shipment (including Federal Transportation Tax and terminal charges) not in excess of public (common or contract) carrier rates.

(ii) An amount equal to mainland storage charges and insurance in connection therewith actually incurred by the purchaser. The charges for storage and insurance in connection therewith in excess of three months shall not be included.

(iii) An amount equal to cartage charges actually incurred by the purchaser for cartage from warehouse to dock in port of shipment, not in excess of public (common or contract) carrier rates.

(iv) An amount equal to charges for ocean freight, War Risk and Marine insurance actually incurred by the purchaser, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of War Risk insurance exceeds the rates charged by the War Shipping Administration shall not be included, but the type of coverage is at the discretion of the buyer and seller.

(v) An amount equal to cartage charges in the Port of Entry in the Territory of Hawaii from dock to establishment of the purchaser, computed at a rate not in excess of $1.20 per ton weight or measurement: *Provided*, That a commodity is moved from a dock at the purchaser's expense.

(2) "Landing cost" in cases of Inter-Island shipments. In cases where the article has been shipped from one island to another island in the Territory of Hawaii, the following additional charges may be added to those set forth in subparagraph (1), above:

(i) An amount equal to the actual transportation cost to be computed in accordance with the applicable provisions of subdivisions (iii), (iv) and (v), above.

(3) If an identical item on hand in the wholesaler's or retailer's stock has two or more different landing costs then the "landing cost" for the item may, at the option of the seller, be determined by calculating a weighted average "landing cost" for the entire inventory of that identical item on hand. Weighted average "landing cost" shall be calculated as follows:

(i) Each different landing cost shall be multiplied by the number of units having such landing cost. The products of such multiplication shall be added and the sum thereof divided by the total number of units for which the weighted average landing cost is desired. The quotient or result of such division is the weighted average landing cost.

(e) *Delivery charges.* (1) No charges for deliveries may be made for the following deliveries:

(i) Between Wialupi Radio Station, Kapalama Canal and the mountain range on the Island of Oahu.

(ii) Within a radius of five miles of the seller's place of business on all other islands. However, you may not refuse to make free delivery within the free delivery zones above unless it was not your practice, as a seller, during April, 1942 to make free deliveries in these zones.

(2) For deliveries other than those specified in subparagraph (1), above, you may add an amount not in excess of the charge currently made by common or contract carriers for such services. Any charge made for delivery must be separately stated and shown on the invoice used in connection with the sale.

(f) *Records and reports.* For the purposes of this section, this paragraph supersedes the provisions of section 10 of this regulation.

(1) Required of persons making sales at wholesale.

(i) *Purchase records:* If you make sales of any furniture or bedding article covered by this section at wholesale, you must keep and make available for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect complete and accurate records of each purchase of each such article showing:

(a) The date of purchase and the date of receipt.

(b) The name and address of the seller.

(c) A description of the article purchased, including the manufacturer's lot number.

(d) The price paid or charged.

(e) The quantity purchased.

(f) The manufacturer's selling price if priced under (b) (1) and (b) (2), above, or the invoice cost if purchased under (b) (3), above. If you did not purchase the article from the manufacturer, but rely upon your vendor's written statement of the manufacturer's selling price, you shall keep such statement.

(g) All data including purchase, freight and other invoices or memoranda reflecting the charges incurred by you in arriving at your landing cost.

(ii) *Sales records:* If you make sales of any furniture and bedding articles covered by this section at wholesale you shall invoice each sale of each such article. A copy of this invoice shall be made and kept by you for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. The original invoice shall be delivered to the buyer and shall state:

(a) The date of sale.

(b) Itemized list of articles sold.

(c) A description of the articles sold, including the manufacturer's lot number.

(d) The manufacturer's selling price for each such article if the ceiling price at wholesale is determined under (b) (2).

(e) Your ceiling price at wholesale for each article.

(f) The price charged or received.

(2) Required of persons making sales at retail. The retailer may list the information required below on each purchase invoice covering the article. If the retailer did not purchase the article from the manufacturer but is relying upon his supplier's written statement of the manufacturer's selling price he shall keep such statement and make it available for examination by this Office for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. The retailer shall likewise keep and make available for examination by this Office for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, his purchase invoice covering that article.

(i) *Purchase records:* If you make sales at retail of any furniture and bedding article you must keep and make available for examination by this Office for so long as the Emergency Price Control Act of 1942, as amended, remains in effect complete and accurate records of each purchase of each such article, showing:

(a) The date of purchase and date of receipt.

(b) The name and address of the seller.

(c) A description of the article purchased, including the manufacturer's lot number.

(d) The manufacturer's selling price if priced under (c) (1), (c) (4) or (c) (5), above.

(e) The invoice cost if priced under (c) (2), or (c) (3), above.

(f) The price paid or received.

(g) The retailer's ceiling price.

(ii) *Sales records:* If you make sales of any furniture and bedding article at retail you shall invoice each sale of each such article. A copy of this invoice shall be made and kept by you for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. The original invoice shall be given to the buyer, and shall state:

(a) The date of sale.

(b) Itemized list of the articles sold.

(c) A description of the articles sold, including the manufacturer's lot number.

(d) Your ceiling price at retail.

(e) The price charged or received.

(3) Every retailer shall keep and make available for examination by this office, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records of the same kind as he has customarily kept relating to the price charged for such article and in addition records showing as precisely as possible the basis upon which he determined the maximum price for such article.

(g) *Posting and marking of price.* For the purpose of this section, this paragraph supersedes the provisions of section 10 (b) of Maximum Price Regulation No. 373.

(1) *Posting.* On and after the effective date of this section, if you sell any furniture and bedding item at retail, you shall post in a conspicuous place in a manner plainly visible to and understandable by the purchasing public in the department or portion of the premises where such article is sold or offered for sale, a sign stating: "Each article of furniture and bedding in this store (or on this counter, shelf, or in this case, bin or rack) is marked and sold at our ceiling price or less."

(h) *Inability to determine maximum prices.* If you are unable to determine your maximum price for any article covered by this section, you shall apply to the Office of Price Administration for the establishment of a maximum price.

(i) *Definitions.* (1) "Manufacturer's selling price" means the price at which the manufacturer of the article sold and invoiced it *f. o. b. factory*, less all discounts and allowances except cash discounts up to 2%, and before the addition of any premium or other charge permitted under the Second Revised Maximum Export Price Regulation.[1]

(2) "Wholesaler's selling price" means the price appearing on the wholesaler's invoice to the retailer, less all discounts and allowances except cash discounts up to 2%, and before the addition of any premium or other charge permitted under the Second Revised Maximum Export Price Regulation.

(3) "Out of stock sales" means sales of articles which the seller carries in stock, sells out of stock, and which were invoiced and received at the establishment of the seller.

(4) "Sales on a drop shipment basis" means sales of articles which were not delivered out of stock, but are consigned to the seller, but are not shipped to the establishment of the seller.

[1] 8 F.R. 4132, 5987, 7662, 9096, 15193, 9 F.R. 1036.

2. Section 68 is added to read as follows:

SEC. 68 *Manufacturer's ceiling prices for sales of locally produced furniture and bedding*—(a) *Scope of this section.* This section applies to all sales by manufacturers of locally produced furniture and bedding. The term "furniture and bedding" includes:

(1) *Living room furniture:* All types of upholstered furniture, whether entirely or partially upholstered, and shall include studio couches, punees, punee cushions, hassocks and ottomans.

(2) *Case goods:* All types and pieces of bedroom and dining room furniture and shall include all types of novelty and occasional furniture such as end tables, coffee tables, smoking stands, mirrors, wall racks, radio cabinets that are sold without the radio set installed, record cabinets, folding chairs, folding card tables, ice-refrigerators, (except electric), kitchen tables and chairs, bases, cabinets, dinette sets, stools and bars.

(3) *Outdoor and Lanai furniture:* All types of furniture used on lanais or outdoors, whether stationary or collapsible, and shall include steamer and deck chairs, portable barbecue sets, hammocks of all types, umbrellas, portable awnings or sun shades, cabanas.

(4) *Juvenile furniture and bedding:* All types of juvenile furniture, chests, cribs, bunks, chairs and tables, all types of mattresses and protective pads, bassinets; but shall not include such items as are used for children's entertainment such as slides, sand boxes, swings for larger children, velocipedes or wagons.

(5) *Beds and bedding:* All types of beds and cots, including folding or collapsible types; all types of bedding made of new materials and bedding made with reprocessed cotton, hair and feathers and down, including domestic pads (but not including domestics such as sheets, pillow cases, blankets and comforters), and all types of bed springs, regardless of material used for construction.

(6) *Office furniture:* All types of office furniture, tables, such as are used for supporting machines, filing cabinets and other cabinets; but shall not include safes or any type of office machines.

(7) *Institutional furniture:* All types of institutional furniture and such items as are used for similar purposes as household furniture; and shall include portable blackboards, map cases or racks, tablet arm chairs; all types of hos-

pital furniture other than surgical or medical appliances, wheel chairs, invalid chairs and bed trays.

(8) *Unpainted furniture:* All types of unpainted furniture. The term furniture and bedding does not include lamps, floor coverings, rugs, stoves or musical instruments. However, the term furniture and bedding as used in this section applies to new furniture and bedding. Used or reconditioned furniture and bedding is not covered by this section other than bedding made from reprocessed cotton, hair, feathers and down.

The term "manufacturer" means the person who makes the first sale of a furniture and bedding article listed above after the article has been completed to a point indicated by the terminology stated in this paragraph (a).

(b) *Ceiling prices.* If you are a manufacturer you calculate your ceiling prices for any locally produced furniture or bedding article in the following manner:

(1) Multiply your current cost per unit of direct labor and materials involved in the production of the article by 1.30. The resulting price is your ceiling price.

However, prior to offering any furniture and bedding article for sale, you must comply with the applicable reporting provision set forth in subparagraphs (2) (i) and (2) (ii), below.

(2) *Reports of ceiling prices*—(i) *Articles first offered for sale before the effective date of this section.* In the case of articles first offered for sale before the effective date of this section for which a ceiling price was determined under the General Maximum Price Regulation for the Territory of Hawaii,[1] the manufacturer shall report the new ceiling price for the item as determined under subparagraph (1), above, to the Office of Price Administration, Iolani Palace, Honolulu, T. H., on or before May 30, 1944. The report shall contain a description of the article being priced including the manufacturing process and the current unit material cost and wage rates involved in the production of the item. At any time prior to May 30, 1944, the manufacturer may offer for sale, sell or deliver the item at a tentative price if he informs the purchaser that the maximum price is calculated under subparagraph (1), above. Fifteen days after mailing the report, in the absence of a contrary direction from the Office of Price Administration, he may offer for sale or complete the sale of the article at the price reported. Such price shall be subject to adjustment (not to apply retroactively) at any time on the written order of the Office of Price Administration.

(ii) *Articles offered for sale after the effective date of this section.* In the case or articles first offered for sale after the effective date of this section, the manufacturer shall submit to the Office of Price Administration, Iolani Palace, Honolulu, T. H., the report required in subparagraph (2) (i), above, prior to first offering the article for sale. Fifteen days after mailing the report, in the absence of contrary direction from the Office of Price Administration, the manufacturer may offer the article for sale at the price reported. Such price shall be subject to adjustment (not to apply retroactively) at any time on the written order of the Office of Price Administration.

(iii) *Example of report required in subparagraph (2), above.* If the item involved is a dressing table, 24" x 16" x 12", the manufacturer should state in his description of his direct cost of materials, the number of feet of lumber used, the type of lumber, the cost per foot of lumber used, whether the lumber is finished or not, the number of drawers contained in the item, the type of article, and any other information pertinent to the cost of materials. In his statement of wage rates involved, he should submit the number of hours of labor involved, for carpentry, painting and upholstering, etc., and the wage rate per hour for each type of labor.

(c) *Inability to determine maximum prices.* If you are unable to determine your maximum price for any article covered by this section, you shall apply to the Office of Price Administration for the establishment of a maximum price.

(d) *Delivery charges.* (1) No charges for deliveries may be made for the following deliveries:

(i) Within the area bounded by Wialupi Radio Station, Kapalama Canal and the mountain range on the Island of Oahu,

(ii) Within a radius of five miles of the seller's place of business on all other Islands. However, you may not refuse to make free delivery within the free delivery zones above unless it was not your practice, as a seller during April, 1942, to make free deliveries in these zones.

(2) For deliveries other than those specified in subparagraph (1), above, you may add an amount not in excess of the charge currently made by common or contract carriers for such services. Any charge made for delivery must be separately stated and shown on the invoice used in connection with the sale.

(e) *Records and invoices.* Sections 10 (a) (2), 10 (b), 10 (c) and 10 (d) of this regulation shall not apply to this section.

In addition to such records required to be kept under section 10 (a) (1) of this regulation, every manufacturer of furniture and bedding must keep and make available for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, the following records:

(i) Delivered cost of materials used.

(ii) Material supplier's name.

(iii) Description of material purchased.

(iv) Purchase price.

(v) Date of purchase and amount of purchase.

(vi) All factory production records, time sheets, job tickets, and payroll records and any other data affecting labor costs.

(f) *Sales invoices.* Every manufacturer shall invoice each sale of furniture. A copy of the invoice shall be delivered to the buyer and shall state:

(i) Date of sale.

(ii) Name and address of the buyer and seller.

(iii) Itemized list of articles sold.

(iv) Description of articles sold, including manufacturer's lot number.

(v) The price charged or received.

(vi) Delivery charges.

A copy of this invoice shall be kept by the manufacturer for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect.

This amendment shall become effective as follows:

(a) As to section 67, as of May 1, 1944.

(b) As to section 68, as of May 15, 1944.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8264; Filed, June 7, 1944; 4:40 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 395,[1] Amdt. 19]

SUGAR CANE IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 39 is added to read as follows:

SEC. 39 *Maximum prices for hauling sugar cane in the Municipality of St. Croix*—(a) *Definitions.* When used in this section 39, the term "hauling" means the transportation of a commodity from one point to another by any person other than a common carrier by means of a motor vehicle and includes customary loading and unloading services.

(b) *Maximum prices.* The maximum prices for hauling sugar cane in the Municipality of St. Croix shall be the applicable price established in Table XXVII below:

TABLE XXVII—MAXIMUM PRICES FOR HAULING SUGAR CANE IN ST. CROIX

Distance	Unit	Maximum price
Up to 2.5 miles	100 pounds	$0.036
From 2.5 to 5 miles	100 pounds	.04
Over 5 miles	100 pounds	.05

This amendment shall become effective June 12, 1944.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F. R. 6259, 6744, 9996, 8847, 10231, 10790; 8 F.R. 1860, 10964.

[1] 8 F.R. 5307, 6362, 14765, 15585.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8265; Filed, June 7, 1944; 4:41 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165,[1] Amdt. 39]

USED WOODEN BARRELS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Subparagraph 5 of section 5 (c) is amended to read as follows:

(5) Barrels, bottles or containers—cleaning, collecting, maintenance, painting, reconditioning, re-coopering, rental, repair, stenciling, sterilizing, or washing of; except that maximum prices for the service of reconditioning used steel drums of a capacity of 50 to 58 gallons, inclusive, and all used tight wooden barrels are not covered by this regulation but by Maximum Price Regulation 43—Used Steel Drums, Pails and Containers, and Reconditioning of Used Steel Drums and Maximum Price Regulation 524—Used Tight Cooperage, respectively.

This amendment shall become effective June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8266; Filed, June 7, 1944; 4:41 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 140]

MAXIMUM PRICES FOR BOTTLERS TO WHOLESALERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Paragraph (b) of section 2.1 is amended to read as follows:

(b) *Maximum prices for bottlers to wholesalers.* If a bottler during July 1941 sold a soft drink both to wholesalers and retailers, his maximum price to wholesalers shall be the maximum price determined under the schedule in paragraph (a) of this section, less the amount expressed in dollars and cents by which his average selling price to retailers during July 1941 exceeded his average selling price to wholesalers during the same period.

If a bottler made no sales of a soft drink to retailers during July 1941, and sold only to wholesalers, who in turn sold to retailers, the bottler's maximum price to wholesalers shall be an amount determined as follows:

(1) Ascertain the wholesalers' (to whom the bottler sold) average selling price to retailers during July 1941 for the soft drink.

(2) Ascertain the bottler's average selling price to wholesalers during July 1941 for the soft drink.

(3) Subtract (2) from (1).

(4) Subtract the resulting figure as (3) from the wholesalers' maximum price to retailers determined under the schedule in paragraph (a) of this section. The resulting figure is the bottler's maximum price to wholesalers.

This amendment shall become effective June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8274; Filed, June 7, 1944; 4:43 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6364, 8506, 8873, 10671, 10939, 11754, 12023, 12710, 13302, 13472, 14990; 9 F.R. 1819, 3395, 3593, 4747, 5174.

Chapter XIII—Petroleum Administration for War

[Recommendation 28, Revocation]

PART 1503—PRODUCTION

AVIATION GRADE PETROLEUM

Sections 1503.20 and 1503.21 (Recommendation No. 28 of the Office of Petroleum Coordinator for National Defense, (7 F.R. 164) are hereby revoked, effective immediately.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued this 8th day of June 1944.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 44-8292; Filed, June 8, 1944; 10:41 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service

[Supp. Contract TV-54350]

NANTAHALA NATIONAL FOREST, N. C.[1]

TRANSFER OF CERTAIN LANDS FROM TENNESSEE VALLEY AUTHORITY TO FOREST SERVICE

Supplement to agreement of transfer from Tennessee Valley Authority to United States Department of Agriculture, Forest Service, dated June 20, 1940.

This supplemental agreement of transfer, made and entered into this 7th day of April, 1944, by and between the Tennessee Valley Authority, a corporation organized and existing under and by virtue of an act of Congress known as the Tennessee Valley Authority Act of 1933, as amended (hereinafter called "Authority"), party of the first part, and United States Department of Agriculture, for the use and benefit of the Forest Service of the Department of Agriculture (hereinafter called "Department") by party of the second part;

Witnesseth: Whereas the parties heretofore entered into an agreement of transfer dated June 20, 1940 [1] (TV-54350) wherein the Authority transferred certain lands located within or contiguous to the Nantahala National Forest to the Department; and

Whereas, the parties desire to supplement the agreement of June 20, 1940 (TV-54350) by including a certain tract in the Town of Murphy, North Carolina, to be used as a site for a ranger station; and

Whereas no permanent dam, hydroelectric power plant, fertilizer plant or munitions plant is located on the parcel hereinafter described;

Now, therefore, in consideration of the premises it is agreed:

1. The agreement between the parties dated June 20, 1940 (TV-54350) is hereby supplemented and extended by adding the following-described parcel of land at the end of the description on page 19 thereof:

Tract FBR-410 and a portion of Tract FBR-199, located in the Town of Murphy, Cherokee County, North Carolina, as shown on Plat 422-A-508, hereto attached as Exhibit A and made a part hereof, and more particularly described as follows:

Beginning at an iron pipe, the coordinates of which referred to the North Carolina Coordinate System, are N. 521,309 and E. 495,854;

From the initial point, by metes and bounds, N. 74°00' W., 290 ft. to Monument No. 199-2; N. 25°00' E., 430 ft. to Monument No. 199-3; N. 61°30' W., 710 ft. to Monument No. 199-4, the coordinates of which referred to the North Carolina Coordinate System, are N. 522.117 and E. 495,112; N. 29°00' E., 715 ft. to a point on the left bank of the Hiwassee River as located before the construction of the Hiwassee Dam;

Thence southeasterly upstream along the left bank of the river as located before the construction of the Hiwassee Dam approximately 1020 ft. to a point; Thence, leaving the river, S. 25°00' W., 748 ft. to an iron pipe, the place of beginning.

The tract as described contains 14.8 acres.

The positions of corners and directions of lines, are referred to the North Carolina Coordinate System. The corners referred to above as "Monuments" are concrete monuments in which are set bronze plates on which the numbers given above are stamped.

The above-described tract of land is transferred subject to:

(a) A right of access in favor of the general public along the shoreline of Hiwassee Reservoir, including but not exceeding a strip fifty (50) feet in width above the 1526 m. s. l. contour.

(b) Such rights as may be vested in the Town of Murphy, North Carolina, to a sewer line right-of-way.

(c) Any ranger station to be used for all-year residence or habitation shall be located

[1] Affects tabulation in Part 201.

[1] 5 F.R. 4504, 4639.

above elevation 1532 m. s. l. in a location approved by the Authority.

2. In all other respects the terms and conditions of the agreement of transfer between the parties, dated June 20, 1940 (TV-54350), as herein supplemented, are hereby ratified and affirmed and shall apply with full force and effect to this supplemental agreement.

In witness whereof, the parties hereto have caused this instrument to be executed by their duly authorized officers the day and year first above written.

[SEAL]

TENNESSEE VALLEY AUTHORITY,
By GORDON R. CLAPP,[1]
General Manager.

Attest:
LEONA LEROY,
Assistant Secretary.

UNITED STATES DEPARTMENT OF AGRICULTURE,
By CLAUDE R. WICKARD.[2]

I, Franklin D. Roosevelt, President of the United States of America, by virtue of the power vested in me by section 4 (k) of the Tennessee Valley Authority Act of 1933 (48 Stat. 58), as amended by act of July 18, 1941, 55 Stat. 599, do hereby approve the foregoing assignment and transfer by the Tennessee Valley Authority to the United States Department of Agriculture for the use and benefit of the Forest Service of the Department of Agriculture, and by virtue of the power vested in me by section 24, chapter 561, of the Act of March 3, 1891 (26 Stat. 1095, 1103), as amended (16 U. S. C. 471), and by the Act of June 4, 1897 (30 Stat. 11, 34, 36), do proclaim that the lands transferred and assigned thereby, and subject to the terms and conditions thereof, are included in and reserved as a part of the Nantahala National Forest.

FRANKLIN D ROOSEVELT,
President of the United States.

Approved: May 16, 1944.

STATE OF TENNESSEE,
County of Knox, ss:

This is to certify that on the 20th day of March 1944, before me personally came Gordon R. Clapp, General Manager, with whom I am personally acquainted, who, being by me duly sworn, says that he is the General Manager and that A. Fletcher Percefull is the Assistant Secretary of the Tennessee Valley Authority, the corporation described in and which executed the foregoing instrument; that he knows the common seal of said corporation; that the seal affixed to the foregoing instrument is said common seal, and the name of the corporation was subscribed thereto by the said General Manager and that the said General Manager and Assistant Secretary subscribed their names thereto, and said common seal was affixed, all by the order of the Board of Directors of said corporation; and that the said instrument is the act and deed of said corporation.

Witness my hand and official seal this 20th day of March 1944. My Commission expires October 17, 1944.

[SEAL] LUCILE ROLEN,
Notary Public.

[F. R. Doc. 44-8270; Filed, June 7, 1944; 4:46 p. m.]

[1] Beside the signature the original document bears the notation "LBB Legal Dept."
[2] Beneath the signature the original document bears the initials "LDK."

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 9—RULES AND REGULATIONS GOVERNING AIRCRAFT SERVICES

SUSPENSION OF RULE REQUIRING INSPECTION OF NON-SCHEDULED AIRCRAFT STATIONS

Correction

The word "licenses" in the third line of the ordering paragraph of F.R. Doc. 44-8033 (9 F.R. 6114) should read "licensees".

Notices

DEPARTMENT OF THE INTERIOR.

Coal Mines Administration.

[Order CMA-34]

APEX COAL CO., ET AL.

ORDER TERMINATING GOVERNMENT POSSESSION

On December 17, 1943, a wage agreement was entered into by the United Mine Workers of America and the representatives of the bituminous coal operators who produce the great preponderance of the nation's tonnage. This agreement has been approved by the National War Labor Board and the Director of Economic Stabilization.

I have been advised that the operators listed in Appendix A, attached hereto, have executed or are about to execute contracts and will put them into effect immediately upon termination of Government possession of their mining properties. On the basis of such advice and the available information and evidence, and after consideration of all of the circumstances, I find that Government possession of the mines of such operators is no longer required, and in accordance with the provisions of Executive Order No. 9393 (8 F.R. 14877) and the War Labor Disputes Act (Pub. 89, 78th Cong. 1st Sess.) should be terminated.

Accordingly, I order and direct that the possession by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds and other assets used in connection with the operation of such mines, be, and it is hereby terminated, and that there be displayed conspicuously at those mining properties copies of a poster to be supplied by the Coal Mines Administration, and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

In accordance with section 40 of the regulations for the operation of coal mines under Government control, as amended, (8 F.R. 6655, 10712, 11344, 17339), the appointments of the operating managers for the United States for all of the aforesaid mines with respect to which the mining companies have on file with the Administrator effective instruments of agreement and certification as provided for in section 25 of the regulations as amended, (8 F.R. 6655, 10712, 11344, 17339), are automatically terminated.

Nothing contained herein shall be deemed to preclude the Government from requiring the submission of information relating to operations during the period of Government possession, for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9393 (8 F.R. 14877) may be concluded in an orderly manner.

Dated: June 7, 1944.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

APPENDIX A

Name of Mining Company and Address

Apex Coal Co., 308 National Bank Building, Pittsburg, Kans.
Alston Coal Co., 217 National Bank Building, Pittsburg, Kans.
Binkley Mining Co. of Mo., 230 N. Michigan Avenue, Chicago, Ill.
Clemens Coal Co., 312 Globe Building, Pittsburg, Kans.
Commercial Fuel Co., 301-6 Globe Building, Pittsburg, Kans.
DeGasperi Coal Co., 806 W. 3rd Street, Pittsburg, Kans.
Eagle Cherokee Coal Mng. Co., P. O. Box 385, Pittsburg, Kans.
Kelly Carter Coal Co., 217 National Bank Building, Pittsburg, Kans.
Pioneer Coal Co., 310 National Bank Building, Pittsburg, Kans.
Pittsburg & Midway Coal Mining Co., 610 Dwight Building, Kansas City, Mo.
Western Coal & Mng Co., 914 Missouri Pacific Annex Bldg., St. Louis, Mo.
Windsor Coal Co., 112 E. Grand Avenue, McAlester, Okla.

[F. R. Doc. 44-8296; Filed, June 8, 1944; 11:03 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-553]

KENTUCKY NATURAL GAS CORP.

NOTICE OF APPLICATION

JUNE 7, 1944.

Notice is hereby given that on June 2, 1944, an application was filed with the Federal Power Commission by Kentucky Natural Gas Corporation ("Applicant"), a Delaware corporation doing business in the States of Kentucky, Indiana and Illinois, with its principal business office at Owensboro, Kentucky, for the issuance to it of a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize Applicant to increase its natural gas compressor station near Terre Haute, Indiana, from 200 h.p. to 400 h.p., by removing from its Oaktown, Indiana, compressor station one 100 h.p. engine, and from its Niagara, Kentucky, station one 100 h.p. engine, and installing and operating the two engines so removed in the Terre Haute compressor station.

Applicant states that it furnishes natural gas to Public Service Company of Indiana for distribution in Seymour, Franklin, Martinsville, Bloomington, Bedford and Mitchell, Indiana, and that the installation and operation of the proposed facilities are necessary in order to meet the anticipated enhanced requirements of Public Service Company of Indiana in serving said Cities during the winter of 1944-45; and also in order for Applicant to have available some standby engine capacity in its Terre Haute compressor station.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 23d day of June 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's Provisional Rules of Practice and Regulations under the Natural Gas Act.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-8281; Filed, June 8, 1944; 10:15 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 178, Amended Gen. Permit 10]

LOADING AND TRANSPORTATION OF REFRIGERATOR CARS WITH PROCESSED CHEESE

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of refrigerator cars with processed cheese in glass containers or the transportation or movement of refrigerator cars so loaded.

This permit shall become effective at 12:01 a. m., June 8, 1944, and shall expire at 12:01 a. m., September 1, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8240; Filed, June 7, 1944; 11:31 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 2808]

F. OKAWA

In re: A chattel mortgage on laundry equipment located at Red Bluff, California, owned by F. Okawa, also known as Fusakichi Okawa.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That F. Okawa, also known as Fusakichi Okawa, is a resident of Japan and a national of a designated enemy country (Japan);

2. That F. Okawa, also known as Fusakichi Okawa, is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

A certain chattel mortgage executed by Hiroshi Kamiya, as mortgagor, on April 19, 1938, in favor of F. Okawa, as mortgagee, and recorded in the County Recorder's Office of Tehama County, California, in Liber 98 of Official Records at page 205, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid chattel mortgage) for any and all of such obligations and the right to enforce and collect such obligations, and the right to the possession of any and all notes bonds or other instruments evidencing such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one, or all, of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 30, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-8210; Filed, June 7, 1944; 10:39 a. m.]

[Vesting Order 2680]

TEIKOKU COMPANY

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Teikoku Company is a co-partnership organized and doing business under the laws of the State of Oregon and a business enterprise within the United States, composed of A. (Ayao) Matsushima and U. (Umata) Matsushima, each owning a 50 percent interest, which is evidence of ownership and control of said business enterprise;

2. That A. (Ayao) Matsushima, whose last known address is Japan, is a national of a designated enemy country (Japan);

3. That U. (Umata) Matsushima is a subject of Japan and has been interned by order of the Attorney General, and is acting directly or indirectly for the benefit or on behalf of a designated enemy country (Japan) or persons within such country;

and determining:

4. That U. (Umata) Matsushima is acting for or on behalf of or as a cloak for a designated enemy country (Japan) or persons within such country, and is a national of such designated enemy country;

5. That Teikoku Company is controlled by A. (Ayao) Matsushima and U. (Umata) Matsushima and is a national of a designated enemy country (Japan);

6. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian all right, title and interest of A. (Ayao) Matsushima in and to the business and assets of Teikoku Company, a co-partnership, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of Teikoku Company to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be

paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 30, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–8211; Filed, June 7, 1944; 10:39 a. m.]

[Vesting Order 2721]

GIANBATISTA CUNEO

In re: A trust estate held by the Bank of America National Trust and Savings Association, Trustee, the beneficial interest of which is in Gianbatista Cuneo, and claim.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Gianbatista Cuneo, also known as G. B. Cuneo, Giambatista Cuneo and Giambattista Cuneo, is Costa di Soglio, Pian di Ratti, Prov. di Genova, Italy, and that he is a resident of Italy and a national of a designated enemy country (Italy);

2. That Gianbatista Cuneo is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. All right, title, interest and claim of Gianbatista Cuneo and the benefits secured to him in and to that certain trust estate being administered by the Bank of America National Trust and Savings Association, San Francisco, California, as trustee, pursuant to a trust agreement dated December 7, 1929, between Gianbatista Cuneo and the Bank of Italy National Trust and Savings Association, now Bank of America National Trust and Savings Association, together with all rights, powers and authority of revocation, or of modification of said agreement reserved by the said Gianbatista Cuneo, and

b. All right, title, interest and claim of any name, or nature whatsoever of Gianbatista Cuneo in and to any and all obligations, contingent or otherwise, and whether or not matured, owing to Gianbatista Cuneo by Bernice C. Lightner, and specifically that sum of money now on deposit in the 7th and Irving Street Branch of the Bank of America National Trust and Savings Association, San Francisco, California, due and owing to and held for Gianbatista Cuneo and in the name of Bernice C. Lightner, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Italy);

And determining that the property described in subparagraph 3–b above is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3–a above) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Italy);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3–a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3–b hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 3, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that tract or parcel of land known as 217–219 13th Street, situated in the City and County of San Francisco, State of California, more particularly described as follows:

Commencing at a point on the Southerly line of Thirteenth (13) Street, distant thereon eighty-seven (87) feet and three and one-half (3½) inches, Westerly from the Westerly line of Howard Street; thence Southerly one hundred and twenty (120) feet and one (1) inch, more or less, to point six (6) feet and eleven (11) inches Easterly (measured on a line drawn parallel with Thirteenth (13th) Street) from a point one hundred and twenty (120) feet Southerly from the Southerly line of Thirteenth (13th) Street measured on a line drawn perpendicular thereto; thence Westerly parallel with Southerly line of Thirteenth (13th) Street twenty-five (25) feet; thence Northerly one hundred and twenty (120) feet and one (1) inch, more or less, to point on Southerly line of Thirteenth (13th) Street one hundred and twelve (112) feet and three and one-half (3½) inches Westerly from the Westerly line of Howard Street; thence Easterly on Southerly line of Thirteenth (13th) Street twenty-five (25) feet to commencement.

Being a part of Mission Block No. 20.

EXHIBIT B

All that tract or parcel of land known as 1257 9th Avenue, situated in the City and County of San Francisco, State of California, more particularly described as follows:

Commencing at a point on the Westerly line of Ninth (9th) Avenue distant thereon two hundred and fifty (250) feet Northerly from the Northerly line of Irving (formerly "I") Street; thence running Northerly along said Westerly line of Ninth (9th) Avenue twenty-five (25) feet; thence at a right angle Westerly one hundred and twenty (120) feet; thence at a right angle Southerly twenty-five (25) feet; thence at a right angle Easterly one hundred and twenty (120) feet to the point of commencement; being a portion of Outside Land Block No. Six Hundred and Sixty-four (664).

[F. R. Doc. 44–8212; Filed, June 7, 1944; 10:39 a. m.]

[Supplemental Vesting Order 2886]

J. C. MULLER, N. V.

In re: Machinery and equipment, and bank account owned by J. C. Muller, N. V.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order Number 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found, by Vesting Order Number 1333, dated April 27, 1943, that J. C. Muller, N. V. is a national of a designated enemy country (Germany);

2. Finding that J. C. Muller, N. V. is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. 1 Used knife grinding machine Model SE, 2 Hand tobacco cutting machines, 2 Steelblade cut-offs Model STA, R. H. drive, 1 Steelblade cut-off Model STA, L. H. drive,

presently in the possession of J. C. Muller, Inc., Richmond, Virginia, and

b. That certain bank account with the First & Merchants National Bank, Richmond, Virginia, which is due and owing to, and held for and in the name of, "J. C. Muller, N. V., Rotterdam", and any and all security rights in and to any and all collateral for all or part of such account, and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3–b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3–a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order.

And further determining that J. C. Muller, N. V. is controlled by, or acting for or on behalf of, a designated enemy country (Germany) or a person within such country and is a national of a designated enemy country (Germany);

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order, may within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 6, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–8213; Filed, June 7, 1944; 10:39 a. m.]

[Supplemental Vesting Order 2887]

"UNIVERSELLE" CIGARETTENMASCHINEN-FABRIK, J. C. MULLER AND CO.

In re: Machinery and equipment, bank account and claim owned by "Universelle" Cigarettenmaschinen-Fabrik, J. C. Muller & Company.

Under the authority of the Trading With the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found, by Vesting Order Number 1333, dated April 27, 1943, that "Universelle" Cigarettenmaschinen-Fabrik, J. C. Muller & Company is a national of a designated enemy country (Germany);

2. Finding that "Universelle" Cigarettenmaschinen-Fabrik, J. C. Muller & Company is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. 1 Cigar bunch making machine Model VKA No. 131, 1 Cigar bunch making machine Model VKD No. 180, 1 Cigar mold press Model VSH No. 65 (without pump aggregate), 1 "ASTRA" cut-off Model BVI for Standard cigarette making machine, presently in the possession of J. C. Muller, Inc., Richmond, Virginia,

b. That certain bank account with the First & Merchants National Bank, Richmond, Virginia, which is due and owing to, and held for and in the name of, "'Universelle' Cigarettenmaschinen-Fabrik, J. C. Muller & Company, Dresden", and any and all security rights in and to any and all collateral for all or part of such account, and the right to enforce and collect the same, and

c. All right, title, interest and claim of any name or nature whatsoever of "Universelle" Cigarettenmaschinen-Fabrik, J. C. Muller & Company, Dresden, Germany in and to any and all obligations, contingent or otherwise and whether or not matured, owing to "Universelle" Cigarettenmaschinen-Fabrik, J. C. Muller & Company, Dresden, by J. C. Muller, Inc., Richmond, Virginia, and represented on the books of J. C. Muller, Inc., Richmond, Virginia as a credit balance due "Universelle" Cigarettenmaschinen-Fabrik, J. C. Muller & Company, Dresden, including but not limited to any and all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3–b and 3–c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3–a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order.

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property, and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 6, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–8214; Filed, June 7, 1944; 10:39 a. m.]

[Vesting Order 2888]

HOFHERR-SCHRANTZ-CLAYTON-SHUTTLEWORTH, A. G.

In re: Machinery and equipment owned by Hofherr-Schrantz-Clayton-Shuttleworth, A. G.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Hofherr-Schrantz-Clayton-Shuttleworth, A. G. is a business enterprise organized under the laws of Austria (Germany), maintaining its principal place of business in Vienna, Austria (Germany), and is a national of a designated enemy country (Germany);

2. That Hofherr-Schrantz-Clayton-Shuttleworth, A. G. is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

One hand operated cigar bunch maker, Model ZM, presently in the possession of J. C. Muller, Inc., Richmond, Virginia,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order

may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 6, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–8215; Filed, June 7, 1944; 10:40 a. m.]

[Vesting Order 2975]

IWAHARA SHOTEN

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Iwahara Shoten, whose principal place of business is Honolulu, T. H., is a sole proprietorship owned by Taketo Iwahara and is a business enterprise within the United States;

2. That Taketo Iwahara, whose last known address is Japan, is a national of a designated enemy country (Japan);

and determining:

3. That Iwahara Shoten, a sole proprietorship, is controlled by Taketo Iwahara and is a national of a designated enemy country (Japan);

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian all right, title and interest of Taketo Iwahara in and to Iwahara Shoten, a sole proprietorship, and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to said Iwahara Shoten, a sole proprietorship owned by Taketo Iwahara, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 22, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–8216; Filed, June 7, 1944; 10:40 a. m.]

[Vesting Order 3098]

G. J. ODA CONTRACTING CO., LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That of the issued and outstanding capital stock of G. J. Oda Contracting Company, Limited, a corporation organized and doing business under the laws of the Territory of Hawaii and a business enterprise within the United States, consisting of 1,000 shares of capital stock having a par value of $25 a share, 734 shares (73.4%) are registered in the names of and owned by the following persons in the amounts stated opposite each name and are evidence of control of said business enterprise:

Name:	*Number of shares*
George J. Oda	516
Kenso Oda	176
Ken Aoto	42
Total	734

2. That George J. Oda, a subject of Japan, has been interned by order of the Military Government of the Territory of Hawaii and is acting directly or indirectly for the benefit or on behalf of a designated enemy country (Japan) or persons within such country;

3. That Kenso Oda and Ken Aoto, whose last known addresses are Japan, are nationals of a designated enemy country (Japan);

and determining:

4. That George J. Oda is acting for or on behalf of or as a cloak for a designated enemy country (Japan) or persons within such country and is a national of such designated enemy country;

5. That G. J. Oda Contracting Company, Limited, is controlled by George J. Oda, Kenso Oda, and Ken Aoto, and is a national of a designated enemy country (Japan);

6. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 218 shares of $25 par value capital stock of G. J. Oda Contracting Company, Limited, owned by Kenso Oda and Ken Aoto, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of G. J. Oda Contracting Company, Limited, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 or Form APC–6, as the case may be, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–8217; Filed, June 7, 1944; 10:40 a. m.]

[Vesting Order 3179]

HOLLISTER SEED CO.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Hollister Seed Company, whose principal place of business is Hollister, California, is a sole proprietorship owned by Joe G. Yamanaka, and is a business enterprise within the United States;

2. That Joe G. Yamanaka, whose last known address is Japan, is a national of a designated enemy country (Japan);

and determining:

3. That Hollister Seed Company, a sole proprietorship, is controlled by Joe G. Yamanaka and is a national of a designated enemy country (Japan);

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian all right, title and interest of Joe G. Yamanaka in and to Hollister Seed Company, a sole proprietorship, and all property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to Hollister Seed Company, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 16, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–8218; Filed, June 7, 1944; 10:41 a. m.]

[Vesting Order 3188]

MUSASHIYA SHOTEN, LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found and determined in Vesting Order Number 238, dated October 15, 1942, that Fujii Junichi Shoten, Limited, is a national of a designated enemy country (Japan);

2. Finding that of the issued and outstanding capital stock of Musashiya Shoten, Limited, a corporation organized and doing business under the laws of the Territory of Hawaii and a business enterprise within the United States, consisting of 2,000 shares of capital stock having a par value of $50 a share, 1,520 shares (76%) are registered in the names of and owned by the persons listed below in the number appearing opposite each name, and are evidence of control of said business enterprise:

Name	*Number of shares*
Fujii Junichi Shoten, Limited	1,400
Junichi Fujii	20
Haruo Fujii	20
Junso Fujii	30
Yoichi Fujii	20
Hiroshi Fujii	10
Jiro Fujikawa	10
Shigeo Oshima	10
Total	1,520

3. Finding that Junichi Fujii, Haruo Fujii, Junso Fujii, Yoichi Fujii, Hiroshi Fujii, Jiro Fujikawa and Shigeo Oshima, whose last known addresses are Japan, are nationals of a designated enemy country (Japan);

4. Finding that Musashiya Shoten, Limited, is acting or purporting to act directly or indirectly for the benefit or on behalf of the following persons:

Fujii Junichi Shoten, Limited; Junichi Fujii, Haruo Fujii, Junso Fujii, Yoichi Fujii, Hiroshi Fujii, Jiro Fujikawa, Shigeo Oshima;

and determining:

5. That Musashiya Shoten, Limited, is controlled by a designated enemy country (Japan) or the persons within such country enumerated in Vesting Order Number 238, dated October 15, 1942, who control Fujii Junichi Shoten, Limited, and Junichi Fujii, Haruo Fujii, Junso Fujii, Yoichi Fujii, Hiroshi Fujii, Jiro Fujikawa, and Shigeo Oshima, and is a national of a designated enemy country (Japan);

6. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 120 shares of capital stock of Musashiya Shoten, Limited, registered in the names of Junichi Fujii, Haruo Fujii, Junso Fujii, Yoichi Fujii, Hiroshi Fujii, Jiro Fujikawa and Shigeo Oshima, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of Musashiya Shoten, Limited, and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 or Form APC–6, as the case may be, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–8219; Filed, June 7, 1944; 10:41 a. m.]

[Vesting Order 3342]

OSAKI SHOTEN, LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That of the issued and outstanding capital stock of Osaki Shoten, Limited, a corporation organized and doing business under the laws of the Territory of Hawaii and a business enterprise within the United States, consisting of 600 shares of $50 par value capital stock, 395 shares (65.82%) are registered in the names of and are owned by the persons listed below in the amount opposite each name and are evidence of control of Osaki Shoten, Limited:

Name	*Number of shares*
Shigejiro Osaki	166
Masataro Miyata	2
Yuki Osaki	110
Yojiro Osaki	82
Ikuso Kuniyuki	5
Meiji Yamagata	5
Kenji Shiigi	5
Total	395

2. That the following persons have claims against Osaki Shoten, Limited, which claims, as of September 16, 1943, aggregated $8,277.76 (13.63% of its net worth) subject, however, to any accruals or deductions subsequent thereto, and represent interests in said business enterprise:

Name	*Amount*
Shigejiro Osaki	$1,369.22
T. Osaki Shoten	1,877.89
Motoshige Shoten, Limited	30.65
Total	3,277.76

3. That Shigejiro Osaki, Masataro Miyata and Yuki Osaki, whose last known addresses are Toyama-ken, Japan, are nationals of a designated enemy country (Japan);

4. That T. Osaki Shoten, Osaka, Japan, and Motoshige Shoten, Limited, whose principal places of business are located in Japan, are nationals of a designated enemy country (Japan);

5. That Yojiro Osaki, Ikuzo Kuniyuki, Meiji Yamagata and Kenji Shiigi have been interned by order of the Attorney General of the United States and are acting directly or indirectly for the benefit or on behalf of a designated enemy country (Japan) or persons within such country;

and determining:

6. That Osaki Shoten, Limited, is controlled by Shigejiro Osaki, Masataro Miyata, Yuki Osaki, Yojiro Osaki, Ikuzo Kuniyuki, Meiji Yamagata and Kenji Shiigi and is a national of a designated enemy country (Japan);

7. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 298 shares of $50 par value capital stock of Osaki Shoten, Limited, registered in the names of Shigejiro Osaki, Masataro Miyata, and Yuki Osaki and the interests of Shigejiro Osaki, T. Osaki Shoten and Motoshige Shoten, Limited, in Osaki Shoten, Limited, as represented on the books and records of said company as accounts payable, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 20, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–8220; Filed, June 7, 1944; 10:41 a. m.]

[Vesting Order 3358]

AALA SERVICE STATION, LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That of the issued and outstanding capital stock of Aala Service Station, Limited, a corporation organized and doing business under the laws of the Territory of Hawaii and a business enterprise within the United States, consisting of 2,268 shares of $10 par value capital stock, 1,480 shares (65.25%) are registered in the names of and are owned by the persons listed below in the amount opposite each name and are evidence of control of Aala Service Station, Limited:

Name:	*Number of shares*
Goichi Yamane	1,470
Saki Yamane	10
Total	1,480

2. That Goichi Yamane and Saki Yamane, whose last known addresses are Japan, are nationals of a designated enemy country (Japan);

and determining:

3. That Aala Service Station, Limited, is controlled by Goichi Yamane and Saki Yamane and is a national of a designated enemy country (Japan);

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 1,480 shares of capital stock of Aala Service Station, Limited, registered in the names of Goichi Yamane and Saki Yamane, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–8221; Filed, June 7, 1944; 10:41 a. m.]

[Vesting Order 3400]

HONOLULU PHARMACY

Under the authority of the Trading With the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Honolulu Pharmacy, whose principal place of business is Honolulu, T. H., is a sole proprietorship owned by Sutematsu Endo and is a business enterprise within the United States;

2. That Sutematsu Endo, whose last known address is Japan, is a national of a designated enemy country (Japan);

and determining:

3. That Honolulu Pharmacy, a sole proprietorship, is controlled by Sutematsu Endo, and is a national of a designated enemy country (Japan);

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian all right, title and interest of Sutematsu Endo in and to Honolulu Pharmacy, a sole proprietorship, and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said Honolulu Pharmacy, a sole proprietorship owned by Sutematsu Endo, hereinbefore more fully described to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8222; Filed, June 7, 1944; 10:41 a. m.]

[Vesting Order 3404]

SHIGENARI HATTORI

In re: Automobile owned by Shigenari Hattori.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Shigenari Hattori is Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That Shigenari Hattori is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

A tan Packard club sedan, 1935 model, engine No. X–7551, 1941 license Territory of Hawaii E7170, presently in the custody of Benjamin K. Harada, Pensacola Hotel, 1524 Pensacola Street, Honolulu, T. H., in the garage on said premises.

is property within the United States owned or controlled by a national of designated enemy country (Japan);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8223; Filed, June 7, 1944; 10:41 a. m.]

[Vesting Order 3504]

COPYRIGHT INTERESTS HELD BY CERTAIN GERMAN AND AUSTRIAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each person whose name, nationality, and last known address where established, is listed at the top of each page of Exhibit A[1] attached hereto and by reference made a part hereof, if an individual is a resident or citizen of, or if a business organization is organized under the laws of, and holds the nationality designated after the name of such person;

2. Finding that the persons listed in said Exhibit A jointly or severally own or control the property hereinafter described in subparagraph 3;

3. Determining that the property described as follows:

a. All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each person whose name, nationality, and last known address, where established, is designated at the top of each page of said Exhibit A in, to and under the following:

1. Every copyright, claim of copyright and right to copyright, or rights related thereto, in each and all of the works described in each page of said Exhibit A under the name of such person;

2. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

3. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

4. All rights of reversion or revesting, if any, in any or all of the foregoing;

5. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing:

is property of, or is property payable or held with respect to copyrights or rights related thereto, in which interests are held by, and such property itself constitutes interests held therein by, nationals of one or more foreign countries.

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order

[1] Filed as part of the original document.

may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8224; Filed, June 7, 1944; 10:42 a. m.]

[Vesting Order 3540]

TEJIRO KAWAI

In re: Interest in one jade incense burner owned by Tejiro Kawai.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Tejiro Kawai is Kyoto, Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That Tejiro Kawai is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

One-half interest in one carved imperial Chien-lung white muttonfat jade pagoda form incense burner, in three pieces with six bells and four rings and a teakwood stand, designated as stock No. YL–88, now in the possession of Yamanaka & Co., Inc., 680 Fifth Avenue, New York City, in liquidation under the supervision of the Alien Property Custodian,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 26, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8225; Filed, June 7, 1944; 10:42 a. m.]

[Vesting Order 3696]

FUJI SAKE BREWING CO., LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned:

1. Having found and determined in Vesting Order Number 238, dated October 15, 1942, and Vesting Order Number 1060, dated March 11, 1943, that Fujii Junichi Shoten, Limited, is controlled by persons residing in Japan and is a national of a designated enemy country (Japan);

2. Finding that of the outstanding capital stock of Fuji Sake Brewing Company, Limited, a corporation organized and doing business under the laws of the Territory of Hawaii and a business enterprise within the United States, consisting of 30,000 shares of common having a par value of $10 a share, 17,937 shares (59.78%) are owned by the persons whose names and the number of shares held are set out in Exhibit "A" attached hereto, and are evidence of control of said business enterprise;

3. Finding that the following persons, whose last known addresses are Japan, are nationals of a designated enemy country (Japan);

Names:
Haruo Fujii.
Junichi Fujii.
Junso Fujii.
Yoichi Fujii.
Haruno Fujikawa.
Hisao Fujikawa.
Jiro (Juro) Fujikawa.
Mikie Fujikawa.
Shigeo Oshima.
Tomoichi Oto.
Shiro Sayegusa.
Kiyozo Shintaku.

4. Finding that the following persons have been interned by order of the Military Governor of the Territory of Hawaii and are acting directly or indirectly for the benefit or on behalf of a designated enemy country (Japan) or persons within such country:

Names:
Ichiji Adachi.
Tetsuji Hanzawa.
Isuke Horikawa.
Kakuro Komo.
Usaku Morihara.
Tsumaso Nakatsu.
Tokuichi Okamoto.
Sawajiro Osaki.
Kinzo Sayegusa.
Yoshio Sekiya.
Mamoru Suga.
Kazuichi Takanishi.
Setsugo Togioka.
Kazuo Tomita.
Ginpei Torii.
Isamu Ueoka.
Yozaemon Yamamoto.

5. Finding that Fuji Sake Brewing Company, Limited, is acting or purporting to act directly or indirectly for the benefit or on behalf of the persons whose names are set out in subparagraph 3 hereof and Fujii Junichi Shoten, Limited;

and determining:

6. That the persons whose names are set out below are acting for or on behalf of or as a cloak for a designated enemy country (Japan) or persons within such country and are nationals of such designated enemy country:

Names:
Ichiji Adachi.
Tetsuji Hanzawa.
Isuke Horikawa.
Kakuro Komo.
Usaku Morihara.
Tsumaso Nakatsu.
Tokuichi Okamoto.
Sawajiro Osaki.
Kinzo Sayegusa.
Yoshio Sekiya.
Mamoru Suga.
Kazuichi Takanishi.
Setsugo Togioka.
Kazuo Tomita.
Ginpei Torii.
Isamu Ueoka.
Yozaemon Yamamoto.

7. That Fuji Sake Brewing Company, Limited, is controlled by the persons whose names are set out in Exhibit "A" and by a designated enemy country (Japan) or the persons within such country enumerated in Vesting Orders Number 238 and 1060, and is a national of a designated enemy country (Japan);

8. That to the extent that such nationals are persons not within the designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian 3,352 shares of the fully paid common stock of Fuji Sake Brewing Company, Limited, registered in the names of the following persons:

Names:
Haruo Fujii.
Junso Fujii.
Yoichi Fujii.
Haruno Fujikawa.
Hisao Fujikawa.
Jiro (Juro) Fujikawa.
Mikie Fujikawa.
Shigeo Oshima.
Tomoichi Oto.
Shiro Sayegusa.
Kiyozo Shintaku.

and all the right, title and interest of Junichi Fujii, Junso Fujii and Yoichi Fujii and each of them in and to 4,000 partially paid shares of common stock of Fuji Sake Brewing Company, Limited, evidenced by stock certificate number 375 for 2,000 shares and numbers 392 and 395 for 1,000 shares each, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

[Ownership of 17,937 shares of the Capital Stock of Fuji Sake Brewing Company, Limited]

Name and last known address	Fully paid shares	Partially paid shares
Residents of Japan:		
Haruo Fujii, Hiroshima, Japan	800	------
Junichi Fujii, Hiroshima, Japan	------	2,000
Junso Fujii, Hiroshima, Japan	667	1,000
Yoichi Fujii, Hiroshima, Japan	5	1,000
Haruno Fujikawa, Hiroshima, Japan	100	------
Hisao Fujikawa, Hiroshima, Japan	200	------
Jiro (Juro) Fujikawa, Hiroshima, Japan	1,000	------
Mikie Fujikawa, Hiroshima, Japan	200	------
Shigeo Oshima, Hiroshima, Japan	250	------
Tomoichi Oto, Hiroshima, Japan	10	------
Shiro Sayegusa, Tokyo, Japan	250	------
Kiyozo Shintaku, Hiroshima, Japan	50	------
Total	3,352	4,000
Fujii Junichi Shoten, Honolulu, T. H., Ltd.	305	9,000

EXHIBIT A—Continued

[Ownership of 17,937 shares of the Capital Stock of Fuji Sake Brewing Company, Limited]

Name and last known address	Fully paid shares	Partially paid shares
Internees:		
Ichiji Adachi, Santa Fe, N. Mex.	10	------
Tetsuji Hanzawa, Santa Fe, N. Mex.	10	------
Isuke Horikawa, Santa Fe, N. Mex.	5	------
Kakuro Komo, Santa Fe, N. Mex.	10	------
Usaku Morihara, Santa Fe, N. Mex.	5	------
Tsumaso Nakatsu, Santa Fe, N. Mex.	20	------
Tokuichi Okamoto, Santa Fe, N. Mex.	400	------
Sawajiro Osaki, Fort Missoula, Mont.	300	------
Kinzo Sayegusa, Fort Missoula, Mont.	250	------
Yoshio Sekiya, Santa Fe, N. Mex.	25	------
Mamoru Suga, Santa Fe, N. Mex.	100	------
Kazuichi Takanishi, Fort Missoula, Mont.	50	------
Setsugo Togioka, Fort Missoula, Mont.	100	------
Kazuo Tomita, Fort Missoula, Mont.	20	------
Ginpei Torii, Santa Fe, N. Mex.	60	------
Isamu Ueoka, Santa Fe, N. Mex.	5	------
Yozaemon Yamamoto, Santa Fe, N. Mex.	10	------
Total	1,380	------
Total	4,937	13,000

Aggregate Number of Shares—17,937.

[F. R. Doc. 44–8226; Filed, June 7, 1944; 10:42 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 40, Amdt. 2]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN ILLINOIS AND MISSOURI

Upon consideration of a petition filed with the Office of Defense Transportation by Riss & Company, Inc., Kansas City, Missouri, and good cause appearing therefor, *It is hereby ordered*, That:

Supplementary Order ODT 3, Revised–40, as amended (8 F.R. 9584; 9 F.R. 4409), be further amended by eliminating Riss & Company, Inc., as a carrier subject thereto.

This amendment shall become effective on June 8, 1944.

Issued at Washington, D. C., this 8th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44–8293; Filed, June 8, 1944; 10:36 a. m.]

[Supplementary Order ODT 3, Rev. 243]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN TEXAS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F. R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations

[1] Filed as part of the original document.

directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 12, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Alamo Freight Lines, Inc. (a corporation), San Antonio, Tex.
Red Arrow Freight Lines, Inc. (a corporation), Houston, Tex.
Sunset Motor Lines (a corporation), San Angelo, Tex.
Clarence Carloss Epps, doing business as Vick Truck Line, Eagle Lake, Tex.

[F. R. Doc. 44-8294; Filed, June 8, 1944; 10:36 a. m.]

OFFICE OF PRICE ADMINISTRATION.

Regional and District Office Orders.

[Region I Order G-7 Under RMPR 122, Amdt. 8]

BITUMINOUS COAL IN METROPOLITAN BOSTON AREA

Amendment No. 8 to Order No. G-7 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-7 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. The following is added to the table of prices in subparagraph (1) of paragraph (b):

Kind of coal	Classes of purchasers		
	Classes AA and A	Class B	Class C
Pasley run of mine	$8.15	$8.37	$8.59

2. The following is added to the table of prices in subparagraph (1) of paragraph (c):

Kind of coal	Classes of purchasers				
	Class I	Class II	Class III	Class IV	Class V
Pasley run of mine	$10.55	$10.30	$10.05	$9.55	$9.30

3. Subparagraph (2) of paragraph (f) is amended to read as follows:

(2) "Straight run of mine" is bituminous coal which was defined by the Bituminous Coal Division as "straight run of mine", produced in Producing Districts 1, 2, 3, 7 or 8, or a mixture of two or more bituminous coals of different size groups which mixture is equivalent as to coarseness; except "Pasley run of mine" when "Pasley run of mine" is stored and delivered separately from any other coal.

4. Subparagraph (18) is added to paragraph (f), to read as follows:

(18) "Pasley run of mine" means the size group No. 7 coal produced at the Pasley Mine, Mine Index No. 717 of the Carpenter-Pasley Coal Company, located in Greenbrier County, West Virginia, in Producing District No. 7.

This Amendment No. 8 shall become effective June 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-8174; Filed, June 6, 1944; 2:23 p. m.]

[Region I Order G-11 Under RMPR 122, Amdt. 5]

SOLID FUELS IN LAWRENCE, MASS., AREA

Amendment No. 5 to Order No. G-11 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942 as amended, Region I Order No. G-11 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. Subparagraph (1) of paragraph (b) is amended to read as follows:

(1) Price Schedule I sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered to consumers at any point in the Lawrence, Massachusetts, Area.

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$17.35	$8.70	$4.60	$0.95
Pea	16.05	8.05	4.25	.90
Buckwheat	13.50	6.75	3.65	.75
Rice	12.35	6.20	3.35	.70
Franklin:				
Broken	18.10	9.05	4.80	1.00
Egg	18.35	9.20	4.85	1.00
Stove	18.60	9.30	4.90	1.00
Chestnut	17.65	8.85	4.65	1.00
Salem Hill:				
Broken	18.25	9.15	4.85	1.00
Egg	18.50	9.25	4.90	1.00
Stove	18.75	9.40	4.95	1.00
Chestnut	17.80	8.90	4.70	1.00
Coke:				
Egg, stove and chestnut	16.50	8.25	4.40	-----
Pea	15.00	7.50	4.00	-----
Ambricoal	15.80	7.90	4.20	-----
Cannel coal	20.00	10.00	5.25	-----

2. Subparagraph (1) of paragraph (c) is amended to read as follows:

(1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Lawrence, Massachusetts, Area to consumers.

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$15.35	$7.70	$4.10	$0.85
Pea	14.05	7.05	3.75	.80
Buckwheat	11.50	5.75	3.15	.65
Rice	10.35	5.20	2.85	.60
Yard Screenings	3.75	-----	-----	-----
Franklin:				
Broken	16.10	8.05	4.30	.90
Egg	16.35	8.20	4.35	.90
Stove	16.60	8.30	4.40	.90
Chestnut	15.65	7.85	4.15	.90
Salem Hill:				
Broken	16.25	8.15	4.35	.90
Egg	16.50	8.25	4.40	.90
Stove	16.75	8.40	4.45	.90
Chestnut	15.80	7.90	4.20	-----
Coke:				
Egg, stove and chestnut	14.50	7.25	3.90	-----
Pea	13.00	6.50	3.50	-----
Ambricoal	13.80	6.90	3.70	-----
Cannel Coal	18.00	9.00	4.75	-----

3. Subparagraph (1) of paragraph (c) is amended to read as follows:

(1) Price Schedule III sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Lawrence, Massachusetts, Area to dealers in fuels who resell them.

Kind and size:	Per net ton
Pennsylvania anthracite:	
Broken, Egg, Stove and Chestnut	$12.90
Pea	10.75
Buckwheat	9.10
Rice	8.20
Yard Screenings	3.45
Coke:	
Egg, Stove and Chestnut	12.50
Pea	11.00

This Amendment No. 5 shall become effective June 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E. O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681).

Issued this 1st day of June 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-8175; Filed, June 6, 1944; 2:20 p. m.]

[Region I Order G-17 Under RMPR 122, Amdt. 4]

SOLID FUELS IN TAUNTON, MASS., AREA

Amendment No. 4 to Order No. G-17 Under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-17 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. The following prices for Cannel coal are added to Price Schedule I in paragraph (b) (1):

Kind and size	Per net ton	Per ¼ ton	Per ¼ ton
Cannel coal	$22.00	$11.25	$5.75

2. The following prices for Cannel coal are added to Price Schedule II in paragraph (c) (1):

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Cannel coal	$21.25	$10.65	$5.35	$1.15

3. The following prices for Cannel coal are added to Price Schedule III in paragraph (d) (1):

Kind and size	Per net ton	Per ½ ton	Per ¼ ton
Cannel coal	$20.50	$10.25	$5.15

4. Subparagraph (2) of paragraph (g) is amended to read as follows:

(2) "Specified solid fuels" shall include all Pennsylvania anthracite (including Franklin and Jeddo Highland), Ambricoal, Cannel coal and coke.

This Amendment No. 4 to Order No. G-17 shall become effective May 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 11th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-8176; Filed, June 6, 1944; 2:33 p. m.]

[Region I Order G-47 Under RMPR 122, Amdt. 1]

SOLID FUELS IN NEW HAVEN, CONN., AREA

Amendment No. 1 to Order No. G-47 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-47 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. Price Schedule I in paragraph (b) (1) is amended to read as follows:

Kind and size	Per net ton	½ ton	¼ ton	125 lbs.	100 lbs.
Pennsylvania anthracite:					
Broken, egg, stove, and chestnut	$15.85	$8.25	$4.65	$1.25	$1.00
Pea	14.05	7.45	4.20	1.20	.95
Buckwheat	11.40	6.10	3.55	1.05	.80
Rice	10.35	5.60	3.20	1.00	.75
Yard screenings	4.25	-----	-----	-----	-----
Jeddo Highland:					
Egg, stove, and chestnut	16.35	8.60	4.80	1.25	1.00
Pea	14.55	7.70	4.35	1.20	.95
Buckwheat	11.90	6.35	3.70	1.05	.80
Silver Brook:					
Egg, stove, and chestnut	16.50	8.65	4.85	1.25	1.00
Pea	14.70	7.75	4.40	1.20	.95
Buckwheat	12.05	6.45	3.70	1.05	.80
Koppers coke:					
Egg, stove, and chestnut	14.80	7.85	4.35	1.20	.95

2. Price Schedule II in paragraph (c) (1) is amended to read as follows:

Kind and size	Per net ton	½ ton	¼ ton	125 lbs.	100 lbs.
Pennsylvania anthracite:					
Broken, egg, stove, and chestnut	$14.35	$7.45	$3.75	$1.00	$0.75
Pea	13.05	6.85	3.30	.95	.70
Buckwheat	10.40	5.20	2.60	.80	.55
Rice	9.35	4.70	2.35	.75	.50
Yard screenings	3.25	-----	-----	-----	-----
Jeddo Highland:					
Egg, stove, and chestnut	15.25	7.70	3.85	1.05	.80
Pea	13.55	6.80	3.40	1.00	.75
Buckwheat	10.90	5.45	2.75	.85	.60
Silver Brook:					
Egg, stove, and chestnut	15.35	7.75	3.90	1.05	.80
Pea	13.70	6.85	3.45	1.00	.75
Buckwheat	11.05	5.55	2.80	.85	.60
Koppers coke: Egg, stove, and chestnut	13.80	6.75	3.40	.95	.70

3. Price Schedule III in paragraph (e) (1) is amended to read as follows:

Kind and size	Per net ton	½ ton	¼ ton
Pennsylvania anthracite:			
Broken, egg, stove and chestnut	$13.25	$6.70	$3.35
Pea	11.55	5.80	2.90
Buckwheat	8.90	4.45	2.25
Rice	7.85	3.95	2.00
Yard screenings	3.25	-----	-----
Jeddo Highland:			
Egg, stove and chestnut	13.85	6.95	3.50
Pea	12.05	6.05	3.05
Buckwheat	9.40	4.70	2.35
Silver Brook:			
Egg, stove and chestnut	14.00	7.00	3.50
Pea	12.20	6.10	3.05
Buckwheat	9.55	4.80	2.40
Koppers coke:			
Egg, stove and chestnut	12.00	6.00	3.00

4. Paragraph (f) is revoked, and a new paragraph (f) is inserted, to read as follows:

(f) *Conditions on sales of named anthracites.* The specific maximum prices which are set forth above for Jeddo highland and Silver brook may be charged only if the conditions set forth in paragraph (b) of Region I Revised Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 are observed in the handling, sale and delivery of those coals.

This Amendment No. 1 shall become effective June 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-8194; Filed, June 6, 1944; 2:20 p. m.]

[Region I Order G-54 Under RMPR 122, Amdt. 1]

SOLID FUELS IN BURLINGTON, VT., AREA

Amendment No. 1 to Order No. G-54 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-54 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

(1) Price Schedule I in paragraph (b) (1) is amended to read as follows:

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, and chestnut	$16.10	$8.30	$4.40	$0.90
Pea	14.80	7.65	4.10	.85
Buckwheat	12.65	6.60	3.55	.75
Rice	11.65	6.10	3.30	.70
Yard screenings	5.00	-----	-----	-----
Coke: Egg, stove, and chestnut	16.00	8.25	4.40	.90

(2) Price Schedule II in paragraph (c) (1) is amended to read as follows:

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania Anthracite:				
Broken, egg, stove and chestnut	$15.10	$7.80	$4.15	$0.85
Pea	13.80	7.15	3.85	.80
Buckwheat	11.65	6.10	3.30	.70
Rice	10.65	5.60	3.05	.65
Yard Screenings	4.00			
Coke: Egg, stove and chestnut	15.00	7.75	4.15	.85

(3) Paragraph (e) is revoked, and a new paragraph (e) is inserted, to read as follows:

(e) *Certain named Pennsylvania anthracite coals.* The specific maximum prices set forth above for Pennsylvania Anthracite may be increased by the following amounts when the following sizes of named Pennsylvania anthracite coals are sold; *Provided*, That the following increases may be charged only if the conditions set forth in paragraph (b) of Region I Revised Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 are observed:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Jeddo Highland:				
Egg, stove and chestnut	$0.50	$0.25	$0.15	$0.05
Pea and buckwheat	.25	.15	.05	None
Rice	.15	.10	None	None
Greenwood:				
Egg, stove and chestnut	.50	.25	.15	.05
Pea	.25	.15	.05	None
Silver Brook:				
Egg, stove and chestnut	.65	.35	.20	.05
Pea and buckwheat	.45	.25	.10	None
Rice	.35	.20	.10	None

(4) Subparagraph (13) is added to paragraph (f) to read as follows:

(13) "Named Pennsylvania anthracite" means Jeddo Highland, Greenwood and Silver Brook.

This Amendment No. 1 shall become effective June 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-8177; Filed, June 6, 1944; 2:20 p. m.]

[Region I Order G-56 Under RMPR 122, Amdt. 2]

SOLID FUELS IN MONTPELIER, VT., AREA

Amendment No. 2 to Order No. G-56 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-56 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. Price Schedule I in paragraph (b) (1) is amended to read as follows:

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$17.15	$8.95	$4.65	$0.95
Pea	15.40	8.10	4.25	.90
Buckwheat	13.40	7.05	3.70	.80
Rice	11.95	6.35	3.35	.70
Yard screenings	3.50			
Coke: Egg, stove and chestnut	17.10	8.90	4.65	.95
Ambricoal	15.55	8.15	4.25	.90

2. Price Schedule II in paragraph (c) (1) is amended to read as follows:

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$16.15	$8.10	$4.30	$0.85
Pea	14.50	7.25	3.90	.80
Buckwheat	12.40	6.20	3.35	.70
Rice	10.95	5.50	3.00	.60
Yard screenings	2.50			
Coke: Egg, stove and chestnut	16.10	8.05	4.30	.85
Ambricoal	14.55	7.30	3.90	.80

3. Price Schedule III in paragraph (e) (1) is amended to read as follows:

Kind and size	Per net ton	Per ½ ton	Per ¼ ton
Pennsylvania anthracite:			
Broken, egg, stove, and chestnut	$13.65	$6.85	$3.45
Pea	12.10	6.06	3.05
Buckwheat	10.45	5.25	2.65
Rice	9.20	4.60	2.30
Yard screenings	2.50		
Coke: Egg, stove, and chestnut	13.70	6.85	3.45
Ambricoal	12.05	6.06	3.05

4. A new paragraph (e.1) is inserted between paragraph (e) and (f), to read as follows:

(e.1) *Certain named Pennsylvania anthracite coals.* The specific maximum prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of named Pennsylvania anthracites are sold: *Provided*, That the following increases may be charged only if the conditions set forth in paragraph (b) of Region I Revised Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 are observed:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Jeddo highland:				
Egg, stove, and chestnut	$0.50	$0.25	$0.10	$0.05
Pea and buckwheat	.50	.25	.10	None
Rice	.15	.10	None	None
Silver brook:				
Egg, stove, and chestnut	.65	.35	.15	.05
Pea and buckwheat	.65	.35	.15	None
Rice	.35	.20	.10	None

5. Subparagraph (13) is added to paragraph (f), to read as follows:

(1) "Named Pennsylvania anthracite" means Jeddo Highland and Silver Brook.

This Amendment No. 2 shall become effective June 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-8178; Filed, June 6, 1944; 2:21 p. m.]

[Region I Order G-58 Under RMPR 122, Amdt. 1]

SOLID FUELS IN ST. JOHNSBURY, VT., AREA

Amendment No. 1 to Order No. G-58 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-58 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. Price Schedule I in paragraph (b) (1) is amended to read as follows:

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove, and chestnut	$16.60	$8.55	$4.55	$0.95
Pea	15.45	8.00	4.25	.90
Buckwheat	13.15	6.85	3.70	.75
Rice	12.10	6.30	3.40	.70
Yard screenings	3.50			
Coke: Egg, stove, and chestnut	16.25	8.40	4.45	.90

2. Price Schedule II in paragraph (c) (1) is amended to read as follows:

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove, and chestnut	$15.85	$8.20	$4.35	$0.90
Pea	14.70	7.60	4.05	.85
Buckwheat	12.40	6.45	3.50	.70
Rice	11.35	5.95	3.25	.65
Yard screenings	3.00			
Coke: Egg, stove, and chestnut	15.50	8.00	4.25	.85

3. Price Schedule III in paragraph (d) (1) is amended to read as follows:

Kind and size	Per net ton	Per ½ ton	Per ¼ ton
Pennsylvania anthracite:			
Broken, egg, stove, and chestnut	$15.60	$7.80	$3.90
Pea	14.45	7.25	3.65
Buckwheat	12.15	6.10	3.05
Rice	11.10	5.55	2.80
Yard screenings	3.00		
Coke: Egg, stove, and chestnut	15.25	7.65	3.85

4. Paragraph (f) is amended to read as follows:

(f) *Certain named Pennsylvania anthracite coals.* The specific maximum prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of named Pennsylvania anthracite coals are sold: *Provided*, That the following increases may be charged only if the conditions set forth in paragraph (b) of Region I Revised Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 are observed:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Jeddo Highland:				
Egg, stove and chestnut	$0.50	$0.25	$0.10	None
Pea and buckwheat	.25	.15	.05	None
Rice	.15	.10	None	None
Greenwood:				
Egg, stove, and chestnut	.50	.25	.10	None
Pea	.25	.15	.05	None
Silver Brook:				
Egg, stove, and chestnut	.65	.35	.15	None
Pea and buckwheat	.45	.25	.10	None
Rice	.35	.20	.10	None

5. Subparagraph (13) is added to paragraph (g), to read as follows:

(13) "Named Pennsylvania anthracite" means Jeddo Highland, Greenwood and Silver Brook.

This Amendment No. 1 shall become effective June 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-8179; Filed, June 6, 1944; 2:23 p. m.]

[Region I Rev. Supp. Order 2 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN BOSTON REGION

Revised Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Named Pennsylvania anthracites.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 is revised and amended and is hereby issued as Revised Supplementary Order No. 2, to read as follows:

(a) In every instance where one of the following sizes of a named Pennsylvania anthracite coal is not specifically priced in the Region I orders under Revised Maximum Price Regulation No. 122 which are designated in paragraph (c) hereof, the specific maximum prices in said orders for Pennsylvania anthracite may be increased by the following amounts when the following sizes of named Pennsylvania anthracite coals are sold in conformance with the conditions hereinafter set forth:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Jeddo Highland:				
Broken, egg, stove, chestnut, pea and buckwheat	$0.25	$0.15	$0.05	None
Rice	.15	.10	None	None
Franklin:				
Broken	.75	.40	.20	$0.05
Egg	1.00	.50	.25	.05
Stove	1.25	.65	.30	.05
Chestnut	.30	.15	.05	None
Rice	.10	.05	None	None
Greenwood: Egg, stove, chestnut and pea	.25	.15	.05	None
Salem Hill:				
Egg and stove	.85	.45	.20	.05
Chestnut	.45	.25	.10	None
Brooder nut	.70	.35	.20	.05
Pea	.40	.20	.10	None
Rice	.20	.10	.05	None
Silver Brook:				
Broken, egg, stove, chestnut, pea and buckwheat	.45	.25	.10	None
Rice	.35	.20	.10	None
Legitts Creek or Black Stork:				
Broken, egg, stove, chestnut and pea	.35	.20	.10	None
Buckwheat	.20	.10	.05	None
Rice	.10	.05	None	None
Raven Run, Nesquehaoning, East Bear Ridge, Dial Rock, Orange disc or Delano: Broken, egg, stove, chestnut, pea, buckwheat and rice	.10	.05	None	None

(b) The increased maximum prices provided by paragraph (a) of this order may be charged only if:

(1) The named coal is not mixed with a coal which is not named herein, or with any other named coal, either in storage or delivery; *Provided, however*, That if a purchaser requests a delivery of a mixture of two or more coals, the dealer may comply with such request if the quantity of each is separately weighed, the price charged does not exceed the weighted average of the maximum prices for the individual coals and the invoice or similar document delivered to the purchaser clearly states the quantity of each coal in the mixture, identified by the terms used herein; and *Provided, further*, That two or more named coals which carry the same increase may be mixed or two or more which carry different increases may be mixed and sold at the increased price provided for that one which carries the lowest increase, in either of which cases the name used may be that of any named coal in the mixture except one carrying a greater increase than that permitted by this proviso;

(2) An invoice or similar document is delivered to the purchaser which describes the coal by the name used in this order;

(3) The records kept by the dealer, pursuant to the record-keeping clause of the otherwise applicable order, clearly identify the named coals by the names used in this order, and are complete and accurate as to any mixtures permitted by subparagraph (1) above and as to the composition thereof and name or names used therefor; and

(4) The dealer preserves and keeps available for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all invoices and other records of his purchases of named coals.

(c) *Applicability.* This Revised Supplementary Order No. 2 shall apply to the following orders, and such others as specify therein that the terms of Supplementary Order No. 2 apply thereto:

Order No. G-9 under § 1340.259 (a) (1) and 1340.260	Metropolitan Boston Area.
Order No. G-11 under § 1340.260	Lawrence, Massachusetts Area.
Order No. G-12 under § 1340.259 (a) (1) and 1340.260	Haverhill, Massachusetts Area.
Order No. G-13 under § 1340.260	Lynn-Salem Area.
Order No. G-14 under § 1340.260	Lowell, Massachusetts Area.
Order No. G-15 under § 1340.260	Manchester, New Hampshire Area.
Order No. G-16 under § 1340.260	Brockton, Massachusetts Area.
Order No. G-17 under § 1340.260	Taunton, Massachusetts Area.
Order No. G-18 under § 1340.259 (a) (1) and 1340.260	New London, Connecticut Area.
Order No. G-19 under § 1340.260	Concord, New Hampshire Area.
Order No. G-21 under § 1340.260	Nashua, New Hampshire Area.
Order No. G-22 under § 1340.260	Worcester, Massachusetts Area.
Order No. G-23 under § 1340.260	Stoughton, Massachusetts.
Order No. G-24 under § 1340.259 (a) (1) and 1340.260	Bridgeport, Connecticut Area.
Order No. G-25 under § 1340.260	Portland, Maine Area.
Order No. G-26 under § 1340.259 (a) (1) and 1340.260	Portsmouth-Kittery Area.
Order No. G-28 under § 1340.259 (a) (1) and 1340.260	Bangor, Maine Area.
Order No. G-29 under § 1340.260	Lewiston-Auburn Area.
Order No. G-30 under § 1340.260	Augusta, Maine Area.
Order No. G-31 under § 1340.260	Brunswick, Maine Area.
Order No. G-32 under § 1340.260	Rockland, Maine Area.
Order No. G-33 under § 1340.260	Biddeford-Saco Area.
Order No. G-34 under § 1340.260	Bath, Maine Area.
Order No. G-35 under § 1340.260	Hampton-Seabrook Area.
Order No. G-36 under § 1340.260	Dover-Exeter Area.
Order No. G-37 under § 1340.260	Stamford-Norwalk Area.

(d) Any reference to Supplementary Order No. 2 in any outstanding Region I order under Revised Maximum Price Regulation No. 122 shall hereafter be deemed to be to Revised Supplementary Order No. 2.

(e) *Definitions.* When used in this Revised Supplementary Order No. 2, the term:

(1) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(2) "Named Pennsylvania anthracite" means "Jeddo Highland", "Franklin", "Greenwood", "Salem hill", "Silver brook", "Legitts creek", "Black stork", "Raven run", "Nesquehaoning", "East

Bear ridge", "Dial rock", "Orange disc" and "Delano".

(3) "Jeddo highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo coal", "Highland coal", or "Hazle brook coal".

(4) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley".

(5) "Greenwood" means that Pennsylvania anthracite which is produced by Lehigh Navigation Coal Company, Philadelphia, Pennsylvania, and marketed under the trade name "Old Company's Lehigh Greenwood Premium Anthracite".

(6) "Salem hill" means that Pennsylvania anthracite which is produced by Haddock Mining Company at the Salem Hill Colliery, Schuylkill County, near Pottsville, Pennsylvania, and which meets the quality and preparation standards established by Order No. 2 under Maximum Price Regulation No. 112.

(7) "Brooder nut" size of Salem hill means Salem hill anthracite which meets the following specifications: It shall be sized through a 1⅜" and over a 13/16" test mesh with maximum over-size of 2% and under-size of 3%; float and sink test shall not exceed 5% sink on a 1.7 gravity. The differential provided for Salem hill "brooder nut" shall be applied to the non-premium price for chestnut size.

(8) "Colonial" means that Pennsylvania anthracite which is produced and prepared by Colonial Collieries Corporation, Philadelphia, Pennsylvania, and which meets the quality and preparation standards established by Order No. 4 under Maximum Price Regulation No. 112.

(9) "Silver brook" means that Pennsylvania anthracite which is prepared by Haddock Mining Company, Wilkes-Barre, Pennsylvania, at its Beaver Meadow Breaker from coal produced at the Deringer Colliery and the Tomhicken Colliery and marketed under the trade name "Silver brook coal", and which meets the quality and preparation standards established by Order No. 3 under Maximum Price Regulation No. 112.

(10) "Legitts Creek" and "Black Stork" both mean that Pennsylvania anthracite which is produced and prepared by Penn Anthracite Collieries Company, Scranton, Pennsylvania, and which meets the quality and preparation standards established by Revised Order No. 5 under Maximum Price Regulation No. 112. That coal is also sometimes sold by said company under the trade names "Mt. Pleasant" and "Von Storch", but when sold by a dealer in Region I it shall not be identified by any names other than "Legitts creek" or "Black stork".

(11) "Raven run" means that Pennsylvania anthracite which is produced by Hazle Brook Coal Company, Jeddo, Pennsylvania, from its Continental Mines and the property of Raven Run Coal Company, an affiliated company, prepared at its Midvalley breaker and sold under that trade name, and which meets the quality and preparation standards established by Order No. 8 under Maximum Price Regulation No. 112.

(12) "Nesquehaoning" means that Pennsylvania anthracite which is produced and prepared by Edison Anthracite Coal Company and which meets the quality and preparation standards established by Order No. 9 under Maximum Price Regulation No. 112.

(13) "East bear ridge" means that Pennsylvania anthracite which is produced and prepared by East Bear Ridge Colliery Company and which meets the quality and preparation standards established by Order No. 11 under Maximum Price Regulation No. 112.

(14) "Dial rock" means that Pennsylvania anthracite which is produced and prepared by Dial Rock Coal Company, Scranton, Pennsylvania, and which meets the quality and preparation standards established by Order No. 7 under Maximum Price Regulation No. 112; *Provided, however*, That the additions provided for in paragraph (a) may be charged only when said coal is shipped from the mine by rail.

(15) "Orange disc" means that Pennsylvania anthracite which is produced and prepared by Payne Coal Company, Wilkes-Barre, Pennsylvania, at their Exeter Colliery and sold under the trade name "Orange disc anthracite", and which meets the quality and preparation standards established by Order No. 10 under Maximum Price Regulation No. 112.

(16) "Delano" means that Pennsylvania anthracite which is produced and prepared by Delano Anthracite Collieries Company, Ashland, Pennsylvania, and which meets the quality and preparation standards established by Order No. 13 under Maximum Price Regulation No. 112.

(f) Nothing contained in this Revised Supplementary Order No. 2 shall be so construed as to allow any change in or addition to the specific maximum prices for Pennsylvania anthracite in bags containing less than 100 pounds each which are set forth in any Region I order under Revised Maximum Price Regulation No. 122.

(g) This Revised Supplementary Order No. 2 may be revoked, amended or corrected at any time.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Revised Supplementary Order No. 2 shall become effective June 11, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-8171; Filed, June 6, 1944; 2:23 p. m.]

[Region I Supp. Order 7 Under RMPR 122]

SOLID FUELS IN BOSTON REGION

Supplementary Order No. 7 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Reduction in prices for Pennsylvania anthracite in certain area price orders.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, *It is hereby ordered*, That:

(a) The specific maximum prices for Pennsylvania Anthracite contained in the Region I Orders under Revised Maximum Price Regulation No. 122 listed in paragraph (b) of this order shall, on and after June 11, 1944, be changed as follows:

Size	Unit	Change
Broken, egg, stove, chestnut, pea and buckwheat	Net ton	Reduce 15 cents.
Rice and barley	Net ton	Reduce 10 cents.
All sizes except yard screenings	One-half ton and one-quarter ton	Amounts arrived at by application of formulas originally used in the order for half and quarter-ton prices to the new reduced net ton price.
All sizes	One hundred pounds	No change.
Yard screenings	Net ton	No change.

The foregoing shall apply to all schedules of specific dollars-and-cents prices for Pennsylvania Anthracite (including any named anthracites) in said orders except the specific prices for "Salem Hill" in Region I Order No. G-38, which prices shall remain unchanged.

(b) *Orders affected.* The provisions of paragraph (a) above shall apply to the following Region I Orders under Revised Maximum Price Regulation No. 122:

Order number:	*Area*
G-9	Metropolitan Boston Area.
G-12	Haverhill, Massachusetts Area.
G-13	Lynn-Salem Area.
G-14	Lowell, Massachusetts Area.
G-15	Manchester, New Hampshire Area.
G-16	Brockton, Massachusetts Area.
G-17	Taunton, Massachusetts Area.
G-18	New London, Connecticut Area.
G-19	Concord, New Hampshire Area.
G-21	Nashua, New Hampshire Area.
G-22	Worcester, Massachusetts Area.
G-23	Stoughton, Massachusetts.
G-24	Bridgeport, Connecticut Area.
G-25	Portland, Maine Area.
G-26	Portsmouth-Kittery Area.
G-28	Bangor, Maine Area.
G-29	Lewiston-Auburn Area.
G-30	Augusta, Maine Area.
G-31	Brunswick, Maine Area.
G-32	Rockland, Maine Area.
G-33	Biddeford-Saco Area.
G-34	Bath, Maine Area.
G-35	Hampton-Seabrook Area.
G-36	Dover-Exeter Area.
G-37	Stamford-Norwalk Area.
G-38	Milford, Massachusetts Area.
G-39	Providence, Rhode Island Area.
G-40	Rutland, Vermont Area.
G-41	Adams, Massachusetts Area.
G-42	Bennington, Vermont Area.
G-43	Manchester, Vermont Area.
G-44	Danbury, Connecticut Area.
G-48	Brattleboro-Keene Area.
G-49	Middletown, Connecticut Area.
G-50	St. Albans, Vermont Area.
G-51	Waterbury, Connecticut Area.
G-52	Putnam, Connecticut Area.
G-53	Bellows Falls Area.
G-57	Norwich, Connecticut Area.
G-59	Winsted, Connecticut Area.
G-60	Springfield-Claremont Area.
G-61	New Britain, Connecticut Area.
G-62	Torrington, Connecticut Area.
G-65	Attleboro, Massachusetts Area.

(c) This Supplementary Order No. 7 may be revoked, amended or corrected at any time.

This Supplementary Order No. 7 shall become effective June 11, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-8172; Filed, June 6, 1944; 2:20 p. m.]

[Region I Supp. Order 8 Under RMPR 122]

SOLID FUELS IN BOSTON REGION

Supplementary Order No. 8 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Changes in prices for Pennsylvania anthracite in certain area price orders.

For the reasons set forth in an opinion issued simulaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered that:

(a) *Changes in specific prices.* The specific maximum prices for Pennsylvania anthracite contained in the Region I Orders under Revised Maximum Price Regulation No. 122 listed in paragraph (b) of this order shall, on and after June 11, 1944, be changed as follows:

Size	Unit	Change
Broken, egg, stove, chestnut, pea and buckwheat	Net ton	Reduce 15 cents.
Rice and barley	Net ton	Reduce 10 cents.
All sizes except yard screenings	One-half and one-quarter ton	Amounts arrived at by application of formulas originally used in the order for half- and quarter-ton prices to the new reduced net ton price.
All sizes	One hundred pounds	No change.
Yard screenings	Net ton	No change.

(b) *Orders affected by paragraph (a).* The provisions of paragraph (a) above shall apply to the following Region I Orders under Revised Maximum Price Regulation No. 122:

Order number:	*Area*
G-45	White River Junction Area.
G-46	Hartford, Connecticut Area.
G-55	Willimantic, Connecticut Area.
G-63	Woonsocket Area.
G-64	New Bedford, Massachusetts Area.
G-66	Fitchburg, Massachusetts Area.
G-67	Gardner, Massachusetts Area.
G-68	Fall River Area.
G-69	Southbridge, Massachusetts Area.

(c) *Changes in differentials for certain named Pennsylvania anthracites.* The orders listed in paragraph (d) each contain a paragraph entitled "Certain named Pennsylvania anthracite coals", which paragraphs list one or more of the following Pennsylvania anthracites and provide for pricing them by adding specified amounts to the dollars-and-cents prices for "Pennsylvania anthracite" which are set forth in preceding paragraphs of the orders. In each instance in which one of the following coals is listed in one of said orders, the provision therefor is amended to read as follows:

Kind and size	Amount of addition: Per net ton	½ ton	¼ ton	100 lbs.
Salem Hill:				
Egg and stove	$0.85	$0.45	$0.20	$0.05
Chestnut	.45	.25	.10	None
Brooder nut	.70	.35	.20	.05
Pea	.40	.20	.10	None
Rice	.20	.10	.05	None
Silver Brook:				
Broken, egg, stove, chestnut, pea and buckwheat	.45	.25	.10	None
Rice	.35	.20	.10	None
Legitts Creek or Black Stork:				
Broken, egg, stove, chestnut and pea	.35	.20	.10	None
Buckwheat	.20	.10	.05	None
Rice	.10	.05	None	None
Raven Run: Broken, egg, stove, chestnut, pea, buckwheat and rice	.10	.05	None	None
East Bear Ridge: Broken, egg, stove, chestnut, pea, buckwheat and rice	.10	.05	None	None
Dial Rock: Broken, egg, stove, chestnut, pea, buckwheat and rice	.10	.05	None	None
Orange Disc: Broken, egg, stove, chestnut, pea, buckwheat and rice	.10	.05	None	None

In addition, all references to "Colonial" are deleted.

(d) *Provisions affected by paragraph (c).* The provisions of paragraph (c) shall apply to the following paragraphs of the following Region I Orders under Revised Maximum Price Regulation No. 122:

Order number	Area	Paragraph
G-45	White River Junction Area	(g).
G-46	Hartford, Connecticut Area	(d).
G-55	Willimantic, Connecticut Area	(d).
G-64	New Bedford, Massachusetts Area	(b) (5).
G-66	Fitchburg, Massachusetts Area	(f).
G-67	Gardner, Massachusetts Area	(f).
G-69	Southbridge, Massachusetts Area	(f).

(e) *Special provisions for certain differentials—(1) G-63—Woonsocket Area.* In paragraph (f) of Region I Order No. G-63 under Revised Maximum Price Regulation No. 122, the provision for "Legitts Creek or Black Stork" is amended to read as it appears in paragraph (c) of this order, but the provision for "Silver Brook" is amended to read as follows:

Kind and size	Amount of addition: Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Silver Brook:				
Broken, egg, stove, chestnut, pea and buckwheat	$0.50	$0.25	$0.15	$0.05
Rice	.35	.20	.10	None

(2) *G-68—Fall River Area.* In paragraph (b) (4) of Region I Order No. G-68 under Revised Maximum Price Regulation No. 122, the provision for "Colonial" is deleted; the provision for "Silver Brook" is amended to read as it appears in paragraph (c) of this order; and the provision for "Franklin or Salem Hill" is amended to read as follows:

Kind and size	Amount of addition: Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Franklin or Salem Hill:				
Broken and chestnut	$0.75	$0.40	$0.20	$0.05
Egg	1.00	.50	.25	.05
Stove	1.25	.65	.30	.05
Pea	.40	.20	.10	None
Rice	.20	.10	.05	None

(f) This Supplementary Order No. 8 may be revoked, amended or corrected at any time.

This Supplementary Order No. 8 shall become effective June 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-8173; Filed, June 6, 1944; 2:18 p. m.]

[Region II Order G-1 Under MPR 154, Amdt. 1]

ICE IN NEW YORK CITY, N. Y.

Amendment No. 1 to Order No. G-1 under Maximum Price Regulation No. 154, as amended. Ice. Adjusted maxi-

mum prices for the sale and delivery of ice in the City of New York.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1393.8 of MPR 184, as amended, *It is hereby ordered*, That section (c) of Order G–1 issued under MPR 184, as amended, be amended to read as follows:

(c) *Schedule I: Schedule of prices for the purchase and sale of ice in the city of New York.*

BLOCK ICE

Class of customer	Adjusted maximum prices platform sale (including service stations)			Adjusted maximum prices for ice delivered sale		
	300 lb. cake	100 lb.	40 lb. tub	300 lb. cake	100 lb.	40 lb. tub
	Cents	*Cents*	*Cents*	*Cents*	*Cents*	
All ice dealers	55			75		
Commercial, industrial, institutional (all not otherwise listed)	55				40	
Milk companies	55			75		
Milk companies (white ice)	45					
Home consumers		40			60	
		[1] 20			[1] 35	
		[2] 10			[2] 20	
Air conditioning customers					30	
Water cooler service					80	

CUBE ICE

Home consumers			45			$1.00
All others			30			.45

CRUSHED ICE

Home consumers			30			.75
All others			20			.30

[1] Per 50 lb. [2] Per 25 lb.

This amendment to Order G–1 shall become effective May 27, 1944.

Issued this 27th day of May 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–8180; Filed, June 6, 1944; 2:29 p. m.]

[Region II Order G–20 Under 18 (c)]

CORRUGATED SHIPPING CONTAINERS IN NEW YORK COUNTY, N. Y.

Order No. G–20 Under § 1499.18 (c) of the General Maximum Price Regulation. Sales of stock-size corrugated shipping containers by jobbers having an established place of business in the county of New York, and distributing such boxes in the New York Metropolitan area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation; *It is ordered:*

1. That Order No. 68 issued under § 1499.18 (c) of the General Price Regulation by the Regional Administrator of Region II, effective April 4, 1944, be, and it hereby is, revoked.

2. That on and after May 29, 1944, jobbers of stock-size corrugated shipping containers, having a place of business established in the County of New York, State of New York, are hereby authorized to sell the following stock-size corrugated shipping containers at wholesale at a price not in excess of the prices listed:

Style No.	Minimum area	Maximum price per 100 boxes
28	492.8	$11.75
30	554.4	12.75
32	616.0	13.75
34	728.0	15.00
36	784.0	16.00
38	862.4	17.00
40	1,008.0	18.50
42	1,075.2	19.50
44	1,164.8	20.50
46	1,254.4	21.50
48	1,428.0	23.00
50	1,512.0	24.50
52	1,612.8	25.50
54	1,808.8	27.50
56	1,904.0	29.50
58	1,999.2	30.50
60	2,116.8	34.50
62	2,340.8	38.00
64	2,449.8	40.00
66	2,553.6	41.00
68	2,688.0	43.00
70	3,080.0	49.50
72	3,208.2	50.00
74	3,360.0	52.00
76	3,640.0	54.50
78	3,628.8	56.00
80	3,920.0	58.50
88 R	4,667.2	70.00
88 D	4,076.8	65.00
1–9	996.8	18.00
2–9	1,720.0	26.00
3–9	2,177.7	31.50
6–9	3,227.7	44.00
1–10	1,074.1	19.50
2–10	1,844.5	28.50
3–10	2,325.4	34.00
4–10	2,754.2	38.50
6–10	3,447.2	47.00
8–10	4,110.3	55.00
1–12	1,234.1	20.50
2–12	2,041.9	29.50
3–12	2,621.5	36.50
4–12	3,028.8	41.00
6–12	3,886.4	50.00
P. P	680.0	13.75
Large P. P	1,067.0	19.00

3. The area listed for each style number is the minimum area. Each jobber shall continue to sell each style number in the area and inside dimensions in which he sold it in March, 1942, but not containing less than the minimum area above set forth. In the event that he reduces the inside dimensions, then the price established above shall be reduced in proportion to the extent of the reduction in cost.

4. The prices listed are subject to the discounts or terms customarily extended by each jobber. No jobber shall change his customary discounts or terms unless such change will result in prices lower than the prices authorized in paragraph (2) of this order.

5. No charge shall be made for delivery to any point within the Borough of Manhattan, City of New York. For deliveries outside of Manhattan, no purchaser shall be required to pay and no purchaser may pay a greater share of the cost of delivery than was charged by seller during March 1942 to a purchaser of the same class.

6. The term "jobber" as used herein shall mean a person who purchases stock-size corrugated shipping containers for the purpose of resale in substantially the same form. It shall not include any distributor subject to Maximum Price Regulation 349; nor any jobber not established in business in the County of New York as of the effective date of this order.

7. Trading shall be only in the performance of a recognized distributive function.

8. Except as expressly provided by this order, each jobber shall remain subject to all of the provisions of the General Maximum Price Regulation.

9. This order may be revoked, amended or corrected by the Regional Administrator or the Price Administrator through the issuance at any time hereafter of any order or price regulation or amendment or supplement thereto.

10. A copy of this order has been filed today with this Office where it is available for inspection by the public.

11. This order shall become effective immediately.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 27th day of May 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–8181; Filed, June 6, 1944; 2:29 p. m.]

[Region II Rev. Order G–26 Under RMPR 122, Amdt. 4]

SOLID FUELS IN NEW YORK REGION

Amendment No. 4 to Revised Order No. G–26 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maximum prices for "Colonial", "Salem Hill", and other specified anthracite sold subject to designated area dollars-and-cents orders.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G–26 is amended in the following respect:

1. Paragraph (d) is amended by adding the following order to the list of orders there enumerated:

Order No. G–41 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price regulation No. 122.

This Amendment No. 4 to Revised Order No. G–26 shall become effective May 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 25th day of May 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–8182; Filed, June 6, 1944, 2:29 p. m.]

[Region II Order G–34 Under RMPR 122, Amdt. 4]

SOLID FUELS IN NEW YORK REGION

Amendment No. 4 to Order No. G–34 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maximum prices for Pennsylvania anthracite sold subject to area dollars-and-cents orders, based on higher mine costs for specified anthracite.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G–34 is amended in the following respect:

1. Paragraph (d) is amended by adding the following order to the list of orders there enumerated:

Order No. G–41 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

This Amendment No. 4 to Order No. G–34 shall become effective May 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 25th day of May 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–8183; Filed, June 6, 1944; 2:27 p. m.]

[Region III Order G–35 Under RMPR 122]

SOLID FUELS IN MARTINSBURG, W. VA.

Order No. G–35 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the City of Martinsburg, West Virginia.

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the corporate limits of the City of Martinsburg, West Virginia. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in such area; they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G–35; but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the schedule price for a service or making a charge for a service not authorized by this order,

(ii) Using any other device by which a higher than maximum price is obtained, directly or indirectly,

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with any requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(c) *Schedule for sales of coal.* This schedule sets forth maximum prices for cash or credit sales on a "direct delivery" basis; Column II shows maximum prices for "yard sales" to dealers reselling coal. All prices are for sales on a net ton basis.

SCHEDULE I

Column I	Column II	Column III
I. Coals transported by rail:		
A. Low volatile bituminous coals from producing District No. 7 (southeastern West Virginia and northwestern Virginia):		
1. Egg:		
a. Size Group No. 2 (top size larger than 3" x bottom size no limit), Mine Price Classifications B and C	$9.20	$8.70
2. Stove:		
a. Size Group No. 3 (top size larger than 1¼" but not exceeding 3" x bottom size smaller than 3"):		
1. Mine Price Classification A	9.20	8.70
2. Mine Price Classifications B and C	9.10	8.60
3. Nut or dedusted screenings:		
a. Size Group No. 4 (top size larger than ¾" but not exceeding 1¼ x bottom size smaller than 1¼") Mine Price Classification A	8.35	7.85
4. Pea or dedusted screenings (stoker):		
a. Size Group No. 5 (top size not exceeding ¾" x bottom size smaller than ¾") Mine Price Classification A	7.75	7.25
5. A service charge of $0.10 per ton may be added to the above prices of low volatile coals for treatment at the mine providing such a charge is made by the supplier.		
B. Bituminous coals from Producing District No. 1 (Central Pennsylvania, Western Maryland and Northeastern West Virginia):		
1. Lump or egg:		
a. Size Group No. 1 (all lump coal; double screened coal with a top size larger than 2") Mine Price Classification E	7.70	7.20

SCHEDULE I—Continued

Column I	Column II	Column III
II. Coals transported by rail or truck:		
A. Bituminous coals from Producing District No. 1 (Central Pennsylvania, Western Maryland and Northeastern West Virginia):		
1. Run of mine (all types and sizes):		
a. Coals from the Consolidation Coal Company or the Barwind-White Coal Mining Company, Mine Price Classifications D through G	7.75	7.25
b. All other coals, Mine Price Classifications D and lower	6.50	6.00

All terms used herein to describe size, volatility and producing district are those that were established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

(d) The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G–35 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service and credit charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Carrying or wheeling from curb	$0.50 per ton.
Carrying up or down stairs	$0.50 per ton.
½ ton deliveries	½ of the ton price plus $0.25.

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, this tax need not be so separately stated on a sale to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(g) *Addition of increase in suppliers prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoked, or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged and the kind and type of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices; sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Charleston District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean sales and deliveries made by the dealer in his customary manner at his yard.

(6) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

This order No. G–35 under Revised Maximum Price Regulation No. 122 shall become effective May 24, 1944.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 24, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–8184; Filed, June 6, 1944; 2:32 p. m.]

[Region III Order G–48 Under RMPR 122]

SOLID FUELS IN DETROIT, MICH., AREA

Order No. G–48 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Detroit, Michigan, area.

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the Detroit, Michigan, area defined as follows: Beginning at the intersection of Fourteen Mile Road with Halsted Road in Oakland County; thence south along Halsted Road in Oakland County and Newburg Road in Wayne County to Wick Road; thence east along Wick Road to Telegraph Road; thence south along Telegraph Road to Vreeland Road; thence east along Vreeland Road to the Detroit River; thence north along the Detroit River and Lake St. Clair to Townline Road; thence west along Townline Road and Fourteen Mile Road to the place of beginning. These are the highest prices that any dealers may charge when he delivers such fuel at or to a point in such area; they are also the highest prices that any buyer in the course of trade or business may pay for coal delivered to them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G–48 but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order,

(ii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(iii) Using any tying argument or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with any requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(c) *Schedule for sales of coal*—(1) *Price schedules.* This schedule sets forth maximum prices for cash sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established; Column II shows maximum prices for cash or credit sales on a "direct delivery" basis. All prices are for sales on a net ton basis.

Column I	*Column II*
I. Low volatile bituminous coals from Producing District No. 7 and 8 (southern West Virginia and western Virginia) [1]	
A. Lump, Size Group No. 1 (bottom size larger than that designated for screened run of mine) Mine Price Classifications A through E (excluding Mine Index No. 73)	$11.00
B. Egg, Size Group No. 2 (top size larger than 3" x bottom size no limit) excluding Mine Index No. 73:	
1. Mine Price Classification A	11.15
2. Mine Price Classification, other	10.75
C. Stove or reduced screenings, Size Group No. 3 (top size larger than 1¼" but not exceeding 3" x bottom size smaller than 3") Mine Price Classifications A through F	10.65
D. Nut or reduced screenings, Size Group No. 4 (top size larger than ¾" but not exceeding 1¼" x bottom size smaller than 1¼") Mine Price Classification A	9.80
E. Stoker pea or reduced screenings, Size Group No. 5 (top size not exceeding ¾" x bottom size smaller than ¾") Mine Price Classification A	9.50
II. High volatile bituminous coal from Producing District No. 7 & No. 8 (eastern Kentucky, southern West Virginia, western Virginia, northeastern Tennessee) excluding Mine Index Nos. 219, 265, 439, and 638.	
A. Lump, Size Group Nos. 1 and 2 (larger than 3") Mine Price Classifications A through E [1]	10.15

[1] To the prices of bituminous coals may be added 6.10 per ton if the coal has been treated by the supplier and if such a service charge has been made by the supplier.

Column I	*Column II*
II. High volatile bituminous coal from Producing District No. 7 & No. 8—Continued.	
B. Egg [1]	
1. Size Group 3 (chunks: top size larger than 3" but not exceeding 6" x bottom size larger than 3" but not exceeding 4") Mine Price Classification A	$10.15
2. Size Group No. 5 (top size larger than 5" but not exceeding 6" x bottom size larger than 2" but not exceeding 3"; top size larger than 6" x bottom size 2" and smaller) Mine Price Classifications G through N	9.50
3. Size Group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3")	9.50
4. Size Group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller)	9.50
C. Stove, Size Group No. 8 (top size larger than 2" but not exceeding 3" x bottom size 2" and smaller) Mine Price Classifications B through G excluding Mine Index Nos. 233 and 590 [1]	9.25
D. Stoker, Size Group No. 10 (top size 1¼" and smaller x bottom size ⅛" and larger) excluding Mine Index No. 590	
1. Mine Price Classification A	
a. Treated	9.75
b. Untreated	9.65
2. Mine Price Classifications, other	
a. Treated	9.50
b. Untreated	9.40
E. Screenings, Size Group Nos. 18 and 20 (Deducted: top size 2" and smaller x bottom size larger than 100 mesh but not exceeding 10 mesh; modified: top size not exceeding 2", total consist containing not less than 15% ⅜" x 0 screenings; Regular: larger than ¾" x 0 but not exceeding 2" x 0) Mine Price Classifications C through P excluding Mine Index Nos. 590 and 196	8.60
F. To the prices stated in Sections A, B, C, D and E of Part II may be added 0.15 per ton provided the coal is mined in Subdistrict 6 of Producing District No. 8. Subdistrict 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rockcastle, Wayne and Whitley.[2]	
III. High Volatile Bituminous Coals from Producing District No. 6 (Ohio)	
A. Egg, Size Group No. 3 (double screened coal bottom size larger than 1¼" but not exceeding 2") from the Hocking Freight Origin District	8.50
IV. Pennsylvania Anthracite, Egg, Stove or Nut sizes	14.75
V. Coke (excluding reject or reclaimed coke)	
A. Egg, Stove or Nut sizes	12.30
B. Pea Size	11.05

[1] See note on p. 6282.

[2] Coal from Subdistrict 6 of District 8, if sold at the maximum price must be separately weighed and billed.

(2) *Quantity discounts.* Prices quoted in Column II for sales to a single purchaser for delivery at a single location for the heating of apartment houses, and commercial and industrial establishments, in loads of five tons or more, shall be subject to a discount as follows:

25¢ per ton to buyers whose total yearly purchases from one dealer are less than 80 tons.

50¢ per ton to buyers whose total yearly purchases from one dealer are 50 tons or more.

(3) *Descriptive terms.* All terms used herein to describe size, volatility and producing district are those that were established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

(d) The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G–48 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Trimming or double handling	$0.50
Wheel-in from curb coke	1.00
Wheel-in from curb coal	.75

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, it need not be so separately stated on a sale to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(g) *Addition of increase in suppliers prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke or rescind this order or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices; sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing; the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the Detroit District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean sales and deliveries made by the dealer in his customary manner at his yard.

(6) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein, and in full force and effect.

(c) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

This Order No. G–48 under Revised Maximum Price Regulation No. 122 shall become effective June 5, 1944.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 26, 1944.

BERKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–8185; Filed, June 6, 1944; 2:32 p. m.]

[Region IV Order G–7 Under SR 15]

FLUID MILK IN ALICEVILLE, ALA.

Order No. G–7 under § 1499.75 (a) (9) (i) of Supplementary Regulation No. 15 to the General Maximum Price Regulation. Adjustment of approved fluid milk prices in Aliceville, Alabama.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration, Region IV, by § 1499.75 (a) (9) (i) of the General Maximum Price Regulation, it is hereby ordered:

(a) *Adjustment of maximum prices for approved fluid milk in Aliceville, Alabama.* On and after May 31, 1944, the maximum prices for approved fluid milk sold and delivered to any person within Aliceville, Alabama, at wholesale or retail in glass containers of one quart or less shall be:

	Quarts	Pints	Half-pints
	Cents	*Cents*	*Cents*
Wholesale	13	8	4
Retail out-of-store	15	9	5
Home delivered	15	9	5
At processor's plant	12	7	4

One-third quart container sizes. The seller shall adjust his maximum wholesale price for one-third quart container sizes, as determined under § 1499.2, general provisions, of the General Maximum Price Regulation by an amount proportionate to the increase or decrease in his ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than (a) Out-of-store, (b) Home deliveries, (c) Retail at the processor's plant, and (d) Retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises. The maximum prices for retail sales, other than out-of-store sales, home deliveries, retail at the processor's plant, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal the listed wholesale prices subject to any applicable discounts or allowances.

(b) *Definitions.* "Out of store" means a sale of approved fluid milk at retail by a grocery store, meat market, dairy store or other establishment, but shall not include a sale at retail by a milk distributor at his plant or place of business.

(d) *Applicability of the General Maximum Price Regulation and other supplementary regulations and orders of the Office of Price Administration.* Except as otherwise provided herein, all transactions subject to this order remain subject to all the provisions of the General Maximum Price Regulation, together with all amendments, supplementary regulations and orders which have been heretofore or may hereafter be issued. Specifically, but not by way of limitation, unless the context of this order otherwise requires, the provisions of § 1499.73a (a) (1) (viii) (b), (c), (d), (e), (f) and (g) and § 1499.73a (a) (1) (x) (Supplementary Regulation No. 14A to the General Maximum Price Regulation as amended) shall be applicable and are made a part of this order. Unless the context otherwise requires, all terms used herein shall be construed in accordance with the provisions of § 1499.20 of the General Maximum Price Regulation, as amended.

(d) This order may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: May 27, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44–8186; Filed, June 6, 1944; 2:33 p. m.]

[Region IV Order G–15 Under 18 (c), Amdt. 1]

FIREWOOD IN LAWRENCEBURG, TENN.

Amendment No. 1 to Order No. G–15 under § 1499.18 (c) of the General Maximum Price Regulation. Adjustment of firewood prices in Lawrenceburg, Tennessee.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and by Order No. G–15 under said section, *It is hereby ordered*, That paragraph 3 of said Order No. G–15 be amended to read as follows and a new undesignated paragraph be inserted immediately following paragraph 4 as set forth below:

3. *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e., hard, soft or mixed, and length of pieces of wood.)

(5) Place of sale. (If the price is dependent on place of delivery, then the place of delivery shall be stated.)

(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying and stacking, and the charge made for each such service.

The seller shall keep an exact copy of each invoice or memorandum for a period of two years and such copy shall be made available for inspection by the Office of Price Administration.

* * * * *

The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Amendment No. 1 to Order No. G–15 shall become effective May 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 27, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44–8187; Filed, June 6, 1944; 2:25 p. m.]

[Region IV Order G–19 Under 18 (c), Amdt. 1]

FIREWOOD IN MOORESVILLE, N. C.

Amendment No. 1 to Order No. G–19 (formerly designated General Order No. 19) under § 1499.18 (c) of the General Maximum Price Regulation. Adjustment of firewood prices in Mooresville, North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and by paragraph (e) of Order No. G–19 thereunder, *It is hereby ordered*, That said Order No. G–19 be amended by adding thereto a new paragraph designated (f) as follows and by inserting a new undesignated paragraph immediately following paragraph (f) of said order as set forth below:

(f) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller,

(3) The quantity of firewood sold,

(4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e., hard, soft or mixed, and length of pieces of wood.)

(5) Place of sale. (If the price is dependent on place of delivery, then the place of delivery shall be stated.)

(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying and stacking, and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years and such copy shall be made available for inspection by the Office of Price Administration.

The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Amendment No. 1 to Order No. G–19 shall become effective May 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 27, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44–8188; Filed, June 6, 1944; 2:27 p. m.]

[Region IV Order G–22 Under 18 (c); Amdt. 1]

FIREWOOD IN BATH, N. C.

Amendment No. 1 to Order No. G–22 under § 1499.18 (c) of the General Maximum Price Regulation. Adjustment of firewood prices in Bath, North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and by paragraph (e) of Order No. G–22 thereunder, *It is hereby ordered*, That said Order No. G–22 be amended by adding thereto a new paragraph designated (f) as follows and by inserting a new undesignated paragraph immediately following paragraph (f) of said order as set forth below:

(f) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e., hard, soft or mixed, and length of pieces of wood.)

(5) Place of sale. (If the price is dependent on place of delivery, then the place of delivery shall be stated.)

(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying and stacking, and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years and such copy shall be made available for inspection by the Office of Price Administration.

The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Amendment No. 1 to Order No. G–22 shall become effective May 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 27, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44–8189; Filed, June 6, 1944; 2:27 p. m.]

[Region IV Order G–28 Under 18 (c), Amdt. 2]

FIREWOOD IN ALBEMARLE, N. C.

Amendment No. 2 to Order No. G–28 under § 1499.18 (c) of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and by paragraph (f) of Order No. G–28 thereunder, *It is hereby ordered*, That paragraph (c) of said Order No. G–28 be amended to read as follows and a new undesignated paragraph be inserted immediately following paragraph (f) as set forth below:

(c) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale,

(2) The name and address of the buyer and seller,

(3) The quantity of firewood sold,

(4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e., hard, soft or mixed, and length of pieces of wood.)

(5) Place of sale. (If the price is dependent on place of delivery, then the place of delivery shall be stated.)

(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying and stacking, and the charge made for each such service.

The seller shall keep an exact copy of each invoice or memorandum for a period of two years and such copy shall be made available for inspection by the Office of Price Administration.

* * * * *

(f) * * *

The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Amendment No. 2 to Order No. G–28 shall become effective May 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 27, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44–8190; Filed, June 6, 1944; 2:25 p. m.]

[Region IV Order G–29, Under 18 (c), Amdt. 1]

FIREWOOD IN ROANOKE RAPIDS TOWNSHIP, N. C.

Amendment No. 1 to Order No. G–29 under § 1499.18 (c) of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and by paragraph (f) of Order No. G–29 thereunder, *It is hereby ordered*, That paragraph (c) of said Order No. G–29 be amended to read as follows and a new undesignated paragraph be inserted immediately following paragraph (f) as set forth below:

(c) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale,

(2) The name and address of the buyer and seller,

(3) The quantity of firewood sold,

(4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e., hard, soft or mixed, and length of pieces of wood.)

(5) Place of sale. (If the price is dependent on place of delivery, then the place of delivery shall be stated.)

(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying and stacking,

and the charge made for each such service.

The seller shall keep an exact copy of each invoice or memorandum for a period of two years and such copy shall be made available for inspection by the Office of Price Administration.

* * * * *

(f) * * *

The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Amendment No. 1 to Order No. G–29 shall become effective May 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 27, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44–8191; Filed, June 6, 1944; 2:24 p. m.]

[Region IV Order G–30 Under 18 (c), Amdt. 1]

FIREWOOD IN FLOYD COUNTY, GA.

Amendment No. 1 to Order No. G–30 under § 1499.18 (c) of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and by paragraph (f) of Order No. G–30 thereunder, *It is hereby ordered*, That paragraph (d) of said Order No. G–30 be amended to read as follows and a new undesignated paragraph be inserted immediately following paragraph (f) as set forth below:

* * * * *

(d) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale,

(2) The name and address of the buyer and seller,

(3) The quantity of firewood sold,

(4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e., hard, soft or mixed, and length of pieces of wood.)

(5) Place of sale. (If the price is dependent on place of delivery, then the place of delivery shall be stated.)

(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying and stacking, and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years and such copy shall be made available for inspection by the Office of Price Administration.

* * * * *

(f) * * *

The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Amendment No. 1 to Order No. G–30 shall become effective May 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 27, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44–8192; Filed, May 6, 1944; 2:27 p. m.]

[Region IV Order G–33 Under 18 (c), Amdt. 1]

FIREWOOD IN ARLINGTON COUNTY, FAIRFAX COUNTY AND CITY OF ALEXANDRIA, VA.

Amendment No. 1 to Order No. G–33 under § 1499.18 (c) of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and by Order No. G–33 thereunder, *It is hereby ordered*, That said Order No. G–33 be amended by adding thereto a new paragraph designated (e) as follows and by inserting a new undesignated paragraph immediately before the last paragraph of said order as set forth below:

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e., hard, soft or mixed, and length of pieces of wood.)

(5) Place of sale. (If the price is dependent on place of delivery, then the place of delivery shall be stated.)

(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying and stacking, and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years and such copy shall be made available for inspection by the Office of Price Administration.

* * * * *

The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Amendment No. 1 to Order No. G–33 shall become effective May 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 27, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44–8193; Filed, June 6, 1944; 2:24 p. m.]

[New Orleans Order G–1 Under MPR 426]

ICEBERG LETTUCE IN NEW ORLEANS, LA., DISTRICT

Order No. G–1 under Maximum Price Regulation No. 426. Fresh fruits and vegetables for table use, sales except at retail.

For the reasons set forth in the opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region V by section 2 of Maximum Price Regulation No. 426, and by him delegated to the District Director of the New Orleans District Office by Delegation of Authority No. 27, issued on July 13, 1943 and effective the same day; *It is hereby ordered:*

(1) The maximum prices in the area of the New Orleans, Louisiana District, as defined in paragraph (2) below, for less than carlot or less than trucklot sales of Iceberg lettuce in L. A. crates containing not less than 48 heads with a minimum net weight of 60 pounds, for the types of sales in subparagraphs (a) and (b) of this paragraph (1), shall be:

(a) *For sales by intermediate sellers to other intermediate sellers.* The maximum price specified in section 15, Appendix A of Maximum Price Regulation No. 426 for carlot or trucklot sales at any wholesale receiving point plus 60 cents.

(b) *For sales by intermediate sellers to retailers, institutional users and Government Procurement Agencies.* Maximum prices specified in section 15, Appendix A of Maximum Price Regulation No. 426 for carlot or trucklot sales at any wholesale receiving point plus 90 cents.

(2) The area of the New Orleans, Louisiana District includes the Parishes of Acadia, Allen, Ascension, Assumption, Avoyelles, Beauregard, Calcasieu, Cameron, East Baton Rouge, East Feliciana, Evangeline, Iberia, Lafayette, Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, Rapides, St. Bernard, St. Charles, St. Helena, St. James, St. John, St. Landry, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Vermilion, Vernon, Washington, West Baton Rouge, and West Feliciana in the State of Louisiana.

(3) *Definitions.* The terms used in this order shall be the same in meaning as like terms used in Maximum Price Regulation No. 426, as amended, and defined therein.

(4) This order is subject to revocation or amendment by the Price Administrator at any time hereafter either by special order or by any price regulation issued hereafter, or by any amendment or supplement hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(5) Except as specifically provided in this order, the provisions of Maximum Price Regulation No. 426 as amended, are in no way affected and shall continue to remain in full force and effect.

(6) This order shall become effective on May 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at New Orleans, Louisiana, this 26th day of May 1944.

GILBERT J. FORTIER,
District Director.

[F. R. Doc. 44–8195; Filed, June 6, 1944; 2:18 p. m.]

[Seattle Order G–7 Under 18 (c)]

CERTAIN FIREWOOD IN METROPOLITAN SEATTLE AREA

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the District Director of the Seattle District Office of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation and Order of Delegation No. 34 under General Order No. 32; *It is hereby ordered:*

(a) The maximum prices for sales and deliveries in the Metropolitan Seattle area of the types and kind of firewood specified in this Order No. G–7 as established by §§ 1499.2 or 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation thereto, are hereby adjusted to the maximum prices provided in this Order No. G–7: *Provided, however*, That the area maximum prices established by this Order No. G–7 shall have no application to sales or delivery of the types and kinds of firewood by the producing mill.

(b) *Definitions.* When used in this order the following terms shall have the meanings set forth below:

(1) "Metropolitan Seattle area" means the area within the corporate limits of the City of Seattle, Washington, and the area within a radius of five miles of the corporate limits of the City of Seattle, Washington.

(2) "Locally produced firewood" means all wood fuels of the types and kinds described in Order No. G–7 produced by mills located within the corporate limits of the City of Seattle or within an area within a radius of five miles from the corporate limits of the City of Seattle, Washington.

(3) "Imported firewood" means all wood fuels of the types and kinds described in Order No. G–7 produced by mills located outside the area within a radius of five miles of the corporate limits of the City of Seattle, Washington.

(4) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet of loose measure. Reference is made to the definition of the term "cord" set forth in section 19 of Chapter 194 of the Laws of the State of Washington, 1927, relating to Weights and Measures, which definition is incorporated herein by reference as if set forth in full.

(5) "Consumer" means all ultimate users including domestic, industrial and commercial users.

(6) "Dry or semi-dry" means wood which has been seasoned in the dealer's yard for a period of not less than three months.

(c) The maximum prices for the kinds and types of locally produced wood described in Table I set forth below delivered to the premises of the consumer within the corporate limits of the City of Seattle shall be the price set forth in the appropriate column and line of Table I. Sales in units of less than one cord shall be made at the fractional part of the price shown in Table I for half-cord sales of dry or semi-dry wood which the unit of sale bears to a unit of one-half cord.

TABLE I

Type of wood	Wholesale cost	Length	Maximum prices		
			Green, 1-cord units	Dry or semi-dry	
				1-Cord units	½-Cord units
Mixed Millwood, Slabwood or Edgings	$0.00 to $3.00	16" or less	$6.50	$8.50	$4.75
Mixed Millwood, Slabwood or Edgings	$3.01 or more	16" or less	7.50	9.50	5.25
Inside Block	$0.00 up	16" or less	9.00	11.00	6.00
Planer Ends	$0.00 up	16" or less	9.00	11.00	6.00
Slabwood or Edgings	$0.00 up	24"	7.00	9.00	5.00
Slabwood or Edgings	$0.00 up	4'	7.00	9.00	5.00

(d) The maximum prices for the kinds and type of imported firewood described in Table II set forth below delivered to the premises of the consumer within the corporate limits of the City of Seattle shall be the price set forth in the appropriate column and line of Table II: *Provided, however*, That the maximum prices set forth in Table II may be increased by 50 cents per cord where the dealer's cost includes rail transportation from the point of production to the dealer's yard at a rail carload transportation rate exclusive of rack charges or transportation tax in excess of $1.61 per cord.

TABLE II

Type of wood	Length	Green 1-cord units	Maximum prices, dry or semidry	
			1-Cord units	½-Cord units
Mixed millwood or slabwood	16" or less	$8.25	11.25	$6.10
Planer ends	16" or less	9.75	12.75	6.85
Mixed millwood	24"	8.00	11.00	6.00
Mixed millwood	4'	7.75	10.75	5.85

(e) *Additions.* (1) For sales delivered to the premises of the consumer outside the corporate limits of the City of Seattle but within the area within a radius of five miles from the corporate limits of the City of Seattle, the maximum prices shall be the prices set forth in paragraph (c) or paragraph (d) above plus the sum of 50 cents per cord.

(2) Where the physical conditions of the consumer's premises are such that the wood fuel cannot be dumped on the premises of the consumer but must be thrown from the truck into the consumer's bin or other storage facility, the maximum prices provided in paragraph (c) or paragraph (d) above may be increased by 50 cents per cord if the sale is in cord units or by the addition of 25 cents per ½ cord if the sale is in ½-cord units or by the addition of 15 cents per ¼ cord if the sale is in ¼-cord units.

(f) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale,

(2) The name and address of the buyer and seller,

(3) The quantity of firewood sold,

(4) Description of firewood sold, in the same manner as it is described in this order (This shall include the kind of wood, i. e., hard, soft or mixed, and length of pieces of wood.),

(5) Place of sale (If the price is dependent on place of delivery, then the place of delivery shall be stated), and

(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying and stacking, and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years following the sale. Such copy shall be made available for inspection by the Office of Price Administration.

(g) This order may be revoked, amended or corrected at any time. The record keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–7 shall become effective May 2, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 2d day of May 1944.

R. E. MORGAN,
Acting District Director.

[F. R. Doc. 44–8196; Filed, June 6, 1944; 2:18 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on June 1, 1944.

REGION II

Camden Order 13, covering ceiling prices for certain food items sold at retail in Camden County, Gloucester County, and that part of Burlington County which lies west of Route 39, but including the towns of Crosswicks, Columbus and Ewansville, filed 9:36 a. m.

New York Order P–1, Amendment 4, covering ceiling prices for fresh fish and seafood in all Boroughs of the City of New York, filed 9:31 a. m.

Maryland Order 19, covering ceiling prices for certain food items sold at retail in Caroline, Cecil, Dorchester, Kent, Queen Annes, Somerset, Talbot, Wicomico, and Worcester Counties, Maryland, filed 9:37 a. m.

Pittsburgh Order P–1, covering retail ceiling prices for certain fresh fish and seafood in certain named counties in Pennsylvania, filed 8:50 a. m.

Williamsport Order P–1, Amendment 3, covering ceiling prices for fresh fish and seafood at retail in Lycoming County, Pennsylvania, filed 9:30 a. m.

REGION III

Louisville Order 3–F, Amendment 19, covering ceiling prices for fresh fruits and vegetables in Daviess and Henderson Counties, Kentucky, filed 9:40 a. m.

Indianapolis Order 4–F, Amendment 15, covering ceiling prices for certain fresh fruits and vegetables sold at retail in Marion, Tippecanoe and Vigo Counties, Indiana, filed 8:51 a. m.

Indianapolis Order 5–F, Amendment 15, covering ceiling prices for certain fresh fruits and vegetables sold at retail in Wayne, Delaware, and Allen Counties, Indiana, filed 8:51 a. m.

Indianapolis Order 6–F, Amendment 15, covering ceiling prices for certain fresh fruits and vegetables sold at retail in St. Joseph County, Indiana, filed 8:52 a. m.

Indianapolis Order 7–F, Amendment 3, covering ceiling prices for certain fresh fruits and vegetables sold at retail in Vanderburgh County, Indiana, filed 8:52 a. m.

Indianapolis Order 8–F, Amendment 15, covering ceiling prices for certain fresh fruits and vegetables sold at retail in Central Indiana, filed 8:53 a. m.

Indianapolis Order 9–F, Amendment 15, covering ceiling prices for certain fresh fruits and vegetables sold at retail in Northeastern Indiana, filed 8:54 a. m.

Indianapolis Order 10–F, Amendment 15, covering ceiling prices for certain fresh fruits and vegetables sold at retail in Northwestern Indiana, filed 8:54 a. m.

Indianapolis Order 11–F, Amendment 15, covering ceiling prices for certain fresh fruits and vegetables sold at retail in Southeastern Indiana, filed 8:55 a. m.

Indianapolis Order 12–F, covering ceiling prices for certain fresh fruits and vegetables sold at retail in Southwestern Indiana, filed 8:56 a. m.

Escanaba Order 10–F, Amendment 13, covering ceiling prices for fresh fruits and vegetables in the City of Marquette and Townships of Marquette and Chocolay, Marquette County, Michigan, filed 9:38 a. m.

Escanaba Order 9–F, Amendment 13, covering ceiling prices for fresh fruits and vegetables in the Cities of Ishpeming and Negaunee and the Townships of Ishpeming and Ely, Marquette County, Michigan Area, filed 9:37 a. m.

Escanaba Order 11–F, Amendment 13, covering ceiling prices for fresh fruits and vegetables in the Cities of Escanaba and Gladstone, Delta County, Michigan Area, filed 9:38 a. m.

Escanaba Order 12–F, Amendment 12, covering ceiling prices for fresh fruits and vegetables in certain areas in Michigan, filed 9:38 a. m.

Escanaba Order 13–F, Amendment 12, covering ceiling prices for fresh fruits and vegetables in certain areas in Michigan, filed 9:39 a. m.

Escanaba Order 14–F, Amendment 12, covering ceiling prices for fresh fruits and vegetables in certain named areas in Michigan, filed 9:39 a. m.

Escanaba Order 15–F, Amendment 12, covering ceiling prices for fresh fruits and vegetables in the Cities of Menominee, Michigan, and Marinette, Wisconsin, and Peshtigo Township, in Marinette County, Wisconsin, filed 9:39 a. m.

Escanaba Order 16–F, Amendment 12, covering ceiling prices for fresh fruits and vegetables in the City of Sault Ste. Marie, Chippewa County, Michigan, filed 9:39 a. m.

Escanaba Order 17–F, Amendment 11, covering ceiling prices for fresh fruits and vegetables sold at retail in Iron County, Michigan, and the Townships of Carlson, and Watersmeet in Gogebic County, Michigan, filed 9:40 a. m.

REGION V

Arkansas Order 2–F, Amendment 13, covering ceiling prices for fresh fruits and vegetables sold at retail in Pulaski County, Arkansas, filed 9:33 a. m.

Arkansas Order 3–F, Amendment 11, covering ceiling prices for fresh fruits and vegetables sold at retail in Craighead County, Arkansas, filed 9:33 a. m.

Arkansas Order 4–F, Amendment 14, covering ceiling prices for fresh fruits and vegetables sold at retail in Miller County, Arkansas, filed 9:34 a. m.

Arkansas Order 5–F, Amendment 13, covering ceiling prices for fresh fruits and vegetables sold at retail in Garland County, Arkansas, filed 9:34 a. m.

Arkansas Order 6–F, Amendment 14, covering ceiling prices for fresh fruits and vegetables sold at retail in Sebastian and Crawford Counties, Arkansas, filed 9:35 a. m.

Dallas Order 1–F, Amendment 18, covering ceiling prices for fresh fruits and vegetables sold at retail in the County of Dallas, Texas, filed 8:57 a. m.

REGION VI

Green Bay Order 3–F, Amendment 10, covering ceiling prices for fresh fruits and vegetables sold at retail in certain areas in Wisconsin, filed 9:26 a. m.

Green Bay Order 2–F, Amendment 16, covering ceiling prices for fresh fruits and vegetables sold at retail in certain areas in Wisconsin, filed 9:26 a. m.

Duluth-Superior Order 1–F, Amendment 18, covering ceiling prices for fresh fruits and vegetables sold at retail in certain areas in St. Paul, Minnesota, and Duluth, Proctor, City of Superior and Town of Superior, filed 9:36 a. m.

Duluth-Superior Order 1–W, Amendment 1, covering ceiling prices for certain food items in certain areas in Minnesota and Wisconsin, filed 9:35 a. m.

Milwaukee Order 2–F, Amendment 16, covering ceiling prices for fresh fruits and vegetables in Dane County, filed 9:27 a. m.

Milwaukee Order 3–F, Amendment 16, covering ceiling prices for fresh fruits and vegetables in Milwaukee County, City of Racine and City of Kenosha, filed 9:27 a. m.

Milwaukee Order 5–F, Amendment 16, covering ceiling prices for fresh fruits and vegetables in Sheboygan and Fond Du Lac Counties, filed 9:28 a. m.

Omaha Order 4–F, covering ceiling prices for fresh fruits and vegetables in Omaha, Nebraska and Council Bluffs, Iowa, filed 8:59 a. m.

Omaha Order 4–F, Amendment 1, covering ceiling prices for fresh fruits and vegetables in Omaha, Nebraska and Council Bluffs, Iowa, filed 9:01 a. m.

Omaha Order 5–F, covering ceiling prices for fresh fruits and vegetables in Lincoln, Nebraska, filed 9:00 a. m.

Omaha Order 5–F, Amendment 1, covering ceiling prices for fresh fruits and vegetables sold at retail in Lincoln, Nebraska, filed 9:03 a. m.

Omaha Order 6–F, covering ceiling prices for fresh fruits and vegetables sold at retail in certain Nebraska and Iowa Counties, filed 9:01 a. m.

Omaha Order 6–F, Amendment 1, covering ceiling prices for fresh fruits and vegetables sold at retail in certain Nebraska and Iowa Counties, filed 9:03 a. m.

Omaha Order 15, covering retail prices for certain dry grocery items and certain items of perishables in Douglas County, Nebraska, Sarpy County, Nebraska and within the corporate limits of the City of Council Bluffs, Iowa, filed 9:25 a. m.

Sioux Falls Order 1–W, Amendment 1, covering retail prices for certain dry grocery items in the cities of Madison, Mitchell, and Sioux Falls in the state of South Dakota and the cities of Pipestone and Worthington in the state of Minnesota, filed 8:58 a. m.

Sioux Falls Order 2–W, Amendment 1, covering retail prices for certain dry grocery items in the cities of Aberdeen, Brookings, Huron, Milbank and Watertown in the state of South Dakota and the city of Marshall in the state of Minnesota, filed 8:57 a. m.

REGION VII

New Mexico Order P–1, Amendment 13, covering ceiling prices for fresh fruits and vegetables in the Albuquerque area, filed 9:28 a. m.

REGION VIII

Los Angeles Order 1–F, Amendment 14, covering ceiling prices for fresh fruits and vegetables in the Los Angeles Metropolitan area, filed 9:29 a. m.

Spokane Order 3–F, Amendment 2, covering ceiling prices for fresh fruits and vegetables in certain areas of Shoshone and Kootenai Counties, Idaho, filed 9:29 a. m.

Spokane Order 4–F, Amendment 2, covering ceiling prices for fresh fruits and vegetables in certain areas of Latah County, Idaho, and Whitman County, Washington, filed 9:30 a. m.

Spokane Order 5–F, Amendment 3, covering ceiling prices for fresh fruits and vegetables in certain areas of Asotin County, Washington, and Nez Perce County, Idaho, filed 9:32 a. m.

Spokane Order 6–F, Amendment 4, covering ceiling prices for fresh fruits and vegetables in certain areas of Columbia and Walla Walla Counties, Washington, filed 9:31 a. m.

Spokane Order 7–F, Amendment 1, covering ceiling prices for fresh fruits and vegetables in certain areas of Benton and Franklin Counties, Washington, filed 9:32 a. m.

Copies of any of these orders may be obtained from the OPA office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–8169; Filed, June 6, 1944; 11:57 a. m.]

LIST OF COMMUNITY PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on June 2, 1944.

REGION II

Buffalo District Order 2–F, Amendment 7, covering fresh fruits and vegetables in Rochester, East Rochester, Fairport and Pittsford, New York, filed 1:31 p. m.

Harrisburg Order 1–F, Amendment 4, covering fresh fruits and vegetables in Harrisburg, Lancaster, Lebanon and York, Pennsylvania, filed 1:30 p. m.

Harrisburg Order 19, covering certain food items in Mifflin and Juniata Counties, Pennsylvania, filed 1:23 p. m.

Harrisburg Order 20, covering certain food items in the entire Counties of Adams, Franklin, Lancaster and York, Pennsylvania, filed 1:24 p. m.

Harrisburg Order 21, covering certain food items in the entire Counties of Cumberland, Dauphin, Lebanon and Perry, Pennsylvania, filed 1:24 p. m.

REGION III

Grand Rapids Order F–14–A, Amendment 20, covering fresh fruits and vegetables in Urban Area A, Michigan, filed 1:31 p. m.

Grand Rapids Order F–14–B, Amendment 20, covering fresh fruits and vegetables in Urban Area B, Michigan, filed 1:32 p. m.

Indianapolis Order 4–F, Amendment 16, covering fresh fruits and vegetables in Marion, Tippecanoe and Vigo Counties, Indiana, filed 1:30 p. m.

Indianapolis Order 5–F, Amendment 16, covering fresh fruits and vegetables in Wayne, Delaware, and Allen Counties, Indiana, filed 1:29 p. m.

Indianapolis Order 6–F, Amendment 16, covering fresh fruits and vegetables in St. Joseph County, Indiana, filed 1:28 p. m.

Indianapolis Order 7–F, Amendment 3, covering fresh fruits and vegetables in Vanderburgh County, Indiana, filed 1:28 p. m.

Indianapolis Order 8–F, Amendment 16, covering fresh fruits and vegetables in Central Indiana, filed 1:27 p. m.

Indianapolis Order 9–F, Amendment 16, covering fresh fruits and vegetables in Northeastern Indiana, filed 1:27 p. m.

Indianapolis Order 10–F, Amendment 16, covering fresh fruits and vegetables in Northwestern Indiana, filed 1:26 p. m.

Indianapolis Order 11–F, Amendment 16, covering fresh fruits and vegetables in Southeastern Indiana, filed 1:26 p. m.

Indianapolis Order 12–F, Amendment 1, covering fresh fruits and vegetables in Southwestern Indiana, filed 1:25 p. m.

Lexington Order 11, Amendment 7, covering certain food items in the designated Counties of Kentucky, filed 1:22 p. m.

Lexington Order 12, Amendment 6, covering certain food items in the designated Counties of Kentucky, filed 1:22 p. m.

REGION IV

Memphis Order 4–W, covering ceiling prices for certain dry grocery items in certain named counties in Tennessee, filed 1:35 p. m.

Memphis order 15–B, covering dry grocery and certain perishable foods, in the counties of Tennessee under the jurisdiction of the Memphis District Office, filed 1:36 p. m.

Jacksonville Order 7–F, Amendment 4, covering fresh fruits and vegetables in cities of Miami and Miami Beach and certain Towns in Florida, filed 1:25 p. m.

REGION V

Houston Order 2–F, Amendment 6, covering fresh fruits and vegetables in certain counties in Texas, filed 1:35 p. m.

Houston Order 3–F, covering fresh fruits and vegetables in all of Jefferson and Orange Counties, Texas, filed 1:34 p. m.

Fort Worth Order 2–W, covering food pricing at wholesale in certain named counties in Texas, filed 1:36 p. m.

Fort Worth Order 13, covering certain food items in certain named counties in Texas, filed 1:40 p. m.

Fort Worth Order 14, covering certain food items in certain named counties in Texas, filed 10:58 a. m.

St. Louis Order 2–W, covering food pricing at wholesale in St. Louis, Missouri, filed 10:51 a. m.

St. Louis Order 4–W, covering food pricing at wholesale in certain counties in Missouri, filed 10:50 a. m.

St. Louis Order G–17, covering certain dry grocery items in St. Louis Missouri, filed 10:57 a. m.

St. Louis Order G–18, covering certain dry grocery items in certain counties of Missouri, filed 10:50 a. m.

St. Louis Order G–19, covering certain dry grocery items in St. Louis, Missouri, filed 10:56 a. m.

St. Louis Order G–20, covering certain dry grocery items in certain counties in Missouri, filed 10:55 a. m.

REGION VI

Chicago Order 7, Amendment 1, covering certain dry grocery items and certain perishables in the Chicago Metropolitan area, filed 10:54 a. m.

Chicago Order 7, Amendment 2, covering dry grocery items and certain perishables in the Chicago Metropolitan area, filed 10:53 a. m.

Peoria Order 11, Amendment 2, covering dry grocery items and items of perishables in certain counties in Illinois, filed 10:55 a. m.

REGION VIII

Phoenix Order (Adopting Order 3 under Basic Order 1–B), covering certain dry grocery items and items of perishables in the Coconino-Yavapai area, filed 1:38 p. m.

Phoenix Order 8, Amendment 4, covering certain dry grocery items and items of perishables in Phoenix-South Central area, filed 1:39 p. m.

Phoenix Order 9, Amendment 4, covering certain dry grocery items in Tucson area, file 1:38 p. m.

San Francisco Order 1–F, Amendment 16, covering fresh fruits and vegetables in certain areas in California, filed 1:20 p. m.

San Francisco Order 2–F, Amendment 9, covering fresh fruits and vegetables in San Jose, Santa Clara, Mayfair, Berryessa, Burbank, Calif., filed 1:20 p. m.

San Francisco Order 3–F, Amendment 8, covering fresh fruits and vegetables in Vallejo, Napa, Fairfield, Suisun, Pittsburg, Antioch, Martinez, Benicia and Crockett, California, filed 1:19 p. m.

San Francisco Order 4–F, Amendment 7, covering fresh fruits and vegetables in Watsonville, Salinas, Monterey, Carmel, Pacific Grove, Santa Cruz, California, filed 1:19 p. m.

San Francisco Order 5–F, Amendment 6, covering fresh fruits and vegetables in certain counties in California, filed 1:22 p. m.

San Francisco Order 6–F, Amendment 2, covering fresh fruits and vegetables in certain counties in California, filed 1:20 p. m.

Seattle Order 1–F, Amendment 16, covering fresh fruits and vegetables in Seattle Washington, filed 1:18 p. m.

Ssattle Order 2–F, Amendment 15, covering fresh fruits and vegetables in Tacoma, Washington, filed 1:34 p. m.

Seattle Order 4–F, Amendment 18, covering fresh fruits and vegetables in Bremerton, Washington, filed 1:33 p. m.

Seattle Order 5–F, Amendment 16, covering fresh fruits and vegetables in Bellingham, Washington, filed 1:83 p. m.

Copies of any of these orders may be obtained from the OPA office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–8277; Filed, June 7, 1944; 4:44 p. m.]

RAILROAD RETIREMENT BOARD.

[Jurisdictional Docket 27]

SHIPLEY COMPANY, ET AL.

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the status under the Railroad Unemployment Insurance Act of the Shipley Company and of the individuals rendering service under contracts between the Shipley Company and the Chicago, St. Paul, Minneapolis and Omaha Railway Company.

Notice is hereby given that pursuant to the authority vested in the General Counsel by Part 319 of the regulations under the Railroad Unemployment Insurance Act (45 U. S. C. 351–367, 7 F.R. 4774) the hearing in the above-entitled matter, scheduled to be held on June 14, 1944, at 10 a. m., in the Hearing Room of the Railroad Retirement Board, 844 Rush Street, Chicago, Illinois (9 F.R. 5874), is postponed to Thursday, June 22, 1944, at the same time and place.

Dated: June 6, 1944.

[SEAL] JOSEPH H. FREEHILL,
General Counsel.

[F. R. Doc. 44–8249; Filed, June 7, 1944; 1:29 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 812–322]

UNION SECURITIES CORP.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of June, A. D. 1944.

Union Securities Corporation, (Union) a company of the character described in section 12 (d) (3) (A) and (B) of the Investment Company Act of 1940, has filed an application pursuant to sections 6 (c) and 17 (b) of said act for an order exempting purchases and sales of securities between itself and Tri-Continental Corporation (Tri-Continental) and Selected Industries Incorporated (Selected), both of which are registered investment companies and affiliated persons of the applicant, each owning 50% of the stock of the applicant.

It is ordered, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application, be held on June 28, 1944 at 10:00 o'clock, a. m., eastern war time in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania; and

It is further ordered That Allen MacCullen, Esquire, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented

by said application particular attention shall be directed at said hearing to the following matters and questions:

(1) Whether under the exemption requested Tri-Continental and Selected could deal with each other through Union.

(2) Whether under the exemption requested Union could receive preferential treatment from Tri-Continental and Selected.

(3) Whether under the exemption requested Tri-Continental and Selected could be adversely affected by transactions permitted thereunder.

(4) Generally, whether the exemption requested is in all respects in the public interest and in the interest of investors and consistent with all applicable requirements of the act and the rules thereunder, and, if not, whether the requested exemption may be modified or qualified by the imposing of terms and conditions to satisfy the statutory standards.

Notice of such hearing is hereby given to Union Securities Corporation, and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8272; Filed, June 7, 1944; 4:45 p. m.]

DALLAS RAILWAY & TERMINAL CO.

ORDER GRANTING APPLICATION

[File No. 70-891]

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 6th day of June, A. D., 1944.

Dallas Railway & Terminal Company, a non-utility subsidiary of Electric Power & Light Corporation, a registered holding company, having filed an application under section 6 (b), and amendments thereto, for exemption from the provisions of section 6 (a) and 7 of the act of the issue and sale, pursuant to the competitive bidding provisions of Rule U-50, of $3,000,000 principal amount of Serial First Mortgage Bonds to mature in equal annual amounts of $200,000 on June 1 of each year from 1945 to 1959, inclusive, the proceeds of said bonds to be applied together with treasury cash to redeem Dallas' presently outstanding 6% First Mortgage Gold Bonds; and

The Commission having, by order dated May 22, 1944, granted said application, as amended, except as to the price to be paid for said bonds, the redemption prices therefor, the interest rate thereon and the underwriters' spread and its allocation, as to which matters jurisdiction was reserved; and

Dallas Railway & Terminal Company having filed a further amendment to the application in which it is stated that in accordance with the permission granted by the said order of the Commission dated May 22, 1944, it offered such bonds for sale pursuant to the competitive bidding requirements of Rule U-50 and received certain bids described below. The overall price offered to be paid to the company by each of the bidders and the average annual cost of money to the company computed on the basis of such overall price and the varying interest rates specified for each of the 15 series are as follows:

Name	Price to the company	Average annual cost of money to the company
		Percent
Kidder, Peabody & Co.	$3,000,051.99	3.6448
The First Boston Corporation	3,003,524.00	3.6704
Blyth & Co. Inc.		
Shields & Company	3,000,000.00	.8642
White, Weld & Co.		

It is further stated that Dallas Railway & Terminal Company has accepted the bid of Kidder Peabody & Co. as representative of and on behalf of a group of underwriters. The interest rates specified by Kidder, Peabody & Co., the proposed offering prices to the public and the approximate yield to maturity to the public are as follows:

Series	Interest rates	Offering prices per unit	Approximate yield to maturity
	Percent	*Percent*	
1945	1½	100	$1.50
1946	2	101.9204	2.00
1947	2	102.1481	2.25
1948	2	101.9816	2.50
1949	2¼	102.3108	2.75
1950	2¼	101.3583	3.00
1951	2½	102.1705	3.15
1952	2½	101.3922	3.30
1953	2½	100.7675	3.40
1954	2¾	102.0696	3.50
1955	2¾	101.3497	3.60
1956	2¾	100.4796	3.70
1957	4	102.5496	3.75
1958	4	102.1826	3.80
1959	4	101.6946	3.85

The difference between the overall price of $3,000,051.99 to the company and the aggregate of the various offering prices of $3,048,560.40 to the public amounts to $48,508.41 which represents an average spread of 1.6169.

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to the price to be paid for said bonds, the redemption prices therefor, the interest rate thereon and the underwriters' spread and its allocation:

It is ordered, That jurisdiction heretofore reserved over the price to be paid for said bonds, the redemption prices therefor, the interest rate thereon and the underwriters' spread and its allocation be, and the same hereby is, released and said application be, and the same hereby is, granted, subject, however, to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8279; Filed, June 8, 1944; 10:15 a. m.]

[File No. 68-40]

GODFREY B. SIMONDS, ET AL.

ORDER SUSPENDING PARTIAL EXEMPTION PENDING A HEARING AND DETERMINATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 5th day of June, 1944.

In the matter of Godfrey B. Simonds, Edward B. Aldrich, George F. Bliven, Herbert H. Brooks, Russell C. Harrington and Charles C. McGowan, Proposed Committee for The Rhode Island Public Service Company $2 Cumulative Preferred Stock.

Godfrey B. Simonds, Edward B. Aldrich, George F. Bliven, Herbert H. Brooks, Russell C. Harrington and Charles C. McGowan, constituting themselves as a Committee for The Rhode Island Public Service Company $2 Cumulative Preferred Stock, of which 495,726 shares are outstanding, have filed a declaration, and amendment thereto, pursuant to Rule U-62 promulgated under the Public Utility Holding Company Act of 1935 regarding certain solicitation material to be sent to the $2 Cumulative Preferred Stockholders of The Rhode Island Public Service Company (RIPS), a subsidiary holding company of New England Power Association (NRPA), a registered holding company. An application has also been filed by the same parties seeking an exemption pursuant to Rule U-100 from compliance in certain respects with the requirements of paragraphs (g) (2) and (h) (1) of Rule U-62 for the Industrial Trust Company and The Blackstone Canal National Bank of Providence, of which Edward B. Aldrich and Charles C. McGowan are respectively officers.

After appropriate notice a public hearing was duly held. Declarants have waived submission of requested findings, brief and oral argument. Having examined the record, the Commission makes the following findings.

Godfrey B. Simonds is a member of the firm of G. H. Walker & Co., investment bankers of Providence, Rhode Island. Simonds and G. H. Walker & Co. do not own any of the securities of the New England Power Association system; clients of the firm own approximately 63,000 shares of the $2 Cumulative Preferred Stock of RIPS.

Edward B. Aldrich is vice-president and director of Industrial Trust Company of Providence, Rhode Island. Aldrich owns 100 shares of $2 Cumulative Preferred Stock of RIPS. Industrial Trust Company has 175 different fiduciary and agency accounts, holding approximately 13,095 shares of the $2 Cumulative Preferred Stock of RIPS and, in addition, holds in various fiduciary and agency capacities small amounts of the securities of associate companies of RIPS. Industrial Trust Company is also co-transfer agent with the First National Bank of Boston and is dividend disbursing agent for the $2 Cumulative Preferred Stock of RIPS.

George F. Bliven is a partner of Brown, Lisle & Marshal of Providence, Rhode Island, investment bankers. Bliven holds in a fiduciary capacity as executor and trustee 356 shares of the $2 Cumulative Preferred Stock of RIPS. Clients of this firm own approximately 70,000 shares of said preferred stock.

Herbert H. Brooks, doing business as Herbert H. Brooks & Company, is in the investment banking business in Pawtucket, Rhode Island. Brooks owns 1,479 shares of the $2 Cumulative Preferred Stock of RIPS and clients of the firm own approximately 20,000 shares of such stock.

Russell C. Harrington is a resident partner of Ernst & Ernst in Providence, Rhode Island. Neither Harrington nor his firm own any of the securities of New England Power Association system.

Charles C. McGowan is vice-president and trust officer of The Blackstone Canal National Bank of Providence, located in Providence, Rhode Island. McGowan owns no securities in the New England Power Association system. The Blackstone Canal National Bank of Providence has fiduciary and agency accounts holding an aggregate of 1,509 shares of $2 Cumulative Preferred Stock of RIPS and small amounts of securities of associate companies of RIPS.

The declarant committee proposes to intervene or otherwise participate in the pending proceedings before the Commission involving the Plan of Simplification of the New England Power Association holding company system (File No. 54-92), filed with the Commission by NEPA and its subsidiary holding companies on March 6, 1944.

Industrial Trust Company and The Blackstone Canal National Bank of Providence have stated that full compliance with the prohibitions contained in paragraph (g) (2) of Rule U-62 with respect to buying and selling, or giving investment advice in reference to, any securities affected by the reorganization would necessitate the retirement from the committee of Aldrich and McGowan inasmuch as full compliance with the restrictions would prevent the institutions with which they are associated from performing their previously undertaken fiduciary duties. Accordingly, the Committee has requested a partial exemption for Industrial Trust Company and The Blackstone Canal National Bank of Providence from the provisions of paragraphs (g) (2) of Rule U-62 to the extent that there be no restriction upon the right of either of these two institutions to give investment advice respecting securities of RIPS and its associate companies when acting as executor, administrator, trustee, guaradian or in any other fiduciary capacity, including the administration of agency or custodian accounts with respect to which they have heretofore become obligated to give investment advice; and further, that there be no restriction upon the right of either of them to purchase or sell securities of RIPS and its associate companies in any of the above capacities, or to execute unsolicited orders to purchase or sell (but not to give investment advice) for any agency or custodian accounts with respect to which they have not heretofore become obligated, or in the exercise of their rights as holders of such securities as collateral. No request for exemption from any of the provisions of paragraph (g) (2) of Rule U-62 has been made by Aldrich and McGowan in their individual capacities or by any other members of the proposed committee or their respective firms.

We are of the opinion that, under the foregoing circumstances, it is appropriate in the public interest and the interest of investors to allow the partial exemption requested, subject to the conditions noted below.

It is therefore ordered, That the declaration, as amended, be and hereby is permitted to become effective forthwith, subject to the requirements of Rule U-24.

It is further ordered, That the application for partial exemption requested for Industrial Trust Company and The Blackstone Canal National Bank of Providence from paragraphs (g) (2) and (h) (1) of Rule U-62 be and the same hereby is granted subject, however, to the terms and conditions prescribed in Rule U-24 and to the following additional conditions:

(1) That Industrial Trust Company and The Blackstone Canal National Bank of Providence shall file a report with the Commission on or before the 10th day after the close of each calendar month from the effective date of this declaration disclosing their purchases and sales of securities of The Rhode Island Public Service Company and its associate companies within the preceding calendar month, the amount of consideration paid or received in such transactions and the capacities in which said companies were acting in connection with any such purchase or sale.

(2) If it appears to the Commission, on the basis of the information supplied pursuant to condition (1) above, that the continuance of the partial exemption herein granted is not in the public interest or the interest of investors, the Commission may institute further action herein to revoke said partial exemption by service of its Notice for Hearing and by said Notice for Hearing may suspend said partial exemption pending a hearing and determination.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8280; Filed, June 8, 1944; 10:15 a. m.]

WAR MANPOWER COMMISSION.

POCATELLO, IDAHO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Pocatello, Idaho, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. XI by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Pocatello, Idaho, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Pocatello, Idaho, Area shall include: Bannock County—Pocatello—Precincts 1 to 15; Alameda—Precincts 1 and 2, Chubbuck, Tyhee, Inkom, McCammon; Bingham County—Blackfoot—Precincts 1 to 4, Gibson, Fort Hall; Power County—American Falls—Precincts 1 to 2.

II. The effective date of this designation is July 1, 1944.

III. Not later than the effective date, each employer in the Pocatello, Idaho, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: June 1, 1944.

JOHN E. GROSS, *Acting Regional Director.*

[F. R. Doc. 44-8251; Filed, June 7, 1944; 3:08 p. m.]

GREAT FALLS, MONT., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Great Falls, Montana, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. XI by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Great

Falls, Montana, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Great Falls, Montana, Area shall include: Cascade County—Precincts 1, 4, 5, 17, 19, 24, 25, 31, 44, 45, 48, 49, 50, 51, 52, 61, 62, 71, 77, 85, 88.

II. The effective date of this designation is July 1, 1944.

III. Not later than the effective date, each employer in the Great Falls, Montana, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a maximum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: June 1, 1944.

JOHN E. GROSS,
Acting Regional Director.

[F. R. Doc. 44-8352; Filed, June 7, 1944; 9:06 p. m.]

12 44

FEDERAL REGISTER

VOLUME 9 NUMBER 116

Washington, Saturday, June 10, 1944

The President

EXECUTIVE ORDER 9446

REGULATIONS GOVERNING THE ALLOWANCE OF TRAVEL EXPENSES OF CLAIMANTS AND BENEFICIARIES OF THE VETERANS' ADMINISTRATION AND OF THEIR ATTENDANTS

By virtue of and pursuant to the authority vested in me by the act of March 14, 1940, entitled "An Act to provide for allowance of expenses incurred by Veterans' Administration beneficiaries and their attendants in authorized travel for examination and treatment" (54 Stat. 40), I hereby prescribe the following regulations governing the allowance of travel expenses of claimants and beneficiaries of the Veterans' Administration and their attendants:

1. The Administrator of Veterans' Affairs may authorize the payment of actual necessary expenses of travel, including lodging and subsistence, of any claimant or beneficiary of the Veterans' Administration traveling under prior authorization to or from a Veterans' Administration facility or other place for examination, treatment, or care, to the claimant or beneficiary, or, in his discretion, to the person or organization, who actually paid the expenses of such travel, including lodging and subsistence.

2. The Administrator of Veterans' Affairs may authorize in lieu of actual expenses of travel, including lodging and subsistence, payment of an allowance of 3 cents per mile to any claimant or beneficiary of the Veterans' Administration traveling under prior authorization to or from a Veterans' Administration facility, or other place, for examination, treatment, or care, or, in his discretion, to the person or organization, who actually paid the expenses of such travel, including lodging and subsistence.

3. The claimant or beneficiary, or person or organization who assumes the actual expenses of travel, including lodging and subsistence, may be paid the allowance authorized herein upon termination of examination, treatment, or care of the claimant or beneficiary, and before the completion of travel.

4. When any claimant or beneficiary requires an attendant other than an employee of the Veterans' Administration for the performance of such travel, such attendant may be allowed the expenses of travel upon a similar basis.

5. The Administrator of Veterans' Affairs may prescribe such rules and regulations not inconsistent herewith as may be necessary to effectuate the provisions of this order.

This order shall become effective July 1, 1944, and shall supersede Executive Order No. 8454[1] of June 26, 1940.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 8, 1944.

[F. R. Doc. 44-8323; Filed, June 9, 1944; 10:22 a. m.]

EXECUTIVE ORDER 9447

AMENDMENT OF EXECUTIVE ORDER 9356 OF JUNE 24, 1943, PRESCRIBING REGULATIONS GOVERNING THE FURNISHING OF CLOTHING IN KIND OR PAYMENT OF CASH ALLOWANCES IN LIEU THEREOF TO ENLISTED PERSONNEL OF THE NAVY, THE COAST GUARD, THE NAVAL RESERVE, AND THE COAST GUARD RESERVE

By virtue of and pursuant to the authority vested in me by section 10 of the Pay Readjustment Act of June 16, 1942 (56 Stat. 359, 363), it is ordered that sections A1 (b), A2 (b), A3 (b), B1 and B6 of Executive Order 9356[2] of June 24, 1943, prescribing regulations governing the furnishing of clothing in kind or payment of cash allowances in lieu thereof to enlisted personnel of the Navy, the Coast Guard, the Naval Reserve, and the Coast Guard Reserve, be, and they are hereby, amended to read as follows:

A1 (b) "Enlisted men in other ratings: For the fiscal year 1945	145.40	9.00"
A2 (b) "Within 90 days from date of enlistment or reporting for active duty: For the fiscal year 1945	154.60	18.75"

(Continued on next page)

[1] 5 F.R. 2397.
[2] 8 F.R. 8777.

CONTENTS

THE PRESIDENT

EXECUTIVE ORDERS: Page
Enlisted personnel; furnishing of clothing in kind or payment of cash allowances in lieu thereof 6293
Veterans' Administration; allowance of travel expenses of claimants and beneficiaries and of their attendants 6293

REGULATIONS AND NOTICES

COAL MINES ADMINISTRATION:
A & P Coal Co., et al., termination of Government possession 6367
COAST GUARD:
Equipment, approval and withdrawal of approval 6384
FEDERAL COMMUNICATIONS COMMISSION:
Discontinuance, reduction and impairment of service; publication and posting of notice 6362
Hearings:
Greensboro Broadcasting Co., Inc 6369
Imes, Birney, Jr 6370
FEDERAL TRADE COMMISSION:
Cease and desist order; Zonite Products Corp., et al 6330
Hearings:
Cohn & Lubow 6371
Ceil Malk, Inc 6370
Globe Trading Co., Inc., et al 6371
Karlton Vogue Shop 6370
Leventhal & Hurwitz, et al 6371
Susquehanna Woolen Mills 6371
INTERSTATE COMMERCE COMMISSION:
Cabbage shipments, restriction of retop icing 6363
Explosives and other dangerous articles, transportation 6363
Icing permits, potatoes at:
Buffalo, N. Y 6374
Chicago, Ill. (3 documents) 6374, 6375
East Buffalo, N. Y 6374
Huntingdon, Pa. (3 documents) 6374, 6375
Kansas City, Mo. (2 documents) 6374, 6375
Norfolk, Va 6375

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

INTERSTATE COMMERCE COMMISSION—Continued. — Page
Potomac Yards, Va., suspension of tariffs permitting shipments for consignment, diversion, etc. — 6372
Reconsignment permits:
Grapefruit, Chicago, Ill. — 6373
Lettuce, Chicago, Ill. — 6373
Onions, Chicago, Ill. (2 documents) — 6373
Potatoes, Chicago, Ill. (2 documents) — 6373
Tomatoes:
Buffalo, N. Y. — 6372
Chicago, Ill. (3 documents) — 6372
NATIONAL PARK SERVICE:
Isle Royale National Park, Mich., assumption of jurisdiction by U. S. — 6367
OFFICE OF PRICE ADMINISTRATION:
Adjustments, etc.:
Lawrence Coal Co., et al — 6375
Shore Instrument and Mfg. Co — 6377
Charcoal (MPR 431, Am. 10) — 6362

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued. — Page
Defense rental areas; occupancy by purchaser:
(Housing, Am. 25) — 6359
(Housing Miami area, Am. 5) — 6360
(Housing, N. Y. C. area, Am. 8) — 6360
Fuel oil (Rev. RO 11, Am. 12) — 6360
Pulpwood (RMPR 464, Am. 2) — 6359
Regional and district office orders:
Adjustment; Birmingham Clay Products Co., Inc., et al — 6379
Cedar tow, San Francisco, region — 6383
Coal, Pasco and Kennewick, Wash — 6382
Fish:
Fresh fish and seafood, San Francisco region — 6380
Livers and viscera, Alaska — 6383
Fluid milk, New York State summer resorts — 6378
Fruits and vegetables, fresh:
California — 6382
Iowa and Illinois — 6380
Hay, California — 6381
Lettuce, New York City — 6377
Rubber boots and work shoes (RO 6A, Am. 11) — 6361
Sulfuric acid (Rev. SR 14, Am. 141) — 6362
RECLAMATION BUREAU:
Newland Project, Nev., revocation of withdrawal — 6366
SELECTIVE SERVICE SYSTEM:
Individual appeal record, form revised — 6332
TREASURY DEPARTMENT:
Anchor Casualty Co., certification as surety company — 6363
Offering of bonds, notes, certificates:
⅞ percent certificates, Series C–1945 — 6366
1¼ percent notes, Series B–1947 — 6365
2 percent bonds, 1952–54 — 6365
2½ percent bonds, 1965–70 — 6363
Savings bond regulations amended with respect to limitation on holdings and forms (2 documents) — 6331, 6332
WAR DEPARTMENT:
Procurement and disposal of equipment and supplies:
Bonds and insurance — 6297
Contracts — 6296
Renegotiation and price adjustment — 6311
Termination for convenience of Government — 6311
Labor — 6311
Purchase policies, general — 6296
Interbranch and interdepartmental purchases — 6296
Taxes — 6296
WAR FOOD ADMINISTRATION:
Beans (WFO 45–1) — 6295
Farm machinery, idle; authority delegation to chairmen of State committees — 6384
Oilseed, processors requirements for July 1944 (WFO 9–10) — 6295

CONTENTS—Continued

WAR PRODUCTION BOARD: — Page
Aircraft, civilian (P–47) — 6333
Cellophane (L–20) — 6357
Chemicals, miscellaneous (M–340) — 6353
Cinchona bark and alkaloids (M–131) — 6355
Containers:
Cans (M–81; Int. 1, 2, Rev.: Dir. 3) (2 documents) — 6342, 6349
Glass, and closure quotas (L–103–b) — 6334
Farm machinery (L–257, Dir. 4) — 6332
Medical and surgical furniture, etc. (L–214, Sch. 3) — 6351
Plumbing and heating simplification (L–42) — 6353
Deliveries for inventory (L–42, Int. 1 to Dir. 2) — 6351
Priorities system operating regulations; status of certain orders for farm supplies (PR 19, Dir. 1) — 6351
Stoves and cooking appliances (L–23–c; Int. 1, Rev.) (2 documents) — 6349, 6350
Suspension orders, etc.:
Simpson Bros. Refining Corp. — 6384
Williamson Home Heating Co. — 6384
Underwear, knit (M–328, Gen. Dir. 1) — 6350

A3 (b) "Within 30 days from date of enlistment or reporting for active duty: For the fiscal year 1945 — 154.60 — 18.75".

B1 "The amount of the cash clothing allowances prescribed in subsection A1 (b) hereof shall be payable on date of first enlistment or first reporting for active duty, and on date of reenlistment or recall to active duty subsequent to expiration of three months from date of last discharge or release from active duty, but shall not actually be paid prior to the expiration of ninety days from and including such date, or date of completion of recruit training, or date of advancement to chief petty officer or assignment to band, whichever is earlier. In closing the accounts of a man discharged or released from active duty within the ninety day period, credit shall be made only of an amount equal to the value of the clothing actually drawn, but in no case to exceed the total allowance payable."

B6 "An enlisted man first reporting for active duty in a status entitling him only to an issue of clothing in kind in accordance with subsection A7 hereof, upon subsequent transfer to, or reenlistment within three months of last discharge in, another status which, in the case of a first enlistment or reporting for active duty, would entitle him to a cash clothing allowance as prescribed in subsection A1 hereof, shall be entitled to a credit of such cash clothing allowance without regard to issues in kind in the prior status."

This order shall become effective July 1, 1944.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 8, 1944.

[F. R. Doc. 44–8322; Filed, June 9, 1944; 10:22 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter X—War Food Administration (Production Orders)

[WFO 9–10]

PART 1220—FEED

SET ASIDE REQUIREMENTS FOR PROCESSORS OF OILSEED FOR JULY, 1944

Pursuant to the authority vested in me by War Food Order No. 9 (8 F.R. 16960, 9 F.R. 3475, 4319), issued on December 18, 1943, and to effectuate the purposes of such order pertaining to set aside requirements for oilseed meal produced by processors, and to secure an equitable distribution of such oilseed meal, it is hereby ordered, that:

§ 1220.13 *Set aside requirements for processors of oilseed for July 1944*—(a) *Amount to be set aside.* Each processor shall set aside at each processing plant operated by him 20 percent of his production of cottonseed, soybean, linseed and peanut oil meal, cake or pellets (hereinafter called "oilseed meal"), during July 1944. The amount of production upon which the quantity of oilseed meal set aside is based shall not include any oilseed meal produced for the Commodity Credit Corporation under the provisions of contracts designated "CCC Soybean Form 106, 1943 Crop," and this order shall not apply to oilseed meal produced under such contracts.

(b) *Sale and delivery of oilseed meal set aside.* (1) Oilseed meal set aside pursuant to this order shall not be sold or delivered by any processor except to a buyer named in a Certificate of Designated Buyer issued by the Agricultural Conservation Committee for the State or county in which the buyer's farm or establishment is located or by the Chief of the Feed and Livestock Branch, Office of Production, War Food Administration. The certificate shall be in substantially the following form:

CERTIFICATE OF DESIGNATED BUYER

---------- is authorized to purchase and accept delivery of -------- (tons-pounds) of oilseed meal from amounts set aside by ---------- of ------
(Name of Processor)
----------, pursuant to the order
(Address of Processor)
of the Director of Food Production. (If, for any reason, delivery of oilseed meal cannot be made, this certificate shall be returned by the processor to the issuing Agricultural Conservation Committee with the reasons why delivery was not made.)

---------- Agricultural Conservation Committee of ----------
(Address)
By ----------
(Chairman)
Food Production Administration.

J. B. HUTSON,
Director.
Expiration Date ----------

(2) Agricultural Conservation Committees may commence issuing Certificates of Designated Buyers pursuant to this order during June 1944, and processors may commence delivery of oilseed meal pursuant to such certificates during June 1944. A processor shall be entitled to credit such deliveries made in June 1944 against the quantity of oilseed meal which he is required to set aside in July 1944, if he makes the report provided for in paragraph (d) (1) hereof.

(3) Shipment of any oilseed meal, set aside pursuant to this order must be made by a processor within twelve days of the receipt of any such certificate.

(4) The original and the processor's copy of appropriately executed certificates shall be sent by the person responsible for their issuance directly to the processor and a copy shall be sent to the designated buyer. The designated buyer and the processor shall arrange the details of transfer of materials designated on the certificate, using such intermediary parties as the processor may designate. The processor who delivers such oilseed meal pursuant to a certificate shall file such certificate as required under the provisions of paragraph (d) (2).

(5) No processor shall be required to honor a Certificate of Designated Buyer unless the designated buyer furnishes the processor or his agent, before midnight of July 15, 1944, with (i) shipping instructions, and, in the case of designated buyers other than feeders, (ii) the statement required by paragraph (h) of War Food Order No. 9. If a processor elects not to honor a Certificate of Designated Buyer under the provisions of this paragraph, he shall return such certificate to the issuing office and he may dispose of the oilseed meal covered by the certificate free from the restrictions of this order.

(c) *Existing contracts.* If this order makes it impossible for a processor to fill all of his contracts for the delivery of oilseed meal, which are in existence on the date of the issuance of this order, he shall not, by reason of this order, refuse to make delivery of more than 20 percent of the oilseed meal covered by any such contract.

(d) *Processor's reports*—(1) *Report of tonnage for June delivery for credit against July set aside.* If a processor wishes to make deliveries of oilseed meal pursuant to this order in June 1944 for credit against his set aside in July 1944, he must report to the Director in writing (or by telegraph) not later than June 25, 1944, the estimated tonnage of each kind of oilseed meal which will be available at each of his processing plants for delivery in June 1944 for such credit. Each processor may also submit such additional information as he deems pertinent to the allocation or distribution of oilseed meal to be set aside under this order.

(2) *Report of tonnage set aside and deliveries made.* Each processor subject to this order shall file a report with the Director on FPA Form 2 not later than August 10, 1944, for each plant operated by him. Certificates of Designated Buyers, pursuant to which oilseed meal has been delivered, shall be attached to and made a part of FPA Form 2.

(e) *Certificates issued by County Agricultural Conservation Committees.* No County Agricultural Conservation Committee shall issue Certificates of Designated Buyers unless authorized to do so by its State Agricultural Conservation Committee.

(f) *Release of oilseed meal set aside under prior orders.* Any processor who has on hand oilseed meal, which has been reported pursuant to any set-aside order prior to War Food Order No. 9–9[1] as set aside for sale and delivery to designated buyers and for which the processor has received no shipping instructions from the designated buyers prior to the issuance of this order, may sell and deliver such oilseed meal free from the restrictions of the order under which it was set aside.

(g) *Communications.* All reports required to be filed hereunder and all communications concerning this order, unless instructions to the contrary are issued, shall be addressed to the Director of Production, War Food Administration, Washington 25, D. C., Ref: WFO 9–10.

NOTE: The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423, E.O. 9392, 8 F.R. 14783; WFO 9, 8 F.R. 16960, 9 F.R. 3475, 4319)

Issued this 6th day of June 1944.

J. B. HUTSON,
Director of Production.

[F. R. Doc. 44–8315; Filed, June 8, 1944; 3:33 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 45–1]

PART 1491—BEANS

REQUIREMENT OF REPORTS

Pursuant to the authority vested in me by the provisions of War Food Order No. 45 as amended (8 F.R. 4228; 8 F.R. 9106; 8 F.R. 14880; 9 F.R. 3628; 9 F.R. 4319), it is hereby ordered that:

§ 1491.2 *Reports of deliveries*—(a) *Reports required.* Every person who is a "country shipper" as defined in War Food Order No. 45, as amended, shall file with the Administrator of said order, War Food Administration, Washington 25, D. C., prior to the 10th day of each month (on Form FDO–45–2 as revised April 25, 1944, furnished by the said Order Administrator) a report showing the quantities of the beans designated in § 1491.1 (b) (1) of said order, delivered by him during the preceding calendar month to "governmental agencies", to "authorized purchasers", and "into civilian channels", as defined in said order.

(b) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., June 7, 1944.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[1] 9 F.R. 4839.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 45, 8 F.R. 4228; 8 F.R. 9106; 8 F.R. 14880; 9 F.R. 3628; 9 F.R. 4319)

Issued this 7th day of June 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-8250; Filed, June 7, 1944; 3:26 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

[Procurement Regs. 2, 3, 4, 6, 8, 9, 12, and 15]

MISCELLANEOUS AMENDMENTS

The following amendments and additions to the regulations contained in Parts 81 and 88 are hereby prescribed. These regulations are also contained in War Department Procurement Regulations dated 5 September 1942 (7 F.R. 8082) as amended by Change 34, 18 May 1944,[1] the particular regulations amended being Nos. 2, 3, 4, 6, 8, 9, 12, and 15.

In section numbers the figures to the right of the decimal point correspond with the respective paragraph numbers in the procurement regulations.

AUTHORITY: Sec. 5a, National Defense Act, as amended, 41 Stat. 764; 54 Stat. 1225; 10 U.S.C. 1193-1198, and the First War Powers Act 1941, 55 Stat. 838; 50 U.S.C. Supp. 601-622.

[Procurement Reg. 2]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

GENERAL PURCHASE POLICIES

In § 81.223 paragraph (c) is amended as follows:

§ 81.223 *Factors governing placement of contracts.* * * *

(c) *Area Production Urgency Committee areas.* Effective 15 September 1943 the Office of War Mobilization announced a program for dealing with the acute labor shortage problem in certain localities of the West Coast. On 5 October 1943 the War Production Board announced a program for the placement of contracts in the States of Washington, Oregon and California. The War Production Board announced a similar program for the Hartford, Connecticut, Akron, Ohio, and Detroit, Michigan, areas on 15 October 1943; for the Cleveland, Ohio, and Buffalo, New York areas, on 14 December 1943; and for the Chicago, Illinois, area on 29 March 1944. Area Production Urgency Committees have been appointed for and are functioning in respect of these unusually critical labor areas. Similar programs may be adopted for other such labor areas, in which event any necessary directives will be issued prescribing the procedures to be followed for complying therewith. The policies stated in paragraphs (d) to (h) of this section and § 81.224 will be subject to the requirements of such directives.

[1] For previous changes see 7 F.R. 9268, 10184, 10906; 8 F.R. 3339, 5210, 6576, 7526, 8629, 8918, 9908, 11609, 12043, 13083, 13791, 14512, 16009, 16100, 17464; 9 F.R. 1344, 2975, 4066 and 4842.

[Procurement Reg. 3]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

CONTRACTS

Section 81.357 is amended to read as follows:

§ 81.357 *Tax articles in fixed price (lump sum) contracts.* Forms of tax articles are set forth below in paragraphs (a) and (b) of this section. Whichever form is applicable must be used in all contracts executed on or after 1 June 1944 and may be used (in preference to the forms of articles formerly contained in such paragraphs) in contracts executed before that date.

(a) *Long form tax article.* Except as otherwise stated in paragraphs (b) and (c) all fixed price (lump sum) contracts will include a tax article substantially in the form set forth in this paragraph. Attention is directed to the necessity of including in each contract suitable provisions (see § 81.358) to specify any taxes to be excluded from or included in the contract price otherwise than as provided in such tax article. If desired, the words "of the award of this contract" or "of the bid upon the basis of which this contract was placed" may be substituted for the italicized words "of this contract" in the following article, *Provided*, That such substitution is made uniformly throughout the article and that the date of the award or the date of the bid, as the case may be, is specified in the contract.

Article ---- Taxes. (a) Unless otherwise indicated in this contract, (A) the prices herein do not include any state or local sales, use or other tax from which the Contractor or this transaction of the procurement of these supplies or work is exempt, and (B) the prices herein include all applicable Federal taxes and other appreciable state and local taxes in effect at the date *of this contract*. Upon request of the Contractor the Government will issue tax exemption certificates or furnish other similar proof of exemption with respect to all taxes excluded from the price.

(b) If after the date *of this contract* the Federal Government or any state or local government shall impose, remove or change (including any change by the removal by statute of an exemption available to the Contractor for the purposes of this contract) any duty, sales, use or excise tax or any other tax or charge directly applicable to the supplies or work covered hereby or the materials used in the manufacture thereof or directly upon the importation, production, processing, manufacture, construction, sale or use of such supplies, work or materials, which tax or charge must be borne by the Contractor because of a specific contractual obligation or by operation of law, or, in case of a decrease or elimination of any such tax, where the Contractor is relieved to that extent, and if in case of an increase in such an existing tax or the imposition of such a new tax the Contractor has paid such tax or charge to the Federal Government or to a state or local government, or any other person, then the prices named herein will be increased or decreased accordingly and any amount due to the Contractor as a result of such change will be charged to the Government and entered on vouchers (or invoices) as a separate item: *Provided, however*, That the Government reserves the right to issue to the Contractor in lieu of such payment a tax exemption certificate or certificates acceptable to the Federal Government or state or local government, as the case may be. The amount of any adjustment pursuant to this paragraph (b) may be determined by a written agreement between the parties hereto. Nothing contained herein shall be construed as requiring the Government to reimburse the Contractor for any Federal, state, or local income taxes, income surtaxes or excess profits taxes, transportation taxes, or taxes on property.

(c) In the case of any state or local tax or charge which the Contractor contends is chargeable to the Government because of the provisions of this Article, or any other provision of this contract, the Contractor agrees to refrain from paying any such tax or charge upon the direction of the Contracting Officer (in which event the Government will save the Contractor harmless from penalties and interest incurred through compliance with the direction of the Contracting Officer not to pay such tax); to take such steps as may be directed by the Government to cause such tax or charge to be paid under protest; to preserve and, if so directed by the Contracting Officer, to cause to be assigned to the Government any and all rights to the abatement or refund of such tax or charge; if so requested, to permit the Government to prosecute any claim, litigation or proceeding for the refund of such tax in the name of the Contractor, and to furnish to the Government all reasonable assistance and cooperation requested by the Government in any litigation or proceeding for the recovery of such tax or charge.

(d) Where any duties or taxes have been included in the contract price (including the price as adjusted under paragraph (b) of this Article) and a refund or drawback is obtained by the Contractor by reason of the export or re-export of supplies covered hereby, or of materials used in the performance of this contract, the amount of such refund or drawback will be paid over to the Government, or credited against amounts due from the Government under this contract; *Provided, however*, That the Contractor shall not be required to apply for such refund or unless so requested by the Contracting Officer.

If desired the following sentence, or substantially similar language, may be added at the end of paragraph (b) of the foregoing tax article:

For the purposes of any additional procurement of supplies or work called for by any agreement supplemental hereto, the words "date *of this contract*" shall be deemed to refer to the date of such supplemental agreement.

(b) *Short form tax article.* (1) The short form tax article set forth below may be used, in lieu of the form set forth in paragraph (a) of this section, (i) where the estimated time for performance does not exceed sixty days, (ii) where the contract is executed on a standard form of contract (as that term is defined in § 81.304 (a)) which contains the short form tax article, and (iii) where the contract instrument is a purchase order. The long form tax article (paragraph (a) of this section) may be inserted in lieu of the short form tax article in any standard form of contract which contains the short form tax article.

Article ---- Taxes. Unless otherwise indicated in this contract, (A) the prices herein do not include any state or local sales, use or other tax from which the Contractor or this transaction of the procurement of these supplies is exempt, and (B) the prices herein include all applicable Federal taxes and other applicable state and local taxes in effect at the date of this contract. Upon request of the Contractor the Government will issue tax exemption certificates or furnish other similar proof of exemption with respect to the taxes excluded from the price. Where any duties or taxes have been included in the contract price and a refund or drawback is obtained by the Contractor by reason of the export or re-export of supplies covered hereby, or of materials used in the performance of this contract, the amount of such refund or drawback will be paid over to the Government, or credited against amounts due from the Government under this contract: *Provided, however*, That the Contractor shall not be required to apply for such refund or drawback unless so requested by the Contracting Officer.

(2) Attention is again directed to the necessity of including in each contract (see § 81.358) suitable provisions to specify any taxes to be excluded from, or included in, the contract price other than as provided in such tax article.

(c) *Use of tax articles.* [Deleted]

(d) *State and local taxes.* State and local sales or use taxes generally do not apply to sales directly to the United States or to the use of property by the United States (see § 81.331). Special provisions may be included in any contract with respect to any state or local excise tax as to which there is doubt whether an exemption exists applicable to the transaction covered by the contract. Any such special provisions should clearly specify whether such tax is to be included in or excluded from the price and whether the Government must pay or reimburse the Contractor for the tax if no exemption is applicable. Contracting Officers, so far as is practicable, should take precautions to see that contractors do not include in their bid or price any amount for (1) any state or local sales or use taxes which do not apply to sales to the Federal Government or to the use of property by the Federal Government, or (2) any other state or local taxes, exemption from which is available in the case of transactions to which the Federal Government is a party.

(e) *Omission of standard tax articles.* The chief of any technical service may authorize the omission of the tax articles set forth in paragraphs (a) and (b) of this section from any contract where they are plainly inapplicable or inappropriate. In any class or classes of contracts for services where a major part of the cost of performance consists of payroll expense, e. g., stevedoring contracts, the chief of any technical service may authorize the inclusion of a provision for price adjustment in the event of changes in payroll taxes with respect to such services. The form of any such provision in general should be similar to the provision found in paragraph (b) of the tax article set out in paragraph (a) but should not be made applicable to taxes other than those paid with respect to the wages of the employees of the particular contractor.

(f) *Customs duties.* Customs duties are Federal taxes and under the contract clauses set forth in paragraphs (a) and (b) of this section will, unless otherwise indicated in the contract, be deemed to be included in the contract price. As to the right to "drawback", see § 81.506.

Section 81.358 is amended to read as follows:

§ 81.358 *Specification of taxes included or excluded; information to bidders.* (a) The standard tax articles state that the contract prices include Federal taxes. However, as stated in Procurement Regulation No. 8 (§§ 81.801 et seq.), certain exemptions from Federal excise taxes are available to the United States. In the event any contract for the procurement of an item for which an exemption is available to the United States is executed containing one of the standard tax articles, and any Federal tax is to be excluded from the contract price, it will be necessary in such contract to show expressly and accurately the Federal tax so excluded.

(b) Likewise, where any particular state or local tax is included in or excluded from the contract price otherwise than as is stated in the standard provision of the tax article used in the contract, such contract must contain appropriate provisions indicating expressly and accurately the nature of any such particular tax.

(c) Invitations to bid, requests for proposals, specifications, instructions to bidders, and proposals should indicate expressly the types of taxes to be included in or excluded from the contract price and whether tax exemption certificates will be given or required. The tax provisions of each contract must be in conformity with any invitation to bid, specifications and proposal issued or made in connection therewith.

(d) Information with respect to Federal, state or local taxes may be found in Procurement Regulations No. 8 (§ 81.801 et seq.)

In § 81.365 the contract clause in paragraph (e) is amended as follows:

§ 81.365 *Contract clauses in connection with bonds and insurance.* * * *

(e) Every cost-plus-a-fixed-fee contract, the terms of which do not require the incorporation by reference in cost-plus-a-fixed-fee subcontracts, of all of the terms and conditions of the prime contract in regard to insurance and liability, will contain the following clause without deviation:

Additional provisions. (1) The Contractor will include in each cost-plus-a-fixed-fee subcontract made under this contract a provision as follows:

(a) The title to all work under this subcontract, completed or in the course of manufacture or assembly in the Subcontractor's plant, shall be in the Government. Upon delivery thereof to the Subcontractor at any point within the continental limits of the United States or any place approved by the Contractor, title to all purchased materials, parts, assemblies, subassemblies, tools, machinery, equipment and supplies, for which the Subcontractor shall be entitled to be reimbursed hereunder, shall vest in the Government.

(b) The Subcontractor shall not be reimbursed for the cost of any insurance on any property of the Government.

(c) As used herein the term "Government" shall be deemed to mean the United States of America.

(2) The Contractor will, if so requested by the Contracting Officer, include in any particular cost-plus-a-fixed-fee subcontract, a provision as follows: * * *

(3) Whenever a provision as set forth in paragraph (2) of this article is inserted in any * * *

[Procurement Reg. 4]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

BONDS AND INSURANCE

In § 81.484 paragraph (a) is amended as follows:

§ 81.484 *Assignment to Government of premiums due under policies written under War Department Insurance Rating Plan Upon termination or completion of cost-plus-a-fixed-fee contracts.* (a) The following form will be used for the purpose of assigning to the Government the interest of a cost-plus-a-fixed-fee contractor in return premiums, premium refunds, etc., on insurance policies written under the War Department Insurance Rating Plan upon termination or completion of the contract, when the Government has assumed the payment of the contractor's obligations for premiums under such policies (See § 81.490 (c)):

ASSIGNMENT TO GOVERNMENT

Under Cost-Plus-A-Fixed-Fee Contract No._____ dated_____ between the United States of America (hereinafter called the Government) and_____ (hereinafter called the Contractor).

The Government having assumed and become liable for the obligation of the contractor for premiums under Policies Nos. _____, and _____ issued by the_____ Insurance Company, the Contractor does hereby assign, transfer and set over to the Government as of the date hereof, all of its right, title, and interest in and to all return premiums, premium refunds, dividends and any other moneys due or to become due the Contractor in connection with such policies.

In witness whereof, The Contractor has executed this Assignment this _____ day of _____, 194____.

[Corporate Seal] _____ Contractor

Attest: By_____
Secretary

Accepted:
UNITED STATES OF AMERICA,
By_____
Contracting Officer.

(b) Appropriate detailed instructions will be given by the chiefs of technical services to contracting officers and others concerned so that the form is executed and forwarded by registered mail, return receipt requested, to the home office of

the insurance company involved. The letter accompanying the form will specify that all checks to cover return premiums, etc., are to be made payable to the Treasurer of the United States.

(c) In addition to whatever copies are required for the purposes of a technical service, one copy of the executed form will be forwarded to the Contract Insurance Branch, Special Financial Services Division, Office of the Fiscal Director, Headquarters, Army Service Forces.

In § 81.497, paragraph (d1) is added between paragraphs (d) and (e).

§ 81.497 *Insurance forms.* • • •

(d1) *Mandatory endorsement amending War Department Insurance Policy Plan regarding approval of losses.* It is agreed that the War Department Insurance Rating Plan endorsement is hereby amended as follows:

(1) The words "the insured and" are deleted from Division b. of paragraph 1, from paragraph 2 and from the second sentence of paragraph 7.

(2) The words "Under Secretary of War" are submitted for the word "Insured" in the third sentence of paragraph 7.

Accept By _____
(Name of Insured)

[Procurement Reg. 6]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

INTERBRANCH AND INTERDEPARTMENTAL PURCHASES

In § 81.605d the tabulation of indefinite quantity contracts is amended by deleting the item Contract Bulletin No. 143 and contracts thereunder and substituting the following:

§ 81.605d *Indefinite quantity contracts executed by the Office of The Quartermaster General.* • • •

INDEFINITE QUANTITY CONTRACTS EXECUTED BY OFFICE OF QUARTERMASTER GENERAL

Bulletin No.	Date	Commodity	Contract period	Contract Symbol No.	Contractor	Area serviced	Tax information	Applicability
•	•	•	•	•	•	•	•	•
Supply Bulletin 10-28.	14 March 1944.	Malt....	1 April 1944 to 30 June 1944.	11-009 qm-14070...	Malt-Diastase Co., Wyckoff Ave. and Decatur St., Brooklyn, N. Y.	1st, 2d and 3d Service Commands; Military District of Washington; Ashford Gen. Hospital, West Virginia.	Tax exclusive...	All Branches of the War Department.
				11-009 qm-14067...	Anheuser-Busch, Inc., 721 Pestalozzi St., St. Louis, Mo.	4th Service Command.		
				11-009 qm-14069...	Pabst Sales Co., 221 No. LaSalle St., Chicago, Ill.	5th Service Command.		
				11-009 qm-14071...	Birk Bros. Brewing Co., Webster and Wayne Avenues, Chicago, Ill.	6th Service Command.		
				11-009 qm-14068...	The Wander Co., 360 No. Michigan Ave., Chicago, Ill.	7th Service Command.		
				11-009 qm-14072...	Standard Brands, Inc., War Prod. and Supply Dept., 595 Madison Ave., New York, N. Y.	8th and 9th Service Commands.		

[Procurement Reg. 8]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

FEDERAL, STATE AND LOCAL TAXES

Sections 81.801 to 81.822, inclusive, are rescinded and the following §§ 81.800 to 81.897 are substituted therefor.

Contract Tax Articles

§ 81.800 *Tax articles.* See §§ 81.357 to 81.358 with respect to the standard forms of tax articles.

Federal Excise Taxes

§ 81.801 *Table of Federal excise taxes.* The following table lists the Federal excise taxes which are discussed in this Procurement Regulation 8 (§§ 81.800 to 81.897), together with references to the portions of the Internal Revenue Code imposing such taxes, the Treasury Regulations issued with respect to such taxes, and the sections of this Procurement Regulation 8 in which such taxes are more particularly described. In addition such table shows the taxes from which exemption is available on and after 1 June 1944 with respect to sales made for the exclusive use of the United States. The table does not show the exemption applying to supplies and equipment for vessels of war, including aircraft, nor other exemptions applying to private as well as Government procurement, as to which see §§ 81.811 to 81.813.

Tax	Reference to Internal Revenue Code and regulations thereunder	Reference sections in this part	Exemption of sales
Manufacturers' excise taxes	Ch. 29, IRC; Regs. 44 and 46	81.802 et seq.	Not exempt (but see Note 1).
Tires and inner tubes	Sec. 3400, IRC; Regs. 46, Subpart D	81.802 (a)	Not exempt (but see Note 1).
Automobiles, buses, trucks, etc.	Sec. 3403, IRC; Regs. 46, Subpart F	81.802 (b)	Exempt (§ 81.810).
Radio receiving sets, etc.	Sec. 3404, IRC; Regs. 46, Subpart G	81.802 (c)	Not exempt (but see Note 1).
Refrigerators, etc.	Sec. 3405, IRC; Regs. 46, Subpart H	81.802 (d)	Not exempt (but see Note 1).
Sporting goods	Sec. 3406 (a) (1), IRC; Regs. 46, Subpart J	81.802 (e)	Not exempt (but see Note 1).
Electric, gas or oil appliances	Sec. 3406 (a) (3), IRC; Regs. 46, Subpart L	81.802 (f)	Not exempt (but see Note 1).
Photographic apparatus	Sec. 3406 (a) (4), IRC; Regs. 46, Subpart M	81.802 (g)	Not exempt (but see Note 1).
Business and store machines	Sec. 3406 (a) (6), IRC; Regs. 46, Subpart O	81.802 (h)	Not exempt (but see Note 1).
Electric light bulbs and tubes	Sec. 3406 (a) (10), IRC; Regs. 46, Subpart S	81.802 (i)	Not exempt (but see Note 1).
Firearms, shells, cartridges	Sec. 3407, IRC; Regs. 46, Subpart I	81.802 (j)	Exempt (§ 81.810).
Matches	Sec. 3409, IRC; Regs. 44, Subpart F	81.802 (k)	Not exempt (but see Note 1).
Electrical energy	Sec. 3411, IRC; Regs. 46, Subpart T	81.802 (l)	Not exempt (but see Note 1).
Gasoline	Sec. 3412, IRC; Regs. 44, Subpart D	81.802 (m)	Not exempt (but see Note 1).
Lubricating Oils	Sec. 3413, IRC; Regs. 44, Subpart E	81.802 (n)	Not exempt (but see Note 1).
Pistols and Revolvers	Sec. 2700, IRC; Regs. 47	81.803	Exempt (§ 81.810).
Retailers' excise taxes	Ch. 19, IRC; Regs. 51	81.804	
Jewelry	Sec. 2400, IRC; Regs. 51, Subpart D	81.804 (a)	Not exempt (but see Note 1).
Furs	Sec. 2401, IRC; Regs. 51, Subpart E	81.804 (b)	Not exempt (but see Note 1).
Toilet preparations	Sec. 2402, IRC; Regs. 51, Subpart F	81.406 (c)	Not exempt (but see Note 1).
Luggage	Sec. 1651, IRC; Regs.	81.804 (d)	Not exempt (but see Note 1).
Taxes on transportation:			
Transportation of persons	Ch. 30, Subch. C, IRC; Regs. 42, Subpart F	81.805	Exempt as to transportation upon Government transportation requests (§ 81.810).
Transportation of property	Ch. 30, Subch. E, IRC; Regs. 113	81.806	Exempt as to transportation upon Government bills of lading (§ 81.810).
Transportation of oil by pipe line	Ch. 30, Subch. A, IRC; Regs. 42, Subpart D	81.807	Not exempt.
Telephone, telegraph, radio and cable facilities	Ch. 30, Subch. B, IRC; Regs. 42, Subpart E	81.808	Exempt as to services furnished directly to the United States (§ 81.810).

NOTE 1: Exemption continues as to articles sold after 1 June 1944 pursuant to contracts entered into prior to 1 June 1944 or to any agreements or change orders supplemental to such contracts and bearing the same Government contract number. (See § 81.814).

This Procurement Regulation 8 does not purport to include all material necessary to a decision as to the scope of any of the Federal excise taxes referred to herein. In cases of doubt, the Treasury Regulations should be consulted. If additional assistance is required, it may be obtained from the Tax Division, Office of The Judge Advocate General, Washington, D. C., if not available within the technical service concerned.

§ 81.802 *Manufacturers' excise taxes.* (Chapter 29, IRC; 26 CFR, Cum. Supp., Parts 314, 316). Rates: Various. See following paragraphs.

The manufacturers' excise taxes are set forth below in paragraphs (a) to (n), inclusive. The tax in each case, unless otherwise specified, is imposed upon articles sold by the manufacturer, producer or importer, and is equivalent to the indicated per cent of the price for which the article is sold. The rates specified are those effective since 1 November 1942, except in the case of the tax on electric light bulbs and tubes (paragraph (i)), the rate of which was changed effective 1 April 1944.

(a) *Tires and inner tubes.* (Sec. 3400, IRC; 26 CFR, Cum. Supp., Part 316, Subpart D).

(1) Tires wholly or in part of rubber (exclusive of metal rims or rim bases). 5 cents a pound on total weight.

(2) Inner tubes (for tires) wholly or in part of rubber. 9 cents a pound on total weight.

The term "rubber" includes synthetic and substitute rubber.

(b) *Automobiles, buses, trucks, trailers, motorcycles.* (Sec. 3403, IRC; 26 CFR, Cum. Supp., Part 316, Subpart F).

(1) Automobile truck chassis, automobile truck bodies, automobile bus chassis, automobile bus bodies, truck and bus trailer and semitrailer chassis, truck and bus trailer and semitrailer bodies, tractors of the kind chiefly used for highway transportation in combination with a trailer or semitrailer (including in each of the above cases parts or accessories therefor sold on or in connection therewith or with the sale thereof)—5%. A sale of an automobile truck, bus, or truck or bus trailer or semitrailer, shall be considered to be a sale of the chassis and of the body.

(2) Other automobile chassis and bodies, chassis and bodies for trailers or semitrailers suitable for use in connection with passenger automobiles, and motorcycles (including in each case parts or accessories therefor sold on or in connection therewith or with the sale thereof), except tractors—7%. A sale of an automobile, trailer, or semitrailer shall be considered to be a sale of the chassis and of the body.

(3) Parts or accessories (other than tires and inner tubes and other than radios) for any of the articles enumerated in subparagraphs (1) or (2) of this paragraph—5%. Spark plugs, storage batteries, leaf springs, coils, timers, and tire chains, which are suitable for use on or in connection with, or as component parts of, any of the articles enumerated in subparagraphs (1) and (2) shall be considered parts or accessories for such articles, whether or not primarily adapted for such use.

(4) The following items are not subject to this tax.

(i) Motor-driven machines designed and adapted for use in pulling or drawing vehicles around the premises of factories and railway stations, and small trucks for handling baggage and trunks at railway stations, as distinguished from automotive vehicles including tractors, used on highways and roads. (26 CFR, Cum. Supp., 316.50).

(ii) Parts and accessories (which term does not include tires, inner tubes and automobile radios) sold to a manufacturer of articles enumerated in subparagraphs (1) and (2 of this paragraph provided an appropriate certificate of the purchaser is given to the seller, stating that the purchaser is a manufacturer of such articles. (Sec. 3403 (c), IRC; 26 CFR., Cum. Supp., 316.57).

(5) Where a manufacturer sells tax-paid tires, inner tubes and automobile radios on or in connection with or with the sale of automobile trucks, other automobiles, taxable tractors, or motorcycles, he may take appropriate credit against the tax due on his sale. (Sec. 3403 (e), IRC; 26 CFR, Cum. Supp., 316.54).

(c) *Radio receiving sets, phonographs, phonograph records and musical instruments.* (Sec. 3404, IRC; 26 CFR, Cum. Supp., Part 316, sub-part G). Rate: 10%.

(1) Radio receiving sets, automobile radio receiving sets, combination radio and phonograph sets, and phonographs.

(2) Chassis, cabinets, tubes, reproducing units, power packs, antennae of the "built in" type, and phonograph mechanisms, which are suitable for use on or in connection with, or as component parts of, any of the articles enumerated in subparagraph (1) of this part, whether or not primarily adapted for such use.

(3) Phonograph records.

(4) Musical instruments.

including in each case, except in the case of musical instruments, parts or accessories therefor sold on or in connection with the sale thereof.

(d) *Refrigerators, refrigerating apparatus and air conditioners.* (Sec. 3405, IRC; 26 CFR, Cum. Supp., Part 316, Subpart H). Rate: 10%.

(1) *Refrigerators.* Household type refrigerators (for single or multiple cabinet installations) having, or being primarily designed for use with, a mechanical refrigerating unit operated by electricity, gas, kerosene, or gasoline.

(2) *Refrigerating apparatus.* Cabinets, compressors, condensers, evaporators, expansion units, absorbers, and controls for, or suitable for use as parts of or with, household type refrigerators of the kind described in subparagraph (1) of this paragraph except when sold as component parts of complete refrigerators or refrigerating or cooling apparatus.

(3) *Air-conditioners.* Self-contained air-conditioning units including in each case parts or accessories therefor sold on or in connection with the sale thereof.

(e) *Sporting goods.* (Sec. 3406 (a) (1), IRC; 26 CFR, Cum. Supp., Part 316, Subpart J). Rate: 10%.

Badminton nets.
Badminton rackets.[1]
Badminton racket frames.[1]
Badminton racket string.
Badminton shuttle-cocks.
Badminton standards.
Baseballs.
Baseball bats.[2]
Baseball body protectors.
Baseball shin guards.
Baseball gloves.
Baseball mitts.
Baseball masks.
Basketballs.
Billiard tables.[4]
Billiard balls, billiard cues for such tables.
Bowling balls.
Bowling pins.
Boxing gloves.
Boxing masks.
Boxing head guards.
Boxing ear guards.
Clay pigeons.
Cricket balls.
Cricket bats.
Croquet balls.
Croquet mallets.
Curling stones.
Deck tennis rings.
Deck tennis nets.
Deck tennis posts.
Fencing equipment.
Fishing artificial lures.
Fishing baits.
Fishing creels.
Fishing flies.
Fishing reels.
Fishing rods.
Footballs.
Football harness.
Football helmets.
Golf bags.[3]
Golf balls.
Golf clubs.[3]
Gymnastum equipment.
Gymnastum apparatus.
Hockey balls.
Hockey pucks.
Hockey sticks.[3]
Indoor baseballs.
Indoor baseball bats.[2]
Indoor baseball gloves.
Indoor baseball mitts.
Lacrosse balls.
Lacrosse sticks.
Mass balls.
Polo balls.
Polo mallets.
Pool tables.[4]
Pool balls, pool cues for such tables.
Push balls.
Skates.
Skis.
Ski poles.
Snow shoes.
Snow toboggans.
Snow sleds.
Soccer balls.
Softball balls.
Softball bats.[2]
Softball gloves.
Softball mitts.
Squash balls.
Squash rackets.[1]
Squash racket frames.[1]
Squash racket string.
Table tennis balls.
Table tennis nets.
Table tennis paddles.

[1] Measuring 22 inches over-all or more in length.
[2] Measuring 26 inches or more in length.
[3] Measuring 30 inches or more in length.
[4] Measuring 45 inches over-all or more in length.

Table tennis tables.
Tennis balls.
Tennis nets.
Tennis rackets.[1]
Tennis racket frames.[1]
Tennis racket string.
Track hurdles.
Traps for throwing clay pigeons.
Vaulting cross bars.
Vaulting poles.
Vaulting standards.
Volley balls.
Volley nets.
Volley standards.
Water polo balls.
Water polo goals.
Wrestling head harness.

[1] Measuring 22 inches over-all or more in length.

(f) *Electric, gas or oil appliances.* (Sec. 3406 (a) (3), IRC; 26 CFR, Cum. Supp., Part 316, Subpart L). Rate: 10%.

Electric direct motor-driven fans and air circulators; electric, gas, or oil water heaters; electric flat irons; electric air heaters (not including furnaces); electric immersion heaters; electric heating pads and blankets; electric, gas or oil appliances of the type used for cooking, warming, or keeping warm food or beverages for consumption on the premises; and electric mixers, whippers, and juicers.

(g) *Photographic apparatus.* (Sec. 3406 (a) (4), IRC; 26 CFR, Cum. Supp., Part 316, Subpart M.)

(1) Cameras (except cameras weighing more than four pounds exclusive of lens and accessories) and lenses, photographic apparatus and equipment, and any apparatus or equipment designed especially for use in the taking of photographs or motion pictures or in developing, printing, or enlarging photographs or motion pictures—25%;

(2) Unexposed photographic films (including motion picture films, but not including X-ray film), photographic plates and sensitized paper—15%.

(3) A credit or refund may be allowed or made in the amount of tax paid with respect to sale of unexposed motion picture films used or resold for use in the making of news reel motion picture films. (Sec. 3443 (a) (3) (A) (v), IRC; 26 CFR, Cum. Supp., 316–121).

(h) *Business and store machines.* (Sec. 3406 (a) (6), IRC; 26 CFR, Cum. Supp., Part 316, Subpart O.) Rate: 10%.

Adding machines.
Addressing machines.
Autographic registers.
Bank proof machines.
Billing machines.
Bookkeeping machines.
Calculating machines.
Card punching machines.
Cash registers, except cash registers of the type used in registering over-the-counter retail sales.
Change making machines.
Check writing machines.
Check signing machines.
Check cancelling machines.
Check perforating machines.
Check cutting machines.
Check dating machines.
Other check protector machine devices.
Computing machines.
Coin counters.
Dictographs.
Dictating machine record shaving machines.
Dictating machines.
Duplicating machines.
Embossing machines.
Envelope opening machines.
Erasing machines.
Fanfold machines.
Fare registers.
Fare boxes.
Folding machines.
Listing machines.
Line-a-time and similar machines.
Mailing machines.
Multigraph machines.
Multigraph typesetting machines.
Multigraph type justifying machines and combinations of any of the foregoing.
Numbering machines.
Portable paper fastening machines.
Pay roll machines.
Pencil sharpeners.
Postal permit mailing machines.
Punch card machines.
Sealing machines.
Shorthand writing machines.
Sorting machines.
Stencil cutting machines.
Tabulating machines.
Ticket counting machines.
Ticket issuing machines.
Typewriters
Transcribing machines
Time recording devices.

(i) *Electric light bulbs and tubes.* (Sec. 3406 (a) (10), IRC; 26 CFR, Cum. Supp., Part 316, Subpart S). Rate: 20%.

Electric light bulbs and tubes, not including articles taxable under any other manufacturers' excise tax.

(j) *Firearms, shells, cartridges.* (Sec. 3407, IRC; 26 CFR, Cum. Supp., Part 316, Subpart I). Rate: 11%.

Firearms (except pistols and revolvers, as to which see paragraph 803), shells and cartridges.

(k) *Matches.* (Sec. 3409, IRC; 26 CFR, Cum. Supp., Part 314, Subpart F).

(1) Fancy wooden matches and wooden matches having a stained, dyed, or colored stick or stem, packed in boxes or in bulk—5½ cents per 1,000 matches.

(2) All matches other than those enumerated above—2 cents per 1,000 matches.

(l) *Electrical energy for domestic or commercial consumption.* (Sec. 3411, IRC; 26 CFR, Cum. Supp., Part 316, Subpart T). Rate: 3⅓%.

(1) Tax is imposed upon electrical energy sold for domestic or commercial consumption and not for resale.

(2) The term "electrical energy sold for domestic or commercial consumption" does not include (i) electrical energy sold for industrial consumption, e. g., for use in manufacturing, mining, refining, shipbuilding, building construction, irrigation, etc., or (ii) that sold for other uses which likewise cannot be classed as domestic or commercial, such as electrical energy used by electric and gas companies, waterworks, telegraph, telephone and radio communication companies, railroads, etc. (26 CFR, Cum. Supp., 316.190).

(3) The tax does not apply to sales of electrical energy for resale, except where the electrical energy is sold to an owner or lessee of a building for resale to the tenants therein.

(4) The tax does not apply to publicly owned electric or power plants, or to electric or power plants or systems owned and operated by cooperative or nonprofit corporations engaged in rural electrification.

(m) *Gasoline.* (Sec. 3412, IRC; 26 CFR, Cum. Supp., Part 314, Subpart D). *Rate:* 1½ cents a gallon.

(1) Tax is imposed on gasoline sold by the producer or importer thereof, or by any producer of gasoline. The term "gasoline" means (i) all products commonly or commercially known or sold as gasoline (including casinghead and natural gasoline), benzol, benzene, or naphtha, regardless of their classifications or uses; and (ii) any other liquid of a kind prepared, advertised, offered for sale or sold for use as, or used as, a fuel for the propulsion of motor vehicles, motor boats, or airplanes, except that it does not include any of the foregoing (other than products commonly or commercially known or sold as gasoline) sold for use otherwise than as a fuel for the propulsion of motor vehicles, motor boats, or airplanes, and otherwise than in the manufacture or production of such fuel and does not include products commonly or commercially known or sold as kerosene, gas oil, or fuel oil. Further definitions, referring to the thermometer readings and other specifications are found in 26 CFR, Cum. Supp., 314.30.

(2) Gasoline may be sold tax free by a producer of gasoline to other producers of gasoline, provided the producers are properly registered and bonded and an appropriate certificate in this connection if furnished the seller. (26 CFR, Cum. Supp., 314.32.)

(3) Tax does not attach to products (other than those referred to in subparagraph (1) (i) of this paragraph) sold direct for use otherwise than as fuel for the propulsion of motor vehicles, motor boats, or airplanes and otherwise than in the manufacture or production of such fuel, provided an appropriate certificate in this connection is furnished the seller. (26 CFR, Cum. Supp., 314.33). Exemption from tax discussed in this subparagraph (3) will not be claimed, contract prices will not exclude taxes on the basis of such an exemption and proof of such an exemption will not be furnished contractors.

(n) *Lubricating oils.* (Sec. 3413, IRC; 26 CFR, Cum. Supp., Part 314, Subpart E). Rate: 6 cents a gallon.

(1) Tax is imposed upon lubricating oils sold by the manufacturer or producer. The term "lubricating oil" includes all oils, regardless of their origin, which are sold as lubricating oil and all oils which are suitable for use as a lubricant, but does not include products of the type commonly known as grease. (26 CFR, Cum. Supp., 314.40).

(2) Lubricating oils may be sold tax free by the manufacturer or producer thereof direct to another such manufacturer or producer for resale, provided the manufacturers are properly registered and bonded and an appropriate certificate in this connection is furnished the seller. (26 CFR, Cum. Supp., 314.42.)

(3) No tax attaches where lubricating oils are sold direct for nonlubricating uses by the purchaser, provided an appropriate certificate in this connection is furnished the seller. (26 CFR, Cum. Supp., 314.43). Exemption from tax discussed in this subparagraph (3) will not be claimed, contract prices will not exclude taxes on the basis of such an exemption and proof of such an exemption will not be furnished contractors.

(o) *Basis and application of manufacturers' excise taxes.* (1) In general, the manufacturers' excise taxes are based on the sales price. In such cases, any charges for coverings, containers, etc., are included in the sales price for purposes of computing the tax. If the amount of the sales price is adjusted upon return to the seller of coverings or containers, the tax should also be adjusted. (26 CFR, Cum. Supp., 316.10). The tax imposed, however, is not part of the taxable price of the article. (26 CFR, Cum. Supp., 316.11). Charges for transportation, delivery, insurance, installation, and similar charges are also excluded in computing the tax. (26 CFR, Cum. Supp., 316.12).

(2) The lease of an article is considered a sale thereof. In the case of leases or installment sales, the tax is paid proportionately upon each payment. (26 CFR, Cum. Supp. 314.4, 316.9).

(3) The tax in general attaches when title passes from the manufacturer. (26 CFR, Cum. Supp., 314.4, 316.5). If subsequent reduction is made in the sales price, credit or refund may be obtained by the manufacturer. (26 CFR, Cum. Supp., 316.13). Claim by a manufacturer for credit or refund must show, among other things, that the tax has not been collected from the purchaser or has been repaid to him or that his written consent to the allowance of the credit or refund has been obtained. (26 CFR, Cum. Supp., 314.64, 316.204).

(4) No manufacturers' excise tax is imposed under section 3406, Internal Revenue Code (§§ 802.5 to 802.9), with respect to any article subject to the Retailers' excise tax on sale of jewelry, etc., referred to in paragraph (a) of § 81.804. (Sec. 3406, IRC.)

§ 81.803 *Pistols and revolvers.* (Chapter 25, Subchapter A, IRC; 26 CFR, Cum. Supp., Part 302.) Rate: 11%.

Tax is imposed upon pistols and revolvers sold or leased by the manufacturer, producer or importer. (Sec. 2700, IRC.)

§ 81.804 *Retailers' excise taxes.* (Chapter 19, IRC; 26 CFR, Cum. Supp., Part 320.) Rate: 20% of price for which article is sold, except where otherwise specified. (Rate is effective 1 April 1944.)

Tax is imposed upon the articles specified below in paragraphs (a) to (d), inclusive, sold at retail. Such articles when sold to the Government for use or consumption are considered to be sold at retail.

(a) *Jewelry, etc.* (Sec. 2400, IRC; 26 CFR, Cum. Supp., Part 320, Subpart D.)

(1) All articles commonly or commercially known as jewelry, whether real or imitation; pearls, precious and semiprecious stones, and imitations thereof; articles made of, or ornamented, mounted or fitted with, precious metals or imitations thereof; watches and clocks and cases and movements therefor; gold, gold-plated, silver, or sterling flatware or hollow ware, and silver-plated hollow ware; opera glasses; lorgnettes; marine glasses; field glasses; and binoculars. The rate of tax is 10% (and not 20%) of the sales price of watches selling at retail for not more than $65 and alarm clocks selling at retail for not more than $5.

(2) The tax does not apply to any article used for religious purposes, to surgical instruments, to watches designed especially for use by the blind, to frames or mountings for spectacles or eyeglasses, to a fountain pen or smokers' pipe if the only parts of the pen or the pipe which consist of precious metals are essential parts not used for ornamental purposes, or to buttons, insignia, cap devices, chin straps, and other devices prescribed for use in connection with the uniforms of the armed forces of the United States.

(3) "Opera glasses; lorgnettes; marine glasses; field glasses; and binoculars" include only those which are portable instruments. Articles known as marine glasses, field glasses and similar optical instruments which by reason of size or weight are ordinarily mounted upon tripods or other bases, are not subject to tax. (26 CFR, Cum. Supp. 320.36).

(b) *Furs.* (Sec. 2401, IRC; 26 CFR, Cum. Supp., Part 320, Subpart E). (1) Articles made of fur on the hide or pelt and articles of which such fur is the component material of chief value.

(2) Where a person, who is engaged in the business of dressing or dyeing fur skins or of manufacturing, selling, or repairing fur articles, produces an article of the kind described from fur on the hide or pelt furnished, directly or indirectly, by a customer and the article is for the use of, and not for resale by, such customer, the transaction shall be deemed to be a sale at retail and the person producing the article shall be deemed to be the person selling such article at retail. The tax on such a transaction shall be computed and paid by such person upon the fair retail market value of the finished article. The Revenue Act of 1943 added, effective 1 April 1944, the provisions referred to in this subparagraph (2).

(c) *Toilet preparations.* (Sec. 2402, IRC; 26 CFR, Cum. Supp., Part 320). Perfumes, essences, extracts, toilet waters, cosmetics, petroleum jellies, hair oils, pomades, hair dressings, hair restoratives, hair dyes, aromatic cachous, toilet powders, and any similar substance, article, or preparation, by whatsoever name known or distinguished; any of the above which are used or applied or intended to be used or applied for toilet purposes.

(d) *Luggage.* (Sec. 1651, IRC).

(1) Trunks, valises, traveling bags, suitcases, satchels, overnight bags, hat boxes for use by travelers, beach bags, bathing suit bags, brief cases made of leather or imitation leather, and salesmen's sample and display cases.

(2) Purses, handbags, pocketbooks, wallets, billfolds, and card, pass, and key cases.

(3) Toilet cases and other cases, bags, and kits (without regard to size, shape, construction, or material from which made) for use in carrying toilet articles or articles of wearing apparel, including in each case fittings or accessories therefor sold on or in connection with the sale thereof.

This tax first became effective 1 April 1944. For the period during which it remains in effect, the Manufacturers' excise tax imposed upon luggage by section 3406 (a) (2), Internal Revenue Code, is suspended.

(e) *Sales in army commissaries and exchanges.* Under an agreement between the War Department and the Bureau of Internal Revenue the latter will not attempt to collect retailers' excise taxes on sales of jewelry, furs, toilet preparations and luggage to members of the armed forces and their families and to civilian employees permanently employed on military posts, when such sales are made in army commissaries and exchanges. The War Department in turn agreed that sales of such articles in army commissaries and exchanges would not be made to casual laborers or temporary employees on military posts.

(f) *Basis and application of retailers' excise taxes.* (1) The retailers' excise taxes are based on the sales price. Any charges for coverings, containers, etc. shall be included in the sales price for purposes of computing the tax. If the amount of the sales price is adjusted upon return to the seller of coverings or containers, the tax should also be adjusted. (26 CFR, Cum. Supp., 320.6). The tax imposed, however, is not part of the taxable price of the article. (26 CFR, Cum. Supp., 320.7). Charges for transportation, delivery, insurance, installation, and similar charges are also excluded in computing the tax. (26 CFR, Cum. Supp., 320.8).

(2) The lease of an article is considered a sale thereof. In the case of leases or instalment sales, the tax is paid proportionately upon each payment. (26 CFR, Cum. Supp., 320.10).

(3) The tax in general attaches when title passes to the purchaser. (26 CFR, Cum. Supp., 320.4). If subsequent reduction is made in the sales price, a credit or refund may be obtained by the seller. (26 CFR, Cum. Supp., 320.9). Claim by a seller for credit or refund must show, among other things, that the tax has not been collected from the purchaser or has been repaid to him or that his written consent to the credit or refund has been obtained. (26 CFR, Cum. Sup., 320.66).

(4) In the case of any article classifiable under more than one Retailers' excise tax, only one tax on such article shall be imposed. Where the rates of such tax differ, the article shall be subject to tax at the highest rate. (Section 1653, IRC.)

§ 81.805 *Tax on transportation of persons.* (Chapter 30, Subchapter C, IRC; 26 CFR, Cum. Supp., Part 130, Subpart F). Rate: 15% of the amount paid.

Tax is imposed upon the amount paid within the United States for the transportation of persons by rail, motor vehicle, water, or air, within or without the United States, and for seating or sleeping accommodations in connection with such transportation. (See 3469, IRC).

(a) *Basis and application of tax on transportation of persons.* (1) The taxability of a payment for transportation is determined strictly by the place of payment, i. e., whether within or without the United States. The place where the transportation service is furnished has no bearing on the tax. (26 CFR, Cum. Supp., 130.51).

(2) Where a payment covers other charges than for transportation of a person, such other charges may be excluded in computing the tax, provided they are separable and are shown in the exact amounts thereof in the records pertaining to the transportation charge. (26 CFR, Cum. Supp. 130.52, 130.54).

(3) The tax does not apply to an amount paid for transportation of freight that includes also the transportation of caretakers or messengers for which no specific charge as such is made. (26 CFR, Cum. Supp., 130.54 (d)).

(4) The tax does not apply to transportation or facilities furnished under special tariffs providing for fares of not more than 1¼ cents per mile applicable to round-trip tickets sold to personnel of the United States Army, Navy, Marine Corps, and Coast Guard traveling in uniform of the United States, or to members of the military or naval forces of any of the other United Nations traveling in uniform of such nation, at their own expense when on official leave, furlough, or pass, including authorized cadets and midshipmen (Sec. 3469 (f) (2) IRC).

(5) The tax does not apply to charges not exceeding 35 cents, certain commutation tickets, nor to transportation by motor vehicles with seating capacity of less than 10 and not operated on an established line. (Sec. 3469 (a) and (b), IRC; 26 CFR, Cum. Supp., 130.58–130.60)

§ 81.806 *Tax on transportation of property*—(a) *General.* (Chapter 30, Subchapter E, sec. 3475, IRC; 26 CFR, Cum. Supp., Part 143.) Rate: 3% of the amount paid, except that in the case of coal, the rate is 4 cents per short ton.

(1) Tax is imposed upon the amount paid within the United States for the transportation of property by rail, motor vehicle, water, or air from one point in the United States to another. The tax applies only to amounts paid to a person engaged in the business of transporting property for hire, including amounts paid to a freight forwarder, express company, or similar person, but does not include amounts paid by a freight forwarder, express company, or similar person for transportation with respect to which a tax on the transportation of property has previously been paid. In the case of property transported from a point without the United States to a point within the United States, the tax shall apply to the amount paid within the United States for that part of the transportation which takes place within the United States. The tax on the transportation of coal does not apply to the transportation of coal with respect to which there has been a previous taxable transportation. (Sec. 3415, IRC.)

(2) Effective 1 December 1943, amounts paid by or to the War Shipping Administration for the transportation of property by water from one point in the United States to another, except between points on the Great Lakes, are exempt from tax until approximately six months after the termination of hostilities.

(3) Effective 1 December 1943, the tax does not apply to amounts paid for the transportation of property to or from the American National Red Cross.

(4) Effective 1 December 1943, amounts paid for transportation of property to or from the government of a state, territory, or political subdivision thereof, or the District of Columbia are exempt from tax.

(5) The tax does not apply to amounts paid to the Post Office Department for the transportation of property.

(6) As to shipments on United States Government bills of lading, see § 81.810.

(b) *Basis and application of tax on transportation of property*—(1) *Transportation.* The term "transportation" means the movement of property by a person engaged in the business of transporting property for hire, including interstate, intrastate, and intracity or other local movements, as well as towing, ferrying, switching, etc. In general, it includes accessorial service furnished in connection with a transportation movement, such as loading, unloading, blocking and staking, elevation, transfer in transit, ventilation, refrigeration, icing, storage, demurrage, lighterage, trimming of cargo in vessels, wharfage, handling, feeding and watering live stock, and similar services and facilities. (26 CFR, Cum. Supp., 143.1 (d)).

(2) *Coal.* The term "coal" includes anthracite, bituminous, semi-bituminous, sub-bituminous, and lignite coal, coal dust, and coke and briquettes made from coal (26 CFR, Cum. Supp., 143.1 (f)).

(3) *Baggage.* An amount paid, in connection with the transportation of persons, for the transportation of baggage, including incidental charges on account of excess weight, excess value, storage, transfer, special delivery, etc., or an amount so paid for a special baggage or express car or other conveyance is subject to the tax on the transportation of property if separable from the payment for the transportation of persons and separately shown on the records of the carrier. Otherwise the tax on the transportation of persons (see par. 805.1) applies. (26 CFR, Cum. Supp., 143.14 (c)).

(4) *Previous taxable transportation of coal.* An amount paid for the transportation of coal is not taxable if there has been a previous taxable transportation of such coal. An amount paid for the transportation of coke or briquettes made from coal is not subject to tax provided there has been a previous taxable transportation of the coal or coal dust from which such coke or briquettes were manufactured. When a person delivers to a carrier a quantity of coal for a transportation movement, and the transportation tax has previously been paid with respect to the coal so delivered, a statement to that effect shall be endorsed on the bill of lading or other shipping paper. This endorsement shall constitute authority to the carrier not to collect tax with respect to the transportation charges due on such shipment. (26 CFR, Cum. Supp., 143.13 (b)).

§ 81.807 *Tax on transportation of oil by pipe line.* Chapter 30, Subchapter A, IRC; 26 CFR, Cum. Supp., Part 130, Subpart D). Rate: 4½% of amount paid.

Tax is imposed upon all transportation of crude petroleum and liquid products thereof by pipe line. In the event no charge is made for such transportation, or if the payment is made under a transaction which is not an arm's length one and such payment is less than the fair charge, the tax is imposed upon the fair charge for the transportation (Sec. 3400, IRC).

§ 81.808 *Telegraph, telephone, radio and cable facilities.* (Chapter 30, Subchapter B. Sec. 3465, IRC; 26 CFR, Cum. Supp., Part 130, Subpart E). Rate: See following paragraphs. Rates shown therein are those effective 1 April 1944.

(a) *Telephone and radio telephone messages.* Tax is imposed at the rate of 25% of the amount paid within the United States for each telephone or radio telephone message or conversation for which the toll charge is more than 24 cents.

(b) *Telegraph, cable, and radio dispatches and messages.* Tax is imposed on the amount paid within the United States for each telegraph, cable or radio dispatch or message. In the case of each such domestic dispatch or message the rate of tax is 25%. In the case of each such international dispatch or message the rate of tax is 10%.

(c) *Leased wire, teletypewriter, or talking circuit special services.* Tax is imposed at the rate of 25% of the amount paid for leased wire, teletypewriter, or talking circuit special service, but not including an amount paid for service used exclusively in rendering a service taxable under the tax described in paragraph (d).

(d) *Wire and equipment service.* Tax is imposed at the rate of 8% of the amount paid for any wire and equipment service (including stock quotation and information services, burglar alarm or fire alarm service, and all other similar services but not including service described in subparagraph (c)).

(e) *Local telephone service.* Tax is imposed at the rate of 15% of the amount paid by subscribers for local telephone service and for any other telephone service and for any other telephone service in respect of which a tax is not payable under the taxes described in paragraphs (a) to (d). Amonts paid for the installation of instruments, wires, poles, switchboards, apparatus, and equipment shall not be considered amounts paid for service.

Exemptions From Federal Excise Taxes

§ 81.810 *Exemption from specific Federal excise taxes as to articles sold and services furnished for the use of the United States*—(a) *General.* Exemption is available from the following specific Federal excise taxes, to the extent indicated below, in connection with articles sold and services furnished for the use of the United States. Such exemption is available with respect to contracts entered into either prior or subsequent to 1 June 1944.

(1) Manufacturers' excise tax on radio receiving sets, phonographs, phonograph records and musical instruments. See § 81.802 (c). (Note 1).

(2) Manufacturers' excise tax on firearms, shells, cartridges. See § 81.802 (j) (Note 1).

(3) Tax on pistols and revolvers. See § 81.803 (Note 1).

(4) Tax on telephone, telegraph, cable, radio, or leased wire services or facilities (see § 81.808), to the extent such services or facilities are furnished directly to the United States and for which payment is made directly by the United States. No exemption is available with respect to such services or facilities furnished to a contractor or other person operating under a contract to perform work on behalf of, or to furnish articles or materials to, the United States Government or any agency thereof. (Note 2).

(5) Tax on transportation of persons (see § 81.805) with respect to payments for transportation furnished to the United States upon a United States Government transportation request. (Note 2).

(6) Tax on transportation of property (see § 81.806), with respect to payments for transportation to or from the Government of the United States shipped on a United States Government bill of lading. (Note 2).

NOTE 1: Exemption with respect to these items was retained in the Internal Revenue Code as to sales made prior to the first day of the first month which begins six months or more after the date of termination of hostilities in the present war. (Sec. 307 (b) (3), Revenue Act of 1943).

NOTE 2: Exemption of these items was authorized by the Secretary of the Treasury on 29 April 1944 (9 F.R. 4615, 2 May 1944) pursuant to authority vested in him by section 307 (c) of the Revenue Act of 1943 (see § 81.817). Such authorization of exemption expires at the close of the last day of the month immediately preceding the first month which begins six months or more after the date of the termination of hostilities in the present war.

(b) *Policy as to claiming exemption from specific Federal excise taxes listed in this section.* Exclusion from contract prices of the tax on pistols and revolvers and the Manufacturers' excise taxes referred to in paragraph (a) of this section is governed by the policy set forth in the appendix to this Procurement Regulation 8. Exemptions referred to in paragraph (a) of this section from transportation taxes are automatically secured by the use of United States Government transportation requests or bills of lading, as the case may be. Exemptions referred to in paragraph (a) of this section from communications taxes are automatically secured without the use of exemption certificates.

§ 81.811 *Exemption based upon exportation.* Exemption is available (a) from the manufacturers' excise taxes (§ 81.802) and the retailers' excise taxes (§ 81.804) with respect to sales for export and (b) from the tax on the transportation of property (§ 81.806) with respect to property in course of exportation. (Secs. 3406, 2705, 3449, IRC; 26 CFR, Cum. Supp., 314.25 to 314.27, 316.25 to 316.27, 320.21 to 320.22, 143.30 to 143.35). This exemption will not be claimed. Contract prices, therefore, will not exclude Federal excise taxes from which exemption is available only by reason of export and proof of exportation will not be furnished to contractors.

§ 81.812 *Exemption from manufacturers' excise taxes of sale of certain supplies and equipment for vessels of war including aircraft.* Exemption from manufacturers' excise taxes (§ 81.802) is available with respect to the sale of an article for use as fuel supplies, ships' stores, sea stores, or legitimate equipment on vessels of war of the United States or of any foreign nation, vessels employed in the fisheries or in the whaling business or actually engaged in foreign trade or trade between the Atlantic and Pacific ports of the United States or between the United States and any of its possessions. The term "vessels of war" of the United States or of any foreign nation includes aircraft owned by the United States or by any foreign nation and constituting a part of the armed forces thereof. The terms "fuel supplies," "ships' stores," "legitimate equipment" include all articles, materials, supplies, and equipment necessary for the navigation, propulsion, and upkeep of vessels. (Sec. 3451, IRC; 26 CFR, Cum. Supp., 314.28, 316.28.)

(a) *Policy as to claiming exemption described above.* Serious administrative burdens would be imposed if the exemption described above were to be claimed with respect to articles of a character useable either as supplies or legitimate equipment for vessels of war including aircraft or otherwise. This exemption will not be claimed, contract prices will not exclude Federal excise taxes on the basis of this exemption and proof of this exemption will not be furnished to contractors, except that such action may be taken in connection with purchases of the following items:

(1) Aviation gasoline.

(2) Lubricating oil suitable only for aircraft engines.

(3) Aircraft air conditioning units.

(4) Aircraft tires and inner tubes.

(5) Aerial photographic cameras including gun cameras, lenses, apparatus, equipment, and films therefor.

(6) Spark plugs suitable only for aircraft engines.

§ 81.813 *Manufacturers' excise taxes; sales for further manufacture.* Exemption is available from Manufacturers' excise taxes (§ 81.802) and may be claimed by manufacturers, in the case of sale of any taxable article (other than tires, inner tubes or automobile radios) sold for use by the vendee as material in the manufacture or production of, or as a component part of, a taxable article or for resale by the vendee for such use by his vendee if such article is in due course so resold. (Also see § 81.802 (b) (4) (ii).) An appropriate certificate of the vendee must be given to the vendor in order to obtain this exemption. (Sec. 3442, IRC; 26 CFR, Cum. Supp., 314.20 to 314.23, 316.20 to 316.23.) This exemption is available to a purchasing manufacturer without the necessity for any action by the War Department. The standard tax articles do not provide for the inclusion in the contract price of taxes from which such an exemption is available and such taxes should not be a component of the contract price.

§ 81.814 *Sales under contracts entered into prior to 1 June 1944 and agreements and change orders supplemental thereto.* Exemption from the manufacturers' excise taxes (§ 81.802) and the Retailers' excise taxes (§ 81.804) remain available as to sales for the use of the United States pursuant to a contract entered into prior to 1 June 1944 or to any agreement or change order (executed prior or subsequent to 1 June 1944) supplemental to such contract and bearing the same Government contract number. (Sec. 307 (b) (1), Revenue Act of 1943.) No such exemption remains available as to excise taxes on transportation and communication referred to in §§ 81.805 to 81.808.

(a) *Policy as to claiming exemptions applying to sales under contracts entered into prior to 1 June 1944 and agreements and change orders supplemental thereto.* (1) The provisions of contracts entered into prior to 1 June 1944 determine whether and to what extent the contract price includes or excludes Federal excise taxes and consequently whether exemptions are to be claimed.

(2) If the price under a contract entered into prior to 1 June 1944 includes an applicable Federal excise tax, agreements or change orders supplemental to such contracts and executed on or after 1 June 1944 will also include such tax in the price and such tax will be paid by the contractor. This shall not prevent, however, the claiming of any available exemptions pursuant to the provisions of this Procurement Regulation 8.

(3) If the price under a contract entered into prior to 1 June 1944 excludes an applicable Federal excise tax, agreements or change orders supplemental thereto and executed on or after 1 June 1944 may also exclude such tax. Exemption will continue to be available from any tax so excluded. Heretofore existing policies, which are contained in the Appendix to this Procurement Regulation 8, determine the extent to which exemption from any such tax may be extended to purchases by contractors.

(4) Where new contracts normally would be executed, supplemental agreements or change orders will not be used merely to avoid payment of Federal excise taxes.

§ 81.815 *Miscellaneous exemptions.* In addition to the exemptions discussed in these §§ 81.810 to 81.818, inclusive, certain miscellaneous exemptions, applying to private as well as Government procurement, are available from Federal excise taxes. Some of these miscellaneous exemptions are mentioned in §§ 81.801 to 81.808, inclusive, of this Procurement Regulation 8; in some cases such §§ 81.801 to 81.808 provide that

those exemptions will not be claimed. Any exemption, as to which no policy is otherwise provided in this procurement Regulation 8, need not be claimed, in which event contract prices will not exclude taxes on the basis of such an exemption and proof of such an exemption will not be furnished to contractors.

§ 81.816 *Effective date of removal of other Governmental exemptions.* Prior to the Revenue Act of 1943, additional exemptions, not set forth in this section III, were available in connection with procurement for the use of the United States. The removal by the Revenue Act of 1943 of such additional exemptions is effective as follows:

(a) Manufacturers' and Retailers' Excise Taxes—sales made on and after 1 June 1944.

(b) Tax on transportation of persons—amounts paid on or after 1 June 1944.

(c) Tax on transportation of property—amounts paid on or after 1 June 1944.

(d) Tax on telephone, telegraph, radio and cable facilities:

(1) Messages and dispatches (§ 81.808 (a) and (b)) originating on or after 1 June 1944.

(2) Service (§ 81.808 (c) to (e)) amounts paid pursuant to bills rendered on or after 1 June 1944 for service for which no previous bill was rendered.

§ 81.817 *Power of Secretary of the Treasury to authorize exemption.* The Secretary of the Treasury may authorize exemption from the taxes imposed by Chapters 19 (Retailers' excise taxes, § 81.804), 29 (Manufacturers' excise taxes, § 81.802), or 30 (Taxes on transportation and communication, §§ 81.805 to 81.808) of the Internal Revenue Code as to any particular articles or services, or class of articles or services, to be purchased for the exclusive use of the United States, if he determines that the imposition of such taxes with respect to such articles or services, or class of articles or services, will cause substantial burden or expense which can be avoided by granting tax exemption and that the full benefit of such exemption, if granted, will accrue to the United States. The authority of the Secretary of the Treasury in this regard, however, is not applicable to any contract entered into on or after the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war. (Sec. 307 (c) of the Revenue Act of 1943).

(a) *Procedure to request exercise of authority by Secretary of the Treasury.* In cases where it is deemed necessary for the Secretary of the Treasury to authorize exemptions with respect to any particular articles or services, or class of articles or services, requests for the exercise of that authority will be forwarded through channels to the Director, Purchases Division, Headquarters, Army Service Forces. Such requests should specify in detail the reasons why the request exemption is needed.

(b) *Circumstances under which requests are proper.* The purpose of the removal by the Revenue Act of 1943 of various exemptions applying to the United States from Federal excise tax was to eliminate the numerous administrative procedures (and resulting need for personnel) required on the part of private contractors, procurement agencies and the Bureau of Internal Revenue in order to establish such exemptions, which if not available would not cause any net loss to the United States. It was recognized, however, that in some cases it might be determined that such removal of exemptions would impose greater net costs or administrative burdens than did the retention thereof or would cause other results adversely affecting the United States, in some serious and substantial manner. The established policy of the War Department is to request the Secretary of the Treasury to authorize exemptions only in cases of this character.

In no event will requests be made to the Secretary of the Treasury to authorize exemptions from tax if the only reason therefor is a desire to reduce the contract price or prices by the amount of the tax which, if paid, would go eventually into the Treasury. Such requests will be presented to the Secretary of the Treasury only where it is clearly established (1) that the denial of exemption with respect to purchases of particular articles or services, or classes of articles or services, for the exclusive use of the United States imposes serious administrative problems or presents substantial danger of net loss to the United States, and (2) that the full benefit of any exemption, if granted, will accrue to the United States.

§ 81.818 *Federal excise taxes not covered by this Procurement Regulation 8.* This Procurement Regulation 8 applies only to Federal excise taxes imposed by the following chapters of the Internal Revenue Code: Chapter 19 (Retailers' excise taxes—see § 81.804), Chapter 25 (pistols and revolvers—see § 81.803), Chapter 29 (Manufacturers' excise taxes—see § 81.802) and Chapter 30 (transportation and communication—see § 81.805 to 81.808). When any technical service has responsibility for the procurement or purchase of any articles subject to a Federal excise tax under any other chapter of the Internal Revenue Code, such technical service may prescribe such rules, governing the securing of exemption from such tax, as it may deem proper.

Tax Exemption Certificate Forms and Procedure

§ 81.820 *Applicability of §§ 81.820 to 81.830.* The forms and procedures set forth in §§ 81.820 to 81.830 are applicable after 1 June 1944, so far as exemptions from Federal excise taxes are concerned, only with respect to the exemptions specified in §§ 81.810, 81.812 and 81.814. The policies governing the claiming of these exemptions are set forth in § 81.810 (b), 81.812 (a), 81.814 (a).

§ 81.821 *Standard tax exemption forms.* The following standard tax exemption forms have been prescribed:

U. S. Government Tax Exemption Certificate	1094
Cover of U. S. Government tax exemption certificate book (front, outside and inside; back, outside)	1094A
Tabulation sheet (insert)	1094B
U. S. Government tax exemption identification card	1094C

§ 81.822 *U. S. Government Tax Exemption Certificate, Form 1094.* The front of U. S. Government Tax Exemption Certificate, Form 1094, is as follows:

Standard Form No. 1094-Revised
Form approved by
Comptroller General U. S., June 11, 1937
(Gen. Reg. No. 86-Revised)

Kind	Indicate amount of tax: Included	Excluded
Federal	X X X	$
*State	$	$
*Local	$	$

(Use one block only, cancel others)

U. S. Government Tax Exemption Certificate
(See Instructions on reverse hereof)

U. S. War Department, Washington, D. C.
(Department, Bureau, or Establishment)

I certify that I have purchased for the exclusive use of the United States Government from .....
(Name and local address of vendor—Street, City, and State)
delivered at ..... (City) ..... (State)
(Description, quantity, and unit price)
which has (or have) been delivered, or which will be delivered and invoiced pursuant to purchase orders issued under contract No. ....., dated ....., and for which a tax exemption certificate has not heretofore been issued.
Date .....
(Signature and title of purchaser)
Identification Card No. .....
Vehicle License No. .....

For Vendor
Certified correct and just;
Name .....
By .....
Title .....

To be filed in ONLY when a State or local tax is included in the purchase price

For Administrative Office
T. D. O. ..... Symbol .....
(Name)
Bu. Vou. No. ..... Period .....

*State and local taxes to be paid only when absolutely necessary to obtain commodity required.

(a) *Form 1094; where used.* U. S. Government Tax Exemption Certificate Form No. 1094 will be issued by the appropriate officer where required by the contract to supply proof of exemption with respect to those taxes which have been excluded from the contract price, as follows:

(1) All Federal excise taxes from which exemption is available on the basis of purchase for the use of the United States. See §§ 81.812 and 81.824 in connection with exemption under section 3451, Internal Revenue Code.

(2) All state and local taxes, except when a different form is required by the state or local tax authority. (See § 81.830.)

§ 81.823 *Supply and reports of standard forms.* (a) The standard forms referred to in § 81.821 are distributed in accordance with the provisions of AR 310-200.

(b) Reports, accounting for such standard forms, will be submitted by issuing officers as directed by The Adjutant General.

§ 81.824 *Who may execute tax exemption certificates.* (a) Tax exemption certificates will be executed only by those officers and Federal employees who have been supplied with a Standard Form No. 1094-C (U. S. Government tax exemption identification card).

(b) The identification card of authorized officers and employees of technical services responsible for purchasing at a post, camp, or station will be signed by the commanding officer. Identification cards supplied to other officers and Federal employees will be signed by the officer who furnished such officer or employee with tax exemption certificates.

§ 81.825 *Aircraft and vessels of war supplies and equipment tax exemption certificate.* The following form is prescribed by 26 CFR, Cum. Supp., 314.28, 316.28:

EXEMPTION CERTIFICATE

(For use by purchasers of articles for use as fuel supplies, ships' stores, sea stores, or legitimate equipment on certain vessels (section 3451 of the Internal Revenue Code).)

Date: ....., 19....

The undersigned purchaser hereby certifies that he is .....
(Owner, officer, charterer, or an authorized agent) (Name of company and ..... and the article or articles specified vessel)
in the accompanying order, or as specified below or on the reverse side hereof, will be used only for fuel supplies, ships' stores, sea stores, or legitimate equipment on a vessel belonging to one of the following classes enumerated in section 3451 of the Internal Revenue Code:

(Check class to which vessel belongs)

---(1) Vessels engaged in foreign trade,
---(2) Vessels engaged in trade between the Atlantic and Pacific ports of the United States,
---(3) Vessels engaged in trade between the United States and any of its possessions,
---(4) Vessels employed in the fisheries or whaling business,
---(5) Vessels of war of the United States or a foreign nation.

If the articles are purchased for use on civil aircraft engaged in trade as specified in (1) or (3) above, state the name of the country in which the aircraft is registered. .....

The undersigned understands that if the article is used for any purpose other than as stated in this certificate, or is resold or otherwise disposed of, he must report such fact to the manufacturer. It is understood that this certificate may not be used in purchasing articles tax free for use as fuel supplies, etc., on pleasure vessels, or on any type of aircraft except (a) civil aircraft employed in foreign trade or trade between the United States and any of its possessions, and otherwise entitled to exemption, and (b) aircraft owned by the United States or any foreign country and constituting a part of the armed forces thereof. It is also understood that the fraudulent use of this certificate to secure exemption will subject the undersigned and all guilty parties to a penalty equivalent to the amount of tax due on the sale of the article and upon conviction to a fine of not more than $10,000, or to imprisonment for not more than five years, or both, together with costs of prosecution. The undersigned also understands that he must be prepared to establish by satisfactory evidence the purpose for which the article was used.

.....
(Name)
.....
(Address)

The above form will be issued by the appropriate officer where required by the contract to supply proof of exemption with respect to the Federal excise taxes from which an exemption is available under section 3451, Internal Revenue Code, such as for fuel supplies, ship stores and equipment for vessels of war, including aircraft of the armed forces. See § 81.812 (a) as to the policy with respect to claiming this exemption.

§ 81.826 *Tax exemption certificates for issuance by contractors.* T. D. 5114, 27 January 1942 (7 F.R. 579, 29 January 1942) authorizes exemption from the Federal excise taxes imposed by Chapters 25 and 29 of the Internal Revenue Code (taxes on pistols and revolvers and Manufacturers' excise taxes—see §§ 81.802 to 81.803 of this part) on sales to contractors with the United States of purchase, construction and subsidiary articles. The policy with respect to this exemption is set forth in the Appendix to this Procurement Regulation No. 8. The exemption is not available unless the contractor or subcontractor has been authorized by the contracting officer on W. D. Tax Form No. 1 (see paragraph (a) of this section) attached to a standard Government Tax Exemption Certificate Form 1094. The forms prescribed by section 470.3 (b) of T. D. 5114 for use by contractors and subcontractors are set forth in paragraphs (b) and (c) of this section.

(a) *W. D. Tax Form No. 1; authority of contractor and subcontractors to issue tax exemption certificates.*

W. D. TAX FORM No. 1

AUTHORITY OF CONTRACTOR AND SUBCONTRACTORS TO ISSUE TAX EXEMPTION CERTIFICATES

(To be attached to a Form 1094 U. S. Tax Exemption Certificate)

Contract No. .....
Tax Exemption Certificate No. .....
Name of Contractor .....
Address of Contractor .....

The Contractor and/or his subcontractors (including suppliers) are authorized to issue tax exemption certificates in the form prescribed by section 470.3 (b) of Treasury Decision 5114, approved 27 January 1942 (7 F. R. 579, 29 January 1942) as to the articles listed below, which are incorporated in or to be incorporated in the supplies or work covered by the contract referred to in the Tax Exemption Certificate to which this authority is attached.

List of Articles (if none, so state)

Description	Quantity [1]	Unit Price [1]

.....
(Contracting Officer)
.....
(Title)

(b) *Exemption certificate for use by prime contractor.*

EXEMPTION CERTIFICATE

(For use by prime contractor)

Date: ....., 19....

The undersigned hereby certifies that the articles specified in the accompanying order or on the reverse side hereof are purchased from ..... for the United States under Government contract .....;
(Name of vendor)
(Number or other identification)
that he now has in his possession a certificate of exemption furnished by the United States with respect to such contract; and that such certificate authorizes him to issue this exemption certificate.

It is understood that the fraudulent use of this certificate to secure exemption will subject the undersigned and all guilty parties to a fine of not more than $10,000, or to imprisonment for not more than five years, or both, together with costs of prosecution.

.....
(Name)
.....
(Address)

(c) *Exemption certificate for use by subcontractor.*

EXEMPTION CERTIFICATE

(For use by subcontractor)

Date: ....., 19....

The undersigned hereby certifies that the articles specified in the accompanying order or on the reverse side hereof are purchased from ..... for incorporation in
(Name of vendor)
..... which are to be
(Subsidiary articles)
delivered to .....; that
(Subcontractor's vendee)
the price to be charged said vendee contemplates that the aforesaid articles and the subsidiary articles are to be purchased on a tax-free basis; and that the undersigned now has in his possession an exemption certificate furnished by said vendee certifying that the above-named subsidiary articles are to be incorporated ultimately in other articles for use of the United States under Government contract .....
(Number or other identification)

It is understood that the fraudulent use of this certificate to secure exemption will subject the undersigned and all guilty parties to a fine of not more than $10,000, or to imprisonment for not more than five years, or both, together with costs of prosecution.

.....
(Name)
.....
(Address)

[1] To be shown by Contracting Officer if known.

§ 81.827 *Preparation and execution of exemption certificates.* (a) In the preparation of tax exemption certificates the typewriter will be used when practicable; otherwise ink or indelible pencil will be used. The use of ordinary lead pencil is prohibited. All blank spaces must be properly filled in or lined out, and no such exemption certificate will be delivered to a contractor unless fully and properly executed, except that the Bureau of Internal Revenue has advised that it is not necessary to state the amount of Federal tax upon the exemption certificate (Ltr. to the Chief Signal Officer from D. S. Bliss, Deputy Commissioner of Internal Revenue, 19 June 1942). The amount of tax should be stated, however, if readily available. In a case where Federal excise taxes have been excluded from the contract price of articles or supplies purchased, but the exact amount of the tax cannot be determined at that time, a blanket tax exemption certificate may be issued to cover all sales under the contract. The certificate should cover all articles purchased under such contract, including delivery orders placed thereunder by other officers. As to blanket tax exemption certificates covering purchases under contracts of the General Schedule of Supplies, see § 81.829 of this part.

(b) A separate certificate for each kind of tax (Federal, State or local) involved will be prepared. In the issuance of these certificates care must be exercised to fill in the blank spaces provided for showing on each certificate the separate amounts of the taxes involved (if known) so that the certificates may be used only for the purpose intended.

(c) Where the supplies or work covered by the contract are not taxable as such and the certificate is to be used for the purpose of obtaining exemption on the articles to be incorporated in the supplies or work covered by the contract, the amount of tax to be shown on the certificate should be stated as "None." No tax should be shown on the certificate except the tax imposed directly upon the supplies or work covered by the contract.

(d) Except as provided in paragraph (a) of § 81.828, the following statement will be written or stamped upon the face of each certificate pertaining to Federal taxes (except where a cost-plus-a-fixed-fee contract is involved): "W. D. Tax Form No. 1 attached." Tax Exemption Certificate Form No. 1094 may be modified insofar as necessary with respect to contracts for construction, alterations, improvements and repairs. The person issuing a tax exemption certificate will, in addition to his signature and title, insert on the lines provided therefor, his identification card number. (See § 81.824 of this part.)

§ 81.828 *When and how exemption certificates are issued to contractors.* At any time after the execution of the contract, a tax exemption certificate (Form 1094) and W. D. Tax Form No. 1, when appropriate, will be executed and delivered to the contractor, upon request, covering Federal excise taxes in the following cases:

(a) Where supplies are taxable under Chapter 25 or 29 and are purchased by the Government at a price which is exclusive of such tax. In such a case, the description of the supplies furnished tax free will be inserted on the tax exemption certificate. If such supplies purchased by the Government have had (or will have) incorporated therein tires, inner tubes, or automobile radios and the price paid by the government is exclusive of the tax thereon, these items will be listed in the space headed "List of Articles" on W. D. Tax Form No. 1, which will be attached to the tax exemption certificate. This will enable the contractor, pursuant to T. D. 5114, to issue tax exemption certificates to the suppliers of such tires, inner tubes and automobile radios. It should be noted that under section 3442, Internal Revenue Code, no tax is imposed with respect to the sale of any article (except tires, inner tubes, and automobile radios) for use by the contractor in the manufacture or production of, or as a component part of an article itself taxable under Chapter 29. Accordingly, the contractor may obtain exemption from the burden of the tax on any articles exempted from tax by section 3442 in the manner provided in the Treasury Regulations (26 CFR, Cum. Supp., Part 316, especially § 316.20). Therefore, if no tires, inner tubes, or automobile radios are to be included in such supplies to be purchased from the contractor, there is no occasion for annexing W. D. Form No. 1 to the tax exemption certificate.

(b) Where the supplies purchased under the contract are not taxable under Chapter 29 but have had (or will have) incorporated therein one or more articles which are taxable under such chapter, and the price paid by the Government is exclusive of the tax on one or more of such articles. In such a case, the amount of tax shown on the tax exemption certificate should be stated as "None" and the articles incorporated (or to be incorporated) into the supplies purchased by the Government which are sold exclusive of the tax thereon should be listed upon W. D. Tax Form No. 1 attached to the certificate. Upon receipt of the tax exemption certificate, the contractor and/or his subcontractors (including suppliers) are then authorized to issue tax exemption certificates in the form prescribed in §§ 81.826 (b) and (c) of this part, as to the articles listed on W. D. Tax Form No. 1 attached to the Form No. 1094.

(c) Where the contract covers construction, alterations, improvements or repairs, and the physical project to be constructed, altered, improved, or repaired will have incorporated therein one or more articles which are taxable under Chapter 29 and the price paid by the Government for the construction, alterations, improvements or repairs, is exclusive of the tax on one or more of such articles to be incorporated into the physical project. In such a case, the amount of tax shown on the tax exemption certificate should be stated as "None", and the articles to be incorporated into the physical project to be constructed, altered, improved or repaired on which no such tax is included in the contract price should be listed upon W. D. Tax Form No. 1 attached to the certificate. Upon receipt of the tax exemption certificate the contractor and/or his subcontractors (suppliers) are then authorized to issue tax exemption certificates in the form prescribed in §§ 81.826 (b) and 81.826 (c), as to the articles listed on W. D. Tax Form No. 1 attached to the certificate.

(d) Under a cost-plus-a-fixed-fee contract (except one covering the sale of articles taxable under Chapter 29, where (a) above is applicable) when one or more articles taxable under Chapter 29 are used by the contractor as equipment, material or supplies in performing the contract, and such articles are purchased at a price which is exclusive of the tax thereon and payment for same is made by the United States, directly or by reimbursement of the contractor. In such a case, the amount of tax shown on Form 1094 should be stated as "None" and there should be attached to or written on Form 1094 the following statement: "The contractor is authorized to issue tax exemption certificates in the form prescribed by § 470.3 (b) of Treasury Decision 5114, approved 27 January 1942 (7 F.R. 579, 29 January 1942) as to all articles sold on a Federal tax exclusive basis and for which payment is made by the United States, directly or by reimbursement of the contractor, and which are used by the contractor as equipment, material or supplies in performing the contract to which this (the attached) certificate pertains."

§ 81.829 *Blanket tax exemption certificates, contracts under General Schedule of Supplies.* (a) Nothing contained in these regulations will be construed as authorizing the issuance of blanket tax exemption certificates by chiefs of technical services or contracting officers covering purchases under contracts of the General Schedule of Supplies. Upon application of the contractor, the Procurement and Accounting Division, Office of the Secretary of War, will issue blanket tax exemption certificates as may be necessary to cover all purchases made by War Department agencies in Washington, D. C., and in the field under term contracts of the General Schedule of Supplies, Procurement Division, Treasury Department.

(b) Contractors are required to indicate the number of the applicable blanket tax exemption certificate on their invoices.

(c) The purchase order need not contain the number of the applicable tax exemption certificate. It is sufficient that it contain a reference to the General Schedule of Supplies contract number.

§ 81.830 *State and local taxes.* (a) Tax exemption certificates are also used for establishing exemptions from state and local taxes. In such cases, certificates should be prepared in accordance with the requirements of the particular state or local tax authority concerned. In most cases, Form 1094 (§ 81.822) will be the appropriate form of tax exemption certificate. Except as provided in paragraph (b), no tax exemption certificate should be issued with respect to a state or local tax unless the contract shows that the price paid by the Government is exclusive of the tax to which the certificate pertains or unless the contractor consents to the deduction of such tax from the contract price and the acceptance of the tax exemption certificate in lieu thereof.

(b) When impossible for any reason to effect purchases, excluding the amount of any state or local tax which is deemed to be legally inapplicable to Government pruchases, a tax exemption certificate on Form 1094 will be executed and delivered to the disbursing officer to whose accounts the vouchers in the transaction pertain, together with a written statement to the effect that the vendor refused such certificate. Tax exemption certificates executed and delivered as prescribed in this paragraph are for the use of the Finance Department in securing a refund of the amount of the taxes involved. The serial number of the tax exemption certificate will be shown on the payment voucher.

(c) When Form No. 1094 (or other appropriate certificate) executed under the conditions stated above, is received in the administrative office (Finance Department), the bureau of office number of the payment voucher will be noted on the certificate and the administrative office (Finance Department) will bill the State or local taxing agency for refund of the taxes paid. The amount(s) collected will be transmitted to the disbursing officer for credit to the appropriation(s) from which the vouchers were paid, or to miscellaneous receipts account, "4326—Refund, State and Local Taxes," if the appropriation cannot be readily identified. In the event the administrative office (Finance Department) fails to secure refund of the amount of taxes paid, it will transmit promptly to the General Accounting Office the exemption certificates, if available, together with all correspondence with the taxing agency relating thereto, and information as to the disbursing officer's voucher number on which payment for the merchandise was made, for use by the General Accounting Office in effecting collection thereof as required by section 236, Revised Statutes, as amended by the Budget and Accounting Act, 1921.

State and Local Taxes

§ 81.831 *Applicable tax directives.* While the various state and local tax laws are not uniform in their application, as a general rule Government purchases are exempt from such taxes. Neither are such laws uniform in their application to purchases by Government contractors. Information will be published from time to time as to the procedure to be followed with regard to state and local taxes. Information already published is contained in a series of memoranda for the chiefs of the technical services and others as follows:

Alabama	Memo. OUSW (PC–L 012.2 (Taxes)), 12 January 1942 (past transactions).
	Memo. OUSW (PC–L 012.2 (Taxes) (Alabama)), 23 January 1942, as amended by Memo. Hq. SOS (SPPDL–012.2 (Taxes) (Alabama)), 12 June 1942 (future transactions).
Arkansas	Memo. Hq. SOS (SPPDL–012.2 (Taxes) (Arkansas)), 15 April 1942 (future transactions).
California	Memo. SOS (SPPDL–012.2 (Taxes) (California)), 18 December 1942.
Colorado	Memo. No. S5–53–43, 12 March 1943.
Georgia	Memo. OUSW (PC–L 012.2 (Taxes)), 13 February 1942 (past transactions).
Illinois	Memo. Hq. SOS (SPPDL–012.2 (Taxes) (Illinois)), 26 June 1942 (all manufacturing transactions).
	Section V, ASF Circular No. 13, 11 January 1944 (all construction transactions).
Indiana	Memo. No. S5–81–43, 28 April 1943.
Iowa	Memo. Hq. SOS (SPPDL–012.2 (Taxes) (Iowa)), 13 October 1942.
Kansas	Memo. No. S5–2–43, 2 January 1943.
Louisiana	Memo. No. S5–71–43, 2 April 1943.
Michigan	Memo. Hq. SOS (SPPDL–012.2 (Taxes) (Michigan)), 1 May 1942.
Mississippi	Memo. Hq. SOS (SPPDL–012.2 (Taxes) (Mississippi)), 5 May 1942, as amended by Memo. Hq. SOS (SPPDL–012.2 (Taxes) (Mississippi)), 12 June 1942.
Missouri	Memo. Hq. SOS (SPPDL–012.2 (Taxes) (Missouri)), 29 August 1942 (transactions prior to 7 February 1942).
	Memo. Hq. SOS (SPPDL–012.2 (Taxes) (Missouri)), 29 August 1942 (transactions after 6 February 1942).
North Dakota	Memo. Hq. SOS (SPPDL–012.2 (Taxes) (North Dakota)), 27 April 1942.
Ohio	Memo. Hq. SOS (SPPDL–012.2 (Taxes) (Ohio)), 18 May 1942.
Pennsylvania	Memo. Hq. SOS (SPPDL–012.2 (Pennsylvania State Taxes)), 9 April 1943.
South Dakota	Memo Hq. SOS (SPPDL–012.2 (Taxes) (South Dakota)), 7 April 1942 (future transactions).
Texas	Memo OUSW (PC–L 012.2 (Taxes) (Texas)), 23 January 1942 (future transactions).
Utah	Memo. Hq. SOS (SPPDL–012.2 (Taxes) (Utah)), 30 September 1942.
Virginia	Memo. OUSW (PC–L 012.2 (Taxes)), 30 January 1942 (future transactions).
Washington	Memo. Hq. SOS (SPPDL–012.2 (Taxes) (Washington)), 27 April 1942.
West Virginia	Memo. OUSW (PC–L 012.2 (Taxes)), 7 February 1942, as amended by Memo. Hq. SOS (SPPDL–012.2 (W. Va. State Taxes)), 8 April 1942 (future transactions).
Wyoming	Memo. Hq. SOS (SPPDL–012.2 (Taxes) (Wyoming)), 24 April 1942.

(a) Information as to the situation in other states or advice with respect to particular problems in the states listed above should be obtained from the Office of The Judge Advocate General by inquiry addressed to the attention of the Chief, Tax Division.

(b) The instructions contained in the memoranda listed above are modified by the provisions of § 81.832 so far as they relate to the form of certificates required on invoices of subcontractors and suppliers under cost-plus-a-fixed-fee contracts.

§ 81.832 *Certificate of non-inclusion of state or local taxes in amounts billed to cost-plus-a-fixed-fee contractors or subcontractors.* Where purchases of materials or services by cost-plus-a-fixed-fee subcontractors are exempt from state or local taxes, the vendor's invoices, except as provided in § 81.833, should contain the following statement:

State or local sales, use and similar taxes are not included in the amounts billed.

Where purchases by cost-plus-a-fixed-fee contractors or cost-plus-a-fixed-fee subcontractors are not exempt from state or local taxes the above statement may be omitted from vendor's invoices, but such taxes must be separately itemized.

§ 81.833 *Tax provisions of purchase orders issued by cost-plus-a-fixed-fee contractors and subcontractors.* Cost-plus-a-fixed-fee contractors and cost-plus-a-fixed-fee subcontractors may include in their purchase orders covering supplies or materials the following statement:

Any state or local sales, use, or similar tax, included in the amounts billed MUST be separately stated and itemized. It is understood, and the acceptance of this order shall constitute an agreement, that unless such taxes are separately stated and itemized, no such taxes are included in the amounts billed.

If this statement is included in the purchase order and if no state or local taxes are included in the amount billed to the cost-plus-a-fixed-fee subcontractor, the supplier of the supplies or materials need not include upon his invoice the statement quoted in § 81.832 that certain state or local taxes are not included in the amounts billed. However, even where the purchase order contains the statement quoted above in this paragraph, the invoice of the supplier under the purchase order must separately state and itemize all state or local sales, use or similar taxes which are in fact included in the price billed.

Collection and Payment of Federal Excise Taxes by the Government

§ 81.840 *General.* Except as provided in § 81.842, the amount of the Federal excise tax will be collected from the purchaser when articles, subject to tax under Chapter 25 (tax on pistols and re-

volvers—see § 81.803) or Chapter 29 (Manufacturers' excise taxes—see § 81.802) of the Internal Revenue Code, purchased free of tax are sold to individuals or used for other than the use of the United States. Funds so collected will be deposited with the local disbursing officer together with information of the name of the contractor from whom the articles were purchased and the number of the contract under which purchase was made. In cases where the name and amount of the contract involved are not known to the sales officer, he will ascertain this information from the shipping or contracting officer or from the chief of the technical service, if necessary.

§ 81.841 *Remittances to contractor.* Funds received by a disbursing officer as payment for taxes imposed by Chapter 25 or 29 of the Internal Revenue Code will be placed in a special deposit account and remitted to the contractor monthly, or at the time the officer closes his accounts when he ceases to disburse, in order that return may be made therefor to the appropriate Collector of Internal Revenue. A copy of the report of such remittance will be forwarded to the Bureau of Internal Revenue. However, if it is impossible for the disbursing officer to determine the contractor from whom the articles subject to tax under Chapter 25 or 29 were purchased, he may remit the amount of the tax to the Collector of Internal Revenue for the district in which the disbursing officer is located with a statement that the name of the contractor is unknown.

§ 81.842 *Transfers to which §§ 81.840 and 81.841 do not apply.* In connection with the following types of transfers of Government-owned property purchased by the Government free of tax, it is not necessary that the amount of the Federal tax be collected from the purchaser and accordingly the provisions of §§ 81.840 and 81.841 are inapplicable:

(a) All sales of used property,

(b) Transfers to a cost-plus-a-fixed-fee contractor of Government-owned property for use in connection with the performance of the contract (whether the transfer is made directly by the Government or on behalf of the Government pursuant to a contract provision similar to that contained in § 81.363,

(c) Sales to a lump-sum contractor of Government-owned property for use in connection with the performance of the contract,

(d) Transfers to other agencies of the Government, including transfers for disposition to the Procurement Division, Treasury Department.

§ 81.843 *Adjustment of sales price.* As indicated in paragraph (c) of § 81.842, it is not necessary that on a sale of property to a lump-sum contractor, the amount of the Federal tax, as such, be collected from the contractor. It is not appropriate, however, that the contractor derive the benefit arising from the fact that the Government originally acquired the property tax fee. Accordingly, in fixing the sales price to be paid to the Government by the lump-sum contractor, one of the elements going into the price must be the amount of the Federal excise tax which would ordinarily be payable upon a sale of the property.

Adjustments of Contracts Because of Changed Federal Excise Taxes

§ 81.850 *Excise tax rates increased by Revenue Act of 1943.* The following excise tax rates, among others, were increased (effective 1 April 1944) by the Revenue Act of 1943.

Description of tax	Old rate	Rate under 1943 act
Retailers' excise taxes:	*Percent*	*Percent*
Jewelry, etc. (except as to certain watches and alarm clocks)	10	20
Furs	10	20
Toilet preparations	10	20
Luggage (formerly Manufacturers' excise tax)	10	20
Manufacturers' excise taxes:		
Electric light bulbs and tubes	5	20
Tax on communication:		
Telephone (over 24 cents)	20	25
Domestic telegraph, cable or radio dispatches	15	25
Leased wires, etc.	15	25
Wire and equipment service	5	5
Local telephone service	10	15
Tax on transportation of persons	10	15

§ 81.851 *Excise taxes repealed by Revenue Act of 1943.* Section 310 of the Revenue Act of 1943 repealed as of 1 April 1944 the Retailers' excise tax imposed by section 2400, Internal Revenue Code, with respect to "silver-plated flatware." Section 311 of the Revenue Act of 1943 revised section 3406 (a) (3), Internal Revenue Code, so as to exempt household type electric vacuum cleaners from Manufacturers' excise taxes.

§ 81.852 *Excise taxes repealed by Revenue Act of 1942.* Section 611 of the Revenue Act of 1942 repealed as of 1 November 1942 excise taxes imposed by Internal Revenue Code, section 3406 (a), subsections (5), (7), (8), and (9) relating respectively to electric signs, rubber articles, washing machines and optical equipment. Sections 614 and 615 of the Revenue Act of 1942 have revised sections 3405 and 3406 (a) (6) of the Internal Revenue Code so as to exempt from excise taxation certain commercial refrigerating apparatus and cash registers of the type used in registering over-the-counter retail sales.

§ 81.853 *Contract provisions requiring adjustment by reason of changed Federal excise taxes.* The standard tax article prescribed in § 81.357 (a) (as well as the provision formerly prescribed therein) for lump sum supply contracts requires certain adjustments in contract prices by reason of changes after the date of the contract of the date of the award, as the case may be, in excise taxes directly applicable to the supplies or work covered by the contract or the materials used in the manufacture thereof, all as more fully set out in paragraph (b) of such standard tax article.

§ 81.854 *Adjustments required under standard tax article by reason of increase in rates and repeal of excise taxes.* The increases in rates of excise taxes and the repeal of excise taxes mentioned in §§ 81.850 to 81.852 require adjustment under paragraph (b) of the standard tax article prescribed in § 81.375 (a) or substantially similar provisions, if:

(a) Such taxes are directly applicable to the supplies or work covered by the contract or to the materials used in work or manufacture under the contract (all as more fully set forth in paragraph (b) of such standard tax article);

(b) The date of such contract or of the award, as the case may be, was prior to the date of the applicable increase or repeal; and

(c) Such taxes were included in the contract price. In the case of increase of rates, however, no adjustment will be made in excess of the amount of additional taxes or charges which the contractor is required to pay by reason of such increase. As a general rule, no adjustment will be required in connection with increase in rates of tax imposed with respect to communication and transportation.

§ 81.855 *Authority of chiefs of technical services with respect to adjustments.* To facilitate the prosecution of the war by reducing to a minimum the serious administrative burden of making adjustments referred to in § 81.854 and the time of contractors and government officers consumed in determining the amount thereof, the chiefs of the technical services are authorized pursuant to the First War Powers Act, 1941 and Executive Order No. 9001 to negotiate and enter into supplemental agreements with contractors with respect to the amount of any such adjustments after such verification and check thereof as the chiefs of the technical services severally shall prescribe. To expedite the negotiation of such adjustments the amount thereof may be determined by estimate, spot check, audit, or in any other manner deemed reasonable or appropriate by the chief of the technical service concerned. No adjustment decreasing the contract price shall be required in respect of any contract or class of contracts as to which the chief of the technical service concerned shall determine that the amount of adjustment possible to be obtained will not be substantial or will not warrant the interference with the orderly conduct of the procurement program of the expenditure of the time and effort involved in making or determining the amount of adjustment.

§ 81.856 *Situations in which adjustment not required by reason of repeal or increase.* No adjustment of the contract price will be required by reason of the repeal or increase of rates of excise taxes if the contract provides that the contract price does not include such taxes or if the contract does not contain a provision substantially similar to paragraph (b) of the standard tax article prescribed in § 81.357 (a).

§ 81.857 *Adjustments by reason of removal of exemptions by Revenue Act of 1943.* Effective 1 June 1944, certain exemptions available in connection with procurement by the United States were terminated (see § 81.815). Such exemptions, insofar as they relate to manufacturers' excise taxes (§ 81.802) and retailers' excise taxes (§ 81.804), remain in force as to contracts entered into prior to that date (see § 81.814) and no adjustments in contract prices are necessary by reason of termination of such exemptions. Such exemptions, however, insofar as they relate to transportation and communications taxes remain in effect only to the extent provided in § 81.810 of this chapter. If under a particular contract provision, adjustment is required by reason of the removal of exemptions relating to transportation and communication taxes, the provisions of § 81.855 shall apply to such adjustment.

§ 81.858 *Tax on transportation of property imposed by Revenue Act of 1942.* No increase will be made in the price payable under a contract executed prior to 1 December 1942 and containing a tax article substantially in the form of the standard tax article prescribed in § 81.857 (a), by reason of the imposition of the tax on transportation of property under section 3475 of the Internal Revenue Code (Revenue Act of 1942, Sec. 620) on freight charges which the contractor is bound to pay in accordance with the contract. (See Dec. Comp. Gen. B–30754, dated January 2, 1943; 22 Comp. Gen. 583).

APPENDIX—POLICY AS TO CLAIMING EXEMPTION FROM FEDERAL EXCISE TAXES AVAILABLE ON THE BASIS OF PURCHASE OF ARTICLES FOR THE USE OF THE UNITED STATES

§ 81.890 *General; scope of Appendix.*[1] This Appendix (§§ 81.890 to 81.897) sets forth the policies which were in effect prior to 1 June 1944 as to claiming exemption from Federal excise taxes. These policies were based upon the availability to exemption on the ground of purchase for the use of the United States and therefore remain in effect on and after 1 June 1944 only in those instances where exemption with respect to sales for the use of the United States are continued beyond that date. (See §§ 81.814 and 81.814 (a) with respect to exemption under contracts entered into prior to 1 June 1944 and §§ 81.810 and 81.810 (a) with respect to exemption from specific taxes remaining available).

Discusion in this Appendix of statutory exemption provisions and Treasury Regulations relates to the situation existing prior to 1 June 1944, and is applicable with respect to exemptions based on sales for the use of the United States continuously beyond that date.

The policy as to claiming exemptions which are available on any basis other than purchase for the use of the United States is set forth in §§ 81.810 to 81.818 of this Procurement Regulation 8 (e. g. see § 81.811, concerning exemptions based on exportation and § 81.812, concerning exemption based on supplies and equipment for vessels of war including aircraft).

[1] The matters set forth in this Appendix (§§ 81.890 to 81.897) have limited application. See § 81.890.

§ 81.891 *Definition of terms.* (a) The following terms are used in this Appendix (§§ 81.890 to 81.897) as they are defined in Treasury Decision 5114, 27 January 1942 (7 F.R. 579, 29 January 1942):

"Prime Contract" means a contract made by the United States. "Purchase article" means any article purchased as such by the United States under a prime contract. "Construction article" means any article for use as equipment, material or supplies by a prime contractor in performing a prime contract: *Provided, however,* That payment for the article is made by the United States. "Subsidiary article" means any article, which by itself or after being combined by any persons with other articles, is incorporated in a purchase article or construction article.

(b) The following terms are defined for the purposes of this Appendix as follows:

"Subcontract" means any purchase or agreement to perform all or any part of the work, or to make or furnish any article, required for the performance of another contract or subcontract. "Article" includes any material, part, assembly, machinery, equipment or other personal property.

§ 81.892 *Statutory exemptions.* Chapters 19 (Retailers' excise taxes; see § 81.804), 25 (pistols, revolvers and certain other firearms; see § 81.803), and 29 (Manufacturers' excise taxes; see § 81.802) of the Internal Revenue Code impose certain excise taxes from which exemption is available if the taxable articles are sold for the use of the United States.

§ 81.893 *Exemption under Treasury Decision 5114.* In accordance with Treasury Decision 5114 dated 27 January 1942, articles are exempt from taxes imposed by Chapter 25 or 29, where such articles are used or incorporated by the purchaser as material in the manufacture or production of, or a component part of, an article which is to be furnished to the United States Government: *Provided,* That (a) the price of the article does not include a tax on the sale or transfer thereof under Chapter 25 or 29 of the Internal Revenue Code, (b) the article is included at such tax-free basis in the price of the article in which it is incorporated and (c) satisfactory evidence of the exemption is furnished by tax exemption certificate (see § 81.828). With respect to prime contracts or purchases made 1 March 1943, and purchases made by subcontractors on or after that date, see policies outlined in § 81.897.

§ 81.894 *When sales deemed for use of United States.* An article is deemed to be sold for the use of the United States when it is sold (a) to the United States to be utilized by the United States or to be disposed of by the United States to a foreign Government, or (b) to a Government contractor or subcontractor (including a supplier) when the article is incorporated in an article sold to the United States or in the building or work constructed, altered, improved or repaired pursuant to a contract with the United States, or (c) to a Government contractor under a cost-plus-a-fixed-fee contract or subcontractor under a cost-plus-a-fixed-fee subcontract where the article is used as equipment, materials or supplies by the contractor or subcontractor in performing a Government prime contract or in performing a subcontract under such prime contract and payment for the article is made by the United States, whether directly or by reimbursement of the contractor or subcontractor for the cost thereof. With respect to purchases by cost-plus-a-fixed-fee subcontractors of articles to be consumed in the performance of the subcontract (see § 81.395 (c)) tax exemption can be obtained under present rulings of the Commissioner of Internal Revenue only by the issuance of a Form 1094 by an authorized Government officer (see § 81.824). The term "incorporated in" as above refers to any process whereby an article enters into building, work or supplies or a component thereof so as to become a part thereof and is not merely consumed in such production.

§ 81.895 *Special considerations affecting tax exemption of lubricating oil and gasoline.* (a) Lubricating oil or gasoline, when incorporated in a purchase article so as to become a part thereof, constitutes a subsidiary article within the meaning of Treasury Decision 5114, and tax exemption of such oil and gasoline can be obtained pursuant to that Treasury Decision. Thus lubricating oil incorporated as the fluid in hydraulic apparatus constitutes a subsidiary article, where the hydraulic apparatus is purchased as such by the United States under a prime contract or where the hydraulic apparatus is a component part of some other article purchased as such by the United States under a prime contract. However, except as stated in paragraph (b) below, the term "subsidiary article" does not include lubricating oil consumed in the operation of machinery in manufacturing such hydraulic apparatus.

(b) Lubricating oil or gasoline is also a subsidiary article when sold to a prime contractor for use as equipment, material or supplies in the performance of his prime contract, if payment for the lubricating oil or gasoline is made by the United States, and in other cases where it can be shown that the United States clearly receives the benefit of exemption from the tax. Thus, where the prime contract involves the construction of a plant, or the operation and maintenance of a plant, either on the basis of cost-plus-a-fixed-fee or some other basis under which the tax on the gasoline or lubricating oil is not to be included in the cost chargeable to the United States, the gasoline or lubricating oil sold to the prime contractor for use in the performance of such prime contract constitutes a subsidiary article within the meaning of Treasury Decision 5114 and tax exemption of such oil and gasoline can be obtained pursuant to that decision. In such case, the gasoline or lubricating oil is deemed to be incorporated in the subject matter of the prime contract, namely, the plant construction or the plant operation.

(c) Gasoline, lubricating oil and other similar consumable supplies, used under cost-plus-a-fixed-fee contracts are exempt. However, such consumable sup-

plies, when constituting subsidiary articles, as in paragraph (b) above, are only exempt under Treasury Decision 5114 if purchased by a prime contractor. If such consumable supplies are purchased by a cost-plus-a-fixed-fee subcontractor or subsidiary subcontractor, Form 1094 must be used in order to secure the exemption from Federal excise tax.

(d) With respect to prime contracts or purchases made after 1 March 1943, and subcontracts or purchases made by contractors or subcontractors on or after that date, see policies outlined in § 81.897.

§ 81.896 *Exemption rules as to articles subject to tax under Chapters of Internal Revenue Code other than Chapter 25 or 29.* Where any technical service has responsibility for the procurement or purchase of any articles subject to tax under Chapters of the Internal Revenue Code other than Chapter 25 or 29, as for instance Chapter 19, such technical service may prescribe such rules governing the securing of tax exemptions thereunder as it may deem proper.

§ 81.897 *Memorandum of policy, effective as of 1 March 1943, as to Federal excise taxes.* The Under Secretary of War, jointly with the Under Secretary of the Navy, has issued the memorandum dated 4 January 1943, quoted below. The purpose of the policies stated therein is to reduce administrative work caused to Government departments and to contractors with respect to Federal excise tax exemptions and to eliminate confusion which has arisen particularly in connection with purchases, on a tax exempt basis in accordance with Treasury Decision 5114, by fixed price (lump sum) contractors and subcontractors, of articles and supplies for incorporation in or use in connection with supplies or work to be furnished or performed under a prime contract with the Government. The policies outlined in the memorandum have no application whatsoever to state and local taxes or exemptions thereunder or to fixed price (lump sum) prime contracts or subcontracts made prior to 1 March 1943 or to subcontracts or purchase orders thereunder. (The memorandum does not change or have any effect upon the exemption expressly provided by Section 3442 (1) of the Internal Revenue Code under which contractors manufacturing taxable purchase articles may obtain subsidiary articles tax exempt in the manner provided in that Section and applicable regulations see § 81.813.) The memorandum follows:

POLICY AS TO FEDERAL EXCISE TAX EXEMPTIONS—TO BECOME EFFECTIVE MARCH 1, 1943

The War and Navy Departments adopt the following policies as to the payment of Federal excise taxes and exemptions therefrom, with respect (a) to all contracts executed by the Government after 1 March 1943, and all subcontracts thereunder and (b) to all subcontracts made after 1 March 1943 under cost-plus-a-fixed-fee prime contracts, regardless of when the prime contracts were executed. Certain terms used in this memorandum are defined in Note 1 below. The purpose of these policies is to reduce administrative work caused to Government Departments and to contractors with respect to Federal excise tax exemptions and to avoid the complications which have arisen in connection with purchases on a tax exempt basis in accordance with Treasury Decision 5114 by fixed price (lump sum) contractors and subcontractors.

1. The Government may make direct purchase of articles subject to Federal excise taxes ("purchase articles") on a price basis which either includes or excludes such taxes. In general, it will be War and Navy Department policy to make such direct purchases on a tax exclusive basis except where administrative convenience makes tax inclusive purchasing preferable.

2. In general, fixed-price (lump-sum) contractors, subcontractors, suppliers and materialmen will not be authorized to purchase "construction articles", "subsidiary articles" or articles used or consumed in the performance of the prime contract or subcontract, on a tax-exclusive basis pursuant to Treasury Decision 5114, and no tax exemption certificates will be issued in respect thereof.

3. A prime contractor under a cost-plus-a-fixed-fee or cost prime contract, or any cost-plus-a-fixed-fee or cost subcontractor thereunder, may purchase any articles subject to Federal excise taxes ("construction articles", "subsidiary articles", or articles used or consumed in the performance of such prime contract or subcontract) on a price basis which either includes or excludes such taxes: *Provided*, That in general purchases on a tax exclusive basis shall be made by a cost-plus-a-fixed-fee subcontractor only where there is no fixed-price contractor intervening between such subcontractor and the prime contractor. Tax exemption certificates will be issued where purchases are made on a tax-exclusive basis pursuant to the policy announced in this paragraph. In general, it will be War and Navy Department policy to have such cost-plus-a-fixed-fee contractors and cost-plus-a-fixed-fee subcontractors make such purchases on a tax exclusive basis except where administrative convenience makes tax inclusive purchasing preferable. The term "cost contract" includes any contract provision on a cost basis and any contract for special additional facilities or emergency plant facilities of the Government-ownership type or substantially in the form approved by the Advisory Commission to the Council of National Defense and published in the FEDERAL REGISTER on October 19, 1940 (5 F.R. 4147, No. 205).

4. Exceptions to the policies prescribed in this memorandum may be authorized by the War or Navy Departments in order to facilitate procurement.

5. Bidders and contractors will be advised of the policies herein set forth as promptly as possible, so that they may make plans, fix prices and prepare cost analyses consistently with such policies.

6. The policies herein contained have no application to state and local taxes. These policies will likewise not necessitate any change in the policies applicable to fixed-price prime contracts and subcontracts executed prior to March 1, 1943, and subcontracts thereunder.

Dated this 4th day of January, 1943.

ROBERT P. PATTERSON,
Under Secretary of War.
FORRESTAL,
Under Secretary of the Navy.

[NOTE 1: This note in the statement of policy refers to the definitions set out in § 81.891.]

(a) *Changes effected by memorandum of policy.* (1) Fixed price (lump sum) prime contracts made on or after 1 March 1943 for the acquisition by the War Department of articles subject to Federal excise taxes ("purchase articles") shall in general be made on a price basis which excludes such Federal excise taxes. The chief of any technical service may authorize any contract or class of prime contracts to be made on a price basis which includes such Federal excise taxes.

(2) Fixed price (lump sum) prime contractors under contracts made on or after 1 March 1943 and subcontractors under them will not in general be authorized to purchase "subsidiary articles" (§ 81.891) or articles used or consumed in the performance of the prime contract on a tax exclusive basis pursuant to Treasury Decision 5114.

(3) Where the prime contract with the Government is on a cost-plus-a-fixed-fee basis, regardless of the date of the execution of the prime contract, a fixed price (lump sum) subcontractor thereunder whose subcontract is made on or after 1 March 1943 will not be authorized to purchase "subsidiary articles", or articles used or consumed in the performance of the prime contract or subcontract, on a tax exclusive basis pursuant to Treasury Decision 5114.

(4) Cost-plus-a-fixed-fee prime contractors and cost-plus-a-fixed-fee subcontractors acting under them (where no lump sum contractor intervenes between the prime contractor and the cost-plus-a-fixed-fee subcontractor) will normally purchase articles, which are subject to Federal excise tax, on a tax exclusive basis.

(b) *Issue of tax exemption certificates.* Except as provided in § 81.897 (c), no tax exemption certificate will be issued by any officer or employee of the War Department or pursuant to Treasury Decision 5114 in a manner inconsistent with the policies provided in §§ 81.897 and 81.897 (a). Nothing in these regulations, however, requires any contractor or subcontractor to forego any Federal excise tax exemption to which he may be entitled otherwise than under Treasury Decision 5114 (see, for example, Sec. 3442, IRC). Where contractors are entitled to any such exemption, contracting officers should take precautions to see that prices under lump sum contracts are fixed after giving due consideration to the effect of such exemption (see § 81.813).

(c) *Variations from policy by chief of any technical service.* The chief of any technical service may authorize variations (consistent with applicable tax exemption laws and tax regulations) from the policies set forth in § 81.897, in any case or class of cases where he finds that such action is necessary to facilitate procurement. Any variations so authorized will be reported at once in writing to the Director, Purchases Division, Headquarters, Army Service Forces. (Variations authorized by § 81.897 (e) need not be so reported.)

(d) *Documents to be consistent with policy.* The chief of each technical service will make necessary changes in existing bid forms, specifications, and instructions relating to bids and evaluation of contracts to carry out the policies set forth in the memorandum quoted in § 81.897. Great care should be exercised in drawing contracts and purchase orders to make certain that their provisions reflect accurately the intention of the parties with respect to taxes and that they are consistent with the policies above mentioned.

(e) *Exception to tax policy with respect to radio apparatus, parts and similar items.* In some instances contractors have experienced difficulty in ascertaining whether particular items and parts of certain specialized military and naval equipment fall within the category of articles enumerated in section 3404, Internal Revenue Code (see § 81.802 (c)). Accordingly, as an exception to the tax policy set forth in § 81.897 (see par. (c) above), contracting officers are given authority to make prime contracts by the terms of which the prime contractor will be permitted to make purchases, on a basis exclusive of tax, of articles which are or may be subject to the tax imposed by section 3404 or section 3444 (so far as it relates to articles enumerated in section 3404), Internal Revenue Code, whether such articles (1) constitute subsidiary articles, or (2) are acquired by the prime contractor for transfer by him to the United States as purchase articles. With respect to any such purchases, the prime contractor may be authorized to issue tax exemption certificates in accordance with Treasury Decision 5114 and subject to its limitations.

(f) *Taxable articles manufactured by the prime contractor and included in a purchase article as a component part thereof.* The tax policy set out in §§ 81.897 and 81.897 (a) is not intended to prevent the Government from buying purchase articles on a basis exclusive of any taxes on component parts of such purchase articles where such component parts (1) have been manufactured by the prime contractor himself and (2) have been included in the purchase article by such manufacturer himself. Buying such purchase articles from prime contractors on a basis exclusive of any tax imposed with respect to such component parts pursuant to the provisions of Internal Revenue Code, Section 3444, is consistent with the above mentioned tax policy.

[Procurement Reg. 9]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

LABOR

In § 81.965 paragraph (a) is amended and paragraphs (d), (e), (f) and (g) are added.

§ 81.965 *Exceptions*—(a) *Shipbuilding stabilization agreement.* The Secretary of Labor on February 25, 1943, pursuant to Executive Order 9248, issued an order determining that the provisions of Executive Order 9240 shall not apply after March 2, 1943, to the shipbuilding and ship repair industry.

The Secretary's order is based on a finding that the Zone Standards Agreements for the Shipbuilding and Ship Repair Industry, and the Pacific Coast Repair Agreements, approved by the Government departments and agencies concerned with shipbuilding and ship repair work, are operating satisfactorily to stabilize overtime practices in the industry. The exemption is not limited, however, to companies which are parties or subject to these wage stabilization agreements, but is applicable to the entire shipbuilding and ship repair industry.

The shipbuilding and ship repair industry, for the purposes of the Secretary's order, includes generally construction, conversion, outfitting, and repair of any floating marine structures, including floating drydocks. Many preliminary processes and the manufacture of many parts and products which are eventually used in the building of a ship are, however, not included. For example, the manufacture of prefabricated parts in steel mills or sawmills is not included in the industry.

The construction, conversion, outfitting, and repair activities which are considered within the shipbuilding and ship repair industry are those which are performed in the water, in drydocks, in basins, on ways for launching, or on the premises of a shipyard or boatyard. The exemption covers all employees of companies which are engaged in such activities, including maintenance, clerical and technical employees, and including also employees who may be assigned to work away from the shipyard such as draftsmen employed by the shipyard and temporarily stationed in the office of an independent drafting concern, working on plans for the shipyard. However, employees of "uptown shops" are not within the exemption.

* * * * * *

(d) *Sugar Processing Industry.* The Secretary of Labor on March 24, 1943, pursuant to Executive Order 9248, issued an order determining that in the case of an employer engaged in the processing of sugar beets or sugar cane into sugar (but not refined sugar) or into syrup, the provisions of section 1A (1) of Executive Order 9240 (requiring the payment of double time compensation on the seventh consecutive day of a regularly schedule workweek) shall not apply to his employees in any place of employment where he is so engaged.

(e) *Fish Processing Industry.* The Secretary of Labor on June 7, 1943, pursuant to Executive Order 9248, issued an order determining that the provisions of Executive Order 9240 shall not apply to employees engaged in the processing of fish, including the canning and reduction thereof, and operations incidental thereto, in the States of Washington, Oregon, and California, and in the Territory of Alaska.

(f) *Fruit and Vegetable Packing and Canning Industries.* The Secretary of Labor on August 25, 1943, pursuant to Executive Order 9248, issued an order determining that in the case of an employer engaged in the first processing of, or in canning or packing, perishable or seasonal fresh fruits and vegetables, the provisions of Executive Order 9240 shall not apply to his employees in any place of employment where he is so engaged.

(g) *Milk Processing Industry.* The Secretary of Labor on October 22, 1943, pursuant to Executive Order 9248, issued an order determining that in the case of an employer engaged in the first processing of milk, whey, skimmed milk, or cream into dairy products, the provisions of Executive Order 9240 shall not apply to his employees in any place of employment where he is so engaged.

[Procurement Reg. 12]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

RENEGOTIATION AND PRICE ADJUSTMENT

Section 81.1241 is amended as follows:

§ 81.1241 *Effect of articles.* Both articles divide performance under the contract into specified periods for the purpose of adjusting the contract price. Under § 81.360 (a) the original contract price is exempt from statutory renegotiation for the first period of performance, but under § 81.360 (b) the price for the first period will be adjusted at the end of that period and appropriate credit or refund made, and this adjusted price may be exempted from statutory renegotiation by the contracting officer, as hereafter described. Under both articles the contracting officer and contractor will negotiate at the end of each period on the basis of cost experience and other data, and the contracting officer, at his discretion, may exempt the price so fixed from statutory renegotiation, if he believes that the cost data are sufficiently accurate and that the price is fair to the Government and will not result in excessive profits to the contractor.

[Procurement Reg. 15]

PART 88—TERMINATION OF CONTRACTS

TERMINATION OF CONTRACTS FOR THE CONVENIENCE OF THE GOVERNMENT

Section 88.15–112 is added as follows:

§ 88.15–112 *Requirement to expedite "hardship cases".* It is War Department policy to expedite settlement of all terminated contracts and subcontracts and to give special administrative priority to further expedite "hardship cases" as defined below.

(a) *Definition of a "hardship case".* A "hardship case" is any unsettled termination case judged by the contracting officer, or such other officer as may be designated by the chief of the technical service concerned or by higher authority, to be a situation where (1) the termination has resulted in rendering the contractor or subcontractor financially unable to carry on normal manufacturing or business operations either in the performance of other Government contracts or civilian business, or the termination has resulted in placing the contractor or subcontractor in imminent danger of bankruptcy; and (2) the contractor or subcontractor would probably be financially able to carry on normal operations or to avert bankruptcy if the amounts due it in the settlement of its terminated contract were immediately ascertainable and payable; and (3) the contracting officer, or the officer designated, determines that neither Government nor commercial financing is practically available to the contractor or subcontractor to the extent necessary to alleviate its financial situation.

(b) *Procedure.* (1) When a contractor or subcontractor makes a request to the

contracting officer for special administrative priority, claiming a "hardship case", the contracting officer, or the officer designated, will make whatever investigation is practicable under the circumstances and consistent with the necessity for speed. The investigating officer, will set forth his judgment with respect to the above in a memorandum for file.

(2) If it is judged in accordance with the above that the case is not a "hardship case", expedited treatment over other termination cases is not required and the contractor may, in the judgment of the contracting officer, be so notified.

(3) If the case is judged in accordance with the above to be a "hardship case", the contracting officer, as well as accounting personnel, property disposal personnel, the settlement advisory section and others engaged in settling the contract or subcontract will give special administrative priority to the settlement of the contract or subcontract, until the necessary partial payment or final payment has been made. In carrying out this special administrative priority, contracting officers are authorized to accelerate and, in matters not involving established policy, to vary normal administrative procedures within reasonable limits, provided that in their judgment the interest of the Government is not thereby adversely affected.

(c) *Expediting settlements other than "hardship cases".* Nothing in the preceding paragraphs of this section shall be construed to prohibit a contracting officer from expediting the settlement of any contract or subcontract at a greater rate than other contracts, when in his opinion it is advisable to do so.

In § 88.15–320 paragraph (a) is added as follows:

§ 88.15–320 *Service of termination notice.* • • •

(a) *Prompt inspection and acceptance of completed articles.* Promptly after giving the contractor notice of termination of a contract, the contracting officer will take steps to inspect and accept all completed articles which comply with the provisions of the contract and which do not represent unreasonable anticipation of production schedules, and will approve payment of the contract price therefor, unless the contractor and the contracting officer agree on other disposition thereof.

Section 88.15–325 paragraphs (c) (2) and (d) are amended and paragraph (c) (3) is added as follows:

§ 88.15–325 *Termination and settlement of subcontracts.* • • •

(c) *Settlement of subcontracts.* • • •

(2) (i) It is necessary to expedite the settlement of subcontracts. In the settlement of fixed-price supply contracts, contracting officers will authorize prime contractors to settle their terminated subcontracts and purchase orders wherever (a) the settlement agreement will call for the payment of not more than $10,000 without deducting disposal credits, (b) the contracting officer is satisfied that the prime contractor will give adequate reviews to subcontractors' statements of charges and to subcontractors' proposals for retention or sale of property allocable thereto, and (c) all the property allocable to the terminated portion of the subcontract or purchase order, the cost of which is included in the statement of charges, will be retained or disposed of by the prime contractor or the subcontractor and credited at fair and reasonable values. Clause (c) above is subject to the exception, however, that, if the prime contractor or subcontractor is unable to obtain what the prime contractor considers a fair and reasonable price for part or all of the property, taking into full consideration the difficulties to be encountered in the shipment and handling of small amounts of property if delivered to the Government, then the prime contractor may make special arrangements with the contracting officer for transfer of title and delivery to the Government of such unsold property. The authorization may be given in connection with fixed-price supply contracts containing either the uniform termination article (§§ 81.324 and 88.15–901) or the old standard article set forth in § 88.15–901a.

(ii) The following additional provisions are applicable:

(a) Similar authorizations should also be extended by contracting officers to subcontractors at any tier under the same conditions, if the number of subcontracts justifies the authorization.

(b) Authorizations given to the prime contractor or to subcontractors should exclude authority to settle claims of subcontractors which are affiliated with the authorized contractor.

(c) No authorization may be given in connection with the settlement of terminated subcontracts or purchase orders under cost-plus-a-fixed-fee prime contracts.

(d) In the cases where the type of authorization permitted by this subparagraph (2) has been granted, the contracting officer will from time to time make selective reviews of the settlements so made by the prime contractor or the subcontractor receiving the authorization, to determine whether the prime contractor or subcontractor is carrying out adequate reviews and fair settlements, and whether the authorization should remain outstanding.

(e) When contractors act under authorization granted to them pursuant to this subparagraph (2), the settlement agreement should bear an appropriate approval, signed by a representative of the contractor authorized to execute the same. Such approval in substantially the following form is authorized:

> The undersigned certifies that it has examined, or caused to be examined, to an extent which it considers adequate in the circumstances, the statement of charges of its within named supplier, and that in its opinion the within settlement is properly allocable to the terminated portion of prime contract with the Government No. W------, is fair and reasonable, was negotiated in good faith, and is not more favorable to said supplier than one which the undersigned would make if reimbursement by the Government were not involved. The undersigned certifies that it has no knowledge to doubt the reasonableness of the settlements with more remote suppliers or to doubt that the charges for them are allocable to said contract. The undersigned shall not be deemed to have made any representations with respect to the more remote suppliers' claims or the settlement thereof other than those expressed in this certificate.
>
> On the basis of the foregoing, the within settlement is approved pursuant to authorization dated ----------, 194---. All the property allocable to the terminated portion of the subcontract or purchase order, the cost of which was included in the statement of charges, has been retained or disposed of, and credited at what the undersigned considers to be fair and reasonable values.
>
> ----------
> (Name of Contractor)
>
> By----------
> (Authorized Representative)

(f) Settlements made by a contractor (prime or sub) with a subcontractor in accordance with this authorization will be recognized for the purposes of the uniform termination article (§§ 81.324 and 88.15–901) and of the old standard termination article (§ 88.15–901a) in the absence of fraud on the part of the contractor. Any settlements made by the subcontractor with his suppliers (and included in the settlement between the prime contractor and the subcontractor) in accordance with this authorization will be similarly recognized in the absence of fraud on the part of the prime contractor.

(g) The provisions of § 88.15–220, relating to reviews of termination settlements are not applicable to settlements approved in accordance with this authorization.

The foregoing provisions of this subparagraph (2) supersede the memorandum to the Commanding Generals of the Army Air Forces and Army Service Forces from the Under Secretary of War, dated 4 March 1944, subject: "Subcontract Settlements".

(3) The contracting officer ordinarily should not require that settlements made by subcontractors with second tier and more remote subcontractors and suppliers be submitted for his prior approval, although he may do so and he may give such approval in any proper case when it is requested. Such settlements should usually be approved after they have been made unless in particular instances the settlements appear to have been made in bad faith. The contracting officer in requiring and granting approval of settlements of subcontracts, particularly those made with second tier and more remote subcontractors, should act reasonably, without unnecessary formality and with recognition of the fact that, as a practical matter, it is impossible for him to attempt to scrutinize such settlements in detail, except in cases where he has cause to doubt the good faith or reliability of the contractor (or other person claiming through him) making the settlement.

(d) *Action to be taken by prime contractor with respect to settlement of subcontracts.* The prime contractor to carry out his functions in connection with the settlement of subcontracts must arrange to see:

(1) That his subcontractors and suppliers stop work. (A form of suggested notice to them is set out in § 88.15–912 (b)).

(2) That they are requested to state promptly whether there will be any termination charges (as a result of the termination of their subcontracts), and if so that they are directed to file, and file seasonably, Inventory Schedules, Contractor's Own Charges Schedules, and Contractor's Settlement Proposals, on the appropriate Standard Forms set forth in §§ 88.15–937 (a) and 88.939 (c) inclusive, in accordance with the instructions set forth in §§ 88.15–403 and 88.15–939 (d).

(3) That they are advised of the basis upon which they may obtain partial payments (see § 88.15–502.)

(4) That they arrange a proper program of disposal of property acquired for the performance of their subcontracts (see §§ 88.15–325 (c) and 88.15–350).

(5) That the statements of subcontractors are adequately reviewed (see §§ 88.15–431 to 88.15–435, inclusive).

(6) That a proper settlement of each subcontract and purchase order is negotiated with all possible speed (see § 88.15–325 (a)) and promptly presented to the contracting officer for approval, where such approval is required.

Section 88.15–351 through paragraphs (a), (b) and (d) is amended as follows:

§ 88.15–351 *Inventory.* Obtaining an inventory of property on hand is the first step in proceeding to dispose of property acquired or produced for the performance of the terminated portion of the contract. The Standard Inventory Schedules for use by prime contractors and subcontractors, Forms C–1, C–2, and C–3, are set forth in paragraphs (a) to (c) inclusive in § 88.15–939. The General Instructions for use of all the Standard Forms are set forth in § 88.15–403, and the Special Instructions for Description of Inventory in Standard Forms C–1, C–2, and C–3 are set forth in paragraph (d) of § 88.15–939.

(a) *Basis of pricing inventory.* Instructions for completing the cost data of inventories appear on Standard Forms C–1, C–2, and C–3. Cash discounts, trade discounts, special rebates, and similar price reductions should be reflected either in the detailed cost data or as a separate deduction.

(b) *Inventory should include bids for contractors' or subcontractors' property which they are willing to retain.* Usually the most effective method of making property available for other essential war work is to have the contractor or subcontractor take it over and use it himself or dispose of it (see § 88.15–361). Accordingly columns have been provided in Standard Forms C–1, C–2, and C–3 for offers by the prime contractor or subcontractor filing the forms, in which may be shown the items which he wishes to retain and the prices offered therefor.

• • • • •

(d) *Copies.* The contracting officer should advise the contractor of the number of copies of Standard A, B, and C Forms that will be required for use of the Government in a particular case, and the contractor should supply this information to his subcontractors and suppliers. Contractors and subcontractors will in addition prepare as many additional copies of the Forms for their own use as they may deem necessary. The paper on which the Forms are prepared can be used for reproduction by liquid process duplicating machines.

In § 88.15–355 paragraph (a) is added.

§ 88.15–355 *Retention of property by prime contractor at less than cost.* • • •

(a) *Diversion of property or orders to other contracts.* (1) It is the policy of the War Department to encourage contractors and subcontractors so far as possible to divert to other war production all materials, equipment, and supplies which have become excess by reason of the termination of a contract or subcontract. If notice of termination of any contract to which such property is diverted is thereafter given, the contractor is entitled in the settlement of this contract to reimbursement for the property so diverted to the extent that the property is properly allocable to this contract and is within the reasonable quantitative requirements of the entire contract. Thus, where the cost of such property was not included in the settlement of the original terminated contract, or where the cost was included but the contractor retained the property at an agreed value, the cost or agreed value, as the case may be, together with any charges properly applicable thereto, may be included in the termination settlement of the contract to which such property was diverted.

(2) Where a saving to the Government may be effected, contractors and subcontractors should divert property from a terminated contract to a continuing contract in accordance with subparagraph (1) above even if it necessitates the cancellation of orders which have already been placed for materials, equipment, or supplies under the continuing contract. If notice of termination of the continuing contract is subsequently given, the reasonable cost to the contractor of cancelling these orders may be included in the termination settlement as part of the cost of materials applicable to the terminated portion.

(3) Similarly, it is the policy of the War Department to encourage the transfer of orders for materials, equipment, supplies and services from contracts or subcontracts being terminated to continuing contracts or subcontracts where a saving to the Government may be effected and where the property or services covered by the orders transferred will be property allocable to the continuing contract and within the reasonable quantitative requirements of the entire contract. Where the transfer of an order from a contract being terminated to a continuing contract necessitates the cancellation of orders under the continuing contract, the cancellation charges thereon may be included in the settlement of the contract being terminated.

Section 88.15–376 is amended as follows:

§ 88.15–376 *Property to which the Government has security title by virtue of provisions of contract article governing partial payment.* Property to which the Government has security title by virture of provisions of a contract article governing partial payments of the type set forth in §§ 81.330 and 81.331 may be disposed of in termination proceedings pursuant to the provisions of the new uniform termination article (§§ 81.324, 88.15–901) or the old standard termination article (§§ 88.15–901a) and this Procurement Regulation 15, irrespective of whether subparagraph (d) is contained in the partial payment article as authorized by §§ 81.330, 81.331 and 81.331a. In approving the disposition of such property to or through the contractor, care will be exercised to protect the interest of the Government or of assignees as provided in § 88.15–350 (d).

Preparation and Review of Contractors' and Subcontractors' Accounting Statements and Proposals for Settlement: Accounting Guides to a Negotiated Settlement

Section 88.15–400 is amended as follows:

§ 88.15–400 *Summary of action to be taken with respect to presentation of contractor's statements and proposals for settlement.* The following principal steps will be taken to bring about the settlement and payment of amounts, if any, due to the contractor and his subcontractors and suppliers in connection with the termination settlement:

(a) An initial conference will be held with the contractor at or about the time that the termination notice is sent (see § 88.15–322). At this conference the general outlines to be followed in making the settlement will be negotiated and a definite program for its completion will be worked out in detail.

(b) The contractor will file the appropriate Standard Forms referred to in § 88.15–402, in accordance with the Instructions set forth in §§ 88.15–403 and 88.15–939 (d).

(c) The various subcontractors will file with their immediate purchasers similar appropriate Standard Forms. In any instance where the settlement of a subcontract is likely to be complicated, the preparation of the Standard Forms should usually be the subject of a conference between the prime contractor or the subcontractor and his immediate supplier.

(d) Each contractor and subcontractor will review, through his own personnel, the statements presented by his immediate subcontractors and suppliers (see §§ 88.15–431 to 88.15–435 inclusive) and will negotiate settlements with them, subject to the approval of the contracting officer where such approval is required.

(e) The contracting officer will utilize the services of the Government accounting personnel in connection with the settlement to the extent that he deems desirable in the particular case. In this connection special attention is invited to the fourth paragraph of the memorandum of the Under Secretary of War dated 10 February 1944 set forth in § 88.15–422. Any report requested of Government accounting personnel (see § 88.15–424), and the comments and recommendations therein contained, will

be regarded as advisory only and will not bind or control the discretion of the contracting officer.

Section 88.15–401 is amended as follows:

§ 88.15–401 *Negotiated settlement compared with a formula settlement.* The preparation of accounting data and of a proposal for settlement are designed to facilitate the negotiation of a settlement of the amount due in connection with the termination of the contract. Such a negotiated settlement is authorised by paragraph (c) of the new uniform termination article for use in lump sum supply contracts (§§ 81.324, 88.15–901) and in the old standard article (see § 81.15–901a). If such a settlement cannot be negotiated between the contracting officer and the contractor, then, under the termination article, settlement will be made in accordance with the formula contained in paragraph (d) of both the new uniform article (§ 81.324) and the old standard article (§ 88.15–901a). A negotiated settlement can be made more expeditiously than a formal settlement and results in more prompt payment of the amounts owing to contractors and subcontractors. The method of settlement by negotiation, therefore, is to be regarded as the primary and more satisfactory method of settlement. Settlement by formula will be a secondary method and will be resorted to as provided in § 88.15–560.

Sections 88.15–402 to 88.15–411, inclusive, are rescinded and the following §§ 88.15–402 to 88.15–407 are substituted therefor:

§ 88.15–402 *Standard forms.* Standard forms have been adopted governing (a) Contractor's Settlement Proposal, Forms A–1, A–2, A–3 and A–4 (set out in § 88.15–937 (a), (b), (c) and (d)); (b) Contractor's Own Charges Schedule, Forms B–1 and B–2 (set out in § 88.15–938 (a) and (b)); and (c) Inventory Schedule. Forms C–1, C–2 and C–3 (set out in § 88.15–939 (a), (b) and (c)). These forms are for use by prime contractors and subcontractors alike. The terms "subcontractor" and "supplier" are used interchangeably to refer to such persons in all tiers, and include materialmen.

§ 88.15–403 *General instructions for use of standard forms.* The following general instructions are applicable to the use of the standard forms referred to in § 88.15–402:

GENERAL INSTRUCTIONS FOR USE OF STANDARD FORMS IN PRESENTING SETTLEMENT PROPOSALS ARISING FROM TOTAL OR PARTIAL TERMINATION OF FIXED PRICE SUPPLY CONTRACTS

(a) *Instructions applicable to all forms*—(1) *General policy regarding use of standard forms.* (i) As a means of assisting prime and subcontractors in the preparation of settlement proposals and of expediting the review of such proposals, the War Department has provided standard forms for general use.

(ii) These forms are to be used in connection with all fixed price supply contracts terminated after 15 May 1944. In exceptional cases, if the forms fail to present the essential facts or are not sufficiently applicable, contracting officers may authorise some other method of presentation on forms specially designed for the purpose. Contractors having contracts terminated prior to 15 May 1944 should also use the forms, where proposals have not yet been prepared on other forms. All subcontractors should use the standard forms, to the greatest extent practicable.

(iii) Contracting officers are authorised to permit the omission of data called for by the standard forms in particular instances to the extent that such data are not applicable, are not reasonably obtainable, or are not deemed necessary for the adequate substantiation of proposals for settlement or for disposal of property and to require additional data when necessary for settlement.

(iv) Information should be supplied in accordance with the requirements set forth on the forms. Failure to do this may result in delayed settlements.

(v) The forms are designed to present information required for settlement of terminated contracts as well as for disposal of property resulting from such terminations. In connection with property disposal, contractors and contracting officers will be guided by the general policy that, without delaying the final settlement, surplus raw materials and work in process should be disposed of finally, to the extent practicable, promptly after termination so that delivery of property or passing of title to the Government will be unnecessary. Where the settlement proposal is less than an amount to be prescribed from time to time in regulations, all property involved should normally be finally disposed of so that no delivery or passing of title to the Government is involved.

(2) *Types of standard forms provided.* (i) The following outline indicates the individual forms provided and when they are to be used:

Where settlement proposal, before disposal credits, is $10,000 or over—long form procedure. Form A–1, Contractors Settlement Proposal—Summary Statement. This statement is supported by a schedule of the contractor's own charges to date of termination B–1 or B–2. Form B–1 Contractor's Own Charges Schedule—If contractor is presenting his charges on an inventory basis. Form B–2 Contractor's Own Charges Schedule—If contractor is presenting his charges on a total cost basis. The "B" schedule is supported by Inventory Forms. Form C–1 Raw Materials, Purchased Parts and Supplies. Form C–2 Work in Process. Form C–3 Jigs, Tools, Dies, Fixtures, etc.

Where settlement proposal, before disposal credits is under $10,000—combination form procedure. One Combination Statement Form may be used. Form A–3, if contractor is presenting his proposal on the inventory basis. Form A–3, if contractor is presenting his proposal on a total cost basis.

Where settlement proposal is under $500. The Short Form A–4 may be used.

(ii) Even though a particular settlement proposal, before disposal credit is under $10,000 the contractor may use the "C" schedules if he finds them more appropriate, or he may use the entire long form procedure, if he prefers.

(3) *Inventory vs total cost methods for presenting proposals.* (i) Under the inventory method, the costs allocable to the work done on the uncompleted portion of the contract plus profit, if any, are presented in the proposal. This method should be followed, wherever practicable.

(ii) Under the total cost method, the cost applicable to all work done on the contract are summarised, plus profit, if any, and deduction is made for payments made or to be made for completed units. This method should be used only when the inventory method is not practicable.

(4) *Cost data presented in standard forms.* (i) In presenting all cost data on standard forms the contractor should be guided by the Statement of Principles for Determination of Costs Upon Termination of Government Fixed Price Supply Contracts (§ 88.15–481) issued by the Joint Contract Termination Board, together with any further interpretations which may subsequently be issued.

(ii) It is of special important that adequate explanations be submitted as to the methods followed in allocating common items of inventory, common claims of suppliers, indirect factory expense, and general administrative expense.

(5) *Finished units on hand at date of termination.* (i) Normally prime contractors will obtain payment for finished units at the contract price and such units will not be reported on inventory forms.

(ii) Subcontractors may not in all cases be permitted to obtain payment through regular billing procedure for finished units on hand at date of termination. If such finished units can properly be included in the settlement proposal under the existing contractual arrangements, they should be reported as follows:

Contractors using combination form procedure. List and describe in Inventory Schedule provided on Forms A–2 or A–3.

Contractors using long form procedure. Use a separate page of Form C–1 with headings appropriately modified.

(6) *Inventories.* (i) In filling out the inventory schedules, it is permissible to lump small quantities of items under a "Sundry" caption with a general description of the type of items included, where the aggregate amount involved does not warrant greater detail. As a general rule, the cost of the items included under the "Sundry" caption should not total more than 20% of the total cost of the particular inventory classification or $1,000—whichever is less.

(ii) If the proposal is submitted on the "Inventory" basis, no item of property for which the contractor does not propose to make a charge need be listed. If, however, the contractor seeks any profit on such items, the basis of such a charge must be clearly set forth.

(7) *Miscellaneous instructions.* (i) A separate set of forms should be submitted for each contract terminated unless grouping of several contracts of the same contractor for settlement purposes is approved by the contracting officer.

(ii) All certificates must be signed by authorised representatives of the contractor. Only one executed certificate is required for each form or schedule—irrespective of the number of pages—unless additional certificates are requested by the contracting officer.

(8) *Other applicable regulations; War Department contracts.* (i) The general procedures for the handling of terminated War Department fixed price supply contracts are contained in this Procurement Regulation No. 15. Instructions as to the accounting review of termination settlements by Government personnel are contained in TM 14–320, Termination Accounting Manual for Fixed-Price Supply Contracts.

(ii) These regulations should be consulted by contractors as further guides as to the nature of the data to be presented in these standard forms.

(b) *Instruction applicable only to long form procedure*—(1) *Time of presenting individual forms.*—

(i) The following plan may be followed, to the extent practicable:

(a) Submit "C" Inventory Schedules as quickly as possible to facilitate disposition of inventory. Cost data should be completed to the extent practicable, without unduly delaying submission of forms. However, cost information is particularly needed for property disposal purposes in connection with property listed on the C–1 form.

(b) Submit "B" Contractor's Own Charges Schedule supported by "C" schedules containing cost data so that the accounting review of these charges can be started.

(c) Submit "A" Contractor's Settlement Proposal—

Summary statement which is the basis for the negotiation of a final settlement.

(ii) All of above forms and schedules may, however, be filed at one time. In some cases the "C" schedules can be filed first and then the "B" schedule and "A" form be filed together.

(2) *Inventory schedules.* (i) Where any inventory schedule requires the use of two or more sheets, the entire heading need not be repeated on the second and subsequent sheets. Only the contractor's name and the Government contract number, need be repeated, plus the required page number information.

(ii) Inventory schedules listing Government owned property should be submitted only for property disposition purposes and should not be filed as a part of the Settlement Proposal. "Contract Owned". inventory includes all property for which reimbursement may be claimed even though security title may have passed in connection with partial or progress payments.

(iii) Special instructions for describing inventory in column 2 of all "C" forms have been prescribed to facilitate property disposition and to comply with the requirements of the various property disposal agencies. These instructions are attached as Appendix A (see § 88.15–939 (d)). Additional instructions and administrative interpretations may be given from time to time through contracting officers.

§ 88.15–404 *Special instructions applicable to Forms C–1, C–2 and C–3.* Special Instructions have been adopted for the description of inventory in Forms C–1, C–2 and C–3, and are set out in § 88.15–939 (d) immediately following these forms.

§ 88.15–405 *Penalties for false certification.* Contractors and subcontractors, in executing the certificates included in the Standard Forms, are subject to penalties for any false certification. (See 18 U. S. C. 80.)

§ 88.15–406 *Prompt submission of proposed settlements with subcontractors.* Proposed settlements with subcontractors, except those which the contractor is authorized to approve finally pursuant to § 88.15–325 (c), should be submitted to the contracting officer with the appropriate Standard A Forms (and B Forms except as otherwise indicated) from time to time as promptly as it is possible to do so.

§ 88.15–407 *Documentary evidence in support of contractor's statement.* War Department requirements as to documentary evidence, such as are in force with respect to cost-plus-a-fixed-fee contracts, are not applicable to negotiated termination settlements of fixed price supply contracts. In the case of settlements by negotiation, no such documentary evidence is to be submitted to the disbursing officer. Contractors and subcontractors, however, are held to the standards of good commercial practice as to possession and maintenance of records, and should preserve all pertinent records and supporting papers so that the Government can make such inspection of them as it deems necessary. In paragraph (h) of the new uniform termination article (§§ 81.324, 88.15–901), a requirement of preservation of such records for three years has been established. It should be remembered that when a fixed price supply contract is completed, the contractor is not ordinarily required to prove his costs under the contract, except possibly in connection with renegotiation proceedings, and even these are usually conducted on an "over-all" basis for each contractor. The contractor should therefore not be required to state his costs in unreasonable detail in connection with termination proceedings. There is no justification for obliging a contractor to maintain an otherwise unnecessarily elaborate cost accounting system merely because of the possibility that his fixed-price contracts may be terminated for the convenience of the Government.

In § 88.15–421 paragraph (b) is amended as follows:

§ 88.15–421 *The Termination Accounting Manual.* • • •

(b) *Termination Accounting Manual not applicable to formula settlements.* The Termination Accounting Manual (T. A. M. par. 1113) does not prescribe audit procedures for settlement made through the use of the formula set forth in paragraph (d) of either the old standard termination article (see § 88.15–901a) or of the new uniform termination article (§§ 81.324, 88.15–901), as contrasted with settlements made on the negotiated basis pursuant to paragraph (c) of such termination articles. Procedures for formula settlements will be determined by the chief of the technical service concerned consistently with this regulation (PR 15) and with accounting methods prescribed by the Office of the Fiscal Director, Headquarters, Army Service Forces. The cost principles set forth in § 88.15–480 and following sections will be applied in making formula settlements. Prompt written notice will be given to the Contract Termination Branch, Readjustment Division, Headquarters, Army Service Forces (through the chief of the technical service), of any settlement which is to be made in whole or in part on a formula basis but action by the chief of the technical service with respect to such settlement will not be delayed to await any action upon the report. Such report will contain a full statement of the issues remaining unsettled where a partial settlement has been effected (see §§ 88.15–535 and 88.15–560).

In § 88.15–424 paragraph (e) is amended as follows:

§ 88.15–424 *Nature of accounting review.* • • •

(e) *Expediting partial payments.* Paragraph (g) of the new uniform termination article (§§ 81.324, 88.15–901) provides that "the Government shall make partial payments and payments on account, from time to time, of the amount to which the contractor shall be entitled under this Article", and the old standard termination article (§ 88.15–901a) contains a similar provision in paragraph (i). It is the duty of accounting personnel to facilitate such partial payments in every proper manner. For example, in appropriate cases a brief preliminary office review may suffice as a basis for the authorization of partial payment by the contracting officer.

Sections 88.15–430 to 88.15–437 are rescinded and §§ 88.15–431 through 88.15–435 and § 88.15–437 are substituted therefor:

§ 88.55–431 *Responsibility of contractors and subcontractors to review claims of subcontractors and suppliers.* It is the primary responsibility of each contractor and subcontractor to review or examine in an appropriate manner all statements of charges and settlement proposals submitted by his immediate subcontractors and suppliers, arising out of the termination. The problem which he then faces is similar to that faced by Government personnel with respect to the statement of charges and settlement proposal of the prime contractor. Each contractor and subcontractor should advise his immediate subcontractors and suppliers that the statements of charges submitted by them may be audited by Government auditors. The subcontractor and supplier is thus put on notice that his statement of charges and settlement proposal will be used by his purchaser in compiling the latter's setlement proposal for submission either directly or indirectly to the Government.

§ 88.15–432 *Standard of care applicable to review.* In making such review or examination, the contractor and the subcontractor will be held to the same degree of care that a business man would employ in the conduct of his own affairs, but will not be required to warrant the accuracy of the statements contained in the papers so reviewed or examined.

§ 88.15–433 *Office review of supplier's statement of charges and settlement proposal.* The contractor or subcontractor charged with the duty of making any such review or examination will at least cause an office review to be made, by qualified accounting personnel in his employ, of each statement of charges and settlement proposal submitted by his immediate subcontractors and suppliers. He should, in each such case, give special attention to the matters listed in § 88.15–424 (b).

§ 88.15–434 *Report of accounting personnel.* Each contractor or subcontractor will have his accounting personnel furnish a written report of each office review and will upon request make a copy thereof available to his immediate purchaser and to Government personnel.

§ 88.15–435 *Appropriate extent of examination beyond an office review.* (a) It is the responsibility of each contractor and subcontractor to determine in the first instance what examination, if any, beyond an office review should be made by him of any proposed settlement with any of his immediate subcontractors and suppliers. In making this decision the following should be considered:

(1) The amount and complexity of the proposed settlement.

(2) The report of the office review.

(3) Available reports of independent public accountants.

(4) Any information available from personnel familiar with operations under the subcontract.

(b) If it is determined that any further examination should be made, the following are illustrative of the steps which may then be taken:

(1) The subcontractor or supplier may be requested to submit additional data or explanations in writing.

(2) The contractor or subcontractor may have his accounting personnel visit the supplier's plant to discuss the statement of charges, with such reference to the accounting records as may be appropriate.

(3) An audit may be made by qualified accounting personnel in accordance with the procedures outlined in the Termination Accounting Manual.

§ 88.15–437 *Investigation by Government personnel of subcontractors' and suppliers' claims.* Although it is, in the first instance, the duty of each contractor or subcontractor to review or examine the statements of charges and settlement proposals submitted by his immediate subcontractors and suppliers, the Government fully reserves the right to make such additional investigations as it may deem proper. As a practical matter, the Government must rely in a great majority of instances upon the review of a particular subcontractor's or supplier's claim made by the reviewing contractor or subcontractor, and the contracting officer and Government accounting personnel will be warranted in doing so in the absence of circumstances coming to their attention pointing to the necessity of special investigation of particular subcontractors' or suppliers' claims, or showing incompetent or inadequate review. All reviewing contractors and subcontractors should call attention to any special circumstances relating to the propriety of the claims of their immediate subcontractors and suppliers. The contracting officer and Government accounting personnel should establish such programs for (a) examining subcontractors' and suppliers' claims and (b) appraising the character of the review given by the prime contractor to the claims of his immediate subcontractors and suppliers, as may be necessary to protect the interest of the Government.

Section 88.15–440 is deleted.

§ 88.15–440 *Form of certificate of subcontractors' charges on termination.* [Deleted] See § 88.15–937.

In § 88.15–443 paragraph (c) is amended as follows:

§ 88.15–443 *Standard termination article (§ 81.324); provisions for reimbursement of the contractor.* * * *

(c) *Uncompleted portion of the contract-formula settlement.* Under paragraph (d) of the old standard termination article, (§ 88.15–901a) and in the new uniform termination article (see §§ 81.324, and 88.15–901), if the contracting officer and the contractor agree upon a negotiated settlement pursuant to the applicable termination articles, the Government, without duplication of any other payments made pursuant to the termination article or prior to giving notice of the termination of the contract, shall compensate the contractor in accordance with the formula set out in paragraph (d) of the applicable article. Attention is invited to §§ 88.15–535 and 88.15–560 which discuss the possibility of partial negotiated settlements.

In § 88.15–444 paragraph (a) is amended as follows:

§ 88.15–444 *The Contract Article; limitations on reimbursement.* * * *

(a) *Maximum payments.* Under paragraph (g) of the old termination article (§ 88.15–901a), the payments to be made under the article, when added to "the sum of all amounts previously paid under the terminated contract, shall not exceed the total contract price", adjusted as provided in paragraph (g), in the event that the contract contains an article providing for price adjustment or an escalator clause. A somewhat similar limitation applicable to formula settlements is found in paragraph (d) of the new uniform termination article (see §§ 81.324 and 88.15–901). Even under the new uniform termination article no negotiated settlement will cause total payments under the contract (other than reimbursement of post termination expenses) to exceed the contract price, except with the written approval of the Director, Readjustment Division, Headquarters, Army Service Forces.

Section 88.15–446 is rescinded.

§ 88.15–446 *Alternate methods of calculating the contractor's own costs applicable to uncompleted portions of the contract for purposes of an accounting guide:* [Rescinded]

Section 88.15–447 is amended as follows:

§ 88.15–447 *Treatment of disposal credits.* Disposal credits may arise either from the retention of items by the contractor or subcontractor or from the sale of property to others. The total amount of such credits will be deducted in arriving at the amount of the Settlement Proposal. (See § 88.15–937 (a), (b), (c) and (d)).

Section 88.15–535 is amended as follows:

§ 88.15–535 *Where prime contractor cannot settle with one or more subcontractors.* Where the prime contractor is unable to effect a settlement, which the contracting officer will approve (where such approval is required), with one or more subcontractors, the settlement agreement between the Government and the prime contractor may exclude the amounts due to such subcontractors from the negotiated settlement, leaving to later determination the question of the payment to be made to the prime contractor with respect to such subcontracts. In appropriate cases, with the written approval of the officer or employee of the War Department in charge of the procurement office in which the settlement is being administered, acting personally or through a representative designated for the purpose, the Government in the settlement agreement with the prime contractor may assume and agree to pay the obligation of the prime contractor with respect to such subcontracts, so far as related to the uncompleted portion of the terminated prime contract. Each such agreement to assume such an obligation shall provide that the amount to be paid under such assumption of liability shall not exceed a stated amount and, where appropriate, will contain an assignment of all rights of the prime contractor relating to such obligation. This amount will be determined at a figure sufficiently low so that the total payments under the terminated prime contract will not exceed any maximum limit set for payments under the applicable termination article (see §§ 81.324 and 88.15–444 (a)). In the event of such an assumption of the prime contractor's obligation, the settlement agreement shall include suitable provisions requiring the contractor (a) to give prompt notice to the contracting officer of the commencement of any litigation with respect to the obligation, and (b) to permit the Government to assume the defense of such litigation as a condition of the Government's liability (see § 88.15–321 (g)). Similar arrangements may be made, with the written consent of the prime contractor and of all intervening subcontractors, where a subcontractor of any tier cannot make settlement with one or more subcontractors of the next tier below him. A written report of each agreement entered into pursuant to this section will be made through channels to the Director, Readjustment Division, Headquarters, Army Service Forces.

Section 88.15–550 is amended as follows:

§ 88.15–550 *Relation of termination to statutory renegotiation.* The settlement of terminated contracts will not be delayed pending completion of renegotiation proceedings. However, the following points must be considered in reaching settlement agreements:

(a) The Statement of Principles for Determination of Costs upon Termination of Government Fixed Price Supply Contracts provides that the following should not be included as an element of cost:

> Cost which, as evidenced by accounting statements submitted in renegotiation under section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended, were charged off during a period covered by a previous renegotiation, may not be subsequently included in the termination settlement if a refund was made for such period, or to the extent that such charging off is shown to have avoided such refund.

(b) In some cases contractors are willing to waive or otherwise release any claim for payment of costs and profit thereon to which they may be entitled as a result of termination of contracts. The signing of such a waiver will not prejudice whatever rights the contractor has to include such costs in accounting statements submitted in renegotiation. It should be pointed out to contractors, however, that the waiver of payment must be made within the contractor's fiscal year if the applicable costs are to be included in accounting statements submitted in renegotiation for that year. Profit consideration in renegotiation with respect to that segment of production represented by the costs on contracts terminated will generally be dependent on the extent and character of the manufacturing contribution represented by those costs.

(c) Contracting officers and accounting personnel will take full advantage of accounting and cost information in the possession of the Price Adjustment Board or section charged with renegotiation dealings with a contractor whose contract has been terminated and will keep that board or section fully informed and make available to it the information developed in connection with the termination settlement.

Section 88.15–560 is amended as follows:

§ 88.15–560 *Where settlement by negotiation proves impossible; formula settlement.* (a) Where settlement by negotiation of the amount due with respect to the contract (or any portion as to which settlement by negotiation is permitted) proves to be impossible, settlement will be made by formula. Contracting officers will take action promptly to make settlement by formula wherever a negotiated settlement is being unreasonably delayed by the contractor or seems unlikely to be effected within a reasonable time because of inaction by the contractor. Such action will be pressed with special vigor where the interests of subcontractors may be adversely affected by delay of the prime contractor in acting on settlements with his subcontractors.

(b) Resort to a complete formula settlement may in some instances be avoided in part by (1) limiting the formula settlement to any separable issues which are in dispute and (2) negotiating a partial settlement agreement covering all clearly separable issues as to which fair agreement can be reached without unreasonable concessions to the contractor (see also in this connection § 88.15–535). This course, however, should not be pursued unless exhaustive and diligent effort has been made to negotiate a complete settlement of all the matters arising in connection with the termination. Even then, partial settlement should be employed cautiously and no partial settlement should be made if such a settlement will prejudice the Government's interests in the light of the issues left unsettled. The chiefs of the technical services may authorize the execution of such partial settlement agreements either in specific cases or by general rule or delegation of authority. As a general rule, partial settlements covering particular items of the contractor's proposal should not be made during the course of negotiations, since such partial settlements may embarrass the Government's negotiating position as to a final settlement. This general rule, however, is not applicable to agreements approving subcontract settlements or approving dispositions of property and credits arising therefrom.

(c) Where a settlement by formula is to be made of the whole or any part of the amount due in connection with a contract in process of termination, the contracting officer will give the contractor not less than fifteen (15) days written notice by registered mail to produce on or prior to a stated date his written evidence bearing upon the determination of the amount due, including such vouchers, verified transcripts of books of account, affidavits, audit reports and other documents, as the contractor may wish to submit or as the contracting officer in his discretion may require. If the contractor wishes to present oral testimony or if the contracting officer wishes testimony presented in behalf of the Government or by independent experts or to examine persons whose affidavits or reports have been submitted by the contractor, in the discretion of the contracting officer a hearing may be held. If such a hearing is held, the contractor shall be given due notice in writing. The contracting officer may cause such accounting and other investigations and audits to be made as he may deem appropriate. Ordinarily, an investigation will be made on all issues which the negotiations reveal to be in dispute and such additional documents and data may be required as the contracting officer in his discretion considers necessary in the particular case. It is not intended, even in connection with a formula settlement (see §§ 88.15–407, 88.15–421 (b)), that the chief of the technical service shall require the contractor to furnish detailed evidence, vouchers and other data to the extent ordinarily required in cost-plus-a-fixed-fee contracts. The purpose in making investigation and in directing the submission of evidence should be to require the contractor to establish by proof, satisfactory to the contracting officer the substantial facts as to the amount owed to him. The burden of proof is upon the contractor. The nature of the additional data to be furnished will depend upon the situation in the particular case and upon the character of the issues remaining in dispute. Generally, photostatic or other copies of such documents and records as the contracting officer may require will be sufficient for the purposes of the contracting officer and for this reason originals should not be required except where the authenticity of particular documents is in dispute. In all cases the contractor should be given full opportunity to submit within a reasonable time such additional documents, records and other evidence as he may deem appropriate to support his claim.

(d) After a review of the additional accounting information prepared by his own office (see § 88.15–421 (b)) and any additional data or evidence furnished by the contractor, the contracting officer will make administrative findings of fact and a determination on the issues still in dispute and will transmit a copy of such findings and determination to the contractor by registered mail. In this communication the contracting officer should also refer the contractor to the provisions of his contract giving him any right of appeal which may exist (see § 81.326). Such determination shall be based upon the applicable formula in the termination article in the particular contract and shall comprehend the following items (without duplicating amounts included in partial settlements arrived at through negotiation):

(1) A summary of the costs to be paid under the formula settlement. Such costs should ordinarily be summarized in substantially the same manner as the summary shown on Standard Form A–1 (§ 88.15–937 (a)) with the detailed supporting data shown in the summary on Standard Form B–1 (§ 88.15–938 (a)) or on Standard Form B–2 (§ 88.15–938 (b)) whichever is applicable. Such summary of costs, however, may be in such form as the contracting officer deems appropriate in the particular case.

(i) When the costs are presented on the "inventory basis", the figures on the cost summary should be supported by an inventory list. Where the inventory is comprised of more than three pages, a reasonable analysis only will be presented. This analysis (which should not require more than one or two pages) should show the description, quantity, prices (if appropriate) and extensions of the important classifications of inventory. For example, raw material may be listed by major groupings, and principal purchased components may be briefly described. Work in process will be listed to show the dollar amounts by departments or other appropriate classifications.

(ii) When the cost summary is presented on the "total cost basis" each major element of cost on the summary should be supported by an appropriate short analysis or schedule of one or two pages. This analysis in respect to direct material will show to the extent practicable the several major classes as indicated by the contractors' records, such as steel, copper, lumber, etc., subdivided as to grade for the major elements. Such a breakdown should seldom include more than 15 or 20 items. Direct labor may be summarized by plant operations, production centers or other appropriate classifications, if the contractor's accounting system so provides or if such an analysis can be readily obtained. Other direct charges if important, may be succinctly analyzed. Usually indirect factory expenses will be reflected in not more than 25 or 30 major accounts. The basis of allocation to the contract being terminated should be clearly described. A similar schedule should be submitted for administrative expenses and any other major groups shown on the cost summary if and to the extent deemed appropriate by the contracting officer.

(2) A statement of the amount allowed by the contracting officer by way of profit. If the contract contains the new uniform termination article (§§ 81.324, 88.15–901) this item of profit should show separately (i) the amount allowed with respect to the cost of articles or materials not processed by the contractor, and (ii) the amount allowed with respect to other costs of the contractor. If the contract

contains the old standard form of termination article (see § 88.15–901a) the contracting officer will include a statement of his estimate of the profit which would have been realized on the uncompleted portion of the contract if the contract had been completed and his determination of the percentage of completion of the uncompleted portion of the contract, as well as the amount of profit allowed with respect to the work done on the uncompleted portion of the contract.

(3) A supporting analysis of disposal credits, if substantial or if they cannot be appropriately explained in the summary, segregated as to those arising from property retained by the contractor and those arising from sales to outsiders. In no event is it expected that such analysis will require more than two or three pages.

(4) A list of all settlements with immediate (first tier) subcontractors and suppliers with the name and address of each subcontractor and supplier and the amount of each settlement as approved or authorized by the contracting officer.

(5) A schedule of settlement expenses (sometimes referred to as post-termination expenses) including the cost of preserving and protecting the property. This schedule will show the major items by classification followed by a description where necessary to clarify the figures and should seldom exceed one page.

(6) The total amount found to be due to the contractor. (Any amounts payable to the contractor in connection with a partial negotiated settlement should be listed separately for purposes of information.)

(7) In addition to the accounting statements and schedules enumerated above, there should be furnished the following supplemental or collateral data:

(i) The administrative accounting reports to the contracting officer by Government accounting personnel.

(ii) Copies of correspondence directly bearing on the findings of the contracting officer.

(iii) An appropriate certificate by the contracting officer supporting his findings of fact and stating that the amount of the termination settlement agreement is in his judgment just and reasonable.

(e) In connection with a formula settlement, settlements with subcontractors and suppliers made with the approval of the contracting officer, prior or subsequent to the breakdown of negotiations will not be reexamined and the cost of such settlements will be reimbursed to the contractor under the applicable termination article as part of the formula settlement. Similarly, other action taken by the contractor prior or subsequent to the breakdown of negotiations in reliance upon the written approval of the contracting officer in connection with the termination settlement, e. g., dispositions of property, will be treated as final in connection with the formula settlement.

(f) If the contractor does not take an appeal from the decision of the contracting officer within the time set forth in the Disputes article of the contract (see § 81.326), the administrative findings of fact and determination of the contracting officer made in accordance with paragraph (d) above shall thereupon become the determination of the War Department with respect to the amount due to the contractor in connection with the termination or so much thereof as is dealt with in such determination.

(g) In the event of an appeal by the contractor from the decision of the contracting officer, the contracting officer will transmit to the appropriate appeals agency a narrative statement of the action, relevant to the issues raised by the appeal, taken prior to the appeal. He may in his discretion include such schedules, office reviews, audit reports and records as he deems appropriate. He will also transmit to the appeals agency a copy of his administrative finding and determination together with such other documents and papers as the rules of the appeals agency may require. At the present time most such appeals will be to the War Department Board of Contract Appeals (see §§ 81.318d to 81.318f), although in some contracts made prior to the formation of that Board, appeals lie to the chief of the technical service concerned. The burden of proof as to the amount due rests upon the contractor. Upon a determination by the appropriate appeals agency, such determination shall thereupon become the determination of the War Department with respect to the amount due to the contractor in connection with the termination or so much thereof as is dealt with in such determination. In the event that the contractor does not accept the decision of the appropriate appeals agency, he remains free to prosecute any claim, which he may have and as to which the decision of the appeals agency is not final, without further action on the part of the War Department.

(h) The contracting officer shall retain in the files of the procurement office to which he is attached or in the office of the chief of the technical service, as the chief of the technical service may direct, a file containing copies of all written evidence and other data relied upon by him in making his administrative findings of fact and determination, except that original books of account and other original papers and documents may be returned to the contractor upon the contractor's agreement to preserve the same available for examination for a period of not less than three years from the date of final settlement.

(i) The chief of the technical service will notify the Director, Readjustment Division, Headquarters, Army Service Forces, of each such appeal which is taken either to the chief of the technical service, the War Department Board of Contract Appeals or any other appeals agency.

(j) (1) Notwithstanding proceedings have been commenced to make settlement by formula, the contracting officer, unless the chief of the technical service otherwise directs, may make or authorize a negotiated settlement with the contractor at any time prior to the time when the contracting officer has administratively determined the amount due on account of the formula settlement by sending to the contractor the communication referred to in paragraph (d) above.

(2) If the contracting officer's determination is, by the terms of the contract, subject to review by the Secretary of War, or his duly authorized representative, and if the contractor perfects his right to such review, the contracting officer unless the chief of the technical service otherwise directs, may make or authorize a negotiated settlement at any time prior to final action on such review (see § 81.306f).

In § 88.15–936 paragraphs (a), (b) and (c) are rescinded.

§ 88.15–936 *Lump sum contractors.*

* * *

(a) ***Exhibits.*** [Rescinded]
(b) ***Exhibit 1.*** [Rescinded]
(c) ***Exhibit 2.*** [Rescinded]

Section 88.15–937 is added as follows:

§ 88.15–937 *Contractor's settlement proposal forms*—(a) ***Standard Form A–1. Contractor's Settlement Proposal: Summary Statement.***

Form No. A–1
Read all instructions before preparing this form

Budget Bureau approval No. 49-R177
Expiration date: 31 July 1944

[Actual size 8½" x 14"]

CONTRACTOR'S SETTLEMENT PROPOSAL

SUMMARY STATEMENT

(Form A–2 or A–3 may be used when total proposal is less than $10,000 before disposal or other credits)

Name of your Firm	Check one ☐ This settlement proposal is applicable to a prime contract with the Government. ☐ This settlement proposal is applicable to subcontract or purchase order ..... (identify) with:
Address (Street) (City) (State)	*
If monies payable under the contract have been assigned, show name of assignee:	*Insert name and address of contractor from whom you received Notice of Termination.

Effective date of termination	Government contract No.	Government agency	Items contracted for

SUMMARY

		Amount	Do not use this column
1. Contractor's own charges—per Schedule B-1 or B-2—See Instruction 3	$		
2. Adjustments—Schedule A-1-a—See Instruction 4			
3. Adjusted amount			
4. Post termination charges—Schedule A-1-b—See Instruction 5			
5. Settlements with subcontractors—Schedule A-1-c—See Instruction 6			
6. Other charges—Schedule A-1-d			
7. Total charges	$		
8. Disposal credits—See Instruction 7			
9. Other credits—Schedule A-1-e—See Instruction 9			
10. Partial payments—Schedule A-1-e			
11. Advance or progress payment—Schedule A-1-e—See Instruction 8			
12. Total credits	$		
13. Net settlement proposal			
14. Contract price of finished units not otherwise billed—See Instruction 10	$		
15. Direct profit applicable to finished units			
16. Net charge for finished units			
17. Net settlement proposal including charge for finished units	$		

CERTIFICATE

Own Charges. The undersigned certifies that, to the best of its knowledge and belief, the summary of charges and credits in its own behalf, as shown on the foregoing schedules and explanations have been prepared from the books of account and records of the undersigned and that the charges allocable to the terminated portion of this contract, that the charges as stated are fair and reasonable, and that, in accordance with recognized commercial accounting practices; that they include only those charges allocable to the terminated portion of this contract; that the charges as stated are fair and reasonable, and that, to an extent which it considered adequate in the circumstances, the claims of its immediate suppliers (exclusive of charges arising from termination claims filed against such immediate suppliers by their suppliers) as summarized as Item 4, that, in its opinion, the settlements of its immediate supplier's own charges are fair and reasonable and that they are not more favorable to its immediate suppliers than those which the undersigned would make if reimbursement by the Government were not involved. The undersigned certifies that it has no knowledge to doubt the reasonableness of the settlements with more remote suppliers or to doubt that the charges for them are allocable to this contract. The undersigned shall not be deemed to have made any representations with respect to the immediate and more remote suppliers' claim or the settlement thereof other than those expressed in this certificate.

Subcontractors' Charges. The undersigned certifies that it has examined, or caused to be examined, to an extent

Chief Accounting Officer:

_____ (Name of contractor)

By _____ (Signature)

_____ (Signature)

_____ (Title)

_____ (Title)

_____ (Date)

NOTE.—The paper on which this form is printed can be used for reproduction by liquid process duplicating machines.

Schedule A-1-a ADJUSTMENTS IN FORM NO. B-1 OR B-2

Item	Explanation	Amount per B-1 or B-2	Revised amount	Increase	Decrease	Do not use this column

Schedule A-1-b POST TERMINATION CHARGES

Item	Explanation	Amount	Do not use this column

W. D., A. G. O. Form No. 242—18 April 1944.

Schedule A-1-c SETTLEMENTS WITH SUBCONTRACTORS

Name of subcontractor or date of schedule previously submitted	Item	Total on order at date of termination		Quantity canceled or diverted to contract	Amount of actual or proposed settlement	Do not use this column
		Quantity	Amount, $			

Schedule A-1-d OTHER CHARGES

Item	Explanation	Amount	Do not use this column

Schedule A-1-e PARTIAL PAYMENTS, ADVANCE OR PROGRESS PAYMENTS AND OTHER CREDITS

Date	Explanation	Amount	Do not use this column

INSTRUCTIONS

1. This Form No. A-1 should be prepared as soon as the contractor can complete his net settlement proposal.

2. Where schedules provided do not provide adequate space, attach schedules in similar form.

3. Contractor's Own Charges.—Contractor should attach latest copy of Contractor's Own Charges (Form B-1 or B-2) as filed with the contractor or Government representative who rendered Notice of Termination. "Contractor's Settlement Proposal" copies of inventory schedules showing all disposal credits should also be attached.

4. Adjustments.—Schedule A-1-a should be used to explain all adjustments made by contractor to items included in attached Form B-1 or B-2.

5. Post Termination Charges.—Should be listed in reasonable detail in Schedule A-1-b with appropriate explanation.

6. Settlements With Subcontractors.—This item includes all settlements with subcontractors. Subcontractors' claims may be submitted as soon as they are examined and settlements negotiated. In such cases, the settlements should be listed on a schedule made up with the same headings as shown in Schedule A-1-c. Each such schedule with subcontractors' proposals attached must be accompanied by a certificate as to the examination made by the contractor, and the opinion of the contractor as to the reasonableness of the proposals. The type of certificate to be presented should conform to the applicable portion of the certificate shown on this Form No. A-1. In preparing Schedule A-1-c under such circumstances, it is necessary only to list the totals of schedules previously submitted. Subcontractors' settlements not previously submitted should then be listed in detail to bring the total amount of this schedule (A-1-c) into agreement with the amount listed as item 5 in the summary.

7. Disposal Credits.—The amount shown here should represent the total of the individual disposal credits listed on the inventory schedules. Each inventory sheet should be totaled separately and a listing of the page totals should be prepared to show the source of the total (Line 8 of the Summary) used on the summary.

8. Advance payments.—Attach copy last report covering advance payments account, if any, bringing account transactions to current date.

9. Other credits.—List all other credits. Where statement is on a total cost basis, any payments made for completed units after the filing of the Form No. B-2 should be listed here.

10. Subcontractors may include on line 14 any amounts applicable to finished units completed at date of termination but not otherwise billed. In that case, the inventory and any applicable disposal credits should be listed on a separate sheet of the C-1 Form with the headings appropriately modified. The total of these disposal credits should be shown on line 15 of the Summary.

General Instructions for preparation of Settlement Proposals and for the use of these forms should be procured from the Government representative or contractor from whom the termination notice was received.

(b) *Standard Form A–2. Contractor's settlement proposal: Combination statement; inventory basis.*

Form No. A-2
Read all instructions before preparing this form

Budget Bureau approval No. 40-R181
Expiration date: 31 July 1944

[Actual size 8½" x 14"]

CONTRACTOR'S SETTLEMENT PROPOSAL

COMBINATION STATEMENT-INVENTORY BASIS

(To be used only when total proposed is less than $10,000 before disposal or other credits)

Name of your firm.....

Address (Street) (City) (State)

If monies payable under the contract have been assigned, show name of assignee:

Check one:

☐ This settlement proposal is applicable to a prime contract with the Government.

☐ This settlement proposal is applicable to subcontract or purchase order ..... (identify) with:

.....*

*Insert name and address of contractor from whom you received Notice of Termination.

Effective date of termination	Government contract No.	Government agency	Items contracted for

SUMMARY

		Amount	Do not use this column
1. Raw materials, purchased parts, and supplies—per Schedule No. A-2-a—See Instruction 3		$.....	
2. Work in process—per Schedule No. A-2-a—See Instruction 3:			
2a. Materials	$.....		
2b. Labor			
2c. Indirect factory expense			
Total work in process		$.....	
3. General and administrative expense—See Instruction 4			
4. Other charges—per Schedule No. A-2-b—See Instruction 5			
5. Total		$.....	
6. Profit, if any (explain calculation in Schedule No. A-2-c)			
7. Total		$.....	
8. Settlements with subcontractor—per Schedule No. A-2-d			
9. Post termination charges—per Schedule No. A-2-e			
10. Total charges		$.....	
11. Partial or advance payments—per Schedule No. A-2-f			
12. Settlement proposal before disposal credits		$.....	
13. Disposal credits—per Schedule No. A-2-a			
14. Net settlement proposal			
15. Contract price of finished units not otherwise billed—See Instruction 6	$.....		
16. Disposal credits applicable to finished units			
17. Net charge for finished units			
18. Net settlement proposal including charge for finished units			

CERTIFICATE

Own charges. The undersigned certifies that, to the best of its knowledge and belief, the summary of charges and supporting schedules and explanations have been prepared from the books of account and records of the undersigned in accordance with recognized commercial accounting practices; that they include only those charges allocable to the terminated portion of this contract; that the charges as stated are fair and reasonable; and that they have been prepared with knowledge that they will, or may, be used by contracting officers acting on behalf of the United States as the basis of settlement with the undersigned or with others.

Subcontractors' charges. The undersigned certifies that it has examined, or caused to be examine, to an extent which it considers adequate in the circumstances, the claims of its immediate suppliers (exclusive of charges arising from termination claims filed against such immediate suppliers by their suppliers) as summarized as item 8, that, in its opinion, the settlements of its immediate suppliers' own charges are fair and reasonable, and charges are allocable to the terminated portion of this contract, and said settlements were negotiated in good faith, and are not more favorable to its immediate suppliers than those which the undersigned would make if reimbursement by the Government were not involved. The undersigned certifies that it has no knowledge to doubt the reasonableness of the settlements with more remote suppliers or to doubt that the charges for them are allocable to this contract. The undersigned shall not be deemed to have made any representations with respect to the immediate and more remote suppliers' claims or the settlement thereof other than those expressed in this certificate.

Chief Accounting Officer:

.....
(Signature)

.....
(Name of contractor)

By .....
(Signature)

.....
(Title)

.....
(Title)

.....
(Date)

NOTE: The paper on which this form is printed can be used for reproduction by liquid process duplicating machines.

Schedule No. A-2-a

INVENTORIES AT DATE OF TERMINATION—LINES 1, 2, AND 13 OF SUMMARY

Description	Quantity	Total cost	Contractor's best offer	Disposal credits	Do not use this column

W. D., A. G. O. Form No. 242—15 April 1944.

Finished unit information	Number of units		Total amount		Information regarding renegotiation
Total per contract		.....	$.....	$.....	Were you renegotiated for last fiscal year? .....
Less: Units shipped and billed	.....		$.....		If so, by what Government agency? .....
Units to be shipped and billed					Were costs included for purposes of renegotiation in that period excluded from the above Summary? .....
Total billed or to be billed	.....		$.....		If not, explain items not excluded .....
Units completed but not billed, if any (Line 15 of Summary)				$.....	
Units covered by termination notice				$.....	

Schedule No. A-2-b

OTHER CHARGES—LINE 4 OF SUMMARY

Item	Explanation	Amount	Do not use this column

Schedule No. A-2-c

PROFIT, IF ANY—LINE 6 OF SUMMARY

	Do not use this column

Schedule No. A-2-d

SETTLEMENTS WITH SUBCONTRACTORS—LINE 8 OF SUMMARY

Name of subcontractor	Item	Total on order at date of termination		Quantity canceled applicable to contract	Amount of actual or proposed settlement	Do not use this column
		Quantity	Amount, $			

Schedule No. A-2-e

POST TERMINATION CHARGES—LINE 9 OF SUMMARY

Item	Explanation	Amount	Do not use this column

Schedule No. A-2-f

PARTIAL OR ADVANCE PAYMENTS—LINE 11 OF SUMMARY

Date	Explanation	Amount	Do not use this column

INSTRUCTIONS

1. This Form No. A-2 is to be prepared by the contractor as soon as cost information required in the summary can be determined.

2. If space provided in these schedules is not sufficient, attach additional sheets, using the same headings.

3. Inventory should be grouped in Schedule No. A-2-a by "Raw Materials, Purchased Parts, and Supplies" and "Work in Process" and separate cost totals should agree with amounts shown on Lines 1 and 2 of Summary. Explanations should be attached describing the methods followed in computing costs as shown in Schedule No. A-2-a and in Lines 2a, 2b, and 2c of the Summary.

4. An explanation should be attached as to the basis of allocation and calculation of the amount of general and administrative expense applicable to the inventory.

5. Include in Other Charges (Line 4 of Summary and Schedule A-2-b) all costs not previously included.

6. Subcontractors may include on line 15 any amounts applicable to finished units completed at date of termination but not otherwise billed. In that case, the inventory and any applicable disposal credits should be listed in Schedule A-2-a. The total of these disposal credits should be shown on line 16 of the Summary.

General Instructions for preparation of Settlement Proposals and for the use of these forms should be procured from the Government representative or contractor from whom the Termination Notice was received.

(c) ***Standard Form A–3. Contractor's settlement proposal: Combination statement-total cost basis.***

Form No. A–3
Read all instructions before preparing this form

Budget Bureau approval No. 49–R180
Expiration date: 31 July 1944

[Actual size 8½" x 14"]

CONTRACTOR'S SETTLEMENT PROPOSAL
COMBINATION STATEMENT—TOTAL COST BASIS
[To be used only when total proposal is less than $10,000 before disposal or other credits]

Name of your firm

Address (Street) (City) (State)

If moneys payable under the contract have been assigned, show name of assignee:

Check one
☐ This settlement proposal is applicable to a prime contract with the Government.
☐ This settlement proposal is applicable to subcontract or purchase order (Identify) with:
*

*Insert name and address of contractor from whom you received Notice of Termination.

Effective date of termination	Government contract No.	Government agency	Items contracted for

SUMMARY
(See Instruction 3)

		Do not use this column
1. Direct materials	$	
2. Direct labor		
3. Indirect factory expenses—See Instruction 4		
4. General and administrative expenses—See Instruction 4		
5. Other charges—per Schedule A–3–b–See Instruction 5		
6. Total contractor's own costs	$	
7. **Profit**, if any (explain calculation in Schedule A–3–c)		
8. Total	$	
9. **Less:** Total finished units billed or to be billed		
10. Net total contractor's own costs	$	
11. Settlements with subcontractors-per Schedule A–3–d		
12. Post termination charges-per Schedule A–3–e		
13. Total charges	$	
14. **Less:** Partial or advance payments-per Schedule A–3–f		
15. Settlement proposal before disposal credits	$	
16. Disposal credits—per Schedule A–3–a		
17. Net settlement proposal	$	

CERTIFICATE

Own charges. The undersigned certifies that, to the best of its knowledge and belief, the summary of charges and supporting schedules and explanations have been prepared from the books of account and records of the undersigned in accordance with recognized commercial accounting practices; that they include only those charges allocable to this contract; that the charges as stated are fair and reasonable; and that they have been prepared with knowledge that they will, or may, be used by contracting officers acting on behalf of the United States as the basis of settlement with the undersigned or with others.

Subcontractors' charges. The undersigned certifies that it has examined, or caused to be examined, to an extent which it considers adequate in the circumstances, the claims of its immediate suppliers (exclusive of charges arising from termination claims filed against such immediate suppliers by their suppliers) as summarized as item 11, that, in its opinion, the settlements of its immediate suppliers' own charges are fair and reasonable, said charges are allocable to this contract, and said settlements were negotiated in good faith, and are not more favorable to its immediate suppliers than those which the undersigned would make if reimbursement by the Government were not involved. The undersigned certifies that it has no knowledge to doubt the reasonableness of the settlements with more remote suppliers or to doubt that the charges for them are allocable to this contract. The undersigned shall not be deemed to have made any representations with respect to the immediate and more remote suppliers' claims or the settlement thereof other than those expressed in this certificate.

Chief Accounting Officer:

(Signature)

(Title)

(Name of contractor)

By (Name)

(Title) (Date)

Schedule A–3–a INVENTORIES AT DATE OF TERMINATION
(See Instruction No. 2)

Description	Quantit	Total cost	Contractor's best offer	Disposal credits	Do not use this column

W. D., A. G. O. Form No. 244
18 April 1944

NOTE.—The paper on which this form is printed can be used for reproduction by liquid process duplicating machines.

FINISHED UNIT INFORMATION	Number of copies		Total amount		INFORMATION REGARDING RENEGOTIATION
Total per contract				$	Were you renegotiated for last fiscal year?
Less:					If so, by what Government agency?
Units shipped and billed			$		Were costs and sales included for purposes of renegotiation in that period excluded from the above summary?
Units to be shipped and billed					If not, explain items not excluded
Total billed or to be billed (line 9 of summary)					
Units completed but not billed, if any				$	
Units covered by termination notice				$	

Schedule A–3–b OTHER CHARGES—LINE 5 OF SUMMARY

Item	Explanation	Amount	Do not use this column

Schedule A–3–c PROFIT, IF ANY—LINE 7 OF SUMMARY

	Do not use this column.

Schedule A–3–d SETTLEMENTS WITH SUBCONTRACTORS—LINE 11 OF SUMMARY

Name of subcontractor	Item	Total on order at date of termination		Quantity canceled applicable to contract	Amount of actual or proposed settlement	Do not use this column
		Quantity	Amount			

Schedule A–3–e POST TERMINATION CHARGES—LINE 14 OF SUMMARY

Item	Explanation	Amount	Do not use this column

Schedule A–3–f PARTIAL OR ADVANCE PAYMENTS—LINE 12 OF SUMMARY

Date	Explanation	Amount	Do not use this column

INSTRUCTIONS

1. This Form No. A-3 is to be prepared by the contractor as soon as cost information required in the Summary can be determined.

2. If space provided in these schedules is not sufficient attach additional sheets, using the same headings. Inventory on hand at the date of termination should be grouped in Schedule A–3–a by "Raw Materials, Purchased Parts, and Supplies," and "Work in Process." Costs should be shown to the greatest extent practicable for items included in this inventory listing. Subcontractors may also use this schedule for listing finished units on hand at date of termination not to be billed.

3. The costs shown in this Summary are those costs incurred which are applicable to the entire contract. Where costs applicable to the inventory can be determined accurately, the contractor should present his proposal on Form A–2.

4. An explanation should be attached as to the bases of allocation and calculation of the amounts of indirect factory expenses (Line 3 of Summary) and general and administrative expense (Line 4 of Summary) applicable to the contract.

5. Include in Other Charges (Line 5 of Summary and Schedule A–3–b) all costs not previously included.

General Instructions for preparation of Settlements Proposals and for the use of these forms should be procured from the Government representative or contractor from whom the Termination Notice was received.

(d) ***Standard Form A–4.***

Form No. A–4

Budget Bureau approval No. 49–R180
Expiration date, 31 July 1944

[Actual size 8½" x 11"]

CONTRACTOR'S SETTLEMENT PROPOSAL
Short Form To Be Used Only When Proposal Is For Less Than $500

(Name of your firm)

(Street address)

(City) (State)

If moneys payable under the contract have been assigned, show name of assignee:

Check one:
☐ This settlement proposal is applicable to a prime contract with the Government.
☐ This settlement proposal is applicable to subcontract or purchase order (identify) with:
*

*Insert name and address of contractor from whom you received Notice of Termination.

Effective date of termination	Government contract No.	Government agency

SUMMARY OF TERMINATION

Items contracted for	Quantity				Value of order			
	Ordered	Shipped and billed	Shipped but not billed	Canceled	Ordered	Shipped and billed	Shipped but not billed	Canceled

Finished units which have been shipped and billed should not be included in the proposed settlement.

PROPOSED SETTLEMENT

(Include only items allocable to the contract and properly to be included in settlement on termination under your contract)

1. Contract price of finished units shipped but not otherwise billed $
2. Contract price of finished units not shipped (less their fair value)
3. Proposed settlement for work in process and materials allocable to contract (explain below).
Total of Proposed Settlement $

Explain below how you determined the amounts shown on lines 2 and 3 of the above Proposed Settlement. If there are finished goods on hand which are not to be shipped, show both the contract price of such items and the value at which you are willing to keep them in your inventory. Enter the resulting net cancellation charge on line 2. Explain also how you determined the settlement due you for work in process and materials, making certain that you have reduced your charge by the fair value of materials or work in process which you are retaining. Enter the net cancellation charge for this portion of the work on line 3 of the above Proposed Settlement.

CERTIFICATE

The undersigned certifies that the above Proposed Settlement includes only charges allocable to the terminated portion of this contract, that the charges and credits explained above are fair and reasonable, and that this proposal has been prepared with knowledge that it will, or may be used by contracting officers acting on behalf of the United States as the basis of settlement with the undersigned or others.

Chief Accounting Officer: _____ (Signature)

_____ (Title)

_____ (Name of contractor)

By _____ (Signature)

_____ (Title) _____ (Date)

W. D., A. G. O. Form No. 261 (27 April 1944).

Section 36.15–938 is added as follows:

§ 36.15–938 *Contractor's own charges schedules—(a) Standard Form B–1: Contractor's own charges to date of termination applicable to terminated portion of contract; inventory basis.*

Form No. B–1
Read all instructions before preparing this form

Budget Bureau approved No. 40–R170
Expiration date: 31 July 1944

[Actual size 8½" x 14"]

CONTRACTOR'S OWN CHARGES SCHEDULE
CONTRACTOR'S OWN CHARGES TO DATE OF TERMINATION
APPLICABLE TO TERMINATED PORTION OF CONTRACT

INVENTORY BASIS SUPPORTING SCHEDULE FORM A–1 (LINE 1)

Name of Your Firm _____
Address _____ (Street)
(City) (State)

Check One
This schedule is applicable to a prime contract with the Government.
This schedule is applicable to subcontract or purchase order _____ (identify) with:
*
*Insert name and address of contractor from whom you received Notice of Termination.

Effective date of termination	Government contract No.	Government agency	Items contracted for

SUMMARY

	Amount	Do not use this column
1. Raw materials, purchased parts, and supplies—per Inventory Schedule C–1—See Instruction 3	$	
2. Work in process—per Inventory Schedule C–2 and Schedule B–1–a—See Instruction 3		
3. Jigs, tools, dies, fixtures, etc.—per Inventory Schedule C–3—See Instruction 3		
4. General and administrative expenses—per Schedule B–1–b		
5. Other costs—per Schedule B–1–c—See Instruction 4		
6. Total costs	$	
7. Profit, if any—per Schedule B–1–d—See Instruction 5		
8. Total	$	

NOTE.—The paper on which this form is printed can be used for reproduction by liquid process duplicating machines.

CERTIFICATE

The undersigned certifies that, to the best of its knowledge and belief, the summary of charges and supporting schedules and explanations have been prepared from the books of account and records of the undersigned in accordance with recognized commercial accounting practices; that they include only those charges allocable to the terminated portion of this contract; that the charges as stated are fair and reasonable; and that they have been prepared with knowledge that they will, or may, be used by contracting officers acting on behalf of the United States as the basis of settlement with the undersigned or with others.

Chief Accounting Officer _____ (Signature)

_____ (Title)

_____ (Name of Contractor)

By _____ (Signature)

_____ (Title)

_____ (Date)

Schedule No. B–1–a INDIRECT FACTORY EXPENSES IN WORK IN PROCESS

In the space provided on reverse, or on an attached sheet, show in a manner conforming to the contractor's accounting system:
(1) Composition of Indirect Factory Expenses Before Allocation to Inventory. Show beginning and ending date of period used.
(2) Description of Bases Used in Allocating the Above Indirect Factory Expenses to the Inventory.
(3) Calculation, to the extent practicable, of Indirect Factory Expenses Applicable to Inventory in Accordance with Bases Indicated in (2).

Schedule No. B–1–b GENERAL AND ADMINISTRATIVE EXPENSES

In the space provided on reverse, or on an attached sheet, show information relating to General and Administrative Expense of the same type as is required in Schedule B–1–a, above.

	Finished unit information: Number of units		Finished unit information: Total amount		Information regarding renegotiation
Total per contract				$	Were you renegotiated for last fiscal year?
Less:					
Units shipped and billed			$		If so, by what Government agency?
Units to be shipped and billed					
					Were costs included for purposes of renegotiation in that period excluded from the above Summary?
Total billed or to be billed					If not, explain items not included
Units completed but not billed, if any (Line 14 of Form A–1)					
Units covered by termination notice				$	

W. D., A. G. O. Form No. 265
18 April 1944.

Schedule No. B–1–c OTHER COSTS

Item	Explanation	Amount	Do not use this column

Schedule No. B–1–d PROFIT, IF ANY

Do not use this column

Use this space for information required in Schedules B–1–a and B–1–b or for other purposes

INSTRUCTIONS

1. This Form No. B–1 is to be prepared as soon as all cost information on inventory schedules can be completed.
2. When schedules provided are too small, attach other schedules following the same form.
3. Inventories listed on lines 1, 2, and 3 should be supported by the "Contractor's Schedule" copy of inventory schedules. Where cost information was not available at the time "Property Disposition" copies of the inventories were filed, such cost information must be subsequently listed on the "*Contractor's Schedule*" copy.
4. Include in Other Costs (Line 5 of Summary and Schedule B–1–c) all costs to date of termination to uncompleted portion of contract not previously included. Where costs are included for loss of useful value of production equipment or facilities of the type specified in Section 1 (f) of the Statement of Principles for Determination of Costs Upon Termination of Government Fixed Price Supply Contracts, attach a statement explaining the determination of the charges.
5. In schedule B–1–d, show the bases and computation of any profit included on line 7 of the summary.

General Instructions for preparation of Settlement Proposals and for the use of these forms should be procured from the Government representative or contractor from whom the Termination Notice was received.

(b) Standard Form B–2. Contractor's own charges schedule: Contractor's own charges to date of termination applicable to terminated portion of contract; total cost basis.

Form No. B–2
Read all instructions before preparing this form

Budget Bureau approval No. 40–R178
Expiration date: 31 July 1944

[Actual size 8½ x 14"]

CONTRACTOR'S OWN CHARGES SCHEDULE

CONTRACTOR'S OWN CHARGES TO DATE OF TERMINATION

APPLICABLE TO TERMINATED PORTION OF CONTRACT

Total Cost Basis

Supporting Schedule Form A–1 (Line 1)

Name of Your Firm _____
(Address) (Street)
(City) (State)

Check one:
☐ This schedule is applicable to a prime contract with the Government.
☐ This schedule is applicable to subcontract or purchase order _____ (identify) with:
*
*Insert name and address of contractor from whom you received Notice of Termination.

Effective date of termination	Government contract No.	Government agency	Items contracted for

SUMMARY

	Amount	Do not use this column
1. Direct materials—See Instruction 5	$	
2. Direct labor		
3. Indirect factory expenses—per Schedule B–2–a		
4. General and administrative expenses—per Schedule B–2–b		
5. Other charges—per Schedule B–2–c—See Instruction 3		
6. Total of contractor's own costs	$	
7. Profit, if any—per Schedule B–2–d—See Instruction 4		
8. Total—costs plus profit, if any	$	
9. Less: Total finished units billed or to be billed		
10. Amount of charges	$	

CERTIFICATE

The undersigned certifies that, to the best of its knowledge and belief, the summary of charges and supporting schedules and explanations have been prepared from the books of account and records of the undersigned in accordance with recognized commercial accounting practices; that they include only those charges allocable to this contract; that the charges as stated are fair and reasonable; and that they have been prepared with knowledge that they will, or may, be used by contracting officers acting on behalf of the United States as the basis of settlement with the undersigned or with others.

Chief Accounting Officer: _____ (Signature)

_____ (Title)

_____ (Name of Contractor)

By _____ (Signature)

_____ (Title)

_____ (Date)

Schedule No. B–2a INDIRECT FACTORY EXPENSES

In the space provided on reverse, or on an attached sheet, show in a manner conforming to the contractor's accounting system:
(1) Composition of Indirect Factory Expenses Before Allocation to Contract. Show beginning and ending date of period used.
(2) Description of Bases Used in Allocating the Above Indirect Factory Expenses to the Contract.
(3) Calculation, to the Extent Practicable, of Indirect Factory Expenses Applicable to the Contract in Accordance with Bases Indicated in (2).

Schedule No. B–2–b GENERAL AND ADMINISTRATIVE EXPENSES

In the space provided on reverse, or on an attached sheet, show information relating to General and Administrative Expense of the same type as is required in Schedule B–2–a, above.

Finished unit information					Information regarding renegotiation
		Number of units		Total amount	
Total per contract				$	Were you renegotiated for last fical year?
Less: Units shipped and billed			$		If so, by what Government agency?
Units to be shipped and billed					Were costs and sales included for purposes of renegotiation in that period excluded from summary?
Total billed or to be billed (Line 9 of Summary)			$		If not, explain items not excluded
Units completed but not billed, if any				$	
Units covered by termination notice				$	

W. D., A. G. O. Form No. 246
18 April 1944

Schedule No. B-2-c — OTHER CHARGES

Item	Explanation	Column	Do not use this column

Schedule No. B-2-d — PROFIT, IF ANY

Do Not Use This Column

Use this space for information required in Schedules B-2-a and B-2-b or for other purposes

INSTRUCTIONS

1. This Form No. B-2 is to be prepared as soon as information as to total contract cost can be completed.
2. Where schedules provided are too small, attach other schedules following the same form.
3. Include in Other Charges (Line 5 of Summary and Schedule B-2-c) all other charges applicable to the contract not previously included. Where costs are included for loss of useful value of production equipment or facilities of the type specified in Section 1 (*l*) of the Statement of Principles for Determination of Costs Upon Termination of Government Fixed Price Supply Contracts, attach a statement explaining the determination of the charges.
4. In Schedule No. B-2-d, show the bases and computation of any profit included in line 7 of the summary.
5. While the "Contractor's Own Charges Schedule" copies of the Inventory Schedules C-1, C-2, and C-3 do not constitute the basis for the proposed settlement under the total cost basis, this Form B-2 should be supported by those inventory schedules. In the case of Inventory Schedule C-1, the inventory should be priced. In the case of Inventory Schedules C-2 and C-3, the inventory should be priced to the extent practicable.

General Instructions for preparation of Settlement Proposals and for the use of these forms should be procured from the Government representative or contractor from whom the Termination Notice was received.

Section 88.15–939 is added as follows:

§ 88.15–939 *Inventory schedules*—(a) *Standard Form C–1. Inventory schedule: Inventory applicable to uncompleted portion of terminated contract; raw materials, purchased parts, and supplies.*

[Actual size 8½" x 14"]

NOTE.—The paper on which this form is printed can be used for reproduction by liquid process duplicating machines.

Budget Bureau approval No. 49–R185
Expiration date: 31 July 1944

Form No. C–1

Page ..... Of ..... Pages

This inventory schedule is to be used for
☐ Property disposition.
☐ Contractor's own charges schedule (Forms B–1 or B–2).
☐ Contractor's settlement proposal (Form A–1).

INVENTORY SCHEDULE

Inventory Applicable to Uncompleted Portion of Terminated Contract

RAW MATERIALS, PURCHASED PARTS, AND SUPPLIES OWNED BY CONTRACTOR ☐ GOVERNMENT ☐

Read instructions before preparing this schedule

General Instructions for preparation of Settlement Proposales and for the use of these forms with special instructions for description of inventory should be procured from the Government representative or contractor from whom the Termination Notice was received.

Check one:
☐ This inventory is applicable to a prime contract with the Government.
☐ This inventory is applicable to Subcontract or Purchase Order
..... (identify), with:
.....
(Name and address of contractor from whom you received notice of termination)

Name of your firm: .....
Address: .....
Location of plant: .....
Classification of property on this page: .....

Date of inventory ..... Government contract No. ..... Government agency .....

Line No.	Furnish same information you would give supplier if you were ordering this material or part. Include principal vendor's name and catalog number for parts, where practicable. (See special instructions for description of inventory)	Quantity on hand	Unit (pounds, feet, gallons, etc.)	Estimated weight (total)	Cost		Property disposal information							
					Unit	Total	Recommended disposal	OPA ceiling or market price if practicable	Contractor's offer		Disposa credits		Quantity remaining (col. 2 minus col. 12)	This column not to be used by contractor
									Quantity	Amount (total)	Quantity	Amount of proceeds or credit		
1		3	4	5	6	7	8	9	10	11	12	13	14	15

W. D., A. G. O. Form No. 247
18 April 1944

INSTRUCTIONS

1. Preparation of Schedule. The number of copies to be prepared will be specified by the Government representative or contractor from whom the Termination Notice was received. Columns 1 through 11 should be filled in immediately on all copies to the extent practicable without unduly delaying submission of the inventory schedule. Columns 6 and 7 will not be filled in for Government-owned property. The inventory schedules will be used for the following purposes:

Property Disposition Copies are to be mailed to the Government representative named in the Termination Notice (if you are a prime contractor), or to the contractor from whom you received Notice of Termination (if you are a subcontractor) as soon as the inventory information has been entered.

Contractor's Own Charges Schedule Copy is to accompany your charge schedule (Form B–1 or B–2). It will not be necessary to prepare this copy for Government-owned property.

Contractor's Settlement Proposal Copies. One of which is the original, will accompany your Contractor's Settlement Proposal (Form A–1). By this time, such inventory as will be disposed of by your firm will have been sold, retained, or otherwise disposed of and the disposal information entered in columns 12 and 13 as provided in the columnar instructions.

Contractor's File Copy should be maintained for your records showing the same information as the original.

CERTIFICATE

This is to certify that the inventory described on the face of this schedule consists of items properly allocable to the contract, that the quantities are not in excess of the reasonable quantitative requirements of the terminated portion of the contract, and that the offers indicated in column 11 are fair and reasonable in the opinion of the undersigned.

Individual responsible for compiling inventory data submitted in this form:

.....
(Name of contractor or subcontractor)

By .....
(Name)

.....
(Title)

.....
(Date)

.....
(Signature)

.....
(Title)

COLUMNAR INSTRUCTIONS

Column 1—Line Number. Number each entry in sequence. This will facilitate necessary references in case of adjustments, disposal actions, etc.

Column 2—Description. Specific instructions as to the method of listing, and the detail of description will be furnished by the Government representative or contractor from whom the Termination Notice was received.

Columns 6 and 7—Unit and Total Costs. An explanation of your method of computing costs should be attached to the original and to the copy accompanying your cost statement. This explanation should cover your treatment of transportation and discounts, and should also explain whether "first-in-first-out" or some other method is used.

Column 8—Recommended Disposal. Whenever practicable, give your recommendation for disposal of those items you do not wish to retain. Use following code:

D—Sell to distributors.
M—Sell to manufacturers.
P—Public sale on bids.
W—Sell to other war contractors (name on attached statement).
V—Sell to original vendor.
S—Scrap (reasons to be set forth on attached statement).
X—Other recommended method. (Explain on attached statement referring to proper item number.)

Recommendation should represent your opinion of the method which will move the property with greatest speed consistent with the best interest of the Government as to price and other appropriate factors. Column 9—Enter OPA Ceiling Or Market Price Per Unit If Practicable—If ceiling price is used, indicate by letter "c" before price, thus "c12.50."

Columns 10 and 11—Contractor's Offer. Any offer for inventory for an amount less than your cost must be explained on an attached statement. Such explanations should include reference to line number and page number to facilitate identification.

Columns 12 and 13—Disposal Credits. Materials retained, returned to supplier, or otherwise disposed of. These credits are to be recorded on the copy of this schedule which is submitted with the Contractor's Settlement Proposal (Form A–1), and on the Contractor's File Copy.

(b) *Standard Form C–2. Inventory schedule: Inventory applicable to uncompleted portion of terminated contract; work in process.*

[Actual size 8½" x 14"]

INVENTORY SCHEDULE

Budget Bureau approval No. 49-R186
Expiration date: 31 July 1944.

Form No. C-2
This inventory schedule is to be used for
☐ Property disposition
☐ Contractor's own charges schedule (Forms B–1 or B–2)
☐ Contractor's settlement proposal (Form A–1)

Inventory Applicable to Uncompleted Portion of Terminated Contract

WORK IN PROCESS
OWNED BY CONTRACTOR ☐ GOVERNMENT ☐

Page ..... Of ..... Pages

Name of Your Firm: .....
Address: .....
Location of Plant: .....
Classification Of Property On This Page: .....

Read Instructions Before Preparing This Schedule
General Instructions for preparation of Settlement Proposals and for the use of these forms with special instructions for description of inventory should be procured from the Government representative or contractor from whom the Termination Notice was received.

Check One
☐ This inventory is applicable to a prime contract with the Government.
☐ This inventory is applicable to Subcontract or Purchase Order ..... (identify), with: .....
(Name and address of contractor from whom you received notice of termination)

Date of inventory..... Government contract No. ..... Government agency .....

Line No.	Description and specification (show any information that will help a prospective purchaser) (see special instructions for description of inventory)	Quantity on hand	Estimated weight (total)	Cost Data				Property Disposal Information							
				Material	Direct labor	Indirect factory expenses	Total factory cost	Recommended disposal	OPA ceiling or market price if practicable	Contractor's offer: Quantity	Contractor's offer: Amount (total)	Disposal credit: Quantity	Disposal credit: Amount of proceeds or credits	Quantity remaining (col. 3 minus col. 13)	This column not to be used by contractor
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16

W. D., A. G. O. Form No. 248
18 April 1944

INSTRUCTIONS

1. Preparation Of Schedule. The number of copies to be prepared will be specified by the Government representative or contractor from whom the Termination Notice was received. Columns 1 through 12 should be filled in immediately on all copies to the extent practicable without unduly delaying submission of the inventory schedule. Columns 5, 6, 7, and 8 will not be filled in for Government-owned property. The inventory schedules will be used for the following purposes:

Property Disposition Copies are to be mailed to the Government representative named in the Termination Notice (if you are a prime contractor), or to the contractor from whom you received Notice of Termination (if you are a subcontractor) as soon as the inventory information has been entered.

Contractor's Own Charges Schedule Copy is to accompany your charge schedule (Form B–1 or B–2). It will not be necessary to prepare this copy for Government-owned property.

Contractor's Settlement Proposal Copies, one of which is the original, will accompany your Contractor's Settlement Proposal (Form A–1). By this time, such inventory as will be disposed of by your firm will have been sold, retained, or otherwise disposed of, and the disposal information entered in columns 13 and 14 as provided in the columnar instructions.

Contractor's File Copy should be maintained for your records showing the same information as the original.

CERTIFICATE

This is to certify that the inventory described on the face of this schedule consists of items properly allocable to the contract, that the quantities are not in excess of the reasonable quantitative requirements of the terminated portion of the contract, and that the offers indicated in column 12 are fair and reasonable in the opinion of the undersigned.

Individual responsible for compiling inventory data submitted in this form:

..... (Name of contractor or subcontractor)
By ..... (Name)
..... (Title)
..... (Date)
..... (Signature)
..... (Title)

COLUMNAR INSTRUCTIONS

Column 1—Line Number. Number each entry in sequence. This will facilitate necessary references in case of adjustments, disposal actions, etc.

Column 2—Description. Specific instructions as to the method of listing, and the detail of description will be furnished by the Government representative or contractor from whom the Termination Notice was received.

Columns 5, 6, 7, and 8—Unit And Total Costs. These columns should be completed in accordance with the classification of costs indicated. However, where such a procedure is not practicable, items may be grouped for costing purposes conforming to the cost accounting procedures used by the contractor. In all cases, an explanation of the contractor's method of computing costs should be attached. When the contractor cannot present the minimum cost data with accuracy and has therefore presented his charges on a total cost basis, the cost data should be completed to the greatest extent practicable.

Column 9—Recommended Disposal. Whenever practicable give your recommendation for disposal of those items you do not wish to retain. Use following code:

D—Sell to distributors.
M—Sell to manufacturers.
P—Public sale on bids.
W—Sell to other war contractors (name on attached statement).
V—Sell to original vendor.
S—Scrap (reasons to be set forth on attached statement).
X—Other recommended method. (Explain on attached statement referring to proper item number.)

Recommendations should represent your opinion of the method which will move the property with greatest speed consistent with the best interest of the Government as to price and other appropriate factors.

Column 10—Enter OPA Ceiling or Market Price Per Unit If Practicable.—If ceiling price is used, indicate by letter "c" before price, thus "c12.50."

Columns 11 and 12—Contractor's Offer. Any offer for inventory for any amount less than your cost must be explained on an attached statement. Such explanations should include reference to line number and page number to facilitate identification.

Columns 13 and 14—Disposal Credits. Materials retained or otherwise disposed of. These credits are to be recorded on the copy of this schedule which is submitted with the Contractor's Settlement Proposal (Form A–1), and on the Contractor's File Copy.

(c) *Standard Form C–3. Inventory schedule: Inventory applicable to uncompleted portion of terminated contract; jigs, tools, dies, fixtures, etc.*

[Actual size 8½" x 14"]

INVENTORY SCHEDULE

Budget Bureau approval No. 49-R187.
Expiration date: 31 July 1944.

Form No. C-3
This inventory schedule is to be used for
☐ Property disposition
☐ Contractor's own charges schedule (Forms B–1 or B–2)
☐ Contractor's settlement proposal (Form A–1)

Inventory Applicable to Uncompleted Portion of Terminated Contract

JIGS, TOOLS, DIES, FIXTURES, ETC., OWNED BY CONTRACTOR ☐ GOVERNMENT ☐

Page ..... Of ..... Pages

Name of your firm: .....
Address: .....
Location of plant: .....
Classification of property on this page: .....

Read instructions before preparing this schedule.
General Instructions for preparation of Settlement Proposals and for the use of these forms with special instructions for description of inventory should be procured from the Government representative or contractor from whom the Termination Notice was received.

Check one:
☐ This inventory is applicable to a prime contract with the Government.
☐ This inventory is applicable to Subcontract or Purchase Order ..... (identify), with: .....
(Name and address of contractor from whom you received notice of termination)

Date of inventory..... Government contract No..... Government agency.....

Line No.	Description — Furnish same information you would give if you were ordering this equipment. Where possible, include vendor's name, catalog number, and serial number (See special instructions for description of inventory)	Quantity on hand	Estimated weight (total)	Cost: Unit cost	Cost: Total cost	Cost applicable to this contract: Amount of cost applicable	Cost applicable to this contract: Unamortized cost	Property disposal information: Recommended disposal	OPA ceiling or market price if practicable	Contractor's offer: Quantity	Contractor's offer: Amount (total)	Disposal credits: Quantity	Disposal credits: Amount of proceeds or credit	Quantity remaining (col. 3 minus col. 13)	This column not to be used by contractor
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16

W. D., A. G. O. Form No. 249
18 April 1944

INSTRUCTIONS

1. Preparation of Schedule. The number of copies to be prepared will be specified by the Government representative or contractor from whom the Termination Notice was received. Columns 1 through 12 should be filled in immediately on all copies to the extent practicable without unduly delaying submission of the inventory schedule. Columns 5, 6, 7, and 8 will not be filled in for Government-owned property. The inventory schedules will be used for the following purposes:

Property Disposition Copies are to be mailed to the Government representative named in the Termination Notice (if you are a prime contractor), or to the contractor from whom you received Notice of Termination (if you are a subcontractor) as soon as the inventory information has been entered.

Contractor's Own Charges Schedule Copy is to accompany your charge schedule (Form B–1 or B–2). It will not be necessary to prepare this copy for Government-owned property.

Contractors' Settlement Proposal Copies, one of which is the original, will accompany your Contractor's Settlement Proposal (Form A–1). By this time, such inventory as will be disposed of by your firm will have been sold, retained, or otherwise disposed of, and the disposal information entered in columns 13 and 14 as provided in the columnar instructions.

Contractor's File Copy should be maintained for your records showing the same information as the original.

CERTIFICATE

This is to certify that the inventory described on the face of this schedule consists of items properly allocable to the contract, that the quantities are not in excess of the reasonable quantitative requirements of the terminated portion of the contract, and that the offers indicated in column 12 are fair and reasonable in the opinion of the undersigned.

Individual responsible for compiling inventory data submitted in this form:

..... (Name of contractor or subcontractor)
By ..... (Name)
..... (Title)
..... (Signature)
..... (Title)

COLUMNAR INSTRUCTIONS

Column 1—Line Number. Number each entry in sequence. This will facilitate necessary references in case of adjustments, disposal actions, etc.

Column 2—Description. Specific instructions as to the method of listing, and the detail of description will be furnished by the Government representative or contractor from whom the Termination Notice was received.

Columns 5 and 6—Unit and Total Costs. In these columns show the costs of acquisition of manufacture. An explanation of your method of computing costs should be attached.

Columns 7 and 8—Costs Applicable To This Contracts. An explanation should be attached of the bases used and calculations made as shown in these columns. When columns 6 and 7 show different amounts, the contractor should show the extent to which amounts applicable to other work have been amortized as of the date of termination of this contract.

Column 9—Recommended Disposal. Whenever practicable give your recommendation for disposal of those items you do not wish to retain. Use following code:

D—Sell to distributors.
M—Sell to manufacturers.
P—Public sale on bids.
W—Sell to other war contractors (name on attached statement.)
V—Sell to original vendor.
S—Scrap. (Reasons to be set forth on attached statement.)
X—Other recommended method. (Explain on attached statement referring to proper item number.)

Recommendations should represent your opinion of the method which will move the property with greatest speed consistent with the best interest of the Government as to price and other appropriate factors.

Column 10—Enter OPA Ceiling or Market Price Per Unit If Practicable. If ceiling price is used, indicate by letter "c" before price, thus "c12.50."

Columns 11 and 12—Contractor's Offer. An offer for property at less than unamortized cost must be explained on an attached statement. Such explanations should include reference to line number and page number to facilitate identification.

Columns 13 and 14—Disposal Credits. Where offers made in columns 11 and 12 have resulted in disposals, the credits are to be recorded on the copy of this schedule which is submitted with the Contractor's Settlement Proposal (Form A–1) and on the Contractor's File Copy.

(d) Special instructions applicable to form C–1, C–2, and C–3 are as follows:

[Actual size 8½" x 14"]

SPECIAL INSTRUCTIONS FOR DESCRIPTION OF INVENTORY UNDER COLUMN 2 OF STANDARD CONTRACT TERMINATION INVENTORY SCHEDULES (FORMS C–1, C–2, AND C–3)

GENERAL INSTRUCTIONS

The inventory schedules provided in Form C–1, C–2, and C–3 are intended to assist contractors and property disposal officers in valuing and disposing of property resulting from contract terminations, as well as for the purpose of arriving at the settlement amount.

It is therefore essential that the inventory be classified in general groupings as outlined in these supplementary instructions. The instructions should be carefully studied before inventory lists are prepared and followed to the extent practicable with each contract termination inventory.

OFFERS BY CONTRACTORS

It will greatly facilitate final settlement if that part of the listed property which the contractor is prepared to purchase is segregated under the various subdivisions of the property lists.

CONDITION OF EQUIPMENT

The condition of equipment listed on Schedule C–2, and of any property listed in Schedule C–3, and of any property listed in Schedule C–1 or C–2 which is other than new and excellent, should be indicated, using the following condition codes:

N—New.
U—Used-reconditioned.
O—Used-usable without repairs.
R—Used-repairs required.
1—Excellent.
2—Good.
3—Fair.
4—Poor.

For salvage show only "X" and no number.
X—means Salvage-Obsolete Property (no further value for use as originally intended).

Except in case of salvage, a "letter-number" combination must always be used to describe condition. Examples: N2—New and in good condition; R3—Used, repair required, general condition fair.

CLASSIFICATION OF PROPERTY

Specific instructions as to the classification of property listed on each of the three schedules, C–1, C–2, and C–3 are included in the following paragraphs.

RAW MATERIALS, PURCHASED PARTS, AND SUPPLIES (SCHEDULE C–1)

1. Purchased parts and components identified with a particular assembly may be listed together under the group heading in which the assembly would normally fall, notwithstanding the fact that they are standard parts or common components which would otherwise be included under the group headings listed below.

2. With the exception of the above, items should be listed under the following group headings. The group headings should be shown at the top of each group listing. A new page should be started for each group; or, in the case of small inventories, groups may be separated by extra space.

Crude animal and vegetable products, edible.
Crude animal and vegetable products, inedible.
Fibers, vegetable and animal, unmanufactured.
Leather.
Boot and shoe cut stock and findings.
Wood basic materials.
Pulp, paper, and paperboard.
Textile basic manufactures.
Food and beverage basic materials.
Oils, fats, waxes, and derivatives, animal and vegetable.
Petroleum and coal products, except raw materials for chemical industries.
Chemicals.
Paints, varnishes, lacquers, japans, thinners, pigments, driers, fillers, and related products.
Iron and steel, including pig, ingots, castings and forgings (before machining), plates, sheets, strips, bars, structural shapes, piling, rails, tubular products, wire, and other shapes and forms.
Copper and copper-base alloy basic shapes and forms.
Aluminum and aluminum-base alloy basic shapes and forms.
Magnesium and magnesium-base alloy basic shapes and forms.
Other nonferrous basic shapes and forms.
Fabricated metal basic products, including basic hardware, wire products, insulated wire and cable, stamped, pressed, and perforated metal basic products.
Nonmetallic mineral basic products, including natural stone products, clay products, glass basic products, hydraulic cements, concrete products, gypsum products, pottery basic products, mineral wool basic products, abrasive basic products, absestos basic products, graphite and carbon products, mica and refractories.
Raw materials not classified above.
Mechanical common components, including engines, pumps, power-transmission equipment, bearings, valves and steam specialties, lubrication equipment (i. e.) standard components that can be used in more than one product).
Electrical common components, including motors, controls, switches, wiring devices, lamps (i. e., standard components that can be used in more than one product).
Noncommon components, parts, equipment, and accessories (i. e., components that can be used only in the particular industry in which any given product falls). For example, if the product is motor vehicle, the group heading should read "Motor Vehicle Noncommon Components" and should include automotive engines, tires, etc. If the product is aircaft, the group heading would read "Aircraft Noncommon Components" and should include aircraft hardware, aircraft electrial fittings, etc.).
Containers and closures.
Purchased parts and supplies not classified above.

WORK IN PROCESS (SCHEDULE C–2)

Property should be segregated into groups of similar items for instance, component parts of a particular subassembly should be grouped together, completed subassemblies should be shown in the same group, partially fabricated items of the same general type should be listed together. Appropriate headings should be used for the different groups so that a prospective buyer may readily locate the type of property in which he is interested. Whenever practicable, the group headings set forth for Schedule C–1 should be used for this purpose.

Parts fabricated by the contractor should be included in the Inventory Schedule C–2 for Work in Process to the extent practicable. Where such parts are not easily segregated by the contractor from similar items of purchased parts, it is permissible to include them with purchased parts in Inventory Schedule C–1 for "War Materials, Purchased Parts, and Supplies." The term "Manufactured Parts" is intended to represent completely fabricated units which are identifiable as piece parts or subassemblies and which have been manufactured in the contractor's own plant.

JIGS, TOOLS, DIES, FIXTURES, ETC. (SCHEDULE C–2)

Items should be listed under the following group headings. The group headings should be shown at the top of each group listing. A new page should be started for each group; or, in the case of small inventories, groups may be separated by extra space:
Gages and precision measuring instruments.
Perishable tools.
Jigs, dies, and fixtures.

DARGER ITEMS OF PRODUCTION EQUIPMENT UNDER (SCHEDULE C–3)

This form should also prove satisfactory for the listing of major items of production equipment for property disposal, particularly Government-furnished production equipment. When used for such purposes, items should be listed under the following group headings (attachments, accessories, and auxiliaries should be included with the major item of equipment to which they pertain):
General-purpose industrial machinery and equipment, including engines and turbines, compressors and pumps, conveyors, cranes, derricks, hoists and winches, industrial trucks, trailers, tractors, and stackers, and fan and blower equipment.
Electrical machinery and apparatus, including rotating equipment, transmission and distribution equipment, motor starters and controllers.
Special industry machinery (machinery for industries requiring specialized machines).
Metal-working machinery, including machine tools, primary and secondary metal forming and cutting machinery and equipment.
Office machines.
Motor vehicles.
Furniture and fixtures.
Miscellaneous machinery and equipment.

NOTE. In order to assist in classifying property as specified above, it is expected that a supplement will be issued at an early date setting forth alphabetically some 1,500 items and types of property frequently encountered in contract terminations, and indicating under which of the classifications specified in these Supplementary Instructions particular property should be listed. The Standard Commodity Classification Number for each item and type will also be indicated.

Section 88.15–941 is rescinded.

§ 88.15–491 *Inventory form.* [Rescinded.]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44–8127; Filed, June 6, 1944; 11:03 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4755]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ZONITE PRODUCTS CORPORATION, ET AL.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.71 (e 5) *Neglecting, unfairly or deceptively, to make material disclosure—Scientific or relevant facts.* I. In connection with offer, etc., of the medicinal preparations "Zonite Liquid" and "Zonitors" or any similar product, and on the part of respondent Zonite Products Corporation, and respondent H. W. Kastor & Sons Advertising Company, Inc., its advertising representative, and their respective officers, etc., disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of said products, which advertisements represent, directly or by inference, (1) that said preparations will destroy all germs or bacteria in the genital tract, or destroy germs or bacteria which they contact in the genital tract, or that they constitute a treatment for infections of the genito-urinary tract, unless it is clearly and conspicuously revealed in immediate connection therewith that it is not always possible for said preparations to contact all germs and bacteria in the genito-urinary tract; or (2) that said preparations, as a means of feminine hygiene or otherwise, constitute contraceptives, unless it is clearly and conspicuously revealed in immediate connection therewith that it is not always possible for said preparations to contact all spermatosoa in the genital tract; and II. In connection with the offer, etc., of the medicinal preparation "Zonite Liquid", or any similar product, and on the part of respondent Zonite Products Corporation, its officers, etc., disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondent's said product, which advertisements represent, directly or by implication, that said preparation, when used as a mouth wash or gargle, will eliminate or destroy tobacco breath, onion breath, or other mouth odors in excess of the extent to which said preparation can reach and oxidise odoriferous substances which may be the source of such odors; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Zonite Products Corporation, et al., Docket 4755, May 17, 1944]

In the Matter of Zonite Products Corporation, a Corporation, and H. W. Kastor & Sons Advertising Company, Inc., a Corporation

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 17th day of May, A. D. 1944.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of the respondents, and a stipulation as to the facts entered into between the respondents herein and Richard P. Whiteley, Assistant Chief Counsel for the Federal Trade Commission, which provides, among other things, that without further evidence or other intervening procedure except the rights to file briefs and be heard by oral argument, which rights have been waived by respondents, the Commission may issue and serve upon the respondents herein findings as to the facts and conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Zonite Products Corporation, a corporation, and respondent H. W. Kastor & Sons Advertising Company, Inc., a corporation, their respective officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of the medicinal preparations "Zonite Liquid" and "Zonitors," or any product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated, by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which represents, directly or by inference:

(a) That said preparations will destroy all germs or bacteria in the genital tract, or destroy germs or bacteria which they contact in the genital tract, or that they constitute a treatment for infections of the genito-urinary tract, unless it is clearly and conspicuously revealed in immediate connection therewith that it is not always possible for said preparations to contact all germs and bacteria in the genito-urinary tract.

(b) That said preparations, as a means of feminine hygiene or otherwise, constitute contraceptives, unless it is clearly and conspicuously revealed in immediate connection therewith that it is not always possible for said preparations to contact all spermatosoa in the genital tract.

2. Disseminating or causing to be disseminated, by any means, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of said products in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which contains any of the representations prohibited in paragraph 1 hereof.

It is further ordered, That respondent Zonite Products Corporation, a corporation, its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of its medicinal preparation "Zonite Liquid," or any product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or any other name, do forthwith cease and desist from directly or indirectly;

3. Disseminating or causing to be disseminated, by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which represents, directly or by inference, that said preparation, when used as a mouth wash or gargle, will eliminate or destroy tobacco breath, onion breath, or other mouth odors in excess of the extent to which said preparation can reach and oxidise odoriferous substances which may be the source of such odors.

4. Disseminating or causing to be disseminated, by any means, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of said product in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which contains any of the representations prohibited in paragraph 3 hereof.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44–8363; Filed, June 9, 1944; 11:01 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service

Subchapter B—Bureau of the Public Debt

[1944 Dept. Circ. 530, 5th Rev., Amdt. 6]

PART 315—REGULATIONS GOVERNING UNITED STATES SAVINGS BONDS

AMENDMENT WITH RESPECT TO LIMITATION ON HOLDING, AND AUTHORIZED FORMS

JUNE 12, 1944.

Department Circular No. 530, Fifth Revision, dated June 1, 1942, as amended, is hereby further amended as follows:

1. Section 315.5 *Authorized forms of registration, Series F and G* is amended by striking out the second sentence of the first paragraph and inserting in lieu thereof the following:

Bonds of these two series may also be registered in the names of fiduciaries, corporations, associations or partnerships, except that they may be registered in the names of commercial banks, which are defined for this purpose as those accepting demand deposits, only to the extent and under the conditions set forth in § 315.9 (c) hereof.

2. Section 315.9 (c) is amended to read as follows:

§ 315.9 *Amount which may be held.*

* * *

(c) Series F and G—$50,000 (issue price) for the calendar year 1941, and $100,000 (issue price) for each calendar year thereafter, of either series or of the combined aggregate of both: *Provided, however,* That as to bonds of these series originally issued on or after January 1, 1944, the amount held by a commercial bank holding savings deposits and issuing time certificates of deposit (as each is defined in Regulation Q of the Board of Governors of the Federal Reserve System) shall not in any case exceed $100,000 (issue price) or 20 percent of such time certificates of deposit (but only those issued in the names of individuals and of corporations, associations, and other organizations not operated for profit) and savings deposits as shown on the bank's books as of the date of the most recent call statement required by the supervising authorities prior to the date of acquisition of such savings bonds, whichever is less; and *Provided further,* That the amount of savings bonds of Series F and G originally issued on or after January 1, 1944, held by a commercial bank together with 2½ percent Treasury Bonds of 1965–70, subscribed

for under Treasury Department Circulars Nos. 729 and 740, 2¼ percent Treasury Bonds of 1956–59, subscribed for under Treasury Department Circular No. 730, and 2 percent Treasury Bonds of 1952–54, subscribed for under Treasury Department Circular No. 741, shall not exceed in the aggregate $400,000, or 20 percent of such savings deposits and time certificates of deposit of such banks as above defined, whichever is less."

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44–8355; Filed, June 9, 1944; 10:35 a. m.]

[1944 Dept. Circ. 654, 2d Rev., Amdt. 1]

PART 318—OFFERING OF UNITED STATES SAVINGS BONDS, SERIES F AND G

AMENDMENT WITH RESPECT TO LIMITATION ON HOLDING AND AUTHORIZED FORMS

Sections 318.4 (a) and 318.5 (a) (1), (Section IV, Paragraph 1, and Section V, Paragraph 1 (2) of Department Circular No. 654, Second Revision, dated January 1, 1944) are hereby amended to read as follows:

§ 318.4 *Limitation on holdings.* (a) The amount of United States Savings Bonds of Series F, or of Series G, or the combined aggregate amount of both series, originally issued during any one calendar year to any one person, including those registered in the name of that person alone, and those registered in the name of that person with another named as coowner, that may be held by that person at any one time shall not exceed $100,000 (issue price): *Provided, however,* That as to bonds of these series originally issued on or after January 1, 1944, the amount held by a commercial bank holding savings deposits or issuing time certificates of deposit (as each is defined in Regulation Q of the Board of Governors of the Federal Reserve System) shall not in any case exceed $100,000 (issue price) or 20 percent of the combined amount of such time certificates of deposit (but only those issued in the names of individuals and of corporations, associations, and other organizations not operated for profit) and savings deposits as shown on the bank's books as of the date of the most recent call statement required by the supervising authorities prior to the date of subscription for such savings bonds, whichever is less; *And provided further,* That the amount of savings bonds of Series F and G, issued on or after January 1, 1944, held by a commercial bank, together with 2½ percent Treasury Bonds of 1965–70, subscribed for under Department Circulars Nos. 729 and 740, 2¼ percent Treasury Bonds of 1956–59, subscribed for under Department Circular No. 730, and 2 percent Treasury Bonds of 1952–54, subscribed for under Treasury Department Circular No. 741, shall not exceed in the aggregate 20 percent of the combined amount of such savings deposits and time certificates of deposits of such bank or $400,000, whichever is less. No such bank shall hold more than $100,000 (issue price) of Series F and Series G savings bonds (Series 1944) combined.

§ 318.5 *Authorized forms of registration.* (a) (1) In the name of an incorporated or unincorporated body, in its own right, except that they may not be registered in the names of commercial banks which are defined for this purpose as those accepting demand deposits: *Provided, however,* That bonds originally issued on or after January 1, 1944, may be registered in the name of a commercial bank holding savings deposits or issuing time certificates of deposit to the extent and conditions set forth in Part 318.4 hereof.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44–8356; Filed, June 9, 1944; 10:34 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Order 251]

INDIVIDUAL APPEAL RECORD

REVISION OF FORM

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Revision of DSS Form 66, entitled "Individual Appeal Record," effective immediately upon the filing hereof with the Division of the Federal Register.[1] The supply of DSS Form 66 on hand will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register within the Continental United States and effective outside the Continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

FEBRUARY 22, 1944.

[F. R. Doc. 44–8320; Filed, June 8, 1944; 4:31 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1, as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1029—FARM MACHINERY

[Limitation Order L–257, Direction 4]

SPECIAL APPLICATIONS FOR ADDITIONAL QUOTA

The following direction is issued pursuant to Limitation Order L–257:

(a) *What this direction does.* In order to encourage the use of "idle and excess" inventories in making more farm machinery and equipment, the War Production Board has set up a reserve of 15,000 tons of carbon steel (and other controlled materials in proportion) for delivery under third quarter 1944 allotments. This direction states the rules on how this reserve is to be given out to manufacturers and covers all persons who can qualify even if they are not "producers" as defined in paragraph (b) (1) of Order L–257. Thus, if you can make more than your L–257 quota under these rules, this direction tells you how to apply for the necessary permission.

(b) *How to apply.* If you want to make more than your quota of any item of farm machinery and equipment (as listed in schedule B of Order L–257), you must apply on Form WPB–3788 in accordance with the instructions on the form. You can get copies of this form from your local WPB field office. When you have filled out the form, you should send it to the Farm Machinery and Equipment Division, War Production Board, Washington 25, D. C. If you need any allotment of controlled material, you should also accompany your application with Form CMP–4B as explained in the above instructions.

(c) *Date for filing applications.* To be assured of consideration under this direction, your application should be received not later than June 26, 1944.

(d) *Standards to be used in granting applications.* In its consideration of applications properly filed under this direction, the War Production Board will be guided by the following standards:

(1) Extent to which you can match any allotments of controlled material needed with maximum use of "idle and excess" materials. Your local WPB field office will tell you what these materials are and how to get them. In general, they include materials which you can buy under Priorities Regulation 13, and surplus inventories on hand (excluding material obtained with priorities assistance to make your regular quotas as described in paragraph (e) (3) below), as well as used material which you can get without priorities assistance.

(2) *Critical materials and components.* It is not expected your application will be granted if it involves substantial allotments of the following critical materials:

STEEL

Plates
Sheet
Strips
Tin mill products
Forgings
Seamless tubing
Wire rope and strand

COPPER AND COPPER BASE ALLOY PRODUCTS

Rod ½" and smaller
Fine wire
Cable
Tubing 4" and over

Likewise, your application will not be granted if it appears that critical non-controlled materials or components will be needed, i. e., those which you could not get with a rating of AA–4.

(3) *Labor requirements.* The following are the standards with respect to labor:

(i) In general, there are no restrictions as to labor requirements for "small plants", i. e., if your plant employs and will continue to employ 100 production workers or less (50 or less in the critical West Coast labor areas of San Diego, Los Angeles, San Francisco, Portland and Seattle).

(ii) However, for small plants in any of the above West Coast areas, or in any other Group #1 Labor Market Area where an Area Production Urgency Committee has been established, the exemption in subparagraph (i) above will apply only if your proposed production under this direction will not cause any increase in your total employment of production workers. For example, if you have a plant employing 35 production workers in the San Francisco Labor Area, you will qualify under this exemption only as long as you will not need to hire any additional production workers. Otherwise, you are governed by the rule set out in (iv) below.

(iii) If your plant is in a Group #3 or #4 (or unclassified) Labor Market Area and is not a small plant under (i) above, the standard is whether or not your proposed production in that plant, or the labor requirements for it, will interfere with war production in that plant or in any other plant located in the same area.

(iv) If your plant is in a Group #1 or #2 Labor Market Area and is not exempted under (i) and (ii) above, your application will not be granted except in unusual circumstances.

(e) *Authorizations to produce.* Any application properly filed under this direction and conforming to the required standards may be granted by the War Production Board. This grant will be in the form of an authorized production schedule and any necessary allotments on Form CMPL–150 or other applicable form. If you get such an authorization, you are governed by the following provisions unless the authorization states otherwise:

(1) You must schedule your production of the item as if the orders for it bore a rating of AA–4.

(2) You may use a rating of AA–4 to get non-controlled materials and components (no "upratings" will be granted under any circumstances). You may not use the rating of AA–2 which may have been assigned to the production of your regular quotas under L–257.

(3) You may not use materials or components obtained or to be obtained with allotments or preference ratings for the manufacture of farm machinery and equipment or repair parts under your regular quotas. You may use other materials in your own inventory obtained with priorities assistance, but only as permitted under paragraph (a) of CMP Regulation 1 (for controlled materials) and in § 944.11 of Priorities Regulation 1 (for other materials).

(4) Use of lumber is subject to Order L–335 and any other applicable WPB orders.

(5) You must file by October 10, 1944, an interim report of what you have produced through September 30 under the authorization, and a final report, if necessary, when the production is completed. These reports should be by letter (and not on Form WPB–1768).

(f) *Small plants do not need special permission in certain cases.* Direction 3 to Order L–257 removes quota restrictions on certain small plants who can make items without needing any allotments of controlled material or other priorities assistance higher than a rating of AA–4. If you qualify under that Direction 3, you do not have to apply for permission under this Direction 4. However, if you need any allotment to make more than your regular quota of farm machinery and equipment, you may apply for and must get permission under this direction.

(g) *Order L–257.* To the extent that any provision of this direction is inconsistent with the terms of Order L–257, the provision in this direction controls.

NOTE: The reporting requirements in this direction have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 8th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–8300; Filed, June 8, 1944; 12:02 p. m.]

[1] Form filed as part of original document.

PART 3191—CIVILIAN AIRCRAFT

[Preference Rating Order P–47, as Amended June 8, 1944]

Preference Rating Order P–47 as amended August 4, 1943, is hereby amended to read as follows:

§ 3191.21 *General Preference Rating Order P–47.*—(a) *Purpose and scope.* The purpose of this order is to provide certain persons operating civilian type aircraft essential to the war effort with a uniform procedure for obtaining material for the operation of aircraft and for aircraft facilities both in the case of controlled materials obtained by use of allotment symbols under the Controlled Materials Plan and in the case of materials or products, including components, obtained by preference ratings.

(b) *Definitions.* (1) "Aircraft facility" means any material, equipment, machinery or structure used in connection with the operation or shelter or the maintenance or repair of aircraft.

(2) "Operator" means any individual, partnership, association, business, trust, corporation or any organized group of persons (whether incorporated or not) other than the Army or Navy of the United States which is engaged in:

(i) The operation of a commercial airline under certificate from the Civil Aeronautics Authority, whether or not the airline operates outside the United States;

(ii) The operation of a foreign commercial airline if approval is received from the War Production Board on Form WPB–1747 or if such approval was received for use in getting materials during the second quarter of 1944;

(iii) The operation of any aircraft to the extent that such aircraft is based in the Territory of Alaska.

(c) *Preference rating and allotment symbol.* Each operator is assigned a preference rating of AA–1 and is authorized to use the allotment symbol MRO (P–47) to get the materials he needs for maintenance, repair and operating supplies and for new aircraft facilities, subject to the limitations contained in the following paragraphs.

(d) *Limitations on the quantity of materials.* (1) No operator who received an approved Form WPB–1747 for the second quarter of 1944 may use the preference rating or allotment symbol assigned above to acquire in any one quarter an amount of any item of material listed in that form costing more than the amount approved for that item. Any such operator who wishes to use an amount of any item in excess of the amount of that item approved for the second quarter of 1944 should file Form WPB–1747 and ask for approval from the War Production Board for materials in excess of the permitted amounts.

(2) Any operator who did not receive an approved Form WPB–1747 for the second quarter of 1944 must, before using the rating and symbol assigned by this order, file that form and receive approval from the War Production Board for materials he needs; the amount approved by the War Production Board on Form WPB–1747 for purchase by him during the quarterly period specified on the form shall be the amount which he is permitted to purchase under this order during subsequent quarters. If he wishes during any subsequent quarter to use an amount of any item in excess of the amount of that item approved on his Form WPB–1747, he should file another Form WPB–1747 and ask for approval for materials in excess of the permitted amounts.

(3) In addition, all operators must file Form WPB–1747 for all new metal propellers, propeller blade assemblies, or new aircraft propulsion engines.

(e) *Limitation on the purchase of materials for construction jobs.* No operator may use the preference rating and allotment symbol assigned by this order to get materials for construction jobs needed to carry on his aircraft operations, unless the cost of the material used in the job does not exceed $500. (In determining the cost of material, the cost of any equipment which is being installed for use in the maintenance, repair or operation of aircraft may be excluded. No construction job shall be subdivided for the purpose of coming within the $500 limit.) Any such construction job may be carried on without getting permission to begin construction under Order L–41. All other construction may be carried on only to the extent permitted under the provisions of Order L–41. The term "construction" is defined in paragraph (b) of Order L–41.

(f) *Application for items on List "B" of Priorities Regulation No. 3.* Any operator may file Form WPB–1747, in accordance with the instructions accompanying the form, for items on List "B" of Priorities Regulation 3. The War Production Board may authorize the use of a preference rating and allotment symbol for those items.

(g) *Acquisition of materials.* Operators may obtain materials under this order by placing on their purchase orders the following certification, (or the alternative form of certification provided in CMP Regulation No. 7), signed manually or as provided in Priorities Regulation No. 7:

MRO (P–47 Serial Number ------) Preference Rating AA–1. The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the items covered by this order are within the amounts approved by the War Production Board under Preference Rating Order P–47, and are to be used for a purpose so approved.

Name----------
By----------
Authorized Official.

Date----------

The operator should include in his certificate the serial number assigned to him in his approved Form WPB–1747. A purchase order for controlled materials bearing this certification shall be deemed an authorized controlled material order for the purpose of all CMP Regulations.

(h) *Penalties for misrepresentation.* (1) The placing of any order bearing a certification or symbol, as provided by this order, shall constitute a representation, subject to the criminal penalties of section 35 (A) of the United States Criminal Code (18 U. S. C. 80), that the person placing the order is entitled, under the terms of this order, to use of the symbol or preference rating indicated thereon.

(i) *Inventory restrictions.* No operator shall receive any delivery if accept-

ance thereof would increase his inventory above a practicable working minimum, as provided in § 944.14 of Priorities Regulation No. 1, or would exceed the inventory limitations prescribed for such person by CMP Regulation No. 2, or by any other applicable regulation or order of the War Production Board.

(j) *Applicability of other orders and regulations.* (1) Nothing in this order shall be construed to relieve any person from complying with any applicable regulation or order of the War Production Board (including orders in the "E", "L", and "M" series) or with any order of any other competent authority.

(2) No operator may acquire material by the use of CMP Regulation No. 5 or No. 5A. Persons needing maintenance, repair and operating supplies for aircraft who are not operators within the meaning of this order may use CMP Regulation 5 or 5A where applicable or any other applicable order or regulation of the War Production Board.

(k) *Communications.* All communications concerning this order should be addressed to: War Production Board, Washington 25, D. C. Ref: P-47.

(l) *Effective date.* This amended order shall become effective on July 1, 1944. General Preference Rating Order P-47, as amended August 4, 1943, shall remain effective until July 1, 1944.

Issued this 8th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8808; Filed, June 8, 1944; 12:02 p. m.]

PART 2270—CONTAINERS

[Supplementary Order L-103-b, as Amended June 8, 1944]

GLASS CONTAINER AND CLOSURE QUOTAS

§ 3270.36 *Supplementay Order L-103-b.* This order lists the only products which may be commercially packed in new machine-made, glass containers or with new metal closures. It specifies closure materials and sets forth the number of glass packages and metal closures which may be used for each listed product. In addition, some restrictions are placed upon the manufacture of closures.

The order limits "commercial packs" only. Although there are certain manufacturing restrictions, the use of glass containers or metal closures for home canning purposes is not affected.

Likewise, the provisions of this order cover only new glass containers and closures. Used containers or closures are not limited. However, closures which are fabricated from used closures—that is, where the used closures are a production material—are regarded as new closures made of "waste" and are governed by the pertinent provisions of this order.

Definitions of the various terms used in this order appear in paragraph (z) hereof.

Restrictions on Use of Glass Containers and Closures

(Note exceptions from these restrictions in paragraphs (p) through (v)).

(a) *Prohibited acceptances and uses of glass containers and closures.* No packer shall accept delivery of or use any new glass container, or any new metal closure for packing any product not listed in a schedule of this order.

(b) *Limitations on acceptance and use of glass containers and closures.* Likewise, during any calendar year beginning with 1944, no packer shall accept delivery of or use, for packing any product which is listed in a schedule of this order, more new glass containers or more new metal closures (other than closures made from waste) than his quota for that product. However, jobbers or retailers may obtain closures and glass containers and resell them in conformity with the provisions of this order.

(c) *Closure materials.* No packer shall accept delivery of or use, for packing any product, new metal closures made of any material except those permitted for that product in the schedules of this order. However, blackplate (including rejects) may be used wherever tinplate or terneplate is specified, and frosen plate may be used wherever tinplate, terneplate or blackplate is specified. Likewise, closures made of waste may be used in accordance with the following paragraph:

(d) *Closures made of waste.* Closures made of waste shall not be used for packing any product not listed in the schedules attached to this order. Closures made of waste may be used in addition to specified quotas for listed products.

(e) *Home canning jars.* No packer shall pack any commodity in a home canning jar. (Note that the use of these jars for home canning is not restricted).

Quotas

(f) *General.* Closure and glass quotas are stated separately in the attached schedules, and are not necessarily the same for any given product.

Quotas are not interchangeable as between listed products. That is, a packer who packs two products, product A and product B, must compute his quota (in the manner described in the following paragraph (g)) for each product separately. He cannot allot any portion of his quota for product A to product B, even if he does not pack his full quota of product A.

Furthermore, quotas may not be transferred from one packer to another except as provided in Priorities Regulation 7A.

(g) *Computation of quotas.* In most cases where this order provides a quota for the packing of any product, it does so, in the attached schedules, by stating a percentage figure followed by a calendar year—for instance, 100% 1943. Where this appears in the "glass quota" column opposite a product, it means, unless otherwise specified, that a packer's glass container quota for that product during 1944 and subsequent calendar years is computed as follows:

(1) He takes the number of new glass containers which he used for packing that product during the named base year.

(2) He subtracts the number of new glass containers which he used for packing that product during the named base year and which were quota exempt under the provisions of any prior order of the War Production Board or under any previous amendment of this order.

(3) He multiplies the resulting figure by the applicable percentage.

Identical rules apply to the computation of closure quotas, except that unless otherwise specified they are based on the number of new metal closures used during the specified base period.

The schedules of this order provide that the quotas for some products are based on the number of new metal closures or new glass containers accepted rather than those used during the specified base period. Here again, the method of computation, described in this paragraph, applies, except that the word "accepted" should be substituted for the word "used" in steps 1 and 2 above. Only the new metal closures or the new glass containers which a packer actually accepted delivery of and those which were invoiced to him during the applicable base period may be included in his quota base in such cases. But, for the purpose of making charges against quota, a packer must include the new metal closures and the new glass containers which he actually accepts delivery of, and those which are set aside for him or held by another party for his account—whether or not they are actually invoiced to him.

In a few cases, the schedules of this order set forth special rules, not covered by the above, for the computation of quotas for particular products. Such rules must be followed, and supersede the general statements contained in this paragraph (g) to the extent that they conflict with them.

(h) *Use of quotas.* As indicated above, most quotas are based on past use. The word "use" refers only to the actual filling operation in the case of glass and the actual capping operation in the case of closures. Therefore, to the extent that a person did not do this directly during the base period, he has no quota, despite the fact that he may have supplied the actual packer with the product, closures, containers, etc. After December 31, 1943, any packing done for him must be within the quota of the person performing the actual filling and capping operation.

In the case of products whose quotas are based upon acceptances, a person is deemed to have "accepted" glass containers or closures (for the purpose of computing quotas) only to the extent that he himself actually took possession of them or had them invoiced to him. If he did not do this during the base period, he has no quota, and the rules stated in the preceding paragraph of this paragraph (h) apply.

Packers who use or accept new glass containers or metal closures for packing products for the account of others, as well as for their own account, must conduct both operations within their own quotas. Without a special appeals grant under this order, they cannot regard their use or acceptances of glass containers and metal closures for the account of others as an addition to their quotas. This is true even where the other person may represent to the packer that he has a quota which he is not using himself.

On the other hand, packers are entitled to include, in their own quota bases, their use or acceptances of new glass containers or new metal closures, for the account of others during the specified base periods.

Restrictions on Sale and Delivery of Glass Containers and Closures

(i) *General restrictions.* No person shall sell or deliver any glass containers or closures which he knows, or has reason to believe, will be accepted or used in violation of any provision of this order.

(j) *Export deliveries.* During any calendar year, no person shall deliver more empty new glass containers or more new metal closures to any person outside of the 48 States of the United States and the District of Columbia than he delivered to that person during 1943.

(k) *Certificates.* No person shall sell or deliver any new glass containers or new metal closures except under a purchase order or contract validated by the delivery to such person of a purchaser's certificate, signed manually, or as provided in Priorities Regulation 7.

This certificate shall be in substantially the form attached hereto as Exhibit A in the case of sales or deliveries of all glass containers, and of all metal closures except malt and non-alcoholic beverage closures. Attention is called to the fact that this certificate, once filed by a purchaser with a supplier, covers all future deliveries from that supplier to that purchaser.

The certificate should be in substantially the form attached hereto as Exhibit B, where sales or deliveries of malt or non-alcoholic beverage closures are concerned. This certificate differs from Exhibit A in that it must be filed with each purchase order for beverage closures in order to validate the order.

Jobbers as well as packers must file certificates in accordance with this paragraph (k). However, in Exhibit B, jobbers need only supply the information called for in sections (b) and (d) of that certificate.

(l) *Outstanding certificates.* Certificates previously filed with a supplier under any previous amendment of this order, shall remain valid insofar as sales or deliveries of glass containers are concerned. Exhibit A certificates previously filed under order M-104, shall remain valid insofar as closure (other than malt or non-alcoholic beverage), deliveries are concerned. In either of the above cases, no new certificate need be filed by any purchaser to validate his orders placed with the supplier to whom the previous certification was made.

(m) *Cases where certificates need not be filed.* No certificates shall be required for the sale or delivery of the following:

(1) Home canning jars
(2) Home canning closures
(3) Returnable glass containers for packing products listed in item 96 of Schedule I
(4) Prescription bottles and ointment jars for prescription use
(5) Closures for prescription and ointment jars for prescription use
(6) Glass containers or closures of any kind to retailers for resale empty or unused or to persons purchasing them from retailers.

(7) Glass containers or closures on shipments empty or unused to persons outside the forty-eight states of the United States and the District of Columbia.

(n) *Standard certifications.* The standard certification provided for in paragraph (d) of Priorities Regulation 7, cannot be used in place of the certifications provided by this order; nor may the certifications provided by this order be waived in accordance with paragraph (f) of Priorities Regulation 7.

Restrictions Relating Solely to Manufacture of Closures

(o) *Closure material.* (1) No person shall use any zinc, aluminum, tinplate, terneplate, blackplate, frozen plate, waste-waste or waste for the manufacture of the following types of closures:

(i) Cover caps which serve as a protective or decorative closure in addition to any original sealing medium (other than paraffin) such as another closure.

(ii) Double shell or semi-double shell caps.

(iii) Two-piece closures when both pieces are made of metal, except as permitted in paragraph (o) (2).

(2) No person shall use any zinc, aluminum, tinplate, terneplate, blackplate, or wire for the manufacture of any closure of the home canning type, except as, and to the extent permitted in Schedule VII attached to this order. No closure manufactured pursuant to Schedule VII shall knowingly be sold to, or used by, any person for packing any product for sale.

(3) No person shall use any tinplate, terneplate or blackplate heavier than 90 pounds per base box for the manufacture of crown caps. This restriction does not apply to rejects, frozen plate waste-waste, or waste.

(4) No person shall use for the manufacture of closures, any tinplate with a tin coating in excess of 0.50 pound per base box except as follows: 1.50 tinplate may be used to make closures for packing items 1 to 46, inclusive, in Schedule I. However, even in the case of these items all persons are urged to use 0.50 tinplate whenever possible.

(5) No person shall use any wire for the manufacture of paperboard disc plug caps, having a diameter of two inches or less, for milk bottles.

Exceptions Pertaining to Both Glass Containers and Closures

(p) *Deliveries to certain agencies and persons.* Nothing in this order shall prohibit the purchase, acceptance of delivery, or use (such use to be in addition to any quota specified in the schedules attached to this order) of glass containers or closures by any of the following persons or by any person for packing any product to be delivered to or for the account of any of the following persons:

(1) Army, Navy, Marine Corps, Maritime Commission, or War Shipping Administration of the United States (including persons operating vessels for such Administration or Commission for use thereon).

(2) Any person for packing products for retail sale or distribution through post-exchanges, sales commissaries, officers' messes, servicemen's clubs, ship service stores, or outlets; provided same are located at Army or Navy Camps, are not operated for private profit and are established primarily for the use of Army or Navy personnel within Army or Navy establishments or on Army or Navy vessels.

(3) American Red Cross, United Service Organizations, or such other nonprofit Defense Recreation Committees, engaged in the operation of recreation centers in the 48 States of the United States or the District of Columbia solely for military personnel, as are certified to be within the exemption provided by this paragraph (p) (3) by the Office of Defense Health and Welfare Services, OEM.

(4) Any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(q) *Special provisions in schedules relative to exempt deliveries to certain agencies and persons.* The schedules of this order contain certain limitations on the exception provided by the preceding paragraph (p) in the case of certain products—as, for instance, ice cream mix and malt and nonalcoholic beverages. In such cases, the provisions of the schedules are controlling and supersede paragraph (p) to the extent that they conflict therewith.

Exceptions Relative to Glass Containers Only

(r) *Small users.* The restrictions of this order which pertain to glass containers shall not apply to any person, who was a packer before January 1, 1944, during any calendar year in which he accepts no more than a total of five hundred ($500.00) dollars worth (cost price to him) of empty new glass containers for all products.

(s) *Large size glass containers.* The restrictions of this order which pertain to glass containers shall not apply to any glass container with a capacity larger than 140 fluid ounces.

(t) *Glass containers of non-permitted sizes manufactured prior to January 4, 1944.* A packer may accept and use, for packing any product listed in the schedules of this order, any glass container which was manufactured before January 4, 1944, even though the container is of a size which is not permitted for that product by the schedules. Such acceptance and use must be in accordance with the quota provisions of this order and with the provisions of Order L-103.

(u) *Quota status of glass containers in inventory as of January 1, 1944.* Glass

containers in the possession of a packer as of January 1, 1944, may be used by him for packing any listed product as follows:

(1) Quota free, if accepted for packing a product which had a limited quota in 1943, (unless "borrowed" as described in point 3 of this paragraph).

(2) Within quota, if accepted for packing a product which had an unlimited quota in 1943.

(3) Within quota, if borrowed against anticipated 1944 use as permitted in paragraph (e) of this order as amended November 1, 1943.

Exceptions Pertaining to Closures Only

(v) *Small users.* The restrictions of this order which pertain to closures shall not apply to any person during any calendar year in which he accepts no more than five thousand new metal closures for all products.

Prior Appeals

(w) *Appeals granted prior to December 31, 1943 under Order M-104 and Order L-103-b.* All appeals granted prior to December 31, 1943 under orders L-103-b and M-104 are cancelled and shall be ineffective on and after January 1, 1944. Therefore, after that date, no person shall accept delivery of or use or shall manufacture, sell or deliver any new glass container or any new metal closure except in accordance with the provisions of this order—unless he receives a new grant on appeal after January 1, 1944.

Definitions

(x) *Definitions.* For the purposes of this order:

(1) "Glass container" means any empty new machine-made bottle, jar or tumbler, with a capacity of 140 fluid ounces or less, which is made of glass and which is suitable for packing any product. It shall not include ampoules or vials made from glass tubing.

(2) "Packer" means any person who uses glass containers or closures for commercially packing any product in the continental United States (the 48 States and the District of Columbia).

(3) "Home canning jar" means a glass container which is specifically made for use as a home canning jar (that is, for the purpose of packing or preserving food or food products in the home) and which carries some lettering or other marking identifying it as such.

(4) "Closure" means any new sealing or covering device affixed or to be affixed to a glass container for the purpose of retaining the contents within the container. The term shall not include bulbs or droppers for medicinal bottles.

(5) "Metal closure" means any closure which is made of zinc, aluminum, tinplate, terneplate, blackplate, frozen plate, waste-waste, or waste.

(6) "Tinplate" means sheet steel coated with tin, and includes "primes", "seconds", and all other forms of tinplate except waste and waste-waste.

(7) "Terneplate" means sheet steel coated with a lead-tin alloy, and includes "primes", "seconds", and all other forms of terneplate except waste and waste-waste.

(8) "Blackplate" means any sheet steel, other than tinplate or terneplate, and includes "rejects", and all other forms of blackplate except waste.

(9) "Frozen plate" means only tinplate, terneplate or blackplate which, since before August 9, 1943, has been held in the owner's inventory because, for any reason, it was not suitable for manufacture by the owner into articles permitted the use of steel under the provisions of War Production Board orders.

(10) "Waste-waste" means hot dipped or electrolytic tin coated steel sheets which have been rejected during processing by the producer because of imperfections which disqualify such sheets from sale as primes or seconds.

(11) Tinmill blackplate "rejects" means steel sheets rejected during processing by the producer because of imperfections which disqualify such sheets for sale as prime blackplate.

(12) "Waste", means:

(i) Used closures made of tinplate, terneplate or blackplate;

(ii) Used cans made of tinplate, terneplate or blackplate;

(iii) Tinplate, terneplate or blackplate discs produced in the ordinary course of manufacturing screw bands for home canning closures;

(iv) Slitter or shear trimmings, or lithographing lay sheets, produced in the ordinary course of manufacturing closures or cans.

(13) The term "0.50 tinplate" wherever used in this order, includes "menders" arising in the production of such tinplate which have been hot dipped with a maximum tin coating of 1.25 pounds per base box.

Miscellaneous

(y) *Multiple unit users.* Any commercial user who uses glass containers at more than one plant may choose to compute and apply a separate quota for each plant (or group of plants) or a collective quota for all such plants. Any organization which consists of a parent corporation and one or more wholly-owned subsidiary corporations may consider itself as a single commercial user for purposes of this paragraph.

(z) *Applicability of regulation.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(aa) *Appeals.* Appeals from this order shall be filed by addressing a letter to the War Production Board, Containers Division, Washington 25, D. C. Ref: L-103-b.

The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in undue and excessive hardship, and such other statistical and narrative information as may be pertinent.

(bb) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Containers Division, Washington (25), D. C., Ref.: L-103-b.

(cc) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 8th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A—PURCHASER'S CERTIFICATE FOR ALL GLASS CONTAINER DELIVERIES AND ALL CLOSURE DELIVERIES EXCEPT MALT AND NON-ALCOHOLIC BEVERAGE CLOSURES

One copy of this certificate is to be delivered to each person from whom purchases of new glass containers or new metal closures (other than malt and non-alcoholic beverage closures) are made. Such certificate shall cover all purchases present and future.

The undersigned purchaser hereby certifies to the seller and to the War Production Board that he is familiar with Limitation Order L-103-b and that he will not use or sell any glass containers or any closures purchased from

_____
Name of seller

_____
Address of seller

pursuant to this or future purchase orders or contracts in violation of the terms of such order.

Date _____

_____
Legal name of purchaser

By _____
Authorized official

_____
Title of official

_____
Address of purchaser

Section 35 (A) of the U. S. Criminal Code (18 U. S. C. A. 80) makes it a criminal offense to make a false statement or representation as to any matter within the jurisdiction of any department or agency of the United States.

EXHIBIT B

Certificate required by Order L-103-b to validate each purchase of new metal closures for malt or non-alcoholic beverages. Execute in duplicate, one copy to be retained by the purchaser, and one to be filed with the seller.

INVENTORY

(a) Permitted inventory (30% of the 1944 quota of closures for packing malt or non-alcoholic beverages) _____ gross.

(b) Inventory on date of this certification (Exclusive of Closures made from waste) _____ gross.

(c) Permitted delivery as of date of this certification from all sellers. Line (a) minus Line (b) _____ gross.

(d) Requested delivery from _____ Seller _____ gross.

The undersigned purchaser hereby certifies to the seller and to the War Production Board that he is familiar with Limitation Order L-103-b, that the foregoing statements of inventory are true and correct, and that he will not use or sell any closures for malt beverages or non-alcoholic beverages received from the seller pursuant to the above-described "requested delivery" in violation of the terms of such order.

Date _____

_____
Legal name of purchaser

By _____
Authorized official

_____
Title of official

_____
Address of purchaser

Section 35 (A) of the U. S. Criminal Code (18 U. S. C. A. 80) makes it a criminal offense to make a false statement or representation as to any matter within the jurisdiction of any department or agency of the United States.

SCHEDULES—GENERAL EXPLANATION

Schedules I through VI list the only products which may be packed in new glass containers or with new metal closures. Schedule VII relates to the manufacture of home canning closures.

The data set forth in the two "quota" columns, opposite each product, indicate the number of new glass containers and new metal closures (determined in accordance with the general rules set forth in paragraph (g) of Order L-103-b), which may be used for packing that product. However, any special quota provisions which these schedules make applicable to any product, are controlling to the extent that they conflict with paragraph (g).

The "X" mark which appears opposite each product in one of the columns headed "closure material" indicates that, except as listed hereafter, only closures made of the specified material may be used to pack that product. The general exceptions from this rule are:

(i) Closures made of blackplate (including rejects) may be used, within quotas, wherever tinplate or terneplate is specified.

(ii) Closures made of frozen plate may be used, within quota, wherever either tinplate, terneplate or blackplate is specified.

(iii) Closures made of waste may be used in addition to specified quotas for listed products.

All special provisions of these schedules relating to closure materials for specific products must be followed, and control to the extent that they conflict with the above.

All size specifications for glass containers set forth in these schedules must be followed in addition to the provisions of Order L-103 and its schedules.

Attention is called to paragraphs (p) through (v) of Order L-103-b which establish limited exceptions to the provisions of this order. Here again, any special provisions which these schedules contain relative to quota exemptions—as in the case of ice cream mix and certain beverages—must be observed.

SCHEDULE I—FOODS

NOTE: Item 60 amended June 8, 1944.

No product packed in a can shall be repacked for sale in a glass container by the same or a different person, in the same or a different form, except as follows (or as otherwise specifically permitted in this schedule):

(i) When required for the packing of other products, pineapple may be repacked from No. 10 cans. Grape juice, grape pulp, citrus peel and pulp may be repacked from reusable cans, 5-gallons or larger. Apricots and peaches, solid pie pack, may be repacked from No. 10 cans or larger. No. 10 cans cut under this provision must be properly cleaned and returned to the nearest detinning plant.

(ii) Tomato paste, tomato pulp or puree, and tomato sauce may be repacked from No. 10, or from 5-gallon or larger reusable cans when required for packing other products, or for repacking in different form (other than in the form of tomato paste or tomato pulp or puree), but none may be repacked in the same form. No. 10 cans cut under this provision must be properly cleaned and returned to the nearest detinning plant.

(iii) Closures made of aluminum may be used for any product listed in this schedule for which aluminum closures were used in 1939, 1940 or 1941. However, all aluminum closures must be used within, and charged to, the quotas established by this schedule.

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material: Tinplate	Closure material: Blackplate
FRUIT AND FRUIT PRODUCTS				
1. Apples including crab apples, whole apples not to be packed	100% 1943	100% 1943	X	
2. Apple cider, gallons only	100% 1943 (see note)	100% 1943	X	
NOTE: Only new glass containers of one-half gallon and larger may be included for the purpose of computing quota under paragraph (g).				
3. Apple juice, not to be packed in containers smaller than 1 pint capacity	100% 1943	100% 1943	X	
4. Applesauce including sauce from crab apples	100% 1943	100% 1943	X	
5. Apricots, fresh	Unlimited	Unlimited	X	
6. Blackberries, black raspberries, blueberries or huckleberries, red raspberries, boysen berries, loganberries, and youngberries when packed as berries	Unlimited	Unlimited	X	
7. Cherries, red sour pitted and sweet	100% 1943	100% 1943	X	
8. Cranberries	Unlimited	Unlimited	X	
9. Figs—(Kadota)	Unlimited	Unlimited	X	
10. Fruit cocktail—consisting of any combination of fruits listed in this Schedule I and grapes; provided that the combination, by drained weight, shall consist of not less than 50 percent peaches and pears, and may consist of not to exceed 10 percent grapes. Pineapple may be repacked from No 10 or larger cans, to the extent of 10 percent of the fruit cocktail	Unlimited	Unlimited	X	
10a. Mixed fruits—consisting of any combination of fruits listed in this Schedule I (with or without grapes) provided the combination by drained weight shall consist of not less than 45 percent nor more than 65 percent diced peaches, and not less than 25 percent nor more than 45 percent diced pears; or a combination of not less than 50 percent nor more than 60 percent diced peaches and not less than 30 percent nor more than 40 percent diced pears with not less than 6 percent nor more than 10 percent grapes. Such peaches or pears shall be peeled, pitted, or cored and diced to a size such that no more than 20 percent of the units will pass through a 5/16" standard sieve, and no more than 20 percent of the units will have a greater cubic dimension than ¾", and so as to leave not more than 1 square inch of peel per pound of product on a drained weight basis. Not more than 10 percent of the grapes shall be crushed or crushed or have attached cap stems. No fruit may be packed under this item until the packer has packed and set aside his full quota for that fruit as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	Unlimited	Unlimited	X	
11. Fruit butters, minimum size (excluding tumblers) ¾ pound. At least 70 percent of containers packed to be 1½ pounds or larger	Unlimited	Unlimited	X	
12. Fruits crushed, fountain fruits and ice cream toppings	100% 1943	100% 1943	X	
13. Fruit conserves, jams, marmalades and preserves. At least 10 percent of the number of containers packed with these products, excluding tumblers, to be 2 pounds or larger	Unlimited	Unlimited	X	
14. Fruit jellies	Unlimited	Unlimited	X	
15. Fruit juices, other than grape, apple, or apple cider, or mixtures of fruit juices (undiluted except for the addition of sweetening). Minimum size 1 pint	100% 1943	100% 1943	X	
16. Grape juice, minimum size 1 pint	Unlimited	Unlimited	X	
17. Fruit concentrates, liquid, when concentrated on a ratio 5 or more to 1	100% 1943	100% 1943	X	
18. Fruit concentrates, dry	100% 1943	100% 1943		X
19. Fruit nectars, minimum size 1 pint	100% 1943	180% 1943	X	
20. Olives, ripe and green ripe	Unlimited	Unlimited	X	
21. Peaches, halves, slices or cubes	Unlimited	Unlimited	X	
22. Pears—whole pears, except seckel pears, not to be packed	Unlimited	Unlimited	X	
23. Pectin, liquid	Unlimited	Unlimited		X
24. Plums	Unlimited	Unlimited	X	
25. Prunes, fresh Italian	Unlimited	Unlimited	X	
VEGETABLES AND VEGETABLE PRODUCTS				
26. Asparagus, all-green or culturally bleached	Unlimited	Unlimited	X	
27. Beans, with or without pork	100% 1943	100% 1943	X	
28. Beans, fresh, all varieties	Unlimited	Unlimited	X	
29. Beets—whole beets over 1¼" diameter not to be packed	Unlimited	Unlimited	X	
30. Carrots—whole carrots not to be packed	Unlimited	Unlimited	X	
31. Peas and carrots—fresh green peas only. Carrots not to exceed 40 per cent of total drained weight. No vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 23 and orders supplementary thereto.	Unlimited	Unlimited	X	

SCHEDULE I—FOODS—Continued

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material: Tinplate	Closure material: Blackplate
VEGETABLES AND VEGETABLE PRODUCTS—Continued				
32. Corn, fresh, sweet cut only	Unlimited	Unlimited	X	
33. Mixtures of vegetables (except succotash, and peas and carrots) 50 percent of this mixture by drained weight must consist of vegetables listed in this schedule, celery and onions: *Provided*, That the combination, by drained weight, shall consist of not more than 60 percent of any one vegetable; and, *Provided further*, That no vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	Unlimited	Unlimited	X	
34. Mushrooms	100% 1943	100% 1943	X	
35. Okra, including tomatoes and okra	100% 1943	100% 1943	X	
36. Peas, green	Unlimited	Unlimited	X	
37. Peppers, sweet, including pimientos. Minimum size container 6 fluid ounces	100% 1943	100% 1943	X	
38. Pumpkin and squash	100% 1943	100% 1943	X	
39. Spinach, and other green leafy vegetables limited to beet, collard, dandelion, kale, mustard, poke and turnip greens	Unlimited	Unlimited	X	
40. Succotash, fresh vegetables only	Unlimited	Unlimited	X	
41. Tomatoes	Unlimited	Unlimited	X	
42. Tomato catsup and chili sauce, containing not less than 10.5 percent (specific gravity 1.048) by weight of dry tomato solids	Unlimited	Unlimited	X	
43. Tomato paste from fresh tomatoes, containing not less than 26 percent by weight of dry tomato solids	Unlimited	Unlimited	X	
44. Tomato pulp or puree from fresh tomatoes, containing not less than 10.5 percent (specific gravity 1.048) or more than 26 percent, by weight of dry tomato solids	Unlimited	Unlimited	X	
45. Tomato sauce, including spaghetti sauce, containing not less than 8.7 percent (specific gravity 1.037) by weight of dry tomato solids, and not less than 10.0 percent (specific gravity 1.043) by weight of total dry solids, salt free. In addition to salt, the contents may contain pepper, spices, oils, and other flavoring ingredients	Unlimited	Unlimited	X	
46. Vegetable juices, or mixtures thereof, undiluted, except for the addition of sweetening or reasoning, minimum size 1 pint	100% 1943	100% 1943	X	
MEAT AND MEAT PRODUCTS				
47. Beef, dried—tumblers and caps for tumblers may be used in addition to quota	100% 1943	100% 1943	X	
48. Beef extract	100% 1943	100% 1943	X	
49. Chicken, boned	100% 1943	100% 1943	X	
49a. Chicken and turkey a la king, containing not less than 20 percent meat and skin; skin and giblets not to exceed natural proportions	100% 1943	100% 1943	X	
49b. Chicken and turkey egg noodles, containing not less than 12 percent meat and skin; skin and giblets not to exceed natural proportions	100% 1943	100% 1943	X	
49c. Turkey, boned	100% 1943	100% 1943	X	
50. Corned beef hash	100% 1943	100% 1943	X	
51. Mince meat. No containers holding less than one pound net weight of mince meat to be packed	200% 1943	200% 1943	X	
52. Pigs feet and cathes, pickled. No containers of a capacity less than one pint to be packed	50% 1943	50% 1943	X	
53. Scrapple (Philadelphia type)	100% 1943	100% 1943	X	
54. Tamales	100% 1943	100% 1943	X	
55. Chili con carne, with or without beans (only when packed in accordance with F. D. A. standards)	100% 1943	100% 1943	X	
56. Meat spreads, including ham, tongue, liver, beef and sandwich spreads. When packed as a spread, the chopped products shall contain not less than 65 percent meat, by cooked weight, with added cereal or other products. When packed as deviled ham or deviled tongue, the product shall consist of chopped meat without added cereal or other products	100% 1943	100% 1943	X	
56a. Meat loaf containing not less than 90 percent meat, by uncooked weight and no added water. When packed as a chopped product, meat loaf may contain not more than 10 percent of the following ingredients: cereal, whole milk, eggs and seasonings	100% 1943	100% 1943	X	
57. Chopped luncheon meats, consisting of chopped, seasoned meat with not to exceed 3 percent added water, by weight	100% 1943	100% 1943	X	
58. Sausage in casings, Vienna style, containing no cereal or similar substances and not to exceed 10 percent added water by weight	200% 1943	200% 1943	X	
59. Tongue	150% 1943	150% 1943	X	
FISH AND SHELLFISH				
60. Any person who packed fish or shellfish products in 1943 may pack the same products in 1944 or any subsequent year. Fish or shellfish products as used here shall not include clam broth	100% 1943	100% 1943	X	
60a. Clam broth				
MILK AND DAIRY PRODUCTS				
61. Cheese spreads, processed or unprocessed. Tumblers and caps for tumblers may be used in addition to quota	125% 1943	125% 1943	X	
62. Milk, cultured, as classified herein refers only to those cultured or fermented milk or skim milk products which develop pressure within the container (glass bottles) due to fermentation which is produced by the addition of certain materials to milk or skim milk such as sugar, yeast, cultures, and the like	100% 1942	100% 1943		X
63. Milk, fluid with or without flavoring	Unlimited	Unlimited		X
64. Dry milk, malted milk, (including chocolate milk), and milk fortifiers	100% 1943	100% 1943	X	
65. Ice cream mix, dry—notwithstanding the provision of paragraph (p) of this Supplementary Order L-103-b, packing quota includes pack required to be set aside by any order of the War Production Board, the Food Distribution Administrator, the Department of Agriculture for purchase by Government agencies. Containers and closures used for such packs must be charged to quotas for this product	100% 1943	100% 1943	X	
66. Miscellaneous dairy products packed in returnable glass containers, including but not limited to fluid milk, cultured milk, liquid modifications of milk, sweet cream, sour cream and cottage cheese	Unlimited	None		
SYRUPS AND HONEY				
67. Syrups—blended, cane, corn, maple, molasses, sorghum. Containers under 1 gallon capacity only to be packed.	150% 1942 (see note).	Unlimited		X
NOTE: Only new glass containers under 1 gallon capacity to be included for purpose of computing quota in accordance with paragraph (g).				
68. Syrups—bottlers, malt, and fountain syrups	100% 1943	Unlimited		X
68a. Syrup—chocolate	100% 1943	Unlimited	X	
69. Honey	Unlimited	Unlimited		X
OLIVES, PICKLES, RELISHES, CONDIMENTS & SAUCES				
70. Pickles, piccalilli and relishes	125% 1943	125% 1943	X	
71. Horseradish	100% 1943	100% 1943	X	
72. Mustard	100% 1943	100% 1943	X	
73. Green Olives	100% 1943	100% 1943	X	
74. Sauces—beefsteak, cooking, soya, pepper and Worcestershire	100% 1943	100% 1943	X	
EDIBLE OILS AND DRESSINGS				
75. Dressings—Mayonnaise, Russian, salad, Thousand Island. At least 60 percent of the containers used by any person to pack any or all of these products must be pints or larger	125% 1943	125% 1943		X
75a. Tartar Sauce and sandwich spreads (other than meat or cheese spreads)	125% 1943	125% 1943	X	
76. French dressing	100% 1943	100% 1943	X	

SCHEDULE I—FOODS—Continued

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material: Tinplate	Closure material: Blackplate
EDIBLE OILS AND DRESSINGS—Continued				
77. Oil, edible, liquid	125% 1943 (see note).	100% of quota glass containers.		X
NOTE: Both new glass containers and new metal cans packed during base period to be included for purpose of computing quota under paragraph (g).				
No containers other than quarts and pints may be packed, with the following exceptions: (i) Olive oil may be packed in quarts, pints and smaller sizes. (ii) Any person who packed liquid edible oils prior to January 1, 1942 in glass containers larger than one quart may continue to do so in 1944 and subsequent calendar years.				
78. Shortenings	100% 1943	None		
MISCELLANEOUS FOODS				
79. Baby foods. Consisting of food products of small particle size or in liquid or semi-liquid form made from the following ingredients: fruits (except dried apricots, dried pears, dried peaches, dried or dehydrated apples); vegetables; meats; poultry products; dairy products; sugar; salt or seasoning; yeast or yeast derivatives. Frozen fruits and vegetables may be used only in combination with other permitted products, and only provided the combined potato and cereal content does not exceed 15 percent, by weight, of the total product. Formulas—dry and liquid	100% 1943	100% 1943	X	
81. Cherries, maraschino	70% 1941 (see note).	80% quota glass containers. (See note.)		X
82. Coffee, not including soluble coffee				
NOTE: Glass quotas for coffee are based on the capacity of new glass containers and metal cans accepted, rather than on the number of these used during 1941. Therefore, other competing his quota base in accordance with steps 1 and 2 of paragraph (g), on this basis, a coffee packer is permitted to accept and use enough new glass containers (of any size), to enable him to pack 75 percent of the capacity of new metal cans and jars resulting from such computation. No more than 40 percent of yearly glass quota may be accepted in period May 1 through October 31. New metal caps used in any one month shall not exceed 50 percent of the number of new glass containers packed in that month.				
83. Coffee, soluble	100% 1943	100% 1943		X
84. Baking powder	100% 1943	100% 1943		X
85. Dyes, certified colors, liquid	100% 1943	100% 1943	X	
86. Flavoring extracts	100% 1943	100% 1943		X
87. Malt, dry	100% 1943	100% 1943		X
88. Nut butters including soybean butter. To be packed in 1 pound, 1¼ pound, 2 pounds and larger containers only, except for tumblers which may be used subject to provisions of L-268. At least 10 percent of containers used to be 2 pounds or larger	100% 1943	100% 1943	X	
89. Spices and seasonings	100% 1943	100% 1943	X	
90. Vinegars. At least 70 percent of the containers packed must be quarts or larger. No containers less than pint capacity to be packed	(See note)	(See note)	(See note)	(See note).
91. Special foods for human consumption only, limited to foods other than usual table foods	100% 1943	100% 1943	X	
92. Soup mix, dehydrated and paste				
NOTE: Quota—no person shall pack any special food product unless he packed the product in substantially the same form in 1943, and unless he obtains prior permission upon application to the War Production Board.				

SCHEDULE II—DRUG PRODUCTS

(Products for medicinal purposes only)

Closures made of aluminum may be used for any product listed in this schedule for which aluminum closures were used in 1939, 1940 or 1941, however, all aluminum closures must be used within, and charged to, the quotas established by this schedule.

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material: Tinplate	Closure material: Blackplate
1. Alcohol, rubbing or medicated	Note 1	Note 1		X
2. Anesthetic solutions	Unlimited	Unlimited	X	
3. Biological preparations	Unlimited	Unlimited	X	
4. Blood plasmas	Note 1	Note 1		X
5. Capsules, pills, tablets, troches, lozenges	Unlimited	Unlimited	X	
6. Chemicals, dry or liquid	Note 1	Note 1		X
7. Citrate of magnesia	Unlimited	Unlimited	X	
7a. Dental supplies packed exclusively for use in the practice of dentistry	Note 1	Note 1		X
8. Elixirs	Note 1	Note 1		X
9. Emulsions	Note 1	Note 1		X
10. Extracts, dry or liquid	Note 1	Note 1		X
11. Glycerine	Note 1	Note 1	X	
12. Glycerites	Note 1	Note 1		X
13. Jellies, aqueous	Note 1	Note 1		X
14. Liniments	Note 1	Note 1	X	
15. Liniments of ammonia	Note 1	Note 1		X
16. Lotions, medicinal only	Note 1	Note 1	X	
17. Magmas	Note 1	Note 1		X
18. Oleoresins	Note 1	Note 1	X	
19. Oils, fixed, volatile or medicated	Note 1	Note 1		X
20. Ointments, cerates, petrolatum pastes	Note 1	Note 1	X	
21. Ointments, ophthalmic	Note 1	Note 1		X
22. Powders	Unlimited	Unlimited	X	
23. Prescriptions	Note 1	Note 1		X
24. Proprietary preparations	Note 1	Note 1		X
25. Salts, effervescent, hygroscopic, efflorescent only	Note 1	Note 1	X	
26. Soaps, medicinal only	Note 1	Note 1	X	
27. Solutions, aqueous	Note 1	Note 1	X	
28. Solutions, other than aqueous	Unlimited	Unlimited	X	
29. Solutions, parenteral	Note 1	Note 1		X
30. Spirits	Note 1	Note 1	X	
31. Spirits of ammonia, aromatic	Note 1	Note 1	X	
32. Spirit of ether compound and spirit of ether	Unlimited	Unlimited		X
33. Sulfonamide preparations	Note 1	Note 1		X
34. Suppositories	Note 1	Note 1		X
35. Syrups	Unlimited	Unlimited		X
36. Tinctures	Unlimited	Unlimited	X	
37. Tincture of indigo	Note 1	Note 1		X
38. Waters laxative, purgative or medicinal	Note 1	Note 1		X
39. Other drug products	Note 1	Note 1		X
40. Turpentine, maximum size 8 ounces				

NOTE 1: The total number of new metal closures and new glass containers which may be used, during any calendar year, for packing all of the products referring to this note is 100 percent of the number of new metal closures or new glass containers, respectively, a person used for said purpose during 1943, after deducting the quota exempt closures or containers used, in accordance with the provisions of paragraph (g). This quota may be used for any one or more of said products.

SCHEDULE III—CHEMICALS

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material: Tinplate	Closure material: Blackplate
1. Adhesives, glue, mucilages and pastes	100% 1943	100% 1943		X
2. Alcohol, liquid or solidified (excluding anti-freeze)	100% 1943	100% 1943		X
3. Ammonia, household, and/or household liquid cleaners. No containers of less than 1 quart capacity may be packed	100% 1943	100% 1943	X	
4. Aromatic chemicals used for their odoriferous and/or flavoring properties	Unlimited	Unlimited	X	
5. Automotive maintenance or repair items, liquid or paste	100% 1943	100% 1943		X
6. Bluings	100% 1943	100% 1943	X	
7. Bleaches, liquid. No containers of less than 1 quart capacity may be packed	100% 1943	Unlimited	X	
8. Cements—dry, paste or liquid	100% 1943	100% 1943		X
9. [Deleted May 18, 1944].				
10. Chemicals, dry, not elsewhere specified	80% 1943	80% 1943		X
11. Chemicals, liquid, not elsewhere specified	80% 1943	80% 1943	X	
12. Chemicals for food sanitation purposes only	180% 1943	180% 1943		X
13. Chemicals, reagent	200% 1943	200% 1943	X	
14. Cleaners—dry, paste or liquid, not including liquid household cleaners	100% 1943	100% 1943		X
15. Compounds for grinding, polishing, or sealing	100% 1943	Unlimited	X	
15a. Dental supplies packed exclusively for use in the practice of dentistry	Unlimited	180% 1943		X
16. Deodorants—dry, not for use on human body	100% 1943	100% 1943	X	
17. Deodorants—liquid or paste, not for use on human body	100% 1943	100% 1943		X
18. Dressings for industrial purposes. Belt dressings and similar preparations	100% 1943	100% 1943	X	
19. Dyes	100% 1943	100% 1943	X	
20. Essential oils, distilled or cold pressed	Unlimited	Unlimited		X
21. Embalming fluid	100% 1943	100% 1943		X
22. Fire extinguisher fluids	100% 1943	100% 1943		X
23. Fumigants	150% 1943 (see note).	100% quota glass containers.		X
24. Fungicides, insecticides, disinfectants and livestock or agricultural solutions or sprays No containers larger than 1 quart to be packed				
NOTE: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota in accordance with paragraph (g).	125% 1943	125% 1943	X	
25. Germicides	100% 1943	100% 1943		X
26. Graphite with liquid	100% 1943	100% 1943		X
27. Glycerine	120% 1943	120% 1943		
28. Hand protective compounds (industrial protective only and only when packed in 8 oz. container or larger).	125% 1943	125% 1943	X	
29. Hypochlorite powders	100% 1943	100% 1943	X	
30. Inks	100% 1943	100% 1943	X	
31. Ink eradicators	100% 1943 (see note).	100% quota glass containers.		X
32. Paints, clear (including shellac) except nitro-cellulose base paints: containers limited to quarts and smaller.				
NOTE: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota in accordance with paragraph (g).	100% 1943 (see note).	100% quota glass containers.		X
33. Paints, pigmented except nitro-cellulose base paints; containers limited to one-half pints and smaller				
NOTE: Only new glass containers of one pint capacity and smaller may be included in computing quota under paragraph (g).	100% 1943 (see note).	100% quota glass containers.		X
34. Paint thinner, including turpentine, paint and varnish removers and linseed oil; excluding thinners for nitro-cellulose products; quart, pint and half-pint containers only.				
NOTE: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota under paragraph (g).	100% 1943	100% 1943	X	
35. Phenols	100% 1943	100% 1943	X	
36. Photographic supplies	100% 1943	100% 1943		X
37. Poisons	100% 1943 (see note).	100% quota glass containers.		X
38. Polishes, liquid. Furniture, auto, metal and floor polishes, quart and smaller containers only				
NOTE: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota under paragraph (g).	100% 1943 (see note).	100% quota glass containers.		X
39. Putty	75% 1943	75% 1943		X
NOTE: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota under paragraph (g).	125% 1943	125% 1943		X
40. Polishes not otherwise specified	100% 1943	100% 1943		X
41. Shoe and leather polishes, waxes, dyes, stains and dressings not including liquid or cream shoe white	100% 1943	100% 1943		X
42. Shoe white, liquid or cream	100% 1943	100% 1943		X
43. Soap, liquid or paste	100% 1943	100% 1943		X
44. Solvents—organic solvents and petroleum distillates	100% 1943	100% 1943		X
45. Synthetic resins	100% 1943	100% 1943		X
46. Waxes	100% 1943	100% 1943		X
47. Wood preservatives and/or fillers				

SCHEDULE IV—COSMETICS AND TOILETRIES

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material: Tinplate	Closure material: Blackplate
1. Cosmetics, solid and semisolid types; such as face creams, hand creams, vanishing creams, deodorant and anti-perspirant creams and cream rouge	100% 1943	85% quota glass containers.		X
2. Cosmetics and toileteries, fluid or powder; such as deodorants, antiperspirants, shampoos, hair tonics, hair dyes, wave solutions, hair rinses, oral antiseptics, tooth pastes, tooth powders, liquid dentifrices, after shave lotions, liquid soaps, perfumes, toilet waters, face and hand preparations, lotions, fingernail preparations.	100% 1943	50% quota glass containers.		X
3. Soaps, hand	100% 1943	100% quota glass containers.		X
4. Shaving cream		100% quota glass containers.		X

SCHEDULE V—MISCELLANEOUS PRODUCTS

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material: Tinplate	Closure material: Blackplate
1. Artist supplies	100% 1943	100% quota glass containers.		X
2. Candle tumblers	Unlimited	None		
3. Dental floss	100% 1943	100% 1943		X
4. Lighter fluids	100% 1943	100% 1943		X
5. Oils, lubricating and machine. Motor oils to be packed in quarts only	100% 1943	100% 1943		X
6. Tobacco and snuff not including cigars and cigarettes	100% 1943	None		

SCHEDULE VI—BEVERAGES

(The rules set forth in this Schedule are controlling wherever they conflict with any other provisions of Order L–103–b. However, except as modified herein, all provisions of Order L–103–b are applicable)

MALT BEVERAGES

Product: Malt beverages, including only beer, ale, porter, near beer and mixtures thereof.

Glass Containers

(a) *Glass container quota.* 100% of the number of new returnable glass containers which the packer accepted delivery of for malt beverages during 1943—less the number of quota exempt returnable glass containers which were accepted during the period between July 1, 1943 and December 31, 1943.

(b) *Exceptions from glass quota provisions.* In addition to his quota of glass containers for malt beverages, any packer may accept delivery of the following portion of the number of new or used glass containers used, or actually to be used, during the then current calendar year for delivering malt beverages to or for any of the persons listed under paragraph (p) of this order:

(1) *Export shipment.* The full amount of glass containers for delivering malt beverages to or for any such person for shipment to points outside the continental United States.

2. *Domestic consumption.* 8% of the full amount of glass containers for delivering malt beverages to or for any such person for use or distribution within the continental United States.

Closures

(c) *Closure quota (See Notes 2 and 3).* 115% of the number of new metal closures used for malt beverages during 1943. (Quota exempt closures may not be included in base.)

(d) *Closure material.* (See Note 1) Blackplate (including rejects) as allocated; electrolytic waste-waste, and frosen plate. Hot dipped waste-waste may be used only to make malt beverage closures which are to be exported unused. The export of unused malt beverage closure to foreign countries (but not exports to United States territories or island possessions) is exempted from the limitations of paragraph (j) of this order.

No closures made of waste may be used in addition to quota, pursuant to paragraph (d) of Order L–103–b, except as follows:

(1) Closures made of used cans.

(2) Closures made of used closures and of discs produced in the ordinary course of manufacturing home canning screw bands.

NON-ALCOHOLIC BEVERAGES

Product. Non-alcoholic beverages, including only carbonated soft drinks; non-carbonated soft drinks; unflavored carbonated waters and unflavored naturally carbonated and still waters (See Note 2); drinks consisting of fruit juices, vegetable juices and combinations thereof, where less than 85% by weight of such drinks is pure fruit juice, vegetable juice, or a mixture thereof; and sterilized milk drinks made with powdered milk.

Glass Containers

(a) *Glass container quota.* 80% of the number of new glass containers which the packer accepted delivery of for non-alcoholic beverages during 1941.

(b) *Exceptions from glass quota provisions.* In addition to his quota of glass containers for non-alcoholic beverages, any packer may accept delivery of the following portion of the number of new or used glass containers used, or actually to be used, during the then current calendar year for delivering non-alcoholic beverages to or for any of the persons listed in paragraph (p) of this Order.

(1) *Export shipment.* The full amount of glass containers for delivering non-alcoholic beverages to or for any such person for shipment to points outside the continental United States.

(2) *Domestic consumption.* 8% of the full amount of glass containers for delivering non-alcoholic beverages to or for any such person for use or distribution within the continental United States.

Closures

(c) *Closure quota (See Notes 2 and 3).* 115% of the number of new metal closures used for non-alcoholic beverages during 1943 (Quota exempt closures are not to be included in base).

(d) *Closure material (See Note 1).* Blackplate (including rejects) as allocated; electrolytic waste-waste, and frosen plate. Hot dipped waste-waste may be used only to make non-alcoholic beverage closures which are to be exported unused. The export of unused non-alcoholic beverage closures to foreign countries (but not exports to United States territories or island possessions) is exempted from the limitations of paragraph (j) of this order.

No closures made of waste may be used in addition to quota, pursuant to paragraph (d) of Order L–103–b except as follows:

(1) Closures made of used cans.

(2) Closures made of used closures and of discs produced in the ordinary course of manufacturing home canning screw bands.

WINES

Product. Wines.
Glass container quota. 100% of 1943.
Closure quota. 50% quota glass containers.
Closure material. Blackplate.

DISTILLED SPIRITS

Product. Distilled spirits, including cordials.
Glass container quota. 100% of 1943.
Closure quota. 50% quota glass containers.
Closure material. Blackplate.

NOTE 1: Permission to accept delivery of used cans made of tinplate or of sheets recovered from such cans or of tinplate slitter or shear trimmings, lithographing lay sheets and discs must be obtained in accordance with Conservation Order M–325.

NOTE 2: Except with regard to items listed in Schedule II, no new metal closures shall be affixed to glass containers smaller than 12 fl. oz. for packing unflavored carbonated natural or mineral waters unless such glass containers were manufactured on or before June 1, 1942.

NOTE 3: No person other than a jobber purchasing for resale shall accept delivery of malt beverage or non-alcoholic beverage closures which would increase his inventory beyond 30% of his 1944 quota of such closures. This inventory shall include closures to be used as described in paragraph (p) of this order but not closures made of waste materials described in paragraphs (d) (1) and (2) of this schedule. No separate inventory is permitted for uses described in paragraph (p).

SCHEDULE VII—HOME CANNING CLOSURES

No manufacturer of glass containers shall ship any jars with 70 mm. screw finish, intended for home canning unless at least 40% of such jars shipped during each calendar month are delivered as a unit, consisting of the jar and a "glass lid closure" packed together. A "glass lid closure" is one consisting of a glass lid, a screw band and a top seal jar ring.

Description of closure	Manufacturer's quota	Closure material indicated by X: 0.50 tinplate	Wire bails	Zinc	Blackplate
1. Top seal metal lids, 70 mm.	Unlimited	X			
2. Bands for 70 mm. top seal metal lids	Unlimited	X			
3. Bands for use with 70 mm. glass lids	Unlimited	X			
4. Lightning type	Unlimited		X		
5. Top seal metal lids, smaller than 70 mm.	Unlimited	X			
6. One piece metal closures, 70 mm. shoulder seal type.	Unlimited	X			
7. One piece metal closures, 70 mm. top seal type	Unlimited	X			
8. Top seal metal lids larger than 70 mm.	From October 1, 1943 to September 30, 1944—6% of production of 70 mm. lids from October 1, 1942 to September 30, 1943.	X			
8a. Bands for top seal metal lids larger than 70 mm.	25% of 1944 quota for top seal metal lids larger than 70 mm.	X			
9. Zinc Mason P/L closures, 70 mm.	60% 1941 production			X	
10. Jelly glass lids	Unlimited				X

INTERPRETATION 1: Revoked Jan. 4, 1944.

INTERPRETATION 2

GLASS CONTAINER AND CLOSURE QUOTAS

Paragraph (g) sets forth the method for computing a packer's quota of new glass containers or new metal closures. The first step in the process (subparagraph (1) of paragraph (g)) is to take the number of new glass containers or new metal closures used or accepted for packing that product during the named base period. In arriving at this number a packer may not include more containers or closures than he was permitted to accept or use under the provisions of the applicable order in existence at the time. New glass containers or new metal closures accepted or used pursuant to the grant of an appeal are properly included in making the computation. (Issued Apr. 3, 1944.)

[Interpretation 3]

A caterer or restaurateur, who fills glass containers with food which is ready for consumption, for the purpose of delivering it to a plant to be served in in-plant feeding operations, is not a packer within the meaning of the term as defined in paragraph (x) (2) of this order and therefore not subject to the restrictions contained in it. He may properly use the certification contained in Exhibit A in placing his purchase orders if the glass containers are to be used for this purpose only. (Issued May 15, 1944.)

[F. R. Doc. 44–8297; Filed, June 8, 1944; 12:01 p. m.]

PART 3270—CONTAINERS

[Conservation Order M–81, as Amended June 8, 1944]

CANS

§ 3270.31 *Conservation Order M–81*—(a) *Prohibitions on purchase, acceptance and use of cans.* No person shall purchase, accept delivery of or use any can for any other purpose than for packing a product listed in a schedule attached to this order.

(b) *Restrictions on purchase, acceptance and use of cans.* No person shall, during any calendar year (or any seasonal year when packing quota is based on a seasonal year in the schedules), purchase, accept delivery of or use for packing any product which is listed in a schedule attached to this order, more cans than his packing quota for that product. However, jobbers or retailers may obtain and sell cans in conformity with the provisions of this order.

(c) *Restrictions on cans for War Shipping Administration.* No person shall sell or deliver any product packed in cans for use on vessels under the direction of the War Shipping Administration unless authorization to acquire the cans has been obtained on Form WPB 646 (formerly PD–300).

(d) *Restrictions on use of cans made of waste.* Attention is called to the fact that cans made of waste (other than those specified in paragraph (k) (4) are now covered by the provisions of this order. Such cans may only be made or used contrary to the restrictions of this order pursuant to the grant of an appeal. Appeals for this purpose shall state: (1) the product to be packed, (2) the number and type of cans to be used and (3) the type of waste to be used.

(e) *Restrictions on can material and sizes.* No person shall purchase, accept delivery of or use for packing any listed product, cans made of any kind of plate or of any size except those permitted for that product in the schedules of this order. He may, however, use a can larger than the largest permitted size for packing a listed product. Wherever the can size is specified by weight, the weight referred to shall be net weight of the contents of the can.

When tinplate is specified for the manufacture of cans for packing a particular product, the coating indicated represents the maximum weight of tin coating per single base box. The term "0.50 tinplate" or "0.75 tinplate" wherever used in this order includes menders arising in the production of such tinplate which have been hot-dipped with a maximum tin coating of 1.25 pounds per base box, and hot-dipped waste-waste. When SCMT is specified, special coated manufacturers' terneplate is referred to.

(f) *Prohibition against repacking.* No product packed in a can shall be repacked for sale in a can or any other container by the same or different person in the same or different form except to the extent specifically permitted in the schedules attached to this order or pursuant to Order L–103–b.

(g) *Prohibition against packing dried or frozen fruits or vegetables.* No dried or frozen fruits or vegetables shall be packed in a can except to the extent specifically permitted in the schedules attached to this order.

(h) *Restrictions on food packing.* The foods listed in Schedules I and II are limited to those which are intended and suitable for human consumption. Canning of foods for animals and pets is not permitted.

Restrictions on Manufacture, Sale and Delivery

(i) *General restriction.* No person shall manufacture, sell or deliver any cans which he knows, or has reason to believe, will be accepted or used in violation of any prohibition or restriction of this order.

(j) *Certificate.* No person shall manufacture, sell or deliver any cans except under a purchase order or contract validated by a delivery to him of a purchaser's certificate, signed manually by the purchaser as provided in Priorities Regulation No. 7. This certificate shall be in substantially the form attached hereto as Exhibit A. This certificate, once filed by a purchaser with a supplier, covers all future deliveries to him from that supplier. No certificate shall be required from a retailer who buys for resale, or from persons purchasing from retailers.

Exceptions

(k) *Exceptions to restrictions on purchase, acceptance or use.* The restrictions imposed by this order shall not apply to the purchase, acceptance of delivery or use of the following cans:

(1) Cans (other than for samples distributed for the purpose of advertising or promoting the sale of a product) for packing any product which is not to be sold in the same or different form. However, cans packed by federal or state institutions for their own consumption shall be controlled by the can size and material restrictions.

(2) Fibre cans with ends made of waste-waste or blackplate rejects for packing the following products: any food product for human consumption, antiseptic or medicinal powders, dental plastics and impression materials, dentifrice powders including denture cleaners and adhesives, insecticides and rodent poisons, seed disinfectants and inoculants, cements, photographic chemicals, cleansing powders, wallpaper cleaner and inner-tube repair kits.

(3) Fibre cans with ends made of sheets recovered from used cans. Permission to accept delivery of used cans or sheets recovered from used cans for this purpose must be obtained under Conservation Order M–325.

(4) Fibre cans with ends made of waste.

(5) Cans for packing any products not listed in Schedules I or II attached to this order when such cans are to be delivered either (a) packed or empty to the Army, Navy, Marine Corps, Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such Commission or Administration for use thereon), pursuant to a letter of intent approved by or a purchase order or contract negotiated for or with any of these agencies, or (b) to other persons pursuant to authorization by the Maritime Commission under Form WPB 646 (formerly PD–300).

(l) *Inventory exceptions*—(1) *Schedules I and II.* The restrictions concerning can materials and sizes contained in paragraph (e) shall not apply to cans made of tinplate which was either in process at the tin mill, in the inventory of the tin mill for the account of the manufacturer, or in the inventory of the can manufacturer, on or before January 3, 1944, for packing products listed in Schedules I or II.

(2) *Schedule III.* The restrictions concerning can materials and sizes contained in paragraph (e) shall not apply to cans made of terneplate or blackplate which was either in process at the tin mill, in the inventory of the tin mill for the account of the manufacturer, or in the inventory of the can manufacturer, on or before January 3, 1944 for packing products listed in Schedule III.

(3) *Change of specifications.* Whenever the size and can material specifications for a product are changed by amendment, a can manufacturer must continue to manufacture, sell and deliver cans for that product in accordance with the superseded specifications (before making any cans conforming to the new specifications) as long as there is available to him plate made for that product which was in process at the tin mill, in the inventory of the tin mill for his account, or in his inventory, on the date of the change. Packers of that product must accept and use (within quota) such cans for packing that product.

(m) *Small user.* Nothing in this order shall prohibit any person, who, during the calendar year 1942, used cans requiring for their manufacture less than 25 base boxes from purchasing, accepting delivery of, or using during any subsequent calendar year without restriction an aggregate of cans requiring for their manufacture not more than 25 base boxes. However, if he uses the cans to pack a product listed in the schedules of this order, he must conform to the provisions of Paragraph (e) relative to sizes and can material.

Definitions

(n) For the purpose of this order:

(1) "Can" means any unused container which is made in whole or in part of tinplate, terneplate, blackplate, or waste, and which is suitable for packing any product. The term includes all pails and drums made from blackplate, 29 gauge or lighter (except stripper drums having a capacity of 30 pounds or greater) and any container closure or fitting made in whole or in part of tinplate, terneplate, blackplate, or waste, but does not include a closure or fitting to be used on or as a part of a glass container or fiber or steel drum (as defined in Orders L–103, M–313 and L–197). The term does not include fluid milk shipping containers as defined in Conservation Order M–200.

(2) "Tin plate" means steel sheets coated with tin (including primes, seconds and hot-dipped waste-waste), and includes (i) electrolytic tinplate in which the tin coating is applied by electrolytic deposition, and (ii) hot-dipped tinplate in which the tin coating is applied by immersion in molten tin. The term does not include waste.

(3) "Terneplate" means steel sheets coated with terne metal (including primes, seconds, and waste-waste). The term does not include waste.

"Terne Metal" means the lead-tin alloy used as the coating for terneplate, but does not include lead recovered from secondary sources which contains not more than 2½% residual tin.

(4) "Blackplate" means steel sheets 29-gauge or lighter other than tinplate or terneplate. The term includes "blackplate rejects," "electrolytic waste-waste" and chemically treated blackplate (CTB). The term does not include waste.

(5) "Waste" means scrap tinplate, terneplate and blackplate (including strips and circles) produced in the ordinary course of manufacturing cans, and also tinplate and terneplate strips produced in the ordinary course of manufacturing tinplate and terneplate.

(6) "Pack" unless otherwise specified, means the quantity, by area measurement of tinplate, terneplate, and blackplate required for the manufacture of all sized cans used by a person for packing a particular product during the base period specified.

(7) "Packing quota" unless otherwise specified, means the quantity by area measurement of tinplate, terneplate or blackplate that a person may use for packing a particular product during any calendar year (or any seasonal year when the packing quota is based on a seasonal year in the schedules).

(8) "Seasonal year" means the twelve-month period for packing a particular product beginning in one calendar year and ending in the next.

(9) "Frozen tinplate, terneplate or blackplate" means only tinplate, terneplate or blackplate which, since prior to January 3, 1944, has been held in the inventory of a can manufacturer (or in the inventory of a supplier of such plate having been produced for the account of a can manufacturer) because it had been so processed, or was of such size, gauge or grade, that it was not suitable for the manufacture of cans for which tinplate, terneplate or blackplate are specified.

Miscellaneous

(o) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(p) *Appeals.* Appeals from this order shall be filed by addressing a letter to the War Production Board, Containers Division, Washington 25, D. C. Ref: M–81.

The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in undue and excessive hardship, and such other statistical and narrative information as may be pertinent.

(q) *Communications.* All communications concerning this order shall unless otherwise directed, be addressed to: Containers Division, War Production Board, Washington 25, D. C., Ref: M–81.

(r) All can manufacturers shall file a monthly report on Form WPB 2707 in accordance with the instructions in that form. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. All persons affected by this order shall execute and file with the War Production Board such other forms and questionnaires as said Board shall, from time to time, request subject to the approval of the Bureau of the Budget.

(s) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further delivery of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 8th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A

PURCHASER'S CERTIFICATE

One copy of this certificate is to be delivered to each person from whom purchases are made of cans made in whole or in part of tinplate, terneplate, or blackplate. Such certificate shall cover all purchases present and future so long as Conservation Order M–81, in its present form or as it may be amended from time to time, remains in effect.

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order M–81 of the War Production Board, and that all purchases from you of items regulated by that order, and the use of the same by the undersigned, will be in compliance with the order, as amended from time to time.

Date ----------

(Legal name of Purchaser)

By ---
(Authorized Official)

(Title of Official)

(Address of Purchaser)

SCHEDULE I—FOOD CANS

The packing quota specified in this Schedule I indicates total packs of the respective products listed, for all purposes including cans required by any order of the War Production Board, the Department of Agriculture, or the Director of Food Distribution, to be set aside for purchase by a Government agency. The designation FDO–22 indicates that cans may be used for packing only the quantity of product required to be set aside by Food Distribution Order No. 22 and orders supplementary thereto, as same may be amended from time to time. Such quantity is sometimes referred to as "set aside quotas".

NOTE: Item 38, column (5) amended June 8, 1944.

SCHEDULE I—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
FRUITS AND FRUIT PRODUCTS				
1. Apples, including crabapples. Whole apples not to be packed	100% 1942–43	10	1.50 tin	0.50 tin.
2. Apple sauce, including sauce from crabapples	100% 1942–43	2–10	1.50 tin	0.50 tin.
3. Apricots. Whole apricots may be packed only when fully ripe and not less than 10 or more than 18 to the pound.	Unlimited	2½–10	1.50 tin	1.50 tin.
4. Blackberries, black raspberries, red raspberries, boysenberries, loganberries, youngberries, blueberries, and huckleberries when packed as berries.	Unlimited	2–2½–10	1.50 tin	1.50 tin.
5. Cherries	Unlimited	2–2½–10	1.50 tin	1.50 tin.
6. Cherries, RSP—frozen only	80% of total frozen tonnage packed in all containers in 1942.	⅛ of pack in 30 lb. cans; ⅓ of pack in 50 lb. cans.	0.50 tin	0.50 tin.
7. Cranberries, including Cranberry Sauce	Total pack in 1944 in cans and glass not to exceed by weight 100% of 1942 pack.	300	1.50 tin	1.50 tin.
8. Figs—(Kadota)	Unlimited	2½–10	1.50 tin	0.50 tin.
9. Fruit cocktail—consisting of any combination of fruits listed in this Schedule I and grapes; provided that the combination, by drained weight, shall consist of not less than 50 percent peaches and pears, and may consist of not to exceed 10 percent grapes. Pineapple may be repacked from No. 10 or larger cans, to the extent of 10 percent of the fruit cocktail.	Unlimited	3½–10	1.50 tin	0.50 tin.
10. Mixed fruits—consisting of any combination of fruits listed in this Schedule I (with or without grapes) provided the combination by drained weight shall consist of not less than 55 percent nor more than 65 percent Diced Peaches, and not less than 35 percent nor more than 45 percent Diced Pears; or a combination of not less than 80 percent nor more than 90 percent Diced Peaches and not less than 30 percent nor more than 40 percent Diced Pears with not less than 6 percent nor more than 10 percent Grapes. Such peaches or pears shall be peeled, pitted, or cored, and diced to a size such that no more than 20 percent of the units will pass through a 5/16" standard sieve, and no more than 20 percent of the units will have a greater edge dimension than ¾", and so as to leave not more than 1 square inch of peel per pound of product on a drained weight basis. Not more than 10 percent of the grapes shall be cracked or crushed or have attached cap stems. No fruit may be packed under this item until the packer has packed and set aside his full quota for that fruit as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	Unlimited	2½–10	1.50 tin	0.50 tin.
11. Grapefruit, segments	FDO–22	2	1.25 tin	1.25 tin.
12. Grapefruit juice	Unlimited	2–3 cyl–10	1.25 tin	1.25 tin.
13. Orange juice	Unlimited	2–3 cyl–10	1.25 tin	1.25 tin.
14. Orange-grapefruit juice blended (50% orange—50% grapefruit)	Unlimited	2–3 cyl–10	1.25 tin	1.25 tin.
15. Lemon juice	50% 1941	6 oz.–7 oz. Tall–2–10	1.50 tin	1.50 tin.
16. Olives—ripe and green-ripe	25% 1941–43	10	1.50 tin	1.50 tin.
17. Peaches, halves, slices or cubes	Unlimited	2½–10	1.50 tin	0.50 tin.
18. Pears, halves, slices, or cubes	Unlimited	2½–10	1.50 tin	1.50 tin.
19. Pineapple, slices, chunks, crushed or tidbits. Spears not to be packed	Unlimited	2–2½–3 cyl–10	1.25 tin	1.25 tin.
20. Pineapple juice	Unlimited	2–3 cyl–10	1.50 tin	1.50 tin.
21. Plums	100% 1943	2½–10	1.50 tin	1.50 tin
22. Prunes fresh Italian				
VEGETABLES AND VEGETABLE PRODUCTS				
23. Asparagus, all-green or culturally bleached	Unlimited	2–2½–10	1.25 tin	1.25 tin.
24. Beans, green or wax	Unlimited	2–2½–10	1.25 tin	1.25 tin.
25. Fresh shelled beans (whether referred to as beans or peas), including but not limited to Lima Beans, black-eyed peas or beans, field peas, soy beans.	Unlimited	2–2½–10	0.50 tin	CTB.
26. Beans, with or without pork or tomato sauce (from dried beans)	Total pack in 1944 in cans and glass not to exceed by weight 80% 1941.	300	0.50 tin	CTB.
27. Beets. Whole beets over 1¾" diameter not to be packed	120% 1942	2–2½–10	1.25 tin	1.25 tin.
28. Carrots. Whole carrots not to be packed	200% 1942	2–2½–10	1.25 tin	CTB.
29. Corn, fresh, sweet, cut cream style or whole kernel	Unlimited	2–3 vacuum (307 x 306) for vacuum pack–10.	0.50 tin	CTB.
30. Peas and carrots—fresh green peas only. Carrots not to exceed 40 percent of total drained weight. Frozen carrots may be used. No vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	Unlimited	2–2½–10	1.25 tin	CTB
31. Succotash—Provided, that no vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	Unlimited	2–2½–10	0.50 tin	CTB.
32. Mixtures of vegetables (except succotash, and peas and carrots): 90% of this mixture by drained weight must consist of the following: vegetables listed in this schedule, celery and onions. Provided, that the combination by drained weight shall not contain more than 60% of any one vegetable. Provided further, that no vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order #22 and orders supplementary thereto.				
a. Without tomatoes	Unlimited	2–2 vacuum (307 x 306)–2½–10.	1.25 tin	CTB
b. With tomatoes	Unlimited	2–2 vacuum (307 x 306)–2½–10.	1.25 tin	0.50 tin.
33. Mushrooms	80% 1941–43	2 oz–4 oz–8 oz	1.25 tin	0.50 tin.
34. Okra	100% 1943	2–2½–10	1.25 tin	0.50 tin.
35. Tomatoes and okra	100% 1943	2–2½–10	1.25 tin	1.25 tin.
36. Peas, green	Unlimited	2–3 vacuum (307 x 306) for vacuum pack–10.	0.50 tin	CTB.
37. Pumpkin and squash	100% 1943	2½	1.25 tin	0.50 tin.
37a. Sauerkraut	FDO–22	2½–10	1.50 tin	1.50 tin.
38. Sweet potatoes—including yams	150% 1943	2½–3 vacuum	1.25 tin	0.50
39. Soups: Limited to the below-listed kinds of seasonal and nonseasonal soups containing, in the case of all soups except mushroom and bean, no less than the specified percentage, by weight, of dry solids from dairy products in any form, poultry or poultry products in any form, fresh, brined, or frozen meats, fish, vegetables, and other products of the kinds listed in Schedules I and II. Mushroom or bean soups shall contain no less than the specified percentage of salt free solids.				

SCHEDULE I—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
VEGETABLES AND VEGETABLE PRODUCTS—Continued				
39. Soups—Continued.				
a. Seasonal soups. Kinds and minimum solids: Asparagus, 7% dry solids. Pea, 7% dry solids. Spinach, 7% dry solids. Tomato, 7% dry solids. Mushroom, 18¼% salt-free solids.	Unlimited	1 picnic	1.25 tin	0.50 tin.
b. Non-seasonal soups. Kinds, minimum solids: Chicken, chicken gumbo, chicken noodle, gumbo creole, consomme, bouillon, chicken broth, 9% dry solids. Clam or fish, 5% dry solids, chowders, turtle. Scotch broth, vegetable, vegetable-vegetarian, pepper pot, oxtail, mock turtle, country style chicken, and corn chowder, 10% dry solids. Beef and vegetable beef, 12% dry solids. Bean (from dried beans), 22½ salt-free solids.	100% of total 1942 pack of specified non-seasonal soups.	1 picnic	1.25 tin	0.50 tin.
40. Green Leafy vegetables			1.25 tin	0.50 tin.
Spinach	100% 1942	2–2½–10		
Other green leafy vegetables limited to beet, collard, dandelion, kale, mustard, poke, and turnip greens.	100% 1942	2–2½–10		
41. Pimientos and sweet peppers	50% 1943	2½–10	1.25 tin	0.50 tin.
42. Tomatoes	Unlimited	2–2½–10	1.25 tin	1.25 tin.
43. Tomato Catsup, not less than 25 percent (specific gravity 1.11), by weight of total dry solids.	FDO–22	2½–3 cyl–10	1.25 tin	1.25 tin.
44. Tomato juice, containing no other vegetable juices	Unlimited	2–3 cyl–10	1.25 tin	0.50 tin.
45. Tomato juice, containing not more than 30% of other vegetable juices	Unlimited	2–3 cyl–10	1.25 tin	1.25 tin.
46. Tomato sauce, including spaghetti sauce, containing not less than 8.7 percent (specific gravity 1.047), by weight of dry tomato solids and not less than 10.0 percent (specific gravity 1.042) by weight of total dry solids, salt free. In addition to salt, the contents may contain pepper, spice oils, and other flavoring ingredients.	Unlimited	2–10 / 5 gal. reusable	1.25 tin	1.25 tin.
	125% 1942 pack sizes 8Z and 1 picnic.	8Z / 1 picnic	1.25 tin	1.25 tin.
47. Tomato paste from fresh tomatoes, containing not less than 25 percent, by weight of dry tomato solids.	Unlimited	2½–10–12 / 5 gal. reusable	1.25 tin	1.25 tin.
	125% 1942 pack of size 6Z	6Z	1.25 tin	1.25 tin.
48. Tomato pulp or puree, from fresh tomatoes, containing not less than 10.7 percent (specific gravity 1.045) or more than 25 percent, by weight of dry tomato solids.	Unlimited	2–2½–10 / 5 gal. reusable	1.25 tin	1.25 tin.
	125% 1942 pack of size 1 picnic	1 picnic	1.25 tin	1.25 tin.
NOTE: Tomato paste, tomato pulp or puree and tomato sauce, may be repacked from No. 10, or from 5 gal. or larger reusable cans when required for packing other products, or for repacking in different form (other than in the form of tomato paste, or tomato pulp or puree) but none may be repacked in the same form. No. 10 cans cut under this provision must be properly cleaned and returned to the nearest detinning plant.				
FISH AND SHELLFISH (Processed, and in hermetically sealed cans)				
49. Clams, soft, hard or razor	Unlimited	½ flat (307 x 200.25) (307 x 201.25) 1 picnic (211 x 400)–1 tall (301 x 411)–2 (307 x 409)–10 (603 x 700).	0.50 tin	0.50 tin.
50. Crabmeat	Unlimited	½ flat (307 x 201.25)	0.50 tin	0.50 tin.
51. Fish flakes. Dried fish flakes not to be packed	Unlimited	300 (300 x 407)–2 (307 x 09).	0.50 tin	0.50 tin.
52. Ground fish, containing no filler and packed for human consumption only	Unlimited	300 (300 x 407)	0.50 tin	0.50 tin.
53. Fish livers and fish liver oils	Unlimited	5 gal. reusable	1.25 tin	1.25 tin.
54. Fish roe	Unlimited	300 (300 x 407) ½ oval (513 x 307 x 103).	0.50 tin	0.50 tin.
55. Herring, Atlantic Sea, by whatever name known, including sardines	Unlimited	¼ drawn (200.5 x 404 x 014.5)–¼ drawn (304 x 508 x 105)–¼ three piece (308 x 412 x 112)–300 (300 x 407).		
Oblong or round cans:				
Packed in brine			0.50 tin	0.50 tin.
Packed in oil			0.50 tin	CTB.
Packed in mustard or tomato sauce			1.25 tin	0.50 tin.
Oval cans:				
Packed in brine			1.25 tin	1.25 tin.
Packed in oil			1.25 tin	1.25 tin.
Packed in mustard or tomato sauce			1.25 tin	1.25 tin.
56. Herring, Pacific Sea	Unlimited	1 tall (301 x 411)		
Round cans:				
Packed in brine			0.50 tin	0.50 tin.
Packed in oil			0.50 tin	0.50 tin.
Packed in mustard or tomato sauce			1.25 tin	0.50 tin.
57. Herring, river (alewives)	Unlimited	300 (300 x 407)–2 (307 x 409)	0.50 tin	0.50 tin.
58. Mackerel	Unlimited	300 (300 x 407)	0.50 tin	0.50 tin.
59. Menhaden	Unlimited	300 (300 x 407)	0.50 tin	0.50 tin.
60. Mullet	Unlimited	300 (300 x 407)	0.50 tin	0.50 tin.
61. Mussels	Unlimited	1 picnic (211 x 400)–2 (307 x 409)–10 (603 x 700)	0.50 tin	0.50 tin.
62. Oysters. No. 1 picnic cans shall contain not less than 7½ ounces of oysters by cut-out drained weight; No. 2 cans 14 ounces; and other permitted size cans shall contain a fill correspondingly proportionate to the No. 1 picnic can.	Unlimited	1 picnic (211 x 400)–1 tall (301 x 411)–2 (307 x 409).	0.50 tin	0.50 tin.
63. Pilchards, by whatever name known including sardines	Unlimited	8Z short (211 x 300)–½ oblong (304 x 508 x 103)–(306 x 510 x 104)–300 (300 x 407)–1 oval (607 x 406 x 106).		
Round cans:				
Packed in brine			0.50 tin	0.50 tin.
Packed in oil			0.50 tin	0.50 tin.
Packed in mustard or tomato sauce			1.25 tin	0.50 tin.
Oval cans:				
Packed in brine			1.25 tin	1.25 tin.
Packed in oil			1.25 tin	1.25 tin.
Packed in mustard or tomato sauce			1.25 tin	1.25 tin.
Oblong cans:				
Packed in brine			1.50 tin	1.25 tin.
Packed in oil			1.50 tin	CTB.
Packed in mustard or tomato sauce			1.50 tin	1.25 tin.

SCHEDULE I—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
FISH AND SHELLFISH—Continued				
64. Salmon	Unlimited	¼ flat (307 x 202.26) (307 x 202.26)–1 flat (401 x 410.6) (401 x 211)–1 tall (301 x 411).	1.25 tin	0.20 tin.
Collapsed cans			0.80 tin	0.20 tin.
Non-collapsed cans	Unlimited	300 (300 x 407)	0.80 tin	0.20 tin.
65. Shad	Unlimited	1 picnic (211 x 400)–6 (303 x 406).	0.80 tin	0.20 tin.
66. Shrimp	Unlimited	300 (300 x 407)	0.80 tin	0.20 tin.
67. Squid	Unlimited	½ tuna (307 x 113)–1 tuna (401 x 205.6) 4 lb. tuna (603 x 408).	0.80 tin	0.20 tin.
68. Tuna, bonito, and yellowtail	Unlimited	300 (300 x 407)	0.80 tin	0.20 tin.
69. Turtle				
DAIRY PRODUCTS				
70. Condensed milk, as defined by the Federal Security Administrator, Federal Register, July 3, 1940—18.530, page 3444 and 18.530, page 3445, as amended, Federal Register August 8, 1941, pages 3973 and 3974.	100% 1942	14 oz		
Until September 30, 1944			1.25 tin	1.25 tin.
After September 30, 1944			0.75 tin	0.75 tin.
71. Evaporated milk as defined by the Federal Security Administrator, Federal Register, July 3, 1940—18.530, page 3444.	Unlimited	8 lb		
	90% 1943 pack of 14½ oz. size	14½ oz		
	90% 1942 pack of 6 oz. size	6 oz		
Until September 30, 1944			1.25 tin	1.25 tin.
After September 30, 1944			0.75 tin	0.75 tin.
72. Liquid modifications of milk, for human consumption only, including only milk treated or mixed with other edible substances; provided the packer packed the product in substantially the same form in 1942.	90% 1942 pack size 14½ oz	14½ oz		
	90% 1942 pack size 6 oz	6 oz		
Until September 30, 1944			1.25 tin	1.25 tin.
After September 30, 1944			0.75 tin	0.75 tin.

SCHEDULE II—FOOD CANS

NOTE: Schedule II amended June 8, 1944.

Packing quotas specified in this Schedule II indicate permitted packs of the respective products listed for all purposes except for the Army, Navy, Marine Corps, Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such commission or Administration for use thereon), or for any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941 entitled, "An Act to Promote the Defense of the United States" (Land-Lease Act). While restrictions pertaining to can sizes and can materials are applicable to such cans, cans used for packing the respective products listed shall be in addition to the specified quotas, when delivered either (a) pursuant to a letter of intent approved by or a contract or purchase order negotiated with or for, any of the foregoing agencies, or (b) to other persons pursuant to authorization by the Maritime Commission under Form WPB 646 (formerly PD–300). The word "none" indicates that no cans shall be used for packing the applicable product except for the above mentioned agencies. When determining a quota for packing a product listed in this Schedule II, cans packed during the specified base period for the above mentioned agencies shall be excluded.

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
MEAT AND MEAT PRODUCTS				
(Processed and in hermetically sealed cans)				
1. Bacon	None	2½ oz	0.80 tin	CTB.
		14 lb	1.25 tin	Btm. 0.50 tin. Top 1.25 tin.
2. Beef, veal, mutton, and pork (including tushonka); corned, roast, or boiled, and containing not less than 85 percent meat by cooked weight.	None			
Cans with all seams soldered		Any size	1.25 tin	1.25 tin.
Cans with only side seams soldered		Any size	0.80 tin	CTB.
3. Brains	125% 1942	10½ oz	0.80 tin	CTB.
4. Meat products as follows:	125% 1942			
a. Meat loaf, containing not less than 90 percent meat, by uncooked weight, and no added water. When packed as a chopped product, meat loaf may contain not more than 10 percent of the following ingredients: cereal, whole milk, eggs, and seasoning.		7 oz	0.80 tin	CTB.
b. Meat spreads, including ham, tongue, liver, beef, and sandwich spreads. When packed as a spread, the chopped product shall contain not less than 65 percent meat, by cooked weight, with added cereal or other products. When packed as deviled ham or deviled tongue, the product shall consist of chopped meat without added cereal or other products.		3 oz	0.80 tin	CTB.
c. Sausage in casings, containing no cereal or similar substance and not to exceed 10 percent added water, by weight, except pork sausage, which may be prepared with not to exceed 3 percent added water by weight:				
Vienna sausage, pork sausage		4 oz	0.80 tin	CTB.
Sausage in oil, lard or rendered pork fat		No. 5	0.80 tin	CTB.
d. Bulk sausage meat, containing not to exceed 3½ percent cereal and not to exceed 3 percent added water, by weight.		24 oz	0.80 tin	CTB.
e. Chopped luncheon meats, consisting of chopped, seasoned meat with not to exceed 3 percent added water, by weight.		12 oz	0.80 tin	CTB.
f. Potted meat, consisting of chopped meat or by-products of meat, without added cereal or similar substance, and labeled as a potted or deviled meat product.		3¼ oz	0.80 tin	CTB.
5. Whole Hams	75% 1941	Any size	1.25 tin	1.25 tin.
6. Corned beef hash, when packed according to Food Distribution Administration standards.	Total pack in 1944 in cans and glass not to exceed by weight 80% of 1941 pack.	300	0.80 tin	CTB.
7. Chili Con Carne with or without beans when packed according to Food Distribution Administration standards.	Total pack in 1944 in cans and glass not to exceed by weight 80% of 1941 pack.	300	0.80 tin	0.80 tin.
8. Tongue	125% 1942	8 oz	0.80 tin	CTB.
9. Turkey, boned, and chicken, boned	80% 1941	12 oz	0.80 tin	CTB.

SCHEDULE II—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
MISCELLANEOUS FOODS				
10. Baby foods:				
a. Consisting of food products of small particle size or in liquid or semi-liquid form made from the following ingredients: fruits, vegetables, meats, poultry products, dairy products, sugar, milk, or cereals, yeast or yeast derivatives. Dried prunes may be included and frozen fruits and vegetables may be used. Potatoes and cereal products may be used only in combination with other permitted products, and only provided the combined potato and cereal content does not exceed 12 percent, by weight, of the total product. Pineapple may be repacked from No. 10 or larger cans.	125% 1943	303 BF (302 x 214)	1.50 tin	1.50 tin.
b. Milk formulas, liquid	125% 1942	14½ oz		
Until September 30, 1944			1.25 tin	1.25 tin.
After September 30, 1944			0.75 tin	0.75 tin.
c. Soybean milk, liquid	125% 1942	300	1.25 tin	0.50 tin.
d. Milk formulas, dry or powdered	Unlimited	1 lb	0.80 tin	CTB.
No person shall pack any milk formulas unless he packed the product in substantially the same form in 1942.				
11. Dehydrated vegetables	None	10	0.80 tin	CTB.
		5 gal	0.80 tin	0.80 tin.
12. Grape juice and grape pulp	100% 1942	5 gal. reusable	1.50 tin	1.50 tin.
13. Citrus pulp and citrus peel	150% 1942	5 gal. reusable	1.25 tin	1.25 tin.
14. Honey	Unlimited	60 lb. reusable	1.25 tin	1.25 tin.
15. Goat's milk	100% 1942	14½ oz	1.25 tin	1.25 tin.
16. Milk, skimmed, dry or powdered	None	50 lb	0.80 tin	0.80 tin.
17. Milk, whole, dry or powdered	100% 1942	1 lb.–2½ lb., 5 lb	0.80 tin	CTB.
		25 lb.–50 lb	0.80 tin	0.80 tin.
18. Liquid edible oils, including only animal, vegetable, olive, fish and other marine animal and edible blends of such oils.	150% 1943 pack of size 5 gal	5 gal. reusable	1.25 tin	1.25 tin.
	125% 1943 pack of 1 gal. size in cans and glass.	1 gal	0.80 tin	0.50 tin.
NOTE: Any liquid edible oil packed in 1-gallon glass in 1944 shall be charged to the above quotas.				
19. Citrus concentrates	Unlimited			
a. Orange				
32° Brix or higher		2–10	1.25 tin	1.25 tin.
Over 65° Brix		6 oz.–2–2¼–10	1.25 tin	1.25 tin.
b. Grapefruit, lemon 32° Brix and over		10	1.25 tin	1.25 tin.
c. Blended Orange and Lemon 32° Brix and over		10	1.25 tin	1.25 tin.
NOTE: Concentrates of 32° brix must contain as a minimum equivalent 2¼ volumes of single strength juice; concentrates of 65° brix must contain as a minimum equivalent 5 volumes of single strength juice.				
20. Butter and oleomargarine	None	10	0.50 tin	0.50 tin.
21. Syrups—cane, maple, molasses, sorghum, and corn syrup, including blends of these syrups.	150% 1943 pack of No. 10 size or larger in cans and glass.	10 or 10 lb	1.25 tin	1.25 tin.
22. Chocolate Syrup	100% 1943 pack of No. 10 size or larger in cans and glass.	10 or 10 lb	0.50 tin	0.50 tin.
NOTE: Any syrups included in items 21 and 22 packed in No. 10 or larger glass containers during 1944 shall be charged to the above quotas.				
23. Pectin, liquid only	Unlimited	5 gal. reusable	1.50 tin	1.50 tin.
24. Beer, packed for U. S. Army export or U. S. Navy off-shore use only	None	12-oz	0.50 tin	0.50 tin.
25. Salted Nuts, U. S. Army export or U. S. Navy off-shore use only	None	8-oz	0.50 tin	CTB.
FISH AND SHELLFISH				
(For refrigerated shipment, fresh)				
26. Oysters, fresh-shucked	Unlimited	1-gal	CTB	CTB.
	100% 1941 pack of 1-pt. size	1-pint	CTB	CTB.
27. Clams, fresh-shucked	Unlimited	1-gal	CTB	CTB.
28. Mussels, fresh-shucked	Unlimited	1-gal	CTB	CTB.
29. Fillets & Steaks, fresh	Unlimited	20-lb	CTB	CTB.
30. Crabmeat, fresh-cooked	Unlimited	1-lb	CTB	CTB.
31. Lobster meat, fresh-cooked	Unlimited	1-lb	CTB	CTB.
32. Shrimp, fresh-cooked	Unlimited	1-gal	CTB	CTB.
Other than Alaska		10	1.25 tin	0.50 tin.
Alaska only				

SCHEDULE III—NON-FOOD CANS

NOTE: Schedule III amended June 8, 1944.

(a) Packing quotas specified in this Schedule III indicate permitted packs of the respective products listed for all purposes except for the Army, Navy, Marine Corps, Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such Commission or Administration for use thereon), or for any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Land-Lease Act). Cans used for packing the respective products listed shall be in addition to the specified quotas, when delivered either (1) pursuant to a letter of intent approved by, or a contract or purchase order negotiated with or for any of the foregoing agencies, or (2) to other persons pursuant to authorization by the Maritime Commission under Form WPB 646 (formerly PD–300). When determining a quota for packing a product listed in this Schedule III, cans packed during the specified base period for the above mentioned agencies shall be excluded.

(b) Wherever blackplate is specified for making the body or ends of a can for packing a product listed in this Schedule III, special coated manufacturers' terneplate (SCMT) may be substituted for making any part or fitting of the can which is required to be soldered. Wherever blackplate is specified, blackplate or chemically treated blackplate (CTB) may be used. Wherever special coated manufacturers' terneplate (SCMT) is specified, blackplate or chemically treated blackplate (CTB) may be used.

(c) If a person has a packing quota for a product listed in Items 10, 34, 36, 43, 44, 45, 54, 55, or 63 under this schedule, and also has one for the same product in glass containers under Order L–103–b, he shall limit his combined pack of that product in cans and glass containers in accordance with instructions contained in Direction No. 3 of this order.

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: End (5)
1. Acid nitro-hydrochloric (outer Container)	100% 1942	1-lb	Blackplate	Blackplate.
2. Alcohol (excluding Anti-freeze)	100% 1940			
Pharmaceutical and chemically pure		1-gal	1.25 tin	1.25 tin.
Industrial		1-gal	SCMT	Blackplate.
3. Aniline	100% 1942	5-lb	1.25 tin	1.25 tin.
4. Anti-freeze, ethylene glycol type	100% 1941	1-gal	SCMT	Blackplate.
5. Bee feeder cans for use in shipping bees	Unlimited	Any size	0.50 tin	CTB.

SCHEDULE III—NON-FOOD ITEMS—Continued

Product (1)	Packing quota (2)	Can size (3)	Can materials: Body (4)	Can materials: End (5)
6. Benzol, naphtha, toluene, and xylene	100% 1943	1-gal	SCMT	Blackplate.
7. Blood plasma	Unlimited	Any size	0.50 tin	OTB.
8. Calcium carbide	100% 1943	5-lbs., 10-lb	Blackplate	Blackplate.
9. Carbon bisulfide	100% 1943	1-lb	SCMT	SCMT.
10. Caulking Compound	100% 1943	1-lb., 1-qt., 1-gal	Fibre	Blackplate.
11. Caustic soda, lye, drain cleaners	125% 1940	Any size	Blackplate	Blackplate.
12. Cements and dressings, limited to belting, furnace, linoleum, pipe joint, and radiator. Not to be packed dry.	100% 1943	12-oz.	Blackplate	Blackplate.
13. Cements; rubber, solvent, or latex	100% 1942	1-gal	Blackplate	Blackplate.
14. Chloroform and ether	100% 1942	1-qt., 1-gal	1.35 tin	1.35 tin.
15. Chlorpicrin, bromacetone, monochloroacetone, and acrolein	100% 1943	Any size	SCMT	SCMT.
16. Chromic acid (outer container)	100% 1943	1-lb	SCMT	Blackplate.
17. Chromium trioxide	100% 1940	¼-lb., 1-lb	Blackplate	Blackplate.
18. Cleaning fluids, inflammable	100% 1942	25-lb	Blackplate	Blackplate.
19. Creosote and wood preservatives	100% 1942	½-pt., 1-qt., 1-gal	SCMT	Blackplate.
20. Cyanide, calcium, potassium sodium, and mixtures (including cyanide-chloride mixtures)	100% 1941	1-gal	SCMT	Blackplate.
21. Disinfectants and permicides, liquid	100% 1940	1-lb., 2½-lbs	SCMT	Blackplate.
22. Film cans	100% 1942	Any size	Blackplate	Blackplate.
23. Fire extinguisher fluid, limited to chlorinated hydrocarbon type, and foam powder extinguisher charges	100% 1942	1-qt., 1-gal	SCMT	SCMT.
24. Gasket assembling compounds	100% 1943	1-qt., 1-gal	Blackplate	Blackplate.
25. Glues and adhesives, liquids	100% 1943	1-qt., 1-gal	SCMT	SCMT.
26. Grain fumigant, liquid	100% 1943	1-gal	SCMT	SCMT.
27. Graphite, with liquid content	100% 1942	1-qt., 1-gal	Blackplate	Blackplate.
28. Greases, lubricating	100% 1943	1-lb., 5-lb., 10-lb., 25-lb.	Blackplate	Blackplate.
29. Grinding and buffing compounds, industrial. Not to be packed dry	100% 1940	Any size	Blackplate	Blackplate.
30. Hydraulic brake fluid	100% 1942	1-gal	SCMT	SCMT.
31. Hypochlorite powders	80% 1942	3½ lbs., 5-lbs	SCMT	Blackplate.
32. Inks, printing, duplicating, and lithographing	100% 1942	8-oz., 1-lb., 2-lb., 5-lb., 10-lb.	Blackplate	Blackplate.
33. Ink, spirit aniline and rotogravure	Unlimited	5-gal	SCMT	SCMT.
34. Insecticides and fungicides, liquid	150% of 1943 pack of 1-qt. size in cans and glass.	1-gal	SCMT	Blackplate.
35. Lubricating oils (excluding Motor Oil)	100% 1940	1-qt., 5-qt.	Blackplate	Blackplate.
36. Motor Oil	25% 1940			
NOTE: Wherever practicable, a fibre body may be substituted for blackplate.				
37. Nicotine sulphate	100% 1943	5-lb	1.80 tin	1.80 tin.
38. Nitric acid, fuming (outer Container)	100% 1942	¼-lb., 1-lb	Blackplate	Blackplate.
39. Oils, essential; distilled or cold pressed	100% 1942	1-qt	1.25 tin	1.25 tin.
40. Oils, transformer	100% 1943	1-gal	0.50 tin	0.50 tin.
41. Ointment and salve	125% 1940	Any size	Blackplate	Blackplate.
42. Paints, copper bottom or antifouling	182% 1943	1-gal	1.35 tin	1.25 tin.
43. Paint products as follows:	75% 1940			
(a) Pigmented Oil or Oleoresinous, Ready-Mixed, Semi-Paste and Paste, including but not limited to white lead in oil and colors in oil.		1-qt., 1-gal	Fibre	Blackplate.
		¼-pt., ½-pt., 1-pt., ½7 gal., ⅛ gal., 16 oz., 24 oz.	SCMT	Blackplate.
(b) Paste Water Paints including Resin Emulsion		½-pt., 1-pt., 1-qt., 1-gal.	SCMT	SCMT.
(c) Varnishes—Varnish Stain, Oil Stain, Shingle Stain, and Lacquer Thinners.		½-pt., ½-pt., 1-pt., 1-qt., 1-gal.	SCMT	Blackplate.
		½7 gal., ⅛ gal., 16 oz., 24 oz.	SCMT	Blackplate.
(d) Lacquer, Clear and Pigmented		½-pt., ½-pt., 1-pt., 1-qt., 1-gal.	SCMT	Blackplate.
(e) Aluminum Paint		1-qt., 1-gal	SCMT	Blackplate.
NOTE: Wherever practical a fibre body may be substituted for SCMT.				
44. Polishes and waxes:	100% 1940	1-pt., 1-qt., 1-gal	SCMT	Blackplate.
Liquid	100% 1940	¼-lb., 1-lb	SCMT	Blackplate.
Paste	100% 1940	1-lb	Blackplate	Blackplate.
45. Putty	100% 1943	5-lb	1.80 tin	1.80 tin.
46. Pheuol	100% 1942	25-lb	Blackplate	Blackplate.
47. Phosphoric acid meta sticks	100% 1942	1-oz., ¼-lb., 1 lb	1.35 tin	1.35 tin.
48. Phosphorus	100% 1942	25-lb	Blackplate	Blackplate.
49. Potassium hydroxide	100% 1942	5-lb	1.35 tin	1.25 tin.
50. Potassium permanganate, reagent grade	100% 1943	25-lb	Blackplate	Blackplate.
51. Potassium sulfide	75% 1940			
52. Liquid and Plastic Roof Cements, Fibrous and Non-Fibrous Roof Coatings (Excluding Lap Cement).		1-lb., 1-qt., 1-gal	Fibre	Blackplate.
Other than tar base		1-lb., 1-qt., 1-gal	SCMT	Blackplate.
Tar base	100% 1940	1-pt	Tinplate or terneplate waste—waste or blackplate rejects.	Tinplate or terneplate waste—waste or blackplate rejects.
53. Lap Cement	100% 1942	1-qt., 1-gal	25 Terneplate	25 Terneplate.
54. Shellac	125% 1942	Any size	Blackplate	Blackplate.
55. Shoe and leather polishes, waxes, dyes, dressings, stains and saddle soap.	125% 1942	10-oz	Blackplate	Blackplate.
56. Soap paste (including paste cleaners)	125% 1942	1-oz., ¼-lb., 1-lb	1.35 tin	1.35 tin.
57. Sodium and potassium metals	100% 1943	1-oz., ¼-lb., 1-lb	Blackplate	Blackplate.
58. Sodium peroxide	100% 1942	25-lb	Blackplate	Blackplate.
59. Sodium sulfide	100% 1943	Any size	Blackplate	Blackplate.
60. Soldering pastes, soldering and welding fluxes, and boiler sealing compounds	80% 1942	10-oz	Fibre	Blackplate.
61. Toilet bowl cleaner, limited to cleaners containing not less than 70% bisulphate of soda	80% 1942	10-oz	Blackplate	Blackplate.
62. Turpentine	100% 1940	1-gal	SCMT	SCMT.
63. Varnish and Paint Removers	100% 1943	½-pt., 1-qt., 1-gal	SCMT	SCMT.
64. Zinc Chloride	100% 1942	25-lb	Blackplate	Blackplate.
65. Dangerous chemicals for shipment in compliance with Interstate Commerce Commission regulations when a metal can is required by such regulations and no alternate package is permitted.	100% 1942	Any size	Blackplate	Blackplate.

INTERPRETATION 2: Revoked May 16, 1944.

[F. R. Doc. 44-8298; Filed, June 8, 1944; 12:01 p. m.]

PART 3270—CONTAINERS

[Conservation Order M-81, Revocation of Interpretation 1]

CANS

Interpretation 1 to Conservation Order M-81 is hereby revoked. The interpretation is being superseded by Direction No. 3 to the order, which is being issued simultaneously with this revocation.

Issued this 8th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8299; Filed, June 8, 1944; 12:01 p. m.]

PART 3270—CONTAINERS

[Conservation Order M-81, Direction 3]

LIMITATION OF COMBINED PACK IN CANS AND GLASS CONTAINERS

The following direction is issued pursuant to Conservation Order M-81:

(a) *Purpose of this direction.* Paragraph (c) in the headnote of Schedule III of Order M-81 provides that if a person has a packing quota for certain products in cans under this Order, and in glass containers under Order L-103-b, he shall limit his combined pack of that product in cans and glass containers in accordance with this direction. As quotas under Order M-81 are based on the area of plate and quotas under Order L-103-b on units of glass containers, it is necessary to set up a procedure for determining the permitted pack of a product in both cans and in glass containers.

(b) *Reducing packing quota under M-81 to number of cans.* A person having a packing quota for a product in both cans and glass containers shall first determine the area of plate (base boxes) in his packing quota and then, using the size listed for that product in Order M-81 most favorable for his purposes, convert to the number of cans which he may pack. He may not use for this purpose a size larger than a listed size.

(c) *Procedure to follow if number of cans is larger than number of glass containers.* If the number of cans arrived at in paragraph (b) above is larger than the number of glass containers in his quota under Order L-103-b, he shall use the following method in determining his combined pack: (1) Deduct from the number of cans, the number of glass containers which he uses in the calendar year for packing that product; (2) convert the remaining number of cans to area of plate, using the size which he used in paragraph (b) for this computation. This area of plate represents the amount he may use as his packing quota for that product in cans.

(d) *Procedure to follow if number of glass containers is larger than number of cans.* If the number of glass containers in a person's quota under Order L-103-b is larger than the number of cans arrived at in paragraph (b) above, he shall use the following method in determining his combined pack: Deduct from the number of glass containers in his quota under Order L-103-b, the number of cans that he uses to pack the product in the calendar year. He may use the number of glass containers remaining for packing that product.

(e) *Insecticides and fungicides.* In the case of Item 34, Insecticides and fungicides, a person's packing quota in the one-gallon size under Order M-81 is unlimited. Therefore, his packing quota in the gallon size shall not be taken into consideration in making the above computations, and only his packing quota in the quart size shall be used.

Issued this 8th day of June 1944.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8301; Filed, June 8, 1944; 12:02 p. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-23-c, as Amended June 7, 1944]

DOMESTIC COOKING APPLIANCES AND DOMESTIC HEATING STOVES

The fulfillment of requirements for the defense of the United States has created a shortage of materials for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

Section 3288.66 *Limitation Order L-23-c* is hereby amended to read as follows:

§ 3288.66 *Limitation Order L-23-c*—(a) *Definitions.* For the purpose of this order:

(1) "Domestic cooking appliances" means the following non-electric appliances: Gas ranges, cook stoves and hot plates for household use; coal and wood ranges and cook stoves for household use; fuel oil ranges, cook stoves, table stoves and hot plates for household use; combination ranges (including dual oven types, ranges with built-in kitchen heaters, and bungalow types) for household use; camp and trailer stoves for cooking purposes; fuel oil conversion range burners; and drum and portable ovens.

(2) "Domestic heating stoves" means any device (except electric) for the direct heating of the space in and adjacent to that in which the device is located, designed for use without heat distribution pipes or ducts as integral parts of such heating devices, and includes but is not limited to circulating, radiant and portable heaters; trailer and caboose stoves; and laundry stoves (except water jacketed and permanently built-in coil types). Domestic heating stoves shall not include floor or wall furnaces.

(3) "Stove" means any domestic cooking appliance or domestic heating stove.

(4) "Accessories" means aprons, high closets, high shelves, clocks, lights, timers, broiler pans other than iron or steel, cover-alls and any other instruments, attachments, or appurtenances (except top-burner lighters, thermostats, thermometers, top work space and storage compartments) for domestic cooking appliances not essential to any of the following three major cooking operations: Top burner cooking, oven baking and oven broiling.

(5) "Steel coal or wood range or cook stove" means a coal or wood range or cook stove in which the total weight of steel is 20% or more of the total weight of metal in the unit.

(6) "Base period" means the twelve month period from July 1, 1940 to June 30, 1941.

(b) *General restrictions on production.* (1) During the period from June 7, 1944 to July 1, 1944, no person shall manufacture, fabricate or assemble any stoves except such stoves as he is able to make from materials which were in inventory on July 29, 1943, or which the War Production Board has specifically authorized him to acquire and use under the Controlled Materials Plan, or otherwise.

(2) After July 1, 1944, no person shall manufacture, fabricate or assemble any stove except to the extent authorized by the War Production Board on Form GA-1850. (Application for authorization should be made in accordance with paragraph (b) (3)). The War Production Board will authorize limited production quotas so that the aggregate production of each type of stove will not exceeed the percentage of the base period production specified in Schedule A. Production will not be authorized in any plant where such production, or labor requirements therefor, will interfere with war production in that plant, or in any other plant located in the same area.

(3) A person wishing to make stoves under paragraph (b) (2), should apply for authorization by letter addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., reference L-23-c. This letter should give all pertinent information with respect to proposed production and should request authorization to produce stoves in only those fuel types which he manufactured during the base period. Where the applicant will need controlled materials in order to produce the equipment, the letter requesting authorization should be accompanied by an application on form CMP-4B for the controlled materials.

(c) *Special restrictions on production.* In addition to the restrictions contained in paragraph (b), all of the following special restrictions must also be complied with:

(1) No person shall manufacture, fabricate or assemble any stoves except in the fuel types manufactured by him during the base period.

(2) No person shall manufacture, fabricate or assemble any accessories or incorporate them into any stove except that those non-electric accessories, not including cover-alls, which were in his stock in a completely assembled and finished condition on June 7, 1944, may be used in the production of stoves.

(3) No thermostats for use with stoves shall be produced.

(4) No person shall manufacture, fabricate or assemble any stoves except those listed on Schedule B attached, and then only in accordance with the numbers of models, sizes and other specifications set forth therein.

(5) No person shall use any "bright work", "bright finish", metal finish or trim containing copper, nickel, chrome, aluminum, or other alloy in the production of stoves.

(d) *Exceptions.* (1) The restrictions of this order do not apply to the produc-

tion of repair and replacement parts. However, no person shall produce repair or replacement parts in excess of the quantity required to maintain a practicable minimum working inventory.

(2) The restrictions of paragraphs (c) (1) and (c) (3) of this order do not apply to the production of stoves not available in the producer's inventory when required by the Army, Navy, Maritime Commission, War Shipping Administration, Foreign Economic Administration or Coast Guard, or by rules and regulations promulgated by the Coast Guard for merchant vessels or for approved installation in a building or project authorized by any order in the P–19 or P–55 series or on Form GA–1456 or Form WPB–2896 or to fill orders authorized by the Maritime Commission on Form WPB–646.

(3) Nothing contained in this order shall restrict the manufacture, fabrication or assembly of trailer or caboose stoves.

(e) *Reports.* Manufacturers of stoves shall report on or before the tenth day of each month on Form WPB–3249. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Applicability of regulations.* All persons and transactions affected by this order are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(g) *Applicability of other orders.* Insofar as any other orders heretofore or hereafter issued by the War Production Board limit the use of any material in the production of stoves to a greater extent than the restrictions imposed by this order, the restrictions of such other order shall govern, unless otherwise specified therein.

(h) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB–1477 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(i) *Communications.* All communications concerning this order, except appeals, shall unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., reference L–23–c.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 7th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

	Percentage of total unit production by all producers in the base period (July 1, 1940 to June 30, 1941)
Domestic cooking appliances:	
1. Gas ranges and cook stoves	40
2. Combination, bungalow and kitchen heater ranges	40
3. Coal and wood ranges and cook stoves	100
4. Fuel oil ranges and cook stoves	40
Domestic cooking appliances—Con.	
5. Gas hot plates	75
6. Portable and drum ovens	75
Domestic heating stoves:	
1. Gas fired heaters	75
2. Oil fired heaters	40
3. Coal and wood heaters	100
4. Coal and wood laundry stoves	100

SCHEDULE B

Domestic cooking appliances	Maximum number of models or sizes permitted	Types
1. Gas ranges	3	One to have 3 top burners, broiler optional. One to have 4 top burners, broiler optional, but without storage compartments or top work space.
2. Gas hot plates	3	1—1 burner, 1—2 burner, 1—3 burner.
3. Coal or wood ranges and cook stoves	8	2 steel ranges or cook stoves. 3 cast iron ranges. 3 cast iron cook stoves (At least one steel range or cook stove, one cast iron range and one cast iron cook stove manufactured by any producer shall be the lightest of each in his line).
4. Gas and coal or wood combination ranges	1	
5. Bungalow or kitchen heater range (gas and coal or wood)	1	
6. Fuel oil ranges	2	1—3 top burner range with bake oven. 1—2 top burner range with bake oven.
7. Fuel oil stoves	2	1—2 burner stove. 1—3 burner stove.
8. Fuel oil table stoves	3	1—1 burner stove. 1—2 burner stove. 1—3 burner stove.
9. Portable ovens	2	1 single oven.
10. Drum ovens	1	1 double oven.

Domestic heating stoves	Number of models or sizes permitted	Maximum of models or sizes permitted in B. t. u. capacities per hour
1. Gas radiant	10	2—12,000 or less input. 2—12,001 to 30,000 input. 2—20,001 to 30,000 input. 2—30,001 to 45,000 input. 2—over 45,000 input.
2. Gas circulating	6	2—30,000 or less input. 2—30,001 to 50,000 input. 2—over 50,000 input.
3. Fuel oil portable (ball type)	No restriction.	
4. Fuel oil circulating	6	2—90,000 or less output. 1—30,000 to 40,000. 1—40,000 to 55,000. 1—over 55,000.
5. Cast iron or steel coal and/or wood	10	
6. Sheet steel wood stoves	6	
7. Laundry stoves	6	4—2 hole stoves. 2—4 hole stoves. (1—2 hole stove and 1—4 hole stove manufactured by any producer shall be the lightest of each in his line.)

[F. R. Doc. 44–8259; Filed, June 7, 1944; 4:26 p. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L–23–c, Interpretation 1, Revocation]

STOVE TOP WORK SPACE

Interpretation 1, issued with respect to Limitation Order L–23–c is hereby revoked, having been superseded by paragraph (a) (4), as amended.

Issued this 7th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–8260; Filed, June 7, 1944; 4:31 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M–328, Gen. Direction 1]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of knit underwear and of materials and facilities used in the production of knit underwear for defense, for private account, and for export. It is deemed necessary and appropriate in the public interest and to promote the national defense to assign priority to orders for knit underwear of the types below mentioned and to allocate materials and facilities available for the production of such knit underwear on the conditions and in the manner and to the extent set forth in the following direction:

The following direction is issued under paragraph (c) of Conservation Order M–328:

Each person in the business of producing knit underwear, who in 1943 produced any of the following types of underwear, shall in each calendar quarter of 1944 beginning July 1, 1944, produce, and accept and fill orders for, at least as many dozens of each of the following types of knit underwear as he produced in the corresponding calendar quarter of 1943. Production of knit underwear on orders to or for the account of the U. S. Army or Navy shall be excluded in computing these quotas.

The types of knit underwear referred to above are:

Men's knit union suits, over 9 lbs. per dozen in weight based on size 42, long sleeves, ankle length.

Men's knit shirts, over 6 lbs. per dozen in weight based on size 42, long sleeves.

Men's knit drawers, over 4¾ lbs. per dozen in weight based on size 38, ankle length.

Boys' knit union suits, over 5½ lbs. per dozen in weight based on size 34, long sleeves, ankle length.

Issued this 8th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–8302; Filed, June 8, 1944; 12:02 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 19, Direction 1]

STATUS OF ORDERS AND CERTIFICATES FOR FARM SUPPLIES ORIGINATING BEFORE MAY 6, 1944

The following direction is issued pursuant to Priorities Regulation 19:

Farmers' orders. If a farmer used a PR–19 certificate before May 6, 1944, to get a priority on repair services, but the repairs were not done by then, the farmer's order must be treated by the repair shop as if it had been rated AA–2X when the farmer gave the repair shop the certificate. If a farmer used a PR–19 Certificate before May 6, 1944, to get a priority on farm supplies which were removed from the list on that date and which had not been delivered to him by then, his order must still be treated by the dealer as if it were rated AA–5. If a farmer used a PR–19 Certificate before May 6, 1944, to get a priority on farm supplies which are still listed in paragraph (m), but which had not been delivered to him by that date, his order must be treated by the dealer as if it had been rated AA–2X with respect to farm supplies in paragraph (m) (1), and AA–3 with respect to farm supplies in paragraph (m) (2), when the order was placed.

Dealers' orders. Any PR–19 certificates given to a dealer before May 6, 1944, which the dealer had not used by then to get a priority on his own orders, may still be used to get a priority on farm supplies listed in the amended regulation, just like certificates received by the dealer after May 6, 1944. The treatment to be given dealers' orders for farm supplies placed with suppliers before May 6, 1944, depends upon whether the supplies are still listed in paragraph (m). Unfilled orders from dealers originally rated AA–5 on the basis of farmers' certificates must be filled by the supplier as if they were originally rated AA–2X with respect to supplies in paragraph (m) (1), AA–3 with respect to supplies in paragraph (m) (2), and AA–5 with respect to items no longer listed. That is, unfilled orders for items removed from the list on May 6 are to be filled by suppliers as if the regulation had not been amended on that date.

The rating of AA–5 assigned to dealers' orders placed under PR–19 before July 17, 1943, for an initial stock of farm supplies is cancelled. Any orders of that kind not filled by May 6, 1944, must be treated by the supplier as if they had never been rated at all.

Suppliers' and direct-buying dealers' orders. So far as manufacturers' back-orders are concerned, it makes no difference whether the farm supplies are still listed in paragraph (m) or not. Orders for farm supplies placed with manufacturers before May 6, 1944, by suppliers or direct-buying dealers, and rated AA–5 under Priorities Regulation 19, still have that same rating and are to be filled as if the regulation had not been amended on that date.

However, the AA–5 rating assigned to direct-buying dealers' orders placed before July 17, 1943, for an initial stock of farm supplies, is cancelled. If any orders of that kind were not filled by May 6, 1944, the manufacturer must treat them as if they had never been rated at all. (This does not apply to ratings extended by a supplier to a manufacturer, because the manufacturer has no way of knowing whether the rating extended by the supplier was based upon farmers' certificates or upon a dealer's order for an initial stock.)

Issued this 9th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–8362; Filed, June 9, 1944; 10:52 a. m.]

PART 1076—PLUMBING AND HEATING SIMPLIFICATION

[Limitation Order L–42, Interpretation 1 to Direction 2]

DELIVERIES FOR INVENTORY PROHIBITED

The following interpretation is issued with respect to Direction 2 to Limitation Order L–42:

Paragraph (c) of Direction 2 to Limitation Order L–42 prohibits anyone from delivering or receiving delivery of cast iron bathtubs manufactured under that direction, except to fill actually existing orders on their books. Manufacturers are prohibited from delivering such bathtubs to dealers unless they receive, in addition to the rating and certification accompanying the order, the information specifically called for in the direction. Deliveries of such bathtubs to dealers are prohibited when the tubs are to be carried in inventory pending receipt of an order.

Issued this 9th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–8359; Filed, June 9, 1944; 10:51 a. m.]

PART 3109—MEDICAL EQUIPMENT AND SUPPLIES SIMPLIFICATION

[General Limitation Order L–214, Schedule 3, as Amended June 9, 1944]

MEDICAL AND SURGICAL FURNITURE AND RELATED EQUIPMENT

§ 3109.4 *Schedule 3 to General Limitation Order L–214—(a) Definitions.* For the purposes of this schedule:

(1) "Medical and surgical furniture and related equipment" means the following items but includes such items only when they are designed for use in hospitals or similar institutions or in the offices of physicians, surgeons, dentists, osteopaths, chiropractors, or chiropodists:

NOTE: "Cabinets for diathermy units" and "Cabinets for galvanic, faradic and sinusoidal generators" deleted June 9, 1944.

Anesthetist's stools.
Anesthetist's tables.
Arm immersion stands.
Autopsy tables.
Back rests.
Bassinets.
Bed cradles.
Bed feeding and reading trays.
Bedpan and urinal racks.
Bedside panel screens.
Bedside tables.
Bed trays.
Blanket warming cabinets.
Bowl stands.
Bronchoscopic tables.
Cabinets and stands for sterilizers.
Cabinets for specialist's outfits.
Cabinets for suction and pressure pumps.
Cabinets for suction pumps.
Chart desks.
Chart holders.
Chart racks.
Chiropody chairs.
Chiropractic adjustment tables.
Combination bedside table and overbed tables.
Commodes, except receptacle.
Couch tables.
Dental instrument cabinets.
Dressing cabinets.
Dressing trucks, carts and carriages.
Dressing stands.
Emergency examining tables.
Emergency operating tables.
Emergency tables.
Examining and treatment tables.
Examining chairs.
Examining tables.
Foot stools.
Fracture tables (non-portable).
Glove racks.
Heated utility cabinets.
Hospital benches.
Incubators.
Infant conveyors.
Infant dressing stands and tables.
Instrument cabinets.
Instrument stands.
Instrument tables.
Irrigator and solution stands.
Laundry bag conveyors.
Leg dressing stands.
Needle cabinets.
Neuro-surgical tables.
Nose and throat chairs.
Nurse's desks.
Nurse's work tables.
Nursery dressing stands and tables.
Obstetrical tables.
Operating tables.
Operator's stools.
Ophthalmic chairs.
Orthopedic and fracture carts, trucks and carriages.
Orthopedic tables (non-portable).
Osteopathic tables.
Overbed and swing overbed tables.
Proctological tables.
Solution cabinets.
Solution stands.
Solution warming cabinets.
Specialist's chairs.
Sponge racks.
Stands for sterilizer dressing drums and containers.
Sterilizer cabinets.
Sterilizer dressing drums and containers.
Supply and treatment cabinets.
Thermometer baskets.
Treatment cabinets.
Treatment chairs.
Urological tables.
Utensil racks.
Utility cabinets.
Veterinary operating tables.
Wall shelf stands.
Waste receptacles and kick bucket carriages.
Wheel stretchers.

The term includes any item serving the same function as any of the above-named items, whether or not such item is listed by any manufacturer under a different name.

The term shall not include:

(i) Any of the above-named items when such items are designed and produced for use overseas, in the field or on shipboard by the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or by the military forces of any country entitled to receive deliveries pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act). (An item shall be deemed to be designed and produced for use overseas, in the field or on shipboard, only when the purchase order or contract under which the item is produced specifically states that the item is for use overseas, in the field or on shipboard. A purchase order or contract for Lend-Lease shall be deemed to be for the military forces of a Lend-Lease country only when the purchase order or contract specifically so states.);

(ii) Any parts or material for the repair or maintenance of any of the above-named items; nor

(iii) Any accessories for use in connection with any of the above-named items; nor

(iv) Any recessed cabinet.

(2) "Manufacturer" means any person engaged in the manufacturing, fabricating or assembling of medical and surgical furniture and related equipment.

(b) *Restrictions on items and models of medical and surgical furniture and related equipment.* (1) In making the items on List A of this schedule, manufacturers shall be limited to the number of models specified in the left-hand column of the List, and such models must conform with the descriptions set forth in the right-hand column of the List.

(2) The items referred to in paragraph (a) (1) of this schedule, which include all those on List A and others as well, are subject to the restrictions on materials contained in paragraph (c) of this schedule.

(c) *Restrictions on the use of certain materials in the manufacture of medical and surgical furniture and related equipment.* (1) No manufacturer shall incorporate any nickel in the manufacture of any medical and surgical furniture and related equipment except for the following uses:

(i) Nickel may be used for plating to the extent permitted under the terms of Conservation Order M–6–b;

(ii) Nickel may be used in alloy steel for any item permitted in List A.[1]

(2) No manufacturer shall incorporate any monel metal, copper or copper base alloy in the manufacture of any medical and surgical furniture and related equipment except to the extent permitted in the right-hand column and the footnote of List A.

(3) No manufacturer shall incorporate any aluminum in the manufacture of any medical and surgical furniture and related equipment except to the extent permitted by Supplementary Order M–1–i or by any specific authorization under that order.

(d) *Exception for furniture and equipment in process.* Notwithstanding the provisions of paragraphs (b) (1) and (c) of this schedule, a manufacturer may complete the manufacture of any medical and surgical furniture and related equipment which was partially fabricated on July 13, 1943: *Provided*, That such manufacture is completed on or before August 13, 1943.

(e) *Filing of pictures and accompanying information.* On or before August 2, 1943, each manufacturer shall file with the War Production Board, Safety and Technical Equipment Division (Ref: L–214), a photograph or catalog cut, in duplicate, of each model of the permitted items which he elects to manufacture under this schedule. Each photograph or cut shall be mounted on suitable backing 8½" x 11" in size with the following information entered clearly thereon:

(1) The name of the item, as listed on List A.

(2) A brief identification of the model, if more than one model of the item is permitted under List A.

(3) The manufacturer's catalog number.

(4) A brief description, including size and material specifications and any other pertinent information, showing that the model comes within the description of the permitted item as set forth in List A.

(f) [Deleted, Oct. 9, 1943]

NOTE: This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 9th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

NOTE: List A amended June 9, 1944.

Subject to the provisions of this schedule each manufacturer may manufacture only the permitted number of models of the permitted items of medical and surgical furniture and related equipment set forth below, and such permitted models of the permitted items shall conform with the description set forth in the right hand column of the list. (Different sizes of permitted items are regarded as different models; for example, it is not permissible to manufacture two sizes of an anesthetist's stool because the two sizes are regarded as two models.)

Permitted number of models	Permitted items	Description of permitted items*
1	Anesthetist's stool	Not more than one drawer.
1	Anesthetist's table	Non-hydraulic type.
1	Autopsy table	Both models may be open framework type, or one may be open framework type and the other of a type having cabinet space in the frame; each model shall hold one basket only.
2	Basket	
2	Bed cradle	Wheels shall not exceed 10" in diameter; drawers and compartments are prohibited; basin and pail attachments may be used.
2	Bedpan and urinal rack	Both models adjustable.
3	Cabinet for suction and/or pressure pumps.	Hydraulic-base.
1	Dressing truck, cart or carriage	Non-portable; fluoroscopic type.
2	Examining and treatment table	Copper or copper base alloy may be used in heating elements; in water-jacketed types, copper or copper base alloy may be used to the extent required for efficient operation.
1	Eye, ear, nose and throat chair table	Not to exceed 80" in width.
1	Foot-stool	Maye type, using "T" handle type of set-screw lock.
1	Fracture table	One model shall not exceed approximately 16" x 20", and have not more than one drawer; one model shall not exceed 24" x 36", and have not more than three drawers; both shall be rectangular.
2	Incubator	Each model shall have "T" handle set-screw locks; bowl and tray attachments are prohibited.
1	Infant conveyor	Open metal framework for use with removable bags.
4	Instrument cabinet	
1	Instrument stand	Not more than one model with a hydraulic base.
2	Instrument table	One major hydraulic base table; one minor hydraulic-base table; and one tubular framework table; monel metal may be used for table tops.
4	Irrigator and solution stand	Adjustable.
1	Laundry bag conveyor	
1	Leg dressing stand	May be single or double style.
2	Obstetrical table	
3	Operating table	All models restricted to not more than 25" in depth and 26" in width.
1	Operator's stool	One model adjustable, designed for eye, ear, nose, and throat operating, and treatment; one model non-adjustable, designed for first aid operating and treatment with attachments for treatment of limbs; each model limited to 95 lbs. weight; neither model shall have hydraulic lift.
1	Orthopedic and fracture cart, truck and carriage	Both models X-ray type; one hydraulic model; one non-hydraulic model; copper and copper-base alloy may be used in drainage drawers and filters.
1	Proctological table	
1	Solution stand	One open-top model minimum height 24"; and one kick-about model; and one step-on model.
3	Sterilizer cabinet	Both models non-hydraulic; one non-adjustable model; one tilting model; wheels on each model shall have a maximum diameter of 10".
4	Treatment cabinet	
2	Treatment chair	
2	Urological table	
1	Wall shelf stand	
8	Waste receptacle	
2	Wheel stretcher	

*In all permitted tables brass may be used to the extent required in gears. In all permitted hydraulic-base tables copper and copper base alloy may be used to the extent required in the hydraulic pumps. Copper and copper-base alloy may be used in the electrical circuit or electrical connections of any of the permitted items.

[F. R. Doc. 44–8357; Filed, June 9, 1944; 10:50 a. m.]

[1] The War Production Board is at present restricting the types and grades of alloy steel, other than National Emergency Triple Alloy Steel (nickel-chromium-molybdenum), that may be produced for particular end uses. If a manufacturer desires to have alloy steel of a restricted type or grade produced for him, the matter should be discussed with the Steel Division of the War Production Board, Washington 25, D. C. It is the intention of the War Production Board to continue to allow the production of alloy steel containing nickel up to 9% by weight for table tops on autopsy tables and operating tables.

PART 3288—PLUMBING AND HEATING EQUIPMENT[1]

[Limitation Order L–42, as Amended June 9, 1944]

PLUMBING AND HEATING SIMPLIFICATION

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and facilities necessary for the manufacture of plumbing and heating equipment for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

Section 3288.11[1] is hereby amended to read as follows:

§ 3288.11 *Limitation Order L–42*—(a) *Issuance of schedules of simplification of lines.* The War Production Board may from time to time issue schedules establishing simplified practices with respect to the types, sizes, forms, specifications or other qualifications for any plumbing or heating products, or other similar products which may be used in any other line. From and after the effective date of any such schedule, no such product shall be produced, fabricated, assembled, delivered or accepted except those that conform to the issued schedule, and except as specifically permitted by such schedule.

(b) *Appeals.* Any appeal from the provisions of this order or of any direction or schedule issued under it shall be filed on Form WPB–1477 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(c) *Applicability of regulations.* All persons and transactions affected by this order and by any direction or schedule issued under it, are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(d) *Communications.* All communications concerning this order, except appeals, shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref. L–42.

(e) *Violations.* Any person who willfully violates any provision of this order or of any direction or schedule issued under it, or who, in connection with this order (or any such direction or schedule) willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 9th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–8358; Filed, June 9, 1944; 10:51 a. m.]

[1] Formerly Part 1076, § 1076.1.

PART 3293—CHEMICALS

[Allocation Order M–340, as Amended June 9, 1944]

MISCELLANEOUS CHEMICALS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of the chemicals subject to this order for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.491 *Allocation Order M–340*—(a) *Definitions.* (1) "Subject chemical" means any chemical listed in Appendix A, as therein defined.

(2) "Producer" means any person engaged in the production of any subject chemical and includes a person who imports any subject chemical or has it produced for him pursuant to toll agreement.

(3) "Distributor" means any person who buys any subject chemical for the purpose of resale without further processing and without changing the form thereof.

(4) "Supplier" means a producer or distributor.

(b) *Restrictions on deliveries.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall deliver a subject chemical to any person except as specifically authorized or directed in writing by War Production Board. No person shall accept delivery of a subject chemical which he knows or has reason to believe is delivered in violation of this order.

(2) Authorization or directions as to deliveries to be made by suppliers in each calendar month will generally be issued by War Production Board prior to the beginning of such month, but may be issued at any time. They will normally be issued on Form WPB–2947 (formerly PD–602) which is to be filed by the supplier with War Production Board as explained in paragraph (g) below.

(3) If a supplier is authorized or directed by War Production Board to deliver a subject chemical to any specific customer or group of customers, but is unable to make the delivery either because of receipt of notice of cancellation or otherwise, the subject chemical shall revert to inventory, and shall not be delivered, or used, without further instructions.

(c) *Exceptions for small deliveries.* (1) Specific authorization in writing of War Production Board is not required for delivery by any supplier to any person in any calendar month of a subject chemical in a quantity not exceeding the quantity stated in Column 3 of Appendix B.

(2) The aggregate quantity of a subject chemical which any supplier may deliver in any calendar month pursuant to paragraph (c) (1), shall not exceed:

(i) The quantity which he has been specifically authorized, upon application pursuant to Appendix D, to deliver on small orders; or

(ii) If he is a distributor, the quantity which he acquired upon certification that it was required to fill small orders or the quantity which he acquired himself on such a small order, or

(iii) If he is a distributor who customarily delivers exclusively on small orders, any quantity.

(d) *Exceptions for deliveries for other reasons.* Specific authorization in writing of War Production Board is not required for delivery of a subject chemical by any supplier to any other person for a purpose stated in Column 4 of Appendix B.

(e) *Restrictions on use.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall use a subject chemical except as specifically authorized or directed in writing by War Production Board.

(2) Each person who with an order for a subject chemical furnishes a certificate required by paragraph (f) shall use the subject chemical delivered on such order only as specified on such certificate except as otherwise specifically authorized or directed in writing by War Production Board.

(3) War Production Board may from time to time issue directions with respect to the use or uses which may or may not be made of a subject chemical to be delivered to, or then in inventory of the prospective user.

(f) *Supplier to obtain from customer a certificate of use.* No supplier shall in any calendar month (beginning in the case of each subject chemical with the calendar month in which the order becomes effective as to that chemical as stated in Appendix A) deliver to any person a greater quantity of such subject chemical than is stated in Column 3 of Appendix B, unless he shall have received from such person a certificate as to the use for which such person is ordering such subject chemical. Such certificate shall be substantially in the form and shall be subject to the instructions stated in Appendix C and shall be in the hands of the supplier not later than the 15th day of the month preceding the month in which delivery is to be made. It need not be filed with War Production Board. A supplier must not deliver a subject chemical where he knows or has reason to believe the purchaser's certificate is false, but in the absence of such knowledge or reason to believe he may rely on the certificate.

(g) *Applications by suppliers for leave to deliver or use.* (1) Each supplier requiring authorization to make delivery of, or to use, a subject chemical during any calendar month shall file application on or before the 20th day of the preceding month. The application should be made on Form WPB–2947 (formerly PD–602) in the manner set forth in the general instructions appearing on that form, subject to the special instructions contained in Appendix D. If there is an inconsistency between the general and special instructions, the special instructions must be followed.

(2) War Production Board may issue to any supplier other and further directions with respect to preparing and filing Form WPB–2947 (formerly PD–602).

(h) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order

and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref: M-340.

Issued this 9th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

Chemicals subject to this order. (1) "Acetaldol" means the chemical known by that name and by the names aldol, beta hydroxy butyric aldehyde oxybutanol, 3-hydroxy butanal.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(2) "ET-115" means the preparation known by that trade name, as defined and specified in Appendix to Regulation No. 3 (1942 Revision) of the Bureau of Internal Revenue.

Effective date—August 1, 1943. Comes in the following grades; no grades.

(3) "Dehydrol-O" means the chemical known by that trade name as defined and specified in Appendix to Regulation No. 3 (1942 Revision) of the Bureau of Internal Revenue.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(4) "G. C.-78" means the chemical known by that trade name.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(5) "By-product—phosphoric acid" means phosphoric acid obtained as a by-product in the manufacture of methyl methacrylate.

Effective date—September 1, 1943. Comes in the following grades: no grades.

(6) "Oxidised petrolatum" means high paraffinic petrolatum oxidised and processed to contain aliphatic ketones, and which is suitable for use as a base in the manufacture of rust preventive compounds or corrosion inhibitors meeting specification Nos. AXS-673, 52-C-18 and AN-C-52, such as those petrolatums known by the trade marks Par-Al-Ketone, Alox 707, Alox 701 and Alox 600.

Effective date—October 9, 1943. Comes in the following grades: no grades.

(7) [Deleted June 9, 1944]

(8) [Deleted Mar. 27, 1944]

(9) [Deleted Mar. 27, 1944]

(10) [Deleted Oct. 22, 1943.]

(11) "DDT" means the chemical 2, 2-bis (para chlorophenyl) 1, 1, 1-tri-chloroethane, and is also known by the trade name "Neocid".

Effective date—January 1, 1944. Comes in the following grades: no grades.

(12) "Enamel wire naphtha" (also known as E. W. naphtha) means a mixture of aromatic solvents derived from coke oven light oil, drip oil or coal tar, distilling between 150 and 200° C., with at least 15 per cent distilling above 200° C., and containing 20 to 60 per cent monocaneric polymerizable constituents of the cumorone-indene type. The term does not include aromatic material for the production of E. W. naphtha, or for the production of cumorone-indene resin, or for the production of other chemicals or intermediates, or for use as solvents in the crude state.

Effective date—February 1, 1944. Comes in the following grades: no grades.

(13) "Methyl Bromide" means the chemical CH_3Br.

Effective date—March 1, 1944. Comes in the following grades: no grades.

(14) "Precipitated calcium carbonate" means ultra fine particle calcium carbonate such as the chemical known as Kalvan, Witcarb R and Multifex.

Effective date—April 1, 1944. Comes in the following grades: no grades.

(15) "Pyronate" means the pyroligneous alcohol known by that trade name which is produced as a by-product of the destructive distillation of hardwood.

Effective date—May 1, 1944. Comes in the following grades: No grades.

(16) "Hi-flash naphtha" means water white coal tar solvent naphtha, having a distillation range of 145° C. (293° F. to 200° C. (392° F.), derived from coke oven light oils, coal tar distillates, drip oils or holder oils.

Effective date—July 1, 1944. Comes in the following grades: No grades.

APPENDIX B

NOTE: Item (7) deleted June 9, 1944.

1	2	3	4
Name of chemical	Unit of measure	Maximum quantity deliverable to any one person in any calendar month without specific authorization and without certificate required by paragraph (f)	Purpose for which delivery may be made without specific authorization, regardless of quantity. (See par. (d).)
(1) Acetaldol	Gallon	54 gallons	None.
(2) ET-115	Gallon	54 gallons	None.
(3) Dehydrol-O	Gallon	54 gallons	None.
(4) G. C.-78	Gallon	54 gallons	None.
(5) By-product phosphoric acid	Ton	5 tons	None.
(6) Oxidised petrolatum	Pound	25 pounds	None.
(7) [Deleted June 9, 1944.]			
(8) [Deleted Mar. 27, 1944.]			
(9) [Deleted Mar. 27, 1944.]			
(10) [Deleted Oct. 22, 1943.]			
(11) DDT	Pound	1 pound	None.
(12) E.W. Naphtha	Gallon	54 gallons	None.
(13) Methyl Bromide	Pound	10 pounds	None.
(14) Precipitated calcium carbonate	Pound	50 pounds	None.
(15) Pyronate	Gallon	54 gallons	None.
(16) Hi-flash naphtha	Gallon	54 gallons	None.

APPENDIX C—CUSTOMER'S CERTIFICATE OF INTENDED USE

The undersigned purchaser hereby certifies to War Production Board and to his supplier, pursuant to Order No. M-340, that the ---------- (specify subject chemical) ordered for delivery in ----------, 194-.
Month
will be used by him for the manufacture or preparation of the following product(s), and that such product(s) will be put to the following end use(s):

	Quantity	Primary product	End use
(A)			
(B)			

Name of purchaser

By ----------
Date Duly authorized official Title

Instructions for customer's certificate. (1) The certificate shall be signed by an authorized official of the purchaser, either manually or as provided in Priorities Regulation No. 7.

(2) Where a purchaser wishes to receive more than the exempted quantity of each of two or more subject chemicals, a separate certificate shall be obtained as to each.

(3) The purchaser will specify under "Primary product", the exact product or products in the manufacture or preparation of which the subject chemical will be used or incorporated. A distributor ordering the subject chemical for resale as such will specify "resale" or, if ordering exclusively for resale on exempt small orders, will specify "small orders of ---------- or less" (specify quantity stated in Column 3 of Appendix B). If purchase is for inventory state "inventory."

(4) Under "End use", purchaser will specify the ultimate or end use to which the primary product will be put. He will also indicate whether civilian, Lend-Lease, other export or military, and if the product is for uses falling in two or more such categories, the percentage falling in each. Also, he will give contract numbers in the case of military use or Lend-Lease, and in the case of export, export license numbers. A distributor ordering the subject chemical for resale as such will leave blank the "End Use" column.

APPENDIX D—SPECIAL INSTRUCTIONS FOR SUPPLIER'S FORM WPB-2947 (FORMERLY PD-602)

(1) *Obtaining forms.* Copies of Form WPB-2947 (formerly Form PD-602) may be obtained at local field offices of the War Production Board.

(2) *Number of copies.* Prepare an original and three copies. File original and two copies with War Production Board, Chemicals Division, Washington 25, D. C., *Ref.*: M-340, retaining the third copy for your files. The original filed with the War Production Board shall be manually signed by a duly authorized official.

(3) *Separate set for each chemical.* Where the supplier's application relates to deliveries of two or more subject chemicals, he will file a separate set of Form WPB-2947 (formerly Form PD-602) for each.

(4) *Information at top of form.* In the heading, under "Name of Material", specify the subject chemical to which the Form WPB-2947 (formerly Form PD-602) relates; under "Grade", specify grade stated in Appendix A, or if no grade specified, leave blank; under "WPB Order No.", specify "M-340"; indicate month and year during which deliveries covered by the application are to be made; under "Unit of Measure", specify unit of measure stated in Column 2 to Appendix B; under name of company, specify your name and the address of the plant or warehouse from which shipment will be made.

(5) *Listing of customers.* In Column 1 (except for small orders as explained in (7) below) list the name of each customer from whom an order for delivery of the subject chemical during the applicable month has been received. If it is necessary to use more than one sheet to list customers, number each sheet in order and show the grand total on last sheet which is the only one that need be certified.

(6) *Primary product and end use.* In Column 1-a (except for small orders as explained in (7) below) specify the product or products in the manufacture or preparation of which the subject chemical will be used by your customer, the end use to which such product or products will be put, and military or Lend-Lease contract numbers, and export license numbers, all as indicated by the certificate obtained under paragraph (f) of this order. The quantity of the subject chemical used in the manufacture or preparation of each primary product for each product use shall be shown separately. If the subject chemical ordered by a customer is for two or more uses, indicate each use separately and indicate the quantity of the subject chemical ordered for each use

(7) *Small orders.* The supplier need not list the name of any customer to whom he is to deliver in the applicable month a quantity of the subject chemical not exceeding the maximum quantity (indicated in Column 3 of Appendix B) which he is permitted to deliver to any one person in any calendar month without specific authorization. Also, in the case of any such delivery, he need not show the name of the product or the end use. Instead, he must write in Column 1 "Total small order deliveries (estimated)" and in Column 4, must specify the total estimated quantity of the subject chemical to be delivered on such orders.

(8) *Use by producers.* A producer requiring permission to use a part or all of his own production of the subject chemical shall list his own name as customer in Column 1 on Form WPB-2947 (formerly Form PD-602) specifying quantity required and product manufactured. Written approval of War Production Board on such Form WPB-2947 (formerly Form PD-602) shall constitute authority to the producer to use the subject chemical in the quantity and for the purposes indicated in such approved form.

(9) *Table II.* Each producer will report production, deliveries and stocks as required by Table II, Columns 9 to 16, inclusive. Distributors will fill out only Columns 10, 12 and 13. Producers and distributors will show in Column 8 Grade, as stated in Appendix A, or if no Grade is there specified, will leave Column 8 blank.

[F. R. Doc. 44-8361; Filed, June 9, 1944; 10:51 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-131, as Amended June 9, 1944]

CINCHONA BARK AND CINCHONA ALKALOIDS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cinchona bark and cinchona alkaloids for the war effort, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the war effort:

§ 3293.131 (*Conservation Order M-131*)—(a) *Definitions.* For the purposes of this order:

(1) "Cinchona alkaloids" means any of the alkaloids or their salts obtained from cinchona bark whether alone or in combination with other alkaloids from cinchona bark, including, but not limited to quinine, totaquine, cinchonine, cinchonidine, quinidine, quinine sulfate, etc., and such alkaloids in standard dosage forms (pills, tablets, capsules, ampoules, etc.) or totaquine in packages of one-half ounce or less.

(2) "Quinine" means quinine alkaloid obtained from cinchona bark and its salts and derivatives.

(3) "Cinchonine" means cinchonine alkaloid obtained from cinchona bark, and its salts and derivatives.

(4) "Cinchonidine" means cinchonidine alkaloid obtained from cinchona bark, and its salts and derivatives.

(5) "Quinidine" means quinidine alkaloid obtained from cinchona bark, and its salts and derivatives.

(6) "Totaquine" means a mixture of alkaloids obtained from cinchona bark.

(7) "Cinchona bark" (also known as Calisaya, Peruvian or Jesuit's bark) means the bark obtained from Cinchona succirubra P. et K., C. Calisaya W., C. Ledgeriana M. et T. and from its hybrids.

(8) "Anti-malarial agent" means any product or material which according to modern medical opinion is recognized as a specific for suppression, alleviation or cure of malarial infections.

(9) "Producer" means any person who produces or imports cinchona bark or cinchona alkaloids or has cinchona alkaloids produced for him pursuant to toll agreement.

(10) "Distributor" means any person who buys cinchona alkaloids for resale without further processing.

(11) "Supplier" means a producer or distributor.

(b) *Restrictions on deliveries and use.* No person other than Defense Supplies Corporation or any other corporation organized under section 5 (d) of the RFC Act, as amended, or any duly authorized agent of such corporation, shall deliver, accept delivery of, or use cinchona bark or cinchona alkaloids unless specifically authorized by War Production Board, on Forms WPB 2945 or WPB 2946, whichever is appropriate. However, the U. S. Army, Navy, the U. S. Maritime Commission and War Shipping Administration need not apply for authorization to accept delivery of and use cinchona bark or cinchona alkaloids, but their supplier must list the proposed deliveries, and contract numbers on his application Form WPB 2946, and such supplier shall not make delivery until authorized by War Production Board. Such authorization will also constitute authorization to those services and agencies named to accept delivery of and to use the cinchona bark or cinchona alkaloids.

(c) *Exceptions to restrictions on delivery and use.* Nothing contained in this order shall prohibit the following transactions:

(1) *Deliveries of uncompounded cinchona alkaloids under toll agreement.* Any person may, without authorization from War Production Board, accept delivery of cinchona alkaloids pursuant to toll agreement for the purpose of compounding into standard dosage forms, and thereafter redeliver the same to the owner thereof, provided the person making the delivery in the first instance has received specific authorization to use the cinchona alkaloids and retains title to such cinchona alkaloids and to the products made therefrom.

(2) *Small deliveries of cinchona alkaloids.* Any person may, without authorization from War Production Board, accept small deliveries of cinchona alkaloids for the purpose of resale to licensed physicians, veterinarians or to ultimate consumers, or for the purpose of compounding into dosage form and thereafter reselling the same in such form, provided that small deliveries do not exceed in any calendar month:

(i) 8 ounces of totaquine (uncompounded), 4 ounces of cinchonine or its salts in the aggregate (uncompounded), 4 ounces of cinchonidine or its salts in the aggregate (uncompounded), 4 ounces of quinine or its salts in the aggregate (uncompounded).

(ii) 2 ounces of quinidine or its salts in the aggregate (whether compounded or in standard dosage form), unless acceptance of delivery of this amount, taken together with such person's stock of quinidine on hand on the delivery date exceeds 4 ounces of quinidine or its equivalent in standard dosage form.

No authorization from War Production Board is required for the compounding of such cinchona alkaloids or for any subsequent delivery, acceptance of delivery, or use of such cinchona alkaloids, whether in compounded form or otherwise. However, the appropriate certification referred to in paragraph (d) of this order is required for all small deliveries unless the small delivery is made to an ultimate consumer. Deliveries of quinidine to an ultimate consumer may only be made upon a physician's prescription as explained in paragraph (e) of this order.

(3) *Deliveries of totaquine, quinine, cinchonine and cinchonidine in standard dosage forms.* Any person may, without authorization from the War Production Board, accept deliveries of totaquine in packages of one-half ounce or less, or quinine, cinchonine or cinchonidine in standard dosage forms. No authorization from War Production Board is re-

quired for any subsequent delivery, acceptance of delivery or use of such cinchona alkaloids. However, the certification referred to in paragraph (d) of this order is required for all such deliveries in standard dosage forms, unless the delivery is made to an ultimate consumer.

(4) *Delivery and use of cinchona bark on hand April 30, 1942.* Any person may deliver, accept delivery of or use, without authorization from War Production Board, any stock of cinchona bark consisting of less than 50 pounds and which was physically located at any one place on April 30, 1942.

(5) *Delivery and use of cinchona bark or cinchona alkaloids previously compounded.* Any person may deliver, accept delivery of, or use, without authorization from War Production Board:

(i) Any quinine which had been combined or compounded with other medicinal agents on or before April 4, 1942;

(ii) Any totaquine or cinchona bark which had been combined or compounded with other medicinal agents on or before April 30, 1942;

(iii) Any quinine and urea hydrochloride (USP) or quinine hydrochloride and urethane which had been combined or compounded with other medicinal agents on or before January 9, 1943;

(iv) Any cinchonine, cinchonidine or quinidine which had been combined or compounded with other medicinal agents on or before June 19, 1942.

(v) Any anti-malarial agent manufactured on or before January 9, 1943, pursuant to the provisions of this order as in effect up to that date; provided that the certification for "quinine, cinchonine, cinchonidine and totaquine" referred to in paragraph (d) of this order as now amended is required for all deliveries of such anti-malarial agents, unless delivery is made to an ultimate consumer.

(d) *Certification required.* No person shall deliver cinchona alkaloids pursuant to paragraphs (c) (2), (c) (3) and (c) (5) (v) of this order except upon receipt of a certificate in substantially the form shown below (whichever is appropriate), signed manually by a duly authorized official or as provided in Priorities Regulation No. 7. The quantity of material delivered should be specified on the reverse side of the certificate. A certificate is not required in those cases where delivery is made to an ultimate consumer.

CERTIFICATE FOR QUININE, CINCHONINE, CINCHONIDINE OR TOTAQUINE

The undersigned hereby certifies to War Production Board and to ----------
(insert name of seller or supplier)
that the quinine, cinchonine, cinchonidine or totaquine (or product containing cinchonine or cinchonidine) ordered hereby (specify quantity on reverse side) is for use as an anti-malarial agent and will not be sold, transferred or delivered by the undersigned for any other purpose. This certification is made in accordance with the terms of Conservation Order M-131 with which the undersigned is familiar.

Name ----------

Date ---------- By ----------

CERTIFICATE FOR QUINIDINE

The undersigned hereby certifies to the War Production Board and to ----------
(name of seller or supplier) that the quinidine (or product containing quinidine) ordered hereby (specify quantity on reverse side) is for use in the treatment of cardiac disorders and will not be sold, transferred or delivered by the undersigned for any other purpose and if any part of this purchase order of quinidine is sold to an ultimate consumer it will only be sold upon a physician's prescription as provided in paragraph (e) of Conservation Order M-131; and the undersigned further certifies that acceptance of delivery of this order will not increase his inventory of quinidine on hand on the delivery date in excess of 4 ounces of quinidine or its equivalent in standard dosage form. This certification is made in accordance with terms of Conservation Order M-131 with which the undersigned is familiar.

Name of purchaser

By ----------
Name and title of duly authorized official

(Date)

(e) *Restrictions on all deliveries of quinidine to ultimate consumers.* Any person who wishes to get quinidine for consumption and not for resale must furnish the supplier with a physician's prescription. This paragraph applies to all deliveries of quinidine to the ultimate consumer. No person shall deliver quinidine to an ultimate consumer except upon receipt of a written prescription signed by a physician licensed to prescribe drugs, which shall state either that the quinidine prescribed is to be used for the treatment of cardiac disorders or "Pursuant to War Production Board Order M-131, paragraph (e)". No quinidine shall be delivered pursuant to a prescription which is written for more than fifty 3-grain tablets or capsules or for the equivalent of 150 grains of quinidine in other dosage forms. No delivery of quinidine shall be made pursuant to a prescription which is used a second time to obtain additional quantities.

(f) *Applications for authorization to accept delivery or use.* A person requiring authorization to accept delivery or to use cinchona bark or cinchona alkaloids during any calendar month shall file application on Form WPB 2945 (formerly PD-600) with the Chemicals Division, War Production Board, Washington 25, D. C., on or before the 15th of the preceding month. However, applications for November delivery or use should be filed as soon as possible after November 4, 1943. Instructions for filling out this form are set out in Appendix A. One copy of Form WPB 2945 will be returned to the sender, on which War Production Board will indicate the quantity and type of cinchona alkaloids which he is authorized to acquire or use.

(g) *Applications for authorization to deliver.* A supplier desiring authorization to deliver cinchona bark or cinchona alkaloids during any calendar month shall file application on Form WPB 2946 (formerly PD-601) with the Chemicals Division, War Production Board, Washington 25, D. C., on or before the 20th day of the preceding month. However, applications for November delivery should be filed as soon as possible after November 4, 1943. Instructions for filling out this form are set out in Appendix B. One copy of Form WPB 2946 will be returned to the supplier on which the War Production Board will indicate the quantity and type of cinchona bark or cinchona alkaloids which he is authorized to deliver.

(h) *Inventory report—quinine, quinidine.* Every producer or distributor who, on November 4, 1943, has in his possession or under his control, ten ounces or more of uncompounded quinine, or four ounces or more in the aggregate of quinidine, whether uncompounded or in standard dosage forms, shall file a letter with the Chemicals Division, War Production Board, on or before November 15, 1943, stating the quantity of such material on hand as of November 4, 1943. This letter need not be filed by any supplier who files an application for authorization on Form WPB 2945 on or before November 15, 1943, or on WPB 2946 on or before November 20, 1943, for the reason that such forms require an inventory report of these materials on hand.

(i) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time, except to the extent that any provisions hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(j) *Inability to deliver.* If a producer or distributor is authorized or directed by War Production Board to deliver cinchona bark or cinchona alkaloids to any specific customer or group of customers, but is unable to make the delivery either because of receipt of notice of cancellation or otherwise, he must immediately notify the War Production Board, Chemicals Division, Washington 25, D. C., Ref: M-131, and shall not deliver the material to anyone else, or use it, until he receives further instructions.

(k) *Appeals.* Appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(l) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(m) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref: M-131.

Issued this 9th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

INSTRUCTIONS FOR FILING APPLICATIONS ON FORM WPB 2945[1] (FORMERLY PD-600) FOR SPECIFIC AUTHORIZATION TO ACCEPT DELIVERY AND USE CINCHONA BARK OR CINCHONA ALKALOIDS

(1) *Who should file.* Specific authorization by War Production Board is required for acceptance of all deliveries of cinchona alkaloids, unless the deliveries fall within the exceptions provided in paragraph (c) of the order. Any producer desiring permission to use part or all of his own production shall also file this application. This form need not be filed by the U. S. Army, Navy, Coast Guard, the U. S. Maritime Commission or War Shipping Administration.

(2) *Where forms may be obtained.* Copies of Form WPB 2945 may be obtained at local field offices of War Production Board.

(3) *Number of copies.* Five copies shall be prepared, of which three shall be forwarded to War Production Board, Chemicals Division, Washington 25, D. C., Ref: M-131, one forwarded to the supplier with whom applicant's order is placed, and the fifth retained for applicant's file. At least one of the copies filed with War Production Board shall be signed by applicant by a duly authorized official. Where the application is solely for authorization to use from inventory, no copy need be prepared for suppliers.

(4) *Special instructions for filling out form.* Follow the instructions on the form except where they conflict with the specific instructions given below:

(a) *Heading.* Under "Name of chemical", specify either "Cinchona bark" or "Cinchona alkaloids", using a separate set of forms for each. Under "WPB Order No.", specify "M-131", under "Unit of Measure", specify "Pounds" in the case of cinchona bark and "Ounces" in the case of cinchona alkaloids.

(b) *Column 1.* In applying for authorization to receive or to use cinchona bark, specify in Column 1 the grade or variety. In applying for authorization to accept delivery or to use cinchona alkaloids, specify in Column 1 the name of each alkaloid or the salt of the alkaloid; for example, quinine alkaloid, quinine sulfate, totaquine, quinidine alkaloid, quinidine sulfate, etc. (It is not necessary to use a separate set of forms for each alkaloid or salt of alkaloid requested).

(c) *Column 2.* Specify the quantity (in pounds) for cinchona bark and (in ounces) for each type of cinchona alkaloid.

(d) *Column 3.* In Column 3 "Primary product" specify the exact name of the product or products in the manufacture or preparation of which the cinchona bark or the cinchona alkaloids will be used or incorporated. Distributors ordering cinchona bark or cinchona alkaloids for resale will specify "Resale". If purchase is for inventory, specify "Inventory".

(e) *Column 4.* In Column 4 specify ultimate use to be made of the primary product, for example, "Anti-malarial" or "cardiac", and if the purpose is to fill Army, Navy, Land-Lease or other government agencies' contracts, state the contract number. If purpose is for export, the WPB 2945 must first be sent to Foreign Economic Administration together with application for an export license. If the export license is granted, Foreign Economic Administration will then affix the export license number to Form WPB 2945 and forward the document to War Production Board.

APPENDIX B

INSTRUCTIONS FOR FILING SUPPLIER'S APPLICATION ON FORM WPB 2946[1] (FORMERLY PD-601) FOR SPECIFIC AUTHORIZATION TO DELIVER CINCHONA BARK OR CINCHONA ALKALOIDS

(1) *Who should file.* All suppliers (except Army, Navy, etc.—as listed in paragraph (b)), must obtain specific authorization before delivering cinchona bark or cinchona alkaloids.

(2) *Where forms may be obtained.* Copies of Form WPB 2946 may be obtained at local field offices of War Production Board.

(3) *Number of copies.* Four copies shall be prepared, of which three shall be forwarded to War Production Board Chemicals Division, Washington 25, D. C., Ref: M-131, the fourth to be retained by the supplier. Each producer who has filed application on Form WPB 2945 specifying himself as his supplier, shall list his own name as customer on Form WPB 2946 and shall list his request for allocation in the manner prescribed for other customers.

(4) *Special instructions for filling out form.* Follow the instructions on the form except where they conflict with the specific instructions given below:

(a) *Heading.* In the heading under "Name of chemical", specify "Cinchona bark" or "Cinchona alkaloids", as the case may be, using a separate set of forms for each. Under "WPB Order No.", specify "M-131"; under "Unit of measure", specify "Pounds" in the case of cinchona bark and "Ounces" in the case of cinchona alkaloids.

(b) *Column 1.* Specify the names of customers. A producer requiring permission to use a part or all of his own production of cinchona bark or cinchona alkaloids shall list his own name in Column 1 as customer. After completing the list of customers, insert "Total small order deliveries (estimated)" for each alkaloid or salt delivered pursuant to paragraph (c) (2) of this order.

(c) *Column 3.* List each alkaloid or salt (and in the case of cinchona bark, the variety) for which orders for delivery during the applicable month have been received as indicated in the Forms WPB 2945 filed with him by his customers.

(d) *Column 4.* Specify total quantity to be delivered to each customer named in Column 1, and total estimated quantity to be delivered on the "Small order deliveries" mentioned in Column 1.

(e) *Table II.* Each producer will report production, deliveries and stocks as required by Table II, Columns 8 to 16, inclusive. Distributors and importers will enter in Columns 9, 11 and 14 "Receipts" instead of "Production". In Column 8 the supplier will specify in the case of cinchona bark the variety and in the case of cinchona alkaloids each alkaloid or salt of alkaloid for which orders for delivery during the applicable month have been received, as indicated in the Forms WPB 2945 filed with him by his customers.

[F. R. Doc. 44-8060; Filed, June 9, 1944; 10:51 a. m.]

[1] The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

[1] The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

PART 3293—CHEMICALS

[Limitation Order L-20, as Amended June 9, 1944]

CELLOPHANE

§ 3293.1 *Limitation Order L-20*—(a) *Definitions.* For the purpose of this order:

(1) "Supplier means any manufacturer, converter, jobber, dealer, printer and any other person who directly or indirectly delivers cellophane to the users.

(2) "Cellophane" means a film of plasticized regenerated cellulose, whether in nonmoisture proof or moistureproof grades and whether or not heat sealing, and cellulose caps or bands. It does not include any material which has been used to package, wrap or seal any product or in manufacture.

(b) *Restriction on use.* Except as provided in paragraphs (i) and (j), no person shall use cellophane for the packaging, wrapping, sealing or manufacture of the following materials or products:

(1) Cosmetics, soaps, deodorants (including paradichlorobenzene), and cleaning materials, except that cellophane may be used as provided in paragraph (c) and as a replacement of metal for collapsible tubes for tooth paste.

(2) All textiles other than bandages, sanitary swabs and typewriter ribbons.

(3) All rubber and rubber products, except that cellophane may be used in the manufacture of rubber products, as a substitute for Holland Cloth in the backing of retreading stocks for tires, tire reliners, patches and sandblast stencils, and as a wrapping on friction and rubber tape.

(4) All hardware, metals and sporting goods, except that cellophane may be used for packaging and wrapping precision metal parts.

(5) All paper and paper products, including cellulose backed adhesive tape for household purposes.

(6) Glassware, including optical lenses and jewelry.

(7) Candles and wax products, except that cellophane may be used as provided in paragraph (c).

(8) Electrical equipment, except that cellophane may be used in the manufacture of such equipment.

(9) Wood and wood products other than medical tongue depressers and swabs.

(10) Leather and leather products.

(11) Bottles and jars for any use except that cellulose bands and caps may be used for sealing bottles containing wines and alcoholic liquors; for sealing bottles containing drugs subject to deterioration through loss of volatile ingredients by evaporation, when the bottles are labeled to that general effect; and except as provided in paragraph (c).

(12) Canned goods of any sort.

(13) Flowers, plants, seeds and grains.

(14) All decorations and novelties.

(15) Bowl and basket covers, household dyes, household rolls, soda straws, sewing supplies, garment covers, toys and games, pipe filters, coin wrappings, natu-

ral and artificial sponges, doilies, hair waving equipment, brake linings, molding materials, window covers, "Jiffy Seals" and similar seals.

(16) Milk bottle hoods, except by a dairy bottling 84,000 or less bottles per month.

(17) Putty and paint, except that cellophane may be used as provided in paragraph (c) and as a replacement for metal containers.

(18) Plastic products (other than tooth brushes) and except that cellophane may be used in the manufacture of plastic products.

(19) Drug products, chemicals and antiseptics, except where necessary for the protection of the product itself.

(20) Candy products and chewing gum as follows:

(i) For box overwraps, including the wrapping of either lid or box of "set-up" boxes.

(ii) For open end sleeves on boats or trays.

(iii) In addition to any wrapper of waxed paper, glassine, grease proof, vegetable parchment, or super calendered sulphite.

(iv) For use as both a container and individual wrap for the same candy piece to form a single packaging unit.

(v) For any other type of packaging of candy products and chewing gum, except where necessary for the protection of the product itself.

(21) All foods for animals.

(22) All insecticides and rodenticides, other than paradichlorobenzene and napthalene insecticides.

(23) Tea, spices, peppers, condiments, sugar, flour, and unshelled nuts.

(24) Carton overwraps for dried food products, including but not limited to peas, beans, rice, barley and lentils, macaroni, noodles and similar paste goods, cereal, cooked and uncooked, and dessert and drink powders.

(25) Window cartons and window bags for all non-food products and for candy products, chewing gum, teas, spices, condiments, sugar, flour and unshelled nuts.

(26) Cigarettes, except that cellophane may be used where foil is omitted from the package.

In addition to the foregoing, no person shall use cellophane for retail decorative "point of sale" packaging or wrapping.

(c) *Metal top replacement exemption.* Notwithstanding the provisions of paragraph (b), cellulose caps and bands may be used as a metal replacement for the packaging of liquid or paste soaps, industrial oils and greases, bottled foods, putty and paint, if the cellulose cap or band serves as a primary closure to a glass, ceramic, or paper top. Disc inner liners of cellulose film may be used also for paper tops to containers for these same products.

NOTE: Paragraph (d) (2) deleted June 9, 1944.

(d) *Restrictions on deliveries.* No person shall knowingly, directly or indirectly, deliver or cause to be delivered any cellophane, and no person shall accept cellophane to be used for packaging, wrapping, sealing or manufacture in violation of the provisions of paragraph (b) or (f), unless such packaging, wrapping, sealing or manufacturing is exempt under the provisions of paragraphs (c), (i), or (j).

(e) *Inventory restriction.* No person within the forty-eight states of the United States or within the District of Columbia shall accept delivery of cellophane if the amount accepted, together with his inventory of such material then on hand, shall exceed a forty-five day supply, having regard to his orders on hand and his current method and rate of operation. However, the restrictions of this paragraph (e) shall not apply to the acceptance of delivery of fifty pounds or less of cellophane by any person whose inventory of cellophane, immediately prior to delivery, is fifty pounds or less. No person shall deliver cellophane if he knows or has reason to believe that the person accepting delivery will have, on acceptance an amount of cellophane in excess of the inventory allowed him by the previous sentences of this paragraph.

(f) *Partial restrictions on use.* (1) In no calendar quarter shall any person use cellophane in the packaging, wrapping or sealing of cigarettes, cigars and chewing tobacco in an amount in excess of 90% of one quarter of his consumption of cellophane for such purposes during the entire year of 1942. In no calendar quarter shall any person use cellophane in the packaging, wrapping or sealing of smoking (pipe) tobacco in an amount in excess of 90% of his consumption of cellophane for such purpose during the fourth quarter of 1942.

(2) In no calendar quarter shall any person use cellophane in the packaging, wrapping or sealing of bakery products in an amount in excess of 90% of one quarter of his consumption of cellophane for such purpose during the entire year of 1942.

(3) The restrictions of this paragraph (f) do not apply to any person consuming 50 pounds or less of cellophane during any calendar quarter.

(g) [Deleted]

(h) *Monthly reports.* Each converter, agent, fabricator, jobber or similar supplier acting as direct or indirect sales agent for any producer must, by the tenth day of each month, submit to such producer a report of his sales during the preceding month of cellophane (other than waste material as defined in paragraph (i) hereof) purchased by such agent from such producer, classifying sales according to industry (such as candy and chewing gum industry, baking industry, drug industry, tobacco industry, and other specifically named industries) and stating as to each class the total number of pounds sold and the number of pounds sold for civilian use, for military use, and for Lend-Lease. Each producer shall keep records of such reports available for inspection by representatives of the War Production Board. Each person affected by this order shall file such other reports as may from time to time be required by the War Production Board, subject to the approval of the Bureau of the Budget under the Federal Reports Act of 1942.

(i) *Waste material exception.* Nothing contained in this order shall prohibit the sale, delivery or use of waste cellophane (known as roll end trim and rejected or defective rolls and sheets), but producers and suppliers of waste cellophane shall report to the War Production Board by the tenth day of each month the quantities of such material sold or delivered during the preceding month and the recipients thereof.

(j) *Military exception.* The restrictions of this order shall not apply to the use of cellophane for packaging, wrapping, sealing or manufacturing any material or product to be delivered to or for the account of the United States Army, Navy, Maritime Commission or War Shipping Administration, or to any foreign country pursuant to the Act of March 11, 1942, (Lend-Lease Act); *Provided*, That where this material is not used in connection with implements of war, the primary contract specifically requires the use of such material or of a transparent wrapping material. Persons using cellophane in accordance with the above exception shall nevertheless file reports as required in paragraphs (h) and (i).

(k) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate with the field office of the War Production Board for the district in which the appellant is located, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Chemicals Division, Washington 25, D.C., Ref: L-20.

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 9th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8356; Filed, June 9, 1944; 10:51 a. m.]

Chapter XI—Office of Price Administration

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 464,[1] Amdt. 2]

PULPWOOD PRODUCED IN DESIGNATED STATES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[2]

Revised Maximum Price Regulation No. 464 is amended in the following respects:

1. In section 8 (a), subparagraph (18) is amended and subparagraph (20) is added to read as follows, respectively:

(18) "Zone VI" includes the Counties of Bullitt, Nelson, Washington, Mercer, Garrard, Madison, Estill, Lee, Owsley, Perry, Letcher, and Pike in Kentucky, and all of Kentucky south of said counties, and the States of Indiana and Missouri;

(20) "Zone VII" includes the State of Illinois.

2. In Appendix C (a), subparagraph (1) is amended to read as follows:

(1) The maximum price per cord for all species of pulpwood cut from the stump in Zone III shall not exceed $8.80 for rough wood and $12.00 for peeled wood, f. o. b. cars, except Spruce, in which case the maximum price shall not exceed $12.80 for rough spruce and $16.00 for peeled spruce, f. o. b. cars. When pulpwood is delivered to a consumer by truck or similar vehicle, an amount not in excess of $2.40 per cord may be added to the maximum price for wood delivered f. o. b cars as hereinbefore set forth.

3. In Appendix E (a), subparagraph (1) is amended to read as follows:

(1) Maximum prices per cord for pulpwood cut from the stump in Zone V shall not exceed $8.10 for rough wood and $11.30 for peeled wood, f. o. b. cars. When pulpwood is delivered to a consumer by truck or similar vehicle, an amount not in excess of $2.00 per cord may be added to the maximum price for wood delivered f. o. b. cars as hereinbefore set forth.

4. In Appendix F, paragraphs (a) (1) and (b) are amended to read as follows:

(a) (1) Maximum prices per cord for pulpwood cut from the stump in Zone VI shall not exceed the following, f. o. b. cars:

Rough pine	$7.60
Peeled pine	10.30
Rough hardwood	8.10
Peeled hardwood	10.80

Where pulpwood is delivered to a consumer by truck or similar vehicle, by or at the expense of the seller, the maximum price shall be the f. o. b. car price stated above, plus or minus the same dollars and cents differential, if any, which the particular mill paid over or under its highest f. o. b. car price in the months of January and February 1943, for the same type of delivery of the same species and condition of pulpwood. Where pulpwood is banked at a rail siding at the buyer's request and is later loaded at the seller's expense on the railway car, an amount not in excess of 80¢ per cord may be added to the maximum price.

(b) *Dealers.* In the event that a consumer of pulpwood shall purchase pulpwood through a dealer as defined in section 8 (a) (10) hereof, such consumer may pay such dealer not more than the maximum price hereinbefore established, plus a dealer's allowance not in excess of 75¢ per cord for both rough and peeled wood, except if the pulpwood is produced in the States of Indiana and Missouri, in which case the consumer may pay such dealer not more than the maximum price hereinbefore established, plus a dealer's allowance not in excess of $1.00 per cord for both rough and peeled wood.

5. Appendix G is added to read as follows:

APPENDIX G—MAXIMUM PRICES FOR PULPWOOD CUT FROM THE STUMP IN ZONE VII

(a) (1) Maximum prices per cord for pulpwood cut from the stump in Zone VII shall not exceed $8.50 for rough wood and $11.20 for peeled wood, f. o. b. cars. Where pulpwood is delivered to a consumer by truck or similar vehicle, by or at the expense of the seller, the maximum price shall be the f. o. b. car price stated above, plus or minus the same dollars and cents differential, if any, which the particular mill paid over or under its highest f. o. b. car price in the months of January and February 1943, for the same type of delivery of the same species and condition of pulpwood.

(2) The maximum price per cord for pulpwood sold at points other than those mentioned in subparagraph (1), shall be arrived at by deducting from the maximum price established above, f. o. b. cars, an amount equal to the actual cost incurred by the buyer in transporting the wood to and loading the wood on freight cars, or, in the case of wood trucked to the mill by the buyer, by deducting from the maximum price delivered to the mill by the seller, the actual trucking cost incurred by the buyer.

(b) *Dealers.* In the event that a consumer of pulpwood shall purchase pulpwood through a dealer as defined in section 8 (a) (10) hereof, such consumer may pay such dealer not more than the maximum price hereinbefore established, plus a dealer's allowance not in excess of $1.00 per cord for both rough and peeled wood.

This amendment shall become effective June 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8304; Filed, June 8, 1944; 12:04 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing,[1] Amdt. 25]

OCCUPANCY BY PURCHASER

Section 6 (b) (2) of the Rent Regulation for Housing is amended to read as follows:

(2) *Occupancy by purchaser.* A certificate shall be issued authorizing the pursuit of local remedies to remove or evict a tenant of the vendor, for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after the effective date of regulation (or on or after October 20, 1942 where the effective date of regulation is prior to that date, or on or after November 6, 1942 for housing accommodations within the Hastings Defense-Rental Area), only as provided in this paragraph (b) (2).

(i) Where the Administrator finds that the payment or payments of principal made by the purchaser aggregate twenty per cent or more of the purchase price, he shall, on petition of either the vendor or purchaser, issue a certificate authorizing the vendor or purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law. Except as hereinafter provided, the certificate shall authorize pursuit of local remedies at the expiration of three months after the date of filing of the petition.

The payment or payments of principal may be made by the purchaser conditionally or in escrow to the end that they shall be returned to the purchaser in the event the Administrator denies a petition for a certificate.

Any payments of principal made from funds borrowed for the purpose of making such payments shall be excluded in determining whether twenty per cent of the purchase price has been paid, unless the Administrator finds that the loan is made in good faith and not for the purpose of circumventing or evading the provisions of this paragraph (b) (2).

Where property other than the housing accommodations which are the subject of the purchase is mortgaged or pledged to the vendor to secure any unpaid balance of the purchase price, the payment requirement shall be deemed satisfied if the value of such security, plus any payments of principal made from funds not borrowed for the purpose of making such principal payments, equal twenty per cent or more of the purchase price.

(ii) Where the Administrator finds (a) that equivalent accommodations are available for rent into which the tenant can move without substantial hardship or loss, or (b) that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without the removal or eviction of the tenant, or (c) that other special hardship would result, a certificate may be issued although less than twenty per cent of the purchase price has been paid and may authorize the vendor or purchaser to pursue his remedies for removal or eviction of the tenant at a time less than three months after the date of filing of the petition.

This amendment shall become effective June 9, 1944.

Issued this 8th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8311; Filed, June 8, 1944; 12:06 p. m.]

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[1] Copies may be obtained from the Office of Price Administration.

[2] 8 F.R. 12092, 12515, 14074, 14278.

[1] 8 F.R. 14663, 14815, 15565, 16032, 16208, 16427, 17297; 9 F.R. 206, 973, 2176, 2289, 3231, 3422, 4028, 4541, 5807, 5915.

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing in Miami Area,[1] Amdt. 5]

OCCUPANCY BY PURCHASER

Section 6 (b) (2) of the Rent Regulation for Housing in the Miami Defense-Rental Area is amended to read as follows:

(2) *Occupancy by purchaser.* A certificate shall be issued authorizing the pursuit of local remedies to remove or evict a tenant of the vendor, for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after September 15, 1943, only as provided in this paragraph (b) (2).

(i) Where the Administrator finds that the payment or payments of principal made by the purchaser aggregate twenty percent or more of the purchase price, he shall, on petition of either the vendor or purchaser, issue a certificate authorizing the vendor or purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law. Except as hereinafter provided, the certificate shall authorize pursuit of local remedies at the expiration of three months after the date of filing of the petition.

The payment or payments of principal may be made by the purchaser conditionally or in escrow to the end that they shall be returned to the purchaser in the event the Administrator denies a petition for a certificate.

Any payments of principal made from funds borrowed for the purpose of making such payments shall be excluded in determining whether twenty percent of the purchase price has been paid, unless the Administrator finds that the loan is made in good faith and not for the purpose of circumventing or evading the provisions of this paragraph (b) (2).

Where property other than the housing accommodations which are the subject of the purchase is mortgaged or pledged to the vendor to secure any unpaid balance of the purchase price, the payment required shall be deemed satisfied if the value of such security, plus any payments of principal made from funds not borrowed for the purpose of making such principal payments, equal twenty percent or more of the purchase price.

(ii) Where the Administrator finds (*a*) that equivalent accommodations are available for rent into which the tenant can move without substantial hardship or loss, or (*b*) that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without the removal or eviction of the tenant, or (*c*) that other special hardship would result, a certificate may be issued although less than twenty per cent of the purchase price has been paid and may authorize the vendor or purchaser to pursue his remedies for removal or eviction of the tenant at a time less than three months after the date of filing of the petition.

This amendment shall become effective June 9, 1944.

Issued this 8th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8309; Filed, June 8, 1944; 12:06 p. m.]

[1] 8 F.R. 13118, 14047, 16033; 9 F.R. 3423, 4028.

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing in N. Y. C. Area,[1] Amdt. 6]

OCCUPANCY BY PURCHASER

Section 6 (b) (2) of the Rent Regulation for Housing in the New York City Defense-Rental Area is amended to read as follows:

(2) *Occupancy by purchaser.* A certificate shall be issued authorizing the pursuit of local remedies to remove or evict a tenant of the vendor, for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after November 1, 1943, only as provided in this paragraph (b) (2).

(i) Where the Administrator finds that the payment or payments of principal made by the purchaser aggregate twenty per cent or more of the purchase price, he shall, on petition of either the vendor or purchaser, issue a certificate authorizing the vendor or purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law. Except as hereinafter provided, the certificate shall authorize pursuit of local remedies at the expiration of three months after the date of filing of the petition.

The payment or payments of principal may be made by the purchaser conditionally or in escrow to the end that they shall be returned to the purchaser in the event the Administrator denies a petition for a certificate.

Any payments of principal made from funds borrowed for the purpose of making such payments shall be excluded in determining whether twenty per cent of the purchase price has been paid, unless the Administrator finds that the loan is made in good faith and not for the purpose of circumventing or evading the provisions of this paragraph (b) (2).

Where property other than the housing accommodations which are the subject of the purchase is mortgaged or pledged to the vendor to secure any unpaid balance of the purchase price, the payment requirement shall be deemed satisfied if the value of such security, plus any payments of principal made from funds not borrowed for the purpose of making such principal payments, equal twenty per cent or more of the purchase price.

(ii) Where the Administrator finds (*a*) that equivalent accommodations are available for rent into which the tenant can move without substantial hardship or loss, or (*b*) that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without the removal or eviction of the tenant, or (*c*) that other special hardship would result, a certificate may be issued although less than twenty per cent of the purchase price has been paid and may authorize the vendor or purchaser to pursue his remedies for removal or eviction of the tenant at a time less than three months after the date of filing of the petition.

This amendment shall become effective June 9, 1944.

Issued this 8th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8310; Filed, June 8, 1944; 12:06 p. m.]

[1] 8 F.R. 13914, 14814, 15586, 16219; 9 F.R. 2087, 3423, 4028.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 12]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5319 (a) (3) (i) is deleted.

2. Section 1394.5363 (a) is amended by substituting for the last two sentences in the paragraph the following sentence: "However, the ration may not be more than the maximum heating allowance specified in Table IX for the floor area to be heated."

3. A new § 1394.5381 (g) is added as follows:

*Copies may be obtained from the Office of Price Administration.

[1] F.R. 2357, 3358, 4391, 4874, 5165, 5219, 5383.

(g) TABLE IX—*Maximum heating allowances for residential space heaters by floor area (pursuant to § 1394.5363 (a)).*

Instructions for using Table IX. Floor areas for space heaters are shown in the first column. The maximum heating allowance is shown under the appropriate subzone. The appropriate subzone is determined by reference to Table IC (§1394.5381 (d), or to Table ID (§1394.5381 (a)) for Washington, Oregon and Idaho. For example, assume rooms in Chicago, Illinois, with an allowable floor area of 1,000 square feet to be heated by two portable space heaters. Reference to Table IC shows that the correct subzone for Cook County, Illinois, is 9. Locate 1,000 square feet in the first column of Table IX and find the corresponding figure under the column for Subzone 9, as follows:

Floor area (square ft.)	Subzone 9
1000-1049	Gallons 966

966 gallons is the maximum allowable or "ceiling" ration

Floor area (sq. ft.)	Subzone 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18 and 19	20	21	22	23 (A, B, C, D)	24 (A, B, C)	25 (A, B, C, D, E)	26 (A, B, C, D, E)	27 (A, B, C, D, E)	28 (A, B, C)
	Gal.	Gal.	Gal.	Gal.	Gal.	Gal.	Gal.	Gal.	Gal.	Gal.	Gal.	Gal.	Gal.	Gal.	Gal.	Gal.	Gal.	Gal.	Gal.	Gal.	Gal.	Gal.	Gal.	Gal.	Gal.	Gal.	Gal.
100-149	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333
150-199	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333
200-249	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333
250-299	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333
300-349	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333
350-399	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333
400-449	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333
450-499	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333
500-549	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333
550-599	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333
600-649	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333
650-699	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333
700-749	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333
750-799	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333
800-849	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333
850-899	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333
900-949	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333
950-999	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333
1000-1049	966	966	966	966	966	966	966	966	966	966	966	966	966	966	966	966	966	966	966	966	966	966	966	966	966	966	966
1050-1099	1,445	1,445	1,445	1,445	1,445	1,445	1,445	1,445	1,445	1,445	1,445	1,445	1,445	1,445	1,445	1,445	1,445	1,445	1,445	1,445	1,445	1,445	1,445	1,445	1,445	1,445	1,445
1100-1149	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480
1150-1199	1,515	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480
1200-1249	1,515	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480
1250-1299	1,515	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480
1300-1349	1,515	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480
1350-1399	1,515	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480
1400-1449	1,515	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480
1450-1499	1,515	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480
1500-1549	1,515	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480
1550-1599	1,515	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480
1600-1649	1,515	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480
1650-1699	1,515	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480
1700-1749	2,088	1,937	1,847	1,787	1,737	1,697	1,577	1,486	1,396	1,326	1,276	1,216	1,166	1,126	1,086	1,056	1,026	996	966	966	966	966	966	966	966	966	966
1750-1799	2,972	2,760	2,633	2,548	2,478	2,423	2,248	2,118	1,988	1,888	1,818	1,728	1,658	1,598	1,548	1,508	1,468	1,428	1,388	1,378	1,378	1,378	1,378	1,378	1,378	1,378	1,378
1800-1849	3,117	2,893	2,759	2,669	2,599	2,539	2,359	2,219	2,089	1,979	1,909	1,819	1,749	1,689	1,639	1,599	1,559	1,519	1,479	1,469	1,469	1,469	1,469	1,469	1,469	1,469	1,469
1850-1899	3,162	2,936	2,800	2,710	2,640	2,580	2,400	2,260	2,130	2,020	1,950	1,860	1,790	1,730	1,680	1,640	1,600	1,560	1,520	1,510	1,510	1,510	1,510	1,510	1,510	1,510	1,510
1900-1949	3,207	2,979	2,841	2,751	2,681	2,621	2,441	2,301	2,171	2,061	1,991	1,901	1,831	1,771	1,721	1,681	1,641	1,601	1,561	1,551	1,551	1,551	1,551	1,551	1,551	1,551	1,551
1950-1999	3,252	3,022	2,882	2,792	2,722	2,662	2,482	2,342	2,212	2,102	2,032	1,942	1,872	1,812	1,762	1,722	1,682	1,642	1,602	1,592	1,592	1,592	1,592	1,592	1,592	1,592	1,592
2000-2049	3,297	3,065	2,923	2,833	2,763	2,703	2,523	2,383	2,253	2,143	2,073	1,983	1,913	1,853	1,803	1,763	1,723	1,683	1,643	1,633	1,633	1,633	1,633	1,633	1,633	1,633	1,633
2050-2099	3,342	3,108	2,964	2,874	2,804	2,744	2,564	2,424	2,294	2,184	2,114	2,024	1,954	1,894	1,844	1,804	1,764	1,724	1,684	1,674	1,674	1,674	1,674	1,674	1,674	1,674	1,674
2100-2149	3,387	3,151	3,005	2,915	2,845	2,785	2,605	2,465	2,335	2,225	2,155	2,065	1,995	1,935	1,885	1,845	1,805	1,765	1,725	1,715	1,715	1,715	1,715	1,715	1,715	1,715	1,715
2150-2199	3,432	3,194	3,046	2,956	2,886	2,826	2,646	2,506	2,376	2,266	2,196	2,106	2,036	1,976	1,926	1,886	1,846	1,806	1,766	1,756	1,756	1,756	1,756	1,756	1,756	1,756	1,756

This amendment shall become effective on June 12, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1-G, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 8th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8305; Filed, June 8, 1944; 12:04 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 6A,[1] Amdt. 11]

MEN'S RUBBER BOOTS AND RUBBER WORK SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 6A is amended in the following respects:

1. Section 1.9 is amended to read as follows:

SEC. 1.9 *Invalid certificates that may be replaced.* (a) A certificate containing an omission, erasure, change or clerical error in any part required to be completed by the issuing office shall be invalid and the issuing office may not make any correction or change on the certificate.

(b) At the request of the person to whom it was issued, a certificate which is invalid for any of the reasons expressed in paragraph (a) of this section may be replaced by the issuing office. Other invalid certificates may not be replaced. (See section 2.11 for increase in inventory because of invalid certificates.)

2. Section 1.15 is added to read as follows:

SEC. 1.15 *Certificates are valid indefinitely.* (a) A certificate (OPA Form R-605 or R-605 Revised) shall be valid for use by a consumer or an establishment at any time after its date of issue. (This includes certificates that had expired but had not been cancelled.)

3. Section 2.3 is amended to read as follows:

SEC. 2.3 *Invalid certificates must be surrendered.* (a) No person shall transfer or receive rubber footwear in exchange for a certificate which is invalid under this order or which he knows, or has reason to believe was acquired in violation of this order.

(b) A dealer, distributor or manufacturer must send his invalid certificates by registered mail to the District Office for cancellation, within five days of receipt of such certificates, or after such certificates have become invalid. After the District Office cancels the certificates it shall send to the establishment surrendering them, a receipt for the number of pairs of rubber footwear of each type represented by the certificates cancelled. The establishment shall attach this receipt to its copy of the inventory form.

4. Section 2.7 (a) is amended to read as follows:

(a) Every manufacturer shall endorse on the back of the certificate his name and address and, in case of instalment transfers for a multiple certificate, the date and quantity of rubber footwear of each transfer.

5. Section 2.11 (b) (3) is amended to read as follows:

(3) Information necessary to satisfy the District Office that his stock of rubber footwear is too low to serve his cus-

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 7304, 9438, 11668, 15704; 9 F.R. 604, 2282, 2302, 3643, 3879.

tomers and if the application is made because of the cancellation of certificates invalid under section 3.8 (c), information necessary to satisfy the District Office that the invalid certificates were accepted unknowingly; if the application is made because of the cancellation of certificates (except those that may be replaced under section 1.9 (b)) invalid for any other reason, information necessary to satisfy the District Office that the applicant had no knowledge or reason to believe that the certificates were invalid at the time he accepted them.

6. Section 3.8 (c) is amended to read as follows:

(c) Whenever this order requires the giving up of certificates upon the transfer of rubber footwear, no person shall transfer rubber footwear of any type other than the type described on the certificate. Any certificate received for the transfer of rubber footwear of a type other than that described on the certificate is invalid.

This amendment shall become effective June 12, 1944.

NOTE: The reporting provisions and recordkeeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. 1, 7 F.R. 562; Supp. Dir. 1-N, 7 F.R. 7730; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8306; Filed, June 8, 1944; 12:06 p. m.]

PART 1449—CHARCOAL

[MPR 431,[1] Amdt. 10]

CHARCOAL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Appendix A (a) (1) (iii) is amended by inserting a new classification of charcoal between the classifications "Granulated charcoal in bags, ground and sized (bags included) ---- $35.70" and "Standard Briquettes in bulk---- $38.00" as follows:

Granulated charcoal in bags, ground and sized (bags included), produced by milling lump charcoal or reground granular charcoal---------	$38.00

This amendment shall become effective June 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-8305; Filed, June 8, 1944; 12:06 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9626, 11444, 12444, 13069, 13745, 15527, 16035; 9 F.R. 213, 695, 3848, 5344.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 141]

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4.5 is amended to read as follows:

SEC. 4.5 *Sulfuric acid sold on long term contracts.* (a) The maximum prices for sales of sulfuric acid by any manufacturer thereof to any buyer under a contract entered into prior to March 1942, under which the contract price is to be adjusted for fluctuations in the cost of raw materials, labor or both shall be the maximum prices for such sales as determined under § 1499.2 of the General Maximum Price Regulation: *Provided*, That, the buyer and seller may adjust prices under such a contract on deliveries completed after April 2, 1943 subject to the following limitations:

(1) On deliveries completed after April 2, 1943 and prior to April 1, 1944, the total amount paid for such acid shall not exceed the manufacturing cost thereof.

(2) On deliveries completed after March 31, 1944, payment may be made only at prices not in excess of the maximum prices established under § 1499.2 unless the buyer has filed with the Office of Price Administration, Washington, D. C., a written agreement that it will not use the increase in maximum price permitted by this section, directly or indirectly, as a basis for requesting an increase in the maximum price of any commodity or service sold by it.

If the buyer has filed such agreement, payment under the contract may be made at prices in excess of the maximum price established under §1499.2, but in no case at prices higher than those which will make the total amount paid for the acid covered by any payment exceed the manufacturing cost of such acid.

(b) Any manufacturer of sulfuric acid who increases his maximum prices under the provisions of this section shall within thirty days after making a settlement at such increased maximum prices file with the Office of Price Administration in Washington, D. C. a written report showing:

(1) The number of tons of acid involved in the settlement, the grade thereof, and the maximum price therefor as established under the provisions of the General Maximum Price Regulation without reference to this section.

(2) The terms of the settlement.

(3) A detailed analysis of the manufacturing cost of the acid involved in the settlement.

Any settlement made under the provisions of this section shall be subject to adjustment by the Office of Price Administration, and refunds may be required where the amount of the settlement exceeds that permitted by this section.

(c) As used in this section, "manufacturing cost" means all costs directly assignable to the production of sulfuric acid. It includes but is not limited to direct labor, material, and fuel or power costs, together with reasonable allocations of indirect labor, supplies, depreciation at normal rates on plant and equipment actually used in manufacture, maintenance and repairs, insurance, property taxes, and similar items. It does not include expenses incurred in connection with the general administration of the applicant's business, nor selling expenses incurred in connection with the distribution of its products. Specifically excluded are executive and administrative salaries, office expenses, idle plant expenses, commissions, advertising, income and excess profits taxes, charges to war reserves for contingencies, and similar items.

This amendment shall become effective June 13, 1944.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-8307; Filed, June 8, 1944; 12:05 p. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 6606]

PART 63—RULES RELATING TO SECTION 214

PUBLICATION AND POSTING OF NOTICES

In the matter of § 63.31 of the Commission's rules and regulations: Requirements for published notices of applications to close public telegraph offices or to reduce hours of telegraph service.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 6th day of June, 1944;

The Commission, having under consideration the matter of applications filed under section 214 of the Communications Act of 1934, as amended, for authority to discontinue or partially discontinue, reduce, or impair service to a community or part of a community;

It appearing that the protection of the interests of the public requires that certain published notices of the filing of such applications be given in addition to the notices required to be given by the Commission under section 214 (b) of the Act;

It is ordered, That, unless otherwise ordered by the Commission upon the consideration of objections filed as hereinafter provided, a new § 63.31 of the Rules and Regulations of the Commission, be, and it is hereby, adopted, effective July 21, 1944, to read as follows:

Discontinuance, Reduction and Impairment of Service

§ 63.31 *Publication and posting of notices.* (a) Upon the filing of an application for authority to close a public telegraph office, except an office located at the site of a United States Army camp

[1] 9 F.R. 2093, 2415, 2670.

when such camp has been closed or moved, or to reduce hours of telegraph service to any community or part of a community, the applicant shall post a public notice at least two feet (2') by three feet (3') with letters of commensurate size in a conspicuous place at the office affected for at least twenty (20) days, which notice shall be in the following form:

(Date of first posting of notice)

Notice is hereby given, that application was made on the ------ day of ----------, 1944, by ---------- Company to the Federal Communications Commission to close this office (or reduce the hours of service from the present hours of service ------ m. to ------ m. to the hours ------ m. to ------ m.). If the application is granted, substituted service will be available from ------ m. to ------ m. at the ---------- office, located at ---------- (or give other appropriate general description of substituted service). Any member of the public desiring to protest or support the closing of this office (or the reduction of the hours of service) may communicate in writing, with the Federal Communications Commission, Washington 25, D. C., on or before ---------- (fill in date which is 20 days after the date of the first posting of notice).

(b) The applicant shall also cause to be published a notice not less than four (4) column inches in size containing information similar to the notice form specified in (a) above at least once during each of two consecutive weeks in some newspaper of general circulation in the community or part of the community affected.

(c) When such posting and publication have been completed, applicant shall certify such fact to the Commission, stating the name of the newspaper in which publication was made and the dates of publication and posting.

It is further ordered, That any interested party may, within fifteen days from the date hereof, file a statement in writing setting forth reasons why § 63.31 herein should not become effective in the above form and request oral orgument thereon, and if such reasons are substantial, oral argument will be granted.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION.
T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-8348; Filed, June 9, 1944; 10:37 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PARTS 71 TO 85—EXPLOSIVES AND OTHER DANGEROUS ARTICLES

NOTE: Supplement No. 1 to the Regulations for the Transportation of Explosives and Other Dangerous Articles by Land and Water in Rail Freight, Express, and Baggage Services, and by Motor Vehicle (Highway), and Water, Including Specifications for Shipping Containers, effective January 7, 1941, was filed with the Division of the Federal Register on June 8, 1944, File No. 44-8317.

PART 95—CAR SERVICE

[Service Order 211]

RETOP ICING OF SHIPMENTS OF CABBAGE

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of June, A. D. 1944.

It appearing, that there is a shortage of ice and manpower for icing cars in certain areas and that the excessive retop icing of certain shipments of cabbage is unnecessarily delaying the movement of that traffic and depleting the available supply of ice, thus causing congestion and prolonging the time in transit of such shipments with consequent undue car detention, and that limiting retop icing on shipments of cabbage originating in such areas will result in economy of motive power, manpower, ice, and transportation thereof; the Commission is of the opinion that an emergency exists requiring immediate action; it is ordered, that:

(a) *Retop icing on cabbage restricted.* No common carrier by railroad subject to the Interstate Commerce Act, on any refrigerator car loaded with cabbage, originating in the States of Alabama, Mississippi, or Tennessee, shall accord, allow, or permit retop icing in transit with more than a total of ten thousand (10,000) pounds of retop ice when no initial icing or reicing in bunkers is ordered on the same car; or with more than a total of five thousand (5,000) pounds of retop ice when initial icing or reicing in bunkers is ordered on the same car.

(b) The provisions of this order shall apply to the retop icing on or after the effective date of this order, of all refrigerator cars loaded with cabbage originating in the States of Alabama, Mississippi, or Tennessee which are billed, accepted for transportation, or rolling on or after the effective date of this order.

(c) *Tariff provisions suspended.* The operation of all tariff rules, regulations, or charges insofar as they conflict with the provisions of this order is hereby suspended.

(d) *Announcement of suspension.* Each of such railroads, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(e) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 6:00 p. m., June 8, 1944, and shall expire at 12:01 a. m., July 8, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-8324; Filed, June 9, 1944; 10:25 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of Accounts.

[1944 Dept. Circ. 570, 4th Supp., Rev. Apr. 20, 1943]

SURETY BONDS

JUNE 8, 1944.

A Certificate of Authority has been issued by the Secretary of the Treasury to the following company under the Act of Congress approved August 13, 1894, 28 Stat. 279-80, as amended by the Act of Congress approved March 23, 1910, 36 Stat. 241, (6 U.S.C. 6-13) as an acceptable surety on Federal bonds. An underwriting limitation of $122,000.00 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next issue of Treasury Department Form 356, copies of which, when issued, may be procured from the Treasury Department, Bureau of Accounts, Section of Surety Bonds, Washington, D. C.

NAME OF COMPANY, LOCATION OF PRINCIPAL EXECUTIVE OFFICE AND STATE IN WHICH INCORPORATED

MINNESOTA

Anchor Casualty Company, St. Paul.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44-8349; Filed, June 9, 1944; 10:34 a. m.]

Fiscal Service: Bureau of the Public Debt.

[1944 Dept. Circ. 740]

2½ PERCENT TREASURY BONDS OF 1965-70

ADDITIONAL ISSUE

JUNE 12, 1944.

2½ percent Treasury bonds of 1965-70, dated February 1, 1944, with interest from June 26, 1944, due March 15, 1970. Redeemable at the option of the United States at par and accrued interest on and after March 15, 1965. Interest payable March 15 and September 15.

I. *Offering of bonds.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for bonds of the United States, designated 2½ percent Treasury Bonds of 1965-70. The amount of the

offering under this circular is not specifically limited.

2. These bonds will not be available for subscription, for their own account, by commercial banks, which are defined for this purpose as banks accepting demand deposits, except as follows: a commercial bank holding savings deposits or issuing time certificates of deposit (as each is defined in Regulation Q of the Board of Governors of the Federal Reserve System) may subscribe to the bonds offered hereunder and to the 2 percent Treasury Bonds of 1952–54 offered simultaneously herewith under Treasury Department Circular No. 741, but the amount of such subscriptions, together with that of any other subscriptions such bank may have entered for its own account for Series F or Series G Savings Bonds since January 1, 1944, and for 2¼ percent Treasury Bonds of 1956–59 or 2½ percent Treasury Bonds of 1965–70 between January 18 and February 15, 1944, shall not exceed, in the aggregate, 20 percent of the combined amount of time certificates of deposit (but only those issued in the names of individuals, and of corporations, associations and other organizations not operated for profit), and of savings deposits, as shown on the bank's books as of the date of the most recent call statement required by the supervising authorities prior to the date of subscription for such bonds, or $400,000, whichever is less. No such bank shall hold more than $100,000 (issue price) of Series F and Series G Savings Bonds (Series 1944), combined.

II *Description of bonds.* 1. The bonds now offered will be an addition to and will form a part of the series of 2½ percent Treasury Bonds of 1965–70 issued pursuant to Department Circular No. 729, dated January 18, 1944, an additional amount of which was issued pursuant to Department Circular No. 734, dated March 2, 1944; after the first interest payment date, September 15, 1944, the bonds now offered will be freely interchangeable with the bonds of this series previously issued, and are identical in all respects therewith except that interest on the bonds to be issued under this circular will accrue from June 26, 1944. The provisions of Section I of Department Circular No. 729 are hereby modified to accord with Section I of this circular and, subject to such modification, and to the provision for accrual of interest from June 26, 1944, on the bonds now offered, the bonds are described in the following quotation from Department Circular No. 729:

> 1. The bonds will be dated February 1, 1944, and will bear interest from that date at the rate of 2½ percent per annum, payable on a semiannual basis on September 15, 1944, and thereafter on March 15 and September 15 in each year until the principal amount becomes payable. They will mature March 15, 1970, but may be redeemed at the option of the United States on and after March 15, 1965, in whole or in part, at par and accrued interest, on any interest day or days, on 4 months' notice of redemption given in such manner as the Secretary of the Treasury shall prescribe. In case of partial redemption the bonds to be redeemed will be determined by such method as may be prescribed by the Secretary of the Treasury. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.
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> 2. The income derived from the bonds shall be subject to all Federal taxes, now or hereafter imposed. The bonds shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.
>
> 3. The bonds will be acceptable to secure deposits of public moneys. They will not be entitled to any privilege of conversion.
>
> 4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of $500, $1,000, $5,000, $10,000, $100,000 and $1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury. Except as provided in Section I of this circular, these bonds may not, before February 1, 1954, be transferred to or be held by commercial banks, which are defined for this purpose as banks accepting demand deposits; however, the bonds may be pledged as collateral for loans, including loans by commercial banks, but any such bank acquiring such bonds before February 1, 1954, because of the failure of such loans to be paid at maturity will be required to dispose of them in the same manner as they dispose of other assets not eligible to be owned by banks.
>
> 5. Any bonds issued hereunder which upon the death of the owner constitute part of his estate, will be redeemed at the option of the duly constituted representatives of the deceased owner's estate, at par and accrued interest to date of payment;[1] *Provided:*
>
> (a) that the bonds were actually owned by the decedent at the time of his death; and
>
> (b) that the Secretary of the Treasury be authorized to apply the entire proceeds of redemption to the payment of Federal estate taxes. Registered bonds submitted for redemption hereunder must be duly assigned to "The Secretary of the Treasury for redemption, the proceeds to be paid to the Collector of Internal Revenue at ---------- for credit on Federal estate taxes due from estate of ----------." Owing to the periodic closing of the transfer books and the impossibility of stopping payment of interest to the registered owner during the closed period, registered bonds received after the closing of the books for payment during such closed period will be paid only at par with a deduction of interest from the date of payment to the next interest payment date;[2] bonds received during the closed period for payment at a date after the books reopen will be paid at par plus accrued interest from the reopening of the books to the date of payment. In either case checks for the full six months' interest due on the last day of the closed period will be forwarded to the owner in due course. All bonds submitted must be accompanied by Form PD 1782,[3] properly completed, signed and sworn to, and by a certificate of the appointment of the personal representatives, under seal of the court, dated not more than six months prior to the submission of the bonds, which shall show that at the date thereof the appointment was still in force and effect. Upon payment of the bonds appropriate memorandum receipt will be forwarded to the representatives, which will be followed in due course by formal receipt from the Collector of Internal Revenue.
>
> 6. Except as provided in the preceding paragraphs, the bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. It is requested that there be no trading in the securities allotted hereunder and no purchases of such securities other than on direct subscription until after July 8, 1944. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions will not be permitted to enter subscriptions except for their own account. Subscriptions must be accompanied by payment in full for the amount of bonds applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of bonds applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, and to the limitations on commercial bank subscriptions prescribed in Section I of this circular, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par and accrued interest, if any, for bonds allotted hereunder must be made on or before June 26, 1944, or on later allotment. One day's accrued interest is $0.068 per $1,000. Any qualified depositary will be permitted to make payment by credit for bonds allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 44-8350; Filed, June 9, 1944; 10:34 a. m.]

[1] An exact half-year's interest is computed for each full half-year period irrespective of the actual number of days in the half year. For a fractional part of any half year, computation is on the basis of the actual number of days in such half year.

[2] The transfer books are closed from February 16 to March 15, and from August 16 to September 15 (both dates inclusive) in each year.

[3] Copies of Form PD 1782 may be obtained from any Federal Reserve Bank or from the Treasury Department, Washington, D. C.

[1944 Dept. Circ. 741]

2 PERCENT TREASURY BONDS OF 1952–54

OFFERING OF BONDS

JUNE 12, 1944.

2 percent Treasury Bonds of 1952–54, dated and bearing interest from June 26, 1944, due June 15, 1954. Redeemable at the option of the United States at par and accrued interest on and after June 15, 1952. Interest payable June 15 and December 15.

I. *Offering of bonds.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for bonds of the United States, designated 2 percent Treasury Bonds of 1952–54. The amount of the offering is not specifically limited.

2. These bonds will not be available for subscription, for their own account, by commercial banks, which are defined for this purpose as banks accepting demand deposits, except as follows: a commercial bank holding savings deposits or issuing time certificates of deposit (as each is defined in Regulation Q of the Board of Governors of the Federal Reserve System may subscribe to the bonds offered hereunder and to the 2½ percent Treasury Bonds of 1965–70 offered simultaneously herewith under Treasury Department Circular No. 740, but the amount of such subscriptions, together with that of any other subscriptions such bank may have entered for its own account for Series F or Series G Savings Bonds since January 1, 1944, and for 2¼ percent Treasury Bonds of 1956–59 or 2½ percent Treasury Bonds of 1965–70 between January 18 and February 15, 1944, shall not exceed, in the aggregate, 20 percent of the combined amount of time certificates of deposit (but only those issued in the names of individuals, and of corporations, associations and other organizations not operated for profit), and of savings deposits, as shown on the bank's books as of the date of the most recent call statement required by the supervising authorities prior to the date of subscription for such bonds, or $400,000, whichever is less. No such bank shall hold more than $100,000 (issue price of Series F and Series G Savings Bonds (Series 1944), combined.

II. *Description of bonds.* 1. The bonds will be dated June 26, 1944, and will bear interest from that date at the rate of 2 percent per annum, payable on a semiannual basis on December 15, 1944, and thereafter on June 15 and December 15 in each year until the principal amount becomes payable. They will mature June 15, 1954, but may be redeemed at the option of the United States on and after June 15, 1952, in whole or in part, at par and accrued interest, on any interest day or days, on 4 months' notice of redemption given in such manner as the Secretary of the Treasury shall prescribe. In case of partial redemption the bonds to be redeemed will be determined by such method as may be prescribed by the Secretary of the Treasury. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

2. The income derived from the bonds shall be subject to all Federal taxes, now or hereafter imposed. The bonds shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will be acceptable to secure deposits of public moneys. They will not be entitled to any privilege of conversion.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of $500, $1,000, $5,000, $10,000, $100,000 and $1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury.

5. The bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. It is requested that there be no trading in the securities allotted hereunder and no purchases of such securities other than on direct subscription until after July 8, 1944. Banking institutions generally may submit subscriptions for account of customers but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions will not be permitted to enter subscriptions except for their own account. Subscriptions must be accompanied by payment in full for the amount of bonds applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of bonds applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, and to the limitations on commercial bank subscriptions prescribed in Section I of this circular, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par and accrued interest, if any, for bonds allotted hereunder must be made on or before June 26, 1944, or on later allotment. One day's accrued interest is $0.055 per $1,000. Any qualified depositary will be permitted to make payment by credit for bonds allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 44-8351; Filed, June 9, 1944; 10:34 a. m.]

[1944 Dept. Circ. 742]

1¼ PERCENT TREASURY NOTES OF SERIES B–1947

OFFERING OF NOTES

JUNE 12, 1944.

1¼ percent Treasury notes of series B–1947, dated and bearing interest from June 26, 1944, due March 15, 1947; interest payable March 15 and September 15.

I. *Offering of notes.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for notes of the United States, designated 1¼ percent Treasury Notes of Series B–1947. These notes will not be available for subscription, for their own account, by commercial banks, which are defined for this purpose as banks accepting demand deposits. The amount of the offering is not specifically limited.

II. *Description of notes.* 1. The notes will be dated June 26, 1944, and will bear interest from that date at the rate of 1¼ percent per annum, payable on a semiannual basis on September 15, 1944, and thereafter on March 15 and September 15 in each year until the principal amount becomes payable. They will mature March 15, 1947, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes shall be subject to all Federal taxes, now or hereafter imposed. The notes shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be accepted at par during such time and under such rules and regulations as shall be prescribed or approved by the Secretary of the

Treasury in payment of income and profits taxes payable at the maturity of the notes.

4. The notes will be acceptable to secure deposits of public moneys.

5. Bearer notes with interest coupons attached will be issued in denominations of $1,000, $5,000, $10,000, $100,000 and $1,000,000. The notes will not be issued in registered form.

6. The notes will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States notes.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. It is requested that there be no trading in the securities allotted hereunder and no purchases of such securities other than on direct subscription until after July 8, 1944. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions will not be permitted to enter subscriptions except for their own account. Subscriptions must be accompanied by payment in full for the amount of notes applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of notes applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par and accrued interest, if any, for notes allotted hereunder must be made on or before June 26, 1944, or on later allotment. One day's accrued interest is $0.034 per $1,000. Any qualified depositary will be permitted to make payment by credit for notes allotted to its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its district.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective districts, to issue allotment notices, to receive payment for notes allotted, to make delivery of notes on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, JR.,
Secretary of the Treasury.

[F. R. Doc. 44-8358; Filed, June 9, 1944; 10:35 a. m.]

[1944 Dept. Circ. 743]

⅞ PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES C-1945

OFFERING OF CERTIFICATES

JUNE 12, 1944.

⅞ percent Treasury certificates of indebtedness of series C-1945, dated and bearing interest from June 26, 1944, due June 1, 1945.

I. *Offering of certificates.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for certificates of indebtedness of the United States, designated ⅞ percent Treasury Certificates of Indebtedness of Series C-1945. These certificates will not be available for subscription, for their own account, by commercial banks, which are defined for this purpose as banks accepting demand deposits. The amount of the offering is not specifically limited.

II. *Description of certificates.* 1. The certificates will be dated June 26, 1944, and will bear interest from that date at the rate of ⅞ percent per annum, payable on a semiannual basis on December 1, 1944, and June 1, 1945. They will mature June 1, 1945, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificate will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer certificates with interest coupons attached will be issued in denominations of $1,000, $5,000, $10,000, $100,000 and $1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. It is requested that there be no trading in the securities allotted hereunder and no purchases of such securities other than on direct subscription until after July 8, 1944. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions will not be permitted to enter subscriptions except for their own account. Subscriptions must be accompanied by payment in full for the amount of certificates applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par and accrued interest, if any, for certificates allotted hereunder must be made on or before June 26, 1944, or on later allotment. One day's accrued interest is $0.024 per $1,000. Any qualified depositary will be permitted to make payment by credit for certificates allotted to its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, JR.,
Secretary of the Treasury.

[F. R. Doc. 44-8354; Filed, June 9, 1944; 10:34 a. m.]

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

NEWLAND PROJECT

PARTIAL REVOCATION OF LAND WITHDRAWAL

MAY 20, 1944.

THE SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Newlands Project, the withdrawal of the hereinafter described land, withdrawn in the first and second forms prescribed by Sections 3 of the Act of June 17, 1902 (32 Stat. 388), by Departmental Orders of July 2 and August 26, 1902 and March 25, 1918, no longer appears necessary to the interest of the project.

It is therefore recommended that so much of said orders as withdrew the land hereinafter listed be revoked, provided that such revocation shall not affect the withdrawal of any other land by said orders or affect any other orders withdrawing or reserving the land hereinafter listed.

NEWLAND PROJECT

MOUNT DIABLO MERIDIAN, NEVADA

T. 19 N., R. 28 E.,
Sec. 22, SE¼SW¼.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur, May 26, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation regarding the Newland Project is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

JUNE 1, 1944.

[F. R. Doc. 44-8321; Filed, June 9, 1944; 10:22 a. m.]

Coal Mines Administration.

[Order No. CMA-35]

A&P COAL CO., ET AL.

ORDER TERMINATING GOVERNMENT POSSESSION

On December 17, 1943, a wage agreement was entered into by the United Mine Workers of America and the representatives of the bituminous coal operators who produce the great preponderance of the nation's tonnage. This agreement has been approved by the National War Labor Board and the Director of Economic Stabilization.

I have been advised that the operators listed in Appendix A, attached hereto, have executed or are about to execute contracts and will put them into effect immediately upon termination of Government possession of their mining properties. On the basis of such advice and the available information and evidence, and after consideration of all of the circumstances, I find that Government possession of the mines of such operators is no longer required, and in accordance with the provisions of Executive Order No. 9393 (8 F.R. 14877) and the War Labor Disputes Act (Pub. 89, 78th Cong. 1st Sess.) should be terminated.

Accordingly, I order and direct that the possession by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds and other assets used in connection with the operation of such mines, be, and it is hereby terminated, and that there be displayed conspicuously at those mining properties copies of a poster to be supplied by the Coal Mines Administration, and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

In accordance with Section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended, (8 F.R. 6655, 10712, 11344, 17339), the appointments of the Operating Managers for the United States for all of the aforesaid mines with respect to which the mining companies have on file with the Administrator effective Instruments of Agreement and Certification as provided for in section 25 of the Regulations, as amended, (8 F.R. 6655, 10712, 11344, 17339), are automatically terminated.

Nothing contained herein shall be deemed to preclude the Government from requiring the submission of information relating to operations during the period of Government possession, for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9393 (8 F.R. 14877) may be concluded in an orderly manner.

Dated: June 8, 1944.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

APPENDIX A

Name of Mining Company and Address

A & P Coal Company, P. O. Box 55, Haileyville, Okla.
Acme Coal and Mining Co., Henryetta, Okla.
American Eagle Colliery Co., 231 South La Salle Street, Chicago, Ill.
Atlas Coal Corp., Henryetta, Okla.
Ben Hur Coal Co., P. O. Box 839, Henryetta, Okla.
Blanco Coal Co., P. O. Box 358, McAlester, Okla.
Boothe Coal Co., Inc., Mosby, Mo.
Coal Creek Coal Co., Henryetta, Okla.
Coalton Coal Co., Henryetta, Okla.
Collins Coal Co., Krebs, Okla.
John Conrow Coal Co., Inc., Richmond, Mo.
Craig Coal Co., Haileyville, Okla.
Elmira Coal Co., Excelsior Springs, Mo.
Mr. Jerry Riedt, Hartshorne, Okla.
Jenkins Coal Co., 318 E. Miller Street, Jefferson City, Mo.
Kearney Fuel Co., R. F. D. #2, Kearney, Mo.
Menghini Coal Co., Frontenac, Kans.
Mullen Coal Co., Box 142, McAlester, Okla.
Pocahontas Producer Coal Co., Arnote Building, McAlester, Okla.
Quality Coal Co., Inc., Frontenac, Kans.
The Robinson Coal Co., Pleasanton, Kans.
Starr Coal, Inc., Henryetta, Okla.
Sukenis Coal Co., Adamson, Okla.
Warden Pullen Coal Co., P. O. Box 629, Henryetta, Okla.
The Winston Mining Co., Winston, Mo.

Also, any and all other mines within District No. 15, as defined in the Bituminous Coal Act of 1937, which now are in Government possession.

[F. R. Doc. 44-8379; Filed, June 9, 1944; 11:39 a. m.]

National Park Service.

ISLE ROYALE NATIONAL PARK, MICH.

ASSUMPTION OF JURISDICTION BY UNITED STATES

MAY 19, 1944.

MY DEAR GOVERNOR KELLY: The United States has acquired under the authority of the Act of Congress, approved March 3, 1931 (46 Stat. 1514), as amended by the Act approved June 20, 1938 (52 Stat. 785), 123,402.04 acres, more or less, of land in Keweenaw County, Michigan for use in connection with the establishment of the Isle Royale National Park. The land so acquired by the United States is described in the deeds and judgments in condemnation listed in the attached statement entitled "Schedule of Alienated Lands" and marked Exhibit A, which shows the name of the grantors or the title of the condemnation proceeding, the date of the deeds or judgments vesting title in the United States, and the place of recordation of the instruments in the county records.

In addition to the foregoing, approximately 10,436.47 acres of unpatented public lands in Keweenaw County, Michigan, were made a part of the Isle Royale National Park under the Act of Congress, approved March 6, 1942 (56 Stat. 138), as amended by the Act approved July 27, 1942 (56 Stat. 722). These public lands are particularly described in the attached statement entitled "Schedule of Public Lands" and marked Exhibit B.

Notice is hereby given, in accordance with the provisions of section 10 of the Act of Congress, approved March 6, 1942 (56 Stat. 133), that the United States assumes police jurisdiction over all lands now included in the Isle Royale National Park, as described in the attached schedules, effective as of the 1st day of July, 1944, at 12 m., Central War Time. The transfer of such jurisdiction to the United States has been authorized by the Act of the Legislature of the State of Michigan, approved February 27, 1939 (Act 8, Michigan Public Acts, 1939).

It is requested that you endorse the attached duplicate original of this notice of acceptance, indicating the date of its receipt, and return the same to this Department. There is attached for your convenience a self-addressed envelope which requires no postage.

Sincerely yours,

ABE FORTAS,
Acting Secretary of the Interior.

Received this 22d day of May 1944, at 2:00 p. m., e. w. t.

HARRY F. KELLY,
Governor of Michigan.

EXHIBIT A—SCHEDULE OF ALIENATED LANDS

NPS Acquisition No.	Name of grantor or title of condemnation proceeding	Date of deed or condemnation judgment	Recorded in Keweenaw County records: Deed liber	Misc. records	Page	Interest acquired	Acreage
1	Frank W. Mossett, et ux	Apr. 3, 1936	V	-------	110	Fee	160.00
2	Public Lands (see Exhibit B).	Aug. 27, 1936	W	-------	101	Fee	15,880.00
3	Island Copper Co	Jan. 27, 1937	V	-------	119	Fee	160.00
4	Frank L. Greiner, widower	Jan. 30, 1937	V	-------	121	Fee	160.00
5	Harry M. Felmberg, et ux	Oct. 27, 1936	W	-------	102	Fee	10,706.25
	Island Copper Co	Jan. 30, 1939	W	-------	264	Surface rights	2.00
6	Elizabeth Underwood	Jan. 30, 1939	V	-------	260	Quitclaim deed	1.00
	Elizabeth Underwood and Elizabeth Rammer	June 12, 1936	W	-------	106	Fee	1,572.15
7	Detroit Trust Co	Mar. 25, 1937	V	-------	124	Fee	160.00
8	Martin A. Hanson, single	Nov. 19, 1936	W	-------	94	Timber rights	2,843.00
						Surface rights	62,681.25
9	Minnesota Forest Products Co					Mineral rights	63,524.25
10	Island Copper Co	Aug. 27, 1936	W	-------	97	Surface and mineral rights	2,843.00
11	Island Copper Co	Aug. 27, 1936	W	-------	100	Surface rights	40.00
12	Minnesota Forest Products Co	Nov. 19, 1936	W	-------	96	Fee	160.00
13	Myrtle M. Cobleigh, widow	Feb. 4, 1937	V	-------	120	Fee	160.00
14	Guy L. Conner, et ux	Apr. 6, 1937	V	-------	131	Fee	160.00
	Minnesota Forest Products Co	Nov. 19, 1936	W	-------	93	Surface rights	1,080.00
15	Fred J. Schultheis, et al	Mar. 5, 1936	V	-------	133	Mineral rights	1,080.00
16	Hallie Freeman Nichols, widow	July 7, 1936	V	-------	136	Fee	80.00
17	Edward A. Fisher, single	July 16, 1937	V	-------	123	Fee	2.25
18	Minnesota Forest Products Co	Nov. 19, 1936	W	-------	92	Surface rights	640.00
	Mary Ethel Carroll, et al	June 16, 1936	W	-------	129	Mineral rights	640.00
	Minnesota Forest Products Co	Sept. 22, 1937	W	-------	141	Surface and ½ mineral rights	160.00
19	Lillian Anderson, Admin. of Estate of August Anderson, deceased	Dec. 14, 1936	W	-------	261	½ Min. rights	160.00
20	Roy A. Ralph, et ux	Nov. 22, 1937	W	-------	151	Surface rights	2.00
21	Frits Gottard Johnson, et ux	Jan. 4, 1938	V	-------	151	Fee	0.00
22	John Edward Johnson, et ux	Dec. 31, 1937	V	-------	150	Fee	0.00
23	Bernard J. Schaefer, et ux	Nov. 22, 1937	V	-------	149	Fee	160.00
24	Guarantee Trust and Loan Co	Nov. 18, 1937	V	-------	140	Fee	160.00
25	John Heitmann, et ux	Jan. 8, 1938	W	-------	139	Fee	160.00
26	Oscar A. Berglund, et ux	Feb. 1, 1938	V	-------	152	Fee	160.00
27	Minnesota Forest Products Co	Nov. 19, 1936	W	-------	90	Surface and ½ mineral rights	160.00
28	Island Copper Co	Aug. 23, 1937	W	-------	139	Mineral rights	80.00
						Fee	160.00
	Minnesota Forest Products Co	June 4, 1936	W	-------	97	Surface and ¼ mineral rights	640.00
						½ Min. rights	160.00
	Elias Moen, et al	Apr. 17, 1936	V	-------	143	½ Min. rights	175.00
29	Tryge Fjeldal, single	Mar. 26, 1936	V	-------	141	½ Min. rights	160.00
	Walter M. Scott, et ux	Mar. 2, 1936	W	-------	151	½ Min. rights	170.00
	Joseph Vanderzaalt, et ux	Mar. 27, 1936	W	-------	142	Fee	4,282.50
		Apr. 29, 1936	W	-------	178	Fee	160.00
30	Isle Royale Land Co	May 3, 1938	V	-------	157	Fee	0.75
31	Frederick W. Manthey, et ux	May 2, 1938	V	-------	156	Fee	0.75
32	Florence C. Stack, widow, and Florence Theresa Stack, single	May 25, 1938	V	-------	166	Surface rights	0.75
33	Matt Farmer, et al	Jan. 12, 1938	W	-------	191	Fee	0.75
34	Grace D. Smith, single					Fee	80.00
		May 23, 1938	V	-------	165	Surface rights	27.00
35	Matthew Farmer, et al					Surface rights	70.00
		May 16, 1938	W	-------	188	Surface rights	80.00
36	Washington Club	Oct. 11, 1937	W	-------	147	Fee	320.00
37	Roy May, Executor of Estate of Samuel L. May, deceased						
38	Cancelled.	Dec. 18, 1936	W	-------	108	Mineral rights	357.75
39	Island Copper Co	Oct. 27, 1936	W	-------	103	Quitclaim deed	160.00
	Island Copper Co	Nov. 19, 1936	W	-------	91	Surface rights	320.00
	Minnesota Forest Products Co	Dec. 18, 1936	W	-------	107	Mineral rights	320.00
40	Island Copper Co	May 25, 1936	V	-------	160	Surface rights	0.05
41	Andrew Sundeen, et ux	Aug. 22, 1938	-------	D	107	Fee	276.00
42	United States of America *v.* 14,165.88 acres of land in Keweenaw County, Mich., Leonidas C. Merritt, et al., No. 1091 at Law, in the United States District Court for the Western District of Michigan, Northern Division.						
		June 21, 1937	W	-------	127	Fee	80.00
43	Island Copper Co	Aug. 11, 1936	V	-------	169	Fee	160.00
44	Glen J. Merritt, et ux	Apr. 26, 1938	W	-------	185	Fee	1.25
45	Glen J. Merritt, et al	Apr. 25, 1938	W	-------	185	Fee	318.70
46	A. G. McKnight, Admin. of Estate of John McMurchy, deceased	Nov. 11, 1937	W	-------	146	Fee	160.00
47	Guarantee Trust and Loan Co. and Roy May, Administrators of the Estate of Laura D. Jenks, deceased.						
		June 2, 1938	W	-------	212	Fee	160.15
48	Charles Lampi, Guardian of Estate of Elias T. Ove, incompetent	Oct. 6, 1938	V	-------	176	Surface rights	0.25
49	Mrs. Myrtle A. Weart, widow	Sept. 15, 1938	V	-------	174	Fee	24.00
50	Annie Deane Edwards, single, and Richard Edwards, single	Oct. 31, 1938	V	-------	179	Fee	51.25
51	William H. Fancett, et ux	Nov. 8, 1938	V	-------	180	Surface rights	41.00
52	John A. Nixon, et ux	Aug. 24, 1938	W	-------	239	Fee	214.00
53	Charles Lampi, Admin. of Estate of Michael Weinsierl, deceased	Oct. 26, 1938	V	-------	182	Fee	4.25
54	R. G. Seifert, et ux	Dec. 2, 1938	W	-------	249	Fee	120.00
55	Charles Lampi, Admin. of Estate of William M. Platt, deceased	Oct. 14, 1938	W	-------	226	Fee	1.25
56	Louis Mattson, et al	Dec. 24, 1938	W	-------	232	Fee	22.50
57	Clyde Hendrick, et al						
58	David O. Freimuth and H. Y. Josephs, Co-Admin. of Estate of Ignatz Freimuth, deceased	Sept. 21, 1938	W	-------	220	Fee	238.70
		Jan. 13, 1939	V	-------	193	Fee	4.85
59	Edward Anderson, et al	Jan. 7, 1939	V	-------	189	Fee	0.45
60	Andrew E. Carlson, et ux	Nov. 19, 1936	W	-------	89	Fee	160.00
61	Minnesota Forest Products Co	Mar. 25, 1939	-------	D	126	Fee	160.25
62	United States of America *v.* 383.49 acres of land in Keweenaw County, Michigan, Estate of Andrew Anderson, et al., No. 1089 at Law, in the United States District Court for the Western District of Michigan, Northern Division.						
		Oct. 6, 1938	V	-------	191	Fee	0.17
63	Ellen Wheelock, single	Aug. 30, 1938	V	-------	194	Surface rights	0.20
64	Mary H. Langworthy, et al	Nov. 16, 1938	V	-------	181	Fee	1.14
65	Frank H. Clay, et ux						
66	(Mainland headquarters site—not in park area)						0.13
67	Jane D. Emerson, widow	May 16, 1939	V	-------	208	Fee	0.25
68	Isabel Elisa Gerard Richardson	Apr. 26, 1939	V	-------	198	Fee	0.25
69	Charles A. Still, et ux	May 18, 1939	V	-------	201	Surface rights	0.25
70	Frans R. Weber, et al	Dec. 19, 1938	V	-------	198	Surface rights	0.34
71	Henry L. Beard, et al	May 24, 1939	V	-------	204	Fee	0.25
72	Bertha Farmer, et al	May 15, 1939	V	-------	200	Surface rights	62.25
73	George G. Barnum, Jr., et ux	Mar. 22, 1939	V	-------	197	Surface rights	4.00
						Fee	16.00
						Fee	1.25
74	Same as in Acquisition No. 62	May 31, 1939	-------	D	86	Surface rights	
75	United States of America *v.* 7,437.20 acres of land in Keweenaw County, Michigan, George G. Barnum, Jr., et al., No. 1090 at Law, in the United States District Court for the Western District of Michigan, Northern Division.	May 27, 1939	-------	D	84	Fee	2,961.37
						Surface rights	6.34
						Fee	5,732.25
						Mineral rights	41.00
76	Same as in Acquisition No. 42	May 26, 1939	-------	D	91	¼ Min. rights	160.00

EXHIBIT A—SCHEDULE OF ALIENATED LANDS—Continued

NPS Acquisition No.	Name of grantor or title of condemnation proceeding	Date of deed or condemnation judgment	Recorded in Keweenaw County records: Deed liber	Misc. records	Page	Interest acquired	Acreage
77	Same as in Acquisition No. 63	July 13, 1939	-------	D	100	Fee	58.80
78	Same as in Acquisition No. 42	July 13, 1939	-------	D	102	Fee	166.05
						Surface rights	240.00
79	Deane Edwards, et al	Mar. 11, 1939	V	-------	207	Fee	0.24
80	Hallie Freeman Nichols by H. C. Schulte, her attorney-in-fact	June 6, 1939	W	-------	278	Mineral rights	33.00
81	Sarah M. Davidson and husband	Oct. 26, 1939	V	-------	216	Fee	7.91
						Surface rights	27.63
82	George K. Tallman, et ux	Dec. 4, 1939	W	-------	232	Fee	14.04
83	Frederick S. Bailey, et ux	Jan. 2, 1940	V	-------	220	Fee	0.24
		July 31, 1939	-------	D	105	Fee	0.16
84	Same as in Acquisition No. 42	Mar. 11, 1940	-------	D	116		
85	Wayne McPherren, et ux	Jan. 29, 1940	V	-------	221	Fee	20.60
86	Same as in Acquisition No. 63	Feb. 21, 1940	-------	D	122	Fee	43.80
87	United States of America *v.* 843.93 acres of land in Keweenaw County, Michigan, Estate of T. F. Cole, deceased, et al., Misc. No. 35 in the United States District Court for the Western District of Michigan, Northern Division.	Mar. 7, 1940	-------	D	114	Surface rights	1.60
						Fee	842.33
88	Same as in Acquisition No. 75	Feb. 23, 1940	-------	D	113	Fee	0.19
						Fee	71.22
89	Same as in Acquisition No. 42	Mar. 19, 1940	-------	D	123	Surface rights	563.17
						Mineral rights	358.52
90	Included in Acquisition No. 39	Mar. 19, 1940	-------	D	128	Fee	22.71
91	Same as in Acquisition No. 75	Mar. 16, 1940	-------	D	127	Fee	1.81
92	Same as in Acquisition No. 75					Fee	712.12
93	Isle Royale National Park Commission of Michigan	Feb. 14, 1940	W	-------	348	Mineral rights	90.30
	Hallie Freeman Nichols by H. C. Schulte, her attorney-in-fact	Mar. 31, 1937	W	-------	119	Quitclaim deed	71.60
94	Isle Royale National Park Commission of Michigan	Jan. 17, 1940	W	-------	329	Fee	2,348.50
						Surface rights	0.23
94-A	United States of America *v.* 563.98 acres of land in Keweenaw County, Michigan, Isle Royale National Park Commission of Michigan, et al., Misc. No. 40, in the United States District Court for the Western District of Michigan, Northern Division.	Mar. 29, 1940	-------	D	119	Fee	563.08
		Mar. 29, 1940	-------	D	123	Surface rights	0.80
95	Same as in Acquisition No. 42	Mar. 29, 1940	-------	D	119	Fee	3.10
96	Mrs. Ray M. Johns Swenson and husband	Mar. 4, 1940	V	-------	224	Fee	22.71
	Edgar E. Johns, et al	Mar. 4, 1940	V	-------	223		
97	Public Lands (see Exhibit B).						
						Total acreage acquired in fee simple	123,402.04

EXHIBIT B—SCHEDULE OF PUBLIC LANDS

MICHIGAN MERIDIAN

	Acres
T. 65 N., R. 34 W.,	
Sec. 4, lots 1 and 2	111.80
Sec. 8, NE¼, SW¼, NW¼SE¼	360.00
lots 1, 2, 3 (in SE¼)	90.90
Sec. 9, lots 1 and 2	104.10
Sec. 17, lots 5, 6, 7	147.10
Sec. 18, lot 4	48.20
Sec. 19, lots 1, 2, 5	164.60
Frl. Sec. 20	9.30
T. 66 N., R. 34 W.,	
Unsurveyed islands in Secs. 17, 20, 28 and 30 (approximately)	11.00
Sec. 24, lot 7	0.14
Sec. 28, frl. SW¼	157.50
T. 66 N., R. 35 W.,	
Unsurveyed islands in Secs. 7, 12, 15, 23 and 24 and in Siskiwit Lake in Secs. 20, 21, 23, 26, 29, 30 and 31 (approximately)	170.00
Frl. Sec. 23	611.60
Sec. 24, all except NW¼NW¼	536.26
Frl. Sec. 25	81.80
Frl. Sec. 26	300.15
Sec. 28, lot 3	28.72
Sec. 29, lot 2	31.40
Sec. 32, lot 1	36.80
T. 66 N., R. 35 W.,	
Sec. 35, unsurveyed island (approximately)	3.00
T. 65 N., R. 36 W.,	
Sec. 11, lot 5	1.80
T. 63 N., R. 37 W.,	
Sec 6, SE¼NW¼	40.00
Sec. 7 NE¼SW¼, W½SE¼, SE¼SE¼	160.00
Sec. 8, NE¼NW¼	40.00
Frl. Sec. 17, except NE¼NE¼	352.20
Frl. Sec. 18	587.10
Frl. Sec. 19	28.50
T. 64 N., R. 37 W.,	
Unsurveyed islands in Secs. 2 and 3 (approximately)	18.00
Sec. 8, N½NW¼	80.00
T. 65 N., R. 37 W.,	
Part of unsurveyed island in Sec. 35 (approximately)	4.00
T. 63 N., R. 38 W.,	
Sec. 2, S½	320.00
Sec. 3, NE¼SE¼, S½S½	200.00
Sec. 4, SE¼	160.00
Sec. 7, NE¼SW¼, W½SE¼, NE¼SE¼	160.00
Sec. 8, E½NE¼, NW¼NE¼	120.00
Sec. 9, SW¼	160.00
Sec. 10, N½, SW¼, NW¼SE¼	520.00
Sec. 11, N½NW¼, SE¼SE¼	120.00
Sec. 13, S½NE¼, W½, SE¼	560.00
Sec. 14, E½NE¼, NW¼NE¼, NE¼NW¼, SE¼SW¼	200.00
Sec. 15, NE¼NE¼, SW¼NE¼, SE¼NW¼, NW¼NW¼, W½SW¼, NE¼SW¼	280.00
Sec. 17, NE¼NE¼	40.00
Sec. 18, NW¼NE¼	40.00
Sec. 19, SW¼SE¼	40.00
Sec. 20, NE¼NE¼, N½SW¼, SE¼SW¼, S½SE¼	240.00
Sec. 21, N½SW¼	80.00
Sec. 22, NW¼SE¼	320.00
Sec. 23, S½N½, N½SW¼, SW¼SW¼, lots 1, 2, 3	379.30
Frl. Sec. 24	238.10
Frl. Sec. 26	8.00
Sec. 27, N½NW¼, SW¼NW¼, lots 1, 2	200.40
Sec. 28, N½	320.00
Sec. 29, NE¼, E½NW¼, lots 2, 3	285.20
Sec. 30, NW¼NE¼, NE¼NW¼, lots 1, 2, 3, 4	213.00
T. 63 N., R. 39 W.,	
Sec. 13, SE¼NE¼, W½NE¼, NE¼NW¼, W½NW¼, S½	560.00
Sec. 14, NE¼NE¼, lots 1, 2	115.90
T. 67 N., R. 32 W.,	
Passage Island in Sections 3, 4, and 9, EXCEPT that portion thereof (embracing 11.86 acres) retained under the control and jurisdiction of the Secretary of the Navy for lighthouse and boathouse purposes pursuant to Section 1 of the Act of Congress, approved March 6, 1942 (56 Stat. 138), as amended by the Act approved July 27, 1942 (56 Stat. 722) (approximately)	170.12
Total (approximately)	10,436.47

[F. R. Doc. 44-8227; Filed, June 7, 1944; 10:33 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket 6595]

GREENSBORO BROADCASTING CO.

NOTICE OF HEARING

In re application of Greensboro Broadcasting Co., Inc., (WGBG), Date filed, March 3, 1944, for construction permit; class of service, broadcast, class of station, broadcast, location, Greensboro, North Carolina; operating assignment specified: frequency, 850 kc, power, 250 w night; 1 kw day (from LS to SS-Denver); hours of operation limited to sunset at Denver, Colorado. File No. B3–P–3582.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing for the following reasons:

1. To determine the extent of any interference which would result from the simultaneous operation from Station WGBG as proposed and Stations WHDH and WRUF.

2. To determine the areas and populations which may be expected to lose primary service, particularly from Stations WHDH and WRUF should Station WGBG operate as proposed, and what other broadcast services are available to those areas and populations.

3. To determine whether Station WGBG, operating as proposed, would provide primary service to: (a) Business, (b) residential and (c) the metropolitan districts of Greensboro as contemplated by the Standards of Good Engineering Practice.

4. To determine whether the granting of this application would be consistent with the Standards of Good Engineering Practice, particularly in view of the expected nighttime interference limitation to the service of WGBG operating as proposed.

5. To determine whether the proposed radiating system complies with the Standards of Good Engineering Practice, particularly with reference to the height of the vertical lead.

6. To determine the areas and populations which may be expected to gain primary service should Station WGBG operate as proposed, and what other broadcast services are available to those areas and populations.

7. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942, or any subsequent modifications thereof.

8. To determine the extent of any interference which would result from the simultaneous operation of Station WGBG, as proposed, and the operation of Station WRAL, as proposed, in application File No. B3–P–3187 as well as the areas and populations affected thereby, and what other broadcast services are available to those areas and populations.

9. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Greensboro Broadcasting Co., Inc., Radio Station W G B G, South Ashe Street Extension, Greensboro, North Carolina.

Dated at Washington, D. C., June 3, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44–8346; Filed, June 9, 1944; 10:37 a. m.]

[Docket 6596]

BIRNEY IMES, Jr.

NOTICE OF HEARING

In re application of Birney Imes, Jr. (New), date filed, March 20, 1944, for construction permit; class of service, broadcast; class of station, broadcast; location, Meridian, Miss.; operating assignment specified; frequency, 1240 kc., power, 250 w., hours of operation, unlimited. File No. B3–P–3588.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing for the following reasons:

1. To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which would receive primary service from the operation of the proposed station, and what other broadcast services are available to those areas and populations.

3. To determine the character of service proposed to be rendered by the applicant and whether it will meet the requirements of the population and area proposed to be served.

4. To determine whether there is any public need for the proposed service.

5. To determine the qualifications and character of the personnel who will be employed to operate the proposed station.

6. To determine to whom the applicant proposes to delegate the management, supervision and operation of the proposed station during the period of his service in the United States Army.

7. To determine whether the granting of the application would be consistent with the policy announced by the Commission in its memorandum opinion of April 27, 1942 and supplements thereto, issued September 22, 1942, August 11, 1943 and January 26, 1944.

8. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Birney Imes, Jr., 514 Main Street, Columbus, Miss.

Dated at Washington, D. C., June 3, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44–8347; Filed, June 9, 1944; 10:37 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5138]

CEIL MALK, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of June, A. D., 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, June 20, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44–8369; Filed, June 9, 1944; 11:02 a. m.]

[Docket No. 5035]

KARLTON VOGUE SHOP

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 7th day of June, A. D. 1944.

In the matter of Peggy Shops, Inc., a corporation, trading and doing business as Karlton Vogue Shop.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, June 13, 1944, at one o'clock in the afternoon of that day (eastern standard time), in Room 300, Custom House, Second and Chestnut Streets, Philadelphia, Pennsylvania.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44–8364; Filed, June 9, 1944; 11:01 a. m.]

[Docket No. 5074]

SUSQUEHANNA WOOLEN MILLS

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of June, A. D. 1944.

In the matter of M. J. Friedlander, Samuel B. Marks, and Hortense Marks, individually and as copartners, trading and doing business as Susquehanna Woolen Mills.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, June 16, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 312, Federal Building, Harrisburg, Pennsylvania.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44–8365; Filed, June 9, 1944; 11:01 a. m.]

[Docket No. 5098]

GLOBE TRADING CO., INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of June, A. D. 1944.

In the matter of Globe Trading Company, Inc., a corporation, its officers, agents and employees; Leon Shutz and Rothermel Wise, individually and as President and Secretary-Treasurer, respectively, of Globe Trading Company, Inc., and Theodore E. Ullman, Maxwell M. Ullman, and Herman Ullman, individuals.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, June 15, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 216, Federal Building, Reading, Pennsylvania.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44–8366; Filed, June 9, 1944; 11:01 a. m.]

[Docket No. 5118]

COHN & LUBOW

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of June, A. D. 1944.

In the matter of Benjamin Cohn, Meyer Lubow, Sidonia Cohn and Vera Lubow, individually and as copartners trading and doing business as Cohn & Lubow.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, June 21, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 505, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44–8367; Filed, June 9, 1944; 11:01 a. m.]

[Docket No. 5125]

LEVENTHAL & HURWITZ, ET AL

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of June, A. D. 1944.

In the matter of Edward Leventhal, and Jacob Hurwitz, individually and as copartners trading and doing business as Leventhal & Hurwitz, and Harry Haber, an individual trading and doing business as Haber & Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, June 12, 1944, at ten o'clock in the forenoon of that day (Eastern Standard Time), in Hearing Room of the Federal Trade Commission Building, Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the case and make his report upon the facts; conclu-

sions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-8368; Filed, June 9, 1944; 11:02 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 77]

SUSPENSION OF CERTAIN TARIFFS PERMITTING SHIPMENTS TO POTOMAC YARDS, VA., FOR DIVERSION, RECONSIGNMENT, ETC.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 1st day of June A. D. 1942.

It appearing, That, due to the existing state of war, an emergency exists which, in the opinion of the Commission, requires immediate action to prevent shortage of railroad equipment and congestion of traffic; and

It further appearing, That congestion of traffic exists at Potomac Yards, Va.;

It is ordered, That the operation of Richmond, Fredericksburg, and Potomac Railroad Company tariff I. C. C. No. 1614, The Chesapeake and Ohio Railway tariff I. C. C. No. 12604, and Southern Railway Company tariff I. C. C. No. A-10944, which provide rules and charges governing diversion and reconsignment of fresh or green fruits and vegetables be, and it is hereby, suspended insofar as said tariffs authorize or permit shipments of such commodities to be consigned to Potomac Yards, Va., for diversion, reconsignment or holding for orders, as defined in said tariffs;

And it is further ordered, That this order shall become effective immediately and shall remain in force until further order of the Commission; that each of said railroads in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20, shall publish, file and post on or before June 3, 1942, a supplement to each of its tariffs affected hereby, announcing suspension of any of the provisions therein; that copies of this order be served upon the Car Service Division, Association of American Railroads, as agent of the railroad subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy of this order in the office of the Secretary of the Commission at Washington, D. C.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-8316; Filed, June 8, 1944; 8:50 p. m.]

[S. O. 70-A, Special Permit 275]

RECONSIGNMENT OF TOMATOES AT BUFFALO, N. Y.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Buffalo, New York, May 26, 1944, by Reagan Fruit Company, McAllen, Texas, of car WFE 65461, tomatoes, on the N. Y. C. & St. L. Railroad to Justman Frankenthal Company, New York, New York.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of May 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44-8336; Filed, June 9, 1944; 10:25 a. m.]

[S. O. 70-A, Special Permit 281]

RECONSIGNMENT OF TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 2, 1944, by La Mantia Brothers Arrigo Company of cars ART 17657 and 19706, tomatoes, now on the Wabash Railroad to H. Becker, Detroit, Michigan, via Wabash.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of June 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44-8337; Filed, June 9, 1944; 10:25 a. m.]

[S. O. 70-A, Special Permit 282]

RECONSIGNMENT OF TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 2 or 3, 1944, by La Mantia Brothers Arrigo Company of cars ART 20129 and PFE 50607, tomatoes, now on the Wabash Railroad, to Columbus, Ohio, and Charleston, West Virginia, respectively.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of June 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44-8338; Filed, June 9, 1944; 10:25 a. m.]

[S. O. 70-A, Special Permit 283]

RECONSIGNMENT OF TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 2, 1944, by Atlantic Commission Company of car WFE 60572, tomatoes, now on the Chicago Produce Terminal to Atlantic Commission Company, Grand Rapids, Michigan (P. M.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of May 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44-8339; Filed, June 9, 1944; 10:25 a. m.]

[S. O. 70-A, Special Permit 284]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 3, 1944, by Christ Hansen Company of car URT 3347, potatoes, now on the Chicago Produce Terminal to Rock Island, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of June 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44-8340; Filed, June 9, 1944; 10:25 a. m.]

[S. O. 70-A, Special Permit 285]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 3, 1944, by National Produce Company of car WFE 67290, potatoes, now on the Chicago Produce Terminal, to Illinois Canning Company, Hoopeston, Illinois (C. & E. I.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of June 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44-8341; Filed, June 9, 1944; 10:25 a. m.]

No. 116——11

[S. O. 70-A, Special Permit 286]

RECONSIGNMENT OF ONIONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 3, 1944, by E. I. Wilson and Co. of cars FGEK 21580 and NRO 4222, onions, now on the Chicago Produce Terminal, to Dunn Jarson, Detroit, Michigan.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of June 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44-8342; Filed, June 9, 1944; 10:26 a. m.]

[S. O. 70-A, Special Permit 287]

RECONSIGNMENT OF ONIONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 5, 1944, by S. H. Becker Company of car PFE 61206, onions, now on the Chicago Produce Terminal, to Abe Cohen Company, Inc., Rochester, New York.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of June 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44-8343; Filed, June 9, 1944; 10:26 a. m.]

[S. O. 70-A, Special Permit 288]

RECONSIGNMENT OF GRAPEFRUIT AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 5 or 6, 1944, by Chertok & Wilkoff of car PFE 73964, grapefruit, now on the Wabash Railroad, to John Heaton, West Frankfort, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of June 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44-8344; Filed, June 9, 1944; 10:26 a. m.]

[S. O. 70-A, Special Permit 289]

RECONSIGNMENT OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 6, 1944, by La Mantia Brothers Arrigo Company of car PFE 98019, lettuce, now on the Wabash Railroad, to A. L. Shafton and Company, Stevens Point, Wisconsin. (Soo Line.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of June 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44-8345; Filed, June 9, 1944; 10:26 a. m.]

[S. O. 200, Special Permit 38]

REICING OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only at Chicago, Illinois, June 3, 1944, as ordered by S. T. Fish & Co., with enough ice to bring ice in bunkers up to but not above three fourths (¾) bunker capacity, cars NRC 17169, 4121, 4611, 15529, 5529, 3043 and 18906, potatoes, now on the Chicago Produce Terminal team tracks.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8325; Filed, June 9, 1944; 10:26 a. m.]

[S. O. 200, Special Permit 39]

REICING OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice, one time only, June 3, 1944, as ordered, by Edw. H. Anderson & Company, with not over four (4) tons of ice, cars of potatoes, NWX 7005, now on the Chicago Produce Terminal, at Chicago, Illinois, and WFE 60097, now on the Illinois Central Railroad at Evansville, Indiana.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8326; Filed, June 9, 1944; 10:26 a. m.]

[S. O. 200, Special Permit 40]

REICING OF POTATOES AT HUNTINGDON, PA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice, one time only, at Huntingdon, Pennsylvania, as ordered by the U. S. Army, cars PFE 93480 and 49841, potatoes, moving not later than June 7, 1944, from Burkhardt & Sigman Cold Storage Company, Wichita, Kansas, to Brooklyn Navy Yard, Brooklyn, New York, for export (routed Frisco-P. R. R.).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8327; Filed, June 9, 1944; 10:26 a. m.]

[S. O. 200, Special Permit 41]

REICING OF POTATOES AT BUFFALO, N. Y.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only at Buffalo, New York, as ordered by the U. S. Army, cars MDT 18706 and 26012, potatoes, moving not later than June 7, 1944, from North American Cold Storage Company, East St. Louis, Illinois, to Brooklyn Navy Yard, Brooklyn, New York, for export (routed N. Y. C.).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8328; Filed, June 9, 1944; 10:27 a. m.]

[S. O. 200, Special Permit 42]

REICING OF POTATOES AT EAST BUFFALO, N. Y.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only at East Buffalo, New York, for account of the U. S. Army (Q. M. G.) cars PFE 34066 and 70962, potatoes, moving June 3, 1944, from Stilwell Cold Storage Company, Hannibal, Missouri, to Brooklyn Navy Yard, Brooklyn, New York, for export (routed C. B. & Q.-N. Y. C.-N. Y. D. delivery).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8329; Filed, June 9, 1944; 10:27 a. m.]

[S. O. 200, Special Permit 43]

REICING OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only at Kansas City, Missouri, June 3 or 4, 1944, as ordered by Michael Swanson Brady Produce Company, cars PFE 96305, potatoes, on the Kansas City Southern Railroad, and MDT 19031, potatoes, on the Burlington Lines, account diverting to Sioux City, Iowa, and Lincoln, Nebraska.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8330; Filed, June 9, 1944; 10:27 a. m.]

[S. O. 200, Special Permit 44]

REICING OF POTATOES AT HUNTINGDON, PA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice, one time only, at Huntingdon, Pennsylvania, (PRR) for account of the U. S. Army, cars of potatoes MDT 18419, PFE 73517 and MDT 4388, moving June 3, 4, or 5, 1944, from Burkhardt and Sigman Cold Storage Company, Wichita, Kansas, to U. S. Navy, Bayonne, New Jersey (routed Frisco—PRR).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8331; Filed, June 9, 1944; 10:27 a. m.]

[S. O. 200, Special Permit 45]

REICING OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only at Kansas City, Missouri, June 5, 1944, as ordered by Cochrane Brokerage Company, car SFRD 39133, California potatoes, on the St. L.-S. F. Railroad, account moving to Waterloo, Iowa (CGW).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8332; Filed, June 9, 1944; 10:27 a. m.]

[S. O. 200, Special Permit 46]

REICING OF POTATOES AT HUNTINGDON, PA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only, at Huntingdon, Pennsylvania, (PRR), for account of the U. S. Army, cars of potatoes, PFE 60936, PFE 74970, MDT 146852, PGEX 37891, and PFE 35190, moving June 5 or 6, 1944, from Burkhardt and Sigman Cold Storage Company, Wichita, Kansas, to U. S. Navy Supply Depot, Bayonne, New Jersey (routed Frisco-PRR).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8333; Filed, June 9, 1944; 10:27 a. m.]

[S. O. 200, Special Permit 47]

REICING POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only with two (2) tons of ice in each bunker, at Chicago, Illinois, for account of Wesco Foods Company, car NADX 7098, potatoes, now on the Chicago Produce Terminal.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8334; Filed, June 9, 1944; 10:27 a. m.]

[S. O. 200, Special Permit 48]

REICING OF POTATOES AT NORFOLK, VA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide initial icing with not to exceed 5,000 pounds of ice per car, at Norfolk, Virginia, on not to exceed eight (8) refrigerator cars in any one day, and on not to exceed a total of thirty eight (38) refrigerator cars loaded with old potatoes, now in storage at Norfolk, Virginia, for reconditioning, when shipped out by Guy W. Capps on Government Bills of Lading, for account of the Transportation Officer, Field Headquarters, Perishable Branch, Subsistence Division, Office of the Quartermaster General, 222 West Adams Street, Chicago, Illinois.

This permit shall become effective at 6:00 p. m., June 6, 1944, and shall expire at 12:01 a. m., June 15, 1944.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8335; Filed, June 9, 1944; 10:28 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 807]

LAWRENCE COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATION

Order No. 807 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in accompanying opinion, and in accordance with § 1340.210 (a). (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 8. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

LAWRENCE COAL CO., CUMBERLAND, KY., LAWRENCE MINE, 5 (DARBY) SEAM, MINE INDEX NO. 7100, HARLAN COUNTY, KY., SUBDISTRICT 2, RAIL SHIPPING POINT: CUMBERLAND, KY. F. O. G. 80, DRIFT MINE

	Size group Nos.																
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21
Price Classification	E	E	E	E	D	D	C	C	A	C	A	A	A	E	E	E	E
Rail shipments and railroad fuel	$3.95	$3.85	$3.75	$3.70	$3.70	$3.45	$3.25	$3.20	$3.20	$3.25	$3.70	$3.05	$3.05	$3.05	$2.95	$2.90	$2.90	$2.90	$2.90
Truck shipments	4.05	3.85	3.40	3.65	3.80	3.05	3.00	2.85											

THE DIAMOND COAL MINING CO., KNOXVILLE, TENN., DIAMOND NO. 2 B MINE, BIG MARY SEAM, MINE INDEX NO. 7117, ANDERSON COUNTY, TENN., SUBDISTRICT 6, RAIL SHIPPING POINT: ROSEDALE, TENN., F. O. G. 71, DRIFT MINE

	Size group Nos.																
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21
Price classification	B	B	B	B	M	M	L	K	J	M	G	G	G	O	O	O	O
Rail shipments	$3.45	$3.40	$3.35	$3.35	$3.30	$3.30	$3.25	$3.10	$3.05	$3.05	$3.10	$3.10	$3.10	$2.80	$2.75	$2.70	$2.70
Railroad fuel	3.45	3.40	3.35	3.35	3.30	3.30	3.25	3.10	3.10	3.05	3.10	3.10	3.10	2.80	2.75	2.70	2.70
Truck shipments	3.40	3.35	3.10	3.15	2.90	2.75	2.15	2.10									

GLENDON GOSSARD, CRUBE, KENTUCKY, GOSSARD MINE, HORSE CREEK SEAM, MINE INDEX NO. 7095, LAUREL COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT: EAST BERNSTADT, KY., F. O. G. 111, DRIFT MINE

Price classification	M	M	M	M	K	K	J	G	E	G	D	D	D	K	K	K	K
Rail shipments and railroad fuel	$3.65	$3.60	$3.60	$3.60	$3.60	$3.60	$3.20	$3.25	$3.25	$3.60	$3.15	$3.15	$3.15	$3.00	$2.95	$2.95	$2.95
Truck shipments	3.70	3.50	3.25	3.35	3.10	2.90	2.35	2.30									

MARCUM AND VANDERPOOL, SALYERSVILLE, KY., NO. 2 MINE, WHITESBURG SEAM, MINE INDEX NO. 7124, MAGOFFIN COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: ROYALTON, KY., F. O. G. 61

Price classification	M	M	M	M	M	M	L	J	G	J	D	D	D	L	L	L	L
Rail shipments	$3.50	$3.50	$3.45	$3.45	$3.20	$3.15	$3.10	$3.00	$3.00	$3.40	$3.00	$3.00	$3.00	$2.85	$2.80	$2.80	$2.80
Railroad fuel	3.50	3.50	3.45	3.45	3.20	3.15	3.10	3.10	3.10	3.40	3.00	3.00	3.00	2.85	2.80	2.80	2.80
Truck shipments	3.70	3.50	3.15	3.25	3.10	2.80	2.30	2.25									

D. A. RIFFE, JACOBS, W. VA., RIFFE MINE, LITTLE EAGLE SEAM, MINE INDEX NO. 7104, WYOMING COUNTY, W. VA., SUB-DIST. 5, RAIL SHIPPING POINT: JUSTICE, W. VA., F. O. G. 220, DRIFT MINE

Price classification	K	K	K	K	E	E	D	E	C	E	A	A	A	E	E	E	E
Rail shipments and railroad fuel	$3.65	$3.60	$3.50	$3.60	$3.70	$3.40	$3.20	$3.15	$3.15	$3.70	$3.05	$3.05	$3.05	$2.95	$2.90	$2.90	$2.90
Truck shipments	3.90	3.70	3.40	3.55	3.30	3.05	2.55	2.50									

S AND W COAL CO., CUMBERLAND, KY., S AND W MINE, "B" SEAM, MINE INDEX NO. 7101, HARLAN COUNTY, KY. SUB-DIST. 2, RAIL SHIPPING POINT: CUMBERLAND, KY., F. O. G. 80, DRIFT MINE

Price classification	E	E	E	E	D	D	C	C	A	C	A	A	A	E	E	E	E
Rail shipments and railroad fuel	$3.95	$3.85	$3.75	$3.70	$3.70	$3.45	$3.25	$3.20	$3.20	$3.25	$3.70	$3.05	$3.05	$3.05	$2.95	$2.90	$2.90	$2.90
Truck shipments	4.05	3.85	3.40	3.55	3.30	3.05	2.60	2.55										

FUGATE CONSTRUCTION CO., WISE, VIRGINIA, FUGATE #1 MINE, BLAIR SEAM, MINE INDEX NO. 7120, WISE COUNTY, VA., SUB-DIST. 7, RAIL SHIPPING POINT: ESSERVILLE, VA., F. O. G. 200, STRIP MINE

Price classification	O	O	O	O	K	K	J	F	C	E	D	D	D	G	G	G	G
Rail shipments and railroad fuel	$3.45	$3.40	$3.25	$3.25	$3.45	$3.35	$3.15	$3.15	$3.15	$3.70	$3.00	$3.00	$3.00	$2.95	$2.85	$2.80	$2.80
Truck shipments	3.70	3.50	3.25	3.25	3.20	2.90	2.25	2.20									

EDDIE GREER, MYRA, KENTUCKY, GREER MINE, ELKHORN #8 SEAM, MINE INDEX NO. 7126, LETCHER COUNTY, KY., SUB-DIST. 1, RAIL SHIPPING POINT: JENKINS, KY., F. O. G. 61, DRIFT MINE

Price classification	H	H	H	H	F	F	E	E	C	C	A	A	A	D	D	D	D
Rail shipments and railroad fuel	$3.80	$3.75	$3.60	$3.60	$3.55	$3.40	$3.20	$3.15	$3.15	$3.70	$3.05	$3.05	$3.05	$3.00	$3.00	$3.00	$3.00
Truck shipments	3.80	3.60	3.25	3.25	3.10	2.90	2.40	2.25									

AMHERST COAL CO., P. O. BOX 423 CHARLESTON 22 W. VA., AMHERST #1—C MINE, CHILTON SEAM, MINE INDEX NO. 7080, LOGAN COUNTY, W. VA., SUB-DIST. 5, RAIL SHIPPING POINT: AMHERSTDALE, W. VA., F. O. G. 150, DEEP MINE

	Size group Nos.																	
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21	22
Price classification	O	O	O	O	L	L	K	G	E	G	C	C	C	E	E	E	E	K
Rail shipments and R. R. fuel	$3.45	$3.40	$3.25	$3.25	$3.20	$3.20	$3.10	$3.10	$3.10	$3.45	$3.00	$3.00	$3.00	$2.95	$2.90	$2.90	$2.90	$2.45
Truck shipments	3.60	3.40	3.20	3.20	3.10	2.95	2.60	2.35										

BLUE CREEK COAL CO., NATIONAL BANK OF COMMERCE BLDG., CHARLESTON, W. VA., MIDDLE FORK MINE, NO. 5 BLOCK SEAM, MINE INDEX NO. 7107, KANAWHA COUNTY, W. VA., SUB-DIST. 4, RAIL SHIPPING POINT: MIDDLE FORK, W. VA., F. O. G. 127, DRIFT MINE

	Size group Nos.																
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21
Price classification	Q	Q	Q	Q	P	P	O	M	K	M	F	F	F	M	M	M	M
Rail shipments	$3.30	$3.25	$3.20	$3.20	$3.05	$3.00	$2.95	$2.95	$2.90	$3.40	$2.95	$2.95	$2.95	$2.65	$2.60	$2.55	$2.55
Railroad fuel	3.30	3.25	3.20	3.20	3.10	3.10	3.10	3.10	3.10	3.40	2.95	2.95	2.95	2.65	2.60	2.55	2.55
Truck shipments	3.50	3.30	3.15	3.00	2.85	2.80	2.25	2.20									

CHAFIN BRANCH COAL CO., KERMIT, W. VA., CHAFIN BRANCH MINE, WARFIELD SEAM, MINE INDEX NO. 7118, MINGO COUNTY, W. VA., SUBDISTRICT 8, RAIL SHIPPING POINT: KERMIT, W. VA., F. O. G. 130, DRIFT MINE

Price classification	Q	Q	Q	Q	O	O	M	L	J	L	F	F	F	N	N	N	N
Rail shipments	$3.30	$3.25	$3.20	$3.20	$3.10	$3.00	$3.05	$2.95	$2.90	$3.40	$2.95	$2.95	$2.95	$2.65	$2.60	$2.55	$2.55
Railroad fuel	3.30	3.25	3.20	3.20	3.10	3.10	3.10	3.10	3.10	3.40	2.95	2.95	2.95	2.65	2.60	2.55	2.55
Truck shipments	3.50	3.30	3.15	3.05	2.90	2.80	2.20	2.15									

CRYSTAL BLOCK MINING CO., 1305 WEST VIRGINIA BLDG., HUNTINGTON, W. VA., NO. 3 MINE, CEDAR GROVE SEAM, MINE INDEX NO. 7125, MINGO COUNTY, W. VA., SUBDISTRICT 8, RAIL SHIPPING POINT: SPRIGG, W. VA., F. O. G. 130, DRIFT MINE

Price classification	M	M	M	M	L	L	K	H	F	H	D	D	D	F	F	F	F
Rail shipments	$3.50	$3.50	$3.45	$3.45	$3.20	$3.20	$3.10	$3.05	$3.05	$3.40	$3.00	$3.00	$3.00	$2.95	$2.90	$2.90	$2.90
Railroad fuel	3.50	3.50	3.45	3.45	3.20	3.20	3.10	3.10	3.10	3.40	3.00	3.00	3.00	2.95	2.90	2.90	2.90
Truck shipments	3.70	3.50	3.25	3.20	3.05	2.90	2.55	2.50									

MILLER BAIRD, R. F. D. #1 PIONEER, TENN., MILLER BAIRD MINE, REX SEAM, MINE INDEX NO. 4181, CAMPBELL COUNTY, TENN., SUBDISTRICT 6, DRIFT MINE

Truck shipments	$4.00	$3.80	$3.15	$3.80	$3.20	$2.80	$2.25	$2.20									

NICK DANN, MCROBERTS, KENTUCKY, DANN MINE, ELKHORN #8 SEAM, MINE INDEX NO. 7121, LETCHER COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: JENKINS, KY., F. O. G. 61, DRIFT MINE

Price classification	H	H	H	H	F	F	E	E	C	C	A	A	A	D	D	D	D
Rail shipments and railroad fuel	$3.80	$3.75	$3.60	$3.60	$3.55	$3.40	$3.20	$3.15	$3.15	$3.70	$3.05	$3.05	$3.05	$3.00	$3.00	$3.00	$3.00
Truck shipment	3.80	3.60	3.25	3.25	3.10	2.90	2.40	2.25									

IRA DOTSON, PAYNE GAP, KY., DOTSON MINE, ELKHORN #3 SEAM, MINE INDEX NO. 7122, LETCHER COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: JENKINS, KY., F. O. G. 61, DRIFT MINE

Price classification	H	H	H	H	F	F	E	E	C	C	A	A	A	D	D	D	D
Rail shipments and railroad fuel	$3.80	$3.75	$3.60	$3.60	$3.55	$3.40	$3.20	$3.15	$3.15	$3.70	$3.05	$3.05	$3.05	$3.00	$3.00	$3.00	$3.00
Truck shipments	3.80	3.60	3.25	3.25	3.10	2.90	2.40	2.25									

SILER BLUE GEM (HUBERT SMITH), SAXTON, KY., BUNKER HILL #2 MINE, BLUE GEM SEAM, MINE INDEX NO. 4174 WHITLEY COUNTY, KY., SUBDISTRICT 6, DRIFT MINE

Truck shipment	$4.40	$4.20	$3.40	$3.65	$3.30	$3.05	$2.25	$3.20									

ROY ABLES COAL CO., KONA, KY., ROY ABLES MINE, ELKHORN #3 SEAM, MINE INDEX NO. 7123, LETCHER COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: KONA, KY., F. O. G. 62, DRIFT MINE

Price classification	K	K	K	K	K	K	J	G	E	G	D	D	D	J	J	J	J
Rail shipments and railroad fuel	$3.65	$3.60	$3.50	$3.50	$3.45	$3.35	$3.15	$3.10	$3.10	$3.45	$3.00	$3.00	$3.00	$2.95	$2.85	$2.80	$2.80
Truck shipments	3.80	3.60	3.25	3.25	3.10	2.90	2.40	2.25									

ISAAC ROSE, JENKINS, KY., ROSE MINE, ELKHORN #3 SEAM, MINE INDEX NO. 7129, LETCHER COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: JENKINS, KY., F. O. G. 61, DRIFT MINE

Price classification	H	H	H	H	F	F	E	E	C	C	A	A	A	D	D	D	D
Rail shipments and railroad fuel	$3.80	$3.75	$3.60	$3.60	$3.55	$3.40	$3.20	$3.15	$3.15	$3.70	$3.05	$3.05	$3.05	$3.00	$3.00	$3.00	$3.00
Truck shipments	3.80	3.60	3.25	3.25	3.10	2.90	2.40	2.25									

This order shall become effective June 9, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 8th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8313; Filed, June 8, 1944; 12:04 p. m.]

[MPR 136, Rev. Order 124]

SHORE INSTRUMENT & MANUFACTURING CO.

ADJUSTMENT OF MAXIMUM PRICES

Revised Order No. 124 under Maximum Price Regulation 136, as amended. Machines and parts, and machine services.

Order No. 124 under Maximum Price Regulation 136, as amended, is revised and amended to read as follows:

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered:*

(a) The maximum prices for sales of sclerescopes and durometers and parts for these two instruments by the Shore Instrument and Manufacturing Company, Jamaica, New York, shall be determined as follows:

The company shall multiply the maximum price established by Maximum Price Regulation 136, as amended on January 1, 1943, by 105%.

(b) The maximum prices for sales of sclerescopes and durometers and parts for these two instruments by sellers other than the Shore Instrument and Manufacturing Company shall be determined as follows:

The seller shall deduct from the list price established by the Shore Instrument and Manufacturing Company in accordance with the provisions of paragraph (a) all discounts, allowances and other deductions that the seller had in effect to a purchaser of the same class on October 1, 1941.

(c) All requests in the application not granted in this order are denied.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1944.

Issued this 8th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8312; Filed, June 8, 1944; 12:05 p. m.]

[Region II Order G-2 Under MPR 426, Amdt. 2]

LETTUCE IN NEW YORK REGION

Amendment No. 2 to Order No. G-2 under section 2 of Maximum Price Regulation No. 426. Lettuce in Region II.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration for Region II by section 2 of Maximum Price Regulation No. 426, Order No. G-2 under that regulation is amended as follows:

1. Section 6 is amended to read as follows:

SEC. 6 *Effective date.* This order shall become effective at 12:01 a. m. on May 13, 1944 as to sales by secondary jobbers and service wholesalers; it shall become effective at 12:01 a. m. on May 13, 1944, except in the City of New York, New York, as to sales by growers, country shippers and carlot or trucklot receivers of lettuce shipped from the country ship-

ping point after May 12, 1944; it shall become effective at 12:01 a. m. on May 27, 1944, except in the City of New York, New York, as to sales by growers, country shippers and carlot or truckiot receivers of lettuce shipped from the country shipping point on or before May 12, 1944. In the City of New York, New York, this order shall not apply to sales by growers, country shippers and carlot or truckiot receivers of lettuce shipped from the country shipping point on or before May 20 until 12:01 a. m. on June 4, 1944; it shall become effective at 12:01 a. m. on May 13, 1944, as to sales of all lettuce by secondary jobbers and service wholesalers, and as to sales by any person of lettuce shipped from the country shipping point after May 20, 1944.

2. This amendment shall become effective on May 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; MPR 426, 8 F.R. 16409)

Issued this 27th day of May 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

Approved:

F. D. CRONIN,
Regional Director of Food Distribution.

[F. R. Doc. 44-8290; Filed, June 8, 1944; 10:21 a. m.]

[Region II Order G-7 Under SR 15, MPR 280]

MILK IN SUMMER RESORTS IN NEW YORK

Order No. G-7 under §1499.75 (a) (9) of Supplementary Regulation No. 15, to the General Maximum Price Regulation under §§ 1351.807 and 1351.817a of Maximum Price Regulation No. 280, as Amended—Maximum prices for specific food products. Temporary order adjusting maximum prices for the sale of pasteurized fluid milk at wholesale and retail in specified summer resorts within the State of New York for the period June 3, 1944 through September 15, 1944.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and §§ 1351.807 and 1351.817a of Maximum Price Regulation No. 280, as amended, and upon the written authorization of the Price Administrator issued pursuant to a directive from the Director of Office of Economic Stabilization: *It is hereby ordered:*

(a) The maximum price for the sale and delivery in glass or paper containers of Grade A pasteurized fluid milk to subdealers, and at wholesale into store, into rooming house, into restaurant and hotel, and at retail out of store, out of rooming house and to the home, within the summer resort areas in the State of New York described in Appendix A hereof, shall be the applicable adjusted maximum price specified in the appropriate schedule set forth in said Appendix A.

(b) The maximum price for the sale and delivery of Grade A pasteurized fluid milk in other than glass or paper containers at wholesale to stores, hotels, restaurants and institutions within the summer resort areas in the State of New York described in Appendix B hereof, shall be the applicable adjusted maximum price specified in the appropriate schedule set forth in said Appendix B.

(c) The maximum price at which a handler, as hereinafter defined, may sell and deliver Grade A pasteurized fluid milk at wholesale in other than glass or paper containers to any purchaser other than a store, hotel, restaurant or institution, and the maximum price at which any purchaser other than a store, hotel, restaurant or institution, in the course of trade or business, may purchase or receive such pasteurized fluid milk in other than glass or paper containers from a handler delivered at a place designated by such purchaser within the summer resort areas in the State of New York described in Appendix C hereof, shall be the applicable adjusted maximum price specified in the appropriate schedule set forth in said Appendix C.

(d) In the event that a handler sells such Grade A pasteurized fluid milk to a purchaser f. o. b. the handler's receiving or processing plant, there shall be deducted from the applicable adjusted maximum price set forth in Appendix C hereof ½¢ per quart.

(e) No further charge of any kind shall be made or added to the applicable adjusted maximum price set forth in Appendices A, B or C hereof for any reason whatsoever.

(f) *Special and premium milk.* For each type of premium or special milk other than Grade A pasteurized, the adjusted maximum price of any seller for the sale and delivery of such type of special or premium milk, in any of the summer resort areas described in this order, shall be increased by a customary differential, if any, between the price of Grade A pasteurized fluid milk and such special or premium milk for the same type of sale and delivery in the same type and size of container.

(g) Where the adjusted maximum price is a unit figure containing a fraction of a cent, the seller must multiply such fractional unit figure by the total number of units in each sale or series of sales for which a single collection is made. Where the resulting amount contains a fraction of a cent, or where only one unit is sold, the seller shall adjust the maximum price to the nearest full cent, except that if the fraction should be a half cent, the seller shall adjust the maximum price to the next higher full cent (for example, a maximum price of 4½¢ for one unit shall be adjusted to 5¢ for one unit, 9¢ for two units, 14¢ for three units, etc.).

(h) *Geographical applicability.* The provisions of this order shall apply to all sales and deliveries of Grade A pasteurized fluid milk, special and premium milks in glass or paper containers in the summer resort areas described in Appendix A hereof; to all sales and deliveries of Grade A pasteurized fluid milk in other than glass or paper containers in the summer resort areas described in Appendices B and C hereof.

(i) To the extent that the maximum prices established in this Order No. G-7, conflict or are inconsistent with the maximum prices established in Order No. G-1 issued under Maximum Price Regulation No. 280, as amended, or with the maximum prices established by any other order issued by the Office of Price Administration, Region II, the maximum prices established in this Order No. G-7 shall prevail during the effective period of this order.

(j) *Definitions.* (1) "Grade A pasteurized fluid milk" means cow's milk produced, processed, distributed and sold for consumption in fluid form as whole milk, and meeting the requirements and standards of the appropriate statutes, orders or regulations of the State of New York, unless such standards are superseded by statutes, orders or regulations of that political subdivision of the State of New York within which such milk is sold and delivered.

(2) "Subdealer" means any milk dealer handling Grade A pasteurized fluid milk or any premium or special milk within the summer resort areas described herein who purchases such Grade A pasteurized fluid milk or special or premium milk from processors or other milk dealers and who resells such milk in the same containers as those in which he purchased it.

(3) "Delivered" means delivered to the place of business of the purchaser or to the home of an ultimate consumer or to any place designated for the receipt of such Grade A pasteurized fluid milk or special or premium milk by the purchaser, and shall not include sales at the handler's or dealer's own place of business.

(4) "F. o. b. the handler's receiving or processing plant" means a sale of Grade A pasteurized fluid milk or special or premium milk, delivery of which is made to the purchaser at the handler's place of business.

(5) "At wholesale into store", "at wholesale into rooming house" and "At wholesale into hotel and restaurant" means a sale of Grade A pasteurized fluid milk or special or premium milk delivered to the store, rooming house, hotel or restaurant as the case may be.

(6) "At retail out of store" and "at retail out of rooming house" means the sale of Grade A pasteurized fluid milk or special or premium milk at retail by a grocery store, meat market, dairy store, rooming house, or other establishment which delivers Grade A pasteurized fluid milk or premium or special milk separately or together with other purchases and shall include a sale of Grade A pasteurized fluid milk or premium or special milk at retail by a handler or subdealer at his plant or place of business.

(7) "At retail to the home" means a sale and delivery of Grade A pasteurized fluid milk or special or premium milk at retail from an inventory stocked in trucks or other conveyances operated by driver-salesmen over regular routes and shall not include a sale of Grade A pasteurized fluid milk or special or premium milk at retail by a grocery store, meat market, dairy store, rooming house or other establishment which delivers such milk separately or together with other purchases.

(8) "Handler" means any person who on his own behalf or on behalf of another purchases fluid milk from producers, associations of producers or from other handlers, and who sells such fluid milk at wholesale in other than glass or paper containers to other than stores, hotels, restaurants and institutions.

(9) "Premium milk" means fluid milk which customarily sold at a price higher than Grade A pasteurized fluid milk, and which has a butterfat content of 4.2% or more.

(10) "Special milk" means chocolate milk, flavored milk, buttermilk and other types of fluid milk except Grade A fluid milk and premium milk.

(k) *Effective period of this order.* This order shall take effect June 3, 1944, and shall terminate and expire on September 16, 1944 unless earlier revoked. This order may be amended at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 2d day of June 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

APPENDIX A

The adjusted maximum prices for Grade A pasteurized fluid milk sold and delivered in glass or paper containers shall be as follows:

SCHEDULE I—CATSKILL MOUNTAIN SUMMER RESORT AREA—ADJUSTED MAXIMUM PRICE

	To subdealer	At wholesale into store	At wholesale into rooming house	At wholesale into hotel and restaurant	At retail out of store and to the home
	Cents	*Cents*	*Cents*	*Cents*	*Cents*
Greene County:					
Per quart	11	12½	14	14½	15
Per pint	6½	7	7	7	8
Per ½ pint	3½	4	4½	4½	5
Sullivan County except villages of Liberty and Monticello:					
Per quart	11½	14½	14½	14½	16
Per pint	6½	7	7	7	8
Per ½ pint	4	4½	4½	4½	5
Villages of Liberty and Monticello in Sullivan County:					
Per quart	11½	13½	14	14½	15
Per pint	6½	7	7	7	8
Per ½ pint	4	4½	4½	4½	5
Ulster County:					
Per quart	11½	13½	14	14½	15
Per pint	6½	7	7	7	8
Per ½ pint	4	4½	4½	4½	5
Towns of Crawford, Deerpark and Mount Hope in Orange County:					
Per quart	11½	13½	14	14½	15
Per pint	6½	7	7	7	8
Per ½ pint	4	4½	4½	4½	5

SCHEDULE II

	To subdealer	At wholesale into store	At wholesale into rooming house	At wholesale into hotel and restaurant	At retail out of store and to the home
	Cents	*Cents*	*Cents*	*Cents*	*Cents*
Columbia County:					
Per quart	11	13½	14	14½	15
Per pint	6½	7	7	7	8
Per ½ pint	3½	4	4½	4½	5

SCHEDULE III

	To subdealer	At wholesale into store	At wholesale into rooming house	At wholesale into hotel and restaurant	At retail out of store and to the home
	Cents	*Cents*	*Cents*	*Cents*	*Cents*
Warren County:					
Per quart	11	12	14	14½	15
Per pint	6½	7	7	7	8
Per ½ pint	3½	4	4½	4½	5
Towns of Putnam, Dresden, Fort Ann, Kingsbury, and Fort Edward in Washington County:					
Per quart	11	12	14	14½	15
Per pint	6½	7	7	7	8
Per ½ pint	3½	4	4½	4½	5
½ quart	5½	6	6	6	6½

SCHEDULE IV

	To subdealer	At wholesale into store	At wholesale into rooming house	At wholesale into hotel and restaurant	At retail out of store and to the home
	Cents	*Cents*	*Cents*	*Cents*	*Cents*
Towns of Andes, Middletown, Roxbury and Stamford in Delaware County:					
Per quart	11	13½	14	14½	15
Per pint	6½	7	7	7	8
Per ½ pint	3½	4	4½	4½	5

APPENDIX B

The adjusted maximum prices for Grade A pasteurized fluid milk sold and delivered in other than glass or paper containers to stores, restaurants, hotels and institutions shall be as follows:

SCHEDULE I—CATSKILL MOUNTAIN SUMMER RESORT AREA—ADJUSTED MAXIMUM PRICE

	Per quart	Per can
	Cents	
Greene County:		
40 quart can	12	$4.80
20 quart can	12½	2.50
Sullivan County except villages of Liberty and Monticello:		
40 quart can	13	5.20
20 quart can	13½	2.70
Sullivan County—Villages of Liberty and Monticello:		
40 quart can	13	5.20
20 quart can	13½	2.70
Ulster County:		
40 quart can	13	5.20
20 quart can	13½	2.70
Towns of Crawford, Deerpark and Mount Hope in Orange County:		
40 quart can	13	5.20
20 quart can	13½	2.70

SCHEDULE II

	Per quart	Per can
	Cents	
Columbia County:		
40 quart can	13	$4.80
20 quart can	13½	2.50

SCHEDULE III

	Per quart	Per can
	Cents	
Warren County:		
40 quart can	13	$4.80
20 quart can	13½	2.50
Towns of Putnam, Dresden, Fort Ann, Kingsbury, and Fort Edward in Washington County:		
40 quart can	13	4.80
20 quart can	13½	2.50

SCHEDULE IV

	Per quart	Per can
	Cents	
Dutchess County:		
40 quart can	11	$4.40
20 quart can	11½	2.30
Putnam County:		
40 quart can	11	4.40
20 quart can	11½	2.30

SCHEDULE V

	Per quart	Per can
	Cents	
Towns of Andes, Middletown, Roxbury and Stamford in Delaware County:		
40 quart can	12	$4.80
20 quart can	12½	2.50

APPENDIX C

Adjusted maximum prices for Grade A pasteurized fluid milk sold and delivered in other than glass or paper containers to purchasers other than stores, restaurants, hotels and institutions shall be as follows:

SCHEDULE I—CATSKILL MOUNTAIN SUMMER RESORT AREA—ADJUSTED MAXIMUM PRICE

	Per quart	Per can
	Cents	
Greene County:		
40 quart can	10	$4.00
20 quart can	10½	2.10
Sullivan County except villages of Liberty and Monticello:		
40 quart can	11	4.40
20 quart can	11½	2.30
Sullivan County—Villages of Liberty and Monticello:		
40 quart can	11	4.40
20 quart can	11½	2.30
Ulster County:		
40 quart can	11	4.40
20 quart can	11½	2.30
Towns of Crawford, Deerpark and Mount Hope in Orange County:		
40 quart can	11	4.40
20 quart can	11½	2.30

SCHEDULE II

	Per quart	Per can
	Cents	
Columbia County:		
40 quart can	10	$4.00
20 quart can	10½	2.10

SCHEDULE III

	Per quart	Per can
	Cents	
Warren County:		
40 quart can	10	$4.00
20 quart can	10½	2.10
Towns of Putnam, Dresden, Fort Ann, Kingsbury, and Fort Edward in Washington County:		
40 quart can	10	4.00
20 quart can	10½	2.10

SCHEDULE IV

	Per quart	Per can
	Cents	
Towns of Andes, Middletown, Roxbury and Stamford in Delaware County:		
40 quart can	10	$4.00
20 quart can	10½	2.10

[F. R. Doc. 44-8287; Filed, June 8, 1944; 10:20 a. m.]

[Region IV Order G-4 Under MPR 188]

BRICK IN BIRMINGHAM AND ENSLEY, ALA.

Order G-4 under § 1499.161 (a) (2) of Maximum Price Regulation No. 188. Birmingham Clay Products Company,

Inc., Birmingham, Alabama. Stephenson Brick Company, Inc., Birmingham, Alabama. Watkins Brick Company, Emsley, Alabama. IV–188–50, 51 and 52; Docket numbers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator and by § 1499.161 (a) (2) of Maximum Price Regulation No. 188, *It is hereby ordered:*

(a) That on and after the effective date of this order the Birmingham Clay Products Company, Inc., of Birmingham, Alabama, the Stephenson Brick Company, Inc., of Birmingham, Alabama, and the Watkins Brick Company of Ensley, Alabama, hereinafter referred to as the Applicants, may sell and deliver common brick at a price no higher than a price reflecting their properly established maximum price under Maximum Price Regulation No. 188, plus a sum not in excess of $1.50 per thousand.

(b) Any person purchasing common brick from Applicants for resale on and after the effective date of this order, and paying therefor a price reflecting permitted increase over the established maximum price of Applicants under Maximum Price Regulation No. 188 may add, in selling common brick so purchased, the exact amount of such increase, not to exceed $1.50 per thousand, to its own properly established maximum price.

(c) That all freight allowances, other allowances, discounts, differentiations in classes of purchasers and other differentials customarily made by Applicants and all others affected by this order during March, 1942, shall be maintained.

(d) Except as otherwise provided herein, all transactions subject to this order remain subject to all appropriate regulations including the provisions of Maximum Price Regulation No. 188 and the General Maximum Price Regulation, where applicable, together with all the amendments that have been heretofore or which may be hereafter issued.

(e) All requests made by Applicants and not specifically herein granted are hereby denied subject to Applicants' right to request a review as provided in Revised Procedural Regulation 1 within fifteen days from the date on which this order is mailed to Applicants.

(f) This order may be revoked, corrected or amended by the Office of Price Administration at any time.

This order shall become effective May 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78 Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 27, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44–8289; Filed, June 8, 1944; 10:21 a. m.]

[Moline Order G–1 Under MPR 426, MPR 285]

FRESH FRUITS AND VEGETABLES IN SCOTT COUNTY, IOWA, AND ROCK ISLAND COUNTY, ILL.

Order No. G–1 under § 1439.3–15 Appendix H (f), Appendix I (g) of Maximum Price Regulation No. 426, and § 1351.1254a (a) of Maximum Price Regulation No. 285. Delivery differentials for wholesalers of certain fresh fruits and vegetables in Scott County, Iowa, and Rock Island County, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Moline, Illinois District Office of the Office of Price Administration, by § 1439.3–15, Appendix H (f), Appendix I (g) of Maximum Price Regulation No. 426, and § 1351.1254a (a) of Maximum Price Regulation No. 285, it is hereby ordered:

(a) *What this order does.* This order determines the limits of the free delivery zone at the wholesale receiving point of Scott County, Iowa, and Rock Island County, Illinois. It also establishes differentials for non-delivered sales in the free delivery zone and for delivered sales beyond the free delivery zone. The order applies to such fresh fruit and vegetable items as are now or may hereafter be subject to the pricing provisions of Maximum Price Regulation No. 285 and Appendices H and I of Maximum Price Regulation No. 426. The only sellers who are subject to this order are those wholesalers who price under Maximum Price Regulation No. 285, and secondary jobbers and service wholesalers, as these terms are used in Appendices H and I of Maximum Price Regulation No. 426.

(b) *Establishment of delivery zones.* 1. The free delivery zone established by this order shall be the area comprising Scott County, Iowa, and Rock Island County, Illinois.

2. The zone in which charges may be made for delivery is the area outside the free delivery zone.

(c) *Differentials for non-delivered and delivered sales of items listed in Appendices H and I of Maximum Price Regulation No. 426—1. Non-delivered sales:* For sales on a non-delivered basis there shall be deducted from the price for delivered sales in the free delivery zone, 5¢ per container for standard shipping containers weighing under 50 pounds gross weight, and 10¢ per container for standard shipping containers weighing 50 pounds or over gross weight. A deduction of 2¢ or 5¢, respectively, shall be made for non-delivered sales of half standard shipping containers or more, or for bulk sales weighing as much as or more than half a standard container of the item being sold. No deductions need be made for sales in less than half containers and for bulk sales which weigh less than half a standard container of the item being sold.

2. *Delivered sales in the free delivery zone.* For deliveries in the free delivery zone the maximum delivered price shall be the maximum delivered price computed under Maximum Price Regulation No. 426 for the type of sale being made without any deduction from or addition thereto.

3. *Delivered sales beyond the free delivery zone.* For deliveries beyond the free delivery zone the amount set out below may be added to the price for delivered sales in the free delivery zone. Mileage beyond the free delivery zone shall be computed via the nearest publicly traveled route.

All containers and in bulk	25 miles or less beyond free delivery zone.	Beyond 25 miles from free delivery zone.
Gross weight..	20¢ per cwt. but not less than 10¢ per stop.	25¢ per cwt. but not less than 15¢ per stop.

(d) *Differentials for non-delivered and delivered sales of items under Maximum Price Regulation No. 285—1. Non-delivered sales and delivered sales in the free delivery zone.* For non-delivered sales and for deliveries in the free delivery zone the maximum price shall be the maximum delivered price computed under Maximum Price Regulation No. 285 for the type of sale being made. Discounts and price differentials including any differential or discounts for f. o. b. seller or non-delivered sales must be maintained.

2. *Delivered sales beyond the free delivery zone.* For deliveries beyond the free delivery zone the amount set out below may be added to the price for delivered sales in the free delivery zone. Deliveries beyond the free delivery zone shall be computed via the nearest publicly traveled route. Delivery charge shall be computed for the net weight of bananas delivered.

	25 miles or less beyond free delivery zone	Beyond 25 miles from free delivery zone
Net weight....	20¢ per cwt.....	25¢ per cwt.

(e) *Definitions.* Delivery means delivery to the physical premises of a retail store, hotel, restaurant or institution. Unless the context otherwise requires, the terms used herein shall have the same meaning as given them in Maximum Price Regulation No. 285 and Maximum Price Regulation No. 426.

(f) This order may be revoked, revised, amended or corrected at any time.

(g) *Effective date.* This order shall become effective on June 5, 1944.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 3d day of June 1944.

ROBERT M. HARPER,
District Director.

Approved:

E. O. POLLOCK,
Regional Director,
War Food Administration.

[F. R. Doc. 44–8288; Filed, June 8, 1944; 10:21 a. m.]

[Region VIII Order G–1 Under MPR 507]

FRESH FISH AND SEAFOOD IN SAN FRANCISCO REGION

Order No. G–1 under Maximum Price Regulation No. 507, as amended. Ceiling prices of certain fresh fish and seafood sold at retail.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by section 12 (a) of Maximum Price Regulation No. 507, as amended, Order G–1 under Maximum Price Regulation No. 507 is hereby issued:

(a) *What this order does.* This order fixes ceiling prices for the domestic and imported fresh fish and seafood items listed in Table A for all retail stores, except as otherwise provided in any order fixing dollars and cents ceiling prices issued pursuant to Revised General Order No. 51.

(b) Your ceiling price for each item of fresh fish and seafood (that is each kind, size, and style of dressing, or preparation) listed in Table A in Paragraph (d), shall be the total of (1) the "net cost" of the largest delivery of the item received by you during the preceding seven day period if you are a group one or two store, or the weighted average "net cost" of your deliveries of the item during the preceding seven day period if you are a group three or four store, plus (2) the markup given your group for the item in Table A in paragraph (d).

(c) All provisions of Maximum Price Regulation No. 507 are hereby incorporated and made a part hereof except where the context clearly requires otherwise and except as follows:

(i) In applying section 15 of Maximum Price Regulation No. 507 "net cost" shall be calculated with reference to the price, style of dressing, container allowance, and delivery allowance, set forth in Order No. G–6 under Maximum Price Regulation No. 418, as amended, instead of Maximum Price Regulation No. 418.

(ii) "Net cost" of any fresh fish or seafood imported by you, covered by Order G-6 may not exceed Table B price plus transportation and container allowance determined under Order G–6 under Maximum Price Regulation 418, as amended.

(d) *Markups for fresh fish and seafood.* Table A sets forth per pound markups over "net cost" allowed to retailers for fresh fish and seafood items covered by this regulation, by species:

TABLE A

Item	Whole fish sold on gross weight and prepared to the customer's order		Fillets, cuts and steaks sold as purchased [1]	
	I and II	III and IV	I and II	III and IV
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
Barracuda	.10	.07	.10	.07
California halibut	.10	.08	.11	.09
Black seabass			.11	.09
White seabass	.10	.07	.09	.07
Rockbass	.10	.08	.12	.10
Crab	.09	.07		

[1] Retailers processing items prior to offering for sale at retail who price in accordance with section 15 (a) (2) and section 15 (b) (2) of Maximum Price Regulation No. 507, as modified by Paragraph (c) hereof shall use these tables.

(e) *Applicability.* This order shall apply to Region VIII, which means the states of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River; and the following Counties in the state of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

(f) This order shall become effective June 12th, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44–8284; Filed, June 8, 1944; 10:19 a. m.]

[Region VIII Rev. Order G–57 Under 18 (c)]

HAY IN CALIFORNIA

Revised Order No. G–57 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Adjusted maximum prices for the transportation of hay in California by motor carriers other than common carriers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation, *It is hereby ordered* That Order No. G–57 under § 1499.18 (c) as amended of the General Maximum Price Regulation be amended and revised so as to read in its entirety as follows:

(a) The adjusted maximum prices which may be charged by any carrier other than a common carrier for the service of transporting hay by motor truck when the point of origin and the point of destination are within the State of California shall be as follows:

(1) Where the hay is picked up on the field or under other conditions requiring more than one stop for loading purposes and where the distance does not exceed 30 miles, the maximum rates specified in Column I of Appendix A attached hereto shall apply

(2) For transportation from any point of origin within any of the production areas described in Appendix B attached hereto to any of the consumption areas described in Appendix B, the maximum rates specified in Appendix B shall apply.

(3) For transportation not covered by subparagraphs (1) and (2), the maximum rates specified in Column II of Appendix A shall apply.

(b) The maximum rates herein specified include all loading, and also include unloading where the shipment is to be placed at a point not more than 25 feet distant from the carrier's equipment. Where delivery at a point more than 25 feet distant from the equipment is required, an additional charge not to exceed 35¢ per ton may be made for such unloading and stacking of hay.

(c) In determining the distance between any two points for purposes of this order, the constructive highway mileages set forth in Distance Table No. 3 issued by the Railroad Commission of the State of California on December 27, 1938 in connection with its Decision No. 31605, as said table has been amended and supplemented up to the date of this order, shall be used.

(d) Order No. G–12 (formerly Order No. 16) under § 1499.18 (c) as amended of the General Maximum Price Regulation, issued by the Regional Administrator on February 25, 1943, fixing adjusted maximum prices for the transportation of alfalfa hay by truck in certain localities in Southern California, is hereby revoked.

(e) This order may be amended, revoked, or corrected at any time.

This Revised Order No. G–57 shall become effective June 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 31st day of May 1944.

L. F. GENTNER,
Regional Administrator.

APPENDIX A

ADJUSTED MAXIMUM PRICES IN CENTS PER HUNDRED POUNDS

Miles		Column I	Column II
Over	But not over		
0	5	10	8.5
5	10	10.5	9
10	15	11	9.5
15	20	11.5	10
20	25	12	10.5
25	30	12.5	11
30	40		12
40	50		13
50	60		14
60	70		15
70	80		16
80	90		17
90	100		18
100	120		19.5
120	140		21
140	160		22.5
160	180		24
180	200		25.5
200	225		27
225	250		28.5
250	275		30
275	300		31.5
300	325		33
325	350		34.5
350	375		36
375	400		37.5

APPENDIX B

ADJUSTED MAXIMUM PRICES IN DOLLARS PER TON FROM PRODUCTION AREAS TO CONSUMPTION AREAS

Production areas	Consumption areas				
	San Diego	Escondido	Chino	Hynes-Bellflower	San Fernando Valley
Imperial Valley	$4.80	$4.80	$5.00	$5.50	$5.80
Palo Verde Valley	6.60	6.30	5.20	5.70	6.00
Coachella Valley	5.10	4.80	4.00	4.50	4.80
Perris-Hemet	3.90	3.60	3.00	3.50	3.80
Antelope Valley	5.40	5.10	4.00	3.75	3.45
South Kern	6.40	6.10	5.00	4.75	4.45
North Kern	7.00	6.70	5.60	5.35	5.05
Tulare	7.40	7.10	6.00	5.75	5.45
Fresno	7.90	7.60	6.50	6.25	5.95
Madera	8.20	7.90	6.80	6.55	6.25
Los Banos	8.80	8.50	7.40	7.15	6.85

DESCRIPTION OF AREAS

Production areas. 1. Imperial Valley Area includes that area bounded on the south by the International boundary line; on the east by the East High Line Canal to the point at which it intersects the main line of the Southern Pacific four miles east of Niland; on the north by the main line (transcontinental route) of the Southern Pacific Company; and on the west by a series of imagi-

nary lines drawn from Southern Pacific Station of Wister to Kane Springs on U. S. Highway No. 99; thence south to Plaster City on U. S. Highway 80, thence south to the International boundary line.

2. Palo Verde Valley Area includes that area lying within a radius of 25 miles of the city of Blythe.

3. Coachella Valley Area includes that area lying between the Little San Bernardino Mountains and Cottonwood Mountain on the one hand, and the San Jacinto and Santa Rosa Mountains on the other; and bounded on the northwest by Edom on U. S. Highway No. 99 and Indian Wells on State Highway No. 111, and on the southeast by the Riverside-Imperial County Line on U. S. Highway No. 99 and Southern Pacific Company station of Mortmar on State Highway 111.

4. Perris-Hemet Area includes all of that portion of Riverside County within a radius of 20 miles of Winchester, including Perris, San Jacinto and Hemet.

5. Antelope Valley Area includes that area lying within the following boundaries: Commencing at a point 10 miles east of Mojave on U. S. Highway No. 466; thence southerly along an imaginary line paralleling State Highway No. 7, passing through Redman to Littlerock; thence northwesterly along State Highway No. 138 from Littlerock through Palmdale and Elizabeth Lake to its intersection with the Los Angeles Aqueduct; thence northeasterly along the Los Angeles Aqueduct to its intersection with U. S. Highway No. 466; thence southeasterly along U. S. Highway No. 466 to point of beginning.

6. South Kern Area includes all of that portion of the San Joaquin Valley south of an imaginary line running approximately parallel with Kern River through Bakersfield and Tupman, generally referred to as Arvin, Weed Patch, Edison, Panama and Old River Districts.

7. North Kern Area includes all of Kern County lying between the Sierra Nevada Mountains on the east, the Coast Range Mountains on the west, an imaginary line running through Bakersfield and Tupman on the south, and the north boundary line of Kern County including those areas generally referred to as Shafter, Wasco, McFarland, Rosedale and Buttonwillow Districts.

8. Tulare Area includes all of that portion of Tulare and Kings Counties located between the Sierra Nevada Mountains on the east, the Coast Range Mountains on the west, the northern boundary line of Kern County on the south and Highway No. 198 on the north, including those areas generally referred to as Earlimart, Porterville, Lindsay, Tulare, Corcoran and Stratford.

9. Fresno Area includes all of that portion of Tulare, Kings and Fresno Counties lying between and bounded by Highway No. 198 on the south, on the west by Highway No. 33, on the north by Highway No. 180, and on the east by the Sierra Nevada Mountains, including those areas generally referred to as Reedley, Dinuba, Kingsburg, Layton, Riverdale, San Joaquin and Kerman Districts.

10. Madera Area includes all of that portion of Madera and Fresno Counties west of the Sierra Nevada Mountains and north of Highway No. 180 and east of an imaginary line starting at Whites Bridge on Highway 180, running north to the San Joaquin River.

11. Los Banos Area includes all of that area for a distance of 10 miles on either side of Highway No. 33 from a point 6 miles south of Mendota to a point 8 miles west of Los Banos, except where the distance between Highway No. 33 and the San Joaquin River is less than 10 miles, in which case it will include all of the area between the river and the highway.

Consumption areas. 1. San Diego Area includes that area embraced by the following imaginary line starting at the northerly junction of U. S. Highways 101E and 101W (4 miles north of La Jolla); thence easterly to Miramar on State Highway No. 395; thence southeasterly to Lakeside on the El Cajon-Ramona Highway; thence southerly to Bostonia on U. S. Highway No. 80, thence southeasterly to Jamul on State Highway No. 94; thence due south to the International Boundary Line; thence west to the Pacific Ocean; thence north along the coast line to point of beginning.

2. Escondido Area includes that area embraced by the following boundaries: Commencing at a point where U. S. Highway No. 101 intersects State Highway No. 78; thence easterly and southeasterly along State Highway No. 78 to Ramona; thence due south along an imaginary line to Lakeside; thence northwesterly to Miramar on State Highway No. 395; thence westerly to the northerly junction of the U. S. Highways 101E and 101W (4 miles north of La Jolla); thence northwesterly on U. S. Highway 101 to point of beginning.

3. Hynes-Bellflower Area includes that area embraced by the following: Commencing at Newport Beach thence northeasterly and northerly along State Highway No. 55 to the City of Olive; thence westerly on Center Street to where it intersects Los Angeles Street in the City of Anaheim; thence northerly and westerly on U. S. Highway 101 to where it intersects State Highway No. 39; thence northerly on State Highway No. 39 to where it intersects south boundary line of Angeles National Forest; thence westerly following said Angeles National Forest boundary until it intersects State Highway No. 2; thence southwesterly on State Highway No. 2 to where it intersects Colorado Street in the City of Glendale; thence west to where Colorado Street intersects San Fernando Road; thence southeasterly on San Fernando Road to the intersection of Los Feliz Blvd.; and San Fernando Blvd.; thence southwesterly on Los Feliz Blvd. to where it intersects Western Ave. to where it intersects Sunset Blvd.; thence due south on Western Ave. to where it intersects Sunset Blvd.; thence west and southwesterly along Sunset Blvd. to the point where Sunset Blvd. meets the Pacific Ocean; thence southeasterly along the coast line to point of beginning.

4. Chino Area includes all of that portion of Los Angeles, Orange and San Bernardino counties lying east of the eastern boundary of the Hynes-Bellflower District, bounded on the south by Highway No. 18 from Olive to Corona, on the east by a county highway running north from Corona through Norco, Mira Loma to Etiwanda and on the north by Highway No. 66 to the point where it crosses the eastern boundary line of the Hynes-Bellflower District.

5. San Fernando area includes that area embraced by the following: Commencing at the point where State Highway No. 27 (Topanga Canyon Road) meets the Pacific Ocean; thence northerly along said highway through Girard until it intersects Los Angeles City Boundary Line approximately two miles north of Chatsworth; thence northeasterly following said boundary line until it meets the southern boundary of the Angeles National Forest at a point approximately two miles west of Olive View Sanitarium; thence easterly following said Angeles National Forest boundary until it intersects State Highway No. 2, thence southwesterly on State Highway No. 2 to where it intersects Colorado Street in the City of Glendale; thence west to where Colorado Street intersects San Fernando Road; thence southeasterly on San Fernando Road to the intersection of Los Feliz Blvd. and San Fernando Blvd.; thence southwesterly on Los Feliz Blvd., to where it intersects Western Ave.; thence due south on Western Ave. to where it intersects Sunset Blvd.; thence west and southwesterly along Sunset Blvd. to the point where Sunset Blvd. meets the Pacific Ocean; thence westerly following the coast line to the point of beginning.

[F. R. Doc. 44-8291; Filed, June 8, 1944; 10:22 a. m.]

[Region VIII Order G-88 Under 18 (c), Amdt. 1]

FRUITS AND VEGETABLES IN CALIFORNIA

Amendment No. 1 to Order No. G-88 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Adjusted maximum prices for the transportation of certain fruits and vegetables in California by motor carriers other than common carriers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation, *It is ordered* That Order No. G-88 under § 1499.1f (c) as amended of the General Maximum Price Regulation be amended in the following particulars:

(a) Appendix A is amended by striking out the column headings "12,000 lbs. or less", "Over 12,000 lbs, but not over 24,000 lbs", and "Over 24,000 lbs.", and substituting therefor the following respective column headings: "Hauling from fields to sheds—any quantity", "Over the road hauling—not over 24,000 lbs.", and "Over the road hauling—over 24,000 lbs.".

This amendment shall become effective immediately.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this first day of June 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-8283; Filed, June 8, 1944, 10:19 a. m.]

[Region VIII Order G-94 Under 18 (c)]

COAL IN PASCO AND KENNEWICK, WASH.

Order No. G-94 under § 1499.18 (c) as amended, of the General Maximum Price Regulation. Deliveries of coal in Pasco and Kennewick, Washington, and vicinity.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended, of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The maximum price established by sections 2 and 3 of the General Maximum Price Regulation, or by any previous order issued pursuant to such regulation or any regulation supplementary thereto, for the service by truckers (other than common carriers) of making deliveries of bituminous and anthracite coal from railway freight cars and distributing yards in the area included in the cities of Pasco and Kennewick, Washington, and within seven miles of the corporate limits of either of said cities, to the coal bins of consumers located in such area, are hereby modified so that the maximum prices therefor shall be as set forth in paragraphs (b) and (c).

(b) Where the making of such deliveries does not involve packing service the adjusted maximum price for making such deliveries shall be $1.50 per ton of 2,000 pounds.

(c) Where delivery into the buyer's coal bin or other storage facility can be effected only by carrying the coal from the trucker's truck in tins, baskets, wheelbarrows, or other like container, the maximum price hereinabove fixed for delivery to the buyer's coal bin may be increased by a packing charge of not to exceed $1.25 per hour for the actual time reasonably necessary to perform such packing service, but not exceeding in all the sum of $1.00 per ton, provided such packing charge is separately stated in the trucker's invoice or sales slip accompanying such delivery.

(d) The adjusted maximum prices fixed by this order shall not apply to any person having any interest either in the coal being trucked or in the sale pursuant to which such trucking service is rendered.

(e) This order may be revoked, amended, or corrected at any time.

(f) This order shall become effective May 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of May 1944.

CHARLES R. BAIRD,
Acting Regional Administrator.

[F. R. Doc. 44-8286; Filed, June 8, 1944; 10:20 a. m.]

[Region VIII Order G-96 Under 18 (c)]

CEDAR TOW IN SAN FRANCISCO REGION

Order No. G-96 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Adjusted maximum prices for sales of cedar tow by producers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The adjusted maximum prices at which any producer may sell cedar tow to any buyer who takes physical delivery within Region VIII of the Office of Price Administration are established to be as follows:

(1) For bales 17 inches by 22 inches by 42 inches weighing not less than 160 pounds at the time of baling, the maximum price shall be 85¢ per bale f. o. b. car, truck, or other conveyance.

(2) For bales of greater or smaller dimensions than those specified above, the maximum price per bale f. o. b. car, truck or other conveyance shall be 85¢ per bale increased or decreased in proportion to the amount by which the cubic content of the bale is greater or less than 15,708 cubic inches.

(b) "Region VIII" includes the States of California, Washington, Nevada, Oregon except Malheur County, Arizona except those portions of Coconino and Mohave counties lying north of the Colorado River; and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone.

(c) This order may be amended, revoked, or corrected at any time.

(d) This order shall become effective June 6th 1944.

(56 Stat. 23, 765; Pub Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-8285; Filed, June 8, 1944; 10:20 a. m.]

[Region IX Order G-1 Under 18 (c)]

FISH LIVERS IN ALASKA

Order No. G-1 under § 1499.18 (c) of the General Maximum Price Regulation. Fish livers and viscera sold and delivered in the Territory of Alaska.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator by § 1499.18 (c) of the General Maximum Price Regulation, as amended, It is ordered:

(a) *What this order does.* This order adjusts the maximum prices established by the General Maximum Price Regulation and fixes flat dollars-and-cents prices at which fish livers or viscera may be sold in the Territory of Alaska. On and after June 12, 1944, the date this order takes effect, regardless of any contract or other obligation, no person may sell or deliver any fish livers or viscera, and no person in the course of trade or business may buy or receive any fish livers or viscera, at prices higher than the maximum prices fixed by this order. Lower prices than those fixed may, of course, be charged or paid.

(b) *To what sales the maximum prices apply.* The maximum prices established by this order apply to every person making sales or purchases of fish livers or viscera for which maximum prices are established herein, irrespective of the nature of the seller or buyer and irrespective of whether the fish livers or viscera are sold through an agent of any kind.

(c) *Evasion.* (1) The price limitations set forth in this order shall not be evaded, either by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to, fish livers or viscera separately or in combination with any other commodity or service, or by way of any commission, service, transportation, container, packaging or other charge, or discount premium or other privilege, or by tying agreement or other understanding, or otherwise.

(2) Specifically, but not exclusively, the following practices are prohibited:

(i) Falsely or incorrectly invoicing fish livers or viscera.

(ii) Offering, selling, or delivering fish livers or viscera on condition that the purchaser is required to purchase some other commodity or service.

(iii) Charging, paying, billing, or receiving any consideration for or in connection with any service for which a specific allowance has not been provided in this order.

(d) *Records.* Every seller and buyer subject to this order, after June 12, 1944, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, the quantity and species of fish livers or viscera.

(e) *Containers.* Where it has been the customary practice at the port of entry for the buyer to supply the producer (fisherman) with the cans or other containers used to transport fish livers or viscera from the grounds to the port of entry, such practice may be continued without a compensating reduction in the ceiling price.

(f) *Definitions and explanations.* When used in this order the term:

"Fish livers" means the unspoiled liver removed from the fish carcass, free from water, ice, and other foreign material and separately packed as to species.

"Viscera" means the internal organs of the fish other than the liver and stomach, removed from the fish carcass, free from water, ice, and other foreign material and separately packed as to species.

(g) *Applicability of the General Maximum Price Regulation.* All the provisions of the General Maximum Price Regulation not inconsistent with this order shall apply to sales covered by this order.

(h) *Maximum prices.* The prices set forth below are the maximum prices for fish livers and viscera of the designated species landed out of the vessel on the pier or wharf at the port of entry. Customary allowances, discounts and other price differentials for a quality or grade of fish liver or viscera not meeting the definitions in paragraph (f) must be observed. The maximum prices fixed by this order include all brokerage commissions or any other customary selling fees, transportation and any other expenses incurred.

Species	Livers, price per pound	Viscera, price per pound
Halibut [1]	$1.30	$0.25
Sablefish (Black Cod) [1]	1.65	.25
Ling Cod	2.00	
Red Cod (Snapper)	.75	
Skate [1]	.10	
Dogfish [1]	.25	
Mudshark [1]	.25	

[1] Deduct 2¢ per pound when this species of liver or viscera is landed in a port of entry other than Ketchikan, Wrangell or Petersburg.

(i) This order may be revoked or amended by the Regional Administrator or the Price Administrator through the issuance at any time hereafter of any order, price regulation, or amendment, or supplement thereto.

This order shall become effective June 12, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328; 8 F.R. 4681)

Issued this 5th day of June 1944.

JAMES P. DAVIS,
Regional Administrator.

[F. R. Doc. 44-8282; Filed, June 8, 1944; 10:19 a. m.]

UNITED STATES COAST GUARD.

APPROVAL AND WITHDRAWAL OF APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4481, 4488, 4491, as amended, 49 Stat. 1544 (46 U.S.C. 375, 391a, 404, 474, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following approval and withdrawal of approval of equipment are prescribed:

EQUIPMENT APPROVED

DISENGAGING APPARATUS FOR LIFEBOATS

Rottmer type releasing gear, Model R2 (Assembly Dwg. No. 862-1-85, dated 18 May, 1944) (Maximum working load of 9,500 pounds per hook, 19,000 pounds per set), submitted by the Imperial Lifeboat & Davit Co., Inc., Athens, New York.

LIFEBOATS

24' x 8' x 3'8¾" metallic oar-propelled (Coast Guard built-in-tank type) lifeboat (436 cu. ft.) (General Arrangement Dwg. No. 5US-935-1, Rev. 1, dated 24 May, 1944), submitted by the Globe American Corp., Kokomo, Ind.

24' x 8' x 3'8¾" metallic motor-propelled (Coast Guard built-in-tank type) lifeboat (436 cu. ft. gross) (General Arrangement Dwg. No. 5US-934-1, Rev. 1, dated 24 May, 1944), submitted by the Globe American Corp., Kokomo, Ind.

(NOTE: These listings supersede listings pertaining to these lifeboats, 9 F.R. 5696, published in F.R. 26 May, 1944.)

LINE-THROWING GUN

2½" line-throwing gun, Model "F-B" short barrel (Dwg. No. M-106-B, dated 27 April, 1944), submitted by the Naval Company, 3419 Richmond Street, Philadelphia, Pa.

OIL CLEANSING SOLUTION

Oil Cleansing solution, designated "Bon-Gre", submitted by the Heinecke-Moser Chemical Co., Inc., 207 East 84th St., New York, N. Y.

SEA ANCHOR

Sea anchor, Type 3 x 6 (U. S. Coast Guard Specification and Dwg. No. MMI-562, dated 1 November, 1943), submitted by Paul W. Olson, Sailmaker, San Pedro, California.

APPROVAL WITHDRAWN

LIFE RAFTS

Effective immediately, the approvals of all types of life rafts for ocean and coastwise service issued or made effective prior to March 15, 1943, are hereby withdrawn, and hereafter all new installations and replacements of life rafts on ocean and coastwise vessels shall be of an improved type which received approval on or after March 15, 1943: *Provided*, That these withdrawals of approvals shall not affect any approved life rafts now installed and in service so long as they are suitable and in good condition.

SEA ANCHORS

Sea anchor, type A-1 (U. S. Coast Guard specification and Dwg. No. MMI-562, dated 1 November, 1943), submitted by Eveready Canvas Corp., 20 Fulton St., New York, N. Y. (Original approval April 18, 1944—9 F.R. 4126)

Karlsen Sea Anchor No. 10 (Dwg. Plate #1180 and specification dated 1 November, 1943), submitted by Maritime Canvas and Rope Co., 8 State St., New York, N. Y., (Original approval November 19, 1943—8 F.R. 15745)

L. T. CHALKER,
Rear Admiral, U. S. Coast Guard,
Acting Commandant.

[F. R. Doc. 44-8280; Filed, June 9, 1944; 11:49 a. m.]

WAR FOOD ADMINISTRATION.

Office of the Administrator.

CHAIRMEN OF STATE AGRICULTURAL CONSERVATION COMMITTEES

DELEGATION OF AUTHORITY

Delegation of authority to Chairmen of State Agricultural Conservation Committees to requisition and dispose of idle farm machinery, pursuant to the Act of October 16, 1941, as amended.

By virtue of the authority vested in the War Food Administrator by Executive Order No. 9042 (6 F.R. 5909), dated November 19, 1941, Executive Order No. 9138 (7 F.R. 2919), dated April 17, 1942, and Executive Order No. 9334 (8 F.R. 5423), dated April 19, 1943, there is hereby delegated to the chairman of each State Agricultural Conservation Committee the authority to requisition and dispose of any idle farm machinery in such manner as such chairman may determine is necessary for the defense of the United States, in accordance with the provisions of the Act of October 16, 1941, as amended by Title VI of the Second War Powers Act, 1942, and the authority to exercise all powers and functions incidental to such requisitioning and disposition of such farm machinery as are vested in the War Food Administrator by such Executive orders and acts. This delegation of authority shall expire at midnight, December 31, 1944.

The delegation of authority which appeared in the FEDERAL REGISTER on May 28, 1943, entitled "Delegation of authority to Chairmen of State USDA War Boards to requisition and dispose of idle farm machinery, pursuant to the Act of October 16, 1941, as amended" (8 F.R. 7120), is hereby revoked.

(55 Stat. 742, 56 Stat. 176, 181, 57 Stat. 258)

Issued this 8th day of June 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-8314; Filed, June 8, 1944; 3:32 p. m.]

WAR PRODUCTION BOARD.

SIMSON BROS. REFINING CORPORATION

CONSENT ORDER

Simson Bros. Refining Corporation, a corporation of the State of New York, having its principal place of business at 50 Columbia Street, Newark, New Jersey, is engaged in the business of manufacturing gold jewelry and findings, and was found in an investigation by the War Production Board to have used over 4,000 oz. of karat gold in excess of its quota for the period April 15 to December 31, 1943, in violation of General Limitation Order L-45. Simson Bros. Refining Corporation admits the excess use as charged by the War Production Board and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Simson Bros. Refining Corporation and the approval of the Regional Compliance Chief, the Regional Attorney, and the Compliance Commissioner, *It is hereby ordered*, That:

(a) The quota of gold of Simson Bros. Refining Corporation, a corporation of New York, its successors and assigns, shall be reduced to 50% of the quota which it would otherwise be entitled to use during the third and fourth quarters of 1944 and the first and second quarters of 1945, as defined by Limitation Order L-45, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Simson Bros. Refining Corporation, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on June 8, 1944, and shall expire on June 30, 1945.

Issued this 8th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8318; Filed, June 8, 1944; 4:17 p. m.]

WILLIAMSON HOME HEATING COMPANY

CONSENT ORDER

O. G. Masteller of Wheeling, West Virginia, is engaged in the business of selling, installing and repairing warm air heating furnaces under the trade name of Williamson Home Heating Company. During the year 1943, O. G. Masteller made numerous sales and deliveries to ultimate consumers of new warm air heating furnaces in violation of General Limitation Order L-79 in that said sales and deliveries of said equipment were made to replace existing useable equipment which was not worn out, damaged beyond repair or destroyed. The aforementioned transactions were violations of General Limitation Order L-79. O. G. Masteller admits the violations and has consented to the issuance of this Order.

Wherefore, upon the agreement and consent of O. G. Masteller, doing business as Williamson Home Heating Company, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Deliveries of new warm air heating furnaces as defined in General Limitation Order L-79 to O. G. Masteller, doing business as Williamson Home Heating Company, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating orders, preference rating certificates, general preference orders or any other orders or regulations of the War Production Board unless hereafter specifically authorized in writing by the War Production Board.

(b) The provisions of this consent order shall not apply to repair parts for new warm air heating furnaces as defined and governed by the provisions of General Limitation Order L-79 as amended April 25, 1944.

(c) Nothing contained in this order shall be deemed to relieve O. G. Masteller, individually or doing business as Williamson Home Heating Company, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on June 8, 1944 and shall expire on July 8, 1944.

Issued this 1st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8319; Filed, June 8, 1944; 4:17 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 117

Washington, Tuesday, June 13, 1944

The President

EXECUTIVE ORDER 9448

INSPECTION OF INCOME, EXCESS-PROFITS, AND CAPITAL STOCK TAX RETURNS BY THE SELECT COMMITTEE TO INVESTIGATE THE FEDERAL COMMUNICATIONS COMMISSION, HOUSE OF REPRESENTATIVES

By virtue of the authority vested in me by section 257 (a) of the Revenue Act of 1926 (44 Stat., 9, 51); section 55 of the Revenue Act of 1932 (47 Stat., 169, 189) as amended by section 218 (h) of the National Industrial Recovery Act (48 Stat., 195, 209); sections 215 (e) and 216 (b) of the National Industrial Recovery Act (48 Stat., 195, 208); sections 55 (a), 701 (e), and 702 (b) of the Revenue Act of 1934 (48 Stat., 680, 696, 770); sections 105 (e) and 106 (c) of the Revenue Act of 1935 (49 Stat., 1014, 1018, 1019); sections 55 (a), 351 (c), and 503 (a) of the Revenue Act of 1936 (49 Stat., 1648, 1671, 1733, 1738); and sections 55 (a), 409, 601 (e), and 602 (c) of the Revenue Act of 1938 (52 Stat., 447, 478, 564, 566, 568), it is hereby ordered that income, excess-profits, and capital stock tax returns made under the Revenue Act of 1932, the Revenue Act of 1932, as amended by the National Industrial Recovery Act, the Revenue Act of 1934, the Revenue Act of 1935, as amended by the Revenue Act of 1936, the Revenue Act of 1936, the Revenue Act of 1936, as amended by the Revenue Act of 1937, and the Revenue Act of 1938, for the years 1932 to 1938, inclusive, shall be open to inspection by the Select Committee to Investigate the Federal Communications Commission, House of Representatives, or any duly authorized subcommittee thereof, for the purpose of carrying out the provisions of House Resolution 21 (Seventy-eighth Congress, first session), passed January 19, 1943; such inspection to be in accordance and upon compliance with the rules and regulations prescribed by the Secretary of the Treasury in the Treasury decision relating to the inspection of returns by that committee, approved by me this date.[1]

This order shall be published in the FEDERAL REGISTER.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 8, 1944.

[F. R. Doc. 44-8902; Filed, June 9, 1944; 4:12 p. m.]

[1] See T. D. 5378, *infra*.

Regulations

TITLE 7—AGRICULTURE

Chapter I—War Food Administration (Standards, Inspections, Marketing Practices)

Subchapter D—Warehouse Regulations

PART 101—COTTON WAREHOUSES

MISCELLANEOUS AMENDMENTS

Pursuant to the provisions of the United States Warehouse Act approved August 11, 1916, as amended (39 Stat. 486–491, 41 Stat. 266, 42 Stat. 1282, 46 Stat. 1463; 7 U.S.C. 241–273), and by virtue of the authority vested in the War Food Administrator by Executive orders of the President, the regulations for cotton warehouses, as amended, and as they now appear in Title 7, Chapter I, Subchapter D, Part 101, of the Code of Federal Regulations, and the Cumulative Supplement thereto, are hereby amended as follows:

By rescinding in their entirety the amendments filed on July 6, 1939 (4 F.R. 2853); and on August 28, 1942 (7 F.R. 6806), and substituting in lieu of such amendments, §§ 101.2 amended in pertinent part, and by amending §§ 101.16 (b), 101.21, 101.29, and 101.32 of Title 7, Chapter I, Code of Federal Regulations, to read as follows:

§ 101.2 *Terms defined.* For the purpose of this part, unless the context otherwise requires, the following terms shall be construed, respectively, to mean:

* * * * * * *

(c) *Secretary.* The War Food Administrator of the United States or such officer as may hereafter be authorized

(Continued on p. 6389)

CONTENTS

THE PRESIDENT

	Page
EXECUTIVE ORDER:	
Tax returns, inspection by Select Committee to Investigate Federal Communications Commission	6387

REGULATIONS AND NOTICES

ALIEN PROPERTY CUSTODIAN:	
Vesting orders:	
Copyright interests, etc.:	
Asahi Production	6467
Austrian nationals	6467
Editions Francis Salabert	6465
French nationals (2 documents)	6464
German nationals	6465
Hammer, Elizabeth A	6473
Harasawa, Keizo	6474
I. G. Farbenindustrie A. G.	6475
Kauffmann, Freda	6474
Klotz, Leopold H. P., and North American Investing Co., Inc.	6471
Krohn, Bernhard	6472
Metrawatt A. G.	6474
Quensel, Alfred	6468
Saito, Yukuko	6473
Yamanaka & Co., Inc.	6474
Yamanaka & Co., Ltd. (2 documents)	6468, 6472
CIVIL AERONAUTICS BOARD:	
Scheduled air carrier rules: revocation of requirement for altitude recording device equipment	6393
COAL MINES ADMINISTRATION:	
Termination of Government possession:	
Districts 14, 19 and 22	6458
Eastern Gas and Fuel Associates, Koppers Coal Division	6458
COAST GUARD:	
Approval of equipment	6486
COMMODITY CREDIT CORPORATION:	
Corn, authorization to purchase and sell	6486
ENTOMOLOGY AND PLANT QUARANTINE, BUREAU:	
Flag smut quarantine; entry of Australian wheat into U. S.	6389

(Continued on p. 6388)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

FEDERAL TRADE COMMISSION: Page
Cease and desist orders:
American Art Clay Co. 6394
Fort Worth Peanut Co., etc. 6393
Haband Co. 6394
GENERAL LAND OFFICE:
Washington, withdrawal of public lands for use in connection with Olympic Public Works Project 6459
INTERNAL REVENUE BUREAU:
Tax returns, inspection by Select Committee to Investigate Federal Communications Commission 6395
INTERSTATE COMMERCE COMMISSION:
Icing permits:
Potatoes:
Huntingdon, Pa. (3 documents) 6463
Kansas City, Mo. (2 documents) 6464
INTERSTATE COMMERCE COMMISSION—Continued Page
Reconsignment permits:
Lettuce, Chicago, Ill. 6462
Onions, St. Louis, Mo. 6462
Peas, Buffalo, N. Y. 6462
Potatoes:
Chicago, Ill. (6 documents) 6461, 6462, 6463
St. Louis, Mo. 6461
Tomatoes, Chicago, Ill. 6461
JOINT CONTRACT TERMINATION BOARD. *See* Office of War Mobilization.
NATIONAL WAR LABOR BOARD:
Wage and salary adjustments:
Exemptions:
Hawaii, employers 6395
Maine, employers engaged in packing and shipping of potatoes 6395
Territories and possessions, certain 6395
Hawaii, prior approval of Board required 6396
OFFICE OF DEFENSE TRANSPORTATION:
Common carriers, coordinated operations:
Buffalo, N. Y. 6476
Kansas 6475
Portland, Oreg. 6475
OFFICE OF PRICE ADMINISTRATION:
Adjustments, etc.:
American Boiler and Foundry Co. 6477
General Motors Corp. 6478
Johnston Mfg. Co. 6478
Nassau Brick Co., Inc. 6478
Automobiles, used passenger (MPR 540) 6434
Clams, canned (MPR 448, Am. 1) 6450
Coal (MPR 120, Am. 101, 102) (2 documents) 6433
Bituminous:
Delivered from mine or preparation plant (MPR 120, Incl. Am. 1–97) 6451
Sold for direct use as bunker fuel (MPR 189, Am. 23) 6451
Concrete (MPR 188, Order A–1, Am. 39) 6477
Eggs and egg products (MPR 333, Am. 26) 6458
Fats and oils (MPR 53, Am. 22, 23) (2 documents) 6434, 6452
Fish and seafood, fresh (MPR 418, Am. 32) 6452
Foods, processed (Rev. RO 13, 2d Rev. Supp. 1, Am. 17) 6450
Fruits and vegetables, fresh (MPR 426, Am. 32) 6420
Iron castings, gray (MPR 244, Am. 8) 6451
Lumber:
Softwood, distribution yard sales (2d Rev. MPR 215, Am. 6) 6457
Western timber (MPR 460, Am. 2) 6457
Machines and parts, and services (MPR 136, Am. 117) 6420
Meat, fats, fish and cheeses (RO 16, Rev. Supp. 1, Am. 33) 6455
Milk and milk products (SR 14A, Am. 17) 6451
OFFICE OF PRICE ADMINISTRATION—Continued. Page
Regional and district office orders:
Community ceiling prices, lists of orders filed (2 documents) 6479, 6482
Fluid milk, Colorado 6482
Solid fuels:
Chicago, Ill. 6480
Des Moines, Iowa 6480
La Crosse, Wis. 6481
Lawrence, Mass. 6479
Madison, Wis. 6479
Milwaukee County, Wis. 6481
Palisades, Colo. 6482
Quad Cities, Ill.-Iowa 6482
Willmar, Minn. 6479
Rubber commodities (MPR 220, Am. 15) 6431
Shoe manufacture (SR 15, Am. 26) 6451
Shoes (RO 17, Am. 64) 6455
Virgin Islands, maximum prices (MPR 395) 6456
Grain and grain products (MPR 395, Am. 20) 6456
Pork products (MPR 395, Am. 21) 6457
OFFICE OF WAR MOBILIZATION:
Settlement of claims under terminated subcontracts; statement of policy by Joint Contract Termination Board 6483
RURAL ELECTRIFICATION ADMINISTRATION:
Allocation of funds for loans (4 documents) 6450
SECURITIES AND EXCHANGE COMMISSION:
Hearings, etc.:
Bunte Bros. 6485
Central States Utilities Corp., et al. 6484
Federal Water Service Corp., et al. 6484
International Utilities Corp. 6485
North Continent Utilities Corp et al. 6484
Northern Paper Mills 6485
Patchogue Electric Light Co. and New York State Electric & Gas Corp. 6483
WAGE AND HOUR DIVISION:
Cane sugar industry, La.; opportunity to petition for review 6460
Learner employment certificates, issuance to various industries (2 documents) 6460, 6461
WAR DEPARTMENT:
Military reservations; real estate damages (Corr.) 6393
WAR FOOD ADMINISTRATION. *See also* Commodity Credit Corporation.
Corn acquired by Commodity Credit Corporation, purchase of 6390
Cotton warehouses, amendment to regulations under Warehouse Act 6387
Fats and oils, restrictions on use, etc. (WFO 42, Am. 8) 6391
Animal, neat's-foot and red oil (WFO 53, Am. 4) 6391
Tung oil (WFO 39, Am. 1) 6390

(Continued on next page)

CONTENTS—Continued

WAR FOOD ADMINISTRATION—Con. Page
Wage rates of agricultural labor, California 6396
WAR PRODUCTION BOARD:
Chemicals and allied products (M–300, Am. 1) 6416
Acetic acid, acetic anhydride and acetaldehyde (M–243, Rev.; M–300, Sch. 26) (2 documents) 6416, 6417
Acetylene black (M–300, Sch. 28) 6418
Ammonium silicofluoride (M–300, Sch. 29) 6419
Chromium chemicals, primary (M–18–b) 6415
Isopropyl Alcohol (M–300, Sch. 12) 6416
Container, glass, and closure simplification (L–103) 6399
Distilled spirits (L–103, Sch. A) 6406
Containers, wooden shipping (L–232) 6410
Jacks, mechanical, etc. (L–322) 6413
Production quotas:
Dairy machinery and equipment (L–292, Sch. I) 6397
Milling and processing machinery and equipment (L–292, Sch. VI) 6398
Radiators, cast iron (L–42, Sch. VI) 6408
Ranges, domestic electric (L–23–b, Int. 1) 6416
Shovels, hand, etc. (L–157, Sch. I) 6408
Suspension orders, etc.:
Dr. Pepper Bottling Co. 6408
Freehold Lumber Co. 6486
Jackson Upholstery Co., Inc. 6397
United Assn. of Plumbers and Steamfitters, Local Union 538 6486
Tubing, alloy steel (CMP Reg. 2, Inventory Dir. 16) 6399

to exercise the powers and to perform the functions of the War Food Administrator.

(d) *Chief of Bureau.* Director of Distribution, War Food Administration, or any officer or employee of the War Food Administration to whom the Director of Distribution has heretofore lawfully delegated, or to whom he may hereafter lawfully delegate, the authority to act in his stead.

(e) *Designated representative.* The Director of Distribution, War Food Administration, or any officer or employee of the War Food Administration to whom the Director of Distribution has heretofore lawfully delegated, or to whom he may hereafter lawfully delegate the authority to act in his stead.

* * * * * *

(g) *Department.* War Food Administration, United States Department of Agriculture.

(h) *Bureau.* Office of Distribution, War Food Administration.

§ 101.16 *Form.* * * *

(b) Every negotiable receipt, issued for cotton stored in a licensed warehouse shall be effective until surrendered for delivery of the cotton, and every non-negotiable receipt shall be effective until surrendered for delivery of the cotton or until all cotton covered by the receipt has been delivered in response to proper delivery orders of the person rightfully entitled to the cotton: *Provided,* That nothing herein contained shall prohibit a warehouseman from legally selling the cotton when his accrued storage and other charges approach the current market value of the cotton (Reg. 4, Sec. 1, Par. 2).

§ 101.21 *Return of receipts before delivery of cotton.* Except as permitted by law or by these regulations, a warehouseman shall not deliver cotton for which he has issued a negotiable receipt under the act until such receipt has been returned to him and canceled; and shall not deliver cotton for which he has issued a nonnegotiable receipt until such receipt has been returned to him or he has obtained from the person lawfully entitled to such delivery or his authorized agent, a written delivery order, properly signed, specifying by bale or tag number each bale to be delivered from any receipt or receipts. Before delivering, or upon delivery of, all the cotton covered by a nonnegotiable warehouse receipt, the warehouseman may require the surrender of the receipt (Reg. 4, Sec. 6).

§ 101.29 *Warehouse charges.* A warehouseman shall not make any unreasonable or exorbitant charge for services rendered. Before a license to conduct a warehouse is granted under the act, the warehouseman shall file with the Department a copy of his rules, if any, and a schedule of the charges to be made by him if licensed. A licensed warehouseman may alter his rate of charges for storage and other services effective at the beginning of any new crop year, and such change shall apply during the present war emergency to all cotton, including cotton then in storage: *Provided, however,* That the Secretary, or his designated representative, may fix the effective date of such change for warehousemen in each state or group of states. Before making any change in such rules or schedule of charges, the warehouseman shall file with the Department a statement showing the proposed change and the reasons therefore: *Provided,* That such change or changes shall not become effective until the Department has granted approval to the change. At the close of each cotton season or upon the expiration of one year from the date of issuance of a receipt the warehouseman may demand payment of all accrued storage and other charges. Each licensed warehouseman shall keep exposed conspicuously in the place prescribed by § 101.6 (Reg. 2, Sec. 4), and at such other place, accessible to the public, as the Secretary or his designated representative may from time to time designate, a copy of his current rules and schedule of charges (Reg. 5, Sec. 7).

§ 101.32 *Arrangement of stored cotton.* (a) Each warehouseman shall store each bale of cotton for which a receipt under the Act has been issued so that the tag thereon, required by § 101.31 (Reg. 5, Sec. 9), is visible and readily accessible, except as provided in § 101.32 (b), and shall arrange all other cotton in his licensed warehouse so as to permit an accurate check thereof.

(b) If any licensed warehouseman is tendered for storage cotton of same grade and staple and in such quantity by any one depositor that efficiency of operation dictates that such cotton should be stored in lots without reference to visibility of all tags on all bales within any lot, the warehouseman may store such cotton of same grade and staple belonging to the same depositor in lots of not less than 25 bales nor more than 200 bales, *Provided, however,* That each bale entering into the lot must bear an individual identification tag, and each lot must be so stored that the number of bales within the lot may be accurately determined.

An identification card or tag shall be attached by the warehouseman to each lot of cotton which shall show the lot number and the number of bales in the lot. The warehouseman shall also maintain an office record showing bale or tag number of each bale in the lot and the location of the lot in the warehouse. Each lot shall be so arranged as to be readily distinguishable from each and every other lot. When requested by a proper representative of the Department of Agriculture engaged in making an examination of the warehouse, the warehouseman shall tear or break down at his own expense such stacks or lots of cotton as the examiner deems necessary to a proper examination. Before any warehouseman undertakes to store in accordance with this section he shall submit a statement setting forth (1) his reasons for desiring to avail himself of this section and (2) the plan of storage he proposes to follow, and he shall secure prior permission from the Secretary or his designated representative to practice such method of storage. (Reg. 5, Sec. 10.)

The foregoing amendments shall become effective at 12:01 a. m. e. w. t. June 12, 1944.

(39 Stat. 486–491, 41 Stat. 266, 42 Stat. 1282, 46 Stat. 1463; 7 U.S.C. 1940 ed. 241–273; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 10th day of June 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–8494; Filed, June 12, 1944; 11:26 a. m.]

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q.—Q. 59, Amdt. 1]

PART 319—FOREIGN QUARANTINE NOTICES

FLAG SMUT QUARANTINE

Because of a temporary national shortage of feedstuffs and rail transportation, increased importations of feedstuffs have become necessary. Australia being one of the immediate sources of supply for which water transportation is available it is proposed as an emergency measure to modify the existing prohibition against the importation of wheat from Australia contained in 7 CFR 319.59 (Flag Smut

Quarantine, No. 59), by permitting the importation of this product by an agency of the Federal Government, under conditions prescribed for the purpose of preventing the danger of flag smut introduction into important wheat areas. Such importation will be limited to six boatloads and to a period not to extend beyond November 30, 1944; the imported wheat will be obtained in southern Australia where, according to available information, flag smut has not been reported since 1941; and entry and distribution will be allowed for feed purposes only, and confined within the area in southern California where wheat is not an important crop.

Pursuant to the authority conferred on the Secretary of Agriculture by the Plant Quarantine Act of August 20, 1912, as amended (7 U.S.C. 160), the subpart entitled "Flag Smut" of Part 319, Chapter III, Title 7, of the Code of Federal Regulations (§ 319.59; B. E. P. Q—Q. 59) is hereby amended, effective immediately, by adding, at the end of said subpart the following:

Provided, That this prohibition shall not apply to a quantity of wheat, not to exceed six boatloads, to be imported from southern Australia, through the port of Los Angeles, Calif., by an agency of the Federal Government on or before November 30, 1944, at a rate not exceeding two boatloads per month, for milling at Los Angeles, Calif., and utilization thereafter for feed purposes within the are of the State of California south of and including the counties of Santa Barbara, Ventura, Los Angeles, and a line extended eastward through San Bernardino County from the northern borders of Ventura and Los Angeles Counties. Such importation, milling, distribution, and utilization of this Australian wheat shall be carried out in compliance with the regulations promulgated supplemental to this quarantine.

REGULATIONS GOVERNING THE ENTRY OF AUSTRALIAN WHEAT INTO SOUTHERN CALIFORNIA

§ 319.59–1 *Applications for and issuance of permits.* Upon receipt of an application, giving the name and address of importer, country and locality of origin, United States port of entry, approximate quantity to be imported and approximate date of arrival, a permit will be issued authorizing the importation of Australian wheat through the port of Los Angeles, Calif., during the period from the effective date hereof until November 30, 1944. Permits will be issued subject to the restrictions and requirements set forth in §§ 319.59–2 to 319.59–7.

§ 319.59–2 *Notice of arrival.* A notice of arrival shall be submitted with each shipment entered at said port on forms provided for the purpose (Form EQ–368).

§ 319.59–3 *Inspection and treatment.* Each shipment shall be subject to such inspection as may be necessary to determine its freedom from injurious insects and plant diseases, and to such treatment as may be necessary in connection with pests found present.

§ 319.59–4 *Safeguards governing unloading and handling at dock.* Unloading and handling at the dock shall be under the supervision of an inspector of the Bureau of Entomology and Plant Quarantine, and shall be subject to such safeguard and cleanliness requirements as he may prescribe.

§ 319.59–5 *Wheat may be ground in approved mills only.* Wheat shipments shall be moved from the dock only to specified, approved mills within the limits of the port for grinding. Movement from dock to mill shall be under the supervision of an inspector of the Bureau of Entomology and Plant Quarantine and shall be carried out in such manner and under such safeguards as he may require.

§ 319.59–6 *Identity of product to be maintained.* The wheat shall be ground to such state of fineness as will fit it for feeding purposes, and the identity of the product shall be maintained after grinding by marking, certification, or otherwise as the inspector may require.

§ 319.59–7 *Distribution for consumption safeguarded by permit.* Distribution from the mill into consumption within the specified area shall be made under permit issued under such conditions as will insure that the product does not leave the specified consumption area.

(Sec. 7, 37 Stat. 317, 7 U. S. C. 160)

Done at the city of Washington this 9th day of June 1944.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 44–8386; Filed, June 9, 1944; 3:20 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 98, Amdt. 2]

PART 1468—GRAIN

PURCHASE OF CORN ACQUIRED BY COMMODITY CREDIT CORPORATION

War Food Order No. 98, as amended (9 F.R. 4379, 4738, 5397), § 1468.8, is further amended by deleting paragraph (d) (3) and substituting in lieu thereof the following:

(3) Every person who is authorized[1] by Commodity or any of its designated agents shall comply with all the terms and conditions specified in such authorization, regardless of whether such purchase is from a designated agent or from a person who has purchased under such an authorization, and any failure to comply with such terms and conditions shall constitute a violation of this order.

This amendment shall become effective at 12:01 a. m., c. w. t., June 12, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 98, as amended, prior to the effective date of this amendment, all provisions of said War Food Order No. 98, as amended, in effect prior hereto shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 10th day of June 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–8491; Filed, June 12, 1944; 11:26 a. m.]

[1] See Commodity Credit Corporation, this issue.

[WFO 39, Amdt. 1]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE, PROCESSING, AND REFINING OF TUNG OIL

War Food Order 39 (8 F.R. 3482; 9 F.R. 4319), § 1460.5, is amended to read as follows:

§ 1460.5 *Use, processing, and refining of tung oil restricted*—(a) *Definitions.* (1) "Tung oil" means that oil obtained from the tung nut, commonly known as tung oil or china wood oil, whether crude, raw, filtered, or refined.

(2) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(3) "Producer" means any person engaged in the production of crude or raw tung oil and includes any person who has crude or raw tung oil produced for him pursuant to a toll agreement.

(4) "Director" means the Director of Distribution, War Food Administration.

(b) *Restrictions on use, processing, and refining.* (1) Subject to the provisions of (b) (2) hereof, no person shall use, process, or refine tung oil except as specifically authorized by the Director.

(2) Notwithstanding the provisions of (b) (1) hereof, specific authorization by the Director shall not be required for the use, processing, or refining of 40 pounds, or less, of tung oil in the aggregate, in any calendar month, by any person.

(c) *Further allocations.* The Director is authorized to issue orders allocating fats and oils to the production of particular grades of tung oil.

(d) *Issuance of specific authorizations.* (1) Each person requiring authorization to use, process, or refine tung oil during any calendar month shall file application therefor on or before the fifteenth day of the month preceding the month in which it is desired to use, process, or refine the tung oil covered by the application. The application shall be made on Form FDA–478, or such other form or forms as may be prescribed by the Director, and shall be forwarded to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO–39.

(2) The Director may prescribe in each authorization issued pursuant to this order the period of time in which the authorization shall be effective. No person shall use, process, or refine any tung oil pursuant to, or in reliance on, an authorization which has expired.

(e) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in tung oil.

(3) Every producer of tung oil shall properly fill out and file one copy of Form FDA–476 between the first and fifteenth day of each calendar month with the Director of Distribution, War Food Administration, Washington 25, D. C.

(4) Every person who in any calendar quarter uses more than 3,000 pounds of tung oil shall:

(i) Fill out and file for each month of such quarter, Bureau of the Census Form BM–1, with the Bureau of the Census, Washington 25, D. C., on or before the fifteenth day of the succeeding month; and

(ii) Fill out and file for such quarter, Bureau of the Census Form BM–2, with the Bureau of the Census, Washington 25, D. C., on or before the fifteenth day of the second month of the succeeding quarter. Nothing in this paragraph (e) (4) shall be construed as requiring any person to file more than one Form BM–1 for any month, or more than one Form BM–2 for any quarter.

(f) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of tung oil of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

(h) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using tung oil, or any other material subject to priority or allocation control by any governmental agency. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(i) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO–39.

(k) *Territorial extent.* This order shall be effective in the United States, its territories, and possessions, and the District of Columbia.

(l) *Effective date.* This amendment shall become effective at 12:01 a. m., e. w. t., June 9, 1944. However, with respect to violations of said War Food Order 39, as amended, or rights accrued, or liabilities incurred thereunder prior to said date, said War Food Order 39, as heretofore amended, shall be deemed to be in full force and effect for the purposes of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 9th day of June 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–8389; Filed, June 9, 1944; 3:22 p. m.]

[WFO 42, Amdt. 8]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE

War Food Order 42, as amended (9 F.R. 2971, 4321, 4319, 3832, 4802, 5333), § 1460.1, is amended as follows:

1. By deleting the provisions of paragraph (a) (8) thereof and inserting in lieu thereof the following:

(8) "Soap" means the water soluble product formed by the saponification or neutralization of fats, oils, rosins, or their fatty acids with organic, sodium or potassium bases; or any detergent composition containing such products, including all types of shaving soap and shaving cream. However, the term does not include abrasive hand soap, or soap used for non-detergent purposes or for the processing of textiles.

2. By deleting from Schedule A of paragraph (b (1) thereof the following:

Manufacture of abrasive hand soap in any calendar quarter	150

This amendment shall become effective at 12:01 a. m., e. w. t., June 9, 1944. However, with respect to violations of War Food Order 42, as amended, or rights accrued, or liabilities incurred thereunder, prior to said date, said War Food Order 42, as heretofore amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 9th day of June 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–8390; Filed, June 9, 1944; 3:22 p. m.]

[WFO 53, Amdt. 4]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE AND DISTRIBUTION OF ANIMAL OIL, NEAT'S-FOOT OIL, AND RED OIL

War Food Order 53, as amended (9 F. R. 938, 3416, 4319), § 1460.15, is amended to read as follows:

§ 1460.15 *Animal oil, neat's-foot oil, and distilled red oil; restrictions on use and distribution*—(a) *Definitions.* (1) "Animal oil" means oil pressed or otherwise separated from animal tallow or grease. It shall include, but is not limited to, grease oil, otherwise known as lard oil, tallow oil, and oil obtained from the feet of swine, commonly known as pig's foot oil. However, the term shall not include the following:

(i) Neat's-foot oil, or

(ii) Any edible oil, whether or not of the type or class heretofore mentioned, which has been inspected, and marked, stamped, tagged, or labeled as "inspected and passed", pursuant to the Act of March 4, 1907 (34 Stat. 1260, 1261; 21 U. S. C. 1940 ed. 71 et seq.), or

(iii) The high titer residue, commonly known as stearine, obtained from a pressing operation in the production of animal oil.

(2) "Neat's-foot oil" means any oil obtained by any process which includes the rendering of the feet or shin bones of cattle and which may, or may not, include a pressing operation.

(3) "Distilled red oil" means the lower titer fatty acids, commonly known as commercial oleic acid, obtained by any process which includes the splitting of animal fat and a subsequent separation by pressing, or otherwise, of such lower titer fatty acids from the higher titer fatty acids, and which have been distilled either prior to, or after, separation from the higher titer fatty acids.

(4) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(5) "Producer" means any person engaged in the production of animal oil, neat's-foot oil, or distilled red oil.

(6) "Distributor" means any person engaged in the business of purchasing animal oil, neat's-foot oil, or distilled red oil for purposes of resale.

(7) "Director" means the Director of Distribution, War Food Administration.

(8) "Certified order" means any written order delivered to a producer or

distributor for distilled red oil which has included therein, or attached thereto, a certificate properly filled out and executed in accordance with the provisions of (e) (1) hereof.

(9) "Inventory" means, according to the context, either the quantity of animal oil or the quantity of neat's-foot oil owned by any person and which is on his premises, in storage facilities used by him, or in transit to him.

(10) "Maximum unit" means, according to the context, with respect to any person, either the largest, single, segregate, commercial quantity of animal oil, or the largest, single, segregate, commercial quantity of neat's-foot oil which such person accepted delivery of during the period beginning on July 1, 1943 and ending on December 31, 1943. For example, such a unit might be one, but not more than one, of the following: a tank car, or fraction thereof; a tank truck, or fraction thereof; a carload, or fraction thereof, of packaged oil; or a truckload, or fraction thereof, of packaged oil.

(11) "Set aside oil" means any distilled red oil required to be set aside under the provisions of (d) hereof.

(b) *Inventory limitations with respect to animal oil.* (1) No person, other than a producer or distributor, shall, after the effective date of this amendment, accept delivery of any animal oil which will cause his inventory of animal oil to exceed a quantity equal to 60,000 pounds, or a 60-day supply at his then current rate of consumption of animal oil, whichever is greater.

(2) No distributor shall accept delivery of any animal oil, after the effective date of this amendment, which will cause his inventory of animal oil to exceed a quantity equal to ⅓ of the amount of animal oil which he accepted delivery of during the period beginning on July 1, 1943, and ending on December 31, 1943.

(3) Notwithstanding the provisions of (b) (1) and (2) hereof, any person restricted by the provisions of said (b) (1), or any distributor, may accept delivery of a quantity of animal oil equal to his maximum unit, if, at the time of such acceptance of delivery, his inventory does not exceed 50% of the quantity he is permitted to have in his inventory under the applicable provisions of (b) (1) or (2) hereof.

(c) *Inventory limitations with respect to neat's-foot oil.* (1) No person, other than a producer or distributor, shall, after the effective date of this amendment, accept delivery of any neat's-foot oil which will cause his inventory of neat's-foot oil to exceed a quantity equal to 30,000 pounds, or a 60-day supply at his then current rate of consumption of neat's-foot oil, whichever is greater.

(2) Notwithstanding the provisions of (c) (1) hereof, any person restricted by the provisions of said (c) (1), may accept delivery of a quantity of neat's-foot oil equal to his maximum unit, if, at the time of such acceptance of delivery, his inventory of neat's-foot oil does not exceed 50% of the quantity he is permitted to have in such inventory under the provisions of (c) (1) hereof.

(d) *Distilled red oil set aside.* On the first day of each calendar month, beginning with July 1, 1944, every producer of distilled red oil shall set aside a quantity of distilled red oil equal to ⅓ of the total amount of distilled red oil produced by him in the preceding calendar month. Set aside oil shall not be used, processed, blended, delivered, or delivery thereof accepted, by any person, except as specifically authorized by the Director: *Provided, however,* That any distilled red oil required to be set aside hereunder on the first day of any calendar month and the delivery of which is not specifically authorized by the Director prior to the first day of the succeeding calendar month, shall be released from the restrictions of this paragraph on the said first day of such succeeding calendar month.

(e) *Orders for distilled red oil which is not to be used for the production of liquid, industrial laundry, or household laundry soap given preference.* (1) Every person, except a distributor, who desires to obtain distilled red oil from a producer or distributor for any purpose other than the production of liquid, industrial laundry, or household laundry soap, may prior to the delivery of the distilled red oil to him, deliver to such producer or distributor a written order for such distilled red oil, which has attached thereto, or included therein, a certificate properly filled out and signed by him, in the following form:

The undersigned hereby certifies to the War Food Administration and to ----------
(supplier)
that this certificate constitutes a part of an order by him to said supplier for ---------- pounds of distilled red oil to be delivered on or about --------, and that none of the
(date)
distilled red oil which may be received by the undersigned pursuant to such order will be used by him in the production of liquid, industrial laundry, or household laundry soap.

(Purchaser)

By ----------
(Authorized official)

Date

No person who receives distilled red oil as the result of such a certified order shall use any of the distilled red oil so received in the production of liquid, industrial laundry, or household laundry soap.

(2) No producer or distributor shall deliver distilled red oil to any person, other than a distributor, in any calendar month except pursuant to a specific authorization by the Director or an order certified in accordance with the provisions of (e) (1) hereof, unless and until he has delivered, offered to deliver, or made provision to deliver all distilled red oil which is ordered from him by means of certified orders which are received by him at any time before the sixteenth day of such calendar month and if subject to (d) hereof, has set aside the amount of distilled red oil required thereunder.

(f) *Further allocations.* The Director is authorized to issue orders allocating fats and oils to the production of particular kinds or grades of animal oil, neat's-foot oil, or distilled red oil.

(g) *Issuance of specific authorizations.* (1) Any person requiring an authorization to accept delivery of, use, process, or blend distilled red oil, shall file an application therefor on Forms FDA-478 and FDA-477, or such other form or forms as may be prescribed by the Director. The application shall be forwarded to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO-53. In each case where the application for authorization to accept delivery, use, process, or blend, is granted, one copy of Form FDA-478, or such other form as may be prescribed by the Director, signed by the Director, will be returned to the applicant and will constitute his authorization to accept delivery, use, process, or blend, and one copy of Form FDA-477, or such other form as may be prescribed by the Director, signed by the Director, will be sent to the supplier and will constitute the authorization for the supplier to make delivery.

(2) The Director may prescribe in each authorization issued pursuant to this order, the period of time in which the authorization shall be effective. Any distilled red oil authorized by the Director to be used, processed, or blended for a specific purpose during a specific period which is not used, processed, or blended for such purpose during such period, shall not be used, processed, or blended in any manner except upon further specific authorization by the Director, and no person shall take any action pursuant to, or in reliance on, an authorization which has expired.

(h) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in animal oil, neat's-foot oil, and distilled red oil.

(3) Every producer or distributor of animal oil, neat's-foot oil, or distilled red oil, shall fill out and file with the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO-53, one copy of Form FDA-476 with respect to such oils and fatty acids, between the first and fifteenth day of each calendar month.

(i) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of animal oil, neat's-foot oil, and distilled red oil of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(j) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

(k) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using animal oil, neat's-foot oil, and distilled red oil, or any other material subject to priority or allocation control by any governmental agency. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(l) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized, to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(m) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO-53.

(n) *Territorial extent.* This order shall apply in the United States, its territories and possessions, and the District of Columbia.

(o) *Effective date.* This amendment shall become effective at 12:01 a. m., E. W. T., June 9, 1944. However, with respect to violations of said War Food Order 53, as amended, or rights accrued, or liabilities incurred thereunder, prior to said date, said War Food Order 53, as heretofore amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 9th day of June 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-8891; Filed, June 9, 1944; 8:22 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter V—Military Reservations and National Cemeteries

PART 52—REGULATIONS AFFECTING MILITARY RESERVATIONS

REAL ESTATE; CLAIMS FOR RENT, DAMAGE AND OTHER PAYMENTS

NOTE: The chapter and part designations on the original document setting forth the regulation printed at page 6290 of the issue for Friday, June 9, 1944 (F.R. Doc. 44-8278) have been corrected as set forth above.

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Amendment 61-1]

PART 61—SCHEDULED AIR CARRIER RULES

ALTITUDE RECORDING DEVICE EQUIPMENT

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 9th day of June, 1944.

It appearing from representations made by air carriers that due to a shortage of material and personnel occasioned by the war it is impossible for some of the air carriers to maintain in proper working condition an altitude recording device as required by § 61.241 [1] of the Civil Air Regulations;

Now therefore, effective June 9, 1944, § 61.241 of the Civil Air Regulations is repealed.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-8449; Filed, June 12, 1944; 10:24 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4544]

PART 3—DIGEST OF CEASE AND DESIST ORDER

FORT WORTH PEANUT COMPANY, ETC.

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of peanuts or other merchandise, (1) selling, etc., peanuts or other merchandise so packed and assembled that sales of such peanuts or other merchandise to the public are to be made or, due to the manner in which such peanuts or other articles of merchandise are packed or assembled at the time they are sold by respondent, may be made by means of a game of chance, gift enterprise, or lottery scheme; or (2) selling, etc., any merchandise by means of a game of chance, gift enterprise, or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec 45b) [Cease and desist order, Fort Worth Peanut Company, etc., Docket 4544, May 18, 1944]

In the Matter of William Parrish Bennett, Individually and Trading Under the Names of Fort Worth Peanut Company and Bill's Peanut Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of May, A. D. 1944.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence in support of and in opposition to the allegations of said complaint taken before examiners of the Commission theretofore duly designated by it, report of the trial examiners, and brief in support of the complaint, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, that respondent William Parrish Bennett, an individual trading as Fort Worth Peanut Company, Bill's Peanut Company, or under any other name, his representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of peanuts or other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Selling or distributing peanuts or other merchandise so packed and assembled that sales of such peanuts or other merchandise to the public are to be made or, due to the manner in which such peanuts or other articles of merchandise are packed or assembled at the time they are sold by respondent, may be made by means of a game of chance, gift enterprise, or lottery scheme.

2. Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise, or lottery scheme.

It is further ordered, That respondent shall, within sixty (60) days after the service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-8467; Filed, June 12, 1944; 11:08 a. m.]

[1] 7 F.R. 9070; 8 F.R. 9181; 9 F.R. 5035.

[Docket No. 4790]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

HABAND CO.

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.6 (m 10) *Advertising falsely or misleadingly—Manufacture or preparation:* § 3.66 (a 7) *Misbranding or mislabeling—Composition:* § 3.66 (c 20) *Misbranding or mislabeling—Manufacture:* § 3.71 (a) *Neglecting, unfairly or deceptively, to make material disclosure—Composition.* In connection with offer, etc., in commerce, of respondents' neckties, (1) using the words "All Silk," or the unqualified word "Silk," or any other word or words of similar import, to designate or describe any fabric which is not composed wholly of unweighted silk, the product of the cocoon of the silkworm; (2) advertising, offering for sale or selling products made in whole or in part from silk containing metallic weighting without clearly and conspicuously disclosing in all invoices and advertising material, and on labels or tags attached to such products, the presence of such weighting and the percentage thereof by weight in relation to the total weight of the silk in its finished state—as, for example, "Silk, weighted 50%"; (3) advertising, offering for sale or selling products composed in whole or in part of rayon without clearly and conspicuously disclosing such rayon content in all invoices and advertising material, and on labels or tags attached to such products; (4) using the words "Hand Made," or any other word or words of similar import, to designate or describe products not made entirely by hand; or (5) misrepresenting in any manner or by any means the materials of which respondents' products are made or the method by which such products are made; prohibited, subject to the provision, as respects said second prohibition that such disclosure may be made by stating truthfully that such weighting is not in excess of a specified percentage—as, for example, "Silk, weighted not over 50%"; and subject to the further provision, as respects said third prohibition, that when such products are composed in part of rayon and in part of other fibers or materials, all of such fibers or materials, including the rayon, shall be disclosed in the manner and by the means set forth above. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Haband Company, Docket 4790, May 31, 1944]

In the Matter of Max Habernickel, Jr., and John A. Anderson, Copartners Trading as Haband Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 31st day of May, A. D. 1944.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, briefs in support of and in opposition to the complaint, and oral argument; and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Max Habernickel, Jr., and John A. Anderson, individually and as copartners trading as Haband Company, or trading under any other name, and their agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of respondent's neckties in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "All Silk," or the unqualified word "Silk," or any other word or words of similar import, to designate or describe any fabric which is not composed wholly of unweighted silk, the product of the cocoon of the silkworm.

2. Advertising, offering for sale or selling products made in whole or in part from silk containing metallic weighting without clearly and conspicuously disclosing in all invoices and advertising material, and on labels or tags attached to such products, the presence of such weighting and the percentage thereof by weight in relation to the total weight of the silk in its finished state—as, for example, "Silk, weighted 50%": *Provided, however*, That such disclosure may be made by stating truthfully that such weighting is not in excess of a specified percentage—as, for example, "Silk, weighted not over 60%."

3. Advertising, offering for sale or selling products composed in whole or in part of rayon without clearly and conspicuously disclosing such rayon content in all invoices and advertising material, and on labels or tags attached to such products; and when such products are composed in part of rayon and in part of other fibers or materials, all of such fibers or materials, including the rayon, shall be disclosed in the manner and by the means set forth above.

4. Using the words "Hand Made," or any other word or words of similar import, to designate or describe products not made entirely by hand.

5. Misrepresenting in any manner or by any means the materials of which respondents' products are made or the method by which such products are made.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-8488; Filed, June 12, 1944; 11:08 a. m.]

[Docket No. 5049]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

AMERICAN ART CLAY CO.

§ 3.45 (c) *Discriminating in price—Direct discrimination—Compensatory payments:* § 3.45 (e) *Discriminating in price—Indirect discrimination—discount and allowances.* In connection with offer, etc., in commerce, of crayons, chalk, paint sets, art materials, educational supplies and allied products, (1) selling such commodities of like grade and quality to competing purchasers at uniform prices and granting discounts therefrom in the manner and under the circumstances found in paragraph five of the aforesaid findings as to the facts and conclusions [i. e., as there set forth, through granting, in addition to the 10 per cent trade discount from list price granted to all customers, 10 per cent discount to customers designated by it as "wholesalers" and "jobbers", and who were in active competition with other customers of it not thus favored]; (2) continuing or resuming the discriminations in price referred to and described in said paragraph five of the Commission's findings as to the facts herein; (3) otherwise discriminating in price between purchasers of crayons, chalk, paint sets, art materials, educational supplies and allied products of like grade and quality in a manner and degree substantially similar to the manner and degree of the discrimination referred to in paragraph five of the Commission's findings as to the facts herein, and in any other manner resulting in price discriminations substantially equal in amount to such discriminations except as permitted by Section 2 of the Clayton Act, as amended; and (4) granting or allowing compensation to any customer of the respondent of an amount equal to 10 per cent of the respondent's net billing price of the products sold by such customer, or any other compensation, for services or facilities furnished by or through such customer in connection with the handling, sale or offering for sale of respondent's products, unless such payments are made available on proportionally equal terms to all buyers from the respondent who are competitors of such customers; prohibited. (Sec. 2 (a), 49 Stat. 1526, 15 U.S.C., sec. 13 (a); Sec. 2 (d), 49 Stat. 1527; 15 U.S.C., sec. 13d) [Cease and desist order, American Art Clay Company, Docket 5049, May 12, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 12th day of May, A. D. 1944.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the stipulation as to the facts entered into between the respondent herein and W. T. Kelley, Chief Counsel for the Commission, which provides among other things that without the presentation of argument or other intervening procedure the Commission may issue and serve upon the respondent herein findings as to the facts and conclusions based thereon and an order disposing of the proceedings, and the Commission having made its findings as to the facts and its conclusions that the respondent has violated the provisions of subsection (a) and subsection (d) of Section 2 of an Act of Congress approved October 15, 1914, entitled "An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes" (the Clayton Act), as amended by the Robinson-Patman Act:

It is ordered, That the respondent, American Art Clay Company, a corporation, and its officers, directors, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of crayons, chalk, paint sets, art materials, educational supplies and allied products in commerce, as "commerce" is defined in the Clayton Act, do forthwith cease and desist:

1. From selling such commodities of like grade and quality to competing purchasers at uniform prices and granting discounts therefrom in the manner and under the circumstances found in paragraph five of the aforesaid findings as to the facts and conclusions.

2. From continuing or resuming the discriminations in price referred to and described in paragraph five of the commission's findings as to the facts herein.

3. From otherwise discriminating in price between purchasers of crayons, chalk, paint sets, art materials, educational supplies and allied products of like grade and quality in a manner and degree substantially similar to the manner and degree of the discrimination referred to in paragraph five of the Commission's findings as to the facts herein, and in any other manner resulting in price discriminations substantially equal in amount to such discriminations except as permitted by Section 2 of the Clayton Act, as amended.

4. From granting or allowing compensation to any customer of the respondent of an amount equal to 10% of the respondent's net billing price of the products sold by such customer, or any other compensation, for services or facilities furnished by or through such customer in connection with the handling, sale or offering for sale of respondent's products, unless such payments are made available on proportionately equal terms to all buyers from the respondent who are competitors of such customers.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-8489; Filed, June 12, 1944; 11:08 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter E—Administrative Provisions Common to Various Taxes

[T. D. 5378]

PART 458—INSPECTION OF RETURNS

INSPECTION BY SELECT COMMITTEE TO INVESTIGATE FEDERAL COMMUNICATIONS COMMISSION

Regulations governing the inspection of income, excess-profits, and capital stock tax returns by the Select Committee to Investigate the Federal Communications Commission, House of Representatives.[1]

Pursuant to the provisions of section 257 (a) of the Revenue Act of 1926; section 55 of the Revenue Act of 1932, as amended by section 218 (h) of the National Industrial Recovery Act; sections 215 (e) and 216 (b) of the National Industrial Recovery Act; sections 55 (a), 701 (e), and 702 (b) of the Revenue Act of 1934; sections 105 (e) and 106 (c) of the Revenue Act of 1935; sections 55 (a), 351 (c), and 503 (a) of the Revenue Act of 1936; and sections 55 (a), 409, 601 (e) and 602 (c) of the Revenue Act of 1938, income tax returns made under the Revenue Act of 1932, the Revenue Act of 1932, as amended by the National Industrial Recovery Act, the Revenue Act of 1934, the Revenue Act of 1936, the Revenue Act of 1936, as amended by the Revenue Act of 1937, and the Revenue Act of 1938, and capital stock and excess-profits tax returns made under the National Industrial Recovery Act, the Revenue Act of 1934, the Revenue Act of 1935, as amended by the Revenue Act of 1936, the Revenue Act of 1936, and the Revenue Act of 1938, for the years 1932 to 1938, inclusive, shall be open to inspection by the Select Committee to Investigate the Federal Communications Commission, House of Representatives, or any duly authorized subcommittee thereof, for the purpose of carrying out the provisions of House Resolution 21 (Seventy-eighth Congress, first session), passed January 19, 1943. The inspection of returns herein authorized may be by the committee or a duly authorized subcommittee thereof, acting directly as a committee or a subcommittee, or by or through such examiners or agents as the committee or subcommittee may designate or appoint. Upon written notice by the chairman of the committee or of the authorized subcommittee to the Secretary of the Treasury, giving the names and addresses of the taxpayers whose returns it is necessary to inspect and the taxable periods covered by the returns, the Secretary and any officer or employee of the Treasury Department shall furnish such committee or subcommittee with any data relating to or contained in any such return, or shall make such return avail for inspection by the committee or subcommittee or by such examiners or agents as the committee or subcommittee may designate or appoint, in the office of the Commissioner of Internal Revenue. Any information thus obtained by the committee or the subcommittee thereof, which is relevant or pertinent to the purpose of the investigation, may be submitted by the committee to the House.

JOHN L. SULLIVAN, *Acting Secretary of the Treasury.*

Approved: June 8, 1944.

FRANKLIN D ROOSEVELT *The White House.*

[F. R. Doc. 44-8398; Filed, June 9, 1944; 4:12 p. m.]

[1] See E.O. 9448, *supra*.

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 803—GENERAL ORDERS

EMPLOYERS ENGAGED IN PACKING AND SHIPPING POTATOES IN MAINE

§ 803.4 *General Order No. 4.* * * * (d) * * *

The National War Labor Board, under this paragraph, has approved the following exceptions to the exemption provided for in paragraph (a) of this order:

(26) Employers engaged in the packing and shipping of potatoes in the State of Maine.

(E.O. 9250, 7 F.R. 7871)

Approved, May 30, 1944.

THEODORE W. KHEEL, *Executive Director.*

[F. R. Doc. 44-8445; Filed, June 12, 1944; 10:04 a. m.]

PART 803—GENERAL ORDERS

EMPLOYERS IN HAWAII

§ 803.4 *General Order No. 4.* * * * (d) * * *

The National War Labor Board, under this paragraph, has approved the following exceptions to the exemption provided for in paragraph (a) of this order:

(27) All employers in the Territory of Hawaii.

(E.O. 9250, 7 F.R. 7871)

Approved June 3, 1944.
Effective date: June 6, 1944.

THEODORE W. KHEEL, *Executive Director.*

[F. R. Doc. 44-8447; Filed, June 12, 1944; 10:04 a. m.]

PART 803—GENERAL ORDERS

WAGES AND SALARIES ADJUSTMENT; EXEMPTION IN CERTAIN TERRITORIES OR POSSESSIONS

In accordance with the authority vested in it by the Act of October 2, 1942, and the executive orders and regulations issued thereunder and acting on the report of its Chairman William H. Davis, the

National War Labor Board hereby amends General Order No. 8, adopted October 8, 1942, by adding after the words "except Alaska", the words "and the Territory of Hawaii". The amended order reads as follows:

§ 803.8 *General Order No. 8.* Exercising the authority vested in the National War Labor Board by § 4001.19 of Part 4001, Regulations Relating to Wages and Salaries, issued on October 27, 1942, as amended, by the Economic Stabilization Director and approved by the President, and deeming it necessary for the effective administration of the Act of Congress of October 2, 1942, the Board hereby determines that adjustments in any wages or salaries over which this Board has jurisdiction and which are paid in any territory or possession of the United States, except Alaska and the Territory of Hawaii, are exempted from the operation of the said regulations and therefore may be made without the approval of the Board.

(E.O. 9250, 7 F.R. 7871)

Approved June 3, 1944.
Effective date: June 6, 1944.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-8448; Filed, June 12, 1944; 10:04 a.m.]

PART 803—GENERAL ORDERS

ADJUSTMENT OF WAGES AND SALARIES IN HAWAII

In accordance with the authority vested in it by the Act of October 2, 1942, and the executive orders and regulations issued thereunder and acting on the report of its Chairman William H Davis, the National War Labor Board hereby adopts General Order No. 36 relating to the Territory of Hawaii.

§ 803.36 *General Order No. 36.* (a) Until further order of the National War Labor Board no increase or decrease in wages or salaries paid in the Territory of Hawaii shall be made without the prior approval of the National War Labor Board or its duly authorized agent, except such as are required by law; and no general order of the National War Labor Board authorizing the making of wage or salary increases or decreases without the prior approval of the Board shall apply to wages or salaries paid or received within the Territory of Hawaii.

(b) The exemption provided for by General Order No. 4, as amended, shall not apply to the Territory of Hawaii.

(c) As soon hereafter as practical, the Board will prescribe appropriate regulations and general orders for the making of such adjustments in wages and salaries in the Territory of Hawaii as are consonant with the purposes of the Anti-inflation Act of October 2, 1942, and the executive orders and regulations issued thereunder and with the needs of stabilisation in the Territory and for the peaceful adjustment of labor disputes pursuant to the War Labor Disputes Act. Pending the promulgation of such regulations and general orders the Wage and Hour Division of the United States Department of Labor, Honolulu, is hereby designated as the agent of the National War Labor Board authorized to receive applications for approval of proposed wage or salary adjustments and to issue rulings concerning the interpretation and application of these resolutions.

(E.O. 9250, 7 F.R. 7871)

Approved June 3, 1944.
Effective date: June 6, 1944.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-8446; Filed June 12, 1944; 10:04 a. m.]

Chapter IX—War Food Administration (Agricultural Labor)

[Specific Wage Ceiling Reg. 9]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN BALING ALFALFA, VETCH, AND GRAIN HAY IN DESIGNATED CALIFORNIA COUNTIES

§ 1102.9 *Wages of workers engaged in the baling and piling of alfalfa, vetch and grain hay in the counties of Marin, Sonoma, Napa, Solano, Alameda, San Joaquin, Contra Costa, Sacramento, Sutter, Yolo and Yuba, State of California.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in the baling and piling of alfalfa, vetch and grain hay in the counties of Marin, Sonoma, Napa, Solano, Alameda, San Joaquin, Contra Costa, Sacramento, Sutter, Yolo and Yuba, State of California, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035).

(b) *Wage rates; maximum wage rates for baling and piling alfalfa, vetch and grain hay.*

	Cents per ton per man
(1) 5-wire balers:	
3-man feeder crew	40
4-man feeder crew	35
Power driver (lever tender)	26
Bale jerker (if 2 men are employed the employer will divide the 40¢ per ton among the 2 men in any proportion desired)	40
Bale roller (piler)	25
Roustabout	20
Spool tender	15
(Board in addition.)	
(2) 3-wire stationary or pitch-in type balers:	
2 or 3 feeders	80
(Where feeders rotate to other jobs the feeder rate applies, provided, however, a maximum of 3 men in a crew may be paid the feeder rate.)	
Wire tier (where an exclusive job)	40
Wire poker (where an exclusive job)	25
Bale roller (piler)	40
Spool tender	25
(Board not included.)	

	Cents per ton per crew
(3) 2- or 3-wire pickup type balers:	
Lead man (not more than one)	80

	Cents per ton per man
Other men in crew	45
(Total crew cannot exceed 4 men.)	
(Board not included.)	

If an hourly rate is paid for any operation listed in (1), (2), or (3), the rate must not exceed earnings computed on the above piece rate basis.

(c) *Administration.* The California WFA Wage Board located at 2181 Bancroft Way, Berkeley, California, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831).

(d) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 9 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) and the provisions of such regulations shall be applicable to this specific wage ceiling regulation No. 9 and any violation of this specific wage ceiling regulation No. 9 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. 961 et seq.; Pub. Law 34, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 831, 6011)

Issued this 10th day of June 1944.

PHILIP BRUTON,
Director,
Office of Labor,
War Food Administration.

[F. R. Doc. 44-8436; Filed, June 10, 1944; 3:11 p. m.]

TITLE 32—NATIONAL DEFENSE
Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 8024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 18, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-562]

JACKSON UPHOLSTERY CO., INC.

Jackson Upholstery Co., Inc., a New York corporation located at 18 West 18th Street, New York, New York, is engaged in the business of manufacturing furniture. During the period beginning on or about the middle of November, 1942, and ending January 10, 1943, the corporation processed, fabricated, worked on and assembled 339 pieces of new wood upholstered furniture containing steel springs and coils in violation of General Limitation Order L-135. Since the respondent corporation was familiar with the provisions of General Limitation Order L-135, its actions must be deemed to constitute wilful violations of that order.

These violations of General Limitation Order L-135 have hampered and impeded the war effort of the United States by diverting critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.602 *Suspension Order No. S-562.* (a) Jackson Upholstery Co., Inc., its successors or assigns, during the three months period beginning July 1, 1944, and ending September 30, 1944, shall not use in the production of upholstered furniture more metal upholstery springs than five per cent by weight of the total weight of metal upholstery springs used by it during the year 1941; and during the three months period beginning October 1, 1944, and ending December 31, 1944, shall not use in the production of upholstered furniture more metal upholstery springs than five per cent by weight of the total weight of metal upholstery springs used by it during the year 1941.

(b) Nothing contained in this order shall be deemed to relieve Jackson Upholstery Co., Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on July 1, 1944, and shall expire on December 31, 1944.

Issued this 2d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8304; Filed, June 9, 1944; 4:23 p. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-292, Quota Schedule I, as Amended June 10, 1944]

PRODUCTION QUOTAS FOR DAIRY MACHINERY AND EQUIPMENT

§ 1226.78 *Production quotas for dairy machinery and equipment*—(a) *The purpose of this schedule.* The purpose of this schedule is to fix the production quotas for dairy machinery and equipment, for the year beginning October 1, 1943 and ending September 30, 1944, inclusive. The quotas described in this schedule shall take the place of the quota provisions of paragraph (f) of Order L-292 with respect to those items.

(b) *Definitions.* (1) "Base period use" means the annual average tonnage of controlled materials used to complete items of dairy machinery and equipment during the years 1939, 1940 and 1941.

(2) "Controlled material" means controlled material as defined in CMP Regulation 1.

(c) *Production quotas.* During the year beginning October 1, 1943 and ending September 30, 1944, no manufacturer shall use more controlled materials to fabricate or assemble dairy machinery and equipment in any class than the quota percentage of his base period use for each class of machinery and equipment as set forth in the table below.

PRODUCTION QUOTAS

The first column describes each class of machinery covered by this schedule.

The second column describes the various types of machinery and equipment included in each class of machinery.

The third column assigns a code number to each type of machinery and equipment.

The fourth column shows the quota percentage that each manufacturer is allowed. Where an asterisk appears instead of a quota percentage, a manufacturer may build the item opposite the asterisk only upon receipt of an approved order as defined in paragraph (a) (5) of Order L-292. But a manufacturer of such an item may build a minimum production run of the item upon written authorization from the War Production Board. Request for authorization may be made by filing a letter in triplicate with the War Production Board showing the quantity in a minimum production run of the item and containing substantial evidence that the manufacturer will obtain approved orders in that quantity by October 1, 1944. The War Production Board may grant the authorization upon such conditions, if any, as it may prescribe.

PRODUCTION QUOTAS—Continued

Class of machinery	Type of machine	Machine code No.	Quota percentage
Ice cream equipment			25
	Flavor tanks for ice cream mix	203.021.	
	Freezers, ice cream	203.023 A-D.	
	Fruit feeders, ice cream	203.024.	
	Ice crushers	203.033.	
Dehydration equipment			200
	Dehydrators, spray type.	203.018 A.	
	Dehydrators, roll type.	203.018 B-D.	
	Hot wells	203.027.	
	Vacuum pans	203.049.	
Butter, cheese and fluid milk plant equipment: Group A			1110
	Agitators, cheese vat.	203.001.	
	Babcock testers	203.002 A-D.	
	Butter cutters, hand or power driven	203.004-005.	
	Butter wrappers	203.006.	
	Cappers for dairy products (not installed on filler) single head	203.008 A.	
	Cheese grinders or curd mills	203.010.	
	Cheese hoops	203. 011 A-F.	
	Cheese pasteurizers, tubular	203. 012 A.	
	Cheese pasteurizers, plate	203. 012 B-E.	
	Cheese presses	203. 013 A-C.	
	Cheese vats	203. 014 A-E.	
	Internal tube and surface type coolers	203. 016 A-F.	
	Cabinet surface type.	203. 116 A-D.	
	Plate type	203. 116 E-H.	
	Churns	203. 017 A-D.	
	Fillers	203. 019 A-I.	
	Fillers for milk and eggs	203. 020	
	Forewarmers, coil	203. 022	
	Fittings, sanitary	203. 025	
	Homogenisers	203. 026 A-E.	
	Ice cream brick cutters.	203. 031.	
	Paraffining equipment.	203. 036 A-B.	
	Pasteurizers, coil	203. 037 A-D.	
	Pasteurizers, plate	203. 037 E-H.	
	Storage tanks uninsulated.	203. 044 F-H.	
	Washers, hand milk bottle.	203. 046 A.	
	Washers, 1, 2 and 3 compartment sinks.	203. 046 B.	
	Washers, can, pipe wash outfit with tank.	203. 046 C.	
	Washers, separator parts wash outfit with tank.	203. 046 D.	
	Washers, milk bottle (in the case type) or (hydrosilic).	203. 047 A, B.	
	Washers, soaker type.	203. 047 C-G.	
	Weigh cans and weighing units.	203. 048 A-E.	
	Pasteurizers, vat and starter can.	203. 137 A-G.	
	Washers, steriliser, milk can, pedestal type.	203. 147 A.	
	Washers, rotary and straightaway.	203. 147 B-F.	
	All others.		
Separators, clarifiers and pumps			165
	Clarifiers	203. 015 A-C.	
	Pumps	203. 039 A-E.	
	Separators	203. 041 A-G.	

See footnote at end of table.

PRODUCTION QUOTAS—Continued

Class of machinery	Type of machine	Machine code No.	Quota per centage
Group B			[1] 200
	Storage tanks	203.044 A-E.	
	Refrigerated storage tanks.	203.144 A-E.	
Special items.			(*)
	Batch measures and weighers.	203.008.	
	Hoodors for milk bottles.	203.006.	
	Case washers (milk bottles).	203.009.	
	Ice cream cup fillers.	203.028.	
	Ice cream package fillers.	203.029.	
	Ice cream coating and dipping machines.	203.030.	
	Ice cream novelty machines.	203.032.	
	Milk irradiators	203.034.	
	Paper bottle filling machines.	203.035.	
	Pulverizers for powdered milk.	203.038.	
	Samplers, vacuum milk.	203.040.	
	Soft curd machines	203.042.	

[1] The quota for all butter, cheese and fluid milk plant equipment is 110% of the controlled materials used for the Group A items in the base period plus 200% of the controlled materials used for the Group B items in the base period. For example, if a manufacturer used 1,000 tons for the Group A items and 100 tons for the Group B items his quota for all butter, cheese and fluid milk plant equipment would be 1,300 tons. This quota may be used for any product in either group or divided amongst the products in both groups in any way that the manufacturer wishes.

(d) *Exceptions.* The quota provisions of paragraph (c) above do not restrict the fabrication or assembly of dairy machinery or equipment to fill specific orders actually received by a manufacturer for export outside the United States and Canada, or for direct use by the Army, Navy, Maritime Commission or War Shipping Administration.

(e) *Increase, decrease and transfer of quotas.* The War Production Board may, by specific written directions issued to any manufacturer or class of manufacturers, increase or decrease any quota established by this schedule and may transfer any portions of a quota between manufacturers, taking into consideration the amount of materials to be used, the need for particular items at the time required, the labor and transportation situation in the manufacturing areas involved, the inability of any manufacturer to manufacture his quota, and such other factors as may be relevant.

(f) *Applicability of Limitation Order L-292.* Except as otherwise indicated herein, this schedule is subject to all applicable provisions of Limitation Order L-292 as amended from time to time.

Issued this 10th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8409; Filed, June 10, 1944; 10:21 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-292, Quota Schedule VI, as Amended June 10, 1944]

PRODUCTION QUOTAS FOR FLOUR, GRAIN, FEED MILLING AND PROCESSING MACHINERY AND EQUIPMENT

§ 1226.81b *Production quotas for flour, grain, feed milling and processing machinery and equipment*—(a) *Purpose of this schedule.* The purpose of this schedule is to fix production quotas for certain items of flour, grain, feed milling and processing machinery and equipment for the year beginning October 1, 1943, and ending September 30, 1944, inclusive. The quotas for the items described in this schedule shall take the place of the quota provisions of paragraph (g) (2) (ii) of Order L-292 with respect to those items.

(b) *Definitions.* (1) "Base period use" means the annual average tonnage of controlled materials used to complete items of flour, grain, feed milling and processing machinery and equipment during the years 1939, 1940 and 1941.

(2) "Controlled material" means controlled material as defined in CMP Regulation 1.

(c) *Production quotas.* During the year beginning October 1, 1943, and ending September 30, 1944, no manufacturer shall use more controlled materials to fabricate or assemble flour, grain, feed milling and processing machinery and equipment in any class than the quota percentage of his base period use for each class of machinery and equipment as set forth in the table below.

PRODUCTION QUOTAS

The first column describes each class of machinery covered by this schedule.

The second column describes the various types of machinery and equipment included in each class of machinery.

The third column assigns a code number to each type of machinery and equipment.

The fourth column shows the quota percentage that each manufacturer is allowed.

NOTE.—This table amended in its entirety June 10, 1944.

Class of machinery	Type of machine	Machine code	Quota per centage
Grinding, mixing, feeding separators and graders.	Attrition mill	202.004	150
	Batch mixer	202.005	
	Separator or grader regular.	202.061 A	
	Separator or grader, magnetic.	202.061 B	
	Separator-grader, gravity.	202.061 C	
	Blenders	202.007	
	Feeders, chemical	202.029	
	Feeders (Percentage)	202.030	
	Feeders (Roll)	202.031	
	Feeders (Batch)	202.032	
	Hammers and pulverisers.	202.040	
	Mixers	202.044	
	Mixers (Molasses)	202.045	
	Pellet machine	202.049	
	Puffing machine	202.053	

PRODUCTION QUOTAS—Continued

Class of machinery	Type of machine	Machine code	Quota per centage
Cereal, flour and grain milling machinery and equipment.	Acidifier	202.001	100
	Andre mills	202.002	
	Aspirators	202.003	
	Bleaching gas control	202.004	
	Bolting reels	202.008	
	Bolting sifters	202.009	
	Bran and shorts dusters	202.010	
	Burr mills	202.011	
	Centrifugals	202.012	
	Centrifuges	202.013	
	Converters	202.014	
	Cookers	202.015	
	Cookers and preheaters	202.016	
	Corn crushers	202.017	
	Corn cutters	202.018	
	Corn germ squeezer	202.019	
	Corn oil filter press	202.020	
	Corn shellers	202.021	
	Corn steeps or tank	202.022	
	Crystallizing equipment	202.023	
	Degerminators	202.024	
	Dryers and coolers	202.025	
	Dust collector (Cyclone)	202.026	
	Dust collector (Tubular)	202.027	
	Filters	202.033	
	Flaking roll mills	202.034	
	Furnace	202.035	
	Corn roll (Crusher)	202.036	
	Germ separators	202.037	
	Germ washing reels	202.038	
	Grinding starch mill	202.039	
	Heat exchanger	202.041	
	Hydraulic press	202.043	
	Neutralisers	202.046	
	Oil expellers and cookers	202.047	
	Pearlers (Rice)	202.048	
	Polisher (Rice)	202.050	
	Pressers	202.051	
	Purifiers (regular)	202.053	
	Purifiers (purulator)	202.054	
	Revolving heat chambers.	202.055	
	Roasters and ovens	202.056	
	Roller mill	202.057	
	Scalpers	202.058	
	Scourer (air type)	202.059 A	
	Scourer (friction type)	202.059 B	
	Separating and washing reels.	202.060	
	Solvent extraction equip't.	202.063	
	Steam germ dryer	202.064	
	Steamer	202.065	
	Steriliser	202.066	
	Sugar clipper	202.067	
	Sulphur tower (SO_2)	202.068	
	Tanks (metal)	202.069	
	Tanks (wood)	202.070	
	Tempering device (auto)	202.071 A	
	Tempering device (steamers)	202.071 B	
	Tempering device (wheat)	202.071 C	
	Tipple—tipple house	202.072	
	Vacuum pans	202.073	
	Wheat washers	202.074	
	Exhaleters	202.075	
	All others		

(d) *Exceptions.* The quota provisions of paragraph (c) above do not restrict the fabrication or assembly of flour, grain, feed milling and processing machinery and equipment to fill specific orders actually received by a manufacturer for export outside the territorial limits of the United States and Canada or for direct use by the Army, Navy, Maritime Commission or War Shipping Administration.

(e) *Increase, decrease and transfer of quotas.* The War Production Board may, by specific written directions, issued to any manufacturer or class of manufacturers, increase or decrease any quota established on this schedule and may transfer any portions of the quota between manufacturers, taking into consideration the amount of materials to be used, the need for particular items at the time required, the labor and transportation situation in the manufacturing areas involved, the inability of any manufacturer to manufacture his quota, and such other factors as may be relevant.

(f) *Applicability of Limitation Order L-292.* Except as otherwise indicated herein, this schedule is subject to all applicable provisions of Limitation Order L-292, as amended from time to time.

Issued this 10th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8411; Filed, June 10, 1944; 10:21 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 2, Inventory Direction 16]

ALLOY STEEL TUBING, OTHER THAN AIR-FRAME AND ENGINE TUBING

§ 3175.116 *Inventory Direction No. 16.* Pursuant to paragraph (b) (2) of CMP Regulation 2, *It is hereby ordered*, That:

In the case of any person using alloy steel tubing other than alloy steel air-frame and engine tubing, the minimum quantity shown in Schedule A to CMP Regulation 2 opposite alloy steel tubing shall not apply. Instead, any such person may accept delivery under paragraph (c) (2) of whichever is the smaller of the following: up to and including 7½" O. D.—5 tons of a size or a minimum mill production run, over 7½" O. D.—10 tons of a size or a minimum mill production run.

Issued this 10th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8411; Filed, June 10, 1944; 10:21 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-103, as Amended June 10, 1944]

GLASS CONTAINER AND CLOSURE SIMPLIFICATION

§ 3270.46 *Limitation Order L-103*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Glass container" means any new machine-made bottle, jar, or tumbler which is made of glass and which is suitable for packing any product.

(2) "Closure" means any sealing or covering device affixed or to be affixed to a glass container for the purpose of retaining the contents within the container.

(3) "Finish" of a glass container means the configuration of the neck or opening which serves to engage specific parts of the closure in order to affix it to the glass container.

(4) "Design" of a glass container means the particular shape, weight, size, capacity, and contour of the body of such container (other than the finish), and shall include any lettering or decoration molded thereon, except the container manufacturers' identification marks.

(5) A "design in existence" means a design for which one or more molds have been cast and is further limited to the exact size and capacity of container produced therefrom.

(6) Any specification which refers to or includes the letters "G. C. A." means a specification (including the tolerances recognized with respect to such specification) issued by the Glass Container Association of America and in effect on May 11, 1942.

(7) "Exhibit" refers to the particular specifications set forth opposite an exhibit number (e. g. 10-00; 10-75; 50-23, etc.) as applied to the shape or contour appearing on the drawing, attached to this order, in connection with which such exhibit is listed. Any applicable footnotes appearing on said drawing shall be deemed to be incorporated in such specifications.

(c) *Issuance of schedules of simplification of lines.* The War Production Board may from time to time issue schedules establishing simplification practices with respect to the designs and/or finishes of glass containers for specific products. From and after the date of issuance of any such schedule no such containers shall be manufactured or used contrary to the provisions of such schedule: *Provided, however*, That:

(1) Subject to the provisions of subparagraph (2) of this paragraph (c), nothing in this order or any schedule hereof shall prevent the manufacture, sale, delivery or use, for the packaging of any product, of any glass container which differs from any standard glass container established for such product by any schedule solely by reason of:

(i) The location of indented or other label space;

(ii) The degree of curvature of the shoulder and heel of the container;

(iii) The amount and location of any lettering which indicates capacity only;

(iv) A difference in height or weight when such difference does not exceed 5 percent of the height or weight shown for the applicable standard glass container;

(v) The existence or location of stippling or fluting.

(2) No person shall manufacture, sell, deliver or use any glass container pursuant to the provisions of subparagraph (1) of this paragraph (c) unless

(i) Such glass container is manufactured within nine months after the date as of which the product for which it is to be used was first referred to in any schedule of this order. (For reference purposes the "cut off" date applicable to glass containers for each such product in accordance with this paragraph (c) (2) (i) is listed in Table I, annexed hereto.)

(ii) Such glass container is manufactured from a mold which was actually in existence prior to the date of issuance of any applicable schedule; and

(iii) The design of such glass container has been submitted to the War Production Board, Washington, D. C., Ref. L-103, and approved as within the exemption provided by subparagraph (1) of this paragraph (c).

(d) *Exhibits.* The exhibits listed on the drawings attached to this order shall have no application except as they are specifically referred to in this order or are established as standard glass containers by the provisions of any schedule issued pursuant to paragraph (c) hereof.

(e) *Freezing of all glass container designs not established as standards pursuant to any schedule of this order.* No person shall manufacture a glass container except:

(1) Where the design of such container was in existence on May 11, 1942; or, failing this, where any variations from a design then in existence have been effected by alterations of molds in existence on or before May 11, 1942.

(2) Where the design of such container corresponds to any exhibit attached to this order.

(3) Where the design of such container has been submitted by any person to the War Production Board, Washington 25, D. C., Ref. L-103, and approved under one of the following conditions:

(i) When no suitable glass container exists for packing a product not previously packed in glass;

(ii) When it is necessary to design a special glass container in order that it can be used on an existing filling or packing line.

(4) Nothing in subparagraphs (1), (2) or (3) of this paragraph (e) shall be deemed to permit the manufacture or use of glass containers contrary to the provisions of any schedule issued pursuant to paragraph (c) of this order.

(5) Nothing in this paragraph (e) shall prevent the manufacture of milk bottles which differ from the designs in existence on May 11, 1942, solely by reason of the following:

(i) Name of dairy.
(ii) Address of dairy.
(iii) Neck identification for use in sorting.
(iv) The word "store" or "deposit."
(v) The amount of deposit.
(vi) Single identification letter or symbol on bottom plate.
(vii) Any other lettering required by law or local ordinance.

(f) *Allowance of normal operating tolerances.* (1) Nothing in this order or any schedule hereof shall

(i) Prevent variations in the design or finish of a glass container within the limits of normal operating tolerances.

(ii) Prohibit the usual differences in glass container design when manufactured on glass container machinery of different types.

(g) *Interchangeable finishes.* (1) Unless specifically stated to the contrary in any schedule, nothing in this order or any schedule hereof shall prevent the interchange of finishes on glass containers described in an exhibit attached to this order, *Provided:*

(i) Such interchange can be effected without alteration of the specified body mold; and

(ii) The interchanged finish is no greater in diameter than that appearing on the exhibit for the body design

to which it is to be applied, or, if another type of finish is used, no larger than the corresponding size of that type of finish.

(iii) The capacity resulting from such interchange is no less than the capacity shown in the applicable exhibit.

(2) Nothing in this order or any schedule hereof shall prevent the modification of the weight, height, or capacity of a glass container described in any exhibit of this order to the minimum extent required by any interchange of finishes in accordance with the conditions of subparagraph (1) of this paragraph (g).

(h) *Extent of prohibitions against replacement of molds.* (1) Whenever any provision of this order or any schedule hereof prohibits the replacement of existing molds, such prohibition shall extend to the body mold only and shall not be deemed to prohibit the use of new neck rings nor new blank molds or other equipment necessary for use with a body mold.

(i) *Export.* Nothing in this order or any schedule hereof shall affect the manufacture, sale or delivery of glass containers intended to be shipped empty out of the forty-eight states of the United States and the District of Columbia; *Provided,* That said glass containers are of designs which were in existence on or before May 11, 1942.

(j) *Miscellaneous provisions.*—(1) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington 25, D. C., Ref. L-103.

Issued this 10th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE I

Products for which standard glass containers have been established	*Applicable cut-off date pursuant to paragraph (c) (2) (i)*
Distilled spirits	Feb. 11, 1943
Malt beverages	Feb. 11, 1943
Fruit Butter	June 12, 1943
Preserves	June 12, 1943
Jelly	June 12, 1943
Wines	June 12, 1943
Protective coatings	Sept. 7, 1943

TABLE I—Continued

Products for which standard glass containers have been established	*Applicable cut-off date pursuant to paragraph (c) (2) (i)*
Salad dressings (including products using salad dressing as a base)	Jan. 5, 1944
Olive oil	Jan. 5, 1944
Edible oils (other than olive oil)	Jan. 5, 1944
Shortenings	Jan. 5, 1944
Maple syrup	Jan. 5, 1944
Syrups (except chocolate and maple) including blended, bottlers, cane, corn, molasses, sorghum, malt, and fountain syrups	Jan. 5, 1944
Chocolate syrup	Jan. 5, 1944
Tomato catsup	Jan. 5, 1944
Chili sauce and cocktail sauce	Jan. 5, 1944
Tomato paste (not less than 25% by weight dry tomato solids)	Jan. 5, 1944
Tomato pulp and puree (not less than 10.7% (specific gravity 1.045) or more than 25% by weight dry tomato solids)	Jan. 5, 1944
Vinegar	Jan. 5, 1944
Fruits and vegetables and mixtures thereof, including ripe olives, but excluding cranberries and maraschino cherries	Jan. 5, 1944
Honey	Jan. 5, 1944
Pickles and relishes	Jan. 5, 1944
Peanut butter	Jan. 5, 1944
Fruit and vegetable juices and mixtures thereof	Jan. 5, 1944
Olives, green	Jan. 5, 1944
Maraschino cherries	Jan. 5, 1944
Cranberries and cranberry sauce	Jan. 5, 1944
Mustard, including, but not limited to, prepared mustard, horseradish mustard, compound mustard, and imitation mustard	June 20, 1944

PLAIN ROUND JAR

EXHIBIT SERIES 10-00

DRAWING NO. 1—PLAIN ROUND JAR

Exhibit No.	Overflow capacity, ounces	Maximum weight, ounces	A	B, maximum	C	D	E	G. C. A. finish No.
10-14	4¼	3¾	2 25/64	2 5/64	4 5/64	1 43/64	1 43/64	63-400
10-20	6¼	4¾	2 59/64	2 13/64	9/64	2 1/16	1 51/32	63-400
10-26	8½	6	4 9/32	2 29/64	1 1/16	2 9/64	1 51/32	63-400
10-27	8½	6	4 9/32	2 29/64	1 1/16	2 9/64	2 1/8	63-400
10-28	9¾	6	4 11/16	2 17/32	5/8	2 21/64	2 1/8	63-400
10-36	11 1/16	7 1/8	4 27/32	2 49/64	4 5/64	2 7/16	2 1/8	63-400
10-39	12 1/16	7 1/2	4 27/32	2 49/64	4 5/64	2 1/2	2 1/8	63-400
10-40	12 1/16	7 1/2	4 27/32	2 49/64	4 5/64	2 1/2	1 51/32	63-400
10-48	15 1/16	8 1/2	5 1/4	3 1/16	1 5/16	2 13/16	2 5/8	63-400
10-51	16 1/16	9	5 5/32	3 1/4	1 5/16	2 57/64	2 5/8	63-400
10-52	17	9 1/4	5 1/32	3 5/16	1 5/32	2 57/64	2 5/8	63-400
10-53	18 1/16	9 1/2	5 5/8	3 5/32	1 5/32	2 57/64	2 5/8	63-400
10-60	22 3/4	11 1/2	5 7/8	3 1/2	1 5/16	3 1/64	2 5/8	63-400
10-63	24 1/2	11 3/4	5 31/64	3 9/64	1 5/32	3 5/32	2 5/8	63-400
10-67	27 1/2	13	6 1/4	3 47/64	1	3 13/64	2 5/8	63-400
10-72	31	13 3/4	6 9/16	3 53/64	1 1/32	3 5/16	2 5/8	63-400
10-76	32 3/4	14	6 5/8	3 57/64	1 1/16	3 13/64	2 5/8	63-400
10-77	34	14 1/2	6 13/16	3 61/64	1 1/32	3 13/64	2 5/8	63-400
10-81	48 3/4	20 1/2	7 15/16	4 25/64	1 1/4	4 1/64	2 5/8	63-400

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. Container shall be round.
5. Bottom stippling optional.

DRAWING NO. 2—PLAIN ROUND QUART JAR

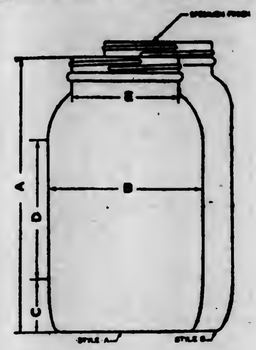

PLAIN ROUND QUART JAR

EXHIBIT SERIES 11-00

Exhibit No.	Style	Overflow capacity, oz.	Maximum weight oz.	A	B max.	C	D	E	G. C. A. finish No.
11-75	A	32¾	14	6¾	3 45/64	1 5/16	3 7/16	2 5/8	70-400
11-76	B	32½	14½	7 9/64	3 45/64	1 1/8	4 1/4	2 5/8	70-400

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used adjustment to make correct capacity shall be made in the "B" dimension.
3. The profiles illustrated shall be maintained for the above exhibits.
4. Container shall be round.
5. Bottoms stippling optional.

DRAWING NO. 3—LARGE SIZE JAR

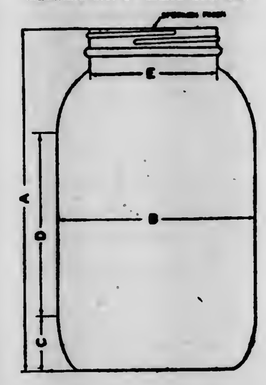

LARGE SIZE JAR

EXHIBIT SERIES 12-00

Exhibit No.	Size	Overflow capacity, oz.	Maximum weight, oz.	A	max. B	C	D	E	G. C. A. finish No.
12-86	½ gal.	65¼	28	8¾	4 53/64	1 3/16	4 1/16	3 1/16	83-400
12-91	No. 10	105¾	37	9 5/16	5 1/64	1 1/2	4 1/2	3 1/16	83-400
12-93	1 gal.	130½	46	10 1/16	5 13/64	1 3/4	4 31/32	3 1/16	83-400

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. Container shall be round.
5. Bottom stippling optional.

WIDE MOUTH PAIL

EXHIBIT SERIES 14-00

Exhibit No.	Size	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	C	D	E	G. C. A. finish No.
14-85	5 lb.	80½	24	8 5/16	4 15/64	1 1/16	4 1/4	3 1/16	G-150
14-87	½ gal.	65	22	8 1/16	4 1/64	1 1/16	4 1/16	3 1/16	G-150
14-89	No. 10	128	42	10	5 29/64	1 1/2	4 1/2	3 1/16	G-150
14-92	10 lb.	116	41	10 5/16	5 25/64	1 1/16	4 1/2	3 1/16	G-150
14-96	1 gal.	132	44	10 5/16	5 13/64	1 1/16	4 1/2	3 1/16	G-150

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. Stippling may be substituted for fluting in the decorated areas shown at shoulder and heel. Containers shall be either fluted or stippled, never plain.
5. Container shall be round.
6. Bottom stippling optional.

DRAWING NO. 4—WIDE MOUTH PAIL

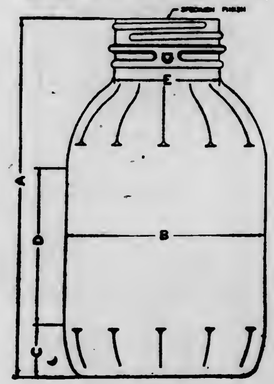

VEGETABLE AND FRUIT JAR

EXHIBIT SERIES 15-00

Exhibit No.	Style	Overflow capacity, ozs.	Maximum weight, ozs.	A	B, max.	C	D	E	G. C. A. finish No.
15-50	A	17	7½	4 1/16	3 13/64	2 3/32	3 5/16	2¼	66 mm.
15-51	B	17	8	4 1/16	3 5/16	1 31/32	2 15/16	2 13/32	66 mm.
15-52	C	17	8½	5 13/64	2 7/64	¾	3	2 13/32	66 mm.
15-68	A	28¾	12	4⅞	4 5/64	2 9/32	3 15/16	3 5/32	83 mm.
15-69	B	28¾	13	4⅞	4 5/32	¾	2 15/16	3⅛	83 mm.
15-70	C	28¾	13½	6 1/32	3 7/64	5 7/64	3 29/32	3⅛	83 mm.

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to those illustrated shall be maintained for the above exhibits consistent with the "C", "F" and "D" dimensions.
4. Style "C" shall be straight sided only. Styles "A" and "B" may be straight sided or, with 2 5/32" minimum and 1 31/32" maximum for the "F" dimension. The label space may be indented or tapered as shown.
5. Shoulder and heel stippling as indicated is optional.
6. Container shall be round.
7. Bottom stippling optional.

DRAWING NO. 5—VEGETABLE AND FRUIT JAR

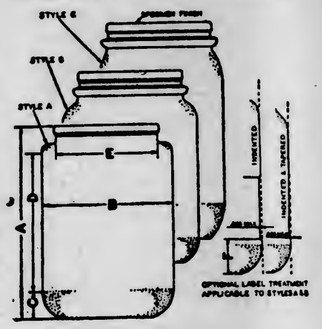

25½ OZ. JUICE JAR

EXHIBIT SERIES 16-00

Exhibit No.	Style	Overflow capacity, ozs.	Maximum weight, ozs.	A	B, max.	F	D	E	G. C. A. finish No.
16-64	A	25½	11	5 7/16	5¾	2 7/32	3 15/32	2½	66 mm.
16-65	B	25½	11⅞	5 29/64	3 53/64	3 7/32	3 5/64	2⅝	66 mm.

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. The profiles illustrated shall be maintained for the above exhibits. A label recess must be maintained.
4. Shoulder and heel of jar shall be stippled as indicated.
5. Container shall be round.
6. Bottom stippling optional.

DRAWING NO. 6—25½ OZ. JUICE JAR

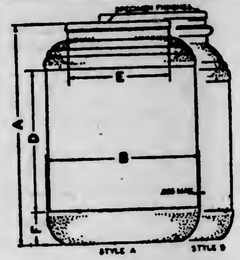

DRAWING NO. 7—49 OZ. JUICE JAR*

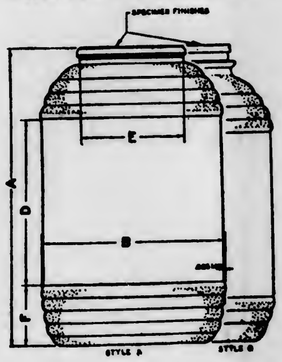

49 OZ. JUICE JAR*

EXHIBIT SERIES 16-00*

Exhibit No.	Style	Overflow capacity, ozs.	Maximum weight, ozs.	A	B, max.	F	D	E	G. C. A. finish No.
16-80	A	49	20	7 13/32	4 15/32	1¼	4 9/32	2½	66 mm.
16-81	B	49	20	7 13/32	4¼	1 1/16	4 9/32	2¾	66 mm.

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. The profiles illustrated shall be maintained for the above exhibits. A label recess must be maintained.
4. Shoulder and heel of jar shall be stippled as indicated.
5. Container shall be round.
6. Bottom stippling optional.

*All exhibits in this drawing are eliminated from this order as of December 20, 1943. Hence only glass containers conforming to these specifications, which were completely manufactured before December 20, 1943, constitute standards for the purposes of any schedule permitting their use or manufacture as such (as, for instance, Schedule C).

OLIVE BOTTLE

EXHIBIT SERIES 17-00

Exhibit No.	Style	Overflow capacity, ozs.	Maximum weight, ozs.	A	B, max.	C	D	E	G. C. A. finish No.
17-22*	A	6 1/16	6⅝	4 9/64	2 3/64	9/32	3 21/32	1 15/16	53-400
17-26	A	8¼	8 1/16	5 21/64	2¾	9/32	4 7/32	2⅛	58-400
17-38	A	12⅛	10	6 1/64	2 17/32	5/16	4 21/32	2⅛	58-400
17-50	A	16⅛	11¾	6 41/64	2 25/32	11/32	5 5/32	2⅜	63-400
17-66	A	20⅛	14½	7⅝	2 15/16	⅜	5¼	2⅜	63-400
17-76*	A	22⅝	14¾	7 37/64	3 15/32	7/16	5⅛	2⅜	63-400
17-09*	B	2⅝	3¼	3⅞	1 15/32	5/16	2 5/32	1⅜	38-400
17-11*	B	3⅛	4⅜	5 1/64	1 9/16	3/16	3 29/64	1⅜	38-400
17-17	B	5¼	5¾	5 13/16	1⅝	5/32	4 41/64	1 17/32	43-400
17-23	B	7 1/16	7⅜	6 23/32	1 47/64	⅜	5 53/64	1⅝	48-400
17-33	B	10¼	10¼	7 7/16	2⅛	9/32	6 1/64	1 15/16	53-400

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to those illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. Container shall be round.
5. Bottom stippling optional.

*The asterisked exhibits in this series are eliminated from this order as of December 20, 1943. Hence only glass containers conforming to these specifications, which were completely manufactured before December 20, 1943, constitute standards for the purposes of any schedule permitting their use or manufacture as such (as, for instance, Schedule C).

DRAWING NO. 8—OLIVE BOTTLE

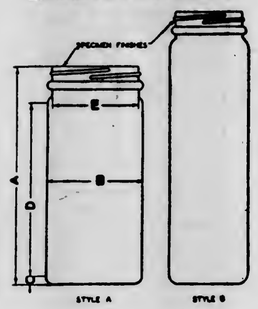

CHERRY BOTTLE

EXHIBIT SERIES 18-00

Exhibit No.	Overflow capacity, ozs.	Maximum weight, ozs.	A	B, max.	B_1, max.	E	G. C. A. finish No.
18-06*	2 1/16	4¼	4 1/16	1 45/64	1 25/64	1⅜	38-400
18-14*	4 1/16	5⅛	5 29/64	1 49/64	1½	1⅜	38-400
18-22	7	6¾	6	2 23/64	1 17/32	1⅝	43-400
18-42	13½	13½	8 7/64	2 15/16	2⅛	1 15/16	53-400
18-62	24¼	20½	10 1/16	3 9/32	2 29/64	1 15/16	53-400

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" and "B_1" dimensions.
3. Profiles similar to that illustrated shall be maintained for the above exhibits.
4. Container shall be round.
5. Bottom stippling optional.

*The asterisked exhibits in this series are eliminated from this order as of December 20, 1943. Hence only glass containers conforming to these specifications, which were completely manufactured before December 20, 1943, constitute standards for the purposes of any schedule permitting their use or manufacture as such (as, for instance, Schedule C).

DRAWING NO. 9—CHERRY BOTTLE

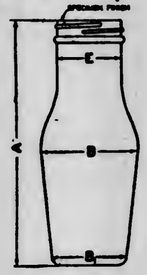

SHORTENING JAR

EXHIBIT SERIES 19-00

Exhibit No.	Style	Overflow capacity, ozs.	Maximum weight, ozs.	A	B, maximum	F	D	E	Finish size
19-57	A	20	11	4¼	3 61/64	⅛	1 15/16	3¼	83-400
19-83	A	58 3/16	24	6	5¾	1	2 9/16	3¼	83-400
19-58	B	20	11⅛	4¼	3 25/32	⅛	2⅛	3¼	80-400
19-66	B	58 3/16	24	6	5 29/64	1 3/16	5	3¼	80-400

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "F" and "D" dimensions. A label recess must be maintained.
4. Shoulder and heel of jar shall be stippled as indicated.
5. Container shall be round.
6. Bottom stippling optional.

DRAWING NO. 10—SHORTENING JAR

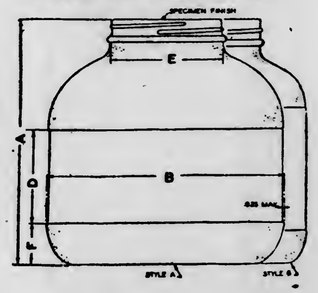

TUMBLERS

EXHIBIT SERIES 20-00

Exhibit No.	Overflow capacity, oz.	Capacity overflow, plus or minus, oz.	G. C. A. finish No., max.
20-13	3¾ to 4¼	¼	68 mm.
20-16	4¾ to 5¼	¼	68 mm.
20-19	5¾ to 6¼	¼	68 mm.
20-20	6¾ to 7¼	¼	68 mm.
20-23	7 to 7¼	¼	68 mm.
20-26	8 to 8½	¼	68 mm.
20-30	9¼ to 9¾	½	73 mm.
20-32	9¾ to 10¼	¾	73 mm.
20-36	11¾ to 12¾	¾	73 mm.
20-44	13¾ to 14¼	¾	80 mm.

NOTES

1. Container shall be round.
2. Bottom stippling optional.

DRAWING NO. 11—TUMBLERS

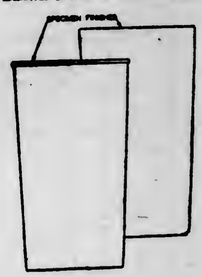

STUBBY ROUND BOTTLE

EXHIBIT SERIES 50-00

Exhibit No.	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	F	D	E	Finish size
50-08	2¼	3	2 1⁹⁄₃₂	1 ¹⁵⁄₁₆	⅜	2 ⁹⁄₃₂	1 ³⁄₁₆	20-400
50-14	4¼	4¾	4 ⁵⁄₁₆	1¾	⁷⁄₁₆	2 ⁹⁄₁₆	1	26-2410
50-21	6 ¹⁹⁄₃₂	6½	4 ¹⁹⁄₃₂	2 ⁹⁄₃₂	½	2 ²³⁄₃₂	1	26-2410
50-28	8¾	8½	5 ¹³⁄₃₂	2 ⁵⁄₁₆	⁹⁄₁₆	3 ¹⁄₁₆	1	26-2410
50-40	12⅝	12¾	6 ¹³⁄₁₆	2 ¹³⁄₁₆	⅝	3½	1	26-2410
50-51	16⅞	16¾	8 ¹³⁄₁₆	2 ¹⁵⁄₁₆	¹¹⁄₁₆	3⅞	1	26-2410
50-53	17¾	16¾	8 ¹³⁄₁₆	2 ¹⁵⁄₁₆	¹¹⁄₁₆	3⅞	1	26-2410
50-64	25¾	14	7 ¹³⁄₁₆	2 ¹³⁄₁₆	⅝	4 ⁵⁄₁₆	1	26-2410
50-76	33⅝	17	8¾	3 ⁹⁄₁₆	⅞	5	1	26-2410
50-77	34	17	8¾	3 ⁹⁄₁₆	⅞	5	1	26-2410
50-81	48½	23	8 ¹³⁄₃₂	4 ⅛	1	6 ⁵⁄₁₆	1	26-2410
50-85	58¼	25½	9¼	4 ⅜	1	6 ⁹⁄₁₆	1 ¾	26-700
50-91	100¾	37	9 ¹³⁄₃₂	6¾	1 ⅞	4 ⁹⁄₁₆	1 ⅞	26-700

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "F" and "D" dimensions. A label recess must be maintained.
4. Bottles shall be fluted as shown.
5. Container shall be round.
6. Bottom stippling optional.

DRAWING NO. 12—STUBBY ROUND BOTTLE

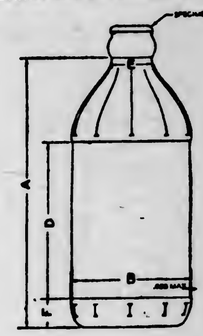

DRAWING NO. 13—GLASS JUG

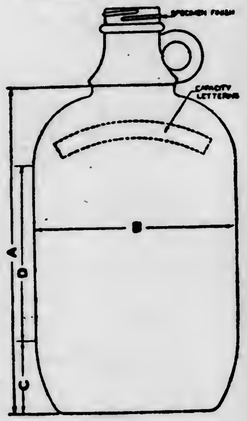

GLASS JUG

EXHIBIT SERIES 51-00

Exhibit No.	Size	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	C	D	G. C. A. finish No.
51-86	Half gallon	66	31	8	4 ¹³⁄₃₂	1 ¹⁷⁄₆₄	4 ⁹⁄₃₂	38-400
51-87*	Half gallon	66	31	8	4 ¹³⁄₃₂	1 ¹⁷⁄₆₄	4 ⁹⁄₃₂	38-400
51-88	Half gallon	67	31	8	5	1 ¹⁷⁄₆₄	4 ⁹⁄₃₂	70-450
51-89*	Half gallon	67	31	8	5	1 ¹⁷⁄₆₄	4 ⁹⁄₃₂	38-400
51-92	Gallon	130	46	9¾	6 ²⁹⁄₆₄	1 ¹³⁄₁₆	4½	70-450
51-93*	Gallon	130	46	9¾	6 ²⁹⁄₆₄	1 ¹³⁄₁₆	4½	38-400
51-94	Gallon	131½	46	9⅝	6½	1 ¹³⁄₁₆	4½	70-450
51-95*	Gallon	131½	46	9¾	6½	1 ¹³⁄₁₆	4½	38-400
51-96	Gallon	134¼	46	9¾	6 ¹⁵⁄₃₂	1 ¹³⁄₁₆	4½	70-450
51-97*	Gallon	134½	46	9¾	6 ¹⁵⁄₃₂	1 ¹³⁄₁₆	4½	38-400
51-98	Gallon	136	46	9¾	6 ¹⁹⁄₆₄	1 ¹³⁄₁₆	4½	70-450
51-99*	Gallon	136	46	9¾	6 ¹⁹⁄₆₄	1 ¹³⁄₁₆	4½	38-400

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. Container shall be round.
5. Bottom stippling optional.

***The asterisked exhibits in this series are eliminated from this order as of December 20, 1943. Hence only glass containers conforming to these specifications, which were completely manufactured before December 20, 1943, constitute standards for the purposes of any schedule permitting their use or manufacture as such (as, for instance, Schedule C).**

DRAWING NO. 14—CHILI SAUCE BOTTLE

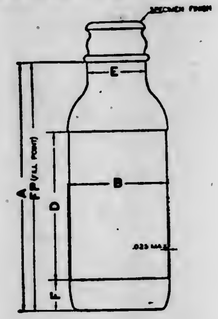

CHILI SAUCE BOTTLE

EXHIBIT SERIES 52-00

Exhibit No.	Capacity to F. P., oz.	Maximum weight, oz.	FP	A	B, max.	F	D	E	G. C. A. finish No.
52-33	10¼	9¼	6 ¹⁵⁄₁₆	6 ¹⁵⁄₁₆	2 ²³⁄₆₄	⅜	3 ²¹⁄₃₂	1 ⁷⁄₁₆	36-250

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. The profile illustrated shall be maintained for the above exhibit. A label recess must be maintained.
4. Container shall be round.
5. Bottom stippling optional.

DRAWING NO. 15—CATSUP BOTTLE

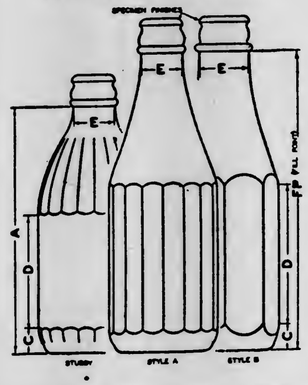

CATSUP BOTTLE

EXHIBIT SERIES 53-00

Exhibit No.	Style	Capacity to F. P., oz.	Maximum weight, oz.	FP up	A	C No. of panels 8	C No. of panels 16	C No. of panels 20	D No. of panels 8	D No. of panels 16	D No. of panels 20	E	G. C. A. finish No.
53-38	Stubby	12⅛	8¾	5 ¹³⁄₁₆	5 ¹³⁄₁₆			⅝			2 ¹⁵⁄₁₆	1 ¹⁄₁₆	26-250
53-39	A	12¾	10½	7¾	7¾	9⁄₁₆	½		3 ⁵⁄₁₆	3 ⁹⁄₁₆		1 ³⁄₁₆	26-250
53-40	B	12 ¹³⁄₁₆	10½	7¾	7¾	9⁄₁₆	⁷⁄₁₆		3 ⁵⁄₁₆	3 ⁹⁄₁₆		1 ³⁄₁₆	31-250

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the body diameters.
3. Profiles similar to those illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. The stubby style is made with 20 panels only. Styles "A" and "B" may be made with either 8 or 16 panels.
5. Container shall be round.
6. Bottom stippling optional.

BOSTON ROUND BOTTLE

EXHIBIT SERIES 80-00

Exhibit No.	Capacity Nominal, oz.	Capacity Overflow, oz.	Maximum weight, oz.	A	B max.	C	D	E	G. C. A. 400 finish, size m. m.
80-02	½	⁸⁷⁄₆₄	1½	2 ¹³⁄₁₆	1 ⁴⁵⁄₆₄	⅝	1 ¹³⁄₃₂	⅝	18
80-04	1	1 ⁹⁄₆₄	1⅝	3 ⁵⁄₃₂	1 ¹⁹⁄₆₄	⅝	1 ¹⁷⁄₃₂	1 ³⁄₁₆	20
80-07	2	2⅛	2¾	3 ¹³⁄₁₆	1 ⁴⁷⁄₆₄	1 ³⁄₁₆	2	1 ³⁄₁₆	20
80-10	3	3 ¹⁄₁₆	3½	4 ⁹⁄₃₂	1 ⁴⁹⁄₆₄	⅞	2 ⁹⁄₁₆	2 ⁵⁄₃₂	22
80-13	4	4¼	4⅞	4 ⁷⁄₁₆	1 ¹⁵⁄₁₆	½	2 ¹³⁄₁₆	2 ⁵⁄₃₂	22
80-19	6	6⅛	5½	5 ¹⁄₁₆	2 ⁵⁄₃₂	1 ³⁄₃₂	2 ²⁵⁄₃₂	⅞	24
80-25	8	8⅛	6¾	5 ¹³⁄₁₆	2 ⁹⁄₁₆	⅝	3 ⁵⁄₁₆	⅞	24
80-31	10	10⅛	7⅞	6 ²⁵⁄₃₂	2 ⁹⁄₁₆	1 ⁵⁄₁₆	3 ²¹⁄₃₂	⅞	24
80-38	12	12 ²³⁄₃₂	9	6¾	2 ²³⁄₃₂	1 ⅝	3 ²³⁄₃₂	1	28
80-46	14	14 ²⁷⁄₃₂	10	6⅞	2 ²³⁄₃₂	1 ⅝	3 ²³⁄₃₂	1	28
80-50	16	16 ³⁄₃₂	11	6 ¹³⁄₁₆	2 ²³⁄₃₂	⅝	4 ¹⁄₁₆	1	28
80-56	20	21 ¹⁄₁₆	12½	7 ³⁄₃₂	3 ⅛	1 ⅛	4 ⅝	1 ⅛	28
80-62	24	25 ⅛	14¼	7 ¹³⁄₁₆	3 ⅛	1 ⅛	4 ¹³⁄₁₆	1 ⅛	28
80-75	32	33 ⁵³⁄₆₄	17½	8 ¹³⁄₁₆	3 ⅝	1 ⅛	5 ⅛	1 ⅛	33
80-76	32	33 ⁵⁹⁄₆₄	17¾	8¾	3 ⅝	1 ⅛	5 ⅛	1 ⅛	38
80-86	64	67 ⁷⁄₃₂	35	10 ⁹⁄₃₂	4 ⅝	1	6 ¹⁄₁₆	1 ⅜	38
80-89	80	84 ¹³⁄₁₆	43	10 ⁹⁄₃₂	5 ⅛	1 ⅜	6 ⅝	1 ¹³⁄₃₂	38
80-96	128	135 ⅛	60	12 ⁹⁄₁₆	5 ¹³⁄₁₆	1 ¼	7	1 ¹³⁄₃₂	38

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. Container shall be round, bottom stippling optional.

DRAWING NO. 16—BOSTON ROUND BOTTLE

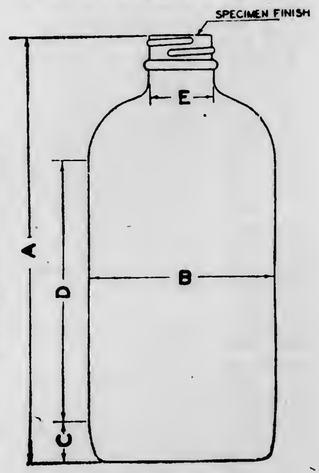

BLAKE BOTTLE

EXHIBIT SERIES 82-00

Exhibit No.	Capacity: Nominal, oz.	Capacity: Overflow, oz.	Weight, ounces max.	A	B max.	B¹ max.	C	D	E	G. C. A. 400 finish, size
82-00	¼	7/32	5/8	1 3/32	3/4	0 9/32	3/16	3/4	3/4	18
82-01	½	13/64	1 1/16	1 13/16	3/4	0 13/32	1/4	0 13/32	7/8	18
82-02	3/16	3/16	3/4	2 1/4	3/4	1 1/32	1/4	7/8	3/4	18
82-03	1/4	3/16	1 1/16	2 5/16	1 1/64	1 5/64	1/16	1 1/32	1	20
82-05	½	9/32	1 1/4	2 3/4	1 1/64	1 5/32	1/16	1 5/64	1 1/16	20
82-06	5/8	1 1/16	1 5/16	2 13/16	1 3/32	1 5/16	1/16	1 1/32	1 3/32	22
82-07	¾	1 5/32	1 3/4	2 15/16	1 1/64	1 5/16	1/16	1 1/32	1 3/32	22
82-08	1	1 3/32	1 7/8	3 1/32	1 1/32	1 7/32	1/16	1 1/64	1 3/32	22
82-09	1¼	1 5/64	2 1/16	3 3/16	1 1/64	1 1/32	1/16	1 1/64	1 3/32	24
82-10	1½	1 21/32	2 1/2	3 7/32	1 1/64	1 3/64	1/16	1 1/64	1 3/32	26
82-11	2	2 1/64	3 1/16	3 13/32	1 1/64	1 1/64	1/16	1 1/64	1 3/32	26
82-12	2½	2 3/4	3 1/2	4 1/16	1 1/64	1	1/16	1	1 3/32	26
82-13	3	3 1/4	4 1/16	4 1/4	1 1/64	1 1/64	1/16	1 1/64	1 3/32	30
82-14	3½	3 23/32	4 1/2	4 15/32	1 1/64	1 1/64	1/16	1 1/64	1 3/32	30
82-15	4	4 9/16	5	4 31/32	1 1/64	1 1/64	1/16	1 1/64	1 3/32	30
82-16	5	5 21/64	5 7/8	5 7/16	1 1/64	1 1/64	1/16	1 1/64	1 3/32	33
82-19	6	6 5/64	6 3/4	5 31/32	1 1/64	1 1/64	1/16	1 1/64	1 3/32	33
82-22	7	7 1/32	7 3/4	6 13/32	1 1/64	1 1/64	1/16	1 1/64	1 3/32	33
82-25	8	8 1/16	8 1/4	6 3/4	1 1/64	1 1/64	1/16	1 1/64	1 3/32	33
82-32	10	10 5/64	9 1/4	6 23/32	1 1/64	1 1/64	1/16	1 1/64	1 3/32	38
82-38	12	12 1/32	11	6 1/4	2 1/32	2 3/32	1/16	1 1/64	1 3/32	38
82-41	13	13 5/64	11 1/4	6 1/16	2 1/32	2 1/32	1/16	1 1/64	1 3/32	38
82-44	14	14 1/32	12 1/4	6 1/4	2 1/64	2 1/64	1/16	1 1/64	1 3/32	38
82-47	15	15 1/64	13 1/4	7 1/32	2 1/64	2 1/64	1/16	1 1/64	1 3/32	38
82-50	16	16 1/32	13 7/16	7 5/16	2 1/64	2 1/64	1/16	1 1/64	1 3/32	38
82-53	18	18 1/64	14 9/16	7 1/2	2 1/64	2 1/64	1/16	1 1/64	1 3/32	43
82-56	20	21 1/32	15 3/4	7 13/16	2 1/16	2 7/64	1/16	1 1/64	1 3/32	43
82-62	24	25 7/32	18 1/4	8 1/4	2 3/64	2 1/64	1/16	1 1/64	1 3/32	43
82-68	28	29 5/16	20 7/8	8 1 3/32	2 1/16	2 1/64	1/16	1 1/64	1 3/32	43
82-75	32	33 1/32	22	8 1 5/16	2 1/16	4 9/64	1/16	1 1/64	1 3/32	43

DRAWING NO. 17—BLAKE BOTTLE

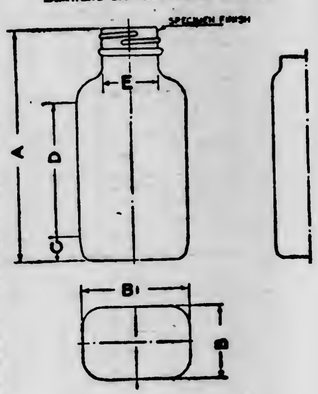

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" and "B¹" dimensions.
3. The profiles illustrated shall be maintained for the above exhibits.
4. Bottom stippling optional.

WIDE MOUTH PASTE JAR

EXHIBIT SERIES 38-00

Exhibit No.	Overflow capacity, oz.	Maximum weight, oz.	A	B max.	C	D	E	G. C. A. 400 finish, size
38-08	2¾	2¾	1 13/64	2 11/64	5/32	7/8	1¾	48
38-14	4½	4	2 1/64	2 7/64	5/16	1 1/16	2 1/16	58
38-21	6½	5	2 5/32	2 5/8	5/16	1 11/64	2 1/16	63
38-28	8¾	6	2 1/64	3 1/64	5/16	1 11/64	2 1/16	70
38-41	13	7½	3 1/32	3 5/8	11/32	1 11/32	2 1/16	83
38-51	17	8¼	3 5/8	3 23/64	7/16	1 11/32	3 1/16	83
38-58	21½	10¼	3 9/16	4 9/64	15/32	1 23/32	3 1/16	83

DRAWING NO. 18—WIDE MOUTH PASTE JAR

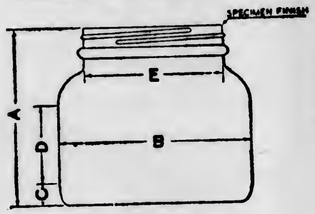

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to those illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. Container shall be round.
5. Bottom stippling optional.

[F. R. Doc. 44-8412; Filed, June 10, 1944; 10:20 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-103, Schedule A, as Amended June 10, 1944]

GLASS CONTAINERS AND CLOSURE SIMPLIFICATIONS; DISTILLED SPIRITS AND OTHER LIQUORS

§ 3270.47 *Schedule A to Limitation Order L-103*—(a) *Definitions.* For the purposes of this schedule:

(1) "Distilled spirits" means whiskey, gin, brandy, and rum.

(2) A "standard glass container for distilled spirits" means a glass container described in Exhibits A-1-a, A-2-a, A-3-a, A-4-a, A-5, or A-6 of this schedule which possesses the finish prescribed for the respective container in the said exhibits or any other finish which is interchanged therewith in accordance with paragraph (g) of Limitation Order L-103.

(b) *Restrictions.* (1) Only standard glass containers for distilled spirits may be produced for bottling distilled spirits.

(2) No molds may be manufactured for a glass container for distilled spirits which do not conform to the specifications of a standard glass container for distilled spirits.

(3) No provision of this schedule shall be construed to restrict the sale, delivery or use of glass containers which were completely manufactured on or before September 12, 1942.

(4) The manufacture of glass containers for all other liquors (such as cordials, cocktails and specialties) is limited to capacities of one-half pint (8 fluid oz.) or more.

(c) *Lettering.* (1) Except as specifically permitted by the exhibits of this schedule, the lettering on standard glass containers for distilled spirits shall be limited to manufacturers' identification (which may include trademark, name or symbol), place of manufacture, date of manufacture by year, design number and mold or cavity number.

(d) *Exemption.* The restrictions imposed in paragraph (c) of Order L-103 and in this Schedule A shall not apply to the manufacture of miniature liquor bottles for use on railroad trains.

Issued this 10th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A-1-a

Standard Glass Container—Distilled Spirits Bottle. 32 ounce capacity

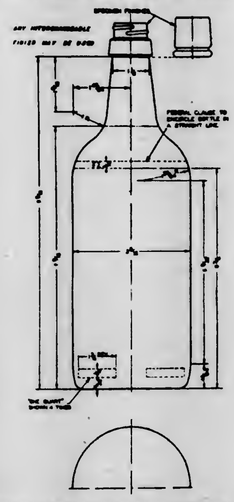

Bottles shall be plain and without decoration except for capacity designation, Federal indicia, glass maker's identification. No label spotting design features allowed.

Bottles must be round—19 oz. wt. maximum

EXHIBIT A-2-a

Standard Glass Container—Distilled Spirits Bottle 25.6 ounce capacity

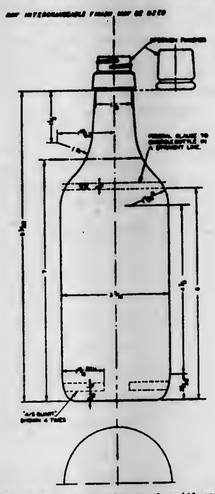

Bottles shall be plain and without decoration except for capacity designation, Federal indicia, glass maker's identification. No label spotting design features allowed.

Bottle must be round—17 oz. wt. maximum.

EXHIBIT A-3-a

Standard Glass Container—Distilled Spirits Flask, 16-ounce capacity

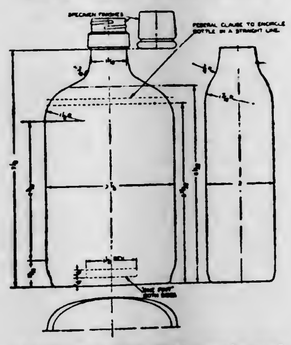

Any interchangeable finish may be used.

Bottles shall be plain and without decoration except for capacity designation, Federal indicia, glass maker's identification. No label spotting design features allowed.

Bottle wt. 13½ oz. maximum.

EXHIBIT A-4-a

Standard Glass Container — Distilled Spirits Flask, 8 ounce capacity

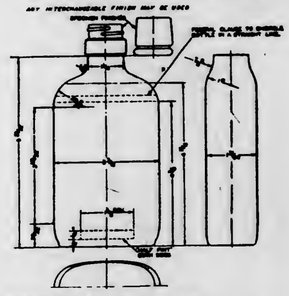

Bottle wt. 8½ oz. maximum.

Bottles shall be plain and without decoration except for capacity designation, Federal indicia, glass maker's identification. No label spotting design features allowed.

EXHIBIT A-5

Standard Glass Container — Distilled Spirits Bottle, 25.6 ounce capacity—Rum

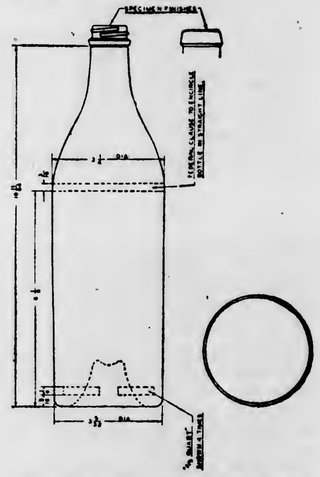

Bottle must be round—20 oz. wt. maximum.

Bottles shall be plain and without decoration except for cap lett., Federal indicia, glass maker's identification. No label spotting design features allowed.

EXHIBIT A–6

Standard Glass Container—Distilled Spirits Bottle, 25.6 ounce capacity—Brandy

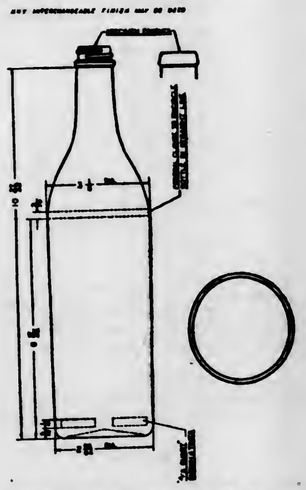

Bottles must be round—19 oz. wt. maximum.

Bottles shall be plain and without decoration except for cap lett., Federal indicia, glass maker's identification. No label spotting design features allowed.

[F. R. Doc. 44–6413; Filed, June 10, 1944; 10:20 a. m.]

PART 3288 [1]—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L–42, Schedule VI, as Amended June 10, 1944]

CAST IRON RADIATORS

Section 3288.17 [1] Schedule VI to Limitation Order L–42 is hereby amended to read as follows:

§ 3288.17 *Schedule VI to Limitation Order L–42*—(a) *Definitions.* For the purpose of this schedule:

"Cast iron radiators" means any of the following when made of cast iron: tubular radiators, wall radiators and convector radiators.

(b) *Simplified practices.* Pursuant to Limitation Order L–42, the production of cast iron radiators shall be permitted except that the following restrictions shall govern the production of the types named below.

(1) Tubular radiators. Production shall be limited to the type commercially known as small tube radiators, and in only those sizes listed below:

Number of tubes:	*Height (inches)*
3	25.
4	19, 22, 25.
5	22, 25.
6	14, 19, 25, 32.

(2) Wall radiators. Production shall be limited to that necessary to fill orders to or for the account of the Army, Navy, Maritime Commission or War Shipping Administration for use on shipboard (except pleasure craft) and for use on floating drydocks.

Issued this 10th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6416; Filed, June 10, 1944; 11:07 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–600]

DR. PEPPER BOTTLING COMPANY

Mrs. L. E. McMinn and M. H. McMinn, doing business as Dr. Pepper Bottling Company, 900 13th Street, Ashland, Kentucky, are engaged in the bottling and distribution of non-alcoholic beverages. For the period from June 1, 1942 to October 1, 1943, they used 2,384.4 gross of new closures made of restricted materials in excess of the quota permitted under the provisions of Conservation Order M–104, as then in effect. On or about August 28, 1943, they accepted delivery of 476 gross of new glass containers in excess of the quota permitted under the provisions of Limitation Order L–103–b, as then in effect. Mr. McMinn, manager of the company, was familiar with the provisions of Order M–104 and of Order L–103–b. His violation of Order M–104 resulted from gross negligence, and his violation of Order L–103–b was intentional and wilful.

As a result of these violations scarce materials have been diverted from the war effort to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.600 *Suspension Order No. S–600.* (a) Mrs. L. E. McMinn and M. H. McMinn, individually, or doing business as Dr. Pepper Bottling Company, or otherwise, their, or any of their, successors and assigns, shall during the calendar year of 1944 reduce their use of new closures made of restricted materials to be affixed to glass containers for non-alcoholic beverages by 2,384.4 gross, under the quota they would otherwise be entitled to use in 1944, as defined by Limitation Order L–103–b, unless hereafter specifically authorized in writing by the War Production Board.

(b) Mrs. L. E. McMinn and M. H. McMinn, individually, or doing business as Dr. Pepper Bottling Company, or otherwise, their, or any of their, successors and assigns, shall during the calendar year of 1944 accept delivery of not more than 50% of the quota of new glass containers for non-alcoholic beverages they would otherwise be entitled to use in 1944, as defined by Limitation Order L–103–b, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Mrs. L. E. McMinn and M. H. McMinn, individually, or doing business as Dr. Pepper Bottling Company, or otherwise, their, or any of their, successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on June 10, 1944, and shall expire on December 31, 1944.

Issued this 3d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6434; Filed, June 10, 1944; 2:50 p. m.]

PART 1293—HAND TOOLS SIMPLIFICATION

[Limitation Order L–157, Schedule I, as Amended June 12, 1944]

HAND SHOVELS, SPADES, SCOOPS, TELEGRAPH SPOONS AND SNOW SHOVELS

§ 1293.2 *Schedule I to Limitation Order L–157*—(a) *Definition.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures, stamps, forges, or otherwise fabricates hand shovels, spades, scoops, telegraph spoons, or snow shovels.

(b) *Simplified practices.* Pursuant to Limitation Order L–157, no producer shall manufacture any hand shovels, spades, scoops, telegraph spoons or snow shovels except the kinds named in Tables I through IV of Appendix A in conformity with the sizes, standards, types and varieties set forth in Appendix A.

(c) *Restrictions on material.* There are some specific items appearing on the Tables contained in this schedule which shall be manufactured only out of steel which is obtained from idle or excess inventories, pursuant to specific authorization from the War Production Board in accordance with Priorities Regulation 13 or CMP Regulation No. 1. In such cases, a footnote will appear in the table, referring to this paragraph, designating the specific items which are governed by it, and in only those cases does this paragraph apply. Such specific items will also be marked with an *.

(d) *Records.* Each producer shall keep and preserve in his files accurate and complete records showing his inventory of raw materials, and his production of hand shovels, spades, scoops, telegraph spoons, and snow shovels, and such records shall be kept readily available and open to audit and inspection by duly authorized representatives of the War Production Board.

[1] Formerly Part 1076, § 1076.7.

APPENDIX A

Explanations and limitations—(1) *Grades.* Alloy A, B, and C designate qualities of complete hand shovels, spades, scoops, or telegraph spoons; alloy and A designating the best quality. Alloy and A-grade tools are equipped with grade XX or SA handles; B-grade tools are equipped with grade X or SB handles. C-grade tools are equipped with No. 1 or SC handles. SA, SB, and SC grades are approximately equivalent to XX, X, and No. 1, respectively, which are the handle-grade designations commonly employed by the shovel industry. Grades SA, SB, and SC are defined in Simplified Practice Recommendation R76, Ash Handles issued by the United States Department of Commerce, National Bureau of Standards.

Nothing in this provision shall be construed as prohibiting the substitution for ash of other suitable species of wood having characteristics as nearly comparable as possible to the respective grades of ash for which they are substituted; *Provided*, That the buyer consents, and all handles other than ash be marked with the name of the species of wood of which they were made.

(2) [Deleted March 10, 1944]

(3) *Blade finishes.* Black or natural finish is obtained by dipping the blade in its natural state, except that it may be wire brushed to remove scale or rust, in lacquer, or lacquer with an asphaltum base, or other suitable protective coating; the blade shall not be pickled before being wire brushed. Full polished finish is obtained by pickling the blade, finishing on roughing and finishing polishing wheels, and dipping it in lacquer, lacquer with an asphaltum base, or other suitable protective coating. No hand shovels, spades, scoops, telegraph spoons, and snow shovels shall be finished in other than black or natural finish, except moulders' shovels and grain scoops, which may be full polished on the face only, and except shovels delivered to the Army or Navy of the United States, which shovels shall be finished in accordance with the procurement specification of the War Department or Navy Department as the case may be.

(4) *Gauges.* The gauges referred to are the steel manufacturers' standard gauges, and are subject to the manufacturers' standard tolerances. The gauge of blades is to be determined by averaging five measurements taken as specified in Federal Specification GGG–S–326.

(5) *Handle finish.* Neither long handles, nor the stems of D handles, shall be painted or otherwise finished than by sanding and waxing, except all shovels delivered to the Army or Navy of the United States, which shovels shall be painted in accordance with specifications of the War Department or the Navy Department as the case may be. Any metal used in the construction of D handles may be given a protective coating, or the entire D may be so coated, but only so far along the stem as is necessary to cover any metal used in the construction of the D.

(6) *Handle lifts.* Each kind and size of hand shovel, spade, scoop, telegraph spoon, and snow shovels shall be manufactured with only one lift, which shall be in accordance with the individual manufacturer's present standard practice, except corrugated coal shovels, which may be made with lifts of 21, 17, 14, and 11 inches, and eastern pattern scoops, which may be made with lifts of 21 and 13 inches, also in low lift of approximately 10 inches.

Issued this 12th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE I—HAND SHOVELS

NOTE: Table heading amended June 12, 1944.

Kind	Grades	Gauge	No.	Blade: Multiple size [1] Hollow back	Closed back	Plain back and solid shank or solid socket [2]	Steps
				Inches	*Inches*	*Inches*	
1. Barn or general purpose	C	16	2	12 x 21			
2. Coal, corrugated [3]	Alloy, A, B, C	17	4	14 x 23			
				15 x 24			
3. Coal dust, or bug dust	B or C	16	4	14 x 21			
4. Round Point	Alloy, A, B, C	16	2	10 x 21¾	10 x 21¾	9¾ x 11⅞	(4)
			2	10 x 21¾	10 x 21¾	10 x 12¾	(4)
	Alloy, A, B	14	4	11 x 22¾	11 x 22¾	11 x 13¾	(4)
			6	12 x 23¾	12 x 23¾	12 x 14¾	(4)
	C	15	2	10 x 21¾	10 x 21¾	10 x 12¾	(4)
			4	11 x 22¾	11 x 22¾	11 x 13¾	(4)
5. Square Point	Alloy, A, B, C	16	2	10 x 21¾	10 x 21¾	9¾ x 11⅞	(4)
			2	10 x 21¾	10 x 21¾	10 x 12¾	(4)
	Alloy, A, B	14	4	11 x 22¾	11 x 22¾	11 x 13¾	(4)
			6	12 x 23¾	12 x 23¾	12 x 14¾	(4)
	C	15	2	10 x 21¾	10 x 21¾	10 x 21¾	(4)
			4	11 x 22¾	11 x 22¾	11 x 13¾	(4)
6. Irrigating	B	15	2	10 x 21¾	10 x 21¾	10 x 12¾	(4)
7. Mining—stiff point and spring point	Alloy, A, B	14	2		10 x 21¾	10 x 21¾	(4)
8. Moulders'	Alloy, A, B, C	15	2	10 x 21¾	[5] 10 x 21¾	10 x 12¾	
9. Ore	Alloy, A, B	14	4	11 x 21¾			
10. Telegraph	Alloy, A	13	2			10 x 12¾	
11. Track	Alloy, A	13	2	[6] 10 x 21¾	[6] 10 x 21¾	10 x 12¾	(4)
12. Intrenching shovel [7]							

[1] Multiple size is the size of the flat sheet of steel required to make one blade. The same multiple size is to be used for both D and long handled shovels of a given number (size).

[2] The trimmed blank for a solid shank shovel is to be the same size as the blank for a similar type and size of plain back shovel.

[3] To be made in lifts of 21, 17, 14, and 11 inches.

[4] With or without steps; one type only.

[5] If sockets are rolled, a shorter multiple may be used, so that the trimmed blank will correspond with the length given.

[6] If step is made as an integral part of blade, add ⅜ inch to the length of the multiple.

[7] To be in accordance with U. S. Army Specification No. 17–172.

TABLE II—SPADES

Kind	Grades	Gauge	Blade: Multiple size [1] Length or size number	Hollow back and closed back	Plain back and solid shank [2]	Steps
				Inches	*Inches*	
13. Ditch or post	Alloy, A, B	14	14-in	7⅛ x 23	7⅛ x 14	One type.
			16-in	7⅛ x 25	7⅛ x 16	One type.
			18-in	7⅛ x 27	7⅛ x 18	One type.
14. Drain-round point	Alloy, A, B	14	14-in	7⅛ x 23	7⅛ x 14	One type.
			16-in	7⅛ x 25	7⅛ x 16	One type.
			18-in	7⅛ x 27	7⅛ x 18	One type.
15. Garden	C	13	No. 2	8 x 21⅛ [3] [4]	7⅝ x 12¾ [4]	One type.
16. Nursery	Alloy, A	13	No. 2		7⅝ x 13¾ [4]	One type.

[1] Multiple size is the size of the flat sheet of steel required to make one blade. The same multiple size is to be used for both D and long handle spades of a given size.

[2] The trimmed blank for a solid shank spade is to be the same size as the blank for a similar type and size of plain back spade.

[3] If sockets are rolled, a shorter multiple may be used, so that the trimmed blank will correspond with the length given.

[4] If step is made as an integral part of the blade, add ⅜ inch to the length of the multiple.

TABLE III—SCOOPS AND TELEGRAPH SPOONS

NOTE: "Household furnace" added June 12, 1944.

Kind	Grades	Gauge	No.	Blade: Multiple size [1] Hollow back	Blade: Multiple size [1] Plain back and solid shank [2]	Steps
				Inches	*Inches*	
17. Ash pit (low lift)	C	16	4	13 x 24½		
*17A. Household furnace	C	[6]16	0	11½ x 22¾		Turned.
18. Break-down, diamond point	Alloy, A, B	15	5	14 x 24½		
19. Coal yard (western pattern, flat point)	Alloy, A, B	16	8	13½ x 26		
20. Eastern pattern or locomotive [3]	Alloy, A, B, C	16	2 4 6 8	13¼ x 23½ 13 x 24½ 13½ x 25½ 14½ x 26		
21. Grain corrugated (western pattern)	C	17	10 12	15½ x 27 15½ x 28		
22. Gravel, round point	Alloy, A, B, C	16	14 2	16½ x 29 12½ x 23½		Turned.
TELEGRAPH SPOONS						
23. Eastern pattern	Alloy A	13	----	----	10 x 13¼ [4]	
24. Western pattern	Alloy A	13	----	----	10 x 13¼ [4]	

[1] Multiple size is the size of the flat sheet of steel required to make one blade. The same multiple size is to be used for both D and long handle scoops of a given size number.
[2] The trimmed blank for a solid shank spoon is to be the same size as the blank for a similar type and size of plain back spoon.
[3] To be furnished in lifts of 21 and 13 inches, also in low lift of approximately 10 inches.
[4] May be made from smaller multiples, if desired.
[5] 15 or 17 gauge steel may be substituted for 16 gauge when the latter is not available.
*Item 17A is governed by the provisions of paragraph (c) of this schedule.

TABLE IV—SNOW SHOVELS

NOTE: Table IV added June 12, 1944.

Large blade variety, having blades approximately 18 inches wide by 15 inches long, with handles attached directly to the blade or fitted in a socket attached to the blade. Only one variety of each type is permitted.

Type	Gauge of blade	General characteristics
*1	18[1]	With or without corrugations.
*2	Max. 26, Min. 30.	Corrugated and reinforced at edges and on point.

[1] 17 or 19 gauge may be substituted for 18 gauge when the latter is not available.
*Types 1 and 2 are governed by the provisions of paragraph (c) of this schedule.

[F. R. Doc. 44-8450; Filed, June 12, 1944; 10:30 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-232, as Amended June 12, 1944]

WOODEN SHIPPING CONTAINERS

§ 3270.56 *Limitation Order L-232*—(a) *Definitions.* For the purposes of this order:

(1) "Wooden shipping container" means any new shipping container made wholly or partially of wood which is used for the shipment and delivery of commodities. The term does not include trunks, luggage, military locker boxes, field picking boxes, or boxes consisting of more than 50% of corrugated or solid fibre (by area). It shall not include a container, made by a container user for his own use from waste material referred to as edgings, trim and offall and excluded from the definition of lumber in Order L-335, or from second-hand lumber, *Provided*, It is not made in a box factory or wood-working establishment which sells its product to other users. Second-hand lumber is lumber which has been previously used, as in building construction, or as dunnage in bracing, blocking, or shoring, or in construction of shipping containers.

(2) "Restricted crop" means any fruit or vegetable listed in Table II of Schedule B.

General Restrictions

(b) *Restrictions*—(1) *Manufacture, sale or delivery of containers.* No person shall manufacture, sell or deliver any wooden shipping containers or parts which he knows or has reason to believe will be used or accepted in violation of any provision of this order.

(2) *Manufacture and assembly of containers.* No person shall commercially manufacture or assemble any wooden shipping container for the purposes described in the several tables of Schedule A, which does not meet the specifications contained in those tables. The restrictions of this paragraph shall not apply to barrels, drums, kegs, kits or pails.

(3) *Manufacture of container parts.* No person shall commercially manufacture any wooden parts designed for any wooden shipping container described in the several tables of Schedule A which, when assembled, will not conform with the specifications of those tables. The restrictions of this paragraph shall not apply to barrels, drums, kegs, kits or pails.

(4) *Coloring.* No manufacturer, dealer in, or commercial user of wooden shipping containers or parts shall dye, stain, or otherwise color containers or parts which are described in Schedule A. The restrictions of this paragraph shall not apply to barrels, drums, kegs, kits or pails.

(5) *Printing.* All stamping, printing and labeling, unless otherwise required by law, shall be placed on only one outside surface of any wooden shipping container covered by the several tables of Schedule A of this order, whether it be an end, a side, bottom, top or cover. The restrictions of this paragraph (b) (5) shall not apply to barrels, drums, kegs, kits or pails or to paper, labels or markings which only:

(i) State the capacity of the container in terms of whole or fractional pints, quarts, pecks, or bushels; or

(ii) in the case of baskets and hampers are identifying markings provided for in regulations of the Secretary of Agriculture issued under the United States Standard Container Act of 1928; or

(iii) are designed for the purpose of encouraging salvage and reuse of the container, provided the label or printing does not include the name, brand, trade-mark or other reference to any person, firm, partnership or corporation.

Restrictions on Packing and Shipping Commodities Other Than Restricted Crops

(c) *Restrictions*—(1) *Commodities for which wooden shipping containers are forbidden.* No person shall commercially pack or ship in wooden shipping containers any of the commodities listed in Table I of Schedule B. This shall not, however, restrict the shipment of any commodity listed which has already been packed on the date it was included in this table or the shipment of any listed commodity in wooden shipping containers which were in the shipper's inventory or in transit to him on the date it was included in this table, but only for a period of sixty days thereafter.

(2) *Quota restriction on packing.* Packers of a commodity listed in Table II of Schedule B, other than a restricted crop, are restricted in the quantity of that commodity which they may pack in wooden shipping containers in each calendar quarter to a percentage of the quantity that they packed in wooden shipping containers in the same quarter of the base period. The percentage and base period for each commodity are shown in the table.

Restrictions on Fruits and Vegetables Listed in Table II of Schedule B (hereafter called "Restricted Crops")

(d) *Restrictions.* (1) In the case of the restricted crops listed in Table II of Schedule B, no person shall, in any calendar year, commercially pack in wooden shipping containers a greater quantity of restricted crops than the total quantity of the designated quotas of each of the restricted crops that he packed in wooden shipping containers in 1942. After determining his quota of wooden shipping containers based on what he packed in 1942, he may use these containers to pack any of the restricted crops interchangeably.

(2) The restrictions of paragraph (d) shall not become effective until July 1, 1944 (except in the case of table and juice grapes), and the quotas for the second half of 1944 shall be based on the second half of 1942.

(3) It is the policy of the War Production Board that each grower of a restricted crop be allowed to market in wooden shipping containers the quantity of restricted crops contemplated by the quotas. Under this policy every packer, so far as practicable, should use his permitted quantity of wooden containers to pack the restricted crops of each of the growers for whom he packs without prejudice to any of them, provided they are prepared to meet current prices and terms. If this policy is not observed voluntarily, the War Production Board may issue specific directives to named packers, and failure to comply with these directives will be deemed a violation.

(4) A packer may not pack a greater quantity of restricted crops grown by him in wooden shipping containers than the total of the designated quotas of restricted crops grown by him and packed in wooden shipping containers in 1942.

(5) If a grower, who did not do his own packing in 1942, wants to do his own packing, he must notify the War Production Board by letter stating the name of the person who packed for him in 1942 and the quantity of each restricted crop packed in wooden shipping containers during that year. Such notice must be filed within ten days before a grower begins his packing. He may then pack a quantity of restricted crops in wooden shipping containers permitted by the quotas set up in the table, based upon the quantity of his restricted crops which were packed in wooden shipping containers in 1942. The War Production Board may then reduce the quota of the packer who packed for him in 1942 where such action seems necessary to keep the total consumption of wooden shipping containers down to the levels contemplated by this order.

Certification

(e) *Certification for fruit and vegetable containers.* On and after July 1, 1944, no person shall sell or deliver any new wooden shipping containers for the shipment of fruits and vegetables without obtaining a certificate from the purchaser. The certificate may be either the one set forth in paragraph (v) of Order P-140 (if the purchaser is using a rating to buy his containers) or the standard certificate provided for in paragraph (d) of Priorities Regulation No. 7. In case the former is used, the purchaser shall add the following words to the certification:

The undersigned, purchaser, further certifies that he is familiar with the provisions of Order L-232 and that the containers which he is buying will not be used in violation of the terms of that order.

If he uses the standard certification, he shall add the words, "Reference L-232."

Miscellaneous

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Containers Division, Washington 25, D. C., Ref.: L-232.

(i) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

NOTE: The reporting requirements of paragraph (c) (3) has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 12th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—SPECIFICATIONS FOR WOODEN SHIPPING CONTAINERS

TABLE I—HAMPERS, BASKETS, BERRY CUPS FOR FRESH FRUITS AND VEGETABLES

(a) Specifications for the types and dry capacities of permitted hampers, baskets, and berry cups are as follows:

Type—(1)	*Dry capacity* (2)
1. Hampers	½, ⅝, 1 bu.
2. Round stave baskets	½, 1 bu.
3. Splint baskets	8, 12, 16, 24, 32 qts.
4. Climax baskets	4, 12 qts.
5. Till baskets	1, 2, 3, 4 qts.
6. Berry cup	½, 1 pt., 1 qt.

(b) *Exceptions.* The restrictions of paragraphs (b) (2), (3), (4) and (5) of this order and of paragraph (a) of this table shall not apply to:

(1) The manufacture or assembly of wooden shipping containers referred to in this Table by any person from wooden parts cut to size by him before March 4, 1943, provided such manufacture or assembly is completed by August 31, 1943;

(2) The assembly of wooden shipping containers referred to in this table by any person from cut-to-size wooden parts bought and received by him before April 1, 1943, provided such assembly is completed by August 31, 1943.

(c) "Hamper", "round stave basket", and "splint basket" have the same meanings as in rules and regulations [2] of The Secretary of Agriculture issued under the United States Standard Container Act of 1928.[3] "Climax basket", "till basket", and "berry cup" mean baskets and containers of the type subject to rules and regulations [2] of The Secretary of Agriculture issued under the United States Standard Container Act of 1916,[4] as amended.[5]

TABLE II—WOODEN SHIPPING CONTAINERS FOR FRESH FRUIT AND VEGETABLES

Usual name (1)	Inside depth (inches) (2)	Inside width (inches) (3)	Inside length (inches) (4)
1. Apple box	10½ [1]	11½	18.
2. Apple box	11	12½	16.
3. Apple box	11	13	17.
4. Apricot lug	4¾	12½	16.
5. Artichoke box	9¾	11	20¾.
6. Asparagus crate	10½	9 to 9¼ top, 11 bottom	17¾ or 18.
7. Asparagus crate	12¾	9¼ top, 10½ bottom	17¾.
8. Asparagus crate	11	9¾ top, 12 bottom	16¾.
9. Avocado box	4½	13½	16.
10. Berry crate	8¾	16¼	21¼.
11. Berry crate	2¾	13½	18.
12. Berry crate	3½ or 3¼	13½	18.
13. Berry crate	9 or 9½	9	18.
14. Berry crate	7½	11	22.
15. Berry crate	9	11	22.
16. Berry crate	11	11	21¼ to 22.
17. Bushel crate	12	12	18.
18. Cantaloupe pony crate	11	11	22.
19. Cantaloupe standard crate	12	12	22.
20. Cantaloupe jumbo crate	13	13	22.
21. Cauliflower crate	8½	18	21½ to 22.
22. Cauliflower crate	12¾	14¼	22.
23. Celery crate	20	11	20¾.
24. Celery crate	9¾	16	19¾ to 20.
24a. Celery crate	10	16	22.
25. Celery crate	5½	18	12¾.
26. Celery crate	8	8	12¾.
*27. Cherry, apricot, prune lug	8¾	11½	14.
*28. Cherry, apricot, prune lug	3¾	10½	14.
*29. Cherry, apricot, prune lug	8¾	10½	15.
30. Cranberry box	9¼	10½	15.
31. Cranberry box	9½	11	13½e.
31a. Date box	2¾	13½	16.
32. Fig box	1¾	11	15.
*33. Fruit box	8	11½	15.
*34. Fruit box	4	11½	15.
*35. Fruit box	4½	11½	15.

See footnotes at end of table.

[1] U. S. Department of Agriculture Service and Regulatory Announcements No. 116, as amended.
[2] 45 Stat. 685; 15 U.S.C. 257.
[3] U. S. Department of Agriculture Service and Regulatory Announcements No. 104, revised.
[4] 39 Stat. 673; 15 U.S.C. 251.
[5] 45 Stat. 930; 15 U.S.C. 251.

TABLE II—WOODEN SHIPPING CONTAINERS FOR FRESH FRUIT AND VEGETABLES—continued

Usual name (1)	Inside depth inches (2)	Inside width (inches) (3)	Inside length (inches) (4)
*36. Fruit box	5[1]	11½	16.
*37. Four-basket crate	4½	16	16.
*38. Four-basket crate	4½	16	16.
*39. Four-basket crate	4¾	16	16.
*40. Four-basket crate	5[1]	16	16.
41. Honey dew standard crate	6¾	18	22.
42. Honey dew jumbo crate	7¾	18	22.
43. Lemon box	9¼	13	26.
44. Lettuce crate	18⅝	17½	21½ to 22.
45. Lime box	6	12	12.
*46. Lug box	5¾	13½	14.
*47. Lug box	4¾	13½	16.
*48. Lug box	3¾	13½	16.
49. Melon crate	6¾	12	22.
50. Melon crate	7¾	14	22.
51. Orange and grapefruit box	11¼	11¼	34.
52. Orange and grapefruit box	12	12	34.
53. Half orange and grapefruit box	9¼	9¼	19.
54. Pear box	8¼	11½	18.
55. Half pear box	5½	11½	18.
*56. Pear lug	6½	13¼	20¼.
57. Pepper crate	15¾	11	22.
58. Produce box (1 bushel)	7⅛[2]	17¼	17¼.
59. Produce box (½ bushel)	7⅛[2]	12¾	12¾.
60. Pineapple crate	10½	12	23.
61. Rhubarb box	9	11¼	24¼.
62. Rhubarb box	3⅛[3]	11¼	24¼.
63. Sweetpotato crate	12¾[4]	12¾ top	18 top.
		13¼ bottom	16 bottom.
64. Sweetpotato crate	12	16¾	16¾.
65. Vegetable crate	13	17¼	21½ to 22.
66. Vegetable crate	9	13	21½ to 22.
67. Vegetable crate	8	12	22.
68. Vegetable crate	7½	15 or 18¼	18¼.

[1] The inside depth of this box may be increased up to 11½", either by the addition of cleats of any thickness or by the use of a solid end.

[2] The inside depth of this box may be increased up to 7⅛" by the addition of cleats of any thickness or by the use of a solid end.

[3] The inside depth of this box may be increased up to 5½" by the addition of cleats of any thickness or by the use of a solid end.

[4] Wherever an asterisk appears, cleats may be used for such items, as provided for in paragraph (e) of the text of Table II.

(a) The designation in column (1) of Table II is merely for identification and shall not be construed as restricting usage. 'Inside width' and 'Inside depth' of the container are the width and length, respectively, of the end pieces or end frames, exclusive of any cleats. 'Inside length' of the container shall be its outside length minus the combined thickness of both ends and of the center piece (if any).

(b) An optional variation of up to ⅛" under or up to ¼" over the specified inside lengths is allowed. A tolerance of up to ⅛", plus or minus, in the specified inside depths and inside width is allowed for shrinkage and manufacture.

(c) No cleats may be so used as to increase inside dimensions except where an asterisk appears in Column (1) of Table II or where, and as, specified in any footnote after that table. Where an asterisk appears in Column (1) of Table II, one or more cleats of ¼", ⅜", ½", ⅝", 11/16", or ¾" thickness may be attached to the top of each end piece, or end frame, provided such cleat or cleats do not increase the inside dimensions of the container by more than the specified thickness of the cleat or cleats.

(d) *Exceptions.* (1) The restrictions of paragraphs (b) (2), (3), (4) and (5) of this order and of this Table II shall not apply to:

(i) The manufacture or assembly of wooden shipping containers by any person from wooden parts cut to size by him before March 4, 1943; provided, such manufacture or assembly is completed by August 31, 1943;

(ii) The assembly of wooden shipping containers by any person from cut-to-size wooden parts bought and received by him before April 1, 1943; provided, such assembly is completed by August 31, 1943;

(2) The restrictions of this Table II shall not apply to the manufacture or assembly of wooden shipping containers, or the manufacture of wooden parts for wooden shipping containers, to be delivered:

(i) To or for the account of the Army, the Navy, the Coast Guard, the Maritime Commission, the War Shipping Administration, or the Department of Agriculture (for Lend-Lease purposes), provided, the government agency's specifications require wooden shipping containers which do not comply with Table II.

(ii) To any person for use in packing fresh fruits or vegetables for delivery to or for the account of such government agencies; provided, the government agency's specifications require wooden shipping containers which do not comply with Table II; and provided further, such person furnishes the container or container-parts supplier with a written certification in substantially the following form, signed by an authorized official, either manually or as provided in Priorities Regulation No. 7;

"This is to certify that specifications of orders received by the undersigned from (designate government agency) require wooden containers not conforming with Order L-222. The material ordered herewith is for that purpose only.

Company_____
By_____
Title_____ Date_____"

Such certification shall constitute a representation to the supplier and to the War Production Board as to the truth of the facts stated therein. The supplier may rely upon such representation unless he has knowledge or reason to believe that it is not true.

TABLE III—WOODEN SHIPPING CONTAINERS FOR DRESSED CHICKENS & TURKEYS

Chicken boxes (approximate weight) (1)	Inside length (inches) (2)	Inside width (inches) (3)	Inside depth (inches) (4)
101. 36 lbs	18	14	7¼
102. 42 lbs	19	16½	7½
103. 48 lbs	20	18½	7½
104. 54 lbs	21	19½	7½
105. 60 lbs	23	17	8
106. 72 lbs	24	18	8½
TURKEY BOXES			
111. Small	28	24	6¼
112. Large	32	28	7¼
113. Very large	34	19	8
114. West Coast	36	28	6½

(a) *Exceptions.* The restrictions of paragraph (b) (2), (3), (4) and (5) of this order and of this Table III shall not apply to:

(1) The manufacture or assembly of wooden chicken and turkey boxes by any person from wooden parts cut to size by him before July 30, 1943, provided such manufacture or assembly is completed by September 30, 1943;

(2) The assembly of wooden chicken and turkey boxes by any person from cut-to-size wooden parts bought and received by him before August 15, 1943, provided such assembly is completed by September 30, 1943.

SCHEDULE B—RESTRICTIONS IN USE OF WOODEN SHIPPING CONTAINERS

TABLE I—COMMODITIES WHICH MAY NOT BE SHIPPED IN WOODEN SHIPPING CONTAINERS

(a) The restrictions of this Table I shall not apply to (1) shipments to or for the account of the Army or Navy of the United States, or shipments to military exchanges (as defined in Priorities Regulation No. 17) located outside the 48 states, the District of Columbia and Canada, (2) shipments to be delivered ultimately outside the 48 states of the United States, the District of Columbia and Canada, (3) shipments of stores for shipboard use on ocean-going vessels, (4) shipments in wooden barrels, kegs, drums, kits or pails, except in the case of soda ash, bicarbonate of soda, and salt, (5) shipments of the fresh vegetables listed until after January 1, 1944.

(b) Whenever the letter "b" appears after a commodity in this list, the restriction applies to this commodity only when packaged in glass, textile, metal or paper.

(c) Soda ash and bicarbonate of soda were included in Table I on July 23, 1943 and all the other commodities were added on October 25, 1943.

(d) The headings used in this table are only for the purpose of separating the items into groups of similar commodities.

Building Materials

1. Asphalt roofing (rolls or shingles), siding and tiles
2. Brick, except fire and glass
3. Cement [b]
4. Cork (except pipe covering and slabs)
5. Mineral wool, except slabs, blocks, batts and insulation (formed, metal encased)
6. Plaster, cement lime, gypsum (this does not include dental, orthopedic and industrial mold grades)
7. Roof coatings and cements [b]
8. Steel sash and windows

Foods (Fresh Vegetables Are Listed as Items 38-43 and Animal Foods, Item 101)

9. Bakery goods, except in multiple trip returnable containers
10. Baking powder
11. Candy or confectionery
12. Canned and glassed foods or food products
13. Cereals, prepared
14. Chocolate
15. Cocoa
16. Coffee
17. Condiments [b]
18. Corn starch [b]
19. Dessert powders
20. Flours, prepared products
21. Food seasoning, coloring and related products [b]
22. Fruit and vegetable juices [b]
23. Gelatins [b]
24. Horseradish products [b]
25. Ice cream cones
26. Macaroni [b]
27. Mayonnaise and salad dressing [b]
28. Noodles [b]
29. Nuts, edible
30. Peanut butter and peanuts [b]
31. Popcorn
32. Potato chips
33. Rice
34. Salt
35. Spaghetti [b].
36. Spices (except mustard flour, ground cloves, ground mace and ground nutmeg)
37. Tea

Fresh Vegetables

38. Cabbage
39. Corn, green
40. Onions, dry
41. Potatoes, white
42. Rutabagas
43. Turnips, root

Glass Products

44. Jars, home canning
45. Ornaments and decorations

Hardware

46. Buckets and pails (wood or metal)
47. Handles, wooden, for hand tools
48. Wash tubs, wood or metal

Horticultural Items

49. Flowers, flower seeds, and flower plants
50. Shrubs, ornamental or cuttings
51. Trees, ornamental or cuttings

Leather Products

52. Belting butts
53. Bridles
54. Harnesses
55. Horse collars
56. Novelties
57. Pocketbooks
58. Saddles
59. Suitcases
60. Traveling bags—all kinds
61. Trunks
62. Whips and crops

Paper Products

63. Advertising displays—counter, window or floor
64. Albums
65. Announcements
66. Calendars
67. Catalogues
68. Greeting cards
69. Illustrated post cards
70. Magazines, including house organs
71. Novelties
72. Posters
73. Punch boards

Textiles (Except Clothing)

74. Awnings
75. Blankets
76. Comforters
77. Mattresses
78. Rope, string and twine
79. Tents

Miscellaneous

80. Adhesives or cements, household
81. Appliances, electric, domestic (except stoves, refrigerators, washing machines and mangles)
82. Art supplies
83. Ash trays
84. Baskets
85. Bed springs
86. Beverages, carbonated, malt or alcoholic and concentrates, except in multiple trip returnable containers.
87. Bicarbonate of soda
88. Brushes and brooms
89. [Deleted Jan. 3, 1944]
90. Candles, except for religious purposes
91. Ceramics, ornamental
92. Charcoal, except activated carbon
93. Cigars and cigarettes
94. Combs
95. Cosmetics
96. Dentifrices
97. Depilatories
98. Dry cleaning preparations, household
99. Electric light bulbs
100. Fertilizers
101. Food, animal and pet
102. [Deleted Jan. 3, 1944]
103. Hair, dressing and dyes, shampoos and tonics
104. Hats, millinery
105. Heels and soles, footwear
106. Hose, rubber and fabric except wire imbedded
107. Jewelry
108. Mops
109. Ornaments, made of glass, plastic, pottery, china, metal, wood, paper or leather
110. Paint [b]
111. Peat moss
112. Pens and pencils
113. Perfumes and toiletries
114. Polishes [b]
115. Scouring and cleaning compounds and detergents (does not include liquid acidic materials shipped in carboys with a capacity of 5 gallons or more).
116. Shoes
117. Soap [b]
118. Soda ash
119. Sporting goods
120. Starch [b]
121. Tobacco [b]
122. Toys and games
123. Varnishes [b]
124. Waxes [b]

TABLE II—COMMODITIES WHOSE PACKING AND SHIPPING IN WOODEN SHIPPING CONTAINERS IS RESTRICTED

Fruits and Vegetables

Commodity:	Quota based on 1942 calendar year (percent)
1. Cantaloupes and melons	80
2. Carrots	100
3. Cauliflower	80
4. Celery	80
5. Cucumbers	50
6. Grapes, juice [1]	50
7. Grapes, table: [2]	
a. Thompson	100
b. Muscat	100
c. Sultana	100
d. Zante Currant	100
e. All other varieties	110
8. Lettuce	80
9. Radishes	50

Miscellaneous Products

10. Animal proprietary drug remedies	65
11. Books	80
12. Carpets	80
13. China and glassware (except vitrified for commercial use)	80
14. Clothing, except shoes	80
15. Glass tableware and glass kitchen articles	80
16. Hooks and eyes, slide and snap fasteners, buckles, buttons, and miscellaneous metal apparel bindings	80
16a. Leather, restricted to goat, kid, cabretta and kangaroo and limited to processed hides, skins and splits which have not been incorporated into any product	70
16b. Leather, all other, limited to processed hides, skins and splits which have not been incorporated into any product	50
17. Linoleum	80
18. Musical instruments	80
19. Pottery products, household (except ornamental)	80
20. Printing and publishing products, except those listed elsewhere	80
21. Rugs	80
22. Tile (floor, wall, facing, glazed or unglazed)	80

NOTE 1: Juice grapes are grapes of the following varieties:

Alicante Bouschet	Aramon
Alicante Ganzin	Barbera
Beclan	Mission
Carbernet Sauvignon	Mondeuse
Carignane	Mourastel
Charbono	Nebbiola
Crabb's Black Burgundy	Petit Bouschet
Friesa	Petite Sirah
Gamay [a]	Portuguese Blue
Grand Noir	Salvador
Grenache	St. Macaire
Grignolino	Tannat
Lenoir	Teoulier
Limberger	Trousseau
Malbec	Valdepenas
Malvoisie	Zinfandel
Mataro	

NOTE 2: Notwithstanding the provisions of paragraph (d) (1) concerning interchangeability of quotas in the case of Thompson, Muscat, Sultana and Zante Currant variety of table grapes, the quota is limited to each of these varieties, and in the event that the quantity of each of these varieties is insufficient to fill the quota, no other variety of grape or other restricted crop may be packed as part of that quota.

NOTE 3: The base period and quota period quantities of a commodity shall be determined as follows (the same measure shall be used in both the base period and quota period quantities for any commodity: (a) for miscellaneous products, by weight, volume or count of the commodity packed for shipment or shipped in wooden shipping containers, or by the board footage content of the wooden shipping containers required; (b) for fruits and vegetables, by volume only, or by the board footage content of the wooden shipping containers required.

NOTE 4: *Exceptions.* (i) No person shall be bound by quota restrictions contained in paragraphs (c) (2) or (d) (1) applicable to any commodity during any calendar year or seasonal year, whichever is specified, during which he neither packs nor ships more than one carload or 30,000 pounds of that commodity, whichever is the lesser.

(ii) The provision with respect to a grower reporting his intention of becoming a packer contained in paragraph (d). (5) shall not apply where less than a carload or 30,000 pounds of a commodity, whichever is the lesser, is involved in any calendar year.

[Notes 5 and 6 deleted Apr. 26, 1944]

[F. R. Doc. 44-8451; Filed, June 12, 1944; 10:30 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-322, as Amended June 12, 1944]

JACKS, MECHANICAL, HYDRAULIC, AIR AND ELECTRICALLY OPERATED

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron, steel and other critical materials entering into the production of mechanical, hydraulic, air and electrically operated jacks for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3292.116 *Limitation Order L-322*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture or assembly of mechanical, hydraulic, air or electrically operated jacks.

(3) "Jack" means any lifting, supporting, pulling, pushing, or bending device listed in Schedules A and B to this order.

(4) "Non-military production" means any mechanical, hydraulic, air or electrically operated jacks produced or assembled except under contracts or orders for delivery to the United States Army, Navy, Maritime Commission or the War Shipping Administration.

(5) "Capacity" means load-raising ability of the jacks, measured at the head or cap, through the entire working range from minimum to maximum height. This definition does not apply to "wheel type service or shop jacks" or "transmission jacks".

(b) *Restriction on production.* On and after November 15, 1943, no producer shall manufacture or assemble any jack except of a model, size, and capacity listed in Schedules A and B of this order.

(c) *Restriction on distribution.* Notwithstanding the provisions of Priorities Regulation Number 1, commencing with the month of November, 1943, and each month thereafter, each producer shall retain, for delivery against orders rated on Form WPB–547, a minimum of twenty-five (25) percent of the number of 3, 5, 8, 12, and 20-ton capacity hydraulic self-contained (hand operated) jacks manufactured or assembled by him in non-military production.

(1) In the event that in any month a producer's orders rated on Form WPB–547, do not equal twenty-five (25) percent of his non-military production of 3, 5, 8, 12, and 20-ton capacity hydraulic self-contained (hand operated) jacks, he may deliver the balance of his non-military production, not covered by such orders, against other orders.

(d) *Restriction on sales.* On and after November 15, 1943, no producer shall sell, transfer, or deliver, to any person any jacks listed in Schedule A or B to this order, except pursuant to orders bearing preference ratings of AA–5 or higher. The provisions of this paragraph (d) shall not apply to repair parts for mechanical, hydraulic, air or electrically operated jacks.

(e) *Exceptions to applicability of this order.* The terms and restrictions of paragraph (b) of this order shall not apply, until February 1, 1944, to jacks produced under contracts or orders for delivery to or for the account of the United States Army, Navy, Maritime Commission or the War Shipping Administration.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing Form WPB–1477 in triplicate with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates, stating therein the information called for.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time, except as stipulated in paragraph (c).

(i) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington 25, D. C., reference: L–322.

Issued this 12th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

NOTE: Items VI, IX, XI and XIX amended June 12, 1944.

Item	Capacity tons	Number models permitted	Number sizes permitted per model	Closed height specifications
I. Ratchet lever automatic lowering jacks (rigid base).	5	1	3	14" to 21".
	10	1	1	21" to 22".
	15	1	2	22" to 28".
	20	1	1	28" to 29".
II. Ratchet lever automatic lowering jacks (hinged base).	15	1	1	22" to 23".
III. Ratchet lever automatic lowering pole jacks.	5	1	1	28" to 50".
	15	1	1	37" to 38".
IV. Ratchet lever automatic lowering cable reel jacks.	5	1	1	20" to 21".
	10	2	2	24½" to 40".
V. Cable reel screw jacks	----	2	6	15" to 20" x 1¾". 2" or 2¾" screw.
VI. Telescope screw jacks	3	1	1	7" to 11".
	5	1	1	7" to 12".
	8	1	1	8" to 11".
	10	1	1	10" to 14".
	12	1	1	8" to 13".
	20	1	1	9½" to 27".
	25	1	1	20" to 22".
VII. Telescope scissors screw jacks—mechanical.	3	1	1	4" to 6".
VIII. Track or trip jacks single acting.	15	1	4	10½" to 29".
IX. Track or trip jacks double acting.	15	2	2	22" to 31".
X. Combination trip and automatic lowering jacks.	15	1	1	22" to 23".
XI. Geared automatic lowering jacks double acting.	25	2	1	26" to 28".
	35	1	1	27" to 28".
	60	1	1	27" to 28".
XII. Journal jacks (standard speed).	15	1	1	10".
	25	1	1	10".
	35	1	1	10".
	60	1	1	10" to 17".
XIII. Jacks on traversing bases (complete units).	10	1	1	
	25	1	1	
	35	1	1	
XIV. Standard speed bevel gear screw jacks.	10	1	1	14".
	15	2	2	14" to 22".
	25	2	2	20" to 28".
	35	2	2	22" to 27".
	60	2	2	12" to 27".
	75	1	1	24" to 27".
XV. Self lowering bevel gear screw jacks.	20	1	1	28".
	25	2	2	26" to 28".
	35	2	4	22" to 30".
	50	2	4	20" to 30".
	75	1	1	26".
	100	1	1	26".
XVI. Bell bottom jack screws four way head.	----	1	10	1" screw x 6". 1¼" screw x 6"–8"–10". 1¼" screw x 8"–10"–12". 1¾" screw x 10"–12"–14". 2" screw x 10"–12"–14"–16". 2¼" screw x 10"–12"–14"–16"–18".
XVII. Bell bottom jack screws ratchet head.	----	1	12	1¼" screw x 10"–12"–14". 2" screw x 10"–12"–14"–16". 2¼" screw x 10"–12"–14"–16"–18".
XVIII. Shoring or house raising jack screws.	----	1	8	2" screw x 10"–12"–14"–16". 2¼" screw x 12"–16"–18"–20".
XIX. Hydraulic self contained jacks (hand operated).	3	1	2	7" to 11".
	5	1	2	7" to 12".
	9	1	2	8" to 11".
	12	1	2	9" to 13".
	20	2	2	7¾" to 22".
	25 or 30	3	2	7½" to 18".
XX. Wheel type service or shop jacks—hydraulic or mechanical (only as permitted in Limitation Order L–270).	1½	1	1	
	4	1	1	
	10	1	1	
XXI. Transmission jacks only as permitted in Limitation Order L–270).	½ ton or over	1	1	
XXII. Power jacks (air and/or electric operated).	20	1	1	28".
	30	1	2	28" and 36".
	100	1	2	36" and 44".
XXIII. Hydraulic self-contained heavy duty jacks (hand operated).	10	2	1	22" to 30".
	15	2	2	25" to 32".
	20	2	1	22" to 27".
	25 or 30	8	1	20" to 30".
	50 or 60	2	1	11" to 30".
	100	2	1	11" to 30".
	135	2	1	20" to 30".
	180	2	1	20" to 30".

SCHEDULE B

The following types and models of mechanical and hydraulic jacks have not been simplified and may be produced by manufacturers, unless they are prohibited by other orders of the War Production Board:

Aircraft jacks, wing, tail, nose, bomber, tripod, testing, turret
Push-pull jacks
Steamboat jacks
Adjustable mine roof jacks
Mine timber jacks
Mine post puller jacks
Anchor or hold down jacks
Cable and wire extension jacks
Pipe pulling and pushing jacks
Pull rod jacks
Planer or machinists jacks
Oil Well circle jacks
Suspension type journal jacks
Independent pumps and rams
Under aircraft jacks
Aircraft axle jacks
Float bridge jacks
Bolt pulling and/or forcing jacks
Pipe bending jacks
Rail bending jacks
Hydraulic jenny puller jacks
Hydraulic or mechanical pit jacks (five-ton or over)
Jacks: designed as an integral part of special military equipment, vehicle or vessel, or for specific uses in connection with military equipment, vehicle or vessel, or as a component part of a product and included in the sales price of that product as original equipment.
Farm utility jacks

[F. R. Doc. 44–8452; Filed, June 12, 1944; 10:30 a. m.]

PART 3293—CHEMICALS

[Supplementary Order M–18–b, as Amended June 12, 1944]

PRIMARY CHROMIUM CHEMICALS

§ 3293.41 *Supplementary Order M–18–b*—(a) *Definitions.* (1) "Primary chromium chemicals" means sodium bichromate, potassium bichromate, sodium chromate, potassium chromate, ammonium bichromate, chromic acid, and all chromium tanning compounds.

(2) "Dealer" means any person who buys primary chromium chemicals for the purpose of resale as such.

(3) "Consumer" means any person who uses primary chromium chemicals.

(b) *Delivery restrictions.* On or after October 1, 1943, no person shall deliver or accept delivery of primary chromium chemicals except as specifically authorized in writing by War Production Board.

(c) *Exception for small quantities.* Specific authorization in writing of War Production Board is not required for:

(1) Any person to accept delivery in any calendar month from all sources of an aggregate quantity of primary chromium chemicals not exceeding the following:

(i) 4,000 pounds of sodium bichromate or its equivalent in chromium tanning compounds, and

(ii) 500 pounds of each of the following: sodium chromate, potassium bichromate, potassium chromate and ammonium bichromate, and

(iii) 100 pounds of chromic acid:

Provided, however, That no person shall in any calendar month under this paragraph (c) (1) accept delivery of more than 100 pounds of any primary chromium chemical unless he has submitted to each supplier a certificate substantially in one of the following forms (whichever is appropriate), signed by an authorized official, either manually or as provided in Priorities Regulation No. 7:

Consumer's Certification

The undersigned hereby certifies to War Production Board that he is familiar with Order M–18–b and that acceptance of delivery of the chromium chemicals listed on his purchase order dated * * * will not increase (1) his total receipts during the calendar month in which delivery is requested in excess of the amounts he is entitled to receive under paragraph (c), and (2) his inventory of such chemicals in excess of one-third of his total consumption of such chemicals during the previous ninety days.

Dealer's Certification

The undersigned hereby certifies to War Production Board that he is familiar with Supplementary Order M–18–b and that acceptance of delivery of the chromium chemicals listed on the purchase order dated ---------- will not increase (1) his total receipts during the calendar month in which delivery is requested in excess of the amounts he is entitled to receive under paragraph (c), and (2) his inventory of such chemicals in excess of one-sixth of his total sales of such chemicals by weight during the previous 180 days.

(2) Any person to deliver to any other person a quantity which he is entitled to accept in any one calendar month (in no case more than the quantities referred to in subdivisions (i), (ii) and (iii) of paragraph (c) (1), *Provided,* That a supplier shall not deliver more than 100 pounds of any primary chromium chemical to any person in any calendar month, unless that person has filed with him a certificate substantially in one or the other of the two forms specified in paragraph (c) (1). A supplier may not deliver primary chromium chemicals when he knows or has reason to believe the certificate furnished him is false, but in the absence of such knowledge or reason to believe, he may rely on it.

(d) *How the purchaser obtains authorization.* Each consumer who requires authorization to accept delivery of primary chromium chemicals shall file with the Chemicals Division, War Production Board, three copies of Form WPB 2945 (formerly PD–600) on or before the 10th of the month before the calendar month in which delivery is requested. The form due on September 10, 1943, however, may be filed on or before September 20, 1943. In addition, he must also send one copy of this form to his supplier. Each dealer who requires authorization to accept delivery will file Form WPB 2945 on or before the 15th of the month before the calendar month in which delivery is requested. The form due on September 15, 1943, however, may be filed on or before September 20, 1943. Instructions for filling out this form are set forth in Appendix A. This constitutes his request for authorization to receive delivery. One copy of Form WPB 2945 will be returned to the purchaser on which the War Production Board will indicate the quantity of primary chromium chemicals which may be accepted. This constitutes his authorization to purchase.

(e) *How the seller obtains authorization.* Each person who requires authorization to deliver primary chromium chemicals shall file three copies of Form WPB 2946 (formerly PD–601) with the Chemicals Division, War Production Board, on or before the 20th day of the month prior to the calendar month in which delivery is requested. The form due on September 20, 1943, however, may be filed on or before September 25, 1943. Instructions for filling out this form are set forth in Appendix B. This constitutes the seller's request for authorization to deliver. One copy of Form WPB 2946 will be returned to the seller on which War Production Board will indicate the quantities of primary chromium chemicals which may be delivered. This constitutes his authorization to sell.

(f) *Discontinuance of Form PD–54.* After October 1, 1943, it is no longer necessary to file Form PD–54.

(g) *Over-riding WPB directives.* The War Production Board may at any time issue special directives to any person with respect to the production, use or delivery of primary chromium chemicals notwithstanding the other provisions of this order.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref: M–18–b.

Issued this 12th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A—INSTRUCTIONS FOR FILING FORM WPB 2945[1] (FORMERLY PD-600)

CONSUMERS

1. Copies may be obtained at local field offices of the War Production Board.
2. Follow the general instructions on the form except where they conflict with specific instructions contained here.
3. A separate form should be filed for (a) each consuming plant where delivery is to be made; (b) each supplier from whom the purchase will be made; (c) each primary chromium chemical requested.
4. Column 3. Do not fill in.
5. Column 4. Indicate specifically the use of the primary chromium chemical requested. Use classifications of primary chromium chemicals should be indicated as follows:
   a. Tanning.
   b. Pigment manufacture.
   c. Chromic acid manufacture.
   d. Surface treatments of metals.
   e. Chromium plating.
   f. Textile processing.
   g. Chemical and dye manufacture.
   h. Corrosion prevention in brines, etc.
   i. Metal alloys.
   j. Other (specify).

   Opposite each use classification show the amount required for military, Lend-Lease, civilian, export, other (specify).

   Thus, if 100 pounds sodium bichromate are needed for tanning leather of which 50 per cent is for the Army and 50 per cent for civilian needs, the use classification would be "tanning—50 per cent military, 50 per cent civilian." "Military" means that the particular primary chromium chemicals are to be incorporated into products to be delivered to the Army, Navy, Coast Guard or Maritime Commission.
6. Table IV. (Back page) Columns 20, 21, 22. Do not fill in.

DEALERS

7. Form WPB 2945 should be filed for their requirements of primary chromium chemicals. Indicate the total amount needed for ultimate delivery to consumers who have filed Form WPB 2945. Dealer should also show the total amount of each chromium chemical requested by him for ultimate delivery to consumers under the "Small order exception" provision of this Order M-18-b as well as the amount requested by them for inventory purposes. Thus the dealer should break down his request for each primary chromium chemical which he needs into three separate groups. No break down by use classification is required. In addition to the filing of this Form WPB 2945, the dealer is also obliged to file Form WPB 2946. (See instructions below).
8. Foreign shipments other than Lend-Lease: Form WPB 2945 may be submitted by the exporter on behalf of the foreign purchaser. The form should show the country of destination, the proposed use, and name and location of foreign purchaser.

APPENDIX B—INSTRUCTIONS FOR FILING FORM WPB-2946 (FORMERLY PD-601)

SUPPLIERS

1. Copies may be obtained at local field offices of War Production Board.
2. Suppliers should file separate forms for each plant or warehouse from which deliveries are to be made. It is not necessary to file a separate form for each primary chromium chemical. However, the particular primary chromium chemical scheduled for delivery to customers should be designated in Column 3.
3. Follow general instructions on form except where they conflict with the specific instructions contained herein.
4. Show the total amount of each primary chromium chemical scheduled for shipment in exempted quantities.

[1] Form WPB 2945 and WPB 2946 have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

[F. R. Doc. 44-8458; Filed, June 12, 1944; 10:29 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-243, Revocation]

ACETIC ACID, ACETIC ANHYDRIDE AND ACETALDEHYDE

Section 3293.331 *Allocation Order M-243* is hereby revoked. This revocation does not affect any liabilities incurred under the order. Acetic acid, acetic anhydride and acetaldehyde are subject to allocation under General Allocation Order M-300, as Appendix C materials, subject to Schedule 26, issued simultaneously with this revocation.

Use, delivery and acceptance of deliveries of these materials prior to July 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M-243.

Issued this 12th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8454; Filed, June 12, 1944; 10:29 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-23-b, Interpretation 1]

DOMESTIC ELECTRIC RANGES

The following interpretation is issued with respect to Limitation Order L-23-b:

Under Order L-23-b as amended May 25, 1944, new electric ranges may be sold to consumers who qualify under paragraphs (g) (2) or (g) (3) without obtaining authorization from the War Production Board. Persons who obtained electric ranges pursuant to an authorization of the War Production Board on Form WPB-1319 issued before May 25, 1944, may sell them under the above provisions if they are unable to use them for the purpose for which they were released. For example, if electric ranges were delivered to a dealer or builder pursuant to a WPB-1319 authorization for use in a specific housing project but cannot be used in that project, the dealer or builder may sell them to any "consumer" in accordance with paragraphs (g) (2) or (g) (3).

Issued this 10th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8415; Filed, June 10, 1944; 10:20 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, as Amended March 16, 1944, Amdt. 1]

CHEMICALS AND ALLIED PRODUCTS

Section 3293.1000 *General Allocation Order M-300* is amended as follows:

Paragraph (r) is amended to insert "Except in the case of imports from the Dominion of Canada," in the beginning of the paragraph, to change the initial letter in "Application" in the first line to the lower case, and to change the word "and"" in the 4th line to read "or".

Issued this 12th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8455; Filed, June 12, 1944; 10:29 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 12 as Amended June 12, 1944]

ISOPROPYL ALCOHOL

§ 3293.1012 *Schedule 12 to General Allocation Order M-300*—(a) *Definition.* "Isopropyl alcohol" means isopropyl alcohol, dimethyl carbinol, pseudopropyl alcohol, pseudo propanol, isopropanol, secondary propanol, or secondary propyl alcohol of any grade and from whatever source derived.

(b) *General provisions.* Isopropyl alcohol is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is July 1, 1942, the date when isopropyl alcohol was first put under allocation by Order M-168 (revoked). The allocation period is the calendar month. The small order exemption is 270 gallons per person per month.

(c) *Suppliers' applications on Form WPB-2946.* (1) Each supplier seeking authorization to deliver isopropyl alcohol shall file application on Form WPB-2946 (formerly PD-601). The filing date is the 20th day of the month preceding the month in which delivery or use is proposed. Separate sets of forms shall be submitted for each different grade of isopropyl alcohol. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-12, and retain one copy.

(2) Form WPB-2946 should be filled in as indicated. The unit of measure is gallons. Grade should be specified as 91%, 95% or 99%. List on the form the name of each customer ordering more than the quantity permitted by the small order exemption. Include an item for "small orders" without specifying the names of individual customers and specify the aggregate quantity requested to fill such orders.

(3) [Revoked June 12, 1944]

(d) *Customers' applications on Form WPB-2945.* (1) Each person seeking authorization to use or accept delivery of isopropyl alcohol shall file application on Form WPB-2945 (formerly PD-600). The filing date is the 15th day of the month preceding the month in which acceptance of delivery or use is proposed. Three copies (one certified) should be sent to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-12, one copy (reverse side blank) should be sent to the supplier and one copy should be retained. Separate sets of forms shall be filed for each different supplier and for each different grade. The unit of measure is gallons. Grade shall be specified as 91%, 95% or 99%. In column 3 specify each primary product, or specify "resale", "export" or "inventory", if the isopropyl alcohol is to be resold, exported or held in inventory as such. Fill in the other columns of Table I and fill in Tables II and III as indicated. Leave Tables IV and V blank except as indicated in the following paragraph.

(2) Each person seeking delivery of isopropyl alcohol for rubbing alcohol purposes shall furnish the War Production Board with information as to his past use. This report shall be made in Table V of the first WPB-2945 application which he files after June 1, 1944, and it need not be repeated. In the heading of column 23 write in "Fiscal year ending:", and in the column enter "June 30, 1941", "June 30, 1942", and "June 30, 1943". In the heading of column 24 write in "91% Isopropyl—gallons used", in the heading of column 25 write in "S. D. A. 23-H-gallons used", and fill in columns 24 and 25 accordingly.

(e) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Communications to War Production Board.* Communications concerning this schedule shall, unless otherwise directed, be addressed to the War Production Board, Washington 25, D. C., Ref: M-300-12.

Issued this 12th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8456; Filed, June 12, 1944; 10:29 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 26]

ACETIC ACID, ACETIC ANHYDRIDE AND ACETALDEHYDE

§ 3293.1026 *Schedule 26 to General Allocation Order M-300*—(a) *Definitions.* (1) "Acetic acid" means acetic acid (ethanoic acid) of any grade and from whatever source derived, including recovered acetic acid. The term does not include acetic acid recirculated as such within a manufacturing process nor does it include acetic acid of less than 12 per cent concentration (vinegar) produced at plants at which there are no facilities for further chemical conversion.

(2) "Recovered acetic acid" means that acid which is removed from a manufacturing process for resale, conversion into acetic anhydride, or use in another manufacturing process in the same plant or separate plants. The term does not include acetic acid which is recirculated as such within the same manufacturing process.

(3) "Acetic anhydride" means acetic anhydride (ethanoic anhydride) of any grade and from whatever source derived.

(4) "Acetaldehyde" means acetaldehyde (acetic aldehyde or ethyl aldehyde) of any grade and from whatever source derived.

(b) *General provisions.* Acetic acid, acetic anhydride and acetaldehyde are subject to the provisions of General Allocation Order M-300, as Appendix C materials. The initial allocation date for acetic anhydride is November 1, 1942, and September 1, 1943 for acetic acid and acetaldehyde, the respective dates when those materials became subject to Order M-243 (revoked). The allocation period is the calendar month. The small order exemption per person per month for each of the chemicals is as follows:

Acetic acid_____ 2250 pounds (100% basis).
Acetic anhydride_ 1920 pounds.
Acetaldehyde____ 1950 pounds.

(c) *Special provisions.* (1) Use, delivery and acceptance of delivery of these materials prior to July 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M-243 (revoked).

(2) Persons ordering more than the small order exemption but not more than 27,000 pounds of any one of the three chemicals, for delivery in any calendar month, must furnish their suppliers with the use certificate referred to in paragraph (i) of Order M-300. Persons ordering more than 27,000 pounds in the aggregate of any of the three chemicals must obtain authorization to do so on Form WPB-2945.

(3) The requirements of this schedule do apply, notwithstanding paragraph (r) of Order M-300, to the importation of acetic acid, acetic anhydride, and acetaldehyde into the United States, acceptance of delivery by the consignee, and delivery by such consignee to, and acceptance by, any person who purchased or contracted to purchase the material prior to its importation.

(d) *Suppliers' applications on Form WPB-2947.* No supplier may deliver acetic acid, acetic anhydride or acetaldehyde without first filing Form WPB-2947 for authorization to do so. However, any supplier may, without authorization, deliver, but not export, a total amount not to exceed 5,000 pounds of each of the chemicals, viz. acetic acid (100% basis), acetic anhydride or acetaldehyde, in any calendar month. The filing date is the 20th of the month preceding the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-26. The unit of measure is pounds, and in the case of acetic acid, weight is to be calculated on a 100 percent acid basis. File a separate set of forms for each of the three chemicals. In Table I, Column 1, the supplier shall list the customers who have filed Form WPB-2945 with him, and in Column 1-a, the supplier shall specify "WPB-2945". Next in order, the supplier shall list the customers who have filed use certificates with him, and in Column 1-a describe the uses stated in the certificates. If the supplier wishes to make any small order deliveries he shall specify in Column 1 "Aggregate small order deliveries" and leave the space opposite in Column 1-a blank; however, this is not necessary if the supplier does not deliver more than 5,000 pounds of each of the three chemicals in any calendar month.

Do not fill in blanks relating to rolling stock requirements.

A supplier who is not a producer and purchases for resale only, shall only fill in Columns 10, 12 and 13 of Table II. Inventory of the chemicals (acetic acid, acetic anhydride and acetaldehyde) previously allocated for the supplier's own manufacturing use, should not be reported on Form WPB-2947, but should be reported in Table II of Form WPB-2945.

(e) *Customers' applications on Form WPB-2945.* Each person desiring to accept delivery of any of the three chemicals in any calendar month in excess of 27,000 pounds, shall file applications for authorization on Form WPB-2945. The filing date is the 15th of the month preceding the month for which allocation is requested. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-26, one copy (reverse side left blank) to the supplier, and retain

one copy. The unit of measure is pounds and in the case of acetic acid, weight is to be calculated on a 100 percent acid basis. File separate forms for each of the three chemicals. In Column 3 specify primary product according to the following classification:

(For Acetic Acid)

Acetic anhydride.
Drugs and pharmaceuticals.
Dyestuffs.
Amyl acetate.
Butyl acetate.
Ethyl acetate.
Isopropyl acetate.
Photographic products.
Sodium acetate.
Vinyl acetate.
Other primary products (specify).
Resale (as acetic acid).
Export (as acetic acid).
Inventory (as acetic acid).

(For Acetic Anhydride)

Aspirin.
Cellulose acetate.
Cellulose acetate butyrate.
Cellulose acetate propionate.
Explosives.
Synthetic casein fibre.
Synthetic vitamins.
Triacetin.
Other primary products (specify).
Resale (as acetic anhydride).
Export (as acetic anhydride).
Inventory (as acetic anhydride).

(For Acetaldehyde)

Acetic acid.
Butadiene.
Pentaerythritol.
Other primary products (specify).
Resale (as acetaldehyde).
Export (as acetaldehyde).
Inventory (as acetaldehyde).

In Column 4, in the case of acetaldehyde, do not specify end use to which such primary products will be put. In the case of acetic acid or acetic anhydride, applicant shall specify in Column 4 the ultimate use (identified as military or civilian) in accordance with the following:

(1) Opposite any primary product listed in Column 3 which is subject to allocation, specify in Column 4 only the allocation order number. For example, where the primary product is cellulose acetate flake, cellulose acetate butyrate flake or cellulose acetate propionate flake, specify "M-326". (In the case of cellulose acetate also specify whether the end use is yarn, fibre and plastics and show quantities separately); or "Order M-159" for butyl acetate; or "Order M-327" for ethyl acetate and isopropyl acetate; or "Order M-240" for vinyl acetate; or "Order M-178" for butadiene; or "Order M-300-11" for pentaerythritol.

(2) Opposite any primary product listed in Column 3 which is not under allocation, specify end use in terms of the following, giving also Army and Navy contract numbers, and Lend-Lease requisition or contract numbers when available:

Dyestuffs.
Explosives.
Leather tanning and processing.
Mordant.
Paint pigment.
Photographic film.
Other film (specify).
Plastics.
Rubber accelerators.
Solvents.
Surface coatings.
Synthetic resins (specify type and state end use if not under allocation).
Textile bleaching.
Other end uses (specify).

(3) Opposite "Export" in Column 3, specify in Column 4 the name of individual company or governmental agency to whom or for whose account the material is to be exported, the country of destination and the governing export license number, unless Lend-Lease in which case merely specify the Lend-Lease requisition or contract number.

(4) Opposite "Resale" in Column 3, distributors shall write into Column 4 "upon further authorization" or "for uncertified small orders of not more than 2250 pounds (100% basis) for acetic acid, 1920 pounds for acetic anhydride or 1950 pounds for acetaldehyde".

(5) Opposite "Inventory" in Column 3 specify in Column 4 "subject to further authorization".

Table V, in Column 23, list each primary product produced in last month. In Column 24, list quantity of acetic acid (100% basis), acetic anhydride or acetaldehyde consumed in last month in the manufacture of each primary product. In Column 25, list the quantity of acetic acid (100% basis), acetic anhydride or acetaldehyde allocated to you for the manufacture of each primary product in last month.

(f) *Budget Bureau approval.* The reporting provisions of this Schedule have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Reports and communications concerning this schedule shall, unless otherwise directed, be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref.: M-300-26.

Issued this 12th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8457; Filed, June 12, 1944; 10:29 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 28]

ACETYLENE BLACK

§ 3293.1028 *Schedule 28 to General Allocation Order M-300*—(a) *Definition.* "Acetylene black" means carbon black formed by the thermal decomposition of acetylene gas.

(b) *General provisions.* Acetylene black is subject to the provisions of General Allocation Order M-300 as an Appendix C material. The initial allocation date is July 1, 1944. The allocation period is the calendar month. The small order exemption per person per month is 25 pounds. Customers must furnish use certificates when ordering between 25 pounds and a carload per month and must file on Form WPB-2945 when ordering a carload or more per month.

(c) *Suppliers' applications on Form WPB-2947.* Each supplier seeking authorization to deliver shall file application on Form WPB-2947 (formerly PD-602). The filing date is the 20th day of the month preceding the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C. Ref: M-300-28. The unit of measure is pounds, but carload lots may be specified in column 4. In Table I, first list in column 1 the names of customers who have filed WPB-2945 forms with the applicant and in column 1a specify "WPB-2945"; second, list in column 1 the names of customers who have filed use certificates with the applicant and in column 1a transcribe the uses stated in such certificates; third, specify in column 1 "Aggregate small order deliveries" and leave column 1a blank; fill in other columns as indicated. Fill in Table II as indicated.

(d) *Customers' applications on WPB-2945.* Each person seeking delivery of acetylene black in amounts of one carload or more per month shall file application for authorization on WPB-2945 (formerly PD-600). Filing date is the 10th day of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-28, one copy (reverse side blank) to the supplier (whether in U. S. A. or Canada), and retain one copy. The unit of measure is pounds, but carload lots may be specified in column 2. Fill in column 3 in terms of the following:

Military dry cells.
Dry cells for hearing aids.
Dry cells for railroad lantern batteries.
Self-sealing fuel hose.
Cement for fuel cells.
Cement for de-icers.
Radar cable.
Conductive rubber sheeting.
Other product (specify).
Inventory (in original form).
Export (in original form).
Resale (in original form).

Leave column 4 blank. Fill in Table II as indicated, specifying inventory on a physical basis regardless of authorizations or exemptions. Fill in Table III as indicated. Leave Tables IV and V blank.

(e) *Certified uses with purchase orders.* Each person placing purchase orders for delivery of more than 25 pounds but less than a carload lot of acetylene black per month shall furnish each supplier (whether in U. S. A. or Canada) with a certified statement of proposed use. Describe proposed use as shown in paragraph (d) above and certify in the form prescribed in Appendix D of Order M-300.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule shall, unless otherwise directed, be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-28.

Issued this 12th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8456; Filed, June 12, 1944; 10:30 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 29]

AMMONIUM SILICOFLUORIDE

§ 3293.1029 *Schedule 29 to General Allocation Order M-300*—(a) *Definitions.* (1) "Ammonium silicofluoride" means the chemical known by that name and also as ammonium fluosilicate. The term includes mixtures of ammonium silicofluoride with other ingredients such as sand casting compounds.

(2) "Metal caster" means a person engaged in the casting of metals such as magnesium and aluminum.

(b) *General provisions.* (1) Ammonium silicofluoride is subject to allocation under General Allocation Order M-300 as an Appendix B material. The initial allocation date is July 1, 1944, and the allocation period is the calendar month.

(2) Metal casters seeking to purchase ammonium silicofluoride or casting compounds containing ammonium silicofluoride must file a certificate with their purchase orders stating that the material is required for "aluminum casting", "magnesium casting", or other specified metal casting. In addition, metal casters must file a one time base period and inventory report on Form WPB-3442 pursuant to paragraph (e).

(3) Consumers seeking to purchase and use ammonium silicofluoride for any purpose other than metal casting are not required to obtain authorization or to file anything under this Schedule, notwithstanding paragraph (x) of Order M-300.

(4) Suppliers seeking to purchase ammonium silicofluoride for resale must file a certificate with their purchase orders. This is required whether the ammonium silicofluoride is bought and resold as such or in mixed form, except that a certificate is not required from a supplier seeking to purchase ammonium silicofluoride, packaged for retail sale and labeled as a moth-proofing compound or laundry sour or laboratory reagent chemical. The supplier's certificate must either state that the ammonium silicofluoride is required "for resale exclusively for non-metal casting purposes" or that it is required "for resale on further authorization".

(5) A supplier (unless he is a producer) is not required to apply on Form WPB-2947 or to obtain specific authorization for sale of ammonium silicofluoride exclusively to consumers other than metal casters (such as laundries or moth-proofing manufacturers) or to suppliers who sell exclusively for non-metal casting purposes, notwithstanding paragraphs (d) and (e) of Order M-300.

(6) A supplier who sells ammonium silicofluoride for metal casting purposes, whether or not he also sells it for other purposes, and each producer is required to file application on Form WPB-2947 pursuant to paragraph (c) for authorization to deliver after July 1, 1944, ammonium silicofluoride or any mixtures containing ammonium silicofluoride.

(7) Authorized deliveries to customers named individually on the supplier's form shall be made in a sequence best suited to the needs of the customers, without regard to preference ratings. Other authorized deliveries shall be made in the sequence determined by War Production Board regulations.

(c) *Suppliers' applications on Form WPB-2947.* Each supplier seeking authorization to use or deliver ammonium silicofluoride wholly or partly for metal casting purposes, and each producer seeking authorization to use or deliver for any purpose, shall file application on Form WPB-2947 (formerly PD-602). List individually all customers whose certified use is for metal casting or for resale on further authorization. All other requests shall be lumped and shall be entered as a total requested for "non-metal casting purposes". The filing date is the 20th day of the month before the proposed delivery month. File separate sets of forms for ammonium silicofluoride as such and in mixtures (specify ammonium silicofluoride content in the grade space). Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-29. The unit of measure is the pound (total weight in case of mixtures). Fill in Table II.

(d) *Customers' certificate of use.* Each metal caster and each direct or indirect supplier of metal casters ordering ammonium silicofluoride shall furnish with or on his purchase order a certified statement of proposed use, in the form prescribed in Appendix D of General Allocation Order M-300. The certified statement should be in the hands of the supplier not later than the 15th day of the month before the requested delivery month. Specify as the proposed use "Aluminum casting", "Magnesium casting" or other specified metal casting, or "Resale on further authorization".

(e) *One time report on use and inventory*—(1) *Who must file.* Each metal caster shall file a one time use and inventory report on Form WPB-3442, on or before the date of his initial filing of a use certificate pursuant to paragraph (d) above. Separate sets of forms shall be prepared for ammonium silicofluoride as such and in the form of mixtures. A caster who purchases ammonium silicofluoride for use in a mixture should file only for the ammonium silicofluoride. Retain one copy and send one certified copy of each set to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-29.

(2) *Heading.* Specify in space (1) ammonium silicofluoride as such or ammonium silicofluoride in mixture (specify ammonium silicofluoride content or suppliers' designation), in space (2) specify "pounds", and in space (3) specify "M-300-29." Fill in the other spaces as indicated.

(3) *Section I.* Fill in Column (a) as indicated and leave Column (b) blank. In the heading of Columns (d), (e), (f) and (g) specify 1st, 2d, 3d and 4th quarters, 1944, respectively. Fill in these columns accordingly, including the bottom line of section I, giving estimates for the 2d, 3d and 4th quarters of 1944.

(4) *Section II.* Leave Columns (a) and (d) blank. In the heading of Column (b), specify April 1, 1944, and fill in accordingly. In the heading of Column (c) specify the first day of the month following the month in which the report is filed and fill in accordingly.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this Schedule shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-29.

Issued this 12th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8459; Filed, June 12, 1944; 10:30 a. m.]

Chapter XI—Office of Price Administration

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,[1] Amdt. 117]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 136, as amended, is amended in the following respects:

1. Section 1390.11 (c) (2) is amended by adding an undesignated paragraph to read as follows:

Notwithstanding the foregoing, the maximum price for a motor grader, crawler tractor, shovel, dragline, crane and backhoe may equal the following percentages of new base price in relation to the year in which the equipment was manufactured:

Year of Manufacture:	*Percentage*
1943	80
1942	75
1941	70
1940	65
1939	60

2. A new § 1390.11 (f) (2) (iv) is added to read as follows:

(iv) To the maximum price of a second-hand motor grader, crawler tractor, shovel, dragline, crane and backhoe, which is sold as "rebuilt-and-guaranteed", and which was purchased solely for the purpose of rebuilding and sale, there may also be added in the manner above provided the actual cost paid by the seller for transportation of the equipment from the point of his acquisition of the equipment to the place where it was rebuilt.

This amendment shall become effective June 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681).

Issued this 9th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8383; Filed, June 9, 1944; 11:51 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[2] Amdt. 32]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

1. Appendix J is added to section 15, Article III to read as follows:

APPENDIX J—MAXIMUM PRICES FOR CERTAIN DECIDUOUS TREE FRUITS

(a) *Explanation.* This appendix establishes maximum prices for the following deciduous tree fruits:

Sweet cherries (all varieties)
Apricots(all varieties)
Plums (all varieties including fresh prunes, except fresh Italian prunes)
Fresh Italian prunes (all varieties).

It applies to every seller of the listed deciduous tree fruits, including growers, grower-distributors, buyer-distributors, carlot distributors, primary receivers, secondary jobbers, service wholesalers and all other sellers except retailers.

Specifically, the appendix:

(1) Establishes maximum prices f. o. b. shipping point for sales made f. o. b. shipping point, and designates basing points from which to figure maximum prices for sales made on a delivered basis.

(2) Establishes maximum prices for sales direct and through certain named agents by all persons other than retailers.

(3) Establishes maximum prices for sales to retail stores, government procurement agencies and institutional buyers.

Each of the listed deciduous tree fruits is covered by a separate table (see paragraph (d)). Special provisions applicable to any one kind of deciduous tree fruit will be found in footnotes to the applicable table. Provisions applicable to all listed deciduous tree fruits are to be found in the paragraphs following the tables. The maximum mark-ups which may be added to the applicable f. o. b. or delivered maximum price, as the case may be, for certain sales common to all the listed deciduous tree fruits, are set forth in Tables A and B (see paragraph (e)). Table A names the mark-ups for sales by growers through agents and for sales by other primary sellers direct or through agents. Table B names the mark-ups for sales by persons other than primary sellers.

Any sale by a primary seller of deciduous tree fruits shipped by him by mail or express to an ultimate consumer in a lot of five containers or less (not larger than "standard" containers) is exempt from this regulation. However, this exemption does not apply to sales by sellers other than primary sellers.

The Office of Price Administration reserves the right to change any basing point named in this appendix at any time or to establish new or additional basing points without changing the maximum price f. o. b. country shipping point.

(b) *Definitions.* (1) "Standard container" means any container listed in Column 2 of the applicable table in paragraph (d) which is closed and contains a net weight within the weight ranges specified for that container.

(2) "Shipping point" means the place in or near the producing area where the kind of deciduous tree fruit being priced is prepared for shipment and first loaded on cars for rail shipment or on trucks for truck shipment.

Example: Suppose pears are packed at a packing plant at Lakeport, California, and that the nearest point for rail shipment is Yuba City, California, and that the pears must therefore be transported from Lakeport to Yuba City by truck. The country shipping point in this case will be Yuba City, California, and the maximum prices established for pears f. o. b. shipping point will apply at Yuba City. The cost of transportation from Lakeport, California to Yuba City, California, must be borne by the seller. If, however, the pears are destined for a terminal market by truck shipment, for example to Los Angeles, California, the shipping point in such case will be Lakeport, California.

(3) "Primary seller" means the first person including a grower, grower-distributor, buyer-distributor, or growers' cooperative who prepares the particular deciduous tree fruit being priced for shipment and who sells it from a "shipping point" on an f. o. b. or delivered basis. A person who owns and has the fruit prepared for him for shipment from the shipping point is a primary seller.

(4) "Graded and packed" means graded and packed in accordance with the requirements of the applicable State Agricultural Code.

(c) *Weight markings and price calculations.* (1) Before sale, every seller shall clearly mark a net weight on every unmarked container. In the case of a standard container, the seller shall mark a minimum net weight which may be lower, but in no case higher, than the actual weight. In the case of other containers, the seller shall mark the actual net weight on the container. However, marking requirements do not apply to open containers.

The weight requirements provided in this appendix are based on weights existing at the time of shipment from the shipping point, in the case of closed containers, and at the time of sale, in the case of open containers. All weighing and marking shall be done according to the weighing and marking requirements of the applicable State Agricultural Code. (Section 14a(a) does not apply to this appendix.)

(2) Every seller who sells a container upon which a net weight has not theretofore been marked by a prior seller or who sells an open container, shall figure his maximum price on the basis of the actual net weight of the contents. Every seller who sells a container (other than an open container) upon which a net weight has theretofore been marked by a prior seller shall figure his maximum price on the basis of the net weight marked on the container.

Some sellers of standard containers may not wish to weigh each container before marking and selling it. In recognition of this, weight ranges have been provided, for standard containers, within which maximum prices do not vary. However, a seller who sells without weighing all containers takes the risk that the estimated minimum net weight may exceed the actual net weight, which would be a violation of the regulation. Subsequent sellers, however, may rely on the minimum net weight marked on the container and figure their maximum prices on the basis of it.

A seller obtains his maximum price first by determining whether the net weight of the container being priced falls within any of the weight ranges established by the appendix for that type of container. If the net weight falls within an applicable weight range, the maximum price named in the price table for that container is on a container basis and it applies to all weights within that range. On the other hand, if the net weight falls outside the applicable weight ranges, the maximum price is figured by the seller on a straight per-pound basis. (In the latter case, the container is not a "standard container" and the seller will therefore be required to figure a maximum price for it on the basis of actual net weight.)

(d) *Maximum price tables applicable to individual deciduous tree fruits.* The following tables state maximum prices for certain sales of deciduous tree fruits by all sellers, except sellers at retail. (For other transactions by these sellers see Tables A and B in paragraph (e) and the provisions of paragraphs (f), (g) and (k)).

Except as specified for bulk sales, and "on the tree" sales, the maximum prices named in the following tables include all costs of harvesting, hauling, packing, precooling, loading and inspection, and no additional charge may be made for containers or for any other materials furnished or services rendered.

Although f. o. b. shipping point maximum prices are named only for listed deciduous tree fruits shipped from certain states (see Column 5 of the applicable table in each case), all listed fruits are subject to the maximum prices named in columns 6 and 7 of the following tables, regardless of where produced or shipped.

TABLE 1—MAXIMUM PRICES FOR SWEET CHERRIES FOR SALE IN ALL WHOLESALE RECEIVING POINTS, EXCEPT IN CALIFORNIA, OREGON AND WASHINGTON

Col. 1 / Item No.	2 Type, variety, style of pack, etc.	3 Unit	4 Season	5 Maximum prices for fruit loaded in car or truck at shipping point [1]	6 Maximum prices for sales delivered to any wholesale receiving point (except in California, Oregon and Washington) in any quantity [2]	7 Maximum prices for sales by certain persons in less-than-carlots or less-than-trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer [3]
	Sweet cherries produced in California and graded and packed in the following containers:					
1	Campbell lugs (WPB L-232 No. 27) with a net weight of not less than 15 pounds nor more than 17 pounds.	Per lug	Beginning of season–June 16	$4.00		Column 6 price plus 98 cents
2			June 17 to end of season	$3.64		
3	Calex lugs (WPB L-232 No. 48) with a net weight of not less than 18 pounds nor more than 20 pounds.	Per lug	Beginning of season–June 16	$4.75	Price in Column 5 plus freight (including 3% transportation tax) from shipping point and plus protective service allowances.[4]	Column 6 price plus $1.1 .
4			June 17 to end of season	$4.32		
5	Lug boxes (WPB L-232 No. 47) with a net weight of not less than 23 pounds nor more than 25 pounds.	Per lug	Beginning of season–June 16	$6.00		Column 6 price plus $1.33.
6			June 17 to end of season	$5.46		
7	Any of the above containers but with a net weight of less than or more than that specified for each container, and sweet cherries graded and packed in any other container.	Per pound	Beginning of season–June 16	25.0 cents		Column 6 price plus 6.0 cents.
8			June 17 to end of season	22.75 cents		
9	Sweet cherries produced in California and sold loose and ungraded (orchard run) in any container.[3]	Per pound	Beginning of season–June 16	19.0 cents		Column 6 price plus 5.0 cents.
10			June 17 to end of season	16.75 cents		
	Sweet cherries produced in all other states and graded and packed in the following containers:					
11	Campbell lugs (WPB L-232 Nos. 28 and 29) with a net weight of not less than 14½ pounds nor more than 15½ pounds.	Per lug	Beginning of season–June 16	$3.75		Column 6 price plus 93 cents.
12			June 17 to end of season	$3.41		
13	Fruit boxes (WPB L-232 No. 36) with a net weight of not less than 19½ pounds nor more than 20½ pounds.	Per box	Beginning of season–June 16	$5.00	Price in Column 5 plus freight (including 3% transportation tax) from shipping point and plus protective service allowances.[4]	Column 6 price plus $1.18.
14			June 17 to end of season	$4.55		
15	Any of the above containers but with a net weight of less than or more than that specified for each container, and sweet cherries graded and packed in any other container.	Per pound	Beginning of season–June 16	25.0 cents		Column 6 price plus 6.0 cents.
16			June 17 to end of season	22.75 cents		
17	Sweet cherries produced in all other states and sold loose and ungraded (orchard run) in any container.[3]	Per pound	Beginning of season–June 16	19.0 cents		Column 6 price plus 5.0 cents.
18			June 17 to end of season	16.75 cents		

[1] The maximum prices listed in Column 5 for sweet cherries loaded on car or truck at shipping point apply to sweet cherries produced in all states, but only apply to sweet cherries produced in the states of Oregon, Washington and California which are destined for sale in wholesale receiving points outside of these states. Maximum prices for sweet cherries produced in California, Oregon and Washington which are destined for sale in wholesale receiving points within these states are listed in Column 5 of Table 1a.

[2] The prices named in Columns 6 and 7 are maximum prices for each individual lot or shipment of sweet cherries received and sold by the particular seller. For sellers covered by Column 7, see general provisions of this appendix.

[3] The maximum price for sweet cherries sold in bulk (loose without containers) shall be ¼ cent per pound less than the appropriate prices per pound listed for items 9 and 10 and 17 and 18 in Columns 5, 6 and 7.

[4] Protective service allowances shall be the actual cost of protective services furnished not to exceed the lowest common carrier charge for the same services (including 3% transportation tax).

TABLE 1A—MAXIMUM PRICES FOR SWEET CHERRIES FOR SALE IN ALL WHOLESALE RECEIVING POINTS IN CALIFORNIA, OREGON AND WASHINGTON

Col. 1 / Item No.	2 Type, variety, style of pack, etc.	3 Unit	4 Season	5 Maximum prices for fruit loaded in car or truck at shipping point [1]	6 Maximum prices for sales delivered to any wholesale receiving point in California, Oregon and Washington in any quantity [2]	7 Maximum prices for sales by certain persons in less-than-carlots or less-than-trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer [3]
	Sweet cherries produced in California and graded and packed in the following containers:					
1	Campbell lugs (WPB L-232 No. 27) with a net weight of not less than 15 pounds nor more than 17 pounds.	Per lug	Beginning of season–June 12	$3.28		Column 6 price plus 98 cents.
2			June 13 to end of season	$2.91		
3	Calex lugs (WPB L-232 No. 48) with a net weight of not less than 18 pounds nor more than 20 pounds.	Per lug	Beginning of season–June 12	$3.90	Price in Column 5 plus freight (including 3% transportation tax) from shipping point and plus protective service allowances.[4]	Column 6 price plus $1.13.
4			June 13 to end of season	$3.46		
5	Lug boxes (WPB L-232 No. 47) with a net weight of not less than 23 pounds nor more than 25 pounds.	Per lug	Beginning of season–June 12	$4.92		Column 6 price plus $1.33.
6			June 13 to end of season	$4.37		
7	Any of the above containers but with a net weight of less than or more than that specified for each container, and sweet cherries graded and packed in any other container.	Per pound	Beginning of season–June 12	20.5 cents		Column 6 price plus 6.0 cents.
8			June 13 to end of season	18.2 cents		
9	Sweet cherries produced in California and sold loose and ungraded (orchard run) in any container.[3]	Per pound	Beginning of season–June 12	14.5 cents		Column 6 price plus 5.0 cents.
10			June 13 to end of season	12.2 cents		

[1] 8 F.R. 16132; 9 F.R. 4748.

[2] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2493, 4030, 4086, 4434, 4786, 4787, 4877.

*Copies may be obtained from the Office of Price Administration.

TABLE 1A—MAXIMUM PRICES FOR SWEET CHERRIES FOR SALE IN ALL WHOLESALE RECEIVING POINTS IN CALIFORNIA, OREGON AND WASHINGTON—continued

Col. 1 Item No.	2 Type, variety, style of pack, etc.	3 Unit	4 Season	5 Maximum prices for fruit loaded in car or truck at shipping point	6 Maximum prices for sales delivered to any wholesale receiving point in California, Oregon and Washington in any quantity	7 Maximum prices for sales by certain persons in less-than-carlots or less than-trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer
11	Sweet cherries produced in all other states and graded and packed in the following containers: Campbell lugs (WPB L–232 Nos. 28 and 30) with a net weight of not less than 14½ pounds	Per lug	Beginning of season–June 12	$3.08	Price in Column 5 plus freight (including 5% transportation tax) from shipping point and plus protective service allowances [4]	Column 6 price plus 18 cents.
12	nor more than 15½ pounds.		June 13 to end of season	$2.73		Column 6 price plus $1.18.
13	Fruit boxes (WPB L–232 No. 36) with a net weight of not less than 19½ pounds nor more than 20½ pounds.	Per box	Beginning of season–June 12	$4.10		
14			June 13 to end of season	$3.64		
15	Any of the above containers but with a net weight of less than or more than that specified for each container, and sweet cherries graded and packed in any other container.	Per pound	Beginning of season–June 12	20.5 cents		Column 6 price plus 4.9 cents.
16			June 13 to end of season	18.2 cents		
17	Sweet cherries produced in all other states and sold loose and ungraded (orchard run) in any container. [1]	Per pound	Beginning of season–June 12	14.5 cents		Column 6 price plus 4.9 cents.
18			June 13 to end of season	12.2 cents		

[1] The maximum prices listed in Column 5 for sweet cherries loaded on car or truck at shipping point apply only to sweet cherries produced in the states of California, Oregon and Washington which are destined for sale in all wholesale receiving points within these states. The maximum prices for sweet cherries produced in California, Oregon and Washington which are destined for sale in wholesale receiving points outside these states are listed in Table 1.

[2] The maximum price for sweet cherries sold in bulk (loose without containers) shall be ¼ cents per pound less than the appropriate prices per pound listed for Items 9 and 10 and 17 and 18 in Columns 5, 6 and 7.

[3] The prices named in Columns 6 and 7 are maximum prices for each individual lot or shipment of sweet cherries received and sold by the particular seller. For sales covered by Column 7, see general provisions of this appendix.

[4] Protective service allowances shall be the actual cost of protective services furnished not to exceed the lowest common carrier charge for the same services (including 5% transportation tax.)

TABLE 2—MAXIMUM PRICES FOR APRICOTS FOR SALE IN ALL WHOLESALE RECEIVING POINTS EXCEPT IN CALIFORNIA, OREGON AND WASHINGTON

Col. 1 Item No.	2 Type, variety, style of pack, etc.	3 Unit	4 Season	5 Maximum price for fruit loaded in car or truck at shipping point [2]	6 Maximum prices for sales delivered to any wholesale receiving point (except in California, Oregon and Washington) in any quantity	7 Maximum prices for sales by certain persons in less-than carlots or less-than-trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer [4]
1	Apricots produced in California and graded and packed in Brentwood lugs (WPB L–232 No. 4) with a net weight of not less than 24 pounds nor more than 26 pounds.	Per lug	Beginning of season–July 4	$3.11	Column 5 price plus freight (including 3% transportation tax) from Sacramento, California, plus protective services. [3]	Column 6 price plus 83 cents.
2			July 5 to end of season	$2.61		
3	Apricots produced in California and graded and packed in Brentwood lugs (WPB L–232 No. 4) with a net weight of less than 24 pounds or more than 26 pounds, and those packed in all other containers.	Per pound	Beginning of season–July 4	12.4 cents	Maximum price for item 1 above divided by 26.	Column 6 price plus 3¾o cents.
4			July 5 to end of season	10.4 cents	Maximum price for item 2 above divided by 26.	
5	Apricots produced in California and sold loose and ungraded in any container. [1]	Per pound	Beginning of season–July 4	10.9 cents	Column 5 price plus freight (including 3% transportation tax) from Sacramento, California. [4]	Column 6 price plus 3¾o cents.
6			July 5 to end of season	8.9 cents		
7	Apricots produced in all other States and graded and packed in Northwest lugs (WPB L–232 No. 29) with a net weight of not less than 13 pounds nor more than 15 pounds.	Per lug	Beginning of season–July 4	$1.74	Column 5 price plus freight (including 3% transportation tax) from Yakima, Washington, plus protective services. [3]	Column 6 price plus 48 cents.
8			July 5 to end of season	$1.46		
9	Apricots produced in all other States and graded and packed in Northwest lugs (WPB L–232 No. 29) with a net weight of less than 13 pounds or more than 15 pounds, and those packed in all other containers.	Per pound	Beginning of season–July 4	12.4 cents	Maximum price for item 7 above divided by 14.	Column 6 price plus 3¾o cents.
10			July 5 to end of season	10.4 cents	Maximum price for Item 8 above divided by 14.	
11	Apricots produced in all other States sold loose and ungraded in any container. [1]	Per pound	Beginning of season–July 4	10.9 cents	Column 5 price plus freight (including 3% transportation tax) from Yakima, Washington. [4]	Column 6 price plus 3¾o cents.
12			July 5 to end of season	8.9 cents		

[1] The maximum price for apricots sold in bulk (loose without containers) shall be 1.7 cents per pound less than the maximum prices per pound listed for items 5, 6, 11 and 12 in columns 5, 6 and 7.

[2] The maximum prices listed in column 5 for apricots loaded in car or truck at shipping point apply only to apricots produced in the states of California, Oregon and Washington which are destined for sale in wholesale receiving points outside of these states. Maximum prices for apricots loaded in car or truck at shipping point produced in the above states and destined for sale in wholesale receiving points within the states of California, Oregon, and Washington are listed in column 5 of Table 2a.

[3] Protective service allowances shall be added in accordance with the following groups of wholesale receiving points:

Wholesale receiving points	Allowance for protective services (includes 3% tax)	
	Per Brentwood lug	Per Northwest lug
1. In all states east of the Mississippi River, except in Wisconsin and Illinois	$0.13	$0.09
2. In all other other states, except in California, Oregon and Washington	.10	.07

[4] No protective service allowances shall be added for apricots sold loose and ungraded in any container.

[5] For the sellers covered by Column 7, see general provisions of this appendix.

TABLE 2a—MAXIMUM PRICES FOR APRICOTS FOR SALE IN ALL WHOLESALE RECEIVING POINTS IN CALIFORNIA, OREGON AND WASHINGTON

Col. 1 Item No.	2 Type, variety, style of pack, etc.	3 Unit	4 Season	5 Maximum price for fruit loaded in car or truck at shipping point. [2]	6 Maximum prices for sales delivered to any wholesale receiving point in California, Oregon and Washington in any quantity.	7 Maximum prices for sales by certain persons in less-than-carlots or less than trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer. [5]
1	Apricots produced in California and graded and packed in Brentwood lugs (WPB L–232 No. 4) with a net weight of not less than 24 pounds nor more than 26 pounds.	Per lug	Beginning of season–June 26	$2.43	California	Col. 5 price plus freight (including 3% transportation tax) from Sacramento, California, plus protective services. [3]	Col. 6 price plus 83 cents.
2			June 27 to end of season	2.05			
3	Apricots produced in California and graded and packed in Brentwood lugs (WPB L–232 No. 4) with a net weight of less than 24 pounds or more than 26 pounds, and those packed in all other containers.	Per pound	Beginning of season–June 26	9.7 cents	California	Maximum price for item 1 above divided by 26. Maximum price for item 2 above divided by 25.	Col. 6 price plus 3¾o cents.
4			June 27 to end of season	8.2 cents			
5	Apricots produced in California and sold loose and ungraded in any container. [1]	Per pound	Beginning of season–June 26	8.2 cents	California	Col. 5 price plus freight (including 3% transportation tax) from Sacramento, California. [4]	Col. 6 price plus 3¾o cents.
6			June 27 to end of season	6.7 cents			
7	Apricots produced in Oregon and Washington and graded and packed in Northwest lugs (WPB L–232 No. 29) with a net weight of not less than 13 pounds nor more than 15 pounds.	Per lug	Beginning of season–June 26	$1.26	Oregon-Washington.	Col. 5 price plus freight (including 3% transportation tax) from Yakima, Washington, plus protective services. [3]	Col. 6 price plus 48 cents.
8			June 27 to end of season	1.16			
9	Apricots produced in Oregon and Washington and graded and packed in Northwest lugs (WPB L–232 No. 29) with a net weight of less than 13 pounds or more than 15 pounds and those packed in all other containers.	Per pound	Beginning of season–June 26	6.7 cents	Oregon-Washington.	Maximum price for item 7 above divided by 14. Maximum price for item 8 above divided by 14.	Col. 6 price plus 3¾o cents.
10			June 27 to end of season	5.2 cents			
11	Apricots produced in all other states sold loose and ungraded in any container. [1]	Per pound	Beginning of season–June 26	5.2 cents	Oregon-Washington.	Col. 5 price plus freight (including 3% transportation tax) from Yakima, Washington. [4]	Col. 6 price plus 3¾o cents.
12			June 27 to end of season	4.7 cents			

[1] The maximum prices for apricots sold in bulk (loose without containers) shall be 1.7 cents per pound less than the maximum prices per pound listed for items 5, 6, 11 and 12 in columns 5, 6 and 7.

[2] The maximum prices listed in column 5 for apricots loaded in car or truck at shipping point apply only to apricots produced in the states of California, Oregon and Washington which are destined for sale in wholesale receiving points within these states. Maximum prices for apricots loaded in car or truck at shipping point produced in the above states and destined for sale in wholesale receiving points outside the states of California, Oregon and Washington are listed in column 5 of Table 2.

[3] Protective service allowances shall be added in accordance with the following schedule:

Producing area	Wholesale receiving points	
	In California	In Oregon and Washington
	Per lug	*Per lug*
Apricots produced in California	$0.00	$0.04
Apricots produced in Oregon and Washington	.03	.00

[4] No protective service allowances shall be added for apricots sold loose and ungraded in any container.

[5] For sellers covered by column 7, see general provisions of this appendix.

TABLE 3—MAXIMUM PRICES FOR PLUMS

Col. 1 Item No.	2 Type, variety, style of pack, etc.	3 Unit	4 Season	5 Maximum prices for fruit loaded on car or truck at shipping point	6 Maximum prices of sales delivered to any wholesale receiving point in any quantity	7 Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, government procurement agency or institutional buyer[4]
	Plums graded and packed in standard 4 basket crates (WPB L–222, Nos. 37, 38, 39, 40) with the following size and net weight classes:					
	Size / Net weight: Not less than / Not over					
1	3 x 4 / 3 x 4 x 4 — 29 lbs. — 33 lbs.	Per 4 basket crate	All season	$2.91 — California, Oregon, Washington.	Column 5 price plus freight (including 3% transportation tax) from Sacramento, California, plus protective services.[3]	Col. 6 price plus 93 cents.
2	4 x 4 — 28 lbs. — 32 lbs.			$2.82 — California, Oregon, Washington.		Col. 6 price plus 91 cents.
3	3 x 4 x 5 / 4 x 5 — 26 lbs. — 30 lbs.			$2.63 — California, Oregon, Washington.		Col. 6 price plus 86 cents.
4	5 x 5 — 24 lbs. — 28 lbs.			$2.44 — California, Oregon, Washington.		Col. 6 price plus 81 cents.
5	5 x 6 / 6 x 6 — 23 lbs. — 27 lbs.			$2.35 — California, Oregon, Washington.		Col. 6 price plus 79 cents.
6	Plums graded and packed in standard 4 basket crates of each of the above sizes (items 1–5 above) with a net weight of less than or more than that specified for each size, and plums of any size graded and packed in all other containers.	Per pound	All season	9.4 cents — California, Oregon, Washington.	Column 5 price plus freight (including 3% transportation tax) from Sacramento, California, plus protective services.[3]	Col. 6 price plus 3⅛ cents.
7	Plums sold loose and ungraded in any container.[1]	Per pound	All season	8.2 cents — California, Oregon, Washington.	Column 5 price plus freight (including 3% transportation tax) from Sacramento, California.[3]	

[1] The maximum price for plums sold in bulk (loose without containers) shall be 2.0 cents per pound less than the maximum prices per pound listed for item 7 in columns 5, 6, and 7.

[3] Protective service allowances shall be added in accordance with the following groups of wholesale receiving points:

Wholesale receiving points	Allowance for protective services. (Includes 3% tax) Per container of 20 lbs. and over	Allowance for protective services. (Includes 3% tax) Per lb. for containers under 20 lbs.
1. In all States east of the Mississippi River, except in Wisconsin and Illinois.	$0.14	7/10 cent.
2. In all other States, except in California, Oregon and Washington.	.11	1/2 cent.
3. In Oregon and Washington	.04	1/2 cent.
4. In California	.00	.00

[3] No protective service allowances may be added for plums sold loose and ungraded in any container.

[4] For the sellers covered by column 7, see general provisions of this appendix.

TABLE 4—MAXIMUM PRICES FOR FRESH ITALIAN PRUNES

Col. 1 Item No.	2 Type, variety, style of pack, etc.	3 Unit	4 Season	5 Maximum prices for fruit loaded on car or truck at shipping point	6 Maximum prices for sales delivered to any wholesale receiving point in any quantity	7 Maximum prices for sales by certain persons in less-than-carlots or less-than-trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer[4]
1	Fresh Italian prunes graded and packed in standard ½ bushel baskets with a net weight of not less than 28 pounds nor more than 32 pounds.	Per basket	Jan. 1–Oct. 17 — $1.95 — Washington, Oregon, Idaho and California.		Column 5 price plus freight (including 3% transportation tax) from Yakima, Washington, plus protective services.[3]	Column 6 price plus 74 cents.
2			Oct. 18–Nov. 8 — $2.10 — Washington, Oregon, Idaho and California.			
3			Nov. 9–Dec. 31 — $2.26 — Washington, Oregon, Idaho and California.			
4	Fresh Italian prunes graded and packed in standard prune box (WPB L 283, No. 20) with a net weight of not less than 25 pounds nor more than 27 pounds.	Per box	Jan. 1–Oct. 17 — $1.04 — Washington, Oregon, Idaho, and California.		Column 5 price plus freight (including 3% transportation tax) from Yakima, Washington, plus protective services.[3]	Column 6 price plus 41 cents.
5			Oct. 18–Nov. 8 — $1.12 — Washington, Oregon, Idaho, and California.			
6			Nov. 9–Dec. 31 — $1.20 — Washington, Oregon, Idaho, and California.			
7	Fresh Italian prunes graded and packed in standard ½ bushel baskets with a net weight of less than 26 pounds or more than 32 pounds, and fresh Italian prunes packed in standard prune boxes with a net weight of less than 15 pounds or more than 17 pounds, and those graded and packed in all other containers.	Per pound	Jan. 1–Oct. 17 — 6.5 cents — Washington, Oregon, Idaho, and California.		Maximum price for item 1 above divided by 30.	
8			Oct. 18–Nov. 8 — 7.0 cents — Washington, Oregon, Idaho, and California.		Maximum price for item 2 above divided by 30.	Column 6 price plus 2⅓ cents.
9			Nov. 9–Dec. 31 — 7.5 cents — Washington, Oregon, Idaho, and California.		Maximum price for item 3 above divided by 30.	
10	Fresh Italian prunes sold loose and ungraded in any container.[1]	Per pound	Jan. 1–Dec. 31 — 4.7 cents — Washington, Oregon, Idaho, and California.		Column 5 price plus freight (including 3% transportation tax) from Yakima, Washington.[3]	Column 6 price plus 2⅓ cents.

[1] The maximum price for fresh Italian prunes sold in bulk (loose without containers) shall be 9/10 cents per pound less than the maximum prices per pound listed for item 10 in columns 5, 6, and 7.

[3] Protective service allowances shall be added in accordance with the following groups of wholesale receiving points:

Wholesale receiving points	Allowance for protective services (includes 3% tax) Per one-half bushel basket	Allowance for protective services (includes 3% tax) Per standard prune box
1. In all States east of the Mississippi River, except in Wisconsin and Illinois	$0.14	$0.09
2. In all other States, except in California, Washington, Oregon and Idaho	.11	.07
3. In California	.04	.03
4. In Oregon, Washington and Idaho	.00	.00

[1] No protective service allowances may be added for fresh Italian prunes sold loose and ungraded in any container.

[4] For the sellers covered by column 7, see general provisions of this appendix.

(c) *Tables of maximum markups applicable to all listed deciduous tree fruits.* The following tables name the maximum markups which may be added for certain distributive services. Table A names maximum markups for sales by growers through agents and sales by primary sellers other than growers. Table B names maximum markups for all other sellers. In each case, the maximum price shall be figured by adding the appropriate markup to the named f. o. b. shipping point or delivered price (see Column 5 or 6 of the applicable table in paragraph (d)), as the case may be. In figuring maximum prices, markups may not be taken cumulatively.

Examples: 1. The maximum markup of 10 cents named in Column 7 of Table A, for a sale by a grower through a terminal auction of a Brentwood lug of apricots with a net weight between 24 and 28 pounds, includes the maximum markup of 3 cents named in Column 4 for the broker used in making the sale through the auction.

2. The markup of 21 cents named in Column 10 of Table A, for a sale by a grower-distributor through a terminal auction of that standard container of apricots, includes the maximum markup of 11 cents named in Column 8 for the grower-distributor and the the maximum markup of 3 cents named in Column 4 for the broker used in making that sale.

3. The maximum markup of 49 cents named in Column 12 of Table A, for a sale by a grower-distributor through a commission merchant ex store or ex warehouse of that standard container of apricots, includes the maximum markup of 11 cents named in Column 8 for the grower-distributor.

4. The maximum markup of 24 cents named for that standard container of apricots in Column 4 of Table B, for a person (other than a grower, grower-distributor or buyer distributor) who has purchased a carlot or truckiot of apricots and resells such carlot or truckiot unbroken, includes the markup of 11 cents named in Column 8 of Table A for the grower-distributor and the markup of 3 cents named in Column 4 of Table A for the broker or salaried representative of the grower-distributor.

5. The markup of 52 cents named in Column 6 of Table B, for a sale by a primary receiver of that standard container of apricots ex store or ex warehouse, includes the markup of 11 cents named in Column 8 for the grower-distributor and the markup of 3 cents named in Column 4 of Table A for the broker or salaried representative of the grower-distributor.

6. The maximum markup of 83 cents named in Columns 7 and 8 of Table B for a sale by secondary jobbers and service wholesalers of that standard container of apricots, includes the markups of 11 cents for the grower-distributor, 3 cents for the broker or salaried representative, and 38 cents for the primary receiver (totalling 52 cents, the primary receiver's markup in Column 6).

TABLE A—MAXIMUM MARKUPS FOR DISTRIBUTIVE SERVICES PERFORMED BY CERTAIN PRIMARY SELLERS AND THEIR AGENTS TO BE ADDED TO MAXIMUM DELIVERED PRICES (SEE COLUMN 6 OF TABLES IN PARAGRAPH (D))

Col. 1	2	3	4	5	6	7	8	9	10	11	12
			Sales by growers				Sales by a grower-distributor, buyer-distributor and by a grower or any person through a grower's sales agent				
				Through a commission merchant in less-than-carlots or less-than-trucklots [2]						Through a commission merchant in less-than-carlots or less-than-trucklots [2]	
Item No.	Commodity	Unit	Through a broker in any quantity or through a commission merchant in carlots or trucklots [1 2]	Ex-dock, car, truck or terminal sales platform	Ex-store or warehouse	Through an auction in less-than-carlots or less-than-trucklots [2]	Direct sale (without the use of broker or any other agent) [1 2]	Through a broker or salaried representative, or through a commission merchant in carlots or trucklots [1 2]	Through an auction in less-than-carlots or less-than-trucklots [2]	Ex-dock, car, truck or terminal sales platform	Ex-store or warehouse
1	Sweet cherries	California (Items 1-6, Tables 1, 1a):									
		Campbell lug 15-17 pounds	$0.02	$0.20	$0.44	$0.12	$0.16	$0.18	$0.28	$0.36	$0.60.
		Calex lug 18-20 pounds	$0.02	$0.24	$0.52	$0.14	$0.16	$0.18	$0.30	$0.40	$0.68.
		Lug box 23-25 pounds	$0.02	$0.30	$0.66	$0.17	$0.16	$0.18	$0.33	$0.46	$0.82.
		All other States (Items 11-14, Tables 1, 1a):									
		Campbell lug 14½-15½ pounds	$0.02	$0.19	$0.41	$0.11	$0.16	$0.18	$0.27	$0.35	$0.57.
		Fruit box 19½-20½ pounds	$0.02	$0.25	$0.55	$0.14	$0.16	$0.18	$0.30	$0.41	$0.71.
		All States (Items 7-10, 15-18, Tables 1, 1a):									
		Above containers with net weight of less than or more than that specified for each container, and sweet cherries packed in all other containers, and those sold loose and ungraded in any container, or in bulk—per pound.	½o cent	1¼ cents	2¾ cents	⅞o cent	$0.16 per container for all containers over 14 lbs. For all others 1¢ per lb.	$0.18 per container for all containers over 14 lbs. For all others 1 1/10¢ per lb.	$0.18 per container for all containers over 14 lbs. plus 9/10¢ per lb. For all others 1 3/10¢ per lb.	$0.18 per container for all containers over 14 lbs. plus 1¾¢ per lb. For all others 2½¢ per lb.	$0.18 per container for all containers over 14 lbs. plus 2¾¢ per lb. For all others 3½¢ per lb.
2	Apricots	California (Items 1-6, Tables 2, 2a):									
		Brentwood lug 24-26 pounds	$0.03	$0.17	$0.38	$0.10	$0.11	$0.14	$0.21	$0.28	$0.49.
		Brentwood lug with net weight of less than 24 pounds or more than 26 pounds, and apricots packed in all other containers, and those sold loose and ungraded, in any container, or in bulk—per pound.	1/16 cent	7/10 cent	1½ cents	5/10 cent	$0.11 per container for all containers over 23 lbs. For all others ½¢ per lb.	$0.14 per container for all containers over 23 lbs. For all others ½¢ per lb.	$0.14 per container for all containers over 23 lbs. plus 9/10¢ per lb. For all others 9/10¢ per lb.	$0.11 per container for all containers over 23 lbs. plus 7/10¢ per lb. For all others 1 3/10¢ per lb.	$0.11 per container for all containers over 23 lbs. plus 1½¢ per lb. For all others 2¢ per lb.
		All others (Item 7-12, Tables 2, 2a):									
		Northwest lug 13-15 pounds	$0.02	$0.10	$0.21	$0.06	$0.07	$0.09	$0.13	$0.17	$0.28.
		Northwest lug with net weight of less than 13 pounds or more than 15 pounds, and apricots packed in all other containers, and those sold loose and ungraded in any container, or in bulk—per pound.	⅛ cent	7/10 cent	1½ cents	5/10 cent	$0.07 per container for all containers over 12 lbs. For all others ½¢ per lb.	$0.09 per container for all containers over 12 lbs. For all others ½¢ per lb.	$0.09 per container for all containers over 12 lbs. plus 9/10¢ per lb. For all others 9/10¢ per lb.	$0.07 per container for all containers over 12 lbs. plus 7/10¢ per lb. For all others 1 3/10¢ per lb.	$0.07 per container for all containers over 12 lbs. plus 1½¢ per lb. For all others 2¢ per lb.
3	Plums	All (Items 1-7, Table 3):									
		Standard 4-basket crate—									
		Size 3 x 4	$0.03	$0.19	$0.42	$0.11	$0.13	$0.16	$0.24	$0.32	$0.55.
		Size 3 x 4 x 4 } 29-33 pounds								$0.32	$0.54.
		Size 4 x 4, 28-32 pounds	$0.03	$0.19	$0.41	$0.11	$0.13	$0.16	$0.24	$0.31	$0.52.
		Size 3 x 4 x 5 } 26-30 pounds	$0.03	$0.18	$0.39	$0.10	$0.13	$0.16	$0.23	$0.29	$0.49.
		Size 4 x 5 }	$0.03	$0.16	$0.36	$0.10	$0.13	$0.16	$0.23	$0.29	$0.48.
		Size 5 x 5, 24-28 pounds	$0.03	$0.16	$0.35	$0.10	$0.13	$0.16	$0.23	$0.29	$0.48.
		Size 5 x 6 } 25-27 pounds	$0.03	$0.16	$0.35	$0.10	$0.13	$0.16	$0.23	$0.29	$0.48.
		Size 6 x 6 }									
		Standard 4-basket crate with net weight of less than or more than that specified for each of above sizes, and plums of any size packed in all other containers, and those sold loose and ungraded in any container, or in bulk—per pound.	½o cent	9/10 cent	1½o cent	5/10 cent	$0.13 per container for all containers over 22 lbs. For all others 9/10¢ per lb.	$0.16 per container for all containers over 22 lbs. For all others 9/10¢ per lb.	$0.16 per container for all containers over 22 lbs. plus 9/10¢ per lb. For all others 9/10¢ per lb.	$0.13 per container for all containers over 22 lbs. plus 9/10¢ per lb. For all others 1 3/10¢ per lb.	$0.13 per container for all containers over 22 lbs. plus 1½¢ per lb. For all others 1½¢ per lb.
4	Fresh Italian prunes	All (Items 1-10, Table 4):									
		½ bushel basket 28-32 pounds	$0.03	$0.15	$0.33	$0.09	$0.11	$0.14	$0.20	$0.26	$0.44.
		Standard prune box 15-17 pounds	$0.02	$0.09	$0.19	$0.05	$0.07	$0.09	$0.12	$0.15	$0.25.

See footnotes at end of table.

TABLE A—MAXIMUM MARKUPS FOR DISTRIBUTIVE SERVICES PERFORMED BY CERTAIN PRIMARY SELLERS AND THEIR AGENTS TO BE ADDED TO MAXIMUM DELIVERED PRICES (SEE COLUMN 6 OF TABLES IN PARAGRAPH (D))

Col. 1	2	3	4	5	6	7	8	9	10	11	12
			Sales by growers				Sales by a grower-distributor, buyer-distributor and by a grower or any person through a grower's sales agent				
				Through a commission merchant in less-than-carlots or less-than-trucklots [2]						Through a commission merchant in less-than-carlots or less-than-trucklots [2]	
Item No.	Commodity	Unit	Through a broker in any quantity or through a commission merchant in carlots or trucklots [1 2]	Ex-dock, car, truck or terminal sales platform	Ex-store or warehouse	Through an auction in less-than-carlots or less-than-trucklots [2]	Direct sale (without the use of broker or any other agent) [1 2]	Through a broker or salaried representative, or through a commission merchant in carlots or trucklots [1 2]	Through an auction in less-than-carlots or less-than-trucklots [2]	Ex-dock, car, truck or terminal sales platform	Ex-store or warehouse
		Above containers with net weight of less than or more than that specified for each container and fresh Italian prunes packed in all other containers and those sold loose and ungraded in any container, or in bulk—per pound.	½o cent	3/10 cent	1 1/10 cent	3/10 cent	$0.11 per container for all containers over 20 lbs. For all others 9/10¢ per lb.	$0.14 per container for all containers over 20 lbs. For all others 9/10¢ per lb.	$0.14 per container for all containers over 20 lbs. plus 3/10¢ per lb. For all others 7/10¢ per lb.	$0.11 per container for all containers over 20 lbs. plus 1½¢ per lb. For all others 9/10¢ per lb.	$0.11 per container for all containers over 20 lbs. plus 1 1/10¢ per lb. For all others 1½¢ per lb.

[1] Maximum markups listed above in Columns 4, 8 and 9 may be added to the maximum prices for fruit loaded on car or truck at shipping point (Column 5 of applicable table in paragraph (d)) for sales made by agents of growers and primary sellers, other than growers, f. o. b. shipping point.

[2] For purposes of computing the maximum price, the amounts set forth in Columns 4, 8 and 9 shall be used, but the maximum charge that may be made by any selling agent shall be determined under MPR 165, as amended, as between such selling agent and his principal.

[3] The actual charge not to exceed the maximum allowable charge under MPR 165 shall be used instead of the markup listed in Columns 5, 6, 7, 10, 11 and 12 if the amount of such actual charge is lower than the amount shown.

TABLE B—MAXIMUM MARKUPS FOR DISTRIBUTIVE SERVICES PERFORMED BY CERTAIN SELLERS OTHER THAN PRIMARY SELLERS AND THEIR AGENTS TO BE ADDED TO MAXIMUM DELIVERED PRICES

[See Column 6 of tables in paragraph (d)]

Col. 1	2	3	4	5	6	7	8	9
				Sales by primary receivers in less-than-carlots or less-than-trucklots			Sales by service wholesalers delivered to premises of any retail store, Government procurement agency or institutional buyer within the free delivery zone	
Item No.	Commodity	Unit	Sales by any person other than a grower or grower-distributor or buyer-distributor who has purchased a carlot or trucklot and resells such carlot or trucklot unbroken	Through an auction or ex-car, dock, truck or terminal sales platform	Ex-store or ex-warehouse	Sales by secondary jobbers in any quantity delivered to premises of the purchaser	Original container and quantities in excess of half of original container	Half original container or less
1	Sweet Cherries	*California* (Items 1-6, Tables 1, 1a):						
		Campbell lug 15-17 pounds	$0.30	$0.38	$0.62	$0.96	$0.96	
		Calex lug 18-20 pounds	$0.30	$0.42	$0.70	$1.13	$1.13	
		Lug box 23-25 pounds	$0.30	$0.48	$0.84	$1.38	$1.38	
		All other States (Items 11-14, Tables 1, 1a):						
		Campbell lug 14½-15½ pounds	$0.30	$0.37	$0.59	$0.93	$0.93	
		Fruit box 19½-20½ pounds	$0.30	$0.43	$0.73	$1.18	$1.18	
		All states (Items 7-10, 15-18, Tables 1, 1a):						
		Above containers with net weight of less than or more than that specified for each container and sweet cherries packed in all other containers, and those sold loose and ungraded in any container or in bulk—per pound.	$0.30 per container for all containers over 14 pounds. For all others 1 9/10¢ per pound.	$0.18 per container for all containers over 14 pounds plus 1¾¢ per pound. For all others 2½¢ per pound.	$0.18 per container for all containers over 14 pounds plus 2¾¢ per pound. For all others 3½¢ per pound.	$0.18 per container for all containers over 14 pounds plus 5.0¢ per pound. For all others 6.0¢ per pound.	$0.18 per container for all containers over 14 pounds plus 5.0¢ per pound. For all others 6.0¢ per pound.	$0.18 per container for all containers over 14 pounds plus 5.0¢ per pound. For all others 6.0¢ per pound.
2	Apricots	*California* (Items 1-6, Tables 2, 2a):						
		Brentwood lug 24-26 pounds	$0.24	$0.31	$0.62	$0.83	$0.83	
		Brentwood lug with net weight of less than 24 pounds or more than 26 pounds and apricots packed in all other containers, and those sold loose and ungraded in any container, or in bulk per pound	$0.24 per container for all containers over 23 pounds. For all others 1¢ per pound.	$0.14 per container for all containers over 23 pounds plus 7/10¢ per pound. For all others 1 3/10¢ per pound.	$0.14 per container for all containers over 23 pounds plus 1½¢ per pound. For all others 2¢ per pound.	$0.14 per container for all containers over 23 pounds plus 2¾¢ per pound. For all others 3½¢ per pound.	$0.14 per container for all containers over 23 pounds plus 2¾¢ per pound. For all others 3½¢ per pound.	$0.14 per container for all containers over 23 pounds plus 2¾¢ per pound. For all others 3½¢ per pound.
		All other states (Items 7-12, Tables 2, 2a):						
		Northwest lug 13-15 pounds	$0.15	$0.19	$0.30	$0.48	$0.48	
		Northwest lug with a net weight of less than 13 pounds or more than 15 pounds and apricots packed in all other containers, and those sold loose and ungraded in any container, or in bulk—per pound.	$0.15 per container for all containers over 12 pounds. For all others 1¢ per pound.	$0.09 per container for all containers over 12 pounds plus 7/10¢ per pound. For all others 1 3/10¢ per pound.	$0.09 per container for all containers over 12 pounds plus 1½¢ per pound. For all others 2¢ per pound.	$0.09 per container for all containers over 12 pounds plus 2¾¢ per pound. For all others 3½¢ per pound.	$0.09 per container for all containers over 12 pounds plus 2¾¢ per pound. For all others 3½¢ per pound.	$0.09 per container for all containers over 12 pounds plus 2¾¢ per pound. For all others 3½¢ per pound.

TABLE B—MAXIMUM MARKUPS FOR DISTRIBUTIVE SERVICES PERFORMED BY CERTAIN SELLERS OTHER THAN PRIMARY SELLERS AND THEIR AGENTS TO BE ADDED TO MAXIMUM DELIVERED PRICES—continued

[See Column 6 of tables in paragraph (d)]

Col. 1	2	3	4	5	6	7	8	9
Item No.	Commodity	Unit	Sales by any person other than a grower or grower-distributor or buyer-distributor who has purchased a carlot or truckiot and resells such carlot or truckiot unbroken	Sales by primary receivers in less-than-carlots or less-than-truckiots		Sales by secondary jobbers in any quantity delivered to premises of the purchaser	Sales by service wholesalers delivered to premises of any retail store, government procurement agency or institutional buyer within the free delivery zone	
				Through an auction or ex-car, dock, truck or terminal sales platform	Ex-store or ex-warehouse		Original container and quantities in excess of half of original container	Half original container or less
3	Plums	*All* (Items 1–7, Table 3):						
		Standard 4 basket crate:						
		Size 3 x 4 } 29–33 pounds	$0.26	$0.35	$0.58	$0.93	$0.93	
		Size 3 x 4 x 4 }						
		Size 4 x 4 } 28–32 pounds	$0.26	$0.35	$0.57	$0.91	$0.91	
		Size 3 x 4 x 5 } 26–30 pounds	$0.26	$0.34	$0.57	$0.86	$0.86	
		Size 4 x 5 }						
		Size 5 x 5 24–28 pounds	$0.26	$0.32	$0.52	$0.81	$0.81	
		Size 5 x 6 } 23–27 pounds	$0.26	$0.32	$0.51	$0.79	$0.79	
		Size 6 x 6 }						
		Standard 4 basket crate with net weight of less than or more than that specified for each of above sizes, and plums of any sold size packed in all other containers, and those loose and ungraded in any container, or in bulk—per pound.	$0.26 per container for all containers over 22 pounds. For all others 1¢ per pound.	$0.16 per container for all containers over 23 pounds plus ½¢ per pound. For all others 1½¢ per pound.	$0.16 per container for all containers over 23 pounds plus 1½¢ per pound. For all others 1½¢ per pound.	$0.16 per container for all containers over 23 pounds plus 2½¢ per pound. For all others 3½¢ per pound.	$0.16 per container for all containers over 22 pounds plus 2½¢ per pound. For all others 3½¢ per pound.	$0.16 per container for all containers over 23 pounds plus 2½¢ per pound. For all others 2½¢ per pound.
4	Fresh Italian Prunes.	*All* (Items 1–10, Table 4):						
		¼ bushel basket 28–32 pounds	$0.23	$0.29	$0.47	$0.74	$0.74	
		Standard prune box 15–17 pounds	$0.13	$0.17	$0.27	$0.41	$0.41	
		Above containers with net weight of less than or more than that specified for each container and fresh Italian prunes packed in all other containers, and those sold loose and ungraded in any container, or in bulk—pound.	$0.23 per container for all containers over 20 pounds. For all others ½¢ per pound.	$0.14 per container for all containers over 20 pounds plus ½¢ per pound. For all others 1¢ per pound.	$0.14 per container for all containers over 20 pounds plus 1½¢ per pound. For all others 1½¢ per pound.	$0.14 per container for all containers over 20 pounds plus 2¢ per pound. For all others 2½¢ per pound.	$0.14 per container for all containers over 20 pounds plus 2¢ per pound. For all others 2½¢ per pound.	$0.14 per container for all containers over 20 pounds plus 2¢ per pound. For all others 2½¢ per pound.

(f) *Provisions applicable to primary sellers*—(1) *Prohibition against certain payments.* No primary seller shall receive, and no person shall pay to any primary seller, an amount in excess of the applicable maximum price f. o. b. shipping point, if sold f. o. b., or the applicable maximum price for delivered sales, if sold delivered, as the case may be (see Column 5 or 6 of the applicable table in paragraph (d)), regardless of the type of sale or the type of purchaser, and regardless of any existing or future commitment between the buyer and seller except for allowances made to grower-distributors, buyer-distributors, and to growers and primary sellers for sales through certain named agents, and except as provided for shipments of not more than five containers in paragraph (a), and except as provided for sales by growers delivered to the premises of retail stores, institutional buyers and designated depots of government procurement agencies, and except as provided for sales to ultimate consumers.

No person who does not pack and ship the fruit being priced, and who does not regularly operate a packing and shipping plant for that commodity, shall purchase deciduous tree fruits "on the tree" or in bulk at a price, which, after the costs of harvesting, hauling, packing, precooling, and loading have been added, results in a price higher than the maximum f. o. b. shipping point price listed in the applicable table of paragraph (d).

Example: Suppose an intermediate seller or a retailer wishes to buy an unharvested crop of plums from a grower. The amount which he pays the grower for the plums plus the cost of harvesting, hauling, packing, precooling and loading may not exceed the maximum price f. o. b. shipping point for plums in the kind of container in which they are being sold, as set forth in the table for plums in paragraph (d). If the plums are purchased already packed, but not precooled or loaded on cars, the price paid for the packed plums plus the cost of precooling and loading must likewise not exceed the maximum price f. o. b. shipping point for plums in such containers.

(2) *Sales by growers direct and through brokers, commission merchants or terminal auctions.* (i) For direct sales of deciduous tree fruits in any quantity by growers, the maximum price in each case is the maximum price f. o. b. shipping point or the maximum delivered price, as the case may be (see Column 5 or 6 of the applicable table in paragraph (d)).

(ii) For sales of deciduous tree fruits in any quantity by growers through brokers, or sales in carlots or truckiots through commission merchants, the maximum price in each case is the maximum price f. o. b. shipping point or the maximum delivered price, as the case may be (see Column 5 or 6 of the applicable table in paragraph (d)) plus the markup named in Column 4 of Table A in paragraph (e), regardless of the actual charge made by the broker or commission merchant. (The broker or commission merchant may not receive for his services more than the commission or fee allowed under Maximum Price Regulation 165[1]).

(iii) For sales of deciduous tree fruits in less-than-carlots or less-than-truckiots by growers through commission merchants, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus the actual commission or fee charged for the particular sale (not to exceed the maximum commission or fee which such commission merchant may charge under Maximum Price Regulation 165) or the applicable markup (for ex car or ex store sales, as the case may be, named in Column 5 or 6 of Table A in paragraph (e)), whichever is lower.

Example: A grower sells less than a carlot of California apricots in Brentwood lugs, each with a minimum net weight of 24 pounds (standard containers), through a commission merchant. Assume that the maximum price for that Brentwood lug of California apricots delivered in Chicago, Illinois, is $3.06 per lug. Assume the commission merchant is selling ex store, and that his actual fee (and his maximum fee under Maximum Price Regulation 165) is 7% of the selling price or 23 cents per Brentwood lug. The maximum mark-up for sales ex store by growers through commission merchants in less-than-carlots named in Column 6 of Table A is 38 cents per Brentwood lug. The maximum price for sales in less-than-carlots by the grower through the commission merchant is therefore $3.06 plus 23 cents, or $3.31 per lug. In this example the 7% charged by the commission merchant, or 23 cents, is less than the 38 cents named in Column 6 of Table A, and therefore is to be used by this particular commission merchant in determining his maximum price.

(iv) For sales of deciduous tree fruits by growers through a terminal auction, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus (1) the markup named in Column 7 of Table A in paragraph (e), or the sum of (i) the markup named in Column 4 of Table A in paragraph (e) and (ii) the actual commission or fee charged for the particular sale (not to exceed the maximum allowable commission or fee which such commission merchant may charge under MPR 165), whichever is lower, and (2) any unloading charges in the terminal market incurred by the seller.

(v) For sales of deciduous tree fruits in less-than-carlots or less-than-truckiots by grower-distributors or buyer-distributors through commission merchants, or by any persons (including growers) through growers' sales agents who use a terminal auction, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus (1) the markup named in Column 9 of Table A in paragraph (e) and (ii) the actual commission or fee charged for the particular sale (not to exceed the maximum allowable commission or fee which the auction company may charge under MPR 165), whichever is lower, and (2) any unloading charges in the terminal market incurred by the seller.

(vi) For sales of deciduous tree fruits in less-than-carlots or less-than-truckiots by grower-distributors or buyer-distributors through commission merchants, or by any persons (including growers) through growers' sales agents who use a terminal auction, the maximum price in each case is the maximum delivered price named in Column 6 of Table A in paragraph (d) plus the applicable markup (for ex car or ex store sales, as the case may be) named in Columns 11 and 12 of Table A in paragraph (e), or the sum of (1) the markup named in Column 8 of Table A in paragraph (e) and (2) the actual commission or fee charged for the particular sale (not to exceed the maximum allowable commission or fee which such commission merchant may charge under MPR 165), whichever is lower.

(g) *Maximum prices for sales by persons other than primary sellers*—(1) *Sales in unbroken carlots or truckiots.* If any person other than a primary seller purchases and resells unbroken carlots or truckiots of deciduous tree fruits, the maximum price in each such case shall be the maximum f. o. b. shipping point or delivered price, as the case may be (see Column 5 or 6 of the applicable table in paragraph (d)), plus the markup named in Column 4 of Table B in paragraph (e).

(2) *Sales by primary receivers in less-than-carlots or less-than-truckiots.* (i) For sales by "primary receivers" of deciduous tree fruits ex car, ex truck, ex dock, or ex terminal sales platform, at a terminal market or other wholesale receiving point, the maximum price in each case shall be the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus the markup named in Column 5 of Table B in paragraph (e).

(ii) If a primary receiver breaks a car or truck unloads the particular deciduous tree fruit being priced into a store or warehouse owned or leased in whole or in part by him, and makes sales ex store or ex warehouse, the maximum price in each case shall be the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus the markup named in Column 6 of Table B in paragraph (e). This price does not include delivery charges. If the primary receiver makes delivery, he may also add the amount which the appropriate regional or district office determines to be applicable for deliveries in these cases (see paragraph (i)).

(iii) If a primary receiver makes a delivered sale to the premises of a purchaser within the free delivery zone, without first unloading the particular deciduous tree fruit being priced into a store or warehouse owned or leased by him, the maximum price shall be the maximum delivered price for ex car, ex truck, ex dock, or ex terminal sales platform sales plus the amount which the appropriate regional or district office determines to be applicable to such sales (see paragraph (i)), for "primary receiver" means a person who (1) on his own account and profit buys the deciduous tree fruit being priced (1) in unbroken carlots or truckiots from any person or (2) in any quantity from a primary seller selling either direct or through auction or through any agent (except a commission merchant)

[1] 8 F.R. 14900.

whatever is lower, and (2) any unloading charges in the terminal market incurred by the seller.

(3) For sales of deciduous tree fruits by growers delivered directly from the grower's orchard, or place of business at the shipping point in a truck owned by him (and not furnished, owned or controlled, directly or indirectly, by the buyer) to the premises of institutional buyers, designated depots of government procurement agencies or retail stores where resale is made to ultimate consumer, the maximum price in each case is the price named in Column 7 of the applicable table in paragraph (d).

A sale of deciduous tree fruit, delivered directly from the shipping point in a truck owned by another grower and transporting the deciduous tree fruit of that grower and fruit of not more than three other growers, to the premises of institutional buyers, designated depots of government procurement agencies or retail stores where resale is made to ultimate consumers shall be priced as a sale by a grower "in a truck owned by the grower."

(4) For sales by growers of deciduous tree fruits to ultimate consumers the maximum price in each case is the price named in Column 7 of the applicable table in paragraph (d) multiplied by 1.25. However, such price shall not exceed any applicable community price where established by the Office of Price Administration.

"Broker" means a person other than a grower's sales agent or a commission merchant who, for a commission or fee, represents his principal in the sale of the deciduous tree fruit being priced.

"Commission merchant" means a seller's agent, other than a grower's sales agent or a broker, who receives the kind of deciduous tree fruit being priced, and who, for a commission or fee, sells it in any quantity in a terminal market or other wholesale receiving point, and who, in the case of less-than-carlot or less-than-truckiot sales, performs the wholesale functions of unloading the fruit from the car or truck in which it is received. "Commission" or "fee" means the charge made by an agent for services performed in connection with the sale of deciduous tree fruits.

"Terminal auction" means a place in a terminal market, open to any seller and to any buyer who has established credit with the "auction company" or who pays cash, where, on the basis of competitive bidding, the kind of deciduous tree fruit being priced is sold in less-than-carlot or less-than-truckiot quantities by persons operating through a public licensed sales organization known as an "Auction Company", for whose service a fee is charged.

"Ultimate consumer" means a person who buys the kind of deciduous tree fruit being priced for direct consumption. However, as used in this appendix, the term does not include a commercial, industrial, institutional or government procurement agency.

(5) *Sales by grower-distributors, buyer-distributors, and by any persons (including growers), through growers' sales agents.* (i) For sales of deciduous tree fruits in any quantity by (1) grower-distributors, (2) buyer-distributors or (3) any persons (including growers) through growers' sales agents, the maximum price in each case is the maximum delivered price, as the case may be (see Column 5 or 6 of the applicable table in paragraph (d)) plus the markup named in Column 8 of Table A in paragraph (e). (The grower's sales agent may not receive for his services more than the fee or commission allowed him under Maximum Price Regulation 165).

Example: A grower of cherries in Wenatchee, Washington, employs a grower's sales agent to make a delivered sale in Chicago, Illinois. The maximum price is the price named in Column 6 of the applicable table in paragraph (d) plus the markup named in Column 6 of Table A in paragraph (e), even though the lawful charge received for this service by the grower's sales agent is less than the markup named.

"Grower-distributor" means a person (1) who grows the kind of deciduous tree fruit being priced, (2) who assembles, packs or otherwise prepares such fruit for shipment, (3) who sells it on his own behalf and arranges for shipment and ships from shipping point to wholesale receiving point, (4) who sells through brokers or salaried representatives or who sells direct to intermediate sellers on a delivered basis, and (5) who does not make more than 50% (by volume) of his sales to any one person other than to government procurement agencies during the 1944 season. A person who would be a "grower-distributor" but for the fact that he does not meet requirement (5) shall be considered a "grower".

"Buyer-distributor" means a person (1) who purchases the deciduous fruit being priced before it is loaded on cars or trucks, or assembles, packs or otherwise prepares such fruit for shipment and (2) who sells it on his own behalf and (3) who arranges for shipment and ships from shipping point to wholesale receiving point and (4) who sells through brokers or salaried representatives, or who sells direct to intermediate sellers on a delivered basis and (5) who does not make more than 50% (by volume) of his sales to any one person other than to government procurement agencies during the 1944 season. A person who would be a "buyer-distributor" but for the fact that he does not meet requirement (5) shall be priced as if he were a "grower".

"Grower's sales agent" means a person (including a grower's cooperative) other than a broker or commission merchant (1) who receives the deciduous tree fruit being priced from another, (2) who for a commission or fee sells it for the account of such person after the fruit has been graded, packed, or otherwise prepared for shipment and (3) who regularly uses brokers or maintains salaried representatives in terminal markets through whom sales are made.

"Growers' cooperative" means a non-profit agricultural marketing association, regularly marketing the kind of deciduous tree fruit being priced, which is organized under state law and in conformity with the Capper-Volstead Act.

(ii) For sales of deciduous tree fruit by (1) grower-distributors or (2) buyer-distributors or (3) any person (including growers) through growers' sales agents, who in carlot or truckiot sales use brokers, salaried representatives or commission merchants and in less than carlot or truckiot sales use brokers or salaried representatives, the maximum price in each case is the maximum price f. o. b. shipping point or the maximum delivered price, as the case may be (see Column 5 or 6 of the applicable table in paragraph (d)), plus the markup named in Column 9 of Table A in paragraph (e). (The grower's sales agent, the broker, or the commission merchant may not receive for his services more than the fee or commission allowed under MPR 165).

Example: Suppose a grower of cherries in Wenatchee, Washington employs a grower's sales agent to make a delivered sale to a buyer in Boston, Massachusetts. The grower's sales agent uses a broker in making the sale. The maximum price is the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus the markup named in Column 9 of Table A in paragraph (e), even though the lawful charge received for services by the grower's sales agent and the broker are less than the markup named.

(iii) For sales of deciduous tree fruits by grower-distributors or buyer-distributors through a terminal auction, or by any persons (including growers) through growers' sales agents who use a terminal auction, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus the markup named in Column 6 of Table A in paragraph (e), even though the lawful charge received for this service by the grower's sales agent is less than the markup named.

(iv) For sales of deciduous tree fruits by growers through commission merchants in less-than-carlots or less-than-truckiots, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus (1) the markup named in Column 7 of Table A in paragraph (e), or the sum of (i) the markup named in Column 4 of Table A in paragraph (e) and (ii) the actual commission or fee charged for the particular sale (not to exceed the maximum allowable commission or fee which such commission merchant may charge under Maximum Price Regulation 165) or the applicable markup (for ex car or ex store sales, as the case may be, named in Column 5 or 6 of Table A in paragraph (e)), whichever is lower.

Example: A grower sells less than a carlot of California apricots in Brentwood lugs, each with a minimum net weight of 24 pounds (standard containers), through a commission merchant. Assume that the maximum price for that Brentwood lug of California apricots delivered in Chicago, Illinois, is $3.06 per lug. Assume the commission merchant is selling ex store, and that his actual fee (and his maximum fee under Maximum Price Regulation 165) is 7% of the selling price or 23 cents per Brentwood lug. The maximum mark-up for sales ex store by growers through commission merchants in less-than-carlots named in Column 6 of Table A is 38 cents per Brentwood lug. The maximum price for sales in less-than-carlots by the grower through the commission merchant is therefore $3.06 plus 23 cents, or $3.31 per lug. In this example the 7% charged by the commission merchant, or 23 cents, is less than the 38 cents named in Column 6 of Table A, and therefore is to be used by this particular commission merchant in determining his maximum price.

(iv) For sales of deciduous tree fruits by growers through a terminal auction, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus (1) the markup named in Column 7 of Table A in paragraph (e), or the sum of (i) the markup named in Column 4 of Table A in paragraph (e) and (ii) the actual commission or fee charged for the particular sale (not to exceed the maximum allowable commission or fee which the auction company may charge under MPR 165), whichever is lower, and (2) any unloading charges in the terminal market incurred by the seller.

(v) For sales of deciduous tree fruits in less-than-carlots or less-than-truckiots by grower-distributors or buyer-distributors through commission merchants, or by any persons (including growers) through growers' sales agents who use a terminal auction, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus (1) the markup named in Column 9 of Table A in paragraph (e) and (ii) the actual commission or fee charged for the particular sale (not to exceed the maximum allowable commission or fee which the auction company may charge under MPR 165), whichever is lower, and (2) any unloading charges in the terminal market incurred by the seller.

(vi) For sales of deciduous tree fruits in less-than-carlots or less-than-truckiots by grower-distributors or buyer-distributors through commission merchants, or by any persons (including growers) through growers' sales agents who use a terminal auction, the maximum price in each case is the maximum delivered price named in Column 6 of Table A in paragraph (d) plus the applicable markup (for ex car or ex store sales, as the case may be) named in Columns 11 and 12 of Table A in paragraph (e), or the sum of (1) the markup named in Column 8 of Table A in paragraph (e) and (2) the actual commission or fee charged for the particular sale (not to exceed the maximum allowable commission or fee which such commission merchant may charge under MPR 165), whichever is lower.

(g) *Maximum prices for sales by persons other than primary sellers*—(1) *Sales in unbroken carlots or truckiots.* If any person other than a primary seller purchases and resells unbroken carlots or truckiots of deciduous tree fruits, the maximum price in each such case shall be the maximum f. o. b. shipping point or delivered price, as the case may be (see Column 5 or 6 of the applicable table in paragraph (d)), plus the markup named in Column 4 of Table B in paragraph (e).

(2) *Sales by primary receivers in less-than-carlots or less-than-truckiots.* (i) For sales by "primary receivers" of deciduous tree fruits ex car, ex truck, ex dock, or ex terminal sales platform, at a terminal market or other wholesale receiving point, the maximum price in each case shall be the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus the markup named in Column 5 of Table B in paragraph (e).

(ii) If a primary receiver breaks a car or truck unloads the particular deciduous tree fruit being priced into a store or warehouse owned or leased in whole or in part by him, and makes sales ex store or ex warehouse, the maximum price in each case shall be the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus the markup named in Column 6 of Table B in paragraph (e). This price does not include delivery charges. If the primary receiver makes delivery, he may also add the amount which the appropriate regional or district office determines to be applicable for deliveries in these cases (see paragraph (i)).

(iii) If a primary receiver makes a delivered sale to the premises of a purchaser within the free delivery zone, without first unloading the particular deciduous tree fruit being priced into a store or warehouse owned or leased by him, the maximum price shall be the maximum delivered price for ex car, ex truck, ex dock, or ex terminal sales platform sales plus the amount which the appropriate regional or district office determines to be applicable to such sales (see paragraph (i)), for "primary receiver" means a person who (1) on his own account and profit buys the deciduous tree fruit being priced (1) in unbroken carlots or truckiots from any person or (2) in any quantity from a primary seller selling either direct or through auction or through any agent (except a commission merchant)

in less-than-carlots or less-than-truckiots), for resale in less-than-carlots or less-than-truckiots to persons other than ultimate consumers.

(3) *Sales through terminal auctions.* For sales of deciduous tree fruits through a terminal auction, by persons other than primary sellers, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus (1) the markup named in Column 5 of Table B in paragraph (e) and (2) any unloading charges in the terminal market incurred by the seller.

(4) *Sales by secondary jobbers.* (i) For sales by secondary jobbers of deciduous tree fruits on a "delivered" basis, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus the markup named in Column 7 of Table B in paragraph (e). "Delivered" means delivered to the buyer's premises (in the case of a retailer, delivered to the retail store where resale is made to ultimate consumers) within the free delivery zone.

(ii) For sales by secondary jobbers of deciduous tree fruits not on a "delivered" basis, the maximum price in each case is the maximum price for sales on a "delivered" basis less five cents per container for containers under 50 pounds (gross weight), and ten cents per container for containers 50 pounds or more (gross weight), except as these amounts may be changed by the appropriate regional or district office (see paragraph (1)).

"Secondary jobber" means a person other than a retailer who for his own account and profit purchases the kind of deciduous tree fruit being priced in less-than-carlots or less-than-truckiots from a primary receiver or from any seller through a commission merchant for resale in any quantity.

(5) *Sales by service wholesalers.* (i) For sales by service wholesalers of deciduous tree fruits on a "delivered" basis, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus the markup named in Column 8 of Table B in paragraph (e). "Delivered" means delivered to the buyer's premises (in the case of a retailer, delivered to the retail store where resale is made to ultimate consumers) within the free delivery zone.

(ii) A service wholesaler, when selling the kind of deciduous tree fruit being priced on a delivered basis in quantities of one-half container or less, may add to the maximum delivered price named in Column 6 of the applicable table in paragraph (d) the markup named in Column 9 of Table B in paragraph (e), but only if he has first offered to sell to the buyer on a full-container basis. This paragraph applies only to sales where the seller breaks the original container received by him and sells no more than half of the quantity in that container.

(iii) For sales by service wholesalers of deciduous tree fruits not on a "delivered" basis, the maximum price in each case is the maximum price for sales on a "delivered" basis less five cents per container under 50 pounds (gross weight), and ten cents per container for containers 50 pounds or more (gross weight), except as these amounts may be changed by the appropriate regional or district office (see paragraph (1)).

"Service wholesaler" means a person who maintains a store or warehouse at which the particular deciduous tree fruit being priced is received and stored or warehoused; who maintains at such store or warehouse facilities for cold storage, ripening, sorting, repacking, and other handling of the fruit; who employs salesmen to call on the trade in the city or country points which he services; and who sells the particular deciduous tree fruit being priced to retail stores, government procurement agencies or institutional buyers.

(6) *Sales by secondary jobbers and service wholesalers delivered outside the free delivery zone.* (i) For sales by secondary jobbers or service wholesalers of deciduous tree fruits delivered to the premises of any purchaser located outside of the free delivery zone, the maximum price in each case is the maximum delivered price named in Column 6 of the applicable table in paragraph (d) plus the applicable markup named in Columns 7, 8 or 9 of Table B in paragraph (e) plus the cost of transportation beyond the free delivery zone, figured at the lowest common or contract carrier rate for available transportation from the seller's place of business to the premises of the purchaser. The amount added for transportation shall not exceed 25 cents per cwt. for the first 25 miles beyond the free delivery zone, and five cents per cwt. for each successive 25 miles, and the total amount may not exceed 50 cents per cwt., except as these amounts may be changed by the appropriate regional or district office (see paragraph (1)).

(b) *Fractions.* In calculating maximum prices, except for sales to ultimate consumers, all fractions shall be carried to the second decimal place of a cent. Any final calculations of total maximum prices applicable to individual sales resulting in a fraction of one-half cent or more shall be adjusted to the next higher cent, and any fraction below one-half cent shall be adjusted to the next lower cent.

(i) *Sample calculations of maximum prices for sales of a Brentwood lug of apricots (24–26 pounds) f. o. b. California shipping point, and delivered at Chicago, Illinois, and for sales by sellers in the Chicago market*—(1) *Maximum prices for sales loaded on car or truck at a California shipping point on an f. o. b. basis.*

(i) Sales by growers:
- (a) Direct (Column 5, Table 2) — $2.61
- (b) Through broker etc. (Col. 4, Table A) ($2.61 plus 0.03) — 2.64

(ii) Sales by grower-distributor, buyer-distributor, etc.:
- (a) Direct (Col. 6, Table A) ($2.61 plus 0.11) — 2.72
- (b) Through broker, etc. (Col. 9, Table A) ($2.61 plus 0.14) — 2.75

(iii) Sales by carlot distributors (Col. 4, Table B) ($2.61 plus 0.24) — 2.85

(2) *Delivered base price (Col. 6, Table 2):*

Column 5 price, Table 2	2.61
Freight to Chicago (estimate)	.37
Protective service allowance	.10
Total delivered price (Col. 6, Table 2)	3.08

(3) *Sales by growers at Chicago, Illinois:*
- (i) Direct (Col. 6, Table 2 price, as above) — 3.08
- (ii) Through a broker, etc. (Col. 4, Table A) ($3.08 plus 0.03) — 3.11
- (iii) Through a commission merchant in less-than-carlots:
  - (a) Ex car, etc. (Col. 5, Table A) ($3.08 plus 0.17)* — 3.25
  - (b) Ex store, etc. (Col. 6, Table A) ($3.08 plus 0.38)* — 3.46

*Where the commission merchant's actual charge is less than the $0.17 or $0.38, only the amount of the actual charge may be added.

- (iv) Through auction in less-than-carlots (Col. 7, Table A) ($3.08 plus .10)* — 3.18

Plus actual unloading charges paid by the seller.

*Where the sum of the actual auction charge plus the markup of $0.08 in Col. 4 of Table A is less than the $0.10, the lesser figure must be used.

(4) *Sales by grower-distributors, buyer-distributors, and by any person (including a grower) who uses a grower's sales agent, at Chicago, Illinois, on a delivered basis:*
- (i) Direct (Col. 8, Table A) ($3.08 plus .11) — $3.19
- (ii) Through broker etc. (Col. 9, Table A) ($3.08 plus .14) — 3.22
- (iii) Through auction in less-than-carlots (Col. 10, Table A) ($3.08 plus .21)* — 3.29

Plus actual unloading charges paid by the seller.

*Where the sum of the actual auction charge plus the markup of $0.14 in Col. 9 of Table A is less than the $0.21, the lesser figure must be used.

- (iv) Through a commission merchant in less-than-carlots:
  - (a) Ex car etc. (Col. 11, Table A) ($3.08 plus 0.28)* — $3.36
  - (b) Ex store etc. (Col. 12, Table A) ($3.08 plus 0.49)* — 3.57

*Where the commission merchant's actual charge is less than the $0.28 or $0.49, only the amount of the actual charge may be added.

(5) *Sales by other sellers in the Chicago Market:*
- (i) Carlot Distributor (Col. 4, Table B) ($3.08 plus 0.24) — $3.32
- (ii) Primary Receiver:
  - (a) Ex car etc. (Col. 5, Table B) ($3.08 plus 0.31) — 3.39
  - (b) Ex store etc. (Col. 6, Table B) ($3.08 plus 0.52) — 3.60
- (iii) Secondary jobber (Col. 7, Table B) ($3.08 plus 0.83) — 3.91
- (iv) Service wholesaler (Col. 8, Table B) ($3.08 plus 0.83) — 3.91

NOTE: The foregoing figures are not to be construed as true ceiling prices in the Chicago market. They are used merely as examples to show the application of the various markups to the base amounts.

(j) *When maximum prices apply.* The applicable maximum price in each case is the maximum price in effect on the date of delivery.

When shipment is by independent carrier and the sale is on an f. o. b. shipping point basis, with the risk of loss on the buyer for any part of the transit prior to physical delivery to him, the date of delivery is the date when the goods are loaded on the carrier ready for shipment. When shipment is by independent carrier and the sale is on a delivered basis, with the risk of loss on the seller for the entire transit prior to physical delivery to the buyer, the date of delivery is the date when the goods are physically delivered by the carrier to the buyer.

(k) *Sales of futures.* In the case of sales of futures, no "advance" (that is, payment prior to delivery) shall, when added to any previous advances, exceed either the maximum price in effect on the date of delivery or the maximum price in effect on the date of the payment.

"Sales of futures" means sales of goods for delivery at a future date beyond the normal time after sale necessary for transit.

(l) *Adjustments by regional and district offices.* The authority delegated by sections 2 (a) and 2 (b) of this regulation to the regional and district offices does not apply to deciduous tree fruit. For deciduous tree fruit the Regional Directors of the Office of Price Administration, and such district officers as they in turn may authorize, are authorized:

(1) To determine the limits of the free delivery zone at any wholesale receiving point located within its jurisdiction and to adjust upwards or downwards the allowances for sales by secondary jobbers and service wholesalers on a non-delivered basis and to adjust upwards or downwards the allowances for transportation beyond the free delivery zones, at the lowest rates for customary and generally available means of transportation.

(2) To determine and publish ordess naming the maximum amounts which carlot or truckiot receivers may add to their maximum prices for deliveries made within the free delivery zone at that wholesale receiving point.

(3) To adjust upwards or downwards the maximum markups named for sales by primary sellers through commission merchants in less-than-carlots or less-than-truckiots ex car, ex truck, ex dock, or terminal sales platform. However, any upward adjustment that is made under this paragraph shall not exceed the maximum markup named for sales by a primary seller through a commission merchant in less-than-carlots or less-than-truckiots ex store or ex warehouse.

(4) To adjust upwards or downwards the maximum markups named for sales by primary receivers ex car, ex truck, ex dock, or ex terminal sales platform or through a terminal auction. However, any upward adjustment that is made under this paragraph shall not exceed the maximum markup named for sales by primary receivers ex store or ex warehouse.

(m) *Record keeping and notification requirements.* Every sale by any person to any buyer other than an ultimate consumer shall be accompanied by a notification in writing stating the date of the sale, the names and addresses of the seller and the buyer, an adequate description of the commodity sold, including the quantity, unit of sale and the total price charged. When the total price includes charges for brokerage, commission, freight, trucking, protective services or any other charge or fee recognized by this appendix, the notice shall set forth the nature and amount of each of such charges, except that as the giving of such information is inconsistent with state law.

This amendment shall become effective for sweet cherries on June 13, 1944 except for sweet cherries shipped from the shipping point and actually sold before June 13, 1944 and except for sweet cherries shipped from the shipping point, before June 9, 1944, whether sold or unsold.

This amendment shall become effective for all other deciduous tree fruits on June 13, 1944 as to maximum prices f. o. b. shipping point, and effective as to all other maximum prices as follows:

(1) On June 27, 1944 for all states east of the Mississippi River except Illinois and Wisconsin.

(2) On June 22, 1944 for all other states except California, Oregon and Washington.

(3) On June 17, 1944 for California, Oregon and Washington.

(54 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of June 1944.

CHESTER BOWLES,
Administrator.

Approved: June 3, 1944.

GROVER B. HILL,
Acting War Food Administrator.

[F. R. Doc. 44-8384; Filed, June 9, 1944; 11:51 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 220,[1] Amdt. 15]

CERTAIN RUBBER COMMODITIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[2]

Maximum Price Regulation 220 is amended in the following respects:

1. Section 1315.1560b is added to read as follows:

§ 1315.1560b *Application for adjustments—*(a) *Application by a manufacturer that is not based upon a proper decrease of other prices—*(1) *Who may receive an adjustment.* The manufacturer's maximum price for rubber commodities established by this regulation may be adjusted in the case of an essential producer of an essential rubber commodity. An "essential rubber commodity" is one which contributes to the effective prosecution of the war. An "essential producer" is one whose output of rubber commodities cannot be reasonably expected to be replaced at prices lower than the proposed adjusted maximum price. In addition, any person who has entered into or proposes to enter into a war contract (as defined in subparagraph (5)) or a subcontract thereunder, is an essential producer of rubber commodities.

(2) *When adjustment may be granted—*(i) *In general.* The Office of Price Administration, any regional office, or such other offices as may be authorized by order issued by the appropriate regional office, may adjust the maximum price in the case of an essential producer of an essential rubber commodity upon the basis of information submitted by the manufacturer or of other information. It may make that adjustment whenever it finds that the maximum price of a commodity is at such a level that (taking into account the costs thereof, the profits position of the manufacturer, and the nature of his business) production of the commodity is impeded or threatened and that the adjustment would not cause an increase in the cost of living.

(ii) *Factors which may be considered.* (a) The following factors are relevant to consideration of whether production of the commodity is impeded or threatened:

(*1*) Whether, and by what amount, the maximum price is below or above (i) the total unit costs less selling and administrative expenses allocable to the internal management of the business, and (ii) the current total unit costs of the commodity.

(*2*) Whether, and by what amount, the manufacturer's current over-all profits, before income and excess profit taxes, are greater or less than his average over-all profits during the normal base period, increased by 7 percent of the additional capital investment contributed entirely by the manufacturer, or its stockholders, since the normal base period. Capital investment will be construed as including accumulated profits.

(*3*) Whether the proposed price is higher than the price prevailing in the industry.

(*4*) Whether the manufacturer's sales of the commodity represent only a very small part of his total sales.

(*5*) Whether the manufacturer previously sold the commodity, or a commodity of the same type, at a price which is below its total unit costs.

(*b*) The following factors are relevant to consideration of whether the adjustment would cause an increase in the cost of living:

(*1*) Whether the rubber commodity, or a commodity in the production of which it is used, is of a type sold to civilian consumers other than industrial consumers.

(*2*) If such is the case, whether the increase in price allowed by adjustment would be absorbed prior to sale to a non-industrial consumer.

(*3*) Whether, if the applicant did not produce the rubber commodity, his output would be replaced by the same or a substitute commodity at prices equal to or higher than the proposed adjusted maximum price.

(*3*) *How the manufacturer proceeds in applying for an adjustment—*(i) *In general.* An application for adjustment under this paragraph (a) shall be filed in accordance with Revised Procedural Regulation No. 1[3] and shall be made on Form OPA 696: 4057 set out in Appendix B, incorporated as § 1315.1568 of this regulation. Copies of this amendment which contains this form and the instructions for completing it may be obtained from any district, State or regional office of the Office of Price Administration. If the manufacturer's total sales in the calendar year 1943, or in the fiscal year ending in 1942, exceeded $500,000, the application shall be filed with the Office of Price Administration, Washington, D. C. If the manufacturer's total sales during that period did not exceed $500,000, the application shall be filed with the regional office of the Office of Price Administration located in the same region in which the manufacturer's business is located.

(ii) *Application based on proposed wage or salary increase to be authorized by the National War Labor Board.* A manufacturer who believes that the conditions for an adjustment set forth in this paragraph (a) would exist if the National War Labor Board should grant a pending application for wage or salary

[2] Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16689; 9 F.R. 1116.

[3] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 3075.

increase, may file an application for adjustment under this paragraph. Applications for adjustment of maximum prices based on wage or salary increases requiring approval of the National War Labor Board must also comply with Supplementary Order No. 28,[1] which requires, among other things, that an application for adjustment in such case be filed within 15 days after an application for a wage or salary adjustment has been filed with the National War Labor Board, or, in a disputed wage proceeding, within 15 days after the employer receives notification that the National War Labor Board has taken jurisdiction of the dispute.

(4) *Prices for deliveries made pending disposition of the application.* A manufacturer who has filed an application under this paragraph (a) may contract or agree that deliveries made during the pendency of the application shall be at a specific price which is higher than the existing maximum price which the manufacturer wants to have adjusted. But no payment in excess of that existing maximum price may be received until the application is finally disposed of, and at that time the price received may not exceed the maximum price as determined by the Office of Price Administration.

A manufacturer who wishes to enter into such an arrangement must specifically state to the buyer the following:

(i) The maximum price for the commodity;

(ii) The fact that an appropriate application for an adjustment of that maximum price has been filed with the Office of Price Administration;

(iii) The fact that the specific price quoted by the manufacturer is subject to the approval of the Office of Price Administration.

(5) *Definitions*—(i) *Normal base period.* The term "normal base period" means the period 1936–1939. If the applicant believes that the period 1936–1939 is not a normal base period for him he shall state why he believes it is not and shall designate another period which he believes is normal and the reasons therefor. If the Office of Price Administration finds either (a) that the entire industry of which the applicant is a part was operating during the greater part of the period 1936–1939 at an unusually depressed level or (b) that because of unusual conditions prevailing during that period, the applicant's plant was operating at an unusually depressed level in comparison to other plants in the industry, and in addition that some other period prior to January 1, 1941, is a normal base period, such other period may be considered. The mere fact that the rate of production has increased since 1936–1939 will not be deemed evidence that production during that period was at an "unusually depressed level." If the manufacturer was not in business prior to January 1, 1941, he shall state that fact in his application.

(ii) *Over-all profits.* The term "over-all profits" means net profit resulting from the operation of all divisions of the manufacturer, before the creation of any reserves, except ordinary reserves for depreciation and bad debts, and before income and excess profit taxes. Where affiliated interests exist, the term "over-all profits" means the consolidated net profit before the creation of any reserves, except ordinary reserves for depreciation and bad debts, and before income and excess profit taxes.

(iii) *Subcontract.* The term "subcontract" means any purchase, order, or agreement to perform all or any part of the work, or to make or furnish any commodity, required for the performance of another contract or subcontract.

(iv) *Total unit costs.* The term "total unit costs" means the direct unit cost of labor, materials, and subcontracted services, plus a proportion of factory overhead, administrative, and other expenses, based on actual operating experience, properly allocable to the production of the commodity, but does not include provisions for income or excess profit taxes. In evaluating total unit costs, the Office of Price Administration will determine whether the allocation of factory overhead, administrative and other expenses is based on a representative period of continuous, normal production.

(v) *War contract.* The term "war contract" means any contract with the United States, or any agency thereof, or with the government, or any agency thereof, of any country whose defense the President deems vital to the defense of the United States, under the terms of the Lend-Lease Act, for the sale of rubber commodities purchased (a) for the ultimate use of the armed forces of the United States or for lend-lease purposes, or (b) by any government (or agency thereof) of any country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act, or (c) for use in the production or manufacture of any commodity described in (a) or (b).

(b) *Application by a manufacturer based upon an appropriate decrease of other prices*—(1) *Who may receive an adjustment under this paragraph.* Adjustments under this paragraph will be granted only in the case of an essential producer of an essential rubber commodity. The meaning of these terms is explained in paragraph (a) (1) of this section.

(2) *When adjustment may be granted.* The Office of Price Administration, any regional office, or such other offices as may be authorized by order issued by the appropriate regional office, may make an adjustment of the maximum price in any case in which the manufacturer agrees to make and (simultaneously with any increase in the maximum price that may be authorized under this paragraph (b)) makes a reduction in the selling price of other commodities which will equal or exceed the total dollar amount of the adjustment granted under this paragraph.

(3) *What an application under this paragraph must show.* An application for price adjustment under this paragraph (b) shall contain information indicating that the manufacturer is an essential producer of an essential rubber commodity and that if the proposed adjustment is granted, the gross dollar amount of sales of the commodities affected by the adjustment will not be greater than it would have been in the absence of the adjustment. In any case where such an adjustment is granted, the Office of Price Administration will require appropriate reports relating to the commodities affected.

(4) *How the manufacturer proceeds in applying for an adjustment.* An application for adjustment under this paragraph (b) shall be filed in accordance with Revised Procedural Regulation No. 1. If the manufacturer's total sales for the calendar year 1942, or for the fiscal year ending in 1942, exceeded $500,000, the application shall be filed with the Office of Price Administration, Washington, D. C. If the manufacturer's total sales during that period did not exceed $500,000, the application shall be filed with the regional office of the Office of Price Administration located in the same region that the applicant's business is located.

(c) *Application by a manufacturer under a combination of both paragraphs (a) and (b).* A manufacturer who desires to apply for an adjustment under paragraph (b) may, at the time he applies under that paragraph, also apply under paragraph (a), if the facts of his case entitle him to do so. In such case, the office considering his application will give the adjustment available under paragraph (a) before applying paragraph (b).

(d) *Procedural Regulation No. 6[1] superseded.* No application for adjustment filed under Procedural Regulation No. 6 by a manufacturer after June 15, 1944, with respect to rubber commodities will be granted.

(e) *Adjustments for sales by others than manufacturers.* The maximum price for sales of rubber commodities by persons other than manufacturers may be adjusted in an order issued under this section.

2. Section 1315.1568 is added to read as follows:

§ 1315.1568 *Appendix B: Form for application for adjustment of maximum manufacturers' prices of certain rubber commodities*—(a) *Form.*

Form OPA 696-4057

APPROVAL OF THE ADJUSTMENT APPLICATION WAIVED BY BUDGET BUREAU

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON, D. C.

Application for adjustment of maximum prices for rubber commodities under Maximum Price Regulation No. 220

Company name _____
Address _____
(Street) (City) (State)

The following facts are furnished to the Office of Price Administration in support of this application:

SCHEDULE A

1. General description of the company's business.

2. Designate and describe the rubber commodities for which price increase is requested.

3. Present the following information for each product listed in 2 above:
(a) Dollar volume of unfilled orders $_____
(b) Unit volume of unfilled orders. (Indicate unit used) _____

4. Present evidence that the company is an essential producer of an essential rubber commodity.

(a) For each product designated in Item 2 above, fill in the following if you have entered into, or propose to enter into a war contract or subcontract for the sale of that product.
(1) Identification of contract _____
(2) Name of purchaser _____
(3) Address of purchaser _____
(Street) (City) (State)

(b) Present any other information which demonstrates that the manufacturer is an essential producer of an essential rubber commodity.

NOTE: The terms "essential producer", "essential rubber commodity", "war contract" and "subcontract" are defined in the adjustment provisions under which this report is filed, § 1315.1560b of Maximum Price Regulation No. 220.

5. Are similar products manufactured by competitors in your region?_____
(yes or no)
If yes, give names and addresses of competitors and their prices for such products, if the prices are readily available.

SCHEDULE B

Important: Where affiliated interests exist, consolidated statements as well as statements for the subsidiary should be submitted.

Each profit and loss statement must contain a detailed breakdown of cost of goods sold, administrative expense, selling expenses, the total amount of officers' salaries and the number of officers.

1. Financial data 1936–1939 and 1942.

Either submit balance sheets and profit and loss statements for the years 1936–1939, inclusive, and 1942, or fill out Office of Price Administration Financial Report Form A for the same years. The filing of these data is optional, if the same information is available from the Bureau of Internal Revenue. Should the applicant prefer, this information will be requested by the Office of Price Administration directly from the Bureau of Internal Revenue.

2. Financial data, 1943 to date.

Submit a balance sheet for 1943 and profit and loss statements for 1943 and for the most recent accounting periods in 1944. If you have submitted this information on Office of Price Administration Financial Report Forms A and B or have furnished it on a previous application for adjustment of a maximum price, you need not submit it again.

3. Are the salaries and wages of all your employees in compliance with the maximum established by the Office of Economic Stabilization? _____
(Yes or No)
If no, state exceptions.

SCHEDULE C

Unit price and unit cost information

Designation of the rubber commodity: _____

NOTE: If more than one product is involved, prepare and file separate reports on this schedule for each product that you consider necessary to convey an adequate understanding of the situation which gave rise to this application.

1. *Price data*
(a) *Net realized price:*

	Ceiling price 194..	Current price	Requested price
1. (List) (gross) price			
2. Less: Dealer's commissions			
3. Less: Trade discounts			
4. Net realized price			
5. Net realized price at maximum discounts and/or commissions			

(b) *Total sales for the above designated item only:*

	1943	1943	Months ending 1944
Total unit volume of sales			
Total dollar volume of sales (net)			

(c) *Indicate whether the current maximum price is a list or established price, a ... or a formula price...* (Check one).
Price used since _____ 194..
Month

(d) *State on a separate sheet the reasons for the need of the requested price increase.*

2. *Unit cost data:*

	Ceiling date costs 194..	Current date costs 1944
(a) Direct material		
(b) Direct labor		
(c) Factory overhead		
(d) Selling expense (do not include discounts and commissions deducted under price data above)		
(e) Administrative expense		
(f) Freight out, if any		
(g) Installation expense, if any		
(h) Other expense, specify		
(i) Total cost per unit		

(j) What method is used in allocating factory overhead?
1. Standard ( ); Actual ( ); Other ( ); (Check one.)
2. Direct labor cost ( ); Direct labor hours ( ); Machine hours ( ); Other ( ). (Explain separately if "other" or combination.)

_____
(Applicant)
By _____
_____
(Title)

AFFIDAVIT

State of _____ }
County of _____ } ss.

The undersigned _____ being first duly sworn according to law, on oath deposes and says:

That he is the person whose name appears subscribed to the above Application for Adjustment; and that he has read the same and know to his own knowledge that the facts contained therein are true and correct.

_____
(Signature)

Subscribed and sworn to before me this ____ day of _____ 194.. Officer Administering Oath.

(b) *Instructions for completing form.*

INSTRUCTIONS FOR THE USE OF ADJUSTMENT APPLICATION FORM FOR RUBBER COMMODITIES

Schedule C entitled "Unit Price and Cost Information" is subject to the following explanation:

1. *Price data:*

(a) 1. (List) (gross) price:

Please indicate whether the price is a list price or a gross price by crossing out the term that does not apply.

(a) 2. *Dealer's commissions:*

Where all dealers receive the same commission, use the full commission rate even if some sales are not subject to any commission. If several different rates affect the product covered by the application, use the rate that applies to the largest amount of sales.

(a) 3. *Trade discounts.*

Deduct trade discounts prevailing in your company for the product covered by the application.

(b) Use a sufficient number of months prior to the date of the application to give an adequate understanding of the situation. Name the period in the allotted space and fill in commission rates or discounts.

2. *Unit cost data:*

In presenting unit cost data be sure to include only actual cost.

Material cost must represent actual cost. State separately any charges added to costs of materials.

Where standard costs are used, adjust costs for over- and under-absorption during the period to which the costs apply.

The cost data for the ceiling date may be recomputed if the product covered by the application was not manufactured on or about that date. In the recomputation apply the wage rates prevailing in your plant on the ceiling date and material cost of the same date.

Under items (f), (g), and (h) include only costs borne by the manufacturer and not billed separately.

This amendment shall become effective June 15, 1944.

NOTE: All reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8435; Filed, June 10, 1944; 11:37 a. m.]

PART 1340—FUEL

[MPR 120, Amdt. 101]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.*

In § 1340.222 (b) (1) (ii) the date "June 1, 1944," is amended to read "August 1, 1944".

This amendment shall become effective as of June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8426; Filed, June 10, 1944; 11:38 a. m.]

PART 1340—FUEL

[MPR 120,[2] Amdt. 102]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment

[1] 7 F.R. 9619; 8 F.R. 7256.

[1] 7 F.R. 5067, 5664; 8 F.R. 6173, 6174, 12284.

*Copies may be obtained from the Office of Price Administration.

[2] 9 F.R. 4200, 5814.

issued simultaneously herewith has been filed with the Division of the Federal Register.*

In § 1340.225 (b), new subparagraph (6) is added to read as follows:

(6) Mines in Production Group No. 7 located on the Fort Smith and Van Buren Railway may sell straight run of mine coals to the Lone Star Steel Company shipped to its plant at Daingerfield, Texas at no more than 415 cents per net ton f. o. b. mine.

"Straight run of mine" as used in this subparagraph (6) shall mean coal as it comes from the mine and from which no size has been taken and to which no size has been added.

This amendment shall become effective June 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8427; Filed, June 10, 1944; 11:38 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53,[1] Amdt. 22]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Article XVII is amended to read as follows:

ARTICLE XVII—LINSEED OIL SHORTENING AND LINSEED OIL MARGARINE

SEC. 17.1 *Maximum prices.* The maximum prices of linseed oil shortening and linseed oil margarine, f. o. b. producer's plant, shall be the following prices:

	Cents per pound
Linseed oil shortening (produced wholly from linseed oil) in tierces	19.75
Linseed oil margarine (in No. 10 tins)	19.94

This amendment shall become effective June 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of June 1944.

CHESTER BOWLES,
Administrator.

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PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR 540]

MAXIMUM PRICES FOR USED PASSENGER AUTOMOBILES

In the judgment of the Price Administrator, prices of used passenger automobiles have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942, as amended. The Price Administrator has ascertained and given due consideration to the prices of used passenger automobiles prevailing between October 1 and 15, 1941, and has made adjustments for such relevant factors as he has determined to be of general applicability. So far as practicable, the Price Administrator has consulted with and has been advised by representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

§ 1360.652 *Maximum prices for used passenger automobiles.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, Maximum Price Regulation 540 (Maximum Prices for Used Passenger Automobiles), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1360.652 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MPR 540—MAXIMUM PRICES FOR USED PASSENGER AUTOMOBILES

ARTICLE I—SCOPE OF REGULATION AND PROHIBITION

Sec.

1. Applicability of regulation.
2. Prohibition against dealing in used cars at prices above the maximum.
3. Relation to other regulations.
4. Less than maximum prices.

ARTICLE II—MAXIMUM PRICES

5. Maximum prices for used cars.
6. How to find the base price.
7. Warranted used cars.

ARTICLE III—MISCELLANEOUS

8. Federal and state taxes.
9. Evasion.
10. Label or tag to be attached by dealer to used car.
11. Certificate of transfer that must be completed for a sale of a used car.
12. Records and reports.
13. Enforcement.
14. Licensing.
15. Definitions.
16. Petitions for amendment of general applicability.

Appendix A.
Appendix B.
Appendix C.
Appendix D.
Appendix E.
Appendix F.

ARTICLE I—SCOPE OF REGULATION AND PROHIBITION

SECTION 1. *Applicability of this regulation*—(a) *To what sales this regulation applies.* This regulation applies to all sales by dealers and other persons of used passenger automobiles.

(1) *Definition of used passenger automobiles ("used cars").* "Used passenger automobile", (called "used car" in this regulation), means any automobile which has a seating capacity of less than eleven persons and which, irrespective of mileage, has been used for any purpose other than for the purpose of selling it. This definition includes, but is not limited to, taxicabs and station wagons and chassis and bodies for used cars, but does not include 1942 model year cars used as demonstrators, or chassis and bodies of 1942 model year cars used as demonstrators.

(b) *Geographical applicability.* This regulation applies to the forty-eight states of the United States and the District of Columbia, but not to the territories and possessions of the United States.

SEC. 2. *Prohibition against dealing in used cars at prices above the maximum.*

(a) On and after July 10, 1944, regardless of any contract or other obligation, except as provided in paragraphs (b), (c) and (d).

(1) No person shall sell or deliver any used car at a price higher than the maximum price permitted by this regulation; and

(2) No person, in the course of trade or business, shall buy or receive a used car at a price higher than the maximum price permitted by this regulation, but if he, the purchaser, has received from the seller a written statement that the price charged does not exceed the maximum price, and he has no knowledge to the contrary, he shall be deemed to have complied with this subparagraph (2); and

(3) No person shall agree, offer or attempt to do any of the acts prescribed in subparagraphs (1) and (2) of this section.

(b) A war procurement agency as defined in section 15 (d), or any contracting officer thereof, or any country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act, or any government agency of such a country, shall not be subject to the provisions of paragraph (a) (2). Moreover, any war procurement agency contracting officer, with respect to purchases he makes, in his official capacity, of used cars, and any paying finance officer of the United States, with respect to payments he may make, in his official capacity, in connection with purchases of used cars, shall be relieved of any and every liability, civil or criminal, imposed by this regulation or by the Emergency Price Control Act of 1942, as amended.

(c) Nothing in this regulation shall prevent the fulfilment of any written contract for the purchase of a used car whether in the nature of a conditional sales agreement, rental contract providing for purchase or other arrangement, entered into before July 10, 1944, and under which the used car has been delivered prior to July 10, 1944.

(d) Where a promissory note covering payment to a dealer or other seller for a car is discounted by a bank, finance company, or other person and the latter takes possession of the used car after default by the maker of the note, the return of the repossessed used car to the dealer in connection with the recovery from him of the unpaid balance of the note does not constitute a sale, purchase, or transfer subject to the regulation. However, the sale of a repossessed used car by such a holder of "car paper" at public or private sale, except the return of a used car in connection with a contract to repurchase, is subject to the regulation. Notwithstanding the provisions of this paragraph, where a promissory note covering payment to a dealer or other seller for a car is discounted by a bank, finance company, or other person and the latter takes possession of the used car after default by the maker of the note, nothing in this regulation shall prevent the bank, finance company, or other person who discounted the note from selling the used car for an amount not exceeding the unpaid balance on the note, or the applicable maximum price if it is higher, in the case of a used car delivered prior to July 10, 1944, by the dealer to the person making the note.

SEC. 3. *Relation to other regulations*—(a) *In general.* The transactions, persons, and commodities subject to this regulation shall not be subject to any other regulation issued by the Office of Price Administration in so far as they are affected by this regulation, except as provided in paragraphs (b) and (c).

(b) *Exports.* The provisions of this regulation do not apply to the purchase, sale or delivery for export from the Continental United States of a used car. Such a sale, purchase or delivery is covered by the Second Revised Maximum Export Price Regulation.[2]

(c) *Imports.* The provisions of this regulation shall apply to the sale, purchase or delivery of used cars manufactured outside of and imported into the Continental United States only where such used cars are imported from the Dominion of Canada or Mexico. All other sales, purchases or deliveries of imported used cars are subject to the Maximum Import Price Regulation.[3]

SEC. 4. *Less than maximum prices.* Prices lower than maximum prices established by this regulation may be charged and paid.

ARTICLE II—MAXIMUM PRICES

SEC. 5. *Maximum prices for used cars*—(a) *For sales during the six months period beginning on July 10, 1944.* To figure the maximum price of a used car sold during the six months period beginning on July 10, 1944, and ending on January 9, 1945, the seller must

(1) Find the base price according to section 6; and

(2) Add to it the allowance in Appendix D for any piece of equipment listed there which is sold attached to the car; and

(3) If the car is a warranted car (as defined in section 7), add $100.00 or, if it is higher, add 25% of the total of the base price and any equipment allowance.

(b) *For sales after the six months period covered by paragraph (a).* For any car sold after the six months period described in paragraph (a) has expired, the seller must figure the maximum price as in paragraph (a), except that he must subtract from it 4% of the total of the base price and the equipment allowance, if any, for each half year after such six months period up to and including the half year containing the day of sale.

Note that this 4% half year depreciation does not apply to the additional amount allowed under paragraph (a) (3) for a warranted car.

SEC. 6. *How to find the base price.* In figuring his maximum price, the seller shall take as his base price a price found by following the directions given below which apply to the used car he is selling, always using, when he does so, the prices given in Appendix B for the particular region in which the car is located at the time of sale. The regions for which prices are listed in Appendix B and the states included in each region are stated in Appendix A.

(a) *For a complete car listed in Appendix B.* Take the base price listed in Appendix B.

(b) *For a complete car not listed in Appendix B.* (1) If its body and chassis were made by different manufacturers: Take the base price in Appendix B for the most comparable car of the same make, model year, body type, passenger capacity, and wheel base.

(2) If its model year is 1937 or later but its make is not listed in Appendix B: Take the base price in Appendix B for the most comparable car as to model year, body type, passenger capacity, and wheel base.

(3) If its model year is 1936 or before and the make is listed in Appendix B: Take the base price in Appendix B for the 1937 year model of the same make, body type, passenger capacity, and wheel base.

(4) If its model year is 1936 or before and the make is not listed in Appendix B: Take the base price in Appendix B for the 1937 model year of the comparable make and model listed in Appendix C, or if a comparable make or model is not listed in Appendix C, take the base price for the 1937 model year car listed in Appendix B which is most comparable as to body type, passenger capacity, and wheel base.

(c) *For a chassis or body.* (1) If a chassis of a car is sold separately, the base price shall be 70% of the base price established by this section for the complete car.

(2) If the body of a car is sold separately, the base price shall be 30% of the base price established by this section for the complete car.

(d) *For a complete car consisting of a used chassis and a new body.* When a seller sells a complete car consisting of a new body attached to a used chassis, the base price shall be

(1) The base price for the used chassis as established by this section, plus

(2) The price of the new body under the applicable maximum price regulation.

SEC. 7. *Warranted used cars.* (a) *Definition.* A warranted used car is one in good operating condition for which the dealer furnishes to the purchaser the following warranty in writing:

DEALER'S WARRANTY

The used car described below is hereby warranted to be in good operating condition, and to remain in such condition under normal use and service for a period of 30 days after delivery, or 1,000 miles, whichever may first occur.

We agree, if said car is delivered during the above period to our place of business, to make with reasonable promptness any repairs or replacements, which may be necessary to its good operating condition in accordance with normal use and service, at a cost to the purchaser named below of not more than 50% of the normal charge for such repairs and replacements. Our normal charge is not in excess of OPA ceilings.

This warranty does not extend to tires, tubes, paint, glass, upholstery, or to any repairs or replacements made necessary by misuse, negligence or accident.

Make of used car_____
Model_____
Serial number_____ Body type_____
Motor number_____ Date of delivery_____
Speedometer reading_____ Total selling price_____
Name of purchaser_____ Name of dealer making sale (per)_____
Address_____ Name of proper representative thereof and title_____
Address_____

(b) *Additional warranties by dealer.* A dealer may extend to the purchaser warranties in addition to those provided in the warranty stated in paragraph (a), but this shall be done in a warranty separate and in addition to the warranty provided in paragraph (a), and the maximum price established by section 5 shall not be increased thereby.

(c) *Purchaser's legal remedies for dealer's failure to perform obligations of warranty.* The nature of a purchaser's legal remedies for the breach of a dealer's warranty, which are those existing under the applicable state law, is not changed by this regulation.

ARTICLE III—MISCELLANEOUS

SEC. 8. *Federal and state taxes.* There may be added to the maximum price for the sale of any used car the amount of any Federal, State, county or municipal tax upon, or incident to, the particular sale, or delivery or processing in connection with such sale. There may also be added to this maximum price the amount of any Federal, State, county or municipal tax on the use of such car which applies to any unexpired part of the period the tax covers. The amount of such taxes must be included in the certificate of transfer required under section 11. Any taxes paid on the car or extra equipment when new are not to be added to, or included in, the maximum price under this section.

SEC. 9. *Evasion.* It shall be a violation of this regulation to charge a price above the applicable maximum price in connec-

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5042, 5375, 5587, 5826, 5915.

[2] 8 F.R. 4132, 5987.

[3] 8 F.R. 4132, 5987, 7662, 9998.

tion with any sale of a used car, either alone or in conjunction with any other consideration even though the price increase appears only indirectly. Specifically, the seller is not permitted to require the purchaser, as a condition of the sale or transfer of the car, to make payment over a period of time; to require him to finance the purchase through any particular lending agency; to require him to purchase any equipment, accessories, repairs, parts or services so as to increase the total compensation above the maximum price; to require him to purchase any other commodity or service; or to require him to make payment in whole or in part by exchanging or transferring or trading in any other vehicle or other product or commodity, or where there is an exchange, transfer or trade-in, to require him to accept an allowance for the vehicle, product or commodity exchanged, transferred or traded in which is below its reasonable value. Furthermore, the seller is prohibited from providing for purchase of the used car by a lessee under a rental contract at an agreed valuation which together with the amount paid for the rental is higher than the applicable maximum price at the time the rental contract is entered into, and from making the terms and conditions of sale more onerous to purchasers than they have customarily been except to the extent allowed by this regulation. However, the Office of Price Administration may upon written request grant written permission to any dealer subject to this regulation to change his credit terms, where such change is necessitated by orders issued by, or at the request of, the United States.

SEC. 10. *Label or tag to be attached by dealer to a used car.* Every dealer offering a used car for sale shall attach to it in a conspicuous place a label or tag not smaller than 4" x 8" in the form set forth in Appendix E, on which shall be set forth legibly all of the information called for in Appendix E.

SEC. 11. *Certificate of transfer that must be completed for a sale of a used car.* Every person when he sells or purchases a used car shall complete a certificate of transfer, Appendix F, which may be obtained from dealers or from the local War Price and Rationing Board. When the used car has been sold, the seller shall insert the details of the sale on the certificate and both the seller and purchaser shall certify on the certificate that they have complied with this regulation and that the selling price was not above the maximum established by the regulation. The completed certificate shall be delivered to the purchaser who shall turn it in to his local War Price and Rationing Board. Any misrepresentation in connection with the certificate shall be subject to the penalties provided by the applicable statutes of the United States. This section shall not be applicable to sales when made to dealers.

SEC. 12. *Records and reports.* Every person who sells a used car shall, so long as the Emergency Price Control Act of 1942, as amended, remains in effect, keep and make available for examination by the Office of Price Administration records customarily kept in connection with the sale of a used car, and a copy of the warranty, if any, furnished in accordance with section 7.

SEC. 13. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, proceedings for suspension of licenses, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 14. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 15. *Definitions.* When used in this regulation, the term:

(a) "Person" includes an individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(b) "Dealer" means a person engaged, in whole or in part, in the business of buying, selling, repairing and reconditioning used cars and who maintains a place of business for the display, sale, repairing and reconditioning of such cars. A person who cannot qualify as a dealer because he does not maintain a place for repairing and reconditioning may be approved in writing as a dealer under this regulation by the Office of Price Administration regional office for the region in which his place of business is located, or a district office in that region authorized by such regional office, if he provides adequate evidence to that office that he has established, and is in a financial position to maintain, a working arrangement with a reputable business engaged in the repairing and reconditioning of used cars.

(c) "Sale" includes sales, dispositions, exchanges, and other transfers and contracts and offers to do any of the foregoing. It includes conditional sales and sales under rental contracts, lease agreements or other agreements. It also includes transfers by banks, finance companies, or other persons discounting promissory notes following the taking of possession by such persons upon default of the person making such promissory notes. The term "sale" does not refer to the adjustment of losses made in connection with settlements of claims under policies of insurance against fire, theft, collision, other loss of property or other coverage, even though the right of subrogation may be involved. The terms "sale", "seller", "selling", "purchase", "purchaser" and "purchasing" shall be construed accordingly.

(d) "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, the Lend-Lease Section of the Procurement Division of the Treasury Department, and the following subsidiaries of the Reconstruction Finance Corporation: Rubber Reserve Corporation, Metals Reserve Corporation, Defense Plant Corporation, and Defense Supplies Corporation, or any agency of any of the foregoing.

SEC. 16. *Petitions for amendment of general applicability.* Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 [8] issued by the Office of Price Administration.

APPENDIX A—REGIONS FOR WHICH BASE PRICES ARE LISTED IN APPENDIX B AND STATES INCLUDED IN SUCH REGIONS

Region A: Alabama, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin.

Region B: Arkansas, Colorado, Idaho, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, and Wyoming.

Region C: Arizona, California, Nevada, Oregon, and Washington.

APPENDIX B—TABLES OF "BASE PRICES"

LIST OF ABBREVIATIONS

A/S—Auxiliary seat.
A/W—All weather.
Bus—Business.
Comb—Combination.
Comp—Compartment.
Cont—Continental.
Conv—Convertible.
Cur—Curtain.
Div—Division.
Dr—Door.
F/B—Fast back.
F/W—Full-width rear seat.
Holyd—Hollywood.
LeB—LeBaron.
N/C—Non collapsible.
Nos—Numbers.
O/S—Opera seats.
P Top—Power top.
Riv—Riverside.
S/C—Semi-collapsible.
SE—Super equipped.
S/L—Streamlined.
S/S—Self shifter.
Tk—Trunk.
Tour—Touring.
2W, 5W—2 window, 5 window.
W/P—With partition.
Wilby—Willoughby.

(1) AMERICAN BANTAM

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1940—4—Series 65; Serial Nos. 65-500 and up:			
Standard Coupe—2	$320	$355	$390
Master Coupe—2	360	400	440
Conv. Coupe—2	425	470	515
Master Roadster—2	360	400	440
Conv. Sedan—4	440	490	535
Station Wagon	455	505	550
Conv. Coupe Holyd.—2	455	505	550
Speedster—4	455	505	550
Conv. Sedan Riv.—4	465	515	560
1939—4—Series 62; Serial Nos. 62-001 to 62-999:			
Standard Roadster—2	295	335	375
Special Roadster—2	310	355	400
Deluxe Roadster—2	345	390	435
Standard Coupe—2	290	295	330
Special Coupe—2	285	325	365
Sunair Coupe—2	310	355	400
Deluxe Coupe—2	305	350	390
Speedster—4	325	370	415
Deluxe Speedster—4	360	410	455
Station wagon	370	420	470
1938—4—Series 60—Serial Nos. 60-001 to 61-999:			
Special Roadster—2	235	285	330
Standard Roadster—2	250	305	350
Deluxe Roadster—2	275	330	385
Business Coupe—2	210	255	295
Standard Coupe—2	210	255	295
Master Coupe—2	230	280	320
Deluxe Coupe—2	245	295	345
Speedster—4	290	315	365
Station Wagon	295	360	415
1937—4—Series 575—Bantam; Serial Nos. B10000 and up; Motor Nos. E21000 and up:			
Roadster—2	190	235	275
Roadster Custom—2	220	270	320
Business Coupe—2	165	205	240
Standard Coupe—2	180	220	260
Deluxe Coupe	190	235	275

(2) BUICK

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1942—8—Series 40—Special; Serial Nos. 14257442 to 14364444, 24273684 to 24313644, 34263684 to 34317140, 4457941 A to 4556599; Motor Nos. 4457941 to 4-4556599:			
Utility Coupe—3—44	$1,105	$1,140	$1,180
Conv. Coupe F/W—6—44C	1,395	1,435	1,470
Business Sedanet—3—48	1,125	1,165	1,205
Family Sedanet—6—48S	1,165	1,200	1,240
Tour. Sedan, 4 Dr.—6—47	1,200	1,240	1,280
Series 40-B:			
Business Sedanet—3—46	1,135	1,175	1,215
Family Sedanet—6—46S	1,195	1,235	1,275
SE Family Sedanet—6—46SE	1,255	1,295	1,335
Tour. Sedan, 4 Dr.—6—41	1,245	1,280	1,320
SE Tour. Sedan, 4 Dr.—6—41SE	1,330	1,370	1,405
Estate Wagon—6—49	1,600	1,640	1,675
1942—8—series 50—super; Serial Nos. 14257442 to 14364444, 24273684 to 24313644, 34263684 to 34317140, 4457941 A to 4556599; Motor Nos. 4457941 to 5-4556599:			
Conv. Coupe F/W—6—56C	1,600	1,640	1,675
Sedanet F/W—6—56S	1,365	1,400	1,440
Tour. Sedan, 4 Dr.—6—51	1,415	1,455	1,495
1942—8—series 60—century; Serial Nos. 14257442 to 14364444, 24273684 to 24313644, 34263684 to 34317140, 4457941 A to 4556599; Motor Nos. 4457941 to 6-4556599:			
Sedanet F/W—6—66S	1,440	1,475	1,515
Tour. Sedan, 4 Dr.—6—61	1,490	1,530	1,570
1942—8—Series 70—Roadmaster; Serial Nos. 14257442 to 14364444, 24273684 to 24313644, 34263684 to 34317140, 4457941 A to 4556599; Motor Nos. 4457941 to 7-4556599:			
Conv. Coupe F/W—6—76C	1,840	1,880	1,915
Sedanet F/W—6—76S	1,540	1,580	1,615
Tour. Sedan, 4 Dr.—6—71	1,615	1,655	1,690
1942—8—Series 90—Limited; Serial Nos. 14257442 to 14364444, 24273684 to 24313644, 34263684 to 34317140, 4457941 A to 4556599; Motor Nos. 4457941 to 9-4556599:			
Tour. Sedan, 4 Dr.—6—91	2,450	2,485	2,525
Tour. Sedan, 4 Dr. A/S—8—90	2,655	2,700	2,740
Formal Sedan—6—91F	2,610	2,650	2,690
Limousine A/S—8—90L	2,770	2,810	2,850
1941—8—Series 40A—Special; Serial Nos. 14064652 to 14257441, 23694170 to 24245877, 34007924 to 34253683; Motor Nos. A 4074859 to A 4457940:			
Business Coupe—3—44	$955	$1,010	$1,060
Conv. Coupe F/W—6—44C	1,180	1,245	1,310
Sport Coupe F/W—6—44S	1,610	1,065	1,120
Tour. Sedan, 4 Dr.—6—47	1,055	1,110	1,170
1941—8—Series 40—Special; Serial Nos. 13880012 to 14257441, 23892008 to 24245877, 33897008 to 34253683; Motor Nos. 44074859 to 4-4457940:			
Business Coupe—3—46	980	1,030	1,085
Sedanet F/W—6—46S	1,040	1,095	1,150
Sedanet F/W—6—46 SE	1,096	1,160	1,220
Tour. Sedan, 4 Dr.—6—41	1,085	1,145	1,205
Tour. Sedan, 4 Dr.—6—41SE	1,175	1,240	1,305
Estate Wagon—49	1,415	1,490	1,570
1941—8—Series 50—Super; Serial Nos. 13880012 to 14257441, 23892008 to 24245877, 33897008 to 34253683; Motor Nos. 54074859 to 5-4457940:			
Conv. phaeton, 4 Dr.—6—51C	1,610	1,700	1,785
Business coupe—3—55	1,055	1,110	1,170
Conv. coupe F/W—6—56C	1,305	1,375	1,450
Sport coupe F/W—6—56S	1,140	1,205	1,265
Tour. sedan, F. Dr.—6—51	1,215	1,285	1,350
1941—8—Series 60—Century; Serial Nos. 13880012 to 14257441, 23892008 to 24245877, 33897008 to 34253683; Motor Nos. 64068000 to 6-4453868:			
Business coupe—3—66	1,220	1,295	1,365
Sedanet F/W—6—66S	1,275	1,350	1,420
Tour. sedan, 4 Dr.—6—61	1,325	1,400	1,470
1941—8 — Series 70— Roadmaster; Serial Nos. 13880012 to 14257441, 23892008 to 24244877, 33897008 to 34253683; Motor Nos. 74068000 to 7-4453863:			
Conv. Phaeton 4 Dr.—6—71C	1,830	1,920	2,030
Conv. Coupe F/W—6—76C	1,490	1,570	1,655
Sport Coupe F/W—6—76S	1,305	1,375	1,450
Tour. Sedan, 4 Dr.—6—71	1,390	1,470	1,545
1941 —8 — Series 90; — Limited; Serial Nos. 13880012 to 14257441, 23892008 to 24245877, 33897008 to 34253683; Motor Nos. 94068000 to 9-4453893.			
Tour. Sedan, 4 Dr.—6—91	2,220	2,355	2,475
Tour. Sedan, 4 Dr. A/S—8—90	2,450	2,585	2,720
Formal Sedan—6—91 F	2,395	2,525	2,660
Limousine A/S—8—90 L	2,560	2,700	2,840
1940—8—Series 40—Special; Serial Nos. 13596807 to 13880011, 23601856 to 23871217, 33611856 to 33874783; Motor Nos. 4—3786314 to 44074857:			
Conv. sport phaeton—5—41C	1,155	1,285	1,400
Business coupe—2—46	765	850	925
Sport coupe F/W—5—46S	905	995	975
Conv. coupe F/W—5—46C	915	1,015	1,110
Tour. sedan, Tk, 2 Dr.—5—48	894	900	980
Tour. sedan Tk, 4 Dr.—5—41	845	940	1,025
1940—8—Series 50—Super; Serial Nos. 13596807 to 13880011, 23601856 to 23871217, 33611856 to 33874783; Motor Nos. 5-3786314 to 54074857:			
Conv. Sport Phaeton—5—51C	1,315	1,460	1,595
Sport Coupe F/W—5—56S	880	965	1,075
Conv. Coupe—5—56C	1,020	1,135	1,240
Tour. Sedan Tk, 4 Dr.—6—51	920	1,035	1,120
Estate Wagon—5—59	1,050	1,165	1,270
1940—8—Series 60—Century; Serial Nos. 13596807 to 13880011, 23601856 to 23871217, 33611856 to 33874783; Motor Nos. 6-3812000 to 64074858:			
Conv. Sport Phaeton Tk—5—61C	1,375	1,530	1,670
Business Coupe—5—65	950	1,055	1,150
Sport Coupe—5—66S	990	1,100	1,200
Conv. Coupe F/W—5—66C	1,125	1,255	1,380
Tour. Sedan Tk, 4 Dr.—5—61	1,020	1,135	1,240
1940—8 — Series 70— Roadmaster; Serial Nos. 13596807 to 13880011, 23601856 to 23871217, 33611856 to 33874783; Motor Nos. 7-3812000 to 74074858:			
Conv. Sport Phaeton—5—71C	1,495	1,660	1,810
Sport Coupe F/W—5—76S	1,065	1,185	1,295
Conv. Coupe—5—76C	1,200	1,335	1,455
Tour. Sedan Tk, 4 Dr.—5—71	1,135	1,265	1,380
1940—8—Series 80—Limited; Serial Nos. 13596807 to 13880011, 23601856 to 23871217, 33611856 to 33874783; Motor Nos. 8-3812000 to 84074858:			
S/L Conv. Sport Phaeton—5—80C	1,655	1,840	2,005
Conv. Sport Phaeton Tk—5—81C	1,665	1,840	2,005
Tour. Sedan Tk, 4 Dr.—5—81	1,305	1,480	1,595

(2) BUICK

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1940—8—Series 50—Limited—Con. S/L Sport Sedan, 4 Dr.—5—87	$1,305	$1,460	$1,565
Formal Sedan Tk—5—81F	1,455	1,620	1,770
S/L Formal Sedan—5—87F	1,455	1,620	1,770
1940—8—Series 90—Limited; Serial Nos. 13596807 to 13880011, 23601856 to 23871217, 33611856 to 33874783; Motor Nos. 9-3812000 to 94074858:			
Tour. Sedan Tk, 4 Dr.—5—91	1,645	1,830	1,995
Tour. Sedan Tk, 4 Dr. A/S—5—90	1,780	1,975	2,155
Limousine TK A/S—8—90L	1,865	2,075	2,265
1939—8—Series 40—Special; Serial Nos. 13388547 to 13479236, 23396088 to 23403962, 33405088 to 33448272; Motor Nos. 4-3572652 to 43786213:			
Conv. Sport Phaeton Tk.—5—41C	970	1,105	1,240
Business Coupe—2—46	610	695	780
Sport Coupe—4—46S	740	845	930
Conv. Coupe—4—46C	655	745	835
Tour. Sedan Tk, 2 Dr.—5—48	680	775	870
Tour. Sedan Tk, 4 Dr.—5—41			
1939—8—Series 60—Century; Serial Nos. 13388547 to 13479236, 23396088 to 23403962, 33405088 to 33448272; Motor Nos. 6-3576652 to 63755912:			
Conv. Sport Phaeton Tk.—5—61C	1,180	1,345	1,505
Sport Coupe O/S—4—66S	800	910	1,025
Conv. Coupe O/S—4—66C	930	1,060	1,175
Tour. Sedan Tk, 2 Dr.—5—68	825	935	1,050
Tour. Sedan Tk, 4 Dr.—5—61	850	970	1,090
1939—8—Series 80—Readmaster; Serial Nos. 13388547 to 13479236, 23395088 to 23403962, 33405088 to 33448272; Motor Nos. 8-3576652 to 8-3755912:			
Sport Phaeton, 4 Dr.—6—80C	1,365	1,555	1,745
Sport Phaeton, Tk, 4 Dr.—6—81C	1,365	1,555	1,745
Tour. Sedan Tk, 4 Dr.—6—81	1,055	1,205	1,350
Sport Sedan—6—87	1,055	1,205	1,350
Formal Sedan Tk—6—81F	1,210	1,375	1,545
1939—8—Series 90—Limited; Serial Nos. 13388547 to 13479236, 23395088 to 23403962, 33405088 to 33448272; Motor Nos. 9-3576652 to 9-3755912:			
Tour. Sedan Tk, 4 Dr.—6—91	1,425	1,620	1,820
Tour. Sedan Tk—8—90	1,620	1,845	2,065
Limousine Tk—8—90L	1,660	1,925	2,160
1938—8—Series 40—Special: Serial Nos. 13219648 to 13388546, 23238767 to 23396843, 33245765 to 33376263; Motor Nos. 43396937 to 43572651:			
Conv. Phaeton—5—40 C	780	945	1,090
Business Coupe—2—46 S	620	630	725
Sport Coupe O/S—4—46 S	555	665	770
Conv. Coupe—4—46 C	610	725	855
Sport Sedan Tk, 2 Dr.—5—44	540	655	755
Tour. Sedan Tk, 2 Dr.—5—48	555	670	775
Sport Sedan, 4 Dr.—5—47	565	680	790
Tour. Sedan Tk, 4 Dr.—5—41	580	700	810
1938—8—Series 60—Century; Serial Nos. 13219648 to 13388546, 23238767 to 23396843, 33245765 to 33376263; Motor Nos. 63396937 to 63544292:			
Conv. Phaeton—5—60 C	950	1,145	1,325
Sport Coupe C/S—4—66 S	675	815	940
Conv. Coupe—4—66 C	780	905	1,045
Tour. Sedan Tk, 2 Dr.—5—65	690	835	965
Sport Sedan, 4 Dr.—5—67	700	845	980
Tour. Sedan Tk, 4 Dr.—5—61	715	865	1,000
1938—8—Series 90—Roadmaster; Serial Nos. 13219648 to 13388546, 23238767 to 23396843, 33245765 to 33376263; Motor Nos. 83396937 to 83544292:			
Conv. Phaeton Tk—5—80 C	1,100	1,330	1,535
Tour. Sedan Tk, 4 Dr.—6—81	910	1,100	1,270
Sport Sedan—6—87	910	1,100	1,270
Formal Sedan—6—81 F	975	1,175	1,360
1938—8—Series 90—Limited; Serial Nos. 13219648 to 13388546, 23238767 to 23396843, 33245765 to 33376263; Motor Nos. 93396937 to 93545292:			
Tour. Sedan Tk 4 dr.—6—91	1,205	1,455	1,665
Tour. Sedan Tk—8—90	1,305	1,575	1,820
Limousine Tk—8—90 L	1,360	1,645	1,900
1937—8—Series 40—Special; Serial Nos. 2999497 to 3219847; Motor Nos. 4-3186225 to 43396936:			
Conv. Phaeton—5—40c	561	690	815

[8] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173.

(2) Buick

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1937—8—Series 40—Con.			
Business Coupe—2—46	$375	$460	$545
Sport Coupe—4—46 S	405	495	580
Conv. Coupe—4—46 C	445	545	645
Sedan, 2 Dr.—5—44	400	490	575
Tour. Sedan Tk, 2 Dr.—5—48	410	505	595
Sedan, 4 Dr.—5—47	415	510	600
Tour. Sedan Tk. 4 Dr.—5—41	430	526	620
1937—8—Series 60—Century; Serial Nos. 2990497 to 3219847; Motor Nos. 6-3176325 to 6-3306036:			
Conv. Phaeton—5—60 C	660	810	960
Sport Coupe—4—66 S	500	610	725
Conv. Coupe—4—66 C	540	660	780
Sedan, 2 Dr.—5—64	490	600	710
Tour. Sedan Tk, 2 Dr.—5—68	505	615	730
Sedan, 4 Dr.—5—67	510	625	735
Tour. Sedan Tk, 4 Dr.—5—61	520	640	755
1937—8—Series 80—Roadmaster; Serial Nos. 2990497 to 3219847; Motor Nos. 8-3176225 to 83306036:			
Conv. Phaeton Tk—6-80C	770	940	1,115
Sedan Tk, 4 Dr.—6-81	625	765	905
Formal Sedan—6—81 F	685	840	990
1937—8—Series 90—Limited; Serial Nos. 2990497 to 3219847; Motor Nos. 9-3176225 to 93306036:			
Sedan Tk, 4 Dr.—6-91	845	1,035	1,225
Formal Sedan Tk, 4 Dr.—6-91F	930	1,140	1,345
Sedan Tk—8-90	930	1,140	1,345
Limousine Tk—8-90L	980	1,200	1,420

(3) Cadillac

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1942—8 Series—61; Serial Nos. 5380001 to 5385237; 5390001 to 5396463:			
Club Coupe—5-6107	$1,565	$1,600	$1,640
Sedan, 4 Dr.—5-6109	1,650	1,685	1,725
1942—8 Series—62; Serial Nos. 8380001 to 8384401; 8390001 to 8396880:			
Club Coupe—5-6207	1,665	1,700	1,740
Deluxe Club Coupe—5-6207D	1,750	1,790	1,830
Sedan, 4 Dr.—5-6269	1,750	1,790	1,830
Deluxe Sedan, 4 Dr.—5-6269D	1,835	1,870	1,910
Club Conv. Coupe—5-6267D	2,020	2,055	2,095
1942—8 Series—63; Serial Nos. 7380001 to 7381500; 7390001 to 7396250:			
Sedan, 4 Dr.—5-6319	1,875	1,915	1,950
1942—8 Series—60—Fleetwood; Serial Nos. 6380001 to 6381500, 6390001 to 6396375; Special:			
Sedan, 4 Dr.—5-6069	2,425	2,460	2,500
Sedan (Div.), 4 Dr.—5-6069F	2,580	2,615	2,655
1942—8 Series—67; Serial Nos. 9380001 to 9380530; 9390001 to 9396180:			
Sedan—5-6719	2,880	2,920	2,955
Sedan (Div.)—5-6719F	3,030	3,070	3,105
Sedan—7-6723	3,030	3,070	3,105
Imperial Sedan—7-6733	3,190	3,225	3,265
1942—8 Series—75—Fleetwood; Serial Nos. 3380001 to 3381200, 3390001 to 3396327:			
Sedan—5-7519	3,280	3,320	3,355
Sedan (Div.)—5-7519F	3,435	3,475	3,515
Business Sedan—9-7523L	3,125	3,165	3,205
Imperial Business Sedan—9-7533L	3,280	3,320	3,355
Sedan—7-7523	3,435	3,475	3,515
Imperial Sedan—7-7533	3,590	3,625	3,665
Formal Sedan—5-7559	4,310	4,345	4,385
Formal Sedan—7-7533F	4,460	4,500	4,540
1941—V8—Series 62; Serial Nos. 8340001 to 8364734:			
Coupe—4-6227	1,470	1,580	1,630
Deluxe Coupe—2-4-6227D	1,580	1,645	1,730
Deluxe Conv. Coupe—2-4-6267D	1,710	1,800	1,895
Tour. Sedan—5-6219	1,545	1,630	1,715
Deluxe Tour. Sedan—5-6219D	1,640	1,735	1,825
Deluxe Conv. Sedan—5-6229D	2,045	2,160	2,270
1941—V8—Series 61; Serial Nos. 5340001 to 5369268:			
Coupe—5-6127	1,390	1,470	1,545
Deluxe Coupe—5-6127D	1,490	1,570	1,655
Tour. Sedan—5-6109	1,400	1,580	1,660
Deluxe Tour. Sedan—5-6109D	1,595	1,680	1,770
1941—V8—Series 63; Serial Nos. 7340001 to 7345050:			
Tour.Sedan—5-6319	1,780	1,880	1,945
1941—V8—60—Fleetwood; Serial Nos. 6340001 to 6344101; Special:			
Tour. Sedan—5-6019	2,275	2,400	2,535
Tour. Sedan (Div.)—6019F	2,440	2,570	2,705
1941—V8—67; Serial Nos. 9340001 to 9340922:			
Tour. Sedan—5-6719	2,695	2,845	2,980
Tour. Sedan (Div.)—5-6719F	2,860	3,015	3,170

(3) Cadillac

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1941—V8—67—Con.			
Tour. Sedan—7-6723	$2,845	$3,005	$3,160
Tour. Imperial Sedan—7-6733	3,010	3,175	3,340
1941—V8—Series 75—Fleetwood; Serial Nos. 3340001 to 3342104:			
Tour. Sedan—5-7519	3,115	3,285	3,455
Tour. Sedan (Div.)—5-7519F	3,275	3,460	3,640
Business Sedan—9-7523L	3,005	3,170	3,335
Business Imperial Sedan—9-7533L	3,170	3,345	3,515
Tour. Sedan—7-7523	3,285	3,445	3,635
Tour. Imperial Sedan—7-7533	3,420	3,620	3,805
Formal Sedan—5-7559	4,095	4,320	4,545
Formal Sedan—7-7533F	4,225	4,460	4,690
1940—V8—Series 60S; Serial Nos. 6320001 to 6324600:			
Tour. Sedan, 4 Dr.—5-6019S	1,780	1,975	2,155
Tour. Sedan (Div.)—5-6019FS	1,980	2,115	2,310
Town Car—5-6053MB	2,980	3,315	3,615
Town Car—5-6053LB	3,295	3,665	4,000
1940—V8—Series 62; Serial Nos. 8320001 to 8325903:			
Coupe—2-4-6227	1,430	1,590	1,735
Conv. Coupe—2-4-6267	1,530	1,700	1,855
Tour. Sedan, 4 Dr.—5-6219	1,485	1,650	1,800
Conv. Sedan—5-6229	1,875	2,085	2,275
1940—V8—Series 72—Fleetwood; Serial Nos. 7320001 to 7321926:			
Tour. Sedan, 4 Dr.—5-7219	2,275	2,530	2,760
Tour. Sedan (Div.)—5-7219F	2,240	2,600	2,835
Tour. Sedan—7-7223	2,375	2,640	2,880
Tour. Imperial Sedan—7233	2,490	2,770	2,980
Tour. Sedan—7-7223L	2,295	2,550	2,785
Tour. Imperial Sedan—7233L	2,410	2,680	2,925
Formal Sedan—5-7259	3,170	3,525	3,845
Formal Sedan—7233F	3,170	3,525	3,845
40—V8—Series 75—Fleetwood; Serial Nos. 3320001 to 3320956:			
Coupe—2-4-7557	2,800	3,115	3,400
Coupe—5-7557B	2,890	3,215	3,505
Conv. Coupe—2-4-7567	2,890	3,215	3,505
Tour. Sedan—5-7519	2,580	2,840	3,095
Tour. Sedan (Div.)—5-7519F	2,695	2,995	3,270
Town Sedan—5-7539	3,115	3,460	3,775
Conv. Sedan Tk—5-7529	3,380	3,760	4,100
Formal Sedan Tk—5-7559	3,425	3,810	4,155
Formal Sedan Tk—7-7533F	3,425	3,810	4,155
Tour. Sedan—7-7523	2,740	3,045	3,325
Tour. Imperial Sedan—7-7533	2,870	3,195	3,485
Town Car Tk—7-7553	4,405	4,900	5,345
1940—V16—Series 90; Serial Nos. 5320001 to 5320061:			
Coupe—2-4-9057	4,580	5,095	5,560
Conv. Coupe—2-4-9067	4,670	5,195	5,665
Coupe—5—9057B	4,670	5,195	5,665
Tour. Sedan—5-9019	4,410	4,905	5,350
Tour. Sedan (Div.)—5-9019F	4,475	4,975	5,430
Town Sedan Tk—5-9039	4,895	5,440	5,935
Tour. Sedan—7—9023	4,520	5,025	5,485
Tour. Imperial Sedan—7-9033	4,650	5,175	5,645
Formal Sedan Tk—5-9059	5,205	5,790	6,315
Formal Sedan Tk—7-9033F	5,205	5,790	6,315
Town Car Tk—7-9053	6,195	6,890	7,515
Conv. Sedan Tk—5-9029	5,160	5,740	6,260
1939—V8—Series 61; Serial Nos. 8290001 to 8295904:			
Coupe—2-4-6127	1,105	1,265	1,410
Conv. Coupe—2-4-6167	1,215	1,385	1,550
Tour. Sedan—5-6199	1,150	1,310	1,470
Conv. Sedan Tk—5-6129	1,500	1,710	1,915
1939—V8—Series 60S; Serial Nos. 6290001 to 6295506:			
Tour. Sedan—5-6019	1,440	1,640	1,835
1939—V8—Series 75—Fleetwood: Serial Nos. 3290001 to 3292069:			
Coupe—2-4-7557	2,265	2,580	2,895
Coupe—5-7557B	2,340	2,665	2,985
Conv. Coupe—2-4-7567	2,340	2,665	2,985
Tour. Sedan—5-7519	2,085	2,380	2,640
Tour. Sedan (Div.)—5-7519F	2,180	2,485	2,785
Town Sedan Tk—5-7539	2,520	2,870	3,215
Conv. Sedan Tk—5-7529	2,735	3,115	3,495
Formal Sedan Tk—5-7559	2,770	3,155	3,540
Formal Sedan Tk—7-7533F	2,770	3,155	3,540
Tour. Sedan—7-7523	2,215	2,525	2,830
Tour. Imperial Sedan—7-7533	2,325	2,645	2,970
Business Tour. Sedan—7-7523L	2,145	2,440	2,740
Tour. Imperial Sedan—8-7533L	2,250	2,565	2,875
Town Car Tk—7-7553	3,560	4,055	4,550
1939—V16—Series 90—Fleetwood; Serial Nos. 5290001 to 5290136:			
Coupe 2-4-9057	3,705	4,220	4,735
Conv. Coupe 2-4-9067	3,780	4,305	4,835
Coupe—5-9057B	3,780	4,305	4,835
Tour. Sedan—5-9019	3,565	4,060	4,555
Town Sedan Tk—5-9039	3,960	4,520	5,065
Conv. Sedan Tk—5-9029	4,175	4,755	5,335
Tour. Sedan (Div.)—5-9019F	3,630	4,125	4,635
Tour. Sedan—7-9023	3,655	4,165	4,670
Tour. Imperial Sedan—9033	3,765	4,285	4,810
Formal Sedan Tk—5-9059	4,210	4,795	5,380
Formal Sedan Tk—7-9033F	4,210	4,795	5,380
Town Car Tk—7-9053	5,000	5,695	6,390

(3) Cadillac

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1938—V8—Series 60; Serial Nos. 8270001 to 8272052:			
Coupe—2-6127	$940	$1,135	$1,310
Conv. Coupe—2-6167	1,005	1,215	1,405
Tour. Sedan—5-6119	985	1,190	1,375
Conv. Sedan—5-6149	1,235	1,490	1,725
1938—V8—Series 60—Special; Serial Nos. 6270001 to 6273704:			
Tour. Sedan—5-6019S	1,160	1,400	1,620
1938—V8—Series 65; Serial Nos. 7270001 to 7271476:			
Tour. Sedan—5-6519	1,270	1,530	1,770
Tour. Sedan (Div.)—5-6519F	1,310	1,580	1,830
Conv. Sedan—5-6549	1,450	1,750	2,025
1938—V8—Series 75—Fleetwood; Serial Nos. 3270001 to 3271911:			
Coupe—2-7557	1,825	2,205	2,550
Coupe—2-7557B	1,885	2,275	2,630
Conv. Coupe—2-7567	1,885	2,275	2,630
Tour. Sedan—5-7519	1,715	2,065	2,390
Tour. Sedan (Div.)—5-7519F	1,755	2,120	2,450
Town Sedan—5-7539	2,030	2,450	2,835
Conv. Sedan Tk—5-7529	2,205	2,660	3,075
Formal Sedan—5-7559	2,230	2,695	3,115
Formal Sedan—7-7533F	2,230	2,695	3,115
Tour. Sedan—7-7523	1,785	2,155	2,495
Tour. Imperial Sedan—7-7533	1,875	2,260	2,615
Tour. Sedan—8-7523L	1,730	2,085	2,410
Tour. Imperial Sedan—8-7533L	1,815	2,190	2,535
Town Car—7-7553	2,870	3,465	4,005
1938—V16—Series 90—Fleetwood; Serial Nos. 5270001 to 5270315:			
Coupe—2-9057	2,985	3,605	4,170
Conv. Coupe—2-9067	3,045	3,675	4,250
Coupe—5-9057B	3,045	3,675	4,250
Tour. Sedan—5-9019	2,875	3,465	4,010
Town Sedan—5-9039	3,190	3,850	4,455
Conv. Sedan TK—5-9029	3,365	4,060	4,695
Tour. Sedan (Div.)—5-9019F	2,915	3,520	4,070
Tour. Sedan—7-9023	2,945	3,555	4,115
Tour. Imperial Sedan—7-9033	3,035	3,660	4,235
Formal Sedan—5-9059	3,390	4,095	4,735
Formal Sedan TK—7-9033F	3,390	4,095	4,735
Town Car—7-9053	4,030	4,865	5,625
1937—V8—Series 60; Serial Nos. 6030001 to 6037003:			
Coupe—2-6027	710	870	1,030
Conv. Coupe—2-6067	775	945	1,120
Tour. Sedan—5-6019	760	930	1,100
Conv. Sedan—5-6049	925	1,135	1,340
1937—V8—Series 65; Serial Nos. 7080001 to 7032406:			
Tour. Sedan—6519	955	1,170	1,385
1937—V8—Series 70—Fleetwood; Serial Nos. 3120001 to 3134232:			
Sport Coupe—2-7057	1,300	1,590	1,880
Conv. Coupe—2-7067	1,345	1,650	1,950
Tour. Sedan—5-7019	1,200	1,470	1,740
Conv. Sedan—5-7029	1,370	1,680	1,985
1937—V8—Series 75—Fleetwood; Serial Nos. 3130001 to 3134232:			
Tour. Sedan—5-7519	1,300	1,590	1,880
Town Sedan—5-7539	1,545	1,890	2,235
Conv. Sedan—5-7529	1,690	2,070	2,450
Formal Sedan—5-7509F	1,715	2,100	2,485
Special Tour. Sedan—7-7523S	1,200	1,470	1,740
Special Tour. Imperial Sedan—7-7533S	1,300	1,590	1,880
Tour. Sedan—7-7523	1,370	1,680	1,985
Tour. Imperial Sedan—7-7533	1,470	1,800	2,130
Business Tour. Sedan—8-7523SL	1,265	1,545	1,830
Business Imperial Tour. Sedan—8-7533SL	1,360	1,665	1,970
Town Car—7-7543	2,230	2,730	3,230
Sedan—5-7509	1,300	1,590	1,880
1937—V12—Series 85—Fleetwood; Serial Nos. 4130001 to 4130478:			
Tour. Sedan—5-8519	1,640	2,010	2,375
Town Sedan—5-8539	1,885	2,310	2,730
Conv. Sedan—5-8529	2,035	2,490	2,945
Formal Sedan—5-8509F	2,035	2,490	2,945
Tour. Sedan—7-8523	1,715	2,100	2,485
Tour. Imperial Sedan—7-8533	1,815	2,220	2,625
Town Car—7-8543	2,570	3,150	3,725
Sedan—5-8519	------	------	------
Sedan—7-8523	------	------	------
Imperial Sedan—7-8513	------	------	------
1937—V16—Series—90—Fleetwood; Serial Nos. 5130001 to 5130049:			
Coupe—2-5876	3,370	4,125	4,880
Conv. Coupe—2-5885	3,620	4,440	5,255
Conv. Coupe—5-5880	3,570	4,370	5,175
Town Sedan—5-5833S	3,555	4,350	5,150
Conv. Sedan—5-5880	3,850	4,710	5,575
Sedan—7-5875S	3,605	4,410	5,220
Limousine—7-5875	3,700	4,530	5,365
Imperial Cabriolet—5-5875FL	3,850	4,710	5,575
Town Cabriolet—5	3,985	4,875	5,770
Imperial Cabriolet—7-5875FL	3,575	4,380	5,180
Town Cabriolet—7-5825	4,030	4,935	5,840
Limousine Brougham—7	3,985	4,875	5,770
Sedan—5	------	------	------

(4) Chevrolet

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1942—6 Series—BG—Stylemaster; Serial Nos. BG—1001 to 13310; Motor Nos. 2AA—1001 and up, BA—1001 and up, 2AC—1001 and up:			
Coupe—2	$855	$895	$935
Coupe—5	890	925	965
Town Sedan, 2 Dr.—6	900	940	975
Sport Sedan, 4 Dr.—6	945	980	1,020
1942—6 Series—BH—Fleetmaster; Serial Nos. BH—1001 to 27530; Motor Nos. 2 AA—1001 and up, BA—1001 and up, 2 AC—1001 and up:			
Coupe—2	915	955	990
Coupe—5	950	985	1,025
Cabriolet—5	1,200	1,240	1,275
Town Sedan, 2 Dr.—6	960	995	1,035
Sport Sedan, 4 Dr.—6	1,000	1,040	1,080
Station Wagon—8	1,215	1,255	1,295
Fleetline Aero Sedan—6	985	1,025	1,060
Sportmaster—6	1,030	1,065	1,105
1941—6 Series—AC—Master Deluxe; Serial Nos. AG—1001 to 62706; Motor Nos. AA—1001 to 1163729, AC—1001 to 195450:			
Business Coupe—2	740	780	820
Coupe—5	770	815	855
Town Sedan, 2 Dr.—5	780	825	865
Sport Sedan, 4 Dr.—5	825	870	915
1941—6 Series—AH—Special Deluxe; Serial Nos. AH—1001 to 92374; Motor Nos. AA—1001 to 1163729; AC—1001 to 195450:			
Business Coupe—2	800	840	885
Coupe—5	830	875	920
Cabriolet—5	990	1,045	1,095
Town Sedan, 2 Dr.—5	840	890	935
Sport Sedan, 4 Dr.—5	885	935	980
Fleetline Sedan, 4 Dr.—5	910	960	1,010
Station Wagon—8	1,040	1,095	1,150
1940—6 Series—KB—85—Master; Serial Nos. KB—1001 to 20946; Motor Nos. 2697268 to 3665902; B—105462 to 221935:			
Business Coupe—2	560	620	675
Town Sedan Tk, 2 Dr.—5	595	660	720
Sport Sedan Tk, 4 Dr.—5	630	700	765
Station Wagon—8	770	860	935
1940—6 Series—Kh—Master Deluxe; Serial Nos. Kh-1001 to 27644; Motor Nos. 2697268 to 3665902, B-105462 to 221935:			
Business Coupe—2	580	645	705
Town Sedan Tk, 2 Dr.—5	615	685	745
Sport Sedan Tk, 4 Dr.—5	650	725	790
Sport Coupe F/W—4	605	675	735
1940—6 Series—KA—Special Deluxe; Serial Nos. KA-1001 to 72089, 2697268 to 3665902, B-105462 to 221935:			
Business Coupe—2	610	680	740
Sport Coupe F/W—4	640	710	775
Conv. Cabriolet F/W—4	745	830	905
Town Sedan Tk, 2 Dr.—5	645	720	785
Sport Sedan Tk, 4 Dr.—5	685	760	830
Station Wagon—8	800	890	970
1939—6 Series—JB—85—Master; Serial Nos. JB-1001 to 33221; Motor Nos. 1915447 to 2697267, B-10503 to 105461:			
Coupe—2	430	490	550
Coach—5	445	505	570
Town Sedan Tk, 2 Dr.—5	460	525	585
Sedan, 4 Dr.—5	475	540	605
Sport Sedan Tk, 4 Dr.—5	490	555	625
Station Wagon	585	665	745
1939—6 Series—JA—Master Deluxe; Serial Nos. JA—1001 to 58510; Motor Nos. 1915447 to 2697267:			
Business Coupe—2	470	535	600
Sport Coupe—4	490	560	630
Coach—5	480	545	615
Town Sedan Tk, 2 Dr.—5	495	565	630
Sedan, 4 Dr.—5	515	585	655
Sport Sedan Tk, 4 Dr.—5	530	600	675
Station Wagon	675	765	860
1938—6 Series—HB—Master; Serial Nos. HB—1001 and up; Motor Nos. 1187822 to 1915447:			
Coupe—2	355	430	495
Cabriolet—4	415	505	580
Coach—5	365	445	510
Town Sedan Tk, 2 Dr.—5	380	455	530
Sport Sedan Tk—5	415	500	575
Sedan, 4 Dr.—5	400	485	560
1938—6 Series—HA—Master Deluxe; Serial Nos. HA—1001 and up; Motor Nos. 1187822 to 1915447:			
Coupe—2	395	475	550
Sport Coupe—4	415	500	575
Coach—5	400	485	560

(4) Chevrolet

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1938—6—Series HA—Continued.			
Town Sedan Tk, 2 Dr.—5	$415	$500	$575
Sedan, 4 Dr.—5	440	530	615
Sport Sedan Tk—5	450	545	630
1937—6 Series—GB—Master; Serial Nos. GB—1001 and up; Motor Nos. 1 to 1187821:			
Coupe—2	260	315	375
Cabriolet—2—4	305	375	440
Coach—5	265	325	380
Town Sedan Tk, 2 Dr.—5	275	340	400
Sedan 4 Dr.—5	295	360	425
Sport Sedan Tk—5	305	375	440
1937—6 Series—GA—Master Deluxe; Serial Nos. GA—1001 and up; Motor Nos. 1 to 1187821:			
Coupe—2	290	355	415
Sport Coupe—2—4	305	370	440
Coach—5	295	360	425
Town Sedan Tk, 2 Dr.—5	300	365	430
Sedan, 4 Dr.—5	325	400	470
Sport Sedan Tk—5	340	415	490

(5) Chrysler

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1942—6—Series C34—Royal; Serial Nos. 70001001 to 70010179; Motor Nos. C34—1001 to 23920:			
Coupe—3	$1,190	$1,230	$1,270
Club Coupe—6	1,290	1,330	1,370
Brougham—6	1,275	1,315	1,355
Sedan—6	1,300	1,340	1,380
Town Sedan—6	1,350	1,385	1,425
Sedan—8	1,685	1,725	1,765
Limousine—8	1,760	1,800	1,840
1942—6—Series C34—Windsor; Serial Nos. 70501001 to 70514481; Motor Nos. C34—1001 to 29022:			
Coupe—3	1,260	1,300	1,340
Club Coupe—6	1,355	1,395	1,435
Conv. Coupe—6	1,565	1,600	1,640
Brougham—6	1,350	1,385	1,425
Sedan—6	1,385	1,425	1,460
Town Sedan—6	1,430	1,465	1,505
Town and Country Wagon—6	1,750	1,790	1,825
Town and Country Wagon—9	1,850	1,885	1,925
Sedan—8	1,760	1,800	1,835
Limousine—8	1,845	1,885	1,925
1942—8—Series C36—Saratoga; Serial Nos. 6762501 to 6764094; Motor Nos. C36-1001 to 13516:			
Coupe—3	1,460	1,500	1,535
Club Coupe—6	1,520	1,555	1,595
Brougham—6	1,505	1,540	1,580
Sedan—6	1,545	1,585	1,625
Town Sedan—6	1,595	1,635	1,670
1942—8—Series C36—New Yorker; Serial Nos. 6674201 to 6684754; Motor Nos. C36—1001 to 13526:			
Coupe—3	1,525	1,565	1,600
Club Coupe—6	1,595	1,635	1,670
Conv. Coupe—6	1,800	1,835	1,875
Brougham—6	1,585	1,620	1,660
Sedan—6	1,620	1,660	1,700
Town Sedan—6	1,670	1,710	1,745
1942—8—Series C37—Crown Imperial; Serial Nos. 7808401 to 7808844; Motor Nos. C37—1001 to 1457:			
Sedan—6	3,055	3,095	3,135
Sedan—8	3,165	3,200	3,240
Limousine—8	3,325	3,365	3,400
1941—6—Series C28—Royal; Serial Nos. 7657501 to 7736429; Motor Nos. C28—1001 to 135725:			
Coupe—3	1,005	1,060	1,115
Club Coupe—6	1,105	1,165	1,230
Luxury Brougham—6	1,085	1,145	1,205
Sedan—6	1,115	1,180	1,240
Town Sedan—6	1,180	1,245	1,310
Sedan—8	1,410	1,485	1,565
Limousine—8	1,490	1,570	1,650
1941—6 Series—C28—Windsor; Serial Nos. 7901601 to 7957099; Motor Nos. C28—1001 to 135725:			
Coupe—3	1,060	1,120	1,175
Club Coupe—6	1,165	1,230	1,295
Conv. Coupe—6	1,355	1,430	1,505
Luxury Brougham—6	1,140	1,205	1,270
Sedan, 4 Dr.—6	1,195	1,260	1,325
Town Sedan—6	1,250	1,320	1,385
Town and Country Wagon—6	1,370	1,445	1,520
Town and Country Wagon—9	1,565	1,655	1,740
Sedan—8	1,480	1,565	1,645
Limousine—8	1,560	1,650	1,735
1941—6—Series C28—Highlander:			
Coupe—3	1,085	1,145	1,205
Conv. Coupe	1,380	1,455	1,535
Club Coupe	1,190	1,255	1,320
Sedan, 4 Dr	1,170	1,235	1,295
Sedan, 2 Dr	1,220	1,290	1,355

(5) Chrysler

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1941—6—Series C28—Continued.			
Sedan, 7 Pass	$1,510	$1,590	$1,675
Limousine	1,590	1,675	1,765
Town Sedan	1,275	1,345	1,415
1941—8—Series C30—Saratoga; Serial Nos. 676501 to 6762251; Motor Nos. C30—1001 to 25734:			
Coupe—3	1,270	1,340	1,410
Club Coupe—6	1,345	1,420	1,495
Luxury Brougham—6	1,325	1,400	1,470
Sedan—6	1,360	1,435	1,505
Town Sedan—6	1,410	1,490	1,565
1941—8—Series C30—New Yorker; Serial Nos. 6624101 to 6642655; Motor Nos. C30—1001 to 25734:			
Coupe—3	1,355	1,430	1,505
Club Coupe—6	1,420	1,495	1,575
Conv. Coupe—6	1,590	1,675	1,765
Luxury Brougham—6	1,410	1,485	1,565
Sedan—6	1,430	1,505	1,585
Town Sedan—6	1,460	1,540	1,620
1941—8—Series C30—Highlander:			
Coupe—3	1,380	1,455	1,535
Conv. Coupe	1,615	1,705	1,790
Club Coupe	1,445	1,525	1,605
Sedan, 2 Dr	1,435	1,515	1,590
Sedan, 4 Dr	1,455	1,535	1,615
Town Sedan	1,485	1,570	1,650
1941—8 Series C30—Crown Imperial: Serial Nos. 6624101 to 6642655: Motor Nos. C33—1001 to 1735:			
Special Town Sedan 6	1,730	1,825	1,920
1941—8—Series C33—Crown Imperial; Serial Nos. 7807501 to 7808214; Motor Nos. C33—1001 to 1735:			
Sedan—6	2,545	2,685	2,825
Sedan—8	2,645	2,790	2,935
Limousine—8	2,745	2,895	3,045
1940—6—Series C25—Royal; Serial Nos. 7625001 to 7657487; Motor Nos. C25—1001 to 7014:			
Coupe—3	760	840	920
Coupe—6	815	905	965
Victoria Sedan—6	815	905	985
Sedan—6	845	940	1,025
Sedan—8	1,045	1,165	1,270
Limousine—8	1,110	1,225	1,345
1940—6—Series C26—Windsor; Serial Nos. 6965201 to 6993727; Motor Nos. C25—1001 to 72067:			
Coupe—3	795	880	960
Coupe—6	845	935	1,020
Conv. Coupe—6	985	1,095	1,190
Victoria Sedan, 2 Dr.—6	845	935	1,020
Sedan, 4 Dr.—6	870	965	1,065
Sedan—8	1,080	1,200	1,310
Limousine—8	1,145	1,270	1,385
1940—6—Series C25—Highlander:			
Coupe—6	865	960	1,050
Conv. Coupe—6	1,005	1,115	1,215
Sedan, 4 Dr	900	1,000	1,090
1940—8—Series C26—Traveler; Serial Nos. 6750101 to 6756417; Motor Nos. C26—1001 to 18753:			
Coupe—3	930	1,030	1,125
Coupe—6	975	1,085	1,180
Victoria Sedan—6	975	1,085	1,180
Sedan—6	1,000	1,110	1,215
1940—8—Series C26—New Yorker; Serial Nos. 6613401 to 6624087; Motor Nos. C26—1001 to 18761:			
Coupe—3	995	1,105	1,205
Coupe—6	1,045	1,160	1,265
Conv. Coupe—6	1,165	1,295	1,410
Victoria Sedan—6	1,045	1,160	1,265
Sedan—6	1,070	1,185	1,295
Special Formal Sedan—6	1,130	1,260	1,370
1940—8—Series C26—Highlander:			
Coupe—6	1,065	1,180	1,290
Conv. Coupe—6	1,185	1,320	1,440
Sedan, 4 Dr	1,095	1,220	1,330
1940—8—Series C26—Saratoga; Serial Nos. 6673501 to 6674100; Motor Nos. C26—1001 to 18700:			
Sedan—6	1,165	1,295	1,410
Special Formal Sedan—6	1,230	1,365	1,490
1940—8—Series C27—Crown Imperial; Serial Nos. 7806551 to 7807401; Motor Nos. C27—1001 to 1875:			
Sedan—6	1,900	2,115	2,305
Sedan—8	1,985	2,205	2,405
Limousine—8	2,070	2,300	2,510
1939—6—Series C22—Royal; Serial Nos. 7574001 to 7624876; Motor Nos. C22—1001 to 58748:			
Coupe—2	680	715	805
Victoria Coupe—4	665	760	850
Brougham—5	670	760	855
Sedan—5	695	790	885
Sedan—7	845	965	1,080
Limousine Sedan—7	910	1,035	1,160

(5) CHRYSLER

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1930—6—Series C22—Royal Windsor; Serial Nos. 6048301 to 6054947; Motors Nos. C22—1001 to 58748:			
Coupe—2	$675	$770	$860
Victoria Coupe—4	710	810	905
Club Coupe—5	810	925	1,035
Sedan—5	735	840	940
1930—8—Series C23—Imperial Serial Nos. 6742201 to 6750055; Motor Nos. C23—1001 to 13107:			
Coupe—2	770	880	985
Victoria Coupe—4	795	905	1,015
Brougham—5	800	910	1,020
Sedan—5	820	935	1,050
1939—6—Series C23—New Yorker; Serial Nos. 6679901 to 6813353; Motor Nos. C23—1001 to 13107:			
Coupe—2	840	955	1,070
Victoria Coupe—4	865	985	1,105
Club Coupe—5	955	1,090	1,220
Sedan—5	990	1,015	1,135
1939—8—Series C23—Saratoga Serial Nos. 6672701 to 6673414 Motor Nos. C23—1001 to 13107:			
Club Coupe—5	1,025	1,165	1,310
Sedan—5	990	1,125	1,266
1939—8—Series C24—Custom Imperial; Serial Nos. 7802201 to 7806507; Motor Nos. C24—1001 to 1322:			
Sedan—6	1,775	2,025	2,270
Sedan—7	1,775	2,025	2,270
Sedan Limousine—7	1,845	2,100	2,355
1938—6—Series C18—Royal; Serial Nos. 7532801 to 7573257; Motor Nos. C18—1001 to 43001:			
Business Coupe—2	510	610	710
Coupe 2–4	535	640	740
Conv. Coupe 2–4	600	725	835
Brougham Comp.—5	535	640	740
Tour. Brougham Tk—5	540	650	750
Sedan Comp.—5	550	665	770
Tour. Sedan Tk—5	660	675	780
Conv. Sedan Tk—5	790	950	1,100
Sedan Tk—7	685	825	950
Sedan Limousine Tk—7	735	885	1,020
1938—8—Series C19—New York Special; Serial Nos. 6607901 to 6609602; Motor Nos. C20—1001 to 9172:			
Business Coupe—2	695	835	965
Sedan Tk—5	760	918	1,055
1938—8 Series C20—Custom Imperial; Serial Nos. 7805301 to 7806033; Motor Nos. C20—1001 to 3525:			
Sedan Tk—5	1,270	1,520	1,770
Sedan Tk—7	1,270	1,520	1,770
Sedan Limousine Tk—7	1,325	1,585	1,845
1937—6—Series C16—Royal; Serial Nos. 6965101 to 6948225; Motor Nos. C16—1001 to 38646:			
Business Coupe—2	350	420	510
Coupe—2–4	375	460	545
Conv. Coupe 2–4	450	550	650
Brougham Comp. 2 Dr.—5	380	455	550
Tour. Brougham, 2 Dr. Tk—5	385	475	560
Sedan Comp. 4 Dr.—5	400	490	580
Tour. Sedan, 4 Dr. Tk—5	405	495	590
Conv. Sedan Tk—5	610	780	985
Sedan Tk—7	615	630	745
Sedan Limousine Tk—7	565	690	815
1937—8—Series C14—Imperial; Serial Nos. 6719501 to 6733606; Motor Nos. C14—1001 to 18572:			
Business Coupe—2	485	585	680
Coupe 2–4	475	580	685
Conv. Coupe 2–4	535	640	760
Tour. Brougham Tk—5	475	580	685
Tour. Sedan, 4 Dr. Tk—5	490	600	710
Conv. Sedan Tk—5	685	840	990
1937—8—Series C17—Airflow; Serial Nos. 7019401 to 7024000; Motor Nos. C17—1001 to 8618:			
Coupe—6	730	895	1,060
Sedan Tk—6	735	895	1,060
1937—8—Series C18—Custom Imperial; Serial Nos. 7804001 to 7806201; Motor Nos. C18—1001 to 2237:			
Sedan Tk—5	930	1,140	1,345
Sedan Tk—7	930	1,140	1,345
Sedan Limousine Tk—7	980	1,205	1,420

(6) CROSLEY

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1942—2—Series 94-42; Serial Nos. C2-42—32000 to 32060:			
Conv. Coupe—4	$465	$485	$895
Conv. Sedan—4	535	545	765
Deluxe Sedan—4	575	595	615
Station Wagon—4	650	665	685
1941—2—Series C4-41; Serial Nos. 300—30000 to 31999:			
Conv. Coupe—2	330	345	355
Standard Conv. Sedan—4	380	405	425
Deluxe Conv. Sedan—4	395	415	435
Covered Wagon—4	435	460	485
Station Wagon—4	495	520	545
1940—2—Series 2A; Serial Nos. 300—20000 to 29999:			
Conv. Coupe—2	240	270	295
Standard Sedan—4	280	315	340
DeLuxe Sedan—4	290	320	350
Covered Wagon—4	320	345	360
Station Wagon—2	360	405	440
1939—2—Series 2; Serial Nos. 300—10000 to 19999:	265	295	320
Conv. Coupe—2	215	240	270
Conv. Sedan—4	260	260	290

(7) DE SOTO

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1942—6—Series S10—Deluxe; Serial Nos. 6142001 to 6153101; Motor Nos. S10-1001 to 25551:			
Business Coupe—2	$1,125	$1,160	$1,200
Coupe—6	1,210	1,250	1,290
Sedan, 2 Dr.—5	1,195	1,230	1,270
Sedan, 4 Dr.—5	1,225	1,260	1,300
Town Sedan—5	1,270	1,310	1,350
Sedan—7	1,605	1,640	1,680
1942—6—Series S10—Custom; Serial Nos. 5771001 to 5783668; Motor Nos. S10-1001 to 25551:			
Coupe—2	1,160	1,200	1,240
Club Coupe—5	1,265	1,305	1,340
Conv. Coupe—5	1,455	1,495	1,530
Brougham—5	1,265	1,305	1,340
Sedan, 4 Dr.—5	1,275	1,315	1,355
Town Sedan—5	1,325	1,365	1,400
Sedan—7	1,655	1,695	1,730
Limousine—7	1,740	1,775	1,815
1941—6—Series S8—Deluxe; Serial Nos. 6096001 to 6141720; Motor Nos. S8-1001 to 100247:			
Business Coupe—2	965	1,005	1,060
Coupe—5	1,045	1,105	1,160
Sedan, 2 Dr.—5	1,025	1,080	1,140
Sedan, 4 Dr.—5	1,055	1,115	1,175
Sedan—7	1,335	1,405	1,480
1941—6—Series S8—Custom; Serial Nos. 5720401 to 5770981; Motor Nos. S8-1001 to 100247:			
Coupe—2	1,005	1,060	1,115
Club Coupe—5	1,100	1,160	1,220
Conv. Coupe—5	1,270	1,340	1,410
Brougham, 2 Dr.—5	1,085	1,145	1,205
Sedan, 4 Dr.—5	1,110	1,170	1,235
Town Sedan—5	1,165	1,225	1,290
Sedan—7	1,375	1,450	1,525
Limousine—7	1,455	1,535	1,615
1940—6—Series S7—Deluxe; Serial Nos. 6064301 to 6096928; Motor Nos. S7-1001 to 67427:			
Business Coupe—2	715	795	870
Coupe A/S—2–4	755	855	930
Tour. Sedan, 2 Dr.—5	755	855	930
Tour. Sedan, 4 Dr.—5	800	890	970
Tour. Sedan—7	905	1,105	1,205
1940—6—Series S7—Custom; Serial Nos. 5698001 to 5720336; Motor Nos. S7-1001 to 67427:			
Coupe—2	750	835	910
Coupe A/S—2–4	800	890	970
Conv. Coupe—4	930	1,060	1,135
Tour. Sedan, 2 Dr.—5	800	890	970
Tour. Sedan, 4 Dr.—5	835	930	1,010
Tour. Sedan—7	1,080	1,145	1,260
Limousine—7	1,095	1,215	1,335
1939—6—Series S6—Deluxe; Serial Nos. 6534001 to 6697134; Motor Nos. S6-1001 to 55461:			
Business Coupe—2	695	690	760
Coupe A/S—2–4	695	725	810
Tour. Sedan, 2 Dr.—5	640	725	810
Tour. Sedan, 4 Dr.—5	665	765	850
Tour. Sedan—7	830	995	1,045
Limousine Sedan—7	830	1,005	1,125
1939—6—Series S6—Custom; Serial Nos. 5534001 to 5697134; Motor Nos. S6-1001 to 55461:			
Coupe—2	695	725	810
Coupe A/S—2–4	670	745	855
Club Coupe—4	705	895	1,000

(7) DE SOTO

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1939—6—Series S6—Continued.			
Tour. Sedan, 2 Dr.—5	$675	$770	$860
Tour. Sedan, 4 Dr.—5	700	800	895
Tour. Sedan—7	855	975	1,090
Limousine Sedan—7	915	1,045	1,170
1939—6—Series S5; Serial Nos. 5508301 to 5652912; Motor Nos. S5-1001 to 38664:			
Business Coupe—3	480	560	670
Conv. Coupe—3–5	580	695	805
Tour. Brougham Tk, 2 Dr.—6	515	620	720
Sedan Comp., 4 Dr.—6	530	640	740
Tour. Sedan Tk, 4 Dr.—6	535	645	750
Conv. Sedan Tk—5	760	915	1,060
Sedan Tk—7	660	795	920
Limousine Sedan—7	710	855	990
1937—6—Series S3; Serial Nos. 5517301 to 5597700; Motor Nos. S3-1001 to 77230:			
Business Coupe—3	340	415	490
Coupe—3–5	380	445	525
Conv. Coupe—3–5	430	525	620
Brougham Comp., 2 Dr.—6	365	450	530
Tour. Brougham Tk, 2 Dr.—6	370	455	540
Sedan Comp., 4 Dr.—6	385	475	560
Tour. Sedan Tk, 4 Dr.—6	390	480	565
Conv. Sedan Tk—5	580	720	850
Sedan Tk—7	595	615	730
Limousine Sedan—7	540	660	780

(8) DODGE

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1942—6—Series D22; Serial Nos. 30577001 and up; Motor Nos. D22—1001 and up:			
Deluxe:			
Coupe—3	$1,000	$1,040	$1,075
Club Coupe—6	1,110	1,145	1,185
Sedan, 2 Dr.—6	1,070	1,105	1,145
Sedan, 4 Dr.—6	1,110	1,150	1,186
Custom:			
Club Coupe—6	1,160	1,200	1,240
Conv. Coupe—5	1,375	1,415	1,455
Brougham—5	1,120	1,160	1,196
Sedan, 4 Dr.—5	1,165	1,200	1,240
Town Sedan—5	1,225	1,265	1,300
Sedan—7	1,540	1,575	1,615
Limousine—7	1,625	1,665	1,700
1941—6—Series D19; Serial Nos. 30342401 and up; Motor Nos. D19—1001 and up:			
Deluxe:			
Coupe—2	875	925	970
Sedan, 2 Dr.—5	935	985	1,040
Sedan, 4 Dr.—5	980	1,030	1,085
Custom:			
Club Coupe—5	1,020	1,075	1,130
Conv. Coupe—5	1,195	1,260	1,325
Brougham, 2 Dr.—5	985	1,035	1,090
Sedan, 4 Dr.—5	1,025	1,080	1,140
Town Sedan—5	1,055	1,115	1,175
Sedan—7	1,250	1,315	1,385
Limousine—7	1,325	1,400	1,475
1940—6—Series D17; Serial Nos. 4349001 to 4415503; Motor Nos. D14-1001 to 193835; Special:			
Coupe—2	640	710	775
Sedan, 2 Dr.—5	690	770	840
Sedan, 4 Dr.—5	725	805	880
1940—6—Series D14; Serial Nos. 30218001 to 30342323; Motor Nos. D14-1001 to 193835; Deluxe:			
Coupe—2	690	760	825
Coupe A/S 2–4	725	805	880
Conv. Coupe—5	875	970	1,060
Sedan, 2 Dr.—5	730	810	885
Sedan, 4 Dr.—5	765	855	930
Sedan—7	930	1,030	1,125
Limousine—7	990	1,100	1,205
1939—6—Series D11—Luxury Liner; Serial Nos. 4276701 to 4347700; Motor Nos. D11-1001 to 186148:			
Coupe—2	520	590	660
Sedan, 2 Dr.—5	560	635	715
Sedan, 4 Dr.—5	585	670	750
Serial Nos. 30100001 to 30214448; Motor Nos. D11-1001 to 186861:			
Deluxe:			
Coupe—2	550	630	705
Coupe A/S 2–4	590	670	755
Town Coupe—5	725	825	925
Sedan, 2 Dr.—5	610	695	775
Sedan, 4 Dr.—5	620	705	790
Limousine—7	810	925	1,035
Sedan—7	780	855	980
1938—6—Series D8; Serial Nos. 30001001 to 30097068, 40001001 to 40016432; Motor Nos. D8-1001 to 114535:			
Business Coupe—2	450	540	630
Coupe 2–4	475	575	660

(8) DODGE

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1938—6—Series D8—Continued.			
Conv. Coupe 2–4	$550	$640	$740
Comp. Sedan, 2 dr.—5	475	575	660
Tour. Sedan Tk, 2 dr.—5	490	580	670
Comp. Sedan, 4 dr.—5	495	600	695
Tour Sedan Tk, 4 dr.—5	505	605	700
Conv. Sedan Tk—5	705	820	935
Sedan Tk—7	695	730	845
Limousine Tk—5	655	790	915
1937—6—Series D5; Serial Nos. 4329451 to 4789907, 9118501 to 9146861; Motor Nos. D5-1001 to 194170:			
Business Coupe—2	315	365	455
Coupe 2–4	345	420	495
Conv. Coupe 2–4	405	495	590
Conv. Coupe, 2 dr.—5	345	425	505
Tour. Sedan Tk, 2 dr.—5	350	430	510
Comp. Sedan, 4 dr.—5	365	450	530
Tour. Sedan Tk, 4 dr.—5	370	455	540
Conv. Sedan—5	565	695	815
Sedan—7	490	600	710
Limousine—5	540	660	780

(9) FORD

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1942—6—Series 2GA—60 h.p.; Serial Nos. 1GA—34801 and up:			
Special:			
Coupe—2—77C	$875	$915	$955
Tudor Sedan—5—70C	910	950	990
Fordor Sedan—5—73C	960	960	1,030
Deluxe:			
Coupe—3—77A	900	940	980
Sedan Coupe—5—72A	965	1,005	1,045
Tudor Sedan—5—70A	940	980	1,015
Fordor Sedan—5—73A	980	1,015	1,055
Station Wagon—5—79A	1,150	1,190	1,235
Super Deluxe:			
Coupe—3—77B	930	990	1,030
Sedan Coupe—5—72B	1,015	1,055	1,095
Conv. Club Coupe—5—76	1,185	1,235	1,275
Tudor Sedan—5—70B	980	1,025	1,065
Fordor Sedan—5—73B	1,025	1,065	1,105
Station Wagon—5—79B	1,225	1,275	1,315
1942—V-8—Series 21A—60 h.p.; Serial No. 18-6769086 and up:			
Deluxe:			
Coupe—3—77A	910	950	990
Sedan Coupe—5—72A	975	1,015	1,055
Tudor Sedan—5—70A	980	980	1,030
Fordor Sedan—5—73A	990	1,025	1,065
Station wagon—5—79A	1,210	1,245	1,285
Super Deluxe:			
Coupe—3—77B	960	1,000	1,040
Sedan Coupe—5—72B	1,025	1,065	1,105
Conv. Club Coupe—5—76	1,210	1,245	1,285
Tudor Sedan—5—70B	1,000	1,040	1,075
Fordor Sedan—5—73B	1,035	1,075	1,115
Station wagon—5—79B	1,245	1,285	1,325
1942—6—Series 1GA—90 h.p.; Serial Nos. 1GA-1 and up:			
Special:			
Coupe—2	725	765	805
Tudor Sedan—5	*765	805	850
Fordor Sedan—5	810	855	905
Deluxe:			
Coupe 5w—2	760	800	845
Coupe A/S 2—4	790	835	880
Tudor Sedan—5	805	843	890
Fordor Sedan—5	845	895	940
Station wagon	1,005	1,060	1,115
Super Deluxe:			
Coupe 5w—2	810	855	895
Coupe A/S 2—4	840	890	935
Sedan Coupe—5	895	935	980
Conv. Club Coupe—2—4	990	1,045	1,095
Tudor Sedan—5	850	900	945
Fordor Sedan—5	895	945	995
Station Wagon	1,060	1,120	1,175
1941—V-8—Series 11A—85 b.p. Serial Nos. 18-5896295 and up:			
Special:			
Coupe—2	745	785	835
Tudor sedan—5	780	825	865
Fordor Sedan—5	825	870	915
Deluxe:			
Coupe 5w—2	760	800	845
Coupe A/S 2—4	810	855	895
Tudor Sedan—5	805	845	890
Fordor Sedan—5	845	895	940
Station Wagon	1,020	1,075	1,135
Super Deluxe:			
Coupe 5w—2	810	855	895
Coupe A/S 2—4	860	905	950
Sedan Coupe—5	895	935	980
Conv. Club Coupe 2—4	990	1,045	1,095
Tudor Sedan—5	850	900	945
Fordor Sedan—5	895	941	995
Station Wagon	1,060	1,120	1,175

(9) FORD

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1940—V-8—Series 02A—60 h.p.; Serial Nos. 54-606501 and up:			
Coupe 5w—2	$535	$595	$650
Business Coupe—2	555	615	670
Tudor Sedan—5	570	635	695
Fordor Sedan—5	610	680	740
1940—V-8—Series 01A—85 h.p.; Serial Nos. 18-5210701 to 18-5992394; Standard:			
Coupe 5w—2	570	635	695
Business Coupe—2	500	555	715
Tudor Sedan—5	605	675	735
Fordor Sedan—5	645	720	785
Station Wagon	780	845	920
Deluxe:			
Coupe 5w—2	625	695	760
Business Coupe—2	645	715	780
Conv. Club Coupe 2—4	735	820	895
Tudor Sedan—5	660	735	800
Fordor Sedan—5	700	780	850
Station Wagon	830	915	995
1939—V-8—Series 922A—60 h.p.; Serial Nos. up to 54-606500; Standard:			
Coupe 5 w—2	490	480	535
Tudor Sedan—5	450	510	570
Fordor Sedan—5	490	545	615
1939—V-8—Series 91A—85 h.p.; Serial Nos. 18-4661001 to 8210700; Standard:			
Coupe 5 W—2	450	510	570
Tudor Sedan—5	475	545	610
Fordor Sedan—5	510	580	650
Station Wagon	590	670	750
Deluxe:			
Coupe 5w—2	495	560	630
Conv. Coupe 2—4	555	630	705
Tudor Sedan—5	520	590	665
Fordor Sedan—5	555	630	705
Conv. Sedan—5	645	735	825
Station wagon	645	730	820
1938—V-8—Series 82A—60 h.p.; Serial Nos. 54-358235 and up; Standard:			
Coupe 5w—2	320	400	460
Tudor Sedan—5	355	430	495
Fordor Sedan—5	390	460	530
1938—V-8—Series 81A—85 h.p.; Serial Nos. 18-4186447 to 18-4661080; Standard:			
Coupe 5w—2	345	420	485
Tudor Sedan—5	370	445	515
Fordor Sedan—5	395	475	550
Station Wagon	455	550	635
Deluxe:			
Phaeton—5	455	545	635
Coupe 5w—2	380	460	530
Conv. Coupe 2—4	425	515	595
Club Coupe—5	415	500	575
Conv. Club Coupe—5	445	535	620
Tudor Sedan—5	400	485	560
Fordor Sedan—5	425	515	595
Conv. Sedan—5	500	600	695
1937—V-8 Series—74-60 h.p.; Serial Nos. 54-6602 to 54-358334:			
Coupe 5w—2	225	290	345
Tudor—5	245	300	355
Tour. Tudor—5	255	315	370
Fordor—5	275	335	395
Tour. Fordor—5	285	350	415
Station Wagon (cur.)	365	450	530
Station Wagon (glass)	375	460	545
1937—V-8—Series—78-85 h.p.; Serial Nos. 18-3331857 to 18-4186446; Standard:			
Coupe 5w-2	255	315	370
Tudor—5	265	325	380
Tour. Tudor—5	275	340	400
Fordor—5	295	360	425
Tour. Fordor—5	305	375	440
Station Wagon (cur.)	370	455	535
Station Wagon (glass)	380	465	550
Deluxe:			
Roadster 2—4	310	375	445
Phaeton—5	335	410	485
Coupe 5w—2	280	340	405
Cabriolet 2—4	310	375	445
Club Coupe 5w—5	310	375	445
Club Cabriolet—4	340	415	490
Tudor—5	265	320	415
Tour. Tudor—5	300	365	430
Fordor—5	315	385	455
Tour. Fordor—5	330	400	475
Conv. Sedan—5	390	475	565

(10) GRAHAM

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1941—6 Series—109; Serial Nos. 700146 and up; Motor Nos. 710046 and up; Custom Hollywood Supercharged: Sedan, 4 dr.—5	$1,045	$1,105	$1,160
1940—6 Series—108; Serial Nos. 605001 to 606661; Motor Nos. 615001 to 615647; Deluxe:			
Comb. Coupe—5	820	910	995
Sedan Tk, 2 dr.—5	800	880	970
Sedan Tk, 4 dr.—5	815	905	990
Custom:			
Comb. Coupe—5	930	1,035	1,130
Sedan Tk, dr.—5	910	1,015	1,105
Sedan Tk, 4 dr.—5	935	1,040	1,135
1940—6 Series—107; Serial Nos. 504001 to 505356; Motor Nos. 515001 to 515578; Deluxe Supercharger:			
Comb. Coupe—5	930	1,035	1,130
Sedan Tk, 2 dr.—5	910	1,015	1,105
Sedan Tk, 4 dr.—5	930	1,035	1,130
Custom Supercharger:			
Comb. Coupe—5	1,040	1,155	1,260
Sedan Tk, 2 dr.—5	1,015	1,130	1,230
Sedan Tk, 4 dr.—5	1,040	1,155	1,260
1940—6 Series—109; Serial Nos. 700001 to 700145; Motor Nos. 710001 to 710045; Hollywood Custom Super:			
Conv. Coupe—3	1,105	1,220	1,345
Sedan, 4 dr.—5	1,005	1,115	1,215
1939—6 Series—96; Serial Nos. 600001 to 602918; Motor Nos. 610001 to 612920;			
Special:			
Comb. Coupe—5	610	695	780
Sedan Tk, 2 dr.—6	610	695	780
Sedan Tk, 4 dr.—6	630	715	800
Custom Special:			
Comb. Coupe—5	695	790	890
Sedan Tk, 2 dr.—6	695	790	890
Sedan Tk, 4 dr.—6	710	810	910
1939—6 Series—97; Serial Nos. 500001 to 502479; Motor Nos. 510001 to 512507:			
Supercharger:			
Sedan Tk, 4 dr.—6	535	645	750
Custom Supercharger:			
Sedan Tk, 4 dr.—6	565	680	785
1938—6 Series—97; Serial Nos. 140000 to 142403; Motor Nos. 145000 to 147434:			
Supercharger:			
Sedan Tk, 4 dr.—6	625	755	875
Custom Supercharger:			
Sedan Tk, 4 dr.—6	690	835	965
1937—6 Series—85; Serial Nos. 315001 to 319818; Motor Nos. 320001 to 324360; Crusader:			
Tour. Sedan, 2 dr.—5	295	360	425
Tour. Sedan Tk, 2 dr.—5	310	375	445
Tour. Sedan, 4 dr.—5	330	400	475
Tour. Sedan Tk, 4 dr.—5	345	420	495
1937—6 Series—96; Serial Nos. 215001 to 223299; Motor Nos. 230001 to 236370; Cavalier:			
Business Coupe—3	355	435	515
Coupe 3—5	390	465	550
Conv. Coupe 3—5	400	490	580
Tour. Sedan, 2 dr.—5	395	480	570
Tour. Sedan Tk, 2 dr.—5	380	465	550
Tour. Sedan Tk, 4 dr.—5	395	485	575
Tour. Sedan, 4 dr.—5	380	465	550
1937—6 Series—116; Serial Nos. 130001 to 135551; Motor Nos. 135001 to 140209; Supercharger:			
Business Coupe—3	425	530	615
Coupe 3—5	440	540	635
Conv. Coupe 3—5	455	555	660
Tour. Sedan, 2 dr.—5	425	530	615
Tour. Sedan Tk, 2 dr.—5	440	540	635
Tour. Sedan, 4 dr.—5	440	540	635
Tour. Sedan Tk, 4 dr.—5	455	555	660
1937—6 Series—120; Serial Nos. 120001 to 120199, 110001 to 113002; Motor Nos. 115001 to 118864; Custom Supercharger:			
Business Coupe—3	465	570	675
Coupe 3—5	480	585	695
Conv. Coupe 3—5	495	605	715
Tour. Sedan, 4 dr.—5	490	600	710
Tour. Sedan Tk, 4 dr.—5	505	615	730

(10) GRAHAM

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1941—6 Series—113; Serial Nos. 900001 and up; Motor Nos. 910001 and up; Custom Hollywood: Sedan, 4 dr.—5	$950	$1,005	$1,055

(11) Hudson

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1942—6—Series 20 T—Traveler; Serial Nos. T—20101 to T—2041232:			
Coupe—3	$925	$965	$1005
Club Coupe—4	1000	1040	1075
Club Sedan, 2 dr.—6	980	1020	1055
Tour. Sedan, 4 dr.—6	1010	1045	1085
1942—6—Series 20 P—Deluxe; Serial Nos. P-20101 to P-2041232:			
Coupe—3	1020	1060	1095
Club Coupe—4	1075	1110	1150
Club Sedan, 2 dr.—6	1050	1090	1130
Tour. Sedan, 4 dr.—6	1085	1125	1165
Conv. Sedan—6	1335	1375	1415
1942—6—Series 21—Super; Serial Nos. 21101 to 2141232:			
Coupe—3	1,150	1,185	1,225
Club Coupe—4	1,205	1,245	1,285
Club Sedan, 2 dr.—6	1,180	1,220	1,255
Tour. Sedan, 4 dr.—6	1,210	1,250	1,285
Conv. Sedan—6	1,465	1,505	1,545
Station Wagon	1,550	1,590	1,630
1942—6—Series 22—Commodore; Serial Nos. 22101 to 2241232:			
Coupe—3	1,235	1,270	1,310
Club Coupe—5	1,300	1,335	1,375
Club Sedan, 2 dr.—6	1,275	1,310	1,350
Tour. Sedan, 4 dr.—6	1,305	1,345	1,385
Conv. Sedan—6	1,545	1,580	1,620
1942—8—Series 24—Commodore; Serial Nos. 24101 to 2441232:			
Coupe—3	1,280	1,315	1,355
Club Coupe—5	1,340	1,380	1,420
Club Sedan, 2 dr.—6	1,310	1,350	1,390
Tour. Sedan, 4 dr.—6	1,350	1,390	1,430
Conv. Sedan—6	1,595	1,635	1,670
1942—8—Series 25—Commodore—Custom; Serial Nos. 25101 to 2541232:			
Club Coupe—4	1,445	1,480	1,520
1942—8—Series 27—Commodore—Custom; Serial Nos. 27101 to 2741232:			
Tour. Sedan, 4 dr.—6	1,570	1,610	1,650
1941—6—Series 10 T—Traveler; Serial Nos. T—10101 and up:			
Coupe—3	720	760	800
Club Coupe—4	820	865	910
Club Sedan, 2 dr.—6	795	840	885
Tour. Sedan, 4 dr.—6	825	870	915
1941—6—Series 10 C—Utility; Serial Nos. C 10101 and Up:			
Coach—6	810	855	900
Coupe—6	750	790	830
1941—6—Series 10 P—Deluxe; Serial Nos. P—10101 and up:			
Coupe—3	835	880	930
Club Coupe—4	885	935	985
Club Sedan, 2 dr.—6	860	905	955
Tour. Sedan, 4 dr.—6	895	945	995
Conv. Sedan—6	1,115	1,175	1,235
1941—6—Series 11—Super Serial Nos. 11101 and up:			
Coupe—3	910	960	1,010
Club Coupe—4	970	1,025	1,080
Club Sedan, 2 dr.—6	935	985	1,035
Tour. Sedan, 4 dr.—6	965	1,020	1,075
Conv. Sedan—6	1,205	1,270	1,335
Station Wagon	1,290	1,360	1,430
1941—6—Series 12—Commodore; Serial Nos. 12101 and up:			
Coupe—3	1,000	1,055	1,110
Club Coupe—4	1,065	1,120	1,180
Club Sedan, 2 dr.—6	1,030	1,090	1,145
Tour. Sedan 4 dr.—6	1,060	1,120	1,175
Conv. Sedan—6	1,280	1,350	1,420
1941—6—Series 18—Big Boy; Serial Nos. P 18101 and up:			
Sedan—7	1,200	1,265	1,335
Carry-all	1,065	1,120	1,180
1941—8—Series 14—Commodore; Serial Nos. 14101 and up:			
Coupe—3	1,045	1,100	1,160
Club Coupe—4	1,110	1,170	1,230
Club Sedan, 2 dr.—6	1,070	1,130	1,185
Tour. Sedan, 4 dr.—6	1,105	1,170	1,230
Conv. Sedan—6	1,330	1,405	1,480
Station Wagon	1,385	1,460	1,535
1941—8—Custom Series 15—Commodore Custom; Serial Nos. 15101 and up:			
Coupe—3	1,135	1,195	1,260
Club Coupe—4	1,200	1,265	1,335
1941—8—Series 17—Commodore Custom; Serial Nos. 17101 and up:			
Tour. Sedan, 4 dr.—6	1,305	1,380	1,450
Sedan—7	1,515	1,595	1,680
1940—6—Series 40 T—Traveler; Serial Nos. 40101 to 4089192:			
Coupe—3	565	630	690
Victoria Coupe—4	635	710	770
Tour. Sedan, 2 dr.—6	625	695	755
Tour. Sedan, 4 dr.—6	645	720	785

(11) Hudson

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1940—6—Series 40 T—Continued.			
Utility Coach	$630	$705	$765
Utility Coupe	600	665	725
1940—6—Series 40 P—Deluxe; Serial Nos. 40101 to 4089192:			
Coupe—3	640	710	775
Victoria Coupe—4	680	755	825
Conv. Coupe—5	800	890	970
Tour. Sedan, 2 dr.—6	665	740	805
Tour. Sedan, 4 dr.—6	690	770	840
Conv. Sedan—6	820	915	995
1940—6—Series 41—Super Serial Nos. 41101 to 4189192:			
Coupe—3	685	765	835
Victoria Coupe—4	730	815	890
Conv. Coupe—5	850	945	1,030
Tour. Sedan, 2 dr.—6	715	795	865
Tour. Sedan, 4 dr.—6	740	825	895
Conv. Sedan—6	880	980	1,065
1940—5—Series 43—Country Club; Serial Nos. 43101 to 4389192:			
Tour. Sedan, 4 dr.—6	880	980	1,070
Sport Tour. Sedan, 4 dr.—6	905	1,005	1,095
Sedan—7	1,055	1,175	1,280
1940—6—Series 48—Big Boy; Serial Nos. 48101 to 4889192:			
Carry-all	840	930	1,015
Sedan—7	930	1,035	1,130
1940—8—Series 44—Hudson Eight; Serial Nos. 44101 to 4489192:			
Coupe—3	730	815	890
Victoria Coupe—4	805	895	975
Conv. Coupe—5	930	1,035	1,125
Tour. Sedan, 2 dr.—6	785	870	950
Tour. Sedan, 4 dr.—6	810	905	985
Conv. Sedan—6	960	1,065	1,165
1940—8—Series 45—Deluxe; Serial Nos. 45101 to 4589192:			
Tour. Sedan, 2 dr.—6	815	905	985
Tour. Sedan, 4 dr.—6	840	935	1,020
1940—8—Series 47—Country Club; Serial Nos. 47101 to 4789192:			
Tour. Sedan, 4 dr.—6	970	1,075	1,175
Sport Tour. Sedan, 4 Dr.—6	990	1,100	1,200
Sedan—7	1,140	1,270	1,385
1939—6—Series 90—Hudson 112 Deluxe; Serial Nos. 90101 to 9054902:			
Traveler Coupe—3	475	540	605
Coupe—3	510	580	650
Victoria Coupe—4	545	620	695
Conv. Coupe—3	610	695	780
Tour. Brougham—6	530	605	680
Conv. Brougham—6	645	735	825
Tour. Sedan—6	555	630	705
Utility Coach—6	490	560	625
Utility Coupe—3	510	580	650
Station Wagon	640	730	820
1939—6—91—Hudson Pacemaker; Serial Nos. 91101 to 9154902:			
Coupe—3	540	615	690
Victoria Coupe—5	580	660	740
Tour. Brougham—6	565	640	720
Tour. Sedan—6	585	665	745
1939—6—92—Hudson Six Serial Nos. 92101 to 9254902:			
Coupe—3	570	645	725
Victoria Coupe—5	600	685	765
Conv. Coupe—3	670	765	860
Tour. Brougham—6	590	675	755
Conv. Brougham—6	715	815	915
Tour. Sedan—6	620	705	790
1939—6—Series 93—Country Club Six; Serial Nos. 93101 to 9354902:			
Coupe—3	635	725	815
Victoria Coupe—6	670	765	855
Conv. Coupe—3	730	830	935
Tour. Brougham—6	665	760	850
Conv. Brougham—6	775	880	990
Tour. Sedan, 4 dr.—6	690	785	880
1939—6—Series 98—Big Boy; Serial Nos. 98101 to 9854902:			
Tour. Sedan—6	605	685	770
Sedan—7	765	870	975
1939—8—Series 95—Country Club Eight; Serial Nos. 95101 to 9554902:			
Coupe—3	690	785	880
Victoria Coupe—5	720	820	920
Conv. Coupe—3	780	890	995
Tour. Brougham—6	720	820	915
Conv. Brougham—6	825	940	1,055
Tour. Sedan—6	740	840	945
1939—8—Series 97—Custom; Serial Nos. 97101 to 9754902:			
Tour. Sedan—6	805	915	1,025
Sedan—7	985	1,120	1,255
1938—6—Series 80—Terraplane Utility; Serial Nos. 80101 to 8056040; Motor Nos. 360000 and up:			
Coupe—3	425	515	595
Coach—6	420	505	585

(11) Hudson

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1938—6—Series 80—Continued.			
Tour. Coach—6	$430	$520	$600
Station Wagon	530	640	740
1938—6—Series 88—Big Boy; Serial Nos. 88101 to 8856040:			
Sedan 6-7	530	640	740
Tour. Sedan—6	540	650	755
1938—6—Series 81—Terraplane Deluxe; Serial Nos. 81101 to 8156040; Motor Nos. 360000 and up			
Coupe—3	430	515	595
Victoria Coupe 3—5	455	545	635
Conv. Coupe—3	505	610	705
Brougham—6	445	535	620
Tour. Brougham—6	455	550	635
Sedan—6	470	565	655
Tour. Sedan—6	480	580	670
Conv. Brougham—6	540	650	755
1938—6—Series 82—Terraplane Super; Serial Nos. 82101 to 8256040; Motor Nos. 360000 and up			
Coupe—3	470	565	655
Victoria Coupe—3—5	495	595	685
Conv. Coupe—3	540	655	755
Brougham—6	485	585	680
Tour. Brougham—6	500	600	695
Sedan—6	505	610	710
Tour. Sedan—6	520	625	725
Conv. Brougham—6	575	695	805
1938—6—Series 83—Hudson Custom; Serial Nos. 83101 to 8356040; Motor Nos. 98000 and up:			
Coupe—3	505	610	705
Victoria Coupe—3—5	530	640	740
Conv. Coupe—3	580	700	810
Brougham—6	525	635	730
Tour. Brougham—6	535	645	750
Sedan—6	545	655	760
Tour. Sedan—6	555	670	775
Conv. Brougham—6	615	740	855
1938—6—Series 89—Hudson 112; Serial Nos. 89101 to 8956040; Standard:			
Coupe—3	375	450	520
Victoria Coupe—4	400	480	560
Conv. Coupe—3	455	550	635
Brougham—6	390	470	540
Tour. Brougham—6	400	480	560
Sedan—6	405	490	565
Tour. Sedan—6	415	505	580
Conv. Brougham—6	485	585	675
Utility:			
Coupe—3	390	470	545
Coach—6	375	450	520
Tour. Coach—6	385	465	535
Deluxe:			
Coupe—3	380	460	530
Victoria Coupe—4	405	490	565
Conv. Coupe—3	455	550	640
Brougham—6	395	475	550
Tour. Brougham—6	405	490	565
Sedan—6	410	495	575
Conv. Brougham—6	485	585	680
Tour. Sedan—6	425	510	590
1938—8—Series 84—Hudson Deluxe; Serial Nos. 84101 to 8456040; Motor Nos. 35000 and up:			
Coupe—3	550	660	765
Victoria Coupe—3—5	570	685	800
Conv. Coupe—3	625	755	870
Brougham—6	570	685	795
Tour. Brougham—6	580	700	810
Sedan—6	585	710	820
Tour. Sedan—6	600	720	835
Conv. Brougham—6	660	795	920
1938—8—Series 85—Hudson Custom; Serial Nos. 85101 to 8556040; Motor Nos. 35000 and up:			
Coupe—3	590	710	820
Victoria Coupe—3—5	615	715	840
Brougham—6	615	745	860
Tour. Brougham—6	630	760	880
Sedan—6	640	770	890
Tour. Sedan—6	650	785	905
1938—8—Series 87—Country Club; Serial Nos. 87101 to 8756040; Motor Nos. 35000 and up:			
Sedan—6	650	785	910
Tour. Sedan—6	665	800	925
1937—6—Series 70—Terraplane Deluxe; Serial Nos. 70101 to 705001; Motor Nos. 250000 to 352074:			
Station Wagon	400	500	580
1937—6—Series 71—Terraplane Deluxe; Serial Nos. 71101 to 7170346; Motor Nos. 250000 to 352074:			
Business Coupe—2	315	385	455
Coupe—3	320	395	465
Victoria Coupe—3	345	420	495
Conv. Coupe—2	380	465	550
Brougham, 2 dr.—5	330	405	480

(11) Hudson

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1937—6—Series 71—Continued.			
Tour. Brougham, 2 dr.—5	$340	$415	$495
Sedan, 4 dr.—5	355	435	515
Tour. Sedan, 4 dr.—5	365	445	530
Conv. Brougham—4	415	510	605
1937—6—Series 72—Terraplane Super Six; Serial Nos. 72101 to 7219907; Motor Nos. 250000 to 352074:			
Coupe—3	360	440	520
Victoria Coupe—3	380	465	550
Conv. Coupe—2	415	505	600
Brougham, 2 dr.—5	370	450	535
Tour. Brougham, 2 dr.—5	380	465	550
Sedan, 4 dr.—5	390	480	565
Tour. Sedan, 4 dr.—5	400	490	580
Conv. Brougham—4	450	550	650
1937—6—Series 73—Hudson Custom Six; Serial Nos. 73101 to 736913; Motor Nos. 90000 to 97082:			
Business Coupe—2	375	460	545
Coupe—3	390	475	565
Victoria Coupe—3	410	505	595
Conv. Coupe—2	440	535	635
Brougham, 2 dr.—5	400	490	580
Tour. Brougham, 2 dr.—5	410	505	595
Sedan, 4 dr.—5	425	520	615
Tour. Sedan, 4 dr.—5	435	535	630
Conv. Brougham—4	480	585	690
1937—8—Series 74—Hudson Deluxe Eight; Serial Nos. 74101 to 745728; Motor Nos. 18000 to 34162:			
Coupe—3	420	510	605
Victoria Coupe-3	440	540	640
Conv. Coupe—2	475	580	685
Brougham, 2 dr.—5	430	530	625
Tour. Brougham, 2 dr.—5	445	545	645
Sedan, 4 dr.—5	450	555	655
Tour. Sedan, 4 dr.—5	465	570	670
Conv. Brougham—4	515	630	745
1937—8—Series 76—Hudson Deluxe Eight; Serial Nos. 76101 to 761197; Motor Nos. 18000 to 34162:			
Sedan, 4 dr.—5	465	570	670
Tour. Sedan, 4 dr.—5	475	585	690
1937—8—Series 75—Hudson Custom Eight; Serial Nos. 75101 to 753374; Motor Nos. 18000 to 34162:			
Coupe—3	455	555	660
Victoria Coupe—3	480	585	695
Conv. Coupe—2	515	630	750
Brougham, 2 dr.—5	475	580	685
Tour. Brougham, 2 dr.—5	485	595	705
Sedan, 4 dr.—5	495	610	720
Tour. Sedan, 4 dr.—5	510	625	735
Conv. Brougham—4	555	680	805
1937—6—Series 77—Hudson Custom Eight; Serial Nos. 77101 to 773752; Motor Nos. 18000 to 34162:			
Sedan, 4 dr.—5	510	625	735
Tour. Sedan, 4 dr.—5	520	640	755

(12) Hupmobile

Model, serial no., body type, and passenger capacity	A	B	C
1941—6—Series R115; Serial Nos R—100590 and up:			
Tour. Sedan, 4 dr.—5—RQK	$1,075	$1,135	$1,195
1940—6—Series—R—015 Custom; Serial Nos. R—100532 to 100589; Skylark Custom:			
Tour. Sedan, 4 dr.—5—RQK	975	1,085	1,185
1939—6—Series 922E; Serial Nos. E72001 to 72800; Deluxe:			
Tour. Sedan, 4 dr.—6—EQ	720	820	915
Custom:			
Tour. Sedan, 4 dr.—6—EQQ	790	900	1,010
1939—8—Series 925H; Serial Nos. H30001 to 30200; Deluxe:			
Tour. Sedan 4 dr.—6—HQ	825	940	1,055
Custom:			
Tour. Sedan, 4 dr.—6—HQD	900	1,025	1,145
1938—6—Series 822E; Serial Nos. 35001 to 35300, E50001 to 72000:			
Standard Tour. Sedan, 4 dr.—6	600	725	840
Regular Tour. Sedan, 4 dr.—6	615	745	860
Deluxe Tour. Sedan, 4 dr.—6	625	755	875
Custom Tour. Sedan, 4 dr.—6	695	840	970
1938—8—Series 825H; Serial Nos. H25001 to 30000:			
Regular Tour. Sedan, 4 dr.—6	680	820	950
Deluxe Tour. Sedan, 4 dr.—6	705	850	985
Custom Tour. Sedan, 4 dr.—6	775	935	1,080
1937—6—Series—G; Serial Nos. G6551 to 6749:			
Business Coupe—3	350	430	510
Coupe 3—5	370	455	540
Sedan, 2 dr.—6	360	440	520
Tour. Sedan, 2 dr.—6	375	460	545
Sedan, 4 dr.—6	380	465	550

(12) Hupmobile

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1937—6—Series G—Continued.			
Tour. Sedan, 4 dr.—6	$395	$485	$570
1937—8—Series—N; Serial Nos. N5251 to 5289:			
Coupe 3—5	460	560	665
Sedan, 2 dr.—6	440	540	635
Tour. Sedan, 2 dr.—6	460	560	665
Sedan, 4 dr.—6	460	560	665
Tour. Sedan, 4 dr.—6	475	580	690

(13) LaSalle

Model, serial no., body type, and passenger capacity	A	B	C
1940 — V8 — Series 50 — Fleetwood; Serial Nos. 2320001 to 2330382:			
Coupe A/S 2-4-5027	$1,050	$1,170	$1,275
Conv. Coupe 2-4-5067	1,190	1,325	1,445
Tour. Sedan Tk, 4 dr.—5-5019	1,125	1,250	1,365
Conv. Sedan, 4 dr.—5-5029	1,540	1,715	1,870
Tour. Sedan Tk, 2 dr.—5-5011	1,090	1,210	1,320
1940—V8—Series 52 La Salle Special; Serial Nos. 4320001 to 4333751:			
Coupe 2-4-5227	1,175	1,310	1,430
Conv. Coupe 2-4-5267	1,315	1,460	1,595
Conv. Sedan Tk, 4 dr.—5—5229	1,625	1,810	1,975
Tour. Sedan Tk. 4 dr.—5-5219	1,230	1,370	1,490
1939—V8—Series 50; Serial Nos. 2290001 to 2313002:			
Coupe O/S 2-4—5027	850	970	1,090
Conv. Coupe O. S. 2—4—5067	965	1,095	1,230
Tour. Sedan Tk, 4 dr.—5—5019	910	1,035	1,160
Conv. Sedan Tk, 4 dr.—5—5029	1,250	1,420	1,595
Tour. Sedan Tk, 2 dr.—5—5011	880	1,000	1,125
1938—V8—Series 50; Serial Nos. 2270001 to 2285501:			
Coupe O/S 2—4—5027	730	870	1,005
Conv. Coupe (Rumble) 2—4—5067	790	950	1,100
Tour. Sedan Tk, 4 dr.—5—5019	770	925	1,070
Conv. Sedan Tk, 4 dr.—5—5049	1,015	1,225	1,420
Tour. Sedan Tk, 2 dr.—5—5011	745	900	1,040
1937—V8—Series 50; Serial Nos. 2230001 to 2262005:			
Coupe O/S 2—4—5027	490	600	710
Conv. Coupe (Rumble) 2—4—5067	580	705	835
Tour. Sedan Tk, 2 dr.—5—5011	545	665	785
Tour. Sedan Tk, 4 dr.—5—5019	565	690	815
Conv. Sedan—5-5049	730	895	1,055

(14) Lincoln

Model, serial no., body type, and passenger capacity	A	B	C
1942—V12—Series 268H—Custom; Serial Nos. H-129691 and up:			
Sedan—8—31	$3,215	$3,250	$3,290
Limousine—8—32	3,350	3,385	3,425
1942 — V12 — Series 26H — Continental; Serial Nos. H-129691 and up:			
Coupe—3—57	3,265	3,305	3,345
Conv. Cabriolet—6—56	3,265	3,305	3,345
1941—V12—Series 168H—Custom; Serial Nos. H-107688 and up:			
Sedan—8—31	2,780	2,935	3,090
Limousine—8—32	2,920	3,080	3,240
1941 — V12 — Series 16H — Continental; Serial Nos. H-107688 and up:			
Coupe—6—57	2,890	3,050	3,210
Cabriolet—6—56	2,945	3,105	3,270
1940—V12—Series; Serial Nos. K-9451 and up (continued thru from 1939):			
Conv. Roadster Lebaron 2-4-410	4,630	5,150	5,620
Lebaron Coupe—2—412	4,630	5,150	5,620
Wilby Coupe—5—406	5,165	5,745	6,265
Sedan 2 W/3 W-5-404A	4,275	4,755	5,185
Brunn Conv. Victoria—5—408	5,165	5,745	6,265
Judkins Berline 2W—5—417A	5,255	5,845	6,375
Judkins Berline 3W—5-417B	5,340	5,940	6,480
Judkins Sedan Limousine—7-415	5,520	6,140	6,700
Brunn Cabriolet N/C-409A	6,055	6,735	7,345
Brunn Cabriolet S/C-409B	6,145	6,835	7,455
Brunn Tour. Cabriolet—2—425	6,320	7,030	7,670
Brunn Brougham—7—411	6,145	6,835	7,455
Sedan 7—407A	4,450	4,950	5,400
Limousine—7—4078	4,540	5,050	5,510
Conv. Sedan Lebaron—5—413A	5,075	5,645	6,160
Conv. Sedan Lebaron W/P-413B	5,255	5,845	6,375
Wilby Limousine—7—419	5,430	6,040	6,590
Wilby Sport Sedan—5—421	6,145	6,835	7,455
1939—V12—Series; Serial Nos. K9451 and up:			
Conv. Roadster LeBaron 2—4—410	3,745	4,265	4,785
LeBaron Coupe—5—412	3,745	4,265	4,785
Wilby Coupe—5—406	4,180	4,760	5,340
Sedan 2W/3W—5—404A	3,460	3,940	4,420
Brunn Conv. Victoria—5—408	4,180	4,760	5,340
Judkins Berline 2W—5—417A	4,250	4,840	5,430
Judkins Berline 3W—5—417B	4,320	4,920	5,520
Judkins Sedan Limousine—7—415	4,465	5,085	5,705

(14) Lincoln

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1939—V12—Series—Continued.			
Brunn Cabriolet N/C—409A	$4,900	$5,580	$6,260
Brunn Cabriolet S/C—409B	4,970	5,660	6,350
Brunn Tour. Cabriolet—2—425	5,115	5,825	6,535
Brunn Brougham—7—411	4,970	5,660	6,350
Sedan—7—407A	3,600	4,100	4,600
Limousine—7—407B	3,675	4,185	4,695
Conv. Sedan LeBaron—5—413A	4,105	4,675	5,245
Conv. Sedan LeBaron W/P—5—413B	4,250	4,840	5,430
Wilby Limousine—7—419	4,395	5,005	5,615
Wilby Sport Sedan—5—421	4,970	5,660	6,350
1938—V12—Series; Serial Nos. K9001 to 9450:			
Conv. LeBaron Roadster 2—4—410	2,770	3,340	3,865
Coupe LeBaron—2—412	2,770	3,340	3,865
Wilby Coupe—5—406	3,080	3,720	4,305
Sedan 2W/3W—5—404A	2,560	3,090	3,575
Brunn Conv. Victoria—5—408	3,080	3,720	4,305
Wilby Tour. Sedan—7—403	3,080	3,720	4,305
Judkins Berline 2W—5—417A	3,135	3,780	4,375
Judkins Berline 3W—5—417B	3,185	3,845	4,450
Judkins Sedan Limousine—7—415	3,290	3,970	4,595
Brunn Cabriolet N/C—5—409A	3,605	4,350	5,030
Brunn Cabriolet S/C—5—409B	3,655	4,410	5,105
Brunn Tour. Cabriolet—2—425	3,760	4,540	5,250
Brunn Brougham—7—411	3,655	4,410	5,105
Sedan—7—407A	2,665	3,215	3,720
Limousine—7—407B	2,715	3,280	3,795
LeBaron Conv. Sedan—5—413A	3,030	3,655	4,230
LeBaron Conv. Sedan W/P—5—413B	3,135	3,780	4,375
Wilby Limousine—7—419	3,240	3,910	4,520
Wilby Sport Sedan—5—421	3,655	4,410	5,105
Wilby Panel Brougham—7—423	3,865	4,665	5,395
1937—V12—Series; Serial Nos. K7500 8490			
Conv. Roadster LeBaron—5—360	2,405	2,940	3,480
Coupe LeBaron—2—362	2,405	2,940	3,480
Wilby Coupe—5—356	2,695	3,300	3,905
Sedan 2 W/3w—5—354A	2,160	2,640	3,125
Brunn Conv. Victoria—5—358	2,695	3,300	3,905
Wilby Tour. Sedan—5—353	2,695	3,300	3,905
Judkins Berline 2W—4—367A	2,745	3,360	3,980
Judkins Berline 3W—4—367B	2,795	3,420	4,050
Judkins Sedan Limousine—7—365	2,895	3,540	4,190
Brunn Cabriolet N/D—359A	3,235	3,960	4,690
Brunn Cabriolet S/B—359B	3,285	4,020	4,760
Brunn Tour. Cabriolet—5—375	3,385	4,140	4,900
Brunn Brougham—7—361	3,285	4,020	4,760
Sedan—7—357A	2,305	2,820	3,340
Limousine—7—357B	2,355	2,880	3,410
Conv. Sedan LeBaron—5—363A	2,650	3,240	3,835
Conv. Sedan LeBaron W/P—363B	2,745	3,360	[illegible]
Wilby Limousine—7—369	2,845	3,480	4,120
Wilby Sport Sedan—5—371	3,335	4,080	4,830
Wilby Panel Brougham—7—373	3,430	4,200	4,970

(15) Lincoln Zephyr

Model, serial no., body type, and passenger capacity	A	B	C
1942—V12—Series 26H; Serial Nos. H-129691 to 136254:			
Coupe—3—72A	$1,815	$1,850	$1,890
Club Coupe—6—77	1,870	1,905	1,945
Conv. Coupe—6—76	2,355	2,390	2,430
Sedan, 4 dr.—6—73	1,870	1,905	1,945
Custom Interior:			
Coupe—3—73A	1,905	1,945	1,980
Club Coupe—6—77	2,000	2,040	2,080
Sedan, 4 dr.—6—73	2,000	2,040	2,080
1941—V12—Series 16H; Serial Nos. H-107688 and up:			
Coupe—3—72A	1,515	1,600	1,685
Coupe A/S—3—6—72B	1,550	1,635	1,720
Club Coupe—6—77	1,585	1,670	1,755
Conv. Coupe—6—76	1,910	2,015	2,120
Sedan, 4 dr.—6—73	1,585	1,670	1,755
Custom Interior:			
Coupe—3—72A	1,600	1,685	1,775
Club Coupe—6—77	1,685	1,780	1,870
Sedan, 4 dr.—6—73	1,685	1,780	1,870
1940—V12—Series 06H; Serial Nos. H-85641 and up:			
Coupe—3—72A	1,210	1,350	1,470
Coupe A/S—5—72B	1,235	1,375	1,500
Club Coupe—6—77	1,250	1,390	1,515
Conv. Coupe—5—76	1,575	1,755	1,915
Cont. Club Coupe—5—57	2,405	2,675	2,920
Cont. Cabriolet—5—56	2,530	2,815	3,070
Sedan—6—73	1,250	1,390	1,515
Custom Interior:			
Coupe—3—72A	1,300	1,445	1,580
Club Coupe—6—77	1,335	1,485	1,620
Sedan—6—73	1,335	1,485	1,620
Town Limousine—5—22	1,550	1,725	1,880
1939—V12; Serial Nos. H-64641 to 85640:			
Coupe—3—720	960	1,085	1,215
Conv. Coupe—2—4—760B	1,225	1,395	1,565
Coupe Sedan, 2 dr.—5—700	960	1,095	1,225

(15) Lincoln Zephyr

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1939—V12; Serial Nos. H-64641 to 85640—Continued.			
Sedan, 4 dr.—5—730	$990	$1,115	$1,255
Conv. Sedan—5—740	1,290	1,470	1,660
Custom Interior:			
Coupe—3—720	1,045	1,190	1,335
Coupe Sedan, 2 dr.—5—700	1,070	1,215	1,365
Sedan, 4 dr.—5—730	1,090	1,240	1,390
Town Limousine Sedan—5—737	1,225	1,365	1,565
1938—V12—Series 86H; Serial Nos. H-45630 to 64640:			
Coupe—3—720	715	865	1,000
Conv. Coupe—3—760B	960	1,135	1,270
Coupe Sedan, 2 dr.—5—700	750	895	1,045
Sedan, 4 dr.—5—730	790	925	1,080
Conv. Sedan—5—740	990	1,105	1,280
Town Limousine—5—737	865	1,085	1,185
1937—V12—Series HB; Serial Nos. H-15550 to 45630:			
Coupe—3—720	535	655	775
Coupe Sedan, 2 dr.—5—700	575	705	825
Sedan, 4 dr.—5—730	585	715	845
Town Sedan—5—737	665	810	960

(16) Mercury

Model, serial no., body type, and passenger capacity	A	B	C
1942—V8—Series 29A—95 h.p.—Serial Nos. 99A-466701 and up:			
Coupe—3	$1,110	$1,145	$1,185
Sedan Coupe—6	1,170	1,210	1,250
Conv. Club Coupe—5	1,345	1,380	1,420
Tudor Sedan—6	1,145	1,185	1,220
Town Sedan, 4 dr.—6	1,185	1,220	1,260
Station Wagon—8	1,390	1,430	1,470
1941—V8—Series 19A—95 h.p., Serial Nos. 99A-257101 and up:			
Coupe 5W—2	985	1,030	1,075
Coupe A/S 2—4	1,005	1,060	1,115
Sedan Coupe—6	1,040	1,095	1,150
Conv. Club Coupe 2—4	1,170	1,235	1,295
Tudor Sedan—6	1,005	1,060	1,115
Town Sedan, 4 dr.—6	1,050	1,105	1,165
Station Wagon	1,210	1,280	1,345
1940—V8—95 h.p., Serial Nos. 99A-101701 and up:			
Club Conv. Coupe—5	985	1,040	1,135
Sedan, 2 dr.—6	820	915	995
Coupe Sedan, 2 dr.—6	855	950	1,040
Town Sedan, 4 dr.—6	855	950	1,040
Conv. Sedan—6	1,050	1,170	1,275
1939—V8—95 h.p., Serial Nos. 99A-1 to 101700:			
Club Conv. Coupe—5	715	815	915
Sedan, 2 dr.—5	645	730	820
Coupe Sedan, 2 dr.—5	670	765	860
Town Sedan—5	670	765	860

(17) Nash

Model, serial no., body type, and passenger capacity	A	B	C
1942—6—Series 4240—Ambassador "600", Serial Nos. K-56001 to 77680:			
Business Coupe—3—4242	$940	$975	$1,015
Brougham, 2 dr.—6—4243	980	1,020	1,060
S/S Sedan, 2 dr.—6—4249	970	1,010	1,045
S/S Sedan, 4 dr.—6—4248	990	1,030	1,070
Tour. Sedan, 4 dr.—6—4240	1,020	1,055	1,095
1942—6—Series 4260—Ambassador Six, Serial Nos. R-384001 to 393090:			
Business Coupe—3—4262	1,100	1,135	1,175
Brougham, 2 dr.—6—4263	1,140	1,180	1,220
S/S Sedan, 2 dr.—6—4269	1,130	1,170	1,210
S/S Sedan, 4 dr.—6—4268	1,150	1,190	1,230
Tour Sedan, 4 dr.—6—4260	1,180	1,215	1,255
1942—8—Series 4280—Ambassador Eight, Serial Nos. B114001 to 115000:			
Brougham, 2 dr.—6—4283	1,195	1,230	1,270
S/S Sedan, 4 dr.—6—4288	1,205	1,245	1,280
Tour Sedan, 4 dr.—6—4280	1,230	1,270	1,310
1941—6—Series 4140—Ambassador "600", Serial Nos. K—5001 to 55100:			
Special:			
Business Coupe—3—4145	760	800	845
F/B Sedan, 2 dr.—6—4146	775	815	855
F/B Sedan, 4 dr.—6—4147	810	855	900
Deluxe:			
Business Coupe—3—4142	815	860	905
Brougham, 2 dr.—6—4143	845	890	935
F/B Sedan, 2 dr.—6—4149	810	850	895
F/B Sedan, 4 dr.—6—4148	845	890	935
Tour Sedan, 4 dr.—6—4140	900	945	995
1941—6—Series 4160—Ambassador Six Serial Nos. R-353001 to 383400:			
Business Coupe—3—4162	965	1,010	1,060
Special Business Coupe—3—4165	[illegible]	980	980
1941—6—Series 4160—Continued.			
All Purpose Cabriolet—5—4161	$1,145	$1,205	$1,270
Brougham, 2 dr.—6—4163	1,010	[illegible]	1,120
Special F/B Sedan, 2 dr.—6—4169	[illegible]	[illegible]	1,080
Special F/B Sedan, 4 dr.—6—4167	965	1,015	1,070
Deluxe F/B Sedan, 4 dr.—6—4168	1,020	1,075	1,130
Tour. Sedan, 4 dr.—6—4160	1,070	1,130	1,180
1941—8—Series 4180—Ambassador Eight Serial Nos. B-110001 to 113500:			
Cabriolet—5—4181	1,265	1,335	1,405
Deluxe Brougham, 2 dr.—6—4183	1,120	1,180	1,240
Special F/B Sedan, 4 dr.—6—4187	1,085	1,145	1,205
Deluxe F/B Sedan, 4 dr.—6—4188	1,140	1,205	1,265
Tour. Sedan, 4 dr.—6—4180	1,195	1,260	1,325
1940—6—Series 4010—Deluxe Lafayette Serial Nos. H 57000 to [illegible]; Motor Nos. HE [illegible] to [illegible]:			
Business Coupe—3—4014	[illegible]	770	[illegible]
All Purpose Coupe—5—4012	740	[illegible]	[illegible]
All Purpose Cabriolet—5—4011	[illegible]	945	[illegible]
F/B Sedan, 2 dr.—6—4013	735	[illegible]	[illegible]
F/B Sedan, 4 dr.—6—4016	765	[illegible]	[illegible]
Sedan, 4 dr.—6—4010	765	850	[illegible]
1940—6—Series 4020—Nash Ambassador Six; Serial Nos. R 340000 to 352517; Motor Nos. E [illegible] to 352017:			
Business Coupe—3—4026	[illegible]	[illegible]	[illegible]
All Purpose Coupe—5—[illegible]	[illegible]	930	1,015
All Purpose Cabriolet—5—[illegible]	945	1,050	1,150
F/S Sedan, 2 dr.—6—[illegible]	830	925	1,010
F/S Sedan, 4 dr.—6—[illegible]	860	965	1,040
Sedan Tk, 4 dr.—6—[illegible]	[illegible]	965	1,040
1940—8—Series 4080—Nash Ambassador Eight; Serial Nos. [illegible] to [illegible]; Motor Nos. [illegible] to [illegible]:			
Business Coupe—3—4085	[illegible]	1,100	1,[illegible]
All Purpose Coupe—5—[illegible]	1,020	1,135	1,[illegible]
All Purpose Cabriolet—5—[illegible]	1,[illegible]	1,255	1,370
F/S Sedan, 2 dr.—6—4083	1,015	1,120	1,230
F/S Sedan, 4 dr.—6—4088	1,040	1,160	1,265
Sedan, Tk., 4 dr.—6—4080	1,040	1,160	1,265
1939—6—Series 3910—Nash Lafayette; Serial Nos. H 19450 to [illegible]; Motor Nos. HE 19050 to [illegible];			
Special:			
Business Coupe—3—3915	545	620	695
Comp. Sedan, 2 dr.—6—3916	570	650	730
Comp. Sedan, 4 dr.—6—3917	595	675	760
Sedan Tk, 4 dr.—5—3919	595	675	760
Deluxe:			
Business Coupe—3—3914	585	665	745
All Purpose Coupe—5—3912	610	690	775
All Purpose Cabriolet—5—3911	670	765	860
Comp. Sedan, 2 dr.—6—3913	605	690	770
Comp. Sedan, 4 dr.—6—3918	625	710	800
Sedan Tk, 4 dr.—6—3910	625	710	800
1939—6—Series 3920—Nash Ambassador Six; Serial Nos. R [illegible] to 339899; Motor Nos. E [illegible] to [illegible]:			
Business Coupe—3—3925	655	745	835
All Purpose Coupe—5—3922	680	775	865
All Purpose Cabriolet—5—3921	740	845	[illegible]
Comp. Sedan, 2 dr.—6—3923	675	770	860
Comp. Sedan, 4 dr.—6—3928	695	795	890
Sedan Tk, 4 dr.—6—3920	695	795	890
1939—8—Series 3980—Nash Ambassador Eight; Serial Nos. B 89000 to 106051; Motor Nos. B 101700 to 105551:			
Business Coupe—3—3985	830	945	1,060
All Purpose Coupe—5—3982	855	975	1,090
All Purpose Cabriolet—5—3981	915	1,040	1,170
Comp. Sedan, 2 dr.—6—3983	850	970	1,090
Comp. Sedan, 4 dr.—6—3988	875	995	1,115
Sedan Tk, 4 dr.—6—3980	875	995	1,115
1938—6—Series 3810—Nash Lafayette; Serial Nos. L [illegible] to [illegible], N 10501 to 19412; Motor Nos. LE 105781 to [illegible], HE [illegible] to 18912:			
Master:			
Business Coupe—3—3815	440	[illegible]	610
Victoria, 2 dr.—6—3816	460	[illegible]	640
Sedan Tk, 4 dr.—6—3817	485	[illegible]	675
Deluxe:			
Business Coupe—3—3814	470	[illegible]	660
All Purpose Coupe—3812	490	[illegible]	685
Cabriolet—3—3811	[illegible]	[illegible]	765
Victoria—6—3813	[illegible]	[illegible]	690
Sedan Tk, 4 dr.—6—3818	515	[illegible]	715
1938—6—Series 3830-Nash Ambassador Six; Serial Nos. R[illegible] to [illegible]; Motor Nos. E[illegible] to [illegible]:			
Business Coupe-3-3825	[illegible]	[illegible]	770
All Purpose Coupe-3823	[illegible]	700	805
Cabriolet-3-5-3821	[illegible]	730	855
Victoria-6-3823	570	690	795
1938—6—Series 3820—Continued.			
Sedan Tk, 4 dr.-6-3828	$600	$720	825
1938—8—Series 3880-Nash Ambassador Eight; Serial Nos. B[illegible] to [illegible]; Motor Nos. B[illegible] to 101675:			
Business Coupe-3-3885	640	770	800
All Purpose Coupe-3882	665	800	925
Cabriolet-3-5-3881	705	855	985
Victoria-6-3883	655	790	915
Sedan Tk, 4 dr.-6-3888	685	825	955
1937—6—Series 3710—Nash Lafayette "400": Serial Nos. L30781 to [illegible], H1001 to 10800; Motor Nos. LE[illegible] to 105780, HE301 to [illegible]:			
Business Coupe—3-3712	305	360	425
Coupe—3-5-3712R	320	390	465
All Purpose Coupe—3712A	325	400	470
Cabriolet—3-5-3711	365	445	525
Victoria Sedan, 2 dr.—3713	325	395	465
Sedan Tk, 4 dr.—6—3718	345	420	500
1937—6—Series 3720—Nash Ambassador Six; Serial Nos. R-[illegible] to [illegible]; Motor Nos. E-60711 to 75730:			
Business Coupe—3—3722	370	455	540
Coupe—3—5—3722R	390	480	565
All Purpose Coupe—3722A	400	490	575
Cabriolet—3-5-3721	425	520	615
Victoria Sedan, 2 dr.—6—3723	390	480	565
Sedan Tk—6—3728	415	510	600
1937—8—Series 3780—Nash Ambassador Eight; Serial Nos. B-80031 to [illegible]; Motor Nos. B-82731 to [illegible]:			
Business Coupe—3—3782	420	575	610
Coupe—3—5—3782R	440	540	635
All Purpose Coupe—3782A	450	550	650
Cabriolet—3—5—3781	470	580	685
Victoria Sedan, 2 Dr.—6—3783	440	540	635
Sedan Tk—6—3788	465	570	675

(18) Oldsmobile

Model, serial no., body type, and passenger capacity	A	B	C
1942—6—Series 66; Serial Nos. 66-86001 to 111810; 66L12001 and up. 66C[illegible] and up; Motor Nos. O-424001 to 472860:			
Business Coupe—3	$1,025	$1,060	$1,10[illegible]
Club Coupe—3-6	1,070	1,105	1,145
Conv. Coupe—3-6	1,315	1,355	1,3[illegible]
Club Sedan—6	1,085	1,120	1,16[illegible]
Sedan, 2 dr.—6	1,070	1,110	1,15[illegible]
Sedan, 4 dr.—6	1,120	1,160	1,20[illegible]
Town Sedan—6	1,120	1,160	1,20[illegible]
Station Wagon—3-8	1,415	1,455	1,49[illegible]
1942—6—Series 76; Serial Nos. 76-78001 to 91101, 76L11001 and up, 76C7001 and up; Motor Nos. G424001 to 472860:			
Club Sedan—6	1,125	1,165	1,20[illegible]
Sedan, 4 dr.—6	1,185	1,225	1,26[illegible]
"Seventy"—76-d:			
Club Sedan—6	1,220	1,255	1,29[illegible]
Sedan, 4 dr.—6	1,275	1,315	1,355
1942—8—Series 68; Serial Nos. 68-9001 to 12500, 68L3001 and up, 68C3001 and up; Motor Nos. L450001 to 468773:			
Business Coupe—3	1,070	1,105	1,14[illegible]
Club Coupe—3-6	1,110	1,150	1,19[illegible]
Conv. Coupe—3-6	1,355	1,395	1,4[illegible]
Club Sedan—6	1,125	1,165	1,20[illegible]
Sedan, 2 dr.—6	1,115	1,155	1,19[illegible]
Sedan, 4 dr.—6	1,165	1,200	1,24[illegible]
Town Sedan—6	1,165	1,200	1,24[illegible]
Station Wagon—3-8	1,460	1,495	1,535
1942—8—Series 78; Serial Nos. 78—26001 to 32881, 78L4001 and up, 78C4001 and up; Motor Nos. L450001 to 468773:			
Club Sedan—6	1,170	1,210	1,25[illegible]
Sedan, 4 dr.—6	1,230	1,265	1,305
"Seventy"—78—D:			
Club Sedan—6	1,260	1,300	1,335
Sedan, 4 dr.—6	1,320	1,360	1,39[illegible]
1942—8—Series 98; Serial Nos. 98—25001 to 31097, 98L6001 and up, 98C4001 and up; Motor Nos. L450001 to 468773:			
Conv. Coupe—3-6	1,600	1,640	1,675
Club Sedan—3-6	1,350	1,390	1,430
Sedan, 4 dr.—6	1,410	1,450	1,490
1941—6—Series 66—Special; Serial Nos. 66-1001 to 85192, 66L1001 to 72857, 66C1001 to 85216; Motor Nos. G225001 to 410506:			
Business Coupe—3	880	930	975

(18) Oldsmobile

Model, serial no., body type, and passenger capacity	A	B	C
1941—6—Series 66—Continued.			
Club Coupe—3-6	$925	$975	$1,025
Conv. Coupe—3-6	1,084	1,145	1,205
Sedan, 2 dr.—6	930	980	1,030
Sedan, 4 dr.—6	980	1,030	1,085
Town Sedan—6	980	1,030	1,085
Station Wagon	1,145	1,210	1,275
1941—6—Series 76—Dynamic; Serial Nos. 76-1001 to 47617, 76L1001 to 10426, 76C1001 to 6843; Motor Nos. G225001 to 353779:			
Business Coupe—3	935	985	1,035
Club Sedan—6	985	1,035	1,090
Sedan, 4 dr.—6	1,045	1,100	1,160
Deluxe—760:			
Business Coupe—3	1,020	1,075	1,135
Sedan Club—5	1,070	1,130	1,190
Sedan, 4 dr.—6	1,130	1,190	1,255
1941—6—Series 96—Custom; Serial Nos. 96-1001 to 6730, 96L1001 to 1101, 96C1001 to 1930; Motor Nos. G225001 to 422099:			
Club Coupe—3-6	1,075	1,135	1,195
Conv. Coupe—3-6	1,235	1,300	1,370
Sedan, 4 dr.—6	1,135	1,200	1,260
1941—8—Series 68—Special; Serial Nos. 68-1001 to 8817, 68 L1001 to 8622, 68C1001 to 8827; Motor Nos. L379001 to 448676:			
Business Coupe—3	925	975	1,025
Club Coupe—3-6	965	1,020	1,075
Conv. Coupe—3-6	1,130	1,190	1,255
Sedan, 2 dr.—6	970	1,025	1,080
Sedan, 4 dr.—6	1,020	1,075	1,135
Town Sedan—6	1,020	1,075	1,135
Station Wagon	1,190	1,255	1,320
1941—8—Series 78—Dynamic; Serial Nos. 78-1001 to 25163, 78L1001 to 3524, 78C1001 to 3055; Motor Nos. L379001 to 447803:			
Dynamic:			
Business Coupe—3	970	1,025	1,680
Club Sedan—6	1,020	1,075	1,135
Sedan, 4 dr.—6	1,080	1,140	1,180
Deluxe—780:			
Business Coupe—3	1,060	1,120	1,175
Club Sedan, 2 dr.—5	1,110	1,170	1,230
Town Sedan, 4 dr.—5	1,170	1,235	1,295
1941—8—Series 98—Custom; Serial Nos. 98-1001 to 24679, 98L1001 to 13195, 98C1001 to 2352; Motor Nos. L379001 to 449095:			
Club Coupe—3-6	1,115	1,175	1,235
Conv. Coupe—3-6	1,270	1,340	1,410
Conv. Phaeton—6	1,640	1,735	1,825
Sedan, 4 dr.—6	1,175	1,240	1,305
1940—6—Series 60-F40; Serial Nos. F703001 to 758579, LF556001 to 5863474, CF515001 to 519651; Motor Nos. G79001 to 224652:			
Business Coupe—2	685	760	830
Club Coupe—2	720	800	870
Conv. Coupe—2	850	945	1,030
Tour. Sedan, 2 dr.—5	725	805	875
Tour. Sedan, 4 dr.—5	765	850	925
Station Wagon	890	985	1,075
Conv. Coupe—P. Top	870	965	1,055
1940—6—Series 70-G40; Serial Nos. G355001 to 417940, LG108001 to 117596, GG16001 to 21070; Motor Nos. G79001 to 224652:			
Business Coupe—2	730	815	890
Club Coupe—2	765	850	925
Conv. Coupe—2	890	985	1,075
Tour. Sedan, 2 dr.—5	770	860	935
Tour. Sedan, 4 dr.—5	815	910	990
1940—8—Series 90—L40; Serial Nos. L242001 to 281191, LL202001 to 205267, CL 190501 to 192700; Motor Nos. L334001 to 378661; Custom Cruiser:			
Conv. Phaeton—5	1,340	1,490	1,625
Club Coupe—2	905	1,005	1,100
Conv. Coupe—2	1,040	1,155	1,260
Tour. Sedan, 4 dr.—5	960	1,065	1,165
1939—6—Series 60—F39; Serial Nos. F663001 to 702588; CF511001 to 514115; LF551301 to 555685; Motor Nos. F905001 to 952730:			
Business Coupe—2	530	605	680
Club Coupe—2-4	570	650	730
Sedan, 2 dr.—5	575	655	735
Sedan, 4 dr.—5	610	695	780
1939—6—Series 70—G39; Serial Nos. G300001 to 354552, CG10001 to 15325, LG10001 to 107782: Motor Nos. G10001 to 78468:			
Business Coupe—2	575	655	735
Club Coupe—2-4	610	695	780
Conv. Coupe—2-4	720	820	915
Sedan, 2 dr.—5	620	705	790
Sedan, 4 dr.—5	655	745	835
1939—8—Series 80—L39; Serial Nos. L228201 to 241850, CL189001 to 190358, LL199001 to 201119; Motor Nos. L316001 to 333127:			
Business Coupe—2	$630	$715	$800
Club Coupe—2-4	665	755	850
Conv. Coupe—2-4	770	875	980
Sedan, 2 dr.—5	680	775	865
Sedan, 4 dr.—5	715	815	915
1938—6—Series F38; Serial Nos. F600001 to 662212, CF504001 to 510598, LF545001 to 551236; Motor Nos. 828001 to 904002:			
Business Coupe—2	480	580	670
Club Coupe—2	510	620	715
Conv. Coupe—2	580	700	810
Sedan, 2 dr.—5	505	610	705
Tour. Sedan, 2 dr.—5	520	630	725
Sedan, 4 dr.—5	535	645	745
Tour. Sedan, 4 dr.—5	550	665	765
1938—8—Series L38; Serial Nos. L212001 to 228126, CL187001 to 188751, LL197001 to 198850; Motor Nos. 296001 to 298850:			
Business Coupe—2	545	655	760
Club Coupe—2	570	690	795
Conv. Coupe—2	645	775	895
Sedan, 2 dr.—5	570	685	790
Tour. Sedan, 2 dr.—5	580	700	810
Sedan, 4 dr.—5	595	720	830
Tour. Sedan, 4 dr.—5	610	735	855
1937—6—Series F37; Serial Nos. 353001 to 503300; Motor Nos. 670001 to 818948:			
Business Coupe—2-4	340	415	490
Club Coupe—2-4	365	445	525
Conv. Coupe—2-4	410	505	595
Sedan, 2 dr.—5	365	445	525
Tour. Sedan Tk, 2 dr.—5	375	460	545
Sedan, 4 dr.—5	390	475	565
Tour. Sedan Tk, 4 dr.—5	400	490	580
1937—8—Series L37; Serial Nos. 140001 to 186544; Motor Nos. 250001 to 295824:			
Business Coupe—2	385	475	560
Club Coupe—2-4	415	505	600
Conv. Coupe—2-4	460	565	665
Sedan, 2dr.—5	415	505	600
Tour. Sedan Tk, 2 dr.—5	425	520	615
Sedan, 4 dr.—5	440	535	635
Tour. Sedan Tk, 4 dr.—5	450	550	650

(19) Packard

Model, serial no., body type, and passenger capacity	A	B	C
1942—6—Series 110—Clipper; Serial Nos. E-1501 to 12906:			
Special Series 2000:			
Business Coupe—2—1588	$1,285	$1,325	$1,365
Club Sedan 2 dr.—6—1585	1,325	1,360	1,400
Tour. Sedan, 4 dr.—6—1582	1,360	1,395	1,435
Custom Series 2010:			
Club Sedan, 2 dr.—6—1505	1,400	1,430	1,470
Tour. Sedan, 4 dr.—6—1502	1,430	1,470	1,505
Series 2020:			
Conv. Coupe—5—1589	1,510	1,550	1,590
1942—8—Series 120—Clipper; Serial Nos. E300001 to 319350:			
Special Series 2001:			
Business Coupe—3—1598	1,300	1,370	1,410
Club Sedan, 2 dr.—6—1595	1,370	1,405	1,445
Tour. Sedan, 4 dr.—6—1592	1,405	1,440	1,480
Custom Series 2011:			
Club Sedan, 2 dr.—6—1515	1,440	1,480	1,515
Tour. Sedan, 4 dr.—6—1512	1,475	1,515	1,555
Series 2021:			
Conv. Coupe—5—1599	1,615	1,650	1,690
1942—8—Series 160—Super Clipper; Serial Nos. E-500001 to 503371:			
Series 2003:			
Club Sedan, 2 dr.—6—1575	1,785	1,820	1,860
Tour. Sedan, 4 dr.—6—1572	1,845	1,885	1,920
Series 2023:			
Conv. Coupe—5—1579	1,950	1,990	2,025
Series 2004:			
Tour. Sedan, 4 dr.—6—1562	2,065	2,105	2,140
Series 2005:			
Tour. Sedan, 4 dr.—7—1571	2,215	2,255	2,295
Tour. Limousine—7—1570	2,345	2,385	2,425
Series 2055:			
Business Sedan, 4 dr.—7—1591	2,060	2,100	2,135
Business Limousine—7—1590	2,190	2,230	2,265
1942—8—Series 180—Custom Super; Serial Nos. CE500001 to 503371:			
Series 2006:			
Tour. Sedan, 4 dr.—6—1525	2,285	2,320	2,360
Tour. Sedan, 4 dr.—6—1522	2,390	2,425	2,465
Special Series 2006:			
Victoria Conv. Darrin—5—1529	4,875	4,915	4,955
Series 2007:			
Tour. Sedan, 4 dr.—6—1548	2,650	2,690	2,725
Series 2007—Continued.			
Formal Sedan—6—1532	$3,260	$3,300	$3,340
Cabriolet A/W Rollson—7—894	5,170	5,210	5,245
Series 2008:			
Tour. Sedan, 4 dr.—7—1551	2,740	2,775	2,815
Tour. Limousine—7—1550	2,870	2,905	2,945
Tour. Sedan LeBaron—7—1521	5,870	5,910	5,945
Tour. Limousine LaBaron—7—1520	6,130	6,170	6,210
Town Car A/W Rollson—7—895	5,275	5,310	5,350
1941—6—Series 110 Series 1900; Special: Serial Nos. 01501 to 99999;			
Business Coupe—2—1488	945	995	1,045
Club Coupe—2—4—1485	1,040	1,100	1,155
Conv. Coupe—2—4—1489	1,230	1,295	1,365
Tour. Sedan, 2 Dr.—5—1484	1,070	1,125	1,185
Tour. Sedan, 4 Dr.—5—1482	1,100	1,160	1,225
Station Wagon—8—1483	1,290	1,360	1,430
Deluxe:			
Club Coupe—2—4—1485DE	1,080	1,140	1,200
Conv. Coupe—2—4—1489DE	1,265	1,335	1,405
Tour. Sedan, 2 Dr.—5—1484DE	1,130	1,195	1,255
Tour. Sedan, 4 Dr.—5—1482DE	1,165	1,230	1,295
Station Wagon—8—1463	1,350	1,425	1,500
1941—8—Series 120; Serial Nos. D300001 to 399999			
Series 1901:			
Business Coupe—2—1498	1,150	1,215	1,275
Club Coupe—2—1495	1,250	1,320	1,385
Conv Coupe—4—1499	1,430	1,510	1,590
Tour. Sedan, 2 Dr.—5—1494	1,275	1,345	1,415
Tour Sedan, 4 Dr.—5—1492	1,310	1,380	1,455
Conv. Sedan—5—1497	1,800	1,900	2,000
Station Wagon—8—1493	1,495	1,575	1,660
Deluxe Station Wagon—8—1473	1,560	1,645	1,730
1941—8—Series 1951—Clipper; Serial Nos. O400001 to 499999:			
Tour. Sedan, 4 Dr.—5—1401	1,430	1,510	1,585
1941—8—Series 160—Super Eight; Serial Nos. D500001 to 599999;			
Series 1903:			
Business Coupe—2—1478	1,655	1,745	1,835
Club Coupe—2—4—1475	1,775	1,875	1,970
Conv. Coupe—2—3—1479	1,970	2,080	2,185
Tour. Sedan, 4 Dr.—5—1472	1,820	1,920	2,020
Conv. Sedan—5—1477	2,275	2,400	2,525
Deluxe:			
Conv. Coupe—2—4—1479DE	2,155	2,275	2,395
Conv. Sedan—5—1477DE	2,515	2,655	2,790
Series 1904:			
Tour. Sedan, 4 Dr.—5—1462	2,095	2,210	2,325
Series 1905:			
Tour. Sedan—7—1471	2,255	2,380	2,505
Tour. Limousine—7—1470	2,390	2,525	2,655
1941—8—series 180—custom super; serial Nos. CD500001 to 599999;			
Series 1906:			
Victoria Conv. Darrin—5—1429	4,800	5,065	5,325
Series 1907:			
Tour. Sedan, 4 dr.—5—1442	2,710	2,860	3,010
Formal sedan 5—1432	3,200	3,375	3,550
Sport Brougham, 4 dr.—5—1452	3,680	3,885	4,085
Cabriolet A/W Rollson—7—794	4,905	5,175	5,445
Sport Sedan Darrin—5—1422	5,010	5,285	5,565
Series 1908:			
Tour. Sedan—7—1451	2,855	3,015	3,170
Tour. Limousine—7—1450	3,010	3,175	3,340
Town A/H Rollson—7—795	5,040	5,315	5,590
Tour. Sedan LeBaron—7—1421	5,595	5,905	6,215
Tour. Limousine LeBaron—7—1420	5,865	6,185	6,510
1940—6—Series—110; Serial Nos. C1501 to 99999; Series 1800:			
Business Coupe—2—1398	740	820	895
Club Coupe—2—4—1385	790	875	955
Conv. Coupe—2—4—1389	930	1,035	1,130
Tour. Sedan, 2 dr.—5—1384	805	895	975
Tour. Sedan, 4 dr.—5—1382	835	925	1,010
Station Wagon—8—1383	1,025	1,140	1,245
1940—8—Series 120; Serial Nos. C300001 to 399999; Series 1801:			
Business Coupe—2—1398	880	980	1,065
Club Coupe—2—4—1395	930	1,035	1,125
Conv. Coupe—2—4—1399	1,070	1,190	1,300
Tour. Sedan, 2 dr.—5—1394	945	1,050	1,150
Tour. Sedan, 4 dr.—5—1392	975	1,080	1,180
Club Sedan—5—1396	1,035	1,150	1,255
Conv. Sedan—5—1397	1,325	1,475	1,610
Station Wagon—8—1393	1,190	1,325	1,445
Victoria Conv. Darrin—5—700	3,285	3,650	3,985
Deluxe:			
Club Coupe—2—4—1395D	975	1,080	1,180
Conv. Coupe—2—4—1399D	1,105	1,230	1,340
Tour. Sedan, 4 dr.—5—1392D	1,040	1,160	1,265
Club Sedan—5—1396D	1,100	1,225	1,335
1940—8—Series 160—Super Eight; Serial Nos. C500001 to 599999; Series 1803:			
Business Coupe, 2 dr.—2—1378	1,295	1,440	1,570
Club Coupe, 2 dr.—4—1375	1,355	1,510	1,645
Conv. Coupe—2—4—1379	1,510	1,680	1,835
Tour. Sedan, 4 dr.—5—1372	1,390	1,545	1,685
Club Sedan—5—1376	1,460	1,625	1,775

(19) PACKARD

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1940—8—Series 180—Continued.			
Conv. Sedan—5—1377	$1,780	$1,895	$2,125
Series 1804:			
Tour. Sedan, 4 dr.—5—1363	1,615	1,860	1,960
Series 1805:			
Tour. Sedan—7—1371	1,720	1,925	2,100
Tour. Limousine—7—1370	1,845	2,050	2,235
1940—8—Series 180—Custom Super; Serial Nos. CC800001 to 800999;			
Series 1806:			
Club Sedan, 4 dr.—5—1366	1,910	2,125	2,315
Victoria Conv. Darrin—5—700	3,945	4,360	4,765
Series 1807:			
Tour. Sedan, 4 dr.—5—1342	2,055	2,265	2,455
Formal Sedan—5—1332	2,430	2,705	2,960
Cabriolet a/w Rollson—7—504	3,645	4,375	4,800
Conv. Sedan Darrin—5—710	5,460	6,065	6,615
Darrin Spt. Sedan—40—720	5,280	5,870	6,405
Series 1808:			
Tour. Sedan—7—1351	2,170	2,415	2,630
Tour. Limousine—7—1350	2,280	2,535	2,770
Town Car A/W Rollson—7—505	3,950	4,395	4,795
1939—8—Series; Motor Nos. B1501 to 99999; Series 1700:			
Business Coupe—2—1298	605	690	775
Club Coupe—2—4—1285	645	735	825
Conv. Coupe—2—4—1290	720	855	990
Tour. Sedan, 2 dr.—5—1294	680	750	845
Tour. Sedan, 4 dr.—5—1282	680	775	870
Station Wagon	970	1,105	1,240
1939—8—Series; Motor Nos. B 300001 to 399999; Series 1701:			
Business Coupe—2—1296	745	830	955
Club Coupe—2—4—1295	780	890	995
Conv. Coupe—2—4—1299	880	1,000	1,125
Tour. Sedan, 2 dr.—5—1294	796	900	1,015
Tour. Sedan, 4 dr.—5—1292	815	930	1,040
Conv. Sedan—5—1297	1,100	1,235	1,495
Station Wagon	1,125	1,260	1,435
Series 1702:			
Tour. Sedan—7—1291	1,170	1,335	1,495
Tour. Limousine—7—1290	1,280	1,460	1,635
1939—8—Series—Super Eight; Motor Nos. B500001 to 599999; Series 1703:			
Club Coupe—2—4—1275	1,120	1,275	1,485
Conv. Coupe—2—4—1279	1,280	1,460	1,635
Tour. Sedan, 4 dr.—5—1272	1,180	1,345	1,505
Conv. Sedan—5—1277	1,460	1,665	1,865
Series 1706:			
Tour. Sedan—7—1271	1,480	1,685	1,880
Tour. Limousine—7—1270	1,575	1,795	2,010
1939—12—Series; Motor Nos. 5800001 to 620099; Series 1707:			
Coupe—2—4—1238	2,760	3,135	3,515
Coupe—5—1237	2,875	3,275	3,675
Conv. Coupe—2—4—1239	2,920	3,325	3,730
Tour. Sedan, 4 dr.—5—1235	2,855	3,250	3,645
Club Sedan—5—1236	2,925	3,330	3,735
Formal Sedan—5—1232	3,355	3,825	4,290
Victoria—5—1237	3,525	4,010	4,500
Cabriolet A/W Rollston—7—504	4,705	5,360	6,015
Series 1708:			
Tour. Sedan—7—1234	3,085	3,515	3,945
Conv. Sedan—5—1253	3,640	4,145	4,650
Tour. Limousine—7—1235	3,720	4,680	4,130
Town Car A/W Packard Rollston—7—505	4,815	5,485	6,150
Tour. Cabriolet Brunn—5—4085	5,860	6,675	7,485
Cabriolet A/W Brunn—6—4087	5,860	6,675	7,485
1938—6—Series; Motor Nos. A1501 to 99999; Series 1600:			
Business Coupe—2—1188	540	650	750
Club Coupe—2—4—1185	565	680	790
Conv. Coupe—2—4—1189	630	760	875
Tour. Sedan, 2 dr.—5—1184	575	695	805
Tour. Sedan, 4 dr.—5—1182	595	715	830
1938—8—Series; Motor Nos. A300001 to 399999:			
Series 1601:			
Business Coupe—2—1198	675	815	940
Club Coupe—2—4—1196	709	845	980
Conv. Coupe—2—4—1199	755	910	1,050
Tour. Sedan, 2 dr.—5—1194	715	860	995
Tour. Sedan, 4 dr.—5—1192	730	880	1,020
Conv. Sedan—5—1197	915	1,105	1,280
Series 1601 D:			
Tour. Sedan, 4 dr.—5—1173	850	1,020	1,190
Series 1602:			
Tour. Sedan—7—1191	1,090	1,315	1,530
Tour. Limousine—7—1190	1,175	1,420	1,640
1938—8—Series—Super Eight; Motor Nos. A 800001 to 899999;			
Series 1603:			
Tour. Sedan, 4 dr.—5—1103	1,530	1,845	2,125
Series 1604:			
Coupe—2—4—1118	1,610	1,940	2,245
Coupe—5—1117	1,630	1,970	2,280
Conv. Coupe—5—4—1119	1,770	2,135	2,475
Club Sedan—5—1116	1,645	1,985	2,295
Tour. Sedan, 4 dr.—5—1113	1,645	1,985	2,300
Formal Sedan—5—1112	2,060	2,474	2,855
Victoria—5—1107	2,060	2,480	2,866

(19) PACKARD

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
Series 1605:			
Tour. Sedan—7—1114	$1,745	$2,105	$2,435
Conv. Sedan—5—1143	2,220	2,645	3,070
Tour. Limousine—7—1115	1,825	2,205	2,545
1938—12—Series; Motor Nos. A620001 to 620999:			
Series 1607:			
Coupe, 2 dr.—4—1138	2,220	2,675	2,995
Coupe, 5—1137	2,315	2,795	3,295
Conv. Coupe—2—4—1139	2,350	2,835	3,265
Tour. Sedan, 4 dr.—5—1133	2,300	2,775	3,210
Club Sedan—5—1136	2,355	2,845	3,290
Formal Sedan—5—1132	2,704	3,255	3,775
Victoria—5—1127	2,840	3,425	3,965
Series 1608:			
Tour. Sedan—7—1134	2,435	3,000	3,475
Conv. Sedan—5—1153	2,930	3,535	4,095
Tour. Limousine—7—1135	2,605	3,140	3,635
1937—6—Series; Motor Nos. T 1500 to 99999:			
Series 115C:			
Business Coupe—2—1085	380	480	565
Conv. Coupe, 2 dr.—4—1089	450	560	650
Sport Coupe, 2 dr.—4—1085	415	505	600
Tour. Coupe—5—1094	425	520	615
Sedan—5—1093	440	540	635
Club Sedan—5—1086	445	540	640
Tour. Sedan—5—1082	450	550	650
Station Wagon	865	715	845
1937—8—Series; Motor Nos. K-100000 to 199999:			
Series 120C:			
Business Coupe—2—1098	465	570	675
Conv. Coupe—2—4—1099	520	640	755
Sport Coupe—2—4—1095	535	655	705
Tour. Coupe—5—1094	515	630	745
Sedan—5—1095	515	630	750
Club Sedan—5—1096	520	640	755
Tour. Sedan—5—1092	665	815	985
Conv. Sedan—5—1097	656	805	980
Station Wagon			
Series 120CD—Deluxe:			
Tour. Coupe—5—104CD	625	765	905
Club Sedan—5—1095CD	625	760	895
Tour. Sedan—5—1092CD	625	765	905
Series 120CD—Deluxe:			
Tour. Limousine—7—CD1080	905	1,105	1,310
Tour. Sedan—7—CD1091	830	1,015	1,200
1937—8—Series—Super Eight; Motor Nos. 395500 to 449999:			
Series 1500:			
Tour. Sedan—5—1008	1,145	1,405	1,660
Series 1501:			
Coupe Roadster, 2 Dr.—4—1019	1,315	1,610	1,905
Coupe—2—4—1018	1,130	1,455	1,720
Coupe—5—1017	1,230	1,510	1,785
Club Sedan—5—1016	1,240	1,520	1,800
Tour. Sedan—5—1013	1,245	1,525	1,800
Formal Sedan—5—1012	1,365	1,945	2,300
Victoria—5—1007	1,545	1,890	2,240
Cabriolet A/W LeBaron—5—7—L394	2,380	2,910	3,445
Series 1502:			
Conv. Sedan—5—1063	1,645	2,010	2,380
Tour. Sedan—5—7—1014	1,325	1,625	1,925
Business Sedan—5—8—1014	1,265	1,550	1,835
Tour. Limousine—5—7—1015	1,395	1,705	2,020
Business Limousine—5—8—1015	1,330	1,630	1,930
Town Car—7—L305	2,445	2,995	3,545
1937—12—Series; Motor Nos. 905500 to 919999:			
Series 1505:			
Tour. Sedan—5—1023	1,710	2,095	2,480
Series 1507:			
Coupe Roadster—2—4—1089	1,695	2,070	2,480
Coupe—2—4—1088	1,690	2,065	2,430
Coupe—5—1037	1,760	2,155	2,550
Club Sedan—5—1086	1,795	2,200	2,600
Tour. Sedan—5—1083	1,745	2,140	2,530
Formal Sedan—5—1082	2,090	2,560	3,025
Conv. Victoria—5—1027	2,200	2,695	3,190
Cabriolet A/W LeBaron—5—7—L304	2,795	3,420	4,050
Series 1505:			
Conv. Sedan—5—1073	2,280	2,790	3,305
Tour. Sedan—5—7—1034	1,905	2,335	2,760
Tour. Limousine—5—7—1035	2,005	2,455	2,900
Town Car A/W LeBaron—5—7—L306	2,895	3,540	4,190

(20) PLYMOUTH

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1942—6—Series P14—Deluxe; Serial Nos. 18135501 to 18189865, 21941501 to 21941956; Motor Nos. P14-1001 to 1491288:			
Coupe—3	$910	$980	$985
Club Coupe—5	980	1,055	1,065
Sedan, 2 dr.—5	980	990	1,025
Sedan, 4 dr.—5	990	1,060	1,070
Utility Sedan, 2 dr.—3	940	980	1,020

(20) PLYMOUTH

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1942—6—Series P14—Special Deluxe; Serial Nos. 11390501 to 11464068, 2287001 to 2305786, 20148001 to 20164428; Motor Nos. P14-1001 to P14-149188:			
Coupe—3	$955	$990	$1,030
Club Coupe—5	1,035	1,070	1,110
Conv. Coupe—5	1,195	1,235	1,270
Sedan, 2 dr.—5	1,000	1,035	1,075
Sedan, 4 dr.—5	1,030	1,060	1,120
Town Sedan—5	1,090	1,125	1,165
Station Wagon—8	1,205	1,305	1,345
1941—6—Series P11; Serial Nos. 18000101 to 18133031, 2121501 to 2132963, 220010001 to 220036986; Motor Nos. P11-1001 to 538086:			
Roadking:			
Coupe—2	710	750	790
Sedan, 2 dr.—5	765	810	850
Sedan, 4 dr.—5	810	855	900
Utility Sedan, 2 dr.—2	765	810	850
Deluxe:			
Coupe—2	775	815	860
Sedan, 2 dr.—5	825	875	920
Sedan, 4 dr.—5	870	920	965
1941—8—Series P12; Serial Nos. 1123001 to 11309251, 3209801 to 3296573, 20105001 to 20147922; Motor Nos. P12-1001 to 538086:			
Special deluxe:			
Coupe—2	895	850	895
Coupe—4	855	900	950
Conv. Coupe—4	1,030	1,085	1,145
Sedan, 2 dr.—5	860	905	955
Sedan, 4 dr.—5	890	940	990
Station Wagon—8	1,055	1,115	1,170
Sedan—7	1,110	1,170	1,230
Limousine Sedan—7	1,190	1,255	1,320
1940—6—Series P9—Roadking; Serial Nos. 1378001 to 1454305, 3114801 to 3121386, 9062201 to 9081376; Motor Nos. P9-1001 to 415462:			
Coupe—2	550	610	665
Tour. Sedan, 2 dr.—5	595	660	720
Tour. Sedan, 4 dr.—5	630	700	760
Utility Sedan, 2 dr	595	660	720
1940—6—Series P10—Deluxe; Serial Nos. 16883001 to 11123639, 3242301 to 3269067, 20063001 to 20104166; Motor Nos. P10-1001 to 415462:			
Coupe—2	615	685	745
Coupe—3-4	655	725	795
Conv. Coupe—2-4	805	895	975
Tour. Sedan, 2 dr.—5	655	730	795
Tour. Sedan, 4 dr.—5	685	760	830
Station Wagon (Glass)—8	825	915	1000
Sedan-Limousine—7	915	1020	1110
Sedan—7	850	945	1035
Utility Sedan	655	730	795
1939—6—Series P7—Roadking; Serial Nos. 1298001 to 1377476, 3110001 to 3114681, 9150401 to 9164594; Motor Nos. P8-1001 to 411934:			
Coupe—2	445	505	565
Sedan, 2 dr.—5	470	535	600
Tour. Sedan Tk, 2 dr.—5	490	545	615
Sedan, 4 dr.—5	500	570	635
Tour. Sedan Tk, 4 dr.—5	510	580	650
Utility Sedan, 2 dr	470	535	600
1939—6—Series P8—Deluxe; Serial Nos. 10530001 to 10678675, 3222001 to 3242204, 20027001 to 20062202; Motor Nos. P8-1001 to 411934:			
Coupe—2	500	565	635
Coupe—3-4	520	590	660
Conv. Coupe—3-4	615	700	785
Sedan, 2 dr.—5	525	595	665
Tour. Sedan Tk, 2 dr.—5	530	605	680
Sedan, 4 dr.—5	545	620	695
Tour. Sedan Tk, 4 dr.—5	555	630	705
Suburban (Cur)—8	640	725	815
Suburban (Glass)—8	700	760	850
Conv. Sedan Tk—5	790	900	1,010
Sedan Tk—7	690	785	880
Sedan Limousine—7	750	855	960
1938—6—Series P5—Roadking; Serial Nos. 1240001 to 1298816, 3165301 to 3109808, 9097601 to 9167726; Motor Nos. P6-1001 to 290630:			
Coupe—2	380	430	500
Sedan 2 dr.—5	380	460	530
Sedan 4 dr.—5	405	490	565
Tour. Sedan Tk, 2 dr.—5	390	470	540
Tour. Sedan Tk, 4 dr.—5	415	500	755

(20) PLYMOUTH

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1938—6—Series P6—Deluxe; Serial Nos. 10470001 to 10625661, 3208001 to 3220098, 20001001 to 20025901; Motor Nos. P6-1001 to 286630:			
Coupe—2	$405	$490	$555
Coupe—3-4	425	515	595
Conv. Coupe—3-4	470	570	655
Sedan, 2 dr.—5	490	515	595
Tour. Sedan Tk, 2 dr.—5	435	525	605
Sedan, 4 dr.—5	445	535	620
Tour. Sedan Tk, 4 dr.—5	450	545	630
Suburban—8	585	585	680
Sedan Tk—7	555	670	775
Sedan Limousine—7	605	730	845
1937—6—Series P3—Business; Serial Nos. 1184001 to 1237400, 3101401 to 3105159, 908551 to 9007493; Motor Nos. P4-1001 to 571569:			
Coupe—2	250	310	365
Sedan, 2 Dr.—5	270	330	395
Sedan, 4 Dr.—5	295	360	425
1937—6—Series P4—Deluxe; Serial Nos. 10101001 to 10468044, 3162501 to 3205879, 9950001 to 9999000, 9190021 to 9199074; Motor Nos. P4-1001 to 571569:			
Coupe—2	285	345	410
Coupe—3-4	310	375	445
Conv. Coupe—2-4	365	450	530
Sedan, 2 Dr.—5	315	385	455
Tour. Sedan Tk, 2 Dr.—5	320	390	465
Sedan, 4 Dr.—5	330	405	480
Tour. Sedan Tk, 4 Dr.—5	335	410	485
Sedan, 4 Dr.—7	450	550	650
Sedan Limousine—7	485	595	700

(21) PONTIAC

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1942—6—Series 25 KA—Torpedo; Serial Nos. P6KA—1001—25802; C6KA—1001 to 3269, L6KA—1001 to 3428:			
Coupe—3	$1,000	$1,040	$1,080
Sedan Coupe—5	1,080	1,100	1,135
Sport Coupe—5	1,045	1,080	1,120
Conv. Sedan Coupe—5	1,200	1,230	1,270
Sedan, 2 dr.—5	1,050	1,090	1,125
Sedan, 4 dr.—5	1,100	1,135	1,175
Metropolitan Sedan—5	1,100	1,135	1,175
1942—6—Series 26 KB; Serial Nos. P6KB—1001—11115, C6KB—1001 to 2170, L6KB—1001 to 2181 Streamliner:			
Sedan Coupe—5	1,095	1,130	1,170
Sedan, 4 dr.—5	1,150	1,190	1,230
Station Wagon—8	1,400	1,440	1,475
Streamliner Chieftain:			
Sedan, Coupe—5	1,145	1,185	1,225
Sedan, 4 dr.—5	1,205	1,245	1,285
Station Wagon—8	1,450	1,490	1,530
1942—6—Series 27 KA—Torpedo; Serial Nos. P8KA—1001—13146, C8KA—1001 to 2070; L8KA—1001 to 2205:			
Coupe—3	1,030	1,065	1,105
Sedan Coupe—5	1,085	1,125	1,165
Sport Coupe—5	1,070	1,110	1,145
Conv. Sedan Coupe—5	1,315	1,355	1,395
Sedan, 2 dr.—5	1,075	1,115	1,155
Sedan, 4 dr.—5	1,125	1,160	1,200
Metropolitan Sedan—5	1,125	1,160	1,200
1942—8—Series 28 KB; Serial Nos. P8KB—1001—22928, C8KB—1001 to 3127 L8KB—1001 to 3451; Streamliner:			
Sedan Coupe—5	1,120	1,160	1,195
Sedan, 4 dr.—5	1,180	1,215	1,255
Station Wagon—8	1,425	1,465	1,505
Streamliner Chieftain:			
Sedan Coupe—5	1,175	1,210	1,250
Sedan, 4 dr.—5	1,230	1,270	1,310
Station Wagon—8	1,480	1,520	1,555
1941—6—Series JA25—Deluxe Torpedo; Serial Nos. 6JA-1001 to 69340, Motor Nos. 6-761501 to 971788:			
Business Coupe—3	860	905	950
Sedan Coupe—5	895	945	995
Conv. Sedan Coupe	1,065	1,125	1,180
Metropolitan Sedan—5	965	1,010	1,060
Sedan, 2 dr.—5	905	955	1,005
Sedan, 4 dr.—5	955	1,010	1,060
1941—6—Series JB26—Streamliner "Torpedo"; Serial Nos. 6JB-1001 to 62545; Motor Nos. 6-781301 to 971788:			
Sedan Coupe—5	955	1,010	1,060
Super Sedan Coupe—5	1,005	1,060	1,115
Sedan, 4 dr.—5	1,015	1,070	1,125

(21) PONTIAC

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1941—6—Series JB26—Continued.			
Super Sedan, 4 dr.—5	$1,065	$1,125	$1,180
1941—6—Series JC24—Custom "Torpedo"; Serial Nos. 6JC-1001 to 69345; Motor Nos. 6-761801 to 971788:			
Sedan Coupe—5	$1,080	$1,090	$1,145
Sedan, 4 dr.—5	1,090	1,150	1,210
Standard Station Wagon—8	1,150	1,215	1,280
Deluxe Station Wagon—8	1,205	1,275	1,340
1941—6—Series JA27—Deluxe "Torpedo"; Serial Nos. 8JA-1001 to 27219; Motor Nos. 8-246501 to 368240:			
Business Coupe—3	885	935	980
Sedan Coupe—5	925	975	1,025
Conv. Sedan Coupe—5	1,090	1,150	1,210
Sedan, 2 dr.—5	935	985	1,035
Sedan, 4 dr.—5	985	1,035	1,090
Metropolitan Sedan, 4 dr.—5	985	1,035	1,090
1941—8—Series JB28—Streamliner "Torpedo"; Serial Nos. 8JB-1001 to 52426; Motor Nos. 8-246501 to 368240:			
Sedan Coupe—5	988	1,035	1,090
Super Sedan Coupe—5	1,030	1,090	1,145
Sedan, 4 dr.—5	1,045	1,100	1,160
Super Sedan, 4 dr.—5	1,090	1,150	1,210
1941—8—Series JC29—Custom Torpedo; Serial Nos. 8JC—1001 to 12576; Motor Nos. 8-246501 to 368240:			
Sedan Coupe—5	1,090	1,120	1,175
Sedan, 4 dr.—5	1,120	1,180	1,240
Standard Station Wagon—8	1,180	1,245	1,310
Deluxe Station Wagon—8	1,235	1,300	1,370
1940—6—Series 25—HA—Special Six; Serial Nos. 6HA-1001 to 84545, L6HA-1001 to 12111, C6HA-1001 to 10323; Motor Nos. 6-595801 to 761172:			
Business Coupe—3	665	740	805
Sport Coupe—4	695	775	845
Sedan Tk, 4 dr.—5	745	830	905
Sedan Tk, 2 dr.—5	705	785	855
Deluxe Station Wagon—8	865	960	1,050
1940—6—Series 26—HB—Deluxe; Serial Nos. 6 HB-1001 to 44296, C6HB-1001 to 5184, L6HB-1001 to 10968; Motor Nos. 6-595801 to 761162:			
Business Coupe—3	710	790	860
Sport Coupe—4	745	830	905
Conv. Cabriolet—4	855	950	1,040
Sedan, 4 dr.—5	795	885	965
Sedan, 2 dr.—5	780	835	910
1940—8—Series 26 HA—Deluxe; Serial Nos. 8 HA-1001 to 16517, C8HA-1001 to 2363, L8HA-1001 to 4253; Motor Nos. 8-194401 to 246073:			
Business Coupe—3	745	830	905
Sport Coupe—4	775	865	940
Conv. Cabriolet—4	890	990	1080
Sedan, 4 dr.—5	825	920	1000
Sedan, 2 dr.—5	780	870	945
1940—B—Series 29 HB—Torpedo; Serial Nos. 8HB—1001 to 44296, C8HB—1001 to 5184, L8HB—1001 to 10968; Motor Nos. 8-194401 to 761142:			
Sport Coupe—4	865	960	1,050
Sedan Tk, 4 Dr.—5	915	1,015	1,110
1939—6—Series 25 EA—Quality Deluxe; Serial Nos. P6EA—1001 to 43670, C6EA—1001 to 4638, L6EA—1001 to 7503; Motor Nos. 6-486201 to 6-595105:			
Sedan Tk, 4 Dr.—6	595	690	780
Sedan Tk, 2 Dr.—6	565	640	720
Business Coupe—3	520	590	665
Sport Coupe—5	555	635	710
Station Wagon	685	780	875
1939—6—Series 26EB—Quality Deluxe; Serial Nos. P6EB-1001 to 41263, C6EB-1001 to 5120, L6EB-1001 to 8599; Motor Nos. 6-486301 to 6-595104:			
Sedan Tk, 4 Dr.—6	635	725	810
Sedan Tk, 2 Dr.—6	600	685	765
Business Coupe—3	560	640	715
Sport Coupe Opera—5	595	680	760
Conv. Cabriolet—5	685	780	875
1939—8—Series 28EA—Deluxe; Serial Nos. P8EA-1001 to 27627, C8EA-1001 to 3625, L8EA-1001 to 6522; Motor Nos. 8-150601 to 8-191910:			
Sedan Tk, 4 Dr.—6	670	760	855
Sedan Tk, 2 Dr.—6	630	720	805
Business Coupe—6	590	675	755
Sport Coupe—5	630	715	800
Conv. Coupe—5	720	820	920

(21) PONTIAC

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1938—6—Series 6DA—Deluxe; Serial Nos. 6DA-1616 to 60416, C6DA-2001 to 8155, L6DA-1001 to 8942, C6DA-1001 to 1615:			
Sedan, 4 Dr.—5	$510	$615	$710
Tour. Sedan Tk, 4 Dr.—5	525	630	730
Conv. Sedan, 4 Dr.—5	735	885	1,025
Sedan, 2 Dr.—5	480	580	670
Tour. Sedan Tk, 2 Dr.—5	495	595	690
Business Coupe—2	465	560	645
Sport Coupe 2—4	495	595	690
Conv. Coupe 2—4	555	665	770
Station Wagon	620	750	865
1938—8—Series 8DA—Deluxe; Serial Nos. 8DA-1001 to 15729, L8DA-1001 to 4071, C-8DA-1001 to 2530; Motor Nos. 8-140001 to 159441:			
Sedan, 4 Dr.—5	545	655	760
Tour. Sedan Tk, 4 Dr.—5	560	675	780
Conv. Sedan, 4 Dr.—5	755	910	1,055
Sedan, 2 Dr.—5	520	625	725
Tour. Sedan Tk, 2 Dr.—5	535	645	745
Business Coupe—2	500	600	695
Sport Coupe 2—4	530	640	740
Conv. Coupe 2—4	590	710	820
1937—6—Series 6 CA—Deluxe; Serial Nos. 6CA-1001 to 154827; Motor Nos. 6-220001 to 399286:			
Sedan, 4 Dr.—5	365	450	530
Tour. Sedan Tk, 4 Dr.—5	380	465	550
Conv. Sedan, 4 Dr.—5	520	635	750
Sedan, 2 Dr.—5	345	420	495
Tour. Sedan Tk, 2 Dr.—5	355	435	515
Business Coupe—2	320	390	465
Sport Coupe 2—4	355	435	515
Conv. Coupe 2—4	420	510	605
Station Wagon	420	510	605
1937—6—Series 8 CA—Deluxe; Serial Nos. 8—CA—1001 to 49442; Motor Nos. 8—83001 to 139968:			
Sedan, 4 Dr.—5	395	485	575
Tour. Sedan Tk, 4 Dr.—5	410	500	590
Conv. Sedan, 4 Dr.—5	540	660	780
Sedan, 2 Dr.—5	375	460	540
Tour. Sedan Tk, 2 Dr.—5	385	475	560
Business Coupe—2	355	435	515
Sport Coupe 2—4	365	470	555
Conv. Coupe 2—4	420	510	605

(22) STUDEBAKER

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1942—6—Series 4G—Champion; Serial Nos. G-165501 to 192583, G-821001 to 823645; Motor Nos. 186301 to 216050:			
Custom:			
Coupe—3	$845	$885	$925
Double-Dater Coupe—5	870	910	950
Club Sedan, 2 Dr.—5	875	915	955
Cruising Sedan—5	910	945	985
Delurxstyle:			
Coupe—3	885	920	960
Double-Dater Coupe—5	910	945	985
Club Sedan, 2 Dr.—5	915	950	990
Cruising Sedan—5	945	980	1,020
1942—6—Series 12A—Commander; Serial Nos. 4216501 to 4232296, 4816601 to 4818305; Motor Nos. N-164301 to 161612:			
Custom:			
Sedan Coupe—6	1,150	1,185	1,225
Cruising Sedan—6	1,170	1,205	1,245
Land Cruiser—6	1,205	1,245	1,280
Delurxstyle:			
Sedan Coupe—6	1,195	1,235	1,270
Cruising Sedan—6	1,215	1,255	1,295
Land Cruiser—6	1,250	1,290	1,330
Skyway:			
Sedan Coupe—6	1,230	1,270	1,310
Cruising Sedan—6	1,250	1,290	1,330
Land Cruiser—6	1,290	1,325	1,365
1942—8—Series 8C—President; Serial Nos. 7145501 to 7148659, 7804601 to 7804943; Motor Nos. D-52101 to 55606:			
Custom:			
Sedan Coupe—6	1,275	1,315	1,350
Cruising Sedan—6	1,295	1,335	1,375
Land Cruiser—6	1,330	1,370	1,410
Deluxe Style:			
Sedan Coupe—6	1,320	1,360	1,400
Cruising Sedan—6	1,340	1,380	1,420
Land Cruiser—6	1,380	1,415	1,455
Skyway:			
Sedan Coupe—6	1,355	1,395	1,435
Cruising Sedan—6	1,380	1,415	1,455
Land Cruiser—6	1,415	1,450	1,490

(22) STUDEBAKER

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1941—6—Series—20—Champion; Serial Nos. G-90101 to 165400, G-811201 to 820902; Motor Nos. 101201 to 186259:			
Custom:			
Coupe—3	$710	$780	$790
Opera Coupe—5	760	790	830
Club Sedan, 2 Dr.—5	755	795	840
Cruising Sedan—5	800	845	885
Double-Dater Coupe—5	760	790	830
Custom Deluxe:			
Coupe—3	745	785	825
Opera Coupe—5	780	826	870
Club Sedan, 2 Dr.—5	790	830	875
Cruising Sedan—5	830	875	926
Double-Dater Coupe	780	825	870
Deluxe-Ton:			
Coupe—3	780	826	870
Opera Coupe—5	820	865	910
Club Sedan, 2 Dr.—5	825	870	915
Cruising Sedan—5	870	915	965
Double-Dater Coupe	830	865	910
1941—6—Series 11A—Commander; Serial Nos. 4178901 to 4216180; 4811901 to 4816518; Motor Nos. H-122201 to 164222:			
Custom:			
Sedan Coupe—6	1,005	1,060	1,115
Cruising Sedan—6	1,025	1,080	1,135
Land Cruiser—6	1,075	1,130	1,190
Deluxe Tone:			
Cruising Sedan—6	1,095	1,155	1,215
Land Cruiser—6	1,145	1,205	1,270
Skyway:			
Sedan Coupe—6	1,100	1,160	1,220
Cruising Sedan—6	1,125	1,185	1,245
Land Cruiser—6	1,155	1,220	1,280
1941—8—Series 7C—President; Serial Nos. 7139101 to 7143407; 7803901 to 7804892; Motor Nos. P-43001 to 43012:			
Custom:			
Cruising Sedan—6	1,150	1,215	1,275
Land cruiser—6	1,200	1,265	1,330
Delux-Tone:			
Cruising Sedan—6	1,220	1,290	1,355
Land Cruiser—6	1,270	1,340	1,410
Skyway:			
Sedan Coupe—6	1,225	1,295	1,360
Cruising Sedan—6	1,250	1,320	1,385
Land Cruiser—6	1,280	1,350	1,425
1940—6—Series—2G—Champion Serial Nos. G-30501 to 90069; G-803701 to 811191; motor Nos. 34101 to 101199:			
Custom:			
Coupe—3	560	620	675
Opera Coupe—5	595	660	720
Club Sedan, 2 dr.—5	595	660	720
Cruising Sedan—5	630	700	765
Deluxe:			
Coupe—3	610	680	740
Opera coupe—5	645	720	785
Club Sedan, 2 dr.—5	645	720	785
Cruising Sedan—5	685	760	830
Custom Deluxe:			
Coupe—3	585	650	710
Opera Coupe	615	685	745
Club Sedan	620	690	755
Cruising Sedan	655	730	796
Champion Delux-Tone:			
Coupe—3	610	680	740
Opera Coupe	645	715	780
Club Sedan	645	720	785
Cruising Sedan	685	760	830
1940—6—Series—10A—Commander Serial Nos. 4148501 to 4178797; 4807901 to 4811866; motor Nos. M-87601 to 122190:			
Custom:			
Coupe—3	760	845	925
Club sedan, 3 dr.—6	790	875	955
Cruising sedan—6	825	915	1,000
Delux-tone:			
Coupe—3	795	885	965
Club sedan	835	916	1,000
Cruising sedan	860	965	1,040
1940—8—Series—8G—President, Serial Nos. 7138101 to 7139088; 7803301 to 7803885; Motor Nos. s—38501 to 44999:			
Coupe—3	865	960	1,060
Club Sedan, 2 dr.—6	890	990	1,090
Cruising Sedan—6	980	1,080	1,195
Delux-Tone:			
Coupe—3	900	1,000	1,095
Club Sedan, 2 dr.—6	990	1,020	1,125
Cruising Sedan	965	1,070	1,170
1939—6—Series—G—Champion; Serial Nos. G-001 to 30400, G-800001 to 803600; Motor Nos. 001 to 34100; Custom:			
Coupe—3	450	515	575

(22) STUDEBAKER

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1939—6—Series—G—Continued.			
Club Sedan—6	$490	$545	$615
Cruising Sedan—6	510	580	650
Deluxe:			
Coupe—3	495	555	630
Club Sedan—5	525	595	670
Cruising Sedan—6	545	620	705
1939—6—Series—9s—Commander; Serial Nos. 4110001 to 4148300; 4802201 to 4807600; Motor Nos. N-42501 to 87550:			
Business Coupe—3	600	685	770
Custom Coupe—3	620	705	790
Club Sedan—6	660	750	840
Cruising Sedan—6	695	790	880
Convertible Sedan—6	900	1,025	1,150
1939—8—Series—8s—State President; Serial Nos. 7125501 to 7139060; 7802501 to 7803250; Motor Nos. S-30201 to 36500:			
Custom Coupe—3	710	805	905
Club Sedan—6	755	860	965
Cruising Sedan—6	760	865	975
Convertible Sedan—6	1,015	1,155	1,295
1939—6—Series—7A—Commander; Serial Nos. 5563001 to 5599146, 5657301 to 5659614; Motor Nos. H-101 to 42363:			
Business Coupe—3	490	560	625
Custom Coupe—3	605	610	705
Club Sedan—6	545	655	760
Cruising Sedan—6	550	660	765
Convertible Sedan—6	740	890	1,035
1939—6—Series—5A—State Commander; Serial Nos. 4090001 to 4109617, 4800001 to 4802235; Motor Nos. H-101 to 42263:			
Custom Coupe—3	530	640	740
Club Sedan—6	570	685	795
Cruising Sedan—6	575	695	800
Convertible Sedan—6	775	940	1,085
1939—8—Series 4C—President; Serial Nos. 7120101 to 7125062, 7801801 to 7802311; Motor Nos. E-24001 to 30060:			
Coupe—3	615	745	860
Club Sedan—6	655	790	910
Cruising Sedan—6	660	795	920
State President:			
Coupe—3	620	780	865
Club Sedan—6	680	795	920
Cruising Sedan—6	695	800	920
Convertible Sedan—6	870	1,045	1,210
1937—6—Series 5A—Dictator Six; Serial Nos. 5539001 to 5551800, 5552801 to 5557400; Motor Nos. D-112001 to 201637:			
Business Coupe—3	355	430	510
Custom Coupe—3	380	460	545
Custom Coupe—5	380	475	565
St. Regis Custom Sedan—5	395	480	570
St. Regis Cruising Sedan Tk.—6	405	495	585
Custom Sedan—6	410	500	590
Cruising Sedan Tk.—6	420	510	605
1937—8—Series 8C—President; Serial Nos. 7111001 to 7119150, 7800801 to 7801750; Motor Nos. B-15501 to 24504:			
Custom Coupe—3	505	615	730
Custom Coupe—5	530	635	750
St. Regis Custom Sedan—5	530	645	765
St. Regis Cruising Sedan Tk.—6	540	660	780
Custom Sedan—6	540	665	785
Cruising Sedan Tk.—6	550	675	800
State President:			
Custom Coupe—5	535	650	770
Coupe—3	530	635	750
Custom Sedan	555	660	805
Cruising Sedan	565	695	820

(23) WILLYS

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
1942—4—Series—American; Serial Nos. 60101 to 92202; Motor Nos. 902301 to 92252; Speedway:			
Coupe—2	$785	$835	$865
Sedan, 4 dr.—5	840	890	915
Deluxe:			
Coupe—2	895	900	940
Sedan, 4 dr.—6	920	930	970
Station Wagon—6	1,080	1,135	1,185
Plainsman:			
Coupe—2	960	995	995
Sedan, 4 dr.—6	945	995	1,030
1941—4—Series 441—American; Serial Nos. 30001 to 80000; Speedway:			
Coupe—2	680	695	720
Sedan, 4 dr.—5	650	715	760
Deluxe:			
Coupe—2	694	760	770

(23) WILLYS

Model, serial no., body type, and passenger capacity	Base price in region A	B	C
Deluxe—Continued.			
Sedan, 4 dr.—5	$725	$765	$805
Station Wagon—6	895	945	995
Plainsman:			
Coupe—2	750	790	830
Sedan, 4 dr.—6	780	825	865
1940—4—Series 440; Serial Nos. 17001 to 69941; Speedway:			
Coupe—2	445	490	535
Sedan, 4 dr.—6	485	540	590
Deluxe:			
Coupe—2	525	585	640
Sedan, 4 dr.—5	555	615	670
Station Wagon—6	665	740	810
1939—4—Series 38—Overland; Serial Nos. 30–1001 to 17000; Speedway:			
Coupe—2	405	460	515
Sedan, 2 dr.—5	420	480	535
Sedan, 4 dr.—5	430	490	550
Deluxe:			
Coupe—2	440	500	555
Sedan, 2 Dr.—5	445	520	580
Sedan, 4 Dr.—5	475	540	605
Speedway Special:			
Coupe—2	395	450	505
Sedan, 2 Dr.—5	410	470	525
Sedan, 4 Dr.—5	420	480	535
1939—4—Series 48; Serial Nos. 91751 to 94575:			
Coupe—2	360	410	465
Sedan, 2 Dr.—5	385	440	495
Sedan, 4 Dr.—5	400	455	515
1939—4—Series 38; Serial Nos. 80001 to 91750; Standard:			
Coupe—2	360	410	465
Sedan, 2 dr.—5	390	445	500
Sedan, 4 dr.—5	405	465	520
Deluxe:			
Coupe—2	415	475	530
Sedan, 2 dr.—5	415	475	530
Sedan, 4 dr.—5	445	505	565
1938—4—Series 38; Serial Nos. 65001 to 80000:			
Standard Coupe—2	260	315	365
Deluxe Coupe—2	300	365	420
Clipper Sedan, 2 dr.—5	295	340	395
Standard Sedan—5	295	355	415
Deluxe Clipper Sedan, 2 dr.—5	300	365	420
Deluxe Sedan—5	325	390	450
Custom Sedan—5	365	445	510
1937—4—Series—37; Serial Nos. 1001 to 65000:			
Coupe—2	195	240	280
Deluxe Coupe—2	215	265	310
Sedan—5	225	270	320
Deluxe Sedan—5	240	295	340

APPENDIX C—SOME OF THE MAKES OF USED CARS NOT LISTED IN APPENDIX B BECAUSE THEY WERE MANUFACTURED PRIOR TO 1937, AND THE 1937 MAKES AND MODELS LISTED IN APPENDIX B WHICH ARE COMPARABLE TO SUCH USED CARS

Make not listed in Appendix B:	*Comparable 1937 make and model listed in Appendix B*
American Austin, 4 cylinder.	American Bantam.
Auburn, 6 cylinder	Hudson 5—Custom 6.
Auburn, 8 cylinder	Hudson 8—Deluxe 8.
Auburn, 12 cylinder.	Hudson 8—Custom 8.
Continental, 4 & 6 cylinder.	Willys, Model 37.
Cord, 8 cylinder	Cadillac, 8 cylinder, Series 60–65.
Devaux, 6 cylinder	Willys, Model 37.
Duesenberg, 8 cylinder.	Lincoln, 12 cylinder, V 12.
Durant, 6 cylinder	Dodge—Model D 5.
Essex, 6 cylinder	Terraplane Deluxe D 5.
Fiat, 4 & 6 cylinder	American Bantam.
Franklin, 6 & 12 cylinder.	Hudson 8—Custom 8.
Jordan, 8 cylinder	Hudson Deluxe 8.
Paige, 6 cylinder	Graham 6—Supercharger.
Peerless, 8 cylinder	Hudson Deluxe 8.
Pierce Arrow, 8 & 12 cylinder.	Cadillac, 8 cylinder Series 70–75.

Make not listed in Appendix B:	*Comparable 1937 make and model listed in Appendix B*
Reo, 6 cylinder	Oldsmobile, 6—F37 Model.
Reo, 8 cylinder	Oldsmobile, 8—F37 Model.
Rockne, 6 cylinder	Studebaker, 6 cylinder Dictator
Stutz, 8 cylinder	Oldsmobile, 8 F37 Model.
Willys Knight, 6 cylinder.	Hudson 6—Custom 6.
Willys, 4 & 6 cylinder.	Willys, Model 37.
Willys, 8 cylinder	Hudson 8—Deluxe 8.

APPENDIX D—TABLE OF ALLOWANCES FOR "INBUILT" EQUIPMENT, HEATERS AND RADIOS WHICH MAY BE INCLUDED IN MAXIMUM PRICES

Year and make	Description	Price
(1) 1942 Cadillac	Hydramatic transmission	$100
(2) 1941 Cadillac	Hydramatic transmission	95
(3) 1942 Chrysler	Vacamatic transmission and fluid drive.	45
(4) 1941 Chrysler	Vacamatic transmission and fluid drive.	35
(5) 1940 Chrysler	Overdrive transmission	25
(6) 1939 Chrysler	Overdrive transmission	20
(7) 1942 Desoto	Simplimatic transmission and overdrive.	45
(8) 1941 Desoto	Simplimatic transmission and overdrive.	35
(9) 1940 Desoto	Overdrive transmission	25
(10) 1939 Desoto	Overdrive transmission	20
(11) 1942 Dodge	All fluid drive	30
(12) 1941 Dodge	Fluid drive	25
(13) 1942 Hudson	Drivemaster	45
(14) 1942 Hudson	Overdrive transmission	45
(15) 1942 Hudson	Vacumotive drive	15
(16) 1941 Hudson	Overdrive transmission	35
(17) 1941 Hudson	Vacumotive drive	15
(18) 1940 Hudson	Overdrive transmission	25
(19) 1942 Lincoln	Liquamatic drive	55
(20) 1941 Lincoln	Liquamatic drive	45
(21) 1942 Lincoln Zephyr.	Liquamatic drive	55
(22) 1941 Lincoln Zephyr.	Overdrive transmission	35
(23) 1940 Lincoln Zephyr.	Overdrive transmission	25
(24) 1939 Lincoln Zephyr.	Overdrive transmission	20
(25) 1942 Mercury	Liquamatic drive	65
(26) 1941 Mercury	Overdrive transmission	35
(27) 1940 Mercury	Overdrive transmission	25
(28) 1939 Mercury	Overdrive transmission	20
(29) 1942 Nash	Overdrive transmission	40
(30) 1941 Nash	Overdrive transmission	30
(31) 1940 Nash	Overdrive transmission	25
(32) 1939 Nash	Overdrive transmission	25
(33) 1942 Oldsmobile	Hydramatic transmission	75
(34) 1941 Oldsmobile	Hydramatic transmission	65
(35) 1940 Oldsmobile	Hydramatic transmission	50
(36) 1939 Oldsmobile	Automatic transmission	25
(37) 1942 Packard	Electromatic clutch and overdrive.	50
(38) 1941 Packard	Electromatic clutch and overdrive.	45
(39) 1940 Packard	Overdrive transmission	30
(40) 1939 Packard	Overdrive transmission	25
(41) 1942 Studebaker	Overdrive transmission	40
(42) 1941 Studebaker	Overdrive transmission	30
(43) 1940 Studebaker	Overdrive transmission	25
(44) 1939 Studebaker	Overdrive transmission	25
(45) 1942 Willys	Overdrive transmission	35
(46) 1941 Willys	Overdrive transmission	25
(47) All years and makes.	Heater	10
(48) All years and makes.	Radio	30

APPENDIX E—FORM OF TAGS TO BE ATTACHED BY DEALER WHEN OFFERING A USED PASSENGER AUTOMOBILE FOR SALE[1]

(a) Form of tag to be attached by dealer to a vehicle which he does not sell with a warranty:

OFFICE OF PRICE ADMINISTRATION
Washington, D. C.

Form No. 694:757
Name of dealer _____
Make _____ Year _____ Model _____
Body type _____ Speedometer reading _____
Selling price $_____
Maximum price $_____

This tag is in accordance with the Office of Price Administration Maximum Price Regulation No. 540, section 10, a copy of which is available for inspection.

Region No. _____:
Base price _____ $_____
Equipment (itemized below):
(1) _____ _____
(2) _____ _____
(3) _____ _____
Total Maximum Price _____ $_____

(b) Form of tag to be attached by dealer to a vehicle which he sells with a warranty:

OFFICE OF PRICE ADMINISTRATION
Washington, D. C.

Form No. 694–757
Name of dealer _____
Make _____ Year _____ Model _____
Body type _____ Speedometer reading _____
Selling price $_____
Maximum price $_____

"WARRANTED"

This tag is in accordance with the Office of Price Administration Maximum Price Regulation No. 540, section 10, a copy of which is available for inspection.

Region No. _____:
Base price _____ $ _____
Equipment (itemized below):
(1) _____ _____
(2) _____ _____
(3) _____ _____
Addition for warranty _____ _____
Total Maximum Price $ _____

[1] The dealer shall be responsible for the reproduction of the tags.

APPENDIX F

OPA FORM 694:758

Form Approved
Budget Bureau
No. 08–R633

(This form, without change, may be reproduced.)

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION

CERTIFICATE OF TRANSFER OF USED PASSENGER VEHICLES UNDER THE PROVISIONS OF MAXIMUM PRICE REGULATION NO. 540, MAXIMUM PRICES FOR USED PASSENGER AUTOMOBILES

Instructions

For sales between persons who are not dealers and sales by a dealer to a person who is not a dealer—This certificate is to be prepared by the seller and signed by both the seller and the purchaser. The purchaser must present this certificate to the local War Price and Rationing Board when he applies for gasoline rationing coupons for the purchased vehicle. The information required below shall be supplied insofar as possible from the vehicle registration card.

For all sales to dealers—This certificate is not to be prepared for sales of cars to dealers.

To be filled in by the seller

Description of vehicle:

Make	Year	Model	Body Type
Serial Number		Motor Number	

Price calculation:

1. Base price of vehicle as listed in Appendix B of MPR. 540: $_____
2. Allowance for extras:
   A. Is car equipped with heater? Yes __ No __ $_____
   B. Is car equipped with radio? Yes __ No __ $_____
   C. If car is built with built-in equipment (See Appendix D of MPR 540) itemize and price each item below:
   _____ $_____
   _____ $_____
   _____ $_____
3. Maximum price for vehicle without dealer warranty: (Total of 1 and 2: A, B, and C) $_____
4. Maximum price for vehicle if sold with dealer warranty: $_____
5. State and local taxes which may be collected by seller, if any: $_____
6. Actual sale price for vehicle including taxes: $_____

State or Territory in which the vehicle was last registered or titled by owner _____

Is the seller a dealer? Yes __ No __ (Check one)

If you are a dealer selling with a warranty, did you deliver to the purchaser a copy of the warranty? Yes __ No __ (Check one)

Certification of purchaser and seller

The undersigned hereby certify that they have complied with the requirements of Maximum Price Regulation No. 540, Maximum Prices for Used Passenger Automobiles and that the actual sale price for the vehicle, including taxes, is not more than the maximum selling price, including taxes, as established by Maximum Price Regulation No. 540, and further certify that no payment directly or indirectly was or will be made in addition to the actual sale price of the vehicle as shown on this certificate.

Name of Purchaser	Name of Seller
Address—No. and St.	Address—No. and St.
City and State	City and State

Signature of Purchaser _____ Date _____

Signature of Seller _____ Date _____

Do not write below this line

Checked by Board No. _____ at _____
Date _____

Signature of Person Checking: _____

This regulation shall become effective July 10, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 10th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8429; Filed, June 10, 1944, 11:36 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 448,[1] Amdt. 1]

CANNED CLAMS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 448 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. *Maximum canners' prices for canned clams*—(a) *Soft clams.* The prices set forth below are maximum prices per dozen cans soft clams f. o. b. the shipping point nearest the cannery. The maximum prices are gross prices and the seller shall deduct therefrom his customary allowances, discounts and differentials to purchasers of different classes.

	Per dozen cans
No. 1 Picnic	$2.00
No. 1 Tall	3.10
No. 2	3.75

(b) *Razor clams.* The prices set forth below are maximum prices per dozen cans f. o. b. car at Seattle, Washington, for razor clams canned in territory outside the continental United States and f. o. b. car at the shipping point nearest cannery for razor clams canned within the United States. The maximum prices are gross prices and the seller shall deduct therefrom his customary allowances, discounts and differentials to purchasers of different classes.

	Per dozen cans
Razor minced:	
No. ½ flat	$2.25
No. 1 E. O.	3.25
Razor whole:	
No. 1 E. O.	3.10
No. 1 tall	4.45

(c) For any container size of soft clams or razor clams not listed in paragraphs (a) and (b) respectively, the price shall be a price determined by the Office of Price Administration to be in line with the prices listed in paragraphs (a) and (b) respectively. Such determination shall be made upon written request, addressed to the Office of Price Administration, Washington, D. C., and accompanied by sworn statements showing costs and usual differentials.

(d) The maximum price for sales to any procurement agency of the Armed Forces, the War Food Administration and any procurement agency thereof, the War Shipping Administration, and the Veterans' Administration shall be 97½ percent of the price established pursuant to this section; from the price thus computed there shall be deducted a cash discount of 1½ percent if payment is made within 10 days from date of receipt by the designated office of the government procurement agency of a properly authenticated claim.

(e) With the first delivery after August 20, 1943, of any item of canned soft clams and after June 14, 1944, of any item of canned razor clams, in any case where a maximum price is determined pursuant to this regulation, the canner determining his maximum price shall supply each wholesaler and retailer who purchases from him with the following written notice:

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item) has been changed under the provisions of Maximum Price Regulation No. 448. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulation No. 421, 422 or 423, and if we are your customary type of supplier, you must refigure your ceiling price for the item in accordance with the applicable pricing provisions of those regulations (see section 6 in each case). You must refigure your ceiling price on the first delivery to you of any item of canned soft clams on and after August 21, 1943, and any item of canned razor clams on and after June 15, 1944.

For a period of 90 days after August 20, 1943, in the case of canned soft clams, and for a period of 90 days after June 14, 1944, in the case of canned razor clams, and with the first shipment after the 90 days period to each person who has not made a purchase within that time, the canner shall include in each case or carton containing the item the written notice set forth before, or securely attach it to the outside thereof.

2. Section 2 (a) is amended to read as follows:

(a) On and after August 21, 1943, regardless of any contract, agreement or other obligation, no canner shall sell or deliver and no person in the course of trade or business shall buy or receive any canned soft clams at prices higher than the maximum prices established by this regulation, and no person shall agree, offer, solicit or attempt to do any of these things. On and after June 15, 1944, regardless of any contract, agreement or other obligation, no canner shall sell or deliver and no person in the course of trade or business shall buy or receive any canned razor clams at prices higher than the maximum prices established by this regulation, and no person shall agree, offer, solicit or attempt to do any of these things.

3. Section 4 is amended to read as follows:

SEC. 4. *Sales to which this regulation does not apply.* The provisions of this regulation shall not be applicable to sales or deliveries of canned soft clams or canned razor clams to a purchaser if prior to August 21, 1943, in the case of canned soft clams, and if prior to June 15, 1944, in the case of canned razor clams, such canned clams have been received by a carrier other than a carrier owned or controlled by the seller, for shipment to such purchaser.

4. Section 5 (b) is amended to read as follows:

(b) The maximum price at which a person may export canned soft clams or canned razor clams shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation[2] issued by the Office of Price Administration.

5. Section 6 (a) is amended to read as follows:

(a) Every person making a sale subject to this regulation and every person in the course of trade or business making a purchase of canned clams subject to this regulation, or otherwise dealing therein, after August 20, 1943, in the case of canned soft clams, and after June 14, 1944, in the case of canned razor clams, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such purchase or sale showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, the quantity and kind of canned clams.

6. Section 7 is amended to read as follows:

SEC. 7. *Indirect price increases.* No person shall evade any of the provisions of this regulation by any scheme or device and no person shall indirectly charge or receive for canned soft clams or canned razor clams a price higher than the maximum price permitted by this regulation. No person shall as a condition of selling any canned soft clams or canned razor clams require a purchaser to buy any other product.

7. Section 8 is amended to read as follows:

SEC. 8. *Enforcement.* On and after August 21, 1943, in the case of canned soft clams, and on and after June 15, 1944, in the case of canned razor clams, any person violating any provision of this regulation is subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for revocation of licenses provided by the Emergency Price Control Act of 1942, as amended.

8. In section 11, the definition of "No. 1 Tall" is amended to read as follows:

"No. 1 Tall", in the case of soft clams, means a can (301 x 411) packed to a net drained weight of 8 ounces of soft clams.

9. In section 11, after the definition of "No. 2" the following definitions are inserted:

(5a) "No. ½ Flat" means a can (307 x 200.25 or 307 x 201.25) packed to a net drained weight of 3½ ounces of razor clams.

(5b) "No. 1 E. O.", in the case of minced razor clams, means a can (211 x 400) packed to a net drained weight of 5 ounces of minced razor clams.

(5c) "No. 1 E. O.", in the case of whole razor clams, means a can (211 x 400) packed to a net drained weight of 4½ ounces of whole razor clams.

(5d) "No. 1 Tall", in the case of whole razor clams, means a can (301 x 411) packed to a net drained weight of 7 ounces of whole razor clams.

10. In section 11, after the definition of "Price per dozen" the following definitions are inserted:

(7a) "Razor clams" means surf clams of the genus Siliqua patula (Pacific Coast) and Mactra solidissima (Atlantic Coast).

(7b) "Razor minced" means meats which have been removed from razor clams and which have been cut or chopped into small pieces.

(7c) "Razor whole" means the whole meats which have been removed from razor clams.

This amendment shall become effective June 15, 1944.

NOTE: The record-keeping and reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8430; Filed, June 10, 1944; 11:37 a. m.]

PART 1421—IRON AND STEEL FOUNDRY PRODUCTS

[MPR 244,[1] Amdt. 8]

GRAY IRON CASTINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1421.166 (g) (1) of Maximum Price Regulation 244 is amended to read as follows:

(g) *Optional method for determining maximum prices for gray iron castings sold pursuant to short orders.* (1) Notwithstanding any provision to the contrary contained in paragraphs (a) to (f) of this section, inclusive, in computing his maximum price for a gray iron casting sold pursuant to a "short order" as defined in the following subparagraph (2), a seller may, if he so chooses, in lieu of determining his maximum price under said paragraphs (a) through (f), whichever is applicable, use as his maximum price for such casting the price computed by multiplying the shipping weight of the casting by 2½ times his average price per pound for gray iron castings in the calendar year of 1942: *Provided,* That (i) if the seller uses the method set forth in this paragraph for establishing the maximum price of a particular casting, he may not thereafter sell or offer to sell an identical casting on another short order at a price higher than the maximum price established by this paragraph, (ii) credit terms, discounts and allowances shall not be more onerous to the purchaser than those customarily used by the seller on February 1, 1942, (iii) transportation charges or allowances shall be made at rates prevailing at the time of delivery and shall be computed in accordance with the seller's customary practice on February 1, 1942, and (iv) if the seller has not already done so, he shall, not later than July 15, 1944, file with the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., a statement of his average price per pound for gray iron castings in the calendar year of 1942. As used in this subparagraph, the term "average price per pound" means the price computed by dividing the seller's total gross sales of gray iron castings, less returns and allowances, by the total weight of gray iron castings shipped.

This amendment shall become effective June 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8423; Filed, June 10, 1944; 11:38 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 15 to GMPR, Amdt. 26]

ADJUSTMENTS IN MANUFACTURERS' MAXIMUM PRICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.75 (a) (10) is amended in the following respects:

Subdivision (ii) is redesignated (iii) and a new subdivision (ii) is inserted to read as follows:

(ii) Adjustments in manufacturers' maximum prices may be accompanied by adjustments in the maximum prices of wholesalers whenever, in the judgment of the Administrator, it would be inequitable to require the wholesaler to absorb the entire increase granted to the manufacturer.

This amendment shall become effective June 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8424; Filed, June 10, 1944; 11:38 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14A to GMPR,[1] Amdt. 17]

MILK AND MILK PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplementary Regulation No. 14A to the General Maximum Price Regulation is amended in the following respects:

1. Section 1499.73a (a) (1) (ix) (*a*) (2) (*i*) is amended to read as follows:

(*i*) "Area I" means all that territory in the State of Maryland included within the Counties of Carroll, Cecil, Frederick, Harford and Kent, and that portion of the County of Baltimore which is north of the latitude 39°30'.

2. Section 1499.73a (a) (1) (ix) (*a*) (2) (*iii*) is amended to read as follows:

(*iii*) "Area III" means all that territory in the State of Maryland included within the Counties of Caroline, Dorchester, Queen Annes, St. Marys, Somerset, Talbot, Wicomico and Worcester, except that portion of Worcester County included within the city limits of Ocean City.

This amendment shall become effective June 10, 1944.

Issued this 10th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8438; Filed, June 10, 1944; 4:42 p. m.]

PART 1340—FUEL

[MPR 120,[1] Corr. to Amdts. 1—97]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

In § 1340.219 (b) (10), the numeral "(2)" and the word, "and" are inserted after the word, "subparagraphs" and before the numeral "(5)".

This correction to Maximum Price Regulation No. 120 including Amendments 1—97 shall be effective as of March 24, 1944.

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8500; Filed, June 12, 1944; 11:42 a. m.]

PART 1340—FUEL

[MPR 189,[2] Amdt. 23]

BITUMINOUS COAL SOLD FOR DIRECT USE AS BUNKER FUEL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 189 is amended in the following respects:

1. In § 1340.313 (f) (4) and immediately before the clause beginning with the words "the supplier may add" the following is added: "or on sales made under subparagraphs (2) or (3) of this paragraph (f)."

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 11435.

[2] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5435.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 2290.

[1] 8 F.R. 9835, 9885, 10514, 12793, 13060, 13724, 15359, 15705, 16604, 16428, 16919, 17199; 9 F.R. 343, 1328, 2176, 3655, 4985, 5586.

[1] 9 F.R. 5042, 5375, 5587.

[2] 8 F.R. 15317, 16520; 9 F.R. 2692, 5216.

2. In § 1340.313 (f) (2), immediately after the words "steam lighters" the word "fireboats" is added.

This amendment shall become effective as of May 15, 1944.

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8505; Filed, June 12, 1944; 11:43 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53,[1] Amdt. 23]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 53 is amended in the following respects:

1. There is deleted from the table contained in section 9.2 the nineteenth line thereof, which reads "Sunflower seed oil, semi-refined.....14.30.....14.05".

2. There is added a new section 9.3 to read as follows:

SEC. 9.3 *Maximum prices of imported sunflower seed oil.* The maximum prices of imported sunflower seed oil, delivered in tankcars, shall be the following prices:

[Cents per pound]

	Semi-refined oil	Completely refined oil	Refined bleached and undeodorized oil	Refined deodorized and unbleached oil	Refined bleached and deodorized (cooking oil)	Salad or winterized oil	Hydrogenated or margarine oil	High titre hydrogenated oil
Albany, N. Y.	14.35	14.73	14.87	14.94	15.08	15.54	15.70	15.84
Atlanta, Ga.	13.97	14.35	14.49	14.56	14.70	15.16	15.31	15.46
Baltimore, Md.	14.26	14.64	14.78	14.85	14.99	15.45	15.70	15.74
Boston, Mass.	14.34	14.72	14.86	14.93	15.07	15.53	15.78	15.83
Buffalo, N. Y.	14.38	14.76	14.90	14.97	15.11	15.57	15.82	15.87
Charlotte, N. C.	14.09	14.47	14.61	14.68	14.82	15.28	15.53	15.58
Chattanooga, Tenn.	14.14	14.52	14.66	14.73	14.87	15.33	15.58	15.63
Chicago, Ill.	14.23	14.61	14.75	14.82	14.96	15.42	15.67	15.72
Cincinnati, Ohio	14.23	14.61	14.75	14.82	14.96	15.42	15.72	15.77
Columbus, Ohio	14.28	14.66	14.80	14.87	15.01	15.47	15.72	15.74
Cudahy, Wis.	14.25	14.63	14.77	14.84	14.98	15.44	15.69	15.74
Dallas, Tex.	13.82	14.20	14.34	14.41	14.55	15.01	15.25	15.31
Denison, Tex.	13.86	14.24	14.38	14.45	14.59	15.05	15.30	15.35
Denver, Colo.	14.28	14.66	14.80	14.87	15.01	15.47	15.72	15.77
El Paso, Tex.	14.15	14.53	14.67	14.74	14.88	15.34	15.59	15.64
Fort Worth, Tex.	13.94	14.22	14.36	14.43	14.57	15.03	15.28	15.33
Houston, Tex.	13.88	14.26	14.40	14.47	14.61	15.07	15.32	15.37
Indianapolis, Ind.	14.20	14.58	14.72	14.79	14.93	15.39	15.64	15.69
Jacksonville, Fla.	14.07	14.45	14.59	14.66	14.80	15.26	15.51	15.56
Kansas City, Mo.	14.09	14.47	14.61	14.68	14.82	15.28	15.53	15.58
Los Angeles, Calif.	14.50	14.88	15.02	15.09	15.23	15.69	15.94	15.99
Louisville, Ky.	14.19	14.57	14.71	14.78	14.92	15.38	15.63	15.68
Macon, Ga.	13.97	14.35	14.49	14.56	14.70	15.16	15.41	15.46
Memphis, Tenn.	13.99	14.37	14.51	14.58	14.72	15.18	15.43	15.48
New Orleans, La.	14.06	14.44	14.58	14.65	14.79	15.25	15.50	15.55
New York, N. Y.	14.30	14.68	14.82	14.89	15.03	15.49	15.74	15.79
Oklahoma City, Okla.	13.97	14.35	14.49	14.56	14.70	15.16	15.41	15.46
Philadelphia, Pa.	14.28	14.66	14.80	14.87	15.01	15.47	15.72	15.77
St. Louis, Mo.	14.14	14.52	14.66	14.73	14.87	15.33	15.58	15.63
San Antonio, Tex.	13.88	14.26	14.40	14.47	14.61	15.07	15.32	15.37
San Francisco, Calif.	14.50	14.88	15.02	15.09	15.23	15.69	15.94	15.99
Savannah, Ga.	14.05	14.43	14.57	14.64	14.78	15.24	15.49	15.54
Seattle, Wash.	14.50	14.88	15.02	15.09	15.23	15.69	15.94	15.99
Sherman, Tex.	13.84	14.22	14.36	14.43	14.57	15.03	16.28	15.33
Terre Haute, Ind.	14.18	14.56	14.70	14.77	14.91	15.37	15.62	15.67

(a) The maximum price of sunflower seed oil, delivered to other destinations, shall be the maximum price specified above for the oil at the point nearest the destination to which the oil is being shipped, plus or minus the differential usually and normally prevailing on cottonseed oil prices between the destination to which the oil is being shipped and the nearest point specified above.

(b) Where the sunflower seed oil is shipped in containers other than tankcars, the maximum price shall be the price set forth above, plus the differential usually or normally prevailing between the price of cottonseed oil in similar containers and the price of cottonseed oil in tankcars.

This amendment shall become effective June 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8507; Filed, June 12, 1944; 11:44 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 4200, 5314.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 418,[1] Amdt. 32]

FRESH FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 418 is amended in the following respects:

1. Sections 6 through 20, inclusive, are redesignated sections 8 through 22, inclusive.

2. Section 1 is amended to read as follows:

Section 1. *What this regulation does.* (a) This regulation fixes maximum prices at which producers and wholesalers may sell fresh fish or seafood. It sets prices for various types of sales by wholesalers to other wholesalers, retail chain store warehouses, government agencies, retailers and purveyors of meals. A wholesaler is a person who buys fresh fish or seafood and resells 20 percent or more of such fresh fish or seafood to persons other than ultimate consumers. A retailer is a person other than a purveyor of meals who buys fresh fish and seafood and resells more than 80 percent of such fish or seafood to ultimate consumers. This regulation also sets prices for sales at retail by such producers and wholesalers as are not covered in Maximum Price Regulation No. 507 and Maximum Price Regulation No. 439.

(b) *Prohibition against selling or buying above maximum prices.* Regardless of any contract or obligation, no person shall sell or deliver, or buy or receive in the course of trade or business any fresh fish or seafood at a price higher than the maximum prices established for it by this regulation; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

However, prices lower than the maximum prices may be charged and paid.

3. Section 2 (a) is amended to read as follows:

(a) *Ex-vessel fish.* Table A (Article IV, section 20 (a) lists the species of fresh fish and seafood (including shellfish and mollusks) for which maximum prices are established by this regulation. The prices are fixed for each month. For each month, there are two columns of prices. The prices in Table A on sales

[1] 8 F.R. 9366, 10086, 10513, 10939, 11734, 11687, 12468, 12233, 12688, 13297, 13182, 13302, 14049, 14475, 14616, 15257, 15430, 16131, 16298, 16296,; 9 F.R. 90, 1325, 1532, 1575, 2133, 2408, 2691, 3038, 3388, 3578, 3940, 4350, 4821.

by producers apply irrespective of the nature of the purchaser and irrespective of whether the fish are sold through an agent of any kind. Nevertheless, a producer who performs the functions of a primary fish shipper wholesaler or other wholesaler at his established place of doing business, and who for the substantial portion of the year prior to July 13, 1943, was engaged in performing the functions of a primary fish shipper wholesaler or other wholesaler at his established place of doing business, may sell at the prices provided in Table B, C, or D depending on the character of the sale. The left-hand pricing column is the producer's maximum price at the port of entry for the designated species in bulk, ex-vessel, i. e., in the customary way in which the particular species is landed at that port, and of the customary size, where size is a factor in the price. War risk insurance premiums may be paid in addition to the listed maximum prices for those species of fish and in those localities where such premiums have customarily been paid by purchasers of the fish.

4. Section 2 (b) is amended to read as follows:

(b) *Boxed fish.* Where a producer, besides bringing fresh fish or seafood to port, also boxes or barrels his fish at or near the port of entry and ships such fish by common carrier or where his sale of such fish involves transportation to the buyer other than local trucking, hauling or handling, his maximum prices shall be the prices listed in the right hand pricing column of Table A for the species and the month involved. Such prices shall include all brokerage, commission, or any other customary selling fees, transportation and any other expenses incurred.

5. Section 3 is amended to read as follows:

SEC. 3. *Primary fish shipper sales.* (a) A primary fish shipper sale is a sale of fresh fish or seafood by a person (herein called a primary fish shipper wholesaler) who buys and receives such fresh fish or seafood from a producer at a port of entry or inland and who sells such fresh fish or seafood boxed, barrelled, packaged or in bulk from his established place of doing business.

(b) *Maximum prices for primary fish shipper sales to wholesalers and chain store warehouses.* The maximum price for a primary fish shipper sale to a wholesaler or chain store warehouse, whether made by the primary fish shipper wholesaler himself or his agent, or any other person acting on behalf of or under control of such primary fish shipper wholesaler or through a branch warehouse, is the price listed in Table B in section 22, plus the appropriate container allowance provided in section 21, plus the transportation allowance in section 9, if the fish or seafood is sold and delivered from a branch warehouse.

(c) *Maximum prices for primary fish shipper sales to retailers or purveyors of meals.* The maximum price for a primary fish shipper sale to a retailer or purveyor of meals, except from a branch warehouse as provided in subparagraph (d), is the price listed in Table C in section 22, plus the appropriate container allowance, if any, provided in section 21, plus the allowance provided in section 6 for a service and delivery sale where such sale is made.

(d) *Branch warehouse sales.* The maximum price for a primary fish shipper sale of fresh fish or seafood (except shrimp, salmon and halibut) to a retailer or purveyor of meals where the sale is negotiated or made at a branch warehouse as herein defined and where the fish or seafood is sold and delivered from the stock of a primary fish shipper wholesaler's branch warehouse which is remote from his main place of doing business, and at which warehouse the primary fish shipper employs two or more full-time employees who are stationed at and engaged in making sales and performing services solely for the primary fish shipper from such warehouse is the price listed in Table D in section 22 plus the allowance provided in section 6 for a service and delivery sale, where such a sale is made, plus the transportation allowance in section 9, plus the appropriate container allowance in section 21. The maximum price for such a sale of shrimp, salmon or halibut is the price listed in Table C in section 22 plus the allowance provided in section 6 for a service and delivery sale, where such a sale is made, plus the transportation allowance in section 9, plus the appropriate container allowance in section 21.

6. Section 4 is amended to read as follows:

SEC. 4. *Port sales.* (a) A port sale of fresh fish or seafood is a sale by a wholesaler which is made at or which involves delivery from any place in the United States or outside the United States within 50 miles from the point where the fish or seafood was landed. A port sale is also a sale which is made at or which involves delivery from a place within a port area with respect to any species and period as established by the Administrator or otherwise established by order in accordance with paragraph (b).

(b) *Regional designation.* Any regional office of the Office of Price Administration or any such other office as may be authorized by the appropriate regional office may by order designate as a port area, for any species and any period, any area within its jurisdiction in which a substantial volume of that species is landed or to which a substantial volume is shipped by producers.

(c) *Port sales to wholesalers and chain store warehouses.* The maximum price for a port sale of fish or seafood other than fillets to a wholesaler or chain store warehouse is the price listed in Table B in section 22 plus the transportation allowance provided in section 9, plus the appropriate container allowance provided in section 21.

7. Section 5 is amended to read as follows:

SEC. 5. *Sales other than primary fish shipper sales by wholesalers*—(a) *To other wholesalers and chain store warehouses.* Except as provided for a port sale of fish or seafood other than fillets and a primary fish shipper sale, the maximum price for a sale to a wholesaler or a chain store warehouse by another wholesaler is the price listed in Table C in section 22 plus the transportation allowance as provided in section 9, plus the appropriate container allowance as provided in section 21.

(b) *To retailers or purveyors of meals.* The maximum price for a sale other than a primary fish shipper sale to a retailer or purveyor of meals by a wholesaler is the price listed in Table D in section 22 plus the transportation allowance in section 9, plus the appropriate container allowance in section 21, plus the addition for service and delivery where such a sale is made, as provided in section 6.

(c) *Sales by a retailer-owned cooperative wholesaler.* (1) A sale by a retailer-owned cooperative wholesaler is a sale by a person which is either a non-profit organization or a corporation of which 51 percent or more of the stock is owned by its retail customers and which generally sells f. o. b. warehouse or delivers to affiliated retail stores.

(2) *Maximum prices for sales by a retailer-owned cooperative wholesaler.* The maximum price for a sale by a retailer-owned cooperative wholesaler is the price listed in Table C in section 22, plus the appropriate container allowance provided in section 21, plus transportation as provided in section 9.

8. Section 6 is added to read as follows:

SEC. 6. *Service and delivery sales.* (a) A service and delivery sale is a sale of fresh fish or seafood to a retailer or purveyor of meals by a person (herein called a service and delivery wholesaler) who delivers such fish or seafood in his own motor truck or wagon or in a motor truck or wagon used solely for his own deliveries from his established place of doing business to the individual retail store or to the place of doing business of the purveyor of meals.

(b) *To retailers.* For a service and delivery sale of any fresh fish or seafood to a retailer by a primary fish shipper wholesaler, his agent or branch warehouse, or for a service and delivery sale of fresh fish or seafood other than fillets by a wholesaler (other than a retailer-owned cooperative wholesaler) who bought such fish or seafood through a port sale, such wholesaler may add 1½ cents per pound to the price as determined in section 3 (b) (based on Table C) or section 5 (b) (based on Table D), whichever is applicable, plus the allowance in section 9 (b) when applicable. For other service and delivery sales to retailers, the wholesaler may add 2½ cents per pound to the price as fixed in section 5 (b) plus transportation allowance in section 9 (b) when applicable.

(c) *To purveyors of meals.* For a service and delivery sale to a purveyor of meals, a wholesaler may add 2½ cents per pound to the price as determined in section 3 (c) (based on Table C) or section 5 (b) (based on Table D), whichever is applicable, plus the allowance in section 9 (b) when applicable.

(1) *Maximum prices for sales of custom dressed fish to purveyors of meals.* For a service and delivery sale of custom dressed fish to a purveyor of meals, a

further addition of 2 cents per pound of custom dressed fish may be added to the applicable service and delivery price for dressed fish. If a price is fixed in the regulation for round fish, but no price is fixed for dressed fish, the applicable dressed fish price for a service and delivery sale shall be deemed to be 40 percent more than the applicable price for a service and delivery sale of round fish. If no price is listed for dressed or round fish, but prices are listed for drawn fish of a species, the applicable dressed fish price for a service and delivery sale shall be deemed to be 25 percent more than the applicable price for a service and delivery sale of drawn fish. For the purposes of this section, "custom dressed" fish shall mean fish with the head, entrails, scales and fins removed. There shall be no charge by the service and delivery wholesaler in supplying such fish to purveyors of meals for any other customary services performed such as slicing, removing collar bone, wrapping, etc.

9. Section 7 is added to read as follows:

SEC. 7. *Maximum prices for retail sales by producers and wholesalers.* This section applies to producers and wholesalers who sell fresh fish or seafood for the most part to persons other than ultimate consumers who are not commercial, industrial or institutional users. The maximum price at which any producer or wholesaler may sell fresh fish or seafood to ultimate consumers who are not commercial, industrial or institutional users shall be the Table B price plus the appropriate mark-up established for Group 3 and 4 stores in Maximum Price Regulation No. 507 (Ceiling Prices of Certain Fresh Fish and Seafood Sold at Retail).

10. Section 8 is amended to read as follows:

SEC. 8. *Special package shipments to outlying country points by wholesalers.* A wholesaler who packs fish or seafood in special containers for shipment to outlying country points to individual retail stores or purveyors of meals may, in addition to the permitted maximum price, add the actual cost of the special containers and the cost of the refrigerant. The added cost must be shown on the invoice to the customer.

11. Section 9 (c) is amended to read as follows:

(c) *Transportation allowance for imported fish.* Any importer or agent of a foreign consignor of fresh fish or seafood may add as a transportation allowance to the appropriate table price the lowest amount determined on the following three bases:

(1) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) from the seller's shipping point to the importer's receiving point;

(2) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) to the importer's receiving point from the point at which the fresh fish or seafood entered the United States or the carload rail rate for fresh fish or seafood from the point in the United States nearest the foreign shipper's shipping point whichever is designated by the seller;

(3) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) to the importer's receiving point from the nearest domestic port from which a substantial volume of that species is shipped. However, with respect to the species listed hereinafter, the cost of transportation shall not exceed the cost for the type of shipment used from the port listed for that species.

Species: Cod, haddock, pollack, hake, cusk, yellowtail, blackback, lemon sole, gray sole, sea dab, rosefish. Port: Boston, Mass.

In determining the transportation allowance common carrier rates shall be used, and the importer may add the allowance only when he records it on an invoice to the customer purchasing the fish or seafood designating which of the three bases he is using. A purchasing wholesaler or subsequent wholesalers of that fish or seafood may pass on such transportation allowance, but only if they in turn record it in an invoice to their customers. This paragraph (c) does not apply to Canadian lake fish listed in Schedules 51–60.

12. Section 10 is amended to read as follows:

SEC. 10. *Imported fresh fish and seafood.* (a) The maximum price at which an importer, including any agent of a foreign shipper, may sell any fresh fish or seafood listed in this regulation shall be the price listed in Tables B, C or D, depending on the type of sale involved plus the appropriate container allowance in section 21, plus the transportation as provided in section 9, plus the appropriate allowance for sales on a service and delivery basis where applicable.

(b) Except as hereinafter provided no person in the course of trade or business shall import (buy, receive or in any manner pay for and bring in, deliver or cause to be brought into or delivered into the continental United States) from Canada any of the species of Canadian lake fish listed below at a price higher than the price established in the table below for such species of Canadian lake fish. The table prices below are f. o. b. the City of Winnipeg in the Province of Manitoba, Canada, and apply to all Canadian lake fish imported from Winnipeg. The maximum importing price for Canadian lake fish which is imported from any point in Canada, other than Winnipeg, shall be an f. o. b. price in line with the f. o. b. Winnipeg price so that the total cost of the fish delivered to the importer's place of business is not greater than it would have been if purchased f. o. b. at Winnipeg. These maximum prices are in American currency and apply to such fish caught or landed in Canada except fish caught in Lake of the Woods and any other body of water east of that lake which is partly in Canada and partly in the State of Minnesota or which constitutes the boundary line between Canada and the State of Minnesota; Lake Superior, Lake Huron, Lake St. Clair, Lake Erie, Lake Ontario and any of the waters connecting these five lakes; and the St. Lawrence River where it constitutes the boundary line between New York State and Canada.

(c) *Halibut.* No person shall buy halibut landed on the Pacific Coast of Canada, which halibut is intended for transshipment in bond into the United States, at a price higher than the Table A price as fixed by footnote 38 when the fish is bought from the producer or Table B as fixed by footnote 38 or 39 when bought from any wholesaler. No producer shall sell any halibut on the Pacific Coast of Canada from a vessel of the United States, which halibut is intended for transshipment in bond to the United States, at a price higher than the applicable Table A price as fixed by footnote 38.

13. Section 15 is amended by redesignating paragraph (d) as paragraph (e) and adding a new paragraph (d) to read as follows:

(d) *Authorization to regional offices to modify invoice provisions.* Any Regional Administrator of the Office of Price Administration may, by order, alter, modify or suspend any of the requirements in paragraph (c) of this section if in his judgment such action is necessary in order that fish may be marketed efficiently within his jurisdiction and is consistent with the effective enforcement of this Maximum Price Regulation No. 418. The Regional Administrator may alter, modify or suspend such requirements with reference to such types of sales and such localities within his jurisdiction as he may designate, but only in the case where the buyer and seller are both located within his jurisdiction. He may make such provisions for posting the items required in paragraph (c) as in his judgment are necessary to prevent the circumvention or evasion of this regulation. The Regional Administrator may issue such order on his own initiative or upon application for adjustment of the requirements in paragraph (c) by any person subject to them. Subpart B of Revised Procedural Regulation No. 1 shall apply to such applications for adjustment.

14. After the definition of "Fillet" in section 20, the following definition is inserted:

"Grade" means any qualification of the name of the fish or seafood listed in the tables in section 22.

15. Section 21 is amended to read as follows:

SEC. 21. *Container allowances.* (a) A wholesaler who sells fresh fish or seafood in a container may add to the appropriate table price the applicable container allowance listed in this section but only if he records it on an invoice to the buyer and only if the container becomes the property of the buyer. In no case may a wholesaler add a container allowance if the container is returned to him.

(b) A wholesaler who processes fresh fish or seafood into steaks, fillets or boned fish and who paid a container allowance permitted in this section may add to the appropriate table price for the steaks, fillets or boned fish an amount which will enable him to recover the permitted container allowance paid by him when he purchased the fish involved in the processing, but no more than 3 cents per pound.

(c) *Container prices.*

Net weight of fish or seafood	*Cents per pound for container*
5	1¾
10	1½
15	1
20	1
50	1½
75	1¾
100	1
150	¾
200	⅝
250	½
300	½

For any net weight not listed in this section, take the nearest net weight for which provision is made.

For any net weight falling equally between two listed net weights, take the net weight with the lower allowance. When fish or seafood is cellophane wrapped, add an additional ¼ cent per pound.

16. In section 22, footnote 3 following Table A applicable to Schedule 27, Salmon, Chinook or King (Pacific Coast) troll caught (Oncorhynchus tschawytscha) and to Schedule 28, Salmon, Silver (Pacific Coast) troll caught (Oncorhynchus kisutch) is amended to read as follows:

[3] Deduct 1½ cents when landed ex-vessel in any port in Washington and Oregon other than Seattle and Astoria and the following amounts when landed ex-vessel in the following Alaskan ports: Ketchikan, 1½ cents; Wrangell and Petersburg, 1¾ cents; Juneau, Sitka and Pelican City, 2 cents; and Port Williams, 2½ cents. When landed ex-vessel in any other port in Alaska deduct the amount specified for the nearest port listed.

17. In section 22, footnote 21 following Table B applicable to Schedule Nos. 51–60, Canadian Whitefish, Tullibee, Lake Trout, Yellow Pike (Yellows or Wall-eyed Pike), Sucker (Fresh water Mullet), Pickerel (Jacks, Great Northern Pike or Grass Pike), Sauger (Sand Pike) and Yellow Perch, is amended to read as follows:

[21] These prices apply to this species caught or landed in Canada except that they do not apply to fish caught in Lake of the Woods and any other body of water east of that lake which is partly in Canada and partly in the State of Minnesota or which constitutes the boundary line between Canada and the State of Minnesota; Lake Superior, Lake Huron, Lake St. Clair, Lake Erie, Lake Ontario and any of the waters connecting these five lakes; and the St. Lawrence River where it constitutes the boundary line between New York State and Canada.

18. In section 22, footnote 15 following Table C is amended to read as follows:

[15] All footnotes made applicable to particular species of fish in Table A, except footnotes 26, 28 and 29; and footnotes 21, 22, 27, 37 and 39 made applicable to particular species of fish in Table B are also applicable to the same species in Table C in section 22.

19. In section 22, footnote 16 following Table D is amended to read as follows:

[16] All footnotes made applicable to particular species of fish in Table A, except footnotes 26, 28 and 29; footnotes 21, 22, 27, 37 and 39 made applicable to particular species of fish in Table B; and footnote 20 made applicable to particular species of seafood in Table C are also applicable to the same species in Table D in section 22.

20. In section 22, Table E and footnote 17 thereto are eliminated.

This amendment shall become effective June 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8504; Filed, June 12, 1944; 11:43 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 17 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (b) (3) is added to read as follows:

(3) For the allotment period from July 1, 1944 to September 30, 1944, inclusive:

Processed foods	Class of product or use (on Schedule I of OPA Form R-1200)	Factor
(i) Fruits:		
(a) Canned and bottled	All	11
(b) Frozen	All	0
(c) Dried and dehydrated	All	0
(ii) Vegetables:		
(a) Canned and bottled	All	11
(b) Frozen	All	0
(iii) Miscellaneous:		
(a) Dry beans	All	2
(b) Jellies, jams, marmalades, preserves, fruit butters	All	5

This amendment shall become effective June 15, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320)

Issued this 12th day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–8498; Filed, June 12, 1944; 11:42 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 33 to Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (c) (3) is added to read as follows:

(3) For the allotment period from July 1, 1944 to September 30, 1944, inclusive:

Class of foods	Classes of product or use (on Schedule I of OPA Form R-1200)	Factor
(i) Meats:		
(a) Bone in and separated suet	All	0.0
(b) Boned and boneless (and canned meat and canned fish)	All	0.0
(c) Hearts, tongues, livers and sweetbreads (pancreas and thymus)	All	0.0
(ii) Cheeses and Canned Milk:		
(a) Group I, Cheese	All	4.5
(b) Group II, Cheese	All	0.0
(c) Group III, Cheese	All	0.0
(d) Canned milk	All	0.0
(iii) Fats and Oils:		
(a) Butter	All	7.8
(b) Margarine	All	2.0
(c) Lard	All	0.0
(d) Shortening	All	0.0
(e) Cooking and Salad Oils	All	0.0

This amendment shall become effective June 15, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 12th day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–8503; Filed, June 12, 1944; 11:42 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 64]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[*]

Ration Order 17 is amended in the following respect:

1. Section 2.11 (j) is added to read as follows:

(j) *Odd lot release.*—(1) *Transfers to establishments.* During the period from June 15, 1944 to July 15, 1944, inclusive, any establishment may transfer ration-free to any other establishment not to exceed, in any class listed below, the applicable stated percentage of the number of pairs of shoes which it had in its inventory on September 30, 1943, in such class (as reported on Form R–1701A).

	Percent
Class I—Men's dress and work shoes	3
Class II—Youths' and boys' shoes (sizes 1 to 6)	3
Class III—Women's shoes	5

The sale price of each pair so transferred may not exceed a price 25 percent below the lowest price at which such shoes were offered on June 1, 1944, to persons other than consumers.

(2) *Transfers to consumers.* (i) During the period from July 10, 1944 to July 29, 1944, inclusive, any establishment

[1] 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2947, 3580, 3707, 4542, 4605, 4607, 4383.
[2] 8 F.R. 16834, 16839, 16893, 17278, 17306, 17372; 9 F.R. 105, 184, 731, 1181, 1819, 2007, 2091, 2477, 2553, 2788, 2789, 2830, 2948, 3092, 3581, 3707, 4107, 4605, 4607, 4877, 5315, 5586.

[*] Copies may be obtained from the Office of Price Administration.
[1] 8 F.R. 15839, 16605, 16996; 9 F.R. 92, 573, 764, 2232, 2656, 2947, 2829, 3340, 3944, 4391, 5254.

whose transfers of shoes are made principally to consumers, may transfer to consumers ration-free, shoes which it acquired from another establishment pursuant to subparagraph (1) above. The sale price of each pair so transferred may not exceed a price 25 percent above the price paid by the owner of the establishment for such shoes.

(ii) During the period from July 10, 1944 to July 29, 1944, inclusive, an establishment whose sales of shoes are made principally to consumers may also transfer to consumers ration-free, in each class listed in subparagraph (1) above, the applicable stated percentage (set forth in subparagraph (1)) of the number of pairs of shoes it had in its inventory on September 30, 1943 in such class (as reported on Form R-1701A). However, in computing the number of pairs of shoes in each class that may be transferred ration-free under this subparagraph, an establishment must deduct the number of pairs of shoes in each class that it transferred or transfers to another establishment pursuant to subparagraph (1) above. The sale price of each pair of shoes so transferred may not exceed a price 25 percent below the establishment's regular retail price for the shoes on June 1, 1944.

(iii) Shoes transferred to consumers in accordance with this subparagraph shall be marked with the date of the transfer and the words "Odd Lot", after the sale to the consumer but before they are removed from the establishment. The mark shall be written or stamped on one shoe of each pair with ink, indelible stamp or indelible pencil.

(iv) When such shoes are offered for sale to consumers in any notice or advertisement, they shall be referred to as "OPA Odd Lot Release, Ration-free July 10, 1944 through July 29, 1944."

(3) For the purposes of this paragraph, "price paid" by an establishment means the invoice price paid by the owner of the establishment, plus any separable transportation expense (a charge for freight or postage not included in the invoice price). In determining the price paid, a cash or trade discount need not be deducted from the invoice price.

(4) Each establishment shall keep a record in the manner required by section 2.13 (b) (9) showing the number of pairs of shoes transferred ration-free under this paragraph and the number of pairs of shoes acquired by the establishment ration-free under this paragraph.

This amendment shall become effective June 15, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1-T, 8 F.R. 1727, 7440; E.O. 9125, 7 F.R. 2719)

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8502; Filed, June 12, 1944; 11:42 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 395,[1] Correction]

MAXIMUM PRICES IN VIRGIN ISLANDS

Section 1418.154 is corrected to read § 1418.158.

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8499; Filed, June 12, 1944; 11:43 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 395,[1] Amdt. 20]

FOOD PRODUCTS IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 395 is amended in the following respects:

1. Section 16, Table III is amended to read as follows:

TABLE III—MAXIMUM RETAIL PRICES FOR CERTAIN GRAIN AND GRAIN PRODUCTS

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
1. Wheat flour, bulk, hard or soft	1 pound	$0.06	$0.06	$0.08
	2 pounds	.10	.10	.11
2. Rice, all types	1 pound	.08	.08	.09
3. Corn meal, imported	1 pound	.06	.05	.06

2. Section 17, Table IV is amended by adding item 2 to read as follows:

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
2. Evaporated milk	6 oz. can	$0.06	$0.06	$0.08

3. Section 19, Table V is amended by adding a footnote to read as follows:

NOTE: The maximum prices stated above are applicable only to the commodities imported and sold by the Office of Distribution in the Virgin Islands of the United States or Puerto Rico. The maximum prices of the commodities not imported and sold by the Office of Distribution in the Virgin Islands of the United States or Puerto Rico shall be governed by Maximum Price Regulation No. 201.

4. Section 19, Table VI is amended by changing the footnote to read as follows:

NOTE: The seller is allowed to add to the prices specified in Table VI a charge of $0.01 for each bottle he furnishes the purchaser without receiving a similar bottle in return.

The maximum prices stated above are applicable only to the commodities imported and sold by the Office of Distribution in the Virgin Islands of the United States or Puerto Rico. The maximum prices of the commodities not imported and sold by the Office of Distribution in the Virgin Islands of the United States or Puerto Rico shall be governed by Maximum Price Regulation No. 201.

5. Section 20, Table VII is amended to read as follows:

TABLE VII—MAXIMUM RETAIL PRICES FOR CERTAIN CANNED FISH AND FISH PRODUCTS

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
Mackerel: Natural	No. 1 tall	$0.17	$0.17	$0.18
Pilchards:				
Natural	8 ounces	.08	.08	
Natural	No. 1 tall	.12	.12	
Natural	8 ounces	.07	.07	
Tomato	8 ounces	.08	.08	
Tomato	No. 1 oval	.15	.15	
Tomato	No. 1 tall	.13	.13	
Salmon:				
Chum or Keta	8 ounces	.16	.16	
Chum	No. 1 can	.22	.22	
Pink	No. 1 can	.17	.17	
Chinook	No. 1 can	.23	.23	
Choe (medium red)	No. 1 can	.18	.18	
Red Alaska Sockeye				
Sardines:				
Maine Tomato	9 ounces	.13	.13	
Maine Tomato	(3¼ ounces	.08	.08	
Maine Tomato	(2⅞¼ ounces	.12	.12	

NOTE: The maximum prices stated above are applicable only to the commodities imported and sold by the Office of Distribution in the Virgin Islands of the United States or Puerto Rico. The maximum prices of the commodities not imported and sold by the Office of Distribution in the Virgin Islands of the United States or Puerto Rico shall be governed by Maximum Price Regulation No. 201.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 6621, 8573, 9996, 11438, 13661, 13942, 14144, 15865, 17052, 16062, 16298, 16793; 9 F.R. 1396, 1945, 2177, 2855, 3156, 3857, 4194.

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 395,[1] Amdt. 21]

PORK IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

TABLE XXVIII—MAXIMUM RETAIL PRICES FOR LOCALLY PRODUCED PORK, NOT U. S. INSPECTED

Description	Unit	Maximum retail price: Sales in the Municipality of St. Croix	Maximum retail price: Sales in the Municipality of St. Thomas and St. John
Head, feet	One pound	$0.13	$0.15
All other cuts and classes of pork including edible by-products	One pound	.20	.30

NOTE: The Virgin Islands Tourist Co., Inc. may add $0.10 per pound to the retail prices listed in Table XXVIII for sales in the Municipality of St. Thomas and St. John, in computing its maximum retail prices at the Camel Bay Plantation Resort, St. John, V. I.

Wholesale prices are subject to agreement between buyer and seller, but may in no event exceed the maximum retail prices established in this table.

This amendment shall become effective June 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8508; Filed, June 12, 1944; 11:44 a. m.]

PART 1425—LUMBER DISTRIBUTION

[2 Rev. MPR 216,[1] Amdt. 6]

DISTRIBUTION YARD SALES OF SOFTWOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 40 is added to read as follows:

Sec. 40. *Maximum prices for locally produced pork not inspected by the Federal (U. S.) Government.* (a) Maximum prices for locally produced pork not inspected by the Federal (U. S.) Government during the production process and sold in the Virgin Islands of the United States shall be the applicable price given in Table XXVIII below:

has been filed with the Division of the Federal Register.*

Second Revised Maximum Price Regulation 215 is amended in the following respect:

1. The note at the end of section 5 (d) (i) is amended to read:

NOTE: "Lower bracket" items include all special specifications applicable to the grades listed such as dense or medium grain and tiers grade, all sizes of select merchantable and lower grades, select structural 2" and under in nominal thickness and also any items of flooring, ceiling and similar patterns in the grades listed.

This amendment shall become effective June 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8506; Filed, June 12, 1944; 11:44 a. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[MPR 490,[1] Amdt. 2]

WESTERN TIMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

6. Section 21, Table VIII is amended to read as follows:

TABLE VIII—MAXIMUM RETAIL PRICES FOR CERTAIN FRESH AND DRIED FRUIT AND VEGETABLE PRODUCTS

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
1. Imported dried beans and imported dried peas including garbanzos (chickpeas), all grades	1 pound	$0.08	$0.08	$0.09
2. Imported onions	1 pound	.08	.08	.10
	¼ pound or more, price per pound	.32	.32	.36
	Less than ¼ pound, price per pound	.40	.40	.45
3. Garlic (except string garlic)	1 pound	.05	.05	.06
4. Table potatoes originating in the continental U. S.	1 pound	.05	.05	.06

NOTE: The maximum prices of garlic (except string garlic), onions and potatoes stated above are applicable only to the garlic (except string garlic), the onions and the potatoes imported and sold by the Office of Distribution in the Virgin Islands of the United States or Puerto Rico. The maximum prices of the garlic (except string garlic), the onions and the potatoes not imported and sold by the Office of Distribution in the Virgin Islands of the United States or Puerto Rico shall be governed by Maximum Price Regulation No. 201.

7. Section 22, Table IX is amended by adding a footnote to read as follows:

NOTE: The maximum prices stated above are applicable only to the commodities imported and sold by the Office of Distribution in the Virgin Islands of the United States or Puerto Rico. The maximum prices of the commodities not imported and sold by the Office of Distribution in the Virgin Islands of the United States or Puerto Rico shall be governed by Maximum Price Regulation No. 201.

8. Section 22, Table X is amended by adding a footnote to read as follows:

NOTE: The maximum prices stated above are applicable only to the commodities imported and sold by the Office of Distribution in the Virgin Islands of the United States or Puerto Rico. The maximum prices of commodities not imported and sold by the Office of Distribution in the Virgin Islands of the United States or Puerto Rico shall be governed by Maximum Price Regulation No. 201.

9. Section 23, Table XI is amended by changing item 1 to read as follows:

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
1. Soap, laundry (bar)	1 lb. adjusted for shrinkage only	$0.10	$0.10	$0.11

10. Section 26, Table XIV is amended to read as follows:

TABLE XIV—MAXIMUM RETAIL PRICES FOR DRY SALTED, SMOKED OR PICKLED FISH IN BULK

Commodity	Quantity (in pounds)	Island of St. Croix	Island of St. Thomas	Island of St. John
Dry salted or smoked fish, all varieties	1	$0.18	$0.18	$0.19
Pickled fish in bulk	1	.14	.14	.15
Pickled cod fillets	1	.18	.18	.19
Pickled cod fillets	1	.22	.22	.23
Pickled herring	1	.12	.12	.13
Pickled salmon	1	.18	.18	.19
All other pickled fish (except those specified)	1	.11	.11	.12

This amendment shall become effective as of June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8501; Filed, June 12, 1944; 11:45 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6239, 6744, 9996, 8847, 10231, 10790; 8 F.R. 1890, 10094.

[1] 8 F.R. 14145; 9 F.R. 221, 2653, 2948, 4227, 5314.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 460 is amended as follows:

1. Section 5 is amended by the addition of a new undesignated paragraph at the end of the schedules of additions:

In the case of timber which is sold on a lineal foot basis, the permissible addition shall be 20% of the appraised value.

2. Section 9 is amended to read as follows:

SEC. 9. *Records and reports.* In all transactions involving more than $1,000 worth of western timber, both seller and purchaser must keep a record of the transaction for two years.

In both public and private sales, the buyer must file a report for each purchase with the Lumber Branch, Office of Price Administration, Washington 25, D. C., within 30 days after the contract is made. This report shall be filed on OPA Form 675-936, copies of which can be obtained from the Regional or District OPA Offices.

This amendment shall become effective June 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8509; Filed, June 12, 1944; 11:44 a. m.]

PART 1429—POULTRY AND EGGS

[MPR 333,[1] Amdt. 26]

EGGS AND EGG PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 333 is amended in the following respects:

1. Section 1429.65 (s) (1) is amended by deleting therefrom the words "from March 6, 1944, to May 27, 1944, inclusive" wherever they appear.

2. Section 1429.67a is amended by deleting from the headnote and from paragraphs (a), (b), and (c) the words "from March 6, 1944, to May 27, 1944, inclusive" wherever they appear.

3. Section 1429.67a (b) (2) is amended to read as follows:

(2) The "multiplier" to be used for calculating the transportation factor for wholesale grades of shell eggs and for current receipt eggs shall be 1.9 for standard grades and current receipts and 2.5 for specials and extras from June 12, 1944, through July 29, 1944.

4. Section 1429.67a (e) is amended to read as follows:

(e) *Maximum prices in cents per dozen by weeks for wholesale grades of shell eggs and current receipt eggs for civilian purchasers in the basing point cities of New York, Seattle, Los Angeles, San Diego, Phoenix and Tucson.*

TABLE I—WHOLESALE GRADES AND CURRENT RECEIPT EGGS FOR PERIOD THROUGH JULY 29, 1944

Week beginning	Extras Nos. 1 and 2	Standards Nos. 1 and 2	Current receipts
May 26	38.5	36.7	34.9
June 5	39	36.7	34.9
12	40	36.7	34.9
19	40	36.7	34.9
26	40.5	37.0	34.9
July 3	41	37.0	34.9
10	42	38.0	34.9
17	43	39.0	36.0
24	44.5	39.0	37.0

5. Section 1429.67a (f) is amended to read as follows:

(f) *Maximum prices in cents per dozen by weeks for wholesale grades of shell eggs and current receipt eggs for civilian purchasers in Chicago, Illinois.*

TABLE II—WHOLESALE GRADES AND CURRENT RECEIPT EGGS FOR PERIOD THROUGH JULY 29, 1944

Week beginning	Extras Nos. 1 and 2	Standards Nos. 1 and 2	Current receipts
May 26	36.9	35.1	33.3
June 5	37	35.1	33.3
12	38	35.1	33.3
19	38	35.1	33.3
26	38.5	35.4	33.3
July 3	39	35.4	33.3
10	40	36.4	33.3
17	41	37.4	34.4
24	42.5	37.4	35.4

This amendment shall become effective June 12, 1944.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 12th day of June, 1944.

IVAN D. CARSON,
Acting Administrator.

Approval: June 1, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-8497; Filed, June 12, 1944; 11:45 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Coal Mines Administration.

[Order CMA-36]

EASTERN GAS AND FUEL ASSOCIATES, KOPPERS COAL DIVISION

ORDER TERMINATING GOVERNMENT POSSESSION

On December 17, 1943, a wage agreement was entered into by the United Mine Workers of America and the representatives of the bituminous coal operators who produce the great preponderance of the nation's tonnage. This agreement has been approved by the National War Labor Board and the Director of Economic Stabilization.

I have been advised that the Eastern Gas and Fuel Associates, Koppers Coal Division, has executed a contract covering all of its mines and will put it into effect immediately upon termination of Government possession of its mining properties. On the basis of such advice and the available information and evidence, and after consideration of all of the circumstances, I find that Government possession of the mines of the Eastern Gas and Fuel Associates, Koppers Coal Division, is no longer required, and in accordance with the provisions of Executive Order No. 9393 (8 F.R. 14877) and the War Labor Disputes Act (Pub. 89, 78th Cong. 1st Sess.) should be terminated.

Accordingly, I order and direct that the possession by the Government of the mines of Eastern Gas and Fuel Associates, Koppers Coal Division, possession of which has not heretofore been terminated, including any and all real and personal property, franchises, rights, facilities, funds and other assets used in connection with the operation of such mines, be, and it is hereby terminated, and that there be displayed conspicuously at those mining properties copies of a poster to be supplied by the Coal Mines Administration, and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Eastern Gas and Fuel Associates, Koppers Coal Division, having filed an instrument of agreement and certification, as provided for in section 25 of the regulations for the operation of coal mines under Government control, as amended, (8 F.R. 6655, 10712, 11344, 17339), the appointment of the operating manager for the United States for its mines is terminated in accordance with the provisions of section 40 of the regulations for the operation of coal mines under Government control, as amended (8 F.R. 6655, 10712, 11344, 17339).

Nothing contained herein shall be deemed to preclude the Government from requiring the submission of information relating to operations during the period of Government possession for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9393 (8 F.R. 14877) may be concluded in an orderly manner.

Dated: June 9, 1944.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 44-8421; Filed, June 10, 1944; 11:48 a. m.]

[Order CMA-37]

BITUMINOUS MINES IN DISTRICTS 14, 19 AND 22

ORDER TERMINATING GOVERNMENT POSSESSION

On December 17, 1943, a wage agreement was entered into by the United Mine Workers of America and the representatives of the bituminous coal operators who produce the great preponderance of the nation's tonnage. This agreement has been approved by the National War Labor Board and the Director of Economic Stabilization.

I have been advised that these operators and other operators who have executed or are about to execute contracts produce the great preponderance of tonnage in the districts listed in Appendix A, attached hereto, and that they will put the contracts into effect immediately upon termination of Government possession of their mining properties. On the basis of such advice and the available information and evidence, and after consideration of all of the circumstances, I find that Government possession of the coal mining properties located in the districts listed in Appendix A is no longer required, and in accordance with the provisions of Executive Order No. 9393 (8 F.R. 14877) and the War Labor Disputes Act (Pub. No. 89, 78th Cong. 1st Sess.) should be terminated.

Accordingly, I order and direct that the possession by the Government of the bituminous coal mines located in the districts listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds and other assets used in connection with the operation of such mines and the distribution and sale of their products be, and it is hereby terminated, and that there be displayed conspicuously at those mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

In accordance with section 40 of the regulations for the operation of coal mines under Government control, as amended (8 F.R. 6655, 10712, 11344, 17339), the appointments of the operating managers for the United States for all of the aforesaid mines with respect to which the mining companies have on file with the Administrator effective instruments of agreement and certification as provided for in section 25 of the regulations, as amended, (8 F.R. 6655, 10712, 11344, 17339), are automaticaly terminated.

Nothing contained herein shall be deemed to preclude the Government from requiring the submission of information relating to operations during the period of Government possession, for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9393 (8 F.R. 14877) may be concluded in an orderly manner.

Dated: June 10, 1944.

[SEAL] ABE FORTAS,
Acting Secretary of the Interior.

APPENDIX A

The mines of which Government possession is terminated by this order are all of the coal mines, now in Government possession, which are located within the boundaries of the following producing districts, as defined in the Bituminous Coal Act of 1937: Districts Nos. 14, 19 and 22.

[F. R. Doc. 44-8495; Filed, June 12, 1944; 11:46 a. m.]

General Land Office.

[Public Land Order 229]

WASHINGTON

WITHDRAWING PUBLIC LANDS FOR USE IN CONNECTION WITH THE OLYMPIC PUBLIC WORKS PROJECT

Correction

The date May 9, 1944 should appear at the end of Public Land Order 229 (F.R. Doc. 44-7246) appearing at page 5445 of the issue of May 23, 1944.

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 831]

ALLOCATION OF FUNDS FOR LOANS

MAY 20, 1944.

I hereby amend:

(a) Administrative Order No. 825 (9 F.R. 5446), dated May 10, 1944, by changing the project designation therein given as "Arkansas 4024F1 Washington" to read "Arkansas 4-2024F1 Washington";

(b) Administrative Order No. 825, dated May 10, 1944, by changing the project designation therein given as "Minnesota 4061C3 Freeborn" to read "Minnesota 4-2061C3 Freeborn";

(c) Administrative Order No. 825, dated May 10, 1944, by changing the project designation therein given as "Minnesota 4084A3 Traverse" to read "Minnesota 4-2084A3 Traverse";

(d) Administrative Order No. 825, dated May 10, 1944, by changing the project designation therein given as "Oklahoma 4001F1 Kingfisher" to read "Oklahoma 4-2001F1 Kingfisher";

(e) Administrative Order No. 825, dated May 10, 1944, by changing the project designation therein given as "Pennsylvania 4021C2 Somerset" to read "Pennsylvania 4-2021C2 Somerset";

(f) Administrative Order No. 825, dated May 10, 1944, by changing the project designation therein given as "Pennsylvania 4022B3 Jefferson" to read "Pennsylvania 4-2022B3 Jefferson";

(g) Administrative Order No. 825, dated May 10, 1944, by changing the project designation therein given as "Texas 4055C3 Floyd" to read "Texas 4-2055C3 Floyd";

(h) Administrative Order No. 825, dated May 10, 1944, by changing the project designation therein given as "Texas 4101D1 Parker" to read "Texas 4-2101D1 Parker."

WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 44-8417; Filed, June 10, 1944; 11:22 a. m.]

[Administrative Order 832]

ALLOCATION OF FUNDS FOR LOANS

MAY 26, 1944.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	*Amount*
New York 4-102181 Steuben	$30,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-8418; Filed, June 10, 1944; 11:22 a. m.]

[Administrative Order 833]

ALLOCATION OF FUNDS FOR LOANS

MAY 26, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	*Amount*
Wisconsin 4-2060B1 Waushara	$58,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-8419; Filed, June 10, 1944; 11:22 a. m.]

[Administrative Order 834]

ALLOCATION OF FUNDS FOR LOANS

MAY 26, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Arkansas 4-2009E1 Craighead	$112,000
Illinois 4-2029D2 Shelby	50,000
Iowa 4-2016B2 Monona	25,000
Iowa 4-2074D1 Allamakee	80,000
Iowa 4-2080A2 Ringgold	25,000
Minnesota 4-2080B2 Lincoln	50,000
Missouri 4-2033B2 Butler	25,000
Missouri 4-2034C2 Macon	25,000
Missouri 4-2040A3 Pettis	10,000
Missouri 4-2047C2 Cooper	10,000
Missouri 4-2049B2 Howell	10,000
Missouri 4-2050B3 Lafayette	36,000
Pennsylvania 4-2014C2 Clearfield	20,000
Pennsylvania 4-2020F2 Blair	53,000
South Carolina 4033A3 Cherokee	25,000
Tennessee 4019M1 Rutherford	150,000
Texas 4-2007F2 Bell	30,000
Texas 4-2030F1 Upshur	50,000
Texas 4-2040E3 Bowie	25,000
Texas 4-2078C1 Cherokee	50,000
Texas 4-2094C2 Gonzales	50,000
Virginia 4037B2 Nansemond	16,000
Washington 4-2018E2 Spokane	100,000
Wisconsin 4-2057C2 Rusk	30,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-8420; Filed, June 10, 1944; 11:22 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2488, 3002, 3070, 3735, 5342, 5839, 6182, 6476, 6626, 7457, 9027, 9300, 9679, 11881, 12095, 12478, 12632, 14093, 14400, 14855, 15459, 16199, 16999, 17485; 9 F.R. 1885, 2406, 2557, 2612.

DEPARTMENT OF LABOR.

Wage and Hour Division.

CANE SUGAR INDUSTRY IN LOUISIANA

NOTICE OF OPPORTUNITY TO PETITION FOR REVIEW OF DETERMINATION

Notice of opportunity to petition for review of the determination granting the application to include certain operations on sugar cane bagasse within that portion of the cane sugar processing and milling branch of the cane sugar industry in Louisiana which has been granted a partial exemption from the maximum hours provisions of the Fair Labor Standards Act of 1938 pursuant to section 7 (b) (3) of the act.

Whereas an application was filed to include the artificial drying, separating into proper lengths, and grinding of bagasse resulting from the processing of sugar cane into raw sugar, syrup and molasses within that portion of the cane sugar processing and milling branch of the cane sugar industry located in Louisiana which the Administrator determined, on November 18, 1939 (4 F.R. 4615), to be an industry of a seasonal nature within the meaning of section 7 (b) (3) of the Fair Labor Standards Act of 1938 and Part 526, as amended, of the regulations issued thereunder; and

Whereas upon consideration of the facts stated in the said application, the Administrator determined (8 F.R. 15493), pursuant to § 526.5 (b) (ii) of regulations, Part 526, as amended, that a prima facie case had been shown for amending the existing determination granting an exemption under section 7 (b) (3) of the act to that portion of the sugar cane processing and milling branch of the cane sugar industry which is located in Louisiana, to include therein the artificial drying, separating into proper lengths, and grinding of bagasse resulting from the processing of sugar cane into raw sugar, syrup and molasses, in sugar cane processing plants in Louisiana, during the sugar cane processing season; and

Whereas within 15 days following the publication of this preliminary determination the Administrator received an objection and request for hearing; and

Whereas pursuant to §§ 526.5 and 526.6 of the said regulations, the Administrator gave notice of a public hearing to be held in Room 914, the Richards Building, 837 Gravier Street, New Orleans, Louisiana, on January 28, 1944 before Nathan Rubinstein, an authorized representative of the Administrator, who was authorized to receive evidence and hear argument for the purpose of determining:

Whether the artificial drying, separating into proper lengths, and grinding of bagasse resulting from the processing of sugar cane into raw sugar, syrup, and molasses in sugar cane processing plants in Louisiana during the sugar cane processing season shall be included within that portion of the cane sugar processing and milling branch of the cane sugar industry located in Louisiana which has been determined to be an industry of a seasonal nature pursuant to section 7 (b) (3) of the Fair Labor Standards Act of 1938 and Part 526, as amended, of the regulations issued thereunder;

and

Whereas, following such hearing the said representative of the Administrator duly made his findings of fact and determined as follows:

1. Certain sugar cane mills in Louisiana dehydrate bagasse resulting from the grinding of sugar cane in order to make it suitable for use as litter, horticultural humus, and other purposes.

2. In order to produce a satisfactory product, it is necessary to dehydrate the bagasse while it is still "fresh;" that is, immediately after it comes from the cane sugar mill, and before it becomes mouldy or discolored as the result of exposure to the air. "Fresh" bagasse is available for dehydrating only while the cane sugar plants are engaged in the milling of sugar cane.

3. The dehydrating of bagasse in Louisiana takes place during a regularly recurring period of about 3 months each year, concurrently with the processing of sugar cane into raw sugar, syrup, and molasses. The dehydrating activities cease completely at about the same time that the milling of sugar cane ceases, for the reason that fresh bagasse is not available in the remainder of the year. The dehydrating operations do not lengthen the operating season of the sugar cane mills in Louisiana.

4. The dehydrating of bagasse, as carried on at present in Louisiana is a part of, and should be included within, that portion of the sugar cane processing and milling branch of the cane sugar industry located in Louisiana, which the Administrator has determined (4 F.R. 4615) to be an industry of a seasonal nature within the meaning of section 7 (b) (3) of the Fair Labor Standards Act and Part 526 of the regulations, as amended.

5. The term "dehydrating of bagasse" as used in this determination includes the following operations when performed on the premises of a sugar cane mill during the sugar cane processing season: chopping or cutting the stalks into sizes suitable for dehydrating; separating the bagasse into proper lengths; drying the bagasse artificially; baling, wrapping and storing the dehydrated bagasse; and any operations necessary and incident to the foregoing.

The application is granted in accordance with the above findings of fact.

Whereas, said findings and determination were duly filed with the Administrator on June 2, 1944 at the National Offices of the Wage and Hour Division, 165 West 46th Street, New York 19, New York, and are available for examination by all interested parties;

Now, therefore, pursuant to the provisions of § 526.7 of the aforesaid regulations, notice is hereby given that any person aggrieved by the said determination may, within 15 days after the date this notice appears in the FEDERAL REGISTER, file a petition with the Administrator at the National Offices of the Wage and Hour Division, requesting that he review the action of the said representative upon the record of the hearing. Such petition shall set forth the grounds upon which the request for review is based. If no petition for review is filed within the 15 days, the findings and determination of the presiding officer shall become final and the exemption shall become effective upon publication of notice to that effect in the FEDERAL REGISTER.

Signed at New York, New York, this 8th day of June 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-8408; Filed, June 9, 1944; 4:55 p. m.]

LEARNER EMPLOYMENT CERTIFICATE

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079) and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3962), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

APPAREL INDUSTRY

Rice-Stix Dry Goods Company, Factory #20, Sister, Missouri; men's woven underwear; 10 percent (AT); effective June 5, 1944, expiring December 4, 1944.

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Centralia Manufacturing Company, Centralia, Illinois; women's apparel; 100 learners (E); effective June 5, 1944, expiring December 4, 1944.

Colonial Manufacturing Company, Tenth & Walnut Streets, Berwick, Pennsylvania; ladies' and children's aprons and underwear; 10 learners (T); effective June 6, 1944, expiring June 5, 1945.

Cornbleet Brothers, McLeansboro, Illinois; cotton and rayon dresses; 10 percent (T); effective June 6, 1944, expiring June 5, 1945.

Doncaster Collar & Shirt Company, Rutherfordton, North Carolina; women's dresses and uniforms, U. S. Navy neckerchiefs, men's shirts; 10 learners (T); effective June 6, 1944, expiring June 5, 1945.

DuQuoin Manufacturing Company, DuQuoin, Illinois; women's apparel; 80 learners (E); effective June 5, 1944, expiring December 4, 1944.

Minersville Dress Manufacturing Company, Inc., 117 Front Street, Minersville, Pennsylvania; blouses; 10 percent (T); effective June 9, 1944, expiring June 8, 1945.

Morgan Shirt Company, Inc., Powell Avenue, Morgantown, West Virginia; dress shirts, pajamas; 48 learners (AT); effective June 10, 1944, expiring November 14, 1944.

Palmer Shirt Manufacturing Company, 477 Lehigh Avenue, Palmerton, Pennsylvania; men's dress and sport shirts; 10 percent (T); effective June 9, 1944, expiring June 8, 1945.

HOSIERY INDUSTRY

McDonough Hosiery Mills, Inc., McDonough, Georgia; seamless hosiery; 5 learners (T); effective June 11, 1944, expiring June 10, 1945.

TELEPHONE INDUSTRY

North Side Telephone Company, Third & Main Streets, Parkville, Missouri; to employ learners as commercial switchboard operators at its Parkville exchange, located at Parkville, Missouri; effective June 6, 1944, expiring June 5, 1945.

Signed at New York, N. Y., this 10th day of June 1944.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-8485; Filed, June 12, 1944; 11:09 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862), to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Half Swindle Broom & Mop Company, 822 Cherokee Avenue, Nashville, Tennessee; brooms, mops; 6 learners (T); broom winder, corn sorter, mop comber for a learning period of 160 hours at 30 cents per hour; effective June 12, 1944, expiring December 12, 1944.

Journal Printing Company, Kirkville, Missouri; printing; 1 learner (T); pressman for a learning period of 600 hours at 30 cents per hour for the first 480 hours and 35 cents per hour for the next 120 hours; effective June 5, 1944, expiring June 4, 1945.

Signed at New York, New York, this 10th day of June 1944.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-8486; Filed, June 12, 1944; 11:09 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 290]

RECONSIGNMENT OF TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 7, 1944, by Julius Berman of car WFE 60716, tomatoes, now on the Alton Railroad to New York City via New York Central Railroad.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8460; Filed, June 12, 1944; 10:59 a. m.]

[S. O. 70-A, Special Permit 291]

RECONSIGNMENT OF POTATOES AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at St. Louis, Missouri, June 7 or 8, 1944, by Midwestern Brokerage Company of car WFE 61504, potatoes, now on the Wabash Railroad to St. Joseph, Missouri, for regrading and resacking badly sprouted contents.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8461; Filed, June 12, 1944; 10:59 a. m.]

[S. O. 70-A, Special Permit 292]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 7, 1944, by Baldwin Pope Produce Company of car NADX 7098, potatoes, now on the Chicago Produce Terminal, to William Enterline Company, Cincinnati, Ohio.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under

the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of June, 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8462; Filed, June 12, 1944; 10:59 a. m.]

[S. O. 70-A, Special Permit 293]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering pargaraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 7, 1944, by Plowaty Bergart Company of car SFRD 18128, potatoes, now on the Chicago Produce Terminal, to Joe Gendleman, Milwaukee, Wisconsin.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of June, 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8463; Filed, June 12, 1944; 10:59 a. m.]

[S. O. 70-A, Special Permit 294]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 7, 1944, by La Mantia Brothers Arrigo Company of car NRO 4396, potatoes, now on the Chicago Produce Terminal to A. J. Sweet Company, Janesville, Wisconsin.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8464; Filed, June 12, 1944; 10:59 a. m.]

[S. O. 70-A, Special Permit 295]

RECONSIGNMENT OF PEAS AT BUFFALO, N. Y.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Buffalo, New York, June 7, 1944, by Simon Siegel Company of car FGE 50144, peas, now on the Erie Railroad, to S. Albertson Company, Boston, Massachusetts.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8465; Filed, June 12, 1944; 10:59 a. m.]

RECONSIGNMENT OF ONIONS AT ST. LOUIS, MO.

[S.O. 70-A, Special Permit 296]

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at St. Louis, Missouri, June 8, 1944, by National Produce Company of car MIXT 19223, onions, now on the Wabash Railroad to C. H. Robinson Company, Peoria, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8466; Filed, June 12, 1944; 11:00 a. m.]

[S. O. 70-A, Special Permit 297]

RECONSIGNMENT OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 7, 1944, by La Mantia Brothers Arrigo Company of car FGE 34251, lettuce, now on the Wabash Railroad, to Joe Rothenberg, Buffalo, New York, via New York Central Railroad.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8467; Filed, June 12, 1944; 11:00 a. m.]

[S. O. 70-A, Special Permit 299]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 8, 1944, by M. W. Frissel Company, of car MIXT 16777, potatoes, now on the Chicago Produce Terminal, to J. Waaman Company, Milwaukee, Wisconsin.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8468; Filed, June 12, 1944; 11:00 a. m.]

[S. O. 70-A, Special Permit 300]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 8, 1944, by National Produce Company, of car ART 21334, Texas potatoes, now on the Wabash Railroad to Gary Produce Company, Gary, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of June, 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8469; Filed, June 12, 1944; 11:00 a. m.]

[S. O. 200, Special Permit 49]

REICING OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) and Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only, June 7, 1944, with not to exceed four (4) tons of ice, at Chicago, Illinois, for account of Edw. H. Anderson and Company, car ART 16684, potatoes, now on the Chicago Produce Terminal (washed) because in poor condition and reconsigned to Memphis, Tennessee.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8470; Filed, June 12, 1944; 11:00 a. m.]

[S. O. 200, Special Permit 50]

REICING OF POTATOES AT HUNTINGDON, PA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only at Huntingdon, Pennsylvania (PRR), for account of the U. S. Army Quarter Master Corps, car FGE 33014, potatoes, moving not later than June 8, 1944, from North American Cold Storage Company, East St. Louis, Illinois, to Naval Supply Depot, Bayonne, New Jersey, for export (routed PRR).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8471; Filed, June 12, 1944; 11:00 a. m.]

[S. O. 200, Special Permit 51]

REICING OF POTATOES AT HUNTINGDON, PA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only at Huntingdon, Pennsylvania, (PRR) for account of the U. S. Army Quartermaster Corps, cars SFRD 920508, IC 54928, and SFRD 23997, potatoes, moving June 6, 1944, from Kansas Cold Storage Company, Wichita, Kansas, to Naval Supply Depot, Bayonne, New Jersey, for export (Routed Frisco-PRR).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8472; Filed, June 12, 1944; 11:00 a. m.]

[S. O. 200, Special Permit 52]

REICING OF POTATOES AT HUNTINGDON, PA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, for account of the U. S. Army Quartermaster Corps, cars of potatoes, FGE 51193, at Huntingdon, Pennsylvania, moving June 10, 1944, from North American Cold Storage Company, E. St. Louis, Illinois, to Bayonne, New Jersey (PRR); URTX 3105, at Huntingdon, Pennsylvania, moving June 9, 1944, from Stillwell Cold Storage Company, Hannibal, Missouri, to Brooklyn, New York, (CB&Q-PRR-NYD delivery); NWX 3537, at Augusta, Georgia, (C&WC), moving June 9, 1944, from North American Cold Storage Company, East St. Louis, Illinois, to Charleston, South Carolina (L&N-NC&StL-Ga-C&WC-ACL).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of June, 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8473; Filed, June 12, 1944; 11:01 a. m.]

[S. O. 200, Special Permit 53]

REICING OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only to full bunker capacity at Kansas City, Missouri, on Rock Island Railroad, as ordered by L. S. Taube Company, URT 81244, potatoes, from Flynn, Texas, destined Deadwood, South Dakota, consigned to Pioneer Fruit Company.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8474; Filed, June 12, 1944; 11:01 a. m.]

[S. O. 200, Special Permit 54]

REICING OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only to full bunker capacity at Kansas City, Missouri, on Missouri Pacific Railroad as ordered by L. S. Taube Company, ART 15048, potatoes, from Palestine, Texas, destined to Elgin, Illinois, consigned to Skinner Fruit Company.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of June, 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8475; Filed, June 12, 1944; 11:01 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3430]

CERTAIN FRENCH NATIONALS

In re: Copyright interests held by certain foreign-nationals.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each person whose name, nationality, and last known address where established, is listed at the top of each page of Exhibit A [1] and by reference made a part hereof, if an individual is a resident or citizen of, or if a business organization is organized under the laws of, and holds the nationality designated after the name of such person;

2. Finding that the persons listed in said Exhibit A,[1] jointly or severally own or control the property hereinafter described in subparagraph 3;

3. Determining that the property described as follows:

a. All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each person whose name, nationality, and last known address, where established, as designated at the top of each page of said Exhibit A in, to and under the following:

1. Every copyright, claim of copyright and right to copyright, or rights related thereto, in each and all of the works described in each page of said Exhibit A under the name of such person;

2. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

3. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

4. All rights of reversion or revesting, if any, in any or all of the foregoing;

5. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property of, or is property payable or held with respect to copyrights or rights related thereto, in which interests are held by, and such property itself constitutes interests held therein by, nationals of one or more foreign countries.

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8377; Filed, June 9, 1944; 11:16 a. m.]

[1] Filed as part of original document.

[Vesting Order 3552]

CERTAIN FRENCH NATIONALS

In re: Copyright interests held by certain foreign nationals.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each person whose name, nationality, and last known address where established, is listed at the top of each page of Exhibit A attached hereto and by reference made a part hereof, if an individual is a resident or citizen of, or if a business organization is organized under the laws of, and holds the nationality designated after the name of such person;

2. Finding that the persons listed in said Exhibit A [1] jointly or severally own or control the property hereinafter described in subparagraph 3;

3. Determining that the property described as follows:

a. All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each person whose name, nationality, and last known address, where established, is designated at the top of each page of said Exhibit A [1] in, to and under the following:

1. Every copyright, claim of copyright and right to copyright, or rights related thereto, in each and all of the works described in each page of said Exhibit A under the name of such person;

2. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

3. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

4. All rights of reversion or revesting, if any, in any or all of the foregoing;

5. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property of, or is property payable or held with respect to copyrights or rights related thereto, in which interests are held by, and such property itself constitutes interests held therein by, nationals of one or more foreign countries.

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8376; Filed, June 9, 1944; 11:16 a. m.]

[1] Filed as part of original document.

[Vesting Order 3553]

EDITIONS FRANCIS SALABERT

In re: Vesting of copyright interests held by Editions Francis Salabert, of 22 Rue Chauchat, Paris, France.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Editions Francis Salabert, of 22 Rue Chauchat, Paris, France, is a business organization created and operating under the laws of, and has its principal place of business in, and therefore is a national of a foreign country (France);

2. Finding that the property identified in subparagraph 3 hereof is property of Editions Francis Salabert;

3. Finding that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of Editions Francis Salabert, of 22 Rue Chauchat, Paris, France, in, to and under the following:

(a) All rights for film synchronization in or under every copyright, claim of copyright and right to copyright in each and all of the works subject to copyright, in which such rights and claims are held by Editions Francis Salabert, of 22 Rue Chauchat, Paris, France;

(b) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing, excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

(c) All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

(d) All rights of reversion or revesting, if any, in any or all of the foregoing;

(e) All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing,

is property of, or is property payable or held with respect to copyrights or rights related thereto, in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; *Provided, however*, That this order shall not vest any right of any person to renew any copyright in any or all of the works above described.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8376; Filed, June 9, 1944; 11:15 a. m.]

[Vesting Order 3554]

CERTAIN GERMAN NATIONALS

In re: German owned motion picture film in the United States, and the copyright interests therein.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That each of the individuals whose names and last-known addresses are set forth in Exhibit A, attached hereto and by reference made a part hereof, is a resident of, and that each of the companies referred to in such Exhibit is organized under the laws of Germany and that each of said individuals and companies is a national of a designated enemy country (Germany):

2. That the German movement and the persons listed in said Exhibit A jointly or severally own or control the property herein described in subparagraph 3;

3. That the property described as follows:

a. All motion picture film in the United States owned or controlled by the German Government, and/or the individuals and companies and each of them whose names and last-known addresses are listed in said Exhibit A,

b. All right, title, interest and claim of whatsoever kind or nature under the statutory and common law of the United States and the several states thereof, of each and all of the identified persons to whom reference is made in said Exhibit A in, to, and under the following:

(1) Every copyright, claim of copyright, and right to copyright in each and all of the motion picture film in the United States owned or controlled by the German government and/or the individuals and companies and each of them whose names and last-known addresses are set forth in said Exhibit A;

(2) Every license, agreement, privilege, power, and right of whatsoever nature arising under, or with respect to, any of the foregoing;

(3) All monies and amounts and all right to receive monies and amounts by way of royalty, share of profits, or other emoluments accrued, or to accrue, whether arising pursuant to law, contract, or otherwise, with respect to any or all of the foregoing;

(4) All rights of renewal, reversion, or revesting, if any, in any, or all, of the foregoing;

(5) All causes of action, accrued, or to accrue, at law or in equity with respect to any, or all, of the foregoing, including, but not limited to, the right to sue for and

recover all damages and profits, and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right, or the breach of any obligation described in or affecting any or all of the foregoing;

is property within the United States owned or controlled by a designated enemy country (Germany) and/or nationals thereof and is property payable or held with respect to copyrights or rights related thereto in which interests are held by and said property constitutes interests held therein by a foreign country (Germany) and/or nationals thereof;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany); and having made the determination and taken all action after appropriate consultation and certification required by law and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

AAFA Film Produktion G. m. b. H., Friedrichstrasse 223, Berlin SW 68.
Ace Film, Berlin.
Althof, Gustave, Film, Friedrichstrasse 13, Berlin SW 68.
Aktiengesellschaft fur Film Fabrikation (afifa) Viktoriastrasse 13–18, Berlin.
Apex Film, Berlin.
Arnold & Richter, G. m. b. H., Munich, Germany.
Arris Film, Munich.
Atlas Tonfilm G. m. b. H., Kochstrasse 6–7, Berlin SW 68.
Avanti Tonfilm Gescellschaft, Friedrichstrasse 13, Berlin.
Bavaria Arophon Film, Bavaria.
Bavaria Film A. G., Friedrichstrasse 210, Berlin SW 68.
Bavaria Film A. G., Sonnenstrasse 15, Munich 2 SW.
Bianchini, Ferrucio & Schenk, Alfred, Berlin.
Bild und Ton G. m. b. H., Graf Adolphstrasse 37a, Dusseldorf.
Bild und Ton G. m. b. H., Tannusstrasse 52–62, Frankfort am Main.
Boston Films Co. m. b. H., Friedrichstrasse 12, Berlin SW 68.
Candofilm G. m. b. H., Friedrichstrasse 22, Berlin SW 68.
Cicero Film G. m. b. H., Cicerostrasse 2–6, Berlin.
Cinema Film A. G. (Tobis), Mauerstrasse 43, Berlin W 8.
Cinema Film G. m. b. H. (Vertriebs), Friedrichstrasse 10, Berlin.
Cinema Produktion A. G. Berlin.
Cleo Film G. m. b. H., Querstrasse 26–28, Leipzig C 1.
Czerny-Film-Produktion G. m. b. H., Wilmersdorf, Zahringerstrasse 14, Berlin.
Defira Tonfilm Vertrieb G. m. b. H., Friedrichstrasse 23, Berlin SW 68.
Deitz, Fritz, Friedrichstrasse 25–26, Berlin SW 68.
De-Ka Film, Berlin.
Delta Film G. m. b. H. Grossadmiral v. Koesterstrasse 26, Berlin.
Deutsche Filmexport G. m. b. H., Friedrichstrasse 25–26, Berlin SW 68.
Deutsche Lichtspiel Syndikat A. G., Friedrichstrasse 225, Berlin SW 68.
Deutsche Tonfilm Produktions (Deuton Film), G. m. b. H., Friedrichstrasse 22, Berlin SW 68.
Deutsche Universal-Film A. G., Mauerstrasse 83–84, Berlin W 8.
DLS, Friedrichstrasse 225, Berlin SW 68.
Eichberg Film G. m. b. H., Friedrichstrasse 171, Berlin W 8.
Elite Film Produktion, Berlin.
Elite Tonfilm, Berlin.
Emelka Konsern, Sonnestrasse 15, Munich.
Emelka-Tonfilm, Berlin.
Engels und Schmidt Tonfilm Gesellschaft, Berlin.
Europa Film A. G., Friedrichstrasse, Berlin.
Europa-Film Verleih A. G., Mauerstrasse 43, Berlin.
Excelsior Film G. m. b. H., Friedrichstrasse 11, Berlin SW 68.
F. D. F. Fabrikation Deutscher Filme G. m. b. H., Friedrichstrasse 8, Berlin SW 68.
Ben-Fett Film, Friedrichstrasse 23, Berlin SW 68.
Forum Film G. m. b. H., Friedrichstrasse 19, Berlin SW 68.
Fritzsche, K. J. Centropa, Berlin.
Carl Froelich Film, Berlin.
Fundus G. m. b. H., Friedrichstrasse 13, Berlin SW 68.
Glasafilm, Berlin.
Max Glass G. m. b. H. (Produktion), Friedrichstrasse 221, Berlin SW 68.
Glass, Paul, Berlin.
Gnom Film, Berlin.
Gnom-Tonfilm Ges. m. b. H., Friedrichstrasse 224, Berlin.
Greenbaum Film G. m. b. H., Prinz Luis Ferdinandstrasse, Berlin NW 7.
Gunther, Karl, Berlin.
Haase, Berlin SW 68.
Halaike Film, Berlin.
Haro von Peski-Film G. m. b. H., Kurfuerstenden 225, Berlin.
Hegemann Film G. m. b. H., Berlin.
Hegewald Film, Berlin.
Heinz, Carl, World Film Production, Berlin.
Henka Deutsche Kino Gesellschaft, Berlin.
Heinz, Paul, G. m. b. H., Friedrichstrasse 28, Berlin SW 68.
Heros Film Verleih G. m. b. H., Friedrichstrasse 25–26, Berlin SW 68.
Ideal Film G. m. b. H., Friedrichstrasse 13, Berlin SW 68.
K. V. Delta Gemeinschaftsproduktion, Kochstrasse 6–7, Berlin SW 68.
Klangfilm, Askenischer Platz 4, Berlin.
Klein, Victor, Film, Berlin.
Kreutzberg-Orphid Film, Berlin.
Kristall Film G. m. b. H., Friedrichstrasse 221, Berlin SW 68.
Leo Film, Munich.
Leitz, Franta, Berlin.
Lloyd-Film G. m. b. H. (Produktion), Mauerstrasse 43, Berlin W 8.
Markische Film G. m. b. H., Zimmerstrasse 79–81, Berlin SW 68.
Maestro Film, Berlin.
Matador Film, Berlin.
Meestro Film Verleih G. m. b. H., Zimmerstrasse 79–80, Berlin SW 68.
Metropole Film Verleih A. G., Friedrichstrasse 7, Berlin SW 68.
Metropole Film Verleih G. m. b. H., Taunusstrasse 52–60, Frankfort am Main.
Minerva Film, Friedrichstrasse 224, Berlin SW 68.
Mittledeutsche Union Film G. m. b. H., Karlstrasse 1, Leipzig C 1.
N. A. G. Filmverleih m. b. H., Friedrichstrasse 8, Berlin SW 68.
Nerthus Film-Hammer Tonfilm G. m. b. H., Friedrichstrasse 10, Berlin SW 68.
Neubach Prod., Ernst, Berlin.
Neucophon Film der Terra, Kochstrasse 73, Berlin.
Neues Deutsches Lichtspiel Syndikat Verleih G. m. b. H., Hedemannstrasse 21, Berlin SW 68.
Nippach, Robert, Film Produktion, Berlin.
Nord Film G. m. b. H., Lange Muehren 9, Hamburg.
Nostra Film G. m. b. H., Unter dem Linden 56, Berlin NW 7.
Omnium Film G. m. b. H., Oststrasse 110, Dusseldorf.
Optima-Film G. m. b. H., Friedrichstrasse 19, Berlin SW 68.
Oevo Film-Oskar Begt, Barkhof 2, Hamburg.
Pan Film G. m. b. H., Friedrichstrasse 21, Berlin SW 68.
Phoebus Film A. G., Berlin.
Porten, Henry, Berlin.
Praesens-Film G. m. b. H., Friedrichstrasse 23, Berlin SW 68.
Projectograph-Film Ges. m. b. H., Friedrichstrasse 225, Berlin SW 68.
Reichalga Film, Berlin.
Rheinische Filmgesellschaft m. b. H. Brueckenstrasse 15, Cologne
Rio Film, Berlin.
Riton Tonfilm G. m. b. H., Cicerostrasse 2–6, Hallinsee, Berlin.
R. N. Film der ufa, Krausenstrasse 38–39, Berlin SW 19.
Rost, Georg, Film Vertrieb, Lauten Sackstrasse 16, Munich.
R. P. L. Delta Film der Tobis, Berlin.
Rota Film A. G., Mauerstrasse 83–84, Berlin SW 68.
Roto G. P. Film, Kochstrasse 64, Berlin SW 68.
Schulz & Co. Film Produktion, Herbert F. R., Berlin.
Seitz, Franz, Film G. m. b. H., Munich.
Sokol Film, Berlin.
Splendid Film Comp., Friedrichstrasse 223, Berlin.
Stein, Fritz, Verleih G. m. b. H., Friedrichstrasse 13, Berlin SW 68.
Sud Film A. G. (Richard Oswald Film) Friedrichstrasse 207, Berlin.
Suedfilm A. G., Gezebrechstrasse 10, Charlottenburg, Berlin.
Suedfilm Kompanie, Berlin.
Super Films Gesellschaft m. b. Haftung, Berlin.
Syndikat G. m. b. H.—NDLS, Mauerstrasse 43, Berlin.
Terra Film Aktiengesellschaft, Kochstrasse 73, Berlin SW 68.
Terra G. m. b. H., Wilhelm-von-Siemensstrasse, Berlin.
Terra-Haus, Kochstrasse 73, Berlin SW 68.
T. K. Cine Allianz Tonfilm G. m. b. H., Friedrichstrasse 223, Berlin SW 68.[1]

[1] T. K. Tonfilm Produktion G. m. b. H., Kochstrasse 18, Berlin SW 68.

Tobis Film Verleih, Zurich.
Tobis Tonfilm Syndicat A. G., Mauerstrasse 43, Berlin 8.
Tofa Film Produktions A. G., Berlin.
Tofa-Tonfilm G. m. b. H., Kurfurstendstrasse 206, Berlin.
Transocean Film Co. G. m. b. H., Friedrichstrasse 224, Berlin SW 68.
Ufa Filmverleigh G. m. b. H., Krausenstrasse 38–39, Berlin SW 19.
Union Tonfilm G. m. b. H., Schillerstrasse 17, Munich.
Urban, Conrad, Friedrichstrasse 236, Berlin SW 68.
Verein Star Film G. m. b. H., Friedrichstrasse 218, Berlin SW 68.
Vitagraph, Friedrichstrasse 225, Berlin SW 68.
Weiss, Blau, Film G. m. b. H., Arnelstrasse 16, Munich 2 NW.
Wiene, Conrad, Production, Berlin.
Wishaupt, Louis, Nurbergerstrasse 53, Berlin W 50.
Wotan Film G. m. b. H., Dari Rudolfstrasse 12, Dusseldorf.

[F. R. Doc. 44–6370; Filed, June 9, 1944; 11:14 a. m.]

[Vesting Order 3555]

CERTAIN AUSTRIAN NATIONALS

In re: Austrian owned motion picture film in the United States, and the copyright interests therein.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That each of the individuals whose names and last-known addresses are set forth in Exhibit A, attached hereto and by reference made a part hereof, is a resident of, and that each of the companies referred to in said Exhibit is organized under the laws of Austria (Germany), and that each of said individuals and companies is a national of a designated enemy country [Austria (Germany)];

2. That the Austrian (German) Government and the persons listed in said Exhibit A jointly or severally own or control the property herein described in subparagraph 3;

3. That the property described as follows:

a. All motion picture film in the United States owned or controlled by the German Government, and/or the individuals and companies and each of them whose names and last-known addresses are listed in said Exhibit A,

b. All right, title, interest and claim of whatsoever kind or nature under the statutory and common law of the United States and the several States thereof, of each and all of the identified persons to whom reference is made in said Exhibit A in, to, and under the following:

(1) Every copyright, claim of copyright, and right to copyright in each and all of the motion picture film in the United States owned or controlled by the German Government and/or the individuals and companies and each of them whose names and last-known addresses are set forth in said Exhibit A;

(2) Every license, agreement, privilege, power, and right of whatsoever nature arising under, or with respect to, any of the foregoing;

(3) All monies and amounts and all right to receive monies and amounts by way of royalty, share of profits, or other emoluments accrued, or to accrue, whether arising pursuant to law, contract, or otherwise, with respect to any or all of the foregoing;

(4) All rights of renewal, reversion, or revesting, if any, in any, or all, of the foregoing;

(5) All causes of action, accrued, or to accrue, at law or in equity with respect to any, or all, of the foregoing, including, but not limited to, the right to sue for and recover all damages and profits, and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right, or the breach of any obligation described in or affecting any or all of the foregoing;

is property within the United States owned or controlled by a designated enemy country (Germany) and/or nationals thereof and is property payable or held with respect to copyrights or rights related thereto in which interests are held by and said property constitutes interests held therein by a foreign country [Austria (Germany)] and/or nationals thereof;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country [Austria (Germany)]; and having made the determination and taken all action after appropriate consultation and certification required by law and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form ACP–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Allianz Filmfabrikation Gesellschaft, Vienna.
Atlanta Film A. G., Vienna.
Atlantis-Film G. m. b. H., Neubaugasse, Vienna II.
Austria Film Gesellschaft, Luiz a. d. Donau, Austria.
Bosserfilm, Vienna.
Bud der Film-Industriellen, Neubaugasse 25, Vienna VII, Bez.
Danubia Film (Armin Gruber), Vienna.
Donau-Film, Ges. m. b. H., Marc d'Avianogasse, Vienna V.
Eda Film Produktiongesellschaft m. b. H., I. Kohlmarkt 8–10, Embelgasse 498, Vienna V.
Europa-Film, G. m. b. H., Neubaugasse 11, Vienna VII.
Excelsior Film (Lemberger & Komp.), Siebensterngasse 39, Vienna VII.
Excelsior Werenhandels G. m. b. H., (Lemberger & Komp.), Siebensterngasse 39, Vienna VII.
Gloria Films, Kohlmarkt 8, Vienna.
Gluck, Oskar, Projectograph-Film, Neubaugasse 25, Vienna.
Horus Film, Neubaugasse 16, Vienna VII.
IFUK Film, Vienna VII.
Intergloria Film G. m. b. H., Vienna.
Lord Film, Vienna.
Lux Film G. m. b. H., Vienna VII.
Mechaty, Gustave, Vienna.
Meteor Film, Vienna.
"Mondial" Internationale Filmindustrie A. G., Neubaugasse, Vienna II.
Pan Film A. G., Neubaugasse 64–66, Vienna.
Reisch, Walter, Filmproduction G. m. b. H. in Liq., Kohlmarkt 8, Vienna I.
Rex Film, Vienna.
Rora Film (Romuald-Rappaport-Production), Vienna VII.
Sacha Film, Rosenhugel, Vienna.
Standard Film Gesellschaft m. b. H., Trattnerhof 2, Vienna I.
Styria Film G. m. b. H., Kostlergasse 5, Vienna VI.
Tassul Film, Vienna.
Tobis Sacha Filmindustrie A. G., Vienna.
Tobis-Sacha-Filmverleih-u-Vertriebe Ges. m. b. H., Siebensterngasse 31, Vienna.
Tobis Sacha Studios, Vienna.
Vindabona Films, Inc., Vienna.
Wein Film, Komandetgesellschaft, Morawsky & Co., Vienna VII.

[F. R. Doc. 44–6371; Filed, June 9, 1944; 11:14 a. m.]

[Vesting Order 3556]

ASAHI PRODUCTION

In re: Motion picture film and the copyright interests therein owned by Asahi Production.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Asahi Production is a business enterprise organized under the laws of Japan and is a national of a designated enemy country (Japan);

2. That Asahi Production is the owner of the property described in subparagraph 3 hereof;

3. That the peoperty described as follows:

a. That certain motion picture film in the United States and the Territory of Hawaii owned or controlled by Asahi Corporation of Japan;

b. All right, title, interest, and claim of whatsoever kind or nature under the statutory and common law of the United States and the several states thereof of Asahi Production in, to, and under the following:

(1) Every copyright, claim of copyright, and right to copyright in any and all the motion picture film in the United States and the Territory of Hawaii owned or controlled by Asahi Production of Japan;

(2) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any of the foregoing;

(3) All monies and amounts and all right to receive monies and amounts by way of royalty, share of profits or other emoluments accrued or to accrue whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

(4) All rights of renewal, reversion, or revesting, if any, in any or all of the fore-

going; all causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property within the United States owned or controlled by a national of a designated enemy country (Japan) and is property payable or held with respect to copyrights or rights related thereto in which interests are held by and the said property constitutes interests held therein by a national of a designated enemy country (Japan);

And determining that to the extent that such national is a person not within a designated enemy country the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan), and having made the determination and taken all action after appropriate consultation and certification required by law and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8372; Filed, June 9, 1944; 11:14 a. m.]

[Supplemental Vesting Order 3641]

YAMANAKA & CO., LTD.

In re: Merchandise owned by Yamanaka & Co., Ltd., Osaka, Japan.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found, by Vesting Order No. 2952, dated January 15, 1944, that Yamanaka & Co., Ltd., Osaka, Japan, is a national of a designated enemy country (Japan);

2. Finding that Yamanaka & Co., Ltd., Osaka, Japan, is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows: 1 Kangbisi peachbloom porcelain oil pot, with stand, and 1 Pair Yung Cheng White porcelain bowls, red beast design, presently in the possession of Yamanaka & Co., Inc., 846 North Michigan Avenue, Chicago, Illinois, is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one, or all, of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8373; Filed,, June 9, 1944; 11:14 a. m.]

[Vesting Order 3647]

ALFRED QUENSEL

In re: Mortgage notes and a claim owned by Alfred Quensel.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Alfred Quensel is Luisenstr. 32–A Weimar, Thuringen, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

2. That Alfred Quensel is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. A certain obligation in the principal amount of $250.00, undertaken on June 9, 1931 by Clara H. Ruedel and Fred Ruedel, as obligors, and subsequently assumed by Clara H. Ruedel, only, as obligor, such obligation being evidenced by one principal promissory note (marked, for identification purposes, as Number 1) signed by the original obligors and payable to "bearer", by extension, on June 9, 1944, and such obligation being secured by a certain Trust Deed, in favor of William Loehde as Trustee (said William Loehde being now deceased and succeeded as Trustee by William H. Loehde), executed by said original obligors on June 9, 1931 and recorded on June 11, 1931 in the Office of the Registrar of Titles of Cook County, Illinois, as Document No. 5489387 in Torrens Record 698, Page 365, and any and all extensions, renewals or modifications of such obligation, and all security rights in and to any and all collateral (including but not limited to the aforesaid Trust Deed) for such obligation, and the right to enforce and collect such obligation, and the right to the possession of any and all notes, agreements, or other instruments evidencing such obligation,

b. A certain obligation in the principal amount of $2000.00, undertaken on February 6, 1926 by Julia Patterson Cross, Robert Patterson Cross and Gertrude K. Cross, as obligors, and subsequently assumed by Robert Patterson Cross and Gertrude K. Cross, only, as obligors, such obligation being evidenced by seven principal promissory notes (marked, for identification purposes, as Numbers 11 to 16, both inclusive, each in the amount of $250.00, and Number 17, in the amount of $500.00) signed by the original obligors and payable to "bearer", by extension, on February 6, 1938, and such obligation being secured by a certain Trust Deed, in favor of William Loehde as Trustee (said William Loehde being now deceased and succeeded as Trustee by William H. Loehde), executed by said original obligors on February 6, 1926 and recorded on February 16, 1926 in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 9180512, in Book 22360 of Records, Page 75, and any and all extensions, renewals or modification of such obligation, and all security rights in and to any and all collateral (including but not limited to the aforesaid Trust Deed) for such obligation, and the right to enforce and collect such obligation, and the right to the possession of any and all notes, agreements, or other instruments evidencing such obligation,

c. A certain obligation in the principal amount of $1750.00, undertaken on December 19, 1922 by Henry Steger and Kate Steger, as obligors, and subsequently assumed by Peter Lannon and Mary Lannon, as obligors, such obligation being evidenced by three principal promissory notes (marked, for identification purposes, as Numbers 1, 3, and 5 in the respective amounts of $1000.00, $500.00, and $250.00) signed by the original obligors and payable to "bearer", by extension, on December 19, 1943, and such obligation being secured by a certain Trust Deed, in favor of William Loehde as Trustee (said William Loehde being now deceased and succeeded as Trustee by William H. Loehde), executed by said original obligors on December 19, 1922 and recorded on December 29, 1922 in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 7761085, in Book 17797 of Records, Page 493, and any and all extensions, renewals or modifications of such obligation, and all security rights in and to any and all collateral (including but not limited to the aforesaid Trust Deed) for such obligation, and the right to enforce and collect such obligation, and the right to the possession of any and all notes, agreements, or other instruments evidencing such obligation,

d. A certain obligation in the principal amount of $1,250.00, undertaken on March 25, 1925 by Philip Cannizzo and Ingeborg Cannizzo, as obligors, and subsequently assumed by Vincent J. Biondi and Florence Biondi, as obligors, such obligation being evidenced by three principal promissory notes (marked, for identification purposes, as Number 14, in the reduced amount of $250.00, and Numbers 15 and 16, each in the amount of $500.00) signed by the original obligors and payable to "bearer", by extension, on March 25, 1947, and such obligation being secured by a certain Trust Deed, in favor of William Loehde as Trustee (said William Loehde being now deceased and succeeded as Trustee by William H. Loehde), executed by said original obligors on March 25, 1925 and recorded on April 2, 1925 in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 8842274, in Book 21067 of Records, Page 370, and any and all extensions, renewals or modifications of such obligation, and all security rights in and to any and all collateral (including but not limited to the aforesaid Trust Deed) for such obligation, and the right to enforce and collect such obligation, and the right to the possession of any and all notes, agreements, or other instruments evidencing such obligation,

e. A certain obligation in the principal amount of $750,000, undertaken on December 15, 1936 by William H. Loehde, not personally but as Trustee under the provisions of a Deed in Trust delivered to him in pursuance of a trust agreement dated December 15, 1936 and known as Trust 953 Wrightwood Avenue, as obligor, such obligation being evidenced by two principal promissory notes (marked, for identification purposes as Number 6, in the amount of $500.00, and Number 7, in the amount of $250.00) signed by the obligor and payable to "bearer", by extension, on December 15, 1946, and such obligation being secured by a certain Trust Deed, in favor of William Loehde as Trustee (said William Loehde being now deceased and succeeded as Trustee by Owen N. Price), executed by said obligor on December 15, 1936 and recorded on January 17, 1939 in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 12260978, in Book 26311 of Records, Page 71, and any and all extensions, renewals or modifications of such obligation, and all security rights in and to any and all collateral (including but not limited to the aforesaid Trust Deed) for such obligation, and the right to enforce and collect such obligation, and the right to the possession of any and all notes, agreements, and other instruments evidencing such obligation,

f. A certain obligation in the principal amount of $1500.00, undertaken on December 31, 1930 by Marie Gross, as obligor, such obligation being evidenced by six principal promissory notes (marked, for identification purposes, as Numbers 1 to 6, both inclusive, each in the amount of $250.00) signed by the obligor and payable to "bearer", by extension, on December 16, 1945, and such obligation being secured by a certain Trust Deed, in favor of William H. Loehde as Trustee, executed by said obligor on December 16, 1930 and recorded on February 14, 1940 in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 12438096, in Book 35539 of Records, Page 344, and any and all extensions, renewals or modifications of such obligation and all security rights in and to any and all collateral (including but not limited to the aforesaid Trust Deed) for such obligation, and the right to enforce and collect such obligation, and the right to the possession of any and all notes, agreements, or other instruments evidencing such obligation,

g. A certain obligation in the principal amount of $1000.00, undertaken on December 30, 1940 by Gennaro Vignono and Pia Vignono, as obligors, such obligation being evidenced by one principal promissory note (marked, for identification purposes, as Number 1) signed by the obligors and payable to "bearer" on December 30, 1945, and such obligation being secured by a certain Trust Deed, in favor of William H. Loehde as Trustee, executed by said obligors on December 26, 1940 and recorded on January 20, 1941 in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 12613986, in Book 26365 of Records, Page 260, and any and all extensions, renewals or modifications of such obligation, and all security rights in and to any and all collateral (including but not limited to the aforesaid Trust Deed) for such obligation, and the right to enforce and collect such obligation, and the right to the possession of any and all notes, agreements, or other instruments evidencing such obligation,

h. A certain obligation in the principal amount of $2000.00, undertaken on July 1, 1937 by William H. Loehde, not personally but as Trustee under the provisions of a Deed in Trust delivered to him in pursuance of a trust agreement dated June 28, 1937 and known as Trust No. B, as obligor, such obligation being evidenced by four principal promissory notes (marked, for identification purposes, as Numbers 4 to 7, both inclusive, each in the amount of $500.00) signed by the obligor and payable to "bearer", by extension, on July 1, 1945, and such obligation being secured by a certain Trust Deed, in favor of William Loehde as Trustee (said William Loehde being now deceased and succeeded as Trustee by Owen N. Price), executed by said obligor on July 1, 1937 and recorded on July 21, 1937 in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 12029846, in Book 23242 of Records, Page 522, and any and all extensions, renewals or modifications of such obligation, and all security rights in and to any and all collateral (including but not limited to the aforesaid Trust Deed) for such obligation, and the right to enforce and collect such obligation, and the right to the possession of any and all notes, agreements, or other instruments evidencing such obligation,

i. A certain obligation in the principal amount of $1000.00, undertaken on March 12, 1929 by Henry E. Schulze and Mabel P. Schulze, as obligors, such obligation being evidenced by one principal promissory note (marked, for identification purposes, as Number 1) signed by the obligors and payable to "bearer", by extension, on March 12, 1944, and such obligation being secured by a certain Trust Deed, in favor of Thomas O. Wallace as Trustee, executed by said original obligors on March 12, 1929 and recorded on March 28, 1929 in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 10322181, in Book 26726 of Records, Page 637, and any and all extensions, renewals or modifications of such obligation, and all security rights in and to any and all collateral (including but not limited to the aforesaid Trust Deed) for such obligation, and the right to enforce and collect such obligation, and the right to the possession of any and all notes, agreements, or other instruments evidencing such obligation,

j. A certain obligation in the principal amount of $2,500.00, undertaken on August 10, 1938 by William H. Loehde, not personally but as Trustee under the provisions of a Deed in Trust delivered to him in pursuance of a trust agreement dated August 10, 1938, and known as Trust 4530–32 North Mobile Avenue, as obligor, such obligation being evidenced by seven principal promissory notes (marked, for identification purposes, as Numbers 1 to 3, both inclusive, each in the amount of $500.00, and Numbers 4 to 7, both inclusive, each in the amount of $250.00) signed by the obligor and payable to "bearer", by extension, on August 10, 1946, and such obligation being secured by a certain Trust Deed, in favor of William Loehde as Trustee (said William Loehde being now deceased and succeeded as Trustee by Robert A. Scholz), executed by said obligor on August 10, 1938 and recorded on August 12, 1938 in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 12197871, in Book 33299 of Records, Page 505, and any and all extensions, renewals or modifications of such obligation, and all security rights in and to any and all collateral (including but not limited to the aforesaid Trust Deed) for such obligation, and the right to enforce and collect such obligation, and the right to the possession of any and all notes, agreements, or other instruments evidencing such obligation,

k. A certain obligation in the principal amount of $500.00, undertaken on April 20, 1928 by Frank Arnone and Josephine Arnone, as obligors, such obligation being evidenced by two principal promissory notes (marked, for identification purposes, as Numbers 1 and 2, each in the amount of $250.00) signed by the obligors and payable to "bearer", by extension, on April 20, 1947, and such obligation being secured by a certain Trust Deed, in favor of William Loehde as Trustee (said William Loehde being now deceased and succeeded as Trustee by William H. Loehde), executed by said obligors on April 20, 1928 and recorded on April 26, 1928 in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 10001775, in Book 25734 of Records, Page 130, and any and all extensions, renewals or modifications of such obligation, and all security rights in and to any and all collateral (including but not limited to the aforesaid Trust Deed) for such obligation, and the right to enforce and collect such obligation, and the right to the possession of any and all notes, agreements, or other instruments evidencing such obligation,

l. A certain obligation in the principal amount of $2000.00, undertaken on December 15, 1941 by William H. Loehde, not personally but as Trustee under the provisions of a Deed in Trust delivered to him in pursuance of a trust agreement dated April 5, 1939 and known as Trust No. 1116–18 George Street, as obligor, such obligation being evidenced by seven principal promissory notes (marked, for identification purposes, as Numbers 1 to 3, both inclusive, each in the amount of $300.00 and Numbers 4 to 6, both inclusive, each in the amount of $250.00, and Number 7, in the amount of $350.00) signed by the obligor and payable to "bearer", on December 15, 1946, and such obligation being secured by a certain Trust Deed, in favor of Owen N. Price as Trustee, executed by said obligor on December 15, 1941 and recorded on March 31, 1942 in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 12865998, in Book 26949 of Records, Page 29, and any and all extensions, renewals or modifications of such obligation, and all security rights in and to any and all collateral (including but not limited to the aforesaid Trust Deed) for such obligation, and the right to enforce and collect such obligation, and the right to the possession of any and all notes, agreements, or other instruments evidencing such obligation,

m. A certain obligation in the principal amount of $500.00, undertaken on March 31, 1931 by Victoria Herrmann and Herman Herrmann, as obligors, such obligation being evidenced by one principal promissory note (marked, for identification purposes, as Number 1) signed by the obligors and payable to "bearer", by extension, on March 31, 1947, and such obligation being secured by a certain Trust Deed, in favor of William Loehde, as Trustee (said William Loehde being now deceased and succeeded as Trustee by William H. Loehde), executed by said obligors on March 31, 1931 and recorded on April 6, 1931 in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 10876600, in Book 29225 of Records, Page 454, and any and all extensions, renewals or modifications of such obligation, and all security

rights in and to any and all collateral (including but not limited to the aforesaid Trust Deed) for such obligation, and the right to enforce and collect such obligation, and the right to the possession of any and all notes, agreements, or other instruments evidencing such obligation,

n. A certain obligation in the principal amount of $2500.00, undertaken on December 15, 1941 by William H. Loehde, not personally but as Trustee under the provisions of a Deed in Trust delivered to him in pursuance of a trust agreement dated April 5, 1939 and known as Trust No. 1116-18 George Street, as obligor, such obligation being evidenced by ten principal promissory notes (marked, for identification purposes, as Numbers 1 to 10, both inclusive, each in the amount of $250.00) signed by the obligors and payable to "bearer" on December 15, 1946, and such obligation being secured by a certain Trust Deed, in favor of Owen N. Price as Trustee, executed by said obligor on December 15, 1941 and recorded on March 31, 1942 in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 12865997, in Book 36949 of Records, Page 25, and any and all extensions, renewals or modifications of such obligation, and all security rights in and to any and all collateral (including but not limited to the aforesaid Trust Deed) for such obligation, and the right to enforce and collect such obligation, and the right to the possession of any and all notes, agreements, or other instruments evidencing such obligation,

o. A certain obligation in the principal amount of $2500.00, undertaken on August 20, 1942 by William H. Loehde, not personally but as Trustee under the provisions of a Deed in Trust delivered to him in pursuance of a trust agreement dated August 19, 1942 and known as Trust Diversey-Paulina, as obligor, such obligation being evidenced by seven principal promissory notes (marked, for identification purposes, as Numbers 1 to 4, both inclusive, each in the amount of $250.00, and Numbers 5 to 7, both inclusive, each in the amount of $500.00) signed by the obligor and payable to "bearer" on August 20, 1945, and such obligation being secured by a certain Trust Deed, in favor of Owen N. Price as Trustee, executed by said obligor on August 20, 1942 and recorded on September 5, 1942 in the Office of the Registrar of Titles of Cook County, Illinois, as Document No. 954242T, in Torrens Record 846, Page 26, and any and all extensions, renewals or modifications of such obligation, and all security rights in and to any and all collateral (including but not limited to the aforesaid Trust Deed) for such obligation, and the right to enforce and collect such obligation, and the right to the possession of any and all notes, agreements, or other instruments evidencing such obligation,

p. A certain obligation in the principal amount of $2000.00, undertaken on August 20, 1942 by William H. Loehde, not personally but as Trustee under the provisions of a Deed in Trust delivered to him in pursuance of a trust agreement dated August 19, 1942 and known as Trust Diversey-Paulina, as obligor, such obligation being evidenced by six principal promissory notes (marked, for identification purposes, as Numbers 1 to 4, both inclusive, each in the amount of $250.00, and Numbers 5 and 6, each in the amount of $500.00) signed by the obligor and payable to "bearer" on August 20, 1945, and such obligation being secured by a certain Trust Deed, in favor of Owen N. Price as Trustee, executed by said obligor on August 20, 1942 and recorded on September 5, 1942 in the Office of the Registrar of Titles of Cook County, Illinois, as Document No. 954247T, in Torrens Record 846, Page 30, and any and all extensions, renewals or modifications of such obligation, and all security rights in and to any and all collateral (including but not limited to the aforesaid Trust Deed) for such obligation, and the right to enforce and collect such obligation, and the right to the possession of any and all notes, agreements, or other instruments evidencing such obligation,

q. A certain obligation in the principal amount of $1500.00, undertaken on August 20, 1942 by William H. Loehde, not personally but as Trustee under the provisions of a Deed in Trust delivered to him in pursuance of a trust agreement dated August 19, 1942 and known as Trust Diversey-Paulina, as obligor, such obligation being evidenced by four principal promissory notes (marked, for identification purposes, as Numbers 1 and 2, each in the amount of $250.00, and Numbers 3 and 4, each in the amount of $500.00) signed by the obligor and payable to "bearer" on August 20, 1945, and such obligation being secured by a certain Trust Deed, in favor of Owen N. Price as Trustee, executed by said obligor on August 20, 1942 and recorded on August 31, 1942 in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 12949482, in Book 36982 of Records, Page 314, and any and all extensions, renewals or modifications of such obligation, and all security rights in and to any and all collateral (including but not limited to the aforesaid Trust Deed) for such obligation, and the right to enforce and collect such obligation, and the right to the possession of any and all notes, agreements, or other instruments evidencing such obligation, and

r. All right, title, interest and claim of any name or nature whatsoever of Alfred Quensel in and to any and all obligations, contingent or otherwise and whether or not matured, owing to and held for the credit of Alfred Quensel by The First National Bank of Chicago, Chicago, Illinois, and represented on the books of The First National Bank of Chicago as a cash balance in an account identified as "Alfred Quensel Agency Account #14774", including but not limited to all security rights in and to any and all collateral for any and all such, obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order, may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All those 17 tracts or parcels of land situated in the City of Chicago, County of Cook, State of Illinois, particularly described as follows:

Parcel 1. Lots Fifteen (15) and Sixteen (16) in Block Two (2) in Woodlands, a Subdivision of the East Half (E½) of Block Five (5) in Canal Trustees' Subdivision of the East Half (E½) of Section Twenty-nine (29), Township Forty (40) North, Range Fourteen (14), East of the Third Principal Meridian.

Parcel 2. Lots Nineteen (19) and Twenty (20) in Block Two (2) in H. Best's Subdivision of the West Eight (8) Acres of Lot Fourteen (14) of Canal Trustees' Subdivision of the East Half (E½) of Section Twenty-nine (29), Township Forty (40) North, Range Fourteen (14), East of the Third Principal Meridian.

Parcel 3. Sub-Lot Four (4) in John W. Hill's Subdivision of Lots Eleven (11) and Twelve (12) of Wetzler, Pick and Huber's Subdivision of the West Half (W½) of Block Seventeen (17) of Canal Trustees' Subdivision of the East Half (E½) of Section Twenty-nine (29), Township Forty (40) North, Range Fourteen (14), East of the Third Principal Meridian.

Parcel 4. Lot Twelve (12) in Block One (1) in H. Best's Subdivision of the West Eight (8) Acres of Lot Fourteen (14) of Canal Trustees' Subdivision of the East Half (E½) of Section Twenty-nine (29), Township Forty (40) North, Range Fourteen (14), East of the Third Principal Meridian.

Parcel 5. Lot Twenty-one (21) in Block One (1) in H. Best's Subdivision of the West Eighth (8) Acres of Lot Fourteen (14) of Canal Trustees' Subdivision of the East Half (E-½) of Section Twenty-nine (29), Township Forty (40) North, Range Fourteen (14), East of the Third Principal Meridian.

Parcel 6. Lot One (1) in the Subdivision of Lot One (1) in the Subdivision of the East Twelve (12) Acres of Lot Fourteen (14) (except the East Three Hundred and Twenty-nine and 3/10 feet thereof) of Canal Trustees' Subdivision of the East Half (E-½) of Section Twenty-nine (29). Township Forty (40) North, Range Fourteen (14), East of the Third Principal Meridian.

Parcel 7. Lot Thirty-one (31) in Block Two (2) in Lill and Diversey's Subdivision of Block Fifteen (15) in Canal Trustees' Subdivision of the East Half (E-½) of Section Twenty-nine (29), Township Forty (40) North, Rang Fourteen (14), East of the Third Principal Meridian.

Parcel 8. Lot Six (6) in the Subdivision of Lots Two (2) to Six (6) inclusive in Knopp's Subdivision of the East Twelve (12) Acres (except the East Three Hundred and Twenty-nine and 3/10 feet, thereof) of Block Fourteen (14) of Canal Trustees' Subdivision of the East Half (E-½) of Section Twenty-nine (29), Township Forty (40) North, Range Fourteen (14), East of the Third Principal Meridian.

Parcel 9. Sub-Lot Eighteen (18) in the Resubdivision of Lots Twelve (12) to Twenty-nine (29) in Block Three (3) in Cushman's Resubdivision of the North Half (N-½) of Block Four (4) in Sheffield's Addition to Chicago in the South-east Quarter (SE-¼) of the North-east Quarter (NE-¼) of Section Thirty-two (32), Township Forty (40) North, Range Fourteen (14), East of the Third Principal Meridian.

Parcel 10. Lot One Hundred-thirty (130) in Heafields Lawrence Avenue Terrace Gardens Subdivision in the Northwest Quarter (NW-¼) of Section Seventeen (17), Township Forty (40) North, Range Thirteen (13), East of the Third Principal Meridian.

Parcel 11. Lot Forty (40) in Block Four (4) in Cushman's Resubdivision of the North Half (N-½) of Block Four (4) in Sheffield's Addition to Chicago in the South-east Quarter (SE-¼) of the North-east Quarter (NE-¼) of Section Thirty-two (32), Township Forty (40) North, Range Fourteen (14), East of the Third Principal Meridian.

Parcel 12. Lot Forty-one (41) in J. Logeman's Subdivision of the South Half (S-½) of Block Two (2) in the Subdivision of Out Lot Six (6) of Canal Trustees' Subdivision of the East Half (E-½) of Section Twenty-nine (29), Township Forty (40) North, Range Fourteen (14), East of the Third Principal Meridian.

Parcel 13. Lot Ten (10) in Block Four (4) in Ernst J. Lehmann's Subdivision of Lot Four (4) in Assessor's Division of the North-west Quarter (NW-¼) of the South-east (SE-¼) of Section Twenty (20), Township Forty (40) North Range Fourteen (14), East of the Third Principal Meridian.

Parcel 14. Lot Forty (40) in J. Logeman's Subdivision of the South Half (S-½) of Block Two (2) in the Subdivision of Out Lot Six (6) of Canal Trustees' Subdivision of the East Half (E-½) of Section Twenty-nine (29), Township Forty (40) North, Range Fourteen (14), East of the Third Principal Meridian.

Parcel 15. Lots Seven (7) and Eight (8) in Harland's Subdivision of the South One Hundred and Seventy-three (S-173') feet of that part lying East of the Chicago & North Western Railway of the West Three Quarters (W-¾) of the North-east Quarter (NE-¼) of Section Thirty (30), Township Forty (40) North, Range Fourteen (14), East of the Third Principal Meridian.

Parcel 16. Lot Nineteen (19) in Harland's Subdivision of the South One Hundred and Seventy-three (S-173') feet of that part lying East of the Chicago & North Western Railway of the West Three Quarters (W-¾) of the North-east Quarter (NE-¼) of Section Thirty (30), Township Forty (40) North, Range Fourteen (14), East of the Third Principal Meridian.

Parcel 17. Lots Fifteen (15) and Sixteen (16) in Harland's Subdivision of the South One Hundred and Seventy-three (S-173') feet of that part lying East of the Chicago & North Western Railway of the West Three Quarters (W-¾) of the North-east Quarter (NE-¼) of Section Thirty (30), Township Forty (40) North, Range Fourteen (14), East of the Third Principal Meridian.

[F. R. Doc. 44-8374; Filed, June 9, 1944; 11:15 a. m.]

[Divesting Order 98]

LEOPOLD H. P. KLOTZ, AND NORTH AMERICAN INVESTING COMPANY, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

1. Having, on April 7, 1943, by Vesting Order No. 3 (7 F.R. 2598) vested certain property consisting of notes issued by Luscombe Airplane Corporation to Leopold H. P. Klotz, collateral notes issued by North American Investing Company, Inc., to Leopold H. P. Klotz, collateral security deposited with Leopold H. P. Klotz to secure payment of the aforementioned collateral notes, a contract, as amended, between North American Investing Company, Inc. and Leopold H. P. Klotz, and all right, title, and interest of Leopold H. P. Klotz and North American Investing Company, Inc. in and to certain shares of stock of Luscombe Airplane Corporation, all of which property is more particularly described in Exhibit A attached hereto and made a part hereof, herein sometimes termed "the said property";

2. Having vested the said property as property of nationals of a foreign country designated in Executive Order No. 8389, as amended, upon the assumption that Leopold H. P. Klotz and North American Investing Company, Inc. were acting for and on behalf of an enemy country;

3. Having received thereafter a notice of claim (No. 553) pursuant to General Order No. 4 (7 F.R. 5539) which claim asserted that the claimant, Leopold H. P. Klotz, had a right to the ownership and possession of some or all of the property described in Exhibit A attached hereto;

4. Having received thereafter a notice of claim (No. 554) pursuant to General Order No. 4 (7 F.D. 5539) which claim asserted that the claimant, North American Investing Company, Inc., had a right to the ownership and possession of some or all of the property described in Exhibit A attached hereto;

5. Having received no other claim or notice of claim on Form APC-1 or otherwise to the said property or to any interest therein, or arising as a result of said vesting order, and having no knowledge of any other interest in such property of any national of any foreign country;

6. Having transmitted the said claims Nos. 553 and 554 to the Vested Property Claims Committee and a hearing on the claims having been held pursuant to notice (9 F.R. 350) and opportunity to be heard having been afforded to any person desiring to be heard;

7. Having been advised of the final determination issued by the Vested Property Claims Committee with respect to said claims that:

(a) The said property vested by Vesting Order No. 3 was owned at the date of vesting by Leopold H. P. Klotz and the North American Investing Company, Inc., as their respective interests may appear,

(b) Leopold H. P. Klotz was at the date of vesting a national of a neutral state and was at that date and is now a resident of the United States,

(c) Leopold H. P. Klotz was not at the date of vesting and is not now and has not been at any intervening time acting for or on behalf of an enemy country (including a designated enemy country within the purview of Executive Order No. 9095, as amended) or a person within any such country, and that the national interest of the United States does not require that he be treated as a national of a designated enemy country.

(d) North American Investing Company, Inc., a Delaware corporation, was not at the date of vesting and is not now and has not been at any intervening time acting for or on behalf of an enemy country (including a designated enemy country within the purview of Executive Order No. 9095, as amended) or a person within any such country, and that the national interest of the United States does not require that it be treated as a national of a designated enemy country, and

(e) The aforesaid vesting resulted from mistakes of fact.

8. No appeal from the said determination of the Vested Property Claims Committee to the Alien Property Custodian having been taken as duly provided;

9. Having neither assigned, transferred, or conveyed to any one the said property or any part thereof or any interest therein, nor in any manner created any right or interest therein in any person whomsoever; and

10. Determining that the error committed in vesting the said property should be corrected by assigning and conveying the said property to said claimants;

Having made all determinations and taken all action required by law; and

Determining that under the aforesaid circumstances the disposition hereinafter effected is in the interest of and for the benefit of the United States and necessary and appropriate in the national interest.

Now, therefore, the Alien Property Custodian assigns, transfers, and conveys to the claimant, Leopold H. P. Klotz, all the right, title, and interest of the Alien Property Custodian in and to the property described in Exhibit A, Schedule 1, attached hereto, and to the claimant, North American Investing Company, Inc., all the right, title, and interest of the Alien Property Custodian in and to the property described in Exhibit A, Schedule 2, attached hereto.

This divesting order shall not bar any person from the prosecution of any suit at law or in equity against the said claimants to establish any right, title, or interest which such person may have in said property. Nor shall the vesting and divesting by the Custodian be construed to diminish the interest which such person may have had, or to enlarge the interest which the claimants may have had, in said property at the time of vesting.

Executed at Washington, D. C., on June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

SCHEDULE 1

(a) Convertible note dated December 30, 1940, for $300,000 issued by Luscombe Airplane Corporation, to Leopold H. P. Klotz, due December 31, 1945, convertible into shares of the capital stock of the said Luscombe Airplane Corporation.

(b) Demand notes issued by Luscombe Airplane Corporation to Claimant on the following dates and in the following amounts:

January 2, 1942	$100,000
January 2, 1942	20,000
January 7, 1942	3,000
January 14, 1942	4,000
January 20, 1942	10,000
February 5, 1942	2,500
February 19, 1942	5,000
February 26, 1942	7,500
March 6, 1942	2,500
March 11, 1942	2,500

(c) All right, title, and interest, which was vested in or has accrued to the Alien Property Custodian, in and to all interest paid or owing by Luscombe Airplane Corporation upon the notes described in paragraphs (a) and (b) above.

(d) Collateral notes in the aggregate amount of $251,500 issued by North American Investing Company, Inc., to Leopold H. P. Klotz, and bearing the following dates and in the following amounts:

December 29, 1939	$45,000
December 29, 1939	63,000
December 29, 1939	45,000
January 3, 1940	10,000
February 21, 1940	10,000
March 1, 1940	20,000
June 1, 1940	10,000
June 12, 1940	10,000
August 12, 1940	5,000
September 30, 1940	7,500
October 15, 1940	8,000
October 30, 1940	16,000

(e) All of the right, title, and interest of the Alien Property Custodian in and to a contract dated December 29, 1939, as amended November 18, 1941 between North American Investing Company, Inc., and Leopold H. P. Klotz.

(f) Seventy-four thousand (74,000) shares of the capital stock of Luscombe Airplane Corporation.

(g) All right, title, and interest, which was vested in or has accrued to the Alien Property Custodian, to dividends on the stock described in paragraph (f) above.

SCHEDULE 2

(a) One hundred and fifty-one thousand (151,000) shares of the capital stock of Luscombe Airplane Corporation.

(b) All right, title, and interest, which was vested in or has accrued to the Alien Property Custodian, to dividends on the stock described in paragraph (a) above.

[F. R. Doc. 44-8375; Filed, June 9, 1944; 11:15 a. m.]

[Vesting Order 3612]

BERNHARD KROHN

In re: Rare books, prints, large portfolio and claim owned by Bernhard Krohn.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Bernhard Krohn is Badenweiler, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

2. That Bernhard Krohn is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. The rare books and prints, particularly described in Exhibit A, attached hereto and by reference made a part hereof, now in the possession of Walter Schatzki, 57 East 56th Street, New York, New York,

b. The flower and costume prints and other personal property particularly described in Exhibit B, attached hereto and by reference made a part hereof, now in the possession of Emil Hirsch, 558 Madison Avenue, New York, New York, and

c. All right, title, interest and claim, of any name or nature whatsoever, contingent or otherwise and whether or not matured, of Bernhard Krohn, in and to that certain claim against Walter Schatzki, 57 East 56th Street, New York, New York, and represented on the books of Walter Schatzki as a credit balance due and owing to, and held for and in the name of, Bernhard Krohn, including but not limited to all security rights in and to any and all collateral for any or all of such obligations and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

American Struwwelpeter.
Plautus, Komoedien, 1537.
Schatzbehalter.
Breviarium Erfordense.
Amman, Staendebuch. 2. Ausgabe.
Bibel (Binding).
Ptolomaeus. 1490.
Limschoten.
Prevost.
Redoute. Receuil.
Redoute. Roses.
Treu.
Cellarius. Atlas. 1660.
Cellarius. Atlas. 1660. Maps only.
Viellot. Oiseaux de Bingal.
Esenbeck. Sammlung schoenbluehender Gewaechse.
Ornothologia metodice. Bd. 5.
Loudon. Ladie's Flower Garden.
Nederlandsch Bloemwrk.
18 small etchings by different masters.
10 larger etchings by different masters.
280 colored bird prints.
1 black bird print.
133 colored flower prints.
20 black flower prints.
11 colored fish prints.
29 costume prints.
14 maps.
Wormser Edict, 1524.

EXHIBIT B

10 flower prints, large folio.
9 flower prints, folio.
12 fruit prints.
18 costume prints, small.
16 bird prints, small.
22 flower and animal prints, small.
6 reproductions, modern, of flower prints.
1 large elephant portfolio made of plywood, and covered with gray canvas.

[F. R. Doc. 44-8476; Filed, June 12, 1944; 11:10 a. m.]

[Vesting Order 3640]

YAMANAKA & CO., LTD.

In re: Merchandise owned by Yamanaka & Co., Ltd., Kyoto, Japan.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation; finding:

1. That Yamanaka & Co., Ltd., of Kyoto, Japan, is a business enterprise organized under the laws of Japan with its principal place of business at Awati Guchi, Kyoto, Japan, and is a national of a designated enemy country (Japan);

2. That Yamanaka & Co., Ltd., Kyoto, Japan, is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows: 1 large red lacquer cabinet, presently in the possession of Yamanaka & Co., Inc., 846 North Michigan Avenue, Chicago, Illinois,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one, or all, of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8477; Filed, June 12, 1944; 11:10 a. m.]

[Vesting Order 3642]

ELIZABETH A. HAMMER

In re: Thirty shares of capital stock of Broadway-Washington-Park Corporation owned by Elizabeth A. Hammer.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That of the issued and outstanding capital stock of Broadway-Washington-Park Corporation, a corporation organized and doing business under the laws of the State of Oregon and a business enterprise within the United States, consisting of 100 shares of capital stock having a par value of $1,000 a share, 30 shares (30%) are registered in the name of and owned by Elizabeth A. Hammer, and are a substantial part of the stock of and an interest in said business enterprise;

2. That Elizabeth A. Hammer, whose last known address is Louisenstrasse, New Babelsberg, Berlin, Germany is a national of a designated enemy country (Germany);

and determining:

3. That Broadway-Washington-Park Corporation is acting for and on behalf of a designated enemy country (Germany), or a person within such country, and is a national of a designated enemy country (Germany);

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 30 shares of $1,000 par value capital stock of Broadway-Washington-Park Corporation, described in subparagraph 1 hereof, subject to all right, title and interest of Minnie E. Meier, as pledgee, under that certain agreement by and between Elizabeth A. Hammer and Minnie E. Meier, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to be extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8478; Filed, June 12, 1944; 11:10 a. m.]

[Vesting Order 3643]

YUKUKO SAITO

In re: Real property, livestock, farm machinery and equipment, claim and bank account owned by Yukuko Saito.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Yukuko Saito, formerly known as Yukuko Ota, is Shimizushi, Shizuoka Ken, Japan, and that she is a resident of Japan and a national of a designated enemy country (Japan);

2. That Yukuko Saito is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the County of San Diego, State of California, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. One horse, one mule, one plow, one disc, one duster and one spray rig, all of which property is presently on the premises referred to in subparagraph 3-a hereof,

c. All right, title, interest and claim of Yukuko Saito in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Yukuko Saito by Mrs. J. Saito, also known as Shisue Saito, and any and all security rights in and to any and all collateral for any and all such obligations and the right to enforce and collect the same, and

d. That certain bank account with the Chula Vista Branch of the Security Trust & Savings Bank of San Diego, Chula Vista, California, which account is due and owing to, and held for, Yukuko Saito in the name of Saito Ranch, and any and all security rights in and to any and all collateral for all or part of such account and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraphs 3-c and 3-d hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b, 3-c and 3-d hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All that tract or parcel of land situated in the County of San Diego, State of California, more particularly described as follows:

Lot Two and the Northeast Quarter of the Southwest Quarter of Section Twenty, Township Eighteen South, Range One West, San Bernardino Meridian, in the County of San Diego, State of California, according to United States Government Survey approved September 11, 1879.

Excepting therefrom that portion thereof conveyed to Columbia Bruschi by deed recorded December 2, 1885 in Book 54, page 355 of Deed Records, described as follows:

Beginning at the quarter section corner between Sections Twenty and Twenty-nine, Township Eighteen South, Range One West, San Bernardino Meridian, and running thence North 1320 feet; thence at right angles West 258 feet; thence at right angles North 2640 feet; thence at right angles East to the West line of the Otay Grant; thence South 19° East along said West line of said Otay Grant to the South line of Section Twenty, Township Eighteen South, Range

One West; thence at right angles West to place of beginning.

Also excepting from said Lot Two that portion thereof conveyed to Paul Challet, et ux, by deed recorded April 1, 1937 in Book 628, page 366 of Official Records, described as follows:

Beginning at a point on the West line of Lot Two, Section Twenty, Township Eighteen South, Range One West, San Bernardino Meridian, said point being North 0°09' West 20 feet from the Southwest corner of said Lot Two; thence along the West line of said Lot Two, North 0°09' West 995.00 feet; thence South 80°31' East 200.00 feet to a point; thence South 82°17'30" East 385.00 feet to a point; thence South 76°49'30" East 150.00 feet to a point; thence South 84°16'30" East 301.81 feet to a point; thence South 0°29' East 911.20 feet to a point; thence North 84°24' West 198.80 feet to a point; thence North 75°22' West 260.00 feet to a point; thence North 15°00' East 423.00 feet to a point; thence North 75°00' West 196.97 feet to a point; thence South 15°00' West 454.80 feet to a point; thence North 80°13'30" West 65.00 feet to a point; thence South 77°30' West 138.00 feet to a point; thence South 83°24'30" West 185.00 feet to the point of beginning.

[F. R. Doc. 44-8479; Filed, June 12, 1944; 11:10 a. m.]

[Supplemental Vesting Order 3771]

YAMANAKA & CO., INC.

In re: Yamanaka & Co., Inc., Chicago, Ill.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order Number 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found in Vesting Order Number 25, dated June 16, 1942, that Yamanaka & Company, Ltd., Osaka, Japan and Yamanaka & Co., Inc., (Chicago, Ill.) are nationals of a designated enemy country (Japan);

2. Finding that the following persons have claims against Yamanaka & Co., Inc. (Chicago, Ill.), in the amount appearing opposite each name, which are represented on the books and records of Yamanaka & Co., Inc., as accounts payable in the aggregate amount of $71,474.54 as of March 31, 1943, subject, however, to any accruals or deductions thereafter, and represent interests in Yamanaka & Co., Inc., (Chicago, Ill.):

Name	*Amount*
Yamanaka & Company, Ltd., Osaka, Japan	$69,974.54
Kitchitaro Yamanaka	1,500.00
Total	71,474.54

3. Finding that Kitchitaro Yamanaka, whose last known address is Osaka, Japan, is a national of a designated enemy country (Japan);

and determining:

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the interests of Yamanaka & Company, Ltd., Osaka, Japan, and Kitchitaro Yamanaka in Yamanaka & Co., Inc., described in subparagraph 2 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order Number 9095, as amended.

Executed at Washington, D. C., on June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8480; Filed, June 12, 1944; 11:10 a. m.]

[Vesting Order 2351, Amdt.]

KEIZO HARASAWA

In re: Real property in Wildwood Crest, New Jersey, owned by Keizo Harasawa.

Vesting Order Number 2351, dated October 6, 1943, is hereby amended as follows and not otherwise:

By deleting Exhibit A attached to and by reference made a part of said Vesting Order Number 2351 and substituting therefor Exhibit A attached hereto and by reference made a part hereof.

All other provisions of said Vesting Order Number 2351 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All that certain lot, tract, or parcel of land and premises situate, lying and being in the Borough of Wildwood Crest, County of Cape May and State of New Jersey, bounded and described as follows:

Beginning at the point of intersection of the southwesterly side of Denver Avenue with the southeasterly side of Seaview Avenue, and extending thence; (1) Southwestwardly along the southeasterly side of said Seaview Avenue a distance of 40 feet more or less to the dividing line between Lots Nos. 13 and 14 of Block No. 134 as shown on Plan of Wildwood Gables By-the-sea, Section 2, Wildwood Crest, New Jersey, duly filed and extending thence; (2) southeastwardly along said last named dividing line, a distance of 95 feet more or less to the northwesterly side line of Lot 15 of said Block 134, and extending thence; (3) northeastwardly at right angles to said last course a distance of 40 feet to the southwesterly side of Denver Avenue, thence; (4) northwestwardly along the southwesterly side of said Denver Avenue a distance of 100 feet more or less to the point and place of beginning.

Being Lot 14 in Block 134 as shown on "Map of Wildwood Gables, Section No. 2" in the Borough of Wildwood Crest, New Jersey, made by Harry E. Weir, Civil Engineer for the Wildwood Strand Realty Co. and filed in the County Clerk's Office of Cape May County.

[F. R. Doc. 44-8481; Filed, June 12, 1944; 11:10 a. m.]

[Vesting Order 2904, as amended, Amdt.]

METRAWATT A. G.

In re: Exposure meters and claim owned by Metrawatt A. G. of Nuernberg, Germany.

Vesting Order Number 2904, dated January 7, 1944, as amended, is hereby further amended as follows and not otherwise:

By deleting the figures and words "352 Eos with leather cases" where such figures and words appear in the amendment to Vesting Order Number 2904 dated May 3, 1944 and inserting in lieu thereof the figures and words "325 Eos with leather cases".

All other provisions of said Vesting Order Number 2904, as amended, and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on June 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8482; Filed, June 12, 1944; 11:11 a. m.]

[Vesting Order 3407, Amdt.]

FREDA KAUFFMANN

In re: Real property, bank accounts, and property insurance policies owned by Freda Kauffmann.

Vesting Order Number 3407, dated April 4, 1944, is hereby amended as follows and not otherwise:

By deleting that portion of Exhibit A attached to and by reference made a part of said Vesting Order Number 3407, captioned Third Parcel of Land, and substituting in lieu thereof the following language:

All the following lots or parcels of land situated in Galveston County, Texas, on Galveston Island, known according to the Trimble and Lindsay Survey of said Island as Lots Numbers Four Hundred and Fifty-six (456), Four Hundred and Sixty-seven (467), Four Hundred and Sixty-six (466), Four Hundred and Seventy-seven (477), Four Hundred Eighty-six (486), Four Hundred and Forty-six (446), Four Hundred and Forty-seven (447), Four Hundred and Fifty-seven (457), Four Hundred and Seventy-six (476), Four Hundred and Eighty-seven (487), Four Hundred and ninety-six (496), Four Hundred and Ninety-seven (497) in Section One (1) of said Island. Also lots Five (5), Sixteen (16), Twenty-five (25), Thirty-six (36), Forty-five (45), Forty-six (46), Six (6), Fifteen (15), and ½ of Lot Twenty-six (26) in Section Two (2) of said Island.

All other provisions of said Vesting Order Number 3407 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8483; Filed, June 12, 1944; 11:11 a. m.]

I. G. FARBENINDUSTRIE A. G.

[Supplemental Order 1 to Vesting Order 1 and Demand for Possession, Amdt.]

Supplemental Order No. 1 to Vesting Order No. 1 and Demand for Possession, dated May 23, 1944, is amended as follows and not otherwise:

By changing subparagraph (C) (1) of section First to read as follows:

Five (5) shares of the capital stock of Jasco, Inc., a corporation of the State of Louisiana, formerly registered in the names of "Walter Schaefer and Harold A. Koechling, trustees under trust agreement of September 1, 1939" and now registered in the name of "Standard Oil Development Company."

By changing subparagraph (A) (4) (a) of section Second to read as follows:

Five (5) shares of the capital stock of Jasco, Inc., a corporation of the State of Louisiana, formerly registered in the names of "Walter Schaefer and Harold A. Koechling, trustees under trust agreement of September 1, 1939" and now registered in the name of "Standard Oil Development Company" are beneficially owned by I. G. Farbenindustrie Aktiengesellschaft;

All other provisions of Supplemental Order No. 1 to Vesting Order No. 1 and Demand for Possession and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on June 9, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8484; Filed, June 12, 1944; 11:11 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 72A]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN KANSAS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6889, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357),

a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and fortwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited reprentatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the Supplementary Order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This Supplementary Order ODT 3, Revised-72A shall become effective and shall supersede Supplementary Order ODT 3, Revised-72 on June 16, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

The Santa Fe Trail Transportation Company, Wichita, Kans.
Yellow Transit Co., Oklahoma City, Okla.

[F. R. Doc. 44-8444; Filed, June 12, 1944; 10:19 a. m.]

[Supp. Order ODT 6A-28]

COMMON CARRIERS

COORDINATED OPERATIONS IN PORTLAND, OREG.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the

[1] Filed as part of the original document.

successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A–28" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective June 16, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. George Deering.
2. Henry Wunsch.
3. Phil Deines.
4. William Schlitt.
5. Henry Deines.
6. Jack Deines.
7. George C. Hohnstein.
8. Victor Gomer.
9. Jack L. Miller.
10. H. W. Knippel.
11. John Weigandt.
12. D. Sturges.
13. John G. Scheideman.
14. Philip Krieger.
15. Henry Hohnstein.
16. Francis C. Stibb.
17. Geo. Hohnstein, Jr.
18. J. C. Cook.
19. Philip DeMatteo.
20. John Schleining.
21. John Krieger.
22. Gottfrid Maier.
23. George Schleining.
24. R. H. Seip.
25. Henry J. Miller.
26. Joe Schneider.
27. Conrad Weidenkeller.
28. Victor Yuckert.
29. Pete H. Heiser.
30. Harold Burbach.
31. A. W. Hohnstein.
32. Clarence Hahn.
33. Edward Weber.
34. Reynold Markstaller.
35. Phil Troudt.
36. Henry Lehl.
37. Henry Sauer.
38. Louis Sauer.
39. John Miller.
40. John J. Spady.
41. Henry Spady.
42. John Krieger.
43. John Derr.
44. Henry Hafenider.
45. Adam Schleining, Jr.
46. American Garbage Coll.
47. William G. Spady.
48. Peter Deering.
49. George J. Spady.
50. Mario Boitano.
51. Philip Lehl.
52. Casciato & Venditti.
53. Henry Hohnstein.
54. Conrad H. Trout.
55. George H. Preauff.
56. Fridolf Nilsson.
57. Dan Scheideman.
58. Henry Krieger.
59. Thomas Dunn.
60. Henry Reich.
61. John Derr.
62. Fred Elsasser.
63. Philip Lehl, Jr.
64. Marcus Gerlack.
65. Roy H. Spady.
66. Angelo D. Boitano.
67. A. M. Griner.
68. J. H. Deines.
69. Fred Schneider Jr.
70. Jacob & George Aschenbrenner.
71. George Glans.
72. H. Weitzel & Son.
73. John G. Schaefer.
74. C. W. Deines.
75. Phil Weber.
76. Conrad Weber.
77. I. Jimnasso.
78. Henry Blum.
79. Fred H. Eckert.
80. Frank Heier.
81. Bill T. Elsasser.
82. L. Calenzani.
83. Harold S. Paddock.
84. Melvin Pilger.

[F. R. Doc. 44–8443; Filed, June 12, 1944; 10:18 a. m.]

[Supp. Order ODT 6A–29]

COMMON CARRIERS

COORDINATED OPERATIONS IN BUFFALO, N. Y.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14592; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *it is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

[1] Filed as part of the original document.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A–29" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective June 16, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Burton J. Manley, doing business as B. O. B. S. Delivery, Buffalo, N. Y.
Evereth J. Smith, doing business as Merchants Motor Express, Fredonia, N. Y.
Mrs. Nina Mae Robinson, doing business as Speed Transportation, Perry, N. Y.
Lee J. Drennan, Inc., Arcade, N. Y.
Charles A. Miller, doing business as Speed Motor Express, Buffalo, N. Y.

[F. R. Doc. 44–8442; Filed, June 12, 1944; 10:18 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Amdt. 39 to Order A–1]

READY-MIXED CONCRETE

MODIFICATION OF MAXIMUM PRICES

Amendment No. 39 to Order No. A–1 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

An opinion accompanying Amendment No. 39 to Order No. A–1 has been issued simultaneously herewith and filed with the Division of the Federal Register.

Order No. A–1 is amended by adding a new paragraph (a) (30) to read as follows:

(30) *Modification of maximum prices of ready-mixed concrete.* (i) On and after June 10, 1944, any manufacturer of ready-mixed concrete may increase his established maximum prices per cubic yard for each specification of that commodity by an amount not to exceed his actual dollars-and-cents additional cost of the cement entering into each specification, resulting from Amendment No. 6 to Maximum Price Regulation No. 224, issued by the Office of Price Administration April 15, effective April 20, 1944.

(ii) The term "manufacturer" used in this Amendment means any person who makes the first sale of ready-mixed concrete.

This Amendment No. 39 shall become effective June 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th. Cong.; E. O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8381; Filed, June 9, 1944; 11:50 a. m.]

[MPR 188, Order A–2]

THE AMERICAN BOILER AND FOUNDRY CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 36 under paragraph (a) (8) of Order No. A–2 under Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Adjustment of maximum prices for sales of certain models of cast-iron coal-fired hot-water supply boilers manufactured by the American boiler and Foundry Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and Paragraph (a) (8) of Order No. A–2 issued under § 1499.159b of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order permits the American Boiler and Foundry Company of Milan, Michigan, and the persons who purchase for resale its cast-iron coal-fired hot-water supply boilers, to increase their maximum prices of certain designated cast-iron coal-fired hot-water supply boilers.

(1) *Manufacturers' list prices.* On and after June 10, 1944, the American Boiler and Foundry Company may sell, offer to sell and deliver the following models of its cast-iron coal-fired hot-water supply boilers at the list prices indicated subject to the discounts set forth in subparagraph (i).

Model No:	List price
65B	$10.60
80B	11.25
95B	12.50
125B	14.90
140B	13.05
150B	15.55
210B	19.80
250B	21.40
275B	23.75
401B	30.65
312B	36.20
412B	43.30

(i) *Discounts.* The maximum list prices established above shall be subject to the following discounts:

Sales of carload or truckload: Successive discounts of 25% and 5% and 5% and 5%.
All other sales: Successive discounts of 25% and 5% and 5%.
On all sales: Cash discount of 2%.

(ii) *Services and transportation charges.* The maximum prices established in subparagraph (a) (1) shall be subject to the rendition of services and the absorption of transportation charges most favorable to the purchaser which the manufacturer rendered or absorbed or would have rendered or absorbed on sales to purchasers of the same class during March 1942.

(2) *Maximum prices for resellers.* Any person who purchases for resale the models listed above may adjust his maximum net prices for the cast-iron coal-fired hot-water supply boilers designated in subparagraph (1) by adding to his present maximum net prices established by the General Maximum Price Regulation the dollar-and-cents increase in their cost resulting from the increase permitted the American Boiler and Foundry Company by this Order.

(i) *Discounts, services and transportation charges.* The maximum prices established in subparagraph (2) shall be subject to the extension of discounts, the rendition of services and the absorption of transportation charges most favorable to the purchaser which the reseller extended, rendered or absorbed or would have extended, rendered or absorbed during March 1942.

(b) *Notification to all purchasers.* All persons except retailers selling cast-iron coal-fired hot-water supply boilers who are permitted to adjust their maximum prices under the authority of this Order shall send the following notice to every purchaser of such supply boilers at the time of billing:

Order No. 36 under Paragraph (a) (8) of Order No. A–2 under Maximum Price Regulation No. 188 permitted us to increase our maximum net or list price (strike out one not applicable) as indicated below for the models designated:

Model number
(List model number included in Orde- No. 36)

New maximum net or list price
(Insert new maximum net or list price whichever is applicable)

This Notice is given to you at the express direction of the Office of Price Administration.

(c) All prayers in the application of the American Boiler and Foundry Com-

pany not granted in this Order are denied.

(d) This Order No. 36 may be revoked or amended by the Price Administrator at any time.

This Order No. 36 shall become effective June 10, 1944.

Issued this 9th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8382; Filed, June 9, 1944; 11:50 a. m.]

[MPR 188, Order 1688]

NASSAU BRICK COMPANY, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1688 under § 1499.161 (a) (2) of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.161 (a) (2) of Maximum Price Regulation No. 188, *It is hereby ordered*:

(a) Specific authority is hereby granted to the Nassau Brick Company, Incorporated, Farmingdale, New York, to increase its presently established maximum prices for "H" grade Hudson River Common Brick which for the purposes of this paragraph means brick meeting Federal Specifications Physical Requirements, "E-2, H-Grade," SS-B-656, issued June 28, 1932, f. o. b. plant or delivered to destination, by an amount not in excess of $.50 per 1,000.

(b) The amount by which the maximum prices of the Nassau Brick Company, Incorporated, are increased pursuant to paragraph (a) hereof, shall be stated separately on the invoice with the following notation: "Increases permitted by the Office of Price Administration to maintain supply."

In addition, the Nassau Brick Company, Incorporated, shall furnish to each buyer purchasing its products for resale, on or before it makes the first delivery at the adjusted price, a written statement as follows:

The Office of Price Administration has granted an adjustment in price for "H" Grade Hudson River Common Brick manufactured by the Nassau Brick Company, Incorporated. The amount of the price increase is shown separately on the invoice.

You are permitted to add the actual amount of the price increase to your existing maximum prices on "H" Grade Hudson River Common Brick purchased from the Nassau Brick Company, Incorporated, provided you specify the amount of the increase on the invoice given to the purchaser.

(c) Any person purchasing "H" Grade Hudson River Common Brick manufactured by the Nassau Brick Company, Incorporated, Farmingdale, New York, for the purpose of resale may increase his present maximum prices established by the General Maximum Price Regulation by an amount not in excess of the actual dollars-and-cents increase in cost incurred by such person by reason of this adjustment: *Provided*, Such amount is shown separately on the invoice given to the purchaser.

(d) The maximum prices established by this Order shall be subject to at least the same extension of cash, quantity, and other discounts, the same absorption of transportation charges, and the same rendition of services as the seller extended, absorbed, or rendered on comparable sales to purchasers of the same class during March 1942.

This Order No. 1688 shall become effective June 12, 1944.

(56 Stat. 23,765; Pub. Law 151, 78th Congress; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8431; Filed, June 10, 1944; 11:37 a. m.]

[MPR 136, Amdt. 1 to Rev. Order 158]

GENERAL MOTORS CORP.

AUTHORIZATION OF MAXIMUM PRICES

Amendment No. 1 to Revised Order No. 158 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. (Chevrolet Motor Division) General Motors Corporation, Docket No. 3136-389.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority of the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, and Section 1390.25a of Maximum Price Regulation 136, as amended, *It is hereby ordered*:

Revised Order No. 158 under Maximum Price Regulation 136, as amended, is amended as follows:

1. The schedule of truck models and prices in subparagraph (1) of paragraph (a) is amended to read as follows:

Model	Description	"Net wholesale price"
4103	Ucab-134½" utility chassis and cab	$660.20
4403	Ulcab-160" utility chassis and cab	695.40
4409	Ulstk-160" utility chassis, cab, and stake body	817.00
4112	UCHW-134½" utility chassis with cowl and windshield	619.40
4412	ULCHW-160" utility chassis with cowl and windshield	638.40
4702	LSBCH-195" long school bus chassis	820.80

2. A new paragraph (a 1) is added to read as follows:

(a 1) Chevrolet Motor Division, General Motors Corporation, is authorized to sell to the United States each of the vehicles described in subparagraph (1) below at a price not to exceed the total of the applicable price listed in that subparagraph, and the applicable allowances in subparagraph (2) of paragraph (a).

(1) Model	Description	"Net wholesale price"
4103	Ucab-134½" utility chassis and cab	$660.20
4403	Ulcab-160" utility chassis and cab	683.40
4409	Ulstk-160" utility chassis, cab, and stake body	805.00
4112	UCHW-134½" utility chassis with cowl and windshield	607.40
4412	ULCHW-160" utility chassis with cowl and windshield	626.40
4702	LSBCH-195" long school bus chassis	808.80

3. The schedule of truck models and prices in subparagraph (1) of paragraph (b) is amended to read as follows:

(1) Model	Description	"Retail list price"
4103	Ucab-134½" utility chassis and cab	$806.00
4403	Ulcab-160" utility chassis and cab	915.00
4409	Ulstk-160" utility chassis, cab, and stake body	1,075.00
4112	UCHW-134½" utility chassis with cowl and windshield	816.00
4412	ULCHW-160" utility chassis with cowl and windshield	840.00
4702	LSBCH-195" long school bus chassis	1,080.00

4. An undesignated paragraph to follow paragraph (d) is added to read as follows:

NOTE: The manufacturer's price under paragraph (a) is for a truck equipped with natural rubber tires, or synthetic rubber tires purchased by the manufacturer prior to April 16, 1944. Where the manufacturer has an established price in accordance with § 1390.6 of Maximum Price Regulation 136, as amended, which is higher than a price permitted under paragraph (a) because the truck is equipped with synthetic tires purchased by the manufacturer on and after April 16, 1944, or because of any other substantial specification change or material substitution in the truck, the reseller may add to his price under paragraph (b) the increase in cost to him over the price he would otherwise pay under paragraph (a) plus his customary markup on such cost.

This amendment shall be effective as of March 2, 1944.

Issued this 10th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8437; Filed, June 10, 1944; 6:42 p. m.]

[MPR 136, Order 225]

JOHNSTON MANUFACTURING CO.

DETERMINATION OF MAXIMUM PRICES

Order No. 225 Under Maximum Price Regulation No. 136, as amended. Machines and parts and machinery services. Johnston Manufacturing Co. (Docket No. 3136-181).

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation No. 136, as amended, *It is ordered*:

(a) The maximum price for sales of rivet forges by the Johnston Manufacturing Co., Minneapolis, Minnesota, shall be determined as follows:

The manufacturer shall multiply the net price he had in effect to a purchaser of the same class on October 1, 1941, by 116%.

(b) Resellers of rivet forges manufactured by the Johnston Manufacturing Co., shall determine their maximum net selling prices as follows:

The reseller shall add to his maximum net selling price in effect to a purchaser of the same class on October 1, 1941, the same dollar amount by which his costs have been increased due to the adjustment granted the Johnston Manufacturing Co., by this order.

(c) The Johnston Manufacturing Co. shall notify those customers who buy rivet forges for resale of the amount by which this order permits resellers to increase their maximum net selling prices.

(d) All requests not granted herein are denied.

(e) The issuance of this order shall not in any way affect or relieve the liability of Johnston Manufacturing Co. for any violation of any regulation or order issued by the Office of Price Administration.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 13, 1944.

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8496; Filed, June 12, 1944; 11:45 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on June 3, 1944.

REGION IV

Memphis Order 17, covering certain food items in the Memphis area, filed 9:16 a. m.

Jackson Order 2-F, Amendment 13, covering certain food items in certain named counties in Mississippi, filed 9:13 a. m.

REGION V

Houston Order 1-F, Amendment 12, covering fresh fruits and vegetables in certain areas in Texas, filed 9:13 a. m.

Shreveport Order 3-F, Amendment 5, covering fresh fruits and vegetables in certain Parishes in Louisiana, filed 9:12 a. m.

Shreveport Order 2-F, Amendment 16, covering fresh fruits and vegetables in Shreveport, Bossier City, Monroe and West Monroe, Louisiana, filed 9:12 a. m.

Dallas Order 3-F, Amendment 13, covering fresh fruits and vegetables in Bowie County, Texas, filed 9:09 a. m.

Fort Worth Order 1-F, Amendment 19, covering fresh fruits and vegetables in Tarrant County, filed 9:11 a. m.

Fort Worth Order 2-F, Amendment 19, covering fresh fruits and vegetables in Taylor County, filed 9:11 a. m.

Fort Worth Order 3-F, Amendment 19, covering fresh fruits and vegetables in Tom Green County, filed 9:10 a. m.

Fort Worth Order 4-F, Amendment 19, covering fresh fruits and vegetables in McLennan County, filed 9:10 a. m.

Fort Worth Order 5-F, Amendment 19, covering fresh fruits and vegetables in Wichita County, filed 9:09 a. m.

REGION VI

Des Moines Order 2-F, Amendment 7, covering fresh fruits and vegetables in Des Moines District area, filed 9:08 a. m.

North Platte Order 21, covering certain food items in certain counties in Nebraska, filed 9:04 a. m.

Peoria Order 2-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Illinois, filed 9:07 a. m.

Peoria Order 3-F, Amendment 3, covering fresh fruits and vegetables in Joliet, Rockdale and Ridgewood, Illinois, filed 9:08 a. m.

REGION VII

Boise Order 9-W, covering certain food items in the City of Pocatello, Idaho, filed 9:15 a. m.

Boise Order 10-W, covering certain food items in the Twin Falls Area, filed 9:14 a. m.

REGION VIII

Los Angeles Order 1-F, Amendment 15, covering fresh fruits and vegetables in Los Angeles Metropolitan area, filed 9:07 a. m.

Phoenix Order 3-F, Amendment 21, covering fresh fruits and vegetables in the Phoenix area, filed 9:04 a. m.

Phoenix Order (Order Revoking Order 12), covering dry grocery items in Yavapai area, filed 9:14 a. m.

Spokane Order 1-F, Amendment 11, covering fresh fruits and vegetables in certain areas of Spokane County, Washington, filed 9:06 a. m.

Spokane Order 2-F, Amendment 8, covering fresh fruits and vegetables in certain areas of Kootenai County, Idaho, filed 9:05 a. m.

Copies of any of these orders may be obtained from the OPA office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-8407; Filed, June 9, 1944; 4:29 p. m.]

[Region I Supp. Order 3 Under RMPR 122, Amdt. 1]

SOLID FUELS IN LAWRENCE, MASS., AREA

Amendment No. 1 to Supplementary Order No. 3 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maximum prices for coke.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Supplementary Order No. 3 is amended by deleting the reference to "G-11 ---------- Lawrence, Massachusetts Area" in paragraph (b).

This amendment shall become effective June 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-8398; Filed, June 9, 1944; 4:29 p. m.]

[Region VI Order G-7 Under RMPR 122, Amdt. 4]

SOLID FUELS IN WILLMAR, MINN.

Amendment No. 4 to Order No. G-7 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in Willmar, Minnesota.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, and for reasons stated in the Opinion issued simultaneously herewith, *It is ordered*, That paragraph (c) (1) of Order G-7 be and it is hereby amended to read as follows:

(c) *Maximum dollars-and-cents prices.* (1) The maximum prices, determined on a net ton basis, for sales of the solid fuels specified below shall be as follows, when sales are made by any dealer and delivery is made at or to a point in Willmar, Minnesota, or from a coal yard within Willmar, Minnesota:

Description	Direct delivery prices	Price at yard
• • •	•	•
II. Hi volatile bituminous coal from District #8 (W. Va. and E. Ky.):		
1. Lump 5" and larger	$13.35	$12.60
2. Lump 4" and larger	12.35	11.60
3. Egg 5" x 2" and larger	13.35	12.60
4. Stove 2" x 1¼" and larger	12.35	11.60
5. Stoker 5/8" x ¼" and larger	11.60	10.85
• • •	•	•
IV. Pennsylvania anthracite:		
A. To and including June 10, 1944, egg, stove, nut	18.20	17.45
B. On and after June 11, 1944, egg, stove, nut	18.05	17.30
• • •	•	•
VI. Briquettes made from low volatile bituminous coal or a mixture of bituminous coal and anthracite—all types	13.65	13.10
• • •	•	•

This Amendment No. 4 to Order No. G-7 shall be effective June 1, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78 Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 29th day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-8400; Filed, June 9, 1944; 4:30 p. m.]

[Region VI Order G-8 Under RMPR 122, Amdt. 4]

COAL AND COKE IN MADISON, WIS.

Amendment No. 4 to Order No. G-8 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for coal and coke in Madison, Wisconsin.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, and for reasons stated in the opinion issued simultaneously herewith, *It is ordered*, That paragraph (c) (1) of Order No. G-8 be, and it is hereby, amended to read as follows:

(c) *Price schedule.* (1) Immediately below and as part of this paragraph

(c) is a schedule which sets forth maximum prices per net ton for sales by direct delivery of specified sizes, kinds, and quantities of solid fuels. Column 1 describes the coal for which prices are established; columns 2 and 3 show maximum gross and net prices, respectively, for sales of coal delivered in quantities less than 3 tons; columns 4 and 5 show maximum prices for deliveries in quantities of 3 tons or more. Gross prices may be charged if payment is not received within ten days after delivery. No more than net prices may be charged if payment is received within ten days after delivery.

SCHEDULE

Description	Less than 3 tons delivered		Three tons or more delivered	
	Gross	Net	Gross	Net
1	2	3	4	5
•	•	•	•	•
IV. Pennsylvania anthracite:				
a. To and including June 10, 1944:				
1. Egg, stove, nut	$18.25	$17.40	$18.25	$17.40
2. Pea	16.45	15.70	16.45	15.70
3. Buckwheat	14.80	13.85	14.80	13.85
b. On and after June 11, 1944:				
1. Egg, stove, nut	18.10	17.25	18.10	17.25
2. Pea	16.30	15.55	16.30	15.55
3. Buckwheat	14.35	13.70	14.35	13.70

When a dealer purchases District No. 7 or 8 bituminous coal from a producer who has added a charge for the chemical or oil treatment thereof in accordance with the provisions of Amendment No. 98 to Maximum Price Regulation No. 120, that dealer, in selling that coal, may add to the applicable maximum prices set by this order, a treatment charge in an amount not in excess of 10¢ per ton. The treatment charge so made shall be stated separately from all other items on the dealer's invoice.

This Amendment No. 4 to Order No. G–8 shall be effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151; 78th Cong.; E.O. 9250; 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–8401; Filed, June 9, 1944; 4:30 p. m.]

[Region VI Order G–10 Under RMPR 122, Amdt. 1]

SOLID FUELS IN DES MOINES, IOWA, AREA

Amendment No. 1 to Order No. G–10 under revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in the Des Moines, Iowa area.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, and by § 1340.209 of Maximum Price Regulation 120, and for reasons stated in the Opinion issued simultaneously herewith, *It is ordered*, That the price schedule set forth in paragraph (c) of Order G–10 be and it is hereby amended to read as follows:

(c) *Price schedule.* (1) Immediately below and as part of this paragraph (c) is a schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds and quantities of solid fuels. Column 1 describes the coal for which prices are established; columns 2, 3 and 4 show maximum prices for sales of coal delivered in the quantities indicated by each column heading. Column 5 shows the maximum prices for coal sold for use by buyers whose customary annual requirements of coal exceed 50 tons. All prices are stated on a net ton basis.

Description	2 tons or more	1 ton	½ ton	50 tons or more to one bin
1	2	3	4	5
•	•	•	•	•
VII. Hi-volatile bituminous coals from District #15:				
1. Fancy or standard Nut P. G. #3	$6.95	$7.20	$4.00	$6.70
2. Stoker P. G. #3 Top Size 1¼" and smaller, bottom size ¾" and smaller	6.45	6.70	3.75	6.20
3. Stoker P. G. #10, 1¼" x ¾"	5.60	5.85	4.80	5.35
VIII. Pennsylvania anthracite-chestnut:				
1. To and including June 10, 1944	21.00	21.75	11.00	------
2. On and after June 11, 1944	20.35	21.10	10.95	------

When a dealer purchases District No. 7, 8 or 9 bituminous coal from a producer who has added a charge for the chemical or oil treatment thereof in accordance with the provisions of Amendment 98 to Maximum Price Regulation 120, that dealer, in selling that coal, may add to the applicable maximum prices set by this order, a treatment charge in an amount not in excess of 10¢ per ton. The treatment charge so made shall be stated separately from all other items on the dealer's invoice.

When a dealer purchases District No. 12 bituminous coal from a producer whose price includes a charge for any chemical, oil, or waxing process, or other special treatment, as permitted by paragraph (b) (2) of the schedule of effective minimum prices for District No. 12, that dealer, in selling that coal, may add to the applicable maximum prices set by this Order No. G–10, a treatment charge in an amount not to exceed 10¢ per ton. The treatment charge so made shall be stated separately from all other items on the dealer's invoice.

This Amendment No. 1 to Order No. G–10 shall be effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–8402; Filed, June 9, 1944; 4:31 p. m.]

[Region VI Order G–11 Under RMPR 122, Amdt. 2]

SOLID FUELS IN CHICAGO, ILL., AREA

Amendment No. 2 to Order No. G–11 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, and for reasons stated in the Opinion issued simultaneously herewith, *It is ordered:*

That the price schedule set forth in paragraph (c) of Order No. G–11 be, and it is hereby, amended to read as follows:

(c) *Price schedule.* (1) Immediately below and as part of this paragraph (c) is a schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds and quantities of solid fuels. Column 1 describes the coal for which prices are established; columns 2, 3, 4 and 5 show maximum prices for "domestic sales" of coal (as defined in section (k) (4)) delivered in the quantities indicated by each column heading; column 6 shows the maximum prices for yard sales to other dealers for resale and column 7 shows maximum prices for "commercial sales" (as defined in section (k) (3)). All prices are stated on a net ton basis.

SCHEDULE OF MAXIMUM PRICES

	4 ton or more delivered	1, 2, 3 ton	½ ton delivered	¼ ton delivered	Yard sales to dealers	Commercial
1	2	3	4	5	6	7
•	•	•	•	•	•	•
VII. Pennsylvania anthracite:						
a. To and including June 10, 1944:						
1. Egg, stove, nut	$16.70	$17.20	$9.10	$5.05	$14.90	------
2. Pea	15.15	15.65	8.35	4.70	13.40	------
3. Buckwheat	13.35	13.85	7.45	4.25	11.65	------
4. Rice	12.05	12.55	6.80	3.90	10.70	------
b. On and after June 11, 1944:						
1. Egg, stove, nut	16.55	17.05	9.05	5.05	14.75	------
2. Pea	15.00	15.50	8.25	4.65	13.25	------
3. Buckwheat	13.20	13.70	7.35	4.20	11.50	------
4. Rice	11.95	12.45	6.75	3.90	10.60	------

When a dealer purchases District No. 7 bituminous coal from a producer who has added a charge for the chemical or oil treatment thereof in accordance with the provisions of Amendment 98 to Maximum Price Regulation 120, that dealer, in selling that coal, may add to the applicable maximum prices set by this order, a treatment charge in an amount not in excess of 10¢ per ton. The treatment charge so made shall be stated separately from all other items on the dealer's invoice.

The maximum prices for Pennsylvania Anthracite sold in Evanston, Skokie, and Morton Grove, Illinois, shall be the maximum prices established in the schedule appearing above, plus the following amounts:

	Cents
1 or more tons	60
½ ton, egg, stove and nut	35
½ ton, all other sizes	30
¼ ton, egg, stove and nut	20
¼ ton, all other sizes	15

This Amendment No. 2 to Order No. G–11 shall be effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–8403; Filed, June 9, 1944; 4:31 p. m.]

[Region VI Order G–13 Under RMPR 122, Amdt. 1]

SOLID FUELS IN LA CROSSE, WIS.

Amendment No. 1 to Order No. G–13 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in La Crosse, Wisconsin.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, and for reasons stated in the opinion issued simultaneously herewith, *It is ordered*, That item V of the price schedule set forth in paragraph (c) of Order No. G–13, and paragraph (d) of Order No. G–13, be and they are hereby amended, and that a footnote be and is hereby added to the price schedule set forth in paragraph (c), as set forth below, respectively:

(c) *Price schedule.* (1) Immediately below and as part of this paragraph (c) is a schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds, and quantities of solid fuels. Column 1 describes the coal for which prices are established. The maximum prices indicated under the various column headings apply to the following types of sale:

(i) Column 2 shows maximum prices for coal delivered in quantities of less than one ton.

(ii) Column 4 shows the maximum prices for coal sold for use by buyers whose customary annual requirements of coal exceed 20 tons.

(iii) Column 5 shows the maximum prices for deliveries of 30 tons or more to a single purchaser from a single railroad car.

(iv) Column 5 shows the maximum prices for all types of sales not covered by any of the preceding paragraphs (i), (ii) or (iii).

MAXIMUM AREA PRICES FOR LA CROSSE, WISCONSIN

Description	¼ ton delivered	1 ton delivered	20 tons or more to one bin delivered	20 tons or more to one bin delivered from one car
1	2	3	4	5
•	•	•	•	•
V. Pennsylvania anthracite:				
1. Egg, stove, nut, to and including June 10, 1944	$10.15	$19.75	$19.25	$18.50
2. Egg, stove, nut, on and after June 11, 1944	10.05	19.60	19.10	18.35

When a dealer purchases District No. 7 or District No. 8 bituminous coal from a producer who has added a charge for the chemical or oil treatment thereof in accordance with the provisions of Amendment No. 98 to Maximum Price Regulation No. 120, that dealer, in selling that coal, may add to the applicable maximum prices set by this order, a treatment charge in an amount not in excess of 10¢ per ton. The treatment charge so made shall be stated separately from all other items on the dealer's invoice.

• • • • •

(d) *Service charges.* The service charges set forth below may be made for special services rendered in connection with sales under paragraph (c). No other or higher service charges may be made. Service charges must be separately stated on each invoice.

	Coal	Coke
Carrying or wheeling from curb, per ton	$0.75	$1.00
Carrying up or down stairs (in addition to carrying or wheeling charge), per ton	.75	1.00
Forking District No. 7 low volatile bituminous coal—lump or egg	1.00	------

This Amendment No. 1 to Order No. G–13 shall be effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–8405; Filed, June 9, 1944; 4:31 p. m.]

[Region VI Order G–14 Under RMPR 122, Amdt. 6]

SOLID FUELS IN MILWAUKEE COUNTY, WIS.

Amendment No. 6 to Order No. G–14 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in Milwaukee County, Wisconsin.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, and for reasons stated in the opinion issued simultaneously herewith, *It is ordered*, That the price schedule set forth in paragraph (c) of Order G–13 be and it is hereby amended to read as follows:

(c) *Price schedule.* (1) Immediately below and as a part of this paragraph (c) is a schedule which sets forth maximum prices before discounts for sales of specified sizes, kinds and quantities of solid fuels. Column 1 describes the coal or coke for which prices are established. Column 2 shows the maximum prices for "direct delivery" of domestic fuel sold in quantities of less than 1 ton. Column 3 shows the maximum price for direct delivery of domestic fuel sold in quantities of more than 1 ton. Column 4 shows the maximum prices for "yard sales" of domestic fuel. Column 5 shows the maximum prices for "commercial" or "steam" sales and column 6 shows the maximum prices for "yard sales" to dealers. The terms "direct delivery," "yard sales" and "commercial sales" are defined in paragraph (j) of this order.

AREA PRICES FOR MILWAUKEE, WISCONSIN

Description	Domestic ¼ ton	Domestic 1 ton or more	Domestic at yard	Commercial	Dealer at yard
1	2	3	4	5	6
•	•	•	•	•	•
V. Pennsylvania anthracite:					
A. To and including June 10, 1944:					
1. Egg, stove, nut	$8.25	$15.80	$14.75	------	$13.15
2. Pea	7.50	14.00	13.35	------	11.60
3. Buckwheat	6.65	12.30	11.55	------	9.90
4. Rice	5.55	10.10	9.35	------	7.70
B. On and after June 11, 1944:					
1. Egg, stove, nut	8.20	15.35	14.60	------	13.00
2. Pea	7.45	13.85	13.20	------	11.45
3. Buckwheat	6.60	12.15	11.40	------	9.75
4. Rice	5.50	10.00	9.25	------	7.60

When a dealer purchases District No. 2, 3, 7, or 8 bituminous coal from a producer who has added a charge for the chemical or oil treatment thereof in accordance with the provisions of Amendment 98 to Maximum Price Regulation 120, that dealer, in selling that coal, may add to the applicable maximum prices set by this order, a treatment charge in an amount not in excess of 10¢ per ton. The treatment charge so made shall be stated separately from all other items on the dealer's invoice.

This Amendment No. 6 to General Order No. G–14 shall be effective June 1, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 29th day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–8404; Filed, June 9, 1944; 4:31 p. m.]

[Region VI Order G-15 Under RMPR 122, Amdt. 3]

SOLID FUELS IN QUAD CITIES AREA

Amendment No. 3 to Order No. G-15 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in Quad Cities Area.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, and for reasons stated in the opinion issued simultaneously herewith, *It is ordered*, That item VI of the price schedule set forth in paragraph (c) of Order No. G-15 be, and it is hereby amended, to read as follows:

(c) *Price schedule.* (1) Immediately below and as part of this paragraph (c) is a schedule which sets forth maximum prices, before discounts, for sales by direct delivery of specified sizes, kinds, and quantities of solid fuels. Column 1 describes the fuel for which prices are established; Columns 2, 3 and 4 show maximum prices for fuel delivered in quantities indicated by each column heading. All prices are stated on a net ton basis.

MAXIMUM AREA PRICES FOR QUAD CITIES AREA

Description	2 tons or more	1 ton or more	½ ton
1	2	3	4
• • •	•	•	•
VI. Pennsylvania anthracite:			
a. To and including June 10, 1944—Nut	$18.75	$19.00	$9.75
b. On and After June 11, 1944—Nut	18.60	18.85	9.70
• • •	•	•	•

This Amendment No. 3 to General Order No. G-15 shall be effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-8406; Filed, June 9, 1944; 4:31 p. m.]

[Region VII 2d Rev. Order G-7, Under SR 15, Amdt. 4]

FLUID MILK IN CERTAIN AREAS IN COLORADO

2d Revised Order No. G-7 Under Supplementary Regulation No. 15 of the General Maximum Price Regulation, Amendment No. 4. Adjusted maximum prices for fluid milk sold at wholesale and at retail in certain areas in the State of Colorado.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.75 (a) (9) (ii) (*a*) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 4 is issued.

1. Paragraph (b) is amended by adding thereto a new area designated Area 9, and specific maximum prices are established therefor as follows:

AREA 9

Size of glass or paper container	Wholesale delivered	Retail out of store
Quarts	*Cents* 11½	*Cents* 13½

2. Paragraph (c) (2) is amended by inserting immediately after the words "Rio Grande" the following: "(except the municipality of Del Norte)"

3. Paragraph (c) as amended by paragraph 3 of Amendment No. 3 is hereby further amended by designating the last subparagraph thereof (10) and by adding a new subparagraph designated (9) to follow immediately after subparagraph (8), and reading as follows:

(9) "Area 9" means all that area contained within the municipality of Del Norte, Colorado.

4. *Effective date.* This Amendment No. 4 shall become effective on May 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-8397; Filed, June 9, 1944; 4:29 p. m.]

[Region VII Order G-24 Under RMPR 122, Amdt. 11]

SOLID FUELS IN PALISADE, COLO.

Order No. G-24 under Revised Maximum Price Regulation No. 122, Amendment No. 11. Solid fuels sold and delivered by dealers. Adjustment of specific maximum prices of dealers in Region VII to compensate for increases in supplier's price under Amendment 74 to Maximum Price Regulation No. 120.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 11 is issued.

1. Paragraph (d), "Appendix A", is amended by adding thereto a new subparagraph (22) to read as follows:

Mines operated by	District	Subdistrict	Index No.	Amount	Effective date
(22) Garfield Coal Co., Garfield	17	15	33	*Cents* 30	5-9-44

2. *Effective date.* This Amendment No. 11 shall become effective on the 29th day of May, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of May 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-8399; Filed, June 9, 1944; 4:29 p. m.]

LIST OF COMMUNITY CEILING PRICES

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on June 7, 1944.

REGION I

Montpelier District Office Order 11, covering certain food items in certain counties, villages and towns in Vermont, filed 1:30 p. m.

Montpelier Order 11, Amendment 1, covering certain food items in certain counties, villages and towns in Vermont, filed 1:30 p. m.

Montpelier Order 11, Amendment 2, covering certain food items in certain counties, villages and towns in Vermont, filed 1:26 p. m.

Montpelier District Order 11, Amendment 3, covering certain food items in certain counties, villages and towns in Vermont, filed 1:38 p. m.

Montpelier Order 12, Amendment 1, covering certain food items in certain counties, villages and towns in Vermont, filed 1:26 p. m.

Montpelier Order 12, Amendment 2, covering certain food items in certain counties, villages and towns in Vermont, filed 1:28 p. m.

Montpelier Order 12, Amendment 3, covering certain food items in certain counties, villages and towns in Vermont, filed 1:38 p. m.

REGION II

Albany Order 1-F, Amendment 9, covering fresh fruits and vegetables in Albany, Rensselaer, Troy, Schenectady, Green Island, Cohoes, and Watervliet, filed 1:21 p. m.

Albany Order P-2, Amendment 1, covering fresh fish and seafood in Albany, Rensselaer, Schenectady, Greene, Columbia and Ulster, filed 1:42 p. m.

Altoona Order 1-F, Amendment 6, covering fresh fruits and vegetables in the Altoona area, filed 1:21 p. m.

Altoona Order 1-F, Amendment 7, covering fresh fruits and vegetables in the Altoona area, filed 1:21 p. m.

Altoona Order 1-F, Amendment 8, covering fresh fruits and vegetables in the Altoona area, filed 1:22 p. m.

Binghamton Order 1-F, Amendment 9, covering fresh fruits and vegetables in certain areas in the State of New York, filed 10:48 a. m.

Buffalo Order 1-F, Amendment 6, covering fresh fruits and vegetables in the Cities of Buffalo and Lackawanna, Village of Kenmore, and Towns of Tonawanda, Amherst, Cheektowaga and West Seneca, New York, filed 9:33 a. m.

Buffalo Order 1-F, Amendment 7, covering fresh fruits and vegetables in the Cities of Buffalo and Lackawanna, Village of Kenmore, and Towns of Tonawanda, Amherst, Cheektowaga and West Seneca, New York, filed 9:31 a. m.

District of Columbia Order 1-F, Amendment 9, covering fresh fruits and vegetables in the District of Columbia and certain areas of Maryland and Virginia, filed 1:42 p. m.

Maryland Order 1-F, Amendment 9, covering fresh fruits and vegetables in Baltimore, Maryland area, filed 1:43 p. m.

Newark Order 2-W, covering dry groceries in New Jersey, filed 1:30 p. m.

Trenton Order 1-F, Amendment 7, covering fresh fruits and vegetables in the Counties of Mercer, Middlesex and Monmouth, New Jersey, filed 1:32 p. m.

Trenton Order 2-F, Amendment 4, covering fresh fruits and vegetables in the Counties of Mercer, Middlesex and Monmouth, New Jersey, filed 1:32 p. m.

Trenton Order 3-F, Amendment 3, covering fresh fruits and vegetables in the Counties of Mercer, Middlesex and Monmouth, New Jersey, filed 1:31 p. m.

Williamsport Order 1-F, Amendment 9, covering fresh fruits and vegetables in Williamsport including Kenmar and Faxon, South Williamsport, Duboistown, and Montoursville, Pennsylvania, filed 1:43 p. m.

Wilmington Order 1-W, covering dry groceries in the State of Delaware North of the Chesapeake and Delaware Canal, filed 9:29 a. m.

REGION III

Cincinnati Order 1-F, Amendment 33, covering fresh fruits and vegetables in Hamilton County, Ohio, filed 9:29 a. m.

Cincinnati Order 2-F, Amendment 26, covering fresh fruits and vegetables in Butler, Clark, Montgomery, and Scioto Counties, Ohio, filed 9:28 a. m.

Cincinnati Order 3-F, Amendment 6, covering fresh fruits and vegetables in certain areas in Ohio, filed 9:28 a. m.

Detroit Order 1-F, Amendment 18, covering fresh fruits and vegetables in certain counties in Michigan, filed 1:27 p. m.

Louisville Order 1-F, Amendment 32, covering fresh fruits and vegetables in Louisville and Jefferson County, Ky., Clark and Floyd Counties in Indiana, including Jeffersonville and New Albany, Ind., filed 1:23 p. m.

Louisville Order 1-W, Amendment 2, covering certain dry grocery items in Clark and Floyd, Indiana and Jefferson County, Kentucky, filed 9:30 a. m.

Louisville Order 2-F, Amendment 26, covering fresh fruits and vegetables in Paducah, Kentucky and McCracken County, Kentucky, filed 1:24 p. m.

Louisville Order 2-W, Amendment 2, covering dry grocery items in certain counties in Kentucky, filed 9:30 a. m.

Louisville Order 3-W, Amendment 2, covering dry grocery items in certain counties in Kentucky, filed 9:30 a. m.

REGION IV

Atlanta Order 2-W, covering certain food items in the North Georgia District area, filed 10:55 a. m.

Atlanta Order 13, covering certain dry foods in the North Georgia District area and Phenix City, Alabama, filed 10:54 a. m.

Montgomery Order 5-F, Amendment 11, covering fresh fruits and vegetables in the City of Montgomery and certain areas of Montgomery County, Alabama, filed 10:55 a. m.

Nashville Order 5-F, Amendment 18, covering fresh fruits and vegetables in certain counties of Tennessee, filed 10:48 a. m.

Richmond Order 14, Amendment 5, covering certain food prices in certain areas of Virginia, filed 1:27 p. m.

Savannah Order 1-F, Amendment 37, covering fresh fruits and vegetables in Chatham, Bryan, Liberty and Effingham Counties, Georgia, filed 1:24 p. m.

Savannah Order 2-F, Amendment 32, covering fresh fruits and vegetables in certain counties of Georgia, filed 1:25 p. m.

Savannah Order 3-F, Amendment 30, covering fresh fruits and vegetables in certain counties of Georgia, filed 1:25 p. m.

Savannah Order 4-F, Amendment 29, covering fresh fruits and vegetables in certain counties of Georgia, filed 1:26 p. m.

Savannah Order 5-F, Amendment 10, covering fresh fruits and vegetables in certain counties of Georgia, filed 1:26 p. m.

South Carolina District Office Revised Order 1-F, Amendment 8, covering fresh fruits and vegetables in Columbia, South Carolina, filed 1:34 p. m.

South Carolina Revised Order 2-F Amendment 8, covering fresh fruits and vegetables in certain areas in South Carolina, filed 1:33 p. m.

South Carolina Order 3-F, Amendment 12, covering fresh fruits and vegetables in certain areas in South Carolina, filed 1:33 p. m.

REGION V

New Orleans Order G-21, covering certain food items in the New Orleans area, Louisiana, filed 10:52 a. m.

New Orleans Order G-22, covering certain food items in the New Orleans area, Louisiana, filed 10:52 a. m.

New Orleans Order G-23, covering certain food items in certain Parishes in Louisiana, filed 10:53 a. m.

St. Louis Order 2-F, Amendment 6, covering fresh fruits and vegetables in certain areas in Missouri, filed 10:51 a. m.

Wichita Order G-19, covering certain dry grocery items and certain items of perishables in certain counties in Kansas, filed 10:49 a. m.

Wichita Order G-20, covering certain dry grocery items and certain items of perishables in certain counties in Kansas, filed 10:49 a. m.

REGION VI

La Crosse Order 1-W, Amendment 1, covering dry groceries in certain counties of Wisconsin, Iowa, and Minnesota, filed 1:35 p. m.

La Crosse Order 3-W, Amendment 1, covering dry groceries in certain counties of Wisconsin, Iowa, and Minnesota, filed 1:35 p. m.

La Crosse Order 4-W, Amendment 2, covering dry groceries in certain counties of Wisconsin, Iowa and Minnesota, filed 1:35 p. m.

La Crosse Order 1-F, Amendment 17, covering fresh fruits and vegetables in the Cities of La Crosse, Wisconsin and Winona, Minnesota, filed 1:40 p. m.

La Crosse Order 1-F, Amendment 18, covering fresh fruits and vegetables in the Cities of La Crosse, Wisconsin and Winona, Minnesota, filed 1:38 p. m.

La Crosse Order 3-F, Amendment 13, covering fresh fruits and vegetables in the Cities of Eau Claire and Chippewa Falls, Wisconsin, filed 1:37 p. m.

La Crosse Order 3-F, Amendment 14, covering fresh fruits and vegetables in the Cities of Eau Claire and Chippewa Falls, Wisconsin, filed 1:35 p. m.

La Crosse Order 4-F, Amendment 13, covering fresh fruits and vegetables in the City of Sparta, Wisconsin, filed 1:38 p. m.

La Crosse Order 4-F, Amendment 14, covering fresh fruits and vegetables in the City of Sparta, Wisconsin, filed 1:35 p. m.

La Crosse Order 4-W, Amendment 1, covering dry groceries in Barron, Chippewa, Dunn, Eau Claire, Rusk, and Clark, State of Wisconsin, filed 1:36 p. m.

La Crosse Order 4-W, Amendment 3, covering dry groceries in Barron, Chippewa, Dunn, Eau Claire, Rusk, and Clark, State of Wisconsin, filed 1:36 p. m.

La Crosse Order 5-F, Amendment 13, covering fresh fruits and vegetables in the City of Rochester, Minnesota, filed 1:36 p. m.

La Crosse Order 5-F, Amendment 14, covering fresh fruits and vegetables in the City of Rochester, Minnesota, filed 1:37 p. m.

North Platte Order 22, covering certain food items in Scotts Bluff County, Nebraska, filed 1:22 p. m.

Springfield Order 4-F, Amendment 1, covering fresh fruits and vegetables in all of the counties of Springfield, Illinois district, filed 1:40 p. m.

REGION VII

Utah Order F-2, Amendment 8, covering fresh fruits and vegetables in Cachet and Boxider Counties, Utah, filed 9:34 a. m.

Utah Order F-3, Amendment 7, covering fresh fruits and vegetables in certain counties of Utah, filed 9:34 a. m.

Utah Order F-4, Amendment 7, covering fresh fruits and vegetables in Daggett, Uintah and Grand Counties, Utah. Filed 9:33 a. m.

Utah Order F-5, Amendment 7, covering fresh fruits and vegetables in Utah county area. Filed 9:33 a. m.

Utah Order F-6, Amendment 7, covering fresh fruits and vegetables in certain counties of Utah. Filed 9:32 a. m.

REGION VIII

Fresno Order 1-F, Amendment 19, covering fresh fruits and vegetables in certain areas of California, filed 1:41 p. m.

Fresno Order 2-F, Amendment 7, covering fresh fruits and vegetables in certain areas in California, filed 1:40 p. m.

Fresno Order 8-F, Amendment 2, covering fresh fruits and vegetables in certain areas in California, filed 1:41 p. m.

Copies of any of these orders may be obtained from the OPA office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-8432; Filed, June 10, 1944; 11:36 a. m.]

OFFICE OF WAR MOBILIZATION.

[Directive Order 6]

SETTLEMENT OF CLAIMS UNDER TERMINATED FIXED PRICE ORDERS OR SUBCONTRACTS

STATEMENT OF POLICY BY JOINT CONTRACT TERMINATION BOARD

NOTE: In the Statement of Policy Concerning Settlement of Claims Under Terminated Fixed Price Orders or Subcontracts for the Manufacture of Supplies Under Government War Contracts attached to the original of Directive Order 6 (F.R. Doc. 44-7947), the word "seller" in the last clause of the first sentence of paragraph 11 has been corrected to read "buyer". A corresponding change should be made, therefore, in the ninth line of paragraph 11 as printed in the first column of page 6136 of the issue for Tuesday, June 6, 1944.

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-905]

THE PATCHOGUE ELECTRIC LIGHT CO. AND NEW YORK STATE ELECTRIC & GAS CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of June 1944.

Notice is hereby given that a joint application-declaration, pursuant to the Public Utility Holding Company Act of 1935, has been filed with this Commission by The Patchogue Electric Light Company (Patchogue) and its parent, New York State Electric & Gas Corporation (New York State). Each of these companies is an operating public utility company, New York State being a direct subsidiary, and Patchogue an indirect subsidiary, of NY PA NJ Utilities Company (NY PA NJ), a registered holding company.

All interested persons are referred to said document which is on file in the offices of this Commission for a statement of the transactions therein proposed which are summarized below:

1. New York State proposes to sell for a base price of $625,000 its entire stock holdings in Patchogue. These holdings, consisting of 1,000 shares of preferred stock, without par value, and 11,000 shares of common stock, without par value, are the total amount of such securities outstanding. (Patchogue has proposed an amendment to its certificate of incorporation which would reclassify the common stock to 6,000 shares. If this reclassification is effected prior to

the consummation of the sale, the purchasers, by the terms of the purchase agreement, will accept the smaller number of shares, all other terms of the contract being unaffected.)

2. New York State is to purchase from Patchogue for $1.00 the 490 shares of common stock of Atlantic Utility Service Corporation (Auscorp) presently owned by Patchogue.

3. New York State is to indemnify the purchasers of the stock of Patchogue against any and all claims which have been or which may be asserted against Patchogue by Auscorp. As at March 31, 1944, Patchogue had on its books a reserve in the amount of $1,948.26 for possible liabilities to Auscorp for services previously rendered to Patchogue.

4. New York State is also to indemnify the purchasers of the stock of Patchogue against any loss, cost, damages or expenses on account of Federal income or excess profits taxes, by way of assessments, deficiencies, penalties, interest or otherwise, for any period or periods prior to closing date, except to the extent of $12,914.22 to be paid by Patchogue to New York State, or its representatives, on or before the date of closing, as Patchogue's allocable portion of the consolidated return for the Associated Gas and Electric Company system for the year 1943.

The proposed purchasers, ten in number, of whom eight reside in Bradford, Pennsylvania, have agreed in the purchase contract that on the date of closing they will cause Patchogue to discharge, by payment in cash, all of its open account indebtedness to New York State and NY PA NJ. As at March 31, 1944, this indebtedness was in the amounts of $60,000, non-interest bearing, payable to New York State, and $165,000, with interest at 6% per annum, payable to NY PA NJ.

The applicants-declarants have designated sections 9, 10, 12 (b), 12 (d), 12 (f) and Rules U-43 and U-45 as being applicable to the proposed transactions.

It appearing to the Commission that it is proper and in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application-declaration, and that said application should not be granted, or said declaration should not become effective, except pursuant to further order of the Commission;

It is hereby ordered, That a hearing be held upon said matters on June 22, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date, the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why the application-declaration should be granted and should be permitted to become effective. All persons desiring to be heard or wishing to participate otherwise in the proceeding should notify the Commission in the manner provided by Rule XVII of its rules of practice on or before June 20, 1944.

It is further ordered, That Robert P. Reeder, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matters. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said application-declaration, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the consideration to be received for the proposed sale is fair and reasonable;

2. Whether the proposed acquisition by New York State of the common stock of Auscorp complies with the provisions of section 10 of the act;

3. The propriety of the accounting treatment to reflect the proposed transactions on the books of the applicants-declarants;

4. Whether, and to what extent, it is necessary or appropriate in the public interest to impose terms or conditions in regard to the accounts of Patchogue in regard to the proposed transactions;

5. Whether the proposed transactions are in the public interest and in the interest of investors and consumers, and whether, in all other respects, they comply with all the applicable provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8387; Filed, June 9, 1944; 2:47 p. m.]

[File Nos. 54-42, 54-69, 59-65]

CENTRAL STATES UTILITIES CORP., ET AL.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 6th day of June, A. D. 1944.

In the matters of Central States Utilities Corporation, Central States Power & Light Corporation, Missouri Electric Power Company, Ogden Corporation, File No. 54-42; Ogden Corporation and Subsidiary Companies, File No. 54-69; Ogden Corporation and Subsidiary Companies, File No. 59-65.

Central States Power & Light Corporation, a registered holding company, having filed a declaration pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42 of the general rules and regulations promulgated thereunder, as an amendment to a plan of liquidation previously filed under section 11 (e) of the act by the above-named parties (File No. 54-42), with respect to the proposed use of $200,000 idle cash to purchase for retirement, for the period ending December 31, 1944, at 100% of unpaid principal amount and accrued interest, its First Mortgage and First Lien Gold Bonds, 5½% Series, due 1953;

Said declaration having been filed on May 5, 1944, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified by said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it in the public interest and in the interest of investors and consumers to permit said declaration pursuant to section 12 (c) and Rule U-42 promulgated thereunder to become effective;

It is hereby ordered, Pursuant to Rule U-23 that the said declaration be and it hereby is permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8386; Filed, June 9, 1944; 2:47 p. m.]

[File Nos. 34-9, 34-41, 70-28]

FEDERAL WATER SERVICE CORP., ET AL.

ORDER REOPENING PROCEEDINGS FOR REARGUMENT

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of June, A. D. 1944.

In the matter of Federal Water Service Corporation, Utility Operators Company and Federal Water and Gas Corporation, File Nos. 34-9, 34-41, 70-28.

The Commission having on April 17, 1944, issued its findings, opinion and order in this matter, denying the application of Federal Water and Gas Corporation for approval of an amendment to the plan of reorganization of Federal Water Service Corporation; and

Objections to the said findings, opinion and order having been brought to the attention of the Commission by one of the interveners in the proceedings; and

The Commission desiring to give thorough consideration to all such objections;

It is ordered, That the effectiveness of said order of April 17, 1944, be and hereby is suspended until further action by the Commission;

It is further ordered, That this matter be and hereby is set down for reargument before the Commission on June 27, 1944, at 10 o'clock a. m., at the office of the Commission at Locust and 18th Streets, Philadelphia, Pa.

Counsel are requested to refrain from presenting further arguments relating to the meaning of the mandate of the United States Supreme Court.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8385; Filed, June 9, 1944; 2:47 p. m.]

[File Nos. 54-74, 59-69]

NORTH CONTINENT UTILITIES CORP., ET AL.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of June, A. D. 1944.

In the matters of North Continent Utilities Corporation and subsidiary companies, File No. 54-74; North Continent Utilities Corporation and subsidiary companies, File No. 59-69.

The Commission, having by order entered on November 16, 1943 approved a plan proposing the liquidation and dissolution of North Continent Utilities Corporation, a registered holding company, filed by that company and its subsidiary companies, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, designed to enable the North Continent holding company system to comply with section 11 (b) of the Act, and having by said order, pursuant to section 11 (b) of the Act, directed North Continent Utilities Corporation to take such action as may be necessary to cause its liquidation and dissolution;

Notice is hereby given that an application or declaration (or both), designated as "Application No. 5", has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by North Continent Utilities Corporation, a registered holding company, together with The Denver Ice and Cold Storage Company, its subsidiary company, and Ration Distributing Company, a subsidiary company of The Denver Ice and Cold Storage Company.

Notice is further given that any interested person may, not later than June 16, 1944 at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said application or declaration, as filed or as amended, may be granted, as provided in Rule U-23 of the general rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said application or declaration, which is on file in the office of the Commission, for a statement of the transaction therein proposed, which is summarized below:

Raton Distributing Company, which manufactures and sells ice and deals in oil, paint, and cattle feed in the City of Raton, New Mexico, proposes to sell its properties to Parley Roach, the general manager of said company, for $41,000 in cash subject to certain adjustments to the date of sale.

The proceeds of the said sale, after deducting necessary expenses, will be applied by Raton Distributing Company against an open account indebtedness of $49,538 due to The Denver Ice and Cold Storage Company, and the latter company proposes to apply such funds towards the reduction of a promissory note in the principal amount of $322,000 held by North Continent Utilities Corporation. North Continent Utilities Corporation proposes to deposit such funds with the Trustee under the indenture securing its First Lien Collateral and Refunding Gold Bonds, Series A, 5½%, due January 1, 1948, to be used by the Trustee in making ratable payments upon the unpaid principal of said Bonds, as provided in North Continent Utilities Corporation's aforesaid plan.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8435; Filed, June 10, 1944; 2:59 p. m.]

[File No. 1-2869]

BUNTE BROTHERS

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of June, A. D. 1944.

Bunte Brothers, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its common stock, $10 par value, from listing and registration on The Chicago Stock Exchange;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Wednesday, July 5, 1944, at the office of the Securities and Exchange Commission, 105 West Adams Street, Chicago, Illinois, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Henry Fitts, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8439; Filed, June 12, 1944; 10:04 a. m.]

[File No. 70-899]

INTERNATIONAL UTILITIES CORPORATION

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 9th day of June, A. D. 1944.

International Utilities Corporation, a registered holding company, has filed a declaration pursuant to the Public Utility Holding Company Act of 1935 and the general rules and regulations promulgated thereunder, regarding the proposed sale to National Food Products Corporation of certain Voting Trust Certificates representing 6,784 shares of 5% Cumulative Class A Stock, $20 par value, of said National Food Products Corporation for the sum of $135,943.82. Said sum represents a price of $20 per share, the redemption price of said stock, plus accrued dividends thereon from May 1, 1944, to May 15, 1944, in the amount of $263.82. International Utilities Corporation and National Food Products Corporation are affiliates as defined in the act; the above-mentioned securities representing more than 5% of the total outstanding voting securities of National Food Products Corporation.

Said declaration having been filed on May 23, 1944 and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the statutory requirements under section 12 (f) of the act are satisfied and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers to grant said declaration;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8441; Filed, June 12, 1944; 10:04 a. m.]

[File No. 1-1174]

NORTHERN PAPER MILLS

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of June, A. D. 1944.

The Northern Paper Mills, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its common stock, no par value, from listing and registration on The Chicago Stock Exchange;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Monday, July 10, 1944, at the office of the Securities and Exchange Commission, 105 West Adams Street, Chicago, Illinois, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Henry Fitts, an officer of the Commission, be and he hereby is designated to administer oaths

and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8460; Filed June 12, 1944; 10:04 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4481, 4488, 4461, as amended, 49 Stat. 1544 (46 U.S.C. 375, 391a, 404, 474, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the approval of the following items of equipment is prescribed:

EQUIPMENT APPROVED

FIRST-AID KIT

24-unit first-aid kit, Type 68, submitted by the Hoyt Metal Works, Ltd., 63 Hoyt Street, Newark, N. J.

LIFEBOAT

24' x 7' x 3' metallic oar-propelled lifeboat (902 cu. ft. capacity) (General Arrangement Dwg. No. G-238, revised 26 April, 1944), manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

LUMINOUS CLOTH OR TAPE FOR MARKING INTERIOR ACCOMMODATIONS, ETC.

Luminous tape, Everglow Type "A", with adhesive attached, submitted by the Hall-Vesole Company, 2350 University Avenue, St. Paul, Minnesota.

TELEPHONE SYSTEM

Sound Powered Telephone Equipment (Dwg. Nos. ASP-200, Alt. 3, dated 1 Dec. 1943, OSP-201, Alt. 3, dated 3 Dec. 1943, and WTB-302/WTP-208, Alt. 3, dated 10 Dec. 1943), manufactured by Alwin Products Corp., 161 Van Wagenen Ave., Jersey City, N. J.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard Commandant.

[F. R. Doc. 44-8422; Filed, June 10, 1944; 11:50 a. m.]

WAR FOOD ADMINISTRATION.

Commodity Credit Corporation.

AUTHORIZATION TO PURCHASE AND SELL CORN

Pursuant to the authority vested in me by War Food Order No. 98, as amended (9 F.R. 4379, 4378, 5397, and supra, this issue), any person engaged in the business of buying and reselling corn in carlots (hereinafter referred to as a "merchandiser") is hereby authorized, subject to the following terms and conditions, to purchase and sell corn acquired by Commodity or any of its designated agents under said War Food Order No. 98, as amended:

1. Corn so purchased shall be resold to persons authorized to purchase such corn in accordance with the provisions of War Food Order No. 98, as amended.

2. The merchandiser shall inform the purchaser that such corn was acquired by Commodity or a designated agent under War Food Order No. 98, as amended, and is subject to all the provisions thereof.

This order shall become effective at 12:01 a. m., c. w. t., June 12, 1944.

(E.O. 9250, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9368, 8 F.R. 14783; WFO 98, 9 F.R. 4379, 4738, 5397, supra)

Issued this 10th day of June 1944.

J. B. HUTSON,
President.

[F. R. Doc. 44-8460; Filed, June 12, 1944; 11:26 a. m.]

WAR PRODUCTION BOARD.

FREEHOLD LUMBER COMPANY

CONSENT ORDER

Coleman Stromwasser and Saul R. Shapiro are partners doing business as Freehold Lumber Company on State Highway 9/4, Howell Township, Freehold, R. D. New Jersey and are engaged in the operation of a lumber yard. From February 19, 1943, and during the remainder of the year they violated Conservation Order L-41 in that they sold and delivered lumber to farmers with knowledge that the lumber was to be used and it was actually used in violation of Conservation Order L-41 in the erection and construction of new farm or agricultural buildings containing lumber costing in excess of $1,000., without authorization of the War Production Board.

Coleman Stromwasser and Saul R. Shapiro, partners trading as Freehold Lumber Company, admit the said violations of Conservation Order L-41 and have consented to the issuance of this order.

Wherefore, upon the agreement and consent of Coleman Stromwasser and Saul R. Shapiro, partners trading as Freehold Lumber Company, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Deliveries of all lumber to Coleman Stromwasser and Saul R. Shapiro, partners trading as Freehold Lumber Company, their successors and assigns, the supply and distribution of which is governed by any order of the War Production Board, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating orders, preference rating certificates, general preference orders, or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to Coleman Stromwasser and Saul R. Shapiro, partners trading as Freehold Lumber Company, their successors or assigns of any lumber, the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve the said Coleman Stromwasser and Saul R. Shapiro, partners trading as Freehold Lumber Company, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on June 9, 1944, and shall expire on September 9, 1944.

Issued this 8th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8396; Filed, June 9, 1944; 4:23 p. m.]

UNITED ASSOCIATION OF PLUMBERS AND STEAMFITTERS, LOCAL UNION 538

CONSENT ORDER

United Association of Plumbers and Steamfitters, Local Union 538, 119-121 Spring Street, Johnson City, Tennessee, was charged by the War Production Board with having begun construction in June, 1943, consisting of alteration and remodeling of two adjoining buildings located at 119-121 Spring Street, Johnson City, Tennessee, and with having secured and used material in this construction, the cost of which was in excess of $30,000, all without authorization of the War Production Board, in violation of Conservation Order L-41. United Association of Plumbers and Steamfitters, Local Union 538, admits that this construction was in violation of Conservation Order L-41, does not desire to contest any issue in regard to the charges, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of United Association of Plumbers and Steamfitters, Local Union 538, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Neither United Association of Plumbers and Steamfitters, Local Union 538, its successors or assigns, nor any other person, shall do any construction on the building or buildings owned by the Association and located at 119-121 Spring Street, Johnson City, Tennessee, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve United Association of Plumbers and Steamfitters, Local Union 538, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on June 9, 1944.

Issued this 9th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8395; Filed, June 9, 1944; 4:22 p. m.]

JUN 15 '44

FEDERAL REGISTER

VOLUME 9 NUMBER 118

Washington, Wednesday, June 14, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter VII—War Food Administration (Agricultural Adjustment)

[Tobacco 813 (Burley), Part II]

PART 724—BURLEY TOBACCO

1944-45 MARKETING QUOTA REGULATIONS

GENERAL

Sec.
724.625 Definitions.
724.626 Instructions and forms.

FARM MARKETING QUOTAS

724.627 Amount of farm marketing quota.
724.628 No transfers.
724.629 Disposition of excess tobacco.
724.630 Issuance of marketing cards.
724.631 Person authorized to issue cards.
724.632 Rights of producers in marketing cards.
724.633 Successors in interest.
724.634 Invalid cards.
724.635 Report of misuse of marketing card.

MARKETING OF TOBACCO AND PENALTIES

724.636 Memorandum of sale to identify every marketing.
724.637 Bill of nonwarehouse sale.
724.638 Marketings free of penalty.
724.639 Marketings subject to penalty and collection of penalties.
724.640 Persons to pay penalty.
724.641 Rate of penalty.
724.642 Payment of penalty.
724.643 Penalty for false identification or failure to account for disposition of tobacco.
724.644 Request for return of penalty.

RECORDS OF REPORTS

724.645 Producer's records and reports.
724.646 Warehouseman's records and reports.
724.647 Dealer's records and reports.
724.648 Dealers exempt from regular records and reports.
724.649 Records and reports of truckers and persons redrying, prizing or stemming tobacco.
724.650 Separate records and reports from persons engaged in more than one business.
724.651 Failure to keep records or make reports.
724.652 Examination of records and reports.
724.653 Length of time records and reports to be kept.
724.654 Information confidential.
724.655 Approval of the Bureau of the Budget.

AUTHORITY: §§ 724.625 to 724.655, inclusive, issued under 52 Stat. 47, 48, 65, 66, 203; 53 Stat. 1251, 1252; 54 Stat. 398, 728; 55 Stat. 88; Public Law 118, 78th Congress, approved July 7, 1943; and Public Law 276, 78th Congress, approved March 31, 1944; 7 U.S.C. 1301 et seq., Public Law 156, 78th Congress; and Executive Order 9322 of March 26, 1943, as amended, by Executive Order 9334 of April 19, 1943.

GENERAL

§ 724.625 *Definitions.* As used in these regulations and in all instructions, forms and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them unless the context or subject matter otherwise requires.

(a) "Act" means the Agricultural Adjustment Act of 1938, as amended.

(b) "Administrator" means the Administrator or Acting Administrator of the War Food Administration.

(c) "County Committee" means the group of persons elected within any county to assist in the administration of the Agricultural Conservation Program in such county.

(d) "Dealer or buyer" means a person who engages to any extent, in the business of acquiring tobacco from producers without regard to whether such person is registered as a dealer with the Bureau of Internal Revenue.

(e) "Farm" means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the Agricultural Adjustment Agency, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other lands; and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

Page
CIVIL AERONAUTICS ADMINISTRATION:
Scholarships, awards to applicants from other American republics 6499
FEDERAL SECURITY ADMINISTRATION:
Designation of localities for loans; Ohio and Alabama 6581
GENERAL LAND OFFICE:
Alaska, withdrawal of public lands 6570
Utah, modification of grazing district 6571
Washington, revocation of Executive order withdrawing public lands 6570
INTERSTATE COMMERCE COMMISSION:
Fruits, vegetables, melons excepted from provisions restricting holding for orders, reconsignment, etc 6572
Icing permits:
Potatoes:
California or Arizona 6572
Kansas City, Mo 6572
St. Louis, Mo 6572
Reconsignment permits:
Lettuce, Chicago, Ill 6572
Oranges, Chicago, Ill 6572
Peas, Kansas City, Mo 6571
Potatoes, Chicago, Ill 6571
OFFICE OF DEFENSE TRANSPORTATION:
Line-haul shipments, collection of, Fort Smith, Ark., area 6573
Taxicab operators, coordinated operations:
Fall River, Mass 6574
Hibbing, Minn 6575
Massena, N. Y 6574
Tuscaloosa, Ala 6575
OFFICE OF PRICE ADMINISTRATION:
Adjustments, etc.:
Corbin Cabinet Lock Co 6576
Eagle Lock Co 6577
Fraim, E. T., Lock Co 6578
Robins, A. K., & Co 6581
Safe Padlock and Hardware Co 6579
Sargent and Co 6576
Slaymaker Lock Co 6579
Wilson Bohannan Co 6580
Wise Lock Co 6577

(Continued on next page)

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued. Page
Defense rental areas, exemption of resort rooms and housing (Hotels and Rooming Houses, Am. 23; Housing, Am. 26) (2 documents) 6569
Feeds, mixed (MPR 378, Am. 7) 6565
Food products, designated (MPR 280, incl. Am. 1–46) 6520
Food rationing for institutional users; sugar (Gen. RO 5, Am. 69; Am. 3 to Supp. 3) (2 documents) 6504
Furs and peltries, etc.:
Alaska seal skins and fox pelts (GMPR, 2d Rev. Order 111) 6569
Raw, dressed, etc. (MPR 541) 6565
Iron and steel products (RPS 49, Am. 25) 6505
Oil burner services (MPR 165, Rev. Supp. Service Reg. 19, Am. 1) 6570
Products having editorial or informational content (Rev. SR 1, Am. 59) 6570
Ration books for imported laborers (Gen. RO 12, Am. 3; Gen. RO 14, Am. 1) (2 documents) 6504
Rice, finished, and milling by-products (RMPR 150, Am. 7) 6564
Sugar (Rev. RO 3, Am. 23, 24, 25) (3 documents) 6562, 6564
Tires and tubes, Government purchases (MPR 415, Order 1) 6581
Veneer, commercial (MPR 538) 6530
RECLAMATION BUREAU:
Hondo Project, N. Mex., partial revocation of withdrawal 6571
WAR FOOD ADMINISTRATION. *See also* Federal Security Administration.
Tobacco, marketing quota regulations, 1944–1945:
Burley 6487
Flue-cured 6492
Vegetables, fruits, etc., canned (WFO 22–6, Am. 1) 6497
Wages in mainland cane sugar area; hearings, etc. 6581
WAR PRODUCTION BOARD:
Cotton textile distribution (M–317, Am. 2) 6501
Glass containers and closure simplification, malt beverages (L–103, Sch. B) 6501
Suspension orders, etc.:
Garrett and Co 6500
General Playground Equipment, Inc 6501
Hershey Beverage Corp 6582

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued. Page
Defense rental areas, exemption of resort rooms and housing (Hotels and Rooming Houses, Am. 23; Housing, Am. 26) (2 documents) 6569
Feeds, mixed (MPR 378, Am. 7) 6565
Food products, designated (MPR 280, incl. Am. 1–46) 6520
Food rationing for institutional users; sugar (Gen. RO 5, Am. 69; Am. 3 to Supp. 3) (2 documents) 6504
Furs and peltries, etc.:
Alaska seal skins and fox pelts (GMPR, 2d Rev. Order 111) 6569
Raw, dressed, etc. (MPR 541) 6565
Iron and steel products (RPS 49, Am. 25) 6505
Oil burner services (MPR 165, Rev. Supp. Service Reg. 19, Am. 1) 6570
Products having editorial or informational content (Rev. SR 1, Am. 59) 6570
Ration books for imported laborers (Gen. RO 12, Am. 3; Gen. RO 14, Am. 1) (2 documents) 6504
Rice, finished, and milling by-products (RMPR 150, Am. 7) 6564
Sugar (Rev. RO 3, Am. 23, 24, 25) (3 documents) 6562, 6564
Tires and tubes, Government purchases (MPR 415, Order 1) 6581
Veneer, commercial (MPR 538) 6530
RECLAMATION BUREAU:
Hondo Project, N. Mex., partial revocation of withdrawal 6571
WAR FOOD ADMINISTRATION. *See also* Federal Security Administration.
Tobacco, marketing quota regulations, 1944–1945:
Burley 6487
Flue-cured 6492
Vegetables, fruits, etc., canned (WFO 22–6, Am. 1) 6497
Wages in mainland cane sugar area; hearings, etc. 6581
WAR PRODUCTION BOARD:
Cotton textile distribution (M–317, Am. 2) 6501
Glass containers and closure simplification, malt beverages (L–103, Sch. B) 6501
Suspension orders, etc.:
Garrett and Co 6500
General Playground Equipment, Inc 6501
Hershey Beverage Corp 6582

A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county in which the major portion of the farm is located.

(f) "Field Assistant" means any duly authorized employee of the Agricultural Adjustment Agency, United States Department of Agriculture, and any duly authorized employee of a county committee, whose duties involve primarily the preparation and handling of records and reports pertaining to tobacco marketing quotas.

(g) "Floor sweepings" means all tobacco which is dropped on the warehouse floor in the course of the warehouse operations and is picked up by the warehouseman. Any tobacco accumulated in the course of the grading and tying of tobacco for farmers shall not be included as floor sweepings.

(h) "Market" means the disposition in raw or processed form of tobacco by voluntary or involuntary sale, barter or exchange, or by gift inter vivos. "Marketing" and "Marketed" shall have corresponding meanings to the term "Market".

(i) "Nonwarehouse sale" means any first marketing of farm tobacco other than by sale at public auction through a warehouse in the regular course of business.

(j) "Operator" means the person who is in charge of the supervision and the conduct of the farming operations on the entire farm.

(k) "Person" means an individual, partnership, association, corporation, estate or trust, or other business enterprise or other legal entity, and wherever applicable, a State, a political subdivision of the State or any agency thereof.

(l) "Producer" means a person who, as owner, landlord, tenant, sharecropper, or laborer is entitled to share in the tobacco available for marketing from the farm, or in the proceeds thereof.

(m) "Pound" means that amount of tobacco which, if weighed in its unstemmed form and in the condition in which it is usually marketed by producers, would equal one pound standard weight.

(n) "Resale" means the disposition by sale, barter, or exchange of tobacco which has been marketed previously.

(o) "Sale day" means the period at the end of which the warehouseman bills to buyers the tobacco so purchased during such period.

(p) "State Committee" means the group of persons designated within any State to assist in the administration of the Agricultural Conservation Program in such State.

(q) "Suspended sale" means any first marketing of farm tobacco at a warehouse sale for which a memorandum of sale is not issued by the end of the sale day on which such marketing occurred.

(r) "Tobacco" means Burley tobacco classified in Service and Regulatory Announcement No. 118 of the Bureau of Agricultural Economics of the United States Department of Agriculture as type 31. Any tobacco that has the same characteristics and corresponding qualities, colors and lengths as Burley tobacco shall be considered Burley regardless of any factors of historical or geographical nature which cannot be determined by an examination of the tobacco.

(s) "Tobacco available for marketing" means all tobacco produced on the farm in the calendar year 1944 and all tobacco produced on the farm prior to the calendar year 1944 and carried over to the 1944–45 marketing year, which is not disposed of in accordance with § 724.629.

(t) "Tobacco subject to marketing quotas" means any tobacco marketed during the period October 1, 1944, to September 30, 1945, inclusive, and any tobacco produced in the calendar year 1944 and marketed prior to October 1, 1944.

(u) "Trucker" means any person who engages in the business of trucking tobacco to market and selling it for producers regardless of whether the tobacco is acquired from producers by the trucker.

(v) "Warehouseman" means a person engaged in the business of holding sales of tobacco at public auction at a warehouse.

(w) "Warehouse sale" means a marketing by sale at public auction through a warehouse in the regular course of business.

§ 724.626 *Instructions and forms.* The Chief of the Agricultural Adjustment Agency shall cause to be prepared and issued such instructions and such forms as may be deemed necessary or expedient for carrying out these regulations.

FARM MARKETING QUOTAS

§ 724.627 *Amount of farm marketing quota.* The marketing quota for a farm shall be the actual production of tobacco on the farm acreage allotment, as established for the farm in accordance with §§ 724.611 to 724.623, inclusive, 8 F.R. 16581. The actual production of the farm acreage allotment shall be the average yield per acre of the entire acreage of tobacco harvested on the farm in 1944 times the farm acreage allotment. The excess tobacco on any farm shall be that quantity of tobacco which is equal to the average yield per acre of the entire acreage of tobacco harvested on the farm in 1944 times the number of acres harvested in excess of the farm acreage allotment.

§ 724.628 *No transfers.* There shall be no transfer of marketing quotas (except as provided in §§ 724.611 to 724.623, inclusive, 8 F.R. 16581).

§ 724.629 *Disposition of excess tobacco.* The farm operator may elect to give proof of disposition of excess tobacco prior to the marketing of any tobacco from the farm by any of the following methods:

(a) By a declaration of intention to market all tobacco available for marketing and the payment at the office of the county committee by check, draft, or money order drawn payable to the Treasurer of the United States in an amount equal to the penalty which would be due upon the marketing of the tobacco available for marketing. Any additional amount of penalty determined to be due after all marketings of tobacco from the farm have been made shall be paid by the operator not later than 20 days after receipt of notice of such additional penalty. Any amount collected in excess of the penalty due shall be refunded upon request of the producer.

(b) By storage of the excess tobacco, the tobacco so stored to be representative of the entire 1944 crop produced on the farm, and posting of a bond approved by the county committee and the Chairman of the State committee in the penal sum of twice the amount of penalty which will become due upon the marketing of excess tobacco.

(c) By furnishing to the county committee satisfactory proof that the farm operator is unable to market the excess tobacco.

§ 724.630 *Issuance of marketing cards.* A marketing card shall be issued for every farm having tobacco available for marketing. Two or more marketing cards may be issued for any farm as approved by the county committee. All entries on each marketing card shall be made in accordance with the instructions for issuing marketing cards and the operator's agreement on each marketing card shall be signed by the farm operator or on his behalf by his authorized representative. Upon the return to the office of the county committee of the marketing card after all the memoranda of sale have been issued therefrom and before the marketing of tobacco from the farm has been completed, a new marketing card of the same kind, bearing the same name, information and identification as the used card shall be issued for the farm. Any marketing card issued to replace another card shall have entered thereon the total sales as shown on the marketing card which is replaced.

(a) *Within Quota Marketing Card (Tobacco 320).* A Within Quota Marketing Card authorizing the marketing without penalty of the 1944 crop of tobacco on the farm and any tobacco carried over from a prior marketing year shall be issued for a farm under the following conditions:

(1) If the harvested acreage of tobacco in 1944 is not in excess of the farm acreage allotment; if any excess tobacco carried over from any previous marketing year can be marketed without penalty under the provisions of paragraph (c) hereof; if the operator of the farm does not operate another farm on which the harvested acreage of tobacco exceeds the farm acreage allotment; and if the county committee does not determine that a zero percent excess marketing card is necessary to protect the interest of the Government and insure the proper identification and accounting for tobacco produced on the farm and the proper use of the marketing card issued for the farm, or

(2) If the excess tobacco produced on the farm is disposed of in accordance with § 724.629, or

(3) If a farm is operated by a publicly-owned experiment station and produces tobacco for experimental purposes only.

(b) *Excess Marketing Card (Tobacco 321).* An Excess Marketing Card showing the extent to which marketings of tobacco from a farm are subject to penalty shall be issued for a farm unless a within quota card is required to be issued for the farm under paragraph (a) of this section.

(c) *Extent to which marketings from a farm are subject to penalty.* The extent to which marketings of tobacco from any farm having no carry-over tobacco are subject to penalty shall be that percentage of the tobacco available for marketing from the farm which the acreage of tobacco harvested in excess of the farm acreage allotment for the farm and not disposed of as provided in § 724.629 is of the acreage of tobacco harvested from the farm. If the farm operator refuses to furnish or prevents the county committee from obtaining any information necessary to the issuance of the marketing card, all tobacco available for marketing from the farm shall be subject to penalty.

The extent to which marketings of tobacco from any farm having tobacco available for marketing which has been carried over from a prior marketing year are subject to penalty shall be the percentage determined as follows:

(1) Determine the number of "carry-over acres" by dividing the number of pounds of tobacco carried over from the prior year by the normal yield for the farm for that year.

(2) Determine the number of "within quota carry-over acres" by multiplying the "carry-over acres" (subparagraph (1) above) by the "percent within quota" (i. e., 100 percent minus the percent excess) for the year in which the carry-over tobacco was produced.

(3) Determine the "total acres" of tobacco by adding the "carry-over acres" (subparagraph (1) above) and the acreage of tobacco harvested in the current year.

(4) Determine the excess acreage by subtracting from the "total acres" (subpargaraph (3) above) the sum of the 1944 allotment and the "within quota carry-over acres" (subparagraph (2) above).

(5) Determine the percent excess to be shown on the marketing card by dividing the "total acres" into the excess acreage (subparagraph (4) above).

The burden of any penalty with respect to carry-over tobacco shall be borne by those persons having an interest in such tobacco.

§ 724.631 *Person authorized to issue cards.* The county committee shall designate one person to sign marketing cards for farms in the county as issuing officer. The issuing officer may, subject to the approval of the county committee, designate not more than three persons to sign his name in issuing marketing cards: *Provided*, That each such person shall place his initials immediately beneath the name of the issuing officer as written by him on the card.

§ 724.632 *Rights of producers in marketing cards.* Each producer having a share in the tobacco available for marketing from the farm shall be entitled to the use of the marketing card for marketing his proportionate share of the total amount of tobacco available for marketing from the farm.

§ 724.633 *Successors in interest.* Any person who succeeds in whole or in part to the share of a producer in the tobacco available for marketing from the farm shall, to the extent of such succession, have the same rights as the producer to the use of the marketing card for the farm.

§ 724.634 *Invalid cards.* A marketing card shall be invalid under any of the following conditions:

(a) If it is not issued or delivered in the form and manner prescribed;

(b) If entries are not made thereon as required;

(c) If it is lost, destroyed, stolen, or becomes illegible;

(d) If any erasure or alteration has been made, and not properly initialed.

In the event any marketing card becomes invalid (other than by loss, destruction, theft or omission, alteration and incorrect entry which can be corrected by a field assistant) the farm

operator (or the person having the card in his possession) shall return it to the office of the county committee at which it was issued.

If any entry is not made on a marketing card as required (either through omission or incorrect entry) and the proper entry is made by a field assistant then such card shall become valid.

§ 724.635 *Report of misuse of marketing card.* Any information which causes any field assistant, a member of any State, county or community committee, or any employee of any State or county committee to believe that any tobacco which actually was produced on one farm has been or is being marketed under the marketing card issued for another farm shall be reported immediately by such person to the Chairman of the State Committee.

MARKETING OF TOBACCO AND PENALTIES

§ 724.636 *Memorandum of sale to identify every marketing.* Each marketing of tobacco from a farm shall be identified by an executed memorandum of sale from the marketing card (Tobacco 820 or Tobacco 821) issued for the farm on which the tobacco was produced, but if a memorandum of sale cannot be obtained within four weeks after the date of the marketing of any tobacco at a warehouse sale, such marketing of tobacco shall be subject to penalty and the amount of penalty shall be shown on the Sale Cleared Without Marketing Card (Tobacco 828). The memorandum of sale shall be issued only by a field assistant, except that a warehouseman, or his authorized representative, who has been designated on an Authorization to Issue Memoranda of Sale (Tobacco 823) may issue a memorandum of sale to identify a warehouse sale, if a field assistant is not available at the warehouse when the card is presented. Each memorandum of sale issued by a warehouseman shall be presented promptly by him to the field assistant for verification with the warehouse records.

The authorization to any warehouseman or his authorized representative to issue memoranda of sale may be withdrawn upon written notice by the Chairman of the State Committee.

Each excess memorandum of sale or form Tobacco 828, issued by a field assistant, shall be checked by the warehouseman or dealer (or his representative) to determine whether the amount of penalty shown to be due has been correctly computed and such warehouseman or dealer shall not be relieved of any liability with request to the amount of penalty due because of any error which may occur on the memorandum of sale or form Tobacco 828.

§ 724.637 *Bill of nonwarehouse sale.* Each first marketing of farm tobacco, except a warehouse sale, shall be identified by a bill of nonwarehouse sale (back of the memorandum of sale) completely executed by the buyer and the farm operator.

Each bill of nonwarehouse sale shall be presented to a field assistant for issuance of a memorandum of sale and for recording in the Dealer's Record (Tobacco 825) in case of a purchase by a dealer other than a warehouseman.

§ 724.638 *Marketings free of penalty.* Any tobacco marketed from a farm which is identified by a valid memorandum of sale from the marketing card issued for the farm shall be free of penalty to the extent shown by the memorandum of sale.

§ 724.639 *Marketings subject to penalty and collection of penalties.*—(a) *Farm tobacco.* With respect to tobacco marketed from farms having excess tobacco available for marketing, the penalty shall be paid upon that percentage of each lot of tobacco which the tobacco available for marketing in excess of the farm quota is of the total amount of tobacco available for marketing from the farm. The memorandum of sale issued to identify such marketing of tobacco shall show that portion of such marketing which is subject to penalty, and any portion of each marketing of tobacco which is not shown by the memorandum as being subject to penalty shall be free of penalty.

(b) *Dealer's tobacco.* Any marketing of tobacco by a dealer which such dealer represents to be a resale, but all or any part of which, when added to prior resales by such dealer is in excess of the total amount of purchases as shown on such dealer's records shall be a marketing of tobacco subject to penalty unless and until the dealer furnishes proof acceptable to the Administrator showing that such tobacco is not subject to penalty. Any marketing of tobacco by a dealer which such dealer represents to be a resale of tobacco previously purchased by him but which, because of the difference in the price at which such tobacco is resold as compared with the price at which he had purchased the tobacco, cannot reasonably be regarded as tobacco previously purchased by him shall be taken to be a marketing of tobacco subject to penalty.

(c) *Tobacco not identified by a valid memorandum.* Any tobacco marketed from a farm which is not identified by a valid memorandum of sale shall be subject to penalty.

§ 724.640 *Persons to pay penalty.* The person to pay the penalty due on any marketing of excess tobacco shall be one of the following as applicable:

(a) *Warehouseman.* If the tobacco is marketed by the producer through a warehouseman the penalty shall be paid by the warehouseman, who may deduct an amount equivalent to the penalty from the price paid to the producer.

(b) *Dealer.* If the tobacco is acquired from the producer by a dealer, the penalty shall be paid by the dealer who may deduct an amount equivalent to the penalty from the price paid to the producer.

(c) *Agent.* If the tobacco is marketed by the producer through an agent who is not a warehouseman, the penalty shall be paid by the agent who may deduct an amount equivalent to the penalty from the price paid to the produced.

(d) *Warehouseman and dealer on dealer's tobacco.* Any penalty due upon tobacco subject to penalty under § 724.639, (b) shall be paid by the warehouseman who may deduct an amount equivalent to the penalty from the price paid to the dealer, but the dealer shall not be relieved of responsibility for payment of such penalty.

(e) *Producer marketing outside United States.* If the tobacco is marketed by the producer directly to any person outside the United States, the penalty shall be paid by the producer.

§ 724.641 *Rate of penalty.* The penalty shall be ten cents per pound upon the marketing of any tobacco in excess of the marketing quota for the farm on which the tobacco is produced and on the marketing of any other tobacco not identified under these regulations as being free of penalty.

§ 724.642 *Payment of penalty.* Penalties upon the marketing of tobacco shall become due at the time of the marketing and shall be paid by remitting the amount thereof to the office of the State Committee not later than the end of the calendar week following the week in which the memorandum of sale was issued, or, in the event a memorandum is not issued, not later than four weeks after the date upon which the tobacco was marketed. A draft, money order, or check drawn payable to the Treasurer of the United States should be used to pay any penalty, but any such draft, or check shall be received subject to payment at par.

§ 724.643 *Penalty for false identification or failure to account for disposition of tobacco.* If any producer falsely identifies or fails to account for the disposition of any tobacco, an amount of tobacco equal to the normal yield of the number of acres harvested in 1944 in excess of the farm acreage allotment shall be deemed to have been marketed in excess of the marketing quota for the farm and the penalty in respect thereof shall be paid and remitted by the producer.

§ 724.644 *Request for return of penalty.* Any producer of tobacco, after the marketing of all tobacco available for marketing from his farm, and any other person who bore the burden of the payment of any penalty may request the return of the amount of such penalty which is in excess of the amount due.

RECORDS AND REPORTS

§ 724.645 *Producer's records and reports.*—(a) *Report on marketing card.* The operator of each farm on which tobacco is produced in 1944 shall return to the office of the county committee each marketing card issued for the farm whenever marketings from the farm are completed and in no event later than thirty days after the close of the tobacco auction markets. Failure to return the marketing card within the time specified (after formal notification) shall constitute failure to give proof of disposition of tobacco marketed from the farm in the event that satisfactory proof of such disposition is not furnished otherwise.

(b) *Additional reports by producers and identification of tobacco.* In addition to any other reports which may be required under these regulations, the operator of each farm or any other person having an interest in the tobacco grown on the farm (even though the harvested acreage does not exceed the acreage allotment and even though no allotment was established for the farm) shall upon written request by the Chairman of the State Committee and within ten days after the deposit of such request in the United States mails addressed to such person at his last known address, furnish the Administrator, by sending the same to the Chairman of the State Committee, a written report showing, as to the farm at the time of filing said reports (1) the number of acres of tobacco harvested, (2) the total production of tobacco, (3) the amount of tobacco on hand and its location, and (4) as to each lot of tobacco marketed, the name and address of the warehouseman, dealer, or other person to or through whom such tobacco was marketed and the number of pounds marketed, the gross price, and the date of marketing.

§ 724.646 *Warehouseman's records and reports.*—(a) *Record of marketings.* Each warehouseman shall keep such records as will enable him to furnish to the Administrator a report of the following information with respect to each sale or resale of tobacco made at his warehouse:

(1) The name of the seller (and, in the case of a sale for a producer, the name of the operator of the farm on which the tobacco was produced).
(2) The name of the purchaser.
(3) The date of sale.
(4) The number of pounds sold.
(5) The gross sale price.
(6) The amount of any penalty and the amount of any deduction on account of penalty from the price paid the producer (or a dealer).

All purchases and resales for the warehouse leaf account shall be so identified in the records and a separate account shall be maintained with respect to the amount of floor sweepings picked up and the disposition of such floor sweepings. The quantity of floor sweepings, including bundles, leaves and scrap, picked up by the warehouse after each sale shall be reported in the space provided on the Auction Warehouse Report (Tobacco 826). In the case of resales for dealers, the name of the dealer making each resale shall be shown on the warehouse records so that the individual lots of tobaccos sold by the dealer can be identified.

(b) *Identification of sale on check register.* The serial number of the memorandum of sale issued to identify each marketing of tobacco from the farm or the number of the warehouse bill(s) covering each such marketing shall be recorded on the check register or check stub for the check written with respect to such sale of tobacco.

(c) *Memorandum of sale and bill of nonwarehouse sale.* A record in the form of a valid memorandum of sale (or a sale cleared without marketing card) shall be obtained by every warehouseman to cover each marketing of tobacco from a farm through the warehouse, and if a warehouseman buys tobacco directly from a farmer (other than at a warehouse auction sale) such warehouseman shall obtain a valid memorandum of sale to cover each such purchase of tobacco, together with a properly executed bill of nonwarehouse sale.

(d) *Suspended sale record.* Any warehouse bills covering farm tobacco for which memoranda of sale have not been issued at the end of the sale day shall be presented to a field assistant who shall stamp such bills "Suspended", write thereon the serial number of the suspended sale, and record the bills on the Field Assistant's Report (Tobacco 829) provided that if a field assistant is not available, the warehouseman may stamp such bills "Suspended" and deliver them to a field assistant as soon as one is available.

(e) *Warehouse entries on dealers' records.* Each warehouseman shall enter on each form Tobacco 825 the total of purchases and resales made by such dealer during each sale day at the warehouse. If any tobacco resold by the dealer is tobacco bought by him from a crop produced prior to 1944 the entry on the dealer's record shall clearly show such fact.

(f) *Daily report of warehouse business.* Each warehouseman shall make reports on form Tobacco 826 showing the information required thereon. Form Tobacco 826 shall be prepared for each sale day and all reports for the sale days occurring during any week shall be forwarded to the office of the State Committee not later than the end of the next following calendar week.

(g) *Report of penalties.* Each warehouseman shall make reports on form Tobacco 827 showing the information required with respect to each sale subject to penalty. Form Tobacco 827 shall be prepared each week and the report for each week shall be forwarded, together with remittances of the penalties due, as shown thereon, to the office of the State Committee not later than the end of the next following calendar week.

(h) *Additional records and reports.* In addition to the records and reports provided above, each warehouseman shall keep such additional records and make such additional reports to the Administrator as the Chairman of the State Committee may find necessary in order to enforce these regulations.

§ 724.647 *Dealer's records and reports.* Each dealer except as provided in § 724.648 shall keep the records and make the reports as provided by this section.

(a) *Report of dealer's name, address and registration number.* Each dealer shall properly execute and the field assistant shall detach and forward to the office of the State committee "Receipt for Dealer's Record" contained in form Tobacco 825 which is issued to the dealer.

(b) *Record and report of purchases and resales.* Each dealer shall keep a record and make reports on form Tobacco 825 showing all purchases and resales of tobacco made by the dealer and, in the event of resale of tobacco bought from a crop produced prior to 1944, the fact that such tobacco was bought by him and carried over from a crop produced prior to 1944.

(c) *Report of penalties.* Each dealer shall make a report on form Tobacco 827 showing the information with respect to all purchases subject to penalty made by him during each calendar week. The penalties listed on each such report shall be remitted with the report.

(d) *Memorandum of sale and bill of nonwarehouse sale.* For each lot of tobacco purchased from a farmer each dealer shall obtain a record in the form of a valid executed memorandum of sale issued by a field assistant. No memorandum of sale shall be issued unless the bill of nonwarehouse sale, on the reverse side of the memorandum of sale, has been executed.

(e) *Additional records.* Each dealer shall keep such records, in addition to the foregoing, as may be necessary to enable him to furnish the following information with respect to each lot of tobacco purchased or sold by him:

(1) The name of the seller (and in the case of a purchase from a producer, the name of the operator of the farm on which the tobacco was produced).
(2) The name of the purchaser.
(3) The date of the transaction.
(4) The number of pounds purchased or sold.
(5) The gross purchase or sale price.
(6) The amount of any penalty and the amount of any deduction on account of penalty from the price paid the producer (or a dealer).
(7) In the event of resale of tobacco bought by him and carried over from a crop produced prior to 1944, the fact that such tobacco was so bought and carried over.

All reports shall be forwarded to the office of the State Committee not later than the end of the week following the calendar week covered by the reports.

§ 724.648 *Dealers exempt from regular records and reports.* Any dealer who does not purchase or otherwise acquire tobacco except at a warehouse sale and who does not resell, in the form in which tobacco ordinarily is sold by farmers, more than ten percent of the tobacco purchased by him, shall not be subject to the provisions of § 724.647 of these regulations; but each such dealer shall make such reports to the Administrator as the Chairman of the State Committee may find necessary to enforce these regulations.

§ 724.649 *Records and reports of truckers and persons redrying, prizing or stemming tobacco.* Every person engaged in the business of trucking tobacco for producers shall keep such records as will enable him to furnish the Administrator a report with respect to each lot of tobacco received by him showing the name and address of the farm operator, the date of the receipt of the tobacco, the number of pounds received, and the place to which it was delivered. Every person engaged in the business of redrying, prizing or stemming tobacco for producers shall keep such records as will enable him to furnish the Administrator a report showing the information provided above

for truckers and in addition the purpose for which the tobacco was received, the amount of advance made by him on the tobacco, and the disposition of the tobacco. Each such person shall make such reports to the Administrator as the Chairman of the State Committee may find necessary to enforce these regulations.

§ 724.650 *Separate records and reports from persons engaged in more than one business.* Any person who is required to keep any record or make any report as a warehouseman, dealer, processor, or as a person engaged in the business of redrying, prizing, or stemming tobacco for producers, and who is engaged in more than one such business, shall keep such records as will enable him to make separate reports for each such business in which he is engaged, to the same extent for each such business as if he were engaged in no other business, except that a warehouseman shall not be required to keep a record and make reports on form Tobacco 825, if the transactions which would be recorded and reported on such forms are recorded on the records kept by the warehouse in its regular course of business and reported as required on form Tobacco 826.

§ 724.651 *Failure to keep records or make reports.* Any warehouseman, dealer, processor, or common carrier of tobacco, or person engaged in the business of redrying, prizing or stemming tobacco for producers, who fails to make any report or keep any record as required under these regulations, or who makes any false report or record, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $500; and any tobacco warehouseman or dealer who fails to remedy such violation by making a complete and accurate report or keeping a complete and accurate record as required under these regulations within fifteen days after notice to him of such violation shall be subject to an additional fine of $100 for each ten thousand pounds of tobacco, or fraction thereof, bought or sold by him after the date of such violation; *Provided*, That such fine shall not exceed $5,000; and notice of such violation shall be served upon the tobacco warehouseman or dealer by mailing the same to him by registered mail or by posting the same at an established place of business operated by him, or both. Notice of any violation by a tobacco warehouseman or dealer shall be given by the Chairman of the State Committee.

§ 724.652 *Examination of records and reports.* For the purpose of ascertaining the correctness of any report made or record kept, or of obtaining information required to be furnished in any report, but not so furnished, any warehouseman, dealer, processor, common carrier or person engaged in the business of redrying, prizing or stemming tobacco for producers shall make available for examination, upon written request by the Chairman of the State Committee such books, papers, records, accounts, correspondence, contracts, documents, and memoranda as he has reason to believe are relevant and are within the control of such person.

§ 724.653 *Length of time records and reports to be kept.* Records required to be kept and copies of the reports required to be made by any person under these regulations for the 1944–45 marketing year shall be kept by him until September 30, 1946, and for such longer period of time as may be requested in writing by the Chairman of the State Committee.

§ 724.654 *Information confidential.* All data reported to or acquired by the Administrator pursuant to the provisions of these regulations shall be kept confidential by all officers and employees of the United States Department of Agriculture and by all members and employees of county committees and only such data so reported or acquired as the Administrator deems relevant shall be disclosed by them and then only in a suit or administrative hearing under Title III of the act.

§ 724.655 *Approval of the Bureau of the Budget*—(a) Additional record keeping or reporting requirements which may be required in accordance with these regulations are subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(b) The record keeping and reporting requirements of these regulations have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Done at Washington, D. C., this 9th day of June 1944.

GROVER B. HILL,
First Assistant,
War Food Administrator.

[F. R. Doc. 44–8492; Filed, June 12, 1944; 11:26 a. m.]

[Tobacco 813 (Flue-Cured) Part II]

PART 727—FLUE-CURED TOBACCO

1944–45 MARKETING QUOTA REGULATIONS

GENERAL

Sec.
727.625 Definitions.
727.626 Instructions and forms.

FARM MARKETING QUOTAS.

727.627 Amount of farm marketing quota.
727.628 No transfers.
727.629 Disposition of excess tobacco.
727.630 Issuance of marketing cards.
727.631 Person authorized to issue cards.
727.632 Rights of producers in marketing cards.
727.633 Successors in interest.
727.634 Invalid cards.
727.635 Report of misuse of marketing card.

MARKETING OF TOBACCO AND PENALTIES

727.636 Memorandum of sale to identify every marketing.
727.637 Bill of nonwarehouse sale.
727.638 Marketings free of penalty.
727.639 Marketings subject to penalty and collection of penalties.
727.640 Persons to pay penalty.
727.641 Rate of penalty.
727.642 Payment of penalty.
727.643 Penalty for false identification or failure to account for disposition of tobacco.
727.644 Request for return of penalty.

RECORDS AND REPORTS

Sec.
727.645 Producer's records and reports.
727.646 Warehouseman's records and reports.
727.647 Dealer's records and reports.
727.648 Dealers exempt from regular records and reports.
727.649 Records and reports of truckers and persons redrying, prizing or stemming tobacco.
727.650 Separate records and reports from persons engaged in more than one business.
727.651 Failure to keep records or make reports.
727.652 Examination of records and reports.
727.653 Length of time records and reports to be kept.
727.654 Information confidential.
727.655 Approval of the Bureau of the Budget.

AUTHORITY: §§ 727.625 to 727.655, inclusive, issued under 52 Stat. 47, 48, 65, 66, 202; 53 Stat. 1261, 1262; 54 Stat. 393, 726; 55 Stat. 88; Public Law 118, 78th Congress, approved July 7, 1943; and Public Law 276, 78th Congress, approved March 31, 1944; 7 U.S.C. 1301 et seq.; and Executive Order 9322 of March 26, 1943, as amended, by Executive Order 9334 of April 19, 1943.

GENERAL

§ 727.625 *Definitions.* As used in these regulations and in all instructions, forms and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them unless the context or subject matter otherwise requires.

(a) "Act" means the Agricultural Adjustment Act of 1938, as amended.

(b) "Administrator" means the Administrator or Acting Administrator of the War Food Administration.

(c) "Authorized representative of the Administrator" means the Chairman, or Acting Chairman of the State Committee, and the Administrative Officer in Charge, or Acting Administrative Officer in Charge, Agricultural Adjustment Agency.

(d) "County Committee" means the group of persons elected within any county to assist in the administration of the Agricultural Conservation Program in such county.

(e) "Dealer or buyer" means a person who engages to any extent in the business of acquiring tobacco from producers without regard to whether such person is registered as a dealer with the Bureau of Internal Revenue.

(f) "Farm" means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the Agricultural Adjustment Agency, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other lands; and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county in which the major portion of the farm is located.

(g) "Field assistant" means any duly authorized employee of the Agricultural Adjustment Agency, United States Department of Agriculture, and any duly authorized employee of a county committee whose duties involve primarily the preparation and handling of records and reports pertaining to tobacco marketing quotas.

(h) "Floor sweepings" means all tobacco which is dropped on the warehouse floor in the course of the warehouse operations and is picked up by the warehouseman. Any tobacco accumulated in the course of the grading and tying of tobacco for farmers shall not be included as floor sweepings.

(i) "Market" means the disposition in raw or processed form of tobacco by voluntary or involuntary sale, barter or exchange, or by gift inter vivos. "Marketing" and "Marketed" shall have corresponding meanings to the term "Market".

(j) "Nonwarehouse sale" means any first marketing of farm tobacco other than by sale at public auction through a warehouse in the regular course of business.

(k) "Operator" means the person who is in charge of the supervision and the conduct of the farming operations on the entire farm.

(l) "Person" means an individual, partnership, association, corporation, estate or trust, or other business enterprise or other legal entity, and wherever applicable, a State, a political subdivision of the State or any agency thereof.

(m) "Producer" means a person who, as owner, landlord, tenant, sharecropper, or laborer is entitled to share in the tobacco available for marketing from the farm, or in the proceeds thereof.

(n) "Pound" means that amount of tobacco which, if weighed in its unstemmed form and in the condition in which it is usually marketed by producers, would equal one pound standard weight.

(o) "Resale" means the disposition by sale, barter, or exchange of tobacco which has been marketed previously.

(p) "Sale day" means the period at the end of which the warehouseman bills to buyers the tobacco so purchased during such period.

(q) "Scrap tobacco" means the residue accumulated in the course of preparing farm tobacco for market consisting chiefly of portions of tobacco leaves and leaves of poor quality.

(r) "State committee" means the group of persons designated within any State to assist in the administration of the Agricultural Conservation Program in such State.

(s) "Suspended sale" means any first marketing of farm tobacco at a warehouse sale for which a memorandum of sale is not issued by the end of the sale day on which such marketing occurred.

(t) "Tobacco" means flue-cured tobacco classified in Service and Regulatory Announcement No. 118 of the Bureau of Agricultural Economics of the United States Department of Agriculture as types 11, 12, 13 and 14, and collectively known as flue-cured tobacco.

(u) "Tobacco available for marketing" means all tobacco produced on the farm in the calendar year 1944 and all tobacco produced on the farm prior to the calendar year 1944 and carried over to the 1944–45 marketing year, which is not disposed of in accordance with § 727.629.

(v) "Tobacco subject to marketing quotas" means any tobacco marketed during the period July 1, 1944, to June 30, 1945, inclusive, and any tobacco produced in the calendar year 1944 and marketed prior to July 1, 1944.

(w) "Trucker" means any person who engages in the business of trucking tobacco to market and selling it for producers regardless of whether the tobacco is acquired from producers by the trucker.

(x) "Warehouseman" means a person engaged in the business of holding sales of tobacco at public auction at a warehouse.

(y) "Warehouse" sale means a marketing by sale at public auction through a warehouse in the regular course of business.

§ 727.626 *Instructions and forms.* The Chief of the Agricultural Adjustment Agency shall cause to be prepared and issued such instructions and such forms as may be deemed necessary or expedient for carrying out these regulations.

FARM MARKETING QUOTAS

§ 727.627 *Amount of farm marketing quota.* The marketing quota for a farm shall be the actual production of tobacco on the farm acreage allotment, as established for the farm in accordance with §§ 727.611 to 727.623, inclusive, 8 F.R. 16584. The actual production of the farm acreage allotment shall be the average yield per acre of the entire acreage of tobacco harvested on the farm in 1944 times the farm acreage allotment. The excess tobacco on any farm shall be that quantity of tobacco which is equal to the average yield per acre of the entire acreage of tobacco harvested on the farm in 1944 times the number of acres harvested in excess of the farm acreage allotment.

§ 727.628 *No transfers.* There shall be no transfer of marketing quotas (except as provided in §§ 727.611 to 727.623, inclusive, 8 F.R. 16584.

§ 727.629 *Disposition of excess tobacco.* The farm operator may elect to give proof of disposition of excess tobacco prior to the marketing of any tobacco from the farm by any of the following methods:

(a) By a declaration of intention to market all tobacco available for marketing and the payment at the office of the county committee by check, draft, or money order drawn payable to the Treasurer of the United States in an amount equal to the penalty which would be due upon the marketing of the tobacco available for marketing. Any additional amount of penalty determined to be due after all marketings of tobacco from the farm have been made shall be paid by the operator not later than 20 days after receipt of notice of such additional penalty. Any amount collected in excess of the penalty due shall be refunded upon request of the producer.

(b) By storage of the excess tobacco, the tobacco so stored to be representative of the entire 1944 crop produced on the farm, and posting of a bond approved by the county committee and an authorized representative of the Administrator in the penal sum of twice the amount of penalty which will become due upon the marketing of excess tobacco.

(c) By furnishing to the county committee satisfactory proof that the farm operator is unable to market the excess tobacco.

§ 727.630 *Issuance of marketing cards.* A marketing card shall be issued for every farm having tobacco available for marketing. Two or more marketing cards may be issued for any farm as approved by the county committee. All entries on each marketing card shall be made in accordance with the instructions for issuing marketing cards and the operator's agreement on each marketing card shall be signed by the farm operator or on his behalf by his authorized representative. Upon the return to the office of the county committee of the marketing card after all the memoranda of sale have been issued therefrom and before the marketing of tobacco from the farm has been completed, a new marketing card of the same kind, bearing the same name, information and identification as the used card shall be issued for the farm. Any marketing card issued to replace another card shall have entered thereon the total sales as shown on the marketing card which is replaced.

(a) *Within Quota Marketing Card (Tobacco 820).* A Within Quota Marketing Card authorizing the marketing without penalty of the 1944 crop of tobacco on the farm and any tobacco carried over from a prior marketing year shall be issued for a farm unless an excess marketing card is required to be issued for the farm in accordance with paragraph b of this section.

(b) *Excess Marketing Card (Tobacco 821).* An Excess Marketing Card showing the extent to which marketings of tobacco from a farm are subject to penalty shall be issued for a farm under the following conditions:

(1) If the harvested acreage of tobacco in 1944 is in excess of the farm acreage allotment and such excess tobacco is not disposed of in accordance with § 727.629, or if the operator of the farm also operates another farm on which the harvested acreage of tobacco in 1944 exceeds the farm acreage allotment and such excess is not disposed of in accordance with § 727.629.

(2) If there is tobacco available for marketing from the farm but no tobacco acreage allotment was established and such tobacco is not disposed of as provided in § 727.629.

(3) If information required for preparation of the marketing card is not furnished or the county committee is prevented from obtaining the necessary information.

(4) If there is tobacco available for marketing from the farm carried over from a prior marketing year and the harvested acreage in 1944 is not less than the 1944 acreage allotment by an amount equivalent to the acreage of carry-over excess determined as provided in paragraph (c) hereof.

(5) If a farm operated by a publicly owned experiment station produces tobacco for other than experimental purposes and such tobacco is not disposed of as provided in § 727.629.

(6) If the county committee determines that an excess marketing card is necessary to protect the interest of the government and to insure proper identification and accounting for the disposition of tobacco produced on the farm and the proper use of the marketing card issued for the farm.

(c) *Extent to which marketings from a farm are subject to penalty.* The extent to which marketings of tobacco from any farm having no carry-over tobacco are subject to penalty shall be that percentage of the tobacco available for marketing from the farm which the acreage of tobacco harvested in excess of the farm acreage allotment for the farm and not disposed of as provided in § 727.629 is of the acreage of tobacco harvested from the farm. If the farm operator refuses to furnish or prevents the county committee from obtaining any information necessary to the issuance of the marketing card, all tobacco available for marketing from the farm shall be subject to penalty.

The extent to which marketing of tobacco from any farm having tobacco available for marketing which has been carried over from a prior marketing year are subject to penalty shall be the percentage determined as follows:

(1) Determine the number of "carry-over acres" by dividing the number of pounds of tobacco carried over from the prior year by the normal yield for the farm for that year.

(2) Determine the number of "within quota carry-over acres" by multiplying the "carry-over acres" (subparagraph (1) above) by the "percent within quota" (i. e., 100 percent minus the percent excess) for the year in which the carry-over tobacco was produced.

(3) Determine the "total acres" of tobacco by adding the "carry-over acres" (subparagraph (1) above) and the acreage of tobacco harvested in the current year.

(4) Determine the excess acreage by subtracting from the "total acres" (subparagraph (3) above) the sum of the 1944 allotment and the "within quota carry-over acres" (subparagraph (2) above).

(5) Determine the percent excess to be shown on the marketing card by dividing the "total acres" into the excess acreage (paragraph (4) above).

The burden of any penalty with respect to carry-over tobacco shall be borne by those persons having an interest in such tobacco.

§ 727.631 *Person authorized to issue cards.* The county committee shall designate one person to sign marketing cards for farms in the county as issuing officer. The issuing officer may, subject to the approval of the county committee, designate not more than three persons to sign his name in issuing marketing cards: *Provided,* That each such person shall place his initials immediately beneath the name of the issuing officer as written by him on the card.

§ 727.632 *Rights of producers in marketing cards.* Each producer having a share in the tobacco available for marketing from the farm shall be entitled to the use of the marketing card for marketing his proportionate share of the total amount of tobacco available for marketing from the farm.

§ 727.633 *Successors in interest.* Any person who succeeds in whole or in part to the share of a producer in the tobacco available for marketing from the farm shall, to the extent of such succession, have the same rights as the producer to the use of the marketing card for the farm.

§ 727.634 *Invalid cards.* A marketing card shall be invalid under any of the following conditions:

(a) If it is not issued or delivered in the form and manner prescribed;

(b) If entries are not made thereon as required;

(c) If it is lost, destroyed, stolen, or becomes illegible;

(d) If any erasure or alteration has been made, and not properly initialed.

In the event any marketing card becomes invalid (other than by loss, destruction, theft or omission, alteration and incorrect entry which can be corrected by a field assistant) the farm operater (or the person having the card in his possession) shall return it to the county office at which it was issued.

If any entry is not made on a marketing card as required (either through omission or incorrect entry) and the proper entry is made by a field assistant then such card shall become valid.

§ 727.635 *Report of misuse of marketing card.* Any information which causes any field assistant, a member of any state or county committee, or any employee of any state or county committee to believe that any tobacco which actually was produced on one farm has been or is being marketed under the marketing card issued for another farm shall be reported immediately by such person to an authorized representative of the Administrator.

MARKETING OF TOBACCO AND PENALTIES

§ 727.636 *Memorandum of sale to identify every marketing.* Each marketing of tobacco from a farm shall be identified by an executed memorandum of sale from the marketing card (Tobacco 820 or Tobacco 821) issued for the farm on which the tobacco was produced. If a memorandum of sale is not executed by the end of the sale day on which the tobacco was marketed, the marketing shall be a suspended sale, and, unless a memorandum identifying the tobacco so marketed is executed within four weeks after such sale day or on the last sale day at the warehouse, whichever is earlier, the entire amount of tobacco so marketed shall be deemed to be subject to penalty and shall be identified by a form Tobacco 828, Sale Cleared Without Marketing Card. The memorandum of sale or form Tobacco 828 shall be executed only by a field assistant with the following exceptions:

(a) A warehouseman, or his authorized representative, who has been designated on an Authorization to Issue Memoranda of Sale (Tobacco 823) may issue a memorandum of sale to identify a warehouse sale, if a field assistant is not available at the warehouse when the card is presented. Each memorandum of sale issued by a warehouseman shall be presented promptly by him to the field assistant for verification with the warehouse records.

(b) A dealer, or his authorized representative, operating a receiving point for scrap tobacco at a redrying plant (and other regular receiving points operated by such dealer or his agents or employees) or at an auction warehouse, and who keeps records showing the information specified in § 727.647 (f), who has been authorized on form Tobacco 823, may issue a memorandum of sale covering a sale of scrap tobacco only if the bill of nonwarehouse sale has been executed on the back of such memorandum of sale.

The authorization to issue memoranda of sale may be withdrawn from any warehouseman or dealer upon written notice by an authorized representative of the Administrator.

Each excess memorandum of sale issued by a field assistant shall be checked by the warehouseman or dealer (or his representative) to determine whether the amount of penalty shown to be due has been correctly computed and such warehouseman or dealer shall not be relieved of any liability with respect to the amount of penalty due because of any error which may occur on the memorandum of sale.

§ 727.637 *Bill of nonwarehouse sale.* Each first marketing of farm tobacco, except a warehouse sale, shall be identified by a bill of nonwarehouse sale (back of the memorandum of sale) completely executed by the buyer and the farm operator. If the bill of nonwarehouse sale is issued to cover scrap tobacco, the word "scrap" shall be written thereon immediately above the words "Bill of Nonwarehouse Sale."

Each bill of nonwarehouse sale covering any marketing except scrap tobacco shall be presented to a field assistant for issuance of a memorandum of sale and for recording in the Dealer's Record (Tobacco 825) in case of a purchase by a dealer other than a warehouseman.

Each bill of nonwarehouse sale covering scrap tobacco shall be delivered to a person at a receiving point who has been authorized to issue memoranda of sale.

§ 727.638 *Marketings free of penalty.* Any tobacco marketed from a farm which is identified by a valid memorandum of sale from the marketing card issued for the farm shall be free of penalty to the extent shown by the memorandum of sale.

§ 727.639 *Marketings subject to penalty and collection of penalties*—(a) *Farm tobacco.* With respect to tobacco marketed from farms having excess tobacco available for marketing, the penalty shall be paid upon that percentage of each lot of tobacco which the tobacco available for marketing in excess of the farm quota is of the total amount of tobacco available for marketing from the farm. The memorandum of sale issued to identify such marketing of tobacco shall show that portion of such marketing which is subject to penalty, and any portion of each marketing of tobacco which is not shown by the memorandum as being subject to penalty shall be free of penalty.

(b) *Dealer's tobacco.* Any marketing of tobacco by a dealer which such dealer represents to be a resale, but all or any part of which, when added to prior resales by such dealer as shown on form Tobacco 825 is in excess of the total amount of purchases as shown on such dealer's record shall be a marketing of tobacco subject to penalty unless and until the dealer furnishes proof acceptable to the Administrator showing that such tobacco is not subject to penalty. Any marketing of tobacco by a dealer which such dealer represents to be a resale of tobacco previously purchased by him but which, because of the difference in the price at which such tobacco is resold as compared with the price at which he had purchased the tobacco, cannot reasonably be regarded as tobacco previously purchased by him shall be taken to be a marketing of tobacco subject to penalty.

(c) *Tobacco not identified by a valid memorandum.* Any tobacco marketed from a farm which is not identified by a valid memorandum of sale from the marketing card issued for the farm on which the tobacco was produced shall be subject to penalty.

§ 727.640 *Persons to pay penalty.* The person to pay the penalty due on any marketing of excess tobacco shall be one of the following as applicable.

(a) *Warehouseman.* If the tobacco is marketed by the producer through a warehouseman the penalty shall be paid by the warehouseman who may deduct an amount equivalent to the penalty from the price paid to the producer.

(b) *Dealer.* If the tobacco is acquired from the producer by a dealer, the penalty shall be paid by the dealer who may deduct an amount equivalent to the penalty from the price paid to the producer.

(c) *Agent.* If the tobacco is marketed by the producer through an agent who is not a warehouseman, the penalty shall be paid by the agent who may deduct an amount equivalent to the penalty from the price paid to the producer.

(d) *Warehouseman and dealer on dealer's tobacco.* Any penalty due upon tobacco subject to penalty under § 727.639 (b) shall be paid by the warehouseman who may deduct an amount equivalent to the penalty from the price paid to the dealer, but the dealer shall not be relieved of responsibility for payment of such penalty.

(e) *Producer marketing outside United States.* If the tobacco is marketed by the producer directly to any person outside the United States, the penalty shall be paid by the producer.

§ 727.641 *Rate of penalty.* The penalty shall be ten cents per pound upon the marketing of any tobacco in excess of the marketing quota for the farm on which the tobacco is produced and on the marketing of any other tobacco not identified under these regulations as being free of penalty.

§ 727.642 *Payment of penalty.* Penalties upon the marketing of excess tobacco shall become due at the time of the marketing and shall be paid by remitting the amount thereof to an authorized representative of the Administrator not later than the end of the calendar week following the week in which the tobacco became subject to penalty under § 727.636. A draft, money order, or check drawn payable to the Treasurer of the United States should be used to pay any penalty, but any such draft, or check shall be received subject to payment at par.

§ 727.643 *Penalty for false identification or failure to account for disposition of tobacco.* If any producer falsely identifies or fails to account for the disposition of any tobacco, an amount of tobacco equal to the normal yield of the number of acres harvested in 1944 in excess of the farm acreage allotment shall be deemed to have been marketed in excess of the marketing quota for the farm and the penalty in respect thereof shall be paid and remitted by the producer.

§ 727.644 *Request for return of penalty.* Any producer of tobacco, after the marketing of all tobacco available for marketing from the farm, and any other person who bore the burden of the payment of any penalty may request the return of the amount of such penalty which is in excess of the amount due.

RECORDS AND REPORTS

§ 727.645 *Producer's records and reports*—(a) *Report on marketing card.* The operator of each farm on which tobacco is produced in 1944 shall return to the office of the county committee each marketing card issued for the farm whenever marketings from the farm are completed and in no event later than thirty days after the close of the tobacco auction markets for the locality in which the farm is located. Failure to return the marketing card within the time specified (after formal notification) shall constitute failure to give proof of disposition of tobacco marketed from the farm in the event that satisfactory proof of such disposition is not furnished otherwise.

(b) *Additional reports by producers and identification of tobacco.* In addition to any other reports which may be required under these regulations, the operator of each farm or any other person having an interest in the tobacco grown on the farm (even though the harvested acreage does not exceed the acreage allotment and even though no allotment was established for the farm) shall, upon written request by an authorized representative of the Administrator and within ten days after the deposit of such request in the United States mails addressed to such person at his last known address, furnish the Administrator, by sending the same to the authorized representative of the Administrator, a written report showing as to the farm at the time of filing said report (1) the number of acres of tobacco harvested, (2) the total production of tobacco, (3) the amount of tobacco on hand and its location, and (4) as to each lot of tobacco marketed, the name and address of the warehouseman, dealer, or other person to or through whom such tobacco was marketed and the number of pounds marketed, the gross price, and the date of marketing.

§ 727.646 *Warehouseman's records and reports*—(a) *Record of marketings.* Each warehouseman shall keep such records as will enable him to furnish to the Administrator a report of the following information with respect to each sale or resale of tobacco made at his warehouse:

(1) The name of the seller (and, in the case of a sale for a producer, the name of the operator of the farm on which the tobacco was produced).

(2) The name of the purchaser.

(3) The date of sale.

(4) The number of pounds sold.

(5) The gross sale price.

(6) The amount of any penalty and the amount of any deduction on account of penalty from the price paid the producer (or a dealer).

All purchases and resales for the warehouse leaf account shall be so identified in the records and a separate account shall be maintained with respect to the amount of floor sweepings picked up and the disposition of such floor sweepings. The quantity of floor sweepings, including bundles, leaves and scrap, picked up by the warehouse after each sale shall be reported in the space provided on the Auction Warehouse Report (Tobacco 826). Any warehouseman who grades tobacco for farmers shall maintain a separate account showing the approximate amount of grading-house scrap obtained from the tobacco graded from each farm. In the case of resales for dealers the name of the dealer making each resale shall be shown on the warehouse records so that the individual lots of tobacco sold by the dealer can be identified.

(b) *Identification of sale on check register.* The serial number of the memorandum of sale issued to identify each marketing of tobacco from the farm or the number of the warehouse bill(s) covering each such marketing shall be recorded on the check register or check stub for the check written with respect to such sale of tobacco.

(c) *Memorandum of sale and bill of nonwarehouse sale.* A record in the form of a valid memorandum of sale (or a sale cleared without marketing card) shall be obtained by every warehouseman to cover each marketing of tobacco from

a farm through the warehouse, and if a warehouseman buys tobacco directly from a farmer (other than at a warehouse auction sale) such warehouseman shall obtain a valid memorandum of sale to cover each such purchase of tobacco, together with a properly executed bill of nonwarehouse sale. Any warehouseman who obtains possession of any grading-house scrap in the course of grading tobacco from any farm shall obtain a memorandum of sale to cover the amount of such scrap tobacco from such farm.

(d) *Suspended sale record.* Any warehouse bills covering farm tobacco for which memoranda of sale have not been issued at the end of the sale day shall be presented to a field assistant who shall stamp such bills "Suspended", write thereon the serial number of the suspended sale, and record the bills on the Field Assistant's Report (Tobacco 829) provided that if a field assistant is not available, the warehouseman may stamp such bills "Suspended" and deliver them to a field assistant as soon as one is available.

(e) *Warehouse entries on dealers' records.* Each warehouseman shall enter on each form Tobacco 825 the total of purchases and resales made by such dealer during each sale day at the warehouse. If any tobacco resold by the dealer is tobacco bought by him from a crop produced prior to 1944 the entry on the dealer's record shall clearly show such fact.

(f) *Daily report of warehouse business.* Each warehouseman shall make reports on form Tobacco 826 showing the information required thereon. Form Tobacco 826 shall be prepared for each sale day and all reports for the sale days occurring during any week shall be forwarded to an authorized representative of the Administrator not later than the end of the next following calendar week.

(g) *Report of penalties.* Each warehouseman shall make reports on form Tobacco 827 showing the information required with respect to each sale subject to penalty. Form Tobacco 827 shall be prepared for each week and the report for each shall be forwarded, together with remittances of the penalties due, as shown thereon, to an authorized representative of the Administrator not later than the end of the calendar week following the week in which the tobacco became subject to penalty under § 727.636.

(h) *Additional records and reports.* In addition to the records and reports provided above, each warehouseman shall keep such additional records and make such additional reports to the Administrator as an authorized representative of the Administrator may find necessary in order to enforce these regulations.

§ 727.647 *Dealer's records and reports.* Each dealer, except as provided in § 727.648, shall keep the records and make the reports as provided by this section.

(a) *Report of dealer's name, address and registration number.* Each dealer shall properly execute and the field assistant shall detach and forward to an authorized representative of the Administrator "Receipt for Dealer's Record" contained in form Tobacco 825 which is issued to the dealer.

(b) *Record and report of purchases and resales.* Each dealer shall keep a record and make reports on form Tobacco 825 showing all purchases and resales of tobacco made by the dealer and, in the event of resale of tobacco bought from a crop produced prior to 1944, the fact that such tobacco was bought by him and carried over from a crop produced prior to 1944.

(c) *Report of penalties.* Each dealer shall make a report on form Tobacco 827 showing the information with respect to all purchases subject to penalty made by him during each calendar week. The penalties listed on each such report shall be remitted with the report.

(d) *Memorandum of sale and bill of nonwarehouse sale.* For each lot of tobacco purchased from a farmer each dealer shall obtain a record in the form of a valid memorandum of sale. No memorandum of sale shall be issued unless the bill of nonwarehouse sale, on the reverse side of the memorandum of sale, has been executed.

(e) *Record and report of scrap tobacco.* Each dealer operating a receiving point for scrap tobacco who has been authorized on form Tobacco 823 to issue memoranda of sale shall keep a record and make reports on form Tobacco 825 showing all tobacco received. Such reports shall be accompanied by memoranda of sale and bills of nonwarehouse sale with respect to all tobacco covered by the reports.

(f) *Additional records.* Each dealer shall keep such records, in addition to the foregoing, as may be necessary to enable him to furnish the following information with respect to each lot of tobacco purchased or sold by him:

(1) The name of the seller (and in the case of a purchase from a producer, the name of the operator of the farm on which the tobacco was produced).

(2) The name of the purchaser.

(3) The date of the transaction.

(4) The number of pounds sold.

(5) The gross purchase or sale price.

(6) The amount of any penalty and the amount of any deduction on account of penalty from the price paid the producer (or a dealer).

(7) In the event of resale of tobacco bought by him and carried over from a crop produced prior to 1944, the fact that such tobacco was so bought and carried over.

All reports shall be forwarded to an authorized representative of the Administrator not later than the end of the week following the calendar week covered by the reports.

§ 727.648 *Dealers exempt from regular records and reports.* Any dealer who does not purchase or otherwise acquire tobacco except at a warehouse sale and who does not resell, in the form in which tobacco ordinarily is sold by farmers, more than ten percent of the tobacco purchased by him, shall not be subject to the provisions of § 727.647 of these regulations; but each such dealer shall make such reports to the Administrator as an authorized representative of the Administrator may find necessary to enforce these regulations.

§ 727.649 *Records and reports of truckers and persons redrying, prizing or stemming tobacco.* Every person engaged in the business of trucking tobacco for producers shall keep such records as will enable him to furnish the Administrator a report with respect to each lot of tobacco received by him showing the name and address of the farm operator, the date of the receipt of the tobacco, the number of pounds received, and the place to which it was delivered. Every person engaged in the business of redrying, prizing, or stemming tobacco for producers shall keep such records as will enable him to furnish the Administrator a report showing the information provided above for truckers and in addition the purpose for which the tobacco was received, the amount of advance made by him on the tobacco, and the disposition of the tobacco. Each such person shall make such reports to the Administrator as an authorized representative of the Administrator may find necessary to enforce these regulations.

§ 727.650 *Separate records and reports from persons engaged in more than one business.* Any person who is required to keep any record or make any report as a warehouseman, dealer processor, or as a person engaged in the business of redrying, prizing, or stemming tobacco for producers, and who is engaged in more than one such business, shall keep such records as will enable him to make separate reports for each such business in which he is engaged, to the same extent for each such business as if he were engaged in no other business, except that a warehouseman shall not be required to keep a record and make reports on form Tobacco 825, if the transactions which would be recorded and reported on such forms are recorded on the records kept by the warehouse in its regular course of business and reported as required on form Tobacco 826.

§ 727.651 *Failure to keep records or make reports.* Any warehouseman, dealer, processor, or common carrier of tobacco, or person engaged in the business of redrying, prizing or stemming tobacco for producers, who fails to make any report or keep any record as required under these regulations, or who makes any false report or record, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $500; and any tobacco warehouseman or dealer who fails to remedy such violation by making a complete and accurate report or keeping a complete and accurate record as required under these regulations within fifteen days after notice to him of such violation shall be subject to an additional fine of $100 for each ten thousand pounds of tobacco, or fraction thereof, bought or sold by him after the date of such violation: *Provided*, That such fine shall not exceed $5,000; and notice of such violation shall be served upon the tobacco warehouse or dealer by mailing the same to him by registered mail or by posting the same at an established place of business operated by him, or both. Notice of any violation by a tobacco warehouseman or dealer shall be given by an authorized representative of the Administrator.

§ 727.652 *Examination of records and reports.* For the purpose of ascertaining the correctness of any report made or record kept, or of obtaining information required to be furnished in any report but not so furnished, any warehouseman, dealer, processor, common carrier or person engaged in the business of redrying, prizing or stemming tobacco for producers shall make available for examination, upon written request by an authorized representative of the Administrator such books, papers, records, accounts, correspondence, contracts, documents, and memoranda as he has reason to believe are relevant and are within the control of such person.

§ 727.653 *Length of time records and reports to be kept.* Records required to be kept and copies of the reports required to be made by any person under these regulations for the 1944–45 marketing year shall be kept by him until June 30, 1946, and for such longer period of time as may be requested in writing by an authorized representative of the Administrator.

§ 727.654 *Information confidential.* All data reported to or acquired by the Administrator pursuant to the provisions of these regulations shall be kept confidential by all officers and employees of the United States Department of Agriculture and by all members and employees of county committees and only such data so reported or acquired as the Administrator deems relevant shall be disclosed by them and then only in a suit or administrative hearing under Title III of the Act.

§ 727.655 *Approval of the Bureau of the Budget.* (a) Additional record keeping or reporting requirements which may be required in accordance with these regulations are subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(b) The record keeping and reporting requirements of these regulations have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Done at Washington, D. C., this 9th day of June 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-8493; Filed, June 12, 1944; 11:26 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 22-6, Amdt. 1]

PART 1425—CANNED AND PROCESSED FOODS

CANNED VEGETABLES, CANNED FRUITS, CANNED VEGETABLE JUICES, AND CANNED FRUIT JUICES REQUIRED TO BE SET ASIDE DURING 1944

War Food Order No. 22-6, 9 F.R. 4319 (formerly designated as Director Food Distribution Order No. 22-6, as issued by the Director of Food Distribution on February 11, 1944, 9 F.R. 1824), is amended to read as follows:

§ 1425.8 *Quota restrictions and allocations*—(a) *Definitions.* The definitions contained in War Food Order No. 22, as amended, 9 F.R. 4319 (formerly designated as Food Distribution Order No. 22, as originally issued by the Secretary of Agriculture on February 19, 1943, 8 F.R. 2243, and as amended, 8 F.R. 6397), shall, when used herein, have the same meaning as set forth in said War Food Order No. 22, as amended; and when used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) "Quota period" means, with respect to sauerkraut, the period from September 1, 1944, to August 31, 1945, both inclusive; and, with respect to all other commodities required to be set aside pursuant to this order, the period from January 1, 1944, to December 31, 1944, both inclusive.

(2) "Base period" means, with respect to sauerkraut, the period from September 1, 1941, to August 31, 1942, both inclusive; and, with respect to all other commodities required to be set aside pursuant to this order, the period from January 1, 1942, to December 31, 1943, both inclusive.

(3) "Base pack" means: (i) when applied to sauerkraut, the total amount, by net weight, of all types, styles, varieties, and grades, canned by the respective canner or processor during the base period; and (ii) when applied to each canned food, other than sauerkraut, listed in column A of table 1 attached hereto, and by this reference made a part of this order, one-half the total amount, by net weight, of all types, styles, varieties, and grades of such food canned by the respective canner or processor during the base period: *Provided*, That if the respective canner or processor canned any particular food, other than sauerkraut, listed in said column A of table 1 during only one of the two calendar years of the base period, his base pack for that food shall be his total pack, by net weight, of such food during the said calendar year in which he canned the said food.

(b) *Applicability of this order.* The terms and conditions of this order shall be applicable to (1) all canned vegetables, canned fruits, canned vegetable juices, and canned fruit juices listed in said column A of table 1 which are packed during the quota period in any of the 48 States of the United States or the District of Columbia, and (2) all canned pineapple and canned pineapple juice which are packed during the quota period in the Territory of Hawaii.

(c) *Set-aside restrictions.* Each canner or processor who packs, during the quota period, any canned vegetable, canned fruit, canned vegetable juice, or canned fruit juice designated in said column A of table 1 shall, to the extent that the quantity so packed may be adequate, set aside and thereafter hold for sale and delivery to Government agency from his pack of each such product, for the quota period, a quantity equivalent to the quantity obtained by applying the percentage for the particular product listed in column D of table 1 against his base pack of that product. If the type, style, variety, or grade of the particular product is specified in the aforesaid table 1, the portion set aside shall, so far as available, be in the type, style, variety, and grade so specified; but other types, styles, varieties, or grades in the possession of a particular canner or processor as may be specified by the procuring Government agency shall be substituted to the extent that those specified in said table 1 have not been packed by such canner or processor. In the event a canner or processor is preparing to pack, during the quota period, any canned vegetable, canned fruit, canned vegetable juice, or canned fruit juice, listed in column A of said table 1, which he did not pack during the base period and for which unlimited tinplate is available under § 3270.31 of Conservation Order M-81, issued by the War Production Board on February 11, 1942, as amended (7 F.R. 947, 10321, 8 F.R. 14455, 9 F.R. 82, 5209), he shall so inform the Director by letter, and state therein the quantity of such product which he anticipates that he will pack; and such canner or processor shall set aside for sale and delivery to Government agency a portion of his pack of each such product for the quota period equivalent to the quantity obtained by applying the percentage for the particular product, listed in column D of table 1, against his total production of such product during the quota period.

(d) *When entire pack not set aside for Government agency.* (1) In the event a canner or processor packs any canned vegetable, canned fruit, canned vegetable juice, or canned fruit juice, listed in column A of table 1, for nongovernmental requirements as well as for Government agency, the portion of each such product required to be set aside by him for Government agency shall be set aside as follows: (i) At least two-thirds of the set-aside portion shall be taken from the first preference grade of the canned product, as specified in column F of table 1, to the extent that such preference grade is packed by the respective canner or processor but, if the quantity of the said first preference grade which is packed by such person is not sufficient to meet that requirement, the total quantity of such first preference grade shall be set aside for Government agency; (ii) To the extent that the quantity set aside for Government agency from the first preference grade in accordance with the provisions of (i) above may fail to complete his set-aside quota, he shall set aside from his production of the second preference grade of the canned product, as specified in column G of Table 1, such quantity to complete his set-aside quota but, if the quantity of said second preference grade packed by such person is not sufficient to complete such set-aside quota, the total quantity of such second preference grade shall be set aside for Government agency; and (iii) To the extent that the quantities set aside for Government agency from the first and second preference grades in accordance with the provisions of (i) and (ii) above may fail to complete his set-aside quota, he shall set aside from his production of his third preference grade of the canned product, as specified in column

H of table 1, sufficient of such quantity to complete his set-aside quota as may be available: *Provided*, That, if there is an insufficient quantity of all three preference grades to complete his set-aside quota, he shall set aside from such other grades in his possession as may be designated by Government agency a quantity of such other grades sufficient to complete his set-aside quota to the extent that such other grades packed by him are available.

(2) In the event a canner or processor packs a canned product covered hereunder partly in tinplate containers and partly in glass containers, the portion to be set aside for Government agency from the several preference grades of such product in accordance with the provisions of (d) (1) hereof shall be that which is packed in tinplate to the extent that the respective grades are so packed by such person; and the particular product packed by such person in glass containers shall be set aside from any such preference grade only in the event and to the extent necessary to meet any such deficiency when there is not enough of the respective product of that preference grade packed by such canner or processor in tinplate to meet the set-aside requirements for such grade.

(3) Within the limits of, and subject to the restrictions set forth in, (d) (1) and (2) hereof, a minimum of one-half and a maximum of two-thirds (except with the consent of the particular procuring Government agency) of the quota of any canned product for Government agency shall be set aside in the largest can size specified for that product in column I of table 1 to the extent that the product is packed by the respective canner or processor in such largest can size in the respective preference grades, and the remainder, if any, of the set-aside quota for the canned product shall be in the other can sizes, if any, specified in said column I of table 1: *Provided*, That the portion of the set-aside quantity of the canned product represented by the contingency reserve percentage for such product shown in column C of table 1 may, at the option of the particular canner or processor, be packed and set aside in any can size permitted under the aforesaid Conservation Order M-81, as amended.

(4) Each canner and each processor who, pursuant to the provisions of this order, is required to set aside any commodity listed in the aforesaid column A of table 1 shall be deemed to have met the set-aside requirements of this order if he sets aside the entire quantity of the respective commodity packed by him and in his possession on and after June 12, 1944, if such amount is not less than the quantity of the respective commodity required to be set aside by such person pursuant to the provisions of War Food Order No. 22-6 in effect prior to such date.

(e) *Reports.* (1) Each canner and each processor of sauerkraut shall complete Form FDA-685 with respect to sauerkraut canned by him during the base period and submit such completed form to the Director within 15 calendar days after the effective time hereof.

(2) The reports required by § 1425.1 (c) of War Food Order No. 22, as amended, shall be submitted on Form FDA-685. The reports shall be submitted to the Director within 15 calendar days after the completion of the pack.

(f) *Purchase, inspection, and specifications.* The Army of the United States is hereby allocated the quotas prescribed herein for Government agency, and the Army may purchase said quotas for its own account or the account of other Government agencies whenever it has agreed with such agencies to do so. The Army of the United States and the Office of Distribution, respectively, are authorized to inspect and grade such canned foods pursuant to § 1425.1 (d) of War Food Order No. 22, as amended. The Army of the United States is authorized to issue specifications at any time with regard to the processing, packing, containers, container treatment, can marking, labeling, boxing, and strapping of such canned foods pursuant to § 1425.1 (b) (5) of War Food Order No. 22, as amended.

(g) *Provisions of War Food Orders No. 22-4, as amended, and 22-5, as amended, not affected.* The provisions of this order shall not be considered as rescinding or modifying the provisions of War Food Order No. 22-4, as amended (8 F.R. 6573, 11590, 9 F.R. 4319), or the provisions of War Food Order No. 22-5, as amended (8 F.R. 16007, 9 F.R. 2969, 4319).

(h) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., June 12, 1944. With respect to violations of War Food Order No. 22-6, liabilities incurred, or appeals taken prior to the effective time of this amendment, said War Food Order No. 22-6 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO No. 22, as amended, 8 F.R. 2243, 6397, 9 F.R. 4319)

Issued this 9th day of June 1944.

LEE MARSHALL,
Director of Distribution.

TABLE 1—CANNED VEGETABLES, CANNED FRUITS, CANNED VEGETABLE JUICES, AND CANNED FRUIT JUICES

A	B	C	D	E	F	G	H	I
	Percentage of base pack				Grade preferences			
Product	Specific reserve	Contingency reserve	Total (Cols. B & C)	Type, style, variety (sequence does not denote preference)	First	Second	Third	Can size
Apples	59	*6	65	Heavy pack	Standard	Fancy		10.
Applesauce	20	*3	23		Fancy	Standard		10-2.
Apricots	90	*10	100	Halved, unpeeled	Choice	Standard		10-2½.
Berries [1]	68	*7	75		Water pack	(2)		10.
Blueberries	68	*7	75		Water pack	(2)		10.
Cherries R. S. P.	90	*10	100	Water pack	Standard			10-2.
Fig	38	*4	42	Kadota	Choice	Fancy		10-2½.
Fruit cocktail	68	*7	75		Choice	Fancy		10-2½.
Peaches	67	*7	74	Yellow clingstone halved or sliced.	Choice	Top Std.[3]		10-2½.
				Yellow freestone halved or sliced.	Choice	Fancy		10-2½.
Pears	71	*7	78	Bartlett, halved	Choice	Top Std.[3]	Fancy	10-2½.
Pineapple	54	*6	60	Sliced, crushed, chunks, tidbits (except cocktail tidbits).	Fancy	Choice	Std	10-2½-2.
					Fancy			10-3 cyl.-2.
Pineapple juice	57	*7	64		Fancy cut	Fancy spear		10-2½-2.
Asparagus	43	4	47	All green or culturally bleached.				
Beans, Lima	56	6	62	Fresh	Extra Std	Top Std.[3]	Fancy	10-2.
Beans, snap	47	5	52	Green, cut; Wax, cut	Extra Std	Top Std.[3]	Fancy	10-2½-2.
Beets	49	5	54	Cut, quartered, diced, sliced.	Fancy	Top Std.[4]		10-2½-2.
Carrots	145	5	150	Diced	Fancy	Top Std.[4]		10-2½-2.
Corn, Sweet [5]	25	3	28	White, yellow, cream style, whole kernel.	Fancy or extra Std.	Top Std.[3]		10-2.
Peas	36	4	40	Alaska 3, 4 sieve; sweet 3-sieve and larger, ungraded.	Extra Std	Top Std.[3]	Fancy	10-2.
Pumpkin or squash	17	2	19		Fancy	Top Std.[4]		2½.
Sauerkraut	[6]36	0	36		Fancy	Top Std.[4]		10-2½.
Spinach	48	5	53		Fancy	Top Std.[4]		10-2½-2.
Tomatoes	43	4	47		Extra Std	Top Std.[3]	Fancy	10-2½-2.
Tomato catsup	48	5	53		Fancy 29-33% solids.	Fancy 33% solids or over.	Fancy 25-29% solids.	10-3 cyl., 2½-2 14 oz. glass or larger.
Tomato juice	60	6	66		Fancy			10-3 cyl.-2.
Tomato puree	27	3	30	Heavy (minimum specific gravity—1.045).	Fancy			10.
Tomato paste	26	3	29		Fancy			10-2½-2-6 oz.

*Indicates that Government intends to purchase all of contingency reserve in addition to the specific reserve.
[1] Blackberries, boysenberries, loganberries, youngberries only. Percentage applies to combined pack of these four varieties.
[2] Syrup pack not desired.
[3] Top standard means 70-74 inclusive as defined in terms of U. S. grades.
[4] Top standard means 80-84 inclusive as defined in terms of U. S. grades.
[5] Full inside enamel cans required. Number 10 cans to be used for whole kernel only.

[F. R. Doc. 44-8433; Filed, June 10, 1944; 12:19 p. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

PART 602—INTER-AMERICAN AVIATION TRAINING SCHOLARSHIPS

AWARD OF AVIATION TRAINING SCHOLARSHIPS TO APPLICANTS FROM OTHER AMERICAN REPUBLICS

Pursuant to the following authority and official recommendations and subject to appropriations available, scholarships for aviation mechanic training, pilot training and aviation technician training will be awarded to qualified applicants from other American republics:

(a) Public Law 355, 76th Congress, approved August 9, 1939 (53 Stat. 1290), authorizing the President to utilize the services of the Departments, agencies and independent establishments of the Government of the United States for the purpose of rendering closer and more effective the relationship between the American republics; (see Resolution No. 41 adopted at the Eighth International Conference of American States held at Lima, Peru, December 9-27, 1938, recommending scientific and technical research by institutes, laboratories, and men of science recommended by the American Governments);

(b) The Department of State Appropriation Act, 1944, approved July 1, 1943, appropriating funds for tuition, compensation, monthly allowances and enrollment, laboratory, insurance, and other fees incident to training, including traveling expenses in the United States and abroad in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, or educational, professional, and artistic leaders, and professors, students, interns, and persons possessing special scientific or other technical qualifications, who are citizens of the United States or the other American republics;

(c) Title 5, U.S.C., sec. 22 (R.S., sec. 161), authorizing the head of each department to prescribe regulations for the government of his department and the performance of its business; the Civil Aeronautics Act of 1938, as amended (49 U.S.C. 401, et seq.), empowering and directing the Administrator of Civil Aeronautics to encourage and foster the development of civil aeronautics and air commerce in the United States and abroad; Reorganization Plan No. IV, section 7 (54 Stat. 1234, 1235, 1236), providing that the Administrator of Civil Aeronautics shall perform his functions under the direction and supervision of the Secretary of Commerce and transferring the Civil Aeronautics Board within the framework of the Department of Commerce but providing that, in the performance of its functions, the Civil Aeronautics Board is to be entirely independent of, and in no way subject to, control by the Department of Commerce or the Secretary thereof. Reorganization Plan No. IV became effective June 30, 1940 (Public Resolution No. 75, approved June 4, 1940 [54 Stat. 230]).

Scholarships will be awarded to qualified male applicants, subject to the following regulations:

Sec.
602.1 Type of training.
602.2 Qualifications.
602.3 Award of scholarships.
602.4 Allowances and expenses.
602.5 Duration of scholarships.
602.6 Official notification.

AUTHORITY: §§ 602.1 to 602.6, inclusive, issued under 52 Stat. 977, as amended, 49 U.S.C. and Sup. 401 et seq.; 53 Stat. 1290, as amended, 22 U.S.C. and Sup. 501 et seq.; 54 Stat. 1234, 5 U.S.C. 133t (note); 57 Stat. 272.

§ 602.1 *Type of training.* Scholarships may provide instruction and practical training, in one or more of the following categories:

(a) Aviation mechanic training, comprising a maximum of 2,200 hours of classroom instruction and shop practice in an approved aviation mechanic school designated by the Administrator of Civil Aeronautics, and such courses in technical English carried on simultaneously with the aviation mechanic training as the needs of the trainee may require, such courses of training to be prescribed by the Administrator of Civil Aeronautics and scheduled over a period not to exceed one year;

(b) Pilot training, comprising a minimum of 175 hours and a maximum of 250 hours of flight instruction in single-engine airplanes of varying horsepower and a maximum of 650 hours of ground school instruction, and such courses in technical English carried on simultaneously with the aviation pilot training as the needs of the trainee may require, scheduled over a period not to exceed one year, in an approved flying school designated by the Administrator of Civil Aeronautics, such training to be prescribed by the Administrator of Civil Aeronautics covering five courses known as Elementary, Secondary, Cross-Country, Secondary Instructor and Link Instrument;

(c) Aviation technician training, comprising such special courses of study as may be prescribed by the Administrator of Civil Aeronautics, on the basis of the qualifications and needs of the trainee and the purpose of the training as indicated by his government, in one or more of the various specialized technical branches of aviation practice, including airway maintenance, airway communication systems, air traffic control, airline dispatching, aerial photography, aeronautical charting, and aviation meteorology. The special courses of study scheduled over a period not to exceed one year will consist of (1) preliminary orientation, during which the trainee may receive intensive instruction in technical English, and (2) assignment to one or more of the various offices and installations of the Civil Aeronautics Administration, including its air traffic control training centers, for instruction in the technical branch or branches of aviation practice in which he is qualified.

Satisfactory completion of the prescribed courses of training shall qualify the trainee to take written and practical examinations prepared and conducted under the direction of the Administrator of Civil Aeronautics. A student attaining a passing grade in the examinations may be issued an appropriate airman certificate with appropriate ratings.

§ 602.2 *Qualifications.* Each applicant selected for an aviation scholarship shall meet the following requirements:

(a) *Age*—(1) *Mechanic or pilot trainee.* Shall have attained the twenty-first but not the twenty-ninth anniversary of his birth on or before May 1, 1944;

(2) *Technician trainee.* Shall have attained the twenty-first but not the thirty-first anniversary of his birth on or before May 1, 1944;

(b) *Citizenship.* Shall be a bona fide male citizen of an American republic other than the United States;

(c) *Language.* Shall have a working knowledge of English or a marked ability for learning English, as evidenced by a language aptitude test prescribed by the Administrator of Civil Aeronautics, which test shall constitute a part of the application papers;

(d) *Physical requirements*—(1) *Mechanic or technician.* Shall meet the physical requirements of Part 29 of the Civil Air Regulations prescribed by the Civil Aeronautics Board for a third-class medical certificate and shall furnish a medical certificate of a Civil Aeronautics Administration medical examiner attesting compliance with such physical requirements;

(2) *Pilot.* Shall have met the physical requirements of Part 29 of the Civil Air Regulations prescribed by the Civil Aeronautics Board for a second-class medical certificate and shall furnish a medical certificate of a Civil Aeronautics Administration medical examiner attesting compliance with such physical requirements;

(e) *Education*—(1) *Pilot or technician.* Shall possess a diploma attesting the successful completion of a course of study with a degree of "Bachillerato" (or the equivalent) at a recognized institution of learning;

(2) *Mechanic.* Shall have successfully completed at least six years of schooling and shall have had training or experience in practical mathematics and mechanics adequate to enable the applicant to obtain a satisfactory grade in the achievement and classification test prescribed by the Administrator of Civil Aeronautics, which test shall constitute a part of his application papers;

(f) *Purpose.* Shall have expressed, in an original composition in Spanish or Portuguese, a sincere desire and intention to engage in civil aviation in the country of which he is a citizen and in that branch of aviation for which application for a scholarship is made. The original composition shall constitute a part of the application papers;

(g) *Character.* Shall furnish names of at least three responsible persons residing in the republic of which he is a citizen, who can testify to his dependability, spirit of initiative, industry, stability, honesty, perseverance and apti-

tude in that branch of aviation for which application for a scholarship is made;

(h) *Sponsor.* Preference will be given to applicants who have at least one sponsor willing and able to employ them in that branch of aviation for which the scholarship training has qualified them upon their return to the republic of which they are citizens.

§ 602.3 (a) *Award of scholarships.* Scholarships will be awarded by the Administrator of Civil Aeronautics with the approval of the Secretary of Commerce and the Secretary of State of the United States, or their duly authorized representatives, upon the recommendation of the Inter-American Aviation Selection Committee appointed by the government of the American republic wherein the applicant resides. No applicant will be considered in the awarding of scholarships unless his application and supporting papers shall have been submitted by such Selection Committee through the Department of State to the Administrator of Civil Aeronautics for the elimination of unqualified applicants prior to the final recommendation of the Inter-American Aviation Selection Committee. After the elimination of any unqualified applicants by the Administrator of Civil Aeronautics, the Inter-American Aviation Selection Committees of the respective countries shall make their recommendations from those qualified applicants remaining. No applicant will be considered in the awarding of scholarships unless his application shall have been transmitted through the diplomatic mission of the United States of America accredited to the government of the republic in which the applicant resides.

§ 602.4 *Allowances and expenses.* An applicant awarded a scholarship may be entitled to any or all of the following allowances and expenses upon recommendation of the Administrator of Civil Aeronautics: *Provided, however,* That, in lieu of the allowances prescribed in paragraphs (a) and (b) hereof, the Administrator of Civil Aeronautics may provide for the group transportation of trainees under such contracts or arrangements as he may lawfully make.

(a) *Transportation expenses.* Transportation from the home of the applicant (or the place in which the award is accepted) to the place or places in the United States where the training is to be provided, return transportation to the home of the applicant (or point of departure) and transportation between places of training in the United States, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, in which connection claim for reimbursement may be made only for items in the following schedule and contingent upon prior authorization:

(1) *Rail fare.*[1] First-class fare. If travel is performed on an extra-fare train, expenses in excess of the first-class fare must be borne by the traveler. No receipts are necessary. (Government transportation requests are to be used, if practicable, within the United States.)

(2) *Pullman fare.*[1] Lower berth or parlor car seat. No receipts are necessary if Government transportation requests are used. If purchased with cash, the Pullman stub must be attached to the reimbursement voucher.

(3) *Steamer fare.*[1] Not exceeding the lowest minimum first-class fare of the ship on which travel is performed. American vessels must be used if available (section 901 of the Merchant Marine Act of 1936, 49 Stat. 2015). (This provision has been suspended with regard to appropriations for fiscal year 1944 according to section 302, Pub. Law 216, 78th Congress, December 23, 1943.) No receipts are necessary.

(4) *Airplane fare.*[1] Transportation by air will be allowed regardless of the cost when authorized or approved by the Secretary of Commerce. When air travel has not been specifically authorized, the traveler may proceed by air with the understanding that he may claim reimbursement therefor only in an amount not exceeding what it would have cost had the travel been performed by public conveyance over land or water. No receipts are necessary.

(5) *Taxicab fare.* At the beginning and termination of the journey and all points where a change of conveyance is necessary while in a direct travel status. No receipts are necessary.

(6) *Excess baggage charges.* For personal effects (not household furniture) which are not carried free by the transportation company. Receipts are necessary and they should indicate that the traveler has availed himself of the free allowance if such an allowance is granted.

(7) *Drayage or transfer of baggage.* For the hauling of personal effects from home to station or dock, et cetera. Receipts are not necessary but should be submitted if possible. Charges by porters for handling bags or baggage will not be allowed.

(8) *Rental of steamer rug and steamer chair.* Receipts are necessary. Charges for rental of steamer cushions will not be allowed.

(9) *Tips and gratuitous fees.* Will not be allowed.

(b) *Per diem while in travel status.* Per diem in lieu of subsistence at not to exceed the following rates: $6.00 overland or by air in and outside of the continental limits of the United States, and $4.00 aboard vessels outside of the United States. No per diem may be allowed concurrently with monthly allowance while trainee is pursuing prescribed training in the United States.

(c) *Monthly allowances.* Monthly allowance while pursuing courses of training at a rate not exceeding $135 per month for quarters and subsistence, of which not more than $30.00 per month shall be paid in cash to the trainee, and the remainder of which may be expended by the Administrator of Civil Aeronautics for food and lodging furnished the trainee.

(d) *Other expenses.* Enrollment fees, tuition, medical infirmary, and insurance fees, laboratory fees, rental of equipment and cost of incidental supplies may be paid by the Administrator of Civil Aeronautics of the Department of Commerce direct to the institution, person, firm, or corporation that may have rendered the service or furnished the supplies, upon prior authorization of the Administrator of Civil Aeronautics.

§ 602.5 *Duration of scholarships.* Scholarships will be awarded for periods not exceeding one year. Subject to the availability of appropriations, scholarships may be extended for not exceeding the same period by the Administrator of Civil Aeronautics with the approval of the Secretary of Commerce and the Secretary of State, or their duly authorized representatives. Scholarships may be cancelled for cause by the Administrator of Civil Aeronautics with the approval of the Secretary of Commerce and the Secretary of State, or their duly authorized representatives.

§ 602.6 *Official notification.* Each applicant selected for a scholarship shall be notified of his award through diplomatic channels by a letter of award which shall name the training center, outline the course of training, state the duration and type of scholarship and the allowances authorized: *Provided, however,* That the Administrator of Civil Aeronautics, with the approval of the Secretary of Commerce, may subsequently amend the course of training and duration of the scholarship if in his opinion such action would be in the interest of obtaining instruction better suited to the needs and capabilities of the trainee than those prescribed in the letter of award. The amount originally authorized for monthly allowances and other expenses may also be amended, if necessary, with the approval of the Secretary of Commerce and the Secretary of State, or their duly authorized representatives.

[SEAL] J. E. SOMMERS,
Deputy Administrator of Civil Aeronautics.

APRIL 25, 1944.

Approved: April 25, 1944.

WILLIAM A. M. BURDEN,
Acting Secretary of Commerce.

Approved: May 13, 1944.

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-8510; Filed, June 12, 1944; 11:57 a. m.]

[1] In all cases round-trip tickets must be purchased if possible. In the event the return portion of the ticket cannot be used, it should be returned to the Civil Aeronautics Administration for collection of the refund.

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-557]

GARRETT AND COMPANY

Garrett and Company, a partnership composed of Ellis Garrett and Lloyd Garrett, is engaged in the business of handling and dealing in metal of various kinds at 8931 South State Street, Chicago, Illinois. Subsequent to June 9, 1943 the partnership made sales and deliveries of 20,623 pounds of iron and steel products in violation of General Preference Order M-21. The partnership also failed to maintain adequate production and inventory records in violation of Priorities Regulation No. 1.

The provisions of General Preference Order M-21 and Priorities Regulation No. 1 were familiar to the respondents and the violations were wilful. These violations have hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.557 *Suspension Order No. S-557.* (a) Ellis Garrett or Lloyd Garrett, individually or doing business as Garrett and Company, or under any other name, their successors and assigns, shall not directly or indirectly purchase, receive, sell, or deliver any iron or steel products as defined in General Preference Order M-21, unless hereafter specifically authorized in writing by the War Production Board, except that sales, and deliveries may be made on authorized controlled material orders as provided in CMP Regulation 4.

(b) Nothing contained in this order shall be deemed to relieve Ellis Garrett or Lloyd Garrett, individually, or doing business as Garrett and Company, or under any other name, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on June 12, 1944 and shall expire on September 12, 1944.

Issued this 5th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8512; Filed, June 12, 1944; 4:24 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-518, Amdt. 1]

GENERAL PLAYGROUND EQUIPMENT, INC.

General Playground Equipment, Inc., of Kokomo, Indiana, has appealed from the provisions of Suspension Order No. S-518, issued April 17, 1944, (§ 1010.518) and has requested a stay on the ground that it is working on Government contracts tending the serve the war effort. The Chief Compliance Commissioner has directed that the provisions of the suspension order be stayed only in accordance with the following order, pending final determination of the appeal, or until further order by the Chief Compliance Commissioner. In view of the foregoing, *It is hereby ordered,* That:

Paragraph (b) of Suspension Order No. S-518, issued April 17, 1944 be and hereby is amended to read as follows:

(b) The restrictions set forth herein shall not apply to orders bearing preference ratings of AA-2X or higher, nor to orders placed by the Armed Services of the United States.

Issued this 13th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8552; Filed, June 13, 1944; 11:06 a. m.]

PART 3290—TEXTILE, CLOTHING & LEATHER

[General Conservation Order M-317, as Amended May 29, 1944, Amdt. 2]

COTTON TEXTILE DISTRIBUTION

Section 3290.115 *General Conservation Order M-317* is amended as follows:

By changing the first sentence in the paragraph under "Distribution Schedule—Cotton Yarns, Cordage and Twine" to read:

Schedule amended May 29, 1944. The percentage obligations in Column III are to be calculated on production from May 29 through June 30, 1944, and from the first of each calendar quarter beginning July 1, 1944. The changes and the percentage obligations in Columns IV, V and VI are to be calculated on production from the first of each calendar quarter beginning April 1, 1944.

Issued this 13th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8553; Filed, June 13, 1944; 11:06 a. m.]

PART 3270—CONTAINERS[1]

[Limitation Order L-103, Schedule B, as Amended June 10, 1944]

GLASS CONTAINERS AND CLOSURE SIMPLIFICATION; MALT BEVERAGES

§ 3270.48[1] *Schedule B to Limitation Order L-103*—(a) *Definitions.* For the purposes of this schedule:

(1) "Malt beverages" means beer, ale, stout, near-beer, and beverages of a similar kind, made by alcoholic fermentation of malted barley with or without other food products, and with hops or hop extracts.

(2) A "standard glass container for malt beverages" means a glass container described in Exhibits B-1, B-2, B-3-a, B-4, B-5-a, B-6 to B-9, inclusive, B-10-a, and B-11 to B-14, inclusive of this schedule, which possesses the finish prescribed for the respective container in the said exhibits or any other finish which is interchanged therewith in accordance with paragraph (g) of Limitation Order L-103.

(b) *Restrictions.* (1) Only standard glass containers for malt beverages may be produced for bottling malt beverages.

(2) No molds may be manufactured for a glass container for malt beverages which do not conform to the specifications of a standard glass container for malt beverages.

(3) The standard glass containers described in Exhibits 12, 13 and 14 shall be manufactured only for malt beverages to be shipped outside of the forty-eight states of the United States of America and the District of Columbia.

(4) No provision of this schedule shall be construed to restrict the sale, delivery or use of glass containers which were completely manufactured on or before September 12, 1942.

(c) *Lettering.* (1) Except as specifically permitted by the exhibits of this schedule the lettering on standard glass containers for malt beverages shall be limited to manufacturers' identification (which may include trademark, name or symbol), place of manufacture, date of manufacture by year, design number and mold or cavity number.

Issued this 10th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT B-1

Standard Glass Container—Steinie Shape Beer Bottle for Unpasteurized Beer 64 ounce capacity, 66½ overflow

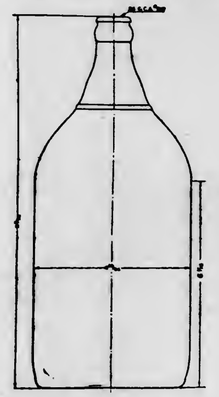

Bottles must be round—34 oz. wt.

[1] Formerly Part 1196, § 1196.3.

EXHIBIT B–2

Standard Glass Container—Steinie Shape Beer Bottle for Pasteurized Beer, 64 ounce capacity, 68 overflow

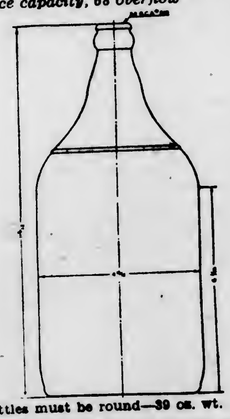

Bottles must be round—39 oz. wt.

EXHIBIT B–3–A

Standard Glass Container—Steinie Shape Beer Bottle, 32 ounce capacity, 33¾ overflow

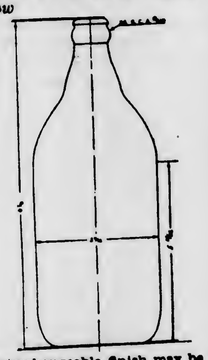

Any interchangeable finish may be used.
Optional weights 20 and 24 oz.—adjust diameter to make capacity.
Bottles must be round.

EXHIBIT B–4

Standard Glass Container—Steinie Shape Beer Bottle, 12 ounce capacity, 12¾ overflow

Bottles must be round 9¾ oz. wt.

EXHIBIT B–5–A

Standard Glass Container—Export Shape Beer Bottle, 32 ounce capacity, 33¼ overflow

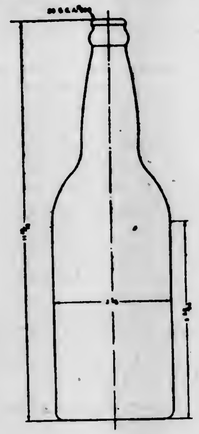

Bottles must be round—28 oz. wt.
Any interchangeable finish may be used.

EXHIBIT B–6

Standard Glass Container—Export Shape Beer Bottle, 12 ounce capacity, 12¾ overflow

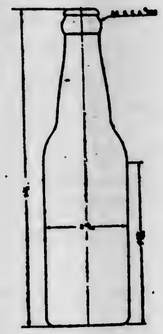

Bottles must be round—12 oz. wt.

EXHIBIT B–7

Standard Glass Container—Select Shape Beer Bottle for Pasteurized Beer, 64 ounce capacity, 68 overflow

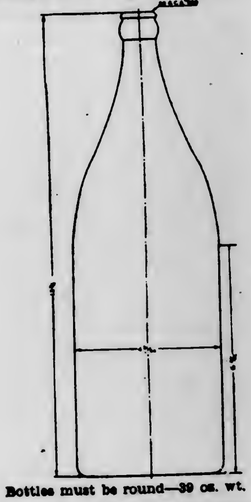

Bottles must be round—39 oz. wt.

EXHIBIT B–8

Standard Glass Container—Select Shape Beer Bottle for Unpasteurized Beer, 64 ounce capacity, 66½ overflow

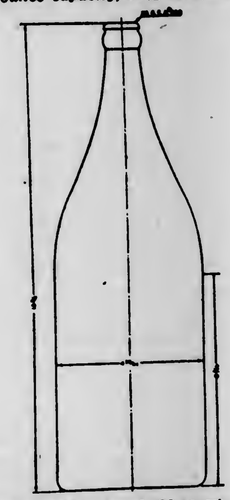

Bottles must be round—36 oz. wt.

EXHIBIT B–9

Standard Glass Container—Select Shape Beer Bottle, 12 ounce capacity, 12¾ overflow

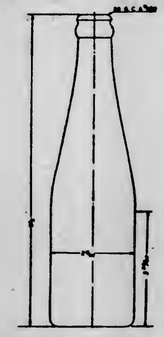

Bottles must be round—12 oz. wt.

EXHIBIT B–10–A

Standard Glass Container—Ale Bottle, 32 ounce capacity, 33¼ overflow

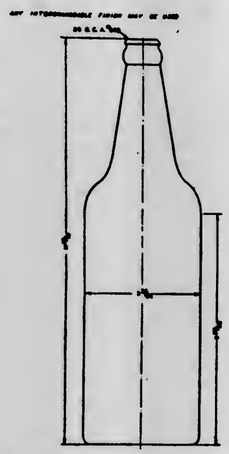

Bottles must be round—28 oz. wt.

EXHIBIT B–11

Standard Glass Container—Ale Bottle, 12 ounce capacity, 12¾ overflow

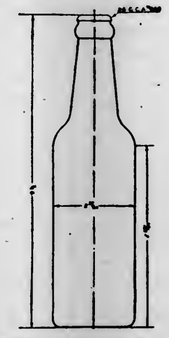

Bottles must be round—12 oz. wt.

EXHIBIT B–12

Standard Glass Container—Single Trip Beer Bottle, 12 ounce capacity, 12¾ overflow

The bottle shall be round with stippling and lettering as shown—8 oz. max. weight.

EXHIBIT B–13

Standard Glass Container—Single Trip Beer Bottle, 32 ounce capacity, 33¾ overflow

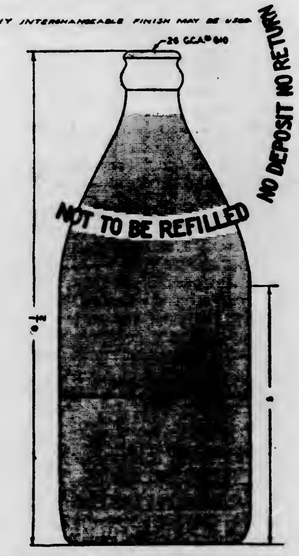

The bottle shall be round with stippling and lettering as shown—18 oz. max. weight.

EXHIBIT B–14

NOTE: Exhibit B–14 added June 10, 1944.

Standard Glass Container—Single Trip Beer Bottle, 12 ounce capacity, ounce overflow

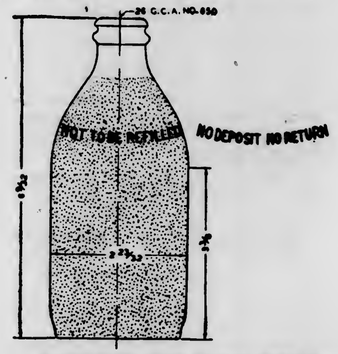

The bottle must be plain round, except for stippling and lettering shown—6½ oz. max. weight.

[F. R. Doc. 44–8414; Filed, June 10, 1944; 10:20 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 69]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

Section 7.1 (g) is amended by adding the following sentence at the end thereof:

However, the sugar bases for meal services recomputed in accordance with Amendment 3 to Supplement 3 (which increases the December use factors and allowances per person for institutional users who meet the baking tests in that Supplement) shall be used to recompute the allotments for the May–June 1944 as well as for subsequent allotment periods.

This amendment shall become effective June 16, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1–E, 1–M and 1–R, 7 F.R. 562, 2965, 7234, 9684; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471 respectively)

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8527; Filed, June 12, 1944; 4:42 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 3 to Supp. 8 [2]]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplement No. 3 to General Ration Order 5 is amended in the following respects:

1. Section 1305.216 (b) is amended by changing the part of that section which deals with "Sugar" to read as follows:

Sugar	December use factor	
	Group III, IV or V user	Group VI user
1. For institutional users whose baking percentage is less than 40% in December 1942:		
(i) If month used in determining the base under this order was after April 1942	*Percent* 100	*Percent* 100
(ii) If month used in determining the base was April 1942 or earlier	60	60
2. For institutional users whose baking percentage is 40% or more in December 1942:		
(i) If month used in determining the base under this order was after April 1942	120	120
(ii) If month used was April 1942 or earlier	72	72

NOTE.—All factors listed under "Sugar" are effective for the May-June 1944 and subsequent allotment periods.

2. Section 1305.216 (c) (2) is amended by changing the part of that section which deals with "Sugar" to read as follows:

Class of food	Allowance per person
Sugar:	
(i) If baking percentage was less than 75%	0.04 pound
(ii) If baking percentage was 75% or more	.05 pound

NOTE: The allowances listed under "Sugar" are effective for the May-June 1944 and subsequent allotment periods.

This amendment shall become effective June 16, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W. P. B. Dir. 1, Supp. Dir. 1–E, 1–M and 1–R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471 respectively)

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8526; Filed, June 12, 1944; 4:43 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 12,[1] Amdt. 3]

WAR RATION BOOK NO. 3

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 7 of General Ration Order No. 12 is amended to read as follows:

SEC. 7. *War Ration Book No. 3 for imported laborers.* (a) Any Federal Government agency which brings laborers into the Continental United States for the sole purpose of performing agricultural or other labor, may issue a War Ration Book No. 3 to each such laborer who needs it to get rationed commodities. In addition, such agency may, in a proper case, issue a War Ration Book No. 3 as a replacement to any such person whose book has been lost, stolen, destroyed or mutilated or is being wrongfully withheld. When the laborer ceases to perform the work for which he was brought into the Continental United States, his War Ration Book No. 3 must be returned by the person who has it to the agency which issued it.

This amendment shall become effective June 16, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9334, 8 F.R 5423; WPB Dir. 1, 7 F.R. 562; Sec. of Agr. Food Dir. 3, 8 F.R. 2005, Food Dir. 5, 8 F.R. 2251, Food Dir. 6, 8 F.R. 3471, Food Dir. 8, 8 F.R. 7093)

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8528; Filed, June 12, 1944; 4:43 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 14,[1] Amdt. 1]

WAR RATION BOOK NO. 4

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 9 of General Ration Order No. 14 is amended to read as follows:

SEC. 9. *War Ration Book Four for imported laborers.* (a) Any Federal Government agency which brings laborers into the Continental United States for the sole purpose of performing agricultural or other labor, may issue a War Ration Book Four to each such laborer who needs it to get rationed commodities. In addition, such agency may, in a proper case, issue a War Ration Book Four as a replacement to any such person whose book has been lost, stolen, destroyed or mutilated or is being wrongfully withheld. When the laborer ceases to perform the work for which he was brought into the Continental United States, his War Ration Book Four must be returned by the person who has it to the agency which issued it.

This amendment shall become effective June 16, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9334, 8 F.R. 5423; WPB Dir. 1, 7 F.R. 562; Sec. of Agr. Food Dir. 3, 8 F.R. 2005, Food Dir. 5, 8 F.R. 2251, Food Dir. 6, 8 F.R. 3471, Food Dir. 8, 8 F.R. 7093)

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8529; Filed, June 12, 1944; 4:42 p. m.]

PART 1306—IRON AND STEEL

[RPS 49,[1] Amdt. 25]

RESALE OF IRON OR STEEL PRODUCTS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 49 is amended in the following respects:

1. Section 1306.154 (c) is amended to read as follows:

(c) Additional record keeping and invoicing requirements for certain secondary or rejected iron or steel products are set forth in paragraph (a) (10) and (11) of § 1306.164, Appendix F.

2. Section 1306.157 (aa) is amended to read as follows:

(aa) Additional definitions are set forth in paragraph (a) (3) of § 1306.164, Appendix F.

3. Section 1306.159 (k) (5) is amended to read as follows:

(5) When the aggregate weight of all items of iron or steel products, except pipe and tubular goods, included in shipments of one day from a shipping point to one destination exceeds the minimum carload quantity established by the applicable rail tariff for shipment from the shipping point to the destination, the carload rate of freight shall be used rather than the less-than-carload rate of freight in calculating freight from shipping point to destination when such freight is added in accordance with any provision listed below (maximum freight absorption or dislocated tonnage provisions):

Section 1306.159 (f) (1).
Section 1306.164 (a) (8) (ii) (a).
Section 1306.164 (d) (2) (ii), Table C–2, first alternative under maximum freight absorption provision.
Section 1306.164 (d) (2) (ii), Table C–8, first alternative under maximum freight absorption provision.
Section 1306.164 (d) (2) (ii), Table C–17, first alternative under maximum freight absorption provision.
Section 1306.164 (d) (2) (ii), Table C–18, first alternative under maximum freight absorption provision.
Section 1306.165 (a) (8) (i).

Section 1306.165 (b) (5) (ii), Table C–1, fifth paragraph.
Section 1306.165 (b) (5) (ii), Table C–2, fourth paragraph.
Section 1306.165 (b) (11) (ii), Table C–1, sixth paragraph.
Section 1306.165 (b) (17) (ii), Table C–1, fifth paragraph.
Section 1306.165 (b) (17) (ii), Table C–2, third paragraph.

4. Section 1306.159 (u) (2) (iv) is amended to read as follows:

(iv) *Maximum freight or dislocated tonnage provisions.* In any step (1) of subdivisions (i), (ii), (iii), (iv), (v), or (vi) of subparagraph (4) or subdivisions (iii), (iv), (v), or (vi) of subparagraph (5) of this paragraph (u), when any provision listed below (maximum freight absorption or dislocated tonnage provision) is applicable for use under its own definition and is used, freight or actual transportation charge paid as required in such provision shall be used in computing the maximum price.

In any step (1) of subdivisions (i), (ii), (vii) or (viii) of subparagraph (5) of this paragraph (u), when any provision listed below (maximum freight absorption or dislocated tonnage provision) as applicable for use under its own definition and is used, freight as required in such provision shall be used in computing the maximum price. In the application of the provision in any step (1) of these subdivisions, that portion of the provision permitting the addition of actual transportation charges paid may not be used.

The maximum freight absorption or dislocated tonnage provisions are contained in the following provisions:

Section 1306.159 (f).
Section 1306.164 (a) (8) (ii).
Section 1306.164 (d) (2) (ii), Table C–2.
Section 1306.164 (d) (2) (ii), Table C–8.
Section 1306.164 (d) (2) (ii), Table C–17.
Section 1306.164 (d) (2) (ii), Table C–18.
Section 1306.165 (a) (8).
Section 1306.165 (b) (5) (ii), Table C–1.
Section 1306.165 (b) (5) (ii), Table C–2.
Section 1306.165 (b) (11) (ii), Table C–1.
Section 1306.165 (b) (17) (ii), Table C–1.
Section 1306.165 (b) (17) (ii), Table C–2.

5. Section 1306.164, Appendix F, is amended to read as follows:

§ 1306.164 *Appendix F: Maximum delivered prices for certain secondary or rejected iron or steel products.*

CONTENTS

(a) General provisions.
(1) Products covered.
(2) Relationship to § 1306.159, Appendix A.
(3) Definitions.
(4) Method of computing a zone destination price.
(5) Method of computing a zone shipping point price.
(6) Method of determining the governing basing point.
(7) Maximum prices for material which has not been warehoused.
(8) Maximum prices for warehoused material.
(9) Maximum prices for mixed shipments.
(10) Special record keeping requirements.
(11) Special invoicing requirement.
(12) Discounts and privileges.
(13) Prohibition of the use of factors not specifically set forth in this section.
(b) Zone boundaries.
(c) Delivery areas.
(1) Los Angeles, California.
(2) San Diego, California.
(3) San Francisco, California.
(d) Values for factors used in determining maximum delivered prices.
(1) Price component index.
(2) Tables referred to in the price component index.

Maximum delivered prices for the secondary or rejected iron or steel products enumerated in paragraph (a) (1) shall be determined in accordance with the provisions of this section.

The maximum delivered prices for prime quality products established by Revised Price Schedule No. 49 shall not apply to secondary or rejected products as defined in this section notwithstanding any sorting or processing of such products by any person. The maximum delivered prices for a shipment of both prime and secondary or rejected iron or steel products shall be determined in accordance with the provisions of paragraph (a) (9) of this section.

(a) *General provisions*—(1) *Products covered.* This Appendix F applies to secondary or rejected iron or steel products in the following classifications: (i) All flat rolled products, including but not limited to: hot rolled sheets, cold rolled sheets, all coated sheets except tin plate and short ternes, hot rolled strip, cold rolled strip, plates, and tin mill black plate; (ii) All semi-finished products, including but not limited to: blooms, billets, slabs, sheet bars, skelp, and tube rounds.

(2) *Relationship to § 1306.159, Appendix A.* The following provisions of § 1306.159, Appendix A, shall also apply to this Appendix F:

Section 1306.159 (e) Maximum prices for exports of iron or steel products.
Section 1306.159 (k) Maximum prices for shipments of carload quantities and in certain specific cases. Subparagraphs (2), (5) and (6) only.
Section 1306.159 (c) Maximum prices for imported iron or steel products.
Section 1306.159 (t) Special delivery service.
Section 1306.159 (u) Freight or transportation charges for destinations within or outside a rail price area.

(3) *Definitions.* When used in this Appendix F, the term:

(i) "Destination" means the place at which delivery is required for the buyer's operation.

(ii) "Shipping point" means the place at which the shipment is last withdrawn from the warehouse where it was put through the operation commonly known

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2287, 2552, 2476.

[2] 9 F.R. 2019.

[1] 8 F.R. 7453, 11514, 17183.

[1] 8 F.R. 14211.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4608, 4542, 7257, 7595, 7769, 7909, 9530, 9750, 13553, 13669; 9 F.R. 604.

as the warehousing of iron or steel products.

(iii) "Zone" means the geographical or trading area whose boundaries are described in paragraph (b) below.

(iv) "Zone destination price" means the price at the buyer's destination computed in accordance with the provisions of subparagraph (4) below.

(v) "Zone shipping point price" means the price at a shipping point computed in accordance with the provisions of subparagraph (5) below.

(vi) "Secondary or rejected iron or steel products" includes iron or steel products which at the time of purchase contain imperfections or evidences of deteriorations such as: surface defects; lack of flatness in excess of standard tolerances; camber in excess of standard tolerances; blisters; laminations; pipes; seams; perforations; stained, dirty, rusted, or pitted surfaces requiring scrubbing or pickling to restore clean surfaces; ragged edges or slivers; wrinkles; or any other defects customarily recognized as distinguishing secondary or off grade from prime quality products. It also includes iron or steel products which at the time of shipment contain any of the above defects even though such products were of prime quality when purchased by the seller and iron or steel products purchased by the seller as other than prime quality or invoiced to him as such by his supplier: *Provided*, That when a seller purchases in one transaction prime quality and secondary or rejected iron or steel products, the entire lot shall be considered secondary or rejected iron or steel products unless his source of supply determines, before or at the time of shipment, the exact quantity of each and issues an invoice setting forth such information.

(vii) "Rejects" means flat rolled secondary or rejected iron or steel products which meet the following requirements:

(a) Are of a designated specific grade, size and gauge (or thickness);

(b) Contain no imperfections or have minor imperfections such as surface defects, lack of flatness, camber, off-grade, off-temper, and similar imperfections, but which may be utilized without requiring unusual processing in order to remove or minimize the imperfections; and

(c) Conform to the following size restrictions:

Sheet "rejects" may not be smaller than 18" wide by 50" long or have an area of less than 900 square inches except that hot rolled or cold reduced sheets in U. S. S. Gauge #28 or heavier which were produced on a tin mill may not be smaller than 14" wide by 20" long or have an area less than 280 square inches.

Sheared plate "rejects" may not be smaller than 36" wide by 84" long or have an area less than 21 square feet.

Universal mill plate "rejects" may not be smaller than 6" wide by 60" long.

Hot rolled strip "rejects" may not be smaller than 36" long by 3" wide or have an area less than 108 square inches.

Cold rolled strip "rejects" may not be smaller than 36" long by 3" wide or have an area less than 108 square inches.

Tin mill black plate "rejects" may not be smaller than 10 x 10 or have an area less than 100 square inches.

(viii) "Wasters" includes the following flat rolled secondary or rejected iron or steel products:

(a) Those which meet the following requirements:

(1) Are of a designated specific gauge (or thickness) and are unassorted as to size; and

(2) Are of the same quality as rejects; and

(3) Conform to the following size restrictions:

Sheet "wasters" may not be smaller than 15" wide by 40" long or have an area less than 600 square inches except that hot rolled or cold reduced sheets in U. S. S. Gauge #28, or heavier which were produced on a tin mill may not be smaller than 10" wide by 10" long or have an area less than 100 square inches.

Sheared plate "wasters" may not be smaller than 24" wide by 72" long or have an area less than 12 square feet.

Universal mill plate "wasters" may not be smaller than 6" wide by 60" long.

Hot rolled strip "wasters" may not be smaller than 36" long by 3" wide or have an area less than 108 square inches.

Cold rolled strip "wasters" may not be smaller than 36" long by 3" wide or have an area less than 108 square inches.

Tin mill black plate "wasters" may not be smaller than 10" wide by 10" long or have an area less than 100 square inches.

(b) Those which would otherwise be of rejects classification (i. e., sorted to size and of a designated specific gauge (or thickness)) except that they do not meet the rejects size restrictions but do meet the wasters size restrictions.

(ix) "Waste wasters" include the following flat rolled secondary or rejected iron or steel products:

(a) Those which meet the following requirements:

(1) Are unassorted as to both size and gauge (or thickness), whether of rejects or lower quality; and

(2) Conform to the following size restrictions:

Sheet "waste wasters" may not be smaller than 15" wide by 40" long or have an area less than 600 square inches except that hot rolled or cold reduced sheets in U. S. S. Gauge #28 or heavier which were produced on a tin mill may not be smaller than 10" wide by 10" long or have an area less than 100 square inches.

Sheared plate "waste wasters" may not be smaller than 24" wide by 72" long or have an area less than 12 square feet.

Universal mill plate "waste wasters" may not be smaller than 6" wide by 60" long.

Tin mill black plate "waste wasters" may not be smaller than 10" wide by 10" long or have an area less than 100 square inches.

(b) Those which are of rejects and wasters classifications but contain imperfections, in addition to those specified under rejects above, which appreciably limit the utility of the product (such as blisters, laminations, fluctuating gauges, perforations, dirty surfaces, bad edges, wrinkles and other mars), and require further processing by the purchaser (such as shearing, pickling, scrubbing or gauging) in order to remove or minimize such imperfections; and meet the waste wasters size, restrictions as set forth in (a) above.

(x) "Offal" means flat rolled secondary or rejected iron or steel products which would otherwise be:

(a) Of rejects classification, but fall within the following size restrictions:

Sheet "offal" are 12" wide by 20" long or larger or have an area of 240 square inches or more, but are not 18" wide or 50" long or larger or do not have an area of 900 square inches or more;

Sheared plate "offal" are 20" wide by 50" long or larger or have an area of 1,000 square inches or more, but are not 36" wide or 84" long or larger or do not have an area of 21 square feet or more.

(b) Of wasters classifications, but fall within the following size restrictions:

Sheet "offal" are 12" wide by 20" long or larger or have an area of 240 square inches or more, but are not 15" wide by 40" long or larger or do not have an area of 600 square inches or more;

Sheared plate "offal" are 20" wide by 50" long or larger or have an area of 1,000 square inches, but are not 24" wide by 72" long or larger or do not have an area of 12 square feet or more.

(xi) "Side and end shearings" means flat rolled secondary or rejected iron or steel products which would otherwise be:

(a) Of waste wasters classification, but fall within the following size restrictions:

Sheet "side and end shearings" are 3" wide by 20" long or larger or have an area of 60 square inches or more, but are not 15" wide by 40" long or larger or do not have an area of 600 square inches or more.

Sheared plate "side and end shearings" are 4" wide by 24" long or larger or have an area of 90 square inches or more, but are not 24" wide by 72" long or larger or do not have an area of 12 square feet or more.

(b) Of wasters or waste wasters classification, but fall within the following size restrictions:

Tin mill black plate "side and end shearings" have an area less than 100 square inches.

(xii) "Semi-finished rejects" means partly finished iron or steel products such as but not limited to blooms, billets, slabs, sheet bars, skelp, and tube rounds, which have been rejected because of poor surface condition, lack of internal soundness or other defects which render the product unsuitable for sale or use by the mill as a prime product.

(xiii) "Sheared to specifications" means cut from a size in stock either by shearing, slitting or burning to a different and exact dimension or dimensions specified in the buyer's order. It does not mean cut for the purpose of reconditioning material.

(xiv) "Unsheared" means not sheared to specifications.

(xv) "Job or warehouse pickled" means picked by any person other than an iron or steel mill or producer.

(xvi) "Mill extra" means the standard published or quoted extra of the United States Steel Corporation and its subsidiaries permitted by Revised Price Schedule No. 6 at the time of the re-sellers sale.

(4) *Method of computing a zone destination price.* The zone destination price shall be the aggregate of the following factors:

(i) Price at basing point;
(ii) Freight;
(iii) Spread;
(iv) Quantity differentials;
(v) Quality extras;
(vi) Size differentials;
(vii) Cutting extras; and
(viii) Miscellaneous extras.

The dollar and cent values for each of the above factors for the various grades of secondary or rejected iron or steel products are set forth in or indicated by the price component index in paragraph (d) below. The values to be used are those established for the zone in which the destination is located. When the values set forth in the tables referred to in the price component index are negative values, they shall be deducted rather than added in computing a zone destination price.

(5) *Method of computing zone shipping point price.* The zone shipping point price is the zone destination price at the shipping point: *Provided*, That where the shipping point is a mill basing point for the product shipped, no freight shall be added in computing the zone destination price used as a zone shipping point price.

(6) *Method of determining the governing basing point.* The governing basing point is the mill basing point of those set forth in the price component index in paragraph (d) below at which the price for any particular product, plus freight from such basing point to destination, results in the lowest charge for such product.

(7) *Maximum prices for material which has not been warehoused.* The maximum delivered prices for any quantity of secondary or rejected iron or steel products covered by this section which (i) are not put through the operations commonly known as the warehousing of iron or steel products as defined in § 1306.157 (s); (ii) are shipped directly from producers or converters; or (iii) are diverted from delivery to warehouse shall be determined in accordance with whichever of the following provisions of Revised Price Schedule No. 6 are applicable:

Section 1306.10 (e) (1), Subdivision (ii), (iii), (iv) or (v) and (vi).
Section 1306.10 (e), Subparagraph (2).

The grade definitions set forth in these provisions shall be used when the maximum delivered price is determined thereby. The maximum delivered prices for prime quality products established by Revised Price Schedule No. 6 shall not apply to secondary or rejected iron or steel products regardless of any sorting or processing of such products by any person.

(8) *Maximum prices for warehoused material.* The maximum prices for all secondary or rejected iron or steel products covered by this section for which a maximum delivered price is not established by paragraph (a) (7) above shall be:

(i) *Delivered prices for intra-zone shipments.* The maximum delivered price for shipments of the various grades of secondary or rejected iron or steel products from a shipping point within a zone to a destination within the same zone shall be the zone destination price.

(ii) *Delivered prices for inter-zone shipments.* The maximum delivered price for shipments of the various grades of secondary or rejected iron or steel products from a shipping point within a zone to a destination within another zone shall be the highest of the following three alternatives:

(a) The zone shipping point price plus freight from shipping point to destination, less an allowance at the rate of 15 cents per 100 pounds.

(b) The zone shipping point price plus transportation charges actually paid for shipment from a shipping point to destination, less an allowance at the rate of 25 cents per 100 pounds; or

(c) The zone destination price for the zone into which shipment is made.

(iii) *Prices for material not meeting defined grades.* The maximum prices for secondary or rejected iron or steel products subject to this § 1306.164, Appendix F, which do not qualify as rejects, wasters, waste wasters, offal, side and end shearings, sheared to specifications, or semi-finished rejects, shall be those set forth in Revised Price Schedule No. 4 for sales of iron or steel scrap to a consumer.

(9) *Maximum prices for mixed shipments.* The following provisions shall apply in the case of a mixed shipment containing secondary or rejected iron or steel products for which a maximum price is established in paragraph (a) (7) or (a) (8) above.

(i) *Prime and secondary or rejected products.* When a seller makes a shipment containing both prime quality and secondary or rejected quality iron or steel products, the maximum price for the entire shipment shall be the maximum delivered price established in this section for the secondary or rejected iron or steel products unless his invoice for such shipment separately states the exact quantity of each quality in the shipment.

(ii) *Various products or grades of secondary or rejected products.* When a seller makes a shipment containing two or more secondary or rejected iron or steel products or grades of such products having different maximum prices, the maximum price for the entire shipment shall be the lowest maximum price for any product or grade of product in such shipment unless the seller indicates on his invoice the exact quantity of each different product or grade of product shipped.

(10) *Special record keeping requirements.* (i) Every seller of secondary or rejected iron or steel products covered by this § 1306.164 shall keep open for inspection the following records:

(a) A record of all material purchased as secondary or rejected iron or steel products clearly distinguishing them from those purchased as prime quality. Such record shall be kept for a period of two years after date of purchase;

(b) A record of each purchase and sale of secondary or rejected universal mill plates in sufficient detail to identify them as the product of a universal mill, each purchase and sale of all classifications of tin mill black plate in U. S. S. Gauge #28 and heavier, and each sale of job and warehouse pickled material on which a charge has been made in accordance with Table K–1 Part A–2 in paragraph (d) below. Purchase records shall be kept for a period of two years after the date of purchase; sales records shall be kept for a period of one year after the date of sale.

(c) A record of inventory at the end of each of his accounting periods setting forth the tonnage of the products covered by § 1306.164 as distinguished from material purchased as prime quality material. Such record shall be kept for a period of two years after the end of each accounting period.

(d) A record of each purchase of secondary or rejected cold rolled sheets of 13 U. S. S. Standard Gauge and heavier on which an extra was paid for full finish or cold reduced finish permitted by § 1306.10 (e) (1) of RPS 6, or Table G–2 Part A–3 in paragraph (d) (vi) of § 1306.164 of RPS 49.

(ii) All records keeping and reporting requirements set forth in § 1306.154 (a) (b) shall apply to all sellers of secondary or rejected iron or steel products covered by this § 1306.164.

(11) *Special invoice requirements.* (i) Every seller shall set forth the following information on each invoice covering the sale of secondary or rejected iron or steel products:

(a) The grade of material shipped (that is, rejects, wasters, waste wasters, offal, side and end shearings, sheared to specifications to width only, sheared to specifications to length only, or sheared to specifications to both length and width). For the purpose of convenience the following designations may be used in connection with the products description if the seller so desires:

Grade:	*Designation*
Rejects	OPA–49F–1
Wasters	OPA–49F–2
Waste-wasters	OPA–49F–3
Offal	OPA–49F–4
Side and End Shearing	OPA–49F–5
Sheared to specifications to width only	OPA–49F–6
Sheared to specifications to length only	OPA–49F–7
Sheared to specifications to length and width	OPA–49F–8

Example: Secondary or rejected plates in rejects grade may be designated as "plates OPA–49F–1".

When more than one secondary or rejected product or grades of such product are covered by one invoice, the grade or

designation shall appear in connection with each item on the invoice.

(*b*) As a separate item, the charge made for job or warehouse pickling permitted by Table K–1, part A–2 in paragraph (d) below.

(ii) In addition, all invoicing requirements set forth in § 1306.154 (d) shall apply to all sellers of secondary or rejected iron or steel products covered by this § 1306.164.

(12) *Discounts and privileges.* The maximum delivered prices established in this Section 1306.164 shall be considered as including delivery and other services of all kinds, credit or other discounts, all functional allowances, and all other privileges which each seller had in effect on April 16, 1941 or, if the seller was not engaged in the business of selling secondary or rejected iron or steel products on such date, all such practices recognized as customary by persons so engaged. Any diminution in such services, discounts, allowances, and privileges shall be accompanied by a commensurate reduction in the maximum delivered price if a specific reduction is not provided for in this schedule.

(13) *Prohibition of the use of factors not specifically set forth in this section—*(i) *Restrictions.* Only the base prices, extras, charges or other factors which are expressly permitted by this § 1306.164 shall be included in the computation of a maximum delivered price. No other factors may be used unless specific permission is obtained from the Office of Price Administration.

(ii) *Application for other factors.* A seller may apply by letter for permission to use factors not included in the computation of a maximum delivered price under this section if the factors requested were in effect or were used by him on April 16, 1941. The Office of Price Administration may approve, disapprove or modify the factors requested. Appropriate conditions may be imposed upon the use of any factors granted. Such application shall be addressed to the attention of the Iron and Steel Price Branch, Office of Price Administration, Washington, D. C.

(b) *Zone boundaries.* The several zones shall be as follows:

(1) Zone One shall consist of the entire states of:

Maine, New Hampshire, Vermont, Massachusetts, and Rhode Island.

(2) Zone Two shall consist of:

(i) The eastern section of New York State, consisting of the following counties: Clinton, Essex, Warren, Saratoga, Suffolk, Nassau, Kings, Queens, Washington, Schenectady, Albany, Rensselaer, Richmond, Greene, Columbia, Ulster, Dutchess, Sullivan, New York, Bronx, Orange, Putnam, Rockland, and Westchester.

(ii) The entire state of Connecticut.

(iii) The northern section of New Jersey, consisting of the following counties: Bergen, Passaic, Sussex, Morris, Essex, Union, Hudson, Somerset, Middlesex, and Monmouth.

(3) Zone Three shall consist of:

(i) Eastern and Southern Pennsylvania including the following counties: Adams, Berks, Bucks, Carbon, Centre, Chester, Clinton, Columbia, Cumberland, Dauphin, Delaware, Franklin, Fulton, Huntingdon, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, Mifflin, Monroe, Montgomery, Montour, Northampton, Northumberland, Perry, Philadelphia, Pike, Schuylkill, Snyder, Sullivan, Union, Wayne, Wyoming, and York.

(ii) The following counties in New Jersey: Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Hunterdon, Mercer, Ocean, Salem, and Warren.

(iii) The entire State of Delaware.

(iv) The following counties in Maryland: Anne Arundel, Baltimore, Baltimore City, Calvert, Caroline, Carroll, Cecil, Charles, Dorchester, Frederick, Harford, Howard, Kent, Montgomery, Prince Georges, Queen Annes, Saint Marys, Somerset, Talbot, Washington, Wicomico, and Worcester.

(v) The following counties in Virginia: Accomac, Albermarle, Alleghany, Amelia, Amherst, Appomattox, Augusta, Bath, Bedford, Botetourt, Brunswick, Buckingham, Campbell, Charlotte, Chesterfield, Clarke, Craig, Culpeper, Cumberland, Dinwiddie, Fauquier, Fluvanna, Franklin, Frederick, Goochland, Greene, Greensville, Halifax, Hanover, Henrico, Henry, Highland, Loudoun, Louisa, Lunenberg, Madison, Mecklenburg, Nelson, Northampton, Nottoway, Orange, Page, Pittsylvania, Powhatan, Prince Edward, Rappahannock, Roanoke, Rockbridge, Rockingham, Shenandoah, Southampton, Spotsylvania, Sussex and Warren.

(vi) The following counties in North Carolina: Alamance, Anson, Beaufort, Bertie, Bladen, Brunswick, Cabarrus, Camden, Carteret, Caswell, Catawba, Chatham, Chowan, Cleveland, Columbus, Craven, Cumberland, Currituck, Dare, Davidson, Davie, Duplin, Durham, Edgecomb, Forsyth, Franklin, Gaston, Gates, Granville, Greene, Guilford, Halifax, Harnett, Hertford, Hoke, Hyde, Iredell, Johnston, Jones, Lee, Lenoir, Lincoln, Martin, Mecklenburg, Montgomery, Moore, Nash, New Hanover, Northampton, Onslow, Orange, Pamlico, Pasquotank, Pender, Perquimans, Person, Pitt, Randolph, Richmond, Robeson, Rockingham, Rowan, Sampson, Scotland, Stanly, Stokes, Surry, Tyrrell, Union, Vance, Wake, Warren, Washington, Wayne, Wilson, and Yadkin.

(vii) The following counties in West Virginia: Berkeley, Jefferson, and Morgan.

(4) Zone Four shall consist of:

(i) The entire District of Columbia.

(ii) The eastern section of Virginia, including the following counties: Arlington, Fairfax, Prince William, Stafford, King George, Westmoreland, Caroline, Northumberland, Richmond, Lancaster, Essex, Middlesex, King & Queen, Gloucester, King William, New Kent, James City, Charles City, Prince George, Surry, Warwick, Isle of Wight, York, Mathews, Elizabeth City, Nansemond, Norfolk, and Princess Anne.

(5) Zone Five shall consist of:

(i) The following counties of New York: Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Cortland, Delaware, Erie, Franklin, Fulton, Genesee, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Montgomery, Monroe, Niagara, Oneida, Onondaga, Ontario, Orleans, Oswego, Otsego, Seneca, Schoharie, Schuyler, St. Lawrence, Steuben, Tioga, Tompkins, Wayne, Wyoming, and Yates.

(ii) The following counties of Pennsylvania: Allegheny, Armstrong, Beaver, Bedford, Blair, Bradford, Butler, Cameron, Cambria, Clarion, Clearfield, Crawford, Elk, Erie, Fayette, Forest, Greene, Indiana, Jefferson, Lawrence, McKean, Mercer, Potter, Somerset, Susquehanna, Tioga, Venango, Warren, Westmoreland, and Washington.

(iii) The following counties of Maryland: Allegany and Garrett.

(iv) The following counties of Virginia: Bland, Buchanan, Carroll, Dickenson, Floyd, Grayson, Giles, Lee, Montgomery, Patrick, Pulaski, Russell, Scott, Smyth, Tazewell, Washington, Wise, and Wythe.

(v) The following counties of West Virginia: Barbour, Boone, Braxton, Brooke, Cabell, Calhoun, Clay, Doddridge, Fayette, Gilmer, Grant, Greenbrier, Hampshire, Hancock, Hardy, Harrison, Jackson, Kanawha, Lewis, Lincoln, Logan, McDowell, Marion, Marshall, Mason, Mercer, Mineral, Mingo, Monongalia, Monroe, Nicholas, Ohio, Pendleton, Pleasants, Pocahontas, Preston, Putnam, Raleigh, Randolph, Ritchie, Roane, Summers, Taylor, Tucker, Tyler, Upshur, Wayne, Webster, Wetzel, Wirt, Wood, and Wyoming.

(vi) The entire state of Kentucky.

(vii) The entire state of Ohio.

(viii) The following counties of Indiana: Bartholomew, Brown, Clark, Clay, Crawford, Daviess, Dearborn, Decatur, Dubois, Fayette, Floyd, Franklin, Gibson, Greene, Hanecock, Harrison, Hendricks, Henry, Jackson, Jefferson, Jennings, Johnson, Knox, Lawrence, Marion, Martin, Monroe, Morgan, Ohio, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Ripley, Rush, Scott, Shelby, Spencer, Sullivan, Switzerland, Union, Vanderburgh, Vigo, Warrick, Washington, and Wayne.

(ix) The following counties of Michigan: Alcona, Alpena, Antrim, Arenac, Bay, Charlevoix, Cheboygan, Clare, Clinton, Crawford, Eaton, Emmet, Genesee, Gladwin, Gratiot, Hillsdale, Huron, Ingham, Isabella, Iosco, Jackson, Kalkaska, Lapeer, Lenawee, Livingston, Macomb, Midland, Missaukee, Montmorency, Monroe, Oakland, Otsego, Oscoda, Ogemaw, Presque Isle, Roscommon, Saginaw, Sanilac, Shiawassee, St. Clair, Tuscola, Washtenaw, and Wayne.

(6) Zone Six shall consist of:

(i) The entire state of Illinois except the cities of: Birby, Brooklyn, Cahokia, Dupo, East St. Louis, Falling Springs, Granite City, L & M Junction, Madison, Monsanto, National City, National Stock Yards, Prairie du Pont, Rose Lake, Tolson, Valley Junction, Venice and Vulcan.

(ii) The following counties of Wisconsin: Adams, Barron, Brown, Buffalo, Calumet, Chippewa, Clark, Columbia, Crawford, Dane, Dodge, Door, Dunn, Eau Claire, Florence, Fond du Lac, Forest, Grant, Green, Green Lake, Iowa, Iron, Jackson, Jefferson, Juneau, Kewaunee, Kenosha, La Crosse, Lafayette, Langlade, Lincoln, Manitowoc, Marathon, Marinette, Marquette, Milwaukee, Monroe, Oconto, Oneida, Outagamie, Ozaukee, Pepin, Portage, Price, Racine, Richland, Rock, Rusk, Sauk, Shawano, Sheboygan, Taylor, Tremealeau, Vernon, Vilas, Walworth, Washington, Waukesha, Waushara, Winnebago, and Wood.

(iii) The following counties of Missouri: Adair, Audroin, Andrew, Atchinson, Boone, Buchanan, Caldwell, Callaway, Clay, Clinton, Carroll, Chariton, Cooper, Cole, Clark, De Kalb, Daviess, Gentry, Grundy, Harrison, Howard, Holt, Jackson, Knox, Lewis, Livingston, Linn, Lincoln, Moniteau, Miller, Macon, Montgomery, Morgan, Mercer, Monroe, Marion, Nodaway, Osage, Platte, Putnam, Pike, Randolph, Ralls, Ray, Saline, Schuyler, Sullivan, Scotland, Shelby, and Worth.

(iv) The following counties of Nebraska: Boyd, Cedar, Dakota, Dixon, Holt, Knox, Pawnee, Nemaha, Pierce, Richardson, Thurston, and Wayne.

(v) The following counties of Minnesota: Dodge, Fillmore, Freeborn, Faribault, Houston, Jackson, Mower, Martin, Olmsted, Steele, Wabasha, Winona, and Waseca.

(vi) The entire state of Iowa except the area within the corporate limits of Council Bluffs.

(vii) The following counties of North Dakota: Adams, Billings, Bowman, Divide, Dunn, Golden Valley, Hettinger, Mercer, Montrail, McKenzie, Oliver, Slope, Stark, and Williams.

(viii) The following counties of South Dakota: Aurora, Beadle, Bennett, Bon Homme, Brookings, Brule, Buffalo, Butte, Charles Mix, Clark, Clay, Custer, Davison, Douglas, Fall River, Faulk, Gregory, Hamlin, Hand, Haakon, Hanson, Harding, Hughes, Hutchinson, Hyde, Jackson, Jerauld, Jones, Kingsbury, Lake, Lawrence, Lincoln, Lyman, Mellette, Moody, Miner, McCook, Meade, Minnehaha, Potter, Pennington, Shannon, Sully, Spink, Sanborn, Stanley, Turner, Todd, Tripp, Union, Washington, Washabaugh, and Yankton.

(ix) The following counties of Michigan: Alger, Allegan, Baraga, Benzie, Branch, Barry, Barrien, Chippewa, Cass, Calhoun, Delta, Dickenson, Grand Traverse, Gogebic, Houghton, Iron, Ionia, Keweenaw, Kalamazoo, Kent, Luce, Leelanau, Lake, Mason, Menominee, Mackinac, Marquette, Manistee, Muskegon, Mecosta, Montcalm, Newaygo, Oceana, Ottawa, Ontonagon, Osceola, Schoolcraft, St. Joseph, Van Buren, and Wexford.

(x) The following counties of Indiana: Allen, Adams, Benton, Blackford, Boone, Carroll, Cass, Clinton, Delaware, De Kalb, Elkhart, Fountain, Fulton, Grant, Hamilton, Howard, Huntington, Jasper, Jay, Kosciusko, Lake, La Porte, Lagrange, Marshall, Madison, Miami, Montgomery, Noble, Newton, Porter, Pulaski, Randolph, St. Joseph, Steuben, Starke, Tippecanoe, Tipton, Vermillion, Whitley, Wabash, Warren, Wells, and White.

(xi) The entire State of Montana.

(xii) The entire State of Wyoming.

(xiii) The entire State of Arkansas.

(xiv) The entire State of Oklahoma.

(xv) The entire State of Kansas.

(7) Zone Seven shall consist of:

(i) The following counties of Minnesota: Aitkin, Anoka, Becker, Beltrami, Benton, Big Stone, Blue Earth, Brown, Carlton, Carver, Cass, Chippewa, Chisago, Clay, Clearwater, Cook, Cottonwood, Crow Wing, Dakota, Douglas, Goodhue, Grant, Hennepin, Hubbard, Isanti, Itasca, Kanabec, Kandiyohi, Kittson, Koochiching, Lacqui, Parle, Lake, Lake of the Woods, Le Sucur, Lincoln, Lyon, McLeod, Mahnomen, Marshall, Meeker, Mille Lacs, Morrison, Murray, Nicollet, Nobles, Norman, Otter Tail, Pennington, Pine, Pipestone, Polk, Pope, Ramsey, Red Lake, Red Wood, Renville, Rice, Rock, Roseau, Saint Louis, Scott, Sherburne, Sibley, Stearns, Stevens, Swift, Todd, Traverse, Wadena, Washington, Watonwan, Wilkin, Wright, and Yellow Medicine.

(ii) The following counties of North Dakota: Barnes, Benson, Burke, Burleigh, Bottineau, Cass, Cavalier, Dickey, Eddy, Emmons, Foster, Grand Forks, Grant, Griggs, Kidder, La Moure, Logan, Morton, McHenry, McLean, McIntosh, Nelson, Pembina, Pierce, Ramsey, Ransom, Richland, Renville, Rolette, Sargent, Sheridan, Sioux, Steel, Stutsman, Towner, Traill, Walsh, Ward, and Wells.

(iii) The following counties of South Dakota: Armstrong, Brown, Campbell, Codington, Corson, Day, Deuel, Dewey, Edmunds, Grant, Marshall, McPherson, Perkins, Roberts, Walworth, and Ziebach.

(iv) The following counties of Wisconsin: Ashland, Bayfield, Burnett, Douglas, Pierce, Polk, St. Croix, Sawyer, and Washburn.

(8) Zone Eight shall consist of:

(i) The following counties of Missouri: Barton, Barry, Bates, Benton, Bollinger, Butler, Cass, Carter, Cedar, Christian, Camden, Crawford, Cape Girardeau, Dunklin, Dade, Dallas, Douglas, Dent, Franklin, Greene, Gasconade, Henry, Hickory, Howell, Iron, Johnson, Jasper, Jefferson, Lafayette, Lawrence, LaClede, Mississippi, McDonald, Maries, Madison, Newton, New Madrid, Oregon, Ozark, Pemiscot, Pettis, Pulaski, Phelps, Perry, Polk, Ripley, Reynolds, Scott, St. Clair, Stone, St. Charles, St. Louis, St. Francois, Sainte Genevieve, Shannon, Stoddard, St. Louis City, Taney, Texas, Vernon, Wayne, Webster, Wright, Warren, and Washington.

(ii) Only the following cities of Illinois east of St. Louis: Birby, Brooklyn, Cahokia, Dupo, East St. Louis, Falling Springs, Granite City, L & M Junction, Madison, Monsanto, National City, National Stock Yards, Prairie du Pont, Rose Lake, Tolson, Valley Junction, Venice, and Vulcan.

(9) Zone Nine shall consist of:

(i) The following counties of Nebraska: Adams, Antelope, Arthur, Banner, Blaine, Boone, Box Butte, Brown, Buffalo, Burt, Butler, Cass, Chase, Cherry, Cheyenne, Clay, Colfax, Cuming, Custer, Dawes, Dawson, Deuel, Dodge, Douglas, Dundy, Fillmore, Franklin, Frontier, Furnas, Gage, Garden, Garfield, Gosper, Grant, Greeley, Hall, Hamilton, Harlan, Hayes, Hitchcock, Hooker, Howard, Jefferson, Johnson, Kearney, Keith, Keyapaha, Kimball, Lancaster, Lincoln, Logan, Loup, Madison, Merrick, McPherson, Morrill, Nance, Nuckolls, Otoe, Perkins, Phelps, Platte, Polk, Redwillow, Rock, Saline, Sarpy, Saunders, Scotts Bluff, Seward, Sheridan, Sherman, Sioux, Stanton, Thayer, Thomas, Valley, Washington, Webster, Wheeler, and York.

(ii) Only the area within the corporate limits of Council Bluffs, Iowa.

(10) Zone Ten shall consist of the Entire State of Colorado.

(11) Zone Eleven shall consist of:

(i) The entire State of Alabama.

(ii) The entire State of Florida.

(iii) The entire State of Georgia.

(iv) The entire State of Louisiana.

(v) The entire State of Mississippi.

(vi) The entire State of South Carolina.

(vii) The entire State of Tennessee.

(viii) The following counties in North Carolina: Alexander, Alleghany, Ashe, Avery, Buncombe, Burke, Caldwell, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Polk, Rutherford, Swain, Transylvania, Watauga, Wilkes and Yancey.

(12) Zone Twelve shall consist of the entire State of Texas.

(13) Zone Thirteen shall consist of:

(i) The entire State of Arizona.

(ii) The following counties of California: Imperial, Inyo, Kern, Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Diego, San Luis Obispo, and Ventura.

(iii) The following counties of Nevada: Clark, Esmeralda, Lincoln, and Nye.

(iv) The entire State of New Mexico.

(14) Zone Fourteen shall consist of:

(i) The following counties of California: Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, Eldorado, Fresno, Glenn, Humboldt, Kings, Lake, Lassen, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuba.

(ii) The following counties of Nevada: Douglas, Lyon, Mineral, Ormsby, Storey, and Washoe.

(iii) The following county of Oregon: Lake.

(15) Zone Fifteen shall consist of:

(i) The following counties of Oregon: Baker, Benton, Clackamas, Clatsop, Coos, Columbia, Curry, Crook, Deschutes, Douglas, Gilliam, Grant, Harney, Hood River, Jackson, Jefferson, Josephine, Klamath, Lane, Lincoln, Linn, Malheur, Marion, Morrow, Multnomah, Polk, Sherman, Tillamook, Umatilla, Union, Wallowa, Wasco, Washington, Yamhill, and Wheeler.

(ii) The following counties of Washington: Clarke, Cowlitz, Klickitat, Skamania, and Wahkiakum.

(16) Zone Sixteen shall consist of:

(i) The following counties of Washington: Adams, Asotin, Benton, Chelan, Clallam, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Grays Harbor, Island, Jefferson, King, Kitsap, Kittitas, Lewis, Lincoln, Mason, Okanogan, Pacific, Pend Oreille, Pierce, San Juan, Skagit, Snohomish, Spokane, Stevens, Thurston, Walla Walla, Whitman, Whatcom, and Yakima.

(ii) The following counties of Idaho: Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Nez Perce, Lewis, and Shoshone.

(17) Zone Seventeen shall consist of:

(i) The entire state of Utah.

(ii) The following counties of Idaho: Ada, Adams, Bannock, Bear Lake, Bingham, Blaine, Boise, Bonneville, Butte, Canyon, Camas, Caribou, Cassia, Clark, Custer, Elmore, Franklin, Fremont, Gem, Gooding, Jefferson, Jerome, Lemhi, Lincoln, Madison, Minidoka, Oneida, Owyhee, Payette, Power, Teton, Twin Falls, Washington, and Valley.

(iii) The following counties of Nevada: Churchill, Elko, Eureka, Humboldt, Lander, Pershing, and White Pine.

(iv) The following counties of Wyoming: Lincoln, Sublette, Sweetwater, Teton, and Uinta.

(c) *Delivery areas.* The several delivery areas shall be as follows:

(1) The "Los Angeles delivery area" shall include all destinations on or within the area established by the following boundaries:

Beginning at the junction of California State Highway No. 19 (Lakewood Avenue, Long Beach) and San Pedro Bay, thence north on California State Highway No. 19 to its junction with Foothill Boulevard, thence west, thence north and northwest on Foothill Boulevard (California State Highway No. 118) to Van Nuys Boulevard, thence southwest on Van Nuys Boulevard to Woodman Avenue, thence northwest on Woodman Avenue to Devonshire Street, thence west on Devonshire Street to the Los Angeles City Limits boundary line, thence following the Los Angeles City Limits boundary line south to Santa Monica Bay.

(2) The "San Diego delivery area" shall include all destinations within San Diego County.

(3) The "San Francisco delivery area" shall include all destinations within the city or township limits of the following cities and towns:

San Francisco, South San Francisco, Colma, Daly City, Oakland, Berkeley, El Cerrito, Piedmont, Emeryville, Albany, Richmond, Alameda, and San Leandro.

(4) The "St. Paul-Minneapolis delivery area" shall include all destinations within the corporate limits of the following cities and towns:

Brooklyn Center, Camden Place, Cold Spring (Minneapolis), Crystal, Columbia Heights, Edina, Fort Snelling, Fridley, Gloster, Golden Valley (Hennepin County), Hopkins, Inver Grove, Little Canada, Mendota, Minneapolis, New Brighton, Newport, North St. Paul, Ritchfield, Riedel, Riverside (Minneapolis), Robbinsdale, St. Louis Park, St. Paul, West St. Paul, and Wilson.

(5) The "Duluth-Superior delivery area" shall include all destinations within the corporate limits of Duluth, Minnesota and Superior, Wisconsin.

(6) The "Omaha delivery area" shall include all destinations within the cor-

porate limits of Omaha, Nebraska and Council Bluffs, Iowa and within the limits of the Federal Reservation of Fort Crook, Nebraska.

(d) *Values for factors used in determining maximum delivered prices*—(1) *Price component index.* The price component index set forth below consists of two parts. Part A refers to tables which set forth values to be used. This part of the price component index is to be used regardless of the zone in which the destination is located. Part B indicates the values to be used for each particular zone: In computing a zone destination price use the values indicated for the zone in which the destination is located; in computing a zone shipping point price, use the values indicated for the zone in which the shipping point is located.

PRICE COMPONENT INDEX—PART A

Product	B Price at basing point	E Quantity	F Quality	G Size	H Cutting	K Miscellaneous
1. Hot rolled sheets	B-1	E-1	None	G-1	H-1	K-1, 2.
2. Cold rolled sheets	B-1	E-1	F-1	G-2	H-1	K-2.
3. Coated sheets (except long terne) [f]	B-2	E-1	None	G-3	H-1	K-2.
4. Long terne sheets	B-1	E-1	None	G-3	H-1	K-2.
5. Hot rolled strip	B-1	E-1	None	G-4	None	K-1.
6. Cold rolled strip	B-1	E-2	None	G-5	None	None
7. Plates	B-1	E-1	None	G-6	H-2	K-1, 2.
8. Tin mill black plate (29 gauge and lighter)	B-1	E-1	F-2	G-7	None	None.
9. Tin mill black plate (28 gauge and heavier) [a]	B-4	E-1	None	G-1	None	K-1.
10. Semi-finished products	B-3	None	None	G-8	None	None.

PRICE COMPONENT INDEX—PART B

Product	Zone one A Basing points	Zone one C Freight	Zone one D Spread	Zone two A Basing points	Zone two C Freight	Zone two D Spread
1. Hot rolled sheets	Sp. Pt.	C-1	$1.20	Sp. Pt., Buff.	C-1	$1.15
2. Cold rolled sheets	Buff.	C-1	1.20	Buff., Pgh.	C-1	1.11
3. Coated sheets (except long terne) [f]	Sp. Pt.	C-1	1.26	Sp. Pt., Buff.	C-1	1.17
4. Long terne sheets	Pgh.	C-1	1.60	Pgh.	C-1	1.54
5. Hot rolled strip	Pgh. Ygtn. Clev.	C-1	1.45	Pgh. Ygtn. Clev.	C-1	1.40
6. Cold rolled strip	Wore.	C-1	1.55	Pgh. Wore., Clev.	C-1	1.50
7. Plates	Clay	C-1	1.40	Clay	C-1	1.40
8. Tin mill black plate (29 gauge and lighter)	Pgh.	C-19	1.07	Pgh.	C-19	1.07
9. Tin mill black plate (28 gauge and heavier) [a]	Sp. Pt.	C-1	1.20	Sp. Pt., Buff.	C-1	1.15
10. Semi-finished products	C-20	C-20	D-1	C-20	C-20	D-1

[a] Hot rolled or cold rolled sheets which are a product of a Tin Mill.
[b] For shipments to a destination within the switching limits of the City of Detroit, Michigan, and also in computing the shipping point price for shipments originating within the switching limits of Detroit, Michigan, the arbitrary basing point on hot rolled sheets shall be Detroit.
[e] Includes additions provided in § 1306.189 (g) (1) (f).
[d] 16 gauge and heavier—includes additions provided in § 1306.189 (g) (1) (f).
[e] Lighter than 16 gauge—includes additions provided in § 1306.189 (g) (1) (f).
[f] Tin plate and short ternes are not covered by this § 1306.164, Appendix F.

PRICE COMPONENT INDEX—PART B—Continued

Product	Zone three A Basing points	Zone three C Freight	Zone three D Spread	Zone four A Basing points	Zone four C Freight	Zone four D Spread
1. Hot rolled sheets	Buff, Pgh, Sp. Pt.	C-1	$1.15	Buff, Pgh, Sp. Pt.	C-1	$1.30
2. Cold rolled sheets	Buff, Pgh.	C-1	1.40	Buff, Pgh.	C-1	1.40
3. Coated sheets (except long terne). [f]	Buff, Pgh, Sp. Pt.	C-1	1.25	Buff, Pgh, Sp. Pt.	C-1	1.50
4. Long terne sheets	Pgh.	C-1	1.70	Pgh.	C-1	1.70
5. Hot rolled strip	Pgh.	C-1	1.40	Pgh.	C-1	1.55
6. Cold rolled strip	Pgh.	C-1	1.55	Pgh.	C-1	1.55
7. Plates	Clay, Pgh, Sp. Pt, Coates.	C-1	1.35	Clay, Pgh, Sp. Pt, Coates.	C-1	1.80
8. Tin mill black plate (29 gauge and lighter).	Pgh.	C-19	1.07	Pgh.	C-19	1.07
9. Tin mill black plate (28 gauge and heavier). [a]	Buff, Pgh, Sp. Pt.	C-1	1.15	Buff, Pgh, Sp. Pt.	C-1	1.30
10. Semi-finished products	C-20	C-20	D-1	C-20	C-20	D-1

Product	Zone five A Basing points	Zone five C Freight	Zone five D Spread	Zone six A Basing points	Zone six C Freight	Zone six D Spread
1. Hot rolled sheets	Buff, Chgo, Clev, Mdtn, Pgh, Sp. Pt, Ygtn, Det. [b]	C-2	$1.15	Chgo	C-3	$1.05
2. Cold rolled sheets	Buff, Chgo, Clev, Mdtn, Pgh, Ygtn, Det. [b]	C-2	1.26	Chgo	C-3	1.05
3. Coated sheets (except long terne) [f]	Buff, Mdtn, Pgh, Sp. Pt, Ygtn.	C-2	1.15	Pgh, Mdtn, Ygtn.	C-3	1.35
4. Long terne sheets	Chgo, Pgh.	C-2	1.25	Chgo	C-3	1.55
5. Hot rolled strip	Chgo, Clev, Mdtn, Pgh, Ygtn, Det. [b]	C-2	1.40	Chgo	C-3	1.40
6. Cold rolled strip	Chgo, Clev, Pgh, Ygtn.	C-2	1.55	Chgo, Clev	C-3	1.55
7. Plates	Chgo, Clev, Coates, Pgh, Sp. Pt.	C-2	1.20	Chgo	C-3	1.35
8. Tin mill black plate (29 gauge and lighter).	Pgh, Chgo	C-19	1.07	Chgo	C-19	1.07
9. Tin mill black plate (28 gauge and heavier). [a]	Buff, Chgo, Clev, Mdtn, Pgh, Ygtn, Sp. Pt, Det. [b]	C-2	1.15	Chgo	C-3	1.05
10. Semi-finished products	C-20	C-20	D-1	C-20	C-20	D-1

Product	Zone seven A Basing points	Zone seven C Freight	Zone seven D Spread	Zone eight A Basing points	Zone eight C Freight	Zone eight D Spread	Zone nine A Basing points	Zone nine C Freight	Zone nine D Spread
1. Hot rolled sheets	Chgo	C-4	$1.07	Chgo	C-5	$1.05	Chgo	C-6	$1.15
2. Cold rolled sheets	Chgo	C-4	1.07	Chgo	C-5	1.05	Chgo	C-1	1.05
3. Coated sheets (except long terne). [f]	Mdtn	C-4	1.17	Mdtn	C-1	1.26	Mdtn	C-6	1.09
4. Long terne sheets	Chgo	C-1	1.61	Chgo	C-1	1.55	Chgo	C-1	1.55
5. Hot rolled strip	Chgo	C-4	1.42	Chgo	C-5	1.40	Chgo	C-6	1.50
6. Cold rolled strip	Chgo, Clev	C-1	1.55	Chgo	C-1	1.55	Chgo	C-1	1.65
7. Plates	Chgo	C-4	1.37	Chgo	C-5	1.35	Chgo	C-6	1.45
8. Tin mill black plate (29 gauge & lighter).	Chgo	C-19	1.07	Chgo	C-19	1.07	Chgo	C-19	1.07
9. Tin mill black plate (28 gauge & heavier). [a]	Chgo	C-4	1.07	Chgo	C-5	1.05	Chgo	C-6	1.15
10. Semi-finished products.	C-20	C-20	D-1	C-20	C-20	D-1	C-20	C-20	D-1

PRICE COMPONENT INDEX—PART B—Continued

Product	Zone ten A Basing points	Zone ten C Freight	Zone ten D Spread	Zone eleven A Basing points	Zone eleven C Freight	Zone eleven D Spread	Zone twelve A Basing points	Zone twelve C Freight	Zone twelve D Spread
1. Hot rolled sheets	Chgo	C-1	$1.05	Chgo, Clev, Mdtn. Sp. Pt. Birm.	C-8	$1.25	Birm	C-9	$1.21
2. Cold rolled sheets	Chgo	C-1	1.05	Chgo, Clev, Mdtn. Pgh.	C-8	1.05	Chgo	C-1	1.05
3. Coated sheets (except long terne). [f]	Mdtn	C-1	1.35	Birm., Mdtn, Pgh. Sp. Pt.	C-8	1.15	Birm	C-10	1.36
4. Long terne sheets	Chgo	C-1	1.55	Chgo, Pgh	C-8	1.25	Chgo	C-1	1.55
5. Hot rolled strip	Chgo	C-1	1.40	Birm, Chgo, Clev. Mdtn.	C-8	1.20	Birm	C-11	1.76
6. Cold rolled strip	Chgo	C-1	1.65	Chgo. Clev, Pgh.	C-8	1.55	Clev, Chgo.	C-1	1.65
7. Plates	Chgo	C-7	1.54	Birm, Chgo, Pgh. Sp. Pt.	C-8	1.35	Houston	C-12	1.80
8. Tin mill black plate (29 gauge and lighter).	Chgo	C-19	1.07	Pgh. Chgo	C-19	1.07	Chgo	C-19	1.07
9. Tin mill black plate (28 gauge and heavier). [a]	Chgo	C-1	1.05	Chgo. Clev. Mdtn. Sp. Pt.	C-8	1.25	Birm	C-9	1.21
10. Semi-finished products.	C-20	C-20	D-1	C-20	C-20	D-1	C-20	C-20	D-1

Product	Zone thirteen A Basing points	Zone thirteen C Freight	Zone thirteen D Spread	Zone fourteen A Basing points	Zone fourteen C Freight	Zone fourteen D Spread
1. Hot rolled sheets	L. A. San. D.	C-13	[e] $2.35	S. F. Sacto, Stock. Okld.	C-15	[e] $1.90–[e] $2.40
2. Cold rolled sheets	L. A. San D.	C-13	[e] 2.80	S. F. Sacto, Stock. Okld.	C-15	[e] 2.60
3. Coated sheets (except long terne). [f]	L. A. San D.	C-13	[e] 2.05	S. F. Sacto, Stock. Okld.	C-15	[e] 2.30
4. Long terne sheets	L. A. San D.	C-13	2.40	S. F. Sacto, Stock. Okld.	C-15	2.25
5. Hot rolled strip	L. A. San D.	C-13	[e] 2.20	S. F. Sacto, Stock. Okld.	C-15	[e] 1.75
6. Cold rolled strip	Chgo.	C-14	1.58	Chgo	C-16	2.20
7. Plates	L. A. San D.	C-13	[e] 2.30	S. F. Sacto, Stock. Okld.	C-15	[e] 2.00
8. Tin mill black plate (29 gauge and lighter).	Chgo.	C-19	1.07	Chgo.	C-19	1.07
9. Tin mill black plate (28 gauge and heavier). [a]	L. A. San D.	C-13	2.35	S. F. Sacto, Stock. Okld.	C-15	[e] 2.40
10. Semi-finished products.	C-20	C-20	D-1	C-20	C-20	D-1

Footnotes on p. 6510.

PRICE COMPONENT INDEX—PART B—Continued

Products	Zone fifteen A Basing points	Zone fifteen C Freight	Zone fifteen D Spread	Zone sixteen A Basing points	Zone sixteen C Freight	Zone sixteen D Spread	Zone seventeen A Basing points	Zone seventeen C Freight	Zone seventeen D Spread
1. Hot rolled sheets	Portland	C-1	[e] $2.00	Stle, Tac, Evrt, Belim.	C-1	[e] $2.60	Chgo	C-17	$1.35
2. Cold rolled sheets	Portland	C-1	[e] 2.90	Stle, Tac, Evrt, Belim.	C-1	[e] 2.35	Chgo	C-18	1.05
3. Coated sheets (except long terne). [f]	Portland	C-1	[e] 1.70	Stle, Tac, Evrt, Belim.	C-1	[e] 1.90	Mdtn	C-17	1.75
4. Long terne sheets	Portland	C-1	2.70	Stle, Tac, Evrt, Belim.	C-1	2.80	Chgo	C-18	1.55
5. Hot rolled strip	Portland	C-1	[e] 2.00	Stle, Tac, Evrt, Belim.	C-1	[e] 1.80	Chgo	C-17	2.35
6. Cold rolled strip	Chgo	C-1	1.66	Chgo	C-1	1.65	Chgo	C-18	1.85
7. Plates	Portland	C-1	[e] 2.10	Stle, Tac, Evrt, Belim.	C-1	[e] 2.10	Chgo	C-17	1.90
8. Tin mill black plate (29 gauge and lighter).	Chgo	C-19	1.07	Chgo	C-19	1.07	Chgo	C-19	1.07
9. Tin mill black plate (28 gauge and heavier). [a]	Portland	C-1	[e] 2.00	Stle, Tac, Evrt, Belim.	C-1	[e] 2.60	Chgo	C-18	1.55
10. Semi-finished products.	C-20	C-20	D-1	C-20	C-20	D-1	C-20	C-20	D-1

(2) *Tables referred to in the price component index.* The values set forth in the following tables are to be used in accordance with the price component index:

(i) *Price at basing point (rate per 100 pounds).* The price at basing point for the various grades of products shall be computed as set forth below. The result should be rounded to the second decimal place: round upward if the third decimal place is 5 or greater; round downward if third place is less than 5.

TABLE B-1.—HOT ROLLED SHEETS, COLD ROLLED SHEETS, LONG TERNE SHEETS, HOT ROLLED STRIP, COLD ROLLED STRIP, PLATES, AND TIN MILL BLACK PLATE 29 GAUGE AND LIGHTER

Multiply the lowest mill carload base price at the governing basing point for the product, as established by Revised Price Schedule No. 6 for the United States Steel Corporation and its subsidiaries, by the percentage indicated below for the particular grade:

	Percent
Rejects	85
Wasters	75
Waste wasters	65
Offal	65
Side and end shearings	55
Sheared to specifications	85

"Mill carload base price" refers to the base price for prime quality products, but does not include extras for "primes only."

TABLE B-2.—ALL COATED SHEETS, EXCEPT LONG TERNE SHEETS

Multiply the lowest mill carload base price at the governing basing point for galvanized sheets, as established by Revised Price Schedule No. 6 for the United States Steel Corporation and its subsidiaries, by the percentage indicated below for the particular grade:

	Percent
Rejects	85
Wasters	75
Waste wasters	65
Offal	65
Side and end shearings	55
Sheared to specifications	85

"Mill carload base price" refers to the base price for prime quality products.

TABLE B-3.—SHEET-PILEBARD PRODUCTS

The lowest mill carload base price for rerolling grade for the product (as prime grade if there is no rerolling grade for the product) at the basing point nearest freightwise to the shipping point, as established by Revised Price Schedule No. 6 for the United States Steel Corporation and its subsidiaries.

TABLE B-4.—TIN MILL BLACK PLATE 28 GAUGE AND HEAVIER

Multiply the lowest mill carload base price at the governing basing point for hot rolled sheets, as established by RPS 6 for the United States Steel Corporation and its subsidiaries, by the percentage indicated below for the particular grade:

	Percent
Rejects	85
Wasters	75
Waste wasters	65
Side and end shearings	55
Sheared to specifications	85

(ii) *Freight (Rate per 100 pounds in effect at time of shipment).* Freight for less-than-carload shipments shall be:

TABLE C–1

The less than carload rate of freight from the governing basing point to destination, *Provided*, That no freight may be added for a shipment to a destination located within the switching limits of a basing point for the product sold.

TABLE C–2

a. *Standard provision.* The less than carload rate of freight from the governing basing point to destination with the following exceptions:

(1) If a product is shipped to a destination within the switching limits of Pittsburgh, Pennsylvania; Cleveland, Ohio; Buffalo, New York; or Detroit, Michigan, and if that city is designated as a basing point for such product, freight may be added at the rate of $0.10 per 100 pounds.

(2) If a product is shipped to a destination within switching limits of Middletown, Ohio, or Youngstown, Ohio, and if that city is designated as a basing point for such product, no freight may be added.

b. *Maximum freight absorption provision.* Part A of this Table C–2 shall not be applicable where the shipping point and the destination are both within Zone Five and the sum of the shipping point price plus the less than carload rate of freight from the shipping point to destination is greater than the zone destination price (computed without regard to this Part B) by more than $0.30 per 100 pounds.

In such cases freight shall be computed in accordance with whichever of the following alternatives results in the higher charge:

1. The sum of (a) the less than carload rate of freight from basing point to shipping point plus (b) the less than carload rate of freight from shipping point to destination minus (c) a deduction at the rate of $0.30 per 100 pounds (basing point in this instance, refers to the basing point the use of which results in the lowest price at the shipping point); or

2. The sum of (a) the less than carload rate of freight from basing point to shipping point plus (b) the transportation charges actually paid from shipping point to destination minus (c) a deduction at the rate of $0.40 per 100 pounds ("Basing point," in this instance, refers to the governing basing point the use of which results in the lowest price at the shipping point).

TABLE C–3

The less than carload rate of freight from the governing basing point to destination: *Provided*, (1) That for shipments to a destination within the switching limits of Chicago, Illinois, of a product for which the destination is a basing point for such product, freight may be added at the rate of $0.10 per 100 pounds, and (2) that for shipments to a destination within the switching limits of any other city of a product for which the destination is a basing point for such product, no freight may be added.

TABLE C–4

(1) The carload rate of freight from basing point to St. Paul, Minnesota, plus

(2) The less than carload rate of freight from either St. Paul, Minnesota or Duluth, Minnesota, to destination, whichever, is less.

Provided, That for shipments to destinations within the St. Paul-Minneapolis delivery area, or the Duluth-Superior delivery area, no freight may be added to the carload rate of freight from basing point to St. Paul, Minn.

TABLE C–5

(1) The carload rate of freight from basing point to St. Louis, Missouri, plus

(2) The less than carload rate of freight from St. Louis, Missouri, to destination.

Provided, That for shipments to destination within the switching limits of St. Louis, Missouri, no freight may be added to the carload rate of freight from basing point to St. Louis, Missouri.

TABLE C–6

(1) The carload rate of freight from basing point to Omaha, Nebraska, plus

(2) The less than carload rate of freight from Omaha, Nebraska, to destination

Provided, That for shipments to destination within the Omaha delivery area, freight shall be at the rate of $0.10 per 100 pounds in addition to (1) above.

TABLE C–7

(1) The carload rate of freight from basing point to Denver, Colorado, plus

(2) The less-than-carload rate of freight from Denver, Colorado, Colorado Springs, or Pueblo, Colorado to destination, whichever is less: *Provided*, That no freight may be added to (1) above for shipments to destinations within the switching limits of Denver, Colorado, Colorado Springs, or Pueblo, Colorado.

TABLE C–8

a. *Standard provision.* (1) For a shipment of a product for which Birmingham, Alabama, is a basing point, the less than carload rate of freight from the governing basing point to destination with the following exceptions:

(a) If a product is shipped to a destination within the switching limits of Birmingham, Alabama, freight may be added at the rate of $0.10 per 100 pounds.

(b) If the product is shipped to a destination within the switching limits of New Orleans, Louisiana; Mobile, Alabama or Memphis, Tennessee, freight may be added at the rate of $0.10 per 100 pounds in excess of the less than carload rate of freight from Birmingham to destination.

(2) For a shipment of a product for which Birmingham, Alabama, is not a basing point the less than carload rate of freight from the governing basing point to destination.

b. *Maximum freight absorption provision.* Part A of this Table C–8 shall not be applicable where the shipping point and destination are both within Zone 11 and the sum of the shipping point price plus the less-than-carload rate of freight from shipping point to destination is greater than the zone destination price (computed without regard to this Part B) by more than $0.25 per 100 pounds.

In such cases freight shall be computed in accordance with whichever of the following alternatives results in the higher charge:

1. The sum of (a) the less than carload rate of freight from basing point to shipping point plus (b) the less than carload rate of freight from shipping point to destination, minus (c) a deduction at the rate of $0.25 per 100 pounds ("basing point," in this instance, refers to the basing point the use of which results in the lowest price at the shipping point); or

2. The sum of (a) the less-than-carload rate of freight from basing point to shipping point plus (b) the transportation charges actually paid from shipping point to destination minus (c) a deduction at the rate of $0.25 per 100 pounds ("basing point," in this instance, refers to the governing basing point the use of which results in the lowest price at the shipping point).

TABLE C–9

(1) For shipments to a destination not within the switching limits of Houston, Texas, the sum of the carload rate of freight from the basing point to Houston, Texas, plus the less-than-carload rate of freight from Houston, Texas to destination.

(2) For shipments to a destination within the switching limits of Houston, Texas, the carload rate of freight from basing point of Houston, Texas.

TABLE C–10

(1) For shipments to a destination not within the switching limits of Amarillo, Texas; Dallas, Texas; El Paso, Texas; Galveston, Texas; San Antonio, Texas; Fort Worth, Texas, or Houston, Texas, the lower of the following alternatives:

(a) The sum of the carload rate of freight from basing point to Houston, Texas, plus the less-than-carload rate of freight from Houston, Texas to destination, or

(b) The lowest sum of the carload rate of freight from basing point to Houston, Texas plus carload rate of freight from Houston, Texas to Amarillo, Texas; Dallas, Texas; El Paso, Texas; Galveston, Texas; San Antonio, Texas; or Fort Worth, Texas; plus less than carload rate of freight from such city to destination.

(2) For shipments to a destination within the switching limits of Amarillo, Texas; Dallas, Texas; El Paso, Texas; Galveston, Texas; San Antonio, Texas; or Fort Worth, Texas, the sum of the carload rate of freight from basing point to Houston, Texas, plus the carload rate of freight from Houston, Texas to the destination.

(3) For shipments to a destination within the switching limits of Houston, Texas, the carload rate of freight from basing point to Houston, Texas.

TABLE C–11

(1) For shipments to a destination not within the switching limits of Houston, Texas; Dallas, Texas; Fort Worth, Texas; or Wichita Falls, Texas, the lower of the following alternatives:

(a) The sum of the carload rate of freight from basing point to Houston, Texas; plus the less than carload rate of freight from Houston, Texas to destination, or

(b) The lowest sum of carload rate of freight from basing point to Houston, Texas, plus the carload rate of freight from Houston, Texas, to Dallas, Texas; Fort Worth, Texas; or Wichita Falls, Texas, the lower of the following alternatives:

(a) The sum of the carload rate of freight from basing point to Houston, Texas; plus the less than carload rate of freight from Houston, Texas to destination, or

(b) The lowest sum of carload rate of freight from basing point to Houston, Texas, plus the carload rate of freight from Houston, Texas, to Dallas, Texas; Fort Worth, Texas; or Wichita Falls, Texas, plus the less than carload rate of freight from such city to destination.

(2) For shipments to a destination within the switching limits of Dallas, Texas; Fort Worth, Texas; or Wichita Falls, Texas, the sum of carload rate of freight from basing point to Houston, Texas, plus carload rate of freight from Houston, Texas to destination.

(3) For shipments to a destination within the switching limits of Houston, Texas, the carload rate of freight from basing point to Houston, Texas.

TABLE C–12

(1) For shipments to destination not within the switching limits of either El Paso, Texas or Houston, Texas, the lower of the following alternatives:

(a) The less than carload freight from Houston, Texas to destination, or

(b) The sum of the carload rate of freight from Houston, Texas to El Paso, Texas; plus the less than carload rate of freight from El Paso, Texas to destination.

(2) For shipments to destination within the switching limits of El Paso, Texas, the carload rate of freight from Houston, Texas to El Paso, Texas.

(3) For shipments to destination within the switching limits of Houston, Texas, no freight shall be added.

TABLE C–13

The less than carload rate of freight from governing basing point to destination:

Provided, That for shipments to a destination within the Los Angeles delivery area or the San Diego delivery area of a product for which Los Angeles, California or San Diego, California is a basing point for such product, no freight may be added.

TABLE C–14

(1) The carload rate of freight in effect at time of shipment from basing point to Los Angeles, California, plus,

(2) The less than carload rate of freight in effect at time of shipment from either Los Angeles, California, or San Diego, California, to destination, whichever is less:

Provided, That for shipments to a destination within the Los Angeles delivery area or the San Diego delivery area, no freight may be added to the carload rate of freight from basing point to Los Angeles, California.

TABLE C–15

The less than carload rate of freight from the governing basing point to the destination:

Provided, That no freight may be added for shipments to a destination within the San Francisco delivery area or within the switching limits of Sacramento or Stockton, California of a product for which San Francisco, Sacramento or Stockton, California is a basing point.

Provided further, That if a person calls for iron and steel products at the shipping point and relieves the seller from making delivery to a destination located within the San Francisco area, or within the switching limits of Stockton, California; or Sacramento, California, a deduction at the rate of $0.10 per 100 pounds shall be made from the price based on delivery to the buyer's destination.

TABLE C–16

(1) The carload rate of freight from the governing basing point to San Francisco, California, plus

(2) The less than carload rate of freight from either San Francisco, California, to destination, whichever is less:

Provided, That for shipments to a destination within the San Francisco delivery area, or within the switching limits of Sacramento, California, or Stockton, California, no freight in addition to the carload rate of freight from basing point to San Francisco, California may be added.

Provided further, That if a person calls for iron and steel products at the shipping point and relieves the seller from making delivery to a destination located within the San Francisco arear or within the switching limits of Stockton, California or Sacremento, California, a deduction at the rate of $0.10 per 100 pounds shall be made from the price based on delivery to the buyer's destination.

TABLE C–17

a. *Standard provision.* The carload rate of freight from basing point to Salt Lake City, Utah plus the less than carload rate of freight from Salt Lake City, Utah; Provo, Utah, Ogden, Utah; Pocatello, Idaho; or Boise, Idaho to destination, whichever is less, with the exception that where the destination is within the switching limits of Salt Lake City, Utah; Ogden, Utah; Provo, Utah; Pocatello, Idaho; or Boise, Idaho, only the carload rate of freight from basing point to Salt Lake City, Utah may be added.

b. *Maximum freight absorption provision.* Part A of this Table C–17 shall not be applicable where the shipping point and the destination are both within Zone 17 and the sum of the shipping point price plus the less than carload rate of freight from shipping point to destination is greater than the zone destination price (computed without regard to this Part B) by more than $0.45 per 100 pounds.

In such cases freight shall be computed in accordance with whichever of the following alternatives results in the higher charge:

1. The sum of (a) the carload rate of freight from basing point to Salt Lake City, Utah plus (b) the less than carload rate of freight from Salt Lake City, Utah; Provo, Utah; Ogden, Utah; Pocatello, Idaho; or Boise, Idaho to shipping point, whichever is less, plus (c) the less than carload rate of freight from shipping point to destination, minus (d) a deduction at the rate of $0.45 per 100 pounds: *Provided*, That no freight may be added in accordance with (b) above for shipments from a shipping point within the switching limits of Salt Lake City, Utah; Provo, Utah; Ogden, Utah; Pocatello, Idaho; or Boise, Idaho. "Basing point" in this instance refers to the basing point the use of which results in the lowest price at the shipping point; or

2. The sum of (a) the carload rate of freight from basing point to Salt Lake City, Utah, plus (b) the less than carload rate of freight from Salt Lake City, Utah; Provo, Utah; Ogden, Utah; Pocatello, Idaho; or Boise, Idaho to shipping point, whichever is less, plus (c) the transportation charges actually paid from shipping point to destination minus (d) a deduction at the rate of $0.55 per 100 pounds: *Provided*, That no freight may be added in accordance with (b) above for shipments from a shipping point within the switching limits of Salt Lake City, Utah; Provo, Utah; Ogden, Utah; Pocatello, Idaho; or Boise, Idaho. "Basing point" in this instance refers to the basing point the use of which results in the lowest price at the shipping point.

TABLE C–18

a. *Standard provision.* The less than carload rate of freight from the governing basing point to the destination.

b. *Maximum freight absorption provision.* Part A of this Table C–18 shall not be applicable where the shipping point and the destination are both within Zone 17 and the sum of the shipping point price plus the less than carload rate of freight from shipping point to destination is greater than the zone destination price (computed without regard to this Part B) by more than $0.45 per 100 pounds.

In such cases freight shall be computed in accordance with whichever of the following alternatives results in the higher charge:

1. The sum of (a) the carload rate of freight from basing point to shipping point plus (b) the less than carload rate of freight from shipping point to destination minus (c) a deduction at the rate of $0.45 per 100 pounds ("basing point"), in this instance, refers to the basing point the use of which results in the lowest price at the shipping point; or

2. The sum of (a) the less than carload rate of freight from basing point to shipping point plus (b) the transportation charges actually paid from shipping point to destination minus (c) a deduction at the rate of $0.55 per 100 pounds ("basing point", in this instance, refers to the basing point the use of which results in the lowest price at the shipping point).

TABLE C–19

(1) For shipments to a destination, not within the switching limits of Pittsburgh, Pennsylvania, Chicago, Illinois, or New York, New York, or the delivery areas of Los Angeles, California, the lowest of the following alternatives:

(a) Less-than-carload freight from the governing basing point.

(b) Carload freight from Pittsburgh, Pennsylvania, to New York, New York, plus less-than-carload freight from New York, New York, to destination.

(c) Carload freight from Pittsburgh, Pennsylvania, to Los Angeles, California, plus less-than-carload freight from Loss Angeles, California, to destination.

(2) For shipments to a destination within the switching limits of New York, New York, or the delivery area of Los Angeles, California, the carload freight from the governing basing point to destination.

(3) For shipments to a destination within the switching limits of Pittsburgh, Pennsylvania, or Chicago, Illinois, freight may be added at the rate of $0.10 per 100 pounds.

TABLE C–20.—SEMI-FINISHED REJECTS

(1) Less-than-carload freight from the mill basing point for product which is nearest freight-wise to the shipping point, plus

(2) Less-than-carload freight from the shipping point to destination.

(iii) *Spread (Rate per 100 pounds).*

TABLE D–1.—SEMI-FINISHED REJECTS

The spread for semi-finished rejects shall be 10 percent of the aggregate of price at basing point set forth in Table B–3 and freight from the basing point nearest freight-wise to the shipping point.

(iv) *Quantity differentials (Rate per 100 pounds).* The differential for quantity shall be based upon all orders of one day for shipment to one destination regardless of how shipments are split by the seller for his own convenience or at the buyer's request. No buyer shall subdivide his requirements into small or partial orders for the purpose of enabling the seller to obtain a higher price and no seller shall require, or assist in, such action.

TABLE E–1.—ALL PRODUCTS EXCEPT COLD ROLLED STRIP AND SEMI-FINISHED PRODUCTS

The products to be combined for quantity are hot rolled sheets, cold rolled sheets, coated sheets including long terne sheets, hot rolled strip, plates and tin mill black plate. The differentials shall be as follows:

Under 100#----------	Add $1.00.
100# to 399#---------	Add $0.75.
400# to 1,999#-------	No extra or deduction.
2,000# to 9,999#-----	Deduct $0.10.
10,000# to 19,999#---	Deduct $0.15.
20,000# to 39,999#---	Deduct $0.20.

TABLE E–2.—COLD ROLLED STRIP

All items of Cold Rolled Strip of one thickness, width, finish, temper and edge comprise one item and shall be combined to determine the quantity differential.

Under 200#----------	Add $4.00.
200# to 299#---------	Add $2.00.
300# to 499#---------	Add $1.00.
500# to 999#---------	Add $0.75.
1,000# to 1,999#-----	Add $0.25.
2,000# to 39,999#----	Base.

(v) *Quality extras.* Extras for quality may be added only when the particular quality for which the extra is shown is furnished and only under the circumstances set forth in the respective tables. No more than one extra may be added from any table except when the applicable table permits.

TABLE F–1.—COLD ROLLED SHEETS

Stretcher levelled resquared----------	$0.55

The above extra may be added only for rejects or material which has been sheared to specifications and when such quality is specified by the buyer as a requirement of his purchase and is actually furnished.

TABLE F–2.—TIN MILL BLACK PLATE 29 GAUGE AND LIGHTER

Full finished:	
Rejects----------	$0.34
Wasters----------	.30
Waste Wasters----------	.26
Side and End Shearings----------	.22
Sheared to Specifications----------	.34

The above extras may be added when full finished or cold reduced finish is furnished.

(vi) *Size (rate per 100 pounds).* The size differentials set forth in each of the

tables below shall be computed in accordance with the following provisions:

1. When material is sold without cutting, the size differential shall be determined on the basis of the actual size of the material sold;

2. When the material furnished is in sizes other than those available in stock and when it is sheared to specifications, the size differential shall be determined on the basis of the actual size of the material after cutting.

In general, the following tables establish the dollars and cents values for size differentials for each grade of each product covered by § 1306.164. A separate table is set forth for each product and each table is divided into parts, each of which shows the differentials for a particular grade of the product.

The price component index indicates the table applicable according to product. The grade of product, determined by reference to the definitions, indicates the part of the table which contains differentials for the particular material sold.

TABLE G-1.—HOT ROLLED SHEETS

a. *Hot rolled sheet rejects.* The reject size differentials for gauge, width and length are shown below:

1. GAUGE AND WIDTH

U. S. Standard Gauge No.	8 and heavier	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
Thickness ordering limits, inches	.3499 to .1875	.1874 to .1570	.1569 to .1420	.1419 to .1271	.1270 to .1121	.1120 to .0972	.0971 to .0822	.0821 to .0710	.0709 to .0636	.0635 to .0568	.0567 to .0509	.0508 to .0449	.0448 to .0389	.0388 to .0344	.0343 to .0314	.0313 to .0284	.0283 to .0255	.0254 to .0225	.0224 to .0195	.0194 to .0172	.0171 to .0157	.0156 to .0142	.0141 to .0126	.0127 to .0113
Width in inches																							
32 and under	Base	Base	Base	Base	$0.04	$0.09	$0.13	$0.17	$0.26	$0.38	$0.47	$0.51	$0.64	$0.68	$0.68	$0.72	$0.72	$0.77	$0.81	$0.85	$0.89	$0.94	$1.11	$1.19	$1.28
Over 32 to 36 incl	Base	Base	Base	Base	.04	.09	.13	.17	.26	.38	.47	.51	.64	.68	.68	.77	.81	.85	.89	1.02	1.15	1.28	1.32	1.32	1.89
Over 36 to 40 incl	Base	Base	Base	Base	.04	.09	.13	.17	.26	.38	.47	.51	.64	.68	.73	.81	.89	.94	1.11	1.15	1.32	1.40	-----	-----	-----
Over 40 to 44 incl	Base	Base	Base	Base	.04	.09	.13	.17	.26	.38	.47	.51	.64	.68	.77	.89	.98	1.02	1.23	1.32	1.40	1.62	-----	-----	-----
Over 44 to 48 incl	Base	Base	Base	Base	.04	.09	.13	.21	.26	.38	.47	.51	.65	.77	.89	.98	1.02	1.06	1.23	1.32	1.40	-----	-----	-----	-----
Over 48 to 52 incl	Plate	$0.13	$0.13	$0.13	.17	.21	.26	.30	.34	.43	.51	.55	.68	.81	.94	1.11	1.19	1.28	-----	-----	-----	-----	-----	-----	-----
Over 52 to 56 incl	Plate	.13	.13	.13	.17	.21	.26	.30	.34	.43	.51	.55	.77	.85	1.06	1.28	1.45	1.49	-----	-----	-----	-----	-----	-----	-----
Over 56 to 60 incl	Plate	.13	.13	.13	.17	.21	.26	.34	.38	.47	.51	.60	.64	.81	.98	1.28	-----	-----	-----	-----	-----	-----	-----	-----	-----
Over 60 to 64 incl	Plate	.17	.17	.17	.17	.21	.26	.34	.38	.43	.51	.65	.72	.89	.98	1.49	-----	-----	-----	-----	-----	-----	-----	-----	-----
Over 64 to 68 incl	Plate	.17	.17	.17	.17	.21	.26	.30	.38	.43	.47	.56	.81	.85	1.06	1.15	1.70	-----	-----	-----	-----	-----	-----	-----	-----
Over 68 to 72 incl	Plate	.21	.21	.21	.21	.26	.30	.38	.43	.47	.56	.81	.85	1.06	1.23	1.49	1.69	-----	-----	-----	-----	-----	-----	-----	-----
Over 72 to 78 incl	Plate	.30	.30	.30	.34	.38	.51	.55	.60	.65	.89	.94	1.15	1.49	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
Over 78 to 86 incl	Plate	.30	.30	.30	.34	.38	.55	.60	.64	.72	1.06	1.23	1.49	1.69	1.83	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
Over 86	Plate	.38	.38	.38	.43	.47	.64	.81	.98	1.14	1.32	1.49	1.69	1.83	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----

2. LENGTH

U. S. standard gauge No.	Length in inches: Under 124	Over 124 to 144	Over 144 to 168	Over 168 to 192
16 or heavier	Base	Base	Base	Base
17 to 18	Base	Base	Base	Base
19 to 21	Base	$0.09	$0.17	$0.26
22 and 23	Base	.09	.21	.30
24	Base	.09	.21	.30
25 to 27	Base	.09	.26	-----
28	Base	.09	-----	-----
29 and 30	Base	.09	-----	-----

Length Extras For Tin Mill Black Plate Rejects 28 Gauge and Heavier:

Lengths under 90 to 78"	$0.04
Under 78 to 14"	.09
Under 14 to 10"	.21
Under 10 to 6"	.38

b. *Hot rolled sheet wasters.* The waster size differentials for gauge are shown below. No extra may be charged for width or length.

*8 and heavier	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
Base	Base	Base	Base	$0.04	$0.06	$0.11	$0.15	$0.23	$0.34	$0.41	$0.45	$0.58	$0.60	$0.69	$0.64	$0.64	$0.66	$0.71	$0.75	$0.79	$0.88	$0.98	$1.05

c. *Hot rolled sheet waste wasters and offal.* The waste waster and offal size differentials for gauge are shown below. No extra may be charged for width or length. Where a lot of waste wasters is unassorted as to gauge but within a specified range of gauges, the size differential which shall be applicable for the entire lot is the lowest value shown for any gauge within the range.

*8 and heavier	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
Base	Base	Base	Base	$0.03	$0.07	$0.10	$0.13	$0.20	$0.29	$0.36	$0.39	$0.49	$0.52	$0.52	$0.55	$0.55	$0.59	$0.63	$0.66	$0.69	$0.73	$0.85	$0.91

d. *Hot rolled sheet side and end shearings.* The side and end shearing differentials are shown below. Where a lot of material is unassorted as a gauge but within a specified range of gauges, the size differential which shall be applicable for the entire lot is the lowest value shown for any gauge within the range.

*8 and heavier	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
Base	Base	Base	Base	$0.03	$0.06	$0.08	$0.11	$0.17	$0.25	$0.30	$0.33	$0.41	$0.44	$0.44	$0.47	$0.47	$0.50	$0.53	$0.55	$0.58	$0.61	$0.72	$0.77

*U. S. Standard Gauge No.

TABLE G-1.—HOT ROLLED SHEETS—Continued

e. *Hot rolled sheet sheared to specifications.* The sheared to specifications differentials for gauge are shown below. No extra may be charged for width or length.

*8 and heavier	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
Base	Base	Base	Base	$0.04	$0.09	$0.13	$0.17	$0.26	$0.38	$0.47	$0.51	$0.64	$0.68	$0.68	$0.72	$0.72	$0.77	$0.81	$0.85	$0.89	$0.94	$1.11	$1.19

*U. S. Standard Gauge No.

TABLE G-2.—COLD ROLLED SHEETS

a. *Cold rolled sheet rejects.* The reject size differentials for gauge, width and length are shown below:

1. GAUGE AND WIDTH

U. S. Standard Gauge No.	8 and heavier	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
Thickness ordering limits in inches	.2499 to .1570	.1569 to .1420	.1419 to .1271	.1270 to .1121	.1120 to .0972	.0971 to .0822	.0821 to .0710	.0709 to .0636	.0635 to .0568	.0567 to .0509	.0508 to .0449	.0448 to .0389	.0388 to .0344	.0343 to .0314	.0313 to .0284	.0283 to .0255	.0254 to .0225	.0224 to .0195	.0194 to .0172	.0171 to .0157	.0156 to .0142	.0141 to .0126	.0127 to .0113
Width in inches																							
32 and under	−$0.13	−$0.13	−$0.13	−$0.13	−$0.13	−$0.13	−$0.13	−$0.09	−$0.04	Base	$0.04	$0.09	$0.13	$0.17	$0.21	$0.30	$0.38	$0.43	$0.47	$0.51	$0.60	Black plate	
Over 32 to 36 incl	−.13	−.13	−.13	−.13	−.13	−.13	−.13	−.09	−.04	Base	.04	.09	.13	.17	.21	.30	.38	.47	.55	.64	.81	$0.94	$1.06
Over 36 to 40 incl	−.13	−.13	−.13	−.13	−.13	−.13	−.13	−.09	−.04	Base	.04	.09	.13	.17	.26	.43	.47	.60	.68	.77	.89	1.15	1.32
Over 40 to 44 incl	−.13	−.13	−.13	−.13	−.13	−.13	−.13	−.09	−.04	Base	.04	.09	.13	.21	.30	.51	.55	.72	.81	.89	1.15	1.32	-----
Over 44 to 48 incl	−.13	−.13	−.13	−.13	−.13	−.13	−.13	−.09	−.04	Base	.04	.09	.13	.26	.38	.60	.64	.98	1.06	1.15	1.49	-----	-----
Over 48 to 52 incl	−.09	−.09	−.09	−.09	−.09	−.09	−.09	−.04	Base	$0.04	.09	.13	.21	.38	.47	.81	1.02	1.36	-----	-----	-----	-----	-----
Over 52 to 56 incl	−.09	−.09	−.09	−.09	−.09	−.09	−.09	−.04	Base	.04	.09	.13	.26	.43	.60	.94	1.28	-----	-----	-----	-----	-----	-----
Over 56 to 60 incl	−.04	−.04	−.04	−.04	−.04	−.04	−.04	−.04	Base	.04	.09	.21	.30	.55	.77	1.19	1.53	-----	-----	-----	-----	-----	-----
Over 60 to 64 incl	Base	Base	Base	Base	Base	Base	Base	Base	.04	.09	.13	.26	.34	.77	-----	-----	-----	-----	-----	-----	-----	-----	-----
Over 64 to 68 incl	.04	.04	.04	.04	.04	.04	.04	.04	.09	.17	.21	.34	.43	.98	-----	-----	-----	-----	-----	-----	-----	-----	-----
Over 68 to 72 incl	.09	.09	.09	.09	.09	.09	.09	.09	.17	.26	.30	.43	.51	1.11	-----	-----	-----	-----	-----	-----	-----	-----	-----
Over 72 to 78 incl	-----	-----	-----	-----	-----	-----	-----	-----	-----	.34	.38	.51	.85	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
Over 78 to 86 incl	-----	-----	-----	-----	-----	-----	-----	-----	-----	.51	.68	.85	1.02	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
Over 86	-----	-----	-----	-----	-----	-----	-----	-----	-----	.68	.85	1.02	1.19	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----

2. LENGTH

U. S. Standard Gauge No.	Length in inches: 96 and under	Over 96 to 108	Over 108 to 120	Over 120 to 132	Over 132 to 144	Over 144 to 171	Over 171
16 or heavier	Base	Base	Base	Base	Base	Base	Base
17–20 inclusive	Base	Base	Base	Base	Base	Base	$0.13
21–22 up to 48" wide incl	Base	Base	$0.13	$0.17	$0.21	$0.21	.34
21–22 over 48" wide	Base	$0.09	.17	.21	.26	.26	.38
23–24 up to 48" wide incl	Base	.13	.17	.21	.26	.26	.38
23–24 over 48" wide	Base	.17	.21	.26	.30	.30	.43
25–27 up to 48" wide	Base	.13	.17	.21	.26	.30	.43
28–30 up to 48" wide	Base	.17	.21	.26	.30	.34	.47

3. SUPPLEMENTARY SIZE EXTRAS

The following extras may be added to size extras (gauge and width and length) in Tables A and B above where a seller has paid a mill extra for full finish or cold reduced finish on cold rolled sheets of No. 13 U. S. standard gauge and heavier, as allowed by the provision of § 1306.10 (e) (1) of Revised Price Schedule No. 6.

11 gauge and heavier	$0.85
12 and 13 gauge	.43

b. *Cold rolled sheet wasters.* The waster size differentials for gauge are shown below. No extra may be charged for width or length.

*8 and heavier	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
−$0.11	−$0.11	−$0.11	−$0.11	−$0.11	−$0.11	−$0.11	−$0.08	−$0.04	Base	$0.04	$0.06	$0.11	$0.15	$0.19	$0.26	$0.34	$0.38	$0.41	$0.45	$0.53

c. *Cold rolled sheet waste wasters and offal.* The waste waster and offal size differentials for gauge are shown below. No extra may be charged for width or length. Where a lot of waste wasters is unassorted as to gauge but within a specified range of gauges, the same differential which shall be applicable for the entire lot is the lowest value shown for any gauge within the range.

*8 and heavier	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
−$0.10	−$0.10	−$0.10	−$0.10	−$0.10	−$0.10	−$0.07	−$0.03	Base	$0.03	$0.07	$0.10	$0.13	$0.16	$0.23	$0.29	$0.33	$0.36	$0.39	$0.46

d. *Cold rolled sheet side and end shearings.* The side and end shearing differentials are shown below. Where a lot of material is unassorted as to gauge but within a specified range of gauges, the size differential which shall be applicable for the entire lot is the lowest value shown for any gauge within the range.

*8 and heavier	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
−$0.06	−$0.06	−$0.06	−$0.06	−$0.06	−$0.06	−$0.06	−$0.03	Base	$0.06	$0.06	$0.06	$0.11	$0.14	$0.19	$0.25	$0.28	$0.30	$0.33	$0.39

*U. S. Standard Gauge No.

TABLE G-2.—COLD ROLLED SHEETS—Continued

e. *Cold rolled sheet sheared to specifications.* The sheared to specifications differentials for gauge are shown below. No extra may be charged for width or length.

*8 and heavier	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29 [1]	30 [1]
	−$0.13	−$0.13	−$0.13	−$0.12	−$0.13	−$0.13	−$0.09	−$0.04	Base	$0.04	$0.09	$0.13	$0.17	$0.21	$0.30	$0.38	$0.42	$0.47	$0.51	$0.60	$0.94	$1.06

*U. S. Standard Gauge No.
[1] This extra may not be used if after cutting the width of material is 32-inch or less.

TABLE G-3.—COATED SHEETS

a. *Coated Sheet Rejects.*—The reject size differentials for gauge, width and length are shown below:

1. GAUGE AND WIDTH

Gauge No.*	10 or heavier	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32
Width in inches																							
32 and under	−$0.43	−$0.38	−$0.34	−$0.30	−$0.26	−$0.21	−$0.21	−$0.17	−$0.13	−$0.13	−$0.09	−$0.09	−$0.04	−$0.04	Base	$0.13	$0.21	$0.30	$0.43	$0.64	$0.85	$1.06	$1.28
Over 32 to 36 incl	−.43	−.38	−.34	−.30	−.26	−.21	−.17	−.13	−.09	−.04	Base	Base	.13	.17	$0.21	.26	.47	.64	.85	------	------	------	------
Over 36 to 38 incl	−.43	−.38	−.34	−.30	−.26	−.21	−.17	−.13	−.09	Base	.04	.04	.21	.26	.30	.51	.60	.72	.98	------	------	------	------
Over 38 to 40 incl	−.43	−.38	−.34	−.30	−.26	−.21	−.17	−.13	−.09	Base	.04	.04	.26	.34	.38	.68	.77	.89	1.15	------	------	------	------
Over 40 to 42 incl	−.38	−.34	−.30	−.26	−.21	−.17	−.17	−.13	−.09	−.04	.13	.17	.17	.34	.43	.47	.77	.85	.98	1.32	------	------	------
Over 42 to 44 incl	−.34	−.30	−.26	−.21	−.17	−.13	−.12	−.13	−.09	−.04	.13	.17	.21	.43	.51	.55	.85	.94	1.15	1.49	------	------	------
Over 44 to 46 incl	−.26	−.21	−.17	−.13	−.09	−.04	−.04	Base	.04	.04	.17	.21	.21	.43	.51	.55	.85	.94	1.15	1.49	------	------	------
Over 46 to 48 incl	−.26	−.21	−.17	−.13	−.09	−.04	−.04	.04	.04	.09	.21	.26	.26	.51	.60	.64	.98	1.06	1.36	1.70	------	------	------
Over 48 to 50 incl	−.17	−.13	−.09	−.04	Base	.04	.04	.13	.17	.26	.30	.30	.34	.72	.81	.85	------	------	------	------	------	------	------
Over 50 to 52 incl	−.13	−.09	−.04	Base	.04	.09	.09	.17	.21	.30	.34	.51	.55	.55	.94	------	------	------	------	------	------	------	------
Over 52 to 54 incl	−.09	−.04	Base	.04	.09	.13	.17	.30	.47	.51	------	------	------	------	------	------	------	------	------	------	------	------	------
Over 54 to 56 incl	Base	.04	.09	.13	.17	.21	.30	.38	.68	.72	------	------	------	------	------	------	------	------	------	------	------	------	------
Over 56 to 58 incl	.09	.13	.17	.21	.26	.30	.38	.68	.72	------	------	------	------	------	------	------	------	------	------	------	------	------	------
Over 58 to 60 incl	.21	.26	.30	.34	.38	.43	.51	.89	.94	------	------	------	------	------	------	------	------	------	------	------	------	------	------

2. LENGTH

Gauge No.*	Length in inches									
	124 and under	Over 124 to 144	Over 144 to 166	Over 156 to 168	Over 168 to 192	Over 192 to 216	Over 216 to 228	Over 228 to 252	Over 252 to 275	
12 or heavier	Base	Base	$0.21	$0.43	$0.64	$0.64	$0.89	$0.98	$1.19	
13 to 16	Base	Base	.21	.43	.64	.77	.89	1.19	1.40	
17 and 18	Base	$0.09	.43	.64	.68	.77	.98	1.19	1.40	
19 to 21	Base	.09	.43	.64	.77	.89	.98	1.19	1.62	
22	Base	.09	------	------	------	------	------	------	------	
23 and 24	Base	.09	------	------	------	------	------	------	------	
25 and 26	Base	.09	------	------	------	------	------	------	------	
27	Base	.09	------	------	------	------	------	------	------	
28	Base	.09	------	------	------	------	------	------	------	
29 and 30	Base	------	------	------	------	------	------	------	------	
31	Base	------	------	------	------	------	------	------	------	
32	Base	------	------	------	------	------	------	------	------	

b. *Coated sheet wasters.* The waster size differentials for gauge are shown below. No extra may be charged for width or length.

*10 and heavier	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32
−$0.38	−$0.34	−$0.30	−$0.26	−$0.23	−$0.19	−$0.19	−$0.15	−$0.11	−$0.11	−$0.08	−$0.08	−$0.04	−$0.04	Base	$0.11	$0.19	$0.26	$0.38	$0.56	$0.75	$0.94	$1.13

c. *Coated sheet waste wasters and offal.* The waste waster (and offal) size differentials for gauge are shown below. No extra may be charged for width or length. Where a lot of waste wasters is unassorted as to gauge but within a specified range of gauges, the size differential which shall be applicable for the entire lot is the lowest value shown for any gauge within the range.

*10 & heavier	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32
−$0.33	−$0.29	−$0.26	−$0.23	−$0.20	−$0.16	−$0.16	−$0.13	−$0.10	−$0.10	−$0.07	−$0.07	−$0.03	−$0.03	Base	$0.10	$0.16	$0.23	$0.33	$0.49	$0.65	$0.81	$0.98

d. *Coated sheet side and end shearings.* The side and end shearing differentials are shown below. Where a lot of material is unassorted as to gauge but within a specified range of gauges, the size differential which shall be applicable for the entire lot is the lowest value shown for any gauge within the range.

10 and heavier	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32
−$0.28	−$0.25	−$0.22	−$0.19	−$0.17	−$0.14	−$0.14	−$0.11	−$0.08	−$0.08	−$0.06	−$0.06	−$0.06	−$0.06	Base	$0.06	$0.14	$0.19	$0.28	$0.41	$0.55	$0.69	$0.83

*For galvanized steel, galvanized Armco iron, galvanized Toncan iron, and galvannealed, use galvanized sheet gauge No.; long terne use U. S. Standard Gauge No.

TABLE G-3.—COATED SHEETS—Continued

e. *Coated sheet sheared to specifications.* The sheared to specifications differentials for gauge are shown below. No extra may be charged for width or length.

*10 and heavier	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32
−$0.43	−$0.38	−$0.34	−$0.30	−$0.26	−$0.21	−$0.21	−$0.17	−$0.13	−$0.13	−$0.09	−$0.09	−$0.04	−$0.04	Base	$0.13	$0.21	$0.30	$0.43	$0.64	$0.85	$1.06	$1.28

*For galvanized steel, galvanized Armco iron, galvanized Toncan iron, and galvannealed, use galvanized sheet gauge No.; long terne use U. S. Standard Gauge No.

TABLE G-4.—HOT ROLLED STRIP

a. *Hot rolled strip rejects.* The reject size differentials for gauge, width and length are shown below:

1. GAUGE AND WIDTH

B. W. G. No.	Heavier than 6	6, 7, and 8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Decimal equivalent in inches	.2490 to .2031	.203 to .162	.161 to .146	.145 to .132	.131 to .118	.117 to .105	.104 to .090	.089 to .076	.075 to .068	.067 to .061	.060 to .054	.053 to .047	.046 to .041	.040 to .035	.034 to .032	.031 to .028	.027 to .025
Width in inches																	
¾	Priced as hot rolled bars.	$1.23	$1.28	$1.36	$1.36	$1.45	$1.53	$1.70	$1.87	$2.04	$2.21	$2.42	$2.72	$3.06	$3.40	$3.74	$4.04
⅞		1.06	1.06	1.15	1.19	1.28	1.36	1.45	1.57	1.74	1.91	2.08	2.34	2.64	2.93	3.27	3.61
1		.89	.89	.94	.94	1.02	1.06	1.15	1.23	1.32	1.49	1.66	1.83	2.00	2.34	2.76	3.19
1⅛		.72	.72	.77	.77	.85	.89	.94	.98	1.06	1.15	1.32	1.49	1.66	2.00	2.34	2.76
1¼ to 1 15/16		.60	.60	.64	.64	.72	.77	.81	.85	.89	.98	1.06	1.23	1.40	1.66	2.00	2.34
2 to 2 15/16		.47	.47	.51	.51	.60	.64	.72	.77	.81	.89	.98	1.15	1.32	1.57	1.91	2.34
3 to 3 15/16		.38	.38	.43	.43	.51	.55	.60	.64	.68	.72	.77	.81	.89	1.06	1.32	1.57
4 to 4 15/16		.30	.30	.34	.34	.43	.47	.51	.51	.55	.55	.64	.72	.81	.98	1.23	1.40
5 to 5 15/16		.26	.26	.30	.30	.34	.38	.38	.38	.43	.47	.51	.60	.72	.89	1.02	1.19	1.45
6 to 6 15/16		.21	.21	.26	.26	.30	.34	.34	.34	.38	.47	.60	.72	.89	1.02	1.19	1.45
7 to 7 15/16		.17	.17	.21	.21	.26	.30	.30	.34	.38	.47	.60	.77	.98	1.06	1.32	1.45
8 to 8 15/16		.13	.13	.17	.17	.21	.26	.30	.30	.38	.51	.64	.81	1.02	1.11	1.28	1.32
9 to 9 15/16		.13	.13	.17	.17	.21	.26	.30	.34	.43	.55	.72	.89	1.06	------	------	------
10 to 11 15/16		.09	.09	.13	.13	.17	.21	.26	.34	.47	.64	.81	.98	1.15	------	------	------
12 to 13 15/16		.09	.09	.13	.13	.17	.21	.26	.34	.47	.64	.81	.85	.94	------	------	------
14 to 15 15/16	$0.04	.04	.04	.09	.09	.13	.17	.21	.30	.47	*.60	------	------	------	------	------	------
16 to 18	.04	.04	.04	.09	.09	.13	.17	.21	.30	.47	*.60	------	------	------	------	------	------
19 to 22	.04	.04	.04	.09	.09	.13	.17	.21	.30	.43	*.55	------	------	------	------	------	------

* Applies only on thickness .057" to .000" inclusive.

b. *Hot rolled strip wasters.* The waster size differentials for gauge are shown below. No extra may be charged for width or length.

B. W. G. No.	Heavier than 6	6, 7 and 8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
	$0.04	$0.04	$0.04	$0.06	$0.06	$0.11	$0.15	$0.19	$0.26	$0.34	$0.41	$0.48	$0.53	$0.68	$0.86	$1.01	$1.16

TABLE G-5.—COLD ROLLED STRIP

The following extras shall be used for cut lengths only; they shall not be used for cold rolled strip sold in coils.

a. *Cold rolled strip rejects.* The reject size differentials for gauge and width are shown below:

Width in inches	5/64 and under		Under 3/16 to over 5/64		Under ½ to incl. 3/16		Under 1 to incl. ½		Under 1½ to incl. 1		Under 3 to incl. 1½		Incl. 3 to incl. 6		Incl. 6 to incl. 9		Over 9 to incl. 12		Over 12 to incl. 23½/16	
	Hard	Soft	Hard	Soft	Hard	Soft	Hard	Soft	Hard	Soft	Hard	Soft	Hard	Soft	Hard	Soft	Hard	Soft	Hard	Soft
Thickness in inches																				
0.161 and thicker	$5.95	$6.73	$4.46	$5.06	$2.98	$3.36	$1.57	$1.98	$2.02	$1.40	$0.72	$1.11	$0.43	$0.81	$0.21	$0.60	$0.21	$0.60	$0.21	$0.60
0.160 to 0.109	5.70	6.46	4.29	4.85	2.85	3.23	1.45	1.88	.94	1.32	.72	1.11	.43	.81	.20	.68	.30	.68	.30	.68
0.099 to 0.069	5.87	6.63	4.42	4.97	2.93	3.32	1.74	2.13	1.06	1.45	.89	1.26	.72	1.11	.55	.94	.55	.94	.55	.94
0.068 to 0.050	6.04	6.80	4.56	5.10	3.03	3.40	1.83	2.21	1.19	1.53	.94	1.32	.81	1.19	.64	1.02	.64	1.02	.64	1.02
0.049 to 0.040	6.29	7.38	4.72	5.44	3.15	3.61	1.98	2.42	1.32	1.74	1.06	1.53	.94	1.40	.77	1.23	.77	1.23	.77	1.23
0.039 to 0.035	6.68	7.91	4.97	5.95	3.15	3.61	1.98	2.42	1.32	1.74	1.06	1.53	.94	1.40	.89	1.36	.89	1.36	.89	1.36
0.034 to 0.033	8.67	9.95	6.50	7.40	4.34	4.93	2.64	3.23	1.91	2.51	1.53	2.13	1.32	1.91	1.23	1.83	1.23	1.83	1.23	1.83
0.032 to 0.031	9.44	10.63	7.10	7.99	4.72	5.31	3.28	3.83	2.38	2.98	2.00	2.59	1.70	2.30	1.49	2.08	1.57	2.17	1.62	2.21
0.030 to 0.029	10.03	11.22	7.52	8.42	5.02	5.61	3.39	3.91	2.47	3.06	2.08	2.68	1.79	2.38	1.57	2.17	1.74	2.34	------	------
0.028 to 0.026	11.22	12.41	8.42	9.31	5.61	6.21	3.91	4.51	2.98	3.53	2.55	3.15	2.17	2.76	2.08	2.68	2.30	2.89	------	------
0.025 to 0.023	12.33	13.09	9.27	10.16	6.16	6.76	4.04	4.63	3.08	3.66	2.68	3.27	2.30	2.89	2.30	2.89	2.59	3.19	------	------
0.022 to 0.020	16.32	16.20	12.24	12.24	8.16	8.16	6.12	6.12	5.31	5.31	4.93	4.93	4.17	4.17	4.38	4.38	4.59	4.59	------	------
0.019 to 0.017	18.96	18.20	14.24	14.24	9.48	9.48	6.59	6.59	5.78	5.78	5.40	5.40	4.63	4.63	4.85	4.85	------	------	------	------
0.016 to 0.015	21.76	21.76	16.32	16.32	10.88	10.88	8.20	8.20	7.35	7.35	7.06	7.06	6.21	6.21	6.55	6.55	------	------	------	------
0.014 to 0.013																				

TABLE G-5.—COLD ROLLED STRIP—Con.

b. *Cold rolled strip wasters.* The waster size differentials for gauge are shown below. No extra may be charged for width

Thickness in inches	Hard	Soft
0.161 and thicker	$0.19	$0.53
.160 to 0.100	.26	.60
.099 to .069	.49	.83
.068 to .050	.56	.90
.049 to .040	.68	1.09
.039 to .035	.79	1.20
.034 to .032	1.09	1.61
.031 to .029	1.31	1.84
.028 to .026	1.39	1.91
.025 to .023	1.84	2.36
.022 to .020	2.03	2.55
.019 to .017	3.68	3.68
.016 to .015	4.09	4.09
.014 to .013	5.48	5.48

TABLE G-6.—PLATES

a. *Plate rejects.* The reject size differentials for gauge, width and length are shown below:

1. GAUGE AND WIDTH

Thickness in inches	Under ¼ to 3/16 incl.	¼ to 2 incl.	Over 2 to 4 incl.	Over 4
Width in inches				
48 and under	(Sheets)	Base	$0.09	$0.13
Over 48 to 72 incl	$0.17	Base	.09	.13
Over 72 to 84 incl	.26	Base	.09	.13
Over 84 to 96 incl	.34	Base	.09	.13
Over 96 to 100 incl	.43	Base	.09	.13
Over 100 to 110 incl	.51	$0.04	.13	.17
Over 110 to 115 incl	.55	.09	.17	.21
Over 115 to 120 incl	.60	.13	.21	.26
Over 120 to 125 incl	.68	.21	.30	.34
Over 125 to 130 incl	.89	.43	.51	.55
Over 130 to 140 incl	1.10	.64	.72	.77
Over 140 to 155 incl	1.32	.85	.94	.98

b. *Plate wasters.* The waster size differentials for gauge are shown below. No extra may be charged for width or length.

Thickness in inches	Under ¼ to 3/16 incl.	¼ to 2 incl.	Over 2 to 4 incl.	Over 4
	$0.15	Base	$0.08	$0.11

c. *Plate waste wasters and offal.* The waste waster and offal size differentials for gauge are shown below. No extra may be charged for width or length. Where a lot of wastewasters is unassorted as to gauge but within a specified range of gauges, the size differential which shall be applicable for the entire lot is the lowest value shown for any gauge within the range.

Thickness in inches	Under ¼ to 3/16 incl.	¼ to 2 incl.	Over 2 to 4 incl.	Over 4
	$0.13	Base	$0.07	$0.10

d. *Plate side end end shearings.* The side and end shearing differentials are shown below. Where a lot of material is unassorted as to gauge but within a specified range of gauges, the size differential which shall be applicable for the entire lot is the lowest value shown for any gauge within the range.

Thickness in inches	Under ¼ to 3/16 incl.	¼ to 2 incl.	Over 2 to 4 incl.	Over 4
	$0.11	Base	$0.06	$0.08

e. *Plate sheared to specifications.* The sheared to specifications differentials for gauge are shown below. No extra may be charged for width or length.

Thickness in inches	Under ¼ to 3/16 incl.	¼ to 2 incl.	Over 2 to 4 incl.	Over 4
	$0.17	Base	$0.09	$0.13

TABLE G-7.—TIN MILL BLACK PLATE

a. *Tin mill black plate rejects. The reject size differentials for gauge, width and length are shown below:*

1. GAUGE AND WIDTH

Width in inches	U. S. standard gauge No. 29	30	31	32	33	34	35	36	37	38
	.0141 to .0126	.0127 to .0113	.0112 to .0101	.0100 to .0094	.0093 to .0086	.0085 to .0079	.0078 to .0071	.0070 to .0066	.0065 to .0062	.0061 to .0058
Over 12 to 15	$0.21	$0.30	$0.38	$0.51	$0.60	$0.81	$0.98	$1.15	$1.28	$1.45
Over 15 to 20	Base	.09	.17	.26	.34	.55	.72	.89	1.02	1.19
Over 20 to 24	Base	.09	.17	.26	.34	.55	.77	.94	1.06	1.23
Over 24 to 28	Base	.09	.17	.26	.34	.55	.81	.98	1.11	1.28
Over 28 to 30	Base	.09	.17	.26	.34	.55	.89	1.06	1.19	1.36
Over 30 to 32	.09	.17	.26	.43	.51	.72				

2. LENGTH

U. S. standard gauge No.	Length in inches: Under 14 to 10	14 to 30	Over 30 to 75	Over 36 to 40	Over 40 to 42	Over 42 to 48	Over 48 to 60	Over 60 to 72	Over 72 to 84	Over 84 to 124
29 to 31	$0.13	Base	Base	Base	Base	Base	Base	$0.09	$0.17	$0.17
32 to 34	.17	Base	Base	Base	$0.04	$0.04	$0.09	.17	.21	
35 to 38	.17	Base	$0.17	$0.21	.21	.85	.85	.85	.85	

b. *Tin mill black plate wasters.* The waster size differentials for gauge are shown below. No extra may be charged for width or length.

U. S. standard gauge No.

29	30	31	32	33	34	35	36	37	38
Base	$0.08	$0.15	$0.23	$0.30	$0.49	$0.64	$0.79	$0.90	$1.05

c. *Tin mill black plate waste wasters.* The waste waster size differentials for gauge are shown below. No extra may be charged for width or length. Where a lot of waste wasters is unassorted as to gauge but within a specified range of gauges, the size differential which shall be applicable for the entire lot is the lowest value shown for any gauge within the range.

U. S. standard gauge No.

29	30	31	32	33	34	35	36	37	38
Base	$0.07	$0.13	$0.20	$0.26	$0.42	$0.55	$0.68	$0.78	$0.91

d. *Tin mill black plate side and end shearings.* The side and end shearings differentials are shown below. Where a lot of material is unassorted as to gauge but within a specified range of gauges, the size differential which shall be applicable for the entire lot is the lowest value shown for any gauge within the range.

U. S. standard gauge No.

29	30	31	32	33	34	35	36	37	38
Base	$0.06	$0.11	$0.17	$0.22	$0.36	$0.47	$0.58	$0.66	$0.77

TABLE G-8.—SEMI-FINISHED REJECTS

The size differentials for semi-finished rejects shall be 110 percent of the applicable prime mill extra for cross sectional areas as established by revised price schedule No. 6 for the particular products sold.

(vii) *Cutting extras* (Rate per 100 pounds except as otherwise stated). Charges for cutting are to be made only when the material furnished is in other than sizes available in stock and when material is sheared to specifications. The weight used in determining the total maximum delivered price for products sheared to specifications shall be the net weight of the product shipped, not the weight of the material from which the product was sheared. If cutting charges are provided in the following tables for such operation on the particular material sold, the minimum charge for cutting shall be $1.50 per item regardless of the fact that the charge set forth may be less.

TABLE H-1.—SHEARING OR SLITTING HOT ROLLED, COLD ROLLED, COATED SHEETS INCLUDING LONG TERNE SHEETS, AND 3/16" PLATES

A. *Hot rolled and cold rolled sheets and 3/16" plate sheared to width only.*—1. *Sheared to widths 12" or under.* When hot rolled or cold rolled sheets or 3/16" plates are sheared to width only 12" or under and are in random lengths, the maximum price shall be that established in this Appendix F for reject strip, hot rolled or cold rolled as the case may be, and there shall be no charge for cutting or waste. "Random lengths", in this instance, means any lengths shipped where the buyer does not specify the exact length; where the buyer specifies a range of lengths; or where the buyer specifies multiple lengths, except if the material is cut to within the following tolerances:

Material	Gauge No.	8	9 and 10	11 and 12	13 and 14	15 and 16	17 and 18	19 and 20	21 and 22	23 and 24	26 and 26	27 and 28	29 and 30
Material 1" thick or less	Commercial shearing tolerances plus the number of cuts the buyer is required to make times the thickness of material furnished.	$0.70	$0.70	$0.75	$0.75	$0.90	$0.90	$1.00	$1.20	$1.60	$1.60	$1.80	$2.00
		.45	.45	.55	.55	.65	.65	.75	.85	1.00	1.00	1.10	1.30
		.40	.40	.45	.45	.50	.50	.55	.60	.70	.70	.80	.90
		.35	.35	.40	.40	.45	.45	.50	.55	.65	.65	.75	.85
		.30	.30	.35	.35	.40	.40	.45	.50	.60	.60	.70	.80
Material over 1" thick	The number of cuts the buyer is required to make times the sum of ½" plus commercial burning tolerances.	.25	.25	.30	.30	.35	.35	.40	.45	.55	.55	.65	.75

2. *Sheared to widths over 12".* When hot rolled sheets (except 3/16") or cold rolled sheets are sheared to widths over 12" they shall be priced as sheets sheared to specifications and the following cutting charges may be added:

Width	Gauge No. 8	9 and 10	11 and 12	13 and 14	15 and 16	17 and 18	19 and 20	21 and 22	23 and 24	26 and 26	27 and 28	29 and 30
Under 2"	$0.70	$0.70	$0.75	$0.75	$0.90	$0.90	$1.00	$1.20	$1.60	$1.60	$1.80	$2.00
2" to under 5"	.45	.45	.55	.55	.65	.65	.75	.85	1.00	1.00	1.10	1.30
Over 5" to 9"	.40	.40	.45	.45	.50	.50	.55	.60	.70	.70	.80	.90
Over 9" to 12"	.35	.35	.40	.40	.45	.45	.50	.55	.65	.65	.75	.85
12" and over	.25	.25	.30	.25	.30	.30	.30	.30	.45	.45	.55	.65

B. *Coated sheets, including long terne sheets, sheared to width only.* Coated sheets, including long terne sheets, sheared to width only (any width) shall be priced as sheets sheared to specification and the following cutting charges may be added:

Length	Gauge No. 8	9 and 10	11 and 12	13 and 14	15 and 16	17 and 18	19 and 20	21 and 22	23 and 24	26 and 26	27 and 28	29 and 30
Under 24"	$0.35	$0.35	$0.40	$0.40	$0.45	$0.45	$0.50	$0.65	$0.60	$0.70	$0.80	$0.90
24" to under 36"	.30	.30	.35	.35	.40	.40	.45	.55	.50	.60	.70	.80
36" to under 60"	.25	.25	.30	.30	.35	.35	.40	.45	.45	.50	.60	.70
60" and over	.25	.25	.25	.25	.30	.30	.30	.30	.40	.40	.50	.60

C. *Hot rolled, cold rolled, and coated sheets including long terne sheets sheared to length only.* Hot rolled, cold rolled and coated sheets, including long terne sheets, sheared to length only shall be priced as sheets sheared to specification and the following cutting charges may be added:

Length	Gauge No. 8	9 and 10	11 and 12	13 and 14	15 and 16	17 and 18	19 and 20	21 and 22	23 and 24	26 and 26	27 and 28	29 and 30
1. To any width of 6" or over, and to lengths listed below:	$0.65	$0.65	$0.75	$0.85	$0.95	$1.05	$1.10	$1.15	$1.30	$2.00	$2.00	$2.00
6" to under 12"	.55	.55	.60	.75	.80	.90	1.00	1.05	1.10	1.35	1.35	1.35
12" to under 24"	.40	.40	.45	.45	.50	.60	.65	.75	.95	1.20	1.20	1.20
24" to under 36"	.40	.40	.40	.45	.45	.50	.60	.65	.75	.95	1.00	1.10
36" to under 60"	.35	.35	.35	.40	.40	.45	.50	.60	.65	.75	.75	1.00

2. To widths under 6".—Use the sum of the charges for sheared to width only and sheared to length only as shown in Parts A-2 and C above.

TABLE H-2.—SHEARING OR FLAME CUTTING PLATES AND 1/4" SHEETS

Plates (except 1/4") sheared or flame cut to width only over 6", to length only, or to both width and length shall be priced as plates sheared to specifications. 1/4" plates and 1/4" sheets shall be priced as sheets sheared to specification if cut to width only over 12" but 48" or less, to length only where width is 48" or less, or to both width and length if cut to width 48" or less. 1/4" plates if cut to width only over 48", to length only where width is over 48", or to both width and length if cut to width over 48" shall be priced as plates sheared to specifications. The cutting charges set forth below may be added to the price so determined. The maximum price for plates (in any thickness) sheared or flame cut to width only 6" or under shall be the maximum price established for prime hot rolled bars in Section 1306.105, Appendix G and charges for cutting or waste may be added.

Type of shearing	Length: Under 12"	12" to under 24"	24" to under 36"	36" to under 60"	60" and longer
To length only	$0.55	$0.30	$0.15	$0.10	$0.00
To width only, over 6" wide, or to any width and the lengths listed	.75	.50	.35	.20	.20

b. *Plate flame cutting charges.* 1. *The charges* (rate per lineal foot).

Thickness (inches)	Lineal feet: Under 5	5 and over	Thickness (inches)	Lineal feet: Under 5	5 and over
1/4	$0.25	$0.18	3 1/4	$0.57	$0.41
5/16	.25	.20	3 1/2	.57	.45
3/8	.25	.20	3 3/4	.57	.49
7/16	.25	.22	4	.57	.49
1/2	.30	.22	4 1/4	.57	.49
9/16	.30	.24	4 1/2	.57	.49
5/8	.30	.25	4 3/4	.57	.49
11/16	.30	.27	5	.57	.49
3/4	.30	.29	5 1/4	.57	.49
13/16	.30	.30	5 1/2	.57	.49
7/8	.30	.32	5 3/4	.57	.49
15/16	.30	.34	6	.57	.49
1	.30	.36	6 1/4	.57	.49
1 1/16	.30	.38	6 1/2	.57	.49
1 1/8	.30	.40	6 3/4	.57	.49
1 3/16	.30	.42	7	.57	.49
1 1/4	.30	.43	7 1/4	.57	.49
1 5/16	.30	.45	7 1/2	.57	.49
1 3/8	.30	.47	7 3/4	.57	.49
1 7/16	.30	.49	8	.57	.49
1 1/2	.30	.51	8 1/4	.57	.49
1 9/16	.30	.53	8 1/2	.57	.49
1 5/8	.30	.55	8 3/4	.57	.49
1 11/16	.30	.57	9	.57	.49
1 3/4	.30	.59	9 1/4	.57	.49
1 13/16	.30	.61	9 1/2	.57	.49
1 7/8	.30	.63	9 3/4	.57	.49
1 15/16	.30	.65	10	.57	.49
2	.30	.67	10 1/4	.57	.49
2 1/16	.30	.69	10 1/2	.57	.49
2 1/8	.30	.71	10 3/4	.57	.49
2 3/16	.30	.73	11	.57	.49
2 1/4	.30	.75	11 1/4	.57	.49
2 5/16	.30	.77	11 1/2	.57	.49
2 3/8	.30	.79	11 3/4	.57	.49
2 7/16	.30	.81	12	.57	.49
2 1/2	.30	.83			
2 9/16	.30	.85			
2 5/8	.30	.87			
2 11/16	.30	.89			
2 3/4	.30	.91			
2 13/16	.30	.93			
2 7/8	.30	.95			
2 15/16	.30	.97			
3	.30	.99			
3 1/16	.30	1.01			
3 1/8	.30	1.03			
3 3/16	.30	1.05			

Sketches with Straight Sides and no Re-entrant Cuts—All thicknesses are to be charged at the gross weight of smallest rectangle from which sketch can be cut (size of rectangle ¼ inch larger than plate required), plus charge for lineal feet for perimeter of sketch.

(viii) *Miscellaneous extras (rate per 100 pounds).* The following miscellaneous extras may be added as indicated in the Price Component Index and the tables set forth below:

TABLE K-1—PICKLING CHARGES FOR HOT ROLLED SHEETS, HOT ROLLED STRIP AND PLATES

A. *Hot rolled sheets and plates.* 1. When hot rolled sheets and plates are pickled by a producer of iron or steel products or carried in the seller's stock in a pickled condition, the charge which may be added is the sum obtained by multiplying the values shown in (A) below for the product by the per-

centage shown in (B) below for the product and particular grade. The result should be rounded to the second decimal place; round upward if the third decimal place is 5 or greater; round downward if third decimal place is less than 5.

(A)

Hot rolled sheets:	
12 gauge or heavier	$0.15
13 to 20 gauge, inclusive	.20
21 and 22 gauge	.25
26 gauge and lighter	.30
Plates (Except floor plates):	
For pickling plates (includes oiling or liming)	.25
For pickling plates (not including oiling and liming)	.15
For oiling plates	.10

(B)

	Percent
Rejects	85
Wasters	75
Waste wasters	65
Side and end shearings	55
Sheared to specifications	85

2. When the product is job or warehouse pickled to meet the requirements of a specific order from a buyer the following charges may be added in addition to those permitted in Part A–1 above:

Hot Rolled Sheets	$0.25
Plates	.20

B. Hot Rolled Strip. When hot rolled strip is pickled by a producer of iron or steel products or carried in the seller's stock in a pickled condition, the charge which may be added is the sum obtained by multiplying the values shown in (A) below by the percentage shown in (B) below for the particular grade shipped. The result should be rounded to the second decimal place; round upward if the third decimal place is 5 or greater; round downward if third decimal place is less than 5. When hot rolled strip is job or warehoused pickled to meet requirements of a specific order from a buyer, the full charges shown in (A) below may be added.

(A)

B. W. G. No.	Heavier than 6	6, 7, and 8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Decimal equivalent in inches	0.2490 to 0.2031	0.203 to 0.162	0.161 to 0.146	0.145 to 0.132	0.131 to 0.118	0.117 to 0.105	0.104 to 0.090	0.089 to 0.076	0.075 to 0.068	0.067 to .061	0.060 to 0.054	0.053 to 0.047	0.046 to 0.041	0.040 to 0.035	0.034 to 0.032	0.031 to 0.028	0.027 to 0.025
Width in inches																	
Under 1½	----------	$0.55	$0.55	$0.55	$0.55	$0.55	$0.70	$0.70	$0.70	$0.70	$0.90	$0.90	$0.90	$0.90	$1.25	$1.25	$1.25
1½ to 5	----------	.40	.40	.40	.40	.40	.55	.55	.55	.55	.70	.70	.70	.70	1.05	1.05	1.05
5⅛ to 6	----------	.26	.26	.26	.26	.26	.35	.35	.35	.35	.45	.45	.45	.45	----------	----------	----------
6⅛ to 12	$0.26	.26	.26	.25	.25	.25	.35	.35	.35	.35	.45	.45	.45	.45	----------	----------	----------

(B)

Rejects	85%
Wasters	75%
Waste Wasters	65%
Side and End Shearings	55%
Sheared to Specifications	85%

TABLE K–2—WASTE ALLOWANCE FOR MATERIAL SHEARED TO SPECIFICATION

An allowance for waste may be added equal to 10 percent of the aggregate of the following factors when material is sheared to specification to width only or to length only; or 15 percent of such aggregate when material is sheared to specification to both length and width:

(i) Price at basing point.
(ii) Freight included in zone destination price or zone shipping point price.
(iii) Spread.
(iv) Quantity.
(v) Quality.
(vi) Size.
(vii) Cutting.
(viii) Other miscellaneous extras.

Provided, That no charge may be made for waste in any instance set forth below: ¼" plates, hot rolled sheets or cold rolled sheets cut to width only 12" or less. Plates cut to width only 6" or less. Hot rolled or cold rolled strip cut to width only, length only, or to both length and width.

This amendment shall become effective June 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8514; Filed, June 12, 1944; 4:36 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280,[1] Incl. Amdts. 1–46]

MAXIMUM PRICES FOR SPECIFIC FOOD PRODUCTS

This compilation of Maximum Price Regulation 280 includes Amendment 46, effective June 17, 1944. The text amended by Amendment 46 is underscored.

Preamble. In the judgment of the Price Administrator it is necessary and proper in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 issued by the President on October 3, 1942 to maintain as the maximum prices for certain essential food products heretofore covered under Temporary Maximum Price Regulation No. 22 the prices prevailing with respect thereto during the period September 28, 1942 to October 2, 1942, inclusive. The maximum prices established by this regulation are, in the judgment of the Price Administrator, generally fair and equitable and will aid in stabilizing the cost of living. The maximum prices established herein are not below prices which will reflect to the producers of the covered agricultural commodities prices for their products equal to the highest of the prices required by the provisions of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.[2]

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected or had previously been promulgated and their use lawfully required by another Government agency.

[Above sentence added by Supplementary Order No. 57, 8 F.R. 12551, effective 9–11–43]

Therefore, with the concurrence of the Secretary of Agriculture with respect to agricultural commodities and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1,[3] Maximum Price Regulation No. 280 is hereby issued.

Sec.

1351.801 Purpose of this regulation.
1351.802 Prohibition against buying and selling above maximum prices
1351.803 Maximum prices.
1351.803a Packers' maximum prices for certain commodities packed in new container types and sizes.
1351.803b Maximum prices for sales of cake mixes and flour mixes made with enriched flour or containing any added enriching ingredient, in bulk and "packaged" in quantities greater than 8 pounds.
1351.804 Relationship between minimum prices established by federal marketing agreements, orders or licenses and maximum prices established herein.
1351.805 Addition allowed sellers of fluid milk or fluid cream because of price increases resulting from federal milk marketing agreements, orders or licenses.
1351.805a Determination of adjusted maximum prices for fluid cream sold at wholesale other than in glass or paper containers to stores, hotels, restaurants and institutions, after butterfat content is reduced to comply with Conservation Order No. M–250 issued by War Production Board on November 25, 1942.
1351.806 Adjustment of maximum prices of malted milk.
1351.807 Adjustment of maximum prices of fluid milk sold at wholesale in bulk (other than in glass or paper containers) to stores, hotels, restaurants and institutions.
1351.807a Special provision for domestically produced foreign-type cheese.
1351.808 Exempt sales.
1351.809 Evasion.
1351.810 Sales for export.

[1] 8 F.R. 5165.

[2] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[3] 9 F.R. 5791.

Sec.
1351.811 Imports.
1351.812 Records and reports.
1351.813 Enforcement.
1351.813a Licensing.
1351.814 Petitions for amendment and applications for adjustment.
1351.815 Adjustable pricing.
1351.816 Definitions.
1351.817 Relation to other maximum price regulations.
1351.817a Establishment of maximum prices for the sale or delivery by, and purchase from handlers of fluid milk.
1351.818 Geographical applicability.
1351.819 Revocation of Temporary Maximum Price Regulation No. 22.
1351.820 Effective date.
1351.821 Effective dates of amendments.

AUTHORITY: §§ 1351.801 to 1351.821 issued under 56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1351.801 *Purpose of this regulation.* Except for those sales exempt in § 1351.808, it is the purpose of this regulation to establish maximum prices for sales of the following specific food products:

(a) *Fluid milk and milk products.* Fluid milk and cream sold at wholesale other than in glass or paper containers to stores, hotels, restaurants and institutions; cheeses in so far as their sales are not covered by Maximum Price Regulation No. 289 [4] or Maximum Price Regulation No. 268 [5]; condensed milk, and evaporated milk in so far as their sale is not covered by Maximum Price Regulations Nos. 289, 237,[6] or 238;[7] all powdered skim milk for animal feed, all powdered butter milk for animal feed, all condensed milk for animal feed, and any other animal feed processed from cows' milk and composed of milk ingredients constituting more than 50 per cent in weight or volume; edible casein; malted milk powder; and any other food commodity which is processed from cows' milk and composed of milk ingredients constituting more than 50 per cent in weight or volume, excluding ice cream (which is covered by the General Maximum Price Regulation) and excluding any other commodity so composed of milk ingredients in so far as its sale is covered by some other regulation.

[Paragraph (a) amended by Am. 21, 8 F.R. 7566, effective 6–10–43; Am. 24, 8 F.R. 7599, effective 6–11–43; and Am. 28, 8 F.R. 9521, effective 7–15–43]

(b) *Eggs.* Shell eggs of the domestic or barnyard hen found to be infertile and sold for industrial use.

(c) *Poultry.* Poultry in so far as their sale is not covered by Maximum Price Regulation No. 268 or 269.

(d) *Canned citrus fruits and juices.* All canned fruits and juices made from citrus fruits (such as oranges, grapefruits, lemons, limes but not including concentrates) and combinations or blends thereof in so far as their sale is not covered by Maximum Price Regulation 237 [8] or 238 [9] or Maximum Price Regulation 306.[10]

(e) *Cake mixes and flour mixes in bulk and "packaged" in quantities greater than 3 pounds.* All combinations of flour with any other ingredients in so far as their sale is not covered by Maximum Price Regulation 421,[11] 422,[12] 423,[13] or 462.[14]

[Paragraph (e) amended by Am. 42, 9 F.R. 2238, effective 3–2–44]

(f) *Dried peas and lentils.* All threshed and dried field or garden peas and lentils used for human consumption in so far as their sale is not covered by Maximum Price Regulation No. 237 or 238.

(g) *Meaning of the term "listed food products".* Wherever the term "listed food products" appears in this regulation it refers to a particular kind, grade, quality and container size of the food products listed above.

[§ 1351.801 amended by Am. 3, 7 F.R. 10786, effective 12–21–42; Am. 8, 8 F.R. 1120, effective 12–3–42; Am. 12, 8 F.R. 1885, effective 12–3–42; Am. 20, 8 F.R. 5165, effective 4–22–43; and as otherwise noted]

§ 1351.802 *Prohibition against buying and selling above maximum prices.* (a) On and after December 3, 1942, regardless of any contract, agreement or other obligation, no person shall sell or deliver a listed food product, and no person in the course of trade or business shall buy or receive a listed food product at a price higher than the maximum price permitted by this Maximum Price Regulation No. 280; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

(b) However, prices lower than maximum prices may be charged, demanded, paid or offered.

§ 1351.803 *Maximum prices.* The provisions of this section apply to sales of listed food products other than sales of cake mixes and flour mixes (referred to in § 1351.801 (e), above) made with enriched flour or containing any added enriching ingredient. (a) The seller's maximum price for any listed food product shall be the highest price charged by the seller during the period September 28, 1942, to October 2, 1942, inclusive, for the same listed food product; or if no charge was made for the same listed food product, for the similar listed food product most nearly like it. If the seller did not sell the same or similar listed food product during the period September 28, 1942, to October 2, 1942, inclusive, his maximum price for such listed food product shall be the highest price charged during that period by his most closely competitive seller of the same class for the same listed food product; or, if no charge was made for the same listed food product, for the similar food product most nearly like it.

[First sentence added by Am. 42, 9 F.R. 2238, effective 3–2–44]

(b) If the seller cannot determine his maximum price for a listed food product under the foregoing, because neither he nor his most closely competitive seller of the same class delivered or offered for delivery such listed food product to a purchaser of the same class during the base period and adjusting the price to October 2, 1942, inclusive, he may determine his maximum price by the following procedure applied in the following order:

(1) By taking the maximum price of the same or similar listed food product most nearly like it which he charged a different class of purchaser during such base period and adjusting the price to reflect the customary differential between the two classes of purchasers.

(2) By taking the maximum price of the same or similar listed food product most nearly like it charged by his most closely competitive seller of the same class to a different class of purchaser during such base period, and adjusting that maximum price to reflect the customary differential between the price charged that different class of purchaser by such competitor, and the price for that class of purchaser for whom a maximum price is sought by the seller.

(3) By taking as the maximum price the most recent price which he (or, if none, his most closely competitive seller of the same class) charged any class of purchasers at any time within one year previous to said base period and adjusting said price to reflect a reasonable differential to other classes of purchasers.

(4) In all other cases, by taking the maximum price for the most nearly similar listed food product that he (or, if none, his most closely competitive seller of the same class) has delivered or offered for delivery during such base period (or, if none at the most recent time within one year prior thereto) and adjusting that price to reflect the differential between the two commodities normal or customary to his business or, if none, to reflect the reasonable differential between the two commodities

[4] Revised: 9 F.R. 5140, 5427, 5429, 5588, 5917, 5919, 5921.

[5] Superseded by Maximum Price Regulations 422 and 423.

[6] Superseded by Maximum Price Regulation 421.

[7] Superseded by Maximum Price Regulations 422 and 423.

[8] See footnote 6.

[9] See footnote 7.

[10] 8 F.R. 16696, 17224, 17295, 17482; 9 F.R. 287, 96, 1710, 2237.

[11] 9 F.R. 5648.

[12] 9 F.R. 5656.

[13] 9 F.R. 5671.

[14] 8 F.R. 12181, 15006.

based upon the variances in the cost of production of the two commodities.

[Subparagraphs (3) and (4) added by Am. 10, 8 F.R. 1741, effective 2-12-43]

(c) [Revoked]

[Paragraph (c) revoked by Am. 10]

(d) [Revoked]

[Paragraph (d) added by Am. 6, 8 F.R. 876, effective 1-18-43 and revoked by Am. 29, 8 F.R. 9386, effective 7-7-43]

(e) [Revoked]

[Paragraph (e) added by Am. 7, 8 F.R. 877, effective 1-16-43 and revoked by Am. 29]

(f) [Revoked]

[Paragraph (f) added by Am. 9, 8 F.R. 1468, effective 2-2-43 and revoked by Am. 29]

(g) The provisions of this Maximum Price Regulation No. 280 do not apply to the following milk product: "ice cream mix", the butterfat content of which is reduced to not less than 8% (by weight) included in 14% or more (by weight) of total milk solids. Maximum prices for sales of such "ice cream mix" are fixed in subparagraph (1a) of § 1499.73 a (a) of Supplementary Regulation No. 14A to the General Maximum Price Regulation. (Amendment No. 119[18] to Supplementary Regulation No. 14.)

[Paragraph (g) added by Am. 14, 8 F.R. 2346, effective 2-22-43 and amended by Am. 46, effective 6-17-44. Terminates 8-23-44. (Termination date amended by Am. 25, 8 F.R. 7670, effective 5-23-43; Am. 31, 8 F.R. 10513, effective 7-24-43; Am. 84, 8 F.R. 13060, effective 9-23-43; Am. 39, 9 F.R. 343, effective 11-23-43; Am. 43, 9 F.R. 2176, effective 2-23-44; and Am. 45, 9 F.R. 5586, effective 5-23-44]

(h) [Revoked]

[Paragraph (h) added by Am. 16, 8 F.R. 3070, effective 3-11-43; terminated 4-1-43; revoked by Am. 29, 8 F.R. 9386, effective 7-7-43]

§ 1351.803a *Packers' maximum prices for certain commodities packed in new container types and sizes*—(a) *Explanation.* The purpose of the method of pricing provided by this section, is to permit the packer who is now packing certain commodities in containers of new types and sizes (i. e., types and sizes which he did not deliver or offer for delivery during the period September 28 to October 2, 1942, inclusive) to establish maximum prices for those items. The method permits him to account for differences in container costs, and for differences in transportation costs caused by the difference in containers, without permitting him to increase the price per unit of the commodity packed in the new container. The new method, however, applies only where a previous maximum price of the commodity has been set for a container size not more than 50 percent larger or smaller than the new size, and only in cases where both containers are of the non-returnable, single-use type. This new pricing method applies to the following commodity: Malted milk powder of all types.

(b) *Pricing method.* To figure the maximum price to any class of purchasers for the food commodity in the new container type or size, the packer shall:

(1) *Determine the base container.* The packer shall first determine the most similar container type in which he has already established a maximum price for the commodity to that class of purchasers. From that container type he shall choose the nearest size which is 50% or less larger or, if there is no such size, 50% or less smaller (even though he no longer sells those sizes). This will be the "base container". If there is no such smaller size, he shall go to the next most similar container type and proceed in the same manner to find the base container.

NOTE: In most cases "the most similar container type" will be merely the container type which the packer is adding to or replacing, like the tin which he may be replacing with glass. Where there has been only a size change, "the most similar container type" will, of course, be the same container type. This is also true in the reverse situation; where there has been a change only in container type, the "nearest size" will be the same size.

(2) *Find the basic price.* The packer shall take as the "base price" the maximum price which he may charge that class of purchasers for the commodity in the base container. However, if this maximum price is a price delivered to the purchaser or to any point other than the packer's factory, the packer shall first convert it to a base price f. o. b. packer's factory simply by deducting whatever transportation charges were included in it.

(3) *Deduct the container cost.* Taking his base price f. o. b. factory, the packer shall then subtract the direct cost of the base container. "Direct cost of the container" means the net cost, at the packer's factory, of the container, cap, label and proportionate part of the outgoing shipping carton, but it does not include costs of filling, closing, labeling or packing.

(4) *Adjust for any difference in contents.* The figure gotten by this deduction shall then be adjusted, in the case of a size change, by dividing it by the number of ounces or other units in the base container and multiplying the result by the number of the same units in the new container.

(5) *Add the new container cost to get the price f. o. b. factory.* Next, the packer shall add to the adjusted figure the "direct cost of the container" in the new type and size. If his maximum price for the commodity in the base container is an f. o. b. factory price, the resulting figure is the packer's maximum price to that class of purchasers, f. o. b. factory.

(6) *Convert to a maximum delivered price, if the maximum price for the base container is on a delivered basis.* If the packer's maximum price for the commodity in the base container is a delivered price, he shall figure transportation charges to be added, as follows: The packer shall take the transportation charges which he first deducted to get his base price and adjust them in exact proportion to the difference in shipping weight. However, if for any reason the commodity in the new container will move under a different freight tariff classification, he shall figure his transportation charges (by the same means of transportation and to the same destination) on the basis of the new shipping weight, but at the rate in effect for that freight tariff classification during September 28 to October 2, 1942. Increases in tariff rates or transportation taxes made since October 2, 1942 shall not be taken into account. (Similar principles shall apply where shipping volume is the measure of the transportation charge.) The packer shall then add these transportation charges to his f. o. b. factory price for the commodity in the new container. The resulting figure is the packer's maximum delivered price to that class of purchasers.

(c) *Units of sale and fractions of a cent.* The packer shall figure each maximum price, and the costs that enter into it, in terms of the same general units (like pounds, dozens, etc.) in which he has customarily quoted prices for the commodity in the base container. If any maximum price includes a fraction of a cent, the packer shall adjust the price to the nearest fractional unit (like 1¢, ½¢, ¼¢, etc.) in which he has customarily quoted prices for the commodity in the base container.

(d) *Examples showing how the pricing method is to be applied.*

CASE 1. *The maximum price f. o. b. factory if the base container is the same in size as the new container but different in type.* Assume the base container is a 16 oz. glass.

Maximum price per dozen f. o. b. factory in base container ("base price")	$0.55
Subtract "direct cost" of base container	−.20
	.35
Add "direct cost" of new container	+.34
New maximum price (f. o. b. factory)	.69 doz

CASE 2. *The maximum price f. o. b. factory if the base container is different in size from the new container and either the same or different in type.* Assume the base container is a 10½ oz. tin and the new container is an 8 oz. tin or glass.

Maximum price per dozen f. o. b. factory in base container ("base price")	$1.20
Subtract "direct cost" of base container	−.15
Adjust to new container:	
Divide by number of ounces of commodity in base container	$1.05
	÷10½
	.10
Multiply by number of ounces of commodity in new container × 8	.80
Add "direct cost" of new container (glass)	.26
New maximum price (f. o. b. factory)	1.06 doz.

CASE 3. *Maximum delivered price if the base container is the same in size as the new container but different in type.* Assume the base container is a 16 oz. tin and the new container is a 16 oz. glass.

Maximum delivered price per dozen in base container (figured c. 1.)	$0.60
Subtract transportation charges	−.05
Price f. o. b. factory ("base price")	.55
Subtract "direct cost" of container	−.20
	.35
Add "direct cost" of new container	.34
Add new transportation charges:	
$.05 (old transpt. chgs.) × 40 lb. (new shpg. wt./case) =	.058
34 lb. (old shpg. wt./case)	
New maximum delivered price	.75 doz.

CASE 4. *Same, except that the new container type puts the commodity in a different freight tariff classification.* Assume the base container is a 16 oz. tin and the new container is a 16 oz. glass.

Maximum delivered price per dozen in base container (figured 1. c. l.)	$.60
Subtract transportation charges	.05
Price f. o. b. factory ("base price")	.55
Subtract "direct cost" of container	−.20
Add "direct cost" of new container	−.34
Add new transportation charges:	
40 lb. (new shpg. wt.) / 100 × .185¢ (rate per cwt. under new classif.) =	.074
New maximum delivered price	.76 doz.

(e) *Records.* Packers shall keep records showing how they figured each maximum price under this subparagraph, and shall within 30 days after computing their maximum prices for any commodity in a new container pursuant to the terms of this section, file a report with the Manufactured Dairy Products Section of the Office of Price Administration, Washington, D. C., which shall include the following information:

(1) The kind, brand and grade of the item for which a maximum price is determined;

(2) The size of the newly-priced container, the net contents thereof by weight or volume, and the number of containers in the case;

(3) The size of the container used as a "base container", the net contents thereof by weight or volume, and the number of containers in the case;

(4) The maximum price or prices determined for each class of purchasers to whom he sells;

(5) All basic figures involved in the actual calculation of such maximum price pursuant to this section.

(f) *Notification of the new maximum price.* Any person who determines the maximum price for any commodity in accordance with the provisions of this section shall accompany the first delivery of such commodity to the purchaser with a statement in writing in which he shall state:

(1) The maximum price of the commodity in the new container, and that the price charged is at or below the maximum price;

(2) That the maximum price to such purchaser is determined in accordance with the provisions of this section.

[§ 1351.803a added by Am. 26, 8 F.R. 8065, effective 6-18-43]

§ 1351.803b *Maximum prices for sales of cake mixes and flour mixes made with enriched flour or containing any added enriching ingredient, in bulk and "packaged" in quantities greater than 3 pounds*—(a) *Explanation of this section.* The purpose of this section is to establish maximum prices for cake mixes and flour mixes (other than pancake mix and waffle mix) made with enriched flour or containing any added enriching ingredient, in bulk and "packaged" in quantities greater than 3 pounds. (Maximum prices for pancake mix and waffle mix, in sales by persons other than wholesalers and retailers, are governed by Maximum Price Regulation No. 462.) Prices established by this section are in effect on and after March 2, 1944.

(b) *Maximum prices.* (1) A seller's maximum price per pound or other unit to any class of purchasers for cake mix or flour mix, in bulk or "packaged" in quantities greater than 3 pounds, made with enriched flour shall be the sum of:

(i) His maximum price to the same class of purchasers under § 1351.803 for the same kind, grade, quality and container type and size of cake mix or flour mix that is not made with enriched flour and does not contain any added enriching ingredient; and

(ii) $0.125 per one hundred pounds of the finished product if all of the flour used is enriched flour, otherwise the figure which results from multiplying $0.125 by the result obtained by dividing the number of pounds or other units of enriched flour content by the number of pounds or other units of the entire flour content.

(2) A seller's maximum price per pound or other unit to any class of purchasers for cake mix or flour mix, in bulk or "packaged" in quantities greater than 3 pounds, not made with enriched flour, but containing any added enriching ingredient, shall be the sum of

(i) His maximum price to the same class of purchasers under § 1351.803 for the same kind, grade, quality and container type and size of cake mix or flour mix that is not made with enriched flour and does not contain any added enriching ingredient; and

(ii) The processor's actual cost for the added enriching ingredient or ingredients contained in the cake mix or flour mix: *Provided*, That in figuring the maximum price the seller shall exclude from the computation any actual cost for the added enriching ingredients in excess of $0.125 per one hundred pounds of the finished product. "Actual cost" means the amount (not in excess of his supplier's maximum price) which the processor pays for the added enriching ingredients delivered to his customary receiving point (less all discounts allowed him except the discount for prompt payment), plus his direct labor cost for adding those ingredients to the cake mix or flour mix being priced.

(c) *Individual authorizations of maximum prices.* If the processor's maximum price for any item of cake mix or flour mix made with enriched flour or containing any added enriching ingredient, in bulk or "packaged" in quantities greater than 3 pounds, cannot be determined under paragraph (b), he shall apply to the Office of Price Administration, Washington, D. C., for a maximum price. His application shall set forth (1) a description in detail of the item for which a maximum price is sought, including its grade and the brand name to be used, if any, the number of packages in each shipping case, and a statement of the facts which make it different from the most similar item for which he has determined a maximum price, identifying the similar item and stating its maximum price; (2) an itemized current cost breakdown of the item to be priced, showing separately, according to his own system of accounts or regularly prepared operating statements, all major component cost factors (e. g., direct costs—raw materials, packaging materials and direct labor; indirect costs, such as indirect labor, factory overhead and selling, advertising and administrative cost, together with an explanation showing the method of allocation of the indirect cost factors; and freight if sold on a delivered basis), indicating whether each cost item is an actual or an estimated cost, and the identical current cost breakdown of the most closely comparable food commodity which contributes substantially to his total volume of business; (3) the desired selling price for the item, including a statement showing the necessity for the desired selling price, any discounts or allowances which should be made applicable to the desired price, and (for comparison) the maximum selling price, with discounts and allowances, for the second commodity included in subparagraph (2), above; and (4) the method of distribution to be employed by the processor in marketing the new commodity (i. e., whether it is to be sold to wholesalers, retailers, consumers, persons who will further process the commodity, or other classes of purchasers). Upon receipt of such application the Office of Price Administration will authorize the maximum price or a method of determining the maximum price for the applicant or for sellers of the item generally including purchasers for resale or for a class of such purchasers.

Until a maximum price is authorized, the applicant may deliver the item but he may not render an invoice or receive payment for it.

Where any cost factor set forth in the application is an estimated amount, the processor shall file with the Office of Price Administration, Washington, D. C., not later than six months and not earlier than three months after his maximum price has been authorized, a statement showing the actual cost of that factor in his production of the item since the authorization of the maximum price.

(d) *Meaning of "processor".* "Processor" means a person who manufactures any part of what he sells of the kind of food product being priced.

[18] 8 F.R. 2346.

[§ 1351.803b added by Am. 42, 9 F.R. 2238, effective 3-2-44]

[NOTE: Supplementary Order No. 81 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions, the addition of extra packing expenses to maximum prices on sales to procurement agencies of the United States.]

§ 1351.804 *Relationship between minimum prices established by Federal marketing agreements, orders or licenses and maximum prices established herein.* If the maximum price established for any seller by this Maximum Price Regulation No. 280 is below the minimum price established for him by any marketing agreement, order or license heretofore or hereafter to be issued by the Secretary of Agriculture, pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, such minimum price shall become the seller's maximum price.

§ 1351.805 *Addition allowed sellers of fluid milk or fluid cream because of price increases resulting from Federal milk marketing agreements, orders or licenses.* Any seller of fluid milk or fluid cream at wholesale other than in glass or paper containers, to stores, hotels, restaurants and institutions may add to his maximum price established by this Maximum Price Regulation No. 280, the amount in dollars and cents of any price increase which he actually pays to his supplier, after taking into account and making appropriate deductions for all governmental subsidies because of any increase in minimum producers prices since October 2, 1942 as the result of any marketing agreement, order or license heretofore or hereafter issued by the Secretary of Agriculture pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended: *Provided, however,* That no increase allowed under this § 1351.805 shall be greater than the increase allowed the producer under such marketing agreement, order or license, after taking into account and making appropriate deductions for all governmental subsidies.

[§ 1351.805 amended by Am. 3, 7 F.R. 10786, effective 12-21-42]

§ 1351.805a *Determination of adjusted maximum prices for fluid cream sold at wholesale other than in glass or paper containers to stores, hotels, restaurants and institutions, after butterfat content is reduced to comply with Conservation Order No. M-259,[16] issued by the War Production Board on November 25, 1942.* (a) Maximum prices for sales and deliveries of fluid cream, the butterfat content of which is not less than 18% and, which complies with Conservation Order No. M-259, shall be the adjusted maximum prices as determined under Pricing Method No. 1 in subparagraph (1), or Pricing Method No. 2 in subparagraph (2) hereinbelow, whichever is higher:

(1) *Pricing Method No. 1.* (i) After the butterfat content of fluid cream sold at wholesale other than in glass or paper containers to stores, hotels, restaurants and institutions is reduced to not less than 19%, the seller shall reduce his established maximum price for any unit size, as determined under §§ 1351.803, 1351.804, and 1351.805 hereof, proportionately, on the basis of 5¢ per gallon for each one percent that the butterfat content is reduced.

[Paragraph (a) and subparagraph (1) amended by Am. 27, 8 F.R. 8180, effective 6-19-43]

(ii) *Table: Adjusted maximum prices where butterfat content is reduced to 19%.*

Butterfat content prior to reduction:	Seller must subtract from established maximum price for any unit size on basis of following amounts per gallon
40%	$1.05
39%	1.00
38%	.95
37%	.90
36%	.85
35%	.80
34%	.75
33%	.70
32%	.65
31%	.60
30%	.55
29%	.50
28%	.45
27%	.40
26%	.35
25%	.30
24%	.25
23%	.20
22%	.15
21%	.10
20%	.05

(iii) *Calculations.* (a) The foregoing pricing formula shall apply to sales and deliveries of fluid cream at wholesale other than in paper or glass containers to stores, hotels, restaurants and institutions, in any package size, whether more or less than one gallon, on a proportionate basis. All calculations shall be carried to the fourth decimal place of a cent. Any final calculation of a maximum price for any unit size resulting in a fraction of a cent shall be adjusted to the nearest half cent.

(b) If the seller has established maximum prices, as determined by §§ 1351.803, 1351.804, and 1351.805 hereof, for sales and deliveries of fluid cream having different percentages of butterfat content, his adjusted maximum price shall be determined according to the pricing formula applicable to the class of cream yielding the lowest maximum price.

(iv) *Records and reports.* On or before January 11, 1943, each seller of fluid cream affected by the provisions of this subparagraph (1) shall prepare, on the basis of available information and records, and file with the nearest District or State Office of the Office of Price Administration a report showing:

(a) His adjusted maximum prices for fluid cream in each size and type of container and

(b) The basis for the adjusted maximum prices, including (1) the butterfat content of the fluid cream sold in each size and type of container prior to November 25, 1942, (2) the established maximum prices in effect immediately prior to the issuance of Conservation Order M-259 by the War Production Board on November 25, 1942, and (3) the present butterfat content of such cream for each size and type of container.

(2) *Pricing Method No. 2.*—(i) (a) Where the butterfat content is reduced the seller shall adjust the highest price he charged during March 1942 for any unit size, proportionately as follows:

Butterfat content prior to reduction:	Adjustment to be made by the seller, per gallon
40%	Deduct $0.85
39%	Deduct .80
38%	Deduct .75
37%	Deduct .70
36%	Deduct .65
35%	Deduct .60
34%	Deduct .55
33%	Deduct .50
32%	Deduct .45
31%	Deduct .40
30%	Deduct .35
29%	Deduct .30
28%	Deduct .25
27%	Deduct .20
26%	Deduct .15
25%	Deduct .10
24%	Deduct .05
23%	(1)
22%	Add .05
21%	Add .10
20%	Add .15
19%	Add .20

[1] No change in maximum price.

If the butterfat content was more than 40%, the seller must deduct proportionately for any unit size 5¢ per gallon for each 1% over 23% of butterfat content prior to reduction.

(b) Where the butterfat content remains unchanged the seller shall adjust the highest price he charged during March 1942 for fluid cream with butterfat content of 18% or over for any unit size, proportionately, by adding 20¢ per gallon to said March price.

[Subparagraph (b) amended by Am. 27, 8 F.R. 8180, effective 6-19-43]

(ii) The seller shall not add to the price determined under this subparagraph (2) the addition allowed sellers under § 1351.805 hereof.

(iii) *Calculations.* (a) The foregoing pricing formulas apply to sales and deliveries of fluid cream at wholesale other than in paper or glass containers to stores, hotels, restaurants and institutions, in any unit size, whether more or less than one gallon, on a proportionate basis. All calculations shall be carried to the fourth decimal place of a cent. Any final calculation of a maximum price for any unit size resulting in a fraction of a cent shall be adjusted to the nearest half cent.

(b) If the seller had established prices in March 1942, for fluid cream having different percentages of butterfat content, his adjusted maximum price shall be determined according to the method applicable to the fluid cream which, prior to reduction, had a butterfat content nearest to 23%. If two methods are equally applicable, the seller's adjusted maximum price shall be determined by the one resulting in a lower price.

(iv) *Records and reports.* On or before 30 days after any seller of fluid cream makes a sale and delivery under Pricing Method No. 2 he shall prepare on the basis of available information and records, and file with the nearest District or State Office of the Office of Price Administration a report showing:

(a) His adjusted maximum prices for fluid cream in each size and type of container; and

(b) The basis for the adjusted maximum prices including (1) the highest prices charged in March 1942 to a purchaser of the same class for fluid cream in each size and type of container, and the butterfat content thereof, (2) the present butterfat content of such cream for each size and type of container, and (3) the seller's maximum established price as determined under subparagraph (1) hereinabove (Pricing Method No. 1).

(v) *Notice to stores, hotels, restaurants and institutions.* Each seller at wholesale of fluid cream other than in glass or paper containers shall calculate his increase to purchasers under this subparagraph (2). On or before the first delivery made after the seller has adopted Pricing Method No. 2, such seller shall mail or otherwise deliver to purchasers of fluid cream from him, written notices of the increase to purchasers under Pricing Method No. 2.

(3) *Change in pricing method.* (i) Any seller of fluid cream who, after having made sales and deliveries under Pricing Method No. 2, makes sales and deliveries under Pricing Method No. 1.

(a) Shall within 30 days after making a sale or delivery under Pricing Method No. 1, prepare on the basis of available information and records, and file with the nearest District or State office of the Office of Price Administration a report giving the information required under § 1351.805 (a) (1) (iv) hereof; and

(b) Shall calculate the increase to purchasers under Pricing Method No. 1, and on or before the first delivery made after the seller has adopted Pricing Method No. 1, shall mail or otherwise deliver to purchasers of fluid cream from him, written notices of the increase to purchasers under Pricing Method No. 1.

[§ 1351.805a added by Am. 2, 7 F.R. 10475, effective 12-12-42; amended by Am. 22, 8 F.R. 6857, effective 5-19-43 and as otherwise noted]

§ 1351.806 *Adjustment of maximum prices of malted milk.* (a) The Office of Price Administration may, either on application for adjustment in accordance with the provisions of Procedural Regulation No. 1 or on its own motion, by letter order adjust the maximum price or prices of a processor or manufacturer of malted milk where it appears that:

(1) The processor's or manufacturer's maximum price or prices are below the general price level prevailing for the same quantities of malted milk sold by other processors or manufacturers; and

(2) The processor's or manufacturer's prevailing ceiling prices subject him to such a degree of hardship as to prevent or threaten to prevent his continued production of malted milk; and

(3) An increase in his maximum price or prices will enable him to continue production; and

(4) The loss of his production would result in consumers having to pay higher prices for malted milk produced by other processors or manufacturers; and

(5) The Administrator is of the opinion that an increase in his maximum price or prices would under all circumstances be in furtherance of the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328.

(b) The adjusted maximum price granted to a processor or manufacturer under the provisions of this section shall in no event exceed the general price level prevailing for the same quantities of malted milk produced by other manufacturers or processors. Subject to this limitation, an increased price may be granted a processor or manufacturer not to exceed the total cost of the product based upon a cost to him of $2.65 per cwt. for 3½% butterfat milk; or if the manufacturer's or processor's earnings from all operations before income and excess profits taxes are low in comparison with those of a "representative peace time period", adjusted for subsequent changes in investment, and if in view of such over-all earnings a small margin of profit is reasonably necessary to encourage production, an increased price estimated to yield such a profit margin based again upon a cost for 3½% butterfat milk of $2.65 per cwt. may be allowed.

(c) The Price Administrator may also grant an upward adjustment, limited to an amount not in excess of the actual increase granted the processor or manufacturer, in the price or prices which any particular, or all, distributors may charge for malted milk purchased from a processor or manufacturer who has been granted an increase in his price for that product under the provisions of this section. No increase will be granted in the price or prices any distributor may charge for such product, however, unless the Price Administrator is of the opinion that the distributor cannot reasonably be expected to absorb the increased cost out of his prevailing distributive margin of profit realized on the resale of that product. Furthermore, the adjusted maximum price granted to any distributor under the provisions of this section shall in no event exceed the general price level prevailing for the same quantities of malted milk sold by other distributors of the same class.

(d) *Definitions.*—(1) *Representative peace time period.* A "representative peace time period" means the period of the years 1936-1939 inclusive. When 1936-1939 does not represent a reasonably normal pre-war (December 7, 1941) period, some other period may be used but its use must be positively justified.

(2) *Malted milk.* "Malted milk" means the product made by combining whole milk with the liquid separated from a mash of ground barley malt and wheat flour, with or without the addition of sodium chloride, sodium bicarbonate, and potassium bicarbonate, in such a manner as to secure the full enzymic action of the malt extract, and by removing water. The resulting product may contain not less than 7.5% of butterfat and not more than 3.5% of moisture.

[§ 1351.806 added by Am. 44, 9 F.R. 4027, effective 4-13-44. Former § 1351.806 revoked by Am. 20, 8 F.R. 5165, effective 4-22-43]

§ 1351.807 *Adjustment of maximum prices of fluid milk sold at wholesale in bulk (other than in glass or paper containers) to stores, hotels, restaurants and institutions.*—(a) *Adjustment of established maximum prices of fluid milk in communities having a population of 25,000 or less.*—(1) *When adjustment may be made.* The Office of Price Administration, or any Regional Office thereof, may adjust any maximum price established under this Maximum Price Regulation No. 280 for fluid milk sold at wholesale in bulk (other than in glass or paper containers) to stores, hotels, restaurants and institutions in communities having a population of 25,000 or less, in the case of any seller or group of sellers, when it appears:

(i) That there exists or threatens to exist in such a community a serious deficiency in its essential fluid milk supply caused by

(a) A marked disparity between the established maximum producer price for fluid milk in such community and the established maximum producer price for fluid milk in a larger city; or

(b) Unusual and highly localized cost conditions in such community affecting fluid milk, directly related to the war program: *Provided,* That in no case shall any increases in established maximum prices exceed the cost of shipping fluid milk into such community from outside the normal area of supply for such community; or

(c) Low established maximum prices for fluid milk in relation to prices paid for milk for manufacturing purposes in such community: *Provided,* That the price paid for milk for manufacturing purposes permits an adequate margin between that price and the established maximum prices for manufactured dairy products; or

(d) Low established maximum prices for fluid milk sold at wholesale in bulk (other than in glass or paper containers) to stores, hotels, restaurants and institutions in such community in relation to the established maximum prices for purchases of milk from producers for resale

[16] Reissued as War Food Order 18, 9 F.R. 4319.

as fluid milk in such community, as a result of which distributive facilities for fluid milk sold at wholesale in bulk (other than in glass or paper containers) to stores, hotels, restaurants and institutions in such community have been or will be impaired; and

(ii) That such serious deficiency in the essential fluid milk supply of such community will be substantially reduced or eliminated by adjusting the established maximum prices of such seller and of like sellers for such fluid milk; and

(iii) That there is no feasible alternative to such price adjustment, such as a reduction of the established maximum prices for fluid milk in another community, or a program for the direct allocation of fluid milk supplies to such community; and

(iv) That such adjustment will not create or tend to create a deficiency, or a need for increase in the established maximum prices in another community, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Applications for adjustment under this § 1351.807 (a) shall be filed in accordance with Revised Procedural Regulation No. 1.

(2) *Authority of Regional Offices to make adjustments.* Each Regional Administrator is authorized to make adjustments or act upon applications for adjustment under this paragraph (a), subject to the limitations set forth in subparagraphs (3) and (4) of this paragraph (a).

(3) *General limitations upon the authority of the Office of Price Administration and any Regional Office thereof, to adjust the established maximum prices of fluid milk.* (i) No adjustments increasing the established maximum wholesale prices for fluid milk may be made by the Office of Price Administration or any Regional Office thereof, pursuant to the provisions of this paragraph (a) which will create or tend to create a need for increases in the established maximum retail prices for fluid milk in excess of 2¢ per quart.

(4) *Limitations upon the authority of Regional Offices to adjust the maximum prices of fluid milk.* (i) No adjustments may be made by any Regional Office, pursuant to the provisions of paragraph (a) (1) (i) (b) of this § 1351.807, without prior written approval by the Administrator: and

(ii) No adjustments increasing the established maximum wholesale prices for fluid milk may be made by any Regional Office, pursuant to the provisions of this paragraph (a), which will create or tend to create a need for increase in the established maximum retail prices for fluid milk in excess of 1¢ per quart or in excess of 1½¢ per quart over the maximum retail prices originally established by the General Maximum Price Regulation [11] on May 18, 1942, without prior written approval by the Administrator.

(b) *Other adjustment authority*—(1) *Directive from Director of the Office of Economic Stabilization.* Upon the receipt of a directive from the Director of the Office of Economic Stabilization, the Office of Price Administration, or any Regional Office thereof when specifically so authorized in writing by the Administrator, may adjust, in accordance with the terms of such directive, any maximum price established under this Maximum Price Regulation No. 280 for fluid milk sold at wholesale in bulk (other than in glass or paper containers) to stores, hotels, restaurants and institutions, which cannot be adjusted under the provisions of paragraphs (a) or (b) (2) of this § 1351.807.

(2) *Adjustment of maximum prices of fluid milk in communities of any size*—(i) *When adjustment may be made.* The Office of Price Administration or any Regional Office thereof, may adjust any maximum price established under this Maximum Price Regulation No. 280 for fluid milk sold at wholesale in bulk (other than in glass or paper containers) to stores, hotels, restaurants and institutions in communities of any size, in the case of any seller or group of sellers, when it appears:

(*a*) That there exists or threatens to exist in such community a serious deficiency in its essential supply of fluid milk sold at wholesale in bulk (other than in glass or paper containers) to stores, hotels, restaurants and institutions, caused by

(*1*) Low established maximum prices for fluid milk sold at wholesale in bulk (other than in glass or paper containers) to stores, hotels, restaurants and institutions in such community in relation to the established maximum prices for purchases of milk from producers for resale as fluid milk in such community; and

(2) The existing relationship between (*i*) the established maximum prices for fluid milk sold at retail and at wholesale in glass or paper containers in such community, and (*ii*) the established maximum prices for purchases of milk from producers for resale as fluid milk in such community; and

(*b*) That such serious deficiency in the community's essential supply of fluid milk sold at wholesale in bulk (other than in glass or paper containers) to stores, hotels, restaurants and institutions will be substantially reduced or eliminated by adjusting the established maximum prices of such seller and of like sellers of fluid milk sold at wholesale in bulk (other than in glass or paper containers) to stores, hotels, restaurants and institutions; and

(*c*) That there is no feasible alternative to such price adjustment, such as a reduction of the established maximum prices for fluid milk in another community, or a program for the direct allocation of fluid milk supplies to such community; and

(*d*) That such adjustment will not create or tend to create a need for any increases in the established maximum prices for fluid milk sold at retail in such community; and

(*e*) That such adjustment will not create or tend to create a deficiency or a need for increase in the established maximum prices in another community, and will effectuate the provisions of the Emergency Price Control Act of 1942, as amended.

Applications for adjustment under this § 1351.807 (b) (2) shall be filed in accordance with Procedural Regulation No. 1.

(ii) *Authority of Regional Offices to make adjustments.* Each Regional Administrator is authorized to make adjustments or act upon applications for adjustment under this subparagraph (2).

[§ 1351.807 amended by Am. 4, 7 F.R. 10095, effective 12–23–42; Am. 33, 8 F.R. 11580, effective 8–19–43; Am. 35, 8 F.R. 13721, effective 10–4–43; Am. 36, 8 F.R. 16296, effective 12–1–43; Am. 38, 8 F.R. 16795, effective 12–13–43; and Am. 40, 9 F.R. 753, effective 1–18–44]

§ 1351.807a *Special provision for domestically produced foreign-type cheese.* Sellers of all cheese produced in the forty-eight (48) States of the United States and the District of Columbia, except the following cheeses:

Processed cheese of all kinds.
Cheddar cheese covered by Maximum Price Regulation No. 289.
Aged cheddar cheese covered by Maximum Price Regulation No. 280.
Colby cheese.
Washed curd cheese.
Monterey or jack-cheese.
All other cheeses of cheddar class having a moisture content of 40% or more.
Cottage cheese.
Baker's cheese.
Pot cheese.
Smearcase cheese.
All other cheese of less than 20% butterfat content in the water free substance.

may add 3¢ per pound to the maximum prices provided in § 1351.803 hereof: *Provided*, That the 3¢ increase shall not be applied by any seller in an amount which is greater than the exact sum in cents per pound than the amount by which his supplier increased his (the supplier's) maximum price pursuant to the terms of this section: *And further provided*, That this 3¢ increase shall not be applied to those stocks of cheeses which were in the seller's possession prior to February 10, 1943. However, a cheese factory may apply this increase to cheeses which it has manufactured and delivers on or after February 10, 1943, regardless of whether such cheeses were manufactured before or after that date.

[Above paragraph amended by Am. 23, 8 F.R. 7196, effective 6–2–43 and Am. 32, 8 F.R. 11811, effective 8–30–43]

"Colby cheese" and "washed curd cheese" means Colby cheese and washed curd cheese as defined in the "Standards of Identity for Cheddar Cheese, Cheese, Washed Curd Cheese, Colby Cheese" promulgated by the Food and Drug Administration and published in the FEDERAL REGISTER of January 9, 1941, page 195.

"Cottage cheese", and "neufchatel cheese" means cottage cheese and neufchatel cheese as defined in the "Definitions and Standards of Identity for Creamed Cheese, Neufchatel Cheese, Cottage Cheese and Creamed Cottage Cheese" promulgated by the Food and Drug Administration, and published in the FEDERAL REGISTER of December 23, 1942, pages 10758 and 10759.

[§ 1351.807a added by Am. 11, 8 F.R. 1885, effective 2–10–43; amended by Am. 13, 8 F.R. 2036, effective 2–13–43; Am. 17, 8 F.R. 3846, effective 4–3–43; Am. 19, 8 F.R. 4935, effective 4–3–43 and as otherwise noted]

§ 1351.808 *Exempt sales.* This Maximum Price Regulation No. 280 shall not apply to the following:

(a) Sales and deliveries made directly by a farmer of any listed food product produced on his farm. However, this Maximum Price Regulation No. 280 shall apply to a sale or delivery by a farmers' cooperative, whether as agent or otherwise, and to a sale or delivery directly by a farmer of any listed food product to an ultimate consumer if during the preceding month the farmers' sales to ultimate consumers of all food products produced on his farm exceeded $75.00.

(b) Deliveries to the United States, or any agency thereof, under contracts entered into prior to October 5, 1942.

(c) Sales, deliveries or transactions in connection with any listed food product which may be exempt by the following sections of Revised Supplementary Regulation No. 4 [12] to the General Maximum Price Regulation, as well as amendments to them, and such sections and amendments are hereby made applicable to every person selling listed food products:

(1) § 1499.29 (a) (5) (Developmental contracts) [13]

(2) § 1499.29 (a) (6) (Secret contracts) [13]

(3) § 1499.29 (a) (7) (Emergency purchases) [13]

(d) Sales or deliveries by hotels, restaurants, soda fountains, bars, cafes or other similar establishments of listed food products prepared on the premises and sold for consumption either on or off the premises.

[Paragraph (d) amended by Am. 20, 8 F.R. 5165, effective 4–22–43]

(e) All sales of dried whole eggs to the United States of America, or any agency thereof, where the seller is obligated to make delivery of such eggs during the months of January and February, 1943.

(f) All sales of shell, liquid and frozen eggs to manufacturers of dried whole eggs for the sole purpose of manufacturing such eggs into dried whole eggs, and the sale and delivery of the manufactured product to the United States of America, or any agency thereof, during the months of January and February, 1943.

[Paragraphs (e) and (f) added by Am. 1, 7 F.R. 10237, effective 12–7–42]

(g) All sales of shell eggs purchased for the sole purpose of hatching by persons now or hereafter engaged in the production of baby chicks, poults, or other newly hatched poultry and which shall not be resold or used for any other purpose.

[Paragraph (g) added by Am. 5, 8 F.R. 158, effective 1–8–43]

(h) *Fluid milk.* (1) Fluid milk sold at wholesale in bulk (other than in glass or paper containers) to stores, hotels, restaurants, and institutions, in the "Dallas Regional Area", "Memphis, Tennessee Area", "Chicago, Illinois Area," "New York Metropolitan Area", "Baltimore-Annapolis, Maryland Area", and State of Florida. Maximum prices for such sales are set in § 1499.73a (a) (1) of Supplementary Regulation No. 14A to the General Maximum Price Regulation.

(2) Fluid milk sold at wholesale in bulk (other than in glass or paper containers) to the Army or Navy for resale, as through sales stores, canteens and post exchanges. Maximum prices for such sales are set in § 1499.73a (a) (1) of Supplementary Regulation No. 14A to the General Maximum Price Regulation.

[Paragraph (h) added by Am. 6, 8 F.R. 876, effective 1–18–43; amended by Am. 29, 8 F.R. 9386, effective 7–7–43; Am. 30, 8 F.R. 9883, effective 7–15–43; and Am. 37, 8 F.R. 16597, effective 12–13–43]

(i) [Revoked]

[Paragraph (i) added by Am. 7, 8 F.R. 877, effective 1–16–43 and revoked by Am. 29, 8 F.R. 9386, effective 7–7–43]

(j) [Revoked]

[Paragraph (j) added by Am. 9, 8 F.R. 1468, effective 2–2–43 and revoked by Am. 29]

(k) Milk products known as "ice cream mix", as defined in subparagraph (8) of § 1351.816 (a) below. Maximum prices for sales of such "ice cream mix" are fixed in subparagraph (1a) of § 1499.73a (a) of Supplementary Regulation No. 14A of the General Maximum Price Regulation. [Amendment No. 119 to Supplementary Regulation No. 14]

[Paragraph (k) added by Am. 14, 8 F.R. 2346, effective 2–22–43 and amended by Am. 46, effective 6–17–44. Terminates 8–23–44. (Termination date amended by Am. 25, 8 F.R. 7670, effective 5–23–43; Am. 31, 8 F.R. 10513, effective 7–24–43; Am. 34, 8 F.R. 13060, effective 9–23–43; Am. 39, 9 F.R. 343, effective 11–23–43; Am. 43, 9 F.R. 2175, effective 2–23–44; and Am. 45, 9 F.R. 5586, effective 5–23–44)]

(l) [Revoked]

[Paragraph (l) added by Am. 16, 8 F.R. 3070, effective 3–11–43 and revoked by Am. 29]

(m) All sales and purchases of breeding poultry when sold or purchased for breeding purposes only.

(n) All sales and purchases of "baby" or "started" chicks, ducklings, goslings, and poults when sold for purposes other than present human consumption.

(o) All sales and purchases of female poultry when sold and purchased for egg production purposes.

(p) All sales of pigeons, squabs, guineas, quails, and pheasants.

(q) All sales of canned citrus fruits and juices when sold by packers and canners.

[Paragraphs (m), (n), (o), (p) and (q) added by Am. 20, 8 F.R. 5165, effective 4–22–43]

§ 1351.809 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 280 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to a listed food product alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or by changing a business practice relating to the price lines, grading, labeling, packaging or branding of a listed food product.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

[NOTE: Supplementary Order No. 29 (7 F.R. 9616) lists certain services customarily offered by retailers which may be curtailed or eliminated without a compensating reduction in ceiling prices.]

§ 1351.810 *Sales for export.* The maximum prices at which a person may export a listed food product shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation [14] issued by the Office of Price Administration.

§ 1351.811 *Imports.* On and after the effective date of this Maximum Price Regulation No. 280, no person in the course of trade or business shall import or agree, offer, solicit, or attempt to import a listed food product at a price in excess of that established by this Maximum Price Regulation No. 280. "Import" means to buy, receive, or in any manner to pay for any listed food product pursuant to or in connection with any transaction, contract, agreement or other obligation whereby the listed food product is transported or is to be transported to the United States, its territories and possessions, or the District of Columbia from any place outside the United States, its territories and possessions and the District of Columbia, regardless of whether the importer deals directly with the seller, or deals through an agent, broker or other intermediary acting for either party, in or outside the United States, its territories or possessions, or the District of Columbia, and regardless of whether such importation is for use or for resale.

§ 1351.812 *Records and reports.* (a) As to all sales not specifically exempted by other sections of this Maximum Price Regulation No. 280 every person selling a listed food product shall preserve for examination by the Office of Price Administration all his existing records re-

[11] 9 F.R. 1385, 5169.

[12] Revoked: 8 F.R. 4986. Superseded by Revised Supplementary Regulation No. 1, 9 F.R. 3581.

[13] Superseded by Revised Supplementary Regulation No. 1, Sec. 4.4.

[14] Superseded by Supplementary Order No. 42, Exception of sales to Government agencies pursuant to secret contracts or subcontracts. 8 F.R. 4968.

[15] Superseded by Revised Supplementary Regulation No. 1, Sec. 4.2 (*f*).

[14] 2d Revision: 8 F.R. 4132, 5687, 7662, 9998, 15193; 9 F.R. 1036.

lating to prices which he charged for such listed food product delivered or supplied during the period from September 28, 1942, to October 2, 1942, inclusive, and his offering prices for delivery or supply of a listed food product during such period; and shall also preserve all information and records required by § 1351.807 of Temporary Maximum Price Regulation No. 22, and shall keep for examination by any person during ordinary business hours, a statement showing (1) the highest prices charged for such listed food product delivered or supplied during such period and his offering prices for delivery or supply of a listed food product during such period, together with an appropriate identification of such product and (2) all his customary allowances, discounts, and other price differentials.

(b) As to all sales not specifically exempted by other sections of this Maximum Price Regulation No. 280, every person selling a listed food product shall keep and make available for examination by the Office of Price Administration records of the same kind as he has customarily kept relating to the prices which he charged for such food product during the period from September 28, 1942, to October 2, 1942, inclusive, and, in addition, records showing, as precisely as possible, the basis upon which he determined maximum prices.

(c) Such persons shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this section as the Office of Price Administration may from time to time require.

§ 1351.813 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 280 are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 280 or of any price schedule, regulation, or practices which constitute such a violation are urged to communicate with the nearest district, state, field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1351.813a *Licensing.* The provisions of Licensing Order No. 1,[*] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1351.813a added by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

§ 1351.814 *Petitions for amendment and applications for adjustment*—(a) *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 280 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

(b) *Applications for adjustment.* The Office of Price Administration or any duly authorized representative thereof may adjust any of the maximum prices established herein except those established for eggs as listed in § 1351.801, paragraph (b) of the regulation, where the applicant files an application pursuant to Revised Procedural Regulation No. 1 showing that:

(1) Such maximum price is abnormally low in relation to the maximum prices of the same or similar commodities established pursuant to this regulation for other sellers, and

(2) This abnormality subjects him to hardship.

(c) *Joint applications.* Manufacturers or processors of the commodities listed in § 1351.801 except eggs, and persons who purchase those commodities from them for resale, may file joint applications for adjustment under paragraph (b) above pursuant to section 14 of Revised Procedural Regulation No. 1.

(d) *Limitation on application for adjustment.* No application for adjustment pursuant to paragraph (b) above will be granted unless it is filed within:

(1) Sixty days of the effective date of this section, or

(2) Sixty days after an application for adjustment is granted pursuant to the terms of this paragraph to a person from whom the applicant purchases one of the items referred to in paragraph (b) above.

(e) Each regional administrator is authorized to make adjustments or act upon applications for adjustment under paragraph (b) above where the applicant is a wholesaler or a retailer.

[§ 1351.814 amended by Am. 15, 8 F.R. 3001, effective 3-15-43]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665; 8 F.R. 6178, 6174) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1351.815 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to and at prices not in excess of the maximum prices in effect at the time of delivery. In appropriate situations, where a petition for amendment requires extended consideration, the Price Administrator, may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1351.816 *Definitions.* (a) When used in this Maximum Price Regulation No. 280, the term:

(1) "Person" means individual, corporation, partnership, association or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions, and any agencies of any of the foregoing;

(2) "Highest price charged during the base period" means the highest price which the seller (except a seller of wheat flour or a seller of corn meal, hominy or hominy grits) charged for a listed food product delivered by him during the period from September 28, 1942, to October 2, 1942, inclusive, to a purchaser of the same class, or, if the seller made no such delivery during such period, his highest offering price for delivery during that period to a purchaser of the same class. In the case of a seller of wheat flour or a seller of corn meal, hominy or hominy grits in bulk and packaged in quantities greater than three pounds, "highest price charged during the base period" means the highest price at which the seller during the period from September 28, 1942, to October 2, 1942, inclusive, contracted to sell for immediate or future delivery to a purchaser of the same class, or if the seller made no such contract during such period, his highest offering price during that period to a purchaser of the same class. No seller shall change his customary allowances, discounts or other price differentials unless such change results in a lower price. No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery or supply of any listed food product than the seller required purchasers of the same class to pay during such period on deliveries of a listed food product.

(3) "Purchaser of the same class" refers to the practice followed by the seller in the ninety-day period preceding October 2, 1942, in setting different prices for sales to different purchasers or kinds of purchasers (for example, but not limited to, manufacturer, wholesaler, jobber, retailer, government agency, public institutions, individual consumer or any ordinarily recognized subgroup or combination of the foregoing) or for purchasers located in different areas or for different quantities or under different conditions of sale.

(4) (i) "Fluid milk" means raw or pasteurized liquid cows' milk resold for human consumption in fluid form.

(ii) "Fluid cream" means raw or pasteurized cream (derived from liquid cows' milk) resold for human consumption in fluid form.

[Subparagraph (4) added by Am. 3, 7 F.R. 10786, effective 12-21-42 and amended by Am. 33, 8 F.R. 11589, effective 8-19-43]

(5) "Dallas Regional area" means the States of Arkansas, Kansas, Louisiana, Missouri, Oklahoma, and Texas.

[Subparagraph (5) added by Am. 6, 8 F.R. 876, effective 1-18-43]

[*] 8 F.R. 13240.

(6) "Memphis, Tennessee area" means all of the area included in Shelby County, Tennessee.

[Subparagraph (6) added by Am. 7, 8 F.R. 877, effective 1-16-43 and amended by Am. 29, 8 F.R. 9386, effective 7-7-43]

(7) "Chicago, Illinois area" means the territory included in the marketing area geographically defined in Federal Milk Marketing Order O-41, as amended, issued by the Secretary of Agriculture on September 1, 1939.

[Subparagraph (7) added by Am. 9, 8 F.R. 1466, effective 2-2-43]

(8) "Ice cream mix" means any liquid or dry unfrozen preparation (including, but not limited to, ice cream mix, ice cream powder, milk ice mix, ice milk mix, milk shake mix, and similar preparations) containing sugar and milk fat, the percentage of which is reduced to not less than 8% (by weight) included in 14% or more (by weight) of total milk solids, as defined in subparagraph (1a) of § 1499.73a (a) of Supplementary Regulation No. 14A. [Amendment No. 119 to Supplementary Regulation No. 14]

[Subparagraph (8) added by Am. 14, 8 F.R. 2346, effective 2-22-43 and amended by Am. 46, effective 6-17-44. Terminates 8-23-44. (Termination date amended by Am. 25, 8 F.R. 7670, effective 5-23-43; Am. 31, 8 F.R. 10513, effective 7-24-43; Am. 34, 8 F.R. 13060, effective 9-23-43; Am. 39, 9 F.R. 343, effective 11-23-43; Am. 43, 9 F.R. 2176, effective 2-23-44; and Am. 45, 9 F.R. 5596, effective 5-23-44)]

(9) "New York Metropolitan Area" means the territory included in the City of New York, Counties of Nassau, Suffolk (except Fisher's Island) and Westchester, all in the State of New York.

[Subparagraph (9) added by Am. 16, 8 F.R. 3070, effective 3-11-43]

(10) "Baltimore-Annapolis, Maryland Area" means the territory included in the City of Baltimore, Maryland, the Counties of Anne Arundel and Calvert and that portion of the County of Baltimore which is south of the latitude 39°30'.

[Subparagraph (10) added by Am. 29, 8 F.R. 9386, effective 7-7-43]

(11) "Handler" means any person who, on his own behalf or on behalf of others, purchases fluid milk from producers, associations of producers, or other handlers, and who sells such fluid milk at wholesale in bulk (other than in glass or paper containers), to any person, other than stores, hotels, restaurants and institutions.

(i) A "producer" is also a handler with respect to that fluid milk purchased by him from other producers, associations of producers, or other handlers, which fluid milk is sold by him at wholesale in bulk (other than in glass or paper containers), to any person, other than stores, hotels, restaurants and institutions.

(ii) A "farmers' cooperative" is also a handler with respect to that fluid milk processed for it by operators of milk receiving or processing plants, and with respect to that fluid milk handled in physical facilities for receiving, processing or distributing fluid milk which are owned or leased by the cooperative, which fluid milk is sold by it at wholesale in bulk (other than in glass or paper containers), to any person, other than stores, hotels, restaurants, and institutions.

(12) "Producer" means a farmer or other person or representative who owns, superintends, manages, or otherwise controls the operation of a farm on which fluid milk is produced. Farmers' cooperatives are producers with regard to all sales of fluid milk by them, except with respect to that fluid milk processed for them by operators of milk-receiving or processing plants and that fluid milk handled in physical facilities for receiving, processing or distributing fluid milk which are owned or leased by the cooperative.

[Subparagraphs (11) and (12) added by Am. 33, 8 F.R. 11589, effective 8-19-43]

(13) "Added enriching ingredient" means any ingredient which is required to be present in enriched flour by the regulations promulgated under the Federal Food, Drug, and Cosmetic Act.

(14) "Enriched flour" means flour which conforms with the definition and standard of identity prescribed for enriched flour under section 401 of the Federal Food, Drug, and Cosmetic Act.

[Subparagraphs (13) and (14) added by Am. 42, 9 F.R. 2238, effective 3-2-44]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

§ 1351.817 *Relation to other maximum price regulations.* (a) The provisions of this Maximum Price Regulation No. 280 shall not apply to any sale or delivery of a listed food product for which a maximum price is in effect on December 3, 1942, under the provisions of any other price regulation, including the General Maximum Price Regulation, issued by the Office of Price Administration.

(b) The following sections of the General Maximum Price Regulation, as well as the amendments to them, shall be applicable to every person selling a listed food product:

(1) *Adjustment of maximum prices in cases of special deals* (§ 1499.4b).

(2) *Transfers of business or stock in trade* (§ 1499.5).

(3) *Federal and state taxes* (§ 1499.7). In applying § 1499.7 of the General Maximum Price Regulation, the base period of September 28, 1942, to October 2, 1942, inclusive, shall be substituted for the period of March, 1942 used therein, and the date October 2, 1942, shall be substituted for the date March 31, 1942, used therein.

(4) *Sales slips and receipts* (§ 1499.14).

(5) [Revoked]

(6) [Revoked]

[Subparagraphs (5) and (6) revoked by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

§ 1351.817a *Establishment of maximum prices for the sale or delivery by, and purchase from handlers of fluid milk*—(a) *Delegation of authority to Regional Offices.* (1) Notwithstanding any of the provisions of §§ 1351.801 and 1351.803 hereof, and subject to the limitations contained in subparagraph (2) of this paragraph (a), each Regional administrator is authorized

(i) To establish and adjust maximum prices for the sale or delivery by, and purchase from handlers of fluid milk, first physically received from producers by any handler at a receiving station or processing plant within the region of the Regional Administrator, and

[Subparagraph (i) amended by Am. 41, 9 F.R. 1622, effective 2-9-44]

(ii) To act upon requests made under paragraph (b) of this section and upon applications made under paragraph (c) of this section.

(2) The powers delegated to each Regional Administrator of the Office of Price Administration in subparagraph (1) of this paragraph (a) are subject to the following limitations:

(i) No Regional Administrator may establish or adjust a maximum price for the sale or delivery by, and purchase from handlers of fluid milk, which will conflict with the terms or provisions of any marketing agreement, license or order issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended, establishing minimum prices for producers' sales of fluid milk.

(b) *Requests for establishment of maximum prices.* (1) Any handler or purchaser of fluid milk from a handler may communicate with the Regional Office of the Office of Price Administration, within whose region the fluid milk is first physically received from producers by any handler at a receiving station or processing plant within the region, and request that the Regional Administrator establish maximum prices for the sale or delivery by, and purchase from handlers of said fluid milk.

[Subparagraph (1) amended by Am. 41, 9 F.R. 1622, effective 2-9-44]

(c) *Applications for adjustment of maximum prices.* (1) Any person seeking an adjustment of a maximum price for the sale or delivery by, and purchase from handlers of fluid milk, established by a Regional Administrator pursuant to this section, may file an application for adjustment in accordance with Revised Procedural Regulation No. 1 where:

(i) The handler can not be reasonably expected to supply fluid milk on the basis of his maximum prices established pursuant to the provisions of this regulation, and

(ii) The adjustment will not tend to create in any locality a need for increases in prices established for fluid milk sold at retail or wholesale pursuant to the General Maximum Price Regulation, Supplementary Regulation 14A to the General Maximum Price Regulation, and Maximum Price Regulation No. 280, or any supplementary or adjustment

order issued pursuant to the provisions thereof, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[§ 1351.817a added by Am. 33, 8 F.R. 11589, effective 8-19-43]

§ 1351.818 *Geographical applicability.* The provisions of this Maximum Price Regulation No. 280 shall be applicable to the United States, its territories and possessions, and the District of Columbia.

§ 1351.819 *Revocation of Temporary Maximum Price Regulation No. 22.* Temporary Maximum Price Regulation No. 22 (§§ 1351.801 to 1351.814, inclusive), which was issued October 3, 1942, and which was to expire on December 3, 1942, is hereby revoked and replaced by this Maximum Price Regulation No. 280.

§ 1351.820 *Effective date.* Maximum Price Regulation No. 280 (§§ 1351.801 to 1351.820, inclusive) shall become effective on December 3, 1942. [MPR 280 originally issued December 3, 1942]

§ 1351.821 *Effective dates of amendments.*

[Effective dates of amendments are shown in notes following the parts affected]

NOTE: All reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

Approved:

PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 44-8530; Filed, June 12, 1944; 4:43 p. m.]

PART 1384—HARDWOOD LUMBER PRODUCTS

[MPR 538]

COMMERCIAL VENEER

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. Such specifications and standards as are used in this regulation were, prior to such use, in general use in the industry affected, and were required by other Federal agencies. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

§ 1384.202 *Maximum prices for commercial veneer.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 538 (Commercial Veneer) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1384.202, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 538
COMMERCIAL VENEER

CONTENTS

Sec.
1. Sales of commercial veneer at higher than maximum prices prohibited.
2. Products covered.
3. Maximum prices.
4. Additions for transportation and crating.
5. What the invoice must contain.
6. Prohibited practices.
7. Adjustable pricing.
8. Applications for adjustment and petitions for amendment.
9. Records.
10. Enforcement.
11. Licensing.
12. Relation to other regulations.
13. Geographical applicability.
14. Grades and specifications.
15. Price tables (zones, species, grades, sizes and maximum prices).

SECTION 1. *Sales of commercial veneer at higher than maximum prices prohibited.* (a) On and after June 17, 1944, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive, any veneer covered by this regulation for direct-mill shipment at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 2. *Products covered.* This regulation covers and specifically prices, under the name "commercial veneer", all domestic direct-mill sales of rotary cut commercial and technical veneers, other than aircraft, manufactured in the States of Texas, Louisiana, Arkansas, Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina, Tennessee, Virginia, Maryland, Delaware, New Jersey, Pennsylvania, West Virginia, Ohio, Kentucky, Indiana, Illinois, Missouri and Kansas, of Southern basswood (lynn), black gum, magnolia, Southern maple, yellow poplar, sweet gum, sycamore and tupelo (bay poplar). Most veneer grades and sizes in the above mentioned species are specifically priced in this regulation. However, veneer made of these species in grades or sizes, or with special operations not specifically priced in the tables is nevertheless subject to this regulation and must be priced as a "Special" under section 3 (b) of this regulation.

This regulation also covers, but does not specifically price, rotary cut commercial and technical veneer, other than aircraft, in all grades and sizes, and with any special operations, when manufactured in the States named above, of alder, ash, beech, birch, buckeye, butternut, cherry, chestnut, cottonwood, cypress, elm, hackberry, hard maple, hickory, locust, pecan, red oak, white oak, willow, yellow pine or any other *domestic* species except walnut. This veneer must be priced as a "Special" under section 3(b) of this regulation.

The thinnest veneer priced in this regulation is 1/32" (0.031"). Any veneer thinner than 1/32" (0.031") shall be priced not higher than the price for 1/32" (0.031") for the species, grade, width and length in the particular zone. Thicknesses not priced in the tables but which are between the minimum and maximum thicknesses priced in the tables shall have for a maximum price the price established in the tables for the nearest decimal thickness, for the species, grade, width and length in the particular zone. For example, veneer 3/32" (0.094") thick would take as a maximum price the price set out in the appropriate table for veneer 1/11" (0.091") thick.

SEC. 3. *Maximum prices*—(a) *General.* The maximum prices, f. o. b. mill, for standard specifications of veneer covered by this regulation are set out in the price tables in section 15.

(b) *Veneer covered by the regulation but not specifically priced.* Veneer of specifications not listed in section 15 is nevertheless subject to this regulation. The maximum price for this veneer will be established upon application by the seller to the Lumber Branch, Office of Price Administration, Washington 25, D. C. The application, submitted in duplicate to the Veneer and Plywood Unit, Lumber Branch, Office of Price Administration, Washington 25, D. C., shall be upon a form duly filled out, copied from the form contained in the appendix to this regulation. Copies of this form may be obtained from the Lumber Branch of the National Office or from any Regional or District Office of the OPA. The application must be filed within thirty days of the date on which the producing mill enters into a contract for the sale of the "Special" item, but shipment under the contract cannot be commenced before the application is filed. Application may be filed, of course, on the basis of an inquiry. Upon the filing of the application the manufacturer may go ahead with the shipment on the order covered by the application.

Each manufacturer submitting such an application must number all submitted applications serially, beginning with Number 1. Any subsequent application on the same item must use the same number as the original application, with the addition of serial letters a, b, c, etc. The invoice must show this application number and serial letter for each "Special" item, along with the description of the item.

Each application for a maximum price for a "Special" item must be accompanied by:

(1) A true copy of the purchase order or inquiry. Authorization will be ordinarily granted only to fill a particular order, not to provide a general price for all future sales.

(2) A letter from purchaser showing proposed use of the "Special" item and an explanation of why a standard item cannot be used.

(3) A letter from the Plywood and Veneer Distribution Section, Lumber and Lumber Products Division, War Production Board, Washington 25, D. C., stating that authorization of a price on this "Special" item will not hinder production of more essential items.

Unless the price applied for is specifically disapproved by the Office of Price Administration within thirty days from receipt of the application, the manufacturer may assume that that price is his maximum price for that item under the particular order. If disapproval is made or revision called for after the thirty day period, the requested price shall nevertheless be that manufacturer's maximum price for that item for all shipments made on that order prior to his receipt of notice of disapproval or revision. Thereafter, of course, the price approved by the Office of Price Administration shall apply.

(c) *Combination species, grades or sizes.* Veneer sold in combination species, grades or sizes for which no maximum price has been established in this regulation, such as a mixed shipment of sweet gum and sycamore or a mixed grade such as "log run" or "aircraft rejects", may not be sold at above the maximum price for the lowest price species, grade or size actually included in the combination shipment. For example, the maximum price for "log run" veneer containing some reject back or No. 3 core grade is the price set for reject backs and No. 3 core grades in Tables 9, 9A, 19, 19A, 29 and 29A, for the zone in which it is manufactured and for the species and size. Of course, the quantities in the different species, grades and sizes can be quoted and invoiced, if graded and tallied separately, at the prices established for those species, grades and sizes in the appropriate table.

SEC. 4. *Additions for transportation and crating.* (a) Where practicable, the maximum delivered price shall be a price no higher than the maximum f. o. b. mill price plus the actual transportation charges paid to a common or contract carrier for transportation directly from the mill to the point of delivery required by the purchaser, except that pre-rail trucking cost must be absorbed by the seller. For shipment by private truck to destination, actual costs may be charged, but not to exceed the carload rail freight charge from seller's nearest rail shipping point to destination. It is permissible to quote and charge delivered prices based on rail rate times the estimated weight evened out to the nearest quarter dollar per M'BM. The estimated weight shall be the weight which has customarily been used for the particular item by the seller.

In any event, all invoices must contain a sufficiently complete description as to quantity, grade and governing specifications of the veneer to show whether the price charged is proper or not. The amount added for transportation must be shown separately in the invoice.

(b) For domestic shipment the seller may add to the maximum prices the following charges for crating veneer 1/8" thick and thicker:

	Per 1000 surface feet
1/4", 1/4" and 3/32"	$0.50
1/2", 5/16", 1/2" and 7/32"	.75
15/32", 1/4" and 9/32"	1.00
5/16", 11/32" and 3/8"	1.50

SEC. 5. *What the invoice must contain.* All invoices must contain a sufficiently complete description as to quantity, species, dimensional specifications and grade of veneer to show whether the price is proper or not. Any specification or extra which affects the maximum price must be mentioned in the description and the "Special" application number and serial letter must be shown. The invoice must show separately the origin and destination of the shipment, the amount added for transportation, and any charge made for crating for veneer 1/8" thick and thicker.

SEC. 6. *Prohibited practices.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-in agreements, trade understandings, changes in discount or credit practices, failure to allow customary cash discount below ceiling, and the like.

Specifically, a sale of veneer as a grade for which a maximum price is given in the price tables, but which does not in fact meet the standard specifications of such grade, is a violation of this regulation. See section 14 for standard specifications.

SEC. 7. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 8. *Applications for adjustment and petitions for amendment*—(a) *Government contracts.* See Procedural Regulation No. 6 [1] for adjustment provisions on certain government contracts and subcontracts.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

SEC. 9. *Records.* All sellers must keep copies of invoices or similar records which will show a complete description as to quantity, species, dimensional specifications and grade of the items of veneer sold, the name and address of the buyer, the date of the sale and the price including the application number and serial letter in the case of a "Special" price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for all purchases and sales of veneer covered by this regulation. They must be kept for two years, for inspection by the Office of Price Administration.

SEC. 10. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 11. *Licensing.* The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license, or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 12. *Relation to other regulations*—(a) *General Maximum Price Regulation.*[4] Any sale or delivery covered by this regulation is not subject to the General Maximum Price Regulation.

(b) *Second Revised Maximum Export Price Regulation.*[5] The maximum prices for export sales of products covered by this regulation are governed by the Second Revised Maximum Export Price Regulation.

SEC. 13. *Geographical applicability.* This regulation applies in the 48 States and the District of Columbia.

SEC. 14. *Grades and specifications.* All grades and specifications used in this regulation refer to, and have the meaning, given in National Hardwood Lumber Association Rules for the Measurement and Inspection of Veneers, issued January 1944, Signal Corps Specification No. 72-48, or Bureau of Ships Ad Interim Specification No. 39P15 (Int.). Specific reference is made to one or the other of these specifications in each of the price tables. Regardless of what it may be called, veneer which does not meet these exact specifications may not be priced under the price tables in this regulation, but must be priced under section 3 (b).

NHLA Rules may be obtained from the National Hardwood Lumber Association, 59 East Van Buren Street, Chicago, Illinois (25¢). Signal Corps Specification No. 72-48 may be obtained from the Philadelphia Signal Corps Procurement District, 5000 Wissahickon Avenue, Philadelphia, Pennsylvania (no charge). Bureau of Ships Ad Interim Specification No. 39P15, (Int.) may be obtained from the Bureau of Ships, Navy Department, Washington, 25, D. C. (no charge).

SEC. 15. *Price tables (zones, species, grades, sizes and maximum prices).* (a) The following are the zones for the purposes of this regulation:

[1] 7 F.R. 5067, 5664; 8 F.R. 6173, 6174, 12024.
[2] 7 F.R. 8961; 8 F.R. 2813, 3533, 6173, 11806; 9 F.R. 1594.
[3] 8 F.R. 12240.
[4] 9 F.R. 1386.
[5] 8 F.R. 4122, 5067, 7662, 9098, 15193.

Zone 1: Includes the States of Texas, Louisiana, Arkansas, Mississippi, Alabama, Florida, Georgia, South Carolina, and that portion of North Carolina east of and including the counties of Caswell, Alamance, Chatham, Moore, Montgomery, Stanly, Cabarrus, Mecklenburg, Lincoln and Cleveland.

Zone 2: Includes the States of Tennessee, Virginia, and that portion of North Carolina west of and including the counties of Rockingham, Guilford, Randolph, Davidson, Rowan, Iredell, Catawba, Burke, and Rutherford.

Zone 3: Includes the States of Maryland, Delaware, New Jersey, Pennsylvania, West Virginia, Ohio, Kentucky, Indiana, Illinois, Missouri, and Kansas.

The tables of maximum prices, according to species, grades and sizes produced in the respective zones, are set out in paragraph (b) below:

Zone 1—Tables 1 through 10 and 2A, 8A, 4A, 6A, 7A, 8A, 9A and 10A.
Zone 2—Tables 11 through 20 and 12A, 13A, 14A, 16A, 17A, 18A, 19A and 20A.
Zone 3—Tables 21 through 30 and 22A, 23A, 24A, 26A, 27A, 28A, 29A and 30A.

(b) *Maximum prices.* The maximum prices f. o. b. mill per 1000 surface feet for rotary cut commercial veneer shall be as follows:

TABLE 1—FACES, SELECTED FOR COLOR (NHLA RULE NO. 6)
MANUFACTURED IN ZONE 1 FROM SWEET GUM AND TUPELO (BAY POPLAR)

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths					Thickness (inches)		Random widths 6" to 38"	Specified one piece widths				
Decimal	Fractional		6" to 26"	26¼" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"	Decimal	Fractional		6" to 26"	26¼" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"
Lengths up to 50"								*Lengths 74¼" to 86"*							
0.031	1 1/32	$9.30	$10.55	$11.55	$12.30	$13.05	$13.75	0.031	1 1/32	$11.55	$12.70	$13.75	$14.80	$15.25	$16.00
.036	1/28	9.75	11.05	12.10	12.90	13.65	14.45	.036	1/28	12.10	13.35	14.45	15.25	16.00	16.80
.042	1/24	10.50	11.90	13.05	13.90	14.75	15.55	.042	1/24	13.05	14.35	15.55	16.40	17.25	18.10
.050	1/20	11.65	13.15	14.40	15.35	16.30	17.20	.050	1/20	14.40	15.90	17.20	18.15	19.05	20.00
.053	1/19	12.15	13.75	15.05	16.05	17.00	18.00	.053	1/19	15.05	16.60	18.00	18.95	19.95	20.90
.056	1/18	12.75	14.40	15.80	16.85	17.85	18.85	.056	1/18	15.80	17.40	18.85	19.90	20.90	21.90
.063	1/16	13.95	15.80	17.35	18.45	19.55	20.70	.063	1/16	17.35	19.05	20.70	21.80	22.90	24.00
.083	1/12	17.80	20.10	22.05	23.45	24.90	26.30	.083	1/12	22.05	24.25	26.30	27.75	29.15	30.60
.100	1/10	21.00	23.80	26.05	27.75	29.45	31.10	.100	1/10	26.05	28.70	31.10	32.80	34.45	36.15
.125	1/8	25.65	29.00	31.80	33.85	35.90	37.95	.125	1/8	31.80	35.00	37.95	40.00	42.05	44.10
Lengths 50 3/4" to 68"								*Lengths 86¼" to 98"*							
0.031	1 1/32	10.05	11.25	12.30	13.05	13.75	14.50	0.031	1 1/32	12.30	13.45	14.50	15.25	16.00	16.75
.036	1/28	10.55	11.80	12.90	13.65	14.45	15.25	.036	1/28	12.90	14.10	15.25	16.00	16.80	17.60
.042	1/24	11.35	12.70	13.90	14.75	15.55	16.40	.042	1/24	13.90	15.20	16.40	17.25	18.10	18.95
.050	1/20	12.55	14.05	15.35	16.30	17.20	18.15	.050	1/20	15.35	16.80	18.15	19.05	20.00	20.95
.053	1/19	13.10	14.70	16.05	17.00	18.00	18.95	.053	1/19	16.05	17.55	18.95	19.95	20.90	21.90
.056	1/18	13.75	15.40	16.85	17.85	18.85	19.90	.056	1/18	16.85	18.40	19.90	20.90	21.90	22.95
.063	1/16	15.10	16.90	18.45	19.55	20.70	21.80	.063	1/16	18.45	20.15	21.80	22.90	24.00	25.15
.083	1/12	19.20	21.50	23.45	24.90	26.30	27.75	.083	1/12	23.45	25.65	27.75	29.15	30.60	32.00
.100	1/10	22.70	25.40	27.75	29.45	31.10	32.80	.100	1/10	27.75	30.35	32.80	34.45	36.15	37.85
.125	1/8	27.70	31.00	33.85	35.90	37.95	40.00	.125	1/8	33.85	37.00	40.00	42.05	44.10	46.15
Lengths 62¾" to 74"								*Lengths 98¼" and longer*							
0.031	1 1/32	10.80	12.00	13.05	13.75	14.50	15.25	0.031	1 1/32	13.05	14.15	15.25	16.00	16.75	17.50
.036	1/28	11.35	12.53	13.65	14.45	15.25	16.00	.036	1/28	13.65	14.85	16.00	16.80	17.60	18.35
.042	1/24	12.20	13.55	14.75	15.55	16.40	17.25	.042	1/24	14.75	16.00	17.25	18.10	18.95	19.80
.050	1/20	13.50	14.95	16.30	17.20	18.15	19.05	.050	1/20	16.30	17.70	19.05	20.00	20.95	21.85
.053	1/19	14.10	15.65	17.00	18.00	18.95	19.95	.053	1/19	17.00	18.50	19.95	20.90	21.90	22.85
.056	1/18	14.80	16.40	17.85	18.85	19.90	20.90	.056	1/18	17.85	19.40	20.90	21.90	22.95	23.95
.063	1/16	16.20	17.95	19.55	20.70	21.80	22.90	.063	1/16	19.55	21.25	22.90	24.00	25.15	26.25
.083	1/12	20.65	22.90	24.90	26.30	27.75	29.15	.083	1/12	24.90	27.05	29.15	30.60	32.00	33.45
.100	1/10	24.40	27.05	29.45	31.10	32.80	34.45	.100	1/10	29.45	32.00	34.45	36.15	37.85	39.50
.125	1/8	29.75	33.00	35.90	37.95	40.00	42.05	.125	1/8	35.90	39.00	42.05	44.10	46.15	48.20

[1] And thinner.

NOTE.—The maximum price for fractional part pieces shall be the price for 6" to 26" widths of the same length established in this table.
NOTE.—The maximum price for door stock which is 5" wide shall be the price for 6" to 26" widths of the same length established in this table.

TABLE 2—FACES, UNSELECTED FOR COLOR (NHLA RULE NO. 6)
MANUFACTURED IN ZONE 1 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths					Thickness (inches)		Random widths 6" to 38"	Specified one piece widths				
Decimal	Fractional		6" to 26"	26¼" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"	Decimal	Fractional		6" to 26"	26¼" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"
Lengths up to 50"								*Lengths 74¼" to 86"*							
0.031	1 1/32	$8.55	$9.80	$10.80	$11.55	$12.30	$13.05	0.031	1 1/32	$10.80	$12.00	$12.08	$13.75	$14.50	$15.25
.036	1/28	9.00	10.30	11.35	12.10	12.90	13.65	.036	1/28	11.35	12.55	13.65	14.45	15.25	16.00
.042	1/24	9.70	11.10	12.20	13.05	13.90	14.75	.042	1/24	12.20	13.55	14.75	15.55	16.40	17.25
.050	1/20	10.70	12.25	13.50	14.40	15.35	16.30	.050	1/20	13.50	14.95	16.30	17.20	18.15	19.05
.053	1/19	11.20	12.80	14.10	15.05	16.05	17.00	.053	1/19	14.10	15.65	17.00	18.00	18.95	19.95
.056	1/18	11.75	13.40	14.80	15.80	16.85	17.85	.056	1/18	14.80	16.40	17.85	18.85	19.90	20.90
.063	1/16	12.85	14.70	16.20	17.35	18.45	19.55	.063	1/16	16.20	17.95	19.55	20.70	21.80	22.90
.083	1/12	16.35	18.70	20.65	22.05	23.45	24.90	.083	1/12	20.65	22.90	24.90	26.30	27.75	29.15
.100	1/10	19.35	22.15	24.40	26.05	27.75	29.45	.100	1/10	24.40	27.05	29.45	31.10	32.80	34.45
.125	1/8	23.60	27.00	29.75	31.80	33.85	35.90	.125	1/8	29.75	33.00	35.90	37.95	40.00	42.05
Lengths 50 3/4" to 68"								*Lengths 86¼" to 98"*							
0.031	1 1/32	9.30	10.55	11.55	12.30	13.05	13.75	0.031	1 1/32	11.55	12.70	13.75	14.50	15.25	16.00
.036	1/28	9.75	11.05	12.10	12.90	13.65	14.45	.036	1/28	12.10	13.35	14.45	15.25	16.00	16.80
.042	1/24	10.50	11.90	13.05	13.90	14.75	15.55	.042	1/24	13.05	14.35	15.55	16.40	17.25	18.10
.050	1/20	11.65	13.15	14.40	15.35	16.30	17.20	.050	1/20	14.40	15.90	17.20	18.15	19.05	20.00
.053	1/19	12.15	13.75	15.05	16.05	17.00	18.00	.053	1/19	15.05	16.60	18.00	18.95	19.95	20.90
.056	1/18	12.75	14.40	15.80	16.85	17.85	18.85	.056	1/18	15.80	17.40	18.85	19.90	20.90	21.90
.063	1/16	13.95	15.80	17.35	18.45	19.55	20.70	.063	1/16	17.35	19.05	20.70	21.80	22.90	24.00
.083	1/12	17.80	20.10	22.05	23.45	24.90	26.30	.083	1/12	22.05	24.25	26.30	27.75	29.15	30.60
.100	1/10	21.00	23.80	26.05	27.75	29.45	31.10	.100	1/10	26.05	28.70	31.10	32.80	34.45	36.15
.125	1/8	25.65	29.00	31.80	33.85	35.90	37.95	.125	1/8	31.80	35.00	37.95	40.00	42.05	44.10
Lengths 62¾" to 74"								*Lengths 98¼" and longer*							
0.031	1 1/32	10.06	11.25	12.30	13.05	13.75	14.50	0.031	1 1/32	12.30	13.45	14.50	15.25	16.00	16.75
.036	1/28	10.55	11.80	12.90	13.65	14.45	15.25	.036	1/28	12.90	14.10	15.25	16.00	16.80	17.60
.042	1/24	11.35	12.70	13.90	14.75	15.55	16.40	.042	1/24	13.90	15.20	16.40	17.25	18.10	18.95
.050	1/20	12.55	14.05	15.35	16.30	17.20	18.15	.050	1/20	15.35	16.80	18.15	19.05	20.00	20.95
.053	1/19	13.10	14.70	16.05	17.00	18.00	18.95	.053	1/19	16.05	17.55	18.95	19.95	20.90	21.90
.056	1/18	13.75	15.40	16.85	17.85	18.85	19.90	.056	1/18	16.85	18.40	19.90	20.90	21.90	22.95
.063	1/16	15.10	16.90	18.45	19.55	20.70	21.80	.063	1/16	18.45	20.15	21.80	22.90	24.00	25.15
.083	1/12	19.20	21.50	23.45	24.90	26.30	27.75	.083	1/12	23.45	25.65	27.75	29.15	30.60	32.00
.100	1/10	22.70	25.40	27.75	29.45	31.10	32.80	.100	1/10	27.75	30.35	32.80	34.45	36.15	37.85
.125	1/8	27.70	31.00	33.85	35.90	37.95	40.00	.125	1/8	33.85	37.00	40.00	42.05	44.10	46.15

TABLE 2A—FACES, UNSELECTED FOR COLOR (NHLA RULE NO. 6)
MANUFACTURED IN ZONE 1 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths					Thickness (inches)		Random widths 6" to 38"	Specified one piece widths				
Decimal	Fractional		6" to 26"	26¼" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"	Decimal	Fractional		6" to 26"	26¼" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"
Lengths up to 50"								*Lengths 74¼" to 86"*							
0.031	1 1/32	$7.00	$8.00	$8.85	$9.45	$10.05	$10.65	0.031	1 1/32	$8.85	$9.80	$10.65	$11.25	$11.90	$12.50
.036	1/28	7.35	8.40	9.25	9.90	10.55	11.20	.036	1/28	9.25	10.30	11.20	11.85	12.45	13.10
.042	1/24	7.90	9.05	10.00	10.65	11.35	12.05	.042	1/24	10.00	11.05	12.05	12.75	13.45	14.10
.050	1/20	8.75	10.00	11.05	11.80	12.55	13.35	.050	1/20	11.05	12.35	13.35	14.10	14.85	15.60
.053	1/19	9.15	10.45	11.55	12.35	13.15	13.90	.053	1/19	11.55	12.80	13.90	14.70	15.50	16.30
.056	1/18	9.60	11.00	12.10	12.95	13.75	14.60	.056	1/18	12.10	13.45	14.60	15.45	16.25	17.10
.063	1/16	10.60	12.05	13.25	14.20	15.10	16.00	.063	1/16	13.25	14.70	16.00	16.90	17.85	18.75
.083	1/12	13.40	15.30	16.90	18.05	19.20	20.25	.083	1/12	16.90	18.70	20.25	21.50	22.70	23.85
.100	1/10	15.80	18.10	19.95	21.35	22.70	24.10	.100	1/10	19.95	22.15	24.10	25.45	26.85	28.20
.125	1/8	19.30	22.10	24.35	26.00	27.70	29.35	.125	1/8	24.35	27.00	29.35	31.05	32.70	34.40
Lengths 50¾" to 62"								*Lengths 86¼" to 98"*							
0.031	1 1/32	7.60	8.60	9.45	10.05	10.65	11.25	0.031	1 1/32	9.45	10.40	11.25	11.90	12.50	13.10
.036	1/28	8.00	9.05	10.00	10.65	11.30	11.85	.036	1/28	9.90	10.90	11.85	12.45	13.10	13.75
.042	1/24	8.60	9.75	10.65	11.35	12.05	12.75	.042	1/24	10.65	11.75	12.75	13.45	14.10	14.80
.050	1/20	9.50	10.75	11.80	12.55	13.35	14.10	.050	1/20	11.80	13.00	14.10	14.85	15.60	16.35
.053	1/19	9.96	11.25	12.35	13.15	13.90	14.70	.053	1/19	12.35	13.55	14.70	15.50	16.30	17.10
.056	1/18	10.45	11.80	12.95	13.75	14.60	15.45	.056	1/18	12.95	14.25	15.45	16.25	17.10	17.95
.063	1/16	11.45	12.90	14.20	15.10	16.00	16.90	.063	1/16	14.20	15.60	16.90	17.85	18.75	19.65
.083	1/12	14.55	16.45	18.05	19.20	20.25	21.55	.083	1/12	18.05	19.86	21.55	22.70	23.85	25.00
.100	1/10	17.20	19.45	21.35	22.70	24.10	26.45	.100	1/10	21.35	23.50	25.45	26.85	28.20	29.60
.125	1/8	20.95	23.70	26.00	27.70	29.35	31.05	.125	1/8	26.00	28.60	31.05	32.70	34.40	36.05
Lengths 62¾" to 74"								*Lengths 98¼" and Longer*							
0.031	1 1/32	8.25	9.20	10.05	10.65	11.25	11.90	0.031	1 1/32	10.05	11.00	11.90	12.50	13.10	13.70
.036	1/28	8.65	9.65	10.55	11.20	11.85	12.45	.036	1/28	10.55	11.55	12.45	13.10	13.75	14.40
.042	1/24	9.30	10.40	11.35	12.05	12.75	13.45	.042	1/24	11.35	12.40	13.45	14.10	14.80	15.50
.050	1/20	10.30	11.50	12.55	13.35	14.10	14.85	.050	1/20	12.55	13.75	14.85	15.60	16.35	17.15
.053	1/19	10.75	12.00	13.15	13.90	14.70	15.50	.053	1/19	13.15	14.35	15.50	16.30	17.10	17.90
.056	1/18	11.25	12.60	13.75	14.60	15.45	16.25	.056	1/18	13.75	15.05	16.25	17.10	17.95	18.75
.063	1/16	12.35	13.80	15.10	16.00	16.90	17.85	.063	1/16	15.10	16.50	17.85	18.75	19.65	20.55
.083	1/12	15.70	17.60	19.20	20.35	21.55	22.70	.083	1/12	19.20	21.00	22.70	23.85	25.00	26.20
.100	1/10	18.60	20.80	22.70	24.10	25.45	26.85	.100	1/10	22.70	24.80	26.85	28.20	29.60	30.95
.125	1/8	22.65	25.35	27.70	29.25	31.05	32.70	.125	1/8	27.70	30.26	32.70	34.40	36.05	37.75

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the price for 6" to 26" widths of the same length established in this table.
NOTE: The maximum price for door stock which is 5" wide shall be the price for 6" to 26" widths of the same length established in this table.

TABLE 2—SIGNAL CORPS FACES AND BACKS (SIGNAL CORPS SPECIFICATIONS 73-48, RULE NO. E-3A). MARINE FACES (BUREAU OF SHIPS SPECIFICATIONS 36P15 (INT.), RULES NO. D-3, E-5 AND E-6).

MANUFACTURED IN ZONE 1 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths					Thickness (inches)		Random widths 6" to 38"	Specified one piece widths				
Decimal	Fractional		6" to 26"	26¼" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"	Decimal	Fractional		6" to 26"	26¼" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"
Lengths up to 50"								*Lengths 74¼" to 86"*							
0.031	1 1/32	$7.80	$8.10	$10.05	$10.80	$11.55	$12.30	0.031	1 1/32	$10.05	$11.25	$12.30	13.05	$13.75	$14.50
.036	1/28	8.20	8.55	10.55	11.35	12.10	12.90	.036	1/28	10.55	11.80	12.90	13.65	14.45	15.25
.042	1/24	8.75	9.15	11.35	12.20	13.05	13.90	.050	1/20	12.55	14.05	15.35	16.30	17.20	18.15
.050	1/20	9.75	11.25	13.50	14.40	15.35	16.30	.063	1/16	15.10	16.90	18.45	19.55	20.70	21.80
.063	1/16	11.75	13.60	15.10	16.20	17.35	18.45	.083	1/12	19.20	21.50	23.45	24.90	26.30	27.75
.083	1/12	14.95	17.35	19.20	20.65	22.05	23.45	.100	1/10	22.70	25.40	27.75	29.45	31.10	32.80
.100	1/10	17.65	20.50	22.70	24.40	26.05	27.75	.125	1/8	27.70	31.00	33.85	35.90	37.95	40.00
.125	1/8	21.55	25.00	27.70	29.75	31.80	33.85								
Lengths 50¼" to 62"								*Lengths 86¼" to 98"*							
0.031	1 1/32	8.55	9.80	10.80	11.55	12.30	13.05	0.031	1 1/32	10.80	12.00	13.05	13.75	14.50	15.25
.036	1/28	9.00	10.30	11.35	12.10	12.90	13.65	.036	1/28	11.35	12.55	13.65	14.45	15.25	16.00
.050	1/20	10.70	12.25	13.50	14.40	15.35	16.30	.050	1/20	13.50	14.95	16.30	17.20	18.15	19.05
.063	1/16	12.85	14.70	16.20	17.35	18.45	19.55	.063	1/16	16.20	17.95	19.55	20.70	21.80	22.90
.083	1/12	16.35	18.70	20.65	22.05	23.45	24.90	.083	1/12	20.65	22.90	24.90	26.30	27.75	29.15
.100	1/10	19.35	22.15	24.40	26.05	27.75	29.45	.100	1/10	24.40	27.05	29.45	31.10	32.80	34.45
.125	1/8	23.60	27.00	29.75	31.80	33.85	35.90	.125	1/8	29.75	33.00	35.90	37.95	40.00	42.05
Lengths 62¼" to 74"								*Lengths 98¼" and longer*							
0.031	1 1/32	9.30	10.55	11.55	12.30	13.05	13.75	0.031	1 1/32	11.55	12.70	13.75	14.80	15.25	16.00
.036	1/28	9.75	11.05	12.10	12.90	13.65	14.45	.036	1/28	12.10	13.35	14.45	15.25	16.00	16.80
.050	1/20	11.65	13.15	14.40	15.35	16.30	17.20	.050	1/20	14.40	15.90	17.20	18.15	19.05	20.00
.063	1/16	13.95	15.80	17.35	18.45	19.55	20.70	.063	1/16	17.35	19.05	20.70	21.80	22.90	24.00
.083	1/12	17.80	20.10	22.05	23.45	24.90	26.30	.083	1/12	22.05	24.25	26.30	27.75	29.15	30.60
.100	1/10	21.00	23.80	26.05	27.75	29.45	31.10	.100	1/10	26.05	28.70	31.10	32.80	34.45	36.15
.125	1/8	25.65	29.00	31.80	33.85	35.90	37.95	.125	1/8	31.80	35.00	37.95	40.00	42.05	44.10

[1] And thinner.

NOTE.—The maximum price for fractional part prices shall be the price for 6" to 26" widths of the same length established in this table.

TABLE 3A—SIGNAL CORPS FACES AND BACKS (SIGNAL CORPS SPECIFICATIONS 72-48, RULE NO. E-3A). MARINE FACES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES D-3, E-5, AND E-6).

MANUFACTURED IN ZONE 1 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Random widths 6" to 36"	Specified one piece widths					Thickness (inches)		Random widths 6" to 36"	Specified one piece widths				
Decimal	Fractional		6" to 26"	26¼" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"	Decimal	Fractional		6" to 26"	26¼" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"
Lengths up to 60"								*Lengths 74¼" to 86"*							
0.031	[1] 1/32	$6.40	$7.45	$8.36	$8.85	$9.45	$10.05	0.031	[1] 1/32	$6.25	$9.20	$10.05	$10.65	$11.25	$11.90
.036	1/28	6.70	7.80	8.65	9.25	9.90	10.55	.036	1/28	6.65	9.65	10.55	11.20	11.85	12.45
.050	1/20	8.00	9.30	10.30	11.05	11.80	12.55	.050	1/20	10.30	11.50	12.55	13.35	14.10	14.85
.063	1/16	9.60	11.15	12.35	13.25	14.20	15.10	.063	1/16	12.35	13.80	15.10	16.00	16.90	17.85
.083	1/12	12.20	14.20	15.70	16.90	18.05	19.20	.083	1/12	16.70	17.60	19.20	20.35	21.55	22.70
.100	1/10	14.45	16.75	18.60	19.95	21.35	22.70	.100	1/10	18.60	20.80	22.70	24.10	25.45	26.85
.125	1/8	17.60	20.45	22.65	24.35	26.00	27.70	.125	1/8	22.65	25.35	27.70	29.35	31.05	32.70
Lengths 50¼" to 62"								*Lengths 86¼" to 98"*							
0.031	[1] 1/32	7.00	8.00	8.85	9.45	10.05	10.65	0.031	[1] 1/32	8.85	9.80	10.65	11.25	11.90	12.50
.036	1/28	7.35	8.40	9.25	9.90	10.55	11.20	.036	1/28	9.25	10.30	11.20	11.85	12.45	13.10
.050	1/20	8.75	10.00	11.05	11.80	12.55	13.35	.050	1/20	11.05	12.25	13.35	14.10	14.85	15.60
.063	1/16	10.50	12.05	13.25	14.20	15.10	16.00	.063	1/16	13.25	14.70	16.00	16.90	17.85	18.75
.083	1/12	13.40	15.30	16.90	18.05	19.20	20.35	.083	1/12	16.90	18.70	20.35	21.55	22.70	23.85
.100	1/10	15.80	18.10	19.95	21.35	22.70	24.10	.100	1/10	19.95	22.15	24.10	25.45	26.85	28.20
.125	1/8	19.30	22.10	24.35	26.00	27.70	29.35	.125	1/8	24.35	27.00	29.35	31.05	32.70	34.40
Lengths 62¼ "to 74"								*Lengths 98¼" and longer*							
0.031	[1] 1/32	7.60	8.60	9.45	10.05	10.65	11.25	0.031	1/32	9.45	10.40	11.25	11.90	12.50	13.10
.036	1/28	8.00	9.05	9.90	10.55	11.20	11.85	.036	1/28	9.90	10.90	11.85	12.45	13.10	13.75
.050	1/20	9.50	10.75	11.80	12.55	13.35	14.10	.050	1/20	11.80	13.00	14.10	14.85	15.60	16.35
.063	1/16	11.45	12.90	14.20	15.10	16.00	16.90	.063	1/16	14.20	15.60	16.90	17.85	18.75	19.65
.083	1/12	14.55	16.45	18.05	19.20	20.35	21.55	.083	1/12	18.05	19.85	21.55	22.70	23.85	25.00
.100	1/10	17.20	19.45	21.35	22.70	24.10	25.45	.100	1/10	21.35	23.50	25.45	26.85	28.20	29.60
.125	1/8	20.95	23.70	26.00	27.70	29.35	31.05	.125	1/8	26.00	28.60	31.05	32.70	34.40	36.05

[1] And thinner.

NOTE.—The maximum price for fractional part pieces shall be the price for 6" to 26" widths of the same length established in this table.

TABLE 4—DRAWER BOTTOMS (NHLA RULE NO. 9). MARINE FACES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES NO. D-3 AND E-4). MARINE INNER PLIES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES NO. D-3, E-5 AND E-6).

MANUFACTURED IN ZONE 1 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths				Thickness (inches)		Random widths 6" to 38"	Specified one piece widths			
Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"	Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"
Lengths up to 60"							*Lengths 62¼" to 74"*						
0.031	[1] 1/32	$6.70	$8.00	$8.55	$8.95	$9.30	0.031	[1] 1/32	$8.70	$9.30	$9.70	$10.05	
.036	1/28	7.05	8.35	9.00	9.35	9.75	.036	1/28	7.80	9.15	9.75	10.15	10.55
.042	1/24	7.60	9.05	9.70	10.10	10.50	.042	1/24	8.40	9.85	10.50	10.95	11.35
.050	1/20	8.35	10.00	10.70	11.15	11.65	.050	1/20	9.30	10.90	11.65	12.10	12.55
.053	1/19	8.75	10.45	11.20	11.68	12.13	.053	1/19	9.70	11.35	12.15	12.65	13.10
.056	1/18	9.15	10.95	11.75	12.25	12.75	.056	1/18	10.20	11.90	12.75	13.25	13.75
.063	1/16	10.05	12.00	12.85	13.40	14.00	.063	1/16	11.20	13.10	13.95	14.55	15.10
.067	1/15	10.68	12.70	13.65	14.25	14.85	.067	1/15	11.85	13.90	14.85	15.40	16.00
.071	1/14	11.15	13.30	14.25	14.90	15.50	.071	1/14	12.40	14.50	15.50	16.15	16.75
.083	1/12	12.80	15.25	16.35	17.05	17.80	.083	1/12	14.20	16.65	17.80	18.50	19.20
.091	1/11	13.85	16.50	17.70	18.50	19.25	.091	1/11	15.40	18.05	19.25	20.05	20.80
.100	1/10	15.15	18.05	19.35	20.20	21.00	.100	1/10	16.80	19.70	21.00	21.85	22.70
.111	1/9	16.65	19.80	21.25	22.20	23.10	.111	1/9	18.50	21.65	23.10	24.00	24.95
.125	1/8	18.45	22.00	23.60	24.60	25.65	.125	1/8	20.50	24.00	25.65	26.65	27.70
.143	1/7	20.90	24.90	26.70	27.85	29.00	.143	1/7	23.20	27.15	29.00	30.15	31.35
.156	5/32	22.70	27.05	29.00	30.25	31.50	.156	5/32	25.20	29.50	31.50	32.80	34.05
.167	1/6	24.20	28.85	30.95	32.25	33.60	.167	1/6	26.90	31.45	33.60	34.95	36.30
.188	3/16	27.10	32.30	34.60	36.10	37.60	.188	3/16	30.10	35.20	37.60	39.15	40.65
.200	1/5	28.80	34.30	36.80	38.40	40.00	.200	1/5	32.00	37.45	40.00	41.60	43.20
.219	7/32	31.30	37.30	40.00	41.75	43.50	.219	7/32	34.80	40.70	43.50	45.20	46.95
.234	15/64	33.30	39.70	42.55	44.40	46.25	.234	15/64	37.00	43.30	46.25	48.10	49.95
.250	1/4	35.35	42.15	45.20	47.15	49.10	.250	1/4	39.30	45.95	49.10	51.05	53.05
Lengths 50¼" to 62"							*Lengths 74¼" to 86"*						
0.031	[1] 1/32	7.05	8.35	8.95	9.30	9.70	0.031	[1] 1/32	7.80	9.10	9.70	10.05	10.45
.036	1/28	7.45	8.75	9.35	9.75	10.15	.036	1/28	8.20	9.55	10.15	10.55	10.95
.042	1/24	8.00	9.45	10.10	10.50	10.95	.042	1/24	8.85	10.25	10.95	11.35	11.80
.050	1/20	8.85	10.45	11.15	11.65	12.10	.050	1/20	9.75	11.35	12.10	12.55	13.00
.053	1/19	9.25	10.90	11.65	12.15	12.65	.053	1/19	10.20	11.85	12.65	13.10	13.60
.056	1/18	9.70	11.46	12.25	12.75	13.25	.056	1/18	10.70	12.45	13.25	13.75	14.30
.063	1/16	10.60	12.55	13.40	13.95	14.55	.063	1/16	11.75	13.60	14.55	15.10	15.65
.067	1/15	11.25	13.30	14.25	14.85	15.40	.067	1/15	12.45	14.45	15.40	16.00	16.60
.071	1/14	11.90	13.90	14.90	15.50	16.15	.071	1/14	13.00	15.15	16.15	16.75	17.35
.083	1/12	13.50	15.95	17.05	17.80	18.50	.083	1/12	14.95	17.35	18.50	19.20	19.90
.091	1/11	14.65	17.30	18.50	19.25	20.05	.091	1/11	16.20	18.80	20.05	20.80	21.55
.100	1/10	16.00	18.85	20.20	21.00	21.85	.100	1/10	17.65	20.50	21.85	22.70	23.55
.111	1/9	17.55	20.70	22.20	23.10	24.00	.111	1/9	19.40	22.55	24.00	24.95	25.85
.125	1/8	19.50	23.00	24.60	25.65	26.65	.125	1/8	21.55	25.00	26.65	27.70	28.70
.143	1/7	22.05	26.05	27.85	29.00	30.15	.143	1/7	24.40	28.30	30.15	31.35	32.50
.156	5/32	23.95	28.25	30.25	31.50	32.80	.158	5/32	26.50	30.70	32.80	34.05	35.30
.167	1/6	25.55	30.15	32.25	33.60	34.95	.167	1/6	28.25	32.80	34.95	36.30	37.65
.188	3/16	28.60	33.75	36.10	37.60	39.15	.188	3/16	31.60	36.70	39.15	40.65	42.15
.200	1/5	30.40	35.85	38.40	40.00	41.60	.200	1/5	33.60	39.00	41.60	43.20	44.80
.219	7/32	33.05	39.00	41.75	43.50	45.20	.219	7/32	36.50	42.40	45.20	46.95	48.70
.234	15/64	35.15	41.50	44.40	46.25	48.10	.234	15/64	38.85	45.10	48.10	49.95	51.80
.250	1/4	37.30	44.05	47.15	49.10	51.05	.250	1/4	41.25	47.85	51.05	53.05	55.00

[1] And thinner.

TABLE 4—DRAWER BOTTOMS (NHLA RULE NO. 9). MARINE FACES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES NO. D-3 AND E-4). MARINE INNER PLIES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES NO. D-3, E-5 AND E-6)—Continued

MANUFACTURED IN ZONE 1 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths				Thickness (inches)		Random widths 6" to 38"	Specified one piece widths			
Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"	Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"
Lengths 86¼" to 98"							*Lengths 98¼" and longer*						
0.031	[1] 1/32	$6.20	$8.45	$10.05	$10.45	$10.80	0.031	[1] 1/32	$8.55	$9.80	$10.45	$10.80	$11.20
.036	1/28	8.60	9.90	10.55	10.95	11.35	.036	1/28	9.00	10.30	10.95	11.35	11.70
.042	1/24	9.25	10.65	11.35	11.80	12.20	.042	1/24	9.70	11.10	11.80	12.20	12.65
.050	1/20	10.25	11.80	12.55	13.00	13.50	.050	1/20	10.70	12.25	13.00	13.50	13.95
.053	1/19	10.70	12.30	13.10	13.60	14.10	.053	1/19	11.20	12.80	13.60	14.10	14.60
.056	1/18	11.20	12.95	13.75	14.30	14.80	.056	1/18	11.75	13.40	14.30	14.80	15.30
.063	1/16	12.30	14.15	15.10	15.65	16.20	.063	1/16	12.85	14.70	15.65	16.20	16.75
.067	1/15	13.05	15.05	16.00	16.60	17.20	.067	1/15	13.65	15.60	16.60	17.20	17.80
.071	1/14	13.65	15.70	16.75	17.35	18.00	.071	1/14	14.25	16.35	17.35	18.00	18.60
.083	1/12	15.65	18.05	19.20	19.90	20.65	.083	1/12	16.35	18.70	19.90	20.65	21.35
.091	1/11	16.95	19.55	20.80	21.55	22.35	.091	1/11	17.70	20.30	21.55	22.35	23.10
.100	1/10	18.50	21.30	22.70	23.55	24.40	.100	1/10	19.35	22.15	23.55	24.40	25.25
.111	1/9	20.35	23.40	24.95	25.85	26.80	.111	1/9	21.25	24.30	25.85	26.80	27.70
.125	1/8	22.55	26.00	27.70	28.70	29.75	.125	1/8	23.60	27.00	28.70	29.75	30.75
.143	1/7	25.55	29.40	31.35	32.50	33.65	.143	1/7	26.70	30.55	32.50	33.65	34.80
.156	5/32	27.75	31.95	34.05	35.30	36.55	.156	5/32	29.00	33.20	35.30	36.55	37.80
.167	1/6	29.60	34.10	36.30	37.65	39.00	.167	1/6	30.95	35.40	37.65	39.00	40.35
.188	3/16	33.10	38.15	40.65	42.15	43.65	.188	3/16	34.60	39.60	42.15	43.65	45.15
.200	1/5	35.20	40.55	43.20	44.80	46.40	.200	1/5	36.80	42.10	44.80	46.40	48.00
.219	7/32	38.25	44.10	46.95	48.70	50.45	.219	7/32	40.00	45.80	48.70	50.45	52.15
.234	15/64	40.70	46.90	49.95	51.80	53.65	.234	15/64	42.55	48.70	51.80	53.65	55.50
.250	1/4	43.20	49.80	53.05	55.00	56.95	.250	1/4	45.18	51.70	55.00	56.95	58.95

[1] And thinner.

NOTE. The maximum price for fractional part pieces shall be the price for 6" to 32" widths of the same length established in this table.

TABLE 4A—DRAWER BOTTOMS (NHLA RULE NO. 9. MARINE FACES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES NO. D-3 AND E-4) MARINE INNER PLIES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES NO. D-3, E-5 AND E-6)

MANUFACTURED IN ZONE 1 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths				Thickness (inches)		Random widths 6" to 38"	Specified one piece widths			
Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"	Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"
Lengths up to 60"							*Lengths 62¼" to 74"*						
0.031	[1] 1/32	$5.50	$6.55	$7.00	$7.30	$7.60	0.031	[1] 1/32	$6.10	$7.15	$7.60	$7.90	$8.25
.036	1/28	5.75	6.85	7.35	7.65	8.00	.036	1/28	6.40	7.50	8.00	8.30	8.65
.042	1/24	6.20	7.40	7.90	8.25	8.60	.042	1/24	6.90	8.05	8.60	8.95	9.30
.050	1/20	6.85	8.15	8.75	9.15	9.50	.050	1/20	7.60	8.90	9.50	9.90	10.30
.053	1/19	7.15	8.55	9.15	9.55	9.95	.053	1/19	7.95	9.30	9.95	10.35	10.75
.056	1/18	7.50	8.95	9.60	10.00	10.45	.056	1/18	8.35	9.75	10.45	10.85	11.25
.063	1/16	8.25	9.80	10.50	10.95	11.45	.063	1/16	9.15	10.70	11.45	11.90	12.35
.067	1/15	8.75	10.40	11.15	11.65	12.15	.067	1/15	9.70	11.35	12.15	12.60	13.10
.071	1/14	9.15	10.90	11.65	12.20	12.70	.071	1/14	10.15	11.90	12.70	13.20	13.70
.083	1/12	10.50	12.45	13.40	13.95	14.55	.083	1/12	11.65	13.60	14.55	15.15	15.70
.091	1/11	11.35	13.50	14.50	15.15	15.75	.091	1/11	12.60	14.75	15.75	16.40	17.00
.100	1/10	12.40	14.75	15.80	16.50	17.20	.100	1/10	13.75	16.10	17.20	17.90	18.60
.111	1/9	13.60	16.20	17.40	18.15	18.90	.111	1/9	15.10	17.70	18.90	19.65	20.40
.125	1/8	15.10	18.00	19.30	20.15	20.95	.125	1/8	16.80	19.65	20.95	21.80	22.65
.143	1/7	17.10	20.35	21.85	22.80	23.75	.143	1/7	19.00	22.20	23.75	24.70	25.65
.156	5/32	18.55	22.10	23.70	24.75	25.80	.156	5/32	20.65	24.15	25.80	26.80	27.85
.167	1/6	19.80	23.60	25.30	26.40	27.50	.167	1/6	22.00	25.76	27.50	28.60	29.70
.188	3/16	22.15	26.40	28.30	29.55	30.80	.188	3/16	24.60	28.80	30.80	32.00	33.25
.200	1/5	23.55	28.10	30.10	31.40	32.70	.200	1/5	26.20	30.65	32.70	34.05	35.35
.219	7/32	25.60	30.50	32.70	34.15	35.60	.219	7/32	28.45	33.30	35.60	37.00	38.40
.234	15/64	27.25	32.45	34.80	36.35	37.85	.234	15/64	30.30	35.40	37.85	39.35	40.85
.250	1/4	28.95	34.45	36.95	38.55	40.20	.250	1/4	32.15	37.60	40.20	41.80	43.40
Lengths 50¼" to 62"							*Lengths 74¼" to 86"*						
0.031	[1] 1/32	5.80	6.85	7.30	7.60	7.90	0.031	[1] 1/32	6.40	7.45	7.90	8.25	8.55
.036	1/28	6.10	7.15	7.65	8.00	8.30	.036	1/28	6.70	7.80	8.30	8.65	8.95
.042	1/24	6.55	7.70	8.25	8.60	8.95	.042	1/24	7.25	8.40	8.95	9.30	9.65
.050	1/20	7.25	8.55	9.15	9.50	9.90	.050	1/20	8.00	9.30	9.90	10.30	10.65
.053	1/19	7.55	8.95	9.55	9.95	10.35	.053	1/19	8.35	9.70	10.35	10.75	11.15
.056	1/18	7.95	9.35	10.00	10.45	10.85	.056	1/18	8.75	10.15	10.85	11.25	11.70
.063	1/16	8.70	10.25	10.95	11.45	11.90	.063	1/16	9.60	11.15	11.90	12.35	12.80
.067	1/15	9.20	10.90	11.65	12.15	12.60	.067	1/15	10.20	11.85	12.60	13.10	13.60
.071	1/14	9.65	11.40	12.20	12.70	13.20	.071	1/14	10.65	12.40	13.20	13.70	14.20
.083	1/12	11.05	13.05	13.95	14.55	15.15	.083	1/12	12.20	14.20	15.15	15.70	16.30
.091	1/11	12.00	14.15	15.15	15.75	16.40	.091	1/11	13.25	15.36	16.40	17.00	17.65
.100	1/10	13.10	15.45	16.50	17.20	17.90	.100	1/10	14.45	16.75	17.90	18.60	19.25
.111	1/9	14.35	16.95	18.15	18.90	19.65	.111	1/9	15.90	18.45	19.65	20.40	21.15
.125	1/8	15.95	18.80	20.15	20.95	21.80	.125	1/8	17.60	20.45	21.80	22.65	23.50
.143	1/7	18.05	21.30	22.80	23.75	24.70	.143	1/7	19.95	23.15	24.70	25.65	26.60
.156	5/32	19.60	23.15	24.75	25.80	26.80	.156	5/32	21.65	25.16	26.80	27.85	28.90
.167	1/6	20.90	24.70	26.40	27.50	28.60	.167	1/6	23.10	26.80	28.60	29.70	30.80
.188	3/16	23.40	27.60	29.55	30.80	32.00	.188	3/16	25.85	30.00	32.00	33.25	34.45
.200	1/5	24.90	29.35	31.40	32.70	34.05	.200	1/5	27.50	31.90	34.05	35.35	36.65
.219	7/32	27.05	31.90	34.15	35.60	37.00	.219	7/32	29.90	34.70	37.00	38.40	39.85
.234	15/64	28.75	33.95	36.35	37.85	39.35	.234	15/64	31.80	36.90	39.35	40.85	42.40
.250	1/4	30.55	36.05	38.55	40.20	41.80	.250	1/4	33.75	39.15	41.80	43.40	45.00

[1] And thinner.

TABLE 4A—DRAWER BOTTOMS (NHLA RULE NO. 9 MARINE FACES (BUREAU OF SHIPS SPECIFICATIONS 29P15 (INT.), RULES NO. D-3 AND E-4). MARINE INNER PLIES (BUREAU OF SHIPS SPECIFICATIONS 29P15 (INT.), RULES NO. D-3, E-3 AND E-4)—Continued

MANUFACTURED IN ZONE 1 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths			
Decimal	Fractional		6" to 32"	32½" to 38"	38½" to 44"	44½" to 50"
Lengths 38¼" to 96"						
0.031	[1] 1/32	$6.70	$7.70	$8.25	$8.55	$8.85
.036	1/28	7.05	8.10	8.65	8.95	9.25
.042	1/24	7.60	8.75	9.30	9.65	10.00
.050	1/20	8.40	9.65	10.30	10.65	11.05
.053	1/19	8.75	10.10	10.75	11.15	11.55
.056	1/18	9.20	10.60	11.25	11.70	12.10
.063	1/16	10.05	11.60	12.35	12.80	13.25
.067	1/15	10.65	12.30	13.10	13.60	14.05
.071	1/14	11.15	12.85	13.70	14.20	14.70
.083	1/12	12.80	14.75	15.70	16.30	16.90
.091	1/11	13.85	16.00	17.00	17.65	18.30
.100	1/10	15.15	17.45	18.60	19.25	19.95
.111	1/9	16.66	19.15	20.40	21.15	21.90
.125	1/8	18.45	21.25	22.65	23.50	24.35
.143	1/7	20.90	24.05	25.55	26.60	27.55
.156	5/32	22.70	26.15	27.85	28.90	29.90
.167	3/16	24.20	27.90	29.70	30.80	31.90
.188	3/16	27.10	31.20	33.25	34.45	35.70
.200	1/5	28.80	33.30	35.35	36.65	37.95
.219	7/32	31.30	36.05	38.40	39.85	41.25
.234	15/64	33.30	38.40	40.85	42.40	43.90
.250	1/4	35.35	40.75	43.40	45.00	46.60

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the price for 6" to 32" widths of the same length established in this table.

TABLE 5—SHEET STOCK, SELECTED FOR COLOR (GRADES, WIDTHS AND LENGTHS AS SPECIFIED BY NHLA RULE NO. 13)

MANUFACTURED IN ZONE 1 FROM SWEET GUM AND TUPELO (BAY POPLAR)

Thickness (inches)		Price
Decimal	Fractional	
0.031	[1] 1/32	$10.55
.036	1/28	11.05
.042	1/24	11.90
.050	1/20	13.15
.063	1/16	13.75
.056	1/18	14.40
.063	1/16	15.80
.067	1/15	17.55
.071	1/14	20.10
.083	1/12	21.80
.091	1/11	23.80
.100	1/10	25.15
.111	1/9	26.00
.125	1/8	

[1] And thinner.

TABLE 6—SHEET STOCK, UNSELECTED FOR COLOR (GRADES, WIDTHS AND LENGTHS AS SPECIFIED BY NHLA RULE NO. 13)

MANUFACTURED IN ZONE 1 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Price
Decimal	Fractional	
0.031	[1] 1/32	$7.25
.036	1/28	7.60
.042	1/24	8.20
.050	1/20	9.10
.053	1/19	9.50
.056	1/18	9.95
.063	1/16	10.90
.067	1/15	11.55
.071	1/14	12.10
.083	1/12	13.85
.091	1/11	15.05
.100	1/10	16.40
.111	1/9	18.00
.125	1/8	20.00
.143	1/7	22.65
.156	5/32	24.60
.167	3/16	26.20
.188	3/16	29.35
.200	1/5	31.20
.219	7/32	33.90
.234	15/64	36.10
.250	1/4	38.30
.281	9/32	43.05
.313	5/16	47.35
.344	11/32	52.08
.375	3/8	56.85

[1] And thinner.

TABLE 6A—SHEET STOCK, UNSELECTED FOR COLOR, (GRADES, WIDTHS AND LENGTHS AS SPECIFIED BY NHLA RULE NO. 13)

MANUFACTURED IN ZONE 1 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Price
Decimal	Fractional	
.031	[1] 1/32	$5.95
.036	1/28	6.25
.042	1/24	6.70
.050	1/20	7.45
.053	1/19	7.75
.056	1/18	8.15
.063	1/16	8.90
.067	1/15	9.45
.071	1/14	9.90
.083	1/12	11.35
.091	1/11	12.30
.100	1/10	13.40
.111	1/9	14.75
.125	1/8	16.35
.143	1/7	18.50
.156	5/32	20.10
.167	3/16	21.45
.188	3/16	24.00
.200	1/5	26.80
.219	7/32	27.75
.234	15/64	29.50
.250	1/4	31.25
.281	9/32	35.20
.313	5/16	38.75
.344	11/32	42.60
.375	3/8	46.50

[1] And thinner.

TABLE 7—SOUND BACK (NHLA RULE NO. 7). CROSS BANDING (NHLA RULE No. 10). NO. 1 CORE OR CENTER STOCK (NHLA RULE NO. 11 (A)). SIGNAL CORPS INNER PLIES (SIGNAL CORPS SPECIFICATIONS 72-48, RULE NO. E-3B). MARINE INNER PLIES (BUREAU OF SHIPS SPECIFICATIONS 29P15 (INT.), RULES NO. D-3 AND E-4).

MANUFACTURED IN ZONE 1 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths							
Decimal	Fractional		6" to 32"	32½" to 38"	38½" to 44"	44½" to 50"	50½" to 62"	62½" to 74"	74½" to 86"	86½" to 98"
Lengths up to 50"										
0.031	[1] 1/32	$5.95	$7.25	$7.80	$8.20	$8.55	$8.95	$9.30	$9.70	$10.05
.036	1/28	6.25	7.60	8.20	8.60	9.00	9.35	9.75	10.15	10.55
.042	1/24	6.75	8.30	8.85	9.25	9.70	10.10	10.50	10.95	11.35
.050	1/20	7.45	9.10	9.75	10.25	10.70	11.15	11.65	12.10	12.55
.053	1/19	7.80	9.50	10.20	10.70	11.20	11.65	12.15	12.65	13.10
.056	1/18	8.15	9.95	10.70	11.20	11.75	12.25	12.75	13.25	13.75
.063	1/16	8.95	10.90	11.75	12.30	12.85	13.40	13.95	14.55	15.10
.067	1/15	9.50	11.55	12.45	13.05	13.65	14.25	14.85	15.40	16.00
.071	1/14	9.90	12.10	13.00	13.65	14.25	14.90	15.50	16.15	16.75
.083	1/12	11.35	13.85	14.95	15.65	16.35	17.05	17.80	18.50	19.20
.091	1/11	12.35	15.05	16.20	16.95	17.70	18.50	19.25	20.05	20.80
.100	1/10	13.45	16.40	17.65	18.50	19.35	20.20	21.00	21.85	22.70
.111	1/9	14.80	18.00	19.40	20.35	21.25	22.20	23.10	24.00	24.95
.125	1/8	16.40	20.00	21.55	22.55	23.60	24.60	25.65	26.65	27.70
.143	1/7	18.55	22.65	24.40	25.55	26.70	27.85	29.00	30.15	31.35
.156	5/32	20.15	24.60	26.50	27.75	29.00	30.25	31.50	32.80	34.05
.167	3/16	21.50	26.20	28.25	29.60	30.95	32.25	33.60	34.95	36.30
.188	3/16	24.10	29.35	31.60	33.10	34.60	36.10	37.60	39.15	40.65
.200	1/5	25.60	31.20	33.60	35.20	36.80	38.40	40.00	41.60	43.20
.219	7/32	27.85	33.90	36.50	38.25	40.00	41.75	43.50	45.20	46.95
.234	15/64	29.60	36.10	38.85	40.70	42.55	44.40	46.25	48.10	49.95
.250	1/4	31.40	38.30	41.25	43.20	45.20	47.15	49.10	51.05	53.05
.281	9/32	35.30	43.05	46.35	48.55	50.75	53.00	55.20	57.40	59.60
.313	5/16	38.85	47.35	51.00	53.45	55.85	58.30	60.70	63.15	65.55
.344	11/32	42.70	52.05	56.05	58.75	61.40	64.10	66.75	69.40	72.10
.375	3/8	46.65	56.85	61.25	64.15	67.05	70.00	72.90	75.80	78.75
Lengths 50¼" to 68"										
0.031	[1] 1/32	6.35	7.60	8.20	8.55	8.95	9.30	9.70	10.05	10.45
.036	1/28	6.65	8.00	8.60	9.00	9.35	9.75	10.15	10.55	10.95
.042	1/24	7.15	8.60	9.25	9.70	10.10	10.50	10.95	11.35	11.80
.050	1/20	7.90	9.55	10.25	10.70	11.15	11.65	12.10	12.55	13.00
.053	1/19	8.25	9.95	10.70	11.20	11.65	12.15	12.65	13.10	13.60
.056	1/18	8.65	10.45	11.20	11.75	12.25	12.75	13.25	13.75	14.30
.063	1/16	9.50	11.45	12.30	12.85	13.40	13.95	14.55	15.10	15.65
.067	1/15	10.10	12.15	13.05	13.65	14.25	14.85	15.40	16.00	16.60
.071	1/14	10.55	12.70	13.65	14.26	14.90	15.50	16.15	16.75	17.35
.083	1/12	12.10	14.55	15.65	16.35	17.05	17.80	18.50	19.20	19.90
.091	1/11	13.10	15.75	16.95	17.70	18.50	19.25	20.05	20.80	21.55
.100	1/10	14.30	17.20	18.50	19.35	20.20	21.00	21.85	22.70	23.55
.111	1/9	15.70	18.90	20.35	21.25	22.20	23.10	24.00	24.95	25.85
.125	1/8	17.40	21.00	22.55	23.60	24.60	25.65	26.65	27.70	28.70
.143	1/7	19.75	23.75	25.55	26.70	27.85	29.00	30.15	31.35	32.50
.156	5/32	21.45	25.80	27.75	29.00	30.25	31.50	32.80	34.05	35.30
.167	3/16	22.85	27.55	29.60	30.95	32.25	33.60	34.95	36.30	37.65
.188	3/16	25.60	30.80	33.10	34.60	36.10	37.60	39.15	40.65	42.15
.200	1/5	27.20	32.75	35.20	36.80	38.40	40.00	41.60	43.20	44.80
.219	7/32	29.55	35.60	38.25	40.00	41.75	43.50	45.20	46.95	48.70
.234	15/64	31.45	37.90	40.70	42.55	44.40	46.25	48.10	49.95	51.80
.250	1/4	33.40	40.20	43.20	45.20	47.15	49.10	51.05	53.05	55.00
.281	9/32	37.50	45.20	48.55	50.75	53.00	55.20	57.40	59.60	61.80
.313	5/16	41.30	49.70	53.45	55.85	58.30	60.70	63.15	65.55	68.00
.344	11/32	45.40	54.65	58.75	61.40	64.10	66.75	69.40	72.10	74.75
.375	3/8	49.60	59.70	64.15	67.05	70.00	72.90	75.80	78.75	81.65
Lengths 68¼" to 74"										
.031	[1] 1/32	6.70	8.00	8.55	8.98	9.30	9.70	10.05	10.45	10.80
.036	1/28	7.05	8.35	9.00	9.35	9.75	10.15	10.55	10.95	11.35
.042	1/24	7.60	9.05	9.70	10.10	10.50	10.95	11.35	11.80	12.20
.050	1/20	8.35	10.00	10.70	11.15	11.65	12.10	12.55	13.00	13.50
.053	1/19	8.75	10.45	11.20	11.65	12.15	12.65	13.10	13.60	14.10
.056	1/18	9.15	10.95	11.75	12.25	12.75	13.25	13.75	14.30	14.80
.063	1/16	10.05	12.00	12.85	13.40	13.96	14.55	15.10	15.65	16.20
.067	1/15	10.65	12.70	13.65	14.25	14.85	15.40	16.00	16.60	17.20
.071	1/14	11.15	13.30	14.25	14.90	15.50	16.15	16.75	17.35	18.00
.083	1/12	12.80	15.25	16.35	17.05	17.80	18.50	19.20	19.90	20.65
.091	1/11	13.85	16.50	17.70	18.50	19.25	20.05	20.80	21.55	22.35
.100	1/10	15.15	18.05	19.35	20.20	21.00	21.85	22.70	23.55	24.40
.111	1/9	16.65	19.80	21.25	22.20	23.10	24.00	24.95	25.85	26.80
.125	1/8	18.45	22.00	23.60	24.60	25.65	26.65	27.70	28.70	29.75
.143	1/7	20.90	24.90	26.70	27.85	29.00	30.15	31.35	32.50	33.65
.156	5/32	22.70	27.05	29.00	30.25	31.50	32.80	34.05	35.30	36.55
.167	3/16	24.20	28.85	30.95	32.25	33.60	34.95	36.30	37.65	39.00
.188	3/16	27.10	32.30	34.60	36.10	37.60	39.15	40.65	42.15	43.65
.200	1/5	28.80	34.30	36.80	38.40	40.00	41.60	43.20	44.80	46.40
.219	7/32	31.30	37.30	40.00	41.75	43.50	45.20	46.95	48.70	50.45
.234	15/64	33.30	39.70	42.55	44.40	46.25	48.10	49.95	51.80	53.65
.250	1/4	35.35	42.15	45.20	47.15	49.10	51.05	53.05	55.00	56.95
.281	9/32	39.75	47.35	50.75	53.00	55.20	57.40	59.60	61.80	64.00
.313	5/16	43.70	52.10	55.85	58.30	60.70	63.15	65.55	68.00	70.40
.344	11/32	48.05	57.25	61.40	64.10	66.75	69.40	72.10	74.75	77.40
.375	3/8	52.50	62.55	67.05	70.00	72.90	75.80	78.75	81.65	84.55
Lengths 74¼" to 86"										
0.031	[1] 1/32	7.05	8.35	8.95	9.30	9.70	10.05	10.45	10.80	11.20
.036	1/28	7.45	8.75	9.35	9.75	10.15	10.55	10.95	11.35	11.70
.042	1/24	8.00	9.45	10.10	10.50	10.95	11.35	11.80	12.20	12.65
.050	1/20	8.85	10.45	11.15	11.65	12.10	12.55	13.00	13.50	13.95
.053	1/19	9.25	10.90	11.65	12.15	12.65	13.10	13.60	14.10	14.60
.056	1/18	9.70	11.45	12.25	12.75	13.25	13.75	14.30	14.80	15.30
.063	1/16	10.60	12.55	13.40	13.95	14.55	15.10	15.65	16.20	16.75
.067	1/15	11.25	13.30	14.25	14.85	15.40	16.00	16.60	17.20	17.80
.071	1/14	11.80	13.90	14.90	15.50	16.15	16.75	17.35	18.00	18.60
.083	1/12	13.50	15.95	17.05	17.80	18.50	19.20	19.90	20.65	21.35
.091	1/11	14.65	17.30	18.50	19.25	20.05	20.80	21.55	22.35	23.10
.100	1/10	16.00	18.85	20.20	21.00	21.85	22.70	23.55	24.40	25.25
.111	1/9	17.55	20.70	22.20	23.10	24.00	24.95	25.85	26.80	27.70
.125	1/8	19.50	23.00	24.60	25.65	26.65	27.70	28.70	29.75	30.75
.143	1/7	22.05	26.06	27.85	29.00	30.15	31.35	32.50	33.65	34.80
.156	5/32	23.95	28.25	30.25	31.50	32.80	34.05	35.30	36.55	37.80
.167	3/16	25.55	30.15	32.25	33.60	34.95	36.30	37.65	39.00	40.35
.188	3/16	28.60	33.75	36.10	37.60	39.15	40.65	42.15	43.65	45.15
.200	1/5	30.40	35.85	38.40	40.00	41.60	43.20	44.80	46.40	48.00
.219	7/32	33.05	39.00	41.75	43.50	45.20	46.95	48.70	50.45	52.15
.234	15/64	35.15	41.50	44.40	46.25	48.10	49.95	51.80	53.65	55.50
.250	1/4	37.30	44.05	47.15	49.10	51.05	53.05	55.00	56.95	58.90
.281	9/32	41.95	49.50	53.00	55.20	57.40	59.60	61.80	64.00	66.20
.313	5/16	46.15	54.45	58.30	60.70	63.15	65.55	68.00	70.40	72.85
.344	11/32	50.70	59.85	64.10	66.75	69.40	72.10	74.75	77.40	80.10
.375	3/8	55.40	65.40	70.00	72.90	75.80	78.75	81.65	84.55	87.50
Lengths 86¼" to 98"										
0.031	[1] 1/32	7.45	8.70	9.30	9.70	10.05	10.45	10.80	11.20	11.55
.036	1/28	7.80	9.15	9.75	10.15	10.55	10.95	11.35	11.70	12.10
.042	1/24	8.40	9.85	10.50	10.96	11.35	11.80	12.20	12.65	13.05
.050	1/20	9.30	10.90	11.65	12.10	12.55	13.00	13.50	13.95	14.40
.053	1/19	9.70	11.35	12.15	12.65	13.10	13.60	14.10	14.60	15.05
.056	1/18	10.20	11.90	12.75	13.25	13.75	14.30	14.80	15.30	15.80
.063	1/16	11.30	13.10	13.95	14.55	15.10	15.65	16.20	16.75	17.35
.067	1/15	11.85	13.90	14.85	15.40	16.00	16.60	17.20	17.80	18.40
.071	1/14	12.40	14.50	15.50	16.15	16.75	17.35	18.00	18.60	19.25
.083	1/12	14.20	16.65	17.80	18.50	19.20	19.90	20.65	21.35	22.05
.091	1/11	15.40	18.05	19.25	20.05	20.80	21.55	22.35	23.10	23.90
.100	1/10	16.80	19.70	21.00	21.85	22.70	23.55	24.40	25.25	26.05
.111	1/9	18.50	21.65	23.10	24.00	24.95	25.85	26.80	27.70	28.65
.125	1/8	20.50	24.00	25.65	26.65	27.70	28.70	29.75	30.75	31.80
.143	1/7	23.20	27.15	29.00	30.15	31.35	32.50	33.65	34.80	36.00
.156	5/32	25.20	29.50	31.50	32.80	34.05	35.30	36.55	37.80	39.10
.167	3/16	26.90	31.45	33.60	34.95	36.30	37.65	39.00	40.35	41.70
.188	3/16	30.10	35.20	37.60	39.15	40.65	42.15	43.65	45.15	46.65
.200	1/5	32.00	37.45	40.00	41.60	43.20	44.80	46.40	48.00	49.60
.219	7/32	34.80	40.70	43.50	45.20	46.95	48.70	50.45	52.15	53.90
.234	15/64	37.00	43.30	46.25	48.10	49.95	51.80	53.65	55.50	57.35
.250	1/4	39.30	45.95	49.10	51.05	53.05	55.00	56.95	58.95	60.90
.281	9/32	44.15	51.65	55.20	57.40	59.60	61.80	64.00	66.20	68.40
.313	5/16	48.55	56.85	60.70	63.15	65.55	68.00	70.40	72.85	75.25
.344	11/32	53.40	62.45	66.75	69.40	72.10	74.75	77.40	80.10	82.75
.375	3/8	58.30	68.25	72.90	75.80	78.75	81.65	84.55	87.30	90.40
Lengths 98¼" and longer										
0.031	[1] 1/32	7.80	9.05	9.70	10.05	10.45	10.80	11.20	11.55	11.90
.036	1/28	8.20	9.55	10.15	10.55	10.95	11.35	11.70	12.10	12.50
.042	1/24	8.85	10.25	10.95	11.35	11.80	12.20	12.65	13.05	13.45
.050	1/20	9.75	11.35	12.10	12.55	13.00	13.50	13.95	14.40	14.90
.053	1/19	10.20	11.85	12.65	13.10	13.60	14.10	14.60	15.05	15.55
.056	1/18	10.70	12.45	13.25	13.75	14.30	14.80	15.30	15.80	16.30
.063	1/16	11.75	13.60	14.55	15.10	15.65	16.20	16.75	17.35	17.90
.067	1/15	12.45	14.45	15.40	16.00	16.60	17.20	17.80	18.40	19.00
.071	1/14	13.00	15.15	16.15	16.75	17.35	18.00	18.60	19.25	19.85
.083	1/12	14.95	17.35	18.50	19.20	19.90	20.65	21.35	22.05	22.75
.091	1/11	16.20	18.80	20.05	20.80	21.55	22.35	23.10	23.90	24.65
.100	1/10	17.65	20.50	21.85	22.70	23.55	24.40	25.25	26.05	26.90
.111	1/9	19.40	22.55	24.00	24.95	25.85	26.80	27.70	28.65	29.55
.125	1/8	21.55	25.00	26.65	27.70	28.70	29.75	30.75	31.80	32.80
.143	1/7	24.40	28.30	30.15	31.35	32.50	33.65	34.80	36.00	37.15
.156	5/32	26.50	30.70	32.80	34.05	35.30	36.55	37.80	39.10	40.35
.167	3/16	28.25	32.80	34.95	36.30	37.65	39.00	40.35	41.70	43.05
.188	3/16	31.60	36.70	39.15	40.65	42.15	43.65	45.15	46.65	48.15
.200	1/5	33.60	39.00	41.60	43.20	44.80	46.40	48.00	49.60	51.20
.219	7/32	36.50	42.40	45.20	46.95	48.70	50.45	52.15	53.90	55.65
.234	15/64	38.84	45.10	48.10	49.96	51.80	53.65	55.50	57.35	59.20
.250	1/4	41.25	47.85	51.05	53.05	55.00	56.95	60.90	62.85	
.281	9/32	46.35	53.80	57.40	59.60	61.80	64.00	66.20	68.40	70.65
.313	5/16	51.00	59.20	63.15	65.55	68.00	70.40	72.85	75.25	77.70
.344	11/32	56.05	65.10	69.40	72.10	74.75	77.40	80.10	82.75	85.45
.375	3/8	61.25	71.10	75.80	78.75	81.65	84.55	87.50	90.40	93.30

[1] And thinner.

NOTE.—The maximum price for fractional part pieces shall be the maximum price in the above table for that width which is one-half the specified prime width and is the same length ordered by the purchaser. For example, if a purchaser ordered cross banding 98" wide by 50" long, all fractional part pieces against this item may be invoiced at not more than the established price for cross banding 49" wide by 50" long.

TABLE 7A—SOUND BACKS (NHLA RULE NO. 7). CROSS BANDING (NHLA RULE NO. 10). NO. 1 CORE OR CENTER STOCK (NHLA NO. 11(A)). SIGNAL CORPS INNER PLIES (SIGNAL CORPS SPECIFICATIONS 72-48, RULE NO. E-3B) MARINE INNER PLIES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES NO. D-3 AND E-4).

MANUFACTURED IN ZONE 1 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches) Decimal	Fractional	Random widths 6" to 38"	Specified one piece widths 6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"	50¼" to 62"	62¼" to 74"	74¼" to 86"	86¼" to 98"
Lengths up to 50"										
0.031	[1] 1/32	$4.90	$5.95	$6.40	$6.70	$7.00	$7.30	$7.60	$7.90	$8.25
.036	1/28	5.10	6.25	6.70	7.05	7.35	7.65	8.00	8.30	8.65
.042	1/24	5.50	6.70	7.25	7.60	7.90	8.25	8.60	8.95	9.20
.050	1/20	6.10	7.45	8.00	8.40	8.75	9.15	9.50	9.90	10.30
.053	1/19	6.35	7.75	8.35	8.75	9.15	9.55	9.95	10.35	10.75
.056	1/18	6.70	8.15	8.75	9.20	9.60	10.00	10.45	10.85	11.25
.063	1/16	7.30	8.90	9.60	10.05	10.50	10.95	11.45	11.90	12.35
.067	1/15	7.75	9.45	10.20	10.65	11.15	11.65	12.15	12.60	13.10
.071	1/14	8.10	9.90	10.65	11.15	11.65	12.20	12.70	13.20	13.70
.083	1/12	9.30	11.35	12.20	12.80	13.40	13.95	14.55	15.15	15.70
.091	1/11	10.10	12.30	13.25	13.85	14.50	15.15	15.75	16.40	17.00
.100	1/10	11.00	13.40	14.45	15.15	15.80	16.50	17.20	17.90	18.60
.111	1/9	12.10	14.75	15.90	16.65	17.40	18.15	18.90	19.65	20.40
.125	1/8	13.40	16.35	17.60	18.45	19.30	20.15	20.95	21.80	22.65
.143	1/7	15.20	18.50	19.95	20.90	21.85	22.80	23.75	24.70	25.65
.156	5/32	16.50	20.10	21.65	22.70	23.70	24.75	25.80	26.80	27.85
.167	1/6	17.60	21.45	23.10	24.20	25.30	26.40	27.50	28.60	29.70
.188	3/16	19.70	24.00	25.85	27.10	28.30	29.55	30.80	32.00	33.25
.200	1/5	20.95	25.50	27.50	28.80	30.10	31.40	32.70	34.05	35.35
.219	7/32	22.75	27.75	29.90	31.30	32.70	34.15	35.60	37.00	38.40
.234	15/64	24.20	29.50	31.80	33.30	34.80	36.35	37.85	39.35	40.85
.250	1/4	25.70	31.35	33.75	35.35	36.95	38.55	40.20	41.80	43.40
.281	9/32	28.90	35.20	37.95	39.75	41.55	43.35	45.15	46.95	48.75
.313	5/16	31.80	38.75	41.70	43.70	45.70	47.70	49.65	51.65	53.65
.344	11/32	34.95	42.60	45.85	48.05	50.25	52.45	54.60	56.80	59.00
.375	3/8	38.20	46.50	50.10	52.50	54.85	57.25	59.65	62.05	64.40
Lengths 50¼" to 62"										
.031	[1] 1/32	5.20	6.25	6.70	7.00	7.30	7.60	7.90	8.25	8.55
.036	1/28	5.45	6.55	7.05	7.35	7.65	8.00	8.30	8.65	8.95
.042	1/24	5.85	7.05	7.60	7.90	8.25	8.60	8.95	9.20	9.65
.050	1/20	6.45	7.80	8.40	8.75	9.15	9.50	9.90	10.30	10.65
.053	1/19	6.75	8.15	8.75	9.15	9.55	9.95	10.35	10.75	11.15
.056	1/18	7.10	8.55	9.20	9.60	10.00	10.45	10.85	11.25	11.70
.063	1/16	7.80	9.35	10.05	10.50	10.95	11.45	11.90	12.35	12.80
.067	1/15	8.25	9.95	10.65	11.15	11.65	12.15	12.60	13.10	13.60
.071	1/14	8.65	10.40	11.15	11.65	12.20	12.70	13.20	13.70	14.20
.083	1/12	9.90	11.90	12.80	13.40	13.95	14.55	15.15	15.70	16.30
.091	1/11	10.70	12.90	13.85	14.50	15.15	15.75	16.40	17.00	17.65
.100	1/10	11.70	14.10	15.15	15.80	16.50	17.20	17.90	18.60	19.25
.111	1/9	12.85	15.50	16.65	17.40	18.15	18.90	19.65	20.40	21.15
.125	1/8	14.25	17.15	18.45	19.30	20.15	20.95	21.80	22.65	23.50
.143	1/7	16.15	19.45	20.90	21.85	22.80	23.75	24.70	25.65	26.60
.156	5/32	17.55	21.10	22.70	23.70	24.75	25.80	26.80	27.85	28.90
.167	1/6	18.70	22.55	24.20	25.30	26.40	27.50	28.60	29.70	30.80
.188	3/16	20.95	25.20	27.10	28.30	29.55	30.80	32.00	33.25	34.45
.200	1/5	22.25	26.80	28.80	30.10	31.40	32.70	34.05	35.35	36.65
.219	7/32	24.20	29.15	31.30	32.70	34.15	35.60	37.00	38.40	39.85
.234	15/64	25.75	31.00	33.30	34.80	36.35	37.85	39.35	40.85	42.40
.250	1/4	27.30	32.90	35.35	36.95	38.55	40.20	41.80	43.40	45.00
.281	9/32	30.70	37.00	39.75	41.55	43.35	45.15	46.95	48.75	50.55
.313	5/16	33.80	40.70	43.70	45.70	47.70	49.65	51.65	53.65	55.65
.344	11/32	37.15	44.75	48.05	50.25	52.45	54.60	56.80	59.00	61.15
.375	3/8	40.55	48.85	52.50	54.85	57.25	59.65	62.05	64.40	66.80
Lengths 62¼" to 74"										
0.031	[1] 1/32	5.50	6.55	7.00	7.30	7.60	7.90	8.25	8.55	8.85
.036	1/28	5.75	6.85	7.35	7.65	8.00	8.30	8.65	8.95	9.25
.042	1/24	6.20	7.40	7.90	8.25	8.60	8.95	9.30	9.65	10.00
.050	1/20	6.85	8.15	8.75	9.15	9.50	9.90	10.30	10.65	11.05
.053	1/19	7.15	8.55	9.15	9.55	9.95	10.35	10.75	11.15	11.55
.056	1/18	7.50	8.95	9.60	10.00	10.45	10.85	11.25	11.70	12.10
.063	1/16	8.25	9.80	10.50	10.95	11.45	11.90	12.35	12.80	13.25
.067	1/15	8.75	10.40	11.15	11.65	12.15	12.60	13.10	13.60	14.05
.071	1/14	9.15	10.90	11.65	12.20	12.70	13.20	13.70	14.20	14.70
.083	1/12	10.50	12.45	13.40	13.95	14.55	15.15	15.70	16.30	16.90
.091	1/11	11.35	13.50	14.50	15.15	15.75	16.40	17.00	17.65	18.30
.100	1/10	12.40	14.75	15.80	16.50	17.20	17.90	18.60	19.25	19.95
.111	1/9	13.60	16.20	17.40	18.15	18.90	19.65	20.40	21.15	21.90
.125	1/8	15.10	18.00	19.30	20.15	20.95	21.80	22.65	23.50	24.35
.143	1/7	17.10	20.35	21.85	22.80	23.75	24.70	25.65	26.60	27.55
.156	5/32	18.60	22.10	23.70	24.75	25.80	26.80	27.85	28.90	29.90
.167	1/6	19.80	23.60	25.30	26.40	27.50	28.60	29.70	30.80	31.90
.188	3/16	22.15	26.40	28.30	29.55	30.80	32.00	33.25	34.45	35.70
.200	1/5	23.55	28.10	30.10	31.40	32.70	34.05	35.35	36.65	37.95
.219	7/32	25.60	30.50	32.70	34.15	35.60	37.00	38.40	39.85	41.25
.234	15/64	27.25	32.45	34.80	36.35	37.85	39.35	40.85	42.40	43.90
.250	1/4	28.95	34.45	36.95	38.55	40.20	41.80	43.40	45.00	46.60
.281	9/32	32.50	38.75	41.55	43.35	45.15	46.95	48.75	50.55	52.35
.313	5/16	35.75	42.60	45.70	47.70	49.65	51.65	53.65	55.65	57.60
.344	11/32	39.30	46.85	50.25	52.45	54.60	56.80	59.00	61.15	63.35
.375	3/8	42.95	51.15	54.85	57.25	59.65	62.05	64.40	66.80	69.20
Lengths 74¼" to 86"										
0.031	[1] 1/32	$5.80	$6.85	$7.30	$7.60	$7.90	$8.25	$8.55	$8.85	$9.15
.036	1/28	6.10	7.15	7.65	8.00	8.30	8.65	8.95	9.25	9.60
.042	1/24	6.55	7.70	8.25	8.60	8.95	9.30	9.65	10.00	10.35
.050	1/20	7.25	8.55	9.15	9.50	9.90	10.30	10.65	11.05	11.40
.053	1/19	7.55	8.95	9.55	9.95	10.35	10.75	11.15	11.55	11.95
.056	1/18	7.95	9.35	10.00	10.45	10.85	11.25	11.70	12.10	12.50
.063	1/16	8.70	10.25	10.95	11.45	11.90	12.35	12.80	13.25	13.70
.067	1/15	9.20	10.90	11.65	12.15	12.60	13.10	13.60	14.05	14.55
.071	1/14	9.65	11.40	12.20	12.70	13.20	13.70	14.20	14.70	15.25
.083	1/12	11.05	13.05	13.95	14.55	15.15	15.70	16.30	16.90	17.45
.091	1/11	12.00	14.15	15.15	15.75	16.40	17.00	17.65	18.30	18.90
.100	1/10	13.10	15.45	16.50	17.20	17.90	18.60	19.25	19.95	20.65
.111	1/9	14.35	16.95	18.15	18.90	19.65	20.40	21.15	21.90	22.70
.125	1/8	15.95	18.80	20.15	20.95	21.80	22.65	23.50	24.35	25.15
.143	1/7	18.05	21.30	22.80	23.75	24.70	25.65	26.60	27.55	28.50
.156	5/32	19.60	23.15	24.75	25.80	26.80	27.85	28.90	29.90	30.95
.167	1/6	20.90	24.70	26.40	27.50	28.60	29.70	30.80	31.90	33.00
.188	3/16	23.40	27.60	29.55	30.80	32.00	33.25	34.45	35.70	36.95
.200	1/5	24.90	29.35	31.40	32.70	34.05	35.35	36.65	37.95	39.30
.219	7/32	27.05	31.90	34.15	35.60	37.00	38.40	39.85	41.25	42.70
.234	15/64	28.75	33.95	36.35	37.85	39.35	40.85	42.40	43.90	45.40
.250	1/4	30.55	36.05	38.55	40.20	41.80	43.40	45.00	46.60	48.20
.281	9/32	34.30	40.50	43.35	45.15	46.95	48.75	50.55	52.35	54.20
.313	5/16	37.75	44.55	47.70	49.65	51.65	53.65	55.65	57.60	59.60
.344	11/32	41.50	49.00	52.45	54.60	56.80	59.00	61.15	63.35	65.55
.375	3/8	45.35	53.50	57.25	59.65	62.05	64.40	66.80	69.20	71.60
Lengths 86¼" to 98"										
0.031	[1] 1/32	6.10	7.15	7.60	7.90	8.25	8.55	8.85	9.15	9.45
.036	1/28	6.40	7.50	8.00	8.30	8.65	8.95	9.25	9.60	9.90
.042	1/24	6.90	8.05	8.60	8.95	9.30	9.65	10.00	10.35	10.65
.050	1/20	7.60	8.90	9.50	9.90	10.30	10.65	11.05	11.40	11.80
.053	1/19	7.95	9.30	9.95	10.35	10.75	11.15	11.55	11.95	12.35
.056	1/18	8.35	9.75	10.45	10.85	11.25	11.70	12.10	12.50	12.95
.063	1/16	9.15	10.70	11.45	11.90	12.35	12.80	13.25	13.70	14.20
.067	1/15	9.70	11.35	12.15	12.60	13.10	13.60	14.05	14.55	15.05
.071	1/14	10.15	11.90	12.70	13.20	13.70	14.20	14.70	15.25	15.75
.083	1/12	11.60	13.60	14.55	15.15	15.70	16.30	16.90	17.45	18.05
.091	1/11	12.60	14.75	15.75	16.40	17.00	17.65	18.30	18.90	19.55
.100	1/10	13.75	16.10	17.20	17.90	18.60	19.25	19.95	20.65	21.35
.111	1/9	15.10	17.70	18.90	19.65	20.40	21.15	21.90	22.70	23.45
.125	1/8	16.80	19.65	20.95	21.80	22.65	23.50	24.35	25.15	26.00
.143	1/7	19.00	22.20	23.75	24.70	25.65	26.60	27.55	28.50	29.45
.156	5/32	20.60	24.15	25.80	26.80	27.85	28.90	29.90	30.95	32.00
.167	1/6	22.00	25.75	27.50	28.60	29.70	30.80	31.90	33.00	34.10
.188	3/16	24.60	28.80	30.80	32.00	33.25	34.45	35.70	36.95	38.15
.200	1/5	26.20	30.65	32.70	34.05	35.35	36.65	37.95	39.30	40.60
.219	7/32	28.45	33.30	35.60	37.00	38.40	39.85	41.25	42.70	44.10
.234	15/64	30.30	35.40	37.85	39.35	40.85	42.40	43.90	45.40	46.95
.250	1/4	32.15	37.60	40.20	41.80	43.40	45.00	46.60	48.20	49.80
.281	9/32	36.10	42.25	45.15	46.95	48.75	50.55	52.35	54.20	56.00
.313	5/16	39.75	46.50	49.65	51.65	53.65	55.65	57.60	59.60	61.60
.344	11/32	43.70	51.10	54.60	56.80	59.00	61.15	63.35	65.55	67.70
.375	3/8	47.70	55.85	59.65	62.05	64.40	66.80	69.20	71.60	73.95
Lengths 98¼" and longer										
0.031	[1] 1/32	6.40	7.45	7.90	8.25	8.55	8.85	9.15	9.45	9.75
.036	1/28	6.70	7.80	8.30	8.65	8.95	9.25	9.60	9.90	10.20
.042	1/24	7.25	8.40	8.95	9.30	9.65	10.00	10.35	10.65	11.00
.050	1/20	8.00	9.30	9.90	10.30	10.65	11.05	11.40	11.80	12.20
.053	1/19	8.35	9.70	10.35	10.75	11.15	11.55	11.95	12.35	12.75
.056	1/18	8.75	10.15	10.85	11.25	11.70	12.10	12.50	12.95	13.35
.063	1/16	9.60	11.15	11.90	12.35	12.80	13.25	13.70	14.20	14.65
.067	1/15	10.20	11.85	12.60	13.10	13.60	14.05	14.55	15.05	15.55
.071	1/14	10.65	12.40	13.20	13.70	14.20	14.70	15.25	15.75	16.25
.083	1/12	12.20	14.20	15.15	15.70	16.30	16.90	17.45	18.05	18.60
.091	1/11	13.25	15.35	16.40	17.00	17.65	18.30	18.90	19.55	20.20
.100	1/10	14.45	16.75	17.90	18.60	19.25	19.95	20.65	21.35	22.00
.111	1/9	15.90	18.45	19.65	20.40	21.15	21.90	22.70	23.45	24.20
.125	1/8	17.60	20.45	21.80	22.65	23.50	24.35	25.15	26.00	26.85
.143	1/7	19.95	23.15	24.70	25.65	26.60	27.55	28.50	29.45	30.40
.156	5/32	21.65	25.15	26.80	27.85	28.90	29.90	30.95	32.00	33.00
.167	1/6	23.10	26.80	28.60	29.70	30.80	31.90	33.00	34.10	35.20
.188	3/16	25.85	30.00	32.00	33.25	34.45	35.70	36.95	38.15	39.40
.200	1/5	27.50	31.90	34.05	35.35	36.65	37.95	39.30	40.60	41.90
.219	7/32	29.90	34.70	37.00	38.40	39.85	41.25	42.70	44.10	45.55
.234	15/64	31.80	36.90	39.35	40.85	42.40	43.90	45.40	46.95	48.45
.250	1/4	33.75	39.15	41.80	43.40	45.00	46.60	48.20	49.80	51.45
.281	9/32	37.95	44.00	46.95	48.75	50.55	52.35	54.20	56.00	57.80
.313	5/16	41.70	48.45	51.65	53.65	55.65	57.60	59.60	61.60	63.60
.344	11/32	45.85	53.20	56.80	59.00	61.15	63.35	65.55	67.70	69.90
.375	3/8	50.10	58.15	62.05	64.40	66.80	69.20	71.60	73.95	76.35

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the maximum price in the above table for that width which is one-half the specified prime width and is the same length ordered by the purchaser. For example, if a purchaser ordered Cross Banding 98" wide by 50" long, all fractional part pieces against this item may be invoiced at not more than the established price for Cross Banding 49" wide by 50" long.

TABLE 8—NO. 2 CORE OR CENTER STOCK (NHLA RULE No. 11 (B))

MANUFACTURED IN ZONE 1 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches) Decimal	Fractional	Random widths, 6" to 38"	Specified one piece width 6" to 38"	38¼" to 50"	50¼" to 74"	74¼" to 98"
Lengths up to 62"						
0.083	1/12	$8.55	$11.10	$12.10	$12.80	$13.50
.091	1/11	9.25	12.00	13.10	13.85	14.65
.100	1/10	10.10	13.10	14.30	15.15	16.00
.111	1/9	11.10	14.40	15.70	16.65	17.55
.125	1/8	12.30	16.00	17.40	18.45	19.50
.143	1/7	13.95	18.10	19.75	20.90	22.05
.156	5/32	15.15	19.65	21.45	22.70	23.95
.167	1/6	16.15	21.00	22.85	24.20	25.55
.188	3/16	18.05	23.45	25.60	27.10	28.60
.200	1/5	19.20	24.95	27.20	28.80	30.40
.219	7/32	20.85	27.15	29.55	31.30	33.05
.234	15/64	22.20	28.85	31.45	33.30	35.15
.250	1/4	23.55	30.65	33.40	35.35	37.30
.281	9/32	26.50	34.45	37.50	39.75	41.95
.313	5/16	29.15	37.90	41.30	43.70	46.15
.344	11/32	32.05	41.65	45.40	48.05	50.70
.375	3/8	35.00	45.50	49.60	52.50	55.40
Lengths 62" to 74"						
0.083	1/12	9.25	11.80	12.80	13.50	14.20
.091	1/11	10.00	12.75	13.85	14.65	15.40
.100	1/10	10.95	13.95	15.15	16.00	16.80
.111	1/9	12.00	15.30	16.65	17.55	18.50
.125	1/8	13.35	17.00	18.45	19.50	20.50
.143	1/7	15.10	19.25	20.90	22.05	23.20
.156	5/32	16.40	21.00	22.70	23.95	25.20
.167	1/6	17.50	22.30	24.20	25.55	26.90
.188	3/16	19.55	24.95	27.10	28.60	30.10
.200	1/5	20.80	26.50	28.80	30.40	32.00
.219	7/32	22.60	28.85	31.30	33.05	34.80
.234	15/64	24.05	30.65	33.30	35.15	37.00
.250	1/4	25.55	32.55	35.35	37.30	39.30
.281	9/32	28.70	36.60	39.75	41.95	44.15
.313	5/16	31.55	40.25	43.70	46.15	48.55
.344	11/32	34.70	44.25	48.05	50.70	53.40
.375	3/8	37.90	48.35	52.50	55.40	58.30
Lengths 74¼" to 98"						
0.083	1/12	$9.95	$12.50	$13.50	$14.20	$14.95
.091	1/11	10.80	13.50	14.65	15.40	16.20
.100	1/10	11.75	14.75	16.00	16.80	17.65
.111	1/9	12.95	16.20	17.55	18.50	19.40
.125	1/8	14.35	18.00	19.50	20.50	21.55
.143	1/7	16.25	20.35	22.05	23.20	24.40
.156	5/32	17.65	22.10	23.95	25.20	26.50
.167	1/6	18.85	23.60	25.55	26.90	28.25
.188	3/16	21.05	26.40	28.60	30.10	31.60
.200	1/5	22.40	28.10	30.40	32.00	33.60
.219	7/32	24.35	30.55	33.05	34.80	36.50
.234	15/64	25.90	32.45	35.15	37.00	38.85
.250	1/4	27.50	34.45	37.30	39.30	41.25
.281	9/32	30.90	38.75	41.95	44.15	46.35
.313	5/16	34.00	42.65	46.15	48.55	51.00
.344	11/32	37.40	46.85	50.70	53.40	56.05
.375	3/8	40.80	51.20	55.40	58.30	61.25
Lengths 98¼" and longer						
0.083	1/12	10.65	13.20	14.20	14.95	15.65
.091	1/11	11.55	14.30	15.40	16.20	16.95
.100	1/10	12.60	15.60	16.80	17.65	18.50
.111	1/9	13.85	17.10	18.50	19.35	20.35
.125	1/8	15.40	19.00	20.50	21.55	22.55
.143	1/7	17.40	21.50	23.20	24.40	25.55
.156	5/32	18.90	23.35	25.20	26.50	27.75
.167	1/6	20.15	24.90	26.90	28.25	29.60
.188	3/16	22.55	27.85	30.10	31.60	33.10
.200	1/5	24.00	29.65	32.00	33.60	35.20
.219	7/32	26.10	32.20	34.80	36.50	38.25
.234	15/64	27.75	34.30	37.00	38.85	40.70
.250	1/4	29.45	36.40	39.30	41.25	43.20
.281	9/32	33.10	40.90	44.15	46.35	48.55
.313	5/16	36.40	45.00	48.55	51.00	53.45
.344	11/32	40.05	49.45	53.40	56.05	58.75
.375	3/8	43.75	54.00	58.30	61.25	64.15

NOTE: The maximum price for fractional part pieces shall be the maximum price in the above table for that width which is one-half the specified prime width and is the same length ordered by the purchaser. For example, if a purchaser ordered No. 2 Core or Center Stock 98" wide by 62" long, all fractional part pieces against this item may be invoiced at not more than the established price for No. Core or Center Stock 49" wide by 62" long.

TABLE 8A—NO. 2 CORE OR CENTER STOCK (NHLA RULE NO. 11(b))

MANUFACTURED IN ZONE 1 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches) Decimal	Fractional	Random widths 6" to 38"	Specified one piece widths 6" to 38"	38¼" to 50"	50¼" to 74"	74¼" to 98"
Lengths up to 62"						
0.083	1/12	$7.00	$9.05	$9.90	$10.50	$11.05
.091	1/11	7.55	9.85	10.70	11.35	12.00
.100	1/10	8.25	10.75	11.70	12.40	13.10
.111	1/9	9.05	11.80	12.85	13.60	14.35
.125	1/8	10.05	13.10	14.25	15.10	15.95
.143	1/7	11.40	14.80	16.15	17.10	18.05
.156	5/32	12.40	16.10	17.55	18.55	19.60
.167	1/6	13.20	17.15	18.70	19.80	20.90
.188	3/16	14.80	19.20	20.95	22.15	23.40
.200	1/5	15.70	20.40	22.25	23.55	24.90
.219	7/32	17.05	22.20	24.20	25.60	27.05
.234	15/64	18.15	23.60	25.75	27.25	28.75
.250	1/4	19.30	25.05	27.30	28.95	30.55
.281	9/32	21.65	28.15	30.70	32.50	34.30
.313	5/16	23.85	31.00	33.80	35.75	37.75
.344	11/32	26.20	34.05	37.15	39.30	41.50
.375	3/8	28.65	37.20	40.55	42.95	45.35
Lengths 62¼" to 74"						
0.083	1/12	7.55	9.65	10.50	11.05	11.65
.091	1/11	8.20	10.45	11.35	12.00	12.60
.100	1/10	8.95	11.40	12.40	13.10	13.75
.111	1/9	9.85	12.55	13.60	14.35	15.10
.125	1/8	10.90	13.90	15.10	15.95	16.80
.143	1/7	12.35	15.75	17.10	18.05	19.00
.156	5/32	13.40	17.10	18.55	19.60	20.65
.167	1/6	14.30	18.25	19.80	20.90	22.00
.188	3/16	16.00	20.40	22.15	23.40	24.60
.200	1/5	17.00	21.70	23.55	24.90	26.20
.219	7/32	18.50	23.60	25.60	27.05	28.45
.234	15/64	19.70	25.10	27.25	28.75	30.30
.250	1/4	20.90	26.65	28.95	30.55	32.15
.281	9/32	23.45	29.95	32.50	34.30	36.10
.313	5/16	25.85	32.95	35.75	37.75	39.75
.344	11/32	28.40	36.20	39.30	41.60	43.70
.375	3/8	31.00	39.55	42.95	45.85	47.70
Lengths 74¼" to 98"						
0.083	1/12	$8.15	$10.20	$11.05	$11.65	$12.20
.091	1/10	8.85	11.05	12.00	12.60	13.25
.100	1/11	9.65	12.10	13.10	13.75	14.45
.111	1/9	10.60	13.25	14.35	15.10	15.90
.125	1/8	11.75	14.70	15.95	16.80	17.60
.143	1/7	13.30	16.65	18.05	19.00	19.95
.156	5/32	14.45	18.10	19.60	20.65	21.65
.167	1/6	15.40	19.30	20.90	22.00	23.10
.188	3/16	17.25	21.60	23.40	24.60	25.85
.200	1/5	18.30	23.00	24.90	26.20	27.50
.219	7/32	19.90	25.00	27.05	28.45	29.90
.234	15/64	21.20	26.55	28.75	30.30	31.80
.250	1/4	22.50	28.20	30.55	32.15	33.75
.281	9/32	25.30	31.70	34.30	36.10	37.95
.313	5/16	27.80	34.90	37.75	39.75	41.70
.344	11/32	30.60	38.85	41.50	43.70	45.85
.375	3/8	33.40	41.90	45.35	47.70	50.10
Lengths 98¼" and longer						
0.083	1/12	8.75	10.80	11.65	12.20	12.80
.091	1/11	9.45	11.70	12.60	13.25	13.85
.100	1/10	10.30	12.75	13.75	14.45	15.15
.111	1/9	11.35	14.00	15.10	15.90	16.65
.125	1/8	12.60	15.55	16.80	17.60	18.45
.143	1/7	14.25	17.60	19.00	19.95	20.90
.156	5/32	15.45	19.10	20.65	21.65	22.70
.167	1/6	16.50	20.40	22.00	23.10	24.20
.188	3/16	18.45	22.80	24.60	25.85	27.10
.200	1/5	19.65	24.25	26.20	27.50	28.80
.219	7/32	21.35	26.35	28.45	29.90	31.30
.234	15/64	22.70	28.05	30.30	31.80	33.30
.250	1/4	24.10	29.75	32.15	33.75	35.35
.281	9/32	27.10	33.45	36.10	37.95	39.75
.313	5/16	29.80	36.80	39.75	41.70	43.70
.344	11/32	32.75	40.45	43.70	45.85	48.05
.375	3/8	35.80	44.20	47.70	50.10	52.50

NOTE: The maximum price for fractional part pieces shall be the maximum price in the above table for that width which is one-half the specified prime width and is the same length ordered by the purchaser. For example, if a purchaser ordered No. 2 Core or Center Stock 98" wide by 62" long, all fractional part pieces against this item may be invoiced at not more than the established price for No. 2 Core or Center Stock 49" wide by 62" long.

TABLE 9.—REJECT BACKS (NHLA RULE NO. 8). NO. 3 CORE OR CENTER STOCK (NHLA RULE NO. 11 (C))

MANUFACTURED IN ZONE 1 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Random widths, 6" to 36"	Specified one piece widths			
Decimal	Fractional		6" to 36"	36¼" to 50"	50¼" to 74"	74¼" to 98"
Lengths up to 62"						
0.031	1 1/32	$2.28	$3.65	$4.10	$4.45	$4.85
.036	1/28	2.35	3.80	4.30	4.70	5.10
.042	1/24	2.55	4.10	4.65	5.05	5.45
.050	1/20	2.80	4.55	5.10	5.60	6.05
.053	3/19	2.90	4.75	5.35	5.85	6.35
.056	1/18	3.05	4.95	5.60	6.10	6.65
.063	1/16	3.35	5.45	6.15	6.70	7.25
.067	1/15	3.55	5.80	6.50	7.10	7.70
.071	1/14	3.70	6.05	6.80	7.45	8.05
.083	1/12	4.25	6.95	7.80	8.55	9.25
.091	1/11	4.60	7.50	8.50	9.25	10.00
.100	1/10	5.05	8.20	9.25	10.10	10.95
.111	1/9	5.55	9.00	10.15	11.10	12.00
.125	1/8	6.15	10.00	11.30	12.30	13.35
.143	1/7	6.95	11.30	12.75	13.95	15.10
.156	5/32	7.55	12.30	13.85	15.15	16.40
.167	1/6	8.05	13.10	14.80	16.15	17.50
.188	3/16	9.05	14.65	16.55	18.05	19.55
.200	1/5	9.60	15.60	17.60	19.20	20.80
.219	7/32	10.45	16.95	19.15	20.85	22.60
.234	15/64	11.10	18.05	20.35	22.20	24.05
.250	1/4	11.80	19.15	21.60	23.55	25.55
.281	9/32	13.25	21.55	24.30	26.50	28.70
.313	5/16	14.60	23.70	26.70	29.15	31.55
.344	11/32	16.00	26.05	29.35	32.05	34.70
.375	3/8	17.50	28.45	32.10	35.00	37.90
Lengths 62¼" to 74"						
0.031	1 1/32	2.60	4.00	4.45	4.85	5.20
.036	1/28	2.75	4.20	4.70	5.10	5.45
.042	1/24	2.95	4.50	5.05	5.45	5.90
.050	1/20	3.25	5.00	5.60	6.05	6.50
.053	3/19	3.40	5.20	5.85	6.35	6.80
.056	1/18	3.55	5.45	6.10	6.65	7.15
.063	1/16	3.90	6.00	6.70	7.25	7.80
.067	1/15	4.15	6.35	7.10	7.70	8.30
.071	1/14	4.35	6.65	7.45	8.05	8.70
.083	1/12	5.00	7.60	8.55	9.25	9.95
.091	1/11	5.40	8.25	9.25	10.00	10.80
.100	1/10	5.90	9.00	10.10	10.95	11.75
.111	1/9	6.45	9.90	11.10	12.00	12.95
.125	1/8	7.15	11.00	12.30	13.35	14.35
.143	1/7	8.15	12.45	13.95	15.10	16.25
.156	5/32	8.80	13.50	15.15	16.40	17.65
.167	1/6	9.40	14.40	16.15	17.50	18.85
.188	3/16	10.55	16.15	18.05	19.55	21.05
.200	1/5	11.20	17.15	19.20	20.80	22.40
.219	7/32	12.20	18.65	20.85	22.60	24.35
.234	15/64	12.95	19.85	22.20	24.05	25.90
.250	1/4	13.75	21.05	23.55	25.55	27.50
.281	9/32	15.45	23.65	26.50	28.70	30.90
.313	5/16	17.00	26.05	29.15	31.55	34.00
.344	11/32	18.70	28.65	32.05	34.70	37.40
.375	3/8	20.40	31.25	35.00	37.90	40.80

Thickness (inches)		Random widths, 6" to 26"	Specified one piece widths			
Decimal	Fractional		6" to 38"	38¼" to 80"	80¼" to 74"	74¼" to 98"
Lengths 74¼" to 98"						
0.031	1 1/32	$3.00	$4.35	$4.85	$5.20	$5.60
.036	1/28	3.10	4.55	5.10	5.45	5.85
.042	1/24	3.35	4.95	5.45	5.90	6.30
.050	1/20	3.70	5.45	6.05	6.50	7.00
.053	3/19	3.90	5.70	6.35	6.80	7.30
.056	1/18	4.10	5.95	6.65	7.15	7.65
.063	1/16	4.45	6.45	7.25	7.80	8.40
.067	1/15	4.75	6.95	7.70	8.30	8.90
.071	1/14	4.95	7.25	8.05	8.70	9.30
.083	1/12	5.70	8.35	9.25	9.95	10.65
.091	1/11	6.15	9.00	10.00	10.80	11.55
.100	1/10	6.75	9.85	10.95	11.75	12.60
.111	1/9	7.40	10.80	12.00	12.95	13.85
.125	1/8	8.20	12.00	13.35	14.35	15.40
.143	1/7	9.30	13.55	15.10	16.25	17.40
.156	5/32	10.10	14.75	16.40	17.65	18.90
.167	1/6	10.75	15.75	17.50	18.85	20.15
.188	3/16	12.08	17.60	19.55	21.05	22.55
.200	1/5	12.80	18.70	20.80	22.40	24.00
.219	7/32	13.90	20.35	22.60	24.35	26.10
.234	15/64	14.80	21.65	24.05	25.90	27.75
.250	1/4	15.70	23.00	25.55	27.50	29.45
.281	9/32	17.65	25.85	28.70	30.90	33.10
.313	5/16	19.45	28.40	31.55	34.00	36.40
.344	11/32	21.35	31.25	34.70	37.40	40.05
.375	3/8	23.35	34.10	37.90	40.80	43.75
Lengths 98¼" and longer						
0.031	1 1/32	3.35	4.70	5.20	5.60	5.95
.036	1/28	3.50	4.95	5.45	5.85	6.25
.042	1/24	3.80	5.35	5.90	6.30	6.75
.050	1/20	4.20	5.90	6.50	7.00	7.45
.053	3/19	4.40	6.15	6.80	7.30	7.80
.056	1/18	4.60	6.45	7.15	7.65	8.15
.063	1/16	5.05	7.10	7.85	8.40	8.95
.067	1/15	5.35	7.50	8.30	8.90	9.50
.071	1/14	5.60	7.85	8.70	9.30	9.90
.083	1/12	6.40	9.00	9.95	10.65	11.35
.091	1/11	6.95	9.75	10.80	11.55	12.35
.100	1/10	7.55	10.65	11.75	12.60	13.45
.111	1/9	8.30	11.70	12.95	13.85	14.80
.125	1/8	9.25	13.00	14.35	15.40	16.40
.143	1/7	10.45	14.70	16.25	17.40	18.55
.156	5/32	11.35	15.95	17.65	18.90	20.15
.167	1/6	12.10	17.05	18.85	20.15	21.50
.188	3/16	13.55	19.05	21.05	22.55	24.10
.200	1/5	14.40	20.30	22.40	24.00	25.60
.219	7/32	15.65	22.05	24.35	26.10	27.85
.234	15/64	16.65	23.45	25.90	27.75	29.60
.250	1/4	17.70	24.90	27.50	29.45	31.45
.281	9/32	19.85	27.90	30.90	33.10	35.30
.313	5/16	21.85	30.80	34.00	36.40	38.85
.344	11/32	24.00	33.85	37.40	40.05	42.70
.375	3/8	26.25	36.95	40.80	43.75	46.65

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the maximum price in the above table for that width which is one-half the specified prime width and is the same length ordered by the purchaser. For example, if a purchaser ordered Reject Backs 98" wide by 62" long, all fractional part pieces against this item may be invoiced at not more than the established price for Reject Backs 49" wide by 62" long.

TABLE 9A—REJECT BACKS (NHLA RULE NO. 8). NO. 3 CORE OR CENTER STOCK (NHLA RULE NO. 11 (C))

MANUFACTURED IN ZONE 1 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Random widths, 6" to 38"	Specified one piece widths			
Decimal	Fractional		6" to 38"	38¼" to 80"	80¼" to 74"	74¼" to 98
Lengths up to 62"						
0.031	1 1/32	$1.85	$2.00	$3.35	$3.65	$3.95
.036	1/28	1.90	3.10	3.50	3.85	4.15
.042	1/24	2.05	3.35	3.80	4.15	4.45
.050	1/20	2.30	3.70	4.20	4.55	4.95
.053	3/19	2.40	3.90	4.35	4.75	5.20
.056	1/18	2.50	4.05	4.60	5.00	5.45
.063	1/16	2.75	4.45	5.05	5.50	5.95
.067	1/15	2.90	4.75	5.35	5.80	6.30
.071	1/14	3.05	4.95	5.60	6.10	6.60
.083	1/12	3.50	5.70	6.40	7.00	7.55
.091	1/11	3.80	6.15	6.95	7.55	8.20
.100	1/10	4.15	6.70	7.55	8.25	8.95
.111	1/9	4.55	7.35	8.30	9.05	9.85
.125	1/8	5.05	8.20	9.25	10.05	10.90
.143	1/7	5.70	9.25	10.45	11.40	12.35
.156	5/32	6.20	10.05	11.35	12.40	13.40
.167	1/6	6.60	10.75	12.10	13.20	14.30
.188	3/16	7.40	12.00	13.55	14.80	16.00
.200	1/5	7.85	12.75	14.40	15.70	17.00
.219	7/32	8.55	13.85	15.65	17.05	18.40
.234	15/64	9.10	14.75	16.65	18.16	19.70
.250	1/4	9.65	15.65	17.70	19.30	20.90
.281	9/32	10.85	17.60	19.85	21.65	23.45
.313	5/16	11.95	19.40	21.85	23.85	25.85
.344	11/32	13.10	21.30	24.05	26.20	28.40
.375	3/8	14.30	23.25	26.25	28.65	31.00

Thickness (inches)		Random widths, 6" to 38"	Specified one piece widths			
Decimal	Fractional		6" to 38"	38¼" to 80"	80¼" to 74"	74¼" to 98
Lengths 62¼" to 74"						
0.031	1 1/32	$2.15	$3.25	$3.65	$3.95	$4.25
.036	1/28	2.25	3.45	3.85	4.15	4.50
.042	1/24	2.40	3.70	4.15	4.45	4.80
.050	1/20	2.65	4.10	4.55	4.95	5.35
.053	3/19	2.80	4.25	4.75	5.20	5.65
.056	1/18	2.90	4.45	5.00	5.45	5.85
.063	1/16	3.20	4.90	5.50	5.95	6.40
.067	1/15	3.40	5.20	5.85	6.30	6.80
.071	1/14	3.55	5.45	6.10	6.60	7.10
.083	1/12	4.10	6.25	7.00	7.55	8.15
.091	1/11	4.40	6.75	7.55	8.20	8.85
.100	1/10	4.80	7.40	8.25	8.95	9.65
.111	1/9	5.30	8.10	9.05	10.00	10.90
.125	1/8	5.85	9.00	10.05	11.10	12.00
.143	1/7	6.65	10.20	11.40	12.35	13.30
.156	5/32	7.20	11.05	12.40	13.40	14.45
.167	1/6	7.70	11.80	13.20	14.30	15.40
.188	3/16	8.80	13.20	14.80	16.00	17.25
.200	1/5	9.35	14.05	15.70	17.00	18.30
.219	7/32	10.20	15.25	17.05	18.50	19.90
.234	15/64	10.90	16.25	18.25	19.70	21.20
.250	1/4	11.60	17.25	19.30	20.90	22.50
.281	9/32	12.90	19.25	21.65	23.45	25.30
.313	5/16	14.30	21.30	23.85	25.85	27.80
.344	11/32	15.65	23.45	26.20	28.45	30.60
.375	3/8	16.70	25.00	28.05	31.00	33.40

[1] And thinner.

TABLE 9A—REJECT BACKS (NHLA RULE NO. 8). NO. 3 CORE OR CENTER STOCK (NHLA RULE NO. 11 (C))—Continued

MANUFACTURED IN ZONE 1 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Random widths, 6" to 38"	Specified one piece widths			
Decimal	Fractional		6" to 38"	38¼" to 50"	50¼" to 74"	74¼" to 98"
Lengths 74¼" to 98"						
.031	1 1/32	$2.45	$3.55	$3.95	$4.25	$4.55
.036	1/28	2.55	3.75	4.15	4.45	4.80
.042	1/24	2.75	4.06	4.45	4.80	5.15
.050	1/20	3.05	4.45	4.95	5.35	5.70
.053	3/19	3.20	4.65	5.20	5.55	5.95
.056	1/18	3.25	4.90	5.45	5.85	6.25
.063	1/16	3.65	5.35	5.95	6.40	6.85
.067	1/15	3.90	5.70	6.30	6.80	7.30
.071	1/14	4.05	5.95	6.60	7.10	7.60
.083	1/12	4.65	6.80	7.55	8.15	8.75
.091	1/11	5.05	7.40	8.20	8.85	9.45
.100	1/10	5.50	8.05	8.95	9.65	10.30
.111	1/9	6.05	8.85	9.85	10.60	11.35
.125	1/8	6.70	9.80	10.90	11.75	12.60
.143	1/7	7.60	11.10	12.35	13.30	14.25
.156	5/32	8.25	12.05	13.40	14.45	15.45
.167	1/6	8.80	12.85	14.30	15.40	16.50
.188	3/16	9.85	14.40	16.00	17.25	18.45
.200	1/5	10.40	15.30	17.00	18.30	19.65
.219	7/32	11.40	16.65	18.50	19.90	21.35
.234	15/64	12.10	17.70	19.70	21.20	22.70
.250	1/4	12.85	18.80	20.90	22.50	24.10
.281	9/32	14.45	21.15	23.45	25.30	27.10
.313	5/16	15.90	23.25	25.85	27.80	29.80
.344	11/32	17.50	25.55	28.40	30.60	32.75
.375	3/8	19.10	27.90	31.00	33.40	35.80

Thickness (inches)		Random widths, 6" to 38"	Specified one piece widths			
Decimal	Fractional		6" to 38"	38¼" to 50"	50¼" to 74"	74¼" to 98"
Lengths 98¼" and longer						
0.031	1 1/32	$2.75	$3.85	$4.25	$4.55	$4.90
.036	1/28	2.90	4.05	4.45	4.80	5.10
.042	1/24	3.10	4.35	4.80	5.15	5.50
.050	1/20	3.45	4.80	5.35	5.70	6.10
.053	3/19	3.60	5.05	5.55	5.95	6.35
.056	1/18	3.75	5.30	5.85	6.25	6.70
.063	1/16	4.10	5.80	6.40	6.85	7.30
.067	1/15	4.35	6.15	6.80	7.30	7.75
.071	1/14	4.55	6.45	7.10	7.60	8.10
.083	1/12	5.25	7.35	8.15	8.75	9.30
.091	1/11	5.65	8.00	8.85	9.45	10.10
.100	1/10	6.20	8.70	9.65	10.30	11.00
.111	1/9	6.80	9.60	10.60	11.35	12.10
.125	1/8	7.65	10.65	11.75	12.60	13.40
.143	1/7	8.55	12.05	13.30	14.25	15.20
.156	5/32	9.30	13.05	14.45	15.45	16.50
.167	1/6	9.90	13.95	15.40	16.50	17.60
.188	3/16	11.10	15.60	17.25	18.45	19.70
.200	1/5	11.80	16.60	18.30	19.65	20.95
.219	7/32	12.80	18.05	19.90	21.35	22.75
.234	15/64	13.65	19.20	21.20	22.70	24.20
.250	1/4	14.45	20.35	22.50	24.10	25.70
.281	9/32	16.25	22.90	25.30	27.10	28.90
.313	5/16	17.90	25.20	27.80	29.80	31.80
.344	11/32	19.65	27.70	30.60	32.75	34.95
.375	3/8	21.45	30.25	33.40	35.80	38.20

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the maximum price in the above table for that width which is one-half the specified prime width and is the same length ordered by the purchaser. For example, if a purchaser ordered Reject Backs 98" wide by 62" long, all fractional part pieces against this item may be invoiced at not more than the established price for Reject Backs 49" wide by 62" long.

TABLE 10—CUT DOWNS OR PRODUCTION CUTS (NHLA RULE NO. 18)

MANUFACTURED IN ZONE 1 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Price
Decimal	Fractional	
0.031	1 1/32	$3.65
.036	1/28	3.80
.042	1/24	4.10
.050	1/20	4.55
.053	3/19	4.75
.056	1/18	4.95
.063	1/16	5.45
.067	1/15	5.80
.071	1/14	6.05
.083	1/12	6.95
.091	1/11	7.50
.100	1/10	8.20
.111	1/9	9.00
.125	1/8	10.00
.143	1/7	11.30
.156	5/32	12.30
.167	1/6	13.10
.188	3/16	14.65
.200	1/5	15.60
.219	7/32	16.95
.234	15/64	18.05
.250	1/4	19.15
.281	9/32	21.55
.313	5/16	23.70
.344	11/32	26.05
.375	3/8	28.45

[1] And thinner.

NOTE: Cut Downs or Production Cuts which are sold in random widths or lengths or in a combination of species or grades must be sold at prices not higher than the prices set out in this table. Of course, the quantities in the different species, grades and sizes can be quoted and invoiced, *if graded and tallied separately*, at the established prices for those species, grades and sizes in the appropriate table.

TABLE 10A—CUT DOWNS OR PRODUCTION CUTS (NHLA RULE NO. 18)

MANUFACTURED IN ZONE 1 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Price
Decimal	Fractional	
0.031	1 1/32	$3.00
.036	1/28	3.10
.042	1/24	3.35
.050	1/20	3.70
.053	3/19	3.90
.056	1/18	4.05
.063	1/16	4.45
.067	1/15	4.75
.071	1/14	4.95
.083	1/12	5.70
.091	1/11	6.15
.100	1/10	6.70
.111	1/9	7.35
.125	1/8	8.20
.143	1/7	9.25
.156	5/32	10.05
.167	1/6	10.75
.188	3/16	12.00
.200	1/5	12.75
.219	7/32	13.85
.234	15/64	14.75
.250	1/4	15.65
.281	9/32	17.60
.313	5/16	19.40
.344	11/32	21.30
.375	3/8	23.25

[1] And thinner.

NOTE: Cut Downs or Production Cuts which are sold in random widths or lengths or in a combination of species or grades must be sold at prices not higher than the prices set out in this table. Of course, the quantities in the different species, grades and sizes can be quoted and invoiced, *if graded and tallied separately*, at the established prices for those species, grades and sizes in the appropriate table.

TABLE 11—FACES, SELECTED FOR COLOR (NHLA RULE NO. 6)

MANUFACTURED IN ZONE 2 FROM SWEET GUM AND TUPELO (BAY POPLAR)

Thickness		Random widths 6" to 38"	Specified one piece widths				
Decimal	Fractional		6" to 26"	26¼" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"
Lengths up to 50"							
0.031	[1] 1/32	$10.10	$11.40	$12.80	$13.30	$14.15	$14.95
.036	1/28	10.75	12.15	13.30	14.15	15.00	15.85
.042	1/24	11.65	13.20	14.50	15.40	16.35	17.30
.050	1/20	12.95	14.65	16.05	17.10	18.10	19.15
.053	1/19	13.60	15.35	16.85	17.95	19.00	20.10
.056	1/18	14.25	16.10	17.65	18.80	19.95	21.10
.063	1/16	15.70	17.75	19.45	20.70	21.95	23.20
.083	1/12	20.25	22.90	25.10	26.70	28.30	29.95
.100	1/10	24.05	27.20	29.80	31.75	33.65	35.60
.125	1/8	29.50	33.40	36.60	38.95	41.35	43.70
Lengths 50¼" to 68"							
0.031	[1] 1/32	10.90	12.20	13.30	14.15	14.95	15.75
.036	1/28	11.60	12.95	14.15	15.00	15.85	16.75
.042	1/24	12.60	14.10	15.40	16.35	17.30	18.20
.050	1/20	13.95	15.65	17.10	18.10	19.15	20.20
.053	1/19	14.65	16.40	17.95	19.00	20.10	21.20
.056	1/18	15.40	17.25	18.80	19.95	21.10	22.20
.063	1/16	16.95	18.95	20.70	21.95	23.20	24.45
.083	1/12	21.85	24.45	26.70	28.30	29.95	31.55
.100	1/10	25.95	29.05	31.75	33.65	35.60	37.50
.125	1/8	31.90	35.70	38.95	41.35	43.70	46.05
Lengths 68¼" to 74"							
0.031	[1] 1/32	11.70	13.00	14.15	14.95	15.75	16.55
.036	1/28	12.45	13.80	15.00	15.85	16.75	17.60
.042	1/24	13.55	15.05	16.35	17.30	18.20	19.15
.050	1/20	15.00	16.65	18.10	19.15	20.20	21.20
.053	1/19	15.75	17.50	19.00	20.10	21.20	22.30
.056	1/18	16.50	18.35	19.95	21.10	22.20	23.35
.063	1/16	18.20	20.15	21.95	23.20	24.45	25.70
.083	1/12	23.45	26.05	28.30	29.95	31.55	33.20
.100	1/10	27.90	30.95	33.65	35.60	37.50	39.45
.125	1/8	34.25	38.00	41.35	43.70	46.05	48.40
Lengths 74¼" to 86"							
0.031	[1] 1/32	12.50	13.80	15.00	15.85	16.75	17.60
.036	1/28	13.30	14.75	16.05	16.95	17.90	18.80
.042	1/24	14.50	16.05	17.50	18.50	19.45	20.45
.050	1/20	16.05	17.75	19.35	20.45	21.60	22.70
.053	1/19	16.85	18.65	20.35	21.50	22.70	23.85
.056	1/18	17.65	19.55	21.30	22.55	23.80	25.00
.063	1/16	19.45	21.50	23.45	24.80	26.15	27.50
.083	1/12	25.10	27.80	30.30	32.05	33.80	35.55
.100	1/10	29.80	32.80	35.80	37.80	39.90	41.90
.125	1/8	36.60	40.30	43.70	46.05	48.40	50.80
Lengths 86¼" to 98"							
0.031	[1] 1/32	13.30	14.55	15.75	16.55	17.35	18.15
.036	1/28	14.15	15.50	16.75	17.60	18.45	19.30
.042	1/24	15.40	16.85	18.20	19.15	20.10	21.00
.050	1/20	17.10	18.65	20.20	21.20	22.25	23.30
.053	1/19	17.95	19.60	21.20	22.30	23.35	24.45
.056	1/18	18.80	20.55	22.20	23.35	24.50	25.65
.063	1/16	20.70	22.60	24.45	25.70	26.95	28.20
.083	1/12	26.70	29.20	31.55	33.20	34.80	36.40
.100	1/10	31.75	34.70	37.50	39.45	41.35	43.30
.125	1/8	38.95	42.60	46.05	48.40	50.80	53.15
Lengths 98¼" and longer							
0.031	[1] 1/32	14.15	15.35	16.55	17.35	18.15	18.95
.036	1/28	15.00	16.30	17.60	18.45	19.30	20.15
.042	1/24	16.35	17.75	19.15	20.10	21.00	21.95
.050	1/20	18.10	19.70	21.20	22.25	23.30	24.30
.053	1/19	19.00	20.65	22.30	23.35	24.45	25.55
.056	1/18	19.95	21.65	23.35	24.50	25.65	26.80
.063	1/16	21.95	23.85	25.70	26.95	28.20	29.45
.083	1/12	28.30	30.75	33.20	34.80	36.40	38.05
.100	1/10	33.65	36.60	39.45	41.35	43.30	45.20
.125	1/8	41.35	44.90	48.40	50.80	53.15	55.50

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the price for 6" to 26" widths of the same length established in this table.
NOTE: The maximum price for door stock which is 5" wide shall be the price for 6" to 26" widths of the same length established in this table.

TABLE 12—FACES, UNSELECTED FOR COLOR (NHLA RULE NO. 6)

MANUFACTURED IN ZONE 2 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths				
Decimal	Fractional		6" to 26"	26¼" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"
Lengths up to 50"							
0.031	[1] 1/32	$9.30	$10.65	$11.70	$12.80	$13.30	$14.15
.036	1/28	9.85	11.30	12.45	13.30	14.15	15.00
.042	1/24	10.75	12.30	13.55	14.80	15.40	16.35
.050	1/20	11.90	13.60	15.00	16.05	17.10	18.10
.053	1/19	12.50	14.30	15.75	16.85	17.95	19.00
.056	1/18	13.10	15.00	16.50	17.65	18.80	19.95
.063	1/16	14.40	16.50	18.20	19.45	20.70	21.95
.083	1/12	18.60	21.30	23.45	26.10	26.70	28.30
.100	1/10	22.10	25.30	27.90	29.80	31.75	33.65
.125	1/8	27.15	31.10	34.25	36.60	38.95	41.35
Lengths 50¼" to 68"							
0.031	[1] 1/32	10.10	11.40	12.50	13.30	14.15	14.95
.036	1/28	10.75	12.15	13.30	14.15	15.00	15.85
.042	1/24	11.65	13.20	14.50	15.40	16.35	17.30
.050	1/20	12.95	14.65	16.05	17.10	18.10	19.15
.053	1/19	13.60	15.35	16.85	17.95	19.00	20.10
.056	1/18	14.25	16.10	17.65	18.80	19.95	21.10
.063	1/16	15.70	17.75	19.45	20.70	21.95	23.20
.083	1/12	20.25	22.90	25.10	26.70	28.30	29.95
.100	1/10	24.05	27.20	29.80	31.75	33.65	35.60
.125	1/8	29.50	33.40	36.60	38.95	41.35	43.70
Lengths 68¼" to 74"							
0.031	[1] 1/32	10.90	12.20	13.30	14.15	14.95	15.75
.036	1/28	11.60	12.95	14.15	15.00	15.85	16.75
.042	1/24	12.60	14.10	15.40	16.35	17.30	18.20
.050	1/20	13.95	15.65	17.10	18.10	19.15	20.20
.053	1/19	14.65	16.40	17.95	19.00	20.10	21.20
.056	1/18	15.40	17.25	18.80	19.95	21.10	22.20
.063	1/16	16.95	18.95	20.70	21.95	23.20	24.45
.083	1/12	21.85	24.45	26.70	28.30	29.95	31.55
.100	1/10	25.95	29.05	31.75	33.65	35.60	37.50
.125	1/8	31.90	35.70	38.95	41.35	43.70	46.05
Lengths 74¼" to 86"							
0.031	[1] 1/32	$11.70	$13.00	$14.15	$14.95	$15.75	$16.55
.036	1/28	12.45	13.80	15.00	15.85	16.75	17.60
.042	1/24	13.55	15.05	16.35	17.30	18.20	19.15
.050	1/20	15.00	16.65	18.10	19.15	20.20	21.20
.053	1/19	15.75	17.50	19.00	20.10	21.20	22.30
.056	1/18	16.50	18.35	19.95	21.10	22.20	23.35
.063	1/16	18.20	20.15	21.95	23.20	24.45	25.70
.083	1/12	23.45	26.05	28.30	29.95	31.55	33.20
.100	1/10	27.90	30.95	33.65	35.60	37.50	39.45
.125	1/8	34.25	38.00	41.35	43.70	46.05	48.40
Lengths 86¼" to 98"							
0.031	[1] 1/32	12.50	13.80	14.95	15.75	16.55	17.35
.036	1/28	13.30	14.65	15.85	16.75	17.60	18.45
.042	1/24	14.50	15.95	17.30	18.20	19.15	20.10
.050	1/20	16.05	17.65	19.15	20.20	21.20	22.25
.053	1/19	16.85	18.55	20.10	21.20	22.30	23.35
.056	1/18	17.65	19.45	21.10	22.20	23.35	24.50
.063	1/16	19.45	21.40	23.20	24.45	25.70	26.95
.083	1/12	25.10	27.60	29.95	31.55	33.20	34.80
.100	1/10	29.80	32.80	35.60	37.50	39.45	41.35
.125	1/8	36.60	40.30	43.70	46.05	48.40	50.80
Lengths 98¼" and longer							
0.031	[1] 1/32	13.30	14.55	15.75	16.55	17.35	18.15
.036	1/28	14.15	15.50	16.75	17.60	18.45	19.30
.042	1/24	15.40	16.85	18.20	19.15	20.10	21.00
.050	1/20	17.10	18.65	20.20	21.20	22.25	23.30
.053	1/19	17.95	19.60	21.20	22.30	23.35	24.45
.056	1/18	18.80	20.55	22.20	23.35	24.45	25.70
.063	1/16	20.70	22.60	24.45	25.70	26.95	28.20
.083	1/12	26.70	29.20	31.55	33.20	34.80	36.40
.100	1/10	31.75	34.70	37.50	39.45	41.35	43.30
.125	1/8	38.95	42.60	46.05	48.40	50.80	53.15

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the price for 6" to 26" widths of the same length established on this Table.
NOTE: The maximum price for door stock which is 5" wide shall be the price for 6" to 26" widths of the same length established on this Table.

TABLE 12A—FACES, UNSELECTED FOR COLOR (NHLA RULE NO. 6)

MANUFACTURED IN ZONE 2 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Random widths 6 to 38 inches	Specified one piece widths (inches)					
Decimal	Fractional		6 to 26	26¼ to 32	32¼ to 38	38¼ to 44	44¼ to 50	
Lengths up to 50"								
0.031	[1] 1/32	$7.60	$8.70	$9.60	$10.26	$10.90	$11.55	
.036	1/28	8.05	9.25	10.20	10.90	11.60	12.30	
.042	1/24	8.80	10.05	11.10	11.88	12.60	13.35	
.050	1/20	9.75	11.15	12.30	13.15	14.00	14.80	
.053	1/19	10.20	11.70	12.90	13.80	14.65	15.55	
.056	1/18	10.70	12.30	13.50	14.45	15.40	16.30	
.063	1/16	11.80	13.50	14.90	15.90	16.95	17.95	
.083	1/12	15.25	17.40	19.20	20.80	21.85	23.15	
.100	1/10	18.10	20.70	22.80	24.40	25.95	27.55	
.125	1/8	22.20	25.45	28.00	29.95	31.90	33.80	
Lengths 50¼" to 68"								
0.031	[1] 1/32	8.25	9.35	10.25	10.90	11.55	12.20	
.036	1/28	8.80	9.95	10.90	11.60	12.30	13.00	
.042	1/24	9.55	10.80	11.85	12.60	13.35	14.15	
.050	1/20	10.60	11.96	13.15	14.00	14.80	15.65	
.053	1/19	11.10	12.55	13.80	14.65	15.55	16.45	
.056	1/18	11.65	13.20	14.45	15.40	16.30	17.25	
.063	1/16	12.85	14.50	15.90	16.95	17.95	19.00	
.083	1/12	16.55	18.70	20.50	21.85	23.15	24.50	
.100	1/10	19.65	22.25	24.40	25.95	27.55	29.10	
.125	1/8	24.15	27.30	29.95	31.90	33.80	35.75	
Lengths 68¼" to 74"								
0.031	[1] 1/32	8.90	10.00	10.90	11.55	12.20	12.90	
.036	1/28	9.50	10.60	11.60	12.30	13.00	13.70	
.042	1/24	10.30	11.55	12.60	13.35	14.15	14.90	
.050	1/20	11.45	12.80	14.00	14.80	15.65	16.50	
.053	1/19	12.00	13.45	14.65	15.55	16.45	17.35	
.056	1/18	12.60	14.10	15.40	16.30	17.25	18.20	
.063	1/16	13.85	15.50	16.95	17.95	19.00	20.00	
.083	1/12	17.85	20.00	21.85	23.15	24.50	25.80	
.100	1/10	21.25	23.80	25.95	27.55	29.10	30.70	
.125	1/8	26.10	29.20	31.90	33.80	35.75	30.70	
Lengths 74¼" to 86"								
0.031	[1] 1/32	$9.60	$10.65	$11.55	$12.30	$12.90	$13.55	
.036	1/28	10.20	11.30	12.30	13.00	13.70	14.40	
.042	1/24	11.10	12.30	13.35	14.15	14.90	15.65	
.050	1/20	12.30	13.65	14.80	15.65	16.50	17.35	
.053	1/19	12.90	14.30	15.55	16.45	17.35	18.25	
.056	1/18	13.50	15.00	16.30	17.25	18.20	19.10	
.063	1/16	14.90	16.50	17.95	19.00	20.00	21.05	
.083	1/12	19.20	21.30	23.15	24.50	25.90	27.15	
.100	1/10	22.80	25.35	27.55	29.10	30.70	32.25	
.125	1/8	28.00	31.10	33.80	35.75	37.70	39.60	
Lengths 86¼" to 98"								
0.031	[1] 1/32	10.25	11.30	12.20	12.90	13.55	14.20	
.036	1/28	10.90	12.00	13.00	13.70	14.40	15.10	
.042	1/24	11.85	13.05	14.15	14.90	15.66	16.45	
.050	1/20	13.15	14.45	15.65	16.50	17.35	18.20	
.053	1/19	13.80	15.15	16.45	17.35	18.25	19.10	
.056	1/18	14.45	15.90	17.25	18.30	19.10	20.00	
.063	1/16	15.90	17.50	19.00	20.00	21.05	22.05	
.083	1/12	20.50	22.60	24.50	25.80	27.15	28.45	
.100	1/10	24.40	26.85	29.10	30.70	32.25	33.85	
.125	1/8	29.96	32.95	35.75	37.70	39.60	41.55	
Lengths 98¼" and longer								
0.031	[1] 1/32	10.90	11.90	12.90	13.55	14.20	14.85	
.036	1/28	11.60	12.65	13.70	14.40	15.10	15.80	
.042	1/24	12.60	13.80	14.90	15.65	16.45	17.20	
.050	1/20	14.00	15.25	16.59	17.35	18.20	19.05	
.053	1/19	14.65	16.05	17.35	18.25	19.10	20.00	
.056	1/18	15.40	16.80	18.20	19.10	20.06	21.00	
.063	1/16	16.95	18.50	20.00	21.05	22.06	23.10	
.083	1/12	21.85	23.90	25.80	27.15	28.45	29.80	
.100	1/10	25.95	28.40	30.70	32.25	33.85	35.40	
.125	1/8	31.90	34.85	37.70	39.60	41.55	43.50	

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the price for 6" to 26" widths of the same length established in this table.
NOTE: The maximum price for door stock which is 5" wide shall be the price for 6" to 26" widths of the same length established in this table.

TABLE 13.—SIGNAL CORPS FACES AND BACKS (SIGNAL CORPS SPECIFICATIONS 72-48, RULE NO. E-3a). MARINE FACES (BUREAU OF SHIPS SPECIFICATIONS 39P15, (INT.) RULES D-3, E-5 AND E-6)

MANUFACTURED IN ZONE 2 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Random widths 6' to 38 inches	Specified one piece widths (inches)					
Decimal	Fractional		6 to 26	26¼ to 32	32¼ to 38	38¼ to 44	44¼ to 50	
Lengths up to 50"								
0.031	[1] 1/32	$8.50	$9.85	$10.90	$11.70	$12.50	$13.30	
.036	1/28	9.00	10.45	11.60	12.45	13.30	14.15	
.050	1/20	10.85	12.60	13.95	15.00	16.05	17.10	
.063	1/16	13.15	15.30	16.95	18.20	19.45	20.70	
.083	1/12	17.00	19.70	21.85	23.45	25.10	26.70	
.100	1/10	20.20	23.45	25.95	27.90	29.80	31.75	
125	1/8	24.80	28.80	31.90	34.25	36.60	38.95	
Lengths 50¼" to 68"								
0.031	[1] 1/32	9.30	10.65	11.70	12.50	13.30	14.15	
.036	1/28	9.85	11.30	12.45	13.30	14.15	15.00	
.050	1/20	11.90	13.80	15.00	16.05	17.10	18.10	
.063	1/16	14.40	16.50	18.20	19.45	20.70	21.95	
.083	1/12	18.60	21.30	23.45	25.10	26.70	28.30	
.100	1/10	22.10	25.30	27.90	29.80	31.75	33.65	
.125	1/8	27.15	31.10	34.25	36.60	38.95	41.35	
Lengths 68¼ to 74"								
0.031	[1] 1/32	10.10	11.40	12.50	13.30	14.15	14.95	
.036	1/28	10.75	12.15	13.30	14.15	15.00	15.85	
.050	1/20	12.95	14.65	16.05	17.10	18.10	19.15	
.063	1/16	15.70	17.75	19.45	20.70	21.95	23.20	
.083	1/12	20.25	22.90	25.10	26.70	28.30	29.95	
.100	1/10	24.05	27.20	29.80	31.75	33.65	35.60	
.125	1/8	29.50	33.40	36.60	38.95	41.35	43.70	
Lengths 74¼" to 86"								
0.031	[1] 1/32	$10.90	$12.20	$13.30	$14.15	$14.95	$15.75	
.036	1/28	11.60	12.95	14.15	15.00	15.85	16.75	
.050	1/20	12.95	14.65	16.05	17.10	18.10	19.15	
.063	1/16	15.70	17.75	19.45	20.70	21.95	23.20	
.083	1/12	20.25	22.90	25.10	26.70	28.30	29.95	
.100	1/10	24.05	27.20	29.80	31.75	33.65	35.60	
.125	1/8	29.50	33.40	36.60	38.95	41.35	43.70	
Lengths 86¼" to 98"								
0.031	[1] 1/32	12.50	13.80	14.95	15.75	16.55	17.35	
.036	1/28	13.30	14.65	15.85	16.75	17.60	18.45	
.050	1/20	15.00	16.65	18.10	19.15	20.20	21.20	
.063	1/16	18.20	20.15	21.95	23.20	24.45	25.70	
.083	1/12	23.45	26.05	28.30	29.95	31.55	33.20	
.100	1/10	27.90	30.95	33.65	35.60	37.50	39.45	
.125	1/8	34.25	38.00	41.35	43.70	46.05	48.40	
Lengths 98¼" and longer								
0.031	[1] 1/32	12.50	13.80	14.95	15.75	16.55	17.35	
.036	1/28	13.30	14.65	15.85	16.75	17.60	18.45	
.050	1/20	15.00	16.65	18.10	19.15	20.20	21.20	
.063	1/16	18.20	20.15	21.95	23.20	24.45	25.70	
.083	1/12	23.45	26.05	28.30	29.95	31.55	33.20	
.100	1/10	27.90	30.95	33.65	35.60	37.50	39.45	
.125	1/8	34.25	38.00	41.35	43.70	46.05	48.40	

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the price for 6" to 26" widths of the same length established in this table.

TABLE 13A—SIGNAL CORPS FACES AND BACKS (SIGNAL CORPS SPECIFICATIONS 73-40, RULE NO. B-3A). MARINE FACES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES D-3, E-5 AND E-6

MANUFACTURED IN ZONE 2 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths					Thickness (inches)		Random width 6" to 38"	Specified one piece widths				
Decimal	Fractional		6" to 26"	26¼" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"	Decimal	Fractional		6" to 26"	26¼" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"
Lengths up to 50"								*Lengths 74¼" to 86"*							
0.031	1 1/32	$6.95	$8.05	$8.90	$9.60	$10.25	$10.90	0.031	1 1/32	$8.90	$10.00	$10.90	$11.55	$12.20	$12.90
.036	1/28	7.35	8.55	9.50	10.20	10.90	11.60	.036	1/28	9.50	10.60	11.60	12.30	13.00	13.70
.042	1/24	8.00	9.30	10.30	11.05	11.80	12.55	.042	1/24	10.25	11.45	12.60	13.40	14.20	15.00
.050	1/20	8.90	10.30	11.40	12.30	13.15	14.00	.050	1/20	11.40	12.80	14.00	14.95	15.85	16.80
.053	1/19	9.30	10.75	11.95	12.80	13.70	14.60	.053	1/19	11.95	13.35	14.60	15.60	16.55	17.50
.056	1/18	9.75	11.30	12.55	13.45	14.40	15.35	.056	1/18	12.55	14.05	15.35	16.40	17.40	18.40
.063	1/16	10.75	12.50	13.85	14.90	15.90	16.95	.063	1/16	13.85	15.50	16.95	18.10	19.20	20.30
.067	1/15	11.30	13.15	14.55	15.65	16.70	17.80	.067	1/15	14.55	16.30	17.80	19.00	20.15	21.35
.071	1/14	12.00	13.90	15.40	16.55	17.70	18.85	.071	1/14	15.40	17.25	18.90	20.15	21.40	22.60
.083	1/12	14.55	16.85	18.65	20.05	21.45	22.85	.083	1/12	18.65	20.90	22.90	24.45	25.90	27.45
.091	11/12	15.85	18.35	20.35	21.90	23.40	24.95	.091	11/12	20.35	22.80	25.00	26.70	28.30	29.95
.100	1/10	17.30	20.05	22.20	23.90	25.55	27.25	.100	1/10	22.20	24.90	27.25	29.10	30.90	32.70
.111	1/9	19.05	22.05	24.45	26.30	28.15	30.00	.111	1/9	24.45	27.40	30.00	32.05	34.00	36.00
.125	1/8	21.25	24.60	27.25	29.35	31.40	33.50	.125	1/8	27.25	30.55	33.50	35.75	37.90	40.15
.143	1/7	24.15	27.95	30.95	33.35	35.65	38.05	.143	1/7	30.95	34.70	38.05	40.60	43.05	45.60
.156	5/32	26.30	30.45	33.75	36.30	38.85	41.45	.156	5/32	33.75	37.80	41.45	44.25	46.90	49.70
.167	1/6	28.10	32.55	36.05	38.80	41.50	44.30	.167	1/6	36.05	40.40	44.30	47.30	50.10	53.10
.188	3/16	31.50	36.50	40.45	43.55	46.60	49.75	.188	3/16	40.45	45.35	49.75	53.10	56.30	59.65
.200	1/5	33.55	38.85	43.05	46.35	49.60	52.95	.200	1/5	43.05	48.25	52.95	56.55	59.95	63.50
.219	7/32	36.50	42.30	46.85	50.45	53.95	57.60	.219	7/32	46.85	52.50	57.60	61.50	65.25	69.10
.234	15/64	38.85	45.05	49.85	53.70	57.40	61.30	.234	15/64	49.85	55.90	61.30	65.50	69.45	73.55
.250	1/4	41.30	47.90	53.00	57.10	61.05	65.20	.250	1/4	53.00	59.45	65.20	69.65	73.85	78.25
Lengths 50¼" to 68"								*Lengths 86¼" to 98"*							
0.031	1 1/32	7.60	8.70	9.60	10.25	10.90	11.55	0.031	1 1/32	9.60	10.65	11.55	12.20	12.90	13.55
.036	1/28	8.05	9.25	10.20	10.90	11.60	12.30	.036	1/28	10.20	11.30	12.30	13.00	13.70	14.40
.050	1/20	9.75	11.15	12.30	13.15	14.00	14.80	.050	1/20	12.30	13.65	14.80	15.60	16.50	17.35
.053	1/19	11.80	13.50	14.90	15.90	16.95	17.95	.053	1/19	14.90	16.50	17.95	18.90	20.00	21.05
.063	1/16	15.25	17.40	19.20	20.50	21.85	23.15	.063	1/16	19.20	21.30	23.15	24.40	25.80	27.15
.100	1/10	20.70	22.80	24.40	25.95	27.55	29.15	.100	1/10	24.40	27.05	29.15	30.70	32.50	34.25
.125	1/8	25.45	28.00	29.95	31.90	33.80	35.80	.125	1/8	29.95	33.20	35.80	37.70	39.80	41.90
Lengths 68¼" to 74"								*Lengths 98¼" and longer*							
0.031	1 1/32	8.25	9.35	10.25	10.90	11.55	12.20	0.031	1 1/32	10.25	11.30	12.20	12.90	13.55	14.20
.036	1/28	8.80	9.95	10.90	11.60	12.30	13.00	.036	1/28	10.90	12.00	13.00	13.75	14.40	15.10
.050	1/20	10.60	11.95	13.15	14.00	14.80	15.65	.050	1/20	13.15	14.45	15.65	16.50	17.35	18.20
.063	1/16	12.85	14.50	15.90	16.95	17.95	19.00	.063	1/16	15.90	17.50	19.00	20.00	21.05	22.05
.083	1/12	16.55	18.70	20.50	21.85	23.15	24.50	.083	1/12	20.50	22.55	24.50	25.80	27.15	28.45
.100	1/10	19.65	22.25	24.40	25.95	27.55	29.10	.100	1/10	24.40	26.85	29.10	30.70	32.35	33.95
.125	1/8	24.15	27.30	29.95	31.90	33.80	35.75	.125	1/8	29.95	32.95	35.75	37.70	39.60	41.55

[1] And thinner

NOTE: The maximum price for fractional part pieces shall be the price for 6" to 26" widths of the same length established in this table.

TABLE 14—DRAWER BOTTOMS (NHLA RULE NO. 9). MARINE FACES (BUREAU OF SHIPS SPECIFICATIONS, 39P15 (INT.), RULES NO. D-3 AND E-4). MARINE INNER PLIES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES NO. D-3, E-5 AND E-6.

MANUFACTURED IN ZONE 2 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Random widths 6" to 39"	Specified one piece widths					Thickness (inches)		Random widths 6" to 39"	Specified one piece widths				
Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"		Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"	
Lengths up to 50"								*Lengths 68¼ to 74"*							
0.031	1 1/32	$7.25	$8.65	$9.30	$9.70	$10.10		0.031	1 1/32	$8.05	$9.45	$10.10	$10.50	$10.90	
.036	1/28	7.70	9.20	9.85	10.30	10.75		.036	1/28	8.60	10.05	10.75	11.15	11.60	
.042	1/24	8.40	10.00	10.75	11.20	11.65		.042	1/24	9.35	10.95	11.65	12.15	12.60	
.050	1/20	9.30	11.10	11.90	12.40	12.95		.050	1/20	10.35	12.10	12.95	13.45	14.00	
.053	1/19	9.80	11.65	12.50	13.05	13.65		.053	1/19	10.85	12.70	13.60	14.10	14.65	
.056	1/18	10.25	12.25	13.10	13.65	14.25		.056	1/18	11.40	13.35	14.25	14.80	15.40	
.063	1/16	11.30	13.45	14.40	15.05	15.70		.063	1/16	12.55	14.65	15.70	16.30	16.95	
.067	1/15	11.90	14.15	15.15	15.85	16.50		.067	1/15	13.25	15.45	16.55	17.20	17.85	
.071	1/14	12.60	15.00	16.05	16.80	17.50		.071	1/14	14.00	16.35	17.50	18.20	18.90	
.083	1/12	14.55	17.35	18.60	19.40	20.25		.083	1/12	16.20	18.95	20.25	21.05	21.85	
.091	11/12	15.85	18.85	20.25	21.10	22.00		.091	11/12	17.65	20.60	22.00	22.95	23.85	
.100	1/10	17.30	20.65	22.10	23.10	24.05		.100	1/10	19.25	22.50	24.05	25.00	26.00	
.111	1/9	19.05	22.70	24.35	25.40	26.45		.111	1/9	21.15	24.75	26.45	27.65	28.80	
.125	1/8	21.25	25.35	27.15	28.35	29.50		.125	1/8	23.60	27.65	29.50	30.80	32.05	
.143	1/7	24.15	28.75	30.85	32.20	33.55		.143	1/7	26.80	31.40	33.55	35.00	36.40	
.156	5/32	26.30	31.35	33.60	35.05	36.50		.156	5/32	29.20	34.20	36.50	38.00	39.55	
.167	1/6	28.10	33.45	35.90	37.45	39.00		.167	1/6	31.20	36.50	39.00	40.60	42.25	
.188	3/16	31.50	37.55	40.25	42.00	43.75		.188	3/16	34.95	40.90	43.75	45.50	47.40	
.200	1/5	33.55	39.95	42.85	44.70	46.55		.200	1/5	37.20	43.55	46.55	48.45	50.30	
.219	7/32	36.50	43.50	46.65	48.65	50.70		.219	7/32	40.55	47.45	50.70	52.80	54.75	
.234	15/64	38.85	46.35	49.70	51.85	54.00		.234	15/64	43.20	50.55	54.00	56.15	58.30	
.250	1/4	41.30	49.25	52.80	55.10	57.40		.250	1/4	46.00	53.70	57.40	59.70	61.95	
Lengths 50¼" to 68"								*Lengths 74¼" to 86"*							
0.031	1 1/32	7.65	9.05	9.70	10.10	10.50		0.031	1 1/32	8.50	9.85	10.50	10.90	11.30	
.036	1/28	8.15	9.65	10.30	10.75	11.15		.036	1/28	9.00	10.45	11.15	11.60	12.05	
.042	1/24	8.90	10.45	11.20	11.65	12.15		.042	1/24	9.80	11.35	12.15	12.60	13.10	
.050	1/20	9.85	11.60	12.40	12.95	13.45		.050	1/20	10.85	12.60	13.45	13.95	14.50	
.053	1/19	10.35	12.20	13.05	13.60	14.10		.053	1/19	11.40	13.25	14.10	14.70	15.25	
.056	1/18	10.80	12.75	13.65	14.25	14.80		.056	1/18	11.90	13.85	14.80	15.35	15.95	
.063	1/16	11.90	14.06	15.05	15.70	16.30		.063	1/16	13.15	15.30	16.30	16.95	17.60	
.067	1/15	12.70	14.95	16.05	16.75	17.35		.067	1/15	14.00	16.30	17.35	18.05	18.70	
.071	1/14	13.30	15.70	16.90	17.50	18.20		.071	1/14	14.70	17.05	18.20	18.90	19.65	
.083	1/12	15.35	18.15	19.40	20.25	21.05		.083	1/12	17.00	19.70	21.05	21.85	22.65	
.091	11/12	16.70	19.70	21.10	22.00	22.85		.091	11/12	18.45	21.45	22.85	23.75	24.65	
.100	1/10	18.30	21.55	23.10	24.05	25.00		.100	1/10	20.20	23.45	25.00	25.95	26.95	
.111	1/9	20.10	23.75	25.40	26.45	27.50		.111	1/9	22.20	25.80	27.50	28.55	29.65	
.125	1/8	22.45	26.50	28.35	29.50	30.70		.125	1/8	24.80	28.80	30.70	31.90	33.05	
.143	1/7	25.50	30.05	32.20	33.55	34.85		.143	1/7	28.15	32.70	34.85	36.20	37.60	
.156	5/32	27.75	32.75	35.05	36.50	38.00		.156	5/32	30.70	35.60	38.00	39.45	40.95	
.167	1/6	29.65	35.00	37.45	39.00	40.55		.167	1/6	32.75	38.05	40.55	42.15	43.75	
.188	3/16	33.25	39.25	42.00	43.75	45.50		.188	3/16	36.75	42.65	45.50	47.25	49.05	
.200	1/5	35.40	41.80	44.70	46.55	48.45		.200	1/5	39.10	45.40	48.45	50.30	52.20	
.219	7/32	38.55	45.45	48.65	50.70	52.70		.219	7/32	42.60	49.45	52.70	54.75	56.80	
.234	15/64	41.05	48.45	51.85	54.00	56.15		.234	15/64	45.35	52.65	56.15	58.30	60.50	
.250	1/4	43.60	51.45	55.10	57.40	59.70		.250	1/4	48.20	55.95	59.70	61.95	64.25	

[1] And thinner.

TABLE 14—DRAWER BOTTOMS (NHLA RULE NO. 9). MARINE FACES (BUREAU OF SHIPS SPECIFICATIONS, 39P15 (INT.), RULES NO. D-3 AND E-4). MARINE INNER PLIES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES NO. D-3, E-5 AND E-6.—Continued

MANUFACTURED IN ZONE 2 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths				Thickness (inches)		Random widths 6" to 38"	Specified one piece widths			
Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"	Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"
Length 86¼" to 98"							*Lengths 98" and longer*						
0.031	1 1/32	$8.90	$10.25	$10.90	$11.30	$11.70	0.031	1 1/32	$9.30	$10.65	$11.30	$11.70	$12.10
.036	1/28	9.45	10.90	11.60	12.00	12.45	.036	1/28	9.85	11.30	12.00	12.45	12.85
.042	1/24	10.25	11.85	12.60	13.10	13.55	.042	1/24	10.75	12.30	13.10	13.55	14.00
.050	1/20	11.40	13.10	13.95	14.50	15.00	.050	1/20	11.90	13.60	14.50	15.00	15.55
.053	1/19	11.96	13.75	14.65	15.20	15.75	.053	1/19	12.50	14.30	15.20	15.75	16.30
.063	1/16	12.55	14.45	15.40	15.95	16.50	.056	1/18	13.10	15.00	15.95	16.50	17.10
.067	1/15	13.80	15.90	16.95	17.55	18.20	.063	1/16	14.40	16.50	17.55	18.20	18.80
.071	1/14	14.70	16.90	18.05	18.70	19.35	.067	1/15	15.35	17.60	18.70	19.35	20.05
.083	1/12	17.80	20.50	21.85	22.65	23.45	.071	1/14	16.10	18.45	19.60	20.30	21.00
.091	11/12	19.35	22.30	23.75	24.65	25.50	.083	1/12	18.60	21.30	22.65	23.45	24.30
.100	1/10	21.15	24.40	25.95	26.95	27.90	.091	11/12	20.25	23.15	24.65	25.50	26.40
.111	1/9	23.30	26.90	28.55	29.65	30.70	.100	1/10	22.10	25.30	26.95	27.90	28.85
.125	1/8	26.00	29.95	31.90	33.05	34.25	.111	1/9	24.35	27.85	29.65	30.70	31.75
.143	1/7	29.50	34.00	36.20	37.55	38.90	.125	1/8	27.15	31.10	33.05	34.25	35.45
.156	5/32	32.15	37.05	39.45	40.90	42.35	.143	1/7	30.85	35.30	37.55	38.90	40.25
.167	1/6	34.35	39.55	42.15	43.70	45.25	.156	5/32	33.60	38.45	40.90	42.35	43.80
.188	3/16	36.50	44.35	47.25	49.00	50.75	.167	1/6	35.90	41.05	43.70	45.25	46.80
.200	1/5	41.00	47.20	50.30	52.15	54.00	.188	3/16	40.25	46.05	49.00	50.75	52.50
.219	7/32	44.60	51.40	54.75	56.80	58.90	.200	1/5	42.85	49.05	52.15	54.00	55.90
.243	15/64	47.50	54.75	58.30	60.50	62.65	.219	7/32	46.65	53.40	56.80	58.80	60.85
.250	1/4	50.50	58.20	61.95	64.25	66.55	.243	15/64	49.70	56.85	60.50	62.65	64.80
							.250	1/4	52.80	60.40	64.25	66.55	68.85

[1] And thinner.

NOTE.—The maximum price for fractional part pieces shall be the price for 6" to 32" widths of the same length established in this table.

TABLE 14A—DRAWER BOTTOMS NHLA RULE NO. 9). MARINE FACES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES NO. D-3 AND E-4). MARINE (INNER PLIES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES NO. D-3, E-5 AND E-6)

MANUFACTURED IN ZONE 2 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Random widths, 6" to 38"	Specified one piece widths				Thickness (inches)		Random widths, 6" to 38"	Specified one piece widths			
Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"	Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"
Lengths up to 50"							*Lengths 62¼" to 74"*						
0.031	1 1/32	$5.95	$7.10	$7.60	$7.95	$8.25	0.031	1 1/32	$6.60	$7.75	$8.25	$8.60	$8.90
.036	1/28	6.30	7.55	8.05	8.40	8.80	.036	1/28	7.00	8.20	8.80	9.15	9.50
.042	1/24	6.90	8.20	8.80	9.15	9.55	.042	1/24	7.65	8.95	9.55	9.95	10.30
.050	1/20	7.60	9.10	9.75	10.15	10.60	.050	1/20	8.45	9.90	10.60	11.00	11.45
.053	1/19	8.00	9.55	10.20	10.65	11.10	.053	1/19	8.90	10.40	11.10	11.55	12.00
.056	1/18	8.40	10.00	10.70	11.20	11.65	.056	1/18	9.30	10.91	11.65	12.10	12.60
.063	1/16	9.25	11.00	11.80	12.30	12.85	.063	1/16	10.25	12.00	12.85	13.35	13.85
.067	1/15	9.85	11.70	12.55	13.10	13.65	.067	1/15	10.95	12.80	13.65	14.20	14.75
.071	1/14	10.30	12.30	13.20	13.75	14.30	.071	1/14	11.45	13.40	14.30	14.90	15.45
.083	1/12	11.90	14.20	15.25	15.90	16.55	.083	1/12	13.25	15.50	16.55	17.20	17.85
.091	11/12	12.95	15.45	16.55	17.25	18.00	.091	11/12	14.40	16.85	18.00	18.70	19.45
.100	1/10	14.15	17.00	18.10	18.90	19.65	.100	1/10	15.75	18.40	19.65	20.45	21.25
.111	1/9	15.60	18.55	19.90	20.80	21.65	.111	1/9	17.30	20.25	21.65	22.50	23.35
.125	1/8	17.40	20.75	22.20	23.20	24.15	.125	1/8	19.30	22.60	24.15	25.10	26.10
.143	1/7	19.75	23.55	25.25	26.35	27.45	.143	1/7	21.95	25.70	27.45	28.50	29.60
.156	5/32	21.50	25.65	27.50	28.70	29.90	.156	5/32	23.90	27.95	29.90	31.10	32.25
.167	1/6	23.00	27.40	29.35	30.65	31.90	.167	1/6	25.55	29.85	31.90	33.20	34.45
.188	3/16	25.75	30.70	32.90	34.35	35.80	.188	3/16	28.65	33.50	35.80	37.20	38.65
.200	1/5	27.45	32.70	35.05	36.60	38.10	.200	1/5	30.50	35.65	38.10	39.65	41.15
.219	7/32	29.85	35.60	38.15	39.80	41.50	.219	7/32	33.20	38.80	41.50	43.15	44.80
.234	15/64	31.80	37.90	40.65	42.40	44.20	.234	15/64	35.35	41.35	44.20	45.95	47.70
.250	1/4	33.70	40.30	43.20	45.05	46.95	.250	1/4	37.55	43.95	46.95	48.85	50.70
Lengths 50¼" to 68"							*Length 74¼" to 86"*						
0.031	1 1/32	6.25	7.40	7.95	8.25	8.60	0.031	1 1/32	6.95	8.05	8.60	8.95	9.25
.036	1/28	6.65	7.85	8.40	8.80	9.15	.036	1/28	7.35	8.55	9.15	9.50	9.85
.042	1/24	7.25	8.55	9.15	9.55	9.95	.042	1/24	8.00	9.30	9.95	10.30	10.70
.050	1/20	8.05	9.50	10.15	10.60	11.00	.050	1/20	8.90	10.30	11.00	11.45	11.85
.053	1/19	8.45	9.95	10.65	11.10	11.55	.053	1/19	9.35	10.85	11.55	12.00	12.45
.056	1/18	8.85	10.45	11.20	11.65	12.10	.056	1/18	9.80	11.35	12.10	12.60	13.05
.063	1/16	9.75	11.50	12.30	12.85	13.35	.063	1/16	10.75	12.50	13.35	13.85	14.35
.067	1/15	10.40	12.25	13.10	13.65	14.20	.067	1/15	11.50	13.30	14.20	14.75	15.30
.071	1/14	10.90	12.85	13.75	14.30	14.90	.071	1/14	12.05	13.95	14.90	15.45	16.05
.083	1/12	12.55	14.85	15.90	16.55	17.20	.083	1/12	13.90	16.15	17.20	17.85	18.55
.091	11/12	13.65	16.15	17.25	18.00	18.70	.091	11/12	15.10	17.55	18.70	19.45	20.15
.100	1/10	14.95	17.65	18.90	19.65	20.45	.100	1/10	16.50	19.20	20.45	21.25	22.05
.111	1/9	16.45	19.40	20.80	21.65	22.50	.111	1/9	18.20	21.10	22.50	23.35	24.25
.125	1/8	18.35	21.65	23.20	24.15	25.10	.125	1/8	20.30	23.55	25.10	26.10	27.05
.143	1/7	20.85	24.60	26.35	27.45	28.50	.143	1/7	23.05	26.75	28.50	29.60	30.70
.156	5/32	22.70	26.80	28.70	29.90	31.10	.156	5/32	25.10	29.15	31.10	32.25	33.45
.167	1/6	24.25	28.65	30.65	31.90	33.20	.167	1/6	26.80	31.10	33.20	34.45	35.75
.188	3/16	27.20	32.10	34.39	35.80	37.20	.188	3/16	30.05	34.90	37.20	38.65	40.10
.200	1/5	28.95	34.20	36.60	38.10	39.65	.200	1/5	32.00	37.16	39.65	41.15	42.70
.219	7/32	31.55	37.20	39.80	41.50	43.15	.219	7/32	34.85	40.65	43.15	44.80	46.45
.234	15/64	33.60	39.65	42.40	44.20	45.95	.234	15/64	37.10	43.05	45.95	47.70	49.50
.250	1/4	35.70	42.10	45.05	46.95	48.85	.250	1/4	39.45	45.75	48.85	50.70	52.60

[1] And thinner.

TABLE 14A—DRAWER BOTTOMS (NHLA RULE NO. 9). MARINE FACES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES NO. D-3 AND E-4). MARINE INNER PLIES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES NO. D-3, E-3 AND E-4)—Continued

MANUFACTURED IN ZONE 2 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Random widths, 6" to 36"	Specified one piece widths			
Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"
Lengths 86¼ to 98"						
0.031	1/32	$7.25	$8.35	$8.90	$9.25	$9.60
.036	1/28	7.70	8.90	9.50	9.85	10.20
.042	1/24	8.40	9.70	10.30	10.70	11.10
.050	1/20	9.30	10.75	11.45	11.85	12.30
.053	1/19	9.80	11.25	12.00	12.45	12.90
.056	1/18	10.25	11.80	12.60	13.05	13.50
.063	1/16	11.30	13.00	13.85	14.35	14.90
.067	1/15	12.00	13.85	14.75	15.30	15.85
.071	1/14	12.60	14.55	15.45	16.05	16.60
.083	1/12	14.55	16.80	17.85	18.55	19.20
.091	1/11	15.85	18.26	19.45	20.15	20.85
.100	1/10	17.20	19.95	21.25	22.05	22.80
.111	1/9	19.05	21.95	23.35	24.25	25.10
.125	1/8	21.25	24.50	26.10	27.05	28.00
.143	1/7	24.15	27.80	29.60	30.70	31.80
.156	5/32	26.30	30.30	32.25	33.45	34.65
.167	1/6	28.10	32.35	34.45	35.75	37.05
.188	3/16	31.50	36.30	38.65	40.10	41.50
.200	1/5	33.55	38.65	41.15	42.70	44.20
.219	7/32	36.50	42.05	44.80	46.45	48.10
.234	15/64	38.90	44.80	47.70	49.50	51.25
.250	1/4	41.30	47.60	50.70	52.60	54.45

Thickness (inches)		Random widths, 6" to 36"	Specified one piece widths			
Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"
Lengths 86¼" and longer						
0.031	1/32	$7.60	$8.70	$9.25	$9.60	$9.90
.036	1/28	8.05	9.25	9.85	10.20	10.55
.042	1/24	8.80	10.05	10.70	11.10	11.45
.050	1/20	9.75	11.15	11.85	12.30	12.70
.053	1/19	10.20	11.70	12.45	12.90	13.35
.056	1/18	10.70	12.30	13.05	13.50	14.00
.063	1/16	11.80	13.50	14.35	14.90	15.40
.067	1/15	12.55	14.40	15.30	15.85	16.40
.071	1/14	13.20	15.15	16.05	16.60	17.20
.083	1/12	15.25	17.40	18.55	19.20	19.85
.091	1/11	16.55	18.95	20.15	20.85	21.60
.100	1/10	18.10	20.70	22.05	22.80	23.60
.111	1/9	19.90	22.90	24.25	25.10	25.95
.125	1/8	22.20	25.45	27.05	28.00	29.00
.143	1/7	25.25	28.90	30.70	31.80	32.90
.156	5/32	27.50	31.45	33.45	34.65	35.85
.167	1/6	29.35	33.60	35.75	37.05	38.30
.188	3/16	32.90	37.70	40.10	41.50	42.95
.200	1/5	35.05	40.10	42.70	44.20	45.75
.219	7/32	38.15	43.70	46.45	48.10	49.80
.234	15/64	40.65	46.50	49.50	51.25	53.00
.250	1/4	43.20	49.45	52.60	54.45	56.35

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the price for 6" to 32" widths of the same length established in this Table.

TABLE 15—SHEET STOCK, SELECTED FOR COLOR (GRADES, WIDTHS AND LENGTHS AS SPECIFIED BY NHLA RULE NO. 13

MANUFACTURED IN ZONE 2 FROM SWEET GUM AND TUPELO (BAY POPLAR)

Thickness (inches)		Price
Decimal	Fractional	
0.031	1/32	$11.45
.036	1/28	12.15
.042	1/24	13.20
.050	1/20	14.45
.053	1/19	15.35
.056	1/18	16.10
.063	1/16	17.75
.067	1/15	18.80
.071	1/14	19.80
.083	1/12	22.85
.091	1/11	24.85
.100	1/10	27.20
.111	1/9	29.95
.125	1/8	33.40

[1] And thinner.

TABLE 16—SHEET STOCK, UNSELECTED FOR COLOR (GRADES, WIDTHS AND LENGTHS AS SPECIFIED BY NHLA RULE NO. 13)

MANUFACTURED IN ZONE 2 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Price
Decimal	Fractional	
0.031	1/32	$7.90
.036	1/28	8.35
.042	1/24	9.10
.050	1/20	10.00
.053	1/19	11.10
.056	1/18	12.25
.063	1/16	13.00
.067	1/15	13.65
.071	1/14	15.75
.083	1/12	17.15
.091	1/11	18.75
.100	1/10	20.65
.111	1/9	23.00
.125	1/8	26.15
.143	1/7	28.50
.156	5/32	30.45
.167	1/6	34.10
.188	3/16	36.30
.200	1/5	39.55
.219	7/32	42.10
.234	15/64	44.75
.250	1/4	47.65
.281	9/32	50.30
.313	5/16	55.45
.344	11/32	61.00
.375	3/8	66.60

[1] And thinner.

TABLE 16A—SHEET STOCK, UNSELECTED FOR COLOR (GRADES, WIDTHS AND LENGTHS AS SPECIFIED BY NHLA RULE NO. 13)

MANUFACTURED IN ZONE 2 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Price
Decimal	Fractional	
0.031	1/32	$6.45
.036	1/28	6.85
.042	1/24	7.45
.050	1/20	8.25
.053	1/19	8.65
.056	1/18	9.10
.063	1/16	10.00
.067	1/15	10.65
.071	1/14	11.15
.083	1/12	12.90
.091	1/11	14.05
.100	1/10	15.35
.111	1/9	16.90
.125	1/8	18.85
.143	1/7	21.40
.156	5/32	23.40
.167	1/6	24.90
.188	3/16	27.90
.200	1/5	29.70
.219	7/32	32.35
.234	15/64	34.45
.250	1/4	36.60
.281	9/32	41.15
.313	5/16	45.40
.344	11/32	49.90
.375	3/8	54.80

[1] And thinner.

TABLE 17.—SOUND BACKS (NHLA RULE NO. 7). CROSS BANDING, (NHLA RULE NO. 10). NO. 1 CORE OR CENTER STOCK (NHLA RULE NO. 11(a)). SIGNAL CORPS INNER PLIES (SIGNAL CORPS SPECIFICATIONS 72-48, RULE NO. E-3B). MARINE INNER PLIES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES NO. D-3 AND E-4)

MANUFACTURED IN ZONE 2 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths						
Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"	50¼" to 62"	62¼" to 74"	74¼" to 86"	86¼" to 98"
Lengths up to 60"										
0.031	1/32	6.45	$7.90	$8.50	$8.50	$9.30	$9.70	$10.10	$10.50	$10.90
.036	1/28	6.85	8.35	9.00	9.45	9.85	10.30	10.75	11.15	11.60
.042	1/24	7.45	9.10	9.80	10.28	10.75	11.20	11.65	12.15	12.60
.050	1/20	8.30	10.10	10.85	11.40	11.90	12.40	12.95	13.45	13.95
.053	1/19	8.70	10.60	11.40	11.95	12.50	13.05	13.60	14.10	14.65
.056	1/18	9.10	11.10	11.95	12.55	13.10	13.65	14.25	14.80	15.40
.063	1/16	10.05	12.25	13.15	13.80	14.40	15.05	15.70	16.30	16.95
.067	1/15	10.70	13.00	14.05	14.70	15.35	16.05	16.70	17.35	18.05
.071	1/14	11.30	13.85	14.75	15.45	16.10	16.80	17.50	18.20	18.90
.083	1/12	12.55	15.45	16.45	17.25	18.00	18.80	19.60	20.30	21.00
.091	1/11	13.75	16.95	18.00	18.85	19.70	20.60	21.45	22.25	23.05
.100	1/10	14.95	18.40	19.55	20.50	21.40	22.40	23.30	24.20	25.05
.111	1/9	16.35	20.15	21.40	22.45	23.45	24.50	25.50	26.50	27.45
.125	1/8	18.40	22.70	24.10	25.30	26.40	27.60	28.70	29.85	30.90
.143	1/7	21.05	25.95	27.55	28.90	30.20	31.55	32.85	34.15	35.40
.156	5/32	23.00	28.35	30.10	31.55	33.00	34.45	35.80	37.25	38.60
.167	1/6	24.60	30.45	32.35	34.35	35.90	37.45	39.00	40.55	42.15
.188	3/16	28.00	34.10	36.75	38.50	40.25	42.00	43.75	45.50	47.25
.200	1/5	29.80	36.30	38.10	41.00	42.85	44.70	46.55	48.45	50.30
.219	7/32	32.45	39.55	42.00	44.00	46.05	48.05	50.00	52.00	54.05
.234	15/64	34.55	42.10	45.35	47.50	49.70	51.85	54.00	56.15	58.30
.250	1/4	36.70	44.75	48.20	50.50	52.80	55.10	57.40	59.70	61.95
.281	9/32	41.30	50.30	54.30	56.75	59.35	61.90	64.50	67.10	69.65
.313	5/16	46.00	56.45	59.75	62.60	65.45	68.25	71.10	73.95	76.80
.344	11/32	50.00	61.00	65.65	68.80	71.95	75.05	78.20	81.30	84.45
.375	3/8	54.65	66.60	71.70	75.15	78.55	81.95	85.35	88.80	92.20
Lengths 60¼" to 68"										
0.031	1/32	6.85	8.25	8.90	9.30	9.70	10.10	10.50	10.90	11.30
.036	1/28	7.30	8.80	9.45	9.85	10.30	10.75	11.15	11.60	12.00
.042	1/24	7.95	9.55	10.25	10.75	11.20	11.65	12.15	12.60	13.10
.050	1/20	8.80	10.60	11.40	11.90	12.40	12.95	13.45	13.95	14.50
.053	1/19	9.26	11.10	11.95	12.50	13.06	13.60	14.10	14.65	15.20
.056	1/18	9.70	11.65	12.55	13.10	13.65	14.25	14.80	15.40	15.95
.063	1/16	10.65	12.85	13.80	14.40	15.05	15.70	16.30	16.95	17.55
.067	1/15	11.35	13.65	14.70	15.35	16.05	16.70	17.35	18.05	18.70
.071	1/14	11.90	14.35	15.40	16.10	16.80	17.50	18.20	18.90	19.60
.083	1/12	13.75	16.55	17.80	18.60	19.40	20.25	21.05	21.85	22.65
.091	1/11	14.95	18.00	19.35	20.25	21.10	22.00	22.85	23.75	24.65
.100	1/10	16.35	19.70	21.15	22.10	23.10	24.05	25.00	25.95	26.95
.111	1/9	18.00	21.65	23.30	24.35	25.40	26.45	27.50	28.55	29.65
.125	1/8	20.10	24.20	26.00	27.15	28.35	29.50	30.70	31.90	33.05
.143	1/7	22.80	27.45	29.50	30.85	32.20	33.55	34.85	36.20	37.55
.156	5/32	24.85	29.90	32.15	33.60	35.06	36.50	38.00	39.45	40.90
.167	1/6	26.50	31.90	34.35	35.90	37.45	39.00	40.55	42.15	43.70
.188	3/16	29.75	35.85	38.50	40.25	42.00	43.75	45.50	47.25	49.00
.200	1/5	31.65	38.15	41.00	42.85	44.70	46.55	48.45	50.30	52.15
.219	7/32	34.45	41.50	44.60	46.65	48.65	50.70	52.70	54.75	56.80
.234	15/64	36.70	44.20	47.50	49.70	51.85	54.00	56.15	58.30	60.50
.250	1/4	39.00	47.00	50.50	52.80	55.10	57.40	59.70	61.95	64.25
.281	9/32	43.85	52.85	56.75	59.35	61.90	64.50	67.10	69.65	72.25
.313	5/16	48.35	58.25	62.60	65.45	68.25	71.10	73.95	76.80	79.65
.344	11/32	53.15	64.05	68.80	71.95	75.05	78.20	81.30	84.45	87.55
.375	3/8	58.06	69.90	75.15	78.55	81.95	85.35	88.80	92.20	95.60
Lengths 68¼" to 74"										
0.031	1/32	7.25	8.65	9.30	9.70	10.10	10.50	10.90	11.30	11.70
.036	1/28	7.70	9.20	9.85	10.20	10.75	11.15	11.60	12.00	12.45
.042	1/24	8.40	10.00	10.76	11.20	11.65	12.15	12.60	13.10	13.55
.050	1/20	9.30	11.10	11.90	12.40	12.95	13.45	13.95	14.50	15.00
.053	1/19	9.80	11.65	12.50	13.05	13.60	14.10	14.65	15.20	15.75
.056	1/18	10.25	12.25	13.10	13.65	14.25	14.80	15.40	15.95	16.50
.063	1/16	11.30	13.45	14.40	15.05	15.70	16.30	16.95	17.55	18.20
.067	1/15	12.05	14.30	15.35	16.05	16.70	17.35	18.05	18.70	19.35
.071	1/14	12.60	15.00	16.10	16.80	17.50	18.20	18.90	19.60	20.30
.083	1/12	14.55	17.35	18.60	19.40	20.25	21.05	21.85	22.65	23.45
.091	1/11	15.85	18.85	20.25	21.10	22.00	22.85	23.75	24.65	25.50
.100	1/10	17.30	20.65	22.10	23.10	24.05	25.00	25.95	26.95	27.90
.111	1/9	19.05	22.70	24.35	25.40	26.45	27.50	28.55	29.65	30.70
.125	1/8	21.25	25.35	27.15	28.35	29.50	30.70	31.90	33.05	34.25
.143	1/7	24.15	28.75	30.85	32.20	33.55	34.85	36.20	37.55	38.90
.156	5/32	26.30	31.35	33.60	35.05	36.50	38.00	39.45	40.90	42.35
.167	1/6	28.10	33.45	35.90	37.45	39.00	40.55	42.15	43.70	45.25
.188	3/16	31.50	37.55	40.25	42.00	43.75	45.50	47.25	49.00	50.75
.200	1/5	33.55	39.95	42.85	44.70	46.55	48.45	50.30	52.15	54.00
.219	7/32	36.50	43.50	46.65	48.65	50.70	52.70	54.75	56.80	58.80
.234	15/64	38.85	46.35	49.70	51.85	54.00	56.15	58.30	60.50	62.65
.250	1/4	41.30	49.25	52.80	55.10	57.40	59.70	61.95	64.25	66.55
.281	9/32	46.45	55.35	59.35	61.90	64.50	67.10	69.65	72.25	74.80
.313	5/16	51.20	61.00	65.45	68.25	71.10	73.95	76.80	79.65	82.50
.344	11/32	56.30	67.10	71.95	75.05	78.20	81.30	84.45	87.55	90.70
.375	3/8	61.45	73.25	78.55	81.95	85.35	88.80	92.20	95.60	99.05

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths						
Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"	50¼" to 62"	62¼" to 74"	74¼" to 86"	86¼" to 98"
Lengths 74¼" to 86"										
0.031	1/32	$7.65	$ 9.05	$9.70	$10.10	$10.60	$10.90	$11.30	$11.70	$12.10
.036	1/28	8.15	9.65	10.30	10.75	11.15	11.60	12.00	12.45	12.85
.042	1/24	8.90	10.45	11.20	11.65	12.15	12.60	13.10	13.55	14.00
.050	1/20	9.85	11.60	12.40	12.95	13.45	13.95	14.50	15.00	15.55
.053	1/19	10.38	12.30	13.06	13.60	14.10	14.65	15.20	15.75	16.30
.056	1/18	10.80	12.75	13.55	14.25	14.80	15.40	15.95	16.50	17.10
.063	1/16	11.90	14.05	15.00	15.70	16.30	16.95	17.55	18.20	18.80
.067	1/15	12.70	14.95	16.05	16.70	17.35	18.05	18.70	19.35	20.05
.071	1/14	13.30	15.70	16.80	17.50	18.20	18.90	19.60	20.30	21.00
.083	1/12	15.35	18.15	19.40	20.25	21.05	21.85	22.65	23.45	24.30
.091	1/11	16.70	19.70	21.10	22.00	22.85	23.75	24.65	25.50	26.40
.100	1/10	18.30	21.65	23.10	24.05	25.00	25.95	26.95	27.90	28.85
.111	1/9	20.10	23.75	25.40	26.45	27.50	28.55	29.65	30.70	31.75
.125	1/8	22.45	26.50	28.35	29.50	30.70	31.90	33.05	34.25	35.45
.143	1/7	25.50	30.05	32.20	33.55	34.85	36.20	37.55	38.90	40.26
.156	5/32	27.75	32.75	35.05	36.50	38.00	39.45	40.90	42.35	43.80
.167	1/6	29.65	35.00	37.45	39.00	40.55	42.15	43.70	45.25	46.80
.188	3/16	33.25	39.25	42.00	43.75	45.50	47.25	49.00	50.75	52.50
.200	1/5	35.40	41.80	44.70	46.55	48.45	50.30	52.15	54.00	55.90
.219	7/32	38.55	45.45	48.65	50.70	52.70	54.75	56.80	58.80	60.85
.234	15/64	41.05	48.45	51.85	54.00	56.15	58.30	60.50	62.65	64.80
.250	1/4	43.60	51.45	55.10	57.40	59.70	61.95	64.25	66.55	68.85
.281	9/32	49.00	57.85	61.90	64.50	67.10	69.65	72.25	74.80	77.40
.313	5/16	54.05	63.80	68.25	71.10	73.95	76.80	79.65	82.50	85.35
.344	11/32	59.40	70.15	75.05	78.20	81.30	84.45	87.55	90.70	93.80
.375	3/8	64.90	76.60	81.95	85.35	88.80	92.20	95.60	99.05	102.45
Lengths 86¼" to 98"										
0.031	1/32	8.05	9.45	10.10	10.50	10.90	11.30	11.70	12.10	12.50
.036	1/28	8.60	10.05	10.75	11.15	11.60	12.00	12.45	12.85	13.30
.042	1/24	9.35	10.95	11.65	12.15	12.60	13.10	13.55	14.00	14.50
.050	1/20	10.35	12.10	12.95	13.45	13.95	14.50	15.00	15.55	16.05
.053	1/19	10.85	12.70	13.60	14.10	14.65	15.20	15.75	16.30	16.85
.056	1/18	11.40	13.35	14.25	14.80	15.40	15.95	16.50	17.10	17.65
.063	1/16	12.55	14.65	15.70	16.30	16.95	17.55	18.20	18.80	19.45
.067	1/15	13.35	15.65	16.70	17.35	18.06	18.70	19.35	20.05	20.70
.071	1/14	14.00	16.40	17.50	18.20	18.90	19.60	20.30	21.00	21.70
.083	1/12	16.20	18.95	20.25	21.05	21.85	22.65	23.45	24.30	25.10
.091	1/11	17.60	20.60	22.00	22.85	23.75	24.65	25.50	26.40	27.25
.100	1/10	19.25	22.50	24.05	25.00	25.95	26.95	27.90	28.85	29.80
.111	1/9	21.15	24.75	26.45	27.50	28.55	29.65	30.70	31.75	32.80
.125	1/8	23.60	27.65	29.50	30.70	31.90	33.05	34.25	35.45	6.60
.143	1/7	26.80	31.40	33.55	34.85	36.20	37.55	38.90	40.26	41.55
.156	5/32	29.20	34.20	36.50	38.00	39.45	40.90	42.35	43.80	45.30
.167	1/6	31.20	36.50	39.00	40.55	42.15	43.70	45.25	46.80	48.35
.188	3/16	35.00	40.95	43.75	45.50	47.25	49.00	50.75	52.50	54.25
.200	1/5	37.25	43.60	46.55	48.45	50.30	52.15	54.00	55.90	57.75
.219	7/32	40.55	47.45	50.70	52.70	54.75	56.80	58.80	60.86	62.85
.234	15/64	43.20	50.55	54.00	56.15	58.30	60.50	62.65	64.80	66.95
.250	1/4	45.90	53.70	57.40	59.70	61.95	64.25	66.55	68.85	71.15
.281	9/32	51.60	60.35	64.50	67.10	69.65	72.25	74.80	77.40	80.00
.313	5/16	56.90	66.55	71.10	73.95	76.80	79.65	82.50	85.35	88.20
.344	11/32	62.55	73.15	78.20	81.30	84.45	87.55	90.70	93.80	96.95
.375	3/8	68.30	79.90	85.35	88.80	92.20	95.60	99.05	102.45	105.85
Lengths 98¼" and longer										
0.031	1/32	8.50	9.85	10.50	10.90	11.30	11.70	12.10	12.50	12.90
.036	1/28	9.00	10.45	11.15	11.60	12.00	12.45	12.85	13.30	13.75
.042	1/24	9.80	11.35	12.15	12.60	13.10	13.55	14.00	14.50	14.95
.050	1/20	10.85	12.60	13.45	13.95	14.50	15.00	15.55	16.05	16.55
.053	1/19	11.40	13.25	14.10	14.65	15.20	15.75	16.30	16.85	17.40
.056	1/18	11.98	13.90	14.80	15.40	15.95	16.50	17.10	17.65	18.25
.063	1/16	13.15	15.30	16.30	16.95	17.55	18.20	18.80	19.45	20.05
.067	1/15	14.05	16.30	17.35	18.05	18.70	19.35	20.05	20.70	21.35
.071	1/14	14.70	17.05	18.20	18.90	19.60	20.30	21.00	21.70	22.40
.083	1/12	17.00	19.70	21.05	21.85	22.65	23.45	24.30	25.10	25.90
.091	1/11	18.45	20.60	22.85	23.75	24.65	25.50	26.40	27.25	28.15
.100	1/10	20.20	23.45	26.00	26.96	26.96	27.90	28.85	29.80	30.80
.111	1/9	22.20	25.80	27.50	28.55	29.65	30.70	31.75	32.80	33.85
.125	1/8	24.80	28.80	30.70	31.90	33.05	34.25	35.45	36.60	37.90
.143	1/7	28.15	32.70	34.85	36.20	37.55	38.90	40.25	41.55	42.90
.156	5/32	30.70	35.60	38.00	39.45	40.90	42.35	43.80	45.30	46.75
.167	1/6	33.75	38.05	40.55	42.15	43.70	45.25	46.80	48.35	49.95
.188	3/16	36.75	42.65	45.50	47.25	49.00	50.75	52.50	54.25	56.00
.200	1/5	39.10	45.40	48.45	50.30	52.15	54.00	55.90	57.75	59.60
.219	7/32	42.60	49.45	52.70	54.75	56.80	58.80	60.85	62.85	64.90
.234	15/64	45.35	52.65	56.15	58.30	60.50	62.65	64.80	66.95	69.10
.250	1/4	48.20	55.95	59.70	61.95	64.25	66.55	68.85	71.15	73.45
.281	9/32	54.20	62.90	67.10	69.65	72.25	74.80	77.40	80.00	82.55
.313	5/16	59.75	69.35	73.95	76.80	79.65	82.50	85.35	88.20	91.00
.344	11/32	65.65	76.25	81.30	84.45	87.55	90.70	93.80	96.95	100.10
.375	3/8	71.70	83.25	88.80	92.20	95.60	99.05	102.45	105.85	109.25

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the maximum price in the above table for that width which is one-half the specified prime width and is the same length ordered by the purchaser. For example, if a purchaser ordered Cross Banding 96" wide by 50" long, all fractional part pieces against this item may be invoiced at not more than the established price for Cross Banding 48" wide by 50" long.

TABLE 17A—SOUND BACKS (NHLA RULE NO. 7). CROSS BANDING (NHLA RULE NO. 10). NO. 1 CORE OR CENTER STOCK (NHLA RULE NO. 11 (a)). SIGNAL CORPS INNER PLIES (SIGNAL CORPS SPECIFICATIONS 72-48 RULE NO. E-3B). MARINE INNER PLIES (BUREAU OF SHIPS SPECIFICATION 39P15 (INT.) RULES NO. D-3 AND E-4).

MANUFACTURED IN ZONE 2 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths							
Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"	50¼" to 62"	62¼" to 74"	74¼" to 86"	86¼" to 98"
Lengths up to 50"										
0.031	1/32[1]	$5.30	$6.45	$6.95	$7.25	$7.60	$7.95	$8.25	$8.60	$8.90
.036	1/28	5.60	6.85	7.35	7.70	8.05	8.40	8.80	9.15	9.50
.042	1/24	6.10	7.45	8.00	8.40	8.80	9.15	9.55	9.95	10.30
.050	1/20	6.80	8.25	8.90	9.30	9.75	10.15	10.60	11.00	11.45
.053	1/19	7.10	8.65	9.35	9.80	10.20	10.65	11.10	11.55	12.00
.056	1/18	7.45	9.10	9.80	10.25	10.70	11.20	11.65	12.10	12.60
.063	1/16	8.20	10.00	10.75	11.30	11.80	12.30	12.85	13.35	13.85
.067	1/15	8.75	10.65	11.50	12.00	12.55	13.10	13.65	14.20	14.75
.071	1/14	9.15	11.15	12.05	12.60	13.20	13.75	14.30	14.90	15.45
.083	1/12	10.60	12.90	13.90	14.55	15.25	15.90	16.55	17.20	17.85
.091	1/11	11.50	14.05	15.10	15.85	16.55	17.25	18.00	18.70	19.45
.100	1/10	12.60	15.35	16.50	17.30	18.10	18.90	19.65	20.45	21.25
.111	1/9	13.85	16.90	18.20	19.05	19.90	20.80	21.65	22.50	23.35
.125	1/8	15.45	18.85	20.30	21.25	22.20	23.20	24.15	25.10	26.10
.143	1/7	17.55	21.40	23.05	24.15	25.25	26.35	27.45	28.50	29.60
.156	5/32	19.15	23.30	25.10	26.30	27.50	28.70	29.90	31.10	32.25
.167	1/6	20.45	24.90	26.80	28.10	29.35	30.65	31.90	33.20	34.45
.188	3/16	22.90	27.90	30.05	31.50	32.90	34.35	35.80	37.20	38.65
.200	1/5	24.40	29.70	32.00	33.55	35.05	36.60	38.10	39.65	41.15
.219	7/32	26.55	32.35	34.85	36.50	38.15	39.80	41.50	43.15	44.80
.234	15/64	28.30	34.45	37.10	38.90	40.65	42.40	44.20	45.95	47.70
.250	1/4	30.05	36.60	39.45	41.30	43.20	45.05	46.95	48.85	50.70
.281	9/32	33.80	41.15	44.35	46.45	48.55	50.65	52.80	54.90	57.00
.313	5/16	37.25	45.40	48.90	51.20	53.55	55.85	58.20	60.50	62.85
.344	11/32	40.95	49.90	53.75	56.30	58.85	61.40	63.95	66.55	69.10
.375	3/8	44.70	54.50	58.65	61.45	64.25	67.05	69.85	72.65	75.45
Lengths 50¼" to 62"										
0.031	1/32[1]	5.60	6.75	7.25	7.60	7.95	8.25	8.60	8.90	9.25
.036	1/28	5.95	7.20	7.70	8.05	8.40	8.80	9.15	9.50	9.85
.042	1/24	6.50	7.80	8.40	8.80	9.15	9.55	9.95	10.30	10.70
.050	1/20	7.20	8.65	9.30	9.75	10.15	10.60	11.00	11.45	11.85
.053	1/19	7.55	9.10	9.80	10.20	10.65	11.10	11.55	12.00	12.45
.056	1/18	7.95	9.55	10.25	10.70	11.20	11.65	12.10	12.60	13.05
.063	1/16	8.70	10.50	11.30	11.80	12.30	12.85	13.35	13.85	14.35
.067	1/15	9.20	11.20	12.00	12.55	13.10	13.65	14.20	14.75	15.30
.071	1/14	9.75	11.75	12.60	13.20	13.75	14.30	14.90	15.45	16.05
.083	1/12	11.25	13.55	14.55	15.25	15.90	16.55	17.20	17.85	18.55
.091	1/11	12.25	14.75	15.85	16.55	17.25	18.00	18.70	19.45	20.15
.100	1/10	13.40	16.10	17.30	18.10	18.90	19.65	20.45	21.35	22.05
.111	1/9	14.70	17.75	19.05	19.90	20.80	21.65	22.50	23.35	24.25
.125	1/8	16.45	19.80	21.25	22.20	23.20	24.15	25.10	26.10	27.05
.143	1/7	18.65	22.45	24.15	25.25	26.35	27.45	28.50	29.60	30.70
.156	5/32	20.30	24.45	26.30	27.50	28.70	29.90	31.10	32.25	33.45
.167	1/6	21.70	26.15	28.10	29.35	30.65	31.90	33.20	34.45	35.75
.188	3/16	24.35	29.30	31.50	32.90	34.35	35.80	37.20	38.65	40.10
.200	1/5	25.90	31.20	33.55	35.05	36.60	38.10	39.65	41.15	42.70
.219	7/32	28.20	33.95	36.50	38.15	39.80	41.50	43.15	44.80	46.45
.234	15/64	30.05	36.20	38.90	40.65	42.40	44.20	45.95	47.70	49.50
.250	1/4	31.90	38.45	41.30	43.20	45.05	46.95	48.85	50.70	52.60
.281	9/32	35.90	43.25	46.45	48.55	50.65	52.80	54.90	57.00	59.10
.313	5/16	39.55	47.65	51.20	53.55	55.85	58.20	60.50	62.85	65.15
.344	11/32	43.50	52.40	56.30	58.85	61.40	63.95	66.55	69.10	71.65
.375	3/8	47.50	57.20	61.45	64.25	67.05	69.85	72.65	75.45	78.25
Lengths 62¼" to 74"										
0.031	1/32[1]	5.95	7.10	7.60	7.95	8.25	8.60	8.90	9.25	9.60
.036	1/28	6.20	7.55	8.05	8.40	8.80	9.15	9.50	9.85	10.20
.042	1/24	6.90	8.20	8.80	9.15	9.55	9.95	10.30	10.70	11.10
.050	1/20	7.60	9.10	9.75	10.15	10.60	11.00	11.45	11.85	12.30
.053	1/19	8.00	9.55	10.20	10.65	11.10	11.55	12.00	12.45	12.90
.056	1/18	8.40	10.00	10.70	11.20	11.65	12.10	12.60	13.05	13.50
.063	1/16	9.25	11.00	11.80	12.30	12.85	13.35	13.85	14.35	14.90
.067	1/15	9.85	11.70	12.55	13.10	13.65	14.20	14.75	15.30	15.85
.071	1/14	10.30	12.30	13.20	13.75	14.30	14.90	15.45	16.05	16.60
.083	1/12	11.90	14.20	15.25	15.90	16.55	17.20	17.85	18.55	19.20
.091	1/11	12.95	15.45	16.55	17.25	18.00	18.70	19.45	20.15	20.85
.100	1/10	14.15	16.90	18.10	18.90	19.65	20.45	21.25	22.05	22.80
.111	1/9	15.60	18.55	19.90	20.80	21.65	22.50	23.35	24.25	25.10
.125	1/8	17.40	20.75	22.20	23.20	24.15	25.10	26.10	27.05	28.00
.143	1/7	19.75	23.55	25.25	26.35	27.45	28.50	29.60	30.70	31.80
.156	5/32	21.50	25.65	27.50	28.70	29.90	31.10	32.25	33.45	34.65
.167	1/6	23.00	27.40	29.35	30.65	31.90	33.20	34.45	35.75	37.05
.188	3/16	25.75	30.70	32.90	34.35	35.80	37.20	38.65	40.10	41.50
.200	1/5	27.45	32.70	35.05	36.60	38.10	39.65	41.15	42.70	44.20
.219	7/32	29.85	35.60	38.15	39.80	41.50	43.15	44.80	46.45	48.10
.234	15/64	31.80	37.90	40.65	42.40	44.20	45.95	47.70	49.50	51.25
.250	1/4	33.80	40.30	43.20	45.05	46.95	48.85	50.70	52.60	54.45
.281	9/32	38.00	45.30	48.55	50.65	52.80	54.90	57.00	59.10	61.20
.313	5/16	41.90	49.90	53.55	55.85	58.20	60.50	62.85	65.15	67.50
.344	11/32	46.05	54.90	58.85	61.40	63.95	66.55	69.10	71.65	74.20
.375	3/8	50.30	59.95	64.25	67.05	69.85	72.65	75.45	78.25	81.05
Lengths 74¼" to 86"										
0.031	1/32[1]	$6.25	$7.40	$7.95	$8.25	$8.60	$8.90	$9.25	$9.60	$9.90
.036	1/28	6.65	7.90	8.40	8.80	9.15	9.50	9.85	10.20	10.55
.042	1/24	7.25	8.55	9.15	9.55	9.95	10.30	10.70	11.10	11.45
.050	1/20	8.05	9.50	10.15	10.60	11.00	11.45	11.85	12.30	12.70
.053	1/19	8.45	9.95	10.65	11.10	11.55	12.00	12.45	12.90	13.35
.056	1/18	8.85	10.45	11.20	11.65	12.10	12.60	13.05	13.50	14.00
.063	1/16	9.75	11.50	12.30	12.85	13.35	13.85	14.35	14.90	15.40
.067	1/15	10.40	12.25	13.10	13.65	14.20	14.75	15.30	15.85	16.40
.071	1/14	10.90	12.85	13.75	14.30	14.90	15.45	16.05	16.60	17.20
.083	1/12	12.55	14.85	15.90	16.55	17.20	17.85	18.55	19.20	19.85
.091	1/11	13.65	16.15	17.25	18.00	18.70	19.45	20.15	20.85	21.60
.100	1/10	14.95	17.65	18.90	19.65	20.45	21.25	22.05	22.80	23.60
.111	1/9	16.45	19.40	20.80	21.65	22.50	23.35	24.25	25.10	25.95
.125	1/8	18.35	21.65	23.20	24.15	25.10	26.10	27.05	28.00	29.00
.143	1/7	20.85	24.65	26.35	27.45	28.50	29.60	30.70	31.80	32.90
.156	5/32	22.70	26.80	28.70	29.90	31.10	32.25	33.45	34.65	35.85
.167	1/6	24.25	28.65	30.65	31.90	33.20	34.45	35.75	37.05	38.30
.188	3/16	27.20	32.10	34.35	35.80	37.20	38.65	40.10	41.50	42.95
.200	1/5	28.95	34.20	36.60	38.10	39.65	41.15	42.70	44.20	45.75
.219	7/32	31.55	37.20	39.80	41.50	43.15	44.80	46.45	48.10	49.80
.234	15/64	33.60	39.65	42.40	44.20	45.95	47.70	49.50	51.25	53.00
.250	1/4	35.70	42.10	45.05	46.95	48.85	50.70	52.60	54.45	56.35
.281	9/32	40.10	47.35	50.65	52.80	54.90	57.00	59.10	61.20	63.35
.313	5/16	44.20	52.20	55.85	58.20	60.50	62.85	65.15	67.50	69.80
.344	11/32	48.60	57.40	61.40	63.95	66.55	69.10	71.65	74.20	76.75
.375	3/8	53.10	62.65	67.05	69.85	72.65	75.45	78.25	81.05	83.85
Lengths 86¼" to 98"										
0.031	1/32[1]	6.60	7.75	8.25	8.60	8.90	9.25	9.60	9.90	10.25
.036	1/28	7.00	8.20	8.80	9.15	9.50	9.85	10.20	10.55	10.90
.042	1/24	7.65	8.95	9.55	9.95	10.30	10.70	11.10	11.45	11.85
.050	1/20	8.45	9.90	10.60	11.00	11.45	11.85	12.30	12.70	13.15
.053	1/19	8.90	10.40	11.10	11.55	12.00	12.45	12.90	13.35	13.80
.056	1/18	9.30	10.90	11.65	12.10	12.60	13.05	13.50	14.00	14.45
.063	1/16	10.25	12.00	12.85	13.35	13.85	14.35	14.90	15.40	15.90
.067	1/15	10.95	12.80	13.65	14.20	14.75	15.30	15.85	16.40	16.95
.071	1/14	11.45	13.40	14.30	14.90	15.45	16.05	16.60	17.20	17.75
.083	1/12	13.25	15.50	16.55	17.20	17.85	18.55	19.20	19.85	20.50
.091	1/11	14.40	16.85	18.00	18.70	19.45	20.15	20.85	21.60	22.30
.100	1/10	15.75	18.40	19.65	20.45	21.25	22.05	22.80	23.60	24.40
.111	1/9	17.30	20.25	21.65	22.50	23.35	24.25	25.10	25.95	26.85
.125	1/8	19.30	22.60	24.15	25.10	26.10	27.05	28.00	29.00	29.95
.143	1/7	21.95	25.70	27.45	28.50	29.60	30.70	31.80	32.90	34.00
.156	5/32	23.90	27.95	29.90	31.10	32.25	33.45	34.65	35.85	37.05
.167	1/6	25.55	29.85	31.90	33.20	34.45	35.75	37.05	38.30	39.55
.188	3/16	28.65	33.50	35.80	37.20	38.65	40.10	41.50	42.95	44.40
.200	1/5	30.50	35.65	38.10	39.65	41.15	42.70	44.20	45.75	47.25
.219	7/32	33.20	38.80	41.50	43.15	44.80	46.45	48.10	49.80	51.45
.234	15/64	35.35	41.35	44.20	45.95	47.70	49.50	51.25	53.00	54.80
.250	1/4	37.55	43.95	46.95	48.85	50.70	52.60	54.45	56.35	58.20
.281	9/32	42.20	49.40	52.80	54.90	57.00	59.10	61.20	63.35	65.45
.313	5/16	46.55	54.45	58.20	60.50	62.85	65.15	67.50	69.80	72.15
.344	11/32	51.15	59.85	63.95	66.55	69.10	71.65	74.20	76.75	79.30
.375	3/8	55.90	65.40	69.85	72.65	75.45	78.25	81.05	83.85	86.60
Lengths 98¼" and longer										
0.031	1/32[1]	6.95	8.05	8.60	8.90	9.25	9.60	9.90	10.25	10.55
.036	1/28	7.35	8.55	9.15	9.50	9.85	10.20	10.55	10.90	11.25
.042	1/24	8.00	9.30	9.95	10.30	10.70	11.10	11.45	11.85	12.20
.050	1/20	8.90	10.30	11.00	11.45	11.85	12.30	12.70	13.15	13.55
.053	1/19	9.35	10.85	11.55	12.00	12.45	12.90	13.35	13.80	14.25
.056	1/18	9.80	11.35	12.10	12.60	13.05	13.50	14.00	14.45	14.90
.063	1/16	10.75	12.50	13.35	13.85	14.35	14.90	15.40	15.90	16.40
.067	1/15	11.50	13.30	14.20	14.75	15.30	15.85	16.40	16.95	17.50
.071	1/14	12.05	13.95	14.90	15.45	16.05	16.60	17.20	17.75	18.35
.083	1/12	13.90	16.15	17.20	17.85	18.55	19.20	19.85	20.50	21.20
.091	1/11	15.10	17.55	18.70	19.45	20.15	20.85	21.60	22.30	23.00
.100	1/10	16.50	19.20	20.45	21.25	22.05	22.80	23.60	24.40	25.20
.111	1/9	18.20	21.10	22.50	23.35	24.25	25.10	25.95	26.85	27.70
.125	1/8	20.30	23.55	25.10	26.10	27.05	28.00	29.00	29.95	30.90
.143	1/7	23.05	26.75	28.50	29.60	30.70	31.80	32.90	34.00	35.10
.156	5/32	25.10	29.15	31.10	32.25	33.45	34.65	35.85	37.05	38.25
.167	1/6	26.80	31.10	33.20	34.45	35.75	37.05	38.30	39.55	40.85
.188	3/16	30.05	34.90	37.20	38.65	40.10	41.50	42.95	44.40	45.90
.200	1/5	32.00	37.15	39.65	41.15	42.70	44.20	45.75	47.25	48.75
.219	7/32	34.85	40.45	43.15	44.80	46.45	48.10	49.80	51.45	53.10
.234	15/64	37.10	43.05	45.95	47.70	49.50	51.25	53.00	54.80	56.55
.250	1/4	39.45	45.75	48.85	50.70	52.60	54.45	56.35	58.20	60.10
.281	9/32	44.35	51.45	54.90	57.00	59.10	61.20	63.35	65.45	67.55
.313	5/16	48.90	56.75	60.50	62.85	65.15	67.50	69.80	72.15	74.50
.344	11/32	53.75	62.35	66.55	69.10	71.65	74.20	76.75	79.30	81.90
.375	3/8	58.65	68.10	72.65	75.45	78.25	81.05	83.85	86.60	89.40

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the maximum price in the above table for that width which is one-half the specified prime width and is the same length ordered by the purchaser. For example if a purchaser ordered cross banding 98" wide by 50" long, all fractional part pieces against this item may be invoiced at not more than the established price for cross banding 49" wide by 50" long.

TABLE 18.—NO. 2 CORE OR CENTER STOCK (NHLA RULE NO. 11 (b))

MANUFACTURED IN ZONE 2 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Random widths 6 to 38 inches	Specified one piece width (inches)			
Decimal	Fractional		6 to 38	38¼ to 50	50¼ to 74	74¼ to 98
Lengths up to 62"						
0.083	1/12	$9.70	$12.65	$13.75	$14.55	$15.35
.091	1/11	10.55	13.70	14.95	15.85	16.70
.100	1/10	11.55	15.00	16.35	17.30	18.30
.111	1/9	12.70	16.50	18.00	19.05	20.10
.125	1/8	14.15	18.45	20.10	21.25	22.45
.143	1/7	16.10	20.90	22.80	24.15	25.50
.156	5/32	17.55	22.80	24.85	26.30	27.75
.167	1/6	18.70	24.35	26.50	28.10	29.65
.188	3/16	21.00	27.30	29.75	31.50	33.25
.200	1/5	22.35	29.05	31.65	33.55	35.40
.219	7/32	24.35	31.65	34.45	36.50	38.55
.234	15/64	25.90	33.70	36.70	38.85	41.05
.250	1/4	27.55	35.80	39.00	41.30	43.60
.281	9/32	30.95	40.25	43.85	46.45	49.00
.313	5/16	34.15	44.40	48.35	51.20	54.05
.344	11/32	37.55	48.80	53.15	56.30	59.40
.375	3/8	41.00	53.25	58.05	61.45	64.90
Lengths 62¼" to 74"						
0.083	1/12	10.50	13.40	14.55	15.35	16.20
.091	1/11	11.45	14.60	15.85	16.70	17.60
.100	1/10	12.60	15.95	17.30	18.30	19.25
.111	1/9	13.75	17.55	19.05	20.10	21.15
.125	1/8	15.35	19.55	21.25	22.45	23.60
.143	1/7	17.45	22.20	24.15	25.50	26.80
.156	5/32	19.00	24.20	26.30	27.75	29.20
.167	1/6	20.30	25.85	28.10	29.65	31.20
.188	3/16	22.75	29.00	31.50	33.25	35.00
.200	1/5	24.20	30.90	33.55	35.40	37.25
.219	7/32	26.35	33.60	36.50	38.55	40.55
.234	15/64	28.10	35.80	38.85	41.05	43.20
.250	1/4	29.85	38.05	41.30	43.60	45.90
.281	9/32	33.55	42.75	46.45	49.00	51.60
.313	5/16	37.00	47.15	51.20	54.05	56.90
.344	11/32	40.65	51.85	56.30	59.40	62.55
.375	3/8	44.40	56.60	61.45	64.90	68.30
Lengths 74¼" to 98"						
0.083	1/12	$11.35	$14.20	$15.35	$16.20	$17.00
.091	1/11	12.30	15.45	16.70	17.60	18.45
.100	1/10	13.45	16.90	18.30	19.25	20.20
.111	1/9	14.80	18.60	20.10	21.15	22.20
.125	1/8	16.55	20.70	22.45	23.60	24.80
.143	1/7	18.80	23.55	25.50	26.80	28.15
.156	5/32	20.45	25.65	27.75	29.20	30.70
.167	1/6	21.85	27.40	29.65	31.20	32.75
.188	3/16	24.50	30.70	33.25	35.00	36.75
.200	1/5	26.10	32.70	35.40	37.25	39.10
.219	7/32	28.40	35.60	38.55	40.55	42.60
.234	15/64	30.25	37.90	41.05	43.20	45.35
.250	1/4	32.15	40.30	43.60	45.90	48.20
.281	9/32	36.10	45.30	49.00	51.60	54.20
.313	5/16	39.80	49.95	54.05	56.90	59.75
.344	11/32	43.80	54.90	59.40	62.55	65.65
.375	3/8	47.80	59.95	64.90	68.30	71.70
Lengths 98¼" and longer						
0.083	1/12	12.15	15.00	16.20	17.00	17.80
.091	1/11	13.20	16.30	17.60	18.45	19.35
.100	1/10	14.45	17.80	19.25	20.20	21.15
.111	1/9	15.85	19.60	21.15	22.20	23.30
.125	1/8	17.70	21.90	23.60	24.80	26.00
.143	1/7	20.10	24.85	26.80	28.15	29.50
.156	5/32	21.90	27.05	29.20	30.70	32.15
.167	1/6	23.40	28.90	31.20	32.75	34.35
.188	3/16	26.25	32.40	35.00	36.75	38.50
.200	1/5	27.95	34.50	37.25	39.10	41.00
.219	7/32	30.40	37.55	40.55	42.60	44.60
.234	15/64	32.40	40.00	43.20	45.35	47.50
.250	1/4	34.45	42.50	45.90	48.20	50.50
.281	9/32	38.70	47.80	51.60	54.20	56.75
.313	5/16	42.65	52.70	56.90	59.75	62.60
.344	11/32	46.90	57.95	62.55	65.65	68.80
.375	3/8	51.25	63.25	68.30	71.70	75.15

NOTE.—The maximum price for fractional part pieces shall be the maximum price in the above table for that width which is one-half the specified prime width and is the same length ordered by the purchaser. For example, if a purchaser ordered No. 2 core or center stock 98" wide by 62" long, all fractional part pieces against this item may be invoiced at not more than the established price for No. 2 core or center stock 49" wide by 62" long.

TABLE 18A—NO. 2 CORE OR CENTER STOCK (NHLA RULE 11 (B)).

MANUFACTURED IN ZONE 2 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths			
Decimal	Fractional		6" to 38"	38¼" to 50"	50¼" to 74"	74¼" to 98"
Lengths up to 62"						
0.083	1/12	$7.95	$10.35	$11.25	$11.90	$12.55
.091	1/11	8.65	11.20	12.25	12.95	13.65
.100	1/10	9.45	12.30	13.40	14.15	14.95
.111	1/9	10.40	13.50	14.70	15.60	16.45
.125	1/8	11.60	15.10	16.45	17.40	18.35
.143	1/7	13.15	17.10	18.65	19.75	20.85
.156	5/32	14.35	18.65	20.30	21.50	22.70
.167	1/6	15.30	19.90	21.70	23.00	24.25
.188	3/16	17.20	22.35	24.35	25.75	27.20
.200	1/5	18.30	23.80	25.90	27.45	28.95
.219	7/32	19.90	25.90	28.20	29.85	31.55
.234	15/64	21.20	27.55	30.05	31.80	33.60
.250	1/4	22.55	29.30	31.90	33.80	35.70
.281	9/32	25.35	32.95	35.90	38.00	40.10
.313	5/16	27.95	36.30	39.55	41.90	44.20
.344	11/32	30.70	39.90	43.50	46.05	48.60
.375	3/8	33.55	43.60	47.50	50.30	53.10
Lengths 62¼" to 74"						
0.083	1/12	8.60	10.95	11.90	12.55	13.25
.091	1/11	9.35	11.95	12.95	13.65	14.40
.100	1/10	10.25	13.05	14.15	14.95	15.75
.111	1/9	11.25	14.35	15.60	16.45	17.30
.125	1/8	12.55	16.00	17.40	18.35	19.30
.143	1/7	14.25	18.20	19.75	20.85	21.95
.156	5/32	15.55	19.80	21.50	22.70	23.90
.167	1/6	16.60	21.15	23.00	24.25	25.55
.188	3/16	18.60	23.70	25.75	27.20	28.65
.200	1/5	19.80	25.25	27.45	28.95	30.50
.219	7/32	21.55	27.50	29.85	31.55	33.20
.234	15/64	23.00	29.30	31.80	33.60	35.35
.250	1/4	24.40	31.10	33.80	35.70	37.55
.281	9/32	27.45	35.00	38.00	40.10	42.20
.313	5/16	30.25	38.55	41.90	44.20	46.55
.344	11/32	33.25	42.40	46.05	48.60	51.15
.375	3/8	36.30	46.30	50.30	53.10	55.90
Lengths 74¼" to 98"						
0.083	1/12	$9.25	$11.60	$12.55	$13.25	$13.90
.091	1/11	10.05	12.65	13.65	14.40	15.10
.100	1/10	11.00	13.80	14.95	15.75	16.60
.111	1/9	12.10	15.20	16.45	17.30	18.20
.125	1/8	13.55	16.95	18.35	19.30	20.30
.143	1/7	15.35	19.25	20.85	21.95	23.05
.156	5/32	16.75	20.95	22.70	23.90	25.10
.167	1/6	17.85	22.40	24.25	25.55	26.80
.188	3/16	20.05	25.10	27.20	28.65	30.05
.200	1/5	21.35	26.75	28.95	30.50	32.00
.219	7/32	23.25	29.10	31.55	33.20	34.85
.234	15/64	24.75	31.00	33.60	35.35	37.10
.250	1/4	26.30	32.95	35.70	37.55	39.45
.281	9/32	29.55	37.05	40.10	42.20	44.35
.313	5/16	32.60	40.85	44.20	46.55	48.90
.344	11/32	35.80	44.90	48.60	51.15	53.75
.375	3/8	39.10	49.05	53.10	55.90	58.65
Lengths 98¼" and longer						
0.083	1/12	9.95	12.25	13.25	13.90	14.55
.091	1/11	10.80	13.35	14.40	15.10	15.85
.100	1/10	11.80	14.60	15.75	16.50	17.30
.111	1/9	13.00	16.05	17.30	18.20	19.05
.125	1/8	14.50	17.90	19.30	20.30	21.25
.143	1/7	16.45	20.30	21.95	23.05	24.15
.156	5/32	17.95	22.15	23.90	25.10	26.30
.167	1/6	19.15	23.65	25.55	26.80	28.10
.188	3/16	21.45	26.50	28.65	30.05	31.50
.200	1/5	22.85	28.25	30.50	32.00	33.55
.219	7/32	24.90	30.75	33.20	34.85	36.50
.234	15/64	26.50	32.75	35.35	37.10	38.90
.250	1/4	28.15	34.80	37.55	39.45	41.30
.281	9/32	31.65	39.10	42.20	44.35	46.45
.313	5/16	34.90	43.10	46.55	48.90	51.20
.344	11/32	38.40	47.40	51.15	53.75	56.30
.375	3/8	41.90	51.75	55.90	58.65	61.45

NOTE: The maximum price for fractional part pieces shall be the maximum price in the above table for that width which is one-half the specified prime width and is the same length ordered by the purchaser. For example, if a purchaser ordered No. 2 Core or Center Stock 98" wide by 62" long, all fractional part pieces against this item may be invoiced at not more than the established price for No. 2 Core or Center Stock 49" wide by 62" long.

TABLE 19—REJECT BACKS (NHLA RULE NO. 8). NO. 3 CORE OR CENTER STOCK (NHLA RULE NO. 11 (c)).

MANUFACTURED IN ZONE 2 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths			
Decimal	Fractional		6" to 38"	38¼" to 50"	50¼" to 74"	74¼" to 98"
Lengths up to 62"						
0.031	1 1/32	$2.40	$3.95	$4.45	$4.85	$5.25
.031	1/32	2.55	4.20	4.70	5.15	5.60
.036	1/28	2.80	4.55	5.15	5.60	6.05
.042	1/24	2.80	4.55	5.15	5.60	6.05
.050	1/20	3.10	5.05	5.70	6.20	6.75
.053	1/19	3.25	5.30	5.95	6.50	7.05
.056	1/18	3.40	5.55	6.25	6.85	7.40
.063	1/16	3.75	6.10	6.90	7.50	8.15
.067	1/15	4.00	6.50	7.35	8.00	8.70
.071	1/14	4.20	6.85	7.70	8.40	9.10
.083	1/12	4.85	7.90	8.90	9.70	10.50
.091	1/11	5.30	8.60	9.65	10.55	11.45
.100	1/10	5.80	9.40	10.60	11.55	12.50
.111	1/9	6.35	10.30	11.65	12.70	13.75
.125	1/8	7.10	11.50	13.00	14.15	15.35
.143	1/7	8.05	13.05	14.75	16.10	17.45
.156	5/32	8.75	14.25	16.05	17.55	19.00
.167	3/16	9.35	15.20	17.15	18.70	20.30
.188	3/16	10.50	17.05	19.25	21.00	22.75
.200	1/5	11.20	18.15	20.50	22.35	24.20
.219	7/32	12.15	19.80	22.35	24.35	26.35
.234	15/64	12.95	21.05	23.75	25.90	28.10
.250	1/4	13.75	22.40	25.25	27.55	29.85
.281	9/32	15.50	25.15	28.40	30.95	33.55
.313	5/16	17.10	27.75	31.30	34.15	37.00
.344	11/32	18.75	30.50	34.40	37.55	40.65
.375	3/8	20.50	33.30	37.55	41.00	44.40
Lengths 62¼" to 74"						
0.031	1 1/32	2.85	4.35	4.85	5.25	5.65
.036	1/28	3.00	4.60	5.15	5.60	6.00
.042	1/24	3.25	5.00	5.60	6.05	6.55
.050	1/20	3.60	5.55	6.20	6.75	7.25
.053	1/19	3.80	5.80	6.50	7.05	7.60
.056	1/18	4.00	6.10	6.85	7.50	8.00
.063	1/16	4.40	6.70	7.35	8.00	8.70
.067	1/15	4.70	7.15	8.00	8.70	9.35
.071	1/14	4.90	7.50	8.40	9.10	9.80
.083	1/12	5.65	8.70	9.70	10.50	11.35
.091	1/11	6.15	9.45	10.55	11.45	12.30
.100	1/10	6.75	10.30	11.55	12.50	13.45
.111	1/9	7.40	11.35	12.70	13.75	14.80
.125	1/8	8.25	12.65	14.15	15.35	16.55
.143	1/7	9.40	14.40	16.10	17.45	18.80
.156	5/32	10.25	15.65	17.55	19.00	20.45
.167	3/16	10.90	16.75	18.70	20.30	21.90
.188	3/16	12.25	18.75	21.00	22.75	24.50
.200	1/5	13.05	20.00	22.35	24.20	26.10
.219	7/32	14.20	21.75	24.35	26.35	28.40
.234	15/64	15.10	23.15	25.90	28.10	30.25
.250	1/4	16.05	24.60	27.55	29.85	32.15
.281	9/32	18.05	27.65	30.95	33.55	36.10
.313	5/16	19.90	30.50	34.15	37.00	39.80
.344	11/32	21.90	33.55	37.55	40.65	43.80
.375	3/8	23.90	36.65	41.00	44.40	47.80

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths			
Decimal	Fractional		6"to 38"	38¼" to 50"	50¼" to 74"	74¼" to 98"
Lengths 74¼" to 98"						
.031	1 1/32	$2.55	$4.70	$5.25	$5.65	$6.05
.036	1/28	3.45	5.00	5.60	6.00	6.45
.042	1/24	3.75	5.45	6.05	6.55	7.00
.050	1/20	4.15	6.05	6.75	7.25	7.75
.053	1/19	4.35	6.35	7.05	7.60	8.15
.056	1/18	4.55	6.65	7.40	8.00	8.55
.063	1/16	5.00	7.35	8.15	8.80	9.40
.067	1/15	5.35	7.80	8.70	9.35	10.00
.071	1/14	5.60	8.20	9.10	9.80	10.50
.083	1/12	6.45	9.45	10.50	11.35	12.15
.091	1/11	7.05	10.30	11.45	12.30	13.20
.100	1/10	7.70	11.25	12.50	13.45	14.45
.111	1/9	8.45	12.40	13.75	14.80	15.85
.125	1/8	9.45	13.80	15.35	16.55	17.70
.143	1/7	10.75	15.70	17.45	18.80	20.10
.156	5/32	11.70	17.10	19.00	20.45	21.90
.167	3/16	12.50	18.25	20.30	21.85	23.40
.188	3/16	14.00	20.45	22.75	24.50	26.25
.200	1/5	14.90	21.80	24.20	26.10	27.95
.219	7/32	16.25	23.75	26.35	28.40	30.40
.234	15/64	17.30	25.25	28.10	30.25	32.40
.250	1/4	18.35	26.85	29.85	32.15	34.45
.281	9/32	20.65	30.20	33.55	36.10	38.70
.313	5/16	22.75	33.30	37.00	39.80	42.65
.344	11/32	25.00	36.60	40.65	43.80	46.90
.375	3/8	27.30	39.95	44.40	47.80	51.25
Lengths 98¼" and longer						
0.031	1 1/32	3.55	5.10	5.65	6.05	6.45
.036	1/28	3.85	5.45	6.00	6.45	6.85
.042	1/24	4.20	5.90	6.55	7.00	7.45
.050	1/20	4.65	6.55	7.25	7.75	8.30
.053	1/19	4.90	6.90	7.60	8.15	8.70
.056	1/18	5.15	7.20	8.00	8.55	9.10
.063	1/16	5.65	7.95	8.80	9.40	10.05
.067	1/15	6.00	8.45	9.35	10.00	10.70
.071	1/14	6.20	8.85	9.80	10.50	11.20
.083	1/12	7.30	10.25	11.35	12.15	12.95
.091	1/11	7.90	11.15	12.30	13.20	14.05
.100	1/10	8.65	12.20	13.45	14.45	15.40
.111	1/9	9.55	13.40	14.80	15.85	16.95
.125	1/8	10.65	14.95	16.55	17.70	18.90
.143	1/7	12.06	17.00	18.80	20.10	21.45
.156	5/32	13.15	18.50	20.45	21.90	23.40
.167	3/16	14.06	19.80	21.85	23.40	24.95
.188	3/16	15.75	22.20	24.50	26.25	28.00
.200	1/5	16.75	23.60	26.10	27.96	29.80
.219	7/32	18.25	25.70	28.40	30.40	32.45
.234	15/64	19.45	27.40	30.26	32.40	34.55
.250	1/4	20.65	29.10	32.15	34.45	36.70
.281	9/32	23.20	32.70	36.10	38.70	41.30
.313	5/16	25.60	36.05	39.80	42.65	45.50
.344	11/32	28.15	39.65	43.80	46.90	50.05
.375	3/8	30.75	43.30	47.80	51.25	54.65

[1] And thinner.

NOTE.—The maximum price for fractional part pieces shall be the maximum price in the above table for that width which is one-half the specified prime width and is the same length ordered by the purchaser. For example, if a purchaser ordered Reject Backs 98" wide by 62" long, all fractional part pieces against this item may be invoiced at not more than the established price for Reject Backs 49" wide by 62" long.

TABLE 19A.—REJECT BACKS (NHLA RULE NO. 8). NO. 3 CORE OR CENTER STOCK (NHLA RULE NO. 11(C)).

MANUFACTURED IN ZONE 2 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Random widths 6 to 38 inches	Specified one piece widths (inches)			
Decimal	Fractional		6 to 38	38¼ to 50	50¼ to 74	74¼ to 98
Lengths up to 62"						
0.031	1 1/32	$2.00	$3.20	$3.65	$3.95	$4.30
.036	1/28	2.10	3.40	3.85	4.20	4.55
.042	1/24	2.30	3.75	4.20	4.60	4.95
.050	1/20	2.55	4.15	4.65	5.10	5.50
.053	1/19	2.65	4.35	4.90	5.35	5.80
.056	1/18	2.80	4.55	5.15	5.60	6.05
.063	1/16	3.10	5.00	5.65	6.15	6.65
.067	1/15	3.30	5.35	6.00	6.55	7.10
.071	1/14	3.45	5.60	6.30	6.90	7.45
.083	1/12	3.95	6.45	7.30	7.95	8.60
.091	1/11	4.30	7.00	7.90	8.65	9.35
.100	1/10	4.75	7.70	8.65	9.45	10.25
.111	1/9	5.20	8.45	9.50	10.40	11.25
.125	1/8	5.80	9.40	10.65	11.60	12.55
.143	1/7	6.60	10.70	12.05	13.15	14.25
.156	5/32	7.15	11.65	13.15	14.35	15.55
.167	3/16	7.65	12.45	14.05	15.30	16.60
.188	3/16	8.60	13.95	15.75	17.20	18.60
.200	1/5	9.15	14.85	16.80	18.35	19.90
.219	7/32	9.95	16.20	18.35	20.05	21.75
.234	15/64	10.60	17.25	19.45	21.30	23.05
.250	1/4	11.25	18.30	20.65	22.55	24.40
.281	9/32	12.65	20.60	23.20	25.35	27.45
.313	5/16	13.95	22.70	25.65	28.15	30.50
.344	11/32	15.35	24.95	28.15	30.70	33.25
.375	3/8	16.75	27.25	30.75	33.55	36.30
Lengths 62¼" to 74"						
.031	1 1/32	$2.30	$3.55	$3.95	$4.30	$4.65
.036	1/28	2.45	3.75	4.20	4.55	4.95
.042	1/24	2.65	4.10	4.60	4.95	5.35
.050	1/20	2.95	4.55	5.10	5.50	5.95
.053	1/19	3.10	4.75	5.35	5.80	6.25
.056	1/18	3.25	5.00	5.60	6.05	6.55
.063	1/16	3.60	5.50	6.15	6.65	7.20
.067	1/15	3.85	5.85	6.55	7.10	7.65
.071	1/14	4.00	6.15	6.90	7.45	8.00
.083	1/12	4.65	7.10	7.95	8.60	9.25
.091	1/11	5.05	7.70	8.65	9.35	10.05
.100	1/10	5.50	8.45	9.45	10.25	11.00
.111	1/9	6.05	9.30	10.40	11.25	12.10
.125	1/8	6.75	10.35	11.60	12.55	13.55
.143	1/7	7.70	11.75	13.15	14.25	15.35
.156	5/32	8.35	12.80	14.35	15.55	16.75
.167	3/16	8.95	13.70	15.30	16.60	17.85
.188	3/16	10.00	15.35	17.20	18.60	20.05
.200	1/5	10.65	16.35	18.30	19.80	21.35
.219	7/32	11.65	17.85	19.90	21.55	23.25
.234	15/64	12.40	19.00	21.30	23.05	24.85
.250	1/4	13.15	20.15	22.55	24.40	26.30
.281	9/32	14.80	22.65	25.35	27.45	29.55
.313	5/16	16.30	24.95	27.95	30.25	32.60
.344	11/32	17.90	27.45	30.70	33.25	35.85
.375	3/8	19.55	29.90	33.55	36.30	39.10

[1] And thinner.

TABLE 19A.—REJECT BACKS (NHLA RULE NO. 8). NO. 3 CORE OR CENTER STOCK (NHLA RULE NO. 11 (C))—Continued.

MANUFACTURED IN ZONE 2 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Random widths 6 to 38 inches	Specified one piece widths (inches)			
Decimal	Fractional		6 to 38	38¼ to 50	50¼ to 74	74¼ to 98
Lengths 74¼" to 98"						
0.031	1 1/32	$2.65	$3.85	$4.30	$4.65	$4.95
.036	1/28	2.80	4.10	4.55	4.90	5.25
.042	1/24	3.05	4.45	4.95	5.35	5.75
.050	1/20	3.40	4.95	5.50	5.95	6.35
.053	1/19	3.55	5.20	5.80	6.25	6.65
.056	1/18	3.75	5.45	6.05	6.55	7.00
.063	1/16	4.10	6.00	6.65	7.20	7.70
.067	1/15	4.35	6.40	7.10	7.65	8.20
.071	1/14	4.60	6.70	7.45	8.00	8.60
.083	1/12	5.30	7.75	8.60	9.25	9.95
.091	1/11	5.75	8.40	9.35	10.05	10.80
.100	1/10	6.30	9.20	10.25	11.00	11.80
.111	1/9	6.95	10.15	11.25	12.10	13.00
.125	1/8	7.75	11.30	12.55	13.55	14.50
.143	1/7	8.80	12.85	14.26	15.35	16.45
.156	5/32	9.55	14.00	15.55	16.75	17.95
.167	3/16	10.20	14.95	16.60	17.85	19.15
.188	3/16	11.45	16.75	18.60	20.05	21.45
.200	1/5	12.20	17.85	19.80	21.35	22.85
.219	7/32	13.30	19.40	21.55	23.25	24.90
.234	15/64	14.15	20.65	23.00	24.75	26.50
.250	1/4	15.00	21.95	24.40	26.30	28.15
.281	9/32	16.80	24.70	27.45	29.55	31.65
.313	5/16	18.60	27.25	30.25	32.60	34.90
.344	11/32	20.45	29.95	33.25	35.80	38.40
.375	3/8	22.35	32.70	36.20	39.10	41.90

Thickness (inches)		Random widths 6 to 38 inches	Specified one piece widths (inches)			
Decimal	Fractional		6 to 38	38¼ to 50	50¼ to 74	74¼ to 98
Lengths 98¼" and longer						
0.031	1 1/32	$2.95	$4.20	$4.65	$4.95	$5.30
.036	1/28	3.15	4.45	4.90	5.25	5.60
.042	1/24	3.45	4.85	5.35	5.75	6.10
.050	1/20	3.80	5.35	5.95	6.35	6.80
.053	1/19	4.00	5.65	6.25	6.65	7.10
.056	1/18	4.20	5.90	6.55	7.00	7.45
.063	1/16	4.60	6.50	7.20	7.70	8.20
.067	1/15	4.90	6.90	7.65	8.20	8.75
.071	1/14	5.15	7.25	8.00	8.60	9.15
.083	1/12	5.95	8.40	9.25	9.95	10.60
.091	1/11	6.50	9.10	10.05	10.80	11.50
.100	1/10	7.10	10.00	11.00	11.80	12.60
.111	1/9	7.80	11.00	12.10	13.00	13.85
.125	1/8	8.70	12.25	13.55	14.50	15.45
.143	1/7	9.85	13.90	15.35	16.45	17.55
.156	5/32	10.75	15.15	16.75	17.95	19.15
.167	3/16	11.50	16.20	17.85	19.15	20.45
.188	3/16	12.90	18.15	20.05	21.45	22.90
.200	1/5	13.70	19.30	21.35	22.85	24.40
.219	7/32	14.95	21.05	23.25	24.90	26.55
.234	15/64	15.90	22.40	24.75	26.50	28.30
.250	1/4	16.90	23.80	26.30	28.15	30.05
.281	9/32	19.00	26.75	29.55	31.65	33.80
.313	5/16	20.95	29.50	32.60	34.90	37.25
.344	11/32	23.05	32.45	35.80	38.40	40.95
.375	3/8	25.15	35.40	39.10	41.90	44.70

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the maximum price in the above table for that width which is one-half the specified prime width and is the same length ordered by the purchaser. For example, if a purchaser ordered Reject Backs 98" wide by 62" long, all fractional part pieces against this item may be invoiced at not more than the established price for Reject Backs 49" wide by 62" long.

TABLE 20.—CUT DOWNS OR PRODUCTION CUTS (NHLA RULE NO. 15)

MANUFACTURED IN ZONE 2 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Price
Decimal	Fractional	
0.031	1 1/32	$3.95
.036	1/28	4.20
.042	1/24	4.55
.050	1/20	5.05
.053	1/19	5.30
.056	1/18	5.55
.063	1/16	6.10
.067	1/15	6.50
.071	1/14	6.85
.083	1/12	7.90
.091	1/11	8.60
.100	1/10	9.40
.111	1/9	10.30
.125	1/8	11.50
.143	1/7	13.05
.156	5/32	14.25
.167	3/16	15.20
.188	3/16	17.05
.200	1/5	18.15
.219	7/32	19.80
.234	15/64	21.05
.250	1/4	22.40
.281	9/32	25.15
.313	5/16	27.75
.344	11/32	30.50
.375	3/8	33.30

[1] And thinner.

NOTE: Cut Downs or Production Cuts which are sold in random widths or lengths or in a combination of species or grades must be sold at prices not higher than the prices set out in this Table. Of course, the quantities in the different species, grades and sizes can be quoted and invoiced, *if graded and tallied separately*, at the established prices for those species, grades and sizes in the appropriate tables.

TABLE 20A.—CUT DOWNS OR PRODUCTION CUTS (NHLA RULE NO. 15)

MANUFACTURED IN ZONE 2 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Price
Decimal	Fractional	
0.031	1 1/32	$3.20
.036	1/28	3.40
.042	1/24	3.75
.050	1/20	4.15
.053	1/19	4.35
.056	1/18	4.55
.063	1/16	5.00
.067	1/15	5.35
.071	1/14	5.60
.083	1/12	6.45
.091	1/11	7.00
.100	1/10	7.70
.111	1/9	8.45
.125	1/8	9.40
.143	1/7	10.70
.156	5/32	11.65
.167	3/16	12.45
.188	3/16	13.95
.200	1/5	14.85
.219	7/32	16.20
.234	15/64	17.25
.250	1/4	18.30
.281	9/32	20.60
.313	5/16	22.70
.344	11/32	24.95
.375	3/8	27.25

[1] And thinner.

NOTE: Cut Downs or Production Cuts which are sold in random widths or lengths or in a combination of species or grades must be sold at prices not higher than the prices set out in this table. Of course the quantities in the different species, grades and sizes can be quoted and invoiced, *if graded and tallied separately*, at the established prices for those species grades and sizes in the appropriate table.

TABLE 21—FACES, SELECTED FOR COLOR (NHLA RULE NO. 6)

MANUFACTURED IN ZONE 3 FROM SWEET GUM AND TUPELO (BAY POPLAR)

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths				
Decimal	Fractional		6" to 26"	26¼" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"
Lengths up to 60"							
0.031	1 1/32	$11.90	$13.50	$14.80	$16.75	$16.70	$17.65
.036	1/28	12.65	14.30	15.70	16.70	17.75	18.75
.042	1/24	13.80	15.60	17.10	18.20	19.30	20.40
.050	1/20	15.25	17.25	18.90	20.15	21.35	22.55
.053	1/19	16.00	18.10	19.85	21.15	22.40	23.70
.056	1/18	15.40	17.65	19.45	20.80	22.10	23.45
.063	1/16	16.95	19.40	21.35	22.85	24.30	25.80
.083	1/12	21.85	25.00	27.85	29.45	31.35	33.25
.100	1/10	25.95	29.70	32.75	35.00	37.25	39.50
.125	1/8	31.85	36.50	40.20	42.95	45.70	48.50
Lengths 60¼" to 68"							
0.031	1 1/32	12.85	14.40	15.75	16.70	17.65	18.60
.036	1/28	13.65	15.30	16.70	17.75	18.75	19.75
.042	1/24	14.90	16.65	18.20	19.30	20.40	21.50
.050	1/20	16.45	18.45	20.15	21.35	22.55	23.80
.053	1/19	17.30	19.35	21.15	22.40	23.70	24.95
.056	1/18	18.10	20.25	22.10	23.45	24.80	26.15
.063	1/16	19.90	22.30	24.30	25.80	27.25	28.75
.083	1/12	25.85	28.70	31.35	33.25	35.15	37.05
.100	1/10	30.45	34.10	37.25	39.50	41.75	44.00
.125	1/8	37.40	41.85	45.70	48.50	51.25	54.05
Lengths 68¼" to 74"							
0.031	1 1/32	13.85	15.35	16.70	17.65	18.60	19.55
.036	1/28	14.70	16.30	17.75	18.75	19.75	20.75
.042	1/24	16.00	17.75	19.30	20.40	21.50	22.60
.050	1/20	17.70	19.60	21.35	22.55	23.80	25.00
.053	1/19	18.55	20.60	22.40	23.70	24.95	26.25
.056	1/18	19.48	21.55	23.45	24.80	26.15	27.50
.063	1/16	21.35	23.70	25.80	27.25	28.75	30.20
.083	1/12	27.55	30.55	33.25	35.15	37.05	38.95
.100	1/10	32.75	36.30	39.50	41.75	44.00	46.30
.125	1/8	40.20	44.55	48.50	51.25	54.05	56.90
Lengths 74¼" to 86"							
0.031	1 1/32	$14.90	$16.25	$17.65	$18.60	$19.55	$20.50
.036	1/28	15.70	17.30	18.75	19.75	20.75	21.80
.042	1/24	17.10	18.80	20.40	21.50	22.60	23.70
.050	1/20	18.90	20.80	22.55	23.80	25.00	26.20
.053	1/19	19.85	21.85	23.70	24.95	26.25	27.55
.056	1/18	20.80	22.90	24.80	26.15	27.50	28.85
.063	1/16	22.85	25.15	27.25	28.75	30.20	31.70
.083	1/12	29.45	32.40	35.15	37.05	38.95	40.85
.100	1/10	35.00	38.50	41.75	44.00	46.30	48.55
.125	1/8	42.95	47.30	51.25	54.05	56.90	59.60
Lengths 86¼" to 98"							
0.031	1 1/32	15.75	17.30	18.60	19.55	20.50	21.45
.036	1/28	16.70	18.25	19.75	20.75	21.80	22.80
.042	1/24	18.20	19.90	21.50	22.60	23.70	24.80
.050	1/20	20.15	22.00	23.80	25.00	26.20	27.45
.053	1/19	21.15	23.10	24.95	26.25	27.55	28.80
.056	1/18	22.10	24.20	26.15	27.50	28.85	30.15
.063	1/16	24.30	26.60	28.75	30.20	31.70	33.15
.083	1/12	31.35	34.25	37.05	38.95	40.85	42.75
.100	1/10	37.25	40.70	44.00	46.30	48.55	50.80
.125	1/8	45.70	50.00	54.05	56.90	59.60	62.35
Lengths 98¼" and longer							
0.031	1 1/32	16.70	18.15	19.55	20.50	21.45	22.40
.036	1/28	17.75	19.25	20.75	21.80	22.80	23.80
.042	1/24	19.30	20.95	22.60	23.70	24.80	25.90
.050	1/20	21.35	23.20	25.00	26.20	27.45	28.65
.053	1/19	22.40	24.35	26.25	27.55	28.80	30.10
.056	1/18	23.45	25.50	27.50	28.85	30.15	31.50
.063	1/16	25.80	28.05	30.20	31.70	33.15	34.60
.083	1/12	33.25	36.10	38.95	40.85	42.75	44.65
.100	1/10	39.50	42.90	46.30	48.55	50.80	53.05
.125	1/8	48.50	52.70	56.80	59.60	62.35	65.10

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the price for 6" to 26" widths of the same length established in this Table.
NOTE: The maximum price for door stock which is 5" wide shall be the price for 6" to 26" widths of the same length established in this Table.

TABLE 22.—FACES, UNSELECTED FOR COLOR (NHLA RULE NO. 6)

MANUFACTURED IN ZONE 3 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Random widths, 6" to 38"	Specified one piece widths				
Decimal	Fractional		6" to 26"	26¼" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"
Lengths up to 60"							
0.031	1 1/32	$10.95	$12.55	$13.85	$14.80	$15.75	$16.70
.036	1/28	11.65	13.35	14.70	15.70	16.70	17.75
.042	1/24	12.65	14.50	16.00	17.10	18.20	19.30
.050	1/20	14.05	16.05	17.70	18.90	20.15	21.35
.053	1/19	14.75	16.85	18.55	19.85	21.15	22.40
.056	1/18	15.40	17.65	19.45	20.80	22.10	23.45
.063	1/16	16.96	19.40	21.35	22.85	24.30	25.80
.083	1/12	21.85	25.00	27.85	29.45	31.35	33.25
.100	1/10	25.95	29.70	32.75	35.00	37.25	39.50
.125	1/8	31.85	36.50	40.20	42.95	45.70	48.50
Lengths 60¼" to 68"							
0.031	1 1/32	11.90	13.50	14.80	15.75	16.70	17.65
.036	1/28	12.65	14.30	15.70	16.70	17.75	18.75
.042	1/24	13.80	15.60	17.10	18.20	19.30	20.40
.050	1/20	15.25	17.25	18.90	20.15	21.35	22.55
.053	1/19	16.00	18.10	19.85	21.15	22.40	23.70
.056	1/18	16.75	18.95	20.80	22.10	23.45	24.80
.063	1/16	18.45	20.85	22.85	24.30	25.80	27.25
.083	1/12	25.75	28.85	30.45	31.35	33.25	35.15
.100	1/10	28.20	31.90	35.00	37.25	39.50	41.75
.125	1/8	34.65	39.20	42.95	45.70	48.50	51.25
Lengths 68¼" to 74"							
0.031	1 1/32	12.85	14.40	15.75	16.70	17.65	18.60
.036	1/28	13.65	15.30	16.70	17.75	18.75	19.75
.042	1/24	14.90	16.65	18.20	19.30	20.40	21.50
.050	1/20	16.45	18.45	20.15	21.35	22.55	23.80
.053	1/19	17.30	19.35	21.15	22.40	23.70	24.95
.056	1/18	18.10	20.25	22.10	23.45	24.80	26.15
.063	1/16	19.90	22.30	24.30	25.80	27.25	28.75
.083	1/12	25.85	28.70	31.35	33.25	35.15	37.05
.100	1/10	30.45	34.10	37.25	39.50	41.75	44.00
.125	1/8	37.40	41.85	45.70	48.50	51.25	54.05
Lengths 74¼" to 86"							
0.031	1 1/32	$13.85	$15.35	$16.70	$17.65	$18.60	$19.55
.036	1/28	14.70	16.30	17.75	18.75	19.75	20.75
.042	1/24	16.00	17.75	19.30	20.40	21.50	22.60
.050	1/20	17.70	19.60	21.35	22.55	23.80	25.00
.053	1/19	18.55	20.60	22.40	23.70	24.95	26.25
.056	1/18	19.48	21.55	23.45	24.80	26.15	27.50
.063	1/16	21.35	23.70	25.80	27.25	28.75	30.20
.083	1/12	27.55	30.55	33.25	35.15	37.05	38.95
.100	1/10	32.75	36.30	39.50	41.75	44.00	46.30
.125	1/8	40.20	44.55	48.50	51.25	54.05	56.90
Lengths 86¼" to 98"							
0.031	1 1/32	14.80	16.25	17.65	18.60	19.55	20.50
.036	1/28	15.70	17.30	18.75	19.75	20.75	21.80
.042	1/24	17.10	18.80	20.40	21.50	22.60	23.70
.050	1/20	18.90	20.80	22.55	23.80	25.00	26.20
.053	1/19	19.85	21.85	23.70	24.95	26.25	27.55
.056	1/18	20.80	22.90	24.80	26.15	27.50	28.85
.063	1/16	22.85	25.15	27.25	28.75	30.20	31.70
.083	1/12	29.45	32.40	35.15	37.05	38.95	40.85
.100	1/10	35.00	38.50	41.75	44.00	46.30	48.55
.125	1/8	42.95	47.30	51.25	54.05	56.90	59.60
Lengths 98¼" and longer							
0.031	1 1/32	15.75	17.20	18.60	19.55	20.50	21.45
.036	1/28	16.70	18.25	19.75	20.75	21.80	22.80
.042	1/24	18.20	19.90	21.50	22.60	23.70	24.80
.050	1/20	20.15	22.00	23.80	25.00	26.20	27.45
.053	1/19	21.15	23.10	24.95	26.25	27.55	28.80
.056	1/18	22.10	24.20	26.15	27.50	28.85	30.15
.063	1/16	24.30	26.60	28.75	30.20	31.70	33.15
.083	1/12	31.35	34.25	37.05	38.95	40.85	42.75
.100	1/10	37.25	40.70	44.00	46.30	48.55	50.80
.125	1/8	45.70	50.00	54.05	56.80	59.60	62.35

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the price for 6" to 26" widths of the same length established in this table. The maximum price for door stock which is 5" wide shall be the price for 6" to 26" widths of the same length established in this table.

TABLE 22A—FACES, UNSELECTED FOR COLOR (NHLA RULE No. 6)

MANUFACTURED IN ZONE 3 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Random widths, 6" to 38"	Specified one piece widths (inches)				
Decimal	Fractional		6 to 26	26¼ to 32	32¼ to 38	38¼ to 44	44¼ to 50
Lengths up to 60"							
0.031	1 1/32	$8.95	$10.25	$11.30	$12.10	$12.90	$13.65
.036	1/28	9.55	10.90	12.00	12.85	13.70	14.50
.042	1/24	10.35	11.85	13.10	14.00	14.90	15.80
.050	1/20	11.50	13.15	14.45	15.45	16.45	17.45
.053	1/19	12.05	13.80	15.20	16.25	17.30	18.35
.056	1/18	12.60	14.45	15.90	17.00	18.10	19.20
.063	1/16	13.85	15.90	17.50	18.70	19.90	21.10
.083	1/12	17.85	20.45	22.55	24.10	25.65	27.20
.100	1/10	21.25	24.30	26.80	28.65	30.45	32.30
.125	1/8	26.06	29.85	32.90	35.15	37.40	39.65
Lengths 60¼" to 68"							
0.031	1 1/32	9.75	11.05	12.10	12.90	13.65	14.45
.036	1/28	10.35	11.70	12.85	13.70	14.50	15.35
.042	1/24	11.30	12.75	14.00	14.90	15.80	16.70
.050	1/20	12.45	14.10	15.45	16.45	17.45	18.46
.053	1/19	13.10	14.80	16.25	17.30	18.35	19.40
.056	1/18	13.70	15.50	17.00	18.10	19.20	20.30
.063	1/16	15.10	17.05	18.70	19.90	21.10	22.30
.083	1/12	19.45	21.96	24.10	25.65	27.20	28.75
.100	1/10	23.10	26.10	28.66	30.45	32.30	34.15
.125	1/8	28.35	32.05	35.15	37.40	39.65	41.96
Lengths 68¼" to 74"							
0.031	1 1/32	10.55	11.80	12.90	13.65	14.45	15.20
.036	1/28	11.20	12.55	13.70	14.50	15.35	16.15
.042	1/24	12.20	13.65	14.90	15.80	16.70	17.60
.050	1/20	13.45	15.10	16.45	17.45	18.45	19.45
.053	1/19	14.15	15.85	17.30	18.35	19.40	20.45
.056	1/18	14.80	16.60	18.10	19.20	20.20	21.40
.063	1/16	16.30	18.25	19.90	21.10	22.30	23.80
.083	1/12	21.00	23.50	25.65	27.20	28.75	30.30
.100	1/10	24.95	27.90	30.45	32.30	34.15	36.00
.125	1/8	30.60	34.25	37.40	39.65	41.96	44.20
Lengths 74¼" to 86"							
0.031	1 1/32	$11.30	$12.55	$13.65	$14.45	$15.20	$16.00
.036	1/28	12.00	13.35	14.50	15.35	16.15	17.00
.042	1/24	13.10	14.50	15.80	16.70	17.60	18.50
.050	1/20	14.45	16.05	17.45	18.45	19.45	20.45
.053	1/19	15.20	16.85	18.35	19.40	20.45	21.45
.056	1/18	15.90	17.65	19.20	20.30	21.40	22.50
.063	1/16	17.50	19.40	21.10	22.30	23.50	24.70
.083	1/12	22.55	25.00	27.20	28.75	30.30	31.85
.100	1/10	26.80	29.70	32.30	34.15	36.00	37.85
.125	1/8	32.90	36.45	39.65	41.95	44.20	46.50
Lengths 86¼" to 98"							
0.031	1 1/32	12.10	13.30	14.45	15.20	16.00	16.80
.036	1/28	12.85	14.15	15.35	16.15	17.00	17.80
.042	1/24	14.00	15.40	16.70	17.60	18.50	19.40
.050	1/20	15.45	17.05	18.45	19.45	20.45	21.45
.053	1/19	16.25	17.85	19.40	20.45	21.45	22.55
.056	1/18	17.00	18.70	20.30	21.40	22.50	23.60
.063	1/16	18.70	20.55	22.30	23.50	24.70	25.95
.083	1/12	24.10	26.50	28.75	30.30	31.85	33.40
.100	1/10	28.65	31.50	34.15	36.00	37.85	39.70
.125	1/8	35.15	38.70	41.95	44.20	46.50	48.75
Lengths 98¼" and longer							
0.031	1 1/32	12.90	14.10	15.20	16.00	16.80	17.55
.036	1/28	13.70	14.95	16.15	17.00	17.80	18.65
.042	1/24	14.90	16.25	17.60	18.50	19.40	20.30
.050	1/20	16.45	18.00	19.45	20.45	21.45	22.45
.053	1/19	17.30	18.90	20.45	21.45	22.55	23.55
.056	1/18	18.10	19.80	21.40	22.50	23.60	24.70
.063	1/16	19.90	21.75	23.50	24.70	25.95	27.15
.083	1/12	25.65	28.05	30.30	31.85	33.40	34.95
.100	1/10	30.45	33.30	36.00	37.85	39.70	41.55
.125	1/8	37.40	40.90	44.20	46.50	48.75	51.00

[1] And thinner.

NOTE: The maximum price for fractional part prices shall be the price for 6" to 26" widths of the same length established in this table.
NOTE: The maximum price for door stock which is 5" wide shall be the price for 6" to 26" widths of the same length established in this table.

TABLE 23—SIGNAL CORPS FACES AND BACKS (SIGNAL CORPS SPECIFICATIONS 72-48, RULE NO. E-3A). MARINE FACES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES D-3, E-5 AND E-6).

MANUFACTURED IN ZONE 3 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Random widths, 6 to 38 inches	Specified one piece widths (inches)				
Decimal	Fractional		6 to 26	26¼ to 32	32¼ to 38	38¼ to 44	44¼ to 50
Lengths up to 60"							
0.031	1 1/32	$10.00	$11.35	$12.35	$13.35	$14.30	$15.75
.036	1/28	10.50	12.35	13.65	14.70	15.70	16.70
.050	1/20	12.80	14.55	16.45	17.70	18.90	20.15
.063	1/16	15.80	17.95	19.90	21.35	22.85	24.30
.083	1/12	19.95	22.15	25.65	27.55	29.45	31.35
.100	1/10	23.70	27.50	30.45	32.75	35.00	37.25
.125	1/8	29.10	33.75	37.40	40.20	42.96	45.70
Lengths 60¼" to 68"							
0.031	1 1/32	10.95	12.55	13.85	14.80	15.75	16.70
.036	1/28	11.65	13.35	14.70	15.70	16.70	17.75
.050	1/20	14.05	16.05	17.70	18.90	20.15	21.35
.063	1/16	16.95	19.40	21.35	22.85	24.30	25.80
.083	1/12	21.85	25.00	27.85	29.45	31.35	33.25
.100	1/10	25.95	29.70	32.75	35.00	37.25	39.50
.125	1/8	31.85	36.50	40.20	42.96	45.70	48.50
Lengths 68¼" to 74"							
0.031	1 1/32	11.90	13.50	14.80	15.75	16.70	17.65
.036	1/28	12.65	14.30	15.70	16.70	17.75	18.75
.050	1/20	15.25	17.25	18.90	20.15	21.35	22.55
.063	1/16	18.45	20.85	22.85	24.30	25.80	27.25
.083	1/12	25.75	28.85	30.45	31.35	33.25	35.15
.100	1/10	28.20	31.90	35.00	37.25	39.50	41.75
.125	1/8	34.65	39.20	42.96	45.70	48.50	51.25
Lengths 74¼" to 86"							
0.031	1 1/32	$13.85	$15.35	$16.70	$17.65	$18.60	$19.55
.036	1/28	14.70	16.30	17.75	18.75	19.75	20.75
.050	1/20	17.70	19.60	21.35	22.55	23.80	25.00
.063	1/16	21.35	23.70	25.80	27.25	28.75	30.20
.083	1/12	27.55	30.55	33.25	35.15	37.05	38.95
.100	1/10	32.75	36.30	39.50	41.75	44.00	46.30
.125	1/8	40.20	44.55	48.50	51.25	54.05	56.90
Lengths 86¼" to 98"							
0.031	1 1/32	$14.80	$16.25	$17.65	$18.60	$19.55	$20.50
.036	1/28	15.70	17.30	18.75	19.75	20.75	21.80
.050	1/20	18.90	20.80	22.55	23.80	25.00	26.20
.063	1/16	22.85	25.15	27.25	28.75	30.20	31.70
.083	1/12	29.45	32.40	35.15	37.05	38.95	40.85
.100	1/10	35.00	38.50	41.75	44.00	46.30	48.55
.125	1/8	42.96	47.30	51.25	54.05	56.80	59.60
Lengths 98¼" and longer							
0.031	1 1/32	$15.75	$17.20	$18.60	$19.55	$20.50	$21.45
.036	1/28	16.70	18.25	19.75	20.75	21.80	22.80
.050	1/20	21.35	23.20	25.00	26.20	27.45	28.65
.063	1/16	24.30	26.60	28.75	30.20	31.70	33.15
.083	1/12	31.35	34.25	37.05	38.95	40.85	42.75
.100	1/10	37.25	40.70	44.00	46.30	48.55	50.80
.125	1/8	45.70	50.00	54.05	56.80	59.60	62.35

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the price for 6" to 26" widths of the same length established in this table.

TABLE 2A—SIGNAL CORPS FACES AND BACKS (SIGNAL CORPS SPECIFICATIONS 72-48 RULE NO. E-2A). MARINE FACES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES D-3, E-5 AND E-6

MANUFACTURED IN ZONE 3 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths				
Decimal	Fractional		6" to 26"	26¼" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"
Lengths up to 50"							
0.031	[1] 1/32	$8.20	$9.80	$10.55	$11.20	$12.10	$12.90
.036	1/28	8.70	10.10	11.20	12.00	12.85	13.70
.042	1/24	10.50	12.15	13.45	14.45	15.48	16.45
.050	1/20	12.65	14.70	16.30	17.50	18.70	19.90
.053	3/56	13.85	16.10	17.90	19.20	20.55	21.90
.063	1/16	16.30	18.95	21.00	22.55	24.10	25.65
.100	1/10	19.40	22.50	24.95	26.80	28.65	30.45
.125	1/8	23.80	27.65	30.60	32.90	35.15	37.40
Lengths 50¾" to 68"							
0.031	[1] 1/32	8.95	10.25	11.30	12.10	12.90	13.65
.036	1/28	9.55	10.90	12.00	12.85	13.70	14.50
.050	1/20	11.80	13.15	14.45	15.45	16.45	17.45
.053	3/56	13.85	15.90	17.50	18.70	19.90	21.10
.063	1/16	17.85	20.45	22.55	24.10	25.65	27.20
.083	1/12	21.25	24.30	26.80	28.65	30.45	32.30
.100	1/10	23.80	27.25	29.85	32.90	35.15	37.40
.125	1/8	26.05	29.85	32.90	36.15	39.65	42.05
Lengths 68¾" to 74"							
0.031	[1] 1/32	9.75	11.05	12.10	12.90	13.65	14.45
.036	1/28	10.35	11.70	12.85	13.70	14.50	15.35
.050	1/20	12.45	14.10	15.45	16.45	17.45	18.45
.063	1/16	15.10	17.05	18.70	19.90	21.10	22.30
.083	1/12	19.45	21.95	24.10	25.65	27.20	28.75
.100	1/10	23.10	26.10	28.65	30.45	32.30	34.15
.125	1/8	26.35	32.05	35.15	37.40	39.65	41.95

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the price for 6" to 26" widths of the same length established in this table.

TABLE 2A—DRAWER BOTTOMS (NHLA RULE NO. 9). MARINE FACES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES NO. D-3 AND E-6) MARINE INNER PLIES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES NO. D-3, E-5 AND E-6)

MANUFACTURED IN ZONE 3 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths				
Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"	
Lengths up to 50"							
0.031	[1] 1/32	$8.60	$10.25	$10.95	$11.45	$11.90	
.036	1/28	9.10	10.85	11.65	12.15	12.65	
.042	1/24	9.90	11.80	12.65	13.20	13.80	
.050	1/20	11.00	13.10	14.05	14.65	15.25	
.053	3/56	11.55	13.75	14.75	15.35	16.00	
.056	1/18	12.05	14.40	15.40	16.10	16.75	
.063	1/16	13.25	15.80	16.95	17.70	18.45	
.067	1/15	14.10	16.85	18.05	18.85	19.65	
.071	1/14	14.80	17.65	18.95	19.75	20.60	
.083	5/64	17.10	20.40	21.85	22.80	23.75	
.091	3/11	18.60	22.15	23.75	24.80	25.85	
.100	1/10	20.30	24.20	25.95	27.10	28.20	
.111	1/9	22.40	26.70	28.60	29.85	31.10	
.125	1/8	24.95	29.70	31.85	33.25	34.65	
.143	1/7	28.30	33.75	36.15	37.75	39.30	
.156	5/32	30.85	36.75	39.40	41.10	42.85	
.167	1/6	32.90	39.25	42.10	43.90	45.75	
.188	3/16	36.95	44.00	47.20	49.25	51.30	
.200	1/5	39.30	46.85	50.25	52.40	54.60	
.219	7/32	42.80	50.95	54.65	57.05	59.40	
.234	15/64	45.55	54.25	58.20	60.75	63.25	
.250	1/4	48.40	57.70	61.85	64.55	67.20	
Lengths 50¾" to 68"							
0.031	[1] 1/32	9.05	10.70	11.45	11.90	12.40	
.036	1/28	9.65	11.35	12.15	12.65	13.15	
.042	1/24	10.45	12.35	13.20	13.80	14.35	
.050	1/20	11.60	13.65	14.65	15.25	15.85	
.053	3/56	12.15	14.35	15.35	16.00	16.65	
.056	1/18	12.75	15.05	16.10	16.75	17.45	
.063	1/16	14.00	16.50	17.70	18.45	19.15	
.067	1/15	14.90	17.60	18.85	19.65	20.40	
.071	1/14	15.65	18.45	19.75	20.60	21.40	
.083	5/64	18.05	21.30	22.80	23.75	24.70	
.091	3/11	19.60	23.15	24.80	25.85	26.85	
.100	1/10	21.45	25.30	27.10	28.20	29.35	
.111	1/9	23.65	27.90	29.85	31.10	32.35	
.125	1/8	26.30	31.10	33.25	34.65	36.05	
.143	1/7	29.90	35.25	37.75	39.30	40.90	
.156	5/32	32.55	38.40	41.10	42.85	44.55	
.167	1/6	34.75	41.00	43.90	45.75	47.55	
.188	3/16	39.00	46.00	49.25	51.30	53.35	
.200	1/5	41.50	49.00	52.40	54.60	56.80	
.219	7/32	45.15	53.20	57.05	59.40	61.80	
.234	15/64	48.10	56.75	60.75	63.25	65.80	
.250	1/4	51.10	60.30	64.55	67.20	69.90	

[1] And thinner.

TABLE 2A—DRAWER BOTTOMS (NHLA RULE NO. 9). MARINE FACES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES NO. D-3 AND E-6) MARINE INNER PLIES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES NO. D-3, E-5 AND E-6)—Continued

MANUFACTURED IN ZONE 3 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths				
Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"	
Lengths 88¾" to 98"							
0.031	[1] 1/32	$10.50	$12.10	$12.85	$13.35	$13.85	
.036	1/28	11.15	12.85	13.65	14.20	14.70	
.042	1/24	12.10	13.95	14.90	15.45	16.00	
.050	1/20	13.40	15.45	16.45	17.10	17.70	
.053	3/56	14.10	16.25	17.30	17.95	18.55	
.056	1/18	14.75	17.00	18.10	18.80	19.45	
.063	1/16	16.20	18.70	19.90	20.65	21.35	
.067	1/15	17.25	19.90	21.20	22.00	22.75	
.071	1/14	18.10	20.85	22.25	23.05	23.90	
.083	5/64	20.90	24.10	25.65	26.60	27.55	
.091	3/11	22.75	26.20	27.90	28.90	29.95	
.100	1/10	24.85	28.60	30.45	31.60	32.75	
.111	1/9	27.35	31.55	33.55	34.80	36.05	
.125	1/8	30.50	35.10	37.40	38.80	40.20	
.143	1/7	34.60	39.85	42.45	44.05	45.60	
.156	5/32	37.70	43.45	46.25	47.95	49.70	
.167	1/6	40.25	46.40	49.40	51.25	53.05	
.188	3/16	45.15	52.00	55.40	57.45	59.50	
.200	1/5	48.05	55.35	58.95	61.15	63.35	
.219	7/32	52.30	60.25	64.15	66.55	68.90	
.234	15/64	55.65	64.15	68.30	70.85	73.40	
.250	1/4	59.15	68.15	72.60	75.30	78.00	
Lengths 98¼" and longer							
0.031	[1] 1/32	$10.95	$12.55	$13.35	$13.85	$14.30	
.036	1/28	11.65	13.35	14.20	14.70	15.20	
.042	1/24	12.65	14.50	15.45	16.00	16.55	
.050	1/20	14.05	16.05	17.10	17.70	18.30	
.053	3/56	14.75	16.85	17.95	18.55	19.20	
.056	1/18	15.40	17.65	18.80	19.45	20.10	
.063	1/16	16.95	19.40	20.65	21.35	22.10	
.067	1/15	18.05	20.65	22.00	22.75	23.55	
.071	1/14	18.95	21.65	23.05	23.90	24.70	
.083	5/64	21.85	25.00	26.60	27.55	28.50	
.091	3/11	23.75	27.20	28.90	29.95	31.00	
.100	1/10	25.95	29.70	31.60	32.75	33.85	
.111	1/9	28.60	32.75	34.80	36.05	37.30	
.125	1/8	31.85	36.50	38.80	40.20	41.55	
.143	1/7	36.15	41.40	44.05	45.60	47.20	
.156	5/32	39.40	45.10	47.95	49.70	51.40	
.167	1/6	42.10	48.15	51.25	53.05	54.90	
.188	3/16	47.20	54.00	57.45	59.50	61.55	
.200	1/5	50.25	57.50	61.15	63.35	65.55	
.219	7/32	54.65	62.55	66.55	68.90	71.30	
.234	15/64	58.20	66.60	70.85	73.40	75.90	
.250	1/4	61.85	70.80	75.30	78.00	80.65	

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the price for 6" to 32" widths of the same length established in this table.

TABLE 24A—DRAWER BOTTOMS (NHLA RULE NO. 9). MARINE FACES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES NO. D-3 AND E-6). MARINE INNER PLIES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES NO. D-3, E-5 AND E-6).

MANUFACTURED IN ZONE 3 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths				
Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼ to 50"	
Lengths up to 50"							
0.031	[1] 1/32	$7.00	$8.35	$8.95	$9.35	$9.75	
.036	1/28	7.45	8.90	9.55	9.95	10.36	
.042	1/24	8.10	9.65	10.35	10.80	11.30	
.050	1/20	9.00	10.70	11.50	12.00	12.45	
.053	3/56	9.45	11.25	12.05	12.55	13.10	
.056	1/18	9.85	11.75	12.60	13.15	13.70	
.063	1/16	10.85	12.95	13.85	14.45	15.10	
.067	1/15	11.55	13.80	14.75	15.40	16.05	
.071	1/14	12.10	14.45	15.50	16.15	16.85	
.083	5/64	14.00	16.70	17.85	18.65	19.45	
.091	3/11	15.20	18.15	19.45	20.30	21.15	
.100	1/10	16.60	19.80	21.25	22.15	23.10	
.111	1/9	18.30	21.85	23.40	24.40	25.45	
.125	1/8	20.40	24.30	26.05	27.20	28.35	
.143	1/7	23.15	27.60	29.60	30.90	32.15	
.156	5/32	25.25	30.05	32.25	33.65	35.05	
.167	1/6	26.95	32.10	34.45	35.90	37.40	
.188	3/16	30.20	36.00	38.60	40.30	41.95	
.200	1/5	32.15	38.35	41.10	42.90	44.70	
.219	7/32	35.00	41.70	44.70	46.65	48.60	
.234	15/64	37.25	44.40	47.60	49.70	51.75	
.250	1/4	39.60	47.20	50.60	52.80	55.00	
Lengths 50¾" to 68"							
0.031	[1] 1/32	7.40	8.75	9.35	9.75	10.15	
.036	1/28	7.90	9.30	9.95	10.35	10.75	
.042	1/24	8.55	10.10	10.80	11.20	11.75	
.050	1/20	9.50	11.20	12.00	12.45	13.00	
.053	3/56	9.96	11.75	12.55	13.10	13.60	
.056	1/18	10.40	12.30	13.15	13.70	14.25	
.063	1/16	11.45	13.50	14.45	15.10	15.70	
.067	1/15	12.20	14.40	15.40	16.05	16.70	
.071	1/14	12.80	15.10	16.15	16.85	17.50	
.083	5/64	14.75	17.40	18.65	19.45	20.20	
.091	3/11	16.05	18.95	20.30	21.15	21.95	
.100	1/10	17.55	20.70	22.15	23.10	24.00	
.111	1/9	19.35	22.80	24.40	25.45	26.45	
.125	1/8	21.55	25.45	27.20	28.35	29.50	
.143	1/7	24.45	28.85	30.90	32.15	33.45	
.156	5/32	26.65	31.45	33.65	35.05	36.45	
.167	1/6	28.45	33.55	35.90	37.40	38.90	
.188	3/16	31.90	37.65	40.30	41.95	43.65	
.200	1/5	33.95	40.10	42.90	44.70	46.45	
.219	7/32	36.95	43.60	46.65	48.60	50.55	
.234	15/64	39.35	46.45	49.70	51.75	53.85	
.250	1/4	41.80	49.35	52.80	55.00	57.20	
Lengths 68¾" to 74"							
0.031	[1] 1/32	$7.80	$9.15	$9.75	$10.15	$10.55	
.036	1/28	8.30	9.70	10.35	10.75	11.20	
.042	1/24	9.00	10.85	11.30	11.75	12.20	
.050	1/20	10.00	11.70	12.45	13.00	13.45	
.053	3/56	10.50	12.25	13.10	13.60	14.15	
.056	1/18	10.95	12.85	13.70	14.25	14.80	
.063	1/16	12.05	14.10	15.10	15.70	16.30	
.067	1/15	12.85	15.00	16.05	16.70	17.35	
.071	1/14	13.45	15.75	16.85	17.50	18.20	
.083	5/64	15.55	18.20	19.45	20.20	21.00	
.091	3/11	16.90	19.80	21.15	21.95	22.80	
.100	1/10	18.45	21.60	23.10	24.00	24.95	
.111	1/9	20.35	23.80	25.45	26.45	27.45	
.125	1/8	22.65	26.50	28.35	29.50	30.60	
.143	1/7	25.75	30.10	32.15	33.45	34.75	
.156	5/32	28.05	32.80	35.05	36.45	37.85	
.167	1/6	29.95	35.00	37.40	38.90	40.40	
.188	3/16	33.55	39.30	41.95	43.65	45.30	
.200	1/5	35.75	41.80	44.70	46.45	48.25	
.219	7/32	38.90	45.50	48.60	50.55	52.50	
.234	15/64	41.40	48.45	51.75	53.85	55.90	
.250	1/4	44.00	51.50	55.00	57.20	59.40	
Lengths 74¼" to 86"							
0.031	[1] 1/32	8.20	9.50	10.15	10.55	10.95	
.036	1/28	8.70	10.10	10.75	11.20	11.60	
.042	1/24	9.45	11.00	11.75	12.20	12.65	
.050	1/20	10.50	12.15	13.00	13.45	14.00	
.053	3/56	11.00	12.75	13.60	14.15	14.65	
.056	1/18	11.50	13.35	14.25	14.80	15.35	
.063	1/16	12.65	14.70	15.70	16.30	16.90	
.067	1/15	13.50	15.65	16.70	17.35	18.00	
.071	1/14	14.15	16.40	17.50	18.20	18.85	
.083	5/64	16.30	18.95	20.20	21.00	21.75	
.091	3/11	17.75	20.60	21.95	22.80	23.65	
.100	1/10	19.40	22.50	24.00	24.95	25.85	
.111	1/9	21.35	24.80	26.45	27.45	28.50	
.125	1/8	23.80	27.65	29.50	30.60	31.75	
.143	1/7	27.00	31.35	33.45	34.75	36.05	
.156	5/32	29.45	34.15	36.45	37.85	39.25	
.167	1/6	31.45	36.50	38.90	40.40	41.90	
.188	3/16	35.25	40.90	43.65	45.30	47.00	
.200	1/5	37.55	43.55	46.45	48.25	50.05	
.219	7/32	40.85	47.40	50.55	52.50	54.45	
.234	15/64	43.50	50.45	53.85	55.90	57.95	
.250	1/4	46.20	53.60	57.20	59.40	61.60	

[1] And thinner.

TABLE 24A—DRAWER BOTTOMS (NHLA RULE NO. 9). MARINE FACES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES NO. D-3 AND E-4). MARINE INNER PLIES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES NO. D-3, E-5 AND E-6)—Continued

MANUFACTURED IN ZONE 3 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths				Thickness (inches)		Random widths 6" to 38"	Specified one piece widths			
Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼ to 50"	Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"
Lengths 86¼" to 98"							*Lengths 98¼" and longer*						
0.031	1 1/32	$8.60	$9.90	$10.55	$10.95	$11.30	0.031	1 1/32	$8.95	$10.25	$10.95	$11.30	$11.70
.036	1/32	9.10	10.50	11.20	11.60	12.00	.036	1/16	9.55	10.90	11.60	12.00	12.45
.042	1/24	9.90	11.45	12.20	12.65	13.10	.042	1/24	10.35	11.85	12.65	13.10	13.55
.050	1/20	11.00	12.65	13.45	14.00	14.45	.050	1/20	11.50	13.15	14.00	14.45	15.00
.053	1/19	11.50	13.30	14.15	14.65	15.20	.053	1/19	12.05	13.80	14.65	15.20	15.70
.056	1/18	12.05	13.90	14.80	15.35	15.90	.056	1/18	12.60	14.45	15.35	15.90	16.45
.063	1/16	13.25	15.30	16.30	16.90	17.50	.063	1/16	13.85	15.90	16.90	17.50	18.10
.067	1/15	14.15	16.30	17.35	18.00	18.60	.067	1/15	14.75	16.90	18.00	18.60	19.25
.071	1/14	14.80	17.05	18.20	18.85	19.55	.071	1/14	15.50	17.75	18.85	19.55	20.20
.083	1/12	17.10	19.70	21.00	21.75	22.55	.083	1/12	17.85	20.45	21.75	22.55	23.30
.091	1/11	18.60	21.40	22.80	23.65	24.50	.091	1/11	19.45	22.25	23.65	24.50	25.35
.100	1/10	20.30	23.40	24.95	25.85	26.80	.100	1/10	21.25	24.30	25.85	26.80	27.70
.111	1/9	22.40	25.80	27.45	28.50	29.50	.111	1/9	23.40	26.80	28.50	29.50	30.55
.125	1/8	24.95	28.75	30.60	31.75	32.90	.125	1/8	26.05	29.85	31.75	32.90	34.00
.143	1/7	28.30	32.60	34.75	36.05	37.30	.143	1/7	29.60	33.90	36.05	37.30	38.60
.156	5/32	30.85	35.55	37.85	39.25	40.65	.156	5/32	32.25	36.90	39.25	40.65	42.05
.167	1/6	32.95	37.95	40.40	41.90	43.40	.167	1/6	34.45	39.40	41.90	43.40	44.90
.188	3/16	36.95	42.55	45.30	47.00	48.70	.188	3/16	38.60	44.20	47.00	48.70	50.35
.200	1/5	39.30	45.30	48.25	50.05	51.80	.200	1/5	41.10	47.05	50.05	51.80	53.60
.219	7/32	42.80	49.30	52.50	54.45	56.40	.219	7/32	44.70	51.20	54.45	56.40	58.35
.234	15/64	45.55	52.50	55.90	57.95	60.05	.234	15/64	47.60	54.50	57.95	60.05	62.10
.250	1/4	48.40	55.75	59.40	61.60	63.80	.250	1/4	50.60	57.90	61.60	63.80	66.00

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the price for 6" to 32" widths of the same length established in this table.

TABLE 25—SHEET STOCK, SELECTED FOR COLOR (GRADES, WIDTHS AND LENGTHS AS SPECIFIED BY NHLA RULE NO. 13)

MANUFACTURED IN ZONE 3 FROM SWEET GUM AND TUPELO (BAY POPLAR)

Thickness (inches)		Price
Decimal	Fractional	
0.031	1 1/32	$13.50
.036	1/28	14.35
.042	1/24	15.60
.050	1/20	17.25
.053	1/19	18.10
.056	1/18	18.95
.063	1/16	20.85
.067	1/15	22.20
.071	1/14	23.30
.083	1/12	26.85
.091	1/11	29.20
.100	1/10	31.90
.111	1/9	35.15
.125	1/8	39.20

[1] And thinner.

TABLE 26—SHEET STOCK, UNSELECTED FOR COLOR (GRADES, WIDTHS AND LENGTHS AS SPECIFIED BY NHLA RULE NO. 13)

MANUFACTURED IN ZONE 3 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Price
Decimal	Fractional	
0.031	1 1/32	$8.30
.036	1/28	9.90
.042	1/24	10.75
.050	1/20	11.90
.053	1/19	12.50
.056	1/18	13.10
.063	1/16	14.40
.067	1/15	15.30
.071	1/14	16.05
.083	1/12	18.50
.091	1/11	20.15
.100	1/10	22.00
.111	1/9	24.25
.125	1/8	27.00
.143	1/7	30.65
.156	5/32	33.40
.167	1/6	35.65
.188	3/16	40.00
.200	1/5	42.60
.219	7/32	46.35
.234	15/64	49.35
.250	1/4	52.45
.281	9/32	58.95
.313	5/16	65.00
.344	11/32	71.45
.375	3/8	78.00

[1] And thinner.

TABLE 26A—SHEET STOCK, UNSELECTED FOR COLOR (GRADES, WIDTHS AND LENGTHS AS SPECIFIED BY NHLA RULE NO. 13)

MANUFACTURED IN ZONE 3 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Price
Decimal	Fractional	
0.031	1 1/32	$7.60
.036	1/28	8.10
.042	1/24	8.80
.050	1/20	9.75
.053	1/19	10.20
.056	1/18	10.70
.063	1/16	11.75
.067	1/15	12.50
.071	1/14	13.15
.083	1/12	15.15
.091	1/11	16.50
.100	1/10	18.00
.111	1/9	19.85
.125	1/8	22.10
.143	1/7	25.10
.156	5/32	27.35
.167	1/6	29.20
.188	3/16	32.75
.200	1/5	34.85
.219	7/32	37.90
.234	15/64	40.35
.250	1/4	42.90
.281	9/32	48.25
.313	5/16	53.15
.344	11/32	58.45
.375	3/8	63.85

[1] And thinner.

TABLE 27—SOUND BACKS (NHLA RULE NO. 7). CROSS BANDING (NHLA RULE NO. 10). NO. 1 CORE OR CENTER STOCK (NHLA RULE NO. 11(c)). SIGNAL CORPS INNER PLIES (SIGNAL CORPS SPECIFICATIONS 72-48, RULE NO. E-5B). MARINE INNER PLIES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.) RULES NO. D-3 AND E-4)

MANUFACTURED IN ZONE 3 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths							Thickness (inches)		Random Widths 6" to 38"	Specified one piece widths						
Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"	50¼" to 62"	62¼" to 74"	74¼" to 86"	Decimal	Fractional		6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"	50¼" to 62"	62¼" to 74"	74¼" to 86"
Lengths up to 50"										*Lengths 74¼" up to 86"*									
0.031	1 1/32	$7.45	$9.30	$10.00	$10.50	$10.95	$11.45	$11.90	$12.40	0.031	1 1/32	$8.05	$10.70	$11.45	$11.90	$12.40	$12.85	$13.35	$13.85
.036	1/28	8.10	9.90	10.65	11.15	11.65	12.15	12.65	13.15	.036	1/28	8.65	11.35	12.15	12.65	13.15	13.65	14.20	14.70
.042	1/24	8.90	10.75	11.55	12.10	12.65	13.25	13.80	14.35	.042	1/24	9.40	12.35	13.25	13.80	14.35	14.90	15.45	16.00
.050	1/20	9.75	11.90	12.80	13.40	14.05	14.65	15.25	15.85	.050	1/20	11.00	13.65	14.65	15.25	15.85	16.45	17.10	17.70
.053	1/19	10.25	12.50	13.45	14.10	14.75	15.35	16.00	16.65	.053	1/19	12.15	14.35	15.35	16.00	16.65	17.30	17.95	18.55
.056	1/18	10.70	13.10	14.10	14.75	15.40	16.10	16.75	17.45	.056	1/18	12.75	15.05	16.10	16.75	17.45	18.10	18.80	19.45
.063	1/16	11.80	14.40	15.50	16.20	16.95	17.70	18.45	19.15	.063	1/16	14.00	16.50	17.70	18.45	19.15	19.90	20.65	21.35
.067	1/15	12.55	15.30	16.50	17.20	18.05	18.85	19.60	20.40	.067	1/15	14.90	17.60	18.85	19.60	20.40	21.20	22.00	22.75
.071	1/14	13.30	16.20	17.45	18.20	19.10	19.95	20.75	21.60	.071	1/14	15.80	18.65	19.95	20.75	21.60	22.35	23.20	24.00
.083	1/12	15.20	18.50	19.95	20.90	21.85	22.80	23.75	24.70	.083	1/12	18.05	21.30	22.80	23.75	24.70	25.65	26.60	27.55
.091	1/11	16.50	20.15	21.70	22.75	23.75	24.80	25.85	26.85	.091	1/11	19.60	23.15	24.80	25.85	26.85	27.90	28.90	29.95
.100	1/10	18.05	22.05	23.70	24.85	25.95	27.10	28.20	29.35	.100	1/10	21.45	25.30	27.10	28.20	29.35	30.45	31.60	32.75
.111	1/9	19.90	24.25	26.10	27.35	28.60	29.85	31.10	32.35	.111	1/9	23.65	27.90	29.85	31.10	32.35	33.55	34.80	36.05
.125	1/8	22.15	27.00	29.10	30.50	31.85	33.25	34.65	36.05	.125	1/8	26.25	31.10	33.25	34.65	36.05	37.40	38.80	40.20
.143	1/7	25.15	30.65	33.05	34.60	36.15	37.75	39.20	40.90	.143	1/7	29.90	35.25	37.75	39.20	40.90	42.45	44.05	45.60
.156	5/32	27.40	33.40	36.00	37.70	39.40	41.10	42.85	44.55	.156	5/32	32.55	38.40	41.10	42.85	44.55	46.25	47.95	49.70
.167	1/6	28.25	34.45	37.15	38.95	40.65	42.40	43.90	46.75	.167	1/6	34.75	41.00	43.90	46.75	47.55	49.40	51.20	53.05
.188	3/16	32.80	40.00	43.10	45.15	47.20	49.25	51.30	53.35	.188	3/16	39.00	46.00	49.25	51.30	53.35	55.40	57.45	59.50
.200	1/5	34.95	42.60	45.85	48.05	50.20	52.40	54.65	56.85	.200	1/5	41.50	48.95	52.40	54.65	56.85	59.05	61.35	63.55
.219	7/32	38.05	46.35	49.90	52.30	54.65	57.05	59.45	61.80	.219	7/32	45.15	53.30	57.05	59.45	61.80	64.15	66.55	68.90
.234	15/64	40.80	49.65	53.45	56.05	58.55	61.15	63.75	66.30	.234	15/64	48.40	57.15	61.15	63.75	66.30	68.85	71.45	73.90
.250	1/4	43.60	53.00	57.00	59.75	62.50	65.25	68.00	70.85	.250	1/4	51.60	60.90	65.25	68.00	70.85	73.60	76.35	79.10
.281	9/32	49.00	59.60	64.10	67.25	70.30	73.45	76.50	79.70	.281	9/32	58.05	68.50	73.45	76.50	79.70	82.80	85.90	89.00
.313	5/16	54.45	66.25	71.25	74.75	78.15	81.60	85.05	88.55	.313	5/16	64.50	76.15	81.60	85.05	88.55	92.00	95.45	98.90
.344	11/32	59.85	72.80	78.35	82.15	85.90	89.70	93.50	97.35	.344	11/32	70.95	83.70	89.70	93.50	97.35	101.15	104.95	108.75
.375	3/8	65.25	79.40	85.40	89.55	93.70	97.80	101.90	106.10	.375	3/8	77.30	91.20	97.80	101.90	106.10	110.25	114.35	118.50
Lengths 86¼" up to 74"										*Lengths 86¼" up to 98"*									
0.031	1 1/32	7.80	9.75	10.45	10.95	11.45	11.90	12.40	12.85	0.031	1 1/32	8.35	11.15	11.90	12.40	12.85	13.35	13.85	14.30
.036	1/28	8.40	10.35	11.15	11.65	12.15	12.65	13.15	13.65	.036	1/28	9.00	12.00	12.85	13.35	13.85	14.40	14.90	15.40
.042	1/24	9.25	11.30	12.10	12.65	13.25	13.80	14.35	14.90	.042	1/24	9.90	13.20	14.20	14.80	15.40	16.00	16.55	17.10
.050	1/20	10.35	12.50	13.40	14.05	14.65	15.25	15.85	16.45	.050	1/20	11.05	14.75	15.85	16.45	17.10	17.70	18.30	18.90
.053	1/19	10.90	13.10	14.10	14.75	15.35	16.00	16.65	17.30	.053	1/19	11.60	15.45	16.60	17.30	17.95	18.55	19.20	19.85
.056	1/18	11.40	13.75	14.75	15.40	16.10	16.75	17.45	18.10	.056	1/18	12.10	16.10	17.30	18.10	18.80	19.45	20.10	20.80
.063	1/16	12.55	15.10	16.20	16.90	17.70	18.45	19.15	19.90	.063	1/16	13.35	17.75	19.05	19.90	20.65	21.35	22.10	22.85
.067	1/15	13.35	16.05	17.25	18.05	18.85	19.60	20.40	21.20	.067	1/15	14.20	18.90	20.30	21.20	22.00	22.75	23.55	24.35
.071	1/14	14.00	16.85	18.10	18.95	19.75	20.60	21.40	22.25	.071	1/14	14.90	19.85	21.40	22.25	23.05	23.90	24.70	25.50
.083	1/12	16.15	19.45	20.90	21.85	22.80	23.75	24.70	25.65	.083	1/12	17.20	22.90	24.70	25.65	26.60	27.55	28.50	29.45
.091	1/11	17.55	21.15	22.75	23.75	24.80	25.85	26.85	27.90	.091	1/11	18.65	24.80	26.85	27.90	28.90	29.95	31.00	32.00
.100	1/10	19.20	23.10	24.85	25.95	27.10	28.20	29.35	30.45	.100	1/10	20.40	27.10	29.35	30.45	31.60	32.75	33.85	35.00
.111	1/9	20.95	25.30	27.20	28.40	29.65	30.90	32.15	33.45	.111	1/9	22.35	29.65	32.15	33.45	34.80	36.05	37.30	38.55
.125	1/8	23.35	28.20	30.35	31.75	33.15	34.55	35.95	37.40	.125	1/8	24.95	33.15	35.95	37.40	38.80	40.20	41.55	42.95
.143	1/7	26.80	32.35	34.80	36.40	38.05	39.65	41.30	43.00	.143	1/7	28.60	38.05	41.30	43.00	44.65	46.30	47.90	49.60
.156	5/32	28.85	34.85	37.50	39.25	41.00	42.75	44.55	46.25	.156	5/32	30.80	41.00	44.55	46.25	48.00	49.75	51.50	53.25
.167	1/6	30.80	37.20	40.05	41.90	43.80	45.75	47.55	49.40	.167	1/6	32.90	43.80	47.55	49.40	51.20	53.05	54.90	56.70
.188	3/16	34.60	41.80	45.00	47.10	49.25	51.40	53.45	55.60	.188	3/16	36.95	49.25	53.45	55.60	57.75	59.90	61.95	64.10
.200	1/5	36.80	44.50	47.90	50.15	52.40	54.70	56.95	59.15	.200	1/5	39.30	52.40	56.95	59.15	61.40	63.70	65.95	68.15
.219	7/32	40.35	48.80	52.55	55.05	57.50	60.05	62.55	65.05	.219	7/32	43.10	57.50	62.55	65.05	67.50	70.05	72.55	75.05
.234	15/64	43.30	52.30	56.30	59.00	61.65	64.35	67.05	69.75	.234	15/64	46.20	61.65	67.05	69.75	72.40	75.10	77.80	80.45
.250	1/4	46.25	55.85	60.15	62.95	65.80	68.65	71.50	74.40	.250	1/4	49.35	65.80	71.50	74.40	77.25	80.10	83.00	85.85
.281	9/32	51.95	62.80	67.60	70.80	74.00	77.20	80.40	83.65	.281	9/32	55.45	74.00	80.40	83.65	86.85	90.05	93.30	96.50
.313	5/16	57.75	69.80	75.15	78.70	82.25	85.80	89.40	93.00	.313	5/16	61.65	82.25	89.40	93.00	96.50	100.05	103.65	107.20
.344	11/32	63.55	76.75	82.65	86.55	90.45	94.35	98.25	102.20	.344	11/32	67.80	90.45	98.25	102.20	106.10	110.00	113.90	117.85
.375	3/8	69.25	83.65	90.05	94.35	98.65	103.00	107.30	111.60	.375	3/8	73.90	98.65	107.30	111.60	115.85	120.15	124.45	128.70
Lengths 98¼" and longer										*Lengths 98¼" and longer*									
0.031	1 1/32	8.60	10.25	10.95	11.45	11.90	12.40	12.85	13.35	0.031	1 1/32	9.20	12.25	13.15	13.70	14.20	14.70	15.25	15.75
.036	1/28	9.15	10.85	11.65	12.15	12.65	13.15	13.65	14.20	.036	1/28	9.80	13.05	14.00	14.60	15.15	15.75	16.30	16.90
.042	1/24	9.90	11.80	12.65	13.25	13.80	14.35	14.90	15.45	.042	1/24	10.80	14.35	15.45	16.05	16.60	17.20	17.80	18.40
.050	1/20	11.00	13.10	14.05	14.65	15.25	15.85	16.45	17.10	.050	1/20	12.00	15.95	17.10	17.80	18.40	19.05	19.70	20.35
.053	1/19	11.55	13.75	14.75	15.35	16.00	16.65	17.30	17.95	.053	1/19	12.65	16.80	18.05	18.80	19.45	20.15	20.85	21.55
.056	1/18	12.05	14.40	15.40	16.10	16.75	17.45	18.10	18.80	.056	1/18	13.20	17.55	18.80	19.60	20.30	21.00	21.75	22.45
.063	1/16	13.25	15.80	16.95	17.70	18.45	19.15	19.90	20.65	.063	1/16	14.50	19.30	20.65	21.55	22.30	23.10	23.90	24.70
.067	1/15	14.10	16.85	18.05	18.85	19.65	20.40	21.20	22.00	.067	1/15	15.45	20.55	22.00	22.95	23.75	24.55	25.35	26.20
.071	1/14	14.80	17.65	18.95	19.75	20.60	21.40	22.25	23.05	.071	1/14	16.20	21.55	23.05	24.05	24.90	25.80	26.65	27.55
.083	1/12	17.10	20.40	21.85	22.80	23.75	24.70	25.65	26.60	.083	1/12	18.70	24.90	26.60	27.75	28.75	29.80	30.80	31.85
.091	1/11	18.60	22.15	23.75	24.80	25.85	26.85	27.90	28.90	.091	1/11	20.35	27.05	28.90	30.15	31.25	32.35	33.45	34.60
.100	1/10	20.30	24.20	25.95	27.10	28.20	29.35	30.45	31.60	.100	1/10	22.20	29.50	31.60	32.95	34.15	35.40	36.60	37.80
.111	1/9	22.40	26.70	28.60	29.85	31.10	32.35	33.55	34.80	.111	1/9	24.40	32.45	34.80	36.25	37.55	38.85	40.20	41.50
.125	1/8	24.95	29.70	31.85	33.25	34.65	36.05	37.40	38.80	.125	1/8	27.20	36.15	38.80	40.40	41.85	43.45	44.85	46.40
.143	1/7	28.30	33.75	36.15	37.75	39.30	40.90	42.45	44.05	.143	1/7	31.00	41.25	44.05	45.85	47.50	49.25	50.90	52.65
.156	5/32	30.85	36.75	39.40	41.10	42.85	44.55	46.25	47.95	.156	5/32	33.80	44.95	48.20	50.15	52.05	53.95	55.85	57.80
.167	1/6	32.90	39.25	42.10	43.90	45.75	47.55	49.40	51.20	.167	1/6	36.05	47.95	51.40	53.50	55.50	57.50	59.50	61.55
.188	3/16	36.95	44.00	47.20	49.25	51.30	53.35	55.40	57.45	.188	3/16	40.50	53.90	57.80	60.20	62.45	64.70	66.95	69.20
.200	1/5	39.30	46.85	50.25	52.40	54.65	56.85	59.05	61.15	.200	1/5	43.05	57.30	61.45	64.05	66.45	68.85	71.30	73.70
.219	7/32	42.80	50.95	54.65	57.05	59.40	61.80	64.15	66.55	.219	7/32	46.90	62.40	66.95	69.75	72.40	75.05	77.70	80.35
.234	15/64	45.55	54.25	58.20	60.75	63.25	65.80	68.30	70.85	.234	15/64	50.15	66.75	71.70	74.70	77.55	80.40	83.30	86.15
.250	1/4	48.40	57.70	61.85	64.55	67.20	69.90	72.60	75.30	.250	1/4	53.45	71.20	76.35	79.50	82.60	85.70	88.80	91.90
.281	9/32	54.40	64.85	69.50	72.55	75.55	78.60	81.60	84.65	.281	9/32	60.10	80.00	85.70	89.15	92.60	96.05	99.50	102.95
.313	5/16	60.00	71.50	76.65	80.00	83.30	86.65	90.00	93.30	.313	5/16	66.30	88.25	94.65	98.45	102.25	106.05	109.85	113.65
.344	11/32	66.95	78.60	84.25	87.90	91.60	95.25	98.90	102.60	.344	11/32	72.95	97.05	104.05	108.25	112.45	116.65	120.85	125.05
.375	3/8	72.05	85.85	92.05	96.05	100.05	104.05	108.05	112.05	.375	3/8	79.80	106.05	113.65	118.05	122.45	126.85	131.25	135.65

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the maximum price in the above table for that width which is one-half the specified prime width and is the same length ordered by the purchaser. For example, if a purchaser ordered Cross Banding 98" wide by 50" long, all fractional part pieces against this item may be invoiced at not more than the established price for Cross Banding 49" wide by 50" long.

TABLE 27A—SOUND BACKS (NHLA RULE NO. 7). CROSS BANDING (NHLA RULE NO. 10). NO. 1 CORE OR CENTER STOCK (NHLA RULE NO. 11 (A)). SIGNAL CORPS INNER PLIES (SIGNAL CORPS SPECIFICATIONS 72-48, RULE NO. E-3B). MARINE INNER PLIES (BUREAU OF SHIPS SPECIFICATIONS 39P15 (INT.), RULES NO. D-3 AND E-4).

MANUFACTURED IN ZONE 3 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness: Decimal	Thickness: Fractional	Random widths 6" to 38"	Specified one piece widths: 6" to 32"	32¼" to 38"	38¼" to 44"	44¼" to 50"	50¼" to 62"	62¼" to 74"	74¼" to 86"	86¼" to 98"
Lengths up to 50"										
0.031	[1] 1/32	$6.25	$7.60	$8.20	$8.60	$8.95	$9.35	$9.75	$10.15	$10.55
.036	1/28	6.65	8.10	8.70	9.10	9.55	9.95	10.35	10.75	11.20
.042	1/24	7.20	8.80	9.45	9.90	10.25	10.85	11.30	11.75	12.20
.050	1/20	8.00	9.75	10.50	11.00	11.50	12.00	12.45	13.00	13.45
.053	1/19	8.40	10.20	11.00	11.50	12.05	12.55	13.10	13.60	14.15
.056	1/18	8.80	10.70	11.50	12.05	12.60	13.15	13.70	14.25	14.80
.063	1/16	9.65	11.75	12.65	13.25	13.85	14.45	15.10	15.70	16.30
.067	1/15	10.30	12.50	13.50	14.15	14.75	15.40	16.05	16.70	17.35
.071	1/14	10.80	13.15	14.15	14.80	15.50	16.15	16.85	17.50	18.20
.083	1/12	12.45	15.15	16.30	17.10	17.85	18.65	19.45	20.20	21.00
.091	1/11	13.50	16.50	17.75	18.60	19.45	20.30	21.15	21.95	22.80
.100	1/10	14.80	18.00	19.40	20.30	21.25	22.15	23.10	24.00	24.95
.111	1/9	16.30	19.85	21.35	22.40	23.40	24.40	25.45	26.45	27.45
.125	1/8	18.15	22.10	23.80	24.95	26.05	27.20	28.35	29.50	30.60
.143	1/7	20.60	25.10	27.00	28.30	29.60	30.90	32.15	33.45	34.75
.156	5/32	22.45	27.35	29.45	30.85	32.25	33.65	35.05	36.45	37.85
.167	1/6	23.95	29.20	31.45	32.95	34.45	35.90	37.40	38.90	40.40
.188	3/16	26.85	32.75	35.25	36.95	38.60	40.30	41.95	43.65	45.30
.200	1/5	28.60	34.85	37.55	39.30	41.10	42.90	44.70	46.45	48.25
.219	7/32	31.10	37.90	40.85	42.80	44.70	46.65	48.60	50.55	52.50
.234	15/64	33.15	40.35	43.50	45.55	47.60	49.70	51.75	53.85	55.90
.250	1/4	35.20	42.90	46.20	48.40	50.60	52.80	55.00	57.20	59.40
.281	9/32	39.65	48.25	51.95	54.40	56.90	59.35	61.85	64.30	66.80
.313	5/16	43.60	53.15	57.25	60.00	62.70	65.45	68.15	70.90	73.60
.344	11/32	47.95	58.45	62.95	65.95	68.95	71.95	74.95	77.95	80.95
.375	3/8	52.40	63.85	68.75	72.05	75.30	78.55	81.85	85.10	88.40
Lengths 50¼" up to 62"										
0.031	[1] 1/32	6.65	8.00	8.60	8.95	9.35	9.75	10.15	10.55	10.95
.036	1/28	7.05	8.50	9.10	9.55	9.95	10.35	10.75	11.20	11.60
.042	1/24	7.65	9.25	9.90	10.35	10.85	11.30	11.75	12.20	12.65
.050	1/20	8.50	10.20	11.00	11.50	12.00	12.45	13.00	13.45	14.00
.053	1/19	8.90	10.70	11.50	12.05	12.55	13.10	13.60	14.15	14.65
.056	1/18	9.30	11.25	12.05	12.60	13.15	13.70	14.25	14.80	15.35
.063	1/16	10.25	12.35	13.25	13.85	14.45	15.10	15.70	16.30	16.90
.067	1/15	10.90	13.15	14.15	14.75	15.40	16.05	16.70	17.35	18.00
.071	1/14	11.45	13.80	14.80	15.50	16.15	16.85	17.50	18.20	18.85
.083	1/12	13.20	15.90	17.10	17.85	18.65	19.45	20.20	21.00	21.75
.091	1/11	14.35	17.30	18.60	19.45	20.30	21.15	21.95	22.80	23.65
.100	1/10	15.70	18.90	20.30	21.25	22.15	23.10	24.00	24.95	25.85
.111	1/9	17.30	20.85	22.40	23.40	24.40	25.45	26.45	27.45	28.50
.125	1/8	19.25	23.20	24.95	26.05	27.20	28.35	29.50	30.60	31.75
.143	1/7	21.85	26.35	28.30	29.60	30.90	32.15	33.45	34.75	36.05
.156	5/32	23.85	28.70	30.85	32.25	33.65	35.05	36.45	37.85	39.25
.167	1/6	25.45	30.65	32.95	34.45	35.90	37.40	38.90	40.40	41.90
.188	3/16	28.55	34.35	36.95	38.60	40.30	41.95	43.65	45.30	47.00
.200	1/5	30.40	36.60	39.30	41.10	42.90	44.70	46.45	48.25	50.05
.219	7/32	33.05	39.80	42.80	44.70	46.65	48.60	50.55	52.50	54.45
.234	15/64	35.20	42.40	45.55	47.60	49.70	51.75	53.85	55.90	57.95
.250	1/4	37.40	45.05	48.40	50.60	52.80	55.00	57.20	59.40	61.60
.281	9/32	42.05	50.65	54.40	56.90	59.35	61.85	64.30	66.80	69.25
.313	5/16	46.85	55.85	60.00	62.70	65.45	68.15	70.90	73.60	76.35
.344	11/32	50.95	61.35	65.95	68.95	71.95	74.95	77.95	80.95	83.95
.375	3/8	55.65	67.05	72.05	75.30	78.55	81.85	85.10	88.40	91.65
Lengths 62¼" up to 74"										
0.031	[1] 1/32	7.00	8.35	8.95	9.35	9.75	10.15	10.55	10.95	11.30
.036	1/28	7.45	8.90	9.55	9.95	10.35	10.75	11.20	11.60	12.00
.042	1/24	8.10	9.65	10.35	10.85	11.30	11.75	12.20	12.65	13.10
.050	1/20	9.00	10.70	11.50	12.00	12.45	13.00	13.45	14.00	14.45
.053	1/19	9.45	11.25	12.05	12.55	13.10	13.60	14.15	14.65	15.20
.056	1/18	9.85	11.75	12.60	13.15	13.70	14.25	14.80	15.35	15.90
.063	1/16	10.85	12.95	13.85	14.45	15.10	15.70	16.30	16.90	17.50
.067	1/15	11.55	13.80	14.75	15.40	16.05	16.70	17.35	18.00	18.60
.071	1/14	12.10	14.45	15.50	16.15	16.85	17.50	18.20	18.85	19.55
.083	1/12	14.00	16.70	17.85	18.65	19.45	20.20	21.00	21.75	22.55
.091	1/11	15.20	18.15	19.45	20.30	21.15	21.95	22.80	23.65	24.50
.100	1/10	16.60	19.80	21.25	22.15	23.10	24.00	24.95	25.85	26.80
.111	1/9	18.30	21.85	23.40	24.40	25.45	26.45	27.45	28.50	29.50
.125	1/8	20.40	24.30	26.05	27.20	28.35	29.50	30.60	31.75	32.90
.143	1/7	23.15	27.60	29.60	30.90	32.15	33.45	34.75	36.05	37.30
.156	5/32	25.25	30.05	32.25	33.65	35.05	36.45	37.85	39.25	40.65
.167	1/6	26.95	32.10	34.45	35.90	37.40	38.90	40.40	41.90	43.40
.188	3/16	30.20	36.00	38.60	40.30	41.95	43.65	45.30	47.00	48.70
.200	1/5	32.15	38.35	41.10	42.90	44.70	46.45	48.25	50.05	51.80
.219	7/32	35.00	41.70	44.70	46.65	48.60	50.55	52.50	54.45	56.40
.234	15/64	37.25	44.40	47.60	49.70	51.75	53.85	55.90	57.95	60.05
.250	1/4	39.60	47.20	50.60	52.80	55.00	57.20	59.40	61.60	63.80
.281	9/32	44.50	53.05	56.90	59.35	61.85	64.30	66.80	69.25	71.70
.313	5/16	49.10	58.50	62.70	65.45	68.15	70.90	73.60	76.35	79.05
.344	11/32	53.95	64.30	68.95	71.95	74.95	77.95	80.95	83.95	86.90
.375	3/8	58.95	70.25	75.30	78.55	81.85	85.10	88.40	91.65	94.95
Lengths 74¼" up to 86"										
0.031	[1] 1/32	$7.40	$8.75	$9.35	$9.75	$10.15	$10.55	$10.95	$11.30	$11.70
.036	1/28	7.90	9.30	9.95	10.35	10.75	11.20	11.60	12.00	12.45
.042	1/24	8.55	10.10	10.85	11.30	11.75	12.20	12.65	13.10	13.55
.050	1/20	9.50	11.20	12.00	12.45	13.00	13.45	14.00	14.45	15.00
.053	1/19	9.95	11.75	12.55	13.10	13.60	14.15	14.65	15.20	15.70
.056	1/18	10.40	12.30	13.15	13.70	14.25	14.80	15.35	15.90	16.45
.063	1/16	11.45	13.50	14.45	15.10	15.70	16.30	16.90	17.50	18.10
.067	1/15	12.20	14.40	15.40	16.05	16.70	17.35	18.00	18.60	19.25
.071	1/14	12.80	15.10	16.15	16.85	17.50	18.20	18.85	19.55	20.20
.083	1/12	14.75	17.40	18.65	19.45	20.20	21.00	21.75	22.55	23.30
.091	1/11	16.05	18.95	20.30	21.15	21.95	22.80	23.65	24.50	25.35
.100	1/10	17.55	20.70	22.15	23.10	24.00	24.95	25.85	26.80	27.70
.111	1/9	19.35	22.80	24.40	25.45	26.45	27.45	28.50	29.50	30.55
.125	1/8	21.55	25.45	27.20	28.35	29.50	30.60	31.75	32.90	34.00
.143	1/7	24.45	28.85	30.90	32.15	33.45	34.75	36.05	37.30	38.60
.156	5/32	26.65	31.45	33.65	35.05	36.45	37.85	39.25	40.65	42.05
.167	1/6	28.45	33.55	35.90	37.40	38.90	40.40	41.90	43.40	44.90
.188	3/16	31.90	37.65	40.30	41.95	43.65	45.30	47.00	48.70	50.35
.200	1/5	33.95	40.10	42.90	44.70	46.45	48.25	50.05	51.80	53.60
.219	7/32	36.95	43.60	46.65	48.60	50.55	52.50	54.45	56.40	58.35
.234	15/64	39.35	46.45	49.70	51.75	53.85	55.90	57.95	60.05	62.10
.250	1/4	41.80	49.35	52.80	55.00	57.20	59.40	61.60	63.80	66.00
.281	9/32	47.00	55.45	59.35	61.85	64.30	66.80	69.25	71.70	74.20
.313	5/16	51.80	61.15	65.45	68.15	70.90	73.60	76.35	79.05	81.80
.344	11/32	56.95	67.20	71.95	74.95	77.95	80.95	83.95	86.90	89.95
.375	3/8	62.20	73.40	78.55	81.85	85.10	88.40	91.65	94.95	98.20
Lengths 86¼" up to 98"										
0.031	[1] 1/32	7.80	9.15	9.75	10.15	10.55	10.95	11.30	11.70	12.10
.036	1/28	8.30	9.70	10.35	10.75	11.20	11.60	12.00	12.45	12.85
.042	1/24	9.00	10.55	11.30	11.75	12.20	12.65	13.10	13.55	14.00
.050	1/20	10.00	11.70	12.45	13.00	13.45	14.00	14.45	15.00	15.45
.053	1/19	10.50	12.25	13.10	13.60	14.15	14.65	15.20	15.70	16.25
.056	1/18	10.95	12.85	13.70	14.25	14.80	15.35	15.90	16.45	17.00
.063	1/16	12.05	14.10	15.10	15.70	16.30	16.90	17.50	18.10	18.70
.067	1/15	12.85	15.00	16.05	16.70	17.35	18.00	18.60	19.25	19.90
.071	1/14	13.45	15.75	16.85	17.50	18.20	18.85	19.55	20.20	20.90
.083	1/12	15.55	18.20	19.45	20.20	21.00	21.75	22.55	23.30	24.10
.091	1/11	16.90	19.80	21.15	21.95	22.80	23.65	24.50	25.35	26.20
.100	1/10	18.45	21.60	23.10	24.00	24.95	25.85	26.80	27.70	28.65
.111	1/9	20.35	23.80	25.45	26.45	27.45	28.50	29.50	30.55	31.55
.125	1/8	22.65	26.50	28.35	29.50	30.60	31.75	32.90	34.00	35.15
.143	1/7	25.75	30.10	32.15	33.45	34.75	36.05	37.30	38.60	39.90
.156	5/32	28.05	32.80	35.05	36.45	37.85	39.25	40.65	42.05	43.45
.167	1/6	29.95	35.00	37.40	38.90	40.40	41.90	43.40	44.90	46.40
.188	3/16	33.55	39.30	41.95	43.65	45.30	47.00	48.70	50.35	52.05
.200	1/5	35.75	41.80	44.70	46.45	48.25	50.05	51.80	53.60	55.40
.219	7/32	38.90	45.50	48.60	50.55	52.50	54.45	56.40	58.35	60.30
.234	15/64	41.40	48.45	51.75	53.85	55.90	57.95	60.05	62.10	64.20
.250	1/4	44.00	51.50	55.00	57.20	59.40	61.60	63.80	66.00	68.20
.281	9/32	49.45	57.85	61.85	64.30	66.80	69.25	71.70	74.20	76.65
.313	5/16	54.55	63.80	68.15	70.90	73.60	76.35	79.05	81.80	84.50
.344	11/32	59.95	70.15	74.95	77.95	80.95	83.95	86.90	89.95	92.95
.375	3/8	65.50	76.00	81.85	85.10	88.40	91.65	94.95	98.20	101.50
Lengths 98¼" and longer										
0.031	[1] 1/32	8.20	9.50	10.15	10.55	10.95	11.30	11.70	12.10	12.50
.036	1/28	8.70	10.10	10.75	11.20	11.60	12.00	12.45	12.85	13.25
.042	1/24	9.45	11.00	11.75	12.20	12.65	13.10	13.55	14.00	14.45
.050	1/20	10.50	12.15	13.00	13.45	14.00	14.45	15.00	15.45	15.95
.053	1/19	11.00	12.75	13.60	14.15	14.70	15.20	15.70	16.25	16.75
.056	1/18	11.50	13.35	14.25	14.80	15.35	15.90	16.45	17.00	17.55
.063	1/16	12.65	14.70	15.70	16.30	16.90	17.50	18.10	18.70	19.30
.067	1/15	13.50	15.65	16.70	17.35	18.00	18.60	19.25	19.90	20.55
.071	1/14	14.15	16.40	17.50	18.20	18.85	19.55	20.20	20.90	21.55
.083	1/12	16.30	18.95	20.20	21.00	21.75	22.55	23.30	24.10	24.85
.091	1/11	17.75	20.60	21.95	22.80	23.65	24.50	25.35	26.20	27.05
.100	1/10	19.40	22.50	24.00	24.95	25.85	26.80	27.70	28.65	29.55
.111	1/9	21.35	24.80	26.45	27.45	28.50	29.50	30.55	31.55	32.55
.125	1/8	23.80	27.65	29.50	30.60	31.75	32.90	34.00	35.15	36.25
.143	1/7	27.00	31.35	33.45	34.75	36.05	37.30	38.60	39.90	41.15
.156	5/32	29.45	34.15	36.45	37.85	39.25	40.65	42.05	43.45	44.85
.167	1/6	31.45	36.50	38.90	40.40	41.90	43.40	44.90	46.40	47.90
.188	3/16	35.25	40.90	43.65	45.30	47.00	48.70	50.35	52.05	53.70
.200	1/5	37.55	43.55	46.45	48.25	50.05	51.80	53.60	55.40	57.20
.219	7/32	40.85	47.40	50.55	52.50	54.45	56.40	58.35	60.30	62.25
.234	15/64	43.50	50.45	53.85	55.90	57.95	60.05	62.10	64.20	66.25
.250	1/4	46.20	53.60	57.20	59.40	61.60	63.80	66.00	68.20	70.40
.281	9/32	51.95	60.30	64.30	66.80	69.25	71.70	74.20	76.65	79.15
.313	5/16	57.25	66.45	70.90	73.60	76.35	79.05	81.80	84.50	87.25
.344	11/32	62.95	73.05	77.95	80.95	83.95	86.90	89.95	92.95	95.90
.375	3/8	68.75	79.80	85.10	88.40	91.65	94.95	98.20	101.50	104.75

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the maximum price in the above table for that width which is one-half the specified prime width and is the same length ordered by the purchaser. For example if a purchaser ordered Cross Banding 98" wide by 50" long, all fractional part pieces against this item may be invoiced at not more than the established price for Cross Banding 49" wide by 50" long.

TABLE 28—NO. 2 CORE OR CENTER STOCK (NHLA RULE NO. 11 (b))

MANUFACTURED IN ZONE 3 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches): Decimal	Fractional	Random widths 6" to 38"	Specified one piece widths: 6" to 38"	38¼" to 50"	50¼" to 74"	74¼" to 98"
Lengths up to 62"						
0.083	1/12	$11.40	$14.80	$16.15	$17.10	$18.05
.091	1/11	12.40	16.10	17.55	18.60	19.60
.100	1/10	13.55	17.60	19.20	20.30	21.45
.111	1/9	14.95	19.40	21.15	22.40	23.65
.125	1/8	16.60	21.60	23.55	24.95	26.30
.143	1/7	18.85	24.55	26.75	28.30	29.90
.156	5/32	20.55	26.75	29.15	30.85	32.55
.167	1/6	21.95	28.55	31.10	32.90	34.75
.188	3/16	24.60	32.00	34.90	36.95	39.00
.200	1/5	26.20	34.10	37.15	39.30	41.50
.219	7/32	28.50	37.10	40.40	42.80	45.15
.234	15/64	30.35	39.50	43.00	45.55	48.10
.250	1/4	32.25	41.95	45.70	48.40	51.10
.281	9/32	36.30	47.15	51.40	54.40	57.45
.313	5/16	40.00	52.00	56.65	60.00	63.30
.344	11/32	43.95	57.15	62.30	65.95	69.60
.375	3/8	48.00	62.45	68.00	72.05	76.00
Lengths 62¼" to 74"						
.083	1/12	12.35	15.75	17.10	18.05	19.00
.091	1/11	13.45	17.10	18.60	19.60	20.65
.100	1/10	14.65	18.70	20.30	21.45	22.55
.111	1/9	16.15	20.60	22.40	23.65	24.85
.125	1/8	18.00	22.95	24.95	26.30	27.70
.143	1/7	20.45	26.05	28.30	29.90	31.45
.156	5/32	22.30	28.40	30.85	32.55	34.25
.167	1/6	23.80	30.30	32.90	34.75	36.60
.188	3/16	26.70	34.00	36.95	39.00	41.05
.200	1/5	28.40	36.20	39.30	41.50	43.70
.219	7/32	30.90	39.40	42.80	45.15	47.55
.234	15/64	32.90	41.95	45.55	48.10	50.60
.250	1/4	34.95	44.55	48.40	51.10	53.80
.281	9/32	39.30	50.10	54.40	57.45	60.45
.313	5/16	43.30	55.25	60.00	63.30	66.65
.344	11/32	47.65	60.70	65.95	69.60	73.25
.375	3/8	52.00	66.30	72.05	76.00	80.05
Lengths 74¼" to 98"						
0.083	1/12	$13.30	$16.65	$18.05	$19.00	$19.95
.091	1/11	14.45	18.15	19.60	20.65	21.70
.100	1/10	15.80	19.80	21.45	22.55	23.70
.111	1/9	17.40	21.80	23.65	24.85	26.10
.125	1/8	19.40	24.30	26.30	27.70	29.10
.143	1/7	22.00	27.60	29.90	31.45	33.00
.156	5/32	24.00	30.05	32.55	34.25	36.00
.167	1/6	25.60	32.10	34.75	36.60	38.40
.188	3/16	28.70	36.00	39.00	41.05	43.10
.200	1/5	30.60	38.35	41.50	43.70	45.85
.219	7/32	33.30	41.70	45.15	47.55	49.90
.234	15/64	35.45	44.40	48.10	50.60	53.15
.250	1/4	37.65	47.20	51.10	53.80	56.45
.281	9/32	42.30	53.05	57.45	60.45	63.50
.313	5/16	46.65	58.50	63.30	66.65	70.00
.344	11/32	51.30	64.30	69.60	73.25	76.95
.375	3/8	56.00	70.20	76.00	80.05	84.05
Lengths 98¼" and longer						
.083	1/12	14.25	17.60	19.00	19.95	20.90
.091	1/11	15.50	19.15	20.65	21.70	22.75
.100	1/10	16.95	20.90	22.55	23.70	24.85
.111	1/9	18.65	23.05	24.85	26.10	27.35
.125	1/8	20.80	25.65	27.70	29.10	30.50
.143	1/7	23.60	29.15	31.45	33.00	34.60
.156	5/32	25.70	31.75	34.25	36.00	37.70
.167	1/6	27.45	33.90	36.60	38.40	40.25
.188	3/16	30.80	38.00	41.05	43.10	45.15
.200	1/5	32.75	40.45	43.70	45.85	48.05
.219	7/32	35.65	44.00	47.55	49.90	52.30
.234	15/64	37.95	46.90	50.60	53.15	55.65
.250	1/4	40.35	49.80	53.80	56.45	59.15
.281	9/32	45.35	56.00	60.45	63.50	66.50
.313	5/16	50.00	61.75	66.65	70.00	73.30
.344	11/32	54.95	67.85	73.25	76.95	80.60
.375	3/8	60.00	74.10	80.05	84.05	88.05

NOTE: The maximum price for fractional part pieces shall be the maximum price in the above table for that width which is one-half the specified prime width and is the same length ordered by the purchaser. For example, if a purchaser ordered No. 2 Core or Center Stock 98" wide by 62" long, all fractional part pieces against this item may be invoiced at not more than the established price for No. 2 Core or Center Stock 49" wide by 62" long.

TABLE 28A—NO. 2 CORE OR CENTER STOCK (NHLA RULE NO. 11(b))

MANUFACTURED IN ZONE 3 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness: Decimal	Fractional	Random widths 6" to 38"	Specified one piece widths: 6" to 38"	38¼" to 50"	50¼" to 74"	74¼" to 98"
Lengths up to 62"						
0.083	1/12	$9.30	$12.10	$13.20	$14.00	$14.75
.091	1/11	10.15	13.20	14.35	15.20	16.05
.100	1/10	11.10	14.40	15.70	16.60	17.55
.111	1/9	12.20	15.90	17.30	18.30	19.35
.125	1/8	13.60	17.70	19.25	20.40	21.55
.143	1/7	15.45	20.05	21.85	23.15	24.45
.156	5/32	16.80	21.85	23.85	25.25	26.65
.167	1/6	17.95	23.35	24.45	26.95	28.45
.188	3/16	20.15	26.20	28.55	30.20	31.90
.200	1/5	21.45	27.90	30.40	32.15	33.95
.219	7/32	23.35	30.35	33.05	35.00	36.95
.234	15/64	24.85	32.30	35.20	37.25	39.35
.250	1/4	26.40	34.30	37.40	39.60	41.80
.281	9/32	29.70	38.60	42.05	44.50	47.00
.313	5/16	32.70	42.55	46.35	49.10	51.80
.344	11/32	35.95	46.75	50.95	53.95	56.95
.375	3/8	39.30	51.10	55.65	58.95	62.20
Lengths 62¼" to 74"						
0.083	1/12	10.10	12.90	14.00	14.75	15.55
.091	1/11	11.00	14.00	15.20	16.05	16.90
.100	1/10	12.00	15.30	16.60	17.55	18.45
.111	1/9	13.25	16.85	18.30	19.35	20.35
.125	1/8	14.75	18.80	20.40	21.55	22.65
.143	1/7	16.70	21.30	23.15	24.45	25.75
.156	5/32	18.25	23.25	25.25	26.65	28.05
.167	1/6	19.45	24.80	26.95	28.45	29.95
.188	3/16	21.85	27.85	30.20	31.90	33.55
.200	1/5	23.25	29.60	32.15	33.95	35.75
.219	7/32	25.30	32.25	35.00	36.95	38.90
.234	15/64	26.90	34.30	37.25	39.35	41.40
.250	1/4	28.60	36.45	39.60	41.80	44.00
.281	9/32	32.15	41.00	44.50	47.00	49.45
.313	5/16	35.45	45.20	49.10	51.80	54.55
.344	11/32	38.95	49.70	53.95	56.95	59.95
.375	3/8	42.55	54.25	58.95	62.20	65.50
Lengths 74¼" to 98"						
0.083	1/12	$10.90	$13.65	$14.75	$15.55	$16.30
.091	1/11	11.85	14.85	16.05	16.90	17.75
.100	1/10	12.90	16.20	17.55	18.45	19.40
.111	1/9	14.25	17.85	19.35	20.35	21.35
.125	1/8	15.85	19.90	21.55	22.65	23.80
.143	1/7	18.00	22.60	24.45	25.75	27.00
.156	5/32	19.65	24.60	26.65	28.05	29.45
.167	1/6	20.95	26.25	28.45	29.95	31.45
.188	3/16	23.50	29.45	31.90	33.55	35.25
.200	1/5	25.00	31.35	33.95	35.75	37.55
.219	7/32	27.25	34.15	36.95	38.90	40.85
.234	15/64	29.00	36.35	39.35	41.40	43.50
.250	1/4	30.80	38.60	41.80	44.00	46.20
.281	9/32	34.60	43.40	47.00	49.45	51.95
.313	5/16	38.15	47.85	51.80	54.55	57.25
.344	11/32	41.95	52.60	56.95	59.95	62.95
.375	3/8	45.85	57.45	62.20	65.50	68.75
Lengths 98¼" and longer						
0.083	1/12	11.65	14.40	15.55	16.30	17.10
.091	1/11	12.70	15.65	16.90	17.75	18.60
.100	1/10	13.85	17.10	18.45	19.40	20.30
.111	1/9	15.25	18.85	20.35	21.35	22.40
.125	1/8	17.00	21.00	22.65	23.80	24.95
.143	1/7	19.30	23.85	25.75	27.00	28.30
.156	5/32	21.00	25.95	28.05	29.45	30.85
.167	1/6	22.45	27.75	29.95	31.45	32.95
.188	3/16	25.20	31.10	33.55	35.25	36.95
.200	1/5	26.80	33.10	35.75	37.55	39.30
.219	7/32	29.15	36.00	38.90	40.85	42.80
.234	15/64	31.05	38.35	41.40	43.50	45.55
.250	1/4	33.00	40.75	44.00	46.20	48.40
.281	9/32	37.10	45.80	49.45	51.95	54.40
.313	5/16	40.90	50.50	54.55	57.25	60.00
.344	11/32	44.95	55.55	59.95	62.95	65.95
.375	3/8	49.10	60.65	65.50	68.75	72.05

NOTE: The maximum price for fractional part pieces shall be the maximum price in the above table for that width which is one-half the specified prime width and is the same length ordered by the purchaser. For example, if a purchaser ordered No. 2 Core or Center Stock 98" wide by 62" long, all fractional part pieces against this item may be invoiced at not more than the established price for No. 2 Core or Center Stock 49" wide by 62" long.

TABLE 29—REJECT BACKS (NHLA RULE NO. 8) NO. 3 CORE OR CENTER STOCK (NHLA RULE NO. 11 (C)).

MANUFACTURED IN ZONE 3 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths			
Decimal	Fractional		6" to 26"	26¼" to 50"	50¼" to 74"	74¼" to 98"
Lengths up to 62"						
0.031	1 1/32	$2.85	$4.65	$5.25	$5.70	$6.20
.036	1/28	3.05	4.95	5.60	6.10	6.60
.042	1/24	3.30	5.35	6.05	6.60	7.15
.050	1/20	3.65	5.95	6.70	7.30	7.95
.053	1/18	3.85	6.25	7.05	7.70	8.35
.056	1/18	4.05	6.55	7.35	8.05	8.70
.063	1/16	4.40	7.20	8.15	8.85	9.60
.067	1/15	4.70	7.65	8.65	9.40	10.20
.071	1/14	4.95	8.05	9.05	9.85	10.70
.083	1/12	5.70	9.35	10.45	11.40	12.35
.091	1/11	6.20	10.10	11.35	12.40	13.45
.100	1/10	6.80	11.00	12.40	13.50	14.65
.111	1/9	7.45	12.15	13.70	14.95	16.15
.125	1/8	8.30	13.50	15.25	16.60	18.00
.143	1/7	9.45	15.35	17.30	18.85	20.45
.154	5/32	10.30	16.70	18.85	20.55	22.30
.167	1/6	11.00	17.85	20.10	21.95	23.80
.188	3/16	12.30	20.00	22.55	24.60	26.70
.200	1/5	13.10	21.30	24.00	26.20	28.40
.219	7/32	14.25	23.20	26.15	28.50	30.90
.234	15/64	15.30	24.85	27.95	30.55	32.90
.250	1/4	16.15	26.20	29.60	32.25	34.95
.281	9/32	18.15	29.45	33.25	36.30	39.30
.313	5/16	20.00	32.50	36.65	40.00	43.30
.344	11/32	22.00	34.75	40.30	43.95	47.65
.375	3/8	24.00	39.00	44.00	48.00	52.00
Lengths 62¼" to 74"						
0.031	1 1/32	3.35	5.10	5.70	6.20	6.70
.036	1/28	3.55	5.45	6.10	6.60	7.10
.042	1/24	3.85	5.90	6.60	7.15	7.70
.050	1/20	4.25	6.55	7.30	7.95	8.55
.053	1/18	4.50	6.85	7.70	8.35	8.95
.056	1/18	4.70	7.20	8.05	8.70	9.40
.063	1/16	5.15	7.90	8.85	9.60	10.30
.067	1/15	5.50	8.40	9.40	10.20	11.00
.071	1/14	5.75	8.80	9.90	10.70	11.55
.083	1/12	6.65	10.30	11.40	12.35	13.30
.091	1/11	7.25	11.10	12.40	13.45	14.45
.100	1/10	7.90	12.10	13.55	14.65	15.80
.111	1/9	8.70	13.35	14.95	16.15	17.40
.125	1/8	9.70	14.85	16.60	18.00	19.40
.143	1/7	11.00	16.85	18.85	20.45	22.00
.154	5/32	12.00	18.35	20.55	22.30	24.00
.167	1/6	12.80	19.60	21.90	23.80	25.60
.188	3/16	14.35	22.00	24.60	26.70	28.70
.200	1/5	15.30	23.40	26.20	28.40	30.60
.219	7/32	16.65	25.50	28.50	30.90	33.20
.234	15/64	17.70	27.15	30.35	32.90	35.45
.250	1/4	18.80	28.85	32.25	34.95	37.65
.281	9/32	21.15	32.40	36.30	39.30	42.30
.313	5/16	23.35	35.75	40.00	43.30	46.65
.344	11/32	25.65	39.20	43.95	47.65	51.30
.375	3/8	28.00	42.90	48.00	52.00	56.00

Thickness (inches)		Random widths 6" to 26"	Specified one piece widths			
Decimal	Fractional		6" to 26"	26¼" to 50"	50¼" to 74"	74¼" to 98"
Lengths 74¼" to 98"						
0.031	1 1/32	$3.80	$5.60	$6.20	$6.70	$7.15
.036	1/28	4.05	5.95	6.60	7.10	7.60
.042	1/24	4.40	6.45	7.15	7.70	8.25
.050	1/20	4.90	7.15	7.95	8.55	9.15
.053	1/18	5.15	7.50	8.35	8.95	9.60
.056	1/18	5.35	7.85	8.70	9.40	10.05
.063	1/16	5.90	8.60	9.60	10.30	11.05
.067	1/15	6.30	9.20	10.20	11.00	11.75
.071	1/14	6.60	9.60	10.70	11.55	12.35
.083	1/12	7.60	11.10	12.35	13.30	14.25
.091	1/11	8.25	12.00	13.45	14.45	15.45
.100	1/10	9.05	13.20	14.65	15.80	16.90
.111	1/9	9.95	14.55	16.15	17.40	18.65
.125	1/8	11.10	16.20	18.00	19.40	20.80
.143	1/7	12.60	18.40	20.45	22.00	23.60
.154	5/32	13.70	20.05	22.30	24.00	25.75
.167	1/6	14.65	21.40	23.80	25.60	27.45
.188	3/16	16.40	24.00	26.70	28.70	30.80
.200	1/5	17.40	25.40	28.40	30.60	32.80
.219	7/32	19.00	27.80	30.90	33.20	35.65
.234	15/64	20.25	29.60	32.90	35.45	37.95
.250	1/4	21.50	31.45	34.95	37.65	40.35
.281	9/32	24.20	35.40	39.30	42.30	45.35
.313	5/16	26.65	39.00	43.30	46.65	50.00
.344	11/32	29.30	42.85	47.65	51.30	54.95
.375	3/8	32.00	46.80	52.00	56.00	60.00
Lengths 98¼" and longer						
0.031	1 1/32	4.30	6.05	6.70	7.15	7.65
.036	1/28	4.55	6.40	7.10	7.60	8.20
.042	1/24	4.95	7.00	7.70	8.25	8.85
.050	1/20	5.50	7.75	8.55	9.15	9.75
.053	1/18	5.75	8.05	8.95	9.60	10.25
.056	1/18	6.00	8.45	9.40	10.05	10.75
.063	1/16	6.65	9.35	10.30	11.05	11.80
.067	1/15	7.05	9.95	11.00	11.75	12.55
.071	1/14	7.40	10.45	11.55	12.35	13.20
.083	1/12	8.55	12.05	13.30	14.25	15.20
.091	1/11	9.30	13.10	14.45	15.50	16.55
.100	1/10	10.15	14.30	15.80	16.95	18.10
.111	1/9	11.20	15.75	17.40	18.65	19.90
.125	1/8	12.45	17.55	19.40	20.80	22.25
.143	1/7	14.15	19.95	22.00	23.60	25.25
.154	5/32	15.40	21.70	24.00	25.75	27.60
.167	1/6	16.45	23.20	25.60	27.45	29.35
.188	3/16	18.45	26.00	28.70	30.80	32.90
.200	1/5	19.55	27.55	30.60	32.80	35.05
.219	7/32	21.40	30.15	33.20	35.65	38.15
.234	15/64	22.75	32.10	35.45	37.95	40.55
.250	1/4	24.20	34.10	37.65	40.35	43.15
.281	9/32	27.20	38.30	42.30	45.35	48.45
.313	5/16	30.00	42.25	46.65	50.00	53.50
.344	11/32	32.95	46.45	51.30	54.95	58.70
.375	3/8	36.00	50.70	56.00	60.00	64.00

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the maximum price in the above table for that width which is one-half the specified prime width and is the same length ordered by the purchaser. For example, if a purchaser ordered Reject Backs 98" wide by 62" long, all fractional part pieces against this item may be invoiced at not more than the established price for Reject Backs 49" wide by 62" long.

TABLE 29A—REJECT BACKS (NHLA RULE NO. 8) NO. 3 CORE OR CENTER STOCK (NHLA RULE NO. 11 (C)).

MANUFACTURED IN ZONE 3 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths			
Decimal	Fractional		6" to 38"	38¼" to 50"	50¼" to 74"	74¼" to 98"
Lengths up to 62"						
0.031	1 1/32	$2.35	$3.80	$4.30	$4.70	$5.10
.036	1/28	2.50	4.05	4.55	5.00	5.40
.042	1/24	2.70	4.40	4.95	5.40	5.85
.050	1/20	3.00	4.85	5.50	6.00	6.50
.053	1/18	3.15	5.10	5.75	6.30	6.80
.056	1/18	3.30	5.35	6.05	6.60	7.15
.063	1/16	3.60	5.90	6.65	7.25	7.85
.067	1/15	3.85	6.25	7.05	7.70	8.35
.071	1/14	4.05	6.55	7.40	8.10	8.75
.083	1/12	4.65	7.60	8.55	9.30	10.10
.091	1/11	5.05	8.25	9.30	10.15	11.00
.100	1/10	5.55	9.00	10.15	11.10	12.00
.111	1/9	6.10	9.95	11.20	12.20	13.25
.125	1/8	6.80	11.05	12.45	13.60	14.75
.143	1/7	7.70	12.55	14.15	15.45	16.70
.156	5/32	8.40	13.65	15.40	16.80	18.25
.167	1/6	9.00	14.60	16.45	17.95	19.45
.188	3/16	10.05	16.35	18.45	20.15	21.85
.200	1/5	10.70	17.40	19.65	21.45	23.25
.219	7/32	11.65	18.95	21.40	23.35	25.30
.234	15/64	12.40	20.20	22.80	24.85	26.90
.250	1/4	13.20	21.45	24.20	26.40	28.60
.281	9/32	14.85	24.10	27.20	29.70	32.15
.313	5/16	16.35	26.60	30.00	32.70	35.45
.344	11/32	18.00	29.25	33.00	35.95	38.95
.375	3/8	19.65	31.90	36.00	39.30	42.55

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths			
Decimal	Fractional		6" to 38"	38¼" to 50"	50¼" to 74"	74¼" to 98"
Lengths 62¼" to 74"						
0.031	1 1/32	$2.75	$4.20	$4.70	$5.10	$5.45
.036	1/28	2.90	4.45	5.00	5.40	5.80
.042	1/24	3.15	4.85	5.40	5.85	6.30
.050	1/20	3.50	5.35	6.00	6.50	7.00
.053	1/18	3.65	5.60	6.30	6.80	7.30
.056	1/18	3.85	5.90	6.60	7.15	7.65
.063	1/16	4.20	6.45	7.25	7.85	8.40
.067	1/15	4.50	6.90	7.70	8.35	9.00
.071	1/14	4.70	7.20	8.10	8.75	9.35
.083	1/12	5.45	8.35	9.30	10.10	10.80
.091	1/11	5.90	9.05	10.15	11.00	11.85
.100	1/10	6.45	9.90	11.10	12.00	12.90
.111	1/9	7.10	10.90	12.20	13.25	14.25
.125	1/8	7.95	12.50	13.60	14.75	15.85
.143	1/7	9.00	13.80	15.45	16.70	18.00
.156	5/32	9.80	15.05	16.80	18.25	19.65
.167	1/6	10.50	16.05	17.95	19.45	20.95
.188	3/16	11.75	18.00	20.15	21.85	23.50
.200	1/5	12.50	19.15	21.45	23.25	25.00
.219	7/32	13.60	20.85	23.35	25.30	27.25
.234	15/64	14.50	22.20	24.85	26.90	29.00
.250	1/4	15.40	23.60	26.40	28.60	30.80
.281	9/32	17.30	26.50	29.70	32.15	34.60
.313	5/16	19.10	29.25	32.70	35.45	38.15
.344	11/32	21.00	32.15	35.95	38.95	41.90
.375	3/8	22.90	35.10	39.30	42.55	45.80

[1] And thinner.

TABLE 29A—REJECT BACKS (NHLA RULE NO. 8) NO. 3 CORE OR CENTER STOCK (NHLA RULE NO. 11 (C)).—Continued

MANUFACTURED IN ZONE 3 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN), AND MAGNOLIA

Thickness (inches)		Random widths 6" to 38"	Specified one piece widths			
Decimal	Fractional		6" to 38"	38¼" to 50"	50¼" to 74"	74¼" to 98"
Lengths 74¼" to 98"						
0.031	1 1/32	$3.10	$4.55	$4.10	$5.45	$5.85
.036	1/28	3.30	4.85	4.40	5.80	6.20
.042	1/24	3.60	5.25	5.85	6.30	6.75
.050	1/20	4.00	5.85	6.50	7.00	7.50
.053	1/18	4.20	6.15	6.80	7.35	7.85
.056	1/18	4.40	6.40	7.15	7.70	8.25
.063	1/16	4.80	7.05	7.85	8.45	9.05
.067	1/15	5.15	7.50	8.35	9.00	9.65
.071	1/14	5.40	7.80	8.75	9.45	10.10
.083	1/12	6.20	9.10	10.10	10.90	11.65
.091	1/11	6.75	9.90	11.00	11.85	12.70
.100	1/10	7.40	10.80	12.00	12.90	13.85
.111	1/9	8.15	11.90	13.25	14.25	15.25
.125	1/8	9.05	13.25	14.75	15.85	17.00
.143	1/7	10.30	15.05	16.70	18.00	19.30
.156	5/32	11.20	16.40	18.25	19.65	21.00
.167	1/6	11.95	17.50	19.45	20.95	22.45
.188	3/16	13.45	19.65	21.85	23.50	25.20
.200	1/5	14.30	20.90	23.25	25.00	26.80
.219	7/32	15.55	22.75	25.30	27.25	29.15
.234	15/64	16.55	24.20	26.90	29.00	31.05
.250	1/4	17.60	25.75	28.60	30.80	33.00
.281	9/32	19.80	28.95	32.15	34.60	37.10
.313	5/16	21.90	32.05	35.65	38.15	40.90
.344	11/32	24.00	35.05	38.95	41.95	44.95
.375	3/8	26.20	38.30	42.55	45.85	49.10
Lengths 98¼" and longer						
0.031	1 1/32	$3.50	$4.95	$5.45	$5.85	$6.25
.036	1/28	3.75	5.25	5.80	6.20	6.65
.042	1/24	4.05	5.70	6.30	6.75	7.20
.050	1/20	4.50	6.35	7.00	7.50	8.00
.053	1/18	4.70	6.65	7.35	7.85	8.40
.056	1/18	4.95	6.95	7.70	8.25	8.80
.063	1/16	5.45	7.65	8.45	9.05	9.65
.067	1/15	5.80	8.15	9.00	9.65	10.30
.071	1/14	6.05	8.55	9.45	10.10	10.80
.083	1/12	7.00	9.85	10.90	11.65	12.45
.091	1/11	7.60	10.70	11.85	12.70	13.50
.100	1/10	8.30	11.70	12.90	13.85	14.80
.111	1/9	9.15	12.90	14.25	15.25	16.30
.125	1/8	10.20	14.35	15.85	17.00	18.15
.143	1/7	11.60	16.30	18.00	19.30	20.60
.156	5/32	12.60	17.75	19.65	21.00	22.45
.167	1/6	13.45	18.95	20.95	22.45	23.95
.188	3/16	15.10	21.30	23.50	25.20	26.85
.200	1/5	16.10	22.65	25.00	26.80	28.60
.219	7/32	17.50	24.65	27.25	29.15	31.10
.234	15/64	18.65	26.25	29.00	31.05	33.15
.250	1/4	19.80	27.90	30.80	33.00	35.20
.281	9/32	22.25	31.35	34.60	37.10	39.55
.313	5/16	24.55	34.55	38.15	40.90	43.60
.344	11/32	26.95	38.00	41.95	44.95	47.95
.375	3/8	29.45	41.50	45.85	49.10	52.40

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the maximum price in the above table for that width which is one-half the specified prime width and is the same length ordered by the purchaser. For example, if a purchaser ordered Reject Backs 98" wide by 62" long, all fractional part pieces against this item may be invoiced at not more than the established price for Reject Backs 49" wide by 62" long.

TABLE 30—CUT DOWNS OR PRODUCTION CUTS (NHLA RULE NO. 15)

MANUFACTURED IN ZONE 3 FROM SWEET GUM, TUPELO (BAY POPLAR) AND POPLAR

Thickness (inches)		Price
Decimal	Fractional	
0.031	1 1/32	$4.65
.036	1/28	4.95
.042	1/24	5.35
.050	1/20	5.95
.053	1/18	6.25
.056	1/18	6.55
.063	1/16	7.20
.067	1/15	7.65
.071	1/14	8.05
.083	1/12	9.35
.091	1/11	10.10
.100	1/10	11.00
.111	1/9	12.15
.125	1/8	13.50
.143	1/7	15.35
.156	5/32	16.70
.167	1/6	17.85
.188	3/16	20.00
.200	1/5	21.30
.219	7/32	23.20
.234	15/64	24.85
.250	1/4	26.20
.281	9/32	29.45
.313	5/16	32.50
.344	11/32	35.75
.375	3/8	39.00

[1] And thinner.

NOTE: Cut Downs or Production Cuts which are sold in random widths or lengths or in a combination of species or grades must be sold at prices not higher than the prices set out in this table. Of course, the quantities in the different species, grades and sizes can be quoted and invoiced, *if graded and tallied separately*, at the established prices for those species, grades and sizes in the appropriate table.

TABLE 30A—CUT DOWNS OR PRODUCTION CUTS (NHLA RULE NO. 15)

MANUFACTURED IN ZONE 3 FROM BLACK GUM, SYCAMORE, SOUTHERN MAPLE, SOUTHERN BASSWOOD (LYNN) AND MAGNOLIA

Thickness (inches)		Price
Decimal	Fractional	
0.031	1 1/32	$3.80
.036	1/28	4.05
.042	1/24	4.40
.050	1/20	4.85
.053	1/18	5.10
.056	1/18	5.35
.063	1/16	5.90
.067	1/15	6.25
.071	1/14	6.55
.083	1/12	7.60
.091	1/11	8.25
.100	1/10	9.05
.111	1/9	9.95
.125	1/8	11.05
.143	1/7	12.55
.156	5/32	13.65
.167	1/6	14.60
.188	3/16	16.35
.200	1/5	17.40
.219	7/32	18.95
.234	15/64	20.30
.250	1/4	21.45
.281	9/32	24.10
.313	5/16	26.60
.344	11/32	29.25
.375	3/8	31.90

[1] And thinner.

NOTE: Cut Downs or Production Cuts which are sold in random widths or lengths or in a combination of species or grades must be sold at prices not higher than the prices set out in this table. Of course, the quantities in the different species, grades and sizes can be quoted and invoiced, *if graded and tallied separately*, at the established prices for those species, grades and sizes in the appropriate table.

OPA Form 675-682 (4-44) — Form approved Budget Bureau No. 3070

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UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON 25, D. C.

APPLICATION FOR MAXIMUM PRICE
FOR COMMERCIAL VENEER
NOT SPECIFICALLY PRICED IN MPR 538

OPA application number [1]	Date
Name of company	
Address—Number and street	
City and postal zone number	State
Address of mill—city	State

INSTRUCTIONS

This application must be filed in duplicate within 30 days of the date on which the producing mill enters into a contract for the sale of this "Special" item but shipment under the contract cannot commence before the application is filed. See MPR 538, Sec. 3 (b).

MAIL TO
OFFICE OF PRICE ADMINISTRATION
LUMBER BRANCH
WASHINGTON 25, D. C.

COMPLETE BOTH COLUMNS

I. SPECIAL ITEM TO BE PRICED.			II. NEAREST COMPARABLE ITEM PRICED IN MPR 538		
Species			Species		
Thickness	Width	Length	Thickness	Width	Length
Grade			Grade		
Complete description if other than standard grade (see also (2) below)					
F. o. b. mill GMPR price M$M		$	F. o. b. mill GMPR price M$M		$
Requested f. o. b. mill price for specified prime widths M$M		$	F. o. b. mill MPR 538 price M$M for specified prime widths		$
Requested f. o. b. mill price M$M for fractional part pieces		$	F. o. b. mill MPR 538 price M$M for fractional part pieces		$
Grade of logs used			Grade of logs used		
Delivered cost of logs used		$	Delivered cost of logs used		

NOTE: If it is not possible to furnish GMPR price on the "Special" item to be priced attach a detailed explanation of how the requested price was computed.

Attach: (1) A true copy of the purchase order or inquiry.
(2) A letter from purchaser showing proposed use of this special item, and an explanation of why standard item cannot be used.
(3) A letter from the Plywood and Veneer Distribution Section, Lumber and Lumber Products Division, War Production Board, Washington 25, D. C., stating that authorization of a price on this "Special" item will not hinder production of more essential items.

APPLICATIONS WHICH DO NOT SUPPLY THE REQUIRED INFORMATION AND ATTACHMENTS WILL NOT BE CONSIDERED

I certify that the information contained herein and on the attached sheets is true and correct.

Sign here _____ (Signature) _____ (Title) _____ (Date)

[1] Applications must be numbered serially, beginning with Number 1. Any subsequent application on the same item must use the same number as the original application with the addition of serial letters a, b, c, etc.

This regulation shall become effective June 17, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8531; Filed, June 12, 1944; 4:41 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 28]

SUGAR

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1433, 1534, 2263, 2636, 2828, 3081, 3513, 3579, 3647, 4090.

Revised Ration Order 3 is amended in the following respect:

1. Section 1407.71 (c) is amended by deleting the last sentence and inserting in place thereof the following: "However, the Regional Administrator may, in his discretion, authorize any District Office (in that region) to permit Boards located in its district to grant to consumers an amount of sugar in excess of ten pounds but not in excess of twenty pounds per person. The Board shall issue 'ration coupons' for the amount of sugar granted."

This amendment shall become effective June 16, 1944.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005; War Food Order No. 64, 8 F.R. 7093)

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8532; Filed, June 12, 1944; 4:43 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 24]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respects:

1. Section 1407.86a (e) is amended by changing the period at the end thereof to a comma and by adding the following: "except that application for the full increase in allotment for the period commencing April 1, 1944 may be made at any time before July 6, 1944."

2. Section 1407.244 is amended to read as follows:

§ 1407.244 *Schedule D: Areas which have had a substantial increase in population and the percentage for each such area.*

State	County	Percentage: For the period commencing Apr. 1, 1944	Percentage: For periods commencing on or after July 1, 1944
Alabama	Baldwin	15	15
	Calhoun	30	30
	Colbert	10	10
	Dale	20	20
	Etowah	15	15
	Houston	15	15
	Madison	10	10
	Mobile	70	70
	Montgomery	10	10
	Russell	15	15
	Talladega	20	20

[1] 9 F.R. 3220, 3254, 5166, 5426, 5346, 1433, 1534, 2263, 2636, 2828, 3081, 3513, 3579, 3647, 3944, 4090, 4350, 4474, 4680.

§ 1407.244 *Schedule D*—Continued.

State	County	Percentage: For the period commencing Apr. 1, 1944	Percentage: For periods commencing on or after July 1, 1944
Arizona	Apache	20	20
	Cochise	20	20
	Gila	10	10
	Greenlee	60	60
	Maricopa	20	20
	Mohave	30	30
	Navajo	15	15
	Pima	30	30
	Pinal	40	40
	Yuma	70	70
Arkansas	Jefferson	15	15
	Pulaski	15	15
	Saline	15	15
California	Sebastian	10	10
	Alameda	30	30
	Contra Costa	130	130
	Fresno	30	30
	Inyo	60	60
	Kern	15	15
	Lassen	30	20
	Los Angeles	30	30
	Madera	10	10
	Marin	30	30
	Modoc	40	40
	Monterey	30	30
	Napa	30	30
	Orange	30	30
	Riverside	60	40
	Sacramento	15	15
	San Bernardino	30	30
	San Diego	50	50
	San Francisco	15	15
	San Joaquin	15	15
	San Luis Obispo	70	70
	San Mateo	30	20
	Santa Barbara	30	30
	Santa Clara	10	10
	Santa Cruz	10	None
	Solano	100	100
	Stanislaus	15	15
	Ventura	10	10
	Yuba	30	40
Colorado	Arapahoe	15	15
	Denver	10	10
	Dolores	10	10
	Eagle	70	70
	El Paso	40	40
	Jefferson	10	10
	Lake	30	30
	Otero	10	10
	Prowers	15	15
	Pueblo	10	10
Connecticut	Hartford	10	10
Delaware	New Castle	10	10
District of Columbia		20	20
Florida	Bay	150	150
	Bradford	150	150
	Brevard	15	15
	Broward	15	15
	Charlotte	15	15
	Clay	20	20
	Dade	20	20
	De Soto	10	10
	Duval	30	30
	Escambia	40	40
	Franklin	100	90
	Gulf	60	60
	Highlands	110	110
	Hillsborough	30	30
	Lee	50	50
	Leon	20	20
	Martin	30	30
	Monroe	60	60
	Okaloosa	40	40
	Okeechobee	10	10
	Orange	20	20
	Palm Beach	15	15
	Pinellas	15	15
	Polk	10	10
	St. Lucie	20	20
	Sarasota	30	30
Georgia	Bibb	40	40
	Camden	15	15
	Chatham	40	40
	Cobb	20	20
	Decatur	10	10
	Dougherty	20	20
	Fulton	10	10
	Glynn	110	110
	Houston	50	50
	Liberty	60	60
	Lowndes	10	10
	McIntosh	10	10
	Muscogee	70	70
	Peach	10	10
	Richmond	20	20
	Stephens	15	15
	Thomas	15	15

§ 1407.244 *Schedule D*—Continued.

State	County	Percentage: For the period commencing Apr. 1, 1944	Percentage: For periods commencing on or after July 1, 1944
Idaho	Bannock	10	10
	Elmore	60	40
	Jerome	20	20
	Kootenai	15	15
	Valley	10	10
Illinois	Du Page	10	10
	Fulton	20	10
	Lake	15	15
	Madison	10	10
	St. Clair	10	10
	Winnebago	10	10
Indiana	Bartholomew	20	20
	Clark	20	20
	Floyd	10	10
	Marion	10	10
	St. Joseph	10	10
	Scott	10	10
	Starke	15	15
	Vanderburgh	15	15
Iowa	Des Moines	10	10
Kansas	Barton	10	10
	Douglas	10	10
	Finney	30	20
	Ford	10	10
	Geary	20	20
	Johnson	20	20
	Pratt	10	10
	Riley	15	10
	Saline	40	20
	Sedgwick	40	40
	Seward	50	50
Kentucky	Christian	20	15
	Hardin	60	50
	Henderson	10	10
	Jefferson	15	15
	Union	80	20
Louisiana	Allen	15	None
	Beauregard	40	40
	Calcasieu	40	40
	East Baton Rouge	20	20
	Grant	30	10
	Jefferson	30	30
	La Salle	10	10
	Natchitoches	20	20
	Orleans	15	15
	Rapides	80	70
	Sabine	20	10
	St. Bernard	10	10
	Vermilion	10	10
	Vernon	120	120
Maine	Cumberland	10	10
	Sagadahoc	15	15
	York	10	10
Maryland	Anne Arundel	15	15
	Baltimore	30	30
	Calvert	20	15
	Cecil	20	20
	Charles	15	15
	Harford	30	30
	Howard	10	10
	Montgomery	30	30
	Prince Georges	30	30
	St. Marys	30	30
Independent city	Baltimore	15	15
Massachusetts	Barnstable	30	20
Michigan	Berrien	10	10
	Calhoun	15	15
	Macomb	30	30
	Midland	10	10
	Muskegon	15	15
	Oakland	20	20
	Washtenaw	20	20
	Wayne	10	10
Mississippi	Forrest	90	90
	Grenada	30	30
	Harrison	60	60
	Hinds	10	10
	Jackson	90	90
	Wilkinson	60	40
Missouri	Clay	15	15
	Newton	20	20
	Phelps	70	70
	Pulaski	20	20
	St. Louis	15	15
Montana	Cascade	10	10
Nebraska	Adams	10	10
	Box Butte	40	30
	Hall	10	10
	Sarpy	15	10
Nevada	Clark	160	160
	Mineral	160	160
	Nye	90	90
	Washoe	20	20
New Jersey	Monmouth	10	10
	Sussex	10	10
New Mexico	Bernalillo	20	15
	Chaves	40	40
	Curry	20	20
	De Baca	60	60

§ 1407.244 *Schedule D*—Continued.

State	County	Percentage: For the period commencing Apr. 1, 1944	Percentage: For periods commencing on or after July 1, 1944
New Mexico—Continued	Eddy	30	30
	Luna	70	70
	McKinley	10	10
	Otero	30	30
New York	Nassau	10	10
	Niagara	10	10
North Carolina	Craven	20	20
	Cumberland	40	40
	Durham	15	15
	Gaston	10	10
	Graham	90	90
	Guilford	10	10
	New Hanover	90	90
	Onslow	80	80
	Pasquotank	20	20
	Richmond	20	15
	Wayne	10	None
Ohio	Allen	10	10
	Clinton	10	10
	Franklin	10	10
	Greene	30	30
	Lake	10	10
	Montgomery	20	20
	Portage	10	10
	Summit	10	10
	Warren	10	10
Oklahoma	Cleveland	15	15
	Comanche	50	50
	Oklahoma	10	10
	Tulsa	15	15
Oregon	Benton	40	30
	Clackamas	15	15
	Clatsop	10	10
	Crook	10	10
	Deschutes	20	20
	Jackson	30	30
	Jefferson	30	30
	Lane	10	10
	Linn	20	20
	Multnomah	30	30
	Umatilla	15	15
	Washington	15	15
Pennsylvania	Delaware	10	10
	Mercer	10	10
Rhode Island	Kent	10	10
	Newport	20	20
	Washington	15	15
South Carolina	Beaufort	10	10
	Charleston	50	50
	Dorchester	10	10
	Greenville	10	10
	Kershaw	10	10
	Richland	30	30
South Dakota	Fall River	20	20
	Minnehaha	10	10
	Pennington	10	10
Tennessee	Bedford	10	None
	Blount	15	15
	Coffee	110	80
	Davidson	10	None
	Franklin	10	None
	Knox	10	10
	Loudon	15	15
	Montgomery	30	20
	Roane	15	15
	Rutherford	15	10
	Shelby	15	15
	Sullivan	15	15
	Wilson	10	None
Texas	Bailey	20	20
	Bastrop	40	40
	Bell	50	40
	Bexar	20	20
	Bowie	30	20
	Brazoria	70	70
	Brazos	10	10
	Brewster	20	20
	Brown	70	70
	Cameron	10	10
	Childress	30	30
	Cochran	50	50
	Cooke	40	40
	Coryell	20	20
	Cottle	10	10
	Crosby	20	20
	Dallam	70	70
	Dallas	15	15
	Dawson	40	40
	Dickens	10	10
	Ector	15	15
	El Paso	20	20
	Galveston	20	20
	Garza	20	20
	Hale	10	10
	Hansford	10	10
	Harris	20	20
	Hays	15	15
	Hockley	70	70
	Howard	30	30

§ 1407.244 *Schedule D*—Continued.

State	County	Percentage: For the period commencing Apr. 1, 1944	Percentage: For periods commencing on or after July 1, 1944
Texas—Cont.	Hutchinson	10	10
	Jefferson	30	30
	King	10	10
	Kinney	70	10
	Kleberg	20	20
	Lamar	10	10
	Lamb	20	20
	Lubbock	40	40
	Lynn	80	80
	Martin	20	20
	Matagorda	30	30
	Maverick	20	20
	Medina	20	20
	Midland	30	30
	Moore	120	120
	Nueces	40	40
	Oldham	15	15
	Orange	170	170
	Palo Pinto	50	50
	Pecos	10	None
	Potter	20	20
	Reeves	40	40
	Tarrant	20	20
	Taylor	50	50
	Terry	20	20
	Tom Green	10	10
	Val Verde	20	20
	Victoria	20	20
	Ward	20	20
	Webb	15	15
	Wichita	15	10
Utah	Carbon	15	15
	Davis	50	50
	Millard	20	20
	Salt Lake	15	15
	Tooele	70	70
	Utah	20	20
	Weber	30	30
Virginia	Arlington	60	60
	Dinwiddie	40	40
	Elizabeth City	60	60
	Fairfax	30	30
	King George	15	10
	Montgomery	20	15
	Norfolk	160	160
	Nottoway	80	70
	Princess Anne	40	40
	Pulaski	10	10
	Warwick	200	200
	York	30	30
Independent cities.	Alexandria	70	70
	Bristol	50	50
	Buena Vista	20	40
	Charlottesville	10	10
	Danville	30	None
	Fredericksburg	30	30
	Hampton	40	40
	Hopewell	20	20
	Newport News	90	70
	Norfolk	40	40
	Petersburg	10	10
	Portsmouth	30	30
	Radford	30	30
	Richmond	20	20
	South Norfolk	20	20
	Suffolk	20	20
	Williamsburg	130	130
Washington	Clark	100	100
	Franklin	60	60
	Island	10	10
	Jefferson	10	10
	King	20	20
	Kitsap	120	120
	Pierce	20	20
	Spokane	10	10
	Thurston	10	None
West Virginia	Kanawha	20	20
Wisconsin	Dane	10	10
	Door	20	20
	Monroe	20	20
Wyoming	Laramie	30	30
	Park	20	20
	Sweetwater	10	10
Territory of Alaska		35	35
Territory of Hawaii		30	30
Panama Canal Zone		60	60

This amendment shall become effective June 15, 1944.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005; War Food Order No. 64, 8 F.R. 7093)

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8533; Filed, June 12, 1944; 4:41 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 25]

SUGAR

A rationale accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respect:

1. Section 1407.242 Schedule B is amended to read as follows:

§ 1407.242 *Schedule B: Allotment percentages for industrial users.*

	Percentage of sugar base: For the period commencing April 1, 1944	Percentage of sugar base: For periods commencing on or after July 1, 1944
1. Bread and other bakery products	80	80
2. Baking mixes, including batters	80	80
3. Breakfast cereals; and cereal paste products such as spaghetti and macaroni	80	80
4. Ice cream; ices; sherbets; frozen custards; and mixes used for these purposes	70	80
5. Condensed milk in containers of one gallon or less; cheese; other dairy products not included in other items; frozen eggs; and sugared egg yolks	70	80
6. Bottled beverages (alcoholic and nonalcoholic); flavoring and coloring extracts; fountain syrups; drink mixes; brandied fruits; maraschino cherries; fountain fruits; pickled fruits and vegetables; relishes	70	80
7. Mayonnaise and salad dressing	70	80
8. Products fried in fat (except bakery products) such as nuts, potato chips	70	80
9. Candy; chocolate; cocoa; chewing gum	70	80
10. Sandwiches	70	80
11. Dehydrated and dried soup and soup mixes	70	80
12. Canned and bottled foods (not included in other items); table syrup	70	80
13. Experimental, educational, demonstration, and testing purposes	70	80
14. Pharmaceuticals (internal); allergy foods; vitamin oils; cough drops	100	125
15. Pharmaceuticals (external)	100	125
16. All other classes; food	70	80
17. All other classes; non-food	70	80

This amendment shall become effective June 15, 1944.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1433, 1534, 2233, 2826, 2828, 3031, 3513, 3579, 3847, 3944, 4099, 4350, 4474, 4880, 5220, 5254, 5220, 5166, 5426, 5946.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1-E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005; War Food Order No. 64, 8 F.R. 7093)

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8534; Filed, June 12, 1944; 4:41 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 150,[1] Amdt. 7]

FINISHED RICE AND RICE MILLING BY-PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 150 is amended in the following respects:

1. Section 5 (a) (13) is added to read as follows:

(13) "Converted milled rice" is rice which has been processed in the manner described in patent Nos. 2286486 and 2287737 registered in the United States Patent Office.

2. Section 6 (a) (1) is amended to read as follows:

(1) For finished rice consisting of not less than 96 per cent of whole kernels and not more than 4 per cent of broken kernels nor more than 1 per cent of a variety other than the predominant variety, the maximum price shall be as follows:

Variety	Milled rice	Undermilled rice	Brown rice	Converted milled rice (when sold to the United States Government or any of its agencies)[1]
Rexoro	$8.25	$7.40	$6.75	$8.65
Nira	8.25	7.40	6.75	8.65
Fortuna	7.80	6.80	6.20	8.15
Edith	7.00	6.80	6.00	8.10
Prelude	7.00	6.80	6.00	8.10
Caloady	6.65	6.10	5.85	7.90
Blue Rose	6.80	6.10	5.85	9.05
Ark Rose	6.80	6.10	5.85	9.05
Southern Pearl	6.80	6.10	5.85	9.05
California Pearl	6.80	6.10	5.85	7.75
Lady Wright	6.80	6.10	5.75	8.00
Zenith	6.80	6.10	5.85	9.05
Early Prolific	6.20	5.70	5.40	7.00
Any other variety	6.20	5.70	5.40	7.00

[1] When converted milled rice is sold to any person other than the United States Government or any of its agencies the maximum price shall be the maximum price for milled rice.

This amendment shall become effective June 19, 1944.

Issued this 13th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8556; Filed, June 13, 1944; 11:36 a. m.]

[1] 8 F.R. 4786, 10758, 12873, 14076, 15322; 9 F.R. 3347, 3426, 3649, 5736.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 378, Amdt. 7]

MIXED FEEDS FOR ANIMALS AND POULTRY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 378 is amended in the following respects:

1. Section 6 (a) (1) is amended to read as follows:

(1) As to any ingredient used for which a maximum price is established by any regulation issued by the Office of Price Administration, other than the General Maximum Price Regulation as amended, he shall include the cost of such an ingredient at the maximum price thereof to him per ton in carload quantities as if purchased at the time of the calculation as prescribed by the Office of Price Administration. Said maximum price shall be the maximum price at his producing plant except that where in his purchase a rate point is selected as the destination to secure favorable transit rates and balances, said maximum price shall be the maximum price at said rate point.

2. Section 7 (a) (1) is amended to read as follows:

(1) As to any ingredient used for which a maximum price is established by any regulation issued by the Office of Price Administration, other than the General Maximum Price Regulation as amended, he shall include the cost of such an ingredient at the maximum price thereof to him for the quantity normally purchased by him as if purchased at the time of the calculation as prescribed by the Office of Price Administration. Said maximum price shall be the maximum price at his producing plant except that where in his purchase a rate point is selected as the destination to secure favorable transit rates and balances, said maximum price shall be the maximum price at said rate point.

This amendment shall become effective June 19, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8557; Filed, June 13, 1944; 11:36 a. m.]

PART 1374—FURS

[MPR 541]

RAW, DRESSED, AND DRESSED AND DYED FURS AND PELTRIES

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. Such specifications and standards as are used in this regulation, were, prior to such use, in general use in the trade or industry affected.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1374.2 *Maximum prices for raw, dressed, and dressed and dyed furs and peltries.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 541 (Raw, Dressed, and Dressed and Dyed Furs and Peltries), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1374.2 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION No. 541—RAW, DRESSED, AND DRESSED AND DYED FURS AND PELTRIES

CONTENTS

Sec.
1. Sales of furs and peltries at higher than maximum prices prohibited.
2. To what products, transactions and geographical areas this regulation applies.
3. Definitions.
4. Relation to other maximum price regulations.
5. Pricing chart.
6. Maximum prices for furs and peltries delivered (or sold through an auction company or broker) during the base period.
7. Adjustment of maximum prices determined under section 6.
8. Maximum prices for furs and peltries not delivered (or sold through an auction company or broker) during the base period.
9. Exemption levels for specified raw furs or peltries.
10. Applications for increases in maximum prices or establishment of maximum prices.
11. Approval, disapproval and revision of maximum prices.
12. Invoices.
13. Records.
14. Prohibitions.
15. Licensing.
16. Enforcement.
17. Petitions for amendment.
18. Adjustable pricing.
19. Appendix A: Kinds of furs or peltries.
20. Appendix B: Pricing charts.
21. Appendix C: Exemption level prices for listed kinds of raw furs and peltries.

SECTION 1. *Sales of furs and peltries at higher than maximum prices prohibited.* (a) On and after June 19, 1944, regardless of any contract or other obligation, no person shall sell or deliver, and no person, in the course of trade or business, shall buy or receive any furs or peltries at prices higher than the maximum prices established by this regulation, and no person shall agree, offer or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 2. *To what products, transactions and geographical areas this regulation applies.*—(a) *What products and transactions are covered by this regulation.* This regulation applies to all sales, purchases and deliveries of furs and peltries, raw, dressed, or dressed and dyed, whether imported or domestic, with the following exceptions:

(1) Dressed Alaska sealskins, raw or dressed blue fox pelts and raw or dressed white foxes owned by the United States Government (which are covered by Second Revised Order No. 111, issued under § 1499.3 (b) of the General Maximum Price Regulation);

(2) Ranch mink and ranch silver fox; and

(3) Sales by a breeder, farmer, rancher, trapper or hunter of furs or peltries, if his total sales or deliveries do not exceed $75 during any one calendar month.

(b) *What geographical areas are covered.* This regulation applies to the continental United States, but not to the territories and possessions of the United States.

(c) *Export sales.* The maximum prices at which a person may export furs and peltries shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation issued by the Office of Price Administration.

SEC. 3. Definitions. The definitions in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used in this regulation, to the extent that they are not inconsistent with the definitions set forth in this section.

(a) *Raw furs and peltries.* The term "raw furs and peltries" means undressed or untanned fur skins or peltries, whether imported or domestic, which are commonly known as fur skins.

(b) *Dressed or dressed and dyed furs and peltries.* The term "dressed or dressed and dyed furs and peltries" means raw fur skins or peltries which have been processed with the hair on and made suitable for use in the manufacture of fur garments or fur trimmings.

(c) *Base period.* The term "base period" means the period from October 1, 1941 to April 30, 1942 inclusive.

(d) *Highest price.* The term "highest price" means the highest price at which the seller delivered, or, in the case of a sale through an auction company or broker, sold a kind of fur or peltry in a kind of sale during the base period.

(e) *Kind of fur or peltry.* The term "kind of fur or peltry" means each kind of fur or peltry listed in section 19, Appendix A. It also means every other kind recognized by trade usage as a general kind of fur or peltry, but only if such other kind is not listed in section 19 and is not included in any kind so listed. (For example, "Northern muskrat" is one "kind of fur or peltry", regardless of geographical origin and section, and therefore includes "Jersey" or "Black" muskrats; "Leopard" is a "kind of fur or peltry" and includes all leopards (etc.).

(f) *Kind of sale.* The term "kind of sale" means a sale in a bulk lot, graded and/or matched lot or matched bundle.

(1) *Bulk lot.* The term "bulk lot" means an ungraded lot of furs or peltries

*Copies may be obtained from the Office of Price Administration.

billed at an average price for all furs or peltries in the lot.

(2) *Graded and/or matched lot.* The term "graded and/or matched lot" means a lot of furs or peltries graded in accordance with the seller's customary practice, sold with a statement specifying the grades included in the lot and the number or percentage of skins of each grade, and billed at a separate price per skin for each grade in the lot or at an average price for all skins in the lot.

(3) *Matched bundle.* The term "matched bundle" means the number of dressed or dressed and dyed skins sufficient to make only one garment, matched and graded for use in a single garment and sold as a unit.

(4) *Graded and/or matched.* The terms "graded" and/or "matched" refer to the seller's customary practice of sorting skins based on such factors as (but not limited to) size, primeness, color, weight, origin, section, sex, luster, etc.

(g) *Seller.* The term "seller" means a person selling furs or peltries which he owns. The term shall also include any auction company, broker or agent who sells furs or peltries owned by a person not within the continental United States.

(h) *Auction company.* The term "auction company" means a person who sells at auction furs or peltries owned by another person who is within the continental United States.

(i) *Broker.* The term "broker" means any person, other than an auction company, who sells furs or peltries owned by another person who is within the continental United States.

(j) *Competitive sellers of the same class.* "Competitive sellers of the same class" means sellers (1) of the same type (for example, collectors, importers, primary dealers, secondary dealers, etc.), (2) dealing in the same kinds of furs or peltries and making the same kinds of sales and (3) selling to the same type of purchaser (for example, garment manufacturers, trimming manufacturers, secondary dealers, etc.).

(k) *General level of prices prevailing among competitive sellers of the same class* means the prices or price range at or below which a representative group of competitive sellers of the same class delivered ninety (90) per cent of the total quantity delivered by them during the base period in a kind of sale of a kind of fur or peltry.

SEC. 4. *Relation to other maximum price regulations.* This regulation shall apply, and the General Maximum Price Regulation, Revised Supplementary Regulation 14 thereto, and the Maximum Import Price Regulation shall not apply, to all furs and peltries covered by this regulation, except that furs or peltries pelted outside the continental United States and purchased by an importer pursuant to a written contract entered into on or before April 24, 1944, may be sold and delivered under the General Maximum Price Regulation; Revised Supplementary Regulation 14 thereto or the Maximum Import Price Regulation up to and including September 30, 1944, *Provided:* That within 15 days from the effective date of this regulation a report is filed with the Consumer Goods Price Division of the Office of Price Administration, Washington, D. C., stating the quantity of furs and peltries on hand and the quantity to be received and attaching a copy of the contract of purchase showing:

(a) The date of the purchase,

(b) The kinds of furs and peltries purchased, the quantity and assortment, and

(c) The purchase price and all discounts and allowances.

SEC. 5. *Pricing chart.* (a) *Pricing chart—(1) Who must file.* On or after July 19, 1944, no seller who delivered (or sold through an auction company or broker) during the base period any furs or peltries which he purchased from another person shall sell, offer for sale or deliver any fur or peltry unless he has previously received from the Office of Price Administration acknowledgment of the filing of his pricing chart. Examples of a pricing chart appear in section 20, Appendix B, of this regulation. Separate pricing charts shall be filed for raw furs and peltries and for dressed and dressed and dyed furs and peltries.

(2) *Place of filing.* Two copies of each pricing chart, signed by the seller, shall be filed on or before July 19, 1944 with the Office of Price Administration at the District Office having jurisdiction over the area in which the seller's main office is located. The seller shall retain a copy for his own use.

(3) *Contents of pricing chart.* The pricing chart shall contain the following:

(i) Name of seller and address of main office;

(ii) Type of seller (dealer, collector, importer, etc.);

(iii) A list of each separate kind of fur or peltry delivered (or sold through an auction company or broker) during the base period in each kind of sale;

(iv) The highest price at which each kind of fur or peltry listed was delivered (or sold through an auction company or broker) during the base period in each kind of sale;

(v) The exemption level price for each kind of raw fur or peltry listed for which an exemption level price is established in section 21, Appendix C, of this regulation;

(vi) The seller's total dollar sales volume for all furs and peltries for the calendar year 1943, or, if he keeps his books on a fiscal year basis, for his latest fiscal year;

(vii) The name and address of a purchaser to whom delivery was made at each price listed. Where the sale was made through an auction company or broker, state the name and address of the auction company or broker instead of the purchaser and precede the name by the symbol "(A)" for auction company or "(B)" for broker; and

(viii) The date of each delivery (or sale through an auction company or broker) listed.

(b) *Persons who do not have records.* If any person required to file a pricing chart does not have the necessary records to prepare such chart, he must obtain from his purchasers or consignees a record of the prices at which they received deliveries (or, in the case of auction companies or brokers, made sales) of his furs or peltries during the base period.

(c) *Furnishing of records by purchasers or consignees.* Any purchaser or consignee to whom furs or peltries were delivered during the base period by a person required to file a pricing chart must furnish to such person, within 7 days after receipt of written request by such person, duplicate invoices or a price list showing the prices paid for the furs or peltries delivered by such person (or sold by such person through an auction company or broker) during the base period.

SEC. 6. *Maximum prices for furs and peltries delivered (or sold through an auction company or broker) during the base period.* (a) The maximum price for any kind of fur or peltry, whether raw, dressed or dressed and dyed, shall be the highest price at which the seller delivered (or sold through an auction company or broker) during the base period the same kind of fur or peltry in the same kind of sale, except that the maximum prices for grades lower than the best grade of a kind of fur or peltry in the same kind of sale shall be in line with such highest price, making downward adjustments to reflect the customary differentials for such lower grades and for geographical origin or section, in accordance with the seller's established base period practice.

(b) A seller whose highest price for a kind of raw fur or peltry listed in section 21, Appendix C, is higher than the exemption level price there established may not sell a greater percentage of that kind of fur or peltry in the price range between the exemption level price and his highest price than the percentage delivered by him (or sold through an auction company or broker) in said price range during the base period.

SEC. 7. *Adjustment of maximum prices determined under section 6—(a) Reductions.* Any maximum price established under section 6 may be reduced by the Office of Price Administration if, and to the extent that, it is in excess of the general level of prices prevailing among competitive sellers of the same class during the base period for the same kind of sale of the same kind of fur or peltry.

(b) *Increases.* Any maximum price established under section 6 which is below the general level of prices prevailing among competitive sellers of the same class during the base period for the same kind of sale of the same kind of fur or peltry may be increased to such general level upon application filed in accordance with the provisions of section 10. However, no such application may be filed with respect to any raw fur or peltry listed in section 21, Appendix C of this regulation.

SEC. 8. *Maximum prices for furs and peltries not delivered (or sold through an auction company or broker) during the base period.* The maximum price for a kind of fur or peltry or a kind of

sale of a fur or peltry which was not delivered (or sold through an auction company or broker) during the base period will be established by the Office of Price Administration upon application filed by the seller in accordance with the provisions of section 10. However, no such application may be filed with respect to any raw fur or peltry listed in section 21, Appendix C, of this regulation.

SEC. 9. *Exemption levels for specified raw furs and peltries.* (a) Any seller of any kind of raw fur or peltry listed in section 21, Appendix C of this regulation, whose highest price for the kind of raw fur or peltry is less than the exemption level price established in said Appendix C, and any seller who has no highest price for the kind of raw fur or peltry, may take the exemption level price as his maximum price for that kind of raw fur or peltry.

SEC. 10. *Applications for increases in maximum prices or establishment of maximum prices.* Applications for increases in maximum prices or establishment of maximum prices shall be filed by mailing by registered mail, return receipt requested, two copies of the application, signed by the applicant, to the Office of Price Administration at the District Office having jurisdiction over the area in which the applicant's main office is located. Such application shall contain the following:

(a) Name of seller and address of main office;

(b) A statement of each kind of fur or peltry and each kind of sale for which applicant seeks a price or price increase;

(c) A statement of the price or prices requested for each kind of fur or peltry and each kind of sale listed in (b), above, with a statement showing how the applicant determined such requested prices;

(d) The names and addresses of applicant's most closely competitive sellers of the same class (five should be named, if possible);

(e) The highest price of each competitive seller listed in (d), above, for each kind of sale of each kind of fur or peltry; and

(f) The price at or below which each of the competitive sellers listed in (d), above, delivered ninety (90) per cent of the total quantity delivered by him during the base period in each kind of sale of a kind of fur or peltry listed in (b), above.

Upon return of the requested receipt to the applicant, or earlier written acknowledgment of the filing by the Office of Price Administration, he may sell, offer for sale or deliver at the prices requested, making downward adjustments to reflect customary differentials for lower grades, for geographical origin, and for section, in accordance with the seller's established base period practice, or, in the case of a seller who made no delivery (or sale through an auction company or broker) during the base period, in accordance with established trade practice.

SEC. 11. *Approval, disapproval and revision of maximum prices.* The Price Administrator, or any Regional Administrator or any State or District Director so authorized by his Regional Administrator, may at any time approve, disapprove or revise any maximum price reported, proposed or established under sections 6, 7 or 8 of this regulation so as to bring it into line with the level of maximum prices otherwise established by this regulation.

SEC. 12. *Invoices—(a) Auction companies and brokers.* Every auction company and broker shall, in connection with each sale or delivery of furs or peltries, furnish an invoice to the purchaser showing:

(1) The date of sale;

(2) The name and address of the auction company or broker and the purchaser;

(3) The shipping terms, if any;

(4) The identifying lot number and sample number (if different) for each lot sold (in the case of auction companies these must be as customarily set forth in the descriptive catalogue of the sale);

(5) The kind of fur or peltry, the kind of sale, the quantity and selling price and, in the case of sales of graded and/or matched lots or matched bundles, the grade prices or average prices, as the case may be (in the case of auction companies the grades must be as customarily set forth in the descriptive catalogue of the sale).

(b) *All other sellers.* Every seller, other than a hunter or trapper, shall, in connection with every sale of furs or peltries, other than sales made through auction companies or brokers, deliver to the purchaser an invoice showing:

(1) The date of sale;

(2) The name and address of the seller and the purchaser;

(3) The shipping terms, if any;

(4) The terms of sale;

(5) A description of the furs or peltries sold as follows:

(i) The seller's identifying lot, bundle or invoice number for each lot or bundle sold and (ii) the kind of fur or peltry, the kind of sale, the quantity and selling price and, in the case of sales of graded and/or matched lots or matched bundles, the grade prices or average prices, as the case may be.

SEC. 13. *Records—(a) Current records.* Every seller must keep a duplicate of the invoice delivered by him in connection with every sale, and every buyer, in the course of trade or business, must keep the invoices received by him in connection with every purchase for which a maximum price is established by this regulation. Every seller and every purchaser of furs or peltries must keep a record, either in the form of a duplicate invoice or otherwise, of each sale or purchase of furs or peltries, including the kind of fur or peltry, the kind of sale, the quantity and the price at which each kind of fur or peltry was purchased or sold (a seller or purchaser who sold or purchased through an auction company or broker must also state that fact in his record and state the name and address of the auction company or broker). In addition, every seller must record on either his retained duplicate of the invoice delivered in connection with every sale, or elsewhere in his records, the fact that he purchased the furs from a hunter or trapper, or, in the case of a purchase from another person, the name of that person or persons and the purchase invoice or other purchase record number or numbers covering such purchase by the seller.

(b) *Auction companies.* Every auction company which sells an original consignment at auction in separately graded lots (regardless of whether such lots are made exclusively from skins contained in that consignment, or whether skins from several consignments are made into a single lot) must maintain records of each such consignment which will:

(1) State the date of receipt of the consignment,

(2) State the number of skins contained in the consignment,

(3) State the name and address of the consignor,

(4) State the consignor's maximum price for the consignment,

(5) State whether such maximum price was determined under section 6, 7, 8 or 9 of this regulation,

(6) State the lot numbers of the graded lots which include skins from this consignment,

(7) State the number of skins from this consignment included in each lot listed in (6),

(8) State the selling price per skin for each graded lot listed in (6),

(9) State the name and address of the purchaser or purchasers, and

(10) Identify by lot number and sample number each sale to each purchaser.

For the purposes of this paragraph (b) each kind of fur or peltry included in an original consignment shall be considered a separate consignment.

(c) *Base period records.* Every seller must preserve the records required by § 1499.11 of the General Maximum Price Regulation, and such other records relating to purchases and deliveries during the base period as may be in his possession on the issue date of this regulation.

SEC. 14. *Prohibitions.* (a) No seller shall sell, offer for sale or deliver any furs or peltries at a price higher than the maximum prices established under this regulation.

(b) No seller shall change his customary discounts, allowances, or other price differentials, if the change would result in a higher net price.

(c) No seller shall make a sale of furs or peltries which is conditioned, directly or indirectly, on the purchase of any other commodity or service.

(d) No person shall, in the course of trade or business, buy or receive any fur or peltry which was sold in violation of this regulation. However, dealers purchasing furs from a hunter, trapper or farmer at prices higher than the maxi-

mum prices established by this regulation shall not be deemed to have violated this regulation unless they know or have reason to believe that such purchases are subject to this regulation.

(e) No person shall, for the purpose of evading the price limitations set forth in this regulation, sell, purchase, deliver, contract, deal or otherwise operate with or through any other person under common control with, controlled by, controlling or otherwise affiliated with the seller. No person shall do any other act which, directly or indirectly, increases the consideration paid for any fur or peltry. Any practice which is a device to secure the effect of a higher-than-ceiling price is as much a violation as an outright raising of the maximum price. This applies to devices making use of commissions, services, transportation arrangements, premiums, discounts, special privileges, tying agreements, trade understandings and all similar practices.

(f) No person shall agree, offer, solicit or attempt to do any of the acts prohibited by this section.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price regulations. A person may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 16. *Enforcement.* Any person who does any act, or fails to do any act, in violation of this regulation is subject to the criminal penalties, civil enforcement suits, suits for treble damages and proceedings for the suspension of license provided by the Emergency Price Control Act of 1942, as amended.

SEC. 17. *Petitions for amendment.* Any person seeking a modification of any provision of this Maximum Price Regulation No. 541 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 [1] issued by the Office of Price Administration.

SEC. 18. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by the official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 19. *Appendix A: Kinds of furs or peltries.* [2]

Cats, Civet, (North American).
Cats, Lynx and Wild, (North American).
Cats, Spotted, (South American, including Brasilian and Mexican).
Ermine, (Russian).
Weasel, (North American).
Fitch, Black.
Fitch, White.
Fox, Blue.
Fox, Cross.
Fox, Gray.
Fox, Red.
Fox, Silver.
Fox, White.
Marten, (European).
Marten, (North American).
Mink, Wild.
Muskrat, (Northern, including "Jersey").
Muskrat, (Southern U. S.).
Opossum, (Australasian).
Opossum, (North American).
Persian Lamb, (Afghan and Russian).
Persian Lamb, (Southwest African).
Pony, (Russian).
Pony, (South American).
Rabbit, (European).
Rabbit, (Australasian).
Rabbit, (North American).
Raccoon, (Coat).
Raccoon, (Trim).
Skunk, (North American).
Skunk, (South American).
Squirrel, (Siberian and North European Type).

SEC. 20. *Appendix B: Pricing charts*—(a) *Raw furs and peltries.*

PRICING CHART

Superior Fur Company,
123 Broadway,
New York City.

Type of seller—Skin Dealer
Signed—Superior Fur Company
By—John Doe

RAW FURS AND PELTRIES

Total dollar sales volume (all furs and peltries)—$1,506,850.00
Period—Calendar year ending December 31, 1943

Kind of fur or peltry	Highest price (per skin) during base period October 1, 1941 to April 30, 1942, inclusive: For bulk lot	Highest price (per skin) during base period October 1, 1941 to April 30, 1942, inclusive: For graded lot	Exemption level prices	Name and address of purchaser, auction company, or broker	Date of delivery (or date of sale through auction company or broker)
Muskrat (Northern, including "Jersey").	$2.00			A. B. C. Fur Co. Address.	10-6-41
Muskrat (Northern including "Jersey").		$2.80	$2.35	X. Y. Z. Fur Co. Address.	11-7-41
Muskrat (Southern U. S.).	1.35			(A) Jones Auction Co. Address	10-15-41
Muskrat (Southern U. S.).		1.53	1.70	X Mfg. Co. Address	11-14-41
Badger	20.00			(B) M. N. Co. Address	1-9-42
Badger		23.00		Jones Fur Co. Address	2-18-42
Persian Lamb (Russian)	13.00			(A) K. W. Auction Co. Address	3-3-42
Persian Lamb (Russian)		14.43		A. Fur Co. Address	3-4-42

(b) *Dressed and dressed and dyed furs and peltries.*

PRICING CHART

Superior Fur Company
123 Broadway
New York City

Type of seller—Skin Dealer
Signed—Superior Fur Company
By—John Doe

DRESSED AND DRESSED AND DYED FURS AND PELTRIES

Total dollar sales volume (all furs and peltries)—$1,506,850.00
Period—Calendar year ending December 31, 1943.

Kind of fur or peltry	Highest price (per skin) during base period October 1, 1941 to April 30, 1942, inclusive: For bulk lot	Highest price (per skin) during base period October 1, 1941 to April 30, 1942, inclusive: For graded and/or matched lot	Highest price (per skin) during base period October 1, 1941 to April 30, 1942, inclusive: For matched bundle	Name and address of purchaser auction company or broker	Date of delivery (or date of sale through auction company or broker)
Beaver	$88.00			Jones Fur Co. Address.	10-10-41
Beaver		$37.00		NI) Furs. Address.	11- 9-41
Beaver			$52.00	NI) Furs. Address.	12-28-41
Persian Lamb (Southwest African).	8.00			Jones Fur Co. Address.	3-21-42
Persian Lamb (Southwest African).		9.50		Best Fur Co. Address.	1-10-42
Persian Lamb (Southwest African).			16.20	Nu Fur Co. Address.	4-15-42

[2] There are other kinds of furs or peltries besides those listed in this appendix. For example, leopard, badger, monkey, etc. are each a separate kind of fur or peltry, regardless of geographical origin or section. In addition, there are other furs, such as cats, which are not included in the kinds of cat furs specified. All other cats will constitute one additional kind of fur. Similarly, all other fox, all other fitch, all other ermine, etc. will each be an additional kind of fur.

[1] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 3075.

SEC. 21. *Appendix C: Exemption level prices for listed kinds of raw furs and peltries.* The exemption level prices listed below are for sales as described of the specified raw furs and peltries. These prices must be adjusted downward to reflect customary differentials for lower grades, for geographical origin, and for section, in accordance with the seller's established base period practice, or, in the case of a seller who made no delivery (or sale through an auction company or broker) during the base period, in accordance with established trade practice.

Kind and Description:	Exemption level price
Beaver—25% Blankets, 40% extra large, 35% large	$39.50
Marmot—No. 1, Western Mongolian	4.00
Muskrat (Northern, including "Jersey") Nos. 1 and 2, 75% extra large and large, 25% medium	2.35
Muskrat (Southern U. S.)—Tops	1.70
Opossum (North American)—Nos. 1 and 2, 65% extra large and large, 25% medium, 10% small	.83
Persian Lamb (Southwest African)—Original, best sections	7.25
Raccoon (Coat)—Coat type, "square handle," 65% extra large and large, 35% medium and small; 70% No. 1, 30% No. 2	3.65
Skunk (North American)—Northwestern, 70% prime, 30% unprime; free of low grades and culls	3.65

This regulation shall become effective June 19, 1944.

NOTE: The reporting and record-keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 13th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8558; Filed, June 13, 1944; 11:38 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses,[1] Amdt. 23]

RESORT ROOMS

Section 1 (b) (5) of the Rent Regulation for Hotels and Rooming Houses is amended to read as follows:

(5) *Resort rooms*—(i) *Exemption.* Rooms located in a resort community and customarily rented or occupied on a seasonal basis, which were not rented during any portion of the period beginning on November 1, 1943 and ending on February 29, 1944.

The exemption provided by this paragraph (b) (5) (i) shall be effective only from June 1, 1944 to September 30, 1944, inclusive.

(ii) *Exception from exemption.* The provisions of section 1 (b) (5) (i) shall not apply to rooms in the Madison, Wisconsin Defense-Rental Area from June 15, 1944 to September 30, 1944, inclusive.

This amendment shall become effective June 15, 1944.

(56 Stat. 23, 765)

Issued this 13th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8559; Filed, June 13, 1944; 11:36 a. m.]

[1] 9 F.R. 2164, 3231, 3421, 4194, 4541.

PART 1388—DEFENSE-RENTAL AREAS

[Rent Regulation for Housing,[1] Amdt. 26]

RESORT HOUSING

Section 1 (b) (6) of the Rent Regulation for Housing is amended to read as follows:

(6) *Resort housing*—(i) *Exemption.* Housing accommodations located in a resort community and customarily rented or occupied on a seasonal basis, which were not rented during any portion of the period beginning on November 1, 1943 and ending on February 29, 1944.

The exemption provided by this paragraph (b) (6) (i) shall be effective only from June 1, 1944 to September 30, 1944, inclusive.

(ii) *Exception from exemption.* The provisions of section 1 (b) (6) (i) shall not apply to housing accommodations in the Madison, Wisconsin, Defense-Rental Area from June 15, 1944 to September 30, 1944, inclusive.

This amendment shall become effective June 15, 1944.

(56 Stat. 23, 765)

Issued this 13th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8560; Filed, June 13, 1944; 11:36 a. m.]

[1] Copies may be obtained from the Office of Price Administration.
[2] 9 F.R. 5607.

PART 1499—COMMODITIES AND SERVICES

[GMPR, 2d Rev. Order 111]

ALASKA SEAL SKINS AND FOX PELTS

Maximum prices authorized under § 1499.3 (b) of the General Maximum Price Regulation, Second Revised Order No. 111. Sales by the Department of the Interior of the United States Government and other persons of dyed and dressed Alaska fur seal skins and raw or dressed blue and white Alaska fox pelts.

Revised Order No. 111 under § 1499.3 (b) of the General Maximum Price Regulation is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,[1] and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328 and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, it is ordered:

§ 1499.975 *Approval of maximum prices for sales by the Department of the Interior of the United States Government and other persons of dyed and dressed Alaska fur seal skins and raw or dressed blue and white Alaska fox pelts.* (a) On and after June 13, 1944, the maximum prices at which the Department of the Interior of the United States Government, or the Fouke Fur Company of St. Louis, Missouri, acting as its agent, may sell, deliver or offer for sale lots of dyed and dressed Alaska fur seal skins and raw or dressed blue and white Alaska fox pelts shall be the highest prices received by the Department of the Interior of the United States Government for the same or similar lots of skins or pelts sold by it at the auction sale conducted for its account by the Fouke Fur Company of St. Louis, Missouri, on April 20, 1942.

(b) Within 10 days after a maximum price for any such lot of skins or pelts has been determined in accordance with paragraph (a) of this order, the Department of the Interior of the United States Government shall report such price to the Office of Price Administration, Washington, D. C.

(c) On and after June 13, 1944, the maximum price at which any other person may sell, deliver or offer for sale any lot of skins or pelts priced under paragraph (a) of this order shall be the price at which said lot of skins or pelts was sold at the auction sale conducted for the account of the Department of the Interior of the United States Government by the Fouke Fur Company of St. Louis, Missouri plus 10% of such price, plus freight actually paid thereon.

(d) The Department of the Interior of the United States Government or the Fouke Fur Company of St. Louis, Missouri, acting as its agent, shall, in connection with each sale of skins or pelts priced under paragraph (a) of this order, deliver its customary invoice to the purchaser.

(e) Any other person selling any lot of skins or pelts priced under paragraph (a) of this order shall, in connection with each sale of such lot of skins or pelts deliver to the purchaser an invoice or similar document showing: (1) the date of sale, (2) the name and address of the seller and the purchaser, (3) the shipping terms, (4) the terms of sale and selling price of each skin or pelt, (5) a complete description of the furs sold, stating the color, size and grade of each lot of skins or pelts, (6) the lot number under which each lot of skins or pelts was sold and the price charged by the Department of the Interior of the United States Government or the Fouke Fur Company of St. Louis, Missouri, acting as its agent, and the date of such sale, and (7) the freight actually paid thereon.

(f) No person may sell Alaska seal skins in matched bundles who did not make such sales during the period October 1, 1941 to June 13, 1944, inclusive. Any person who sold matched bundles during this period may continue to do so at a volume not in excess of the percentage which his sales of matched bundles represented to his total sales of seal skins during the period.

(g) The average maximum price for any lot of Alaska seal skins sold in matched bundles shall be the price at which said lot was sold at the auction sale conducted for the account of the Department of the Interior of the United States Government by the Fouke Fur Company at St. Louis, Missouri plus 20% of such price, plus freight actually paid thereon, and the total sum received may not exceed the amount that would have been received had all the bundles been sold at the average maximum price for the entire bundled lot.

(h) Any person selling matched bundles who can establish that during the period October 1, 1941 to June 13, 1944 inclusive, he had a higher markup than 20% and that a 20% markup subjects him to substantial hardship may file with the Office of Price Administration, Washington, D. C., an application for adjustment of his maximum price.

(i) As used in this Second Revised Order No. 111 a "matched bundle" means the number of dyed and dressed Alaska seal skins sufficient to make only one garment, matched and graded for use in a single garment and sold as a unit.

(j) Any person selling any matched bundle of seal skins priced under paragraph (g) of this order shall, in connection with each sale of such matched bundle deliver to the purchaser an invoice or similar document showing: (1) the date of sale, (2) name and address of the seller and purchaser, (3) the shipping terms, (4) the terms of sale and selling price of each bundle sold, (5) a description of each bundle sold, giving the number of skins in each bundle, (6) the freight actually paid thereon and (7) the average maximum price for the entire bundled lot from which each bundle was made.

(k) The maximum prices established by this Second Revised Order No. 111 shall be subject to adjustment by the Office of Price Administration at any time.

(l) This order may be amended or revoked by the Office of Price Administration at any time.

(m) This Second Revised Order No. 111 (§ 1499.975) shall become effective June 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8563; Filed, June 13, 1944; 11:37 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165,[1] Rev. Supp. Service Reg. 19, Amdt. 1]

OIL BURNER SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new § 1499.671 (a) (5) (iv) is added to read as follows:

(iv) Notwithstanding the provisions of subdivision (iii) of this supplementary service regulation or any other regulation, the maximum charge for "annual overhauls" on oil burners performed by any person located in the Counties of Anne Arundel, Baltimore, Carroll, Harford, or Howard, or in the City of Baltimore, Maryland, shall be not in excess of $4.00. Where annual overhauls include an Orsat or other instrument analysis of flue gases or products of combustion, an additional charge of not more than $1.00 may be made.

"Annual overhaul" refers to the service of vacuum cleaning an oil burner and boiler, cleaning the base of the chimney, and making such minor adjustments and corrections as are immediately necessary to promote efficient operation throughout a heating season.

The above charges for an annual overhaul may be made only once, with respect to an oil burner, during any one year.

Suppliers who have properly filed higher charges in accordance with the requirements of § 1499.108 (b) of Maximum Price Regulation No. 165 for annual overhauls may retain such higher charges.

This Amendment No. 1 shall become effective June 19, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8561; Filed, June 13, 1944; 11:37 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1, Amdt. 89]

EXCEPTION OF PRODUCTS HAVING EDITORIAL OR INFORMATIONAL CONTENT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith, and filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6428, 6906, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3894, 4782, 5681, 5755, 5933, 6364, 8506, 8673, 10071, 10089, 11784, 12029, 12710, 13302, 13472, 14990; 9 F.R. 1819.

Revised Supplementary Regulation No. 1 is amended in the following respects:

1. The section heading of section 2.4 is amended to read as follows: *"Products having editorial or informational content."*

2. Section 2.4 (a) is amended by adding a new commodity, "globes," to the list of commodities contained therein.

3. Section 2.4 (c) is redesignated section 2.12 (p), and the last sentence thereof is amended to read as follows: "Nothing in this section 2.12 (p) shall apply to fiber flax tow."

This amendment shall become effective on the 19th day of June 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8562; Filed, June 13, 1944; 11:37 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Public Land Order 233]

ALASKA

WITHDRAWAL OF PUBLIC LANDS FOR USE IN CONNECTION WITH PROSECUTION OF THE WAR

By virtue of the authority vested in the President, and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and reserved under the jurisdiction of the Secretary of the Interior for use in connection with the prosecution of the war:

FAIRBANKS MERIDIAN

T. 12 S., R. 6 W.,
Sec. 10, all;
Sec. 11, all;
Sec. 12, S½;
Sec. 13, N½N½, unsurveyed;
Sec. 14, N½.
The areas described aggregate 2,080 acres.

MICHAEL W. STRAUS,
Acting Secretary of the Interior.

JUNE 3, 1944.

[F. R. Doc. 44-8549; Filed, June 13, 1944; 10:22 a. m.]

[Public Land Order 234]

WASHINGTON

REVOCATION OF EXECUTIVE ORDER WITHDRAWING PUBLIC LANDS

By virtue of the authority contained in section 1 of the act of June 25, 1910, c. 421, 36 Stat. 847 (U.S.C., title 43, sec. 141), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 5976 of December 16, 1932, withdrawing and reserving the following-described public land in Washington, for use by the Department of Agriculture as the Greenleaf Mountain lookout site in connection with the administration of nearby national forests, is hereby revoked:

WILLAMETTE MERIDIAN

T. 3 N., R. 7 E.,
Sec. 29, NE¼SE¼.

The area described contains 40 acres.

MICHAEL W. STRAUS,
Acting Secretary of the Interior.

JUNE 3, 1944.

[F. R. Doc. 44-8550; Filed, June 13, 1944; 10:22 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

HONDO PROJECT, NEW MEXICO

PARTIAL REVOCATION OF FIRST AND SECOND FORM WITHDRAWAL

MAY 12, 1944.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Hondo project, the withdrawal of the hereinafter described lands, withdrawn in the first and second forms prescribed by section 3 of the Act of June 17, 1902 (32 Stat. 388), by Departmental orders of January 31, 1903 and February 16, 1904, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the lands hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other lands by said orders or affect any other order withdrawing or reserving the lands hereinafter listed.

HONDO PROJECT

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 11 S., R. 22 E.,
Sec. 14, S½NE¼, SE¼NW¼, E½SW¼;
Sec. 26, N½SW¼;
Sec. 27, N½SE¼, SW¼SE¼;
Sec. 34, E½;
Sec. 35, S½;
Sec. 36, W½NE¼, NW¼.
T. 11 S., R. 23 E.,
Sec. 12, SE¼SE¼;
Sec. 13;
Sec. 14, E½;
Sec. 18, W½NE¼, S½NW¼;
Sec. 21, S½NW¼, E½SW¼;
Sec. 22, E½E½;
Secs. 23 to 26, inclusive;
Sec. 27, E½, E½W½;
Sec. 30, NW¼NE¼, S½NW¼;
Sec. 33, E½SW¼, SE¼;
Sec. 34, W½, SE¼;
Sec. 35, E½, E½W½, NW¼NW¼, W½SW¼;
Sec. 36.
T. 12 S., R. 23 E.,
Secs. 3 to 6, inclusive;
Sec. 7, NE¼, E½W½, N½SE¼;
Sec. 8, N½, N½S½;
Sec. 9, N½, N½S½;
Sec. 10, NW¼, N½SW¼.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur May 30, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation regarding the Hondo project is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

JUNE 3, 1944.

[F. R. Doc. 44-8551; Filed, June 13, 1944; 10:22 a. m.]

General Land Office.

UTAH

MODIFICATION OF UTAH GRAZING DISTRICT 1

Under and pursuant to the provisions of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315 et seq.), and subject to the limitations and conditions therein contained, Utah Grazing District No. 1 is modified by eliminating therefrom the following described land:

UTAH

SALT LAKE MERIDIAN

T. 4 N., R. 1 E.,
Sec. 4, NW¼.

MICHAEL W. STRAUS,
Acting Secretary of the Interior.

JUNE 3, 1944.

[F. R. Doc. 44-8548; Filed, June 13, 1944; 10:22 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 298]

RECONSIGNMENT OF PEAS AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, June 4 or 5, 1944, by Dunn Jarson Company of cars PFE 37391 and MDT 3197, peas, on the Missouri Pacific Railroad to Dunn Jarson Company, Chicago, Illinois.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of June 1944.

V. C. CLINGER,
Director, Bureau of Service.

[F. R. Doc. 44-8540; Filed, June 13, 1944; 10:14 a. m.]

[S. O. 70-A, Special Permit 301]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 9, 1944, by National Produce Company of car PFE 50908, potatoes, now on the C&NW Railroad to Pittsburgh, Pennsylvania.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with

the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8541; Filed, June 13, 1944; 10:14 a. m.]

[S. O. 70-A, Special Permit 302]

RECONSIGNMENT OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 9, 1944, by La Mantia Brothers Arrigo Company of cars PFE 95864 and PFE 92388, lettuce, now on the Wabash Railroad, to R. H. Oswald, Evansville, Indiana (I. C.).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8542; Filed, June 13, 1944; 10:14 a. m.]

[S. O. 70-A, Special Permit 303]

RECONSIGNMENT OF ORANGES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 9, 1944, by Mailloux Fruit & Products Company of car PFE 75369, oranges, now on the Chicago Produce Terminal to Grappel Brothers, New York City via New York Central Railroad.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8543; Filed, June 13, 1944; 10:14 a. m.]

[S. O. 207, Amended General Permit 1]

HOLDING OF FRUITS AND VEGETABLES FOR ORDERS, RECONSIGNMENT, ETC.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.38, 9 F.R. 5316) of Service Order No. 207 of May 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 207 insofar as it applies to all cars loaded with the commodities named therein, except potatoes and watermelons.

This permit shall become effective at 12:01 a. m., June 11, 1944, and shall expire 12:01 a. m., July 11, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of June, 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8547; Filed, June 13, 1944; 10:14 a. m.]

[S. O. 200, Amended General Permit 4]

REICING OF POTATOES IN CALIFORNIA OR ARIZONA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes in California, or Arizona, to reice once in transit when destined west of the Mississippi River and to reice twice in transit when destined east of the Mississippi River; and to accord the first or initial icing or the reicing at stations designated by shippers or at the carriers' option, at the first icing station west or east of such designated station. This general permit shall apply to all such cars billed or moving on the effective date hereof.

This general permit shall become effective 12:01 a. m., June 11, 1944, and shall expire with July 15, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8544; Filed, June 13, 1944; 10:14 a. m.]

[S. O. 200, Special Permit 55]

REICING OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, upon arrival at Kansas City, Missouri, for account of Michael Swanson Brady Produce Company not later than June 11, 1944, cars Texas potatoes, ART 18492 and MDT 20589, both on the Missouri-Kansas-Texas Lines, account diverted to Hays, Kansas, (U. P.) and Sioux City, Iowa. (Burlington.)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of June, 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8545; Filed, June 13, 1944; 10:14 a. m.]

[S. O. 200, Special Permit 56]

REICING OF POTATOES AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, at St. Louis, Missouri, not later than June 9, 1944, for account of C. H. Robinson, Brokers, 1115 North Third Street, St. Louis, Missouri, car NBO 5822, Louisiana potatoes, on the Missouri Pacific Railroad, account railroad error in previous reicing car was dry when reconsigned to Chicago, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of June, 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8546; Filed, June 13, 1944; 10:14 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT E-1]

COMMON CARRIERS

LINE-HAUL SHIPMENTS IN FORT SMITH, ARK., AREA

Pursuant to the act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Order 8989, as amended, Executive Order 9156, and War Production Board Directive 21, and in order to conserve and providently utilize vital transportation equipment, materials and supplies, and to provide for the continuous and expeditious movement of necessary traffic by common carriers of property, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. *Applicability.* The provisions of this order shall be applicable only to the collection of shipments of property by common carriers in the Fort Smith, Arkansas, Area for transportation in line-haul service.

2. *Orders for collection; time limit.* No common carrier shall collect, or cause the collection of, property during any calendar day unless the order for collection is received prior to 3 p. m. of such day or, if a Saturday, prior to 12 noon of such day.

3. *Collections; time limit.* (a) No common carrier, after 5 p. m. during any calendar day or, if a Saturday, after 2 p. m., shall collect, or cause the collection of, property: *Provided, however,* That any collection which is commenced at a shipper's dock, warehouse or other point where the property is available for loading prior to the time so specified may be completed.

(b) Before attempting collection of property, a common carrier shall make definite arrangements with the shipper as to the time when the property will be available for collection.

4. *Designation of collection point; preparation of property for shipment.* No common carrier shall collect property from a shipper unless the shipper, prior to the time agreed upon by the carrier and the shipper for the collection of such property, shall have designated the point or points at which the property will be available for collection and, prior to the time so agreed upon, shall have prepared the property for shipment and placed it for collection at the point or points so designated.

5. *Failure to prepare property for shipment; collection deferred.* Whenever the shipper fails, prior to the time agreed upon by the carrier and the shipper, to comply with the provisions of paragraph 4 of this order, relating to designation of collection point and preparation and placement of property for shipment, no common carrier shall collect, or cause the collection of, the property thereafter during the same calendar day.

6. *Prohibited collections; when may be made.* Any common carrier, while making any collection not prohibited by the terms of the foregoing paragraphs of this order, may make any collection which is made without operating the collecting vehicle any additional distance.

7. *Exemptions.* The provisions of this order shall not apply in respect of:

(a) Any shipment of property, the expedited movement of which is necessary to meet the needs of the military or naval forces of the United States, the United States Maritime Commission, or the War Shipping Administration;

(b) Any shipment consisting of household goods as defined by General Order ODT 43 (9 F. R. 3261);

(c) Any shipment of medicines or other supplies or equipment, the expedited movement of which is necessary for the protection or preservation of life, health or public safety;

(d) Any shipment of livestock;

(e) Any shipment of property, the transportation of which requires special equipment;

(f) Any shipment of property, the transportation of which requires the use of a mounted tank or tanks; and

(g) Any shipment of property which is to be transported in the express service of any common carrier by express subject to the provisions of Part I of the Interstate Commerce Act.

8. *Filing of tariffs.* Every common carrier required by law to file tariffs of rates, charges, rules, regulations and practices forthwith shall file with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate suplements to filed tariffs, setting forth any changes in the rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

9. *Carrier not relieved from other laws or regulations.* The provisions of this order shall not be so construed or applied as to authorize or require any act or omission which is in violation of any law or regulation, including any general order or other requirement of the Office of Defense Transportation.

10. *Special permits.* The provisions of this order shall be subject to any special permit issued by the Office of Defense Transportation to meet specific needs or exceptional circumstances, or to prevent undue hardship. Application for a special permit shall be made in conformity with the provisions of Administrative Order ODT 14 (9 F.R. 1184).

11. *Definitions.* As used in this order, the term:

(a) "Fort Smith, Arkansas, Area" means the municipality of Fort Smith, Arkansas, and the territory immediately adjacent thereto and commercially a part thereof;

(b) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity;

(c) "Common carrier" or "carrier" means any person which holds itself out to engage in the transportation of property for the general public in line-haul service for compensation, regardless of the designation of such person under any Federal or State statute;

(d) "Line-haul service" means the transportation of property by any facility of transportation from points within the Fort Smith, Arkansas, Area to points outside that Area;

(e) "Property" means anything, except persons and their personal baggage, capable of being transported by vehicle;

(f) "Vehicle" means any facility capable of being used for the transportation of property;

(g) "Special equipment" means any vehicle, the primary carrying capacity of which is occupied by mounted machinery; and

(h) "Collection" or "collect" means taking possession of property at a shipper's dock, warehouse, or other point where the property is available for loading for transportation.

12. *Communications.* Communications concerning this order should refer to Special Order ODT E-1, and unless otherwise directed should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective on June 19, 1044.

(Act of May 31, 1941, as amended by Second War Powers Act, 1942, 56 Stat. L. 176, 50 App. U. S. Code §§ 631 through 645a; E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9152, 7 F.R. 3349; War Production Board Directive 21, 8 F. R. 5834)

NOTE: The recording and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 13th day of June 1944.

J. M. JOHNSON,
Director, Office of Defense Transportation.

[F. R. Doc. 44-8535; Filed, June 13, 1944; 10:17 a. m.]

[Supp. Order ODT 20A–126]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN FALL RIVER, MASS., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Fall River, Massachusetts, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Providence, Rhode Island, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A126" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Providence, Rhode Island.

8. This order shall become effective June 20, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

City Hall Taxi Company, Fall River, Mass.
Diamond Taxi Company, Fall River, Mass.

[F. R. Doc. 44–8536; Filed, June 13, 1944; 10:17 a. m.]

[Supp. Order ODT 20A–127]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN MASSENA, N. Y., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Massena, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Utica, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–127" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Utica 2, New York.

8. This order shall become effective June 20, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Alfred Barter, 49 Howard Street, Massena, N. Y.
Percy R. Beckstead, 56 George Street, Massena, N. Y.
Mrs. Mary LaBaff, 199 East Orvis Street, Massena, N. Y.
John Oakes, 13 Spruce Street, Massena, N. Y.
Leon Prashaw, 156 East Orvis Street, Massena, N. Y.
Georgia Reddick, 15 Haskell Street, Massena, N. Y.
Leonard Sharlow, 355 Main Street, Massena, N. Y.

[F. R. Doc. 44–8537; Filed, June 13, 1944; 10:17 a. m.]

[1] Filed as part of the original document.

[Supplementary Order ODT 20A–128]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN TUSCALOOSA, ALA., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Tuscaloosa, Alabama, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Birmingham, Alabama, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–128" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Birmingham, Alabama.

8. This order shall become effective June 20, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Robert McCafferty, Tuscaloosa, Ala.
Henry Owens, Tuscaloosa, Ala.
Charlie Oliver, Tuscaloosa, Ala.
Franklin McCafferty, Tuscaloosa, Ala.
Jim Henry Short, Tuscaloosa, Ala.
Riley Foster, Tuscaloosa, Ala.
Andrew Avery, Tuscaloosa, Ala.
Floyd Singleton, Tuscaloosa, Ala.
Sam Snoddy, Tuscaloosa, Ala.
Trustee Durrough, Tuscaloosa, Ala.
Albert Smith, Tuscaloosa, Ala.
Frank Hargress, Tuscaloosa, Ala.
Jim Hargress, Tuscaloosa, Ala.
Altha Reed, Tuscaloosa, Ala.
Jake Jordon, Tuscaloosa, Ala.
John Sanders, Tuscaloosa, Ala.

[F. R. Doc. 44–8538; Filed, June 13, 1944; 10:17 a. m.]

[Supp. Order ODT 20A–129]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN HIBBING, MINN., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Hibbing, Minnesota, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilise vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the succesful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Duluth, Minnesota, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Or-

[1] Filed as part of the original document.

der ODT 30A–129" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Duluth, Minnesota.

8. This order shall become effective June 20, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Frank Riggio, Riggio Taxi, Hibbing, Minn.
James Talarico, Androy Taxi, Hibbing, Minn.

[F.R. Doc. 44–8539; Filed, June 13, 1944; 10:18 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RPS 40, Order 3]

SARGENT AND CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 3 under § 1346.6a (a) of Revised Price Schedule No. 40. Adjustment of maximum prices for sales of certain padlocks manufactured by Sargent and Company of New Haven, Connecticut.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and § 1346.6a (a) of Revised Price Schedule No. 40, *It is ordered:*

(a) This order establishes adjusted maximum net prices for Sargent and Company for certain designated padlocks as indicated below, as well as for jobbers and retailers selling such padlocks.

(1) *Maximum net prices for Sargent and Company.* On and after June 13, 1944, Sargent and Company of New Haven, Connecticut, may sell, offer to sell and deliver the following padlocks at not more than the following net prices:

Model Nos.:	*Maximum net price (per dozen)*
686½	$8.00
BB859	10.70
752	9.35
753	11.80
494HS	13.45
496HS	14.00

(i) *Cash discounts, services and transportation charges.* The maximum net prices established in subparagraph (1) shall be subject to the extension of the cash discounts, the rendition of the services and the absorption of the transportation charges most favorable to purchasers of the same class which Sargent and Company extended, rendered or absorbed or would have extended, rendered or absorbed during the period October 1 to 15, 1941.

(2) *Maximum prices for jobbers.* On and after June 13, 1944, any jobber purchasing the following padlocks from Sargent and Company under the authority of this order may sell, offer to sell and deliver such padlocks at not more than the following maximum prices:

Model No.:	*Maximum net price (per dozen)*
686½	$9.65
BB859	13.60
752	12.20
753	14.65
494HS	16.95
496HS	18.00

Any jobber selling such padlocks other than for resale shall determine his maximum price in accordance with subparagraph (3).

(i) *Cash discounts, services and transportation charges.* The maximum net prices established in subparagraph (2) shall be subject to the extension of cash discounts, the rendition of services and the absorption of transportation charges most favorable to purchasers of the same class which each jobber extended, rendered or absorbed or would have extended, rendered or absorbed during the period October 1 to 15, 1941.

(3) *Maximum net prices for retailers.* On and after June 13, 1944, any retailer purchasing the following padlocks under the authority of this Order may sell, offer to sell and deliver such padlocks at not more than the following maximum prices:

Model No.:	*Maximum net price (per padlock)*
686½	$0.40
BB859	1.60
752	1.50
753	1.80
494HS	2.00
496HS	2.15

(i) *Retailer's price differentials.* The maximum prices established in subparagraph (3) shall be subject to the most favorable price differentials, discounts and allowances which the retailer granted or would have granted for quantity purchases or on any other basis to purchasers of the same class during the period October 1 to 15, 1941.

(b) *Notification to all purchasers.* All persons except retailers selling padlocks purchased under the authority of this order shall send the following notice to every purchaser of such padlocks at the time of the first billing:

Order No. 3 under § 1346.6a (a) of Revised Price Schedule No. 40 establishes adjusted maximum net prices for the following padlocks as indicated in order to maintain essential supply:

Model No.:	*Maximum net price*
(List model number included in Order No. 3.)	(Insert adjusted maximum net price.)

This notice is given at the express direction of the Office of Price Administration.

(c) All prayers in the application of Sargent and Company not granted in this order are denied.

(d) This Order No. 3 may be amended or revoked by the Price Administrator at any time.

This Order No. 3 shall become effective June 13, 1944.

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8518; Filed, June 12, 1944; 4:37 p. m.]

[RPS 40, Order 4]

CORBIN CABINET LOCK CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 4 under § 1346.6a (a) of Revised Price Schedule No. 40. Adjustment of maximum prices for sales of certain padlocks manufactured by the Corbin Cabinet Lock Company of New Britain, Connecticut.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, and § 1346.6a (a) of Revised Price Schedule No. 40, *It is ordered:*

(a) This order establishes adjusted maximum net prices for the Corbin Cabinet Lock Company of New Britain, Connecticut, for certain designated padlocks as indicated below, as well as for jobbers and retailers selling such padlocks.

(1) *Maximum net prices for the Corbin Cabinet Lock Company.* On and after June 13, 1944, the Corbin Cabinet Lock Company may sell, offer to sell and deliver the following padlocks at not more than the following net prices:

Model No.:	*Maximum net price (per dozen)*
9910A	$3.25
9913A	3.30
9966	4.95

(i) *Cash discounts, services and transportation charges.* The maximum prices established in subparagraph (1) shall be subject to the extension of cash discounts, the rendition of services and the absorption of transportation charges most favorable to purchasers of the same class which the Corbin Cabinet Lock Company extended, rendered or absorbed or would have extended, rendered or absorbed during the period October 1 to 15, 1941.

(2) *Maximum prices for jobbers.* On and after June 13, 1944, and jobber purchasing the following padlocks from the Corbin Cabinet Lock Company under the authority of this order may sell, offer to sell and deliver such padlocks at not more than the following maximum prices:

Model No.:	*Maximum net price (per dozen)*
9910A	$4.25
9913A	4.30
9966	6.45

Any jobber selling or offering to sell such padlocks other than for resale shall determine his maximum price in accordance with subparagraph (3).

(i) *Cash discounts, services and transportation charges.* The maximum prices established in subparagraph (2) shall be subject to the extension of cash discounts, the rendition of services, and the absorption of transportation charges most favorable to purchasers of the same class which each jobber extended, rendered or absorbed or would have extended, rendered or absorbed during the period October 1 to 15, 1941.

(3) *Maximum prices for retailers.* On and after June 13, 1944, any retailer purchasing the following padlocks under the authority of this order may sell, offer to sell, and deliver such padlocks at not more than the prices indicated:

Model No.:	*Maximum net price (per padlock)*
9910A	$0.50
9913A	.55
9966	.80

(i) *Retailers' price differentials.* The maximum prices established in subparagraph (3) shall be subject to the most favorable price differentials, discounts and allowances which the retailer granted or would have granted for quantity purchases or on any other basis to purchasers of the same class during the period October 1 to 15, 1941.

(b) *Notification to all purchasers.* All persons except retailers selling padlocks under the authority of this order shall send the following notice to every purchaser of such padlocks at the time of the first billing:

Order No. 4 under § 1346.6a (a) of Revised Price Schedule No. 40 establishes adjusted maximum net prices for the following padlocks as indicated in that order to maintain essential supply:

Model No.:	*Maximum net price*
(List model numbers included in Order No. 4.)	(Insert adjusted maximum net price.)

This notice is given at the express direction of the Office of Price Administration.

(c) All prayers in the application of the Corbin Cabinet Lock Company not granted in this order are denied.

(d) This Order No. 4 may be amended or revoked by the Price Administrator at any time.

This Order No. 4 shall become effective June 13, 1944.

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8519; Filed, June 12, 1944; 4:37 p. m.]

[RPS 40, Order 5]

EAGLE LOCK CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 5 under § 1346.6a (a) of Revised Price Schedule No. 40. Adjustment of maximum prices for sales of certain padlocks manufactured by The Eagle Lock Company of Terryville, Connecticut.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and § 1346.6a (a) of Revised Price Schedule No. 40, *It is ordered:*

(a) This order establishes adjusted maximum net prices for the Eagle Lock Company of Terryville, Connecticut, for certain designated padlocks as indicated below, as well as for jobbers and retailers selling such padlocks.

(1) *Maximum net prices for the Eagle Lock Company.* On and after June 13, 1944, the Eagle Lock Company may sell, offer to sell and deliver the following padlocks at not more than the net prices specified below:

Model No:	*Maximum net price (per dozen)*
4554	$0.95
4422	.90
4424	.95
4426	1.00
4556	1.10
4557	1.20
4033DL	2.50
4650	3.60
4660BJ	3.90
4652	3.90
E4123D (Mkd)*	5.40
04831B	7.50
E4508 (Mkd)*	7.50
4187	9.60
042818P	9.70
042828P	11.85
042838P	13.50

*Master Keyed.

(i) *Discounts, services and transportation charges.* The maximum prices established in subparagraph (1) shall be subject to the extension of cash discounts, the rendition of services and the absorption of the transportation charges most favorable to purchasers of the same class which the Eagle Lock Company extended, rendered or absorbed or would have extended, rendered or absorbed during the period October 1 to 15, 1941.

(2) *Maximum net prices for jobbers.* On and after June 13, 1944, any jobber purchasing the following padlocks from the Eagle Lock Company under the authority of this order may sell, offer to sell and deliver such padlocks at the maximum specified below:

Model No.:	*Maximum net price (per dozen)*
4554	$1.20
4422	1.15
4424	1.20
4426	1.30
4556	1.40
4557	1.50
4033DL	3.15
4650	4.60
4660BJ	5.00
4652	5.10
E4123D (Mkd)*	6.90
04831B	9.50
E4508 (Mkd)*	9.75
4187	12.25
042818P	12.70
042828P	15.45
042838P	17.50

*Master Keyed.

Any jobber selling or offering to sell such padlocks other than for resale shall determine his maximum prices in accordance with subparagraph (3).

(i) *Cash discounts, services and transportation charges.* The maximum prices established in subparagraph (2) shall be subject to the extension of cash discounts, the rendition of services and the absorption of transportation charges most favorable to purchasers of the same class which each jobber extended, rendered or absorbed or would have extended, rendered or absorbed during the period October 1 to 15, 1941.

(3) *Retailers maximum prices.* On and after June 13, 1944, any retailer purchasing the following padlocks under the authority of this order may sell, offer to sell and deliver such padlocks at not more than the maximum prices specified below:

Model No.:	*Maximum net price (per padlock)*
4554	$0.15
4422	.15
4424	.15
4426	.15
4556	.15
4557	.20
4033DL	.35
4650	.55
4660BJ	.60
4652	.60
E4123D (Mkd)*	.85
04831B	1.15
E4508 (Mkd)*	1.20
4187	1.45
042818P	1.55
042828P	1.90
042838P	2.15

*Master Keyed.

(i) *Retailers' price differentials.* The maximum prices established in subparagraph (3) shall be subject to the most favorable price differentials, discounts and allowances which the retailer granted or would have granted for quantity purchases or on any other basis to purchasers of the same class during the period October 1 to 15, 1941.

(b) *Notification to all purchasers.* All persons except retailers selling padlocks under the authority of this order shall send the following notice to every purchaser of such padlocks at the time of the first billing:

Order No. 5 under § 1346.6a (a) of Revised Price Schedule No. 40 establishes adjusted maximum net prices for the following padlocks as indicated in order to maintain essential supply:

Model No.:	*Maximum net price*
(List model numbers included in Order No. 5.)	(Insert adjusted maximum net prices.)

This notice is given at the express direction of the Office of Price Administration.

(c) All prayers in the application of the Eagle Lock Company not granted in this order are denied.

(d) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

This Order No. 5 shall become effective June 13, 1944.

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8520; Filed, June 12, 1944; 4:38 p. m.]

[RPS 40, Order 6]

WISE LOCK CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 6 under § 1346.6a (a) of Revised Price Schedule No. 40. Adjustment of maximum prices for sales of a certain padlock manufactured by Wise Lock Company, Cleveland, Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emer-

gency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and § 1346.6a (a) of Revised Price Schedule No. 40, *It is ordered:*

(a) This Order establishes an adjusted maximum net price for Wise Lock Company of Cleveland, Ohio, for a certain designated padlock as indicated below as well as for jobbers and retailers selling such padlock.

(1) *Maximum net price for Wise Lock Company.* On and after June 13, 1944, Wise Lock Company may sell, offer to sell and deliver the following padlock at not more than the net price indicated.

Plate No.:	*Maximum net price (Per dozen)*
60	$6.00

(i) *Cash discounts, services and transportation charges.* The maximum price established in subparagraph (1) shall be subject to the extension of cash discounts, the rendition of the services and the absorption of the transportation charges most favorable to purchasers of the same class which the Wise Lock Company extended, rendered, or absorbed or would have extended, rendered, or absorbed during the period October 1 to 15, 1941.

(2) *Maximum net price for jobbers.* On and after June 13, 1944, any jobber purchasing the following padlock from Wise Lock Company under the authority of this order may sell, offer to sell and deliver such padlock at the price indicated:

Plate No.:	*Maximum net price (per dozen)*
60	$8.00

Any jobber selling such padlock other than for resale shall determine his maximum price in accordance with subparagraph (3).

(i) *Cash discounts, services and transportation charges.* The maximum prices established in subparagraph (2) shall be subject to the extension of cash discounts, the rendition of services and the absorption of transportation charges most favorable to purchasers of the same class which each jobber extended, rendered or absorbed or would have extended, rendered or absorbed during the period October 1 to 15, 1941.

(3) *Retailers' maximum price.* On and after June 13, 1944, any retailer purchasing the following padlock under the authority of this order may sell, offer to sell and deliver such padlock at not more than the price indicated:

Plate No.:	*Maximum net price (per padlock)*
60	$1.00

(i) *Retailer's price differentials.* The maximum price established in subparagraph (3) shall be subject to the most favorable price differentials, discounts and allowances which the retailer granted or would have granted for quantity purchases or on any other basis to purchasers of the same class during the period October 1 to 15, 1941.

(b) *Notification to all purchasers.* All persons except retailers selling padlocks under the authority of this order shall send the following notice to every purchaser of such padlocks at the time of the first billing:

Order No. 6 under § 1346.6a (a) of Revised Price Schedule No. 40 establishes an adjusted maximum net price for the following padlock as indicated in order to maintain essential supply:

Model No.: (List model number included in Order No. 6.)	*Maximum net price* (Insert adjusted maximum net price.)

This notice is given at the express direction of the Office of Price Administration.

(c) All prayers in the application of Wise Lock Company not granted in this Order are denied.

(d) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

This Order No. 6 shall become effective June 13, 1944.

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8521; Filed, June 12, 1944; 4:38 p. m.]

[RPS 40, Order 7]

E. T. FRAIM LOCK CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 7 under § 1346.6a (a) of Revised Price Schedule No. 40. Adjustment of maximum prices for sales of certain padlocks manufactured by E. T. Fraim Lock Company, Lancaster, Pennsylvania.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders No. 9250 and 9328, and § 1346.6a (a) of Revised Price Schedule No. 40, *It is ordered:*

(a) This order establishes adjusted maximum net prices for E. T. Fraim Lock Company of Lancaster, Pennsylvania, for certain designated padlocks as indicated below as well as for jobbers and retailers selling such padlocks.

(1) *Maximum net prices for E. T. Fraim Lock Company.* On and after June 13, 1944, E. T. Fraim Lock Company may sell, offer to sell and deliver the following padlocks at not more than the net prices indicated.

Model No.:	*Maximum net price (per dozen)*
32	$2.10
330	2.85
336	.70
422	1.70
423	2.85
432	3.65
450	4.70
762	7.85
763	9.45
764	10.50
1024	.95
1047	.80
779	1.70
780	2.00
1087	3.15
1088	2.85
1107	1.55
1626	6.30

(i) *Cash discounts, services and transportation charges.* The maximum prices established in subparagraph (1) shall be subject to the extension of cash discounts, the rendition of services and the absorption of transportation charges most favorable to purchasers of the same class which the E. T. Fraim Lock Company extended, rendered or absorbed or would have extended, rendered, or absorbed during the period October 1 to 15, 1941.

(2) *Maximum net prices for jobbers.* On and after June 13, 1944, any jobber purchasing the following padlocks from E. T. Fraim Lock Company under the authority of this order may sell, offer to sell and deliver such padlocks at the prices indicated:

Model No.:	*Maximum net price (per dozen)*
32	$2.80
330	3.10
336	.90
422	2.30
423	3.75
432	4.80
450	6.20
762	10.35
763	12.50
764	13.85
1024	1.20
1047	1.10
779	2.30
780	2.65
1087	4.15
1088	3.15
1107	2.00
1626	8.40

Any jobber selling such padlocks other than for resale shall determine his maximum prices in accordance with subparagraph (3).

(i) *Cash discounts, services and transportation charges.* The maximum prices established in subparagraph (2) shall be subject to the extension of cash discounts, the rendition of services and the absorption of transportation charges most favorable to purchasers of the same class which each jobber extended, rendered or absorbed or would have extended, rendered, or absorbed during the period October 1 to 15, 1941.

(3) *Retailers' maximum prices.* On and after June 13, 1944, any retailer purchasing the following padlocks under the authority of this Order may sell, offer to sell and deliver such padlocks at not more than the prices indicated:

Model No.:	*Maximum net price (per padlock)*
32	$0.35
330	.40
336	.10
422	.30
423	.45
432	.60
450	.75
762	1.30
763	1.55
764	1.70
1024	.15
1047	.15
779	.30
780	.30
1087	.50
1088	.40
1107	.25
1626	1.05

(i) *Retailers' price differentials.* The maximum prices established in subparagraph (3) shall be subject to the most favorable price differentials, discounts or allowances which the retailer granted or would have granted for quantity purchases or on any other basis to purchasers of the same class during the period October 1 to 15, 1941.

(b) *Notification to all purchasers.* All persons except retailers selling padlocks under the authority of this order shall send the following notice to every purchaser of such padlocks at the time of the first billing:

Order No. 7 under § 1346.6a (a) of Revised Price Schedule No. 40 establishes adjusted maximum net prices for the following padlocks as indicated in order to maintain essential supply:

Model No.: (List model numbers included in Order No. 7.)	*Maximum net price* (Insert adjusted maximum net price.)

This notice is given at the express direction of the Office of Price Administration.

(c) All prayers in the application of Wise Lock Company not granted in this order are denied.

(d) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

This Order No. 7 shall become effective June 13, 1944.

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8522; Filed, June 12, 1944; 4:39 p. m.]

[RPS 40, Order 8]

SAFE PADLOCK AND HARDWARE CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 8 under § 1346.6a (a) of Revised Price Schedule No. 40. Adjustment of maximum prices for sales of certain padlocks manufactured by Safe Padlock and Hardware Company, Lancaster, Pennsylvania.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and § 1346.6a (a) of Revised Price Schedule No. 40, *It is ordered:*

(a) This order establishes adjusted maximum net prices for Safe Padlock and Hardware Company of Lancaster, Pennsylvania, for certain designated padlocks as indicated below as well as for jobbers and retailers selling such padlocks.

(1) *Maximum net prices for Safe Padlock and Hardware Company.* On and after June 13, 1944, Safe Padlock and Hardware Company may sell, offer to sell and deliver the following padlocks at not more than the net prices indicated:

Model No.:	*Maximum net price (per dozen)*
408	$3.35
409	3.75
35	4.30

(i) *Cash discounts, services and transportation charges.* The maximum prices established in subparagraph (1) shall be subject to the extension of cash discounts, the rendition of the services and the absorption of the transportation charges most favorable to purchasers of the same class which the Safe Padlock and Hardware Company extended, rendered or absorbed or would have extended, rendered or absorbed during the period October 1 to 15, 1941.

(2) *Maximum net prices for jobbers.* On and after June 13, 1944, any jobber purchasing the following padlocks from Safe Padlock and Hardware Company under the authority of this order may sell, offer to sell and deliver such padlocks at the prices indicated:

Model No.:	*Maximum net price (per dozen)*
408	$4.35
409	4.95
35	5.50

Any jobber selling or offering to sell such padlocks other than for resale shall determine his maximum prices in accordance with subparagraph (3).

(i) *Cash discounts, services and transportation charges.* The maximum prices established in subparagraph (2) shall be subject to the extension of cash discounts, the rendition of services and the absorption of transportation charges most favorable to purchasers of the same class which each jobber extended, rendered or absorbed or would have extended, rendered or absorbed during the period October 1 to 15, 1941.

(3) *Retailers' maximum prices.* On and after June 13, 1944, any retailer purchasing the following padlocks under the authority of this Order may sell, offer to sell and deliver such padlocks at not more than the prices indicated:

Model No.:	*Maximum net price (per padlock)*
408	$0.55
409	.60
35	.65

(i) *Retailer's price differentials.* The maximum prices established in subparagraph (3) shall be subject to the most favorable price differentials, discounts and allowances which the retailer granted or would have granted to purchasers of the same class on quantity purchases or on any other basis during the period October 1 to 15, 1941.

(b) *Notification to all purchasers.* All persons except retailers selling padlocks under the authority of this order shall send the following notice to every purchaser of such padlocks at the time of the first billing:

Order No. 8 under § 1346.6a (a) of Revised Price Schedule No. 40 establishes adjusted maximum net prices for the following padlocks as indicated in order to maintain essential supply:

Model number (List model numbers included in Order No. 8.)	*Maximum net price* (Insert adjusted maximum net price.)

This notice is given at the express direction of the Office of Price Administration.

(c) All prayers in the application of the Safe Padlock and Hardware Company not granted in this order are denied.

(d) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

This Order No. 8 shall become effective June 13, 1944.

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8523; Filed, June 12, 1944; 4:39 p. m.]

[RPS 40, Order 9]

SLAYMAKER LOCK CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 9 under § 1346.6a (a) of Revised Price Schedule No. 40. Adjustment of maximum prices for sales of certain padlocks manufactured by Slaymaker Lock Company, Lancaster, Pennsylvania.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and § 1346.6a (a) of Revised Price Schedule No. 40, *It is ordered:*

(a) This order establishes adjusted maximum net prices for Slaymaker Lock Company of Lancaster, Pennsylvania for certain designated padlocks as indicated below as well as for jobbers and retailers selling such padlocks.

(1) *Maximum net prices for Slaymaker Lock Company.* On and after June 13, 1944, Slaymaker Lock Company may sell, offer to sell and deliver the following padlocks at not more than the net prices indicated:

Plate No.:	*Maximum net price (per dozen)*
25AP	$1.90
57D	8.25
89	.90
175	.90
553	1.40
800HZ	5.30
900HZ	6.05
1121	.70
1600	9.35
1702D	4.60
2571	1.15
4047	.65
4079	1.40
4094	2.05
5042	.75
5210	4.80
5701HZ	3.45
7701	2.15
8900HZ	3.55

(i) *Cash discounts, services and transportation charges.* The maximum prices established in subparagraph (1) shall be subject to the extension of cash discounts, the rendition of the services and the absorption of the transportation charges most favorable to purchasers of the same class which the Slaymaker Lock Company extended, rendered or absorbed or would have extended, rendered or absorbed during the period October 1 to 15, 1941.

(2) *Maximum net prices for jobbers.* On and after June 13, 1944, any jobber

purchasing the following padlocks from Slaymaker Lock Company under the authority of this order may sell, offer to sell and deliver such padlocks at the prices indicated:

Plate No.:	*Maximum net price (per dozen)*
25AP	$2.50
57D	16.90
89	0.80
175	1.15
553	1.85
800HZ	6.95
900HZ	8.00
1121	0.90
1600	12.35
1702D	6.00
2571	1.50
4047	0.85
4094	2.70
5042	0.95
4079	1.80
5210	6.15
5701HZ	4.45
7701	2.80
8900HZ	4.55

Any jobber selling such padlocks other than for resale shall determine his maximum prices in accordance with subparagraph (3).

(1) *Cash discounts, services and transportation charges.* The maximum prices established in subparagraph (2) shall be subject to the extension of cash discounts, the rendition of services and the absorption of transportation charges most favorable to purchasers of the same class which each jobber extended, rendered or absorbed or would have extended, rendered or absorbed during the period October 1 to 15, 1941.

(3) *Retailers maximum prices.* On and after June 13, 1944, any retailer purchasing the following padlocks under the authority of this order may sell, offer to sell and deliver such padlocks at not more than the prices indicated:

Plate No.:	*Maximum net price (per padlock)*
25AP	$0.30
57D	1.35
89	.10
175	.15
553	.25
800HZ	.85
900HZ	1.00
1121	.10
1600	1.55
1702D	.75
2571	.20
4047	.10
4094	.35
5042	.10
4079	.20
5210	.75
5701HZ	.55
7701	.35
8900HZ	.55

(1) *Retailers' price differentials.* The maximum prices established in subparagraph (3) shall be subject to the most favorable price differentials, discounts and allowances which the retailer granted or would have granted for quantity purchases or on any other basis to purchasers of the same class during the period October 1 to 15, 1941.

(b) *Notification to all purchasers.* All persons except retailers selling padlocks under the authority of this order shall send the following notice to every purchaser of such padlocks at the time of the first billing:

Order No. 9 under § 1346.6a (a) of Revised Price Schedule No. 40 establishes adjusted maximum net prices for the following padlocks as indicated in order to maintain essential supply:

Model number: (List model numbers included in Order No. 9.)	*Maximum net price (Insert adjusted maximum net price)*

This Notice is given at the express direction of the Office of Price Administration.

(c) All prayers in the application of Slaymaker Lock Company not granted in this order are denied.

(d) This Order No. 9 may be revoked or amended by the Price Administrator at any time.

This Order No. 9 shall become effective June 13, 1944.

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8524; Filed, June 12, 1944; 4:39 p. m.]

[RPS 40, Order 10]

WILSON BOHANNAN CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 10 under § 1346.6a (a) of Revised Price Schedule No. 40. Builders' hardware and insect screen cloth. Adjustment of maximum prices for sales of certain padlocks manufactured by Wilson Bohannan Company, Marion, Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and § 1346.6a (a) of Revised Price Schedule No. 40, *It is ordered:*

(a) This order establishes adjusted maximum prices for Wilson Bohannan Company, Marion, Ohio, for certain padlocks as indicated below, as well as for jobbers and retailers selling such padlocks.

(1) *Maximum list prices for Wilson Bohannan Company.* On and after June 13, 1944, Wilson Bohannan Company may sell, offer to sell and deliver the following padlocks at not more than the list prices specified below:

BRONZE AND MALLEABLE IRON SWITCH LOCKS

Model No.	Maximum list price (per dozen)		
	No keys	1 key	2 keys
680	$16.20	$19.25	$22.30
681	18.20	21.25	24.30
116	18.20	23.25	27.30
118	22.25	26.30	30.30

EXTRUDED PIN TUMBLER PADLOCKS WITH 2 KEYS

Model No.:	*Maximum list price (per dozen)*
618	$6.70
619	14.60
620	16.20
621	21.20
622	27.80

(1) *Discounts, services and transportation charges.* The maximum list prices established in subparagraph (1) shall be subject to the following discounts:

On sale to jobbers.. Discount of 50 percent.
On sale to industrial users.... Discount of 25 percent.
On sale to retailers..... Discount of 33⅓ percent.

Such maximum list prices shall also be subject to the extension of cash discounts, the rendition of services and the absorption of transportation charges most favorable to purchasers of the same class which Wilson Bohannan Company extended, rendered or absorbed or would have extended or absorbed during the period October 1 to 15, 1941.

(2) *Maximum prices for jobbers.* On and after June 13, 1944, any jobber purchasing the following padlocks from Wilson Bohannan Company under the authority of this order may sell, offer to sell and deliver such padlocks at the prices specified below:

BRONZE AND MALLEABLE IRON SWITCH LOCKS

Model No.	Maximum net price (per dozen)		
	No keys	1 key	2 keys
680	$10.75	$12.80	$14.90
681	12.10	14.10	16.15
116	12.75	15.45	18.15
118	14.80	17.80	20.15

EXTRUDED PIN TUMBLER PADLOCKS WITH 2 KEYS

Model No.:	*Maximum net price (per dozen)*
618	$4.45
619	9.65
620	10.75
621	14.05
622	18.10

Any jobber selling such padlocks other than for resale shall determine his maximum prices in accordance with subparagraph (3).

(1) *Cash discounts, services and transportation charges.* The maximum prices established in subparagraph (2) shall be subject to the extension of cash discounts, the rendition of services and the absorption of transportation charges most favorable to purchasers of the same class which each jobber extended, rendered or absorbed or would have extended, rendered or absorbed during the period October 1 to 15, 1941.

(3) *Retailers maximum prices.* On and after June 13, 1944, any retailer purchasing the following padlocks under the authority of this order may sell, offer to sell and deliver such padlocks at not more than the prices specified below:

EXTRUDED PIN TUMBLER PADLOCKS WITH 2 KEYS

Model No.:	*Maximum price (per padlock)*
618	$0.55
619	1.20
620	1.35
621	1.75
622	2.25

(1) *Retailer's differentials.* The maximum prices established in subparagraph (3) shall be subject to the most favorable price differential, discount or allowance which the retailer granted or would have granted for quantity purchases or on any other basis to purchasers of the same class during the period October 1 to 15, 1941.

(b) *Notification to all purchasers.* All persons except retailers selling padlocks under the authority of this order shall send the following notice to every purchaser at the time of the first billing:

Order No. 10 under § 1346.6a (a) of Revised Price Schedule No. 40 establishes adjusted maximum prices for the following padlocks as indicated in order to maintain essential supply:

Model number (List model numbers included in Order No. 10.)	*Maximum prices* (Insert adjusted list or net prices whichever is applicable.)

This notice is given at the express direction of the Office of Price Administration.

(c) All prayers in the application of Wilson Bohannan Company not granted in this order are denied.

(d) This Order No. 10 may be revoked or amended by the Price Administrator at any time.

This Order No. 10 shall become effective June 13, 1944.

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8525; Filed, June 12, 1944; 4:40 p. m.]

[MPR 136, Order 226]

A. K. ROBINS AND COMPANY

AUTHORIZATION OF MAXIMUM PRICES

Order No. 226 Under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. A. K. Robins & Company (Docket No. 3136-427).

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered:*

(a) The maximum prices for sales of Improved Style B Blanchers by A. K. Robins and Company, Baltimore, Maryland, shall be determined as follows:

The manufacturer shall substract from a list price of $870 all discounts, allowances and other deductions that he had in effect to a purchaser of the same class on October 1, 1941.

(b) The maximum prices for sales of Improved Style B Blanchers by persons other than A. K. Robins and Company shall be determined as follows:

The seller shall add to the maximum net price he had in effect to a purchaser of the same class on October 1, 1941, the amount by which his cost has been increased by the adjustment granted to A. K. Robins and Company by this order.

(c) A. K. Robins and Company shall notify all persons to whom it sells Improved Style B Blanchers for resale of the amount by which this order permits such resellers to increase their maximum prices.

(d) All requests in the application not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 13, 1944.

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8517; Filed, June 12, 1944; 4:37 p. m.]

[MPR 415, Order 1]

FEDERAL GOVERNMENT PURCHASE OF NEW TIRES AND TUBES

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1 under Maximum Price Regulation 415. Certain Federal Government purchases of new rubber tires and tubes.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 5 of Maximum Price Regulation 415; *It is ordered:*

(a) This order is applicable only to sales of new rubber tires and tubes in special packing for overseas shipments.

(b) All sellers may sell or deliver and any government agency may buy or receive new rubber tires or tubes covered by this order at prices to be adjusted upward in accordance with action that may hereafter be taken by the Office of Price Administration permitting the addition of certain charges in connection with special packing for overseas shipment.

(c) Unless and until the Office of Price Administration permits the addition of certain charges for special packing for overseas shipment, no seller may collect payment of more than the existing maximum prices for new rubber tires and tubes fixed by Maximum Price Regulation 415.

(d) This order shall be automatically revoked on the effective date of Amendment No. 7 to Maximum Price Regulation 415.

(e) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective June 12, 1944.

Issued this 12th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8515; Filed, June 12, 1944; 4:36 p. m.]

WAR FOOD ADMINISTRATION.

WAGES IN MAINLAND CANE SUGAR AREA

NOTICE OF HEARINGS AND DESIGNATION OF PRESIDING OFFICERS

Pursuant to the authority contained in subsection (b) and (d) of section 301 and section 511 of the Sugar Act of 1937 (Public, No. 414, 75th Congress), as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, notice is hereby given that public hearings will be held as follows:

At Thibodeaux, Louisiana, in the Agricultural Building, on June 29, 1944 at 9:30 a. m.; and at Clewiston, Florida, in the Clewiston High School Auditorium, on July 5, 1944, at 9:00 a. m.

The purpose of such hearings is to receive evidence likely to be of assistance to the War Food Administrator in determining (1), pursuant to the provisions of section 301 (b) of the said act, fair and reasonable wages for persons employed in the mainland cane sugar area in the harvesting of sugarcane during the period from September 1, 1944, to June 30, 1945, and the planting and cultivating of sugarcane during the calendar year 1945 on farms with respect to which applications for payments under the said act are made, and (2), pursuant to the provisions of section 301 (d) of the said act, fair and reasonable prices for the 1944 crop of sugarcane to be paid, under either purchase or toll agreements, by processors, who, as producers, apply for payments under the said act; and to receive evidence likely to be of assistance to the War Food Administrator in making recommendations, pursuant to the provisions of section 511 of the said act, with respect to the terms and conditions of contracts between producers and processors of sugarcane and with respect to the terms and conditions of contracts between laborers and producers of sugarcane.

Joshua Bernhardt, Charles M. Nicholson, Harry H. Simpson, and Earle T. MacHardy are hereby designated as presiding officers to conduct, either jointly or severally, the foregoing hearings.

Issued at Washington, D. C., this 12th day of June 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-8555; Filed, June 13, 1944; 11:12 a. m.]

Farm Security Administration.

DESIGNATION OF LOCALITIES FOR LOANS

Designation of localities in counties in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's delegation of authority issued November 3, 1943, loans made in the counties mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions

of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION III—OHIO

WASHINGTON COUNTY

Locality I: Consisting of the townships of Barlow, Belpre, Dunham, Marietta, Muskingum, Newport, Warren, Waterford, and Watertown, $3,924.

Locality II: Consisting of the townships of Decatur, Fairfield, Palmer, and Wesley, $2,268.

Locality III: Consisting of the townships of Adams, Aurelius, Fearing, Grandview, Independence, Lawrence, Liberty, Ludlow, and Salem, $2,208.

REGION V—ALABAMA

PICKENS COUNTY

Locality I: Consisting of precinct 1, $1,028.

Locality II: Consisting of precinct 3, $1,080.

Locality III: Consisting of precincts 11, 14, 15, 18, and 23, $1,396.

Locality IV: Consisting of precincts 2, 4, 5, 6, 7, 8, 9, 10, 12, 13, 16, 17, 19, 20, 21, 24, and 26, $1,644.

The purchase price limits previously established for the counties above-mentioned are hereby cancelled.

Approved June 12, 1944.

FRANK HANCOCK,
Administrator.

[F. R. Doc. 44-8554; Filed, June 13, 1944; 11:12 a. m.]

WAR PRODUCTION BOARD.

HERSHEY BEVERAGE CORPORATION

CONSENT ORDER

Hershey Beverage Corporation, a corporation of the State of New York having its place of business at 7-9 North Broadway, Schenectady, New York, is engaged in the bottling and distribution of non-alcoholic beverages and was found in an investigation by the War Production Board to have used in excess of 3,000 gross of new closures made of restricted materials for the fourth quarter of 1942 and the first three quarters of 1943 for the bottling of non-alcoholic beverages, in excess of the quota permitted under the provisions of Conservation Order M-104 as then in effect. Hershey Beverage Corporation admits the excess as charged by the War Production Board and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Hershey Beverage Corporation, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Hershey Beverage Corporation, a corporation of New York, its successors and assigns, shall reduce its use of new closures made of restricted materials to be affixed to glass containers for non-alcoholic beverages, by 3,000 gross under the quota it would otherwise be entitled to use in the periods as hereinafter set forth, as defined by Limitation Order L-103-b, unless hereinafter specifically authorized in writing by the War Production Board, to-wit:

(1) 1,500 gross during the third quarter of 1944.

(2) 750 gross during the fourth quarter of 1944.

(3) 750 gross during the first quarter of 1945.

(b) Nothing contained in this order shall be deemed to relieve Hershey Beverage Corporation, its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on June 12, 1944, and shall expire on March 31, 1945.

Issued this 12th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8512; Filed, June 12, 1944; 4:28 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 119

Washington, Thursday, June 15, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 88, Termination]

PART 1405—FRUITS AND VEGETABLES

APPLES

War Food Order No. 88 (8 F.R. 15307; 9 F.R. 4321, 4319) is hereby terminated.

This order shall become effective at 12:01 a. m., p. w. t., June 13, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 88 prior to the effective time hereof, all provisions of such order in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper action, suit, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 10th day of June 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-8611; Filed, June 12, 1944; 1:48 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter V—Military Reservations and National Cemeteries

PART 52—REGULATIONS AFFECTING MILITARY RESERVATIONS

PRIVATE CEMETERIES WITHIN MILITARY RESERVATIONS

In § 52.24 (a) subparagraphs (1) and (2) are rescinded and the following substituted therefor:

§ 52.24 *Private cemeteries*—(a) *Within boundaries of military reservations owned in fee by United States*—(1) *General.* The policy of the War Department is not to acquire title to all cemeteries within the boundaries of military reservations owned in fee by the United States except where possession is essential to the efficient operation of the reservation or right of access to the cemetery under proper military control is not feasible.

(2) *Removal of bodies.* Where it be determined that bodies in a cemetery acquired in fee will interfere with construction, maintenance, and operation of the post, camp, station, or other installation of the War Department, the division engineer will take action to remove the bodies in accordance with existing policies and procedures; otherwise the removal of the bodies will not be required, and the cemetery will be maintained and controlled as provided in subparagraph (3) of this paragraph (R.S. 161; 5 U.S.C. 22) [W.D. Cir. 64, 1944, as amended by W.D. Cir. 211, May 27, 1944]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-8564; Filed, June 13, 1944; 12:28 p. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration

PART 155—SEA FOOD INSPECTION

INSPECTION OF CANNED SHRIMP

Under the authority of section 702A [1] of the Federal Food, Drug, and Cosmetic Act, each of the sections hereinafter specified, of the regulations for the inspection of canned shrimp, published in the FEDERAL REGISTER of July 2, 1942, and

[1] Section 10A of the Federal Food and Drugs Act (49 Stat. 871; 21 U.S.C. 14a) which remains in force and effect and is applicable to the provisions of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040 et seq.; 21 U.S.C. 301 et seq.). It is provided in Public Law 135, 78th Congress, Title II, that section 10A of the Federal Food and Drugs Act, as amended by the Act of August 27, 1935 (21 U.S.C. 372a), may hereafter be cited as section 702A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301-392).

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

	Page
ALIEN PROPERTY CUSTODIAN:	
Vesting orders:	
Arndt, Gottlieb	6595
Ceccato, Bassani Angelina	6596
Ebert, Robert G	6596
Eyerman, Emily	6596
Fabbrica Italiana Magneti Marelli	6605
Falco, Mike	6597
Findeiss, Richard H	6594
Fletcher, William B., and Alice M. Herz vs. Elizabeth A. Hammer, et al	6599
Freytag, William O. (2 documents)	6597, 6598
Friebel, Herman G	6598
Fritz, Reinhard	6598
Gillette, William	6599
Hinkel, Jacob	6599
Hurd, Paula C	6594
Knutsen, George F. A	6600
Leopold, Abe	6600
Mattlage, Hannah	6601
Mueller, Emma	6601
Muhlbach, Carl	6601
Muhlenbruck, Diederich H	6602
Muhlig, Wilhelm	6602
Muller, Conrad	6595
Nebe, William C	6603
Ortmeyer, Mary	6603
Pickl, Anna	6603
Pinto, Stanley and Lena	6604
Ransick, William	6604
Rettkowsky, Frank	6595
Robinson Charlotte Wernert	6605
FARM CREDIT ADMINISTRATION:	
Federal farm loan bonds, 4 percent consolidated; call for redemption	6592
FEDERAL POWER COMMISSION:	
Southern Natural Gas Co., application filed	6592
FOOD AND DRUG ADMINISTRATION:	
Seafood inspection:	
Oysters, canned	6584
Shrimp, canned	6583
FOREIGN ECONOMIC ADMINISTRATION:	
General licenses:	
Baggage	6585
Belgian Congo	6585
Exportation of vessels	6585
Ship and plane stores, etc	6585

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.

CONTENTS—Continued

	Page
INTERSTATE COMMERCE COMMISSION:	
Citrus fruits, icing in designated southern States	6591
Cotton, loading in Alexandria, La	6591
Reconsignment permits, etc.:	
Carrots, Chicago, Ill	6592
Pineapples, Los Angeles, Calif	6592
Watermelons, Charleston, S. C.	6592
Reicing permits:	
Potatoes:	
Chicago, Ill	6593
Cumberland, Md	6594
Idaho or Oregon	6593
Kansas City, Mo. (2 documents)	6593
St. Louis, Mo	6593
Washington	6593
OFFICE OF PRICE ADMINISTRATION:	
Adjustments, etc.:	
Alphons-Custodis Chimney Construction Co	6610
Peerless Glove Co	6606
Puerto Rico, new cooking stoves (RO 9C)	6587
Regional and district office orders:	
Automotive vehicles, rentals, San Francisco region	6611
Bananas, Connecticut district	6613
Community ceiling prices, list of orders filed	6612
Firewood:	
Kitsap County, Wash. (2 documents)	6613, 6614
Seattle, Wash	6614
Fish and seafood, fresh, San Francisco region	6611
Fluid milk, Nevada	6612
Ice, Wichita, Kans. (2 documents)	6611
Poultry, Boston region	6609
Solid fuels:	
Greenfield, Mass	6608
Plymouth, N. H	6607
St. Louis and St. Louis County, Mo	6610
Uniforms, sailors', Washington	6611
PANAMA CANAL, THE:	
Photographing, prohibited areas	6590
RAILROAD RETIREMENT BOARD:	
Midland Railway Co. of Manitoba, cancellation of hearing	6614
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.:	
Community Gas and Power Co., et al	6618
Consolidated Electric and Gas Co., et al (2 documents)	6617
General Gas & Electric Corp	6615
North Continent Utilities Corp., et al	6615
North Shore Gas Co., et al	6616
Scranton-Spring Brook Water Service Co	6615
United Gas Improvement Co., et al	6617
WAR DEPARTMENT:	
Military reservations; private cemeteries	6583
WAR FOOD ADMINISTRATION:	
Apples (WFO 88, Termination)	6583
Peas, green, in Idaho; wage rates for picking	6585
WAR PRODUCTION BOARD:	
Containers, Army and Navy orders (L–336, Dir. 1)	6586
Controlled materials plan, permitted inventory (CMP Reg. 2, Int. 3)	6586
Hangers, garment (L–30–d, Dir. 2)	6586
Lamp burners, flat wick (PR 3, Dir. 8)	6586

as amended in the FEDERAL REGISTER of June 10, 1943, is hereby amended as indicated below:

In § 155.00 (a), "$184.50" is changed to "$202.50."

In § 155.02 (a), "$123" is changed to "$135."

In § 155.12 (b), "$123" in each instance where it appears is changed to "$135"; "$184.50" in each instance where it appears is changed to "$202.50"; "$4.10" is changed to "$4.50."

These amendments shall become effective upon their publication in the FEDERAL REGISTER but shall apply only to service to be rendered after July 1, 1944. All applications for such service to be rendered after July 1, 1944, shall be submitted in accordance with these regulations as amended hereby.

(52 Stat. 1040, 21 U.S.C. 301, et. seq.)

[SEAL] WATSON B. MILLER,
Acting Administrator.

JUNE 12, 1944.

[F. R. Doc. 44–8628; Filed, June 14, 1944; 10:52 a. m.]

PART 155—SEA FOOD INSPECTION

INSPECTION OF CANNED OYSTERS

Under the authority of section 702A[1] of the Federal Food, Drug, and Cosmetic Act, each of the sections hereinafter specified of the regulations for the inspection of canned oysters, published in the FEDERAL REGISTER of January 4, 1944, and as amended in the FEDERAL REGISTER of February 2, 1944, is hereby amended as indicated below:

In § 155.30 (a) "$164" is changed to "$180."

In § 155.32 (a) "$123" is changed to "$135."

In § 155.42 (b) "$123" in each instance where it appears is changed to "$135"; "$164" in each instance where it appears is changed to "$180"; "$4.10" is changed to "$4.50."

These amendments shall become effective upon their publication in the FEDERAL REGISTER but shall apply only to service to be rendered after July 1, 1944. All applications for such service to be rendered after July 1, 1944, shall be submitted in accordance with these regulations as amended hereby.

(52 Stat. 1040, 21 U.S.C. 301, et seq.)

[SEAL] WATSON B. MILLER,
Acting Administrator.

JUNE 12, 1944.

[F. R. Doc. 44–8629; Filed, June 14, 1944; 10:52 a. m.]

[1] Section 10A of the Federal Food and Drugs Act (49 Stat. 871, 21 U.S.C. 14a) which remains in force and effect and is applicable to the provisions of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040 et seq.; 21 U.S.C. 301 et seq.). It is provided in Public Law 135, 78th Congress, Title II, that section 10A of the Federal Food and Drugs Act, as amended by the Act of August 27, 1935 (21 U.S.C. 372a), may hereafter be cited as section 702A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301–392).

TITLE 29—LABOR

Chapter IX—War Food Administration (Agricultural Labor)

[Specific Wage Ceiling Reg. 10]

PART 1108—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF IDAHO

WORKERS ENGAGED IN PICKING GREEN PEAS FOR MARKET IN CERTAIN DESIGNATED IDAHO COUNTIES

§ 1108.1 *Wages of workers engaged in picking green peas for market in counties of Ada, Adams, Gem, Canyon, Owyhee, Payette, Valley and Washington, State of Idaho.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the Idaho WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking green peas for market in the counties of Ada, Adams, Gem, Canyon, Owyhee, Payette, Valley and Washington, State of Idaho, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035).

(b) *Wage rates.* Maximum wage rates for picking all varieties of green peas for market:

60¢ per full bushel hamper.

(c) *Administration.* The Idaho WFA Wage Board located at Room 621, Idaho Bldg., Boise, Idaho, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831).

(d) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 10 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) and the provisions of such regulations shall be applicable to this specific wage ceiling regulation No. 10 and any violation of this specific wage ceiling regulation No. 10 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. 961 et seq.; Pub. Law 34, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 6011, 9 F.R. 831)

Issued this 12th day of June 1944.

PHILIP BRUTON,
Director, Office of Labor, War Food Administration.

[F. R. Doc. 44–8566; Filed, June 13, 1944; 3:11 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 181]

PART 802—GENERAL LICENSES

SHIP AND PLANE STORES, SUPPLIES AND EQUIPMENT

Amendment No. 173 published May 20, 1944, 9 F.R. 5368, referred to § 802.3 *Ship and plane stores, supplies and equipment.* The correct numbering of the amended section should be and is hereby changed to § 802.13.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9933; E.O. 9380, 8 F.R. 13061; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 9, 1944.

S. H. LEBENSBURGER,
Director, Requirements and Supply Branch, Bureau of Supplies.

[F. R. Doc. 44–8634; Filed, June 14, 1944; 10:51 a. m.]

[Amdt. 182]

PART 802—GENERAL LICENSES

BELGIAN CONGO

Section 802.3 *General license country groups* is hereby amended by adding to the list of countries set forth in Group K thereof the country "Belgian Congo".

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; E.O. 9361; 8 F.R. 9861; Order No. 1, 8 F.R. 9933; E.O. 9380, 8 F.R. 13061; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 8, 1944.

S. H. LEBENSBURGER,
Director, Requirements and Supply Branch, Bureau of Supplies.

[F. R. Doc. 44–8635; Filed, June 14, 1944; 10:51 a. m.]

[Amdt. 183]

PART 802—GENERAL LICENSE

EXPORTATION OF VESSELS

Section 802.25 *General license "VMC"* is hereby amended to read as follows:

§ 802.25 *General license "VMC".* A general license designated "VMC" is hereby granted authorizing the exportation of any vessel of fifty (50) gross tons or over which has not been built purposely for export: *Provided,* That the United States Maritime Commission has approved the transfer of such vessel to foreign ownership or has approved the placing of such vessel under foreign registry or flag.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9933; E.O. 9380, 8 F.R. 13061; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 12, 1944.

S. H. LEBENSBURGER,
Director, Requirements and Supply Branch, Bureau of Supplies.

[F. R. Doc. 44–8626; Filed, June 14, 1944; 10:51 a. m.]

[Amdt. 184]

PART 802—GENERAL LICENSES

BAGGAGE

Section 802.11 *Personal baggage* is hereby amended to read as follows:

§ 802.11 *General license "Baggage".* (a) A general license designated "Baggage" is hereby granted, subject to the provision set forth in paragraphs (b) and (c) of this section, authorizing the exportation of the following classes of commodities when they are exported or taken out of the United States as personal baggage by a person leaving the United States, for his individual use and, unless otherwise specified, for the use of his immediate family.

(1) Personal effects: Clothing, books, toilet articles, articles of personal adornment, foodstuffs, personal firearms, hunting guns, cameras, radios, souvenirs and similar articles.

(2) Household articles: Furniture, refrigerators, radios, decorations and other household furnishings.

(3) Professional instruments and tools of trade: All instruments, tools and apparatus, including typewriters, which are used by the person in his profession or trade.

(4) Motor vehicles: Automobiles, trailers, and trucks.

(b) *General limitations to the use of this general license.* (1) No article intended for resale in a foreign country may be exported under this general license.

(2) Subject to examination by or under the authority of the Office of Censorship, unexposed photographic films, plates, and photographic paper may be exported under this general license.

(3) Platinum in the form of jewelry and in the form of other articles of personal adornment may be exported under this general license only when it is certain that such articles will be used as articles of personal adornment and for no other purpose.

(4) Personal firearms and hunting guns exported under this general license shall be limited to three guns per person.

(5) Motor vehicles may be exported under this general license subject to the following provisions:

(i) Permanent residents of the United States may export motor vehicles under this general license when the vehicle is their personal property and is exported solely for the use of the exporter or his family.

(ii) Persons residing in the United States and departing to take residence abroad may export motor vehicles under

this general license if the vehicle to be exported was acquired not less than six months prior to the date of export and is intended solely for the use of the exporter or his family.

(iii) Nonresidents who have brought motor vehicles into the United States may export such motor vehicles under this general license.

(6) Radios exported under this general license are subject to United States Navy orders which require that they must either be put in storage as freight or placed in the custody of the Master of the vessel before they leave the United States. In addition, radios which operate by means of batteries must have their batteries and tubes disconnected before they are so stored or placed in the custody of the Master of the vessel.

(7) All exportations under this general license shall be limited to quantities sufficient solely for the personal use of the exporter and his immediate family, unless otherwise specifically provided in this section.

(c) *Special provisions applicable to the use of this general license.* (1) "United Nations' vessel" shall mean any vessel within the provisions of subparagraph (1) of paragraph (a) of § 802.13.

(2) *What passengers may take.* (i) Passengers leaving the United States by plane, by United Nations' vessel, or by any form of land transportation may export personal effects, household articles, professional instruments and tools of trade and motor vehicles: *Provided*, That the quantity of food exported by any such passenger shall not exceed $10.00 in value.

(ii) Passengers leaving the United States on a vessel which is not a United Nations' vessel may export the same commodities as persons who leave by United Nations' vessel with the exception of the following articles; radios, radio parts, foodstuffs, cameras, electrical apparatus, scientific instruments, technical books, and not more than one fountain pen.

(3) *What crew members may take.* (i) Crew members leaving the United States on United Nations' vessel may export under this general license personal effects, and such professional instruments as are customarily used by seamen and which the Collector of Customs approves: *Provided*, That no crew member shall export more than one pair of new shoes, nor food in quantities in excess of $5.00 net value: *And provided further*, That the total net value of all commodities taken by a crew member for other than his own personal use shall not exceed $25.00.

(ii) Crew members leaving the United States on a vessel which is not a United Nations' vessel may export personal effects subject to the following provisions:

(*a*) That no personal effects for which OPA ration currency or coupon must be surrendered, may be exported.

(*b*) That the total net value of all commodities which are exported for other than the individual use of the crew member shall be limited to $10.00.

(*c*) That none of the following articles shall be exported: radios, radio parts, foodstuffs, cameras, electrical apparatus and appliances, scientific instruments, technical books, and not more than one fountain pen.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; E. O. 9361, 8 F.R. 9961; Order No. 1, 8 F. R. 9938; E.O. 9380, 8 F.R. 13061; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 12, 1944.

S. H. Lebensburger,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-8627; Filed, June 14, 1944; 10:51 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

Authority: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

Part 3291—Consumers Durable Goods

[Limitation Order L-30-d, Direction 2]

GARMENT HANGERS

The following direction is issued pursuant to Limitation Order L-30-d:

This direction is issued under paragraph (d) (2) of Order L-30-d and increases the quota for garment hangers for the second quarter of 1944. During that quarter, in addition to filling preferred orders and using any unused part of his quota for the first quarter, a manufacturer may put into process in making garment hangers not more than 35% of the average quarterly amount of iron and steel he put into process in making garment hangers in the base period. In making garment hangers under this direction a manufacturer may use steel wire of any gauge obtained from any source.

Issued this 13th day of June 1944.

War Production Board,
By J. Joseph Whelan,
Recording Secretary.

[F. R. Doc. 44-8583; Filed, June 13, 1944; 4:09 p. m.]

Part 944—Regulations Applicable to the Operation of the Priorities System

[Priorities Reg. 3, Direction 8]

RATINGS FOR FLAT WICK LAMP BURNERS

The following direction is issued pursuant to Priorities Regulation 3:

Preference ratings lower than AA-3 are not valid for the purchase of flat wick lamp burners, and persons receiving orders bearing such ratings may fill them as unrated orders.

It is the policy of the War Production Board that flat wick lamp burners not required to fill orders bearing preference ratings of AA-3 or higher be distributed equitably to wholesalers and retailers giving due regard to established trade connections and to the increased needs of certain areas caused by war conditions. If such distribution cannot be effected voluntarily, the War Production Board will issue specific directions for the distribution of these products.

Issued this 14th day of June 1944.

War Production Board,
By J. Joseph Whelan,
Recording Secretary.

[F. R. Doc. 44-8643; Filed, June 14, 1944; 11:12 a. m.]

Part 3175—Regulations Applicable to the Controlled Materials Plan

[CMP Reg. 2, Interpretation 3]

EFFECT OF REDUCTION IN CONSUMPTION RATE OF PERMITTED INVENTORIES

The following interpretation is issued with respect to CMP Regulation 2:

(a) Paragraph (b) of CMP Regulation No. 2 prohibits the acceptance of delivery of an item of controlled material if a person's inventory will become, because of the delivery, or already is, in excess of the amount permitted by the regulation. Priorities Regulation No. 1, § 944.14, makes a similar restriction. If material is acquired within these restrictions, neither regulation prohibits the mere possession of an inventory if a change in circumstances makes it greater than the amount they permitted. For instance, if based upon current rate of production a manufacturer's permitted inventory of one item of steel is 100 tons and he has in inventory 60 tons, he may receive a further delivery of 40 tons. If after receiving the delivery of 40 tons his rate of consumption, because of contract cancellation or the like, is reduced drastically, the mere fact that he has an inventory of 100 tons, although his permitted inventory may be only 10 tons, is not a violation of the regulation. He may not, of course, accept any further deliveries of steel until his inventory has been reduced below 10 tons (except as provided in paragraphs (c) (2) and (c) (4) of CMP Regulation No. 2, relating to material already shipped and special items).

(b) Similarly, the regulation does not affect the liability of a customer for material in inventory when the customer cancels his contract. Such liability is controlled by the provisions of the contract between them and by contract law.

Issued this 14th day of June 1944.

War Production Board,
By J. Joseph Whelan,
Recording Secretary.

[F. R. Doc. 44-8644; Filed, June 14, 1944; 11:12 a. m.]

Part 3270—Containers

[Limitation Order L-336, Direction 1]

POSTPONEMENT OF THE CUT-OFF DATE FOR ARMY AND NAVY ORDERS

The following direction is issued pursuant to Limited Order L-336:

Paragraph (g) of Order L-336 provides that each manufacturer of paper cups must set aside a specified percentage of his monthly production of hot and cold drink cups for delivery to the Army and Navy on orders received from them before the 15th of the preceding month.

Notwithstanding this provision the Army and Navy shall have until June 30, 1944 to place their orders for the month of July 1944 and any surplus in the Army and Navy set-aside shall not be released until after that date.

Issued this 14th day of June 1944.

War Production Board,
By J. Joseph Whelan,
Recording Secretary.

[F. R. Doc. 44-8642; Filed, June 14, 1944; 11:12 a. m.]

Chapter XI—Office of Price Administration

Part 1432—Rationing of Consumers' Durable Goods

[RO 9C]

NEW COOKING STOVES FOR PUERTO RICO

Preamble. The War Production Board has determined that the curtailment of the production of stoves as an aid to conservation of scarce material and manpower requires the establishing of a program to effect a fair distribution of the limited supply available for civilian use. The Puerto Rico District Office of the War Production Board after an extensive study has determined that in order to distribute cooking stoves in Puerto Rico, this equipment should be rationed by the Office of Price Administration.

Ration Order 9C establishes a program whereby the available gasoline, gas and kerosene cooking stoves will be fairly distributed among consumers. Eligibility standards which consumers have to meet to be entitled to a stove certificate have been established and a quota system is instituted under this program in order to balance supply and distribution.

The Army, Navy, and other exempt agencies will continue to obtain their stoves under the priority order system of the War Production Board. Similarly persons who need stoves in projects authorized by that Board will continue to follow the procedure now used. The stoves obtained by these users will not be charged to civilian supply quotas.

Ration Order 9C—New Cooking Stoves for Puerto Rico

ARTICLE I—SCOPE

Sec.
1.1 Territorial limitations.
1.2 Effect on other orders.
1.3 Stoves covered by this order.
1.4 How stoves are rationed.

ARTICLE II—CONSUMERS

2.1 Who is a consumer.
2.2 Consumer may not order a stove without a certificate.
2.3 Eligibility requirements.
2.4 How application is made for a certificate.
2.5 How Boards issue certificates.

ARTICLE III—DEALERS

3.1 Dealers must register.
3.2 A dealer may not acquire stoves if he does not register.
3.3 Reports and records.
3.4 Records may be inspected.
3.5 Places where stoves are kept may be inspected.
3.6 Transfer of a continuing business.

ARTICLE IV—ISSUANCE AND USE OF CERTIFICATES

4.1 How certificates are issued.
4.2 Certificates are the property of the Office of Price Administration.
4.3 Endorsement of certificates.
4.4 Combining and splitting up certificates.
4.5 How to replace lost, stolen, destroyed, damaged or mutilated certificates.
4.6 Names of persons who have been granted certificates must be posted.

ARTICLE V—SALES AND TRANSFERS OF STOVES

5.1 Only dealers may transfer stoves.
5.2 Stoves may be transferred only for certificates.
5.3 Consumer transfers.
5.4 Dealers may not discriminate in sale of stoves.
5.5 Agencies of the United States may transfer stoves to persons other than an agency in exchange for certificates.

ARTICLE VI—PERMITTED TRANSFERS WITHOUT CERTIFICATES

6.1 Stolen or lost stoves may be returned.
6.2 Security interests in stoves may be created and released.
6.3 Consumer inheritance.
6.4 Stoves may be acquired by insurers or for salvage.
6.5 Transfer of damaged stoves without certificates.
6.6 Stoves may be transferred in connection with transfer of premises.
6.7 Acquisition of stoves for transfer by agencies of the United States.

ARTICLE VII—MISCELLANEOUS RULES AND PROHIBITIONS

7.1 Additional prohibitions.
7.2 Certificates may not be taken by legal process or acquired by will.
7.3 Office must be notified of legal proceedings.

ARTICLE VIII—SUSPENSION ORDERS

8.1 Office of Price Administration may issue suspension orders.

ARTICLE IX—APPEALS

9.1 Persons directly affected by this order may appeal.

ARTICLE X—DEFINITIONS

10.1 Definitions.

Authority: Secs. 1.1 to 10.1, inclusive (32 CFR 1432.71), issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; W.P.B. Dir. 1, 7 F.R. 562; Supp. Dir. 1-J, 7 F.R. 5043; Supp. Dir. 1-S, 8 F.R. 6016; Rev. Gen. Order 20, 8 F.R. 2516.

ARTICLE I—SCOPE

Section 1.1 *Territorial limitations.* This order shall apply to the Territory of Puerto Rico.

Sec. 1.2 *Effect on other orders.* This order shall not be construed to permit any act which would be in violation of any other order issued by the Office of Price Administration or the War Production Board.

Sec. 1.3 *Stoves covered by this order.* (a) This order covers new cooking stoves designed for use in the household, for installation on or above the floor, and for the use of kerosene, gasoline or gas as a fuel. The order does not cover any equipment which has been used more than six (6) months, nor does it apply to electric, charcoal or alcohol stoves, gas hot plates, gas laundry stoves, furnaces, water heaters, laundry stoves having built-in water jackets or coils, or wood-burning sheet metal stoves which are not equipped with grates or cast iron base or linings, or equipment specially designed for commercial, industrial, agricultural or institutional use.

Sec. 1.4 *How stoves are rationed.* (a) Stoves are rationed among eligible consumers through the issuance by boards of certificates on OPA Form PR-R-901. The eligibility requirements are given in section 2.3. A certificate may be used to buy or acquire only the type of stove shown on its face.

(b) The total number of certificates which a board may issue to consumers is limited by quotas set for that board during periods fixed by the Office of Price Administration.

(c) This order is not intended to limit or restrict the quantity of stoves obtainable by the Army, Navy, Marine Corps, Coast Guard, War Shipping Administration or Maritime Commission of the United States (called exempt agencies in this order); or by agencies of the United States or other persons to the extent to which they acquire stoves for export to and consumption or use in any foreign country or territory or possession of the United States (other than the District of Columbia); or, by agencies of the United States or other persons to the extent to which they acquire stoves for installation in a project when such installation has been specifically authorized by the War Production Board by the issuance of an order in the series designated P-19, P-55 or P-110. Transfers to or for these agencies or persons are made under applicable priority orders of other agencies of the United States.

ARTICLE II—CONSUMERS

Sec. 2.1 *Who is a consumer.* (a) Any person who needs or has acquired a new cooking stove for any use is a consumer. The term consumer includes also: (1) a lessor of premises who needs or has acquired a new cooking stove for the use of a tenant occupying such premises, or who installs in such premises for the use of his tenant, a new cooking stove he holds for sale or other transfer; (2) a person who needs or has acquired a new cooking stove for installation in premises which he is offering for rent, or who installs in such premises a new stove he holds for sale or other transfer; and (3) any person who uses a new cooking stove which he holds for sale or other transfer, except that a dealer is not a consumer as to a stove he demonstrates or exhibits as part of the business of transferring stoves.

(b) However, an exempt agency or a person acquiring a new cooking stove for export or for installation in a project authorized by the War Production Board by the issuance of an order in the P-19, P-55, or P-110 series (unless the person to whom the War Production Board authorization was issued is relieved from the responsibility for installing a stove in that project by the National Housing Agency) that is, a person or agency specified in section 1.4 (c), is not a consumer within the meaning of this order.

Sec. 2.2 *Consumer may not order a stove without a certificate.* (a) No offer or order from a consumer for the purchase or acquisition of a new cooking

stove may be accepted by any person unless and until the consumer gives up to that person a certificate for that type of stove. Nor may a new cooking stove be transferred to, or acquired by a consumer unless he gives up to the transferor a certificate for that type of stove.

SEC. 2.3 *Eligibility requirements.* (a) Any consumer who needs a new stove for cooking in essential living or working premises or in premises in which there is carried on an activity which contributes to the war effort or to the public welfare (or who needs a cooking stove for installation in premises which are rented or are being offered for rent as essential living space) is eligible for a certificate for any type of cooking stove, if he comes within at least one of the following classes:

(1) He has no equipment for that purpose; or

(2) He has for that purpose only equipment which is worn out or damaged and cannot be repaired within a reasonable time or at a reasonable cost; or

(3) He has only gas equipment which cannot be used because the War Production Board prohibits the use of the parts or materials needed to install such equipment or because such parts or materials are not available; or

(4) He has for that purpose only electric equipment and electricity for its operation is not available, or he has for that purpose only gas equipment and gas for its operation is not available, or he has for that purpose charcoal equipment and charcoal is not available; or

(5) He has for that purpose only gas equipment using liquified or bottled gas and the necessary materials are not available; or

(6) He has for that purpose only equipment the use of which is prohibited by the law of Puerto Rico.

(b) Any consumer who needs a stove for experimental or scientific purposes or for use in connection with a technological process may apply for a certificate. The application must be made as provided in section 2.4 to the board serving the area where the stove is to be used, showing:

(1) The name and address of the applicant;

(2) The type of stove needed; and,

(3) The reason it is needed.

SEC. 2.4 *How application is made for certificates.* (a) A consumer may apply for a certificate on OPA Form PR–R–900. The application must be made in person by the consumer or by someone acting for him. The application may be made only to the "Board" serving the area where the stove is to be used Separate applications must be made for each type of stove for which a certificate is sought.

SEC. 2.5 *How boards issue certificates.* (a) The Board may issue a certificate to the applicant on OPA Form PR–R–901 for the number of stoves to which he is entitled, if it finds

(1) That the applicant is eligible for the certificate applied for;

(2) That he has not without good cause in the six (6) months period before the date of his application sold or otherwise transferred cooking equipment which is adequate for the purpose for which the application is made;

(3) That the stove is required for use in the area served by the board; and

(4) That the quota for that board will not be exceeded by the issuance of the certificate.

The board must issue a separate certificate for each type of stove, and must indicate on the face of each certificate at the time it is issued, in addition to the other information required by the form, the type of stove which may be acquired. However, no board may issue a certificate for a gas cooking stove if gas service will not be available for its operation. Nor may a board issue a certificate for a stove if it will be used to acquire a stove for a project in which the installation of a stove of that type is specifically authorized by the War Production Board by the issuance of an order in the series designated P–19, P–55 or P–110 unless the National Housing Agency has relieved the person to whom the order was issued from the responsibility for installing a stove of that type in that project.

ARTICLE III—DEALERS

SEC. 3.1 *Dealers must register*—(a) *General.* Every dealer must register with the Office of Price Administration, San Juan, Puerto Rico by filing OPA Form PR–R–902, within 15 days after the effective date of this order. It must be completed and signed by the person registering or his authorized agent. Persons who become dealers in new cooking stoves after the effective date of this order must register within 15 days after becoming dealers.

(b) *Dealers must give information called for.* The dealer must give all information called for by OPA Form PR–R–902.

(c) *Each establishment must be registered separately.* If a dealer has more than one establishment he must file separate registration forms for each.

(d) *Dealers who do not register on time.* A dealer who has failed to register within the time fixed by this section may apply to the Territorial Office for permission to file his registration form, explaining in writing the reasons why he did not register on time. If the Territorial Office is satisfied that the failure to register on time was for good cause, it may grant permission to the applicant to file his registration form, and may impose any conditions it finds proper.

SEC. 3.2 *A dealer may not acquire or transfer stoves if he does not register.* (a) No dealer may acquire or transfer any stove unless he has registered in the manner required by this order.

SEC. 3.3 *Reports and records*—(a) *Reports.* Every dealer shall file with the Office of Price Administration, San Juan, Puerto Rico, a monthly inventory report of all new cooking stoves on OPA Form PR–R–902. This report shall show the total number of new cooking stoves on hand at the beginning of the month, the number of sales and purchases of new cooking stoves during the month, and the number of new cooking stoves on hand as of the close of business on the last day of the month. The first such report shall be for the month of July, 1944 and shall be filed on or before August 5, 1944. Subsequent monthly reports shall be filed on or before the fifth day of the month following the month covered by the report.

(b) *Records.* Every dealer shall keep at his place of business a copy of his registration, a copy of each monthly inventory report filed in accordance with paragraph (a), and a record of all new cooking stoves acquired by him and sold by him. Such records shall be held for so long as new cooking stoves are rationed in the Territory of Puerto Rico.

SEC. 3.4 *Records may be inspected.* (a) All records kept under this order may be inspected by the Office of Price Administration, through any authorized representative. The inspection may be made at a person's place of business during regular business hours. In the case of records kept on forms prepared by the Office of Price Administration, the inspection of those records may be made at any time or place fixed by the Office of Price Administration. Every person required to keep records under this order must keep them available for such inspection.

SEC. 3.5 *Places where stoves are kept may be inspected.* (a) The Office of Price Administration, through any authorized representative, may at any reasonable time inspect any place where a dealer keeps new cooking stoves.

SEC. 3.6 *Transfer of a continuing business.* (a) When any person sells or transfers to any other person his dealer establishment for continued operation by the person who acquired it, the person transferring the business shall give to the person acquiring it his registration form and all certificates that he has at the time the business is sold. (The certificates must be signed by the person transferring the business.)

(b) Within fifteen (15) days after the transfer, the person acquiring the business must file an application on OPA Form PR–R–902 for registration as a dealer.

ARTICLE IV—ISSUANCE AND USE OF CERTIFICATES

SEC. 4.1 *How certificates are issued*—(a) *By whom issued.* Certificates are issued on OPA Form PR–R–901 by the Territorial Office, a board, or any other person authorized by the Office of Price Administration to issue them. Certificates may be issued only to the persons and for the purposes permitted by this order, and shall only be valid in the hands of a consumer for a period of 30 days after date of issuance.

(b) *Number and type of stoves must be designated on certificate.* The certificate must show on its face the number of stoves and type which may be acquired with it, the name of the person for whom it is issued, the place where the stove is to be used, and must be signed by the appropriate official of the Office of Price Administration.

(c) A certificate which is not filled out in the way required by this section is not good for the acquisition of any stove

covered by this order and shall not be used or accepted for that purpose.

SEC. 4.2 *Certificates are the property of the Office of Price Administration and may be revoked.* (a) All certificates are the property of the Office of Price Administration, whether or not they have been issued.

(b) The Office of Price Administration may suspend, cancel, or revoke any certificate issued if it finds it in the public interest to do so.

(c) Any certificate issued to a person not entitled to it on the basis of the facts stated in the application may be revoked by the issuing Board or Territorial Office, and the issuing Board or Territorial Office may order that such certificate be surrendered to it.

SEC. 4.3 *Endorsement of certificates.* A certificate cannot be used until it is signed on the back by the person in whose name it is issued, or by a person authorized to sign for him.

SEC. 4.4 *Combining and splitting up certificates.* (a) A board may issue one certificate for two or more certificates, or it may issue two or more certificates for a certificate. The certificates issued must be for the same number and type of stoves designated on the certificates surrendered to the board for exchange. The board shall issue the new certificate in the manner required by section 4.1, and it shall retain in its files the certificate surrendered.

SEC. 4.5 *How to replace lost, stolen, destroyed, damaged or mutilated certificates.* (a) Any person who has lost a certificate, or whose certificate was stolen or destroyed, or who has a certificate that is damaged or mutilated so that it is unfit for use, may apply to the issuing board for its replacement. The application must be in writing and must state:

(1) The applicant's name and address;

(2) A description (to the extent possible) of each certificate sought to be replaced, showing the date of its issuance, the person by whom it was issued, the number and type of stoves designated on its face, and the name of the person to whom it was issued and the place where the stove was to be used;

(3) How the certificate was lost, stolen, destroyed, damaged, or mutilated; and,

(4) The efforts made to find or recover the certificate sought to be replaced, if it has been lost or stolen.

In case of an application for replacement of a damaged or mutilated certificate, the certificate sought to be replaced must be submitted at the time the application is made.

(b) The board, if it finds that the certificate for which replacement is sought, has been lost, stolen or destroyed, or that it is damaged or mutilated so that it is unfit for use, may, in its discretion, issue a certificate on OPA Form PR–R–901 to the applicant for the same number and type of stoves.

(c) Whenever a lost, stolen or destroyed certificate which has been replaced under this section is found or recovered, it must be immediately submitted to a board, and it may not be used for any purpose.

SEC. 4.6 *Names of persons who have been granted certificates must be posted.* (a) A Board shall post every month at its office the name and address of any consumer to whom it has issued a certificate under this order.

ARTICLE V—SALES AND TRANSFERS OF STOVES

SEC. 5.1 *Only dealers may transfer stoves.* (a) Except in certain special cases provided in this order, only registered dealers may sell or otherwise transfer new cooking stoves.

SEC. 5.2 *Stoves may be transferred only for certificates.* (a) Stoves covered by this order may be transferred to a consumer only if the consumer gives up to the seller certificates for the number and type of stoves transferred. The certificates must be surrendered at or before the time of delivery.

SEC. 5.3 *Consumers transfers.* A consumer may sell or transfer a stove to another consumer against a certificate which the transferor must turn over to the issuing Board within five (5) days after the transfer has been made.

SEC. 5.4 *Dealers may not discriminate in sale of stoves.* (a) No dealer or distributor may discriminate in the transfer of stoves covered by this order among consumers entitled to acquire stoves in exchange for certificates.

SEC. 5.5 *Agencies of the United States may transfer stoves to persons other than an agency in exchange for certificates.* (a) Any agency of the United States may sell or otherwise transfer new cooking stoves only if the transferee gives up to the agency certificates for the type of stove transferred at the time the stove is transferred. The agency shall, within 30 days after the sale or transfer, submit to the Office of Price Administration Territorial Office the certificates obtained for the stoves so sold or transferred, and if the transferee is a dealer, a report on its official letterhead showing the number by ration type of the stoves transferred, the date of the transfer and the name and address of the transferee.

ARTICLE VI—PERMITTED TRANSFERS WITHOUT CERTIFICATES

SEC. 6.1 *Stolen or lost stoves may be returned.* (a) No certificate need be surrendered for a return of stolen or lost new cooking stoves to the person from whom they were stolen or who lost them.

SEC. 6.2 *Security interests in stoves may be created and released.* (a) No certificate need be surrendered for a transfer of new cooking stoves, or of any interest in them, for security purposes only. (For example, if stoves are pledged or mortgaged, the person with whom they are pledged or mortgaged need not give up certificates.)

(b) No certificate need be surrendered for a release of a security interest in those stoves, or for a return of those stoves to the person who originally transferred them for security purposes. (For example, a person who pledged stoves may get them back without giving up certificates.)

SEC. 6.3 *Consumer inheritance.* (a) A consumer who acquires a new cooking stove covered by this order from another consumer by inheritance or will, may use it without surrendering a certificate.

SEC. 6.4 *Stoves may be acquired by insurers or for salvage*—(a) *Acquisition of damaged stoves.* New cooking stoves which have been damaged may be transferred to, and acquired by, the following persons, without the surrender of certificates;

(1) A person who has paid or is liable for a claim for the damage done to the stoves, and who is entitled to reimburse himself by taking them over; or,

(2) A person principally engaged in the business of adjusting losses or of reconditioning or selling damaged articles.

(b) *Disposal of the stoves.* The person acquiring the stoves must, within five (5) days after acquiring them, report to the Territorial Office:

(1) The quantity of each type of stove acquired;

(2) The name and address of the person from whom they were acquired; and,

(3) The way in which and the date when they were acquired.

If he cannot ascertain the quantity and type of stoves within that period he must describe the approximate number of stoves, by types, and must give detailed information as soon as he can. He may dispose of the stoves which are capable of use as stoves after being repaired only by a sale or a transfer in the same way that a dealer is permitted to sell or transfer stoves, in which case he must within thirty (30) days surrender to the Territorial Office the certificates obtained for the stoves sold or transferred. If he cannot dispose of them all, he must report to the Territorial Office the quantity (by types) not salable.

SEC. 6.5 *Transfer of damaged stoves without certificates.* (a) Any person who has new cooking stoves which are damaged and cannot be sold in exchange for certificates may apply to the board serving the area where his establishment is located (or, if he has no establishment, where his principal business office is located) for permission to dispose of such stoves without obtaining certificates. The application must be in writing and must state:

(1) The applicant's name and address;

(2) The number and type of stoves damaged;

(3) The reason the stoves are in damaged condition, and the nature of the damage; and,

(4) The reasons why the stoves cannot be sold in exchange for certificates.

(b) If the board finds that the stoves have been damaged by accidental means and cannot be sold in exchange for certificates it may grant permission, in writing, to the applicant to dispose of the stoves described in the application without the obtaining of certificates. The

board shall send to the Territorial Office for its files, a copy of the written permission granted.

SEC. 6.6 *Stoves may be transferred in connection with transfer of premises.* (a) No certificate need be surrendered for the transfer of a new cooking stove in connection with a transfer of premises on which the stove is located.

SEC. 6.7 *Acquisition of stoves for transfer by agencies of the United States*—(a) *No certificates required.* No certificates need be surrendered in exchange for new cooking stoves acquired for transfer, by an agency of the United States. However, if the transferor is a dealer, the agency must, within 7 days after such acquisition, submit to the OPA Territorial Office a report on its official letterhead showing the number, by ration type, of the stoves acquired, the date of the acquisition and the name and address of the transferor.

ARTICLE VII—MISCELLANEOUS RULES AND PROHIBITIONS

SEC. 7.1 *Additional prohibitions.* (a) No person may use a certificate unless he has received it in a way permitted by this order.

(b) No person may transfer, acquire, use or possess new cooking stoves, except in a way permitted by this order or by an applicable order of an agency of the United States.

(c) No person may give or otherwise transfer, or obtain or otherwise acquire, or use a certificate except in a way permitted by this order.

(d) No person may transfer any new cooking stove for a certificate, if he knows or has reason to believe that it is not valid or that the person tendering it is not entitled to use it.

(e) No person may have a certificate in his possession except the person (or agent of the person) who issues it, or to whom it was issued, or by whom it was acquired in a way permitted by this order.

(f) No person may counterfeit, forge, deface, or mutilate any certificate. A counterfeited, forged, defaced or mutilated certificate is not valid for transfer, and no person may acquire, possess or use such certificate.

(g) No person may alter or destroy any certificate, nor use any altered certificate, except where permitted by this or any other order of the Office of Price Administration.

(h) No person may transfer a new cooking stove in violation of any applicable order of an agency of the United States.

(i) No person may offer, solicit, attempt or agree to do, or assist in doing, any act in violation of this order.

(j) Paragraphs (b), (c), (e), (f), (g) and (h) of this section do not apply to public officials who do any of those acts in the performance of public duties, or to persons complying with orders or directions of such officials.

(k) No person may in any registration, report, application, or other statement or record made pursuant to or required by this order make any untrue statement of fact, or omit to state any fact which is required to be stated or which is necessary to make a statement not misleading.

(l) No person may, after demand, withhold a certificate from a person who is entitled to have it.

SEC. 7.2 *Certificates may not be taken by legal process or acquired by will.* (a) No certificate, or any interest in it, may be taken or seized by judicial process or any court order. However, a person who is entitled to possession of a certificate may bring a legal proceeding to recover it from any person who is wrongfully in possession of it. He may as part of that proceeding, take or seize it by judicial process or court order.

(b) No certificate, or interest in it, may be transferred or acquired by operation of law.

SEC. 7.3 *Office of Price Administration must be notified of legal proceedings.* (a) Any person who has a certificate must notify the Territorial Office of the Office of Price Administration immediately after the beginning of legal proceedings involving that certificate.

ARTICLE VIII—SUSPENSION ORDERS

SEC. 8.1 *Office of Price Administration may issue suspension orders.* (a) Any person who violates this order may, by administrative suspension order, be prohibited from receiving, delivering, selling or using any new cooking stoves or other rationed product or facility for such period as in the judgment of the Territorial Director is necessary or appropriate in the public interest. Proceedings for suspension order shall be begun and carried on as provided in Revised Procedural Regulation No. 4.

ARTICLE IX—APPEALS

SEC. 9.1 *Persons directly affected by action taken under this order may appeal.* (a) Any person directly affected by an adverse decision of the Office of Price Administration on any application or other matter, may appeal from that action in the way permitted by Procedural Regulation No. 9 issued by the Office of Price Administration.

ARTICLE X—DEFINITIONS

SEC. 10.1 *Definitions.* (a) When used in this order:

(1) "Acquire" means to accept a transfer or to get possession or title in any other way.

(2) "Board" means a war price and rationing board established by the Office of Price Administration.

(3) "Certificate" means a certificate on Form OPA PR–R–901.

(4) "Consumer" means any person who needs or has acquired a new cooking stove for use.

(5) "Dealer" means any person engaged in the business of selling new cooking stoves.

(6) "Territorial Office" means the Territorial Office established by the Office of Price Administration for the Territory of Puerto Rico.

(7) "New", as applied to cooking stoves, means any cooking stove which has not been sold or transferred to a consumer or any stove which has been transferred to a consumer but which has been in use for not more than six months.

(8) "Person" means any individual, partnership, corporation, association, business trust, or any government, agency of a government, or any other organized group or enterprise.

(9) "Stove" or "stove covered by this order" means any "new" cooking stove or equipment designated for household cooking use, of the following types:

(i) A cooking stove designed to use kerosene or gasoline as a fuel, and,

(ii) A gas cooking stove designed to use natural, manufactured or liquefied petroleum gas (including bottled gas) as a fuel.

(10) "Transfer" means to sell, give, exchange, lease, lend, deliver, consign, supply or furnish. Delivery to a carrier for shipment or by a carrier in the course of or in completion of shipment is not regarded as a transfer to or by the carrier. However, if a stove was delivered to a consumer before the effective date of this order, the transfer to such person of title to the stove after that date is not regarded as a transfer within the meaning of this order.

(b Where the context so requires, words in the singular shall include the plural, words in the plural shall include the singular and words in the masculine gender shall include the feminine and neuter.

Effective date. This ration order shall become effective June 1, 1944.

NOTE: The reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 14th day of June 1944.

JORGE L. CORDOVA,
Director,
Office of Price Administration,
for Puerto Rico.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44–9651; Filed, June 14, 1944; 11:45 a. m.]

TITLE 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

PART 28—PHOTOGRAPHING

PROHIBITED AREAS

Effective June 1, 1944 paragraph (c), § 28.3 of Title 35, Code of Federal Regulations (7 F. R. 6171), as amended (9 F.R. 5441), is further amended to read as follows:

§ 28.3 *Areas within which possession of cameras is prohibited.* No person shall have any camera in his possession within any of the following areas in the Canal Zone without first obtaining the permission of the Governor of The Panama Canal:

(a) * * *

(2) The airspace above the Canal Zone. See paragraph (c) hereof.

* * * * *

(c) While on board any aircraft in the airspace above the Canal Zone no person shall have any camera in his possession except as otherwise provided in these regulations. A person destined for travel into, within, or through the airspace above the Canal Zone shall at a point of departure prior to entering such airspace, including any point of departure in the Canal Zone, place in his baggage any and all cameras in his possession, and surrender to the commander or person in responsible charge of the aircraft, or to a representative of such commander or person, any of his baggage which contains any camera. The commander or person in responsible charge of the aircraft shall at a point of departure prior to entering such airspace, including any point of departure in the Canal Zone, (1) cause all persons destined for travel on such aircraft into, within, or through the airspace above the Canal Zone to be informed of the preceding requirements of this paragraph, (2) cause the baggage surrendered as hereinbefore provided to be received, (3) cause such baggage to be placed in a compartment separate from the space occupied by passengers, and (4) cause the compartment to be and remain locked while within the airspace above the Canal Zone.

J. C. MEHAFFEY,
Governor.

MAY 30, 1944.

[F. R. Doc. 44–9656; Filed, June 14, 1944; 11:47 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 158–A]

PART 95—CAR SERVICE

UNLOADING OF COTTON AT ALEXANDRIA, LA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 13th day of June, A. D. 1944.

Upon further consolidation of Service Order No. 158 (8 F.R. 13926) of October 9, 1943, and good cause appearing therefor: *It is ordered,* That:

Service Order No. 158 (8 F.R. 13926) of October 9, 1943, 49 CFR § 95.32, requiring common carriers by railroad subject to the Interstate Commerce Act, entering and serving Alexandria, Louisiana, to unload within three days all shipments of cotton consigned to the American Compress and Warehouse Company, Alexandria, Louisiana, be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17)).

It is further ordered, That this order shall become effective at 12:01 a. m., June 14, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement, under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44–9630; Filed, June 14, 1944; 10:54 a. m.]

[Rev. S. O. 210]

PART 95—CAR SERVICE

ICING AND REICING OF FRUITS AND VEGETABLES IN DESIGNATED SOUTHERN STATES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 12th day of June, A. D. 1944.

It appearing that there is a shortage of ice in certain areas and the establishment of the use of a modified refrigeration service known as half-stage icing for citrus fruit originating in Florida; and otherwise limiting refrigeration to three-fourths bunker capacity on cars of fruits and vegetables originating in Florida and on vegetables originating in Alabama, Georgia, Kentucky, Mississippi, Louisiana (east of Mississippi River), South Carolina, North Carolina, and Tennessee, will result in economy of motive power, manpower, and ice; the Commission is of the opinion that an emergency exists requiring immediate action: it is ordered, that:

Half-stage icing—(a) (1) *Definition.* The term half-stage icing as used herein means using only the upper halves of the bunkers of refrigerator cars for carrying ice, this being accomplished by setting the ice grates at a point approximately midway between the bottom and top of the bunkers.

(2) *Furnishing refrigerator cars equipped for half-stage icing for loading with Florida citrus.* When refrigerator cars equipped for half-stage icing are available at the point of origin when shipment is ordered to be initially iced after loading, and at the icing station where cars are to be initially iced when initial icing is ordered prior to loading, and the railroads can so furnish refrigerator cars equipped for half-stage icing without additional switching service in excess of that normally required for initial icing, all common carriers by railroad subject to the Interstate Commerce Act operating in the State of Florida, in complying with a shipper's order for a refrigerator car, shall give priority to the furnishing of and shall furnish refrigerator cars equipped for half-stage icing for loading with citrus fruit originating in the State of Florida, and shall furnish refrigerator cars not equipped for half-stage icing only when cars so equipped are not available as specified in this paragraph.

(3) *Carriers required to furnish half-stage icing service on refrigerator cars equipped for half-stage icing.* No common carriers by railroad subject to the Interstate Commerce Act shall permit, accord or authorize other than half-stage icing service on any refrigerator car equipped for half-stage icing, ordered for loading with, or loaded with citrus fruit originating in the State of Florida when available and furnished in accordance with the provisions of paragraph (a) (2) of this regulation.

(b) *Icing and reicing on fruits and vegetables restricted to three-fourths bunker capacity.* No common carrier by railroad subject to the Interstate Commerce Act, on any refrigerator car loaded with fruits or vegetables originating in the State of Florida, or loaded with vegetables originating in the States of Alabama, Georgia, Kentucky, Mississippi, Louisiana (east of the Mississippi River), South Carolina, North Carolina, or Tennessee, shall initially ice or reice, or allow or permit initial icing or reicing, with more ice than is necessary to bring the ice in each bunker up to, but not above, three-fourths of that bunker's capacity. This paragraph shall have no application on cars restricted to half-stage icing under the provisions of paragraphs (a) (2) and (3) of this regulation.

(c) *Application.* The provisions of this order shall apply only to shipments billed on and after the effective date of this order originating in the States listed in paragraph (b) of this section, except that when a shipment has been unloaded under a transit arrangement the provisions of this order shall apply such shipment if billed at the transit point on or after the effective date of this order.

(d) *Tariff provisions suspended.* The operation of all tariff rules, regulations, or charges insofar as they conflict with the provisions of this order is hereby suspended.

(e) *Announcement of suspension.* Each of such railroads, or its agent, shall publish, file, and post a supplement to each of its tariffs affected thereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(f) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective at 12:01 a. m., June 13, 1944, and shall supersede Service Order No. 210 on the effective date hereof; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per

diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-8631; Filed, June 14, 1944; 10:54 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Farm Credit Administration.

4 PERCENT CONSOLIDATED FEDERAL FARM LOAN BONDS

NOTICE OF CALL FOR REDEMPTION

Public notice is hereby given that the twelve Federal land banks have called all outstanding 4 percent consolidated Federal farm loan bonds of July 1, 1944–46, for redemption on July 1, 1944. Interest on them will cease on that date. Unless previously surrendered, these bonds will be payable at par upon presentation at any Federal reserve bank or branch, or at the Treasury Department, Washington, D. C., on and after July 1, 1944.

Public notice is also hereby given that the twelve Federal land banks have called all outstanding 4 percent consolidated Federal farm loan bonds of July 15, 1944–64, for redemption on July 15, 1944. Interest on them will cease on that date. Unless previously surrendered, these bonds will be payable at par upon presentation at any Federal reserve bank or branch, or at the Treasury Department, Washington, D. C., on and after July 15, 1944.

J. R. ISLEIB,
Acting Land Bank Commissioner.

JUNE 1, 1944.

Attest:

JOHN A. SMITH,
Deputy Land Bank Commissioner.

[F. R. Doc. 44-8584; Filed, June 14, 1944; 10:00 a. m.]

FEDERAL POWER COMMISSION.

[Docket G-552]

SOUTHERN NATURAL GAS COMPANY

NOTICE OF APPLICATION

JUNE 13, 1944.

Notice is hereby given that on June 1, 1944, Southern Natural Gas Company, a Delaware Corporation having its principal place of business in Birmingham, Alabama, filed with the Federal Power Commission its application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of the facilities hereinafter described.

The proposed construction consists of a 4½-inch O. D. gas pipe line approximately five miles in length, commencing at a point of connection with an existing pipe line belonging to Tennessee Coal, Iron and Railroad Company near its Wenonah sintering plant and extending to the Spaulding sintering plant of Republic Steel Corporation near Spaulding, Jefferson County, Alabama, together with appropriate metering and pressure regulating equipment, for direct sale of natural gas to Republic Steel Corporation for sintering of iron ore; installation of seven air-cooled mufflers to be installed on seven 1,300 horsepower gas compressors at its Perryville, Louisiana, compressor station; installation of two gas scrubbers to be installed at applicant's existing dehydration plant at Logansport, Louisiana; and appurtenant facilities consisting principally of meters, tap lines, valves, regulators, etc.

Applicant asserts that the facilities other than the pipe line whereby it proposes to transport, sell and deliver natural gas to the Republic Steel Corporation, which is engaged in war production, will provide an additional safety factor in order to assure continuity of applicant's present operations which include natural gas service to many industries engaged in war production.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 29th day of June, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-8592; Filed, June 14, 1944; 10:28 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 304]

RECONSIGNMENT OF WATERMELONS AT CHARLESTON, S. C.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Charleston, South Carolina, June 10, 1944, by John M. Campbell of car SAL 29193, watermelons, now on the Seaboard Air Line Railroad, to unknown destination.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8632; Filed, June 14, 1944; 10:54 a. m.]

[S. O. 70-A, Special Permit 305]

RECONSIGNMENT OF CARROTS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 10, 1944, by Chicago Tomato Company of car PFE 40684, carrots, now on the Wabash Railroad to Edward Rosenberg, Flint, Michigan.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8633; Filed, June 14, 1944; 10:54 a. m.]

[S. O. 70-A, Special Permit 306]

RECONSIGNMENT OF PINEAPPLES AT LOS ANGELES, CALIF.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Los Angeles, California, June 10 or 11, 1944, by Independent Banana Distributors of car of pineapples, PFE 96053, to San Francisco, California, and PFE 32075 and 21851 to Seattle, Washington.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8634; Filed, June 14, 1944; 10:54 a. m.]

[S. O. 200, General Permit 8]

REICING OF POTATOES FROM WASHINGTON

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes in the State of Washington, to reice once in transit when destined west of the Mississippi River and to reice twice in transit when destined east of the Mississippi River, at stations designated by shippers or, at carriers' option, at the first icing station west or east of such designated station. This general permit shall apply to all such cars billed or moving on the effective date hereof.

This general permit shall become effective 12:01 a. m., June 15, 1944, and shall expire at 12:01 a. m., September 1, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8634; Filed, June 14, 1944; 10:54 a. m.]

[S. O. 200, Special Permit 57]

REICING OF POTATOES AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, at St. Louis, Missouri, June 10 or 11, for account of L. S. Taube & Company, car ART 16044, potatoes, from Palestine, Texas, via Missouri Pacific Railroad, destined to Baltimore, Maryland.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8635; Filed, June 14, 1944; 10:54 a. m.]

[S. O. 200, General Permit 9]

REICING OF POTATOES FROM IDAHO AND OREGON

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 200 insofar as it applies to the reicing in transit of any refrigerator car loaded with potatoes, other than sweet, originating at any point or points located in Idaho groups B or C, or in Oregon group B, as defined in Items 1013 and 1043, respectively, of National Perishable Freight Committee's Perishable Protective Tariff No. 13, Agent J. J. Quinn's I. C. C. No. 22, supplements thereto or reissues thereof, when subject to compulsory billing and modified refrigeration service provided in Rule No. 200, paragraph K, of the above named tariff, supplements thereto or reissues thereof.

This general permit shall become effective at 12:01 a. m., June 15, 1944, and shall expire at 12:01 a. m., October 1, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8636; Filed, June 14, 1944; 10:55 a. m.]

[S. O. 200, Special Permit 58]

REICING OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, at Chicago, Illinois, June 10, 1944, for account of Edw. H. Anderson & Company, car NP 93339, potatoes, on the Chicago Produce Terminal account diverted to Sales Officer, Camp Reynolds, Greenville, Pennsylvania.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8637; Filed, June 14, 1944; 10:55 a. m.]

[S. O. 200, Special Permit 59]

REICING OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, at Kansas City, Missouri, not later than June 13, 1944, for account of A. Bertolla and Sons, car MDT 146196, potatoes, on the St. Louis-San Francisco Railway, shipped June 7, 1944, from Atmore, Alabama, to Denver, Colorado (Frisco to Kansas City-Union Pacific).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8639; Filed, June 14, 1944; 10:55 a. m.]

[S. O. 200, Special Permit 60]

REICING OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering

paragraph (§ 95.327, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, at Kansas City, Missouri, not later than June 13, 1944, for account of Michael Swanson Brady Produce Company, cars ART 21273 and ART 21767, potatoes, on the Kansas City Southern Railroad, from Naples, Texas, June 8, 1944, diverted rolling to Topeka and Salinas, Kansas, respectively (Mo. Pac.).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8640; Filed, June 14, 1944; 10:55 a. m.]

[S. O. 200, Special Permit 61]

REICING OF POTATOES AT CUMBERLAND, MD.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, at Cumberland, Maryland (B&O), for account of the U. S. Army Quarter Master Corps, car FFE 74309, potatoes, moving June 12, 1944, from Stillwell Cold Storage Company, Hannibal, Missouri, to U. S. Naval Frontier Base, Stapleton, Staten Island, New York.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8641; Filed, June 14, 1944; 10:55 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3732]

RICHARD H. FINDEISS

In re: Estate of Richard H. Findeiss, deceased; File D-66-1785; E. T. sec. 10639.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by R. L. Soper, Administrator c. t. a., acting under the judicial supervision of the County Court of Garfield County, Oklahoma;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Christina Findeiss, Germany.
Rosa Frank, Germany.
Rosina Findeiss, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Christina Findeiss, Rose Frank and Rosina Findeiss, and each of them, in and to the estate of Richard H. Findeiss, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8594; Filed, June 14, 1944; 10:42 a. m.]

[Vesting Order 3733]

PAULA C. HURD

In re: Estate of Paula C. Hurd, deceased; File D-66-1482; E. T. sec. 9557.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Sayles Gorham, as administrator, c. t. a., acting under the judicial supervision of the Probate Court of the City of Providence and State of Rhode Island;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Anni Vollert, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anni Vollert in and to the estate of Paula C. Hurd, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8595; Filed, June 14, 1944; 10:42 a. m.]

[Vesting Order 3734]

CONRAD MULLER

In re: Estate of Conrad Muller, deceased; File D-28-7469; E. T. sec. 9503.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Julius F. Buck, Executor, acting under the judicial supervision of the Probate Court of Shelby County, Tennessee;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Heirs of Marie Muller, names unknown, Germany.
Heirs of Phillip Muller, names unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of the heirs of Marie Muller, names unknown, and the heirs of Phillip Muller, names unknown, and each of them, in and to the estate of Conrad Muller, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8596; Filed, June 14, 1944; 10:42 a. m.]

[Supplemental Vesting Order 3735]

FRANK RETTKOWSKY

In re: Estate of Frank Rettkowsky, deceased; File D-28-1934; E. T. sec. 1793.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Union Bank and Trust Company of Los Angeles, Executor, acting under the judicial supervision of the Superior Court in and for the County of Los Angeles, California;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Heirs-at-law, next-of-kin, legatees, devisees, executors, administrators, personal representatives or assigns of Karl Rettkowsky, deceased, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of the heirs-at-law, next-of-kin, legatees, devisees, executors, administrators, personal representatives or assigns of Karl Rettkowsky, deceased, and each of them, in and to the estate of Frank Rettkowsky, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8597; Filed, June 14, 1944; 10:42 a. m.]

[Vesting Order 3736]

GOTTLIEB ARNDT

In re: Estate of Gottlieb Arndt, deceased; File D-28-7682; E. T. sec. 8222.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Avalt Brede, Hector, Minnesota, Administrator with Will Annexed, acting under the judicial supervision of the Probate Court of the State of Minnesota, in and for the County of Brown;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Ernest Zaya, Germany.
Martha Arndt, Germany.
Mary Arndt, Germany.
Pauline Wies, Germany.
Helena Arndt, Germany.
Ernest Arndt, Germany.
August Arndt, Germany.
Paul Arndt, Germany.
Herman Arndt, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ernest Zaya, Martha Arndt, Mary Arndt, Pauline Wies, Helena Arndt, Ernest Arndt, August Arndt, Paul Arndt and Herman Arndt, and each of them, in and to the estate of Gottlieb Arndt, Deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8598; Filed, June 14, 1944; 10:43 a. m.]

[Vesting Order 3737]

BASSANI ANGELINA CECCATO

In re: Estate of Bassani Angelina Ceccato, deceased; File D–38–1038; E. T. sec. 2879.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust and Savings Association, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Siskiyou;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals and Last Known Address

Bassani Maria, or her children, Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act, or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Bassani Maria, or her children, and each of them, in and to the Estate of Bassani Angelina Ceccato, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8599; Filed, June 14, 1944; 10:43 a. m.]

[Vesting Order 3738]

ROBERT G. EBERT

In re: Estate of Robert G. Ebert, deceased; File D–28–1612; E. T. sec. 389.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Robert Perret and Edward M. Schmults, co-administrators durante absentia, acting under the judicial supervision of the Bergen County Orphans' Court, Hackensack, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Egon Ebert, Germany.
Kurt Ebert, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Egon Ebert and Kurt Ebert, and each of them, in and to the Estate of Robert G. Ebert, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8600; Filed, June 14, 1944; 10:43 a. m.]

[Vesting Order 3739]

EMILY EYERMAN

In re: Estate of Emily Eyerman, deceased; File D–28–7672; E. T. sec. 8216.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of Cook County, County Building, Chicago, Illinois, Depositary, acting under the judicial supervision of the Probate Court of Cook County, Chicago, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Margaretha Kropf, Germany.
Heinrich Eyerman, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Egon Ebert and Kurt Ebert, and each of them, in and to the Estate of Robert G. Ebert, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The sum of $2,537.58 which is in the possession and custody of the Treasurer of Cook County, Illinois, Depositary, which amount was deposited with the Treasurer of Cook County, Illinois on October 11, 1943 pursuant to an order of the Probate Court of Cook County, Illinois entered June 24, 1943 to the credit of the aforesaid nationals in the matter of the estate of Emily Eyerman, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8601; Filed, June 14, 1944; 10:43 a. m.]

[Vesting Order 3740]

MIKE FALCO

In re: Estate of Mike Falco, also known as Michele Falco, deceased; File D–38–2836; E. T. sec. 8094.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described in sub-paragraphs (a) and (b) are property which is in the process of administration by Giuseppe Falco, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Santa Cruz;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals and Last Known Address

Margherita Falco, Italy.
Mario Falco, Italy.
Magdalena Falco, Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

(a) All right, title, interest and claim of any kind or character whatsoever of Magdalena Falco in and to the community property of Magdalena Falco and Mike Falco, also known as Michele Falco, deceased.

(b) All right, title, interest and claim of any kind or character whatsoever of Margherita Falco, Mario Falco and Magdalena Falco, and each of them, in and to the Estate of Mike Falco, also known as Michele Falco, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8602; Filed, June 14, 1944; 10:44 a. m.]

[Vesting Order 3741]

WILLIAM O. FREYTAG

In re: Deed of Trust of William O. Freytag, deceased; D–28–2280; E. T. sec. 4158.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Fidelity-Philadelphia Trust Company, Trustee, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Richard Franz Metzner, Germany.
Executor of the Will of Magdalena H. Freytag, deceased, Germany.
Richard Franz Metzner, Germany.
Gunther Pinckert, Germany.
Anna Abbt, Germany.
Irene Schubert Hoene, Germany.
Ruth von Appell (Apell), Germany.
Charlotte Schmieder, Germany.
Ursula Schmieder, Germany.
Josephine Abbt, Germany.
Angela von Mueller, Germany.
Gunther Freytag, Germany.
Achim Pinckert, Germany.
Anna von Unruh, Germany.
Leni von Unruh, Germany.
Alice Nagle, Germany.
Lisolette Jacobs, Germany.
Susanne Storch, Germany.
Mariagnes Mueller, Germany.
Helene Freytag, Germany.
Gisela Rabetge, Germany.
Horst Rabetge, Germany.
Personal representatives, heirs and legatees of George Christoph von Unruh, deceased, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Richard Franz Metzner, Executor of the Will of Magdalena H. Freytag, deceased, Richard Franz Metzner, Gunther Pinckert, Anna Abbt, Irene Schubert Hoene, Ruth von Appell (Apell), Charlotte Schmieder, Ursula Schmieder, Josephine Abbt, Angela von Mueller, Gunther Freytag, Achim Pinckert, Anna von Unruh, Leni von Unruh, Alice Nagle, Lisolette Jacobs, Susanne Storch, Mariagnes Mueller, Helene Freytag, Gisela Rabetge, Horst Rabetge and the personal representatives, heirs and legatees of George Christoph von Unruh, deceased, and each of them in and to the Deed of Trust of William O. Freytag, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order

may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8603; Filed, June 14, 1944; 10:44 a. m.]

[Vesting Order 3742]

WILLIAM O. FREYTAG

In re: Trust under the will of William O. Freytag, deceased; File D–28–2280; E. T. sec. 4158.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Fidelity-Philadelphia Trust Company, Trustee, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Richard Frans Metzner, Executor of the Will of Magdalena H. Freytag, deceased, Germany.
Richard Frans Metzner, Germany.
Gunther Pinckert, Germany.
Anna Abbt, Germany.
Irene Schubert Hoene, Germany.
Ruth von Appell (Apell), Germany.
Charlotte Schmilder, Germany.
Ursula Schmilder, Germany.
Josephine Abbt, Germany.
Angela von Mueller, Germany.
Gunther Freytag, Germany.
Achim Pinckert, Germany.
Gisela Rabetge, Germany.
Horst Rabetge, Germany.
Personal representatives, heirs and legatees of, George Christoph von Unruh, deceased, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Richard Frans Metzner, Executor of the Will of Magdalena H. Freytag, deceased, Richard Frans Metzner, Gunther Pinckert, Anna Abbt, Irene Schubert Hoene, Ruth von Appell (Apell), Charlotte Schmieder, Ursula Schmieder, Josephine Abbt, Angela von Mueller, Gunther Freytag, Achim Pinckert, Gisela Rabetge, Horst Rabetge and the personal representatives, heirs and legatees of George Christoph von Unruh, deceased, and each of them, in and to a trust created under the will of William O. Freytag, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8604; Filed, June 14, 1944; 10:44 a. m.]

[Vesting Order 3743]

HERMAN G. FRIEBEL

In re: Estate of Herman G. Friebel, deceased; File D–28–1598; E. T. sec. 465.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Clifford E. Bichner and Adele Graybill, Executors, acting under the judicial supervision of the Surrogate Court, Chemung County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Otto Ohnsorge, Germany.
Anna Ohnsorge, Germany.
Eric Ohnsorge, Germany.
Curt Ohnsorge, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Otto Ohnsorge, Anna Ohnsorge, Eric Ohnsorge and Curt Ohnsorge, and each of them, in and to the Estate of Herman G. Friebel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8605; Filed, June 14, 1944; 10:44 a. m.]

[Vesting Order 3744]

REINHARD FRITZ

In re: Estate of Reinhard Fritz, deceased; File D–28–8419; E. T. sec. 9806.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Amalia Thomas and Gertrude Kuhn, Co-Executrices, acting under the judicial supervision of the Middlesex County Orphans' Court, New Brunswick, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Caroline Fritz, now known as Sister Karade, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Caroline Fritz, now known as Sister Karade, in and to the Estate of Reinhard Fritz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8606; Filed, June 14, 1944; 10:44 a. m.]

[Vesting Order 3745]

WILLIAM GILLETTE

In re: Estate of William Gillette, deceased; File D–28–17446; E.T. sec. 9716.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The First National Bank of Hartford, Connecticut, and Joseph K. Hooker, as co-executors, acting under the judicial supervision of the Court of Probate, District of Lyme, State of Connecticut;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

S. Takizawa, Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of S. Takizawa in and to the Estate of William Gillette, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8607; Filed, June 14, 1944; 10:45 a. m.]

[Vesting Order 3746]

WILLIAM B. FLETCHER, ET AL.

In re: Deposit with Clerk of the Circuit Court of the State of Oregon, for the County of Multnomah, in the matter of the suit for partition by William B. Fletcher and Alice M. Hertz, plaintiffs, vs. Elizabeth A. Hammer, et al., defendants; File: 017–10314.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by A. A. Baily, County Clerk and depositary, acting under the judicial supervision of the Circuit Court of the State of Oregon, for the County of Multnomah;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Elizabeth A. Hammer and her heirs, names unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Elizabeth A. Hammer and her heirs, names unknown, and each of them, in and to the fund deposited with A. A. Baily, Clerk, pursuant to Decree of Circuit Court of the State of Oregon for the County of Multnomah, entered in the suit for partition by William B. Fletcher and Alice M. Hertz, plaintiffs, vs. Elizabeth A. Hammer, et al., defendants.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8609; Filed, June 14, 1944; 10:45 a. m.]

[Vesting Order 3747]

JACOB HINKEL

In re: Estate of Jacob Hinkel, deceased; File D–28–8633; E. T. sec. 10373.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process

of administration by Irwin P. Trail, Liberty Road, Gwynn Oak Station, Baltimore, Maryland, and Irving Suboch, Marriotts Land, Gwynn Oak Station, Baltimore, Maryland, Executors, acting under the judicial supervision of the Orphans' Court of Baltimore County, Maryland;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Clara Weil, Germany.
Katherine Hinkel, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Clara Weil and Katherine Hinkel, and each of them, in and to the Estate of Jacob Hinkel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc 44–8610; Filed, June 14, 1944; 10:46 a. m.]

[Vesting Order 3748]

GEORGE F. A. KNUTZEN

In re: Estate of George F. A. Knutzen, also known as George F. A. Knudsen, deceased; File D–28–2040; E. T. sec. 2357.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Hermann Nohl, 4335 North Lawndale Avenue, Chicago, Illinois, Executor, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

National and Last Known Address

Child or children, names unknown, of Wilhelm Heinrich Johannes Knudsen, brother of George F. A. Knutzen, also known as George F. A. Knudsen, deceased, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of the child or children, names unknown, of Wilhelm Heinrich Johannes Knudsen, brother of George F. A. Knudsen, also known as George F. A. Knudsen, deceased, and each of them, in and to the estate of George F. A. Knutzen, also known as George F. A. Knudsen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8611; Filed, June 14, 1944; 10:46 a. m.]

[Vesting Order 3749]

ABE LEOPOLD

In re: Estate of Abe or A. L. or A. Leopold or Albert Leopold or Abraham Goldstein or Goldstine, deceased; File D–34–726; E. T. sec. 9535.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Robert Goldstein, Executor, Woodlawn Park Drive, Flint, Michigan, acting under the judicial supervision of the Probate Court for the County of Genesee, Michigan;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Herman Goldstein, Hungary.
Karoly Goldstein, Hungary.
Mrs. Samuel Roth, Hungary.
Mrs. Lasar Malts, Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Herman Goldstein, Karoly Goldstein, Mrs. Samuel Roth and Mrs. Lazar Malts, and each of them, in and to the estate of Abe or A. L. or A. Leopold or Albert Leopold or Abraham Goldstein or Goldstine, Deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8612; Filed, June 14, 1944; 10:46 a. m.]

[Vesting Order 3750]

HANNAH MATTLAGE

In re: Guardianship of Hannah Mattlage, also known as Hanna Mattlage, a minor; File D–28–7968; E. T. sec. 8923.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Rudolph F. L. Mattlage, and Emma L. Mattlage, as Executors of the estate of Frederick H. Mattlage, deceased, as guardian, acting under the judicial supervision of the Bergen County Orphans' Court, Hackensack, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Hannah Mattlage, also known as Hanna Mattlage, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Hannah Mattlage, also known as Hanna Mattlage, in and to the sum of $606.25 in the possession of Rudolph F. L. Mattlage and Emma L. Mattlage, Executors of the estate of Frederick H. Mattlage, deceased Guardian,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8613; Filed, June 14, 1944; 10:46 a. m.]

[Vesting Order 3751]

EMMA MUELLER

In re: Estate of Emma Mueller, deceased and trust under the will of Emma Mueller for the benefit of Ferdinand Rahlf; D–28–2332; E. T. sec. 3114.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Carl F. Bollmann, as Trustee under the Will of Emma Mueller, deceased, acting under the judicial supervision of the Court of Probate, District of New Haven, State of Connecticut;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Ferdinand Rahlf, Germany.
Emma Rosemann, Germany.
Johanna Schumacher, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ferdinand Rahlf, Emma Rosemann and Johanna Schumacher, and each of them, in and to the trust established under the will of Emma Mueller, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8614; Filed, June 14, 1944; 10:46 a. m.]

[Vesting Order 3752]

CARL MUHLBACH

In re: Estate of Carl Muhlbach, deceased; File D–28–3844; E. T. sec. 6501.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by J. H. Harrison, Ravenna, Nebraska, Administrator, acting under the judicial supervision of the County Court of the State of Nebraska, in and for the County of Buffalo;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Milna Muhlbach Leutritz, Germany.
Erna Muhlbach Hahmann, Germany.
Rudolf Muhlbach, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Milna Muhlbach Leutritz, Erna Muhlbach Hahmann and Rudolf Muhlbach, and each of them, in and to the estate of Carl Muhlbach, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8615; Filed, June 14, 1944; 10:47 a. m.]

[Vesting Order 3753]

DIEDERICH H. MUHLENBRUCK

In re: Estate of Diederich H. Muhlenbruck, deceased; File D–28–3996; E. T. sec. 6941.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Clerk of Allen Superior Court No. 2, Room 200, Court House, Fort Wayne, Indiana, Depositary, acting under judicial supervision of Allen Superior Court No. 2, Allen County, State of Indiana;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany; namely,

Nationals and Last Known Address

Mary Wiehe, Germany.
Ferdinand Speckman, Germany.
Herman Speckman, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $2,980.45 in the possession and custody of the Clerk of Allen Superior Court No. 2, Allen County, Indiana, representing the distributive shares of the designated nationals, where were, on May 7, 1943, paid into the office of the said Clerk, such payment being approved by order of Court dated June 28, 1943,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8616; Filed, June 14, 1944; 10:47 a. m.]

[Vesting Order 3754]

WILHELM MUHLIG

In re: Mortgage Participation Certificate No. 4568 of Series B–1 issued by the New York Title and Mortgage Company to Wilhelm Muhlig, having a face value of $2,350; File D–68–903; E. T. sec 5898.

Under the authority of the Trading with the Enemy Act, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Adolph Kaufman, Ivor B. Clark and Henry Hetkin, as Trustees, acting under the judicial supervision of Supreme Court of the State of New York, New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Wilhelm Muhlig, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Wilhelm Muhlig, in and to the Mortgage Participation Certificate No. 4568 of Series B–1, in the face value of $2,350, issued by the New York Title and Mortgage Company,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8617; Filed, June 14, 1944; 10:48 a. m.]

[Vesting Order 3755]

WILLIAM C. NEBE

In re: Estate of William C. Nebe, deceased; File D–28–7988; E. T. sec. 8903.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John T. Desapsey, Administrator, 11 South LaSalle Street, Chicago, Illinois, acting under judicial supervision of the Probate Court of Cook County, State of Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Frieda Nebe Koopmann, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Frieda Nebe Koopmann, in and to the Estate of William C. Nebe, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8618; Filed, June 14, 1944; 10:48 a. m.]

[Vesting Order 3756]

MARY ORTMEYER

In re: Estate of Mary Ortmeyer, deceased; File D–28–3577; E. T. sec. 5785.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of Cook County, County Building, Chicago, Illinois, Depositary, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Miss Elizabeth Emmerich, Germany.
Mrs. Gerhardt Winterkamp, Germany.
Miss Gertrude Winterkamp, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $400.00 which is in the process of administration by and is in the possession and custody of the County Treasurer of Cook County, Illinois, Depositary, and which amount was deposited with the Treasurer of Cook County, Illinois, on February 18, 1942, pursuant to an order of the Probate Court of Cook County, Illinois, entered February 5, 1942 in the matter of the estate of Mary Ortmeyer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8619; Filed, June 14, 1944; 10:48 a. m.]

[Vesting Order 3757]

ANNA PICKL

In re: Estate of Anna Pickl, deceased; File D–28–3644; E.T. sec. 6003.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Barbara Ziegler, Administratrix, acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

George Woelfel, Germany.
Anna Distler, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of George Woelfel and Anna Distler, and each of them, in and to the Estate of Anna Pickl, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8630; Filed, June 14, 1944; 10:48 a. m.]

[Vesting Order 3758]

STANLEY PINTO AND LENA PINTO

In re: Stanley Pinto and Lena Pinto, to discharge of record a real estate mortgage pursuant to section 333B of the Real Property Law of the State of New York; File D–38–1002; E. T. sec. 2274.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as Depositary, acting under the judicial supervision of the Supreme Court of the State of New York, Queens County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Hedwig Kennemund, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $2,229.44 deposited with the Treasurer of the City of New York for the benefit of Hedwig Kennemund pursuant to an order of the Supreme Court of the State of New York, County of Queens, dated May 22, 1942 and entered in a proceeding entitled Stanley Pinto and Lena Pinto, to discharge of record a mortgage pursuant to Section 333B of the Real Property Law of the State of New York, together with interest and other increments thereon less the lawful statutory fees and disbursements of the Treasurer of the City of New York,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order, may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8621; Filed, June 14, 1944; 10:48 a. m.]

[Vesting Order 3759]

WILLIAM RANSICK

In re: Estate of William Ransick, deceased; File D–28–7493; E. T. sec. 7789.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John Raubart, surviving co-executor, 223 East Clifton Avenue, Cincinnati, Ohio, acting under judicial supervision of the Probate Court of Hamilton County, State of Ohio;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Katharine Marie Konig Heitz, Germany.
Anna Margarete Katharine Fischer Sawert, also known as Lawert, Germany.
Katharine Karoline Konig Spiegel, Germany.
Hermann Heinrich Fischer, Germany.
Karoline Friederike Ransick, Heitbrink, Germany.
Anna Luise Friederike Mullers, Germany.
Karl Heinrich Ransick, Germany.
Auguste Friederike Anna Husemann, Germany.
Friederich Wilhelm Ransick, Germany.
Heinrich Karl Ransick, Germany.
Paula Karoline Friederike Vogtschmidt, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Katharine Marie Konig Heitz; Anna Margarete Katharine Fischer Sawert, also known as Lawert; Katharine Karoline Konig Spiegel; Hermann Heinrich Fischer; Karoline Friederike Ransick Heitbrink; Anna Luise Friederike Mullers; Karl Heinrich Ransick; Auguste Friederike Anna Husemann; Friederich Wilhelm Ransick; Heinrich Karl Ransick and Paula Karoline Friederike Vogtschmidt, and each of them, in and to the estate of William Ransick, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8622; Filed, June 14, 1944; 10:49 a. m.]

[Vesting Order 3760]

CHARLOTTE WERNERT ROBINSON

In re: Charlotte Wernert Robinson, deceased; File D–28–8606; E. T. sec. 10254.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Percy J. Saffell, Administrator, acting under the judicial supervision of the District Court of the United States for the District of Columbia;

(2) Such property and interests are payable or deliverable to, claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Frank Wernert, Germany.
Emma Wernert, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the National interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Frank Wernert and Emma Wernert, and each of them, in and to the estate of Charlotte Wernert Robinson, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8623; Filed, June 14, 1944; 10:49 a. m.]

[Vesting Order 3775]

FABBRICA ITALIANA MAGNETI MARELLI

In re: Interest of Fabbrica Italiana Magneti Marelli in an agreement with Eclipse Machine Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Fabbrica Italiana Magneti Marelli is a corporation organized under and having its principal place of business in Italy and is a national of a foreign country (Italy);

2. That the property described in subparagraph 3 hereof is property of Fabbrica Italiana Magneti Marelli;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Fabbrica Italiana Magneti Marelli by virtue of an agreement dated May 31, 1928 (including all modifications thereof and supplements thereto, and including, but not by way of limitation, a supplement to said agreement embodied in a letter dated June 23, 1928 from Eclipse Machine Company to Fabbrica Italiana Magneti Marelli) by and between Fabbrica Italiana Magneti Marelli and Eclipse Machine Company, which agreement relates, among other things, to certain United States Letters Patent,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property or the proceeds thereof in whole or deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8606; Filed, June 14, 1944; 10:45 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 506, Order 2]

Peerless Glove Co.

Authorization of Maximum Prices

Order No. 2 under section 4 (b) of Revised Maximum Price Regulation 506. Maximum prices for staple work gloves. Granting maximum prices to the Peerless Glove Company, Grand Haven, Michigan, and other sellers. (Docket No. N6657-506-10-7.)

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) On and after June 13, 1944, the Peerless Glove Company, Grand Haven, Michigan, may sell and deliver to any purchaser, and such purchaser may buy from it, the staple work glove numbers enumerated in the following table at or below the prices set forth in Column A of this table. Wholesalers who purchase these numbers from the Peerless Glove Company may make "regular sales" at wholesale of such gloves, at or below the prices set forth in Column B of the table. Ceiling prices for "special sales" at wholesale shall be determined in accordance with Section 3 (b) of Revised Maximum Price Regulation 506.

Style No.	Glove description	Column A Manufacturer's prices: Group I Ceiling	Column A Manufacturer's prices: Group II Ceiling	Column B Wholesalers' prices
417T	Men's gunn cut heavy side split leather palm, full leather thumb, leather fingertips, 8 ounce flannel back, 6 ounce or heavier palm lining, 4¼" double (2 ply thickness) gauntlet.	$6.55	$7.20	$7.90
417P	Men's gunn cut heavy side split leather palm, full leather thumb, leather pull, 8 ounce flannel back, 6 ounce or heavier palm lining 4¼" double (2 ply thickness) gauntlet.	6.45	7.10	7.77½
2232PK8	Men's gunn cut heavy side split leather palm, full leather thumb, full leather finger back, leather pull, leather knuckle strap, 8 ounce flannel back, 6 ounce or heavier palm lining, 4¼" cuffet gauntlet.	7.95	8.65	9.57½
6378PG	Men's gunn cut heavy side split leather palm, full leather thumb, leather thumb patch, leather fingertips, leather pull, 8 ounce flannel back, 6 ounce or heavier palm lining, 5¼" wide gore, double (2 ply thickness) gauntlet.	7.20	7.85	8.67½
6671P	Men's gunn cut heavy side split leather palm, full leather thumb, leather finger backs, leather pull, 8 ounce flannel back, 6 ounce or heavier lining, 5¼" wide gore, double (2 ply thickness) gauntlet.	7.75	8.45	9.32½
897	Men's gunn cut heavy side split leather palm, full leather thumb, leather fingertips, leather pull, 8 ounce flannel back, 6 ounce or heavier palm, lining, 4¼" "Cobra" black imitation leather gauntlet.	7.60	8.30	9.15
2607G	Women's gunn cut heavy side split leather palm, full leather thumb and forefinger, leather fingertips, 8 ounce flannel back, 6 ounce or heavier palm lining, 2" flannel band top.	5.80	6.35	7.00
2607G Cadet	Small women's gunn cut heavy side split leather palm, full leather thumb and forefinger, leather fingertips, 8 ounce flannel back, 6 ounce or heavier palm lining, 2" flannel band top.	5.70	6.25	6.87½
4617P	Men's gunn cut heavy side split leather palm, full leather thumb and forefinger, leather fingertips, leather pull, 8 ounce, flannel back, 6 ounce or heavier palm lining, 4¼" double (2 ply thickness) gauntlet.	7.10	7.75	8.55
81	Men's 16 ounce processed double flannel material palm, 10 ounce single thickness white back, knit wrist	2.33½	2.55	2.80
82	Men's 16 ounce processed double flannel material palm, 10 ounce single thickness white back, 5" double (2 ply thickness) gauntlet.	2.90	3.17½	3.50
474	Men's extra large 16 ounce processed double flannel material throughout "chore glove", leather thumb patch, 4¼" knit wrist.	2.80	3.02½	3.37½
382	Men's gunn cut, reversible, 12 ounce canton flannel single thickness back and palm, thumb, part 16 ounce processed double material, part 12 ounce single thickness flannel, knit wrist.	1.95	2.12½	2.35
118C	Women's gunn cut, 10 ounce canton flannel, single thickness back and palm, knit wrist.	1.65	1.80	2.00
118B	Small women's gunn cut, 10 ounce canton flannel single thickness back and palm, knit wrist.	1.62½	1.77½	1.95
118C Wristless	Women's gunn cut, 10 ounce canton flannel single thickness back and palm, no wrist.	1.47½	1.62½	1.77½

(b) The maximum prices authorized in paragraph (a) are subject to the following:

(1) The instructions for manufacturers and wholesalers which preface the tables in Appendix A of RMPR 506;

(2) The provisions in section 4 (a) of RMPR 506 with repect to a manufacturers' "wholesale percentage", and the quota of deliveries which must be made as Group I prices;

(3) The marketing and informational requirements of section 6 of RMPR 506. In addition to these requirements, the Peerless Glove Company on all deliveries of the style numbers listed in paragraph (a), made pursuant to this order, on and after September 15, 1944, must place the letter "S" following the lot number or brand name stated on the label, ticket, or other devise used to mark the gloves.

(c) The definitions in RMPR 506 shall apply to this order.

(d) The Peerless Glove Company must furnish each of its customers, who, on or after February 7, 1944, purchased or purchases the style numbers listed in paragraph (a) for purposes of resale, a notice in the form set forth below. The Peerless Glove Company must also notify each customer (other than a seller at retail) that he is required in turn to transmit to his customers a copy of the notice set forth below. The notice may be attached to the invoice or may be stamped or printed on the invoice.

This notice is sent to you as required by Order No. 2 under section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for the work glove numbers enumerated in the table below, manufactured by the Peerless Glove Company.

OPA has ruled that the Peerless Glove Company may sell these numbers at or below the prices listed in Column A below, subject to the provisions of section 4 (a) of RMPR 506 with respect to the quota of deliveries which must be made at Group I prices. Wholesalers in turn are authorized to make regular sales at wholesale of these numbers at or below the prices listed in Column B. Retailers will determine their ceiling prices on these numbers in accordance with section 2 of RMPR 506.

Style No.	Column A Manufacturers prices: Group I ceiling	Column A Manufacturers prices: Group II ceiling	Column B Wholesalers' prices
417TS	$6.55	$7.20	$7.90
417PS	6.45	7.10	7.77½
2232PK8-S	7.95	8.65	9.57½
6378PGS	7.20	7.85	8.67½
6671PS	7.75	8.45	9.32½
897S	7.60	8.30	9.15
2607GS	5.80	6.35	7.00
2607G-S Cadet	5.70	6.25	6.87½
4617PS	7.10	7.75	8.55
81S	2.32½	2.55	2.80
82S	2.90	3.17½	3.50
474S	2.80	3.02½	3.37½
382S	1.95	2.12½	2.35
118CS	1.65	1.80	2.00
118BS	1.62½	1.77½	1.95
118CS Wristless	1.47½	1.62½	1.77½

You will note that the letter "S" follows the manufacturers' lot number or brand name. This letter indicates that these gloves have been specially priced by OPA under section 4(b).

(e) This Order No. 2 under Revised Maximum Price Regulation 506 may be revoked or amended by the Price Administrator at any time.

(f) On all deliveries of the work glove numbers listed in paragraph (a) since February 7, 1944 pursuant to OPA adjustable pricing authorizations, The Peerless Glove Company must refund to its customers any monies collected in excess of the ceiling prices authorized in this order. Within thirty days from the effective date of this order, The Peerless Glove Company shall send to OPA, Washington, D. C., a notification of the steps it has taken to comply with the provisions of this paragraph (f) of this order.

This order shall become effective June 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of June 1944.

Chester Bowles,
Administrator.

[F. R. Doc. 44-8568; Filed, June 13, 1944; 3:29 p. m.]

Regional and District Office Orders.

[Region I Order G-70 Under RMPR 122, Amdt. 1]

Solid Fuels in Boston Region

Amendment No. 1 to Order No. G-70 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specific maximum prices for solid fuels within specified areas in Region I.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (1), containing Appendix 1, is hereby added to paragraph (o) of Region I Order No. G-70 under Revised Maximum Price Regulation No. 122 to read as follows:

(o) *Appendices establishing specific maximum prices.* • • •

(1) *Appendix 1.* Specified Solid Fuels in Plymouth, New Hampshire, Area.

(a) *Maximum prices established by this Appendix 1.* This Appendix 1 establishes specific maximum prices for sales of Pennsylvania Anthracite, Ambricoal and New England Coke in the Plymouth, New Hampshire, Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said solid fuels. Price Schedule I contains prices for sales on a delivered basis; Price Schedule II contains prices for yard sales to consumers; and Price Schedule III sets forth prices for yard sales to dealers.

The Plymouth, New Hampshire, Area includes the following cities, towns and townships in the State of New Hampshire: Ashland, Bridgewater, Campton, Center Harbor, Ellsworth, Groton, Hebron, Holderness, Meredith, New Hampton, Plymouth, Rumney, Thornton and Woodstock.

(b) *Price Schedule I; sales on a delivered basis.* (1) Base maximum prices for sales on a "direct delivery" basis to consumers at any point in the Plymouth, New Hampshire, Area:

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Egg, stove, chestnut	$17.55	$9.30	$4.90	$1.00
Pea	16.05	8.55	4.55	.95
Buckwheat	12.20	7.10	3.80	.80
Rice	12.15	6.00	3.55	.75
New England coke: Egg, stove, and chestnut	17.00	9.00	4.75	.95
Ambricoal	16.50	8.75	4.65	.95

(2) *Additions for specified deliveries.* The foregoing base prices in Price Schedule I shall apply to deliveries to consumers whose bins or storage facilities are located not more than three (3) miles from the dealer's yard. For deliveries to consumers whose bins or storage facilities are located more than three (3) miles from the dealer's yard, the sum of One Dollar ($1.00) per ton, or fifty cents (50¢) per half-ton, or twenty-five cents (25¢) per quarter-ton may be added to the base prices.

(3) *Maximum authorized service and deposit charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to buyer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to the buyer's bin or storage space:

	Per net ton	Per ½ ton	Per ¼ ton
For any carry or wheeling from a "direct delivery" point, exclusive of charges for carries up or down flights of stairs	$0.50	$0.25	$0.15
For any carry up or down flights of stairs, per flight	.00	.25	.15

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25¢ per bag.

(c) *Price Schedule II; yard sales to consumers.* (1) Maximum prices for sales delivered at the yard of any dealer in the Plymouth, New Hampshire Area to consumers:

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Egg, stove and chestnut	$16.55	$8.30	$4.15	$0.90
Pea	15.05	7.55	3.80	.85
Buckwheat	12.20	6.10	3.05	.70
Rice	11.15	5.60	2.80	.65
Yard screenings	4.00			
New England coke: egg, stove and chestnut	16.00	8.00	4.00	.85
Ambricoal	15.50	7.75	3.90	.85

(2) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging quarter-ton and larger quantities in 100 pound bags, exclusive of any charges for or deposit charges on bags furnished by the dealer:

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer shall be 25 cents per bag.

(d) *Terms of sale; sales to consumers.* If payment is made by the buyer within 15 days after receipt of the fuel, the maximum prices set forth in subparagraphs (b) and (c) shall, except in the case of Pennsylvania anthracite yard screenings, be reduced by 50 cents per ton, or by 25 cents per half-ton, or by 15 cents per quarter-ton, which reductions are "cash discounts". No further discount is required for cash on delivery, and no "cash discount" is required on sales of any quantity of Pennsylvania anthracite yard screenings or on any sales of less than a quarter-ton. If payment is not required or made at the time of delivery or (except in the cases of yard screenings and less than quarter-ton lots) within 15 days thereafter, terms shall be net 30 days.

(e) *Price Schedule III; yard sales to dealers.* (1) Maximum prices for sales delivered at the yard of any dealer in the Plymouth, New Hampshire Area to dealers in fuels who resell them:

Kind and size	Per net ton	½ ton	¼ ton
Pennsylvania anthracite:			
Egg, stove, and chestnut	$15.05	$7.55	$3.80
Pea	13.55	6.80	3.40
Buckwheat	10.70	5.35	2.70
Rice	9.65	4.85	2.45
New England coke: Egg, stove, and chestnut	14.50	7.25	3.65
Ambricoal	14.00	7.00	3.50

(2) *Maximum authorized bagging and deposit charges.* (a) If the buyer requests such service of him, the seller may make the following charges for bagging quarter-ton and larger quantities in 100 pound bags:

	Cents
Per ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the seller shall be 25 cents per bag.

(3) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(f) *Certain named Pennsylvania anthracite coals.* The specific prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of listed named Pennsylvania anthracite coals are sold:

Kind and size	Amount of addition: Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Jeddo Highland:				
Broken, egg, stove, chestnut, pea and buckwheat	$0.25	$0.15	$0.05	None.
Rice	.15	.10	None.	None.
Greenwood: Egg, stove, chestnut and pea	.25	.15	.05	None.
Silver Brook:				
Broken, egg, stove, chestnut, pea and buckwheat	.45	.25	.10	None.
Rice	.35	.20	.10	None.

This Amendment No. 1 shall become effective June 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 3d day of June 1944.

Eldon C. Shoup,
Regional Administrator.

[F. R. Doc. 44-8570; Filed, June 13, 1944; 3:29 p. m.]

[Region I Order G–70 Under RMPR 122, Amdt. 2]

SOLID FUELS IN BOSTON REGION

Amendment No. 2 to Order No. G–70 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specific maximum prices for solid fuels within specified areas in Region I.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (2) containing Appendix 2, is hereby added to paragraph (o) of Region I Order No. G–70 under Revised Maximum Price Regulation No. 122 to read as follows:

(o) *Appendices establishing specific maximum prices.* • • •

(2) *Appendix 2.* Specified solid fuels in Greenfield, Massachusetts, Area.

(a) *Maximum prices established by this Appendix 2.* This Appendix 2 establishes specific maximum prices for sales of Pennsylvania anthracite, New England coke and Koppers coke in the Greenfield, Massachusetts Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said solid fuels. Price Schedule I contains prices for sales on a delivered basis; Price Schedule II contains prices for yard sales to consumers; and Price Schedule III sets forth prices for yard sales to dealers. The Greenfield, Massachusetts Area shall include the following cities and towns in the Commonwealth of Massachusetts: Ashfield, Bernardston, Buckland, Charlemont, Colrain, Conway, Deerfield, Erving, Gill, Greenfield, Hawley, Heath, Leverett, Leyden, Montague, Northfield, Plainfield, Rowe, Shelburne, Shutesbury, Sunderland and Whately.

(b) *Price Schedule I; sales on a delivered basis.* (1) Base maximum prices for sales on a "direct delivery" basis to consumers at any point in the Greenfield, Massachusetts Area:

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$16.60	$8.55	$4.45	$1.00
Pea	15.05	7.80	4.05	1.00
Buckwheat	12.65	6.60	3.45	-----
Rice	11.10	5.80	3.05	-----
Yard screenings	2.50	-----	-----	-----
Coke—New England and Koppers: Egg, stove and chestnut	16.00	8.25	4.30	1.00

(2) *Prices for specified localities.* (a) The foregoing base prices in Price Schedule I shall apply to deliveries to consumers whose bins or storage facilities are located in Bernardston, Buckland, Charlemont, Deerfield, Erving, Gill, Greenfield, Leverett, Leyden, Montague, Northfield, Shelburne, Shutesbury, Sunderland and Whately.

(b) The following amounts may be added to the base prices in Price Schedule I for deliveries to consumers whose bins or storage facilities are located in the following places:

	Per net ton	½ ton	¼ ton
Colrain	$0.25	$0.15	$0.10
Ashfield, Conway, Hawley, Heath, Plainfield and Rowe	1.00	.50	.25

(3) *Maximum authorized service and deposit charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to consumer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to the consumer's bin or storage space:

	Per net ton	½ ton	¼ ton
For any carry or wheel from a "direct delivery" point, exclusive of charges for carries up or down flights of stairs	$0.50	$0.25	$0.15
For carries up or down flights of stairs:			
First flight	.25	.15	.10
Each flight thereafter	.75	.40	.20
For any carry which involves hoisting by pulley	.75	.40	.20

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25 cents per bag.

(c) *Price Schedule II, yard sales to consumers.* (1) Maximum prices for sales delivered at the yard of any dealer in the Greenfield, Massachusetts, Area to consumers:

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove, and chestnut	$15.60	$7.80	$3.90	$0.80
Pea	14.05	7.05	3.55	.75
Buckwheat	11.65	5.85	2.95	.75
Rice	10.10	5.05	2.55	.75
Yard Screenings	2.50	-----	-----	-----
Coke—New England and Koppers: Egg, stove, and chestnut	15.00	7.50	3.75	.80

(2) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging quarter-ton and larger quantities in 100 pound bags, exclusive of any deposit charges on bags furnished by the dealer.

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer shall be 25 cents per bag.

(d) *Price Schedule III; yards sales to dealers.* (1) Maximum prices for sales delivered at the yard of any dealer in the Greenfield, Massachusetts, area to dealers in fuels who resell them:

Kind and size	Per net ton	Per ½ ton	Per ¼ ton
Pennsylvania anthracite:			
Broken, egg, stove and chestnut	$15.10	$7.55	$3.80
Pea	13.55	6.80	3.40
Buckwheat	11.15	5.60	2.80
Rice	9.60	4.80	2.40
Coke—New England and Koppers: Egg, stove and chestnut	14.80	7.25	3.65

(2) *Maximum authorized bagging and deposit charges.* (a) If the buyer requests such service of him, the seller may make the following charges for bagging in 100 pound bags, exclusive of any deposit charges on bags furnished by the seller.

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the seller shall be 25 cents per bag.

(e) *Terms of sale.* If payment is made by the buyer within 10 days after receipt of the fuel, the maximum prices set forth is subparagraphs (b), (c) and (d) shall, except in the case of Pennsylvania anthracite yard screenings, be reduced by $1.00 per ton or by 50 cents per half-ton, which reductions are "cash discounts". No further discount is required for cash on delivery, and no "cash discount" is required on sales of Pennsylvania anthracite yard screenings or on any sales of less than a half-ton. If payment is not required or made at the time of delivery or (except in the cases of yard screenings and less than half-ton lots) within 10 days thereafter, terms shall be net 30 days.

(f) *Certain named Pennsylvania anthracite coals.* The specific maximum prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of listed named Pennsylvania anthracite coals are sold:

Kind and size	Amount of addition			
	Per net ton	½ ton	¼ ton	100 lbs.
Jeddo Highland:				
Broken, egg, stove, chestnut, pea and buckwheat	$0.25	$0.15	$0.05	None
Rice	.15	.10	None	None
Greenwood: Egg, stove, chestnut and pea	.25	.15	.05	None
Silver brook:				
Broken, egg, stove, chestnut, pea and buckwheat	.45	.25	.10	None
Rice	.35	.20	.10	None
Raven run:				
Broken, egg, stove, chestnut, pea, buckwheat and rice	.10	.05	None	None

This Amendment No. 2 shall become effective June 11, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 8th day of June 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–8571; Filed, June 13, 1944; 8:30 p. m.]

[Region I Rev. Order G–1 Under RMPR 269]

POULTRY IN NEW ENGLAND

Revised Order No. G–1 under Revised Maximum Price Regulation No. 269. Poultry.

For reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1429.14 (e) of Revised Maximum Price Regulation No. 269 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Application of this order.* This order modifies the provisions of Revised Maximum Price Regulation No. 269 with respect to certain sales and deliveries of native poultry items in New England. Except as otherwise provided herein all the provisions of Revised Maximum Price Regulation No. 269 shall apply to all sales and deliveries for which maximum prices are provided in this order. Any sale or delivery of native poultry items for which a maximum price is not provided by this order shall remain subject to the provisions of Revised Maximum Price Regulation No. 269. For the purposes of this order "native poultry items" shall mean all boilers, roasters, fryers, stags, capons, fowl and old roosters, hatched from the egg or reared from the day old chick in New England, when sold in any form for human consumption.

(b) *Maximum base prices.* On and after the effective date of this order, the maximum base prices applicable to native poultry items, other than drawn and frozen eviscerated native poultry items, in Table A of § 1429.19 of Revised Maximum Price Regulation No. 269 are modified, so that, except for drawn and frozen eviscerated native poultry items and except for the sales and deliveries of native poultry items specifically excluded, said Table A shall read as folows:

TABLE A

This Table A shall not apply to any sale or delivery of native poultry items at retail, to retailers, or to ultimate consumers, including commercial, industrial, institutional or government users, unless a permitted increase is provided for such sale or delivery in Table B in paragraph (c) (5) of this order, or unless a maximum price is provided for such sale or delivery in paragraph (d) of this order; any such sale or delivery for which such a permitted increase or such a maximum price is not so provided shall be subject to the provisions of Revised Maximum Price Regulation No. 269.

Food products (weight)			Eastern Zone Basing-point City Chicago			
Type	Liveweight	Kosher-killed, kosher-dressed and dressed weight	Live	Dressed	Kosher-killed	Kosher-dressed and plucked
Broilers and fryers	Under 4	Under 3½	27.5	36.0	35.0	36.5
Roosters	4 and over	3½ and over	27.5	36.0	35.0	36.5
Capons:						
Light	Under 6	Under 5½	27.5	36.0	35.0	36.5
Heavy	6 and over	5½ and over	31.0	39.0	38.0	39.5
Fowl	All weights	All weights	34.0	32.0	31.0	32.5
Stags and old roosters	All weights	All weights	30.0	27.5	26.5	28.0

During the month of May, the following table shall be substituted for the first table:

	Live	Dressed	Kosher killed	Kosher dressed plucked
Broilers and fryers	29.7	38.2	37.2	38.7
Roosters	29.7	38.2	37.2	38.7
Capons light	29.7	38.2	37.2	38.7
Capons heavy	33.2	41.2	40.2	41.7
Fowl	26.2	34.2	33.2	34.7
Stags and old roosters	22.2	29.7	28.7	30.2

During the month of June, the following table shall be substituted for the first table:

	Live	Dressed	Kosher killed	Kosher dressed plucked
Broilers and Fryers	28.5	37	36	37.5
Roosters	28.5	37	36	37.5
Capons Light	28.5	37	36	37.5
Capons Heavy	32	40	39	40.5
Fowl	26	33	32	33.5
Stags and Old Roosters	21	28.5	27.5	29

(c) *Permitted increases.* On and after the effective date of this order, the permitted increases which may be added to the maximum base prices for native poultry items as modified in paragraph (b) of this order shall be as set forth in this paragraph (c).

(1) Any person who transports live native poultry items to the customary receiving point of a processing plant where such live native poultry items are destined for resale by such processing plant as dressed, drawn or frozen eviscerated poultry items other than at retail may sell or deliver such native poultry items to such processing plant at the maximum base prices established herein at such customary receiving point plus 2 cents per pound. For the purposes of this paragraph (c) "processing plant" means any business establishment which is engaged primarily in the business of converting live poultry into dressed, drawn or frozen eviscerated poultry; it does not mean a city dresser or any person who is engaged primarily in the distribution of poultry at wholesale or retail and who in the course of such distribution incidentally converts live birds into dressed, drawn or frozen eviscerated birds, or dressed birds into drawn or frozen eviscerated birds. No permitted increase is allowed a processing plant for the transportation of live native poultry items to its customary receiving point by itself or through its agents.

(2) Any person who transports live native poultry items to the customary receiving point of a city dresser may sell or deliver such live-native poultry items to such city dresser at the maximum base prices established herein at such customary receiving point plus 2 cents per pound. For the purposes of this paragraph (c), "city dresser" means any business establishment which is engaged primarily in the business of buying live poultry items and distributing live dressed or drawn poultry items at wholesale and at retail in the city, town, village or metropolitan area in which such business establishment is located; it shall not mean a processing plant. No permitted increase is allowed a city dresser for the transportation of live native poultry items to its customary receiving point by itself or through its agents.

(3) Any person who transports live native poultry items to the customary receiving point of any farmer's cooperative poultry association may sell or deliver such live native poultry items to such association at the maximum base price established herein at such customary receiving point plus 2 cents per pound. This permitted increase may be added by a farmer's cooperative poultry association selling on behalf of a producer-member live native poultry items delivered to its customary receiving point by such member. No permitted increase may be added by a farmer's coperative poultry association for the transportation of live native poultry items to its customary receiving point by itself or through its agents.

(4) Any person who transports live native poultry items for a distance of five miles or more to the customary receiving point of a city dresser may sell or deliver such native poultry items to such city dresser at the maximum base prices established herein at such customary receiving point plus the permitted increase allowed in subparagraph (2) of this paragraph (c) and the following permitted increase in cents per pound:

Shortest distance in road miles or railroad miles from the place where transport of live poultry begins to the place where such transport ends:	*Maximum permitted increase in cents per pound*
Less than 5 miles	No increase.
5 to 50 miles	½ cent.
50 to 100 miles	¾ cent.
100 to 150 miles	1 cent.
150 miles and over	1¼ cents.

This permitted increase is not allowed a city dresser for transporting live native poultry items to its customary receiving point by itself or through its agents.

(5) In sales and deliveries of native poultry items described in table B below, the increases as indicated therein may be added to the maximum base prices in Table A in paragraph (b) of this order. These increases shall not be used in connection with any sale or delivery for which a maximum base price is not provided in Table A, paragraph (b) of this order.

TABLE B—MAXIMUM PERMITTED INCREASES FOR CERTAIN SALES OF NATIVE POULTRY ITEMS

Seller and type of sale made	Buyer	Quantity and form of sale	Item sold	Base price to which increase is added	Maximum increase in ¢ per pound for "wholesaler" and "hotel supply house" only		
					Non-del. sales	Del. within 25 mi.	Del. beyond 25 mi.
					Cents	*Cents*	*Cents*
(1) All "wholesalers."	Retailers and "hotel supply houses."	Less than 10,000 pounds.	Any poultry item other than a live, drawn or frozen eviscerated poultry item.	Maximum base price at seller's shipping point.	1	1¼	1½
(2) All "wholesalers" who buy live and sell live native poultry items and who have paid out a permitted increase to a live poultry transporter under Paragraph (c) of this Order.	All "wholesalers" and individual retail stores.	Less than 10,000 pounds.	Any live poultry item.	Maximum base price at seller's shipping point plus permitted increase established in Paragraph (c) for actual distance live poultry was transported to seller's customary receiving point not to exceed 3¼ cents per pound.	½	¾	1
(3) Hotel Supply Houses making "Special Service Sales."	Hotels, restaurants, clubs, dining cars, steamship lines or institutional users.	Less than 10,000 pounds.	Any dressed poultry item.	Maximum base price at seller's shipping point.	2¼	2½	2¾

(d) *Sales at retail by producers.* The maximum prices for sales and deliveries of native poultry items other than live, drawn and frozen eviscerated native poultry items by producers at retail provided in § 1429.22 of Revised Maximum Price Regulation No. 269 are hereby modified so that on and after the effective date of this order the maximum prices for such sales and deliveries of native poultry items in New England shall be calculated by adding 1½ cents per pound to the maximum base price at seller's shipping point as provided in Table A in paragraph (b) of this order and multiplying the sum so obtained by 1.18; *Provided*, That in cases of mail order sales the seller may add to such maximum selling price his actual express or mailing expense to the buyer's receiving point. Sales and deliveries of native poultry items by processing plants at retail shall remain subject to the provisions of Revised Maximum Price Regulation No. 269.

(e) This order may be revoked, amended or corrected at any time.

(f) This order shall become effective June 7, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of June 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-8569; Filed, June 13, 1944; 3:29 p. m.]

[Region IV Order G-5 Under MPR 188]

COMMON AND UNGLAZED FACE BRICK IN NEW YORK CITY

Order G-5 under § 1499.161 (a) (2) of Maximum Price Regulation No. 188. Alphons-Custodis Chimney Construction Company, New York, New York, Ragland, Alabama plant, Docket No. IV-188-53.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator and by § 1499.161 (a) (2) of Maximum Price Regulation No. 188, *It is hereby ordered:*

(a) That on and after the effective date of this order the Alphons-Custodis Chimney Construction Company of New York, New York, hereinafter referred to as the Applicant, may sell and deliver common and unglazed face brick manufactured by it at its Ragland, Alabama plant at a price no higher than a price reflecting its properly established maximum price under Maximum Price Regulation No. 188, plus a sum not in excess of $1.10 per thousand.

(b) Any person purchasing common and unglazed face brick from Applicant manufactured at its Ragland, Alabama plant for resale, on and after the effective date of this order, and paying therefor a price reflecting permitted increase over the established maximum price of Applicant under Maximum Price Regulation No. 188 may add, in selling common and unglazed face brick so purchased, the exact amount of such increase, not to exceed $1.10 per thousand, to its own properly established maximum price.

(c) That all freight allowances, other allowances, discounts, differentiations in classes of purchasers and other differentials customarily made by Applicant and all others affected by this order, shall be maintained.

(d) Except as otherwise provided herein, all transactions subject to this order remain subject to all appropriate regulations, including the provisions of Maximum Price Regulation No. 188 and the General Maximum Price Regulation, where applicable, together with all amendments which heretofore have been or which hereafter may be issued.

(e) All requests made by Applicant and not specifically herein granted are hereby denied subject to Applicant's right to file a protest as provided in Revised Procedural Regulation 1, within sixty days from the date of issuance of this order.

(f) This order may be revoked, corrected or amended by the Office of Price Administration at any time.

This order shall become effective June 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued June 1, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44-8567; Filed, June 13, 1944; 3:34 p. m.]

[Region V Order G-1 Under RMPR 122, Amdt. 6]

SOLID FUELS IN ST. LOUIS AND ST. LOUIS COUNTY, MO.

Amendment No. 6 to Order No. G-1 under Revised Maximum Price Regulation No. 122. Maximum prices for solid fuels sold in the City of St. Louis, Missouri, and parts of St. Louis County, Missouri.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the opinion issued simultaneously herewith, *It is ordered:*

Section (c) (Price Schedule) (III) as amended, is amended by adding thereto the following:

An additional charge of ten cents per ton may be added on sales of coal from Districts 7 and 8, included in the above Price Schedule III, when such coal is treated with oil or calcium chloride. This charge must be stated separately on the seller's invoice in accordance with the provisions of section (1) (2) of Order No. G-1.

Section (c) (Price Schedule) (I) (V), Coke, as amended, is amended to read as follows:

	Price
1. Egg, By-Product, top size 3", bottom size 2⅜" (Produced in the area set forth in Section (a) of this Order)	$12.15
2. Furnace; Stove, By-Product, top size 2⅜" bottom size 1⅜" (Produced in the area set forth in Section (a) of this Order)	11.65
3. Chestnut, By-Product, top size 1½", bottom size ¾" (Based on Furnace) (Produced in the area set forth in Section (a) of this Order)	11.65
4. Low Temperature, top size no limit, bottom size ¾" (Produced in St. Clair and Franklin Counties, Illinois)	9.30

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued and effective at Dallas, Texas, this the 5th day of June 1944.

MAX MCCULLOUGH,
Regional Administrator.

[F. R. Doc. 44-8582; Filed, June 13, 1944; 3:34 p. m.]

[Region V, Order G-2 Under MPR 154]

ICE IN WICHITA, KANS.

Order No. G-2 under Maximum Price Regulation No. 154, as amended. Ice.

For the reasons set forth in the opinion issued simultaneously herewith and under authority vested in the Regional Administrator, Region V, Office of Price Administration, by § 1393.8 (e) of Maximum Price Regulation No. 154, as amended, *It is hereby ordered:*

(a) The maximum wholesale and retail prices for ice in the Wichita, Kansas, area are established to be as follows:

	Per cwt.
(1) Wholesale prices (including sales to peddlers):	
Wholesale dock	$0.30
Wholesale delivered	.32½
(2) Retail sales:	
Retail dock	.45
Retail delivered	.55
(3) Commercial sales:	
Commercial dock	.30
Commercial delivered:	
50-300 lbs	.40
Over 300 lbs	.37½
Crushed ice	.60
Railway car ice	.20

(4) On sales involving less than 100 lbs. of ice, not more than the proportionate amount of the 100 lb. price set forth above may be charged. If such prices involve a fraction of a cent less than ½, the maximum price which may be charged shall be adjusted to the next lower cent. If the proportionate price results in a fraction equal to or more than ½ cent the seller shall be permitted to charge the next higher cent.

(5) No additional charges of any kind may be added to the maximum prices listed in this order.

(6) Lower prices than those established herein for sales of ice in the area covered by the order may be charged, offered, demanded or paid.

(b) This order is subject to revocation or amendment by the Price Administrator at any time hereafter, either by special order or by any price regulation issued hereafter, or by any amendment or supplement hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(c) Except as specifically provided in this order, the provisions of Maximum Price Regulation No. 154, as amended, are in no way effected and shall continue in full force and effect.

This order shall become effective on the fifth day of January, 1944.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 5250, 7 F.R. 7871)

Issued this 31st day of December 1943.

MAX MCCULLOUGH,
Regional Administrator.

[F. R. Doc. 44-8581; Filed, June 13, 1944; 3:33 p. m.]

[Region V Order G-2 Under MPR 154, Amdt. 1]

ICE IN WICHITA, KANS.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1393.8 (e) of Maximum Price Regulation No. 154, as amended, and for the reasons set forth in the opinion issued simultaneously herewith, *It is ordered:*

Paragraph (a) and subparagraphs (1), (2) and (3) are amended to read as follows:

(a) The maximum wholesale and retail prices for ice in the Wichita, Kansas, area are established to be as follows:

	Per cwt.
(1) Wholesale prices (including sales to peddlers):	
Wholesale Dock	$0.30
Wholesale Delivered	.32½
(2) Retail Sales:	
Retail Dock	.50
Retail Delivered	.55
(3) Commercial Sales:	
Commercial Dock	.30
Commercial Delivered:	
50-300 lbs	.40
Over 300 lbs	.37½
Crushed Ice	.60
Railway Car Ice	.25

This Amendment No. 1 to Order No. G-2 shall become effective on the 10th day of April 1944.

(Pub. Laws 421 and 729, 77th Cong., E.O. 5250, 7 F.R. 7871)

Issued at Dallas, Texas, this 5th day of April 1944.

MAX MCCULLOUGH,
Regional Administrator.

[F. R. Doc. 44-8580; Filed, June 13, 1944; 3:33 p. m.]

[Region VIII Order G-13 Under MPR 165, Correction]

AUTOMOTIVE VEHICLES IN SAN FRANCISCO REGION

Order No. G-13 under Maximum Price Regulation No. 165, as amended. Services. Maximum rentals for certain persons in Region VIII for rentals of automotive vehicles to defense plants or for use on construction projects. Correction.

Paragraph (a) (2) (i) (c) of the order is corrected to read as follows:

(c) If fuel, oil, lubrication, or repair parts and services are furnished by the lessor but not from his own garage or shop, the net cost of items thus supplied.

This correction shall become effective immediately.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9230, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 6th day of June 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-8577; Filed, June 13, 1944; 3:32 p. m.]

[Region VIII Order G-1 Under MPR 507, Amdt. 1]

FRESH FISH AND SEAFOOD

Amendment No. 1 to Order No. G-1 under Maximum Price Regulation No. 507, as amended. Ceiling prices of certain fresh fish and seafood sold at retail.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by section 12 (a) of Maximum Price Regulation No. 507, as amended, Table A in paragraph (d) of Order G-1 under Maximum Price Regulation No. 507 is hereby amended to read as set forth below:

TABLE A

Whole fish sold on gross weight and prepared to the customer's order	I and II	III and IV	Fillets, cuts and steaks, or seafood items sold as purchased [1]	
Item			I and II	III and IV
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
1. Barracuda	10	7	10	7
2. California Halibut	10	8	11	9
3. Black Seabass			11	9
4. White Seabass	10	7	9	7
5. Rockbass	10	8	12	10
6. Crab (cooked in shell)	9	7		
7. Crabmeat			18	18

[1] Retailers processing items prior to offering for sale at retail who price in accordance with section 15 (a) (2) and section 15 (b) (2) of Maximum Price Regulation No. 507, as modified by paragraph (c) hereof shall use these tables.

This amendment shall become effective June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 6th day of June 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-8578; Filed, June 13, 1944; 3:32 p. m.]

[Region VIII Order G-4 Under 3 (c), Amdt. 1]

READY-MADE SAILOR UNIFORMS IN WASHINGTON

Amendment No. 1 to Order No. G-4 under § 1499.3 (c) of the General Maxi-

mum Price Regulation. Order establishing maximum prices for sales of ready-made sailor uniforms by retailers located in certain counties in the State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.3 (c) of the General Maximum Price Regulation and General Order No. 32, *It is hereby ordered*, That Order No. G–4 under § 1499.3 (c) of the General Maximum Price Regulation, issued February 21, 1944 be amended in the following particulars:

Paragraph (a) of said order is amended to read as follows:

(a) The maximum price for sales at retail of ready-made sailor uniforms manufactured of mill dyed serge, fast color gabardine, whipcord, or elastique material shall be $34.50 without alterations, rate emblems and hash marks, and $37.00 with alterations, rate emblems and hash marks and the maximum price for sales at retail of sailor uniforms manufactured of any of said materials and cut and made upon order to the individual measurements of the purchaser, when sold by a person other than the manufacturer, shall be $39.00 including rate emblems, hash marks, and with the name of the purchaser sewed or embroidered on the yoke lining of the jumper and the front flap of the pants, for the following sellers:

Retailers located in the counties of Chelan, Clallam, Grays Harbor, Island, Jefferson, King, Kitsap, Kittitas, Lewis, Mason, Okanogan, Pacific, Pierce, San Juan, Skagit, Snohomish, Thurston, Whatcom, and Yakima in the State of Washington, who are unable to determine their maximum price for such ready-made sailor uniforms pursuant to § 1499.2 or § 1499.3 (a) of the General Maximum Price Regulation.

This Amendment No. 1 shall become effective immediately.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9259, 7 F.R. 7671, and E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44–8578; Filed, June 13, 1944; 3:32 p. m.]

[Region VIII Order G–4 Under 18 (c), Amdt. 4]

FLUID MILK IN NEVADA

Amendment No. 4 to Order No. G–4 under § 1499.18 (c), as amended of the General Maximum Price Regulation (formerly Order No. 5 under section 18 (c) of the General Maximum Price Regulation, as amended). Fluid milk prices at wholesale and retail in certain localities in the State of Nevada.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) (i) (a) of Supplementary Regulation 15, and special authorization conferred by the Price Administrator, *It is hereby ordered*, That Order No. G–4 under § 1499.18 (c) as amended, of the General Maximum Price Regulation be amended as set forth below:

(a) Section 1 is hereby amended by adding to the schedule of prices listed under the heading "Beowawe", the following:

	Retail price
Pasteurized milk:	
Quart container	$0.17

This amendment shall become effective June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 6th day of June 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44–8576; Filed, June 13, 1944; 3:32 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on June 8, 1944.

REGION II

Altoona Order 1–F, Amendment 9, covering fresh fruits and vegetables in the Altoona and Johnstown area in Pennsylvania, filed 2:53 p. m.

Altoona Order 12, covering certain food items in Altoona District, Pennsylvania, filed 2:52 p. m.

Camden Order 13, Amendment 1, covering dry groceries in certain areas in New Jersey, filed 2:51 p. m.

Camden Order 14, Amendment 1, covering dry groceries in area II, New Jersey, filed 2:50 p. m.

Erie Order 14, covering certain food items in Erie, Crawford, Mercer, Clarion, Forrest, Venango, Warren, Pennsylvania, filed 2:43 p. m.

Philadelphia Order 1–F, Amendment 8, covering fresh fruits and vegetables in the city and county of Philadelphia, Pennsylvania, filed 2:49 p. m.

Philadelphia Order 13, covering certain food items in Berks, Bucks, Chester, Delaware, Lehigh, Montgomery, Northampton, and Philadelphia, Pennsylvania, filed 2:49 p. m.,

Philadelphia Order 14, covering certain food items in Bucks, Chester, Delaware, Montgomery, and Philadelphia, Pennsylvania, filed 2:48 p. m.

Philadelphia Order 15, covering certain food items in the county of Berks, Pennsylvania, filed 2:48 p. m.

Philadelphia Order 16, covering certain food items in the counties of Lehigh, and Northampton, Pennsylvania, filed 2:47 p. m.

Williamsport Order 12, Amendment 1, covering certain food items in certain named counties in Pennsylvania, filed 2:51 p. m.

REGION III

Cincinnati Order 10, Amendment 3, covering poultry items in certain areas in Ohio, filed 9:48 a. m.

Cincinnati Order 11, Amendment 3, covering poultry items in certain areas in Ohio, filed 9:47 a. m.

Lexington Order 2–W, covering food prices in the Lexington, Kentucky District, filed 2:46 p. m.

REGION IV

Jackson Order 1–W, Amendment 3, covering certain food items in the State of Mississippi, filed 2:59 p. m.

Jackson Order 9, Amendment 5, covering certain food items in the Mississippi Area, filed 3:00 p. m.

Memphis Order 4–F, Amendment 36, covering fresh fruits and vegetables in the City of Memphis and county of Shelby in the State of Tennessee, filed 2:59 p. m.

Savannah Order 2–F, Amendment 33, covering fresh fruits and vegetables in Burke, Columbia, Emanual, Glascock, Jefferson, Jenkins, McDuffie, Richmond, Warren, and Screven Counties in Georgia, filed 3:03 p. m.

Savannah Order 3–F, Amendment 31, covering fresh fruits and vegetables in certain counties in Georgia, filed 3:03 p. m.

Savannah Order 4–F, Amendment 30, covering fresh fruits and vegetables in Berrien, Ben Hill, Brooks, Cook, Colquitt, Irwin, Lanier, Lowndes, and Tift Counties, Georgia, filed 3:01 p. m.

Savannah Order 5–F, Amendment 11, covering fresh fruits and vegetables in certain counties in Georgia, filed 3:01 p. m.

Savannah Order 6–F, Amendment 2, covering fresh fruits and vegetables in certain counties in Georgia, filed 3:00 p. m.

REGION V

Dallas Order G–21, covering certain food items in the City of Texarkana in Bowie County, Texas, filed 9:54 a. m.

Houston Order 2–F, Amendment 7, covering fresh fruits and vegetables in certain counties in Texas, filed 2:57 p. m.

Houston Order G–2W, covering certain food items in the Houston District of the State of Texas, filed 2:43 p. m.

Houston Order G–14, covering certain food items in the Houston District of the State of Texas, filed 2:45 p. m.

Houston Order G–15, covering certain food items in the Houston District of the State of Texas, filed 2:44 p. m.

Kansas City Order 1–F, Amendment 6, covering fresh fruits and vegetables in Counties within the jurisdictional boundaries of Kansas City District Office, Missouri, filed 2:56 p. m.

Kansas City Order 2–F, Amendment 11, covering fresh fruits and vegetables in counties within the jurisdictional boundaries of Kansas City District Office, Missouri, filed 2:56 p. m.

New Orleans Order 1–W, covering certain food items in the city of New Orleans and certain parishes in Louisiana, filed 9:52 a. m.

New Orleans Order 2–F, Amendment 21, covering fresh fruits and vegetables in the parishes of Orleans, St. Bernard and Jefferson in the State of Louisiana, filed 9:46 a. m.

New Orleans Order 2–W, covering certain food items in certain named parishes in Louisiana, filed 9:52 a. m.

New Orleans Order G–24, covering certain food items in certain parishes in Louisiana, filed 9:51 a. m.

Lubbock Order 2–W, covering certain food items in certain named counties in Texas, filed 9:54 a. m.

Lubbock Order 3–F, Amendment 4, covering fresh fruits and vegetables in El Paso County, Texas, filed 9:46 a. m.

Lubbock Order 4–F, Amendment 1, covering fresh fruits and vegetables in certain counties in Texas, filed 2:56 p. m.

Lubbock Order 4–F, Amendment 2, covering fresh fruits and vegetables in certain counties in Texas, filed 2:55 p. m.

Lubbock Order 5–F, covering fresh fruits and vegetables in Lubbock County, Texas, filed 9:41 a. m.

Lubbock Order G–14, revoking Lubbock Orders G–9, G–10, G–12, G–13, under Revised General Order 51, filed 9:41 a. m.

Lubbock Order G–15, covering certain dry grocery items in certain named counties in Texas, filed 9:42 a. m.

Lubbock Order G–16, covering certain dry grocery items in certain named counties in Texas, filed 9:43 a. m.

Wichita Order G–23, covering certain dry grocery items and certain items of perishables in the city of Wichita and Planeview, Beechwood, Wichita Heights, Hilltop Manor and Eastboro, in the State of Kansas, filed 9:43 a. m.

REGION VI

Chicago Order 2–F, Amendment 16, covering fresh fruits and vegetables in the Chicago Metropolitan Area, filed 9:55 a. m.

Des Moines Order 6, Amendment 4, covering certain food prices in the Ottumwa area in the State of Iowa, filed 9:50 a. m.

Des Moines Order 7, Amendment 4, covering certain food items in the Mason City area in the State of Iowa, filed 9:49 a. m.

Des Moines Order 8, Amendment 4, covering certain food items in the Fort Dodge area in the State of Iowa, filed 9:49 a. m.

Des Moines Order 9, Amendment 4, covering certain food items in the Cheston area in the State of Iowa, filed 10:04 a. m.

Duluth-Superior Order 1–F, Amendment 19, covering fresh fruits and vegetables in Duluth, Proctor, City of Superior and Town of Superior, filed 9:55 a. m.

Duluth-Superior Order 2–F, Amendment 4, covering fresh fruits and vegetables in certain areas in Minnesota and Wisconsin, filed 9:56 a. m.

Duluth-Superior Order 3, Amendment 2, covering certain food items in certain areas in Minnesota and Wisconsin, filed 10:02 a. m.

Fargo-Moorhead Order 1–W, Amendment 2, covering dry groceries in certain cities in North Dakota and Minnesota, filed 10:03 a. m.

Fargo-Moorhead Order 2–W, Amendment 1, covering dry groceries in cities of Dentis Lake, Jamestown, and Valley City, in North Dakota, filed 10:03 a. m.

Milwaukee Order 11, Amendment 2, covering certain food items in certain named counties in Wisconsin, filed 2:55 p. m.

Milwaukee Order 11, Amendment 3, covering certain food items in certain named counties in Wisconsin, filed 2:54 p. m.

Sioux City, Order 2–F, Amendment 17, covering fresh fruits and vegetables in Sioux City, Iowa and South Sioux City, Nebraska, filed 2:54 p. m.

Springfield Order 5–F, covering fresh fruits and vegetables in the Springfield District, Illinois, filed 9:58 a. m.

Springfield (Amendment 1 to Orders 29 through 34, inclusive under Rev. General Order 51) covering poultry prices in certain named areas in Illinois, filed 9:58 a. m.

Twin Cities Order 1–F, Amendment 14, covering fresh fruits and vegetables in St. Paul and Minneapolis and Adjoining Municipalities in Minnesota, filed 9:57 a. m.

Twin Cities Order 2–F, Amendment 4, covering fresh fruits and vegetables in certain counties in Minnesota and Wisconsin, filed 9:57 a. m.

REGION VII

Boise Order 2–B, Covering certain food items in Boise Idaho District, filed 10:01 a. m.

Boise Order 6–W, covering certain food items in Boise City, Idaho, filed 10:00 a. m.

Boise Order 7–W, covering certain food items in the City of Idaho Falls, Idaho, filed 10:00 a. m.

Boise Order 8–W, covering certain food items in the Ontario, Oregon Area, filed 9:59 a. m.

Utah Order F–1, Amendment 9, covering fresh fruits and vegetables in the Salt Lake, Davis and Weber County area, Utah, filed 2:42 p. m.

REGION VIII

San Diego Order 2–F, covering fresh fruits and vegetables in the San Diego county area, filed 9:37 a. m.

San Diego Order 8, covering certain food items in San Diego County, California, filed 9:37 a. m.

San Diego Order 9, covering certain food items in Imperial County, California. Filed 9:39 a. m.

San Francisco Order 1–F, Amendment 17, covering fresh fruits and vegetables in certain named areas in California. Filed 9:39 a. m.

San Francisco Order 2–F, Amendment 10, covering fresh fruits and vegetables in San Jose, Santa Clara, Mayfair, Berryessa, Burbank, California. Filed 9:40 a. m.

San Francisco Order 3–F, Amendment 9, covering fresh fruits and vegetables in certain named counties in California. Filed 9:40 a. m.

San Francisco Order G–13, covering certain food items in the Eureka area in California. Filed 2:53 p. m.

Sacramento Order (Revocation of Revised Order 3) covering certain food items in the Sacramento Market area. Filed 2:40 p. m.

Sacramento (Revocation of Revised Order 6) covering certain food items in the Stockton Market area. Filed 2:39 p. m.

Sacramento (Revocation of Revised Order 7) covering certain food items in Auburn, Placerville, Marysville, Yuba City, California. Filed 2:38 p. m.

Sacramento (Revocation of Revised Order 8) covering certain food items in Chico, Grass Valley, Nevada City, California. Filed 2:38 p. m.

Sacramento (Revocation of Revised Order 9) covering certain food items in Redding, Susanville, Westwood, California. Filed 2:38 p. m.

Sacramento Order 15, covering certain food items in the Sacramento-Stockton area, California. Filed 2:41 p. m.

Sacramento Order 16, covering certain food items in Nevada City, Placerville, Redding, Susanville, California. Filed 2:41 p. m.

Sacramento Order 17, covering certain food items in Quincy, Truckee, Yreka area, California. Filed 2:40 p. m.

Copies of any of these orders may be obtained from the OPA office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–8516; Filed, June 12, 1944; 4:36 p. m.]

[Connecticut Order G–1 Under MPR 285]

BANANAS IN CONNECTICUT DISTRICT

Order No. G–1 under Maximum Price Regulation No. 285 wholesalers' maximum prices for bananas.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Director of the Connecticut District Office of the Office of Price Administration by § 1351.1254a (c) of Maximum Price Regulation No. 285, and General Order No. 32, *It is hereby ordered:*

The maximum price which any wholesaler located in Connecticut may charge for imported fresh bananas is his maximum price computed under § 1351.1253 of Maximum Price Regulation No. 285, plus 35¢ per cwt.

This order may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued and effective this 1st day of June 1944.

ANTHONY F. ARPAIA,
District Director.

[F. R. Doc. 44–8579; Filed, June 13, 1944; 3:32 p. m.]

[Seattle Rev. Order G–55 Under 18 (c)]

FIREWOOD IN KITSAP COUNTY, WASH.

Revised Order No. G–55 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Certain firewood in Kitsap County, Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Seattle District Office of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation and Order of Delegation No. 34 under General Order No. 32, *It is hereby ordered:*

(a) The maximum prices for certain sales and deliveries of specified kinds of firewood in Kitsap County, Washington, as established by sections 2 and 3 of the General Maximum Price Regulation or by any previous order issued pursuant to such regulation or any supplementary regulation thereto, are hereby adjusted so that the maximum prices therefor shall be the prices set forth in paragraph (b).

(b) The maximum price for the sale of the specified kinds of firewood shall be:

(1) For sales delivered to the premises of the consumer in Kitsap County, Washington:

	Per cord
(i) Old growth forest wood and hardwood in 4' lengths	$13.00
Old growth forest wood and hardwood in 24" lengths	13.75
Old growth forest wood and hardwood in 16" lengths	15.00
(ii) Second growth forest wood in 4' lengths	12.50
Second growth forest wood in 24" lengths	13.25
Second growth forest wood in 16" lengths	14.50
(iii) Alder in 4' lengths	12.00
Alder in 24" lengths	12.75
Alder in 16" lengths	14.00

(2) For sales f. o. b. the woods in Kitsap County, Washington:

(i) Old growth forest wood and hardwood in 4' lengths	$9.00
Old growth forest wood and hardwood in 24" lengths	9.75
Old growth forest wood and hardwood in 16" lengths	10.50
(ii) Second growth forest wood in 4' lengths	8.50
Second growth forest wood in 24" lengths	9.25
Second growth forest wood in 16" lengths	10.00
(iii) Alder in 4' lengths	8.00
Alder in 24" lengths	8.75
Alder in 16" lengths	9.50

(c) Definitions:

(1) "Delivered to the premises of the consumer" as used herein means delivered to the premises of the consumer within Kitsap County, Washington.

(2) "F. o. b. the woods" as used herein means delivered to the purchaser in the woods in Kitsap County, Washington, at a point accessible for loading into the purchaser's conveyance.

(3) "Cord" as used herein means 128 cubic feet of stacked wood or 192 cubic feet loose measure.

(d) No seller shall evade any of the provisions of this order by changing the customary allowances, discounts, or other price differentials unless such change results in a lower price.

(e) This order supersedes the provisions of Order No. G–55, issued September 16, 1943, and Order No. G–55 as amended by Amendment No. 1 issued October 19, 1943, and all previous orders issued either by the San Francisco Regional Office or the Seattle District Office setting adjusted maximum prices for the types of firewood specified in this Revised Order No. G–55.

(f) This order may be revoked, amended or corrected at any time. This order shall become effective April 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 22d day of April 1944.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 44–8573; Filed, June 13, 1944; 3:30 p. m.]

[Seattle Order G–16 Under 18 (c), Amdt. 6]

STATE FIREWOOD IN SEATTLE DISTRICT

Amendment No. 6 to Order No. G–16 under § 1499.18 (c) as amended of the General Maximum Price Regulation. (Formerly Order No. 375 under § 18 (c) of the General Maximum Price Regulation.) Adjusted maximum prices for sales of State firewood.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Seattle District Office of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation as amended and Order of Delegation No. 34 under General Order No. 32 and paragraph (f) of Order No. G–16 under § 1499.18 (c) as amended of the General Maximum Price Regulation (formerly Order No. 375 under sec. 18 (c) of the General Maximum Price Regulation), *It is hereby ordered*, That Order No. G–16 under § 1499.18 (c) as amended of the General Maximum Price Regulation (formerly Order No. 375 under sec. 18 (c) of the General Maximum Price Regulation) be amended in the following particulars:

(a) Paragraph (c) (3) shall be amended to read as follows:

(3) Qualified dealers' means a retail fuel dealer whose place of business is located in one of the following cities in Washington: Auburn, Centralia, Chehalis, Ellensburg, Kent, Olympia, Seattle, Tacoma, Vancouver, Yakima: *Provided*, That any place of business located within a distance of three miles from the limits of any such city shall be deemed to be located within such city. A person who sells fuel in more than one place of business shall be deemed to be a different dealer with respect to each place of business.

(b) Paragraph (i) shall be amended to read as follows:

(i) Appendix B: Maximum prices for sales by qualified dealers. The maximum prices for sales by a qualified dealer of state firewood delivered to the premises of the buyer are those set forth below opposite the name of the city in which such qualified dealer has his place of business.

City:	4 ft. lengths (per cord)	12 in. and 16 in. lengths (per cord)
Auburn	$11.50	$13.00
Centralia	10.50	12.00
Chehalis	9.50	11.00
Ellensburg	11.75	13.75
Kent	11.50	13.00
Olympia	11.00	12.50
Seattle	12.00	13.50
Tacoma	11.50	13.00
Vancouver	11.50	13.00
Yakima	12.25	14.25

(c) In all other respects, the said Order No. G–16 (formerly Order No. 375) shall remain in full force and effect.

(d) This Amendment No. 6, and the said Order No. G–16 (Formerly Order No. 375) as amended thereby, may be further amended or revoked by the Office of Price Administration at any time.

(e) This Amendment No. 6 shall become effective April 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 27th day of April 1944.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 44–8574; Filed, June 13, 1944; 3:31 p. m.]

[Seattle Order G–55 Under 18 (c), Amdt. 1]

FIREWOOD IN KITSAP COUNTY, WASH.

Amendment No. 1 to Revised Order No. G–55 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Certain firewood in Kitsap County, Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Seattle District Office of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation and Order of Delegation No. 34 under General Maximum Price Regulation and Order of Delegation No. 34 under General Order No. 32 and paragraph (f) of Revised Order No. G–55 under § 1499.18 (c) as amended of the General Maximum Price Regulation, *It is hereby ordered*, That Revised Order No. G–55 under § 1499.18 (c) as amended of the General Maximum Price Regulation be amended in the following particulars:

(a) Paragraph (g) is added to read as follows:

(g) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale,

(2) The name and address of the buyer and seller,

(3) The quantity of firewood sold,

(4) Description of firewood sold, in the same manner as it is described in this order (This shall include the kind of wood, i. e., hard, soft or mixed, and length of pieces of wood),

(5) Place of sale (If the price is dependent on place of delivery, then the place of delivery shall be stated), and

(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying, and stacking, and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years following the sale. Such copy shall be made available for inspection by the Office of Price Administration.

(b) This Amendment No. 1, and the said Revised Order No. G–55 as amended thereby, may be further amended or revoked by the Office of Price Administration at any time.

(c) The following statement is inserted immediately before the statement as the effective date of this amendment:

This Amendment No. 1 shall become effective May 2, 1944.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of May 1944.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 44–8572; Filed, June 13, 1944; 3:30 p. m.]

RAILROAD RETIREMENT BOARD.

[Jurisdictional Docket 26]

MIDLAND RAILWAY CO. OF MANITOBA

CANCELLATION OF HEARING

In the matter of the status under the Railroad Unemployment Insurance Act of the Midland Railway Company of Manitoba and of the individuals performing service in its operations.

Notice is hereby given that the hearing in the above-entitled matter, originally scheduled to be held on May 31, 1944, at 10:00 a. m., in Courtroom No. 3, Uptown Station and Federal Courts Building, St. Paul, Minnesota (9 F.R. 5194), and later postponed to June 28, 1944 (9 F.R. 5874), is hereby cancelled.

Dated: June 10, 1944.

[SEAL] JACOB ARRAMSON,
Examiner.

[F. R. Doc. 44–8593; Filed, June 14, 1944; 10:28 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70–896]

GENERAL GAS & ELECTRIC CORP.

MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 12th day of June, A. D. 1944.

Declaration of dividends out of capital surplus. Declaration by registered holding company pursuant to section 12 (c) and Rule U–46 permitted to become effective with respect to the payment of dividends to prior preferred shareholders out of capital surplus where no prejudice to security holders or public is found.

Appearances: William W. Golub, for General Gas & Electric Corporation. David I. Bursten, for the Public Utilities Division of the Commission.

General Gas & Electric Corporation (hereinafter called Gengas), a registered holding company, which is a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation (hereinafter called Trustees), a registered holding company, has filed a declaration pursuant to section 12 of the Public Utility Holding Company Act of 1935 (the act), in which it proposes to pay out of capital or unearned surplus the accumulated and unpaid dividends amounting to $5 per share on its $5 prior preferred stock, no par value, for the period from March 16, 1943, to March 15, 1944, and also a quarterly dividend on the same stock for the quarterly period ended June 15, 1944.

The entire issue outstanding is 60,000 shares, of which 27,889.1 shares are held by the Trustees, who have, by a letter dated May 26, 1944, waived their right to collect such quarterly dividends, until further order of the Commission. The number of shares in the hands of the public is 32,110.9 (of which 8.9 shares are held in script, and such script will not receive a dividend), so that $200,637.50 will be required to make the dividend payment.

After appropriate notice, a public hearing was held. No one appeared at the hearing to oppose the proposed dividend payment. Having considered the record therein, the Commission makes the following findings:

As at February 29, 1944, the assets of Gengas, per books, available for security holders totalled $28,290,978. The only securities of, or claims against, Gengas which, according to its books, are senior to the $5 Prior Preferred Stock, consist of certain obligations payable to the Trustees. These obligations, including interest thereon, aggregate $3,004,103.

The books of Gengas, as of February 29, 1944, reflect an earned surplus deficit of $3,673,883; the capital surplus is shown as $13,371,147.

Net income of Gengas for the twelve months ended February 29, 1944, amounted to $583,834. As at February 29, 1944, Gengas had cash on hand in the amount of $735,382 and United States Treasury Certificates costing $1,500,000. Since that date the company has received an additional $1,854,000 from the sale of its interest in Virgina Public Service Company (Virginia Public Service Company—S. E. C.—, Holding Company Act Release No. 5021 (April 29, 1944)).

A cash forecast for the eight months ending December 31, 1944, submitted by the company in connection with the filing, indicates that Gengas will be able to meet all its cash requirements, continue to maintain an adequate cash balance, and pursue its present dividend policy. The forecast contemplates that at the end of the period the cash balance will be $2,742,835.

This is the tenth time that Gengas has filed a declaration to pay a dividend on its publicly held Prior Preferred Stock out of capital surplus. We have on each occasion considered that the assets of Gengas were substantial in relation to the size of the proposed dividend, and that the Prior Preferred Stock is, by its terms, entitled to be paid dividend arrearages in full before dividends can be paid on the other preferred stocks. These same factors are equally cogent with regard to the present declaration.

We make no adverse findings under the applicable sections of the act and rules promulgated thereunder.

It is therefore ordered, That, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, the said declaration, as amended, be, and hereby is, permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U–24 of the general rules and regulations.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–8565; Filed, June 13, 1944; 12:28 p. m.]

[File No. 70–904]

SCRANTON-SPRING BROOK WATER SERVICE CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 12th day of June, A. D. 1944.

Notice is hereby given that an application and declaration have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Scranton-Spring Brook Water Service Company, a subsidiary of Federal Water and Gas Corporation, a registered holding company; and

Notice is further given that any interested person may, not later than June 23, 1944 at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such application and declaration as filed or as amended, may become effective or may be granted, as provided in Rule U–23 of the rules and regulations promulgated pursuant to said act or the Commission may exempt such transactions as provided in Rules U–20 (a) and U–100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said application and declaration, which are on file in the office of said Commission for a statement of the transactions therein proposed, which are summarized below:

Scranton-Spring Brook Water Service Company proposes to purchase from time to time but prior to December 31, 1944, all or any part of a maximum of $600,000 principal amount of its First Mortgage and Refunding 5% Gold Bonds, Series A, due August 1, 1967, and Series B, due August 1, 1961, for cash at prices not in excess of the call price in effect at the date of purchase. It is proposed to purchase bonds, Series A and Series B, in the open market at market prices current at the time of purchase. The bonds to be purchased will be cancelled or retired.

Sections 10 and 12 (c) of the act and Rule U–42 promulgated thereunder have been designated as being applicable to the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–8585; Filed, June 14, 1944; 10:28 a. m.]

[File Nos. 54–74, 59–69]

NORTH CONTINENT UTILITIES CORPORATION, ET AL.

SUPPLEMENTAL ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

In the matters of North Continent Utilities Corporation and subsidiary companies, File No. 54–74; North Continent Utilities Corporation and subsidiary companies, File No. 59–69.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 12th day of June, A. D. 1944.

The Commission, having by order entered on November 16, 1943, approved a plan proposing the liquidation and dissolution of North Continent Utilities Corporation, a registered holding company, filed by that company and its subsidiary companies, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, designed to enable the North Continent holding company system to

comply with section 11 (b) of the act, and having by said order, pursuant to section 11 (b) of the act, directed North Continent Utilities Corporation to take such action as may be necessary to cause its liquidation and dissolution;

North Continent Utilities Corporation and its subsidiary companies, New Mexico Public Service Company and Highland Utilities Company, having filed applications and declarations, and amendments thereto, pursuant to the applicable provisions of the act and the rules promulgated thereunder (and in pursuance, and for the purpose, of carrying out the aforesaid Commission order concerning the liquidation and dissolution of North Continent Utilities Corporation) relating to the proposed sales of certain properties owned by New Mexico Public Service Company and Highland Utilities Company, the proposed use of the proceeds of such sales to cause ratable payments to be made on the unpaid principal of North Continent Utilities Corporation's First Lien Collateral and Refunding Gold Bonds, Series A, 5½%, due January 1, 1948, and the dissolution of Highland Utilities Company; and

A public hearing having been held after appropriate notice; the Commission having considered the record and having made and filed its opinion herein:

It is ordered, That, pursuant to sections 11 (b), 11 (e), 12 (d) and other applicable sections of the act, the said applications and declarations be, and hereby are, granted and permitted to become effective, subject to the terms and conditions contained in Rule U-24.

North Continent Utilities Corporation, New Mexico Public Service Company, and Highland Utilities Company having requested that the order of the Commission entered in these proceedings contain certain findings and recitals necessary to meet the requirements of sections 371, 372, 373, and 1808 of the Internal Revenue Code, as amended;

It is further ordered and recited, That the following proposed sales by New Mexico Public Service Company and Highland Utilities Company of the properties specified and itemized in this order and in the documents, or portions thereof, herein referred to and incorporated in this order by reference, for money, as herein set forth, and the proposed application of the proceeds of such sales are necessary or appropriate to the integration or simplification of the North Continent holding company system, of which New Mexico Public Service Company and Highland Utilities Company are members, and are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935;

(a) The sale by New Mexico Public Service Company to Kit Carson Electric Cooperative, Inc. of its electric generating plant and distribution system located in the County of Taos, New Mexico, known as New Mexico Public Service Company's "Taos Division", together with the real estate and other assets pertinent thereto, for a base price of $150,000 in cash, subject to certain adjustments to the date of sale;

(b) The sale by Highland Utilities Company to Southeast Colorado Power Association of all of its electric generating plants and distribution systems, ice and water plants, located in the towns of Springfield and Eads, Colorado, and Ulysses, Kansas, together with the real estate and other assets pertinent thereto, for a base price of $278,000 in cash, subject to certain adjustments to the date of sale;

(c) The use by New Mexico Public Service Company of the net proceeds of its aforesaid sale to discharge an open account indebtedness of $10,000 due to North Continent Utilities Corporation and to reduce the principal amount of its promissory notes aggregating $565,000, held by North Continent Utilities Corporation;

(d) The use by Highland Utilities Company of the net proceeds of its aforesaid sale to reduce the unpaid amount of a promissory note of $280,000, held by North Continent Utilities Corporation;

(e) North Continent Utilities Corporation's use of the funds to be received by it from New Mexico Public Service Company and Highland Utilities Company for the considerations above described in subdivisions (c) and (d) to cause ratable payments to be made on the unpaid principal of its First Lien Collateral and Refunding Gold Bonds, Series A, 5½%, due January 1, 1948.

The said properties referred to in paragraphs (a) and (b) being more completely specified, itemized, and described under Item 4 of section IV of the applications and declarations and amendments thereto filed by North Continent Utilities Corporation, New Mexico Public Service Company and Highland Utilities Company, respectively, and designated as "Application No. 3" with respect to New Mexico Public Service Company and "Application No. 4" with respect to Highland Utilities Company, which said specifications, itemizations, and descriptions of the said properties contained in said Item 4 of section IV of each of the said applications and declarations, as amended, are incorporated by reference in this order and made a part hereof, with the same force and effect as if set forth at length herein.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8586; Filed, June 14, 1944; 10:28 a. m.]

[File No. 54-32]

NORTH SHORE GAS CO., ET AL.

ORDER RELEASING JURISDICTION WITH RESPECT TO FEES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 12th day of June, A. D. 1944.

In the matter of North Shore Gas Company, North Shore Coke & Chemical Company, and North Continent Utilities Corporation; File No. 54-32.

North Continent Utilities Corporation, a registered holding company, and North Shore Gas Company and North Shore Coke & Chemical Company, subsidiaries of North Continent Utilities Corporation, having filed applications and declarations under section 11 (e) and other applicable sections of the Public Utility Holding Company Act of 1935, with respect to a plan of reorganization for North Shore Gas Company and North Shore Coke & Chemical Company;

The Commission having entered an order on November 21, 1941, approving said plan, subject to certain conditions and reservations, including a reservation of jurisdiction with respect to the payment of fees and expenses incurred or to be incurred in connection with the plan, and directing that the applicants file with the Commission a notification and itemized statement of all claims against them for such fees and expenses;

The applicant companies and various claimants having filed statements with respect to the fees and expenses requested herein; a hearing having been held thereon after due notice; briefs having been filed and oral argument having been heard; the Commission having entered orders on December 2, and December 30, 1942, and April 22, 1943, with respect to certain of the fees and expenses in this proceeding, and having in each of said orders reserved jurisdiction with respect to the fees and expenses of the William A. Baehr Organization, Inc., a subsidiary service company in the North Continent holding company system;

North Continent Utilities Corporation and North Shore Gas Company having filed a further statement with respect to an agreement between such companies as to the allocation of the fees and expenses of the William A. Baehr Organization, Inc. incurred in said reorganization, said agreement providing for the allocation of fees and expenses in the total amount of $23,078.78 of the William A. Baehr Organization, Inc. against North Shore Gas Company and North Continent Utilities Corporation in the amounts of $16,351.32 and $6,727.46, respectively, and providing further that North Continent Utilities Corporation reimburse North Shore Gas Company in the amount of $6,727.46, representing the amount paid to the William A. Baehr Organization, Inc. by North Shore Gas Company in excess of the amount allocated to North Shore Gas Company;

The Commission having considered the record including the last-mentioned statement and deeming it in the public interest and in the interest of investors and consumers to release jurisdiction with respect to the reasonableness and allocation of the said fees and expenses of the William A. Baehr Organization, Inc;

It is ordered, That jurisdiction be, and hereby is, released with respect to the reasonableness and allocation of the said fees and expenses of the William A. Baehr Organization, Inc.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8587; Filed, June 14, 1944; 10:28 a. m.]

[File Nos. 54-78, 54-40, 59-40, 54-53, 59-49]

CONSOLIDATED ELECTRIC AND GAS CO., ET AL.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 12th day of June A. D. 1944.

In the matters of Consolidated Electric and Gas Company, File No. 54-78; Consolidated Electric and Gas Company, applicant, File No. 54-40; Central Public Utility Corporation, Consolidated Electric and Gas Company, respondents, File No. 59-40; Christopher H. Coughlin, W. T. Crawford and Rawleigh Warner, voting trustees under voting trust agreement dated August 1, 1932, relating to common stock of Central Public Utility Corporation, applicants, File No. 54-53; Christopher H. Coughlin, W. T. Crawford and Rawleigh Warner, voting trustees under voting trust agreement dated August 1, 1932, relating to common stock of Central Public Utility Corporation, respondents, File No. 59-49.

Consolidated Electric and Gas Company, a registered holding company, having filed an application, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, for approval of a plan for certain action designed to enable that company and certain of its subsidiary companies to comply with the provisions of section 11 (b) of said Act; the Commission having by order dated July 19, 1943 consolidated the proceedings upon said application (1) with certain proceedings theretofore instituted by the Commission pursuant to section 11 (b) of said Act with respect to said Consolidated Electric and Gas Company and Central Public Utility Corporation, also a registered holding company, (2) with certain other proceedings instituted by the Commission pursuant to said section 11 (b) with respect to Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, Voting Trustees under a certain voting trust agreement dated August 1, 1932, relating to common stock of said Central Public Utility Corporation (said Trustees also being a registered holding company), (3) with proceedings upon an earlier application of said Consolidated Electric and Gas Company for approval of certain other action also designed to enable said Consolidated Electric and Gas Company to comply with said section 11 (b), and (4) with proceedings upon an application and declaration by said Trustees, above named, regarding the disposition of the common stock of Central Public Utility Corporation held by said Trustees and the Commission having by said order of July 19, 1943 set down said consolidated proceedings for hearing at the offices of the Commission in Philadelphia, Pennsylvania, at 10:00 a. m., e. w. t., on August 2, 1943; and said hearing having been postponed by subsequent orders of the Commission until June 20, 1944; and

Consolidated Electric and Gas Company having requested that the hearing so directed to be held in said consolidated proceedings be further postponed for a period of not less than sixty days, stating in such request, among other things, that the company, since June 23, 1943, the date of the filing of its application for approval of the plan hereinabove first mentioned, has disposed of its interests in, or the assets of 17 of its domestic public utility subsidiary companies; that negotiations looking toward the sale of several additional subsidiaries are in progress and are expected to be completed in the near future; that declarations regarding the payment by three subsidiaries to Consolidated Electric and Gas Company of certain funds and the use of said funds by Consolidated Electric and Gas Company to retire a portion of its outstanding bonds through open market purchases are now pending before this Commission; that the postponement requested will afford Consolidated Electric and Gas Company a further period in which to complete additional divestments of domestic public utility subsidiary companies and to retire a substantial amount of its outstanding debt securities, which have been reduced from $31,433,500 principal amount as of December 31, 1943 to $23,160,000 as of May 31, 1944 (excluding $4,854,000 assumed bonds, funds for the retirement of which have been deposited with the Trustee of said bonds); that as a result of the transactions aforementioned, Consolidated Electric and Gas Company will be in a position to submit a substantially simplified plan for compliance with said section 11 (b) and that such plan, while simplifying the problems of the system, will require material revision of the plan for such compliance heretofore submitted to this Commission; and

The Commission deeming it appropriate under the circumstances that the hearing directed to be held herein on June 20, 1944, be further postponed;

It is ordered, That the hearing in this matter previously scheduled for June 20, 1944, at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, be and hereby is postponed to August 22, 1944, at the same hour and place and before the same trial examiner as heretofore designated.

It is further ordered, That the time within which any person other than parties to said consolidated proceedings desiring to be heard or otherwise wishing to participate in said proceedings shall file his request or application therefor with the Secretary of the Commission as provided by Rule XVII of the Commission's rules of practice be, and the same hereby is, extended to August 12, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8588; Filed, June 14, 1944; 10:28 a. m.]

[File Nos. 70-879, 70-903]

UNITED GAS IMPROVEMENT CO., ET AL.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 12th day of June 1944.

In the matter of The United Gas Improvement Company and Harold C. Payson, File No. 70-879; Manchester Gas Company, File No. 70-903.

Notice is hereby given that an amendment has been filed to a joint application or declaration heretofore filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The United Gas Improvement Company (U. G. I.), a registered holding company, and Harold C. Payson (Payson), and that an application or declaration has been filed pursuant to the Act by Manchester Gas Company (Manchester), a subsidiary of U. G. I.

Notice is further given that any interested person may, not later than June 23, 1944, at 10:00 a. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said applications or declarations, as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said applications or declarations, which are on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

The original joint application-declaration of U. G. I. and Payson proposed the sale by U. G. I. and the purchase by Payson for $33,000 cash, of 840 shares of 7% Cumulative Preferred Stock ($100 par value) and $4,200 shares of common stock ($100 par value) of Manchester, said stock representing all of U. G. I.'s holdings of securities in Manchester.

A public hearing was held in respect of these matters, but prior to Commission action thereon, Payson assigned his purchase agreement with U. G. I. to Manchester for a cash consideration of $5,000. U. G. I. thereupon amended its pending filing and Manchester filed an application-declaration, pursuant to which it is now proposed that Manchester will buy and retire and U. G. I. will sell for $33,000 cash the shares of Manchester's preferred and common stock presently owned by U. G. I. In connection therewith, Payson has requested the withdrawal of his application-declaration.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8589; Filed, June 14, 1944; 10:29 a. m.]

[File No. 70-898]

CONSOLIDATED ELECTRIC AND GAS CO., ET AL.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Penn-

sylvania, on the 12th day of June, A. D. 1944.

In the matter of Consolidated Electric and Gas Company, the Islands Gas and Electric Company, Compagnie D'Eclairage Electrique Des Villes De Port-Au-Prince Et du Cap Haitien, Compania Electrica de Santo Domingo, C. por A.; File No. 70-898.

Notice is hereby given that declarations or applications (or both) have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Consolidated Electric and Gas Company ("Consolidated"), a registered holding company, and the following subsidiary companies of said holding company, The Islands Gas and Electric Company ("Islands"), Compagnie D'Eclairage Electrique des Villes de Port-au-Prince et du Cap Haitien ("Haiti Company"), and Compania Electrica de Santo Domingo, C. por A. ("Santo Domingo Company").

Notice is further given that any interested person may, not later than June 20, 1944, at 5:30 p. m., e. w. t., request the Commission that a hearing be held on such matter, stating the reasons for such request and the nature of his interest or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declarations or applications (or both), as filed or as amended, may become effective or be granted as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said documents, which are on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized as follows:

All the securities of Islands are owned by Consolidated. Islands owns all of the securities of Haiti Company and Santo Domingo Company, including certain demand notes in the principal amount of $414,000 of Haiti Company and certain demand notes in the aggregate principal amount of $2,382,503 of Santo Domingo Company. It is proposed that, out of treasury assets, the Haiti Company pay sums not in excess of $100,000 in the aggregate and that the Santo Domingo Company pay sums not in excess of $500,000 in the aggregate to Consolidated in reduction of the principal owing on their respective notes, such payments to be made from time to time during the remainder of 1944. Said notes are pledged with the Trustee securing the Islands Ten Year 4% Secured Bonds, Series B, due March 1, 1953. Under the terms of said Indenture such payments of principal on pledged notes are required to be deposited with the Trustee under said Indenture and said Trustee will apply the funds to be received to the retirement of a like amount of Bonds of Islands. All of said Bonds of Islands outstanding in the principal amount of $2,143,500 are owned by Consolidated and are pledged under the lien of the Trust Indenture of Southern Cities Utilities Company (assumed by Consolidated) securing an issue of Thirty Year 5% First Lien and Collateral Trust Gold Bonds, due April 1, 1958. Under the terms of said Indenture, such payments of principal to retire pledged Bonds of Islands are required to be deposited with the Trustee under said Trust Indenture. In accordance with the terms of said Trust Indenture, Consolidated will apply such funds or a like amount to acquire outstanding bonds of Southern Cities Utilities Company by purchase in the open market and such purchased bonds will be surrendered to the Trustee for cancellation against the withdrawal of such deposited funds at the purchase cost of said Bonds, exclusive of accrued interest.

Consolidated now holds $300,000 in cash representing the unexpended balance of the Federal tax savings resulting from sales by subsidiary companies of their respective properties at amounts below the tax cost to them and the accural of such tax savings to Consolidated as a result of the amendment to the tax agreement between Consolidated and certain of its subsidiary companies which joined in the filing of consolidated Federal income and excess profits tax returns for 1943. Consolidated now proposes to use such tax savings funds in the amount of $300,000 to acquire outstanding Bonds of Consolidated or Southern Cities Utilities Company bonds through purchases in the open market, such bonds to be surrendered for cancellation by Consolidated to the Trustee under the Indenture securing said Bonds.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8590; Filed, June 14, 1944; 10:29 a. m.]

[File Nos. 54-68, 59-55]

COMMUNITY GAS AND POWER CO., ET AL.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE AND APPROVING PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 12th days of June, A. D. 1944.

In the matter of Community Gas and Power Company, American Gas and Power Company, File No. 54-68; Community Gas and Power Company, American Gas and Power Company, and the subsidiary companies thereof, File No. 59-55; Respondents.

Community Gas and Power Company, a registered holding company, and American Gas and Power Company, a registered holding company and a subsidiary company of Community Gas and Power Company, having filed with this Commission Amendment No. 6 to their amended plan heretofore filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 proposing, for the purpose of effecting compliance with section 11 (b) of the act, to sell all of the common stock of St. Augustine Gas Company consisting of 2,771 shares of $100 par value each to H. Hansell Hillyer for the sum of $100,000 plus net earnings from January 31, 1944, to the date of closing, and to deposit such proceeds with the Trustee of American Gas and Power Company's debenture indenture as substitute collateral for the securities being sold; and

American Gas and Power Company having requested that the Commission's order conform to the formal requirements of section 1808 (f) of the Internal Revenue Code, as amended; and

A public hearing having been held on such matter after appropriate notice, the Commission having considered the record and having made and filed its findings and opinion herein: *It is ordered*, That such amendment and declaration, as amended, be and the same is hereby permitted to become effective subject, however, to the terms and conditions prescribed in Rule U-24.

Further ordered, That the plan proposing the sale of such securities and use of proceeds as described above is necessary to effectuate the provisions of section 11 of the act and is fair and equitable to the persons affected.

By the Commission.

[SEAL] ORVIL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8591; Filed, June 14, 1944; 10:29 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 120

Washington, Friday, June 16, 1944

Regulations

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 95—ENROLLMENT AND DISBARMENT OF ATTORNEYS AND REPRESENTATIVES

ADMISSION TO PRACTICE OF PERSONS OTHER THAN ATTORNEYS AND REPRESENTATIVES

Part 95, Chapter I, Title 8, Code of Federal Regulations is hereby amended by adding the following new section:

§ 95.10 *Admission of persons other than attorneys and representatives.* A person who has practiced before the Board or the Service for at least five years immediately prior to May 1, 1944, and who during such period pursued such practice as his principal occupation, may, if he applies before May 1, 1945, and is otherwise qualified, be admitted, in the discretion of the Board, to practice under this part although he is not an attorney or representative. No such applicant may be admitted unless his admission is recommended by the Commissioner and by the district director and officer in charge having jurisdiction over the place where the applicant resides, and unless he satisfies the Board that he is well qualified by training and experience to represent his clients before the Board and the Service. For this latter purpose, the Board may conduct or cause to be conducted appropriate inquiry. A person admitted under this section shall be subject to the provisions of this part regulating the practice of attorneys and representatives.

EARL G. HARRISON, *Commissioner, Immigration and Naturalization.*

Approved:

FRANCIS BIDDLE, *Attorney General.*

[F. R. Doc. 44-8709; Filed, June 16, 1944; 11:29 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 73—APPOINTMENT OF COMMISSIONED OFFICERS, WARRANT OFFICERS, AND CHAPLAINS

OFFICERS APPOINTED IN THE ARMY OF THE UNITED STATES

Section 73.202 (b) is amended as follows:

§ 73.202 *Command and administration.* • • •

(b) Officers of the Army of the United States appointed under these regulations will, while on active duty, be subject to such laws and regulations for the government of the Army as are applicable to personnel whose permanent retention in the military service is not contemplated by law, and will be entitled to the same rights, privileges, and benefits as members of the Officers' Reserve Corps. [Par. 4]

Section 73.205 is rescinded and the following substituted therefor:

§ 73.205 *Categories disqualified for appointment.* Any individual in any of the following categories is disqualified for initial appointment in the Army of the United States.

(a) Cadets, United States Military Academy.

(b) Persons qualified and eligible for appointment in the Officers' Reserve Corps under existing regulations.

(c) Persons on either the active or reserve list of the Navy, Marine Corps, Coast Guard, Public Health Service, and Coast and Geodetic Survey.

(d) Civilian officers or employees of the United States or of the District of Columbia, without the written consent of the head of the department or service concerned.

(e) Persons subject to induction under the Selective Training and Service Act of 1940, as amended, whose induction has been ordered.

(f) Persons whose proposed duties are being or can be performed adequately by available civilian personnel.

(g) Persons whose services will not be immediately available to the War De-

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

	Page
ALIEN PROPERTY CUSTODIAN:	
Vesting orders:	
Ehlers, Maria, Sr., et al	6651
European American Trade Development Corp	6652
Kuhne, Charles W	6656
Rosenzweig, Josephine	6653
Schaefer, Henry	6655
Schmidt, Gertrude	6653
Schmidt, Mary	6653
Shibetz, Joseph	6654
Spitzer, Alois	6654
Stier, Matilda A	6654
Ziegler, Martin	6655
FEDERAL POWER COMMISSION:	
Memphis Natural Gas Co., hearing	6651
FOREIGN ECONOMIC ADMINISTRATION:	
Gifts to prisoners of war and internees, designated items	6621
Prohibited exportations	6621
GENERAL LAND OFFICE:	
Wyoming, air-navigation site withdrawal	6651
IMMIGRATION AND NATURALIZATION SERVICE:	
Enrollment and disbarment, etc.; admission to practice of persons other than attorneys and representatives	6619
MINES BUREAU:	
Hardin, G. H., and Co., license revocation, etc	6649
NATIONAL PARK SERVICE:	
Yellowstone, pack trains and saddle horse parties	6649
OFFICE OF PRICE ADMINISTRATION:	
Adjustments, etc.:	
American Hydraulics, Inc	6660
Brashear, William	6660
Burnham Bros., et al	6660
Central Minerals Co., et al	6658
Hansel, Stephen R., et al	6657
Morgan, Elry	6660
Mulser Mines, et al	6659
Possum Hollow Coal Co. and Sherrick Coal Co	6657
Authority delegation, Deputy and Assistant Administrator in Charge of Rationing (Gen. Order 58)	6662

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.

CONTENTS—Continued

	Page
OFFICE OF PRICE ADMINISTRATION—Continued.	
Bagasse (Rev. SR 1, Am. 60)	6648
Containers, wide mouth glass (MPR 382, Am. 6)	6647
Corn (2d Rev. MPR 346, Corr.)	6628
Defense Supplies Corporation, exceptions for certain transactions (RO 5C, Administrative Exception Order 9)	6656
Food rationing for institutional users (Gen. RO 5, Am. 70)	6628
Gasoline rationing (RO 5C, Am. 130)	6647
Glass bottles and containers, commercial (MPR 188, Am. 40 to Order A–1)	6661
Lumber, Western pine, etc. (RMPR 94)	6634
Paper, groundwood specialty (MPR 449, Am. 2)	6633
Pine tar and pine tar oil (MPR 446, Am. 2)	6647
Processed foods (Rev. RO 13, Am. 39)	6647
Puerto Rico, tire rationing (RO 1B, Am. 7)	6629
Rationed foods, replacement (Gen. RO 11, Am. 16)	6628
Rubber, reclaimed (RPS 56)	6629
Rubber heels and soles (MPR 477, Am. 6)	6629
Shoes (RO 17, Am. 63)	6647
Turpentine, etc., sales (Rev. SR 14, Am. 142)	6648
Upholstered furniture, frames (MPR 188, Am. 6 to Order 1052)	6661
Woodpulp (RMPR 114)	6630
RECLAMATION BUREAU:	
Deschutes Project, Oreg., first form withdrawal	6650
Land withdrawals, partial revocation:	
Boise Project, Idaho	6651
Tieton Project, Wash	6650
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.:	
Central New York Power Corp., et al	6664
Consolidated Natural Gas Co. and New York State Natural Gas Corp	6664
Republic Service Corp., et al	6665
Washington Railway and Electric Co	6662
TREASURY DEPARTMENT:	
Bonds, U. S. Savings, Series E; additional denomination authorized	6649
WAR DEPARTMENT:	
Personnel:	
Appointment of officers	6619
Insane, care and disposition; transfer to care of nearest known relative	6621
WAR PRODUCTION BOARD:	
Car materials (P–142, Dir. 3)	6624
Chemicals:	
DDT (M–300, Sch. 25)	6626
Miscellaneous (M–340)	6626
Copper (M–9–c, Am. 2)	6622
Alloy shoe findings (M–9–c–1)	6622
Priority regulations operations, transfer of title in financing rated orders (PR 1, Dir. 2)	6623
Pulp and paper (L–11; Int. 1, Rev.) (2 documents)	6624, 6626
Reprints (L–244, Dir. 1)	6624
Sprocket chain, attachment links and wheels (L–193–a)	6623
Suspension order; Chattanooga Mattress Co	6622
Water meters (L–154, Sch. I)	6623

CONTENTS—Continued

	Page
OFFICE OF PRICE ADMINISTRATION—Continued.	
Processed foods (Rev. RO 13, Am. 39)	6647
Puerto Rico, tire rationing (RO 1B, Am. 7)	6629
Rationed foods, replacement (Gen. RO 11, Am. 16)	6628
Rubber, reclaimed (RPS 56)	6629
Rubber heels and soles (MPR 477, Am. 6)	6629
Shoes (RO 17, Am. 63)	6647
Turpentine, etc., sales (Rev. SR 14, Am. 142)	6648
Upholstered furniture, frames (MPR 188, Am. 6 to Order 1052)	6661
Woodpulp (RMPR 114)	6630
RECLAMATION BUREAU:	
Deschutes Project, Oreg., first form withdrawal	6650
Land withdrawals, partial revocation:	
Boise Project, Idaho	6651
Tieton Project, Wash	6650
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.:	
Central New York Power Corp., et al	6664
Consolidated Natural Gas Co. and New York State Natural Gas Corp	6664
Republic Service Corp., et al	6665
Washington Railway and Electric Co	6662
TREASURY DEPARTMENT:	
Bonds, U. S. Savings, Series E; additional denomination authorized	6649
WAR DEPARTMENT:	
Personnel:	
Appointment of officers	6619
Insane, care and disposition; transfer to care of nearest known relative	6621
WAR PRODUCTION BOARD:	
Car materials (P–142, Dir. 3)	6624
Chemicals:	
DDT (M–300, Sch. 25)	6626
Miscellaneous (M–340)	6626
Copper (M–9–c, Am. 2)	6622
Alloy shoe findings (M–9–c–1)	6622
Priority regulations operations, transfer of title in financing rated orders (PR 1, Dir. 2)	6623
Pulp and paper (L–11; Int. 1, Rev.) (2 documents)	6624, 6626
Reprints (L–244, Dir. 1)	6624
Sprocket chain, attachment links and wheels (L–193–a)	6623
Suspension order; Chattanooga Mattress Co	6622
Water meters (L–154, Sch. I)	6623

partment upon being appointed to commissioned grade.

(h) Former commissioned officers of the Navy, Marine Corps, Coast Guard, or of any component of the Army of the United States, whose appointment is prohibited by the provisions of paragraph (e) above; or whose commissions were terminated because of inefficiency or under other than honorable conditions, *Provided*, That former commissioned officers of these categories who are on active military service in warrant or enlisted status may be appointed upon the approved recommendations of a board of officers convened for the purpose of determining the professional and moral fitness of the particular applicant for appointment. (See also § 73.206 (3)).

(i) Civilians without prior commissioned service (see § 73.206 (c)) who have not attained their thirty-eighth birthday at the date of appointment unless classified by Selective Service as class IV–D or IV–F on account of physical disability. Exception may be made in the case of doctors of medicine, dentistry, and veterinary medicine, and in other cases where there is a critical need for the services of a particular individual, or where the individual is within a scarce category of specialized skill in which not enough men trained to fill the requirements of the armed forces are available at the time required. No civilian of any age, except a doctor of medicine, dentistry, or veterinary medicine cleared by the Procurement and Assignment Service, War Manpower Commission, will be appointed if classified as II–A, II–B, or II–C unless released from such classification by his local board. [Par. 8]

Section 73.209 headnote is redesignated and the following substituted therefor:

§ 73.209 *Designation of arm or service.* • • • [Par. 11]

Section 73.210 is rescinded.

§ 73.210 *Promotion.* [Rescinded]

Section 73.211 (c) and (d) are amended as follows:

§ 73.211 *Assignment.* • • •

(c) Regardless of assignment an officer appointed from civil life ordinarily must satisfactorily complete an appropriate course of training during the first 6 months of his commissioned service commencing on the date he enters upon active duty. Persons appointed from civil life without previous military experience will not be assigned to duty with units of the field forces unless they have completed not less than 4 months' active military service as a commissioned officer subsequent to appointment, and have satisfactorily completed an appropriate course of instruction at a special service school of the arm or service to which they are assigned except in the following cases:

• • • • •

(d) Officers appointed in the Army of the United States may be reassigned to or detailed in other arms or services in accordance with the provisions of Army Regulations. [Par. 12]

Section 73.215 is rescinded and the following substituted therefor:

§ 73.215 *Separations.* (a) Officers appointed in the Army of the United States under these regulations may have such appointments terminated at the discretion of the President and are also subject to separation in any manner prescribed for officers of the Officers' Reserve Corps (see Army Regulations), and Public Law 18, Seventy-sixth Congress (sec. I, Bull. 2, WD, 1939).

(b) An appointment in the Army of the United States may be terminated at any time when information is revealed which, if known at the time of appointment, would have made the officer ineligible for such appointment. Any misstatement of fact or any material omission in original application or attendant papers is a basis for discharge at any time. Recommendations for discharge will be forwarded to The Adjutant General, together with all the facts in the case.

(c) An officer appointed in the Army of the United States for duty as a chaplain will be discharged from his appointment upon withdrawal of his ecclesiastical endorsements.

(d) Separation initiated prior to receipt of these regulations, including recommendations for discharge during the first 6 months of commissioned service, may be processed in accordance with the provisions of the edition of these regulations dated 30 December 1942. (55 Stat. 728; 10 U.S.C. Sup. 484) [Pars. 4, 8, 11, 12 and 19, AR 605–10, 26 May 1944]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44–8670; Filed, June 15, 1944; 9:56 a. m.]

PART 76—CARE AND DISPOSITION OF INSANE

TRANSFER OF INSANE PERSONS

Sections 76.1 and 76.2 (c) are amended as follows:

§ 76.1 *Transfer to care of nearest known relative.* (a) An insane person requiring institutional care will be transferred to the custody of the nearest known relative upon the relative's request: *Provided*, The patient is not considered actively suicidal or homicidal: *And provided*, The relative produces satisfactory evidence that proper care for the insane person concerned will be furnished. This evidence will consist of affidavits from the relative declaring that he or she is willing and has the necessary financial means to provide adequate care and treatment. For disposal of patient's effects and valuables (see § 76.2 (c)).

(b) Persons who are actively suicidal or homicidal will be disposed of only as follows:

(1) Those entitled to care and treatment by the Veterans' Administration will be:

(i) Disposed of as provided in Army regulations, if such person or his relatives refuse care and treatment in a Veterans' Administration facility.

(ii) Delivered to an acceptable State, private, or other civilian hospital, upon written request of the nearest known relative and upon authorization from such civilian hospital in cases where the person or his relatives elect to provide civilian hospitalization in lieu of disposition as above.

(2) Those not entitled to care and treatment by the Veterans' Administration will be:

(i) Disposed of as provided in Army Regulations.

(ii) Delivered to an acceptable private hospital, upon written request of the nearest known relative and upon authorization from such private hospital in cases where the person or his relatives elect to provide private hospitalization in lieu of disposition as above. [Par. 7]

§ 76.2 *Applicants for enlistment or selectees.* • • •

(c) *Patient's effects.* On the day of departure of the insane patient, his immediate commanding officer will make and sign an inventory, in triplicate, of the patient's effects, money, and valuables. Two copies of the inventory listing the patient's money and valuables, together with the money and valuables, will be turned over, or sent by registered mail, to the manager or superintendent of the institution to which the patient is delivered, or to the relative or civilian agency assuming the custody of the patient, with a request that one copy of the inventory be receipted. If to the knowledge of the immediate commanding officer of the patient a guardian of the patient has been legally appointed, then, in lieu of disposition as above, the patient's money and valuables will be turned over, or forwarded by registered mail, to such guardian upon presentation of proper evidence of his or her authority. If such money and valuables are turned over to a guardian, a receipt therefor will be obtained; if forwarded by registered mail, a receipt will be inclosed with instructions that it be signed and returned. The other effects of the patient, such as clothing, together with two copies of the inventory of these effects, will accompany the patient as baggage. One copy of the inventory will be receipted by the relative or civilian agency assuming custody of the patient or by a responsible person in the institution to which the patient is delivered and will be returned for file. Prior to the patient's departure, the commanding officer will advise the institution or relative of the fact, stating the time when the patient may be expected to arrive. [Par. 10] (R.S. 161; 5 U.S.C. 22) [Pars. 7 and 10b, AR 600–500, 25 May 1944]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General

[F. R. Doc. 44–8669; Filed, June 15, 1944; 9:56 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 185]

PART 802—GENERAL LICENSES

GIFTS TO PRISONERS OF WAR AND INTERNEES

Subparagraph (8) of paragraph (a) of § 802.16 *General license, gifts to prisoners of war and internees* is hereby amended in the following particulars:

(1) By adding to the list of commodities under the heading "Miscellaneous Items" the following commodities:

Kitchen and eating utensils, not of glass or other breakable materials:
Pans, baking
Dishes, pudding
Openers, can
Boilers, double
Whisks, egg
Jugs
Pans, frying
Dishes, vegetable, with cover
Spoons, serving, table and tea
Ladles
Cloths, dish and drying
Forks, dinner
Shakers, salt
Pots, tea and coffee
Plates, dinner
Plates, pie
Colander
Kettles, tea
Bowls
Bowls, coffee
Mugs
Bowls, mixing

And by revising the commodity description of "Vitamin Tablets • • •" to read "Vitamins, in containers of cardboard, plastic or other unbreakable materials".

(2) By adding to the list of commodities under the heading "Food Items" the following commodities:

Meal, flour or various mixture to be used for baking or cooking such as Bisquick, gingerbread mix, pancake flour, etc.
Powdered eggs
Precooked beans
Powdered milk
Garden seeds
Baking powder
Dried puddings
Fruit cake—in commercially packed cardboard containers

And by revising the commodity description of "Sweet chocolate • • •" to read "Sweet chocolate in bars (not in excess of two pounds)".

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 13, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44–8686; Filed, June 15, 1944; 11:15 a. m.]

[Amdt. 186]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations*, is hereby amended in the following particulars:

In the column headed "General License Group" the group and country designations assigned to the commodity listed below, at every place where said commodity appears in said section, is hereby amended to read as follows:

Commodity and Department of Commerce No.:	*General license group*
Pork, pickled or salted other than bacon hams, shoulders or Cumberland and Wiltshire sides, 0032.00	K and V

All valid outstanding individual licenses and release certificates issued by or under the authority of the Foreign Economic Administration authorizing the exportation of the above commodity to destinations in Country Groups K and V are hereby revoked effective July 1, 1944.

(Sec. 6, 54 Stat. 714; Public Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 13, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-8687; Filed, June 15, 1944; 11:15 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943. 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-561]

CHATTANOOGA MATTRESS CO.

Chattanooga Mattress Company, 426 Chestnut Street, Chattanooga, Tennessee, a corporation, is engaged in the manufacture of mattresses, sofa bed suites and furniture. Between September 1, 1943 and November 19, 1943, the corporation processed, fabricated, worked on, assembled, or offered for sale 4,175 child's rockers of a pattern which had not been offered for sale by the corporation prior to March 15, 1943. These acts were in violation of General Limitation Order L-260. The corporation, through its officers, was familiar with the provisions of Order L-260, and its conduct constituted wilful violations thereof; these violations have diverted scarce materials and labor to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, That:

§ 1010.561 *Suspension Order No. S-561.* (a) Chattanooga Mattress Company, its successors and assigns, shall not process, fabricate, or assemble any furniture as defined in Limitation Order L-260-a, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Chattanooga Mattress Company, its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on June 14, 1944, and shall expire on September 14, 1944.

Issued this 7th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8660; Filed, June 14, 1944; 4:20 p. m.]

PART 933—COPPER

[Order M-9-c as Amended May 26, 1944, Amdt. 2]

Section 933.4 *Conservation Order M-9-c* is hereby amended by adding a new paragraph (f) (4) to read as follows:

(4) *Research, developmental and experimental activities.*[4] The provisions of this order shall not apply to the use of copper products or copper base alloy products to make experimental models or test runs, but only the minimum number of models or minimum size run needed to determine the suitability of the item for commercial production. Such models or materials shall not be distributed for the purpose of promoting sales or creating a consumer demand for such items, nor shall such items, if designed primarily for future civilian markets, be exhibited to the public. Research, developmental or experimental activities in connection with products or materials designed primarily for future civilian markets must be carried on without diverting any manpower, technical skill or facilities from activities connected with the war effort.

Issued this 15th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8697; Filed, June 15, 1944; 11:09 a. m.]

PART 933—COPPER

[Supplementary Conservation Order M-9-c-1, as Amended June 15, 1944]

COPPER AND COPPER BASE ALLOY SHOE FINDINGS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of copper for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 933.6 *Supplementary Conservation Order M-9-c-1*—(a) *Definitions:* For the purposes of this order:

(1) "Copper" means unalloyed copper metal. It shall include unalloyed copper metal produced from scrap.

(2) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. It shall include alloy metal produced from scrap.

(3) "Shoe findings" means eyelets, hooks, tacks, nails, hobnails, screws, spikes, plates, snaps, slide fasteners, rivets, wires, slugs, studs, and other findings for any kind of shoes.

(4) "Shoes" means all kinds of boots, shoes, slippers, overshoes, and other footwear of whatever material made, and overgaiters and leggings, but not including leggings made as a part of children's clothing.

(b) *Prohibition of manufacture.* Except as provided in paragraph (e) no manufacturer may use any copper or copper base alloy in the manufacture of shoe findings.

(c) *Prohibition of delivery.* Except as provided in paragraph (e), no manufacturer of shoes or shoe findings may deliver any shoe findings containing copper or copper base alloy, and no person shall accept delivery of shoe findings containing copper or copper base alloy from any manufacturer of shoes or of shoe findings. This prohibition terminates on July 15, 1944.

(d) *Prohibition of use.* Except as provided in paragraph (e), no manufacturer of shoes may attach any shoe findings containing copper or copper base alloy to any types of shoes. This prohibition does not apply to shoe findings which were in the stocks of the manufacturer of shoes on or before March 31, 1942, or which are acquired after July 15, 1944.

(e) *Exceptions*—(1) *Exceptions for orders of certain governmental agencies.* The provisions of this order shall not apply to the production, delivery, or attaching of shoe findings when either the shoes or shoe findings are being produced for purchase by, or for the account of, or for use by, the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration, or for any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lease-Lend Act), where the use of copper or copper base alloy shoe findings to the extent employed is required by the applicable specifications (including performance specifications) of the governmental agency purchasing the shoes or shoe findings.

(2) *Exceptions for special shoes.* The provisions of the order shall not apply to the production, delivery, or attaching of shoe findings when the findings are to be attached to shoes of the types known as Men's or Women's Conductive Shoes, Men's or Women's Explosive Operation (non-sparking) Shoes, Men's Electrical Hazard Shoes, or Loggers Boots.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(2) *Appeal.* Any appeal from the provisions of this order shall be made by filing Form WPB-1477 with the War Production Board, Copper Division, Washington 25, D. C., Reference M-9-c-1.

(3) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Copper Division, Washington 25, D. C., Reference M-9-c-1.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 15th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8698; Filed, June 15, 1944; 11:10 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 1, Direction 2]

TRANSFER OF TITLE IN FINANCING RATED ORDERS

The following direction is issued pursuant to Priorities Regulation 1:

Transfer of title for bona fide security reasons in accordance with regularly established business practices for the financing of transactions is not prohibited by War Production Board regulations and orders. For example, if a customer wants to have his purchase on a rated order financed by a finance company which is to take title for security reasons, the rated order may be placed in the name of the finance company calling for delivery to it in care of the customer. Likewise, a person who has obtained material with priorities assistance may execute a chattel mortgage on it or give a similar lien where this is done in good faith to finance his work in process. If the party financing the transaction forecloses and takes the material, he holds it subject to the restrictions of § 944.11 of Priorities Regulation 1 and other applicable orders and regulations (for example, in the case of textiles, M-328). If he cannot use it for the purpose for which it was acquired by the purchaser, he may use or dispose of it only as permitted by those restrictions.

Issued this 15th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8699; Filed, June 15, 1944; 11:09 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Supplementary Order L-193-a, as Amended June 15, 1944]

SPROCKET CHAIN, SPROCKET CHAIN ATTACHMENT LINKS AND SPROCKET CHAIN WHEELS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of sprocket chain, sprocket chain attachment links and sprocket chain wheels for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.53 *Supplementary Limitation Order L-193-a*—(a) *Definitions.* The definitions in General Limitation Order L-193 do not apply to this order. For the purpose of this order "sprocket chain" means any chain, except ladder chain, designed for the purpose of operating over toothed sprocket wheels.

(b) *Inventory limitations.* No person who, in the course of his business, purchases and incorporates sprocket chain, sprocket chain attachment links or sprocket chain wheels into machinery or equipment manufactured in whole or in part by him, or who purchases such chain, links or wheels for resale as such, shall accept delivery thereof if his total inventory will, after acceptance, exceed what he reasonably expects to use or resell during the succeeding 45 days. No person may deliver sprocket chain, sprocket chain attachment links, or sprocket chain wheels if he knows or has reason to believe that such delivery will increase the recipient's inventory above this 45 day limitation.

(c) *Exemptions.* The provisions of paragraph (b) do not apply to (1) Army maintenance depots, Navy yards, bases, stations and depots (2) minimum production runs,[1] or (3) automotive replacement parts, as defined in Order L-158, as amended.

(d) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the War Production Board in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(e) *Appeals.* Any producer or purchaser of sprocket chain, sprocket chain attachment links or sprocket chain wheels who believes that the terms of this order result in undue hardship may appeal by letter stating the relief requested and the reasons it is necessary.

(f) *Communications.* All appeals and other communications concerning this order should be addressed to the General Industrial Equipment Division, War Production Board, Washington 25, D. C., Ref: L-193-a.

Issued this 15th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8700; Filed, June 15, 1944; 11:09 a. m.]

[1] See Interpretation 7 (as amended) of Priorities Regulation 1.

PART 1288—POWER, STEAM AND WATER AUXILIARY EQUIPMENT

[Limitation Order L-154, Schedule I, as Amended June 15, 1944]

WATER METERS

§ 1288.2 *Schedule I to Limitation Order L-154*—(a) *Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who produces, manufactures, processes, fabricates, or assembles water meters.

(2) "Water meter" means any meter for measuring cold (under 100 degrees Fahrenheit) water for any purpose, except chemical or marine applications.

(3) "Copper base alloy" means any alloy which contains 40% or more copper by weight.

(b) *Restrictions on materials for meters over one-inch size.* The following restrictions on materials are hereby established for the manufacture of water meters over one-inch size:

(1) No producer shall manufacture, process, finish or assemble any water meters over one-inch size if they contain:

(i) Copper or copper base alloys in the main case or casings, the external bolts, nuts, and washers, the register boxes and lids, the upper and lower plates or cages, or the dials;

(ii) Stainless steel or nickel alloys;

(iii) Tin in coatings.

(2) Nothing herein contained shall prevent the delivery of water meters over one-inch size assembled and finished on June 17, 1942.

(c) *Restrictions on materials for meters one-inch size and less.* The following restrictions on materials are hereby established for the manufacture of water meters one-inch size and less:

(1) No producer shall manufacture, process, finish or assemble any water meters one-inch size or less if they contain:

(i) An alloy in the main case or casings, register boxes, or lids, which is in excess of 82 percent copper and 3 percent tin;

(ii) Copper or copper base alloys in the external bolts or washers;

(iii) Tin in coatings.

(2) In the case of copper, variation from the proportions established in paragraph (c) (1) (i) above not exceeding commercial tolerance is permissible.

(3) Nothing herein contained shall prevent the delivery of meters one-inch size and less assembled and finished on July 1, 1944.

NOTE: Paragraphs (d) and (e) formerly (c) and (d) redesignated June 15, 1944.

(d) *Conservation Order M-9-c.* From and after June 17, 1942, the provisions of Conservation Order M-9-c shall no longer apply to the manufacture of water meters.

(e) *Exceptions.* (1) Nothing in this schedule shall be construed to restrict

[4] Copper products and copper base alloy products in controlled material forms may be ordered for research, developmental and experimental activities by placing an order bearing the controlled material symbol V-9 and the standard CMP certification, all as provided in Order P-43.

the manufacture, processing or finishing of any article or product by or through a prime contractor or subcontractor for the account of the Army, Navy or Maritime Commission in accordance with the specifications, including performance specifications, of the prime contract.

(2) Nothing in this schedule shall prevent the manufacture, processing, finishing or assembly of water meters, after the 21st day of July, 1942, by any producer by the use of not more than sixty percent by weight of such producer's inventory of parts and material on hand on July 1, 1942, *Provided, however,* That the number of water meters so manufactured, processed, finished or assembled by any producer shall not exceed twelve and one-half percent of the number of water meters shipped by such producer during the twelve months ending May 31, 1942.

Issued this 15th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8701; Filed, June 15, 1944; 11:09 a. m.]

PART 3133—PRINTING AND PUBLISHING

[General Limitation Order L-244, Direction 1]

REPRINTS

The following direction is issued pursuant to General Limitation Order L-244:

Paragraph (b) states that the term "magazine" includes "reprints containing 40% or more of the editorial content appearing in any issue of a magazine." However a reprint which is ordered and paid for exclusively by a department or agency of the United States shall not be charged against the quota of the magazine publisher under Order L-244. Such reprints are "commercial printing" under Order L-241 and are unrestricted, as provided in paragraph (k) (1) of that order.

Issued this 15th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8702; Filed, June 15, 1944; 11:10 a. m.]

PART 3216—MATERIAL ENTERING INTO THE OPERATION OF TRANSPORTATION SYSTEMS

[Preference Rating Order P-142, Direction 3, as Amended June 15, 1944]

ADVANCE AUTHORIZATION FOR SPECIAL ITEMS OF CAR MATERIALS

(a) This direction permits railroad operators to place advance orders for the following items of car materials listed in paragraph (b) (2) of Order P-142:

The following amended direction is issued pursuant to Preference Rating Order P-142:

Air Brakes—AB	Code No. CA
Hand Brakes—Power	Code No. CB
Brake Beams	Code No. CH
Couplers and Coupler Bodies	Code No. MA
Bolster Springs—Car	Code No. MC

subject to the following conditions:

(1) Advance orders for items under this direction may be placed for delivery during each of the three calendar quarters following the quarter in which the order is placed. Thus during the second quarter of 1944, advance orders may be placed for delivery in the third and fourth quarters of 1944 and the first quarter of 1945.

(2) The operator may order for delivery in each advance quarter up to 75% of the amount of each of the above items authorized for him under Order P-142 for the first quarter of 1944. With the exception of power hand brakes (Code CB), he may use the same preference ratings, to the same extent, as were authorized for the particular item for the first quarter of 1944. For power hand brakes, he may use only a rating of AA-3 for advance quarters, regardless of the ratings authorized for that item in the first quarter of 1944.

For example, if an operator was authorized in the first quarter of 1944 to buy 100 AB Air Brakes with AA-1 rating and 200 with AA-3 rating, he may, under this direction, place orders for each advance quarter for not more than 75 with AA-1 rating and 150 with AA-3 rating. Also, if he was authorized in the first quarter of 1944 to buy 10 power hand brakes with AA-1 rating and 50 with AA-3 rating, he may, under this direction, place advance orders each quarter for 45, all with AA-3 rating.

(b) Each operator must continue to apply each quarter on Form WPB-2585 for firm authorizations in accordance with paragraph (k) (3) of Order P-142. To the extent that the firm authorization on that form differs from the advance authorization for any item under this direction, orders must be cut back, or new orders may be placed, accordingly.

(c) This direction applies to railroad and private car line operators under Order P-142 (serial numbers below 1500), but not to transit operators.

Issued this 15th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8692; Filed, June 15, 1944; 11:09 a. m.]

PART 3281 [1]—PULP AND PAPER

[Limitation Order L-11 as Amended June 15, 1944]

CHLORINE IN PULP, PAPER AND PAPERBOARD

Whereas the production of pulp, paper and paperboard consumes large quantities of chlorine; national defense requirements have created a shortage of chlorine; action has already been taken to conserve the supply and limit the use of chlorine in the production of pulp, paper and paperboard in order to insure its availability for essential defense and civilian requirements; increasing diversion of chlorine to defense uses requires further restrictions of its use in such production:

Now, therefore, it is hereby ordered, That:

§ 3281.63 [1] *General Limitation Order L-11*—(a) *Definitions.* For the purpose of this order:

(1) "Producer" means any individual, partnership, association, corporation or other form of business enterprise, engaged in the manufacture of pulp, paper or paperboard.

(2) "Brightness" means the degree of brightness determined by the General Electric Brightness Tester.

(3) "Semi-bleached grade" means that grade of pulp which prior to June 16, 1941, had a brightness of less than 70.

(4) "Unbleached kraft" (for the purposes of paragraph (e) of this order) means a grade of paper usually made in substantial part with unbleached kraft pulp, but in which at various times certain amounts of bleached pulp or semi-bleached pulp have been used.

NOTE: Paragraph (5), formerly (4), redesignated June 15, 1944.

(5) "Calendar quarterly period" means the quarterly period commencing on the first day of the second, fifth, eighth, and eleventh months of the calendar year and ending, respectively, on the last day of the fourth, seventh, tenth, and first months of the calendar year.

(b) *General restrictions relating to pulp, paper and paperboard.* (1) No producer subject to this order shall, after the effective dates of the applicable provisions hereof, use chlorine in a quantity in excess of that specifically authorized herein or increase the brightness of pulp, paper or paperboard in excess of the degrees of brightness established herein.

(2) No producer shall increase the brightness of any pulp, paper or paperboard to a degree greater than the brightness of like pulp, paper or paperboard produced by him on June 11, 1941.

(c) *Specific restrictions relating to pulps, effective November 1, 1941.* The following restrictions in the use of chlorine shall become effective November 1, 1941:

(1) No producer shall use in any calendar quarterly period for the treatment of rag stock an average amount of chlorine per ton of rag stock treated greater than 80% of the average amount of chlorine per ton of rag stock treated used by such producer for the treatment of rag stock during the calendar quarterly period ending July 31, 1941.

(2) Except as provided in (c) (4) and (c) (6) hereof the brightness of the following pulps shall not exceed 74.

(i) Bleached sulphite.

(ii) Bleached sulphate.

(iii) Waste paper when used for conversion into bleached papers.

The brightness ceiling established by this paragraph shall be determined in one of the two following ways: The brightness of any individual batch, where a batch system is used, or the average of any eight-hour period where a continuous system is used.

(3) Except as provided in (c) (4) and (c) (6) hereof the brightness of soda pulp shall not exceed 70. The brightness ceiling established by this paragraph shall be determined in one of the two following ways: The brightness of any individual batch, where a batch system is used, or the average of any eight-hour period where a continuous system is used.

(4) The brightness ceilings established in (c) (2) and (c) (3) hereof may be exceeded to the extent that the War Production Board may permit upon application accompanied by satisfactory proof that the applicant's process of achieving a higher brightness will further the program for the conservation of chlorine embodied in this order. Such applications should be addressed to the War Production Board, and marked Ref: L-11.

(5) No producer in any calendar quarterly period shall use more chlorine in the production of semi-bleached grades than 70% of his use of chlorine for similar production during the three-month period ending July 31, 1941.

(6) Notwithstanding the limitations set forth in (c) (2) and (c) (3), any producer in any calendar quarterly period may use, per ton of pulp produced for the following purposes requiring the use of chlorine as a processing, rather than as a bleaching agent, an amount of chlorine necessary for such processing: *Provided,* That in no case shall he use more chlorine per ton of pulp produced than he used for similar purposes during the three-month period ending July 31, 1941:

(i) In the processing into paper stock of rope, jute, hemp, flax, Sunn fiber, Benares fiber or like fibers;

(ii) In the processing of pulp for use in the manufacture of sanitary pads, hospital wadding, or wadding for use in the filtering of dissolving and nitrating pulps.

(7) Except for (i), (j), (k), (l), (m), and (n) hereof, this order shall not apply to the following pulps:

(i) High alpha pulps (not less than 90% alpha cellulose content).

(ii) Dissolving pulps.

(iii) Nitrating pulps.

(iv) Pulps used in the manufacture of photographic base papers.

(d) *Specific restrictions relating to paper and paperboard, effective November 10, 1941.* (1) Except as provided in (d) (2) hereof, after November 10, 1941 the brightness of the following grades of paper and paperboard shall not exceed the brightness ceilings specified below;

Division of industry	Grades	Brightness ceilings
Blotting	All grades	70
Book	A & B grades, including M. F. Super and Antique Book Publication Grades Rotogravure.	72
	M. F. and Super Litho and Label.	
	Machine-coated grades	
	Offset	70
	Envelope	
	C, D, & E grade book, including M. F. Super and Antique.	66
	Tablet	
	Drawing	
	Poster	
	Hanging	
	End Leaf	
	Band Stock	
	Linings	
Book	Gumming	68
	Carbonizing	
	Body Stocks for all coated, other than machine-coated	
Bristol and index	No. 1 Grades	74
	No. 2 Grades	71
	No. 3 Grades	68
Cardboard	All grades uncoated and coating base stock.	68
Groundwood	All grades	67
Kraft	Brown Envelope	40
Sulphite and Bleached Kraft.	Bleached Group including M. F. and M. G. Waxing, Drug Wrapping and Fully Bleached Bag.	67
	M. F. and M. G. Opaque Waxing either beater filled or coated.	70
	Unbleached Group including Butchers Manila, Steam Finish and Dry Finish Grocers, Screenings, etc.	60
	Bag papers, Imitation Parchment and All Other.	
	Envelope Manila and Wrapping Manila.	60
Tissue	M. G. Wrapping	60
	Toilet and Towel	67
	Facial Cleaning	68
	Wrapping Tissue No. 1 Grade.	70
	Waxing Tissue	67
	Napkin Stock	70
	Carpet Twisting	62
	Creping Tissue	70
	Kraft and Sulphite Fruit and Vegetable Wrap.	60
Writing	Rag Content Papers:	
	75% Grade	80
	50% Grade	77
	25% Grade	75
	Sulphite Papers, Writing Ledger, Bond, and Mimeograph:	
	No. 1 Grade	74
	No. 2 Grade	73
	No. 3 and 4 Grades	70
Specialty Paper & Paperboard.	File Folder Stock	62
	White Tag Stock	68
	All other Tagboard	62
	Lined and solid unbleached paperboard.	62
	Bogus Bristol	68
	Mill Blanks	68
	Lined and solid bleached paperboard.	70
	White patent coated paperboard.	70

(2) The brightness ceilings established in (d) (1) hereof shall not apply to paper manufactured from 100% rag stock, and, with respect to other paper and paperboard, may be exceeded to the extent permitted by the War Production Board upon application accompanied by satisfactory proof that the applicant's process of achieving a higher brightness will further the program for the conservation of chlorine embodied in this order. Such application should be addressed to the War Production Board and marked Ref: L-11.

(e) *Elimination of certain pulps from specified grades of paper and paperboard, effective November 10, 1941.* (1) After November 10, 1941, all pulp bleached with chlorine shall be eliminated from the following grades of paper and paperboard:

NOTE: "Unbleached Kraft" amended June 15, 1944.

Division of industry:	Grades
Groundwood	A-1 Groundwood catalog.
	A-1 Groundwood carboarding.
	A-1 Groundwood coating.
	A-1 Groundwood board and box lining.
Division of industry—Con.	All grades of semi-bleached bags and sacks, which prior to June, 1941, were of 62 brightness or less.
	Asphalting kraft papers.
Unbleached Kraft	Tile mounting.
	Creping.
	Twisting.
	Spinning.
	Tire wrap.
	Coin wrap.
	Gummings and tape, and waxings.
Specialty paper and paper board.	Sand paper stock.
	Insulating.
	Pattern board.
	Beaming paper.
	Stencil and cable stock.

(f) *Exception as to stocks on hand and in transit.* No provision of this order shall be construed to apply to pulp, paper or paperboard produced prior to the respective applicable dates contained herein.

(g) *Exception as to use of chlorine to destroy bacteria.* No provision of this order shall be construed to restrict the use of chlorine for reduction of bacterial count, for slime control or for sanitary purposes, below the minimum amounts necessary for such uses.

(h) *Ownership by producers of captive supply of chlorine.* Producers who also manufacture their own supply of chlorine shall observe the provisions of this order in all respects.

(i) *Records.* (1) Each producer of any pulp referred to in (c) hereof shall keep and preserve for not less than two years, accurate and complete records, on a calendar month basis of:

(i) Total incoming deliveries of chlorine;

(ii) Total production of chlorine (if any);

(iii) Total chlorine consumption;

(iv) Production of each type and brightness of pulp referred to in (c) hereof, and the quantities of chlorine used in the production of each such type and brightness;

(v) The quantities of chlorine consumed for each of the purposes referred to in (g) hereof;

(vi) The quantity of chlorine on hand at the end of each month.

(2) Each producer of paper or paperboard shall keep and preserve for not less than two years, accurate and complete records, on a calendar month basis, of the quantity of each type of pulp, and the brightness thereof, used in his production of each of the kinds, grades and brightnesses of paper and paperboard listed in (d) and (e) hereof, and the quantity produced of each such kind, grade and brightness of paper and paperboard.

(j) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said office shall from time to time request. No reports or questionnaires are to be filed by any person until forms therefor are prescribed by the War Production Board.

(k) *Audit and inspection.* All records required to be kept by this order shall

[1] Formerly Part 990, § 990.1.

upon request be submitted to audit and inspection by a duly authorized representative of the War Production Board.

(l) *Violations or false statements.* Any person who violates this order, or who wilfully falsifies any records which he is required to keep by the terms of this order, or by the War Production Board, or otherwise wilfully furnishes false information to the War Production Board may be deprived of priorities assistance or may be prohibited by the War Production Board from obtaining any further deliveries of materials subject to allocation. The War Production Board may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35A of the Criminal Code (18 U.S.C. 80).

(m) *Superseding earlier order.* This order shall supersede as of November 15, 1941, all directions respecting the use of chlorine by producers of pulp, paper and paperboard contained in directives issued on June 11 and September 8, 1941.

Issued this 15th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8693; Filed, June 15, 1944; 11:09 a. m.]

3281—PULP AND PAPER [1]

[General Limitation Order L-11, Revocation of Interpretation 1]

Interpretation No. 1 to General Limitation Order L-11 is superseded by amendments to paragraphs (a) (4), (c) (2) and (c) (3) of the order, issued the 15th day of June 1944.

Issued this 15th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8694; Filed, June 15, 1944; 11:09 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 25]

DDT

§ 3293.1025 *Schedule 25 to General Allocation Order M-300*—(a) *Definition.* "DDT" means the chemical 2,2-bis (para chlorophenyl) 1,1,1-trichloroethane.

(b) *General provisions.* DDT is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is January 1, 1944, when DDT was first put under allocation by Order M-340. The allocation period is the calendar month and the small order exemption is one pound per person per month.

(c) *Special interim provisions.* Prior to July 1, 1944, DDT shall be delivered, accepted and used on the basis of applications and authorizations required by Order M-340.

[1] Formerly Part 990.

(d) *Suppliers' applications on Form WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). Filing date is the 20th day of the month before the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-25. The unit of measure is the pound. An aggregate quantity may be requested without specifying customers' names for delivery on exempt one pound orders. Fill in Table II.

(e) *Customers' applications on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 10th day of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-25, and one copy (reverse side blank) to the supplier. File separate sets of forms for each different supplier. The unit of measure is the pound. In column 3 specify "insecticide" or specify "resale" if the DDT is to be resold as such. In column 4 specify the end use, giving Army, Navy and Lend-Lease Contract or Requisition numbers if practicable or, if the insecticide is to be used for experimental uses, describe type of experiment. Fill in Tables II and III as indicated and leave Tables IV and V blank.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule shall, unless otherwise directed, be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-25.

Issued this 15th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8696; Filed, June 15, 1944; 11:10 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-340, as Amended June 15, 1944]

MISCELLANEOUS CHEMICALS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of the chemicals subject to this order for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.491 *Allocation Order M-340*—(a) *Definitions.* (1) "Subject chemical" means any chemical listed in Appendix A, as therein defined.

(2) "Producer" means any person engaged in the production of any subject chemical and includes a person who imports any subject chemical or has it produced for him pursuant to toll agreement.

(3) "Distributor" means any person who buys any subject chemical for the purpose of resale without further processing and without changing the form thereof.

(4) "Supplier" means a producer or distributor.

(b) *Restrictions on deliveries.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall deliver a subject chemical to any person except as specifically authorized or directed in writing by War Production Board. No person shall accept delivery of a subject chemical which he knows or has reason to believe is delivered in violation of this order.

(2) Authorization or directions as to deliveries to be made by suppliers in each calendar month will generally be issued by War Production Board prior to the beginning of such month, but may be issued at any time. They will normally be issued on Form WPB-2947 (formerly PD-602) which is to be filed by the supplier with War Production Board as explained in paragraph (g) below.

(3) If a supplier is authorized or directed by War Production Board to deliver a subject chemical to any specific customer or group of customers, but is unable to make the delivery either because of receipt of notice of cancellation or otherwise, the subject chemical shall revert to inventory, and shall not be delivered, or used, without further instructions.

(c) *Exceptions for small deliveries.* (1) Specific authorization in writing of War Production Board is not required for delivery by any supplier to any person in any calendar month of a subject chemical in a quantity not exceeding the quantity stated in Column 3 of Appendix B.

(2) The aggregate quantity of a subject chemical which any supplier may deliver in any calendar month pursuant to paragraph (c) (1), shall not exceed:

(i) The quantity which he has been specifically authorized, upon application pursuant to Appendix D, to deliver on small orders; or

(ii) If he is a distributor, the quantity which he acquired upon certification that it was required to fill small orders or the quantity which he acquired himself on such a small order, or

(iii) If he is a distributor who customarily delivers exclusively on small orders, any quantity.

(d) *Exceptions for deliveries for other reasons.* Specific authorization in writing of War Production Board is not required for delivery of a subject chemical by any supplier to any other person for a purpose stated in Column 4 of Appendix B.

(e) *Restrictions on use.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall use a subject chemical except as specifically authorized or directed in writing by War Production Board.

(2) Each person who with an order for a subject chemical furnishes a certificate required by paragraph (f) shall use the subject chemical delivered on such order only as specified on such certificate except as otherwise specifically authorized or directed in writing by War Production Board.

(3) War Production Board may from time to time issue directions with respect to the use or uses which may or may not be made of a subject chemical to be delivered to, or then in inventory of the prospective user.

(f) *Supplier to obtain from customer a certificate of use.* No supplier shall in any calendar month (beginning in the case of each subject chemical with the calendar month in which the order becomes effective as to that chemical as stated in Appendix A) deliver to any person a greater quantity of such subject chemical than is stated in Column 3 of Appendix B, unless he shall have received from such person a certificate as to the use for which such person is ordering such subject chemical. Such certificate shall be substantially in the form and shall be subject to the instructions stated in Appendix C and shall be in the hands of the supplier not later than the 15th day of the month preceding the month in which delivery is to be made. It need not be filed with War Production Board. A supplier must not deliver a subject chemical where he knows or has reason to believe the purchaser's certificate is false, but in the absence of such knowledge or reason to believe he may rely on the certificate.

(g) *Applications by suppliers for leave to deliver or use.* (1) Each supplier requiring authorization to make delivery of, or to use, a subject chemical during any calendar month shall file application on or before the 20th day of the preceding month. The application should be made on Form WPB-2947 (formerly PD-602) in the manner set forth in the general instructions appearing on that form, subject to the special instructions contained in Appendix D. If there is an inconsistency between the general and special instructions, the special instructions must be followed.

(2) War Production Board may issue to any supplier other and further directions with respect to preparing and filing Form WPB-2947 (formerly PD-602).

(h) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref: M-340.

Issued this 15th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

Chemicals subject to this order. (1) "Acetaldol" means the chemical known by that name and by the names aldol, beta hydroxy butyric aldehyde oxybutanol, 3-hydroxy butanal.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(2) "ST-115" means the preparation known by that trade name, as defined and specified in Appendix to Regulation No. 3 (1942 Revision) of the Bureau of Internal Revenue.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(3) "Dehydrol-O" means the chemical known by that trade name as defined and specified in Appendix to Regulation No. 3 (1943 Revision) of the Bureau of Internal Revenue.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(4) "G. C.-78" means the chemical known by that trade name.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(5) "By-product—phosphoric acid" means phosphoric acid obtained as a by-product in the manufacture of methyl methacrylate.

Effective date—September 1, 1943. Comes in the following grades: no grades.

(6) "Oxidized petrolatum" means high paraffinic petrolatum oxidized and processed to contain aliphatic ketones, and which is suitable for use as a base in the manufacture of rust preventive compounds or corrosion inhibitors meeting specification Nos. AXS-678, 52-C-18 and AN-C-52, such as those petrolatums known by the trade marks Par-Al-Ketone, Alox 707, Alox 701 and Alox 600.

Effective date—October 9, 1943. Comes in the following grades: no grades.

(7) [Deleted June 9, 1944]

(8) [Deleted Mar. 27, 1944]

(9) [Deleted Mar. 27, 1944]

(10) [Deleted Oct. 22, 1943.]

(11) [Transferred June 15, 1944, to M-300-25]

(12) "Enamal wire naphtha" (also known as E. W. naphtha) means a mixture of aromatic solvents derived from coke oven light oil, drip oil or coal tar, distilling between 150 and 290° C., with at least 15 per cent distilling above 200° C., and containing 20 to 60 per cent monomeric polymerizable constituents of the cumorone-indene type. The term does not include aromatic material for the production of E. W. naphtha, or for the production of cumorone-indene resin, or for the production of other chemicals or intermediates, or for use as solvents in the crude state.

Effective date—February 1, 1944. Comes in the following grades: no grades.

(13) "Methyl Bromide" means the chemical CH_3Br.

Effective date—March 1, 1944. Comes in the following grades: no grades.

(14) "Precipitated calcium carbonate" means ultra fine particle calcium carbonate such as the chemical known as Kalvan, Witcarb R and Multifex.

Effective date—April 1, 1944. Comes in the following grades: no grades.

(15) "Pyronate" means the pyroligneous alcohol known by that trade name which is produced as a by-product of the destructive distillation of hardwood.

Effective date—May 1, 1944. Comes in the following grades: No grades.

(16) "Hi-flash naphtha" means water white coal tar solvent naphtha, having a distillation range of 145° C. (293° F. to 200° C. (393° F.), derived from coke oven light oils, coal tar distillates, drip oils or holder oils.

Effective date—July 1, 1944. Comes in the following grades: No grades.

APPENDIX B

NOTE: Item (11) deleted June 15, 1944.

1	2	3	4
Name of chemical	Unit of measure	Maximum quantity deliverable to any one person in any calendar month without specific authorization and without certificate required by paragraph (f)	Purpose for which delivery may be made without specific authorization, regardless of quantity. (See par. (d))
(1) Acetaldol	Gallon	54 gallons	None.
(2) ST-115	Gallon	54 gallons	None.
(3) Dehydrol-O	Gallon	54 gallons	None.
(4) G. C.-78	Gallon	54 gallons	None.
(5) By-product phosphoric acid.	Ton	5 tons	None.
(6) Oxidized petrolatum.	Pound	25 pounds	None.
(7) [Deleted June 9, 1944.]			
(8) [Deleted Mar. 27, 1944.]			
(9) [Deleted Mar. 27, 1944.]			
(10) [Deleted Oct. 22, 1943.]			
(11) [Deleted June 15, 1944.]			
(12) E.W.Naphtha.	Gallons	54 gallons	None.
(13) Methyl Bromide.	Pound	10 pounds	None.
(14) Precipitated calcium carbonate.	Pound	50 pounds	None.
(15) Pyronate	Gallon	54 gallons	None.
(16) Hi-flash naphtha.	Gallons	54 gallons	None.

APPENDIX C—CUSTOMER'S CERTIFICATE OF INTENDED USE

The undersigned purchaser hereby certifies to War Production Board and to his supplier, pursuant to Order No. M-340, that the _____ (specify subject chemical) ordered for delivery in _____, 194__.
Month

will be used by him for the manufacture or preparation of the following product(s), and that such product(s) will be put to the following end use(s):

	Quantity	Primary product	End use
(A)			
(B)			

_____
Name of purchaser

_____ By _____ _____
Date Duly authorized official Title

Instructions for customer's certificate. (1) The certificate shall be signed by an authorized official of the purchaser, either manually or as provided in Priorities Regulation No. 7.

(2) Where a purchaser wishes to receive more than the exempted quantity of each of two or more subject chemicals, a separate certificate shall be obtained as to each.

(3) The purchaser will specify under "Primary product", the exact product or products in the manufacture or preparation of which the subject chemical will be used or incorporated. A distributor ordering the subject chemical for resale as such will specify "resale" or, if ordering exclusively for resale on exempt small orders, will specify "small orders of ---------- or less" (specify quantity stated in Column 3 of Appendix B). If purchase is for inventory state "inventory."

(4) Under "End use", purchaser will specify the ultimate or end use to which the primary product will be put. He will also indicate whether civilian, Lend-Lease, other export or military, and if the product is for uses falling in two or more such categories, the percentage falling in each. Also, he will give contract numbers in the case of military use or Lend-Lease, and in the case of export, export license numbers. A distributor ordering the subject chemical for resale as such will leave blank the "End Use" column.

APPENDIX D—SPECIAL INSTRUCTIONS FOR SUPPLIER'S FORM WPB–2947 (FORMERLY PD–602)

(1) *Obtaining forms.* Copies of Form WPB–2947 (formerly Form PD–602) may be obtained at local field offices of the War Production Board.

(2) *Number of copies.* Prepare an original and three copies. File original and two copies with War Production Board, Chemicals Division, Washington 25, D. C., Ref.: M–340, retaining the third copy for your files. The original filed with the War Production Board shall be manually signed by a duly authorized official.

(3) *Separate set for each chemical.* Where the supplier's application relates to deliveries of two or more subject chemicals, he will file a separate set of Form WPB–2947 (formerly Form PD–602) for each.

(4) *Information at top of form.* In the heading, under "Name of Material", specify the subject chemical to which the Form WPB–2947 (formerly Form PD–602) relates; under "Grade", specify grade stated in Appendix A, or if no grade specified, leave blank; under "WPB Order No.", specify "M–340"; indicate month and year during which deliveries covered by the application are to be made; under "Unit of Measure", specify unit of measure stated in Column 2 to Appendix B; under name of company, specify your name and the address of the plant or warehouse from which shipment will be made.

(5) *Listing of customers.* In Column 1 (except for small orders as explained in (7) below) list the name of each customer from whom an order for delivery of the subject chemical during the applicable month has been received. If it is necessary to use more than one sheet to list customers, number each sheet in order and show the grand total on last sheet which is the only one that need be certified.

(6) *Primary product and end use.* In Column 1–a (except for small orders as explained in (7) below) specify the product or products in the manufacture or preparation of which the subject chemical will be used by your customer, the end use to which such product or products will be put, and military or Lend-Lease contract numbers, and export license numbers, all as indicated by the certificate obtained under paragraph (f) of this order. The quantity of the subject chemical used in the manufacture or preparation of each primary product for each product use shall be shown separately. If the subject chemical ordered by a customer is for two or more uses, indicate each use separately and indicate the quantity of the subject chemical ordered for each use.

(7) *Small orders.* The supplier need not list the name of any customer to whom he is to deliver in the applicable month a quantity of the subject chemical not exceeding the maximum quantity (indicated in Column 3 of Appendix B) which he is permitted to deliver to any one person in any calendar month without specific authorization. Also, in the case of any such delivery, he need not show the name of the product or the end use. Instead, he must write in Column 1 "Total small order deliveries (estimated)" and in Column 4, must specify the total estimated quantity of the subject chemical to be delivered on such orders.

(8) *Use by producers.* A producer requiring permission to use a part or all of his own production of the subject chemical shall list his own name as customer in Column 1 on Form WPB–2947 (formerly Form PD–602) specifying quantity required and product manufactured. Written approval of War Production Board on such Form WPB–2947 (formerly Form PD–602) shall constitute authority to the producer to use the subject chemical in the quantity and for the purposes indicated in such approved form.

(9) *Table II.* Each producer will report production, deliveries and stocks as required by Table II, Columns 9 to 16, inclusive. Distributors will fill out only Columns 10, 12 and 13. Producers and distributors will show in Column 8 Grade, as stated in Appendix A, or if no Grade is there specified, will leave Column 8 blank.

[F. R. Doc. 44–8695; Filed, June 15, 1944; 11:10 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[2d Rev. MPR 346]

CORN

Correction

In F.R. Doc. 43–19490, appearing at page 16606 of the issue for Thursday, December 9, 1943, an approval should be inserted at the end of the document to read as follows: "Approved: Grover B. Hill, *First Assistant Administrator, War Food Administration.*"

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 70]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new section 12.5 is added to read as follows:

SEC. 12.5 *Petition for adjustment of refreshment multiplier.* (a) An institutional user who has a refreshment base may apply to the Board to have his refreshment allotments computed by using different refreshment multipliers than the multiplier of 2 fixed in Supplement 3 to this order. No special form is needed for such an application. Upon such application, the Board shall compute his refreshment allotment for each allotment period beginning with the period in which he applies, by using as his refreshment multiplier for each such period the figure obtained under section 7.3 (b), (c) or (d) by which his base was multiplied in computing his allotment for the corresponding allotment period in the preceding year. However, for the May–June 1944 allotment period the Board shall use the figure used in computing the applicant's allotment for the September–October 1943 allotment period instead of the one used for the May–June 1943 period. For the March–April 1945 allotment period, the Board shall use the figure used in computing the applicant's allotment for the November–December 1943 allotment period instead of the one used for the March–April 1944 period. If an applicant was not in operation during a corresponding allotment period in the preceding year, the Board shall use the figure used in computing the allotment for the corresponding allotment period in the preceding year for a similar or comparable establishment.

This amendment shall become effective June 19, 1944.

NOTE: The reporting and record keeping requirements of this amendment have been approved by the Bureau of Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. 1–E, 1–M and 1–R, 7 F.R. 562, 2865, 7234, respectively; War Food Orders 56, 58, 59, 61, 74, 9 F.R. 4219, 4320, 4321)

Issued this 15th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8706; Filed, June 15, 1944; 11:25 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 11,[1] Amdt. 16]

REPLACEMENT OF RATIONED FOODS USED IN PRODUCTS ACQUIRED BY DESIGNATED AGENCIES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

General Ration Order 11 is amended in the following respects:

1. Section 1.2 (a) is amended to read as follows:

(a) The designated agencies are:

(1) The Army, Navy, Marine Corps or Coast Guard of the United States;

(2) Army Exchanges, Army Exchange Service, Post Exchanges of the Marine Corps, and Ships' Service Activities of the Navy or Coast Guard;

(3) Other activities designated by the Army, Navy, Marine Corps or Coast Guard;

(4) Office of Distribution of War Food Administration;

(5) The Training Organization, and Ships' Service Stores of the Training Organization, of the War Shipping Administration;

(6) The War Shipping Administration with respect to acquisitions of products for use as ships' or canteen stores on any ocean-going vessel of the United States or of any of the United Nations, or on any neutral vessel designated by the War Shipping Administration, which is engaged in the transportation of cargo or passengers in foreign, coastal, or intercoastal trade;

(7) The American National Red Cross, with respect to its acquisitions of products for consumption by members of the armed forces of the United States outside the United States and with respect to its acquisitions of medical supplies for use by allied prisoners of war;

(8) The United Service Organizations, Inc., with respect to its acquisitions of products for consumption by members of the armed forces of the United States outside the United States; and

(9) The United Seamen's Service, Inc., with respect to its acquisitions of products for consumption by merchant seamen outside the United States.

2. Section 2.1 (a) is amended to read as follows:

(a) Any industrial user may obtain replacement of rationed foods used by him in products which are acquired:

(1) On or after April 1, 1944, by the United Service Organizations, Inc. for consumption by members of the armed forces of the United States outside the United States;

(2) On or after June 1, 1944, by the United Seamen's Service, Inc. for consumption by merchant seamen outside the United States; and

(3) On or after July 1, 1943, by any of the other designated agencies, by a Naval vessel or Naval activity of the United Nations, by the Navy, Army and Air Force Institutes (of Great Britain), or for use as ships' or canteen stores on any ocean-going vessel of the United States or of any of the United Nations, or on any neutral vessel designated by the War Shipping Administration, which is engaged in the transportation of cargo or passengers in foreign, coastal, or intercoastal trade, or by the India Supply Mission.

3. Section 2.1 (b) is added to read as follows:

(b) However, if the rationed food was not completely used up in manufacturing the products, he may obtain replacement only of that portion of the rationed food which was used up. (For example, a potato chip manufacturer may use oil to make a batch of potato chips for a designated agency, and then reuse the remaining oil to make potato chips for his other customers. If he can use the oil for five batches of potato chips, he can get replacement only for one-fifth the oil, since that was the amount used up in making the potato chips for the designated agency.)

4. Section 2.4 (c) is amended by deleting the second sentence.

5. Section 3.3 (c) is amended by deleting the second sentence.

6. Section 4.1 (g) is added to read as follows:

(g) The United Seamen's Service, Inc., may open one or more ration bank accounts for each rationed food for which it receives an allocation to make replacements or advances under this order.

This amendment shall become effective June 19, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; WPB Supp. Dir. 1–E, 7 F.R. 2965; WPB Supp. Dir. 1–M, 7 F.R. 8234; WPB Supp. Dir. 1–R, 7 F.R. 9684; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 15th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8705; Filed, June 15, 1944; 11:24 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RPS 56,[1] Correction]

RECLAIMED RUBBER

Section 1315.61 is corrected to read § 1315.60a.

Issued this 15th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8704; Filed, June 15, 1944; 11:23 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 477,[2] Amdt. 6]

SALES OF RUBBER HEELS AND SOLES IN THE SHOE FACTORY AND HOME REPLACEMENT TRADES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 7 (b) (1) is amended to read as follows:

(1) *Maximum prices.* This paragraph is applicable to heels and soles not listed in Appendix A, which are not the same as a heel or sole delivered or offered for delivery in the shoe factory trade by a manufacturer during the period October 1, 1941, to March 31, 1942, inclusive. The phrase "the same as" is defined in subparagraph (5) of the preceding paragraph (a). The maximum manufacturer's price for a heel or sole covered by this paragraph shall be the maximum price established under paragraph (a) for the sale by the nearest competitive manufacturer to the same class of purchaser of a heel or sole made in approximately the same contour, iron, and size and to substantially the same physical specifications as the heel or sole being priced. For example, to price under this section, a men's non-fiber eight-nail reclaimed rubber half heel, size 12/13, made with a tensile strength of 800 and an abrasion of 18, it is necessary to take the maximum price of a competitor who during the base period of October 1, 1941, to March 31, 1942, delivered or offered for delivery a men's non-fiber, eight-nail reclaimed rubber half heel, size 12/13, with an approximate tensile strength of 800 and an abrasion of 18.

This amendment shall become effective June 20, 1944.

Issued this 15th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8686; Filed, June 15, 1944; 11:21 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1B,[1] Amdt. 7]

MILEAGE RATIONING: TIRE REGULATIONS FOR PUERTO RICO

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 1B is amended in the following respects:

1. Section 2.1 (a) (1) (ii) is amended to read as follows:

(ii) To replace a tire which cannot be repaired or recapped or a tube which cannot be repaired, except as provided in section 2.2 (d).

2. The table in section 2.2 (c) is amended to read as follows:

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1002, 11678, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 16787, 17486; 9 F.R. 401, 455, 692, 1810, 2212, 2287, 2252, 2476, 2789, 3030, 3075, 3340, 3704, 3577, 4196, 4393.

[1] 8 F.R. 9008, 9625, 10419, 11671, 12558, 12711, 13171, 13920, 16840; 9 F.R. 848, 1053, 17511, 3076.

[1] 7 F.R. 1313, 2000, 2122, 7669, 8048, 8 F.R. 120, 8843, 9 F.R. 3852.

[2] 8 F.R. 14004, 16196; 9 F.R. 89, 794, 8311.

[1] 8 F.R. 9551, 12695, 14153; 9 F.R. 219, 1318, 1945, 3849.

Type of ration	Adjusted weekly mileage	Eligible for tire or recapping	Eligible for tubes
Basic A only	12 miles a week	Recapping with passenger type camelback.	New or used at applicant's option.
Supplemental B occupational.	Less than 48 miles a week.	Recapping with passenger type camelback if applicant has a recappable carcass; otherwise a Grade III tire.	New or used at applicant's option.
Supplemental B occupational, or C preferred.	48 miles or more a week.	Recapping with passenger type camelback if applicant has a recappable carcass; otherwise at applicant's option a grade III or grade I tire.	New or used at applicant's option.
Fleet passenger and bulk rations.	Adjusted mileage	According to adjusted mileage for each vehicle.	

3. Section 2.2 (d) is amended to read as follows:

(d) *Exceptions to eligibility.* (1) An applicant who is eligible for a Grade I tire may be issued a certificate for the acquisition of such type of tire upon turning in his recappable carcass, only if the vehicle on which the tire is to be mounted is used exclusively for maintaining fire fighting services, or investigation or patrolling necessary to the maintenance of public police service or used for making professional calls by a physician or surgeon duly licensed by the appropriate governmental authorities and regularly rendering necessary professional services of an emergency nature outside his office, or if the Director finds that recapping facilities are unavailable or inadequate.

(2) An applicant whose allowed gasoline mileage would entitle him to a Grade I tire may be limited to a certificate for a Grade III tire if the length of time for which he will need his allowed monthly mileage will be substantially less than the normal life of a Grade I tire.

(3) An applicant to equip a passenger automobile which is not driven by gasoline or which has been issued a currently valid Non-Highway ration shall be entitled to no better than a Grade III tire unless the mileage driven in such vehicle constitutes occupational or preferred mileage under Ration Order 5E and is not less than 48 miles a week.

4. Section 2.3 (a) (4) is amended to read as follows:

(4) *Recapping if possible.* That if the applicant is seeking to replace a tire, it is not capable of being recapped, *Provided, however,* That if the tire sought to be replaced is to be mounted on an ambulance or on a vehicle exclusively used for maintaining fire fighting services or investigation or patrolling necessary to the maintenance of public police service, applicant may obtain a new tire upon turning in a recappable carcass; and

5. Section 2.4 (b) is amended by deleting the word "only" after the word "service" and by inserting between the phrase "a certificate for" and the phrase "recapping service" the phrase "a used tire or for".

6. Section 2.4 (b) (1) is amended by deleting the word "only" after the word "paragraph" and by inserting between the phrase "recapping service" and the phrase "or for a tube", the phrase "a used tire".

7. Section 2.4 (b) (4) is amended to read as follows:

(4) An applicant who is eligible for recapping service, upon turning in his recappable carcass, may be issued a certificate for a used tire, or a certificate for a new tire if a used tire of suitable size and type is not available, only if the Director finds that recapping facilities are inadequate or unavailable.

8. Section 2.5 is amended by deleting from the title the word "and" and by adding to it after the phrase "non-highway vehicle" the phrase "and animal-drawn vehicle".

9. Section 2.5 (b) is amended to read as follows:

(b) A certificate for new tubes or any type of used tires may be issued for an animal-drawn vehicle which if propelled or drawn by mechanical power would be eligible for tires or tubes.

10. Section 2.7 (b), (c), (d), (e), and (f) are hereby revoked, and paragraphs (g) of section 2.7 is redesignated paragraph (b).

This amendment shall become effective as of June 1, 1944.

Issued this 15th day of June 1944.

JORGE L. CORDOVA,
Director, Office of Price Administration for Puerto Rico.

Approved:

JAMES P. DAVIS,
Regional Administrator, Region IX.

[F. R. Doc. 44-8709; Filed, June 15, 1944; 11:27 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 114]

WOODPULP

Maximum Price Regulation No. 114 is redesignated Revised Maximum Price Regulation No. 114 and is revised and amended to read as set forth below.

In the judgment of the Price Administrator, it is necessary and proper to establish prices for sales of woodpulp by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

So far as practicable, the Price Administrator has ascertained and given due consideration to the prices prevailing between October 1 and October 15, 1941 and to relevant factors of general applicability and has advised and consulted with members of the industry which will be affected by this regulation. Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade and industries affected.

§ 1347.221 *Maximum prices for woodpulp.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Revised Maximum Price Regulation No. 114 (Woodpulp), which is annexed hereto, and made a part hereof, is hereby issued.

AUTHORITY: § 1347.221 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

REVISED MAXIMUM PRICE REGULATION No. 114—WOODPULP

CONTENTS

Sec.
1. Prohibition against dealing in woodpulp at prices above the maximum.
2. Less than maximum prices.
3. Geographical applicability.
4. Federal and state taxes.
5. Export sales.
6. Application to import transactions.
7. Evasion.
8. Enforcement.
9. Licensing.
10. Records and reports.
11. Petitions for amendment.
12. Petitions for adjustment.
13. Adjustable pricing.
14. Definitions.
Appendix A—Maximum prices for woodpulp.

SECTION 1. *Prohibition against dealing in woodpulp at prices above the maximum.* On and after June 20, 1944, regardless of any contract or other obligation:

(a) No person shall sell or deliver woodpulp at higher prices than those set forth in Appendix A of this regulation.

(b) No person shall buy or receive woodpulp in the course of trade or business at prices higher than those set forth in Appendix A of this regulation.

(c) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

SEC. 2. *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

SEC. 3. *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight states and to the District of Columbia.

SEC. 4. *Federal and state taxes.* Any tax upon, or incident to, the sale, delivery, processing or use of woodpulp imposed by any statute of the United States or statute or ordinance of any state or any subdivision thereof, shall be treated as follows in determining the seller's maximum price for such woodpulp and in preparing records of such seller with respect thereto:

If, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this regulation.

SEC. 5. *Export sales.* Maximum prices for export sales and sales for export shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation.[1] For the purposes of the said Export Price Regulation, the base domestic price shall be the maximum price established in paragraph (a) (1), (2) and (4) per short air dry ton, f. o. b. producers mill, or f. a. s. vessel producers mill dock. On sales to a merchant or exporter who intends to export woodpulp, the maximum price shall be the maximum price established in paragraph (a) (1), (2) and (4) per short air dry ton, f. o. b. producers mill, or f. a. s. vessel producers mill dock.

SEC. 6. *Application to import transactions.* This regulation applies to transactions in commodities to be imported into the continental United States.

SEC. 7. *Evasion.* The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to woodpulp, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

SEC. 8. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of license as provided by the Emergency Price Control Act of 1942, as amended.

SEC. 9. *Licensing.* The provisions of Licensing Order No. 1,[2] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 10. *Records and reports.* (a) Every person making sales, purchases or exchanges of woodpulp shall keep for inspection by the Office of Price Administration for so long as Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of every purchase, sale or exchange of woodpulp, showing the following:

(1) Date of purchase, sale or exchange.

(2) Name and address of the buyer or seller.

(3) Grade and air dry percentage of woodpulp purchased, sold or exchanged.

(4) Quantity of each grade purchased, sold or exchanged.

(5) Prices paid or received.

(b) Persons required to keep records shall submit such reports to the Office of Price Administration and shall keep such other records in addition to, or in place of, records required in part (a) of this section, as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

SEC. 11. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[3]

SEC. 12. *Application for adjustments.* (a) Any producer of woodpulp who is directed to deliver woodpulp to any consumer by the War Production Board by an allocation or other order or directive and who is prepared to show that his mill net realization is inadequate at ceiling prices in view of his high operating costs, may apply for adjustment of his maximum prices. The amount of adjustment which may be granted will be determined by the Office of Price Administration, and will in no case exceed an amount deemed reasonably necessary to insure the applicant's production of the woodpulp in question in the light of the applicant's costs of production and his overall financial condition.

(1) Applications for adjustment shall be filed in accordance with subpart B of Revised Procedural Regulation No. 1 with the Office of Price Administration, Washington, D. C., and shall include the following data:

(i) Statement of the applicant's maximum price, the grade of woodpulp involved, and the proposed maximum price.

(ii) Statement of the applicant's actual costs involved in the manufacture and sale of the woodpulp on OPA Form 695–239 in accordance with the instructions on that form for a period of not less than one month prior to the filing of the application.

If the applicant has not been in production of the woodpulp in question, an estimate may be furnished on OPA Form 695–239.

(iii) Where required by the Administrator, statement of the applicant's overall financial condition on O. P. A. Forms A and/or B, for the accounting period or periods next preceding the filing of the application.

(iv) Statement listing the purchasers and the end-uses of the grade or grades, if known to the seller, for which the adjustment is requested.

(v) Statement of the reasons why the applicant feels the adjustment is required.

(vi) Such other information as the Administrator may require.

(2) If at the time of the filing of the application any of the information referred to is on file, it need not be resubmitted with the application and may be incorporated in the application by reference.

SEC. 13. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver, or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 14. *Definitions.* (a) When used in the regulation, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Woodpulp" includes any pulped fibre material which has been produced either mechanically or chemically from any fibrous cellulose raw material and from which, by a suitable process of manufacture, paper, paperboard, rayon, nitrocellulose, plastics, and any related products can be made, and also siderun paper or paperboard in rolls when sold for manufacture into any of the aforesaid paper products, or any related products.

(3) "Producer" includes any person who produces woodpulp.

(4) "Consumer" includes any purchaser of woodpulp for its own consumption, the Government of the United States, any foreign government or any agency thereof.

(5) "Domestic sales" includes any sale to a consumer located within the continental limits of the United States.

(6) "Short air dry ton" means a ton of 2,000 pounds composed of 90 parts of oven dry fibre and 10 parts of water by weight.

(7) "G. E. Brightness" means the degree of brightness of pulp, as determined

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4132, 5067, 7063, 9008, 15193; 9 F.R. 1696.

[2] 8 F.R. 13240.

[3] 7 F.R. 8961; 8 F.R. 2313, 3533, 6173, 11806; 9 F.R. 1594, 3075.

by the G. E. Brightness test, as that test is defined in the most recent modification of T. A. P. P. I. Standard Method T 217.

(8) "Bleached softwood sulphite" consists of any and all paper grades of woodpulp, except Mitscherlich, produced by the sulphite process from the wood of coniferous trees and bleached to a G. E. Brightness of 70 or above.

(9) "Unbleached softwood sulphite" consists of any and all paper grades of woodpulp, except Mitscherlich, produced by the sulphite process from the wood of coniferous trees and either unbleached or bleached to a G. E. Brightness of less than 70.

(10) "Bleached hardwood sulphite" consists of woodpulp, except Mitscherlich, produced from the wood of broadleaf trees by the sulphite process and bleached to a G. E. Brightness of 70 or above.

(11) "Unbleached hardwood sulphite" consists of woodpulp, except Mitscherlich, produced from the wood of broadleaf trees by the sulphite process and either unbleached or bleached to a G. E. Brightness of less than 70.

(12) "Bleached Mitscherlich sulphite" consists of woodpulp produced from the wood of either coniferous or broadleaf trees by the sulphite process in horizontal digesters entirely by indirect cooking, and bleached to a G. E. Brightness of 70 or above.

(13) "Unbleached Mitscherlich sulphite" consists of woodpulp produced from the wood of either coniferous or broadleaf trees by the true Mitscherlich process as described in (12) above, and either unbleached or bleached to a G. E. Brightness of less than 70.

(14) "Northern bleached sulphate" consists of woodpulp produced by the sulphate process from the wood of either coniferous or broadleaf trees at any point north of the 39th degree of north latitude and bleached to a G. E. Brightness of above 65.

(15) "Southern bleached sulphate" consists of woodpulp produced by the sulphate process from the wood of either coniferous or broadleaf trees at any point south of the 39th degree of north latitude and bleached to a G. E. Brightness of above 65.

(16) "Northern semi-bleached sulphate" consists of woodpulp produced by the sulphate process from the wood of either coniferous or broadleaf trees at any point north of the 39th degree of north latitude and bleached to a G. E. Brightness of not less than 45 nor more than 65.

(17) "Southern semi-bleached sulphate" consists of woodpulp produced by the sulphate process from the wood of either coniferous or broadleaf trees at any point south of the 39th degree of north latitude and bleached to a G. E. Brightness of not less than 45 nor more than 65.

(18) "Northern unbleached sulphate" consists of woodpulp produced by the sulphate process from the wood of either coniferous or broadleaf trees at any point north of the 39th degree of north latitude and either unbleached or bleached to a G. E. Brightness of less than 45.

(19) "Southern unbleached sulphate" consists of woodpulp produced by the sulphate process from the wood of either coniferous or broadleaf trees at any point south of the 39th degree of north latitude and either unbleached or bleached to a G. E. Brightness of less than 45.

(20) "Bleached soda pulp" consists of woodpulp produced by the soda process from the wood of either coniferous or broadleaf trees and bleached to a G. E. Brightness of 66 or more.

(21) "Unbleached soda pulp" consists of woodpulp produced by the soda process from the wood of either coniferous or broadleaf trees and either unbleached or bleached to a G. E. Brightness of less than 66.

(22) "Groundwood (mechanical woodpulp)" consists of woodpulp produced mechanically by grinding wood from coniferous or broadleaf trees on revolving pulp stones.

(23) "Groundwood pulp—paper machine dried" consists of groundwood pulp dried over a paper machine, and mutilated so that it cannot be used as paper.

(24) "Sulphite screenings" consist of the residuum of woodpulp resulting from and remaining after the production of any grade of sulphite woodpulp.

(25) "Suphate screenings" consist of the residuum of woodpulp resulting from and remaining after the production of any grade of sulphate woodpulp.

(26) "Groundwood screenings" consist of the residuum of woodpulp resulting from and remaining after the production of groundwood pulp.

(27) "Northern unbleached sulphate side-runs" consist of side trim rolls of Kraft paper or paperboard manufactured from Northern unbleached sulphate woodpulp and sold for and used as woodpulp.

(28) "Southern unbleached sulphate side-runs" consist of side trim rolls of Kraft paper or paperboard manufactured from Southern unbleached sulphate woodpulp and sold for and used as woodpulp.

(29) "Standard newsprint side-runs" consist of side trim rolls of standard newsprint paper sold for and used as woodpulp.

(30) "The North-East area" includes the states of Ohio, Pennsylvania, Delaware, Maryland, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine.

(31) "The Lake Central area" includes the states of Michigan, Indiana, Illinois, Wisconsin, Minnesota, Iowa, North and South Dakota, and those parts of Montana, Wyoming, and Colorado east of the Continental Divide.

(32) "The Southern area" includes all parts of the United States south of the North-East and Lake Central areas, and east of the West Coast area.

(33) "The West Coast area" includes the area of the United States west of the Continental Divide.

(34) "The foreign area" includes all foreign countries, except those parts of the Dominion of Canada for which basic transportation allowances are provided by subparagraph (3) of paragraph (a) of appendix A.

(35) "Special sales" and "Accommodation sales" mean sales subject to Maximum Price Regulation No. 204 and Supplementary Order No. 48, respectively.

(36) "Lend-Lease sales" include any and all sales made to the Procurement Division of the Treasury of the United States for or on account of the Lend-Lease Administration.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

APPENDIX A—MAXIMUM PRICES FOR WOODPULP

(a) *Domestic sales.* (1) Maximum prices for woodpulp sold to consumers located within the continental limits of the United States. Prices are per short air dry ton, delivered consuming mill including the basic maximum transportation allowances as provided in paragraph (a) (3) (i) below.

Maximum prices applicable to woodpulp delivered to consumers mills located east of the Continental Divide exclusive of Denver, Colorado, and to woodpulp produced east of said Continental Divide, excluding said City of Denver, and delivered to consumers mills located west of said Divide, or in said city of Denver:

Bleached softwood sulphite	$86.00
Unbleached softwood sulphite	74.00
Bleached hardwood sulphite	83.50
Unbleached hardwood sulphite	71.50
Northern bleached sulphate	86.00
Southern bleached sulphate	79.00
Northern semi-bleached sulphate	82.00
Southern semi-bleached sulphate	75.00
Northern unbleached sulphate	73.00
Southern unbleached sulphate	63.50
Bleached soda pulp	72.00
Unbleached soda pulp	68.00
Groundwood pulp	50.00
Groundwood pulp—paper machine dried	53.00
Sulphite screenings	43.50
Sulphate screenings	38.00
Groundwood screenings	32.00
Northern unbleached sulphate side-runs	73.00
Southern unbleached sulphate side-runs	63.50
Standard newsprint sideruns	50.00

(2) Maximum prices for delivery to consumers mills west of the Continental Divide, including the city of Denver, Colorado, for woodpulp produced west of said Divide, including said city of Denver, shall be $6.00 per short air dry ton less than the maximum prices established in subparagraph (1) of this paragraph.

(3) Basic transportation allowances per short air dry ton. (i) The maximum delivered price established hereinabove may be exceeded, as provided in paragraph (ii) below, where the actual freight charges involved in the shipment of the woodpulp exceeds the appropriate Basic Transportation Allowance as follows:

Area of production of domestic woodpulp	Applying to domestic producers of woodpulp		
	Below 50% air dry weight	50%–80% air dry weight	Above 80% air dry weight
Northeast	$13.50	$11.50	$9.50
Lake Central	13.50	11.50	9.50
Southern	16.00	14.00	11.00
West Coast (applying only to woodpulp sold outside this area)	16.50	15.50	13.50
West Coast (applying only to woodpulp sold in this area)	10.50	9.50	7.50
Canada, east of the Continental Divide	$14.50	$12.50	$9.50
Canada, west of the Continental Divide (applying only to woodpulp sold east of the Continental Divide)	16.50	15.50	13.50
Canada, west of the Continental Divide (applying only to woodpulp sold west of the Continental Divide)	10.50	9.50	7.50
Other foreign areas			

(ii) If the freight cost involved per air dry ton exceeds the basic transportation allowance for the area producing the woodpulp as indicated in the table above, the delivered prices stated in paragraph (a) above may be increased by a sum per short air dry ton not in excess of the difference between the basic transportation allowance and the freight cost involved per air dry ton. In any sale of woodpulp the difference between the basic transportation allowance and the freight cost involved per air dry ton shall be computed by ascertaining the difference between the basic transportation allowance for the producing area in which the woodpulp was actually produced and an amount equal to the actual freight cost per air dry ton involved in transporting such woodpulp from the point where it was produced to the consumer's mill by direct shipment by rail, truck or vessel.

(4) Woodpulp produced in a foreign area on dock in the United States. If woodpulp produced in a foreign area is on dock or in a warehouse within the United States, the maximum price therefor shall be the same as though the woodpulp had been produced in the area in which such dock or warehouse is situated.

(5) Maximum prices for special sales and accommodation sales shall be determined with reference to Maximum Price Regulation No. 204 and Supplementary Order No. 48, respectively.

(b) *Lend-Lease sales.* (1) Maximum prices which may be charged on sales to the Lend-Lease Administration shall be per short air dry ton f. o. b. cars or trucks producer's mill, or f. a. s. barge or steamer at the producer's mill or mill dock as the Lend-Lease Administration may direct, as follows:

	Producing area			
	Northeast	Lake Central	Southern	West Coast
Bleached softwood sulphite	$80.00	$80.00	$78.00	$74.00
Unbleached softwood sulphite	68.00	68.00		63.00
Bleached hardwood sulphite	77.50	77.50	75.50	
Unbleached hardwood sulphite	65.50	65.50	63.50	
Northern bleached sulphate				74.00
Southern bleached sulphate			71.00	
Northern semi-bleached sulphate				70.00
Southern semi-bleached sulphate			67.00	
Northern unbleached sulphate				61.00
Southern unbleached sulphate			55.50	
Bleached soda	66.00	66.00	64.00	

(c) *Maximum prices for certain grades of woodpulp not specifically priced herein.* (1) Producers of sulphite woodpulp of special chemical, high alpha, Mitscherlich or glassine grades; producers of sulphate woodpulp of special chemical or condenser grades; producers shipping pursuant to allocation by the War Production Board woodpulp produced upon equipment not designed for the production of such pulp for sale in the open market; and producers of woodpulps produced in whole or in part from rags, paper stock or any fibre material other than wood shall, before making any sale of woodpulp of any such grade, submit to the Administrator a sworn statement setting forth the relevant facts, including:

(i) Grade and grade name of woodpulps proposed to be sold;

(ii) Special characteristics which bring the grade or grades involved within the provisions of this paragraph (c);

(iii) Proposed sales prices per air dry ton, and terms of sale (i. e. delivered, delivered with freight allowed, f. o. b. mill, ex dock Atlantic seaboard, or other);

(iv) Names and addresses of customers to whom such woodpulps have been sold in the fourth quarter of the year 1941, and thereafter;

(v) Prices per air dry ton at which these woodpulps have been sold to all such customers in the fourth quarter of 1941, and thereafter, and the terms of all such sales;

(vi) An itemized statement of the costs of production of such woodpulps per air dry ton.

(2) After the sworn statement referred to in subparagraph (1) has been received by the Office of Price Administration, the petitioner may sell and deliver any grade of woodpulp at its proposed price, if, but only if, it expressly agrees with each customer to adjust the price, if necessary, to conform with any order or ruling issued by the Administrator with respect thereto. If at the expiration of thirty days from the date of receipt of the said sworn statement, the Administrator does not issue an order establishing a maximum price lower than the petitioner's proposed price for the grade or fails to rule that the grade does not fall within the provisions of paragraph (c) of this section, the petitioner may complete any transactions made by him in the thirty day period aforesaid at his proposed price and may thereafter continue to sell such grade at prices not in excess of his proposed price unless and until the Administrator by order establishes a lower maximum price.

(d) All woodpulps defined, designated or named herein shall be described whenever sold, invoiced, offered for sale or contracted to be sold, under the appropriate name provided by this Revised Maximum Price Regulation No. 114, if any, either in place of or in addition to any other designation employed by the seller.

This Revised Maximum Price Regulation No. 114 shall become effective June 20, 1944.

NOTE: All of the reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8711; Filed, June 15, 1944; 11:26 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 449,[1] Amdt. 2]

GROUNDWOOD SPECIALTY PAPERS

Statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 449 is amended in the following respect:

1. Section 12 is amended to read as follows:

SEC. 12. *Petitions for amendment and applications for adjustment*—(a) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

(b) *Applications for adjustment*—(1) *When adjustments may be granted.* The Office of Price Administration may adjust the maximum price established by this regulation for any grade of groundwood specialty paper in any case in which it finds that the seller is unable to maintain his production of that grade at that price and that either:

(i) Continuance of the seller's production of that grade is required to meet a military or essential civilian need, or

(ii) Loss of the seller's production of that grade will force his customers to resort to higher priced sources of supply, and that no adequate substitute for that grade is available to his customers at a price equal to or lower than the adjusted maximum price which he requests.

(2) *Amount of relief.* The relief granted under this section shall be limited to the amount necessary to insure the maintenance of the manufacturer's production: *Provided, however,* That where an application is filed under paragraph (b) (2) above, the seller's maximum price will not be raised above the general level of prices prevailing for alternative sources of supply of the grade or an adequate substitute therefor.

(3) *Form of application.* Before filing an application for adjustment under the provisions of paragraph (b), it is suggested that each applicant obtain from the Office of Price Administration, Washington, D. C., a statement of the specific information that will be necessary in order that his application may receive prompt action.

This amendment shall become effective June 20, 1944.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8710; Filed, June 15, 1944; 11:25 a. m.]

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 11515; 8 F.R. 14985.

PART 1381—SOFTWOOD LUMBER

[RMPR 94]

WESTERN PINE AND ASSOCIATED SPECIES OF LUMBER

Maximum Price Regulation 94 is redesignated Revised Maximum Price Regulation 94 and is revised and amended to read as set forth below:

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amefided, and Executive Orders 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the industry affected.

§ 1381.501 *Maximum prices for western pine ad associated species of lumber.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, Revised Maximum Price Regulation 94 (Western Pine and Associated Species of Lumber), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1381.501 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681.

REVISED MAXIMUM PRICE REGULATION 94—WESTERN PINE AND ASSOCIATED SPECIES OF LUMBER

ARTICLE I—SCOPE OF THE REGULATION

Sec.
1. Prices higher than ceiling prohibited.
2. What products are covered.
3. What transactions are covered.
4. What persons are covered.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

5. Basic prices and cash discount.
6. Direct-mill retail sales.
7. Sales on delivered basis.
8. Maximum prices for Alaskan lumber.
9. Grades, services and extras not listed.

ARTICLE III—SPECIFIC DUTIES AND PROHIBITED PRACTICES

10. What the invoice must contain.
11. Averaging out.
12. What records must be kept.
13. Prohibited practices.
14. Adjustable pricing.
15. Special pricing rules.

ARTICLE IV—MISCELLANEOUS

16. Petitions for adjustment or amendment.
17. Enforcement.
18. Licensing.
19. Grades.

ARTICLE V—PRICE TABLES

20. Pondercsa pine (and other species commercially sold as Ponderosa, Western or Mexican pine lumber).
21. Idaho white pine.
22. Sugar pine.
23. Larch-Douglas fir and hemlock.
24. White fir.
25. Engelmann spruce and lodgepole pine.
26. Inland red cedar.
27. Incense cedar.
28. Differentials and rules applicable to all grades of all species.
29. Prices in "fringe area" and Canada and Mexico.
30. Prices for mixed species, log run.

ARTICLE VI—TABLES OF ESTIMATED WEIGHTS

*Copies may be obtained from the Office of Price Administration.

ARTICLE I—SCOPE OF THE REGULATION

SECTION 1. *Prices higher than ceiling prohibited.* (a) On and after June 20, 1944, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of business, any Western pine and associated species of lumber for direct mill shipment at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 2. *What products are covered*—(a) *General.* This regulation covers all Western pine and associated species of lumber, whether the grades, sizes and specifications are specifically named in the price tables or not.

(b) *Species and area.* The following species from the following areas are covered by this regulation:

(1) Incense cedar (libocedrus decurrens), Ponderosa pine (pinus ponderosa), Idaho White pine (pinus monticola), Sugar pine (pinus lambertiana), Lodgepole pine (pinus contorta), Mexican White pine (pinus strobiformis), Limber pine (pinus flexiles), Arizona pine (pinus arizonica), Apache pine (pinus apacheca), Chihuahua pine (pine chihuahuana), and any other pine commercially sold as Ponderosa, Western or Mexican pine, produced in Oregon, Washington, California, Idaho, Montana, South Dakota, Wyoming, Colorado, Utah, Nevada, Arizona, New Mexico, or in Canada or Mexico.

(2) Douglas fir (psuedotsuga taxifolia), West Coast hemlock (tsuga heterophylla, tsuga mertensiana), True fir (abies), and Inland Larch (larix occidentalis), produced in Idaho, Montana, South Dakota, Wyoming, Colorado, Utah, Nevada, Arizona, New Mexico, Mexico, and those portions of Washington, Oregon and Canada east of the crest of the Cascade Mountains. If a mill is located near the crest of the Cascade Mountains and has customarily graded and sold its lumber of these species under the West Coast Lumbermen's Association Standard Grading and Dressing Rules, it may apply to the Portland, Oregon office of the Office of Price Administration for special permission to use the maximum prices in Revised Maximum Price Regulation No. 26, instead of the prices in this Revised Maximum Price Regulation No. 94.

(3) Engelmann Spruce (picea), and Red Cedar (thuja plicata) produced in Idaho, Montana, South Dakota, Wyoming, Colorado, Utah, Nevada, Arizona, New Mexico, California, Alaska, Mexico, and in those portions of Oregon, Washington, and Canada east of the crest of the Cascade Mountains.

SEC. 3. *What transactions are covered*—(a) *Direct mill shipments.* This ceiling applies to all shipments originating at a mill, no matter who the seller is and no matter whether he usually is known as a mill, wholesaler, retailer, or anything else. It does not apply to sales out of distribution yard stock. (The prices for yard sales may be found either in Second Revised Maximum Price Regulation No. 215[1] or in the General Maximum Price Regulation,[2] depending on the nature of the sale and the purchaser). A shipment is regarded as originating at a mill if the lumber reaches the purchaser without ever becoming an integral part of the stock of a distribution yard. A sale is considered a sale out of distribution yard stock only if the lumber was a part of regular yard stock at the time the sale was made. For example, if a retail yard takes an order for a defense housing project, and then brings the lumber from a mill, puts it in his yard, and delivers it as needed, the sale is subject to this regulation.

(b) *How to tell a mill from a distribution yard.* The term "mill" as used here, covers what are known in the trade as sawmills, planing mills, and concentration yards. Three types of establishment are described below: The first (1), a typical sawmill or planing mill; the second (2), a typical concentration yard; and the third, (3), a typical distribution yard. An establishment which resembles (1) or (2) more than it does (3) is considered a mill; and one which resembles (3) more than it does (1) and (2) is considered a distribution yard:

(1) "A typical sawmill or planing mill" is an establishment which is chiefly engaged in manufacturing lumber from logs or rough lumber by sawing or planing; which is located in or near a lumber producing area; which makes and sells chiefly Western pine and associated species of lumber;

(2) "A typical concentration yard" is an establishment which concentrates and prepares lumber for commercial shipment, which keeps in stock mostly Western pine and associated species of lumber, which has its lumber brought in chiefly in rough green form by truck from small local sawmills and sells chiefly for rail shipment, and which has been located at its particular site to be near the lumber producing area;

[1] 8 F.R. 14145; 9 F.R. 221, 2553, 2948, 4227, 5814.

[2] 9 F.R. 1385, 5169.

(3) "A typical distribution yard" is a wholesale or retail lumber yard which gets lumber from mills or other yards; unloads, sorts, stores, and resells or redistributes it; which regularly maintains a varied stock of lumber from different regions; which gets its lumber mostly by rail and sells mostly for truck shipment; which is equipped to make quick deliveries of many different items of lumber; and which has been located at its particular site in order to be near a lumber consuming area.

(c) *New yards.* In order to prevent violation of this regulation by unnecessary routing through yards, the Office of Price Administration will not recognize distribution yards set up after January 5, 1943, unless the new yard writes to the Office of Price Administration, Washington, D. C., and proves that it satisfies the requirements of the definition and that the purpose is not to get around this regulation by means of unnecessary yard business. Until approval is received, the new yard cannot consider itself a distribution yard for the purpose either of this regulation or any other regulation issued by the Office of Price Administration.

(d) *No quantity limits.* There are no quantity limits on the transactions covered by this regulation. All direct mill sales, large or small, are covered.

SEC. 4. *What persons are covered.* Any person who makes the kind of sale or purchase described above, for himself or others, is subject to this regulation. The term "person" includes an individual, corporation, partnership, association or any other organized group, their legal successors and representatives, the United States or any government or any of their political subdivisions or any agency of any of the foregoing.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 5. *Basic prices and cash discount*—(a) *Basic prices.* The basic mill ceiling prices are set forth in Article V—Price Tables.

(b) *Cash discount.* If cash is paid the maximum price must be reduced by the seller's October 1941 cash discount. For example, if the October 1941 discount for cash was 2%, and the maximum price without discount according to this regulation is $30.00, the maximum price when cash is paid is $29.40. If the seller was not in business in October 1941 the discount for cash shall be 2%. In any case on specific written allocations issued by the Office of the Chief of Engineers, War Department, the terms 30 days net may be used regardless of former practices.

SEC. 6. *Direct mill retail sales.* An addition of $3.50 per thousand board feet may be made on a sale of less than 20,000 ft. BM (or less than carload if by rail), to any buyer who does not purchase for resale, where the shipment originates at a mill and the seller:

(a) Sees that the lumber is delivered to the job site at such time and in such manner as the buyer specifies. This does not mean that the seller must make free delivery. When delivery is made by private truck owned or controlled by the seller; delivery charge may be made as provided in section 7 (a) (2).

(b) Gives the buyer the privilege of exchanging the lumber and returning unused material; and

(c) Agrees to make good any shortage promptly from stocks kept on hand for that purpose.

The size of the sale is determined by the total quantity involved in the transaction without regard to whether it is broken up into smaller orders or deliveries.

SEC. 7. *Sales on delivered basis*—(a) *Transportation addition.* On sales on delivered basis transportation charges set forth below may be added to the maximum f. o. b. mill prices.

(1) *Common or contract carrier.* (i) When the estimated dry weights in Article VI are used, the rate times the estimated weight is the proper transportation charge even if the estimated dry weights are higher than actual weights. Estimated green weights may be used in calculating transportation charges only if the moisture content is greater than 19%. Higher estimated weights than those in Article VI may not be used. The estimated weight must be the weight for the exact kind of lumber actually shipped. For example, green weights cannot be used if dry lumber is shipped. The transportation charge may be evened out to the nearest quarter dollar per M.

(ii) When estimated weights are not used, the amount added for transportation must not be more than the amount actually paid to the common or contract carrier, evened out to the nearest quarter dollar per M.

(2) *Private truck.* (i) When shipment is by truck owned or controlled by the seller, the following amounts may be added for transportation: For distances up to and including 10 miles, $1.50 per M'; over 10 and up to and including 20 miles, $2.00 per M'; and over 20 and up to and including 30 miles, $2.50 per M'. Where the distance is greater than 30 miles the seller may charge the amount of the railroad charge at the carload rate for the most similar haul or $3.00 per M', whichever is greater. Distance, as used in this paragraph means the distance from the mill to the point of destination as measured by the speedometer. No addition may be made for the return trip.

(ii) The provisions of this section 7 (a) (2) and (3) shall not apply to sales and deliveries of mixed species, log run lumber from mills in the "fringe area." As to these transactions, the permitted additions for trucking by private truck and trucking to railhead are shown separately in footnotes (1) and (2), section 30.

(3) *Trucking to railhead.* When a truck haul precedes rail shipment, as when a mill located away from the railhead hauls lumber by truck to the railhead, no addition may be made for the truck haul. However, where a mill's rail connection has been abandoned since September 5, 1941, the mill may apply for special permission to make an addition.

The application should be made by letter to the Lumber Branch of the Office of Price Administration, Washington, D. C., and may be acted upon by letter. The addition may not be made on quotations or sales until permission has been received.

(4) *Truck delivery after rail haul.* When truck delivery follows a rail haul, there may be added for the delivery an amount not greater than the addition permitted by subparagraphs (1) and (2) of this paragraph, whichever is applicable.

(5) *All truck haul.* When an all-truck haul ends in delivery to the job site, no special addition may be made above the charges provided in subparagraphs (1) and (2) of this paragraph, since in this case delivery to the job site involves no extra expense.

(b) *Susanville rate on delivered sales to California.* Regardless of other provisions of this section, on delivered sales to purchasers in California, if shipment originates at a mill in California from which the railroad freight rate to the California destination is less than the rate from Susanville, California, to the same destination, the addition for transportation may be computed by multiplying the appropriate estimated weight as shown in Article VI by the applicable freight rate from Susanville, California to the California destination. This provision does not apply to f. o. b. mill sales nor to direct-mill retail sales.

(c) *Government bill of lading.* Where shipment is made on government bill of lading, the maximum price payable to the seller may be computed by determining what would be the maximum delivered price on the basis of estimated weights and commercial rates and subtracting therefrom the commercial rate times the actual weights.

SEC. 8. *Maximum prices for Alaskan lumber.* (a) The maximum f. o. b. mill prices for Engelmann Spruce, Red Cedar, and Incense Cedar lumber produced in Alaska and delivered to points outside the continental United States shall be the maximum f. o. b. mill prices set forth in Article V, plus an amount equal to freight under the Maritime Commission's published freight rate from Seattle, Washington, to the mill's shipping point, including surcharges, War Risk insurance, and wharfage and handling

charges under the published Seattle Wharfage and Handling rate for comparable lumber.

(b) The maximum delivered prices for such lumber shall be the maximum f. o. b. mill price arrived at according to the foregoing, plus transportation charges permitted by section 7.

SEC. 9. *Grades, services or extras not listed.* (a) If a seller wishes to sell a grade which is not specifically priced in the price tables, or wishes to make an addition for special workings, specifications, services, or other extras for which additions are not specifically permitted, he must apply to the Lumber Branch, Office of Price Administration, Washington, D. C., for a maximum price. He must provide the following information:

(1) The requested price;

(2) A complete description of the item to be priced;

(3) The price differential between it and the most comparable item in the price tables, between October 1, 1941 and June 1, 1942, from the seller's own records, or if that is impossible, from the experience of the trade. If no established price differential existed, a detailed analysis of comparative value should be furnished.

(b) As soon as the request has been filed, quotations and deliveries may be made at the requested price, but the final payment may not be made until the price has been approved. Action on the request may be by letter or telegram.

(c) In all cases where special prices have been approved by the Lumber Branch of the Office of Price Administration under § 1381.507 (c) of the earlier regulation, Maximum Price Regulation 94, these special prices shall no longer apply if specific prices for the items are established by this regulation; but if no specific prices are established in the price tables, the price approved under the earlier regulation shall continue in effect.

ARTICLE III—SPECIFIC DUTIES AND PROHIBITED PRACTICES

SEC. 10. *What the invoice must contain*—(a) *Sales f. o. b. mill.* All invoices must contain a sufficiently complete description of the lumber to show whether the price is proper or not. Any working, specification, or extra which affects the maximum price must be mentioned in the description. The amount added for these does not have to be separately shown.

(b) *Sales on delivered basis.* In addition to information called for in paragraph (a) above, on all delivered sales, invoice must also show the:

(1) Point of origin of shipment;

(2) Destination;

(3) Rail rate, if estimated weights are used; otherwise actual amount added for transportation;

(4) The words "Direct-mill shipment."

(5) Any separate charge which the seller is permitted to make for truck delivery after rail haul, or for trucking to railhead, must be shown separately on the invoice.

(c) *Direct-mill retail sales.* If the "direct-mill retail sale" mark-up is permissible and is added, this must be separately indicated in the invoice.

SEC. 11. *Averaging out*—(a) *Different grades, classes or sizes.* Different grades, classes, or sizes of lumber may be sold and invoiced at an average price if all the following conditions are observed:

(1) The footage of each item must be shown separately, and a piece tally must be furnished for each shipment.

(2) The average price for the lumber actually shipped must not be higher than it would have been if all the individual grades, classes, and sizes shipped had been sold separately at the individual ceiling price.

(3) If the order is shipped in more than a single carload, truckload, or boat shipment, the following invoicing and charging practices must also be followed:

(i) The invoice must show that it is part of a larger order and identify the order. It must also show the individual ceiling prices for the various items of lumber actually contained in each shipment, and the average selling price agreed upon.

(ii) The charges which may be made and collected on account for each shipment must not exceed the average price agreed upon or the total for the items in the particular shipment, whichever is the lower. Thus, if an average price of $40.00 was quoted on items with ceiling prices ranging from $38.00 to $42.00, and if a car of items with ceiling price of $38.00 was shipped, only the $38.00 price can be charged and collected on the car. But if a car of items with ceiling price of $42.00 was shipped, only the average price of $40.00 could be charged on that car.

(iii) Upon completion of the order the seller must render a final invoice showing the quantity of each shipment or delivery, the freight charge for each if sold on a delivered basis, the amount received on account, the total amount due on the order at the agreed average price and a reconciliation of the total amount so computed with the maximum prices permitted by this regulation. Final payment and all necessary adjustments between the buyer and seller are to be made upon the final reconciliation.

(b) *Different freight rates.* When a single order, for which a single flat delivered price was quoted and accepted, is shipped from two or more mills to a single destination on varying freight rates, the seller may average out the transportation charges. For example, if a wholesaler bids $33.00 per MBM on a single order of a hundred thousand feet of lumber, the ceiling price being $30.00 per MBM and the estimated freight $3.00, he can ship half of it on a rate resulting in a $2.00 freight charge and half on a rate resulting in a $4.00 freight charge.

(1) Where this practice is adopted, the seller must observe all of the following conditions:

(i) Each invoice must state that the particular shipment is part of a larger order and identify the order. It must also show the individual rates for each shipment or delivery.

(ii) The transportation charges which may be made and collected for each shipment or delivery, on account, must not exceed the average transportation charge figured on the entire order or the actual transportation charge for the particular shipment based upon the permitted estimated weights, whichever is the lower.

(iii) Upon completion of the order the seller must render a final invoice showing the individual f. o. b. mill prices separately, the amount shipped from each mill, the freight charge for each shipment, and a reconciliation of the total amount so computed with the agreed delivered selling prices and also with the maximum prices permitted by this regulation. In the event that the sale was made at an average price for different grades, classes or sizes of lumber as well as an averaging-out of transportation charges, the provisions of (a) above shall also be observed. Final payment and all necessary adjustments between the buyer and seller are to be made upon the final reconciliation.

SEC. 12. *What records must be kept.* All sellers and all buyers who, in any one calendar month, sell or buy 20,000 board feet or more of any lumber covered by this regulation must keep records which will contain a complete description of the lumber involved, the name and address of the other party to the transaction, the date of the sale, and the prices. Such records must be retained for two years, for inspection by the Office of Price Administration.

SEC. 13. *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to changes in credit practices and cash discounts and to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific practices.* The following are some of the specific practices prohibited:

(1) Getting the effect of a higher price by changing credit practices from what they were in October 1941. This includes decreasing credit periods or making greater charges for extension of credit.

(2) Refusing, without good reason, to ship except in specified or restricted random lengths or under other circumstances which bring the seller an extra return.

(3) Selling as specified lengths or widths, a specific lot or shipment of lumber which is substantially equivalent to random lengths or widths, or reselling intact as specified lengths or widths a specific lot or shipment bought by the seller as standard or random lengths or widths, unless specifically permitted in the price tables. This prohibition shall not apply to shipments or deliveries which have been sorted out as to widths and lengths and then resold.

(4) Grading as a special grade, lumber which can be graded as a standard grade; or wrongly or falsely grading or invoicing lumber. Selling lumber surfaced to standard dimension thickness as common board grade is considered to be false grading and invoicing.

(5) Making additions for special specifications, services, or other extras which are not specifically permitted.

(6) Refusing to sell on an f. o. b. mill basis, or refusing to sell on a delivered basis.

(7) Failing to invoice properly and in accordance with the requirements of this regulation.

(8) Unnecessarily routing lumber through a distribution yard.

(9) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(10) Getting a higher price by charging the buyer for ripping or resawing, or charging on a basis of an original size larger than the item actually delivered (for example, charging the price of 8/4 x 8 resawn to 4/4 x 8 on a sale of 4/4 x 8) except where the items ordered and delivered are non-standard sizes not specifically priced in the tables. This prohibition has no application where the buyer specifies the larger size to be ripped or resawn into items of smaller size and the resulting items are priced higher in the tables than the original larger size; for example, the buyer may order 1 x 4 C Select, priced at $61.00 per MBM ripped to 1 x 2. By buying the larger size ripped the price to the buyer is lower ($62.00) than it would have been had he ordered the 1 x 2 as such ($64.00). In this example the maximum price is $62.00.

(11) Making the buyer take something he does not want; for example, making a buyer who orders No. 3 Common take all the upper and lower grades developing in running the No. 3.

(12) Breaking up an order or apportioning deliveries in order to get the $3.50 direct-mill retail sale addition.

(c) *Adding commission to ceiling prohibited.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring (including buying, selling, or locating lumber, or for any related service such as "expediting") which does not involve actual physical handling of lumber, if the commission plus the purchase price results in a total payment by the buyer of lumber which is higher than the maximum price of the lumber. For the purpose of this regulation, a commission is any compensation, however designated, which is paid for the procurement of lumber. This prohibition has no application to the case of a bona fide employer-employee relationship where the employee serves only one employer, insofar as lumber procurement is concerned, and where the compensation paid by the employer is a fixed salary and not based directly on the quantity, price, or value of the lumber in connection with which the service is rendered.

(d) *Combination grades.* Lumber sold on combination grades may not be sold above the maximum price for the lowest priced grade actually named in the combination. For example, the maximum price for lumber sold as No. 3 Common and better is the maximum price fixed for No. 3 common lumber. It is permissible to quote with specified higher grades as developed but when the lumber is shipped, the quantities falling in each grade must be tallied separately on a board foot basis and either loaded separately or so marked that the buyer may easily identify each grade for the purpose of checking against invoice when unloading, and separately invoiced at prices not in excess of ceiling prices for the respective grades. The provision for separating or marking grades does not apply to shop grades when sold to millwork establishments.

SEC. 14. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purpose of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 15. *Special pricing rules.* (a) Where the buyer specifies restricted lengths or restricted widths and the shipment fails to conform, the entire shipment must be priced at the random length or random width price (unless the agreed price is lower).

(b) Where the buyer orders a random length shipment, and the given percentages of lengths as specified in footnotes to some of the price tables are not met because there is too large a percentage of shorts, the excess shorts must be priced at the separate prices for the short lengths.

ARTICLE IV—MISCELLANEOUS

SEC. 16. *Applications for adjustment or petitions for amendment*—(a) *Government contracts.* See Procedural Regulation No. 6[3] for adjustment provisions on certain government contracts or subcontracts.

(b) *Petitions for amendment.* Any person seeking an amendment of any provisions of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[4] issued by the Office of Price Administration.

(c) In treating with petitions for amendment or adjustment, consideration will not be given to log costs which are higher than the applicable maximum purchase prices for logs established in Maximum Price Regulation 348, or any revision or amendment to that regulation. This rule shall be followed regardless of whether the petitioner gets logs by purchasing them, logging his own standing timber, contracting for the logging of his own standing timber, or any other means. All petitions in any way based on the cost of logs must show the actual cost to the petitioner of logs received at his plant during the three months immediately prior to filing the petition and the cost which would have been incurred by the petitioner if all of these logs had been purchased by him at ceiling prices.

SEC. 17. *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) War Procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. Persons who make sales covered by this regulation to war procurement agencies and buyers to whom lumber has been allocated by any such agencies are, however, subject to all the liabilities imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department or any of their agencies.

SEC. 18. *Licensing.* The provisions of Lincensing Order No. 1,[5] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 19. *Grades.* All grades and size terms appearing in this regulation refer to, and have the meaning given in current Grading and Dressing Rules issued by the Western Pine Association.

ARTICLE V—PRICE TABLES

SEC. 20. *Ponderosa pine.* For Ponderosa pine lumber (and other species commercially sold as Ponderosa, Western, or Mexican pine lumber, if not specifically priced in another section) the maximum prices f. o. b. mill per one thousand feet board measure, surfaced, and air dried or kiln dried (except where otherwise specified in price tables), in mixed or straight load shipments, shall be as follows:

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[3] 7 F.R. 5067, 5664; 8 F.R. 6173, 6174, 12094.

[4] 8 F.R. 6173, 11806; 9 F.R. 1894, 3075.

[5] 8 F.R. 13240.

TABLE 1—SELECT GRADES (PONDEROSA PINE)

R. L. S2S or S4S	4/4	5/4	6/4	8/4	10/4	12/4	16/4
1 and 2 clear (B and better):							
Specified widths:							
2"	$68.00	$75.00	$75.00	$81.00			
3"	70.00	75.00	75.00	81.00			
4"	65.00	72.00	72.00	78.00	$108.00	$108.00	$116.00
5"	71.00	82.00	82.00	88.00	113.00	118.00	126.00
6"	67.00	72.00	72.00	78.00	103.00	108.00	116.00
8"	69.00	77.00	77.00	83.00	108.00	113.00	121.00
10"	71.00	82.00	82.00	88.00	113.00	118.00	126.00
12" and 13" and wider	90.00	92.00	92.00	98.00	128.00	128.00	126.00
R. W. 4" and wider	71.00	72.00	72.00	78.00	103.00	108.00	116.00
C Selects:							
Specified widths:							
2"	64.00	69.00	69.00	74.00			
3"	66.00	69.00	69.00	74.00			
4"	61.00	66.00	66.00	71.00	92.00	96.00	106.00
5"	67.00	76.00	76.00	81.00	102.00	106.00	115.00
6"	63.00	66.00	66.00	71.00	92.00	96.00	105.00
8"	65.00	71.00	71.00	76.00	97.00	101.00	110.00
10"	67.00	76.00	76.00	81.00	102.00	106.00	115.00
12" and 13" and wider	86.00	86.00	86.00	91.00	112.00	116.00	126.00
R. W. 4" and wider	67.00	66.00	66.00	71.00	92.00	96.00	105.00
D Selects:							
Specified widths:							
2"	51.00	55.00	55.00	60.00			
3"	53.00	55.00	55.00	60.00			
4"	48.00	52.00	52.00	57.00	73.00	78.00	86.00
5"	54.00	62.00	62.00	67.00	83.00	88.00	96.00
6"	50.00	52.00	52.00	57.00	73.00	78.00	86.00
8"	52.00	57.00	57.00	63.00	78.00	83.00	91.00
10"	54.00	62.00	62.00	67.00	83.00	88.00	96.00
12" and 13" and wider	68.00	72.00	72.00	77.00	93.00	98.00	106.00
R. W. 4" and wider	54.00	52.00	52.00	57.00	73.00	78.00	86.00

D and better short selects, 5' to 9' S2S or S4S
1 x 4 and wider—$44.
5/4 and thicker, 4" and wider—$47.

Condition:
1. Rough, all thicknesses—deduct $2.
2. Green, deduct 10 percent from dry price.

Grade differentials:
3. Stain: Stained selects that for defects other than stain would grade:
B and better—Deduct $5 from price of B and better.
C or C and better—Deduct $5 from price of C.
D or D and better—Deduct $5 from price of D.
4. Pitchy selects, deduct $10 from price of D select.
5. Australian clears, same price as D select.

Widths:
6. Specified widths:
Specified widths over 12", for each inch over 12"—add $2.00 to 12" price.
Odd widths, 7", 9" and 11"—add $1.00 to 8", 10" and 12" and so scaled.

Widths—Continued.
7. Special random widths:
6" and wider—add $0.50 to RW price.
8" and wider—add $2 to RW price.
10" and wider—add $7 to RW price.
12" and wider, same as 12" price.
14" and wider—add $5 to 12" price.
16" and wider—add $10 to 12" price.
18" and wider—add $15 to 12" price.
20" and wider, (except drainboards)—add $20 to 12" price.
22" and wider (except drainboards)—add $25 to 12" price.

Lengths:
8. Specified lengths:
4/4–10', 12' and 14'—add $2.
4/4–16'—add $5.
4/4–18' and 20'—add $10.
5/4–and thicker–16' and shorter—add $6.
5/4–and thicker–18' and 20'—add $10.
9. Restricted random lengths: 10' and longer 4/4 and thicker—add $2.

TABLE 2—SHOP LUMBER (PONDEROSA PINE)

S2S RW and RL	4/4	5/4	6/4	8/4	10/4	12/4	16/4
4/4 shop common	$33.50						
No. 3 clear	42.00	$56.00	$56.00	$70.00	$81.00	$86.00	$98.00
No. 1 shop		43.00	43.00	53.00	65.00	66.00	78.00
No. 2 shop		38.00	38.00	44.00	50.00	52.00	59.00
No. 3 shop		31.00	31.00	32.00	36.00	38.00	42.00

Condition:
1. Rough:
4/4 shop common—deduct $1.
No. 3 clear—deduct $2.
No. 1 shop—deduct $2.
No. 2 and No. 3 shop—deduct $1.
2. Green: Deduct 10 percent from dry price.

Grade differentials:
3. Stained:
4/4 shop—deduct 5 percent from grade price.
5/4 and thicker, all grades—deduct 10 percent from grade price.

TABLE 3—COMMON BOARDS (PONDEROSA PINE)

RL, S2S or S4S (13" and wider RW. S2S only)	1 x 4 and wider	1 x 4	1 x 6	1 x 8	1 x 10	1 x 12	1 x 14	1 x 16	1 x 18	1 x 20
No. 1		$46.00	$46.00	$46.00	$47.00	$52.00	$55.00	$59.00	$68.00	$67.00
No. 2		40.00	39.00	38.00	38.00	40.00	43.00	47.00	51.00	54.00
No. 3		35.00	35.00	34.00	34.00	34.00	35.00	37.00	39.00	41.00
No. 4	$25.00	24.00	23.00	23.00	23.00	23.00	23.00	23.00	23.00	23.00
No. 5	17.00	17.00	17.00	18.00	18.00	18.00	18.00	18.00	18.00	18.00

TABLE 3—COMMON BOARDS (PONDEROSA PINE)—Continued

No. 4 and better short common, S2S or S4S:	
1 x 4 and wider 6' and 8'	$23
1 x 4 only, 6' and 8'	22
1 x 6" and 1 x 8"—6' and 8'	24

Condition:
1. Rough—Deduct $1.
2. Green—Deduct $2.

Grade Differentials:
3. Knotty pine panel stock: Add $5 to price of regular grade from which selected.

Widths:
4. Special random widths:
No. 1 and 2 common, 13" and wider: Add $4 to 12" price.
No. 3 common, 13" and wider: Add $2 to 12" price.
No. 4 and 5 common, 1 x 8 and wider: Add $0.50 to RW price.
No. 4 and 5 common, 13" and wider; Same price as 12".
5. Odd widths:
7", 9" and 11": Add $1 to 8", 10" and 12" price, and so scaled.

Lengths:
6. Specified lengths:
No. 1, 2 and 3 common:
4" and 6"—16', 18' and 20'—add $2.
8" and wider—10', 12', 18' and 20'—add $2.
No. 4 and 5 common:
Specified lengths 10', 12', 14', 16', 18' and 20'—add $2.
When shipped all 6' (all grades)—deduct $3.
No. 4 and 5 common, RW and RL may contain 20% 4' to 8' and 20% 4".
7. Restricted random lengths:
10' and longer, 4/4 and thicker—add $1.

Thickness:
8. Additions for thicknesses:
No. 1 common:
5/4, 6/4 and 8/4—add $5.
10/4 and 12/4—add $12.
No. 2 common:
5/4, 6/4, and 8/4—add $4.
10/4 and 12/4—add $8.
No. 3 common:
¾, ⅞ and 1"—add $3.
1¼ and 1½—add $6.
No. 4 and 5 common:
5/4 and thicker—add $2.
9. Special thicknesses:
For 1⅛" use price of corresponding grade and width of 8/4" plus $2.50 less 25% for surface measure price.

TABLE 4—DIMENSION (PONDEROSA PINE)

RL S1S1E or S4S 1-9/16" HM scaled as 2"	2 x 4	2 x 6	2 x 8	2 x 10	2 x 12
No. 1	$31.00	$30.00	$29.50	$30.00	$30.00
No. 2	28.00	27.00	27.00	27.00	27.00
No. 3	18.50	17.50	17.50	17.50	17.50

Condition:
1. Rough—deduct $1.
2. Green—deduct $2.

Widths:
3. Wider than listed. For each 2" wider than listed: Add $1 to price of widest listed width.

Lengths:
4. Specified lengths:
14' and shorter—add $1.
16'—add $0.50.
18' and 20'—add $2.

Thickness
5. Thicker than listed:
For 1¾" add, No. 1—$4.50, No. 2—$4, No. 3—$3.
For 1¾" add, No. 1—$6.75, No. 2—$6, No. 3—$4.75.

SEC. 21. *Idaho White Pine.* For Idaho White Pine lumber the maximum prices f. o. b. mill per one thousand feet board measure, surfaced, air dried or kiln dried (except where otherwise specified in price tables), in mixed or straight load shipments, shall be as follows:

TABLE 1—SELECT GRADES (IDAHO WHITE PINE)

RL S2S or S4S	1 x 2	1 x 3	1 x 4	1 x 5	1 x 6	1 x 8	1 x 10	1 x 12
B and better	$73.00	$79.00	$76.00	$79.00	$77.00	$77.00	$91.00	$100.00
C select	72.00	74.00	73.00	77.00	75.00	76.00	74.00	77.00
D select	54.00	54.00	52.00	57.00	52.00	52.00	61.00	

RL S2S or S4S	5/4 x 2	5/4 x 3	5/4 x 4 or 5/4 x 4 and wider	5/4 x 5	5/4 x 6	5/4 x 8	5/4 x 10	5/4 x 12
B and better	$92.00	$94.00	$90.00	$90.00	$91.00	$94.00	$99.00	$109.00
C select	82.00	84.00	79.00	82.00	81.00	84.00	88.00	92.00
D select	70.00	72.00	67.00	77.00	66.00	72.00	72.00	87.00

D and better short selects, 5' to 9' S2S or S4S:
1 x 4 and wider (35% 4')—$46
1 x 5—44
1 x 6—45
1 x 8—48
5/4 and thicker, RW—50

Condition:
1. Rough, all thicknesses—deduct $2.
2. Green—deduct 10% from dry price.

Grade differentials:
3. Stain: For stained selects that for defects other than stain would grade:
B and better—deduct $5 from price of B and better.
C or C and better—deduct $5 from price of C.
D or D and better—deduct $5 from price of D.
4. Pitchy selects, deduct $10 from price of D select.
5. Specified widths over 12" for each inch over 12"—add $2 to 12" price.

Thickness:
18. Additions for thickness to 5/4 RL S2S price.

	5/4	6/4	8/4	10/4	12/4	16/4
B and better	None	$14.00	$18.00	$49.00	$54.00	$64.00
C	None	14.00	18.00	39.00	44.00	54.00
D	None	6.00	6.00	25.00	33.00	45.00

TABLE 2—SHOP LUMBER (IDAHO WHITE PINE)

RW & RL S2S	4/4	5/4	6/4	8/4	10/4	12/4	16/4
4/4 shop common	$35.00						
No. 1 shop		$57.50	$57.50	$72.50	$97.50	$107.50	$117.50
No. 2 shop		42.00	42.00	47.00	67.50	69.50	76.50
No. 3 shop		32.50	32.50	32.50	47.00	48.50	55.50

Width and thickness:
6. Wider and/or thicker than listed: For each 2" increase in either dimension add $1 to price of largest listed size.

TABLE 6—MILL RUN BOX AND SHOP DROPPINGS (PONDEROSA PINE)

4/4 RW, RL rough dry	$27.50
5/4 and thicker RWRL rough dry	26.50

Condition:
1. S2S—add $1.
2. Green—deduct $1.50.

Grade:
3. Mill run box: Product of log below No. 2 shop as produced by mill.

Width:
4. Specified widths: No addition.

TABLE 7—BEVEL SIDING (PONDEROSA PINE)

7/16" x 1½" SM—5" and longer	Ba&Btr.	C	D	E
½ x 6"	$29.50	$28.00	$20.50	$16.00
½ x 8"	32.50	30.50	22.50	
½ x 10"	31.50	30.50	23.00	16.50
½ x 12"	31.50	30.50	23.00	16.50
½ x 6" shorts 3 to 8'	24.50	23.00	15.00	10.50
½ x 8" shorts 3 to 8'	27.50	26.00	17.00	

Lengths: B & Btr, C and D may contain 20% 8' to 8½', in multiples of 6".
2. E may contain 85% 8' to 8½' in multiples of 6".
3. Restricted random lengths: 9' and longer—add $3.

TABLE 8—MOULDING STOCK (PONDEROSA PINE)

4/4 RW and RL S2S	$43
5/4 and thicker RW and RL S2S	45

Condition:
1. Rough—deduct $1.
2. Green—deduct 10% from dry price.

TABLE 9—MOULDING LUMBER AND BETTER (PONDEROSA PINE)

4/4 RW and RL, rough dry	$48
5/4 and thicker RW and RL rough dry	50

Condition:
1. For S2S—add $1.
2. Green—deduct 10% from dry price.

Grade:
3. Product of log above No. 1 shop, producing 50% ripa 2" and wider 10' and longer.

TABLE 10—DRAINBOARD STOCK (PONDEROSA PINE)

5/4 and 6/4 1 and 2 clear (B & Btr) S2S selected:	
20" and wider RWRL	$110
22" and wider RWRL	125

Condition:
1. Rough—deduct $2.
2. Green—deduct 10% from dry price.

Thickness:
3. For 8/4—add $5.

TABLE 11—LATH (PONDEROSA PINE)

⅜" x 1½"—4' No. 1—$6 per M Pcs.	
⅜" x 1½"—4' No. 2—$5 per M Pcs.	
⅜" x 1½"—32" No. 1—$2.70 per M Pcs.	
½" x 1½"—4' Fence lath (50% No. 1-30% No. 2)—$7.25 per M Pcs.	

TABLE 12—BASKET STRIPS (PONDEROSA PINE)

1 x 4" RL S2S or S4S, may contain 25% 6' and 8'	$21.75
1 x 4"—6' and 8' only S2S or S4S	18.75
1. Rough—deduct $1.	
2. Green—deduct $1.50.	

TABLE 13—PANEL STOCK (PONDEROSA PINE)

RW RL S2S	5/16"	5/16"
B and better	$62.00	$67.00
C and better	57.00	62.00
D	42.00	47.00

1. Specified widths and lengths: Use differentials established for ¾" Select under Table 1.

TABLE 14—BATTENS (PONDEROSA PINE)

1¾" (OG) net—$6.50 per M lin. ft.	
2" (OG) net—$9.50 per M lin. ft.	
2¼" (OG) net—$10.50 per M lin. ft.	
⅝" x 2¾" net, flat, rough or S1S—$6 per M lin. ft.	

1. For 18' and 20' lengths—add $1.

For differentials and rules applicable to all grades of all species see section 28.

TABLE 4—BEVEL SIDING (IDAHO WHITE PINE)

5/16" x 5½" SM, 3' and longer	B and better	C	D	E
4½ x 4"	$32.25	$29.00	$20.75	$15.00
5½ x 4"	37.50	34.25	26.00	16.50
5½ x 6" shorts 3 to 8'	37.00	33.75	24.75	9.00
5½ x 6" shorts 3 to 8'	24.75	21.50	13.25	16.50
5½ x 8" shorts 3 to 8'	29.50	26.25	17.25	

1. B and better, C and D may contain 20% 3' to 8¼' in multiples of 6".
2. E may contain 35% 3' to 8¼' in multiples of 6".
3. Restricted random length: 9' and longer—add $3.00.

TABLE 5—PANEL STOCK (IDAHO WHITE PINE)

RW RL S2S	7/16	9/16
B and better	$62.00	$67.00
C and better	57.00	62.00
D	42.00	47.00

1. Specified widths and lengths, use differentials established for 5/4 C Selects, Table 1 Section 20.

TABLE 6—BATTENS (IDAHO WHITE PINE)

1¾" (OG) net—$8.50 per M. lin. ft.
2" (OG) net—$9.50 per M. lin. ft.
2¼" (OG) net—$10.50 per M. lin. ft.
⅜ x 2¾" net flat rough or s1s—$6 per M. lin. ft.

1. For 18 and 20'—add $1.

TABLE 7—LATH (IDAHO WHITE PINE)

⅜" x 1½"—4' No. 1—$6 per M. pcs.
⅜" x 1½"—4' No. 2—$5 per M. pcs.

TABLE 8—BARKY STRIPS (IDAHO WHITE PINE)

1 x 4" R. L. 6 to 20' (may contain 25% 6' & 8')—$22.75
1 x 4" 6' and 8' only—$19.75

1. Rough—Deduct $1
2. Green—Deduct $1.50

For differentials and rules applicable to all grades of all species see section 21.

Sec. 22. *Sugar pine lumber.* For sugar pine lumber, maximum prices, f. o. b. mill, per one thousand feet board measure surfaced, air dried or kiln dried (except where otherwise specified in price tables), in mixed or straight load shipments, shall be as follows:

TABLE 1—SELECT GRADES (SUGAR PINE)

S2S or S4S, RW&RL	4/4	5/4	6/4	8/4	10/4	12/4	16/4
1 & 2 clear (B and better)	$77.00	$79.00	$78.00	$82.00	$108.00	$117.00	$127.00
C select	74.00	76.00	75.00	88.00	105.00	112.00	122.00
D select	62.00	64.00	63.00	78.00	90.00	97.00	104.00

Grade differentials:
3. Stain: For stained selects that for defects, other than stain, would grade:
B and better—deduct $5 from price of B and better.
C or C and better—deduct $5 from price of C.
D or D and better—deduct $5 from price of D.
4. Pitchy selects: Deduct $10 from price of D select.
5. Australian clears—same price as D select.

TABLE 2—SHOP LUMBER (SUGAR PINE)

S2S RW&RL	4/4	5/4	6/4	8/4	10/4	12/4	16/4
No. 3 clear	$47.00	$62.00	$61.00	$82.00	$94.00	$98.00	$106.00
No. 1 shop	------	49.00	48.00	69.00	73.00	77.00	87.00
No. 2 shop	------	42.00	41.00	47.00	57.00	55.00	64.00
No. 3 shop	------	34.00	34.00	35.00	36.00	36.00	41.00
Shop common	38.00	------	------	------	------	------	------

Condition:
1. Rough
No. 3 Clear, deduct $3.
No. 1 Shop, deduct $3.
No. 2 Shop, deduct $2.
No. 3 Shop, deduct $1.
¼ Shop Common, deduct $2.

Condition—Continued.
2. Green—deduct 10% from dry price.
Grade differentials
3. Stained Shop
¼—deduct 5% from grade price.
⅝ and thicker—deduct 10% from grade price.

TABLE 3—COMMON BOARDS (IDAHO WHITE PINE)

S2S or S4S RL	1x4 and wider	1x5	1x6	1x8	1x10	1x12	1x13 and wider
No. 1 (colonial)	$50.50	$48.50	$48.50	$48.50	$54.75	$76.00	$81.00
No. 2 (sterling)	49.50	47.00	44.50	44.50	46.00	50.00	53.00
No. 3 (standard)	33.00	33.00	27.50	36.50	36.50	36.50	41.50
No. 3 and Btr. shorts (5' to 8' RL)	31.00	27.00	26.00	32.50	32.50	32.50	------
No. 4 (utility)	26.50	26.00	26.00	29.50	29.50	31.50	------
No. 4 and Btr. shorts (5' to 8' RL)	26.50	26.00	26.00	29.50	31.50	31.50	------
No. 4, 1 x 6 and wider, 4' and longer	30.00	------	------	------	------	------	------
No. 5 (industrial)	22.00	20.50	------	21.50	22.50	22.50	------

Condition:
1. Rough—Deduct $3.
2. Green—Deduct 10% from grade price.

Grade differentials:
3. When sold as No. 3 and better, pile run on grade prices, deduct $5 from No. 1 shop price and $2 from No. 2 shop price.
4. Stain: For stained shop:
4/4 shop common; deduct 5%.
5/4 & thicker, all grades, deduct 10%.

Condition:
1. Rough:
4/4 shop common—deduct $1.
No. 1 shop—deduct $2.
No. 2 and 3 shop—deduct $1.
2. Green: deduct 10% from dry price.

Length—Continued.
6. Specified lengths:
No. 4 and 5 common:
10', 12', 14', 16', 18' and 20'—add $2.
When shipped all 6'—all grades—deduct $3.
No. 4 and 5 Common RW&RL may contain 20% 4' to 8' and 20% 4".
7. Restricted random lengths:
10' and longer 4/4 and thicker—add $1.

Thickness:
8. Additions, for thickness to 4/4 price:
No. 1 Common: 5/4, 6/4, 8/4; RL or all 16.
4", 6" and 8" width—add $12.
10" and 12" width—add $9.
10/4 and 12/4, all widths—add $16.
16/4, all widths—add $19.
No. 2 common:
5/4, 6/4, 8/4, all widths, add—$7.
10/4, all widths, add—$9.
12/4, all widths, add—$11.
16/4, all widths, add—$14.
No. 3 common:
5/4, 6/4, 8/4, all widths, add—$3.
10/4, all widths, add $4.
12/4, all widths, add—$5.
16/4, all widths, add—$10.
No. 4 and 5 common, RL: 5/4, and thicker all widths, add—$2.
9. Special thicknesses:
For 1⅛" use price of corresponding grade and width of 6/4", plus $2.50, less 25% for surface measure price.

TABLE 9—COMMON BOARDS (SUGAR PINE)

RL S2S or S4S	1 x 4 and wider	1 x 4	1 x 6	1 x 8	1 x 10	1 x 12	1 x 14	1 x 16	1 x 18	1 x 20
No. 2 and better	$42.00	$42.00	$42.00	$42.00	$42.00	$42.00	$46.00	$50.00	$54.00	$58.00
No. 3	33.00	34.00	34.00	34.00	34.00	34.00	35.00	37.00	39.00	41.00
No. 4	25.00	24.00	25.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00
No. 5	17.00	17.00	17.00	18.00	18.00	18.00	18.00	18.00	18.00	18.00

No. 4 and better short common 6' & 8' S2S or S4S:
1 x 4 and wider—$23
1 x 4 only—22
1 x 6" and 8"—24

Condition:
1. Rough—deduct $1.
2. Green—deduct $2.

Grade differentials:
3. Knotty pine panel stock: Add $5.00 to price of grade from which selected.

Widths:
4. Special Random Widths:
No. 2 and better common, 13" and wider—add $5 to 1 x 4" and wider prices.
No. 3 common, 13" and wider—add $3 to 1 x 4" and wider prices.
No. 4 and 5 common, 1 x 6" and wider—add $0.50 to RW price.
5. Odd width: 7", 9" and 11"—add $1 to 8", 10" and 12" price, and so scaled.

Lengths:
6. Specified lengths:
No. 2 and better and No. 3 common:
4" and 6"—16', 18' and 20'—add $2.
8" and wider—10', 12', 16' and 20'—add $2.

Lengths—Continued.
6. Specified lengths—Continued.
No. 4 and 5 common:
Specified lengths 10', 12', 14', 16', 18' and 20'—add $2.
When shipped all 6' (all grades)—deduct $3.
No. 4 and 5 common, RW and RL: May contain 20% 4' to 8' and 20% 4".
7. Restricted Random Lengths: 10' and longer, 4/4 and thicker—add $1.

Thickness:
8. Additions for thicknesses:
No. 2 and better common:
5/4 and 6/4—add $3.
8/4—add $4.
10/4—add $5.
12/4 and 16/4—add $6.
No. 3 common:
5/4, 6/4 and 8/4—add $3.
10/4, 12/4 and 16/4—add $6.
No. 4 and 5 common: 5/4 and thicker—add $2.
9. Special thicknesses: For 1⅛" use price of corresponding grade and width of 6/4" plus $2.50, less 25% for surface measure price.

TABLE 10—BATTENS (SUGAR PINE)

	Per M linear feet
1¾" (OG) net	$8.50
2" (OG) net	9.50
2¼" (OG) net	10.50
⅜ x 2¾" net flat, rough or S1S	6.00

1. For 18' and 20'—add $1.

TABLE 11—LATH (SUGAR PINE)

	Per M. Pcs.
⅜ x 1½"—4' No. 1	$6.00
⅜ x 1½"—4' No. 2	5.00
⅜ x 1½"—32" No. 1	2.70
½ x 1½"—4' Fence lath (80% No. 1—20% No. 2)	7.25

TABLE 12—BARKY STRIPS (SUGAR PINE)

1 x 4" RL (may contain 25% 6' & 8')	$21.75
1 x 4"—6' & 8' only	18.75

1. Rough—deduct $1.
2. Green—deduct $1.50.

TABLE 13—DRAINBOARDS (SUGAR PINE)

1 & 2 clear (B & better) selected, S2S:	
20" & wider RL 5/4 & 6/4	$125
20" & wider RL 8/4	130
22" & wider RL 5/4 & 6/4	135
22" & wider RL 8/4	140

1. Rough—deduct $3.
2. Green—deduct 10% from dry price.

TABLE 8—MOULDING AND BETTER (SUGAR PINE)

4/4 RW&RL rough	$55
5/4 and thicker RW&RL rough	59

Condition:
1. Surfacing S2S—add $1.
2. Green—deduct 10% from dry price.

Grade:
3. Product of log above No. 1 Shop producing 50% rip 2" and wider 10' and longer.

TABLE 7—MOULDING STOCK (SUGAR PINE)

¼ RW&RL S2S or S4S	$50
⅝ and ¾ RW&RL S2S or S4S	52
¾ RW&RL S2S or S4S	55

1. Rough—deduct $1.
2. Green—deduct 10% from dry price.

TABLE 6—MILL RUN BOX AND SHOP DROPPINGS (SUGAR PINE)

¼ RW&RL, rough dry	$27.50
⅝ and thicker, RW&RL rough dry	28.50

Condition:
1. Surfacing S2S—add $1.
2. Green—deduct $1.50.

Grade:
3. Mill run box: Product of log below No. 2 shop as produced by mill.

TABLE 5—COMMON BOARDS (SUGAR PINE)

RL 8181E or 848 1⅛/16" HM scaled as 2"	2 x 4	2 x 6	2 x 8	2 x 10	2 x 12
No. 1	$31.00	$30.00	$29.50	$30.00	$30.00
No. 2	28.00	27.00	27.00	27.00	27.00
No. 3	18.50	17.50	17.50	17.50	17.50

Condition:
1. Rough—deduct $1.
2. Green—deduct $2.

Lengths:
3. Specified lengths:
14' and under 14'—add $1.
16'—add $0.50.
18' and 20'—add $2.

Widths:
4. Wider than listed: for each 2" wider than listed, add $1 to price of widest listed width.

Thickness:
5. Thicker than listed:
For 1⅝" add, No. 1—$4.50, No. 2—$4, No. 3—$3.
For 1¾" add, No. 1—$6.75, No. 2—$6, No. 3—$4.75.

TABLE 5—NO. 1 PLANK AND TIMBERS (SUGAR PINE)

8181E or 848, green	8-12-14-16' or R. L.	10-18-20'	22-24'
3 x 6", 3 x 6", 4 x 4", 4 x 6"	$32.00	$35.50	$36.50
3 x 8", 4 x 8"	34.50	38.50	37.50
3 x 10", 3 x 12", 4 x 10", 4 x 12"	36.50	37.50	38.50
6 x 6" to 8 x 10"	36.50	37.50	38.50
6 x 12" to 8 x 12"	34.50	36.50	39.50
10 x 10" to 12 x 12"	37.50	39.50	40.50

Condition:
1. Rough—deduct $1.
2. Dry—add $10.

DIFFERENTIALS FOR WIDTHS AND LENGTHS (SUGAR PINE):

1. Narrow widths:
   2½" and less, S4S, all grades—add $3.
2. Random widths:
   4 to 7" (D select & btr. only)—deduct $5.
   10" & wider (shop & btr.)—add $5.
   12" or 13" & wider (shop & btr.)—add $15.
   14" & wider (shop & btr.)—add $20.
   16" & wider (shop & btr.)—add $25.
   18" & wider (shop & btr.)—add $30.
   20" & wider (shop & btr.) (except drainboard stock)—add $35.
   22" & wider (shop & btr.) (except drainboard stock)—add $40.
3. Specified widths:
   4, 6, & 8" (D select & btr. only)—net.
   5, 7, & 10" (D select & btr. only)—add $5.
   12 & 13" (shop & btr.)—add $15.
   14 & 15" (shop & btr.)—add $25.
   16 & 17" (shop & btr.)—add $30.
   18 & 19" (shop & btr.)—add $35.
3. Specified widths—Continued.
   20 & 21" (shop & btr.)—add $45.
   22" & wider (shop & btr.)—add $55.
4. Specified lengths:
   4/4 & thicker, 8 to 16' (select and shop grades)—add $5.
   4/4 & thicker, 18 & 20' (select and shop grades)—add $10.
5. Restricted random lengths:
   10' and longer, 4/4 & thicker (select and shop grades)—add $2.

For differentials and rules applicable to all grades of all species see section 28.

SEC. 23. *Inland Larch, Douglas Fir and Hemlock*—For Inland Larch, Douglas Fir and Hemlock the maximum price f. o. b. mill per one thousand feet board measure, surfaced, air dried or kiln dried (except where otherwise specified in price tables), in mixed or straight load shipments, shall be as follows:

TABLE 1—SELECTS (LARCH-DOUGLAS FIR AND HEMLOCK)

RL S2S or S4S	RW & RL	1 x 4	1 x 5	1 x 6	1 x 8	1 x 10	1 x 12
B & better	$53.50	$45.50	$55.50	$50.50	$55.50	$60.50	$62.50
C & better	48.50	40.50	50.50	45.50	50.50	55.50	57.50
D select	45.50	37.50	47.50	42.50	47.50	52.50	54.50

D & btr. short selects, 5 to 9' S2S or S4S:
1 x 4 ---------- $32.50
1 x 6 ---------- 37.50

C and better flooring, drop siding and ceiling	¼ x 4	1 x 3	1 x 4	1 x 6	1 x 8
V. G		$48.50	$49.50	$51.50	
F. G	$33.25		38.50	45.50	$47.50

Condition:
1. Rough, ¼ and thicker—deduct $2.
2. Green—deduct 10% from dry price.

Widths:
3. Odd widths: 7", 9", 11", add $1 to 8", 10", and 12" price and so scaled.
4. Specified widths over 12", for each inch over 12" add $2 to 12" price.
5. Random widths: 13" and wider, same price as 12" of same grade and thickness.

Lengths:
6. Specified lengths, 10' and longer—add $2.
7. Restricted random lengths, 10' and longer, ¼ and thicker—add $2.

Thickness:
8. ⅝ and ¾–4 to 10"—add $5.
9. ¾ and ⅞–12" and wider—add $3.
10. ¾ and ⅞–4" and wider RW—add $4.
11. ⅝–4", 6" and 8"—add $3.
12. ⅝–10" and wider—add $2.
13. ⅞–4" and wider RW—add $2.

TABLE 2—¼ SHOP (LARCH-DOUGLAS FIR AND HEMLOCK)

S2S—RW—RL:	¼
No. 3 clear	$40
Shop common	32

1. Rough:
   No. 3 clear—deduct $2.
   Shop common—deduct $1.
2. Green—deduct 10% from dry price.

TABLE 3—COMMON BOARDS (LARCH-DOUGLAS FIR AND HEMLOCK)

RL S2S or S4S	1 x 4 and wider	1 x 4	1 x 6	1 x 8	1 x 10	1 x 12
No. 1 and 2	$36.75	$36.75	$36.75	$36.75	$36.75	$39.25
No. 3	32.75	32.75	32.75	32.75	32.75	32.75
No. 3 and better	33.75	33.75	33.75	33.75	33.75	33.75
No. 4	24.50	23.50	24.50	25.50	25.50	25.50
No. 5	17.00	17.00	17.00	18.00	18.00	18.00

Condition:
1. Rough—deduct $1.
2. Green—deduct $2.

Widths:
3. Odd widths: 7", 9", 11"—add $1 to 8", 10" and 12" price and so scaled.
4. No. 4 and 5 common RW, may contain 20% 4".

Lengths:
5. Specified lengths:
   10 to 20', all grades—add $2.
   8' all grades, same price as RL.
   6' all grades, deduct $3 from RL price.

Lengths—Continued.
6. Restricted random lengths: 10' and longer. 4/4 and thicker—add $1.
7. No. 4 and 5 common RL, may contain 20% 6' to 8'.

Thickness:
8. For 5/4 and thicker in No. 1 and 2, No. 3 and No. 3 and better—add $3.
9. For 5/4 and thicker in No. 4 and No. 5—add $2.
10. Special thicknesses:
    For 11/16" use price of corresponding grade and width of 6/4" plus $2.50, less 25% for surface measure price.

TABLE 4. NO. 1 DIMENSION (LARCH-DOUGLAS FIR AND HEMLOCK)

S1S1E, S4S to 1¾" or rough	8'-10'-12'-14' or RL	16'	18' & 20'	22' & 24'	26' to 32'
2 x 4"	$33.75	$34.75	$35.25	$37.25	$39.75
2 x 6"	33.75	33.75	34.25	37.25	40.25
2 x 8"	33.75	33.75	34.25	37.25	40.25
2 x 10"	33.75	34.25	35.50	39.50	41.50
2 x 12"	35.00	35.75	35.75	38.75	40.25
2 x 14"	37.00	37.75	37.75	40.75	42.25

Condition:
1. Green—deduct $2.

Grade differentials:
2. No. 2 dimension—deduct $3.
3. No. 3 dimension—deduct $13.
4. Common structural—add $3.

Widths:
5. Wider than listed: For each 2" wider than listed add $1 to price of widest listed width.

Lengths:
6. For 6' all widths, deduct $2 from 8' price.

Thickness:
7. Special thicknesses:
   1⅛" dimension—deduct $2.
   1¾" dimension, add No. 1—$2.25, No. 2—$2, No. 3—$1.75.

Working charge:
8. Worked to D & M, shiplap and well curbing—add $2.

TABLE 5—NO. 1 PLANK AND TIMBERS (LARCH-DOUGLAS FIR AND HEMLOCK)

Surfaced or rough, green	RL	8'-12'-14'-16'	10'-18'-20'	22' & 24'	26' to 32'
3 x 4" to 6 x 6" (inclusive)	$30.50	$30.50	$32.50	$33.50	$34.50
3 x 8" 4 x 8"	31.50	31.50	33.50	34.50	35.50
3 x 10", 3 x 12", 4 x 10", 4 x 12"	31.00	31.00	33.00	34.00	35.00
6 x 8" to 8 x 10"	30.75	30.75	30.75	31.75	32.75
6 x 12", 8 x 12"	32.75	32.75	32.75	33.75	34.75
10 x 10" to 12 x 12"	31.75	31.75	31.75	32.75	33.75

Condition:
1. For dry—add $10.

Grade Differentials:
2. Common structural—add $3.
3. No. 2—deduct $5.
4. No. 3—deduct $10.

Width and thickness:
5. Wider and, or thicker than listed:
   For each 2" increase in either dimension, add $1.00 to price of largest listed size.

Working charges:
6. Worked to pattern—add $2.

TABLE 6—LATH (LARCH-DOUGLAS FIR AND HEMLOCK)

	Per M Pieces
⅜ x 1½"—4' No. 1	$4.75
¾ x 1½"—4' No. 2	3.85
½ x 1½"—4' Fence Lath (80% No. 1—20% No. 2)	6.00

For differentials and rules applicable to all grades of all species see section 28.

SEC. 24. *White fir.*—For white fir lumber the maximum prices f. o. b. mill per one thousand feet board measure, surfaced, air dried or kiln dried (except where otherwise specified in price tables) in mixed or straight load shipments, shall be as follows:

TABLE 1—SELECTS (WHITE FIR)

S2S or S4S, RL	B & Btr.	C & Btr.	D & Btr.	D
1 x 4	$47.50	$42.50	$41.25	$40.25
1 x 5	50.50	45.50	44.50	43.50
1 x 6	50.00	45.00	43.75	42.75
1 x 8	50.50	45.50	44.50	43.50
1 x 10	53.25	48.25	47.00	46.00
1 x 12 or 1 x 13 and wider	63.00	58.00	56.75	55.75
RW—RL	50.00	45.00	43.75	42.75

Condition:
1. Rough—deduct $2.
2. Green—deduct 10% from dry price.

Widths:
3. Specified widths over 12", for each inch over 12"—add $2 to 12" price.
4. Odd widths: 7", 9", 11", add $1 to 8", 10", & 12" price, and so scaled.

Lengths:
5. Specified lengths, 10' and longer—add $2.
6. Special random lengths, 10' and longer, 4/4 and thicker—add $2.

Thickness:
7. 5/4 & thicker—add $3.

TABLE 2—4/4 SHOP (WHITE FIR)

RW—RL S2S:	
No. 3 Clear	$40
Shop Common	32

1. Rough:
   No. 3 Clear—deduct $2.
   Shop Common—deduct $1.
2. Green—deduct 10% from dry price.

TABLE 3—COMMON BOARDS (WHITE FIR)

S2S or S4S RL	1 x 4' & wider	1 x 4"	1 x 5"	1 x 6"	1 x 8"	1 x 10"	1 x 12"
No. 1 and 2	$37.00	$39.00	$37.00	$38.00	$37.00	$37.00	$39.00
No. 3 and better	33.00	34.00	33.00	34.00	33.00	33.00	33.00
No. 3	31.50	31.50	31.50	31.50	31.50	31.50	31.50
No. 4	25.00	24.00	26.00	26.00	26.00	26.00	26.00
No. 5	17.00	17.00	18.00	17.00	18.00	18.00	18.00

Furring strips: 1 x 2" RL, bundled, $32.50.

Condition:
1. Rough, deduct $1.
2. Green, deduct $2.

Widths:
3. Special random: No. 4 and 5 common: 1 x 6 and wider, add $0.50 to 1 x 4 and wider price.

Lengths:
4. Specified length:
   All grades: 10' and longer—add $2.
   6' only all grades—deduct $3.

Lengths—Continued.
5. No. 4 and No. 5 RL may contain 20% 4 to 8' and 20% 4".

Thickness:
6. Additions for thickness:
   No. 1 and 2, No. 3 and better, No. 3—for 5/4 and thicker—add $3.
   No. 4 and 5—for 5/4 and thicker—add $2.
7. Special thicknesses:
   For 11/16" use price of corresponding grade and width of 6/4", plus $2.50, less 25% for surface measure.

TABLE 4—NO. 1 DIMENSION (WHITE FIR)

S1S1E, S4S to 1¾" or rough	6'	8'	10'-12'-14'	16'	18'-20'	22'-24'	26' to 32'
2 x 4	$27.25	$33.00	$32.00	$33.00	$33.50	$35.50	$38.00
2 x 6	27.25	29.75	32.00	32.00	32.50	34.50	36.50
2 x 8	27.25	29.75	32.00	32.00	32.50	35.50	36.50
2 x 10	27.25	29.75	32.00	32.50	33.75	37.75	39.75
2 x 12	27.25	30.25	33.25	34.00	34.00	37.00	38.50
2 x 14	29.25	32.25	35.25	36.00	36.00	39.00	40.50

Condition:
1. Green—deduct $2.

Grade differentials:
2. Common structural—add $3.
3. No. 2—deduct $3.
4. No. 3—deduct $13.

Lengths:
5. Random lengths: Same as 14' price.

Thickness:
6. 1–9/16" dimension—deduct $2.
7. 1–3/4" dimension add, No. 1—$2.25, No. 2—$2., No. 3—$1.75.

Working:
8. Worked to D and M, Shiplap and well curbing—add $2.

TABLE 5—NO. 1 PLANK AND TIMBERS (WHITE FIR) GREEN

Surfaced or rough green	RL	8-12-14-16'	10-18-20'	22-24'	26 to 32'
3 x 4" & 4 x 4" to 6 x 6	$29.50	$29.50	$31.50	$32.50	$33.50
3 x 8", 4 x 8"	29.50	29.50	31.50	32.50	33.50
3 x 10", 4 x 10", 3 x 12", 4 x 12"	30.00	30.00	32.00	33.00	34.00
6 x 8" to 8 x 10"	29.75	29.75	29.75	30.75	31.75
6 x 12", 8 x 12"	31.75	31.75	31.75	32.75	33.75
10 x 10" to 12 x 12"	30.75	30.75	30.75	31.75	32.75

Condition:
1. Dry, add ---------- $10

Grade differentials:
2. Common structural, add ---------- 3
3. No. 2, deduct ---------- 5
4. No. 3, deduct ---------- 10

Working:
5. Worked to pattern, add ---------- 2

TABLE 6—LATH (WHITE FIR)

⅜ x 1½" —4' No. 1—$4.50 per M pcs.
¾ x 1½"—4' No. 2—$3.50 per M pcs.
½ x 1½"—4' Fence Lath (80% No. 1—20% No. 2)—$5.75 per M pcs.

For differentials and rules applicable to all grades of all species see section 28.

SEC. 25. *Engelmann spruce and Lodgepole pine lumber.* For Engelmann Spruce and Lodgepole Pine Lumber the maximum prices f. o. b. mill per one thousand feet board measure, surfaced, air dried or kiln dried (except where otherwise specified in price tables) in mixed or straight load shipments, shall be as follows:

TABLE 1—SELECTS (ENGELMANN SPRUCE AND LODGEPOLE PINE)

S2S or S4S—RL	RW	1 x 4	1 x 6	1 x 8	1 x 10	1 x 12
B and better	$59.00	$57.00	$59.00	$59.50	$64.50	$76.50
C and C and better	56.00	54.00	56.00	56.50	61.50	73.50
D and better	43.00	41.00	43.00	43.50	49.50	63.00
D	42.00	40.00	42.00	42.50	48.50	62.00

Condition:
1. Rough—deduct $2.
2. Green—deduct 10% from dry price.

Grade differentials:
3. D and better short selects 5' to 9', deduct $7 from corresponding item of D Select.
4. Stained Selects, that for defects other than stain would grade:
   B and better—deduct $5 from price of B and better.
   C or C and better—deduct $5 from price of C.
   D or D and better—deduct $5 from price of D.

Widths:
5. Odd widths: 7", 9", 11"—add $1 to 8", 10", 12" price, and so scaled.
6. Widths over 12", for each inch over 12", add $2 to 12" price.

Lengths:
7. Specified lengths:
   4/4"—10', 12' and 14'—add $2.
   4/4"—16'—add $5.
   4/4"—18' and 20'—add $10.
   5/4 and thicker, 16' and shorter—add $5.
   5/4 and thicker, 18' and 20—add $10.
   Restricted Random: 10' and longer ¼ and thicker—add $2.

Thickness:
8. B and better, C and C and better:
   5/4 and 6/4, 4" to 10"—add $7.
   5/4 and 6/4, 12"—add $3.
   8/4, 4" to 10"—add $12.
   8/4 x 12—add $8.
9. D and D and better:
   5/4 and 6/4, 4" to 10"—add $5.
   5/4 and 6/4, 12"—add $3.
   8/4, 4" to 10"—add $12.
   8/4, 12"—add $8.

TABLE 6—BEVEL SIDING (ENGELMANN SPRUCE AND LODGEPOLE PINE)

3/16" x 3/16" SM—9' and longer	B and better	C	D	E
½ x 4"	$29.50	$28.00	$20.50	$16.00
½ x 6"	31.50	30.00	23.00	16.50
½ x 4"—short 3' to 8'	21.50	20.00	12.50	10.00
½ x 6"—short 3' to 8'	23.50	22.00	15.00	10.50

1. B & Better, C and D may contain 20% 3' to 8½' in multiples of 6".
2. E may contain 35% 3' to 8½' in multiples of 6".
3. Restricted random lengths: 9' and longer—add $3.00.

TABLE 7—LATH (ENGELMANN SPRUCE AND LODGEPOLE PINE)

	Per M pieces
⅜ x 1½"—4' No. 1	$5.85
⅜ x 1½"—4' No. 2	4.85
¼ x 1½"—4' Fence Lath (80% No. 1—20% No. 2)	7.10

For differentials and rules applicable to all grades of all species see section 28.

SEC. 26. *Inland red cedar lumber.* For Inland red cedar lumber, the maximum prices f. o. b. mill per one thousand feet board measure, surfaced, air dried or kiln dried (except where otherwise specified in price tables) in mixed or straight shipments, shall be as follows:

TABLE 1—SELECTS (INLAND RED CEDAR)

S2S or S4S RL	C and better	D and better	D
1 x 4"	$46.25	$41.25	$29.75
1 x 6"	50.25	42.25	30.75
1 x 8"	52.25	45.25	43.75
1 x 10"	59.25	52.25	50.75
1 x 12" or 1 x 13" and wider	72.00	66.00	63.80

Condition:
1. Rough—deduct $2.
2. Green—deduct 10% from dry price.

Widths:
3. Specified widths over 12", for each inch over 12"—add $2 to 12" price.
4. Odd widths 7", 9", 11" add $1 to 8", 10", 12" price and so scaled.

Lengths:
5. Specified lengths:
4/4—10-12-14"—add $2.
4/4—16"—add $5.
4/4—18-20"—add $10.
5/4 and thicker, 10-12-14-16"—add $5.
5/4 and thicker, 18-20"—add $10.
6. Restricted random lengths:
10' and longer, ¾ and thicker—add $2.

Thickness:
7. 5/4 and 6/4—4" to 20"—add $5.
8. 5/4 and 6/4—12"—no addition.
9. 8/4—4" to 10"—add $7.
10. 8/4—12"—add $2.

TABLE 2—COMMON (INLAND RED CEDAR)

S2S or S4S RL	4" and wider	1 x 4	1 x 6	1 x 8	1 x 10	1 x 12
No. 2 and better	$37.75	$26.00	$26.50	$27.75	$28.50	$28.50
No. 3	24.50	22.00	23.00	25.00	25.00	25.00
No. 4	15.00	17.00	21.00	15.00	15.00	15.00

Condition:
1. Rough—deduct $1.
2. Green—deduct $2.

Lengths:
3. Specified lengths: 10 to 20'—add $2.
4. When shipped all 6'—deduct $3.
5. All RL shipments, may contain 20% 6 and 8'.
6. No. 4 and 5 BWRL may contain 20% 4 to 8' and 20% 4".

Lengths—Continued.
7. Restricted random lengths: 10' and longer, 4/4 and thicker—add $1.

Thickness:
8. 5/4 and thicker No. 2 and better—add $3.
9. 5/4 and thicker No. 4 and 5—add $2.
10. Special thicknesses: For 11/16 use price of corresponding grade and width of 6/4, plus $2.50, less 25% for surface measure price.

TABLE 3—COMMON BOARDS (ENGELMANN SPRUCE AND LODGEPOLE PINE)

RL—S2S or S4S	1 x 4 and wider	1 x 4	1 x 6	1 x 8	1 x 10	1 x 12
No. 1 and 2	$42.00	$42.00	$42.00	$41.00	$41.00	$42.00
No. 3	35.00	25.00	34.00	34.00	34.00	34.00
No. 4	24.00	24.00	24.00	24.00	24.00	24.00
No. 5	11.00	11.00	11.00	11.00	11.00	11.00
No. 3, 4, and 5 only	$26.00	24.00	24.00	24.00	14.00	
No. 4, 4, and 5 only		14.00	14.00	14.00		

Condition:
1. Rough—deduct $1.
2. Green—deduct $2.

Widths:
3. Special random widths: 1 x 6 and wider No. 4 and 5—add $0.50 to 1 x 4 and wider price.

Lengths:
4. Specified lengths:
10' and longer, all grades—add $2.
8' only, all grades—deduct $3.
No. 4 and 5 BWRL may contain 20% 6 and 8' and 20% 4".

Lengths—Continued.
Restricted random: 10' and longer, 4/4 and thicker—add $1.

Thickness:
5. 5/4 and thicker, No. 1 and 2 and No. 3—add $6.
5/4 and thicker, No. 4 and No. 5—add $2.
6. Special thickness:
11/16" use price of corresponding grade and width of 6/4" plus $2.50, less 26% for surface measure price.

TABLE 3—NO. 1 DIMENSION (ENGELMANN SPRUCE AND LODGEPOLE PINE)

S4S or S4S to 13/16" or rough	6'	10-12-14' or RL	16'	18 & 20'	22 & 24'	26 to 32'
2 x 4"	$26.00	$22.75	$24.75	$24.25	$27.25	$28.75
2 x 6"	26.00	22.75	23.75	24.25	27.25	40.25
2 x 8"	26.00	22.75	24.25	25.50	29.50	41.50
2 x 10"	29.00	23.00	24.75	26.75	34.75	46.25
2 x 12"						
10 x 10" to 12 x 12"						

Condition:
1. For dry—add $10.

Grade differentials:
2. For No. 2—deduct $5.
3. For No. 3—deduct $10.

Width and thickness:
4. Wider and/or thicker than listed: For each 2" increase in either dimension, add $1.00 to price of largest size listed.

Working:
5. Worked to pattern—add $2.

TABLE 4—NO. 1 PLANK AND TIMBERS (ENGELMANN SPRUCE AND LODGEPOLE PINE) GREEN

Surfaced or rough, green	R. L.	8-12-14-16'	10-12-20'	22 and 24'	26 to 32'
3 x 6" to 6 x 6"	$20.50	$20.50	$21.50	$26.50	$34.50
3 x 8", 4 x 8"	21.50	21.50	22.50	34.50	34.50
3 x 10", to 4 x 12"	21.50	21.75	22.75	34.75	34.75
6 x 8" to 8 x 10"	20.75	20.75	21.75	33.75	33.75
6 x 12", 8 x 12"	22.75	22.75	23.75	35.75	35.75
10 x 10" to 12 x 12"	21.75	21.75	22.75		

Condition:
1. For dry—add $10.

Grade differentials:
2. For No. 2—deduct $5.
3. For No. 3—deduct $10.

Width and thickness:
4. Wider and/or thicker than listed: For each 2" increase in either dimension, add $1.00 to price of largest size listed.

Working:
5. Worked to pattern—add $2.

Lengths—Continued.
6. Restricted random lengths: 10' and longer, 4/4 and thicker—add $1.

Thickness:
7. 5/4 and thicker No. 2 and better—add $3.
8. 5/4 and thicker No. 4 and 5—add $2.
9. Special thicknesses: For 11/16 use price of corresponding grade and width of 6/4, plus $2.50, less 25% for surface measure price.

TABLE 5—BATTENS (ENGELMANN SPRUCE AND LODGEPOLE PINE)

	Per M Lineal Feet
1¾" (OG) net	$8.50
2" (OG) net	9.50
2¼" (OG) net	10.50
⅜ x 2¾" net, flat, rough or S1S	6.00

1. For 18 and 20'—add $1.

TABLE 3—DIMENSION (INLAND RED CEDAR)

1½" scaled as 2" RL, S1S1E or S4S	2 x 4	2 x 6	2 x 8	2 x 10	2 x 12
No. 1	$35.75	$34.50	$34.00	$34.50	$34.50
No. 2	22.25	31.00	31.00	31.00	31.00
No. 3	21.50	20.50	20.50	20.50	20.50

Condition:
1. Rough—deduct $1.
2. Green—deduct $2.

Width:
3. Wider than listed, add $1 for each 2" wider than listed to 2 x 12" price.

Length:
4. Specified lengths:
14' and shorter—add $1.
16'—add $0.50.
18 and 20'—add $2.

Thickness:
5. For 1⅜", deduct No. 1—$4.50, No. 2—$4, No. 3—$3.
6. For 1¾", add, No. 1—$2.25, No. 2—$2, No. 3—$1.75.

Timbers:
7. Timbers S1S1E, S4S or rough, deduct $1 from price of same grade, width and length of dimension.
8. Prices for timbers thicker than 4" are for all conditions of moisture content, and the deduction for lumber not seasoned is not applicable.

TABLE 4—BEVEL SIDING (INLAND RED CEDAR)

3/16" x 3/16" SM	B and better	C	D	E
½ x 4—3' and longer	$29.50	$28.00	$20.50	$16.00
½ x 6—3' and longer	31.50	30.00	23.00	16.50
½ x 4—3' to 8'	21.50	20.00	12.50	10.00
½ x 6—3' to 8'	23.50	22.00	15.00	10.50

1. For 9' and longer—add $3.
2. B and better, C and D, may contain 20% 3' to 8½' in multiples of 6".
3. E, may contain 35% 3' to 8½' in multiples of 6".

TABLE 5—LATH (INLAND RED CEDAR)

⅜ x 1½"—4' No. 1—$5.60 per M pieces.
⅜ x 1½"—4' No. 2—$4.60 per M pieces.
¼ x 1½"—4' Fence Lath (80% No. 1—20% No. 2)—$6.85 per M pieces.

For differentials and rules applicable to all grades of all species see section 28.

SEC. 27. *Incense Cedar Lumber.* For incense cedar lumber, the maximum prices f. o. b. mill per one thousand feet board measure, surfaced, air dried or kiln dried (except where otherwise specified in price tables) in mixed or straight load shipments, shall be as follows:

TABLE 1—PENCIL BLANK STOCK (INCENSE CEDAR)

No. 1 Grade 2¾ or 2½—$36 rough RL, air dry.
No. 2 Grade 2¾ or 2½—$25 rough RL, air dry.
No. 3 Grade 2¾ or 2½—$18 rough RL, air dry.

Condition:
1. For kiln dried—add $5.

Lengths:
2. Specified Lengths:
14' or shorter—add $1.
16'—add $0.50.
18 and 20'—add $2.

Thickness:
3. Scale based on dry thickness.

TABLE 2—SELECTS (INCENSE CEDAR)

C and better 1 x 4 and wider RL S2S or S4S—$67.
D and better 1 x 4 and wider RL S2S or S4S—$54.
D 1 x 4 and wider RL S2S or S4S—$52.

Condition:
1. Rough—deduct $2.
2. Green—deduct 10% from dry price.

Widths:
3. Specified widths, C and better, use differentials for C Select Ponderosa, Section 20, Table 1.
4. Specified widths, D and better, and D, use differentials for D Select Ponderosa, Section 20, Table 1.

Lengths:
5. Specified lengths, use differentials as shown for Ponderosa in Section 20, Table 1.

Thickness:
6. 5/4 and thicker, C and better, use same price and same differentials for widths and lengths as shown for C Select Ponderosa in Section 20, Table 1.
7. 5/4 and thicker, D and better, use same price and same differentials for widths and lengths as shown for D select Ponderosa in Section 20, Table 1.
8. 5/4 and thicker D, deduct $2 from price of same width, length and thickness of corresponding item of D select Ponderosa as shown in Section 20, Table 1.

TABLE 3—COMMONS (INCENSE CEDAR)

1. No. 3 and better, same prices as shown for No. 3 Ponderosa Pine, Section 20, Table 3.
2. No. 4 and No. 5, same prices as respective grades of Ponderosa Pine, Section 20, Table 3.
3. Differentials for width, length and thickness, same as shown for Ponderosa Pine, Section 20, Table 3.

For differentials and rules applicable to all grades for all species see section 28.

SEC. 28. *Differentials and rules, applicable to all grades of all species:*

1. Ordinary resawing—add $1.
2. Resawing and S2S, all grades—add $2.
3. Ripping, per rip—add $1.
4. Novelty—saw ripping—add $2.
5. Ripping and S4S—add $3.
6. Cross cutting, per cut—add $1.
7. Cleating (ordinary)—add $1.50.
8. Bundling (ordinary)—add $1.
9. Bundling (export)—add $5.
10. For 4/4 and thicker stock dressed thicker than standard (may be hit and miss) for ⅛2" add $1, for 1/16" add $2, and for 3/32" add $3. No further addition is permitted. (This addition may not be used in connection with 7/4" stock.)
11. For stock run S4S wider than Standard (may be hit or miss)—add $1.
12. Standard casing and base, jams, sill stock, pulley stiles, log cabin siding, bungalow siding, Dolly Varden siding, corn cribbing, and all similar patterns (not moulding) 8" or 10" beveled siding, all grades, to price of grade desired—add $5.
13. Patterns not conforming to Association Standard Patterns where additional expense is entailed due to special setups and/or making special knives—add $2.50.
14. Standard patterns, other than S2S and S4S, which are not provided for in item 12, above, add $2: but no such addition shall apply to the following:
(1) S2S and CM.
(2) D & M.
(3) Shiplap.
(4) Beaded shelving.
15. Cutting to specified exact length—add $1.
16. All stock shipped in inter-divisional stopover cars—add $1.
17. Random lengths are 6' and longer unless otherwise provided in list.
18. No extra charge for double end trimming.
19. All prices shown, except where otherwise specified (plank and timbers), are for dry lumber. For green lumber not specified green in tables; proper deductions are shown under each price table. Lumber shall be considered green if, when shipped, the moisture content is greater than 19 percent.
20. 7/4 lumber may be manufactured and sold at the price of corresponding width and grade of 6/4. Rough dry thickness for 7/4" shall be at least 80 percent to measure 1¾" with a tolerance of 1/32" permitted on not to exceed 20%. Surfaced dry thickness shall be surfaced *full* 1 13/32". If shipped surfaced and resawn the two resawn pieces shall measure 1½".
21. Any prices based on a percentage addition or deduction are to be figured to the nearest 25 cents.
22. When 8/4 is resawn for the purpose of procuring 4/4, the product must be regraded and sold at the grade price applying to the 4/4 size of the grade actually produced.

SEC. 29. *Maximum prices for lumber produced in the "fringe area" and Canada and Mexico.* (a) For lumber produced in the fringe area, in Canada, or in Mexico (except as covered by paragraph (c) of this section), which is separated as to species and sold on grade, the maximum prices shall be delivered prices consisting of the f. o. b. mill prices set forth in the appropriate price table plus an amount equal to estimated freight charges based on estimated weights from Article VI times the carload rate from the appropriate basing point shown below to destination. ("Destination" means the final point to which the lumber moves in "direct-mill shipment" as defined in section 7 (a) (1).) The basing points are:

(1) Fringe area (South Dakota, Wyoming, Colorado, Utah, Nevada, Arizona and New Mexico) Spokane, Washington; Klamath Falls, Oregon; or Susanville, California—whichever produces the lowest rate to destination.
(2) Canada: Spokane, Washington.
(3) Mexico: Susanville, California.

(b) Since the maximum prices established by paragraph (a) of this Section are delivered prices, no transportation additions other than "basing-point" freight to destination are permitted, and section 7 does not apply. In every case the maximum price must finally be determined according to paragraph (a) above

as a delivered price at final destination. As to pricing "f. o. b. mill" note the following examples—

(1) In a sale to a distribution yard at the mill's shipping point, since shipping point and final destination are the same, the addition for basing-point freight may be made even though the sale has all the usual characteristics of a sale "f. o. b. mill".

(2) If either the mill or a wholesaler should make an "f. o. b. mill" sale for direct-mill shipment the maximum price is the price at final destination established under paragraph (a), and, therefore, the "f. o. b. mill" price would be less than the price receivable in example (1), depending upon the difference between the through rate from basing-point to destination and the combination of locals from basing-point to mill and mill to destination. For example, if estimated freight based on freight rate from basing-point direct to final destination were $10.00 per M ft., and freight on a combination of locals from basing-point to mill and mill to final destination were $12.00, "f. o. b. mill" price must be reduced by $2.00 so that price at final destination would be the same in either event.

(c) *Government purchase; Mexican Pine Lumber.* The maximum price for lumber produced in Mexico and imported for the account of or for direct sale to a United States Government agency or to a Government contractor to whom such lumber has been allocated by the Central Procurement Agency, shall be a price f. o. b. the port of entry consisting of the maximum f. o. b. mill price set forth in the appropriate price tables plus estimated railroad freight charges from Susanville, California to the port of entry computed on the carload rate and using estimated weights given in Article VI. Additions for further transportation beyond the port of entry may be made in accordance with section 7.

SEC. 30. *Maximum prices for mixed species, log run.* For Mixed Species (not separated as to species) Log Run (not separated as to grade), produced in the States of South Dakota, Wyoming, Colorado, Utah, Nevada, Arizona, and New Mexico, the maximum prices f. o. b. mill per thousand feet board measure, in any size load or shipment, shall be as follows:

MIXED SPECIES—LOG RUN

Green rough	$28.50
For surfaced stock	add $3.00
For dry	add $2.00
For specified lengths	add $1.00

Notes on mixed species—log run:

(1) *Truck delivery by private truck.* When shipment is by truck owned or controlled by the seller, the following amounts may be added for transportation: For distances up to and including 10 miles, $1.50 per M; over 10 miles and up to and including 20 miles, $2.00 per M; over 20 miles and up to and including 30 miles $2.50 per M; over 30 miles an addition of 5 cents per mile per M feet may be added to the $2.50 per M charge permitted for first 30 miles. Distance, as used in this paragraph, means the distance from the mill to the point of destination as measured, by the speedometer. No addition may be made for the return trip.

(2) *Trucking to railhead.* When a truck haul precedes rail shipment, as when a truck located away from a railhead hauls lumber by truck to the railhead, no addition may be made for the truck haul. However, where a mill's rail connection has been abandoned since September 5, 1941, the mill may apply for special permission to make an addition.

The application should be made by letter to the Lumber Branch of the Office of Price Administration, Washington, D. C., and may be acted upon by letter. The addition may not be made on quotations or sales until permission has been received.

ARTICLE VI—PERMITTED ESTIMATED WEIGHTS

The following estimated weights for dry lumber may be used in computing freight charges even though higher than actual weights.

When shipped with a moisture content greater than 19 percent, the estimated green weights may be used in quoting a delivered price, even though higher than actual weights.

SCHEDULE OF ESTIMATED WEIGHTS

	Per M feet board measure	
	Pounds dry	Pounds green
Ponderosa pine, Idaho white pine, white fir, Engelmann spruce, Lodgepole pine, and any other species commercially sold as Ponderosa, Western, or Mexican pine		
Selects, commons and shop:		
Standard surfacing 4/4" S2S, S4S or pattern	1,900	2,450
Standard surfacing, or pattern 5/4" and thicker	2,200	2,900
Surfaced, or pattern 11/16"	1,650	2,150
Rough 4/4	2,400	3,100
Rough, 5/4 and thicker	2,600	3,300
Dimension:		
Standard surfacing 1-5/8" S1S 1E or S4S	2,000	2,700
Substandard surfacing 1-9/16" S1S1E or S4S	1,800	2,500
Surfaced thicker than standard 1-3/4" S1S1E or S4S	2,200	2,900
Rough	2,600	3,300
Plank and timbers:		
Surfaced S1S1E or S4S	2,200	2,900
Rough	2,600	3,300
Lath:		
4 feet (per M pieces)	450	750
32" (per M pieces)	300	500
Snow fence	700	1,100
Cut stock:		
Machined to pattern	1,600	------
S2S	2,000	------
Rough	2,500	------
Other grades and patterns:		
Log cabin siding	1,600	------
½" or ½" panel stock	1,400	------
Bevel siding	750	------
Additions and deductions: Pitchy Select, add 300 lbs. to corresponding items.		
Sugar pine		
4/4 and thicker, S4S or S2S	2,000	2,550
4/4 and thicker, rough	2,300	3,000
All other sugar pine items, same weights as ponderosa pine.		
Red cedar		
4/4 all grades, surfaced or pattern	1,600	2,200
4/4 all grades, rough	2,100	2,800
5/4 and thicker, surfaced or pattern	2,000	2,700
5/4 and thicker, rough	2,300	3,000
Timbers and plank surfaced	2,000	2,700
Bevel siding	700	------
Lath	450	750
Incense cedar		
Pencil stock	2,300	------
All other incense cedar items, same weights as Ponderosa pine.		

SCHEDULE OF ESTIMATED WEIGHTS—Continued

	Per M feet board measure	
Larch-Douglas fir	Pounds dry	Pounds green
4/4 S2S or S4S	2,300	2,800
4/4 run to pattern	2,000	2,600
1", 1¼", 1½" or 2" all grades rough	2,700	3,200
Timbers and plank, surfaced	2,800	3,400
Timbers and plank, rough	3,000	3,600
Dimension, standard surfacing:		
2 x 4	2,200	2,800
2 x 6 and 2 x 8	2,250	2,850
2 x 10 and 2 x 12	2,300	2,900
8/4 and thicker, surfaced or pattern same weights as corresponding widths of standard dimension:		
1⅝" dimension	2,000	2,600
1⅜" dimension—all Douglas fir	1,900	2,500
	1,700	2,200
Log cabin siding	1,400	------
⅝" stock machined to pattern	900	------
½" stock machined to pattern	800	------
½" bevel siding	1,200	------
⅝ x 8 and 10" bevel siding	600	900
4' lath.....per M pieces	350	550
32" lath.....per M pieces	800	1,100
Snow fence lath..per M pieces		

Hemlock

Rough or surfaced, dry: clears, boards and shiplap, drop siding, etc., flooring, ceiling, stepping, and plank and small timbers S4S: Use same weights as shown for Larch-Douglas fir.

Surfaced, green: Clears, boards and shiplap, dimension S4S, plank and small timbers S4S, and timbers, S1S1E or S4S, standard: Add 400 lbs. to Larch-Douglas fir weights.

Rough-green:	Pounds
Boards and shiplap	3,800
Dimension, plank and timbers	3,800
Clears	4,000
All other grades	3,800

Square edge flooring, add 200 lbs. to corresponding item of Larch-Douglas fir weights.

Ceiling, worked to 25/32" net, deduct 100 lbs. from Larch-Douglas fir flooring weight.

8" width, drop siding, etc., add 100 lbs. to 6" pattern, in Larch-Douglas for pattern weights.

Bevel and bungalow siding, add 100 lbs. to Larch-Douglas fir weight.

Shipping weight formula for sizes not listed. Rough or surfaced, dry, all grades, same weight basis as Larch-Douglas fir, and deducting the equivalent to the percentage of difference between the rough and surfaced size, breaking on the next greater fifty pounds.

Battens (all above species)	Per M feet board measure	
	Pounds dry	Pounds green
1" battens plain or O. G. .....per M lineal feet	200	------
¾" battens.....per M lineal feet	200	------

Geographical applicability. This regulation applies in the 48 states of the United States and the District of Columbia.

This revised regulation shall become effective June 20, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8690; Filed, June 15, 1944; 11:22 a. m.]

PART 1385—NAVAL STORES

[MPR 446,[1] Amdt. 2]

PINE TAR AND PINE TAR OIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 446 is amended in the following respects:

1. The definition of "Dealer" in section 9 (a) is amended to read as follows:

"Dealer" means a person who purchases pine tar or pine tar oil and resells it in substantially the same form, but does not include a person selling at retail.

2. A new definition is added to section 9 (a) between the definitions of "Dealer" and "Drums" as follows:

"Selling at retail" means selling to an ultimate consumer other than an industrial or commercial user.

3. Appendix A (b) (1) is amended to read as follows:

(1) The dealer's maximum price for a sale of pine tar or pine tar oil established by the General Maximum Price Regulation plus any increase in the price which he is required to pay to the supplier from whom he purchases (not in excess of the increase allowed the supplier under this regulation) over the highest price paid by him to that supplier for such pine tar or pine tar oil during March 1942, or, if no purchases were made by him during March 1942 from such supplier, during the last calendar month of 1942 prior thereto during which such purchases were made by him.

This amendment shall become effective June 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8715; Filed, June 15, 1944; 11:24 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[2] Amdt. 130]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

Section 1394.7851 (b) (2) (ii) is amended to read as follows:

(ii) To carry persons to and from the polls for the purpose of voting in public elections (including primary elections); or to act as duly appointed election officials or poll watchers; or by a duly qualified and bona fide candidate for public office for purposes essential to the prosecution of his candidacy. Where the law requires a person to satisfy certain conditions before his name may be placed on the ballot in an election (including a primary election) he is not a duly qualified candidate until he has met all those conditions. However, if the payment of a fee is one of those conditions and the fee has not been fixed sixty days before the election the applicant is a duly qualified candidate within the meaning of this subdivision if the application is filed not earlier than sixty days before the election and the Board is satisfied that he has met all the other conditions and that he will pay the fee as soon as it is fixed.

This amendment shall become effective June 15, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 15th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8707; Filed, June 15, 1944; 11:24 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 63]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

Section 1.5 (a) is amended by adding after the second sentence the following sentence: "A person who needs safety shoes may apply on Form R-1712."

This amendment shall become effective June 19, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. 1, 7 F.R. 573, Supp. Dir. 1-T, 8 F.R. 1727, 7440; E.O. 9125, 7 F.R. 2719)

Issued this 15th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8714; Filed, June 15, 1944; 11:23 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[2] Amdt. 39]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. The last sentence of section 4.7 (a) is amended to read as follows: "Furthermore, regardless of his actual inventory, he may, during a reporting period, acquire processed foods for the purpose of keeping his stocks balanced, in an amount not more than five per cent of his maximum allowable inventory for that period."

2. Section 10.8 (a) (2) is amended by inserting the words "engaged principally and primarily" between the words "A person" and the words "in the business".

This amendment shall become effective July 2, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320)

Issued this 15th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8706; Filed, June 15, 1944; 11:24 a. m.]

PART 1408—GLASS AND GLASS CONTAINERS

[MPR 382,[1] Amdt. 6]

WIDE MOUTH GLASS CONTAINERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 382 is amended in the following respects:

1. Section 1.2 is amended to read as follows:

SEC. 1.2 *Prohibition against the sale of containers at higher than maximum prices.* On and after May 27, 1943, regardless of any contract, agreement, lease, or other obligation, no manufacturer shall sell or deliver any containers, as defined in section 1.11 (a) hereof, and no person shall buy or receive any of the foregoing products in the course of trade or business from a manufacturer, at prices higher than the maximum prices set forth in this regulation, and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of containers to a purchaser if prior to May 27, 1943, such containers had been received by a carrier, other than a contract carrier owned or controlled by the seller, for shipment to such purchaser. The provisions of this section shall also be inapplicable to sales between manufacturers made pursuant to section 1.12 of this regulation.

[1] 8 F.R. 6275, 8839, 10618, 11813, 13251; 9 F.R. 4197.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 11375, 16032.

[2] 8 F.R. 15937.

[1] 8 F.R. 15839, 16605, 16996; 9 F.R. 92, 573, 746, 2232, 2656, 2947, 2829, 3340, 3944, 4391, 5254, 5254.

[2] 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791, 3032, 3073, 3513, 3579, 3708, 3710, 3947, 3944, 4026, 4351, 4475, 4604, 4818, 4876, 4881, 5254, 5074, 5436, 5695.

2. Subparagraph (4) of paragraph (a) of section 1.11 is amended to read as follows:

(4) "Manufacturer" means a person operating one or more factories or plants which produce wide mouth glass containers and includes any sales subsidiary or commission salesman or affiliate of such person. For the purposes of section 1.12 of this regulation, the term "manufacturer" also includes any person who purchases wide mouth glass containers for resale, as part of the general line of glass containers produced by him, to the same trade classifications through which the original producers usually distribute such commodities.

3. Section 1.12 is added to read as follows:

SEC. 1.12 *Sales between manufacturers.* (a) Any manufacturer of wide mouth glass containers subject to this regulation may, subject to the filing provisions of paragraph (b) of this section, offer to sell, sell, and deliver any such commodity or commodities to any other manufacturer subject to this regulation, at a price agreed upon by the seller and the buyer, when the price so agreed upon is in excess of the maximum price for the seller under this regulation, under the following conditions:

(1) Both the seller and the buyer must be "manufacturers" as the term is defined in this regulation.

(2) Any increase in price resulting from the agreement under this section must be absorbed by the buying manufacturer and must not be reflected, directly or indirectly, in the resale price; nor may such increase be used as a basis for a request for an increase in price by way of an application for adjustment or petition for amendment under this regulation.

(b) Before any sale or delivery may be made at the price arrived at pursuant to paragraph (a) above, the buying manufacturer must submit a statement to the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., showing:

(1) The names of the selling and buying manufacturers; and

(2) A specific statement from the buyer that the increase in price will not be passed on in the resale of the commodity or commodities and that such increase resulting from the agreement will not be made the basis for an application for adjustment or petition for amendment under this regulation.

4. Section 4.8 is amended to read as follows:

SEC. 4.8 *Maintenance of customary discounts and allowances.* The maximum prices established by this regulation shall be reduced by 1 percent for payment within 10 days of the date of invoice and shall in no case be increased by any charge for extension of credit, except where such charge was customarily made by the manufacturer during July 1941.

All price or other differentials, whether published or unpublished, which were or would have been allowed in the sale of containers other than standard containers during July 1941 by any manufacturer to purchasers in contract or greater quantities, or to any other class of purchaser who resells the container as such, must be maintained and continue to be so allowed, except on sales between manufacturers made pursuant to the provisions of section 1.12 above. Similar price or other differentials are not required in the case of standard containers as defined in section 1.11 (a) (2) above.

This Amendment No. 6 shall become effective June 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8713; Filed, June 15, 1944; 11:23 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR,[1] Amdt. 60]

BAGASSE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new paragraph (l) is added to section 4.6 of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation to read as follows:

(l) Bagasse sold to the Lend-Lease Section of the Procurement Division of the Treasury Department.

This amendment No. 60 shall become effective June 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8689; Filed, June 15, 1944; 11:21 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 142]

SALES OF STEAM DISTILLED TURPENTINE, DIPENTENE, SOLROS AND WOOD ROSIN SIZE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4.27 is added to read as follows:

SEC. 4.27 *Sales of steam distilled turpentine, dipentene, solros, and wood rosin size*—(a) *Maximum prices.* The maximum prices for sales of steam distilled turpentine, dipentene, wood rosin size, and processed wood rosin used in the manufacture of core oil known as solros shall be those established under any other provisions of the General Maximum Price Regulation, or those set forth below, whichever are higher:

(1) *Sales by producers*—(i) *Steam distilled turpentine, dipentene, and solros*—(a) *Base maximum prices.*

Steam distilled turpentine.	$0.66 per gallon in tank cars f. o. b. plant.
Dipentene	$0.49 per gallon in tank cars f. o. b. plant.
Processed wood rosin used in the manufacture of core oil known as solros.	$3.90 per hundred pounds in carload drums f. o. b. plant.

(b) *Differentials.* Maximum prices for sales in other containers and quantities shall be established by applying to the base prices set forth in (a) above the dollar and cent differentials, discounts and allowances established for such sales under any other provisions of the General Maximum Price Regulation.

(ii) *Wood rosin size*—(a) *Maximum prices.* The maximum price per hundred pounds shall be a figure equal to total costs per hundred pounds.

(b) *Definition.* "Total cost per hundred pounds" means the sum of the following:

(1) Direct material costs per hundred pounds during the first quarter of 1944, except as noted below with respect to purchased wood rosin. In computing the cost of the quantity of wood rosin contained in 100 pounds of the wood rosin size being priced, a weighted average, based on the percentage of wood rosin the manufacturer purchased and the percentage the manufacturer himself produced during the first quarter of 1944, shall be used. The cost per hundred pounds of the wood rosin purchased shall be the delivered price per hundred pounds in the customary quantities and containers the manufacturer is currently required to pay (not in excess of the supplier's maximum price plus freight costs, if any). The cost per hundred pounds of the wood rosin the manufacturer himself produced shall be the lowest price per hundred pounds f. o. b. plant he charged for such wood rosin during the first quarter of 1944 (not in excess of his maximum price), less his selling and administrative expense per hundred pounds during the first quarter of 1944.

(2) Direct labor cost per hundred pounds during the first quarter of 1944. Increases in labor costs since October 3, 1942, may be considered only if such increases were approved by the War Labor Board or War Labor Board approval was not necessary.

(3) Other manufacturing costs per hundred pounds during the first quarter of 1944, directly assignable to the production of the size being priced. This may include indirect labor, factory supplies, repairs and maintenance of building, machinery and equipment, insurance, property taxes, depreciation at normal rates on plant and equipment actually used in manufacture, purchased utilities services, and other items commonly associated with factory operation.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 3581, 3590, 4391, 4948, 5268.

(4) General selling and administrative expenses per hundred pounds during the first quarter of 1944. This includes executive and administrative salaries, office expense, commissions, advertising, and similar items but not including income or excess profit taxes, charges to war reserves, or reserves for contingencies.

(c) *Reports.* The maximum price determined for the wood rosin size being priced under (a) above and the following information shall, before such wood rosin size is offered for sale at the adjusted maximum price, be reported by the producer to the Chemicals and Drugs Price Branch, Office of Price Administration, Washington 25, D. C.:

(1) Cost of grade of wood rosin used per hundred pounds of size being priced computed in accordance with (b) (1) above on the basis of the following: ------

(i) Amount used in size being priced during first quarter of 1944 broken down as follows:

(A) Amount purchased by manufacturer in pounds. ------

(B) Amount produced by manufacturer in pounds. ------

(ii) Amount used per hundred pounds of size being priced in pounds. ------

(iii) Current delivered purchase price per hundred pounds in customary quantities and containers. ------

(iv) Cost of that produced by manufacturer as follows:

(A) Lowest price per hundred pounds f. o. b. plant charged by manufacturer during first quarter of 1944. ------

(B) Less amount deducted for selling and administrative expense per hundred pounds during first quarter of 1944. ------

(2) Other material costs per hundred pounds of size being priced as defined in (b) (1) above. ------

(3) Direct labor cost per hundred pounds of size being priced as defined in (b) (2) above. ------

(4) Other manufacturing costs directly assignable to the production per hundred pounds of the size being priced as defined in (b) (3) above. ------

(5) General selling and administrative expenses per hundred pounds of the size being priced as defined in (b) (4) above. ------

(6) Total cost per hundred pounds of the size being priced (sum of items (1), (2), (3), (4), and (5)). ------

(2) *Sales by resellers.* A reseller of steam distilled turpentine, dipentene, processed wood rosin used in the manufacture of core oil known as solros, or wood rosin size, acquired under this section 4.27 at a cost higher than the supplier's maximum price established under any other provisions of the General Maximum Price Regulation, may add to his maximum price per unit established under any other provisions of the General Maximum Price Relation for the higher cost product being priced, the increase (in dollars and cents) in the price to him per unit over his supplier's maximum price per unit established under any other provisions of the General Maximum Price Regulation as determined from the invoice required to be furnished him by paragraph (b) below. The resulting figure is the reseller's maximum price per unit under this subparagraph (2).

(b) *Invoices.* The producer or reseller shall show as separate items on all invoices for steam distilled turpentine, dipentene, processed wood rosin used in the manufacture of core oil known as solros, or wood rosin size for which maximum prices are established under paragraph (a) above:

(1) The maximum price established for a sale of such product under any other provisions of the General Maximum Price Regulation.

(2) The adjusted selling price (not in excess of the maximum price under this section 4.27).

An invoice containing the above required information shall be furnished the buyer prior to payment by him.

This amendment shall become effective June 20, 1944.

NOTE: All reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8712; Filed, June 15, 1944; 11:26 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

PART 2—GENERAL RULES AND REGULATIONS

PACK TRAINS AND SADDLE HORSE PARTIES

Paragraph (b) of § 2.17 *Pack trains and saddle horse parties,* is amended by inserting "Yellowstone," immediately following "Sequoia,".

(39 Stat. 535; 16 U.S.C. 3)

Issued this 2d day of June 1944.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 44-8672; Filed, June 15, 1944; 9:57 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service.

[1944 Dept. Circ. 653, 2d Rev., 1st Supp.]

UNITED STATES SAVINGS BONDS SERIES E, WAR SAVINGS BONDS

NOTICE OF ADDITIONAL DENOMINATION

Department Circular No. 653, Second Revision, dated August 31, 1943, fixing the terms and governing the issue of United States Savings Bonds of Series E, currently designated War Savings Bonds, is hereby supplemented, as follows:

1. An additional denomination of $10 (maturity value) is hereby authorized, the issue price of which will be $7.50: *Provided,* The bonds of this denomination may be purchased only by persons in the Military and Naval Forces of the United States, under such conditions as may be prescribed and through such agencies as may be provided within their respective establishments by the Secretary of War and the Secretary of the Navy, *And provided further,* That on original issue the bonds of this denomination shall be registered only in the name of any such person either alone or with any other person added as coowner or designated beneficiary as provided by regulation.

2. The bonds of this denomination may not be obtained on partial redemption of bonds of a higher denomination; and except for restrictions on purchase and issue, the terms of bonds in the denomination of $10 now authorized and the conditions of their issue and provisions for their redemption shall conform to those of bonds of Series E of other denominations authorized by said Circular No. 653, Second Revision.

HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

JUNE 7, 1944.

TABLE OF REDEMPTION VALUES

Showing how bonds of Series E in the denomination of $10 (maturity value) increase in redemption value during successive half-year periods following issue:

Issue price	$7.50
Period after issue date:	*Redemption value during period*
First ½ year	$7.50
½ to 1 year	7.50
1 to 1½ years	7.55
1½ to 2 years	7.60
2 to 2½ years	7.65
2½ to 3 years	7.70
3 to 3½ years	7.80
3½ to 4 years	7.90
4 to 4½ years	8.00
4½ to 5 years	8.10
5 to 5½ years	8.20
5½ to 6 years	8.30
6 to 6½ years	8.40
6½ to 7 years	8.60
7 to 7½ years	8.80
7½ to 8 years	9.00
8 to 8½ years	9.20
8½ to 9 years	9.40
9 to 9½ years	9.60
9½ to 10 years	9.80

At maturity (10 years from issue date), $10.00.

[F. R. Doc. 44-8717; Filed, June 15, 1944; 11:59 a. m.]

DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

G. H. HARDIN AND CO.

PROCEEDINGS FOR REVOCATION OF LICENSES

Order revoking licenses, directing surrender of licenses, and requiring records to be furnished.

To: G. H. Hardin and Company, Rector, Clay County, Arkansas.

Based upon the records in this matter, including your answer, I make the following findings of fact:

1. On May 11, 1944, a specification of charges against you, setting forth violations of the Federal Explosives Act (55

Stat. 863), as amended, and the regulations pursuant thereto, of which you were accused, was mailed to you giving you notice to mail an answer within 15 days from May 11, 1944, answering the charges against you and requesting an oral hearing if you wished.

2. More than 25 days have elapsed since May 11, 1944. The length of time required for mail to be delivered to the Bureau of Mines, Washington, D. C., from Rector, Arkansas, does not exceed four days. The only communication received from you is your answer dated May 24, 1944. You have not requested an oral hearing.

3. You have admitted that you sold explosives to E. M. Crowson and to other persons who at the times of such sales were not licensed under the Federal Explosives Act, and that you thereby violated section 2 of the act.

4. You have admitted that you sold explosives without requiring the purchasers to exhibit licenses issued to them under the act and without having copies of such licenses in your files, and that you thereby violated section 15 of the regulations.

5. You have admitted that you failed to keep a full, detailed, and tabulated record of your transactions in explosives, and that you thereby violated section 5 of the act and section 14 (d) of the regulations.

6. You have admitted that on or about April 11, 1944, you stored high explosives in an amount exceeding 125 pounds otherwise than in a permanent magazine complying with the standards set forth in section 25 (a) of the regulations, and that you thereby violated sections 24 and 25 (a) of the regulations.

7. You have admitted that on or about April 11, 1944, you stored high explosives in an amount exceeding 125 pounds on premises not marked with a sign containing the words "Explosives—Keep Off," and that you thereby violated section 12 of the act and section 25 (a) (2) of the regulations.

8. You have admitted that on or about April 11, 1944, you stored detonators in an amount less than 5,000 otherwise than in a permanent magazine complying with the standards set forth in section 25 (a) of the regulations or in a box-type magazine complying with the standards set forth in section 25 (b) of the regulations, and that you thereby violated sections 24 and 27 (c) of the regulations.

9. You have admitted that on or about April 11, 1944, you stored detonators in an amount less than 5,000 in a box which was not painted red or another distinctive color and which was not clearly and conspicuously marked "explosives," and that you thereby violated section 27 (c) of the regulations.

10. You have admitted that on or about April 11, 1944, you permitted Amzie McCord, a person not individually licensed under the act, to have in his possession a key to the building in which your explosives were stored and to enter that building unaccompanied by a person so licensed, and that you thereby violated section 24 (c) of the regulations.

11. You have violated the act and the regulations in the particulars set out in findings numbered 3 through 10.

Now, therefore, by virtue of the authority vested in me by the Federal Explosives Act and the regulations thereunder, I hereby order:

1. That all licenses issued to you under the Federal Explosives Act be and they are hereby revoked as of midnight, June 30, 1944.

2. That prior to midnight June 30, 1944, you shall sell or otherwise dispose of, to properly licensed persons, or destroy, all explosives and ingredients of explosives owned or possessed by you or consigned to you or which are in your custody.

3. That after having sold or otherwise disposed of all the explosives or ingredients of explosives as required by paragraph 2 of this order you shall, prior to midnight, June 30, 1944, deliver or mail to G. M. Kintz, Supervising Engineer, United States Bureau of Mines, 1416 Gulf States Building, Dallas 1, Texas, a sworn statement of your transactions in and destructions of explosives and ingredients of explosives beginning with the date of this order and ending with the final sale or other disposition or with the final destruction of the explosives and ingredients of explosives as required above. The statement shall set forth the amount of each kind of explosives and ingredients of explosives which you had on hand at each location at the opening of business on the date of this order, the amount of each kind acquired by you that day and each day thereafter, the dates on which acquired, the names and addresses of the persons from whom acquired, the amount of each kind sold or otherwise disposed of by you, the dates on which sold or otherwise disposed of, the names and addresses and the numbers and dates of the Federal explosives licenses of the persons to whom sold or otherwise disposed of, the amount of each kind destroyed by you, the dates on which destroyed, and the places where destroyed.

4. That prior to midnight, June 30, 1944, you shall surrender all licenses issued to you under the Federal Explosives Act and all copies thereof by mailing or delivering them to G. M. Kintz, Supervising Engineer, United States Bureau of Mines, 1416 Gulf States Building, Dallas 1, Texas.

Failure to comply with any of the provisions of this order will constitute a violation of the Federal Explosives Act, punishable by a fine of not more than five hundred dollars ($500), or imprisonment for not more than one year, or by both such fine and imprisonment.

This order shall be published in the FEDERAL REGISTER.

Dated at Washington, D. C., this 12th day of June 1944.

R. R. SAYERS,
Director, Bureau of Mines.

[F. R. Doc. 44-8673; Filed, June 15, 1944; 9:58 a. m.]

Bureau of Reclamation.

DESCHUTES PROJECT, OREG.

FIRST FORM RECLAMATION WITHDRAWAL

APRIL 19, 1944.

THE SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the Act of June 26, 1936 (49 Stat. 1976), it is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal as provided in section 3 of the Act of June 17, 1902 (32 Stat. 388).

DESCHUTES PROJECT

WILLAMETTE MERIDIAN, OREGON

T. 11 S., R. 12 E.,
Sec. 22, Lots 1 to 4, inclusive, NE¼SE¼;
Sec. 26, SW¼NW¼, W½SW¼, SE¼SW¼;
Sec. 27, Lots 2 to 5, inclusive, W½NE¼, E½NW¼, SW¼NW¼, NW¼SE¼;
Sec. 28, Lots 1 to 4, inclusive, NW¼SE¼;
Sec. 34, Lots 2, 3, 4, SE¼SW¼, W½SE¼;
Sec. 35, SW¼NE¼, W½, NW¼SE¼.
T. 12 S., R. 12 E.,
Sec. 2, Lots 3, 4, 6, 7, 10;
Sec. 3, Lots 1, 2, 3, 6 to 10, inclusive, SW¼;
Sec. 9, NW¼SE¼, E½SE¼;
Sec. 10, Lots 1 to 4, inclusive, 6, 8, 9, 11, 14;
Sec. 15, Lots 3, 4.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: June 1, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

JUNE 6, 1944.

[F. R. Doc. 44-8666; Filed, June 15, 1944; 9:57 a. m.]

TIETON PROJECT, WASH.

PARTIAL REVOCATION OF FIRST FORM WITHDRAWAL

MAY 11, 1944.

THE SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Tieton project, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3 of the Act of June 17, 1902 (32 Stat. 388) by Departmental Order of August 8, 1907, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said order as withdrew the lands hereinafter listed be revoked, *Provided*, That such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands hereinafter listed.

TIETON PROJECT

WILLAMETTE MERIDIAN, WASHINGTON

T. 14 N., R. 15 E.,
Sec. 13, NW¼;
Sec. 14, N½;
Secs. 15 and 20;
Sec. 21, N½, SW¼;
Sec. 22, NW¼;
Sec. 23, S½;
Sec. 24, S½;
Sec. 27, NE¼, S½;
Sec. 28, SE¼;
Sec. 29, N½;
Sec. 30, N½;
Sec. 31;
Sec. 32, S½;
Sec. 33.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur June 5, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation regarding the Tieton project is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

JUNE 7, 1944.

[F. R. Doc. 44-8667; Filed, June 15, 1944; 9:57 a. m.]

BOISE PROJECT, IDAHO

PARTIAL REVOCATION OF FIRST AND SECOND FORM WITHDRAWALS

MAY 10, 1944.

THE SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Boise project, the withdrawal of the hereinafter described land, withdrawn in the first and second form prescribed by section 3 of the Act of June 17, 1902 (32 Stat. 388), by Departmental Orders of December 5, 1902 and February 28, 1903, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the lands hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other land by said order or affect any other order withdrawing or reserving the land hereinafter listed.

BOISE PROJECT

BOISE MERIDIAN, IDAHO

T. 1 N., R. 7 E.,
Sec. 22, NE¼NE¼.

Respectfully,

F. W. BASHORE,
Commissioner.

I concur June 5, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, and it is so ordered. The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

JUNE 7, 1944.

[F. R. Doc. 44-8668; Filed, June 15, 1944; 9:58 a. m.]

General Land Office.

[Air-Navigation Site Withdrawal 218]

WYOMING

WITHDRAWAL OF PUBLIC LANDS FOR USE OF CIVIL AERONAUTICS ADMINISTRATION

By virtue of the authority contained in section 4 of the act of May 24, 1928, 45 Stat. 729 (USC., title 49, sec. 214), it is ordered as follows:

Subject to valid existing rights, the following-described public land in Wyoming is hereby withdrawn from all forms of appropriation under the public-land laws and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, in the maintenance of air-navigation facilities, the reservation to be known as Air-Navigation Site Withdrawal No. 218:

SIXTH PRINCIPAL MERIDIAN

T. 20 N., R. 100 W.,
Sec. 32, E½SW¼SW¼.

The tract described contains 20 acres.

This order shall take precedence over, but shall not modify, the order of the Acting Secretary of the Interior dated October 31, 1936, establishing Wyoming Grazing District No. 4, so far as it affects the above-described lands.

MICHAEL W. STRAUS,
Acting Secretary of the Interior.

JUNE 3, 1944.

[F. R. Doc. 44-8671; Filed, June 15, 1944; 9:58 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-549]

MEMPHIS NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

JUNE 13, 1944.

Upon consideration of the application filed on May 20, 1944, by the Memphis Natural Gas Company, a Delaware corporation having its principal place of business at Memphis, Tennessee, for a certificate of public convenience and necessity under section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of a 12¾-inch O. D. gas pipe line approximately 48½ miles in length, with an initial capacity of approximately 50,000 MCF of natural gas per day, extending from a point adjacent to the gasoline plant of Claiborne Gasoline Company in the North Lisbon Field in Claiborne Parish, Louisiana, to the Applicant's Guthrie compressor station in the Monroe Field in Ouachita Parish, Louisiana, and appurtenant facilities;

The Commission orders that:

(A) A public hearing be held commencing on June 27, 1944, at 9:45 a. m., in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C., respecting the matters involved and the issues presented in this proceeding;

(B) Interested State commissions may participate in this hearing, as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-8661; Filed, June 15, 1944; 9:56 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3611]

MARIA EHLERS, SR., ET AL.

In re: Interests in real property, property insurance policies, and a claim owned by Maria Ehlers, Sr., Theodore Heintze, William Ehlers, Carl Ehlers, George Ehlers, Maria Ehlers, Wilhelmina Ehlers, Carl Shellers, and their children (names unknown).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the following-named persons, whose last-known addresses appear opposite their respective names, and their children (names unknown), are residents of Germany and are nationals of a designated enemy country (Germany):

National and Last-Known Address

Maria Ehlers, Sr., Lubeck, Germany.
Theodore Heintze, Hamburg, Germany.
George Ehlers, Germany.
William Ehlers, Marienhof, Germany.
Carl Ehlers, Hamburg, Germany.
Maria Ehlers, Germany.
Wilhelmina Ehlers, Lubeck, Germany.
Carl Shellers, Germany.

2. That Maria Ehlers, Sr., Theodore Heintze, William Ehlers, Carl Ehlers, George Ehlers, Maria Ehlers, Wilhelmina Ehlers, Carl Shellers, and their children (names unknown) are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the City of Savannah, County of Chatham, State of Georgia, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements, and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title and interest of Maria Ehlers, Sr., Theodore Heintze, William Ehlers, Carl Ehlers, George Ehlers, Maria Ehlers, Wilhelmina Ehlers, Carl Shellers, and their children (names unknown) in and to:

(1) Policy No. 1021, insuring the East Broad and Nichols Street properties, issued by the Southeastern Underwriters' Association, Atlanta, Georgia, naming the Heintze Estate as the assured for loss suffered by reason of fire, wind, etc., in the amount of $5,100, and expiring September 18, 1944.

(2) Policy No. 1026, insuring the Habersham Street properties, issued by the Southeastern Underwriters' Association, Atlanta, Georgia, naming the Heintze Estate as the assured for loss suffered by reason of fire, wind, etc., in the amount of $1,200, and expiring September 18, 1944.

(3) Policy No. 631-18-352, insuring the East Broad and Nichols Street properties, issued by the Travelers Fire Insurance Company, Hartford, Connecticut, insuring the Heintze Estate against war damage, and expiring July 1, 1941.

(4) Policy No. 631-18-353, insuring the Habersham Street properties, issued by the Travelers Fire Insurance Company, Hartford, Connecticut, insuring the Heintze Estate against war damage, and expiring July 1, 1944,

such policies insuring the improvements to the property described in subparagraph 3-a hereof;

c. Life interest in the income from the real property described in subparagraph 3-a hereof, and identified as the life interests devised to Maria Ehlers, Sr., Theodore Heintze, William Ehlers, Carl Ehlers, George Ehlers, Maria Ehlers, Wilhelmina Ehlers, Carl Shellers, and their children (names unknown) by Matilda Heintze, deceased, by her last will and testament executed April 15, 1905, such will being of record in the Court of Ordinary for the County of Chatham, State of Georgia, in and to the real property described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits, or other payments arising from the ownership of such life interest, and

d. All right, title, interest, and claim of any name or nature whatsoever of Maria Ehlers, Sr., Theodore Heintze, William Ehlers, Carl Ehlers, George Ehlers, Maria Ehlers, Wilhelmina Ehlers, Carl Shellers, and their children (names unknown), in and to any and all obligations, contingent or otherwise, and whether or not matured, owing to them, and each of them, by Dorothy S. Olesen, nee Cotton, Administratrix de bonis non, of the Estate of Matilda Heintze, deceased, and specifically that sum of money held in the Savannah Bank and Trust Company at Savannah, Georgia, under the name and style of "Estate of Matilda Heintze, Dorothy S. Olesen, Administratrix," arising out of the management of the property described in subparagraph 3-a hereof, including but not limited to all security rights in and to any and all collateral for any and all of such obligations and the right to enforce and collect the same,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3-a and 3-d hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b, 3-c and 3-d hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All those tracts or parcels of land situated in the City of Savannah in County of Chatham in the State of Georgia, particularly described as follows:

Parcel I. All that certain tract or parcel of land situate, lying and being in the City of Savannah, said County and State, on the North-west corner of Waldburg and Habersham Streets in said City, being the eastern portion of lot number Eighty-seven (87), White Ward, having a front on Waldburg Street of forty-feet and six inches (40'6"), more or less, and a rectangular depth of One Hundred and Fifteen (115) Feet to Bolton Street Lane, and being bounded on the North by said Lane, on the East by Habersham Street, on the South by Waldburg Street and on the West by the Western portion of said Lot Number Eighty-seven (87).

Parcel II. All those two certain lots of land situate, lying and being in the City of Savannah, County of Chatham and State of Georgia, known and designated on the map of the said City of Savannah and vicinity, drawn in the year 1880 by Percy Sugden, Civil Engineer, and John B. Howard, City Surveyor, as lots number sixty-two (62) and sixty-three (63) Mercer Ward: said lots being part of the same granted by deed of quit claim to Seaton Grantland by Mrs. Caroline A. Lamar, Geo. H. Nicoll and B. Herndon Nicoll as will more fully appear by reference to the record of deeds in the office of the Clerk of the Superior Court of Chatham County, book 6 W's, folio 246. The said lots of land being bounded as follows to-wit: Lots numbers sixty-two (62) and sitxy-three (63) lying together as one body or tract of land bounded north by Nicoll Street and fronting eighty (80) thereon East by East Broad Street, South by lots number sixty-four (64) and sixty-five (65) and West by lot number sixty-one (61); both of said lots being rectangle in shape forty feet (40) wide by eighty (80) feet long.

[F. R. Doc. 44-8675; Filed, June 15, 1944; 10:42 a. m.]

[Vesting Order 3633]

EUROPEAN AMERICAN TRADE DEVELOPMENT CORP.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That all of the outstanding capital stock of European American Trade Development Corporation, a corporation organized and doing business under the laws of the State of New York and a business enterprise within the United States, consisting of 1,000 shares of common having a par value of $100.00 a share, is registered in the name of Garovaglio y Zorraquin, Ltda. and is beneficially owned by Fiat, S. A. and is evidence of ownership and control of said business enterprise;

2. That Fiat, S. A. whose principal place of business is Turin, Italy, is a corporation organized under the laws of Italy and a national of a designated enemy country (Italy);

and determining:

3. That European American Trade Development Corporation is controlled by Fiat, S. A. and is a national of a designated enemy country (Italy);

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Italy);

hereby vests in the Alien Property Custodian 1,000 shares of common stock of European American Trade Development Corporation, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8676; Filed, June 15, 1944; 10:42 a. m.]

[Vesting Order 3761]

JOSEPHINE ROSENZWEIG

In re: Estate of Josephine Rosenzweig, deceased; File D-34-140; E. T. sec. 5470.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Alexander Rosenzweig, as Executor, acting under the judicial supervision of the Surrogate's Court, Queens County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

National and Last Known Address

Lenke Grossman, Hungary.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Lenke Grossman in and to the Estate of Josephine Rosenzweig, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order, may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8677; Filed, June 15, 1944; 10:42 a. m.]

[Vesting Order 3762]

GERTRUDE SCHMIDT

In re: Estate of Gertrude Schmidt, otherwise known as Mary Schmidt, deceased; File D-57-354; E. T. sec. 10450.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Mae Krecek, 60 Fordham Avenue, West View, Pittsburgh, Pennsylvania, Executrix, acting under the judicial supervision of the Orphans' Court of Allegheny County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Rumania, namely,

Nationals and Last known address

George Reinhold, Rumania
Michael Reinhold, Rumania.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Rumania; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of George Reinhold and Michael Reinhold, and each of them, in and to the estate of Gertrude Schmidt, otherwise known as Mary Schmidt, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall pending further determination of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8678; Filed, June 15, 1944; 10:42 a. m.]

[Vesting Order 3763]

MARY SCHMIDT

In re: Estate of Mary Schmidt, also known as Mary Brenner, deceased; File D-28-3549; E. T. sec. 5717.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of Cook County, County Building, Chicago, Illinois, Depositary, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Rose Rendle, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $327.87 which is in the possession and custody of the Treasurer of Cook County, Illinois, Depositary, and which amount was deposited with the Treasurer of Cook County, Illinois on July 17, 1942 pursuant to an order of the Probate Court of Cook County, Illinois entered June 18, 1942 to the credit of the aforesaid national, in the matter of the estate of Mary Schmidt, also known as Mary Brenner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8679; Filed, June 15, 1944; 10:42 a. m.]

[Vesting Order 3765]

JOSEPH SHIBETZ

In re: Estate of Joseph Shibetz, deceased; File D–57–87; E. T. sec. 6044.

Under the authority of the Trading with the Enemy Act, as amended and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Rosa Shibetz, as administratrix of the estate of Joseph Shibetz, deceased, acting under the judicial supervision of the Surrogate's Court, Queens County, New York, and

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Rumania, namely,

National and Last Known Address

Emily Schulter, Rumania.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Rumania; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Emily Schulter in and to the Estate of Joseph Shibetz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8680; Filed, June 15, 1944; 10:42 a. m.]

[Vesting Order 3766]

ALOIS SPITZER

In re: Estate of Alois Spitzer, deceased; File D–28–8476; E. T. sec. 9850.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Rodney C. Larcom, Esq., as Executor, acting under the judicial supervision of Probate Court, County of Norfolk, Commonwealth of Massachusetts;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Michael Schmid, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Michael Schmid in and to the Estate of Alois Spitzer, deceased,

to be held, used, administered, liquidated, sold,or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8681; Filed, June 15, 1944; 10:43 a. m.]

[Vesting Order 3767]

MATHILDA A. STIER

In re; Estate of Mathilda A. Stier, deceased; File D–66–1355; E. T. sec. 8570.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John J. Reed, as Executor, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Ernst Reith, Germany.
Next of kin of Ernst Reith, Germany.
Marie Graf, Germany.
Next of kin of Marie Graf, Germany.
Katherine Werterbrau, Germany.
Next of kin of Katherine Werterbrau, Germany.
Karl Reith, Germany.
Next of kin of Karl Reith, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ernst Reith, the next of kin of Ernst Reith, Marie Graf, the next of kin of Marie Graf, Katherine Werterbrau, the next of kin of Katherine Werterbrau, Karl Reith, and the next of kin of Karl Reith, and each of them, in and to the estate of Mathilda A. Stier, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order, may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8682; Filed, June 15, 1944; 10:43 a. m.]

[Vesting Order 3768]

MARTIN ZIEGLER

In re: Trust under the will of Martin Ziegler, deceased; File F–28–12610; E. T. sec. 10518.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by North Philadelphia Trust Company, Broad Street and Germantown Avenue, Philadelphia, Pennsylvania, Substituted Trustee, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

The lawful issue, names unknown, of George Ziegler, deceased, Germany.
Jacob Ziegler, Germany.
Katharina Liebenstein, nee Ziegler, Germany.
The lawful issue, names unknown, of Jacob Ziegler, Germany.
The lawful issue, names unknown, of Katharina Liebenstein, nee Ziegler, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of the lawful issue, names unknown, of George Ziegler, deceased; Jacob Ziegler; Katharina Liebenstein, nee Ziegler; the lawful issue, names unknown, of Jacob Ziegler; the lawful issue, names unknown, of Katharina Liebenstein, nee Ziegler; and each of them, in and to the trust estate created by the last will and codicil of Martin Ziegler, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8683; Filed, June 15, 1944; 10:43 a. m.]

[Vesting Order 3778]

HENRY SCHAEFER

In re: Trust under will of Henry Schaefer, deceased; File D–28–2478 E. T. sec. 3834.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Corn Exchange Bank Trust Company, as Successor Executor and Trustee, acting under the judicial supervision of the Court of Probate, District of Greenwich, State of Connecticut;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Philipp Wilhelm Laux, Germany.
Mathilde Dietrich, Germany.
Margarethe Bousek, Germany.
Frieda Weitzl, Germany.
Wilhelm Schaefer, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Philipp Wilhelm Laux, Mathilde Dietrich, Margarethe Bousek, Frieda Weitzl, and Wilhelm Schaefer, and each of them, in and to the trust created under the will of Henry Schaefer, deceased, and

All right, title, interest and claim of any kind or character whatsoever of Philipp Wilhelm Laux, Mathilde Dietrich, Margarethe Bousek, Frieda Weitzl, and Wilhelm Schaefer, and each of them, in and to Certificate No. C–4622, Guarantee Mortgage Certificate, Mortgage No. 505 for $50,000, issued by the

Western Connecticut Title & Mortgage Company to Daniel Schnakenberg and Corn Exchange Bank Trust Company, as trustees under the will of Henry Schaefer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8684; Filed, June 15, 1944; 10:43 a. m.]

[Vesting Order 3786]

CHARLES W. KUHNE

In re: Estate of Charles W. Kuhne, deceased; File D–28–7923; E. T. sec. 8742.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Lincoln National Bank & Trust Company, 116 East Berry Street, Fort Wayne, Indiana, Executor and Trustee, acting under the judicial supervision of the Superior Court No. 2, Allen County Indiana;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Willie Scheidt, Germany.
Emma Teichman, Germany.
Alice Kuhne, Germany.
Margot Kurtze, Germany.
Fritz Kuhne, Germany.
Karl Kuhne, Germany.
Bruno Schwarze, Germany.
Paul Siemon, Germany.
Rudolph Siemon, Germany.
Elisabeth Wirstorf, Germany.
Elisabeth Scheidt Hausenfelder, Germany.
Hedwig Siemon Katsebue, Germany.
Hans (Johannes) Loock, Germany.
Carl Schiefler, Germany.
Auguste Loock Voigt, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Willie Scheidt, Emma Teichman, Alice Kuhne, Margot Kurtze, Fritz Kuhne, Karl Kuhne, Bruno Schwarze, Paul Siemon, Rudolph Siemon, Elisabeth Wirstorf, Elisabeth Scheidt Hausenfelder, Hedwig Siemon Katsebue, Hans (Johannes) Loock, Carl Schiefler and Auguste Loock Voigt, and each of them, in and to the estate of Charles W. Kuhne, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 9, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8685; Filed, June 15, 1944; 10:43 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[SO 5C, Administrative Exception Order 9]

DEFENSE SUPPLIES CORPORATION

EXCEPTIONS FOR CERTAIN TRANSACTIONS

1. Defense Supplies Corporation, acting by and through War Emergency Pipelines, Inc., is currently engaged in purchasing rationed gasoline in the Texas-Louisiana Gulf Coast refining area and transporting such gasoline by pipe line to the New York area where such gasoline is sold and delivered to the United States Navy or to licensed distributors, as that term is defined in Ration Order No. 5C, and from time to time in the future may desire to purchase quantities of gasoline from licensed distributors and to sell such quantities of gasoline to the United States Navy and licensed distributors. The petroleum products which Defense Supplies Corporation, acting by and through War Emergency Pipelines, Inc., is now purchasing and selling and proposes to purchase and sell are "gasoline" within the meaning of Ration Order No. 5C and are, therefore, subject to rationing. All purchases, transportation and deliveries of gasoline are effected under directives issued by the Petroleum Administrator for War.

2. Defense Supplies Corporation, acting by and through War Emergency Pipelines, Inc., is not required to account for State motor fuel taxes imposed thereon directly to the motor fuel tax administration of the State or States where it desires to purchase and sell gasoline for the reason that it is engaged primarily in the business of transporting such gasoline by pipe line from the Texas-Louisiana Gulf Coast refining area to the New York area, and, therefore, is not a licensed distributor as that term is defined in Ration Order No. 5C.

Defense Supplies Corporation, acting by and through War Emergency Pipelines, Inc., would not be able to carry out the proposed gasoline transactions by qualifying as an intermediate distributor for the reason that it does not have any fixed storage capacity and its method of operation is not adaptable to the requirements of Ration Order No. 5C that ration evidences must be surrendered in exchange for transfers of gasoline.

The effectiveness of the gasoline rationing program would not be impaired if purchases and sales of gasoline in the manner described were permitted without requiring a surrender of ration coupons or other evidences: *Provided*, That War Emergency Pipelines, Inc., acting for and on behalf of Defense Supplies Corporation, shall prepare in triplicate a Reconciliation Statement (Form OPA R–550) for operations for each calendar month and file the original and one copy thereof with the Office of Price Administration on or before the 20th day of the month following the month for which the report is made; that upon the sale of gasoline to the United States Navy shall require the surrender of a properly executed Acknowledgment of Delivery (Form OPA R–544) in exchange therefor which shall be deposited in a ration bank account to be opened by Defense Supplies Corporation, acting by and through War Emergency Pipelines, Inc.; and, that a certified check shall be made payable to the Office of Price Administration for the gallonage of gasoline represented by the Acknowledgments of Delivery and submitted to the Office of Price Administration on or before the 20th day of the calendar month following the month in which the transfers were made.

Only a limited number of persons and transactions would be affected by the granting of an Administrative Exception Order, and the relief thus granted would in no way affect eligibility, use or need of any person. Defense Supplies Corporation, acting by and through War Emergency Pipelines, Inc., would be treated in the same manner in which licensed distributors are now treated by Ration Order No. 5C except that it would make no monthly report to a State motor fuel tax administration but would instead make a similar monthly report to the Office of Price Administration.

Upon the foregoing statement of circumstances, *It is hereby ordered*, That, subject to the conditions in this order, the following transactions be excepted from the requirements of Ration Order No. 5C as set forth below:

1. A licensed distributor may transfer to Defense Supplies Corporation, acting by and through War Emergency Pipelines, Inc., and Defense Supplies Corporation, acting by and through War Emergency Pipelines, Inc., may accept a transfer of gasoline without an exchange of coupons or other evidences as required by § 1394.8207 of Ration Order No. 5C for the purpose of transporting such gasoline from the Texas-Louisiana Gulf Coast refining area by pipe line to the New York area.

2. Defense Supplies Corporation, acting by and through War Emergency Pipelines, Inc., may transfer to a licensed distributor, and a licensed distributor may accept a transfer of gasoline from War Emergency Pipelines, Inc., acting for and on behalf of Defense Supplies Corporation, without an exchange of coupons or other ration evidences as required by § 1394.8207 of Ration Order No. 5C.

3. Defense Supplies Corporation, acting by and through War Emergency Pipelines, Inc., may accept transfers and may make transfers of gasoline without registering as a dealer or distributor as required by § 1394.8220 of Ration Order No. 5C.

4. Defense Supplies Corporation, acting by and through War Emergency Pipelines, Inc., may make transfers of gasoline pursuant to this order, provided it shall comply with the following conditions:

(a) Submit monthly to the National Office of the Office of Price Administration, Washington, D. C., in duplicate, a Reconciliation Statement (Form OPA R–550) for operations for each calendar month containing the information called for;

(b) File said report on or before the 20th day of the month following the month for which the report is made;

(c) Require the surrender of Acknowledgments of Delivery (Form OPA R–544) in exchange for transfers of gasoline to the United States Navy which shall be deposited in a ration bank account;

(d) Submit a certified check, made payable to the Office of Price Administration, for the gallonage of gasoline represented by Acknowledgments of Delivery received. Such check is to be submitted to the National Office of the Office of Price Administration on or before the 20th day of the month following the month in which the gasoline was transferred.

Issued and effective June 14, 1944.

CHARLES F. PHILLIPS,
Deputy Administrator.

[F. R. Doc. 44–8645; Filed, June 14, 1944; 11:45 a. m.]

[MPR 120, Order 810]

POSSUM HOLLOW COAL CO., AND SHERRICK COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 810 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 4. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

POSSUM HOLLOW COAL CO., THE, 1438 MONUMENT RD., N. W., CANTON 3, OHIO, POSSUM HOLLOW MINE, No. 6A SEAM, MINE INDEX No. 4046, TUSCARAWAS COUNTY, OHIO, SUB-DISTRICT 4, STRIP MINE, PRICE CLASSIFICATION: MIDDLE FREIGHT ORIGIN DISTRICT, RAILROAD FUEL PRICE GROUP No. 113

	Size Group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	12
Rail shipments and railroad fuel	$3.30	$3.25	$3.00	$2.95	$2.90	$2.80	$2.50	$2.40	$2.80	$2.35	.....	$2.80
Truck shipment	3.60	3.50	3.35	3.20	3.20	2.80	2.55	2.45	.....	.....	.....	.....

SHERRICK COAL CO., R. D. #2 NEW LEXINGTON, OHIO, No. 3 MINE, No. 5 SEAM, MINE INDEX No. 4054, PERRY COUNTY, OHIO, SUB-DISTRICT 6, DEEP MINE, PRICE CLASSIFICATION: CROOKSVILLE FREIGHT ORIGIN DISTRICT, RAILROAD FUEL PRICE GROUP No. 110

Rail shipment	$3.35	$3.25	$2.85	$2.85	$2.85	$2.75	$2.45	$2.45	$2.50	.....	.....	$2.50
Railroad fuel	3.35	3.25	2.85	2.85	2.85	2.75	2.45	2.45	2.50	.....	.....	2.70
Truck shipment	3.65	3.55	3.45	3.20	3.15	2.65	2.30	2.20	.....	.....	.....	.....

This order shall become effective June 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8649; Filed, June 14, 1944; 11:43 a. m.]

[MPR 120, Order 811]

STEPHEN R. HANSEL, ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATION

Order No. 811 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 1. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

WILLIAM BRASHEAR, BOX 115, WESTERPORT, MD., OLD HAMPSHIRE BIG VEIN MINE, BIG VEIN SEAM, MINE INDEX NO. 5087, ALLEGHANY COUNTY, MD., SUBDISTRICT 43, RAIL SHIPPING POINT: PHOENIX, MD., DRIFT MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	D	D	D	D	D
All methods of shipment and all uses	$4.60	$5.25	$5.55	$5.70	$6.70

GARMAN COAL CO., BARNESBORO, PA., GARMAN NO. 1 MINE, C SEAM, MINE INDEX NO. 5099, CAMBRIA COUNTY, PA., SUBDISTRICT 16, RAIL SHIPPING POINT: BARNESBORO, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	E	E	E	E	E
Rail shipment	$3.05	$3.35	$3.55	$3.70	$4.15
Railroad locomotive fuel	3.20	3.20	3.20	3.20	3.20
Truck shipment	2.65	2.40	2.40	2.40	2.40

GARMAN COAL CO., BARNESBORO, PA., GARMAN NO. 2 MINE, D SEAM, MINE INDEX NO. 5098, CAMBRIA COUNTY, PA., SUBDISTRICT 16, RAIL SHIPPING POINT: BARNESBORO, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	E	E	E	E	E
Rail shipment	$3.05	$3.35	$3.55	$3.70	$4.15
Railroad locomotive fuel	3.20	3.20	3.20	3.20	3.20
Truck shipment	2.65	2.40	2.40	2.40	2.40

GARMAN COAL CO., BARNESBORO, PA., GARMAN NO. 3 MINE, E SEAM, MINE INDEX NO. 5100, CAMBRIA COUNTY, PA., SUBDISTRICT 16, RAIL SHIPPING POINT: BARNESBORO, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	E	E	E	E	E
Rail shipment	$3.05	$3.35	$3.55	$3.70	$4.15
Railroad locomotive fuel	3.20	3.20	3.20	3.20	3.20
Truck shipment	2.65	2.40	2.40	2.40	2.40

HORACE A. SHESLEY, 806 HORNER ST., JOHNSTOWN, PA., MILTON NO. 2 STRIP MINE, B SEAM, MINE INDEX NO. 5118, CAMBRIA COUNTY, PA., SUBDISTRICT 26, RAIL SHIPPING POINT: TWIN ROCKS AND/OR NANTY-GLO, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	C	C	C	C	C
Rail shipment	$3.70	$3.85	$3.45	$3.60	$3.60
Railroad locomotive fuel	3.20	3.20	3.20	3.20	3.20
Truck shipment	2.75	2.95	2.95	2.95	2.95

HORACE A. SHESLEY, 806 HORNER ST., JOHNSTOWN, PA., MILTON NO. 2 DEEP MINE, B SEAM, MINE INDEX NO. 5118, CAMBRIA COUNTY, PA., SUBDISTRICT 26, RAIL SHIPPING POINT: TWIN ROCKS AND/OR NANTY-GLO, PA., DEEP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	C	C	C	C	C
Rail shipment	$3.70	$3.85	$3.45	$3.60	$3.60
Railroad locomotive fuel	3.20	3.20	3.20	3.20	3.20
Truck shipment	2.75	2.95	2.95	2.95	2.95

[MPR 120, Order 812]

CENTRAL MINERALS CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 812 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 15. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

This order shall become effective June 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8650; Filed, June 14, 1944; 11:43 a. m.]

§ 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 15. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

CENTRAL MINERALS CO., COLUMBUS, KANS., CENTRAL MINERALS CO. MINE, LOWER WEIR SEAM, MINE INDEX NO. 2005, CHEROKEE COUNTY, KANS., PRODUCTION GROUP 1, STRIP MINE

	Size group Nos.										
	1, 2, 3, 4	5	6	7	8	9	10	11	12	14	15
Rail shipment	$3.20	$3.25	$3.05	$3.00	$2.75	$2.70	$2.70	$2.70	$2.55	$1.70	$1.40
Truck shipment	3.35	3.10	2.95	2.80	2.85	2.95	2.70	2.45	2.80	2.10	1.10

Railroad locomotive fuel:
3" x ¾" unwashed $2.60
2" x ¾" unwashed 2.45
1¼" x ¾" unwashed 2.80
All other sizes 2.70

COOLEY BROTHERS, LEHIGH, OKLA., LEHIGH MINE, MCALESTER SEAM, MINE INDEX NO. 2013, COAL COUNTY, OKLA., PRODUCTION GROUP 9, STRIP MINE

	Size group Nos.								
	1	2	3	4	6	8	9	10	14
Rail shipment	$5.00	$5.00	$5.00	$4.40	$4.00	$2.60	$3.25	$2.00	$1.40
Truck shipment	5.10	5.10	5.10	4.60	4.10	2.85	3.70	2.40	2.15

Railroad locomotive fuel (all size groups), $2.70.

McGINNIS & GRAFE, CONTINENTAL BLDG., DALLAS 1, TEX., MCGINNIS & GRAFE KALI-INLA, HARTSHORNE SEAM, MINE INDEX NO. 2014, PITTSBURG COUNTY, OKLA., PRODUCTION GROUP 9, STRIP MINE

	Size group Nos.								
	1	2	3	4	6	8	9	10	14
Rail shipment	$5.00	$5.00	$5.00	$4.40	$4.00	$2.60	$3.25	$2.00	$1.40
Truck shipment	5.10	5.10	5.10	4.60	4.10	2.85	3.70	2.40	2.15

Railroad locomotive fuel (all size groups), $2.70.

MULZER MINES, CHRISNEY, IND., LOGAN PIT MINE, NO. 5 SEAM, MINE INDEX NO. 2003, SPENCER COUNTY, IND., BOONVILLE SUB-DISTRICT, PRICE GROUP 11, STRIP MINE

	Size Group Nos.																			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	26	27	28	29	33
Rail shipment	$2.40	$2.40	$2.40	$2.40	$2.40	$2.40	$2.00	$2.40	$2.15	$2.15	$2.15	$2.15	$1.80	$1.80	$1.40	$1.10	$1.95	$1.95	$1.60	$1.60	$1.60
Truck shipment	3.25	3.20	3.15	3.05	3.00	2.95	2.55	2.60	2.60	2.45	2.45	2.45	2.25	2.15	1.60	1.30	------	------	------	------	------

PELL COAL CORPORATION, BOX 257, BRAZIL, IND., PELL NO. 3 MINE, NO. 4 SEAM, MINE INDEX NO. 2008, VERMILLION COUNTY, INDIANA, BRAZIL-CLINTON SUB-DISTRICT, PRICE GROUP 5, STRIP MINE

	Size Group Nos.														
	1	2	3	4	5	6	7	8	10	11	12	13	14	15	16
Rail shipment	$3.00	$3.00	$3.00	$2.75	$2.75	$2.75	$2.50	$2.75	$2.55	$2.55	$2.55	$2.05	$2.05	$1.65	$1.35
Truck shipment	3.50	3.45	3.40	3.30	3.25	3.20	2.90	2.90	2.70	2.60	2.60	2.40	2.20	1.85	1.55

	Size Group Nos.												
	17	18	19	20	21	22	23	24	25	26	27	28	29
Rail shipment	$2.70	$2.70	$2.70	$2.70	$2.70	$2.70	$2.60	$2.60	$2.50	$2.00	$2.20	$2.20	$1.85
Truck shipment	2.75	2.70	2.70	2.70	2.70	2.60	2.60	2.50	2.20	2.50	2.40	2.05	2.05

RED WARRIOR COAL & MINING CORP., 111 S. FOREST AVE., BRAZIL, IND., RED WARRIOR, 4TH VEIN, MINE INDEX NO. 2009, CLAY COUNTY, IND., LINTON SULLIVAN SUB-DISTRICT, PRICE GROUP 13, STRIP MINE

	Size Group Nos.														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Rail shipment	$3.00	$3.00	$3.00	$2.75	$2.75	$2.75	$2.50	$2.75	$2.55	$2.55	$2.55	$2.55	$2.05	$2.05	$1.65	$1.35
Truck shipment	3.50	3.45	3.40	3.30	3.25	3.20	2.90	2.90	2.65	2.55	2.55	2.55	2.35	2.25	1.75	1.45

	Size Group Nos.														
	17	18	19	20	21	22	23	24	25	26	27	28	29	32	33	34
Rail shipment	$2.70	$2.70	$2.70	$2.70	$2.70	$2.70	$2.30	$2.30	$2.00	$2.20	$2.20	$1.85	$1.85	$1.90	$1.75	$2.15
Truck shipment										2.45	2.35	2.00	2.00	2.00	2.00	2.40

Railroad fuel shipments; from above named mines:
Mine run, modified mine run, all lump and double screened coals $2.40
Screenings top size not exceeding 2" 1.85

This order shall become effective June 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9326, 8 F.R. 4681)

Issued this 14th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8652; Filed, June 14, 1944; 11:44 a. m.]

[MPR 120, Order 813]

MULZER MINES, ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 813 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 11. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

*Previously established.

GEORGE A. SARGES, KURTZ BLDG., CLEARFIELD, PA., DARK MEADOW MINE, D SEAM, MINE INDEX NO. 5096, CLEARFIELD COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: LUMBER CITY, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment	$3.35	$3.35	$3.55	$3.05	$3.05
Railroad locomotive fuel	3.20	3.20	3.20	2.95	2.95
Truck shipment	2.60	2.35	2.35	2.25	2.25

HALLETT COAL CO., TIMBLIN, PA., TIMBLIN #2 MINE, LOWER KITTANNING (B) SEAM, MINE INDEX NO. 5124, ARMSTRONG COUNTY, PA., SUBDISTRICT 11, RAIL SHIPPING POINT: MARKLE SIDING (P. & S. R. R.) PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	H	H	H	J	J
Rail shipment	$3.30	$3.30	$3.10	$2.85	$2.85
Railroad locomotive fuel	2.20	2.20	2.05	2.05	2.05
Truck shipment	2.50	2.25	2.25	2.10	2.10

HALLETT COAL CO., TIMBLIN, PA., TIMBLIN #1 MINE, U. FREEPORT (E) SEAM, MINE INDEX NO. 5117, ARMSTRONG COUNTY, PA., SUBDISTRICT 11, RAIL SHIPPING POINT: MARKLE SIDING (P. & S. R. R.) PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	G	G	G	G	H
Rail shipment	$3.30	$3.20	$3.15	$3.05	$2.85
Railroad locomotive fuel	3.20	3.05	3.05	2.95	2.95
Truck shipment	2.50	2.50	2.30	2.20	2.20

This order shall become effective June 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8653; Filed, June 14, 1944; 11:44 a. m.]

[MPR 120, Order 814]

WILLIAM BRASHEAR

ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MAXIMUM PRICES

Order No. 814 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing price classifications and maximum prices for coals of William Brashear.

For the reasons given in the opinion issued herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, it is ordered:

(a) Coals produced by William Brashear at his William Brashear Mine, Mine Index No. 1140 located in Allegany County, Maryland in District No. 1 for the uses indicated and by methods of transportation appearing herein, may be sold and purchased at per net ton prices not exceeding the following:

	Size groups				
	1	2	3	4	5
Price classifications	H	H	H	K	K
Rail shipments	$3.30	$3.20	$3.10	$2.85	$2.85
Truck shipments	3.60	3.20	3.25	3.05	2.95
Railroad locomotive fuel	3.20	3.20	3.05	2.95	2.95

(b) The maximum prices established herein are f. o. b. the mine for truck shipment and f. o. b. the rail shipping point for rail shipment and for railroad locomotive fuel use.

(c) This order may be revoked or amended at any time.

(d) All prayers of the applicant not granted herein are hereby denied.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective June 15, 1944.

Issued this 14th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8654; Filed, June 14, 1944, 11:44 a. m.]

[MPR 136, Order 228]

AMERICAN HYDRAULICS, INC.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 228 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services; Docket Nos. 3136-436, 3136-436.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to section 1390.26a of Maximum Price Regulation 136, as amended, it is ordered:

(a) The maximum prices for sales of the following hydraulic grinders and jacks to wholesalers by the American Hydraulics, Inc., Sheboygan, Wisconsin, shall be as follows:

Item:	*Maximum price for each*
Grinders:	
H-X-3½	$0.66
X-4-S	.67
P-162	17.17
Jacks:	
SX-107	4.06
S-120-H	5.71
S-209-S	3.95
S-208-S	6.06
S-210-S	6.11

(b) The maximum prices for sales of the grinders and jacks listed in paragraph (a) by sellers other than American Hydraulics, Inc., shall be as follows:

The seller shall increase the net price he had in effect to a purchaser of the same class on March 31, 1942, by the percentage by which his net invoiced cost has been increased due to the adjustment granted the manufacturer by this order.

(c) American Hydraulics, Inc. shall notify all persons to whom it sells the grinders and jacks listed in paragraph (a) of the amount by which this order permits resellers to increase their maximum prices.

(d) All requests in the application not granted in this order are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 15, 1944.

Issued this 14th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8648; Filed, June 14, 1944; 11:42 a. m.]

[RMPR 161, Order 46]

ELRY MORGAN

AUTHORIZATION AS GRADER AND SCALER

Order No. 46 under Revised Maximum Price Regulation No. 161, West Coast Logs.

Pursuant to the provisions of § 1381.158 (a) (3) of Revised Maximum Price Regulation No. 161, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) The following individual log scaler is approved and authorized to grade and scale West Coast Logs, subject to the limitation set forth in subparagraph (2), § 1381.158 (a):

Elry Morgan, 237 Pittock Block, Portland, Oregon.

(b) This order may be amended or revoked at any time.

This order shall become effective June 14, 1944.

Issued this 14th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8646; Filed, June 14, 1944; 11:44 a. m.]

[RMPR 161, Order 47]

BURNHAM BROS., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 47 Under § 1381.156 of Revised Maximum Price Regulation No. 161, West coast logs.

Pursuant to the provisions of § 1381.156 of Revised Maximum Price Regulation No. 161, West Coast Logs, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, it is hereby ordered:

(a) *New authorizations.* The following persons being on a 48 hour week may add to the maximum prices of all logs produced and sold by them $1.00 per thousand feet, log scale, on sales made on and after the effective date indicated:

Name, Address and Effective Date

Burnham Bros., Rainier, Wash., Mar. 1, 1944.

Cascades Plywood Corporation, Portland, Oreg., Jan. 1, 1944.

DuBois Lumber Co., Vancouver, Wash., Mar. 1, 1944.

Ford Lumber Co., Lebanon, Oreg., Jan. 1, 1944.

K & K Logging Co., Ariel, Wash., Jan. 24, 1944.

Elwood Lohrer, Cosmopolis, Wash., Jan. 1, 1944.

Mountaindale Logging Co., Portland, Oreg., Mar. 1, 1944.

Nash Logging Co., Springfield, Oreg., Mar. 1, 1944.

E. W. Picco Co., Woodland, Wash., Jan. 1, 1944.

E & P Logging Co., Myrtle Creek, Oreg., Jan. 1, 1944.

Wallace A. Preston, Arlington, Wash., Dec. 14, 1943.

C. D. Day Logging Co., Coquille, Oreg., Jan. 3, 1944.

Raymond Lumber Co., South Bend., Wash., Jan. 3, 1944.

Rogers Logging Co., South Bend, Wash., Feb. 1, 1944.

Turner and Gilbert, Kelso, Wash., Apr. 1, 1944.

Everson Logging Co., Bellingham, Wash., Feb. 1, 1944.

Louis Zeman, Parkdale, Oreg., Jan. 1, 1944.

Duffy Brothers, Clallam Bay, Wash., Jan. 1, 1944.

(b) *New authorizations.* The following persons being on a 54 hour week may add to the maximum prices of all logs produced and sold by them $1.50 per thousand feet, log scale, on sales made on and after the effective date indicated:

Walton Lumber & Plywood Logging Co., Forks, Wash., May 1, 1944.

(c) *Change of status.* The following persons who have heretofore been authorized to make specific additions are now authorized to make the following additions, since the number of hours maintained has been changed, effective on the date indicated:

Name	Address	New number of hours	Additions permitted	Effective date
Fay Baker	Seattle, Wash.	48	$1.00	May 4, 1944
E. R. Gehrke, Jr., Logging Co	Port Angeles, Wash	54	1.50	Apr. 1, 1944
C. E. Harris	Mount Vernon, Wash	54	1.50	Apr. 10, 1944
Roaring River, Logging Co	Portland, Oreg	54	1.50	May 1, 1944
Siuslaw Forest Products, Inc	Mapleton, Oreg	54	1.50	May 1, 1944
Murphy Timber Co	Portland, Oreg	48	1.00	Apr. 20, 1944
Hanlin & McDonald	Grayland, Wash	54	1.50	June 1, 1944
Western Logging Co	Portland, Oreg	54	1.50	May 1, 1944

(d) *Cancellations.* The following authorizations are cancelled, and no additions are permitted on sales made on and after the effective date indicated:

Name, Address, and Effective Date

N. R. Charman, Hoquiam, Wash., Feb. 1, 1944.

Green Tree Logging Co., Taft, Oreg., Jan. 6, 1944.

Knappton Logging Co., Knappton, Wash., Jan. 1, 1944.

Evans Plywood Corporation, Portland, Oreg., Jan. 1, 1944.

Fred M. Purvine, Molalla, Oreg., Jan. 1, 1944.

W. A. Salmon, Aberdeen, Wash., Mar. 1, 1944.

Wornstaff & Barker, Portland, Oreg., Jan. 1, 1944.

Provo Logging Co., Aberdeen, Wash., Jan. 1, 1944.

Olympic Logging Co., Seattle, Wash., May 1, 1944.

Issued this 14th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8647; Filed, June 14, 1944; 11:42 a. m.]

[MPR 188, Amdt. 6 to Order 1052]

FRAMES FOR UPHOLSTERED FURNITURE

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 6 to Order No. 1052 under § 1499.159b of Maximum Price Regulation No. 188, Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Order No. 1052 under Maximum Price Regulation No. 188 is amended in the following respects:

1. The last sentence of paragraph (b) is amended to read as follows: "This order also covers frames for upholstered furniture."

2. Paragraph (d) (2) is amended to read as follows:

(2) *When manufacturer may add the adjustment charge.* If you are a manufacturer, you may not add the adjustment charge on any sale, offer to sell, or delivery of an article, covered by this order, until you have mailed to the Office of Price Administration, Washington, D. C., a statement described in paragraph (d) (5) of this order. You need not wait for a reply from the Office of Price Administration to begin selling and collecting for the article at a price which includes the adjustment charge, but the permission to sell here granted or permission granted in any other way in this order shall not constitute approval by the Office of Price Administration of a maximum price which has not been properly determined and reported where required under Maximum Price Regulation No. 188.

Special provisions for manufacturers of frames for upholstered furniture. If you are a manufacturer of frames for upholstered furniture, you may, upon filing the report required by subparagraph (5) below collect the 5% adjustment charge mentioned in paragraph (d) (1) above on all deliveries of frames for upholstered furniture made after May 9, 1944, *Provided,* That you have billed and stated the adjustment charge separately. For all sales, offers for sale, and deliveries made on and after June 15, 1944, you must follow all the rules set forth under paragraph (d) of this order for manufacturers.

3. Paragraph (e) (1) is amended to read as follows:

(e) *How this order affects wholesalers and other purchasers for resale to industrial, commercial, institutional, governmental users, and persons other than the ultimate consumer*—(1) *Amount of the adjustment.* Any wholesaler or other purchaser for resale (other than a retailer) may add to his existing maximum prices for sales to industrial, commercial, institutional, governmental users, and persons other than the ultimate consumer, the adjustment charge determined below: *Provided,* That he fulfills the requirements of subparagraph (2), (3), (4), and (5) below:

This amendment shall become effective June 15, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E. O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8655; Filed, June 14, 1944; 11:42 a. m.]

[MPR 188, Order 40]

GLASS BOTTLES AND CONTAINERS

MODIFICATION OF MAXIMUM PRICES

Amendment No. 40 to Order No. A-1 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

An opinion accompanying Amendment No. 40 to Order No. A-1 has been issued simultaneously herewith and filed with the Division of the Federal Register.

Order No. A-1 is amended by adding a new paragraph (a) (31) to read as follows:

(31) *Modification of maximum prices on sales between manufacturers of commercial glass bottles and glass containers.* Any manufacturer of commercial glass bottles or containers, as defined herein, may, subject to the filing provisions of subdivision (iii) below, offer to sell, sell, and deliver any such products to any other manufacturer, as defined herein, at a price agreed upon, by the selling and buying manufacturers, when the price so agreed upon is in excess of the maximum price for the seller under Maximum Price Regulation No. 188, under the following conditions:

(i) Both the seller and the buyer must be "Manufacturers" as that term is defined herein;

(ii) Any increase in price resulting from the agreement under this subparagraph (31) must be absorbed by the buying manufacturer and may not be reflected, directly or indirectly, in the resale price nor may such increase be used as a basis for a request for an increase in price by way of an application for adjustment or petition for amendment under Maximum Price Regulation No. 188.

(iii) Before any sale or delivery may be made upon the basis of the price arrived at pursuant to this subparagraph (31), the buying manufacturer must submit a statement to the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., showing:

(a) The names of the selling and buying manufacturers;

(b) A specific statement from the buyer that the increase in price will not be passed on in the resale of the commodity and that such increase resulting from the agreement will not be made the basis for an application for adjustment or petition for amendment under Maximum Price Regulation No. 188.

(iv) As used in this subparagraph (31), the term:

"Manufacturer" means any person operating one or more factories or plants which produce commercial glass bottles or containers and includes any sales subsidiary or commission salesman or affiliate of such person. For the purpose of this subparagraph the term "manufacturer" also includes any person who purchases commercial glass bottles or containers for resale, as part of the general line of glass containers produced by him, to the same trade classifications through which the original producers usually distribute such commodities.

"Commercial glass bottles or containers" means any glass bottles or containers except technical, scientific and laboratory glassware, domestic canning jars and glasses, and wide mouth glass containers as covered by Maximum Price Regulation No. 382.

This Amendment No. 40 shall become effective June 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8691; Filed, June 15, 1944; 11:21 a. m.]

[General Order 58]

DEPUTY AND ASSISTANT DEPUTY ADMINISTRATOR IN CHARGE OF RATIONING

DELEGATION OF AUTHORITY

Pursuant to the authority conferred upon the Administrator by Executive Order 9125, Executive Order 9280, War Production Board Directive No. 1, as supplemented, and the Food Distribution Administration Food Directive 3 and Food Directive 4, the following order is prescribed:

(a) The Assistant Deputy Administrator in Charge of Rationing is authorized to take any action that the Deputy Administrator in Charge of Rationing has authority to take, if the Deputy Administrator has delegated the authority to him.

(b) The Deputy Administrator is authorized to ratify any action already taken by the Assistant Deputy Administrator which the Deputy Administrator had authority to take.

Issued and effective this 15th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8716; Filed, June 15, 1944; 11:22 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 54-98]

WASHINGTON RAILWAY AND ELECTRIC CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 14th day of June 1944.

Notice is hereby given that Washington Railway and Electric Company, a registered holding company and a subsidiary of The North American Company, also a registered holding company, has filed a plan pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for the simplification of its holding company system. The North American Company owns 51,827.8 shares (1,630$\frac{33}{40}$ shares of which are represented by participating units) of the 65,000 shares of the common stock of Washington Railway and Electric Company. Washington Railway and Electric Company owns: (a) all, 90,000 shares, of the common stock of Potomac Electric Power Company, an electric utility company operating in the District of Columbia and adjacent areas, (b) 120,000 shares of the 240,000 shares of the capital stock of Capital Transit Company, a street railway and bus company operating in the District of Columbia and adjacent areas, (c) all of the capital stock and all of the bonds of The Washington and Rockville Railway Company of Montgomery County, a registered holding company, (d) 50,000 shares of the 69,250 shares of the capital stock of Braddock Light & Power Company, Incorporated, a small electric utility company operating in Virginia, and (e) 3,334 shares of the 5,000 shares of the capital stock of Great Falls Power Company, a land company. Capital Transit Company owns: (a) all of the common stock and indebtedness of Montgomery Bus Lines, Incorporated, a bus company operating in Maryland, and (b) all of the capital stock of The Glen Echo Park Company, a company operating an amusement park in Maryland. The Washington and Rockville Railway Company of Montgomery County owns: (a) the remaining 19,250 shares of the capital stock of Braddock Light & Power Company, Incorporated, and (b) the remaining 1,666 shares of the capital stock of Great Falls Power Company. With the exception of serial notes of Braddock Light & Power Company, Incorporated, in the principal amount of approximately $20,000 held by certain individuals, Washington Railway and Electric Company, Potomac Electric Power Company, and Capital Transit Company are the only system companies which have publicly-held securities. If the proposed plan is consummated the following changes will occur in the structure of Washington Railway and Electric Company's system: (a) Washington Railway and Electric Company, The Washington and Rockville Railway Company of Montgomery County, and Great Falls Power Company will be liquidated and dissolved; (b) Braddock Light & Power Company, Incorporated, will become a wholly-owned subsidiary of Potomac Electric Power Company; and (c) Potomac Electric Power Company and Capital Transit Company will become direct subsidiaries of The North American Company.

All interested persons are referred to the plan which is on file in the office of this Commission for a statement of the transactions therein proposed which may be summarized as follows:

1. Washington Railway and Electric Company (Washington Railway) proposes to call for redemption its Consolidated Mortgage 4% Bonds, due December 1, 1951 (of which $3,720,500 have been assumed by Capital Transit Company), in the aggregate principal amount of $6,858,900;

2. Washington Railway proposes to cause Potomac Electric Power Company (Potomac Electric) to call for redemption all of the presently outstanding preferred stock of Potomac Electric consisting of 6% cumulative preferred stock having an aggregate par value of $2,000,000 and 5½% cumulative preferred stock having an aggregate par value of $5,000,000;

3. Washington Railway proposes to cause Potomac Electric to issue 85,000 shares of new 5% cumulative preferred stock, having a par value of $100 per share, to Washington Railway as a dividend; this proposal will result in a transfer of $8,500,000 from the earned surplus account of Potomac Electric to its capital stock account. Dividends on the new preferred stock will be cumulative from the effective date of the plan. The new preferred stock will have a call price of $120 per share during the first five years from the dividend payment date next succeeding the date of initial issue, of $115 during the next succeeding five years, of $110 during the next succeeding five years, and of $105 thereafter; will be entitled to ten votes per share; and will have a liquidating preference of $100 per share plus cumulative and unpaid dividends in the event of voluntary or involuntary liquidation.

4. Washington Railway proposes to retire the 85,000 shares of its own 5% cumulative, non-callable preferred stock having a par value of $100 per share by delivering to the holders thereof for each share of such stock (a) one share of the new 5% cumulative preferred stock of Potomac Electric, or (b) at the option of the holder, if such option is exercised within 30 days after the effective date of the plan, the sum of $100 in cash; plus, in either case, (c) accrued dividends to the effective date of the plan;

5. Washington Railway proposes to cause Potomac Electric to convert the 90,000 shares of its presently outstanding common stock having a par value of $100 per share into 900,000 shares of new common stock having a par value of $10 per share;

6. Washington Railway proposes to cause Potomac Electric to issue 1,700,000 shares of new common stock having a par value of $10 per share to Washington Railway as a dividend; this proposal will result in a transfer of $17,000,000 from the earned surplus account of Potomac Electric to its capital stock account;

7. Washington Railway proposes to retire its common stock by giving the holders thereof the opportunity, during a period of 18 months beginning on the effective date of the plan to withdraw 40 shares of the new common stock of Potomac Electric and 1.846 shares of the capital stock of Capital Transit Company upon the surrender of one share of the common stock of Washington Railway and the payment of $50 in cash if such payment is made within 15 days after the effective date of the plan; if such payment is not made during such 15-day period, the cash payment shall be the sum of $50 plus $1.20 per share for each month which has expired between the effective date of the plan and the date of the surrender, less dividends applicable to the shares of Potomac Electric and Capital Transit Company to be delivered upon the surrender of the common stock of Washington Railway. The North American Company will surrender the common stock of Washington Railway owned by it before the expiration of the aforesaid 15-day period and will pay to Washington Railway the sum of $50 in cash for each share surrendered. Upon the expiration of the 18-month period, the public holders of the common stock of Washington Railway who have not exercised the aforesaid withdrawal privilege will receive in lieu of their holdings their proportionate share of the net proceeds from the sale by Washington Railway of the remaining shares of the common stock of Potomac Electric and Capital Transit Company then owned by Washington Railway, less the sum of $71.60 for each share of the common stock of Washington Railway owned by them, plus their proportionate share of the dividends received during said period upon the shares of common stock of Potomac Electric and Capital Transit Company so sold. (Each Participating Unit which represents 1/40 interest in a share of the common stock of Washington Railway will be accorded the same treatment as though it were 1/40 of a share of common stock of Washington Railway.)

8. Washington Railway proposes not to pay any dividends on its common stock after the effective date of the plan;

9. Washington Railway proposes to cause Potomac Electric to buy all of the capital stock of Braddock Light & Power Company, Incorporated, from Washington Railway for $632,500 in cash;

10. Washington Railway proposes to cause the transfer of the real property of Great Falls Power Company to Potomac Electric in fulfilment of existing contractual obligations to Potomac Electric;

11. Washington Railway proposes to cause The Washington and Rockville Railway Company of Montgomery County and Great Falls Power Company to dissolve and in connection therewith Washington Railway will receive all the remaining assets of these companies and assume all of their remaining liabilities;

12. Washington Railway proposes to obtain the funds for the redemption of its Consolidated Mortgage 4% Bonds, due December 1, 1951, by a bank loan of approximately $7,200,000 which loan will be reduced, as of the effective date of the plan, to about $3,250,000 by the use of (1) treasury cash, (2) the proceeds from the sale of the capital stock of Braddock Light & Power Company, Incorporated, and (3) cash in the approximate amount of $3,720,500 to be received either from Capital Transit Company in satisfaction of its obligation with respect to $3,720,500 principal amount of the last mentioned bonds which have been assumed by Capital Transit Company, or from the sale of new bonds which may be issued by Capital Transit Company in fulfilment of its obligation and in lieu of a cash payment. The remainder of the bank loan will be paid, after the effective date of the plan, by the application of the proceeds from the contributions of the common stockholders of Washington Railway or from part of the proceeds from the sale of the common stocks of Potomac Electric and Capital Transit Company as set forth in paragraph numbered 7 above;

13. Washington Railway proposes to cause Potomac Electric to obtain the funds necessary to redeem its presently outstanding 6% and 5½% cumulative preferred stock ($7,490,000) and to purchase the capital stock of Braddock Light & Power Company, Incorporated, ($632,500) by (1) a temporary bank loan of not to exceed $4,500,000, (2) the use of treasury cash, and (3) the issuance and sale of unsecured notes in a principal amount not to exceed $3,000,000 maturing in equal annual installments over a period of not more than six years. Within six months after the effective date of the plan, the aforesaid temporary bank loan will be liquidated by the issuance and sale by Potomac Electric of additional shares of its common stock.

14. Washington Railway proposes thereafter to transfer its then remaining assets (anticipated to consist of cash in an amount between $260,000 and $700,000) to Potomac Electric in consideration of the latter company assuming all of the remaining liabilities, if any, of Washington Railway. (The plan recites that the only known liabilities to be covered by such assumption will be the contingent liability of Washington Railway as guarantor on approximately $3,574,000 principal amount of underlying bonds of Capital Transit Company, in the event such bonds are not refunded by Capital Transit Company prior to their assumption by Potomac Electric.)

15. Washington Railway proposes to dissolve upon the completion of the above transactions.

If this Commission should approve the proposed plan for the simplification of the holding company system of Washington Railway and Electric Company, that company will request this Commission to apply to a United States District Court pursuant to sections 11 (e) and 18 (f) of said act to enforce and carry out the terms and provisions of the plan. The plan states that its consummation is also dependent upon the enactment of legislation by the Congress of the United States authorizing certain of the proposed transactions which are not permitted by existing laws and, as to certain aspects, is subject to the approval of the Public Utilities Commission for the District of Columbia.

The Commission being required by the provisions of section 11 (e) of said act, before approving any plan thereunder, to find, after notice and opportunity for hearing, that the plan of Washington Railway and Electric Company, as submitted or as modified, is necessary to effectuate the provisions of section 11 (b) and is fair and equitable to the persons affected by such plan;

It is hereby ordered, That a hearing on the plan of Washington Railway and Electric Company for the simplification of its holding company system be held on the 18th day of July 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in Room 318. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by its rules of practice, Rule XVII, on or before the 12th day of July 1944.

It is further ordered, That Allen MacCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That notice of this hearing be given to Washington Railway and Electric Company, The North American Company, Potomac Electric Power Company, The Washington and Rockville Railway Company of Montgomery County, Capital Transit Company, Braddock Light & Power Company, Incorporated, Great Falls Power Company, the Public Utilities Commission of the District of Columbia, the Public Service Commission of Maryland, the State Corporation Commission of Virginia and to all other persons; such notice to be given to Washington Railway and Electric Company, The North American Company, Potomac Electric Power Company, The Washington and Rockville Railway Company of Montgomery County, Capital Transit Company, Bradgock Light & Power Company, Incorporated, Great Falls Power Company, the Public Utilities Commission of the District of Columbia, the Public Service Commission of Maryland, and the State Corporation Commission of Virginia by registered mail, and to all other persons by publication in the FEDERAL REGISTER and by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under said act; and

It is further ordered, That Washington Railway and Electric Company mail a copy of the plan for the simplification of its holding company system, together with a copy of this notice and order, to each of its stockholders at his last known address at least 20 days prior to the 18th day of July, 1944.

It is further ordered, That without limiting the scope of the issues presented by the plan, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the plan of Washington Railway and Electric Company, as proposed or as modified, is necessary to effectuate the provisions of section 11 (b) of the act; is fair and equitable to the persons affected thereby; and is necessary or appropriate in the public interest or for the protection of investors or consumers;

2. Whether all of the provisions for the consummation of the plan are fair and equitable and in accordance with the act and the rules and regulations promulgated thereunder;

3. Whether the proposed accounting entries are proper and in accordance with sound accounting principles and practice and in accordance with the standards of the act;

4. Whether the acquisition by Potomac Electric Power Company of all of the capital stock of Braddock Light & Power Company, Incorporated, and of the real property of Great Falls Power Company complies with all of the provisions of section 10 of the act;

5. Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers and consistent

with all applicable requirements of the act and the rules thereunder, and, if not, what modification should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8662; Filed, June 15, 1944; 9:56 a. m.]

[File No. 70-906]

CENTRAL NEW YORK POWER CORP., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 13th day of June 1944.

In the matter of Central New York Power Corporation, Kanata Realty Company, Inc., and Northern Development Corporation, File No. 70-906.

Notice is hereby given that a joint application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Northern Development Corporation (Northern), Central New York Power Corporation (Central), and its subsidiary, Kanata Realty Company, Inc. (Kanata), the first two companies being direct subsidiaries of Niagara Hudson Power Corporation (Niagara Hudson), in turn a subsidiary of The United Corporation, a registered holding company.

All interested persons are referred to said document, which is on file in the offices of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

Kanata proposes to sell and Northern proposes to purchase certain real property consisting of undeveloped water, dam and power sites and all improvements thereon for a cash consideration of $7,754.20.

Kanata further proposes to sell and Central proposes to purchase all the remaining assets of Kanata (other than current assets and 35 shares of the common stock of Manufacturer's Bank of Ilion, New York) consisting principally of an office building in the City of Utica, in which is located the offices of Central, and certain undeveloped water, dam and power sites considered necessary or desirable in connection with water rights located in the territory served by Central, for a cash consideration of $688,831.19.

Thereafter, on August 1, 1944, Kanata proposes to redeem its Utica Gas and Electric Building First Mortgage 5% Sinking Fund Bonds outstanding in the principal amount of $502,000. After discharging all its liabilities, other than open account advances of $880,107.09 and $317,277.08 owed to Central and Niagara Hudson, respectively, Kanata proposes to pay such open account advances to the extent of its cash in proportion to the amounts owed. Thereafter, Kanata will be dissolved.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to such matters:

It is ordered, That a hearing under the applicable provisions of the act and the rules of the Commission thereunder be held on June 21, 1944, at 11 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in Room 318.

It is further ordered, That Willis E. Monty, an officer of the Commission, be, and hereby is, designated to preside at such hearing and is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That any persons desiring to be heard or otherwise to participate in said proceeding, shall, on or before June 19, 1944, file a written application with the Secretary of the Commission in accordance with the provisions of Rule XVII of the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented by said application and declaration to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the considerations to be paid, including all fees, commissions, and other remunerations to whomsoever paid in connection with the proposed transactions, are fair and reasonable;

(2) Whether the proposed transactions are in conformity with the applicable requirements of the act and are not detrimental to carrying out the provisions of section 11;

(3) Whether the imposition of terms and conditions is necessary in the public interest or for the protection of investors and consumers, and, if so, what those terms and conditions should be;

(4) Generally, whether in any respect the proposed transactions are detrimental to the public interest or the interests of investors and consumers or will tend to circumvent any provisions of the act or the rules and regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8663; Filed, June 15, 1944; 9:56 a. m.]

[File No. 70-894]

CONSOLIDATED NATURAL GAS CO. AND NEW YORK STATE NATURAL GAS CORP.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 12th day of June 1944.

Consolidated Natural Gas Company, a registered holding company, and its nonutility pipe line subsidiary, New York State Natural Gas Corporation, having filed a joint application and declaration pursuant to the Public Utility Holding Company Act of 1935 and rules promulgated thereunder with respect to the following transaction:

New York State Natural Gas Corporation proposes to issue 30,000 shares of capital stock ($100 par value) to Consolidated Natural Gas Company for $3,000,000 cash, which amount New York State Natural Gas Corporation proposes to use to finance the construction costs of a 127 mile natural gas transmission pipe line, 12 inches in diameter, in the State of Pennsylvania, extending from a point of connection with the system of The Hope Natural Gas Company (a subsidiary of Consolidated Natural Gas Company) on the Pennsylvania-West Virginia State Line, in a northeasterly direction to a connection with the southerly end of the Potter County Line of The Peoples Natural Gas Company (also a subsidiary of Consolidated Natural Gas Company). The construction and operation of the transmission line has been authorized by the Federal Power Commission and a preference rating and allotment certificate has been granted by the War Production Board for the materials required in the construction of the pipe line.

Said joint application - declaration having been filed on May 10, 1944 and notice of said filing having been duly given in the form and manner provided by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for hearing with respect to said joint application-declaration within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of sections 6 (a), 7, 9, 10 and 12 (f) and Rules U-43 and U-50 promulgated thereunder are satisfied and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interests of investors and consumers to grant said application and permit said declaration to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act, subject to the terms and conditions of Rule U-24, that the aforesaid application be, and hereby is, granted and that the aforesaid declaration, be, and hereby is, permitted to become effective. *Provided, however*, That our action herein is not to be construed as definitively determining the status of New York State Natural Gas Corporation nor that of the holding company system of Consolidated Natural Gas Company, in relation to the requirements of section 11 (b) (1) of the Act, nor as relinquishing our reservation of jurisdiction in respect thereof as is set forth in our order of October 11, 1943, (Holding Company Act Release No. 4617)

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8664; Filed, June 15, 1944; 9:56 a. m.]

[File Nos. 59-47 and 54-63]

REPUBLIC SERVICE CORPORATION AND ITS SUBSIDIARIES

ORDER GRANTING PARTIAL EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania on the 14th day of June, A. D. 1944.

Republic Service Corporation, having applied under section 11 (c) of the Public Utility Holding Company Act of 1935 for an extension of time for compliance with an order of the Commission dated February 19, 1943, respecting Republic Service Corporation and its subsidiaries under sections 11 (b) (1) and 11 (b) (2) of the said act;

Hearings having been held, oral argument having been heard, the Commission being duly advised and having this day issued its findings and opinion herein; on the basis of said findings and opinion, and pursuant to section 11 (c) of said act,

It is ordered, That the time within which the applicant shall comply with the Commission's order under section 11 (b) (1) of said act be and hereby is extended for a period of 60 days from the date hereof;

It is further ordered, That the application, in so far as it requests an extension of time for compliance with the Commission's order under section 11 (b) (2) of said act, be and hereby is denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8665; Filed, June 15, 1944; 9:56 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 121

Washington, Saturday, June 17, 1944

The President

EXECUTIVE ORDER 9449

AMENDING REGULATIONS CONCERNING FOREIGN SERVICE PAY ADJUSTMENT

By virtue of the authority vested in me as President of the United States by the act of March 28, 1934, 48 Stat. 466 (U.S.C., Title 5, Section 118c), Executive Order No. 7972 of September 15, 1938,[1] as amended, prescribing regulations governing payment of losses sustained by officers, enlisted men, and employees of the United States in foreign countries on account of appreciation of foreign currencies in their relation to the American dollar, is hereby further amended, effective as of July 1, 1944, as follows:

1. Section 2 (b) of the said Executive Order is amended to read as follows:

In case of officers, enlisted men, and employees serving under the War or Navy Departments (with the exception of personnel of military and naval missions, military and naval attaches, naval observers, port directors and other persons attached to their offices, and other officers, enlisted men, and employees when designated by the Secretary of War or the Secretary of the Navy, who shall be governed by paragraph (a) of this section), no losses shall be payable.

2. The provisions of any other section of the said Executive Order No. 7972, as amended, so far as they are in conflict with the provisions of this order, are amended accordingly.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 15, 1944.

[F. R. Doc. 44-8778; Filed, June 16, 1944; 11:40 a. m.]

[1] 3 F.R. 2240; 3 CFR Cum. Supp.

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 4-6]

PART 1460—TOBACCO

CIGAR FILLER AND BINDER TYPES OF TOBACCO

Pursuant to the authority vested in me by War Food Order No. 4, as amended, 9 F.R. 4321, 4319 (formerly designated as Food Distribution Order No. 4, as amended, 8 F.R. 335, 11331), and to effectuate the purposes thereof, it is hereby ordered as follows:

§ 1460.13 *Restrictions on the purchase of cigar filler and binder types of tobacco*—(a) *Definitions.* (1) "Person" means an individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Tobacco" means tobacco of the 1944 crop of the cigar filler types numbered 41, 42, 43, and 44, and the cigar binder types numbered 51, 52, 53, 54, and 55, as defined in the Service and Regulatory Announcement No. 118 (7 CFR 30.1 et seq.) of the United States Department of Agriculture, promulgated by the Secretary of Agriculture on October 14, 1929.

(b) *Restrictions.* After the effective time hereof, no person shall, in any manner whatsoever, purchase, contract to purchase, or accept an option to purchase tobacco.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., June 14, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 4, as amended, 8 F.R. 335, 11331, 9 F.R. 4321, 4319)

Issued this 13th day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-8657; Filed, June 14, 1944; 2:18 p. m.]

[WFO 86, Amdt. 1]

PART 1460—FATS AND OILS

SOAP

War Food Order 86 (8 F.R. 14193; 9 F.R. 4321, 4319), § 1460.30, is amended as follows:

By deleting the provisions of paragraphs (b), (c), and (d) thereof.

This amendment shall become effective 12:01 a. m., e. w. t., June 14, 1944. However, with respect to violations of War Food Order 86, or rights accrued or liabilities incurred thereunder, prior to said date, said War Food Order 86 shall

(Continued on next page)

CONTENTS

THE PRESIDENT

EXECUTIVE ORDER: Page
Foreign service pay adjustment, amendment of regulations 6667

REGULATIONS AND NOTICES

CIVIL AERONAUTICS BOARD:
Pennsylvania Central Airlines, pilot competency requirements 6667
COAST GUARD:
Accidents and casualties, temporary wartime rules governing investigations 6777
FEDERAL POWER COMMISSION:
El Paso Natural Gas Co., application filed 6781
FISHERIES COORDINATOR:
Halibut, allocation within ports 6780
INTERSTATE COMMERCE COMMISSION:
Honey, unloading at Laredo, Tex 6783
Reconsignment permits:
Lettuce, Chicago, Ill 6782
Potatoes, Kansas City, Mo 6782
Vegetables, Kansas City, Mo 6782
Reicing permits; potatoes:
Florida 6782
Huntingdon, Pa 6783
Kansas City, Mo 6782
OFFICE OF DEFENSE TRANSPORTATION:
Comon carriers of property, interchange of traffic 6778
OFFICE OF ECONOMIC STABILIZATION:
Halibut fish industry, allocation plan authorized 6783
OFFICE OF PRICE ADMINISTRATION:
Food products, Group 1, general pricing provisions (FPR 1) 6711
Beans, macaroni and noodle products, processed (FPR 1, Supp. 2) 6722
Citrus products, 1944 and later packs (FPR 1, Supp. 5) 6727
Dates and date products, domestic (FPR 1, Supp. 4) 6726
Flour mixes, prepared (FPR 1, Supp. 3) 6724
Macaroni and noodle products (FPR 1, Supp. 1) 6720

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.

CONTENTS—Continued

	Page
OFFICE OF PRICE ADMINISTRATION—Continued.	
Fruits and vegetables, fresh (MPR 426, Am. 32)	6711
Meat, fats, fish and cheese (Rev. RO 16; 2d Rev. Supp. 1) (2 documents)	6731, 6772
Oils, certain essential (MPR 472, Am. 3)	6710
Paper, writing, and other fine papers (MPR 450, Am. 3)	6711
Regional and district office orders:	
Citrus fruits, packing services, Florida	6787
Firewood:	
Colorado	6795
Ellensburg, Wash., etc	6796
Regional and district office orders—Continued.	
Fluid milk—Continued.	
Antioch, Ill	6794
Baraboo, Wis	6788
Barnum, Minn., etc	6793
Beardstown, Ill	6789
Brainerd, Minn	6791
Brodhead, Wis	6793
California (2 documents)	6795
Glenwood and Starbuck, Minn	6792
Idaho	6796
Jacksonville, Ill	6789
New Ulm, Minn	6790
Sandoval, Ill	6790
Springfield, Ill	6788
Taylors' Falls, Minn	6792
Wyoming	6794
Fruits and vegetables, fresh:	
Louisville, Ky., district (2 documents)	6797
North Carolina, designated counties	6798
Laundry services, California	6795
Lettuce, Spokane, Wash	6797
Solid fuels:	
Atlanta region (2 documents)	6787, 6788
Monmouth and Ocean counties, N. J	6784
Pittsfield, Mass	6783
Richmond, Va., and Henrico and Chesterfield counties	6788
St. Louis, Mo., and St. Louis county	6788
Sausage items (MPR 389, Am. 14)	6730
Virgin Islands:	
Accessories, women's and girls wear (MPR 395, Am. 22)	6773
Domestic, household sundries, and dry goods (MPR 395, Am. 25)	6774
Shoes (MPR 395, Am. 26)	6776
SELECTIVE SERVICE SYSTEM:	
Notice of call, etc., forms revised	6701
WAR DEPARTMENT:	
Military areas, establishment; prohibited and restricted zones, Eastern Defense Command	6699
Procurement and disposal of military supplies and animals:	
Contracts	6671
Termination for convenience of Government	6697
Instructions, general	6668
Labor	6691
Purchase policies, general	6669
Interbranch and interdepartmental	6673
Renegotiation and price adjustment	6692
Surplus and unserviceable property	6673
WAR FOOD ADMINISTRATION:	
Asparagus in Delaware, wage rates for cutting, bunching and packing	6700
Peas, green, in Oregon; wage rates for picking	6701
Soap (WFO 86, Am. 1)	6667
Tobacco (WFO 4–6)	6667
WAR PRODUCTION BOARD:	
Controlled materials plan:	
Alaskan aircraft repair shops (CMP Reg. 9A, Dir. 3)	6701
Concentration or transfer of production (CMP Reg. 2, Inventory Dir. 17)	6710
Cotton textile production (L-99)	6703
Laundry and dry cleaning equipment, etc., commercial (L-91)	6700
Priorities system operations, concentration or transfer of production (PR 1, Dir. 3)	6702
Suspension orders, etc; Slater, C. B. Co	6700
Zinc oxide (M–11–a)	6701
WAR SHIPPING ADMINISTRATION:	
Charter hire, values and rates	6777
Time charter hire, basic rates	6778

be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 13th day of June 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–9658; Filed, June 14, 1944; 2:18 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

[Procurement Regs. 1, 2, 3, 6, 7, 9, 12 and 15]

MISCELLANEOUS AMENDMENTS

The following amendments and additions to the regulations contained in Parts 81, 83 and 88 are hereby prescribed. These regulations are also contained in War Department Procurement Regulations dated 5 September 1942 (7 F.R. 8082) as amended by Change 35, 25 May 1944,[1] the particular regulations amended being Nos. 1, 2, 3, 6, 7, 9, 12 and 15.

[1] For previous changes see 7 F.R. 9288, 10184, 10906; 8 F.R. 3339, 5210, 6576, 7536, 8629, 8918, 9008, 11609, 12043, 13083, 13791, 14512, 16009, 16100, 17464; 9 F.R. 1344, 2975, 4066 and 4841.

In section numbers the figures to the right of the decimal point correspond with the respective paragraph numbers in the procurement regulations.

AUTHORITY: Sec. 5a, National Defense Act, as amended, 41 Stat. 764; 54 Stat. 1225; 10 U. S. C. 1193–1195, and the First War Powers Act 1941, 55 Stat. 838; 50 U.S.C. Sup. 601–622.

[Procurement Reg. 1]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

GENERAL INSTRUCTIONS

In § 81.108, paragraph (d) (2) is amended as follows:

§ 81.108 *Application of these procurement regulations.* * * *

(d) *Army Air Forces.* * * *

(2) Whenever used herein, unless otherwise specifically indicated, the term "technical services" shall be deemed to include the Army Air Forces, and the term "chiefs of the technical services" shall be deemed to include the Commanding General, Army Air Forces. Likewise, the terms "Director, Purchases Division, Headquarters, Army Service Forces" and "Director, Readjustment Division, Headquarters, Army Service Forces", when used in connection with action to be taken in respect of the Army Air Forces, shall, unless otherwise specifically indicated, be deemed to refer to the Special Representative of the Under Secretary of War designated for that purpose.

[Procurement Reg. 2]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

GENERAL PURCHASE POLICIES

Section 81.225 is amended as follows:

§ 81.225 *Smaller war plants policy*—(a) *Smaller War Plants Act.* (1) Public Law 603—77th Congress (approved June 11, 1942) creates the "Smaller War Plants Corporation" (hereinafter referred to as "SWPC") and gives the Chairman of the War Production Board certain powers and responsibilities incident to placement of Government contracts with smaller plants. The majority of such powers have been delegated by the Chairman of the War Production Board to the Chairman of SWPC.

(2) The act gives SWPC power to enter into prime contracts with the War Department for articles, equipment, supplies or materials, or parts thereof, or work in connection therewith, and to subcontract the production of these items to small business concerns. If the Chairman of the War Production Board certifies that SWPC is competent to perform any specific Government procurement contract, the contract must be let to it on such terms and conditions as the Chairman may specify.

(3) The act also authorizes SWPC, by delegation from the Chairman of the War Production Board, to certify small business concerns or groups of such concerns to the Secretary of War with respect to capacity and credit as to a specific Government procurement contract. The War Department is directed to accept such certification as conclusive and is authorized to place the contract with the concern or group of concerns without requiring the meeting of any other requirements with respect to capacity and credit.

(4) The act recognizes that small plants are frequently unable to produce at as low a per unit cost as larger plants and that, as a consequence, it may be necessary for the Government to pay a higher per unit price for articles when obtaining them from small plants than it pays to business concerns operating large plants. War Department policy in respect to this will be prescribed by further instructions from time to time.

(b) *General policy.* (1) The established policy of the War Department is to place the greatest practicable volume of prime contracts and to encourage subcontracts with small business concerns or groups of such concerns without the necessity of plant certification or the taking of prime contracts by SWPC. To implement this policy, the basic program covered in paragraphs (c) to (i) of this section is established in order to assist the smaller plants to participate to the greatest practicable extent in War Department contracts.

(2) It is recognized that procurement procedures vary as between technical services, and it is the policy of the War Department that procedures to be established between each technical service and SWPC will coordinate closely with the normal operations of the technical service. It is the responsibility of the chief of each technical service to establish operating procedures within his technical service with SWPC in conformity with the policies stated in this § 81.225. Such procedures shall be established by mutual agreement between SWPC and each technical service, and shall be in writing. A copy of such agreement shall be provided the Small War Plants Branch, Purchases Division, Army Service Forces, which office is available for any assistance requested in connection with preparing the agreement.

(c) Designations by, and representatives of, SWPC. (1) To date no certifications as referred to in paragraph (a) (3) have been made to the Secretary of War by SWPC. However, a program has been and will continue to be in effect whereby small concerns are recommended by SWPC to each contracting office of the War Department as being capable of performing contracts under particular procurements. Such recommendations are called designations, and firms so designated are known as SWPC designees.

(2) SWPC has appointed a representative to each contracting office of the War Department. Such representative is known as a SWPC Procurement Specialist, and one of his duties is to present designations to the contracting office as set forth in paragraph (f).

(3) SWPC has appointed a representative to the office of each technical service issuing procurement directives, and this representative is also known as a SWPC Procurement Specialist. Among his duties are those set forth in paragraph (e).

(d) *Basic program.* (1) The following points of policy are established with respect to actions by the War Department in connection with SWPC, and have been agreed upon between SWPC and the War Department:

(i) This program will be undertaken on all procurements, except that procurements of secret or confidential items and those of an emergency nature may be excluded at the discretion of the chief of a technical service. "Emergency nature" relates to those situations where military necessity will not permit the processing of the procurements as outlined herein.

(ii) The War Department's general definition of a small concern is an independently-owned concern employing less than 500 wage earners. Nevertheless, it is within the discretion of a contracting office, independently or upon the request of SWPC, to consider the relative size of a firm within its industry and treat it as large or small accordingly.

(iii) All decisions with respect to the degree of participation of and the desired geographical location of small concerns, and to the choice of particular small concerns to participate in War Department procurements, will be reached at the contracting offices of each technical service (or at whatever office in the technical service decisions are reached regarding the use of specific facilities).

(iv) Since small concerns considered by the contracting office as suitable to bid for a procurement will normally be reviewed by SWPC to determine whether or not such firms will become SWPC designees for such procurement, it is anticipated that the final list of concerns so designated by SWPC will normally be reviewed by SWPC to determine whether or not such firms will become SWPC designees for such procurement, it is anticipated that the final list of concerns so designated by SWPC will include many of the small concerns acceptable to the contracting office.

(2) Chiefs of technical services will designate Small War Plants officers at the contracting offices, and also at either the headquarters of the technical services or at the offices issuing procurement directives. Such officers will be charged with administering War Department policy in respect to small concerns, with working in cooperation with SWPC Procurement Specialists at such offices and with acting as specific contacts for representatives of small concerns calling at such offices. Each technical service will conduct staff supervision of contracting office procedures in connection with the small plant program.

(e) *Action at the office issuing procurement directives.* Opportunity will be afforded the SWPC Procurement Specialist at the office issuing procurement directives (1) to review with the proper personnel of the technical service the related parts of the Army Supply Pro-

gram for the purpose of selecting products which will be generally suitable for small concerns, and (2) to examine all procurement directives (except those for secret and confidential items and those of an emergency nature, unless authorized to do so by the chief of the technical service). Where a technical service buys through district offices whose purchasing responsibility is confined to limted geographical areas, suggestions from the SWPC Procurement Specialist as to distribution to districts will be received and considered. When the SWPC Procurement Specialist indicates an interest in further action by SWPC on a procurement, this interest will be noted on the procurement directive that is sent to the contracting office. Lack of such notation of interest will not eliminate a procurement from further consideration under paragraph (f) (1) of this section. Copies of procurement directives which have been examined (except those for secret and confidential items) will be supplied by the office issuing them to the SWPC Procurement Specialist at that office, to the extent desired by SWPC.

(f) *Action at the contracting office.* (1) The contracting office and the SWPC Procurement Specialist at that office will mutually decide, on all procurements (secret and confidential procurements are excluded, except where specifically authorized under paragraph (e) (2)):

(i) Whether a particular procurement is suitable for manufacture by small concerns.

(ii) The minimum portions of procurements found suitable under (i) which the contracting office will endeavor to place with designees of SWPC in compliance with paragraphs (a) to (h).

(iii) In cases found suitable under (i) and (ii), how many SWPC designations will be sought, from which SWPC regions they will be sought, and by what date such designations will be submitted to the contracting office.

(iv) While emergency procurements are normally excluded under paragraph (d) (1) (i) from further processing through SWPC, the contracting office may in its discretion allow the SWPC Procurement Specialist, if time permits, to suggest sources, when such action does not delay the procurement.

(2) Other action to be taken by the contracting office includes:

(i) A set of drawings, specifications and prints will be made available to the SWPC Procurement Specialist as soon as practicable after the SWPC Procurement Specialist requests them in connection with a particular procurement. Additional sets will be furnished, if available; and if not available, full descriptive information to the extent available will be given the SWPC Procurement Specialist.

(ii) The contracting office will make available to the SWPC Procurement Specialist the names of small plant sources considered suitable by the contracting office for a particular procurement. SWPC will, under its procedures, designate or indicate reasons for refusing to designate such sources.

(iii) Small concerns designated by SWPC in accordance with (1) (ii) above will normally be given an opportunity to bid or negotiate. If a contracting office does not consider that a SWPC designee should receive this opportunity, the SWPC Procurement Specialist shall be given the reasons therefor.

(iv) On the date established under (1) (iii) the contracting office will consider not only SWPC designations that have been submitted for the particular procurement by that date but also any other sources of the contracting office's choice, and will determine which of such firms will be given an opportunity to bid or negotiate.

(v) Opportunity will be given the SWPC for the procurement involved representations to the contracting office in behalf of concerns designated by SWPC for the procurement involved after final bid prices have been received but before final choice of contract placement is made. Copies of abstracts of bids, if available, on procurements in which SWPC participates under (1) (iii) will be furnished at this time to the SWPC Procurement Specialist; if a copy is not available, information will be made available so that the SWPC Procurement Specialist may make his own copy.

(vi) Negotiation and placement of awards will be governed by the factors enumerated in § 81.223 (a) to (h). While the contracting office will endeavor to fulfill the percentage allotment for SWPC designees, and to place contracts with such designees for as great a percentage as is practicable, first consideration shall be, in all cases, that of securing performance or deliveries at the time, in the quantity, and of the quality required by the war program, and nothing in paragraphs (a) to (i) of this section shall detract from that consideration. In considerating the factor referred to in § 81.223 (g) with respect to small business concerns, the contracting office may determine that the "most effective utilization of the small plants of the nation" will be accomplished, in a particular instance, by the payment of a higher price (when such price is proved to result from a justifiably higher cost) to a capable small plant in need of business as against a lower price bid by another small plant with an ample workload.

(vii) The SWPC copy of the abstract or information indicated in subdivision (v) of this paragraph will be noted as to awards made and signed by the contracting office.

(3) In the event the SWPC Procurement Specialist does not agree with the position taken by a contracting officer on the points enumerated in subparagraphs (1) and (2), or if small firms chosen by the contracting office to receive awards are considered by SWPC as not suitable to receive award under the procurement and the reasons given by SWPC for this decision are not acceptable to the contracting office, reasonable opportunity will be given SWPC, if military urgency permits, to submit the difference of opinion to the chief of procurement of the contracting office for final decision.

(g) *Encouraging subcontracting to small concerns.* (1) In order to promote subcontracting to small concerns, the chief of each technical service will instruct contracting personnel at all levels to bring to the attention of prospective contractors the policy of the War Department to encourage subcontracting to the greatest practicable degree. The attention of such prospective contractors will be called to the contract clauses set forth in §§ 81.367 and 81.368.

(2) Additional subcontracting to small concerns by existing contractors will be fostered to the degree practicable. When the chief of a technical service or his duly authorized representative determines that increased costs under such additional subcontracts are justifiable, he is authorized to enter into and approve supplemental agreements amending or modifying such existing contracts to provide for the payment of an increased price to the prime contractor to cover the increased costs of such subcontracting. Any such agreement will be made pursuant to the First War Powers Act, 1941, and Executive Order 9001, and may be made without consideration to the Government other than the promotion of the policies stated in Public Law 603, 77th Congress and in subparagraphs (2) and (3) of this paragraph.

(3) The procedures described in subparagraph (2) above will be applied to subcontracts where it appears to be practicable to get a subcontractor to spread his load among more subcontractors.

(h) *Limitations*—(1) *Standardization.* While the SWPC Procurement Specialists will be afforded every practicable assistance in bringing about the further spread of work to smaller plants, consistent with the factors enumerated in §§ 81.223 (a) to (h), inclusive, standardization programs on items where a flow of replacement parts is a factor will also be taken into account in connection with applying the Small War Plants policy.

(2) *Preventing abuses.* In carrying out the policy of spreading the work to smaller war plants, contracting officers must take precautions to prevent abuse of the preferred position of such plants. For instance, a smaller war plant contractor should not be allowed to subcontract substantially the entire work to a large plant at a lower price and thereby to operate virtually as a contract broker.

(i) *Policy matters in connection with the Smaller War Plants Act.* Matters of procedural disagreement will be referred to the headquarters of the technical service involved for settlement with the SWPC Procurement Specialist at that headquarters. If such disagreements cannot be settled at that level, reference will be made by the technical service to the Small War Plants Branch, Purchases Division, Headquarters, Army Service Forces. All matters of basic policy relating to prime contracting and subcontracting with smaller plants will be dealt with for SWPC by its Washington headquarters and for the War Department by the Small War Plants Branch, Purchases Division, Headquarters, Army Service Forces. On such matters, contact will be between these offices.

[Procurement Reg. 3]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

CONTRACTS

Section 81.316 is amended as follows:

§ 81.316 *Numbered contracts.* (a) Subject to such special instructions as may be issued by the chief of the technical service concerned, numbered contracts will be distributed as follows:

(1) The original signed number of each lump sum (fixed price) contract will be forwarded to the Army Audit Branch of the General Accounting Offices (see § 81.317b). The original signed number of each cost-plus-a-fixed-fee contract will be forwarded to the War Contract Service Section, Audit Division, General Accounting Office, Washington 25, D. C.

(2) The duplicate signed number will be filed with the contracting officer or as directed by the chief of the technical service concerned.

(3) The triplicate signed number will be forwarded to the contractor.

(4) An authenticated copy will be forwarded to the disbursing officer for his use.

(5) Additional authenticated copies or unauthenticated copies will be distributed as directed by the chief of the technical service concerned.

Section 81.360a is added.

§ 81.360a *Price adjustment article based on optional periodic adjustment of price—(a) Where contractor has had previous experience in production of item.* The following article is for use only in contracts where the contractor has had previous experience in producing the same or substantially the same item. Where the contractor has had no such experience, this article will include the changes set forth in paragraph (b) of this section. Deviations in the form of this article will be made only with the written approval of the Director, Purchases Division, Headquarters, Army Service Forces, or his authorized representative. The principles set forth in § 81.1235a are applicable to the use of this article. Paragraph (h) of the article may be included where the contracting officer deems it appropriate. If this paragraph is omitted, the references to paragraph (h) shown in italics will also be omitted and the letter designations of paragraph (i) and following paragraphs will be appropriately changed.

Article ____. (a) The Contractor and the Government have agreed upon the prices fixed in Article ____ hereof, for the items to be delivered hereunder, which prices shall remain in effect unless and until changed in accordance with this article or some other provision of this contract.

(b) Either party may, at any time specified in this article, deliver to the other party a written demand to negotiate to adjust the prices under this contract. The right herein given to demand such negotiation may be exercised by either party at any time and from time to time; *Provided, however,* (1) That no such demand shall be made by either party within ninety days after the date of this contract or the effective date of a previous demand by either party, regardless of the outcome of negotiations under such a previous demand; and (2) that *except as provided in paragraph (h),* no such demand shall be made within ninety days of the anticipated completion (as determined by the Contracting Officer), of the Contractor's deliveries of items covered by this contract.

(c) Every demand under this article shall specify the date (which, *except as provided in paragraph (h)* of this article, shall not be earlier than the delivery of the demand) after which the adjusted prices shall be effective, which date is herein referred to as "the effective date of the demand". Any demand under this article shall state briefly the ground or grounds therefor and in the case of a demand by the Contractor shall be accompanied by the data required to be furnished in accordance with paragraph (d) of this article. In the case of a demand by the Government the Contractor shall file such data within fifteen days after the delivery of such demand (or at such other time as the parties may agree on) provided that upon written request of the Contractor, the Contractor shall in any event be allowed 15 additional days to prepare such data.

(d) In connection with any such demand, the Contractor will promptly submit to the Contracting Officer the following data:

1. Statements showing—

(A) the experienced cost of producing each item covered by this contract and completed during the Contractor's most recent accounting period of _____ (specify as month, fiscal quarter) ending no earlier than sixty days before the effective date of the demand.

(B) the experienced cost of performance under this contract, broken down in reasonable detail by periods and items, from (1) the inception of the contract or the effective date of the next prior demand, whichever is later, to (2) the beginning of the accounting period referred to in subparagraph 1 (A) above.

2. An estimate of the costs of producing the items to be delivered after the effective date of the demand, itemized in the same manner as in the estimates of costs stated in the War Department Standard Procurement Form. (Alternate wording: Itemized as follows:) Such estimates in general should be arrived at on the basis of the Contractor's planned method of manufacture and should be made in the light of experienced costs shown in the statements submitted pursuant to paragraph 1 of this paragraph (d). All provisions for contingency charges will be shown separately and identified, together with concise but adequate explanations of differences, if any, between each major element of estimated cost and the costs experienced from the inception of the contract or from the effective date of the next prior demand, whichever is the later.

3. Proposed prices for each item covered by the contract to be delivered following the effective date of such demand.

(e) After the filing of the data required by paragraph (d) hereof, the Contractor and the Contracting Officer will negotiate in good faith to agree upon adjusted prices for items to be delivered following the effective date of the demand.

(f) Prices so negotiated and agreed upon may be in excess of, less than, or the same as, the prices stated in Article ____ hereof. There shall be given appropriate consideration in the negotiations, (1) increases or decreases in the Contractor's cost of direct or indirect labor on account of increases or decreases in labor rates ordered or authorized by a duly constituted Government agency, (2) increases or decreases in the Contractor's cost of materials or supplies, or both, used or to be used in the manufacture of the items to be delivered under this contract, resulting from increases or decreases in prices paid or to be paid by the contractor to the suppliers, (3) present and prospective changes in the volume of production in the Contractor's plant, (4) any factors indicating that increases in particular costs of the Contractor have been or will be off-set by reductions in other costs during the performance of the contract below such costs as estimated originally or at the time of any prior demand under this article, (5) the extent to which any increases in cost were or will be beyond the control of the Contractor, and (6) any other relevant factors. The extent to which the Contractor, by skillful management, careful buying, or efficiency in production, has reduced costs experienced during the periods preceding the delivery of the demand below the estimated amount thereof, so that the Government will benefit thereby in connection with prices for the remainder of the contract (or until another demand shall be made), or has failed to operate efficiently, shall be taken into account in fixing the adjusted prices and appropriate increases in estimated profit allowances shall be made to reward efficient performance and appropriate decreases in such profit allowances may be made in the case of inefficient performance. During the course of such negotiations the Contractor and the Contracting Officer may also consider other data which they may deem pertinent, including (1) prices paid to others for the same or similar items, (2) trends of prices of the same or similar items, (3) indexes of average hourly earnings, and (4) trends of prices of the raw materials going into the product. The prices of items to be delivered following the effective date of the demand shall not be adjusted to absorb any retroactive increases in the cost of items delivered prior to the effective date of the demand.

(g) After each negotiation, the agreement reached will be evidenced by a supplemental agreement to this contract stating the prices to be effective with respect to deliveries after the effective date of the demand *or for any period prior thereto to the extent permitted by paragraph* (h).

(h) (Optional—see above). The Contractor and the Contracting Officer will negotiate to agree upon adjusted prices for items which were delivered prior to the delivery of the demand in the event that the Contractor is ordered by a duly authorized agency of the Government, or is authorized by such an agency to pay retroactive wage increases affecting the cost of such deliveries. In such negotiations the Contractor and the Contracting Officer will attempt in good faith to estimate the effect of such retroactive wage increases on the cost of items delivered prior to the delivery of the demand and the prices payable for the items so delivered will then be adjusted to reflect, to the extent deemed reasonable under all the circumstances, such estimated effect on cost so

agreed upon. In making any adjustment under this paragraph (h) consideration shall be given to the extent to which increases in costs caused by such retroactive wage increases have been offset by reduction in other costs of the Contractor below such costs as estimated originally or at the time of any earlier demand. Any agreement reached under this provision will be evidenced by a supplemental agreement to this contract which shall be subject to the approval of the Director, Purchases Division, Headquarters, Army Service Forces [in AAF contracts substitute: "the Under Secretary of War or his duly authorized representative"] stating the revised prices to be effective with respect to deliveries during a specified past period. As a condition precedent to such adjustments the Contractor shall submit to the Contracting Officer, not later than twenty days after the order for or authorization of such retroactive wage increases and in any event prior to final payment under the contract, the following:—

(1) A written demand that the parties negotiate to adjust the contract prices on the items delivered during a stated period. That period shall, in no event, commence at a date earlier than the first day specified in the order or authorization for the retroactive wage increase and shall take into account the extent to which work was done on such items prior to the date of such order or authorization. Such a demand may be incorporated in a demand relating also to a proposed adjustment of future prices.

(2) Estimates of the probable effects of such wage increases on past costs. Such estimates shall be accompanied by estimates of the effect of the wage increase on direct and indirect labor costs and estimates of the inventories of work in process and finished goods at the beginning of the stated period which were incorporated in the deliveries during such period.

(3) Proposed prices for each item covered by the contract which were delivered during the stated period.

(4) A true copy of the order or authorization for such retroactive wage increases. Any disagreement as to any adjustment of price under this paragraph (h) will be disposed of as a question of fact under Article ---- (Disputes), but that article shall not be applicable to any adjustment of price upon any demand other than one under this paragraph (h).

(i) If the Contracting Officer and the Contractor fail to agree as to adjusted prices under a negotiation pursuant to any demand made in accordance with this article, *other than a demand made under paragraph (h)*, within thirty days after the effective date of the demand (or such further period as may be fixed by agreement), the Contractor, if not substantially in default under the contract and if it has substantially complied with paragraph (d) hereof (or, in the case of a demand by the Government, has made reasonable efforts to do so), may give written notice to the Contracting Officer that this contract will terminate on a date to be specified in such notice, (which date shall in no event be earlier than thirty days after the date of the delivery of such notice to the Contracting Officer). Such notice shall take effect upon the date so specified, unless on or prior to such date there shall be served upon the Contractor an order pursuant to Section 801 of the Revenue Act of 1943 fixing the price to be paid for articles and services to be delivered under this contract from and after the date of the order for the balance of the contract or until a date specified in such order. Such an order may reserve the right to issue a further order or orders under said section 801 and may contain any other terms and conditions permitted by Section 801. The Contractor agrees that the delivery of a notice of termination pursuant to this paragraph (i) shall constitute (1) a refusal, within the meaning of Section 801, to agree to a price for the articles and services to be furnished under this contract, which the Secretary considers fair and reasonable, (2) a waiver and release of any right (under said Section 801 or otherwise) of the Contractor to further negotiation with any representative of the War Department as to a fair and reasonable price and (3) a consent by the Contractor that an order may be made pursuant to Section 801 without other or further notice to the Contractor than the service of such order. Upon the service of such an order, the Contractor agrees to continue diligently to perform this contract in accordance with its terms except as modified by said order. The Contractor, however, reserves any and all rights which it may have (in the event of the issuance of such an order) under paragraph (c) of said Section 801 to sue the United States and to recover under said Section. If no such order pursuant to Section 801 is served upon the Contractor on or prior to the date specified in such notice of termination, such notice shall take effect upon the date so specified and the rights and obligations of the parties shall be governed by the provisions of Article ---- hereof (Termination at the Option of the Government). *The Contractor shall have no right to terminate this contract in the event of failure to agree with the Contracting Officer upon any adjustment of price pursuant to a demand made under paragraph (h) hereof.*

(j) In the case of any demand, *except under paragraph (h)*, until adjusted prices have been determined by agreement or fixed in accordance with the provisions of paragraph (i) above, the Contractor shall be paid for all deliveries (including any deliveries of completed items made in the event of termination of this contract pursuant to paragraph (i) hereof) the prices in effect immediately prior to the effective date of the demand, but if the prices are changed by agreement or pursuant to paragraph (i) above, an amount equal to the difference between the prices paid on the items delivered after the effective date of such demand and such adjusted prices will be added to or deducted from payments for subsequent deliveries under this contract or will be paid by or returned to the Government, as the Contracting Officer may direct. *In the case of any demand under paragraph (h) the prices, in effect prior to any such demand and applicable to the delivered items affected by such demand, will be paid for such delivered items until adjusted prices have been agreed upon or determined pursuant to paragraph (h), and thereupon any appropriate adjustments will be made.*

(k) Each of the items of information called for under paragraph (a) above shall be certified by an Officer of the Contractor or an independent public accountant. Such certifications shall be in substantially the following form:

"---------- certify that the foregoing statements and other items of information are in substantial compliance with Article ---- of Contract No. ------- and particularly paragraph (d) of said article ---- further certify that past production costs of the subject item as set forth in the foregoing are the costs revealed in the normal operation of Contractor's cost accounting system; that the charges shown therein are consistent with the Contractor's usual treatment of direct and indirect costs; that indirect costs included therein are based upon allocations made in good faith pursuant to Contractor's usual method of allocation; and that said costs, direct and indirect, are based upon inventory data derived from

(physical inventories taken)
(inventory records maintained)
(strike out inapplicable clause)

in accordance with Contractor's usual inventory practice. ---------- further certify that the foregoing statements and other items of information are fair and reasonable for the purposes for which they are to be used."

(l) The Contracting Officer may make or cause to be made whatever examination of the Contractor's books, records, and accounts he deems necessary to satisfy himself with respect to the data submitted by the Contractor pursuant to any provision of this article.

(m) Any adjustment of price under any provision of this article shall be without prejudice to (1) the determination of any excessive profits of the Contractor under the Renegotiation Act; (2) to any order fixing the price of articles to be furnished or services to be rendered hereunder made under Section 801 of the Revenue Act of 1943; and (3) to any right of the Government to terminate this contract under any provision of this contract.[1]

(n) For the purposes of paragraph (d) of Article ---- hereof, (Termination at the Option of the Government), the following provision shall govern:

1. The prices payable for completed items under paragraph (d) (1) of that Article shall be (i) for all items delivered prior to the effective date of the last demand under this article, the contract prices in effect as of the date of delivery of such items, *unless adjusted pursuant to paragraph (h) of this article, in which event such adjusted prices shall be payable;* and (ii) for items delivered after the effective date of the last demand under this Article, (A) the prices agreed upon or determined for such completed items if such prices have been agreed upon or determined, or (B) if such prices have not been agreed upon or determined such estimated prices as the contracting officer deems reasonable under all the circumstances.

2. The "total contract price" shall be computed on the basis of the prices (as adjusted in accordance with this article) actually paid or payable for completed items delivered prior to the effective date of the last prior demand under this article and, for the remaining items covered by the contract, shall be based on (i) the prices determined by agreement or otherwise in accordance with this article for items delivered or to be delivered after the effective date of such last demand, if such prices have been agreed upon or determined, or (ii) such estimated prices for such items as the contracting officer deems reasonable under all the circumstances, if adjusted prices for such items have not been agreed upon or determined. The "contract price of work not terminated" shall also be computed on the basis of (i) and (ii) above.[2]

(b) *Where contractor has had no prior experience in production of item.* The changes set forth in this paragraph (b) will be made in the article found in paragraph (a) of this section, in those cases where it is desired to include that article in a contract with a contractor who has had no adequate experience in the type of production called for by the contract. The principles discussed in §§1.-1235a inclusive, will be applicable to the use of the article in these instances subject to the additional provisions set forth in § 81.1235a (d). The above mentioned changes in the article set out in paragraph (a) of this section are:

(1) Add to paragraph (a) of the article set out in paragraph (a) of this section:

The Government and the Contractor recognize that the costs of performing this contract cannot be accurately estimated at the time of its execution and that the contract price fixed may therefore be either too high or too low. They, therefore, agree that the contract price may be revised upward or downward in accordance with this article and to the extent thereby permitted upon demand of either party as herein provided.

(2) Substitute for the first sentence of paragraph (c) of the article set out in paragraph (a) of this section.

(c) Every demand under this article shall specify the date (which, except as provided in the next sentence of this paragraph (c) and *in paragraph (h)*, shall not be earlier than the delivery of the demand) after which the adjusted prices shall be effective, which date is herein referred to as "the effective date of the demand". In the case of the first demand made pursuant to this article by either party, if made prior to the delivery of thirty percent of the (*here specify principal items to be furnished under the contract*) to be furnished under the contract, the effective date of the demand may be the day before the first delivery of items actually made under this contract.

(3) Add to paragraph (d) 1 (B) of the article set out in paragraph (a) of this section the following:

In the case of a first demand by either party pursuant to this article, which demand requests a revision of the price of items delivered under this contract prior to the delivery of such demand, the contractor shall also furnish statements showing, as far as is reasonably practicable, the experienced costs of performance under this contract from its inception to a date within 10 days of the delivery of the demand. Such costs shall be broken down in reasonable detail and itemized, so far as practicable, in the same manner as in the estimates of costs stated in the War Department Standard Procurement Form.

[Procurement Reg. 6]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

INTERBRANCH AND INTERDEPARTMENTAL PURCHASES

In § 81.612 paragraph (a) is added.

§ 81.612 *Purchase of property pursuant to Public Law 670* * * *

(a) *Powers of War Food Administration and Reconstruction Finance Corporation under Public Law 670.* The functions, powers, and duties, with respect to placing orders for materials, supplies, equipment, work, or services of any kind that any requisitioned Federal agency may be in a position to supply, or to render or to obtain by contract, which are vested in the War Department, Navy Department, Treasury Department, Civil Aeronautics Administration and the Maritime Commission under Public Law 670 (see § 81.612) may also be exercised (a) by the War Food Administration, and by any constituent agency or corporation thereof, designated by the War Food Administrator (E.O. 9418; 9 F.R. 1673, 1 Feb. 1944) and (b) by the Reconstruction Finance Corporation, and by any constituent, subsidiary or controlled agency or corporation thereof designated by the Reconstruction Finance Corporation. (E.O. 9440; 9 F.R. 4999, 12 May 1944).

[Procurement Reg. 7]

PART 83—DISPOSITION OF SURPLUS AND UNSERVICEABLE PROPERTY

DISPOSITION OF PROPERTY

Sections 83.701 to 83.785 are rescinded and the following §§ 83.7–100 to 83.7–909 are substituted therefor:

General

§ 83.7–100 *Rescission of instructions.* This regulation and the regulations, manuals and other instructions to which it makes reference, include all outstanding instructions of the War Department on the subject of the disposition of personal property, title to which is in the Government, or to which the Government has the contractual right to acquire title. All other instructions are hereby rescinded. Instructions of the technical services are not affected hereby, but will be promptly conformed to this regulation.

§ 83.7–101 *Subjects not covered.* This regulation does not rescind or otherwise affect TM 38–220 or other publications concerning Stock Control for military property. It does not relate to the disposition of real property, which is governed by War Department Circular No. 8, 1944, and section II ASF Circular No. 28, 1944. It does not relate to the repair or reclamation of personal property, which is governed by War Department Circular No. 7, 1944. It does not relate to the disposition of the proceeds of sales of property, as to which see AR 35–780 and AR 35–6900. It does not relate to the redistribution or disposition of any property located outside of the continental limits of the United States. The policies and procedures governing the disposition of property which has been turned over to a salvage officer or salvage organization, are covered by AR 700–25 and TM 38–505.

§ 83.7–102 *Definitions.* The following terms, when used in this regulation, have the meanings indicated:

"Military property" consists of all supplies and equipment held for issue or issued, to or for troops, military posts within the United States, and theaters of operation; and includes tactical supplies and equipment, subsistence items and property required by tables of allowances, tables of basic allowances, and tables of equipment.

"Non-military property" is all property other than military property.

"Serviceable property" is property other than scrap or waste which is suitable for use in its existing condition.

"Non-repairable property" is unserviceable property which cannot in the best interests of the Government be mended or restored to serviceability, and scrap and waste; and includes, but is not limited to, any obsolete non-military items, and industrial materials, industrial equipment, components, and assemblies (whether partially or completely fabricated, processed or assembled and whether new, used or deteriorated), which have no reasonable use except as scrap.

"Excess property" in the case of military property, is any property in excess of the maximum stock level authorized for a particular organization, supply point or technical service; and, in the case of non-military property, is any property in excess of the immediate and definitely foreseeable needs of a particular industrial installation or other function, activity, project or industrial operation in connection with which the property was acquired.

"Surplus property" is property declared by competent authority to be, or deemed to be, in accordance with the provisions of this regulation, in excess of the immediate or definitely foreseeable needs of the entire War Department.

"Termination inventory" means all personal property (including a proper part of any common materials) properly allocable to a terminated war contract or subcontract of any tier, property excess to the requirements of a cost-plus-a-fixed-fee contractor, and any property in the possession of a fixed-price contractor or subcontractor which the War Department is obligated to take over as the result of a design modification or change order, except any machinery or equipment subject to a separate contract or contract article specifically governing the use or disposition thereof. "Termination inventory" includes contractor-owned property in the hands of a fixed-price contractor or subcontractor, Government owned property in the hands of a cost-plus-a-fixed-fee contractor or subcontractor and Government owned property furnished to any contractor.

"Negotiation" means any method of reaching an agreement on the terms of sale, except the formal sealed bid procedure contemplated by section 3709, R. S. with respect to purchases. (There is no statutory requirement for the formal sealed bid procedure in the case of sales of government property. See opinions of The Judge Advocate General, dated March 19, 1941, SPJGC 1941, and March 30, 1943, SPJGC 1943, 3449).

§ 83.7–103 *Statement of War Department policy.* The demands of the war production program require that the material resources of the nation be used with the utmost efficiency. This can only be accomplished if the accumulation of excess property is avoided and if idle

[1] Paragraph (m) may be suitably modified if exemption from renegotiation is granted at the time of any price adjustment.

[2] Paragraph (n) is to be included in the article whenever the contract contains the uniform termination article (§ 81.324).

property is put to productive use at the earliest possible moment. Accordingly, it is the policy of the War Department to prevent the acquisition or retention of excess property by the War Department. It is likewise the policy of the War Department to effect the prompt return of temporarily idle non-military property to productive use. In furtherance of the policy of effecting prompt clearance of the plants of contractors whose contracts have been terminated (see § 88.15–851) every effort will be made to effect prompt disposition of termination inventories. In this connection, attention is called to the letter of the Under Secretary of War set forth in § 88.15–350 (b) and to the statement of the Surplus War Property Administrator set forth in § 83.7–205. The guiding policy of the War Department is to employ all the material resources at its command in the manner which will most effectively facilitate the prosecution of the war. To this end property will be freely redistributed under the authority granted in section III of this regulation. In any event, excess property will be redistributed as promptly as possible. Accordingly, the chiefs of technical services will comply with existing provisions for the review of military property. All affected thereby will strictly observe the requirements of section II, Army Service Forces Circular No. 67, 1944. In addition, chiefs of technical services will maintain constant and active review of all non-military property on hand or in the process of manufacture, to determine the essentiality of such property for the prosecution of approved functions, activities, projects or industrial operations.

§ 83.7–104 *Designation of Redistribution and Salvage Officer.* The chief of each technical service will designate a Redistribution and Salvage Officer in his office who will have responsibility for coordinating the activities of the technical service as to salvage activities; as to the determination of what items of non-military property are excess within the technical service; as to the determination of what items of military property should be processed for declaration by competent authority as surplus; and as to the acquisition and use by the technical service of military and non-military items available from other technical services. The Director, Readjustment Division, Headquarters, Army Service Forces, will be promptly notified of the appointment, or change in the appointment of such officer.

§ 83.7–105 *Establishment of Disposal Boards.* (a) The chiefs of the technical services will establish in their field installations, Disposal Boards for reviewing and taking appropriate action with respect to proposed transactions required to be reviewed by this regulation.

(b) Disposal Boards will consist of not less than three members. The members thereof may perform other functions, provided the prompt review of property disposal matters is not hindered and the personnel are qualified by training and experience to afford adequate review with respect to such matters.

(c) Records of the proceedings of Disposal Boards will be maintained by the offices or installations in which they are established. Cases submitted for review will be accompanied by information pertinent to the transaction, particularly as to the following: number of offers or bids solicited and reviewed, and the amounts thereof; condition of the property; status of the buyer with respect to the use to be made of the property, and any other information necessary to show that the market has been adequately tested and that the sale should be made at the price in the quantities stated.

§ 83.7–106 *Disposal Board at chief of service level.* Disposal Boards may be established in the offices of the chiefs of technical services to review and take appropriate action with respect to property transactions as to which review at that level is authorized by this regulation (see §§ 83.7–208 (b) and 83.7–409).

§ 83.7–107 *Extraordinary cases.* Proposed sales or scrapping determinations involving unusual problems or difficulties may be presented for the consideration and advice of the Director, Readjustment Division, Headquarters, Army Service Forces.

§ 83.7–108 *Reports.* The monthly property redistribution reports required by ASF Circular No. 26, 1944, and letter dated 24 January 1944, from the Special Representative of the Under Secretary of War to the Commanding General, Army Air Forces, will continue to be submitted on the forms therein prescribed. Revised forms of reports are in preparation and will be prescribed by amendment to this regulation at an early date.

§ 83.7–109 *Direct correspondence authorized.* Direct correspondence is authorized among all levels of the technical services and representatives of other government agencies in respect of redistribution of available property under this regulation.

§ 83.7–110 *Methods of sale.* All sales of property under this regulation, including sales made by cost-plus-a-fixed-fee contractors pursuant to § 83.7–306, will be made by negotiation in a manner to assure such competition (by taking written bids, making oral inquiry, or otherwise) as is practicable in the circumstances, and consistent with economy, efficiency and the expeditious completion of the proposed sale. The negotiating officer will make every effort to effect the sale in such manner and for such further uses as will most effectively facilitate the prosecution of the war. Sales at ceiling or established market prices and sales under § 83.7–301, need not be delayed for the purpose of soliciting competitive bids.

§ 83.7–111 *Compliance with OPA and WPB regulations.* All sales or other transfers (except transfers within the Government) of property made under the authority of this regulation or otherwise shall conform to applicable orders and regulations of the War Production Board and the Office of Price Administration. Officers responsible for disposal of War Department property may rely upon a representation by the buyer to the effect that the purchase is being made in compliance with all War Production Board regulations affecting the buyer, unless they have knowledge or reason to believe that such representation is false. Such a representation should be incorporated in each written contract of sale. War Department representatives are not responsible, however, for compliance with such regulations in the case of sales by a contractor.

§ 83.7–112 *Federal excise taxes on property sold.* Where property which is subject to Federal excise tax is sold, provisions governing the collection of such taxes found in §§ 81.816 to 81.817 of Procurement Regulation No. 8 will be observed.

§ 83.7–113 *Contract formalities including numbering and distribution.* (a) All contracts for the sale of property made under the authority of §§ 83.7–300 to 83.7–315 of this regulation, all contracts for an amount in excess of $1,000 and all contracts for an amount in excess of $500 which are not to be performed within sixty days shall be evidenced by a written contract prepared in substantially the form set forth in § 81.1326, or in such other form as may be approved by the Director, Readjustment Division, Headquarters, Army Service Forces, or, in the case of sales by salvage officers, in the form authorized or required by applicable regulations. All other sales shall be evidenced on accounting forms now or hereafter prescribed by the chiefs of technical services concerned, subject to the approval of the Fiscal Director, Headquarters, Army Service Forces.

(b) The provisions of §§ 81.309 (a), (b), and (c) and 81. 318b (e) relating to the numbering of contracts are applicable to contracts for the sale of property except that in connection with such contracts a separate series of numbers will be used in which the letter "s" will be added immediately after the letters representing the technical service concerned.

(3) Contracts for the sale of property will be distributed in the same manner as other contracts (see §§ 81.315 to 81.318 of Procurement Regulation No. 3) except that (i) when a sale of War Department property is made under a contract or agreement the officer or agent of the War Department by whom funds are received as a result thereof will, in turning the funds over to a disbursing officer, accompany such remittance with a copy of the contract or agreement covering the terms of the sale; and (ii) the original signed number of each unnumbered contract of sale will be forwarded to the General Accounting Office instead of being sent to the disbursing officer, as in the case of unnumbered contracts of purchase.

(4) A copy of each contract of sale of military property, the original cost of which exceeded $2,000 will be distributed to the Chairmen of the Military Affairs Committees of the House and Senate within twenty-four hours after a contract has been made.

§ 83.7–114 *Coordination with Property Officer.* All transfers or sales of property under authority herein contained must be coordinated with the Property Officer involved for compliance with applicable property accountability regulations.

§ 83.7–115 *Information as to sales of War Department property.* It is the policy of the War Department to have the facts on all public sales of War Department property kept available at the point of sale for public inspection during normal business hours for any proper purpose. The facts on sales to war contractors will likewise be kept available for inspection by the interested parties; but it is not intended that there should be general publicity as to such sales.

(a) *Furnishing information to periodicals.* When sales are made on written invitations to bid, copies of invitations and information as to awards may be transmitted to periodicals for publicity purposes, or to persons who request invitations for the purpose of advising their clients. In any event, copies of written invitations to bid and information as to awards will be kept available at the point of sale for inspection by representatives of periodicals or other interested parties during normal business hours for any proper purpose.

§ 83.7–116 *Sales to War Department personnel.* Except as authorized by §§ 83.7–300 to 83.7–315 of this regulation, or by AR 30–2290, AR 700–25, TM 38–505, or other War Department publication, no sales of Government-owned property will be made to any official or employee of the War Department nor any officer, enlisted man, or civilian employee of the Army.

Disposition of Termination Inventories

§ 83.7–200 *Scope of section.* This section provides authority and procedures for the disposition of termination inventories.

(a) *Circularization not required.* The policy of the War Department is stated in § 83.7–103. The objectives of that policy can best be obtained by vigorous action of the contracting officer and his local aids in redistribution of termination inventories, prior to reporting such property to a Disposal Agency as surplus, with the fullest cooperation of the district organization and any industry organization involved (such as the Ordnance Industry Integrating Committees), and the assistance of the Redistribution Offices of the War Production Board. The greatest freedom of action is therefore accorded these local agencies of the War Department and circularization of termination inventories is not required.

§ 83.7–202 *Disposition by contracting agency.* The following methods of disposition will be employed to effect the redistribution of termination inventories prior to reporting the property as surplus in accordance with § 83.7–209.

(a) Any property which is used or damaged beyond economical repair or is of such a nature that it has no reasonable use except as scrap will be classified as nonrepairable and disposed of in accordance with the provisions of §§ 83.7–400 to 83.7–419 of this regulation. The Under Secretary of War has pointed out that "in many instances work in process must and should be sold as scrap for scrap prices." (See § 88.15–350(b)).

(b) Any serviceable Government-owned property may be used to meet authorized requirements for military supply or industrial purposes and any contractor-owned property may be acquired for such purposes in accordance with the provisions of the contract.

(c) The contractor may be permitted to retain any property at a price agreed upon in accordance with the provisions of §§ 83.7–206, 83.7–207, and 83.7–208.

(d) Any Government-owned property may be transferred to the Navy Department, the Civil Aeronautics Administration, or other governmental agency in accordance with the provisions of §§ 83.7–300 to 83.7–315 of this regulation.

(e) The sale of any property to any purchaser may be made or approved in accordance with the provisions of §§ 83.7–306, 83.7–207 and 83.7–208.

§ 83.7–203 *Redistribution assistance at chief of service level.* Although chiefs of technical services will assist the local agencies under their jurisdiction in the redistribution of termination inventories, it is intended that the local agencies be given the greatest possible freedom of disposition in accordance with § 83.7–202. Accordingly, local agencies responsible for property disposition will refer significant items included in termination inventories to the chiefs of their respective technical services promptly upon receipt of property lists from the contractor. Such reference will not, however, be permitted to delay local disposition, nor will it limit local disposition authorty, except as may be specifically directed by the chief of the technical service concerned. Chiefs of technical services will give prompt consideration to the utilization of such items for military supply or industrial purposes within their own service, and may informally bring selected items to the attention of other technical services which might be expected to have an interest therein.

§ 83.7–204 *Redistribution assistance by War Production Board.* In order that the availability of industrial property may be broadly published to manufacturers and other prospective users, significant items included in termination inventories submitted to War Department representatives (other than items for which special disposition arrangements have been made) will be listed with the Regional Offices of the War Production Board. The War Production Board will maintain in its Regional Offices an inventory file of items so reported and will advertise items of general use in the "Redistributor", a weekly bulletin published by its Regional Offices, which is distributed to a large list of manufacturers and dealers. The War Production Board will refer inquiries of prospective purchasers to the contractor or to a War Department representative, as requested. Listing of termination inventories with War Production Board imposes no additional restrictions upon the movement of the property that are not applicable to property not so listed and the reference of prospective buyers by War Production Board imposes no obligations to sell the property to such persons or to accord them any favored treatment whatever.

(a) *Procedure for listing.* The local authority responsible for disposition of termination inventory will transmit, or cause the contractor to transmit, to the Regional Office of the War Production Board for the region in which the property is located (see § 83.7–903 for the addresses of these offices and the territories within their jurisdiction) a listing of the significant items of raw materials, purchased parts and supplies including in termination inventory lists (Schedule C–1) as soon as practicable after the submission of such lists by the contractor. The listing so transmitted may be either in the form of (1) a copy of the complete list of raw materials, purchased parts and supplies (Schedule C–1, § 88.15–939 (a)) submitted by the contractor, or (2) a transcript of all items (i. e., any quantity of like products, materials, etc.—usually indicated by a single entry in the termination inventory list) for which the cost or estimated cost is $1,000 or more. In either case, the listing transmitted to the War Production Board should contain the following information:

General information:
- Name of contractor
- Location of property
- Name and address of person with whom negotiations for purchase can be conducted.

Specific information for each item:
- Adequate description in commercial terms
- Quantity available
- Cost per unit (as indicated by contractor)
- Condition, if other than new and excellent.

This information will generally be contained in the termination lists submitted by the contractor. Each listing transmitted to the War Production Board should be dated and assigned an identifying number by the transmitting contractor or establishment.

Although not required, significant items of jigs, tools, dies and fixtures (Schedule C–3, § 88.15–939 (c)) that have general use, may be listed with War Production Board under the procedure stated above. Items of work-in-process (Schedule C–2, § 88.15–939 (b)) will not be so listed.

(b) *Advice of disposal.* For each item that it regards as significant, War Production Board will prepare an inventory slip (WPB Form 2306) and return a copy to the contractor or War Department representative who transmitted the listing. When items for which an inventory slip has been returned by the War Production Board are disposed of or otherwise withdrawn from availability, the inventory slip will be promptly sent to the Regional Office of the War Production Board with appropriate notation in accordance with the instructions printed thereon. If a part only of the item has been disposed of, that fact will be noted on the inventory slip and the War Pro-

duction Board will return a new inventory slip for the remainder. When the items remaining undisposed of are reported to a Disposal Agency as surplus (see § 83.7–702) the remaining inventory slips will be returned to the Regional Office of the War Production Board under cover of a memorandum stating the name and address of the Regional Office of the Disposal Agency to which reported, and the date and serial number of the report.

§ 83.7–205 *Pricing policies.* The following statement of general policy applicable to the sale of termination inventories has been issued by the Surplus War Property Administrator:

> There is one matter of great urgency • • • with respect to which an immediate declaration of policy is believed to be required. This concerned the disposal by or under the authority of a contracting agency of the government, of property becoming available as the result of the termination of a war contract by that agency.
>
> Such termination inventories are becoming available for sale in considerable quantities at the present time. The opportunity to dispose of much of this property is certainly more favorable now than it will be later, and the public interest will be served if it can be sold now and directly from the plant of the contractor where it is located.
>
> I understand that these termination inventories are not now being sold as rapidly or in as large quantities as is desirable, and that this stems in large part from a feeling on the part of contracting and termination officers in the field that they lack a definable policy for making such sales and that they may be criticised for the exercise of boldness and initiative in turning over the property, which results in unwillingness to authorise sales except at prices so high as to be often unobtainable.
>
> Being satisfied that the Government and the public should give the fullest measure of support and encouragement to the disposal of termination inventories at this time, so that they will not both occupy valuable storage space and complicate the future surplus problem at a time when the supply will be greater and the demand smaller, I have issued a statement of policy which I enclose. It is designed to give the strongest impetus to prompt sales of termination inventories to or by contractors consistent with intelligent protection of the public interest. It presupposes a reasonable effort to ascertain and obtain going market values, but makes it clear that where the circumstances preclude this, as they very often will, contracting officers are not subject to criticism for selling, subject to the reasonable requirements set forth in the policy statement, at the best prices reasonably obtainable, even though this may sometimes require going far below cost or nominal market.

The regulations pertaining to sales of termination inventories other than scrap prescribed by the Surplus War Property Administrator are set forth in § 83.7–206. The pricing and review regulations set forth in §§ 83.7–206, 83.7–207 and 83.7–208 apply to the approval of retention of property by the contractor, as well as to sales.

§ 83.7–206 *Specific price regulations—(a) Sale of termination inventories where total amount in settlement is less than $10,000.* Sales of any property included in termination inventories, in any case where the entire amount involved in the contract settlement before disposal credits is less than $10,000, will be made or approved at the best price obtainable in the judgment of the officer approving the sale, or, in the case of subcontracts as to which the power of approving the termination settlement has been delegated to a contractor of a higher tier, in the judgment of such contractor.

(b) *Sales of nominal quantities.* Sales of any items or groups of items may be made or approved at the best price obtainable when the estimated cost of all substantially similar items so sold at any one location at any one time does not exceed $1,000.

(c) *Other sales of termination inventories—(1) Crude or simple raw materials.* Sales of crude or simple raw materials (such as raw cotton, pig iron, electrolytic copper or sulphur) which are freely traded in, and for which there is a recognizable market price, will not be made or approved at less than the going market price, as nearly as it can be determined by reasonable effort within a reasonable time, taking in account packing, handling, and transportation costs. A list of such materials is being prepared by the Surplus War Property Administration and will be published in this regulation when available.

(2) *Other property.* Sales of property other than crude or simple raw materials, may be made or approved to any buyer at the best price obtainable in excess of 75 percent of (i) cost, estimated if not known or (ii) the price which the buyer would have to pay for an equivalent quantity from a normal source of supply, whichever is lower.

(3) Sales or property, other than crude or simple raw materials, which cannot be disposed of within a reasonable time on the terms stated in subparagraph (2) above, may be made or approved at the best price obtainable to any buyer who will use or consume the property in the United States for manufacturing, construction, maintenance or repair purposes, and who will agree that if he does not use or consume it, he will not resell it at a profit. Written contracts of sale made under the authority of this subparagraph will contain such an agreement.

§ 83.7–207 *General pricing regulations.* To the extent authorized by the foregoing regulations of the Surplus War Property Administrator, termination inventories will be disposed of at fair and reasonable prices within the ceiling prices established by the Office of Price Administration and consistent with the expeditious disposal of property. In determining whether a price is fair and reasonable, the officer making or approving the sale should consider all pertinent factors, including such of the following as he deems relevant in the particular case:

(a) Physical condition of the property.

(b) Obsolescence.

(c) Freight necessary to be absorbed by purchaser to permit resale or use of the property, over amount which would be paid in normal commercial purchase.

(d) Value of the property for a converted use.

(e) Distributing commissions, handling charges, or profit allowances necessary to effect disposition through dealers or distributors.

(f) In case of sales to original suppliers, allowances to cover profit and cost of handling and resale.

(g) Cost of storage and amount of depreciation or deterioration if property is not sold.

(h) Market prices and price trends.

(i) Volume of similar property offered at the time.

(j) Effect of purchases from the Government upon prices which buyer must pay to other suppliers for the balance of his requirements.

(k) Value of post-sale services or guarantees offered by commercial suppliers and not obtainable from the Government.

(l) Inventory hazards and carrying charges of the purchaser.

In determining whether to make or approve a sale, consideration will be given to the present value, resale value, and probable demand for the property in all the circumstances, rather than to cost. Officers making or approving sales must be realistic about values and should recognise that disposal prices will, in many instances, bear little if any relationship to cost to the Government.

Officers making and approving sales and Disposal Boards will be supported by higher authority in the exercise of their honest judgment.

§ 83.7–208 *Review and approval of sales.* Sales made or approved under this section will be subject to prior review and approval by a Disposal Board established in accordance with § 83.7–106 of this regulation, in all cases where:

(a) The cost (estimated if not known) of the property to be disposed of in the sale exceeds $100,000 and it is proposed to sell such property below such cost or estimated cost, less freight and handling charges.

(b) The cost (estimated if not known) of the property to be disposed of in the sale exceeds $10,000 and it is proposed to sell at more than 25% below such cost, or estimated cost, less freight and handling charges.

For the purposes of determining whether or not a sale shall be submitted for the review and approval of a Disposal Board, sales of a single item and simultaneously negotiated sales of different items to a single buyer or of the same item to several buyers shall be considered as a single sale.

(a) *Sales and transfers which need not be reviewed.* The review and approval required by § 83.7–208 applies only to sales of serviceable property. The following transfers and sales may be made or approved without review:

(1) Sales made at specific prices established by, or with the approval of the Surplus War Property Administrator;

(2) Sales to a cost-plus-a-fixed-fee contractor for the account of the Government;

(3) Sales of termination inventories to a Government agency;

(4) Transfers between War Department components or to the Navy Department, the Civil Aeronautics Administration or other Government agency, whether or not the transfer of funds is required.

(5) Transfers of surplus property to a Disposal Agency for purposes of disposal;

(6) Sales of nonrepairable property or salvage under applicable War Department regulations.

(b) *Review at chief of service level.* Chiefs of technical services may require or permit review by Disposal Boards established in their offices pursuant to § 83.7–106 where the cost (estimated, if not known) of the property to be disposed of exceeds $500,000 and it is proposed to sell at more than 25% below such cost.

§ 83.7–209 *Disposition of surplus.* Any termination inventory transferred to the Government or for which the Government assumes storage responsibility pursuant to §§ 80.15–950 to 80.15–968 of Procurement Regulation 15, which has not been disposed of under § 83.7–202 at the time of such transfer or assumption of storage responsibility will be deemed surplus, and, with the exception of stock pile items, will be promptly disposed of in accordance with §§ 83.7–700 to 83.7–710 of this regulation.

§ 83.7–210 *Action to be taken on stock pile items—(a) Report of stock pile items.* When any of the items listed in § 83.7–909 are included in termination inventories in quantities equal to or in excess of the "minimum quantities" therein indicated and are not disposed of prior to transfer to the Government or assumption of storage responsibility by the Government, they will be reported to the chief of service having jurisdiction over the termination proceedings, for disposition instructions.

(b) *Action by chief of service.* Upon receipt of a report of stockpile items, the chief of a technical service will promptly determine what items should be retained for stockpile, will make the necessary arrangements for the storage thereof, and will issue disposition instructions to the office originating the report, all in accordance with instructions of the Commanding General, Army Service Forces (Production Division), or the Commanding General, Army Air Forces, as to property of Army Air Forces. The chief of a technical service will also notify the office originating the report as to what items are not desired for stockpile; and upon receipt of such notification such items will be promptly disposed of in accordance with §§ 83.7–700 to 83.7–710.

(c) *Action to be expedited.* It is imperative that action under (a) and (b) of this section be expedited in all echelons in order that double handling of stockpile items may be avoided.

Disposition of Property for Purposes Directly Related to the Prosecution of the War

§ 83.7–300 *Scope of section.* This section relates to the disposition of property for the purpose of enabling it to be used directly in the prosecution of the war. Such disposition may be made of both military and non-military property, without regard to its serviceability or state of supply. The authority herein granted may be exercised without first obtaining from the Chief of Staff a certificate under the Act of June 28, 1940, Title I, section 14–a (54 Stat. 681, 10 U.S.C. 1262a). The authority to dispose of property under this section is subject to the provisions of §§ 83.7–700 to 83.7–710 which limit the disposition of property after reporting to a disposal agency as surplus.

§ 83.7–301 *Sale to war contractors.* The chiefs of the technical services are authorised, when it is determined by them that such action will facilitate the prosecution of the war, to make contracts by negotiation for the sale of, and to sell to manufacturers and suppliers having war contracts, including employees and suppliers of war contractors, and to employees of the Government engaged in war production, any machine tool equipment, processing equipment, uniforms, safety clothing and equipment, plant protective clothing and other special articles necessary to persons employed in or otherwise connected with war industries or establishments, manufacturing aids, raw materials, manufactured materials or other materials or facilities presently owned or hereafter acquired by the Government. Such sales shall, however, be made only for the purpose of facilitating the performance of such war contracts or war production. All such contracts will recite that they are entered into pursuant to the First War Powers Act and Executive Order No. 9001.

(a) *Pricing policies.* Any sale made under § 83.7–301 shall be made in compliance with the provisions of §§ 83.7–206 and 83.7–207.

(b) *Review of sale.* Any sale made under § 83.7–301 shall be made in compliance with the provisions of § 83.7–208.

§ 83.7–302 *Sales to Red Cross and U. S. O.* The chiefs of the technical services are authorized to make contracts by negotiation and to sell to the Red Cross and the United Service Organization any military, subsistence, or other supplies or property which the chief of the technical service finds is needed by such institution in connection with its activities with the Army: *Provided,* That no such sale of military property will be made without the prior approval of the Commanding General, Army Service Forces (Stock Control Division), or in the case of the Army Air Forces property, the Commanding General, Army Air Forces, or his delegate or delegates. All such contracts will recite that they are entered into pursuant to the First War Powers Act and Executive Order No. 9001.

§ 83.7–303 *Other sales.* Sales for purposes directly related to the prosecution of the war, other than those authorized by §§ 83.7–301 and 83.7–302, may be made by the chiefs of the technical services *Provided,* That the approval of the Director, Readjustment Division, Headquarters, Army Service Forces, is first obtained.

§ 83.7–304 *Leases.* Under the First War Powers Act, 1941, and Executive Order No. 9001, and section I of the Act of July 2, 1940 (Public No. 703, 76th Congress) as continued in effect by section 13 of the Act of June 5, 1942 (Public No. 580, 77th Congress), the chiefs of the technical services are authorized, when it is determined by them that such action will facilitate the prosecution of the war:

(a) To include in supply contracts the Government-Owned Facilities article prescribed in § 81.332, subject to the regulations set forth as notes to § 81.332 and to other applicable paragraphs of these procurement regulations (see Procurement Regulation 10 (§§ 81.1001 to 81.1020) for approvals of higher authority which must be obtained in certain cases);

(b) To enter into separate lease agreements (i. e., agreements not made part of supply contracts), as authorized by Procurement Regulation 10 (§§ 81.1001 to 81.1020).

§ 83.7–305 *Leases under other statutes.* Authority for the execution of lease agreements may be found in certain statutes other than those mentioned in § 83.7–304. See AR 850–30 for the terms of those statutes.

§ 83.7–306 *Disposition by contractors.* The chiefs of the technical services are authorized, when it is determined by them that insertion of such provision will facilitate the prosecution of the war or is necessary to carry out the purposes specified in section 1 of the Act of July 2, 1940 (Public Law 703, 76th Congress, 54 Stat. 712), to insert in cost-plus-a-fixed-fee contracts and subcontracts heretofore or hereafter executed, the clause set forth in § 81.363, and any property may be disposed of by contractors pursuant to such clause.

§ 83.7–307 *Transfer to other Federal agencies.* Any property not declared or deemed surplus, may upon the requisition of another Federal agency made pursuant to section 7 (a) of the Act of May 21, 1920 (41 Stat. 613) as amended by section 601 of the Act of June 30, 1932 (47 Stat. 417) and by the Act of June 20, 1942, (Public Law 670, 77th Congress, 56 Stat. 661, 31 U.S.C. 686), be transferred to such agency in accordance with said section: *Provided,* That military property will be transferred only with the approval or pursuant to regulations of the Commanding General, Army Service Forces (Stock Control Division), or, in the case of the Army Air Forces, the Commanding General, Army Air Forces, or his delegate or delegates.

§ 83.7–308 *Transfer to other War Department components.* Any property may, by direction of the chief of the technical service having control thereof, be transferred to another War Department component which has need of such property and makes request therefor: *Provided,* That military property will be transferred only with the approval or pursuant to regulations of the Commanding General, Army Service Forces (Stock Control Division), or, in the case of military property of the Army Air Forces, the Commanding General, Army

Air Forces, or his delegate or delegates. Regulations prescribed by the Commanding General, Army Service Forces, governing the transfer of military property of Army Service Forces between *War Department components are set* forth in ASF AG Letter SPX 300.8 (13 November 1943) OB-P-SPDDP-MB-A, 18 November 1943, Subject: Policy Governing Transfer of Military Property between Technical Services.

§ 83.7–309 *Transfers to and from Navy.* Upon request from the Navy, any property may be transferred to the Navy with the approval of the chief of the technical service concerned and any property requested by the chief of the technical service concerned may be accepted from the Navy. Such transfers of property to the Navy will be made only with the approval or pursuant to regulations of the Commanding General, Army Service Forces (Stock Control Division), as to military property of Army Service Forces, and the Commanding General, Army Air Forces, or his delegate or delegates, as to military property of the Army Air Forces.

§ 83.7–310 *Transfers to Civil Aeronautics Administration.* Any property may, by direction of the chief of the technical service having control thereof, be loaned or transferred to the Administrator of Civil Aeronautics upon written request from him stating that the property will be used in carrying out the purposes of the Civilian Pilot Training Act of 1939 as amended (49 U.S.C. sec. 756). Such transfers will be made only with the approval or pursuant to regulations of the Commanding General, Army Service Forces (Stock Control Division), as to military property of Army Service Forces, and the Commanding General, Army Air Forces, or his delegate or delegates, as to military property of the Army Air Forces.

§ 83.7–311 *Transfers with reimbursement.* Transfers of property under § 83.7–307 will be effected with reimbursement pursuant to the statutes therein cited. Transfers of property permitted under §§ 83.7–308 and 83.7–309 will be effected with reimbursement of, or transfer or allotment of funds to, the transferor by the transferee,

(a) Where property is transferred to any War Department agency for use in connection with civil functions administered by the War Department, or,

(b) In any case where the property is procured by the transferor for the transferee:

(1) By assignment of sole purchase responsibility;

(2) Under procurement pooling arrangements;

(3) Under any arrangement for procurement by the transferor expressly upon the prior requisition of the transferee.

§ 83.7–312 *Transfers without reimbursement.* Transfers of property permitted under §§ 83.7–308 and 83.7–309 under circumstances other than those specified under § 83.7–311, and transfers of property permitted under § 83.7–310, will be effected without any reimbursement of, or transfer or allotment of funds to, the transferor by the transferee, for either the cost of the property or of packing, handling, or transportation.

§ 83.7–313 *Procedure for transfers without reimbursement.* Officers authorized to transfer or direct the transfer of property without reimbursement under § 83.7–312 will prepare written orders, listing in detail the property to be transferred, copies of which will be furnished to the Accountable Property Officer and the receiving officers. Such orders will contain a request that the authority directing the transfer be advised of any discrepancies between the order and the property shipped or received. A copy of such orders will be used as a valid debit or credit voucher to property accounts. It will not be necessary to list for fiscal or property accounting purposes dollar values of property transferred without reimbursement.

§ 83.7–314 *Gifts and loans of drawings and other property.* (a) The chiefs of the technical services are authorized, without further approval, to give or lend drawings, manufacturing and other information and samples of supplies and equipment to be manufactured or furnished, to contractors and private firms which are or may likely be manufacturers or furnishers of supplies and equipment for the use of the War Department under approved production plans.

(b) Whenever they determine that such action will facilitate the prosecution of the war, the chiefs to technical services are authorized to give or lend, by appropriate written agreement reciting such determination, to organizations engaged in experimental research, testing, or developing, such items and any other material, supplies or equipments for use in connection therewith: *Provided,* That if in the case of a gift the estimated value of the property in question exceeds $1,000, or, in the case of a loan, $50,000, the approval of the Director, Readjustment Division, Headquarters, Army Service Forces, will first be obtained.

(c) The Commanding General, Army Air Forces, whenever he determines that such action will facilitate the prosecution of the war, may authorize the transfer, loan, bailment or lease, by appropriate written agreement reciting such determination, of aircraft, aircraft engines, or aircraft equipment or material, without limitation as to the value thereof, to Army Air Forces contractors for the purpose of experimental research, testing or development, training of contractor's personnel, or urgent transportation requirements of such contractors in connection with the performance of their war contracts.

§ 83.7–315 *Exchange of property.* The chiefs of technical services are authorized to make any exchanges of property which are authorized by the following statutes: 39 Stat. 635, 10 U.S.C. 1271; 40 Stat. 43, 849, 10 U.S.C. 1272; 38 Stat. 1064, 10 U.S.C. 1273; 38 Stat. 1161, 41 U.S.C. 26; 50 Stat. 64, 5 U.S.C. 118d; 53 Stat. 739, 10 U.S.C. 1271 (a); 44 Stat. 680, 10 U.S.C. 1209, 1210 Act of July 2, 1940, Public 703, 76th Congress, as extended by the Act of June 5, 1942, Public 580, 77th Congress; section 203 of the Act approved June 26, 1943, Public Law No. 90, 78th Congress. Any other exchanges will be submitted for the approval of the Director, Readjustment Division, Headquarters, Army Service Forces.

Disposition of Non-Repairable Property

§ 83.7–400 *Scope of section.* This section provides the authority and procedures for disposing of non-repairable property. It is of special importance in connection with the disposition of termination inventories as it covers the disposal of property classified as scrap. The memorandum of the Under Secretary of War set forth in § 83.15–350 (b) and the provisions of § 83.15–385 state the policy of the War Department with respect to the scrapping of termination inventory.

§ 83.7–401 *Non-military property other than current production scrap.* (a) Government-owned non-military property other than current production scrap may be classified as non-repairable by the submission of a list of the property involved to an authorized officer and the execution thereon by such officer of the following certificate:

It is my opinion that the property listed hereon is (include (1) or (2), whichever is appropriate)

(1) Used or damaged beyond economic repair

(2) Obsolete or so specialized in design or otherwise of such a nature that it has no reasonable use except as scrap and is therefor properly classified as non-repairable, non-military property in accordance with the provisions of Procurement Regulation No. 7 (§§ 83.7–700 to 83.7–710) and that its condition is not due to fault or neglect.

Where the property is new but nevertheless properly classified as non-repairable, as will be the case with many obsolete items and items of work in process, the phrase following the last comma may be omitted.

The certifying officer will inspect the property or require the submission of such statement of fact and report of inspection as he deems necessary as a basis for the execution of the certificate.

(b) A copy of such list with the certificate will be furnished to the accountable property officer, and will operate as a credit voucher discharging accountability.

(c) Property so certified, except property in the possession of a contractor which is to be disposed of under § 83.7–403, will be turned over to a salvage officer with a copy of the list and certificate.

(d) Non-repairable property in the possession of a cost-plus-a-fixed-fee contractor may be either (1) sold to or by the contractor in accordance with the provisions of § 83.7–403 below, or (2) turned over to a salvage officer for disposal. In either case the certificate prescribed in sub-paragraph (1) above will not be required. In such cases, the credit voucher to the property account will consist of a copy of the list of property

turned over to a salvage officer or approved by the contracting officer for sale by the contractor, supported by the contracting officer's written advice to the accountable property officer as prescribed in paragraph 1004 (a) of the War Department Industrial Property Accounting Manual, or, if there is no question as to the responsibility of the contractor for the condition of the property, supported by written order of the contracting officer directing transfer to the salvage officer or approving the sale by the contractor.

§ 83.7–402 *Current production scrap.* Current production scrap, which is industrial scrap resulting from the fabricating or processing of raw materials such as chips, cuttings, borings, and short ends of ferrous and non-ferrous metals, clippings and cuttings from wool and cotton fabric, residues from chemicals and plastics, rubber and treated fabric offal, glass, paper and lumber offal, damaged and unsuitable packing materials and containers), other than that disposed of by a cost-plus-a-fixed-fee contractor under contract provisions, will be turned over to a salvage officer, without the certification required under § 83.7–401.

§ 83.7–403 *Sale of non-repairable property by or to contractors.* Any non-military property in the possession of a cost-plus-a-fixed-fee contractor, which has been classified as non-repairable pursuant to § 83.7–401 above, and any contractor-owned property included in termination inventory as to which a determination to scrap has been made, may be sold by the contracting officer to the contractor, or retained or sold by the contractor with the approval of the contracting officer.

§ 83.7–404 *Military property, and non-military property not certified under § 83.7–401.* Military property, and non-military property which cannot be certified under § 83.7–401, may be classified as non-repairable and turned over to a salvage officer in accordance with the provisions of AR 35–6640, and War Department Circular No. 7, 1944.

§ 83.7–405 *Designation of salvage officer.* Chiefs of technical services may designate the salvage officer to receive and dispose of non-repairable non-military property.

§ 83.7–406 *Disposition by salvage officers.* All property turned over to a salvage officer in accordance with this section will be disposed of in accordance with AR 700–25, TM–38–505, and any other applicable regulations.

§ 83.7–407 *Special procedure.* Non-repairable property included in termination inventory may be disposed of by contracting officers under regulations prescribed by the chief of the technical service concerned, in lieu of being turned over to a salvage officer, provided the approval of the Director, Readjustment Division, Headquarters, Army Service Forces, is first obtained.

§ 83.7–408 *Review and approval of scrapping.* Government-owned non-military property (other than that worn out through fair wear and tear) will not be certified as non-repairable property under § 83.7–401 of this regulation, nor will a determination to scrap contractor-owned property included in termination inventory be made, without the prior review and approval of a local Disposal Board if the cost (estimated if not known) of the property covered by the certificate or determination exceeds $50,000. Property will not be subdivided for the purpose of avoiding this limitation.

§ 83.7–409 *Review at chief of service level.* Disposal Boards established in the office of a chief of a technical service pursuant to § 83.7–106 may review certification of Government-owned non-repairable property under § 83.7–401, or determination to scrap contractor-owned property included in termination inventory, where the cost of the property involved (estimated if not known) exceeds $500,000.

§ 83.7–410 *Pricing policies on sales of non-repairable property included in termination inventory.* The following pricing policies prescribed by the Surplus War Property Administrator will apply to (1) the retention or sale by the contractor of non-repairable property included in termination inventory, and (2) the sale by contracting officers of such property when approval for such procedure has been obtained under § 83.7–407.

(a) *Where total amount in settlement is less than $10,000.* Sales of any non-repairable property included in termination inventories, in any case where the entire amount involved in the contract settlement before disposal credits is less than $10,000, will be made or approved at the best price obtainable in the judgment of the officer approving the sale, or in the case of subcontracts as to which the power of approving the termination settlement has been delegated to a contractor of a higher tier, in the judgment of such contractor.

(b) *Large termination inventories.* Sales of non-repairable property included in termination inventories where the entire amount involved in the contract settlement before disposal credits is $10,000 or more will be made in accordance with the following policies:

(1) The officer making or approving the sale or his representative shall determine, as nearly as may be possible by reasonable effort within a reasonable time, the going price of the type of scrap in question by reference to published trade indicators or inquiry among Government agencies, dealers, or other informed sources, taking into account transportation cost and sundry other charges.

(2) If it is possible to realize this price without competitive bidding the contracting officer may approve the sale.

(3) If it is not possible to obtain this price the contracting officer will arrange for sale of the property after competitive bids, reserving the right to reject all bids if in his judgment an adequate price is not offered.

(4) All sales of scrap, whatever method of sale is adopted, shall be subject to the following warranty:

The purchaser represents and warrants to the United States that the property covered by this agreement was offered as scrap, purchased by him as scrap, and that he will sell or ship or use it as scrap either in its existing condition or after further preparation and only in conformity with all applicable regulations and orders of the Office of Price Administration and the War Production Board.

In the case of a contractor sales, the phrase "to the United States" shall be omitted.

Disposition of Serviceable Military Property

§ 83.7–500 *Scope of section.* This section provides authority and procedures in addition to those in §§ 83.7–300 to 83.7–315 and 83.7–400 to 83.7–410 for the disposition of military property. In this connection, attention is called to the policy of the War Department requiring prompt disposition of excess property as stated in § 83.7–103.

§ 83.7–501 *Declaration of surplus.* The chiefs of the technical services are authorized to declare serviceable military property surplus with the approval of, or subject to regulations prescribed by, the Commanding General, Army Service Forces (Requirements Division), or the Commanding General, Army Air Forces, or his delegate or delegates, as to property of the Army Air Forces, and to dispose of such property in the manner provided in this section V notwithstanding the provisions of section 14a, Chapter 440, of Title 1 of the Act of June 28, 1940 (54 Stat. 681, 10 U. S. C. 1262a). The regulations prescribed by the Commanding General, Army Service Forces, governing the declaration of military property as surplus are set forth in ASF Circulars Nos. 67 (section I) and 101 (section II), 1944.

§ 83.7–502 *Mutilation and disposition of certain military property that is unsuitable for civilian use.* Because of their peculiarly military characteristics, certain items such as lethal weapons, ammunition, certain aeronautical equipment, classified articles (see AR 380–5), and distinctive articles of the uniform, cannot be released for civilian use when they are declared surplus, but must be mutilated and scrapped, disarmed, stripped of their military characteristics, altered and declassified, or otherwise made suitable for non-military use before they are disposed of. When such items are declared surplus, the authority declaring them surplus will give specific directions for the mutilation, alteration, disarming, stripping, cannibalization or other action to be accomplished before disposal; and will give further specific directions as follows:

(a) If, in his judgment, the items, or the residue thereof, will have no reasonable use except as scrap after such mutilation, etc., he will direct that the items, or the residue thereof, be turned over to the local salvage officer for disposal as scrap in accordance with applicable sal-

vage regulations. (See AR 35–6520, Par. 5b. (5), for accounting procedure.)

(b) If, in his judgment, the items or any part thereof will have value for civilian use after such mutilation, etc., he will direct that they be disposed of as surplus after the accomplishment of such mutilation, etc.

§ 83.7–503 *Disposition of surplus.* Military property declared surplus and not directed to be disposed of as scrap will be disposed of in accordance with §§ 83.7–700 to 83.7–710. (See AR 35–6520, Par. 5b. (4) for accounting procedure.)

Disposition of Serviceable Non-Military Property Other Than Termination Inventory

§ 83.7–600 *Scope of section.* This section provides authority and procedures for disposing of non-military property other than termination inventories, in addition to those set forth in §§ 83.7–300 to 83.7–315 and §§ 83.7–400 to 83.7–411. In this connection attention is called to the policy of the War Department set forth in § 83.7–103 requiring constant and active review of non-military property on hand and in the process of manufacture and prompt disposition of excess property.

§ 83.7–601 *Circularization.* When it has been determined that items of non-military property are not required for an immediately or definitely foreseeable need at the point of use, action will be immediately taken to redistribute such items within the technical service concerned or to return the property to a direct war use in accordance with §§ 83.7–300 to 83.7–315. When such items cannot be so redistributed promptly to fill known requirements or requirements that can be ascertained by informal inquiry (which should be localized and expedited to the greatest extent practicable), the circularization procedures established in §§ 83.7–600 to 83.7–605 will be promptly instituted and vigorously pursued. It is intended that circularization will be effected contemporaneously within the technical service of origin and among other technical services, to the fullest extent practicable. The chiefs of the technical services will designate the offices within their respective services which will originate circularization lists and the intervals of time at which circularization lists will be originated. In no event will any item of production or utility equipment (see paragraph (b)) be withheld from circularization for a period in excess of 60 days after it becomes idle, unless (1) it is comprised in a complete industrial installation that has been reported as excess under War Department Circular No. 8, 1944, (see paragraph (e) of this section) or that has been authorized to be held as standby, or (2) it has been placed on a schedule of items authorized to be held as War Reserve, or (3) the Director, Readjustment Division, Headquarters, Army Service Forces, has been advised that the equipment is being withheld from circularization for a stated future use, or for other stated reasons.

(a) *Circularization lists.* Circularization lists will be divided into Part 1, Part 2, Part 3, Part 4, and Part X. Property listed under the respective subdivisions will be referred to as "part 1 property", "part 2 property", and so forth.

(1) Part 1 will include all items of production equipment and utility equipment.

(i) Production equipment includes the following:

Machine tools.
Metal working machinery.
Cleaning and spraying equipment.
Compressors and vacuum pumps.
Industrial pumps.
Industrial conveying machinery.
Engines and turbines, general purpose.
Heat exchangers.
Optical machinery.
Industrial cranes and hoists.
Thermal driers and dehydraters.
Fans, blowers and exhausters, industrial types.
Pressure and vacuum filters.
Pressure vessels (other than boilers).
Electric motors, integral horsepower, and electric motor controls.
Power conversion equipment.
Foundry equipment.
Heat treating equipment.
Welding and cutting equipment, industrial types.
Crushing, pulverizing, screening and mixing equipment and machinery, industrial types.
Special industry machinery (specialized machinery for food products, pulp and paper, printing trades, rubber working, petroleum, ceramics, glass, shoemaking, textile, tanning, pharmaceutical, chemical and other special industries).

(ii) Utility equipment includes major items of equipment used in the generating, processing, transmission or distribution of electricity, gas and water, and in the disposal of sewage.

(2) Part 2 will include all construction equipment of a standard type not so restricted in design as to render it unsuitable for nonmilitary use of a recurring nature. Such construction equipment includes, but is not limited to, drilling and boring equipment, earth and rock, including core drills, rock drills, churn drills, earth borers and horizontal augers; power cranes and shovels, drag lines, buckets, stiff-leg derricks, and dredges; scrapers, maintainers, and graders; tractors, track-laying and wheel types; tractor-mounted construction equipment including angledozers, bulldozers, and power control units; winches and hoists, contractors elevating, road brooms, concrete buggies and carts, bins, centerline marking equipment, road discs, ditchers, aggregate dryers, joint and crack filling machinery, road forms, form tamping machines, mud jacks, portable snow loaders, tamping rollers, scarifiers, concrete towers, contractors' crawler wagons, and similar equipment; construction material mixers, spreaders, pavers, surfacers, finishers, tampers, vibrators, and related construction machinery; construction material processing equipment, including asphalt plants and portable crushers.

(3) Part 3 will include all items not included in Parts 1, 2, or 4, which, in the judgment of the technical service concerned, have a reasonably foreseeable use for industrial or military purposes or for civilian supply and which cannot practicably and expeditiously be redistributed without wide circularization.

(4) Part 4 will include controlled materials in the forms and shapes and in the minimum quantities set forth in § 83.7–901. Part 4 will be subdivided into: Part 4A, consisting of steel; Part 4B, consisting of copper and copper base alloy; and Part 4C, consisting of aluminum. Circularization lists of Part 4 property will be prepared substantially in the form set forth in § 83.7–901 (a), (b) and (c).

(5) Part X will include all items not included in Parts 1, 2, 3, and 4.

(b) *Description and coding.* (1) Circularization lists will be on 8 x 10½ paper and will contain the following information:

(i) Name of issuing office together with the station identification number and appropriate letter symbol of the technical service concerned.

(ii) Serial number of list. Each issuing office will serially number each list circularized beginning with the number 1.

(iii) Date of circularization, which will be the date of transmittal required under paragraph (c) of this section.

(iv) Serial number of items or lots. Items or lots will be serially numbered under each part of each list.

(v) Description of items or lots. Descriptions will comprise such information as would be required by the controlling technical service if it were procuring the property, including, when pertinent, name of manufacturer, manufacturer's catalog number if available, identification numbers, location, age, condition, quantity and cost per unit if available.

(vi) Specific instructions by which an interested agency may be guided in negotiating sale or transfer of property reported. Names, mail and telephone addresses of officers authorized to carry on negotiations, may be either included in each list circularized or published in bulletin form by the technical service concerned to all recipients of the lists.

(2) For the purpose of convenient abbreviation in communications regarding property circularized, items may be identified by code, which will include in sequence, the station identification number and the letter symbol of the issuing office, serial number of list, part of list, serial number of item. For example a particular heat exchanger listed as the second item of Part 1 of the third list circularized by an office of Ordnance Department, having station identification number "12345" would be identified as "12345–Ord–3–1–2."

(c) *Transmittal of lists.* Circularization will be accomplished by transmitting copies of Circularization Lists as follows:

(1) Parts 1 and 3 to the offices listed in § 83.7–902.

(2) Part 2 to the Redistribution and Salvage Officer, Office of the Chief of Engineers (3 copies) and to Readjustment Division, Headquarters, Army Service Forces (3 copies).

(3) Part 4 to Readjustment Division, Headquarters, Army Service Forces, (3 copies) and to the Regional Office of War Production Board for the Region in which the property is located. The addresses of such Regional Offices and the territories within their jurisdiction are set forth in § 83.7–903.

(4) Part X to Readjustment Division, Headquarters, Army Service Forces, to procurements offices of other technical services at such levels and within such geographical areas as the technical service concerned deems desirable, and to the Regional Office of War Production Board for the region in which the property is located.

(5) Transmittal of Circularization Lists to War Production Board is required for the sole purpose of advertising the availability of excess property to military agencies, war contractors and others to whom disposition is permitted under §§ 83.7–300 to 83.7–315 of this regulation. Such transmittal does not impose any restrictions upon the movement of the property included therein that are not otherwise imposed by applicable regulations of War Production Board, nor does it impose any obligation to sell or transfer to any prospective purchaser or transferee referred by the War Production Board to the War Department representative responsible for disposal or to accord them any favored treatment whatever.

(d) *Certain items as to which circularization may be limited or eliminated.* The following types of non-military property (in addition to termination inventories) may be omitted from general circularization lists:

(1) Items that are peculiar to a technical service and which, in the judgment of the chief of the technical service concerned, have no value to other technical services or their contractors. Such items, when determined, by means of limited circularization or otherwise, to be excess to the technical service concerned, will be deemed surplus without further action and disposed of in accordance with §§ 83.7–700 to 83.7–710.

(2) Single items or groups of items, where the cost, estimated if not known, of all substantially similar items in excess at any one time and at any one place does not exceed $100. Such items will be deemed surplus without further action and disposed of in accordance with § 83.7–701.

(e) *Certain equipment not to be circularized without prior approval.* Part 1 property comprised in a complete industrial installation reported as excess under War Department Circular No. 8, 1944, will not be circularized under §§ 83.7–600 to 83.7–605 unless such circularization has been approved or directed by the Director, Readjustment Division, Headquarters, Army Service Forces.

(f) *Certain equipment that may be turned over to another technical service for redistribution.* Production equipment may be turned over to Ordnance Department, and utility equipment and construction equipment may be turned over to the Corps of Engineers, when such equipment is determined, by means of limited circularization or otherwise, to be excess to the technical service concerned. The Chief of Ordnance and the Chief of Engineers, respectively, will accept physical delivery, accountability and responsibility for utilization, storage as necessary, redistribution and disposal of equipment so turned over. If general circularization under § 83.7–601 has been initiated by the technical service of origin prior to turning over the property, the action required by §§ 83.7–600 to 83.7–605 will be completed by the Chief of Ordnance or the Chief of Engineers, as the case may be. If general circularization under § 83.7–601 has not been initiated by the technical service of origin prior to turning over the property, the action required by §§ 83.7–600 to 83.7–605 will be promptly initiated by the Chief of Ordnance as to items turned over to Ordnance Department for which requirements cannot be promptly ascertained, and by the Chief of Engineers as to items turned over to the Corps of Engineers for which requirements cannot be promptly ascertained. The procedure for turning over such equipment to Ordnance Department is set forth in section VIII, ASF Circular No. 4, 1944, and to the Corps of Engineers in section III, ASF Circular No. 26, 1944.

(g) *Circularization period.* The period of 60 days after transmittal of Circularization Lists is established as the circularization period for Part 1 property, and the period of 30 days after the transmittal of Circularization Lists is established as the circularization period for Parts 2, 3 and 4, and X property.

§ 83.7–602 *Disposition during circularization period.* Before the termination of the circularization period, the technical service concerned will determine what property included in Circularization Lists should be retained for present or definitely foreseeable needs within such service for military or industrial purposes, or for authorized stockpile or War Reserve, and will withdraw such property from availability. Property which is not so withdrawn may be disposed of during the circularization period in accordance with the provisions of §§ 83.7–300 to 83.7–315 of this regulation. The Chief of Engineers is specifically charged with acquiring items of Part 2 property not withdrawn under the first sentence of this paragraph which are suitable for troop use or tactical operations.

§ 83.7–603 *Disposition after circularization period.* Upon the termination of the circularization period industrial property which has not been withdrawn or disposed of under § 83.7–602 will be deemed surplus, without further action, and disposed of in accordance with §§ 83.7–700 to 83.7–710.

§ 83.7–604 *Deviation from regulations in exceptional cases.* When adherence to the regulations prescribed in these §§ 83.7–600 to 83.7–605 would impede the expeditious return of unneeded industrial property to use in the war effort, the Director, Readjustment Division, Headquarters, Army Service Forces, is authorized to permit deviation therefrom with respect to the disposition of classes or particular items of industrial property. Applications under this paragraph will include the following:

(a) A description of the class of items, or in the case of particular items, a reference to the list in which the items have been listed, or a description of the items in accordance with paragraph (b) (1) (v) if they have not been listed.

(b) A statement of the circumstances indicating the desirability of deviation from the procedures established in §§ 83.7–600 to 83.7–605.

§ 83.7–605 *Non-military property peculiar to Army Air Forces.* Sections 83.7–600 to 83.7–605 does not apply to non-military property peculiar to aircraft production to the extent that any of the provisions hereof may be inconsistent with procedures established for the redistribution of such property by or under the direction of the Aircraft Resources Control Office of the Aircraft Production Board or the Surplus War Property Administration.

Disposal of Surplus Property

§ 83.7–700 *General.* Under its Regulation No. 1, effective 15 May 1944, the Surplus War Property Administration has assigned responsibility for disposal of surplus property among Disposal Agencies as indicated in § 83.7–904 and has established procedures for reporting surplus property to these Disposal Agencies. When property has been determined to be surplus under the procedures established under §§ 83.7–200 to 83.7–210, §§ 83.7–500 to 83.7–503 and §§ 83.7–600 to 83.7–605 of this regulation, action will be promptly taken to dispose of nominal quantities of property in accordance with § 83.7–701 and to report the remaining surplus property to the appropriate Disposal Agencies in accordance with § 83.7–702.

§ 83.7–701 *Disposal of nominal quantities.* Single items or groups of items of surplus property, where the cost, estimated if not known, of all substantially similar items in surplus at any one time and at any one place does not exceed $100, will be turned over to the local salvage officer (or to the contracting officer, where there is no local salvage officer) for sale. Sales of such property by the local salvage officer will be made in accordance with regulations applicable to the sale of salvage, except that all documents relating to such sales will be clearly marked to indicate sale of surplus property. Sales of such property by the contracting officer will be made in accordance with regulations prescribed by the chief of the technical service concerned.

§ 83.7–702 *Reporting to Disposing Agency.* Surplus property other than that required to be disposed of under § 83.7–701 will be promptly reported to Disposal Agencies as follows:

(a) *Ships, small watercraft and related property.* Surplus ships of commercial design or susceptible to commercial use will be reported to the United States Maritime Commission, Attention: Captain R. J. Moran, Director, Division of Small Vessel Procurement, Washington 25, D. C. Before reporting, detailed instructions as to descriptive matter and other information to be supplied will be obtained from that office. Small

watercraft and other property assigned to the Maritime Commission as set forth in § 83.7–904 will be reported to the United States Maritime Commission, Attention: Mr. E. W. Gorman, Assistant to the Director of the Procurement Division, Washington 25, D. C.

(b) *Aircraft and related property.* Surplus aircraft and gliders, aircraft engines, propellers, and spare parts, special components, and subassemblies of aircraft and gliders, will be reported to the Reconstruction Finance Corporation, Attention: Surplus Property Director, Washington 25, D. C.

(c) *Food and related property.* Surplus food and related property assigned to War Food Administration as set forth in § 83.7–904 will be reported to the Regional Office of the War Food Administration for the region in which the property is located. The address of the Regional Offices of the War Food Administration and the territories within their jurisdiction are set forth in § 83.7–906.

(d) *Military property other than aircraft, food and ships.* Military property other than aircraft, food and commercial ships will be reported to Reconstruction Finance Corporation or Procurement Division, Treasury Department, in accordance with the assignments set forth in § 83.7–904. By far the greater part of such property will consist of items of the type assigned to Procurement Division, Treasury Department for disposal. Where it is considered impracticable to segregate items of military property assigned to Reconstruction Finance Corporation, they may be included in reports to the Procurement Division, Treasury Department.

Reports will be made to the Regional Office of the appropriate Disposal Agency for the region in which the property is located. The addresses of the Regional Offices of the Reconstruction Finance Corporation and Procurement Division, Treasury Department, respectively, and the territories within their jurisdiction, are set forth in §§ 83.7–907 and 83.7–908.

Surplus military property under the jurisdiction of technical services of Army Service Forces (see ASF Circular No. 67, section I, 1944) which is in stock at depots and at installations below depot level will be reported by the depot. Installations below depot level will furnish the appropriate depot with information necessary for the reporting of surplus property in stock below depot level. Surplus military property under the jurisdiction of commanding generals of Army Service Forces service commands (see ASF Circular No. 101, Section II, 1944) will be reported by the service commander.

(e) *Non-military property other than termination inventories*—(1) *Part 1 property; production and utility equipment.* Surplus Part 1 property will be reported to the Reconstruction Finance Corporation, Attention: George F. Buskie, 811 Vermont Avenue, NW., Washington 25, D. C. As an interim procedure, reports of surplus Part 1 property will be submitted through Readjustment Division, Headquarters, Army Service Forces. Three copies will be transmitted to Readjustment Division, two of which will be forwarded to the Reconstruction Finance Corporation, and one retained for information purposes.

(2) *Part 2 property; construction equipment.* Surplus Part 2 property will be reported to the Regional Office of the Procurement Division, Treasury Department, for the region in which the property is located.

(3) *Part 4 property; controlled materials.* Surplus Part 4 property will be reported to the Regional Office of Reconstruction Finance Corporation for the region in which the property is located.

(4) *Part 3 and X property.* Surplus Part 3 and X property other than aircraft, food and commercial ships, will be reported to Reconstruction Finance Corporation or Procurement Division, Treasury Department in accordance with the assignments set forth in § 83.7–904. Reports will be transmitted to the Regional Office of the appropriate Disposal Agency for the region in which the property is located. The assignments of those items likely to be included in Parts 3 and X are as follows:

Procurement Division, Treasury Department:
- Paper and paper products.
- Cotton, wool and linen basic textiles, and fabricated textile products.
- Basic metal products as follows:
- Barbed and twisted wire.
- Woven wire and chain link fencing and fence posts.
- Insect screening.
- Wire springs.
- Wire hoops.
- Chain and attachments.
- Nails, tacks and staples.
- Bolts, nuts, screws, rivets, washers, turnbuckles, eyelets and grommets.
- Strapping.
- Builders basic hardware and casket, furniture, and trunk and luggage hardware.
- Glass, pottery and ceramic basic materials and products.
- Rubber fabricated materials and products.
- Containers, closures and packing materials.
- Industrial trucks, tractors, trailers, stackers and accessories.
- Agricultural machinery and implements.
- Motor vehicles, engines, parts, components, assemblies and accessories.
- Plumbing and heating materials and equipment.
- Commercial and household electric appliances, lamps and dry cell and storage batteries.
- Commercial and domestic air-conditioning and refrigerating equipment.
- Hand tools and mechanics measuring tools.
- Office machines, typewriters, cash registers, calculating and computing scales.
- Furniture and fixtures.
- Professional and scientific instruments and apparatus.
- Apparel and footwear.

Reconstruction Finance Corporation:
- Leather, and boot and shoe cut stock and findings.
- Lumber, veneer, plywood and millwork.
- Petroleum and petroleum products.
- Chemicals.
- Paints, varnishes, lacquers, japans, thinners, pigments, driers, fillers and related products.
- Ferro and nonferrous additive alloys.
- Nonferrous metals (except aluminum, copper, and copper-base alloy).
- Fabricated structural iron and steel and architectural metal work.
- Power boilers.
- Storage tanks.
- Insulated wire and cable.

Reconstruction Finance Corporation—Con.
- Basic non-metallic structural products.
- Abrasives
- Asbestos basic products.
- Graphite and carbon basic products.
- Refractories.
- Mechanical power-transmission equipment and bearings.
- Electric motors, fractional horsepower.
- Electrical building supplies.
- Communication equipment.
- Railroad transportation equipment.
- Indicating, recording and controlling instruments.

(f) *Termination inventory.* Surplus termination inventory will be reported to the appropriate Disposal Agency in accordance with the assignments set forth in § 83.7–904. By far the greater part of such property will consist of items of the type assigned to Reconstruction Finance Corporation for disposal. Where it is considered impracticable to segregate items of termination inventory assigned to Disposal Agencies other than Reconstruction Finance Corporation, they may be included in reports to Reconstruction Finance Corporation.

Reports will be made to the Regional Office of the appropriate Disposal Agency for the region in which the property is located.

§ 83.7–703 *Report forms.* All reports of surplus property to Disposal Agencies will be made on Forms SWPA–1 and SWPA–1 (A). Copies of these forms, together with instructions for preparation, are set forth in § 83.7–905. Chiefs of technical services may obtain an initial supply of these forms from Readjustment Division, Headquarters, Army Service Forces. Optional use of Treasury Department Form 812 is permitted on all reports transmitted to Procurement Division, Treasury Department, up to 1 July 1944.

§ 83.7–704 *Transmittal of reports.* Reports of surplus property will be transmitted to Procurement Division, Treasury Department, in triplicate and to other Disposal Agencies in duplicate, with information copy to the Director, Readjustment Division, Headquarters, Army Service Forces.

§ 83.7–705 *Action after reporting.* After the property has been reported to a Disposal Agency, the field installation concerned will hold the property subject to disposition instructions from the Disposal Agency.

§ 83.7–706 *Withdrawal for further use.* Property which has been reported to a Disposal Agency may be withdrawn for further use by the technical service of origin or for transfer to another component of the War Department, with the consent of the Disposal Agency to which the property was reported. Immediately upon the withdrawal of property under this paragraph, a withdrawal report will be transmitted to the Disposal Agency to which the property was originally reported as surplus. Withdrawal reports will be prepared and transmitted in the same manner as surplus reports, except that the word "withdrawal" will be entered conspicuously at the top right hand margin of the report form.

§ 83.7–707 *Disposal by Disposal Agency.* The Disposal Agencies will dispose of all property reported as surplus that is not withdrawn under § 83.7–706 (except as provided in § 83.7–710). Disposal may be effected directly from War Department storage or after removal to storage facilities of the Disposal Agencies. All echelons will extend the fullest cooperation to the Disposal Agencies in this connection. Liaison will be promptly established between field establishments handling surplus property and the field agencies of the Disposal Agencies. Provisions will be made for furnishing additional information to Disposal Agencies and exhibiting the property to the fullest extent practicable upon request of a Disposal Agency.

§ 83.7–707 *Shipment after disposal.* When property has been disposed of by a Disposal Agency, or when the Disposal Agency takes custody of the property prior to disposal, the Disposal Agency will issue appropriate shipping instructions to the office designated in the surplus report as the "shipping office". The War Department is not required to, and should not, repair, recondition or reprocess surplus property, nor assume the expense of transportation, although the use of War Department transportation facilities in moving surplus property into storage facilities of a Disposal Agency is authorized when the convenience of the War Department will be served thereby and when the use of such transportation facilities will not interfere with the normal military functions of the installation concerned. Although the Disposal Agency, or the consignee to whom delivery is directed, will ordinarily bear the expenses of preparation for shipment, the field installation concerned may prepare the property for shipment without reimbursement, if it so desires. When requested by the Disposal Agency, copies of bills of lading or other shipping documents and advice as to date of shipment will be furnished the Disposal Agency.

§ 83.7–709 *Fiscal procedures.* The War Department will not be reimbursed for surplus property delivered to or upon the direction of a Disposal Agency. A copy of the shipping document, together with a copy of the shipping instructions received from the Disposal Agency will constitute a valid credit voucher to property accounts.

§ 83.7–710 *Clearance for sale by War Department.* When special circumstances, such as danger of deterioration or sanitary or other hazard, or urgent requirement for storage space for military supplies, make immediate sale by the War Department desirable, application may be made to the appropriate Disposal Agency for clearance of the property for direct sale by the War Department. Such applications will only be made through or with the approval of the Director, Readjustment Division, Headquarters, Army Service Forces.

(a) *Sale after clearance.* Property which a Disposal Agency has cleared for sale may be sold by negotiated sale. The chief of the technical service obtaining clearance may direct that the property be sold by a particular officer, or that it be sold in a particular manner. In the absence of such directions, sales will be made by the local salvage officer in accordance with regulations applicable to the sale of salvage, except that all documents relating to such sales will be clearly marked to indicate sale of surplus property.

APPENDIX

§ 83.7–901 *Items to be included in lists of Part 4 property.*

Forms and shapes	*Minimum quantity per item of a single size and grade*
Part 4A—Carbon and alloy steel:	
Carbon steel:	
Bars, cold finished	2,000 pounds.
Bars, hot rolled	
Ingots, billets, blooms, slabs, tube rounds, skelp and sheet and tin bar	
Pipe (new only)	
Plates	
Sheets and strip	
Structural shapes and piling	
Tin plate, terneplate, and tin mill black plate	
Wire rods, wire .0475 inch diameter and up, and other wire products	
Tubing, 1½ inch diameter and up (new only)	
Tubing under 1½ inch diameter (new only)	1,000 feet.
Wire under .0475 inch diameter	500 pounds.
All tool steel	100 pounds.
Alloy steel:	
Bars, cold finished	2,000 pounds.
Bars, hot rolled	
Ingots, billets, blooms, slabs, tube rounds, sheet bar	
Pipe (new only)	
Plates and structural shapes	
Sheets and strip	
Wire rods, wire .0475 inch diameter and up, and other wire products	2,000 pounds.
Tubing 1½ inch diameter and up	1,000 feet.
Tubing under 1½ inch diameter	
Wire under .0475 inch diameter	500 pounds.
All stainless steel	
All tool steel	100 pounds.
Part 4B—Copper and copper base alloy:	
Brass mill copper base alloy products:	
Sheet and strip	500 pounds.
Rods, bars and wire (including extruded shapes, not including slugs)	
Tubing and pipe	
Brass mill copper products:	
Plate, sheets and strip	
Rods, bars and extruded shapes (excluding wire bars and ingots bars)	
Tube and pipe	
Wire mill copper products:	
Wire and cable (including insulated wire and cable)	
Foundry copper and copper base alloy products:	
Castings	
Part 4C—Aluminum:	
Rod, bar, wire and cable	300 pounds.
Forgings, pressings and impact extrusions	
Castings	
Shapes, rolled or extruded	
Sheet, strip, plate and foil	
Tubing	
Ingot and powder	
Rivets	

NOTE: Smaller quantities than those above listed, but not less than the following, may be included in Part 4, if desired by the Technical Service concerned:

Carbon steel:	
Structural and plates	500 pounds.
Bar, sheet and strip, pipe and tube, and wire	100 pounds.
Tool steel	25 pounds.
Alloy steel:	
Tool steel	25 pounds.
All other	100 pounds.
Copper and copper base alloy	100 pounds.
Aluminum	100 pounds.

(a) *Form of Circularization List for Part 4A property.*

Report of excess steel, Part 4A.
Reporting station
Station No. Address
Officer in charge of disposition

List No. Page
Date transmitted to WPB
Reported to (Regional Office, WPB)
Location of property

[On additional pages show Part 4A, list number and page number only]

Code No.[1]	Pieces	Total weight (pounds)	Size	Length (L) or coil (C)	Form and shape	Alloy, No. Spec, Wd, or brand	Finish [1]	Physical properties [1]	Clean or rusty

[1] Show station, service, list and part code at top of column (e.g. 123-Ord-4A-12-), followed by item numbers only.
[2] Use Symbols: CDG&P-Cold Drawn Ground, Polished (2); HRA&P-Hot Rolled Annealed, Pickled (2); HRT&P-Hot Rolled Turned, Polished (2); HR-Hot Rolled (2); HRA-Hot Rolled Annealed (2); CR-Cold Rolled (2); CD-Cold Drawn (2); FQ-Forging Quality (2); HT-Heat Treated (2).

(b) *Form of Circularization List for Part 4B property.*

Report of excess copper and copper base alloy, part 4B.
Reporting Station
Station No. Address
Officer in charge of disposition

List No. Page
Date transmitted to WPB
Reported to (Regional Office, WPB)
Location of property

[On additional pages show part 4B, list number and page number only]

Code No.[1]	Item and specification	Pieces	Total weight (pounds)	Size	Lgth (L) or coil (C)	Form	Temper	Original manufacturer

[1] Show station, service, list and part code at top of column (e. g. 123-Ord-4B-12-), followed by item number only.

(c) *Form of Circularization List for Part 4C property.*

Report of excess aluminum, part 4C.
Reporting station
Station No.
Officer in charge of disposition

List No. Page
Date transmitted to WPB
Reported to (Regional Office WPB)
Location of property

[On additional pages show part 4C, list number and page number only]

Code No.[1]	Alloy and temper	Pieces	Total weight (pounds)	Dimensions and/or standard extrusion die No.	Form shape	Specification	Original manufacturer

[1] Show station, service, list and part code at top of column (e. g. 123-Ord-4C-12-), followed by item numbers only.

§ 83.7-902 *Offices to receive Part 1 and 3 circularization lists.*

	Number of copies
Readjustment Division, Headquarters, Army Service Forces, The Pentagon, Washington 25, D. C.	2
Office of the Chief of Ordnance	
Redistribution and Salvage Officer, Office of the Chief of Ordnance, Room 2-E-424, The Pentagon, Washington 25, D. C.	8
Office of the Chief of Ordnance—Continued	
Birmingham Ordnance District, 700 Frank Nelson Bldg., Birmingham 1, Ala.	1
Boston Ordnance District, Room 1501-1516 Federal St., Boston 10, Mass.	1
Chicago Ordnance District, 38 South Dearborn St., Chicago 3, Ill.	1
Cincinnati Ordnance District, The Big Four Bldg., Cincinnati 1, Ohio	1
Cleveland Ordnance District, 1006 Terminal Tower Bldg., Cleveland 13, Ohio	1
Detroit Ordnance District, 1982 National Bank Bldg., Detroit 32, Mich.	1
New York Ordnance District, Room 1615, 80 Broadway, New York 5, N. Y.	1
Philadelphia Ordnance District, 150 South Broad St., Philadelphia 2, Pa.	1
Pittsburgh Ordnance District, 1202 Chamber of Commerce Bldg., Pittsburgh 19, Pa.	1
Rochester Ordnance District, 1238 Mercantile Bldg., Rochester, N. Y.	1
San Francisco Ordnance District, 402 Empire Hotel, San Francisco, Calif.	1
St. Louis Ordnance District, 3668 Lindell Blvd., St. Louis 8, Mo.	1
Springfield Ordnance District, 95 State St., Springfield 3, Mass.	1
Commanding Officer, Frankford Arsenal, Philadelphia 2, Penn.	1
Commanding Officer, Picatinny Arsenal, Dover, N. J.	1
Commanding Office, Redstone Arsenal, Huntsville, Ala.	1
Commanding General, Rock Island Arsenal, Rock Island, Ill.	1
Commanding Officer, Springfield Armory, Springfield 1, Mass.	1
Commanding Officer, Watertown Arsenal, Watertown, Mass.	1
Commanding General, Watervliet Arsenal, Watervliet, N. J.	1
Tank Automotive Center, Union Guardian Bldg., Detroit 32, Mich.	1
Field Director of Ammunition Plants, 3637 Lindell Blvd., St. Louis 8, Mo.	1
Small Arms Ammunition Sub-Office, N. Y. Ayer Bldg., West Washington Square, Philadelphia 6, Pa.	1
Office of the Chief of Engineers	
Redistribution and Salvage Officer, Office of the Chief of Engineers, Room 6257 New War Bldg., 21st and Virginia Ave. NW., Washington 25, D. C.	3
Division Engineer, Great Lakes Division, 20 North Wacker Drive, Chicago 6, Ill.	1
Division Engineer, Lower Mississippi Valley Division, P. O. Box 80, Vicksburg, Miss.	1
Division Engineer, Middle Atlantic Division, Room 309, 101 East Fayette St., Baltimore 2, Md.	1
Division Engineer, Missouri River Division, Farm Credit Bldg., 19th and Douglas, Omaha 1, Nebr.	1
Division Engineer, New England Division, 75 Federal St., Boston 10, Mass.	1
Division Engineer, North Atlantic Division, 21st Floor, 270 Broadway, New York 7, N. Y.	1
Division Engineer, Northwest Division, 114, #12 128th St., Edmonton, Alberta, Canada	1
Division Engineer, Ohio River Division, 1130 Huntington Bank Bldg., Columbus 16, Ohio	1
Division Engineer, Pacific Division, 222 South West Temple St., Salt Lake City 1, Utah	1
Division Engineer, South Atlantic Division, 50 Whitehall St., Atlanta 2, Ga.	1
Division Engineer, Southwestern Division, Santa Fe Bldg., 1114 Commerce St., Dallas 2, Tex.	1
Division Engineer, Upper Mississippi Valley Division, Syndicate Trust Bldg., 915 Olive St., St. Louis 1, Mo.	1
Area Engineer, P. O. Box 1111, Clinton, Tenn.	1
Area Engineer, P. O. Box 265, Church St., New York, N. Y.	1

Office of the Chief of Engineers—Continued.

	Number of copies
Area Engineer, P. O. Box 1712, Wilmington, Del.	1
Area Engineer, P. O. Box 2277, Boston, Mass.	1
Area Engineer, P. O. Box 580, Pasco, Wash.	1
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Redistribution and Salvage Officer, Office of the Chief of Chemical Warfare Service, Room 2207, Bldg. T-7, Annex 1, Gravelly Point, Va.	2
Commanding General, Edgewood Arsenal, Edgewood, Md.	1
Commanding General, Pine Bluff Arsenal, Pine Bluff, Ark.	1
Commanding General, Rocky Mountain Arsenal, 4th Floor, Cooper Bldg., 17th and Curtis Sts., Denver 2, Colo.	1
Commanding Officer, Huntsville Arsenal, Huntsville, Ala.	1
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Commanding Officer, Chicago CW Procurement District, Room 1506, Civil Opera Bldg., 20 North Wacker Drive, Chicago, Ill.	1
Commanding Officer, Dallas CW Procurement District, Mercantile Bank Bldg., 106 Ervay St., Dallas 1, Tex.	1
Commanding Officer, Pittsburgh CW Procurement District, American Bank Bldg., Sixth Avenue and Grant St., Pittsburgh 19, Pa.	1
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Commanding Officer, San Francisco CW Procurement District, Room 201, 1355 Market St., San Francisco, Calif.	1
Deputy Commanding Officer, Atlanta Sub-Office, Dallas CW Procurement District, 430 West Peachtree St., NW., Atlanta, Ga.	1
Office of the Chief of Transportation	
Redistribution and Salvage Officer, Office of the Chief of Transportation, Room 1-E-660, The Pentagon, Washington 25, D. C.	1
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Commanding Officer, Holding and Reconsignment Point, Attention: Transportation Corps Supply Officer, Montgomery 4, Ala.	1
Commanding Officer, Holding and Reconsignment Point, Attention: Transportation Corps Supply Officer, Lathrop 9, Calif.	1
Production Division, Transportation Corps, 6th and Sycamore Sts., Cincinnati 5, Ohio.	1
Office of the Chief Signal Officer	
Redistribution and Salvage Officer, Office of the Chief Signal Officer, Room 2-E-350, The Pentagon, Washington 25, D. C.	9
Commanding Officer, Storage & Issue Agency, 5000 Wissahickon Ave., Philadelphia 44, Pa.	1
Officer in Charge, Plant Engineering Agency, SPSLP-82, Architects Bldg., 17th and Sanson, Philadelphia 3, Pa.	1
Office of the Quartermaster General	
Redistribution and Salvage Officer, Office of the Quartermaster General, Room 1049 Temporary A Bldg., 2nd and T Sts. SW., Washington 25, D. C.	7

Office of the Surgeon General

	Number of copies
Redistribution and Salvage Officer, Army Medical Purchasing Office, 52 Broadway, New York 4, N. Y.	1
Army Air Forces	
Redistribution and Salvage Officer, Office, Assistant Chief of Air Staff, M. M. & D., Army Air Forces, Room 5-C-867, The Pentagon, Washington 25, D. C.	1
Redistribution and Salvage Officer, Matériel Command, Wright Field, Dayton, Ohio	3
District Supervisor, Eastern Procurement District, Attention: Redistribution and Salvage Officer, 67 Broad St., New York, N. Y.	1
District Supervisor, Central Procurement District, Attention: Redistribution and Salvage Officer, 8505 West Warren Ave., Detroit, Mich.	1
District Supervisor, Midwestern Procurement District, Attention: Redistribution and Salvage Officer, Municipal Airport, P. O. Box 117, Wichita, Kans.	1
District Supervisor, Western Procurement District, Attention: Redistribution and Salvage Officer, 3636 Beverly Blvd., Los Angeles, Calif.	1
District Supervisor, Midcentral Procurement District, Attention: Redistribution and Salvage Officer, 111 West Jackson Blvd., Chicago, Ill.	1
District Supervisor, Southeastern Procurmenet District, Attention: Redistribution and Salvage Officer, 86 Edgewood Ave. NE., Atlanta, Ga.	1
Redistribution and Salvage Officer, Air Service Command, Patterson Field, Fairfield, Ohio	11
Navy Department	
Chief of the Bureau of Supplies and Accounts, Navy Department, Attention: S. P. D.-17, Washington 25, D. C.	20
War Production Board	
Redistribution Division, War Production Board, New Municipal Bldg., 3rd and Indiana Ave. NW., Washington 25, D. C.	10

§ 83.7-903 *Regional Offices of War Production Board.*

Region I. Regional Office, Regional Manager, Redistribution Division, War Production Board., 17 Court St., Boston, Mass.:

Maine, New Hampshire, Vermont, Massachusetts, Connecticut, and Rhode Island.

Region II. Regional Manager, Redistribution Division, War Production Board, Empire State Bldg., New York City:

New York, northern New Jersey (Sussex, Passaic, Bergen, Warren, Morris, Essex, Hudson, Hunterdon, Somerset, Union, Middlesex, and Monmouth Counties).

Region III. Regional Manager, Redistribution Division, War Production Board, 1617 Pennsylvania Blvd., Philadelphia, Pa.:

Maryland, Virginia, Delaware, eastern Pennsylvania (Tioga, Bradford, Susquehanna, Wayne, Lycoming, Sullivan, Wyoming, Pike, Union, Northumberland, Montour, Columbia, Luzerne, Lackawanna, Monroe, Mifflin, Juniata, Perry, Snyder, Cumberland, Adams, Dauphin, Schuylkill, York, Lebanon, Lancaster, Berks, Lehigh, Northampton, Chester, Delaware, Montgomery, and Bucks Counties), southern New Jersey (Mercer, Ocean, Burlington, Camden, Gloucester, Atlantic, Salem, Cumberland, and Cape May Counties).

Region IV. Regional Manager, Redistribution Division, War Production Board, Candler Bldg., Atlanta, Ga.:

Tennessee, North Carolina, Mississippi, Alabama, Georgia, South Carolina, and Florida.

Region V. Regional Manager, Facilities Department, War Production Board, Union Commerce Bldg., Cleveland, Ohio:

Kentucky, West Virginia, Ohio (except Lucas County), western Pennsylvania (Erie, Crawford, Warren, McKean, Potter, Mercer, Venango, Forest, Elk, Cameron, Clinton, Lawrence, Butler, Clarion, Armstrong, Jefferson, Indiana, Clearfield, Centre, Beaver, Allegheny, Westmoreland, Cambria, Blair, Huntington, Washington, Greene, Fayette, Somerset, Bedford, Fulton, and Franklin Counties).

Region VI. Regional Manager, Redistribution Division, War Production Board, 226 West Jackson Blvd., Chicago, Ill.:

Indiana, Illinois, Iowa, Wisconsin, and upper Peninsula of Michigan (Gogebic, Ontonagon, Houghton, Keweenaw, Baraga, Iron, Marquette, Dickinson, Menominee, Delta, Alger, and Schoolcraft Counties only).

Region VII. Regional Manager, Facilities Department, War Production Board, Mutual Interstate Bldg., Kansas City, Mo.:

Arkansas, Missouri, Kansas, and Nebraska.

Region VIII. Regional Manager, Redistribution Division, War Production Board, 1131 Mercantile Bldg., Dallas 2, Tex.:

Louisiana, Oklahoma, and Texas.

Region IX. Regional Manager, Redistribution Division, War Production Board, 621 Continental Oil Bldg., Denver, Col.:

Montana, Wyoming, Utah, Colorado, and New Mexico.

Region X. Regional Manager, Redistribution Division, War Production Board, 1355 Market St., San Francisco, Calif.:

California, Nevada, Arizona, and Idaho (south of Salmon River).

Region XI. Regional Manager, Redistribution Division, War Production Board, 7310 Woodward Ave., Detroit 2, Mich.:

Upper Peninsula of Michigan (Luce, Chippewa, and Mackinac Counties only) and all Michigan counties not listed under Region VI Ohio (Lucas County only).

Region XII. Regional Manager, Redistribution Division, War Production Board, Midland Bank Bldg., Minneapolis, Minn.:

Minnesota, North Dakota, and South Dakota.

Region XIII. Regional Office, Regional Manager, Redistribution Division, War Production Board, White-Henry-Stuart Bldg., Seattle, Wash.:

Washington, Oregon, and Idaho (north of Salmon River).

§ 83.7-904 *Assignment of property to Disposal Agencies.* Assignment of property to Disposal Agencies is set forth in this paragraph as published in Exhibit I to Regulation No. 1 of the Surplus War Property Administration under the following prefatory notes:

The assignments herein contained are based on the classifications contained in the Standard Commodity Classification (Government Printing Office, May 1943 and February 1944). That Classification contains a number of so-called major groups, which are designated by two digits only (such as 01—Live Animals; 65—Drugs and Medicines). These major groups in turn are broken down into classes of property represented by the two digits of the major group plus additional digits (such as 65 48—Marine Liver oil, etc.). All of the major groups now being assigned are listed in this Exhibit, but only such of the lesser groups are listed as are necessary to carve out of a major group assigned to one agency types of property included therein which are assigned to another. For a complete breakdown of each major group, reference must be made to the Standard Commodity Classification itself.

It should further be noted that for reporting purposes, while reference to this Exhibit is necessary to ascertain the proper disposal agency, one report may include all property in a major group (two digits) at one location which is assigned to a single disposal agency.

Reconstruction Finance Corporation		Treasury Procurement Division		War Food Administration	
		01	Live Animals, other than food animals.	01	Live Animals, except non-food animals.
				02	Crude Animal Products Edible.
03	Crude animal products Inedible, Except Fibers.			03	Crude Vegetable Products, Edible.
05 5	Crude rubber and allied gums.			05	Crude Vegetable Products, Inedible, except Fibers (except as indicated).
05 6280	Lac.				
05 7	Crude medicinal herbs, roots barks, and other plant parts, except U. S. P., N. F. and similar grades.				
05 93	Crude cork.			06 1	Cotton.
05 94	Loofa sponges.			06 22	Flax (Only Domestic Production).
				06 23	Hemp (Cannabes Sotiva).
06	Fibers, vegetable and animal, unmanufactured (except as indicated) (note inclusion of foreign wool and mohair).			06 5	Wool and related specialty Hair (only domestic production).
07	Coal, crude petroleum, and related crude hydrocarbons.				
08	Metallic ores, tailings, concentrates and their unrefined metallic products.				
09	Crude nonmetallic minerals, except coal and petroleum.				
11	Leather.				
12	Boot and shoe cut stock and shoe findings.				
13	Wood basic materials, except pulpwood (except as indicated).	13 91	Cooperage stock, fabricated.		
		13 92	Rattan, Willow and Bamboo Stock.		
		13 94	Box and Crate Shook.		
		13 97	Handles.		
14 1	Pulpwood.	14	Pulp, paper and paperboard (except as indicated).		
14 2	Paper base stocks except pulp.				
14 3	Woodpulp.				
14 4	Other pulp.				
14 6	Building paper.				
14 8	Building board.				
15 2	Jute basic textiles.	15	Textile Basic Manufactures (except as indicated).		
15 66	Curies hair (similar to 06.7).				
15 71	Silk semi manufactures.				
15 72	Silk yarn.				
15 81	Rayon, nylon, etc. semi manufactures.				
15 82	Rayon, nylon, etc., yarn.				
15 912	Jute cordage (except sizes less than ¼" cross sectional diameter).				
15 913	Soft fiber cordage (except sizes less than ¼" cross sectional diameter).				
15 914	Hard fiber cordage and twine (All).				
16 53	Industrial molasses.			16	Food and beverage basic materials (except as indicated).
17 7	Waxes, animal and vegetable.			17	Oils, fats, waxes, and derivatives, animal and vegetable.
18	Petroleum and coal products (except raw materials for chemical industries).				
19	Chemicals (except as indicated).	19	Chemicals, to the extent of materials packaged for delivery to retail outlets.	19 271	Rosins.
				19 272	Turpentine.
				19 274	Pine Oil.
				19 275	Pine Pitch.
				19 276	Pine Tar.
21	Iron.	22 52	Barbed and twisted wire.		
22	Steel (except as indicated).				
23	Ferro and nonferrous additive alloys.				
24	Nonferrous metals.	25 42	Truck tanks.		
25	Fabricated metal basic products (except as indicated).	25 51	Builders' basic hardware.		
		25 54	Motor vehicle hardware.		
		25 56	Casket hardware.		

U. S. Maritime Commission	
25 53	Marine basic hardware.
25 91	Power boilers marine.

Reconstruction Finance Corporation		Treasury Procurement Division		U. S. Maritime Commission	
		25 57	Furniture hardware.		
		25 58	Trunk and luggage hardware.		
		25 59	Miscellaneous basic hardware.		
		25 61	Automotive vehicle bodies.		
		25 64	Combat vehicle bodies.		
		25 75	Insect screening.		
		25 76	Woven wire fencing.		
		25 77	Wire nails, tacks, and staples.		
		25 78	Wire springs.		
		25 7901	Wire chain.		
		25 7903	Chain link fencing.		
		25 7906	Wire hoops.		
		25 91	Chain and attachments.		
		25 94	Bolts, nuts, screws, rivets, etc.		
		25 98	Cut nails, tacks, and spikes.		
		25 99	Miscellaneous fabricated products.		
26	Nonmetallic mineral basic products—Chiefly structural (except as indicated).	26 3	Glass basic products.		
27	Nonmetallic mineral basic products—Chiefly nonstructural (except as indicated).	27 1	Glass basic products (except 3 items 27 1431, Railroad, 27 152 Radio Tubes (glass only), 27 16 Insulators).		
		27 2	Abrasive basic products, natural and synthetic, manufactured—to the extent the materials are packaged for retail sale or can be considered hand tools.		
		27 32	Asbestos and asbestos metallic packing and gaskets, to the extent of automotive parts.		
		27 33	Asbestos woven or moulded friction material, to the extent of automotive parts (principally brake linings and clutch facings).		
		27 92	Pottery.		
		27 93	Pottery supplies.		
		27 94	Ceramic products.		
29	Miscellaneous basic materials (except as indicated).	29 1	Rubber fabricated materials.		
		29 26	Automotive plastic parts, also any motor vehicle items elsewhere in 29 3.		
		29 91	Button blanks, moulds and other parts.		
		29 92	Beads, bugles and spangles.		
		29 95	Catgut and wormgut.		
31	General purpose industrial machinery and equipment.	31 6	Industrial trucks, tractors, trailers, stackers, and accessories.	31 582	Windlasses.
				31 583	Anchor winches.
				31 584	Capstans.
		31 97	Lubrication equipment—to the extent the items are for use in connection with motor vehicles.		
32	Electrical machinery and apparatus (except as indicated.	32 412	Battery charging generators (except aircraft).		
		32 432	Starter motors except aircraft.		
		32 45	Motor ignition equipment (except aircraft).		
		32 514	Plug fuses.		
		32 53	Lamp sockets.		
		32 7	Lamps (except 32 78 aviation service lamps).		
		32 8	Electric appliances, household and commercial.		
		32 91	Dry cell batteries.		
		32 92	Storage batteries.		
33	Special industry machinery.	33 54	Tire repairing machinery and equipment.		
		33 995	Automotive service station equipment.		

Reconstruction Finance Corporation		Treasury Procurement Division		U. S. Maritime Commission	
34	Metal working machinery.				
		35	Agricultural machinery and implements.		
		36	Construction, mining, excavating and related machinery.		
		37	Tractors.		
		38	Office machines.		
39	Miscellaneous machinery (except as indicated).	39 11	Home type laundry equipment.		
		39 20	Home sewing machines.		
		39 43	Calculating and computing scales.		
		39 44	Coin operated scales.		
		39 45	Spring scales, household.		
		39 50	Cash registers.		
		39 60	Coin operated machines.		
41	Communications equipment and electronic devices (except as indicated).	41 1	Radio broadcast receivers.		
				43	Ships, small watercraft and marine propulsion machinery.
44	Railroad transportation equipment.				
		45	Motor vehicles.		
		49	Miscellaneous transportation equipment.		
		51	Plumbing and heating equipment.		
52 7	Ice making and cold storage plant systems, components and accessories.	52	Air conditioning and refrigerator equipment (except as indicated).		
52 92	Industrial refrigeration units.				
52 12	Central station air conditioning systems.				
53 32	Railroad signal fixtures.	53	Lighting fixtures (except as indicated).	53 2	Marine fixtures.
53 7	Airport, airway, and seadrome lighting.				
53 81	Train lighting fixtures.				
53 86	Aircraft lighting fixtures.				
		54	Furniture and fixtures.		
		55	Photographic goods and processed motion pictures.		
		56	Optical instruments and apparatus.		
57	Indicating, recording and controlling instruments and accessories except watches and clocks (except as indicated).	57 11	Thermometers.	57 65	Compasses and accessories (marine).
		57 14	Heating and ventilating controls and accessories.		
		57 56	Taximeters and parking meters.	57 66	Azimuths, sextants, and octants.
		57 341	Household refrigeration controls.	57 691	Taffrail logs.
		58	Professional and scientific instruments and apparatus.		
59 15	Hazard measuring devices.	59	Miscellaneous equipment (except as indicated).		
59 18	Machine guards.				
59 20	Water purification equipment except 59, 241, Home water softeners.				
59 55	Sprinkler system components.				
59 77	Railroad signal controls.				
65	Drugs, and medicines, to the extent that they are not prepared or packaged for sale to retail outlets or institutions. (Bulk unfinished drugs and medicines requiring processing or packaging not ordinarily done by a wholesale or retail store) (except as indicated).	65	Drugs and medicines (except as indicated).		

War Food Administration	
61	Food, manufactured.
62	Food, manufactured.
63	Beverages and ice.
64	Tobacco manufactures.
66 481	Marine liver oil, derivatives, and preparations, except Marine liver oil Concentrates in Solution, m. g.
66 68	Vitamins, vitamin-active compounds and preparations containing one and more than one vitamin, m. g.

Reconstruction Finance Corporation		Treasury Procurement Division		War Food Administration	
		66	Toiletries, cosmetics, soap, and household chemical preparations.		
		67	Apparel, except footwear.		
		68	Footwear.		
		69	Fabricated textile products except apparel.		
		71	End products of leather except apparel, footwear and luggage.		
		72	Converted paper products and pulp goods.		
		73	Products of printing and publishing industries.	U. S. Maritime Commission	
		74	Rubber end products.		
		75	End products of metal industries.	75 953	Cargo nets, wire rope.
76 51	Lasts for boots and shoes.	76	Finished wood products, except furniture and millwork (except as indicated).	75 954	Wire rope slings
76 52	Last sole patterns.				
		77	End products of glass, clay, and stone.		
		79	Miscellaneous end products of manufacturing industries.		
		81	Small arms and components.		
		83	Small arms ammunition and specifically adapted components.		

§ 83.7-905 *Surplus War Property Administration report forms—(a) Form SWPA-1.*

Form SWPA-1, 1 May 1944
Form Approved
Budget Bureau No. 16-R001

Date of Report
Page No. Of

UNITED STATES OF AMERICA
SURPLUS WAR PROPERTY ADMINISTRATION
REPORT OF SURPLUS PROPERTY

To	Name and address of Regional Office of Disposal Agency, including street, city, zone, and State	Disposal Agency No.	Standard Commodity Classification Code No. / Group
From	Name and address of Reporting Office, including street, city, zone, and State	Reporting Agency No.	Total cost of this report
Location	Custodian and address at which property is located	Signature and title of authorized reporting official	

Line No. (A)	Description (B)	Standard commodity class (C)	Condition (D)	Unit (E)	Number of units (F)	Unit cost (G)	Total cost (H)

Instructions Appearing on Reverse of Form SWPA–1. Instructions for preparation of report of surplus property, Forms SWPA–1 and SWPA–1 (a). The property listed on any one report will be confined to property at a single location, to be reported to one disposal agency, and classified in a single major group (two digits) of Standard Commodity Classification (Government Printing Office, May 1943 and February 1944).

If used to report withdrawals, the word "withdrawal" will be entered conspicuously at top and right-hand margin of each Form.

From. Include department, bureau, or similar subdivision. Also, if different from reporting office, state agent or office and address to which shipping instructions should be sent.

Location. Include title or other identification of property custodian.

Standard Commodity Classification Code No. Enter the code number (two digits) for the major group of Standard Commodity Classification covered by the report.

Line No. Enter consecutive numbers (starting with "1" on each page) for each property item listed.

Description. Describe each item in commercial terms in sufficient detail for transfer or sale purposes, including customary trade specifications and descriptions used in purchasing. Descriptions of much length should be written straight across columns (b) and (h) inclusive; entries in all columns shall be clearly identifiable with the related line number (property item). See separate instructions.

Leave a blank line space across all columns between successive line numbers or property items.

Standard Commodity Classification, Column (c). Detailed classification code will be entered by reporting agency when it determines that such procedure is most practicable. In all other cases, the detailed code will be entered by the disposal agency.

Condition. Indicate condition of property as prescribed by separate instructions.

Unit. Indicate unit of measure for container, package, or other customary sales unit, such as, each, doz., ft., bbl., etc. Distinguish between long, short, and metric tons. Standard, clearly understandable abbreviations may be used.

Unit cost. Estimate cost when actual cost is not known. Estimated unit costs will be indicated by the prefix (E). In case of machine tools, other metal working machinery, and production equipment, enter unit costs f. o. b. manufacturer or vendor.

(b) *Form SWPA–1 (A).*

Form SWPA–1 (A), 1 May 1944
Form Approved Budget Bureau No.
Budget Bureau No. 16–R001

Reporting Agency No. .....
Disposal Agency No. .....
Page No. ..... Of .....

UNITED STATES OF AMERICA
SURPLUS WAR PROPERTY ADMINISTRATION
REPORT OF SURPLUS PROPERTY
(Continuation Sheet)

Line No. (A)	Description (B)	Standard commodity class (C)	Condition (D)	Unit (E)	Number of units (F)	Unit cost (G)	Total cost (H)

(c) *Instructions covering preparation of report of surplus property.* Instructions covering preparation of report of surplus property as published in Exhibit III to Regulation No. 1 of the Surplus War Property Administration are set forth below with certain bracketed matter supplied:

FORMS TO BE USED IN REPORTING PERSONAL PROPERTY

1. The "Report of Surplus Property" (Forms SWPA–1 and SWPA–1 (A)) will be used as follows for reporting surplus personal property to the designated disposal agencies:

GENERAL INSTRUCTIONS

2. As the actual schedule of personal property items reported "Surplus" by reporting agency.

3. As the "cover-transmittal" sheet (block headings of Form SWPA–1 should be filled in as prescribed below) for supporting schedules prepared by means of mechanical accounting when the mechanical accounting form has been approved by the Surplus War Property Administrator. In such cases, the columnar arrangement and design of the mechanical type of forms shall correspond generally with Form SWPA–1.

4. As the "cover-transmittal" sheet (block headings of Form SWPA–1 should be filled in so far as possible) for reporting personal property surplus as the result of terminated contracts on "contract termination inventory sheets" when such sheets meet all of the following requirements:

(a) Contain all descriptive and other data required by this regulation in columns "a" through "h" of Form SWPA–1;

(b) Have been previously approved as to form for use as supporting schedules by the Surplus War Property Administrator;

(c) Duplicate copies are submitted to the disposal agency;

(d) The total number of lines for property items reported as surplus on the "contract termination inventory sheets" (after lining out or otherwise deleting from such sheets any items disposed of by reason of contract settlements or otherwise) are stated on the covering Form SWPA–1.

5. The property listed on any one report shall be confined to property at a single location, to be reported to one disposal agency, and classified in a single major group (two digits) of Standard Commodity Classification (Government Printing Office, May 1943 and February 1944).

6. The "Report of Surplus Property" (and any supporting schedules) will be submitted in duplicate to the appropriate office of the designated disposal agency, for the region in which the property is located or other designated office listed in Exhibit II. [See §§ 83.7–906, 83.7–907 and 83.7–908 for addresses of Regional Offices or Disposal Agencies. As an interim procedure, reports to Treasurer Procurement Division will be submitted in triplicate, until further notice.]

7. When Form SWPA–1 is used as the actual schedule of property (as in 2 above), "continuation sheets" Form SWPA–(A) will be used for all pages except the first page.

8. *Withdrawals.* An owning agency will report the withdrawal of property which it has previously reported as surplus by forwarding duplicate copies of complete (all blocks and columns filled in as when previously reported) Forms SWPA–1 and SWPA–1 (A) for such property withdrawn, the word "Withdrawal" will be entered conspicuously at the top and right-hand margin of such forms.

BLOCK AND COLUMN INSTRUCTIONS

To. State the name and address (including street, city, zone and state) of the office of the disposal agency to which the property is being reported.

Disposal Agency Number. For use by disposal agency only.

From. State the name and address (including street number, city, zone and state) of the office at which the report was prepared. Always show department, bureau, office or other similar sub-division involved. Also, if different, state agent or office and address to which shipping instructions should be sent.

Location. State the address (including street number, city, zone and state) at which the property is located and the title or other identification of the property custodian.

Authorized Reporting Official. The signature of the reporting officer approving the report of surplus property shall appear in this space on the original form and his typewritten name on all copies of the form.

Title. Enter the title of the "authorized reporting official" described above.

Reporting Agency Number. Enter the report number assigned by the reporting agency to identify each report. [War Department reports will be numbered as follows: station identification number of field installation having jurisdiction of the property, followed by letter symbol of technical service, followed by serial number of report.]

Standard Commodity Classification Code No. Enter the code number (two digits) for the major group of Standard Commodity Classification covered by the report.

Page No. of. To identify each page and state local number of pages in each report.

Report Date. Enter date report is forwarded to disposal agency.

Total Cost This Report. The sum of all amounts in column "h" (total cost) of all pages of the report (and supporting schedules) will be determined and entered in this block.

(a) *Line No.* Enter consecutive numbers (starting with "1" on each page) for each property item listed.

(b) *Description.* Describe each item in commercial terms, in sufficient detail for transfer or sale purposes, including customary trade specifications and descriptions ordinarily used in purchasing. When possible, include manufacturer's or vendor's catalog and catalog stock number.

State reporting agency's stock number in all cases where recorded in stock accounting records.

To the extent applicable, state color and brand. Also described exactly the type of any containers or packages and the quantities in each.

In case of machine tools, other metal-working machinery and production equipment, give date of initial use, if possible, or approximate length of time of use; also show characteristics as follows:

(1) Type of machine, serial number and year built; (2) Maker's designation, work size capacity; (3) State if machine is complete with standard equipment as furnished by the manufacturer, and describe any extra attachments, special features, or mechanisms; (4) Power and type of drive (if electric, give particulars of motor, starter, including horsepower, voltage and all other current characteristics.)

All descriptions of much length should be written straight across columns (b) to (h) inclusive, making sure that the entries in all columns are clearly identifiable with the particular line number (property item). Leave a blank line space between line numbers (for use of disposal agency).

(c) *Standard commodity classification.* The detailed classification code numbers for each item according to the Standard Commodity Classification (Gov't. Printing Office, May 1943 and February 1944) will be entered by the reporting agency when it determines that such procedure is most practicable. In all other cases, the detailed code numbers will be entered by the disposal agency.

(d) *Condition.* Indicate condition of property by the following letter-number code.

Code	*Means*
N	New.
E	used-reconditioned.
O	Used-usable without repairs.
R	Used-repairs required.
X	Items of no further value for use as originally intended, but of possible value other than as scrap.
1	Excellent.
2	Good.
3	Fair.
4	Poor.

Except in case of code X, a letter-number combination must always be used to describe condition: For example: N1 (that is, new and in excellent condition); R3 (that is, used, minor repairs required).

(e) *Unit.* Indicate unit of measure for the container, package or other applicable customary sales unit, such as each, pounds, tons, dozen, gross, thousand, ream, bushel, feet, etc. Distinguish between long, short and metric tons. Standard, clearly understandable abbreviations may be used.

(f) *No. of unit.* Specify the quantities of each item reported surplus in terms of the "Unit" used in "e" above.

(g) *Unit cost.* Estimated cost when actual cost is not known. Estimated unit costs shall be indicated by the prefix (E). In case of machine tools, other metal-working machinery and production equipment, enter unit cost F. O. B. manufacturer or vendor to owning agency.

(h) *Total cost.* Compute total cost, i. e., "No. of Units" multiplied by "Unit Cost" equals "Total Cost."

Acknowledgment of receipt. The receipt of each "Report of Surplus" by the Disposal agency will be acknowledged to the reporting office, e. g., by a post card notice stating the reporting agency's number, date of report, and the disposal agency's number.

§ 83.7–906 *Regional Offices of War Food Administration.*

Northeast region. Regional Director, War Food Administration, 150 Broadway, New York 7, N. Y. (Mr. Francis D. Cronin):

Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and West Virginia.

Southern region. Regional Director, War Food Administration, Western Union Building, Atlanta 3, Ga. (Col. James H. Palmer):

Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia.

Southwest region. Regional Director, War Food Administration, 425 Wilson Building, Dallas 1, Tex. (Mr. L. J. Cappleman):

Arkansas, Colorado, Kansas, Louisiana, New Mexico, Oklahoma, and Texas.

Midwest region. Regional Director, War Food Administration, Room 1714, 5 South Wabash Avenue, Chicago 3, Ill. (Mr. E. O. Pollock):

Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin.

Western region. Regional Director, War Food Administration, 821 Market Street, San Francisco 3, Calif. (Mr. Bucil Maben):

Arizona, California, Idaho, Nevada, Montana, Oregon, Utah, Washington, Wyoming, and Territory of Hawaii.

§ 83.7–907 *Regional Offices of Reconstruction Finance Corporation.*

Atlanta region. Regional Manager, Reconstruction Finance Corporation, Healey Building, Atlanta 3, Ga. (Mr. M. E. Everett, Manager):

Georgia, Alabama, Tennessee, and Florida.

Boston region. Regional Manager, Reconstruction Finance Corporation, 40 Broad Street, Boston 9, Mass. (Mr. John J. Hagerty, Manager):

Maine, New Hampshire, and Vermont.

Charlotte region. Regional Manager, Reconstruction Finance Corporation, Wilson Building, 109 West Third Street, Charlotte 1, N. C. (Mr. John A. Campbell, Jr., Manager):

North Carolina and South Carolina.

Chicago region. Regional Manager, Reconstruction Finance Corporation, 208 South LaSalle Street, Chicago 4, Ill. (Mr. B. A. Mattingly, Manager):

Illinois, Indiana, and Iowa.

Cleveland region. Regional Manager, Reconstruction Finance Corporation, Federal Reserve Bank Building, Cleveland 1, Ohio (Mr. J. A. Fraser, Manager):

Ohio and West Virginia.

Dallas region. Regional Manager, Reconstruction Finance Corporation, Cotton Exchange Building, Dallas 1, Tex. (Mr. L. B. Glidden, Manager):

Northern and Western Texas including counties of Andrews, Archer, Armstrong, Bailey, Baylor, Bell, Borden, Bosque, Bowie, Briscoe, Brown, Burnet, Callahan, Camp, Carson, Cass, Castro, Childress, Clay, Cochran, Coke, Coleman, Collin, Collingsworth, Comanche, Concho, Cooke, Coryell, Cottle, Crane, Crockett, Crosby, Culbertson, Dallam, Dallas, Dawson, Deaf Smith, Delta, Denton, Dickens, Donley, Eastland, Ector, Elias, El Paso, Erath, Falls, Fannin, Fisher, Floyd, Foard, Franklin, Freestone, Gaines, Garza, Glasscock, Gray, Grayson, Gregg, Hale, Hall, Hamilton, Hansford, Hardeman, Harrison, Hartley, Haskell, Hemphill, Henderson, Hill, Hockley, Hood, Hopkins, Howard, Hudspeth, Hunt, Hutchinson, Irion, Jack, Jeff Davis, Johnson, Jones, Kaufman, Kent, King, Knox, Lamar, Lamb, Lampasas, Leon, Limestone, Lipscomb, Loving, Lubbock, Lynn, McCulloch, McLennan, Marion, Martin, Menard, Midland, Milam, Mills, Mitchell, Montague, Moore, Morris, Motley, Navarro, Nolan, Ochiltree, Oldham, Palo Pinto, Panola, Parker, Parmer, Pecos, Potter, Rains, Randall, Reagan, Red River, Reeves, Roberts, Robertson, Rockwall, Runnels, Rusk, San Saba, Schleicher, Scurry, Shackelford, Sherman, Smith, Somervell, Stephens, Sterling, Stonewall, Sutton, Swisher, Tarrant, Taylor, Terry, Throckmorton, Titus, Tom Green, Upshur, Upton, Van Zandt, Ward, Wheeler, Wichita, Winkler, Wilbarger, Williamson, Wise, Wood, Yoakum, and Young.

Denver region. Regional Manager, Reconstruction Finance Corporation, Boston Building, Denver 2, Colo. (Mr. Ross L. Hudson):

Colorado and New Mexico.

Detroit region. Regional Manager, Reconstruction Finance Corporation, 607 Shelby Street, Detroit 26, Mich. (Mr. Arthur J. Fushman):

Michigan, except upper peninsula.

Houston region. Regional Manager, Reconstruction Finance Corporation, Rusk Building, 723 Main Street, Houston 2, Tex. (Mr. W. Y. Phillips):

Southeastern Texas, including counties of Anderson, Angelina, Austin, Bastrop, Brazoria, Brazos, Burleson, Calhoun, Chambers, Cherokee, Colorado, Fayette, Fort Bend, Galveston, Grimes, Hardin, Harris, Houston, Jackson, Jasper, Jefferson, Lavaca, Lee, Liberty, Madison, Matagorda, Montgomery, Nacagdoches, Newton, Orange, Polk, Refugio, Sabine, San Augustine, San Jacinto, Shelby, Trinity, Tyler, Victoria, Walker, Waller, Washington, and Wharton.

Kansas City region. Regional Manager, Reconstruction Finance Corporation, Federal Reserve Bank Building, Kansas City 6, Mo. (Mr. Albert L. Strong):

Kansas and Oklahoma.

Los Angeles region. Regional manager, Reconstruction Finance Corporation, Pacific Mutual Building, Los Angeles 14, Calif. (Mr. Hector C. Haight):

Arizona, Southern California, including counties of Imperial, Inyo, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, and Ventura.

Minneapolis region. Regional Manager, Reconstruction Finance Corporation, McKnight Building, Minneapolis 1, Minn. (Mr. China R. Clarke):

Minnesota, Wisconsin, North Dakota, and South Dakota.

New Orleans region. Regional Manager, Reconstruction Finance Corporation, Union Building, 837 Gravier Street, New Orleans 12, La. (Mr. George W. Robertson):

Louisiana and Mississippi.

New York region. Regional Manager, Reconstruction Finance Corporation, Federal Reserve Bank Building, 33 Liberty Street, New York 5, N. Y. (Mr. Thomas J. Ahearn, Jr.):

New York and New Jersey.

Omaha region. Regional Manager, Reconstruction Finance Corporation, Woodmen of the World Building, Omaha 2, Nebr. (Mr. Herbert S. Daniel):

Wyoming and Nebraska.

Philadelphia region. Regional Manager, Reconstruction Finance Corporation, 1528 Walnut Street, Philadelphia 2, Pa. (Mr. E. Raymond Scott):

Pennsylvania and Delaware.

Portland region. Regional Manager, Reconstruction Finance Corporation, Pittock Building, Portland 5, Oreg. (Mr. William Kennedy):

Washington, Idaho, Montana, and Oregon.

Richmond Region. Regional Manager, Reconstruction Finance Corporation, Richmond Trust Building, 7th and Main Streets, Richmond 19, Va. (Mr. W. B. Cloe):

Maryland, Virginia, and Washington, D. C.

St. Louis Region. Regional Manager, Reconstruction Finance Corporation, Landreth Building, 320 North Fourth Street, St. Louis 2, Mo. (Mr. B. Glenn Culledge):

Missouri, Kentucky, and Arkansas.

San Antonio Region. Regional Manager, Reconstruction Finance Corporation, Alamo National Building, San Antonio 5, Tex. (Mr. L. C. Andrews):

Southern Texas, including the counties of Arkansas, Atascosa, Bandera, Bee, Bexar, Blanco, Brewster, Brooks, Caldwell, Cameron,

Comal, De Witt, Dimmit, Duval, Edwards, Frio, Gillespie, Goliad, Gonzales, Gaudalupe, Hayes, Hidalgo, Jim Hogg, Jim Wells, Karnes, Kendall, Kenedy, Kerr, Kimble, Kinney, Kleburg, La Salle, Live Oak, Llano, McMullen, Mason, Maverick, Medina, Nueces, Presidio, Real, San Patricio, Starr, Terrell, Travis, Uvalde, Van Verde, Webb, Willacy, Wilson, Zapata, and Zavalla.

San Francisco region. Regional Manager, Reconstruction Finance Corporation, 200 Bush Street, San Francisco 4, Calif., (Mr. John S. McCullough):

Nevada, Northern California including the counties of Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, Eldorado, Fresno, Glenn, Humboldt, Kern, Kings, Lake, Lassen, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Clara, Santa Cruz, Shasta, Siskiyou, Solano, Sonomo, Stanislaus, Sutter, Tehama, Trinity, Tulard, Tuolumne, Yolo, and Yoba.

Salt Lake City region. Regional Manager, Reconstruction Finance Corporation, Dooley Building, Salt Lake City 1, Utah, (Mr. Gerald L. Leaver):

Utah.

§ 83.7–908 *Regional Offices of Procurement Division, Treasury Department.*

Region I. Regional Director, Procurement Division, U. S. Treasury Department, Park Square Building, Boston 16, Mass. (Mr. Donald A. Mackay, Phone: Hubbard 2670):

Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

Region II. Regional Director, Procurement Division, U. S. Treasury Department, 76 Ninth Avenue, New York 11, N. Y. (Mr. F. S. Albrecht, Phone: Chelsea 3–6950):

Pennsylvania, New Jersey, and New York.

Region III. Regional Director, Procurement Division, U. S. Treasury Department, 1229 Twentieth Street NW., Washington 25, D. C. (Mr. J. J. Connor, Phone: Executive 6400 Exts. 5035 and 5036):

District of Columbia, Delaware, Maryland, North Carolina, and Virginia.

Region IV. Regional Director, Procurement Division, U. S. Treasury Department, Faller Bldg., Eighth and Walnut Streets, Cincinnati 14, Ohio (Mr. J. H. Little, Phone: Parkway 7160):

Indiana, Kentucky, Ohio, and West Virginia.

Region V. Regional Director, Procurement Division, U. S. Treasury Department, Room 300, 209 South LaSalle Street, Chicago 4, Ill. (Mr. F. A. Mapes, Pohne: Delaware 8300):

Illinois, Michigan, Minnesota, North Dakota, South Dakota, and Wisconsin.

Region VI. Regional Director, Procurement Division, U. S. Treasury Department, 10 Forsyth Street Building, Atlanta 3, Ga. (Mr. John D. Tompkins, Phone: Walnut 5081):

Alabama, Florida, Georgia, Mississippi, South Carolina, and Tennessee.

Region VII. Regional Director, Procurement Division, U. S. Treasury Department, 609 Neil P. Anderson Building, Fort Worth 2, Tex. (Mr. Hamilton Morton, Phone: 2–1267):

Arkansas, Louisiana, Oklahoma, and Texas.

Region VIII. Regional Director, Procurement Division, U. S. Treasury Department, 2606 Walnut Street, Kansas City 2, Mo. (Mr. W. B. Edgar, Phone: Westport 4903):

Iowa, Kansas, Missouri, and Nebraska.

Region IX. Regional Director, Procurement Division, U. S. Treasury Department, 7th Floor, Exchange Building, 1030 Fifteenth Street, Denver 2, Colo. (Mr. Alden W. Pool, Phone: Keystone 4151):

Colorado, New Mexico, Utah, and Wyoming.

Region X. Regional Director, Procurement Division, U. S. Treasury Department, 995 Fell Street, San Francisco 2, Calif. (Mr. Thomas C. Stephens, Phone: Underhill 1922):

Arizona, California, and Nevada.

Region XI. Regional Director, Procurement Division, U. S. Treasury Department, 2005 Fifth Avenue, Seattle 1, Wash. (Mr. Orrin C. Bradeen, Phone: Main 2788):

Idaho, Oregon, Montana, and Washington.

§ 83.7–909 *Stockpile materials.*

Material	Minimum quantity	Specific types and grades
Agar	200 lbs	Medical Department Supply Catalog, Item Numbers 10480, 10480–12, 10460–32, 10460–60, 10460–63, 10460–80, 10460–88, 1E60080, 10460–46 Bulk Agar.
Aluminum Ingot	60,000 lbs	Primary or secondary refined metal (99% minimum Al).
Antimony	25 sh. tons	Refined metal, needle antimony, antimony sulfide, antimony ores and concentrates.
Asbestos:		
Rhodesian Chrysolite	5 sh. tons	Commercial grades C & G/1, C & G/2 Unfabricated.
South African Amosite	5 sh. tons	Commercial grades B–1, B–3, D–3, 3DM–1 Unfabricated.
Bauxite	25 lg. tons	Commercial Grade A.
Beryl	5 sh. tons	Beryl ore (minimum 8%BeO), beryllium oxide, beryllium metal.
Bismuth	5 lbs	Bismuth metal, pharmaceutical compounds.
Cadmium	5 lbs	Metal in sticks, ingots, slabs, ball anodes or other refined forms.
Calcite, Optical	100 lbs	Clear, flawless crystals, Minimum 1¼" dl.
Chromite:		
Chemical Grade	25 lg. tons	Commercial ore or concentrates. Dry chromium chemicals.
Metallurgical Grade	25 lg. tons	Ore (42% minimum Cr_2O_3, 2.8 minimum Cr/Fe ratio), ferrochromium, chromium metal.
Refractory Grade	25 lg. tons	All commercial grades.
Chalk, English	10 sh. tons	Any.
Clay, English China	10 sh. tons	All commercial grades.
Cobalt	2,000 lbs. cobalt content	Refined metal oxide, ores, concentrates, crudes.
Columbite	500 lbs. columbite content	Ore (45% minimum Cb_2O_5 Ferrocolumbium).
Copper	25 sh. tons	All primary copper refinery forms. Ingots and other heavy mill forms. Also cartridge (70–30) brass ingot, mill forms.
Cordage fibers: Manila and sisal	400 lbs. or 1 bale	Fiber or new cordage.
Corundum	10,000 lbs	Ore or grain.
Cryolite, natural	25 lg. tons	Natural ore.
Diamonds, Industrial	No minimum	Stones (unset), powder, dust.
Diamond dies	No minimum	Finished dies.
Emery	25 sh. tons	Ore or grain. Turkish or Greek origin only.
Emetine	100 oz	Medical Department Supply Catalog, Item Numbers 11720, A320600, A320630, A320800, A321010. Emetine in bulk.
Ergot	250 lbs	Material in bulk quantities.
Fluorspar: Acid or Metallurgical	25 sh. tons	Commercial grades.
Graphite: Amorphous lump, 97% minimum.	5 sh. tons	Any amorphous lump (97% minimum C).
Crystalline fines	25 sh. tons	Madagascar; or domestic grades A, 1A and 1B, smaller than 60 mesh.
Flake	5 sh. tons	Madagascar flake, 60 mesh or larger.
Hyoscine	25 oz	Hyoscine hydrobromide in bulk or standard packages.
Indium	100 troy oz	Metal in refinery forms. Plating sales.
Iodine	2,000 lbs	Crude iodine.
Jewel bearings: Instrument rings sapphire vees, watch rings, and other instrument and watch jewels.	No minimum	Set or unset.
Kapok	100 lbs	Raw fiber.
Kyanite, Indian	25 sh. tons	Ore.
Lead	25 sh. tons	Antimonial, common or corroding grade metal in all refinery forms. Ores and concentrates.
Manganese:		
Battery grade	25 lg. tons	Commercial battery ore, lump or pulverized Battery mixes not acceptable.
Metallurgical grade	25 lg. tons	Ore (46% minimum Mn).
Mercury	10 flasks	Metallic or contained in chemicals.
Mica:		
Muscovite block and film, good stained and better.	No minimum	Commercial grade, larger than 1 sq. inch.
Muscovite block, stained and lower.	No minimum	Commercial grade, larger than 1 sq. inch.
Muscovite splittings	No minimum	Commercial grades, unbonded.
Phlogopite (Amber) splittings	No minimum	Commercial grades, unbonded.
Phlogopite (Amber) block	No minimum	Commercial grade, larger than 1 sq. inch.
Molybdenum	10,000 lbs. molybdenum content	Molybdenum concentrates, oxide, calcium molybdate, ferromolybdenum, ammonium molybdate, molybdenum powder.
Monazite	5 sh. tons	Ore.
Nickel (including monel)	10,000 lbs. nickel content	Refined metal in any form.
Pepper	1,000 lbs	Commercial grades, ground or unground.
Platinum group metals:		
Iridium	No minimum	Refined iridium or alloys with other platinum group metals. Crudes or semi-refined forms.
Osmium	No minimum	Refined osmium or alloys with other platinum group metals. Crudes or semi-finished forms.
Palladium	No minimum	Refined palladium or alloys with other platinum group metals. Crudes or semi-refined forms.
Platinum	No minimum	Refined platinum or alloys with other platinum group metals. Crudes or semi-refined forms.
Rhodium	No minimum	Refined rhodium or alloys with other platinum group metals. Crudes or semi-refined forms.

Material	Minimum quantity	Specific types and grades
Platinum group metals—Continued. Ruthenium	No minimum	Refined ruthenium or alloys with other platinum group metals. Crudes or semi-finished forms.
Quartz crystals: Radio grade	No minimum	Oscillator plates and blanks (active) NBS grades 1, 2 and 3 crude quartz crystals.
Quebracho	5 lg. tons	Extract in bulk.
Quinidine Sulfate	25 oz	Medical Department Supply Catalog, Item No. 12870, Material in bulk.
Quinine	100 oz	Medical Department Supply Catalog, Item Numbers 13900, 13910, 13900–12, 13900–03, 13900–05, A–717000, A–716500, A–716600. Quinine sulfate or hydrochloride in bulk.
Rubber: Crude rubber and natural rubber, latex.	5 lg. tons	Any.
Rutile	5 sh. tons	Ore or concentrates.
Sapphire (natural and synthetic)	No minimum	Any suitable for jewel bearings.
Selenium	1,000 lbs	Commercial forms or compounds.
Shellac	10,000 lbs	Bulk shellac of all grades (dry flake).
Strontium, Celestite	25 sh. tons	Ores.
Talc:		
Steatite, block or lava	10 sh. tons	Quality suitable for electronic tube spacers. Minimum 3-lb. pieces.
Steatite, ground	5 sh. tons	Any.
Tantalite	100 lbs. tantalite content	Tantalite ore, potassium tantalum fluoride, tantalum oxide, tantalum metal powder.
Tin	100 lbs	Concentrates. Pig tin.
Tungsten	10,000 lbs. tungsten content	Ores and concentrates, 55% minimum WO_3 commercial ferrotungsten, tungsten powder.
Vanadium	10,000 lbs. vanadium content	Vanadium oxide, 70% minimum V_2O_5 ferrovanadium.
Wool	300 lbs	Raw wool, greasy or cleaned.
Zinc	25 sh. tons	Slab zinc, all grades. Zinc ores and concentrates, zinc oxide.
Zirconium: Baddeleyite and Zircon	5 sh. tons	Ores or concentrates.

[Procurement Reg. 9]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

LABOR, WAGE AND SALARY STABILIZATION

In § 81.979 paragraphs (b) (2), (m), (n), (o) and (r) are amended as follows:

§ 81.979 *Jurisdiction and procedure of Regional War Labor Boards.* • • •

(b) *Procedure in dispute cases not including wages or salaries.* • • •

(2) Upon receipt of the certification, the case will be considered by a New Case Committee of the regional war labor board, composed of the chairman or vice-chairman, one industry, and one labor member, and the disputes director. The New Case Committee, in determining what action to take, will consult with the regional representative of the conciliation service. If the committee does not consider the case ready for a hearing, it may refer the case back to the parties for further negotiation or to the regional representative of the Conciliation Service for further information or further investigation or conciliation. If the case is deemed ready for a hearing, the committee will designate a tripartite panel to hear the case. The labor representative on the panel shall be of the same affiliation (AFL or CIO) as the union involved. If an independent union is involved, the labor representative on the panel shall be associated with another independent union. If the parties agree to have the case heard by a single person, the regional war labor board will designate one of the public panel members or some other suitable person to hear the case. Wherever the term "panel" is hereafter used, it will be deemed to include a single hearing officer in the cases just mentioned.

• • • • • •

(m) *Directive orders in dispute cases.* (1) Regional War Labor Boards are authorized to issue directive orders in dispute cases in conformity with the policy of the National War Labor Board. Each such directive order shall bear the date of its actual issue and shall be issued to the parties when made. The issuance of any provision of a directive order, however, which relates to a wage or salary adjustment, may be stayed if two or more public members of the Regional Board dissent from the provision and request that its issuance be stayed. In such event a copy of the directive order and the request for the stay, together with a statement of the reasons for such request, shall be immediately transmitted to the National War Labor Board. The provisions so sought to be stayed shall not be issued to the parties until the expiration of ten days after receipt in Washington of the request for the stay, unless (i) the issuance of such provision is earlier approved by the National War Labor Board or (ii) within such ten day period the National War Labor Board sets the case down for review. In the latter event, the Executive Assistant to the National War Labor Board shall communicate the Board's action to the Regional Board, and the stay shall continue in effect until the case is finally disposed of.

(2) If after the issuance of a directive order no timely petition for review is filed, (as provided in paragraph (n) of this section) and if the National War Labor Board within such a period does not review the order on its own motion, the order shall on the day following the last day for filing such a petition stand confirmed as the order of the National War Labor Board and shall immediately be effective according to its terms: *Provided*, That the National War Labor Board may at any time prior to the expiration of the time for the filing a petition for review make such an order, or any part thereof, immediately effective pending any further proceedings. If a timely petition for review of a directive order of a Regional Board is filed by a party, or if the National War Labor Board reviews such an order on its own motion, the entire order shall be suspended, unless and until the National War Labor Board directs, or has directed, otherwise, or unless the parties otherwise agree. However, the date of expiration of the escape period fixed in a directive order of a Regional Board granting a maintenance of membership provision shall not be affected by the filing of a petition for review of this or any other provision of the order. If only a part of the order is sought to be reviewed, any party may petition the National War Labor Board to make the rest of the order immediately effective according to its terms. The parties may in any case mutually agree upon the date when the order, or any part thereof, shall take effect, except that where a wage or salary adjustment is made subject to the approval of the Economic Stabilization Director, the parties may not by their agreement make such adjustment effective prior to the date of such approval.

(3) Copies of all directive orders and of any accompanying opinions (together with such other material as the Wage Stabilization Division may require) shall, when issued, be filed with the National War Labor Board.

(n) *Petitions for review.* Within fourteen days after a regional board mails to a party a directive order in a dispute case, or a ruling denying or modifying an application for approval of a voluntary wage or salary adjustment, such party may mail to the Regional Board an original and four copies of a petition, including supporting documents, seeking review by the National War Labor Board of such ruling or directive order. The petition shall (1) state the petitioner's reasons for believing that one or more of the criteria set forth below is satisfied, (2) set forth fully and in detail the contentions of the petitioner with respect to the merits of each issue raised by the petition, with specific references to any pertinent portions of the record in the case, and (3) state that a copy of the petition has been served upon the other parties to the case and the date of such service. No such petition seeking review by the National War Labor Board of a ruling or directive order of a Regional Board shall be granted unless the petitioner has demonstrated by substantial proof that (1) the ruling or order exceeds the National War Labor Board's justification, or (2) the ruling or order contravenes the established policies of the National War Labor Board, or (3) a novel question is involved of such importance as to warrant national action, or (4) the procedure resulting in the ruling or order was unfair to the petitioner and has caused substantial hardship. The party filing a petition shall at the same time serve a copy thereof, together with any supporting documents, upon each of the other parties to the proceeding.

(o) *The answer.* Within fourteen days after a copy of such a petition for review is mailed by the petitioning

party to any other party to the case, such other party may mail an answer to the petition to the Regional Board which issued the directive order or ruling. An original and five copies of the answer shall be transmitted to the Regional Board and a copy shall at the same time be served upon each of the other parties to the case. Such an answer shall include a statement that a copy thereof has been served as required above, and shall show the date of such service. An answer may not contain a request for review of an order or any part thereof; such a request must be filed, if at all, in the form of a petition for review in the manner and within the time limit provided in paragraph (n) of this section. Each answer should state fully but concisely the respondent's reasons for believing (1) that the petition ought not to be entertained, and (2) that, if the National War Labor Board decides to entertain the petition, the petition should be denied on the merits.

* * * * *

(r) *Reconsideration of Directive orders and rulings.* (1) Regional War Labor Boards may reconsider directive orders or rulings on their own motion or on petition, except, while the case is under consideration by the National Board following the granting of a petition for review, or the taking of review by the National Board on its own motion.

(2) The party petitioning for reconsideration shall serve a copy of the petition on all other parties at the same time that it is filed with the Regional Board. The filing of such petition does not preclude the filing of a petition for review, but shall not extend the time for filing a petition for review nor change the date when the directive order takes effect.

(3) The Regional Board shall not act on any petition for reconsideration of a directive order or ruling unless (i) the petition is mailed to the Regional Board within fourteen days after the mailing by the Regional Board of the order or ruling in question and sets forth with particularity the grounds upon which the petition is based, or, (ii) the petition is filed promptly upon the petitioner's discovering material and substantial evidence which the petitioner was unable, despite due diligence, to discover in time to present to the Regional Board before it issued its order or ruling, and sets forth with particularity such evidence, or (iii) the petition is filed promptly upon the occurrence of events after the date of the order or ruling which make the order or ruling harsh or unfair, and set forth with particularity such events. If a petition for reconsideration is filed under subdivision (ii) or (iii) of this subparagraph, and the Regional Board deems that the evidence submitted warrants reconsideration of the directive order or ruling, it shall provide the parties a hearing on such new matters.

(4) Regional Boards may adopt rules further restricting reconsideration. Refusal of reconsideration by a Regional Board shall have no bearing on the validity of a petition for review.

(5) If the ruling or directive order issued by the Regional Board is modified by the Regional Board in response to a petition for reconsideration or upon its own motion, the Regional Board shall issue to the parties such ruling or order, as modified, in the same manner and with the same effect as is provided in paragraphs (i) and (m) of this section. The order or ruling as modified shall be subject to review in accordance with the provisions of paragraph (n), except that the period prescribed therein for filing a petition for review or answer thereto shall be seven instead of fourteen days.

In § 81.980d, paragraph (d) (18) is added as follows:

§ 81.980d *General Order No. 4.* * * *

(d) * * *

(18) All employees engaged in the automotive repair industry in the Tenth Region of the National War Labor Board, embracing the states of California, Nevada and Arizona, other than gasoline stations, tire and vulcanizing services.

[Procurement Reg. 12]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

RENEGOTIATION AND PRICE ADJUSTMENT

Section 81.1235a is added as follows:

§ 81.1235a *Article for optional periodic adjustment of price*—(a) *Purpose of article.* The purpose of the article (see § 81.360a) is much the same as in the case of the article for negotiated price revision set out in § 81.360 (a), except that no fixed periods for negotiated price revision are included in the article set out in § 81.360a, and negotiations for price revision takes place under the article only when one party or the other requests such negotiations.

(b) *Nature of article.* Under this article (see § 81.360a) the original price is set out in the contract. At any time after the expiration of 90 days from the date of the contract or from the effective date of a previous demand by either party, and not later than 90 days before the anticipated completion of the contractor's deliveries of items covered by the contract, the price on subsequent deliveries of items may be revised by negotiation. The article is intended to make it unnecessary for either the contractor or the contracting officer to request a price revision unless one or the other is of the opinion that substantial changes in conditions have taken place making negotiations desirable. Like the article set out in § 81.360 (a), the article set out in § 81.360a assumes that the original price can be fairly fixed for a reasonable period but that future conditions cannot be adequately predicted. However, by including the changes in and additions to the article set out in § 81.360a (a), the article may be adapted to use in cases where the original price cannot be fairly fixed for a reasonable period, because of lack of experience in the particular production called for by the contract or for other reasons.

(c) *Use and operation of the article.* In using this article (see § 81.360a) the following principles will be observed:

(1) The contracting officer should satisfy himself that the contractor can and will supply reliable data on which to negotiate any requested price revisions. This involves, among other things, assurance that the contractor's cost accounting methods are reasonably satisfactory and accurate and adapted to developing the type of data appropriate to the use of the article.

(2) In appropriate cases the required interval of 90 days between demands for price revision may be increased or decreased, if the chief of the technical service is of the opinion that a period other than 90 days is appropriate in the case.

(3) In return for the use of this article, the contractor will be required (i) to make cost estimates on a basis sufficiently low to give incentive to the contractor to perform the contract economically and efficiently, (ii) to eliminate from his original price substantially all allowance for contingencies and (iii) to keep estimated allowances for profit at a moderate level which reflects the reduced risks incurred by the contractor when this article is used.

(4) Negotiations to revise the price will be carried on promptly after each demand for such revision, allowing only sufficient time to obtain adequate information from the contractor and other sources to permit a proper negotiation. If necessary, the contracting officer may examine the books and records of the contractor. He will conduct negotiations on much the same principles as in the case of the original negotiations and will give full weight to the principles discussed in § 81.1224 (b) (5) and in ASF Manual M-601. In the event of delay in reaching an agreement as to a revised price that will be determined promptly by order as provided in paragraph (i) of the article.

(5) In negotiating a price revision under the article the contracting officer ordinarily should not agree to revise any price upward by more than the excess of (i) any increases in costs beyond the contractor's control, over (ii) any offsetting unanticipated reductions in the contractor's costs. However, this rule should not be applied to deprive a contractor of a reasonable reward, in the form of an increased estimated allowance for profit, for especially efficient and economical production.

(6) In negotiating a price revision the contracting officer and the contractor should recognize that wage increases and increases in the prices of materials will not necessarily immediately increase the costs of items to be delivered by the contractor. For example, some of the labor on work in process at the time of a wage increase may have been performed while lower rates of wages were in effect. Similarly, a contractor may have an inventory on hand or materials on order at prices on a basis which does not reflect current increases in the price of such materials.

(7) Any agreed revised price will be set forth promptly in a supplemental agreement as provided in the article.

(8) Except as provided in paragraph (h), the contract article does not obligate the Government to increase the price on the basis of actual costs or of any other formula or to do more than to negotiate in good faith to revise the price.

(d) *Where the contractor has had no adequate experience in the production of the items called for by the contract.* The article set forth in § 81.360a may be modified by the changes and additions set out in paragraph (b) of § 81.360a to make it appropriate for use in contracts where the contractor has had no adequate prior experience in the production of the item called for by the contract. The article set out in § 81.360a as modified by the changes and additions set out in paragraph (b) of § 81.360a permits the revision of the whole price for all deliveries, both past and future, on demand of either party at any time prior to the delivery of 30% of the principal items to be furnished under the contract. Such a revision does not prevent a later revision of the price for deliveries after the effective date of the demand for such later revision, if such a later revision shall in fact be requested by either party.

The article (§ 81.360a) as so modified (see § 81.360a (b)) will be used only in those cases where the developmental or experimental nature of the item, the lack of previous production experience with the item on the part of the contractor or other causes, prevent the making of reliable estimates of cost when the contract is executed and make it desirable to provide in the contract for later revision of the initial price, to be applicable to deliveries during the early stages of the contract, in the light of actual production experience.

New sections, designated §§ 81.1270 to 81.1283, are inserted as follows:

Mandatory Pricing and Repricing of Articles and Services

§ 81.1270 *Statutory basis for mandatory pricing and repricing.* Section 801 of Title VIII of the Revenue Act of 1943 ("Repricing of War Contracts") provides as follows:

(a) As used in this section the terms "Department," "Secretary," and "article" shall have the same meanings as in subsection (a) of the Renegotiation Act. [See Revenue Act of 1943, sec. 701; see § 81.1201.]

(b) When the Secretary of a Department deems that the price of any article or service of any kind, which is required by his Department or directly or indirectly required, furnished, or offered in connection with, or as a part of, the performance or procurement of any contract with his Department or of any subcontract thereunder, is unreasonable or unfair, the Secretary may require the person furnishing or offering to furnish such article or service to negotiate to fix a fair and reasonable price therefor. If such person refuses to agree to a price for such article or service which the Secretary considers fair and reasonable, the Secretary by order may fix the price payable to such person for furnishing such article or service after the effective date of the order, whether under existing agreements or otherwise. The order may prescribe the period during which the price so fixed shall be effective and such other terms and conditions as the Secretary deems appropriate.

(c) Any person aggrieved by an order fixing a price under this section may sue the United States in any appropriate court. In such suit, such person shall be entitled to recover from the United States the amount of any difference between (1) fair and just compensation for the articles and services furnished under the terms of the order and (2) the price fixed for such articles and services by the order; but if the prices so fixed by the order are found to exceed fair and just compensation for such articles and services, such person shall be liable to the United States in such suit for the amount of this excess. Any such suit shall be brought within six months after the order by the Secretary on which it is based, or after the expiration of the period or periods specified in such order, whichever last occurs. Such a suit shall not stay the order involved.

(d) Whenever any person wilfully refuses or wilfully fails to furnish any such articles or services at the price fixed by an order of the Secretary in accordance with this section, the President shall have power to take immediate possession of the plant or plants of such person and to operate them in accordance with Section 9 of the Selective Training and Service Act of 1940 as amended.

(e) The authority and discretion herein conferred upon the Secretary of each Department may be delegated in whole or in part by him to such individuals or agencies as he may designate in his Department, or in any other Department with the consent of the Secretary of that Department, and he may authorize such individuals or agencies to make further delegations of such authority and discretion.

(f) Every purchase order or agreement, or contract to make or furnish any article or service of any kind, which is required by a Department or directly or indirectly required, furnished, or offered in connection with, or as a part of, the performance or procurement of any contract with such Department or of any subcontract thereunder, shall, if made thirty days or more after the date of the enactment of this Act, be deemed to contain a provision under which the person making or furnishing such article or service agrees that notwithstanding other provisions of the purchase order, agreement, or contract, he shall be entitled to receive for such article or service only the fair and just compensation provided for in subsection (c)

§ 81.1271 *Delegations of authority.* The Secretary of War has assigned and delegated all of the powers, functions, duties and discretion conferred upon him by section 801 to the Under Secretary of War.

(a) Under date of 17 May 1944, the Under Secretary of War issued the following memoranda:

(1) Memorandum for The Commanding General, Army Service Forces.

Subject: Delegation of authority under Section 801 of the Revenue Act of 1943.

1. The Secretary of War has assigned and delegated to me all of the powers, functions, duties and discretion conferred upon him by Section 801 of the Revenue Act of 1943.

2. I hereby delegate to you with respect to the Army Service Forces and to procurement dealt with by the Army Service Forces the powers, functions, duties and discretion conferred upon the Secretary of War by Section 801 of the Revenue Act of 1943, and by him delegated to me.

3. The Commanding General, Army Service Forces, may prescribe, by Procurement Regulations, manuals, or otherwise, rules and regulations, which have been cleared with the Army Air Forces in the manner provided in § 81.107 (d) of War Department Procurement Regulations, governing the exercise throughout the War Department of the authority granted to the Secretary of War under Title VIII of the Revenue Act of 1943, and, without any limitation of the generality of the foregoing, such rules and regulations may require that (a) matters arising under said Title VIII of the Revenue Act of 1943 be submitted for approval or instructions to, and (b) that any proposed redelegations of such authority be subject to the approval of, the Director, Purchases Division, Headquarters, Army Service Forces, or whomsoever the Director, Purchases Division, may designate.

4. Any of the powers, functions, duties and discretion hereby delegated to you may be exercised by you through such officers, civilian employees or agencies of the War Department as may be designated in writing by you or by any person whom you have authorized to make such designation with such powers or delegation and successive redelegation as you may deem appropriate.

ROBERT P. PATTERSON,
Under Secretary of War.

(2) Memorandum for Brigadier General Albert J. Browning, Special Representative of the Under Secretary of War and to any person acting for the time being as such Special Representative.

Subject: Delegation of authority under Section 801 of the Revenue Act of 1943.

1. The Secretary of War has assigned and delegated to me all of the powers, functions, duties and discretion conferred upon him by Section 801 of the Revenue Act of 1943.

2. I hereby delegate to you with respect to the Army Air Forces and to procurement dealt with by the Army Air Forces the powers, functions, duties and discretion conferred upon the Secretary of War by Section 801 of the Revenue Act of 1943 and by him delegated to me, *Provided, however,* That any regulations, directives, or instructions of general application issued by you shall be subject to and in conformity with such rules and regulations as may be issued pursuant to paragraph 3 of a memorandum for the Commanding General, Army Service Forces, subject as above, dated 17 May 1944.

3. Any of the powers, functions, duties and discretion hereby delegated to you may be exercised by you through such officers, civilian employees or agencies of the War Department as may be designated in writing by you or by any person whom you have authorized to make such designation with such powers of delegation and successive redelegation as you may deem appropriate.

4. Any person acting at any time as Director, Purchases Division, Headquarters, Army Service Forces, may exercise all the powers, functions, duties and discretion hereby delegated, and act as my Special Representative.

ROBERT P. PATTERSON,
Under Secretary of War.

(b) *Authority delegated by these Procurement Regulations.* Subject to any restrictions provided by these Procurement Regulations (see paragraph (c) of this section) or by manuals, rules or regulations issued pursuant to paragraph 3 of the memorandum for the Commanding General, Army Service Forces, dated 17 May 1944 (see paragraph (a) (1) of this section) upon the exercise of the authority delegated in this paragraph, there are hereby delegated to each of the chiefs of the technical services the powers, functions, duties, and discretion heretofore delegated by paragraph 2 of the memorandum set forth in paragraph (a) of this section from the Under Secretary of War to the Commanding General, Army Service

Forces and to his Special Representative. The powers, functions, duties and discretion herein delegated may be exercised by the chiefs of the technical services through such officers, civilian employees or agencies under their supervision as may be designated in writing by them, or by any person authorized by them to make such designation, with such powers of delegation or redelegation as they deem appropriate.

(c) *Limitation upon redelegation of authority.* All redelegations of the authority delegated by paragraph (b) of this section made by the chiefs of the technical services will be subject to the prior written approval of the Director, Purchases Division, or whomsoever he may designate, except,

(1) Redelegations to persons in the headquarters offices of the Army Air Forces,

(2) Redelegations to persons in the headquarters offices of the major commands within the Army Air Forces, and

(3) Redelegations to persons in the headquarters offices of the chiefs of the technical services of the Army Service Forces.

§ 81.1272 *Definition.* When used in §§ 81.1270 to 81.1290 of this Procurement Regulation:

(a) The term "section 801" means Title VIII, section 801 of the Revenue Act of 1943.

(b) The term "article" means "article and service" or "article or service" as may be appropriate.

(c) The term "deems that a price is unfair or unreasonable" means is of the opinion of tentative judgment, in the light of available and pertinent information, that the price is unfair or unreasonable.

(d) The term "subcontract" means any contract, purchase order or other agreement to make or furnish any article or to perform any service required for the performance, directly or indirectly, for, or in connection with, the performance of any contract with the War Department.

(e) The term "Director, Purchases Division" means the Director, Purchases Division, Headquarters, Army Service Forces, acting as such or, in respect of Army Air Force matters, as the Special Representative of the Under Secretary of War, or any person whom he may have authorized to act for him.

(f) The term "chief of a technical service" has the meaning set out in §§ 81.107 (i), 81.108 (d) and (e), except that delegations of the authority conferred by section 801 shall be subject to the limitations and restrictions stated in §§ 81.1271 (b) and (c) and shall include any person to whom he has delegated, with the approval provided for in § 81.1271 (c), the authority delegated to him under section 801; and the term "technical service" shall be deemed to include the plural as well as the singular when consistent with the context.

§ 81.1273 *Scope of statute.* (a) Section 801 authorizes the Secretary of War, in any case in which he deems the price of any article or service which is directly or indirectly required by the War Department to be unreasonable or unfair (1) to require the person furnishing or offering to furnish such article or service to negotiate to fix a fair and reasonable price therefor and (2), in the event such person refuses to agree to a price which the Secretary of War considers fair and reasonable, to fix by order the price payable to such person for furnishing such article or service after the effective date of the order.

(b) Section 801 authorizes such action with respect to prices of specific articles (which are defined by the statute as "any material, part, assembly, machinery, equipment, or other personal property") and services (which include among others, engineering and other services furnished by a licensor in connection with a patent license) rather than with respect to total contract values or profits which may be realized under the contract. The authority conferred is exercisable with respect to the prices of such articles or services (1) generally; or (2) under the terms or circumstances of a particular contract, subcontract or procurement; or (3) of a particular type of quality or in a particular quantity; or (4) under other particular circumstances.

(c) The authority conferred by the section may be exercised to obtain fair and reasonable prices for any article of service required by the War Department, either directly from a prime contractor or indirectly from a subcontractor of any tier; and whether being furnished under a prime contract or subcontract entered into either before or after the enactment of the section (25 February 1944) or being offered in connection with or as a part of the performance or procurement of any such prime contract or subcontract. There is no need to include in contracts or subcontracts heretofore or hereafter executed any special contract article making reference to section 801. Exercise of the authority conferred by the section is not dependent upon the presence of any such contract article. As an additional support to action under the section, however, subsection (f) thereof provides that contracts and subcontracts made after 25 March 1944 shall

be deemed to contain a provision under which the person making or furnishing such article or service agrees that, notwithstanding other provisions of the purchase order, agreement, or contract, he shall be entitled to receive for such article or service only the fair and just compensation provided for in subsection (c).

(d) The authority conferred by the section may be exercised with respect to articles or services being furnished under or in connection with fixed price prime contracts or subcontracts or cost-plus-a-fixed-fee prime contracts or subcontracts.

(e) An exercise of any authority conferred by the section with respect to any article or service does not preclude a later and further exercise of such authority in respect of the same article of service.

(f) The statutory requirement that a person so furnishing or offering to furnish such article or service negotiate to fix a fair and reasonable price therefor upon notice from the Secretary of War so to do also requires, by necessary implication, that such person furnish such data and information within his possession as may be pertinent to the determination of such fair and reasonable price. The obligation of the contractor in this respect also may be enforced in appropriate situations by action under Title XIII of the Second War Powers Act (see § 81.1260).

(g) Any order of the Secretary of War fixing a fair and reasonable price for any article or service may prescribe the period during which the price so fixed shall be effective and, in addition, may prescribe such other terms and conditions in connection therewith as the Secretary of War deems appropriate. The price fixed by any such order is effective only with respect to such articles or services (1) as are furnished after the effective date of the order and (2) as to which the order is stated to be applicable.

(h) The authority and discretion conferred by the Section upon the Secretary of War may be delegated in whole or in part to such individuals or agencies in the War Department or, with the consent of the Secretary of that Department, in any other Department, and he may authorize such individuals or agencies to make further delegation of such authority and discretion. The Secretary of War has delegated such authority and discretion as provided in § 81.1271.

§ 81.1274 *General application of the statute.* (a) Section 801 gives support to the War Department's established policy of obtaining fair and reasonable prices from its contractors and permits the extension of that policy to subcontractors of any tier. The enactment of section 801 will in no way modify the War Department's policy of endeavoring to obtain fair and reasonable prices through voluntary negotiation based upon all available and pertinent information and conducted in accordance with any applicable principles set forth in these Procurement regulations and Army Service Forces Manual M-601. The authority conferred by the Section will be invoked only after every reasonable effort to obtain fair and reasonable prices by voluntary negotiation has been exhausted. In cases where voluntary negotiation is unavailing, however, the authority conferred by the section will be exercised without delay.

(b) The authority of the section when invoked will be exercised in such manner as to promote, rather than impair, existing and prospective cooperative and mutually beneficial relations between the War Department and its contractors and subcontractors. To this end, contract prices which were fair and reasonable at the time they were negotiated will not be made the subject of renegotiation or repricing pursuant to section 801 so long as the conditions which indicate such price then to be fair and reasonable remain substantially unchanged. Further, all reasonable efforts consistent with accomplishment of the objectives of the section will be made to minimize the occasions upon which any contractor or subcontractor will be required, pursuant to the provisions of the section, to negotiate with respect to the price of any article or service being directly or indirectly furnished by him to any of the technical services of the War Department and the other Departments of the Government. In order to establish reasonable control in this respect all proposed Requirements to Negotiate under the section for the time being will be required to be cleared with the Director, Purchases Division, before service.

(c) Accomplishment of the objectives of the section do not require a review of all existing contracts and subcontracts to ascertain the fairness and reasonableness of the prices included therein. Such a review would not be feasible with the available manpower nor is it necessary in many instances. However, such prices will be reviewed whenever it is believed that they may no longer be fair and reasonable on the basis of indications from:

(1) Further information as to comparative or individual prices or costs, or prices or cost trends;

(2) The results of statutory renegotiation of the contractor or subcontractor;

(3) A review of prices as result of voluntary repricing of a contract;

(4) Information received as to subcontractors' prices upon negotiation of prime contracts; and

(5) Other appropriate occasions.

It is the responsibility of the individual technical services to maintain and improve general procedures for reviewing and analyzing prices to the extent necessary to carry out the War Department's pricing policy.

(d) Since the price which the section authorizes the Secretary of War to fix by order is one which he considers to be fair and reasonable under the circumstances of the procurement, or the terms and conditions of the order, no such order will be issued in any case in which there is insufficient information available or obtainable to permit of the fixing of a price which reasonably can be justified as being a fair and reasonable price at the time fixed.

(e) The fair and reasonable price which will be incorporated in any section 801 order which may be issued will be one arrived at through proper application of appropriate pricing principles (see e. g. Army Service Forces Manual M-601) and one deemed to be fair, both to the contractor and the Government, under all the terms and circumstances of the particular procurement. In general it should be a price which a buyer, ready and willing to buy, but under no compulsion to buy, would pay by voluntary agreement to a seller ready and willing to sell, but under no compulsion to sell. It should give appropriate consideration to any risks to be assumed by the Government and the contractor, respectively, in the particular case. It should be high enough to constitute reasonable compensation under all the circumstances for the benefits to be received by the Government, *Provided*, The contractor performs the contract with prudence and in accordance with good production practice. It should be low enough to give the contractor reasonable incentive to efficient and economical performance.

§ 81.1275 *Voluntary negotiation with respect to prices deemed to be unfair or unreasonable.* Whenever a technical service deems that the price of any article or service under an existing prime contract with the technical service is unfair or unreasonable to the Government, the contractor will be asked voluntarily to negotiate for a fair and reasonable price therefor; and whenever a technical service deems that the price of any article or service being furnished by a subcontractor for use in the performance of a prime contract with such technical service, or a subcontract thereunder, is unfair or unreasonable, the technical service will urge and assist the prime contractor or subcontractor voluntarily to negotiate with such subcontractor an appropriate reduction in such price.

§ 81.1276 *Mandatorily requiring negotiation*—(a) *By prime contractors.* (1) Whenever a technical service deems that the price of any article or service under an existing prime contract with the technical service is unfair or unreasonable to the Government and the contractor refuses to enter into, or promptly to continue to conclusion, voluntary negotiation of a fair and reasonable price therefor, the technical service will prepare a Requirement to Negotiate Fair and Reasonable Prices substantially in the form set forth in § 81.1282, and will transmit to the Director, Purchases Division, a copy thereof together with a memorandum of the chief of the technical service setting forth in reasonable detail (i) the reasons why the existing price is deemed to be unfair or unreasonable for future deliveries; (ii) the extent of the efforts made voluntarily to negotiate a fair and reasonable price therefor; (iii) so far as the technical service has information in this respect, a statement as to the extent to which the contractor is furnishing the article or service or other articles or services to other technical services and other Departments of the Government; (iv) why it is believed, if such is the case, that negotiation should be conducted solely with respect to the article and service sought to be repriced by the technical service rather than with respect to all the articles or services being furnished by the contractor to the War Department. No such Requirement to Negotiate will be served upon the contractor until the Director, Purchases Division, shall have approved such service.

(2) In the event it is determined, after consultation with other technical services and, in appropriate cases, other Departments, that the negotiation should be conducted also with respect to articles or services being furnished by the contractor to other technical services or Departments, the Director, Purchases Division, will so advise the technical service transmitting the Requirement to Negotiate. He also will advise whether representatives of such other technical services or Departments will participate in the negotiation or whether the technical service alone will conduct the negotiation. In such latter event, the Director, Purchases Division, will obtain and transmit to the technical service such delegation of authority as may be necessary or appropriate to permit it to act for such other Departments.

(3) Service of the Requirement to Negotiate, when approved by the Director, Purchases Division will be made in the manner provided in § 81.1281.

(4) Negotiations with the contractor pursuant to any such Requirement to Negotiate will be conducted in accordance with any applicable principles set forth in these Procurement Regulations, in Army Service Forces Manual M 601 and any instructions of the Director, Purchases Division, as to the particular case. The contractor will be given reasonable opportunity to furnish such data and information in his possession as may be pertinent to the fixing of a fair and reasonable price as defined in § 81.1274 (e).

(b) *By subcontractors.* (1) Whenever a technical service deems that the price of any article or service being furnished by a subcontractor for use in the performance of a prime contract with such technical service, or a subcontract thereunder, is unfair or unreasonable and the subcontractor refuses to enter into, or promptly to continue to conclusion, voluntary negotiation of a fair and reasonable price, the technical service will prepare a Requirement to Negotiate Fair and Reasonable Prices, substantially in the form set forth in § 81.1282, and will transmit to the Director, Purchases Division, a copy thereof. This will be accompanied by a memorandum of the chief of the technical service setting forth the information mentioned in § 81.1276 (a), unless the technical service, before entering into, or during the course of, voluntary negotiation with the subcontractor concludes that other articles and services which the subcontractor is furnishing directly or indirectly to the War Department should also be repriced, in which event the chief of the technical service setting forth the information men-belief and will list the other technical services or Departments of the Government which he believes may be interested in such repricing. No such Requirement to Negotiate will be served upon the subcontractor until the Director, Purchases Division, shall have approved such service.

(2) Service of the Requirement to Negotiate, when approved by the Director, Purchases Division, will be made as provided in § 81.1281 and negotiation for a fair and reasonable price will be conducted in accordance with § 81.1276 (a) (4).

(3) In the event it is determined, after consultation with other technical services and, in appropriate cases, other Departments, that the negotiation should be conducted with respect to articles or services being furnished to other technical services or Departments, the Director, Purchases Division, will advise the technical service to this effect and to the extent other technical services and Departments will participate in such negotiation. In the event it is determined that the repricing should be on an overall basis, the Director, Purchases Division, may assign the subcontractor

to any of the technical services for such over-all repricing and will advise such technical service of the scope and conduct of the negotiation.

(c) *In connection with placement of prime contracts and subcontracts.* Persons with whom a technical service seeks to place a prime contract for any article or service who refuse to negotiate or agree to a price therefor which the technical service deems to be fair and reasonable normally will not be served with Requirement to Negotiate a fair and reasonable price, nor will the price of the article or service normally be fixed by a section 801 order. In such cases resort usually will be had to a mandatory order under section 9 of the Selective Training and Service Act of 1940 (see § 81.1450), even where the contractor refuses to accept a contract solely because of disagreement as to price. However, if a prime contractor or subcontractor (1) should desire and be willing to agree to all the other desired terms of the procurement, and (2) be further willing to agree in writing that the price shall be fixed by a section 801 order and (3) that the price so fixed shall be applicable to all deliveries under the contract, the chief of the technical service may execute or approve the execution of such an agreement. In that event the technical service promptly will prepare an appropriate order fixing fair and reasonable prices, substantially in the form set forth in § 81.1283 and will trahsmit a copy thereof together with a memorandum of the chief of the technical service setting forth the information provided for in § 81.1278 (a) and, in addition, a statement as to why such procedure was believed desirable. Service of such order, when authorized by the Director, Purchases Division, will be made as provided in § 81.1281.

§ 81.1277 *Agreements resulting from voluntary or mandatory negotiation.* If negotiation conducted voluntarily or pursuant to any such Requirement to Negotiate with any prime contractor or subcontractor results in agreement as to a reduced price which the technical service participating in the negotiation (and, in the case of negotiations with a subcontractor, the prime contractor or subcontractor to whom the article or service is being furnished) considers to be fair and reasonable, such agreement as to reduced price will be incorporated in such supplemental agreement or agreements with the prime contractor and, in the case of a reduction in a subcontractor's price, such agreement or agreements with the subcontractor, the prime contractor or subcontractor to whom the article or service is being furnished and the technical service, as shall be appropriate to effect such reduction. Such agreement or agreements shall provide such direct or indirect benefit to the United States of the reduction as the technical service shall deem appropriate under the circumstances of the particular case. It is recognized that in some cases it will be neither practicable nor to the interest of the Government to attempt to carry the reduction through to a reduction in price under the affected prime contract or contracts with the War Department and in such cases other appropriate arrangements should be made to secure to the United States, so far as reasonably feasible, the benefits of such price reduction. The technical service may consult with the Director, Purchases Division, as to the nature and terms of any such proposed agreement and will so consult with him before making an agreement with a subcontractor which provided for rebates or preferential discounts on articles or services furnished indirectly by him for war use. In any case in which the technical service ascertains or is advised that the article or service repriced also is being furnished by the prime contractor or subcontractor directly or indirectly to any other technical service not participating in the negotiation and the reduction is effective with respect to the articles or services being furnished to such other technical service, such other technical service will be advised of the reductions effected and, to the extent practicable in the particular case, the nature and terms of any proposed agreement between the technical service and a subcontractor will be discussed with such other technical service before the agreement is executed. Direct communication with other technical services is authorized for this purpose. Copies of all such agreements between the technical service and a subcontractor will be transmitted to the Director, Purchases Division, for purposes of record.

§ 81.1278 *Issuance of order fixing fair and reasonable price.* (a) If (1) voluntary negotiation conducted in accordance with § 81.1275 clearly indicates a reduced price for the article or service being repriced to be fair and reasonable and the prime contractor or subcontractor refuses to enter into, or unreasonably delays the execution of, an appropriate agreement or agreements affecting such reduction in price, or (2) a prime contractor or any subcontractor refuses to enter into, or to continue to conclusion, negotiation under section 801 for a fair and reasonable price, or unreasonably or unnecessarily delays the beginning or conclusion of such negotiations, or refuses to enter into or unreasonably delays the execution of an appropriate agreement effecting the reduction in prices which the technical service considers to be fair and reasonable, then an appropriate order or appropriate orders fixing fair and reasonable prices, substantially in the form set forth in § 81.1283 will be prepared and transmitted to the Director, Purchases Division, together with a memorandum of the chief of the technical service setting forth in reasonable detail (i) the nature and extent of the negotiation had with the contractor or subcontractor, (ii) a summary statement and analysis of the data considered in arriving at the price so proposed to be fixed by order; (iii) the price which the contractor or subcontractor demands and the basis of his objections to the price which the technical service deems to be fair and reasonable and (iv) such considerations as he believes justify the price desired to be fixed by order, with such discussion of the terms and conditions of the contract or of the proposed order as may be pertinent thereto. No such order will be served until such service is approved by the Director, Purchases Division.

(b) The price to be fixed by any such order will be one which is fair and reasonable in view of all the terms and conditions of the existing contract or contracts under which it is being furnished (if the price is being fixed with relation to such contract or contracts) and the terms and conditions to be included in the order. The order will fix the price for the longest period for which a fair and reasonable price reasonably can be projected under the applicable terms and conditions and circumstances and, where feasible, for the remaining period of any contract or contracts under which the article or service is being furnished and with relation to which the price is being fixed. Articles and services customarily furnished under short term contracts or purchase orders normally will not be repriced with respect to any particular contract or order but will be repriced generally in view of the terms and conditions upon which they are usually procured, which terms and conditions will be incorporated as terms and conditions of the order.

(c) All section 801 orders will reserve to the Secretary of War the right at any time to refix the price under section 801 as to future deliveries, either upon his own initiative or upon request of the contractor or subcontractor supported by data indicating that, because of changed circumstances since the effective date of the order, the price fixed is no longer fair and reasonable.

(d) Service of each such order, when approved by the Director, Purchases Division, will be made as provided in § 81.1281.

(e) In any case in which a price was fixed by a section 801 order with respect to a particular contract and the terms and conditions of such contract are subsequently so changed as equitably to require an adjustment in the fixed price, the chief of the technical service may make an equitable adjustment of the price fixed by the order either (1) by a change order in accordance with the "Changes" article of the contract if any (see e. g., §§ 81.329a and 81.1301 (b)), (2) by the service of an amended section 801 order on the contractor refixing the price to effect such equitable adjustment, or (3) by supplemental agreement, as shall be appropriate in the particular case. Such amended section 801 orders need not be submitted to the Director, Purchases Division, before service so long as they merely make adjustments in the price necessitated by changes in the specifications, quantities, delivery schedules and similar terms of the contract and so long as the adjustment in the price is clearly related only to such changes. In any other case in which a technical service believes that the price fixed by a section 801 order is too high or too low and is therefore no longer fair and reasonable and in any case in which a contractor or subcontractor upon whom such an order has been served requests a refixing of the price in view of changed circumstances, the chief of the technical service will so advise the Director, Purchases Division, with recommendation as to the action to be taken. The Director, Purchases Division may authorize such upward or downward revision of the price fixed by the order as may be appropriate.

§ 81.1279 *Notification of technical services of service of Order.* The Director, Purchases Division, promptly will notify the technical services of the fact that he has approved service of a section 801 order which may affect procurements being made or which may be made by them. Such technical services promptly will effect such modifications in their outstanding prime contracts as may be appropriate by reason of such ord

§ 81.1280 *Preservation of data upon which orders are based.* In each case in which a fair and reasonable price is fixed by order the technical service will maintain a complete file of the data and information and the various factors considered in arriving at such fair and reasonable price in order that all such matters will be readily available in the event that the contractor institutes court action to contest the fairness of the price fixed.

§ 81.1281 *Method of service.* (a) Where practicable, each Requirement to Negotiate an order will be served by hand by a commissioned officer or a United States Marshal or Deputy Marshal upon the contractor or subcontractor. If the contractor or subcontractor is a partnership, such service will be made upon a partner thereof; if a corporation, upon any officer or agent authorized to act for, or bind, or accept service for, such corporation. If personal service is impracticable or will involve unreasonable delay, service may be made by mailing by registered mail, return receipt requested, the Requirement to Negotiate or order, addressed to the company at its usual place of business.

(b) Promptly after service of a Requirement to Negotiate or order, the officer making service thereof will execute an affidavit as to the time and method of service, the original of which, together with the registered mail receipt, if any, will be attached to the true copy of the Requirement to Negotiate or order, as served, to be retained in the files of the technical service.

(c) Where a Requirement to Negotiate or order affects particular contracts which have been assigned or with respect to which bonds have been furnished, it will be desirable to make service or a copy of the Requirement to Negotiate or order upon the assignee or surety, as the case may be.

§ 81.1282 *Form of requirement to negotiate fair and reasonable prices.* The following form will be used, with any necessary variations, to notify a contractor or subcontractor that he must negotiate for fair and reasonable prices under section 801:

REQUIREMENT TO NEGOTIATE FAIR AND REASONABLE PRICES

Date_____

Contractor's Name_____

Address_____

GENTLEMEN: The price being charged or quoted by you for the following articles and services:

[Fill in description of articles or services] which are required directly or indirectly by the War Department and being [furnished by you under the following contracts] [offered by you]:

[Fill in description of contract, subcontract or purchase order.] [1]

is deemed to be unreasonable or unfair.

You are advised that you are hereby required, under the authority conferred by Section 801 of the Revenue Act of 1943, to negotiate to fix a fair and reasonable price for such article and service. A duly authorized representative of the Secretary of War will meet with you or your representatives at _____ (place) _____ on (date)_____ at (time)_____ to engage in such negotiation. You are directed to bring to such meeting, and all further meetings for this purpose, or to make available, all data and information in your possession which are or may be pertinent to the determination of such fair and reasonable price.

Said Section 801 provides that if you refuse to agree to a price for such article or service which the Secretary of War, or his representative, considers fair and reasonable, the price thereof may be fixed by order. You are advised that your refusal to negotiate, or any unreasonable delay on your part in concluding the negotiation or in consummating appropriate agreements incorporating an agreed price will be construed as a refusal to agree to a fair and reasonable price.

By authority of the Secretary of War:

_____

(Signature of authorized representative)

_____

(Grade, service, office and address)

§ 81.1283 *Form of order fixing fair and reasonable price.* The following is a suggested form to be used, with any necessary variations, to fix fair and reasonable prices under the authority of section 801:

ORDER FIXING FAIR AND REASONABLE PRICES

Date: _____

Contractor's Name_____

Address_____

GENTLEMEN: Pursuant to the authority conferred upon the Secretary of War by Section 801 of the Revenue Act of 1943, and duly delegated to me, I hereby fix the following prices for the following articles and services which are required directly or indirectly by the War Department and being furnished or offered by you in connection with War Department procurement:

Articles and Services	*Prices*

which respective prices I consider to be fair and reasonable under the terms and conditions hereafter stated.

Such fixed prices will be effective in respect of all deliveries of such articles and all performance of such services during the period beginning_____ 194___ (hereafter referred to as the effective date of this Order) and ending_____

Such prices will be effective as to all such deliveries or performance made under the following conditions, upon which the price was based, and you shall neither charge nor receive higher price than those so fixed for, or in respect of, any such deliveries or performance.

(Here list the terms and conditions in the light of which the prices were fixed. If they were fixed with relation to and in the light of the provisions of a particular contract or subcontract and are to be effective as to deliveries thereunder, this will be stated. If they were fixed generally, without relation to any particular contract or subcontract, but in the light of the terms and conditions stated in the order this will be stated. The terms and conditions of the order in this respect should be as specific as practicable under the circumstances of the case).

The Secretary of War expressly reserves the right to re-fix any price fixed hereby at any time during the period for which such price is stated above to be effective. In the event you believe at any time that conditions affecting any price hereby fixed have so substantially changed since the effective date of this order as to make such price no longer fair and reasonable, you may submit to the undersigned any information and data which in your opinion indicates both the appropriateness or re-fixing such price for future deliveries and the price which you believe to be fair and reasonable for such deliveries, together with a request that such price be so re-fixed.

You are notified that the price fixed herein, and the terms and conditions stated, are based solely upon Section 801 of the Revenue Act of 1943, and will not to any degree preclude other and further action under other Federal statutes, including the Renegotiation Act, Executive Orders, or regulations issued pursuant thereto, nor does it alter in any, except as herein expressly provided, the provisions of any contract or subcontract to which you are a party.

By authority of the Secretary of War:

_____

(Signature of authorized representative)

_____

(Grade, service, office and address)

[1] In any case in which the price is to be negotiated with respect to the terms and conditions of a particular contract, subcontract or purchase order, reference should appropriately be made to such contract, subcontract or purchase order.

[Procurement Reg. 15]

PART 88—TERMINATION OF CONTRACTS

TERMINATION OF CONTRACTS FOR THE CONVENIENCE OF THE GOVERNMENT

Sections 88.15–101 to 88.15–103, inclusive, are amended as follows:

§ 88.15–101 *Necessity for terminations and other cutbacks.* Adjustment of the Army Supply Program takes place as the supply requirements of the armed forces change. These changes normally occur because of strategic changes, development of new projects, invention of new items of war material, reallocation of scarce raw materials and other similar factors arising under the changing circumstances of modern war. In the case of curtailment of procurement schedules, resulting cutbacks in production will involve either termination of outstanding contracts or reduction in purchases under outstanding contracts, or both.

§ 88.15–102 *Importance of manner of effecting cutbacks.* Cutbacks in production resulting from curtailment of procurement schedules will be distributed in such manner as to facilitate the attainment of essential war production. Careful consideration of how reduction in procurement schedules and termination of contracts are to be achieved is essential in order to prevent dislocation of the national economy and to minimize disruption of living conditions and employment in particular areas. Complete records must be maintained to indicate that careful, formal and serious consideration has in fact entered into such decisions.

§ 88.15–103 *General policies as to distribution of cutbacks.* In selecting contracts to accomplish any necessary readjustment or curtailment of production, the following general policies will, to the extent feasible, be followed until there is a major change in the war situation such as the cessation of hostilities in a major theater:

(a) Wherever practicable, priority of retention in a program will be given to plants not located in Group I or Group II Areas (see § 81.223 (b)) inasmuch as displaced labor in Group I and II Areas can be most readily absorbed in other war production.

(b) The intent of the Smaller War Plants Act (see § 81.225 (a)) will be carried out by retaining in a program, wherever practicable, smaller war plants (i. e., independent concerns with 500 wage earners or less). Likewise, large contractors whose volume is reduced in a curtailment program will be urged not to cut their subcontracting volume to smaller war plants by an amount greater proportionately than their own reductions.

(c) In order to cause a minimum disturbance to the national economy and in the interest of resuming production as promptly as possible if required by future changes in program, consideration will be given to making as large a portion of the cutback in government-owned facilities as is consistent with cost and future requirements. An exception to this is the case where a cutback of a privately-owned facility which is having difficulty fulfilling its schedules will enable such facility to improve its performance on the remaining contracts. The wishes of private contractors in this regard should be given due consideration.

(d) Government-owned facilities in which production is materially curtailed or terminated will be kept in standby until their productive capacity is clearly no longer required for military needs.

(e) In scheduling the release of plants or industries due consideration will be given to:

(1) Security considerations.

(2) The effect on public transportation; that is, accessibility to the source of raw materials, components, depots or storage facilities, and ultimate destination.

(3) The relative unit cost of production to the Government.

(f) As requirements change, prompt action is necessary to cutback contracts in order to avoid the accumulation of excesses. Therefore, prescribed procedures must be performed with a minimum of delay at each echelon so that appropriate adjustments in production schedules may be made at the earliest possible moment.

(g) In connection with all cutbacks, records will be maintained in the files of the technical services evidencing the application in the administration of each case, of the appropriate procedures, with special reference to the general policies outlined above.

Sections 88.15–201 to 88.15–203, inclusive, are amended as follows:

§ 88.15–201 *Policy with respect to terminations.* The duty of formulating policy with respect to terminations has been placed by the Under Secretary of War in the Director, Readjustment Division, Headquarters, Army Service Forces, acting under the supervision of the Director of Materiel in matters relating to the Army Service Forces, and as the Special Representative of the Under Secretary of War in matters relating to the Army Air Forces.

§ 88.15–202 *Staff supervision.* Staff supervision of terminations in the Army Service Forces is assigned to the Director of Materiel who will coordinate the activities of all headquarters staff divisions relating to this subject through the Readjustment Division. With respect to the Army Air Forces, staff supervision of terminations is vested in the Commanding General, Army Air Forces who acts with respect to such matters through the Assistant Chief of Air Staff, Materiel, Maintenance and Distribution.

§ 88.15–203 *Policy of decentralization.* It is the policy of the War Department to decentralize to the chiefs of the several technical services administration of contract terminations as fully as possible. The extent to which they in turn will decentralize such administration is left to each chief of a technical service (see § 88.15–150 (a)) for his determination subject to the provisions of this regulation as from time to time in force. The chief of each technical service will make periodic checks of the progress of terminations and the settlement thereof, to insure that no unreasonable delays occur.

Section 88.15–222 is amended as follows:

§ 88.15–222 *Records to support final settlement.* It is the responsibility of the chiefs of the technical service to assure that adequate records will be kept in accordance with the standards of prudent business judgment to substantiate settlements made by contracting officers. Such records will be kept for at least five years subsequent to the final settlement of the terminated contract.

(a) Chiefs of technical services will prescribe the manner in which termination settlement records are to be kept and the location where the records will be kept. Normally and whenever practicable termination settlement records for each settlement should be maintained in a single file.

(b) Unnecessarily voluminous files should not be accumulated, particularly in the case of small settlements. In determining the specific records to be maintained in each case consideration will be given to the need for prompt settlement. Below are indicated records or information which should be kept in each case to the extent applicable. Certain of this information will be included in the Standard Forms filed by the Contractor (see § 88.15–937), making separate records of such information unnecessary.

(1) Copy of prime contract.

(2) Copies of supplemental agreements which are material to the termination settlement or which add or change the termination article.

(3) Copy of the notice of termination.

(4) Proposals for settlement submitted by the prime contractor, including related certificates, statements of charges and inventory schedules.

(5) Copy or record of subcontract settlement agreements expressly approved or ratified by the contracting officer, and copy of any report of investigation made pursuant to § 88.15–437 by Government personnel of settlements with subcontractors.

(6) Record of partial payments or other interim financing.

(7) Copies of authorizations to contractors for final settlement of subcontractors' claims, and for disposal of property.

(8) Reports of audit or office reviews.

(9) Records of disposal credits.

(10) Memorandum or other pertinent information concerning important conferences with contractor at which decisions were made affecting the settlement.

(11) Memorandum setting forth the factors considered by the contracting officer in reaching the conclusion that the settlement is fair and reasonable to the Government and to the contractor.

(12) Record of any actions by settlement advisory boards, property disposal boards, review boards, and appeal boards.

(13) Additional records in the case of formula settlements as required. (See § 88.15–560.)

(14) Any other records necessary in particular cases.

Section 88.15–324 is rescinded and the following substituted therefor:

§ 88.15–324 *Preparation and release of information concerning cutbacks.* When production is to be substantially decreased through cutbacks, resulting from reduction of a procurement schedules or termination of contracts, the procedures set forth in paragraphs (b) to (c), inclusive, will be carried out.

(a) *Coordinated release of publicity; information to War Production Board and War Manpower Commission.* Adequate provision must be made for the coordinated release of publicity and the furnishing of information to the War Production Board and the War Manpower Commission. Such data will be made available at the earliest possible moment after final decision to decrease production in a given facility has been reached, so that those agencies can assist in arranging for the prompt reemployment of released workers and facilities in other production which is essential to the war effort.

(b) *Notice to contractors and workers; cooperation by contractors with War Manpower Commission and United States Employment Service.* The matters provided in this paragraph are to be observed in order to avoid impairment of management and labor morale, and to avoid any mistaken public impression that curtailments are due to inefficient management or unsatisfactory work by the employees displaced. Notice of the proposed cutback will be given, as far in advance as possible, to each contractor whose production is to be substantially decreased. Particular care will be taken to include in this notice as detailed a statement of the reasons as appears advisable. The technical service concerned will urge the contractor to include a statement of the reasons for the cutback in a notification to the workers and their union representative, and to request his subcontractors and suppliers to take similar action. The contractor also will be urged to cooperate with the War Manpower Commission by making known his new net labor requirements and allowing the United States Employment Service representative to conduct job interviews at the plant if sufficiently large numbers of workers are to be displaced.

(c) *Preparation of official statements.* When, in the opinion of the chief of the technical service concerned, the case is of sufficient public interest, the office of the chief of the technical service will prepare an official statement to serve as the basis for a press release announcing the curtailment and the reasons for it. This statement will include the name of the municipality in which the plant or facility is located, the name of the plant or plants affected, the effective date of the curtailment, the end items or items effected, and the probable effect on future employment. At an appropriate time, copies of this statement will be furnished to the following:

(1) The Bureau of Public Relations, War Department.

(2) The Legislative and Liaison Division, War Department Special Staff.

(3) The Industrial Personnel Division, Headquarters, Army Service Forces.

(4) The Director of Materiel, Headquarters, Army Service Forces.

(5) The appropriate field office of the technical service concerned for preparation of the press release and its release in the affected locality.

Copies of this statement will also be furnished to such other offices as may be prescribed by an appropriate headquarters.

Section 88.15–326 is rescinded.

§ 88.15–326 *Notification to War Production Board required in connection with termination of contracts and cutbacks in production.* [Rescinded]

In § 88.15–560 paragraps (k) and (l) are added as follows:

§ 88.15.560 *Where settlement by negotiation proves impossible: Formula settlement.* • • •

(k) (1) Within 30 days after delivering to the contractor the findings and determination referred to in paragraph (d) above the contracting officer, upon the execution of a supplemental agreement similar in form to that set forth in § 88.15–922, but with modifications as hereinafter provided, will authorize a partial payment to the contractor of 75% of the amount determined by him to be due, after deducting from said 75% the amount of any outstanding interim financing applicable to the contract in process of termination, including any previous partial payments. The contracting officer before approving such a partial payment, may require a statement by the contractor that the payment requested has not been assigned, and if it has been assigned, will require the written consent of the assignee to the making of the payment, so provided under §88.15–501 (d).

(2) In preparing a supplemental agreement for the purposes of a partial payment under this paragraph (k), the third and fourth recitals of the form of supplemental agreement set forth in § 88.15–922 will be revised to read as follows:

Whereas, under the terms of the said Contract, under the First War Powers Act, 1941, and Executive Orders Numbers 9001 and 9112, payments may be made to the contractor pending final payment of the amount to which the contractor will be entitled by reason of such termination, and

Whereas, the contractor hereby represents to the Government that at least the sum of $_____ is due the contractor by reason of the termination of said contract and the Government desires to make a payment to the contractor pending final settlement of such contract.

The first two sentences of Article III of such form of supplemental agreement will be revised to read as follows:

Article III. Said payments shall be applied against the amount finally payable by the Government to the contractor in connection with such termination. If such payments exceed the amount finally payable to the contractor in connection with such termination, the contractor agrees to repay the excess to the Government on demand together with interest thereon at the rate of 6% per annum from the date of receipt of such excess payment by the contractor to the date of the repayment of such excess • • •.

(l) After a final determination of the amount due to the contractor has been made by the War Department in accordance with paragraphs (f) or (g), if the contractor is prepared to accept that determination, a voucher should be prepared in the usual manner, covering such portion of the determined amount as remains unpaid and will be presented to the finance officer. Normally, this unpaid amount will be the 25% remaining after the 75% partial payment authorized by paragraph (k). The finance officer will forward to the Office of the Fiscal Director, Headquarters, Army Service Forces, the voucher, together with the findings of fact, determination and supporting papers referred to in paragraph (d), and also any finding on appeal which may have been made (see paragraph (g) above). The Office of the Fiscal Director will review the file and take such steps as are necessary to establish the sufficiency of supporting papers. When this has been done, the file will be returned by the Office of the Fiscal Director to the finance officer with appropriate instructions, and any amount due will be paid to the contractor after the execution of a supplemental agreement which will constitute a release by the contractor of all further charges under the contract.

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44–9650; Filed, June 14, 1944; 3:01 p. m.]

Chapter X—Areas Restricted for National Defense Purposes

[Public Proclamation 7]

PART 105—ESTABLISHMENT OF MILITARY AREAS

PROHIBITED AND RESTRICTED ZONES: EASTERN DEFENSE COMMAND, GOVERNORS ISLAND, N. Y.[1]

MAY 22, 1944.

To: The people within the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida east of the Apalachicola River and the District of Columbia.

Whereas, the Eastern Military Area was prescribed by Public Proclamation No. 1, this Headquarters, dated May 16, 1942, under authority contained in Executive Order of the President, No. 9066, dated February 19, 1942; and

Whereas, the present situation requires as a matter of military necessity that restrictions be imposed and prohibited and restricted zones designated, in addition to restrictions already imposed and zones already designated by public proclamations of this Headquarters;

Now, therefore, I, George Grunert, Lieutenant General, U. S. Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as Commanding General of the Eastern Defense Command, charged with the defense of the Eastern Seaboard, do hereby declare, order and proclaim that:

§ 105.6 *Prohibited and restricted zones: Eastern Defense Command, Governors Island, N. Y.* (a) Within the Eastern Military Area there are hereby designated Prohibited Zones A–1652 to A–1878, A–2842 to A–2958, A–3772 to A–3808, A–4169 to A–4181, and A–5034 to A–5037, all numbers inclusive. The location and extent of said prohibited zones shall be described and defined by the posting of appropriate signs at the entrances to and exits from such zones, along the outside boundaries thereof, and at such other places therein as shall give full and complete notice of the area included. Effective from the date of this proclamation, the restrictions governing the right of any person to enter, remain in, or leave said zones are the restrictions already prescribed by § 105.2 (i) (4), (5),

[1] Exhibits 1 and 2 filed as part of the original document.

(6) and (7) (paragraphs 9 d, e, f, and g of Public Proclamation No. 2), as applicable to the prohibited zones therein designated.

(b) Within the Eastern Military Area there are hereby designated Restricted Zones B–1011 to B–1165, B–2260 to B–2437, B–3220 to B–3249, B–4015, and B–5025 to B–5027, all numbers inclusive. The location and extent of said restricted zones shall be described and defined in the manner provided in paragraph (a) hereof for the description and definition of the prohibited zones therein designated. Effective from the date of this proclamation, the restrictions governing the right of any person to enter, remain in, or leave said zones, are the restrictions already prescribed by paragraphs § 105.2 (i) (5) (iv), (v), (vii), (ix), (xi), (6), (9), (10), (12), and (13) (9e (4), (5), (7), (9), (11), 9f, 9i, 9j, 9l and 9m of Public Proclamation No. 2), as applicable to certain zones therein designated.

(c) Included in the prohibited and restricted zones designated by this proclamation are Army and Navy installations, industrial plants and facilities, highway bridges, railroad facilities, water supply facilities, power facilities, warehouses, airports, and other facilities essential to the war effort.

(d) In addition to the prohibited and restricted zones designated by this and other public proclamations of this Headquarters, additional prohibited and restricted zones may hereafter be designated by order of this Headquarters, when required by military necessity, without publication by public proclamation. The location and extent of such prohibited and restricted zones shall be described and defined in the manner provided in paragraph (a) hereof for the description and definition of the prohibited zones therein designated. The restrictions governing the right of any person to enter, remain in, or leave, such prohibited zones shall be the restrictions already prescribed by § 105.2 (i) (iv), (v), (vi) and (vii) (paragraphs 9d, e, f, and g of Public Proclamation No. 2) as applicable to certain zones therein designated; and the restrictions governing the right of any person to enter, remain in, or leave such restricted zones shall be the restrictions already prescribed by (§ 105.2 (i) (5) (iv), (v), (vii), (ix), (xi), (6), (9), (10), (12), and (13)) (paragraphs 9e (4), (5) (7), (9), (11), 9f, 9i, 9j, 9l, and 9m of Public Proclamation No. 2), as applicable to certain zones therein designated.

(e) From and after the date of this proclamation, the restriction contained in § 105.5 (c) (2) (paragraph 3b of Public Proclamation No. 5), prohibiting the making of any photograph, photographic negative, sketch, or other representation of certain designated areas or objects within any such areas, and the restriction contained in § 105.2 (i) (10) (paragraph 9j of Public Proclamation No. 2), which under existing proclamations prohibits the use or operation of cameras in certain restricted zones, shall no longer apply with respect to Restricted Zones B–1 and B–4 to B–74, inclusive. Federal law prohibiting the photographing of objects and areas related to the national defense remains in full force and effect and is not in any way to be deemed affected hereby.

(f) Current military necessity requiring such action, the location and extent of certain prohibited zones designated by § 105.2 (Public Proclamation No. 2) of this Headquarters, are hereby changed. As so changed, the location and extent of these prohibited zones shall be described and defined in the manner provided in paragraph (a) hereof for the description and definition of the prohibited zones therein designated.

(g) Any person who violates any restriction or order issued or adopted by the Commanding General, Eastern Defense Command, pursuant to the authority cited in the preamble of this proclamation, applicable to the whole or any part of the Eastern Military Area, is subject to immediate exclusion from the Eastern Military Area, or any part or zone thereof, and to the penalties provided by Title 18, section 97A, United States Code. In addition, if two or more persons conspire to violate this section and one or more do any act to effect the object of such conspiracy, each of the parties will be subject to the penalties provided by Title 18, section 88, United States Code. In the case of an alien enemy, such person will, in addition, be subject to immediate apprehension and internment.

(h) A copy of this proclamation shall be displayed for public inspection at every Selective Service Local Board; at every Post Office; at every Court House; and at every Town Hall within the Eastern Military Area. It shall be the duty of every person found within the Eastern Military Area to familiarize himself with the terms of every proclamation, announcement or restriction issued by this Headquarters.

[SEAL] GEORGE GRUNERT,
Lt. Gen., U. S. Army,
Commanding.

Confirmed:
J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44–8762; Filed, June 16, 1944; 10:39 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 310]

ROUTE COMPETENCY REQUIREMENTS FOR CERTAIN PILOTS OF PENNSYLVANIA-CENTRAL AIRLINES FOR ROUTE BETWEEN MUSKEGON, MICH., AND CHICAGO, ILL.

SPECIAL CIVIL AIR REGULATION

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 13th day of June 1944.

The following Special Civil Air Regulation is made and promulgated to become effective June 15, 1944:

Any first pilot listed in Pennsylvania-Central Airlines air carrier operating certificate on June 15, 1944, as qualified to operate aircraft in scheduled air transportation between Detroit, Michigan, and Milwaukee, Wisconsin, via Grand Rapids and Muskegon, Michigan, and who was qualified on June 1, 1942, for the route between Detroit, Michigan, and Chicago, Illinois, via Grand Rapids and Muskegon, will be deemed competent to pilot aircraft in scheduled air transportation between Muskegon, Michigan and Chicago, Illinois, upon completion of two one-way trips accompanied by a company check pilot: *Provided*, That one landing at Chicago is accomplished under contact flight conditions with visibility of at least three miles.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44–8764; Filed, June 16, 1944; 11:06 a. m.]

TITLE 29—LABOR

Chapter IX—War Food Administration (Agricultural Labor)

[Specific Wage Ceiling Reg. 11]

PART 1109—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF DELAWARE

WORKERS ENGAGED IN CUTTING, BUNCHING, AND PACKING ASPARAGUS IN KENT AND SUSSEX COUNTIES, DEL.

§ 1109.1 *Wages of workers engaged in cutting, bunching, and packing asparagus in counties of Kent and Sussex, State of Delaware.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035), and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the Delaware WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in cutting, bunching, and packing asparagus in the counties of Kent and Sussex, State of Delaware, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035).

(b) *Wage rates; maximum wage rates for cutting asparagus.*

(1) Hourly rate—40¢ per hour in both Kent and Sussex counties except that in the Bridgeville area (defined as follows: as far north as Greenwood, as far west as the Delaware-Maryland line, as far south as Cannon's Crossing, and as far east as the road intersecting Route No. 16 on the north and Route No. 18 on the south at an average distance of about 4½ miles), the hourly rate shall be 45¢.

Meals may not be furnished in addition to the rates specified above but housing may be furnished.

(2) Piece work rate—8¢ per bunch for complete operation of cutting, bunching, and packing in the field—this rate to apply in all parts of Kent and Sussex counties

(c) *Administration.* The Delaware WFA Wage Board located at the University of Delaware, Newark, Delaware, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831).

(d) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 11 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) and the provisions of such regulations shall be applicable to this specific wage ceiling regulation No. 11 and any violation of this specific wage ceiling regulation No. 11 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. 961 et seq.; Pub. Law 34, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 6011, 9 F.R. 831)

Issued this 15th day of June 1944.

PHILIP BRUTON,
Director of Office of Labor.

[F. R. Doc. 44–8770; Filed, June 16, 1944; 11:14 a. m.]

[Specific Wage Ceiling Reg. 12]

PART 1110—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF OREGON

WORKERS ENGAGED IN PICKING GREEN PEAS FOR MARKET IN MALHEUR COUNTY, OREG.

§ 1110.1 *Wages of workers engaged in picking green peas for market in Malheur County, State of Oregon.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the Oregon WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking green peas for market in Malheur County, State of Oregon, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035).

(b) *Wage rates; maximum wage rates for picking all varieties of green peas for market.*

60¢ per full bushel hamper.

(c) *Administration.* The Oregon WFA Wage Board located at the Mayer Building, Portland, Oregon, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831).

(d) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 12 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) and the provisions of such regulations shall be applicable to this specific wage ceiling regulation No. 12 and any violation of this specific wage ceiling regulation No. 12 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C., App. 961 et seq.; Pub. Law 34, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 6011, 9 F.R. 831)

Issued this 15th day of June 1944.

PHILIP BRUTON,
Director of Office of Labor.

[F. R. Doc. 44–8771; Filed, June 16, 1944; 11:14 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 252]

NOTICE OF CALL, ETC.

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribed the following changes in DSS Forms:

Revision of DSS Form 10, entitled "Notice of Call," effective immediately upon the filing hereof with the Division of the Federal Register.[1] Upon receipt of the revised DSS Form 10, the use of the former supply of DSS Form 10 will be discontinued and all unused copies will be disposed of.

Revision of DSS Form 12, entitled "Notice of Call on State," effective immediately upon the filing hereof with the Division of the Federal Register.[1] Upon receipt of the revised DSS Form 12, the use of the former supply of DSS Form 12 will be discontinued and all unused copies will be disposed of.

Revision of DSS Form 217, entitled "Physical Examination List," effective immediately upon the filing hereof with the Division of the Federal Register.[1] Upon receipt of the revised DSS Form 217, the use of the former supply of DSS Form 217 will be discontinued and all unused copies will be disposed of.

Revision of DSS Form 218, entitled "Certificate of Fitness," effective immediately upon the filing hereof with the Division of the Federal Register.[1] Upon receipt of the revised DSS Form 218, the use of the former supply of DSS Form 218 will be discontinued and all unused copies will be disposed of.

The foregoing revisions shall become a part of the Selective Service regulations effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 8, 1944.

[1] Filed as part of the original document.

[F. R. Doc. 44–8753; Filed, June 15, 1944; 4:59 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 937—ZINC

[General Preference Order M–11–a, as Amended June 16, 1944]

ZINC OXIDE

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of zinc oxide for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 937.2 *General Preference Order M–11–a*—(a) *Scope of this order.* This order controls deliveries of lead-free zinc oxide from a producer or dealer. No producer or dealer shall deliver lead-free zinc oxide to any person, and no person shall accept delivery of lead-free zinc oxide from any producer or dealer, except as provided in this order. The order also restricts the use which may be made of the lead-free zinc oxide after it is received. The permitted uses will be found listed below in paragraph (e). Production of zinc oxide under toll agreement is restricted.

(b) *Definitions.* For the purposes of this order:

(1) "Zinc oxide" means all grades of zinc oxide, including lead-free and leaded, produced from ores, concentrates, metallic zinc, or other primary material and from scrap, dross, ashes, skimmings, or other secondary material.

(2) "Lead-free zinc oxide" means all grades of zinc oxide containing 98 per cent or more of zinc as ZnO.

(3) "Producer" means any person producing zinc oxide and any person who has zinc oxide produced for him under a toll agreement.

(4) "Toll agreement" means any agreement by which title to material remains vested in a person other than the one processing the material.

(5) "Dealer" means any person who regularly receives physical delivery of zinc oxide and sells or holds the same for resale without change in form.

(6) "Production" means a producer's total production of zinc oxide as packed for sale.

(c) *Deliveries of lead-free zinc oxide.* Producers and dealers may deliver lead-

free zinc oxide, and persons may accept delivery of lead-free zinc oxide from a producer or deale. in the following cases only:

(1) *Small order delivery.* Deliveries from a producer or dealer may be accepted without the necessity of obtaining any specific authorization from the War Production Board if (i) The delivery in question, combined with all other deliveries of lead-free zinc oxide to the purchaser during that calendar month, from whatever source, will not aggregate more than two tons; (ii) The purchaser has not requested from the War Production Board authorization for that particular month to accept delivery of lead-free zinc oxide in any quantity—see paragraph (c) (5) below (a request to the War Production Board shall be deemed a request within the meaning of this paragraph, regardless of whether it has been granted or denied); (iii) The lead-free zinc oxide purchased will be used in the manufacture of the items or for the purposes specified in paragraph (e) of this order and not for resale; and (iv) The inventory of the purchaser is not, and will not upon acceptance of the delivery become, in excess of a forty-five day supply on the basis of his current method and rate of operation. The producer or dealer may make delfveries without any specific authorization from the War Production Board unless he knows or has reason to believe, that the delivery will be in violation of the provisions of this paragraph (c) (1) or that the lead-free zinc oxide delivered is to be used in violation of the restrictions of this or other applicable orders of the War Production Board.

(2) *Deliveries to dealers.* Deliveries may be made to and accepted by dealers.

(3) *Deliveries to Metals Reserve Company.* Deliveries may be made to and accepted by Metals Reserve Company for the sole purpose of stockpiling or redistribution.

(4) *Lead-free zinc oxide for export.* Deliveries may be made to and accepted by a person for export without change in the form of the lead-free zinc oxide provided the delivery is accepted pursuant to an export license from the Foreign Economic Administration.

(5) *WPB authorization.* Other deliveries may be made only on specific authorization of the War Production Board and in accordance with an authorization certificate issued by the War Production Board on Form WPB–410. Deliveries so specifically authorized shall take precedence over any preference rating which may be assigned to deliveries on other contracts or orders. Authorization certificates will be issued on or about the first of each month for this purpose. An authorization certificate will authorize the holder to accept from a producer or dealer deliveries of specified amounts of lead-free zinc oxide shipped during the month for which the certificate is issued. The producer or dealer may ship on notification from the purchaser of the date and serial number of the authorization certificate. Any person wishing to apply for an authorization certificate should file an application on Form WPB–410 not later than the fifteenth day of the month preceding the month in which the authorization to purchase is desired. A producer need not accept a new order (other than a new order bearing a AAA, preference rating) although supported by a preference rating or an authorization certificate, if his entire production for the month is committed and he has reason to believe that other purchase orders will be presented during the month by the person or persons to whom his production is committed in amounts at least equal to his production.

(d) *Restriction on toll agreements.* Unless specifically authorized in writing by the War Production Board, no person shall produce any zinc oxide under any existing or future toll agreement.

(e) *Use of lead-free zinc oxide.* No person shall use any lead-free zinc oxide except for the manufacture of the items, or for one or more of the purposes, following:

1. Abrasive wheels.
2. Adhesive and surgical tapes.
3. Agriculture sprays and insecticides.
4. Artists colors.
5. Chemical treatment for metal surfaces.
6. Dental cement.
7. Explosives for industrial use only.
8. Glass (except ornamental or non-utility ware).
9. Glazes (except for ornamental purposes).
10. Insulated wire and cable.
11. Linoleum and printed floor covering.
12. Lubricants.
13. Matches.
14. Paint for food can coatings and closure coatings.
15. Paint (Marine).
16. Paint—other.
    - i. Industrial interior mill whites and fume proof;
    - ii. Industrial finishes of the type used for product finishing;
    - iii. For sale only to oil refineries on a purchase order accompanied by the symbol MRO–P–3 placed pursuant to Preference Rating Order P–98–B.
17. Pharmaceuticals and cosmetics.
18. Printing and lithographing inks (to the extent necessary for color stability in tints and for maintaining light fastness).
19. Rayon.
20. Rubber products made from natural or synthetic hydrocarbons.
21. Vitreous enamels.
22. Zinc borate.
23. Zinc chromate.
24. Zinc plating.
25. Zinc stearate, resinates and other zinc organic chemical compounds.
26. Laboratory reagent chemicals.
27. Cellulose nitrate plastics.
28. Vulcanized fibre.
29. Toilet soap.

NOTE: Subparagraph 30, formerly 26, redesignated June 16, 1944.

30. Any other product, or any component to be physically incorporated into such product, which is being produced by or for the account of, or for use by the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration, and for which lead-free zinc oxide is expressly specified in composition specifications or for which lead-free zinc oxide is required to fulfill the requirements of performance specifications, applicable to the contract, subcontract or purchase orders.

(f) *Special directions.* The War Production Board may, from time to time, issue special directions to any person as to the source, destination, or amounts of zinc oxide to be shipped and delivered by any producer or dealer or received by any person.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(h) *Reports.* All dealers shall file a report on Form WPB–3570 not later than the 15th day of each month. All producers, dealers and users of zinc oxide shall file, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, such other reports as the War Production Board may from time to time prescribe.

(i) *Appeals and Communications.* Any appeal from the provisions of paragraph (e) of this order should be filed by letter, in triplicate, with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. All other applications, statements or communications filed pursuant to this order or concerning the subject matter hereof, should be addressed to: War Production Board, Zinc Division, WPB Dept. 7515, Washington 25, D. C., Ref.: M–11–a.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

Issued this 16th day of June, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–8768; Filed, June 16, 1944; 11:09 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Direction 3]

CONCENTRATION OR TRANSFER OF PRODUCTION BY WAR, NAVY, MARITIME COMMISSION, WAR SHIPPING ADMINISTRATION, ARMY AIR FORCES OR BUREAU OF AERONAUTICS

The following direction is issued pursuant to Priorities Regulation 1:

(a) In cases where several contractors are producing similar products, assemblies, subassemblies or parts in a program for one of the above procuring agencies and the procuring agency terminates or modifies the contract with one or more of these contractors either directly or through a prime contractor or

where the production is transferred from one contractor to another, a contractor continuing the production may receive for use in the same major program from such other contractors whose contracts have been terminated or modified or from their suppliers or from the procuring agency non-controlled materials, work in process, assemblies, sub-assemblies or parts idle as a result of the termination or modification action, subject to the following conditions:

(1) Special items which are not readily usable in the manufacture of other products, assemblies or sub-assemblies and which would in the opinion of the procuring agency have only a scrap value if not so used may be received from a contractor or his suppliers or the procuring agency if:

(i) The procuring agency so authorizes in writing, and

(ii) The amounts of any items so received do not exceed the contractor's contract requirements after taking into consideration amounts of the item presently on hand plus the amount on order which cannot be cancelled.

(2) Standard materials and products. Materials and products which are not special to this particular production may be received from another manufacturer or from his suppliers br from the procuring agency providing the procuring agency so authorizes in writing and the amount of any item so received is not in excess of four months' requirements for the particular program and the total on hand after receipt will not exceed his succeeding six months' requirements.

(3) This direction applies in cases where the procuring agency authorizes in writing a contractor whose contract has been cancelled or modified to deliver idle materials either direct or through the procuring agency to another contractor who is producing a product in the same major program for the same procuring agency.

(4) The manufacturer is required after determination of availability and usability of the materials so received, to promptly cancel, reduce or postpone further deliveries from his suppliers so that his inventory of the particular items is reduced as quickly as possible to a practicable minimum working level.

(b) This direction constitutes the authority for the sale or exchange of these materials under the provisions of paragraph (c) (3) of Priorities Regulation No. 13.

Inventory Direction 17 under CMP Regulation 2 states similar rules for controlled materials.

Issued this 16th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–8767; Filed, June 16, 1944; 11:09 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 9A, Direction 3]

ALASKAN AIRCRAFT REPAIR SHOPS

The following direction is issued pursuant to CMP Reg. 9A:

Repair shops located in Alaska whose principal business is the repair of civilian or military aircraft may use the preference rating AA–1 and the allotment symbol S–1 in ordering controlled materials and other materials and products needed for the maintenance and repair of aircraft. No material so ordered may be accepted if, in the case of controlled materials, the repair shop's inventory will exceed the amounts permitted by CMP Regulation No. 2 or, in the case of other materials and products, its inventory will exceed the amounts permitted by § 944.14 of Priorities Regulation No. 1. Material so ordered may be used only for purposes permitted by paragraph (e) of CMP Regulation 9A.

Issued this 16th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–8769; Filed, June 16, 1944; 11:09 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Limitation Order L–99, as Amended June 16, 1944]

COTTON TEXTILE PRODUCTION

§ 3290.46 *Limitation Order L–99*—(a) *Operations of spinning machinery and looms producing cotton textiles.* No person shall, regardless of the presentation of rated orders, operate spinning machinery or looms contrary to the provisions in the schedules of this order. These restrictions shall not prohibit, after written notification to the War Production Board, the manufacture of any construction in any group in the schedules of lower pick than the lowest pick specified in Column IV as to such group, unless the War Production Board by a specific direction prohibits that manufacture.

NOTE: Paragraphs (b), (c), (d), (e), (f) and (g) formerly (d), (f), (g), (a), (h) and (i), redesignated June 16, 1944.

(b) *Further restrictions.* (1) No producer or converter of cotton textiles shall produce, convert or deliver cotton textiles and no person shall accept delivery of cotton textiles from a producer or converter, contrary to any specific direction which may be issued from time to time by the War Production Board.

(2) General Conservation Order M–317 provides that each producer must make cotton sale yarn, there defined, available for distribution in accordance with the Cotton Yarns, Cordage and Twine Distribution Schedule annexed to that order. This order (L–99) requires each producer to make at least as much sale yarn as he produced in his base period. His base period is the calendar quarter in 1943 in which he delivered to purchasers the largest percentage of his cotton yarn production.

Accordingly, each producer must in the calendar quarter beginning April 1, 1944 and in each subsequent calendar quarter produce at least the same poundage of sale yarn, by Schedule E groups, as he produced in these groups in the base period.

(3) Each producer must in the week beginning May 21, 1944 and in each subsequent week deliver duck yarns of at least the same poundage as he delivered in the week in 1944 in which he delivered the largest quantity of duck yarns.

Producers who have facilities which can produce additional quantities of duck yarns may receive special directions from the War Production Board to deliver specific amounts to designated weavers.

(4) No spinner shall use or dispose of roving except for spinning or on rated orders, unless specifically authorized in writing by the War Production Board. An authorization to use roving for other purposes may be granted if the War Production Board finds that the roving produced by spinners, who do not have spinning spindles, is not needed to fill rated orders, or in cases where spinners show that their spinning spindles are operating at maximum capacity. To secure such authorization an application must be made by letter to the War Production Board also stating the quantity of roving which the applicant wishes to use or dispose of for other than spinning or the filling of rated orders; and the hours per week which each spinning machine is being operated.

(5) No person shall operate in the period from June 1, 1944, through August 31, 1944, at a rate which will result in the production of less Army tent twill (U. S. Army specification JQD–48) than the aggregate lineal yardage of the drills, twills and sateens listed below, delivered by him on unrated orders in the period from January 1, 1944 through March 31, 1944, viz:

All drills 30" to 36" inclusive (6 oz. sq. yd. or heavier).
All four leaf twills 29" to 36" inclusive.
All sateens 30" to 36" inclusive.

This requirement shall not prevent the production of any cotton textile for orders rated AA–2X or higher which were accepted before May 10, 1944.

(6) Each loom which on April 1, 1944, produced or was assigned to the production of bed ticking and which is now required (Schedule D Group 1) to produce Army tent twill shall be operated at least as many hours per week as the loom which is operated the most hours per week at the same plant.

(7) Army tent twill (excepting cuts shorter than 25 yards produced in the normal course of manufacture) may be delivered only to the Army or Navy of the U. S., unless it has been rejected in writing after having been offered in the gray state to the Office of the Quartermaster General, Procurement Division, Washington, D. C.

(c) *Reports and records.* All persons operating spindles or looms for the production of cotton textiles of any kind shall file at the times specified in the reporting form with the War Production Board reports on Form WPB 658–A, B, C, D and E, giving the information therein required. All persons affected by this order shall keep and preserve for a period of not less than two years, accurate and complete records

concerning inventories, production and sales. The reporting requirements of this order have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

(d) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

An appeal for suspension of the requirement of paragraph (b) may be made on the ground that compliance will result in production at a loss, provided that an application for price relief on that ground is first filed with the Secretary of the Office of Price Administration, Washington, D. C., and a copy is filed with the WPB appeal. If the WPB appeal is granted, the requirement of that paragraph for increases above current production will be suspended until the decision by the Office of Price Administration upon the application for price relief. This paragraph does not indicate or limit the extent or kind of price relief, if any, which may be granted by the Office of Price Administration.

(e) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref., L-99.

Issued this 16th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Col. I Group	Column II: Looms producing or assigned to produce the constructions listed below in the period from January 2, 1943, to March 6, 1943, inclusive, and which may produce only the constructions specified in column IV	Column III: Percentages to be applied to the daily average number of looms producing or assigned to produce the constructions specified in column II in the period therein specified. Such percentage of looms shall produce constructions specified in column IV	Column IV: Constructions to be produced by looms specified in column II	Column V: Effective dates
1	Class A sheetings (constructions designated in lines 12 through 15 of Form WPB 658-B (12-31-42))	100 percent	39" 48 x 44 2.85 yd. 40" 48 x 44 2.85 yd. 40" 48 x 44 2.80 yd. Pro rata widths of like count and weight.	Apr. 20, 1943
2	Class B sheetings (constructions designated in lines 16 through 21 of Form WPB 658-B (12-31-42)).	100 percent	40" 48 x 40 3.35 yd. 40" 48 x 40 3.75 yd. 37" 48 x 44 4.00 yd. 40" 44 x 40 4.25 yd. 31" 48 x 44 5.00 yd. Pro rata widths of like count and weight.	Apr. 20, 1943
3	Class C sheetings (constructions designated in lines 22 through 33 of Form WPB 658-B (12-31-42)).	100 percent	39" 64 x 64 3.60 yd. 39" 60 x 52 or 56 x 56 4.00 yd. 39" 48 x 40 or 44 x 40 5.20 yd. 39" 44 x 40 or 40 x 40 6.05 to 6.15 yd. 40" 64 x 64 3.15 yd. 40" 60 x 52 or 56 x 54 3.60 yd. 40" 44 x 40 5.50 yd. 40" 36 x 48 4.20 yd. 40" 28 x 40 5.55 yd. Pro rata widths of like count and weight. Bandoleer and Navy Mattress Cover Sheeting in lowest pickage consistent with specifications	Apr. 20, 1943
4a	39" 80 x 80 4.00 yd. print cloth (constructions designated in line 75, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658-B (12-31-42)).	12½ percent	39" 80 x 80 4.00 yd. Pro rata widths of like count and weight.	Apr. 2, 1944
4b	39" 80 x 80 4.00 yd. print cloth (constructions designated in line 75, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658-B (12-31-42)).	12½ percent	39" 68 x 64 4.85 yd. Pro rata widths of like count and weight.	Apr. 2, 1944
4c	39" 80 x 80 4.00 yd. print cloth (constructions designated in line 75, and pro rata widths designated in lines 73, 79 and 80 of WPB 658-B (12-31-42)).	25 percent	38¼" 64 x 56 5.50 yd. Pro rata widths of like count and weight.	June 4, 1943
5	39" 68 x 72 4.75 yd. print cloth (constructions designated in line 76, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658-B (12-31-42)).	100 percent	39" 68 x 64 4.85 yd. Pro rata widths of like count and weight.	Apr. 20, 1943
6	38¼" 64 x 60 5.35 yd. print cloth (constructions designated in line 77, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658-B (12-31-42)).	100 percent	38¼" 64 x 56 5.50 yd. Pro rata widths of like count and weight.	Apr. 20, 1943
7	38¼" 60 x 48 6.25 yd. print cloth (constructions designated in line 78, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658-B (12-31-42)).	100 percent	38¼" 60 x 48 6.26 yd. Pro rata widths of like count and weight.	May 1, 1943

SCHEDULE B

Col. I Group	Column II: Looms producing or assigned to produce the constructions listed below in the period from April 3, 1943, to May 1, 1943, inclusive, and which may produce only the constructions specified in column IV	Column III: Percentages to be applied to the daily average number of looms producing or assigned to produce the constructions specified in column II in the period therein specified. Such percentages of looms shall produce constructions specified in column IV	Column IV: Constructions to be produced by looms specified in column II	Column V: Effective dates
8	Osnaburgs (constructions designated in lines 1 through 7 of Form WPB 658-B (3-25-43)).	100 percent	40" 36 or 40 sley, 24 to 26 pick, 2.11 yd. 36½" 36 or 40 sley, 24 to 26 pick, 2.35 yd. 36" 32 x 26 2.96 yd. 26" 24 to 26 sley, 16 to 20 pick, 3.30 yd. 40" 28 or 32 sley, 24 to 26 pick, 3.65 yd. 30" 36 or 40 sley, 28 pick, 2.35 yd. Pro rata widths of like count and weight.	Aug. 1, 1943.
9	Window shade cloths (constructions designated in line 71 of Form WPB 658-B (3-25-43)).	100 percent	Any width fabric of window shade quality woven from print cloth yarns in the following sley and pick per inch: 44 x 40, 86 x 44, 56 x 52, 64 x 56, 72 x 68, 80 x 72. Or any other construction specified in column IV of groups 4b, 4c, 5, 6, 7, 10, 12, 13, 14 and 15, or any other construction specified in column IV of Groups 22 and 23.	June 15, 1943.
10	Pajama checks (constructions of which are designated in line 81 of Form WPB 658-B (3-25-43)).	100 percent	26½" 80 x 80 4.27 yd. 29½" 80 x 80 4.00 yd. Pro rata widths of like count and weight. Or any other construction specified in column IV of groups 4b, 4c, 5, 6, 7, 9, 12, 13, 14, and 15 or any other construction specified in column IV of Groups 22 and 23.	Aug. 1, 1943.
11				
12				
13	Carded broadcloths (constructions designated in lines 34 through 36 of Form WPB 658-B (3-25-43)).	100 percent	Any width broadcloth woven from print cloth yarns counting from 80 to 136 ends per inch and not in excess of 60 picks per inch. Or any other construction specified in column IV of groups 4b, 4c, 5, 6, 7, 9, 10, 12, 14 and 15 or any other construction specified in column IV of Groups 22 and 23.	June 15, 1943
14	Carded poplins (constructions designated in line 80 of Form WPB 658-B (3-25-43)).	100 percent	Any width poplin woven with print cloth warp yarns in the following sley and pick per inch: 90 x 44, 100 x 44, 112 x 46. Or any other construction specified in column IV of groups 4b, 4c, 5, 6, 7, 9, 10, 12, 13 and 15 or any other construction specified in column IV of Groups 22 and 23.	June 15, 1943
15	Gauze diaper cloth	100 percent	Gauze diaper cloth	May 1, 1943
16	All other fabrics woven from print cloth yarns not specified in column II of any other group in Schedule A B or C (constructions designated in lines 72, 79, 80, 81 and 90 of Form WPB 658-B (3-25-43)).	100 percent	Any print cloth yarn fabric or fabrics specified in column II of this group (16), provided that the weighted average pick of the yardage in the constructions produced after the effective date specified in column V is reduced to 91 percent of the weighted average pick of the yardage in the constructions specified in column II, produced during the quarterly period ending Apr. 3, 1943. Or any other construction specified in column IV of groups 4b, 4c, 5, 6, 7, 9, 10, 12, 13, 14 and 15, or any other construction specified in column IV of Groups 22 and 23.	Aug. 1, 1943
17	Birdseye diaper cloth (constructions designated in line 70 of Form WPB 658-B (3-25-43)).	100 percent	Birdseye diaper cloth	May 1, 1943
18	Sheetings, 45" and wider, Classes A and B, except bed sheetings (constructions designated in lines 35 and 36 of Form WPB 658-B (3-25-43)).	100 percent	Any Class A or Class B sheeting designated in Groups 1 and 2 above, in this Column IV, woven in pro rata widths most suitable for textile bag use consistent with width of loom. Any suitable construction not less than 72" wide nor of more than 64 picks per inch manufactured for laundry use.	Aug. 1, 1943

SCHEDULE B—Continued

Col. I	Column II	Column III	Column IV	Column V
Group	Looms producing or assigned to produce the constructions listed below in the period from April 3, 1943, to May 1, 1943, inclusive, and which may produce only the constructions specified in column IV	Percentages to be applied to the daily average number of looms producing or assigned to produce the constructions specified in column II in the period therein specified. Such percentage of looms shall produce constructions specified in column IV	Constructions to be produced by looms specified in column II	Effective dates
19a	Sheetings, 42" and wider except bed sheetings (constructions designated in lines 34, 37, 38, 39 and 40 of Form WPB 658-B (3-25-43)).	50 percent	44" 48 x 48 4.00 yd. 52" 48 x 48 2.85 yd. 54" 40 sley, 36 to 38 pick, 5.35 yd. 62" 44 x 40 4.45 yd. 43" 36 x 40 5.80 yd. Any narrow Class C sheeting heretofore designated in this Column IV, Group 3. Pro rata widths of like count and weight.	Aug. 1, 1943
19b	Sheetings, 42" and wider, except bed sheetings (constructions designated in lines 34, 37, 38, 39 and 40 of Form WPB 658-B (3-25-43)).	50 percent	Any Class A or Class B sheeting designated in Groups 1 and 2 above, in this Column IV, woven in pro rata widths most suitable for textile bag use consists with width of loom.	Aug. 1, 1943
20	Twills, drills, jeans, sateens and gabardines (constructions designated in lines 45 through 69 of Form WPB 658-B (3-25-43)).	100 percent	*Drills:* 37" 64 x 56, 1.50 yd. 30" 72 sley, not over 48 pick, 2.25 yd to 2.55 yd. 30" 76 sley, not over 54 pick, 2.25 yd to 2.55 yd. Pro rata widths of like count and weight. Any drill, irrespective of width or weight, having not more than 68 sley and not more than 40 pick. *Jeans:* 29" 96 x 54 2.85 yd. 32" 96 x 64 3.25 yd. 31" 84 to 86 sley, 56 pick, 3.63 yd to 3.87 yd. Pro rata widths of like count and weight. *Twills:* 39" 68 x 70 2.56 yd or 3.00 yd. Sateen twill in lowest pickage consistent with U. S. Army Quartermaster Specification 618-C. 37" 84 to 88 sley, 40 pick, 1.75 yd. to 2.85 yd. 37" 76 to 88 sley, 38 to 46 pick, 1.45 yd to 2.15 yd. 30" 86 sley, 50 to 52 pick, 1.90 yd. to 2.45 yd. 32" 96 x 44 2.00 yd. 34¼" 98 x 54 2.00 yd to meet U. S. Navy Specification 27-T-28A. 31" approx. 88 sley, 56 pick, 1.30 to 1.56 yd. (manufactured to meet specifications of U. S. Army or Navy for tents). 8.2 oz. Type IV carded uniform twill in lowest pickage consistent with Federal specifications. 8.5 oz. herringbone in lowest pickage consistent with Federal specifications for U. S. Army or Navy. 9 oz. herringbone twill in lowest pickage consistent with specifications for U. S. Marine Corps. 54" 76 x 88 1.14 yd. 54" 84 x 64 90 yd. Pro rata widths of like count and weight. *Sateens:* 30½" 112 to 118 sley, 64 pick, 2.25 yd. 34" 106 x 86 2.00 yd. 28" 96 x 60 1.12 yd. 32" 96 x 64 1.32 yd. 54" 96 x 28 1.05 yd. 54" 96 x 36 1.45 yd. Pro rata widths of like count and weight. *Ginghams:* Not over 64 picks per inch.	June 15, 1943

SCHEDULE C

Col. I	Column II	Column III	Column IV	Column V
Group	Looms producing or assigned to produce the constructions listed below on July 3, 1943, and which may produce only the constructions specified in column IV	Percentages to be applied to the number of looms producing or assigned to produce the constructions specified in column II. Such percentage of looms shall produce constructions specified in column IV	Construction to be produced by looms specified in column II	Effective dates
21	Plain print cloth of 80 sley and higher (constructions designated in lines 77, 78, 80 and 86 of Form WPB-658B (9-17-43)).	100 percent	Plain print cloth of 80 sley and higher.	Dec. 24, 1943
22	36½" 44 x 36 5.60 yd bandage cloth and pro rata widths (constructions designated in line 87 of Form WPB-658B (9-17-43)).	100 percent	36½" 44 x 36 5.60 yd pro rata width of like count and weight.	July 3, 1943
23	Bandage cloth other than 36½" 44 x 36 5.60 yd (constructions designated in line 86 Form WPB-658B (9-17-43)).	100 percent	36½" 44 x 36 5.60 yd. 36½" 40 x 32 9.80 yd 36½" 48 x 44 7.46 yd Pro rata widths of like count and weight.	July 3, 1943
24	Tobacco and cheesecloth (constructions designated in lines 89 and 91 of Form WPB-658B (9-17-43)).	100 percent	Any width fabric woven from print cloth yarns, in the following sley and pick per inch: 8 x 8, 14 x 10, 17 x 14, 18 x 12, 18 x 14, 20 x 12, 20 x 16, 24 x 20, 28 x 24, 32 x 28, 40 x 28.	Dec. 24, 1943
25	Tobacco and cheesecloth, all widths, 17 to 18 sley, 12 to 14 pick (constructions designated in line 90 of Form WPB-658B (9-17-43)).	100 percent	Tobacco and cheesecloth, all widths, 17 to 18 sley, 12 to 14 pick.	Dec. 24, 1943

SCHEDULE D

NOTE: Schedule D, formerly E, redesignated June 16, 1944.

Column I	Column II	Column III	Column IV	Column V
Group	Looms producing or assigned to produce the constructions listed below on April 1, 1944, and which may produce only the construction specified in Column IV	Percentage to be applied to the number of looms producing or assigned to produce the construction specified in Column II. Such percentage of looms shall produce the construction specified in Column IV	Construction to be produced by looms specified	Effective date
1	Bed tickings (constructions designated in line 124 of Form WPB-658-B (3-17-44)).	80 per cent	Army tent twill (U. S. Army spec. JQD-48).	June 19, 1944.

SCHEDULE E

NOTE: Schedule E, formerly D, redesignated and amended June 16, 1944.

Col. I	Column II	Column III	Column IV	Column V
Group	Roving, ring, mule, or converted twister spindles producing or assigned to produce yarn and twine of the descriptions and counts listed below on July 3, 1943, and which may produce only yarn and twine of the descriptions and counts specified in column IV	Percentages to be applied to the number of spindles producing or assigned to produce yarn and twine of the descriptions and counts specified in column II. Such percentage of spindles shall produce yarn and twine of the descriptions and counts specified in column IV.	Descriptions and counts to be produced by spindles specified in column II	Effective dates
1	Carded single machine knitting yarn (items designated in lines 16 through 18 of Form WPB 658-E (9-17-43)).	100 percent	Carded single machine knitting yarn.	Dec. 24, 1943
2	Carded single yarn, other than machine knitting, 20's and coarser (items designated in lines 1 through 3, 20, 23, 27 and 28 of Form WPB 658-E (9-17-43)).	100 percent	Carded single yarn other than machine knitting, 20's and coarser.	Dec. 24, 1943
3	Carded single yarn, other than machine knitting, finer than 20's (items designated in lines 4, 5, 27 and 29 of Form WPB 658-E (9-17-43)).	100 percent	Carded single yarn, other than machine knitting, finer than 20's.	Dec. 24, 1943
4	Carded ply yarn of any description or count (items designated in lines 6 through 13, 19, 20, 25, 26, 27 through 29 and 55 of Form WPB 658-E (9-17-43)).	100 percent	Carded ply yarns of any description or count.	June 16, 1944
5	Combed single or ply machine knitting yarn, 70's and coarser (items designated in lines 51 through 56 of Form WPB 658-E (9-17-43)).	100 percent	Combed single or ply machine knitting yarn 70's and coarser.	Dec. 24, 1943

SCHEDULE E—Continued

Col. I	Column II	Column III	Column IV	Column V
Group	Spinning and twister spindles producing or assigned to produce yarn and twine of the descriptions and counts listed below on July 3, 1943, and which may produce only yarn and twine of the descriptions and counts specified in column IV	Percentages to be applied to the number of spindles producing or assigned to produce yarn and twine of the descriptions and counts specified in column IV. Such percentage of spindles shall produce yarn and twine of the descriptions and counts specified in column IV	Descriptions and counts to be produced by spindles specified in column II	Effective dates
6	Combed single or ply machine knitting yarns, finer than 70's (items designated in lines 57 through 60 of Form WPB 658-E (9-17-43)).	100 percent	Combed single or ply machine knitting yarns, finer than 70's.	Dec. 24, 1943
7	Combed single yarn other than machine knitting, 40's and coarser (items designated in lines 30 through 32, and 62 of Form WPB 658-E (9-17-43)).	100 percent	Combed single yarn other than machine knitting, 40's and coarser.	Dec. 24, 1943
8	Combed single yarn other than machine knitting, finer than 40's, up to, but not including, 71's. (Items designated in lines 23 through 35 and 62 of Form WPB 658-E (9-17-43)).	100 percent	Combed single yarn other than machine knitting, finer than 40's, up to, but not including, 71's.	Dec. 24, 1943
9	Combed single yarn other than machine knitting, 71's and finer (items designated in lines 36 through 39 and 62 of Form WPB 658-E (9-17-43)).	100 percent	Combed single yarn other than machine knitting, 71's and finer.	Dec. 24, 1943
10	Combed ply yarn other than machine knitting, 40's and coarser (items designated in lines 40 through 42, 50 and 62 of Form WPB 658-E (9-17-43)).	100 percent	Combed ply yarn other than machine knitting, 40's and coarser.	Dec. 24, 1943
11	Combed ply yarn other than machine knitting, finer than 40's, up to, but not including, 71's (items designated in lines 43 through 45, 50 and 62 of Form WPB 658-E (9-17-43)).	100 percent	Combed ply yarn other than machine knitting, finer than 40's, up to, but not including, 71's.	Dec. 24, 1943
12	Combed ply yarn other than machine knitting, 71's and finer (items designated in lines 46 through 50 and 62 of Form WPB 658-E (9-17-43)).	100 percent	Combed ply yarn other than machine knitting, 71's and finer.	Dec. 24, 1943
13	Seine twine and cable cords (including fishnet twine, trot line, staging twine, etc.) items designated in lines 74 and 75 of Form WPB 658-E (9-17-43)).	100 percent	Seine twine and cable cords (including fishnet twine, trot line, staging twine, etc.).	Dec. 24, 1943
14	Twines other than those specified in Group 13 (items designated in lines 76 through 78 of WPB 658-E (9-17-43)).	100 percent	Twines other than those specified in Group 13.	Dec. 24, 1943
15	Combed thread of any count or description (items designated in lines 61 and 66 of Form WPB 658 E (9-17-43)).	100 percent	Combed thread of any count or description.	June 16, 1944

[F. R. Doc. 44-8766; Filed, June 16, 1944; 11:09 a. m.]

PART 3302—SERVICE EQUIPMENT

[General Limitation Order L-91, as Amended June 16, 1944]

COMMERCIAL LAUNDRY EQUIPMENT, COMMERCIAL DRY CLEANING EQUIPMENT, AND TAILORS' PRESSING EQUIPMENT

§ 3302.16 *General Limitation Order L-91*—(a) *What this order does.* This order restricts the production and distribution of certain kinds of laundry equipment, dry cleaning equipment, and tailors' pressing equipment. This equipment is divided into two groups. The order restricts both production and distribution of the first group. Production of equipment in the second group is restricted, but distribution is not.

(b) *What equipment is in the first group.* The first group consists of the following kinds of laundry, dry cleaning and tailors' pressing equipment:

NOTE: "Conveyors, monorail" deleted June 16, 1944.

Blocking machines, garment
Boards, ironing
Boards, pressing
Boards, pressing, velvet and nap
Boards, shirt folding
Boards, steam
Boards, steam spotting
Cabinets, deodorising, drying or sterilizing
Conveyors, bag (wet wash)
Conveyors, "go back"
Conveyors, shirt
Dry cleaning units, naphtha
Dry rooms, conveyor
Dryers, garment, hot air
Dryers, hosiery and sock
Dye machines
Extractors (including mechanical unloading)
Forms, collar
Forms, hosiery and sock
Forms, overall
Forms, sleeve
Forms, trouser
Filters, solvent, for drycleaning
Finishers, garment
Finishers, sleeve
Fluffers, handkerchief
Folding machines, automatic
Ironers, collar
Ironers, flatwork
Ironers, handkerchief
Ironer attachments:
Canopies
Feeding devices
Irons, puff
Listing machines
Marking machines
Presses
Shakers, flatwork
Shapers, sleeve
Shapers, trouser
Spreaders, flatwork
Stackers, flatwork, automatic
Stackers, handkerchief, automatic
Starch cookers
Starching and extracting machines
Starching machines
Steamers, garment
Steamers, velvet
Stills, vacuum, for drycleaning
Stretchers, trouser
Tables, marking
Tumblers
Washers (except glove)

(c) *What equipment is in the second group.* The second group consists of the following kinds of laundry, dry cleaning, and tailors' pressing equipment:

NOTE: List amended June 16, 1944.

Boards, spotting, except steam
Collar shapers
Collar tippers
Cuff cleaners
Dampeners, cloth
Dampeners, collar and seam
Dryers, blanket and curtain
Dryers, rug
Dryers, windwhip
Dry cleaning units, synthetic
Dry rooms, sectional
Dye kettles
Feather sanitising machines
Fluting machines
Forms, glove
Fur cleaning equipment
Glasers, fur
Glove cleaning machines
Hangers, revolving shirt
Hatters' equipment
Holders, bag
Holders, net
Irons, rotary
Ironers, edger
Ironers, hat crown
Ironers, ruffle
Ironer attachments:
String mark eliminators
Napping machines (carding machines for blanket finishing)
Puffers, steam
Rug cleaning machines (stationary)
Sand bags, hat
Seam cleaners
Shirt envelope machines
Sterilizers, feather
Stretchers, blanket and curtain
Stretchers, dress
Tables, steam
Tubs, scrub
Tubs, starch
Tubs, stationary laundry
Washers, glove

(d) *Production of both groups is restricted.* A person may produce the equipment listed in paragraph (b) and (c) only to the extent authorized by this order or by written instructions from the War Production Board.

(e) *Production is permitted to fill U. S. Army and Navy orders.* A person may produce equipment if he builds it according to United States Army or Navy specifications in order to fill a specific United States Army or Navy order. This includes orders placed by prime contractors or subcontractors of the Army or Navy for equipment which will eventually be delivered to the Army or Navy and will be installed under Army or Navy supervision.

(f) *Production of equipment in first group is permitted to fill approved orders.* A person may produce equipment listed in paragraph (b) to fill orders approved for delivery under paragraph (k), and in addition to maintain an inventory of new equipment listed in paragraph (b) worth up to 5 per cent of the total value of new equipment listed in paragraph (b) which he billed to his customers during the calendar years 1939, 1940 and 1941. His total billings during that period and the value of his current inventory are to be calculated at his established prices f. o. b. shipping point. Production of equipment listed in paragraph (b) which was specifically authorized by the War Production Board, through the granting of appeals or otherwise, before May 22, 1944, may take place after that date only to the extent permitted by this paragraph.

In approving orders, and in processing applications for priorities assistance on Form CMP-4B, the War Production Board will be guided by the policy that the total production of the entire industry must not exceed the approved War Production Board program for the equipment listed in paragraph (b), and that the production in any one plant, or labor requirements therefor, must not interfere with war production in that plant or in any other plant located in the same area.

(g) *Production of equipment in second group is permitted to fill certain kinds of approved orders.* A person may assemble equipment listed in paragraph (c) to fill a specific order approved for delivery under paragraph (k), by assembling the equipment from parts completely fabricated before July 1, 1942. He may not make any parts for this purpose. Also, a person may produce equipment listed in paragraph (c) to fill a specific order approved for delivery under paragraph (k) for any of the following persons:

(1) The armed forces and maritime agencies of any foreign government friendly to the United States.

(2) The United States Maritime Commission.

(3) The War Shipping Administration.

(4) Privately owned ordnance plants.

(h) *Production of repair parts is permitted.* A person may make parts to use or sell for repairing, rebuilding or maintaining equipment.

(i) *Delivery of new equipment in first group is restricted.* A person may deliver new equipment listed in paragraph (b) only in those cases specified in the following paragraphs. There is no restriction on the delivery of secondhand equipment, including rebuilt equipment listed in paragraph (b). The delivery of both new and secondhand equipment listed in paragraph (c) is unrestricted.

(j) *Delivery to the United States Army and Navy is permitted.* A person may deliver new equipment listed in paragraph (b) to the United States Army or the United States Navy. A person may also deliver this equipment to a prime contractor or subcontractor of the Army or Navy, if the equipment will eventually be delivered to the Army or Navy and will be installed under Army or Navy supervision.

(k) *Approved deliveries are permitted.* A person may deliver new equipment listed in paragraph (b) to anyone whose order has been approved for delivery on Form WPB-924, issued before July 1, 1944, or a Form WPB-1319, or a Form GA-1456.

Form GA-1456 will be used to approve delivery to persons who request such approval when applying for authority to begin construction, and for priority assistance in obtaining materials for construction. Orders approved for delivery on Form GA-1456 should be accompanied by the following certification (in addition to the certification in Priorities Regulation 7):

Delivery approved on Form GA-1456.

Those who want to get their orders approved when construction is not involved should send an application to the War Production Board, Service Equipment Division, Washington 25, D. C.: Ref. L-91. Applications submitted before June 1, 1944, should be on Form WPB-924. Applications submitted after that date should be on Form WPB-1319. If the War Production Board approves an order for delivery on either of those forms, the approved form must be given to the person making the delivery before the equipment may be delivered. Moreover, if the form is not given to this person within thirty days after the date of official approval, the War Production Board's permission to deliver the equipment automatically expires.

(l) *Deliveries for resale are permitted.* A person may deliver new equipment listed in paragraph (b) to anyone who needs the equipment to fill an order or part of an order approved for delivery under paragraph (k). A person may also deliver this equipment to anyone who is acquiring the equipment only for resale within the United States (48 States and the District of Columbia). In the latter case the person delivering the equipment must continue to count it as part of his inventory under paragraph (f) until the equipment is redelivered to the United States Army, the United States Navy, or a person whose order has been approved for delivery under paragraph (k).

(m) *Use of equipment by manufacturers or dealers is restricted.* No person who produces equipment for sale or acquires new equipment listed in paragraph (b) for resale may put that equipment into use, unless the War Production Board gives him written permission to do so.

(n) *Emergency repair loans are sometimes permitted.* The War Production Board will consider written or telegraphic requests for permission to lend equipment listed in paragraph (b) to someone whose own equipment is undergoing emergency repairs. If the War Production Board gives permission in writing, a person may deliver equipment to another person for use while the latter's equipment is being repaired. When the repairs are finished, the borrowed equipment must be returned to the person who lent it. Equipment listed in paragraph (b) is still considered new equipment even though it has been used for repair loans of the sort contemplated by this paragraph, and is still subject to the restrictions of paragraph (i) after it has been returned to the person who lent it.

(o) *Use of metal parts for rebuilding equipment is restricted.* A person may use metal parts, including cast iron, for rebuilding equipment listed in paragraph (b) or paragraph (c) only to the following extent:

A person rebuilding equipment for the United States Army, the United States Navy, the United States Maritime Commission, or the War Shipping Administration, may use metal parts to the extent necessary to meet their specifications.

A person may also use metal parts in rebuilding a piece of equipment if their total weight will be less than 40 per cent of the total weight of the piece of equipment rebuilt, after the job is finished. A person may use additional metal parts for rebuilding a piece of equipment to the extent specifically authorized by the War Production Board in writing.

(p) *Reports on Form WPB-923 are required monthly.* Before the fifteenth of each month every person in the business of producing equipment listed in paragraph (b) or (c), and every person in the business of selling new equipment listed in paragraph (b) must send to the War Production Board a report on Form WPB-923. This reporting requirement has the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(q) *Miscellaneous reports.* Subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, each person affected by this order must execute and file with the War Production Board whatever reports, information, and answers to questionnaires the War Production Board from time to time requests.

(r) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(s) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control,

and may be deprived of priorities assistance.

(t) *Appeals.* Any appeal from this order shall be made by filing a letter, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(u) *Communications to War Production Board.* All reports required by this order, and all communications concerning its provisions should be addressed to: War Production Board, Service Equipment Division, Washington 25, D. C., Ref: L-91.

Issued this 16th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

LAUNDRY, DRY CLEANING AND TAILORS' PRESSES

General Limitation Order L-91 restricts the production and distribution of certain kinds of laundry equipment, dry cleaning equipment, and tailors' pressing equipment. The first group of such equipment listed in paragraph (b) includes "presses". All presses of the types commonly known as laundry, dry cleaning or tailors' presses are controlled by Order L-91, including those produced or delivered for purposes other than laundering, dry cleaning or tailoring. For example, all pants top presses, pants leg presses, off pressing machines with bucks 38 inches long or longer, and 38 inch to 45 inch utility presses, are restricted by Order L-91 regardless of whether they are being produced and delivered to dry cleaning plants or to clothing manufacturers. On the other hand, Order L-91 is inapplicable to the following types of presses, since they are not commonly known as laundry, dry cleaning, or tailors' presses:

Back and blade presses.
Canvas front presses.
Coat front presses.
Collar presses.
Double bosom presses of the type used by shirt manufacturers.
Edge presses.
Fuse ply presses of the type used by shirt manufacturers.
Knit goods presses.
Off pressing machines, except those with bucks 38 inches long or longer.
Pocket presses.
Seam opening and under pressing presses.
Shoulder presses.
Side and back presses.
Sleeve and shrinking presses.
Vest presses.
Vest back presses.
Vest front presses.
Vest, neck and shoulder presses.

(Issued May 22, 1944.)

[F. R. Doc. 44-8765; Filed, June 16, 1944; 11:09 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED-MATERIALS PLAN

[CMP Reg. 2, Inventory Direction 17]

CONCENTRATION OR TRANSFER OF PRODUCTION BY WAR, NAVY, MARITIME COMMISSION, WAR SHIPPING ADMINISTRATION, ARMY AIR FORCES OR BUREAU OF AERONAUTICS

§ 3175.117 *Inventory Direction No. 17.* Pursuant to paragraph (b) (2) of CMP Regulation 2, and notwithstanding the provisions of paragraph (b) (1) of that regulation, *It is hereby ordered*, That:

(a) In cases where several users of controlled materials are producing similar products, assemblies, sub-assemblies or parts in a program for one of the above procuring agencies and the procuring agency terminates or modifies the contract with one or more of these users either directly or through a prime contractor or where the production is transferred from one user to another, a user continuing the production may receive for use in the same major program from such other users whose contracts have been terminated or modified, or from their suppliers, or from the procuring agency, controlled materials idle as a result of the termination or modification action, subject to the following conditions and limitations:

(1) Special items (as defined in Interpretation #2 to CMP Regulation 2) which are not readily usable in the manufacture of other products, assemblies, or sub-assemblies and which would, in the opinion of the procuring agency, have only a scrap value if not so used may be received from a user or his suppliers or the procuring agency if:

(i) The procuring agency so authorizes in writing, and

(ii) The amounts of any item so received do not exceed the user's contract requirements after taking into consideration amounts of the item presently on hand plus the amount on order which cannot be cancelled.

(2) Standard materials. Controlled materials which are not special items and which may be used in the production of other products, may be received from another user or from his suppliers or from the procuring agency providing the procuring agency so authorizes in writing and the amount of any item so received is not in excess of four months' requirements for the particular program and the total on hand after receipt will not exceed his succeeding six months' requirements.

(3) This direction applies in cases where the procuring agency authorizes in writing a user whose contract has been cancelled or modified, to deliver idle materials either direct or through the procuring agency to another user who is producing a product in the same major program for the same procuring agency.

(4) The user is required after determination of availability and usability of the materials so received, to promptly cancel, reduce or postpone further deliveries from his suppliers so that his inventory of the particular items is reduced as quickly as possible to a practicable minimum working level.

(5) The user shall return any allotments unused as a result of receiving these materials.

(b) This direction constitutes the authority for the sale or exchange of these materials under the provisions of paragraph (c) (3) of Priorities Regulation No. 13.

Direction 2 to Priorities Regulation 1 states similar rules for non-controlled materials.

Issued this 16th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8776; Filed, June 16, 1944; 11:55 a. m.]

Chapter XI—Office of Price Administration

PART 1396—FINE CHEMICALS, DRUGS AND COSMETICS

[MPR 472,[1] Amdt. 8]

CERTAIN ESSENTIAL OILS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 472 is amended in the following respects:

1. Section 1 is amended by adding the following oil to the commodities listed therein:

Imported oil of lemon.

2. Section 7 is amended by substituting "Appendices A, B and C," for Appendices A and B" wherever it appears.

3. Section 11 (a) (6) is amended by the addition of the following definition:

(v) In the case of imported oil of lemon, any seller thereof except the United States or any agency thereof, a drug wholesaler, or a seller at retail.

4. Section 11 (a) is amended by the addition of the following definition:

(11) "Imported oil of lemon" means oil of lemon U. S. F. imported into the United States and all other types and grades of oil of lemon imported into the United States.

5. Appendix C is added to read as follows:

APPENDIX C—MAXIMUM PRICES FOR IMPORTED OIL OF LEMON

(a) *Sales by any person to industrial users or drug wholesalers.* The maximum prices per pound, f. o. b. seller's shipping point, for sales by any person to industrial users or drug wholesalers of imported oil of lemon are as follows:

Quantity per container:	Price per pound
25 lbs. and over	$3.25
10 lbs	3.31
5 lbs	3.33
1 lb	3.40
8 ozs	3.50
4 ozs	3.57
1 oz	3.80

The quantities specified above refer to the quantity contained in a single container. It shall be an evasion of the regulation however for a seller to require a buyer to purchase a given quantity in a number of small containers in order to obtain a higher price.

Where the container in which the oil is sold contains a quantity not specifically listed, the price which is applicable is the price for a sale in the next larger quantity which is specifically listed.

(b) *Sales by drug wholesalers.* The maximum prices for sales of imported oil of lemon by a drug wholesaler shall be the same as his maximum prices for sales of domestic oil of lemon as determined under the provisions of the General Maximum Price Regulation.

(c) *Sales by the United States or any agency thereof to dealers.* The maximum price for sales by the United States or any agency thereof of imported oil of lemon to dealers shall be $3.936 per pound, f. o. b. seller's shipping point.

This amendment shall become effective June 15, 1944.

Issued this 15th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8746; Filed, June 15, 1944; 2:56 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13126; 9 F.R. 3426.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Corr. to Amdt. 32]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of considerations involved in the issuance of this correction has been issued and filed with the Division of the Federal Register.*

In Amendment 32 to Maximum Price Regulation No. 426 in Columns 6 in Tables 1 and 1A the phrase "actual cost of transportation" is substituted for the word "freight" wherever that word appears.

This correction shall be effective as of June 9, 1944.

Issued this 15th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8749; Filed, June 15, 1944; 2:56 p.m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 450,[1] Amdt. 3]

WRITING PAPER AND CERTAIN OTHER FINE PAPERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 450 is amended in the following respect:

1. Appendix E is added to read as follows:

APPENDIX E—MAXIMUM PRICES FOR WRITING PAPERS AND OTHER FINE PAPERS WHICH CANNOT BE PRICED UNDER ANY OF THE FOREGOING APPENDICES

Any maximum price which cannot be determined under the Appendices of this regulation shall be determined by the Office of Price Administration in Washington, D. C., by order upon receipt of an application from the manufacturer setting forth a description of the grade and the reasons why it cannot be priced under any other provision of this regulation and including a completed Form 695:720 with respect to the costs of such grade. (Copies of Form 695:720 are available upon application to the Paper and Paper Products Branch, Office of Price Administration, Washington, D. C.)

2. Appendix B, paragraph (a) (2) (i) is amended to read as follows:

(i) Substance weights 11 pound up to 16 pound may be charged for at the price per ream of substance weight 16 pound. In computing the price per cwt. in rolls for such intermediate weights, the cwt. price shall be multiplied by 16 and divided by the substance ordered, figured to the nearest cent per cwt. for all grades except register bond, fanform, and salesbook bond in rolls. For register bond, fanform and salesbook bond in rolls substance weights, 10 pound up to 16 pound, a differential not in excess of 25¢ per cwt. for each pound below 16 pound may be added to the price for substance weight 16 pound.

3. Appendix B, paragraph (g) (1) is amended to read as follows:

(1) *Base prices.*

MAXIMUM BASE PRICE PER CWT. ZONE 1

Grade	Over 16 pounds	16 pounds
#1 Mimeo watermarked	$9.00	$9.70
#2 Mimeo unwatermarked	8.26	8.85
Plain mimeo unwatermarked	7.60	8.20

This amendment shall become effective June 21, 1944.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8790; Filed, June 16, 1944; 11:48 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1]

GENERAL PRICING PROVISIONS FOR CERTAIN FOOD PRODUCTS (GROUP I)

A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.*

CONTENTS

EXPLANATION OF THE REGULATION

ARTICLE I—GENERAL DEFINITIONS

Sec.
1.1 Meaning of "person".
1.2 Meaning of "processor".
1.3 Meaning of "distributor".
1.4 Meaning of "repacker".
1.5 Meaning of "primary distributor".
1.6 Meaning of "wholesaler" and "retailer".
1.7 Meaning of "ultimate consumer".
1.8 Meaning of "item".
1.9 Meaning of "container type".
1.10 Meaning of "sale".
1.11 Meaning of "price".
1.12 Meaning of "net delivered cost".
1.13 Meaning of "delivered to the customary receiving point".
1.14 Meaning of "records".

ARTICLE II—PRICING PROVISIONS

2.1 Processors who have two seasonal packs.
2.2 Maximum prices for products in new container types or sizes.
2.3 Adjustment of dollars-and-cents maximum prices for processors who perform the wholesale or retail function.
2.4 Elective pricing method for processors.
2.5 Individual authorization of maximum prices.
2.6 When the seller must figure a delivered price.
2.7 Uniform prices where the processor or repacker has more than one factory.
2.8 Uniform delivered prices where the seller has customarily been selling on an f. o. b. shipping point basis.
2.9 Maximum prices for sales by primary distributors.
2.10 Maximum prices for sales by distributors who are not primary distributors, wholesalers or retailers.
2.11 Payment of brokers.
2.12 Maximum prices for sales to government procurement agencies in certain cases.
2.13 Special packing expenses which may be reflected in maximum prices for sales to government procurement agencies.
2.14 Treatment of federal and state taxes.
2.15 Units of sale and fractions of a cent.
2.16 Maintenance of customary discounts and allowances.

ARTICLE III—MISCELLANEOUS PROVISIONS

3.1 Restrictions on sales to primary distributors.
3.2 Weights.
3.3 Storage.
3.4 Export sales.
3.5 Notification of new maximum price.
3.6 Records which must be kept.
3.7 Authority of regional and district offices to audit reports.
3.8 Sales slips and receipts.
3.9 Transfers of business or stock in trade.
3.10 How a figured maximum price is established and how an established maximum price may be changed.
3.11 Adjustable pricing.
3.12 Compliance with the applicable supplement.
3.13 Adjustment of maximum prices of food products under "Government contracts" or subcontracts.
3.14 Applications for adjustment by sellers who have been found to have violated the Robinson-Patman Act.
3.15 Applications for adjustment and petitions for amendment based on wage or salary increases requiring approval of the National War Labor Board.
3.16 Petitions for amendment.

AUTHORITY: Secs. 1.1 to 3.16 inclusive, (§ 1351.374) issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681

EXPLANATION OF THE REGULATION

The purpose of this regulation is to gather into a single document the provisions most commonly used in fixing maximum prices for certain food products in sales by processors, repackers, primary distributors and intermediate sellers (but not wholesalers or retailers).

Taken by itself, the regulation names no maximum prices. These are printed in separate documents which are issued as "supplements" to the regulation. For example, the basic maximum prices for canned grapefruit juice are set forth in a separate supplement which contains the provisions which apply only to packed citrus products. It is only the more general provisions, applicable to a number of commodities, which are collected here. Compliance with maximum prices, it is expected, will be made easier by this standardization of generally applicable provisions and by including them in a single document rather than in many separate regulations.

Moreover, the provisions of this regulation apply to particular food products only as they become parts of these supplements. Thus, for example, whether or not section 1.5 (meaning of "primary distributor") becomes a part of a particular supplement depends upon whether section 1.5 is stated in that supplement to be part of it. Not all the sections of this regulation will apply to

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 11522.

every supplement, and when particular sections are not listed in a supplement, they are to be disregarded for the purposes of that supplement.

NOTE: In many sections of this regulation, reference is made to "the effective date of the applicable supplement". Because food products may be added from time to time to a given supplement, "effective date of the applicable supplement" shall mean the date when the item being priced is first included in it.

ARTICLE I—GENERAL DEFINITIONS

NOTE: A seller is sometimes in doubt as to how to determine his maximum price because he is not certain what kind of seller he is under the regulation. This happens most frequently in those cases where the seller manufactures some of the products he sells, and buys the rest. For example, he may manufacture and sell catsup, but only distribute the spaghetti sauce, salad dressing, and other products he sells. When pricing his catsup, he may be in doubt whether to price it as a "distributor" (since that is his general business) or as a "processor" (since he is a manufacturer of catsup). It is desirable, therefore, to explain how the names used in this regulation and its supplements apply to various kinds of sellers.

When classifying a seller, this regulation is concerned only with the way he handles the particular kind and brand (if any) of product which he is pricing. For example, if he is pricing "Atlas" brand canned corn, the only question is how he handles "Atlas" brand corn. How he sells "Atlas" brand peas or "Jones" brand corn makes no difference. Thus, even if the seller is in the general business of wholesaling, and therefore ordinarily thinks of himself as merely a "wholesaler", he is a "processor" when pricing the "Atlas" canned corn he sells if he manufactures that brand of canned corn.

Moreover, the seller is a "processor", with a processor's maximum price, with respect to all the "Atlas" brand canned corn which he sells, even though he makes only a part of it. The reason for this rule is that if in each transaction the seller were to have more than one maximum price for the same product, the buyer would have no way of knowing which price was applicable and the lower ceiling would be unenforceable.

In other words, the important thing is whether the seller manufactures the particular kind and brand of product being priced and not how he carried on his general food business.

SECTION 1.1 *Meaning of "person".* "Person" means an individual, corporation, partnership, association, any other organized group of persons, and their legal successors or representatives. The term includes the United States, its agencies, other governments, their political subdivisions and their agencies.

SEC. 1.2 *Meaning of "processor".* "Processor" means a person who processes any part of what he sells of the kind and brand of product being priced. The term includes a person who has the goods "custom-packed" or "toll-packed" by another.

Example: (See note above to Article I)

SEC. 1.3 *Meaning of "distributor".* "Distributor" means a person who purchases all he sells (for his own account) of the kind and brand of product being priced and resells it without processing any part of it. However, the term does not include such a seller when he is reselling particular goods which he has repackaged (see section 1.4).

Example: (See note above to Article I)

SEC. 1.4 *Meaning of "repacker".* "Repacker" means a person, other than a processor, wholesaler or retailer, who purchases the particular goods being priced and resells them after repackaging.

Example: Smith buys maraschino cherries in barrels and without further processing packs them in consumer-size bottles for resale to wholesalers. Smith is a "repacker" as to the goods which he handles in this way.

SEC. 1.5 *Meaning of "primary distributor".* "Primary distributor" means a distributor, other than a wholesaler or retailer, who purchases all he sells (for his own account) of the kind and brand of product being priced and who customarily makes at least 50% of his purchases from the processor in carload quantities delivered for storage into a warehouse not owned or controlled by any of his customers, for resale by him in less-than-carload quantities.

In this section, "carload quantity" means any quantity of the kind of product being priced which equals or exceeds the carload minimum weight specified for the product in Consolidated Freight Classification No. 16, and amendments, issued by Agents Greenly (I. C. C.—O. C. No. 60), Dulaney (I. C. C. No. 92), Fyfe (I. C. C. No. 29), and Raasch (I. C. C. No. 566).

Example: The minimum carload quantity of canned grapefruit juice is 36,000 pounds (see Consolidated Freight Classification No. 16, p. 266, Item 18690). This is the minimum carload quantity even though lesser quantities sometimes take a carload rate.

SEC. 1.6 *Meaning of "wholesaler" and "retailer".*

NOTE: These definitions of "wholesaler" and "retailer" are derived from Maximum Price Regulations Nos. 421,[1] 422,[2] and 423,[3] the regulations which apply generally to sales of food products at wholesale and retail. At these levels of distribution, unlike those covered by this regulation and its supplements, sellers are classified on the basis of their overall food operations, and not according to the way they handle any particular product.

"Wholesaler" means a person the larger volume of whose food business is the purchase and resale of food products, without materially changing their form, for distribution out of warehouses to independent retail stores, or to commercial, industrial or institutional users.

"Retailer" means a person the larger volume of whose food business is the purchase and resale of food products, without materially changing their form, to ultimate consumers other than commercial, industrial and institutional users.

SEC. 1.7 *Meaning of "ultimate consumer".* "Ultimate consumer" means a person who buys the kind and brand of product being priced for direct consumption. The term includes commercial, industrial and institutional users.

[1] 8 F.R. 9388, 10569, 10967, 13293, 15250, 15607, 17367, 17368; 9 F.R. 2562.
[2] 8 F.R. 9395, 10569, 10967, 12443, 12611, 13294, 15251, 14853, 15586, 15607, 17369, 17370; 9 F.R. 95, 3510, 3648.
[3] 8 F.R. 9407, 10570, 10968, 12443, 12611, 13294, 14354, 15587, 15608, 16081, 17371; 9 F.R. 98, 3510, 3648.

SEC. 1.8 *Meaning of "item."* "Item" means a kind, variety, grade, brand, style of pack, container type and size of product.

SEC. 1.9 *Meaning of "container type".* "Container type" refers to the composition or style of the container used (a separate price must be figured for each container type).

Examples: Tin, glass and paper containers are all different container types. Likewise, a glass container of one design is a different container type from a glass container of a substantially different design.

SEC. 1.10 *Meaning of "sale".* "Sale" includes sales, dispositions, exchanges, leases and other transfers, and contracts and offers to do any of those things. The terms "sell", "seller", "buy", "buyer", "purchase" and "purchaser" shall be construed accordingly.

SEC. 1.11 *Meaning of "price".* "Price" means the consideration requested or received in connection with the sale of a commodity or the supplying of a service.

SEC. 1.12 *Meaning of "net delivered cost".* "Net delivered cost" means the lawful amount the seller pays for the item (in a purchase which is customary, for him, in quantity, type of supplier, receiving point and means of transportation), less all discounts allowed him, except the discount for prompt payment. However, except in the case of raw agricultural commodities, the expense of local trucking or unloading may not be included in figuring "net delivered cost".

SEC. 1.13 *Meaning of "delivered to the customary receiving point".* "Delivered to the customary receiving point" means delivered to the place where the particular buyer has customarily received the product. In any case where the buyer has no customary receiving point, "delivered to the customary receiving point" means delivered to that point where it is customary in the industry to receive the product. (Maximum prices named at the customary receiving point include all transportation to that point. Any amount the buyer himself pays to get the goods to that point must be subtracted from the maximum price named. Any amount the seller pays to move the goods beyond that point may be added to the maximum price.)

SEC. 1.14 *Meaning of "records".* "Records" means written evidences of transactions and includes books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

ARTICLE II—PRICING PROVISIONS

SECTION 2.1 *Processors who have two seasonal packs.* This section applies only to processors.

Any processor who has two seasonal packs of a food product during the calendar year may, if he wishes, figure maximum prices for it as if each pack were a separate commodity. If the maximum prices so figured for the two packs are different, the processor shall plainly indicate on the invoice in each case, and on each consumer package, whether the product is the "spring pack" or the "fall pack."

SEC. 2.2 *Maximum prices for products in new container types or sizes.* This section applied to processors and repackers.

The maximum price per unit for any item which is packed in a new container type or size for which no maximum price is otherwise provided and which meets the requirements of paragraph (a), below, shall be figured under the following pricing method.

"New container type or size", in the case of products for which maximum prices are established on the basis of sales which the seller made during a base period named in the applicable supplement, means a container type or size which the seller did not sell during that period. In the case of products for which dollars-and-cents maximum prices are named, it means a container type or size for which no maximum price is named.

For each such item, the seller shall:

(a) *Determine the base container.* If the seller has sold the same product (that is, the same kind, variety, grade, brand, and style of pack), but only in other container types or sizes, he shall first determine the most similar container type for which he is able to figure a maximum price for that product (even though he no longer sells that container type). From that container type he shall choose the nearest size which is 50% or less larger than the new size, or if there is no such size, 50% or less smaller (even though he no longer sells those sizes). This will be the base container. If there is no such smaller size, he shall go to the next most similar container type and proceed in the same manner to determine the base container. However, no container type and size which has been priced under this section shall be used as a base container.

NOTE: In most cases "the most similar container type" will be merely the container type which the seller is adding to or replacing, like the tin which he may be replacing with glass. Where there has been only a size change, "the most similar container type" will, of course, be the same container type. This is also true in the reverse situation; where there has been a change only in container type, the "nearest size" will be the same size.

(b) *Find the base price.* The seller shall take as the "base price" his maximum price under the applicable supplement for the product when packed in the base container. However, if this maximum price is a price delivered to the purchaser or to any point other than the seller's shipping point, the seller shall first convert it to a base price f. o. b. shipping point by deducting whatever transportation charges were included in it.

(c) *Deduct the container cost.* Taking his base price f. o. b. shipping point, the seller shall then subtract the direct cost of the base container. "Direct cost of the container" means the net cost, at the seller's plant, of the container, cap, label, and proportionate part of the outgoing shipping carton, but it does not include cost of filling, closing, labeling or packing.

(d) *Adjust for any difference in contents.* The figure obtained by this deduction shall then be adjusted, in the case of a size change, by dividing it by the number of units in the base container and multiplying the result by the number of the same units in the new container.

(e) *Add the new container cost to get the price f. o. b. shipping point.* Next, the seller shall add to the adjusted figure the "direct cost" of the container in the new type and size. If his maximum price for the commodity in the base container is an f. o. b. shipping point price, the resulting figure is the seller's maximum price f. o. b. shipping point.

(f) *Convert to a maximum delivered price, if the maximum price for the base container is on a delivered basis.* If the seller's maximum price for the product in the base container is a delivered price, he shall figure transportation charges to be added as follows: The seller shall take the transportation charges which he first deducted to get his base price and adjust them in exact proportion to the difference in shipping weight. If for any reason the product in the new container will move under a different freight tariff classification, the seller shall figure his transportation charges (by the same means of transportation and to the same destination) on the basis of the new shipping weight, but at the rate in effect for that freight tariff classification on March 17, 1942. Changes in tariff rates or transportation taxes made since March 17, 1942, shall not be taken into account. (Similar principles shall apply where shipping volume is the measure of the transportation charge.) The seller shall then add these transportation charges to his f. o. b. shipping point price for the commodity in the new container. The resulting figure is the processor's or repacker's maximum delivered price.

Examples: Case 1. *The maximum price f. o. b. factory is the same in size as the new container but different in type.* Assume the base container is a 16 oz. tin and the new container is a 16 oz. glass.

Maximum price per doz. f. o. b. factory in base container ("base price")	$0.55
Subtract "direct cost" of base container	−.20
	.35
Add "direct cost" of new container	+.34
New maximum price (f. o. b. factory)	$0.69

Case 2. *The maximum price f. o. b. factory if the base container is different in size from the new container and either the same or different in type.* Assume the base container is a 10½ oz. tin and the new container is an 8 oz. tin or glass.

Maximum price per doz. f. o. b. factory in base container ("base price")	$1.20
Subtract "direct cost" of base container	−.15
	1.05
Adjust to new container:	
Divide by number of ounces of commodity in base container	$1.05 ÷ 10½
	.10

Adjust to new container—Con.	
Multiply by number of ounces of commodity in new container	× 8
	$0.80
Add "direct cost" of new container (glass)	.26
New maximum price (f. o. b. factory)	$1.06

Case 3. *The maximum delivered price if the base container is the same in size as the new container but different in type.* Assume the base container is a 16 oz. tin and the new container is a 16 oz. glass.

Maximum delivered price per doz. in base container (figured carload)	$0.60
Subtract transportation charges	−.05
Price f. o. b. factory ("base price")	.55
Subtract "direct cost" of container	−.20
	.35
Add "direct cost" of new container	+.34
Add new transportation charges: $0.05 (old transportation charges) × 40 lb. (new shipping weight/case) ÷ 34 lb. (old shipping weight/case)	= .058
New maximum delivered price	$0.75

Case 4. *Same except that the new container type puts the commodity in a different freight tariff classification.* Assume the base container is a 16 oz. tin and the new container is a 16 oz. glass.

Maximum delivered price per doz. in base container (figured less than carload)	$0.60
Subtract transportation charges	−.05
Price f. o. b. factory ("base price")	.55
Subtract "direct cost" of container	−.20
	.35
Add "direct cost" of new container	+.34
Add new transportation charges: 40 lb. (new shipping weight) ÷ 100 × $0.185 (rate per cwt. under new classification)	= .074
New maximum delivered price (doz.)	$0.76

SEC. 2.3 *Adjustment of dollars-and-cents maximum prices for processors who perform the wholesale or retail function.* This section applies only to processors. Moreover, the adjustments provided by it apply only to dollars-and-cents maximum prices and not to maximum prices figured on a formula basis.

(a) *Sales by processors from branch warehouses.* Any processor who sells the item being priced, from a branch warehouse owned or controlled by him, to retailers or to commercial, industrial or institutional users, shall figure his maximum prices for these sales, f. o. b. branch warehouse, as follows: He shall add to his dollars-and-cents maximum price, f. o. b. factory, the freight, if any, incurred from factory to branch warehouse, and multiply the resulting figure by the markup named in Maximum Price Regulation No. 421 for cash-and-carry wholesalers or for service wholesalers, depending on whether delivery is made in the particular sale to the buyer's place of business. These markups shall be used only when the particular goods have been warehoused at the branch warehouse and are being sold in less-than-carload quantities. (A processor who has more than

one factory or branch warehouse may, if he wishes, figure freight on a weighted average basis from factory to branch warehouse, in the manner provided in section 2.8 of Food Products Regulation No. 1.)

"Branch warehouse" means a plant or warehouse (1) which is physically apart from the seller's factory and is separately operated for the principal purpose of selling (in contrast to storing) food products manufactured by him, (2) from which he sells a larger volume of the product to independent retail stores or commercial, industrial or institutional users than he sells to other classes of purchasers, and (3) at which he maintains a sales organization separate from the factory sales organization.

(b) *Sales by processors to ultimate consumers.* Processors who sell the items they manufacture to ultimate consumers, other than commercial, industrial and institutional users, are normally persons whose general business is selling at retail items manufactured by others. Retailers are covered by Maximum Price Regulations Nos. 422 and 423, which also provide special pricing methods for items that a retailer may happen to manufacture himself (see section 25 of MPR 422). Manufacturing retailers, therefore, shall figure their maximum prices under those regulations.

SEC. 2.4 *Elective pricing method for processors.* This section applies only to processors.

If the processor cannot otherwise determine his maximum price for an item under the pricing methods of the applicable supplement, he may, if he wishes, figure his maximum price under the pricing method of this section. However, if any ingredient is a raw agricultural commodity, he may use this pricing method only if each of the raw agricultural commodities actually used in the item is either subject to maximum prices, or is covered by announced prices (including support prices) recommended by the Department of Agriculture for payment to growers, or is covered by the Commodity Credit Corporation's purchase and resale program.

(a) *Pricing method for sales to purchasers other than government procurement agencies.* Under this section, the processor's maximum price per dozen or other unit for sales to purchasers other than government procurement agencies shall be figured as follows. He shall:

(1) *Figure the "direct cost" of the item.* The processor's "direct cost" per dozen or other unit of the item shall be figured by adding together the following:

(i) His actual cost per unit of all ingredients (other than raw agricultural commodities) and of packaging materials, for which maximum prices have been established, figured at no more than the current maximum prices applying to the class of purchasers to which he belongs;

(ii) His actual cost per unit of all other ingredients (other than raw agricultural commodities) and of packaging materials, for which no maximum prices have been established, figured at no more than their current market prices;

(iii) His actual cost per unit of all raw agricultural ingredients included in the Commodity Credit Corporation's purchase and resale program, figured at no more than the Commodity Credit Corporation's resale price for the area in which his factory is located;

(iv) His actual cost per unit of all other raw agricultural ingredients, for which maximum prices have been established, figured at no more than the current maximum prices applying to the class of purchasers to which he belongs;

(v) His actual cost per unit of all other raw agricultural ingredients, for which no maximum prices have been established but for which the Department of Agriculture has announced prices recommended for payment to growers, figured at no more than these prices;

(vi) His current direct labor cost per unit; and

(vii) Transportation charges per unit by the usual mode of transportation from his customary supply point to his customary receiving point, if the cost factors used in subdivisions (i), (ii), (iii), (iv) and (v), above, are not delivered costs and if these charges are customarily incurred.

(2) *Multiply by the "markup percentage."* The processor shall multiply his "direct cost" per dozen or other unit of the item by a "markup percentage," figured by dividing:

(i) The current maximum price per unit for sales of the most closely comparable commodity then being produced by him, to purchasers other than government procurement agencies, by:

(ii) The current cost per unit of ingredients, packaging materials and direct labor of that commodity, figured in the same manner as he figures his "direct cost" under subparagraph (1), above, for the item being priced.

The resulting figure is the processor's unadjusted price for sales of the item to purchasers other than government procurement agencies.

(3) *Adjust for any applicable subsidy payment.* The processor shall finally adjust the maximum price by deducting any direct subsidy payment, payable per unit of the finished product, the amount of which has previously been announced by the Commodity Credit Corporation or other agency responsible for the administration of the subsidy and which is applicable to the particular goods being sold.

(b) *Meaning of "most closely comparable commodity."* As used in this section, "most closely comparable commodity" means a food product, covered by the same supplement, (1) whose maximum price does not exceed the percentage of its "direct cost" named in the applicable supplement; (2) whose current "direct cost" is closest to but not less than two-thirds of the "direct cost" of the item being priced; and (3) for which the methods employed in its sale and merchandising are similar to those which will be used in the sale and merchandising of the item being priced. As between two or more such commodities having the same "direct cost", the one whose maximum price represents the smallest percentage of its own "direct cost" shall be used.

(c) *Meaning of "current."* As used in this section, "current" means at the time of figuring the new maximum price.

(d) *Meaning of "actual cost per unit of all other raw agricultural ingredients."* "Actual cost per unit of all other raw agricultural ingredients" means net cost per dozen or other unit after the deduction of any direct subsidy payment, payable per unit of ingredients, the amount of which has previously been announced by the Commodity Credit Corporation or other agency responsible for the administration of the subsidy, and which is applicable to the ingredients used in the particular goods being sold.

(e) *Direct labor cost.* In deciding whether items of labor cost are to be treated as direct cost in figuring the price or are to be treated as overhead, the processor shall follow his customary practice. Thus, if a processor has treated cleaning labor as an item of overhead with respect to the comparable commodity used in determining the markup percentage, he shall continue to treat it in this way when figuring the maximum price.

(f) *Other cost factors.* The processor shall employ no cost factors, direct or indirect, in addition to those entering into the cost of the comparable commodity used in determining the markup percentage and he shall make no changes in the method of application of those factors which would result in a higher price.

(g) *Examples illustrating the method of selecting the "most closely comparable commodity".*

Example 1: Pricing of a new item of pancake mix. The processor is pricing Commodity A, for which the direct cost is $1.48, as itemized below. He also produces Commodities B and C, listed below, for which he has established maximum prices, under the applicable supplement, for sales to wholesalers. The maximum markup percentage named in the supplement is 165%. The sales unit is twenty-four 20-ounce packages, and sales of the new item are to be made to wholesalers only. All maximum prices are on an f. o. b. shipping point basis.

	Commodity A (being priced)	Commodity B	Commodity C
Ingredients	$1.13	$1.26	$0.97
Packaging materials	.24	.24	.24
Direct labor	.11	.13	.10
Total direct cost	1.48	1.63	1.31
Maximum price		2.53	2.16
Markup percentage		155%	165%

The maximum price of neither Commodity B nor Commodity C exceeds 165% of direct cost; the direct cost of each is not less than two-thirds of Commodity A; and both are sold to wholesalers. However, the direct cost of Commodity B is closer than that of Commodity C to the direct cost of Commodity A. Hence, Commodity B must be used. Application of its markup percentage of 155% ($2.53÷1.63) to the $1.48 direct cost of the new item results in a maximum price of $2.29 per twenty-four 20-ounce packages of the new pancake mix, f. o. b. shipping point, for sales to wholesalers.

Example 2: Pricing of a new item of blackberry preserves, made from fresh blackberries. In 1944 the Department of Agriculture announced that 12 cents per pound was recommended to be a proper payment to growers for fresh blackberries. Hence, ingredient cost for fresh blackberries may not exceed that figure. The preserver packs the additional commodities listed below, for which he has established maximum prices under the same applicable supplement, for sales to wholesalers. The maximum markup percentage named in the supplement is 150%. The sales unit is one dozen 1-pound jars, and sales of the new item are to be made to wholesalers only. All maximum prices are on an f. o. b. factory basis.

	Blackberry preserves (commodity being priced)	Apple jelly, Commodity A	Apricot preserves, Commodity B	Peach preserves, Commodity C	Boysenberry preserves, Commodity D	Loganberry preserves, Commodity E
Ingredients	$2.20	$0.65	$1.60	$1.80	$2.05	$2.10
Packaging materials	.30	.30	.30	.30	.30	.30
Direct labor	.20	.15	.15	.15	.25	.20
Total direct cost	2.70	1.30	2.05	2.25	2.60	2.60
Maximum price (to wholesalers)		1.65	3.20	3.00	3.38	3.25
Markup percentage		127%	156%	133%	130%	125%

The preserver also packs grape jelly, which he sells to retailers only. He may not use this commodity, regardless of other circumstances, since the methods employed in its sale and merchandising are not similar to those which will be used with respect to the new commodity.

Commodity A cannot be used because its direct cost is less than two-thirds of the direct cost of the new item.

Commodity B cannot be used because its maximum price exceeds 150% of its direct cost ($3.20÷$2.05=156%).

Commodity C cannot be used because Commodities D and E have a direct cost closer than that of Commodity C to the direct cost of the new item.

Commodity E must be used instead of Commodity D, although each has the same direct cost, because the maximum price of Commodity E represents a smaller percentage of its direct cost than the percentage of direct cost represented by the maximum price of Commodity D. Thus, since the other necessary conditions are present, loganberry preserves must be used as the comparable commodity. Application of its markup percentage of 125% ($3.25÷$2.60) to the $2.70 direct cost of the new item results in a maximum price of $3.375 per dozen one-pound jars of blackberry preserves, f. o. b. factory, for sales to wholesalers.

(h) *Refiguring the maximum price.* The processor shall refigure his maximum price under paragraph (a), for sales to purchasers other than government procurement agencies, in any case where the amount of any direct subsidy payment, applicable to the particular goods being sold, is announced by the Commodity Credit Corporation, or other agency responsible for the administration of the subsidy, after he has established his price. The refigured maximum price shall apply to sales of such goods made after the date of the announcement.

(i) *Pricing method for sales to government procurement agencies.* The processor's maximum price for sales of the item to government procurement agencies shall be determined as provided in section 2.12 of Food Products Regulation No. 1, which for this purpose shall be considered part of this section. However, if any other pricing method is provided in the applicable supplement for sales of the item to government procurement agencies, that pricing method shall be used.

(j) *Discounts and allowances.* The maximum price figured under this section shall be subject to discounts, transportation and other allowances and price differentials no less favorable than those given with respect to the comparable commodity used in determining the "markup percentage." However, the processor is not required to give a discount for prompt payment in the case of sales to government procurement agencies.

(k) *Reporting and approval of prices.* Before delivering the item to any purchaser, the processor shall file with the Office of Price Administration, Washington, D. C., a report setting forth the following:

(1) A description of the item for which he has figured a maximum price under this section and the reasons why the price cannot be otherwise determined by him;

(2) The maximum price so figured, together with a true copy of the calculations showing his determination of the price, and, for the purposes of comparison, itemized cost breakdowns of both the item being priced and the comparable commodity used in determining the markup percentage, showing separately, according to his own system of accounts or regularly prepared operating statements, all major component cost factors (e. g., direct costs, such as raw materials, packaging materials and direct labor; indirect costs, such as indirect labor, factory overhead and selling, advertising and administrative cost, together with an explanation showing the method of allocation of the indirect cost factors; and freight if sold on a delivered basis) indicating whether each cost item is an actual or estimated cost;

(3) The method of distribution to be employed by the processor in marketing the item (i. e., whether it is to be sold to wholesalers, retailers, ultimate consumers or other classes of purchasers);

(4) A list of his customary discounts, transportation and other allowances and price differentials; and

(5) The volume of the item which he has on hand and which he expects to produce during the following twelve months.

Upon receipt of the report, the Office of Price Administration will either approve the maximum price or disapprove it and authorize a maximum price. The maximum price approved or authorized will be one which bears a proper relationship to those for comparable commodities and sellers.

After filing the report, the processor may deliver the item, but he may not receive payment for it until a maximum price has been approved or authorized.

Where any cost factor set forth in the report is an estimated amount, the processor shall file with the Office of Price Administration, Washington, D. C., not earlier than three months nor later than six months after a maximum price has been approved or authorized, a statement showing the actual cost of that factor in his production of the item since the maximum price was approved or authorized.

Whenever a processor refigures a maximum price under paragraph (h), above, he shall file with the Office of Price Administration, Washington, D. C., within two weeks after the date of the announcement of the direct subsidy payment, a report stating his new maximum price and the amount of the subsidy.

Any maximum price established under this section shall be subject to revision at any time by the Office of Price Administration.

SEC. 2.5 *Individual authorization of maximum prices.* This section applies to processors and repackers.

If the processor or repacker cannot otherwise determine his maximum price for an item under the pricing methods of the applicable supplement and he cannot or elects not to price under section 2.4 of Food Products Regulation No. 1, before delivering the item to any purchaser he shall apply to the Office of Price Administration, Washington, D. C., for a maximum price. His application shall set forth:

(a) A description in detail of the item for which a maximum price is sought, including its grade and brand name (if any) to be used, the number of packages in each shipping case, and a statement of the facts which make it different from the most similar item for which he has determined a maximum price, identifying the similar item and stating its maximum price;

(b) An itemized current cost breakdown of the item to be priced, showing separately, according to his own system of accounts or regularly prepared operating statements, all major component cost factors (e. g., direct costs, such as raw materials, packaging materials and direct labor; indirect costs, such as indirect labor, factory overhead and selling, advertising and administrative cost, together with an explanation showing the method of allocation of the indirect cost factors; and freight if sold on a delivered basis) indicating whether each cost item is an actual or an estimated cost, and the identical current cost breakdown of the most closely comparable food

product which contributes substantially to his total volume of business;

(c) The proposed maximum price for the item, including a statement showing the necessity for that price, any discounts or allowances which should be made applicable to the proposed price, and (for comparison) the maximum price for the second product included in paragraph (b) of this section, including a list of his customary discounts, transportation and other allowances and price differentials;

(d) The method of distribution to be employed by the seller in marketing the item (i. e., whether it is to be sold to wholesalers, retailers, consumers or other classes of purchasers); and

(e) The volume of the item which he has on hand and which he expects to produce during the following twelve months.

Upon receipt of the application, the Office of Price Administration will authorize a maximum price, or a method of determining a maximum price, for the applicant or for the sellers of the item generally, including purchasers for resale or for a class of such resellers. The maximum price authorized will be one which bears a proper relationship to those for comparable commodities and sellers. Separate maximum prices will be authorized for sales to government procurement agencies.

After filing the application, the seller may deliver the item, but he may not receive payment for it until a maximum price is authorized.

Where any cost factor set forth in the application is an estimated amount, the processor shall file with the Office of Price Administration, Washington, D. C., not earlier than three months nor later than six months after a maximum price has been authorized, a statement showing the actual cost of that factor in his production of the item since the maximum price was authorized.

If the seller fails to apply for a maximum price under this section, when required to do so, the Office of Price Administration may authorize a maximum price for his sales of the item bearing a proper relationship to those for comparable commodities and sellers. This will not relieve the seller of his obligation to comply with this section or with any other provision of the applicable supplement, nor will it relieve him of any penalty for failure to do so.

Any maximum price established under this section shall be subject to revision at any time by the Office of Price Administration.

SEC. 2.6 *When the seller must figure a delivered price.* When this section applies to a supplement, it applies to all sellers covered by the supplement. However, it applies only to maximum prices based on sales which the seller made during a base period named in the supplement.

Any seller who regularly sold a purchaser the item being priced on a delivered basis during the base period named in the applicable supplement shall figure a maximum delivered price by adding to the maximum price for the item, figured f. o. b. shipping point, the amount of the transportation charge, per unit of that item, which he added to his f. o. b. shipping point price during that period (but only before March 18, 1942). The resulting price is the seller's maximum delivered price to that purchaser.

The seller, of course, is free to sell his goods on an f. o. b. shipping point basis. However, in that event, the f. o. b. price charged plus the actual transportation charges incurred by the buyer shall not exceed the seller's maximum price figured on a delivered basis.

SEC. 2.7 *Uniform prices where the processor or repacker has more than one factory.* This section applies to processors and repackers.

Any processor or repacker who processes or repacks the item being priced at more than one factory and whose maximum prices for the item vary by factory may, if he wishes, establish a uniform maximum price for the item for any group of factories by figuring a weighted average of their separate maximum prices.

For any two or more factories selected by the seller, this "weighted average maximum price" shall be figured by him as follows: He shall (a) determine the total estimated receipts which would have been obtained if his production of the item at those factories during the one-year period immediately preceding the date of calculation had been sold at the separate maximum prices which are in effect under the applicable supplement on the date of calculation, and (b) divide that figure by the total number of units of the item (like pounds, dozens, etc.) included in that production.

The seller shall refigure his weighted average maximum price at the end of each subsequent three-months' period on the basis of sales made during the one-year period immediately preceding the date of recalculation.

SEC. 2.8 *Uniform delivered prices where the seller has customarily been selling on an f. o. b. shipping point basis.* When this section applies to a supplement, it applies to all sellers covered by the supplement. However, it applies only to maximum prices based on sales which the seller made during a base period named in the supplement.

A seller whose maximum price for an item is on an f. o. b. shipping point basis may, if he wishes, establish a uniform maximum delivered price for the item, by zone or area, by adding to his f. o. b. shipping point price his weighted average transportation charge from shipping point to purchasers' receiving points.

For any zone or area, this "weighted average transportation charge" shall be figured by him as follows: He shall (a) determine the total estimated transportation charges which would have been incurred if the shipments of the item which he made during the one-year period immediately preceding the date of calculation, to purchasers in that zone or area, had been at rates in effect on that date, and (b) divide that figure by the total number of pounds or other units of the item included in those shipments. (Where more than one means of transportation is used, averages may be taken separately for each.)

The seller shall refigure his weighted average transportation charge at the end of each three-months' period on the basis of shipments made during the one-year period immediately preceding the date of recalculation and at rates in effect on that date.

SEC. 2.9 *Maximum prices for sales by primary distributors.* There are two pricing methods for primary distributors.

(a) *Pricing Method No. 1.* A primary distributor may use the following pricing method only if he sold the kind and variety of product being priced (as a primary distributor) before April 28, 1942, and he may use this pricing method only when he is selling, in less-than-carload quantities, merchandise which he has actually warehoused. (In normal situations the pricing method will give him the same dollars-and-cents margin that he previously had.)

If the processor's maximum price for the item under the applicable supplement is greater than the processor's maximum price under the maximum price regulation previously applicable to the processor, the primary distributor shall add the difference to the maximum price which he had immediately prior to the effective date of the applicable supplement. If the processor's maximum price for it under the applicable supplement is less than the processor's maximum price under the maximum price regulation previously applicable, the primary distributor shall subtract the difference from the maximum price which he had immediately prior to the effective date of the applicable supplement. However, in no event may the primary distributor's maximum price be greater than his net delivered cost (based upon purchases directly from the processor) plus the markup named in the applicable supplement. The resulting figure is the primary distributor's maximum price for the item when warehoused by him and sold in less-than-carload quantities.

If the primary distributor sold the kind and variety of product being priced, before April 28, 1942, but did not sell the particular grade, brand, style of pack, container type or size being priced before the effective date of the applicable supplement, his maximum price for the new item shall be his net delivered cost (based on his first purchase of the item after that date direct from the processor) multiplied by a markup factor. This markup factor shall be figured by dividing his maximum price (as figured under this section) for the most closely comparable item of that kind and variety of product already handled by him by the current net delivered cost to him of that item. He may apply this markup factor only when he is selling, in less-than-carload quantities, goods which he has actually warehoused.

(b) *Pricing Method No. 2.* For all items, and for sales of such items, which are not covered by Pricing Method No. 1, the primary distributor's maximum price, f. o. b. shipping point, shall be the maximum price of his supplier, f. o. b. shipping point, plus incoming freight paid by him.

Examples: The processor's ceiling price for grapefruit juice under MPR 509 and under the applicable supplement are the same. Therefore, the primary distributor's maximum price remains the same under the applicable supplement as it was under MPR 509.

The processor's ceiling price under MPR 306 for asparagus (all green spears) in No. 2 size cans was $3.55 per dozen for colossal size, A-fancy grade. Under the applicable supplement it is now $3.85 per dozen. The primary distributor therefore adds the increase of 30 cents to his own ceiling price under MPR 306, provided that the maximum price so determined does not exceed his net delivered cost plus the markup named in the supplement.

The primary distributor handled packed grapefruit juice as a primary distributor before April 28, 1942. He added packed orange juice to his line in October 1942. Although he may use Pricing Method No. 1 for packed grapefruit juice, he must use Pricing Method No. 2 for packed orange juice because he did not sell it as a primary distributor before April 28, 1942.

Before April 28, 1942, the primary distributor handled "X" brand fancy sweetened grapefruit juice in No. 2 size cans, for which his maximum price under MPR 509 and the applicable supplement is $1.24 per dozen and his current net delivered cost is $1.15 per dozen. He now adds to his line "X" brand fancy sweetened grapefruit juice in No. 3 cyl. cans, for which the net delivered cost of his first purchase from the processor is $2.60 per dozen. Because the No. 2 can size is the most closely comparable item of the same kind and variety, he divides $1.24 by $1.15 and obtains a markup factor of 108%. Application of 108% to $2.60 results in a figure of $2.81, which is his maximum price for the new item when he sells, in less-than-carload quantities, goods which he has actually warehoused.

SEC. 2.10 *Maximum prices for sales by distributors who are not primary distributors, wholesalers or retailers.* The maximum price, f. o. b. shipping point, of a distributor who is not a primary distributor, wholesaler, or retailer shall be the maximum price of his supplier, f. o. b. shipping point, plus incoming freight paid by him.

SEC. 2.11 *Payment of brokers.* When this section applies to a supplement, it applies to all sellers covered by the supplement.

In accordance with trade custom, every broker shall be considered as the agent of the seller and not the agent of the buyer. In each case, the amount paid by the buyer to the seller plus any amount paid by the buyer to the broker shall not exceed the seller's maximum price, including allowable transportation actually paid by the seller or by the broker. In other words, the seller may not collect from the buyer any more than the maximum price, including allowable transportation so paid, less any amount which the buyer pays the broker.

The term "broker" includes a "finder."

SEC. 2.12 *Maximum prices for sales to government procurement agencies in certain cases.* When this section applies to a supplement, it applies to all sellers covered by the supplement. However, it applies only where no maximum price is specifically provided by the applicable supplement for sales of an item to government procurement agencies.

(a) The seller's maximum price, f. o. b. shipping point, for sales to government procurement agencies shall be 96% of his maximum price, f. o. b. shipping point, to purchasers other than government procurement agencies (for processors and repackers, "f. o. b. shipping point" means "f. o. b. factory"), after that maximum price has been adjusted, where necessary, as follows:

(1) If the seller is a processor and if any raw agricultural ingredient used in the commodity is covered by the Commodity Credit Corporation's purchase and resale program, the processor shall first increase the maximum price per dozen or other unit, f. o. b. factory, by the difference, per dozen or other unit, between the Commodity Credit Corporation's purchase price for the area in which he received delivery of the raw materials and its resale price for the area in which his factory is located.

(2) If the seller is a processor, he shall increase the maximum price per dozen or other unit, f. o. b. factory, by the amount of any direct subsidy payment the amount of which has previously been announced by the Commodity Credit Corporation or other agency responsible for the administration of the subsidy and which is applicable to the particular goods being sold or their ingredients.

(b) If a processor or repacker has no maximum price for sales f. o. b. factory to persons other than government procurement agencies, he shall apply to the Office of Price Administration, Washington, D. C., for a maximum price for sales to government procurement agencies.

SEC. 2.13 *Special packing expenses which may be reflected in maximum prices for sales to government procurement agencies.*

NOTE: This section is derived from, and for the purposes of the applicable supplement supersedes, Supplementary Order No. 34,[1] issued by the Office of Price Administration.

When this section applies to a supplement, it applies to all sellers covered by the supplement.

(a) *Conditions under which special packing expenses may be reflected in maximum prices.* Special packing expenses are a basis for increasing maximum prices for sales to government procurement agencies only if all the following conditions are satisfied:

(1) The buyer must specifically require that the commodity be packed, or unpacked and repacked, to the buyer's specifications.

(2) The seller must show separately in his contract of sale, or on the invoice furnished to the buyer, the net charge being made for the packing (and any unpacking and repacking) specified by the buyer.

(3) In addition to the records required by the applicable supplement, the seller must prepare and keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records showing the total additional cost required by the special packing (and any unpacking and repacking) specified by the buyer, and the value of materials salvaged in the process.

(b) *Maximum prices for sales which meet the conditions of paragraph (a).* For sales to a government procurement agency which meet the conditions of paragraph (a), the maximum prices of the seller and of any subcontractor under the seller's contract of sale with the government procurement agency shall be the maximum prices otherwise applicable, increased by the following amounts:

(1) If the packing specified by the buyer differs from standard packing, the difference between the total cost of packing to the specifications of the buyer and the total cost of standard packing, or

(2) If the commodity has already been packed in standard packing and if repacking to the specifications of the buyer is required, the total cost incurred in unpacking and repacking, less the reasonable value of salvaged materials, or

(3) If the commodity has initially been packed to the specifications of the buyer in accordance with subparagraph (1) and if repacking to new specifications of the buyer is required, the amount permitted by subparagraph (1) plus the total cost of unpacking and repacking less the reasonable value of salvaged materials.

(c) *Meaning of "total cost."* "Total cost" means the direct material costs, direct labor costs, factory overhead, and other expenses actually incurred in performing the operations described above. However, where these operations are performed for the seller or subcontractor by an independent contractor (not affiliated with the seller) who does not process or sell the commodity, but only packs it or prepares it for packing, the amount actually paid to the independent contractor shall be considered to be the "total cost" of such operations.

(d) *Meaning of "packing" and "standard packing."* "Packing" means the providing of wrappings, inner containers, or outer containers; the placing of commodities in such wrappings or containers; and the application of any special coverings or coatings.

"Standard packing" means that packing the cost of which was included in figuring the maximum price established by the applicable supplement, or any other type of packing expressly referred to and expressly priced in the applicable supplement.

SEC. 2.14 *Treatment of federal and state taxes.* When this section applies to a supplement, it applies to all sellers covered by the supplement. However, paragraph (b) applies only to maximum prices based on sales which the seller made during a base period named in the supplement.

(a) *As to the tax on transportation of property imposed by section 620 of the Revenue Act of 1942.* The tax on transportation of property imposed by section 620 of the Revenue Act of 1942 shall,

[1] 8 F.R. 12404, 14073.

for the purposes of determining the maximum price of any item, be treated as if it were an increase of 3% in the amount charged by persons engaged in the business of transporting property for hire. It shall not be treated as a tax for which a charge may be made in addition to the maximum price. (This provision is derived from, and for the purposes of the applicable supplement supersedes, Supplementary Order No. 31,[1] issued by the Office of Price Administration.)

(b) *As to taxes other than the tax on transportation of property imposed by section 620 of the Revenue Act of 1942.* Any tax incident to the sale, delivery, processing, or use of an item, imposed by any statute or ordinance (other than the tax on transportation of property imposed by section 620 of the Revenue Act of 1942), shall be treated as follows in determining the seller's maximum price for the item, and in preparing the records required by the applicable supplement:

(1) *As to a tax in effect during the base period.* (i) If the seller paid the tax or if the tax was paid by any prior seller, irrespective of whether the amount was separately stated and collected from the seller, but during the base period named in the applicable supplement he did not customarily state and collect, separately from the purchase price, the amount of tax paid by him (or tax reimbursement collected from him by his supplier), the seller may not collect the amount in addition to the maximum price under the applicable supplement.

(ii) In all other cases, if at the time the seller determines his maximum price the statute or ordinance imposing the tax does not prohibit him from stating and collecting the tax separately from the purchase price, and he does state it separately, he may collect, in addition to the maximum price, the amount of the tax actually paid by him (or an amount equal to the amount of tax paid by any prior seller and separately stated and collected from the seller by his supplier). In this case the seller shall not include the amount in determining his maximum price under the applicable supplement.

(2) *As to a tax or tax increase which becomes effective after the base period.* If the statute or ordinance imposing a tax or tax increase effective after the base period named in the applicable supplement does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and he does separately state it, he may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him (or an amount equal to the amount of tax paid by any prior seller and separately stated and collected from the seller by his supplier).

SEC. 2.15 *Units of sale and fractions of a cent.* When this section applies to a supplement, it applies to all sellers covered by the supplement.

(a) Maximum prices shall be stated in terms of the same general units (like pounds, dozens, etc.) in which the seller has customarily quoted prices for the product, except when the applicable pricing method shows that another unit shall be used.

(b) Amounts computed in the process of figuring a maximum price (other than the maximum price itself) shall be carried to four decimal places (hundredths of a cent). For sales to government procurement agencies, the maximum price itself shall be carried to four decimal places. If any figured maximum price (other than for sales to government procurement agencies) includes a fraction of a cent, the seller shall adjust the maximum price to the nearest fractional unit of a cent (like 1¢, ½¢, etc.) in which he has customarily quoted prices for the product.

SEC. 2.16 *Maintenance of customary discounts and allowances.* When this section applies to a supplement, it applies to all sellers covered by the supplement.

No person shall change any customary allowance, discount or other price differential to a purchaser or class of purchasers, if the change results in a higher net price to that purchaser or class. However, in the case of sales to government procurement agencies, the seller is not required to give a discount for prompt payment.

ARTICLE III—MISCELLANEOUS PROVISIONS

SECTION 3.1 *Restrictions on sales to primary distributors.* For sales of the 1943 and 1944 production of any item, made after the effective date of the applicable supplement, no processor shall sell to primary distributors a greater percentage (by volume) than he sold to primary distributors during the one-year period ending April 28, 1942.

SEC. 3.2 *Weights.* Where label weights are used, prices figured by weight shall be based on the weights named on the label and not on actual fill.

SEC. 3.3 *Storage.* Storage costs incurred by the seller on goods owned by him shall not be added to his maximum prices. Storage by the seller of goods owned by the buyer may be charged for in accordance with the maximum price regulation applicable to such services.

SEC. 3.4 *Export sales.* The maximum price at which a person may export any item covered by the applicable supplement shall be determined in accordance with the Second Revised Maximum Export Price Regulation,[2] and amendments.

SEC. 3.5 *Notification of new maximum price.* With the first delivery of an item after the effective date of any provision changing the seller's maximum price, he shall:

(a) Supply each wholesaler and retailer who purchases from him with written notice, reading as follows:

(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (*describe item by kind, variety, grade, brand, style of pack, and container type and size*) has been changed by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulation No. 421, 422 or 423, you must refigure your ceiling price for this item on the first delivery of it to you from your customary type of supplier with this notification after (*insert effective date of the applicable supplement, amendment or order*). You must refigure your ceiling price following the Rules in section 6 of Maximum Price Regulation No. 421, 422 or 423, whichever is applicable to you.

For a period of 60 days after determining the new maximum price for the item, and with the first shipment after the 60-day period to each person who has not made a purchase within that time, each processor or repacker shall include in each case, carton, or other receptacle containing the item, the written notice set forth above, or securely attach it to the outside. However, for sales direct to any retailer, the seller may supply the notice by attaching it to, or stating it on, the invoice covering the shipment, instead of providing it with the goods.

(b) Supply each purchaser of the item who is a distributor other than a wholesaler and retailer with written notice of the establishment of the new maximum price. The notice, which shall be attached to, or stated on, the invoice covering the first delivery to such purchaser after the effective date of the provision changing the maximum price, shall read as follows:

(Insert date)

NOTICE TO DISTRIBUTORS OTHER THAN WHOLESALERS AND RETAILERS

Our O. P. A. ceiling price for (*describe item by kind, variety, grade, brand, style of pack, and container type and size*) has been changed from $---- to $---- under the provisions of Supplement No. ---- to Food Products Regulation No. 1. You are required to notify all wholesalers and retailers for whom you are the customary type of supplier purchasing the item from you after (*insert effective date of the applicable supplement, amendment or order*) of any change in your maximum price. This notice must be made in the manner prescribed in section 3.5 of Food Products Regulation No. 1.

SEC. 3.6 *Records which must be kept.* Every person who makes sales covered by the applicable supplement shall:

(a) Make and preserve for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, all records of the same kind as he has customarily kept, relating to the prices which he charged in those sales, and

(b) Preserve for examination by the Office of Price Administration, for the same period, all his existing records which were the basis of figuring his maximum prices in the manner directed by the applicable supplement, showing the method used in figuring the maximum prices.

SEC. 3.7 *Authority of regional and district offices to audit reports.* Any Regional Administrator of the Office of Price Administration, or any District Director authorized by his Regional Administrator, may (a) approve or disapprove reports filed with his office under the reporting provisions of this regulation and its supplements, and (b) require any seller filing a report with it which does not comply with the reporting provisions to correct and re-submit his report.

SEC. 3.8 *Sales slips and receipts.* Any seller who has customarily given a purchaser a sales slip, receipt, or similar evidence of purchase, shall continue to do so. Upon request, any seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the name and quantity of each item sold, and the price received for it.

SEC. 3.9 *Transfers of business or stock in trade.* If the business, assets or stock in trade of a seller subject to the applicable supplement are sold or otherwise transferred on or after April 28, 1942, and the transferee carries on the business, or continues to deal in the same type of food product, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of the applicable supplement.

SEC. 3.10 *How a figured maximum price is established and how an established maximum price may be changed.* On and after the effective date of the applicable supplement, a price figured for any item becomes established (that is, fixed) as the seller's maximum price as soon as he has either filed the price or disclosed it to any prospective customer, whether by sale, delivery, offer, or notice of any kind, provided that the figured price is not higher than the applicable pricing method allows. A maximum price for any item may be established only once, and it may not be changed by the seller except (a) with the written permission of the District Director of the Office of Price Administration for the area in which he is located in cases where the seller has figured his maximum price lower than the applicable pricing method allows, (b) in cases where a change in this regulation or the applicable supplement changes the seller's applicable pricing method, and (c) in cases where a provision of this regulation or the applicable supplement directs the seller to refigure his price. District Directors are authorized to give this permission.

If the seller wishes to disclose a price lower than the one he figured, he may establish the higher (figured) price as his maximum price at the time of disclosure only by recording it and naming it as such, in ink on his books, before he discloses the lower price. A seller who has not figured a price for an item may deliver the item, but he may not receive payment for it until he has established a maximum price in accordance with the rules of this section.

Exception: This section does not apply to prices figured under section 2.5 of Food Products Regulation No. 1 (elective pricing method for processors).

SEC. 3.11 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery. But no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon a pending request for a change in price or to give the authorization. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 3.12 *Compliance with the applicable supplement.*—(a) *No selling or buying above maximum prices.* Regardless of any contract or obligation no person shall sell or deliver, or buy or receive in the course of trade, any item at a price higher than the maximum price established for it by the applicable supplement. However, prices lower than the maximum price may be charged and paid.

However, the prohibition of this paragraph does not apply to (1) any war procurement agency of the United States, or its contracting or paying finance officers, or (2) the government (or its agencies) of any country the defense of which the President of the United States deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." No such purchaser or person shall be subject to the liabilities otherwise imposed by this section or by the Emergency Price Control Act of 1942. "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, the Lend-Lease Section of the Procurement Division of the Treasury Department, and the following subsidiaries of the Reconstruction Finance Corporation: the Defense Plant Corporation, the Rubber Reserve Corporation, the Metals Reserve Corporation, and the Defense Supplies Corporation, or any of their agencies. (This exception is derived from, and for the purpose of the applicable supplement supersedes, Supplementary Order No. 7,[3] issued by the Office of Price Administration.)

(b) *Evasion.* Nor shall any person evade a maximum price, directly or indirectly, whether by commission, service, transportation, or other charge or discount, premium or other privilege; by tying-requirement or other trade understanding; by any change of style of pack; by a business practice relating to grading, labeling, or packaging, or in any other way.

(c) *Enforcement.* Any person violating a provision of the applicable supplement is subject to the criminal penalties, civil enforcement actions, license suspension provision, and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

(d) *Licensing.* The provisions of Licensing Order No. 1,[4] licensing all persons who make sales under price control, are applicable to all sellers subject to the applicable supplement. A seller's license may be suspended for violations of the license or one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 3.13 *Adjustment of maximum prices of food products under "Government contracts" or subcontracts.*

NOTE: This section is derived from, and for the purposes of the applicable supplement supersedes, Supplementary Order No. 9,[5] issued by the Office of Price Administration.

(a) The Office of Price Administration, either on its own motion or on application for adjustment in accordance with Procedural Regulation No. 6,[6] and amendments, may adjust the maximum price of any seller who has entered into or proposes to enter into a Government contract (or subcontract) for the sale of an item of a food product essential to the war program, whenever it appears that the maximum price impedes or threatens to impede its production, manufacture, or distribution. (The applicant's over-all profits will be an important consideration in determining the action to be taken.)

(b) From 5 days prior to the filing of an application for adjustment until its final disposition, contracts may be entered into or proposed and bids submitted at the price requested in the application, and deliveries may be made under such contracts. However, no amount by which the price exceeds the maximum price may be paid or received until an order granting a higher price has been issued. In each sale, contract to sell, or offer to sell, at a price requested in the application, the seller shall furnish the buyer with a statement showing the following:

(1) The maximum price for the item; and

(2) The filing of an appropriate application with the Office of Price Administration, or the intention to file it within five days.

(c) Any government agency may appear as an interested party in connection with the application.

(d) "Food product essential to the war program" means any food product purchased (1) for the ultimate use of the Army, the Navy, the Maritime Commission, or the War Shipping Administration of the United States, or the Lend-Lease Section of the Procurement Division of the Treasury Department, or (2) by the government (or its agencies) of any country whose defense the President deems vital to the defense of the United States under the terms of the

[1] 7 F.R. 9894; 8 F.R. 1312, 3702, 9521.

[2] 8 F.R. 4132, 5097, 7663, 9008, 15193.

[3] 7 F.R. 5176.

[4] 8 F.R. 13240.

[5] 7 F.R. 5444, 9323; 8 F.R. 4510, 4785, 6175.

[6] 7 F.R. 5067, 5664; 8 F.R. 6173, 6174, 12024.

Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States," or (3) for use in the production or manufacture of any such food product.

"Government contract" means a contract with the United States, or an agency, or with the government (or its agencies) of any country whose defense the President deems vital to the defense of the United States under the terms of the Act named above.

"Subcontract" means a purchase order or agreement to perform all or part of the work required under, or to make or furnish any commodity needed for the performance of, another Government contract or subcontract.

SEC. 3.14 *Applications for adjustment by sellers who have been found to have violated the Robinson-Patman Act.*

NOTE: This section is derived from, and for the purposes of the applicable supplement supersedes, Supplementary Order No. 41,[11] issued by the Office of Price Administration.

(a) The Office of Price Administration may adjust the maximum price established for any seller in any case in which he shows:

(1) That he has been found by the Federal Trade Commission, or any court of competent jurisdiction, to have discriminated in price between different purchasers of commodities in violation of the provisions of the Robinson-Patman Act (49 Stat. 1526) or of any state statute prohibiting price discriminations; and

(2) That the elimination of the discrimination by lowering his price to the purchasers against whom he has been found to have discriminated would cause him substantial hardship; and

(3) That the elimination of the discrimination by increasing his price to the purchasers in whose favor he has been found to have discriminated is prohibited by the applicable supplement.

(b) Applications for adjustment under this provision shall be filed with the Office of Price Administration, Washington, D. C., in accordance with the provisions of Revised Procedural Regulation No. 1.[12]

SEC. 3.15 *Applications for adjustment and petitions for amendment based on wage or salary increases requiring approval of the National War Labor Board.* Any seller may file an application for adjustment of his maximum prices, or a petition for amendment of the applicable supplement, based on a wage or salary increase requiring the approval of the National War Labor Board before any such increase becomes effective, in accordance with Supplementary Order No. 28,[13] issued by the Office of Price Administration.

SEC. 3.16 *Petitions for amendment.* Any person seeking a general modification of this regulation or the applicable supplement may file a petition for amendment in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

Effective date. This regulation shall become effective June 21, 1944.

NOTE: All record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Issued this 16th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8778; Filed, June 16, 1944; 11:45 a. m.]

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[11] 8 F.R. 4732.
[12] 8 F.R. 3313, 3533, 6173, 11806.
[13] 7 F.R. 9819; 8 F.R. 7256.

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Supplement 1]

MACARONI PRODUCTS AND NOODLE PRODUCTS

A statement of the considerations involved in the issuance of this supplement has been issued and filed with the Division of the Federal Register.*

SUPPLEMENT 1 TO FOOD PRODUCTS REGULATION 1—MACARONI PRODUCTS AND NOODLE PRODUCTS

ARTICLE I—EXPLANATION OF THE SUPPLEMENT

Sec.
1. Explanation of the supplement.
2. Applicability of Food Products Regulation No. 1.
3. Definitions.

ARTICLE II—PRICING PROVISIONS

4. Maximum prices for sales of macaroni products and noodle products by processors.
5. Maximum prices for sales of macaroni products and noodle products by wagon wholesalers.
6. Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.

ARTICLE III—MISCELLANEOUS PROVISIONS

7. Reports which processors must file.
8. Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.

AUTHORITY: Secs. 1 to 8, inclusive, (§ 1351.375) issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671, E.O. 9328, 8 F.R. 4681.

ARTICLE I—EXPLANATION OF THE SUPPLEMENT

SECTION 1. *Explanation of the supplement.* (a) This supplement establishes maximum prices for sales of macaroni products and noodle products by all persons except wholesalers and retailers (wagon wholesalers, however, are included).

(b) This supplement applies in the forty-eight states of the United States and the District of Columbia.

(c) This supplement supersedes the General Maximum Price Regulation[1] and Maximum Price Regulations Nos. 262[2] and 326[3] as to the commodities and sellers covered. All orders issued under Maximum Price Regulation No. 326 shall remain in effect as orders under this supplement.

(d) This supplement becomes effective on June 21, 1944.

SEC. 2. *Applicability of Food Products Regulation No. 1.* Important: Not all of the provisions affecting the maximum prices of macaroni products and noodle products are stated in this supplement. Those which are not specifically set forth here are stated in Food Products Regulation No. 1, and they are just as much a part of this supplement as if they were printed here. The "Explanation of the regulation" is also a part of this supplement.

The particular sections of Food Products Regulation No. 1 which are applicable to this supplement are listed at appropriate places in the following provisions (in each case, the section number set forth in parenthesis is the appropriate section number of Food Products Regulation No. 1). When any applicable section of the regulation is amended, the amendment also is applicable to this supplement.

SEC. 3. *Definitions.* (a) When used in this supplement, the term:

"Macaroni products" means the class of food prepared by drying formed units of dough made from semolina, durum flour, farina, flour, or any combination of two or more of these, with water and with or without one or more of certain optional ingredients such as milk, whole wheat, soy flour, vegetables and salt, and as further defined in the proposed order of the Food and Drug Administration for Definitions or Standards of Identity of macaroni products, as printed in the Federal Register on December 22, 1942, 7 F.R. 10728 to 10734, inclusive. Plain noodles (but not chow mein noodles) shall be considered a macaroni product for the purposes of this supplement.

"Noodle products" means the class of food prepared by drying formed units of dough made from semolina, durum flour, farina, flour, or any combination of two or more of these, with liquid eggs, dried eggs, egg yolks, frozen yolks, or any combination of two or more of these, with or without water and with or without one or more of certain optional ingredients such as milk, whole wheat, soy flour, vegetables and salt, and as further defined in the proposed order of the Food and Drug Administration for Definitions or Standards of Identity of noodle products, as printed in the Federal Register on December 22, 1942, 7 F.R. 10728 to 10734, inclusive. The term "noodle products" does not include chow mein noodles.

"Farinaceous ingredient" means semolina, durum flour, farina, or wheat flour.

"Most closely competitive processor" means the processor who:

(1) Sells to the same class of buyer;

(2) Processes the same or similar quality range of the product;

(3) Has sold in the past the same kind of macaroni product or noodle product at approximately the same prices as the processor figuring a maximum price;

(4) Has used the same marketing methods; and

(5) Is located in the same general area, or, if there is no other such processor in the same general area, is located in the nearest area.

"Comparable commodity" means a macaroni product or noodle product of equal weight and quantity offering fairly equivalent utility and differing in ingredients or packaging materials from the macaroni product or noodle product processed in March 1942 by the seller or his most closely competitive processor only by changes to the best possible feasible substitutes for ingredients or packaging materials. A macaroni product shall not be considered comparable to a noodle product.

(b) The definitions of the following terms, set forth in the designated sections of Food Products Regulation No. 1, are applicable to this supplement:

"Person" (Section 1.1 of FPR 1).
"Processor" (Section 1.2 of FPR 1).
"Distributor" (Section 1.3 of FPR 1).
"Primary Distributor" (Section 1.5 of FPR 1).
"Wholesaler" and "retailer" (Section 1.6 of FPR 1).
"Ultimate consumer" (Section 1.7 of FPR 1).
"Item" (Section 1.8 of FPR 1).
"Container type" (Section 1.9 of FPR 1).
"Sale" (Section 1.10 of FPR 1).
"Price" (Section 1.11 of FPR 1).
"Net delivered cost" (Section 1.12 of FPR 1).
"Records" (Section 1.14 of FPR 1).

ARTICLE II—PRICING PROVISIONS

SEC. 4. *Maximum prices for sales of macaroni products and noodle products by processors.* (a) The processor's maximum price per dozen or other unit to any class of purchasers for an item of macaroni products or noodle products shall be his maximum price under the General Maximum Price Regulation plus the increase per dozen or other unit in his cost of the farinaceous and egg ingredients and packaging materials, determined by:

(1) Figuring his cost per dozen or other unit as of February 20, 1943, of the farinaceous and egg ingredients and packaging materials, in each case at the maximum price of his principal supplier to the class of purchasers to which he belongs, and

(2) Subtracting from that amount the sum of his weighted average actual costs per dozen or other unit of each farinaceous ingredient, egg ingredient and packaging material used to process the same item during March 1942.

"Cost," as used in subparagraph (1), above, if the maximum price of the processor's supplier is not a delivered price, means the maximum price plus cost of delivery of purchases in a usual amount to the processor's customary receiving point, from the customary shipping point by the usual mode of transportation.

"Weighted average actual cost," as used in subparagraph (2), above, means the total cost of the farinaceous ingredient, egg ingredient or packaging material figured on a delivered basis at his factory, divided by the number of units he used in processing all his macaroni products and noodle products.

EXAMPLE SHOWING METHOD OF COMPUTING NEW CEILING PRICE

Variety	Egg noodles.
Type	Home style.
Brand	X Y Z.
Container size	1 pound.
Container style	Cellophane.
Selling unit	1 dozen.

COSTS

	Feb. 20, 1943 ceilings	March 1942 average costs
INGREDIENTS	(1)	(2)
Durum flour per barrel, delivered:		
Per barrel f. o. b. Minneapolis	6.60	5.20
Plus freight to factory	.80	
Total	7.40	
Egg yolks per pound delivered	.46	.32
PACKAGING MATERIAL		
Cellophane bags per M delivered	8.85	8.85
Cellophane tape per roll delivered	.75	.75
Shipping case per M delivered	70.00	60.00
COMPUTATION OF INGREDIENT COST PER POUND		
300 pounds of durum flour	11.3265	7.9892
34.5 pounds of egg yolks	15.8700	11.0400
Total cost of raw material	27.1965	18.9992
Divided by 299.749 pound net yield cost of raw material per pound	.0907	.0634
NOTE: Shrinkage for purposes of example 5% including filling loss.		
PER DOZEN 1 POUND PACKAGES	(?)	(?)
Ingredients	1.0884	.7608
Cellophane bags (waste allowance, —1)	.1150	.1150
Cellophane tape	.0100	.0100
Shipping case	.0700	.0600
Total cost of ingredients and packaging material per dozen	(3)1.2834	(4).9458
(5)	(3)1.2834 (4)0.9458	
Increased cost of ingredients and packaging material per dozen	.3376	
(6) Plus March 1942 ceiling price	1.25	
(7) Equals new ceiling price	1.5876 or 1.59	

(b) The maximum price for each item of macaroni products or noodle products for a processor who owns more than one factory shall be determined separately for each factory. However uniform maximum prices may be established as provided in sections 6 (d) and 6 (e).

(c) If the processor's maximum price for an item of macaroni products or noodle products cannot be determined under paragraph (a), above, or under section 6 (a) of this supplement, his maximum price shall be the maximum price, as determined under (a), above, for a comparable commodity processed by him, or if he did not process such a comparable commodity, one processed by his most closely competitive processor.

SEC. 5. *Maximum prices for sales of macaroni products and noodle products by wagon wholesalers.* Wagon wholesalers shall figure their maximum prices per dozen or other unit for each item of macaroni products or noodle products by adding to their net delivered cost a markup of 25% of such cost. These maximum prices shall be refigured on receipt of an item whenever there is any change in the net delivered cost.

A "wagon wholesaler" is one who purchases the item being priced and distributes it to retailers or to commercial, industrial or institutional users from an inventory stocked in trucks or other conveyances which are under the supervision of driver salesmen who make delivery at the time and place of sale. Such a wholesaler is a wagon wholesaler only for sales made in this manner.

SEC. 6. *Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.* The following provisions of Food Products Regulation No. 1 are applicable to this supplement:

(a) Maximum prices for products in new container types or sizes (section 2.2 of FPR 1). The "base period" is March 1942.

(b) Individual authorization of maximum prices (section 2.5 of FPR 1).

(c) When the seller must figure a delivered price (section 2.6 of FPR 1). The "base period" is March 1942.

(d) Uniform prices where the processor or repacker has more than one factory (section 2.7 of FPR 1).

(e) Uniform delivered prices where the seller has customarily been selling on an f. o. b. shipping point basis (section 2.8 of FPR 1).

(f) Maximum prices for sales by primary distributors (section 2.9 of FPR 1).

(g) Maximum prices for sales by distributors who are not primary distributors, wholesalers or retailers (section 2.10 FPR 1).

(h) Payment of brokers (section 2.11 of FPR 1).

(i) Maximum prices for sales to government procurement agencies in certain cases (section 2.12 of FPR 1).

(j) Special packing expenses which may be reflected in maximum prices for sales to government procurement agencies (section 2.13 of FPR 1).

(k) Treatment of Federal and state taxes (section 2.14 of FPR 1). The "base period" is March 1942.

(l) Units of sale and fractions of a cent (section 2.15 of FPR 1).

(m) Maintenance of customary discounts and allowances (section 2.16 of FPR 1).

ARTICLE III—MISCELLANEOUS PROVISIONS

SEC. 7. *Reports which processors must file.* (a) Every processor who determines a maximum price under this supplement shall, on or before July 12, 1944, or within twenty days after the maximum price has been established in the manner explained in section 8 (j), below, file with the district office of the Office of Price Administration for the area in which he is located a statement showing:

(1) For each item for which he figures his maximum price under section 4 (a),

(i) The name of each farinaceous and egg ingredient and packaging material and its maximum price as of February 20, 1943, per unit of purchase (if the maximum price is f. o. b. shipping point, show the shipping point and freight addition);

(ii) The weighted average actual cost per unit of purchase of each farinaceous and egg ingredient and packaging material used in processing the same com-

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1385.
[2] 7 F.R. 9244, 10844; 8 F.R. 262, 273, 437, 973, 2285, 5164, 9201, 10568, 11040, 11447, 14985, 15935, 16687, 17227; 9 F.R. 347.
[3] 8 F.R. 2098, 4346; 9 F.R. 1819.

modity in March 1942 (if the cost is f. o. b. shipping point, show freight addition);

(iii) The per dozen or other unit cost of each farinaceous and egg ingredient and packaging material figured at maximum prices as stated in (i) above;

(iv) The per dozen or other unit cost of each farinaceous and egg ingredient and packaging material figured at March 1942 cost as stated in (ii) above;

(v) The result of subtracting the figures obtained in (iv) from those obtained in (iii);

(vi) The maximum price for the commodity figured in accordance with the General Maximum Price Regulation; and

(vii) The result of adding the figures obtained in (v) to those stated in (vi), which result shall be the processor's new maximum price for the item.

(2) For each item for which he figures his maximum price under section 4 (c),

(i) The maximum price so determined; and

(ii) If such price is the maximum price of a comparable commodity processed by him, the kind, variety, brand (if any), container type and size of the comparable commodity, or, if such price is the maximum price of a comparable commodity processed by his most closely competitive processor, the name of that competitive processor and the kind, variety, brand (if any), container type and size of that comparable commodity.

(3) For each item for which he figures his maximum price under section 6 (a), a true copy of the calculations showing his determination of such maximum price.

(b) If a processor reported a lawful maximum price under any provision of Maximum Price Regulation No. 326 and his maximum price is not changed by this supplement, he is not required to report that maximum price again under this section.

SEC. 8. *Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.* The following provisions of Food Products Regulation No. 1 are applicable to this supplement:

(a) Restrictions on sales to primary distributors (section 3.1 of FPR 1).
(b) Weights (section 3.2 of FPR 1).
(c) Storage (section 3.3 of FPR 1).
(d) Export sales (section 3.4 of FPR 1).
(e) Notification of new maximum price (section 3.5 of FPR 1).
(f) Records which must be kept (section 3.6 of FPR 1).
(g) Authority of regional and district offices to audit reports (section 3.7 of FPR 1).
(h) Sales slips and receipts (section 3.8 of FPR 1).
(i) Transfers of business or stock in trade (section 3.9 of FPR 1).
(j) How a figured maximum price is established and how an established maximum price may be changed (section 3.10 of FPR 1).
(k) Adjustable pricing (section 3.11 of FPR 1).
(l) Compliance with the applicable supplement (section 3.12 of FPR 1).
(m) Adjustment of maximum prices of food products under "Government contracts" or subcontracts (section 3.13 of FPR 1).
(n) Applications for adjustment by sellers who have been found to have violated the Robinson-Patman Act (section 3.14 of FPR 1).
(o) Applications for adjustment and petitions for amendment based on wage or salary increases requiring approval of the National War Labor Board (section 3.15 of FPR 1).
(p) Petitions for amendment (section 3.16 of FPR 1).

This supplement shall become effective June 21, 1944.

NOTE: All reporting and record-keeping requirements of this supplement have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8179; Filed, June 16, 1944; 11:44 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Supplement 2][1]

PROCESSED BEANS, PROCESSED MACARONI PRODUCTS AND PROCESSED NOODLE PRODUCTS

A statement of the considerations involved in the issuance of this supplement has been issued and filed with the Division of the Federal Register.[*]

SUPPLEMENT 2 TO FOOD PRODUCTS REGULATION NO. 1—PROCESSED BEANS, PROCESSED MACARONI PRODUCTS AND PROCESSED NOODLE PRODUCTS

ARTICLE I—EXPLANATION OF THE SUPPLEMENT

Sec.
1. Explanation of the supplement.
2. Applicability of Food Products Regulation No. 1.
3. Definitions.

ARTICLE II—PRICING PROVISIONS

4. Maximum prices for sales of processed beans, processed macaroni products and processed noodle products by processors.
5. Maximum prices for sales of processed beans, processed macaroni products and processed noodle products by wagon wholesalers.
6. Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.
7. Reports which processors must file.
8. Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.

AUTHORITY: Secs. 1 to 8, inclusive (§ 1351.-376), issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681.

ARTICLE I—EXPLANATION OF THE SUPPLEMENT

SECTION 1. *Explanation of the supplement.* (a) This supplement establishes maximum prices for sales of processed beans, and of processed macaroni products and processed noodle products (that is, macaroni products and noodle products which have been cooked and combined with sauce). It does not govern sales of macaroni products and noodle products which have not been cooked and combined with sauce.

(b) This supplement applies to sales of processed beans, processed macaroni products and processed noodle products by all persons except wholesalers and retailers (wagon wholesalers, however, are included).

(c) This supplement applies in the 48 states of the United States and the District of Columbia.

(d) This supplement supersedes the General Maximum Price Regulation[1] and Maximum Price Regulation No. 427[2] as to the commodities and sellers covered. All orders issued under Maximum Price Regulation No. 427 shall remain in effect as orders under this supplement. In addition, any processor who prior to June 21, 1944, established a lawful maximum price under the elective pricing method of section 5 (a) of Maximum Price Regulation No. 427 may, if he wishes, keep that maximum price.

(e) This supplement becomes effective on June 21, 1944.

SEC. 2. *Applicability of Food Products Regulation No. 1.* Important: Not all of the provisions affecting the maximum prices of processed beans, processed macaroni products and processed noodle products are stated in this supplement. Those which are not specifically set forth here are stated in Food Products Regulation No. 1, and they are just as much a part of this supplement as if they were printed here. The "explanation of the regulation" is also a part of this supplement.

The particular sections of Food Products Regulation No. 1 which are applicable to this supplement are listed at appropriate places in the following provisions (in each case, the section number set forth in parenthesis is the appropriate section number of Food Products Regulation No. 1). When any applicable to this supplement are listed at amended, the amendment also is applicable to this supplement.

SEC. 3. *Definitions.* (a) When used in this supplement, the term:

"Processed beans" means dried beans of any variety cooked prior to packaging or in the package and packed with or without pork or sauce. Such beans shall also include dehydrated and frozen forms and may be packaged in any style container hermetically or nonhermetically sealed.

"Processed macaroni products" and "processed noodle products" mean macaroni products and noodle products which have been cooked and combined with sauce.

"Macaroni products" means the class of food prepared by drying formed units of dough made from semolina, durum flour, farina, flour, or any combination of two or more of these, with water and with or without one or more of certain optional ingredients such as milk, whole wheat, soy flour, vegetables and salt and as further defined in the proposed order for Definitions or Standards of Identity of macaroni products of the Food and Drug Administration, as printed in the FEDERAL REGISTER on December 22, 1942, 7 F.R. 10728 to 10734, inclusive. Plain noodles (but not chow mein noodles) shall be considered to be a macaroni product for the purposes of this supplement.

"Noodle products" means the class of food prepared by drying formed units of dough made from semolina, durum flour, farina, flour, or any combination of two or more of these, with liquid eggs, dried eggs, egg yolks, frozen yolks, or any combination of two or more of these, with or without water and with or without one or more of certain optional ingredients such as milk, whole wheat, soy flour, vegetables and salt and as further defined in the proposed order for Definitions or Standards of Identity of noodle products of the Food and Drug Administration, as printed in the FEDERAL REGISTER on December 22, 1942, 7 F.R. 10728 to 10734, inclusive. The term "noodle products" does not include chow mein noodles.

(b) The definitions of the following terms, set forth in the designated sections of Food Products Regulation No. 1, are applicable to this supplement:

"Person" (section 1.1 of FPR 1).
"Processor" (section 1.2 of FPR 1).
"Distributor" (section 1.3 of FPR 1).
"Primary distributor" (section 1.5 of FPR 1).
"Wholesaler" and "retailer" (section 1.6 of FPR 1).
"Ultimate consumer" (section 1.7 of FPR 1).
"Item" (section 1.8 of FPR 1).
"Container type" (section 1.9 of FPR 1).
"Sale" (section 1.10 of FPR 1).
"Price" (section 1.11 of FPR 1).
"Net delivered cost" (section 1.12 of FPR 1).
"Records" (section 1.14 of FPR 1).

ARTICLE II—PRICING PROVISIONS

SEC. 4. *Maximum prices for sales of processed beans, processed macaroni products and processed noodle products by processors.* (a) The processor's maximum price per sales unit, f. o. b. shipping point, to any class of purchasers for an item of processed beans, processed macaroni products or processed noodle products which he made and sold at any time during the period October 1, 1941 to March 31, 1942, inclusive (this is the "base period"), shall be:

(i) The weighted average price per sales unit, f. o. b. shipping point, charged the same class of purchasers by the processor for such item during the base period, plus

(2) The increase in the cost per sales unit of all the ingredients determined as follows:

(i) The cost per sales unit of the ingredients figured in each case at the maximum price as of July 20, 1943, of the processor's principal supplier to the class of purchasers to which the processor belongs, or, if there is no maximum price, the March 1942 market price; minus

(ii) The sum of the weighted average actual costs per sales unit of the ingredients used to produce the same item during the base period.

"Weighted average price," as used in subparagraph (1), above, means the total gross sales dollars charged a particular class of purchasers for the item being priced, f. o. b. shipping point, divided by the number of sales units of the item sold to that class of purchasers. All sales contracts made in the regular course of business during the base period shall be included, regardless of date of delivery. Sales contracts made before this period shall not be included, even though delivery was made during the period.

"Cost," as used in subparagraph (2), above, if the price of the processor's supplier is not a delivered price, means the price (maximum or March 1942 market, as the case may be) plus cost of delivery of purchases in a usual amount to the processor's customary receiving point, from the customary shipping point by the usual mode of transportation.

"Weighted average actual cost," as used in subparagraph (2) (ii), above, means the processor's total cost of each ingredient, figured on a delivered basis at his plant, for the quantity used in producing all his processed beans, processed macaroni products or processed noodle products, divided by the number of units produced.

(b) The processor's maximum price per sales unit for an item of processed beans, processed macaroni products or processed noodle products for which his maximum price originally was established under § 1499.3 (b) of the General Maximum Price Regulation shall be:

(1) The processor's maximum price per sales unit authorized by the Office of Price Administration by order under § 1499.3 (b) of the General Maximum Price Regulation for such item, plus

(2) The increase in the cost per sales unit of the ingredients thereof determined as follows:

(i) The cost per sales unit of the ingredients, figured in each case at the maximum price as of July 20, 1943, of the processor's principal supplier to the class of purchasers to which the processor belongs, or, if there is no maximum price, the March 1942 market price; minus

(ii) The ingredients cost per sales unit submitted to the Office of Price Administration in the application upon which the maximum price was established under § 1499.3 (b) of the General Maximum Price Regulation.

"Cost" as used in subparagraph (2) (i), above, if the price of the processor's supplier is not a delivered price, means the price (maximum or March 1942 market, as the case may be), plus cost of delivery of purchases in a usual amount to the processor's customary receiving point, from the customary shipping point by the usual mode of transportation.

SEC. 5. *Maximum prices for sales of processed beans, processed macaroni products and processed noodle products by wagon wholesalers.* Wagon wholesalers shall figure their maximum prices per sales unit for each item of processed beans, processed macaroni products or processed noodle products by adding to their net delivered cost a markup of 25 percent of such cost. These maximum prices shall be refigured upon receipt of an item whenever there is any change in the net delivered cost.

A "wagon wholesaler" is one who purchases the item being priced and distributes it to retailers or to commercial, industrial or institutional users from an inventory stocked in trucks or other conveyances which are under the supervision of driver salesmen who make delivery at the time and place of sale. Such a wholesalers is a wagon wholesaler only for sales made in this manner.

SEC. 6. *Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.* The following provisions of Food Products Regulation No. 1 are applicable to this supplement:

(a) Maximum prices for products in new container types or sizes (section 2.2 of FPR 1). In those cases only where the processor has made a change in his container type from tin to glass, he shall add ⅔ cent per pound label weight of his finished product, after adding the "direct cost" of the container in the new type and size as provided by section 2.2(e) of Food Products Regulation No. 1.
(b) Elective pricing method (section 2.4 of FPR 1). The "markup percentage" figure is 150%.
(c) Individual authorization of maximum prices (section 2.5 of FPR 1.)
(d) When the seller must figure a delivered price (section 2.6 of FPR 1). However, when figuring a delivered price, any processor whose transportation charge during the period October 1, 1941 to March 17, 1942 was based on the use of his own trucks and who is now compelled to use a common or contract carrier, may add transportation charges figured by the new means of transportation, to the same destination and under the same freight tariff classification, but at the rate in effect during that period.
(e) Uniform prices where the processor or repacker has more than one factory (section 2.7 of FPR 1).
(f) Uniform delivered prices where the seller has customarily been selling on an f. o. b. shipping point basis (section 2.8 of FPR 1).
(g) Maximum prices for sales by primary distributors (section 2.9 of FPR 1).
(h) Maximum prices for sales by distributors who are not primarily distributors, wholesalers or retailers (section 2.10 of FPR 1).
(i) Payment of brokers (section 2.11 of FPR 1).
(j) Special packing expenses which may be reflected in maximum prices for sales to government procurement agencies (section 2.13 of FPR 1).
(k) Treatment of federal and state taxes (section 2.14 of FPR 1).
(l) Units of sales and fractions of a cent (section 2.15 of FPR 1).
(m) Maintenance of customary discounts and allowances (section 2.16 of FPR 1).

ARTICLE III—MISCELLANEOUS PROVISIONS

SEC. 7. *Reports which processors must file.* (a) Every processor who determines a maximum price under section 4 or 6 (a) of this supplement shall, on or before July 12, 1944, or within 20 days after the maximum price has been established in the manner explained in section 8 (j), below, file with the Office of Price Administration, Washington, D. C., a statement showing:

(1) For each item for which he figures his maximum price under section 4,

(i) The weighted average price per sales unit, figured f. o. b. shipping point, which he received for the item during the base period (October 1, 1941 to March 31, 1942, inclusive) or the maximum selling

[*] Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1385.
[2] 8 F.R. 9775, 12620, 16991.

price for the item authorized by order of the Office of Price Administration under § 1499.3 (b) of the General Maximum Price Regulation;

(ii) The maximum price which he figured for the item under this supplement (where any maximum price is figured on a delivered basis, he shall also show his maximum price figured on an f. o. b. shipping point basis); and

(iii) A list of all his customary allowances, discounts, and other price differentials.

(2) For each item for which he figures his maximum price under section 6 (a), a true copy of the calculations showing his determination of such maximum price.

(b) If a processor reported a lawful maximum price under any provision of Maximum Price Regulation No. 427 and his maximum price is not changed by this supplement, he is not required to report that maximum price again under this section.

SEC. 8. *Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.* The following provisions of Food Products Regulation No. 1 are applicable to this supplement:

(a) Restrictions on sales to primary distributors (section 3.1 of FPR 1).
(b) Weights (section 3.2 of FPR 1).
(c) Storage (section 3.3 of FPR 1).
(d) Export sales (section 3.4 of FPR 1).
(e) Notification of new maximum price (section 3.5 of FPR 1).
(f) Records which must be kept (section 3.6 of FPR 1).
(g) Authority of regional and district offices to audit reports (section 3.7 of FPR 1).
(h) Sales slips and receipts (section 3.8 of FPR 1).
(i) Transfers of business or stock in trade (section 3.9 of FPR 1).
(j) How a figured maximum price is established and how an established maximum price may be changed (section 3.10 of FPR 1).
(k) Adjustable pricing (section 3.11 of FPR 1).
(l) Compliance with the applicable supplement (section 3.12 of FPR 1).
(m) Adjustment of maximum prices of food products under "Government contracts" or subcontracts (section 3.13 of FPR 1).
(n) Application for adjustment by sellers who have been found to have violated the Robinson-Patman Act (section 3.14 of FPR 1).
(o) Applications for adjustment and petitions for amendment based on wage or salary increases requiring the approval of the National War Labor Board (section 3.15 of FPR 1).
(p) Petitions for amendment (section 3.16 of FPR 1).

This supplement shall become effective June 21, 1944.

NOTE: All reporting and record-keeping requirements of this supplement have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8780; Filed, June 16, 1944; 11:43 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Supplement 8]

PREPARED FLOUR MIXES

A statement of the considerations involved in the issuance of this supplement has been issued and filed with the Division of the Federal Register.*

SUPPLEMENT 8 TO FOOD PRODUCTS REGULATION 1—PREPARED FLOUR MIXES

ARTICLE I—EXPLANATION OF THE SUPPLEMENT

Sec.
1. Explanation of the supplement.
2. Applicability of Food Products Regulation No. 1.
3. Definitions.

ARTICLE II—PRICING PROVISIONS

4. Maximum prices for sales of pancake mix and waffle mix by processors.
5. Maximum prices for sales of pancake mix and waffle mix by wagon wholesalers.
6. Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.

ARTICLE III—MISCELLANEOUS PROVISIONS

7. Reports which sellers must file.
8. Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.

AUTHORITY: Secs. 1 to 8, inclusive (§ 1351.-377) issued under 56 Stat. 23, 756; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—EXPLANATION OF THE SUPPLEMENT

SECTION 1. *Explanation of the supplement.* (a) This supplement establishes maximum prices for the kinds of prepared flour mixes designated below, and processors shall figure their maximum prices in accordance with the provisions of the respective section listed for each kind. Further kinds may be added from time to time. The maximum prices take into consideration such factors as variety, brand, container type and size, unit of sale and class of purchasers. Additional factors may be specified for some kinds or items.

Kind:	Section
Pancake mix	4
Waffle mix	4

(b) This supplement applies to sales of the listed kinds of prepared flour mixes by all persons except wholesalers and retailers (wagon wholesalers, however, are included).

(c) This supplement applies in the 48 states of the United States and the District of Columbia.

(d) This supplement supersedes the General Maximum Price Regulation,[1] Maximum Price Regulation No. 280[2] and Maximum Price Regulation No. 462[3] as to the commodities and sellers covered. All orders issued under Maximum Price Regulation No. 462 shall remain in effect as orders under this supplement. In addition, any processor who prior to June 21, 1944 established a lawful maximum price under the elective pricing method of section 5 of Maximum Price Regulation No. 462 may, if he wishes, keep that maximum price.

(e) This supplement becomes effective on June 21, 1944.

SEC. 2. *Applicability of Food Products Regulation No. 1.* Important: Not all of the provisions affecting the maximum prices of the designated prepared flour mixes are stated in this supplement. Those which are not specifically set forth here are stated in Food Products Regulation No. 1, and they are just as much a part of this supplement as if they were printed here. The "explanation of the regulation" is also a part of this supplement.

The particular sections of Food Products Regulation No. 1 which are applicable to this supplement are listed at appropriate places in the following provisions (in each case, the section number set forth in parenthesis is the appropriate section number of Food Products Regulation No. 1). When any applicable section of the regulation is amended, the amendment also is applicable to this supplement.

SEC. 3. *Definitions.* (a) When used in this supplement, the term:

"Class of purchasers" refers to the practice followed by the seller in setting different prices for sales to different purchasers or kinds of purchasers.

"Flour" means the flour and the combinations of flour produced from wheat, rye, buckwheat, rice, corn, oats, barley, soy beans and potatoes. Included in this term are those flours and combinations which are bleached, bromated, enriched, phosphated and rendered self-rising.

"Kind" means a type of prepared flour mix such as pancake mix, waffle mix, etc.

"Mix," where used alone, means a finished collection of ingredients prior to and ready for packaging.

"Pancake mix" and "waffle mix" are the products customarily sold under the respective designations, requiring only the addition of liquid to produce a batter which becomes edible by applying heat to it on a single open plate in the case of pancake mix or within a pair of checkered irons in the case of waffle mix. The terms include mixes containing buckwheat flour.

"Prepared flour mix" means any combination of not less than 30% by weight of flour or flours with ingredients other than those used to make the flour. This percentage is based on the total weight of the finished mix. The term includes, but is not limited to, pancake mix, waffle mix, doughnut mix, muffin mix, biscuit mix, pie crust mix, ginger bread mix, coffee-cake mix, spice-cake mix, devil food cake mix, angel food cake mix, and yellow cake mix.

"Variety" means a class of a particular kind of prepared flour mix, according to the formula used in its production.

(b) The definitions of the following terms, set forth in the designated sections of Food Products Regulation No. 1, are applicable to this supplement.

"Person" (section 1.1 of FPR 1).
"Processor" (section 1.2 of FPR 1).
"Distributor" (section 1.3 of FPR 1).
"Primary distributor" (section 1.5 of FPR 1).
"Wholesaler" and "retailer" (section 1.6 of FPR 1).
"Ultimate consumer" (section 1.7 of FPR 1).
"Item" (section 1.8 of FPR 1).
"Container type" (section 1.9 of FPR 1).
"Sale" (section 1.10 of FPR 1).
"Price" (section 1.11 of FPR 1).
"Net delivered cost" (section 1.12 of FPR 1).
"Records" (section 1.14 of FPR 1).

ARTICLE II—PRICING PROVISIONS

SEC. 4. *Maximum prices for sales of pancake mix and waffle mix by processors.* The pricing method of this section applies to all of the processor's sales of pancake mix or waffle mix, except those in which he is selling branded pancake mix or branded waffle mix no part of which he processes himself.

(a) *General pricing method.* The processor shall figure his maximum price per sales unit for each item of pancake mix or waffle mix, f. o. b. shipping point, to each class of purchasers, by adding together (1) the weighted average price, figured f. o. b. shipping point, which he charged for that item to the particular class of purchasers during the base period June 1, 1941, through August 31, 1941, and (2) the increase in cost of ingredients and packaging materials provided for in paragraph (c), below.

(b) *Meaning of "weighted average price."* The processor's "weighted average price" shall be figured by dividing the total gross sales dollars charged a particular class of purchasers for the item being priced by the number of sales units of the item sold to that class of purchasers. All sales contracts made in the regular course of business during the period June 1, 1941, through August 31, 1941, shall be included, regardless of date of delivery. Sales contracts made before this period shall not be included even though delivery was made during the period.

(c) *Increase in cost of ingredients and packaging materials.* The processor shall determine his increase in cost of ingredients and packaging materials (subject to the limitations in paragraph (d), below) by—

(1) Adding together (i) the cost per sales unit on September 8, 1943, at the processor's plant, of the ingredients and packaging materials subject to maximum prices established by the Office of Price Administration, figured at the maximum prices then applying to the class of purchasers to which he belongs, and (ii) the cost per sales unit, at the processor's plant, of the ingredients and packaging materials for which no maximum prices have been established by the Office of Price Administration, figured at the market prices thereof on September 8, 1943, and

(2) Subtracting from the figure obtained by the addition in (1), above, per sales unit, the sum of the weighted averages of the costs which he used for ingredients and for packaging materials in establishing his selling prices for the same item during the base period June 1, 1941, through August 31, 1941.

"Weighted average of the costs" for ingredients or for packaging materials means the total of the costs thereof which the processor used in establishing his prices for all sales of a particular unit during the named base period, divided by the total number of these units sold during that base period.

(d) *Limitation on increase in cost of ingredients.* The total increase in cost of ingredients provided for in (c), above, shall not exceed the amount listed below per one hundred pounds of mix:

For pancake mix—plain	$1.50
For pancake mix—buckwheat	2.25
For waffle mix	2.00

SEC. 5. *Maximum prices for sales of pancake mix and waffle mix by wagon wholesalers.* A "wagon wholesaler" is one who purchases the item being priced and distributes it to retailers or to commercial, industrial or institutional users from an inventory stocked in trucks or other conveyances which are under the supervision of driver salesmen who make delivery at the time and place of sale. Such a wholesaler is a wagon wholesaler only for sales made in this manner.

The maximum price which a wagon wholesaler may charge for an item of pancake mix or waffle mix shall be determined as follows:

If his supplier's maximum price under this supplement is greater than the supplier's maximum price under the maximum price regulation previously applicable to the supplier, the wagon wholesaler shall add the difference to the maximum price which he had immediately prior to June 21, 1944. If his supplier's maximum price under this supplement is less than the supplier's maximum price under the maximum price regulation previously applicable, the wagon wholesaler shall subtract the difference from the maximum price which he had immediately prior to June 21, 1944.

If the wagon wholesaler handled the kind of prepared flour mix being priced before June 21, 1944, but did not handle the particular brand, size or container type being priced before that date, his maximum price for the new item shall be his net delivered cost (based on his first purchase of the item after June 20, 1944) multiplied by a markup factor. This markup factor shall be secured by dividing his ceiling price (as figured under this section) for the most closely comparable item of that kind of prepared flour mix already handled by him by the net delivered cost to him of that item.

If the wagon wholesaler cannot determine his maximum price under the foregoing pricing method, his maximum price shall be the maximum price of his supplier, f. o. b. shipping point, plus incoming freight paid by him.

SEC. 6. *Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.* The following provisions of Food Products Regulation No. 1 are applicable to this supplement:

(a) Maximum prices for products in new container types or sizes (section 2.2 of FPR 1).
(b) Elective pricing method for processors (section 2.4 of FPR 1). The "markup percentage" figure is 165%.
(c) Individual authorization of maximum prices (section 2.5 of FPR 1).
(d) When a seller must figure a delivered price (section 2.6 of FPR 1).
(e) Uniform prices where the processor or repacker has more than one factory (section 2.7 of FPR 1).
(f) Uniform delivered prices where the seller has customarily been selling on an f. o. b. shipping point basis (section 2.8 of FPR 1).
(g) Maximum prices for sales by primary distributors (section 2.9 of FPR 1).
(h) Maximum prices for sales by distributors who are not primary distributors, wholesalers or retailers (section 2.10 of FPR 1).
(i) Payment of brokers (section 2.11 of FPR 1).
(j) Special packing expenses which may be reflected in maximum prices for sales to Government procurement agencies (section 2.13 of FPR 1).
(k) Treatment of federal and state taxes (section 2.14 of FPR 1).
(l) Units of sale and fractions of a cent (section 2.15 of FPR 1).
(m) Maintenance of customary discounts and allowances (section 2.16 of FPR 1).

ARTICLE III—MISCELLANEOUS PROVISIONS

SEC. 7. *Reports which sellers must file.* Every processor who determines a maximum price under section 4 or 6(a) of this supplement shall, on or before July 12, 1944, or within twenty days after the maximum price has been established in the manner explained in section 8(j), below, file with the district office of the Office of Price Administration for the area in which he is located a true copy of the calculations showing his determination of such maximum price. However, if a processor reported a lawful maximum price under any provision of Maximum Price Regulation No. 462 and his maximum price is not changed by this supplement, he is not required to report that maximum price again under this section.

SEC. 8. *Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.* The following provisions of Food Products Regulation No. 1 are applicable to this supplement:

(a) Restrictions on sales to primary distributors (section 3.1 of FPR 1).
(b) Weights (section 3.2 of FPR 1).
(c) Storage (section 3.3 of FPR 1).
(d) Export sales (section 3.4 of FPR 1).
(e) Notification of new maximum price (section 3.5 of FPR 1).
(f) Records which must be kept (section 3.6 of FPR 1).
(g) Authority of regional and district offices to audit reports (section 3.7 of FPR 1).
(h) Sales slips and receipts (section 3.8 of FPR 1).
(i) Transfers of business or stock in trade (section 3.9 of FPR 1).

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1385.
[2] 8 F.R. 5165, 7566, 8357, 7196, 7599, 7670, 8065, 8180, 9521, 9386, 9683, 10513, 11811, 11599, 13060, 13721, 16296, 16597, 16795; 9 F.R. 343, 753, 1622, 2238, 2176, 4027.
[3] 8 F.R. 12181, 15006.

(j) How a figured maximum price is established and how an established maximum price may be changed (section 3.10 of FPR 1).
(k) Adjustable pricing (section 3.11 of FPR 1).
(l) Compliance with the applicable supplement (section 3.13 of FPR 1).
(m) Adjustment of maximum prices of food products under "Government contracts" or subcontracts (section 3.13 of FPR 1).
(n) Applications for adjustment by sellers who have been found to have violated the Robinson-Patman Act (section 3.14 of FPR 1).
(o) Application for adjustment and petitions for amendment based on wage or salary increases requiring approval of the National War Labor Board (section 3.15 of FPR 1).
(p) Petitions for amendment (section 3.16 of FPR 1).

This supplement shall become effective June 21, 1944.

NOTE: All reporting and record-keeping requirements of this supplement have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8781; Filed, June 16, 1944; 11:46 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Supplement 4]

PITTED AND MACERATED DOMESTIC DATES AND DOMESTIC DATE PRODUCTS (1943 CROP AND AFTER)

A statement of the considerations involved in the issuance of this supplement has been issued and filed with the Division of the Federal Register.*

SUPPLEMENT 4 TO FOOD PRODUCTS REGULATION NO. 1—PITTED AND MACERATED DOMESTIC DATES AND DATE PRODUCTS (1943 CROP AND AFTER)

ARTICLE I—EXPLANATION OF THE SUPPLEMENT

Sec.
1. Explanation of the supplement.
2. Applicability of Food Products Regulation No. 1.
3. Definitions.

ARTICLE II—PRICING PROVISIONS

4. General pricing method.
5. Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.

ARTICLE III—MISCELLANEOUS PROVISIONS

6. Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.

AUTHORITY: Secs. 1 to 6, inclusive, (§ 1351.378) issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, 8 F.R.

ARTICLE I—EXPLANATION OF THE SUPPLEMENT

SECTION 1. *Explanation of the supplement.* (a) This supplement establishes maximum prices for sales of pitted and macerated domestic dates and domestic date products of the 1943 crop and after.

(b) This supplement applies to sales of pitted and macerated dates and domestic date products of the 1943 crop and after by all persons except wholesalers and retailers.

(c) This supplement applies in the 48 states of the United States and the District of Columbia.

(d) This supplement supersedes the General Maximum Price Regulation,[1] Maximum Price Regulation No. 243[2] and Maximum Price Regulation No. 521[3] as to the commodities and sellers covered. All orders issued under Maximum Price Regulation No. 521 shall remain in effect as orders under this supplement.

(e) This supplement becomes effective on June 21, 1944.

SEC. 2. *Applicability of Food Products Regulation No. 1.* Important: Not all of the provisions affecting the maximum prices of pitted and macerated domestic dates and domestic date products of the 1943 crop and after are stated in this supplement. Those which are not specifically set forth here are stated in Food Products Regulation No. 1, and they are just as much a part of this supplement as if they were printed here. The "Explanation of the Regulation" is also a part of this supplement.

The particular sections of Food Products Regulation No. 1 which are applicable to this supplement are listed at appropriate places in the following provisions (in each case, the section number set forth in parentheses is appropriate section number of Food Products Regulation No. 1). When any applicable section of the regulation is amended, the amendment also is applicable to this supplement.

SEC. 3. *Definitions.* (a) When used in this supplement the term:

"Pitted domestic dates" means domestic dates from which the pits have been removed, but which otherwise remain whole.

"Macerated domestic dates" means domestic dates from which the pits have been removed and which have been cut into two or more pieces or have been chopped, sliced or ground. The addition of other ingredients and further processing does not change the classification of macerated domestic dates unless such additional ingredients and further processing result in a completed confection ready for sale to ultimate consumers without further processing in such form as to come within the definition of "domestic date products."

"Domestic date products" means any completed confection containing ninety percent or more by weight of macerated domestic dates combined with other ingredients, prepared for sale to ultimate consumers without further processing.

(b) The definitions of the following terms, set forth in the designated sections of Food Products Regulation No. 1, are applicable to this supplement:

"Person" (section 1.1 of FPR 1).
"Processor" (section 1.2 of FPR 1). For this purpose, "process" means to pit, macerate or grind domestic dates.
"Distributor" (section 1.3 of FPR 1).
"Wholesaler" and "retailer" (section 1.6 of FPR 1).
"Ultimate consumer" (section 1.7 of FPR 1).
"Item" (section 1.8 of FPR 1).
"Sale" (section 1.10 of FPR 1).
"Price" (section 1.11 of FPR 1).
"Net delivered cost" (section 1.12 of FPR 1).
"Records" (section 1.13 of FPR 1).

ARTICLE II—PRICING PROVISIONS

SEC. 4. *General Pricing method—(a) Maximum prices for sales by processors to purchasers other than government procurement agencies.—(1) Pitted domestic dates.* The processor's maximum price, f. o. b. factory, for sales to purchasers other than government procurement agencies, of pitted domestic dates in bulk or in packages containing more than one pound shall be 28¢ per pound. The processor's maximum price, f. o. b. factory, for sales to purchasers other than government procurement agencies, of pitted domestic dates packaged in containers of one pound or less shall be 28 cents per pound, plus 7 cents per package (packaging allowance).

(2) *Macerated domestic dates.* The processor's maximum price, f. o. b. factory, for sales to purchasers other than government procurement agencies, of macerated domestic dates shall be 21 cents per pound.

(3) *Domestic date products.* The processor's maximum price, f. o. b. factory, for sales to purchasers other than government procurement agencies, of domestic date products shall be 35½ cents per pound when sold in bulk or in packages containing more than one pound and 38 cents per pound when sold in packages containing one pound or less.

(b) *Maximum prices for sales to purchasers other than government procurement agencies by distributors other than wholesalers and retailers—(1) Pricing Method No. 1.* A distributor may use the pricing method of this subparagraph (1) only (i) if he sold pitted domestic dates, macerated domestic dates or domestic date products prior to April 28, 1942, (ii) when he is selling those products which he actually refrigerates and warehouses in a warehouse or other receiving station not owned or controlled by any of his customers, and (iii) when he is selling to wholesalers, or to institutional or commercial users.

The maximum price for sales to purchasers other than government procurement agencies by a distributor who meets the requirements of this Pricing Method No. 1 shall be his net delivered cost, plus 7% of such cost.

(2) *Pricing Method No. 2.* The maximum price for sales to purchasers other than government procurement agencies by a distributor who does not meet the requirements of Pricing Method No. 1 shall be the maximum price of his supplier, f. o. b. factory, plus incoming freight paid by him.

SEC. 5. *Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement:*

(a) Payment of brokers (section 2.11 of FPR 1).

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1385.
[2] 7 F.R. 8478, 8948, 10530.
[3] 9 F.R. 2911.

(b) Maximum prices for sales to government procurement agencies in certain cases (section 2.12 of FPR 1).
(c) Special packing expenses which may be reflected in maximum prices for sales to government procurement agencies (section 2.13 of FPR 1).
(d) Treatment of federal and state taxes (section 2.14 of FPR 1).
(e) Units of sale and fractions of a cent (section 2.15 of FPR 1).
(f) Maintenance of customary discounts and allowances (section 2.16 of FPR 1).

ARTICLE III—MISCELLANEOUS PROVISIONS

SEC. 6. *Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.* The following provisions of Food Products Regulation No. 1 are applicable to this suplement:

(a) Weights (section 3.2 of FPR 1).
(b) Storage (section 3.3 of FPR 1).
(c) Export sales (section 3.4 of FPR 1).
(d) Notification of new maximum price (section 3.5 of FPR 1).
(e) Records which must be kept (section 3.6 of FPR 1).
(f) Sales slips and receipts (section 3.8 of FPR 1).
(g) Adjustable pricing (section 3.11 of FPR 1).
(h) Compliance with the applicable supplement (section 3.13 of FPR 1).
(i) Adjustment of maximum prices of food products under "Government contracts" or subcontracts (section 3.13 of FPR 1).
(j) Applications for adjustment by sellers who have been found to have violated the Robinson-Patman Act (section 3.14 of FPR 1).
(k) Applications for adjustment and petitions for amendment based on wage or salary increases requiring approval of the National War Labor Board (section 3.15 of FPR 1).
(l) Petitions for amendment (section 3.16 of FPR 1).

This supplement shall become effective June 21, 1944.

NOTE: All reporting and record-keeping requirements of this supplement have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of June, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8782; Filed, June 16, 1944; 11:46 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Supplement 5]

PACKED CITRUS PRODUCTS OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this supplement has been issued and filed with the Division of the Federal Register.*

SUPPLEMENT 5 TO FOOD PRODUCTS REGULATION 1—PACKED CITRUS PRODUCTS OF 1944 AND LATER PACKS

ARTICLE I—EXPLANATION OF THE SUPPLEMENT

Sec.
1. Explanation of the supplement.
2. Applicability of Food Products Regulation No. 1.
3. Definitions.

ARTICLE II—PRICING PROVISIONS

4. Packed grapefruit juice.
5. Packed grapefruit segments.
6. Packed orange juice.
7. Packed orange-grapefruit juice blended (50% orange—50% grapefruit).
8. Sales between processors for purpose of fulfilling government set-aside requirements of War Food Order 22.
9. Label and labor allowances.
10. Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.

ARTICLE III—MISCELLANEOUS PROVISIONS

11. Grades and invoices.
12. Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.

AUTHORITY: Secs. 1 to 12, inclusive (§ 1351.-879) issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681.

ARTICLE I—EXPLANATION OF THE SUPPLEMENT

SECTION 1. *Explanation of the supplement.* (a) This supplement establishes maximum prices for the following citrus products processed and packed on and after October 1, 1943: Packed grapefruit juice, packed grapefruit segments, packed orange juice and packed orange-grapefruit juice blended (50% orange—50% grapefruit).

(b) This supplement applies to sales of the named packed citrus products by all persons except wholesalers and retailers.

(c) This supplement applies in the 48 states of the United States and the District of Columbia.

(d) This supplement supersedes Maximum Price Regulation Nos. 306[1] and 509[2] as to the commodities and sellers covered. All orders issued under Maximum Price Regulation No. 509 shall remain in effect as orders under this supplement.

(e) This supplement becomes effective on June 21, 1944.

SEC. 2. *Applicability of Food Products Regulation No. 1.* Important: Not all of the provisions affecting the maximum prices of packed citrus products are stated in this supplement. Those which are not specifically set forth here are stated in Food Products Regulation No. 1, and they are just as much a part of this supplement as if they were printed here. The "Explanation of the regulation" is also part of this supplement.

The particular sections of Food Products Regulation No. 1 which are applicable to this supplement are listed at appropriate places in the following provisions (in each case, the section number set forth in parentheses is the appropriate section number of Food Products Regulation No. 1). When any applicable section of the regulation is amended, the amendment also is applicable to this supplement.

SEC. 3. *Definitions.* (a) When used in this supplement, the term:

"Packed citrus products" of the 1944 and later packs" means the commodities specified in Article II, processed and packed on and after October 1, 1943, in any container, whether or not hermetically sealed. However, it does not include frozen or dehydrated citrus products.

(b) The definitions of the following terms, set forth in the designated sections of Food Products Regulation No. 1, are applicable to this supplement:

"Person" (section 1.1 of FPR 1).
"Processor" (section 1.2 of FPR 1).
"Distributor" (section 1.3 of FPR 1).
"Primary distributor" (section 1.5 of FPR 1).
"Wholesaler" and "retailer" (section 1.6 of FPR 1).
"Ultimate consumer" (section 1.7 of FPR 1).
"Item" (section 1.8 of FPR 1).
"Container type" (section 1.9 of FPR 1).
"Sale" (section 1.10 of FPR 1).
"Price" (section 1.11 of FPR 1).
"Net delivered cost" (section 1.12 of FPR 1).
"Records" (section 1.14 of FPR 1).

ARTICLE II—PRICING PROVISIONS

SEC. 4. *Packed grapefruit juice—(a) General pricing provisions.* The processor's maximum prices per dozen containers, f. o. b. factory, for packed grapefruit juice shall be as follows:

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5 Container No. 2 can		Col. 6 Container No. 3 cyl. can		Col. 7 Container No. 10 can	
Item	State or area	Style of pack	Grade	Gov't. sales	Other sales	Gov't. sales	Other sales	Gov't. sales	Other sales
1	Florida and Texas.	Natural (unsweetened).	A or fancy	$1.360	$1.125	$2.17	$2.55	$6.37	$5.00
			C or standard	1.210	1.075	2.07	2.45	6.17	4.80
			Offgrade or substandard.	1.200	1.025	2.97	2.35	5.97	4.60
		Sweetened	A or fancy	1.385	1.180	3.22	2.60	6.52	5.15
			C or standard	1.335	1.100	3.12	2.50	6.32	4.95
			Offgrade or substandard.	1.285	1.050	3.02	2.40	6.12	4.75
2	California and Arizona.	Natural (unsweetened).	A or fancy	1.460	1.225	2.42	2.80	6.96	5.60
			C or standard	1.410	1.175	3.32	2.70	6.76	5.40
			Offgrade or substandard.	1.360	1.125	3.22	2.60	6.56	5.20
		Sweetened	A or fancy	1.485	1.250	3.47	2.85	7.11	5.75
			C or standard	1.435	1.200	3.37	2.75	6.91	5.55
			Offgrade or substandard.	1.385	1.150	3.27	2.65	6.71	5.35

NOTE: The prices in this table for government sales must be adjusted in accordance with the provisions of paragraph (c), below.

The area named in Column 2 refers in each case to the area in which the fruit used in the pack was grown. (The location of the processor or his factory is not controlling). Where the processor's pack of grapefruit juice at any one factory is produced from fruit grown in more than one area and different prices are named for those areas, the processor shall apply to the Office of Price Administration, Washington, D. C., for author-

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16896, 17284, 17295, 17863; 9 F.R. 267, 96, 1710, 2237.
[2] 9 F.R. 1512, 2133, 2700.

ization of a maximum price, in accordance with the provisions of section 10(c).

(b) *Pricing provisions for certain container types and sizes.* (1) The maximum prices for grapefruit juice packed in glass containers, for sales to purchasers other than government procurement agencies, shall be as follows:

(i) For 8-ounce glass jars, Grade A or Fancy, 42½¢, for Grade C or Standard, 40¢, and for Offgrade or Sub-Standard, 37½¢, less than the maximum price for the same grade and style of pack in No. 2 cans, in the same area.

(ii) For 16-ounce glass jars, 7½¢ more than the maximum price for the same grade and style of pack in No. 2 cans, in the same area.

(iii) For 46-ounce glass jars, 17½¢ more than the maximum price for the same grade and style of pack in No. 3 cylinder cans, in the same area.

(2) If the processor cannot determine his maximum price for an item of packed grapefruit juice in a particular container size or type in accordance with the provisions of paragraphs (a), (b)(1), and (c) of this section, he shall determine his maximum price for the item in accordance with the provisions of section 10(a); and if he cannot determine a maximum price for the item under section 10(a), he shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price in accordance with the provisions of section 10(c).

(c) *Special pricing provisions relating to government sales.* (1) Processors' maximum prices for sales to government procurement agencies shall be the maximum prices named in paragraph (a) for such sales, less the amount of the applicable monthly area grapefruit juice cost reduction for the month in which such grapefruit juice was packed. However, the monthly area grapefruit juice cost reduction for the months of October and November, 1943 (not segregated according to separate month) shall be applicable to sales of grapefruit juice packed during the period from October 1, 1943, through November 30, 1943. The monthly area grapefruit juice cost reduction for the month of May 1944 shall be applicable to sales of grapefruit juice packed during the period from May 1, 1944, through September 30, 1944.

(2) The monthly area grapefruit juice cost reduction shall be established by order of the Office of Price Administration as soon as may be practicable after the period to which it applies. That amount is the difference between the cost for raw grapefruit reflected in the maximum prices for government sales set forth in paragraph (a), above, and the monthly area grapefruit cost determined by the Office of Price Administration, converted for the actual reduction in cost per dozen containers of the particular size and type packed during the month to which such monthly area grapefruit juice cost reduction is applicable.

(3) In the event that any monthly area grapefruit cost, determined by the Office of Price Administration as set forth above, shall be equal to or greater than the cost for raw grapefruit reflected in the maximum prices for government sales set forth in paragraph (a), above, the Office of Price Administration shall provide by order that no reduction shall be applicable to the maximum prices for grapefruit juice packed during the month to which such monthly area grapefruit cost is applicable.

NOTE: The provisions of this paragraph (c) shall not be construed as affecting the power of the Office of Price Administration to change the maximum prices established by this supplement at any time.

(d) *Records required.* In addition to other records required to be maintained under other provisions of this supplement, each processor shall, for as long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, keep complete records of all grapefruit purchases in value and quantity during the period from October 1, 1943, through September 30, 1944; and such records shall be available for inspection by the Office of Price Administration or its authorized agents or representatives at any reasonable time.

SEC. 5. *Packed grapefruit segments*—(a) *General pricing provisions.* The processor's maximum prices per dozen containers, f. o. b. factory, for packed grapefruit segments shall be as follows:

Col. 1 Item No.	Col. 2 State or area	Col. 3 Style of pack	Col. 4 Grade	Col. 5 Container No. 2 can Gov't. sales
1	Florida and Texas	Sweetened	A or fancy	$1.61
			B or choice	1.56
			C standard or broken	1.51

The area named in column 2 refers in each case to the area in which the fruit used in the pack was grown. (The location of the processor or his factory is not controlling.) Where the processor's pack of grapefruit segments at any one factory is produced from fruit grown in more than one area and different prices are named for those areas, the processor shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price, in accordance with the provisions of section 10 (c).

(b) *Pricing provisions for certain container types and sizes.* If the processor cannot determine his maximum price for an item of packed grapefruit segments in a particular container size or type in accordance with the provisions of paragraph (a), he shall determine his maximum price for the item in accordance with the provisions of section 10 (a); and if he cannot determine a maximum price for the item under section 10 (a), he shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price in accordance with the provisions of section 10 (c).

(c) *Records required.* Each processor of grapefruit segments shall keep records of grapefruit purchases as provided in section 4 (d).

SEC. 6. *Packed orange juice*—(a) *General pricing provisions.* The processor's maximum prices per dozen containers, f. o. b. factory, for packed orange juice shall be as follows:

Col. 1 Item	Col. 2 State or area	Col. 3 Style of pack	Col. 4 Grade	Col. 5 Container No. 2 can Gov't. sales	Col. 5 Container No. 2 can Other sales	Col. 6 Container No. 3 cyl. can Gov't. sales	Col. 6 Container No. 3 cyl. can Other sales	Col. 7 Container No. 10 can Gov't. sales	Col. 7 Container No. 10 can Other sales
1	Florida and Texas	Natural (unsweetened)	A or fancy	$1.650	$1.700	$4.00	$4.10	$8.16	$8.31
			C or standard	1.600	1.650	3.90	4.00	7.96	8.11
			Offgrade or substandard	1.550	1.600	3.80	3.90	7.76	7.91
		Sweetened	A or fancy	1.675	1.725	4.05	4.15	8.31	8.46
			C or standard	1.625	1.675	3.95	4.05	8.11	8.26
			Offgrade or substandard	1.575	1.625	3.85	3.95	7.91	8.06
2	California and Arizona	Natural (unsweetened)	A or fancy	1.950	2.000	4.75	4.85	9.60	9.75
			C or standard	1.900	1.950	4.65	4.75	9.40	9.55
			Offgrade or substandard	1.850	1.900	4.55	4.65	9.20	9.35
		Sweetened	A or fancy	1.975	2.026	4.80	4.90	9.75	9.90
			C or standard	1.925	1.975	4.70	4.80	9.55	9.70
			Offgrade or substandard	1.875	1.925	4.60	4.70	9.35	9.50

The area named in column 2 refers in each case to the area in which the fruit used in the pack was grown. (The location of the processor or his factory is not controlling). Where the processor's pack of orange juice at any one factory is produced from fruit grown in more than one area and different prices are named for those areas, the processor shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price, in accordance with the provisions of section 10(c).

(b) *Pricing provisions for certain container types and sizes.* If the processor cannot determine his maximum price for an item of packed orange juice in a particular container size or type in accordance with the provisions of paragraph (a), he shall determine his maximum price for the item in accordance with the provisions of section 10(a); and if he cannot determine a maximum price for the item under section 10(a), he shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price in accordance with the provisions of section 10(c).

(c) *Records required.* In addition to other records required to be maintained under other provisions of this supplement, each processor shall, for as long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, keep complete records of all orange purchases in value and quantity during the period from October 1, 1943, through September 30, 1944; and such records shall be available for inspection by the Office of Price Administration or its authorized agents or representatives at any reasonable time.

SEC. 7. *Packed orange-grapefruit juice blended (50% orange-50% grapefruit)*—(a) *General pricing provisions.* The processor's maximum prices per dozen containers, f. o. b. factory, for packed orange-grapefruit juice blended shall be as follows:

Col. 1 Item	Col. 2 State or area	Col. 3 Style of pack	Col. 4 Grade	Col. 5 Container No. 2 can Gov't. sales	Col. 5 Container No. 2 can Other sales	Col. 6 Container No. 3 cyl. can Gov't. sales	Col. 6 Container No. 3 cyl. can Other sales	Col. 7 Container No. 10 can Gov't. sales	Col. 7 Container No. 10 can Other sales
1	Florida and Texas	Natural (unsweetened)	A or fancy	$1.506	$1.553	$3.585	$3.686	$7.235	$7.415
			C or standard	1.455	1.505	3.485	3.585	7.055	7.215
			Offgrade or substandard	1.405	1.455	3.385	3.484	6.865	7.015
		Sweetened	A or fancy	1.530	1.580	3.635	3.735	7.415	7.565
			C or standard	1.480	1.530	3.535	3.635	7.215	7.365
			Offgrade or substandard	1.430	1.480	3.435	3.535	7.015	7.165
2	California and Arizona	Natural (unsweetened)	A or fancy	1.705	1.755	4.085	4.185	8.290	8.490
			C or standard	1.655	1.705	3.985	4.085	8.090	8.230
			Offgrade or substandard	1.606	1.656	3.885	3.985	7.890	8.030
		Sweetened	A or fancy	1.730	1.780	4.135	4.235	8.430	8.580
			C or standard	1.680	1.730	4.035	4.135	8.230	8.380
			Offgrade or substandard	1.630	1.680	3.935	4.035	8.030	8.180

The area named in column 2 refers in each case to the area in which the fruit used in the pack was grown. (The location of the processor or his factory is not controlling). Where the processor's pack of orange-grapefruit juice blended at any one factory is produced from fruit grown in more than one area and different prices are named for those areas, the processor shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price, in accordance with the provisions of section 10 (c).

(b) *Pricing provisions for certain container types and sizes.* If the processor cannot determine his maximum price for an item of packed orange-grapefruit juice blended in a particular container size or type in accordance with the provisions of paragraph (a), he shall determine his maximum price for the item in accordance with the provisions of section 10 (a); and if he cannot determine a maximum price for the item under section 10 (a), he shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price in accordance with the provisions of section 10 (c).

(c) *Records required.* Each processor of orange-grapefruit juice blended shall maintain the records of grapefruit and orange purchases as provided in sections 4 (d) and 6 (c).

SEC. 8. *Sales between processors for purpose of fulfilling government set-aside requirements of War Food Order 22.* The processor's maximum price per dozen containers, f. o. b. factory, for any item of packed citrus products of the 1944 and later packs, in sales to another processor of those products, which are to be used by the purchaser in making sales to government procurement agencies under the set-aside requirements of War Food Order 22, shall be the maximum price set forth in sections 4, 5, 6, and 7 for sales of the item to government procurement agencies.

SEC. 9. *Label and labor allowances.* (a) Label and labor allowances shall be made by processors in the following circumstances and in the following amounts:

(1) When the processor sells any item covered by this regulation, unlabeled or labeled with labels supplied by the purchaser, in containers no greater in content than a No. 10 can, the maximum price established under this supplement shall be reduced by $1.50 per thousand labels used (label allowance).

(2) When any item covered by this supplement is sold unlabeled in containers no greater in content that a No. 10 can, the maximum price established under this supplement shall be reduced by one cent per case (labor allowance), in addition to the allowance provided in subparagraph (1), above.

(b) In each sale to a purchaser other than a government procurement agency, where a processor makes an allowance for labels or labor under this section he shall state the amount and nature of such allowance on the invoice accompanying the sale.

SEC. 10. *Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.* The following provisions of Food Products Regulation No. 1 are applicable to this supplement:

(a) Maximum prices for products in new container types or sizes (section 2.2 of FPR 1).

(b) Adjustment of dollars-and-cents maximum prices for processors who perform the wholesale or retail function (section 2.3 of FPR 1).

(c) Individual authorization of maximum prices (section 2.5 of FPR 1).

(d) Uniform delivered prices where the seller has customarily been selling on an f. o. b. shipping point basis (section 2.8 of FPR 1).

(e) Maximum prices for sales by primary distributors (section 2.9 of FPR 1). The maximum markup is 8%.

(f) Maximum prices for sales by distributors who are not primary distributors, wholesalers, or retailers (section 2.10 of FPR 1).

(g) Payment of brokers (section 2.11 of FPR 1).

(h) Special packing expenses which may be reflected in maximum prices for sales to government procurement agencies (section 2.13 of FPR 1).

(i) Treatment of federal and state taxes (section 2.14 of FPR 1). The "base period" applicable to primary distributors is March 1942.

(j) Units of sale and fraction of a cent (section 2.15 of FPR 1).

(k) Maintenance of customary discounts and allowances (section 2.16 of FPR 1).

ARTICLE III—MISCELLANEOUS PROVISIONS

SEC. 11. *Grades and invoices.* (a) The provisions of this section apply to all sellers, whether or not processors, who affix labels or cause them to be affixed to the packed citrus products covered by this supplement. However, the provisions of this section do not apply to products sold to government procurement agencies.

(b) The term "grade" when used in this supplement, means the grade, at the time of shipment by the seller, as defined and established by the United States Department of Agriculture.

(c) On and after February 4, 1944, each seller selling any item covered by this supplement shall furnish the purchaser, at or before the time of delivery, with an invoice describing the item and separately stating its grade.

(d) The grade of the item shall be shown on the invoice by use of the United States Department of Agriculture grade designation, by letter or descriptive term. For example, the grade of an item which conforms to the specifications for U. S. "Grade A" shall be designated either "Grade A" or "Fancy".

(e) In any case in which standards or definitions are established by the United States Department of Agriculture, or under authority of the Federal Food, Drug, and Cosmetic Act, for syrup or packing medium for any packed citrus product covered by this supplement, the statement of grade on the invoice shall show the syrup or packing medium and shall be described by the same description as that used in the applicable standard or definition.

(f) A processor shall not be subject to any criminal penalty, civil enforcement action or suit for treble damages under the Emergency Price Control Act of 1942, as amended, for failure of an item covered by this supplement to conform to the grade designated on the invoice issued with respect to it if (1) within 90 days prior to shipment of the item by the processor to the purchaser, the Office of Distribution of the War Food Administration (or any successor has issued to the processor a certificate of quality and condition for processed fruits and vegetables (or any similar

certificate) covering a lot which includes the item and from which samples have been drawn by official graders of the Office of Distribution of the War Food Administration (or any successor) and (2) the grade designated on the invoice conforms to the grade designated on the certificate.

(g) A person who purchases an item covered by this supplement from a processor and who relies in good faith upon the grade designated on the invoice furnished to him by the processor shall not be subject to any criminal penalty or civil enforcement action under the Emergency Price Control Act of 1942, as amended, in connection with the purchase for failure of the item to conform to the grade designated on the invoice. He may resell the item at the grade designated on the invoice and shall not be subject to any criminal penalty, civil enforcement action, or suit for treble damages under the Emergency Price Control Act of 1942, as amended, in connection with such resale.

(h) Nothing in this supplement shall be construed to change any of the requirements of the Federal Food, Drug, and Cosmetic Act, or any regulation issued under it.

SEC. 12. *Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.* The following provisions of Food Products Regulation No. 1 are applicable to this supplement:

(a) Restrictions on sales to primary distributors (section 3.1 of FPR 1).
(b) Weights (section 3.2 of FPR 1).
(c) Storage (section 3.3 of FPR 1).
(d) Export sales (section 3.4 of FPR 1).
(e) Notification of new maximum price (section 3.5 of FPR 1).
(f) Records which must be kept (section 3.6 of FPR 1).
(g) Sales slips and receipts (section 3.8 of FPR 1).
(h) Transfers of business or stock in trade (section 3.9 of FPR 1).
(i) How a figured maximum price is established and how an established maximum price may be changed (section 3.10 of FPR 1).
(j) Adjustable pricing (section 3.11 of FPR 1).
(k) Compliance with the applicable supplement (section 3.12 of FPR 1).
(l) Adjustment of maximum prices of food products under "Government contracts" or subcontracts (section 3.13 of FPR 1).
(m) Applications for adjustment by sellers who have been found to have violated the Robinson-Patman Act (section 3.14 of FPR 1).
(n) Applications for adjustment and petitions for amendment based on wage or salary increases requiring approval of the National War Labor Board (section 3.15 of FPR 1).
(o) Petitions for amendment (section 3.16 of FPR 1).

This supplement shall become effective June 21, 1944.

NOTE: All reporting and record-keeping requirements of this supplement have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8783; Filed, June 16, 1944; 11:44 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 389,[1] Amdt. 14]

CEILING PRICES FOR CERTAIN SAUSAGE ITEMS AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 389 is amended in the following respects:

1. Section 4 (b) (3) (ii) is amended by adding at the end thereof a sentence to read as follows:

For the purposes of the requirements of this paragraph (b) (3) (ii) only, the specific words such as "pork", "beef", "veal", "mutton", "hearts", "livers", "tripe", etc. shall also refer to meat passed for cooking; if meat passed for cooking is used, the label shall state expressly that the sausage contains product passed after cooking.

2. A definition of "Meat passed for cooking" inserted in the proper alphabetical place in section 13 (b) is added to read as follows:

"Meat passed for cooking" means meat or a meat by-product which has been passed for cooking by the Meat Inspection Service of the War Food Administration. For the purpose of this definition only, meat is considered to be that part of the striated muscle, with or without attached overlying fat, which is part of the dressed carcass of cattle, calves, swine, sheep or goats, and meat by-product is considered to be a dressed edible part other than such meat derived from cattle, calves, sheep, swine or goats.

3. The definition of "Sausage" in section 13 (b) is amended to read as follows:

"Sausage" means chopped, ground, or comminuted skeletal meat or meat by-products, or any combination thereof, seasoned with spices and/or condiments, and to which salt, sugar, sodium nitrate, sodium nitrite and extender may or may not be added, except that the following sausage products may contain chopped, ground or comminuted meat passed for cooking in addition to or in place of chopped, ground or comminuted skeletal meat, or meat by-products, or any combination thereof; sulze or souse, head cheese, chili con carne, Type 4 frankfurters or bologna containing no more than 3½ percent extender, Type 4 loaf, and Berliner or Berlin.

4. The definition of "Type 4 frankfurters or bologna" in section 13 (c) is amended to read as follows:

"Type 4 frankfurters or bologna" means sausage containing any proportions of skeletal meat, meat passed for cooking and meat by-products, including that derived from goats, and which may contain extender not exceeding 15 percent of the finished weight if meat passed for cooking is not used, or extender not exceeding 3½ percent of the finished weight if meat passed for cooking is used.

5. The definition of "Type 4 loaf" in section 13 (f) is amended to read as follows:

"Type 4 loaf" means a loaf which is made of any combination of skeletal meat, meat passed for cooking and meat by-products, including those derived from goats; which contains no more than 15 percent extender; and which contains no more than 20 percent of added moisture or water.

6. The definitions of "Lebanon bologna" and "Berliner" or "Berlin" in section 13 (h) are amended respectively to read as follows:

"Lebanon bologna" means an all-beef sausage containing no meat other than beef and beef fat; which is stuffed in beef casings or artificial casings; which is smoked not less than 96 hours during the months of May through October and not less than 144 hours during the remaining months, except that if such sausage is made from beef which has been partially cured for at least 24 hours prior to smoking, the specified smoking time may be reduced 24 hours; which has a fat content not in excess of 12 percent; which has a yield not in excess of 88 percent; which contains no extender; and which has been made under Federal inspection.

"Berliner" or "Berlin" means a sausage which is made of any combination of one or more of pork, beef, veal, pork cheek meat, pork head meat, mutton and meat passed for cooking, or any three of these items as major ingredients and one of hearts, beef head meat or beef cheek meat as a minor ingredient; which is stuffed in beef casings or artificial casings; which has a fat content not in excess of 25 percent; which contains no more than 5 percent of added moisture or water; and which contains no more than 3½ percent of extender.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 8903, 8958, 8945, 8185, 8677, 10906, 10907, 11956, 13340, 15192.

This amendment shall become effective June 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8788; Filed, June 16, 1944; 11:45 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16]

MEAT, FATS, FISH, AND CHEESE

Ration Order 16 and Amendments 1 through 143 thereto are compiled and re-issued as Revised Ration Order 16, to read as follows:

§ 1407.3026 *Rationing of meat, fats, fish, and cheeses.* Under the authority vested in the Administrator by Executive Order No. 9125, issued by the President on April 7, 1942; Directive No. 1 and Supplementary Directive No. 1–M of the War Production Board, issued on January 24, 1942 and September 12, 1942, respectively; Executive Order No. 9280, issued by the President on December 5, 1942; and War Food Orders No. 56, No. 58, No. 59, and No. 61 issued by the Secretary of Agriculture, Revised Ration Order No. 16 (Meat, Fats, Fish, and Cheeses), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1407.3026 issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, 7 F.R. 562, and Supp. Dir. 1–M, 7 F.R. 7234; War Food Order No. 56, 8 F.R. 2008, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319.

REVISED RATION ORDER NO. 16—MEAT, FATS, FISH, AND CHEESES

ARTICLE I—INTRODUCTION

Sec.
1.1 Foods covered by this order.
1.2 Meat, cheese, canned fish, fats and oils, and canned milk are rationed by the point system.
1.3 Form in which points are used.

ARTICLE II—CONSUMERS

2.1 When a person is a consumer.
2.2 Consumers may purchase after March 28, 1943, only for points.
2.3 How points are given up by a consumer.
2.4 Consumers who need more foods covered by this order because of illness may apply for more points.
2.5 Consumers who must purchase in quantity may apply for certificates.
2.6 Service men may get certificates to acquire foods covered by this order.
2.7 Consumers who must have more foods covered by this order for their subsistence may apply for more points.

ARTICLE III—HOME PRODUCERS

3.1 Home producers may consume what they produce and may lend limited amounts.
3.2 Consumers may purchase larger quantities of meat at a time from farm slaughterers.
3.3 Consumers may arrange to have their food processed or otherwise prepared.
3.4 Livestock producers may have animals slaughtered by primary distributor, primarily for household consumption, and acquire the resulting foods point-free.
3.5 Person may have fish caught by members of his family unit canned by a primary distributor for household consumption.

ARTICLE IV—PRIMARY DISTRIBUTORS

4.1 Explanation of the term primary distributor.
4.2 Explanation of the term primary distributor establishment.
4.3 A place at which a food covered by this order is produced is a primary distributor establishment.
4.4 A place at which a food covered by this order is converted into another such food, is a primary distributor establishment.
4.5 A place to which foods covered by this order are imported is a primary distributor establishment.
4.6 A place where foods covered by this order are produced or imported may be a primary distributor establishment as to foods not produced or imported there.
4.7 A place where a person keeps foods may be a primary distributor establishment even if he does not produce or import there.
4.8 A place is a single primary distributor establishment even if a person engages in several operations there.
4.9 Butter and cheese assembly plant is a primary distributor establishment.
4.10 A place where foods are produced or imported for use only is not a primary distributor establishment.
4.11 Primary distributors must register and file reports.
4.12 Primary distributor may not do business if he does not file reports.
4.13 A primary distributor must surrender to the Office of Price Administration all points he is not permitted to use.
4.14 Primary distributors may get points to acquire foods.
4.15 A primary distributor who has more than one establishment must operate them separately.
4.16 Primary distributors must keep records.
4.17 Policy against discrimination.

ARTICLE V—WHOLESALERS

5.1 Explanation of the terms wholesaler and wholesale establishment.
5.2 Wholesalers must register.
5.3 Wholesaler may not do business unless he has registered.
5.4 Wholesalers must report their inventories.
5.5 Wholesalers must report their sales and points on hand.
5.6 A wholesaler is given an allowable inventory.
5.8 Wholesalers must keep records.
5.9 Wholesalers who sell to consumers must post table of point values.
5.10 Wholesalers must report inventories of canned fish.

ARTICLE VI—RETAILERS

6.1 Explanation of the terms retailer and retail establishment.
6.2 Retailer must register.
6.3 A retailer may not do business unless he has registered.
6.4 Retailers must report their inventories.
6.5 Retailers must report their sales and points on hand.
6.6 A retailer is given an allowable inventory.
6.8 Retailers must keep records.
6.9 Retailers must post point prices.
6.10 A retailer may sell at lower point value foods in imminent danger of spoilage.

ARTICLE VII—INDUSTRIAL USERS AND INDUSTRIAL CONSUMERS

7.1 Explanation of the terms industrial use, industrial user, and industrial user establishment
7.2 Industrial users must register.
7.3 Industrial user may not do business unless he has registered.
7.4 Industrial users must report their inventories.
7.5 Industrial users must report their use of foods during certain quarterly periods.
7.6 Industrial users' allotments.
7.7 Registration after March 10, 1943.
7.8 Restriction on use of foods by industrial users.
7.9 Industrial users must keep records.
7.10 Explanation of the terms industrial consumption and industrial consumer.
7.11 Industrial consumers may apply for points to acquire foods.
7.12 Registration of industrial consumers who become industrial users.
7.13 Provisional allowance.

ARTICLE VIII—COMBINED OPERATIONS AND COMBINED ESTABLISHMENTS

8.1 A person who operates different types of establishments is treated as if he were different persons.
8.2 The same person may be both a wholesaler (or retailer) and an industrial user at the same place.
8.3 The same person may be both a wholesaler (or retailer) and an institutional user at the same place.
8.4 The same person may be both a primary distributor and a wholesaler (or retailer) at the same place.
8.5 The same place may be more than one establishment.

ARTICLE IX—RATION BANK ACCOUNTS

9.1 A ration bank account is an account in which points are deposited.
9.2 Who must open a ration bank account.
9.3 All points must be deposited in the account.
9.4 When points must be deposited.

ARTICLE X—SALES AND TRANSFERS OF FOODS COVERED BY THIS ORDER

10.1 Only retailers, wholesalers, and primary distributors may transfer foods covered by this order.

Sec.
10.2 Transfers to certain persons after March 28, 1943, may be made only for points.
10.3 Transfers to retailers, wholesalers and primary distributors after April 10, 1943, may be made only for points.
10.4 How foods covered by this order are transferred to consumers.
10.5 How foods covered by this order are transferred to persons other than consumers.
10.6 Point fractions are to be computed to nearest full point.
10.7 Transfers between establishments of different types or between separately registered establishments of the same type operated by the same person.
10.8 Transferor may not use points he receives in advance until foods are transferred.
10.9 Points may be returned for underdeliveries of foods covered by this order.
10.10 Points must be given up for imports of foods.
10.11 Sale at lower point values of canned fish, canned milk or canned meat in danger of spoilage.

ARTICLE XI—POINT-FREE TRANSFERS

11.1 Foods in transit to industrial or institutional users or industrial consumers on March 28, 1943, may be acquired point-free.
11.2 Foods in transit to primary distributors, wholesalers, or retailers on April 10, 1943, may be acquired point-free.
11.2a Foods which have a zero point value may be transferred without points.
11.3 Foods may be moved to establishment in whose inventory they are included, point-free.
11.4 Foods covered by this order may be exchanged for other such foods.
11.5 Lost or stolen foods may be returned, point-free.
11.6 Stocks of foods may be moved point-free between establishments of the same person which are registered together.
11.7 Foods may be stored and returned from storage, point-free.
11.8 Security interests in foods may be created and released, point-free.
11.9 Foods may be transferred, point-free, for liquidation, by operation of law, or in judicial proceedings.
11.10 Foods may be acquired, point-free, by insurers or for salvage.
11.11 Foods may be delivered to importer by customs official, point-free.
11.12 Foods may be transferred, point-free, in connection with transfer of a business.
11.13 Foods may be transferred, point-free, in the way permitted by section 3.4.
11.14 Foods may be transferred by and to consumers, point-free, for custom processing or other preparation.
11.15 Items in transit on the day before they are added to the foods covered by the order, may be acquired point-free.
11.16 Title to foods may be transferred point-free where the one who has title does not have possession.
11.17 Primary distributors may transfer canned fish and canned milk point-free to allow for spoilage.
11.18 Government agencies may transfer foods point-free to the Procurement Division of the Treasury Department.
11.19 Restriction on industrial and institutional users' inventory of rationed fats or oils having a zero point value.

ARTICLE XII—SALE OF BUSINESS

12.1 Sale or transfer of retail, wholesale, or primary distributor establishment.
12.2 Sale or transfer of industrial user establishments.
12.3 Where and how the transferee registers the establishments acquired by him.
12.4 Moving establishment to another place.

ARTICLE XIII—NEW BUSINESSES

13.1 New retail and wholesale establishments may be opened.
13.2 New primary distributor establishments may be opened.
13.3 In special cases, allotments may be granted for new industrial user establishments.
13.4 Where a person who opens a new establishment registers if he already has other establishments of the same type.

ARTICLE XIV—CLOSING OF BUSINESS

14.1 What a person who closes his establishment must do.

ARTICLE XV—ADJUSTMENTS

15.1 Adjustments for lost, destroyed, or stolen foods.
15.2 Applications may be made for other adjustments.
15.3 Wholesalers may receive points to replace inventory losses due to shrinkage (evaporation) or cutting.
15.4 Wholesalers may apply for allowable inventory adjustments.
15.5 Wholesalers and retailers of canned milk or soft cheeses may obtain adequate working inventories.
15.6 Adjustment in base-period use of industrial user whose production in fourth quarter of 1942 was limited by General Preference Order M-71.
15.7 Retailers may apply for allowable inventory adjustments.
15.8 Retailers and wholesalers may apply for temporary adjustments because of seasonal variations.

ARTICLE XVI—ISSUANCE AND USE OF CERTIFICATES, RATION COUPONS AND TOKENS

16.1 How certificates are issued.
16.2 Certificates may be used at any time.
16.3 A certificate must be endorsed.
16.5 Names of persons who have been given certificates may be posted.
16.6 Certificates are the property of the Office of Price Administration and may be revoked.
16.7 Sugar purchase certificates may be corrected and used instead of certificates on OPA Form R-1201.
16.8 How ration coupons are issued.
16.9 How ration tokens may be obtained by persons other than consumers.
16.10 How tokens are used.

ARTICLE XVII—RECORDS, REPORTS, AND INSPECTIONS

17.1 Records must be kept for two years.
17.2 Records may be inspected by Office of Price Administration.
17.3 Places where foods covered by this order are kept may be inspected.
17.4 Records and reports are confidential.
17.5 District Office may extend time for registration and reports.
17.6 Office of Price Administration may require applicants to give information.
17.7 Records, reports and registrations required by this order.

ARTICLE XVIII—ADDITIONAL RECORDS TO BE KEPT BY CHAINS

18.1 Chains must keep records of transfers of stocks and points between establishments.

ARTICLE XIX—APPEALS

19.1 Persons directly affected by action taken under this order can appeal.

ARTICLE XX—MISCELLANEOUS RULES AND PROHIBITIONS

20.1 Additional prohibitions.
20.2 Stamps, tokens and certificates may not be taken by legal process or acquired by will.
20.3 Office of Price Administration must be notified of legal proceedings.
20.4 Definition of meat in price order or regulation governs under this order.
20.5 General Ration Order 5 governs wherever inconsistent with this order.
20.6 References to Ration Order 16 deemed references to Revised Ration Order 16.

ARTICLE XXI—EXPORTS

21.1 Foods covered by this order may be exported under General Ration Order 17.

ARTICLE XXII—EXEMPT AGENCIES AND OTHER SPECIAL CASES

22.1 Exempt agencies may acquire foods covered by this order.
22.2 How exempt agencies acquire foods covered by this order.
22.3 Post exchanges and ships' service departments ashore may acquire foods for points.
22.4 Sales commissaries, post exchanges and ships' service departments ashore may transfer foods for points.
22.5 Veterans' Administration and Coast and Geodetic Survey may apply for allotments under General Ration Order 5.
22.6 Industrial users may replenish foods used in products transferred to agencies designated in General Ration Order 11.
22.7 Ships' and planes' stores.
22.8 Governmental investigatory agencies may acquire foods needed in their investigations.
22.9 Area reduction in point value of farm butter.
22.11 Issuance of checks by Office of Distribution of War Food Administration for demonstrations.
22.12 Issuances and use of checks by Extension Service of Department of Agriculture.

ARTICLE XXIII—SUSPENSION ORDERS

23.1 Office of Price Administration may issue suspension orders.

ARTICLE XXV—ACQUISITION OF FOODS COVERED BY THIS ORDER BY RESIDENTS OF MEXICO

25.1 Residents of Mexico may acquire foods covered by this order in the United States.
25.2 Issuance of ration cards.
25.3 Issuance of ration cards to certain applicants by the District Office.
25.4 Value and use of coupons by residents of Mexico.
25.5 How suppliers may replace inventory of foods covered by this order transferred to residents of Mexico.
25.6 Surrender of points by suppliers from whom foods covered by this order were acquired before July 1, 1944.
25.7 Records of suppliers from whom foods covered by this order were acquired before July 1, 1944.
25.8 Records and reports by suppliers who transferred foods covered by this order to residents of Mexico before July 1, 1943.

ARTICLE XXVI—HOUSEHOLD SALVAGE FATS

26.1 Explanation of the terms renderer and rendering establishment.
26.2 Renderers must register between December 9 and December 11, 1943, inclusive.
26.3 Renderers may receive allotments.
26.4 Renderers must file reports.
26.5 Renderers must keep records.
26.6 Explanation of the terms independent collector and independent collector establishment.
26.7 Independent collectors may register and apply for an allowable inventory.
26.8 Independent collectors must keep records.
26.9 Who may have ration bank accounts.
26.10 How household salvage fats bank accounts are used.
26.11 Points must be given up for household salvage fats.
26.12 Point-free transfers.
26.13 Other sections of this order apply.

ARTICLE XXVII—DEFINITIONS

27.1 Definitions.

ARTICLE XXX—APPENDIX

30.1 Items excluded from the definition of meat.
30.2 Reporting periods for wholesalers who transfer canned fish.

ARTICLE I—INTRODUCTION [1]

SECTION 1.1 *Foods covered by this order.* (a) This order covers "meat", "canned fish", "rationed cheeses", "rationed fats or oils," and "canned milk."

(1) "Meat" means the carcass or any edible part of the carcass of cattle, calves, sheep, lambs or swine. It includes edible offal, bones and skins. It also includes any other edible product containing more than twenty per cent, by weight, of any of the above items. Meat does not include gelatin, glue or "lard". Neither does it include casings or visceral parts "acquired" by a person to be used by him in making casings. (Casings are visceral parts specially prepared for use in holding sausage or other foods.) Meat does not include rendering fats and bones (produced in disassembling a carcass, or in cutting a carcass or primal cut into smaller cuts, or in boning a carcass or cut) and lean trimmings commingled with these rendering fats and bones, if these parts of the carcass are acquired by a person to be used by him for animal feed, for rendering into inedible products or for other inedible purposes, or by a primary distributor to be used by him for rendering into rationed fats or oils, or for transfer to such a person for one of these purposes; however, rendering fats do not include fat backs, fat back pork, clear plates and jowls (including jowl squares). Neither does meat include cracklings containing no more than fifteen per cent, by weight, of fat. (Cracklings containing more than fifteen per cent, by weight, of fat are considered rendering fats.) Meat does not include the items listed in section 30.1 (a) (1) and (2). However, meat does include any of the items listed in section 30.1 (a) (2) when they are used in an edible product in combination with each other or with any of the other items defined as meat in this paragraph. Neither does meat include waste cooking waters, meat extracts, or bouillon cubes. (Waste cooking waters are produced in the cooking of meat. Meat extracts are produced by the evaporation of these cooking waters. Bouillon cubes are produced from such meat extracts.) Meat does not include a carcass, or any part of a carcass, which is condemned as unfit for human food by an authorized Federal, State or local government inspector, and which is either plainly marked to indicate that it has been so condemned or is denatured or otherwise destroyed for food purposes as may be required by law.

(2) "Canned fish" means any of the following heat-treated items, if packed in hermetically sealed containers: mackerel, oyster, salmon, sardine (including California pilchard), shrimp, tuna (including bonito and yellowtail), and any other edible product containing more than twenty per cent, by weight, of the above.

(3) "Rationed cheeses" include any natural cheese (but not "cottage cheese" or "creamed cottage cheese" which contains 5 percent or less of butterfat by weight) and any other edible product containing 30 percent or more, by weight, of natural cheese (other than cottage cheese, or creamed cottage cheese containing 5 percent or less butterfat by weight). It does not include "whey product", nor does it include any cheese in the manufacture of which neither cow's milk nor milk solids derived from cow's milk are used.

(4) "Rationed fats or oils", which are defined in detail in section 27.1, include, among other products, "butter", "margarine", "cooking and salad oils" and "shortening". Mayonnaise, salad dressing, USP vitamin oils, fish liver oil, sperm oil and "fats" resulting from cooking done by "consumers" and "institutional users", are not included.

(5) "Canned milk" includes evaporated milk and condensed milk, if packed in hermetically sealed containers.

(6) "Canned meat" means any meat packed in hermetically sealed containers and heat-treated.

(b) No item which is a processed food covered by Revised Ration Order 13 [2] or which is a pharmaceutical product, is rationed under this order, even if it comes within the above definitions.

(c) Puncturing or opening the container in which canned fish or canned milk is packed, or merely removing it from the container, does not cause it to cease to be a "food covered by this order."

(d) When a food covered by this order is prepared for service and served, it is no longer considered a food covered by this order. Thus, a "person" who is served meat loaf in a restaurant, as part of a meal, is not getting a food covered by this order. Furthermore, when a food covered by this order has been used in making a product which is not rationed under this order, it ceases to be a food covered by this order. For example, butter may be used in baking peach pie—that pie, and the butter in it, are not food covered by this order.

SEC. 1.2 *Meat, cheese, canned fish, fats and oils, and canned milk are rationed by the point system.* (a) All types of meat, rationed cheeses, canned fish, rationed fats or oils, and canned milk are rationed together, as a group, through the use of the point system of rationing. Each item is given a particular point value for each cut, pound or size in which it is sold. The point value of an article of these foods is the number of points that must be given up by any person who wants to get it, just as the money price of an article is the amount of money it costs. The point values will be fixed by the Office of Price Administration in a supplement to this order, containing the official tables of point values. These point values may be changed from time to time, as conditions require.

SEC. 1.3 *Form in which points are used.* (a) There are several forms of ration currency which represent points.

(b) The basic forms of ration currency are red stamps in War Ration Book Four and "tokens" which are designated by the Office of Price Administration to be used for the acquisition of all foods covered by this order. They are the form in which points are generally given up by "consumers".

(c) Other forms of ration currency authorized by the Office of Price Administration are "certificates" (OPA Form R-1201), ration coupons and ration checks drawn on ration bank accounts. A certificate or ration coupon is issued by the Office of Price Administration (or a person authorized by that office to issue it) and is worth the number of points stated on it. Ration checks are very much like ordinary checks. They are drawn on a bank account in which a person has deposited his points, just as an ordinary check is drawn on a bank account in which he has deposited his money.

ARTICLE II—CONSUMERS

SEC. 2.1 *When a person is a consumer.* (a) Any "person" who buys or "acquires" "foods covered by this order" for his personal use or for use at a table at which he eats, is a "consumer". (When a person gets foods covered by this order in order to resell them or in order to use them in making other products for sale, he is not a consumer, since those are not personal uses. He is a consumer only so far as he does get foods covered by this order for personal use.)

SEC. 2.2 *Consumers may purchase after March 28, 1943, only for points.* (a) Beginning March 29, 1943, a consumer may buy or acquire foods covered by this order only by giving up points equal to the point value of the foods acquired. However, a consumer may exchange foods covered by this order with any other person for other such foods covered by this order of equal point value, without giving up points. Moreover, consumers may acquire, transfer, or use, without limitation or restriction, foods covered by this order which have a zero point value at the time of the acquisition, transfer, or use, respectively.

(b) Consumers may lend foods covered by this order to other consumers, and may get them back. However, they may not lend more than five pounds of such foods (other than foods which have a zero point value at the time of the loan) at any one time, except under the provisions of section 3.1 (b). They may also acquire foods from other con-

[1] Words which are specially defined in this order are shown in quotation marks the first time they appear in each Article. Definitions are given in section 27.1 of the order.

[2] 9 F.R. 8.

sumers for consumption at a common table with them. No points are to be given up for such transactions. (A transaction is not a loan if any charge is made.)

(c) A consumer who has acquired foods covered by this order for points may give them to another consumer point-free. He may also give such foods point-free to a religious, charitable, civic, or municipal organization, as his agent, to give them point-free to another consumer. (A transaction is not a gift if any charge is made.)

SEC. 2.3 *How points are given up by a consumer*—(a) *A consumer uses stamps.* A consumer gives up points, when he acquires foods covered by this order, by surrendering red "stamps" from his War Ration Book Four.

(b) *Stamps may be used only when they have been validated.* A consumer may use each red stamp in his War Ration Book Four as soon as it has been validated by the Office of Price Administration. The validation dates of these stamps will be fixed in a supplement to this order. (Transfers of "meat" by farm slaughterers to consumers, covered in section 3.2, are excepted from this rule.) (Nothing in this provision validates any stamps which have already expired in any War Ration Book.)

(c) *General rules for the use of stamps by consumers.* A consumer must give up stamps worth exactly the point value of the foods covered by this order which he acquires, except that fractional amounts are to be handled in the way described in section 10.6. Red stamps in War Ration Book Four are worth 10 points each, regardless of the number printed on them. Stamps must be given up at the time the foods are acquired. The stamps may be used by a consumer only if torn out of the war ration book in the presence of the person who is selling or transferring the foods. A stamp may be used only to get foods covered by this order for the consumer from whose book it is taken, or for use at a table at which he eats.

(d) *A consumer also uses certificates and ration coupons.* Any consumer to whom a "board" issues a "certificate" or ration coupon may use it to acquire foods covered by the order, just as stamps are used. However, a consumer may give up the certificate or ration coupon at or before the time when the foods are acquired. The number of points a certificate or ration coupon is worth is shown on that certificate or ration coupon. A consumer to whom a certificate has been issued must sign his name on the back before he may use it.

(e) *How mail order purchases are made.* A consumer who orders food covered by this order for delivery by mail may detach stamps from his war ration book and send them or "tokens" with his order. If the seller cannot fill all or any part of the order, he will return a ration check for the difference. The consumer may endorse that check and use it to get foods covered by this order.

(f) *Consumers may give up points before delivery of butter or rationed cheeses.* A consumer may also acquire "butter" or "rationed cheeses" from a mobile conveyance operated on a regular delivery route by giving up stamps or tokens before he acquires the foods. If the seller or transferor cannot fill all or any part of the order, he will return a ration check for the difference. The consumer may endorse that check and use it to get foods covered by this order.

(g) *How consumers acquire and use tokens.* If the consumer is unable to give up points exactly equal to the point value of the foods acquired by him because he does not have stamps, certificates, ration coupons, or ration checks of sufficiently small value to make up the proper amount, he may give up, and the transferor may accept, stamps, certificates, ration coupons, or ration checks of the nearest higher value, and the transferor must return the excess number of points to the consumer in the form of tokens. Tokens may be used by a consumer to acquire foods covered by this order only if he has received the tokens in this way from his transferor. A transferor may accept tokens from a consumer, unless he knows or has reason to believe that they were not acquired by the consumer in this way.

SEC. 2.4 *Consumers who need more foods covered by this order because of illness may apply for more points.* (a) Any consumer whose health requires that he have more foods covered by this order than he can get with his war ration book, may apply for additional points. The application must be made, on OPA Form R–315, by the consumer himself or by someone acting for him, and may be made in person or by mail. The application can be made only to the "board" for the place where the consumer lives. The application (on OPA Form R–315) must contain a written statement signed by a person licensed by the laws of the State in which the certification is made to prescribe for human medication all internal drugs which may be prescribed within that State. However, if the consumer is pregnant, a Public Health Nurse employed by a federal, state or community public health agency, may sign such a statement instead. The statement must contain a specific diagnosis of the applicant's illness or condition, and must show why the applicant must have more foods covered by this order, the amounts and types he needs during the next ten weeks (or a shorter period if the illness is of shorter duration), and the probable duration of the illness.

(b) If the diagnosis is diabetes mellitus, active tuberculosis, chronic nephritis (nephrotic type), cirrhosis of the liver, severe hepatitis, chronic suppurative diseases (this group includes empyema of the chest cavity, osteomyelitis, extensive suppurative lesions of soft parts, subcutaneous tissues or muscles, and those infections in which there is profuse pus formation), severe burns, gastro-intestinal lesions (including post-operative cases involving operations on the stomach, intestines or colon for ulcers or cancer), or pregnancy, and if the board finds that the applicant's health depends upon his getting more foods covered by this order, it shall issue to him one or more certificates for the number of points necessary to get the additional foods covered by this order which he needs during the next ten weeks. If the diagnosis is any illness other than one of those specified in this paragraph, or if the applicant requests more foods covered by this order than the board is authorized by the "Washington Office" to grant to him, the board shall send the application to the district office for decision. However, in emergency cases, if the board finds that the applicant needs additional foods covered by this order, it may issue to him one or more certificates to enable him to get those additional foods during the next two weeks. If the district office is unable to pass on the application, it shall send it to the regional office for decision, or take such other action as the regional office may authorize or direct.

(c) An applicant who requires additional foods covered by this order for a period longer than the ten weeks for which points are granted to him, may apply for additional points (in person or by mail) to the board at the end of the ten week period. However, the statement certifying the diagnosis of his illness need not be renewed more often than once a year, in cases of diabetes mellitus, active tuberculosis, chronic nephritis (nephrotic type), cirrhosis of the liver, and severe hepatitis. A statement certifying to the applicant's pregnancy need not be renewed during the term of the pregnancy. In cases where the statement certifying the diagnosis of the applicant's condition need not be renewed with each application for additional rations, his application for such additional rations shall be deemed to be a certification that he knows, or has reason to believe, the diagnosis of his condition remains the same as set forth in the written statement attached to his original application. If the applicant changes his residence before the time when he would have to renew the statement certifying the diagnosis of his illness, he may obtain the statement from the board where it is filed and file it with the board for the place where he will live.

SEC. 2.5 *Consumers who must purchase in quantity may apply for certificates.* (a) Some consumers may not be able to get foods covered by this order during the period when their stamps are good, either because of transportation difficulties, or because they live an unusually long distance from their market. Such a consumer may apply for a certificate in exchange for some or all of the stamps in his war ration book, so that he can get the amount of foods to which he is entitled at a time when he is able to get them. The application must be made on OPA Form R–315, in person or by mail, to the board for the place where he lives. It must be made by the consumer himself or by someone acting for him.

(b) If the board finds that the consumer will suffer hardship because he cannot get the foods covered by this order to which he is entitled during the periods when his stamps are good (for the reasons set forth above) it may issue to him a certificate. The certificate may be for any number of points up to the value of the remaining stamps in his war ration book. The board must remove from that book, and cancel stamps worth the amount of the certificate.

SEC. 2.6 *Service men may get certificates to acquire foods covered by this order.* (a) Members of the Armed Forces of the United States and Allied Nations who do not have a war ration book and are not entitled to have it, may obtain certificates to get foods covered by this order under the circumstances and in accordance with the procedure set forth in General Ration Order 9.*

SEC. 2.7 *Consumers who must have more foods covered by this order for their subsistence may apply for more points.* (a) Consumers (including those who eat in Group I institutional user establishments, as defined in General Ration Order 5*) may apply for additional points if they cannot get enough fresh milk, or such other products as the Washington Office may designate to meet their nutritional needs, because (1) the place where they live or work is so located, or their business or occupation is of such a nature that a source of supply of such foods is not reasonably accessible, except at infrequent intervals, and (2) they have no facilities for storing such foods long enough and in the quantities required to supply such needs.

(b) Any consumer who needs more foods covered by this order for the reasons set forth in paragraph (a) of this section, may apply to his board, in person or by mail, on OPA Form R–315. One application may be made covering more than one consumer, but the name of each shall be listed on the application. The application must state in detail:

(1) Where the consumers included in the application will live and work during the period covered by the application and the current occupation of each of them;

(2) The nearest source of supply of fresh milk, and such other products as the Washington Office may designate;

(3) A description of the facilities they have for storing fresh milk and such other products as the Washington Office may designate;

(4) How many pounds of foods covered by this order they will need;

(5) For how long a period;

(6) How many pounds of foods covered by this order they have, at the time of application;

(7) The amounts of fresh milk and such other products as the Washington Office may designate which will be available to them during this period;

(8) How many pounds of foods covered by this order will be available to them during this period, point-free, under the provisions of sections 3.1 or 3.4. The applicant must also give any other information that the board may request. The applicant must also submit with his application the war ration books currently used to acquire foods covered by this order, of each person for whom the application is made.

(c) All regional offices are authorized to rule on applications under this section, and to authorize boards or district offices to rule on them. A board or district office may rule on such an application only if the regional office for the area where it is located has given it such authority. If the board has not been given such authority, it shall forward the application with its recommendation to the district office. If the district office has been given such authority, it shall indicate what action is to be taken, and return the file to the board. If the district office has not been given such authority, it shall forward the file to the regional office. The regional office shall then indicate what action is to be taken, and return the file to the board. All certificates to be issued under this section shall be issued by boards.

(d) The regional office, or board or district office which is authorized to rule on such applications, may issue or authorize the issuance of one or more certificates for the number of points that it finds should be allowed. No board or district or regional office shall issue or authorize the issuance of a certificate unless it finds that the applicants meet the tests set out in paragraph (a). In determining how many points to allow, consideration shall be given to the amount of foods covered by this order, fresh milk or such other products as the Washington Office may designate, which will be available to the applicants during the period covered by the application, and to the applicant's occupation. In addition, the board or district office shall be governed by any further instructions issued by the regional or Washington Office.

(e) Any board which issues certificates under this section shall enter a notation on the front cover of the books submitted with the application showing:

(1) Its address;
(2) The date it issued certificates under this section;
(3) The foods authorized to be acquired by such certificates;
(4) The point value of such certificates; and
(5) The period for which the supplemental ration was given.

ARTICLE III—HOME PRODUCERS

NOTE: The limitations (including limitations on amounts of foods which may be transferred), restrictions, conditions, record-keeping and reporting requirements set forth in this Article III do not apply to foods covered by this order while they have a zero point value. For the purposes of this article, such foods are treated and may be transferred or acquired, just as if they were not rationed at all.

SEC. 3.1 *Home producers may consume what they produce and may lend limited amounts*—(a) *Points need not be given up.* Any "person" who produces any "food covered by this order" primarily for consumption in his own household or on a farm he operates, may consume what he produces and may let those who eat at his table or on the farm consume it, without giving up points. However, a person who produces "meat" by slaughtering livestock (whether or not it is later processed), and a person who "acquires" meat from livestock slaughtered for him by a "primary distributor" in the way described in section 3.4, primarily for consumption in his own household or on a farm he operates, may consume the meat and may let those who eat at his table or on the farm consume it, without giving up points, only if:

(1) He either operates a farm at which he resides more than six months a year, or actually supervised the raising of the livestock and was on the premises on which the livestock was raised at least one third of the days during the applicable period specified in subparagraph (2); and

(2) The livestock was raised on premises operated by him:

(i) From birth to the moment of slaughter; or

(ii) For at least 60 days immediately preceding slaughter; or

(iii) For a period immediately preceding slaughter during which its weight was increased by at least 35% of its weight when acquired.

This paragraph does not apply to "institutional users." If a person who produces meat primarily for consumption in his own household or on a farm he operates, by slaughtering livestock, is not permitted, under the provisions of this paragraph, to consume such meat without giving up points, he must give up points equal to the point value of the meat if he consumes it. These points must be given up to the "board" for the place where such livestock was raised, not later than 10 days after the end of each calendar month during which the meat is consumed.

(b) *Loans.* Any person who produces foods covered by this order wholly from foods not covered by this order and is entitled to consume them point-free under the provisions of paragraph (a), or who acquires them from a primary distributor in the way described in section 3.4, may lend those foods to any other such person without the surrender of points. (A transaction is not a loan if any charge is made.) However, he may not, in any one calendar year, lend a total of more than four hundred pounds of beef and veal together, one hundred and fifty pounds of any other meat, and twenty-five pounds of any other foods covered by this order, which he so produces or acquires. Foods so loaned may not be sold by the person who receives them, or by anyone else. The loan must be returned within six months after the loan is made. However, the borrower may apply to his board for an extension of time to return it and the board may grant the extension if good cause is shown.

(c) *If the person is a primary distributor.* No "primary distributor" who reports or is required to report on OPA Forms R–1606 (Revised), R–1607, R–1626 may consume or lend foods pursuant to this section without the surrender of points.

(d) *This section applies whether or not foods are produced in the United States.* The provisions of this section apply whether or not the foods are produced within the forty-eight states of the United States and the District of Columbia.

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*8 F.R. 7107, 10079, 12796, 15378, 16115.

*8 F.R. 10002, 11676, 11460, 11479, 12483, 12557, 12403, 12744, 13920, 14472, 15486, 16787, 17486; 9 F.R. 401, 455, 602, 2212, 2287, 2552, 2476.

SEC. 3.2 *Consumers may purchase larger quantities of meat at a time from farm slaughterers.* (a) A consumer may buy or acquire meat in exchange for "stamps" from his war ration book equal to the point value of the meat "transferred", even though the stamps are not yet good, from:

(1) A primary distributor (other than one who reports or is required to report on OPA Forms R–1606 (Revised), or R–1607) who holds a permit as a farm slaughterer issued by the Office of Distribution of War Food Administration or a primary distributor who slaughters swine without a permit under the provisions of § 1410.15 (b) (2) of Food Distribution Order No. 75; or

(2) A person who holds a permit as a farm slaughterer issued by the Office of Distribution of War Food Administration and who acquired the meat from a primary distributor in the way permitted in section 3.4.

(b) However, for the purposes of this section, a consumer may use, and a transferor may accept, only the eighteen stamps in War Ration Book Four which will become valid after the stamps which are valid for use by consumers generally at the time of the transfer. Stamps in War Ration Book Four will become valid in the following order: A8 to Z8; A5 to Z5; A2 to Z2; A1 to Z1.

SEC. 3.3 *Consumers may arrange to have their food processed or otherwise prepared.* (a) On or after May 24, 1943, any consumer may bring any of his food covered by this order to another person to be processed, cut, ground, boned, frozen, packaged or similarly prepared, and may get the same food back after it is so prepared, without any surrender of points by either person.

(b) If the consumer does not wait to get the food back, a "retailer", "wholesaler" or primary distributor who gets the food for processing or other preparation must keep a record showing the item received, its weight, the date he received it, and the name and address of the consumer. This record must be prepared when he gets the food from the consumer. When he returns the food to the consumer, he must add to this record the date he returned it.

SEC. 3.4 *Livestock producers may have animals slaughtered by primary distributor, primarily for household consumption, and acquire the resulting foods point-free.* (a) A livestock producer, other than an institutional user, may desire to have his animal slaughtered by a primary distributor and acquire the resulting food covered by this order (whether or not it is also processed) from the primary distributor, without giving up points. The livestock producer may do so if he satisfies the conditions of this section, including the conditions stated in the certification required by paragraph (b).

(b) The livestock producer must sign and give up to the primary distributor two copies of a certification. The certification must show:

(1) The date of acquisition of the food from the primary distributor;

(2) The livestock producer's name;

(3) The address of the place where he resides;

(4) That he either operates a farm at which he resides more than six months of the year, or actually supervised the raising of the animal and was on the premises on which the animal was raised at least one third of the days during the applicable period specified in subparagraph (5); and

(5) That the animal was raised on premises operated by him:

(i) From birth to the moment of slaughter; or

(ii) For at least 60 days immediately preceding slaughter; or

(iii) For a period immediately preceding slaughter during which its weight was increased by at least 35% of its weight when acquired;

(6) That the resulting food is primarily for consumption in his own household or on a farm he operates;

(7) Whether he intends to sell or transfer any of the resulting food;

(8) The name and address of the board for the place where he resides.

(c) He must also prove his identity by showing to the primary distributor his permit issued by the Office of Distribution of War Food Administration. If he certifies that he does not intend to sell or transfer any of the resulting food he may prove his identity by showing his Agricultural Adjustment Administration plan, driver's license, automobile ownership registration card, selective service card, bank book or current utility bill, bearing the name and address shown in the certification. The primary distributor must make a notation on the certification of the type of document shown to him and the number designation contained in the document. (For example, in the case of a bank book, the number would be the account number.)

(d) If the primary distributor has received both copies of the required certification, has been shown the required proof of identity, and has made the required entries on the certification, and if he does not know or does not have any reason to believe that the certification is untrue, he may then transfer, without getting any points, the food resulting from the slaughter of the animal furnished by the livestock producer. He must, within five days after the transfer, send one copy of the certification to the board named therein, and file the other with his report on OPA Forms R–1606 (Revised), R–1607, or R–1609 (Revised) for the reporting period in which the transfer was made.

(e) If the livestock producer sells or transfers some of the resulting food, he must file a report on OPA Form R–1609 (Revised) with the board named in the certification and give up with it the points which he received for selling or transferring the food. In giving the information called for by the form, he must treat the food sold or transferred as if he produced it. He must also write on the bottom of the form that it is being filed in accordance with section 3.4 of the order. The report must be filed within fifteen days after the end of the calendar month in which he made the sales or transfers. It must cover all sales or transfers made during that month. The report must be signed by him or by his authorized agent, and is considered filed on time if the envelope in which it is enclosed is postmarked on or before the day it is due. If the livestock producer is a butcher under Food Distribution Order No. 27 of the Office of Distribution of War Food Administration and has certified that he does not intend to sell or transfer some of the resulting food, he may not sell or transfer any of the food unless he notifies the board named in the certification, in advance, that he intends to sell or transfer some of the food and states the approximate amount he intends to sell or transfer.

SEC. 3.5. *Person may have fish caught by members of his family unit canned by a primary distributor for household consumption—*(a) *He may acquire such canned fish point-free.* Any person, other than an institutional user, may acquire from a primary distributor, point-free, "canned fish" produced for him from fish caught by him or by members of his "family unit", if he supplies all the ingredients in an amount necessary to produce such canned fish. (A "family unit" consists of all persons related by blood, marriage, or adoption, who regularly reside in the same household.) Not more than 25 pounds of such canned fish per member may be acquired by or for any family unit under this section in any calendar year. He may consume such fish, and let the members of his household and others who eat at his table consume it, without giving up points. He may acquire such canned fish point-free only if he gives to the primary distributor a signed statement that the fish to be canned were caught by a member of his family unit, together with the names of each member of his family unit. The primary distributor shall retain this statement for one year.

(b) *He may sell only for points and must surrender points he gets to the board.* He may not sell or transfer any such canned fish unless he gets points equal to the point value of the canned fish so transferred. For this purpose, he need not register or make reports, but must keep a record of any transfer he makes, showing the amount and date of the transfer, and the name and address of the person to whom the transfer is made. If he makes any transfers during any month, he must give up to his board on or before the 10th day of the next month the points received for such transfers.

ARTICLE IV—PRIMARY DISTRIBUTORS

SEC. 4.1 *Explanation of the term primary distributor.* (a) Any "person" who has a "primary distributor establishment" is called a "primary distributor" as to that establishment. If he has more than one such establishment, he is considered a separate primary distributor as to each of them.

SEC. 4.2 *Explanation of the term primary distributor establishment.* (a) There are three main types of primary distributor establishments:

(1) A place where a "food covered by this order" is produced entirely from products not covered by this order (described in section 4.3);

(2) A place where an item or kind of food covered by this order is produced, by a processing operation, wholly or partly from another item or kind of food covered by this order (described in section 4.4);

(3) A place to which foods covered by this order are imported (described in section 4.5).

In certain cases, places at which no production or processing operations are performed are, for reasons of trade convenience, also considered primary distributor establishments. (These establishments are described in sections 4.7 and 4.9). The rules which determine whether a place is a primary distributor establishment are set forth in the sections which follow.

SEC. 4.3 *A place at which a food covered by this order is produced is a primary distributor establishment—*(a) *Meat; slaughtering.* Any place at which a person slaughters cattle, calves, sheep, lambs or swine, for sale or other "transfer", is a primary distributor establishment.

(1) If a person slaughters livestock himself, the place where he does so is his primary distributor establishment. Even if he has the slaughtering done for him by an agent or employee, the place where it is done is his primary distributor establishment, unless it comes within the following description:

(i) That place is another person's primary distributor establishment (because of other slaughtering done there by or for that other person); and also

(ii) The agent or employee in question is that other person, or someone who works for that other person.

(b) *Canning fish.* Any place at which a person produces "canned fish", for sale or other transfer, is a primary distributor establishment. A person produces canned fish if he packs any of the items described in section 1.1 (a) (2) in hermetically sealed containers.

(c) *Production of rationed fats or oils, or rationed cheeses.* Any place at which a person produces a "rationed fat or oil" or "rationed cheeses" for sale or other transfer, is a primary distributor establishment.

(d) *Packing milk.* Any place at which a person produces "canned milk", for sale or other transfer, is a primary distributor establishment. A person produces canned milk if he packs it in hermetically sealed containers.

SEC. 4.4 *A place at which a food covered by this order is converted into another such food, is a primary distributor establishment.* (a) Any place at which a person, by processing, makes any item or kind of food covered by this order, wholly or in part from another item or kind of such food, for sale or other transfer, is a primary distributor establishment.

(1) The term "processing" does not include cutting, grinding, boning, freezing, packaging or repackaging. It does, however, include curing, smoking, cooking, pickling, canning, blending, mixing, rendering, extracting, drying, dehydrating, or any other similar process by which an item or kind of food covered by this order is converted into another item or kind of such food. It also includes the manufacture of sausage, scrapple, souse and similar products.

(b) A place at which a person "acquires" and processes foods covered by this order is, however, not a primary distributor establishment as to any of those foods acquired and processed there if all of the following conditions are met:

(1) No foods covered by this order are produced there (other than by processing) and not more than five thousand pounds of foods covered by this order are processed there in any month; and

(2) More than fifty percent, by weight, of the transfers from there of all foods covered by this order are made to "consumers"; and

(3) More than fifty percent, by weight, of the foods covered by this order which were acquired and processed there are transferred from there to consumers, or to that person's own "institutional user establishment".

(For example, a delicatessen store, which buys "meat", cures it and sells most of it to consumers, is not a primary distributor establishment. This would be so even if the owner of the store transfers some of the cured meat to his own restaurant and uses it in meals he serves there. Such a store would not be a primary distributor establishment, even though foods covered by this order are processed there. It would be a "retail establishment".)

SEC. 4.5 *A place to which foods covered by this order are imported is a primary distributor establishment.* (a) Any place (including space in a public warehouse) to which a person imports foods covered by this order into the United States, from any place outside the United States, for sale or transfer, is a primary distributor establishment.

SEC. 4.6 *Place where foods covered by this order are produced or imported may be a primary distributor establishment as to foods not produced or imported there.* (a) A person may produce, process, or import foods covered by this order, at a particular place, for sale or transfer. He may also regularly keep there, for sale or transfer, foods covered by this order which he did not produce, process, or import there. That place is a primary distributor establishment, since foods are produced, processed or imported there. It would also be a retail or a "wholesale establishment" (depending on its operation) since foods not produced, processed, or imported there are regularly kept there for sale or transfer. However, if ninety percent or more, by weight, of all the foods covered by this order which are transferred from there, were produced, processed, or imported there, it is considered to be only a primary distributor establishment, as to all foods covered by this order held there for sale or transfer. In that case, it would not also be a retail or wholesale establishment.

SEC. 4.7 *A place where a person keeps foods may be a primary distributor establishment even if he does not produce or import there.* (a) Any place (including space in a public warehouse) at which a person regularly keeps foods covered by this order not produced, processed or imported there, for sale or transfer, is a primary distributor establishment as to those foods even though it does not meet the tests described in section 4.6, if both of the following conditions are met:

(1) He himself produced, processed or imported ninety per cent or more, by weight, of those foods; and

(2) More than fifty per cent, by weight, of the foods covered by this order which he keeps there are transferred from there to persons other than "industrial users", "industrial consumers", "institutional users", "retailers", or consumers.

(b) There is also a general case in which a place where a person regularly keeps foods covered by this order which were produced, processed, or imported by someone else, is a primary distributor establishment as to those foods. If he uses ninety per cent or more, by weight, of those foods to make, by processing, other kinds or items of food covered by this order, the place where he keeps them is a primary distributor establishment. (For reasons of trade convenience, there is, in addition, a special rule covering certain places where "butter" or rationed cheeses are assembled. That rule is covered in section 4.9.)

(c) The rules set forth in this section apply whether or not the person also produces, processes or imports at that place foods covered by this order. The place is a primary distributor establishment as to any foods he produces, processes or imports there. This section, and sections 4.6 and 4.9, show when it is a primary distributor establishment as to foods he did not produce, process or import there.

SEC. 4.8 *A place is a single primary distributor establishment even if a person engages in several operations there.* (a) A place at which a person engages in more than one type of operation any one of which would make it a primary distributor establishment, is a single primary distributor establishment as to all such operations of that person. (Thus, if a person slaughters swine and cures hams at the same place, that place is treated as a single primary distributor establishment of that person.) The only exception to this rule is covered in section 4.9 (c).

SEC. 4.9 *Butter and cheese assembly plant is a primary distributor establishment.* (a) Any place at which a person regularly keeps, for sale or transfer, stocks of butter or rationed cheeses which he did not produce, process or import there, is a primary distributor establishment, as to those stocks, if more than fifty per cent of them, by weight, is sold or transferred from there to persons other than industrial or institutional users, industrial consumers, retailers or consumers. However, if he keeps the stocks which are not transferred to persons other than the above, just to supply his own establishments, it is a primary distributor establishment only if it supplies:

(1) At least one of his primary distributor establishments; or

(2) At least four of his wholesale establishments.

(b) This section applies only to a place which would not be a primary distributor establishment as to those stocks under section 4.6 or section 4.7.

(c) A place to which this section applies is, for all the purposes of this order, a separate primary distributor establishment as to those stocks of butter or rationed cheeses.

SEC. 4.10 *A place where foods are produced or imported for use only is not a primary distributor establishment.* (a) A place at which a person produces, processes or imports foods covered by this order only for his personal, institutional or industrial use or for his use as an industrial consumer, (whether or not they will be used at that place), and not for sale or transfer in the form of foods covered by this order, is not a primary distributor establishment. The place does not become a primary distributor establishment because the person lends some of the foods to others, as permitted by section 3.1 (b), unless he lends more than the amount permitted by that section.

SEC. 4.11 *Primary distributors must register and file reports*—(a) *Registration.* (1) Every primary distributor must register with the Office of Price Administration. A primary distributor who is required to report on OPA Forms R–1606 (Revised), R–1607, or R–1626 must register by filing an additional copy of his first report, along with that report. A primary distributor who is required to report on OPA Form R–1609 (Revised) is considered registered when he files his first report. A primary distributor who is already registered is not required to re-register when a change is made in the form on which he is required to report.

(2) (i) A primary distributor who has more than one primary distributor establishment may register two or more of those establishments together, in one or more groups, instead of registering each establishment separately, if, he maintained a central office, for each group of establishments to be registered together, at which he kept records of the inventory, production, acquisitions, and transfers (including transfers between the establishments in the group) of foods covered by this order at each of such establishments and from which he regularly sent invoices covering at least 90% of all transfers of those foods from each such establishment. However, he may not combine in the same group a primary distributor establishment of the type described in section 4.9 with any other kind of primary distributor establishment.

(ii) A primary distributor who has more than one primary distributor establishment and who wishes to register two or more of those establishments together, but who does not meet the tests set forth in subdivision (i) of this subparagraph may apply to the district office for the place where his principal business office is located for permission to register two or more of his establishments together. He must apply on OPA Form R–315 and he must show:

(a) That he maintains a central office for each group of establishments to be registered together, at which he keeps records of the current inventory, production, acquisitions, and transfers of foods covered by this order at each of such establishments; and

(b) That such central office is in fact the place from which the operations of the establishments in the group are directed.

The district office must forward the application to the "Washington Office" for decision or take such other action as the Washington Office may authorize or direct.

(3) If the establishments to be registered together are already registered separately under this order, he may re-register them by filing a combined report for the establishments in each such group as his report due in November 1943, or in the first month thereafter in which he wishes to register them together. The report is to be filed with the district office for the place where such central office is located. He must also notify each district office at which a re-registered establishment was originally registered that he is re-registering such establishment, and give the name and address of the district office at which the establishment will be re-registered. This notice must be sent to each such office prior to the date on which he must file the report referred to in this subparagraph.

(4) If after re-registering his establishments under the last paragraph he ceases to continue the central office or to satisfy the conditions described in paragraph (2), he must again register each establishment separately.

(b) *Reports.* (1) Every primary distributor must file a report covering the operation of his primary distributor establishment during each reporting period ending on or after April 30, 1943. His first report must include his operations from March 29, 1943, to the end of his reporting period. However, the first report of a primary distributor of an item which is added, after March 29, 1943, to the foods covered by this order, must include his operations with respect to that item from the date it is added, to the end of his reporting period. If he has more than one primary distributor establishment, he must file a separate report for each. However, if he has registered his establishments in one or more groups, in the way permitted by paragraph (a) (2) he may file a single report for all the establishments in each such group. A primary distributor who reports on OPA Form R–1609 (Revised) must file his report within fifteen days after the end of the reporting period it covers. A primary distributor who reports on OPA Form R–1606 (Revised) or OPA Form R–1607 must file his report within thirty days after the end of the reporting period it covers, but he may not file the report before the sixteenth day after the end of that period unless he has received all points due him for the transfers reported for that period and has paid all points owed by him for the acquisitions reported for that period. A primary distributor who reports on OPA Form R–1626 must file his report within ten days after the end of the reporting period it covers.

(2) A primary distributor who reports on OPA Form R–1606 (Revised) or OPA Form R–1607 may adopt any one of the following reporting periods:

(i) Calendar months; or

(ii) Consecutive four-week periods; or

(iii) A system which divides the fiscal year into either four or five periods of five consecutive weeks and either seven or eight periods of four consecutive weeks.

(3) A primary distributor who reports on OPA Form R–1609 (Revised) or OPA Form R–1626 must adopt calendar month reporting periods. If he has not been reporting on a calendar month reporting period basis, his first report on a calendar month reporting period basis on OPA Form R–1609 (Revised) or OPA Form R–1626 must include his operations from the end of the preceding reporting period to the end of the calendar month covered in the report.

(4) The report must be signed by him or by his authorized agent, and is considered filed on time if the envelope in which it is enclosed is postmarked on or before the day it is due.

(c) *Form to be used.* (1) A primary distributor who does not import foods covered by this order and who does not use points to acquire such foods, must report on OPA Form R–1609 (Revised), if his sales or transfers of such foods from the place where he produces them consist entirely of one or more of the following:

(i) Sales or transfers of meat he slaughtered under a War Food Administration Farm Slaughterer's Permit (including meat from his livestock which he has custom slaughtered);

(ii) Sales or transfers of butter he made from cream (or milk) which he produced, if the cream (or milk) was not neutralized or pasteurized;

(iii) Sales or transfers of cheese he made from milk which he produced; or

(iv) Sales or transfers of other foods covered by this order which he produced in an amount of not more than $200 during the month covered by the report.

(2) A primary distributor who is not required to report on OPA Form R–1609 (Revised) must report on OPA Form R–1626 for reporting periods, beginning on or after March 1, 1944, for each of his primary distributor establishments from which he sells or transfers "rationed dairy products" only. ("Rationed dairy products" means any food covered by this order which is made from cow's milk or from another food made from cow's milk, as, for example, rationed cheeses, butter or canned milk.) If he is permitted to combine in a single report on OPA Form R–1626 his sales and transfers from more than one of his primary distributor establishments, he must report all those sales and transfers on OPA Form R–1626, even though some of those establishments meet the conditions described in subparagraph (1) of this paragraph (c).

(3) Any primary distributor who is not required to report on OPA Form R–1609 (Revised) or OPA Form R–1626 may report on OPA Form R–1607 for each reporting period beginning on or after December 1, 1943, if he does not sell or transfer, during the period covered by the report, more than $2,000 worth of foods covered by this order, if he does not import foods covered by this order, and if his acquisitions of such foods for his primary distributor operations during that period do not constitute more than 10 percent by weight of his total sales and transfers of such foods during the period.

(4) Any primary distributor who is not required to report on OPA Form R–1609 (Revised) or OPA Form R–1626 and who does not report on OPA Form R–1607 must report on OPA Form R–1606 (Revised) for each reporting period beginning on or after December 1, 1943. If he reports on OPA Form R–1606 (Revised) for an establishment from which he sells or transfers rationed dairy products, he must attach to his report for each reporting period ending after February 29, 1944, a copy of Dairy Products Report No. 1 covering his operations at that establishment. In addition, a primary distributor who reports on OPA Form R–1606 (Revised) and who transfers canned fish, must, at the same time and in the same manner that he makes his report on OPA Form R–1606 (Revised), report on OPA Form R–1606A.

(5) A primary distributor who has more than one primary distributor establishment which are or will be registered together, may file a single report on OPA Form R–1609 (Revised) or OPA Form R–1607 for those establishments only if all of them combined meet the requirements set forth in this section for reporting on such forms; he may file a single report on OPA Form R–1626 for those establishments if all of them sell or transfer only rationed dairy products.

(6) A primary distributor need not file a report for any reporting period during which he made no transfers of foods covered by this order (other than loans permitted by section 3.1 (b)). However, once a primary distributor reports on OPA Form R–1606 (Revised), OPA Form R–1607 or OPA Form R–1626, he must continue to use one of those forms. He may not thereafter report on OPA Form R–1609 (Revised).

(d) *Information to be given.* A primary distributor must give all information called for by the form on which he reports except that he need not give any information with respect to lard. A primary distributor, required to report on OPA Form R–1606 (Revised) or OPA Form R–1607, must, among other things, report his inventory of rationed foods at the establishment covered by the report, at the beginning and end of the reporting period.

(e) *Inventory.* A primary distributor's inventory at his primary distributor establishment consists of all foods covered by this order which are physically located there or in transit to it, including foods which he holds there on consignment. If he has any such foods at or in transit to any place which is not an establishment of any type under this order, he must include them in the inventories of his establishments under this order, but he may divide them among those establishments as he chooses. He must, in that case, report the place where those foods are kept and the amount kept there which he is including in the inventory of his establishment. However, the following items are not part of his inventory:

(1) Food stored for a person other than his customer or transferee, or held as security for a loan to someone else (or similar transaction), or in transit for either of those purposes;

(2) Foods included in the inventory of one of his other establishments of any type.

(f) *Place for filing report.* A primary distributor who reports on OPA Form R–1606 (Revised), or OPA Form R–1607, must file it with the district office for the place where his establishment is located or, if it is a report covering a group of establishments, with the district office at which that group is registered. If he reports on OPA Form R–1609 (Revised), he must file it with the "board" for that place. If he reports on OPA Form R–1626 he must mail it with his Dairy Products Report No. 1 to Post Office Box 6910A, Chicago, Illinois.

(g) *Change in reporting period.* A primary distributor who wishes to adopt reporting periods other than those which he is permitted to use under paragraph (b) of this section, or to change his reporting periods to conform to his accounting periods, may apply to the district office (or to the board) with which he is registered, for permission to do so. The application must be made on OPA Form R–315, and must give the reasons for the change desired. The district office (or the board) shall act on the application according to the circumstances of the case.

SEC. 4.12 *Primary distributor may not do business if he does not file reports.* (a) No primary distributor may transfer or acquire any food covered by this order after any date on which a report is due from him, until he has filed that report.

SEC. 4.13 *A primary distributor must surrender to the Office of Price Administration all points he is not permitted to use.* (a) A primary distributor must give up to the Office of Price Administration, for cancellation, all points he receives for sales or transfers of foods covered by this order, except for points he uses for a purpose permitted by paragraph (c) or (d) of this section. He must attach to his report for each reporting period all points not so used which he received during that period for sales or transfers of such foods. If he has, or is required to have, a ration bank account, he must give them up in the form of a certified ration check (payable to the Office of Price Administration) drawn on his ration bank account. If he has no account, he must give them up in the form he received them.

(b) A primary distributor who has received "stamps" which are not yet valid, in the way permitted by section 3.2, must enclose those stamps with his report for the period in which he received them. He may not use or deposit them.

(c) A primary distributor may use points only for the following purposes:

(1) To acquire foods covered by this order, for the purpose of processing them;

(2) To acquire, for sale or transfer without processing, foods produced, processed or imported by someone else, in an amount up to (but not exceeding) ten per cent by weight of his total transfers from his primary distributor establishment during the reporting period;

(3) To acquire, for his primary distributor establishment, foods which he produced, processed or imported elsewhere;

[NOTE: It is not a primary distributor establishment as to those foods unless it meets the tests described in section 4.6 (a) or 4.7 (a). If it does not meet one of those tests, its points may not be used to acquire such foods, except as permitted by (1), (4) and (5) of this paragraph.]

(4) To return points for underdeliveries of foods, as permitted by section 10.9;

(5) To get back foods he transferred.

(d) The points of a primary distributor establishment to which section 4.9 applies may, however, be used only for the following purposes:

(1) To acquire butter or rationed cheeses for that establishment;

(2) To return points for underdeliveries of butter or rationed cheeses as permitted by section 10.9;

(3) To get back butter or rationed cheeses transferred.

SEC. 4.14 *Primary distributors may get points to acquire foods.* (a) A primary distributor who, after April 18, 1943, needs more points to acquire foods covered by this order, for a purpose permitted by section 4.13 (c) or (d), than he has available may apply for additional points. The application must be made, on OPA Form R–315, to the district office with which his reports must be filed. The application must show the number of points he has, the reason he needs more, the number he needs and the time for which he needs them. If the district office finds that he needs more points for one or more of the purposes described in section 4.13 (c) or (d), it may issue to him a "certificate" (OPA Form R–1201) for the number of points he needs. If it finds that he needs them temporarily only, it may fix a time within which he is to return the points, and he must then return them at or before the time fixed.

SEC. 4.15 *A primary distributor who has more than one establishment must operate them separately.* (a) If a primary distributor has more than one primary distributor establishment, they are treated and must be operated separately, for all the purposes of this order, just as if they were owned by different persons (except if they have been registered in the way described in section 4.11 (a) (2)).

SEC. 4.16 *Primary distributors must keep records.* (a) Beginning March 29, 1943, every primary distributor must keep, at his primary distributor establishment, a record showing his production, processing, acquisitions and transfers, by weight and point value, of each of the following foods: meat, canned

fish, rationed cheese, butter, "margarine", "shortening" and "cooking or salad oils." He must also keep a similar record with respect to any item which is added to the foods covered by this order, beginning on the date the item is added.

(b) In addition, at the time of any change in the point value of any item of food covered by this order, every primary distributor must make and keep at his establishment, a record of the amount of the item he has in his inventory, and of its point value before and after the change.

(c) However, the records required by paragraphs (a) and (b) need not be kept at each establishment if the establishment is one of a group which has been registered together, but may be kept at the central office for such group. They must, however, be kept separately for each establishment.

(d) A primary distributor who is required to report on OPA Form R–1606 (Revised), OPA Form R–1607 or OPA Form R–1626 must, for every reporting period beginning on or after December 1, 1943, keep a record at his establishment (or, if the establishment is one of a group which has been or will be registered together, at the central office for such group) showing, as of the beginning and end of each such period, the point value of his inventory, as defined in section 4.11 (e), of each of the following foods: Meat, shortening, margarine, cooking and salad oils, butter, rationed cheeses, canned milk and rationed canned fish. He must also keep a similar record with respect to any item which is added to the foods covered by this order, beginning on the date the item is added.

(e) A primary distributor who is required to report on OPA Form R–1606 (Revised) or OPA Form R–1607 must also keep (at the place where he keeps the other records required by this section) a record of the quantity and sizes of each item of canned fish in his inventory as of the beginning and end of each of his reporting periods beginning on or after December 1, 1943.

SEC. 4.17 *Policy against discrimination.* (a) It is the policy of this order that no slaughterer distributing meat through its own branch houses or comparable agencies of distribution, and no branch house or agency of any such slaughterer, shall discriminate in the sale or distribution of meat available for civilian consumption against any independent wholesaler, processor, hotel supplier, fabricator, peddler, purveyor, distributor, or other middleman customarily supplied by such slaughterer, branch house, or agency during the year immediately preceding October 1, 1943.

ARTICLE V—WHOLESALERS

SEC. 5.1 *Explanation of the terms wholesaler and wholesale establishment.* (a) Any place (including space in a public warehouse) where a "person" who deals in "foods covered by this order" regularly keeps stocks of those foods for sale or "transfer" (other than as a "primary distributor"), is a "wholesale establishment" if fifty per cent or more of those stocks are transferred from there directly to persons other than "consumers". However, if he keeps the stocks which are not transferred to consumers, just to supply his own establishments, it is a wholesale establishment only if it supplies:

(1) At least one of his wholesale establishments; or

(2) At least four of his "retail establishments".

(b) Any person dealing in foods covered by this order who has a wholesale establishment is called a "wholesaler", as to that establishment.

SEC. 5.2 *Wholesalers must register*—(a) *General.* Every wholesaler must register with the Office of Price Administration by filing two copies of OPA Form R–1602, at any time from May 3, 1943 to May 24, 1943, inclusive. Both copies of the form must be completed and signed by the wholesaler or his authorized agent. He must give all information called for by the form.

(b) *Filing by mail.* Where a registration form is filed by mail, it is considered filed on time if the envelope is postmarked on or before May 24, 1943.

(c) *Registration for single wholesale establishment.* A wholesaler who has only one wholesale establishment must file his registration with the "board" for the place where that establishment is located.

(d) *Registration for two or more wholesale establishments of the same person.* If a wholesaler has two or more wholesale establishments and has operated them separately under this order, just as if they were owned by different persons, he must either register each establishment separately on a separate OPA Form R–1602 or register all of them together on a single form, as he chooses. If he has not operated them separately under this order, he must register them together on the same form. (For example, he must register all of them together (1) if he has opened a single ration bank account for two or more of them; or (2) if he has drawn a ration check against an account serving one of them to "acquire" foods for another; or (3) if, after April 10, 1943, he transferred points, or foods covered by this order, from one to another without transferring foods or points of equal point value between them.

(e) *Where and how a wholesaler who has two or more wholesale establishments must register.* If a wholesaler who has two or more wholesale establishments registers them together, he must furnish the required information for them on a single registration form and file two copies of that form with the board for the place where his principal business office is located. If he registers each of them separately, he must complete two copies of the form for each establishment and file them with the board for the place where that establishment is located.

(f) *Separately registered establishments are to be treated and operated separately.* If a wholesaler has more than one wholesale establishment and registers or is required to register them separately, each of those establishments is to be treated and operated separately for all the purposes of this order (including computation of allowable inventories), just as if the establishments were owned by different persons.

(g) *Persons who are wholesalers because an item is added to the foods covered by this order.* A person who, at the time an item is added to the foods covered by this order, regularly deals in that item and therefore becomes a wholesaler under this order, is not required to register. If he has more than one wholesale establishment, each of those establishments is to be treated as if it was separately registered.

SEC. 5.3 *Wholesaler may not do business unless he has registered.* (a) No wholesaler may transfer or acquire foods covered by this order after May 24, 1943, until he has registered in the manner required.

SEC. 5.4 *Wholesalers must report their inventories.* (a) As part of his registration, a wholesaler must report, on OPA Form R–1602, the point value of his inventory of foods covered by this order at the close of business on May 1, 1943. If he has more than one wholesale establishment he must file a separate inventory report for each, whether or not they are registered separately. If any of his sales or transfers of foods covered by this order are not made from a fixed place (for example, if he sells foods from a mobile conveyance such as a truck) he need not file a separate inventory report for that conveyance.

(b) A wholesaler's inventory at his wholesale establishment consists of all foods covered by this order which are physically located at that establishment or in transit to it, including foods which he holds there on consignment. If he has any such foods at or in transit to any place which is not an establishment of any type under this order, he must include them in the inventories of his establishments under this order, but he may divide them among those establishments as he chooses. He must, in that case, report the place where those foods are kept and the amount kept there which he is including in the inventory of his establishment. However, the following items are not part of his inventory:

(1) Foods stored for a person other than his customer or transferee, or held as security for a loan to someone else (or similar transaction), or in transit for either of those purposes;

(2) Foods included in the inventory of one of his other establishments of any type.

SEC. 5.5 *Wholesalers must report their sales and points on hand*—(a) *Sales and transfers.* A wholesaler must report, as part of his registration, the pounds of all foods covered by this order which were transferred by him from April 25, 1943 to May 1, 1943, inclusive. (If he has more than one wholesale establishment and they are registered together, he must report the total for all.) However, he is not to include in this report any exchanges of such foods, or transfers from one to another of his wholesale establishments, or to any other wholesale establishment. The report must show his sales and transfers separately of each of the following classes of foods covered by this order:

(1) Fresh and frozen "meats";

(2) "Shortening", "cooking or salad oil", "canned meats", "canned fish";

(3) All other foods covered by this order, including "rationed cheeses", "butter", "margarine", sausage and types of meats not described in (1) or (2).

(b) *Points on hand.* A wholesaler must also report, as part of his registration, the total number of points which he has available for acquiring foods covered by this order at the close of business on May 1, 1943. He must include all points which he has on hand, all in his ration bank account (except those for which ration checks are outstanding), all which he has already given up for foods not yet shipped to him, and all which he has not yet received for foods he has already shipped. However, he is not to include points he has received for foods which he has not yet shipped, or points he owes for foods already shipped to him.

SEC. 5.6 *A wholesaler is given an allowable inventory* — (a) *General.* Every wholesaler is entitled to an operating inventory, called an allowable inventory, which is based on his sales and transfers of foods covered by this order from April 25, 1943 to May 1, 1943, inclusive. This allowable inventory is stated in terms of points.

(b) *Amount of allowable inventory.* To get a wholesaler's allowable inventory, the number of pounds of foods in each of the three classes specified in section 5.5 (a) transferred by him from April 25, 1943 to May 1, 1943, inclusive, is multiplied by a factor fixed for that class by the Office of Price Administration in a supplement to this order. The numbers which result are added, and the total is his allowable inventory. Exchanges of such foods, and transfers from one to another of his wholesale establishments, or to any other wholesale establishment, must not be included in this computation.

(c) *Point inventory.* (1) In order to determine how large a stock of foods covered by this order, a wholesaler has and is in a position to get, it is necessary to find out two things:

(i) The point value of his inventory; and

(ii) The number of points he has available for acquiring such foods, since he can use these points to get additional stocks. These points include those referred to in section 5.5 (b).

(2) The sum of the above two figures, at a particular time, shows the amount of foods covered by this order he has and can get at that time. That sum is called his point inventory.

(d) *When a wholesaler is entitled to a certificate.* If a wholesaler's point inventory at the close of business on May 1, 1943 is less than his allowable inventory, he is entitled to receive a "certificate" for the number of points needed to make up the difference. The certificate will be issued by the board with which he registers.

(e) *What a wholesaler must do if he has excess inventory.* If a wholesaler's point inventory at the close of business on May 1, 1943, is greater than his allowable inventory, the difference is excess inventory. He must, in that case, give up to the board, for cancellation, points equal to his excess inventory. Points for that amount must be forwarded with his registration. He must give up the points in the form of a certified check drawn on his ration bank account, made payable to the Office of Price Administration. A wholesaler who does not have enough points at the time of registration must, within one week after the last day of each calendar month (beginning with the month of December 1943), give up to the board with which he is registered the points which he has on hand and in his ration bank account at the end of that month until he has, in this way, given up points equal to his excess inventory. He may, however, keep points equal to 15% of his allowable inventory. (Points for which ration checks are outstanding, points owed by him for acquisitions, during that month, of foods covered by this order and points owed for underdeliveries of foods are not considered to be points which he has "on hand".) He may not, until he has given up points equal to his excess inventory, buy or acquire during any one calendar week foods covered by this order having a point value of more than 15% of his allowable inventory.

SEC. 5.8 *Wholesalers must keep records.* (a) Every wholesaler must keep, at his wholesale establishment (or at his principal business office, if he has more than one and registers them together) a copy of his registration on OPA Form R–1602, and of any worksheets used by him in computing his allowable inventory, and his inventory. In addition, any wholesaler who is required by section 5.10 to file reports on OPA Form R–1310, must keep at that place a copy of each such report filed by him.

(b) In addition, at the time of any change in the point value of any item of food covered by this order, every wholesaler must make a record of the amount, in pounds, of that item which he has in his inventory. The record must show the point value of the item before and after the change, and the amount by which the point value of his inventory was increased or decreased as a result. In addition, at the time any item is added to or removed from the foods covered by this order, every wholesaler must keep a record of the amount, in pounds and point value, of that item which he has in his inventory. Even if he has more than one wholesale establishment registered together, he must make and keep such a record at each establishment.

(c) He must keep a record of his sales or transfers of foods covered by this order from April 25, 1943 to May 1, 1943, inclusive, according to the classes set forth in section 5.5 (a). The record is to separate from his other transfers, exchanges and transfers to wholesale establishments.

SEC. 5.9 *Wholesalers who sell to consumers must post table of point values.* (a) A wholesaler who makes sales or transfers to consumers at his wholesale establishment of foods covered by this order, must comply at that establishment with the provisions of section 10.4, as to the posting of the point values of the items he carries.

SEC. 5.10 *Wholesalers must report inventories of canned fish*—(a) *Who must report.* Every wholesaler who transfers canned fish must file a report on OPA Form R–1310 for each reporting period set forth in section 30.2, giving all the information called for by Schedule B of that form, for items included under the heading "Canned and bottled fish and shellfish."

(b) *Where reports must be filed.* The report must be signed by the wholesaler or by his authorized agent and must be filed by mailing to the Office of Price Administration, care of the Bureau of Census, Washington 25, D. C., within 8 days after the end of the reporting period. The form is considered filed on time if the envelope is postmarked on or before the last day it is due.

ARTICLE VI—RETAILERS

SEC. 6.1 *Explanation of the terms retailer and retail establishment.* (a) Any place (including space in a public warehouse) where a "person" who deals in "foods covered by this order" regularly keeps stocks of those foods for sale or "transfer" (other than as a "primary distributor") is a "retail establishment" if more than fifty percent of those stocks are sold or transferred from there directly to "consumers". It is also a retail establishment even if the amount sold or transferred to consumers is fifty percent or less, in the following case:

(1) If some of those stocks are transferred directly to consumers; and

(2) If the rest of those stocks are kept there just to supply his own establishments of any type; and

(3) If no "wholesale establishment", and not more than three retail establishments, are supplied from there.

(b) Any person dealing in food who has a retail establishment is called a "retailer" as to that establishment.

SEC. 6.2 *Retailers must register*—(a) *General.* Every retailer must register his retail establishments with the office of Price Administration at any time from May 3, 1943 to May 14, 1943, inclusive, on OPA Form R–1601. The registration form must be completed and signed by the retailer or his authorized agent. He must give all information called for by OPA Form R–1601.

(b) *Mailing.* Where a registration form is filed by mail it is considered filed on time if the envelope is postmarked on or before May 14, 1943.

(c) *Registration for single retail establishment.* A retailer who has only one retail establishment must file his registration with the "board" for the place where that establishment is located.

(d) *Registration for two or more retail establishments of the same person.* If a retailer has two or more retail establishments and has operated them separately under this order, just as if they were owned by different persons, he must either register each establishment separately on a separate OPA Form R–1601,

or together on a single form. If he has not operated them separately under this order, he must register them together on the same form. (For example, he must register them together (1) if he has opened a ration bank account for two or more of them; or (2) if he has drawn a ration check against an account serving one of them to "acquire" foods for another; or (3) if, after April 10, 1943, he transferred points, or foods covered by this order, from one of his retail establishments to another of his retail establishments without transferring foods or points of equal point value between them.)

(e) *Where and how a retailer owning two or more retail establishments must register.* If a retailer who has two or more retail establishments registers them together, he must furnish the required information for them on a single registration form and file that form with the board for the place where his principal business office is located. If he registers each of them separately, he must file a separate registration form for each establishment with the board for the place where that establishment is located.

(f) *Separately registered establishments are to be treated and operated separately.* If a retailer has more than one retail establishment and registers them separately, each of those establishments is to be treated and operated separately for all the purposes of this order (including computation of allowable inventories), just as if the establishments were owned by different persons.

(g) *Persons who are retailers because an item is added to the foods covered by this order.* A person who, at the time an item is added to the foods covered by this order, regularly deals in that item and therefore becomes a retailer under this order, is not required to register. If he has more than one retail establishment, each of those establishments is to be treated as if it was separately registered.

SEC. 6.3. *A retailer may not do business unless he has registered.* (a) No retailer may transfer or acquire foods covered by this order after May 14, 1943, until he has registered in the manner required.

SEC. 6.4 *Retailers must report their inventories.* (a) As part of his registration, a retailer must report, on OPA Form R-1801, the point value of his inventory of foods covered by this order at the close of business on May 1, 1943.

(b) A retailer's inventory at his retail establishment consists of all foods covered by this order which are physically located at that establishment or in transit to it, including foods which he holds there on consignment. If he has any such foods at or in transit to any place which is not an establishment of any type under this order, he must include them in the inventories of his establishments under this order, but he may divide them among those establishments as he chooses. He must, in that case, report the place where the foods are kept and the amount kept there which he is including in the inventory of his establishment. However, the following items are not part of his inventory:

(1) Foods stored for a person other than his customer or transferee, or held as security for a loan to someone else (or similar transaction), or in transit for either of those purposes;

(2) Foods included in the inventory of one of his other establishments of any type.

SEC. 6.5 *Retailers must report their sales and points on hand.*—(a) *Sales and transfers.* A retailer must report, as part of his registration:

(1) The point value of all foods covered by this order which were transferred by him from April 25, 1943 to May 1, 1943, inclusive. If he has more than one retail establishment and they are registered together, he must report the total for all. (However, he shall not include in his report any exchanges of foods, or transfers of them from one to another of his retail establishments, or to any other retail establishment.); and

(2) The total number of points which he has available for acquiring food at the close of business on May 1, 1943. He must include all points which he has on hand, all in his ration bank account, if any (except those for which ration checks are outstanding), all which he has already given up for food not yet shipped to him, and all points which he has not yet received for foods he has already shipped. (However, he is not to include points he has received for foods which he has not yet shipped, or points he owes for foods already shipped to him.)

SEC. 6.6 *A retailer is given an allowable inventory.*—(a) *General.* Every retailer is entitled to an operating inventory, called an allowable inventory, which is based on his sales and transfers of foods covered by this order from April 26, 1943 to May 1, 1943, inclusive. This allowable inventory is stated in terms of points.

(b) *Amount of allowable inventory.* To get a retailer's allowable inventory, the points received or receivable for all foods covered by this order transferred from his retail establishment from April 26, 1943 to May 1, 1943, inclusive, are multiplied by three. The result is his allowable inventory. Exchanges of foods, and transfers of them from one to another of his retail establishments, or to any other retail establishment, must not be included in this computation.

(c) *Point inventory.* (1) In order to determine how large a stock of foods covered by this order, a retailer has and is in a position to get, it is necessary to find out two things:

(i) The point value of his inventory; and

(ii) The number of points which he has available for acquiring food, since he can use those points to get additional stocks. These points include all those referred to in section 6.5 (a) (2).

(2) The sum of the above two figures, at the close of business on May 1, 1943, shows the amount of foods covered by this order he has and can get at that time. That sum is called his point inventory.

(d) *When a retailer is entitled to a certificate.* If a retailer's point inventory at the close of business on May 1, 1943, is less than his allowable inventory, he is entitled to receive a "certificate" for the number of points needed to make up the difference. The certificate will be issued by the board with which he registers.

(e) *What a retailer must do if he has excess inventory.* If a retailer's point inventory at the close of business on May 1, 1943, is greater than his allowable inventory, the difference is excess inventory. He must, in that case, give up to the Office of Price Administration, for cancellation, points equal to his excess inventory. Points for that amount must be forwarded with his registration. If he does not have a ration bank account, he may give up the points in any form. If he has a ration bank account, he must give up the points in the form of a certified check drawn on that account, made payable to the Office of Price Administration. A retailer who does not have enough points at the time of registration must, within one week after the last day of each calendar month (beginning with the month of December 1943), give up to the board with which he is registered the points which he has on hand and in his ration bank account at the end of that month, until he has, in this way, given up points, equal to his excess inventory. He may, however, keep points equal to 25% of his allowable inventory. (Points for which ration checks are outstanding, points owed by him for acquisitions during that month of foods covered by this order, and points owed for under-deliveries of such foods are not considered to be points which he has "on hand".) He may not, until he has given up points in an amount equal to his excess inventory, buy or acquire during any calendar week foods covered by this order having a point value in excess of 25% of his allowable inventory.

SEC. 6.8 *Retailers must keep records.* (a) Every retailer must keep at his retail establishment a copy of his registration for that establishment. If he has more than one retail establishment and has registered them together, he must keep the copy at his principal business office. He must also keep there any work sheets used by him in computing his allowable inventory and his inventory.

(b) In addition, at the time of any change in the point value of any item of food covered by this order, every retailer must make a record of the amount, in pounds, of that item which he has in his inventory. The record must show the point value of the item before and after the change, and the amount by which the point value of his inventory was increased or decreased as a result. In addition, at the time any item is added to or removed from the foods covered by this order, every wholesaler must keep a record of the amount, in pounds and point value, of that item which he has in his inventory. He must keep this record at the place where he keeps the copy of his registration. Even if he has more than one retail establishment and they are registered together, he must make and keep such a record at each establishment.

(c) A retailer who processes foods covered by this order but who is not a primary distributor (because of the provisions of section 4.4 (b)) must keep a record of the amount and type of food covered by this order which he uses for processing, and the amount, point value and type of the item he produces by processing.

(d) Every retailer must also keep a record of the point value of the foods covered by this order transferred from his retail establishment during the week from April 25, 1943 to May 1, 1943, inclusive. The record is to separate from his other transfers, exchanges and transfers to retail establishments.

SEC. 6.9 *Retailers must post point prices.* (a) Beginning March 29, 1943, every retailer must post the current Official Tables of Consumer Point Values (OPA Forms R-1313 and R-1611) covering the items he sells, in his retail establishment in such manner that they can be plainly seen and read by consumers. If he sells from a truck or other mobile conveyance, the tables must be posted in it. If a retailer carries any item for sale or transfer in a form in which it appears on the Official Table of Trade Point Values and does not appear on either consumer point value table, he must keep the Official Table of Trade Point Values available for inspection by his purchasers.

(b) Every retailer must also post, at the place where he displays the items of foods covered by this order which he sells to his customers, the point value of every item of such food which he carries. The point value must be posted, in such manner that it can be plainly seen and read by consumers, in one or more of the following ways:

(1) On the item itself; or

(2) On the shelf or other place where the item is kept; or

(3) On a list attached to, or posted next to, the shelf or other place where the item is kept.

(c) When a change is made in the point value of any food covered by this order, a retailer is allowed one full business day after the change becomes effective in which to correct the point values which he has posted in compliance with paragraph (b) of this section.

SEC. 6.10 *A retailer may sell at lower point value foods in imminent danger of spoilage.* (a) If any foods covered by this order which a retailer has in his inventory are in imminent danger of spoilage and he finds, in good faith, that he connot dispose of them at their regular point value quickly enough so that they can be used before they spoil, he may sell or transfer them at less than their regular point value. He must, in doing so, comply with the conditions and follow the procedure set forth in this section. However, none of the provisions of this section apply to "canned fish", "canned milk", or "canned meat." (Transfers by retailers and others, of canned fish, canned milk and canned meat, which are in imminent danger of spoilage are covered by section 10.11.)

(b) A retailer may reduce the point value of a food covered by this order when permitted by this section, only to the extent necessary to dispose of it before it spoils. No retailer may sell or transfer a food covered by this order at less than its regular point value, unless he has reduced the money price of that food in the following way:

(1) No reduction in point value may be made unless the money price of the food has been reduced at least twenty-five per cent below its ceiling price established by applicable orders of the Office of Price Administration;

(2) No reduction in the point value of the food of more than twenty-five per cent below its regular point value may be made unless the money price of the food is reduced below its ceiling price in the same proportion. However, the money price need not be reduced, in any case, more than fifty per cent below its ceiling price.

(c) Whenever a retailer sells or transfers an item of food covered by this order at less than its regular point value, he must sell or transfer that item so long as he has it on hand to any person who is willing to buy or acquire it at that reduced point value which he has posted for it. He must also post a notice where it may be clearly seen and read by his customers showing:

(1) The item that he is selling at the lower point value;

(2) The point value at which he intends to sell it;

(3) That he is selling that item at less than its regular point value to prevent spoilage;

(4) The ceiling price of the item, and the reduced money price at which he intends to sell it.

(d) If a retailer sells or transfers a food covered by this order at less than the regular point value he must make a written report (by postcard or otherwise) within twenty-four hours after he begins to transfer it at the lower point value, to the board for the place where his establishment is located. The report must be signed by the retailer or his authorized agent, and must show:

(1) The name and address of the establishment at which the food is being transferred at less than its regular point value;

(2) The particular reasons why the food is being transferred at less than its regular point value;

(3) The quantity and type of food involved.

(e) (1) Within four days after he began to transfer the food at less than its regular point value he must make a further report in writing (by postcard or otherwise) to that board, showing:

(i) The name and address of the establishment at which the food was transferred at less than its regular point value;

(ii) The types and quantity of food sold or transferred at the lower point value;

(iii) The total point value of the food so transferred.

He must also certify in writing, in this report, that he reduced the money price of the food sold or transferred at the lower point value, in the way required by this section.

(2) If he has made such a sale or transfer to any person other than a consumer, he must also report to the board:

(i) The name and address of the buyer or transferee;

(ii) The type and quantity of food sold or transferred to him;

(iii) The number of points received from him for that food.

(f) Any person other than a consumer who buys or acquires foods covered by this order at less than their regular point value, and who resells or retransfers them at a higher point value than that at which he bought or acquired them, must surrender the excess points to his board.

(g) A retailer who sold or transferred a food covered by this order at less than its regular point value may apply, on OPA Form R-315, for a certificate to replace the points by which his point inventory was reduced as a result of such transfers. The application must be made to the board for the place where his establishment is located, and must be signed by the retailer or his authorized agent. It must show the time when he made such transfers, the regular point value of the foods so transferred, and the number of points received for them. It must also contain a certification in writing that he reduced the money price of the food sold or transferred at the lower point value, in the way required by this section. If the board finds that his point inventory was reduced by such transfers, it shall issue a certificate for the number of points by which it was reduced. However, no retailer may receive points under this section to replace point losses during any month in excess of two per cent of his allowable inventory. This paragraph does not apply to transfers made between March 29, 1943, and April 10, 1943, inclusive. Application to replace point losses must be made at or after registration. No application to replace point losses may be made after 30 days from the close of the month in which the point losses occurred.

(h) If a retailer suffers a point loss because, between April 11, 1943, and May 1, 1943, inclusive, he sold or transferred foods covered by this order at less than their regular point value, he must include the points so lost as part of his point inventory held at the close of business on May 1, 1943.

(i) The Army, Navy, Marine Corps or Coast Guard may, in accordance with arrangements made with the Washington Office, authorize army exchanges, post exchanges, ships' service departments ashore, sales commissaries and commissary stores to sell, at less than their full point value, foods covered by this order which cannot be sold at their full point value because they are in imminent danger of spoilage.

ARTICLE VII—INDUSTRIAL USERS AND INDUSTRIAL CONSUMERS

SEC. 7.1 *Explanation of the terms industrial use, industrial user, and industrial user establishment.* (a) Any use by a "person" of "foods covered by this order" in producing or manufacturing, for sale or "transfer," a food for human consumption, which is not covered by this order, or a pharmaceutical, is an "industrial use". (For example, use by a

bakery of "shortening" in making bread, is an industrial use.)

(1) Industrial use also includes the use of a food covered by this order for experimental, educational, testing, or demonstration purposes, and the use of "rationed fats and oils" in the care and treatment of the sick. It does not include laboratory testing of his products by or for a primary distributor, for the purpose of determining whether they meet established formulas, standards, or specifications. (Where a primary distributor establishment sends samples of its products to a laboratory for the purpose of testing those products to determine whether they meet established formulas, standards, or specifications, the place at which the testing is done is, as to those samples, considered part of that primary distributor establishment.)

(2) If a food covered by this order is used for a purpose for which the order does not otherwise provide, such use is "industrial consumption". (The way foods covered by this order may be "acquired" for industrial consumption is covered in sections 7.10 and 7.11.)

(3) The use of foods covered by this order for demonstration purposes under the direction of the Department of Agriculture or the Extension Service of the Department of Agriculture is neither an industrial use nor industrial consumption.

(4) The use of foods covered by this order in the preparation of food for service, or in the service of food to "consumers", is an "institutional use" and not an industrial use. (An "institutional user" may obtain allotments of foods, and may use such foods, only in accordance with the provisions of General Ration Order 5.)

(b) Any place where a person makes an industrial use of foods covered by this order is an "industrial user establishment", and any person who has such an establishment is called an "industrial user" as to that establishment. An industrial user who ceases to make an industrial use of foods (other than temporarily) is not regarded as an industrial user after he ceases.

SEC. 7.2 *Industrial users must register*—(a) *General.* Every industrial user who operated his industrial user establishment at any time from January 1, 1942 to March 19, 1943, inclusive, must register his industrial user establishment with the Office of Price Administration, at any time from March 29, 1943 to April 10, 1943, inclusive, on OPA Form R–1605, in duplicate. The registration form must be completed and signed by the industrial user or his authorized agent.

(b) *Re-registration between December 15, 1943 and January 5, 1944.* Every industrial user who is registered under this order on December 14, 1943, must re-register his industrial user establishment by filing OPA Form R–1200 at any time from December 15, 1943 to January 5, 1944, inclusive, in accordance with General Ration Order 16.[1]

(c) *Industrial user must register all his establishments separately or as a unit.* An industrial user who has more than one industrial user establishment, must either register each establishment separately or all of them together. If he has more than one industrial user establishment, and registers them separately, each of those establishments must be treated and operated separately for all purposes of this order just as though the establishments were owned by different persons. If he registers them together, they must be treated as a unit for all purposes of this order. An industrial user who has more than one establishment which he registered together on OPA Form R–1605, may register all his establishments together or each separately when he re-registers them on OPA Form R–1200. Also, an industrial user who has more than one establishment which he registered separately on OPA Form R–1605, may register all his establishments together or each separately when he re-registers them on OPA Form R–1200.

(d) *Industrial user must register with the board.* Each industrial user must register with the "board" for the place where his industrial user establishment is located. If he has more than one industrial user establishment, and registers them together, the registration form must be filed with the board for the place where his principal business office is located. If he has more than one such industrial user establishment and registers them separately, the registration form for each must be filed with the board for the place where it is located.

(e) *Allocation of inventory and unused allotments.* An industrial user who has more than one industrial user establishment which he registers separately on OPA Form R–1200 may allocate any unused part of his prior allotments and the inventory of foods covered by this order which he has on the date of his re-registration among his various industrial user establishments as he wishes. An industrial user who has more than one industrial user establishment which were registered separately on OPA Form R–1605 and which he registers together on OPA Form R–1200, must assign all unused parts of prior allotments and the inventory of such foods which he has on the date of his re-registration for the use of all industrial user establishments as a unit.

(f) *Industrial users' place of registration may be changed by district office.* (1) Any district office, with the consent of the regional office, may require that any board located in its district transfer the registration of industrial users registered with it to another board or to the district office. The transfer shall be made by forwarding the registration file and all other records of the industrial users to the designated board or to the district office.

(2) Where an industrial user's registration is transferred under this section to a district office, the word "board", wherever used in this order to refer to the board with which an industrial user is registered, shall be deemed to refer to the district office where that industrial user is registered.

SEC. 7.3 *Industrial user may not do business unless he has registered.* (a) No industrial user may acquire or use foods covered by this order at his industrial user establishment, after April 10, 1943, unless he has registered as required.

(b) No industrial user may acquire or use foods covered by this order at his industrial user establishment after January 5, 1944, until he has re-registered as required by General Ration Order 16.

(c) However, any person may make an industrial use of foods covered by this order which have a zero point value without registering as an industrial user.

SEC. 7.4 *Industrial users must report their inventories.* (a) As part of his registration, on OPA Form R–1605, an industrial user must report his inventory of foods covered by this order, at the close of business on March 28, 1943. If he has more than one industrial user establishment and registers them together, he must report his total inventory for all his establishments on the same registration form.

(b) An industrial user's inventory at his industrial user establishment consists of all foods covered by this order which are physically located at that establishment, or in transit to it. He may, however, assign to and include in the inventory of one of his industrial user establishments foods physically located at or in transit to another of his industrial user establishments. If he has any such foods at, or in transit to, any place which is not his industrial user establishment, for industrial use at that establishment, he must include them in the inventory of that establishment. If he has any such foods at or in transit to any place which is not an establishment of any type under this order, he must include them in the inventories of his establishments under this order, but he may divide them among those establishments as he chooses. If he includes in the inventory of an industrial user establishment any foods not physically located at or in transit to it, he must report the place where those foods are kept and the amount kept there which he is including in the inventory of his establishment. However, the following items are not part of his inventory:

(1) Foods stored for a person other than his customer or transferee, or held as security for a loan to someone else (or similar transaction), or in transit for either of those purposes;

(2) Foods included in the inventory of one of his other establishments of any type.

(c) In addition, within twenty days of the date on which any item is added to the foods covered by this order, every industrial user must report to the board with which he is registered, his inventory of that item, in pounds and point value, as of the date on which it becomes a food covered by this order. His inventory of that item shall be treated as excess inventory. He may, at the same time, apply for an increase in his allotment (for the allotment period in which such item is added to the foods covered by this order) by reason of that addition, in accordance with section 7.7 of this order. However, an industrial user of "canned milk" may not receive an allotment under section 7.7, based on his use of canned milk.

SEC. 7.5 *Industrial users must report their use of foods during certain quarterly periods.* (a) As part of his registration on OPA Form R–1200, an industrial user must also report the number of pounds of foods covered by this order by classes, of which he made an industrial use at his industrial user establishment during 1942. These classes will be fixed by the Office of Price Administration in a supplement to this order. The report must show the amount he used during each of the following quarters in 1942, called base periods:

(1) *First quarter:* January to March, inclusive;

(2) *Second quarter:* April to June, inclusive;

(3) *Third quarter:* July to September, inclusive;

(4) *Fourth quarter:* October to December, inclusive.

He must include, in his report of his base-period use, any adjustments in that use authorized by the Office of Price Administration.

(b) If an industrial user establishment was not in operation for a full quarter, his industrial use of foods covered by this order at the establishment during that quarter is fixed, for all the purposes of this order, in the following way:

(1) If it was in operation during a part of the quarter:

(i) The amount of foods covered by this order so used there by him during that part of the quarter is determined;

(ii) That amount is divided by the number of days it was in operation during the quarter;

(iii) The result is multiplied by the number of days the establishment would have been operated during the quarter, if it had been a normal period of operation;

(iv) The resulting figure is treated as the amount so used during the quarter.

(2) If it was not in operation at all during the quarter but was in operation in any other part of 1942:

(i) The amount of foods covered by this order so used there by him during all of 1942 is determined;

(ii) That amount is divided by the number of days it was in operation during 1942;

(iii) The result is multiplied by the number of days the establishment would have been operated during the quarter, if it had been a normal period of operations;

(iv) The resulting figure is treated as the amount so used during the quarter. (If an industrial user's establishment was not in operation at any time from January 1, 1942 to March 19, 1943, inclusive, he is treated as a new industrial user as to that establishment under the provisions of section 13.3.)

(c) The rules set forth under (1) and (2) of paragraph (b) of this section do not apply where an industrial user's establishment was not in operation during all or part of a quarter because of a normal seasonal shutdown or for any similar reason. Where that is so, it is assumed that conditions will be the same during the corresponding period in 1944.

(d) An industrial user must exclude the following from his base-period use reported on OPA Form R–1200:

(1) His use of foods covered by this order for educational purposes, when such use was under the direction of the Department of Agriculture or the Extension Service of the Department of Agriculture;

(2) His use of any item of food covered by this order having a zero point value at the time he applies for his allotment;

(3) His use of any foods covered by this order for which he is entitled to receive a provisional allowance under section 7.13.

SEC. 7.6 *Industrial users' allotments*—(a) *General.* An industrial user is given an allotment to enable him to get and use foods covered by this order at his industrial user establishment. Allotments are given for fixed periods called allotment periods. The first allotment period for 1944 is from January 1 through March 31, 1944. The second period is from April 1 through June 30, 1944. The third period is from July 1 through September 30, 1944. The fourth period is from October 1 through December 31, 1944.

(b) *Application for allotments.* After December 14, 1943, no industrial user may apply for or receive any allotment for any 1943 allotment period. An industrial user's re-registration on OPA Form R–1200 is treated as an application for an allotment for the first allotment period of 1944. His application for an allotment for any other allotment period must be made, in person or by mail, to the board with which he is registered. No particular form need be used for such an application. The application must be made not more than fifteen days before, nor more than five days after, the beginning of the period. The board may permit the application to be made at any time during the month preceding an allotment period under such circumstances as the "Washington Office" may direct. The board, in its discretion, may also permit an application to be made at any time within the allotment period. However, if it is made more than five days after the beginning of the period, the industrial user's allotment shall be reduced in proportion to the part of the allotment period which has elapsed at the time he applies for the allotment.

NOTE: An industrial user is permitted to use foods covered by this order only up to the amount of his allotment. He may therefore need an allotment even if his stocks are sufficient, since his allotment establishes his right to use those foods—it is not just a method by which he gets them.

(c) *Amount of allotment.* An industrial user's allotment is determined on the basis of his total use of foods covered by this order at his industrial user establishment during the quarterly period in 1942 corresponding to the allotment period. The amount of each class (the classes of foods are fixed in a supplement to this order) of foods covered by this order used by him during the corresponding quarter of 1942 for the classes of products or uses listed by him on Schedule I of OPA Form R–1200, is multiplied by a factor fixed in a supplement to this order for that class of foods and for that class of product or use. The numbers which result are added, and the total is his allotment, stated in points. (The factor is fixed in such a way that it gives an allotment which fairly represents both the average point value of the foods used and the reduction in use required as a result of the scarcity of those foods.)

(d) *Right to a certificate; excess inventory.* (1) An industrial user is entitled to get and use foods covered by this order up to the amount of his allotment. He is, therefore, given a certificate for the number of points he needs in order to get that amount. However, if he had stocks on hand, on March 28, 1943, when rationing of those foods began, he could use them for his allotment and therefore needed fewer points. For that reason, the point value of his inventory at the close of business on March 28, 1943, was deducted from his allotments. (The method of determining his inventory at the close of business on March 28, 1943, is covered by section 7.4.) If the point value of an industrial user's inventory on March 28, 1943, was less than his first allotment, he was entitled to get, from the board with which he registered, a certificate for the number of points needed to make up the difference. If the point value of his inventory was greater than his first allotment, the difference was excess inventory. In that case, he was not entitled to receive a certificate for the first allotment period, nor for any subsequent allotment period until the total of his subsequent allotments exceeded his excess inventory.

(2) If an industrial user has or is chargeable with any excess inventory at the time he re-registers on OPA Form R–1200, that excess must be entered on the form at the time he re-registers his industrial user establishment. If he has more than one such establishment and registers them separately, he may allocate such excess inventory among them in any way he wishes. However, if an industrial user has more than one establishment which he re-registers separately, he must file with the board for the place where his principal business office is located, a statement of his total excess inventory of foods covered by this order, and the amount allocated to each of his establishments. The statement must be signed by the industrial user or his authorized agent.

[1] 8 F.R. 16840.

(3) If the point value of an industrial user's excess inventory is less than his allotment for the first allotment period of 1944, he is entitled to get, from the board with which he registered, a certificate for the number of points needed to make up the difference. If the point value of such excess inventory is greater than his allotment for the first allotment period of 1944, he is not entitled to get a certificate for that allotment period. He is not entitled to get a certificate until the total of his subsequent allotments exceeds his excess inventory.

(e) *Issuance of certificates.* Only one certificate will be issued by the board, for the full number of points to which an industrial user is entitled during any allotment period, except that if he has more than one industrial user establishment and has registered them separately, he is to get a separate certificate for each, since separately registered establishments are treated separately.

(f) *Report of foods acquired point free or at reduced point values.* An industrial user who acquires foods covered by this order, after March 28, 1943 (other than those having a zero point value at the time he acquired them), without giving up points, and who is not required by any other provision of this order to account for or turn over to the Office of Price Administration points for the point value of the foods so acquired, must report such acquisitions and the amount acquired, when applying for his next allotment. The point value of the amounts so acquired shall be treated as excess inventory. An industrial user must also report, when applying for his allotment, the amount and point value of foods covered by this order which he acquired during the preceding allotment period at a reduced point value under the provisions of sections 6.10 and 10.11.

(g) *Accounting for errors.* If an industrial user receives an allotment larger than he is entitled to receive as a result of an error, omission, or mistake made in his application or by his board, or by any other office of the Office of Price Administration, the amount of the excess shall be treated as excess inventory.

(h) *Industrial users who have unbalanced stocks.* If an industrial user is not entitled to receive a certificate because he has excess inventory, but finds that he does not have an adequate stock of a particular kind of food covered by this order, he may apply, on OPA Form R-315, to the board with which he is registered, for a certificate to enable him to get that kind. The application must show the kind and amounts of food which he needs and the reasons he needs it. If the board finds that he does not have an adequate stock of the particular food, it may issue to him a certificate for the number of points needed, up to one third of his allotment for that period. The points so issued must be treated as excess inventory. The granting of the application shall not be treated as an increase in his allotment. The board may grant only one such application for an industrial user.

(i) *Reduction of allotment and adjustment of excess inventory based on shortening or cooking and salad oils.* (1) The allotment for the second allotment period of 1944 of any industrial user who used shortening or cooking and salad oils during the second quarter of his base period, shall be reduced by five-sixths of the amount which represents that use. The amount of the reduction shall be treated as excess inventory. He may not, after April 15, 1944, use foods covered by this order which have a point value, if, before that date, he used such foods up to the amount of that reduced allotment plus any unused parts of his prior allotments or if such use of foods covered by this order would cause his total use, in points, during the second allotment period to exceed that reduced allotment plus any unused parts of his prior allotments.

(2) An industrial user who acquired shortening or cooking and salad oils for points after March 15, 1944, from points issued to him for the second allotment period, may apply for an adjustment of his excess inventory. (An industrial user who, on March 15, 1944, had points on hand or in his ration bank account is considered to have acquired shortening or cooking and salad oils from points issued to him for his second allotment period only to the extent that the point value of shortening or cooking and salad oils he acquired after March 15, 1944, exceeds the points he had on hand and in his ration bank account on that date.) Application shall be made on OPA Form R-315 to the board with which he is registered and must state, with respect to each such acquisition:

(i) The point value of shortening and cooking and salad oils acquired for points after March 15, 1944, from points issued to him for the second allotment period;

(ii) The types and quantities of shortening and cooking and salad oils acquired with those points;

(iii) The dates on which such foods were acquired; and

(iv) The names and addresses of the persons from whom such foods were acquired.

(3) If the board finds the statements made in the application are true, it shall grant the application and reduce his excess inventory by the number of such points which he used between March 16 and April 15, 1944, inclusive, to acquire shortening or cooking and salad oils.

(j) *Reduction of allotment and adjustments for meat (including canned fish) having a zero point value.* (1) The allotment for the second allotment period of any industrial user who used meat (including canned fish) during the second quarter of his base period, shall be reduced by two-thirds of the amount which represents that use. The amount of the reduction shall be treated as excess inventory. He may not, after May 3, 1944, use foods covered by this order which have a point value, if, before that date, he used such foods up to the amount of that reduced allotment plus any unused parts of his prior allotments or if such use of foods covered by this order would cause his total use, in points, during the second allotment period to exceed that reduced allotment plus any unused parts of his prior allotments.

(2) An industrial user who acquired meat (including canned fish) for points after March 15, 1944, from points issued to him for the second allotment period, may apply for an adjustment of his excess inventory. (An industrial user who, on March 15, 1944, had points on hand or in his ration bank account is considered to have acquired meat (including canned fish) from points issued to him for his second allotment period only to the extent that the point value of the meat (including canned fish) he acquired after March 15, 1944, exceeds the points he had on hand and in his ration bank account on that date.) Application shall be made on OPA Form R-315 to the board with which he is registered and must state, with respect to each such acquisition:

(i) The point value of meat (including canned fish) acquired for points after March 15, 1944, from points issued to him for the second allotment period;

(ii) The types and quantities of meat (including canned fish) acquired with these points;

(iii) The dates on which such foods were acquired; and

(iv) The names and addresses of the persons from whom such foods were acquired.

(3) If the board finds the statements made in the application are true, it shall grant the application and reduce his excess inventory by the number of such points which he used to acquire meat (and canned fish) between March 16 and May 3, 1944, inclusive. His excess inventory may not, however, be reduced by more than two-thirds of his allotment based on his use of meat and canned fish.

(4) An industrial user who, during the second quarter of his base period, used meat which on May 4, 1944, has a point value may apply for an allotment covering such meat. The application shall be made on OPA Form R-315, and must estimate the number of pounds of such meat, separately for "bone in and separated suet" and for "boned and boneless," which he used during the second quarter of his base period. The board may grant the application if it finds that the industrial user used, during the second quarter of his base period, meat which on May 4, 1944, has a point value, and shall determine the amount of his allotment for the balance of the second allotment period of 1944 in the following way:

(i) The number of pounds of meat (having a point value on May 4, 1944) in the class "Bone in and separated suet" which he used during the second quarter of his base period is multiplied by the factor 2.6;

(ii) The number of pounds of meat (having a point value on May 4, 1944) in the class "Boned and Boneless" which he used during the second quarter of his base period is multiplied by the factor 3.4;

(iii) The resulting figures are added together and represent his allotment for the balance of the second allotment period of 1944 for meat having a point value on May 4, 1944. (Section 7.6 (d) applies in determining whether an industrial user who receives an adjustment under this subparagraph is entitled to a certificate, and determining the amount of the certificate.)

However, there shall be deducted from the allotment granted under this subparagraph (4) the amount of any adjustment obtained under subparagraph (3).

SEC. 7.7 *Registration after March 10, 1943*—(a) *Registration of persons whose use of foods becomes an industrial use because of changes in the foods covered by this order.* (1) Any person who becomes an industrial user, or whose use of certain foods becomes an industrial use, because the foods he uses in his operations are added to the foods covered by this order (or because he uses foods covered by this order in making products which were removed from the foods covered by this order) must register his use of those foods with the Office of Price Administration within twenty days after his use of the foods in question becomes an industrial use of foods covered by this order.

(i) If he is not already registered as an industrial user under this or any other food ration order of the Office of Price Administration, he must register his industrial user establishment by filing OPA Form R-1200, in duplicate, with the board for the place where his establishment is located. If he has more than one such industrial user establishment he must either register each establishment separately on a separate form or he must register all of them together on a single form. If he has more than one such establishment and registers them together, the registration form must be filed in person or by mail with the board for the place where his principal business office is located. If he has more than one such industrial user establishment and registers them separately, the registration form for each must be filed with the board for the place where it is located.

(ii) If he is already registered under any other food ration order he may register as an industrial user under this order by amending his registration on OPA Form R-1200 to show his use of the foods in question.

(iii) If he is already registered as an industrial user under this order he must amend his registration, on OPA Form R-1200 to show his use of the foods in question.

(2) He must give all the information called for by the form with respect to his use of the foods in question. In addition, he must attach to the form a statement showing the point value of his inventory of those foods as of the time his use of them became an industrial use.

(i) An industrial user who used the foods in question in his operations before March 29, 1943, must show on his registration his base-period use of those foods. If he did not use those foods in his operations during all of 1942, he may compute his use of those foods during each quarter in the way described in section 7.5 (b) and (c). If the board finds that he used those foods in his operations before March 29, 1943, it shall grant him an allotment for the allotment period in which he registers (or amends his registration) reduced in proportion to the portion of the allotment period which has elapsed at the time he registers (or amends his registration). However, an industrial user of canned milk may not receive any allotment under this section based on his use of canned milk.

(ii) An industrial user who is unable to establish a base-period use because he did not use the foods in question in his operations before March 29, 1943, must apply on OPA Form R-315 to the board with which he is registering for the assignment of a base-period use. His application must show:

(a) The product the applicant makes;
(b) The size of the establishment;
(c) The amount invested in it;
(d) The market supplied;
(e) The date on which he started to use the foods in question;
(f) His inventory of those foods;
(g) The amount and kinds of foods used since he began operations;
(h) The amount of base-period use requested; and
(i) That he became an industrial user because the foods he uses in his operations were added to the foods covered by this order (or because he uses foods covered by this order in making a product which was removed from the foods covered by this order).

(iii) The board may not pass on the application for the assignment of a base-period use but must forward it, together with all information received, to the district office. The board may attach its recommendation, if any, as to the action to be taken. If the district office finds that the applicant became an industrial user, or that his use of the foods in question became an industrial use, because the foods he uses in his operations were added to the foods covered by this order (or because he uses foods covered by this order in making a product which was removed from the foods covered by this order) it shall assign to him a base-period use of those foods. The board shall grant the applicant an allotment on the basis of such assigned base-period use reduced in proportion to the portion of the allotment period which has elapsed at the time of his application. However, an industrial user of canned milk may not receive any allotment under this section based on his use of canned milk.

(b) *Late registration.* (1) The board may permit an industrial user who failed to register at the time required, to register and apply for an allotment at a later date. In his registration, he must report his inventory of foods covered by this order as of the first day of the period in which he was required to register.

(2) His allotment is computed in the same way as that of an industrial user who registered on time. However, he must not acquire or use foods covered by this order at his industrial user establishment until he registers, and the amount of his allotment shall be reduced in proportion to the part of the allotment period which has elapsed at the time he registers. In addition, he may not receive any allotment for expired allotment periods.

SEC. 7.8 *Restriction on use of foods by industrial users.* (a) No industrial user may use for any purpose except an industrial use, foods covered by this order which are included in his inventory or which he acquired with points he received as an industrial user.

(b) No industrial user may use, during an allotment period, more foods covered by this order than his allotment for that period plus any unused part of his allotments for earlier periods. (However, any person who makes an industrial use of canned milk may use any canned milk which he acquired at zero point value under the provisions of section 10.11 even though he may not have an allotment as an industrial user under this order.) An industrial user may also use foods covered by this order up to the amount of an allotment for any future period, at any time after he has been granted that allotment. However, if he uses any part of that allotment prior to the beginning of the period for which it was granted, he shall, for purposes of this paragraph, be considered to have used it in the period for which it was granted.

(c) After December 31, 1943, no industrial user may use foods covered by this order to make a product or use not included in a class of products or uses checked by him on Schedule I of OPA Form R-1200. Furthermore, after December 31, 1943, no industrial user may use, to make any class of product or use, more foods covered by this order than the part of his allotment representing his base-period use of such foods for that class, as shown on OPA Form R-1200.

(d) Foods covered by this order acquired by an industrial user at less than their full point value under sections 6.10 and 10.11 shall, for all the purposes of this article, be considered to have the point value at which he acquired them.

(e) The restrictions imposed by this section on an industrial user's use of foods covered by this order do not apply to items of such foods having a zero point value.

SEC. 7.9 *Industrial users must keep records.* (a) Every industrial user must keep a copy of his registration on OPA Form R-1605 and on OPA Form R-1200. He must also keep a record of his inventory at the close of business on March 28, 1943. If he has more than one industrial user establishment which he registers together, these records must be kept at his principal business office; otherwise, they must be kept at the establishment covered by them. He must also preserve his records showing his use of foods covered by this order during the quarters reported in his registration.

(b) In addition, each industrial user must keep, at the same place, a record of the amount of foods covered by this order which he acquires, the date of acquisition, and the amount of such foods used at his industrial user establishment during each allotment period.

SEC. 7.10 *Explanation of the terms industrial consumption, and industrial consumer.* (a) If a food covered by this order is used for a purpose for which

the order does not otherwise provide, such use is industrial consumption. If a food covered by this order is used by a person as a consumer, primary distributor, industrial user, institutional user, or exempt agency, such use is not industrial consumption.

(b) Any person who engages in industrial consumption (of a food covered by this order) is called an "industrial consumer".

SEC. 7.11 *Industrial consumers may apply for points to acquire foods.* (a) An industrial consumer who needs rationed fats or oils may apply, in writing, to the Fats and Oils Section, office of Distribution of War Food Administration, Washington 25, D. C., on a form to be designated by the Office of Distribution, for permission to acquire and use them. If the application is granted, a certificate will be issued to the applicant by the office of Distribution of War Food Administration.

(b) If an industrial consumer needs any foods covered by this order, other than rationed fats or oils, he may apply, on OPA Form R–315, to the district office for the place where his principal business office is located, for a certificate with which to acquire them. The application must show the kind and amount of the food needed, and the purpose for which it is to be used. The district office will send the application to the Washington Office for decision, or take such other action as the Washington Office may authorize or direct.

(c) An industrial consumer to whom a certificate is issued for industrial consumption may use it only to acquire the foods for which he applied, and may use those foods only for the purpose for which his application was granted.

SEC. 7.12 *Registration of industrial consumers who become industrial users.* (a) Any person whose use of foods covered by this order is changed from industrial consumption of those foods to industrial use of them by reason of a change in the definition of industrial use, must register as an industrial user of those foods, on OPA Form R–1200, in the way described in General Ration Order 16 (or, if he is already registered as an industrial user on OPA Form R–1200, he shall amend his registration to show his use of those foods), within 20 days after his use of those foods becomes an industrial use. He must report on that form his inventory of foods, and the number of points, held by him for industrial consumption as of the time his use of those foods becomes an industrial use. The amount of those foods and points shall be treated as excess inventory. After he registers on OPA Form R–1200, he shall be treated under this order in the same way as any industrial user.

SEC. 7.13 *Provisional allowance*—(a) *General.* An industrial user is not entitled to receive an allotment for any use of foods covered by this order for which he is entitled to receive a provisional allowance.

(1) An industrial user may get a provisional allowance to enable him to acquire pork fatbacks, plates, or jowls to manufacture prepared dry bean products which are rationed under Revised Ration Order 13.

(2) An industrial user may get a provisional allowance to enable him to acquire rationed fats or oils to manufacture vitamin A or D oils which have a potency at least equal to the standards set forth in the U. S. Pharmacopoeia XII for "Oleovitamin A", "Synthetic Oleovitamin D", "Oleovitamin A and D" or "Oleovitamin A and D Concentrate", as the case may be.

(3) An industrial user may get a provisional allowance to enable him to acquire rationed fats or oils to manufacture injectable mercury or bismuth compounds, soluble in fixed oil, intended for the treatment of syphilis, and conforming to the requirements of the Food, Drug, and Cosmetic Act.

(b) *How to apply.* Provisional allowances are granted for three-month periods, corresponding to the quarterly allotment periods for industrial users. An application for a provisional allowance for any period may be made at any time from 15 days before, to the end of, that period. However, no such application may be made for any period beginning on or after January 1, 1944 unless the applicant has already registered on OPA Form R–1200. The application must be made, on OPA Form R–315, to the board with which the industrial user is registered.

(1) An industrial user's application for a provisional allowance for pork fatbacks, plates, or jowls for use in manufacturing prepared dry bean products which are rationed under Revised Ration Order 13, must contain the following information:

(i) The product made by him for which the provisional allowance is requested;

(ii) The number of pounds of dry beans which he expects to use to make the product during the period for which application is made;

(iii) The average number of pounds of pork fatbacks, plates, and jowls (stated separately for each item) he used during 1941 or 1942, or from January 1 to March 28, 1943, inclusive, (whichever period he chooses) for each 100 pounds of dry beans used by him in making the product;

(iv) The amount, in pounds, of his last provisional allowance for pork fatbacks, plates, and jowls for the product;

(v) A report of his use of his last provisional allowance showing the number of pounds of pork fatbacks, plates, and jowls used (stated separately for each item), the number of pounds of dry beans used, and the number of pounds of the product made; and

(vi) The number, if any, of unused points remaining from his last provisional allowance (or supplemental allotment, if any) for pork fatbacks, plates, and jowls for that product.

(2) An industrial user's application for a provisional allowance for rationed fats or oils for use in manufacturing vitamin A or D oils must contain the following information:

(i) The product made by him for which the provisional allowance is requested;

(ii) The minimum potency of the product in terms of vitamin A and D U. S. P. standard units per gram of the product;

(iii) The number of pounds of the product which he expects to make during the period for which application is made;

(iv) The average number of pounds of each type of rationed fats or oils (stated separately for each type) which he used during 1942 to make each 100 pounds of the product;

(v) A report of his use of his last provisional allowance showing the number of pounds of rationed fats or oils used (stated separately for each type), and the number of pounds of the product made;

(vi) The number, if any, of unused points remaining from his last provisional allowance (or supplemental allotment, if any) for rationed fats or oils for that product.

(3) An industrial user's application for a provisional allowance for rationed fats or oils, for use in manufacturing antisyphilis preparations must contain the following information:

(i) The product made by him for which the provisional allowance is requested, and a statement that the product he manufactures conforms to the requirements of the Food, Drug, and Cosmetic Act;

(ii) The number of pounds of the product which he expects to make during the period for which application is made;

(iii) The average number of pounds of each type of rationed fats or oils (stated separately for each type) he used during 1941 or 1942, or from January 1 to March 28, 1943, inclusive, (whichever period he chooses) for each 100 pounds of the product;

(iv) A report of his use of his last provisional allowance showing the number of pounds of rationed fats or oils used (stated separately for each type), and the number of pounds of the product made;

(v) The number, if any, of unused points remaining from his last provisional allowance (or supplemental allotment, if any) for rationed fats or oils for that product.

(4) If he makes more than one product for which he is entitled to receive a provisional allowance, he may include them all in a single application. However, he must give all the required information separately for each of the products.

(c) *Action on application.* The board shall grant the application if the applicant is entitled to receive a provisional allowance, and if the application gives all the information called for in paragraph (b) of this section.

(1) The amount of the provisional allowance for pork fatbacks, plates, and jowls for use in manufacturing prepared dry bean products shall be computed in the following way:

(i) The number of pounds of dry beans which the applicant expects to use during the quarter to make the product is multiplied by the number of pounds of pork fatbacks, the number of pounds of pork plates, and the number of pounds of pork jowls he used for each 100 pounds of dry beans to make the product during the period chosen by him under paragraph (b) (1) (iii);

(ii) The result in each case is multiplied by the factor fixed (in the supplement to this order) for provisional allowances for pork fatbacks, plates, or jowls to be used for that product;

(iii) The resulting figures are multiplied by the point values established on the Official Table of Trade Point Values for pork fatbacks, plates, or jowls, as the case may be;

(iv) These figures are added together and the result is his provisional allowance for the period.

The board shall issue to him a certificate for the amount of his provisional allowance less the point value of any unused balance of his last provisional allowance, or supplemental allotment, for pork fatbacks, plates, or jowls to make that product.

(2) The amount of the provisional allowance for rationed fats or oils for use in manufacturing vitamin A or D oils shall be computed in the following way:

(i) The number of pounds of the product which the applicant expects to make during the quarter is multiplied by the number of pounds of each type of rationed fats or oils which he used for each 100 pounds of that product during 1942;

(ii) The result, in each case, is multiplied by the factor fixed (in the supplement to this order) for provisional allowances for rationed fats or oils for vitamin A or D oils;

(iii) The resulting figures are multiplied by the point value established on the Official Table of Trade Point Values for the rationed fats or oils used by the applicant;

(iv) These figures are added together and the result is his provisional allowance for the period.

The board shall issue to him a certificate for the amount of his provisional allowance less the point value of any unused balance of his last provisional allowance, or supplemental allotment, for rationed fats or oils to make that product.

(3) The amount of the provisional allowance for rationed fats or oils for use in manufacturing antisyphilis preparations shall be computed in the following way:

(i) The number of pounds of the product which the applicant expects to make during the quarter is multiplied by the number of pounds of each type of rationed fats or oils which he used for each 100 pounds of that product during the period chosen by him under paragraph (b) (3) (iii);

(ii) The result, in each case, is multiplied by the factor fixed (in the supplement to this order) for provisional allowances for rationed fats or oils for antisyphilis preparations;

(iii) The resulting figures are multiplied by the point value established on the Official Table of Trade Point Values for the rationed fats or oils used by the applicant;

(iv) These figures are added together and the result is his provisional allowance for the period.

The board shall issue to him a certificate for the amount of his provisional allowance less the point value of any unused balance of his last provisional allowance, or supplemental allotment, for rationed fats or oils to make that product.

(d) *Restriction on use.* If an industrial user receives a provisional allowance under this order, he may use the points he receives only to acquire the particular food covered by this order for which the provisional allowance is granted, and he may use that food only for the purpose of making the product for which he received the provisional allowance.

(e) *Records.* An industrial user who, during any calendar month, uses a food covered by this order to make a product for which he is entitled to receive a provisional allowance, must, before the sixteenth day of the following month, file with his board a written report of the number of pounds of that food used by him during the preceding month to make the product for which he is entitled to receive a provisional allowance. The report must state the number of units (by sizes) of the product manufactured, the total number of pounds of the product manufactured, and the amount of foods covered by this order, in pounds and point value, used by him in manufacturing that product. If he makes more than one product for which he is entitled to receive a provisional allowance, he must file a separate report for each product, giving the required information with respect to each.

(1) In addition, an industrial user who receives a provisional allowance for pork fatbacks, plates, or jowls to make prepared dry bean products must include in his report a statement of the number of pounds of dry beans used during the month covered by the report.

(f) *Amendment of registration when products are added to those for which industrial user may receive provisional allowance.* Any industrial user who, after January 5, 1944, becomes entitled to receive a provisional allowance must amend his registration, on OPA Form R–1200, by April 5, 1944, or within 20 days after he becomes entitled to receive the provisional allowance, whichever is later. He must reduce his base-period use of foods covered by this order, shown on Schedule II of OPA Form R–1200, by the amount used by him during the base period to make the product or use for which he is entitled to receive the provisional allowance. He must also amend Schedule I of OPA Form R–1200 to show the products or uses made by him for which he is entitled to receive the provisional allowance. In addition, he must, at the same time, report to his board the unused portion of that part of his current allotment which was based on his use of foods covered by this order to make that product or use. That amount shall be deducted from the certificate issued to him for his first provisional allowance for that product or use. If that amount exceeds his first provisional allowance, the excess shall be deducted from subsequent provisional allowance certificates issued to him for that product or use, and no provisional allowance certificate shall be issued to him for that product or use until that amount has been deducted in this way.

ARTICLE VIII—COMBINED OPERATIONS AND COMBINED ESTABLISHMENTS

SEC. 8.1 *A person who operates different types of establishments is treated as if he were different persons.* (a) (1) The same "person" may operate different kinds of establishments. He may have, for example, both a "wholesale establishment" and a "retail establishment." For the purposes of this order, he is both a "wholesaler" and a "retailer," since he has establishments of both kinds. The provisions of this order dealing with retailers apply to him as far as the operation of his retail establishment is concerned. The operation of his wholesale establishment is regarded as separate and is governed by the provisions dealing with wholesalers. Thus, he is treated as if he were two persons.

(2) This rule also applies to the way in which a person who is both a wholesaler and a retailer must handle the points he gets in connection with his wholesale and his retail establishment. The only points he may use as a retailer are those he gets in connection with his retail establishment. If he "transfers" food from his wholesale establishment to his retail establishment, points he has as a retailer must be given up. When those points are given up to his wholesale establishment, they become points he has as a wholesaler. Points he has as a retailer must be kept and handled separately from the points he has as a wholesaler.

(3) The same rules apply to a person who has other types of establishments, such as "primary distributor establishments" or "industrial user establishments."

(b) Where a person has establishments of more than one kind, he must operate them as if each separate kind belonged to a separate person, as far as the provisions of this order are concerned. All dealings between establishments of different kinds operated by the same person are treated just as if those establishments were operated by different persons.

SEC. 8.2 *The same person may be both a wholesaler (or retailer) and an industrial user at the same place.* (a) A person may keep stocks of "foods covered by this order", at a place, for sale or other transfer, and may also use such food at that place for the production of a food which is not rationed by this order. (For example, he may sell "butter" at a particular place and may also operate a bakery there and use butter in baking pies.) In a case of this type, the place is treated as two establishments. If food is transferred from there, it may be a retail or a wholesale establishment, depending upon the facts. It would also be an industrial user establishment, since food is used there in baking pies for sale.

(b) A place of the type described in the last paragraph must be registered as a retail or wholesale establishment, depending upon which it is. Its sales or transfers of food, and its stocks held for sale or transfer, must be included in that registration. It must also be registered as an industrial user establishment, and its stocks held for such use

must be included in the "industrial user" registration.

SEC. 8.3 *The same person may be both a wholesaler* (or *retailer*) *and an institutional user at the same place.* (a) If, in the case described in the last section, the person operated a restaurant at that place, as well as (or instead of) a bakery, it would also be an "institutional user establishment." (Restaurants are covered by General Ration Order 5 and are called institutional user establishments in that order.) A place of that type must be registered under General Ration Order 5. Its restaurant activities and its stocks of food held for restaurant use must be included in that registration.

SEC. 8.4 *The same person may be both a primary distributor and a wholesaler* (or *retailer*) *at the same place.* (a) A person may produce or import food covered by this order at a particular place, for sale or transfer. He may also regularly keep at that place, for sale or transfer, food which he did not produce or import there. In such a case, that place is a primary distributor establishment, as to the food produced or imported there. If it does not meet the tests of sections 4.6, 4.7 or 4.9, it would also be a retail or wholesale establishment, depending upon the facts, since he regularly keeps there, for sale or transfer foods produced or imported somewhere else.

(b) A place of the type described in the last paragraph must be registered as a primary distributor establishment. It must also be registered as a wholesale or retail establishment, depending upon which it is. Its production or imports, and its stock and shipments of food produced or imported there, must be included in the primary distributor report. The stocks which were produced or imported elsewhere (to the extent that they do not come within sections 4.6, 4.7 or 4.9) and its sales and transfers of those stocks, must be included in the wholesaler or retailer registration.

SEC. 8.5 *The same place may be more than one establishment.* (a) The situations described in the last four sections are examples of the rule that the same place may be more than one establishment, depending upon the type of business or operations carried on there. Wherever the operations at a place are such that it is more than one establishment, it is treated just as if each of those establishments were located at a different place.

(b) No place can, however, be both a retail and a wholesale establishment of the same person. Under the definitions of retail and wholesale establishments, the place may be one or the other, but not both.

(c) The word establishment, as it is used in this order thus covers the operations at a place, as well as the place itself. Where a person such as a wholesaler or a retailer, does not operate from any fixed place, his wholesale or retail operations as a whole are regarded as a single establishment. Similarly, if a person who deals in foods covered by this order and makes sales or transfers of them does not actually keep such foods at any particular place, his operations as a whole are regarded as his establishment, and he may register as a wholesaler or retailer (but not as a primary distributor of the type described in section 4.9), depending on the class of persons to whom he makes transfers.

ARTICLE IX—RATION BANK ACCOUNTS

SEC. 9.1 *A ration bank account is an account in which points are deposited.* (a) A ration bank account is a bank account very much like an ordinary checking account. A "person" who opens a ration bank account deposits in it points he receives, and issues checks drawn on it for points he uses. These checks are called ration checks. (The general rules for the opening, closing and use of ration bank accounts are covered by General Ration Order 3A.[6])

SEC. 9.2 *Who must open a ration bank account*—(a) *Primary distributors.* Every "primary distributor" who is required to report on OPA Form R–1606 (Revised) or OPA Form R–1626 must open a separate ration bank account for each of his "primary distributor establishments." Any other primary distributor may open an account if he wishes, but is not required to do so. No ration bank account may be opened or used for more than one primary distributor establishment. However, if a group of his establishments have been registered together in the way described in section 4.11 (a) (2), a primary distributor must open a single account for all the establishments in the group. When he does so, he must close the separate accounts he has for each of the establishments in the group in the way provided in General Ration Order 3A.

(b) *Wholesalers.* Every "wholesaler" must open a ration bank account for his "wholesale establishment." If he has more than one wholesale establishment and they are to be registered separately, he must open a separate account for each. If they are to be registered together, he may open one account for all, or a separate account for each or for any group of them, but all must have an account.

(c) *Retailers.* Every "retailer" whose gross sales of all foods during December 1942, or during any single calendar month since December 1942, were over $2,500, or who has more than one "retail establishment," must open a ration bank account. If he has more than one retail establishment and they are to be registered separately, he must open a separate account for each. If they are to be registered together, he may open one account for all, or a separate account for each or for any group of them, but all must have an account. Any other retailer may open an account for his retail establishment if he had a ration bank account on March 30, 1943, for foods covered by this order, or has a ration bank account for any other rationed food. (A bank is not required to open or maintain such accounts; but if it does so, it must open or maintain them for any such retailer who applies.) No other retailer may open an account unless he is required to do so pursuant to paragraphs (d) or (h) (because he makes transfers of foods to "consumers" by mail, or receives "stamps" or "certificates" from consumers before the time he transfers "butter" or "rationed cheeses" to them from a mobile conveyance).

(d) *Mail order houses.* Any primary distributor or retailer who receives points (stamps, "tokens", certificates, or endorsed ration checks) from, and makes transfers to, consumers by mail must open a ration bank account.

(e) *Industrial users.* (1) Every industrial user who has, or has assigned to him, during any quarterly period, from January 1, 1942 on, a quarterly-period use of 2,000 pounds of more of foods covered by this order, may open an account. If he has more than one industrial user establishment and they are registered together, he may open an account if the combined use at all those establishments is 2,000 pounds or more during any quarterly period. If he opens an account, he may either open one account for all or a separate account for any establishment or for any group of them which used 2,000 pounds or more during any quarterly period, but all must have an account. If they are registered separately, he may open accounts only for those establishments which have a quarterly-period use of 2,000 pounds or more. He may open separate accounts for any one or more of those establishments without opening accounts for the others. However, he may not use the same account for more than one establishment. Any industrial user who has opened a ration bank account and who is not entitled to have it under this section, must close that account on or before January 15, 1944. Such an industrial user who has not reduced his account to zero on or before such date, may draw a check to the Office of Price Administration for the balance in his account, less outstanding checks, and have it certified on or before January 15, 1944. He may exchange such check, at his board, for a certificate equal in point value to the amount of the check.

(2) Any industrial user who has more than one establishment and registers these establishments on OPA Form R–1200 in a way different from that in which they were previously registered on OPA Form R–1895 (by registering two or more establishments separately when they were previously registered together, or by registering two or more establishments together when they were previously registered separately) must make the appropriate changes in the designation of the establishments served by any ration bank accounts which he has opened. He shall also close any account that is no longer needed. Where an industrial user changes the establishments which are served by an account and it is necessary that he use some or all of the points in that account for an establishment that will no longer be served by the account, he may issue, on or before January 15, 1944, the necessary checks to withdraw such points from the account, and may deposit them in the account which will serve the establishment for which he wishes to use the points, or if he has no account for such establishment, he may use the checks to obtain foods covered by this order for such establishment. Any industrial user who closes an account under this section may (after notifying the district office in the way provided in General Ration Order 3A) on or before January 15, 1944, draw a check to the Office of Price Administration for the balance in his account, less outstanding checks, and have it certified on or before January 15, 1944. He may exchange such certified checks at his board for a certificate equal in point value to the amount of the check.

(f) *Institutional users.* The opening of ration bank accounts by "institutional users" is covered by General Ration Order 5.

(g) *Industrial consumers.* "Industrial consumers" may open ration bank accounts if they wish, but are not required to do so. They may open such accounts as they find convenient.

(h) *Certain primary distributors and retailers.* Any primary distributor or retailer who receives points (stamps, tokens, certificates, or endorsed ration checks) from consumers before the time when butter or rationed cheeses are transferred from his mobile conveyance operated on a regular delivery route, must open a ration bank account.

(i) *Certain airplane operators.* An airplane operator who has been allowed an operating inventory under section 21.4 of General Ration Order 5 may open one ration bank account for each of his offices at which he regularly purchases foods covered by this order for use as planes' stores.

SEC. 9.3 *All points must be deposited in the account.* (a) Every primary distributor, wholesaler, retailer or industrial user who has a ration bank account, must deposit in his account all points he receives, whether in the form of stamps, certificates, or ration checks.[7] Industrial consumers who have accounts may deposit their certificates in them. However, any person who sells or transfers foods covered by this order to consumers may retain and need not deposit in his ration bank account enough tokens for use in returning excess points to consumers pursuant to section 2.3 (c). He may also retain and need not deposit enough stamps and certificates to acquire tokens for such use. (Section 4.13 (b) states another exception to this paragraph.)

SEC. 9.4 *When points must be deposited*—(a) *Stamps.* A person who has a ration bank account may deposit red stamps from War Ration Book Four at any time after they have been validated for use by consumers.

(b) *Certificates and ration coupons.* Any certificate issued on or after October 13, 1943, may be deposited at any time. Ration coupons may be deposited at any time.

(c) *Ration checks.* Ration checks may be deposited at any time.

(d) *Tokens.* Tokens may be deposited at any time in quantities of 250 or multiples thereof, in containers provided for that purpose by the Office of Price Administration.

ARTICLE X—SALES AND TRANSFERS OF FOODS COVERED BY THIS ORDER

SEC. 10.1 *Only retailers, wholesalers, and primary distributors may transfer foods covered by this order.* (a) Beginning March 29, 1943, only "retailers," "wholesalers," and "primary distributors" may sell or "transfer" "foods covered by this order." (Certain transactions between "consumers," covered in section 2.2, are excepted from this rule. Certain other exceptions are covered in Article III and Article XI.)

(b) An "industrial" or "institutional user" may, however, sell or transfer foods covered by this order which he has for use in his "industrial user" or "institutional user establishment," in the same way that a retailer is permitted to sell or transfer those foods, if he is not able to use those foods in his establishment before they spoil. He must, immediately after selling or transferring them, account to his "board" for points equal to their point value, and must give up to the board at that time any points received for them. The board shall credit him with those points by deducting that number from his excess inventory (if any), and by giving him a "certificate" for the amount by which the number of points given up exceeds his excess inventory (if any).

(c) An industrial user or "industrial consumer" may also sell or transfer any residue of foods covered by this order which he has and is no longer able to use for his purposes in his industrial user establishment or for "industrial consumption," in the same way that a retailer is permitted to sell or transfer those foods. He must, immediately after selling or transferring them, account to his board for foods he transferred, and must give up at that time all points received for them.

(d) An industrial user who has an excess inventory of foods covered by this order may apply for permission to sell or transfer any part of that excess. The application shall be made on OPA Form R–315 to the board with which he is registered. He must state in his application the kinds, quantities and point value of the foods covered by this order which he wishes to sell or transfer, the reason he wishes to sell or transfer them, the way in which they are to be sold or transferred, and any other information that the board requests. The board shall grant the application if good cause is shown. If the application is granted, the foods covered by this order must be sold or transferred for points in the same way that a retailer is permitted to sell or transfer such foods, and within five (5) days after the sale or transfer, the transferor must give up to the board all points which he received for the sale or transfer. The board shall reduce his excess inventory by an amount equal to the number of points given up.

(e) Institutional users may sell or transfer foods covered by this order in the way permitted by General Ration Order 5.

(f) Any "person" not covered by paragraphs (a), (b), (c), (d), or (e) may apply for permission to sell or transfer foods covered by this order. The application shall be made on OPA Form R–315 to the board for the place where he lives or where he has his principal business office. He must state in his application the kinds, quantities and point value of the foods covered by this order which he wishes to sell or transfer, the reason he wishes to sell or transfer them, the way in which they are to be sold or transferred, and any other information the board requests. The board shall grant the application if good cause is shown. If the application is granted, the foods covered by this order must be sold or transferred for points in the same way that a retailer is permitted to sell or transfer such foods, and within five (5) days after the sale or transfer the transferor must give up to the board all points which he received for the foods sold or transferred.

(g) An industrial user, industrial consumer or institutional user may sell or transfer "canned fish", "canned milk", or "canned meat" if and to the extent authorized under section 10.11.

(h) The limitations or restrictions on acquisitions, transfers, or use of foods covered by this order do not apply to such foods which have a zero point value at the time of the acquisition, transfer, or use, respectively, except where the provisions of the limitation or restriction are stated to apply to foods covered by this order which have a zero point value.

SEC. 10.2 *Transfers to certain persons after March 28, 1943 may be made only for points.* (a) Beginning March 29, 1943, no person may sell or transfer foods covered by this order to anyone other than a retailer, wholesaler, or primary distributor, and no person other than a retailer, wholesaler, or primary distributor may buy or "acquire" those foods, regardless of any contract or other agreement, unless points are given up in the way this order requires.

(b) No points may be given up by, or accepted from, a retailer, wholesaler, or primary distributor for any foods covered by this order transferred to or acquired by him before April 11, 1943.

SEC. 10.3 *Transfers to retailers, wholesalers and primary distributors after April 10, 1943 may be made only for points.* (a) Beginning April 11, 1943, no person may sell or transfer foods covered by this order to a retailer, wholesaler, or primary distributor, and no retailer, wholesaler or primary distributor may buy or acquire those foods, unless points are given up in the way this order requires. (The word "transfer", as it is defined, means to sell, as well as to transfer in other ways. The word "acquire" means to buy, as well as to get in other ways. Therefore, the only words which will generally be used, in later sections, are "transfer" and "acquire".)

[6] Revised: 8 F.R. 11699, 12736.

[7] For the purposes of General Ration Order 3A, red stamps in War Ration Book Four, tokens, certificates (on OPA Form R–1301) or ration coupons and ration checks are to be regarded as "evidences" valid for deposit. The term "evidences" is not, however, used in this order.

The rules covering various kinds of transactions are set forth in the sections which follow.

SEC. 10.4 *How foods covered by this order are transferred to consumers*—(a) *General.* Foods covered by this order may be transferred to a consumer, and may be acquired by him, only if he gives up to the seller or transferor, points exactly equal to the point value of the foods transferred, except that fractional amounts are to be handled in the way described in section 10.6. (Certain transactions between consumers covered in section 2.2 are excepted from this rule. Certain other exceptions are covered in Article III and Article XI.) If the consumer is unable to give up points exactly equal to the point value of the foods acquired by him because he does not have "stamps," certificates, ration coupons, or ration checks of sufficiently small value to make up the proper amount, he may give up, and the transferor may accept stamps, certificates, ration coupons, or ration checks of the nearest higher value and the transferor must return the excess points to the consumer in the form of tokens.

(b) *How transfer may be made.* A food covered by this order may be transferred to consumers only in a form in which it appears on the Official Tables of Consumer Point Values (OPA Forms R–1313 and R–1611) or the Official Table of Trade Point Values.

(c) *Point values must be posted.* (1) Beginning March 29, 1943, every retailer, wholesaler or primary distributor who displays his stocks of food covered by this order to consumers, must post at the place where he displays the stocks, the current Official Tables of Consumer Point Values (OPA Forms R–1313 and R–1611) showing the items he carries, in such manner that they can be plainly seen and read by consumers. If he sells from a truck or other mobile conveyance, the tables must be posted on it. If he carries any item for sale or transfer to consumers in a form in which it appears on the Official Table of Trade Point Values, and does not appear on the consumer point value tables, he must keep the Official Table of Trade Point Values available for inspection.

(2) Every retailer, wholesaler, or primary distributor who has an establishment at which the foods covered by this order which he carries are displayed to consumers must post there the point value of every item of such food he carries. The point value must be posted, in such manner that it can be plainly seen and read by consumers, in one or more of the following ways:

(i) On the item itself; or

(ii) On the shelf or other place where the item is kept; or

(iii) On a list attached to, or posted next to, the shelf or other place where the item is kept.

(3) When a change is made in the point value of any food covered by this order, a retailer, wholesaler, or primary distributor is allowed one full business day after the change becomes effective in which to correct the point values which he has posted in compliance with subparagraph (2) of this section.

(d) *How points are given up.* Points may be given up by, and taken from, a consumer only in the form of stamps from his war ration book, a certificate issued for him, and a ration check issued to him and endorsed by him. Points may also be given up in the form of tokens, beginning February 27, 1944.

(e) *When points must be given up.* The seller or transferor must take the points from the consumer at the time when the foods are transferred. (Exceptions to this rule are covered in paragraphs (h), (i) and (j) of this section.)

(f) *When stamps must be detached.* The seller or transferor may accept a stamp only if it is torn out of a war ration book in his presence. Loose stamps may not be used by a consumer and they must not be accepted by the seller or transferor. (An exception to this rule is covered in paragraph (i) of this section.) Beginning February 27, 1944, a transferor may accept tokens from a consumer unless he knows or has reason to believe those tokens were not acquired by the consumer in a way provided for by this order.

(g) *When stamps are good.* Each stamp may be accepted for a transfer to a consumer at any time after it has been validated. The validation dates for red stamps in War Ration Book Four are fixed by the Office of Price Administration in a supplement to this order. (Nothing in this provision validates any stamps which have already expired in any War Ration Book.)

(h) *Use of certificates.* A certificate may be accepted from a consumer only if it has been signed on the back by the person for whom it was issued (or by someone authorized to act for him, if he cannot write). A certificate may be accepted from a consumer at or before the time when the foods are transferred.

(i) *Mail order sales.* (1) Foods covered by this order may be transferred to consumers by mail if a certificate, detached stamps, tokens, or a ration check payable to, and endorsed by the consumer, are received with the order.

(2) If the transferor fails to deliver foods equal in point value to the points received, he shall issue and send to the consumer a ration check for the balance.

(3) Before accepting stamps or tokens from and making transfers to consumers by mail, any retailer, wholesaler, or primary distributor who wishes to do so, must notify, in writing, the district office for the place where his principal business office is located. The notice must give his name and principal business address, the name and address of each establishment from which he will make transfers to consumers by mail, and must contain an estimate of the dollar volume of his mail order deliveries to consumers during 1942 of foods covered by this order. He may not make any such transfers until he has given this notice. Beginning March 29, 1943, he must keep a record of the dollar volume or the point value of his transfers to consumers by mail of foods covered by this order.

(4) No primary distributor or retailer may receive points from and make transfers to consumers by mail unless he has a ration bank account.

(j) *Transfers of butter and rationed cheeses from mobile conveyances.* (1) "Butter" or "rationed cheeses" may also be transferred to consumers from mobile conveyances operated on a regular delivery route if a certificate, stamps, tokens, or a ration check payable to, and endorsed by the consumer, are received before the time the foods are transferred.

(2) If the transferor fails to deliver foods equal in point value to the points received, he shall issue and return to the consumer a ration check for the balance.

(3) No primary distributor or retailer may receive points from and make transfers to consumers under this paragraph unless he has a ration bank account.

(k) *Ration checks.* A ration check may be accepted from a consumer only if it has been endorsed by him (or by someone authorized to act for him, if he cannot write).

(l) *Ration coupons.* A ration coupon may be accepted from a consumer at any time.

(m) *Tokens.* Tokens may be accepted from a consumer at any time beginning February 27, 1944.

SEC. 10.5 *How foods covered by this order are transferred to persons other than consumers*—(a) *General.* Foods covered by this order may be transferred to and acquired by a retailer, wholesaler or a primary distributor after April 10, 1943, or transferred to and acquired by an industrial or institutional user or industrial consumer after March 28, 1943, only if he gives up to the seller or transferor points exactly equal to the point value of the foods transferred, except that fractional amounts are to be handled in the way described in section 10.6.[1] (Certain exceptions to this rule are covered in Article XI.)

(b) *How transfer may be made.* A food covered by this order may be transferred only in a form in which it appears on the Official Table of Trade Point Values or the Official Tables of Consumer Point Values (OPA Form R–1313).

(c) *Point value.* The number of points which must be given up for a transfer of these foods is determined by their point value at the time of the transfer.

(d) *When points must be given up.* (1) The transferor must get the points from the transferee, and the transferee must give them up, at or before the time when the transfer is made. Exceptions to this rule are stated in the next two subparagraphs.

(2) If the transfer is made through shipment by railroad or any other public carrier, the transferor may arrange to have the carrier get the points for him from the transferee at the time of actual delivery, or to have the points obtained for him by anyone in exchange for the bill of lading or other document entitling its holder to take possession of the foods.

[1] For convenience, the retailer, wholesaler, primary distributor, industrial or institutional user, or industrial consumer, to whom the transfer is made, will sometimes be called "the transferee" in the paragraphs which follow.

(3) The points may be given up later, but not more than ten days after the time when the transfer is made, if the conditions of this subparagraph are satisfied. (However, if money payment for the foods transferred is made less than 10 days after the transfer, points must be given up at the time the money payment is made.) A transferee may not accept the transfer in this case unless he has points on hand (excluding points not yet surrendered for foods bought or acquired) or in his ration bank account (excluding the amounts of ration checks issued which have not yet been cleared) equal to the point value of the foods transferred. The transferor must, at or before the time he transfers the foods to the transferee, prepare and keep a memorandum showing the name of the transferee, the date of transfer of the foods, a description of the items, and their point value. If the transferor does not get the points within the time required by this subparagraph, he must notify the district office for the place where his establishment is located of the default, not later than the Friday following the calendar week in which the default occurred. As long as the transferee is in default, he must not acquire any foods covered by this order, and no transferor who has knowledge of the default may transfer such foods to him. (However, he may continue to acquire foods covered by this order, and transferors may continue to transfer such foods to him, pursuant to Article XI.) If the District Director is satisfied that the transferee is in default, he may take any steps which he deems reasonably necessary to inform the transferee's present and prospective suppliers of the default so that they will know that his right to acquire foods covered by this order is restricted as provided in this subparagraph. When the transferee is no longer in default, the District Director shall so inform all persons whom he informed of the default.

(4) Points which are mailed are considered given up when the envelope containing them is postmarked.

(e) *Form in which transferor must get points.* The transferor may take points from the transferee only in the form of stamps, tokens, certificates, or a ration check drawn on the transferee's ration bank account or endorsed by him.

(1) *Stamps.* Stamps may be accepted from the transferee at any time after they have been validated for use by a consumer. The stamps must either be pasted on gummed sheets (OPA Form R–140 or OPA Form R–130A) or enclosed in sealed envelopes. If the stamps are pasted on gummed sheets, the name and address of the transferee must be written on each sheet, and only stamps of the same point value, and valid for a transfer to the transferee at the time they are given up, may be pasted on the same sheet. If the stamps are enclosed in sealed envelopes, they must be handled in all respects in accordance with the procedure described in General Ration Order 7* for the use of such envelopes.

* 8 F.R. 2858, 2997, 4840, 6965, 11738, 16279, 16539; 9 F.R. 2287.

(2) *Certificates.* A certificate may not be accepted from the transferee unless the name of the person to whom it was issued has been written on the back. The back of the certificate must also carry the signature of the transferee.

(3) *Ration checks.* A ration check may be accepted by a transferor only if it is made payable to him and if it is drawn by his transferee, or if it is endorsed by his transferee and by the person to whom the check was issued, if the check was not issued to the transferee. (The rules for handling ration checks are set forth in General Ration Order 3A.)

(4) *Ration coupons.* A ration coupon may be accepted at any time. A person who has a ration bank account must enclose any ration coupons he has, for deposit, in sealed envelopes which are to be handled in all respects in accordance with the procedure described in General Ration Order 7 for the use of such envelopes. A person who does not have a ration bank account may use coupons without enclosing them in a sealed envelope.

(5) *Tokens.* Tokens may be accepted at any time, but a transferor need not accept more than 9 tokens from his transferee in any single transaction.

(f) *Form in which transferee must give up points*—(1) *Primary distributors.* A primary distributor who has, or is required to have, a ration bank account, must give up points only in the form of a ration check drawn on his ration bank account. Other primary distributors may give up points in the form of stamps, tokens, certificates or ration checks endorsed by them.

(2) *Wholesalers.* A wholesaler may give up points only in the form of a ration check drawn on his ration bank account.

(3) *Retailers.* A retailer who has, or is required to have, a ration bank account must give up points only in the form of a ration check drawn on that account. Other retailers may give up points in the form of stamps, tokens, certificates, or ration checks endorsed by them.

(4) *Industrial and institutional users.* An industrial or institutional user who has a ration bank account must give up points only in the form of a ration check drawn on that account. Other industrial or institutional users may give up points only in the form of certificates or ration checks endorsed by them.

(5) *Industrial consumers.* An industrial consumer may give up points either in the form of a certificate or a ration check.

(6) *General.* Points may be transferred freely between establishments of the same type, operated by the same person, which are or will be registered together, and points of one of those establishments may be used to get foods covered by this order for another of them. However, this rule does not apply to the movement of points between institutional user establishments, which is covered by the provisions of General Ration Order 5.

(7) *Points to be given up for household salvage fats.* Notwithstanding any other provision of this order, a wholesaler, or retailer who acquires household salvage fats from a consumer or Group I institutional user must give such person ration coupons, or tokens, beginning February 27, 1944.

SEC. 10.6 *Point fractions are to be computed to nearest full point.* (a) In any case in which the point value of an item of food transferred under this order is not a whole number, the number of points which must be given up is to be computed in the following ways:

(1) If the fraction is less than one-half point, the fraction is to be dropped;

(2) If the fraction is one-half point or more, a full point must be given up;

(3) If more than one item of food covered by this order is transferred by a retailer at the same time, and the point value of the amount of two or more of those items transferred comes to a fraction of exactly one-half point, the fractions are to be added;

(4) No foods covered by this order may be transferred for less than one point, except in accordance with the provisions of section 6.10 or except if it is an item having a point value of zero per pound.

SEC. 10.7 *Transfers between establishments of different types or between separately registered establishments of the same type operated by the same person.* (a) All of the rules set forth above which apply to transfers from one person to another, also apply to transfers between establishments of different types operated by the same person. (For example, a person may have both a wholesale and a retail establishment. He is, therefore, both a wholesaler and a retailer. He is permitted to transfer foods covered by this order from his wholesale to his retail establishment. However, when he does so, he must give up points from the retail to the wholesale establishment just as if those establishments were operated by two different persons.)

(b) The rules set forth above which apply to transfers from one person to another also apply to transfers between establishments of the same type which are operated by the same person but which are registered or are to be registered separately under this order.

SEC. 10.8 *Transferor may not use points he receives in advance until foods are transferred.* (a) A transferor may receive points from his transferee before he actually transfers the foods covered by this order. In that case, he may not use points so received, to get other such foods, until he has actually transferred to the transferee foods worth that number of points.

SEC. 10.9 *Points may be returned for underdeliveries of foods covered by this order.* (a) If a retailer, wholesaler, or primary distributor receives points in advance for a transfer of foods covered by this order, and is unable to transfer all or any part of the amount ordered, he may return the points in excess. He must return the points in the same form he would use to give up points for a purchase or other acquisition of such foods. (For example, a wholesaler can give up points only in the form of a ration check. He would, therefore, have to return points only in the form of a check drawn

on his account.) However, since points may not be accepted in advance from consumers, this section does not apply to consumers, except in connection with mail order transactions and transfers of butter and rationed cheeses from mobile conveyances.

SEC. 10.10 *Points must be given up for imports of foods.* (a) Any person who imports foods covered by this order (other than in accordance with section 11.11) must give up points equal to the point value of those foods to the Collector of Customs (or his deputy) at or before the time the foods are released or delivered to him by the collector. However, if a consumer imports foods covered by this order and does not, at the time, have the necessary points to give to the Collector of Customs, the collector may release those foods to him before he gives up the points if the foods are in imminent danger of spoilage. In that case, the consumer must give up the required number of points within twenty days thereafter. When the foods are released to the consumer, he must give to the collector his name and address and a statement, in writing, that he will send the required number of points to the collector within twenty days after the foods are released. If the collector does not receive the points within the time specified, he shall notify the district office for the place where the consumer lives. The notice shall state the name and address of the consumer, the types and quantities of the foods imported for which points were not given up, and the number of points which the consumer still owes. Notwithstanding the provisions of section 10.4 (a) and (b), any consumer who brings in with him from Mexico meat (other than ready-to-eat meat, sausage, or meat in tin or glass containers), whether or not in a form which appears on the Official Tables of Point Values, must give up to the Collector of Customs (or his deputy) seven points per pound. However, he need not give up points for pork, veal, lamb, mutton or for cuts of beef which have a zero point value or for cuts of beef which contain only beef which has a zero point value.

(b) The Collector of Customs shall turn over, each month, to the district office for the area in which the point of entry is located, all points received by him in this way during the preceding month. However, he may retain enough tokens for use in returning excess points to consumers pursuant to section 2.3 (c). He may also retain enough stamps and certificates to acquire tokens for such use.

SEC. 10.11 *Sale at lower point values of canned fish, canned milk or canned meat in danger of spoilage*—(a) *Permitted sales and transfers.* "Canned fish", "canned milk", or "canned meat" which cannot be sold at its full point value because it is in imminent danger of spoilage may be sold or transferred at less than its full point value in the way described in this paragraph, if and to the extent authorized under paragraphs (b) and (c). Such sales or transfers may be made only to consumers, industrial consumers, industrial or institutional users, and persons principally engaged in the business of reconditioning or selling damaged articles, and only if the money price is reduced in the following way:

(1) No reduction in point value may be made unless the money price of the food has been reduced at least twenty-five percent below its ceiling price established by applicable orders of the Office of Price Administration;

(2) If the money price has been reduced by at least twenty-five per cent below such ceiling price, it may be sold or transferred at twenty-five per cent below its full point value;

(3) If the money price has been reduced more than twenty-five per cent and less than fifty per cent below such ceiling price, it may be sold or transferred at a point value reduced in the same proportion that the money price has been reduced; and

(4) If the money price has been reduced by fifty per cent or more below such ceiling price, it may be sold or transferred point-free. If the point value of any item of canned fish, canned milk or canned meat sold or transferred under this section (or any group of such items sold or transferred under this section at the same time) comes out to a fraction, the point value at which it may be sold or transferred is the next higher whole number. For the purposes of this paragraph, the ceiling price of a person principally engaged in the business of reconditioning or selling damaged articles, is deemed to be the average ceiling price of the same food in good condition applicable to the three wholesalers whose establishments are nearest to the place where such foods are located, as determined by the district office in accordance with the provisions of paragraph (b). The ceiling price of the United States government or any of its agencies will be fixed by the Washington Office in accordance with the provisions of paragraph (b).

(b) *Application for authorization to sell or transfer.* A person who wishes to sell or transfer canned fish, canned milk or canned meat in the way set forth in paragraph (a), may apply for authorization. However, no application may be made by a consumer. Application must be made on OPA Form R-315 to the district office (or, if made by a retailer, to the board) for the area where the foods are located. However, application by the United States government or any of its agencies shall be made to the Washington Office. The application must show:

(1) The applicant's name and address;

(2) The items and amounts of foods which the applicant desires to transfer at less than their full point value;

(3) The point value of each item;

(4) The ceiling price established for each item by applicable orders of the Office of Price Administration. However, if the applicant is a person principally engaged in the business of reconditioning or selling damaged articles the applicant shall, instead of stating a ceiling price, give the names and addresses of the three wholesalers whose establishments are nearest to the place where such foods are located;

(5) A description of the condition of the foods, to show why they cannot be disposed of at their full point value and, if known, the cause of such condition.

The board or district office to which the application is made or the Washington Office, if the application is made by the United States government or any of its agencies, may inspect such foods and conduct such other investigation as it finds necessary to pass upon the application. If it finds that the foods described in the application are in such condition that they should be used immediately in order to avoid spoilage, it may grant the application and authorize the applicant to sell or transfer the foods at less than their full point value, in the way described in paragraph (a). (If the Washington Office grants an application made by the United States government or any of its agencies, it will fix a ceiling price for the purposes of paragraph (a). If the board or district office grants the application of a person principally engaged in the business of reconditioning or selling damaged articles, it shall determine the average ceiling price of the same food in good condition applicable to the three wholesalers whose establishments are nearest to the place where such foods are located. In either case, the applicant shall be notified of the ceiling price which has been fixed or determined.) The applicant must make and keep a record of each item of such foods transferred by him pursuant to the authorization, showing the point value and price at which each transfer was made and the date of each transfer.

(c) *Sales or transfers for which no prior authorization is needed.* Any primary distributor, wholesaler, retailer, industrial consumer, industrial user or institutional user may, without prior authorization, sell or transfer canned fish, canned milk, or canned meat which is in imminent danger of spoilage under the conditions set forth in paragraph (a), but not more than the total quantities set forth in the following subparagraphs during the periods referred to in those subparagraphs:

(1) In the case of a primary distributor, during any successive twelve month period beginning March 29, 1943, one tenth of one per cent of all such foods produced or imported by him during that period;

(2) In the case of a wholesaler, in any one month, one twentieth of one per cent of all such foods which he sold or transferred during the preceding month;

(3) In the case of a retailer, in any one month, one fortieth of one per cent of all such foods which he sold or transferred during the preceding month;

(4) In the case of an industrial consumer, in any one industrial user allotment period, canned fish, canned milk or canned meat having a point value of one fortieth of one per cent of the number of points given him during that period to acquire foods covered by this order for industrial consumption;

(5) In the case of an industrial user or an institutional user, in any one allotment period, one fortieth of one per cent of his allotment for that allotment period.

(d) *Resale of foods acquired under this section.* Any person who acquires canned fish, canned milk, or canned meat under the provisions of this section and who is permitted to transfer foods covered by this order under the provisions of section 10.1 may not transfer such canned fish, canned milk, or canned meat at a point value greater than that at which it was acquired by him. He may transfer it at a lower point value only if authorized under paragraph (b) or (c). If he transfers it at the same point value at which he acquires it, the provisions of paragraph (a) covering price reductions do not apply to the transfer of the foods by him. However, he may transfer any such foods only to a consumer, industrial consumer, industrial or institutional user, or a person principally engaged in the business of reconditioning or selling damaged articles.

(e) *Records and reports.* (1) Any person who transfers canned fish, canned milk, or canned meat under the provisions of paragraph (c) of this section shall maintain and keep records showing, with respect to each such transfer, the following:

(i) His name and address;

(ii) The name and address of any person, other than a consumer, to whom the transfer was made;

(iii) The date of the transfer;

(iv) The items and amounts of foods transferred and the price and point value for which each item was transferred;

(v) A description of the condition of the foods, to show why they could not be sold or transferred at their full point value and, if known, the cause of such condition.

(2) Any person who transfers canned fish, canned milk or canned meat under the provisions of paragraph (d) at the same point value at which he acquired it must, within three days after the transfer, give a statement to the district office for the area where his principal place of business is located. However, if the transfer was made by the United States government or any of its agencies, the statement shall be given to the Washington Office. The statement shall show the name and address of the transferor, the items and amounts of such foods transferred, the point value and price at which they were transferred and the date of transfer.

(3) Any person principally engaged in the business of reconditioning or selling damaged articles, who acquires canned fish, canned milk or canned meat under this section at less than its full point value, must, within five days after the end of each calendar month during which he acquired those foods in this way, give to the district office for the area where his principal place of business is located a statement showing his name and address, the name and address of the person from whom he acquired them, the items and amounts of such foods acquired, the point value at which they were acquired and the date of the acquisition.

(f) *Miscellaneous requirements.* Any person who transfers canned fish, canned milk, or canned meat at a reduced point value under this section must also comply with the following requirements:

(1) Whenever he sells or transfers an item of such food at less than its full point value and at a reduced price, he must sell or transfer that item, so long as he has it on hand, to any person who is willing to buy or acquire it at that reduced point value and price.

(2) If he is a retailer, wholesaler, or primary distributor who has an establishment at which canned fish, canned milk, or canned meat which he carries is displayed to consumers he must post a notice where it may be clearly seen and read by such consumers showing:

(i) The items he is selling at the lower point value and the point value at which he is selling them;

(ii) That he is selling that item at less than regular point value in order to prevent spoilage;

(iii) The reduced money price at which he is selling the item and, unless he is principally engaged in the business of reconditioning or selling damaged articles, its ceiling price. If he is a person engaged in the business of reconditioning or selling damaged articles he must post as his ceiling price the average ceiling price of the same food in good condition applicable to the three wholesalers whose establishments are nearest to the place where such foods are located, as determined by the board or district office to which application is made under paragraph (b).

(3) He must clearly mark on the container of each item sold the point value at which he transfers it, preceded by the words "reduced point value to avoid spoilage", unless it has previously been marked in that manner pursuant to this paragraph and is not being transferred at a further reduction in point value. However, he need not so mark the container if he sells it to a consumer from an establishment at which he posts a notice as required by subparagraph (2). Furthermore, the container need not be so marked if it is sold or transferred by the United States Government or any of its agencies.

(g) *Replacement of points.* A wholesaler, retailer, industrial consumer, or industrial or institutional user who sold or transferred canned fish, canned milk, or canned meat at less than its regular point value under paragraph (b) may apply on OPA Form R-315, for a certificate to replace his point loss resulting from such transfer. The application must be made to the district office or the board to which he applied for authorization to transfer the foods at a reduced point value. The application must be signed by the applicant or his authorized agent. It must show the name and address of the applicant, the items and amounts of foods so transferred, the point value and price at which they were transferred, the date of transfer, and the name and address of each transferee other than a consumer. It must contain a statement that he reduced the money price of the food sold or transferred at the lower point value, in the way required by this section. The application must also specify the date on which the authorization to sell foods at less than full point value was granted. If the district office or board finds that the applicant suffered a point loss because of such transfer, it shall issue a certificate for the number of points he lost. No application to replace point losses may be made more than 30 days after the close of the month in which the transfers at reduced point value occurred.

(h) *Statements by primary distributors.* Every primary distributor who during any reporting period sells or transfers canned fish, canned milk, or canned meat at less than its full point value, under paragraphs (b) or (c), must file with his periodic report required by section 4.11 (b) for that period a statement showing the items and amounts of foods so transferred, the point value and price at which they were transferred, the date of transfer and the name and address of each transferee other than a consumer. If the sale or transfer was made pursuant to an authorization granted by a district office, the statement must specify the date on which the authorization was granted and the district office which granted it.

(i) *Sales by certain activities of Army, Navy, Marine Corps or Coast Guard.* The Army, Navy, Marine Corps or Coast Guard may, in accordance with arrangements made with the Washington Office, authorize army exchanges, post exchanges, ships' service departments ashore, sales commissaries and commissary stores to sell, at less than their full point value, foods covered by this order which cannot be sold at their full point value because they are in imminent danger of spoilage.

ARTICLE XI—POINT-FREE TRANSFERS

NOTE: The limitations, restrictions, conditions, record-keeping and reporting requirements set forth in this Article XI do not apply to foods covered by this order while they have a zero point value, except where the provisions of the limitation or restriction are stated to apply to foods covered by this order which have a zero point value. For the purposes of this article, such foods are treated and may be transferred or acquired, just as if they were not rationed at all.

SEC. 11.1 *Foods in transit to industrial or institutional users or industrial consumers on March 28, 1943, may be acquired point-free.* (a) No points need be given up for a delivery of "foods covered by this order" to an "industrial" or "institutional user," or to an "industrial consumer" if those foods were in transit to him on March 28, 1943.

(NOTE: Foods which were in transit to an industrial or institutional user at the close of business on March 28, 1943, must be included in the inventory which he reports in his registration.)

SEC. 11.2 *Foods in transit to primary distributors, wholesalers, or retailers on April 10, 1943, may be acquired point-free.* (a) No points need be given up for a delivery of foods covered by this order to a "primary distributor," "wholesaler," or "retailer," if those foods were in transit to him on April 10, 1943.

SEC. 11.2a *Foods which have a zero point value may be transferred without points.* (a) No points need be given up for a "transfer" of foods covered by this

order which have a zero point value at the time of the transfer.

SEC. 11.3 *Foods may be moved to establishment in whose inventory they are included, point-free.* (a) No points need be given up for a movement of foods covered by this order to the establishment in the inventory of which those foods were included immediately before the movement started.

SEC. 11.4 *Foods covered by this order may be exchanged for other such foods.* (a) Any "person" may exchange foods covered by this order with any other person, for such foods of equal point value, without giving up or taking points. (This rule applies even if there is a money payment to make up any difference in the money value of the foods exchanged.)

SEC. 11.5 *Lost or stolen foods may be returned, point-free.* (a) No points need be given up for a return of lost or stolen foods to the person who lost them or from whom they were stolen.

SEC. 11.6 *Stocks of foods may be moved point-free between establishments of the same person which are registered together.* (a) No points need be given up where a person moves stocks of foods covered by this order from one of his establishments to any other of his establishments of the same kind, if those establishments are, or will be, registered together. For example, a person who has two "retail establishments" which are, or will be, registered together, may move foods covered by this order from one to the other without exchanging points between them. (However, a record must be kept of the amount of stocks involved in each such movement.) When a person transfers food covered by this order between establishments of different kinds—for example, from his "wholesale establishment" to his retail establishment—points must be given up just as if those establishments were operated by different persons.

(b) This rule does not apply to the movement of stocks between "institutional user establishments," which is covered by the provisions of General Ration Order 5.

SEC. 11.7 *Foods may be stored and returned from storage, point-free.* (a) No points need be given up for a delivery of foods covered by this order for storage purposes only.

(b) No points need be given up for a delivery of such foods from the place of storage to the person who stored them, or to a person to whom he has sold or transferred them. (However, that sale or transfer must be made in a way permitted by this order.)

SEC. 11.8 *Security interests in foods may be created and released, point-free.* (a) No points need be given up for a transfer of foods covered by this order, or of any interest in them, for security purposes only. (For example, if such foods are pledged or mortgaged, the person with whom they are pledged or mortgaged need not give up points.)

(b) No points need be given up for a release of a security interest in such foods, or for a return of those foods to the person who originally transferred them for security purposes. (For example, a person who pledged those foods may get them back without giving up points. Similarly, a person who gave a chattel mortgage on them need not give up points when the mortgage is ended.)

SEC. 11.9 *Foods may be transferred, point-free, for liquidation, by operation of law, or in judicial proceedings*—(a) *General.* No points need be given up for a transfer of foods covered by this order to a person who gets them for liquidation only. Also, no points need be given up for a transfer of foods covered by this order as part of a judicial proceeding, or by operation of law, or for a transfer made under the direction of or pursuant to an order of a court, or by judicial process. (For example, foods may be taken over by a creditor, under a court order, without any surrender of points. If such foods are assigned for the benefit of creditors, the person to whom they are assigned need not give up points to the person making the assignment. Also, a person need not give up points when he inherits such foods or "acquires" them by will.)

(b) *How transferee may dispose of the foods.* A person who acquires foods covered by this order in this way must, within five (5) days after acquiring them, report to the district office for the place where his principal business office is located:

(1) The kinds and the point value of the foods acquired;

(2) The name and address of the person from whom they were acquired:

(3) The way in which and the date when they were acquired.

He may not use the foods unless he gives up to the district office, for cancellation, points equal to their point value. He may, however, sell or transfer them in the same way that a retailer is permitted to sell or transfer such foods. He must immediately after selling or transferring them, account to the district office for points equal to their point value. (If he transfers the foods to another person who is also entitled under this or any other section of this order to acquire them point-free he need not, of course, get points from the transferee, and he need not give up any to the district office.)

(c) *Consumer inheritance.* A "consumer" who gets foods covered by this order from another consumer, by inheritance or by will, may use them without giving up points.

SEC. 11.10 *Foods may be acquired, point-free, by insurers or for salvage*—(a) *Acquisition of damaged foods.* Damaged foods covered by this order and undamaged foods covered by this order mingled with them may be transferred to, and acquired by, the following persons, without any surrender of points:

(1) A person who has paid or is liable for a claim for the damage done to the foods, and who is entitled to reimburse himself by taking them over;

(2) A person engaged principally and primarily in the business of adjusting losses or of reconditioning or selling damaged articles.

(b) *Disposal of the foods.* (1) The person transferring the foods, point-free, must within five days after transferring them, report to the district office for the place where his principal business office is located:

(i) A description of the kinds and amounts of foods transferred. (If the condition of the foods makes it impossible for the transferor to describe them accurately, he may give an approximate description and state that the description is an approximation.);

(ii) The name and address of the person to whom they were transferred; and

(iii) The date of transfer.

(2) The person acquiring the foods must, within five days after acquiring them, report to the district office for the place where his principal business office is located:

(i) The kinds and point value of the foods acquired;

(ii) The name and address of the person from whom he acquired them;

(iii) The way in which and the date when they were acquired. If he cannot ascertain the kinds and point value immediately, he must describe the approximate amount he received and must give the detailed information as soon as he can. He may dispose of those foods only by a sale or transfer in the same way that a retailer is permitted to sell or transfer such foods. He must, immediately after selling or transferring them, account to the district office for points equal to their point value. If he cannot dispose of them all, he must report to the district office the amount which was not salable.

SEC. 11.11 *Foods may be delivered to importer by customs official, point-free.* (a) No points need be given up for a release or delivery of foods covered by this order by an authorized customs official to a primary distributor who imported them, if the primary distributor submits a written statement to the official showing:

(1) His name;

(2) His principal business address;

(3) The name and address of his primary distributor establishment at which the foods will be kept;

(4) The name and address of the district office with which that establishment is registered; and

(5) The amount and kinds of foods imported at that time.

(b) The Collector of Customs shall turn over, each month, to the district offices named thereon, all statements received from primary distributors during the preceding month.

(c) No points need be given up for a release or delivery of foods covered by this order by an authorized customs official:

(1) Upon request by the Department of State, to representatives of foreign governments who are within the classes of persons specified in Article 432 (a) or Article 433 (c), Customs Regulations of 1937.

(2) To members of the armed forces of the United Nations, other than those of the United States, who are on duty within the United States, where the foods are consigned or addressed to them and

are intended for their personal or official use.

(3) To enemy prisoners of war and enemy civilian internees and detainees in the United States, where the foods are consigned or addressed to them.

(d) No points need be given up for a release or delivery of foods covered by this order by an authorized customs official to the person who produced them in a way described in section 3.1, if the person submits a written statement to the official showing:

(1) His name and address;

(2) The place where the foods were produced;

(3) The amount and kinds of foods being imported;

(4) A statement showing that he produced the foods in a way described in section 3.1.

The Collector of Customs shall turn over, each month, to the district office for the area in which the point of entry is located, all statements received by him in this way during the preceding month.

SEC. 11.12 *Foods may be transferred, point-free, in connection with transfer of a business.* (a) No points need be given up for a sale or transfer of foods covered by this order which are in the inventory of an establishment, as part of a sale or other transfer of the establishment itself for continued operation. A person who so buys or acquires such foods may not use them, but may hold them only for sale or transfer. However, a person who acquires an industrial user establishment may use its stocks up to the amount of any allotment he gets. (The procedure which the transferor and transferee must follow, where an establishment is transferred for continued operation, is covered in Article XII.)

SEC. 11.13 *Foods may be transferred, point-free, in the way permitted by section 3.4.* (a) A primary distributor who slaughters an animal for a livestock producer may transfer the resulting food to the livestock producer point-free, in the way permitted by section 3.4.

SEC. 11.14 *Foods may be transferred by and to consumers, point-free, for custom processing or other preparation.* (a) On or after May 24, 1943, any consumer may bring any of his food covered by this order to another person to be processed, cut, ground, boned, frozen, packaged or similarly prepared and may get the same food back after it is so prepared, without any surrender of points by either person.

SEC. 11.15 *Items in transit on the day before they are added to the foods covered by the order, may be acquired point-free.* (a) No points need be given up for a delivery to any person other than a consumer, of an item which is added to the foods covered by this order, if the item was in transit to him on the day preceding such addition.

SEC. 11.16 *Title to foods may be transferred point-free where the one who has title does not have possession.* (a) A person who has title to foods covered by this order but who does not have possession of them and who may not get possession of them without giving up points, may transfer his title to such foods point-free. (However, a person who acquires title to foods covered by this section must give up points to obtain possession of such foods.)

SEC. 11.17 *Primary distributors may transfer canned fish and canned milk point-free to allow for spoilage.* (a) In any case in which a primary distributor makes a money allowance to his transferee to cover spoilage of "canned fish" or "canned milk" transferred, he may, in order to allow for spoilage, transfer to his transferee, without receiving points, canned fish or canned milk in an amount not exceeding the same percentage of the total amount of such foods transferred that the money allowance made is of the total price paid. However, such transfer may not, in any event, exceed one-fourth of one per cent of the total amount of such foods transferred.

(b) If the actual spoilage of canned fish or canned milk transferred by a primary distributor exceeds one-fourth of one per cent, the transferee may return the spoiled canned fish or canned milk to the primary distributor and receive points for the difference between the amount spoiled and any allowance already made. However, if he does not return the spoiled canned fish or canned milk, he may receive points for that difference only if and to the extent that the primary distributor makes a money adjustment for the spoiled canned fish or canned milk.

(c) The primary distributor must keep a record of the name and address of each person to whom such point-free transfers and point returns are made, the dates thereof, and the amounts of such transfers and returns.

SEC. 11.18 *Government agencies may transfer foods point-free to the Procurement Division of the Treasury Department.* (a) No points need be given up for a transfer of foods covered by this order by a government agency to the Procurement Division of the Treasury Department when the foods are acquired by the Procurement Division for sale or transfer.

(b) The Procurement Division of the Treasury Department may dispose of those foods only by a sale or transfer in the same way that a retailer is permitted to sell or transfer foods covered by this order. (However, for that purpose, the Procurement Division need not register as a retailer.) Not later than the twentieth day following the month in which any transfer is made, the Procurement Division shall account to the Office of Price Administration for points equal to the point value of the foods sold or transferred under this paragraph.

SEC. 11.19 *Restriction on industrial and institutional users' inventory of rationed fats or oils having a zero point value.* (a) On or after April 16, 1944, an industrial or institutional user may not acquire rationed fats or oils having a zero point value at the time he acquires them if he already has in his inventory a 30-day supply (at his current rate of use) of such rationed fats or oils. An industrial or institutional user also may not acquire such rationed fats or oils if such acquisition would bring his inventory of these foods above a 30-day supply. However, if he has less than a 30-day supply on hand, he may acquire an amount of such foods equal to the smallest amount he customarily acquires in a single transaction. In no event, however, may any industrial or institutional user acquire such rationed fats or oils in an amount which would bring his inventory of them above a 45-day supply, at his current rate of use. Notwithstanding any provision in this paragraph, an industrial or institutional user may accept delivery of any rationed fats or oils which were in transit to him on April 15, 1944.

ARTICLE XII—SALE OF BUSINESS

SEC. 12.1 *Sale or transfer of retail wholesale, or primary distributor establishment*—(a) *General.* (1) When any "person" sells or "transfers" to any other person the business and inventory of his "retail", "wholesale" or "primary distributor establishment", for continued operation, they must both notify the "board" at which the establishment is registered, or the district office, if it is registered there. The notice must be given in writing, within five days after the sale or transfer, and must show:

(i) The name and business address of the establishment and of the persons transferring and "acquiring" it;

(ii) The point value of the inventory transferred; and

(iii) The number of points in the establishment's ration bank account, if any, and the number of points on hand, including points sent to a supplier for "foods covered by this order" not yet shipped.

This notice will be treated as the transferee's registration and as a cancellation of the transferor's registration.

(2) If the transferor has a ration bank account, he must notify the district office, in the way required by General Ration Order 3A (the ration banking order).

(b) *Purchaser of retail or wholesale establishment may get its points.* The purchaser or transferee of a retail or wholesale establishment may get and use all of the establishment's points in the same way that the seller or transferor was entitled to use them. If the establishment has a ration bank account, the transferor is to give all the establishment's points to the transferee by issuing a ration check. If the establishment does not have a ration bank account, the transferor is to give to the transferee the "stamps," "tokens," and certificates he has and to endorse and give to the transferee any ration checks he has. (If the transferee is required to have a ration bank account he must deposit all the points in that account. If the transferee is not required to have a ration bank account, he may endorse the checks and use them to get foods covered by this order.)

(c) *Seller of primary distributor establishment must give up all points to the Office of Price Administration.* A person who sells or transfers a primary distributor establishment must, within five days after the transfer, turn over to the board (or to the district office, if it is registered there), all points on hand at that establishment and all in its ra-

tion bank account. He does so by issuing and sending his certified ration check, payable to the Office of Price Administration, along with his notice of the transfer. (If any of the points represent foods not yet shipped, he must attach to his notice a statement showing the amount and the person from whom he got them.)

(d) *Same rules apply to sale of an entire chain.* The rules set forth above also apply to a person who has more than one establishment of a particular kind and who sells or transfers all of them for continued operation, whether or not the establishments were registered together. He must give the information and give up or transfer the points for all the establishments.

(e) *Sale of part of a chain.* Where the seller or transferor also has other establishments of the same kind which are not sold or transferred, the procedure described in paragraph (a) of this section must be followed. However, if the transferor's establishments were registered together, the purchaser or transferee may acquire the inventory of the transferred establishment, but he may not acquire its points. In this case, the seller or transferor keeps the points. If he is a "retailer", or "wholesaler", he may use the points with his other establishments of the same kind as the transferred establishment. If he is a "primary distributor" he must give up to the board or district office, the points received for sales and transfers of foods covered by this order from that establishment at the time that he is required to give up points received by his other primary distributor establishments.

SEC. 12.2 *Sale or transfer of industrial user establishments*—(a) *General.* (1) When an "industrial user" sells or transfers to any other person the business and inventory of his "industrial user establishment", for continued operation, both the transferor and transferee must notify the board at which the establishment is registered. The notice must be in writing, within five days after the sale or transfer, and must show:

(i) The name and business address of the establishment and of the persons transferring and acquiring it;

(ii) The point value of the inventory transferred;

(iii) The number of points in the establishment's ration bank account, if any, and the number of points on hand, including points sent to a supplier for foods covered by this order not yet shipped.

(2) If the transferor has a ration bank account, he must notify the district office, in the way required by General Ration Order 3A.

(b) *Transferor must give up unused points.* The seller or transferor must give up to the board all unused points he has for the establishment. If the establishment has a ration bank account, he must give up the points in the form of his certified ration check payable to the Office of Price Administration. The notice described in paragraph (a) of this section, and the surrender of unused points, will be treated as a cancellation of the transferor's registration and allotment.

(c) *Application for allotment by transferee.* The transferee may not use the stocks of foods covered by this order which are transferred with the establishment unless he receives an allotment. The application for an allotment must be made, on OPA Form R-315, to the board for the place where the establishment was registered, and must state facts showing whether:

(1) The entire establishment, including substantially all the equipment, the good will, and the inventory of foods covered by this order has been transferred;

(2) The transferee will continue to serve, from that establishment, the same general class of customers and the same area served by it before the transfer; and

(3) The transferee will continue to produce, at the establishment, the same class of product or products, though not necessarily under the same trade name.

The board shall send the application, the notices sent to it by both parties and the transferor's registration to the district office.

(d) *Granting of allotment.* If the district office finds that the establishment will continue to be operated in substantially the same manner as before the transfer and that the tests described in paragraph (c) are satisfied, it shall assign to the transferee the transferor's allotment and quarterly use for that establishment. It shall also give him a certificate for the number of points that the transferor surrendered to the board or, if the amount of foods covered by this order transferred to the transferee with the establishment is larger than the unused part of the allotment for the current period plus any unused part of the transferor's earlier allotments, the difference shall be treated as excess inventory. The transferee may not use any part of the allotment already used by the transferor, but he may use any unused part of any prior allotment the transferor received for that establishment.

(e) *Same rules apply to sale of entire chain.* The same rules apply where a person who has more than one industrial user establishment sells or transfers all of them for continued operation, whether or not they were registered separately.

(f) *Sale of part of a chain.* (1) When the seller or transferor has more than one industrial user establishment which he registered separately, and sells or transfers one or more, but not all of them, the procedure described in paragraphs (a), (b), (c) and (d) of this section must be followed separately, as to each of the establishments transferred.

(2) When the seller or transferor has more than one industrial user establishment which he registered together, and sells or transfers one or more, but not all of them, the procedure described in paragraphs (a) and (c) of this section must be followed, except that the transferor must also apply to the board with which he registered for a redetermination of his allotment and his quarterly use. The board shall send the application and notices of both parties, and the transferor's registration, to the district office. If the district office finds that the tests described in paragraph (c) are satisfied, it shall grant an allotment to the transferee and assign to him a quarterly use. It shall first determine the amount of the transferor's allotment and quarterly use allocable to the transferred establishment. That quarterly use shall be assigned to the transferee. The transferee's allotment shall be the part of the transferor's allotment corresponding to the unexpired part of the allotment period. The quarterly use and the allotment assigned to the transferee shall be deducted from the quarterly use and current allotment of the transferor. The district office shall issue a certificate to the transferee (or determine his excess inventory) on the basis of the allotment granted to him and the amount of the inventory he acquired from the transferor. If the amount of foods covered by this order which is transferred with the establishment is less than the allotment assigned to the transferee, the transferor must give up points to the Office of Price Administration for the difference. If he does not give up points, that difference shall be treated as excess inventory.

(g) *Transferee's registration.* A transferee is regarded as registered as soon as the district office assigns an allotment and quarterly use to him.

(h) *Use of allotment by transferee.* A transferee may not use an allotment assigned to him under this section if his operation of the transferred establishment ceases to meet the tests described in paragraph (c).

SEC. 12.3 *Where and how the transferee registers the establishments acquired by him.* (a) A person who buys or otherwise acquires an establishment of any type, other than a primary distributor establishment, and who already has two or more establishments of the same type as the one acquired by him, which are registered together, must register the new establishment together with his other establishments and at the same board. If he already has his other establishments of the same type registered separately, the new establishment must be registered separately with the board for the place where it is located. If he has only one other establishment of the same type he may elect whether his establishments will be registered together or separately. If he registers them together, registration shall be at the board for the place where his principal office is located. If he registers them separately, registration shall be at the board for the place where the establishment is located. A person who buys or otherwise acquires a primary distributor establishment must register it separately, unless he has registered a group of his establishments in the way described in section 4.11 (a) (2). In that case he may register the newly acquired establishment as part of that group if the same records will be kept for it at the central office as are kept for the other establishments in the group, and invoices covering at least 90% of all transfers from that establishment will regularly be sent from the central office.

(b) *The same rules apply to industrial user establishments.* If a person who acquires more than one industrial user establishment is entitled to or is required to, register them separately, the district office must compute separately the portion of the transferor's allotment and quarterly use allocable to each of the establishments acquired, in the way described in section 12.2 (f) (2).

SEC. 12.4 *Moving establishment to another place.* (a) A person may move his retail, wholesale or primary distributor establishment to another place after notifying the board or district office at which the establishment is registered of his new address.

(b) If a person wishes to move his industrial user establishment to another place, he must treat his moving as the closing of one establishment and the opening of a new establishment unless he applies for and is granted permission to continue his operations at the new place. The application must be made on OPA Form R-315, to the board at which the establishment is registered, and must, in addition to showing the new address, give explanations indicating whether:

(1) The entire establishment, including substantially all the equipment and the inventory of foods covered by this order will be moved to the new place;

(2) He will continue to serve, from the new place, the same general class of customers and the same area he serves from his present place;

(3) He will continue to produce, at the new place, the same class of product or products which he produces at his present place.

The board shall send the application, with its recommendation, if any, to the district office. If the district office finds that the establishment will continue to be operated in substantially the same manner as at its present place, and that the tests described above are satisfied, it shall grant the application.

ARTICLE XIII—NEW BUSINESSES

SEC. 13.1 *New retail and wholesale establishments may be opened—(a) How stocks are obtained.* A "person" who wishes to open a "retail establishment" or a "wholesale establishment", after April 25, 1943, may apply for a "certificate" to get stocks of "foods covered by this order." The application must be made on OPA Form R-315 to the "board" for the place where the establishment will be located. The application must show:

(1) The proposed name and address of the establishment;

(2) The amount he has invested or expects to invest in it;

(3) The size and type of the establishment;

(4) The number of points he needs in order to get adequate stocks;

(5) The point value of any stocks of foods covered by this order which he may have for that establishment.

(b) *Issuance of certificate.* The board will issue to him a certificate for the number of points he needs to get an adequate working inventory.

(c) *Registration.* At the end of his first full week of operation, he must register that establishment, on OPA Form R-1601 or OPA Form R-1602, whichever is applicable, in the same way that "retailers" and "wholesalers" register between May 3 and May 14, 1943. He must give all information called for by the form. However, he must show the point value of his sales or "transfers" from that establishment during his first full week of operations. (In the case of a wholesaler, those sales or transfers must be shown according to the classes of foods covered by this order, set forth in a supplement to this order.) A retailer's allowable inventory is computed by multiplying the point value of those sales or transfers by three. A wholesaler's allowable inventory is computed by multiplying the point value of those sales or transfers of each class of foods by the factor fixed for that class in § 1407.3027 (f) of the Supplement to this order. The numbers which result are added, and the total is his allowable inventory. When he registers, he may get a certificate or, if he has excess inventory, he must give up points to the Office of Price Administration in the same way as retailers or wholesalers who register between May 3 and May 14, 1943. He may not, however, be given a certificate for more than the amount by which his allowable inventory exceeds the amount of the certificate given to him when he applied on OPA Form R-315.

(d) *Procedure where no additional stocks are needed.* Where the person who wishes to open the retail or wholesale establishment has enough stocks, he need not apply on OPA Form R-315. He may begin operation with the stocks he has. However, before making any sales or transfers of foods covered by this order from the establishment after May 14, 1943, he must notify the board for the place where the establishment is located. The notice must be in writing and must give the name and address of the establishment and the point value of its inventory. At the end of his first full week of operation, he must register the establishment and follow the procedure described in the last paragraph.

SEC. 13.2 *New primary distributor establishments may be opened.* (a) A person who opens a "primary distributor establishment" which was not in operation before April 30, 1943, must notify the district office for the place where the establishment will be located, before making sales or transfers of foods covered by this order from that establishment. The notice must be in writing and must show:

(1) The name and address of the establishment;

(2) The type of foods covered by this order he produces or imports there;

(3) The inventory of that establishment on the date of the notice.

He must file reports for that establishment beginning for the reporting period in which he started operations there.

SEC. 13.3 *In special cases, allotments may be granted for new industrial user establishments.* (a) A person who wishes to open an "industrial user establishment" which he did not operate at any time between January 1, 1942 and March 19, 1943, may apply for an allotment. Generally, no such application may be granted unless it is found that:

(1) The operation of the establishment will make a direct contribution to the War effort or is essential to meet civilian needs in the area it will serve: and

(2) The product it will produce cannot be obtained from any other source in the area to be supplied.

In addition, any person who wishes to open an industrial user establishment which he did not operate at any time between January 1, 1942 and March 19, 1943, to make a product or use for which a provisional allowance is granted under this order may apply for a provisional allowance of foods covered by this order for such purpose.

(b) The application must be made on OPA Form R-315 and must be filed as follows:

(1) With the board (or district office) authorized to keep the files of industrial users for the place where the applicant's industrial user establishment is or will be located, if:

(i) He does not have a registered industrial user establishment and the application covers only one establishment; or

(ii) He has more than one industrial user establishment which are already registered separately; or

(iii) He has one industrial user establishment which is already registered and he wishes to register the new establishment separately. (If the applicant wishes to open more than one industrial user establishment which are to be registered separately, a separate application must be filed for each such establishment.)

(2) With the board (or district office) authorized to keep the files of industrial users for the place where the applicant's principal business office is or will be located, if:

(i) The application covers more than one industrial user establishment and the applicant wishes to register such establishments together; or

(ii) He has more than one industrial user establishment which are already registered together; or

(iii) He has one industrial user establishment which is already registered and he wishes to register the new establishment with it.

(c) The application must show:

(1) The product the applicant will make;

(2) The size of the establishment;

(3) The amount he has invested or intends to invest in it;

(4) The market to be supplied;

(5) The kinds and point value of any foods covered by this order he may have on hand for that establishment;

(6) The amount of the allotment or provisional allowance requested.

(d) The board may call for any additional information it finds necessary. It may not pass on the application, but must forward it, together with all information received, to the district office. It may attach its recommendation, if any, as to the action to be taken. In cases in which the applicant wishes to make an industrial use of foods covered by this order for experimental, educational, or testing purposes, the district office may permit the applicant to register (on OPA Form R-1200) and grant him an allotment if it finds it in the public interest to do so. In all other

cases, the district office must forward the entire file to the Washington Office, for decision, or take such other action as the Washington Office may authorize or direct.

(e) An industrial user who already has an allotment, may not open another industrial user establishment and use his allotment there, unless he applies under this section and is given permission to do so.

SEC. 13.4 *Where a person who opens a new establishment registers if he already has other establishments of the same type.* (a) If a person who opens a new establishment of any type, other than a primary distributor establishment, already has two or more establishments of the same type which are registered together, he must register the new establishment together with his other establishments and at the same board. If he already has establishments of the same type registered separately, the new establishment must be registered separately with the board for the place where it is or will be located. If he has only one other establishment of the same type, he may elect whether his establishments will be registered together or separately. If he registers them together, registration must be at the board for the place where his principal business office is located. If he registers them separately, registration must be at the board for the place where the establishment is or will be located.

(b) A person who opens a new primary distributor establishment must register it separately, unless he has registered a group of his establishments in the way described in section 4.11 (a) (2). In that case he may register the newly opened establishment as part of that group if the same records will be kept for it at the central office as are kept for the other establishments in the group, and invoices covering at least 90% of all transfers from that establishment will regularly be sent from the central office.

ARTICLE XIV—CLOSING OF BUSINESS

SEC. 14.1 *What a person who closes his establishment must do*—(a) *General.* (1) Any "retailer," "wholesaler", "primary distributor", or "industrial user" who goes out of the business of dealing in or using "foods covered by this order" at his establishment must notify the "board" at which it is registered, or the district office, if it is registered there. The notice must be given in writing, within five days after he goes out of the business. It must show:

(i) The name and address of the establishment;

(ii) The point value of its inventory at the time he stopped doing business there; and

(iii) The number of points in the establishment's ration bank account, if any, and the number of points on hand, including points in the hands of his suppliers for foods not yet shipped. If he has a ration bank account, he must also notify the district office, in the way required by General Ration Order 3A (the ration banking order).

(2) He must account to the Office of Price Administration for all points he has for the establishment at which he ceased doing business. If all his stocks of foods covered by this order have not been disposed of at the time of the notice, he must account for the rest of the points as soon as the stocks have been liquidated. An industrial user who has given the notice called for above, may sell or "transfer" his unused stocks of foods covered by this order in the same way that a retailer is permitted to make sales or transfers.

(b) *Closing of entire chain.* The rules set forth in paragraph (a) of this section, also apply to a "person" who has more than one establishment of a particular kind and who goes out of business at all of them, whether or not they were registered separately. He must give the information required, and must give up the points, for all the establishments.

(c) *Closing of part of a chain.* (1) A person who has several retail, wholesale, primary distributor, or industrial user establishments which are registered separately, may go out of business at one or more, but may continue to operate the others. In that case, he must follow the procedure set forth in paragraph (a) of this section as to each of the establishments at which he goes out of business.

(2) A person who has several retail or wholesale establishments which are registered together may go out of business at one or more, but may continue to operate the others. In that case, he need not give up points to the Office of Price Administration at that time but may use them for the operation of the establishments which he continues. He must notify the board at which it is registered within five days after he closes it. The notice must be in writing and must give the name and address of the establishment closed.

(3) A person who has several industrial user establishments which are registered together may go out of business at one or more, but may continue to operate the others. In that case he must notify the board with which he is registered. The notification must be in writing and must state whether and to what extent he will continue to serve, from his other establishments, the same area and the same general class of customers. The board must send the notification and his registration to the district office. The district office shall determine the extent to which he remains entitled to use his entire allotment. He may keep his entire allotment only if his remaining establishments will continue to serve the same general class of customers and the same area as the establishment closed. His allotment and his quarterly use must be reduced to the extent that he will cease to serve the same class of customers and the same area. If his allotment is reduced, he must give up to the Office of Price Administration points equal to the reduction. If he does not have points to give up, the amount of the reduction shall be treated as excess inventory.

ARTICLE XV—ADJUSTMENTS

SEC. 15.1 *Adjustments for lost, destroyed, or stolen foods*—(a) *How to apply.* Any "person" who had "foods covered by this order" which were lost, destroyed (other than by rotting or decaying), or stolen, or taken away by legal process or order of a court, may apply for a "certificate" for the number of points needed to replace them. The application must be made on OPA Form R-315. However, a consumer may apply for a certificate with which to replace foods covered by this order only if he has given up points to acquire the foods which are lost, destroyed, stolen, or taken away. A "consumer" who wants a certificate must apply to the "board" for the place where he lives. Any other person must apply to the board with which he is registered (or to the district office, if he is registered there). The application must give:

(1) A description of the foods he wishes to replace, showing their point value;

(2) A description of the way in which they were lost, destroyed, stolen, or taken away;

(3) A statement, if the applicant is a consumer, that he gave up points for the foods which were lost, destroyed, stolen, or taken away.

He must also give any other information that the board (or the district office) may request.

(b) *Action on application.* If the board (or the district office) finds the statements made in the application to be true, it will issue to him a certificate for the number of points needed to replace the foods.

(c) *Recovery of lost or stolen foods.* If the applicant gets back any of the foods covered by his application, he must give back to the Office of Price Administration, for cancellation, points equal to the point value of the foods he recovered.

SEC. 15.2 *Applications may be made for other adjustments*—(a) *How to apply.* Any "retailer," "wholesaler," "primary distributor" or "industrial user" who needs an adjustment in his inventory or allotments, or other relief, may apply, on OPA Form R-315, to the board with which he is registered, or to the district office, if he is registered there. He must state in his application all facts which he claims show his need for the adjustment, and the nature and amount of the adjustment he requests. He must also give any other information that the board (or the district office) requests.

(b) *Action on application.* A board may not act upon an application under this section. It must send the application, together with all other information received, to the district office. It may attach its recommendation as to the action to be taken. The district office shall send the file to the "Washington Office," for decision, or take such other action as the Washington Office may authorize or direct.

SEC. 15.3 *Wholesalers may receive points to replace inventory losses due to shrinkage (evaporation) or cutting.* (a) Any wholesaler who suffers a loss in his inventory of "meat" (except canned meat) because of shrinkage (evaporation or dehydration), or who suffers a loss in his inventory of "rationed cheeses" (except process cheese, cheese foods, bottled cheeses or grated cheese) because of shrinkage or cutting, may apply to his board on OPA Form R-315 for a certificate to replace such losses. The application may be made at any time within one month after each three month period, beginning with April 1, 1943, during which he incurred such losses. The application must be signed by the wholesaler or his authorized agent, and must show:

(1) His name and principal business address;

(2) The three month period during which losses of inventory by shrinkage (or cutting, in the case of rationed cheeses) were incurred;

(3) The point value of his sales and "transfers" (other than exchanges, or transfers from one to another of his "wholesale establishments"), during that period, of these foods;

(4) The number of pounds of these foods lost by shrinkage (or cutting, in the case of rationed cheeses) during that period;

(5) The point value of his inventory losses, during that period due to shrinkage (or cutting, in the case of rationed cheeses) of these foods. He must also give any other information which the board may request.

(b) If the board finds that the wholesaler suffered an inventory loss because of the shrinkage (or cutting, in the case of rationed cheeses) of these foods held by him for sale or transfer, it shall issue a certificate for the number of points necessary to replace the losses. However, no certificate may be issued to allow more than one percent in the case of meat, and two percent in the case of rationed cheeses, of the point value of his sales and transfers (other than exchanges, or transfers from one to another of his wholesale establishments) of these foods during the three months in which the losses were incurred.

SEC. 15.4 *Wholesalers may apply for allowable inventory adjustments*—(a) *How to apply.* A wholesaler who finds that his allowable inventory is inadequate (other than because of seasonal variations) may apply for an increase. He must apply on OPA Form R-315 to the board with which he is registered. The application must give the following information:

(1) The amount of his allowable inventory;

(2) The net point gain or loss in his point inventory caused by the addition of items to or removal of items from the foods covered by this order;

(3) The sum of items (1) and (2), or the difference if item (2) represents a point loss;

(4) The reasons why he claims his allowable inventory is inadequate; and

(5) The amount of the increase which he needs.

(b) *Temporary increase based on application.* The board may not act upon the application but must send it, and any other information received, to the district office for action. The board may attach its recommendation as to the amount of the temporary increase to be granted. The district office may grant the wholesaler a temporary increase for the amount which it finds he needs to get adequate stocks for the next six calendar weeks. After determining the amount of the temporary increase to be granted, the district office shall return the file to the board. If the wholesaler does not have any excess inventory, the board shall issue to him a certificate for the amount of the increase granted. If he has an excess inventory which is less than the increase, the board shall cancel the excess inventory and issue a certificate for the difference. If his excess inventory is equal to or greater than the increase, the board shall reduce the excess inventory by the amount of the increase.

(c) *Final action.* A wholesaler who is given a temporary increase under paragraph (b) must keep a record of the point value of his sales and transfers of each of the classes of foods set forth in paragraph (d) (other than exchanges, and transfers to another of his wholesale establishments) during the six calendar weeks after he received the increase. Within one week after the end of this period he must report the point value of his transfers during this period to the board. The board shall multiply the point value of his sales and transfers of each class by the factor fixed for that class, as set forth in paragraph (d). If the sum of the products thus computed is more than the figure stated in item (3) in paragraph (a), the difference (or the amount requested by the wholesaler, whichever is less) is to be granted as a permanent increase in the wholesaler's allowable inventory. If the amount of the increase is more than the sum of any certificate issued and excess inventory cancelled under paragraph (b), the board shall issue a certificate for the difference. If the amount of the increase is less than that sum, the difference is excess inventory, and the wholesaler must give up points to the Office of Price Administration in the way required by section 5.6 (e).

(d) *Classes of foods and factors.* The classes of foods and the factors for each class, referred to in paragraph (c), are as follows:

(1) Shortening, cooking and salad oils, canned meat, canned fish and canned milk	1.0
(2) Meat (other than canned meat)	0.3
(3) Butter, cheese and margarine	0.5

SEC. 15.5 *Wholesalers and retailers of canned milk or soft cheeses may obtain adequate working inventories*—(a) *How stocks are obtained.* A person who becomes a wholesaler or retailer under this order because he deals in canned milk or in the cheeses added by Amendment 35 [2] (to Ration Order 16) to the foods covered by the order, and who wishes points in order to get an adequate working inventory, may apply for a certificate for that purpose. The application must be made before August 1, 1943 on OPA Form R-315 to the board with which he will register his establishment. The application must show:

(1) The name and address of the establishment;

(2) The number of points he needs in order to get adequate stocks;

(3) The point value of any stocks of canned milk or of the cheeses mentioned above which he may have for that establishment at the time the application is made.

(b) *Issuance of certificate.* The board will issue to him a certificate for the number of points he needs to get an adequate working inventory.

(c) *Registration.* At the end of his first full week of operation after the date on which the certificate is issued to him, he must register his establishment, on OPA Form R-1601 or OPA Form R-1602, whichever is applicable, in the same way that retailers and wholesalers registered in accordance with this order. He must give all information called for by the form. However, he must show the point value of his sales and transfers of canned milk and of the cheeses above-mentioned from his establishment during that full week of operation, instead of during the period from April 25, 1943 to May 1, 1943. (He must not include exchanges, or transfers between his own establishments of the same type, but may include all other transfers.) He must report his point inventory at the end of that week, instead of at the close of business on May 1, 1943. If he is a wholesaler, his allowable inventory is determined by multiplying the point value of the canned milk transferred by him during that week of operation by the factor eight (8) and the point value of the above-mentioned cheeses so transferred by him by the factor four (4). If he is a retailer, his allowable inventory is determined by multiplying the point value of his transfers of these foods during that week by three (3). When he registers, he may get a certificate or, if he has excess inventory, he must give up points to the Office of Price Administration, in the same way as retailers or wholesalers who registered in accordance with this order. He may not, however, be given a certificate for more than the amount by which his allowable inventory exceeds the amount of the certificate given to him when he applied on OPA Form R-315.

(d) *A person may register his establishments separately or together.* Notwithstanding the provisions of sections 5.2 (g) and 6.2 (g) of this order, if a person who registers an establishment under this section has two or more other establishments of the same type which are already registered together under this order, he must register the additional establishment together with his other establishments and at the same board. If he has other establishments of the same type which have already been registered separately, the additional establishment must be registered separately with the board for the place where it is located. If he has only one other establishment of the same type, he may elect whether his establishments will be registered together or separately. If he registers them together, registration must be at the board for the place where his principal business office is located. If he registers them separately, registration must be at the board for the place where the establishment is located.

SEC. 15.6 *Adjustment in base-period use of industrial user whose production in fourth quarter of 1942 was limited by General Preference Order M-71.* (a) An

[2] 8 F.R. 7491.

industrial user whose industrial use of rationed fats and oils during the fourth quarterly period of 1942 was limited by General Preference Order M–71 [11] may apply for an adjustment of his base-period use of rationed fats and oils during that period. The application must be made on OPA Form R–315 to the board with which he is registered. He must give the following information in his application:

(1) The number of pounds of each item of rationed fats and oils of which he made an industrial use during each of the fourth quarters of 1940, 1941 and 1942;

(2) A statement that his industrial use of rationed fats and oils during the fourth quarter of 1942 was limited by General Preference Order M–71.

(b) If the board finds that his industrial use of rationed fats and oils was limited by General Preference Order M–71, it shall add to his base-period use of those foods for the fourth quarter of 1942 the smaller of the two figures derived in the following way:

(1) 13 percent of his base-period use of rationed fats and oils; or

(2) The difference between his base-period use of those foods in the fourth quarter of 1942, and the average of his industrial use of those foods during the fourth quarters of 1940 and 1941.

In addition, and notwithstanding the provisions of section 7.6 (b) of this order, the board shall increase his allotment for the fourth quarter of 1943 on the basis of the applicant's adjusted base-period use. (The provisions of section 7.6 (d) apply in determining whether or not the applicant shall be entitled to receive a certificate with respect to any such increase in his allotment, and in determining the amount of the certificate.)

SEC. 15.7 *Retailers may apply for allowable inventory adjustments*—(a) *How to apply.* A retailer who finds that his allowable inventory is inadequate (other than because of seasonal variations) may apply for an increase. He must apply on OPA Form R–315, to the board with which he is registered. The application must give the following information:

(1) The amount of his allowable inventory;

(2) The net point gain or loss in the applicant's point inventory caused by the addition of items to or removal of items from the foods covered by this order;

(3) The sum of items (1) and (2), or the difference if item (2) represents a point loss;

(4) The reasons why he claims that his allowable inventory is inadequate; and

(5) The amount of the increase which he needs.

(b) *Action by board if adjusted allowable inventory would be 1500 points or less.* If the board finds that the retailer's allowable inventory is inadequate and that the sum of items (3) and (5) in paragraph (a) is not more than 1500 points, it may grant the application for the additional amount which it finds he needs, but not more than the amount requested. If the retailer does not have any excess inventory, the board shall issue to him a certificate for the amount of the increase granted. If he has an excess inventory which is less than the increase, the board shall cancel the excess inventory and issue a certificate for the difference. If the retailer's excess inventory is equal to or greater than the increase, the board shall reduce the excess inventory by the amount of the increase.

(c) *Temporary increase if adjusted allowable inventory would be more than 1500 points.* If the sum of items (3) and (5) in paragraph (a) is more than 1500 points, the board may not act upon the application but must send it, and any other information received, to the district office for action. The board may attach its recommendation as to the amount of the temporary increase to be granted. The district office may grant the retailer a temporary increase for the amount which it finds he needs to get adequate stocks for the next six calendar weeks. It shall then return the file to the board. When the amount of the temporary increase has been determined by the district office, the board shall issue to the retailer a certificate or reduce the retailer's excess inventory, or both, in the way described in the last paragraph.

(d) *Final action.* If the retailer is given a temporary increase under paragraph (c) he must keep a record of his sales and transfers (other than exchanges, and transfers to another of his retail establishments) during the six calendar weeks after he received the increase. Within one week after the end of this period, he must report the point value of such transfers. The board shall divide this amount by two. If the resulting figure is more than the figure stated in item (3) in paragraph (a), the difference (or the amount requested by the retailer, whichever is less) is to be granted as a permanent increase in the retailer's allowable inventory. If the amount of the increase is more than the sum of any certificate issued and excess inventory cancelled under paragraph (c), the board shall issue a certificate for the difference. If the amount of the increase is less than that sum, the difference is excess inventory, and the retailer must give up points to the Office of Price Administration in the way required in section 6.6 (e).

SEC. 15.8 *Retailers and wholesalers may apply for temporary adjustments because of seasonal variations*—(a) *How to apply.* A retailer or wholesaler may apply for a temporary increase in his allowable inventory because of seasonal variations in his business. He must apply on OPA Form R–315 to the board with which he is registered. The application must give the following information:

(1) The amount of his allowable inventory;

(2) The net point gain or the net point loss in the applicant's point inventory caused by the addition of items to or the removal of items from the foods covered by this order;

(3) The sum of items (1) and (2), or the difference if item (2) represents a point loss;

(4) The reasons why he needs the increase;

(5) The period during which he needs the increase;

(6) If he is a retailer, the average weekly amount of his sales and transfers of foods covered by this order, in pounds, during the same period in 1942, multiplied by 15. If he is a wholesaler, 75% of his average weekly sales and transfers, in pounds, during the same period in 1942, of foods in each of the three classes specified in § 1407.3027 (b) of the Supplement to this order, multiplied by the factor fixed for that class;

(7) The amount of the increase which he needs.

(b) *Action on application.* If the board finds that the applicant's allowable inventory will be inadequate during the period for which the increase is requested, and that the sum of items (3) and (7) in paragraph (a) does not exceed 20,000 points, it may grant the application for the amount which it finds he needs but not more than the amount requested. However, in no event may the board grant under this section more than the amount by which item (6) exceeds item (3). If the sum of items (3) and (7) exceeds 20,000 points, or if the applicant requests an increase which is more than the maximum amount which the board may grant under this section, or if the applicant is unable to furnish the information required by item (6) because he was not in operation during that period, the board may not act upon the application, but must send it to the district office for action. It may attach its recommendation as to the amount of the temporary increase to be granted. The district office shall determine what action should be taken and return the file to the board. When the amount of the temporary increase has been determined by the local board or the district office, as the case may be, the board shall issue a certificate for such amount, if the applicant has no excess inventory. If the applicant has an excess inventory which is less than the increase, the board shall cancel the excess inventory and issue a certificate for the difference. If the applicant's excess inventory is equal to or greater than the increase, the board shall reduce the excess inventory by the amount of the increase. Within 15 days after the close of the period for which the increase is granted, the applicant must report to the board and give up points equal to the total of any certificate issued and excess inventory reduced or cancelled under this section. If he is unable to give up all the points within the fifteen days, the balance is excess inventory and the provisions of sections 5.6 (e) or 6.6 (e), as the case may be, apply.

ARTICLE XVI—ISSUANCE AND USE OF CERTIFICATES, RATION COUPONS AND TOKENS

SEC. 16.1 *How certificates are issued*—(a) *By whom issued.* "Certificates" (OPA Form R–1201) may be issued by the "Washington Office", by a "board", by a district office, by any authorized officer or representative of the Office of Price Administration, or by any "person" authorized by the Office of Price Administration to issue them. Certificates may be issued only in the cases and for the purposes permitted by this or any other order of the Office of Price Administration.

(b) *How certificates are issued.* The person who issues a certificate must insert, in ink, the words "Meats and Fats" in the appropriate space and must sign it and fill in:

(1) The number of points for which it is issued;

(2) The name of the person for whom it is issued; and

(3) The word "after" in the upper right corner shall be changed to "before" and the date inserted there shall be the date of issue.

A certificate which is not filled out in this way is not good for the acquisition of foods and may not be used or accepted for that purpose.

(c) *Certificates not to be issued for fractional amounts.* Certificates may not be issued for points in fractional amounts.

SEC. 16.2 *Certificates may be used at any time.* (a) Certificates issued on or after November 2, 1943, may be used at any time for the acquisition of foods covered by this order. A "retailer" who "transferred" foods covered by this order for a certificate may use it to acquire such foods, if he does not have and is not required to have a ration bank account.

SEC. 16.3 *A certificate must be endorsed.* (a) Before it can be used, a certificate must be signed on the back by the person for whom it was issued, or by a person authorized to sign for him, if he cannot write.

(b) Any retailer, "wholesaler" or "primary distributor" who has transferred foods for a certificate must sign his name on the back of the certificate before he can deposit or use it.

SEC. 16.5 *Names of persons who have been given certificates may be posted.* (a) A board may post at its office the name of any person to whom it has issued a certificate under this order. However, it shall not do so if it would reveal information of a military character, or information which any public law enforcement or investigating agency wishes to keep confidential.

SEC. 16.6 *Certificates are the property of the Office of Price Administration and may be revoked.* (a) All certificates are the property of the Office of Price Administration, whether or not they have been issued.

(b) The Office of Price Administration may suspend, cancel, or revoke any certificate issued if it finds it in the public interest to do so.

SEC. 16.7 *Sugar purchase certificates may be corrected and used instead of certificates on OPA Form R–1201.* (a) Where no food ration certificates (OPA Form R–1201) are available, sugar purchase certificates (OPA Form R–306) may be used instead, if the word "sugar" in the title is changed to "meats and fats", and the rest of the sentence following the applicant's name and address and ending with "Administration" is changed to read "is issued [amount in words] ([amount in numerals]) points of meats and fats." The date inserted in the upper right corner shall be the date of issue. The date in the lower right corner shall be left blank.

SEC. 16.8 *How ration coupons are issued*—(a) *General.* Whenever a district office, or the Washington Office of the Office of Price Administration, or any other person, is authorized to issue one or more certificates to any person, it shall, unless otherwise directed by the Office of Price Administration, issue ration coupons instead, if he is not entitled to have a ration bank account. However, ration coupons may be issued to an industrial consumer whether or not he has a ration bank account and to a retailer who does not have, and is not required to have, a ration bank account.

(b) *How ration coupons are issued and used.* Ration coupons are coupons designated "ration coupons" which are issued in denominations of 1, 5, 20, 100 and 1,000 points by the Office of Price Administration. Red ration coupons may be used for the acquisition of all foods covered by this order. They need not be endorsed, and are good at any time. In all other respects they may be used in the same way as "stamps", certificates and ration checks. However, a person who does not have and is not required to have a ration bank account may use ration coupons to give change to any person other than a consumer, but he may use for this purpose only ration coupons having denominations of 1, 5, or 20 points. (This does not affect the rule that a person who has or is required to have a ration bank account may give up or return points only in the form of a check. The only exception to that rule is in the use of tokens to give change to consumers.)

(c) *Ration coupons are the property of the Office of Price Administration and may be revoked.* (1) All ration coupons are the property of the Office of Price Administration, whether or not they have been issued.

(2) The Office of Price Administration may suspend, cancel, or revoke any ration coupon if it finds it in the public interest to do so.

SEC. 16.9. *How ration tokens may be obtained by persons other than consumers.* (a) On and after February 17, 1944, any person other than a consumer who sells or transfers foods covered by this order may acquire tokens in quantities of 250 or multiples thereof at any ration bank in exchange for the following types of ration currency:

(1) *Stamps.* From February 17, 1944, to February 26, 1944, inclusive, he may use brown stamps in sealed envelopes. From February 27, 1944 to May 1, 1944, inclusive, he may use brown stamps in sealed envelopes or red stamps pasted on gummed sheets, OPA Form R–140. Beginning May 2, 1944 he may use stamps only if they are pasted on such gummed sheets notwithstanding the provisions of General Ration Order 7. If he uses stamps in sealed envelopes, the envelopes must be handled in all respects in accordance with the procedure described in General Ration Order 7 for the use of such envelopes. If he uses stamps pasted on gummed sheets he may use only stamps valid for transfer or deposit by him at the time he acquires tokens, and each sheet must contain 25 stamps. He must write his name and address on each sheet.

(2) *Certificates.* He may use a certificate only if it is made out to him. He must write his name and address on the back of the certificate before using it to acquire tokens.

(3) *Checks.* If he has a ration bank account he may use a ration check to obtain tokens only at the bank where he has his account and only if such check is drawn by him against his account either to his own order or to the order of "tokens".

(4) *Ration coupons.* Between February 17, 1944 and May 1, 1944, inclusive, he may use ration coupons to obtain tokens. They must be enclosed in sealed envelopes which must be handled in accordance with the procedure described in General Ration Order 7 for the use of such envelopes. After May 1, 1944 he may not use ration coupons to acquire tokens.

(b) Beginning February 27, 1944 any person who sells or transfers foods covered by this order may obtain tokens in exchange for any valid ration currency from any other person who sells or transfers such foods.

(c) Before February 17, 1944 any retailer who has more than one retail establishment may apply to the Washington Office for permission to obtain tokens from that office. Such a retailer must give up to the Washington Office, on or before February 17, 1944, points for tokens he receives in this way.

SEC. 16.10 *How tokens are used.* (a) Beginning February 27, 1944 tokens may be used to buy or acquire foods and to give change to consumers when they buy or acquire such foods. They have a point value of one point each and are good at any time. However, a transferor of foods covered by this order need not accept more than 9 tokens from any transferee other than a consumer in any single transaction.

(b) Any person who has a ration bank account may deposit tokens in his account only in quantities of 250 or multiples thereof and only if they are in the containers provided for them by the Office of Price Administration. Any person who does not have and is not required to have a ration bank account may exchange tokens in quantities of 250 or multiples thereof for a ration check at any ration bank, but only if the tokens are in the containers provided for them. Any person who deposits or exchanges tokens in this way must write his name and address in the space provided for that purpose on the cover of the container.

ARTICLE XVII—RECORDS, REPORTS AND INSPECTIONS

SEC. 17.1 *Records must be kept for two years.* (a) Every "person" must hold, for at least two years, all records which this order requires him to keep.

SEC. 17.2 *Records may be inspected by Office of Price Administration.* (a) All

[11] 6 F.R. 6797; 7 F.R. 843, 5809, 7485, 8692, 9484, 9807; 8 F.R. 315.

records kept under this order may be inspected by the Office of Price Administration, through any authorized representative. The inspection may be made at a person's place of business during regular business hours. In the case of records kept on forms prepared by the Office of Price Administration, the inspection of those records may be made at any time or place fixed by the Office of Price Administration. Every person required to keep records under this order must keep them available for such inspection.

SEC. 17.3 *Places where foods covered by this order are kept may be inspected.* (a) The Office of Price Administration, through any authorized representative, may at any reasonable time inspect any place where "foods covered by this order" are produced, imported, processed or kept. Any person who produces, imports, processes, or has foods covered by this order must permit such inspection of the place where he produces, imports, processes or keeps them. This section does not apply to a place if the only foods covered by this order which are produced or kept at that place are produced or kept by a person for his use as a "consumer."

SEC. 17.4 *Records and reports are confidential.* (a) Information and documents obtained from any person under this order will not be disclosed, whether in response to a subpoena or in any other way, except to that person, unless the Administrator (or a representative of the Office of Price Administration designated by him) finds that the requested disclosure is not contrary to law and consents to it.

SEC. 17.5 *District office may extend time for registration and reports.*— (a) The district office for the place where a person is registered, or is required to be registered, may, for good cause, give him additional time to file any registration or report which this order requires him to file. Any person who needs more time for filing a registration or report may apply, in writing, to the district office. He must explain, in his application, why he needs more time. The district office may impose any conditions it finds proper, when it grants such an extension of time.

SEC. 17.6 *Office of Price Administration may require applicants to give information.* (a) The "Washington Office," a "board", or a district director or regional administrator may require any person who files an application or an appeal under this order to appear in person, to bring witnesses and to supply any information needed for passing on his case.

SEC. 17.7 *Records, reports and registrations required by this order.* (a) The following records are required by this order:

1. Primary distributors must keep records of production, processing, acquisitions, and transfers and of changes in point values. (Sections 4.11 (a), 13.4 (b))
2. Wholesalers must keep records of computations used in determining allowable inventories, and of changes in point values. (Section 5.8)
3. Retailers must keep records of computations used in determining allowable inventories, of production, and of changes in point values. (Section 6.8)
4. Retailers, wholesalers, or primary distributors who custom process foods for consumers, must keep records of such transactions. (Section 3.3 (b))
5. Persons who transfer foods in advance of receiving points, must keep records of each such transfer. (Section 10.5 (d))
6. Industrial users must keep records of registration, use, inventories, and acquisitions. (Sections 7.9, 7.12 (e))
7. Chains must keep records of transfers of stocks and points among establishments. (Section 18.1)
8. Suppliers must keep records of foods transferred to certain Mexican residents. (Sections 25.7, 25.8)
9. Primary distributors who can fish for persons who caught such fish must retain the statement which those persons are required to furnish (Section 3.5 (a)).
10. Persons who have fish which they caught canned for them must keep records of the canned fish which they transfer (Section 3.5 (b)).
11. Persons who transfer canned fish, canned milk or canned meat in imminent danger of spoilage at less than its full point value must keep records of such transfers. (Section 10.11 (b), (e))
12. Primary distributors who transfer canned fish and canned milk and receive point returns to allow for spoilage must keep records of such transfers and returns. (Section 11.16 (c))
13. Wholesalers must keep a record of canned fish inventories. (Section 5.8 (a))
14. Renderers and master collectors who acquire household salvage fats must keep records of such acquisitions. (Section 26.5)
15. Independent collectors who acquire household salvage fats for sale or transfer must keep records of such acquisitions, sales and transfers. (Section 26.8)

(b) The following reports and registrations are required by this order:

1. Primary distributors must register. (Sections 4.11 (a), 13.4 (b))
2. Primary distributors must file reports of production and of transfers of canned fish, canned milk or canned meat in imminent danger of spoilage at less than its full point value. (Section 4.11 (b), and following paragraphs, and section 10.11 (b))
3. Primary distributors who custom slaughter livestock must report the transactions to the board. (Section 3.4 (d))
4. Livestock producer who transfers food acquired by him through custom slaughtering, must report the transfers. (Section 3.4 (e))
5. Registration and reports by new primary distributor establishment. (Sections 13.2, 13.4)
6. Wholesalers must register. (Section 5.2)
7. Wholesalers must report their inventories. (Section 5.4)
8. Wholesalers must report their sales and points on hand. (Section 5.5)
9. Retailers must register. (Section 6.2)
10. Retailers must report their inventories. (Section 6.4)
11. Retailers must report their sales and points on hand. (Section 6.5)
12. Retailers who sell foods in imminent danger of spoilage, at lower point values, must report sales to the board. (Section 6.10 (d), (e))
13. Persons other than retailers, wholesalers, and primary distributors must account for points received for transfer of foods covered by this order. (Section 10.1 (b), (c))
14. Retailer, wholesaler, or primary distributor who wishes to accept points from and make transfers of foods to consumers by mail must notify the district office. (Section 10.4 (l))
15. Persons who transfer foods before receiving points must notify district office of defaults. (Section 10.5 (d))
16. Registration of new retail or wholesale establishment. (Sections 13.1 (c), 13.4)
17. Registration of wholesalers and retailers of canned milk or soft cheeses. (Section 15.5 (c), (d))
18. Notice to board upon closing establishment. (Section 14.1)
19. Reports upon sale of business. (Sections 12.1 (a), 12.2 (a))
20. Purchaser of an establishment must register the establishment acquired by him. (Section 12.3)
21. Industrial users must register. (Section 7.2)
22. Industrial users must report their inventories. (Section 7.4)
23. Industrial users must report their past use of foods. (Section 7.5)
24. Industrial users report their point-free acquisitions. (Section 7.6 (f))
25. Industrial users who register late. (Section 7.7)
26. Person who acquires foods, point-free for liquidation by operation of law, or in judicial proceedings must report the acquisition to the district office. (Section 11.9 (b))
27. Insurers or salvagers who acquire foods point-free must report the acquisition to the district office. (Section 11.10 (b))
28. Federal, state, or local institutions which receive foods point-free from governmental investigatory agencies, must report such acquisitions. (Section 22.8 (c))
29. Exporter must account for all foods exported. (Section 21.3)
30. Reports by persons who transfer foods to certain Mexican residents. (Section 25.8)
31. Certain persons who transfer or acquire canned fish, canned milk or canned meat in imminent danger of spoilage at less than its full point value must report the transfers or acquisitions. (Section 10.11 (d) (2), (3))
32. Primary distributors must report inventories of canned fish. (Section 4.11 (c))
33. Wholesalers must report inventories of canned fish. (Section 5.10)
34. Renderers must register. (Section 26.2 (a))
35. Renderers must file reports of their acquisitions of household salvage fats. (Section 26.4)
36. Master collectors may register. (Section 26.8a)
37. Persons who transfer foods point-free to insurers or for salvage, must report such transfers. (Section 11.10)
38. Provisional allowance users must report the amount of foods used, the amount of product made, and other information. (Section 7.13)

ARTICLE XVIII—ADDITIONAL RECORDS TO BE KEPT BY CHAINS

SEC. 18.1 *Chains must keep records of transfers of stocks and points between establishments.* (a) Every "person" who has more than one "retail" or "wholesale establishment" must, if they are registered together, keep at each establishment (or at the place exercising immediate supervision over that establishment) a record, in any convenient form, which shows:

(1) The amount of "foods covered by this order" "transferred" from and "acquired" by that establishment, the date of each transfer or acquisition, and the name and address of the establishment to which the foods were transferred, or from which they were acquired. The record must show the amount of foods which were transferred and acquired, either by items and sizes, or by point value. (However, no such records need be kept for transfers of such foods to "consumers"); and

(2) The number of points received for transfers of foods covered by this order from that establishment, the disposition of those points, and the dates of their disposition.

If the records are kept at the place exercising immediate supervision over one or more establishments, a list must also be kept at that place, showing the address of each establishment whose records are kept there.

(b) In addition, he must keep for each ration bank account used by him for more than one establishment, a record showing the number of points deposited in that account by and for each such establishment, and the dates of the deposits.

ARTICLE XIX—APPEALS

SEC. 19.1 *Persons directly affected by action taken under this order can appeal.* (a) Any "person" directly affected by the action of a "board", district director or regional administrator, on any application or other matter, may appeal from that action in the way permitted by Procedural Regulation No. 9 [11] of the Office of Price Administration.

(b) This section shall not apply to action taken on any application made under sections 13.3 or 15.2, except action taken by a board, district, or regional office which has been authorized by the Office of Price Administration to grant or deny such application.

ARTICLE XX—MISCELLANEOUS RULES AND PROHIBITIONS

SEC. 20.1 *Additional prohibitions.* (a) No "person" shall use points unless he has received them in a way permitted by this or any other order of the Office of Price Administration.

(b) No person shall "transfer", "acquire", use or possess "foods covered by this order" except in a way permitted by this or any other order of the Office of Price Administration.

(c) No person shall give or transfer points, a "stamp", "token" or a "certificate" to any other person, except in a way permitted by this or any other order of the Office of Price Administration.

(d) No person may transfer foods covered by this order for a stamp, token, certificate or ration check if he knows or has reason to believe that it is not valid or that the person tendering it is not entitled to use it.

(e) No person shall have a stamp, token, certificate or ration check in his possession except the person (or agent of the person) to whom it was issued or by whom it was acquired in a way permitted by this or any other order of the Office of Price Administration.

(f) No person shall deface, mutilate, or destroy any stamp, token, certificate or ration check, except where permitted by this or any other order of the Office of Price Administration. A defaced or mutilated stamp, token, certificate or ration check is not valid for any purpose.

[11] 7 F.R. 8796; 8 F.R. 856, 1838, 2030, 2595, 2941, 4350, 4929, 7381, 11480, 11806, 12482, 14211; 9 F.R. 1594.

(g) No person shall counterfeit, forge, or alter a stamp, token, certificate, credit authorization, or ration check, and no person shall transfer, acquire, possess, or use a counterfeited, forged or altered stamp, token, certificate, credit authorization or ration check.

(h) No person may transfer foods covered by this order in violation of any applicable order of an agency of the United States.

(i) No person shall offer, solicit, attempt or agree to do, or assist in doing any act in violation of this order.

(j) Paragraphs (b), (c), (e), (f), (g) and (h) of this section do not apply to public officials who do any of those acts in the performance of their public duties.

(k) No person shall, in any registration, report, application, or other statement or record made pursuant to or required by this order, make any untrue statement of fact, or omit to state any fact which is required to be stated or which is necessary to make a statement not misleading.

(l) No person shall, after demand, withhold a stamp, token, certificate or ration check from the person who is entitled to have it.

(m) No person shall sell or transfer any item of foods covered by this order at a price in excess of the applicable maximum price established for that item by the Office of Price Administration.

(n) No person shall sell or transfer any item of food covered by this order except in a form in which it appears on the Official Tables of Consumer Point Values or Official Table of Trade Point Values.

SEC. 20.2 *Stamps, tokens, and certificates may not be taken by legal process or acquired by will.* (a) No stamp, token, certificate or ration check, or any interest in it, may be taken or seized by judicial process or by any court order. However, a person to whom a war ration book or a certificate has been issued may bring a legal proceeding to recover it from any person who is wrongfully in possession of it. He may, as part of that proceeding, take or seize it by judicial process or court order.

(b) No stamp, token or certificate, or any interest in it, may be transferred or acquired by inheritance or by will.

SEC. 20.3 *Office of Price Administration must be notified of legal proceedings.* (a) Any person who has a stamp, token, certificate or ration check must notify the district office of the Office of Price Administration immediately after the beginning of any legal proceeding involving that stamp, token, certificate or check.

SEC. 20.4 *Definition of meat in price order or regulation governs under this order.* (a) If any item of "meat" shown on the Official Tables of Consumer Point Values (OPA Form R-1313 or OPA Form R-1611) or the Official Table of Trade Point Values has the same name as the name used for that item in any price order or regulation issued by the Office of Price Administration, the description of that item, or the definition of its name, in the price order or regulation shall be its description or definition for all purposes of this order.

SEC. 20.5 *General Ration Order 5 governs whenever inconsistent with this order.* (a) If any provision of this order is inconsistent with the provisions of General Ration Order 5, the provisions of General Ration Order 5 shall govern, and shall supersede the provisions of this order to the extent that they are inconsistent.

SEC. 20.6. *References to Ration Order 16 deemed references to Revised Ration Order 16.* (a) References to Ration Order 16 in any order, amendment, rationale, form or other document shall be deemed references to Revised Ration Order 16.

ARTICLE XXI—EXPORTS

SEC. 21.1 *Foods covered by this order may be exported under General Ration Order 17.* (a) Any "person" may export "foods covered by this order" to any foreign country or to any territory or possession of the United States (other than the District of Columbia) in accordance with the provisions of General Ration Order 17.[12]

(b) A "primary distributor" who does not apply for points to replace the foods covered by this order which he exported must attach his proof of export to his report on OPA Forms R-1606 (Revised), R-1607, R-1609 (Revised), or R-1626 covering the reporting period in which the export was made.

ARTICLE XXII—EXEMPT AGENCIES AND OTHER SPECIAL CASES

SEC. 22.1 *Exempt agencies may acquire foods covered by this order.* (a) Nothing in this order restricts the amount of "foods covered by this order" which may be "acquired" by the Army, Navy, Marine Corps or Coast Guard of the United States or by the Maritime Commission, War Shipping Administration, Office of Lend-Lease Administration or Office of Distribution of War Food Administration. (These agencies are referred to in this order as "exempt agencies" and are exempt agencies for the purpose of General Ration Order 3B [13]) In addition, the Army Exchange Service, to the extent it acquires such foods for export to a foreign country or a territory or possession of the United States (except the District of Columbia), and ships' service departments afloat, are exempt agencies under this order and General Ration Order 3B, and may acquire such foods without restriction as to quantity.

SEC. 22.2 *How exempt agencies acquire foods covered by this order.* (a) Each of the agencies listed in section 22.1 is authorized to open one or more exempt ration bank accounts of the type described in General Ration Order 3B. Foods covered by this order may be "transferred" to and acquired by these agencies only in exchange for points in the form of ration checks equal to the point value of the foods transferred. However, such foods may be transferred between or within these agencies without the surrender of points.

(b) Any "person" who transfers foods covered by this order to any of these agencies must, at or before the time of

[12] 9 F.R. 3508.

[13] 8 F.R. 2665, 9457.

delivery, submit to it an invoice or other statement for the points payable on account of the transfer. The ration check must be sent to the transferor by the time of delivery or as soon as practicable thereafter.

(c) If for any reason a ration check cannot be used when one of these agencies acquires foods covered by this order, an emergency acknowledgment shall be given to the transferor, instead of a check. This acknowledgment may be in any form, but must show the name of the agency for which the foods are acquired, the name and address of the activity to which the emergency acknowledgment must be sent for replacement by a ration check, the point value of the foods acquired, and the date of acquisition. The acknowledgment must be signed by an authorized officer or employee of the agency, and must show his official title or rank. A person to whom such an acknowledgment is given may not exchange it at a "board" or use it to acquire foods covered by this order, but must send it to the agency activity designated thereon, and a ration check for the amount of foods transferred is to be given to him in exchange for it.

SEC. 22.3 *Post exchanges and ships' service departments ashore may acquire foods for points.* (a) Foods covered by this order may be transferred to and acquired by Army exchanges, post exchanges of the Marine Corps, ships' service departments ashore of the Navy and Coast Guard, commissary stores and ships' service departments of the Training Organization of the War Shipping Administration, and other similar activities designated by the respective exempt agencies, only in exchange for points in the form of ration checks equal to the point value of the foods transferred, without regard to who transfers them. However, these activities may not open ration bank accounts with unlimited drawing privileges of the type described in General Ration Order 3B. Points needed by these activities for the acquisition of foods covered by this order will be issued to them in accordance with arrangements between the Office of Price Administration and the Army Exchange Service of the United States War Department, the Bureau of Naval Personnel of the Navy Department, the Coast Guard and the Marine Corps, and the Training Organization of the War Shipping Administration. (The issuance of points for use by Army exchanges, post exchanges and ships' service departments ashore for the acquisition of foods covered by this order for institutional use is covered by General Ration Order 5.)

(b) Any person who transfers foods covered by this order to any of the activities enumerated in paragraph (a) must, at or before the time of delivery, submit to it an invoice or other statement for the points payable on account of the transfer. The ration check must be sent to the transferor by the time of delivery or as soon as practicable thereafter.

(c) Points may be transferred freely without a transfer of foods covered by this order among ration bank accounts maintained for Army exchanges, among accounts maintained for Marine Corps post exchanges, among accounts maintained for ships' service departments ashore of the Navy, among accounts maintained for commissary stores and ships' service departments of the Training Organization of the War Shipping Administration, and among accounts maintained for ships' service departments ashore of the Coast Guard.

(d) On or before April 30, 1943, Army exchanges, post exchanges, ships' service departments ashore, and similar designated activities, may, if ration checks are unavailable, use emergency acknowledgments to acquire foods covered by this order, in the way described in section 22.2 (c). An emergency acknowledgment issued under this section may not be used by the person to whom it was issued to acquire foods covered by this order, but must be exchanged for a ration check at the activity designated thereon.

SEC. 22.4 *Sales commissaries, post exchanges and ships' service departments ashore may transfer foods for points.* (a) Army exchanges, post exchanges, ships' service departments ashore, sales commissaries, commissary stores, and any other activity of the Army, Navy, Training Organization of the War Shipping Administration, Marine Corps or Coast Guard and the Office of Distribution of War Food Administration may transfer foods covered by this order only in exchange for points in the same way as "retailers" are permitted to make transfers under this order. However, they are not required to register as retailers, "wholesalers," or "primary distributors."

(b) All points so received by Army exchanges, post exchanges, ships' service departments ashore, sales commissaries, commissary stores, or any other activity of the Army, Navy, Training Organization of the War Shipping Administration, Marine Corps or Coast Guard or by the Office of Distribution of War Food Administration must be deposited in the ration bank accounts maintained for them. These points may then be used to acquire other foods covered by this order.

SEC. 22.5 *Veterans' Administration and Coast and Geodetic Survey may apply for allotments under General Ration Order 5.* (a) Allotments of foods covered by this order for the Veterans' Administration and the Coast and Geodetic Survey will be granted in accordance with the provisions of General Ration Order 5.

SEC. 22.6 *Industrial users may replenish foods used in products transferred to agencies designated in General Ration Order 11.*" (a) Any "industrial user" who, before July 1, 1943, transfers to any exempt agency any products which he manufactured after March 28, 1943, in the manufacture of which he used foods covered by this order, may apply to and obtain from his board a "certificate" equal in point value to the foods used by him in such products. The application shall be made on OPA Form R-315, on or before August 1, 1943, and shall set forth the nature and amount of the products, the time when the products were manufactured, the date when such products were transferred and the amount of foods covered by this order he used in such products. The application shall be accompanied by such evidence of transfer to the exempt agency as the board may require. If a certificate is issued under this section, the industrial user's allotment for the allotment period in which it is issued shall be considered increased by the amount of the certificate.

(b) Any industrial user who used a food covered by this order in products which are acquired on or after July 1, 1943, by any of the designated agencies covered by General Ration Order 11, may apply for replacement or advance of such foods under the conditions and in accordance with the procedure set forth in General Ration Order 11.

SEC. 22.7 *Ships' and planes' stores.* (a) Foods covered by this order may be acquired for use as ships' and planes' stores under the provisions of General Ration Order 5.

(b) Any operator of a vessel or plane to whom a statement has been issued by a Collector of Customs (or Military Officer) under section 21.2 or 21.3 of General Ration Order 5 may acquire foods covered by this order up to the amount authorized thereon without surrendering points. Any retailer, wholesaler or primary distributor may, in exchange for the statement, transfer to the operator of the vessel or plane, without getting points, foods covered by this order up to the amount specified on the statement.

(c) A retailer or wholesaler may exchange such statement for a certificate, at his board. He must attach to the statement a signed receipt, invoice, or other evidence to prove the transfer of the foods covered by this order. If the board is satisfied that the foods were transferred as ships' or planes' stores, it shall issue a certificate to the retailer or wholesaler for the number of points needed to replace the foods transferred. A primary distributor must send the Customs Collector's (or Military Officer's) statement and the attached receipt or other evidence to the board or district office to which he reports, along with his report for the reporting period in which he made the transfer.

(d) An airplane operator who has been allowed an operating inventory under section 21.4 of General Ration Order 5 may exchange for a certificate a statement issued by a Collector of Customs (or Military Officer) under section 21.3 of that order at a board covering any area where the operator maintains an office.

SEC. 22.8 *Governmental investigatory agencies may acquire foods needed in their investigations.* (a) An investigatory agency of the United States or of any State or local government which needs foods covered by this order in order to perform its inspections or investigations, may apply for points to acquire them. The application must be in writing, on an official letterhead of the agency (if any is available), and must state the name of the agency, the purpose for which points are needed, the period during which they are needed, and the number of points required. An agency of the United States may make its application to the "Washington Office" or to any district office. An agency of a State or local government shall apply to the district office. If the district or Washington Office finds that points are needed in order to carry on the investigatory activities of the agency, it shall issue one or more certificates for the number of points required.

(b) The Food and Drug Administration of the Federal Security Agency (which is hereby designated an exempt agency for this purpose) may open one or more exempt ration bank accounts of the type described in General Ration Order 3B. However, it may issue ration checks against those accounts only to acquire foods covered by this order which are needed for inspection or investigation.

(c) Any government agency which acquires foods covered by this order for purposes of inspection or investigation may, after they have served the purpose for which they were acquired, dispose of them to any federal, state or local institution without receiving points for them. The institution which receives the foods shall report in writing the amount received and the date on which they were received to the board with which it is registered under General Ration Order 5, or, if it is not registered, to the board for the area in which it is located. Its allotment shall not be regarded as increased by such acquisition, and the foods so acquired shall be treated as excess inventory.

SEC. 22.9 *Area reduction in point value of farm butter.* (a) In some localized areas there may be cases where farm butter, although it is offered for sale at a price at least low enough to continue the customary differential between it and creamery butter, cannot be disposed of at the point value established for such farm butter. The Director of the Food Rationing Division may, in these cases, authorize a reduction in the point value of farm butter, but only to the extent necessary to prevent waste or spoilage.

(b) The Director shall exercise his authority through the regional offices which he designates. He may authorize the designated regional offices to act through appropriate district offices or boards.

(c) The reductions shall be allowed, and farm butter shall be sold or transferred at the reduced point value, only under the conditions and subject to the limitations fixed by the Director, and any further conditions fixed by the appropriate regional office, district office, or board.

SEC. 22.11 *Issuance of checks by Office of Distribution of War Food Administration for demonstrations.* (a) The Office of Distribution of War Food Administration may issue checks on its ration bank account or accounts to persons it designates. These persons may use the points to acquire foods covered by the order and they may use these foods for demonstrations sponsored by the Office of Distribution of War Food Administration. The total number of points which may be issued pursuant to this section, in any period specified by the Office of Price Administration, shall not exceed the amount authorized, for the purposes of this section, by the Office of Price Administration, for such period.

SEC. 22.12 *Issuance and use of checks by Extension Service of Department of Agriculture.* (a) The Extension Service of the Department of Agriculture may open a ration bank account. It may deposit in that account ration checks issued to it by the Office of Price Administration for food demonstrations, and may issue checks on that account to any State Director of a State agricultural Extension Service.

(b) A State Director of a State agricultural Extension Service may open a ration bank account. He may deposit in that account ration checks issued to him by the Extension Service of the Department of Agriculture for food demonstrations, and may issue checks on that account to persons who may use the points to acquire foods covered by the order. Such foods may be used only for the purpose of demonstrations sponsored by the State agricultural Extension Service.

(c) A person who receives a check from a State Director of a State agricultural Extension Service may exchange that check for one or more certificates or ration coupons at any board.

ARTICLE XXIII—SUSPENSION ORDERS

SEC. 23.1 *Office of Price Administration may issue suspension orders.* (a) Any "person" who violates this order may, by administrative suspension order, be prohibited from receiving any "transfer" or delivery of, or from selling or using or otherwise disposing of, any "foods covered by this order" or other rationed product or facility. Such suspension order shall be issued for such period as in the judgment of the Administrator, or such person as he may designate for such purpose, is necessary or appropriate in the public interest and to promote the national security.

ARTICLE XXV—ACQUISITION OF FOODS COVERED BY THIS ORDER BY RESIDENTS OF MEXICO

SEC. 25.1 *Residents of Mexico may acquire foods covered by this order in the United States.* (a) Any "consumer" who resides in Baja California, Mexico, within ninety kilometers of the border between Mexico and the United States, or in any other part of Mexico within twenty kilometers of that border, may apply for points to "acquire" foods covered by this order in the United States. The application must be made in "person" on OPA Form R-183 (Revised), to the "board" whose office is nearest his customary point of entry into the United States. A single application must be made by the applicant for himself and for all members of his family unit (that is, for all persons living in his household who are related to him by blood, marriage, or adoption) who wish to acquire foods covered by this order. An application may be made by a person under eighteen years of age only if he is the head of a household or is not a member of a family unit. However, if an applicant is unable to complete and sign the application or is unable to appear in person before the board, anyone may act for him if the board is satisfied that such person has been given authority to act as agent for the applicant in completing, signing, and presenting the application.

(b) The application must be completed and signed by the applicant or his agent and must show:

(1) The applicant's name, address and age;

(2) The names and ages of all consumers living in his household who are related to him by blood, marriage or adoption and who wish to acquire foods covered by this order in the United States;

(3) The serial number of the applicant's "immigration document" and any immigration documents issued for use by the consumers named in the application. The applicant, or his agent must present all such immigration documents to the board at the time the application is made and shall also give any other information that the board may request. The immigration documents shall be returned by the board to the applicant or his agent as soon as the board has examined them.

(c) If the applicant complies with the requirements of paragraphs (a) and (b), the board shall grant the application and shall issue ration cards (OPA Form R-185, Revised) for foods covered by this order as provided in this article.

(d) A consumer who has previously applied on OPA Form R-183 for points to acquire foods covered by this order in the United States is not required to make a new application on OPA Form R-183 (Revised) unless, since the date of his last application, there has been a change in the number or identity of the members of his household related to him by blood, marriage or adoption who wish to acquire foods covered by this order in the United States. The board will issue ration cards (OPA Form R-185, Revised) for foods covered by this order to such a consumer at any time after July 1, 1944, without requiring a new registration, if the applicant or his agent appears in person at the board and surrenders the expired punch card (OPA Form R-185) issued to him under this article as it read before June 16, 1944, and presents any immigration document issued for use by the consumers named in the card. The immigration documents shall be returned by the board to the applicant or his agent as soon as the board has examined them. If any such punch card has been lost, destroyed or stolen, and the applicant has not received a duplicate card, the board may waive the requirement that such card must be surrendered.

(e) The monthly ration of foods covered by this order for each consumer for whom the application is granted shall not exceed the number of points fixed by the district director for the area in which the applicant's board is located, as provided in paragraph (f) of this section.

(f) Each district director whose area includes a point of entry between Mexico

[14] 8 F.R. 9008, 9625, 10419, 11671, 12558, 12711, 13171, 13920, 16840, 17511; 9 F.R. 1053, 848, 9076, 4010, 5974.

and the United States, shall, on or before July 1, 1944, fix the number of points per month (in multiples of ten) which the respective boards may issue for each consumer for whom rations are granted for the acquisition of foods covered by this order in the United States. The amount of such monthly ration may be changed at any time thereafter by such district director. However, in no event may the monthly ration exceed 30 points per month. In determining the amount of the monthly ration, the district director shall take into consideration the available supply of foods covered by this order in the ports of Mexico adjacent to the customary points of entry in his district.

SEC. 25.2 *Issuance of ration cards.* (a) Ration cards (OPA Form R–185 Revised) for foods covered by this order shall be issued for periods of three calendar months or less. All ration cards (OPA Form R–185, Revised) shall have an earliest renewal date, which shall be the first day after the expiration of the period for which the card is issued. A board may, in its discretion, issue ration cards for any period of time less than three months.

(b) The board shall issue one ration card (OPA Form R–185, Revised) for each consumer or group of consumers for whom an application has been granted. However, if the application is granted for more than four consumers, one additional ration card shall be issued for each additional four consumers or less. The board shall write in the place provided on such cards, the date on which the card is issued, the earliest renewal date and the name and serial number of the immigration documents of the applicant and all other consumers for whom the application is granted. Before issuing a ration card for foods covered by this order, the board shall remove in horizontal strips, starting at the bottom of the card, the requisite number of coupons, so that the card, when issued, will contain coupons only for the number of points for which the application is granted, for the consumers whose names appear on the ration card. The board shall also write upon the immigration document of each consumer for whom rations are granted the letters "M. F." and the serial number of the ration card issued for him.

(c) If any consumer for whom a ration card has been issued under this article secures a new immigration document, such ration card may not be used to acquire foods covered by this order in the United States until the applicant or his agent appears in person at the board and presents such ration card and the new immigration document. The board shall delete the serial number of the old immigration document and record in its place the serial number of the new immigration document. The person who records the serial number of the new immigration document must initial the change. He must at the same time record the serial number of the new immigration document on the application (OPA Form R–183 or OPA Form R–183, Revised) for the consumer. The board shall also write upon the new immigration document the letters "M. F." and the serial number of the ration card.

(d) A ration card for foods covered by this order shall have no expiration date and may be used at any time by the consumer for whom it is issued or any member of his family unit for the acquisition of foods covered by this order from any "retailer", "wholesaler", or "primary distributor" in the United States.

(e) On or after the earliest renewal date of a ration card for foods covered by this order, the applicant's board shall issue a new ration card (OPA Form R–185, Revised) if the applicant, or his agent appears in person at the board and returns the cards of the consumers for whom rations were previously issued. (However, if a previously issued card has been lost, destroyed, or stolen, the board may waive the requirement that such card must be returned.) He must also present the immigration document of each consumer for whom rations are requested. No new application (on OPA Form R–183, Revised) is needed for the issuance of ration cards to replace previously issued ration cards unless, since the date of the last application, there has been a change in the number or identity of the members of applicant's household related to him by blood, marriage or adoption who wish to acquire foods covered by this order in the United States. Acceptance by the applicant of ration cards for succeeding periods shall constitute a representation by the applicant that the consumers for whom rations are requested are the same as those covered on the card or cards previously issued by the board and that the number of such consumers has not been reduced. New ration cards will be issued for periods of three calendar months or less and no rations may be granted for any period of time which has elapsed since the earliest renewal date of any previously issued ration card.

SEC. 25.3 *Issuance of ration cards to certain applicants by the district office.* (a) Any consumer who resides in Mexico, within the area described in section 25.1 (a) who desires to acquire foods covered by this order in the United State and who is not eligible for rations under any other provisions of this article, or who needs more rations than he can get with his ration card (OPA Form R–185, Revised) may apply on OPA Form R–183 (Revised) to the board nearest his customary point of entry into the United States for additional rations. The application must show why the applicant cannot receive a ration card under the other provisions of this article or why he needs more rations. A board may not act upon an application under this section but shall send it, together with all other information received and its recommendations, to the district office. If the district office finds that the applicant resides within the area described in section 25.1 (a) and that he does not have and cannot get an immigration document or that his health depends upon his getting more foods covered by this order or that he needs more foods than the monthly ration fixed by the district director, it may approve the application and return it to the board with instructions for the issuance of such rations as may be directed by the district office. If the district office finds that the applicant does not have an immigration document it shall instruct the board to insert the word "waived" in the space provided for the serial number of the applicant's immigration document.

SEC. 25.4 *Value and use of coupons by residents of Mexico.* (a) Each coupon on a ration card (OPA Form R–185, Revised) is worth ten points and is good for use as provided in this article for an unlimited time by the consumers for whom it is issued. A resident of Mexico gives up points when he acquires foods covered by this order in the United States by surrendering coupons from his ration card or "tokens". Coupons must be given up at the time the foods are acquired and must be detached from the ration card (OPA Form R–185, Revised) in the presence of the person who is selling or transferring the foods. Loose coupons may not be used by a resident of Mexico or any other person and they must not be accepted by the seller or transferer. If it is impossible to detach coupons exactly equal to the point value of the foods transferred because their point value is not an exact multiple of ten, coupons of the nearest higher point value must be detached and the transferor must return the excess number of points to the consumer in the form of tokens.

SEC. 25.5 *How suppliers may replace inventory of foods covered by this order transferred to residents of Mexico.* (a) A retailer, wholesaler, or primary distributor who gets coupons from a resident of Mexico in the way permitted by this article, may not deposit those coupons in his ration bank account or use them to acquire foods covered by this order. He may only surrender such coupons, at any time, to the board for the area in which his establishment is located in exchange for a "certificate" equal to the point value of the surrendered coupons.

SEC. 25.6 *Surrender of points by suppliers from whom foods covered by this order were acquired before July 1, 1944.* (a) Any retailer, wholesaler, or primary distributor who was designated as a supplier on punch cards issued before July 1, 1944, to residents of Mexico, must surrender the total number of points he owes, if any, on or before July 10, 1944, to the board for the area in which he is located. (The total number of points which he owes is the total number of points given him by all certificates previously issued to him under this article as it read before June 16, 1944, less the point value of all foods covered by this order transferred by him to residents of Mexico up to that date.) He shall, at the same time, give to the board a written statement showing:

(1) The total point value of all such cards issued for the months of May and June 1944;

(2) The total number of unused points left on such cards; and

(3) The total number of points given to him by certificates issued under this article for the month of May and June 1944.

SEC. 25.7 *Records of suppliers from whom foods covered by this order were acquired before July 1, 1944.* (a) Any retailer, wholesaler, or primary distributor who was designated by an applicant as the supplier from whom foods covered by this order were to be acquired before July 1, 1944, shall maintain and keep at his place of business the cards which he was required to make out for each such applicant before July 1, 1944.

SEC. 25.8 *Records and reports by suppliers who transferred foods covered by this order to residents of Mexico before July 1, 1943.* (a) Any retailer, wholesaler, or primary distributor to whom a certificate has been issued under this article prior to July 1, 1943, shall maintain and keep at his place of business a record showing the name of each applicant for whom he has received such certificate, the point value of each certificate and of all foods covered by this order transferred against it and the dates of such transfers. Before the 10th day of July 1943, he must give to his board a written statement showing the total point value of all certificates received by him for June 1943 and the total point value of all transfers of foods covered by this order made under such certificates during that month.

ARTICLE XXVI—HOUSEHOLD SALVAGE FATS

SEC. 26.1 *Explanation of the terms renderer and rendering establishment—*(a) *Rendering establishment.* Any place at which a "person" processes "household salvage fats" by dry rendering such fats in a closed fat melter or wet rendering such fats in a steam pressure tank to produce tallow, grease, tankage, fatty acids, or detergents is a "rendering establishment".

(b) *Renderer.* Any person who has a rendering establishment is a "renderer".

SEC. 26.2 *Renderers must register between December 9 and December 11, 1943, inclusive—*(a) *General.* Every renderer must register his rendering establishment on OPA Form R–315 with the district office for the place where his establishment is located at any time from December 9, 1943, to December 11, 1943, inclusive. If he has more than one rendering establishment, he may register them together or separately. If he registers them together, he must register all on a single registration form and file that form with the district office for the place where his principal business office is located. If he registers each of them separately, he must file a separate registration form for each establishment with the district office for the place where that establishment is located. Each separately registered establishment is to be treated and operated separately for all the purposes of this order, just as if the establishments were owned by different persons.

(b) *Report of acquisitions of household salvage fats.* As part of his registration, the renderer must attach a statement showing the number of pounds of household salvage fats which he "acquired" each month during July, August, September, and October 1943. This statement must show:

(1) The name and address of each "independent collector", if any, from whom he acquired household salvage fats, and the number of pounds acquired from each during each month;

(2) The number of pounds of household salvage fats he acquired from all other sources during each month;

(3) The total number of pounds of household salvage fats he acquired each month, and the total acquired in the four month period.

If he has more than one rendering establishment, and registers them together, he must attach a separate statement for each.

SEC. 26.3 *Renderers may receive allotments—*(a) *General.* A renderer is given an allotment of points to enable him to obtain household salvage fats for processing. Allotments are given for fixed periods, called allotment periods. The first allotment period is from December 13, 1943, through March 31, 1944. The second period is from April 1, 1944, through June 30, 1944. The third period is from July 1, 1944, through September 30, 1944. The fourth period is from October 1, 1944, through December 31, 1944.

(b) *Application for allotments.* A renderer's registration is treated as his application for an allotment for the first allotment period. The report, as described in section 26.4, which he submits for the last month of an allotment period will be treated as his application for the succeeding allotment period. The application may, in the discretion of the district office, be made at any time during the allotment period, but if it is made more than 20 days after the beginning of the period the allotment shall be reduced in proportion to the part of the allotment period which has elapsed at the time the application is made.

(c) *Amount of allotment.* A renderer's allotment for the first allotment period is determined by multiplying the number of pounds of household salvage fats which he acquired in July, August, September and October 1943 by 2.4. For the second allotment period, his allotment is determined by multiplying the number of pounds of household salvage fats he acquired from January 1, 1944, through March 31, 1944, by 2. For each succeeding allotment period his allotment is determined by multiplying the number of pounds of household salvage fats he acquired in the allotment period preceding the period in question by a factor to be fixed in a supplement to this order. He will receive for each allotment period a certificate for the amount of his allotment less the number of points he has remaining from prior allotments for household salvage fats (excluding the points he owes for acquisitions of household salvage fats).

(d) *Renderers who need additional points.* If a renderer has acquired, during any allotment period, household salvage fats for which he has given up at least 50% of his allotment of points for that period, and does not have sufficient points to acquire all the household salvage fats he can obtain for the remainder of that period, he may apply on OPA Form R–315 for additional points to the district office where he is registered. His application must show:

(1) The amount of his allotment for that period and the number of points he has on hand and in his household salvage fats ration bank account;

(2) The number of pounds of household salvage fats he acquired since the beginning of the allotment period;

(3) The number of points he needs until the end of the period.

If the district office finds that he needs additional points, it will issue to him a certificate for the number of points he requests, but not more than 50% of his allotment for that period.

SEC. 26.4 *Renderers must file reports—*(a) *General.* Every renderer must file a report on OPA Form R–1620 of his acquisitions of household salvage fats during each month beginning December, 1943. (However, this report for December, 1943 shall cover only the period from December 13, through December 31, 1943.) He must give all the information called for by the form. The report must be filed at the district office where he is registered within 15 days after the end of the month which it covers. If he has more than one rendering establishment and they are registered together, he must file a single report for all of them.

SEC. 26.5 *Renderers must keep records.* (a) Beginning December 13, 1943, every renderer must keep, at his rendering establishment, a record showing, for that establishment, his acquisitions of household salvage fats by weight, in each month of the allotment period; the name and address of each independent collector from whom he acquired household salvage fats during each month, the number of pounds acquired from each; and the date on which he acquired such fats. If he has more than one establishment and they are registered together, the record may be kept at his principal business office, but a separate record must be kept for each of his establishments.

SEC. 26.6 *Explanation of the terms independent collector and independent collector establishment.* (a) A place other than a "retail" or "wholesale establishment," where a person who deals in household salvage fats regularly keeps, for sale or "transfer," stocks of those fats, is an "independent collector establishment."

(b) Any person who has an independent collector establishment is an "independent collector".

(c) Where an independent collector does not operate from any fixed place, his independent collector operations as a whole are regarded as a single independent collector establishment.

SEC. 26.7 *Independent collectors may register and apply for an allowable inventory—*(a) *General.* An independent collector who acquired household salvage fats for sale or transfer during October 1943 may register on or after December 9, 1943, on OPA Form R–315, for an allowable inventory of points to acquire household salvage fats. His registration must be filed with the district

office for the place where his independent collector establishment is located. His registration must show:

(1) The number of pounds of household salvage fats he has on hand;

(2) The number of pounds of household salvage fats he acquired for sale or transfer during October 1943;

(3) The number of points he owes for household salvage fats he acquired;

(4) The number of points owed to him for household salvage fats he transferred; and

(5) The number of points he has on hand and in his ration bank account.

If he has more than one independent collector establishment he may register them together or separately. If he registers them together, he must register all on a single registration form and file that form with the district office for the place where his principal business office is located. If he registers each of them separately, he must file a separate registration form for each establishment with the district office for the place where that establishment is located. Each separately registered establishment is to be treated and operated separately for all the purposes of this order, just as if the establishments were owned by different persons.

(b) *Allowable inventory.* An independent collector who registers is given an allowable inventory of points to enable him to acquire household salvage fats for sale or transfer. This allowable inventory is his working capital and is determined by multiplying by two the number of pounds of household salvage fats he acquired in October 1943. The district office will issue to him a certificate in this amount, less the number of points owed to him for household salvage fats he transferred, the number of points he has on hand and in his ration bank account, and the number of pounds of such fats multiplied by two which he has on hand on the date of his application. However, if he owes points for fats acquired by him, the amount of any certificate issued under this paragraph shall be increased by the number of points owed. An independent collector who does not register will have to operate on the basis of the stocks he has and the points he obtains from the persons to whom he sells or transfers such stocks.

SEC. 26.8 *Independent collectors must keep records.* (a) Beginning December 13, 1943, every independent collector must keep at his independent collector establishment a record, for that establishment, of his acquisitions and transfers, each month, of household salvage fats, by weight. If he has more than one establishment and they are registered together, the record may be kept at his principal business office.

SEC. 26.9 *Who may have ration bank accounts*—(a) *Renderer.* Every renderer must open a ration bank account for household salvage fats for his rendering establishment. If he has more than one rendering establishment and they are registered separately, he must open a separate account for each. If they are registered together, he may open one account for all, or a separate account for each or for any group of them, but all must have an account.

(b) *Independent collector.* Every independent collector who acquired for sale or transfer 15,000 pounds or more of household salvage fats in any month since July 1943, may open a ration bank account for household salvage fats for his independent collector establishment. If he has more than one independent collector establishment and they are registered separately he may open such accounts only for those establishments at which he acquired for sale or transfer 15,000 pounds or more of household salvage fats in any month since July 1943. If he has more than one independent collector establishment and they are registered together he may open accounts for any one or any group of them which acquired 15,000 pounds or more during any month since July 1943. No other independent collector may open an account.

SEC. 26.10 *How household salvage fats bank accounts are used*—(a) *General.* Every renderer and every independent collector who has or is required to have a bank account under section 26.9, must deposit in that account all points he receives for household salvage fats.

(b) *How household salvage fats checks are issued.* Any renderer or independent collector who issues a ration check for household salvage fats must in stating the name of his account on the check add thereto the words "Salvage Fats Account".

(c) *Use of household salvage fats checks.* Any person other than a renderer or independent collector, who has or is required to have a ration bank account under section 9.2, must deposit in that account checks which he receives which were issued as provided in paragraph (b). Any person who receives such a check and who does not have and is not required to have a ration bank account may endorse it and transfer it to his supplier for "foods covered by this order".

SEC. 26.11 *Points must be given up for household salvage fats*—(a) *General.* Beginning December 13, 1943, no person may sell or transfer household salvage fats and no person may buy or acquire household salvage fats unless points are given up in the way this order requires.

(b) *How points are given up.* (1) Household salvage fats have a point value of one point for each one-half pound. No points may be given for any fraction of less than one-half pound.

(2) A person who acquires household salvage fats from a consumer or Group I institutional user must give such person ration coupons or tokens (designated by the Office of Price Administration to be used for the acquisition of foods covered by this order).

(3) A person who has or who is required to have a ration bank account for household salvage fats and who acquires household salvage fats from persons other than consumers or Group I institutional users must give up points in the following way:

(i) If he acquired 100 pounds or more of household salvage fats he must issue a household salvage fats ration check for the number of points due to the person from whom he acquired the fats;

(ii) If he acquired less than 100 pounds he must make point payments for such fats in ration coupons designated for the acquisition of foods covered by this order. He may obtain ration coupons for this purpose by issuing a household salvage fats ration check to the order of his board and exchange such check at the board for ration coupons in such denominations as he needs.

(4) An independent collector who does not have and is not required to have a ration bank account for household salvage fats and who receives a household salvage fats ration check may endorse and exchange such check at any board for ration coupons designated for the acquisition of foods covered by this order.

(c) *When points must be given up.* (1) Points for household salvage fats must be given up to a consumer or Group I institutional user at the time of the transfer of the household salvage fats.

(2) Points for household salvage fats must be given up to all other persons not later than the 10th day of the month following the month in which the transfer was made. However, if money payment for the household salvage fats is made before this time, the points must be given up at the same time the money payment is made.

(d) *General.* Points may be transferred freely between establishments of the same type operated by the same person, which are registered together, and points of one of those establishments may be used to get household salvage fats for another of them.

SEC. 26.12 *Point-free transfers.* (a) No points need be given up for a delivery of household salvage fats to a renderer or independent collector if such fats were in transit to him on December 12, 1943.

(b) A consumer may exchange, point-free, with another consumer, a primary distributor, wholesaler or retailer, household salvage fats for foods covered by this order equal in point value to such household salvage fats.

(c) Point-free transfers of household salvage fats may be made under the conditions described in sections 11.5, 11.6, 11.7, 11.8, 11.9, 11.10, 11.12, and 11.16, as though household salvage fats were foods covered by this order.

SEC. 26.13 *Other sections of this order apply.* (a) For all the purposes of Articles XVI and XVII and sections 10.7, 10.8, 10.9, 15.1, 20.1, 20.2, 20.3, 20.5, 22.1, 22.2 (a), 22.4, and 23.1 of this order, household salvage fats are to be treated as though they were foods, covered by this order.

(b) For all purposes of sections 12.1, 12.3, 12.4, 14.1, 15.2, 18.1, and 19.1 of this order, renderers and independent collectors are to be treated as though they were wholesalers of foods covered by this order.

ARTICLE XXVII—DEFINITIONS

SEC. 27.1 *Definitions.* (a) When used in this order:

"Acquire" means to accept a "transfer" or to get possession or title in any other way.

"Board" means a war price and rationing board established by the Office of Price Administration.

"Butter" means edible "fat" extracted from cow's milk, cream, or whey, or such fat mixed with any cheeses, if the cheese is less than twenty-five per cent by weight of the mixture. It includes any substance the manufacture of which is taxable as the manufacture of process (renovated) or adulterated butter as defined by Chapter 840, section 1, Act of August 2, 1886 (24 Stat. 209), as amended by Chapter 784, section 4, Act of May 9, 1902 (32 Stat. 193). It also includes "creamery butter" and "farm butter."

"Canned fish" means any of the following heat-treated items, if packed in hermetically sealed containers: mackerel, oyster, salmon, sardine (including California pilchard), shrimp, tuna (including bonito and yellowtail), and any other edible product containing more than twenty percent, by weight, of the above.

"Canned meat" means any meat packed in hermetically sealed containers and heat-treated.

"Canned milk" means "concentrated milk" packed in hermetically sealed containers.

"Certificate" means a certificate on OPA Form R-1201, or on OPA Form R-306 revised in accordance with section 16.7.

"Cheddar cheese" (frequently called American cheese) means cheddar cheese as defined in "Standards of Identity for Cheddar Cheese, Cheese, Washed Curd Cheese, Colby Cheese" promulgated by the Food and Drug Administration and published in the FEDERAL REGISTER of January 9, 1941 (6 F.R. 195).

"Concentrated milk" means the milk of a cow in liquid form, containing not less than 6 per cent of milk fat and not less than 16 per cent of total milk solids, whether or not sweetening, coloring matter, vitamins, disodium phosphate, sodium citrate, calcium chloride, or other stabilizers or flavoring or preservative agents have been added. Concentrated milk includes evaporated milk and condensed milk. (The quantity of milk fat is to be determined by the method prescribed under "Fat—Official", on page 390, and the quantity of total milk solids is to be determined by the method prescribed under "Total Solids—Official", on page 279, of "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists", Fourth Edition, 1935.)

"Consumer" means any person who "acquires" "foods covered by this order" for personal use, or for use at a table at which he eats.

"Cooking or salad oil" means a "rationed fat or oil," liquid at seventy degrees Fahrenheit, composed only of unhydrogenated vegetable "fats and oils", and to which no stearin has been added.

"Cottage cheese" (and "creamed cottage cheese") has the meaning assigned in "Cream Cheese, Neufchatel Cheese, Cottage Cheese, and Creamed Cottage Cheese: Definitions and Standards of Identity," promulgated by the Food and Drug Administration and published in the FEDERAL REGISTER of December 23, 1942 (7 F.R. 10758, § 19.515, and 7 F.R. 10759, § 19.520).

"Cream cheese" (and "Neufchatel cheese") has the meaning assigned in "Cream Cheese, Neufchatel Cheese, Cottage Cheese, and Creamed Cottage Cheese: Definitions and Standards of Identity," promulgated by the Food and Drug Administration and published in the FEDERAL REGISTER of December 23, 1942 (7 F.R. 10758, § 19.515, and 7 F.R. 10759, § 19.520).

"Creamery butter" means any butter other than "farm butter" or "process butter."

"District office" means a district office established by the Office of Price Administration or, where there is none for a particular area, the State office having jurisdiction over that area.

"Family unit" has the meaning given to that term in section 1.3 of General Ration Order 6.

"Farm butter" ("country butter") means butter produced on a farm from milk produced on that farm, if the milk or cream from which it is produced has not been neutralized or pasteurized, and if it is to be sold or transferred as "farm butter," the package or other container is to be marked "farm butter" or "country butter".

"Fat" (or "oil") means glycerides of the higher fatty acids.

"Foods covered by this order" (or "foods" where the context indicates) means "meat", "canned fish", "rationed cheeses", "rationed fats or oils", or "canned milk". It does not include any item which is a processed food covered by Revised Ration Order 13, or which is a pharmaceutical product, and no such item is included in any of the above terms even if it comes within the definition of that term.

"Group I institutional user" means a Group I institutional user as defined in General Ration Order 5.

"Household salvage fats" means any fat produced by a consumer or Group I institutional user in preparing or cooking food.

"Immigration document", as used in Article XXV of this order, means a border crossing identification card or passport issued to a non-resident alien, bearing either a visa for entry into the United States or a notification showing that such a visa has been issued. It also includes a U. S. citizen's identification card, passport or other immigration papers issued to non-resident citizens of the United States for entry into Mexico.

"Industrial consumer" means any "person" who engages in "industrial consumption."

"Industrial consumption" means the use of a "food covered by this order" for a purpose for which the order does not otherwise provide.

"Industrial use" means any use of "foods covered by this order" in producing or manufacturing, for sale or "transfer," a food for human consumption, which is not covered by this order, or a pharmaceutical to be taken internally by humans or animals, or for experimental purposes.

"Industrial user" means any "person" who has an "industrial user establishment."

"Industrial user establishment" means any place where a "person" makes an "industrial use" (of a "food covered by this order").

"Institutional user" means any person who has an "institutional user establishment."

"Institutional user establishment" means an institutional user establishment as defined in General Ration Order 5. (With certain exceptions, it means any place where a "person" uses a rationed food in the preparation of food which he serves to "consumers" or in the service of food to consumers.)

"Lard" means a "fat" containing no "fat" other than the fat extracted from any part of the carcass of a swine, and not including any form of "margarine."

"Margarine" means any substance the manufacture of which is taxable as oleomargarine, under and as defined in chapter 840, section 2, Act of August 2, 1886 (24 Stat. 209), as amended by chapter 882, section 1, Act of July 10, 1930 (46 Stat. 1022).

"Meat" means the carcass or any edible part of the carcass of cattle, calves, sheep, lambs or swine, including edible offal, bones and skins. It includes any other edible product containing more than twenty per cent, by weight, of the above items. Meat does not include gelatin, glue, or "lard". Neither does it include casings or visceral parts acquired by a person to be used by him in making casings. (Casings are visceral parts specially prepared for use in holding sausage or other foods.)

Meat does not include rendering fats and bones (produced in disassembling a carcass, or in cutting a carcass or primal cut into smaller cuts, or in boning a carcass or cut) and lean trimmings commingled with these rendering fats and bones, if these parts of the carcass are acquired by a person to be used by him for animal feed, for rendering into inedible products or for other inedible purposes, or by a primary distributor to be used by him for rendering into rationed fats or oils, or for transfer to such a person for one of these purposes; however, rendering fats do not include fat backs, fat back pork, clear plates and jowls (including jowl squares).

Neither does meat include cracklings containing no more than fifteen per cent, by weight, of fat. (Cracklings containing more than fifteen per cent, by weight, of fat are considered rendering fats.) Meat does not include the items listed in section 30.1 (a) (1) and (2). However, meat does include any of the items listed in section 30.1 (a) (2) when they are used in an edible product in combination with each other or with any of the other items defined as meat in this paragraph. Neither does meat include waste cooking waters, meat extracts, or bouillon cubes. (Waste cooking waters are produced in the cooking of meat. Meat extracts are produced by the evaporation of these cooking waters. Bouillon cubes are produced from such meat extracts.)

Meat does not include a carcass, or any part of a carcass, which is condemned as unfit for human food by an authorized federal, State or local government inspector, and which is either plainly marked to indicate that it has been so condemned or is denatured or

otherwise destroyed for food purposes as may be required by law.

"Person" means not only an individual, but also a partnership, corporation, association or business trust. It includes a government, government agency and any other organized group or enterprise.

"Pre-packaged cheese item" means "rationed cheese" in an original package of a primary distributor or wholesaler. If one such package is contained within another, it means the smaller of such packages. (For example, a cardboard package containing several small individually wrapped pieces of cheese is not a single "pre-packaged cheese item". Rather, each individually wrapped piece is a separate "pre-packaged cheese item".)

"Primary distributor" means any "person" who has a "primary distributor establishment."

"Primary distributor establishment" has the meaning given to that term in sections 4.3 to 4.10, inclusive.

"Process butter" means process or renovated "butter" as defined by Chapter 240, section 1, Act of August 2, 1886 (24 Stat. 209), as amended by Chapter 784, section 4, Act of May 9, 1902 (32 Stat. 195).

"Rationed cheeses" means all cheeses of any kind, variety or description (but not including "cottage cheese", or "creamed cottage cheese" containing 5 percent or less butterfat by weight) and any other edible product containing 30 percent or more, by weight, of such cheeses (other than cottage cheese, or creamed cottage cheese containing 5 percent or less butterfat by weight). It does not include "whey products", nor does it include any cheese in the manufacture of which neither cow's milk nor milk solids derived from cow's milk are used.

"Rationed fats or oils" (or "rationed fats") means any of the following substances, whether or not water, coloring matter, vitamins, or a preservative or flavoring agent has been added to it, and even if it has been bleached, hydrogenated, winterized, or deodorized:

(1) Any edible "fat" extracted from cows' milk, cream, or whey;

(2) Any edible fat extracted from the carcasses of cattle, sheep, calves or lambs;

(3) Any fat extracted from cottonseed, sesame seed, sunflower seed, corn germs, peanuts or soy beans, and "refined";

(4) "Margarine";

(5) Any fat extracted from fish, marine mammals or flaxseed, and refined and deodorized, but not including any which is refined and deodorized in the process of producing an inedible product and used therefor;

(6) Any edible substance which is composed of a mixture of any of the above, or of a mixture of any of the above with any other fat;

(7) "Butter".

However, "rationed fats or oils" does not include mayonnaise, salad dressing, USP vitamin oils, fish liver oil, sperm oil, or fat resulting from cooking done by a "consumer" or "institutional user."

"Refine" means to treat with caustic soda, soda ash, or otherwise reduce the free fatty acid content.

"Retail establishment" means any place where a "person" who deals in "foods covered by this order" regularly keeps stocks of those foods for sale or "transfer" (other than as a "primary distributor"), if more than fifty per cent of those stocks are sold or transferred from there directly to "consumers". Even if the amount sold or transferred from there directly to consumers is fifty per cent or less, it is still a retail establishment in the following case:

(1) If some of those stocks are transferred directly to consumers; and

(2) If he keeps the rest of the stocks there just to supply his own establishments of any type; and

(3) If no "wholesale establishment" and not more than three retail establishments are supplied from there.

"Retailer" means any "person" who has a "retail establishment."

"Shortening" means any "rationed fat or oil" other than "butter," "margarine" or "cooking or salad oil."

"Stamp" means a red stamp in, or taken from, a War Ration Book Four.

"Token" means a red token designated for the acquisition of foods covered by this order.

"Transfer" means to sell, give, exchange, lend, deliver, or consign. It includes any transfer of possession or title, however accomplished, and any movement of goods from one establishment to another. The use by any "person" of foods covered by this order which he produced or holds for sale or transfer is considered a transfer of those foods to himself. However, delivery to a carrier for shipment is not regarded as a transfer to the carrier; and delivery by the carrier to the consignee is not regarded as a transfer by the carrier.

"Washington office" means the national headquarters of the Office of Price Administration, in Washington, D. C.

"Whey product" means a product containing not more than 25 per cent butterfat in the dry matter, made from whey or from whey and other ingredients by coagulating or concentrating the solids, if the whey is at least 90 per cent of the total volume. It includes the products known as primost, mysost, gjetost and ricotta.

"Wholesale establishment" means any place where a "person" who deals in "foods covered by this order" keeps stocks of those foods for sale or transfer (other than as a "primary distributor"), if fifty per cent or more of those stocks are transferred from there directly to persons other than "consumers." However, if he keeps the stocks which are not transferred to consumers, just to supply his own establishments, it is a wholesale establishment only if it supplies:

(1) At least one of his wholesale establishments; or

(2) At least four of his "retail establishments."

"Wholesaler" means any "person" who has a "wholesale establishment."

"Weight" means pounds or equivalent fluid volume units.

ARTICLE XXX—APPENDIX

SEC. 30.1 *Items excluded from the definition of meat.* (a) The following items are not "meat" as that term is used in this order:

(1) Adrenal glands, Bile, Epididymes, Gullets (closely trimmed), Hog lungs, Lymph glands, Ovaries, Parathyroid glands, Pineal glands, Pituitary glands, Placentas, Prostate glands, Salivary glands, Thyroid glands, and Tonsils.

(2) Bacon rinds, Beef ear meat, Beef lips, Beef lungs, Beef palate meat, Beef tails, Beef udders, Brains, Diaphragm meat, Edible blood, Edible bones, Feet, Fries, Gullet meat, Heart trimmings, Kidneys, Lamb lungs, Melts, Pork back bones, Pork chitterlings, Pork duodena, Pork ears, Pork faces, Pork skins (gelatine), Pork skins (No. 1), Pork lips, Pork neck bones, Pork snouts, Pork spareribs brisket bones, Pork tails, Tongue trimmings, Tripe, Veal lips, Veal lungs, Veal neck bones, Veal palate meat, and Veal tails.

SEC. 30.2 *Reporting periods for wholesalers who transfer canned fish.* The following are the reporting periods for which wholesalers, who transfer canned fish, are required to report by section 5.10:

1. December 5, 1943 to January 1, 1944, inclusive.
2. January 2 to January 29, 1944, inclusive.
3. January 30 to March 4, 1944, inclusive.
4. March 5 to April 1, 1944, inclusive.
5. April 2 to April 29, 1944, inclusive.
6. April 30 to June 3, 1944, inclusive.
7. June 4 to July 1, 1944, inclusive.
8. July 2 to July 29, 1944, inclusive.
9. July 30 to September 2, 1944, inclusive.
10. September 3 to September 30, 1944, inclusive.
11. October 1 to October 28, 1944, inclusive.
12. October 29 to December 2, 1944, inclusive.
13. December 3 to December 30, 1944, inclusive.

Effective date. This revised ration order shall become effective June 16, 1944.

[Ration Order 16 originally issued March 29, 1943]

NOTE: All reporting and record-keeping requirements of this revised ration order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8784; Filed, June 16, 1944; 11:43 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16, 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Revised Supplement 1 to Ration Order 16 is redesignated Second Revised Supplement 1 to Revised Ration Order 16 and is revised to read as follows:

§ 1407.3027 *Second Revised Supplement 1 to Revised Ration Order 16.* This supplement to Revised Ration Order 16, which is an addition to and a supplement of Revised Ration Order 16 (§ 1407.3026), is hereby issued:

(a) Foods covered by Revised Ration Order 16 shall have the point values set forth in the Official Tables of Consumer and Trade Point Values (No. 15) (OPA Forms R-1313 and 1611) which are made a part hereof.

(b) The wholesaler's allowable inventory factors (referred to in section 5.6 (b) of Revised Ration Order 16) are as follows:

(1) Fresh and frozen meats	15
(2) Shortening, cooking and salad oils, canned meats, and canned fish	35
(3) All other foods covered by Revised Ration Order 16, including cheese, butter, margarine, sausage, and types of meats not described in (1) or (2) above	28

(c) The classes of foods covered by Revised Ration Order 16 (referred to in section 7.5 (a) of that order) and the industrial user allotment factors (referred to in section 7.6 (c) of that order) are as follows:

(1) For the allotment period from April 1, 1944 to June 30, 1944, inclusive:

Class of foods	Classes of product or use (on schedule I of OPA Form R-1200)	Factor
(i) Meats:		
(a) Bone in and separated suet	All	0.0
(b) Boned and boneless (and canned meat and canned fish).	All	0.0
(c) Hearts, tongues, livers and sweetbreads (pancreas and thymus).	All	0.0
(ii) Cheeses and canned milk:		
(a) Group I, cheese	All	5.5
(b) Group II, cheese	All	7.5
(c) Group III, cheese	All	9.0
(d) Canned milk	All	0.0
(iii) Fats and oils:		
(a) Butter	All	8.0
(b) Margarine	All	5.0
(c) Lard	All	0.0
(d) Shortening	All	0.0
(e) Cooking and salad oils	All	0.0

(2) For the allotment period from July 1, 1944 to September 30, 1944, inclusive:

Class of foods	Classes of product or use (on schedule I of OPA Form R-1200)	Factor
(i) Meats:		
(a) Bone in and separated suet	All	0.0
(b) Boned and boneless (and canned meat and canned fish).	All	0.0
(c) Hearts, tongues, livers and sweetbreads (pancreas and thymus).	All	0.0
(ii) Cheeses and canned milk: *		
(a) Group I, cheese	All	4.5
(b) Group II, cheese	All	0.0
(c) Group III, cheese	All	0.0
(d) Canned milk	All	0.0
(iii) Fats and oils:		
(a) Butter	All	7.8
(b) Margarine	All	2.0
(c) Lard	All	0.0
(d) Shortening	All	0.0
(e) Cooking and salad oils	All	0.0

(d) The following are the foods covered by Revised Ration Order 16, products, and factors (referred to in section 7.13) for provisional allowances:

Food	Product	Factor
(1) Pork fatbacks	Prepared dry bean products.	0.01
(2) Pork plates	Prepared dry bean products.	0.01
(3) Pork jowls	Prepared dry bean products.	0.01
(4) Rationed fats or oils	Vitamin A or D oils	0.01
(5) Rationed fats or oils	Anti-syphilis preparations.	0.01

(e) The following are the validation dates (referred to in sections 2.3 (b) and 10.4 (g) of Revised Ration Order 16) for the red stamps in War Ration Book Four:

(1) A8, B8, and C8 are valid beginning February 27, 1944.
(2) D8, E8, and F8 are valid beginning March 12, 1944.
(3) G8, H8, and J8 are valid beginning March 26, 1944.
(4) K8, L8, and M8 are valid beginning April 9, 1944.
(5) N8, P8, and Q8 are valid beginning April 23, 1944.
(6) R8, S8, and T8 are valid beginning May 7, 1944.
(7) U8, V8, and W8 are valid beginning June 4, 1944.

(f) The wholesale allowable inventory factors and the classes of foods (referred to in section 13.1 (c) of Revised Ration Order 16 are as follows:

Class of foods:	Factors
(1) Shortening, cooking and salad oils, canned meat, canned fish, and canned milk	6.0
(2) Meat (other than canned meat)	1.8
(3) Butter, cheese, and margarine	3.0

This supplement shall become effective June 16, 1944.

(Pub. Law 671, 73th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 16th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8785; Filed, June 16, 1944; 11:47 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 395,[1] Amdt. 22]

WOMEN'S WEAR IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6259, 6744, 9096, 8847, 10231, 10790; 8 F.R. 1860, 10984.

Maximum Price Regulation 395 is amended in the following respects:

1. Section 41 is added to read as follows:

SEC. 41. *Maximum prices for imported women's and girls' wear and accessories sold or delivered in the Virgin Islands of the United States*—(a) *Definitions.* When used in this section 41, the term:

(1) "Women's and girls' wear and accessories" means all unused feminine outerwear garments and underwear garments (not including children's and infants' wear sizes 0 to 6), hosiery, and the following accessories only:

Artificial flowers.
Belts.
Cuffs, collar and cuff sets.
Dress arm shields.
Garters.
Gloves.
Handbags.
Handkerchiefs.
Ribbons.
Sashes.
Scarfs.
Shawls.
Veils.

"Women's and girls' wear and accessories" does not include millinery as defined in section 31 (a) (1), shoes or articles of adornment for personal wear except as specified above.

"Women's and girls' wear and accessories" are grouped as follows:

MUNICIPALITY OF ST. THOMAS AND ST. JOHN

Group A:
All feminine outerwear garments having a direct cost to the importer of $5.00 or less per sales unit, including:
Aprons and uniforms.
Blouses and dickies.
Coats, jackets and jerkins.
Dresses and suits.
House coats, robes and lounging pajamas.
Play and sport clothes.
Rainwear garments.
Skirts.
Slacks and slack suits.
Sweaters.
Swim or beach wear (not including slippers).
All feminine underwear garments, including:
Brassieres.
Foundation garments.
Lingerie.
Negligees.
Nightwear.
Slips and panties.
Hosiery.
The following accessories only:
Artificial flowers.
Belts.
Cuffs, collar and cuff sets.
Dress arm shields.
Garters.
Gloves.
Handbags having a direct cost to the importer of $3.00 per unit or less.
Handkerchiefs.
Ribbons.
Sashes.
Scarfs.
Shawls.
Veils.

Group B:
All feminine outerwear garments having a direct cost to the importer of more than $6.00 per sales unit, including commodities listed thereunder in Group A.
Handbags having a direct cost to the importer of more than $3.00 per unit.

MUNICIPALITY OF ST. CROIX

Group A:
All feminine outerwear garments having a direct cost to the importer of $6.00 or less per sales unit, including:
Aprons and uniforms.
Blouses and dickies.
Coats, jackets and jerkins.
Dresses and suits.
House coats, robes and lounging pajamas.
Play and sport clothes.
Rainwear garments.
Skirts.
Slacks and slack suits.
Sweaters.
Swim or beach wear (not including slippers).
All feminine underwear garments, including:
Brassieres.
Foundation garments.
Lingerie.
Negligees.
Nightwear.
Slips and panties.
Hosiery.
The following accessories only:
Artificial flowers.
Belts.
Cuffs, collar and cuff sets.
Dress arm shields.
Garters.
Gloves.
Handbags having a direct cost to the importer of $3.00 per unit or less.
Handkerchiefs.
Ribbons.
Sashes.
Scarfs.
Shawls.
Veils.
Group B:
All feminine outwear garments having a direct cost to the importer of more than $5.00 per sales unit, including commodities listed thereunder in Group A.
Handbags having a direct cost to the importer of more than $3.00 per unit.

(2) "Sales unit" includes ready-made combinations of articles received from the supplier for sale at a unit price.

(3) "Imported" as applied to women's and girls' wear and accessories means women's and girls' wear and accessories not actually produced or manufactured in the Virgin Islands of the United States.

(4) "Foreign place" means any place outside of the continental United States and the Territories and Possessions of the United States.

(5) "Class of women's and girls' wear and accessories" means a group of products comprised of women's and girls' wear and accessories having the same or similar description, all of which have identical maximum prices and are received by the seller in one delivery.

(b) *Maximum prices*—(1) *Women's and girls' wear and accessories directly imported from foreign places.* The maximum prices at retail and at wholesale of women's and girls' wear and accessories directly imported from a foreign place shall be governed by Maximum Price Regulation No. 201.[3]

[3] 7 F.R. 6269, 6744, 9996, 8947, 10231, 10790; 8 F.R. 1860, 10984; 9 F.R. 2176, 2747.

(2) *All other imported women's and girls' wear and accessories.* (i) Maximum retail prices for imported women's and girls' wear and accessories, other than those covered by paragraph (b) (1) above, shall be computed by multiplying the direct cost to the importer by the applicable multiplier set forth in Table XXIX below:

TABLE XXIX—WOMEN'S AND GIRLS' WEAR AND ACCESSORIES

Class of products	Sales in the Municipality of St. Thomas and St. John	Sales in the Municipality of St. Croix
Group A	1.40	1.80
Group B	1.50	1.60

(ii) Notwithstanding the provisions of paragraph (b) (2) (i), the seller may apply to the Territorial Director for the Virgin Islands for approval of a nationally advertised retail price for a commodity subject to this section when such commodity is nationally advertised by the manufacturer thereof. The applicant shall set forth:

(a) A description of the article to be priced;

(b) Conclusive evidence that the manufacturer has established a nationally advertised resale price at retail;

(c) A statement of the direct cost of the article to the importer;

(d) A correct statement of such nationally advertised price. The Territorial Director may in his discretion approve such nationally advertised resale price as the maximum retail price of the seller. Unless the seller makes such application, and unless the Territorial Director approves such resale price, the retailer may not sell such article at prices in excess of those established in paragraph (b) (2) (i) above.

(iii) The wholesale prices for such imported women's and girls' wear and accessories shall be subject to agreement between buyer and seller, but in no event may the wholesale price exceed the seller's maximum retail price for the commodity.

(iv) No sales at retail of such imported women's and girls' wear and accessories in excess of the retail price computed in accordance with the method set forth in paragraph (b) (2) (i), or (b) (2) (ii) above, whichever is applicable, shall be permitted, regardless of the number of transfers of the commodity which may occur in the Virgin Islands of the United States.

(c) *Price lists and statements*—(1) *Price lists to be filed by the seller at retail.* The seller at retail shall file with the Office of Price Administration in St. Thomas or St. Croix not later than July 10, 1944, a statement indicating the direct cost to the importer, his applicable multiplier and his maximum retail selling price for each class of women's and girls' wear and accessories covered by this section which he has in his inventory on the date when he submits his statement to the Office of Price Administration. Thereafter, the retailer shall notify the Office of Price Administration of his ceiling prices by filing a supplementary price list setting forth similar information for each class of such imported women's and girls' wear and accessories within three days after placing such class of women's and girls' wear and accessories on sale. The inventory and supplementary price lists shall contain the following information:

(i) A description of class of women's and girls' wear and accessories: type, brand, size, supplier's stock number if available;

(ii) The date of receipt (applicable only when filing the supplementary price list);

(iii) The name and address of the supplier;

(iv) The direct cost to the importer;

(v) The applicable multiplier (or markup);

(vi) The retailer's maximum price.

(2) *Price statement required of the seller at wholesale.* Any person, including the importer, who sells or transfers women's and girls' wear and accessories (except those subject to Maximum Price Regulation 201) to another person for purposes of resale shall furnish such person with a written statement of the direct cost of each class of such women's and girls' wear and accessories to the importer, and shall certify this information to be true and correct.

This amendment shall become effective June 26, 1944.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 16th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8186; Filed, June 16, 1944; 11:48 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 395,[1] Amdt. 25]

IMPORTED DOMESTICS, HOUSEHOLD SUNDRIES AND MISCELLANEOUS DRY GOODS IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 44 is added to read as follows:

SEC. 44 *Maximum prices for certain imported domestics, household sundries and miscellaneous dry goods sold or delivered in the Virgin Islands of the United States*—(a) *Definitions.* When used in this section 44, the term:

(1) "Domestics, household sundries and miscellaneous dry goods" means those unused finished commodities, articles, products and materials listed in Group A and B below, whether or not made principally of fibre, woven fibre, paper, synthetics, rubber or composition, as follows:

Municipality of St. Thomas and St. John

Group A:
Awnings and porch curtains.
Batting materials.
Bath mats.
Bed linens, including sheets, pillow cases and pillow slips.
Bedspreads and counterpanes.
Blankets.
Bureau scarfs.
Cleaning rags.
Curtains, including, but not confined to, shower curtains.
Cushions, including, but not confined to, automobile seat cushions.
Dish cloths.
Doilies.
Draperies.
Dusting cloths.
Dust shields for garments.
Furniture covers.
Hot dish holders.
Laundry bags.
Mops.
Pads, mats and covers (readymade) including:
(1) Crib pads.
(2) Hot pads.
(3) Ironing board pads, mats and covers.
(4) Mattress pads, protectors and covers.
(5) Table pads, mats and covers, including those made of oilcloth, fabric, straw or other materials.
Polishing cloths.
Quilts.
Shoe bags.
Table linens, when not originally in sets; centerpieces, napkins, tablecloths (for sets, see Group B).
Toilet seat covers.
Towels, all kinds.
Umbrellas and parasols.
Wash cloths.
Group B:
Table linens, when originally made up in sets; luncheon sets, dinner sets, bridge sets, centerpieces, napkins and table cloths.

Municipality of St. Croix

Group A:
Bath mats.
Bed linens, including sheets, pillow cases and pillow slips.
Blankets.
Dish cloths.
Mops.
Quilts.
Towels, all kinds.
Wash cloths.
Group B:
Awnings and porch curtains.
Batting materials.
Bedspreads and counterpanes.
Bureau scarfs.
Cleaning rags.
Comforters.
Curtains, including, but not confined to shower curtains.
Cushions, including, but not confined to automobile seat cushions.
Doilies.
Draperies.
Dusting cloths.
Dust shields for garments.
Hot dish holders.
Hot pot holders.
Laundry bags.
Pads, mats and covers (readymade) including:
(1) Crib pads.
(2) Hot pads.
(3) Ironing board pads, mats and covers.
(4) Mattress pads, protectors and covers.
(5) Table pads, mats and covers, including those made of oilcloth, fabric, straw or other materials.
Polishing cloths.
Shoe bags.
Table linens, including centerpieces, napkins, table cloths, luncheon sets, dinner sets, bridge sets.
Toilet seat covers.
Umbrellas and parasols.

(2) "Imported" as applied to domestics, household sundries and miscellaneous dry goods means domestics, household sundries and miscellaneous dry goods not actually produced or manufactured in the Virgin Islands of the United States.

(3) "Foreign place" means any place outside of the continental United States and the Territories and Possessions of the United States.

(4) "Class of domestics, household sundries and miscellaneous dry goods items" means a group of products comprised of domestics, household sundries and miscellaneous dry goods having the same or similar description, all of which have identical maximum prices and are received by the seller in one delivery.

(b) *Maximum prices*—(1) *Specified articles when directly imported from foreign places.* The Maximum prices at retail and at wholesale of the domestics, household sundries and miscellaneous dry goods listed below, when directly imported from a foreign place, shall be governed by Maximum Price Regulation No. 201:[2]

Bedspreads and counterpieces.
Bureau scarfs.
Doilies.
Table linens.
Towels.
Wash cloths.

(2) *All other imported articles.* (i) Maximum retail prices for imported domestics, household sundries and miscellaneous dry goods, other than those covered by subparagraph (b) (1) above, shall be computed by multiplying the direct cost to the importer by the applicable multiplier set forth in Table XXXII below:

TABLE XXXII—IMPORTED DOMESTICS, HOUSEHOLD SUNDRIES AND MISCELLANEOUS DRY GOODS

Class of products	Sales in the Municipality of St. Thomas and St. John	Sales in the Municipality of St. Croix
Group A	1.40	1.40
Group B	1.80	1.50

(ii) Notwithstanding the provisions of subparagraph (b) (2) (i), the seller may apply to the Territorial Director for the Virgin Islands for approval of a nationally advertised retail price for a commodity subject to this section when such commodity is nationally advertised by the manufacturer thereof. The applicant shall set forth:

(a) A description of the article to be priced;

(b) Conclusive evidence that the manufacturer has established a nationally advertised resale price at retail;

(c) A statement of the direct cost of the article to the importer;

(d) A correct statement of such nationally advertised price. The Territorial Director may in his discretion approve such nationally advertised resale price as the maximum retail price of the seller. Unless the seller makes such application, and unless the Territorial Director approves such resale price, the retailer may not sell such article at prices in excess of those established in subparagraph (b) (2) (i) above.

(iii) The wholesale prices for such imported domestics, household sundries and miscellaneous dry goods shall be subject to agreement between buyer and seller, but in no event may the wholesale price exceed the seller's maximum retail price for the commodity.

(iv) No sales at retail of such imported domestics, household sundries and miscellaneous dry goods in excess of the retail price computed in accordance with the method set forth in subparagraph (b) (2) (i) above shall be permitted, regardless of the number of transfers of the commodity which may occur in the Virgin Islands of the United States.

(c) *Price lists and statements*—(1) *Price lists to be filed by the seller at retail.* The seller at retail shall file with the Office of Price Administration in St. Thomas or St. Croix not later than July 31, 1944, a statement indicating the direct cost to the importer, his applicable multiplier and his maximum retail selling prices for each class of imported domestics, household sundries and miscellaneous dry goods items covered by this section which he has in his inventory on the date when he submits his statement to the Office of Price Administration. Thereafter, the retailer shall notify the Office of Price Administration of his ceiling prices by filing a supplementary price list setting forth similar information for each class of such imported domestics, household sundries and miscellaneous dry goods items subsequently acquired by him within three days after placing such class of domestics, household sundries and miscellaneous dry goods items on sale. The inventory and supplementary price lists shall contain the following information:

(i) Description of class of household sundries and miscellaneous dry goods items: type, brand, size, supplier's stock number, if available;

(ii) The date of receipt (applicable only when filing the supplementary price list);

(iii) The name and address of the supplier;

(iv) The direct cost to the importer;

(v) The applicable multiplier (or markup);

(vi) The retailer's maximum price.

(2) *Price statement required of the seller at wholesale.* Any person, includ-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6269, 6744, 9996, 8947, 10231, 10790; 8 F.R. 1860, 10984.

[2] 7 F.R. 6269, 6744, 9996, 8947, 10231, 10790; 8 F.R. 1860, 10984; 9 F.R. 2176, 2747.

ing the importer, who sells or transfers imported domestics, household sundries and miscellaneous dry goods (except those subject to Maximum Price Regulation 201) to another person for purposes of resale shall furnish such person with a written statement of the direct cost of each class of such domestics, household sundries and miscellaneous dry goods items to the importer, and shall certify this information to be true and correct.

This amendment shall become effective July 17, 1944.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 16th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8787; Filed, June 16, 1944; 11:44 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 395,[1] Amdt. 26]

IMPORTED SHOES IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 45 is added to read as follows:

SEC. 45 *Maximum prices for imported shoes sold or delivered in the Virgin Islands of the United States*—(a) *Definitions.* When used in this section 45, the term:

(1) "Shoes" means all customary forms of unused footwear (except hosiery) for men, boys, women, misses and children, including, but not limited to, street, evening, play, sport, beach, work shoes and slippers, moccasins, sandals, bedroom and boudoir slippers, rainwear overshoes such as rubbers and galoshes, and similar types of shoes and slippers, but does not include infants' footwear. Shoes are grouped in the following classes:

Class A. Shoes purchased directly from a manufacturer in the continental United States.

Class B. Shoes not purchased directly from a manufacturer in the continental United States.

(2) "Purchased directly from a manufacturer in the continental United States" as applied to shoes means shoes invoiced by the manufacturer in the continental United States to the seller in the Virgin Islands of the United States.

(3) "Imported" as applied to shoes means shoes not actually produced or manufactured in the Virgin Islands of the United States.

(4) "Foreign place" means any place outside of the continental United States and the Territories and Possessions of the United States.

(5) "Class of shoe items" means a group of shoe products having the same or similar description, all of which have identical maximum prices and are received by the seller in one delivery.

(b) *Maximum prices.* (1) Maximum retail prices for imported shoes shall be computed by multiplying the direct cost to the importer by the applicable multiplier set forth in Table XXXIII below:

TABLE XXXIII—IMPORTED SHOES

Class of shoes	Multiplier	
	Sales in the municipality of St. Thomas and St. John	Sales in the municipality of St. Croix
A. Shoes purchased directly from a manufacturer in the continental United States.	1.70	1.70
B. Shoes not purchased directly from a manufacturer in the continental United States.	1.40 (except as noted).[1]	1.80

[1] NOTE: Shoes made in Cuba, Mexico or any foreign place in the West Indies, Central America or South America and directly imported from a foreign place by the seller in the Virgin Islands of the United States shall be governed by Maximum Price Regulation No. 201.[1]

[1] 7 F.R. 6259, 6744, 9996, 8977, 10231, 10790; 8 F.R. 1860, 10984; 9 F.R. 2176, 2747, 4100.

(2) Notwithstanding the provisions of subparagraph (b) (1), the seller may apply to the Territorial Director for the Virgin Islands for approval of a nationally advertised retail price for a commodity subject to this section when such commodity is nationally advertised by the manufacturer thereof. The applicant shall set forth:

(i) A description of the article to be priced;

(ii) Conclusive evidence that the manufacturer has established a nationally advertised resale price at retail;

(iii) A statement of the direct cost of the article to the importer;

(iv) A correct statement of such nationally advertised price.

The Territorial Director may in his discretion approve such nationally advertised resale price as the maximum retail price of the seller. Unless the seller makes such application, and unless the Territorial Director approves such resale price, the retailer may not sell such article at prices in excess of those established in subparagraph (b) (1) above.

(3) The wholesale prices for such imported shoes shall be subject to agreement between the buyer and seller, but in no event may the wholesale price exceed the seller's maximum retail price for the commodity.

(4) No sales at retail of such imported shoes in excess of the retail price computed in accordance with the method set forth in subparagraph (b) (1) above shall be permitted, regardless of the number of transfers of the commodity which may occur in the Virgin Islands of the United States.

(c) *Price lists and statements*—(1) *Price lists to be filed by the seller at retail.* The seller at retail shall file with the Office of Price Administration in St. Thomas or St. Croix not later than August 7, 1944, a statement indicating the direct cost to the importer, his applicable multiplier and his maximum retail selling price for each class of imported shoes covered by this section which he has in his inventory on the date when he submits his statement to the Office of Price Administration. Thereafter, the retailer shall notify the Office of Price Administration of his ceiling prices by filing a supplementary price list setting forth similar information for each class of such imported shoe items subsequently acquired by him within three days after placing such class of imported shoe items on sale. The inventory and supplementary price lists shall contain the following information:

(i) Description of class of imported shoe items: type, brand, size, supplier's stock number, if available;

(ii) The date of receipt (applicable only when filing the supplementary price list);

(iii) The name and address of the supplier;

(iv) The direct cost to the importer;

(v) The applicable multiplier (or markup);

(vi) The retailer's maximum price.

(2) *Duplicate invoice to be filed by the seller purchasing directly from a manufacturer in the continental United States.* Any seller purchasing shoes directly from a manufacturer in the continental United States and establishing his maximum prices in accordance with the method stipulated for Class A shoes in paragraph (b) (1) of this section shall file a copy of his purchase invoice for such shoes with the Office of Price Administration in St. Thomas or St. Croix at the time when he files the inventory or supplementary price list required in paragraph (c) (1) above. The seller shall certify such copy of the purchase invoice to be true and correct.

This amendment shall become effective July 24, 1944.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 16th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8789; Filed, June 16, 1944; 11:47 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6259, 6744, 9996, 8847, 10231, 10790; F.R. 1860, 10984.

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

PART 136—"A" MARINE INVESTIGATION BOARD RULES

TEMPORARY WARTIME RULES GOVERNING INVESTIGATIONS OF ACCIDENTS AND CASUALTIES

By virtue of the authority vested in me by R.S. 4450 as amended (46 U.S.C. 239) and Executive Order No. 9083 (7 F.R. 1609), § 136.107 of the Temporary Wartime Rules Governing Investigations of Accidents and Casualties is amended to read as follows:

§ 136.107 *Appeal.* (a) Any person whose license or certificate of service or efficiency is revoked or suspended may, within thirty (30) days after the decision of the hearing officer, take an appeal to the District Coast Guard Officer of the district in which the hearing was held. Every appeal shall be typewritten or written in a legible hand and shall set forth as briefly as possible the name of the appellant, the nature of the charge, the name of the hearing officer who made the decision, the substance of the decision, and a statement of each separate ground for such appeal.

(b) The District Coast Guard Officer on appeal may alter or modify any finding of the hearing officer and may affirm, reverse, or modify the decision of the hearing officer, or remand the case for further hearing, or, if in his opinion, the appeal raises questions of general interest or importance or of special complexity or novelty, may, prior to decision, transmit the appeal and a complete transcript of the record in the case to the Commandant for decision. The District Coast Guard Officer, or the Commandant, will not consider evidence which is not a part of the record of the hearing and will not consider any ground of appeal which is not specified by the appellant. The decision of the District Coast Guard Officer or the Commandant on appeal will be in writing and will contain his findings and conclusions. The findings, conclusions and decision of the Commandant, and in the absence of appeal to the Commandant as provided in paragraph (c) of this section the findings, conclusions and decision of the District Coast Guard Officer shall be final and shall be binding on the parties for all purposes.

(c) In any case in which the District Coast Guard Officer affirms or modifies an order of the hearing officer revoking or suspending a license or certificate of service or efficiency and such action results in the revocation or suspension of the license or certificate without probation (thus prohibiting the person concerned from engaging in his occupation under such revoked or suspended license or certificate), the person concerned may, within thirty (30) days after the decision of the District Coast Guard Officer take an appeal to the Commandant by filing a notice of appeal with the District Coast Guard Officer. Such notice of appeal shall be typewritten or written in a legible hand, shall be addressed to the Commandant and shall set forth as briefly as possible the name of the appellant, the nature of the charge, the substance of the decisions of the hearing officer and the District Coast Guard Officer and a statement of each separate ground for such appeal. The appellant may file a brief or memorandum with his notice of appeal in elaboration of the matters therein set forth. The District Coast Guard Officer shall immediately transmit such notice of appeal and brief, if any, to the Commandant together with a complete transcript of the record in the case.

(d) The Commandant on appeal may alter or modify any finding of the District Coast Guard Officer or of the hearing officer and may affirm, reverse, or modify the decision of the District Coast Guard Officer or remand the case for further hearing. The Commandant will not consider evidence which is not a part of the record of the hearing and will not consider any ground of appeal which is not specified by the appellant. The decision of the Commandant on appeal will be in writing and will contain his findings and conclusions. The decision of the Commandant on appeal shall be final and shall be binding on the parties for all purposes.

(e) A complete transcript of the record shall be made available to any person whose license or certificate is revoked or suspended for the purpose of taking an appeal pursuant to the provisions of this section.

(f) Any person whose license or certificate is revoked or suspended by a hearing officer and who intends to appeal to the District Coast Guard Officer may file with the hearing officer or with the District Coast Guard Officer a request for a temporary license or certificate valid during the pendency of the appeal. Such temporary license or certificate may be issued in the discretion of the hearing officer or of the District Coast Guard Officer. Each such temporary license or certificate shall contain such terms and conditions as the issuing officer may prescribe and shall contain a definite expiration date fixed by the issuing officer which date, however, may be extended from time to time by the issuing officer.

(g) Any person entitled to, and intending to appeal to the Commandant from a decision of the District Coast Guard Officer may file with the District Coast Guard Officer a request for a temporary license or certificate valid during the pendency of the appeal. Such temporary license or certificate may be issued in the discretion of the District Coast Guard Officer and shall contain such terms and conditions as he may prescribe including a definite expiration date which date, however, may be extended from time to time.

Dated: June 15, 1944.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 44-8761; Filed, June 16, 1944; 10:16 a. m.]

Chapter III—War Shipping Administration

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

[G.O. 37, Supp. 2]

VALUES AND RATES OF CHARTER HIRE

Section 302.106 *Vessels built during the period 1914–1934* is amended by striking out, in paragraph (b), second sentence, the words "in the United States".

Section 302.108 *Adjustments for speed, equipment, upkeep, and other considerations* is amended as follows:

The introductory paragraph and paragraph (a) are amended to read:

§ 302.108 *Adjustments for speed, equipment, upkeep, and other considerations.* The values and rates of bareboat and time charter hire provided in Subparts II, III and IV of this order shall be adjusted for individual vessels with respect to speed, equipment, upkeep, and other considerations to the extent provided in paragraphs (a) through (g) of this section.

(a) *Speed* With respect to vessels built during the period 1914–1934 (both inclusive), the values and the rates of bareboat and time charter hire shall be subject to the adjustments provided in subparagraphs (1) or (2) of this paragraph.

(1) *Allowances for speeds of 11 knots or over.* With respect to vessels having a speed of 11 knots or over there shall be added to the basic values provided in §§ 302.104 (a), 302.106 (a), and to the rates of hire provided in §§ 302.104 (b), 302.106 (b), the following amounts: (Since the bareboat rate is a component part of the time charter rate, the allowance will be reflected in the time charter rate.)

Speed		Additional value per deadweight ton	Additional hire per deadweight ton per month
Equal to or in excess of—	But under—		
11 knots	12 knots	$2.25	$0.03
12 knots	13 knots	5.60	.06
13 knots	14 knots	8.25	.10
14 knots	15 knots	12.00	.15
15 knots	16 knots	16.80	.20

(2) *Deductions for speeds of less than 9 knots.* With respect to a vessel having a speed equal to or in excess of 8 knots but under 9 knots, $5.60 per deadweight ton shall be deducted from the basic values provided in §§ 302.104 (a), 302.106 (a), and 0.06 per deadweight ton per month shall be deducted from the rates of bareboat charter hire provided in §§ 302.104 (b), 302.106 (b). (Since the bareboat rate is a component part of the time charter rate, the deduction will be reflected in the time charter rate.)

The following paragraph is added:

(g) *Adjustments for motorships.* With respect to vessels having Diesel engine propulsion, there shall be added to

the service rates provided in §§ 302.103 (c), 302.104 (c), 302.105 (c), 302.106 (c) an additional sum per deadweight ton per month in such amount as the Administrator shall determine to be fair and reasonable. Such allowance shall not exceed 35¢ per deadweight ton per month.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND, *Administrator.*

JUNE 15, 1944.

[F. R. Doc. 44-8773; Filed, June 16, 1944; 11:32 a. m.]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

[G. O. 8, Rev. Supp. 10, Amdt. 1]

BASIS FOR REDETERMINATION AND READJUSTMENT OF TIME CHARTER HIRE

Basis for the redetermination and readjustment of time charter hire under charter parties tendered by the War Shipping Administration to owners of American-flag vessels chartered or requisitioned for use pursuant to the provisions of sec. 902 of the Merchant Marine Act, 1936, as amended.

Section 302.92 *Basic rates* (of General Order 8, Supplement 10, Revised) is amended by striking out the last sentence in paragraph (d) and inserting in lieu thereof the following sentence:

This allowance for the month of December, 1943 shall also be taken into account for the purposes of applying the provisions of §§ 306.10 and 306.11 of General Order 12 in lieu of the allowance of $125.00 per day per vessel for dry cargo vessels and the allowance of $50.00 per day per vessel for tankers and colliers included in the rates previously prescribed.

Section 302.93 *Adjustments* (of General Order 8, Supplement 10, Revised) is amended by adding the following paragraph:

(h) *Adjustments for motorships.* Vessels with diesel engine propulsion shall receive an additional sum of 35¢ per deadweight ton per month.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND, *Administrator.*

JUNE 15, 1944.

[F. R. Doc. 44-8774; Filed, June 16, 1944; 11:32 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[G. O. ODT 3, Rev., Amdt. 9]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

COMMON CARRIERS OF PROPERTY

General outline. This Amendment 9 to General Order ODT 3, Revised, as amended, revises § 501.10 of that order relating to interchange of shipments and registration of traffic and adds a new section relating to substitution of rail transportation for motor carrier service.

Under § 501.10, as revised, every common carrier by motor vehicle (hereinafter referred to as "common carrier") is required to accept and receive from any other motor carrier and transport shipments in over-the-road service. However, if a motor carrier is unable to collect, accept, or transport freight offered to it by another motor carrier at an interchange point, the motor carrier to which the freight is offered is required to register it with the district office of the Office of Defense Transportation nearest to the point at which the freight is available. Registration of freight offered to a motor carrier by a shipper and which the carrier is unable to pick up within 24 hours is also required. Likewise, over-the-road freight which a motor carrier is unable to transfer, divert, or otherwise arrange for the movement of within 36 hours must be registered. A qualified exemption is made in favor of a motor carrier who does not provide regular daily service. Existing provisions with respect to billing, rates, and regulations applicable to shipments interchanged or diverted under General Order ODT 3, Revised, as amended, are continued in effect by this amendment.

The new section (§ 501.10a) sets forth the conditions under which rail transportation may be substituted for motor carrier service and establishes rules and procedure to govern in such cases. Substituted service is permitted only under a certification by the Director of the Office of Defense Transportation. A procedure to obtain certification by the Director of the Office of Defense Transportation is provided. The substitution of rail service for motor carrier service may only be made between points between which the substituting motor carrier or carriers are authorized to transport and between which they continue to provide over-the-road motor vehicle service. Substituted service does not change the rates or charges to shippers or relieve motor carriers from their responsibility to the owners of property. In case of substitution of rail service for motor carrier service, the motor carrier is required to pay the rail carrier its tariff rates for the rail movement. Rules for loading and unloading shipments and pertaining to collection and delivery of less than carload shipments are provided. Two or more motor carriers are permitted to aggregate shipments and provide carload lots. Substitution of rail service may not be made by a motor carrier if the shipper specifies otherwise by notation on the bill of lading.

This general outline shall not be construed to alter the meaning of any provision of this amendment.

Following is the text of Amendment 9 to General Order ODT 3, Revised:

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Order 8989, as amended, Executive Order 9156, and War Production Board Directive 21,

It is hereby ordered, That General Order ODT 3, Revised, as amended, be, and it hereby is, further amended by revising § 501.10 and by inserting between § 501.10 and § 501.11 an entirely new section designated as § 501.10a. The text of the revised § 501.10 and the new § 501.10a reads as follows:

§ 501.10 *Interchange of traffic; holding shipments; registration of traffic; billing and rates applicable.* (a) Every common carrier shall accept and receive from any common carrier and transport all shipments of every kind. Such shipments shall be handled and transported in the same expeditious and efficient manner as shipments of a like nature received from any other source.

(b) (1) Whenever freight offered to a common carrier by a shipper at a point which is at or near a district office of the Highway Transport Department of the Office of Defense Transportation for transportation in over-the-road service to a given city, town, or other single point of destination, aggregates or exceeds 10,000 pounds or 500 cubic feet, and whenever freight offered to a common carrier by a shipper at a point which is not at or near such a district office for transportation in over-the-road service to a given city, town, or other single point of destination, aggregates or exceeds 20,000 pounds or 1,000 cubic feet, the carrier shall make collection thereof within 24 hours (exclusive of Sunday or legal holiday) after such freight is available for loading; or, if the carrier is unable to collect such freight within the time specified herein, the carrier or its agent shall promptly register the freight, in accordance with the provisions of Administrative Order ODT 10 (9 F.R. 2795), with the district office nearest the point at which the freight is available.

(2) Whenever a common carrier is unable to collect, accept, or transport freight offered to it by any common carrier at an interchange point for transportation in over-the-road service, the carrier, or its agent, to which the freight is offered shall promptly register the freight, in accordance with the provisions of Administrative Order ODT 10 (9 F.R. 2795), with the district office nearest the point at which the freight is available.

(3) No common carrier shall hold, carry over, store, or warehouse any freight at any one station (including the final destination station) for longer than 36 hours (exclusive of Sunday or legal holiday), except when there is no other common carrier capable of transporting the freight consistent with the provisions of this order.

(4) Whenever any common carrier is unable to transport, divert, or otherwise arrange for the movement of freight in over-the-road service within the time specified in subparagraph (3) of this paragraph (b), the carrier or its agent shall promptly register the freight, in accordance with the provisions of Administrative Order ODT 10 (9 F.R. 2795), with the district office nearest the point at which the freight is available.

(5) The provisions of the foregoing subparagraphs (1), (2), and (4) of this paragraph (b) shall not be applicable to any common carrier which regularly operates other than a daily service, except when such carrier is unable to transport all freight offered to it on its next regular schedule, in which event such freight which it is unable to transport on such schedule shall be registered forthwith, in accordance with the provisions of Administrative Order ODT 10 (9 F.R. 2795), with the district office nearest the point at which the freight is available.

(c) Whenever a shipment is interchanged or diverted pursuant to the provisions of this § 501.10 the shipment shall be accepted and received by the carrier with which interchange is made or to which diverted at the connecting or diverting carrier's station or at the consignor's door, as the case may be, and such carrier shall load, transport, forward, or deliver, as the case may be, such shipment on the bill of lading and billing and at the rates, rules and regulations of the carrier issuing the bill of lading, which rates, rules, and regulations shall be those which would have applied if the shipment had not been interchanged or diverted pursuant to the provisions of this § 501.10: *Provided,* That if the Interstate Commerce Commission, in respect to transportation in interstate or foreign commerce, or a State regulatory body in respect to transportation in intrastate commerce, has prescribed regulations governing the method of determining the rates, rules and regulations to apply on shipments interchanged or diverted pursuant to the provisions of this order, the regulations of the Interstate Commerce Commission or State regulatory body, as the case may be, shall apply.

§ 501.10a *Substitution of rail for truck service; certificate; limitations; application; procedure.* (a) Upon the certification by the Director of the Office of Defense Transportation that the substitution of rail transportation for that of motor common carriers in any particular area, between any points, or from or to any points, will not adversely affect the transportation of freight by railroad and will aid in conserving motor carrier transportation facilities, any motor common carrier is hereby authorized, unless the shipper specifies otherwise by notation on the bill of lading, to substitute at its option rail service for its own over-the-road motor vehicle service in the particular area, between the particular points, or from or to the particular points, specified in such certificate, subject, however, to any limitations which may be contained in the certificate and to the terms and conditions set forth in this § 501.10a.

(b) Any certificate issued by the Director of the Office of Defense Transportation, as provided in paragraph (a) of this section, may be withdrawn in whole or in part by the Director, in which event the authorization for substitution of service shall terminate or be modified, as the case may be.

(c) Rail service may be substituted for motor carrier service only between points between which the substituting motor carrier or carriers are authorized to transport and between which they continue to provide over-the-road motor vehicle service.

(d) When rail service is substituted for motor carrier service, as provided in this § 501.10a, the freight shall be tendered to the railroad on railroad bills of lading and the motor common carrier shall pay the railroad the railroad tariff rates for the rail service.

(e) In the substitution of rail service for motor carrier service, as provided in this § 501.10a, two or more motor carriers may aggregate shipments so as to provide carload lots: *Provided,* That in respect of any such freight so aggregated the motor carriers shall appoint one of their own number to act as consignor and consignee of such freight and to otherwise deal with the railroad.

(f) When rail service is substituted for motor carrier service in rail carload lots the motor carrier freight shall not pass through the merchandise freight houses of the railroad at either origin or shipping point, or at destination point. The motor common carrier or carriers shall load and unload the freight on team or other convenient tracks, or at warehouse sidings available to the motor carrier or carriers, at its or their own expense.

(g) When rail service is substituted for motor carrier service, as provided in this § 501.10a, in respect of less-than-carload shipments, the substituting motor carrier or carriers shall perform the collection service at origin or shipping point and the delivery service at destination point.

(h) Nothing in this § 501.10a shall be construed so as to require or permit a motor carrier which substitutes rail service for motor carrier service to charge, demand, collect, or receive, any rate or charge other than that which would have applied if no substitution of service had been made, nor shall anything in this section be construed as relieving any motor carrier from its responsibility to the owner of property as provided by law.

(i) Whenever one or more motor common carriers desire to substitute rail transportation for that of motor common carrier service in any particular area, between any points, or from or to any points, in order to aid in conserving motor carrier transportation facilities, or relieving traffic congestion, such carrier or carriers shall submit in writing to the district manager of the district office of the Office of Defense Transportation a request setting forth therein the following:

(1) The particular area, or the points between, or the points from and to which such substituted service is proposed;

(2) A statement of the facts upon which such request is based;

(3) An estimate of the mileage savings which will result from such substitution;

(4) The estimated number of rail carloads of freight and the estimated weight of less-than-carload freight which will be shipped each day, week, or month;

(5) The railroad or railroads which will be utilized in such substituted service; and

(6) The particular points or facilities where loading and unloading of rail cars will be performed.

(j) The district manager with whom a written request is filed pursuant to paragraph (i) of this § 501.10a shall make or cause to be made an investigation to determine whether the proposed substitution will aid in conserving motor carrier transportation facilities or will aid in relieving motor carrier traffic congestion, and, upon completion of the investigation, the district manager shall make his recommendation in writing to the regional director of the Highway Transport Department of the Office of Defense Transportation for the approval or disapproval of the request, in whole or in part.

(k) The recommendation of the district manager shall be reviewed by the regional director of the Highway Transport Department who shall approve or disapprove the written request, in whole or in part. In the event the request is approved, in whole or in part, the regional director shall promptly transmit a copy of his approval to the regional director of the Division of Railway Transport of the Office of Defense Transportation, who shall make or cause to be made an investigation to determine whether the proposed substitution will adversely affect the transportation of freight by railroad, and upon completion of the investigation the regional director of the Division of Railway Transport shall make his recommendation in writing to the Director of the Office of Defense Transportation. He shall transmit with his recommendation a copy of the written approval of the regional director of the Highway Transport Department. Whenever the regional director of the Highway Transport Department disapproves in its entirety a request for substitution, the complete district and regional files shall be sent to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

(l) Every motor carrier which substitutes rail transportation for motor carrier over-the-road service pursuant to a certificate issued by the Director of the Office of Defense Transportation shall keep and maintain a record showing the tonnage of less than carload freight and the tonnage and number of carloads of carload freight delivered to railroads for transportation in substituted service. Such carrier shall keep such other records and make such reports as the Office of Defense Transportation may prescribe, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942. All such records shall be available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

This Amendment 9 to General Order ODT 3, Revised, shall become effective on June 19, 1944.

NOTE: The recording and reporting requirements of this amendment have been approved by the Bureau of the Budget in ac-

cordance with the Federal Reports Act of 1942,

(Act of May 31, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 App. U. S. Code §§ 631 through 645a; E.O. 8989, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; War Production Board Directive 21, 8 F.R. 5834)

Issued at Washington, D. C., this 16th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-8763; Filed, June 16, 1944; 10:47 a. m.]

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Order 1956]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

ALLOCATION OF HALIBUT WITHIN PORTS

Because the fulfillment of the requirements for the defense of the United States will result in a shortage in the supply of food including halibut and other fish, because it is deemed necessary in the public interest, to promote the national defense and to carry out the provisions of Executive Order 9280 (7 F.R. 10179) and of War Food Order No. 52 (8 F.R. 1777, 3280, formerly known as Food Directive No. 2) and the purposes and provisions of the Emergency Price Control Act of 1942, 50 U.S.C. Supp. et seq. 921, to stabilize the national economy, and by virtue of the authority conferred upon the Secretary of the Interior thereby, and by directive of the Economic Stabilization Director, dated June 3, 1944,[1] it is ordered:

§ 401.4 *Allocation of halibut within ports*—(a) *Jurisdiction.* Control over the delivery and allocation of halibut landings for the purposes of this order is hereby vested in the Fishery Coordinator, and subject to his supervision and direction shall be administered by the Office of Fishery Coordination.

(b) *Statement of policy.* The purposes of this order are: to secure and facilitate the maximum production of halibut with a minimum expenditure of critical materials and manpower; to allocate halibut landings between dealers within ports so as to aid in the most efficient distribution of the processed product to meet war and essential civilian needs, so that the several markets will be supplied with substantially normal proportions of the product, to satisfy as near as may be, the demand which was developed largely during pre-war years; and to discourage violation of maximum price regulations in transactions between fishermen and dealers. The order is to be administered so as to cause a minimum of interference with normal economic processes in the industry.

[1] *Infra.*

(c) *Definitions.* For the purpose of this order and of any permits, directions, regulations or administrative documents issued under the order:

(1) "Person" means any individual, partnership, association, corporation, or other business entity.

(2) "Dealer" means any individual, partnership, association, firm, broker, agent, corporation, or other business entity engaged in the primary buying of halibut and other fish for his own account or the account of others.

(3) "Halibut" means fresh fish as landed by or delivered from halibut fishing craft including Pacific halibut, "lingcod," rockfishes, sablefish, and other species as may be designated by the Fishery Coordinator, or his representative.

(4) "Halibut fishing craft" means vessels or boats engaged in the catching of halibut and other species as provided for in the regulations of the International Fisheries Commission.

(5) "Allocation" means the dividing of halibut fleet landings between the dealers within a port, according to quantities determined by the Fishery Coordinator or his representative, usually after recommendations by an industry committee.

(6) "Representative of the Fishery Coordinator" means any person or persons duly designated to represent him in performing any of the delegable functions authorized by this order.

(7) Except when the context clearly indicates otherwise each term and phrase has the same meaning as is given to it in War Food Order No. 52 (8 F.R. 1777, 3280, formerly known as Food Directive No. 2).

(d) *Permits required for dealers.* No person shall either purchase or take delivery from fishermen of halibut, and no person shall operate as a dealer in halibut, at any port in Alaska, Washington, Oregon or California, except in accordance with a permit issued pursuant to this order by the Fishery Coordinator or his representative. Each permit shall authorize operation at one port only; but the same dealer may have several permits for operation at different ports. Such permits shall be shown by the permittee on request to any person from whom the permittee proposes to purchase halibut. No fisherman or any other person shall deliver or sell halibut to any dealer except in accordance with such a permit.

(e) *Issuance of permit.* (1) Permits shall be issued consistent with any allocation schedule set up under paragraph (g) below, and subject to such other terms and conditions as are deemed by the Fishery Coordinator or the Deputy Fishery Coordinator appropriate to furthering the purposes of this order. Applications therefor may be filed with the Area Coordinator by any person desiring a permit. Until a particular form for a request is prescribed, any dealer who operated in a particular port during 1941, 1942, or 1943 prior to July 13, 1943, and desires to continue such operations, shall be issued a permit to operate as a dealer in that port by the Area Coordinator, upon informal request unless the Area Coordinator has reasonable cause to believe such issuance would interfere with the purposes of this order. Other permits shall be issued by the Area Coordinator upon application as set out in paragraph (f) below, if in the opinion of the Area Coordinator the applicant has or can obtain adequate facilities and is otherwise qualified and his operations would not unduly disrupt the marketing, processing and distribution of fish and would not interfere with the programs of the Office of Price Administration or the War Food Administration and would be otherwise consistent with the purposes of this order as set out in paragraph (b) above. The denial of any request or of any application shall be subject to appeal as provided below in paragraph (l).

(2) Any application or request for a permit may be referred to the Office of Price Administration, the War Food Administration, the War Manpower Commission, and any other Government agency for report as to the effect the granting of the application would have on their respective war emergency programs, and recommendation as to the action appropriate thereon, with such supporting data and reasons as the agencies deem necessary.

(3) A permit issued pursuant to application as set out in paragraph (f) below shall become invalid upon any change of more than 25 percent interest in the ownership of the enterprise as described in the application therefor. Such invalid permit shall be at once surrendered to the Area Coordinator. A new application for another permit may be filed immediately.

(f) *Applications.* Applications for permits may be informal until a particular form is prescribed, but should indicate the port for which a permit is desired, the dates of the applicant's prior operations as a dealer in fish, the ports in which he operated, the amount of halibut purchased in each such port during each of the last three years during which he purchased halibut in that port, the equipment available to him for handling halibut in the port for which a permit is requested, where he proposes to dispose of any halibut purchased, and what arrangements if any he has made to secure such outlets for his product. The application shall also state whether the halibut-buying enterprise is owned solely by one person, the applicant, or is a partnership, corporation, or other form of business entity; and if the enterprise is not owned by a single individual, it shall state the name and extent of participation of every co-owner, stockholder, or other participant directly or indirectly owning more than a 25 percent interest therein. It may include any other relevant data, and reasons in support of the application. It shall be certified to as follows:

I certify that the above information is true to the best of my knowledge and belief, and that I am aware of the penalties for making a false statement as to any matter within the jurisdiction of the Secretary of the Interior, under the Act of July 7, 1898, as amended, 18 U.S.C. 81.

All applications should be filed in triplicate, to facilitate prompt action by the several agencies which may be involved.

(g) *Authority to set up supervised allocation programs.* When the Fishery Coordinator or his representative deems it advisable in order to give effect to the purposes of this order he may set up a plan for supervised allocation of halibut among the dealers in any port in Alaska, Washington, Oregon, or California, and thereafter all halibut landed at such port shall be distributed among dealers there as directed by him or in the shares directed by him in accordance with an allocation schedule for the port approved by him. Any allocation schedule for a port shall be based primarily upon some equitable historical basis, with such adjustments as are reasonably necessary to further the purposes of the order as defined in (b) above, or to meet changed conditions or which in the opinion of the Fishery Coordinator or his representative, are otherwise justified: *Provided, however,* That no allocation of fish in the Port of Seattle shall be based solely upon purchases made prior to the 1943 season: *And provided, further,* That allocations to dealers who operated in a particular port prior to July 13, 1943, shall be subject to modifications not to exceed 15 percent of the total port landings in favor of other qualified dealers receiving permits, to the extent necessary in the judgment of the Fishery Coordinator or his representative to promote the purposes of this order as set forth in paragraph (b) and to avoid monopoly. Any allocation schedule should be worked out and applied so far as practicable to meet with the approval of the dealers in the port. The purchase or receipt of halibut contrary to any such allocation program or direction, and the sale or delivery of halibut by one who thereby knowingly contributes to a violation of such allocation schedule or direction shall be a violation of this order.

(h) *Records and reports.* (1) All dealers shall keep and preserve for not less than two years accurate records concerning purchases by species of halibut, showing date, place and name of seller, and amount as to each purchase.

(2) The Fishery Coordinator, or his representative, shall be entitled to make such audit and inspection of the books, records, and other writings, premises and stocks of halibut of any person, and to make such investigations, as may be necessary or appropriate in his discretion to the enforcement or administration of this order.

(3) The Fishery Coordinator, or his representative, may require from persons affected by this order periodic reports showing the amount of halibut received in each separate transaction, with the date, name of seller and vessel. The Fishery Coordinator, or his representative, may also require from persons affected by this order such other material information as he may deem necessary to give effect to the purposes of the order. These record-keeping requirements have been approved by the Bureau of the Budget and specific recording and reporting requirements subsequently prescribed will be subject to the approval of the Bureau of the Budget, all pursuant to the Federal Reports Act of 1942.

(i) *Industry committees.* An industry committee may be set up by the Fishery Coordinator, or his representative, in each port where an allocation program is established. Each such committee shall be representative of the various interests concerned, as by the inclusion of one large dealer, one small dealer, and one representative of the halibut fishermen, and shall advise with the local representative of the Fishery Coordinator and make recommendations as to the allocation schedule to be set up, and any other details connected with the administration of this order.

(j) *Orders and directions.* The Fishery Coordinator, or his representative, may issue such orders and directions as he may deem advisable to accomplish the purposes of this order, and violation of any such order or direction shall be a violation of this order.

(k) *Violations, revocation.* Any person who violates this order, or any order or direction issued hereunder by the Fishery Coordinator, or his representative, or any term or condition of any permit issued by him, or who by any act or omission falsifies records to be kept, or information to be furnished pursuant to this order, or who after the issuance of this order violates any price regulations issued by the Price Administrator, may, by a decision of the Area Coordinator, upon findings of fact made after reasonable notice and hearing, be prohibited from purchasing more than a specified quantity of halibut, or be prohibited from dealing in halibut, by suspension or revocation of any permit issued, or prohibited from receiving halibut or from clearing port to fish for halibut or from fishing for halibut, for a specified period of time. In exception circumstances, where the Area Coordinator has reasonable grounds to believe such violation has occurred, and if the circumstances are such that he shall deem such action reasonably necessary to carry out the purposes of this order, he may immediately suspend the permit or prohibit fishing for halibut pending such hearing. Permits which have been suspended or revoked shall be surrendered at once to the Area Coordinator, Area I. Such further action may be taken against the violator as the Fishery Coordinator, or his representative, deems appropriate, including recommendations for prosecutions under section 35 (A) of the Criminal Code (18 U.S.C. sec. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(l) *Appeals and petitions for relief.* Any person who finds that compliance with this order imposes an unreasonable burden upon him, or who is aggrieved by any action of the Deputy Fishery Coordinator hereunder, may petition the Fishery Coordinator for appropriate relief. Any person aggrieved by any action taken by the Area Coordinator or one of his staff hereunder, or by any direction issued hereunder, or who finds that compliance therewith imposes an unreasonable burden upon him may petition the Area Coordinator for appropriate relief; and after the hearing or other presentation of the matter before the Area Coordinator and after his decision, any person affected may appeal from the decision by filing a petition with the Fishery Coordinator. Any petition filed under this paragraph must include a full showing of the pertinent facts, and must be filed in triplicate; and when any petition is filed with the Fishery Coordinator a copy thereof shall be filed at or before that time with the Area Coordinator. Unless there has been a hearing on the matter earlier in the proceedings, the petitioner may have a hearing before final action by request included in his petition.

(m) *Delegation of authority; designated representative.* For the purposes of this order, the functions, duties and powers of the Fishery Coordinator may in his absence be exercised by the Deputy Fishery Coordinator. The Area Coordinator in Area I is hereby designated as the representative of the Fishery Coordinator, for immediate supervision of the administration of this order. All applications, petitions, and communications referred to herein shall, unless otherwise specified, be addressed to and filed with the Area Coordinator, Area I, Office of Fishery Coordinator, U. S. Department of the Interior, Seattle, Washington. In the performance of these functions, the Area Coordinator, Area I, may designate any members of his staff to carry out any specific functions that may be assigned; and, in addition, he may delegate specific functions to any member of the staff of the Office of Fishery Coordination, or of the Fish and Wildlife Service, with the consent of the superior of such staff member.

(n) *Effective date.* This order shall become effective ten days after issuance, and where any supervised allocation program is set up pursuant to paragraph (g) above, deliveries of halibut received by a permittee during the 1944 season but before the effective date of this order, shall be considered as received under the quota or share awarded him under such program.

Issued this 13th day of June 1944.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 44-8674; Filed, June 15, 1944; 9:56 a. m.]

Notices

FEDERAL POWER COMMISSION.

[Docket No. G-554]

EL PASO NATURAL GAS CO.

NOTICE OF APPLICATION

JUNE 16, 1944.

Notice is hereby given that on June 13, 1944, the El Paso Natural Gas Company, a Delaware corporation, with principal place of business in El Paso, Texas, filed with the Federal Power Commission an application for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to authorize the construction and operation

of a service tap on its existing 12¾-inch O. D. gas pipe line serving El Paso Electric Company's Rio Grande power plant at a point in El Paso County, Texas, approximately 2.23 miles west of the city of El Paso, Texas, and a regulator, meter, pipe, valves and necessary appurtenances for the purpose of delivering natural gas to the refinery of McNutt Oil and Refining Company in Dona Ana County, New Mexico, through 700 feet of 2⅜-inch gas pipe, to be installed by the refining company between the applicant's pipe line and the refinery.

Applicant states that the proposed facilities will be used for the purpose of furnishing natural gas to the McNutt Oil and Refining Company for fuel in order that fuel oil may be released for use by the railroads.

Any person desiring to be heard or to make any protest with respect to said application should, on or before the 22d day of June, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-8772; Filed, June 16, 1944; 11:28 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 307]

RECONSIGNMENT OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 12, 1944, by La Mantia Brothers Arrigo Company of car NWX 7983, lettuce, now on the Wabash Railroad to Shippers Service Company, Detroit, Michigan (Wabash).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8755; Filed, June 16, 1944; 10:34 a. m.]

[S. O. 70-A, Special Permit 308]

RECONSIGNMENT OF VEGETABLES AT KANSAS CITY, MO.

Pursant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, June 9 or 10, 1944, by Tony Misita, Amite, Louisiana, of car URTX 5613, vegetables, on the Illinois Central Railroad, to Salt Lake City, Utah.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8756; Filed, June 16, 1944; 10:34 a. m.]

[S. O. 70-A, Special Permit 309]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A, insofar as it applies to the reconsignment at Kansas City, Missouri, June 12, 1944, by Cochrane Brokerage Company of car PFE 62833, potatoes, now on the A. T. & S. F. Railroad, to Fort Smith, Arkansas.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8757; Filed, June 16, 1944; 10:34 a. m.]

[S. O. 200, 2d Amended, General Permit 3]

REICING OF POTATOES FROM FLORIDA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide one reicing in transit, after the first or initial icing, on any refrigerator car loaded with potatoes originating at any point in the State of Florida.

This general permit shall become effective at 12:01 a. m., June 15, 1944, and shall expire at 12:01 a. m., July 15, 1944. The reicing authorized herein may be accorded cars rolling on the effective date hereof.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8758; Filed, June 16, 1944; 10:34 a. m.]

[S. O. 200, Special Permit 62]

REICING OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only, at Kansas City, Missouri, June 12, 1944, for account of Michael Swanson Brady Produce Company, cars Oklahoma potatoes, MDT 19082, MDT 20682, and MDT 18606, on the St. Louis-San Francisco Railway, account diverted to Chicago, Illinois. (Wabash).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8759; Filed, June 16, 1944; 10:34 a. m.]

[S. O. 200, Special Permit 63]

REICING OF POTATOES AT HUNTINGDON, PA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, at Huntingdon, Pennsylvania, (P. R. R.) not later than June 16, 1944, for account of U. S. Army Quartermaster Corps, cars of potatoes PGEX 20789 and WRX 9163, moving June 10, 1944, from Stillwell Cold Storage Company, Hannibal, Missouri, to Navy Yard, Brooklyn, New York, c/o National Cold Storage Company (C. B. & Q.-P. R. R.-N. Y. D.).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8760; Filed, June 16, 1944; 10:34 a. m.]

[S. O. 212]

UNLOADING OF HONEY AT LAREDO, TEX.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 15th day of June, A. D. 1944.

It appearing, that car B&O 385829 containing honey at Laredo, Texas, on The International-Great Northern Railroad Company (Guy A. Thompson, Trustee), has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action.

It is ordered, That: *Honey at Laredo, Texas, to be unloaded.* (a) The International-Great Northern Railroad Company (Guy A. Thompson, Trustee), its agents or employees, shall unload forthwith car B&O 385829 containing honey, on hand at Laredo, Texas.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carload of honey has been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17) 15 (2))

It is further ordered, That this order shall become effective immediately, and that a copy of this order and direction shall be served upon The International-Great Northern Railroad Company (Guy A. Thompson, Trustee) and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-8754; Filed, June 16, 1944; 10:34 a. m.]

OFFICE OF ECONOMIC STABILIZATION.

[Directive, June 3, 1944]

NORTHWEST HALIBUT FISH INDUSTRY

PLAN OF ALLOCATION AUTHORIZED

Because it is deemed necessary and proper to carry out the purposes and provisions of the Emergency Price Control Act, of 1942, 50 U. S. C. 921 Supp. et seq., to stabilize the national economy, to maintain and increase production and to aid in the effective prosecution of the war, and by virtue of the authority conferred upon him by Executive Order No. 9328 (8 F.R. 4681), the Economic Stabilization Director issues the following directive:

The Secretary of the Interior is authorized and directed to issue such order[1] as he deems necessary to set up a plan for the allcation of Pacific halibut, and other fish caught with halibut, among dealers for the current season, in order to carry out the purpose of the Emergency Price Control Act of 1942 and to cooperate with the Office of Price Administration in support of its price regulations, and with the War Food Administration in its food distribution program.

In passing upon any application to have a share of the halibut landings in a port allocated to a particular person, the Price Administrator and the War Food Administrator may be called upon by the Secretary of the Interior to furnish statements of facts as to how the granting of such application is likely to affect the programs of the two agencies, respectively, and recommendations as to the appropriate action upon such applications; and the Secretary of the Interior shall take such recommendations and statements into consideration in passing upon the application.

As used herein the word "dealer" means any individual, partnership, association, firm, broker, agent, corporation, or other business entity engaged in the primary buying of halibut and other fish for his own account or the account of others.

[1] See Title 50, Chapter IV, this issue.

The authority of the Secretary of the Interior under this directive may be exercised through such members of his staff as he designates for that purpose.

Dated this 3d of June 1944.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-8718; Filed, June 15, 1944; 11:29 a. m.]

OFFICE OF PRICE ADMINISTRATION.

Regional and District Office Orders.

[Region I Order G-70 Under RMPR 122, Amdt. 3]

SOLID FUELS IN PITTSFIELD, MASS., AREA

Amendment No. 3 to Order No. G-70 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specific maximum prices for solid fuels within specified areas in Region I.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (3) containing Appendix 3, is hereby added to paragraph (c) of Region I Order No. G-70 under Revised Maximum Price Regulation No. 122 to read as follows:

(c) *Appendices establishing specific maximum prices.* • • •

(3) *Appendix 3: Specified solid fuels; Pittsfield, Massachusetts Area*—(a) *Maximum prices established by this Appendix 3.* This Appendix 3 establishes specific maximum prices for sales of Pennsylvania anthracite in the Pittsfield, Massachusetts, area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said solid fuel. Price Schedule I contains prices for sales on a delivered basis: Price Schedule II contains prices for yard sales to consumers; and Price Schedule III sets forth prices for yard sales to dealers. The Pittsfield, Massachusetts Area shall include the following cities and towns in the Commonwealth of Massachusetts: Dalton, Hancock, Hinsdale, Lanesboro, Pittsfield and Windsor.

(b) *Price Schedule I: Sales on a delivered basis.* (1) Base maximum prices for sales on a "direct delivery" basis to consumers at any point in the Pittsfield, Massachusetts area;

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove, and chestnut	$16.10	$8.30	$4.60	$1.00
Pea	14.30	7.40	3.95	.90
Buckwheat	12.65	6.60	3.55	.80
Rice	11.50	6.00	3.25	.75
Yard screenings	3.50			

(2) *Additions for specified deliveries.* The foregoing base prices in Price Schedule I shall apply to deliveries to con-

sumers whose bins or storage facilities are located in Dalton and Pittsfield. There may be added to the foregoing base prices, for deliveries to consumers whose bins or storage facilities are located in Hancock, Hinsdale, Lanesboro, and Windsor, the sum of One Dollar ($1.00) per ton, or fifty cents (50¢) per half-ton, or twenty-five cents (25¢) per quarter-ton.

(3) *Maximum authorized service and deposit charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to buyer's bin or storage space. If the buyer requests such service of him, the dealer may charge seventy-five cents (75¢) per ton, or fifty cents (50¢) per half-ton, or twenty-five cents (25¢) per quarter-ton for any carrying or wheeling of quarter-ton and larger quantities from a "direct delivery" point to the buyer's bin or storage space.

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25 cents per bag.

(c) *Price Schedule II: Yard sales to consumers.* (1) Maximum prices for sales delivered at the yard of any dealer in the Pittsfield, Massachusetts area to consumers:

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove, chestnut	$15.10	$7.55	$3.80	$0.90
Pea	13.30	6.65	3.35	.80
Buckwheat	11.65	5.85	2.95	.70
Rice	10.50	5.25	2.65	.65
Yard screenings	2.80	-----	-----	-----

(2) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging quarter-ton and larger quantities in 100 pound bags, exclusive of any deposit charges on bags furnished by the dealer.

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer shall be 25 cents per bag.

(d) *Terms of sale; sales to consumers.* If payment is made by the buyer within 10 days after receipt of the fuel, the maximum prices set forth in paragraphs (b) and (c) shall, except in the case of Pennsylvania Anthracite yard screenings, be reduced by $1.00 per ton, or by 50 cents per half-ton or by 25 cents per quarter-ton, which reductions are "cash discounts". No further discount is required for cash on delivery, and no "cash discount" is required on sales of Pennsylvania Anthracite yard screenings or on any sales of less than a quarter-ton. If payment is not required or made at the time of delivery or (except in the cases of yard screenings and less than quarter-ton lots) within 10 days thereafter, terms shall be net 30 days.

(e) *Price Schedule III: Yard sales to dealers.* (1) Maximum prices for sales delivered at the yard of any dealer in the Pittsfield, Massachusetts area to dealers in fuels who resell them:

Kind and size	Per net ton	Per ½ ton	Per ¼ ton
Pennsylvania anthracite:			
Broken, egg, stove, and chestnut	$13.10	$6.55	$3.30
Pea	11.30	5.65	2.85
Buckwheat	10.15	5.10	2.55
Rice	9.00	4.50	2.25
Yard screenings	2.80	-----	-----

(2) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(3) *Maximum authorized bagging and deposit charges.* (a) If the buyer requests such service of him, the seller may make the following charges for bagging in 100 pound bags, exclusive of any deposit charges on bags furnished by the seller.

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the seller shall be 25 cents per bag.

(f) *Certain named Pennsylvania anthracite coals.* The specific maximum prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of listed named Pennsylvania anthracite coals are sold:

Kind and size	Per net ton	½ ton	Amount of addition ¼ ton	Amount of addition 100 lb.
Jeddo Highland:				
Broken, egg, stove, chestnut, pea and buckwheat	$0.25	$0.15	$0.05	None
Rice	.15	.10	None	None
Greenwood: Egg, stove, chestnut and pea	.25	.15	.05	None
Black Stork or Legitis Creek:				
Broken, egg, stove, chestnut and pea	.35	.20	.10	None
Buckwheat	.20	.10	.05	None
Rice	.10	.05	None	None

(g) *Special treating.* The sum of ten cents (10¢) per ton may be charged, in addition to the specific prices hereinabove set forth, for buckwheat and rice sizes which have been specially treated to allay dust or to prevent freezing: *Provided*, That said charge is shown as a separate item on the invoice.

This Amendment No. 3 shall become effective June 19, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 10th day of June 1944.

ELSON C. SMOUP,
Regional Administrator.

[F. R. Doc. 44-8719; Filed, June 15, 1944; 2:09 p. m.]

[Region II Order G-40 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN MONMOUTH AND OCEAN COUNTIES, N. J.

Order No. G-40 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Monmouth and Ocean Counties, State of New Jersey, Coal Area XII.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does—(1) Dealers' maximum prices; area covered.* If you are a dealer in "Pennsylvania anthracite", this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in the zones comprising State of New Jersey—Coal Area XII. That area consists of four zones, as follows:

Zone 1. Zone 1 includes all of Monmouth County and the Boroughs of Point Pleasant, Point Pleasant Beach, Bayhead and Mantoloking; and the Townships of Brick and Plumstead in Ocean County.

Zone 2. Zone 2 includes the Borough of Lakehurst, and the Townships of Jackson, Lakewood, and Manchester in Ocean County.

Zone 3. Zone 3 includes all of Ocean County not included in Zones 1, 2 and 4.

Zone 4. Zone 4 includes the Boroughs of Beach Haven, Ship-Bottom Beach Arlington, Barnegat City, Harvey Cedars, and Surf City, and the Township of Long Beach in Ocean County.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Zones 1, 2, 3, and 4 are set forth in Schedules I, II, III, and IV, respectively.

(3) *To what sales this order applies.* If you are a dealer in anthracite, you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Zones 1, 2, 3, and 4.

You shall determine the maximum price for "direct-delivery" sales, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone to which delivery is made, whether or not you are located in one of the four zones.

You shall determine your maximum price for a "yard" sale, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone in which the purchaser takes physical possession or custody of the anthracite.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not:

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the Schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum prices as follows:

(1) *Use the schedule which covers your sale.* (Schedule I applies to sales on a "direct-delivery" basis, "yard sales," and "sales of bagged coal," within Zone 1. You will find Schedule I in paragraph (d). In like manner, Schedules II, III, and IV apply to "direct-delivery" sales and "yard sales" in Zones 2, 3, and 4 respectively. You will find Schedule II in paragraph (e), Schedule III in paragraph (f) and Schedule IV in paragraph (g).)

(2) Take the dollars-and-cents figure set forth in the applicable schedule, for the sizes and quantity you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified in each schedule. Where a discount is required you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above, no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in the schedules.

(d) *Schedule I.* Schedule I establishes specific maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Zone 1. There is a separate table of prices for "direct-delivery" sales, "yard sales," and "sales of bagged coal."

(1) *Sales on a "direct-delivery" basis.* For sales of anthracite of the sizes and in the quantities specified.

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ¼ ton
Broken, egg, stove, nut	$13.85	$7.20	$3.85	$0.85
Pea	12.20	6.40	3.45	.75
Buckwheat	10.15	5.35	2.95	.65
Rice	9.35	4.95	2.75	.60
Barley	8.35	4.45	2.80	-----
Screenings	4.30	2.15	-----	-----

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of ¼ ton or more, a discount of 50¢ per net ton, and 25¢ per net ½ ton, and 15¢ per net ¼ ton, where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser:

"Carry" or "wheel" (except for sales amounting to less than ¼ ton): 50¢ per net ton; 25¢ per net ½ ton; 15¢ per net ¼ ton.

(2) *"Yard sales." For sales of anthracite of the sizes and in the quantities specified to dealers and to consumers.*

Size	Per net ton, for sales of ½ ton or more: To dealers	Per net ton, for sales of ½ ton or more: To consumers	Per 100 lbs. for 100 lbs. or more, but less than ½ ton
Broken, egg, stove, nut	$12.35	$12.85	$0.75
Pea	10.80	11.30	.65
Buckwheat	8.65	9.15	.55
Rice	7.85	8.35	.50
Barley	6.85	7.35	-----
Screenings	2.50	2.50	-----

Required discounts. You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings in quantities of ½ ton or more, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

(3) *"Sales of bagged coal".*

Maximum Prices Per 50 lb. Paper Bag

Size	Delivered at dealer's yard: To dealers	Delivered at dealer's yard: To consumers	Delivered to retail stores	Sales to ultimate consumer
Nut	$0.38	$0.43	$0.43	$0.48
Pea	.33	.38	.38	.43

Maximum Prices Per 25 lb. Paper Bag

Size	Delivered at dealer's yard: To dealers	Delivered at dealer's yard: To consumers	Delivered to retail stores	Sales to ultimate consumer
Nut	$0.196	$0.22	$0.22	$0.25
Pea	.17	.195	.195	.225

(e) *Schedule II.* Schedule II establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 2. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis. For sales of anthracite of the sizes and in the quantities specified.*

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton	Per 50 lb. paper bag
Broken, egg, stove, nut	$14.10	$7.30	$3.95	$0.90	$0.50
Pea	12.55	6.55	3.55	.80	.45
Buckwheat	10.15	5.35	2.95	.70	-----
Rice	9.35	4.95	2.75	.65	-----
Barley	8.35	4.45	2.60	-----	-----
Screenings	4.30	2.15	-----	-----	-----

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of ¼ ton or more, a discount of 50¢ per net ton, 25¢ per net ½ ton, and 15¢ per net ¼ ton, where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser:

"Carry" or "wheel" (except for sales amounting to less than ¼ ton): 50¢ per net ton; 25¢ per net ½ ton; 15¢ per net ¼ ton.

(2) *"Yard sales." For sales of anthracite of the sizes and in the quantities specified to dealers and to consumers.*

Size	Per net ton for sales of ½ ton or more: To dealers	Per net ton for sales of ½ ton or more: To consumers	Per 100 lbs. for 100 lbs. or more, but less than ½ ton	Per 50 lb. paper bag
Broken, egg, stove, nut	$12.60	$13.10	$0.80	$0.45
Pea	11.05	11.55	.70	.40
Buckwheat	8.65	9.15	.60	-----
Rice	7.85	8.35	.55	-----
Barley	6.85	7.35	-----	-----
Screenings	2.50	2.50	-----	-----

Required discounts. You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings in quantities of ½ ton or more, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

(f) *Schedule III.* Schedule III establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 3. There is a separate table of prices for "direct-delivery" sales and "yard sales".

Required discounts. You shall deduct ... whole or in part, any subsequent increas...

per net ton price charged, and the solid ... same fuel as were sold and delivered in ... tion No. 165. Adjustment of maximum

(1) *Sales on a "direct-delivery" basis.*

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton	Per 50 lb. paper bag
Broken, egg, stove, nut	$14.35	$7.45	$4.00	$0.90	$0.50
Pea	12.80	6.65	3.60	.80	.45
Buckwheat	10.15	5.35	2.95	.70	------
Rice	9.10	4.80	2.65	.65	------
Barley	8.10	4.30	2.40	----------	------
Screenings	4.30	2.15	------	----------	------

Required Discounts. You shall deduct from the prices set forth in table (1) of this schedule on sales and deliveries of all sizes except screenings, in quantities of ¼ ton or more, a discount of 50¢ per net ton, 25¢ per net ½ ton, and 15¢ per net ¼ ton, where payment is made on delivery. Nothing herein requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser:

"Carry" or "wheel" (except for sales amounting to less than ¼ ton): 50¢ per net ton; 25¢ per net ½ ton; 15¢ per net ¼ ton.

(2) *"Yard sales". For sales of anthracite of the sizes and in the quantities specified to dealers and to consumers.*

Size	Per net ton for sales of ½ ton or more		Per 100 lbs. for 100 lbs. or more, but less than ½ ton	Per 50 lb. paper bag
	To dealers	To consumers		
Broken, egg, stove, nut	$12.85	$13.35	$0.80	$0.45
Pea	11.30	11.80	.70	.40
Buckwheat	8.55	9.15	.60	------
Rice	7.60	8.10	.55	------
Barley	6.60	7.10	----------	------
Screenings	2.50	2.50	----------	------

Required discounts. You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of ½ ton or more, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made on delivery. Nothing herein requires you to sell on other than a cash basis.

(g) *Schedule IV.* Schedule IV establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 4. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton	Per 50 lb. paper bag
Broken, egg, stove, nut	$14.90	$7.70	$4.10	$0.90	$0.50
Pea	13.25	6.95	3.75	.80	.45
Buckwheat	10.70	5.60	3.05	.70	------
Rice	9.60	5.05	2.80	.65	------
Barley	8.60	4.55	2.55	----------	------
Screenings	4.30	2.15	------	----------	------

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule on sales and deliveries of all sizes except screenings, in quantities of ¼ ton or more, a discount of 50¢ per net ton, 25¢ per net ½ ton, and 15¢ per net ¼ ton, where payment is made on delivery. Nothing herein requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser:

"Carry" or "wheel" (except for sales amounting to less than ¼ ton): 50¢ per net ton; 25¢ per net ½ ton; 15¢ per net ¼ ton.

(2) *"Yard sales". For sales of anthracite of the sizes and in the quantities specified to dealers and to consumers.*

Size	Per net ton for sales of ½ ton or more		Per 100 lbs. for 100 lbs. or more, but less than ½ ton	Per 50 lb. paper bag
	To dealers	To consumers		
Broken, egg, stove, nut	$13.40	$13.90	$0.80	$0.45
Pea	11.85	12.35	.70	.40
Buckwheat	9.20	9.70	.60	------
Rice	8.10	8.60	.55	------
Barley	7.10	7.60	----------	------
Screenings	2.50	2.50	----------	------

Required discounts. You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of ½ ton or more, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made on delivery. Nothing herein requires you to sell on other than a cash basis.

(h) *Commingling.* If you sell one size of anthracite, commingled with another size of anthracite, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, whether the sale be a "direct-delivery" sale, "yard sale", or "sale of bagged coal", except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, and in that event, if those sizes are separately weighed at the point of loading, or when bagged, the dealer may commingle those sizes in the truck or other vehicle, or in the bags, in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price or, in the case of bagged coal, on the basis of the applicable bagged price, for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(i) *Ex Parte 148; freight rate increase.* Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(j) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(k) *Taxes.* If you are a dealer subject to this order, you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, or to the State of New Jersey or any political subdivision thereof, you need not state this tax separately.

(l) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(m) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(n) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(o) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for a license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(p) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(q) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes which may be added to the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(r) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Trenton District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(s) *Definitions and explanations.* When used in this Order No. G-40, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the schedule herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(5) The sizes of "Pennsylvania anthracite" described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the State of New Jersey—Coal Area XII with such designation during December 1941.

(6) "Direct delivery", except with respect to sales in 100-lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or vehicle, or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct delivery" in 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(7) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from the seller's truck in the course of "direct delivery".

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(9) "Delivered at dealer's yard" as applied to "sales of bagged coal", means physical transfer at the dealer's yard to the purchaser's truck or other vehicle.

(10) "Delivered to retail stores" as applied to "sales of bagged coal", means deposit in that part of the store designated by the purchaser.

(11) "Sales to ultimate consumer" as applied to "sales of bagged coal", means sales by dealers, other than sales at a dealer's yard, whether or not delivered to the consumer's premises.

(12) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.268 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(t) *Effect of order on Revised Maximum Price Regulation No. 122.* This order shall supersede Revised Maximum Price Regulation No. 122, except as to any sales or deliveries of solid fuels not specifically subject to this order.

Effective date. This order shall become effective June 11, 1944.

NOTE: The record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-8720; Filed, June 15, 1944; 2:11 p. m.]

[Region IV Gen. Order G-1 Under MPR 165, Amdt. 2]

CITRUS FRUITS IN FLORIDA

Amendment No. 2 to General Order No. G-1 under Maximum Price Regulation No. 165. Adjustment of maximum prices for citrus fruit packing services sold by sellers located in the State of Florida.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.114 (d) of Maximum Price Regulation No. 165 and paragraph (h) of General Order No. G-1 thereunder, *It is hereby ordered*, That a new sub-paragraph designated (5) be added to paragraph (a) of said General Order No. G-1 to read as set forth below:

(a) • • •

(5) The prices set forth in this paragraph (a) may be charged only when the supplier of the service also supplies the container, in which the fruit is packed. When the purchaser of the service supplies the container, the maximum price for the service shall be as set forth in General Order No. G-1 prior to the issuance of Amendment No. 1 thereto.

This Amendment No. 2 to General Order No. G-1 shall become effective June 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued June 8, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44-8723; Filed, June 15, 1944; 2:12 p. m.]

[Region IV Orders G-2—G-17 Under RMPR 122, Supp. Orders 1, 2, 3, 4]

SOLID FUELS IN SPECIFIED AREAS IN ATLANTA REGION

Supplementary Order No. 1 to Order No. G-2, Supplementary Order No. 2 to Orders No. G-12, G-14, and G-17, Supplementary Order No. 3 to Orders No. G-3, G-4, G-6, G-7, G-8, G-9, G-11, G-13, G-15, and G-16, Supplementary Order No. 4 to Orders No. G-5 and G-10 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers in specified areas in Region IV.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the amendment provisions of the above captioned orders, *It is hereby ordered*, That:

When any dealer whose maximum prices for Bituminous Coal are established by one of the above orders pays his supplier a charge not in excess of 10¢ per net ton for chemical or oil dust laying service he may add to his maximum price established by the foregoing orders and amendments thereto the same amount that he paid for this service, not to exceed 10¢ per net ton, for such coals from Districts 7 and 8.

These Supplementary Orders No. 1, 2, 3, and 4 shall become effective May 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 26, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44-8724; Filed, June 15, 1944; 2:13 p. m.]

[Region IV Orders G-8, G-10, G-13, G-15, G-16, G-17, Under RMPR 122, Supp. Orders 3, 4, 5, 6]

SOLID FUELS IN SPECIFIED AREAS IN ATLANTA REGION

Supplementary Order No. 3 to Order No. G-17, Supplementary Order No. 4 to Orders No. G-13, G-15, G-16, Supplementary Order No. 5 to Order No. G-8, Supplementary Order No. 6 to Order No. G-10, under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers in Specified Areas in Region IV.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the amendment provisions of the above captioned orders, *It is hereby ordered*, That:

Effective June 1, 1944, through June 9, 1944, dealers whose maximum prices for Pennsylvania Anthracite Coal are established by the above captioned orders and amendments and supplementary orders thereto may sell Pennsylvania Anthracite Coal at the prices in effect under said orders on May 31, 1944.

On and after June 10, 1944, the maximum prices for Pennsylvania Anthracite Coal in effect on May 31, 1944, under the provisions of the above captioned orders and amendments and supplementary orders thereto shall be reduced 15¢ per ton, 8¢ per ½ ton, and 4¢ per ¼ ton.

These Supplementary Orders No. 3, 4, 5, and 6 shall become effective June 1, 1944.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued June 5, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44-8726; Filed, June 15, 1944; 2:12 p. m.]

[Region IV Order G-10 Under RMPR 122, Supp. Order 5]

SOLID FUELS IN HENRICO AND CHESTERFIELD COUNTIES, VA.

Supplementary Order No. 5 to order No. G-10 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the Counties of Henrico and Chesterfield in the State of Virginia and the Independent City of Richmond, Virginia.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (f) of Order No. G-10, *It is hereby ordered*, That:

On and after June 8, 1944, the maximum prices for Bituminous Coals from Districts 7 and 8 as established in paragraph (c) (1) of Order No. G-10, together with amendments and supplementary orders thereto, shall be reduced by the sum of 20¢ per ton, 10¢ per ½ ton, and 5¢ per ¼ ton.

This Supplementary Order No. 5 shall become effective June 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued June 5, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44-8725; Filed, June 15, 1944; 2:13 p. m.]

[Region V Order G-1 Under RMPR 122, Amdt. 7]

SOLID FUELS IN ST. LOUIS, MO., AREA

Amendment No. 7 to Order No. G-1 under Revised Maximum Price Regulation No. 122. Maximum prices for solid fuels sold in the City of St. Louis, Missouri, and parts of St. Louis County, Missouri.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the opinion issued simultaneously herewith, *It is ordered:*

Section (c) Price Schedule IV, Pennsylvania Anthracite, as amended, is amended to read as follows:

	Price
1. Egg, stove, and nut	$15.85
2. Pea	13.80
3. Buckwheat	12.80

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4631)

This order shall become effective the 11th day of June, 1944.

Issued at Dallas, Texas, this the 8th day of June 1944.

MAX MCCULLOUGH,
Regional Administrator.

[F. R. Doc. 44-8732; Filed, June 15, 1944; 2:13 p. m.]

[Region VI Order G-2 Under MPR 329, Amdt. 1]

MILK IN BARABOO, WIS.

Amendment No. 1 to Order No. G-2, under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk. Producers' milk prices in Baraboo, Wisconsin.

For reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration, by § 1351.406 of Maximum Price Regulation No. 329, *It is hereby ordered*, That Regional Order No. 50, renumbered G-2, be amended to read as follows:

(a) *Maximum producer prices.* The maximum prices which milk distributors may pay to producers for milk sold for human consumption in fluid form shall be $3.00 per cwt. for 3.5 percent butterfat test milk, plus not more than 6 cents for each 1/10 of a pound of butterfat in excess of 3.5 percent and minus not less than 6 cents for each 1/10 of a pound of butterfat below 3.5 percent.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within Baraboo, Wisconsin, or who sell within that city 50 percent or more of the milk sold by them.

This order has been approved by the Regional Director of the War Food Administration.

This Amendment No. 1 to Regional Order No. 50, renumbered G-2, shall be effective May 31, 1944.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-8736; Filed, June 15, 1944; 2:16 p. m.]

[Region VI Order G-36 Under MPR 329]

MILK IN SPRINGFIELD, ILL.

Amendment No. 1 to Order No. G-36 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk. Producers' milk prices in Springfield, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.406 (b) of Maximum Price Regulation No. 329, *It is hereby ordered*, That paragraph (a) of Order No. G-36 be amended to read as follows:

(a) *Maximum producer prices.* The maximum price which milk distributors may pay to producers for milk sold for human consumption in fluid form shall be $3.05 per cwt. for 4% butterfat test milk, plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 4% and minus not less than 4¢ for each 1/10 of a pound of butterfat below 4%.

This order has been approved by the Regional Director of the War Food Administration.

This Amendment No. 1 to Order No. G-36 shall be effective May 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 15th day of May 1944.

RAE E. WALTERS.
Regional Administrator.

[F. R. Doc. 44-8737; Filed, June 15, 1944; 2:16 p. m.]

[Region VI Order G-55 Under SR 15, MPR 280, MPR 329]

FLUID MILK IN JACKSONVILLE, ILL.

Order No. G-55 Under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under maximum Price Regulation No. 280, maximum prices for specific food products, and under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation No. 280, and § 1351.406 (a) of Maximum Price Regulation 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form shall be $3.05 per cwt. for 4% milk, plus not more than 4¢ for each additional 1/10 of a pound of butterfat in excess of 4% and minus not less than 4¢ for each 1/10 of a pound of butterfat below 4%.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of fluid milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of the communities of Jacksonville, Illinois, or who sell within those communities 50% or more of the milk sold by them. The maximum price provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased during August 1, 1943 through December 31, 1943 and are not applicable to purchases from producers who did not in that period, sell to distributors located in the communities of Jacksonville, Illinois.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of fluid milk at wholesale and retail in Jacksonville, Illinois, shall be the maximum price determined under the General Maximum Price Regulation or under Maximum Price Regulation 280, whichever shall be applicable, or the following prices, whichever shall be the higher:

Standard or homogenized and chocolate flavored	Wholesale	Retail
Gallon (bulk)	$0.36	
Gallon	.41	$0.49
Quarts	.12	.14
Pint	.07	.08
Half-Pint	.04	.05

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

(1) One-half cent per quart or a proportionate amount for a part of a quart.

(2) The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(d) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Jacksonville, Illinois, area shall mean:

(1) All sales made within the city limits of Jacksonville, Illinois, and all sales at or from an establishment located in Jacksonville, Illinois:

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Jacksonville, Illinois.

(f) *Definitions.* (1) Milk shall mean cow's milk having a butterfat content of not less than 3.2 or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, restaurants, Army camps, prisons, schools, hospitals and other institutions.

(3) Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation to Office of Price Administration Regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk from producers than he paid on deliveries during January 1943. Except as otherwise herein provided, the provisions of the General Maximum Price Regulation 329 shall remain in full force and effect and shall not be evaded by any change in the customary delivery, business, or trade practices in effect during the base periods established by those regulations.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

The portion of this order which applies to prices which may be paid to producers has been approved by the Regional Director of the War Food Administration.

This order shall be effective May 23, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

Issued this 20th day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-8738; Filed, June 15, 1944; 2:16 p. m.]

[Region VI Order G-58 Under SR 15 and MPR 280]

FLUID MILK IN BEARDSTOWN, ILL.

Order No. G-58 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.807 (a) of Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption at wholesale and retail in Beardstown, Illinois shall be the maximum prices determined under the General Maximum Price Regulation or under Maximum Price Regulation No. 280, whichever shall be applicable, or the following prices, whichever shall be the higher:

Standard butterfat content fluid milk	Wholesale	Retail
Gallon (bulk)	$0.37	
Gallon	.37	$0.45
½ gallon	.19	.23
Quart	.10	.12
Pint	.05½	.06½
½ pint	.03	.03½

Where the maximum price set forth is expressed in terms of ½¢, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sales and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container plus whichever of the following provisions is the higher:

(1) One-half cent per quart or a proportionate amount for a part of a quart.

(2) The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within Beardstown area shall mean:

(1) All sales made within the city limits of Beardstown, Illinois and all sales at or from an establishment located in Beardstown, Illinois.

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Beardstown, Illinois.

(d) *Definitions.* (1) Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, hotels, restaurants, schools, hospitals, prisons, and other institutions.

(3) Army or Navy means the War Department or the Department of the Navy of the United States, including such departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of the General Maximum Price Regulation and the Maximum Price Regulation No. 280 shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective May 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-8739; Filed, June 15, 1944; 2:17 p. m.]

[Region VI Order G-59 Under SR 15, MPR 280, MPR 329]

FLUID MILK IN NEW ULM, MINN.

Order G-59 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under Maximum Price Regulation No. 280 and under Maximum Price Regulation No. 329. Adjustment of fluid milk prices for New Ulm, Minnesota.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation 280 and § 1351.408 (b) of Maximum Price Regulation 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form shall be $2.75 per cwt. for 3.5% milk plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 3.5%, and minus not less than 5¢ for each 1/10 of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Maximum prices established by section (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within New Ulm, Minnesota, or who sell within that city 50% or more of the milk sold by them. Prices provided in section (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased milk during the period January, February, March and April, 1944, and are not applicable to purchases from producers who did not in those months sell to any New Ulm, Minnesota, distributor covered by this order.

(c) *Maximum distributor prices to civilian purchasers.* The maximum price for the sale and delivery of fluid milk at wholesale and retail in New Ulm, shall be the maximum price determined under the General Maximum Price Regulation and under Maximum Price Regulation 280, whichever is appropriate for the type of sale being made or the following prices, whichever shall be higher.

	Wholesale	Retail
	Cents	*Cents*
Gallon (in bulk)	37	
Gallon	37	45
Quart	10	12
Pint	5½	6½
Half pint	3	3½

Where the maximum price set forth is expressed in terms of ½¢, the price charged for a single unit may be increased to the next even cent. An opportunity must, however, be given to each purchaser to buy two units for which the maximum price will be twice the single unit price. All home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Maximum distributor prices for sales to Army and Navy.* The maximum price for the sale and delivery of fluid milk to the army or navy shall be the price at wholesale computed under section (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

(1) ½¢ per quart or a proportionate amount for a part of a quart.

(2) The actual transportation cost from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of section (c) of this order, sales and deliveries in New Ulm, Minnesota shall mean:

(1) All sales made within the city limits of New Ulm, Minnesota and all sales at or from an establishment located in New Ulm, Minnesota;

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located in New Ulm, Minnesota.

(f) *Definitions.* (1) "Fluid milk" means cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance distributed and sold for human consumption in fluid form as whole milk.

(2) "Sales at wholesale" shall include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals and other institutions.

(3) "Army and Navy" means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relationship to regulations.* Except as otherwise herein provided, the provisions of the General Maximum Price Regulation, Maximum Price Regulation 280 and Maximum Price Regulation 329 shall remain in full force and effect and shall not be evaded by any change in the customary business or trade practices.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

(i) The portion of this order which applies to prices which may be paid to producers has been approved by the Regional Director of the War Food Administration.

(j) *Effective date.* This order shall become effective May 31, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-8740; Filed, June 15, 1944; 2:17 p. m.]

[Region VI Order G-60 Under SR 15 and MPR 280]

FLUID MILK IN SANDOVAL, ILL.

Order No. G-60 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.807 (a) of Maximum Price Regulation No. 280.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 (a) of Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of 4.5% butterfat content fluid milk for human consumption at wholesale and retail in Sandoval, Illinois, shall be the maximum prices determined under the General Maximum Price Regulation or under Maximum Price Regulation No. 280, whichever shall be applicable, or the following prices, whichever shall be the higher:

Container size	Wholesale	Retail
Gallon (in bulk)	$0.37	
Gallon	.37	$0.45
½ gallon	.19	.23
Quart	.10	.12
Pint	.05½	.06½
½ pint	.03	.03½

Where the maximum price set forth is expressed in terms of ½ cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container plus whichever of the following provisions is the higher:

(1) One-half cent per quart or a proportionate amount for a part of a quart.

(2) The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within Sandoval, Illinois area shall mean:

(1) All sales made within the City limits of Sandoval, Illinois and all sales at or from an establishment located in Sandoval, Illinois.

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Sandoval, Illinois.

(d) *Definitions.* (1) Sales at wholesale shall include all sales to retail stores, hotels, restaurants, schools, hospitals, prisons and other institutions.

(2) Army or Navy means the War Department or the Department of the Navy of the United States, including such departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to office of Price Administration regulations.* Except as modified by this order, the provisions of the General Maximum Price Regulation and the Maximum Price Regulation No. 280 shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective May 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of May 1944.

RAE WALTERS,
Regional Administrator.

[F. R. Doc. 44-8741; Filed, June 15, 1944; 2:17 p. m.]

[Region VI G-61 Under SR 15, MPR 280 and MPR 329]

FLUID MILK IN BRAINERD, MINN.

Order No. G-61 under § 1499.75 (a) (9) of Supplementary Regulation No. 15

which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container plus whichever of the following provisions is the higher:

(1) One-half cent per quart or a proportionate amount for a part of a quart.

(2) The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within Sandoval, Illinois area shall mean:

(1) All sales made within the City limits of Sandoval, Illinois and all sales at or from an establishment located in Sandoval, Illinois.

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Sandoval, Illinois.

(d) *Definitions.* (1) Sales at wholesale shall include all sales to retail stores, hotels, restaurants, schools, hospitals, prisons and other institutions.

(2) Army or Navy means the War Department or the Department of the Navy of the United States, including such departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to office of Price Administration regulations.* Except as modified by this order, the provisions of the General Maximum Price Regulation and the Maximum Price Regulation No. 280 shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective May 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of May 1944.

RAE WALTERS,
Regional Administrator.

[F. R. Doc. 44-8741; Filed, June 15, 1944; 2:17 p. m.]

[Region VI G-61 Under SR 15, MPR 280 and MPR 329]

FLUID MILK IN BRAINERD, MINN.

Order No. G-61 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under § 1351.807 (a) of Maximum Price Regulation No. 280 and under § 1351.408 (a) of Maximum Price Regulation No. 329.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation No. 280 and by § 1351.408 (a) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum prices which distributors may pay to producers for milk sold for human consumption in fluid form shall be 80¢ per pound of butterfat in whole milk.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of the City of Brainerd, Minnesota, or who sell within that city 50% or more of the milk sold by them. Maximum prices provided in paragraph (a) of this Order shall apply only to purchases from producers from whom distributors covered by this order purchased from June 1, 1943 to December 31, 1943 and are not applicable to purchases from producers who did not in that period sell to any distributors covered by this order.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of standard content butterfat fluid milk at wholesale and retail in Brainerd, Minnesota shall be the maximum price determined under the General Maximum Price Regulation or Maximum Price Regulation No. 280, whichever is appropriate for the type of sale being made, or the following prices, whichever shall be the higher:

Container sizes	Wholesale	Retail
Gallon (in bulk)	$0.38	
Gallon	.38	$0.45
½ gallon	.19	.23
Quart	.10½	.12½
Pint	.06	.07
½ pint	.03	.05

When the maximum price set forth is expressed in terms of ½ cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

(1) One-half cent per quart or a proportionate amount for a part of a quart.

(2) The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Brainerd, Minnesota area shall mean:

(1) All sales made within the city limits of Brainerd, Minnesota and all sales at or from an establishment located in Brainerd, Minnesota.

(2) All sales of fluid milk by any seller at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Brainerd, Minnesota.

(3) All sales and deliveries by any pasteurizing plant or distributor located within the City of Brainerd, Minnesota and all sales by any seller purchasing from such distributor or pasteurizing plant.

(f) *Definitions.* (1) Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2% or legal minimum established by statute or municipal ordinance, distributed and sold for human consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, restaurants, schools, hospitals, prisons and other institutions.

(3) Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk than he paid on deliveries during January 1943. Except as modified by this order, the provisions of the Supplementary Regulation No. 15 to the General Maximum Price Regulation, General Maximum Price Regulation No. 280, Maximum Price Regulation No. 329, and Regional Orders Nos. 4 and 21 shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during that month.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

The portion of this order which applies to prices which may be paid to producers has been approved by the Administrator of the War Food Administration.

This order shall be effective May 31, 1944.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-8742, Filed, June 15, 1944; 2:17 p. m.]

[Region VI Order G–62 Under SR 15, and MPR 280]

FLUID MILK IN TAYLOR FALLS, MINN.

Order No. G–62 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.807 (a) of Maximum Price Regulation No. 280.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 (a) of Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of 4.5% butterfat content fluid milk for human consumption at wholesale and retail in Taylors Falls, Minnesota shall be the maximum prices determined under the General Maximum Price Regulation or under Maximum Price Regulation No. 280, whichever shall be applicable, or the following prices, whichever shall be the higher:

Container size	Wholesale	Retail
Gallon (in bulk)	$0.37	
Gallon	.37	$0.45
½ gallon	.19	.23
Quart	.10	.12
Pint	.06½	.06½
½ pint	.03	.03½

Where the maximum price set forth is expressed in terms of ½ cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container plus whichever of the following provisions is the higher:

(1) One-half cent per quart or a proportionate amount for a part of a quart.

(2) The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within Taylors Falls, Minnesota area shall mean:

(1) All sales made within the city limits of Taylors Falls, Minnesota and all sales at or from an establishment located in Taylors Falls, Minnesota.

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Taylors Falls, Minnesota.

(d) *Definitions.* (1) Sales at wholesale shall include all sales to retail stores, hotels, restaurants, schools, hospitals, prisons and other institutions.

(2) Army or Navy means the War Department or the Department of Navy of the United States, including such departments' sales stores, commissaries, ships' stores, officers' messes and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of the General Maximum Price Regulation and the Maximum Price Regulation No. 280 shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective May 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–8743; Filed, June 15, 1944; 2:18 p. m.]

[Region VI Order G–63 Under SR 15, MPR 280 and MPR 329]

FLUID MILK IN GLENWOOD AND STARBUCK, MINN.

Order No. G–63 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under Maximum Price Regulation 280 and under Maximum Price Regulation 329.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation by § 1351.807 (a) of Maximum Price Regulation 280, and § 1351.408 (a) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk for human consumption in fluid form shall be $2.75 per cwt. for 3.5 percent milk, plus not more than 5 cents for each 1/10 of a pound of butterfat in excess of 3.5 percent and minus not less than 5 cents for each 1/10 of a pound of butterfat below 3.5 percent.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of fluid milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of the Cities of Glenwood, Minnesota and Starbuck, Minnesota, or who sell within those communities 50 percent or more of the milk sold by them. The maximum price provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased from January 1, 1944 to April 30, 1944, and are not applicable to purchases from producers who did not in that period sell to distributors located in the Cities of Glenwood, Minnesota and Starbuck, Minnesota.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of fluid milk at wholesale and retail in Glenwood, Minnesota and Starbuck, Minnesota shall be the maximum price determined under the General Maximum Price Regulation or the following prices, whichever shall be the higher:

Standard butterfat content fluid milk	Wholesale	Retail
Gallon (in bulk)	$0.37	
Gallon	.37	$0.45
½ gallon	.19	.23
Quart	.10	.12
Pint	.06½	.06½
½ pint	.03	.03½

Where the maximum price set forth is expressed in terms of ½ cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum price for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

(1) One-half cent per quart or a proportionate amount for a part of a quart.

(2) The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Glenwood, Minnesota and Starbuck, Minnesota area shall mean:

(1) All sales made within the city limits of Glenwood, Minnesota and Starbuck, Minnesota and all sales at or from an establishment located in Glenwood, Minnesota and Starbuck, Minnesota;

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Glenwood, Minnesota and Starbuck, Minnesota.

(f) *Definitions.* (1) Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.5 percent or the legal minimum if higher established by statute or municipal ordinance and distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, restaurants, schools, hospitals, prisons and other institutions.

(3) Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relations of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk from producers than he paid on deliveries during January 1943. Except as modified by this order, the provisions of Maximum Price Regulation No. 280, of Maximum Price Regulation No. 329, and of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during the applicable base period of such regulations.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

The portion of this order which applies to prices which may be paid to producers has been approved by the Administrator of the War Food Administration.

This order shall be effective June 5, 1944.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of June 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–8744; Filed, June 15, 1944; 2:18 p. m.]

[Region VI Order G–64 Under SR 15 and MPR 280]

FLUID MILK PRICES IN BARNUM, MAHTOWA, DUQUETTE AND KERRICK, MINN.

Order No. G–64 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.807 (a) of Maximum Price Regulation No. 280.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 (a) of Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of 4% butterfat content fluid milk for human consumption at wholesale and retail in Barnum, Mahtowa, Duquette and Kerrick, Minnesota shall be the minimum prices determined under the General Maximum Price Regulation or under Maximum Price Regulation No. 280, whichever shall be applicable, or the following prices, whichever shall be the higher:

Container size	Wholesale	Retail
Gallon (in bulk)	$0.37	
Gallon	.37	$0.45
½ gallon	.19	.23
Quart	.10	.12
Pint	.06½	.06½
½ pint	.03	.03½

Where the maximum price set forth is expressed in terms of ½ cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size of container plus whichever of the following provisions is the higher:

(1) One-half per quart or a proportionate amount for a part of a quart.

(2) The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within Barnum, Mahtowa, Duquette and Kerrick, Minnesota area shall mean:

(1) All sales made within the city limits of Barnum, Mahtowa, Duquette and Kerrick, Minnesota and all sales at or from an establishment located in Barnum, Mahtowa, Duquette and Kerrick, Minnesota.

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Barnum, Mahtowa, Duquette and Kerrick, Minnesota.

(d) *Definitions.* (1) Sales at wholesale shall include all sales to retail stores, hotels, restaurants, schools, hospitals, prisons and other institutions.

(2) Army or Navy means the War Department or the Department of Navy of the United States, including such departments' sales stores, commissaries, ships' stores, officers' messes and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of the General Maximum Price Regulation and the Maximum Price Regulation No. 280 shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective June 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of June 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–8745; Filed, June 15, 1944; 2:18 p. m.]

[Region VI Order G–65 Under SR 15, MPR 280 and 329]

FLUID MILK IN BRODHEAD, WIS.

Order No. G–65 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under Maximum Price Regulation 280 and under Maximum Price Regulation 329. Adjustment of fluid milk prices for Brodhead, Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation by § 1351.807 (a) of Maximum Price Regulation 280, and Section 1351.408 (a) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk for human consumption in fluid form shall be $2.90 per cwt. for 3.5% milk, plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 3.5% and minus not less than 5¢ for each 1/10 of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of fluid milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of Brodhead, Wisconsin, or who sell within this community 50% or more of the milk sold by them. The maximum price provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased from August 1, 1943 to December 31, 1943, and are not applicable to purchases from producers who did not in that period sell to distributors located in Brodhead, Wisconsin.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price determined under the General Maximum Price Regulation or the following prices, whichever shall be the higher:

	Wholesale	Retail
Standard butterfat content fluid milk:		
Gallon (in bulk)	$0.37	
Gallon	.37	$0.45
½ gallon	.19	.23
Quart	.10	.12
Pint	.06½	.06½
½ pint	.03	.03½
Guernsey milk: Quart	.11	.13

Where the maximum price set forth is expressed in terms of ½ cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum price for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

(1) One-half cent per quart or a proportionate amount for a part of a quart.

(2) The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Brodhead, Wisconsin area shall mean:

(1) All sales made within the city limits of Brodhead, Wisconsin, and all sales at or from an establishment located in Brodhead, Wisconsin.

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Brodhead, Wisconsin.

(f) *Definitions.* (1) "Standard butterfat content milk" shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance and distributed and sold for consumption in fluid form as whole milk.

(2) "Guernsey milk" shall mean cow's milk, produced from Guernsey herds, having a butterfat content of not less than 4%.

(3) "Sales at wholesale" shall include all sales to retail stores, restaurants, schools, hospitals, prisons and other institutions.

(4) "Army or Navy" means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk from producers than he paid on deliveries during January 1943. Except as modified by this Order, the provisions of Maximum Price Regulation No. 280, of Maximum Price Regulation No. 329, and of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during the applicable base period of such regulations.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

The portion of this order which applies to prices which may be paid to producers has been approved by the Administrator of the War Food Administration.

This order shall be effective June 9, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-8746; Filed, June 15, 1944; 2:19 p. m.]

[Region VI Order G-66 Under SR 15, MPR 280]

FLUID MILK IN ANTIOCH, ILL.

Order No. G-66 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.807 (a) of Maximum Price Regulation 280. Adjustment of fluid milk prices in Antioch, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 (a) of Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption at wholesale and retail in Antioch, Illinois, shall be the maximum prices determined under the General Maximum Price Regulation No. 280, whichever shall be applicable, or the following prices, whichever shall be the higher:

Standard butterfat content fluid milk	Wholesale	Retail
Gallon (in bulk)	$0.40	
Gallon	.42	$0.48
½ gallon	.21	.24
Quart	.12	.14
Pint	.06½	.07½
½ pint	.03½	.05

Where the maximum price set forth is expressed in terms of ½¢, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container plus whichever of the following provisions is the higher:

(1) One-half cent per quart or a proportionate amount for a part of a quart.

(2) The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Antioch, Illinois area shall mean:

(1) All sales made within the corporate limits of Antioch, Illinois and all sales at or from an establishment located in Antioch, Illinois.

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Antioch, Illinois.

(d) *Definitions.* (1) Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2%, or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, hotels, restaurants, schools, hospitals, prisons and other institutions.

(3) Army or Navy means the War Department or the Department of the Navy of the United States, including such departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of the General Maximum Price Regulation and the Maximum Price Regulation No. 280 shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective June 10, 1944.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of June 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-8747; Filed, June 15, 1944; 2:19 p. m.]

[Region VII Order G-11 Under MPR 329, Amdt. 2]

FLUID MILK IN WYOMING

Order No. G-11 under Maximum Price Regulation No. 329, Amendment No. 2. Purchases of milk from producers in the State of Wyoming.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1351.408 (b) of Maximum Price Regulation No. 329, as amended, and for the reasons set forth in the accompanying opinion, this Amendment No. 2 is issued.

1. Paragraph (c), as amended by Amendment No. 1, is hereby further amended by adding to the list of names and addresses set forth in the proviso thereof the following three names, to be designated (45), (46), and (47), respectively, as follows:

(45) Tom Crom, Pierce, Colo.
(46) Max Bohwer, Carr, Colo.
(47) John Pickett, Carr, Colo.

2. This Amendment No. 2 shall become effective on the 8th day of June 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 8th day of June 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-8727; Filed, June 15, 1944; 2:09 p. m.]

[Region VII Rev. Order G-46 Under 18 (c)]

FIREWOOD IN COLORADO

Revised Order No. G-46 Under § 1499.18 (c) of the General Maximum Price Regulation. Adjustment of maximum prices for firewood sold anywhere within the State of Colorado.

Pursuant to the Emergency Price Control Act of 1942 as amended, and § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Order No. G-46 is redesignated Revised Order No. G-46, and is rewritten to include Amendments No. 1 and No. 2, and is further amended to read as follows:

(a) *What this order does.* This Revised Order No. G-46 makes a flat upward adjustment of 25% on firewood over the March, 1942, prices of all sellers in the State of Colorado who have established maximum prices for firewood under the General Maximum Price Regulation.

(b) *How adjusted prices are determined.* From and after the effective date hereof, all sellers of firewood in the State of Colorado who have established their maximum prices for firewood in accordance with the General Maximum Price Regulation shall have as and for their adjusted maximum prices for firewood when sold anywhere within the State of Colorado, such previously established maximum price multiplied by 1.25. *Provided, however,* That in the Longmont Trade Area, which means the municipality of Longmont, Colorado, and a distance of five miles beyond the corporate limits thereof at all points, specific maximum prices for slabwood, cut into lengths suitable for domestic use, are hereby established as follows:

$15.00 per cord of 128 cubic feet, delivered to buyer.
$7.50 per ½-cord of 64 cubic feet, delivered to buyer.
$3.75 per ¼-cord of 32 cubic feet, delivered to buyer.

(c) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this revised order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale.
(2) The name and address of the buyer and seller.
(3) The quantity of firewood sold.
(4) Description of firewood sold, in the same manner as it is described in this Revised Order. (This shall include the kind of wood, i. e., hard, soft, or mixed, and length of pieces of wood.)
(5) Place of sale. (If the price is dependent on place of delivery, then the place of delivery shall be stated.)
(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered, such as delivery, carrying and stacking, and the charge made for each such service. The seller shall keep an exact copy of such invoice or memorandum for a period of two years, and such copy shall be made available for inspection by the Office of Price Administration.

(d) *Bureau of the Budget approval.* The record-keeping provision of this Revised Order No. G-46 has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) *Applicability of other regulations.* Except insofar as the same may be inconsistent with or contradictory of this Revised Order No. G-46, all of the terms and provisions of the General Maximum Price Regulation shall remain in full force and effect and be applicable to all persons who sell firewood in the State of Colorado.

(f) *Right to revoke or amend.* This Revised Order No. G-46 may be revoked, modified, or amended by the Price Administrator or the Regional Administrator at any time.

(g) *Effective date.* This Revised Order No. G-46 shall become effective on the 8th day of June 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 8th day of June 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-8726; Filed, June 15, 1944; 2:09 p. m.]

[Region VIII Order G-2 Under 18 (c) Corr. to Amdt. 25]

FLUID MILK IN CERTAIN LOCALITIES IN CALIFORNIA

Correction to Amendment No. 25 to Order No. G-2 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Fluid milk prices at wholesale and retail in certain localities in the State of California.

Paragraph (e) of Amendment No. 25 to Order No. G-2 under § 1499.18 (c), as amended, of the Maximum Price Regulation is hereby corrected to read as follows:

"Lompoc Area" means that portion of the Santa Barbara Marketing Area lying west of the line beginning at the Pacific Ocean thence north along the range line between ranges 33 and 34 west to the line between townships 5 and 6 north, thence east along that line to a line beginning 2 miles west of the range line between ranges 32 and 33 west and thence north to the San Luis Obispo Marketing Area Line.

This correction shall become effective on the date of issuance.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-8729; Filed, June 15, 1944; 2:10 p. m.]

[Region VIII Order G-3 Under MPR 329, Corr. to Amdt. 6]

FLUID MILK IN SANTA BARBARA, CALIF., MARKETING AREA

Correction to Amendment No. 6 to Order No. G-3 under Maximum Price Regulation No. 329, as amended. Purchases of milk from producers for resale as fluid milk.

Paragraph (a) of Amendment No. 6 to Order No. G-3, under Maximum Price Regulation No. 329, is hereby corrected to read as follows:

Location of dairy	Maximum price
Santa Barbara Marketing Area—that portion of the Santa Barbara Marketing Area lying east of the line beginning at the Pacific Ocean thence north along the range line between ranges 33 and 34 west to the line between townships 5 and 6 north, thence east along that line to a line beginning 2 miles west of the range line between ranges 32 and 33 west and thence north to the San Luis Obispo Marketing Area Line	$1.02
Santa Barbara Marketing Area—the remaining portion	.985

This correction shall become effective on the date of issuance.

(56 Stat. 23, 756; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-8730; Filed, June 15, 1944; 2:10 p. m.]

[Region VIII Order G-3 Under MPR 165, Amdt. 7]

LAUNDRY SERVICES IN SAN FRANCISCO REGION

Amendment No. 7 to Order No. G-3 under Maximum Price Regulation No. 165, as Amended. Services.

For the reasons set forth in the accompanying opinion and pursuant to the authority of the Regional Administrator under § 1400.114 (d) of Maximum Price Regulation No. 165, as amended, Order

No. G–3 under Maximum Price Regulation No. 165, as amended (including Amendment 2), is hereby amended as follows:

Paragraph (a) (9) is amended to read as follows:

(9) The maximum prices established herein for power laundries and their agents shall be reduced by the following amounts when cash and carry services are sold:

10 percent in the case of the following laundries:
Peerless Laundry, 5862 S. Main St., Los Angeles.
Modern Craft Laundry, 900 N. La Brea, Los Angeles.
Sav-a-Day Laundry, 6101 Sante Fe Ave., Huntington Park.
Beverly Hills Laundry, 321 N. Maple Drive, Beverly Hills.
Craig Laundry, 900 N. Highland Ave., Los Angeles.
Ann Stephens Laundry, 1000 N. Highland Ave., Hollywood.

15 percent in the case of the following laundries:
French Colonial Laundry, 601 S. Figueroa St., Los Angeles.
Whittier Laundry, 202 S. Greenleaf Ave., Whittier.

And 20 percent in all other cases.

This Amendment No. 3 shall become effective June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44–8783; Filed, June 15, 1944; 2:11 p. m.]

[Region VIII Order G–31 Under 18 (c), Amdt. 4]

MILK IN IDAHO

Amendment No. 4 to Order No. G–31 under § 1499.18 (c) as Amended of the General Maximum Price Regulation. Sales of fluid milk at wholesale and retail in certain localities in the State of Idaho.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) (i) (a) of Supplementary Regulation No. 15, and special authorization conferred by the Price Administrator: *It is hereby ordered*, That Order No. G–31 under § 1499.18 (c), as amended, of the General Maximum Price Regulation be amended as set forth below:

(a) Paragraph (a) is hereby amended by adding at the end thereof the following:

THE TOWN OF PIERCE

Quantity	Wholesale	Retail
Quart	$0.12	$0.12

This amendment shall become effective June 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44–8781; Filed, June 15, 1944; 2:11 p. m.]

[Seattle Order G–6 Under 18 (c)]

FIREWOOD IN ELLENSBURG AND YAKIMA COUNTY, WASH.

Order No. G–6 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Adjusted maximum prices for sales of state firewood to industrial users in the City of Ellensburg, Washington, and in the County of Yakima, Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Seattle District Office of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation and Order of Delegation No. 34 under General Order No. 32, it is hereby ordered:

(a) *General scope of order.* The underlined terms used herein are defined in paragraph (c) below.

(1) On and after the effective date of this order, the adjusted maximum prices of State firewood sold and delivered by the State to any qualified dealer shall be those prescribed in Appendix A of this order.

(2) On and after the effective date of this order, the adjusted maximum prices of State firewood sold and delivered by any qualified dealer shall be those prescribed in appendix B of this order.

(3) The maximum prices for all other sales and deliveries of State firewood shall continue to be those now established by the General Maximum Price Regulation or orders of adjustment duly issued thereunder, without reference to this order.

(b) *Applicability of adjusted maximum prices.* (1) No previously existing maximum price established under the General Maximum Price Regulation or any order of adjustment, other than this order, shall be applicable to any sales of State firewood for which maximum prices are established by this order. The adjusted maximum prices fixed by this order are in lieu of, and not optional alternatives for, the previously existing maximum prices.

(2) No order heretofore issued adjusting maximum prices for sales of firewood, other than this order, shall be applicable to any sale of State firewood for which the maximum price is established by this order, and no order issued hereafter adjusting maximum prices for sales of firewood in general terms, without express reference to sales of State firewood, shall be deemed to be intended to amend, alter or adjust any maximum prices established by this order.

(c) *Definitions.* When used in this order the following terms shall have the meanings set forth below:

(1) "State" means the State of Washington or any department or agency thereof.

(2) "State Firewood" means dry, sound firewood, split and sawed into 4-foot lengths, which has been produced by the State on its own land in Winston Creek Valley, Lewis County, Washington.

(3) "Qualified dealer" means a fuel dealer selling to industrial or commercial users whose place of business is located in the County of Yakima and the City of Ellensburg, Washington: *Provided*, That any place of business located within a distance of three miles from the limits of the City of Ellensburg be deemed to be located within such city. A person who sells fuel at more than one place of business shall be deemed to be a different dealer in respect to each such separate place of business.

(4) "Cord" means 128 cubic feet of wood stacked or 192 cubic feet loose measure.

(d) *State records and reports.* For every sale of State firewood for which a maximum price is set by this order the State shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of State firewood sold.

(4) The total price of the wood.

The State shall keep an exact copy of such invoice or memorandum for a period of 2 years, which copy shall be made available for inspection by the Office of Price Administration.

(e) *Qualified dealers' records and reports.* (1) Each qualified dealer making a sale of State firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

(i) The date of the sale.

(ii) The name and address of the buyer and seller.

(iii) The quantity of firewood sold.

(iv) Description of the firewood sold in the same manner as it is described in this order.

(v) Place of sale (if the price is dependent on the place of delivery then the place of delivery shall be stated).

(vi) The total price of the order.

The seller shall keep an exact copy of such invoice or memorandum for a period of 2 years, which copy shall be made available for inspection by the Office of Price Administration.

(f) *Revocation and amendment.* This order is subject to revocation or amendment by the Office of Price Administration at any time hereafter, either by special order or by any price regulation issued hereafter, or by any supplement or amendment hereafter issued to any price regulation the provisions of which are contrary hereto.

(g) *Effective date.* This Order G–6 shall become effective June 2, 1944.

(h) *Appendix A: Maximum Prices for sales by the State.* The maximum price for the sale by the State of State firewood to qualified dealers f. o. b. car at Winston Creek Railroad Siding is:

4 foot lengths, $4.50 per cord: *Provided*, That the State shall deliver a copy of this order to each qualified dealer who purchases State firewood and shall require each qualified dealer to promise and agree in consideration of the sale by the State to him that he will not violate any of the terms of this order which may be applicable to his purchase or resale of such State firewood.

(i) *Appendix B: Maximum prices for sales by qualified dealers.* The maximum prices for sales by a qualified dealer of State firewood under the conditions of delivery indicated below are those set forth opposite the name of the city or county in which each qualified dealer has his place of business:

City of Ellensburg: delivered to the premises of the industrial or commercial user via qualified dealers' equipment, $11.25 per cord. Delivered in carload quantities to the rail siding nearest the industrial or commercial users' place of business, $9.50 per cord.

County of Yakima: Delivered to the industrial or commercial users' premises via the qualified dealers' equipment, $11.75 per cord. Delivered in carload quantities to the retail siding nearest the industrial or commercial users' place of business, $10.00 per cord.

NOTE: The record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued June 2, 1944.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 44–8735; Filed, June 15, 1944; 2:10 p. m.]

[Spokane Order 1–B Under MPR 426]

LETTUCE IN SPOKANE, WASH.

Order No. 1–B under section 8 (a) (7), of Maximum Price Regulation No. 426, as Amended, Lettuce.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X" there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said method (d) between said points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table, in line (f), the freight charge by said method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h); the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Lettuce.
(b) Basing Point: Salinas, California.
(c) Wholesale receiving point: Spokane, Washington.
(d) Method of transportation: Carlot.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: $0.91.

	Per unit of sale	
	Per crate of 60 lbs. net	Per lb.
(f) Freight charge by Method (d)	$0.69	------
(g) Basing point cost	3.25	------
(h) Protective services	------	------
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	3.94	$0.656

This order shall become effective June 1, 1944, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

DAVE S. COHN,
District Director.

[F. R. Doc. 44–8734; Filed, June 15, 1944; 2:10 p. m.]

[Louisville Order G–1 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN LOUISVILLE, KY., AREA

Louisville district Order No. G–1 under Maximum Price Regulation No. 426. Order defining free delivery zones of fresh fruits and vegetables for table use; sales except at retail.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III by section 15, Appendix H, paragraph (f) (1) of Maximum Price Regulation No. 426, and by him delegated to the District Director of the Louisville District by virtue of Delegation Order 1–A, Revised, *It is hereby ordered*, That:

(a) "Free delivery zone", when referred to in Appendix H of Maximum Price Regulation No. 426, shall be limited to any point not more than one mile from the corporate limits of the town or city in which the seller's place of business is located. In no case shall "free delivery zone" included any point beyond the boundaries of the State of Kentucky.

(b) This order shall apply to the following towns and cities located in the Louisville, Kentucky District:

Bardstown, Ky.
Bowling Green, Ky.
Burkesville, Ky.
Buffalo, Ky.
Central City, Ky.
Danville, Ky.
Elizabethtown, Ky.
Frankfort, Ky.
Glasgow, Ky.
Greenville, Ky.
Harrodsburg, Ky.
Henderson, Ky.
Hickman, Ky.
Hopkinsville, Ky.
Louisville, Ky.
Madisonville, Ky.
Mayfield, Ky.
Murray, Ky.
Owensboro, Ky.
Paducah, Ky.
Princeton, Ky.
Tompkinsville, Ky.

(c) This order may be revoked, amended or corrected at any time.

(d) This order shall become effective June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 9th day of June 1944.

FRANK D. CRUTCHER,
Acting District Director.

[F. R. Doc. 44–8721; Filed, June 15, 1944; 2:11 p. m.]

[Louisville Order G–2 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN LOUISVILLE, KY., AREA

Louisville District Order No. G–2 under Maximum Price Regulation No. 426. Order defining free delivery zones of fresh fruits and vegetables for table use; sales except at retail.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III by section 15, Appendix I, paragraph (g) (1) of Maximum Price Regulation No. 426, and by him delegated to the District Director of the Louisville District by virtue of Delegation Order 1–A, Revised, *It is hereby ordered*, That:

(a) "Free delivery zone", when referred to in Appendix I of Maximum Price Regulation No. 426, shall be limited to any point not more than one mile from the corporate limits of the town or city in which the seller's place of business is located. In no case shall "free delivery zone" include any point beyond the boundaries of the State of Kentucky.

(b) This order shall apply to the following towns and cities located in the Louisville, Kentucky District:

Bardstown, Ky.
Bowling Green, Ky.
Burkesville, Ky.
Buffalo, Ky.
Central City, Ky.
Danville, Ky.
Elizabethtown, Ky.
Frankfort, Ky.
Glasgow, Ky.
Greenville, Ky.
Harrodsburg, Ky.
Henderson, Ky.
Hickman, Ky.
Hopkinsville, Ky.
Louisville, Ky.
Madisonville, Ky.
Mayfield, Ky.

Murray, Ky.
Owensboro, Ky.
Paducah, Ky.
Princeton, Ky.
Tompkinsville, Ky.

(c) This order may be revoked, amended or corrected at any time.

(d) This order shall become effective June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 9th day of June 1944.

FRANK D. CRUTCHER,
Acting District Director.

[F. R. Doc. 44-8722; Filed, June 16, 1944; 2:12 p. m.]

[Raleigh Order G-2 Under MPR 426, Amdt. 1]

SERVICE WHOLESALERS IN RALEIGH, N. C., AREA

Amendment No. 1 to Order No. G-2 under Maximum Price Regulation 426. Fresh fruits and vegetables for table use, sales except at retail. Adjustment of certain maximum prices of service wholesalers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Office of Price Administration, Raleigh, North Carolina by Regional Delegation Orders Nos. 33 and 35 issued by the Atlanta Regional Office pursuant to Section 2 of Maximum Price Regulation 426 and section (f) of Appendix H and section (g) of Appendix I of that regulation, *It is hereby ordered*, That paragraph (a) of Order No. G-2 under Maximum Price Regulation No. 426 issued by the Raleigh, North Carolina District Office on April 15, 1944 be amended to read as follows:

(a) On and after the effective date of this order, the maximum delivered prices of service wholesalers whose places of business are located in the counties of Alamance, Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Caswell, Chatham, Chowan, Columbus, Craven, Cumberland, Currituck, Dare, Duplin, Durham, Edgecombe, Franklin, Gates, Granville, Greene, Halifax, Harnett, Hertford, Hoke, Hyde, Johnston, Jones, Lee, Lenoir, Martin, Moore, Nash, New Hanover, Northampton, Onslow, Orange, Pasquotank, Pender, Perquimans, Person, Pitt, Robeson, Sampson, Scotland, Tyrrell, Vance, Wake, Warren, Washington, Wayne and Wilson, North Carolina, selling commodities covered by Appendices A, B, D, H and I of Maximum Price Regulation No. 426, are hereby increased 6¢ per container of less than 40 pounds, gross weight, 12¢ per container of 40 pounds to 60 pounds, gross weight; and 18¢ per container of over 60 pounds, gross weight, over and above the maximum prices established by Appendices A, B, D, H and I aforesaid. If the prices established in any of said Appendices shall have been modified by any order issued by the Raleigh, North Carolina District Office of the Office of Price Administration which order is in effect at the time of the sale or delivery the increases above stated shall be made to those prices as modified. These maximum delivered prices shall apply irrespective of the distance involved in making delivery to the purchaser. Less than the maximum delivered prices may always be charged.

It is further ordered that paragraph (b) of said order is amended to read as follows:

(b) If the purchaser elects to take delivery at the service wholesaler's platform there shall be no increase allowed over the maximum prices as established by Appendices A, B, D, H and I of Maximum Price Regulation No. 426.

This amendment shall become effective May 22, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 19th day of May, 1944.

THEODORE S. JOHNSON,
District Director.

[F. R. Doc. 44-8750; Filed, June 15, 1944; 2:59 p. m.]

WAR PRODUCTION BOARD.

C. B. SLATER COMPANY

CONSENT ORDER

C. B. Slater Company, a corporation, in South Braintree, Massachusetts, shoe manufacturer, is charged by the War Production Board with having exceeded its civilian line quotas (a) in the $4.60 to $5.00 price range of women's and growing girls' line by 2387 pairs in the period from September 1, 1943, through February, 1944, and (b) in men's dress shoes by 2312 pairs in the period from March 1 through August, 1943, in violation of Conservation Order M-317. It has also failed to keep accurate production records, in violation of § 944.15 of Priorities Regulation No. 1. C. B. Slater Company admits these violations, but not that they were wilful, and does not care to contest the issue of wilfulness, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of C. B. Slater Company, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner: It *is hereby ordered*, That:

(a) C. B. Slater Company, its agents, successors and assigns, shall not produce in excess of 11,126 pairs of women's and growing girls' shoes, in addition to its unused military quota as permitted by paragraph (i) of Order M-317, and shall not produce in excess of 675 pairs of men's dress shoes; both in the current six months period from March 1 through August 31, 1944.

(b) C. B. Slater Company, its agents, successors and assigns, shall keep and preserve accurate current production records of all lines and all price ranges within lines.

(c) Nothing contained in this order shall be deemed to relieve C. B. Slater Company, its agents, successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on June 15, 1944, and shall expire on August 31, 1944.

Issued this 15th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8752; Filed, June 15, 1944; 4:26 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 122

Washington, Tuesday, June 20, 1944

The President

PROCLAMATION 2615

NATIONAL FARM-SAFETY WEEK, 1944

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA
A PROCLAMATION

WHEREAS it behooves this Nation gratefully to acknowledge its special dependence upon the skill and labor of its farmers in the gigantic task of waging war; and

WHEREAS the loss of life and limb by accident among our farming population has already reached an appalling figure, and the risks have lately been increased by longer hours of work and consequent fatigue; and

WHEREAS it is essential to our war effort that this waste of vital farm power be minimized in every possible way:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby call upon the Nation to observe the week commencing July 23, 1944, as National Farm-Safety Week. And I request all persons and organizations concerned with agriculture and farm life to unite in an effort, during this National Farm-Safety Week, to stimulate among farmers a full realization of the need for constant attention to the old and familiar precautions against the hazards of their calling, and also to awaken in them a sense of responsibility for the proper instruction in rules of safety of the many young and inexperienced persons now being employed on farms in all parts of the country.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 16th day of June, in the year of our Lord nineteen hundred and forty-four, and of the Independence of the United States of America the one hundred and sixty-eighth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-8849; Filed, June 19, 1944; 10:57 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 25-1, Amdt. 3]

PART 1433—COCOA BEANS

QUOTAS AND RECORDS PRESCRIBED FOR COCOA BEANS

War Food Order No. 25-1, as amended, 9 F.R. 4321, 4319, (formerly designated as Director Food Distribution Order No. 25-1, as issued by the Director of Food Distribution on February 27, 1943, 8 F.R. 2530, and as amended, 8 F.R. 13699), is further amended to read as follows:

§ 1433.2 *Quotas and records in connection with cocoa beans.* (a) The quota of cocoa beans for processing by any person shall be, for the three-month period commencing July 1, 1944, and for each subsequent three-month period until otherwise ordered, 70 percent of the total amount of cocoa beans processed by such person during the corresponding three-month period of 1941.

(b) Every person who processes cocoa beans shall keep and maintain, for a period of not less than two years, records which, upon examination, will disclose his total monthly inventory of cocoa

(Continued on next page)

CONTENTS

THE PRESIDENT

PROCLAMATION: Page
National Farm-Safety Week, 1944 6799

REGULATIONS AND NOTICES

ALIEN PROPERTY CUSTODIAN:
Akawo and Co., Inc., dissolution order 6836
American Platinum Works and Arushee Co., hearing before Vested Property Claims Committee 6837
ANIMAL INDUSTRY BUREAU:
Breeds and purebred animals, recognition; horses 6802
COAL MINES ADMINISTRATION:
Youngstown Mines Corp., et al, termination of government possessions 6834
COAST GUARD:
Navigation laws, reports of violations 6833
FEDERAL COMMUNICATIONS COMMISSION:
Ship service, reports 6833
Sidles Co., et al., hearing 6835
FEDERAL POWER COMMISSION:
Hearings, etc.:
El Paso Natural Gas Co 6836
La Junta Federal de Mejoras Materiales and Central Power and Light Co 6836
Wisconsin Southern Gas Co 6836
FEDERAL RESERVE SYSTEM:
Automobiles and motorcycles, down payments and loans 6802
FEDERAL TRADE COMMISSION:
Hearings, etc.:
Central States Supply Co 6803
Clermont Cravat Co., Inc 6802
GENERAL LAND OFFICE:
Wyoming, withdrawal of air-navigation site 6833

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.

CONTENTS—Continued

	Page
INTERSTATE COMMERCE COMMISSION:	
Inventories of materials and supplies, 1944:	
Common and contract carriers of passengers	6833
Common and contract carriers of property	6834
OFFICE OF PRICE ADMINISTRATION:	
Adjustments, etc.:	
American Furniture Co	6841
Carolina Washboard Co	6841
Chrysler Corp	6838
Gulf Oil Corp., and Gulf Refining Co	6831
H. M. T. Coal Co., et al	6840
McCrary Refrigerator Co	6840
Rainelle Coal Co	6841
Southern Properties, Inc	6840
Appliances and equipment, repair (MPR 165, Am. 2 to Supp. Service Reg. 22)	6818
Batteries, dry; military salvage and scrap (Rev. SR 14, Am. 143)	6832
Charcoal (MPR 431, Am. 11)	6831
Concrete, ready-mixed (MPR 188, Am. 41 to Order A–1)	6837
Cosmetics, packaged (MPR 393, Am. 5)	6830
Defense rental areas; Atlantic County, N. J. (Designation and Rent Declaration; Housing, Am. 27) (2 documents)	6819
Fats and oils (MPR 53, Am. 24)	6817
Fruits, fresh (MPR 422, Am. 18, 19) (2 documents)	6828, 6829
Gasoline rationing (RO 5C, Am. 131)	6830
Hawaii:	
Alcohol beverages (MPR 373, Am. 61)	6810
Food products (MPR 373, Am. 62)	6813
Fruits and vegetables (MPR 373, Am. 63)	6814
Onions and potatoes (MPR 373, Am. 66)	6818
Sales, retail and wholesale (MPR 373, Am. 65; GMPR, Hawaii, Am. 5) (2 documents)	6817, 6818
Textile printing (MPR 373, Am. 64)	6815
Industrial materials, special sales (RMPR 204, Am. 3)	6819
Logging services, western contract (MPR 503, Am. 2)	6831
Meats, fats, fish and cheeses (Rev. RO 16, Am. 1 to 2d Rev. Supp. 1)	6825
Papers, industrial, and converted paper products (RMPR 129)	6825
Passenger automobiles (RPS 85, Am. 15)	6829
Ration banking (Gen. RO 3, Am. 7, 8) (2 documents)	6810, 6825
Regional and district office orders:	
Community ceiling prices, lists of orders filed (3 documents)	6845, 6846, 6847
Fruits and vegetables, fresh, designated counties in North Carolina	6844
Oil burner service, Baltimore, Md	6845
Solid fuels:	
Pennsylvania (2 documents)	6843, 6844
Springfield, Mass. (2 documents)	6842
Sealing tape, gummed kraft (MPR 459, Am. 3)	6810
Solid fuels, sold and delivered by dealers (MPR 122, Am. 24)	6825
Virgin Islands:	
Children's and infants' wear (MPR 395, Am. 24)	6816
Men's and boys' wear (MPR 395, Am. 23)	6816
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.:	
Consumers Gas Co	6847
Inland Power & Light Corp. and Commonwealth Light and Power Co	6848
International Utilities Corp. and Dominion Gas and Electric Co	6850
Mississippi River Power Co., et al	6848
Oklahoma Power and Water Co	6850
Twin State Gas & Electric Co., et al	6847
SELECTIVE SERVICE SYSTEM:	
Acceptance of Governor's appointment, form discontinued	6806
TREASURY DEPARTMENT:	
American States Insurance Co., certificate of authority	6806
WAGE AND HOUR DIVISION:	
Learner employment certificates, issuance to various industries (2 documents)	6834, 6835
WAR FOOD ADMINISTRATION:	
Cocoa beans (WFO 25–1, Am. 3)	6799
Fluid milk and cream:	
Baltimore, Md	6801
Duluth-Superior, Minn	6801
Kansas City, Mo	6801
Lansing, Mich	6802
Wichita, Kans	6801
Worcester, Mass	6802
Raw sugar allotments (WFO 7–1, Am. 3)	6801
WAR MANPOWER COMMISSION:	
Workers from foreign countries within western hemisphere, temporary migration for employment in U. S., etc.	6803
WAR PRODUCTION BOARD:	
Drums, steel shipping (L–197, Int. 1)	6809
Suspension orders, etc.:	
All State Pipe Supply Co	6809
Bloomfield Mfg. Co	6809
Tablets, etc. (L–120, Sch. IX)	6809
Valves and valve parts (L–252)	6806

beans, the amount of cocoa beans processed by him each month, and his monthly use of the products resulting from such processing.

(c) With respect to violations of War Food Order No. 25–1, as amended, rights accrued, or liabilities incurred prior to the effective date of this amendment, said War Food Order No. 25–1, as heretofore amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(d) This amendment shall take effect at 12:01 a. m., e. w. t., July 1, 1944.

NOTE: All record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 25, 8 F.R. 2529, 9 F.R. 4321, 4519)

Issued this 15th day of June 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–8751; Filed, June 15, 1944; 3:07 p. m.]

[WFO 7–1, Amdt. 2]

PART 1430—SUGAR

RAW SUGAR ALLOTMENTS

War Food Order 7–1, as amended (8 F.R. 14661; 9 F.R. 4321, 4319), § 1430.6, is amended to read as follows:

§ 1430.6 *Allotments of raw sugar.* (a) No refiner or his agent shall purchase, import, or accept delivery of raw sugar in excess of the allotment hereby established for the period from January 1, 1942 to December 31, 1944, for him, in the amount set forth below opposite his name. All raw sugar which a refiner has purchased, imported, or accepted delivery of between January 1, 1942 and the effective date of this amendment shall be charged against such allotment.

	Short tons, raw value
American Sugar Refining Company	2,634,126
J. Aron & Company	167,576
California & Hawaiian Sugar Ref. Corp.	1,875,044
Charms Company	54
Chase Candy Company	9,966
Colonial Sugar Company	457,354
Godchaux Sugars, Inc	782,887
Henderson Sugar Refinery	278,724
Imperial Sugar Company	501,318
Inland Sugar Company	25,356
Liquid Sugars, Inc	49,004
W. J. McCahan Sugar Ref. & Molasses Co	392,467
National Sugar Refining Co	2,833,011
Pepsi-Cola Company	86,352
Realty Operators, Inc	116,782
Refined Syrups & Sugars, Inc	412,599
Revere Sugar Refinery	589,517
Savannah Sugar Refining Corp	625,556
South Coast Corporation	208,496
Sterling Sugars, Inc	114,295
Sucrest Corporation	403,187
Tea Garden Products Company	2,700
Western Sugar Refinery	590,960

(b) This amendment shall become effective at 12:01 a. m., e. w. t., June 17, 1944. However, with respect to violations of said War Food Order 7–1, as amended, or rights accrued or liabilities incurred thereunder, prior to said date, said War Food Order 7–1, as heretofore amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(WFO–7, as amended, 8 F.R. 10005; 9 F.R. 4321, 4319; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 15th day of June 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–8797; Filed, June 16, 1944; 1:26 p. m.]

[WFO 79–1, Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN BALTIMORE, MD., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–22 (8 F.R. 13433, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Baltimore, Maryland, milk sales area, is hereby further amended by deleting § 1401.34 (g) (3) and substituting therefor, the following:

(3) Milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79–1, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said War Food Order No. 79–1, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 16th day of June 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–8798; Filed, June 16, 1944; 3:27 p. m.]

[WFO 79–15, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN GREATER KANSAS CITY SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–15 (8 F.R. 13426, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Greater Kansas City milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.57 (k) (2) and inserting, in lieu thereof, the numeral "7."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79–15, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–15, as amended, shall continue in full force and effect for the purposes of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 15th day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–8796; Filed, June 16, 1944; 1:36 p. m.]

[WFO 79–22, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN DULUTH-SUPERIOR SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–22 (8 F.R. 13433, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Duluth-Superior milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.58 (k) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79–22, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–22, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322; 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 15th day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–8795; Filed, June 16, 1944; 1:36 p. m.]

[WFO 79–24, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN WICHITA, KANS., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–24 (8 F.R. 13436, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Wichita, Kansas, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.56 (k) (2) and inserting, in lieu thereof, the numeral "5."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79–24, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–24, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322; 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392,

8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 15th day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-8794; Filed, June 16, 1944; 1:36 p. m.]

[WFO 79-63, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN LANSING, MICH., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-63 (8 F.R. 14265, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Lansing, Michigan, metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.88 (1) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79-63, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-63, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 15th day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-8795; Filed, June 16, 1944; 1:36 p. m.]

[WFO 79-144, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN WORCESTER, MASS., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-144 (9 F.R. 3764, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Worcester, Massachusetts, milk sales area, is hereby further amended by deleting therefrom the town of "Clinton" in the sales area in § 1401.178 (b).

The provisions of this amendment shall be effective as of 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79-144, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-144, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 15th day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-8796; Filed, June 16, 1944; 1:36 p. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry

Subchapter F—Animal Breeds

[B. A. I. Order 365, Amdt. 12]

PART 151—RECOGNITION OF BREEDS AND PUREBRED ANIMALS

HORSES

Pursuant to the authority vested in the Secretary of Agriculture by section 201, paragraph 1606, Title II, of the Act of June 17, 1930 (46 Stat. 673; 19 U.S.C., sec. 1201, par. 1606), paragraph (a) of § 151.6, Chapter I, Title 9, Code of Federal Regulations [section 2, paragraph 2, regulation 2, B.A.I. Order 365], is amended, effective June 22, 1944, by adding to the subdivision of said paragraph relating to horses the following breed and book of record:

HORSES

Name of breed	Book of record	By whom published
Canadian....	Livre de Généalogie du Cheval Canadien [1]	Canadian National Live Stock Records, R. G. T. Hitchman, Director, Ottawa Canada.

[1] Provided that no horses registered in this book shall be certified as purebred unless a certificate, giving 3 generations of complete and recorded purebred ancestry, issued by the Canadian National Live Stock Records is submitted for each horse.

Done at Washington, D. C., this 17th day of June 1944. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 44-8832; Filed, June 17, 1944; 3:18 p. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PART 222—CONSUMER CREDIT

AUTOMOBILES AND MOTORCYCLES, DOWN PAYMENTS AND LOANS

On June 16, 1944, the Board of Governors of the Federal Reserve System amended Part 222 in the following respects, effective July 10, 1944:

1. By amending § 222.13 (c) entitled "Down payment on automobiles and motorcycles" so that it will read as follows:

(c) *Down payment on automobiles and motorcycles.* For a new or used automobile or a new or used motorcycle, the down payment (which may be in cash or in the form of a trade-in or in both forms) shall be one-third of the cash price.

2. By amending § 222.13 (e) entitled "Maximum amount of loan" so that the last paragraph will read as follows:

A loan to purchase a new or used automobile or a new or used motorcycle shall not exceed two-thirds of the cash price.

(Sec. 5 (b), 40 Stat. 415, as amended by sec. 5, 40 Stat. 966, sec. 2, 48 Stat. 1, sec. 1, 54 Stat. 179, secs. 301 and 302, 55 Stat. 839, 840; 12 U.S.C. 95 (a) and Sup., 50 U. S. C. App. 616, 617, and E.O. 8843, dated August 9, 1941)

[SEAL] BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.
S. R. CARPENTER,
Assistant Secretary.

[F. R. Doc. 44-8845; Filed, June 19, 1944; 9:43 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4791]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CLERMONT CRAVAT CO., INC.

§ 3.66 (a 7) *Misbranding or mislabeling, composition;* § 3.66 (c 20) *Misbranding or mislabeling, manufacture:* § 3.71 (a) *Neglecting, unfairly or deceptively, to make material disclosure; composition.* In connection with offer, etc., in commerce, of respondent's neckties, (1) using the words "All Silk", or the unqualified word "Silk", or any other word or words of similar import, to designate or describe any fabric which is not composed wholly of unweighted silk, the product of the cocoon of the silkworm; (2) advertising, offering for sale or selling products made in whole or in part from silk containing metallic weighting without clearly and conspicuously disclosing in all invoices and advertising material, and on labels or tags attached to such products, the presence of such weighting and the percentage thereof by weight in relation to the total weight of the silk in its finished state—as, for example, "Silk, weighted 50%"; (3) using the words "Hand Made", or any other word or words of similar import, to designate or describe products not made entirely by hand; or (4) misrepresenting in any manner or by any means the materials of which respondent's products are made or the method by which such products are made; prohibited, subject to the proviso, however, as respects said second prohibition, that such disclosure may be made by stating truthfully that such weighting is not in excess of a specified percentage—as, for example, "Silk, weighted not over 60%". (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Clermont Cravat Company, Inc., Docket 4791, May 31, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 31st day of May, A. D. 1944.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, briefs in support of and in opposition to the complaint, and oral argument; and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Clermont Cravat Company, Inc., a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of respondent's neckties in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "All Silk," or the unqualified word "Silk," or any other word or words of similar import, to designate or describe any fabric which is not composed wholly of unweighted silk, the product of the cocoon of the silkworm.

2. Advertising, offering for sale or selling products made in whole or in part from silk containing metallic weighting without clearly and conspicuously disclosing in all invoices and advertising material, and on labels or tags attached to such products, the presence of such weighting and the percentage thereof by weight in relation to the total weight of the silk in its finished state—as, for example, "Silk, weighted 50%"; *Provided, however,* That such disclosure may be made by stating truthfully that such weighting is not in excess of a specified percentage—as, for example, "Silk, weighted not over 60%."

3. Using the words "Hand Made," or any other word or words of similar import, to designate or describe products not made entirely by hand.

4. Misrepresenting in any manner or by any means the materials of which respondent's products are made or the method by which such products are made.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-8846; Filed, June 17, 1944; 10:36 a. m.]

[Docket No. 3946]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CENTRAL STATES SUPPLY CO.

§ 3.99 (b) *Using or selling lottery devices, in merchandising.* In connection with offer, etc., in commerce, of respondent's fishing tackle, silverware, rifles, radios, cups, blankets and other articles of merchandise, (1) supplying, etc., others with push cards, punchboards, or other devices, either with assortments of merchandise or separately, which are to be used, or may be used, in the sale or distribution of said merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme; (2) shipping, etc., to dealers, agents, or members of the public, pull cards or other devices which are to be used, or may be used, in the sale and distribution of said merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme; and (3) selling, etc., any merchandise by means of a game of chance, gift enterprise, or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Central States Supply Company, Docket 3845, May 31, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 31st day of May, A. D. 1944.

In the Matter of Rose Greenberg, Individually, and Trading as Central States Supply Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and states she waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Rose Greenberg, an individual, trading under the name of Central States Supply Company or any other trade name, her representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of fishing tackle, silverware, rifles, radios, cups, blankets, or any other articles of merchandise in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Supplying or placing in the hands of others push cards, punchboards, or other devices, either with assortments of merchandise or separately, which are to be used, or may be used, in the sale or distribution of said merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme.

2. Shipping, mailing, or transporting to dealers, agents, or members of the public, pull cards or other devices which are to be used, or may be used, in the sale and distribution of said merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme.

3. Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise, or lottery scheme.

It is further ordered, That the respondent shall, within sixty (60) days after service upon her of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which she has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-8807; Filed, June 17, 1944; 10:33 a. m.]

TITLE 29—LABOR

Chapter VII—War Manpower Commission

[Reg. 8]

PART 910—TEMPORARY MIGRATION OF WORKERS FROM FOREIGN COUNTRIES WITHIN THE WESTERN HEMISPHERE FOR EMPLOYMENT IN THE CONTINENTAL UNITED STATES WITH INDUSTRIES AND SERVICES ESSENTIAL TO THE PRESERVATION, MARKETING, OR DISTRIBUTION OF AGRICULTURAL PRODUCTS INCLUDING THE TIMBER AND LUMBER INDUSTRIES

Pursuant to the authority vested in me as Chairman of the War Manpower Commission by Executive Orders No. 9139, 9247, 9279, and Title II, Public Law 229, 78th Congress, I hereby prescribe the following regulations governing the bringing in to the United States of workers from foreign countries within the Western Hemisphere for employment with industries and services essential to the preservation, marketing, or distribution of agricultural products, including the timber and lumber industries pursuant to the terms of agreements between the foreign countries of which said workers are nationals and the United States of America:

Sec.
910.1 Administration of the program.
910.2 Prerequisites to transportation of workers.
910.3 Transportation of workers and subsistence during travel.
910.4 Employer records.
910.5 Status of collective bargaining agreements and exclusive bargaining rights.
910.6 Determination of rights and duties of employers and of workers.
910.7 Appeal procedure.
910.8 Termination of employment and return of the workers.
910.9 Saving clause.

AUTHORITY: §§ 910.1 to 910.9, inclusive, issued under Executive Order No. 9139, 7 F.R. 2919, Executive Order No. 9247, 7 F.R. 7379 and Executive Order No. 9279, 7 F.R. 10177, and Title II, Public Law 229, 78th Congress.

§ 910.1 *Administration of the program.* The Deputy Chairman and Executive Director of the War Manpower Commission, through such officers or employees of the War Manpower Commission as he may designate, shall (a) supervise and make all necessary arrangements for the selection of workers in for-

eign countries, and their transportation to, and from, the United States, (b) enter into necessary contracts and transportation agreements with workers and employers on behalf of the United States of America, (c) administer all other operational aspects of the program, and (d) provide for necessary assistance to the workers in meeting emergency health and welfare problems while in the United States when such assistance is not otherwise available to them.

§ 910.2 *Prerequisites to transportation of workers.* (a) No worker shall be transported from any foreign country pursuant to this regulation unless the Chairman has certified that reasonably adequate use is being made of local labor supply, and unless an employer has:

(1) Entered into a contract of employment and transportation agreement with the United States of America and the Worker on forms provided by the War Manpower Commission for that purpose, which includes provisions for

(i) Transportation of the worker and of his personal effects, limited to two pieces of luggage weighing not more than 75 pounds for each worker, and adequate subsistence and necessary medical care en route, from the port of entry in the United States or such other place as may be designated by the War Manpower Commission to the place of employment and return to a designated port of embarkation,

(ii) Continued employment of the worker for a definite minimum period of time in industries or services essential to the preservation, marketing, or distribution of agricultural products including the timber and lumber industries and at non-discriminatory wages, hours and working conditions and with a definite guarantee of employment as set forth in the contract,

(iii) The keeping of full and complete records as to employment, wages and other pertinent data and the prompt reporting to the United States Employment Service office of the War Manpower Commission nearest to the place of employment of the worker's separation from the employer or the worker's non-performance of services for the employer throughout any consecutive seven day period,

(iv) Reimbursement to the United States of America, with interest thereon of 6 per cent per annum from the day of payment (a), of any money advanced by the United States for transportation and subsistence of the worker or in fulfillment of any employment guarantee, upon final determination of the employer's obligation to the worker under his contract of employment (b), of all transportation and subsistence costs incurred by the United States Government in the event of the employer's failure without good cause to employ the worker and to continue to afford him an opportunity for employment as provided in the contract of employment,

(v) Submission of any question which may arise under the contract of employment for determination by the Chairman of the War Manpower Commission or his authorized representative in accordance with the regulations herein prescribed.

(2) Furnished the United States of America a good and sufficient blanket maintenance of status and departure bond as may be required by the Board of Immigration Appeals of the Department of Justice and in the form and with a surety company approved by the Immigration and Naturalization Service of the Department of Justice.

(3) Delegated to its agent by written power of attorney, authority to execute a contract of employment and transportation agreement with respect to each foreign worker so selected, and to make final determination, on the employer's behalf, that the qualifications of the worker selected meet the employer's specifications.

(4) Made provision, at its own expense and at the place of selection, or any other place in the foreign country which may be agreed upon with the Government of such foreign country and with an authorized representative of the War Manpower Commission, for any physical examination, in addition to the examination given by the United States Public Health Service in collaboration with the Public Health Authorities of the foreign country in which the worker is recruited, which may be required by an employer as a condition of employment.

§ 910.3 *Transportation of workers and subsistence during travel.* (a) Travel to and from the United States, provided by the United States Government, and travel in the United States, provided by the employer, shall be by boat, railroad coach, bus or such other means as may be approved by the Deputy Chairman and Executive Director of the War Manpower Commission or his authorized representative.

(b) Transportation of the workers and their personal effects, limited to two pieces of luggage weighing not more than 75 pounds for each worker, from the place of selection to the port of embarkation in the foreign country and from the port of embarkation in the foreign country to a port of entry in the United States, and return, shall be by the most economical means available and in accordance with instructions consistent with these regulations. Preference shall be given whenever possible to American steamship lines, and whenever possible, such travel shall be upon standard Government transportation requests.

(c) Every foreign worker shall be afforded adequate subsistence and emergency medical care while en route from the place of selection to the place of employment and return from the place of employment to the place of selection (including time spent in reception centers). "Adequate subsistence" means three meals per day and shelter, and for purposes of computing the value of such meals and shelter the rate of two dollars per day per person shall be used. The meals furnished to foreign workers shall be comparable in quality and quantity to those usually served domestic workers, though adapted as far as possible to the habits of such foreign workers.

(d) In the event of failure by an employer promptly to provide for the worker's transportation from the place of employment in the United States to the designated port of embarkation for return to his country of origin, the Deputy Chairman and Executive Director or his authorised representative shall provide such transportation either by railroad, licensed bus line, or other approved means by the most economical usually traveled route from the point of departure to the point of destination. Coach tickets shall be used when the travel by railroad is for a short distance and tourist tickets, including tourist berth, shall be used when travel by railroad is for longer distances requiring night travel, unless tourist accommodations are not available, in which case the next most economical transportation which is available and which includes sleeping accommodations shall be used. Travel by railroad or licensed bus line shall be upon standard Government transportation requests.

§ 910.4 *Employer records.* Every employer shall keep full, complete, and accurate records of each worker's daily and hourly employment, of wages paid to him, and of the extent to which each worker is afforded an opportunity to work. Such records shall include the amount of expenses incurred for transportation, subsistence, and emergency medical care, and any and all deductions made from the worker's wages for any purpose. Such records shall be kept in the manner and form prescribed by the Deputy Chairman and Executive Director of the War Manpower Commission or his authorized representative. Other records required by law to be kept and actually kept by the employer, may be used to fulfill the requirements of this provision or any similar provision in the employment agreement. The Deputy Chairman and Executive Director of the War Manpower Commission or his authorized representative shall determine the extent to which there shall be required under this regulation, reports with respect to the employment of workers, which are in addition to those currently required of the employer for the administration of retirement and unemployment insurance legislation and shall prescribe the form thereof. All records referred to herein shall at all times be open to inspection and examination by the Deputy Chairman and Executive Director of the War Manpower Commission or his duly authorized representative who shall be entitled to make copies thereof.

§ 910.5 *Status of collective bargaining agreements and exclusive bargaining rights.* (a) None of the rights and obligations which foreign workers may have under their contracts of employment pursuant to this regulation shall be construed as limiting or supplanting their rights and obligations under the collective bargaining agreement which may exist between their employer and the craft or class of employees to which the workers belong.

(b) No contract of employment shall be construed as precluding full performa-

by the employer of any obligation the employer may have under the tive bargaining agreement with the or class of employees to which the worker may belong.

Determination of rights and of employers and of workers. (a) complaint by either the worker or employer with respect to non-com- with any of the provisions of the of employment shall be made the manager of the local United Employment Service office of the Manpower Commission nearest to place of employment. Such manager United States Employment Service of the War Manpower Commis- will make the necessary investiga- and will attempt to effect an ad- or settlement between the Whenever an adjustment or cannot be effected, the man- of the local United States Employ- Service office of the War Manpower will make a prompt deter- and will give notice of same to interested parties advising them as right to appeal and the procedure thereto.

The manager of any local United Employment Service office of the Manpower Commission within territorial jurisdiction any worker may, at any time, upon his or at the direction of the Manpower Director or the Chairman and Executive Direc- an investigation for the pur- of determining whether the em- complying or has complied with obligations imposed upon him by the of employment. If he shall find the employer has failed in any ma- respect to meet his obligations, manager of the local United States Service office of the War Commission shall make a de- and give notice of same to parties advising them as right to appeal and the pro- in regard thereto. In the event failure gives rise to a right United States under the con- of employment to be reimbursed costs incurred by it, including ance to the worker of expenses should have been borne by the and including the cost of trans- to and from the United States the employer has failed without cause to employ or to continue to the worker, as provided in the of employment a further deter- shall be made as to the amount costs for which reimbursement be claimed.

An employer desiring to terminate employment pursuant to the contract shall notify in the manager of the local United Employment Service office of the Manpower Commission nearest to worker's place of employment stat- the reasons for such action and re- permission to do so. The man- of the local United States Employ- Service office of the War Manpower shall promptly, after giving worker an opportunity to be heard, make a determination as to whether or not the employer is justified in terminating the contract of employment and shall give notice of same to the interested parties advising them as to their right to appeal and the procedure in regard thereto.

(d) The manager of each local United States Employment Service office of the War Manpower Commission shall keep a record of all complaints made to his office, all investigations conducted thereon or made at the manager's own initiative and the disposition made of each case.

(e) No adjustment, settlement or determination under the procedure set forth above shall preclude the worker from asserting any rights or pursuing any remedy in relation to such rights which he may have under the terms of the collective bargaining agreement between the employer and the craft or class of employees to which the worker belongs.

(f) No claim which a worker may advance with respect to non-compliance with any provisions of his contract of employment shall be valid if asserted later than sixty days after termination of the worker's employment, exclusive of the day of termination.

§ 910.7 *Appeal procedure.* (a) The party adversely affected by any determination made by a manager of the local United States Employment Service office of the War Manpower Commission, may within three days after receipt of the notification thereof, take an appeal from such determination to the Area Director, or in the absence of an Area Director for the area, to the State Director of the War Manpower Commission, in the area or state in which the place of employment is situated, by giving notice of such appeal to the manager of the local United States Employment Service office of the War Manpower Commission who made the determination. Such manager shall promptly transmit the appeal, and his record in the case, to the Area or State Director. The Area or State Director shall promptly arrange for a hearing and shall notify the parties of the date thereof and of their right to be heard and to present evidence. Such hearing shall be before a panel appointed by the Area or State Director, composed of an equal number of representatives of Management and Labor chosen from a roster of panel members nominated by the members of the Area or Regional Management-Labor War Manpower Committee, as the case may be. On the basis of the evidence presented at the hearing and of such independent investigation as the hearing panel may make, the hearing panel shall make recommendations to the Area or State Director, who shall then make a determination and notify the parties thereof. Except as provided in paragraph (b) below, such determination shall be final and conclusive and a copy thereof shall be transmitted to the appropriate Regional Manpower Director.

(b) Not later than the 15th day after a determination has been made by the Area or State Manpower Director, the Regional Director may require that the entire record of a case be transmitted to him for review and he may affirm, modify or reverse the determination of the Area or State Director on the basis of the record in the case, or may remand the case to the Area or State Director for such further hearing as may be necessary or he may certify any question involved therein to the Chairman of the War Manpower Commission. The Chairman of the War Manpower Commission may at any time after an appeal is taken, on the basis of such certification or on his own initiative, require that any case be submitted to him for review and ultimate determination.

(c) If at any time pending determination of an appeal or review, the parties effect an adjustment or settlement of their difference, the appeal or review may be dismissed upon the filing of a stipulation to that effect signed by the parties or their authorized agents or attorneys.

(d) War Manpower Commission Regulation No. 5 governing appeals shall not be applicable to the hearing and determination of rights and duties of employers and workers under contracts entered into pursuant to this regulation.

§ 910.8 *Termination of employment and return of the worker.* (a) A worker's contract of employment may be renewed or extended by consent of the employer and the worker with approval of the Deputy Chairman and Executive Director of the War Manpower Commission or his authorized representative. If a worker's contract is not so renewed or extended or if a worker's employment is terminated prior to the expiration of the period of employment, the manager of the United States Employment Service office nearest the place of employment may provide for transferring the worker to other employment, if available, under a new contract of employment to be executed by the worker and the new employer and the Chairman of the War Manpower Commission or his authorized representative on forms provided for that purpose.

(b) If upon termination of a worker's employment, transportation for the return of the worker to his place of selection should not be available and it is not possible to continue the worker's employment in industries or services essential to the preservation, marketing, or distribution of agricultural products, including the timber and lumber industries, the worker may be temporarily employed, during such period as he may be required to wait for return transportation, if employment is available, in such other industries or services as the Deputy Chairman and Executive Director of the War Manpower Commission or his authorized representative may determine. In the event that no employment is available, when a worker remains unemployed while waiting for return transportation, he shall be furnished subsistence and emergency medical care.

§ 910.9 *Saving clause.* All the rights and privileges conferred or obligations imposed upon employers or foreign workers by this regulation, or by acts done pursuant thereto, shall exist sub-

ject to the right of the Chairman of the War Manpower Commission to amend or repeal this regulation, or any part thereof, at any time.

PAUL V. MCNUTT,
Chairman.

JUNE 15, 1944.

[F. R. Doc. 44-8814; Filed, June 17, 1944; 10:50 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service

Subchapter A—Bureau of Accounts

[1944 5th Supp. Dept. Circ. 570, Rev. April 20, 1943]

PART 226—SURETY COMPANIES

AMERICAN STATES INSURANCE CO.

JUNE 15, 1944.

A certificate of authority has been issued by the Secretary of the Treasury to the following company under the Act of Congress approved August 13, 1894, 28 Stat. 279-80, as amended by the Act of Congress approved March 23, 1910, 36 Stat. 241 (U.S.C., title 6, secs. 6-13) as an acceptable surety on Federal bonds. An underwriting limitation of $120,000 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next issue of Treasury Department Form 356, copies of which, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Section of Surety Bonds, Washington, D. C.

Name of company, location of principal executive office and State in which incorporated:

American States Insurance Company, Indianapolis, Indiana.

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44-8791; Filed, June 16, 1944; 12:09 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 253]

ACCEPTANCE OF GOVERNOR'S APPOINTMENT

ORDER DISCONTINUING FORM

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Discontinuance of DSS Form 13, entitled "Acceptance of Governor's Appointment," effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing discontinuance shall become a part of the Selective Service Regulations effective within the Continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the Continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 16, 1944.

[F. R. Doc. 44-8833; Filed, June 17, 1944; 4:13 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 3176—SHIPBUILDING

[Limitation Order L-252, as Amended June 17, 1944]

VALVES AND VALVE PARTS

The fulfillment of requirements for the defense of the United States has created a shortage of steel, copper, and other critical materials used in the manufacture of valves and valve parts, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3176.1 *Limitation Order L-252*—(a) *Definitions.* Wherever used in this order:

(1) "Producer" means any person who manufactures valves and valve parts.

(2) "Valves" means gate, globe, angle, cross, lift check, angle check, or swing check valves (including variations of those types, such as the valves generally referred to as quick opening, blow off, hose end, Y-type and hydraulic), except drilling through and flow line valves for oil production service. This definition does not include valves of the types generally referred to as "specialties".

(3) "Valve parts" means parts for valves as defined above.

(4) "Put into process" means to process, machine, or fabricate or in any other manner alter any material by physical or chemical means.

(b) *Limitations.* Except as specifically authorized by the War Production Board, no producer shall after May 1, 1943, put into process or cause to be put into process, any material to be incorporated into valves or valve parts, except for the manufacture of valves and valve parts which conform to the specifications contained in the appendix attached to and a part of this order, or for the manufacture of:

(1) Valves

(i) The bodies or bonnets of which were cast or forged before May 1, 1943;

(ii) For use as part of the equipment of aircraft or watercraft other than pleasure craft; or

(iii) For the conduction of liquid or gas having chemical or physical properties which render the use of valves described in the Appendix dangerous or impractical; and

(2) Valve parts for repair of valves which are completed on May 1, 1943, or which are produced thereafter in accordance with the provisions of paragraph (b) (1) of this order.

(c) *Restricted deliveries.* Except as specifically authorized by the War Production Board:

(1) No producer shall sell or make delivery of any valves or valve parts manufactured in violation of the terms of this order, and

(2) No person shall knowingly purchase or accept delivery of any valve or valve part produced in violation of this order.

(d) *Order superseded.* The provisions of this order supersede the provisions of Schedule No. 1 of Limitation Order L-42.

(e) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of all applicable priorities regulations.

(f) *Records.* Each producer shall retain in his files for a period of two years records showing his inventory and production of all valves, including those for the manufacture of which material was put into process subsequent to May 1, 1943. These records shall be kept readily available and open to inspection by duly authorized representatives of the War Production Board.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction, may be punished by fine or imprisonment or both. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Shipbuilding Division, War Production Board, Washington, 25 D. C., Ref.: L-252.

Issued this 17th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX

Specifications for Valves and Valve Parts

The following specifications govern the manufacture of valves and valve parts. These specifications do not purport to contain any recommendations regarding the most efficient or safe use of any valve or valve parts covered herein.

Certain of the terms used in this appendix (including the terms valves and valve parts) are defined in the body of this order, L-252. In addition, certain exceptions are made, and certain obligations imposed upon producers and others. You should, therefore, be thoroughly familiar with the body of the order before reading this appendix.

PART 1

Iron Gate, Globe, Angle, Cross, and Check Valves and Valve Parts

1. *Standard size schedule: Iron valves.* (a) Valves shall be manufactured only in the pressure classes listed in Table 1 and in the particular sizes, specified in Table 2, which are comprehended within the size range specified in Table 1 for the particular pressure class:

TABLE 1

[All size ranges are inclusive]

NOTE: Table 1 amended June 17, 1944.

Primary[1] pressure classifications in pounds per square inch		Gates (inches)			Globe and angle (inches)		Lift check (inches)		Swing check (inches)		
Steam	Water	Screwed	Flanged	Hub	Screwed	Flanged	Screwed	Flanged	Screwed	Flanged	Hub
15	50		4 to 72	4 to 72							
	100		4 to 72	4 to 72							
125	110 to 200	2 to 6	2 to 72	8 to 72	2 to 4	2 to 10	2 to 4	2 to 6	2 to 6	2 to 60	2 to 60
150[2]	250	[3]1¼ to 3	[3]1 to 3		[3]1¼ to 3	[3]1 to 3	[3]1¼ to 3		[3]1¼ to 3		
200	300	2 to 4	2 to 24		2 to 4	2 to 6			2 to 4	2 to 24	
250[2]		[3]1¼ to 3	[3]1 to 3		[3]1¼ to 3	[3]1 to 3			[3]1¼ to 3		
	500	2 to 6	2 to 12							8 to 12	

[1] The primary pressure classification designates a class of valves and does not necessarily mean that all sizes in a given class carry the primary pressure classification. American Standards Association standards and manufacturers practice frequently reduce the pressure ratings as size increases and may not always rate valves for both steam and water.

[2] In sizes 3" and smaller the 150# and 300# primary pressure classification valves are included as substitutes for brass valves. Flanged valves may be rated in accordance with the American Flange Standard used.

NOTE: Other valve end connections in common use on the date of issuance of this order, including among others, the types known as Victaulic, Dresser and Universal, may be manufactured, but only in accordance with the specifications listed in Table 1. For the purposes of this order, "common use" means use by at least ten companies.

(b) Detail of permitted sizes (see 1 (a) above):

TABLE 2

(Sizes in inches)

¼		4	24
⅜		5	30
½		6	36
¾		8	42
1		10	48
1¼		12	54
1½		14	60
2		16	66
2½		18	72
3		20	

2. *General requirements for iron valves.* (a) End flanges shall conform to American Standards Association standards for corresponding pressure classes, except that for 150# and 300# valves when made of malleable iron as substitutes for brass valves, flanges conforming to Manufacturers Standardization Society of the Valve and Fitting Industry Bronze Flange Standard SF-2 may be used. Flanges may be furnished to the American Gas Association flange standard for low pressure gas service.

(b) Face to face of flanged valves, size 4" and larger, shall comply with American Petroleum Institute standard #5-G-1 and American Standards Association standard B-16.10 for the pressure classes and types which these standards cover.

(c) Valves for 150# primary steam rating and lower shall have manufacturer's standard seating materials, comprising any of the following:

Non-metallic disc.
Iron or carbon steel.
Brass or bronze.
Nickel alloy.

(d) Valves for 250# primary steam rating and higher shall have manufacturer's standard seating materials, comprising any of the following:

Non-metallic disc.
Iron or carbon steel.
Brass or bronze.
Chrome iron.

(e) Bonnet bolts or studs shall be carbon steel.

(f) Nuts for bonnet bolting shall be carbon steel.

(g) Handwheels shall be of ferrous metal, either cast or otherwise fabricated, or of suitable non-metallic material.

(h) All exclusive steam couplings and gear housings shall be of ferrous metal.

(i) Spot facing or back facing on iron valve flanges is prohibited except when necessary to prevent scrapping otherwise usable products.

3. *Iron gate valves.* (a) Stems for outside screw and yoke valves shall be, at manufacturers' option, either of carbon steel, or of brass or bronze made from secondary metal, i. e., copper base alloy to which refined copper or refined tin is not added in the production of the castings for the stems.

(b) Discs for solid wedge gates 4" and larger and for split wedge or double disc gates 5" and larger, shall be all iron or iron with faces conforming to paragraphs 2 (c) or 2 (d) depending upon pressure class. Discs for non-rising stem valves may be provided with brass or bronze bushing for stem thread.

(c) Bonnet bushing for backseating shall not be provided in outside screw and yoke valves.

(d) Packing gland flange bolts or studs shall be carbon steel.

(e) Nuts for packing gland flange bolts or studs shall be carbon steel, brass or bronze, at manufacturer's option.

(f) For valves 4" and larger, the packing gland, if flange and follower or nose are one piece, shall be of iron or iron brass bushed; or if made of two pieces, the flange shall be iron and the follower or nose may be brass.

4. *Iron globe, angle, and cross valves.* (a) "Plug" type discs shall not be used for primary pressure 125# classification; but no manufacturer shall make more than one design of metal to metal seat in this class.

(b) Discs for valves 4" and larger shall be all iron or iron with faces conforming to paragraphs 2 (c) or 2 (d) depending upon pressure class.

(c) Stems for outside screw and yoke valves shall be, at manufacturers' option, either of carbon steel, or of brass or bronze made from secondary metal, i. e., copper base alloy to which refined copper or refined tin is not added in the production of the castings for the stems.

(d) Bonnet bushing for back seating shall not be provided.

(e) Packing gland flange bolts or studs shall be carbon steel.

(f) Nuts for packing gland flange bolts or studs shall be carbon steel, brass or bronze, at manufacturer's option.

(g) For valves 4" and larger, the packing gland, if flange and follower or nose are one piece, shall be of iron or iron brass bushed; or if made of two pieces, the flange shall be iron and the follower or nose may be brass.

(h) Cross valves shall not be manufactured.

5. *Iron check valves.* (a) Discs for valves 4" and larger shall be either all iron, or iron or steel with faces conforming to paragraphs 2 (c) or 2 (d) depending upon pressure class.

(b) Nuts for attaching swing check disc to hinge or arm shall be carbon steel, malleable iron, brass, or bronze, at manufacturer's option.

(c) The hinge or arm for valves 2" and larger shall be of ferrous metal and may be bronze bushed.

PART 2

Brass or Bronze Gate, Globe, Angle, Cross, and Check Valves and Valve Parts

1. *Standard size schedule: Brass or bronze valves.* (a) Valves shall be manufactured only in the pressure classes listed in Table 1, and in the particular sizes specified in Table 2, which are comprehended within the size range specified in Table 1 for the particular pressure class:

TABLE 1

[All size ranges are inclusive]

Primary pressure classifications in lbs. per sq. in.[1]	Sizes[2] screwed end (inches)	Sizes flanged end (inches)	Sizes solder end (inches)
100 Steam	¼ to 2	----------	¼ to 2
125 Steam	¼ to 2	----------	¼ to 2
150 Steam	¼ to 2	1 to 2	¼ to 2
200 Steam	¼ to 2	1 to 2	¼ to 2
300 Steam	¼ to 2	1 to 2	¼ to 2
Hydraulic 1000 & Higher	¼ to 2	----------	¼ to 1¼

[1] The primary steam rating in no way regulates the pressure at which these valves should be rated for other fluids, but restricts the classes to those mentioned.

[2] Only globe and angle valves may be made in the ¼" size.

[3] These valves are rated 150#.

(b) Detail of permitted sizes (see 1 (a) above):

TABLE 2

(Sizes in inches)

⅛	½	1¼
¼	¾	1½
⅜	1	2

2. *General requirements for brass or bronze valves.* (a) Check valves shall be horizontal lift and vertical lift or swing check types only. Angle type prohibited.

(b) Spot facing or back facing on brass valve flanges is prohibited except when necessary to prevent scrapping otherwise usable products.

(c) 150# primary pressure classification and lower shall have integral seats.

(d) 150# primary pressure classification and lower shall have brass, bronze, or non-metallic disc only, and plug type discs shall not be used in globe and angle valves.

(e) 200# primary pressure classification and higher shall have manufacturer's standard seating materials comprising any of the following:

Non-metallic disc.
Brass or bronze.
Chrome iron.
Nickel alloy.

(f) Union bonnet rings and union rings for valve ends shall be brass, bronze, malleable iron or steel, at manufacturer's option.

(g) Stuffing box packing nuts shall be brass, bronze, malleable iron or steel, at manufacturer's option.

(h) Handwheels and valve handles shall be ferrous metal, either cast or otherwise fabricated; or suitable non-metallic material.

(i) End flanges shall conform to:

1. Manufacturers Standardization Society of the Valve and Fittings Industry, Standard Practice 150#-SP-2.

2. Manufacturers Standardization Society of the Valve and Fittings Industry, Standard Practice 300#-SP-2.

(Depending upon rated pressure of the valve.)

(j) Use Manufacturers Standardization Society of the Valve and Fittings Industry, SP-20 grade A or American Society for Testing Materials B-62 or EA-B62 brass or bronze for all valve pressure castings in valves in primary pressure classifications of 125#, 150# and 200#. Use Manufacturers Standardization Society of the Valve and Fittings Industry, SP-20 grade B or American Society for Testing Materials B-61 brass or bronze for all valve pressure castings in valves in primary classifications of 300# or higher. Bonnets 200# and higher pressure classification may be made of a "cast bearing bronze."

(k) Cross valves shall not be manufactured.

PART 3

Steel Gate, Globe, Angle, Cross, and Check Valves and Valve Parts

NOTE: These limitations do not apply for primary ratings higher than 1500#. Moreover, these limitations do not apply for valves for temperatures exceeding 1000 degrees F. or below minus 50 degrees F. Furthermore, these limitations do not apply to drilling through or flow line valves for oil production service.

The term "stainless" is used in this Part 3 of this appendix to describe any of the iron base alloys such as 12% chrome, or 18-8 chrome nickel whose primary characteristics are resistance to corrosive attack, or elevated temperature, or both.

1. *Standard size schedule: Steel valves.* (a) Valves shall be manufactured only in the pressure classes listed in Table 1, and in the particular sizes specified in Table 2 which are comprehended within the size range specified in Table 1 for the particular pressure class:

TABLE 1

[All size ranges are inclusive]

Primary pressure classification in lbs. per sq. in.	Gate (inches)			Globe and angle (inches)			Horizontal and angle check (inches)			Swing check (inches)		
	Screwed	Flanged	Welded	Screwed	Flanged	Welded	Screwed	Flanged	Welded	Screwed	Flanged	Welded
150	2 to 4	2 to 24	----------	2 to 4	2 to 8	----------	----------	----------	----------	2 to 4	2 to 8	----------
300	2 to 4	2 to 24	----------	2 to 4	2 to 12	----------	----------	2 to 8	----------	2 to 4	2 to 12	----------
600	¼ to 2	½ to 24	¼ to 24	⅛ to 2	½ to 14	¼ to 14	¼ to 2	½ to 14	¼ to 14	⅛ to 2	1¼ to 14	1¼ to 14
900	----------	3 to 18	3 to 18	----------	3 to 14	3 to 14	----------	2 to 14	3 to 14	----------	3 to 14	3 to 14
1500	¼ to 2	1½ to 14	¼ to 14	¼ to 2	1½ to 14	¼ to 14	¼ to 2	1½ to 14	¼ to 14	----------	----------	----------

(b) Detail of permitted sizes.

TABLE 2

(Sizes in inches)

⅛	2	10
¼	2½	12
⅜	3	14
½	4	16
¾	5	18
1	6	20
1¼	8	24
1½		

2. *General requirements for steel valves.* (a) Valves covered by items 3, 4 and 5, which follow, shall be in accordance with American Petroleum Institute standard 600A for gate valves, or with American Standards Association B16e for all types, except as modified by the specifications set forth in this part 3 of this appendix.

(b) Face to face of flange end valves shall comply with American Petroleum Institute standard 5-G-1 and American Standards Association B16.10 for the types covered by these standards except as modified by the specifications contained in paragraph 4 of part 3 of this appendix.

(c) Discs of gate and swing check valves 6" and larger shall be made of the same material as the valve body, with seating material laid on or attached.

(d) Handwheels 14" diameter and smaller shall be malleable iron or fabricated steel.

(e) Raised contact faces on flanges shall be serrated (concentric or spiral) or smooth at manufacturer's option.

(f) Cross valves shall not be manufactured.

3. *150 lb. Pressure class: Steel valves.* (a) End flange faces shall have American Standards Association 1/16" raised face.

(b) Bodies and bonnets shall be carbon steel.

(c) Seating materials shall be any of the following:

Carbon steel.
Brass or bronze.
12% chrome iron.

(d) Bonnet bushing for back seating shall not be provided, but backseating shall be included.

(e) Stems shall be carbon steel, brass or bronze or 12% chrome iron.

(f) Bonnet bolting shall be either carbon steel or manganese steels of the SAE 1300 Series, or National Emergency triple alloy steels.

(g) Bonnet bolt nuts shall be semi-finished carbon steel.

(h) Stem stuffing box packing shall be graphite or mica-impregnated asbestos according to manufacturer's practice.

(i) Bonnet gaskets shall be asbestos composition sheet.

4. *300 lb. Pressure class. Steel valves.* (a) End flange faces shall be American Standards Association 1/16" raised face, or American Petroleum Institute octagonal ring joint groove providing the groove is cut in the basic flange thickness.

(b) Bodies and bonnets shall be carbon steel, except when required to resist extreme corrosion or temperature conditions they may be 4% to 6% chrome, ½% molybdenum.

(c) The seating materials shall be any of the following:

Same material as body.
Brass or bronze.
12% chrome iron.
Nickel copper alloy.
Hard facing.

(d) Stems shall be any of the following:

Brass or bronze.
12% chrome iron.

(e) Stem stuffing box packing shall be graphite or mica-impregnated asbestos according to manufacturer's practice.

(f) Bonnet bolting shall conform to the following limitations:

1. For temperature up to and including 850 degrees F., National Emergency 9400 series steels or SAE 4140 steel.

2. For temperatures over 850 degrees F., Grade B14 steel per American Society for Testing Materials specification A193.

(g) Bonnet bolt nuts shall be manufacturer's standard practice.

5. *600 lb. 900 lb. & 1500 lb. Pressure classes. Steel valves.* (For 600 lb. and 1500 lb. general purpose valves, see paragraph 6)

(a) End flange faces shall be either American Standards Association octagonal ring joint groove or American Petroleum Institute octagonal ring joint groove, or ¼" American Standards Association large male face.

(b) Bodies and bonnets shall be carbon or carbon molybdenum steel, except when required to resist extreme corrosion or temperature conditions in which case they may be 4% to 6% chrome, ½% molybdenum, or stainless if so specified. (See definition for "stainless" in note under heading of Part 3.)

(c) The seating materials shall be of any of the following:

Same material as body.
Stainless (See definition in note under heading of Part 3).
Nickel copper alloy.
Hard facing.

(d) Stems shall be the following:

Stainless (See definition in note under heading of Part 3).

(e) Stem stuffing box packing shall be graphite or mica-impregnated asbestos according to manufacturer's practice.

(f) Bonnet bolting shall conform to the following limitations:

1. For temperature up to and including 850 degrees F., National Emergency 9400 series steels or SAE 4140 steel.

2. For temperature over 850 degrees F., Grade B14 steel per American Society for Testing Materials specification A193.

(g) Bonnet bolt nuts shall be manufacturer's standard practice.

6. *General purpose steel valves; 600 lb. & 1500 lb.—2" and smaller.* (a) End connections shall be:

1. Flanged American Standards Association standard with ¼" large male face.

2. Screwed end.

3. Socket welding end.

The 600 lb. class flanged end valves may be made with 150-lb. American Standards Association steel flange diameter, drilling, and/or facing.

(b) Bodies and bonnets shall be carbon or carbon molybdenum steel except when required to resist extreme corrosion or temperature conditions, in which case they may be 4% to 6% chrome, ½% molybdenum, or stainless if so specified. (See definition for "stainless" in note under heading of Part 3.)

(c) Seating materials shall be any of the following:

Same material as body.
Brass or bronze.
Stainless. (See definition in note under heading of Part 3.)
Nickel copper alloy.
Hard facing.

[F. R. Doc. 44-8815; Filed, June 17, 1944; 11:06 a. m.]

PART 1010—SUSPENSION ORDERS

[Reinstatement of Suspension Order No. S-527, Amdt. 1]

BLOOMFIELD MANUFACTURING CO.

Upon further consideration of the appeal of the Bloomfield Manufacturing Company, the Chief Compliance Commissioner has directed that Suspension Order No. S-527, as reinstated June 3, 1944, be amended.

In view of the foregoing, *It is hereby ordered*, That § 1010.527, *Suspension Order No. S-527*, issued April 25, 1944, as reinstated June 3, 1944, be and hereby is amended, by adding the following paragraph:

(f) The provisions of this suspension order shall not apply to contracts or purchase orders placed prior to June 11, 1944, bearing preference ratings of AA-1 or highef.

Issued this 17th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8842; Filed, June 17, 1944; 4:27 p. m.]

PART 1010—SUSPENSION ORDERS

[Stay of Execution of Suspension Order S-534]

ALL STATE PIPE SUPPLY CO.

The All State Pipe Supply Company of Jacksonville, Florida, has appealed from the provisions of Suspension Order No. S-534, issued May 8, 1944, (§ 1010.534) and it appears that irreparable harm may be done its business if the suspension order were not stayed. The Chief Compliance Commissioner has directed that the provisions of the suspension order be stayed pending final determination of the appeal or until further order by the Chief Compliance Commissioner.

In view of the foregoing, *It is hereby ordered*, That:

The provisions of Suspension Order No. S-534, issued May 8, 1944, are hereby stayed pending final determination of the Appeal or until further order by the Chief Compliance Commissioner.

Issued this 17th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8842; Filed, June 17, 1944; 4:27 p. m.]

PART 3281—PULP AND PAPER

[Limitation Order L-120, Schedule IX, as Amended June 5, 1944]

TABLETS, NOTEBOOKS, PADS, LOOSELEAF FILLERS, AND SHEETS

Correction

NOTE: The original of Federal Register Document 44-8090, appearing at page 6096 of the issue of Tuesday, June 6, 1944, has been corrected so that the first item in the table in paragraph (c) (1) (i) reads as follows:

Article	Grade	Substance weight per 500 sheets
Books, tablets, pads, fillers and sheets for drawing or coloring (excluding "artists' drawing" and "drafting").	Manila and Gray Groundwood drawing. All other grades.	24" x 36"—50 24" x 36"—60

PART 3270—CONTAINERS

[Limitation Order L-197, Interpretation 1]

STEEL SHIPPING DRUMS; APPEALS GRANTED BEFORE MAY 27, 1944 NOT CANCELLED

The following interpretation is isued with respect to Limitation Order L-197:

Authorization by the War Production Board was required for delivery and acceptance of delivery of new drums under Order L-197 prior to May 27, 1944, but is no longer required under the order as amended on that date. Paragraph (d) (7) declaring all authorizations null and void after May 27, 1944 does not invalidate appeals granted before that date. An appeal is a request for permission to use a new or used drum for packing a product listed without an asterisk in Schedule A of the old order or to use a new drum to pack a product listed with a single asterisk.

Issued this 19th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8854; Filed, June 19, 1944; 11:41 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 3,[1] Amdt. 7]

RATION BANKING: BANKS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 3 is amended in the following respects:

1. The first sentence of § 1305.412 (a) (3) is amended by inserting before the period the words "unless otherwise directed by the Office of Price Administration".

2. The third sentence of § 1305.412 (a) (3) is amended by inserting before the period the words "unless otherwise directed by the Office of Price Administration".

This amendment shall become effective June 20, 1944.

(Pub. Laws 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. 1, 7 F.R. 562)

Issued this 16th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8799; Filed, June 16, 1944; 4:09 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 459,[1] Amdt. 3]

GUMMED KRAFT SEALING TAPE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 459 is amended in the following respects:

Section 12 is amended to read as follows:

SEC. 12. *Petitions for amendment and applications for adjustment.* (a) Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[2] issued by the Office of Price Administration.

(b) The Office of Price Administration may adjust the maximum prices established under this regulation for a seller of a commodity who shows in an application for adjustment:

(1) That such maximum price subjects him to substantial hardship, and that either

(2) Continuance of the seller's production of the commodity is required to meet a military or essential civilian need, or

(3) Loss of the seller's production of the commodity will force his customer to resort to higher priced sources of supply, and that no adequate substitute of the commodity is available to his customers at a price equal to or lower than the adjusted maximum price which he requests.

The relief granted under this section shall be limited to the amount necessary to permit the maintenance of the manufacturer's production: *Provided, however,* That where an application is filed under paragraph (b) (1) and (3) above, the manufacturer's maximum price will not be raised above the general level of prices prevailing for an alternative source of supply of the commodity or an adequate substitute therefor.

Applications for adjustment shall be filed in accordance with the provisions of Revised Procedural Regulation No. 1.

This Amendment No. 3 to Maximum Price Regulation No. 459 shall become effective June 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8801; Filed, June 16, 1944; 4:09 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373[1], Amdt. 61]

ALCOHOLIC BEVERAGES IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 373 is amended in the following respects:

1. Section 23 is hereby revoked.

2. Section 25 is amended to read as follows:

SEC. 25. *Maximum prices for intoxicating liquor, wine, beer and ale sold by the case or bottle at wholesale and retail—*(a) *Maximum prices for sales in Oahu.* Except as otherwise provided herein, the maximum prices for intoxicating liquors, wine, beer, and ale sold at wholesale and retail, on the Island of Oahu, shall be:

(1) *Mainland hard liquor—*(i) *Sales at wholesale.* At the option of the wholesaler, the maximum wholesale prices shall be calculated by one of the following methods:

Method One: In the case of hard liquors which are listed in the "Tax Commissioner's Findings as to Tax Values of Liquor as of October 1, 1941," published by the Territorial Government, the maximum wholesale price shall be the highest price charged by the seller in the Territory on December 6, 1941, exclusive of any discounts for quantity purchases, plus all federal excise taxes imposed since that time, and the 6% Territorial tax, when applicable, or

Method Two: On all hard liquors not priced under Method One, the maximum wholesale price per case shall be the landed cost multiplied by 1.15, plus the federal excise tax as of April 1, 1944, and the 6% Territorial tax, when applicable.

(ii) *Sales at retail.* At the option of the retailer, the maximum retail prices shall be calculated by one of the following methods:

Method One: In the case of hard liquors which are listed in the "Tax Commissioner's Findings as to Tax Values of liquor as of October 1, 1941," published by the Territorial Government, the maximum retail price shall be the highest price charged by the seller in the Territory on December 6, 1941, plus all federal excise taxes imposed since that time, and the 6% Territorial tax, or

Method Two: On all hard liquors not priced under Method One, the maximum retail price shall be the landed cost as defined herein, multiplied by 1.82, plus the federal excise tax of April 1944, and the 6% Territorial tax. This calculated per case price shall be divided by the number of bottles per case to determine the retail ceiling price per bottle.

(2) *Wines—*(i) *Sales at wholesale.* The maximum price per case for all wines shall be the landed cost multiplied by 1.25, plus the federal excise tax as of April 1, 1944, and the 6% Territorial tax, when applicable.

(ii) *Sales at retail.* The maximum retail price for all wines shall be the landed cost multiplied by 1.87, plus the federal excise tax as of April 1, 1944, and the 6% Territorial tax. This calculated per case price shall be divided by the number of bottles per case to determine the retail ceiling price per bottle.

(3) *Cordials, liqueurs, and specialties—*(i) *Sales at wholesale.* The maximum wholesale price per case of all cordials, liqueurs, and specialties shall be the landed cost multiplied by 1.20, plus the federal excise tax of April 1944, and the 6% Territorial tax, when applicable.

(ii) *Sales at retail.* The maximum retail price of all cordials, liqueurs, and specialties shall be the landed cost multiplied by 1.74, plus the federal excise tax of April 1944, and the 6% Territorial tax. This calculated per case price shall be divided by the number of bottles per case to determine the retail ceiling price per bottle.

(4) *Mainland beer and ale—*(i) *Sales at wholesale.* The maximum wholesale price per case, delivered to the purchaser's place of business, of all mainland beer or ale shall be the landed cost multiplied by 1.13, plus the federal excise tax as of April 1, 1944, and the 6% Territorial tax, when applicable. In case the wholesaler does not make delivery to the purchaser's place of business, the maximum wholesale price shall be the maximum wholesale price set forth above less 5 cents per case.

(ii) *Sales at retail.* The retail ceiling price per case of all mainland beer or ale shall be the landed cost multiplied by 1.41, plus the federal excise tax as of April 1, 1944, and the 6% Territorial tax.

(iii) Customary bottle deposits and allowances must be continued.

(5) *Island beer—*(i) *Sales at wholesale.* The maximum wholesale price for island produced beer per case, delivered to the purchaser's place of business, shall be $2.23 per case. This price includes all federal taxes, but does not include the 6% Territorial tax, which may be added, when applicable. In case the wholesaler does not make delivery to the purchaser's place of business, the maximum wholesale price shall be the maximum wholesale price set forth above less 5 cents per case.

(ii) *Sales at retail.* The maximum retail price for island produced beer per case, shall be $2.68. This price includes all federal taxes, but does not include the 6% Territorial tax, which may be added.

(iii) Customary bottle deposits and allowances must be continued.

(6) *Island liquor.* Maximum prices for sales of island liquor by wholesalers or manufacturers and by retailers shall be as follows:

(i) 90 PROOF LIQUOR

Number of bottles per case	Size of bottles	Maximum wholesale prices per case	Maximum retail prices per bottle
4	1 gallon	$42.51	
3	1 gallon	31.88	
6	½ gallon	32.19	$6.52
12	1 quart	32.86	3.33
12	⅘ quart	26.67	2.71
24	1 pint	33.96	1.73
48	½ pint	35.08	.90

(ii) *Liquor other than 90 proof.* For liquor other than 90 proof, maximum prices shall be the prices determined by applying the factors shown in the following conversion table for each variation of 1 degree in proof content.

CONVERSION TABLE

Number of bottles per case	Size of bottles	Factors for adjusting maximum prices per case for sales at wholesale	Factors for adjusting maximum prices per bottle for sales at retail
4	1 Gallon	$0.4475	
3	1 Gallon	.3356	
6	½ Gallon	.3356	$0.06766
12	1 Quart	.3356	.03384
12	⅘ Quart	.2685	.02707
24	1 Pint	.3356	.01692
48	½ Pint	.3356	.00846

NOTE: *Fractions.* Drop fractions of less than ½ cent. For fractions of ½ cent or over, raise to the next highest whole cent.

Variations of less than one degree in proof content. Adjust proportionally, (e. g., half the above amounts for variations of ½ degree, etc.)

(iii) *Examples.*

No. 1. To determine the maximum wholesale price for a case of 12 one-quart bottles of 85 proof gin (or other Hawaiian manufactured compound liquor):

Maximum price for a similar case of 90 proof liquor	$32.86
Factor for adjusting prices (from conversion table) $0.3356	
Number of degrees variation in proof content (85–90) −5	
Adjustment of 90 proof price $0.3356×(−5)) −$1.6780	
Adjustment after raising fraction of more than ½ cent −1.68	
Maximum price for a case of 85 proof liquor	$31.18

No. 2. To determine the maximum retail price for one-quart bottle of 85 proof liquor:

Maximum price for one quart bottle of 90 proof liquor	$3.33
Factor for adjusting prices (from conversion table) $0.03384	
Number of degrees variation in proof content (85–90) −5	
Adjustment of 90 proof price ($0.03384×5 (−5)) −$0.16920	
Adjustment after raising fraction of more than ½ cent −.17	
Maximum price for one-quart bottle of 85 proof liquor	$3.16

No. 3. Complete schedule of 85 proof liquor prices resulting from application of Conversion Table in accordance with above examples:

85 PROOF LIQUORS

Number of bottles per case	Size of bottles	Maximum wholesale prices per case	Maximum retail prices per bottle
4	1 gallon	$40.27	
3	1 gallon	30.20	
6	½ gallon	30.51	$6.18
12	1 quart	31.18	3.16
12	⅘ quart	25.33	2.57
24	1 pint	32.28	1.65
48	½ pint	33.40	.86

(iv) *Transportation addition.* The maximum prices above established for sales at wholesale, are for delivery at the seller's warehouse. In the event the seller delivers to the buyer's place of business or to any other point designated by the buyer, he may add to the maximum price an amount not in excess of charges for transportation actually paid, or to be paid, in connection with such delivery. The seller may not make any additional charge for delivery made in vehicles owned or controlled by him without first obtaining written authorization from the Office of Price Administration.

(v) *Taxes.* The prices contained in paragraphs (a) (6) (i), through (iv), above, do not include the 6% Territorial tax, which may be added, but they do include the federal tax on distilled spirits of $9.00 per proof gallon, and all other taxes.

(vi) *Less than case lots.* Maximum prices for sales at wholesale of less than case lots should be proportional to the prices contained in paragraphs (a) (6) (i) through (v), above, for full cases. For this purpose, where fractions occur the next highest whole cent may be used. For example, the maximum price to be charged dispensers for a case of twelve ⅘ quart bottles of 85 proof gin is $25.33. The price of three bottles would be three-twelfths of $25.33. Since this would produce a price of $6.33¼, the fraction may be raised to the next highest cent, and $6.34 charged. The price for six bottles, however, would be $12.67, for seven bottles $14.78, etc. With respect to less than case sales in gallon sizes, the prices should be proportional to the price for a full case of three bottles. (Note that the rule for handling fractions for purposes of determining less than case prices is not the same as the rule for handling fractions when using the Conversion Table.)

(b) *Maximum prices for sales on all other islands in the Territory of Hawaii—*(1) *Direct shipments of any imported liquor, wine, beer or ale.* In the case of direct shipments from without the Territory of Hawaii to any island other than the Island of Oahu, of any intoxicating liquor, wine, beer, and ale set forth in paragraphs (a) (1) through (4), the maximum wholesale and retail prices shall be calculated as provided in paragraphs (a) (1) through (4).

(2) *Inter-island shipments.* In the case of any intoxicating liquor, wine, beer and ale originally imported from without the Territory of Hawaii to one island of the Territory and subsequently shipped to another island in the Territory or in the case of any island produced liquor or beer shipped from one island to another, maximum prices shall be calculated as follows:

(i) *Sales at wholesale.* For sales at wholesale the maximum price shall be the maximum price as calculated under paragraphs (a) (1) through (6), plus an amount equal to the sum of the following amounts:

(a) Actual cost of freight, marine, and war risk insurance incurred for shipment between the Islands calculated in accordance with the provisions of paragraphs (c) (3) and (5).

(b) Actual cost of cartage charges from warehouse to dock in the island from which shipment is made, computed at a rate not to exceed $1.20 per ton, and from dock to warehouse, or to purchaser's place of business, in the island of destination, computed at a rate not to exceed $1.20 per ton.

(ii) *Sales at retail.* For sales at retail the maximum price shall be the maximum price as calculated under paragraphs (a) (1) through (6), plus an amount equal to the sum of the following amounts:

(a) Actual cost of freight, marine, and war risk insurance incurred for shipment between the Islands calculated in accordance with the provisions of paragraphs (c) (3) and (5).

(b) Actual cost of cartage charges from warehouse to dock in the island from which shipment is made, computed at a rate not to exceed $1.20 per ton,

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 865, 2858, 4627, 9456, 12611; 9 F.R. 2212.

[2] 8 F.R. 11807, 13498.

[1] 7 F.R. 9661; 8 F.R. 3313, 3533, 6173.

[1] 8 F.R. 5868, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 13708, 13923, 13942, 13500, 14139, 14305, 14488, 15253, 15669, 15851, 15852, 15862, 16666, 16997, 17201; 9 F.R. 178, 393, 860, 864, 1158, 1187, 1489, 1538.

and from dock to warehouse in the island of destination, computed at a rate not to exceed $1.20 per ton.

(c) Actual cost of cartage charges incurred for hauling from dock or seller's warehouse to the buyer's place of business.

(d) The amounts to be so added to the maximum price per bottle shall be calculated by dividing the added costs as outlined above by the number of bottles per case.

(c) *Landed cost.* Landed cost is an amount not in excess of the sum of the amounts set forth below in subparagraphs (1) through (6). If any of the items specified in any subparagraph below have already been included in an amount determined under another subparagraph, they may not again be added.

(1) The amount you paid your supplier or the manufacturer's maximum price established by the Maximum Price Regulation 445 or 269, as the case may be, whichever is lower, less all discounts and allowances except the discount for cash or prompt payment. This amount will include all federal excise taxes except those imposed on or after April 1, 1944. No export premium may be included in the computation of your landed cost.

(2) An amount equal to import duties and custom house brokerage fees.

(3) An amount equal to the transportation charges actually incurred by the wholesaler for transportation from the point at which the wholesaler received delivery to Hawaii, including transportation taxes, terminal charges, extra charges for shipments of less than carload lots, and territorial tolls and tonnage tax as shown on the bill of lading.

(4) An amount equal to mainland storage charges and insurance in connection therewith actually incurred by the wholesaler.

(5) An amount equal to charges for war risk and marine insurance actually incurred by the wholesaler. However, the amount by which any cost of war risk insurance exceeds the rates charged by the War Shipping Administration shall not be included.

(6) An amount equal to actual cartage charges in Hawaiian port of discharge from dock to warehouse, or retailer's customary receiving point, computed at a rate not in excess of $1.20 per ton, provided the commodity is moved from the dock at the wholesaler's expense. The wholesaler may, at his option, determine the tonnage on either weight or measurement basis.

(d) *Change in maximum prices.* Maximum prices for any brand or size of beverage coming under the terms of this section shall be fixed by determining the maximum price as provided herein on the first shipment to arrive in the Territory after the effective date of this amendment. The price thus determined shall remain the maximum price for such brand and size until a change in landed costs occurs, which, if recalculated, would result in a change in price upward or downward, of two percent or more in the maximum retail price per bottle, in which case the maximum price shall be recalculated as provided herein.

(e) *Filing and posting.* In addition to the requirements set forth in Section 10, relating to records and reports, all wholesalers or importers coming under the terms of this section are required to file with the Office of Price Administration, Honolulu, T. H., on Form THP-10, provided by this office, each calculation of wholesale and retail prices as provided herein. Wholesalers and importers are required to (1) furnish the retailer with a statement of retail ceiling price thus calculated, or (2) furnish the retailer with a statement of the landed cost of such items before the merchandise is sold by the wholesaler or importer.

(f) *Inability to determine maximum prices.* Any person who is unable to determine his maximum price for any intoxicating liquor, wine, beer, or ale, under the provisions of this section, shall apply to the Office of Price Administration, Honolulu, T. H., for the establishment of such maximum price.

(g) *Definitions.* (1) Except as otherwise provided herein, all liquors, wines cordials, liqueurs, beer, ale, and other alcoholic, vinous, spiritous, or malt beverages covered by this section are defined as set forth in Regulations 4 and 5 and Amendments thereto, issued under the terms of the Federal Alcohol Administration Act as amended and under the terms of Maximum Price Regulations 445 or 269, as the case may be, as now or hereinafter amended.

(2) "Mainland hard liquor, beer or ale" means any hard liquor, beer ale imported in the Territory of Hawaii.

(3) "Island liquor or beer" means any liquor or beer manufactured in the Territory of Hawaii.

(4) "Sale at retail" means a sale or selling to an ultimate consumer.

(5) "Sale at wholesale" means a sale to any person other than an ultimate consumer, and includes, but is not limited to, sales to wholesalers, retailers and dispensers by manufacturers, brewers, importers, and other wholesalers.

(6) "6% Territorial Tax" means the liquor tax imposed under the terms of the Hawaii Liquor Tax Act of July 1, 1939.

(7) The "highest price charged by the seller in the Territory on December 6, 1941," means the highest price at which the seller sold or offered to sell, in the Territory of Hawaii, on December 6, 1941, any hard liquor listed in the "Tax Commissioner's Findings as to Tax Values of Liquor as of October 1, 1941," published by the Territorial Government.

3. Section 25a is added to read as follows:

Sec. 25a. *Maximum prices for intoxicating liquor, wine, beer and ale drinks served or sold by dispensers for consumption on the premises.* (a) *What this section covers.* This section sets maximum prices for all intoxicating liquor, wine, beer and ale drinks served or sold by dispensers for consumption on the premises, in the Territory of Hawaii.

(b) *Maximum prices for sales by dispensers other than cabaret dispensers.*

	Maximum price per drink (cents)
(1) *Mainland liquor.*	
(i) *Scotch whiskey.* King's Ransom, Johnnie Walker, Black Label, Haig and Haig Pinch Bottle, Ballantyne, Cutty Sark, Peter Dawson 20 Years Old, John Crabbie, Findlators', or any other Scotch Whiskey 12 years old or more, straight or mixed	50
All other brands of Scotch Whiskey, straight or mixed	45
(ii) *Bourbon, rye, and Canadian whiskies.* Bourbon or Rye Whiskey, 100 Proof, which has been bottled in bond, Canadian Club Whiskey, Seagram VO Canadian Whiskey, straight or mixed	50
All other Bourbon, Rye, Canadian or Blended Whiskies, straight or mixed	40
(iii) *Rum:* Imported, straight or mixed	40
Domestic (including Puerto Rican), straight	35
Domestic (including Puerto Rican), mixed	40
(iv) *Brandy:* Imported, straight or mixed	45
Domestic, straight or mixed	35
(v) *Mainland or imported gin:* Straight	50
Mixed	35
(2) *Island liquor.*	
(i) Island compounded gin, imitation whiskey, rum, okolehao, arrack, vodka, any other kind of island-produced liquor:	
Straight	35
Mixed	30
(3) *Beer and ale.*	
(i) *Mainland beer and ale,* per 11 or 12 oz. bottles, steinie, or can, all brands	25
Per 22 oz. bottle, all brands	40
Per 32 oz. bottle, all brands	60
(ii) *Island beer.*	
Primo or Royal, per 11 or 12 oz. bottle	20
Draught Beer, 12 oz.	20

Maximum prices for draught beer served or sold in quantities other than 12 ounces shall be in direct proportion per ounce to the maximum price of 20¢ for 12 ounces. For example, the maximum price for 6 ounces of draught beer shall be 10¢.

	Cents
(4) *Wine.*	
(i) *By the glass:*	
Domestic wine, portion or serving, not less than three ounces	25
Imported wine, portion or serving, not less than three ounces	35
Special wines, domestic or imported, portion or serving, not less than three ounces	50
(ii) *By the bottle:*	
When domestic, imported, or special wines are served by the bottle the maximum price shall be the maximum retail price, as determined under Section 25 of this Regulation, plus the following charges for chilling and serving:	
For still wines	25
For sparkling wines	50

(c) *Maximum prices for sales by cabaret dispensers.*

	Maximum Price Per Drink	Cabaret Tax	Maximum Price Per Drink Including Tax
(1) *Mainland liquor.*			
(i) *Scotch whiskey.* King's Ransom, Johnnie Walker Black Label, Haig and Haig Pinch Bottle, Ballantynes, Cutty Sark, Peter Dawson 20 Years Old, John Crabbie, Findlaters', or any other Scotch Whiskey 12 years old or more, straight or mixed	Cents 50	Cents 15	Cents 65
All other brands of Scotch Whiskey, straight or mixed	46	14	60
(ii) *Bourbon, rye, and Canadian whiskies.* Bourbon or Rye Whiskey, 100 Proof, which has been bottled in bond, Canadian Club Whiskey, Seagrams VO Canadian Whiskey, Straight or Mixed	46	14	60
All other Bourbon, Rye, Canadian or Blended Whiskies, Straight or Mixed	38	12	50
(iii) *Rum:*			
Imported, straight or mixed	38	12	50
Domestic (including Puerto Rican), straight	34	11	45
Domestic (including Puerto Rican), mixed	38	12	50
(iv) *Brandy:*			
Imported, straight or mixed	46	14	60
Domestic, straight or mixed	34	11	45
(v) *Mainland or imported gin:*			
Straight	31	9	40
Mixed	34	11	45
(2) *Island liquor.*			
(i) Island compounded gin, imitation whiskey, rum, okolehao, arrack, vodka, or any other kind of island produced liquor:			
Straight	27	8	35
Mixed	31	9	40
(3) *Beer and ale.*			
(i) *Mainland beer and ale,* per 11 or 12 oz. bottle, steinie, or can, all brands,	27	8	35
Per 22 oz. bottle, all brands	38	12	50
Per 32 oz. bottle, all brands	56	17	75
(ii) *Island beer.*			
Primo or Royal, per 11 or 12 oz. bottle	19	6	25
(4) *Wine.*			
(i) *By the glass:*			
Domestic wine, portion or serving not less than three ounces	27	8	35
Imported wine, portion or serving, not less than three ounces	34	11	45
Special wines, domestic or imported, portion or serving, not less than three ounces	50	15	65

(ii) *By the bottle:*
When domestic, imported, or special wines are served by the bottle, the maximum price shall be the maximum retail price, as determined under Section 25 of this Regulation, plus 30% cabaret tax, plus the following charges for chilling and serving:

For still wines	$0.25
For sparkling wines	.50

(d) *Inability to determine maximum prices.* Any dispenser who is unable to determine his maximum price for any intoxicating liquor, wine, beer or ale drink, under the provisions of this section, shall apply to the Office of Price Administration, Honolulu, T. H., for the establishment of such price.

(e) *Clubs, non-profit associations and hotels.* (1) any club, non-profit association or any hotel may apply to the Office of Price Administration, Hawaii Territorial Office, Honolulu, T. H., for permission to sell liquor drinks at a price not in excess of the highest price for which such drinks were sold or offered for sale by such club, non-profit association or hotel on December 6, 1941.

(f) *Evasion.* (1) The limitations set forth in this section shall not be evaded whether by direct or indirect methods.

(2) Specifically, but not exclusively, the following practices are prohibited:

(i) Serving or selling any straight drink in a glass or other container other than one having a capacity of one fluid ounce.

(ii) Serving or selling any straight drink without filling to the capacity, with liquor, the glass or other container in which it is served;

(iii) Measuring the liquor to be put into a mixed drink in a glass or other container other than one having a capacity of one fluid ounce.

(iv) Diluting, cutting or mixing with another ingredient a liquor prior to its being served as a drink or its incorporation into a mixed drink;

(v) Charging a cover or service charge to a consumer. If such a charge was normally made on December 6, 1941, application may be made to the Office of Price Administration, Hawaii Territorial Office, Honolulu, T. H., for permission to continue to make a similar charge.

(vi) Refusing to sell a drink, mixed drink, beer or ale except in connection with the sale of another commodity.

(g) *Posting of prices.* Every dispenser selling or offering for sale any intoxicating liquor, wine, beer or ale drinks, covered by this section, shall post, in a conspicuous and accessible place where such drinks are sold or offered for sale, a statement or list showing the maximum for every drink sold or offered for sale. The provisions of paragraph (b) (1) of section 10, relating to the marking and posting of prices, shall not be applicable to this section.

(h) *Definitions.* When used in this maximum price regulation the term:

(1) "Drink" or "straight drink" means a drink of not less than one fluid ounce of liquor.

(2) "Mixed drink" means a drink containing not less than one fluid ounce of liquor mixed with an ingredient other than liquor. A drink served with a chaser is not a mixed drink.

(3) "Beer" and "ale" means malt beverages made by the alcoholic fermentation of an infusion or decoction, or combinations of both, in potable brewing water, of malted, barley with hops or their parts or products, and with or without other malted cereals, and with or without the addition of unmalted or prepared cereals, other carbohydrates or products prepared therefrom, and with or without the addition of carbon dioxide, and with or without other wholesome products suitable for human food consumption.

(4) "Liquor" means a distilled or compounded alcoholic beverage of not less than 80° proof, except that aloe gin of not less than 70° proof shall also be deemed "liquor."

(5) "Wine" means any alcoholic beverage commonly known as such, produced by fermentation, and of not more than 24% alcoholic content by volume.

(6) "Imported wine" means wine manufactured outside of the United States, its territories or possessions.

(7) "Domestic wine" means wine manufactured in the United States, its territories or possessions, except the Territory of Hawaii.

(8) "Special wines" means any wine, either imported or domestic, for which the maximum wholesale price, as determined under Section 25 of this Regulation, exceeds $2.75 per four-fifths quart.

(9) "Mainland liquor, beer and ale" means any liquor, beer and ale imported into the Territory of Hawaii.

(10) "Island liquor or beer" means any liquor or beer manufactured in the Territory of Hawaii.

(11) "Dispenser" means any person licensed by the Territorial Government to serve or sell, for consumption on the premises, any alcoholic drinks covered by this section.

(12) "Cabaret dispenser" is any dispenser whose receipts, under the cabaret tax contained in Chapter 10 of the Internal Revenue Code, as amended, are subject to the 30% excise tax effective April 1, 1944.

4. Section 42 is hereby revoked.

This amendment shall become effective as of April 1, 1944.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8800; Filed, June 16, 1944; 4:09 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 378,[1] Amdt. 62]

FOOD PRODUCTS IN HAWAII

A statement of the considerations involved in the issuance of this amend-

[1] 8 F.R. 5388, 6359, 6849, 7300, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12290, 12703, 13023, 13343, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 15862, 16666, 16997, 17201; 9 F.R. 173, 393.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 373 is amended in the following respects:

1. Section 20a (c) is amended to read as follows:

(c) *Maximum prices; Island of Oahu only—(1) Specific maximum prices on the Island of Oahu only:*

Name and description	Style of processing	Size	Maximum prices for sales at wholesale	Maximum prices for sales at retail
Albacore (Pacific Coast)	Round or cleaned	All sizes	$0.375 lb.	$0.50 lb.
Albacore (Pacific Coast)	Steaks			$0.65 lb.
Butter Fish	Round	All sizes	$0.30 lb.	$0.40 lb.
Cod—Bleak	Dressed	All sizes	$0.35 lb.	$0.65 lb.
Cod—Bleak	Fillets			$0.80 lb.
Cod—Eastern	Fillets		$0.52 lb.	$0.70 lb.
Cod—Kippered			$0.69 lb.	$0.90 lb.
Crab Meat			$0.69 lb.	$1.30 lb.
Flounder (Eastern)	Fillets		$0.52 lb.	$0.70 lb.
Halibut (Chicken and Medium)	Dressed	Under 40#	$0.37 lb.	$0.60 lb.
Halibut (Chicken and Medium)	Steaks			$0.85 lb.
Herring (Sea)	Round	All sizes	$0.19 lb.	$0.26 lb.
King Fish	Round	All sizes	$0.21 lb.	$0.30 lb.
Mackerel (Pacific Coast)	Round	All sizes	$0.21 lb.	$0.26 lb.
Mackerel (Pacific Coast)	Fillets	All sizes		$0.35 lb.
Mullet	Round	Up to 5#	$0.27 lb.	$0.36 lb.
Mullet (Pacific Coast)		5# and over	$0.34 lb.	$0.45 lb.
Mullet	Steaks			$0.60 lb.
Oysters		Pint	$0.77 can	$1.00 can.
Oysters		Quart	$1.50 can	$2.00 can.
Oysters		¾ gal	$2.15 can	$2.85 can.
Oysters		½-gal	$3.00 can	$3.75 can.
Oysters		½ gal	$4.55 can	$5.70 can.
Oysters		1 gal	$5.22 can	$6.52 can.
Perch (Pacific Coast)	Round	All sizes	$0.30 lb.	$0.40 lb.
Perch (Atlantic Coast)	Fillets	All sizes		$0.67 lb.
Red Snapper	Dressed		$0.38 lb.	$0.50 lb.
Salmon (Pacific Silver)	Dressed	All sizes	$0.375 lb.	$0.50 lb.
Salmon (Pacific Silver)	Steaks	All sizes		$0.60 lb.
Salmon (Pacific Fall)	Dressed	All sizes	$0.335 lb.	$0.45 lb.
Salmon (Pacific Fall)	Steaks	All sizes		$0.55 lb.
Salted Fish			$0.85 per lb. over landed cost.	$0.17 per lb. over "net cost."
Sardines (California)			$0.18 lb.	$0.25 lb.
Sea Bass	Dressed		$0.47 lb.	$0.67 lb.
Sea Bass	Steak			$0.90 lb.
Smelt (Columbia River)			$0.22 lb.	$0.30 lb.
Smelt (Jack)			$0.21 lb.	$0.30 lb.
Squid (Pacific Coast)	Any	All sizes	$0.22 lb.	$0.30 lb.

[1] "Net cost" is the amount paid your supplier after deducting all discounts and allowances.

All cuts other than steaks or fillets may be sold at prices not to exceed the maximum price per pound of the round, cleaned or dressed fish from which they are derived.

(2) *Maximum prices for items which cannot be priced under subparagraph (1) above—Island of Oahu only.* In the case of a sale at wholesale or at retail of any imported frozen fish or seafood item not listed subparagraph (1) above (except frozen shrimp and prawn, for which maximum prices are established under section 55 of this regulation) the maximum price shall be the price authorized by the Territorial Director of the Office of Price Administration, upon the written application of the seller to the Office of Price Administration, Iolani Palace, Honolulu 2, T. H.

Such authorization will be given in the form of an order prescribing a specific maximum price or a method of determining the maximum price for the applicant, or if the applicant is a wholesaler, for sellers of the commodity generally, including purchasers for resale or for a class of such sellers.

This application must contain:

(i) The name of the imported frozen fish or seafood item for which a maximum price is sought;

(ii) A statement of the maximum price permitted the mainland primary wholesaler under Maximum Price Regulation 364 *;

(iii) A separate statement of the charges actually incurred by the seller in computing his landed cost.

(3) *Broken lots.* Sales of broken lots of frozen fish and seafood are permitted except on sales to other wholesalers. "Broken lots" are defined as partial lots of frozen fish and seafood that have been broken or separated from the original content of the immediate container in which the product has been packed by the processer, and which broken lots are sold, made ready for delivery, shipped out to a customer apart from the remainder of the original content of the immediate container. On sales of broken lots of frozen fish and seafood the wholesaler will be permitted to add 10% to the maximum prices for sales at wholesale, as set forth above.

2. The table following section 21 (c) (1) is amended by changing the price of one item and by adding a new item to read as follows:

	Wholesale maximum price	Retail maximum price
Quinea, dry, all sizes	$0.40 per 50 lb. bag	Per lb. $0.11
Quinea, dry, PSCC, Reconditioned.	$0.30 per 50 lb. bag	.11

* Copies may be obtained from the Office of Price Administration.

[2] 8 F.R. 4640, 5368, 7822, 11175, 12025, 12446, 12792, 14079, 15191, 15822, 16006, 9 F.R. 123, 966, 3032, 3966, 3490, 3654, 4122, 4860, 6168.

3. The table following section 21 (d) (1) is amended by changing the prices of several items and by adding a new item to read as follows:

	Wholesale maximum price	Retail maximum price
Apples:	Per box	
Northwest Newton Pippin	$5.80	$0.17 per lb.
Winesaps	5.80	$0.16 per lb.
Grapefruit:		
54's	4.60	$0.11 each.
64's	4.60	$0.10 each.
70's	4.60	$0.09 each.
80's	4.60	$0.08 each.
100's	4.60	$0.06 each.
Lemons:		
300's	7.40	$0.39 per doz.
360's	7.40	$0.33 per doz.
432's	7.40	$0.27 per doz.

This amendment shall become effective as follows:

As to section 20a (c) as of April 25, 1944.

As to section 21 (c) (1) and (d) (1) as of May 13, 1944.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8808; Filed, June 16, 1944; 4:11 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 63]

FRUITS AND VEGETABLES IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 373 is amended in the following respects:

1. Section 18 is hereby revoked.

2. The table following section 21 (c) (1) is amended by deleting the item "Squash, banana and hubbard" and by changing the prices of several items to read as follows:

	Wholesale maximum price	Retail maximum price
Garlic	$0.36 per lb.	$0.50 per lb.
Potatoes:		
Gem, U. S. #1	$5.60 per 100# bag	$0.08 per lb.
Combination	$4.85 per 100# bag	$0.07 per lb.

3. The table following section 21 (d) (1) is amended by deleting the following apple items: "California Newton Pippin," "Northwest Delicious," and "Arkansas Black," by changing the item "Grapefruit" to read "Grapefruit, Central California," by changing the prices of this item, and by adding a new item to read as follows:

	Wholesale maximum price	Retail maximum price
Grapefruit, Central California:	Per box	
54's	$4.90	$0.12 each
64's	4.90	$0.10 each
70's	4.90	$0.09 each
80's	4.90	$0.08 each
100's	4.90	Two for $0.13
Grapefruit, Cochella:		
64's	5.55	Two for $0.23
70's	5.55	Two for $0.21
80's	5.55	$0.09 each
100's	5.55	Two for $0.15
Lemons:		
300's	7.90	$0.42 per doz.
360's	7.90	$0.35 per doz.
432's	7.90	$0.29 per doz.
Oranges:		
100's	6.20	$0.99 per doz.
126's	6.20	$0.79 per doz.
150's	6.20	$0.65 per doz.
176's	6.20	$0.57 per doz.
200's	6.20	$0.50 per doz.
220's	6.20	$0.45 per doz.
252's	6.20	$0.40 per doz.
288's	6.20	$0.35 per doz.
344's	6.20	$0.29 per doz.
392's	6.20	$0.25 per doz.

4. The table following section 21 (e) (5) (i) is amended by adding a new item to read as follows:

Item	Grade	Maximum price at wholesale (per lb.)	Maximum price at retail (per lb.)
Lichee, Fresh	CQ	$0.75	$1.00

This amendment shall become effective as follows: As to section 16 as of May 6, 1944. As to section 21 (c) (1) and (d) (1) as of May 19, 1944. As to section 21 (e) (5) (i) as of May 22, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of June, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8805; Filed, June 16, 1944; 4:10 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 64]

TEXTILE PRINTING IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

* Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5368, 6359, 6949, 7200, 7457, 8064, 8550, 10270, 10966, 10984, 11247, 11849, 12299, 12703, 13342, 13500, 14129, 14206, 14688, 15258, 15369, 15851, 15852, 16866, 16997, 17201, 9 F.R. 173, 393.

Maximum Price Regulation 373 is amended in the following respect:

1. Section 58 is amended to read as follows:

SEC. 58. *Maximum prices for textile printing—(a) Scope of this section.* This section establishes maximum prices for textile printing in the Territory of Hawaii, including block printing, screen printing and stenciling.

(b) *Prints reproduced with 100% textile ink.* The maximum prices per print for block printing, screen printing or stenciling reproduced with 100% textile inks shall be the prices listed below in Table A.

(c) *Prints reproduced with any medium other than 100% textile ink.* The maximum prices per print for block printing, screen printing or stenciling reproduced with printer's ink, block printing ink, paint or any medium other than 100% textile ink, shall be the prices listed below in Table B.

TABLE A—MAXIMUM PRICES FOR PRINTS REPRODUCED WITH 100% TEXTILE INK

(1) MAXIMUM PRICES FOR PRINTS REPRODUCED ON "CERTAIN APPAREL ITEMS"

Size of print (in sq. inches)	One color print	Two color print	Three or more color prints
1-25 sq. in.	$0.06	$0.10	$0.15
26-50 sq. in.	.10	.15	.20
51-100 sq. in.	.15	.20	.25
101-200 sq. in.	.20	.25	.30
201-400 sq. in.	.40	.45	.50
401-600 sq. in.	.60	.65	.70
601-800 sq. in.	.90	1.00	1.20
Over 800 sq. in.	$1.20	$1.30	$1.80

(2) MAXIMUM PRICES FOR PRINTS REPRODUCED ON "ALL OTHER ITEMS"

1-25 sq. in.	$0.02	$0.03	$0.05
26-50 sq. in.	.03	.05	.10
51-150 sq. in.	.05	.10	.15
151-300 sq. in.	.10	.15	.20
301-500 sq. in.	.15	.20	.25
501-700 sq. in.	.20	.25	.30
Over 700 sq. in.	.25	.30	.35

TABLE B—MAXIMUM PRICES FOR PRINTS REPRODUCED WITH ANY MEDIUM OTHER THAN 100% TEXTILE INKS

1-25 square inches	$0.01	$0.02	$0.03
26-80 square inches	.02	.03	.05
51-150 square inches	.03	.04	.06
151-300 square inches	.04	.05	.10
301-500 square inches	.06	.06	.13
501-700 square inches	.06	.10	.15
Over 700 square inches	.07	.13	.18

(NOTE: The maximum prices listed in Tables A and B above are for finished work, which includes drying and pressing of the printed items. The number of square inches in a print shall be determined by multiplying the width of the print by the length. Length and width shall be measured at the longest and widest portions of the print.)

(d) *Definitions.* (1) "Textile printing" means printing on cloth.

(2) "Block printing" is the reproducing of a decorative design or pattern on cloth by means of a linoleum, zinc or wood block.

(3) "Screen printing" is the reproducing of a decorative design on cloth by means of a silk screen.

(4) "Stenciling" is the reproducing of a decorative design by means of a stencil.

(5) A "print" is a complete design or pattern, printed on cloth, regardless of the number of separate blocks, screens or stencils used in printing the design.

(6) "Textile inks" are those inks commonly known as and labeled as textile inks.

(7) "Printer's inks" are those inks commonly known as and labeled as printer's inks.

(8) "Block printing inks" are those inks which are commonly known as and are labeled block printing inks.

(9) "Certain apparel items" include only the following articles of wearing apparel: dresses, jumpers, skirts, blouses, pinafores, slacks and slack suits, lounging pajamas, housecoats, hostess coats, kimonas, negligees, negligee and gown sets, bed jackets, bed jacket and gown sets, swim suits and sun suits, play suits and shirts; but does include polo shirts, undershirts, aprons, separate nightgowns, sleeping pajamas and articles commonly known as accessories.

(10) "All other items" include all items made of woven or knitted fabric except those specifically termed "certain apparel items" in sub-paragraph (9).

(e) *Records and reports.* In addition to such records as the seller is required to keep under section (10) (a) (1) of this regulation, every person making a charge for textile printing, including block printing, screen printing or stenciling, shall furnish the buyer at the time of delivery with a written invoice or sales memorandum, setting forth the following information:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) A description of the print reproduced.

(4) The number of reproductions of each print.

(5) The measurement in square inches and the number of colors in each print.

(6) The word "textile" or letter "T" if 100% textile ink is used in reproducing the print.

(7) The price paid or received.

A duplicate of this invoice or sales memorandum must be kept by the seller for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

This amendment shall become effective June 21, 1944.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8804; Filed, June 16, 1944; 4:10 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 865,[1] Amdt. 23]

MEN'S AND BOYS' WEAR IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 42 is added to read as follows:

SEC. 42. *Maximum prices for imported men's and boys' wear and accessories sold or delivered in the Virgin Islands of the United States* — (a) *Definitions.* When used in this section 42, the term:

(1) "Men's and boys' wear and accessories" includes all unused masculine outerwear garments and underwear garments (not including children's and infants' wear sizes 0 to 6), hosiery, and the following accessories only:

Armbands.
Athletic supporters.
Belts.
Garters.
Gloves.
Handkerchiefs.
Neckties and neckwear.
Suspenders.

"Men's and boys' wear and accessories" does not include millinery as defined in section 31 (a) (1), shoes or articles of adornment for personal wear except as specified above.

MUNICIPALITY OF ST. THOMAS AND ST. JOHN

Group A:
All items of men's and boys' wear and accessories, except those listed under Group B, and including men's and boys' suits not directly imported from the continental United States.

Group B:
Men's and boys' suits directly imported from the continental United States.
Neckties.

MUNICIPALITY OF ST. CROIX

Men's and boy's suits not directly imported from the continental United States.

Group B:
All items of men's and boys' wear and accessories, except those listed under Group A, and including men's and boys' suits directly imported from the continental United States.

(2) "Imported" as applied to men's and boys' wear and accessories means men's and boys' wear and accessories not actually produced or manufactured in the Virgin Islands of the United States.

(3) "Foreign place" means any place outside of the continental United States and the Territories and Possessions of the United States.

(4) "Class of men's and boys' wear and accessories" means a group of products comprised of men's and boys' wear and accessories having the same or similar description, all of which have identical maximum prices and are received by the seller in one delivery.

(b) *Maximum prices*—(1) *Specified articles when directly imported from foreign places.* The maximum prices at retail and at wholesale of the men's and boys' wear and accessories listed below, when directly imported from a foreign place, shall be governed by Maximum Price Regulation No. 201:[2]

Belts.
Handkerchiefs.
Hosiery.
Neckties.
Sweaters.

(2) *All other imported articles.* (i) Maximum retail prices for imported men's and boys' wear and accessories, other than those covered by paragraph (b) (1) above, shall be computed by multiplying the direct cost to the importer by the applicable multiplier set forth in Table XXX below:

TABLE XXX—MEN'S AND BOYS' WEAR AND ACCESSORIES

Class of products	Sales in the municipality of St. Thomas and St. John	Sales in the municipality of St. Croix
Group A	1.40	1.40
Group B	1.80	1.50

(ii) Notwithstanding the provisions of paragraph (b) (2) (i), the seller may apply to the Territorial Director for the Virgin Islands for approval of a nationally advertised retail price for a commodity subject to this section when such commodity is nationally advertised by the manufacturer thereof. The applicant shall set forth:

(a) A description of the article to be priced;

(b) Conclusive evidence that the manufacturer has established a nationally advertised resale price at retail;

(c) A statement of the direct cost of the article to the importer;

(d) A correct statement of such nationally advertised price.

The Territorial Director may in his discretion approve such nationally advertised resale price as the maximum retail price of the seller. Unless the seller makes such application, and unless the Territorial Director approves such resale price, the retailer may not sell such article at prices in excess of those established in paragraph (b) (2) (i) above.

(iii) The wholesale prices for such imported men's and boys' wear and accessories shall be subject to agreement between buyer and seller, but in no event may the wholesale price exceed the seller's maximum retail price for the commodity.

(iv) No sales at retail of such imported men's and boys' wear and accessories in excess of the retail price computed in accordance with the method set forth in paragraph (b) (1) (i) or (b) (1) (ii) above, whichever is applicable, shall be permitted, regardless of the number of transfers of the commodity which may occur in the Virgin Islands of the United States.

(c) *Price lists and statements*—(1) *Price lists to be filed by the seller at retail.* The seller at retail shall file with the Office of Price Administration in St. Thomas or St. Croix not later than July 17, 1944, a statement indicating the direct cost to the importer, his applicable multiplier and his maximum retail selling price for each class of men's and boys' wear and accessories covered by this section which he has in his inventory on the date when he submits his statement to the Office of Price Administration. Thereafter, the retailer shall notify the Office of Price Administration of his ceiling prices by filing a supplementary price list setting forth similar information for each class of such imported men's and boys' wear and accessories subsequently acquired by him within three days after placing such class of imported men's and boys' wear and accessories on sale. The inventory and supplementary price lists shall contain the following information:

(i) Description of class of men's and boys' wear and accessories: type, brand, size, supplier's stock number if available;

(ii) The date of receipt (applicable only when filing the supplementary price list);

(iii) The name and address of the supplier;

(iv) The direct cost to the importer;

(v) The applicable multiplier (or markup);

(vi) The retailer's maximum price.

(2) *Price statement required of the seller at wholesale.* Any person, including the importer, who sells or transfers men's and boys' wear and accessories (except those subject to Maximum Price Regulation 201) to another person for purposes of resale shall furnish such person with a written statement of the direct cost of each class of such men's and boys' wear and accessories to the importer, and shall certify this information to be true and correct.

This amendment shall become effective July 3, 1944.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8808; Filed, June 16, 1944; 4:10 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 865, Amdt. 24]

CHILDREN'S AND INFANTS' WEAR IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 43 is added to read as follows:

SEC. 43. *Maximum prices for imported children's and infants' wear sold or delivered in the Virgin Islands of the United States*—(a) *Definitions.* When used in this section 43 the term:

(1) "Children's and infants' wear" includes all children's wear in girls' sizes 2-6, and boys' sizes 2-6, and all infants' wear in sizes 0-2, and includes boys', girls' and infants' outerwear, underwear, nightwear, hosiery, bootees and socks, harnesses, bibs, binders, diapers, and miscellaneous articles of children's and infants' wear made principally of fabric, and includes infants' footwear and headwear, but does not include boys' and girls' millinery and shoes.

(2) "Imported" as applied to children's and infants' wear means children's and infants' wear not actually produced or manufactured in the Virgin Islands of the United States.

(3) "Foreign place" means any place outside of the continental United States and the Territories and Possessions of the United States.

(4) "Class of children's and infants' wear" means a group of products comprised of children's and infants' wear having the same or similar description, all of which have identical maximum prices and are received by the seller in one delivery.

(b) *Maximum prices*—(1) *Children's and infants' wear directly imported from foreign places.* The maximum prices at retail and at wholesale of children's and infants' wear directly imported from a foreign place shall be governed by Maximum Price Regulation No. 201.[1]

(2) *All other imported children's and infants' wear.* (i) Maximum retail prices for imported children's and infants' wear, other than those covered by paragraph (b) (1) above, shall be computed by multiplying the direct cost to the importer by the applicable multiplier set forth in Table XXXI below:

TABLE XXXI—CHILDREN'S AND INFANTS' WEAR

	Sales in the municipality of St. Thomas and St. John	Sales in the municipality of St. Croix
Multiplier	1.35	1.50

(ii) Notwithstanding the provisions of paragraph (b) (2) (i), the seller may apply to the Territorial Director for the Virgin Islands for approval of a nationally advertised retail price for a commodity subject to this section when such commodity is nationally advertised by the manufacturer thereof. The applicant shall set forth:

(a) A description of the article to be priced;

(b) Conclusive evidence that the manufacturer has established a nationally advertised resale price at retail;

(c) A statement of the direct cost of the article to the importer;

(d) A correct statement of such nationally advertised price.

The territorial Director may in his discretion approve such nationally advertised resale price as the maximum retail price of the seller. Unless the seller makes such application, and unless the Territorial Director approves such resale price, the retailer may not sell such article at prices in excess of those established in paragraph (b) (2) (i) above.

(iii) The wholesale prices for such imported children's and infants' wear shall be subject to agreement between buyer and seller, but in no event may the wholesale price exceed the seller's maximum retail price for the commodity.

(iv) No sales at retail of such imported children's and infants' wear in excess of the retail price computed in accordance with the method set forth in paragraph (b) (2) (i) or (b) (2) (ii) above, whichever is applicable, shall be permitted, regardless of the number of transfers of the commodity which may occur in the Virgin Islands of the United States.

(c) *Price lists and statements*—(1) *Price lists to be filed by the seller at retail.* The seller at retail shall file with the Office of Price Administration in St. Thomas or St. Croix not later than July 24, 1944, a statement indicating the direct cost to the importer, his applicable multiplier and his maximum retail selling price for each class of children's and infants' wear covered by this section which he has in his inventory on the date when he submits his statement to the Office of Price Administration. Thereafter, the retailer shall notify the Office of Price Administration of his ceiling prices by filing a supplementary price list setting forth similar information for each class of such imported children's and infants' wear subsequently acquired by him within three days after placing such class of imported children's and infants' wear on sale. The inventory and supplementary price lists shall contain the following information:

(i) Description of class of children's and infants' wear: type, brand, size, supplier's stock number, if available;

(ii) The date of receipt (applicable only when filing the supplementary price list);

(iii) The name and address of the supplier;

(iv) The direct cost to the importer;

(v) The applicable multiplier (or markup);

(vi) The retailer's maximum price.

(2) *Price statement required of the seller at wholesale.* Any person, including the importer, who sells or transfers children's and infants' wear (except those subject to Maximum Price Regulation 201) to another person for purposes of resale shall furnish such person with a written statement of the direct cost of each class of such children's and infants' wear to the importer, and shall certify this information to be true and correct.

This amendment shall become effective July 10, 1944.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 16th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8802; Filed, June 16, 1944; 4:10 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53,[1] Amdt. 24]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 53 is amended in the following respects:

1. Section 11.9 (o) (1) is amended to read as follows:

(o) *Community of sale.* (1) Except as otherwise provided in sections 11.9 (o) (2) and 11.9 (o) (3), "community of sale" means that point at which the purchaser from the processor resells the lard so purchased, regardless of the point at which actual delivery of the lard from the processor to the purchaser takes place.

2. Section 11.9 (o) (3) is amended to read as follows:

(3) Where lard is purchased from a processor for purposes other than reselling it as lard (such as, but not limited to, purchases for consumption, or for use in manufacturing another product, etc.), "community of sale" means the place where is located the buyer's premises in which the lard is consumed, or employed in manufacturing another product, or otherwise used.

This amendment shall become effective June 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8816; Filed, June 17, 1944; 11:23 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[GMPR for Hawaii,[2] Amdt. 5]

SALES AT WHOLESALE AND RETAIL IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, have been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6269, 6744, 9996, 8947, 10231, 10790; 8 F.R. 1860, 10984.

[2] 7 F.R. 6269, 6744, 9996, 8947, 10231, 10790; 8 F.R. 1860, 10984; 9 F.R. 2176, 2747.

[1] 9 F.R. 4200, 5314.

[2] 8 F.R. 5307, 6362, 14765, 15585.

"The General Maximum Price Regulation for the Territory of Hawaii is amended in the following respects:

1. Section 20 (a) (14) is amended to read as follows:

(14) "Sale at retail" means a sale to an ultimate consumer. However, a sale to any of the following types of purchasers by a retail store which regularly and customarily sells to ultimate consumers other than industrial, commercial or institutional users, shall be deemed a sale at retail:

(i) A commercial or industrial user of any item, provided such sale does not affect the direct cost of material sold by the purchaser or the direct cost of any service rendered by such commercial or industrial user, or

(ii) The United States, or any government, or any of its sub-divisions, any religious, educational, or charitable institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library, or any agency of the foregoing.

2. Section 20 (a) (15) is amended to read as follows:

(15) "Sale at wholesale" means a sale by a person who buys a commodity and resells it, without substantially changing its form, to any person other than an ultimate consumer and includes any sale to the United States, or any government, or any of its sub-divisions, any religious, educational, or charitable institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library, commercial or industrial user, or any agency of the foregoing, except as such sales come within the provisions of subparagraph (14) above.

This amendment shall become effective as of May 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 17th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8817; Filed, June 17, 1944; 11:23 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 65]

SALES AT WHOLESALE AND RETAIL IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 373 is amended in the following respects:

1. Section 12 (a) (1) is amended to read as follows:

(1) "Sale at retail" means a sale to an ultimate consumer. However, a sale to any of the following types of purchasers by a retail store, which regularly and customarily sells to ultimate consumers other than industrial, commercial or institutional users, shall be deemed a sale at retail:

(i) A commercial or industrial user of any item: *Provided*, Such sale does not affect the direct cost of material sold by the purchaser or the direct cost of any service rendered by such commercial or industrial user, or

(ii) The United States, or any government, or any of its subdivisions, any religious, educational, or charitable institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library, or any agency of the foregoing.

2. Section 12 (a) (2) is amended to read as follows:

(2) "Sale at wholesale" means a sale by a person who buys a commodity and resells it, without substantially changing its form, to any person other than an ultimate consumer and includes any sale to the United States, or any government, or any of its subdivisions, any religious, educational, or charitable institution for the sick, deaf, blind, disabled, aged, or insane, or any school, hospital, library, commercial or industrial user, or any agency of the foregoing, except as such sales come within the provisions of subparagraph (1) above.

This amendment shall become effective as of May 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R., Doc. 44-8818; Filed, June 17, 1944; 11:23 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 378,[1] Amdt. 66]

ONIONS AND POTATOES IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 21 is amended in the following respects:

1. The table following section 21 (c) (1) is amended by changing the prices of one item and by adding a new item to read as follows:

	Wholesale maximum price	Retail maximum price
	Per sack	*Per pound*
Onions, dry: All colors	$2.80 per 100 bag	$0.11
Potatoes: New crop whites	$3.00 per 100 bag	.07

2. The table following section 21 (d) (1) is amended by changing the item "Grapefruit, Central California" to "Grapefruit", by deleting the item "Grapefruit, Coachella" and by changing the prices of several items to read as follows:

	Wholesale maximum price	Retail maximum price
	Per box	*Each*
Grapefruit:		
54's	$4.35	$0.13
64's	4.35	.11
70's	4.35	.10
80's	4.35	.09
100's	4.35	.07
		Per doz.
Lemons:		
300's	7.85	$0.39
360's	7.85	.33
432's	7.85	.27

This amendment shall become effective as of June 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671, E.O. 9328, 8 F.R. 4681)

Issued this 17th day of June 1944.

CHESTER BOWLES,
Administrator.

[MPR 165, as Amended,[1] Amdt. 2 to Supp. Service Reg. 22]

PART 1499—COMMODITIES AND SERVICES

[MPR 165, as Amended,[1] Amdt. 2 to Supp. Service Reg. 22]

REPAIR OF CERTAIN APPLIANCES AND EQUIPMENT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplementary Service Regulation No. 22 to Maximum Price Regulation No. 165 is amended in the following respects:

1. The number "(1)" is inserted after the word "subparagraph" in the first sentence of § 1499.674 (a) (4).

2. The last sentence of § 1499.674 (g) is amended to read as follows: "The term does not include furnaces, boilers, industrial equipment, oil burners, stokers, typewriters, adding machines, dictating machines, duplicating equipment, or other office machines."

This amendment shall become effective June 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8820; Filed, June 17, 1944; 11:24 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11267, 11437, 11940, 12389, 12706, 13023, 13243, 13600, 14139, 14505, 14688, 15253, 15369, 15681, 15882, 15953, 16006, 16907, 17201; 9 F.R. 173, 603, 620, 685, 1158, 1457, 1486; 9 F.R. 1586, 1880, 2177, 2177, 2650, 2660, 3153, 3332, 3341, 3967, 3947, 3945, 4351, 4783.

[1] 7 F.R. 9128, 9360, 9389, 9431, 9798, 8943, 8948, 9197, 9942, 9945, 9783, 9971, 9973, 10480, 10619, 10713, 11010; 8 F.R. 1660, 3624, 4782, 5631, 6785, 6893, 6964, 6966, 8573, 10571, 10939, 11784, 12883, 12710, 12808, 13672, 14090; 9 F.R. 1819, 2396, 3393, 4747, 5174.

PART 1499—COMMODITIES AND SERVICES

[RMPR 204,[1] Amdt. 2]

SPECIAL SALES OF INDUSTRIAL MATERIALS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4 of Revised Maximum Price Regulation 204 is amended to read as follows:

Sec. 4. *Relation to other regulations.* This regulation establishes maximum prices for all special sales of industrial materials except sales covered by Maximum Price Regulation 174—Freight Car Materials Sold by Car Builders,[2] Sales covered by Supplementary Order No. 10—Judicial Sales,[3] Sales covered by Supplementary Order No. 32—Netherlands Purchasing Commission,[4] Sales covered by Supplementary Order No. 42—Maximum prices for certain sales of certain surplus steels,[5] Sales covered by Supplementary Order No. 48—Accommodation Sales of Industrial Materials[6] and sales governed by other price regulations which expressly provide that they apply to special sales of industrial materials.

This amendment shall become effective June 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8821; Filed, June 17, 1944; 11:25 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing,[1] Amdt. 27]

ATLANTIC COUNTY, N. J.

Item 187a of Schedule A of the Rent Regulation for Housing is hereby revoked to transfer the Atlantic County Defense-Rental Area, consisting of the County of Atlantic, New Jersey, to the Rent Regulation for Housing in the Atlantic County Defense-Rental Area.

This amendment shall become effective June 17, 1944.

Issued this 17th day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-8824; Filed, June 17, 1944; 4:21 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing in Atlantic County Area]

Sec.
1. Scope of this regulation.
2. Prohibition against higher than maximum rents.
3. Minimum services, furniture, furnishings and equipment.
4. Maximum rents.
5. Adjustments and other determinations.
6. Removal of tenant.
7. Registration.
8. Inspection.
9. Evasion.
10. Enforcement.
11. Procedure.
12. Petitions for amendment.
13. Definitions.

AUTHORITY: § 1388.1411 issued under 56 Stat. 23, 765.

SECTION 1. *Scope of this regulation*—(a) *Housing in the Atlantic County Defense-Rental Area.* This regulation applies to all housing accommodations within the Atlantic County Defense-Rental Area, consisting of the county of Atlantic, New Jersey, except as provided in paragraph (b) of this section.

Wherever the words "the maximum rent date" are referred to in this regulation, "September 1, 1943" shall apply. Wherever the words "the effective date of regulation" are referred to in this regulation, "June 1, 1944" shall apply.

The Atlantic County Defense-Rental Area is referred to hereinafter in this regulation as the "Defense-Rental Area."

(b) *Housing to which this regulation does not apply.* This regulation does not apply to the following:

(1) *Farming tenants.* Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon.

(2) *Service employees.* Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part.

(3) *Rooms in hotels, rooming houses, etc.* Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the Rent Regulation for Hotels and Rooming Houses pursuant to the provisions of that regulation.

(4) *Structures in which more than 25 rooms are rented or offered for rent.* Entire structures or premises wherein more than 25 rooms are rented or offered for rent by any lessee, sublessee or other tenant of such entire structure or premises: *Provided*, That this regulation does apply to entire structures or premises wherein 25 or less rooms are rented or offered for rent by any lessee, sublessee or other tenant of such entire structure or premises, whether or not used by the lessee, sublessee or other tenant as a hotel or rooming house: *And provided further*, That this regulation does apply to an underlying lease of any entire structure or premises which was entered into after the maximum rent date and prior to the effective date of regulation, while such lease remains in force with no power in the tenant to cancel or otherwise terminate the lease.

(5) *Rented to National Housing Agency.* Housing accommodations rented to the United States acting by the National Housing Agency: *Provided, however*, That this regulation does apply to a sublease or other subrenting of such accomodations or any part thereof.

(6) *Resort housing.* Housing accommodations located in a resort community and customarily rented or occupied on a seasonal basis, which were not rented during any portion of the period beginning on November 1, 1943 and ending on February 29, 1944.

The exemption provided by this paragraph (b) (6) shall be effective only from June 1, 1944 to September 30, 1944, inclusive.

(7) *Subletting.* The subletting or other subrenting of housing accommodations for a term beginning on or after June 1, 1944 and ending on or before September 30, 1944.

The exemption provided by this paragraph (b) (7) shall be effective only from June 1, 1944 to September 30, 1944, inclusive.

(c) *Effect of this regulation on leases and other rental agreements.* The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as these provisions are inconsistent with this regulation.

(d) *Waiver of benefit void.* An agreement by the tenant to waive the benefit of any provision of this regulation is void. A tenant shall not be entitled by reason of this regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of regulation.

SEC. 2. *Prohibition against higher than maximum rents*—(a) *General prohibition.* Regardless of any contract, agreement, lease, or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of regulation of any housing accommodations within the defense-rental area higher than the maximum rents provided by this regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this regulation may be demanded or received.

(b) *Exception in case of conversion of fuel oil heating units.* Notwithstanding any other provision of this regulation, where housing accommodations are heated with fuel oil the landlord of such accommodations may as hereinafter provided enter into an agreement with the tenant providing for payment by the tenant of part or all of the cost of changing the heating unit to use some fuel other than oil or of installing a new heating unit using some fuel other than oil. Prior to making such agreement the landlord shall in writing report the terms of the proposed agreement to the area rent office. The landlord may enter into the agreement either upon its approval by the Administrator or, unless the Administrator has disapproved the proposed agreement within five days after the filing of such report, upon the expiration of such 5-day period.

(c) *Lease with option to buy.* Where a lease of housing accommodations was entered into prior to the effective date of regulation and the tenant as a part of such lease or in connection therewith was granted an option to buy the

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5978, 12788.

[2] 8 F.R. 5981, 6788, 6949; 8 F.R. 155, 9021.

[3] 7 F.R. 8481, 10448.

[4] 7 F.R. 10877.

[5] 8 F.R. 5173.

[6] 8 F.R. 6855.

[1] 8 F.R. 6907, 8015, 6360, 6669.

housing accommodations which were the subject of the lease, with the further provision that some of all of the payments made under the lease should be credited toward the purchase price in the event such option is exercised, the landlord, notwithstanding any other provision of this regulation, may be authorized to receive payment made by the tenant in accordance with the provisions of such lease and in excess of the maximum rent for such housing accommodations. Such authority may be secured only by a written request of the tenant to the area rent office and shall be granted by order of the Administrator if he finds that such payments in excess of the maximum rent will not be inconsistent with the purposes of the act or this regulation and would not be likely to result in the circumvention or evasion thereof. After entry of such order the landlord shall be authorized to demand, receive and retain payments provided by the lease in excess of the maximum rent for periods commencing on or after the effective date of regulation. After entry of such order, the provisions of the lease may be enforced in accordance with law, notwithstanding any other provision of this regulation: *Provided, however,* That if at the termination of the lease the tenant shall not exercise the option to buy, the landlord may thereafter remove or evict the tenant only in accordance with the provisions of section 6 of this regulation. Nothing in this paragraph shall be construed to authorize the landlord to demand or receive payments in excess of the maximum rent in the absence of an order of the Administrator as herein provided. Where a lease of housing accommodations has been entered into on or after the effective date of regulation, and the tenant as a part of such lease or in connection therewith has been granted an option to buy the housing accommodations which are the subject of the lease, the landlord, prior to the exercise by the tenant of the option to buy, shall not demand or receive payments in excess of the maximum rent, whether or not such lease allocates some portion or portions of the periodic payments therein provided as payments on or for the option to buy.

SEC. 3. *Minimum services, furniture, furnishings and equipment.* Except as set forth in section 5 (b), every landlord shall, as a minimum, provide with housing accommodations the same essential services, furniture, furnishings, and equipment as those provided on the date determining the maximum rent, and as to other services, furniture, furnishings and equipment not substantially less than those provided on such date: *Provided, however,* That where fuel oil is used to supply heat or hot water for housing accommodations, and the landlord provided heat or hot water on the date determining the maximum rent, the heat and hot water which the landlord is required to supply shall not be in excess of the amount which he can supply under any statute, regulation or order of the United States or any agency thereof which rations or limits the use of fuel oil.

SEC. 4. *Maximum rents.* Maximum rents (unless and until changed by the Administrator as provided in section 5) shall be:

(a) *Rented on maximum rent date.* For housing accommodations rented on the maximum rent date, the rent for such accommodations on that date; *Provided, however,* That where the accommodations were sublet on a seasonal basis on the maximum rent date, the maximum rent shall be the rent provided in the underlying lease of such accommodations.

(b) *Not rented on maximum rent date but rented during two months ending on that date.* For housing accommodations not rented on the maximum rent date, but rented at any time during the two months ending on that date, the last rent for such accommodations during the two-month period: *Provided, however,* That where the housing accommodations were sublet on a seasonal basis on the date of the last rent for such accommodations during the two-month period, the maximum rent shall be the rent provided in the underlying lease of such accommodations.

(c) *First rent after the maximum rent date but before effective date.* For housing accommodations not rented on the maximum rent date nor during the two months ending on that date, but rented prior to the effective date of regulation, the first rent for such accommodations after the maximum rent date. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

(d) *Constructed or changed before effective date.* For (1) newly constructed housing accommodations without priority rating first rented after the maximum rent date and before the effective date of regulation, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

(e) *First rent after effective date.* For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of regulation, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time during the two months ending on the maximum rent date nor between that date and the effective date, the first rent for such accommodations after the change or the effective date, as the case may be. Within 30 days after so renting the landlord shall register the accommodations as provided in section 7. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

If the landlord fails to file a registration statement within the time specified, the rent received for any rental period commencing on or after the date of the first renting, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order under section 5 (c) (1). In such case, the order under section 5 (c) (1) shall be effective to decrease the maximum rent from the date of such first renting. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the act for failure to file the registration statement required by section 7.

(f) *Priority-constructed housing.* For housing accommodations newly constructed with priority rating from the United States or any agency thereof for which the rent is approved by the United States or any agency thereof prior to the maximum rent date, or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, the rent so approved, but in no event more than the rent on the maximum rent date, or, if the accommodations were not rented on that date, more than the first rent after that date: *Provided, however,* That if, prior to the maximum rent date or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, the landlord made a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and a higher rent is approved by such agency on or after March 29, 1944, because of such increased costs of construction, the maximum rent on and after the date of such approval shall be the rent so approved.

The provisions of this paragraph (f) shall apply to the approval of rents for such housing accommodations by the United States or any agency thereof in connection with the grant of an application for priority rating filed on any of the application forms of the Office of Production Management or the War Production Board, including the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941.

The provisions of this paragraph (f) shall not apply to housing accommodations resulting from the alteration or remodeling of an existing structure.

(g) *Housing owned and constructed by the government.* For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable

housing accommodations on the maximum rent date, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

(h) *Housing subject to rent schedule of War or Navy Department.* For housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established by such rent schedule.

(i) *Changed on or after the effective date of regulation, from unfurnished to furnished.* For housing accommodations changed on or after the effective date of regulation from unfurnished to fully furnished, the first rent for such accommodations after such change. The Administrator may order a decrease in the maximum rent as provided in section 5 (c) (1).

Within 30 days after the accommodations are first rented fully furnished, the landlord shall register the accommodations as provided in section 7. If the landlord fails to file a registration statement within the time specified, the rent received from the time of such first renting shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order under section 5 (c) (1). In such case, the order under section 5 (c) (1) shall be effective to decrease the maximum rent from the time of such first renting. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the Act for failure to file the registration statement required by section 7.

SEC. 5. *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required.

In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, an increase or decrease in the number of subtenants or other occupants, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on the maximum rent date, the difference in the rental value of the housing accommodations by reason of such change: *Provided, however,* That no adjustment shall be ordered where it appears that the rent on the date determining the maximum rent was fixed in contemplation of and so as to reflect such change.

In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date: *Provided,* That in cases under paragraph (c) (8) of this section due consideration shall be given to any increased occupancy of the accommodations since that date by subtenants or other persons occupying under a rental agreement with the tenant.

In cases involving construction, due consideration shall be given to general increases in costs of construction, if any, in the defense-rental area since the maximum rent date.

In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations during the year ending on the maximum rent date.

(a) *Grounds for increase of maximum rent.* Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) *Major capital improvement after effective date.* There has been on or after the effective date of regulation a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) *Major capital improvement prior to maximum rent date.* There was, on or prior to the maximum rent date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent on the maximum rent date was fixed by a lease or other rental agreement which was in force at the time of such change.

(3) *Substantial increase in services, furniture, furnishings or equipment.* There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent. No increase in the maximum rent shall be ordered on the ground set forth in this paragraph (a) (3) unless the increase in services, furniture, furnishings or equipment occurred with the consent of the tenant or while the accommodations were vacant: *Provided,* That an adjustment may be ordered, although the tenant refuses to consent to the increase in services, furniture, furnishings or equipment, if the Administrator finds that such increase (i) is reasonably required for the operation of a multiple dwelling structure or other structure of which the accommodations are a part or (ii) is necessary for the preservation or maintenance of the accommodations.

(4) *Special relationship between landlord and tenant.* The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date: *Provided,* That no adjustment under this subparagraph increasing the maximum rent shall be made effective with respect to any accommodations regularly rented to employees of the landlord while the accommodations are rented to an employee, and no petition for such an adjustment will be entertained until the accommodations have been or are about to be rented to one other than an employee.

(5) *Lease for term commencing one year or more before maximum rent date.* There was in force on the maximum rent date, a written lease, for a term commencing on or prior to the date one year before the maximum rent date, requiring a rent substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date; or the housing accommodations were not rented on the maximum rent date, but were rented during the two months ending on that date and the last rent for such accommodations during that two-month period was fixed by a written lease, for a term commencing on or prior to the date one year before the maximum rent date, requiring a rent substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

(6) *Varying rents.* The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) *Seasonal rents.* The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand, or seasonal variations in the rent, for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(8) *Substantial increase in occupancy.* There has been, since the maximum rent date, either (i) a substantial increase in the number of subtenants or other persons occupying the accommodations or a part thereof under a rental agreement with the tenant, or (ii) a substantial increase in the number of occupants, in excess of normal occupancy for that class of accommodations on the maximum rent date, or (iii) an increase in the number of occupants over the number contemplated by the rental agreement on the date determining the maximum rent, where the landlord on that date had a regular and definite practice of fixing different rents for the accommodations for different numbers of occupants.

(9) On the date determining the maximum rent the housing accommodations were temporarily exempt from real estate taxes, the landlord was passing the benefit of this tax exemption on to the tenant, and as a result the rent on that date was substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

(10) *Priority rating granted on September 1941 application form of Office of Production Management.* The maximum rent for the housing accommodations is established under section 4 (f),

the application for priority rating for the construction of the housing accommodations was filed on the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941, the landlord did not make, prior to the maximum rent date or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and the maximum rent for the accommodations is substantially lower than the rent generally prevailing in the defense-rental area for comparable accommodations on the maximum rent date, giving due consideration to general increases in costs of construction, if any, in the defense-rental area since the maximum rent date.

This paragraph (a) (10) shall apply only to housing accommodations which were first rented prior to March 29, 1944.

(b) *Decreases in minimum services, furniture, furnishings and equipment*—(1) *Decreases prior to effective date.* If, on the effective date of regulation, the services provided for housing accommodations are less than the mimimum services required by section 3, the landlord shall either restore and maintain such minimum services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. If, on such effective date, the furniture, furnishings or equipment provided with housing accommodations are less than the minimum required by section 3, the landlord shall, within 30 days after such date, file a written report showing the decrease in furniture, furnishings or equipment.

(2) *Decreases after effective date.* Except as above provided, the landlord shall, until the accommodations become vacant, maintain the minimum services, furniture, furnishings, and equipment unless and until he has filed a petition to decrease the services, furniture, furnishings, or equipment and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, furniture, furnishings, or equipment he shall file a petition within 10 days after the change occurs. When the accommodations become vacant the landlord may, on renting to a new tenant, decrease the services, furniture, furnishings, or equipment below the minimum; within 10 days after so renting the landlord shall file a written report showing such decrease.

(3) *Adjustment in maximum rent for decreases.* The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent; and any maximum rent for which a report is required by this paragraph may be decreased in accordance with the provisions of section 5 (c) (3). If the landlord fails to file the petition or report required by this paragraph within the time specified, or decreases the services, furniture, furnishings, or equipment without an order authorizing such decrease where such order is required, the rent received by the landlord for any rental period commencing on or after such decrease or the effective date of regulation, whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by any order decreasing the maximum rent on account of such decrease in services, furniture, furnishings, or equipment. In such case, any order decreasing the maximum rent shall be effective to decrease such rent from the beginning of the first rental period after the decrease in services, furniture, furnishings, or equipment or after the effective date of regulation, whichever is the later. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the act for failure to comply with any requirement of this paragraph.

(c) *Grounds for decrease of maximum rent.* The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable only on the grounds that:

(1) *Rent higher than rents generally prevailing.* The maximum rent for housing accommodations under paragraph (c), (d), (e), (g), or (i) of section 4 is higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

(2) *Substantial deterioration.* There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) *Decrease in services, furniture, furnishings or equipment.* There has been a decrease in the minimum services, furniture, furnishings or equipment required by section 3 since the date or order determining the maximum rent.

(4) *Special relationship between landlord and tenant.* The rent on the date determining the maximum rent was materially affected by the blood, personal, or other special relationship between the landlord and the tenant and as a result was substantially higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

(5) *Varying rents.* The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) *Seasonal rent.* The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand, or seasonal variations in the rent, for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(7) *Substantial decrease in occupancy.* There has been a substantial decrease in the number of subtenants or other occupants since an order under paragraph (a) (8) of this section.

(d) *Orders where facts are in dispute, in doubt, or not known.* If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

(e) *Sale of underlying lease or other rental agreement.* Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this regulation to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the act or this regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

(f) *Interim orders.* Where a petition is filed by a landlord on one of the grounds set out in paragraph (a) or (d) of this section, or a proceeding is initiated by the Administrator under paragraph (d), the Administrator may enter an interim order increasing or fixing the maximum rent until further order, subject to refund by the landlord to the tenant of any amount received in excess of the maximum rent established by final order in such proceeding. The receipt by the landlord of any rent authorized by such interim order shall constitute an agreement by the landlord with the tenant to refund to the tenant any amount received in excess of the maximum rent established by final order. The landlord shall make such refund either by repayment in cash or, where the tenant remains in occupancy after the effective date of the final order, by deduction from the next installment of rent, or both.

(g) *Adjustments in case of options to buy.* No adjustment in the maximum rent shall be ordered on the ground that the landlord, since the date or order determining the maximum rent, has, as a part of or in connection with a lease of housing accommodations, granted the tenant an option to buy the accommodations which are the subject of the lease. Where a lease of housing accommodations was in force on the date determining the maximum rent, and the landlord had on that date, as a part of or in connection with such lease, granted the tenant an option to buy the accommodations which are the subject of the lease, the Administrator may, on or after the termination of such lease, on his own initiative or on application of the tenant, enter an order fixing the maximum rent on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations not subject to an option to buy on the maximum rent date.

SEC. 6. *Removal of tenant*—(a) *Restrictions on removal of tenant.* So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, and regardless of any contract, lease, agreement or obligation heretofore or hereafter entered into which provides for entry of judgment upon the tenant's confession for breach of the covenants thereof or which otherwise provides contrary hereto, unless:

(1) *Tenant's refusal to renew lease.* The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement, except insofar as such terms and conditions are inconsistent with this regulation; or

(2) *Tenant's refusal of access to landlord.* The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee, or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) *Violating obligation of tenancy or committing nuisance.* The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) *Subtenants on expiration of tenant's lease.* The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the occupants of the housing accommodations are subtenants or other persons who occupied under a rental agreement with the tenant, and no part of the accommodations is used by the tenant as his own dwelling; or

(5) *Demolition or alteration by landlord.* The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(6) *Occupancy by landlord.* The landlord owned, or acquired an enforceable right to buy or the right to possession of, the housing accommodations prior to the effective date of regulation, and seeks in good faith to recover possession of such accommodations for immediate use and occupancy as a dwelling for himself. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, the landlord shall file a written report on a form provided therefor before renting the accommodations or any part thereof during a period of six months after such removal or eviction.

(b) *Administrator's certificate*—(1) *Removals not inconsistent with act or regulation.* No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the act or this regulation and would not be likely to result in the circumvention or evasion thereof.

(2) *Occupancy by purchaser.* A certificate shall be issued authorizing the pursuit of local remedies to remove or evict a tenant of the vendor, for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after the effective date of regulation (or on or after October 20, 1942 where the effective date of regulation is prior to that date, or on or after November 6, 1942 for housing accommodations within the Hastings Defense-Rental Area), only as provided in this paragraph (b) (2).

(i) Where the Administrator finds that the payment or payments of principal made by the purchaser aggregate twenty per cent or more of the purchase price, he shall, on petition of either the vendor or purchaser, issue a certificate authorizing the vendor or purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law. Except as hereinafter provided, the certificate shall authorize pursuit of local remedies at the expiration of three months after the date of filing of the petition.

The payment or payments of principal may be made by the purchaser conditionally or in escrow to the end that they shall be returned to the purchaser in the event the Administrator denies a petition for a certificate.

Any payments of principal made from funds borrowed for the purpose of making such payments shall be excluded in determining whether twenty per cent of the purchase price has been paid, unless the Administrator finds that the loan is made in good faith and not for the purpose of circumventing or evading the provisions of this paragraph (b) (2).

Where property other than the housing accommodations which are the subject of the purchase is mortgaged or pledged to the vendor to secure any unpaid balance of the purchase price, the payment requirement shall be deemed satisfied if the value of such security, plus any payments of principal made from funds not borrowed for the purpose of making such principal payments, equal twenty per cent or more of the purchase price.

(ii) Where the Administrator finds (a) that equivalent accommodations are available for rent into which the tenant can move without substantial hardship or loss or (b) that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without the removal or eviction of the tenant, or (c) that other special hardship would result, a certificate may be issued although less than twenty per cent of the purchase price has been paid and may authorize the vendor or purchaser to pursue his remedies for removal or eviction of the tenant at a time less than three months after the date of filing of the petition.

(c) *Exceptions from section 6*—(1) *Subtenants.* The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(2) *Housing subject to rent schedule of War or Navy Department.* The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(3) *One or two occupants in landlord's residence.* The provisions of this section shall not apply to an occupant of a furnished room or rooms not constituting an apartment located within the residence occupied by the landlord or his immediate family, where such landlord rents to not more than two occupants within such residence.

(4) *Renting to family in landlord's residence.* The provisions of this section shall not apply to a family which on or after August 1, 1943 moves into a furnished room or rooms not constituting an apartment located within the residence occupied by the landlord or his immediate family, where such landlord does not rent to any persons within such residence other than those in the one family.

(d) *Notices required*—(1) *Notices prior to action to remove tenant.* Every notice to a tenant to vacate or surrender possession of housing accommodations shall state the ground under this section upon which the landlord relies for removal or eviction of the tenant. A written copy of such notice shall be given to

the area rent office within 24 hours after the notice is given to the tenant.

No tenant shall be removed or evicted from housing accommodations by court process or otherwise, unless at least ten days (or, where the ground for removal or eviction in non-payment of rent, the period required by the local law for notice prior to the commencement of an action for removal or eviction in such cases, but in no event less than three days) prior to the time specified for surrender of possession and to the commencement of any action for removal or eviction, the landlord has given written notices of the proposed removal or eviction to the tenant and to the area rent office, stating the ground under this section upon which such removal or eviction is sought and specifying the time when the tenant is required to surrender possession.

Where the ground for removal or eviction of a tenant is non-payment of rent, every notice under this paragraph (d) (1) shall state the rent for the housing accommodations, the amount of rent due and the rental period or periods for which such rent is due. The provisions of this paragraph (d) (1) shall not apply where a certificate has been issued by the Administrator pursuant to the provisions of paragraph (b) of this section.

(2) *Notices at time of commencing action to remove tenant.* At the time of commencing any action to remove or evict a tenant, including an action based upon non-payment of rent, the landlord shall give written notice thereof to the area rent office stating the title of the case, the number of the case where that is possible, the court in which it is filed, the name and address of the tenant, and the ground under this section on which removal or eviction is sought.

(e) *Local law.* No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

SEC. 7. *Registration*—(a) *Registration statement.* On or before July 15, 1944, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof, on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

When the maximum rent is changed by order of the Administrator, the landlord shall deliver his stamped copy of the registration statement to the area rent office for appropriate action reflecting such change.

(b) *Receipt for amount paid.* No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

(c) *Exceptions from registration requirements*—(1) *Housing under section 4 (g).* The provisions of this section shall not apply to housing accommodations under section 4 (g). The owner of such housing accommodations shall file a schedule or schedules, setting out the maximum rents for all such accommodations in the defense-rental area and containing such other information as the Administrator shall require. A copy of such schedule or schedules shall be posted by the owner in a place where it will be available for inspection by the tenants of such housing accommodations.

(2) *Housing subject to rent schedule of War or Navy Department.* The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including any civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War and Navy Department.

SEC. 8. *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may from time to time, require.

SEC. 9. *Evasion.* The maximum rents and other requirements provided in this regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges or by modification of the services furnished with housing accommodations, or otherwise.

SEC. 10. *Enforcement.* Persons violating any provision of this regulation are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the act.

SEC. 11. *Procedure.* All registration statements, reports, and notices provided for by this regulation shall be filed with the area rent office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Revised Procedural Regulation No. 3[1] (§§ 1300.201 to 1300.253, inclusive).

SEC. 12. *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this regulation may file petitions therefor in accordance with Revised Procedural Regulation No. 3[1] (§§ 1300.201 to 1300.253, incl.).

SEC. 13. *Definitions.* (a) When used in this regulation the term:

(1) "Act" means the Emergency Price Control Act of 1942.

(2) "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the act.

(3) "Rent Director" means the person designated by the Administrator as director of the defense-rental area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) "Area rent office" means the office of the Rent Director in the defense-rental area.

(5) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) "Housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) "Services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator services, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) "Landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) "Tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) "Rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of housing accommodations or for the transfer of a lease of such accommodations.

(11) "Hotel" means any establishment generally recognized as such in its community containing more than 50 rooms and used predominantly for transient occupancy.

(12) "Rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not

[1] 9 F.R. 1656, 3337.

constituting an apartment are rented on a short-time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this regulation.

Effective date. This Rent Regulation for Housing in the Atlantic County Defense-Rental Area shall become effective June 17, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 17th day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-8885; Filed, June 17, 1944; 4:21 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 1 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Second Revised Supplement 1 to Revised Ration Order 16 is amended in the following respects:

1. The Official Table of Consumer Point Values (No. 15), referred to in § 1407.2627 (a), is amended by reducing to zero, the point value of all cheeses under the headings "Cheeses—Group II" and "Cheeses—Group III."

2. "Section C—Fats, Oils, and Dairy Products" of the Official Table of Trade Point Values (No. 15), referred to in § 1407.3027 (a), is amended by reducing to zero the point value of all cheeses under the headings "Cheeses—Group II" and "Cheeses—Group III."

This amendment shall become effective at 12:01 a. m., June 18, 1944.

(Pub. Law 671, 78th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 17th day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-8836; Filed, June 17, 1944; 4:21 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 9,[2] Amdt. 8]

RATION BANKING: BANKS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1305.413 of General Ration Order No. 8 is amended by inserting the following before the period at the end thereof: "or that the item, if received in exchange for tokens, was received from the person to whom the item was made payable".

This amendment shall become effective June 23, 1944.

(Pub. Laws 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. 1, 7 F.R. 562)

Issued this 19th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8885; Filed, June 19, 1944; 11:56 a. m.]

PART 1340—FUEL

[RMPR 122,[1] Amdt. 24]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In § 1340.250 (a), the first sentence is amended to read as follows:

The Price Administrator or each Regional Administrator may adjust any maximum price set by this regulation or act upon any application for adjustment under this section in the following cases:

2. In § 1340.250 (a) (1), the last undesignated paragraph is deleted.

3. Section 1340.250 (a) (2) is added to read as follows:

(2) *Transportation increases.* In the case of any dealer or group of dealers when it appears that:

(i) The rates paid by them for the transportation of fuels from the supplier's facilities by common or contract carrier to their facilities have increased over the rates paid by them during December 1941. In such case, the dealer or dealers should submit the following information:

(a) The name and address of the supplier and his shipping point during December 1941 and at present;

(b) The name and address of the common or contract carrier transporting the coal during December 1941 and at present;

(c) The rates paid during December 1941 and now being paid. This information should be substantiated by copies of contracts or citations of the tariffs in which the rates appear. If the carriers' rates have been increased by order of OPA, the order number should be given; and

(d) A description of the coals being transported at the higher rates and the dealer's maximum prices for those coals. If the dealer has filed a schedule of maximum prices with his District Office on OPA Form 653-40, he shall name the District Office.

(ii) The per ton cost of transporting fuels from the supplier's facilities by common or contract carrier has increased over the December 1941 per ton cost for reasons other than rate increases. In such a case, the dealer or dealers should submit the information required by subparagraph (2) (i) above, and:

(a) A per ton statement of the December 1941 and present cost of transportation; and,

(b) A statement of the cause of the increase with all available supporting documentary evidence.

An adjustment granted under this subparagraph may restore to the dealer or dealers their December 1941 margins over delivered cost. No adjustment will be granted to the extent that compensatory adjustment is available to the dealer or group of dealers under Revised Compensatory Adjustment Regulation No. 1.

This amendment shall become effective June 24, 1944.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8866; Filed, June 19, 1944; 11:56 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 129]

CERTAIN CONVERTED PAPER PRODUCTS AND CERTAIN INDUSTRIAL PAPERS

Maximum Price Regulation No. 129 is redesignated as Revised Maximum Price Regulation No. 129, and is revised and amended to read as follows:

A statement of considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

It is the general intent of this regulation to hold the prices to the levels which existed during the base periods as specified.

§ 1347.11 *Maximum prices for certain converted paper products and certain industrial papers.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328, Revised Maximum Price Regulation No. 129 (Certain Converted Paper Products and Certain Industrial Papers), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1347.11 issued under 56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

[1] 9 F.R. 6731.
[2] 8 F.R. 865, 2858, 4627, 9406, 12611, 9 F.R. 2212.

*Copies may be obtained from the Office of Price Administration.
[1] 9 F.R. 2128, 2477, 8966, 4438.

REVISED MAXIMUM PRICE REGULATION NO. 129—CERTAIN CONVERTED PAPER PRODUCTS AND CERTAIN INDUSTRIAL PAPERS

CONTENTS

Sec.
1. Prohibition against dealing in certain converted paper products and certain industrial papers at prices above the maximum prices.
2. Adjustable pricing.
3. Export sales; sales for export.
4. Less than maximum prices.
5. Federal and State taxes.
6. Evasion.
7. Enforcement.
8. Records and reports.
9. Petitions for amendment and applications for adjustment.
10. Licensing.
11. Applicability of the General Maximum Price Regulation.
12. Definitions.
13. Geographical applicability.

Appendix A—Manufacturers' maximum prices for conical milk bottles, etc.

Appendix B—Maximum prices for unprinted single weight crepe paper in plain folds.

SECTION 1. *Prohibition against dealing in certain converted paper products and certain industrial papers at prices above the maximum prices.* On and after June 24, 1944, regardless of any contract, agreement, lease or other obligation:

(a) No person shall sell, deliver, or transfer products for which maximum prices are established under this regulation at prices higher than the appropriate maximum prices set forth in Appendices A and B of this Revised Maximum Price Regulation No. 129.

(b) No person shall buy or receive any of the products for which maximum prices are established under this regulation in the course of trade or business, at higher prices than the appropriate maximum prices set forth in Appendices A and B of this Revised Maximum Price Regulation No. 129.

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing.

SEC. 2. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order or letter.

SEC. 3. *Export sales; sales for export.* (a) As used in this section, the term:

(1) "Export sale" means any "export sale" as defined in section 11 of the Second Revised Maximum Export Price Regulation.[1]

(2) "Sale for export" means any domestic sale prior to an "export sale", where the product is marked so as to indicate that it is to be exported and is intended for the export trade, or where the sale is made to a merchant or exporter who intends to export the product.

(3) "Normal port of export" means that port of exit in the continental United States from which a product manufactured by a particular mill would have customarily been shipped in export to a particular destination during the period July 1 to December 31, 1941, or a port to which a manufacturer customarily made deliveries for export during such period.

(4) "Emergency port" means the port of exit from which the product is actually shipped in export when the "normal port of export" is not available.

(b) The maximum price at which a person may make an export sale of the products covered by this Revised Maximum Price Regulation No. 129 shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation issued by the Office of Price Administration.

(c) The maximum price at which any person may make a sale for export of the products covered by this Revised Maximum Price Regulation No. 129 shall be not in excess of the sum of the following items:

(1) The manufacturer's maximum domestic price at the normal port of export of the mill at which the products were made; plus

(2) If and only if the products are to be exported from an emergency port, the amount of the extra freight involved in shipping to the emergency port, over and above the freight to the normal port.

SEC. 4. *Less than maximum prices.* Lower prices than those established by this Revised Maximum Price Regulation No. 129 may be charged, demanded, paid or offered.

SEC. 5. *Federal and State taxes.* Any tax upon, or incident to, the sale or delivery of the commodities covered by this regulation, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased: *Provided, however,* That the tax on the transportation of all property (excepting coal) imposed by Section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any product covered by this Revised Maximum Price Regulation No. 129 be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated as a tax for which a charge may be made in addition to the maximum price.

SEC. 6. *Evasion.* The price limitations established by this Revised Maximum Price Regulation No. 129 shall not directly or indirectly, be circumvented or evaded by modifying, discontinuing, or altering any customary trade practice of the seller, or by splitting orders, or by deteriorating the quality of any commodity, or by any other means. No seller shall impose any terms or conditions of sale, or alter any terms or conditions of sale imposed or agreed to by such seller during the base period or customarily imposed or agreed to by such seller, in such a way as to increase the maximum price established by this Revised Maximum Price Regulation No. 129 for any commodity.

Nothing herein shall be construed to prevent the seller from making changes in merchandising services to effect economies helpful to or made necessary by the war effort, such as elimination of or changes in the frequency of delivery or changes in the character of packaging and wrapping.

SEC. 7. *Enforcement.* Persons violating any provision of this Revised Maximum Price Regulation No. 129 are subject to the criminal penalties, civil enforcement action, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

SEC. 8. *Records and reports.* Every person making sales of the products for which maximum prices are established by this regulation shall:

(a) Keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, accurate records of each sale, showing the date thereof, the name and address of the buyer, the price contracted for or received and the quantity of each type and grade of products for which maximum prices are established by this regulation, price lists and a record of the customary discounts, allowances and all other price differentials in effect during the year prior to the end of the applicable base period; and records showing the basis upon which he determined the maximum prices for the commodities subject to this regulation. He shall also preserve for so long as the Emergency Price Control Act of 1942 remains in effect all records kept in accordance with Maximum Price Regulation No. 129.

(b) Such persons shall submit such reports to the Office of Price Administration and shall keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

[1] 8 F.R. 4123, 5987, 7662, 9008.

SEC. 9. *Petitions for amendment and applications for adjustment.* (a) Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 [2] issued by the Office of Price Administration.

(b) The Office of Price Administration may adjust the maximum prices established under this regulation for a seller of a commodity if it finds:

(1) That such maximum price subjects him to substantial hardship, and that either

(2) Continuance of the seller's production of the commodity is required to meet a military or essential civilian need, or

(3) Loss of the seller's production of the commodity will force his customers to resort to higher priced sources of supply, and that no adequate substitute of the commodity is available to his customers at a price equal to or lower than the adjusted maximum price which he requests.

Applications for adjustment under this paragraph are to be filed in accordance with the provisions of Revised Procedural Regulation No. 1.

SEC. 10. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 11. *Applicability of the General Maximum Price Regulation.*[3] The provisions of this Revised Maximum Price Regulation No. 129 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of the commodities for which maximum prices are established by this Revised Maximum Price Regulation No. 129.

SEC. 12. *Definitions.* (a) When used in this Revised Maximum Price Regulation No. 129, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(2) "Manufacturer" includes any person who produces from any raw materials, partially or completely, the commodities covered by this Revised Maximum Price Regulation No. 129 and includes the agents and representatives of such person.

(3) "Retailer" includes all persons the major portion of whose sales in dollar value are resale items sold to an ultimate consumer other than an industrial or commercial user.

(4) "Sell" includes sell, supply, dispose, barter, exchange, lease and transfer, and contracts to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser" shall be construed accordingly, except that nothing in this Revised Maximum Price Regulation No. 129 shall be construed to prohibit the making of a contract to sell a commodity included in this Revised Maximum Price Regulation No. 129 at a price not to exceed the maximum price at the time of delivery.

(5) "Commodity" includes commodities, articles, products and materials.

(6) "Most closely competitive seller" shall be a seller who (a) is selling the same or comparable commodity, and (b) is closely competitive in the sale of such commodities.

(7) "Records" include books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading and other documents.

(8) "Offering price" means the price quoted in the manufacturer's price list, or, if there is no such price list, the price regularly quoted by the manufacturer in any other manner. But "offering price" shall not be deemed to include a price intended to withhold a commodity from the market, or any price offered as a bargaining price by a manufacturer who usually sells at a price lower than his asking price.

(9) "Envelopes" include all types and varieties of envelopes, including those used for greeting cards, excluding specialty paper envelopes which are subject to Maximum Price Regulation No. 463, and excluding envelopes made exclusively for use as social stationery such as papeteries and weddings.

(10) "Paper cups and paper containers" includes all open-end, nested paper cups and round nested paper food containers with or without lids. Specifically excluded are liquid tight cylindrical containers which are subject to Maximum Price Regulation No. 259.

(11) "Sanitary closures and milk bottle caps" include all types of paper products used as caps or hoods for milk bottles.

(12) "Drinking straws" include drinking straws made from all types of paper or transparent material.

(13) "Gummed papers" include all types of paper and cloth materials gummed and sold in sheets or rolls except gummed Kraft sealing types as defined in Maximum Price Regulation No. 459.

(14) "Tags, pin tickets and marking machine tickets" include all types of shipping, merchandise, and system tags, pin tickets, and all types of retail and industrial marking machine tickets, excluding shade tickets.

(15) "Direct cost" means the sum of direct labor and direct material costs. Direct labor costs shall in no event be computed at wage rates higher than those permitted by law; and direct material costs shall in no event be computed at prices higher than the maximum prices established by the applicable maximum price regulations.

(16) "Comparable commodity" means a commodity which is made by the same seller, is recognized in the trade or industry as having the same general use and serviceability, and is most closely comparable by grade, cost and quantities of raw materials for a unit of the commodity, and is most nearly alike for the converting operations required. If more than one commodity can be regarded as comparable, the one whose current direct cost is closest to the current direct cost of the commodity being priced shall be regarded as the "comparable commodity." (Changes in the wording of printing copy need have no effect on the comparability of the commodity.)

(17) "Purchaser of the same class" refers to the practice adopted by the manufacturer in setting different prices for commodities for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

(b) Unless the text otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

SEC. 13. *Geographical applicability.* The provisions of this Revised Maximum Price Regulation No. 129 shall be applicable to Washington, D. C. and the forty-eight States of the United States.

APPENDIX A—MANUFACTURERS' MAXIMUM PRICES FOR CONICAL MILK BOTTLES, ETC.

Products:	Applicable base period
1. Conical milk bottles	Oct. 1–15, 1941
2. Crepe paper items (excluding unprinted single weight folds, maximum prices for which are provided in Appendix B of this regulation, and excluding napkins, facial tissue and items subject to Maximum Price Regulation No. 256.)	Oct. 1–15, 1941
3. Drinking straws	Oct. 1–15, 1941
4. Envelopes	Oct. 1–15, 1941
5. Glazed and fancy papers	Dec. 1–15, 1941
6. Gummed papers (excluding gummed kraft sealing tape as defined in Maximum Price Regulation No. 459.)	Dec. 1–15, 1941
7. Paper cups and paper containers	Oct. 1–15, 1941
8. Sanitary closures and milk bottle caps	Oct. 1–15, 1941
9. Tags, pin tickets and marking machine tickets	Dec. 1–15, 1941
10. Certain sulphite and certain sulphate papers [4]	Oct. 1–15, 1941
11. Certain tissue papers [4]	Oct. 1–15, 1941
12. Rope and jute papers [4]	Oct. 1–15, 1941
13. Technical papers [4]	Oct. 1–15, 1941

[4] These papers include the following: Papers containing 50% or more bleached or unbleached sulphite fibre used for wrapping or protective purposes or converting (excluding box covers, box liners, lining papers, facing papers, drinking cup stock, glassine, grease-

[2] 7 F.R. 9661; 8 F.R. 3313, 3833, 6173.

[3] 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4948, 6047, 6962, 8511, 9025, 9091.

(a) In those cases in which a manufacturer dealt in the same commodity during the applicable base period, the maximum price shall be the highest price charged by the manufacturer during such period for the same commodity.

(b) For the purposes of this Appendix A, the "highest price charged" by the manufacturer during the applicable base period specified in this Appendix A shall be:

(1) The highest price which such manufacturer charged for a commodity sold by him during the applicable specified base period, or:

(2) If the manufacturer made no such sale during the applicable specified base period, such manufacturer's highest offering price for delivery during that period.

Every manufacturer shall be required to continue all his customary allowances, discounts, and other price differentials. The "highest price charged" shall be a price charged during the applicable specified base period to a purchaser of the same class. But if a manufacturer had an established practice during the applicable specified base period of making allowances, discounts or price differentials to different classes of purchasers, and if during the applicable specified base period he raised his general level of prices but made no sale to any purchaser of a particular class, he shall, for that particular class of purchasers, calculate the highest price charged by taking the highest price charged during the applicable specified base period to a purchaser of another class and then adjusting such price to reflect his established allowances, discounts and price differentials. No manufacturer shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery of any commodity, than the manufacturer required purchasers of the same class to pay during the applicable specified base period on sales of the same or comparable types of commodities.

(c) Where a manufacturer cannot establish a maximum price for any commodity under paragraph (a) of this Appendix A, his maximum price shall be computed according to the following method: [1]

(1) The manufacturer shall select a comparable commodity (see definition) for which a maximum price has been established under paragraph (a) above of this Appendix A; shall divide his maximum price for the comparable commodity by its current direct cost (see definition); and multiply the percentage so obtained by the current direct cost of the commodity being priced. All customary discounts, trade practices, and practices relating to the payment of transportation charges in effect with respect to the sale of the comparable commodity shall apply to such maximum price.

Example: A manufacturer has been making product "A" which has a maximum price of $5.00 under paragraph (a) above, and has a current direct cost of $4.00. The new product, to which "A" is comparable is "B" and has a current direct cost of $3.80.

Dividing the maximum price of "A"—$5.00 by its current direct cost $4.00, gives a markup factor of 1¼. This is multiplied by the direct cost of "B"—$3.80, establishing the maximum price for the new product of $4.75.

He may not divide his maximum price for product "A" by his base period direct costs.

(2) Within ten days after determining a maximum price under this paragraph (c), the seller shall report to the Office of Price Administration, Washington, D. C., the following:

(i) A description of the comparable commodity.

(ii) A description of the commodity being priced.

(iii) The maximum price of the comparable commodity.

(iv) The current direct cost of the comparable commodity.

(v) The current direct cost of the commodity being priced.

(vi) The maximum price of the commodity priced under paragraph (c) (1) above.

The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(d) Prices heretofore established for commodities under §§ 1347.11 and 1347.11a of Maximum Price Regulation No. 129 are not affected by this Appendix A and shall continue to apply to such commodities.

(e) If a manufacturer is unable to determine a maximum price for any commodity under paragraphs (a) or (c) above, or if the commodity which he is proposing to price is a substitute wrapping or bag paper manufactured under the provisions of War Production Board Program Determination #562, paragraph 4, he shall file an application for a maximum price with the Office of Price Administration, Washington, D. C. The application shall set forth (1) a description of the commodity for which a maximum price is sought; (2) the reason why such commodity cannot be priced under paragraphs (a) or (c) above; (3) the maximum price proposed by the manufacturer, together with a detailed explanation of the method by which the manufacturer calculated such price; (4) the maximum price of his most closely competitive seller; and (5) the reasons why the manufacturer believes the proposed price to be in line with the level of maximum prices established by this regulation. The manufacturer shall also submit such additional pertinent information as this Office may require. Unless the Office of Price Administration or a duly authorized representative thereof shall, by letter mailed to the applicant within 21 days from the filing of such application approve, disapprove, adjust, amend, or extend the time within which to do any of the foregoing, such application shall be deemed to have been approved, subject to non-retroactive written disapproval or adjustment at any later time by the Office of Price Administration.

APPENDIX B—MAXIMUM PRICES FOR UNPRINTED SINGLE WEIGHT CREPE PAPER IN FOLDS

(a) *Manufacturers' maximum prices for unprinted, single weight crepe paper packaged in folds shall be as follows:*

Dimensions	Ratio	Form	Maximum manufacturer's delivered price per gross
10′ x 20″	2½ to 1	Packaged	$7.92
10′ x 20″	2¼ to 1	Bulk	6.60
10′ x 20″	2¼ to 1	Packaged	6.84
10′ x 20″	2 to 1	do	6.12
10′ x 20″	1½ to 1	do	4.32
7½′ x 20″	1½ to 1	do	3.84

(b) *Retailer's maximum price for unprinted single weight crepe paper packaged in folds shall be as follows:*

Dimensions	Ratio	Retailer's maximum price per fold
		Cents
10′ x 20″	2½ to 1	10
10′ x 20″	2¼ to 1	10
10′ x 20″	2 to 1	10
10′ x 20	1½ to 1	8
7½′ x 20″	1½ to 1	8

(c) There shall be subtracted from and there may be added to, the maximum prices established in paragraph (a) above, the quantity and zone differentials actually employed by the manufacturer in sales or deliveries during the period from October 1, 1941 to October 15, 1941, inclusive, to a purchaser of the same class.

This regulation shall become effective June 24, 1944.

NOTE: All reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

Issued this 19th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8867; Filed, June 19, 1944; 11:59 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422 [1], Amdt. 18]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 422 is amended in the following respects:

1. In section 39 (a), list (2) in Table B–II is amended to read as follows:

TABLE B—MARK-UPS OVER "NET COST" ALLOWED TO GROUP 3 AND GROUP 4 RETAILERS FOR PERISHABLES COVERED BY THIS REGULATION BY COMMODITIES

II. Food commodities	Allowed dollars-and-cents mark-ups per "selling unit"		"Selling unit" in which ceiling price must be calculated
	Group 3—Retailer other than independent with annual volume under $250,000	Group 4—Any retailer with annual volume of $250,000 or more	
(2) Fresh fruits:	*Cents*	*Cents*	*Pound*
Apricots	4½	4½	1
Cherries, sweet	9	9	1
Plums	4½	4½	1
Prunes, Italian	3	3	1
Coconuts	1½	1½	1

2. In section 39 (b) (2) the following definitions are added in alphabetical order:

"Apricots" means all varieties of fresh apricots. All apricots shall be considered a single item and priced as such. Excluded are dried apricots.

"Cherries, sweet" means all fresh cherries except "red sour cherries" and "ground cherries." Separate ceiling prices shall be figured for each variety. Varieties shall be Tartarian, Bing, Royal Ann, Lambert, and all other varieties.

"Plums" means all fresh plums, including damsons, green-gages, and fresh prunes. Excluded are fresh Italian prunes. Varieties include but are not limited to Santa Rosa, Tragedy, Duarte, President, Beauty, Kelsey, Wickson and Burbank. Each variety shall be considered a separate item and priced separately.

"Prunes, Italian" means all grades of fresh Italian prunes. All fresh Italian prunes shall be considered a single item and priced as such.

3. In section 39 (b) (3) the definition of "Lettuce" is amended to read as follows:

"Lettuce" means all head or leaf lettuce, including, but not limited to Iceberg, Big Boston and Romaine. Excluded are escarole, chicory, endive, and lettuce which has been transported from the growing area principally by air. Head lettuce and leaf lettuce shall be considered separate items and priced separately. California and similar quality Iceberg shall also be considered a separate item.

This amendment shall become effective June 22, 1944.

Issued this 19th day of June 1944.

CHESTER BOWLES,
Administrator.

Approved as to action contained herein with respect to agricultural commodities: June 8, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-8866; Filed, June 19, 1944; 11:57 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423, [2] Amdt. 19]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN $250,000 (GROUP 1 AND GROUP 2 STORES)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 423 is amended in the following respects:

1. In section 28 (a), list (2) in Table B–II is amended to read as follows:

TABLE B—MARK-UPS OVER "NET COST" ALLOWED TO GROUP 1 AND GROUP 2 RETAILERS FOR PERISHABLES COVERED BY THIS REGULATION BY COMMODITIES

II. Food commodities	Allowed dollars-and-cents mark-ups per "selling unit"		"Selling unit" in which ceiling price must be calculated
	Independent retailers with annual volumes		
	Group 1—under $50,000	Group 2—$50,000 but less than $250,000	
(2) Fresh fruits:	*Cents*	*Cents*	*Pound*
Apricots	5	5	1
Cherries, sweet	10	10	1
Plums	5	5	1
Prunes, Italian	3½	3½	1
Coconuts	2	2	1

2. In section 28 (b) (2) the following definitions are added in alphabetical order:

"Apricots" means all varieties of fresh apricots. All apricots shall be considered a single item and priced as such. Excluded are dried apricots.

"Cherries, sweet" means all fresh cherries except "red sour cherries" and "ground cherries". Separate ceiling prices shall be figured for each variety. Varieties shall be Tartarian, Bing, Royal Ann, Lambert, and all other varieties.

"Plums" means all fresh plums, including damsons, green-gages, and fresh prunes. Excluded are fresh Italian prunes. Varieties include but are not limited to Santa Rosa, Tragedy, Duarte, President, Beauty, Kelsey, Wickson and Burbank. Each variety shall be considered a separate item and priced separately.

"Prunes, Italian" means all grades of fresh Italian prunes. All fresh Italian prunes shall be considered a single item and priced as such.

3. In section 28 (b) (3) the definition of "Lettuce" is amended to read as follows:

"Lettuce" means all head or leaf lettuce, including, but not limited to Iceberg, Big Boston and Romaine. Excluded are escarole, chicory, endive, and lettuce which has been transported from the growing area principally by air. Head lettuce and leaf lettuce shall be considered separate items and priced separately. California and similar quality Iceberg shall also be considered a separate item.

This amendment shall become effective June 22, 1944.

Issued this 19th day of June 1944.

CHESTER BOWLES,
Administrator.

Approved as to action contained herein with respect to agricultural commodities: June 8, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-8869; Filed, June 19, 1944; 11:57 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RPS 85, [1] Amdt. 15]

NEW PASSENGER AUTOMOBILES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule 85 is amended in the following respects:

1. Section 1360.51 is amended as follows:

a. The reference to § 1360.52b in the narrative in paragraph (c) preceding subparagraph (1) is amended to read § 1360.52c.

b. Subparagraph (2) of paragraph (c) is amended to read as follows:

(2) The automobile has not received on and after October 31, 1942, all the maintenance operations set forth in Appendix B, but the time for the performance thereof has been extended, and the automobile shall have received on and after such date of extension all the maintenance operations set forth in Appendix B.

2. Section 1360.52 (d) is amended by changing the reference to § 1360.52b to read § 1360.52c.

3. The narrative of § 1360.52 (e) preceding subparagraph (1) is amended to read as follows:

(e) Except as limited by paragraph (f), an allowance (hereinafter called increment) equal to 1% of the list price of the automobile, or $15, whichever is lower, for each calendar month or greater part thereof, within the period from February 1, 1942, up to and including, whichever is earlier, April 30, 1944, or the date of the delivery of the automobile to the purchaser, subject to the following conditions and qualifications:

4. Subparagraph (5) of §1360.52 (e) is amended by changing the references to §§ 1360.52b and 1360.52c to read §§ 1360.52c and 1360.52d, respectively.

5. A new paragraph (f) is added to § 1360.52 to read as follows:

(f) Notwithstanding the provisions of paragraph (e), a person engaged generally in the selling of an automobile at retail shall not include any increment in his selling price of an automobile he purchased from the Procurement Division, United States Treasury. He may, however, include an amount not to exceed 27% of the list price of the automobile in Appendix A, if the automobile is in a condition similar to the condition of an automobile upon which the maintenance operations in Appendix B have been performed for the entire period from October 31, 1942 to the date of sale, and he executes and delivers to the pur-

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proof and waxing papers), and papers containing 50% or more bleached or unbleached sulphate fibre; any tissue papers or papers under 18 pounds basis weight (excluding cigarette, carbonizing, fruit wrapping, manifold and condenser tissues); any paper containing rope or jute fibres in any amount; technical papers including but not limited to grades generally classified as saturating, impregnating, insulating, shot-shell and photographic wrapper paper; and substitute wrapping or bag papers manufactured under the provisions of War Production Board Program Determination #562, paragraph 4. Excluded herefrom are those papers and products covered by Maximum Price Regulation Nos. 182, 266, 449, 450 and 451.

[1] This paragraph (c) shall not apply to those manufacturers who manufacture substitute wrapping and bag paper covered by this regulation under the provisions of War Production Board Program Determination #562, paragraph 4. Maximum prices for such manufacturers shall be established in accordance with paragraph (e) of Appendix A.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5656.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5671.

[1] 7 F.R. 1364, 1675, 2134, 2132, 6048, 6897, 7100, 7436, 7942, 8948, 9899; 8 F.R. 1450, 2040, 3215.

chaser and the Office of Price Administration the certification in paragraph (b) of § 1360.52c, and the invoice or bill of sale required by § 1360.52d. If the automobile is not in such condition, or no certification is furnished, then the seller may include an amount not to exceed 10% of the list price of the automobile in Appendix A if he executes and delivers to the purchaser the invoice or bill of sale required by § 1360.52d.

6. Sections 1360.52a, 1360.52b and 1360.52c are redesignated §§ 1360.52b, 1360.52c and 1360.52d, respectively, and a new § 1360.52a is added to read as follows:

§ 1360.52a *Maximum prices for new passenger automobiles owned by the United States when sold by the Procurement Division, United States Treasury.* The price of an automobile owned by the United States when sold by the Procurement Division, United States Treasury, shall not exceed the total of the charges permitted by paragraphs (a) to (c), inclusive, of § 1360.52 and 10% of the list price of the automobile in Appendix A.

7. Section 1360.52c is amended to read as follows:

§ 1360.52c *Form of certification.* The certifications required by §§ 1360.51 and 1360.52 shall be made on the forms described, or referred to, in the following paragraphs:

(a) *As to maintenance operations, required by §§ 1360.51 and 1360.52 (e).* The certification required by § 1360.51 and paragraph (e) of § 1360.52, when increment is included in the maximum price, shall be made either on the ration certificate used under Rationing Order 2B or by making a certification in the following form:

The undersigned hereby certifies with respect to _____automobile bearing motor
Make
No. _____ and/or serial No. _____:

As to maintenance operations: That all the requirements of Revised Price Schedule 85—New Passenger Automobiles—issued by the Office of Price Administration, which condition the inclusion in the maximum price of 1% of the list price or $15, whichever is lower, for each calendar month, or greater part thereof, within the period from February 1, 1942 up to and including, whichever is earlier, April 30, 1944, or the date of delivery of the automobile, have been satisfied.

Date _____

_____
Name

_____
Address

(b) *As to reconditioning operations required by § 1360.52 (f).* The seller who under paragraph (f) of § 1360.52 includes an allowance in the maximum price that exceeds 10% of the list price in Appendix A shall make the certification required by that paragraph on the following form:

The undersigned hereby certifies with respect to _____ automobile bearing
Make
Motor No. _____ and/or Serial No. _____:

As to condition of automobile purchased from Procurement Division, United States Treasury: That he has purchased this automobile from the Procurement Division, United States Treasury, and that it is in the condition required by § 1360.52 (f) of Revised Price Schedule 85 for the inclusion in the maximum price of an allowance not to exceed 27% of the list price in Appendix A of that schedule for the automobile.

Date _____

_____
Name

_____
Address

(c) *As to handling and delivery operations.* The seller shall furnish this certification by inserting the following paragraph in the form in paragraph (a) or (b) of this section depending on whether he certifies as to the maintenance operations or to the reconditioning required by § 1360.52 (f). The paragraph to be inserted is:

As to delivery operations: That all the applicable standard delivery operations set forth in Appendix C of Revised Price Schedule 85—New Passenger Automobiles—have been performed as therein required.

However, if the seller certifies as to maintenance operations on the ration certificate under Ration Order 2B, he may make the certification as to handling and delivery operations on that form. Moreover, if he includes the allowance for handling and delivery operations for an automobile purchased from the Procurement Division, United States Treasury, and is not required to execute the certification required by § 1360.52 (f), he may certify as to the handling and delivery operations on the ration certificate under Ration Order 2B or by completing a statement containing: (1) the certification set out above in this paragraph, (2) identification of the automobile (as in the form in paragraph (a)), (3) his name, (4) address, and (5) the date the statement is completed.

(d) The copy of the certification to be sent to the Office of Price Administration either under paragraph (a), (b), or (c) shall be sent to the Office of Price Administration Inventory Unit, New York, New York, within five days after delivery of the new passenger automobile.

This amendment shall become effective June 24, 1944.

Issued this 19th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8872; Filed, June 19, 1944; 11:57 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 131]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. In § 1394.7706 (q) the text following the word "Provided," is amended to read as follows:

That preferred mileage may not be allowed pursuant to this paragraph to any person while engaged in promotional, merchandising or sales activities or retail or wholesale delivery, or for landscaping, or to any person for the repair, maintenance, installation or construction of decorations or decorative equipment, or novelty, amusement or entertainment devices (other than non-portable motion picture equipment) or of portable household equipment or portable household furniture or of radio receiving sets except when used by or on behalf of government or a government agency for intercommunication or for monitoring broadcasts.

2. In § 1394.7851 (b) (1) (ii) that part of the first sentence which precedes the semicolon is amended to read as follows:

To move such a vehicle or boat in connection with a bona fide change of the regular place of residence of the person entitled to the use thereof except when such movement will originate and end at a point located in Canada, or when the change of residence will be from one place in Canada to another place in Canada;

3. Section 1394.8004 (e) (2) is amended by deleting the period at the end of the subparagraph, substituting a semicolon therefor and adding the following words: "or in the case of ration books and folders accompanying serially numbered coupons issued for use interchangeably among other motor vehicles or for use in motor vehicles which have not been assigned specific license numbers, the information shall be the name and address of the person to whom the ration was issued."

4. In § 1394.8153 (b) (2) the first expression "or knowingly made for use in" is deleted and the expression "or knowingly made for the propulsion of" is substituted therefor.

This amendment shall become effective June 23, 1944.

NOTE: The record and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 78th Cong., as amended by Pub. Laws 89, 421, 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, E.O. 9125, 7 F.R. 2719).

Issued this 19th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8873; Filed, June 19, 1944; 11:56 a. m.]

PART 1396—FINE CHEMICALS, DRUGS AND COSMETICS

[MPR 393,[1] Amdt. 5]

PACKAGED COSMETICS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 24 (c) (5) is added to read as follows:

(5) *Special discount pattern.* If prior to April 22, 1944 the packager generally marketed gift sets under a pattern of trade discounts different than the pattern of trade discounts used by him in marketing the packaged cosmetics of his manufacture contained in the gift set, he may, if he so elects, use the pattern of trade discounts under which he marketed gift sets in place of the trade discount pattern applicable to the packaged cosmetics in computing maximum prices under this paragraph (c).

If he so elects he shall attach to the report form specified in paragraph (g) a statement that he is using the trade discount pattern generally used by him in marketing gift sets prior to April 22, 1944, and submit evidence, such as copies of price lists, which will indicate that he generally marketed gift sets under such pattern of trade discounts.

This amendment shall become effective June 24, 1944.

NOTE: The reporting requirement of this amendment has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8870; Filed, June 19, 1944; 11:53 a. m.]

PART 1449—CHARCOAL

[MPR 431,[1] Amdt. 11]

CHARCOAL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Appendix A (a) (1) (ii) is amended to read as follows:

(ii) Produced in Michigan and Wisconsin:	
Lump charcoal in bulk	$33.00
(ii) Produced in Michigan and Wisconsin—Continued.	
Lump charcoal in bags (bags extra and returnable)	35.00
Briquets in bulk	35.00
Briquets in 100-lb. bags (bags included)	41.00
Briquets in 50-lb bags (bags included)	40.00
Briquets in 20 and 40-lb bags (bags included)	40.00
Briquets in 10-lb bags (bags included)	41.00
Granulated charcoal in bags (bags included)	44.00
Charcoal screenings	23.35

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 6268, 12477, 12661; 9 F.R. 2440, 4225.

This amendment shall become effective June 24, 1944.

Issued this 19th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8871; Filed, June 19, 1944; 11:56 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 639 Under § (b), Amdt. 1]

GULF OIL CORP. AND GULF REFINING CO.

Amendment No. 1 to Order No. 639 under § 1499.39 (b) of the General Maximum Price Regulation.

Order No. 639 under § 1499.3 (b) of the General Maximum Price Regulation is amended in the following respects:

1. By adding the words "Gulf Refining Company" to the title of the order.

2. By changing the second paragraph of the order to read:

The Gulf Oil Corporation and the Gulf Refining Company of Pittsburgh, Pennsylvania, are hereby authorized to sell their Gulf Electric-Motor Oil and Gulf Penetrating Oil in 4-ounce bottles with spouts at prices not to exceed the following prices:

This amendment shall become effective as of April 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8876; Filed, June 19, 1944; 11:54 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 508,[1] Amdt. 2]

WESTERN CONTRACT LOGGING SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 3 is amended to read, in its entirety, as follows:

SEC. 3. *Maximum prices.* (a) The maximum prices on Western contract logging services shall be the difference between the ceiling price on the logs, bolts, pulpwood, or other primary forest products and the stumpage cost of those items, compared at the delivery points specified in the appropriate regulations and on the basis of the same scale. For example, if the ceiling price on a given type of log is $20.00 per M delivered to towable waters and the stumpage cost on the same scale rule is $4.50 per M, the ceiling on the complete contract logging service of delivering logs from stump to towable waters would be $15.50 per M; if under the contract only a portion of a service is rendered, such as loading, transportation, etc., the price of that portion shall not exceed the delivery point price minus stumpage (or, in this example $15.50) less all other costs of producing the logs from stump to delivery point. Thus, when only a portion of a complete logging service is rendered, as in the case where only loading or transportation is performed, the cost of that portion plus stumpage cost plus all other costs of logs delivered to the specified delivery point must not exceed the ceilings established on the logs or other primary forest products produced.

(b) If more than one primary forest product is cut or where species or items of different value are cut, the total stumpage cost of each primary forest product, species, or species group, shall be determined in accordance with the usual bookkeeping practice of the buyer of the services. These amounts shall then be deducted from the total value at ceiling prices of each of those primary forest products or species. The remainders then constitute the ceiling price on the contract logging service for each item, species, or different primary forest product. On lump sum transactions, however, the total stumpage cost may be deducted from the total estimated value at ceiling prices of all the primary forest products to be cut, and that remainder will represent the maximum lump sum amount which can be paid for the contract logging of all those products.

(c) Where more than one portion of a tract or holding in not more than four counties and belonging to a single owner is being operated by contract loggers, the test of paragraph (a) will be met if the total of all the logging contracts plus the total cost of all stumpage being cut does not exceed the total value at the applicable ceilings of the products into which the stumpage is made.

(d) "Stumpage cost" means the actual cost or book value of the timber being cut. "Stumpage" means all timber (whether dead or green, standing or down) of all species, classes, and sizes, which has not been severed from the stump. In cases where only portions of larger tracts are being cut, the buyer of the service may allocate a value to the particular portion in accordance with his usual bookkeeping practice. The portions so allocated, however, must "average out" so that the value assigned the whole tract is not less than actual cost or book value.

(e) If there are no specific maximum prices on any of the products of the contract logging service, or if the contract logging service is to be performed in an area where dollars-and-cents maximum prices for the logs, bolts, pulpwood, or other primary forest products have not been established, the maximum price for any contract logging service shall be one of the following:

(1) The price paid for the same type of contract logging service by that buyer on the effective date of this regulation;

(2) Or, if the buyer was not purchasing the same type of contract logging service on the effective date of this regulation, but did purchase such service prior to that date, the price for such service

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9628, 11444, 12444, 13059, 13745, 15527, 16035; 9 F.R. 213, 695, 3848, 5944.

[1] 9 F.R. 303, 3075, 4883.

which was paid by the purchaser on the first date prior to January 11, 1944;

(3) Or, if the buyer of the contract service has not purchased the same type of contract logging service on or before January 11, 1944, the buyer may request the appropriate Regional Office of the Office of Price Administration to establish a contract logging service price for him. The Regional Office may establish the maximum price by letter or telegram.

(f) Any purchaser of contract logging service who desires to purchase such service at prices higher than the maximum prices established under (a) or (e) above, in order to stimulate production of necessary logs or primary forest products from hard logging chances, remote timber stands, sparse timber stands, or for any other reason that may be shown as necessary to maintain production of logs, may apply to the appropriate Regional Office of the Office of Price Administration for approval of a higher price on such individual contracts. The application must contain the following:

(1) The name and location of the buyer and seller of the contract service;

(2) The maximum price which would apply under either (a) or (e) above, whichever is applicable;

(3) The requested maximum price together with a description of the logging chance covered, particularly topography features and stand, quality and accessibility of timber.

(4) A statement by the buyer that the use of this price will not increase his average cost of production to the point that an increase of his end product price will be necessary.

(5) A statement that the buyer will not use this increased price to obtain a buying advantage over competing purchasers of contract logging services.

(6) An estimate of the average monthly production from the contract.

(7) An estimate of the total average monthly production from all sources including this contract.

The Regional Office will approve such applications by letter or telegram where the buyer has complied with all the foregoing requirements. If the statements of the buyer in 4 and 5 above are proved incorrect, the Office of Price Administration may upon giving 30 days notice withdraw the approval of increased prices, in which case the maximum price at the end of the 30-day period covering that contract shall be the price established by (a) or (e) above.

(g) The buyer of contract logging service must file the report required by section 6 (b) covering each contract for logging services as defined herein.

This amendment shall become effective June 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8874; Filed, June 19, 1944; 11:57 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 143]

MILITARY SALVAGE AND MILITARY SCRAP DRY BATTERIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new section 6.49 is added to read as follows:

SEC. 6.49 *Military salvage and military scrap dry batteries*—(a) *Articles and persons to which this section applies.* This section applies to all sales and deliveries of dry batteries which have been manufactured and sold for the eventual use of the military forces but subsequently sold or offered for sale by any person other than an agency of the United States Government. It also applies to any person who buys such batteries in the course of trade or business. As used in this section the term "battery" includes a unit in an individual container whether it consists of one or more cells. It applies to batteries whether they are in the form in which they were originally manufactured or whether they have been subsequently reassembled in a different form. For the purposes of this section, batteries are divided into two types—military salvage batteries and military scrap batteries. Each type is defined in paragraph (g).

(b) The maximum price for the sale or delivery of a military salvage or scrap dry battery is the price fixed by the appropriate District Office of the Office of Price Administration. Each District Director of each District Office is hereby authorized to fix maximum prices under this section.

(c) The maximum prices for sales and deliveries of military salvage batteries will be fixed by each District Office at 80 percent of the prevailing maximum price for the most closely comparable new civilian battery for sales to purchasers of the same class. The maximum prices for sales of military scrap batteries will be fixed on the basis of the electrical capacity or the scrap value left in the battery, but in no case may the maximum price fixed exceed 50 per cent of the prevailing maximum price of the most closely comparable civilian battery for sales to purchasers of the same class.

(d) *Contents of application for the establishment of maximum prices.* Applications for the establishment of maximum prices shall be filed with the District Office of the Office of Price Administration in the district having jurisdiction of the seller's place of business and shall contain the following information:

(1) Applicant's name, address and type of business (wholesale or retail).

(2) Name and address of source from which the military batteries being priced were obtained.

(3) Quantity and description of the battery for which maximum prices are to be established, including (i) use (flashlight, radio "A", radio "B", etc.), (ii) voltages (1½ volt "A", 45 volt "B", etc.), (iii) size (over-all dimensions), (iv) Government Code or stock number.

(4) Manufacturer's stock number, brand name and description (as above), of the civilian battery most nearly comparable to the battery being priced.

(5) Prices determined from a manufacturer's published price list in effect during March 1942 for the civilian battery set forth in (4) above for sales to classes of purchasers to whom the applicant proposes to sell the military salvage or scrap batteries. Delivery charges may be included in these prices to the extent provided for by the manufacturer's price list. At the applicant's option, maximum retail prices may also be fixed, even if retail sales are not to be made by the applicant.

A wholesaler, selling to a retailer, must use the manufacturer's price to retailers; selling to a wholesaler, he must use the manufacturer's price to wholesalers. A retailer may not sell to a retailer at the retail price, but must use the manufacturer's price to retailers.

(6) Proposed maximum prices computed in the case of a military salvage battery at 80 percent of the maximum prices set forth in (5) above.

(7) Proposed maximum prices in the case of a military scrap battery not to exceed 50 per cent of the maximum prices set forth in (5) above, computed either on the basis of:

(i) The usable value of the scrap battery for any electrical purpose, or

(ii) The value that can be realized from the materials in the battery when broken into component parts.

(8) A statement that batteries to be sold as military salvage batteries meet the specifications for such batteries as set forth in paragraph (g).

(e) *Methods for the determination of maximum prices.* The prices applied for shall be the seller's maximum prices, effective ten days after he mails his application unless the Office of Price Administration specifically disapproves them within that time. These prices are subject to adjustment (not to apply retroactively) by the Office of Price Administration at any time after the ten-day period.

A retailer of military salvage or military scrap batteries for which maximum retail prices have been determined under this section in connection with the application of a previous seller, and who is selling the batteries in the same form in which he received them, is not required to file the application required in paragraph (d) if his supplier furnishes him with an invoice containing the following statement:

The batteries covered by this invoice were adapted for civilian use from military salvage (or scrap) stock and the maximum retail prices shown on this invoice were authorized under Amendment No. 143 to Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation upon application to the Office of Price Administration District Office located in _____
(city and state)

mailed _____.
(date)

Signed _____

The purchaser is required to retain such invoice furnished by his supplier and to make it available for inspection by the Office of Price Administration at any time. The retailer's maximum price is the maximum retail price shown on the supplier's invoice.

(f) *Labelling or posting.* No person may sell or offer to sell at retail a military salvage or military scrap battery unless either

(1) The battery is labelled as follows:

"Military salvage (or scrap) battery. OPA retail ceiling price $_____", or

(2) A poster, placed in a conspicuous place at the point of sale on the seller's premises, sets forth in easily readable lettering the maximum prices for military salvage and military scrap batteries, as well as the fact that such batteries are from military salvage or military scrap stocks.

(g) *Specifications for military salvage batteries*—(1) *Military salvage batteries.* For the purpose of this section a military salvage battery is any dry battery originally manufactured and sold for eventual use by the military forces, but subsequently sold or offered for sale by any person other than an agency of the United States Government for general civilian use either in its original factory-assembled state or as a made-up reassembled battery, which meets the following specifications:

(i) Single No. 6 dry cells and flashlight unit cells are enclosed in close-fitting jackets.

(ii) The voltage is at least equal to the minimum voltage specified below for that type of battery, tested on a properly calibrated Ohm-volt meter as follows:

Type of battery	Ohms per volt	Volts per cell, or per groups of cells in parallel
Radio "B" and "C" batteries	1,000	1.47
Radio "A" flashlight and other "A" batteries of "C" size cells or smaller	100	1.47
Radio "A" flashlight, No. 6, and other batteries of "D" size cells or larger	100	1.50

(iii) Individual cells and batteries are free from (a) loose terminals; (b) corrosion; (c) loose or cracked seals; (d) leaking or distorted zinc containers.

(2) *A military scrap battery* is one which does not meet the specifications of a military salvage battery.

(h) *Evasion.* You may not evade any provision of this section by any scheme or device or by any practice which has the effect of getting a higher-than-ceiling price. Specifically, you may not charge for any service such as the installation of batteries, for which you did not make a charge in March 1942, nor may you require the purchaser to agree to purchase any other service or commodity.

This amendment shall become effective on the 24th day of June 1944.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8875; Filed, June 19, 1944; 11:55 a. m.]

*Copies may be obtained from the Office of Price Administration.

TITLE 43—GENERAL LANDS: INTERIOR

Chapter I—General Land Office

[Public Land Order 235]

WYOMING

WITHDRAWAL OF PUBLIC LANDS FOR AIR NAVIGATION SITE

By virtue of the authority contained in section 4 of the act of May 24, 1928, 45 Stat. 729 (U.S.C., title 49, sec. 214), and pursuant to Executive Order No. 9337 of April 24, 1943: *It is ordered*, As follows:

Subject to valid existing rights, the following-described public lands in Wyoming are hereby withdrawn from all forms of appropriation under the public-land laws and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, in the maintenance of air-navigation facilities, the reservation to be known as Air-Navigation Site Withdrawal No. 215.

SIXTH PRINCIPAL MERIDIAN

T. 18 N., R. 106 W.,
Sec. 8, SE¼NE¼SE¼.
T. 15 N., R. 117 W.,
Sec. 24, NE¼NE¼NE¼.
The areas described aggregate 20 acres.

This order shall take precedence over, but shall not modify, the withdrawal of public oil-shale deposits and lands containing such deposits made by Executive Order No. 5327 of April 15, 1930, as modified by Executive Orders No. 6016 of February 6, 1933, and No. 7038 of May 13, 1935, and the withdrawal of Wyoming Grazing District No. 4 made by the order of the Acting Secretary of the Interior of October 31, 1936, so far as they affect the above-described lands.

ABE FORTAS,
Acting Secretary of the Interior.

JUNE 9, 1944.

[F. R. Doc. 44-8813; Filed, June 17, 1944; 10:35 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

Subchapter P—General Provisions

PART 180—ENFORCEMENT

REPORTS OF VIOLATIONS

Section 180.1 of Title 46 CFR, Chapter I, Subchapter P, Part 180, is hereby amended to read as follows:

§ 180.1 *Reports of violations.* Reports of violations of navigation laws and regulations administered and enforced by the Coast Guard shall be submitted to the District Coast Guard Officer having jurisdiction over the area in which the violations occurred. The person charged with a violation shall be notified of the receipt of the report of violation and of his opportunity to make a statement to the appropriate officer denying the existence of a violation or applying for administrative relief by way of remission or mitigation. If a person fails to file a timely statement, he shall be assessed the full amount of the statutory penalties involved. Any mitigation of the statutory penalties shall be conditional upon payment of the penalties as mitigated within the period specified in the letter advising of the mitigation. Where any amount due has not been paid within the prescribed period, the case will be referred to an appropriate United States Attorney for court action. (R.S. 161, sec. 5, 40 Stat. 602 as amended; 5 U.S.C. 22, 46 U.S.C. 288; E.O. 9083, 7 F.R. 1609)

Dated: June 15, 1944.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 44-8844; Filed, June 19, 1944; 9:57 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 8—RULES GOVERNING SHIP SERVICE

REPORTS

The Commission on June 13, 1944, effective immediately, deleted § 8.167 and related footnotes, which read as follows:

§ 8.167 *Reports.* Adequate records shall be maintained according to the prescribed forms * covering operation of the auto-alarm. These forms shall be mailed to the Commission ** at Washington, D. C., as soon as possible after the first day of each month, covering the month preceding.

* FCC Form 819, available upon request, should be used for this purpose.

** These reports are for the information of the Commission and the specific contents thereof will not be disclosed.

(Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-8858; Filed, June 19, 1944; 11:40 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 181—COMMON AND CONTRACT CARRIERS OF PASSENGERS

INVENTORIES OF MATERIAL AND SUPPLIES, WAIVER OF REQUIREMENTS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 14th day of June, A. D. 1944.

The matter of waiving the provisions of Note B to account 1180—Material and Supplies, in the Uniform System of Accounts for Class I Common and Contract Motor Carriers of Passengers, Issue of 1937 (49 CFR Part 181), relating to the taking of inventories of material and supplies during each calendar year, being under consideration,

And it appearing, That due to an acute shortage of experienced personnel necessary for the taking of inventories of materials and supplies, requests have been received to omit such inventories for the year 1944;

It is ordered, That the requirements of Note B to account 1180—Material and Supplies, relating to inventory of materials and supplies be, and they are hereby waived for the year 1944.

By the Commission, Division 1.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-8829; Filed, June 17, 1944; 11:42 a. m.]

PART 182—COMMON AND CONTRACT CARRIERS OF PROPERTY

INVENTORIES OF MATERIAL AND SUPPLIES; WAIVER OF REQUIREMENTS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 14th day of June, A. D. 1944.

The matter of waiving the provisions of Note B to account 1180—Material and Supplies, in the Uniform System of Accounts for Class I Common and Contract Motor Carriers of Property, Issue of 1937, (49 CFR Part 182), relating to the taking of inventories of material and supplies during each calendar year, being under consideration,

And it appearing, that due to an acute shortage of experienced personnel necessary for the taking of inventories of materials and supplies, requests have been received to omit such inventories for the year 1944:

It is ordered, That the requirements of Note B to account 1180—Material and Supplies, relating to inventory of materials and supplies be, and they are hereby waived for the year 1944.

By the Commission, Division 1.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-8830; Filed, June 17, 1944; 11:42 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Coal Mines Administration.

[Order CMA-38]

YOUNGSTOWN MINES CORP., ET AL.

ORDER TERMINATING GOVERNMENT POSSESSION

On December 17, 1943, a wage agreement was entered into by the United Mine Workers of America and the representatives of the bituminous coal operators who produce the great preponderance of the nation's tonnage. This agreement has been approved by the National War Labor Board and the Director of Economic Stabilization.

I have been advised that the operators listed in Appendix A, attached hereto, have executed or are about to execute contracts and will put them into effect immediately upon termination of Government possession of their mining properties. On the basis of such advice and the available information and evidence, and after consideration of all of the circumstances, I find that Government possession of the mines of such operators is no longer required, and in accordance with the provisions of Executive Order No. 9393 (8 F.R. 14877) and the War Labor Disputes Act (Pub. 89, 78th Cong. 1st Sess.) should be terminated.

Accordingly, I order and direct that the possession by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds and other assets used in connection with the operation of such mines, be, and it is hereby terminated, and that there be displayed conspicuously at those mining properties copies of a poster to be supplied by the Coal Mines Administration, and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

In accordance with section 40 of the regulations for the operation of coal mines under Government control, as amended (8 F.R. 6655, 10712, 11344, 17339), the appointments of the operating managers for the United States for all of the aforesaid mines with respect to which the mining companies have on file with the Administrator effective instruments of agreement and certification as provided for in section 25 of the regulations, as amended (8 F.R. 6655, 10712, 11344, 17339), are automatically terminated.

Nothing contained herein shall be deemed to preclude the Government from requiring the submission of information relating to operations during the period of Government possession, for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9393 (8 F.R. 14877) may be concluded in an orderly manner.

Dated: June 16, 1944.

[SEAL] HAROLD L. ICKES, *Secretary of the Interior.*

APPENDIX A

Name of Mining Company and Address

The Youngstown Mines Corportion, Stambaugh Bldg., Youngstown, Ohio.
Beech Creek Coal Co., Beech Creek, Ky.
Bevier Lamb Mining Co., Greenville, Ky.
Black Diamond Coal Mining Co., Drakesboro, Ky.
Crescent Coal Co., Box 471, Central City, Ky.
Kirk Coal Mining Co., Beech Creek, Ky.
Louisville Gas & Electric Co., 311 W. Chestnut St., Louisville, Ky.
Luserne Graham Mining Corp., Inc., Greenville, Ky.
Pacific Coal Co., Inc., R. F. D. #1, Central City, Ky.
Shearn Coal Co., 942 Cotton Belt Bldg., St. Louis, Mo.
W. A. Wickliffe Coal Co., Greenville, Ky.

[F. R. Doc. 44-8831; Filed, June 17, 1944; 11:46 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3501), as amended by Administrative Order March 13, 1943 (8 F. R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4734), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3963), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3868).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3763).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Aponaug Chenille Company, Plant #4, Kosciusko, Mississippi; housecoats, bedspreads, mats, robes, work dresses and uniforms; 70 learners (E); effective June 15, 1944, expiring December 14, 1944.

Co-Ed Frocks, Inc., Shelbyville, Illinois; ladies' cotton and outer washable clothing; 10 learners (T); effective June 14, 1944, expiring June 13, 1945.

J. B. C. Company, 819 Daisy Street, Clearfield, Pennsylvania; men's trousers; 10 learners (T); effective June 17, 1944, expiring June 16, 1945.

S. Liebovitz & Sons, Factory #1, Sixth and Colliery Avenues, Tower City, Pennsylvania; men's and boys' sport shirts and jackets; 4 learners (T); effective June 17, 1944, expiring June 16, 1945.

S. Liebovitz & Sons, Inc., Wisconsin Street, Tower City, Pennsylvania; men's sport shirts and pajamas; 10 learners (T); effective June 17, 1944, expiring June 16, 1945.

E. S. Lurie Manufacturing Company, Springfield, Missouri; men's trousers; 10 learners (T); effective June 17, 1944, expiring June 16, 1945.

M. and B. Garment Company, New Freedom, Pennsylvania; children's dresses; 5 learners (T); effective June 17, 1944, expiring June 16, 1945.

Irving Resnick & Company, Church & Maple Streets, Salem, Illinois; cotton dresses and uniforms; 10 learners (T); effective June 17, 1944, expiring June 16, 1945.

Simplicity Frocks, Inc., Kincaid, Illinois; women's and misses' dresses; 50 learners (E); effective June 14, 1944, expiring December 13, 1944.

Woolrich Woolen Mills, Woolrich, Pennsylvania; work coats, shirts, pants; 10 learners (T); effective June 15, 1944, expiring June 14, 1945.

GLOVE INDUSTRY

Newton Glove Manufacturing Company, Ashe Avenue, Newton, North Carolina; work gloves; 10 percent (AT); effective June 15, 1944, expiring December 14, 1944.

HOSIERY INDUSTRY

Baker-Mebane Hosiery Mills, Inc., Highway 103, Mebane, North Carolina; seamless hosiery; 10 percent (AT); effective June 15, 1944, expiring December 14, 1944.

Shannon Hosiery Mills, Inc., 1338 Talbottom Avenue, Columbus, Georgia; full-fashioned hosiery; 10 percent (AT); effective June 16, 1944, expiring December 15, 1944.

Van Raalte Company, Inc., Athens, Tennessee; full-fashioned hosiery; 10 percent (AT); effective June 17, 1944, expiring December 16, 1944.

Vermont Hosiery & Machinery Company, No. Main Street, Northfield, Vermont; seamless hosiery; 5 learners (T); effective June 17, 1944, expiring June 16, 1945.

Signed at New York, N. Y., this 17th day of June 1944.

MERLE D. VINCENT, *Authorized Representative of the Administrator.*

[F. R. Doc. 44-8832; Filed, June 19, 1944; 11:18 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Blount-Parker Corp., Lacona, New York; bathinettes; 3 learners (T); sewing machine operator for a learning period of 240 hours at 35 cents per hour; effective June 23, 1944, expiring December 22, 1944.

Caguas Diamond Works of Caguas, Puerto Rico, to employ ten learners in the Diamond Cutting Industry distributed among the following operations: Scouring and setting; (a) Scouring at 15 cents an hour for the first 520 hours; 25 cents an hour for the second 520 hours; and 30 cents an hour for every hour thereafter. (b) Setting at 15 cents an hour for the first 520 hours; 25 cents an hour for the second 520 hours; and 30 cents an hour for every hour thereafter. For all hours over forty worked in any one workweek, one and one-half times the applicable piece rate of the rate established herein, whichever is the higher, shall be paid. This Special Certificate shall become effective on January 21, 1944 and shall remain in effect for a period not exceeding six months thereafter.

Caribe Diamond Company of Santurce, Puerto Rico, to employ four learners in the Diamond Cutting Industry in the operation known as scouring. (a) Scouring at 15 cents an hour for the first 520 hours; 25 cents an hour for the second 520 hours; and 30 cents an hour for every hour thereafter. For all hours over forty worked in any one workweek, one and one-half times the applicable piece rate or the rate established herein, whichever is the higher shall be paid. This Special Certificate shall become effective on January 21, 1944 and shall remain in effect for a period not exceeding six months thereafter.

Hafleigh and Company, Buchanan, Virginia; bone buttons and rings; 8 learners (T); button making for a learning period of 320 hours at 30 cents per hour for the first 160 hours and 35 cents per hour for the last 160 hours; effective June 14, 1944, expiring December 14, 1944.

Supreme Instruments Corporation, Howard Street, Greenwood, Mississippi; manufacturing and assembling radio testing equipment; 10 percent (T); wiring and assembling for a learning period of 160 hours at 35 cents per hour; effective June 29, 1944, expiring December 29, 1944.

Signed at New York, New York, this 17th day of June, 1944.

MERLE D. VINCENT, *Authorized Representative of the Administrator.*

[F. R. Doc. 44-8852; Filed, June 19, 1944; 11:18 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[File Nos. B4-TC-363, B3-AL-403]

SIDLES CO., ET AL.

NOTICE OF HEARING

In re application of The Sidles Company (Transferor), The Sidles Company, Star Printing Co., State Journal Printing Co. & Columbia Broadcasting System, Inc. (Transferees,) Docket No. 6622; Date filed February 19, 1944, File No. B4-TC-363; for voluntary relinquishment of control of corporation (KFAB); Class of service, Broadcast; Class of station, Broadcast; Location, Lincoln, Nebraska; Operating assignment specified: Frequency, 780 kc, power, 10 kw, hours of operation, simultaneous D and share night with WBBM. SSA-Synchronize with WBBM SS to midnight.

In re application of Columbia Broadcasting System, Inc. (Assignor), KFAB Broadcasting Company, (Assignee), Docket No. 6623; Date filed February 19, 1944, File No. B3-AL-403; for voluntary assignment of license (WBT), Class of service, Broadcast; Class of station, Broadcast; Location, Charlotte, North Carolina; Operating assignment specified: Frequeney, 1110 kc, power, 50 kw, hours of operation: Unlimited.

You are hereby notified that the Commission has examined the applications in the above-entitled cases and has designated the matters for hearing for the following reasons:

1. To obtain full information with respect to all contracts, arrangements and understandings, express or implied, relating to the proposed change in control of KFAB Broadcasting Company.

2. To obtain full information with respect to all contracts, arrangements and understandings, express or implied, relating to operation of Station KFAB as proposed in the application for consent to change in control of the licensee.

3. To obtain full information with respect to all contracts, arrangements and understandings, express or implied, relating to the proposed assignment of the license of Station WBT from Columbia Broadcasting System, Inc. to KFAB Broadcasting Company.

4. To obtain full information with respect to all contracts, arrangements and understandings, express or implied, relating to operation of Station WBT as proposed in the application for consent to the assignment of license.

5. To determine the character and extent of existing broadcast facilities in Charlotte, North Carolina, and whether the licensing and operation of Station WBT as contemplated in the applications for consent to assignment of license and transfer of control (B3–AL–403 and B4–TC–363, respectively) would be consistent with the provisions of Commission regulations, particularly Section 3.106.

6. To determine whether the acquisition by Columbia Broadcasting Sytem, Inc. of stock interest in KFAB Broadcasting Company, in the light of the existing and proposed network affiliation agreements between Columbia Broadcasting System, Inc. and KFAB Broadcasting Company, would constitute an extension of control of standard broadcast stations by a network.

7. To determine whether, in view of the matters submitted under the foregoing issues, the grant of the application for consent to assignment of the license of Station WBT (B3–AL–403) and the grant of the application for consent to transfer of control of KFAB Broadcasting Company (B4–TC–363), or the grant of either, would be in the public interest.

The applications involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicants on the basis of a record duly and properly made by means of a formal hearing.

The applicants are hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicants who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicants' addresses are as follows: KFAB Broadcasting Company, Radio Station KFAB, Lincoln Hotel, 9th & P Streets, Lincoln 8, Nebraska; Columbia Broadcasting System, Inc., Radio Station WBT, 485 Madison Avenue, New York 22, New York; The Sidles Company, 19th & Howard Streets, Omaha, Nebraska; State Journal Printing Company, 900 P Street, Lincoln, Nebraska; Star Printing Company, 301 S. 12th Street, Lincoln, Nebraska.

Dated at Washington, D. C., June 13, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44–8855; Filed, June 19, 1944; 11:40 a. m.]

FEDERAL POWER COMMISSION.

LA JUNTA FEDERAL DE MEJORAS MATERIALES AND CENTRAL POWER AND LIGHT CO.

[Docket No. IT–5813]

NOTICE OF APPLICATION TO TRANSMIT ELECTRIC ENERGY TO MEXICO

JUNE 16, 1944.

Notice is hereby given that La Junta Federal de Mejoras Materiales of Nuevo Laredo, Tamaulipas, Mexico, and Central Power and Light Company of Corpus Christi, Texas, filed an application pursuant to the provisions of section 202 (e) of the Federal Power Act (16 U.S.C. 791–825r) for authority to transmit electric energy across the international boundary line between the United States and Mexico from facilities extending along Salinas Street, Laredo, Texas, and across the Rio Grande to Nuevo Laredo, Mexico.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 8th day of July, 1944, file with the Federal Power Commission, Washington, D. C., a petition or protest in accordance with the Commission's rules of practice and regulations under the Federal Power Act.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 44–8813; Filed, June 17, 1944; 10:35 a. m.]

[Docket Nos. G–236 and G–536]

WISCONSIN SOUTHERN GAS COMPANY

ORDER POSTPONING ORAL ARGUMENT

JUNE 16, 1944.

It appearing to the Commission that: Good cause exists for postponement of the oral argument in the above-docketed matters heretofore set by order of May 23, 1944, for July 7, 1944, at 10 a. m. (e. w. t.) in the Hearing Room of the Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C.

The Commission orders that: The oral argument heretofore set for July 7, 1944, in Docket Nos. G–236 and G–536 be and the same is hereby postponed to July 12, 1944, at the same hour and place as heretofore ordered in the above-docketed matters.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 44–8856; Filed, June 19, 1944; 11:44 a. m.]

[Docket Nos. G–542 and G–554]

EL PASO NATURAL GAS COMPANY

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

JUNE 17, 1944.

It appearing to the Commission that:

(a) On April 11, 1944, applicant filed an application in Docket No. G–542 for a certificate of public convenience and necessity to authorize the construction and operation of certain facilities;

(b) By its order dated May 30, 1944, in Docket No. G–542 the Commission postponed the hearing heretofore ordered to commence on June 13, 1944, to June 22, 1944, at 10 a. m. (c. w. t.) in Courtroom No. 417, U. S. Courthouse Building, Fort Worth, Texas;

(c) On June 13, 1944, applicant filed an application in Docket No. G–554 under section 7 of the Natural Gas Act, as amended, for authority to construct and operate the following described facilities:

A service tap on its existing 12¾-inch O. D. gas pipeline serving El Paso Electric Company's Rio Grande Power Plant at a point in El Paso County, Texas, approximately 2.23 miles west of the city of El Paso, Texas, together with a regulator, meter, pipe, valves, and necessary appurtenances for the purpose of delivering natural gas to the refinery of McNutt Oil and Refining Company in Dona Ana County, New Mexico, through 700 feet of 2⅜-inch gas pipeline, to be installed by the refining company between applicant's pipeline and the refinery.

The Commission finds that:

The applicant requests and good cause exists for consolidating the above matters for the purpose of hearing thereof.

The Commission orders that:

(A) The above-docketed proceedings be and they are hereby consolidated for the purpose of hearing;

(B) A public hearing be held commencing on June 22, 1944, at 10 a. m. (c. w. t.) in Courtroom No. 417, U. S. Courthouse Building, Forth Worth, Texas;

(C) Interested State commissions may participate in the hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 44–8857; Filed, June 19, 1944, 11:44 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Dissolution Order 9]

AKAWO AND COMPANY, INC.

Whereas, by Vesting Order No. 113, dated August 25, 1942 (7 F.R. 7059, September 5, 1942), the Alien Property Custodian vested all the issued and outstanding shares of the capital stock of Akawo and Company, Inc., a New York corporation; and

Whereas, Akawo and Company, Inc. has been substantially liquidated under the supervision of the Alien Property Custodian;

Now, under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the books and records of Akawo and Company, Inc. indicate that the corporation is indebted to Wing Dah Trading Co. of Shanghai, China, in the sum of $690.23; and

2. Finding that the said claim is the only known claim against Akawo and Company, Inc.; and

3. Finding that the Alien Property Custodian has incurred direct expenses (exclusive of general administrative expenses of the Office of Alien Property Custodian) in connection with services rendered to said Akawo and Company, Inc.; and

4. Determining that it is in the national interest of the United States to dissolve the said corporation and to distribute its assets;

It is ordered, That the officers and directors of Akawo and Company, Inc., to-wit: D. W. Pratt, President and Director, L. V. McLean, Secretary and Director, and S. B. Reid, Treasurer and Director, shall cause the dissolution of Akawo and Company, Inc., in accordance with the statutes of the State of New York in such cases made and provided; and, *It is further ordered*, That the said officers and directors above-named wind up the affairs of said corporation and distribute the assets thereof coming into their possession as follows:

(1) They shall first pay the current expenses and necessary charges of winding up the affairs of said corporation and the dissolution thereof;

(2) They shall then pay all known taxes and fees of the United States and of the State of New York owed by or accruing against the said corporation; and

(3) They shall then pay to the undersigned the sum found to be due as reimbursement for the value of services rendered said corporation by the Alien Property Custodian as above set forth; and

(4) They shall then pay the sum of $690.23 owing by the corporation to Wing Dah Trading Co. of Shanghai, China, into an account in any bank whose deposits are insured by the Federal Deposit Insurance Corporation, the said account to be entitled "Wing Dah Trading Co. Account No. 1, subject to the authorization of the Alien Property Custodian." The said account shall be made expressly subject to the following conditions and a certified copy of this order shall be furnished to the bank at the time said account is opened:

(a) Withdrawals shall be made from the account only

(i) On the signature of the authorized representative of the Wing Dah Trading Co. in conformity with an applicable authorization of the Alien Property Custodian, his delegate or supervisor,

(ii) On the signature of the Alien Property Custodian, his delegate or supervisor, or

(iii) In any other manner which may be directed by the Alien Property Custodian or authorized by the Alien Property Custodian, his delegate or supervisor.

(b) Statement shall be rendered in accordance with the usual practice of the bank to Wing Dah Trading Co., care of Alien Property Custodian, 120 Broadway, New York, New York, or as may otherwise be directed by the Alien Property Custodian, his delegate or supervisor.

(c) The bank is hereby authorized to pay its customary and usual service charges including charges in payment or reimbursement for interest due; cable, telegraph, or telephone charges; postage costs; custody fees; small adjustment charges to correct bookkeeping errors; and, but not by way of limitation, minimum balance charges, account carrying charges, notary and protest fees, and charges for reference books, photostats, credit reports, transcripts or statements, registered mail insurance, stationery and supplies, checkbooks, and other similar items.

The payment of the said sum as herein directed into such an account shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of Akawo and Company, Inc.

(5) They shall then distribute and pay over to the undersigned as the holder of all the outstanding and issued stock of the corporation all other funds and property remaining in their hands after the payments as aforesaid;

It is further ordered, That nothing herein set forth shall be construed as prejudicing the rights, under the laws of the State of New York, of any person who may claim against said corporation; *Provided, however*, That nothing herein contained shall be construed as creating additional rights in such persons; and such persons or any of them may file claims with the undersigned against any funds or property received by the undersigned as above set forth: *Provided, however*, That any such claim shall be filed with or presented to the undersigned within the time prescribed for such claims by the Statutes of New York; and, *It is further ordered*, That all actions taken and acts done by the officers and directors of Akawo and Company, Inc., above-named, pursuant to this order and the directions contained therein, shall be deemed to have been taken and done in reliance on and pursuant to paragraph numbered (2) of subdivision (b) of section 5 of the Trading with the Enemy Act, as amended, and the acquittance and exculpation provided for therein.

Executed at Washington, D. C., June 14th, 1944.

[SEAL] JAMES E. MARKHAM, *Alien Property Custodian.*

[F. R. Doc. 44–8850; Filed, June 19, 1944; 10:50 a. m.]

AMERICAN PLATINUM WORKS AND ARUSHEE CO.

ORDER FOR AND NOTICE OF HEARING

Order for and notice of hearing before Vested Property Claims Committee.

In the matter of Charles Engelhard: the American Platinum Works and Arushee Company.

Whereas, by Vesting Order No. 56 of July 23, 1942 (7 F.R. 5741), Vesting Order No. 74 of July 30, 1942 (7 F.R. 7047), and Vesting Order No. 288 of November 2, 1942 (7 F.R. 9098), the Alien Property Custodian vested the following property:

15,388 shares of $1.00 par value common capital stock of Arushee Company, a New Jersey corporation,

1,523 shares of $100 par value common capital stock of The American Platinum Works, a New Jersey corporation, and

All cash dividends declared but not yet paid, and 60 shares of $100 par value common capital stock declared as a stock dividend, by The American Platinum Works on June 6, 1942, on the said 1,523 shares of capital stock of The American Platinum Works,

by which vesting orders the said shares and dividends were found to be the property of nationals of a designated enemy country (Germany); and

Whereas, Charles Engelhard has filed Notices of Claim No. 107 and No. 108 which assert that the said Charles Engelhard is a citizen and resident of the United States and that he is the owner of an interest of 23.59% in 450 shares of the capital stock of Arushee Company so vested, or in the proceeds thereof, and of 23.59% in the 1,523 shares of capital stock of The American Platinum Works so vested, or the proceeds thereof, and of 23.59% in the amount of $10,280.35 unpaid cash dividends, so vested.

Now, therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended, (6 F.R. 16709), that the said claims be consolidated for hearing and that a hearing thereon be held before the Vested Property Claims Committee or any member or members thereof on Thursday, June 29, 1944, at 10:00 a. m. Eastern War Time, at the Office of the Alien Property Custodian, 120 Broadway, New York, New York, to continue thereafter at such time and place as the Committee may determine. *It is further ordered*, That copies of this notice of hearing be served by registered mail upon the claimant and upon the person designated in paragraph 2 of the said notices of claim, and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claims may appear at the hearing, and is requested to notify the Vested Propery Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets, NW, Washington (25), D. C., on or before June 24, 1944.

The foregoing characterization of the claims is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims. Copies of the claims and of the said vesting orders are available for public inspection at the address last above stated.

Dated: June 15, 1944.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE,
JOHN C. FITZGERALD, *Chairman.*
MICHAEL F. KRESKY.
NUGENT DODDS.

[F. R. Doc. 44–8851; Filed, June 19, 1944; 10:50 a. m.]

OFFICE OF PRICE ADMINISTRATION

[MPR 188, Amdt. 41 to Order A–1]

CRUSHED STONE AGGREGATES, ETC.

MODIFICATION OF MAXIMUM PRICES

Amendment No. 41 to Order No. A–1 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Modification of maximum prices in Maximum Price Regulation No. 188 for aggregates, building blocks, and ready-mixed concrete produced in Southern Florida.

An opinion accompanying Amendment No. 41 to Order A–1 has been issued simultaneously herewith and filed with the Division of the Federal Register.

Order No. A–1 is amended by adding a new paragraph (a) (32) to read as follows:

(32) *Modification of producers' maximum prices for certain crushed stone aggregates, concrete building blocks, and ready-mixed concrete produced in Southern Florida.* (i) The maximum price for certain sizes of Miami Oolite Limestone, all of which are hereinafter specifically described, when produced within a radius of 50 air-miles of the Dade County (Florida) Court House and

when used in the building of roads, dams, buildings, and other structures, or when used as aggregates in ready-mixed concrete or job-mixed concrete or in bituminous binder mixtures, or in concrete building blocks, and other cast concrete products, shall be as follows:

Product	Maximum prices f. o. b. plant	Maximum prices delivered to job site within the Miami Area
Crushed stone aggregates (gradation 1 to 11 inclusive)	$1.10	$1.85
Cover rock (gradation 12 to 15 inclusive)	1.30	2.10
Coarse aggregate, for hot mixed asphalt	1.30	2.10
Pea rock (gradation 16 to 18 inclusive)	1.50	2.35
Rock screenings, concrete and mason sands fine aggregates for cement concrete, for bituminous binder mixtures and for hot mixed asphalt	1.00	1.75
Lime road rock, grade No. 1 or grade No. 2	.85	1.60

All of the above maximum prices are per cubic yard when sold for delivery by truck or barge, and are per net ton when sold aboard railroad cars, f. o. b. plant or nearest railroad siding.

"Miami Oolite Limestone" as used in this paragraph (a) (32) refers to that term as used in the reports of the Florida State Geological Survey and includes materials defined by the Florida State Road Department as "Crushed Local Stone, Type A and Type B" or as "Miami Oolite Lime Rock Grade No. 1 and Grade No. 2." Miami Oolite Lime Rock Grade No. 1 and Grade No. 2 must also meet the specifications of the Florida State Road Department for gradations.

Gradations 1 to 18, inclusive, as used herein, refer to standards established by the Florida State Road Department to cover percent by weight of coarse aggregate passing through designated square opening laboratory sieves. Gradations established in War or Navy Department Specifications, or in accordance with specifications of the City of Miami, shall likewise apply for generally similar sieve analyses.

The terms "rock screenings," "concrete and mason sands," and "coarse and fine aggregates," as used herein refer to standards established by the Florida State Road Department, by War and Navy Department specifications, or by the City of Miami for these products.

(ii) Any person producing an aggregate from Miami Oolite Limestone not comparable with any of the aggregates hereinbefore specified by reason of a gradation requiring extra or special screening, or because such aggregate is from a deposit composed of stone having especially valuable properties, or for any other reason, provided such material is produced for commercial use in construction or for use as an aggregate and cannot be produced and sold at the maximum prices herein established without hardship to the producer, shall file an application for the establishment of a maximum price for such material under § 1499.158 of Maximum Price Regulation No. 188. Such application shall be filed with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., and shall contain a description of the special aggregate, with a detailed statement showing:

(a) A comparison between the aggregate for which a maximum price is fixed herein and the aggregate for which a price is requested, with definite information showing the claimed superior qualities.

(b) The extra production process used in producing the special aggregate and the extra cost of such process.

(c) The need of a maximum price differing from the maximum prices fixed herein.

(iii) The maximum prices for certain ready-mixed concrete, as hereinafter specified, produced within a radius of 15 air-miles of the Dade County (Florida) Court House, shall be as follows:

Bags of cement per cubic yard of ready-mixed concrete:	*Maximum prices, per cubic yard, delivered to job site within the Miami area*
4	$6.30
4½	6.65
5	7.00
5½	7.35
6	7.70
7	8.40
8	9.10
9	9.80
10	10.50

(iv) The maximum prices for certain concrete building blocks, as hereinafter specified, produced within a radius of 15 air-miles of the Dade County (Florida) Court House, shall be as follows:

Size	Maximum prices per block, f. o. b. plant	Maximum prices per block, delivered within the Miami area
8 x 8 x 16	$0.0950	$0.1150
8 x 12 x 16	.1550	.19
4 x 8 x 16	.0675	.0775
8 x 8 x 16 (corners and jambs)	.0950	.1150
8 x 12 x 16 corners	.1550	.19
8 x 8 x 8 (single corners and half jambs)	.0675	.0775
8 x 4 x 16 or 8 x 8 x 16 partition tile	.0675	.0775

(v) Delivery areas for which no additional charges may be made and the conditions under which such charges may be made are to be determined according to the following methods:

(a) *Delivery within the Miami area.* Maximum prices established by this paragraph (a) (32) for delivery "within the Miami area" include delivery by each producer within the area recognized by him during March 1942 as his normal delivery area or zone for the commodity to be delivered. No extra charge may be made for delivery within such area or zone. Any producer who did not have a normal delivery area or zone during March 1942, shall regard the delivery area or zone of his most comparable seller as his in-area territory covered by the term "within the Miami Area."

(b) *Delivery outside the Miami area.* For delivery outside the Miami area, as described in subdivision (a) above, each producer may add to the maximum prices established herein an amount not in excess of the charge in effect by him during March 1942 for each particular destination. If a producer does not have an established maximum delivery charge for delivery outside the Miami area because he was not in business during March 1942, or, if he was then in business, because he did not deliver outside the Miami area, or for any other reason, he must file a schedule of proposed delivery charges to be added to the maximum prices established by this paragraph (a) (32) with the Jacksonville District Office of the Office of Price Administration. Such charges shall not exceed the charges established for other manufacturers for the same or similar service and shall be subject to approval or disapproval within 20 days of the date of filing.

Before the expiration of the 20-day period the District Director of the Jacksonville District Office either will approve or disapprove the requested charges. In the absence of such approval or disapproval within the 20-day period, the reported delivery charges, if properly filed, shall be deemed to have been approved by that office.

This Amendment No. 41 shall become effective the 17th day of June 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8777; Filed, June 16, 1944; 11:47 a. m.]

[MPR 136, Order 229]

CHRYSLER CORP.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 229 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Chrysler Corporation, Docket No. 3136-431.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *it is hereby ordered:*

(a) Chrysler Corporation, Detroit, Michigan, and its factory distributors, are authorized to sell to resellers each Dodge motor truck listed in subparagraph (1), when equipped with synthetic rubber tires delivered to the Chrysler Corporation on and after April 18, 1944, at a price not to exceed the total

of the applicable "Net Wholesale Price", f. o. b. factory, listed in that subparagraph and the applicable allowances in subparagraph (2), subject to the discounts or other allowances in effect on March 31, 1942, to the applicable class of reseller:

(1) *Model, Description, and Net Wholesale Price*

WF-31 (T—118) Truck, cab and chassis, 1½ ton, 135 5/16" wheelbase, with 1942 standard equipment, plus 2" front springs, 6.285 rear axle, heavy duty transmission, and equipped with synthetic rubber tires of base tire equipment sizes	$740.00
WF-32 (T—118) Truck, cab and chassis, 1½ ton, 160" wheelbase, with 1942 standard equipment, plus 2" front springs, 6.285 rear axle, heavy duty transmission, and equipped with synthetic rubber tires of base tire equipment sizes	753.00
WF-32 (T—118) Truck, cab and chassis, 1½ ton, 160" wheelbase, with stake body, 1942 standard equipment, plus 2" front springs, 6.285 rear axle, heavy duty transmission, and equipped with synthetic rubber tires of base tire equipment sizes	866.00
WFM-38 (T—128) Truck, cab and chassis, C. O. E. 1½ ton, 159" wheelbase, with 1942 standard equipment, plus 2" front springs, 6.285 rear axle, heavy duty transmission, and equipped with synthetic rubber tires of base tire equipment sizes	849.00
WH-45 (T—120) Truck, cab and chassis, 2 ton, 136" wheelbase, with 1942 standard equipment, plus 2" front springs, and 4-speed transmission, and equipped with synthetic rubber tires of base tire equipment sizes	838.00
WH-47 (T—120) Truck, cab and chassis, 2 ton, 160" wheelbase, with 1942 standard equipment, plus 2" front springs, and 4-speed transmission, and equipped with synthetic rubber tires of base tire equipment sizes	863.00

(2) *Allowances.* (i) The following applicable allowances when the following applicable extra, special and optional equipment is a part of the truck being sold:

Description	*Allowance*
(a) Synthetic tires (When used on 1½ ton models instead of synthetic rubber tires of base tire equipment sizes):	
Front: 700 x 20, 8 ply, 6" rims	$18.29
Dual rear:	
750 x 20, 8 ply, 7" rims	94.46
825 x 20, 10 ply, 7" rims	156.18
(b) Synthetic tires (When used on 2 ton models instead of synthetic rubber tires of base tire equipment sizes):	
Front: 825 x 20, 10 ply, 7" rims, 6 stud hubs	66.13
Dual rear: 900 x 20, 10 ply, 8" rims, 6 Stud Hubs	180.18
(c) Eaton 2-speed Rear Axle (No. 16050) for 2 ton models	118.00

(ii) Allowance to cover handling and delivery expense computed in accordance with the seller's method in effect on March 31, 1942.

(iii) Allowance to cover freight expense based on current freight rates and computed in accordance with the seller's method in effect on March 31, 1942.

(iv) Allowance to cover federal excise tax, tire-weight tax, and state or local taxes, on the truck being sold, computed in accordance with the seller's method in effect on March 31, 1942.

(b) Chrysler Corporation, Detroit, Michigan, and its factory distributors, are authorized to sell to resellers each Dodge motor truck described in subparagraph (1) of paragraph (a) when equipped with natural rubber tires or synthetic rubber tires delivered to the Chrysler Corporation prior to April 18, 1944 at a price not to exceed the maximum price for the truck determined under paragraph (a) less the difference between its cost of such tires and its cost of synthetic rubber tires delivered to it, the Chrysler Corporation, on and after April 18, 1944.

(c) A reseller of Dodge motor trucks, except when selling as a factory distributor, may sell f. o. b. place of business, each Dodge motor truck listed in subparagraph (1) below, when equipped with synthetic rubber tires delivered to Chrysler Corporation on and after April 18, 1944, at a price not to exceed a total of the applicable "Retail List Price" in subparagraph (1) below and the applicable allowances in subparagraph (2) below, subject to the discounts in effect on March 31, 1942, for the applicable class of purchaser:

(1) *Model, Description, and "Retail list price" f. o. b. factory*

WF-31 (T-118) Truck, cab, and chassis, 1½ ton, 135⅝" wheelbase, with 1942 standard equipment, plus 2" front springs, 6.285 rear axle, heavy duty transmission, and equipped with synthetic rubber tires of base tire equipment sizes	$974.00
WF-32 (T-118) Truck, cab and chassis, 1½ ton, 160" wheelbase, with 1942 standard equipment, plus 2" front springs, 6.285 rear axle, heavy duty transmission, and equipped with synthetic rubber tires of base tire equipment sizes	990.00
WF-32 (T-118) Truck, cab and chassis, 1½ ton, 160" wheelbase, with stake body, 1942 standard equipment, plus 2" front springs, 6.285 rear axle, heavy duty transmission, and equipped with synthetic rubber tires of base tire equipment sizes	1,142.00
WFM-38 (T-128) Truck, cab and chassis, C. O. E. 1½ ton, 159" wheelbase, with 1942 standard equipment, plus 2" front springs, 6.285 rear axle, heavy duty transmission, and equipped with synthetic rubber tires of base tire equipment sizes	1,117.00
WH-45 (T-120) Truck, cab and chassis, 2 ton, 136" wheelbase, with 1942 standard equipment, plus 2" front springs, and 4-speed transmission, and equipped with synthetic rubber tires of base tire equipment sizes	1,167.00
WH-47 (T-120) Truck, cab and chassis, 2 ton, 160" wheelbase, with 1942 standard equipment, plus 2" front springs, and 4-speed transmission, and equipped with synthetic rubber tires of base tire equipment sizes	1,187.00

(2) *Allowances.* (i) The following applicable allowances when the following applicable extra, special and optional equipment is a part of the truck being sold.

Description	*Allowance*
(a) Synthetic tires (When used on 1½ ton models instead of synthetic rubber tires of base tire equipment sizes):	
Front: 700 x 20, 8 ply 6" rims	$24.00
Dual rear:	
750 x 20, 8 ply, 7" rims	124.25
825 x 20, 10 ply, 7" rims	205.50
(b) Synthetic tires (When used on 2 ton models instead of synthetic rubber tires of base tire equipment sizes):	
Front: 825 x 20, 10 ply, 7" rims, 6 stud hubs	88.15
Dual rear: 900 x 20, 10 ply, 8" rims, 6 stud hubs	240.25
(c) Eaton 2-speed rear axle (No. 16950), for 2 ton models	157.30

(ii) Actual freight-in expense.

(iii) Allowance to cover federal, state, and local taxes on his purchase, and sale or delivery, of the truck being sold computed in accordance with the reseller's method in effect on March 31, 1942.

(iv) The reseller's charge in effect on March 31, 1942, for handling and delivery.

(v) The dollar amount of all other charges or allowances which the reseller had in effect on March 31, 1942 to the applicable class of purchaser.

(d) A reseller of Dodge motor trucks, except when selling as a factory distributor, may sell f. o. b. place of business, each Dodge motor truck described in subparagraph (1) of paragraph (c) when equipped with natural rubber tires or synthetic rubber tires delivered to the manufacturer prior to April 18, 1944, at a price determined under paragraph (c) less the amount the Chrysler Corporation notifies the reseller or his factory distributor should be deducted when the truck is equipped with natural rubber tires, or synthetic rubber tires delivered to that manufacturer prior to April 18, 1944.

(e) The reseller, to which Chrysler Corporation delivers a truck equipped with natural rubber tires or synthetic rubber tires delivered to that manufacturer prior to April 18, 1944, shall be notified by that manufacturer of the amount that should be deducted from the applicable "Retail List Price" in paragraph (c) (1) when the reseller determines his maximum price for a truck with such tire equipment. This amount shall consist of the difference between the manufacturer's cost of the applicable sizes of natural rubber tires, or synthetic rubber tires delivered to it prior to April 18, 1944, and the manufacturer's cost of the applicable sizes of synthetic rubber tires delivered to it on and after April 18, 1944, plus the dealer's customary markup on such difference.

(f) A reseller who cannot establish a price in accordance with paragraph (c) or (d) because he was not in business on March 31, 1942, may apply for a price to the Office of Price Administration, Washington, D. C.

(g) All requests in the application not granted in this order are denied.

(h) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective June 19, 1944.

Issued this 17th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8822; Filed, June 17, 1944; 11:24 a. m.]

[MPR 154, Order 5]

SOUTHERN PROPERTIES, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 5 under Maximum Price Regulation No. 154 as amended. Ice.

Adjustment of maximum prices for artificial ice manufactured and sold by Southern Properties, Incorporated. For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, *It is ordered:*

(a) Southern Properties Company, Incorporated, 6360 Richmond Avenue, Dallas, Texas, may sell and deliver artificial ice from its plant in Palestine, Texas, to the American Refrigerator Transit Company at Palestine, Texas, to be used to ice and re-ice railroad refrigerator cars; and the American Refrigerator Transit Company may buy and receive artificial ice from Southern Properties, Incorporated, at Palestine, Texas, to be used for such purposes, at prices not higher than $4.75 per ton of ice placed in bunkers of railroad refrigerator cars, for a period of one year from April 29, 1944.

(b) Southern Properties, Incorporated, may sell and deliver artificial ice from its plant in Palestine, Texas, to the I & GN Railroad at Palestine, Texas, to be used for air conditioning passenger cars; and the I & GN Railroad may buy and receive artificial ice from Southern Properties, Incorporated at Palestine, Texas, to be used for such purpose, at a price not to exceed $3.92 per ton of ice placed on baggage trucks, for a period of one year from April 29, 1944.

(c) The American Refrigerator Transit Company and the I. & G. N. Railroad may not pass on or reflect in the prices or rates charged by them, all or any part of the amount representing the adjustment in their maximum prices under this order, paid to and received by Southern Properties Company, Incorporated.

(d) The maximum prices established by this order are those for which Southern Properties, Incorporated may deliver any artificial ice to the American Refrigerator Transit Company and the I. & G. N. Railroad, which was sold pursuant to the authorization granted to Southern Properties, Incorporated by telegram on April 29, 1944, to sell at prices to be adjusted upward in accordance with action of the Office of Price Administration.

(e) All prayers of the application not granted herein are denied.

(f) This Order No. 5 revokes the order of the Regional Office of the Office of Price Administration at Dallas, Texas, issued March 4, 1944, denying in part and granting in part, price increases requested by Applicant in a petition to that Office dated January 25, 1944.

(g) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(h) This Order No. 5 shall become effective June 19, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8840; Filed June 17, 1944; 4:22 p. m.]

[MPR 120, Corr. to Order 731]

H. M. T. COAL CO., ET AL

ESTABLISHMENT OF PRICES CLASSIFICATIONS AND MAXIMUM PRICES

Correction to Order No. 731 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

On April 29, 1944, Order No. 731 was issued by which maximum prices were established for certain mines of Ohio, among which was Mine Index No. 4027 of the H. M. T. Coal Company, Bloomingdale, Ohio. Since the issuance of the order, an error has been found in the subdistrict designation for Mine Index No. 4027. The correct designation is Subdistrict No. 1, whereas it appears in Order No. 731 as Subdistrict No. 4. To avoid confusion, a correction should be made.

After due consideration of the foregoing and pursuant to § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

The incorrect Subdistrict No. 4 designation in Order No. 731 under Maximum Price Regulation No. 120 for Mine Index No. 4027 of H. M. T. Coal Company is hereby deleted and Subdistrict No. 1 is inserted in its place.

This Correction to Order No. 731 shall be effective as of May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of June, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8860; Filed, June 19, 1944; 11:53 a. m.]

[MPR 399, Order 3]

MCCRAY REFRIGERATOR CO.

APPROVAL OF MAXIMUM PRICES

Order No. 3 under section 1 of Maximum Price Regulation No. 399. New ice boxes. Approval of maximum prices for resales of one model ice box purchased from Procurement Division, Treasury Department.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and in accordance with Section 1 of Maximum Price Regulation No. 399, *It is ordered:*

(a) This order establishes maximum prices for all sales at wholesale and retail of those ice boxes purchased by successful bidders from Procurement Division, Treasury Department, which are described as follows:

Manufacturer: McCray Refrigerator Co.
Type: A.
Model No.: 2.
Rated Ice Capacity: 100 lbs.

(1) For all sales at retail, the maximum price shall be 187½% of the bid amount paid for the particular refrigerator by the original successful bidder.

(2) For all sales at wholesale, the maximum price shall be 62½% of the maximum retail price set forth in subparagraph (1) above. This price is f. o. b. seller's warehouse.

(3) The original successful bidders may add to the maximum prices established by this order no more than the actual transportation cost for the refrigerator by the most economical means from the warehouse of Procurement Division, Treasury Department to his warehouse, provided he separately states the transportation charge on his invoice. Any other seller may add to the maximum prices established by this order, no more than the transportation charge which he was required to pay to his supplier, provided such extra charge is separately stated. No other transportation charges may be added to the maximum prices established by this order.

(4) Prices lower than the maximum prices may be charged and paid.

(b) At the time of or prior to the first invoice to each purchaser for resale, the original successful bidder, and every wholesaler must notify the purchaser for resale, in writing, of the maximum prices established by this order for resales by the purchaser. Those maximum prices must be stated in dollars and cents. This notice may be given in any convenient form.

(c) No person may offer for sale, sell, or deliver an ice box covered by this order, at retail, unless there is securely attached thereto a retail ceiling price tag setting forth, in dollars and cents, the maximum price established by this order for sales at retail of the particular ice box. A tag in the following form is sufficient:

OPA base retail ceiling price---- $------
Transportation charge---------- $------

OPA approved ceiling price------ $------

This tag may not be removed before delivery to the purchaser.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective June 20, 1944.

Issued this 19th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8862; Filed, June 19, 1944; 11:54 a. m.]

[MPR 188, Order 38 Under Order A-2]

CAROLINA WASHBOARD CO.

APPROVAL OF MAXIMUM PRICES

Order No. 38 under paragraph (a) (15) of Order No. A-2 issued under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a glass washboard manufactured by the Carolina Washboard Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) This order permits the manufacturer, Carolina Washboard Company, Raleigh, North Carolina, and its jobbers to increase its maximum prices for sales of a glass washboard manufactured by Carolina Washboard Company, to the prices set forth below:

(1) *Manufacturer's prices.* On and after June 20, 1944, the Carolina Washboard Company, Raleigh, North Carolina, may sell and deliver the glass washboard manufactured by it to jobbers at a price no higher than $6.00 per dozen subject to discounts, allowances, and terms no less favorable than those customarily granted by it.

(2) *Jobber's prices.* Each jobber may increase his maximum price for sales of the glass washboard described in (a) above by $.50 per dozen, unless the increase results in a price higher than $7.15 per dozen. In that case the jobber may not take the full increase, but may sell and deliver at a price no higher than $7.15 per dozen.

(b) *Notification by the manufacturer.* The Carolina Washboard Company, at the time it sends its first invoice to each jobber after June 20, 1944, must send to each jobber a written notice listing the maximum price for the glass washboard before the increase, the new maximum price for sales by the manufacturer and the amount of the increase permitted jobbers. The manufacturer must also notify each jobber that he is required to notify each dealer of the increase in the jobber's price permitted by this order. The notice may be given in any convenient form and must be accompanied by a copy of paragraph (c) of this order or the order itself. A statement in the following form will be sufficient:

The Office of Price Administration has granted permission to the Carolina Washboard Company to increase its maximum price for sales of its glass washboard from $5.50 per dozen to $6.00 per dozen. Each jobber may increase his maximum price by $.50 per dozen but in no event may the jobber's maximum price exceed $7.15 per dozen after the adjustment. You are required to notify each retailer of the adjustment permitted by this order.

(c) *Notification by jobbers.* If you are a jobber, at the time of the first invoice to each retailer after June 20, 1944, you must notify each retailer in writing of the increase in your maximum price permitted by this order. In addition, you must notify the retailer that no increase in his price is permitted by the order. A statement in the following form will be sufficient:

Order No. 38 issued by the Office of Price Administration grants us permission to increase our maximum price for sales of a glass washboard manufactured by Carolina Washboard Company to $------. The order does not permit retailers to increase their maximum prices. Your maximum price remains at the level established under the General Maximum Price Regulation.

(d) This Order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 20, 1944.

Issued this 19th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8863; Filed, June 19, 1944; 11:55 a. m.]

[MPR 120, Order 819]

RAINELLE COAL CO.

ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MAXIMUM PRICES

Order No. 819 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons given in the opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Rainelle Mine of the Rainelle Coal Company located in Greenbrier County, West Virginia in Subdistrict No. 1, District No. 7 operating in the Sewell Seam, is hereby assigned Mine Index No. 1030.

(b) Coals produced at the Rainelle Mine, Mine Index No. 1030 of the Rainelle Coal Company, located in Greenbrier County, West Virginia in Subdistrict No. 1, District No. 7 for uses indicated and by methods of transportation appearing herein may be sold and purchased at per net ton prices not exceeding the following:

	Size groups									
	1	2	3	4	5	6	7	8	9	10
Price classifications	D	D	C	A	A	B	B	C	C	C
Rail shipment	$3.70	$3.90	$4.00	$3.55	$3.45	$3.80	$3.50	$3.15	$3.10	$3.05
Truck shipment	4.25	3.85	4.15	3.80	3.25	3.20				

RAILROAD LOCOMOTIVE FUEL

All lump and double screened coal	$3.65
Run of mine coal	3.50
Screenings larger than 1¼" x 0 but not exceeding 2½" x 0	3.35
Screenings, 1¼" x 0 and smaller	3.10

(c) The maximum prices established herein are f. o. b the mine for truck shipment and f. o. b. the rail shipping point for rail shipment and for railroad locomotive fuel use.

(d) All prayers not granted herein are hereby denied.

(e) This order may be revoked or amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective June 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-8861; Filed, June 19, 1944; 11:54 a. m.]

[MPR 188, Rev. Order 1336]

AMERICAN FURNITURE CO.

APPROVAL OF MAXIMUM PRICES

Revised Order No. 1336 under § 1499.157 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of three articles of dining room furniture manufactured by American Furniture Co.

Order No. 1336 under § 1499.157 of Maximum Price Regulation No. 188, is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of three articles of dining room furniture manufactured by American Furniture Co., Martinsville, Virginia.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the

manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Per unit	*Per unit*
Buffet	124	$16.45	$19.35
China	124	14.17	17.85
Table	124	12.54	14.75

These prices are all f. o. b. factory, and are subject to the manufacturer's customary terms, discounts, and allowances.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Per unit
Buffet	124	$19.35
China	124	17.85
Table	124	14.75

These prices are subject to the seller's customary terms, discounts, and allowances.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 20th day of June 1944.

Issued this 19th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8864; Filed, June 19, 1944, 11:59 a. m.]

Regional and District Office Orders.

[Region I Order G-27 Under RMPR 122, Revocation]

SOLID FUELS IN SPRINGFIELD, MASS.

Order revoking Order No. G-27 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, *It is hereby ordered*, That Region I Order No. G-27 under Revised Maximum Price Regulation No. 122 (Solid Fuels—Springfield, Massachusetts) be and it hereby is revoked.

This order shall become effective June 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued his 12th day of June 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-8824; Filed, June 17, 1944; 11:26 a. m.]

[Region I Order G-70 Under RMPR 122, Amdt. 4]

SOLID FUELS IN SPRINGFIELD, MASS., AREA

Amendment No. 4 to Order No. G-70 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specific maximum prices for solid fuels within specified areas in Region I.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (4) containing Appendix 4, is hereby added to paragraph (c) of Region I Order No. G-70 under Revised Maximum Price Regulation No. 122 to read as follows:

(c) *Appendices establishing specific maximum prices.* • • •

(4) *Appendix 4: Specified solid fuels in Springfield, Massachusetts, area.* (a) Maximum prices established by this Appendix 4. This Appendix 4 establishes specific maximum prices for sales of Pennsylvania anthracite, ambricoal, Koppers coke and Springfield coke in the Springfield, Massachusetts, area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said solid fuels. Price Schedule I contains prices for sales on a delivered basis; Price Schedule II contains prices for yard sales to consumers; and Price Schedule III sets forth prices for yard sales to dealers. The Springfield, Massachusetts, area shall include the following cities and towns in the Commonwealth of Massachusetts: Agawam, Brimfield, East Longmeadow, Hampden, Longmeadow, Ludlow, Monson, Palmer, Southampton, Southwick, Springfield, Wales, Ware, Westfield, West Springfield and Wilbraham. The term "Springfield coke" means the retort gas coke produced by the Springfield Gas Light Company, Springfield, Massachusetts.

(b) *Price Schedule I; sales on a delivered basis.* (1) Base maximum prices for sales on a "direct delivery" basis to consumers at any point in the Springfield, Massachusetts, area:

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Pennsylvania anthracite: Broken, egg, stove and chestnut	$16.65	$8.75	$4.65	$0.95
Pea	14.95	7.90	4.20	.90
Buckwheat	12.65	6.75	3.85	.75
Rice	11.80	6.15	3.35	.70
Yard screenings	4.50			
Coke—Koppers and Springfield: Egg, stove and chestnut	16.40	8.60	4.55	.95
Ambricoal	14.30	7.55	4.05	.85

(2) *Discount to certain class of purchaser.* The foregoing per net ton prices, except that for Pennsylvania anthracite yard screenings, shall be reduced by fifty cents (50¢) per ton on all sales to persons who use solid fuel for commercial and industrial purposes other than, or in addition to, space heating, and who customarily use solid fuel throughout the year.

(3) *Maximum authorized service and deposit charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to consumer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to the consumer's bin or storage space:

	Per net ton	Per ½ ton	Per ¼ ton
For any carry or wheel from a "direct delivery" point, exclusive of charges for carries up or down flights of stairs	$0.50	$0.25	$0.15
For carries up or down flights of stairs:			
First flight	.25	.15	.10
Each flight thereafter	.50	.25	.15

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25 cents per bag.

(c) *Price Schedule II; yard sales to consumers.* (1) Maximum prices for sales delivered at the yard of any dealer in the Springfield, Massachusetts Area to consumers:

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Pennsylvania anthracite: Broken, egg, stove, and chestnut	$16.65	$7.85	$3.95	$0.85
Pea	13.95	7.00	3.50	.80
Buckwheat	11.65	5.85	2.95	.65
Rice	10.50	5.25	2.65	.60
Yard screenings	3.00			
Coke—Koppers and Springfield: Egg, stove and chestnut	15.40	7.70	3.85	.85
Ambricoal	13.30	6.65	3.35	.75

(2) The provisions of paragraph (b) (2) shall be applicable to the foregoing maximum prices for yard sales to consumers.

(3) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging quarter-ton and larger quantities in 100 pound bags, exclusive of any deposit charges on bags furnished by the dealer.

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer shall be 25 cents per bag.

(d) *Terms of sales; sales to consumers.* (1) Terms of sale for Pennsylvania anthracite yard screenings, and for less than ton lots of any other solid fuel for which specific maximum prices are established by subparagraphs (b) and (c), may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(2) In all other cases, the following "cash discounts" for payment within the periods specified shall be granted from the maximum per net ton prices set forth in subparagraphs (b) and (c), including those prices as reduced in accordance with subparagraphs (b) (2) and (c) (2):

Period	*Cash discount*
At time of delivery or by close of next business day	$1.00
After close of next business day but within 10 days after date of delivery	.50

If payment is not made within 10 days after the date of delivery, terms shall be net 30 days.

(e) *Price Schedule III; yard sales to dealers.* (1) Maximum prices for sales delivered at the yard of any dealer in the Springfield, Massachusetts area to dealers in fuels who resell them:

Kind and size	Per net ton	Per ½ ton	Per ¼ ton
Pennsylvania anthracite: Broken, egg, stove, and chestnut	$13.65	$6.85	$3.45
Pea	11.95	6.00	3.00
Buckwheat	9.65	4.85	2.45
Rice	8.75	4.40	2.20
Yard screenings	3.00		
Coke—Koppers and Springfield: Egg, stove and chestnut	13.40	6.70	3.35
Ambricoal	11.55	5.80	2.90

(2) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(3) *Maximum authorized bagging and deposit charges.* (a) If the buyer requests such service of him, the seller may make the following charges for bagging in 100 pound bags, exclusive of any deposit charges on bags furnished by the seller.

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the seller shall be 25 cents per bag.

(f) *Certain named Pennsylvania anthracite coals.* The specific maximum prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of listed named Pennsylvania anthracite coals are sold:

Kind and size	Amount of addition: Per net ton	Per ½-ton	Per ¼-ton	Per 100 lbs.
Jeddo Highland: Broken, egg, stove, chestnut, pea and buckwheat	$0.25	$0.15	$0.05	None
Rice	.15	.10	None	None
Greenwood: egg, stove, chestnut and pea	.25	.15	.05	None
Silver Brook: Broken, egg, stove, chestnut, pea and buckwheat	.45	.25	.10	None
Rice	.35	.20	.10	None
Raven Run: Broken, egg, stove, chestnut, pea, buckwheat and rice	.10	.05	None	None

This Amendment No. 4 shall become effective June 20, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 12th day of June 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-8825; Filed, June 17, 1944; 11:26 a. m.]

[Region II Rev. Order G-7 Under RMPR 122, Amdt. 2]

SOLID FUELS IN DESIGNATED AREAS IN PENNSYLVANIA

Amendment No. 2 to Revised Order No. G-7 under §§ 1340.260 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Philadelphia County, Delaware County and designated townships and boroughs in Bucks and Montgomery Counties, Commonwealth of Pennsylvania in Coal Area 1.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Revised Order No. G-7 is amended in the following respects:

1. Paragraph (d) (1) is amended to read as follows:

(d) *Schedule I; sales on a "direct-delivery" basis.* • • •

(1) *For sales of anthracite of the sizes and in the quantities specified:*

Size	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more,) but less than ½ ton	Per 50 lb. paper bag
Broken, egg, stove, nut	$13.50	$7.25	$0.80	$0.475
Pea	11.70	6.35	.70	.425
Buckwheat	10.05	5.55	.60	------
Rice	8.90	4.95	.55	------
Barley	7.75	3.90	------	------
Buckwheat number 4	5.85	2.95	------	------
Screenings	3.95	2.00	------	------

2. Paragraph (e) (1) and (2) is amended to read as follows:

(e) *Schedule II; "yard sales".* • • •

(1) *Sales by dealers except those who normally sold exclusively to equipped dealers:*

Size	Per net ton, for sales of ½ ton or more	Per 100 lbs. (for sales of 100 lbs. or more,) but less than ½ ton	Per 50 lb. paper bag
Broken, egg, stove, nut	$10.65	$0.70	$0.425
Pea	9.05	.60	.375
Buckwheat	7.40	.50	------
Rice	6.45	.45	------
Barley	5.45	------	------
Screenings	2.20	------	------

(2) *Wholesale yard sales.* (Sales from yards of dealers who normally sold exclusively to equipped dealers.)

Size:	*Per net ton*
Broken, egg, stove, nut	$10.45
Pea	8.85
Buckwheat	7.25
Rice	6.35
Screenings	2.20

3. Paragraph (q) (14) is amended to read as follows:

(q) • • •

(14) The sizes of "Pennsylvania anthracite" described as broken, egg, stove, nut, pea, buckwheat, rice, barley, buckwheat #4 and screenings shall refer to the same sizes of the same fuel as were sold and delivered in Coal Area I with such designation during December 1941. Under no circumstances, however, shall the anthracite contain an ash content in excess of the limits specified

by Amendment No. 1 to Solid Fuels Administration for War Regulation No. 9.

This Amendment No. 2 to Revised Order No. G–7 shall become effective June 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 10th day of June 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–8827; Filed, June 17, 1944; 11:26 a. m.]

[Region II Order G–43 Under RMPR 122]

SOLID FUELS IN NEW YORK REGION

Order No. G–43 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Limitation on maximum prices for solid fuels sold and designated as "anthracite", etc. other than "Pennsylvania anthracite".

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, *It is ordered:*

(a) Any dealer in solid fuels, making sales of "Pennsylvania anthracite" subject to the area dollars-and-cents orders enumerated in paragraph (b) hereof, shall not exceed the maximum prices established therein for "Pennsylvania anthracite" on sales of any other solid fuel designated as anthracite, semi-anthracite, Virginia anthracite, sub-anthracite, or by any combination of words including the word "anthracite". This prohibition shall not be construed as permitting the application of "Pennsylvania anthracite" maximum prices to sales of other solid fuels designated by the word "anthracite", alone or in combination. Where specific maximum prices have been established for any such solid fuel in a dollars-and-cents order issued by the Regional Office of the Office of Price Administration, such maximum prices shall govern. In all other cases, maximum prices for such other solid fuels shall be governed by Revised Maximum Price Regulation No. 122, subject to the limitations contained in this paragraph (a).

(b) *Area dollars-and-cents orders which this Order No. G–43 is directed.* The following orders and any subsequent revisions thereof:

Second Revised Order No. G–1 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G–3 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G–5 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

Order No. G–6 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

Revised Order No. G–7 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G–8 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G–9 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G–11 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G–12 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G–13 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G–14 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G–15 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G–16 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G–17 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G–18 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G–19 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G–20 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G–23 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G–24 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G–25 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G–27 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G–29 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G–32 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G–35 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

Order No. G–36 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G–38 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G–41 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. 50 under Revised Maximum Price Regulation No. 122. (Issued by the National Office).

(c) *Definitions:* When used in this Order No. G–43 the term:

(1) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill, and Wyoming regions in the Commonwealth of Pennsylvania.

This Order No. G–43 shall become effective June 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of June 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–8828; Filed June 17, 1944; 11:27 a. m.]

[Raleigh Order G–2 Under MPR 426, Amdt. 2]

FRESH FRUITS AND VEGETABLES IN DESIGNATED COUNTIES OF NORTH CAROLINA

Amendment No. 2 to Order No. G–2 under Maximum Price Regulation 426. Fresh fruits and vegetables for table use, sales except at retail. Adjustment of certain maximum prices of service wholesalers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Office of Price Administration, Raleigh, North Carolina by Regional Delegation Orders Nos. 33 and 35 issued by the Atlanta Regional Office pursuant to section 2 of Maximum Price Regulation 426 and section (f) of Appendix H and section (g) of Appendix I of that regulation; *It is hereby ordered*, That paragraph (a) of Order No. G–2 under Maximum Price Regulation No. 426 issued by the Raleigh, North Carolina District Office on April 15, 1944 be amended to read as follows:

(a) On and after the effective date of this order, the maximum delivered prices of service wholesalers whose places of business are located in the counties of Alamance, Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Caswell, Chatham, Chowan, Columbus, Craven, Cumberland, Currituck, Dare, Duplin, Durham, Edgecombe, Franklin, Gates, Granville, Greene, Halifax, Harnett, Hertford, Hoke, Hyde, Johnston, Jones, Lee, Lenoir, Martin, Moore, Nash, New Hanover, Northampton, Onslow, Orange, Pamlico, Pasquotank, Pender, Perquimans, Person, Pitt, Robeson, Sampson, Scotland, Tyrrell, Vance, Wake, Warren, Washington, Wayne and Wilson, North Carolina, selling commodities covered by Appendices A, B, D, G, H and I of Maximum Price Regulation No. 426, are hereby increased 6¢ per container of less than 40 pounds, gross weight; 12¢ per container of 40 pounds to 60 pounds, gross weight; and 15¢ per container of over 60 pounds, gross weight, over and above the maximum prices established by Appendices A, B, D, G, H and I aforesaid. If the prices established in any of said Appendices shall have been modified by any order issued by the Raleigh, North Carolina District Office of the Office of Price Administration which order is in effect at the time of the sale or delivery the increases above stated shall be made to those prices as modified. These maximum delivered prices shall apply irrespective of the distance involved in making delivery to the purchaser. Less than the maximum delivered prices may always be charged.

It is further ordered that paragraph (b) of said order is amended to read as follows:

(b) If the purchaser elects to take delivery at the service wholesaler's platform there shall be no increase allowed over the maximum prices as established by Appendices A, B, D, G, H and I of Maximum Price Regulation No. 426.

This amendment shall become effective May 24, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 22d day of May 1944.

THEODORE S. JOHNSON,
District Director.

[F. R. Doc. 44–8823; Filed, June 17, 1944; 11:26 a. m.]

[Maryland Order G–1 Under Rev. SR 19 to MPR 165]

OIL BURNER SERVICE IN MARYLAND AREA

Order No. G–1 under § 1499.671 of Revised Supplementary Service Regulation No. 19 to Maximum Price Regulation No. 165, as amended. Oil burner service.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of Region II of the Office of Price Administration by § 1499.671 (e) of Revised Supplementary Service Regulation No. 19 to Maximum Price Regulation No. 165, as amended, and order of special delegation to the District Director of the Maryland District Office issued May 2, 1944 by the Regional Administrator of Region II; *It is hereby ordered:*

(a) That for the purposes of § 1499.671 (a) (5) (iii) the applicable city rate for the City of Baltimore, Maryland a city of 500,000 population or more, is extended to the "Baltimore Metropolitan Area" as defined in paragraph (b).

(b) "Baltimore Metropolitan Area" is defined as follows:

All that part of Maryland lying within a fifteen mile radius of the dome of the City Hall of the City of Baltimore, Maryland, which includes, but is not limited to Arbutus, Ashland, Baltimore City, Bosley, Brooklandville, Carney, Catonsville, Chase, Cookeysville, Columbia, Dundalk, Elkridge, Ellicott City, Essex, Glenarm, Glen Burnie, Guilford, Gwynn Oak Park, Halethorpe, Hansonville, Ingleside, Jessup, Lakeshore, Lansdowne, Linthicum, Long Green, Lorely, Lutherville, Marley, Middle River, North Point, Overlea, Owings Mills, Perry Hall, Pikesville, Pumphrey, Randallstown, Riderwood, Rurton, St. Helena, Severn, Shipley, Sollers Point, Solley, Sparrows Point, Stemmers Run, Stoneleigh, Sudbrook Park, Towson.

(c) This order may be revoked, amended or corrected at any time.

This order shall become effective June 9, 1944.

(56 Stat. 23.765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 8th day of June 1944.

LEO H. MCCORMICK,
District Director.

[F. R. Doc. 44–8826; Filed, June 17, 1944; 11:27 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were Filed with the Division of the Federal Register on June 9, 1944.

REGION I

Boston Order 4–F, Amendment 5, covering certain fresh fruits and vegetables in specified counties in Mass. Filed 9:47 a. m.

REGION II

Albany Order 1–F, Amendment 10, covering fresh fruits and vegetables in Albany, Rensselaer, Troy, Schenectady, Green Island, Cahoes and Watervliet, filed 3:05 p. m.

Buffalo Order 9, covering certain food items in certain areas in New York, filed 2:56 p. m.

Buffalo Order 10, covering certain food items in Monroe and Livingston Counties, N. Y., filed 3:07 p. m.

New York Order 1–F, Amendment 10, covering fresh fruits and vegetables in the five Boroughs of New York City, filed 3:06 p. m.

New York Order 18, covering certain food items in certain counties in N. Y., filed 3:06 p. m.

Newark Order 4–F, Amendment 8, covering certain fresh fruits and vegetables in certain counties in New Jersey, filed 9:46 a. m.

Pittsburgh Order 1–F, Amendment 8, covering fresh fruits and vegetables in Pittsburgh and certain surrounding communities, filed 9:53 a. m.

Philadelphia Order P–2, Amendment 1, covering fresh fish and seafood in certain designated areas in Penna., filed 9:46 a. m.

Syracuse Order 1–F, Amendment 8, covering fresh fruits and vegetables in Syracuse, N. Y., filed 9:45 a. m.

Syracuse Order 20, covering certain food items in certain specified counties in N. Y., filed 2:58 p. m.

Syracuse Order 21, covering certain food items in certain named counties in N. Y., filed 2:55 p. m.

Syracuse Order 22, covering certain food items in Jefferson, Lewis, Oswego & St. Lawrence, N. Y., filed 2:57 p. m.

Williamsport Order W–1, Amendment 1, covering dry groceries in Cameron, Centre, Clinton, Elk, McKean & Potter in Pa., filed 3:04 p. m.

Williamsport Order W–1, Amendment 2, covering dry groceries in named counties in Pa., filed 3:04 p. m.

Wilmington Order 2–F, Amendment 7, covering certain fresh fruits and vegetables in certain areas in Delaware, filed 9:45 a. m.

REGION III

Columbus Order 3–F, Amendment 25, covering fresh fruits and vegetables in Franklin County, Ohio., filed 9:59 a. m.

Columbus Order 4–F, Amendment 8, covering fresh fruits and vegetables in certain counties in Ohio, filed 9:59 a. m.

Columbus Order 5–F, Amendment 9, covering fresh fruits and vegetables in named counties in Ohio, filed 10:00 a. m.

Detroit Order 1–F, Cor. to Amendment 17, covering fresh fruits and vegetables in designated counties, filed 9:44 a. m.

Detroit Order 1–F, Amendment 19, covering fresh fruits and vegetables in designated counties of Michigan, filed 9:54 a. m.

Detroit Order 1–F, Amendment 20, covering fresh fruits and vegetables in designated counties, filed 3:08 p. m.

Detroit Order 1–F, Amendment 21, covering fresh fruits and vegetables in designated counties, filed 3:07 p. m.

Escanaba Order 9–F, Amendment 14, covering fresh fruits and vegetables in certain counties in Michigan, filed 9:54 a. m.

Escanaba Order 10–F, Amendment 14, covering fresh fruits and vegetables in certain named counties of Michigan, filed 9:54 a. m.

Escanaba Order 11–F, Amendment 14, covering fresh fruits and vegetables in certain named counties of Michigan, filed 9:55 a. m.

Escanaba Order 12–F, Amendment 13, covering fresh fruits and vegetables in certain named counties of Michigan, filed 9:55 a. m.

Escanaba order 13–F, Amendment 13, covering fresh fruits and vegetables in certain areas in Michigan, filed 9:55 a. m.

Escanaba Order 14–F, Amendment 13, covering fresh fruits and vegetables in certain areas in Wisconsin & Michigan, filed 9:55 a. m.

Escanaba Order 15–F, Amendment 13, covering fresh fruits and vegetables in certain areas in Wisconsin & Michigan, filed 9:56 a. m.

Escanaba Order 16–F, Amendment 13, covering fresh fruits and vegetables in Sault Ste. Marie, Chippewa County, Michigan. Filed 9:56 a. m.

Escanaba Order 17–F, Amendment 12, covering fresh fruits and vegetables in certain areas in Michigan, filed 9:56 a. m.

Indianapolis Order 4–F, Amendment 17, covering fresh fruits and vegetables in Marion, Tippecanoe, and Vigo Counties, Indiana, filed 3:04 p. m.

Indianapolis Order 5–F, Amendment 17, covering fresh fruits and vegetables in Wayne, Delaware and Allen Counties, Indiana, filed 3:03 p. m.

Indianapolis Order 6–F, Amendment 17, covering fresh fruits and vegetables in St. Joseph County, Indiana, filed 3:03 p. m.

Indianapolis Order 7–F, Amendment 4, covering fresh fruits and vegetables in Vanderburgh County, Indiana, filed 3:02 p. m.

Indianapolis Order 8–F, Amendment 17, covering fresh fruits and vegetables in Central Indiana, filed 3:02 p. m.

Indianapolis Order 9–F, Amendment 17, covering fresh fruits and vegetables in Northeastern Indiana, filed 3:02 p. m.

Indianapolis Order 10–F, Amendment 17, covering fresh fruits and vegetables in Northwestern Indiana, filed 3:01 p. m.

Indianapolis Order 11–F, Amendment 17, covering fresh fruits and vegetables in Southeastern Indiana, filed 3:00 p. m.

Indianapolis Order 12–F, Amendment 2, covering fresh fruits and vegetables in Southwestern Indiana, filed 3:00 p. m.

Lexington Order 1–F, Amendment 32, covering fresh fruits and vegetables in Fayette County, Ky., filed 9:57 a. m.

Lexington Order 2–F, Amendment 26, covering fresh fruits and vegetables in Campbell & Kenton Counties, Ky., filed 9:56 a. m.

Lexington Order 3–F, Amendment 23, covering fresh fruits and vegetables in Boyd Co., Ky., filed 9:57 a. m.

Louisville Order 1–F, Amendment 33, covering fresh fruits and vegetables in certain counties in Ky. & Ind., filed 2:48 p. m.

Louisville Order 2–F, Amendment 27, covering fresh fruits and vegetables in Paducah, McCracken County, Ky., filed 2:49 p. m.

Louisville Order 3–F, Amendment 20, covering fresh fruits and vegetables in Daviess & Henderson Counties, Ky., filed 2:59 p. m.

Louisville Order 4–F, Amendment 3, covering fresh fruits and vegetables in certain Counties in Ky., filed 2:59 p. m.

Louisville Order 5–F, Amendment 3, covering fresh fruits and vegetables in certain counties in Ky., filed 3:00 p. m.

Louisville Order 6–F, Amendment 3, covering fresh fruits and vegetables in certain counties in Ky., filed 2:50 p. m.

Louisville Order 7–F, Amendment 3, covering fresh fruits and vegetables in certain counties in Ky., filed 2:49 p. m.

REGION IV

Birmingham Order 16, covering dry groceries & certain perishables in counties in Alabama, filed 3:12 p. m.

Jacksonville Order 3–F, Amendment 8, covering fresh fruits and vegetables in Tampa, Florida, filed 10:04 a. m.

Jacksonville Order 6–F, Amendment 4, covering fresh fruits and vegetables in Jacksonville, Florida, filed 10:03 a. m.

Jacksonville Order 7–F, Amendment 5, covering fresh fruits and vegetables in named cities and towns in Florida, filed 2:55 p. m.

Jacksonville Order 3–W, covering dry groceries in the Northern Florida Area, filed 2:48 p. m.

Jacksonville Order 4–W, covering dry groceries in the Southern Florida Area, filed 2:56 p. m.

Jacksonville Order 17, Revocation, covering community food prices in the Jacksonville Florida Area, filed 10:00 a. m.

Jacksonville Order 18, Revocation, covering community food prices in the Northern Florida Area, filed 10:01 a. m.

Jacksonville Order 19, Revocation, covering community food prices in the Miami-Tampa, Florida Area, filed 10:01 a. m.

Jacksonville Order 20, Revocation, covering community food prices in the Southern Florida Area, filed 10:01 a. m.

Jacksonville Order 21, Revocation, covering community food prices in the Key West, Florida Area, filed 10:02 a. m.

Montgomery Order 2-W, covering certain food items in certain counties in Alabama, filed 3:12 p. m.

Montgomery Order 16, covering certain food items of dry groceries and perishables in certain areas in Alabama, filed 2:50 p. m.

Savannah Order 1-F, Amendment 38, covering fresh fruits and vegetables in Chatham, Bryan, Liberty, & Effingham Counties, Ga., filed 9:44 a. m.

REGION V

Arkansas Order 2-F, Amendment 14, covering fresh fruits and vegetables in Pulaski County, Ark., filed 10:15 a. m.

Arkansas Order 3-F, Amendment 12, covering fresh fruits and vegetables in Craighead County, Ark., filed 10:15 a. m.

Arkansas Order 4-F, Amendment 15, covering fresh fruits and vegetables in Miller County, Ark., filed 10:16 a. m.

Arkansas Order 6-F, Amendment 15, covering fresh fruits and vegetables in Sebastian & Crawford Counties, Ark., filed 10:16 a. m.

Arkansas Order G-16, Correction, covering dry groceries and certain perishables in certain counties in Arkansas, filed 9:49 a. m.

Dallas Order 1-F, Amendment 19, covering fresh fruits and vegetables in County of Dallas, Tex., filed 10:18 a. m.

Dallas Order 2-F, Amendment 5, covering fresh fruits and vegetables in certain named areas in Texas, filed 10:19 a. m.

Dallas Order 3-F, Amendment 14, covering fresh fruits and vegetables in Bowie County, Texas, filed 10:15 a. m.

Dallas Order G-18, Amendment 1, covering poultry in the Dallas District except Texarkana, Tex., filed 10:18 a. m.

Dallas Order G-19, Amendment 1, covering poultry in the Dallas District except Texarkana, Tex., filed 10:17 a. m.

Fort Worth Order 1-F, Amendment 20, covering fresh fruits and vegetables in Tarrant County, filed 2:51 p. m.

Fort Worth Order 2-F, Amendment 20, covering fresh fruits and vegetables in Taylor County, Tex., filed 2:51 p. m.

Forth Worth Order 3-F, Amendment 20, covering fresh fruits and vegetables in Green County, Tex., filed 2:52 p. m.

Fort Worth Order 4-F, Amendment 20, covering fresh fruits and vegetables in McLennan County, Tex., filed 2:52 p. m.

Fort Worth Order 5-F, Amendment 20, covering fresh fruits and vegetables in Wichita County, Tex., filed 2:52 p. m.

Fort Worth Order 6-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Texas, filed 2:53 p. m.

Oklahoma City Order 2-W, covering dry groceries in Oklahoma City District, filed 2:53 p. m.

Oklahoma City Order G-11, covering dry groceries and certain perishables in certain counties in the Oklahoma District, filed 2:55 p. m.

Oklahoma City Order G-12, covering dry groceries and perishables in certain counties in the Oklahoma City District, filed 2:54 p. m.

San Antonio Order 1-F, Amendment 6, covering fresh fruits and vegetables in portions of San Antonio, Tex., filed 10:19 a. m.

San Antonio Order 2-F, Amendment 6, covering fresh fruits and vegetables in Bexar County, Tex., filed 10:20 a. m.

San Antonio Order 3-F, Amendment 2, covering fresh fruits and vegetables in Austin, Tex., filed 10:20 a. m.

San Antonio Order 4-F, Amendment 3, covering fresh fruits and vegetables in Corpus Christi, Tex., filed 10:21 a. m.

Shreveport Order 2-F, Amendment 17, covering fresh fruits and vegetables in Shreveport, Bossier City, Monroe and W. Monroe, La., filed 3:08 p. m.

St. Louis Order 3-F, Amendment 6, covering fresh fruits and vegetables in City of St. Louis and County of St. Louis, Mo., filed 10:14 a. m.

Wichita Order 4-F, covering fresh fruits and vegetables in certain named areas in Kansas, filed 9:52 a. m.

Wichita Order G-21, covering dry groceries and certain perishables in certain counties in Kansas, filed 9:50 a. m.

Wichita Order G-22, covering dry grocery items and perishables in certain counties in Kansas, filed 9:52 a. m.

Wichita Order G-24, covering dry grocery items and perishables in certain areas in Kansas, filed 9:52 a. m.

REGION VI

Milwaukee Order 2-F, Amendment 17, covering fresh fruits and vegetables in Dane County, filed 10:30 a. m.

Milwaukee Order 3-F, Amendment 17, covering fresh fruits and vegetables in Milwaukee Counties and Cities of Racine & Kenosha, filed 10:30 a. m.

Milwaukee Order 5-F, Amendment 16, covering fresh fruits and vegetables in Milwaukee, Counties of Sheboygan & Fond Du Lac Counties, filed 10:24 a. m.

Twin Cities Rev. Order 1-W, covering dry groceries in Twin Cities Area, filed 10:31 a. m.

REGION VII

New Mexico Order F-2, covering fresh fruits and vegetables in the City of Santa Fe, filed 9:49 a. m.

REGION VIII

Sacramento Order 1-F, Amendment 1, covering fresh fish and seafood in the Sacramento Area, filed 3:10 p. m.

Sacramento Order 2-F, Amendment 1, covering fresh fish and seafood in the Stockton-Marysville Area, filed 3:10 p. m.

Sacramento Order 3-F, Amendment 1, covering fresh fish and seafood in the Chico-Red Bluff Area, filed 3:11 p. m.

Sacramento Order 4-F, Amendment 1, covering fresh fish and seafood in the Redding Area, filed 3:11 p. m.

Sacramento Order 14, Amendment 3, covering chickens, turkeys and poultry in the Sacramento District, filed 3:09 p. m.

Seattle Order 3-F, Amendment 18, covering fresh fruits and vegetables in Everett, Washington, filed 9:48 a. m.

San Diego Order 1-F, Amendment 40, covering fresh fruits and vegetables in the San Diego Area, filed 10:31 a. m.

San Diego Order 3-F, covering certain food items in Imperial County, filed 3:09 p. m.

San Francisco Order 4-F, Amendment 8, covering fresh fruits and vegetables in Watsonville, Salinas, Monterey, Carmel, Pacific Grove, & Santa Cruz, filed 10:23 a. m.

San Francisco Order 5-F, Amendment 7, covering fresh fruits and vegetables in certain counties in Calif., filed 10:23 a. m.

San Francisco Order 6-F, Amendment 3, covering fresh fruits and vegetables in the Palo Alto Area, filed 10:24 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-8837; Filed, June 17, 1944; 4:21 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on June 10, 1944.

REGION IV

Jackson Order 2-F, Amendment 14, covering fresh fruits and vegetables in certain named counties in Mississippi, filed 4:10 p. m.

Jackson Order 3-F, Amendment 3, covering fresh fruits and vegetables in specified counties in Jackson District Area, filed 4:09 p. m.

Jackson Order 10, Amendment 1, covering poultry in the Mississippi Area, filed 4:10 p. m.

REGION V

Dallas Order G-20, Amendment 1, covering poultry in Texarkana, Tex., filed 4:09 p. m.

Dallas Order G-21, Amendment 1, covering poultry in Texarkana, Tex., filed 4:08 p. m.

REGION VI

Des Moines Order 3A, Amendment 4, covering community food prices in certain named counties in Iowa, filed 4:14 p. m.

Des Moines Order 4A, Amendment 4, covering community food prices in Grand Rapids and Certain Counties in Iowa, filed 4:13 p. m.

Des Moines Order 5A, Amendment 4, covering community food prices in Waterloo and named counties in Iowa, filed 4:12 p. m.

North Platte Order 18, Correction, covering certain food items in named areas in Nebraska, filed 4:12 p. m.

North Platte Order 17, Correction, covering certain food items in named counties in Nebraska, filed 4:12 p. m.

Sioux City Order 14, covering community food prices in certain areas in Iowa, S. Dakota, and Nebraska, filed 4:08 p. m.

REGION VII

New Mexico Order F-3, covering fresh fruits and vegetables in Gallup, filed 3:59 p. m.

Montana Order 40, covering community food prices in the Helena and East Helena Area, filed 3:49 p. m.

Montana Order 41, covering community food prices in the Great Falls Area, filed 3:49 p. m.

Montana Order 42, covering community food prices in the Butte Area, filed 3:48 p. m.

Montana Order 43, covering community food prices in the Billings Area, filed 3:48 p. m.

Montana Order 44, covering community food prices in the Miles City Area, filed 4:01 p. m.

Montana Order 45, covering community food prices in the Bozeman & Livingston Area, filed 4:01 p. m.

Montana Order 46, covering community food prices in the Missoula Area, filed 4:01 p. m.

Order 47 of Montana, covering community food prices in the Kalispell Area, filed 4:00 p. m.

Montana, Order 47, covering community food prices in the Anaconda Area, filed 4:00 p. m.

Montana Order 49, covering community food prices in the Wolf Point Area, filed 4:03 p. m.

Montana Order 50, covering community food prices in the Glasgow Area, filed 4:03 p. m.

Montana Order 51, covering community food prices in the Chinook and Havre Area, filed 4:02 p. m.

Montana Order 52, covering community food prices in the Cut Bank and Shelby Areas, filed 4:02 p. m.

Montana Order 53, covering community food prices in the Hamilton Area, filed 4:06 p. m.

Montana Order 54, covering community food prices in the Dillon Area, filed 4:06 p. m.

Montana Order 55, covering community food prices in the Roundup and Klein Areas, filed 4:05 p. m.

Montana Order 56, covering community food prices in the Lewistown Area, filed 4:07 p. m.

Montana Order 57, covering community food prices in the Columbus, Park City and Laurel Areas, filed 4:07 p. m.

REGION VIII

Los Angeles Order L. A.-5, Amendment 16, covering fresh and canned food items, in the Los Angeles Metropolitan Area, filed 3:54 p. m.

Los Angeles Order L. A.-6, Amendment 16, covering community food prices in the San Bernardino-Riverside Area, filed 3:56 p. m.

Los Angeles Order L. A.-7, Amendment 16, covering community food prices in the Santa Barbara-Ventura Area, filed 3:56 p. m.

Los Angeles Order L. A.-8, Amendment 16, covering community food prices in the San Luis Obispo Area, filed 3:57 p. m.

Los Angeles Order L. A.-10, Amendment 5, covering community food prices in certain communities in California, filed 3:58 p. m.

Los Angeles Order L. A.-11, Amendment 4, covering community food prices in certain communities in California, filed 3:59 p. m.

Phoenix Adopting Order 4 under Basic Order 1-B, covering community food prices in the "Central Navajo-Apache Area", filed 3:54 p. m.

Phoenix Adopting Order 5 under Basic Order 1-B, covering community food prices in the "Southern Navajo-Apache Area", filed 3:53 p. m.

San Diego Order 10, covering certain food items in the San Diego Metropolitan Market District, filed 3:50 p. m.

Spokane Order 1-F, Amendment 12, covering fresh fruits and vegetables in Areas of Spokane County, Washington, filed 3:52 p. m.

Spokane Order 2-F, Amendment 9, covering fresh fruits and vegetables in certain areas of Kootenai County, Idaho, filed 3:52 p. m.

Spokane Order 13, Amendment 2, covering certain food items in certain areas in Spokane County, Washington, filed 3:50 p. m.

Spokane Order 14, Amendment 2, covering certain food items in certain areas in Spokane County, Washington, filed 3:51 p. m.

Spokane Order 17, Amendment 2, covering certain food items in certain areas of Kootenai County, Idaho, filed 3:51 p. m.

Spokane Order 22, Amendment 2, covering certain food items in certain areas of Columbia and Walla Walla Counties, Washington, filed 4:15 p. m.

Spokane Order 24, Amendment 2, covering certain food items in certain areas of Shoshone and Kootenai Counties, Idaho, filed 4:14 p. m.

Copies of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-8838; Filed, June 17, 1944; 4:21 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on April 19, 1944.

REGION VII

Montana Order 6-F, covering certain fresh fruits and vegetables at retail in the Great Falls Area, filed 3:27 p. m.

Montana Order 7-F, covering certain fresh fruits and vegetables at retail in the Butte Area, filed 3:27 p. m.

Montana Order 16-F, covering certain fresh fruits and vegetables at retail in the Havre and Chinook Areas, filed 3:21 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-8839; Filed, June 17, 1944; 4:21 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

TWIN STATE GAS & ELECTRIC CO., ET AL.

[File Nos. 70-684, 54-86]

ORDER RELEASING JURISDICTION WITH RESPECT TO LEGAL FEES

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 15th day of June 1944.

In the Matter of The Twin States Gas & Electric Company, Public Service Company of New Hampshire, Central Vermont Public Service Corporation, New England Public Service Company, File No. 70-684; The Twin State Gas & Electric Company, Central Vermont Public Service Corporation, New England Public Service Company, File No. 54-86.

New England Public Service Company, a registered holding company, and certain of its subsidiaries, The Twin State Gas & Electric Company, Public Service Company of New Hampshire and Central Vermont Public Service Corporation, having filed applications and declarations and amendments thereto pursuant to sections 6, 7, 9, 10, 11 (e) and 12 of the Public Utility Holding Company Act of 1935 and the Rules promulgated thereunder, proposing, among other things, the sale and acquisition of the New Hampshire and Maine Properties of The Twin State Gas & Electric Company, the merger of The Twin State Gas & Electric Company's remaining properties into Central Vermont Public Service Corporation and the issuance and sale of securities by Public Service Company of New Hampshire and Central Vermont Public Service Corporation; and

Said amended applications and declarations having estimated fees payable by applicants and declarants to (a) Ropes, Gray, Best, Coolidge & Rugg, (b) E. H. Maxcy and (c) Sullowway, Piper, Jones, Hollis and Godfrey, for legal services performed in connection with the transactions at an aggregate of $72,300; and

The Commission, by orders dated November 25, 1943, December 6, 1943 and December 21, 1943 (Holding Company Act Releases Nos. 4711, 4741 and 4776), having granted said amended applications and having permitted said amended declarations to become effective subject, however, to certain conditions, including a reservation of jurisdiction with respect to the determination of the reasonableness of the legal fees incurred in connection with the transactions discussed at length in our findings and opinion entered concurrently with the above orders; and

Applicants and declarants having filed various data with respect to the legal services performed for them in connection with the transactions, together with a statement of the actual legal fees incurred by them in the total amount of $69,903.60, such total consisting of $45,000 to Ropes, Gray, Best, Coolidge & Rugg, $14,453.60 to E. H. Maxcy and $10,450.00 to Sullowway, Piper, Jones, Hollis and Godfrey; and

It appearing to the Commission that such legal fees are not unreasonable and that jurisdiction over such matters should now be released.

It is hereby ordered, That the jurisdiction reserved in the orders heretofore entered herein on November 25, 1943, December 6, 1943 and December 21, 1943 with respect to the reasonableness of the legal fees incurred and to be paid by applicants and declarants in connection with said transactions be, and the same is hereby, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-8810; Filed, June 17, 1944; 10:35 a. m.]

[File No. 70-735]

CONSUMERS GAS COMPANY

ORDER GRANTING REQUEST FOR EXTENSION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of June 1944.

Consumers Gas Company, a subsidiary of The United Gas Improvement Company, a registered holding company and in turn a subsidiary of The United Corporation, also a registered holding company, having requested a one-year extention (to July 2, 1945) of the time fixed by our order of July 2, 1943 (Holding Company Act Release No. 4409) within which Consumers Gas Company may purchase a maximum of 800 shares of capital stock of Reading Gas Company from non-affiliated interests as shares become available for purchase at prices which would yield a favorable return on the funds so invested as compared with other available investments; and

Consumers Gas Company having stated that to date no shares of capital stock of Reading Gas Company have been purchased, nor is it anticipated that any such shares will be purchased before the expiration of the period (July 2, 1944) fixed by our outstanding order, and that a one-year extension is desired in order to consummate said purchase program; and

It appearing to the Commission that the requested extension of time is reasonable and not detrimental to the public interest or the interest of investors and consumers;

It is ordered, That Consumers Gas Company be, and hereby is, granted an additional period of one year from July 2, 1944 within which to consummate the

proposed purchase program covered by our order of July 2, 1943, subject, however, to the same conditions and reservation of jurisdiction as is imposed by said order.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8811; Filed, June 17, 1944; 10:35 a. m.]

MISSISSIPPI RIVER POWER CO., ET AL.

[File No. 54-98]

NOTICE OF FILING AMENDED PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of June 1944.

In the matter of Mississippi River Power Company, Union Electric Company of Missouri, Iowa Union Electric Company, Union Electric Company of Illinois.

Mississippi River Power Company, a subsidiary of Union Electric Company of Missouri, a registered holding company, having filed a plan on April 26, 1944 pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for the simplification of the structure of the holding company system of Union Electric Company of Missouri; and said plan having been set for hearing on June 8, 1944, pursuant to an order of this Commission entered in the above-styled matter on May 5, 1944; and the hearing on said plan having commenced on June 8, 1944; and Mississippi River Power Company having filed an amended plan during the course of said hearing, to wit, on June 12, 1944; and all persons appearing at the hearing on June 8, 1944 having been notified of the filing of the amended plan, hearings were held on the amended plan on June 12, 1944; and

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors that notice of the filing of the amended plan be given to the public and to all interested persons;

Notice is hereby given that on June 12, 1944 Mississippi River Power Company filed an amended plan pursuant to section 11 (e) of the act. The amended plan differs from the original plan in only one material respect, namely, the treatment accorded the preferred stock of Mississippi River Power Company, with regard to which the amended plan provides that (a) Union Electric Company of Missouri will offer to purchase such preferred stock of Mississippi River Power Company as may be tendered for that purpose (during a limited period of time to be later designated and concerning which stockholders will be notified) for the sum of $115 in cash plus accrued dividends, and (b) upon the proposed merger of Mississippi River Power Company into Union Electric Company of Missouri, each share of preferred stock of Mississippi River Power Company remaining outstanding after the expiration of the period for the aforesaid purchase will be converted into one share of the Preferred Stock, $4.50 series, of Union Electric Company of Missouri; the holders of such remaining shares of Mississippi River Power Company will also be paid the sum of $2.00 per share in cash plus accrued dividends.

It further appearing to the Commission that it is appropriate that the hearings be reconvened for the purpose of affording an opportunity to any interested person, who may so desire, to appear and be heard with respect to said amended plan;

It is hereby ordered, That the hearings upon the amended plan be reconvened on July 6, 1944, at 10 o'clock a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in Room 318, at which time any interested person may appear and be heard with respect to said amended plan.

It is further ordered, That a copy of this notice and order be sent by registered mail to Mississippi River Power Company, Union Electric Company of Missouri, Iowa Union Electric Company, Union Electric Company of Illinois, Illinois Commerce Commission and Public Service Commission of Missouri; that notice be given to all other persons by publication in the FEDERAL REGISTER, and by general release of this Commission which shall be distributed to the press and mailed to the mailing list; and

It is further ordered, That Mississippi River Power Company mail a copy of the amended plan filed pursuant to section 11 (e) of the act together with a copy of this notice and order to each of its stockholders at his last known address at least fifteen days prior to July 6, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8809; Filed, June 17, 1944; 10:35 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 52-25]

INLAND POWER & LIGHT CORP. AND COMMONWEALTH LIGHT AND POWER CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of June, A. D. 1944.

In the matter of John E. Dwyer, trustee of the estate of Inland Power & Light Corporation and Walter Bachrach, trustee of the estate of the Commonwealth Light and Power Company, File No. 52-25.

Notice is hereby given that an application for approval of a Plan of Reorganization of Inland Power & Light Corporation (Inland) and The Commonwealth Light and Power Company (Commonwealth), both registered holding companies, subsidiaries of The Middle West Corporation (Middle West), also a registered holding company, has been filed with this Commission pursuant to section 11 (f) of the Public Utility Holding Company Act of 1935. The application was filed by John E. Dwyer, Trustee of the Estate of Inland, and Walter Bachrach, Trustee of the Estate of Commonwealth, both of whom were appointed by the District Court of the United States for the Northern District of Illinois, Eastern Division (Court), in a reorganization proceedings involving Inland and Commonwealth pursuant to Chapter X of the "Bankruptcy Act".

All interested persons are referred to said application, which is on file in the offices of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

The proposed reorganization plan contemplates certain transactions which, when consummated, will bring about the liquidation and dissolution of Inland and Commonwealth and the distribution of assets among the respective security holders and creditors upon surrender of all securities held and cancellation and discharge of all claims.

I. The plan affects the following securities and claims:

(a) Against Inland.

Secured claims	*Principal amount*
6% collateral trust bonds, Series A	$651,900.00
6% collateral trust bonds, Series B	1,336,600.00
6% collateral trust bonds, Series C	2,794,000.00
Unsecured claims	
Debenture claims: Sinking fund debentures	1,161,900.00
Other allowed claims:	
The Kansas Power Co	60,000.00
Commonwealth of Virginia	10,941.86
Central Hanover Bank and Trust Co	1,107.73
Guaranty Trust Co of New York	750.00
United States Corporation	200.00
Missouri Edison Co	48.61
Mary Frances Merrick	7.20
Girard Trust Co., as Trustee u/d of Morris E. Stern, u/w of Joseph Allen Burton	6.20
Union & New Haven Trust Co., Trustee u/d of Sarah E. Johnson	4.00
John J. Shonk, Executor of the estate of Albert D. Shonk	1.88
Commonwealth	3,449,646.89
Middle West	1,032.26

(b) Against Commonwealth.

Secured claims: 7% refunding and unifying bonds	$1,664,216.94
Unsecured claims:	
State of Maryland	1,150.00
Middle West	53,848.60

II. The following is a statement of assets at May 15, 1944:

(a) Inland.

(1) Cash	$3,223,589.84
(2) Securities:	
Missouri Edison Company common stock, 2,400 shares @ assigned value	285,000.00
Arkansas-Missouri Power Corporation common stock, 39,278 shares @ assigned value	315,000.00
Peabody Coal Company Class B Common Stock, 300 shares @ assigned value	$1,000.00
	601,000.00
	3,824,589.84
(3) Contingent assets: Interest in tax escrow fund of $361,092.26 resulting from sale of The Kansas Power Company common stock.	

(b) Commonwealth.

(1) Cash	$754.34
(2) Claim against Inland	3,449,646.89

III. The assets of Inland and Commonwealth will be distributed as follows:

1. Public holders of 6% Collateral Trust Sinking Fund Gold Bonds of Inland ($3,621,900 principal amount) will be paid (a) an initial distribution of $66.75 in cash for each $100 in principal amount of said bonds ($2,417,616.25 aggregate payment) and (b) a 74% share of a fund hereinafter called Remaining Fund, made up of the cash remaining after (1) the initial distribution of cash and securities to creditors and security holders as provided in the Plan, (2) all taxes and all fees and expenses of the reorganization proceedings have been determined and paid and (3) a release of any balance remaining in any tax escrow fund established or to be established in connection with the sale of The Kansas Power Company common stock and the proposed sale of Missouri Edison Company common stock. The three (A, B, and C) series of such bonds will be treated on an equal basis.

2. Public holders of 7% Sinking Fund Debentures of Inland ($822,200 principal amount) will be paid $30 in cash for each $100 in principal amount of said debentures ($246,660 aggregate payment).

3. Public holders of 7% Refunding and Unifying bonds of Commonwealth ($107,419.75 principal amount) will be paid $30 in cash for each $100 in principal amount of said bonds ($32,225.93 aggregate payment).

4. Middle West will be paid in full satisfaction of all claims against Inland or Commonwealth (principal amounts, as follows: $1,160,600 Inland Bonds, $339,700 Inland Debentures, $1,556,797.19 Commonwealth Bonds, $53,848.60 unsecured claims against Commonwealth and $1,032.26 unsecured claims against Inland).

(a) $260,785.98 in cash.

(b) 39,278 shares of the common stock of Arkansas-Missouri Power Corporation (all such shares held by Inland) to which there has been assigned a value of $315,000.

(c) 2,400 shares of the common stock of Missouri Edison Company (all such common stock outstanding) to which there has been assigned a value of $285,000 (if such common stock is under contract for sale, then an assignment of such contract or if said common stock is sold prior to the effective date of said Plan of Reorganization, then Middle West will receive the proceeds of any sale thereof exclusive of the proceeds of any tax escrow fund established in connection with such sale).

(d) A 26% share of the Remaining Fund referred to above.

5. Central Hanover Bank and Trust Company will be paid $1,107.73 for services as Trustee under an indenture securing the Collateral Trust Sinking Fund Gold Bonds of Inland. Guaranty Trust Company of New York will be paid $750 for services as Trustee under an indenture securing the Sinking Fund Debentures of Inland. Such payments are in full, for claims for services rendered.

6. The following creditors of Inland and Commonwealth will be paid $30 in cash for each $100 in principal amount thereof (the claim of Commonwealth against Inland in the amount of $3,449,646.89 is excluded):

Creditor	*Principal amount of claim*
The Kansas Power Co	$60,000.00
Commonwealth of Virginia	10,941.86
State of Maryland	1,150.00
United States Corporation	200.00
Missouri Edison Co	48.61
Mary Frances Merrick	7.20
Girard Trust Co., as Trustee u/d of Morris E. Stern, u/w of Joseph Allen Burton	6.20
Union & New Haven Trust Co., Trustee u/d of Sarah E. Johnson	4.00
John J. Shonk, Executor of the Estate of Albert D. Shonk	1.88

7. No provision is made for participation in the Estate of Inland by any of its preferred stockholders or common stockholders, or in the Estate of Commonwealth by its common stockholders, for the stated reason that the fair value of the assets is substantially less than the aggregate amount of indebtedness.

All holders of securities and claims who fail to present or surrender their securities as provided in the Plan or fail to release their claims within five years after the final decree shall lose all rights to participate in the distribution provided for in said Plan.

The application states that the purpose of the Plan is to avoid further litigation relating to any claims against Inland and Commonwealth and to facilitate the reorganization of Inland and Commonwealth and bring the reorganization proceedings to a conclusion. If said Plan is confirmed, it is stated that a Settlement Agreement and Order regarding certain claims against Commonwealth and Inland entered by the Court on June 8, 1937, shall be modified to the extent necessary to conform with the provisions of the Plan.

It is ordered, That a hearing on said application under the applicable provisions of said act and rules of the Commission thereunder be held on July 31, 1944, at 11:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of the issues presented by said application to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed Reorganization Plan is fair and equitable to the persons affected thereby.

2. Whether the proposed plan is feasible.

3. Whether adequate notice and opportunity are afforded to claimants to obtain payment of proceeds as provided under the Plan.

4. To what extent, if any, the proposed Plan should be modified or amended to render it feasible and fair and equitable to the persons affected.

5. What terms or conditions should be imposed in accordance with the requirements of the Public Utility Holding Company Act of 1935 or in the public interest or the interest of investors or consumers.

6. Generally, whether the various transactions proposed in connection with the Plan meet the requirements of applicable sections of the Public Utility Holding Company Act of 1935 and the rules, regulations and orders promulgated thereunder.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order by registered mail to John E. Dwyer, Trustee of the Estate of Inland Power & Light Corporation; Walter Bachrach, Trustee of the Estate of The Commonwealth Light and Power Company; Arthur E. Swanson, Kellogg Logsdon and Gary Barthell, constituting a Bondholders Committee for 6% Collateral Trust Sinking Fund Gold Bonds of Inland acting under Deposit Agreement dated December 6, 1932; The Middle West Corporation; Central Hanover Bank and Trust Company, Trustee under an Indenture dated April 1, 1927; Guaranty Trust Company of New York, Trustee under an Indenture dated June 1, 1927; New York Trust Company, Trustee under an Indenture dated January 1, 1922; Arkansas-Missouri Power Corporation; East Missouri Power Company; Peabody Coal Company; Missouri Edison Company and The Kansas Power Company not less than twenty days prior to the date hereinbefore fixed as the date of the hearing; and that John E. Dwyer, Trustee of the Estate of Inland, and Walter Bachrach, Trustee of the Estate of Commonwealth shall serve notice of the hearing aforesaid by mailing a copy of this order by registered mail to all parties of record in the consolidated proceedings for the reorganization of certain corporations No. 52028 in the United States District Court for the Northern District of Illinois, Eastern Division, not less than fifteen days prior to the date hereinbefore fixed as the date of the hearing; and that notice of said hearing is hereby given to the security holders of Inland and Commonwealth and of the subsidiaries thereof, consumers of said companies, States, municipalities and political subdivisions of States within which are located any of the utility assets of Inland and Commonwealth and all subsidiaries thereof or under the laws of which any of such

companies are incorporated, all State Commissions, State Securities Commissions, and all agents, authorities, judicial bodies or instrumentalities of the United States of America and of one or more States, municipalities or other political subdivisions having jurisdiction over Inland and Commonwealth or any subsidiaries thereof or over any of the businesses, affairs or operations of any of them; that such notice shall be given further by a general release of the Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice is given to all persons by publication of this order in the FEDERAL REGISTER not later than fifteen days prior to the date hereinbefore fixed as the date of hearing.

It is further ordered, That John E. Dwyer, Trustee of the Estate of Inland, and Walter Bachrach, Trustee of the Estate of Commonwealth, on or before June 28, 1944, mail to all known security holders of Inland Power & Light Corporation and Commonwealth Light and Power Company respectively, at their last known addresses, copies of this notice of and order for hearing and that such Trustees have available copies of the Plan of Reorganization to be forwarded to such security holders of their respective estates as may request a copy.

It is further ordered, That any persons desiring to be heard in connection with this proceeding, or proposing to intervene herein, shall file with the Secretary of this Commission on or before July 22, 1944, his request or application therefor as provided in Rule XVII of the rules of practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8846; Filed, June 19, 1944; 9:43 a. m.]

[File No. 31-84]

INTERNATIONAL UTILITIES CORPORATION AND DOMINION GAS AND ELECTRIC COMPANY

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of June, A. D., 1944.

Notice is hereby given that an amendment to the application filed in the above matter has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by International Utilities Corporation ("International"), a registered holding company, and Dominion Gas and Electric Company ("Dominion"), a subsidiary of International and also a registered holding company. All interested persons are referred to said document which is on file in the office of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

On June 12, 1941, this Commission entered an order in the above proceedings (Holding Company Act Release No. 2810) granting exemptions to Dominion from the provisions of sections 13 (a) and 13 (b) of the act and to its Canadian subsidiary companies from certain specified provisions of said Act; such exemptions to expire on June 30, 1943. By subsequent orders said exemptions were extended to June 30, 1944.

On April 15, 1944, this Commission approved the amended plan for recapitalization of International and Dominion which provided, among other things, for the merger of Dominion into International. On April 19, 1944, the Commission made application for enforcement of said plan to the United States District Court for the Southern District of New York. Such application is presently pending before said Court.

The amendment to the application requests the further extension of said exemptions granted to Dominion and its subsidiaries for an additional period to December 31, 1944 and further requests that, upon the consummation of the proposed merger of Dominion into International, similar exemptions from the provisions of section 13 (a) of said act be granted to International in respect to its Canadian subsidiaries as have been granted to Dominion.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said application, as amended, shall not be granted except pursuant to further order of the Commission;

It is ordered, That a hearing on said matters under the applicable provisions of the Act and the rules of the Commission thereunder be held on June 29, 1944 at 10:00 A. M., E. W. T., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day, the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Charles S. Lobingier, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said amended application, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the granting of a further extension of time of the exemptions previously granted to Dominion and its subsidiaries from certain specified sections of the act will be detrimental to the public interest or the interest of investors or consumers;

2. Whether, in the event a further extension of time is granted Dominion, International should be granted similar exemptions upon the consummation of the merger of the two companies;

3. Whether, it is necessary or appropriate to impose any terms or conditions in the public interest or in the interest of investors or consumers and if so, what terms and conditions should be imposed;

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order to the applicants; and that the notice of said hearing be given to all persons by publication of this order in the FEDERAL REGISTER. Any other person desiring to be heard in connection with these proceedings, or proposing to intervene herein, shall file with the Secretary of the Commission, on or before June 26, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8847; Filed, June 19, 1944; 9:43 a. m.]

[File No. 43-198]

OKLAHOMA POWER AND WATER COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of June, A. D. 1944.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named party; and

Notice is further given that any interested person may, not later than June 30, 1944 at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application as filed or as amended may become effective or may be granted as provided in Rule U-23 of the rules and regulations promulgated pursuant to said Act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Oklahoma Power and Water Company, a subsidiary of The Middle West Corporation, a registered holding company, proposes to issue $850,000 principal amount of 2% promissory notes to certain banks in exchange for $850,000 principal amount of 3¾% notes of the company now held by said banks which mature on July 27, 1944. The new notes will be secured by the pledge of $1,200,000 principal amount of First Mortgage Five Percent Gold Bonds, Series C, due February 1, 1948 of the company and will be due and payable as follows: $100,000 on November 27, 1944, $100,000 on March 27, 1945 and $650,000 on July 27, 1945.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8848; Filed, June 19, 1944; 9:43 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 123

Washington, Wednesday, June 21, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 94, Corr. to Amdt. 2]

PART 1461—OILSEEDS

The reference to "(b)" appearing immediately after the word "deleting" in the first sentence of War Food Order No. 94, Amendment 2, printed in the Federal Register for June 9, 1944 (9 F.R. 6249), is corrected to read "(b) (1)", and the title line reading "(b) Restrictions" immediately following the colon is deleted.

ASHLEY SELLERS, *Assistant War Food Administrator.*

JUNE 19, 1944.

[F. R. Doc. 44-8937; Filed, June 20, 1944; 11:17 a. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 801—RULES OF ORGANIZATION

APPOINTMENT OF MEMBERS OF TRIPARTITE COMMITTEES

The following section has been added to the rules of organization of the National War Labor Board:

§ 801.13 *Appointment of members of tripartite committees.* The term of office of all per diem public, industry, and labor representatives of Board agents, and of the Appeals, Review, Post Directive, and other tripartite committees of the National War Labor Board shall be one year, unless terminated at an earlier date by the Board. The term of office of all present per diem members shall expire on August 31, 1944.

(E.O. 9017, 7 F.R. 237; E.O. 9250, 7 F.R. 7871; (War Labor Disputes Act, P.L. 89, 78 Cong.)

Adopted May 31, 1944.

THEODORE W. KHEEL, *Executive Director.*

[F. R. Doc. 44-8901; Filed, June 20, 1944; 9:49 a. m.]

PART 802—RULES OF PROCEDURE

FUNCTIONS OF JOINT COMMITTEES

Section 802.9 has been amended to read as follows:

§ 802.9 *Functions of Joint Committee* (See § 801.10). (a) It shall be the duty of this Committee, prior to any decision thereon, to review and to make recommendations to the Board for the disposition of all applications and dispute cases arising out of a request for a wage or salary adjustment to compensate employees for a loss in earnings caused by the operation of Executive Order 9240, as amended. All such cases shall be decided by the Board. Applications for the approval of voluntary adjustments of this type shall be forwarded by the Board agent by which they are received to the Joint Committee, after the necessary information in connection therewith has been obtained. When such an issue is involved in a dispute case pending before an agent of the Board, the entire file in the case shall, after receipt of the panel or hearing officer's report, and the comments of the parties, be forwarded by the agent to the Joint Committee, which shall present the issue to the Board, with its recommendation, for disposition. When involved in cases pending before the Board, such issue shall be submitted to the Joint Committee for a recommendation prior to final disposition thereof by the Board. Action by the Board or its agent on other issues in the case need not, in the discretion of the Board or its agent, be withheld pending action on this issue.

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

	Page
ALIEN PROPERTY CUSTODIAN:	
Vesting orders:	
Baumann, Anna	6898
Cramer, Joseph	6899
Egler, Emma	6896
Filzen, Paul	6899
Grabendoerfer, Peter	6899
Hafner, Anna	6900
Halm, Frederick	6895
Nunziato, Frank	6897
Overbeck, Johanna Carpline	6897
Pyrene-Minimax Corp	6894
Richling, Joseph	6900
Roston, Rosa	6901
Rudert, Emil	6898
Schneider, William	6896
Schweisshelm, Albert	6901
Vahle, Wilhelm Franz	6895
Wann, John	6901
Woitke, Frederick E	6898
Zimmerman, Mina	6902
COAST GUARD:	
Approval of equipment:	
Life preservers	6904
Miscellaneous items	6891
Inspection and navigation regulations, miscellaneous amendments	6891
FEDERAL POWER COMMISSION:	
Montana-Dakota Utilities Co., application filed	6892
GEOLOGICAL SURVEY:	
Alaska; coal mining operating and safety regulations	6853
INTERSTATE COMMERCE COMMISSION:	
Reconsignment permits:	
Fruits and vegetables, Birmingham, Ala., etc	6894
Oranges, Chicago, Ill	6893
Peas, Kansas City, Mo	6893
Potatoes:	
Chicago, Ill	6892
Kansas City, Mo. (2 documents)	6892
Watermelons, Chicago, Ill	6892

(Continued on next page)

FEDERAL REGISTER

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The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.

CONTENTS—Continued

	Page
INTERSTATE COMMERCE COMMISSION—Continued.	
Reicing permits:	
PFE car, Huntingdon, Pa.	6893
Potatoes:	
Council Bluffs, Iowa, and Kansas City, Kans.	6894
Huntingdon, Pa. (2 documents)	6893, 6894
Kansas City, Mo.	6894
St. Louis, Mo., and Kansas City, Mo.	6893
Texas	6893
NATIONAL WAR LABOR BOARD:	
Regional boards, constitution	6852
Joint Committee, functions	6851
Tripartite committees, appointment of members	6851
OFFICE OF PRICE ADMINISTRATION:	
Adjustments, etc.:	
Servel, Inc.	6903
Southern California Pottery Co., Inc.	6902
Automobiles, passenger (RO 2B, Am. 12)	6880
Building materials and consumers' goods (MPR 188, Am. 1 to 2d Rev. Order A–3)	6888
Electric motors (Rev. SR 14, Am. 144)	6888
Farm equipment (MPR 246, Am. 13)	6881
Fish and seafood, canned (MPR 542)	6882
Hawaii, pillows and cushions, etc. (MPR 373, Am. 67)	6885
Laundry service, commercial, New York, N. Y. (MPR 165, Supp. Service Reg. 29)	6885
Macaroni products and noodles (FPR 1, Supp. 1, Corr.)	6881
Machines and parts, etc. (MPR 136, Am. 119)	6884
Office machines and typewriters (MPR 188, Order 1701)	6903
Puerto Rico, food products (RMPR 183, Am. 41)	6884
Regional and district office orders:	
Community ceiling prices, list of orders filed	6903
Milk, Springfield, Ill.	6804
Resins, synthetic, etc. (MPR 406, Am. 3)	6885
Sugar (Rev. RO 3, Am. 27)	6881
Tires and tubes (RMPR 119, Am. 1)	6881
Tubes, radio receiver (Rev. SR 14, Am. 134)	6888
Virgin Islands, women's wear (MPR 395, Am. 22, Corr.)	6881
PUBLIC CONTRACTS DIVISION:	
Minimum wage determinations; designated industries:	
Dimension granite	6888
Evaporated milk	6890
Fertilizer	6889
Paper and pulp	6889
Structural clay products	6890
WAR FOOD ADMINISTRATION:	
Oilseeds (WFO 94, Am. 2)	6851
WAR PRODUCTION BOARD:	
Chemicals:	
Barium (M–300, Sch. 31)	6879
Methyl isobutyl ketone (M–300, Sch. 24; M–322, Rev.) (2 documents)	6857, 6878
Phosphorus (M–230, Rev.; M–300, Sch. 30, Rev.) (2 documents)	6878, 6879
Riboflavin (M–300, Sch. 2, Rev.)	6878
Construction (L–41)	6854
Lamps (L–28–a; Int. 1) (2 documents)	6862, 6878
Stoves, heating, and domestic cooking appliances (L–23–c)	6858
Tablets, notebooks, pads, etc. (L–120, Corr. to Schedule IX)	6880
Tanks, plumbing and heating (L–199)	6859
Textiles, clothing and leather (M–310, Dir. 2, Rev.)	6860
House dresses, women's (M–328B, Sch. A., Supp. III)	6861
Shirts, men's dress (M–328B, Sch. A, Supp. II)	6860

CONTENTS—Continued

	Page
WAR PRODUCTION BOARD—Con.	
Textiles, clothing and leather—Continued.	
Shorts, men's (M–328B, Sch. A, Supp. I)	6860
Slips, misses' and women's (M–328B, Sch. A, Supp. IV)	6862
Suspension orders, etc.:	
Gordon Stores Co., Inc.	6853
Hutton-Jones Electric Co., Inc	6904
Miller Shoe Co.	6854

(b) It shall also be the duty of the Joint Committee to render assistance and advice to the Board and its agents in the determination of questions involving the application or interpretation of Executive Order 9240, as amended. The Committee may require a Board agent to submit to it for review any case involving the application or interpretation of the Executive order, and may, in its discretion, should it decide the case raises an issue of national importance, transfer the case to the Board for disposition.

(E.O. 9017, 7 F.R. 237; E.O. 9250, 7 F.R. 7871; War Labor Disputes Act P.L. 89, 78 Cong.)

Adopted June 7, 1944.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44–8900; Filed, June 20, 1944; 9:49 a. m.]

PART 802—RULES OF PROCEDURE

REGIONAL WAR LABOR BOARDS

The following section of the rules of procedure has been amended to read as follows:

§ 802.51 *Constitution of regions and Regional War Labor Boards.* • • •

(b) Each Regional War Labor Board shall consist of the following members to be appointed by the National War Labor Board:

Four regular representatives of labor;

Four regular representatives of industry;

Representatives of the public, 4 of whom are to be available for service with the Regional War Labor Board at any given time. There shall be a Chairman, and one or more Vice-Chairmen, to be designated by the National War Labor Board from among the full-time public members.

In addition to the regular public, industry, and labor members, each Regional Board may have not in excess of the following members:

Four alternate representatives of labor, and four alternate representatives of industry, who shall serve on the Board only in the absence of the regular representatives of their respective groups.

Eight substitute representatives of labor, and eight substitute representatives of industry, who shall serve on the Board only in the absence of the regular or alternate representatives of their respective groups.

The term of office of all per diem public, industry and labor representatives on Regional War Labor Boards shall be one year, unless terminated at an earlier date by the National Board. The term of office of all present per diem members shall expire on August 31, 1944.

(E.O. 9017, 7 F.R. 237; E.O. 9250, 7 F.R. 7871; War Labor Disputes Act, P.L. 89, 78 Cong.)

Adopted May 31, 1944.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44–8902; Filed, June 20, 1944; 9:49 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter II—Geological Survey

PART 216—OPERATING AND SAFETY REGULATIONS GOVERNING THE MINING OF COAL IN ALASKA

Sec.
216.1 Prior regulations made applicable.
216.2 Production and royalty reports; sealing of mines.
216.3 Orders to insure compliance with regulations not in conflict with laws of Territory of Alaska; appeal.
216.4 Basis of royalty computations.
216.5 Room neck maximum width and length.
216.6 Shelter holes.
216.7 Explosive magazines not to be connected with mine workings.
216.8 Powder boxes.
216.9 Permissible explosives: requirements.
216.10 Blasting.
216.11 Waiver of provisions.

AUTHORITY: §§ 216.1 to 216.11, inclusive, issued under 38 Stat. 741, 745; 48 U.S.C., 451.

§ 216.1 *Prior regulations made applicable.* With the exception of §§ 211.1, 211.4 (c) and (g), 211.15 (e), 211.24 (c), 211.48 (d), 211.77 (a) and (b), 211.79 (c), 211.82 (a), 211.83 (b), 211.86 (a), 211.87, 211.88, and 211.90 (a) which shall not be deemed applicable for the purpose of these regulations, §§ 211.1 to 211.111, inclusive, of the coal mine operating and safety regulations,[1] are hereby made applicable to and shall govern the methods of mining coal from leased, licensed, and permitted lands on the public domain in the Territory of Alaska to the extent that they are not in conflict with specific provisions of the act of October 20, 1914, as amended (38 Stat. 741; 48 U.S.C., 432–452).

§ 216.2 *Production and royalty reports; sealing of mines.* (a) The mining supervisor, district mining supervisor, and deputy mining supervisor shall examine the mines, mine maps, records, and books of lessees and determine the amount of coal mined from Government coal land; shall report to the Secretary of the Interior quarterly the production and the accrued royalties and rentals; and shall place seals at the entrance of leased lands on orders of the Secretary when a lessee is delinquent in royalty and rental payments.

[1] 30 CFR Part 211.

§ 216.3 *Orders to insure compliance with regulations not in conflict with laws of Territory of Alaska; appeal.* The mining supervisor, the district mining supervisor, and the deputy mining supervisor may issue such orders and notices in writing as may be appropriate to insure compliance with the regulations in this part, and may order the discontinuance or modification of any operation or method that is causing or is likely to cause any endangerment of life or property or is in violation of the provisions of the lease or regulations. *Provided,* That such orders are not in conflict with the laws of the Territory of Alaska: *And further provided,* That if any such order or notice issued by the deputy or district mining supervisor does not contain a statement that immediate danger of loss of life or property is involved and if the lessee appeals therefrom within 10 days, execution of said order or notice may be delayed pending review by the mining supervisor and, on further appeal, pending review by the Secretary of the Interior.

§ 216.4 *Basis of royalty computations.* Royalty shall be paid on all coal shipped or removed from leased lands or manufactured into coke, briquets, or other products of coal, or consumed on the premises.

§ 216.5 *Room neck maximum width and length.* Room necks shall not be wider than 9 feet for the first 18 feet, unless the lessee is given permission in writing by the district mining supervisor to modify these dimensions.

§ 216.6 *Shelter holes*—(a) *Along haulage roads.* In any mine in which more than 10 men are employed underground on any shift, all haulageways used for the travel of men, unless a clearance of 4 feet or more exists on one side of the track and is kept free from debris, shall be provided with shelter holes on the side of the roadway opposite the trolley and power lines, at intervals of not more than 100 feet. The shelter holes shall be at least 4 feet wide, 4 feet deep, and 6 feet high unless the entry, tunnel, or slope is of less height, and then they shall be on the same level and as high as the roadway, and they shall be kept whitewashed and free from debris. Crosscuts and room necks may be used as shelter holes if on the side used for travel.

(b) *On main haulageway.* On haulage roads other than slopes, not used as travel ways, shelter holes will not be required if the clearance between the farthest projecting part of the mine car and locomotive and the rib of the entry is at least 3 feet.

§ 216.7 *Explosives magazines not to be connected with mine workings.* A suitable underground chamber with wood lining and flooring, so constructed and maintained that no nails are exposed, may, with the written approval of the mining supervisor, be used in place of a surface magazine if such underground chamber is adequately ventilated and has sufficient cover, surrounding pillars, and strong bulkheads to prevent a dislodgement should an explosion occur that would endanger life, the mine, or any building or dwelling. The surface entrance and ventilating ducts of such a magazine shall be guarded by a fence, gates, and appropriate warning signs. Under no circumstances shall the magazine have any connection with any part of the mine in which men work. Where the entrance to the magazine is a drift or slope that opens toward any active or used mine opening or toward any building or highway within the distance specified in the table of distances for the quantity of explosives stored, an adequate earth barricade shall be erected opposite and as high as the entrance.

§ 216.8 *Powder boxes.* Explosives must be kept in portable, tight wooden boxes, each box having a lid that laps over the sides and is strongly hinged or has battens that engage under a strip securely fastened at the back edge of the box. Battens shall be placed over all cracks in the boxes to protect the explosives from sparks, flame, and water. Detonators, blasting caps, tools, pieces of metal, matches, or oily material shall not be stored with explosives.

§ 216.9 *Permissible explosives; requirements.* Only permissible explosives shall be used for blasting underground and due regard shall be given to the requirements of permissibility.

§ 216.10 *Blasting*—(a) *Drill holes.* Where coal is undercut or sheared top holes shall be drilled parallel with the roof and rib holes parallel with the rib, and in depth at least 6 inches less than the depth of the undercut or shear; otherwise the holes shall not exceed in depth the thickness of the coal bed or part thereof being mined.

(b) *Firing charged holes.* All holes charged with explosives in a working place shall be fired simultaneously.

§ 216.11 *Waiver of provisions.* Any waiver of the provisions of these regulations by the district mining supervisor shall be in writing.

W. E. WRATHER,
Director.

Approved: June 14, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44–8978; Filed, June 20, 1944; 9:51 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–560]

THE GORDON STORES CO., INC.

The Gordon Stores Company, Inc., a corporation with its principal office at

Denver, Colorado, owns and operates seven general merchandise chain stores. In February, 1944, without authorization from the War Production Board the corporation began construction at 315 Main Street, Montrose, Colorado, consisting of remodeling and altering a store building at that address. The total cost of the construction was approximately $1,412.95, which amount exceeded the limit of $200 permitted by Conservation Order L-41. The corporation was familiar with the restrictions contained in Conservation Order L-41, and its construction without authorization from the War Production Board constituted a wilful violation of Conservation Order L-41.

These violations of Conservation Order L-41 have hampered and impeded the war effort of the United States by diverting critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, That:

§ 1010.560 *Suspension Order No. S-560.* (a) Neither The Gordon Stores Company, Inc., its successors or assigns, nor any other person, shall do any construction on the premises at 315 Main Street, Montrose, Colorado, including putting up or altering the structure, or on any of the other stores owned or operated by that corporation, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve The Gordon Stores Company, Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on June 19, 1944.

Issued this 8th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8877; Filed, June 19, 1944; 2:25 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-565]

THE MILLER SHOE COMPANY

The Miller Shoe Company, a corporation, with its principal place of business and plant at Cincinnati, Ohio, is engaged in the manufacture of women's orthopedic shoes. During the period beginning March 1, 1943 and ending February 29, 1944, respondent put into process, manufactured and sold 9,715 pairs of women's and misses' orthopedic shoes in excess of its permitted quota under Conservation Order M-217. The corporation was familiar with the provisions of Conservation Order M-217, and its actions constituted a wilful violation of that order.

These violations of Conservation Order M-217 have hampered and impeded the war effort of the United States by diverting scarce material to uses unauthorized by the War Production Board. In view of the foregoing, it is hereby ordered, That:

§ 1010.565 *Suspension Order No. S-565.* (a) During the six months' period beginning March 1, 1944 and ending September 1, 1944, the maximum number of pairs of shoes that The Miller Shoe Company, its successors or assigns, may put into process, manufacture or complete, shall be 9,715 pairs less than its quota for this period, as specified by the provisions of Conservation Order M-217, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve The Miller Shoe Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the date of issuance, and shall expire on September 1, 1944.

Issued this 19th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8878; Filed, June 19, 1944; 2:25 p. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41 as Amended June 20, 1944]

§ 1075.1 *Conservation Order L-41*—(a) *What this order does.* This order limits construction. It is necessary in order to conserve materials, construction equipment, labor and transportation. In most cases, except where the construction is of a special kind, you must get permission from the War Production Board for construction. This permission (sometimes called "authorization to begin construction") must not be confused with preference ratings or priorities. If a construction job is allowed, either because it is not of the kind restricted by this order or because permission has been obtained, it may still be necessary to get preference ratings for the materials and fixtures which are needed. On the other hand, if you have ratings for materials, or materials on hand, you may still have to get permission to use them for a particular construction job.

(b) *What is meant by construction.* Construction covered by this order includes putting up or altering any sort of a structure, including a building, road, bridge, dam, sewer, and similar jobs; also the installing of equipment or fixtures. Certain special kinds of construction are excepted, as explained in paragraphs (c) and (d) below.

(c) *How much construction is allowed without getting permission.* You need not get permission under this order for construction which does not total more than the limits shown in the following list for all jobs begun in the same year. For an explanation of how to figure "cost," see paragraph (i). If a utility connection will be required (electricity, gas, water, steam or telephone), it may be necessary to get War Production Board approval for the connection. If so, approval for the connection must be obtained *before* beginning construction, even if the cost of construction comes within the limits. The limits for all jobs begun in the same year are as follows:

(1) $200 for a house, including the entire residential property.

(2) $1,000 for a farm including the farm houses. However not more than $200 of this sum may be spent on any farm house on the farm. A "farm" means a place used primarily for raising crops, livestock, dairy products, poultry, etc., for the market.

(3) $1,000 for a hotel, apartment building or other residence for six or more families. Any residence for five or less families is considered a house under (1) above.

(4) $200 for an office, bank, store, laundry, garage, restaurant, or other retail service establishment, except that the limit is $1,000 for a unit containing more than five establishments of this kind.

(5) $1,000 for a church, hospital, school, college, U. S. O. Club, public playground for children, or for a publicly owned building or group of buildings used for public purposes.

(6) $1,000 for a bridge, overpass, underpass, tunnel, dock, pier, airport, bus terminal, truck terminal operated by a common or contract carrier by truck, or for a railroad or street railway building or group of buildings.

(7) $1,000 for an irrigation or drainage system serving more than one farm.

(8) $1,000 for a building or group of buildings which will be used for warehouse or for off-farm storage purposes, except that the limit is $200 for a frozen food locker plant.

(9) $1,000 for all monuments and structures on the same cemetery lot or for all cemetery buildings or structures in the same cemetery.

(10) $1,000 for a military exchange situated on a reservation of the Army or Navy.

(11) $1,000 for a building or group of buildings which will be used directly in furnishing any of the electric, gas, water or heating utility services listed in paragraph (a) (1) of Order U-1, and which will be owned by a utility producer as defined in that paragraph, or which will be used directly in furnishing communication services and which will be owned by an operator as defined in paragraph (a) (1) of Order U-2, or in paragraph (a) (1) of Order U-6, or which will be used directly for a sewage system and owned by a sewage system operator as defined in Order P-141.

(12) $5,000 for a factory, plant or other industrial unit which is used for the manufacture, processing or assembling of any goods, except that the limit is $200 if the goods are listed on Schedule A at the end of this order or if the productive floor area of the unit upon completion of construction is less than 10,000 square feet.

(13) $200 for any other kind of construction.

(d) *Special kinds of construction which do not require permission.* It is not necessary to get War Production Board permission under this order for the following kinds of construction, and the cost of such construction need not be charged against the cost limits stated in paragraph (c).

(1) Maintenance and repair; that is, work necessary to keep a building or structure in sound working condition or fix it when it has become unsafe or unfit for service because of wear and tear; also the minimum work necessary to prevent more damage to a building or structure (or its contents) which has been damaged by fire, flood, tornado, earthquake, acts of war, or the like. Changes in material are permitted in doing maintenance and repair work. Additions, structural alterations, or the completion of unfinished parts of buildings are not considered maintenance and repair. Rebuilding or restoring after damage caused by fire, flood, tornado, earthquake, acts of war, or the like, is not permitted as maintenance and repair, but is permitted in some cases as explained below.

(2) The rebuilding or restoring of a house (including a farm house) or other residential building damaged or destroyed after July 1, 1943, by fire, flood, tornado, earthquake, acts of war, or the like, if the cost of rebuilding or restoring is less than $5,000.

(3) The rebuilding or restoring of farm buildings damaged or destroyed by fire, flood, tornado, earthquake, acts of war, or the like, if the cost of rebuilding or restoring is less than $5,000, where the immediate reconstruction is determined by the United States Department of Agriculture to be essential to the agricultural program.

(4) The rebuilding or restoring of a building or structure damaged or destroyed by disaster, where the Red Cross has been given priority assistance to restore the disaster area, and where the rebuilding or restoring has been determined by the Red Cross to be essential.

(5) Construction necessary to prevent threatened loss of farm products, where immediate construction is determined by the United States Department of Agriculture to be essential to the agricultural program.

(6) Construction owned by the United States Army, Navy, Maritime Commission, War Shipping Administration, Coast Guard, Marine Corps, Civil Aeronautics Authority, Coast and Geodetic Survey, or Panama Canal.

(7) Insulating existing buildings with materials such as storm windows and doors, pipe covering, loose fill, blanket or bat insulation, plain or granule surfaced rigid insulation and weather stripping. Also the application of masonry veneer to existing houses. (This paragraph does not exempt the use of the above materials for any purpose other than the insulation of an existing building against exterior cold or heat without change in the function of the building. It does not apply to the use of insulation materials in the original construction of a building or in the conversion of a building from one purpose to another, or to the use of insulation materials to make an alteration to a building.) Also the installation of heating and combustion equipment designed for effecting fuel conservation where the total cost of the installation including the cost of the equipment does not exceed $25,000 and where the cost of installation excluding the cost of equipment does not exceed $5,000.

(8) [Deleted Mar. 7, 1944]

(9) Grading, ditch-digging or similar earth-moving operations, if no cement, lumber or other building materials are used, except clay tile and non-reinforced concrete pipe.

(10) Various kinds of construction connected with farms, public roads, railroad tracks, utilities, mines, smelters, wells, the petroleum industry, the lumber industry, the chemical industry, steel mills, broadcasting facilities, laboratories, and civilian aircraft facilities as described in Schedule B.

(11) A construction job which began before this order originally became effective (April 9, 1942), or at a time when the job was not limited by this order, and has gone on without interruption.

(12) Construction jobs which are classed as minor capital additions under CMP Regulation No. 5 or under CMP Regulation No. 5A. This exception applies only to:

(i) Additions to factories, plants and other industrial units which will have a productive floor area of 10,000 square feet or more, and which are for the manufacturing, processing or assembling of goods which are not listed in Schedule A.

(ii) Hospitals.

(13) The installation of the following equipment rated or authorized on the form indicated, if the cost of the installation materials (not including the cost of the equipment) does not exceed $500, and if no construction is done other than the installation of wiring and the attaching of the equipment to an existing structure:

Signal and alarm equipment as defined in	L-30 (WPB-1319)
Monorail systems	(WPB-541)
Scales, Weights and Balances	(WPB-2581)
Cranes and Hoists	(WPB-541)
Dust Collecting Systems—Foundry Equipment	(WPB-541).

(e) *All other construction forbidden without WPB permission.* No person shall do any construction which has not been permitted by the War Production Board, unless it is of a kind described in paragraph (c) or (d) above. This prohibition applies to a person who does his own construction work, to one who gets a contractor to do it for him, and to any contractor or subcontractor who works on the job or gets others to work on it. It also applies to any supplier who furnishes material for the job if he knows or has reason to know that the construction has not been permitted.

(f) *How to apply for permission.* (1) Schedule C at the end of this order shows the various types of application forms, and where they should be filed.

(2) In case of emergency, application may be made by wire or in person instead of on a printed form. It must be made to the office in which a written application for the same construction should be filed. The following information must be given:

(i) Cause of the emergency (fire, flood, etc.).

(ii) What the building or structure is used for.

(iii) Type of construction.

(iv) Why immediate construction is necessary.

(v) Estimated cost of construction.

(g) *Preference rating includes permission in some cases only.* There are some forms of preference rating orders and certificates which are issued or have been issued for special kinds of construction and which include permission for construction although they do not say so. These are listed in Schedule D at the end of this order. In all other cases, a preference rating is not enough, unless the instrument which assigns the rating also states that construction is permitted under this order.

(h) *Other restrictions on use of some items.* Permission for construction or the exception of any construction from this order does not relieve any one from complying with the various WPB orders or directives which restrict the use of copper and other scarce materials or fixtures. If you do not now about these restrictions, consult the nearest War Production Board District Office.

(i) *How to figure cost.* (1) For the purpose of determining whether a construction job may be started without getting permission from the War Production Board, "cost" means the cost of the whole construction job as estimated at the time of beginning construction, except that the cost of used material or used fixtures may be disregarded.

(2) If any materials or fixtures which have not been used are obtained without buying them, their value must be included as part of the cost.

(3) The cost of processing machinery or equipment need not be included but the cost of installing it and the cost of plumbing, heating, and air conditioning equipment and of all other equipment not used directly in the processing of materials must be included.

(4) The cost of labor must be included, but if labor is unpaid its value need not be included. Contractors' fees also must be included but architects' and engineers' fees need not be.

(5) All construction on the same unit must be included. The word "unit" means any group of buildings or structures (including roadways, pipelines, etc.) which are situated near to each other, and which serve the same general purpose, or closely related purposes. For example, each of the following is a unit: a house, together with a detached garage, tennis court, swimming pool, etc.; a farm, including the farm house, barn, hen house, dairy, etc.; a manufacturing plant with a number of buildings used for the same or different processes, together with administration buildings, cafeterias, etc. In no case may a single building or structure be treated as more than one unit.

(6) The cost per year must be determined on a calendar year basis, beginning with January 1, 1943, except that a

company which regularly keeps its books on a fiscal year basis may use the fiscal year.

(j) *Penalties for violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any Department or Agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining any further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 20th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

This schedule is referred to in paragraphs (c) (12) and (d) (12). In the case of a unit principally designed for the manufacture, processing or assembling of any of the following articles, the cost limit is $200 in any one year without getting permission:

(i) Athletic supplies, sporting goods, or toys or games.

(ii) Beverages, except milk.

(iii) Books, magazines, newspapers, greeting cards, or other printed or engraved matter.

(iv) Candy or chewing gum.

(v) Cigars, cigarettes, smoking or chewing tobacco or snuff.

(vi) Jewelry, watches, luggage, brushes, rosaries, pipes, and like articles for personal use or adornment.

(vii) Furniture, store fixtures, barroom fixtures, bowling alleys and the like.

(viii) Silverware, woodenware, household electrical appliances, draperies, rugs, and all other household appliances and equipment, but not including china and glassware.

(ix) Musical instruments.

(x) Stationery or office supplies.

(xi) Toiletries or cosmetic products.

(xii) Wearing apparel of every sort, except for the Army or Navy and their auxiliaries, and except safety equipment or safety clothing as defined in Order L-114.

SCHEDULE B

Permission under this order is not necessary for the following kinds of construction which are referred to generally in paragraph (d) (10).

1. Construction on structures which are to be used directly in the discovery, development or depletion of mineral deposits; also maintenance work, repairs and minor capital additions given priorities assistance under order P-56 (relating to mines and smelters).

2. Construction which is regulated by any petroleum administrative order issued by the Petroleum Administrator for War. (Construction of this kind is permitted only to the extent authorized by the applicable petroleum administrative order.)

3. Construction of telephone and telegraph facilities or equipment, other than buildings, if authorized or permitted under the terms of Order U-2 (§ 4501.1) or Order U-6 (§ 4501.21).

4. Laying of railroad tracks, together with the construction of necessary railroad operating facilities; also the construction of tunnels, overpasses, underpasses or bridges where the cost of those materials to be incorporated in the project which will be acquired under P-142 or will be withdrawn from inventory materials acquired with priorities assistance (excluding the cost of other materials and excluding the labor cost) is $2,500 or less. The above types of construction are controlled by P-142. The construction of tunnels, overpasses, underpasses or bridges where the cost of the materials acquired as stated above is more than $2,500 and the construction of railroad stations, warehouses, loading platforms and other similar structures are not excepted by this paragraph.

5. Construction of facilities (other than buildings) which will be used directly in furnishing any of the electric, gas, water or heating utility services listed in paragraph (a) (1) of Order U-1 and which will be owned by a utility "producer" as defined in that paragraph.

6. Construction of facilities (other than buildings) which will be used directly for a sewerage system and will be owned by a sewerage system "operator" as defined in Order P-141.

7. Installation or erection of rationed farm machinery, or mechanical equipment, which has been obtained on a purchase certificate issued by a County Farm Rationing Committee under Food Production Order 14 of the War Food Administration, or of wire fencing which has been obtained on P.R. 19 certification, also the erection of farm silos which have been manufactured by a producer as defined in Order L-257.

8. Drilling and casing of water wells, but excluding any use of pipe to conduct water on the surface.

9. Use by any logger or lumber manufacturer of lumber, nails, gravel, or clay products in construction needed to change the site of logging or lumbering operations.

10. Construction which is given priorities assistance under Order P-89 (relating to facilities for the manufacture of chemicals).

11. Construction which is given priorities assistance under Order P-98 (relating to facilities for the manufacture of steel).

12. Rearrangement or expansion of facilities and equipment, other than buildings, by an international point-to-point radio communication carrier to the extent that priorities assistance is granted under P-133 for such work.

13. Construction which is given priorities assistance under Order P-43 (relating to laboratories).

14. Construction of public highways and public streets owned by a Government Agency (construction of this kind is controlled by Order L-41-e).

15. Construction which is given priorities assistance under P-47 (relating to civilian aircraft facilities).

SCHEDULE C

NOTE: Schedule C amended by deletion of table footnote, June 20 1944.

Application forms to be used in obtaining permission to begin construction under L-41 and where to file them, unless otherwise instructed. These forms are to be used whether or not priorities assistance or controlled material allotments are required.

Types of construction	Application form	Where filed
Farm construction, including farm dwellings	WPB-617 (formerly PD-200).	County Agricultural Conservation Committee having jurisdiction over the site.
Housing, except farm housing and hotels	WPB-2264 (formerly PD-105).	FHA Field Office having jurisdiction over the site.
Public roads	PR 1 PA	State Highway Department having jurisdiction over the site.
Water, gas, steam, electricity, telegraph or telephone facilities for use by public.	WPB-2774	WPB, Washington, D. C.
All other construction restricted under L-41	WPB-617 (formerly PD-200).	Consult instruction form WPB-617.

NOTE: The application forms specified in Schedule C have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SCHEDULE D

The following preference rating orders or certificates are referred to in paragraph (g). If you have received or are entitled to use one of these orders or certificates for your construction, the construction is permitted by the WPB:

P-19-h, CMPL-224, GA-1456	Relating to projects important to the war effort or essential civilian needs.
P-55-c	Housing.
WPB-2774	Relating to utility facilities.
WPB-542, PD-3A	Relating to command construction and certain other construction carried on under the supervision of the Armed Services.
P-14-a, P-14-b, P-19, P-19-a, P-19-d, P-19-e, P-19-g, P-19-i, P-41, P-55-b, P-55-amended, P-110, PD-3, CMPL-127	These orders and certificates are no longer used, but jobs which were authorized by them may go on.

INTERPRETATION 1

[Superseded by L-41, as amended November 1, 1943, which incorporates the substance of the interpretation.]

INTERPRETATION 2

Conservation Order L-41 (§ 1075.1) does not apply to the construction or erection of temporary motion picture sets of a kind which may be stored between the taking of pictures, nor to the incorporation of such temporary sets into permanent sets for the taking of a single motion picture. However it does apply to the construction of permanent outdoor motion picture sets and foundations for sets of a kind which are designed for use in more than a single picture at one location. (Issued Nov. 18, 1943)

INTERPRETATION 3

EARTH-MOVING OPERATIONS

Under the provisions of paragraph (d) § 1075.1 *Conservation Order L-41* it is not necessary to get War Production Board permission for construction of a kind consisting of "grading, ditch-digging or similar earth-moving operations if no cement, lumber or other building materials are used except clay tile and non-reinforced concrete pipe." This applies only to projects which can be completed without the use of any other materials. It does not apply to earth-moving operations which are part of a construction job in which other materials will be incorporated before completion. (Issued Nov. 23, 1943)

INTERPRETATION 4

PORTABLE STRUCTURES ON SKIDS

The erection of a portable or pre-fabricated building is construction and, consequently, is limited by Order L-41 whenever the building is either placed on a foundation constructed on the site or is placed on skids in a spot where it is intended to remain for an undetermined time. The only case in which the erection of a portable or pre-fabricated building is not "construction", is when it is placed on what is intended to be a temporary site with the purpose of moving it from time to time and without affixing it to the land by plumbing, public utilities connection, or in any other way. For example, the erection of a portable structure for use as a garage on a house lot is generally construction, but the erection of a shelter to be moved around for use on different parts of a farm from time to time is not construction. (Issued Mar. 24, 1944.)

INTERPRETATION 5

DISTINCTION BETWEEN RESIDENTIAL AND FARM CONSTRUCTION

Under the terms of paragraph (c) (1) of L-41 not more than $200 may be spent on a house, including the entire residential property, over a year's period. Under paragraph (c) (2) of that order not more than $1,000 may be spent on a farm, "including the farm houses," and no more than $200 on any farm house on the farm. A property is not necessarily a "farm" because farm products are produced on it but only if it is used primarily for the raising of crops, livestock, dairy products, poultry, etc., for the market. (Issued April 19, 1944)

INTERPRETATION 6

MAINTENANCE AND REPAIR OF SIDINGS

Paragraph (d) (1) of L-41 excepts maintenance and repair work necessary to keep a building or structure in sound working condition. If an existing siding or roof needs repair, the minimum amount of repair work may be done to put the siding or roof in suitable condition. Thus if a siding can be put in proper condition by putting on paint it should be done in this way. If, on the other hand, the siding has so deteriorated that a paint job will not provide adequate protection a new siding may be put on the building. The new siding need not be of the same material as the old siding. This interpretation is not applicable where asbestos materials are used for re-siding or re-roofing as the use of these materials is governed by Order L-41-d. (Issued Apr. 4, 1944)

INTERPRETATION 7

USE OF INSULATION MATERIALS

Paragraph (d) (7) of Conservation Order L-41 provides that it is not necessary to get War Production Board permission under that order for "Insulating buildings" with certain materials. The exception applies only to the insulation of existing buildings. It does not apply to the use of these materials in the original construction of a building, nor does it apply to the use of materials for other purposes than insulating buildings; for example, making alterations to a building or converting the building from one purpose to another. The cost of new insulating materials used in building a new building or in making alterations to an old building or converting an old building from one use to another must be included in the cost of the job.

For example, if rigid insulating material is used for partitions to make a new room, the cost of the insulating material must be included in the cost of the job, as this use of insulating material is not insulating a building. If an existing building is being converted from a store to a frozen food locker plant, the cost of the insulation materials installed must be included as part of the cost of conversion, as these materials are being used to convert a store to a locker plant, not to insulate a store. (Issued May 23, 1944)

DIRECTION 1

[Superseded by Schedule C, as amended, which gives instructions for filing applications]

DIRECTION 2

INSTALLATION OR RELOCATION OF MACHINERY AND EQUIPMENT

(a) *Installing processing machinery or equipment.* It is not necessary to get War Production Board permission under Order L-41 to install any piece of processing machinery or equipment, if the materials needed to install it cost less than $500 and it is to be installed in a factory, plant or other industrial unit having a productive floor area of 10,000 square feet or more and the processing machinery or equipment is to be used for manufacturing, processing, or assembling goods which are not listed in Schedule A of the order. It does not make any difference how much the processing machinery or equipment costs. The term "processing machinery or equipment" as used in this paragraph means machinery or equipment which is directly used in the manufacture, processing or assembling of a product. It does not include such equipment as plumbing, heating or air conditioning equipment, which is not used directly in the manufacture, processing or assembling of the product.

(b) *Relocating machinery or equipment.* It is not necessary to get War Production Board permission under Order L-41 to relocate any piece of machinery or equipment (whether used for processing or not) in a factory, plant or other industrial unit which does not manufacture, process or assemble goods listed in Schedule A of the order and which has a productive floor area of 10,000 square feet or more, if the machinery or equipment has previously been used in the same plant, and the materials needed to relocate it cost less than $500. It does not make any difference what the value of the machinery or equipment is. This paragraph does not give a person the right to install a piece of machinery or equipment (whether new or second-hand) which he is installing in his plant for the first time as distinct from relocating machinery or equipment previously used in the same plant.

(c) *Applications.* Where permission to install or relocate machinery is required by Order L-41, application for such permision should be made on the appropriate form indicated on Schedule C of Order L-41. Also, such form should be used in applying for priorities assistance to buy installation materials where they cannot be bought under this direction, even if permission to install or relocate is not required by Order L-41.

(d) This direction does not apply to the installation or relocation of machinery or equipment:

(1) For use in the future manufacture of items which at the time of installation is prohibited by an outstanding order of the War Production Board.

(2) In connection with construction of a kind which is limited by Order L-41. If permission under Order L-41 is required for the job the materials to install any equipment to be installed as part of the job must be obtained under the project authorization and not under this direction. (Issued April 19, 1944)

DIRECTION 3

BLANKET PERMISSION FOR MISCELLANEOUS CONSTRUCTION

(a) The War Production Board has been issuing blanket authorizations to applicants permitting them to carry on miscellaneous construction over a fixed period. Instructions as to how to apply for blanket authorizations have been described in WPBI-48 (formerly PDL-362). The need for blanket authorizations has been largely eliminated by the recent transfer of processing of small construction applications to the Field offices, by the simplification of War Production Board procedures under Direction 1 to CMP 6, and by the exception of certain types of minor capital additions under paragraph (d) (12) of L-41. For this reason blanket authorizations will no longer be issued generally but only in cases where it appears that the filing of individual project applications will interfere with the war effort or cause extreme hardship.

(b) In these circumstances applications for blanket authorization may be made on form WPB-617. Separate applications must be made for each "unit" as defined in paragraph (i) (5) of L-41. The applicant will prepare his application in the same way he would prepare an application to do a single job and in accordance with the instructions to form WPB-617. The need for a blanket authorization must be firmly established.

(c) Blanket authorizations will permit the builder to do miscellaneous routine construction but no materials may be acquired or used contrary to the Limitations which will be made a part of the authorization. In the case of equipment items which must be listed on the application, the builder may use only those which are specifically approved. The use of such items or deviations from the Construction Limitations will be approved only in exceptional cases. The applicant will be permitted to use the allotment symbol P-6 and the rating assigned for the procurement of material. While the blanket authorization will cover a number of jobs, no one job costing more than $10,000 will be authorized, and in certain cases a lower cost limit per job may be fixed. No reports of materials used will be required. No job for which tax amortization privileges will be requested may be included in a blanket application. A separate application should be filed for each such job at the time the request for tax amortization is made.

(d) This direction supersedes WPBI-48 (formerly PDL-362). (Issued April 19, 1944)

[F. R. Doc. 44-8942; Filed, June 20, 1944; 11:15 a. m.]

PART 3258—METHYL ISOBUTYL KETONE

[General Preference Order M-322, Revocation]

Section 3258.1 General Preference Order M-322 is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Methyl isobutyl ketone is subject to allocation under General Allocation Order M-300 as an Appendix A material, subject to Schedule 24, issued simultaneously with this revocation.

Use, delivery and acceptance of delivery of these materials prior to August 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M-322.

Issued this 20th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8950; Filed, June 20, 1944; 11:16 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L–23–c, as Amended June 20, 1944]

DOMESTIC COOKING APPLIANCES AND DOMESTIC HEATING STOVES

The fulfillment of requirements for the defense of the United States has created a shortage of materials for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3288.66 *Limitation Order L–23–c*—(a) *Definitions.* For the purpose of this order:

(1) "Domestic cooking appliances" means the following non-electric appliances: Gas ranges, cook stoves and hot plates for household use; coal and wood ranges and cook stoves for household use; fuel oil ranges, cook stoves, table stoves and hot plates for household use; combination ranges (including dual oven types, ranges with built-in kitchen heaters, and bungalow types) for household use; camp and trailer stoves for cooking purposes; fuel oil conversion range burners; and drum and portable ovens.

(2) "Domestic heating stoves" means any device (except electric) for the direct heating of the space in and adjacent to that in which the device is located, designed for use without heat distribution pipes or ducts as integral parts of such heating devices, and includes but is not limited to circulating, radiant and portable heaters; trailer and caboose stoves; and laundry stoves (except water jacketed and permanently built-in coil types). Domestic heating stoves shall not include floor or wall furnaces.

(3) "Stove" means any domestic cooking appliance or domestic heating stove.

(4) "Accessories" means aprons, high closets, high shelves, clocks, lights, timers, broiler pans other than iron or steel, cover-alls and any other instruments, attachments, or appurtenances (except top-burner lighters, thermostats, thermometers, top work space and storage compartments) for domestic cooking appliances not essential to any of the following three major cooking operations: Top burner cooking, oven baking and oven broiling.

(5) "Steel coal or wood range or cook stove" means a coal or wood range or cook stove in which the total weight of steel is 20% or more of the total weight of metal in the unit.

(6) "Base period" means the twelve month period from July 1, 1940 to June 30, 1941.

(b) *General restrictions on production.* (1) During the period from June 7, 1944 to July 1, 1944, no person shall manufacture, fabricate or assemble any stoves except such stoves as he is able to make from materials which were in inventory on July 29, 1943, or which the War Production Board has specifically authorized him to acquire and use under the Controlled Materials Plan, or otherwise.

(2) After July 1, 1944, no person shall manufacture, fabricate or assemble any stove except to the extent authorized by the War Production Board on Form GA–1850. (Application for authorization should be made in accordance with paragraph (b) (3)). The War Production Board will authorize limited production quotas so that the aggregate production of each type of stove will not exceed the percentage of the base period production specified in Schedule A. Production will not be authorized in any plant where such production, or labor requirements therefor, will interfere with war production in that plant, or in any other plant located in the same area.

(3) A person wishing to make stoves under paragraph (b) (2), should apply for authorization by letter addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., reference L–23–c. This letter should give all pertinent information with respect to proposed production and should request authorization to produce stoves in only those fuel types which he manufactured during the base period. Where the applicant will need controlled materials in order to produce the equipment, the letter requesting authorization should be accompanied by an application on form CMP–4B for the controlled materials.

(c) *Special restrictions on production.* In addition to the restrictions contained in paragraph (b), all of the following special restrictions must also be complied with:

(1) No person shall manufacture, fabricate or assemble any stoves except in the fuel types manufactured by him during the base period.

(2) No person shall manufacture, fabricate or assemble any accessories or incorporate them into any stove except that those non-electric accessories, not including cover-alls, which were in his stock in a completely assembled and finished condition on June 7, 1944, may be used in the production of stoves.

(3) No thermostats for use with stoves shall be produced.

(4) No person shall manufacture, fabricate or assemble any stoves except those listed on Schedule B attached, and then only in accordance with the numbers of models, sizes and other specifications set forth therein.

(5) No person shall use any "bright work", "bright finish", metal finish or trim containing copper, nickel, chrome, aluminum, or other alloy in the production of stoves.

(d) *Exceptions.* (1) The restrictions of this order do not apply to the production of repair and replacement parts. However, no person shall produce repair or replacement parts in excess of the quantity required to maintain a practicable minimum working inventory.

(2) The restrictions of paragraphs (c) (1) and (c) (4) of this order do not apply to the production of stoves not available in the producer's inventory when required by the Army, Navy, Maritime Commission, War Shipping Administration, Foreign Economic Administration or Coast Guard, or by rules and regulations promulgated by the Coast Guard for merchant vessels or for approved installation in a building or project authorized by any order in the P–19 or P–55 series or on Form GA–1456 or Form WPB–2696 or to fill orders authorized by the Maritime Commission on Form WPB–646.

(3) Nothing contained in this order shall restrict the manufacture, fabrication or assembly of trailer or caboose stoves.

(e) *Reports.* Manufacturers of stoves shall report on or before the tenth day of each month on Form WPB–3240. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Applicability of regulations.* All persons and transactions affected by this order are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(g) *Applicability of other orders.* Insofar as any other orders heretofore or hereafter issued by the War Production Board limit the use of any material in the production of stoves to a greater extent than the restrictions imposed by this order, the restrictions of such other order shall govern, unless otherwise specified therein.

(h) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB–1477 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(i) *Communications.* All communications concerning this order, except appeals, shall unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., reference L–23–c.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 20th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A*

	Percentage of total unit production by all producers in the base period (July 1, 1940 to June 30, 1941)
Domestic cooking appliances:	
1. Gas ranges and cook stoves	40
2. Combination, bungalow and kitchen heater ranges	40
3. Coal and wood ranges and cook stoves	100
4. Fuel oil ranges and cook stoves	40
5. Gas hot plates	75
6. Portable and drum ovens	75
Domestic heating stoves:	
1. Gas fired heaters	75
2. Oil fired heaters	40
3. Coal and wood heaters	100
4. Coal and wood laundry stoves	100

SCHEDULE B

NOTE: Items 9 & 10 amended June 20, 1944.

Domestic cooking appliances	Maximum number of models or sizes permitted	Types
1. Gas ranges	3	One to have 3 top burners, broiler optional. One to have 4 top burners with broiler and bake oven. One to have 4 top burners, broiler optional, but without storage compartments or top work space.
2. Gas hot plates	2	1—1 burner, 1—2 burner, 1—3 burner.
3. Coal or wood ranges and cook stoves	3	2 steel ranges or cook stoves. 2 cast iron ranges. 2 cast iron cook stoves (At least one steel range or cook stove, one cast iron range and one cast iron cook stove manufactured by any producer shall be the lightest of each in his line).
4. Gas and coal or wood combination ranges	1	
5. Bungalow or kitchen heater range (gas and coal or wood)	1	
6. Fuel oil ranges	2	1—3 top burner range with bake oven. 1—2 top burner range with bake oven.
7. Fuel oil stoves	2	1—2 burner stove. 1—3 burner stove.
8. Fuel oil table stoves	3	1—1 burner stove. 1—2 burner stove. 1—3 burner stove.
9. Portable ovens	2	1 single oven. 1 double oven.
10. Drum ovens	1	

Domestic heating stoves	Number of models or sizes permitted	Maximum of models or sizes permitted in B. t. u. capacities per hour
1. Gas radiant	10	2—12,000 or less input. 2—12,001 to 20,000 input. 2—20,001 to 30,000 input. 2—30,001 to 45,000 input. 2—over 45,000 input.
2. Gas circulating	6	2—30,000 or less input. 2—30,001 to 50,000 input. 2—over 50,000 input.
3. Fuel oil portable (ball type)	No restriction.	
4. Fuel oil circulating	5	2—30,000 or less output. 1—30,000 to 40,000. 1—40,000 to 55,000. 1—over 55,000.
5. Cast iron or steel coal and/or wood	10	
6. Sheet steel wood stoves	6	
7. Laundry stoves	6	4—2 hole stoves. 2—4 hole stoves. (1—2 hole stove and 1—4 hole stove manufactured by any producer shall be the lightest of each in his line.)

INTERPRETATION 1: Superseded June 7, 1944.

[F. R. Doc. 44–8938; Filed, June 20, 1944; 11:14 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L–199 as Amended June 20, 1944]

PLUMBING AND HEATING TANKS

§ 3288.6 *General Limitation Order L–199*—(a) *Definitions.* For the purpose of this order:

(1) "Tank" means any metal expansion tank, metal hot water storage tank and metal range boiler, if the tank or range boiler is used in hot water supply systems or in hot water space heating systems. The term does not include any tank used as an integral part of a direct fired water heater or indirect water heater, the manufacture of which is covered by Limitation Order L–185.

(2) "Hot water supply system" means any system for supplying hot water used in whole or in part for bathing, washing, cleaning, cooking or other similar purposes. The term does not include any system for supplying hot water for specialized industrial or agricultural purposes.

(3) "Hot water space heating system" means any system which is designed for the purposes of heating the interior of a building or other structure (including ships) by utilizing the heat of hot water.

(4) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(5) "Base period" means the calendar year 1941.

(b) *Use of copper, stainless steel, and monel metal in manufacture.* No person shall use in the manufacture, fabrication or assembly of any tank, any copper, copper base alloy, stainless steel, or monel metal except:

(1) For repair parts;

(2) For temperature, pressure, and vacuum safety valves;

(3) For tank spuds or tappings.

(c) *Restrictions on sizes and design of tanks.* No person may fabricate, manufacture, or assemble black iron, galvanized iron, or porcelain enameled range boilers or black iron or galvanized iron expansion tanks, except in accordance with the specifications in Schedules A, B and C.

(d) *Use of non-ferrous tanks for replacement.* No person may deliver or install copper, copper base alloy or monel metal tanks in existing inventories except to replace a non-ferrous tank of similar capacity or larger.

(e) *Restrictions on production.* No person shall manufacture or assemble more tanks than his quota, which, for each calendar year, shall be determined by the percentage indicated below of his base period unit production of the same classification of tanks. However, regardless of the number of tanks he may have produced before June 2, 1944, the quota for the period from that date through December 31, 1944 shall be 7/12 the quota for each calendar year:

	Percent
Range boilers and expansion tanks	70
Storage tanks	75

(f) *General exceptions.* The restrictions of paragraphs (b) and (c) do not apply to the production of articles or parts not available in the producer's inventory for use in ships, boats, planes or advance bases when required by the Army, Navy, Maritime Commission, War Shipping Administration, or Coast Guard, or by rules and regulations promulgated by the Coast Guard for merchant vessels.

(g) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB–1477 (formerly PD–500) with the field office of the War Production Board, for the district in which is located the plant or branch of the person filing the appeal.

(h) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Reference L–199.

(i) *Reports.* Each producer shall execute and file with the War Production Board such reports as the War Production Board may specify from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 20th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

BLACK IRON OR GALVANIZED RANGE BOILERS—STANDARD, EXTRA HEAVY, AND DOUBLE EXTRA HEAVY—PERMITTED SPECIFICATIONS

Inside diameter of tank	Length of shell (length of sheet—not over-all length)	Nominal capacity	Tappings pipe size	Tappings
Inches	*Inches*	*U. S. Gals.*	*Inches*	*Number*
12	30	15	1	6
12	60	30	1	6
14	60	40	1	6
18	60	66	1	6
20	60	82	1	6
24	60	120	1¼	6

Construction: Welded seams only.
Hand Holes and Manholes: None permitted.
Inspection Tappings: None permitted.
Tappings: Six tappings: One side tapping, 6 inches from the top edge of sheet, and one 6 inches from the bottom edge of sheet in line; two tappings in the top; one tapping in the bottom; and one tapping on the side at 180° from the line of the other two side tappings—15 gallon size tanks to have such tappings 9 inches from the bottom edge of sheet, all other size tanks to have such tapping 18 inches from the bottom edge of sheet.

SCHEDULE B

PORCELAIN ENAMELED RANGE BOILERS—PERMITTED SIZES (NOMINAL CAPACITY)

30 U. S. Gallons.
40 U. S. Gallons.
52 U. S. Gallons.

SCHEDULE C

EXPANSION TANKS—PERMITTED SPECIFICATIONS

Inside diameter	Length of shell (length of sheet—not over-all length) (inches)	Nominal capacity (U. S. gal.)
12	20	10
12	30	15
12	60	30
14	30	20
14	60	40

Construction: Welded seams only.

INTERPRETATION 1: Superseded November 22, 1943.

INTERPRETATION 2: Superseded June 2, 1944.

[F. R. Doc. 44-8943; Filed, June 20, 1944; 11:15 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M-310, Revocation of General Direction 2]

General Direction 2 to *General Conservation Order M-310* is hereby revoked. This action shall not be construed to affect in any way any liability or penalty incurred under said direction.

Issued this 20th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8949; Filed, June 20 1944; 11:16 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[Conservation Order M-328B, Supplement I to Schedule A]

The following Supplement I to Schedule A is issued pursuant to *Conservation Order M-328B* (§ 3290.120a):

MEN'S SHORTS PROGRAM NO. 1

Item No.	Item	Size range	Fabric allowed
1	Men's shorts	28" to 44" (waist measure)	Print Cloth 64 x 56—5.50 Yard 36½"

The item is required to be produced and put into distribution during July, August and September, 1944.

Priorities assistance will be given only for the material specified above.

Applicants should base their estimated production on their present labor and machinery.

Each applicant whose application is granted is required to produce the item in accordance with the standards and specifications set forth in Table I, below. At least 25% of the production must be in sizes 38" to 44" (waist measure).

Each applicant whose application is granted will be assigned a WPB Case Number which he is required to stamp directly on the waist band of each garment produced by him under this program. This case number may not be used on any other merchandise produced by the applicant.

No manufacturer may sell or deliver any garments made from material obtained under this program, unless the garments conform in all respects to the standards and specifications set forth in Table I, and are stamped with the manufacturer's WPB Case number.

Applications that are not completely and accurately filled out may be denied.

The item must be produced for sale only within the price range specifically established by the Office of Price Administration for garments produced under this program.

APPLICATION FORM WPB-3732

Filing date. Applications must be filed within 15 days after the Office of Price Administration announces the ceiling price established by it for garments produced under this program.

TABLE I—STANDARDS FOR SPECIAL SHORTS (MEN'S)

1. *Type.* These special men's shorts shall be of three button yoke type with tis sides.

2. *Fabric.* The fabric shall be 66 x 56, 5.50 yard, 36½ inch print cloth. It shall have good colorfastness to laundering, being equivalent to "Class 3 colorfastness to laundering" as determined in Section X of Commercial Standard CS 59-44.

3. *Sizes and yardage limitations.*

Regular sizes. (a) The minimum yardage per dozen shorts shall be 12 yards based on the following size assortment. (Other size assortments are permissible, but pro rata yardage shall apply.)

SIZE ASSORTMENT PER TWENTY-FOUR DOZEN

Size	28	30	32	34	36	38	40	42	44
Dozen	½	3½	4½	5½	4	2½	2	1	½

(b) Minimum basic dimensions for the finished shorts shall be equivalent to the following:

Size	28	30	32	34	36	38	40	42	44
	In.	*In.*	*In.*	*In.*	*In.*	*In.*	*In.*	*In.*	*In.*
Waist	28½	30½	32½	34½	36½	38½	40½	42½	44½
Total length	16	16½	16½	17¼	17¼	17¾	17¾	18¼	18¾
Leg width	11¼	12	12¾	13	13¾	14	14½	15	15½
Front rise	12¾	13	13	13½	13½	14	14	14½	14½
Back rise	18½	19	19	19½	19½	20½	20½	21	21
Inseam	11	11	11	11	11	11	11	11	11
Width across seat	21	22	23	24	25	26	27	28	29

Extra sizes. (a) The minimum yardage per dozen shorts shall be 17 yards based on the following size assortment: (For other size assortments pro rata yardage shall apply.)

SIZE ASSORTMENT PER DOZEN

Size	46	48	50	52
Dozen	5	3	2	2

(b) Minimum basic dimensions for the finished shorts shall be equivalent to the following:

Size	46	48	50	52
	Inches	*Inches*	*Inches*	*Inches*
Waist	46½	48½	50½	52½
Total length	18¾	18¾	19¼	19¼
Leg width	16	16½	17	17½
Front rise	15	15	15½	15½
Back rise	21½	21½	22	22
Inseam	11	11	11	11
Width across seat	30	31	32	33

(c) Method of measurement shall conform with Commercial Standard CS-33-43, July 30, 1943, for shorts, athletic, men's flat knit, Paragraphs 160-165. (Inseam—"The width across inseam measured from inside corner of one leg to inside corner of another leg, leg spread and inseam stretched taut in straight line".)

4. *Seams, stitching and construction.* Side seams, setting belt seams and felling seams shall have not less than 10 stitches per inch, on double needle machine. There shall be a bar tack at the fly bottom. The shorts shall be made with buttons of not less than 20 ligne size.

5. *Workmanship.* These shorts shall be made in accordance with the manufacturer's factory standards previously established for the next higher price range of shorts manufactured during the six month period between July 1, 1943 and December 31, 1943. Such standards shall apply to workmanship, inspections, pressing, folding and other operations involved from receipt of piece goods to the preparation of the completed shorts for marketing.

Issued this 20th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8940; Filed, June 20, 1944; 11:14 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[Conservation Order M-328B, Supplement II to Schedule A]

The following Supplement II to Schedule A is issued pursuant to *Conservation Order M-328B* (§ 3290.120a):

MEN'S SHIRTS PROGRAM NO. 1

Item No.	Item	Size range	Fabric allowed
1	Men's shirts (dress)	14" to 17" (neckband)	{Print Cloth 68 x 64, 4.85 yard 39" / Carded Broadcloth 100 x 60, 4.10 yard 37"}

The item is required to be produced and put into distribution during July, August and September, 1944.

Priorities assistance will be given only for the material specified above.

Applicants should base their estimated production on their present labor and machinery.

Each applicant whose application is granted is required to produce the item in accordance with the standards and specifications set forth in Table I, below.

Each applicant whose application is granted will be assigned a WPB Case Number which he is required to stamp directly on the tail or neck band of each garment produced by him under this program. This case number may not be used on any other merchandise produced by the applicant.

No manufacturer may sell or deliver any garments made from material obtained under this program, unless the garments conform in all respects to the standards and specifications set forth in Table I, and are stamped with the manufacturer's WPB case number.

Applications that are not completely and accurately filled out may be denied.

The item must be produced for sale only within the price range specifically established by the Office of Price Administration for garments produced under this program.

APPLICATION FORM WPB-3732

Filing date.—Applications must be filed within 15 days after the Office of Price Administration announces the ceiling price established by it for garments produced under this program.

TABLE I—STANDARDS FOR SPECIAL MEN'S SHIRTS

1. *Type.* This special men's shirt shall be of the regular soft collar type having a six button front and one pocket.

2. *Fabric.* (a) The fabric shall be 68 x 64, 4.85 yard, 39 inch print cloth, printed with a suitable shirting pattern; and 100 x 60 carded broadcloth, 4.10 yard, 37 inches wide for white or plain solid colors. It shall have "superior" colorfastness to laundering being equivalent to "Class 4 colorfastness to laundering", as determined in Section X of Commercial Standard CS 59-44; and shall be shrunk so that residual shrinkage is not more than 2% when tested in accordance with Section XVII of CS 59-44.

3. *Sizes and yardage limitations.* (a) The minimum yardage per dozen shirts shall be 36 yards based on the following size assortment. (Other size assortments are permissible but pro rata yardage shall apply.)

SIZE ASSORTMENT PER DOZEN

Size	14	14½	15	15½	16	16½	17
By size	½	2	3	3	2	1	½
By Sleeve length:							
Sleeve length 32	0	4	2	2	0	0	0
" " 33	0	0	0	6	5	5	0
" " 34	0	2	4	4	5	5	8
" " 35	0	0	0	0	2	2	4

(b) Minimum basic dimension for the finished shirts shall be as follows:

Size	14	14½	15	15½	16	16½	17
Neckband	14¾	15	15¼	15½	15¾	16	16¼
Chest	43	44	46	48	50	52	54
Length (maximum as specified in L-169)	30	30	30	30	30	30	30

Method of measurement: Recommended Commercial Standard for Men's Shirts TS-2665 10-26-38

4. *Seams, stitching and construction.* Structural (side and yoke) seams shall be made with not less than 14 stitches per inch. Top stitching in collar shall have not less than 16 stitches per inch. The shirt shall have a full center pleat and shall have linings at the center strip, cuffs, collar and band. Linings shall not be lower than 6.25 yard (38½ inch) cotton, and shall be shrunk to the same extent as the body fabric. The shirt shall be made with side gussets or other suitable side seam reinforcement and shall be made with buttons not less than 16 ligne size.

5. *Workmanship.* These shirts shall be made in accordance with the manufacturer's factory standards previously established for the next higher price range of shirts manufactured during the six month period between July 1, 1943 and December 31, 1943. Such standards shall apply to workmanship, inspections, pressing, folding and other operations involved from the receipt of piece goods to the preparation of the completed shirts for marketing.

Issued this 20th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8953; Filed, June 20, 1944; 11:16 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[Conservation Order M-328B, Supplement III to Schedule A]

The following Supplement III to Schedule A is issued pursuant to *Conservation Order M-328B* (§ 3290.120a):

WOMEN'S HOUSE DRESSES PROGRAM NO. 1

Item No.	Item	Size range	Fabric allowed
1	Women's House Dresses	12 to 20	Print cloth 68 x 64—4.85 yard, 39"
2	Women's House Dresses	38 to 44	
3	Women's House Dresses	46 to 52	

The items are required to be produced and put into distribution during July, August and September, 1944.

Priorities assistance will be given only for the material specified above.

Applicants should base their estimated production on their present labor and machinery.

Each applicant whose application is granted is required to produce the items in accordance with the standards and specifications set forth in Table I, below. At least 75% of the production of Item 1 must be in sizes 16 to 20.

Each applicant whose application is granted will be assigned a WPB Case Number which he is required to stamp on a size ticket or label which must be firmly sewed on each garment produced by him under this program. This ticket or label must not be removed from the garment. This Case Number may not be used on any other merchandise produced by the applicant.

No manufacturer may sell or deliver any garments made from material obtained under this program, unless the garments conform in all respects to the standards and specifications set forth in Table I, and have attached a ticket or label with the manufacturer's WPB Case Number.

Applications that are not completely and accurately filled out may be denied.

The items must be produced for sale only within the price ranges specifically established by the Office of Price Administration for garments produced under this program.

APPLICATION FORM WPB-3732

Filing date. Applications must be filed within 15 days after the Office of Price Administration announces the ceiling prices established by it for garments produced under this program.

TABLE I—STANDARDS FOR SPECIAL HOUSEDRESSES

1. *Type.* This standard is applicable to any style, type or model of housedress that the manufacturer may wish to produce, within the limitations of the remainder of these specifications.

2. *Fabric.* The fabric shall be 68 x 64, 4.85 yard, 39 inch print cloth. It shall show good colorfastness to laundering, being equivalent to "Class 3 color fastness to laundering" as determined in Section X of Commercial Standard CS 59-44.

3. *Sizes and yardage limitations:*

(a) *Regular sizes.* The minimum yardage per dozen garments shall be as follows based on the accompanying size assortments: (Other size assortments are permissible but pro rata yardage shall apply.)

Size range	Minimum yards per dozen	Size assortment per dozen				
12 to 20	32	Size	14	16	18	20
			2	4	4	2
38 to 44	38	Size	38	40	42	44
			2	2	4	4
46 to 52	42	Size	46	48	50	52
			4	4	2	2
54 to 60	47	Size	54	56	58	60
			3	3	3	3

(b) Minimum basic dimensions for the finished housedresses shall be as follows:

Size	12	14	16	18	20	36	40	42	44	46 46	48 47	50 49	52 51	54	56	58	60
Length (inches)	40	41	42	42	43	43	43½	44	44½	45½	46	46½	47	47½	48	48½	49
Bust (inches)	35	37	39	41	43	45	47	49	51	53	55	57	59	61	63	65	65
Hip (inches)	36½	38½	40½	42½	44½	44½	46½	48½	50½	52½	54½	56½	58½	60½	62½	64½	66½
Sweep (inches)	64	66	66	66	68	68	70	72	74	76	78	80	82	84			

Method of measurement shall conform with Proposed Commercial Standard on Size Measurements for Women's Dresses TS-2728, September 11, 1939, except that hip shall be measured 8" below the waist.

4. *Seams and stitching.* All structural seams shall be made with a fabric allowance behind the stitch line of not less than ½" before pinking, overlock stitching or other treatment, and shall have not less than 10

stitches per inch. Bottom hems on straight line garments shall be not less than 1" and not less than ¼" on flare or swing styles.

5. *Workmanship.* These housedresses shall be made in accordance with the manufacturer's factory standards previously established for the similar or nearest higher price range of housedresses manufactured during the six month period between July 1, 1943 and December 31, 1943. Such standards shall apply to workmanship, inspections, pressing, folding and other operations involved from the receipt of yard goods to the preparation of the completed housedresses for marketing.

Issued this 20th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8952; Filed, June 20, 1944; 11:16 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[Conservation Order M-328B, Supplement IV to Schedule A]

The following Supplement IV to Schedule A is issued pursuant to *Conservation Order M-328B* (§ 3290.120a):

MISSES' AND WOMEN'S SLIPS PROGRAM No. 1

Item No.	Item	Size ranges	Fabric allowed
1	Misses' and women's slips (builtup shoulder)	34 to 44	Print cloth 68 x 64, 4.85 yard, 39".
2	Misses' and women's slips (builtup shoulder)	46 to 52	Print cloth 68 x 64, 4.85 yard, 39".
3	Misses' and women's slips (bodice)	34 to 44	Print cloth 68 x 64, 4.85 yard, 39".

The items are required to be produced and put into distribution during July, August and September 1944.

Priorities assistance will be given only for the material specified above.

Applicants should base their estimated production on their present labor and machinery.

Each applicant whose application is granted is required to produce the items in accordance with the standards and specifications set forth in Table I, below. At least 75% of the production of Items 1 and 3 must be in sizes 38 to 44.

Each applicant whose application is granted will be assigned a WPB Case Number which he is required to stamp on a size ticket or label which must be firmly sewed on each garment produced by him under this program. The size ticket or label with the manufacturer's Case Number must not be removed from the garment. This Case Number may not be used on any other merchandise produced by the applicant.

No manufacturer may sell or deliver any garments made from material obtained under this program, unless the garments conform in all respects to the standards and specifications set forth in Table I, and have attached a size ticket or label with the manufacturer's WPB Case Number.

Applications that are not completely and accurately filled out may be denied.

The items must be produced for sale only within the price ranges specifically established by the Office of Price Administration for garments produced under this program.

APPLICATION FORM WPB-3722

Filing date. Applications must be filed within 15 days after the Office of Price Administration announces the ceiling prices established by it for garments produced under this program.

TABLE I—STANDARDS FOR SPECIAL COTTON SLIPS

1. *Type.* These special cotton slips shall be straight cut, either built up shoulder or bodice top single yoke types.

2. *Fabrics.* The fabric shall be 68 x 64, 4.85 yd. 39 inch print cloth.

3. *Sizes and yardage limitations.* (a) The minimum yardage per dozen slips shall be as follows, for each type, based on the accompanying size assortment. (Other size assortments are permissable but pro rata yardage shall apply).

Type	Size range	Minimum yards per dozen	Size assortment per dozen						
Built up shoulder	34-44	21½	Size	34	36	38	40	42	44
				1	1	2	2	3	3
	46-52	25½	Size	46	48	50	52		
				4	3	2	3		
Bodice	34-44	19	Size	34	36	38	40	42	44
				1	2	3	2	2	2

(b) Minimum basic dimensions for the finished slips shall be as follows:

Size	32	34	36	38	40	42	44	46	48	50	52	54
Bust	32½	34½	36½	38½	40½	42½	44½	46½	48½	50½	52½	54½
Hip	37	39	41	43	45	47	49	51	53	55	57	59
Sweep	48	48	50	52	54	56	58	60	62	64	66	68
Length—built up shoulder type	40½	41	41½	41½	42½	42½	42½	44	44	45	45	45
Strap type	34	34½	35	35	36	36	36	37	37	38	38	38

Method of measurement shall conform with Proposed Commercial Standard for Women's Slips TS 3581, September 22, 1943.

4. *Seams, stitching and construction.* Structural (side and yoke) seams shall be made with not less than 12 stitches per inch. If not bound, seams shall be made with a fabric allowance behind the stitch line of not less than ½ inch before pinking. Bottom hems shall be not less than one inch.

5. *Workmanship.* These slips shall be made in accordance with the manufacturer's factory standards previously established for the similar or nearest higher price range of cotton slips manufactured during the six month period between July 1, 1943 and December 31, 1943. Such standards shall apply to workmanship inspections, pressing, folding and other operations involved from the receipt of piece goods to the preparation of the completed slips for marketing.

Issued this 20th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8951; Filed, June 20, 1944; 11:16 a. m.]

PART 3291—CONSUMERS DURABLE GOODS[1]

[Supplementary General Limitation Order L-28-a, as Amended June 20, 1944]

INCANDESCENT, FLUORESCENT AND OTHER ELECTRIC DISCHARGE LAMPS

§ 3291.115[1] *Supplementary General Limitation Order L-28-a—(a) Definitions.* For the purposes of this order:

(1) "Incandescent lamp" means any hermetically-sealed lamp or bulb, designed primarily to produce light, which makes use of a metal or carbon filament or metal wire, strip, foil or compound as the source of light.

(2) "Fluorescent lamp" means any hermetically-sealed electric discharge lamp or tube (other than a cold-cathode tube) in which the radiant energy from the electric discharge is converted by suitable phosphor coatings into visible wave lengths.

(3) "Glow discharge lamp" means any hermetically-sealed electric discharge lamp or tube (other than a fluorescent lamp) containing gases or vapors and designed to operate at impressed voltages of less than one thousand volts.

(4) "Manufacturer" means any person who produces or assembles any incandescent, fluorescent or glow discharge lamp or part therefor, or who coats, etches or otherwise marks any such lamps for use by any other person.

(b) *General restrictions.* (1) Except pursuant to specific authorization of the War Production Board, no manufacturer shall (i) produce or assemble any incandescent, fluorescent or glow discharge lamp except lamps which conform to the specifications contained in Schedule A, attached to this order, or coat, etch or otherwise mark any incandescent, fluorescent or glow discharge lamp which does not conform to the specifications

[1] Formerly Part 1049, § 1049.2.

contained in Schedule A after such coating, etching or marking is completed; (ii) produce any part (including a filament) for incandescent, fluorescent or glow discharge lamps which part cannot be used in a lamp conforming to the specifications contained in Schedule A; or (iii) coat, etch or otherwise mark on any incandescent, fluorescent or glow discharge lamp or part therefor any trade mark or identification of any person other than himself or another manufacturer.

(2) [Deleted June 20, 1944]

(3) [Deleted June 20, 1944]

(4) None of the restrictions contained in this paragraph (b) shall apply to the production, assembly or marking of:

(i) Any incandescent, fluorescent or glow discharge lamp, or any part for such lamps, in fulfillment of any specific contract or purchase order for delivery of incandescent, fluorescent or glow discharge lamps to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, or to the government of any country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act): *Provided,* That:

(a) [Deleted June 20, 1944]

(b) Each such contract or purchase order contains or is accompanied by a written certification in the following form, signed by the appropriate procuring officer or the person placing such order:

This is to certify that no lamps which..... (name of manufacturer) has stated that it is permitted to produce under the provisions of Schedule A of Limitation Order L-28-a are suitable for the service for which the lamps specified in this order are being purchased.

Name

Title

(ii) Any incandescent lamp, or part for such lamp, designed for use in diagnostic or surgical instruments and equipment.

(iii) Any incandescent lamp or part for such lamp, designed for use as a photometric standard in the production or measurement of incandescent, fluorescent or glow discharge lamps.

(c) *Applicability of other orders.* Nothing contained in this order shall be deemed to relax in any way the restrictions contained in General Limitation Order L-28. In so far as any other order heretofore or hereafter issued by the War Production Board shall limit the use of any material in the manufacture of incandescent, fluorescent or glow discharge lamps to a greater extent than the restrictions imposed by this order, the provisions of such other order shall govern unless otherwise specified therein.

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(e) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB-1477 in triplicate, with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(f) *Records.* All persons affected by this order shall keep and preserve, for not less than two years, accurate and complete records concerning inventories, production and sales.

(g) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Washington 25, D. C., *Ref:* L-28-a.

Issued this 20th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—ELECTRIC LAMPS

CONTENTS

General Explanations
Specific Instructions
Electric Discharge Lamps:
  Fluorescent Lamps
  Glow Discharge Lamps
Incandescent—Filament Lamps:
  Carbon Filament Lamps
  Tungsten Filament Lamps:
    Miniature
    L
    Mine
    Large
    Photo Lamps:
      Photoflash
      Photoflood
      Photographic Enlarger

GENERAL EXPLANATIONS

Except to fill orders expressly excepted by Limitation Order L-28-a, a manufacturer, may produce only those incandescent, fluorescent, and glow discharge lamps listed on this schedule. Manufacturers under this schedule are permitted to produce any of the lamps listed on this schedule subject to the specific instructions below.

The terms and abbreviations used in this schedule are those standard manufacturers' terms on file with the United States Department of Commerce, National Bureau of Standards, except as otherwise mentioned herein.

SPECIFIC INSTRUCTIONS

No manufacturer may produce lamps described on a single line of this schedule which differ in respect to the specifications contained in Schedule A; and to the following specifications:

(a) Design life
(b) Light center length
(c) Overall length
(d) Filament construction.

The following comments refer to the headings of the columns in the schedule:

Manufacturers' trade number: Included for convenience of identification only.

Volts: When more than one figure appears in this column, separated by commas, as "115,120,125", a manufacturer may produce lamps capable of use on each of the voltages listed. When a range of volts appear, such as "3–125", only one type of lamp may be produced by a manufacturer, and it must be capable of satisfactory operation within the whole range of voltages specified. When more than one figure appears in this column, separated by a diagonal, thus "1.88/2", the lamp must contain at least two filaments, one of which will operate at 1.88 volts, and the other at 2 volts.

Watts: When the letter "A" appears as a suffix in this column, it refers to ampere ratings rather than to watts. When the letters "C. P." appear in this column, the rating given is in candlepower rather than in watts. When more than one figure appears in this column, separated by one or more diagonals, thus "30/6", the lamp must contain two or more filaments which, separated or together, will operate at all the specified wattages, candlepowers or amperes.

Base: A manufacturer may produce incandescent lamps having any of the following special bases: *Provided,* That such lamps conform in all other respects to this Schedule:

Left-hand medium screw (No. 1809);
Single contact medium bayonet (No. 1202);
Double contact medium bayonet (No. 210);
Export medium screw (No. 1844), and
Export mogul screw (No. 1823).

In all other cases a manufacturer may use only one type of base for lamps appearing on a single line of this schedule, except that when a bayonet candelabra base is specified, a manufacturer may use single contact and double contact bases.

Bulb finish: A manufacturer may produce lamps described on a single line of this Schedule with each of the finishes specified in this column, except that where "diffusing" is listed, a clear glass bulb may also be used. Where no finish is specified, a clear glass bulb must be used. When two finishes are listed, separated by a dash, such as "Diff.—lacquer coated", a clear bulb may not be used. When two finishes are listed, separated by a comma, such as "Diff., SB", four types of lamps may be produced; that is, a "Clear Lamp", "Diffusing Lamp", "Clear Silvered Bowl Lamp", and "Diffusing Silvered Bowl Lamp".

"Diffusing" means having a translucent bulb which is substantially white when illuminated.

"Blackout Lamp" means a lamp having a lumen output of less than 1 Lumen per Watt, with an opaque coating of more than 50% of the external or internal glass surface.

Abbreviations: The following is an explanation of some of the abbreviations which appear in this Schedule:

Diff.—Diffusing,
DF—Clear-Side Reflector and Diffusing-Side Reflector,
DY—Clear Daylight and Diffusing Daylight,
NS—Clear Silvered Neck and Diffusing Silvered Neck,
SB—Clear Silvered Bowl and Diffusing Silvered Bowl,
WB—Clear White Bowl.

FLUORESCENT LAMPS

Watts	Base	Bulb finish (color)	Description and/or use
RP-12 Bulb			
2	D. C. Indexing	360 BL	Black light for 12/16 volt DC circuits.
4	do	360 BL	Black light for 24/28 volt DC circuits.
S-6 Bulb			
2	do	360 BL	Do.
T-5 Bulb			
4	Min. Bipin	Daylight, white.	
4	FA-5	Daylight, blue, green.	
4	FA-5	360 BL-2	Black light.
6	Min. Bipin	Daylight, white.	
6	do	360 BL	Do.
6	FA-5	Daylight.	
8	Min. Bipin	Daylight, white.	
T-8 Bulb			
15	Med. Bipin	Daylight, white	
15	do	360 BL	Do.
30	do	Daylight, white	
30	do	360 BL	Do.
T-10 Bulb			
85	3 & 2 Prong	Blue white, industrial white	Type RF.
T-12 Bulb			
14	Med. Bipin	Daylight, white	
15	do	do	
20	do	do	
40	do	do	
40	do	360 BL	Black light.
40	do	White	Low ambient temperature operation.
T-17 Bulb			
65	Mog. Bipin	Daylight, white	
100	do	do	

GLOW DISCHARGE LAMPS

All types except those designed primarily for advertising, decorative or display purposes, or for use on amusement devices, Christmas trees, household appliances and toys.

CARBON FILAMENT LAMPS

All types except those designed primarily for advertising, decorative or display purposes, or for use on amusement devices, Christmas trees, household appliances and toys.

TUNGSTEN FILAMENT LAMPS

Miniature

Mfrs. No.	Volts	Watts	Base	Bulb finish	Description and/or use
	B-3½ Bulb				
PR8	1.9	0.60A	S. C. Min. Fl		Flashlight.
PR11	2	0.27A	do		Do.
PR4	2.3	0.27A	do		Do.
PR6	2.5	0.30A	do		Do.
PR9	2.7	0.15A	do		Do.
PR7	3.8	0.20A	do		Do.
PR10	6	0.50A	do		Flashing signal.
	B-4 Bulb				
101	2.5	0.35A	Min	Opal back with lens end.	Surgical.
102	2.5	1.10A	do	do	Do.
103	3.8	0.38A	do	do	Do.
	B-12 Bulb				
2400X	6-8	45/35	(1)	Shielded	Auto headlamp.
2400	6-8	45/35	(1)		Do.
	12	36	Fur. by user		British signal.
24128X	12-16	45/35	(1)	Shielded	Tank headlamp.
2412X	12-16	45/35	(1)		Auto headlamp.
2412	24	36	Fur. by user		British signal.

¹ Unthreaded cylinder with three contact lugs.

TUNGSTEN FILAMENT LAMPS—Continued

Miniature—Continued

Mfrs. No.	Volts	Watts	Base	Bulb finish	Description and/or use
	FE-3¼ Bulb				
201E	1.1	0.22A	Min	Enamel back	Flashlight.
206E	2	0.05A	do	do	Do.
223	2.2	0.26A	do		Do.
701					
	G-3 Bulb				
140	6.0	0.38A	Furn. by user		Surgical.
	G-3½ Bulb				
122	1.2	0.30A	Min		Flashlight.
131	1.3	0.10A	do		Bicycle tail lamp.
351	1.3	0.10A	Min. Bay		Radio panel.
350	1.35	0.06A	Min		Flashlight.
196	1.90	0.60A	do		Do.
195	1.93	0.45A	do		Do.
352	2	0.06A	do		Radio panel.
358	2	0.20A	do		Pilot balloon observation.
356	2.2	0.25A	do	Clear—Daylight	Color comparator.
233	2.3	0.27A	do		Flashlight.
710					
14	2.5	0.30A	do		Do.
714					
354	2.5	0.30A	Min. Bay		Oil well gauge.
355	2.6	0.10A	Min		Bicycle tail lamp.
353X	2.6	0.30A	do		Flashlight.
305	3.6	0.50A	do		Do.
145	3.8	0.30A	do		Surgical.
13	3.8	0.30A	do		Flashlight.
713					
360	3.9	0.12A	Min. Bay		Life raft.
50	6-8	1 C. P	Min		Radio panel or indicator.
51	6-8	1 C. P	Min. Bay		Auto.
52	12-16	1 C. P	Min		Indicator.
53	12-16	1 C. P	Min. Bay		Do.
1448	24	0.035A	Min		Radio panel.
356	28	0.17A	Min. Bay		Airplane.
	G-4½ Bulb				
411	1.2	0.60A	Min		Electrocardiograph.
136	1.3	0.60A	do		Flashlight.
412	1.5	0.73A	do		Aerial navigation.
413	2.4	0.90A	Min. Bay		Reflector test lamp
414	2.5	0.30A	Min		Instrument.
415	2.6	0.10A	Unthreaded cylinder		Magneto flashlight.
416	3.3	0.60A	Min. Bay		Indicator.
502	5.0	0.15A	Min		Flashlight.
27	5.0	0.30A	do		Hand lantern.
1483	6.0	0.04A	do		Generator bicycle tail lamp.
1482	6.0	0.45A	do		Generator bicycle headlamp.
55	6-8	2 C. P	Min. Bay		Auto.
41	6.2	0.30A	Min		Flashlight.
317	6.2	0.30A	do		Oscillograph.
418	6.3	0.30A	do		Instrument.
419	8.0	0.60A	do		Microscope illuminator.
420	10.0	0.45A	do		Bicycle headlamp.
57	12-16	1.5 C. P	Min. Bay		Auto.
	G-5½ Bulb				
36C	2.4	0.80A	Min		Flashlight.
470	2.4	0.80A	do	Clear—daylight	Do.
471	28	0.20A	Short Cand		Gyroscope.
472	30	0.20A	do		Indicator.
	G-6 Bulb				
511	2	0.25A	Min	Clear, All frosted	Pilot balloon observation.
512	2.25	0.28A	Unthreaded cylinder.		Illuminometer.
513	2.4	0.80A	Bay. Cand		Bicycle headlamp.
514					
516	3.0	0.325A	D. C. Bay		Field artillery.
537	3	6 C. P	S. C. Bay		Crankshaft balancing indicator.
517	4.0	0.80A	Min		Surgical.

TUNGSTEN FILAMENT LAMPS—Continued

Miniature—Continued

Mfrs. No.	Volts	Watts	Base	Bulb finish	Description and/or use
	G-6 Bulb—Cont.				
531	5.7	0.42A	Bay. Cand		Subway door indicator.
532					
151	5.8	1.10	Min		Surgical.
155	6	4 C. P	do		Do.
150	6.0	0.80A	do		Do.
	7.0	0.66A	S. C. Bay		Auto.
523	6-8	2 C. P	Cand		Indicator.
63M	6-8	3 C. P	Min		Auto.
63K	6-8	3 C. P	Cand		Do.
63	6-8	3 C. P	Bay. Cand		Do.
64					
660	6-8	3 C. P	D. C. Bay		Auto—high electrical resistance soldering flux.
1260	6-8	3 C. P	S. C. Bay		Auto. Blackout front clearance.
1245	6-8	3 C. P	S. C. Bay, no pins		Auto.
524	6-8	6 C. P	Min. Bay		Reflector tester.
62	6-8	6 C. P	D. C. Bay		Auto.
61K	6-8	6 C.P	Cand		Do.
526	11.5	0.80A	Min		Microscope illuminator.
1471	12	0.26A	Cand		Hospital annunciator.
1247	12-16	3 C.P	Bay. Cand		Auto—two identical fil. in series.
1248					
1240	12-16	3 C.P	S.C. Bay., no pins		Do.
67	12-16	3 C.P	Bay. Cand		Auto.
69					
67K	12-16	3 C.P	Cand		Do.
67M	12-16	3 C.P	Min		Do.
80K	12-16	6 C.P	Cand		Do.
68					
90	12-16	6 C.P	Bay. Cand		Do.
89R	12-16	6 C.P	S.C. Bay	Coated red	Do.
681	12-16	6 C.P	do		Auto. Tank dome—two identical fil. in series.
527	13	0.30A	do		Indicator.
689	14	0.26A	Cand		Hospital annunciator.
71K	18-24	3 C.P	do		Auto.
71M	18-24	3 C.P	Min		Do.
71	18-24	3 C.P	Bay. Cand		Do.
72					
530	24	0.17A	Cand		Indicator.
1261	24-28	3 C. P	Bay. Cand		Auto. Tank indicator—two identical supported fil. in series.
1262					
1268	24-28	3 C. P	S. C. Bay., no pins		Do.
623	24-28	6 C. P	S. C. Bay		Do.
621	28	3 C. P	Bay. Cand		Airplane.
622					
308	28	6 C. P	do		Do.
304					
303R	28	6 C. P	S. C. Bay	Coated red	Do.
1224K	32	3. C. P	Cand		Motorboat.
1224	32	3 C. P	D. C. Bay		Do.
531	34	0.10A	Bay. Cand		Foam gauge.
532					
533	34	0.17A	do		Hospital annunciator.
534					
533K	34	0.17A	Cand		Do.
535	45	0.20A	Bay. Cand		Indicator.
536					
	G-8 Bulb				
1491	2.4	0.80A	D. C. Bay		Hand lantern.
801	2.6	0.80A	Bay. Cand		Do.
802					
803	6.5	1.70A	do		Microscope illuminator.
804					
805	22	0.50A	do		Subway door indicator.
806					
1201	24-28	13	S. C. Bay		Auto.
1226	32	6 C. P	D. C. Bay		Motorboat.
807	50	0.35A	Bay. Cand		Subway door indicator.
808					
809M	70	8	Min		Repeater—U. S. Navy.
809K	70	8	Cand		Do.

TUNGSTEN FILAMENT LAMPS—Continued

Miniature—Continued

Mfrs. No.	Volts	Watts	Base	Bulb finish	Description and/or use
	G-9 Bulb				
842	12-16	21/21 C. P	D. C. Bay	Bulb silvered except for ¾" diam.; frosted spot on side opposite offset filaments.	Gunsight.
844	28	21/21 C. P	do	Bulb silvered except for ⅞" diam.; frosted spot on side opposite offset filaments.	Do.
	G-10 Bulb				
861K	3.5-4.0	0.80A	Cand		Galvanometer.
855	4	2.5A	Bay. Cand		Oscillograph.
856					
855K	4	2.5A	Cand		Do.
853	4	0.80A	Bay. Cand		Seismograph.
854					
853K	4	0.80A	Cand		Do.
857	4.2	3.7A	Bay. Cand		Seismograph—spring supported filament.
858					
859	4.2	3.7A	do		Seismograph.
860					
861	4.5	1.3A	do		Oscillograph.
862					
864	5.4	0.60A	D. C. Med. Bay		Trench signal.
865	6	1.0A	Bay. Cand		Oscillograph.
866					
867	12-16	32 C. P	S. C. Bay		Auto.
	G-12 Bulb				
901	3.7	0.60A	Bay. Cand		Night triangulation—U. S. Coast and Geodetic Survey.
902					
903	3.7	1.25A	do		U. S. Coast and Geodetic Survey.
904					
905	5	1.00A	S. C. Bay		Flashing signal.
907	5	1.00A	S. C. Pf		Do.
910	8	4.20A	D. C. Med. Bay		Ophthalmometer.
	G-16½ Bulb				
950	3.25	3.25/0.75A	D. C. Bay		Searchlight.
951	4.5	4A	Bay. Cand		Do.
962					
953	5	2A	do		Do.
954					
956	5	2.00/0.75A	D. C. Bay		Do.
958	5.5	2.00/0.75A	do		Do.
959	5.5	100 C. P	Bay. Cand		Do.
960					
961	6	4A	do		Projection.
962					
963	6	5A	do		Searchlight.
964					
1017	6-8	100 C. P	do		Do.
1018					
967	7	5.7A	do		Spotlight.
978					
969	12	2A	do		Searchlight.
970					
972	12	5A	D. C. Pf		Do.
973	12	5A	Bay. Cand		Do.
974					
975	12	6A	do		Do.
976					
1019	12-16	100 C. P	do		Do.
1020					
1236	12-16	100 C. P	D. C. Pf		Do.
	12-16	60	S. C. Bay		R. A. F. Searchlight.
	12-16	150 C. P	Bay. Cand		Searchlight.
977	14	3.5A	do		Galvanometer.
978					
979	18	4A	do		Searchlight.
980					
981	19	2.6A	Med		Ophthalmoscope.
983	24	4A	Bay. Cand		Searchlight.
984					

TUNGSTEN FILAMENT LAMPS—Continued
Miniature—Continued

Mfrs. No.	Volts	Watts	Base	Bulb finish	Description and/or use
	G-16½ BULB—Con.				
945	24	4A	D. C. Bay		Flashing signal.
985	28	2.5A	Bay. Cand		Searchlight.
986					
987	28	100 C. P	do		Airplane.
988					
996	32	2A	D. C. Bay		Searchlight.
998	32	2A	D. C. Pf		Do.
1236	32	3.5A	D. C. Bay		Searchlight—L. C. L. 1¼ in.
1242	32	3.5A	do		Searchlight—L. C. L. 1¹³⁄₁₆ in.
994	32	3.5A	D. C. Pf		Searchlight.
989	6	25	Bay. Cand		Auto. Electric vehicle.
990					
991	6	25	do		Do.
992					
	GG-10 BULB				
	12-16	21/6 C. P	S. C. Indexing		Airplane.
	28	21/6 C. P	do		Do.
	R-12 BULB				
1280	28	50/50 C. P	D. C. Bay	Bulb silvered base half.	Gunsight.
	RP-11 BULB				
1021	4.5	1.25A	S. C. Pf		Hand lantern.
1024	5.5	6.2A	D. C. Bay		Telemeter.
1025	6	2.35A	S. C. Pf		Fire and police searchlight.
1060	6	7.0A	D. C. Bay		Hand lantern.
1106	6-8	21/6 C. P	D. C. Pf		Auto headlamp.
1114	6-8	21/21 C. P	D. C. Bay		Auto hdlp.—one fil. on axis.
1035	6-8	32 C. P	D. C. Pf		Egg candling.
1080	6-8	32 C. P	do		Spotlight.
1229	6-8	32 C. P	S. C. Pf		Auto spotlight—⅜" L. C. L.
12288	6-8	32 C. P	do	Shielded	Do.
1097	6-8	32 C. P	do		Auto hdlp. and spotlight—1¼" L. C. L.
1133	6-8	32 C. P	S. C. Bay		Auto.
1134	6-8	32 C. P	D. C. Bay		Auto headlamp.
1200	6-8	32 C. P	S. C. Pf		Auto hdlp. and spotlight—⅜" L. C. L. C-6 fil.
12086	6-8	32 C. P	do	Shielded	Do.
1221	6-8	32 C. P	do		Do.
12215	6-8	32 C. P	do	Shielded	Do.
1000	6-8	32/32 C. P	D. C. Bay		Auto.
2280	6-8	32/32 C. P	D. C. Pf		Auto—C-2 fil.
2231	6-8	32/32 C. P	do		Auto—C-6 fil.
24048	6-8	35	(*)	Shielded	Auto headlamp.
1082	6-8	50 C. P	D. C. Pf		Spotlight.
1194	6-8	50 C. P	D. C. Bay		Auto headlamp.
1083	6-8	50 C. P	S. C. Pf		Air traffic control.
1081	6-8	50 C. P	S. C. Bay		Do.
1161	6.6	3.6A	(*)		Auto. Farm tractor.
1082	12-16	21 C. P	S. C. Pf		Auto headlamp and spotlight.
1096	12-16	21/6 C. P	D. C. Pf		Auto headlamp.
1120	12-16	21/21 C. P	D. C. Bay	Dif.	Auto.
1120I F					Auto headlamp and spotlight—⅜" L. C. L.
1227	12-16	32 C. P	S. C. Pf		Auto headlamp and spotlight—1¼" L. C. L.
1011	12-16	32 C. P	do		Auto headlamp and spotlight.
1227S	12-16	32 C. P	do	Shielded	Auto.
1143	12-16	32 C. P	Bay. Cand		Headlamp.
1144					Auto headlamp
1124	12-16	32/32 C. P	D. C. Bay		Auto.
2226	12-16	32/32 C. P	D. C. Pf		Do.
1196	12-16	50 C. P	Bay. Cand		Do.
1195					Auto. Electric vehicle.
1507	12-16	50 C. P	S. C. Pf		Auto headlamp.
24138	12-16	35	(*)	Shielded	Auto. Tank hdlp.
1261	12-16	40	(*)	Shielded	Auto foglight.
	12.3	32 C. P	S. C. Bay		Airplane flashing signal.
1037	12.8	3.0A	Bay. Cand		
1038					

*Unthreaded cylinder with screw center contact.

TUNGSTEN FILAMENT LAMPS—Continued
Miniature—Continued

Mfrs. No.	Volts	Watts	Base	Bulb finish	Description and/or use
	RP-11 BULB—Con.				
1039	13	6.6A	S. C. Bay		Airplane flashing signal.
1145	18-24	27 C. P	do		Auto headlamp and spotlight.
1146	18-24	27 C. P	D. C. Bay		Auto headlamp.
1041	18-24	50 C. P	Bay. Cand		Do.
1042					
1043	22	.90A	S. C. Pf		Hand lantern.
1208	24-28	32/32 C. P	D. C. Pf		Auto headlamp.
1263	24-28	40 C. P	S. C. Bay		Auto tank hdlp.
1265	24-28	40	(*)		Do.
1047	26	2.7A	S. C. Bay		Airplane flashing signal.
1049	28	1.4A	Bay. Cand		Do.
1050					
1052 IF	28	21/21 C. P	D. C. Bay	Diff.	Airplane.
1230	32	21 C. P	do		Searchlight.
1053	32	32 C. P	Bay. Cand		Do.
1054					
1055	32	50 C. P	do		Do.
1056					
1057	32	50 C. P	S. C. Pf		Do.
1149	40-44	21 C. P	Bay. Cand		Auto. Electric vehicle.
1150					
	S-8 BULB				
1602	1.5	0.50A	D. C. Bay		Marine running light.
1604	2.4	0.80A	do		Hand lantern.
1492	2.5	1.50A	do		Do.
1007	5	0.56A	S. C. Pf		Flashing signal.
1609	5.4	1.86A	Bay. Cand		Instrument.
1610					
1611	5.4	1.86A	do		Do.
1612					Do.
1679	5.4	1.86A	S. C. Bay, no pins		
1613	6	1.50A	Bay. Cand		Oscillograph.
1614					
2405	6-8	10 C. P	(*)	Blackout	Auto.
1617	6-8	15 C. P	S. C. Bay., no pins		Do.
1619	6-8	15 C. P	S. C. Bay		Auto—C-6 fil.
87	6-8	15 C. P	do	Diff.	Auto.
87 IF					
88	6-8	15 C. P	D. C. Bay	do	Do.
88 IF					Do.
87K	6-8	15 C. P	Cand		
1129	6-8	21 C. P	Bay. Cand		Do.
1130					Gunsight.
1129 IF	6-8	21 C. P	S. C. Bay	Diff.	Auto.
1158	6-8	21/3 C. P	D. C. Bay		Do.
1266	6-8	21/3 C. P	D. C. Bay., no pins		Do.
1154	6-8	21/3 C. C. P	D. C. Indexing		Marine running light.
4698	6.5	.70/.70A	D. C. Bay		Microscope illuminator.
1629	6.5	2.75A	S. C. Bay		Do.
1488	6.5	2.75A	D. C. Bay		Spotlight.
1632	6.75	1.7A	do		Radio panel.
1633	6.8	1.3A	S. C. Bay		Hand lantern.
1635	7	1.5A	Bay. Cand		Auto.
1640	8	15 C. P	D. C. Bay		
	8	15 C. P	D. C. Bay.—brass contact soldered to each base eyelet.		
	8	21 C. P	do		
91 & 91 IF	12-16	10 C. P	Bay. Cand	Diff.	Do.
92 & 92 IF					
93 & 93 IF	12-16	15 C. P	do	do	Do.
94 & 94 IF					
98K	12-16	15 C. P	Cand		Do.
1141-1141 IF	12-16	21 C. P	Bay. Cand	Diff.	Do.
1142-1142 IF					
1081	12-16	21 C. P	S. C. Bay.—no pins		Airplane.
19418B	12-16	21 C. P	S. C. Bay	8B	Do.
1178	12-16	21/6 C. P	D. C. Bay		Auto.
1016	12-16	21/6 C. P	D. C. Indexing		Do.
1258	12-16	21/6 C. P	D. C. Bay., no pins		Do.
1644 IF	12-16	21/6 C. P	D. C. Bay	Diff.	Ordnance.
1645	12-16	21/6 C. P	S. C. Bay		Airplane.
1652 IF	12	21/21 C. P	D. C. Bay	Diff.	Do.

TUNGSTEN FILAMENT LAMPS—Continued
Miniature—Continued

Mfrs. No.	Volts	Watts	Base	Bulb finish	Description and/or use
	S-8 BULB—Continued				
1652	18-24	15 C. P	Bay. Cand		Auto.
1654					
1268	24-28	15 C. P	D. C. Bay		Do.
1269	24-28	21 C. P	Bay. Cand		Do.
1270	24-28	32/6 C. P	D. C. Bay., no pins		Do.
1627	25	32 C. P	Bay. Cand	Diff.	Indicator.
1628					
235	28	15 C. P	do		Airplane.
236					
237	28	21 C. P	do		Do.
238					
2379B	28	21 C. P	S. C. Bay	8B	Do.
2379	28	21 C. P	do	Coated red	Do.
1402	28	21/6 C. P	do		Do.
1261 IF	28	21/6 C. P	D. C. Bay	Diff.	Do.
1261 IF	28	21/21 C. P	do	do	Do.
1657	28	27 C. P	Bay. Cand		Do.
1658					
1669	30	0.50A	S. C. Bay		Radio panel.
1236	32	15 C. P	D. C. Bay		Motorboat.
1671	34	15 C. P	Bay. Cand		Do.
1672					
1625	40-44	6 C. P	do		Auto—electric vehicle.
116					
1675	40-44	6 C. P	Cand. Skt		Do.
1676	40-44	10	D. C. Bay		Subway door indicator.
1677	45	6 C. P	Bay. Cand	Diff.	Portable telephone trouble.
1678					
	S-9 BULB				
1698	4	2.5A	D. C. Bay		Oscillograph.
	S-11 BULB				
1691	1.3	0.98A	S. C. Bay., no pins		Pyrometer.
1705	3.3	2A	Bay. Cand		Electrocardiograph.
1704					
1706	4.5	21/10 C. P	D. C. Bay		Fire and police searchlight.
1708	4.8	4.50A	D. C. Bay., no pins		Recording microphotometer.
1709	5	2A	Bay Cand		Searchlight.
1710					Do.
1212	5	2.00/.75A	D. C. Bay		
1715	5	5A	Bay. Cand		Electrocardiograph.
1716					
1713	5	5A	do		Oscillograph.
1714					
1717	6	1.50A	do		X-ray projector.
1718					
160	6	3.95A	Unthreadedcylinder		Surgical.
1719	6	5A	Bay. Cand		Searchlight.
1720					
1721K	6-8	21 C. P	Cand		Auto.
1723	6-8	32 C. P	Bay. Cand		Indicator.
1724					
1725	6-8	50 C. P	S. C. Bay		Auto.
1729K	12-16	21 C. P	Cand		Do.
1745	12-16	32 C. P	S. C. Bay		Do.
17458B	12-16	32 C. P	do	8B	Airplane.
1747	12-16	50 C. P	do		Auto.
17478B	12-16	50 C. P	do	8B	Airplane.
1733	24	32 C. P	Bay. Cand		Gun turret.
1734					
1735	25	15	do		Telephone trouble.
1736					
209	28	32 C. P	do		Airplane.
210					
209SB	28	32 C. P	S. C. Bay	8B	Do.
211	28	50 C. P	Bay. Cand		Do.
212					
2118B	28	50 C. P	S. C. Bay	8B	Do.
1737K	40	0.15A	Cand		Fire alarm signal.
1740	40-44	10	D. C. Bay		Subway door indicator.
1741	50	90	Bay. Cand		Auto. Electric vehicle.
1742					
1743	60	15	do		Do.
1744					

TUNGSTEN FILAMENT LAMPS—Continued
Miniature—Continued

Mfrs. No.	Volts	Watts	Base	Bulb finish	Description and/or use
	S-12 BULB				
3001	6-8	21/21/32 C. P	3 Pin Bay		Auto headlamp.
3008	6-8	32/32/32 C. P	do		Do.
1755	28	100 C. P	Bay. Cand	Black bowl—coated	Airplane.
1756					
	T-¾ BULB				
165	1.5	0.13A	Wire Ext		Surgical.
166	1.5	0.13A	Wire Term		Do.
167	1.5	0.13A	Fur. by user		Do.
	T-1¾ BULB				
326	2.5	0.40A	954		Airplane indicator.
318	3	0.19A	951		Do.
318A	3	0.19A	951	Coated amber	Do.
318G	3	0.19A	951	Coated green	Do.
318R	3	0.19A	951	Coated red	Do.
319	3	0.19A	952	Clear plastic cap	Do.
319A	3	0.19A	952	Amber plastic cap	Do.
319B	3	0.19A	952	Blue plastic cap	Do.
319G	3	0.19A	952	Green plastic cap	Do.
319P	3	0.19A	952	Purple plastic cap	Do.
319R	3	0.19A	952	Red plastic cap	Do.
319W	3	0.19A	952	White plastic cap	Do.
322	3	0.19A	954		Airplane instrument.
323	3	0.19A	953		Do.
323R	3	0.19A	953	Coated red	Do.
324	3	0.19A	Wire term		Indicator.
325	3	0.19A	906		Airplane instrument.
	T-1¾ BULB				
170	1.5	0.20A	Wire Ext	Lens end	Surgical.
172	2	0.40A	Fur. by user		Do.
171	2.5	0.30A	do	Lens end	Do.
1760	2.5	0.38A	Wire Term		Gunner training.
173	5	0.41A	Fur. by user		Surgical.
174	5	0.30A	do	Clear—daylight	Do.
	T-1¾ BULB				
328	6	0.20A	S. C. Midget Fl		Airplane instrument.
320A	28	0.035A	952A	Amber plastic cap	Airplane indicator.
320CA	28	0.035A	952A	Cloudy amber plastic cap.	Do.
320G	28	0.035A	952A	Green plastic cap	Do.
320R	28	0.035A	952A	Red plastic cap	Do.
320W	28	0.035A	952A	White plastic cap	Do.
321A	28	0.035A	955	Amber plastic cap	Do.
321CA	28	0.035A	955	Cloudy amber plastic cap.	Do.
321G	28	0.035A	955	Green plastic cap	Do.
321R	28	0.035A	955	Red plastic cap	Do.
321W	28	0.035A	955	White plastic cap	Do.
327	28	0.04A	S. C. Midget Fl		Do.
	T-2 BULB				
1770	2.6	0.06-0.07A	Fur. by user		Pyrometer.
	4	0.17-0.21A	Tel. Slide		Telephone (4A).
	4	0.27-0.31A	do		Telephone (4B).
	6	0.035-0.045A	do		Telephone (6C).
	6	0.13-0.16A	do		Telephone (6A).
1771	6	0.25A	Gunsight without threads.		Gunsight.
	6	0.27-0.31A	Tel. slide		Telephone (6B).
	8	0.035-0.060A	do		Telephone.
	8	0.09-0.10A	do		Telephone (8A).
	8	0.10-0.12A	do		Telephone (8B).
	10	0.10-0.12A	do		Telephone (10A).
	10	0.23-0.27A	do		Telephone (10B).
	12	0.032-0.038A	do		Telephone (12B).
	12	0.09-0.11A	do		Telephone (12A).
1772	12	0.17A	do		Annunciator.
	12	0.17A	do		Telephone (12C).
	14	0.032-0.038A	do		Telephone (14B).
	14	0.09-0.11A	do		Telephone (14A).

TUNGSTEN FILAMENT LAMPS—Continued
Miniature—Continued

Mfrs. No.	Volts	Watts	Base	Bulb finish	Description and/or use
	T-2 Bulb—Cont.				
1772	15	0.09–0.11A	Tel. slide		Telephone (15A).
	16	0.09–0.11A	do		Telephone (16A).
	16	0.27–0.31A	do		Telephone (16B).
	18	0.035–0.045A	do		Telephone (18A).
	18	0.09–0.11A	do		Telephone (18B).
	20	0.05–0.065A	do		Telephone (20A).
	20	0.09–0.11A	do		Telephone (20B).
	24	0.025–0.035A	do		Telephone (24A).
	24	0.083–0.095A	Tel. slide prick punch		Supervisory control indicator (24X).
	24	0.083–0.095A	Tel. slide		Telephone (24E).
	24	0.035–0.045A	do		Telephone (24B).
	24	0.05–0.065A	do		Telephone (24C).
	24	0.09–0.11A	do		Telephone (24D).
176	24	0.83A	Fur. by user	Outside clear lacquer.	Surgical.
	30	0.05–0.065A	Tel. slide		Telephone (30A).
	30	0.09–0.11A	do		Telephone (30B).
	32	0.09–0.12A	do		Telephone (32A).
	35	0.035–0.045A	do		Telephone (35A).
	35	0.05–0.065A	do		Telephone (35B).
	35	0.09–0.11A	do		Telephone (35C).
	40	0.035–0.045A	do		Telephone (40B).
	40	0.05–0.065A	do		Telephone (40A).
	44	0.05–0.065A	do		Telephone (44A).
	48	0.016–0.025A	do		Telephone
	48	0.023–0.033A	do		Telephone (48C).
	48	0.045–0.06A	do		Telephone (48G).
	48	0.05–0.065A	do		Telephone (48A).
	48	0.09–0.11A	do		Telephone (48B).
	55	0.045–0.06A	do		Telephone (55C).
	55	0.09–0.11A	do		Telephone(55B).
	60	0.045–0.065A	do		Telephone (60A).
	T-2 Ring Type Bulb				
1370	13.5	0.98A	Wire term	Clear—silvered and enameled.	Microscope illuminator.
1391	13.5	0.90A	do	Blue—silvered and enameled.	Do.
	T-2½ Bulb				
1780	6	0.40A	Gunsight		Gunsight.
1781	10	0.25A	do		Do.
180	16	0.12A	Fur. by user		Surgical.
	T-3 Bulb				
1780	1.75	2.10A	Min		Heater.
185	2.3	0.40A	do	Lens end	Surgical.
186	2.7	0.25A	do		Surgical flat top fil.
187	2.7	0.28A	do		Surgical round top fil.
188	2.7	0.40A	do		Do.
189	2.7	0.40A	do	Lens end	Surgical.
190	2.7	0.55A	do		Do.
191	3	0.40A	do		Do.
192	5.5	0.28A	do	Lens end	Do.
1791	6–8	2 C.P.	do		Indicator.
1472	10	0.17A	do		Elevator annunciator.
1792	12	0.25A	do	Frosted	Bore inspection.
1793	12	0.80A	do	do	Do.
1794	12–16	0.17A	Min. Bay		Airplane instrument.
1474	14	0.17A	Min		Elevator annunciator—1¼" M. O. L.
1795	14	0.17A	do		Elevator annunciator—1⅛" M. O. L.
1476	18	0.17A	do		Elevator annunciator.
1477	24	0.17A	do		Do.
1796	30	0.17A	do		Do.
	TL-3 Bulb				
113	1.1	0.22A	do		Flashlight.
222	2.2	0.25A	do		Do.
243	2.3	0.27A	do		Do.

TUNGSTEN FILAMENT LAMPS—Continued
Miniature—Continued

Mfrs. No.	Volts	Watts	Base	Bulb finish	Description and/or use
	T-3¼ Bulb				
1800	1.35	0.06A	Min		Radio panel.
48	2	0.06A	do		Do.
49	2	0.06A	Min. Bay		Do.
1804	2	0.06A	Wire Term		Indicator.
1802	2.5	0.50A	do		Radio panel.
43	2.5	0.50A	Min. Bay		Do.
1801	2.5	0.50A	Min		Radio panel—high temp. solder.
41	2.5	0.60A	do		Radio panel or indicator.
291	2.9	0.17A	Min. Bay		Radio panel.
1490	3.2	0.16A	do		Do.
1803	4	0.06A	Min		Do.
1804	4	0.06A	Min. Bay		Marine running light.
1805	4	0.40A	Min		Indicator.
1806	5	0.16A	Min. Bay		Do.
40	6–8	0.15A	Min		Radio panel—indicator.
47	6–8	0.15A	Min. Bay		Do.
1807	6–8	0.25A	do	Black bowl and frosted.	Radio panel.
46	6–8	0.25A	Min		Radio panel—indicator.
44	6–8	0.25A	Min. Bay		Do.
1808	6.3	0.15A	Min		Flashing beacon.
1810	6.3	0.40A	Min. Bay		Film printing.
1811	6.5	0.40A	do		Radio panel.
1812	9	0.20A	do		Indicator.
1814	12–16	0.10A	Min		Radio panel.
1813	12–16	0.10A	Min. Bay		Do.
1813R	12–16	0.10A	do	Coated red	Do.
1487	12–16	0.20A	Min		Indicator.
1815	12–16	0.20A	Min. Bay		Do.
1816	13	0.33A	do		Airplane.
1816R	13	0.33A	do	Coated red	Do.
1817	13	0.40A	do		Do.
1818	24	0.17A	do		Do.
1819	28	0.035A	do		Do.
1819R	28	0.035A	do	Coated red	Do.
1820	28	0.10A	do		Do.
313	28	0.17A	do		Do.
313R	28	0.17A	do	Coated red	Do.
1821	28	0.17A	Min		Indicator.
1822	36	0.10A	Min. Bay		Do.
	36	0.17A	Min		Do.
1823	48	0.10A	do		Do.
	T-4 Bulb				
1840	6	0.80A	L. S. Min	Side half diff.	Galvanometer.
1479	14	0.17A	Cand		Annunciator.
1480	18	0.17A	do		Do.
1841	24	0.17A	do		Do.
1842	32	0.17A	do		Do.
	T-4½ Bulb				
1832	6	0.80A	Min. Bay		Pistol sighting.
1844	6–8	3 C. P.	D. C. Bay		Airplane.
1855	6.3	0.80A	Min. Bay		Radio panel.
845	8.4	0.80A	Min		Flashlight.
1856	9	0.44A	do		Spotlight.
1857	9	0.44A	Cand		Drum inspection.
965	9.5	0.59A	Min		Flashlight.
1485	11.8	0.80A	do		Do.
77	12–16	3 C. P.	Bay. Cand		Airplane.
78					
77R	12–16	3 C. P.	do	Coated red	Do.
78R					
1494	28	0.20A	Min. Bay		Radio panel.
301	28	3 C. P.	Bay. Cand		Airplane.
302					
301R	28	3 C. P.	do	Coated red	Do.
302R					
1858	30	0.16A	Min		Indicator.
	T-5 Bulb				
1871	3.2	0.80A*	S. C. Pf.		Galvanometer.
1873	3.3	0.80A	do		Oil well gauge.

TUNGSTEN FILAMENT LAMPS—Continued
Miniature—Continued

Mfrs. No.	Volts	Watts	Base	Bulb finish	Description and/or use
	T-5 Bulb—Cont.				
1875	5	4A	S. C. Bay		Oscillograph.
1877	6	3.9A	Cand		Gunner training.
1889	6	3.9A	Cand. Pf.		Do.
1883	10	2.75A	D. C. Bay		Indicator.
187	16	1A	S. C. Pf.		Surgical.
1879	20	0.50A	S. C. Skt. with Pf. clip.		Projection.
	T-6 Bulb				
1891	4.2	3.7A	S. C. Bay	Side half diff.	Oscillograph.
1892	4.2	3.7A	S. C. Pf.	do	Do.
1893	4.2	3.7A	Inter		Do.
1891N	4.2	3.7A	do	Side half diff.	Do.
1897	12–16	21 C. P.	S. C. Bay		Auto.
1899	14.5	0.76A	D. C Bay		Gun mount illuminator.
1949K	14.5	0.76A	Cand		Do.
	T-6 Bulb				
1900	4	0.03A	D. C. Bay., no pins		Pyrometer.
1951K	14	2A	Cand		Projection.
1901	14	2A	Bay. Cand		Do.
1902	14	2A	D. C. Bay., no pins		Do.
1903	14	2A	S. C. Pf.		Do.
1907	32	2A	Bay. Cand		Oscillograph.
1908					

"L" Lamps

Mfrs. No.	Volts	Watts	Base	Bulb finish	Description and/or use
	PAR-36 Bulb				
4015	6–8	30	Screw Term	Clear lens	Fog.
4015A	6–8	30	do	Amber lens	Do.
4020	12–16	40	do	Clear lens	Tank headlamp.
4024	12–16	40	do	Coated red cover	Airplane passing.
4060	13	6.6A	do	Clear cover	Flashing signal.
4002	24–28	50	do	Clear lens	Tank headlamp.
4006	24–28	50	do	Coated red cover	Airplane passing.
4501	26	5.3A	do	Clear cover	Flashing signal.
	PAR-46 Bulb				
4035	3.7	0.60A	do	do	U. S. Coast & Geodetic Survey.
4024	6	4.75A	do	do	Spotlight.
4026	6	6.6A	do	do	Flashing signal.
4033	6.5	6.6A	do	do	Tank. Spotlight and signal.
4060	6–8	20	do	Clear lens	Driving lamp.
4011	6–8	20	do	do	Passing lamp.
4012	6–8	20	do	do	Fog.
4012A	6–8	20	do	Amber lens	Do.
4022	12	250	do	Clear cover	Airplane landing.
4030	13	6.6A	do	do	Flashing signal.
4029	13	6.6A	do	do	Tank. Spotlight and signal.
4031	26	5.3A	do	do	Flashing signal.
4030	26	5.3A	do	do	Tank. Spotlight and signal.
4028	28	250	do	do	Airplane landing.
	PAR-56 Bulb				
4042	6	100	do	do	Spotlight.
4060	6–8	40/30	3 C. Lugs	Clear lens	Headlight.
4430	12–16	45/35	do	do	Do.
4540	13	450	Screw Term	Clear cover	Airplane landing.
4541	28	450	do	do	Do.

TUNGSTEN FILAMENT LAMPS—Continued
"L" Lamps—Continued

Mfrs. No.	Volts	Watts	Base	Bulb finish	Description and/or use
	PAR-64 Bulb				
4563	13	6.6A	Screw Term	Clear cover	Flashing signal.
4561	13	250	do	do	Airplane landing.
4564	26	5.3A	do	do	Flashing signal.
4562	28	250	do	do	Airplane landing.
4540	28	600	do	do	Do.
4566	115	300	do	do	Flashing signal.

Mine

	G-3½ Bulb				
BM-10S	4.0	0.80A	Min		Mine.
	G-4½ Bulb				
BM-6S	2.5	0.15A	Min. Bay		Mine—train tail lamp.
	G-6 Bulb				
BM-8S	2	0.45A	Unthreaded conical		Mine
BM-26	3.65	1.15A	Min		Mine—Two 0.575 Amp. fil. in mult.
BM-26A	3.65	1.15A	do		Mine.
BM-26B	3.65	1.15/1.15A	D. C. indexing		Mine—both fil. offset.
BM-26C	3.65	1.15/1.15A	do		Mine—1 fil. on axis.
	3.7	0.90A	Min		Mine.
BM-26D	3.7	1.00/1.00A	D. C. Indexing		Mine—both fil. offset.
BM-26E	3.7	1.00/1.00A	do		Mine—1 fil. on axis.
BM-17G	4	0.55A	Min		Mine.
	4	0.67A	do		Do.
BM-20G	4	0.80A	do		Do.
BM-28G	4	1.0A	do		Do.
BM-27	6	0.67/0.67A	D. C. Bay		Do.
	G-6 Bulb				
BM-7S	4	1.0A	S. C. Bay., no pins		Do.
	S-6 Bulb				
	3.6/4.0	2.00/0.67A	D. C. Bay		Do.
	S-8 Bulb				
BM-18	1.28	0.80A	Bay. Cand		Do.
	2.28	1.80A	do		Do.
BM-18H	2.40/2.50	1.25/0.75A	D. C. Bay		Do.
BM-1002	2.48	1.10A	Bay. Cand		Do.
	2.45	1.00/1.00A	D. C. Bay		Do.
BM-24	2.45/2.50	1.00/0.75A	do		Do.
	3.30	1.75A	Bay. Cand		Do.
	3.30/3.87	1.75/0.66A	D. C. Bay		Do.
	3.6	2.00A	Bay. Cand		Do.
BM-25B	3.65/3.87	1.15/0.66A	D. C. Bay		Do.
	3.70	1.00/1.00A	do		Do.
BM-25	3.70/3.87	1.00/0.65A	do		Do.
BM-2S	3.96	0.65A	S. C. Bay		Do.
BM-17B	4	0.55A	Bay. Cand		Do.
BM-20A	4	0.80A	S. C. Bay		Do.
BM-17D	4	0.55/0.55A	D. C. Bay		Do.
BM-20D	4	0.67/0.67A	do		Do.
	4	0.83/0.83A	do		Mine—base pins parallel to plane of lead wires.
BM-20B	4	0.83/0.83A	do		Mine.
BM-20E	4	0.83/0.83A	do		Mine—fil. at rt. angles to each other.

TUNGSTEN FILAMENT LAMPS

Large

Volts	Watts	Base	Bulb finish	Description and/or use
A-15 Bulb				
8	10	(1)		Railway light signal.
8	10/3.5	(1)		Do.
8	18	(1)		Do.
8	18/3.5	(1)		Do.
8	40	(1)		Do.
10	10	(1)		Do.
10	18	(1)		Do.
10	18/3.5	(1)		Do.
10	30	(1)		Do.
10	30/6	(1)		Do.
10	40	(1)		Do.
10	40/3.5	(1)		Do.
12	100	Med. Pf		Airplane signal.
12	180	Med		Airplane headlight.
12	180	Med. Pf		Airplane signal.
24	100	Med. Pf		Airplane headlight.
24	180	Med		Railway light signal.
30	30	(1)		Indoor. Train and country home
32	14	Med	Blackout	
115, 120, 125	15	do	Diff., white	
115, 120, 125	30	(1)		Railway light signal.
120	14	Med	Blackout	Indoor.
125, 145, 155	15	do	Diff	
A-17 Bulb				
3.5	11A	Med		Oscillograph.
3.5	11A	do		Multi-element oscillograph.
6	15	do	Diff., white	Emergency ltg.
10.5	15	do	Diff	
12	15	do	Diff., white	
20	15	do	Diff	
24	15	do	do	Train.
30	15	do		Railway signal.
30	15	do	Diff., white	Train and country home.
34	15	do	Diff	Train.
36	15	do	do	
60	15	do	do	Train.
64	25	do		Railway signal.
70	15	do	Diff	Train.
115, 120, 125	10	do	Diff., white	
115, 120, 125	40	do	Diff	Surgical spotlight.
230, 250	15	do	do	
A-19 Bulb				
6	25	do	Diff., white	
6	36	do		Headlight.
7	6A	do		Spotlight.
12	25	do	Diff., white	
12	36	do		Headlight.
12	100	do		Airplane headlight.
12	100	Med. Pf		Do.
12	230	do		Do.
12	240	do		Do.
20	25	Med	Diff	
24	25	do	do	Train.
24	40	do	do	Do.
24	230	Med. Pf		Airplane headlight.
24	240	do		Do.
30	1A	Med	Diff	Street railway.
30	25	do	Diff., white	Train and country home.
30	40	do	Diff	Do.
30	50	do	do	Rough service.
32	36	do		Headlight.
34	25	do	Diff., white	Train.
36	25	do	Diff	
48	25	do	do	Train.
60	25	Med	Diff	Train.
60	36	do		Headlight.
60	40	do	Diff	Train.
60	50	do	do	Train—rough service.
60	36	do	do	
75	50	do	do	Diesel locomotive—rough service.
80	36	do		Headlight.
115, 120, 125	25	do		Vibration service.
115, 120, 125	25	do	Diff., DY white	

[1] Med. Bay. no pins, equipped with 2 or 3 pin sleeve.

TUNGSTEN FILAMENT LAMPS—Continued

Large—Continued

Volts	Watts	Base	Bulb finish	Description and/or use
A-19 Bulb—Continued				
115, 120, 125	36	Med		Street railway headlight.
115, 120, 125	40	do		Spotlight.
115, 120, 125	40	do		Airport contact.
115, 120, 125	40	do	Diff., white	
115, 120, 125	50	do	Diff	Vibration service.
115, 120, 125	50	do	Diff.—lacquer coated	Do.
115, 120, 125	50	do	Diff	Rough service.
115, 120, 125	50	do	Diff.—lacquer coated	Do.
115, 120, 125	50	do		Bake oven.
115, 120, 125	50	do		Multiple street lighting.
115, 120, 125	54	do		Multiple street lighting group replac.
115, 120, 125	58	do		
115, 120, 125	60	do	Diff., DY, SB, white	
120	25	do	Coated—blue, green, red.	
120	25	do	Natural—blue, green, light ruby, dark ruby.	
125, 145, 155	25	do	Diff	
125, 145, 155	50	do		
220, 230	25	do	Diff	
220, 260	50	do		Rough service.
230, 250	50	do	Diff	Do.
230, 250	50	do	Diff.—lacquer coated	Mine.
250	50	do		Rough service.
255	50	do	Diff	
A-21 Bulb				
6	50	do	Diff., white	Emergency lighting.
10.5	60	do	Diff	
12	50	do	Diff., white	
20	50	do	Diff	
22	50	do	do	
30	1.6A	do	do	Street railway.
30	50	do	Diff., white	Train and country home.
30	250	do	Diff	Photographic.
30	100	do		Loco. headlight.
32	100	Med. Pf		Do.
36	50	Med	Diff	Train.
36	50	do	do	
47	50	do	do	
60	50	do	do	Train.
60	100	do		Loco. headlight.
60	100	Med. Pf		Do.
70	50	Med	Diff	Train.
110	250	do	Purple	Blacklight.
115	500	do		Diving lamp.
115, 120, 125	36	do	Diff	Street railway.
115, 120, 125	40	Med. Pf		Airport marker.
115, 120, 125	40	Med		Traffic signal.
115, 120, 125	45/15	do		Do.
115, 120, 125	46	do	Diff	Street railway.
115, 120, 125	56	do	do	Do.
115, 120, 125	60	do		Traffic signal.
115, 120, 125	61	do	Diff	Street railway—Arc resisting.
115, 120, 125	67	do		Traffic signal.
115, 120, 125	74	do	Diff	Rough service.
115, 120, 125	75	Med. Pf		Airport marker.
115, 120, 125	100	Med		Traffic signal.
115, 120, 125	100	Med. Pf		Airport marker.
115, 120, 125	100	Med		Locomotive headlight.
115, 120, 125	100	do	Diff., white	
115, 120, 125	100	do	Diff	Rough service.
115, 120, 125	100	do	Diff.—lacquer coated	Do.
115, 120, 125	100	do	DY	X-Ray illuminator.
115, 120, 125	100	do	Natural—blue, green, light ruby, dark ruby.	
130	60	do	Diff	
125, 145, 155	40	do	do	
125, 145, 155	60	do		Traffic signs
220, 230	40	do	Diff	
230, 250	50	do		Traffic signal.
230, 250	60	do		Rough service.
230, 250	75	do	Diff	Traffic signal.
230, 250	100	do		Mine.
255	50	do	Diff., Natural—ruby, green.	

TUNGSTEN FILAMENT LAMPS—Continued

Large—Continued

Volts	Watts	Base	Bulb finish	Description and/or use
A-21 Bulb—Continued				
235 lumens	6.6A	Med. Pf		Airport marker.
1020 lumens	6.6A	do		Do.
A-23 Bulb				
30	100	Med	Diff., white	Train and country home.
34	100	do	Diff	Train.
60	100	do	do	Do.
110	100	do	DY	Rough service.
115	300	do		Drying.
115, 120, 125	85	do		Multiple street lighting.
115, 120, 125	92	do		Multiple street lighting—group replac.
115, 120, 125	100	do	Diff	Vibration service.
115, 120, 125	100	do	DY, N8, SB	
115, 120, 125	100	do	Diff	Rough service.
115, 120, 125	100	do		Bake oven.
115, 120, 125	101	do	Diff	Street railway.
115, 120, 125	105	do		Multiple street lighting.
115, 120, 125	115	do		Multiple street lighting—group replac.
115, 120, 125	300	Med. Pf		Code signal.
125, 145, 155	100	Med	Diff	
220, 260	100	do	do	Rough service.
220, 250	100	do	do	Do.
250	100	do	do	Mine.
250	100	do	do	
G-7 Bulb				
120	7	Cand	Clear, white	
GT-7 Bulb				
6	6	Bay. Cand		Railway light signal.
6	10	do		Do.
12	6	do		Do.
12	9	do		Do.
T-10 Bulb				
115, 120, 125	15	Cand	White	
G-6 Bulb				
4	0.62A	Cand		Gauge.
10	0.20A	Min		Railway signal.
10	0.20A	Bay. Cand		Do.
12	0.20A	Cand		Do.
12	0.20A	Bay. Cand		Do.
14	0.20A	Min		Do.
14	0.20A	Bay. Cand		Do.
18	0.11A	do		Switchboard.
G-8 Bulb				
12	1.25	Cand		Railway signal.
14	1.25	do		Do.
G-10 Bulb				
6	10	S. C. Bay		Planetarium.
28	0.14A	Cand		Railway signal.
82	8	do		Do.
G-12 Bulb				
6	25	L. S. Med		Instrument.
6	30	Bay. Cand		Do.
6	30	German Cand		Do.
6	30	do		Photo-micrographic.
6	30	Bay. Cand		Do.
6	30	D. C. Med		Do.
24	50 C. P.	L. S. Med		X-Ray instrument.

[1] Med. Bay. no pins, equipped with 2 or 3 pin sleeve.

TUNGSTEN FILAMENT LAMPS—Continued

Large—Continued

Volts	Watts	Base	Bulb finish	Description and/or use
G-16½ Bulb				
6	20	Special S. C. Bay		Railway light signal.
6	20/6.5	do		Do.
8	40	Med		Do.
8	27 C. P.	do		Do.
10	18	Bay. Cand		Do.
10	40	do		Do.
12	9	(1)		Do.
14	20	Med		Do.
20	5A	S. C. Pf		Marine signal.
115, 120, 125	25	Bay. Cand		Railway light signal—L. C. L. and A. A. tolerance—1/32 in.
115, 120, 125	25	do		Railway light signal—L. C. L. and A. A. tolerance—1/16 in.
115, 120, 125	30	do		Railway light signal.
115, 120, 125	75	D. C. Pf		Spotlight.
115, 120, 125	75	Bay. Cand		Do.
115, 120, 125	100	do		Searchlight—L. C. L.—1/16 in.
115, 120, 125	100	do		Searchlight—L. C. L.—1¼ in.
115, 120, 125	100	D. C. Pf		Searchlight.
115, 120, 125	100	Bay. Cand		Spotlight.
115, 120, 125	100	D. C. Pf		Do.
115, 120, 125	150	Bay. Cand		Do.
220, 250	100	do		Do.
G-18½ Bulb				
6	100	D. C. Med		Instrument.
8	50	Med		Railway light signal.
14	36	do		Railway light signal—two 16W fil. in multiple.
20	36	do		Do.
30	36	do		Railway light signal.
60	25	do		Railway signal.
115, 120, 125	25	do		Dentiscope.
115, 120, 125	36	do		St. railway hdlt.—L. C. L. 1/16 in.
115, 120, 125	36	do		St. railway hdlt.—L. C. L. 3/16 in.
115, 120, 125	96	D. C. Med		Projection.
G-19 Bulb				
110	100	Med. Pf		Airport approach.
G-25 Bulb				
10.8	375	Mog. Pf		Searchlight.
12	260	do		Loco. hdlt.
12	420	Mog		Airplane hdlt.
12	420	Mog. Pf		Do.
14	420	do		Do.
24	420	do		Do.
115	1,000	Special tube for underwater use.		Deep sea.
115, 120, 125	1,000	Med		Diving.
120/6	150/108	2 C. Mog		Hospital spotlight.
120/12	150/108	do		Do.
G-30 Bulb				
6	108	Mog		Loco. hdlt.
10.8	200	Med		Floodlight.
12	200	do		Do.
12	480	Med. Bip		Headlight.
115	250	Med		Drying.
115	250	Med. Skt		Do.
115, 120, 125	100/200/300	3 C. Mog	Diff	Three-lite.
115, 120, 125	150/150	do		Hospital spotlight.
115, 120, 125	250	Mog		Do.
115, 120, 125	250	Med		Floodlight—base up.
115, 120, 125	250	do		Floodlight—base down.
115, 120, 125	250	Med. Pf		Floodlight.
115, 120, 125	250	Med		Spotlight.
115, 120, 125	250	Med. Pf		Do.
115, 120, 125	260	Med		Lighthouse.
115, 120, 125	250	do	Diff	Indirect lite.
115, 120, 125	251	do		Floodlight.
115, 120, 125	275	Med. Skt		Headlight.

TUNGSTEN FILAMENT LAMPS—Continued

Large—Continued

Volts	Watts	Base	Bulb finish	Description and/or use
G-30 Bulb—Con.				
115, 120, 125	300	Mog	Diff.	Indirect lite.
115, 120, 125	400	Med. Pf.		Floodlight.
115, 120, 125	400	Med		Do.
115, 120, 125	400	do		Spotlight.
115, 120, 125	400	Med. Pf.		Do.
115, 120, 125	400	Med		Searchlight.
115, 120, 125	400	Med. Skt.		Do.
115, 120, 125	400	Med	Photographic blue	
230, 260	250	do		Spotlight.
230, 260	250	do		Floodlight.
230, 260	400	do		Spotlight.
230, 260	400	do		Floodlight.
G-40 Bulb				
22	500	Mog		Do.
32	1,000	do		Searchlight.
80	320	do		Headlight.
115, 120, 125	500	do		Spotlight.
115, 120, 125	500	do		Floodlight.
115, 120, 125	501	do		Do.
115, 120, 125	750	do	Diff.	
115, 120, 125	1,000	do		Spotlight.
115, 120, 125	1,000	Mog. Pf.		Do.
115, 120, 125	1,000	Mog		Floodlight.
115, 120, 125	1,000	do		Projection.
115, 120, 125	1,000	Med. Bip		Motion picture production.
115, 120, 125	1,000	Mog		3200° K.
115, 120, 125	1,000	Med. Bip		3200° K.
115, 120, 125	1,000	do		3350° K.
115, 120, 125	1,000/1,000	3 C. Mog		Searchlight.
115, 120, 125	1,500	Mog		Spotlight.
115, 120, 125	1,500	Mog. Pf.		Do.
115, 120, 125	1,500	do		Projection.
230, 260	500	Mog		Floodlight.
230, 260	1,000	do		Spotlight.
230, 260	1,000	do		Floodlight.
G-48 Bulb				
115, 120, 125	1,000	Mog. Bip		Motion picture production.
115, 120, 125	1,000	Mog		Do.
115, 120, 125	1,500	do		Floodlight.
115, 120, 125	2,000	Mog. Bip		Spotlight.
115, 120, 125	2,000	Mog		Do.
115, 120, 125	2,000	do		Floodlight.
115, 120, 125	2,000	do		Motion picture production.
115, 120, 125	2,000	Mog. Bip		Motion picture production medel-ing.
115, 120, 125	2,000	do		Motion picture production (tung-sten powder cleaner).
115, 120, 125	2,000	Mog		3200° K.
115, 120, 125	2,000	Mog. Bip		3200° K.
115, 120, 125	2,000	do		3350° K.
230, 260	1,500	Mog		Floodlight
G-64 Bulb				
115, 120, 125	5,000	Mog. Bip		Floodlight.
115, 120, 125	5,000	do		3200° K.
115, 120, 125	5,000	do		3300° K.
G-66 Bulb				
115, 120, 125	10,000	do		Process photography.
115, 120, 125	10,000	do		3200° K.
GT-36 Bulb				
32	3,000	Prong		Airport floodlight.
GT-48 Bulb				
115, 120, 125	2,000	Mog		Street lighting.

TUNGSTEN FILAMENT LAMPS—Continued

Large—Continued

Volts	Watts	Base	Bulb finish	Description and/or use
P-25 Bulb				
5.5	72	Med		Spotlight.
6	72	do		Headlight.
6	108	do		Do.
6	108	do		Searchlight.
6	108	do		Instrument.
10.5	96	do		Spotlight.
12	72	do		Headlight.
12	80	do		Hospital spotlight—two 40W fil. in mult.
12	108	do		Headlight.
12	120	do		Hospital spotlight—two 60W fil. in mult.
12	18A	do		Searchlight.
24	200	do		Loco. headlight.
32	80/80	3 C. Mog		Marine running light.
32	160	Med		Loco. headlight.
32	160	do		Do.
32	200	do		Do.
32	200	Med. Pf.		Do.
32	8A	Med		Searchlight.
60	48	do		Headlight.
60	80	do		Loco. headlight.
60	96	do		Headlight.
60	140	do		Loco. headlight.
60	250	do		Do.
60	250	Med. Pf.		Do.
115, 120, 125	40	Med		Headlight.
115, 120, 125	80/50	3 C. Mog		Marine running light.
115, 120, 125	50	Med		Street railway headlight.
115, 120, 125	60	do		Spotlight.
115, 120, 125	75	do		Headlight.
115, 120, 125	94	do		Do.
115, 120, 125	94	do		Street railway headlight.
115, 120, 125	100	do		Floodlight.
115, 120, 125	100	do		Spotlight.
115, 120, 125	100	Med. Pf.		Do.
115, 120, 125	100	Med		Spotlight—base up.
115, 120, 125	100/100	3 C. Mog		Marine running light.
115, 120, 125	100	Med		St. railway headlight.
115, 120, 125	140	do		Spotlight—base up.
115, 120, 125	150	do		Headlight—I. C. L. 3 in.
115, 120, 125	150	do		Headlight—I. C. L. 2 5/16 in.
115, 120, 125	200	do	DY	X-Ray Illuminator.
115, 120, 125	250	do	do	Do.
115, 120, 125	250	do		Loco. headlight.
115, 120, 125	250	do		Spotlight—base up.
115, 120, 125	250	do		Hospital spotlight.
115, 120, 125	200/250	3 C. Mog		Headlight.
135, 145, 155	50	Med		Do.
135, 145, 155	94	do		Do.
230, 260	96	do		Do.
230, 260	150	do		Spotlight.
230, 260	150	do		Do.
230, 260	250	do	DY	X-Ray Illuminator.
230, 260	250	do	do	Do.
230, 260	250	do		Spotlight.
259	94	do		Headlight.
PAR-36 Bulb				
115, 120, 125	150	Med. Skt.		Projector spotlight.
115, 120, 125	150	do		Do.
115, 120, 125	150	do		Projector floodlight bomb practice.
120	150	Med. Skt. sealed		Projector spotlight.
120	150	do		Do.
PS-25 Bulb				
12	120	Med		
30	120	do		Train and country home.
115, 120, 125	60/100/150	3 C. Mog	Diff.	Three-lite.
115, 120, 125	94	Med		Street railway.
115, 120, 125	150	Mog		
115, 120, 125	150	Med	Diff., WB, white	
115, 120, 125	150	do	DY, SB, NS	
115, 120, 125	150	do	Diff.	Vibration service.

TUNGSTEN FILAMENT LAMPS—Continued

Large—Continued

Volts	Watts	Base	Bulb finish	Description and/or use
PS-25 Bulb—Con.				
115, 120, 125	201	Mog		Street railway.
230, 260	200	Med. Skt.	Clear, SB	
230, 260	200	Mog	Clear, SB	
260	200	do		Series street lighting.
1800 Lumens	6.6A	do		Do.
2000 Lumens	6A	do		Do.
2000 Lumens	6.6A	do		Do.
2000 Lumens	6.6A	do		Do.
2000 Lumens	6.6A	do		Series street lighting—base down.
2400 Lumens	6.6A	do		Series street ltg.—group replac.
2400 Lumens	7.5A	do		Series street lighting.
2400 Lumens	7.5A	do		Series street lighting—group replac.
2600 Lumens	6A	do		Series street lighting.
2600 Lumens	18A	do		Series street lighting—base up.
2600 Lumens	18A	do		Series street lighting—base down.
4000 Lumens	4A	do		Series street lighting.
4000 Lumens	5.5A	do		Do.
4000 Lumens	6.6A	do		Do.
4000 Lumens	6.6A	do		Series street ltg.—group replac.
4000 Lumens	7.5A	do		Series street lighting.
4000 Lumens	7.5A	do		Series street ltg.—group replac.
4000 Lumens	18A	do		Series street lighting—base up.
4000 Lumens	18A	do		Series street ltg.—base up—group replac.
4000 Lumens	18A	do		Series street lighting—base down.
4000 Lumens	18A	do		Series street ltg.—base down—group replac.
4000 Lumens	20A	do		Series street lighting—base up.
4000 Lumens	20A	do		Series street ltg.—base up—group replac.
4000 Lumens	20A	do		Series street lighting—base down.
4000 Lumens	20A	do		Series street ltg.—base down—group replac.
PS-40 Bulb				
28	600	do		Headlight—base up.
32	720	do		
60	600	do		
90	500	do	Diff.	
115	500	Med. Skt.		Drying.
115, 120, 125	300	do	NS	Reflector.
115, 120, 125	370	Mog		Multiple street ltg.
115, 120, 125	425	do		Multiple street ltg.—group replac.
115, 120, 125	500	do	Diff., DY, NS, SB	
115, 120, 125	500	do	Diff.—photographic blue.	
115, 120, 125	500	do		Heat-resisting.
115, 120, 125	500	Mog. Pf.		Code beacon.
115, 120, 125	501	Mog		
115, 120, 125	575	do		Multiple street lighting.
115, 120 125	620	do		Multiple street ltg.—group replac.
115, 120, 125	1,000	do	Diff.	3200° K.
230, 250	500	do	Clear, SB	
260	500	do		
6000 Lumens	4A	do		Series street lighting—rectifier.
6000 Lumens	6.6A	do		Series street lighting.
6000 Lumens	6.6A	do		Series street ltg.—group replac.
6000 Lumens	6.6A	do		Series street lighting—rectifier.
6000 Lumens	7.5A	do		Series street lighting.
6000 Lumens	7.5A	do		Series street ltg.—group replac.
6000 Lumens	20A	do		Series street lighting—base up.
6000 Lumens	20A	do		Series street ltg.—base up—group replac.
6000 Lumens	20A	do		Series street lighting—base down.
6000 Lumens	20A	do		Series street ltg.—base down—group replac.
10000 Lumens	6.6A	do		Series street lighting.
10000 Lumens	6.6A	do		Series street ltg.—group replac.
10000 Lumens	20A	do		Series street ltg.—base up.
10000 Lumens	20A	do		Series street ltg.—base up—group replac.
10000 Lumens	20A	do		Series street lighting—base down.
10000 Lumens	20A	do		Series street ltg.—base down—group replac.
15000 Lumens	20A	do		Series street ltg.—base up.
15000 Lumens	20A	do		Series street ltg.—base down.

TUNGSTEN FILAMENT LAMPS—Continued

Large—Continued

Volts	Watts	Base	Bulb finish	Description and/or use
PS-52 Bulb				
10	200	Med. Skt.		
32	200	Med		
60	200	Med		
60	200	Med.		
90	200	do	Diff.	
115	120	Med. Skt.		Drying.
115	200	Med.		Do.
115	200	Med. Skt.	Silver ring	Do.
115	200	do		Do.
115	370	do	NS	Reflector.
115, 120, 125	100	Med	Hospital.	
115, 120, 125	100/100/200	3 C. Mog	Diff.	
115, 120, 125	100/200/300	do	Diff.	Do.
115, 120, 125	150	Med	NS	Reflector.
115, 120, 125	200	do		Rough service.
115, 120, 125	200	do	Diff., WB	
115, 120, 125	200	do	DY, SB, NS	
115, 120, 125	200	do		Code beacon.
115, 120, 125	200	Med. Pf.		
115, 120, 125	200	Mog		Do.
115, 120, 125	200	Mog. Pf.		Street railway.
115, 120, 125	201	Med		
120	200/40	Mog	SB	Rough service.
230, 260	200	Med		
230, 260	200	do	Diff.	
230, 260	200	do	SB	
230, 260	200	Mog		
230, 260	201	Med		Mine.
260	200	do		
260	201	do		Airport approach.
6.6A	200	Mog. Pf.		
PS-35 Bulb				
32	300	Mog		
60	300	do		
90	300	do	Diff.	
115, 120, 125	300	do	NS	Reflector.
115, 120, 125	265	do		Multiple street lighting.
115, 120, 125	295	do		Multiple street ltg.—group replac.
115, 120, 125	300	Med. Skt.	SB	
115, 120, 125	300	Mog		Rough service.
115, 120, 125	300	Med	Diff.	
115, 120, 125	300	Mog	Diff., DY, NS, SB, WB.	
116, 120, 125	300	do		Lighthouse.

TUNGSTEN FILAMENT LAMPS—Continued

Large—Continued

Volts	Watts	Base	Bulb finish	Description and/or use
PS-52 Bulb				
115	2,000	Mog		3350° K.
115, 120, 125	500	do	NS	Reflector.
115, 120, 125	750	do	Diff., SB	Heat-resisting.
115, 120, 125	750	Mog. Clamp		Multiple street lighting.
115, 120, 125	800	do		Multiple street ltg.—group replac.
115, 120, 125	860	do		Heat-resisting.
115, 120, 125	1,000	do		3300° K.
115, 120, 125	1,000	do		
115, 120, 125	1,000	do	Diff., SB	
115, 120, 125	1,000	do	Diff.—photographic blue.	
115, 120, 125	1,000	do		Motion picture production.
115, 120, 125	1,001	do		Heat-resisting.
115, 120, 125	1,500	do		
115, 120, 125	1,500	do	Diff	
115, 120, 125	2,000	do		
200, 207	750	Mog		
200, 208	1,000	do		Heat-resisting.
200, 208	1,000	Mog. Clamp		Do.
200, 208	1,500	do		
200, 208	1,500	Mog		
200, 208	2,000	Mog. Clamp		
235	750	Mog		
235	1,000	do		Heat-resisting.
235	1,000	Mog. Clamp		
235	1,500	Mog		Series street lighting—base up.
24000 Lumens	20A	do		
PS-60 Bulb				
115, 120, 125	750	do	NS	
115, 120, 125	1,000	do	do	
R-16 Bulb				
115, 120, 125	60	Med		Deatiscope
R-30 Bulb				
115, 120, 125	75	do	NS	Reflector spotlight.
R-40 Bulb				
115	125	Med. Skt	Diff	Reflector drying.
115	250	do	do	Do.
115	250	Med	do	Reflector heat.
115, 120, 125	100	do	do	Reflector spotlight.
115, 120, 125	100	do	do	Reflector floodlight.
115, 120, 125	150	do	do	Reflector spotlight.
115, 120, 125	150	do	do	Reflector floodlight.
115, 120, 125	200	do	do	Reflector spotlight.
115, 120, 125	200	do	do	Reflector floodlight.
115, 120, 125	300	do	do	Reflector spotlight.
115, 120, 125	300	do	do	Reflector floodlight.
R-60 Bulb				
115, 120, 125	300	Mog	do	Reflector spotlight.
115, 120, 125	500	do	do	Do.
RP-11 Bulb				
6.5	4.5/4.5A	D. C. Pf		Street railway headlight.
12.5	2.4/2.4A	do		Do.
S-6 Bulb				
6	6	Cand		Indicator.
12	6	do		Do.
30	6	do		Train and country home.
60	6	do		Train.
70	6	do		Indicator.
115, 120, 125	6	do		Do.
115, 120, 125	6	Bay. Cand		Do.
115, 120, 125	6	Inter		Do.
125, 145, 155	6	Cand		Do.
220, 250	10	do		Do.
220, 250	10	Inter		Do.

TUNGSTEN FILAMENT LAMPS—Continued

Large—Continued

Volts	Watts	Base	Bulb finish	Description and/or use
S-6 Bulb				
3.5	1A	S. C. Pf		Marine signal.
3.5	2A	do		Facsimile transmitter.
4	0.75A	S. C. Bay		Sound reproducer.
4	0.75A	S. C. Pf		Do.
4	0.75A	D. C. Pf		Do.
4.3	1A	S. C. Pf		Marine Signal.
6	1A	S. C. Bay		Recorder.
6.2	0.25A	S. C. Pf		Marine signal.
6.2	0.46A	Bay. Cand		Do.
6.2	0.46A	S. C. Pf		Do.
6.2	0.50A	Bay. Cand		Do.
6.2	0.70A	do		Do.
6.2	0.70A	S. C. Pf		Do.
6.2	0.92A	Bay. Cand		Do.
6.2	0.92A	S. C. Pf		Do.
6.2	1.4A	do		Do.
6.2	1.84A	do		Do.
7	0.2A	S. C. Bay., no pins		Recorder.
12	0.55A	S. C. Pf		Marine signal.
12	0.77A	do		Do.
12	1.15A	do		Do.
12	1.35A	do		Do.
13	0.32A	Bay Cand		Do.
13	0.32A	S. C. Pf		Do.
13	0.35A	Bay. Cand		Do.
13	0.75A	do		Do.
14	0.25A	do		De.
14	0.25A	S. C. Pf		Do.
14	0.35A	Bay. Cand		Do.
14	0.35A	S. C. Pf		Do.
14	0.75A	do		Do.
14	0.75A	Bay. Cand		Do.
S-11 Bulb				
2.5	0.15A	Bay. Cand		Railway signal
3.5	0.12A	do		Do.
3.5	0.30A	do		De.
3.5	0.75A	do		Marine signal.
4	0.15A	do		Traffic signal.
4	3	do		Railway light signal.
5.5	0.15A	do		Traffic signal.
6	0.25A	do		Railway signal.
6	5A	do		Photocell exciter.
6	5A	D. C. Pf		Do.
6	10	Bay. Cand		Railway light signal.
6	30	Med		Battleship emergency.
6	30	D. C. Bay		Do.
6.2	2.5A	S. C. Pf		Marine signal.
6.2	4.2A	do		Do.
6.5	10	Med		Battleship emergency.
8	5	Bay. Cand		Railway light signal.
8	5/3.5	S. C. Bay		Do.
8	10	Bay. Cand		Do.
8	13/3.5	S. C. Bay		Do.
8	15	Bay. Cand		Do.
8	18/3.5	S. C. Bay		Do.
8	0.25A	Bay. Cand		Railway signal.
8	3.75A	S. C. Bay		Photocell exciter.
9	18.3	Bay. Cand		Railway light signal.
10	0.25A	do		Railway signal.
10	5	do		Railway light signal.
10	4.0/3.5	S. C. Bay		Do.
10	10	Bay. Cand		Do.
10	13/3.5	S. C. Bay		Do.
10	15	Bay. Cand		Do.
10	21.5/3.5	S. C. Bay		Do.
10	26	Bay Cand		Do.
11	11	do		Do.
11.5	14.4/3.5	S. C. Bay		Railway signal.
12	0.12A	Bay. Cand		Do.
12	0.25A	do		Marine signal.
12	2.09A	S. C. Pf		Do.
12	3.05A	do		Railway light signal.
12	18/5	Bay. Cand		Do.
13.5	10	do		Do.
13.5	17	do		Railway signal.
13.5	0.12A	do		

TUNGSTEN FILAMENT LAMPS—Continued

Large—Continued

Volts	Watts	Base	Bulb finish	Description and/or use
S-11 Bulb—Continued				
13.5	0.25A	Bay Cand		Railway signal
14	2A	S. C. Pf		Marine signal
14	2A	Bay. Cand		Do.
14	3A	S. C. Pf		Do.
14	10	Inter		Indicator.
18	0.25A	Bay. Cand		Railway signal.
20	15	Cand		Train and country home.
20	15	Inter		Do.
22	30	D. C. Bay		Train marker
60	10	Med		Train.
60	15	Bay. Cand		Multiplex printing machine.
64	15	do		Train marker.
100	30	D. C. Bay		Photographic.
100	30	Cand		Do.
115	30	do		Film viewer.
115	30	D. C. Bay		Do.
115, 120, 125	7.5	Med	White	
115, 120, 125	10	Bay. Cand		Indicator.
115, 120, 125	10	Inter	Diff.—outside transparent coated brown.	Infrared.
115, 120, 125	15	do	Clear, white	
115, 120, 125	10	Cand. Skt		Indicator.
115, 120, 125	10	Bay. Cand		Railway signal
115, 120, 125	15	do		Headlamp.
115, 120, 125	15	Cand		Do
120	10	Inter	Coated—blue, green, red.	
125, 145, 155	15	Cand		Microscope.
S-14 Bulb				
6	5	Med		
6	10	Do.		
12	0.25A	Med. Bay. with 3 pin sleeve.		Railway signal.
12	2.5	Med		Do.
24	5	do		Do.
24	10	do		Do.
30	5	do		Train and country home.
30	6	do		Train.
36	5	do		Locomotive cab.
36	15	do	Diff	Subway car tail light.
40	15	do		Railway signal.
30	20	do		Do.
36	15	do		Do.
64	10	do		
115, 120, 125	10	do	Diff., DY.	
115, 120, 125	20	do	Diff.	
120	9	do	Blackout	Street lighting—for use in blackout equipment.
120	10	do	Coated—blue, green, red.	
120	10	do	Natural—blue, green, light ruby, dark ruby.	
S-24½ Bulb				
115, 120, 125	94	do		Film printing.
115, 120, 125	100	do		Do.
115, 120, 125	150	do		Do.
115, 120, 125	150	do		Film printing—two 75W fil. in mult.
T-3¼ Bulb				
1.5	1.5A	Min		Gauge.
3	0.214A	do		Do.
3	0.342A	do		Do.
3	0.519A	do		Do.
40	0.13A	do		Do.
T-4 Bulb				
8	0.15A	Cand		Railway signal.
18	0.11A	do		Switchboard.
22	0.11A	do		Do.
T-4½ Bulb				
105, 120, 125	6	do		Indicator.

TUNGSTEN FILAMENT LAMPS—Continued

Large—Continued

Volts	Watts	Base	Bulb finish	Description and/or use
T-5 Bulb				
4	0.75A	S. C. Bay		Sound reproducer.
6	1A	Bay. Cand		Recorder.
6	1A	S. C. Pf		Sound reproducer—C-6 fil.
6	1A	do		Sound reproducer—C-8 fil.
7	0.30A	do		Sound reproducer.
7	0.30A	S. C. Bay, no pins		Recorder.
9	2.15A	(4)		Portable recorder.
9	2.15A	D. C. Bay		Do.
9	2.15A	S. C. Pf		Recorder.
15	1A	(4)		Sound reproducer.
T-6 Bulb				
3.5	3.5A	German Cand		Instrument.
10	5	Cand		Switchboard.
30	15	do		Do.
40, 50	15	do		Do.
70	15	do		Do.
115, 120, 125	15	do		Transilluminator.
115, 120, 125	15	do		Switchboard.
145	15	do		Do.
175	15	do		Do.
T-6½ Bulb				
5	25	Inter		Showcase.
30	25	do	Diff	Train and country home.
34	25	do		Train.
60	25	do	Diff	Do.
115, 120, 125	25	Cand. Skt		Showcase.
115, 120, 125	25	Inter	Diff	Do.
115, 120, 125	25	do	DF	Do.
115, 120, 125	40	do	Diff	Boro inspection.
115, 120, 125	40	German Cand		Do.
125, 145, 155	25	Inter		Showcase.
220, 250	25	do		Do.
T-7 Bulb				
24	15	Cand		Signal light.
32	15	do		Do.
115	15	do		Do.
115, 120, 125	15	Bay. Cand		Transfer time punching mach. indicator.
115, 120, 125	15	D. C. Bay		Pilot lamp for use in special projector—high electrical resistance soldering flux.
115, 120, 125	15	Inter.		
160	0.139A	Bay. Cand		Switchboard—network protector.
T-8 Bulb				
5	6.5A	S. C. Pf		Sound reproducer.
5	6.5A	S. C. Bay		Do.
6	3.5A	S. C. Pf		Photocell exciter.
6	8A	do		Do.
6	50	Bay. Cand		Projection.
6	50	D. C. Pf		Do.
6.4	26	do		Airport obstacle marker.
8	2A	(4)		Sound reproducer.
8	2A	S. C. Pf		Do.
8	50	do		Projection.
8.5	4A	do		Sound reproducer—C-6 fil.
8.5	4A	(4)		Do.
8.5	4A	S. C. Pf		Sound reproducer—C-8 fil.
8.5	4A	S. C. Bay		Do.
9	4A	S. C. Pf		Sound reproducer.
10	5A	Bay. Cand		Sound reproducer—curved fil.
10	5A	S. C. Bay		Sound reproducer.
10	5A	S. C. Pf		Do.
10	7.5A	Bay. Cand		Do.
10	7.5A	S. C. Pf		Do.
10	7.5A	do		Sound reproducer—silver contact.
10	7.5A	D. C. Pf		Densitometer.
10.5	7.8A	Bay. Cand		Recorder.

4 Special S. C. Bay. with lead to shell soldered at bottom.

TUNGSTEN FILAMENT LAMPS—Continued

Large—Continued

Volts	Watts	Base	Bulb finish	Description and/or use
T-8 Bulb—Continued				
12	1A	Bay. Cand		Instrument.
12	50	...do		Projection.
14	4A	Med		Do.
14	4A	Bay. Cand		Do.
14	4A	Cand		Do.
14	4A	S. C. Pf		Do.
20	100	Bay. Cand		Contour map.
20	100	...do		Sound reproducer.
27	1A	S. C. Bay		Train.
30	15	Cand		Do.
30	25	Med		Lumiline.
30	30	Disc	Clear, white	Train.
30	40	Med	Diff	Projection.
30	75	Bay. Cand		Do.
33	100	...do		Train.
34	40	Med		Lumiline.
60	30	Disc	Clear, white	Projection.
109	200	D. C. Pf		Airport marker.
105	10	...do		Do.
105	25	...do		Airport signal.
110	99	...do		Ophthalmometer.
115, 120, 125	15	Cand		Microscope illuminator.
115, 120, 125	25	Bay. Cand		Vibration service.
115, 120, 125	25	D. C. Bay	Diff., white	Lumiline.
115, 120, 125	30	Disc	Clear, white	Airport marker.
115, 120, 125	40	D. C. Pf		Showcase.
115, 120, 125	40	Med	Diff	Lumiline.
115, 120, 125	40	Disc	Clear, white	Showcase.
115, 120, 125	60	Med		Lumiline.
115, 120, 125	60	Disc	Clear, white	Projection.
115, 120, 125	75	Bay. Cand		Do.
115, 120, 125	75	S. C. Pf		Do.
115, 120, 125	75	D. C. Pf		Do.
115, 120, 125	75	...do	(1)	Do.
115, 120, 125	100	Bay. Cand		Do.
115, 120, 125	100	D. C. Pf		Do.
115, 120, 125	150	S. C. Pf		Do.
115, 120, 125	150	D. C. Pf		Do.
115, 120, 125	150	Bay. Cand		Do.
115, 120, 125	150	D. C. Pf	(1)	Do.
120	60	D. C. Bay. with ext. lead wires.		Photographic.
230, 250	25	D. C. Bay	Diff., white	Vibration service.
230, 250	40	Med		Showcase.
230, 250	75	Bay. Cand		Projection.
230, 250	150	...do		Do.
T-8½ Bulb				
3	5A	Med		Pyrometer.
3	6A	...do		Oscillograph.
6	9A	...do		Recorder.
6	9A	...do		Instrument.
6	12A	...do		Projection.
30	25	...do	Diff	Train and country home.
30	40	...do	...do	Do.
30	100	Med. Pf		Projection.
34	25	Med	Diff	Train.
60	25	...do	...do	Do.
60	60	...do		Do.
115, 120, 125	100	...do		Projection.
115, 120, 125	100	Med. Pf		Do.
115, 120, 125	100	Med		Film printing.
115, 120, 125	500	S. C. Pf		Projection.
115, 120, 125	300	Bay. Cand		Do.
115, 120, 125	300	D. C. Pf		Do.
230, 250	125	Med		Do.
230, 250	125	Med. Pf		Do.
T-10 Bulb				
6	9A	...do		Oscillograph.
6	18A	Med		Microscope illuminator.
6	18A	...do		Ultraviolet spectrum.
6	18A	...do		Projection.

(1) Major locking eyelet 30° from plane of filament.

TUNGSTEN FILAMENT LAMPS—Continued

Large—Continued

Volts	Watts	Base	Bulb finish	Description and/or use
T-10 Bulb—Continued				
6	18A	Med. Pf		Projection.
8	30	L. S. Med		Instrument.
10	9A	Med		Recorder.
12	3A	Bay. Cand		Optical gauge.
12	9A	Med		Projection.
12	12A	Med. Pf		Photocell exciter.
18	2A	Med		Galvanometer.
30	25	...do		Train and country home.
30	165	...do		Projection.
30	165	Med. Pf		Do.
30	165	...do		Sensitometer.
30	165	...do	Opaque bulb end	Projection.
30	200	...do	...do	Do.
30	300	Med		Do.
52	260	Med. Pf		Inspection (extension cord).
115, 120, 125	25	Med		Showcase.
115, 120, 125	25	...do	DF	Do.
115, 120, 125	25	...do	Diff	Do.
115, 120, 125	40	...do	...do	Do.
115, 120, 125	40	...do	DF	Do.
115, 120, 125	75	...do		Do.
115, 120, 125	150	...do		Do.
115, 120, 125	165	Med. Pf		Projection.
115, 120, 125	200	Bay. Cand		Photographic—base pins parallel to plane of lead wires.
115, 120, 125	200	D. C. Bay		Photographic.
115, 120, 125	200	Med		Projection.
115, 120, 125	200	Med. Pf		Do.
115, 120, 125	300	Med	Opaque bulb end	Do.
115, 120, 125	300	Med. Pf	...do	Do.
115, 120, 125	400	Med	...do	Do.
115, 120, 125	400	Med. Pf	...do	Do.
115, 120, 125	500	Med	...do	Do.
115, 120, 125	500	Med. Pf	...do	Do.
115, 145, 155	25	Med		Showcase.
230, 250	25	...do		Do.
230, 250	250	...do		Projection.
230, 250	250	Med. Pf		Do.
230, 250	500	Med	Opaque bulb end	Do.
230, 250	500	Med. Pf	...do	Do.
T-12 Bulb				
20	3A	Med		Galvanometer.
30	400	...do	Opaque bulb end	Projection.
115, 120, 125	100	Med. Skt		Spotlight—base up.
115, 120, 125	250	Med. Pf		Do.
115, 120, 125	500	Med. Pf. Skt		Floodlight—base up.
115, 120, 125	400	...do		Projection.
115, 120, 125	500	Med. Pf		Projection—base up.
115, 120, 125	800	Med		Projection—offset fil.
115, 120, 125	800	...do		Do.
115, 120, 125	500	Med. Pf		Stereoscopic projection.
115, 120, 125	600	...do	Opaque bulb end	Projection—base up.
115, 120, 125	730	Med		Projection.
115, 120, 125	730	...do	Opaque bulb end	Do.
115, 120, 125	730	Med. Pf	...do	Do.
115, 120, 125	730	...do	...do	Projection—L. C. L. 3 in.
115, 120, 125	1000	Med	...do	Projection—L. C. L. 3½ in.
115, 120, 125	1000	...do	...do	Projection—base up.
115, 120, 125	1000	...do		High speed photography
115, 120, 125	1800	Med. Pf		Projection.
230 250	750	Med	Opaque bulb end	Do.
230, 250	750	Med. Pf	...do	
T-14 Bulb				
6	3.8A	Med		Galvanometer.
10	3.8A	...do		Do.
30	300	...do		Projection.
30	300	Med. Pf		Do.
40	60	D. C. Med		Photomicrographic tungsten arc.
115, 120, 125	250	Med. Blp		Floodlight—base up.
115, 120, 125	250	Med		Lighthouse.
115, 120, 125	250	...do		Projection.
115, 120, 125	500	Med. Pf		Do.
115, 120, 125	500	Med. Blp		Floodlight—base up.
115, 120, 125	500	...do		Spotlight—base up.

TUNGSTEN FILAMENT LAMPS—Continued

Large—Continued

Volts	Watts	Base	Bulb finish	Description and/or use
T-20 Bulb				
3.5	30A	Mog		Pyrometer.
4	30A	...do		Do.
5.5	30A	...do		Instrument.
7.5	30A	Mog. Pf		Ultraviolet spectrum.
30	500	Med		Projection.
30	500	Med. Pf		Do.
30	600	Mog		Do.
30	600	Mog. Pf		Do.
30	900	Mog		Do.
30	1000	...do		Airway beacon.
30	1000	Mog. Blp		Do.
115, 120, 125	300	Mog. Pf		Spotlight.
115, 120, 125	500	Med. Blp	Diff	Base up.
115, 120, 125	300	...do	...do	
115, 120, 125	500	...do	...do	Base up.
115, 120, 125	600	...do	...do	
115, 120, 125	500	Med. Pf		Spotlight.
115, 120, 125	500	Med. Skt		Projection.
115, 120, 125	500	Med. Blp		Airway beacon.
115, 120, 125	500	Mog. Pf		On course beacon.
115, 120, 125	500	Mog		Do.
115, 120, 125	500	...do		Projection.
115, 120, 125	500	Med		Do.
115, 120, 125	500	Med. Pf		Do.
115, 120, 125	500	Med		3200° K.
115, 120, 125	500	Med. Pf		3200° K.
115, 120, 125	500	Med. Blp		3200° K.
115, 120, 125	500	...do		3350° K.
115, 120, 125	500	...do		Motion picture production.
115, 120, 125	500	Med. Pf		Marine fire detector.
115, 120, 125	500	Med	Diff.—photographic blue.	
115, 120, 125	500	Mog		Lighthouse—two 250W fil. in mult.
115, 120, 125	500	...do		Lighthouse—coils in series.
115, 120, 125	750	Med		Projection.
115, 120, 125	750	Med. Pf		Do.
115, 120, 125	1,000	Med		Do.
115, 120, 125	1,000	Med. Pf		Do.
115, 120, 125	1,000	...do		Projection—C-12 fil.
115, 120, 125	1,000	Mog		Projection.
115, 120, 125	1,080	Mog. Pf		Projection—C-12 fil.
115, 120, 125	1,000	...do		Projection—C-12D fil.
115, 120, 125	1,000	Mog		3200° K.
115, 120, 125	1,000	Mog. Pf		3200° K.
115, 120, 125	1,000	Mog		Lighthouse—two 500W fil. in mult.
115, 120, 125	1,000	Mog. Blp		Do.
115, 120, 125	1,000	Mog		Lighthouse.
115, 120, 125	1,000	...do		Airway beacon.
115, 120, 125	1,000	Mog. Pf		Do.
115, 120, 125	1,000	Mog. Blp		Do.
115, 120, 125	1,000	Mog		Film printing.
115, 120, 125	1,000	Mog. Blp		Liquid immersed.
115, 120, 125	1,500	Mog		Projection.
115, 120, 125	1,500	Mog. Blp		Do.
115, 120, 125	1,500	Mog. Pf		Do.
115, 120, 125	1,500	...do		Television.
230, 250	500	Med		Projection.
230, 250	500	Med. Pf		Do.
230, 250	1,000	...do		Do.
230, 250	1,000	Mog		Do.
230, 250	1,000	Mog. Pf		Do.
4,000 Lumens	6.6A	Med. Blp		Series street ltg.—base up.
T-24 Bulb				
3	75A	Mog. Blp		Spectrograph.
6	30A	Mog		Pyrometer.
6	30A	Mog. Blp		Spectrograph.
6	30A	...do		Ultraviolet spectrum.
19	20A	Mog		
33	1,500	Mog. Blp		Airport floodlight—C-12B fil.
33	1,500	...do		Airport floodlight—C-5 fil.
60	2,100	...do		Projection.
110	1,250	Med. Blp		Portable by air floodlight.
115, 120, 125	500	Mog. Blp		On course beacon.
115, 120, 125	500	Mog		
115, 120, 125	750	Med. Blp		3,200° K.
115, 120, 125	750	...do		3,350° K.

TUNGSTEN FILAMENT LAMPS—Continued

Large—Continued

Volts	Watts	Base	Bulb finish	Description and/or use
T-24 Bulb—Continued				
115, 120, 125	750	Med. Blp		Motion picture production.
115, 120, 125	750	...do	Diff	Base up.
115, 120, 125	750	...do	...do	
115, 120, 125	1,000	...do	...do	Base up.
115, 120, 125	1,000	...do	...do	
115, 120, 125	1,000	Mog. Blp		Spotlight—base up.
115, 120, 125	1,500	Med. Blp	Diff	Photo engraving—base up.
115, 120, 125	1,800	Mog. Blp		Spotlight—base up.
115, 120, 125	1,800	Mog		Projection.
115, 120, 125	2,000	...do		Do.
10,000 Lumens	20A	Med. Blp		Series street ltg.—base up.
10,000 Lumens	20A	...do		Series street ltg.—base down
15,000 Lumens	20A	...do		Series street ltg.—base up.
T-30 Bulb				
115, 120, 125	2,000	Mog. Blp		3200° K.
115, 120, 125	2,000	...do		Spotlight.
T-32 Bulb				
26	3,000	...do		Searchlight.
32	3,000	...do		Airplane floodlight.
T-40 Bulb				
115	500	Med. Blp		Drying.
115	1,000	...do		Do.
115	1,000	Med. Blp. with welded flexible leads.		Do.
T-48 Bulb				
115, 120, 125	2,000	Mog. Blp		Motion picture production.
115, 120, 125	2,800	...do		Motion picture production—tungsten powder cleaner.
115, 120, 125	3,000	...do		3350° K.
T-64 Bulb				
115, 120, 125	5,000	...do		3350° K—Color photography, Airport Floodlighting.

Photo Lamps (Photoflash)

A-15 Bulb				
3	25–40 [4]	Med		Photoflash.
A-17 Bulb				
3–125	40–50 [4]	...do		Do.
A-19 Bulb				
3–125	15–25 [4]	...do	Blue	Do.
3–125	35–45 [4]	...do	...do	Do.
3–125	65–75 [4]	...do		Do.
3–125		...do	Infrared	Do.
A-21 Bulb				
3	75–90 [4]	...do		Do.
3–125	110–125 [4]	...do		Do.
A-23 Bulb				
3–125	85 [4]	...do	Blue	Do.
3–125	140–170 [4]	...do		Do.
B-11 Bulb				
3	3–6 [4]	S. C. Bay		Do.
2	5–7 [4]	...do	Blue	Do.
3	15–20 [5]	...do		Do.
3	15–25 [4]	...do		Do.
3		...do	Infrared	Do.
S-13 Bulb				
3–126	22–26 [4]	Med		Do.

[4] Thousand lumen seconds.

[5] Thousand lumen seconds—long duration flash for focal plane shutter.

TUNGSTEN FILAMENT LAMPS—Continued

Photo Lamps (Photoflood)

Volts	Watts	Base	Bulb finish	Description and/or use
A-21 Bulb				
115, 125	250	Med	Diff	Photoflood.
PS-25 Bulb				
115	500	do	Diff.—daylight	Do.
115, 125	500	do	Diff	Do.
PS-35 Bulb				
115, 125	1,000	Mog	do	Do.
R-40 Bulb				
115, 125	500	Med	do	Do.

Photo Lamps (Photographic Enlarger)

A-21 Bulb				
115	50/100/150	3 C. Med	White	Photographic enlarger three-lite.
115	150	Med	do	Photographic enlarger.
230	150	do	do	Do.
230, 250	250	do	Diff	Do.
PS-25 Bulb				
115, 120, 125	250	do		Do.
PS-30 Bulb				
115	150	do	White	Do.
115	500	do	do	Do.
115, 120, 125	250	do		Do.
PS-35 Bulb				
115, 120, 125	400	Med. Skt	4" frosted spot on bulb end.	Do.
115, 120, 125	400	do	1¾" frosted spot on bulb end.	Do.
PS-52 Bulb				
115, 120, 125	1,000	Mog		Do.
115, 120, 125	1,000	do	2¾" frosted spot on bulb end.	Do.
S-11 Bulb				
6-8	32	S. C. Bay	White	Do.
115	75	do	do	Do.
T-8 Bulb				
115, 120, 125	100	D. C. Bay		Do.
T-20 Bulb				
115, 120, 125	1,000	Mog	Diff. spot on bulb side.	Do.

[F. R. Doc. 44-8939; Filed, June 20, 1944; 11:14 a. m.]

PART 3291—CONSUMERS DURABLE GOODS[1]

[Supplementary Limitation Order L-28-a, Interpretation 1, as Amended June 20, 1944]

Interpretation 1 to Supplementary Limitation Order L-28-a, is amended to read as follows:

Order L-28-a, in paragraph (b) (1) states that except pursuant to specific authorization of the War Production Board, no manufacturer may mark on any incandescent, fluorescent or glow discharge lamp any "trade mark or identification of any person other than himself or another manufacturer". This provision does not prohibit a manufacturer from using more than one trade mark to identify his own product. But in any case where the trade mark is used primarily to identify a purchaser (who is not himself a manufacturer) of the lamps rather than the lamp manufacturer, such trade mark may not be etched or otherwise marked on a lamp.

Issued this 20th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8941; Filed, June 20, 1944; 11:15 a. m.]

[1] Formerly Part 1049.

PART 3293—CHEMICALS

[General Preference Order M-230, Revocation]

PHOSPHORUS

Section 3293.321 *Allocation Order M-230* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Phosphorus is subject to allocation under General Allocation Order M-300 as an Appendix A material, subject to Schedule 30, issued simultaneously with this revocation.

Use, delivery and acceptance of delivery of phosphorus prior to August 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M-230.

Issued this 20th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8944; Filed, June 20, 1944; 11:15 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Revocation of Schedule 2]

RIBOFLAVIN

Section 3293.1002 *Schedule 2 to General Allocation Order M-300* is hereby revoked, and riboflavin is no longer subject to allocation under General Allocation Order M-300. This revocation does not affect any liabilities incurred under the order.

Issued this 20th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8945; Filed, June 20, 1944; 11:15 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 24]

METHYL ISOBUTYL KETONE

§ 3293.1024 *Schedule 24 to General Allocation Order M-300*—(a) *Definitions.* "Methyl isobutyl ketone" means the chemical known by that name or by the name hexone.

(b) *General restrictions.* Methyl isobutyl ketone is subject to allocation under General Allocation Order M-300, as an Appendix A material. The initial allocation date is June 1, 1943, when methyl isobutyl ketone was first put under allocation by Order M-322 (revoked). The allocation period is the calendar month and the small order exemption is 54 gallons per person per month.

(c) *Special provisions.* Use, delivery and acceptance of delivery prior to August 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M-322 (revoked).

(d) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). The filing date is the 20th day of the month before the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref.: M-300-24. The unit of measure is the pound. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(e) *Customers' applications on WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). The filing date is the 15th day of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref.: M-300-24, and one copy (with reverse side blank) to the supplier. File separate sets of forms for each different supplier. The unit of measure is the pound. In column 3 specify each primary product (such as denaturant, lacquer or thinner), or specify "Resale", "Export" or "Inventory" if the methyl isobutyl ketone is to be sold, exported or held in inventory as such. Fill in the other columns in Table I, and fill in Tables II and III, as indicated. Leave Table IV blank.

In Table V specify "Frozen Inventory on the first of _____" (name first day of requested allocation month), in the heading of column 23, and in the column enter the estimated quantity of methyl isobutyl ketone which at the beginning of the requested allocation month will be in inventory subject to further authorization before it can be used (without reference to the authorization currently applied for). Leave columns 24 and 25 blank.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule shall, unless otherwise directed, be addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-24.

Issued this 20th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc, 44-8946; Filed, June 20, 1944; 11:15 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 30]

PHOSPHORUS

§ 3293.1030 *Schedule 30 to General Allocation Order M-300*—(a) *Definition.* "Phosphorus" means the chemical element of that name both in yellow and white form, but not including red phosphorus and other allotropic forms of phosphorus.

(b) *General restrictions.* Phosphorus is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is October 1, 1942, when phosphorus was first put under allocation by Order M-230 (revoked). The allocation period is the calendar month and the small order exemption is 10,000 lbs. per person per month.

(c) *Interim provisions.* Use, delivery and acceptance of delivery prior to August 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M-230 (revoked).

(d) *Suppliers' applications on WPB-2946.* Each supplier seeking authority to deliver shall file application on Form WPB-2946 (formerly PD-601). Filing date is the 20th day of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref.: M-300-30. The unit of measure is the pound. An aggregate quantity may be requested, without specifying customers' names, for delivery on small orders of 10,000 pounds or less per person per month. Fill in Table II.

(e) *Customers' applications on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 15th day of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref.: M-300-30, and one copy (reverse side blank) to the supplier. File separate sets of forms for each different supplier. The unit of measure is the pound. Fill in Column 3 in terms of the following:

Red Phosphorus.
Phosphoric anhydride.
Phosphorus trichloride.
Phosphorus pentachloride.
Phosphorus oxychloride.
Phosphorus sesquisulphide.
Phosphorus pentasulphide.
Phosphoric acid.
Mono ammonium phosphate.
Di ammonium phosphate.
Phosphor copper.
Mono calcium phosphate.
Di calcium phosphate.
Tri calcium phosphate.
Mono sodium phosphate.
Di sodium phosphate.
Tri sodium phosphate.
Tetra sodium pyrophosphate.
Sodium metaphosphate.
Sodium acid pyrephosphate.
Sodium tetraphosphate.
Other primary product (specify).
Export (in original form).
Inventory (in original form).
Resale (in original form).

Specify end use in Column 4. Fill in other columns of Table I, and fill in Tables II and III, as indicated. Leave Tables IV and V blank.

(f) *Bureau of the Budget approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule shall, unless otherwise directed, be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref.: M-300-30.

Issued this 20th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8947; Filed, June 20, 1944; 11:16 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 31]

BARIUM CHEMICALS

§ 3293.1031 *Schedule 31 to General Allocation Order M-300*—(a) *Definitions.* (1) "Barium chloride" means barium chloride in either anhydrous or crystal hydrate form.

(2) "Barium carbonate" means precipitated barium carbonate.

(b) *General restrictions.* Barium chloride and barium carbonate are subject to allocation under General Order M-300 as Appendix A materials. The initial allocation date is July 1, 1944. The allocation period is the calendar month, and the small order exemption is one-half short ton (1000 lbs.) per person per month for each chemical.

(c) *Suppliers' applications on Form WPB-2946.* Each supplier seeking authorization to deliver barium chloride or barium carbonate shall file application on Form WPB-2946 (formerly PD-601). The filing date is the 20th day of the month before the proposed delivery month. (However, for July deliveries applications may be filed as late as June 25). Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-31. File a separate set of forms for barium chloride and barium carbonate. The unit of measure is short tons. An aggregate quantity may be requested, without specifying customers' names, for delivery on small orders of one-half short ton or less per customer per month. Fill in Table II.

(d) *Customers' applications for authorization on Form WPB-2945.* Each person seeking authorization to use or accept delivery of barium chloride or barium carbonate shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 10th day of the month before the requested allocation month. (However, for July allocations applications may be filed as late as June 20.) Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-31, and one copy (reverse side blank) to the supplier. File separate sets of forms for each different supplier and for barium chloride and barium carbonate. The unit of measure is the short ton. In Column 3 specify each primary product, or specify "Resale", "Export" or "Inventory", if the barium chloride or barium carbonate is to be resold, exported or held in inventory as such. Fill in the other columns of Table I, and fill in Tables II and III, as indicated. Leave Tables IV and V blank.

(e) *Production directions.* The War Production Board may from time to time issue directions to any producer with respect to the production or use of barium sulfide to assure sufficient production of barium chloride and barium carbonate.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule should be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-31.

Issued this 20th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-8948; Filed, June 20, 1944; 11:16 a. m.]

PART 3281—PULP AND PAPER

[Limitation Order L–120, Schedule IX, as Amended June 5, 1944]

TABLETS, NOTEBOOKS, PADS, LOOSELEAF FILLERS, AND SHEETS

Reprint of Correction

NOTE: The original of Federal Register Document 44–8090, appearing at page 6096 of the issue of Tuesday, June 6, 1944, has been corrected so that the first item in the table in paragraph (c) (1) (i) reads as follows:

Article	Grade	Substance weight per 500 sheets
Books, tablets, pads, fillers and sheets for drawing or coloring(excluding "artists' drawing" and "drafting").	Manila and Gray Groundwood drawing.	24" x 36"—80
	All other grades.	24" x 36"—60

Chapter XI—Office of Price Administration

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RO 2B,[1] Amdt. 12]

PASSENGER AUTOMOBILES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 2B is amended in the following respects:

1. The text of section 1.3 (a) is amended to read as follows:

(a) *Persons eligible for any 1942 car.* The following persons, or their employers, who need a car for their own use principally for one or more of the following purposes and who do not have the use of a serviceable car for the specified purpose, may acquire a 1942 car for use:

2. Section 1.3 (a) (3) is revoked.

3. Section 1.3 (a) (28) is added to read as follows:

(28) The United Service Organizations, Inc. The application must be accompanied by the certification of a duly authorized official of the organization's National Office stating that the car is needed for travel on its business.

4. The title of section 1.6 and the text of section 1.6 (a) are amended to read as follows:

SEC. 1.6 *Authorization to transfer to members of one's family.* (a) Any person included in this section who owns a 1942 car for his use may, upon receiving a Clearance Statement from any Board, transfer the car to one or more members of his family. For the purposes of this Section, a "member of the family" means the applicant's spouse, or his children, grandchildren, parents, grandparents, brothers or sisters.

*Copy may be obtained from Office of Price Administration.

[1] 6 F.R. 2483, 5317, 5531, 5678, 7197, 8005, 10727, 12659, 13725, 16843; 9 F.R. 2296.

5. Section 1.9 (b) is amended to read as follows:

(b) *Cars acquired by will, inheritance, or right of survivorship.* A person who has acquired a 1942 car by will, inheritance, or right of survivorship from a person who was entitled to the use of the car may obtain a Clearance Statement to permit him to register the car in his name.

6. Section 1.9 (e) is redesignated as section 1.9 (f) and a new paragraph (e) is added to section 1.9 to read as follows:

(e) *Registration of additional interest.* One or more of several registered co-owners of a 1942 car, registered for use, who have acquired the interest of another registered co-owner in the car, may obtain a Clearance Statement permitting registration of the car for use in the names of the remaining registered owners.

7. The title and text of section 2.5 (a) are amended to read as follows:

(a) *Transfers for purposes other than use.* Any of the following persons may acquire a 1942 car or an interest in it without a Certificate, but may not use the car or register it for use unless permitted to do so under other provisions of this Order.

8. Section 2.5 (a) (5) is amended to read as follows:

(5) Any junk company, salvage company, or person in the business of repairing damaged automobiles or adjusting losses may, in the regular course of business, acquire a 1942 car which has been damaged. A salvage company or a person in the business of adjusting losses may also acquire a 1942 car which is in danger of being damaged or which is part of a damaged stock.

9. Section 2.5 (b) is amended to read as follows:

(b) *Scrap or salvage.* Any person listed in paragraph (a) of this Section may scrap a 1942 car or salvage its parts if its repair is not practicable.

10. Section 2.5 (c) is amended to read as follows:

(c) *Reporting procedure.* Whenever any person acquires or scraps a 1942 car or salvages its parts under this section, he shall, within five days thereafter, complete Form R–308 (revised 4/15/43) in accordance with the instructions on the form, and mail the original to the Office of Price Administration, Inventory Unit, New York City. The person reporting and each party to any transfer is to keep a copy of the form.

11. The title of section 2.6 is amended to read as follows:

SEC. 2.6 *Unrestricted transfers.*

and the following sentence is added, immediately preceding paragraph (a), as the text of the section: "The following transfers of a 1942 car may be made without Certificate, Clearance Statement or report:"

12. Section 2.6 (c) is amended by striking out the phrase, "by will or inheritance", and substituting in lieu thereof the phrase, "by will, inheritance, or right of survivorship".

13. Section 2.6 (e) is amended by substituting a comma for the period after the word "possession", and adding the following clause: "including a car taken by or on behalf of the owner of a security interest in the car."

14. Section 2.6 (i) is added to read as follows:

(i) One or more of several registered co-owners of a 1942 car may acquire the interest of another registered co-owner in the car.

15. Section 4.2 is amended to read as follows:

SEC. 4.2 *Acts prohibited by General Ration Order 8.* General Ration Order 8 (General Prohibitions, Penalties and Conditions) contains provisions, applicable to this and all other Ration Orders, which prohibit, among other matters:

(1) Making false or misleading statements in a ration document or to the Office of Price Administration;

(2) Altering, defacing, mutilating or destroying a ration document;

(3) Acquiring, using, transferring or possessing an altered, defaced or mutilated ration document;

(4) Counterfeiting or forging a ration document;

(5) Acquiring, using, transferring or possessing a counterfeited or forged ration document;

(6) Wrongfully withholding a ration document;

(7) Transferring a rationed commodity in exchange for an invalid or improperly acquired ration document;

(8) Bribing, hindering or interfering with rationing officials;

(9) Offering or attempting to violate a ration order;

(10) Reproducing a ration document without authority of the Price Administrator or other proper officer of the United States;

(11) Possessing or using distinctive safety paper or vulcanized fiber.

16. Section 4.3 is amended by deleting paragraphs (c) and (d).

17. Section 4.4 is amended to read as follows:

SEC. 4.4 *Office of Price Administration may issue suspension orders.* (a) The Office of Price Administration may issue suspension orders as set forth in General Ration Order 8 (General Prohibitions, Penalties and Conditions).

This amendment shall become effective June 23, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 29, 421 and 507, 77th Cong.; WPB Dir. 1, 7 F.R. 562; Supp. Dir. 1A, 7 F.R. 696, 1403, 2229, 2729; Supp. Dir. 1Q, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 19th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8896; Filed, June 19, 1944; 4:44 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Supplement 1]

MACARONI PRODUCTS AND NOODLE PRODUCTS

Correction

The file number of the document appearing at page 6720 of the issue for Saturday, June 17, 1944, should read: "F. R. Doc. 44–8779".

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 8,[1] Amdt. 27]

SUGAR

A rationale accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respect:

Section 1407.86f is added to read as follows:

§ 1407.86f *Increased allotment for an industrial user who will increase his use of eggs.* (a) An industrial user who customarily uses eggs (fresh, frozen, or dried) in a product or for a use in a class for which he has established a base period use and who will increase his use of eggs in that product or use may apply, at any time before August 1, 1944, on OPA Form R–315 to the Board (or District Office) with which he is registered for an increase in his allotment to enable him to make such increased use of eggs. The application must state:

(1) The amount of sugar applied for;

(2) The products or uses in which he customarily uses eggs and in which the additional sugar and eggs will be used;

(3) That the applicant will use the additional sugar and eggs in accordance with this section.

(b) If the Board or District Office finds that the statements in the application are true it shall issue to the applicant a certificate equal to the amount of sugar applied for but not to exceed 5 per cent of his allotment for the third quarter for the class of products or uses in which such additional sugar and eggs will be used.

(c) An industrial user who obtains sugar under this section must:

(1) Use the additional sugar only for the purpose of increasing his use of eggs, during the period beginning June 19, 1944, and ending September 30, 1944, in the products or uses listed in (a) (2), and

(2) Increase his use of eggs in such products or uses by at least the same percentage as his allotment is increased for the third quarter for the class of products or uses in which such additional sugar and eggs will be used.

This amendment shall become effective June 19, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1–E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005; War Food Order No. 64, 8 F.R. 7093)

Issued this 19th day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–8897; Filed, June 19, 1944; 4:45 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1433, 1534, 2233, 2826, 2828, 3031, 3513, 3579, 3647, 4039, 4350, 4474, 4660, 5220, 5254, 5166, 5426, 5346.

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 395, Amdt. 22]

WOMEN'S WEAR IN VIRGIN ISLANDS

Correction

The file number of the document appearing at page 6773 of the issue for Saturday, June 17, 1944, should read: "F. R. Doc. 44–8786".

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RMPR 119,[1] Amdt. 1]

ORIGINAL EQUIPMENT TIRES AND TUBES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 119 is amended in the following respects:

1. Paragraph (a) of section 2 is amended to read as follows:

(a) (1) The maximum prices for sales of original equipment tires and tubes shall be the prices set forth in Appendix A, except as otherwise provided in the succeeding paragraphs of this section. These maximum prices are f. o. b. seller's shipping point, with freight allowed on shipments of 100 pounds or more. However, on shipments of industrial cured-on solid tires to points in any of the following states, from plants not located in any of such states, the maximum prices shall be f. o. b. seller's shipping point, with a freight allowance of at least $0.88 per hundred pounds: Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

(2) The maximum prices for sales of industrial pressed-on and highway solid and cushion tires to points in any of the following states from plants not located in any of such states shall be 10 percent greater than the prices fixed by (1) above: Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

2. Section 11 is amended by adding the following:

In addition, any manufacturer required by direction of the War Production Board to produce original equipment tires or tubes may file an application for adjustment of his maximum prices for such tires and tubes. The application shall be made to the Office of Price Administration, Washington, D. C., in the same manner and on the same form as is required for applications under Procedural Regulation No. 6,[2] except that the manufacturer shall refer to the direction of the War Production Board instead of to a Government contract or subcontract.

3. In Table I, Appendix A, under subheading 2. Truck and Bus, the maximum prices opposite 11.00–20, 14-ply Special Tread, mud and snow, are amended to read as follows in the appropriate columns: $63.60 for the tire, $0.86 for the flap, $4.79 for the tube, and $69.25 for the assembly.

4. In Table II, Appendix A, under subheading 2. Truck and Bus, the maximum prices opposite size 6.50–10 are amended to read as follows in the appropriate columns: $14.19 for the tire, $1.11 for the tube, and $15.30 for the assembly.

This amendment shall become effective June 26, 1944.

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8975; Filed, June 20, 1944; 11:31 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 17184.

[2] 7 F.R. 5067, 5664; 8 F.R. 6173, 6174, 12024.

PART 1361—FARM EQUIPMENT

[MPR 246,[1] Amdt. 13]

MANUFACTURERS' AND WHOLESALE PRICES FOR FARM EQUIPMENT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 246 is amended in the following respects:

1. In § 1361.53 (a), the text preceding subparagraph (1) is amended to read as follows:

This section is applicable to any product covered by this regulation, except repair parts, in which a substantial change in design, specifications or equipment has been made since March 31, 1942, or is made at any subsequent time. In the case of any such product, the change shall always be deemed substantial if the manufacturer assigns a new catalog number and description to the item because of the change. However, a change may be substantial even though no new catalog number and description is used by the manufacturer. This section is also applicable to any repair part where a change in design, specifications or equipment has been made since March 31, 1942, or is made at any subsequent time, and that change results in an increase or decrease in factory costs of at least 10%. The manufacturer's maximum price for any product covered by this section shall be determined as follows:

2. Section 1361.65a is added to read as follows:

§ 1361.65a *Adjustable pricing.* If the seller wishes, he may agree with the buyer to charge a price which can be increased up to the maximum price in effect at the time of delivery. Where the manufacturer has filed an application for adjustment under § 1361.64a, he may, in accordance with the provisions of that section, deliver at a price to be adjusted upward in accordance with the action taken by the Office of Price Administration on his application. In all other cases, unless authorized by the Office of Price Administration, the seller must not deliver at a price which is to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. This authorization may be given only where: (a) a request for a change in the applicable price is pending; (b) authorization is necessary to promote production or supply; and (c) it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price.

This amendment shall become effective June 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8971; Filed, June 20, 1944; 11:30 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 542]

CEILING PRICES FOR CERTAIN CANNED FISH AND SEAFOOD ITEMS SOLD BY PRIMARY DISTRIBUTORS AND OTHER DISTRIBUTORS

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 542 has been issued and filed with the Division of the Federal Register.*

MAXIMUM PRICE REGULATION 542—CEILING PRICES FOR CERTAIN CANNED FISH AND SEAFOOD ITEMS SOLD BY PRIMARY DISTRIBUTORS AND OTHER DISTRIBUTORS

Sec.
1. What this regulation does.
2. Who are "distributors" under this regulation.
3. To what canned fish and seafood items this regulation applies.
4. How a primary distributor figures his ceiling price.
5. How other distributors figure their ceiling prices.
6. Discounts.
7. Position of brokers.
8. Indirect price increases prohibited.
9. Application by primary distributors.
10. Notification of change in ceiling price.
11. Invoices and receipts.
12. Records.
13. Licensing.
14. Prohibitions.
15. Taxes.
16. Export sales.
17. Relation to other regulations.
18. Geographical applicability.
19. Definitions.

AUTHORITY: § 1364.555 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *What this regulation does.* This regulation fixes ceiling prices for "distributors", other than "wholesalers" and "retailers", of the canned fish and seafood listed in section 3.

SEC. 2. *Who are "distributors" under this regulation.* A "distributor" is one, other than a wholesaler or retailer, who purchases all he sells (for his own account) of the kind and brand of canned fish and seafood being priced and resells it without packing or processing any part of it. If you are a "primary distributor" or any "other distributor" of canned fish and seafood, you are covered by this regulation.

(a) *Who are "primary distributors".* You are a "primary distributor" if you are not a wholesaler or retailer, and if

(1) You purchase all you sell (for your own account) of the kind and brand of canned fish or seafood being priced without packing or processing any part of it, and

(2) You customarily make at least 50 percent (by dollar volume) of your purchases from canners or processors of that kind of canned fish or seafood in carload quantities, delivered, for storage, into a warehouse or other receiving point not owned or controlled by any of your customers or the supplier, and

(3) You resell at least 50 percent of your purchases of that kind of canned fish or seafood in less than carload quantities, and

(4) You did business in this manner before April 28, 1942.

For sales which you make as a primary distributor, you find your ceiling price under section 4.

(b) *Who are "other distributors".* You are classified with "other distributors" if you are not a primary distributor, wholesaler or retailer, and if you purchase all you sell (for your own account) of the kind and brand of canned fish or seafood being priced and resell it without packing or processing any part of it.

For sales which you make as "other distributors", you find your ceiling price under section 5.

SEC. 3. *To what canned fish and seafood items this regulation applies.* This regulation applies to the canned fish and seafood which are covered by the regulations listed below:

Sales by Canners of Maine Sardines (Maximum Price Regulation No. 184 [1]).
Sales by Canners of California Sardines (Maximum Price Regulation No. 208 [2]).
Domestic Canned Crabmeat (Maximum Price Regulation No. 247 [3]).
Sales by Canners of Salmon (Maximum Price Regulation No. 255 [4]).
Sales by Canners of Mackerel (Maximum Price Regulation No. 277 [5]).
Sales by Canners of Tuna, Bonito and Yellowtail (Maximum Price Regulation No. 299 [6]).
Sales by Canners of Shrimp (Maximum Price Regulation No. 311 [7]).
Canned Eastern and Gulf Oysters (Maximum Price Regulation No. 328 [8]).
Sales by Canners of Atlantic Sea Herring and Alewives (Maximum Price Regulation No. 396 [9]).
Canned Clams (Maximum Price Regulation No. 448 [10]).
Sales by Canners of Fish Flakes (Maximum Price Regulation No. 537 [10a]).
All Other Canned Domestic Fish or Seafood (General Maximum Price Regulation [11]).

SEC. 4. *How a primary distributor figures his ceiling price.* If you are a primary distributor selling, in less than carload quantities, an item of canned fish or seafood which you purchase from a canner or processor and which you have actually warehoused, you find your ceiling price for that item by multiplying your "net cost" of the item by 1.06.

(a) However, you may not use this method of pricing in the following cases:

(1) For sales of a "kind" of canned fish or seafood if you did not sell that kind as a primary distributor before April 28, 1942 (e. g., "kind" means canned salmon in contrast to canned tuna fish).

(2) For a greater percentage of your sales of canned fish and seafood than you warehoused and sold in less than carload quantities during the one-year period ending April 28, 1942.

(3) For sales of canned fish and seafood items which are not in less than carload quantities.

(4) For sales of canned fish and seafood items which you have not warehoused.

(5) For sales of your purchases from a canner or processor of his annual pack of a kind of canned fish or seafood which exceed the percentage of your purchases of that kind from him during the one-year period ending April 28, 1942, or, if you did not sell that kind during the one-year period ending April 28, 1942, then during the last full year ending April 28th in which you sold that kind.

(6) For sales of canned fish and seafood items which you purchase from a "wholesaler" or "retailer."

In the above cases, you must figure your ceiling price as "other distributors" under section 5.

(b) If you purchase any canned fish or seafood items from a primary distributor or "other distributor", you must use as your ceiling price for each such item your supplier's ceiling price for that item, f. o. b. shipping point, plus incoming freight paid by you.

SEC. 5. *How "other distributors" figure their ceiling prices.* For sales which you make as "other distributors", your ceiling price for each item of canned fish or seafood is your supplier's ceiling price for that item, f. o. b. shipping point, plus incoming freight paid by you. However, if you purchase any canned fish or seafood item from a "wholesaler" or "retailer", your ceiling price shall be that wholesaler's or retailer's "net cost" (as the case may be) plus transportation you paid to your usual receiving point (except local trucking or local unloading).

You must figure your ceiling price under this section also in the cases set forth in section 4 (a).

SEC. 6. *Discounts.* If you had a practice during March 1942 of giving to different classes of purchasers allowances, discounts or other price differentials, you are required to continue such allowances, discounts or price differentials.

SEC. 7. *Position of brokers.* In accordance with trade custom, every broker shall be considered as the agent of the seller and not the agent of the buyer. In each case, the amount paid by the buyer to the seller plus any amount paid by the buyer to the broker shall not exceed the seller's maximum price, including allowable transportation actually paid by the seller or by the broker. In other words, the seller may not collect from the buyer any more than his maximum price, including allowable transportation so paid, less the amount which the buyer pays the broker.

SEC. 8. *Indirect price increases prohibited.* You must not evade any of the provisions of this regulation or any order issued pursuant to it, by any stratagem, scheme or device. You must not, as a condition of selling any particular canned fish or seafood item, require a customer to buy anything else.

SEC. 9. *Application by primary distributors.* (a) Before making any sales as a primary distributor under section 4 of this regulation, you must apply in writing to the OPA Regional Office for the region in which your principal place of business is located. Such application must state, in addition to your name and address:

(1) Whether or not you price any kind of canned fish or seafood as a wholesaler or retailer under Maximum Price Regulations Nos. 421,[12] 422 [13] and 423.[14]

(2) Whether you purchase all you sell (for your own account) of the kind and brand of canned fish or seafood being priced without packing or processing any part of it.

(3) For each kind of canned fish and seafood, your total dollar purchases during the one-year period ending April 28, 1942; your total dollar purchases in carload quantities during the one-year period ending April 28, 1942, from canners or processors, which were delivered, for storage, into a warehouse or other receiving point not owned or controlled by any of your customers or the suppliers; and the name and address of such warehouse. If you did not sell that kind during the one-year period ending April 28, 1942, give this information for the last full year ending April 28th in which you sold that kind.

(4) For each kind of canned fish and seafood, your total dollar sales during the one-year period ending April 28, 1942, and your total dollar sales during the one-year period ending April 28, 1942, which were made in less than carload quantities. If you did not sell that kind during the one-year period ending April 28, 1942, give this information for the last full year ending April 28th in which you sold that kind.

(5) The names and addresses of your principal suppliers during the base period.

(6) For each kind of canned fish and seafood, the date when you started doing business in this manner.

Until receipt of written notice from the Regional Office of the OPA that you qualify as a primary distributor for certain kinds of canned fish and seafood, you may not use section 4 of this regulation in pricing those kinds of canned fish and seafood, but your ceiling prices shall be figured in accordance with section 5.

(b) Any Regional Office of the OPA may act on all applications submitted under the provisions of this section by persons located within the area under its jurisdiction.

SEC. 10. *Notification of change in ceiling price.* With the first delivery of any item priced under this regulation, every person subject to this regulation shall:

(a) Supply each wholesaler and retailer who purchases from him with written notice as set forth below:

(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item by kind, brand, grade, variety, container-type and container-size) has been changed under the provisions of Maximum Price Regulation No. 542. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulations Nos. 421, 422 and 423, you must refigure your ceiling price for the item in accordance with the applicable provisions of those regulations (see section 6 in each case). You must refigure your ceiling price on the first delivery of this item to you containing this notification after July 17, 1944.

For a period of 60 days after first determining his ceiling price under this regulation, and with the first shipment after the 60-day period to each person who has not made a purchase within that time, the seller shall supply the written notice set forth above by attaching it to, or stating it on, the invoice covering the shipment.

SEC. 11. *Invoices and receipts.* You must give each of your customers an invoice, receipt or other evidence of purchase in connection with every sale, retaining a copy for your files. Each such record you prepare and give your customer must show the date of the sale, the name and address of the customer, your name and address, the item sold, the quantity, and the price you charged for it. Your description of the item must show the kind, brand, variety, container-type and container-size.

SEC. 12. *Records.* After July 17, 1944, you must keep for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all your invoices, freight bills, and other records showing the price you paid for each item. You must also continue to keep all records you were required to have kept under the General Maximum Price Regulation. You are required to show all your invoices and records on request of any OPA representative.

SEC. 13 *Licensing.* The provisions of Licensing Order No. 1,[15] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 14. *Prohibitions.* On and after July 17, 1944, if you sell or deliver or offer to sell or deliver at a price higher than your ceiling price fixed by this regulation, or any order issued pursuant to it, or if you otherwise violate any provision of this regulation, or any order issued pursuant to it, you are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended. Also, any person who, in the course of trade or business, buys from you at a higher price than your ceiling price, is subject to the criminal penalties and civil enforcement actions provided for by that Act.

SEC. 15. *Taxes.* You may collect, in addition to your ceiling price, any tax upon or incident to a sale at wholesale of the canned fish or seafood items covered by this regulation, if you state the tax separately and if the tax statute or ordinance does not prohibit sellers from stating and collecting the tax separately from the price.

SEC. 16. *Export sales.* The ceiling prices at which a person may export any item covered by this regulation shall be determined in accordance with the Second Revised Maximum Export Price Regulation,[16] as amended, issued by the OPA.

SEC. 17. *Relation to other regulations.* The provisions of this regulation shall on and after July 17, 1944, supersede the provisions of the General Maximum Price Regulation and any other maximum price regulation with respect to sales and deliveries for which ceiling prices are established by this regulation.

SEC. 18. *Geographical applicability.* This regulation applies in the 48 states of the United States and the District of Columbia.

SEC. 19. *Definitions.* (a) "Canner" and "processor" shall mean, with respect to the commodities listed in section 3, the persons referred to as such in the

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5715, 8943, 9958; 8 F.R. 14009, 15706; 9 F. R. 2956.
[2] 7 F.R. 6786, 8943.
[3] 7 F.R. 8653, 8943, 11811.
[4] 7 F.R. 9220, 10679, 11009; 8 F.R. 164, 606, 9380, 12674.
[5] 7 F.R. 9973.
[6] 8 F.R. 304, 6440, 7489.
[7] 8 F.R. 1369.
[8] 8 F.R. 2198, 2673.
[9] 8 F.R. 6935, 14010, 15704.
[10] 8 F.R. 11495.
[10a] 9 F.R. 5994.
[11] 9 F.R. 1268.
[12] 9 F.R. 5642.
[13] 9 F.R. 5686.
[14] 9 F.R. 5671.

[15] 8 F.R. 12240.
[16] 8 F.R. 4122, 5987, 7662, 9998, 15196; 9 F.R. 1036, 5485.

maximum price regulations indicated in section 3.

(b) "Retailer" means all the persons referred to as such in section 2 of Maximum Price Regulations Nos. 422 and 423.

(c) "Wholesaler" means all the persons referred to as such in section 2 of Maximum Price Regulation No. 421.

(d) "Item" means a kind, variety, grade, brand, container-type and container-size.

(e) "Net cost" means the amount you paid your supplier for the item less all discounts except the discount for prompt payment and swell and label allowances, plus all transportation charges paid by you, to your usual receiving point by a customary means of delivery, except local trucking and local unloading.

(f) "Carload quantity" means any quantity of the kind of canned fish or seafood being priced which equals or exceeds the carload minimum weight specified for that product in Consolidated Freight Classification No. 16, and amendments, issued by Agents Greenly (I. C. C.-O. C. No. 60), Dulaney (I. C. C. No. 92), Fyfe (I. C. C. No. 29), and Raasch (I. C. C. No. 566).

This regulation shall become effective on the 17th day of July 1944, except with respect to Section 9, for which it shall become effective June 26, 1944.

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8974; Filed, June 20, 1944; 11:31 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,[1] Amdt. 119]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 136, as amended, is amended in the following respects:

1. Section 1390.2 (r) is amended to read as follows:

(r) Any sale or delivery, but not the rental of a rebuilt fractional horse power motor of ¾ horse power or less.

2. In § 1390.32, Appendix A (e), the item "Motors" is amended to read as follows:

Motors, except the sale or delivery, but not excepting the rental, of rebuilt fractional horse power motors of ¾ horse power or less.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16132; 9 F.R. 4748.

This amendment shall become effective June 26, 1944.

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8970; Filed, June 20, 1944; 11:30 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 188,[1] Amdt. 41]

GROCERY ITEMS IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 188 is amended in the following respects:

1. Section 20, Table 3 is amended by changing the price of one item to read as follows:

Item and brand name	Unit—case of	Price to wholesaler	Price at wholesale	Retail price (per unit)
Pears, Bartlett S. & W.	cs. 24/8 2½ can.	$8.40	$9.60	$0.43

2. Section 22, Table 6a is amended by changing the prices of several items to read as follows:

Items and Brand Name	Unit—case of	Price to wholesaler	Price at wholesale	Retail price (per unit)
Armour's:				
Assorted spreads	Cts. 24/3 oz. tin	$2.45	$2.65	$0.14
Chopped pressed ham	Cts. 24/12 oz. tin	8.90	9.60	.50
Ham spreads	Cts. 24/3 oz. tin	2.85	3.10	.16
Liver spread	Cts. 24/3 oz. tin	2.40	2.70	.13
Tongue spread	Cts. 24/3 oz. tin	2.45	2.65	.14
Veal and pork loaf	Cts. 24/7 oz. tin	5.35	5.80	.30
Sliced dried beef	Cts. 24/5 oz. tin	6.90	7.80	.38
Sliced dried beef	Cts. 24/2½ oz. tin	2.80	4.10	.21

3. Section 23, Table 7 is amended by changing the prices of several items to read as follows:

Items and Brand Name	Unit—case of	Price to wholesaler	Price at wholesale	Retail price (per unit)
Heinz soups:				
Condensed asparagus	36/11 oz. tin	$5.20	$5.65	$0.19
Condensed beans	36/11 oz. tin	5.20	5.65	.19
Condensed chicken noodle	36/10¾ oz. tin	5.75	6.20	.20
Condensed gumbo creole	36/11 oz. tin	5.20	5.65	.19
Condensed pea	36/11 oz. tin	5.20	5.65	.19
Condensed tomato	36/11 oz. tin	4.25	4.75	.16
Condensed Scotch broth	36/11 oz. tin	5.20	5.65	.19
Condensed vegetarian vegetable	36/11 oz. tin	5.20	5.65	.19
Condensed vegetable	36/11 oz. tin	5.20	5.65	.19

4. Section 24, Table 8 is amended by changing the price of one item to read as follows:

Items and brand name	Unit—case of	Price to wholesaler	Price at wholesale	Retail price (per unit)
Ketchup: Heinz	cs. 24/14 oz. bot.	$4.40	$4.80	$0.23

5. Section 25, Table 10 is amended by changing the price of one item to read as follows:

Items and brand name	Unit—case of	Price to wholesaler	Price at wholesale	Retail price (per unit)
Baked beans with tomato sauce, Heinz	otn. 24/17½ oz. jars	$3.85	$4.20	$0.22

6. Section 32, Table 18a is amended by changing the prices of several items to read as follows:

Items and brand names	Unit—case of	Price to wholesaler	Price at wholesale	Retail price (per unit)
Vegetable:				
Balboa	cs. 6/1 gal. tin	$11.70	$12.85	$2.65
Balboa	cs. 4/1 gal. bot.	6.55	7.20	2.20
Senora	cs. 6/¾ gal. tin	5.15	5.60	1.15
Senora	cs. 24/25 oz. tin	5.70	6.20	.32
Senora	cs. 24/8 oz. tin	2.60	2.85	.20
Senora	cs. 24/4 oz. tin	2.40	2.60	.13

[1] 8 F.R. 8832, 10763, 10908, 11437, 11847, 12549, 10987, 12582, 13165, 13847, 14090, 14765, 15195

7. Section 42, Table 33.1 is amended by adding several items to read as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Other brands:				
Sour pickles, Heroo	6/1 gal. jar		$5.60	$1.25
Dill pickles, Anna Mayers	4/1 gal. jar		4.55	1.85
Chipico	24/16 oz. jar		4.60	.27
Chipico	12/23 oz. jar		4.70	.50
Mushroom sauce, Zucca	24/8 oz. glass		2.35	.15

8. Section 50, Table 41 is amended by changing the prices of "Potatoes" to read as follows:

	Sales to wholesalers (per 100 pounds)	Sales at wholesale: At sellers warehouse (per 100 pounds)	Sales at wholesale: Delivered to retailer (per 100 pounds)	Sales at retail (per pound)
Potatoes	$5.55	$6.00	$6.10	$0.08

9. Section 47, Table 39 is amended by adding several items to read as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Alum-Brite cleansing powder	cs. 12/8 oz. boxes		$1.05 case	$0.12
Alum-Brite cleansing powder	cs. 12/16 oz. boxes		$1.68	.20

This amendment shall become effective June 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8973; Filed, June 20, 1944; 11:30 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 67]

FURNITURE AND BEDDING IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 373 is amended in the following respects:

1. Section 47 (j) is added to read as follows:

(j) *Inability to determine maximum prices.* Any person who is unable to determine the maximum price for any article covered by this section shall apply to the Office of Price Administration for the establishment of such maximum price.

2. Section 62 (a) (1) (vi) is amended to read as follows:

(vi) *Pillows and cushions.* This classification includes all pillows and cushions except bed pillows, and includes automobile seat cushions.

3. Section 67 is amended in the following respects:

a. Paragraph (a) (4) is amended by deleting the phrase, "all types of mattresses and protective pads, bassinets," and inserting the phrase, "all types of mattresses and bassinets".

b. Paragraph (a) (5) is amended by deleting the words, "pillows and pads" and inserting the words, "bed pillows".

c. Paragraph (a) (8) is amended to read as follows:

(8) Unpainted furniture: All types of unpainted furniture.

d. Paragraph (b) (2) is amended to read as follows:

(2) For sales on a drop shipment basis: Multiply your manufacturer's selling price by 1.15. The resulting price is your ceiling price.

e. Paragraph (c) (3) (i) is amended to read as follows:

(i) Add your wholesaler's selling price and an amount equal to local transportation charges actually incurred by you not to exceed public (common or contract) carrier rates. Then multiply this amount by 1.36. The resulting price is your ceiling price.

f. Paragraph (c) (5) (i) is amended to read as follows:

(i) Add your manufacturer's selling price and an amount equal to local transportation charges actually incurred by you not to exceed public (common or contract) carrier rates. Then multiply this amount by 1.70. The resulting price is your ceiling price.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5969, 6339, 6949, 7200, 7457, 8064, 8550, 10270, 10666, 10994, 11247, 11437, 11849, 12299, 12703, 13023, 13242, 13500, 14139, 14305, 14698, 15253, 15369, 15851, 15863, 15962, 16060, 16997, 17201; 9 F.R. 175, 393.

This amendment shall become effective as follows:

As to section 47 (j) as of May 16, 1944.

As to section 62 (a) (1) (vi) as of May 8, 1944.

As to section 67 (a) (4), (a) (5), (a) (8), (b) (2), (c) (3) (i) and (c) (5) (i) as of May 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8967; Filed, June 20, 1944; 11:29 a. m.]

PART 1436—PLASTIC AND SYNTHETIC RESINS

[MPR 406,[1] Amdt. 3]

SYNTHETIC RESINS AND PLASTIC MATERIALS AND SUBSTITUTE RUBBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Appendix A: Report Form is amended in the following respects:

1. Item A–7, under A. Product to be priced is amended to read as follows:

A–7 Requested maximum price[2] (Sum of A–4, A–5, and A–6)	0

2. Footnote 3 is added following footnote 2 under A. Product to be priced as follows:

[2] See section 11 of the regulation for rounding requested price.

3. Item B–5 and B. Product used as pricing base is amended to read as follows:

B–5 Largest quantity maximum price or current selling price, whichever is lower	0

4. The heading of the fourth or last column under Item 8 where competing materials are listed for purposes of pricing under section 10 is amended to read as follows:

Maximum price, specify unit and quantity.

This amendment shall become effective June 26, 1944.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8972; Filed, June 20, 1944; 11:30 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165, as amended,[1] Supp. Service Reg. 29]

COMMERCIAL LAUNDRY SERVICE IN THE NEW YORK CITY AREA

A statement of the considerations involved in the issuance of this Supple-

[1] 8 F.R. 5372.

[2] 7 F.R. 6426, 6966, 8239, 8431, 8796, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9973, 10480, 10619, 15718, 11010; 8 F.R. 1060, 3334, 4782, 5681, 5755, 5933, 6364, 8506, 8873, 10671, 10939, 11754, 12023.

mentary Service Regulation No. 29 has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Orders Nos. 9250 and 9328, Supplementary Service Regulation No. 29 is hereby issued. The specifications and standards set forth in this supplementary service regulation are those which, prior to the issuance of the regulation, were in general use by the trade in the affected area.

§ 1499.2261 *Commercial laundry services in the New York City area.* (a) Dollars and cents maximum prices established for commercial laundry services supplied by sellers located in the New York City area.

(1) *Commercial flatwork service.* The maximum prices established by Maximum Price Regulation No. 165 for commercial flat work service when supplied by sellers located in the New York City area are modified and henceforth shall be the prices set forth in Appendix A.

(2) *Professional linen supply service.* The maximum prices established by Maximum Price Regulation No. 165 for professional linen supply service when supplied by sellers located in the New York City area are modified and henceforth shall be the prices set forth in Appendix B.

(3) *Linen supply service.* The maximum prices established by Maximum Price Regulation No. 165 for linen supply service when supplied by sellers located in the New York City area are modified and henceforth shall be the prices set forth in Appendix C.

(4) *Exclusions.* This regulation does not apply to the following:

Laundry service supplied for resale.

Laundry service supplied to seasonal purchasers.

Laundry service supplied to steamships and railroads.

Laundry service supplied to hospitals.

Office towel supply service.

Any laundry service not specified in paragraphs (1), (2) and (3) of this supplementary service regulation.

(5) *New large account purchasers.* The maximum prices for:

New purchasers buying $400 or more of commercial flat work service per week;

New purchasers other than restaurants buying $15 or more of linen supply service per week;

New restaurant purchasers buying $50 or more of linen supply service per week;

shall be a price approved by the Office of Price Administration and shall be determined as set forth below. In the event that the new purchaser has been previously supplied by another seller, the maximum prices shall be the same prices at which the former seller supplied the service in the week ending December 11, 1943, provided that these prices do not exceed the maximum prices to that purchaser or class of purchasers as established by Maximum Price Regulation No. 165. If the new purchaser was not supplied the service by another seller in the week ending December 11, 1943, the maximum prices shall be the prices charged by the seller in that week to the purchaser who most closely resembles the new purchaser with respect to volume purchased, nature of business, and location of business, provided that these prices do not exceed the maximum prices to that purchaser or class of purchasers as established by Maximum Price Regulation No. 165. Application for approval of maximum prices for the new purchaser shall be made to the New York Regional Office before the seller renders and the purchaser pays the first bill. The application shall set forth the name and address of the seller and the purchaser, the purchaser's previous supplier and address, if any, and the maximum prices requested. Unless notified to the contrary within fifteen days, the requested prices may be charged. These prices may be modified at any time by the New York Regional Office.

(6) *Changes in nature of accounts.* Whenever a commercial flatwork or linen supply account changes in nature because of an increase or decrease in weekly volume purchased for four consecutive weeks as compared with the volume purchased in the week ending December 11, 1943, the seller or purchaser may apply to the New York Regional Office for a redetermination of the status of such account. If the account increases so that it falls within the category designated "Large Accounts" in Appendix A or C hereof, the New York Regional Office may order that the prices charged the purchaser in the week ending December 11, 1943 shall be the maximum prices to the purchaser, if such prices are lower than the dollars and cents prices set forth in Appendix A or C. If the volume of a large account decreases so that the amount purchased is less than the amount designated "Large Accounts" in Appendix A or C hereof, the New York Regional Office may order that dollars and cents prices established herein shall be the maximum prices to such purchaser. Maximum prices shall not be redetermined under this paragraph unless it appears that the change in the nature of the account is of a permanent character.

(7) *Adjustments.* On and after the effective date of this regulation the provisions of § 1499.114 (d) of Maximum Price Regulation No. 165 shall no longer be available to sellers covered by this regulation.

On and after the effective date of this regulation the provisions of § 1499.114 (f) of Maximum Price Regulation No. 165 shall no longer be available to and between buyers and sellers for whom specific dollars and cents prices are set forth in Appendices A, B, and C hereof.

(8) *Notice requirements.* Within thirty days after June 26, 1944, every seller of laundry services covered by this regulation shall notify each of his customers of the maximum prices established for that type of service which the seller supplies.

(9) *Invoices.* Seller's invoices or bills must describe the items of service supplied in the terms used in this regulation.

(10) *Record keeping.* Every seller of laundry services covered by this regulation shall keep and make available for inspection by duly authorized agents of the Office of Price Administration all his records relating to the prices he charged for the week ending December 11, 1943, if the seller renders his bills on a weekly basis, or for the billing period including the week ending December 11, 1943 if the seller did not render his bills on a weekly basis. This paragraph shall not be construed to relieve any seller of the record keeping requirements of Maximum Price Regulation No. 165.

(11) *Filing requirements.* Within 30 days after June 26, 1944 every seller of commercial flat work service located in the New York City area shall file with the New York Regional Office of the Office of Price Administration duplicates of the bills rendered his purchasers for commercial flatwork service which amounted to $400 or more for the week ending December 11, 1943.

(b) Within 30 days after June 26, 1944, every seller of linen supply service located in the New York City area shall file with the New York Regional Office of the Office of Price Administration duplicates of the bills for linen supply service rendered his purchasers other than restaurants which amounted to $15 or more for the week ending December 11, 1943, and duplicates of the bills for linen supply service rendered his restaurant purchasers which amounted to $50 or more for that week.

(12) *Definitions.* As used in this regulation:

"Commercial flatwork" means laundry service supplied to industrial and commercial users on flat work and/or garments owned by the purchaser.

"Linen supply service" means the providing of clean linens and/or garments which are owned by the supplier to industrial and commercial users.

"Professional linen supply service" means linen supply service supplied to members of the medical and dental professions.

"New York City area" means the following fifteen counties: In New York State: New York, Bronx, Queens, Richmond, Kings, Westchester, Nassau, Suffolk. In New Jersey: Bergen, Passaic, Hudson, Essex, Union, Middlesex, and Mercer.

"Seasonal purchaser" means a person who buys any service covered by this regulation for less than six months of the year.

"Special dress" means a dress with puffed sleeves or stand-up collar or other modifications of a plain dress, the specifications of which have been ordered by the purchaser, and which is separately processed in the laundry so that the same dress is returned to the customer.

"Linens" is not confined to articles made of linen textiles, but includes all articles of whatsoever fabric made, which are commonly embraced by that term.

"Restaurant" means an establishment which sells food or liquor for consumption on the premises.

"New purchaser" means a purchaser not supplied by the seller in the week ending December 11, 1943.

"Maintained weekly inventory basis", means an agreement to supply the purchaser with a sufficient number of clean items each week so that in combination with the clean items he has left on hand he will have a specified number of clean items each week.

The designations of items of laundry service used in this regulation shall be given their ordinary trade meanings as used in the affected area unless indicated to the contrary herein.

(13) *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

(14) *Delegation of authority.* The New York Regional Office may delegate any authority granted it hereunder to any District Office within its jurisdiction.

APPENDIX A—MAXIMUM PRICES FOR COMMERCIAL FLATWORK SERVICE

	Per piece
Apron, plain	$0.04
Apron, tea	.06
Bag, heavy	.10
Bedspread, plain	.10
Blanket, double, cotton	.35
Blanket, single, cotton	.20
Blouse (starched and finished)	.20
Blouse, work (tumble dried)	.10
Bureau cover or scarf	.06
Cap (starched and finished)	.10
Cap (tumble dried)	.08
Cloth, banquet	.25
Cloth, face	.01
Cloth, head (starched and finished)	.10
Cloth, head (tumble dried)	.05
Cloth, table, regular	.04
Coat, (starched and finished)	.20
Coat, (tumble dried)	.10
Cover, mattress	.10
Coverall (starched and finished)	.40
Coverall (tumble dried)	.25
Curtain, shower	.10
Doily, plain	.02
Dress, plain	.25
Duster	.01
Gloves, work, each	.025
Gown, bath house	.06
Mat, bath	.025
Napkin	.01
Overalls (starched and finished)	.25
Overalls (tumble dried)	.15
Pad, bed	.10
Pad, table	.10
Pants (starched and finished)	.20
Pillow cases [1]	.02 [1]
Robe, bath	.25
Rug, bath	.10
Sheet [2]	.045 [2]
Sheet, shower	.10
Shirt (finished)	.10
Shirt, work (starched and finished)	.20
Table top	.03
Towel, barber	.01
Towel, bath [3]	.02 [3]
Towel, dish	.015
Towel, face	.015
Towel, glass	.015
Towel, grommet	.01
Towel, hand	.015
Towel, individual	.01
Towel, kitchen	.015
Towel, lavatory	$0.01
Towel, pantry	.015
Towel, roller	.03
Towel, side	.015
Tray, cloth	.015
Uniform, women's (tumble dried)	.20
Uniform, women's and men's (starched and finished)	.40
Wrapper, women's plain (tumble dried)	.15
Wrapper, women's plain (starched and finished)	.25

In the absence of specifications, the above items shall be laundered according to customary trade practice.

The following quantity discounts shall be given:

Weekly purchase:	Discounts (Percent)
$75.00 to $149.99	5
150.00 to 249.99	7
250.00 and above	10

(In determining quantity of commercial flatwork service purchased for persons who operate more than one establishment, each establishment shall be treated as a separate purchaser.)

Large accounts. The foregoing prices and discounts apply to all purchasers who bought less than $400 of commercial flatwork service in the week ending December 11, 1943. The maximum price to each purchaser who bought $400 or more of commercial flatwork service in the week ending December 11, 1943, shall be the prices charged in that week to each purchaser, provided that these prices do not exceed the maximum prices to that purchaser or class of purchaser, as established under Maximum Price Regulation No. 165.

NOTE: Maximum prices for new large account purchasers must be determined under paragraph (5) of this regulation.

APPENDIX B—MAXIMUM PRICES FOR PROFESSIONAL LINEN SUPPLY SERVICE

	Monthly charge (Total)
Towels sold on a maintained weekly inventory basis of:	
10 pieces	$1.40
10¢ per piece additional for next 4 pieces	
15 pieces	1.90
7¢ per piece additional for next 4 pieces	
20 pieces	2.25
5¢ per piece additional for next 4 pieces	
	(Per piece on maintained weekly inventory basis)
25 to 49 pieces	$0.10
50 to 74 pieces	.09
75 to 149 pieces	.085
150 to 200 pieces	.08

Over 200 pieces, 2¢ per piece for towels actually used. A minimum of $16 a month may be charged.

Other items:	Price per piece
Coat, doctor's	$0.35
Gown, dentist's	.40
Gown, doctor's	.40
Gown, patient's	.35
Pillow case	.06
Sheet	.12
Towel, bath, 16 x 32	.05
Uniform, nurse's	.50

Maximum prices for any items not listed here shall be the prices set forth in Appendix C for Linen Supply Service.

APPENDIX C—MAXIMUM PRICES FOR LINEN SUPPLY SERVICE

	Per piece	Per hundred pieces
Apron, plain	$0.12	
Apron, industrial	.15	
Apron, tea	.08	
Blouse, jumper	.50	
Cap; headband	.10	
Coat, plain	.31	
Coat, special	.35	
Coverall; unionall	.55	
Dress; smock; hoover	.40	
Dress, bungalow	.25	
Dress, special	.45	
Gown	.40	
Gown, industrial	.45	
Hair cloth, sold to barber shops	.10	
Hair cloth, sold to beauty parlors	.12	
Mat, bath	.08	
Mop	.045	
Napkins, cotton, 16"	.008	$0.80
Napkins, cotton or corded, 18"	.0095	.95
Napkins, mercerized, 18"	.01	1.00
Napkins, mercerized, 20"	.012	1.20
Napkins, mercerized, 22"	.0135	1.35
Overalls	.35	
Pants and slacks	.31	
Pants, mechanics'	.35	
Pants, work: dungarees	.35	
Pillowcase	.06	
Rag	.01	
Rug, bath	.15	
Scarf, bureau	.06	
Shave cloth	.06	
Sheet	.12	
Shirt	.25	
Suit	.57	
Tablecloth, regular	.12	
Tablecloth, colored	.11	
Table top, cotton	.06	
Towel, bath, 16 x 32	.05	
Towel, bath, 18 x 36 or larger	.06	
Towel, kitchen	.06	
Towel, rag	.02	
Towel, roller, 2-yard	.10	
Towel, side and glass	.04	
Towels, 16 x 32, sold to barber shops	.013	1.30
Towels, 16 x 32, sold to beauty parlors	.015	1.50
Towels, face and hand, 16 x 32	.025	
Towels, face and hand, 18 x 36	.03	
Towels, 18 x 36, sold to barber shops	.0135	1.35
Towels, 18 x 36, sold to beauty parlors	.0175	1.75
Towels, massage, sold to barber shops	.03	3.00
Towels, massage, sold to beauty parlors	.0325	3.25
Uniform	.50	

(In determining quantity of linen supply service purchased for persons operating more than one establishment, all establishments shall be considered as a single purchaser.)

Large Accounts. The foregoing prices apply to all purchasers other than restaurants who bought less than $15 of linen supply service in the week ending December 11, 1943. The maximum prices to each purchaser other than a restaurant who bought $15 or more of linen supply service in the week ending December 11, 1943 shall be the prices charged in that week to each purchaser, provided that these prices do not exceed the maximum prices to that purchaser or class of purchaser, as established under Maximum Price Regulation No. 165.

The foregoing prices apply to all restaurants which purchased less than $50 of linen supply service for the week ending December 11, 1943. The maximum prices to each restaurant which purchased $50 or more of linen supply service in the week ending De-

[1] Pillow cases, (4 cents to purchasers of less than $8.00 per week of commercial flatwork service.)

[2] Sheet, (6 cents to purchasers of less than $8.00 per week of commercial flatwork service.)

[3] Towel, bath (.025 cents to purchasers of less than $8.00 per week of commercial flatwork service.)

cember 11, 1942 shall be the prices charged in that week to each purchaser, provided that these prices do not exceed the maximum prices to that purchaser or class of purchaser as established under Maximum Price Regulation No. 165.

NOTE: Maximum prices for new large account purchasers of linen supply service must be determined under paragraph (5) of this regulation.

This supplementary service regulation No. 29 shall become effective June 26, 1944.

NOTE: The record keeping and filing provisions of this regulation have been approved by the Director of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8954; Filed, June 20, 1944; 11:32 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188, 2d Rev. Order A-3, Amdt. 1]

CERTAIN LISTED BUILDING MATERIALS AND CONSUMERS' GOODS

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Second Revised Order A-3 issued under § 1499.159b of Maximum Price Regulation No. 188 is amended in the following respect:

Paragraph (b) is amended to read as follows:

(b) *Amount of manufacturer's adjustment.* Any adjustment of a manufacturer's maximum price made under this order will not exceed the following:

(1) If the manufacturer's entire operation is profitable, an amount sufficient to cover the unit manufacturing cost plus packing cost, and shipping cost where delivered prices are quoted or freight is allowed or equalized:

(2) If the manufacturer's entire operation is being conducted at a loss (or will be so within 30 days), an amount sufficient to cover his total unit cost to make and sell the article.

In the case of any manufacturer qualifying under paragraph (a) (2) (i) above, who makes a line of articles with a well-established pattern of price differentials between each of the models in the line, whose price structure and merchandising plan would be seriously disturbed by price adjustments on the basis of the individual costs of the articles for which the manufacturer has qualified, the Administrator may grant a uniform percentage adjustment of the prices of all the articles. The total dollar amount of the price increases resulting from the uniform percentage adjustment shall not exceed the sum of the individual article price increases for which the manufacturer has qualified, both weighted by the sales volume of each article.

In the case of any manufacturer who qualifies under paragraph (a) (2) (ii) above, no adjustment will be made under this order in an amount greater than his customers have agreed to absorb.

This amendment shall become effective on the 21st day of June 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8966; Filed, June 20, 1944; 11:30 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Cont. to Amdt. 134]

RADIO RECEIVER TUBES

Paragraph (k) is corrected in the following respects:

1. The maximum retail price for type 01A is corrected to read $.90.
2. The maximum retail price for type 2A3 is corrected to read $1.95.
3. The maximum retail price for type 6P7G is corrected to read $2.35.
4. The maximum retail price for type 6SL7GT is corrected to read $1.60.
5. The maximum retail price for type 12SL7GT is corrected to read $1.60.
6. Correct the listing of type 25Z6C to read 25Z6G. This correction shall be effective on the 26th day of June 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8966; Filed, June 20, 1944; 11:30 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 144]

SECOND-HAND FRACTIONAL HORSE POWER ELECTRIC MOTORS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation 14 is amended by the addition to Article VI of a new section to read as follows:

SEC. 6.50 *Modification of maximum prices of second-hand fractional horse power electric motors of ¾ horse power or less*—(a) *Applicability.* This section shall apply to the sale and delivery, but not the rental, of any rebuilt fractional horse power electric motor of ¾ horse power or less, and the sale and delivery of any used fractional horse power electric motor at retail.

(b) *Definition of rebuilt and guaranteed.* As used for the purpose of this section, a "rebuilt and guaranteed" motor is one in which (1) worn, defective or missing components which should be replaced or repaired for successful operation, have been replaced and repaired, (2) carries a written guarantee of successful operation for a period of not less than one year from the date of shipment to the purchaser, or, when installed by the seller, from the date of installation, and (3) which is expressly invoiced as a rebuilt and guaranteed motor.

(c) *Sales of rebuilt and guaranteed motors*—(1) *Sale at retail.* The maximum price for the sale and delivery to a purchaser at retail of a rebuilt and guaranteed fractional horse power motor of ¾ horse power or less shall be (i) 75% of the list price in effect of the nearest equivalent new motor, plus (ii) an additional sum of $7.00, less an allowance for the exchange, transfer or trade-in of a used motor as provided in paragraph (e) hereof.

(2) *Sales other than at retail.* The maximum price for the sale and delivery to all purchasers other than purchasers at retail of a rebuilt and guaranteed fractional horse power motor of ¾ horse power or less shall be 85% of the retail price, as determined by paragraph (c) (1).

(d) *Sales of second-hand motors which are not rebuilt and guaranteed.* The maximum price for any sale and delivery of any second-hand fractional horse power motor to which this section applies, but which does not qualify as a rebuilt and guaranteed motor, as defined in paragraph (b) hereof, shall be 75% of the list price in effect of the nearest equivalent new motor. Such price shall apply whether the sale be at retail or otherwise.

(e) *Exchange allowances.* A used fractional horse power motor exchanged, transferred or traded-in, in connection with a sale of a rebuilt and guaranteed motor under paragraphs (c) (1) and (c) (2) above, is a part-payment of the price for such rebuilt motor. The allowance for such part-payment shall be not less than the following, according to the size of the motor exchanged, transferred or traded-in:

¼ horse power or less $1.00.
Over ¼ and including ½ hp $2.00.
Over ½ and including ¾ hp $3.00.

This amendment shall become effective June 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8969; Filed, June 20, 1944; 11:29 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts

PART 202—MINIMUM WAGE DETERMINATIONS

DIMENSION GRANITE INDUSTRY

This matter is before me pursuant to section 1 (b) of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. Supp. III, 35), entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," otherwise known as the Walsh-Healey Public Contracts Act.

On March 15, 1944 the Acting Administrator of the Division of Public Contracts of the United States Department of Labor issued a notice of opportunity to show cause on or before April 30, 1944, why I should not amend the prevailing minimum wage determination for the dimension granite industry, issued by me on December 22, 1937, by increasing the prevailing minimum wage from 32½ to 40 cents per hour in the States of North Carolina, Virginia, South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, Mississippi, Louisiana, Arkansas and Texas.

The notice sets forth that: (1) The minimum wage required to be paid by dimension granite manufacturers subject to the provisions of the Fair Labor Standards Act of 1938 became 40 cents an hour on December 27, 1943, pursuant to the wage order of the Administrator of the Wage and Hour Division for the stone, clay, glass, and allied industries; and (2) substantially all employees subject to my prevailing minimum wage determination for the dimension granite industry are engaged in commerce or in the production of goods for commerce, and consequently the wage order has the effect of establishing not less than 40 cents an hour as the prevailing minimum wage in the dimension granite industry.

This notice was sent to trade unions, trade associations, and publications and was duly published in the FEDERAL REGISTER on March 30, 1944 (9 F.R. 3430). No objections, protests, nor any statements in opposition to the proposed amendment have been received.

Upon consideration of all the facts and circumstances, I hereby determine:

§ 202.9 *Dimension Granite Industry.* The prevailing minimum wage for employees engaged in the performance of contracts with agencies of the United States Government, subject to the provisions of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U.S.C. Supp. III, 35), for the manufacture and supply of dimension granite, including monumental stone, building stone, paving blocks, curbing, riprap, and rubble, but not crushed stone, for the States of North Carolina, Virginia, South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, Mississippi, Louisiana, Arkansas and Texas, shall be 40 cents per hour or $16 per week based on a 40-hour week arrived at either on a time- or piece-work basis.

Pursuant to my prevailing minimum wage determination of December 22, 1937, the minimum wage rates for the remaining States shall continue to be as follows:

(a) In Maine, New Hampshire, Vermont, Connecticut, Massachusetts, Rhode Island, and New York: 57½ cents per hour or $23 per week, based on a 40-hour week, arrived at either on a time- or piece-work basis.

(b) In Pennsylvania, New Jersey, Delaware, Maryland, District of Columbia, West Virginia, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, California, Oregon and Washington: 42½ cents per hour or $17 per week based on a 40-hour week arrived at either on a time- or piece-work basis.

This determination shall be effective and its provisions shall apply to all contracts subject to the Public Contracts Act, bids for which are solicited or negotiations otherwise commenced by the contracting agency on or after July 8, 1944.

Nothing in this determination shall affect such obligations for the payment of minimum wages as an employer may have under any law or agreement more favorable to employees than the requirements of this determination.

Until this amended determination becomes effective, my original decision of December 22, 1937, shall remain in full force and effect.

Dated: June 8, 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-8891; Filed, June 19, 1944; 3:58 p. m.]

PART 202—MINIMUM WAGE DETERMINATIONS

FERTILIZER INDUSTRY

This matter is before me pursuant to section 1 (b) of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. Supp. III, 35), entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," otherwise known as the Walsh-Healey Public Contracts Act.

On March 15, 1944, the Acting Administrator of the Division of Public Contracts of the United States Department of Labor issued a notice of opportunity to show cause on or before April 30, 1944, why I should not amend the prevailing minimum wage determination for the fertilizer industry, issued by me on August 15, 1939, and amended March 20, 1940, by increasing the prevailing minimum wage from 30 cents an hour in Kent and Sussex Counties of Delaware, the Eastern Shore of Maryland (including Cecil, Kent, Queen Annes, Talbot, Caroline, Dorchester, Wicomico, Worcester, and Somerset Counties), Virginia, Tennessee, Kentucky, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, and Texas, to 40 cents an hour.

The notice sets forth that: (1) The minimum wage required to be paid by manufacturers of fertilizer subject to the provisions of the Fair Labor Standards Act of 1938 became 40 cents an hour on February 7, 1944, pursuant to the wage order of the Administrator of the Wage and Hour Division for the chemical, petroleum and coal products, and allied manufacturing industries; and (2) substantially all employees subject to my prevailing minimum wage determination for the Fertilizer Industry are engaged in commerce or in the production of goods for commerce, and consequently the wage order has the effect of establishing not less than 40 cents an hour as the prevailing minimum wage in the fertilizer industry.

This notice was sent to trade unions, trade associations, and publications and was duly published in the FEDERAL REGISTER on March 30, 1944 (9 F.R. 3433). No objections, protests, nor any statements in opposition to the proposed amendment have been received.

Upon consideration of all the facts and circumstances, I hereby determine:

§ 202.32 *Fertilizer industry.* The prevailing minimum wage for employees engaged in the performance of contracts with agencies of the United States Government, subject to the provisions of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U.S.C. Supp. III, 35), for the manufacture or supply of superphosphates and concentrated superphosphates; and for the manufacture or mixing of concentrated fertilizer from superphosphates, potash and ammoniates is 40 cents per hour or $16.00 per week of 40 hours, arrived at either upon a time or piece-work basis in all States and the District of Columbia other than New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, Nevada, California, Oregon, and Washington, in which 11 States the prevailing minimum wage shall continue to be 50 cents an hour or $20.00 per week of 40 hours arrived at either upon a time or piece-work basis in accordance with my determination of August 15, 1939.

This determination shall be effective and its provisions shall apply to all contracts subject to the Public Contracts Act, bids for which are solicited or negotiations otherwise commenced by the contracting agency on or after July 8, 1944.

Nothing in this determination shall affect such obligations for the payment of minimum wages as an employer may have under any law or agreement more favorable to employees than the requirements of this determination.

Until this amended determination becomes effective, my original decision of August 15, 1939, as amended March 20, 1940, shall remain in full force and effect.

Dated: June 8, 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-8892; Filed, June 19, 1944; 3:58 p. m.]

PART 202—MINIMUM WAGE DETERMINATIONS

PAPER AND PULP INDUSTRY

This matter is before me pursuant to section 1 (b) of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. Supp. III, 35),

*Copies may be obtained from the Office of Price Administration.

entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," otherwise known as the Walsh-Healey Public Contracts Act.

On March 15, 1944, the Acting Administrator of the Division of Public Contracts of the United States Department of Labor issued a notice of opportunity to show cause on or before April 30, 1944, why I should not amend the prevailing minimum wage determination for the paper and pulp industry, issued by me on September 26, 1939, by increasing the prevailing minimum wage from 35 cents in the States of Virginia, North Carolina, South Carolina, Georgia, Alabama, Tennessee, Kentucky, Mississippi, Louisiana, Arkansas, Oklahoma, Florida, and Texas; and from 39 cents in the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, West Virginia, Ohio, Indiana, Michigan, Wisconsin, Illinois, Missouri, Iowa, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, Nevada, and the District of Columbia to 40 cents an hour.

The notice sets forth that: (1) The minimum wage required to be paid by manufacturers of paper and pulp subject to the provisions of the Fair Labor Standards Act of 1938 became 40 cents an hour pursuant to the wage orders for the pulp and primary paper industry and for the converted paper products industry, issued by the Administrator of the Wage and Hour Division, effective September 16, 1940, and February 15, 1943, respectively; and (2) substantially all employees subject to my prevailing minimum wage determination for the paper and pulp industry are engaged in commerce or in the production of goods for commerce, and consequently the wage orders have the effect of establishing not less than 40 cents an hour as the prevailing minimum wage in the paper and pulp industry.

This notice was sent to trade unions, trade associations, and publications and was duly published in the FEDERAL REGISTER on March 30, 1944 (9 F.R. 3432). No objections, protests, nor any statements in opposition to the proposed amendment have been received. A statement supporting the proposed amendment was filed by the Paper Workers Organizing Committee, Cincinnati, Ohio.

Upon consideration of all the facts and circumstances, I hereby determine:

§ 202.33 *Paper and pulp industry.* The prevailing minimum wage for employees engaged in the performance of contracts with agencies of the United States Government, subject to the provisions of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U.S.C. Supp. III, 35), for the manufacture or furnishing of pulp and other fiber and the primary conversion of pulp and other fiber into paper and paperboard, and in addition, the manufacture and conversion of primary paper into toilet paper and paper towels, coated book paper and paper shipping sacks, is 40 cents per hour or $16.00 per week of 40 hours, arrived at either upon a time or piece-work basis, for all States and the District of Columbia except Washington, Oregon and California, in which three States the prevailing minimum wage shall continue to be 50 cents an hour or $20.00 per week of 40 hours arrived at either upon a time or piece-work basis in accordance with my determination of September 26, 1939.

This determination shall be effective and its provisions shall apply to all contracts subject to the Public Contracts Act, bids for which are solicited or negotiations otherwise commenced by the contracting agency on or after July 8, 1944.

Nothing in this determination shall affect such obligations for the payment of minimum wages as an employer may have under any law or agreement more favorable to employees than the requirements of this determination.

Until this amended determination becomes effective, my original decision of September 26, 1939 shall remain in full force and effect.

Dated: June 8, 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-8893; Filed, June 19, 1944; 3:58 p. m.]

PART 202—MINIMUM WAGE DETERMINATIONS

STRUCTURAL CLAY PRODUCTS INDUSTRY

This matter is before me pursuant to section 1 (b) of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. Supp. III, 35), entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," otherwise known as the Walsh-Healey Public Contracts Act.

On March 15, 1944, the Acting Administrator of the Division of Public Contracts of the United States Department of Labor issued a notice of opportunity to show cause on or before April 30, 1944, why I should not amend the prevailing minimum wage determination for the structural clay products industry, issued by me on December 27, 1940, and amended on September 26, 1941, by increasing the prevailing minimum wage from 34 cents an hour in the States of Maryland, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Florida, Louisiana, Arkansas, Oklahoma, Texas, New Mexico, and the District of Columbia to 40 cents an hour.

The notice sets forth that: (1) The minimum wage required to be paid by manufacturers of structural clay products subject to the provisions of the Fair Labor Standards Act of 1938 became 40 cents an hour on December 27, 1943, pursuant to the wage order of the Administrator of the Wage and Hour Division for the stone, clay, glass, and allied industries; and (2) substantially all employees subject to my prevailing minimum wage determination for the structural clay products industry are engaged in commerce or in the production of goods for commerce, and consequently the wage order has the effect of establishing not less than 40 cents an hour as the prevailing minimum wage in the structural clay products industry.

This notice was sent to trade unions, trade associations, and publications and was duly published in the FEDERAL REGISTER on March 30, 1944 (9 F.R. 3431). No objections, protests, nor any statements in opposition to the proposed amendment have been received.

Upon consideration of all the facts and circumstances, I hereby determine:

§ 202.36 *Structural clay products industry.* The prevailing minimum wage for employees engaged in the performance of contracts with agencies of the United States Government, subject to the provisions of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. Supp. III, 35), for the manufacture or supply of common brick, face brick, (including glazed and enameled brick), salt glazed brick, manhole brick, structural clay tile (including glazed tile), unglazed facing tile, paving brick, and clay or shale granules is 40 cents per hour or $16.00 per week of 40 hours arrived at either upon a time- or piece-work basis.

This determination shall be effective and its provisions shall apply to all contracts subject to the Public Contracts Act, bids for which are solicited or negotiations otherwise commenced by the contracting agency on or after July 8, 1944.

Nothing in this determination shall affect such obligations for the payment of minimum wages as an employer may have under any law or agreement more favorable to employees than the requirements of this determination.

Until this amended determination becomes effective, my original decision of December 27, 1940, as amended September 26, 1941, shall remain in full force and effect.

Dated: June 8, 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-8894; Filed, June 19, 1944; 3:58 p. m.]

PART 202—MINIMUM WAGE DETERMINATIONS

EVAPORATED MILK INDUSTRY

This matter is before me pursuant to section 1 (b) of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. Supp. III, 35), entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes, otherwise known as the Walsh-Healey Public Contracts Act.

On March 15, 1944 the Acting Administrator of the Division of Public Contracts of the United States Department of Labor issued a notice of opportunity to show cause on or before April 30, 1944, why I should not amend the prevailing minimum wage determination for the evaporated milk industry, issued by me on October 3, 1941, by increasing the prevailing minimum wage from 32½ cents to 40 cents per hour in the States of Kansas, Missouri, Oklahoma, Texas, Arkansas, Louisiana, Maine, New Hampshire, Vermont, New York, Massachusetts, Rhode Island, Connecticut, New Jersey, Pennsylvania, Delaware, Maryland, West Virginia, Virginia, North Carolina, South Carolina, Florida, Mississippi, Alabama, Georgia, Tennessee, Kentucky, Indiana, Illinois, and the District of Columbia.

The notice sets forth that: (1) The minimum wage required to be paid by evaporated milk manufacturers subject to the provisions of the Fair Labor Standards Act of 1938 would become 40 cents an hour on and after March 20, 1944, pursuant to the wage order of the Administrator of the Wage and Hour Division for the meat, poultry, and dairy products industry, which was to be effective that date; and (2) substantially all employees subject to my prevailing minimum wage determination for the evaporated milk industry are engaged in commerce or in the production of goods for commerce, and consequently the wage order would have the effect of establishing not less than 40 cents an hour as the prevailing minimum wage in the evaporated milk industry.

This notice was sent to trade unions, trade associations, and publications and was duly published in the FEDERAL REGISTER on March 30, 1944 (9 F.R. 3432). No objections, protests, nor any statements in opposition to the proposed amendment have been received.

Upon consideration of all the facts and circumstances, I hereby determine:

§ 202.40 *Evaporated milk industry.* The prevailing minimum wage for employees engaged in the performance of contracts with agencies of the United States Government, subject to the provisions of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U.S.C. Supp. III, 35), for the manufacture and supply of evaporated milk is 40 cents per hour or $16.00 per week of 40 hours, arrived at either upon a time or piece-work basis, in all States and the District of Columbia other than Washington, Oregon and California, in which three States the prevailing minimum wage shall continue to be 50 cents an hour or $20.00 per week of 40 hours arrived at either upon a time or piece-work basis in accordance with my determination of October 3, 1941.

This determination shall be effective and its provisions shall apply to all contracts subject to the Public Contracts Act, bids for which are solicited or negotiations otherwise commenced by the contracting agency on or after July 8, 1944.

Nothing in this determination shall affect such obligations for the payment of minimum wages as an employer may have under any law or agreement more favorable to employees than the requirements of this determination.

Until this amended determination becomes effective, my original decision of October 3, 1941, shall remain in full force and effect.

Dated: June 8, 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-8895; Filed, June 19, 1944; 3:58 p. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

AMENDMENTS TO REGULATIONS AND APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4471, 4481, 4488, 4491, as amended, 45 Stat. 1493, 49 Stat. 888, 1384, 1542, 1544, 54 Stat. 163–167, 1028 (375, 391a, 404, 464, 474, 481, 489, 85a, 88a, 369, 367, 526–526t, 463a), Proclamations 2487, 2500 (3 CFR, Cum. Supp. Chap. I), and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp. Chap. II), the following amendments to the regulations and approval of equipment are prescribed:

Subchapter D—Tank Vessels

PART 34—FIRE-FIGHTING EQUIPMENT

Section 34.2–5 (a) is deleted and the following is substituted instead:

§ 34.2–5 *Fire pump relief valves and piping—T/ALL.* (a) Fire pumps shall be fitted on the discharge side with a relief valve and a pressure gage to indicate the pressure on the fire main. Except when the fire pumps are being used in tank cleaning operations, the relief valves shall be set to relieve at 25 pounds higher than the pressure necessary to maintain the requirements of § 34.2–2 (b) of this part. If the fire pumps operating under shut-off conditions are not capable of producing a pressure exceeding 125 pounds p. s. i., the relief valves may be omitted.

Subchapter E—Load Lines

PART 48—FOREIGN VOYAGES DURING THE NATIONAL EMERGENCY

Part 48 is amended by the addition of the following new section:

§ 48.5a *Load line markings.* (a) In the case of a vessel marked (as in Figure B1, § 44.3) with Great Lakes markings aft of the diamond and emergency coastwise or special service markings forward of the diamond, and if this vessel is also furnished with a certificate on the international form, before the vessel may enter the foreign trade all Great Lakes and emergency coastwise or special service markings shall be painted out and the vessel shall show only markings in accordance with the international form as determined by Part 48.

(b) In the case of a vessel marked (as in Figure B2, § 44.3) with special service or emergency coastwise markings (other than timber) aft of the disc, and if this vessel is also furnished with a certificate on the international form, before the vessel may enter the foreign trade the load line markings shall be painted out so that only international load lines with the appropriate disc are shown.

(c) In the case of a timber vessel entering the foreign trade, only the international timber load lines aft of the disc and the international load lines forward of the disc shall be displayed (as in Figure 4, § 43.78).

Subchapter G—Ocean and Coastwise: General Rules and Regulations

PART 61—FIRE APPARATUS; FIRE PREVENTION

Section 61.5 (b) (5) is deleted and the following is substituted instead:

§ 61.5 *Steam fire pumps or their equivalent.* • • •

(b) *Fire pumps on steam vessels contracted for on or after 1 July, 1935.* • • •

(5) Fire pumps shall be fitted on the discharge side with relief valves set to relieve at 25 pounds higher than the pressure necessary to maintain the requirements of paragraph (b) (2) (i), above, and a pressure gage to indicate the pressure on the fire main. If the fire pumps operating under shut-off conditions are not capable of producing a pressure exceeding 125 pounds p. s. i., the relief valve may be omitted.

Subchapter H—Great Lakes: General Rules and Regulations

PART 77—FIRE APPARATUS; FIRE PREVENTION

Section 77.5 (b) (5) is deleted and the following is substituted instead:

§ 77.5 *Steam fire pumps or their equivalent.* • • •

(b) *Fire pumps on steam vessels contracted for on or after 1 July, 1935.* • • •

(See § 61.5 of this chapter which is identical with this section.)

Subchapter I—Bays, Sounds, and Lakes Other Than the Great Lakes: General Rules and Regulations

PART 95—FIRE APPARATUS; FIRE PREVENTION

Section 95.5 (b) (5) is deleted and the following is substituted instead:

§ 95.5 *Steam fire pumps or their equivalent.* • • •

(b) *Fire pumps on steam vessels contracted for on or after 1 July, 1935.* • • •

(See § 61.5 of this chapter which is identical with this section.)

Subchapter J—Rivers: General Rules and Regulations

PART 114—FIRE APPARATUS; FIRE PREVENTION

Section 114.7 (b) (5) is deleted and the following is substituted instead:

§ 114.7 *Steam fire pumps or their equivalent.* • • •

(b) *Fire pumps on steam vessels contracted for on or after 1 July, 1935.* • • •

(See § 61.5 of this chapter which is identical with this section.)

APPROVAL OF EQUIPMENT

BUOYANT CUSHION

15" x 15" x 2" Typha filled buoyant cushion, Approval No. B-228, manufactured by W. H. Temme & Co., 827-831 Madison Street, Oak Park, Ill. (For use on motorboats of Classes A, 1, and 2 not carrying passengers for hire, for the duration of the National Emergency and six months thereafter.)

DAVIT

Barclay Gravity Davit, Type A-1 (Assembly Dwg. No. 565-E, Rev. 6, dated October 12, 1943) (Maximum working load of 15,010 pounds per set—7,505 pounds per arm), submitted by the Landley Company, Inc., 15 Park Row, New York, N. Y.

FIRE RETARDANT MATERIAL

Insulspray; plaster (Insulant for Class A-1 construction in conjunction with an approved Class B panel), 1½" thickness—12 lbs. per cu. ft. density; 2" thickness—8 lbs. per cu. ft. density, submitted by Sprayed Insulations Inc., Montclair, New Jersey.

LIFE RAFTS

20-person improved type life raft (Dwg. No. B-3-A dated 12 May, 1944), submitted by Blaircraft, 3355 N. E. 73d St., Portland, Oregon.

24-person improved type metallic life raft, model #6 (Dwg. No. 1761, dated 23 May, 1944), submitted by L. A. Young Spring & Wire Co., 900 High Street, Oakland, California.

SEA ANCHOR

Type A-1 sea anchor (Coast Guard Dwg. MMI-562 and specification dated 1 November, 1943), submitted by the Atlas Marine Supply Company, 264 West Seventh St., San Pedro, California.

WINCH

Lifeboat winch for Gravity Davits, Type BGH-10 (Dwg. Nos. 1172-D, Rev. dated March 8, 1944, and 1173-D, dated March 7, 1944) (Approved for 15,500 pounds at the drums—7,750 pounds per fall), submitted by The Landley Company, Inc., 15 Park Row, New York, N. Y.

Approved: June 19, 1944.

R. R. WAESCHE,
Vice Admiral, U. S. C. G.,
Commandant.

[F. R. Doc. 44-8698; Filed, June 20, 1944; 9:10 a. m.]

Notices

FEDERAL POWER COMMISSION.

[Docket No. IT-5697]

MONTANA-DAKOTA UTILITIES CO.

NOTICE OF APPLICATION

JUNE 16, 1944.

Notice is hereby given that on June 15, 1944, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Montana-Dakota Utilities Co., a corporation organized under the laws of the State of Delaware and carrying on electric and gas utilities business in the States of Montana, North Dakota and South Dakota, and a gas utility business in the State of Wyoming, with its principal business office at Minneapolis, Minnesota, seeking an order authorizing the issuance of 20,894½ shares of 5% Series Preferred Stock of $100 par value per share. The application states that it is planned that the stock will be issued and sold during the third quarter of 1944 and that it will carry accrued dividends from July 1, 1944; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest in reference to said application should, on or before the 6th day of July, 1944, file a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-8699; Filed, June 20, 1944; 9:51 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 310]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, June 13, 1944, by L. S. Taube Company, of car PFE 45368, potatoes, now on the AT&SF Railroad, to Danville, Illinois (Wabash).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8923; Filed, June 20, 1944; 10:54 a. m.]

[S. O. 70-A, Special Permit 311]

RECONSIGNMENT OF WATERMELONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 13, 1944, by Cohen and Gordon Company of car SAL 26084, watermelons, now on the Chicago Produce Terminal, to Capps Company, Stevens Point, Wisconsin.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of June, 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8924; Filed, June 20, 1944; 10:54 a. m.]

[S. O. 70-A, Special Permit 312]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, June 14, 1944, by C. H. Gonder of car SFRD 28673, potatoes, now on the A. T. & S. F. Railroad, to Manhattan, Kansas (U. P.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of June, 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8925; Filed, June 20, 1944; 10:54 a. m.]

[S. O. 70-A, Special Permit 313]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 14, 1944, by Bacon Brothers Company of car PGE 51542, potatoes, now on the Chicago Produce Terminal to Rinella, Inc., Galesburg, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of June, 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8926; Filed, June 20, 1944; 10:54 a. m.]

[S. O. 70-A, Special Permit 314]

RECONSIGNMENT OF PEAS AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, not later than 7:00 a. m., June 15, 1944, by Wesco Foods Company, of cars SFRD 24196, URT 6019 and PFE 51220, containing peas, now on the Missouri Pacific Railroad, to Wesco Foods Company, Chicago, Illinois.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of June, 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8927; Filed, June 20, 1944; 10:54 a. m.]

[S. O. 70-A, Special Permit 315]

RECONSIGNMENT OF ORANGES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 14, 1944, by Simon Siegel Company of cars SFRD 20436 and PFE 93286, oranges, now on the Chicago Produce Terminal, to S. Albertson Company, Boston, Massachusetts.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8928; Filed, June 20, 1944; 10:54 a. m.]

[S. O. 200, General Permit 10]

REICING OF POTATOES FROM TEXAS

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord one reicing in transit, after the first or initial icing, on any refrigerator car loaded with potatoes originating at any point or points in the State of TEXAS.

This general permit shall become effective at 12:01 a. m., June 16, 1944, and shall expire at 12:01 a. m., July 1, 1944.

This general permit shall apply to cars billed or rolling on or after the effective date hereof.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8986; Filed, June 20, 1944; 10:54 a. m.]

[S. O. 200, Special Permit 64]

REICING OF POTATOES AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, cars Texas potatoes, NWX 60064, PGE 33078 and URT 9982, at St. Louis, Missouri, on the MKT Railroad, account diverted to Chicago, Illinois, (I. C.), and MDT 18961 and ART 16307 at Kansas City, Missouri, on the MKT Railroad, account diverted to Davenport, Iowa. (C. M. St. P. & P. and C. & A., respectively.)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8929; Filed, June 20, 1944; 10:55 a. m.]

[S. O. 200, Special Permit 65]

REICING OF POTATOES AT HUNTINGDON, PA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, at Huntingdon, Pennsylvania (PRR), car SFRD 17959, potatoes, moving June 12, 1944, from Stillwell Cold Storage Company, Hannibal, Missouri, to Naval Supply Depot, Bayonne, New Jersey. (CB&Q-PRR).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8930; Filed, June 20, 1944; 10:55 a. m.]

[S. O. 200, Special Permit 66]

REICING AT PFE CAR AT HUNTINGDON, PA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering

paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only at Huntingdon, Pennsylvania, car PFE 100187, shipped June 14 and PFE 44439, shipped June 13 from Stillwell Cold Storage Co., Hannibal, Missouri, to Naval Supply Depot, Bayonne, New Jersey via CB&Q-PRR.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8931; Filed, June 20, 1944; 10:55 a. m.]

[S. O. 200, Special Permit 67]

REICING OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice, one time only at Kansas City, Missouri, June 18, 1944, for account of C. H. Gonder, cars of potatoes, ART 17436 and SFED 38673, now on the A. T. & S. F. Railroad, account reconditioned and reconsigned to Lincoln, Nebraska, and Manhattan, Kansas, respectively.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8932; Filed, June 20, 1944; 10:55 a. m.]

[S. O. 200, Special Permit 68]

REICING OF POTATOES AT COUNCIL BLUFFS, IOWA, OR KANSAS CITY, KANS.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, at Council Bluffs, Iowa, or Kansas City, Kansas, not later than June 20, 1944, as requested by the Pacific Fruit Express Company, not to exceed two hundred (200) refrigerator cars loaded with California potatoes, now delayed on the Union Pacific Railroad, between Grand Island, Nebraska and Omaha, Nebraska, because of flood conditions on the Elkhorn River, this reicing to be in addition to the reicing permitted under amended General Permit No. 4 under Service Order No. 200.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8933; Filed, June 20, 1944; 10:55 a. m.]

[S. O. 200, Special Permit 70]

REICING OF POTATOES AT HUNTINGDON, PA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, at Huntingdon, Pennsylvania (PRR), not later than June 20, 1944, for account of U. S. Army Quarter Master Corps, car PFE 75084, potatoes, moving June 14, 1944, from Stillwell Cold Storage Company, Hannibal, Missouri, to Naval Supply Depot, Bayonne, New Jersey (CB&Q-PRR).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8934; Filed, June 20, 1944; 10:55 a. m.]

[S. O. 207, General Permit 2]

RECONSIGNMENT OF FRUITS AND VEGETABLES AT BIRMINGHAM, ALA., ETC.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.38, 9 F.R. 5316) of Service Order No. 207 of May 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 207 insofar as it applies to all cars loaded with the commodities named therein held for orders, diversion, or reconsignment at Birmingham, Alabama, Atlanta, Georgia, Nashville and Chattanooga, Tennessee.

This permit shall become effective at 12:01 a. m., June 17, 1944, and shall apply to cars moving at that time or accepted for transportation on and after that date.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-8935; Filed, June 20, 1944; 10:55 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 1328]

PYRENE-MINIMAX CORP.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Minimax A. G. is a corporation organized under the laws of Germany with its principal place of business in Berlin, Germany, and is a national of a designated enemy country (Germany);

2. Finding that Pyrene-Minimax Corporation is a corporation organized under the laws of the State of Delaware and doing business in the State of New Jersey, and is a business enterprise within the United States;

3. Finding that 200 shares of $100 par value common capital stock of Pyrene-Minimax Corporation are registered in the name of and owned by Minimax A. G.;

4. Finding that said 200 shares constitute a substantial part (namely, 50%) of all outstanding common capital stock of said corporation and represent an interest therein;

5. Determining, therefore, that said Pyrene-Minimax Corporation is a national of a designated enemy country (Germany);

6. Finding that the property described as follows:

a. The interest of Minimax A. G. in and to a contract by and between Minimax A. G. and Pyrene Manufacturing Company, dated June 30, 1927, relating to the formation of a new corporation for the exploitation of certain processes for the extinguishing of fires by smothering with foam, and

b. The interest of Minimax A. G. in and to a contract by and between Minimax A. G., Pyrene Manufacturing Company and Pyrene-Minimax Corporation, dated July 12, 1927, by which Pyrene-Minimax Corporation agreed to be bound by the terms of the contract of June 30, 1927, between Minimax A. G. and Pyrene Manufacturing Company, including, but not limited to, royalties and accrued royalties payable to Minimax A. G. by Pyrene-Minimax Corporation for the account of the Estate of Hans Burmeister (deceased),

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

7. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

8. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

9. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 3 and the property described in subparagraph 6 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such actions should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on April 27, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-8922; Filed, June 20, 1944; 10:51 a. m.]

[Vesting Order 3697]

FREDERICK HALM

In re: Bond and mortgage, interests in property insurance policies and bank account owned by Frederick Halm, also known as Fred Halm.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Frederick Halm, also known as Fred Halm, is Meisenheim am Glan, Rhineland, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

2. That Frederick Halm, also known as Fred Halm, is the owner of the property described in subparagraph 5 hereof;

3. That the property described as follows:

a. A certain mortgage executed on June 16, 1905 by Hyman Aaron and Mollie, his wife, and Abraham Kaplan and Pauline, his wife, and recorded June 17, 1905 in the Register's Office of Kings County, New York, in Liber 63 of Mortgages, page 213, which mortgage was assigned to Frederick Halm by assignment dated January 8, 1915, which assignment was recorded on November 22, 1926 in the Register's Office of Kings County, New York, in Liber 3061 of Mortgages, page 492, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all of such obligations, and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds, and other instruments evidencing such obligations.

b. All right, title, and interest of Fred Halm in and to the following insurance policies:

(1) Fire Insurance Policy No. 780685 issued by the Home Insurance Company, New York, New York,

(2) Fire Insurance Policy No. 389740 issued by the Standard Fire Insurance Company of New Jersey, Trenton, New Jersey,

(3) War Damage Insurance Policy No. 788-54-4850 issued by the War Damage Corporation through the London and Lancashire Insurance Company, Ltd., London, England, as fiduciary agent, and

c. That certain bank account with the Manufacturers Trust Company, 55 Broad Street, New York, New York, which is due and owing to, and held for, Frederick Halm, also known as Fred Halm, in the name of Fred Halm, and any and all security rights in and to any and all collateral for all or part of such account, and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8919; Filed, June 20, 1944; 10:51 a. m.]

[Vesting Order 3698]

WILHELM FRANZ VAHLE

In re: Interest in real property owned by Wilhelm Franz Vahle.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Wilhelm Franz Vahle is Wehrstadt-Halberstadt, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

2. That Wilhelm Franz Vahle is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

The undivided one-half interest in and to that certain real property situated in the City and County of Philadelphia, State of Pennsylvania, particularly described as all that certain lot or piece of ground with the Four Story brick store (No. 319 Market St.) and the three-story brick building in the rear thereon erected. Situate on the North side of Market Street commencing at the distance of One Hundred and sixty-six feet two and one-half inches Westward from the West side of Third Street in the Sixth Ward of the City of Philadelphia. Containing in front or breadth on Market Street sixteen feet six inches and in depth Northward of that breadth two hundred and ten feet six inches

the Northernmost corner of said lot being at the distance of one hundred and sixty-six feet from Third Street. The said lot is subject to and has the privilege of a four feet wide alley running Northward from Market Street (one half on this and one half on the lot adjoining) left open for the common use of the owners and occupiers of said lots also to a mutual covenant of the former owners of this and the lot next adjoining on the West not to erect back buildings to the houses fronting on Market Street nearer to the dividing line in either side than four feet. The said lot also has the right, use and privilege of a Court or open piece of ground sixteen and one-half feet in width East and West in the clear lying North of said lot and of an alley eleven feet four inches in width communicating with said Court and extending from Third Street to and in a line with the Northwest corner of said Court.

Being the same premises which Henry Vahle and Mary, his wife, Otto F. Vahle and Lydia, his wife, Sophia Fleming, widow, Minnie Vahle, Singlewoman, Henry William Vahle, and Florence his wife, Frank F. Vahle of Germany, and Hinte, his wife, by deed dated July 1, 1908 and recorded at Philadelphia in Deed Book W. S. V. No. 312, page 422, granted and conveyed unto Ernest C. Vahle, in fee,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designed enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8020; Filed, June 20, 1944; 10:51 a. m.]

[Vesting Order 3764]

WILLIAM SCHNEIDER

In re: Estate of William Schneider, deceased; File: D–28–8110; E.T. sec. 10591 (H–189).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Anthony S. Carvalho, Depositary, acting under the judicial supervision of the Circuit Court of the Third Judicial Circuit, formerly Fourth Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

E. Wolfe, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of E. Wolfe in and to the Estate of William Schneider, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8021; Filed, June 20, 1944; 10:52 a. m.]

[Vesting Order 3767]

EMMA EGLER

In re: Estate of Emma Egler, deceased; File D–28–8662; E. T. sec. 8396.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The German Society of the City of New York, as Executor, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Lina Egler, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Lina Egler, in and to the estate of Emma Egler, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8004; Filed, June 20, 1944; 10:48 a. m.]

[Vesting Order 3768]

FRANK NUNZIATO

In re: Trust created under the will of Frank Nunziato, deceased; File: D–28–1089; E.T. sec. 3396

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described in sub-paragraphs (a) and (b) are property which is in the process of administration by the Bank of America National Trust and Savings Association, Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests described in subparagraph (a) are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals and Last Known Address

Luigi Gaetano Vido Nunziato, Italy.
Issue (name or names unknown) of Luigi Gaetano Vido Nunziato, Italy.
Raffaela Nunziato, Italy.

(3) The property and interest described in subparagraph (b) are property within the United States owned by nationals of a designated enemy country, Italy, namely,

Nationals and Last Known Address

Luigi Gaetano Vido Nunziato, Italy.
Issue (name or names unknown) of Luigi Gaetano Vido Nunziato, Italy.
Raffaela Nunziato, Italy.

And determining that—

(4) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

(a) All right, title (interest and claim of any kind or character whatsoever of Luigi Gaetano Vido Nunziato, Issue (name or names unknown) of Luigi Gaetano Vido Nunziato, and Raffaela Nunziato, and each of them, in and to the trust created under the Will of Frank Nunziato, deceased.

(b) An undivided $\frac{1}{10}$th interest in the following parcels of real property, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to recorded liens and encumbrances and other rights of record, situated in the City and County of San Francisco, State of California, and particularly described as follows:

Parcel I. Commencing at a point on the southerly line of Broadway distant thereon 58 feet 6 inches westerly from the westerly line of Montgomery Street; running thence westerly and along said line of Broadway 79 feet; thence at a right angle southerly 70 feet to the northerly line of Verdi Place, thence at a right angle easterly along said line of Verdi Place 79 feet; thence at a right angle northerly 70 feet to the point of commencement.

Being part of 50 Vara Lot No. 9 in Block No. 66.

Parcel II. Commencing at the point of intersection of the westerly line of Montgomery Street and the southerly line of Verdi Place; running thence southerly and along said line of Montgomery Street 47 feet 6 inches; thence at a right angle westerly 137 feet 6 inches; thence at a right angle northerly 47 feet 6 inches to the southerly line of Verdi Place; thence at a right angle easterly along said line of Verdi Place 137 feet 6 inches to the point of commencement.

Being part of 50 Vara Lot No. 9 in Block No. 66.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8005; Filed, June 20, 1944; 10:48 a. m.]

[Vesting Order 3769]

JOHANNA CAROLINE OVERBECK

In re: Estate of Johanna Caroline Overbeck, deceased; File D–28–9672; E. T. sec. 6020.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Arnold T. Koch, as Executor, acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Marie Winter, Germany.
Herman Faber, Germany.
Wilhelm Faber, Germany.
Ilse Faber, Germany.
Dr. Jurist Th. Landwehr, Domiciliary Administrator of the estate of Axel Ulrich, deceased, and the next of kin, legatees, distributees, successors and assigns of Axel Ulrich, deceased, Germany.
Baron Elard von Lowenstern, Germany.
Dorothea Renkewitz, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Marie Winter, Herman Faber, Wilhelm Faber, Ilse Faber, Dr. Jurist Th. Landwehr, Domiciliary Administrator of the estate of Axel Ulrich, deceased, and the next of kin, legatees, distributees, successors and assigns of Axel Ulrich, deceased, Baron Elard von Lowenstern and Dorothea Renkewitz, and each of them, in and to the estate of Johanna Caroline Overbeck, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive order.

Dated: June 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8906; Filed, June 20, 1944; 10:48 a. m.]

[Vesting Order 3790]

EMIL RUDERT

In re: Estate of Emil Rudert, deceased; File D-28-4679; E. T. sec. 1250.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Butler County National Bank and Trust Company of Butler, 300 South Main Street, Butler, Pennsylvania, Administrator, acting under the judicial supervision of the Orphans' Court of Butler County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Helen Emma Rudert, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Helen Emma Rudert in and to the Estate of Emil Rudert, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8907; Filed, June 20, 1944; 10:48 a. m.]

[Vesting Order 3791]

FREDERICK E. WOITKE

In re: Estate of Frederick E. Woitke, also known as Frederick Edward Woitke and F. E. Woitke, deceased; File D-28-7664; E. T. sec. 8209.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Winnifred S. Woitke, Executrix, acting under the judicial supervision of the Superior Court of the State of California in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Berta Prange, Germany.
Robert Dauer, Germany.
Elizabeth Dauer, Germany.
Maria Dauer, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Berta Prange, Robert Dauer, Elizabeth Dauer, and Maria Dauer, and each of them, in and to the estate of Frederick E. Woitke, also known as Frederick Edward Woitke and F. E. Woitke, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8908; Filed, June 20, 1944; 10:48 a. m.]

[Vesting Order 3792]

ANNA BAUMANN

In re: Estate of Anna Baumann, deceased; File D-28-3744; E. T. sec. 6348.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Joseph Kauffmann, 601—4th Street SW., Canton, Ohio, Administrator, acting under the judicial supervision of the Probate Court of the State of Ohio, in and for the County of Stark;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Gustave Stephan, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Gustave Stephan in and to the estate of Anna Baumann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8909; Filed, June 20, 1944; 10:49 a. m.]

[Vesting Order 3793]

JOSEPH CRAMER

In re: Estate of Joseph Cramer, deceased; File D-28-2154; E. T. sec. 2851.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Commonwealth Trust Company of Pittsburgh, Administrator, acting under the judicial supervision of the Orphans' Court of Allegheny County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Harry Cramer, Germany.
Paul Cramer, Germany.
Mrs. Anna Leuwer, Germany.
Mrs. Margaret Vasen, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Harry Cramer, Paul Cramer, Mrs. Anna Leuwer and Mrs. Margaret Vasen, and each of them, in and to the estate of Joseph Cramer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8910; Filed, June 20, 1944; 10:49 a. m.]

[Supplemental Vesting Order 3794]

PAUL FILZEN

In re: Estate of Paul Filzen, deceased; File D-28-1397; E. T. sec. 62.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Percy J. Tewksbury, Osceola, Wisconsin, and Louis S. Headley, c/o First Trust Company, St. Paul, Minnesota, Executors and Trustees under the Last Will and Testament of Paul Filzen, deceased, acting under the judicial supervision of the County Court of the State of Wisconsin, in and for the County of Polk, and the Probate Court of the State of Minnesota, in and for the County of Chicago;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Marie Feiden, Germany.
Gerta Krotz, Germany.
Anna Becker, Germany.
Anna Maria Dillenburg, Germany.
Christian Filzen, Germany.
Sibylla Klerings, Germany.
The husband or wife, name unknown, of each of Gerta Krotz, Anna Becker, Anna Maria Dillenburg, Christian Filzen, Sibylla Klerings and Marie Feiden, Germany.
The child or children, names unknown, of each of Gerta Krotz, Anna Becker, Anna Maria Dillenburg, Christian Filzen, Sibylla Klerings and Marie Feiden, Germany.
Nieces and nephews, names unknown, of Paul Filzen, their surviving spouses and children, names unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Marie Feiden, Gerta Krotz, Anna Becker, Anna Maria Dillenburg, Christian Filzen, Sibylla Klerings; the husband or wife, name unknown, of each of Gerta Krotz, Anna Becker, Anna Maria Dillenburg, Christian Filzen, Sibylla Klerings and Marie Feiden; the child or children, names unknown, of each of Gerta Krotz, Anna Becker, Anna Maria Dillenburg, Christian Filzen, Sibylla Klerings and Marie Feiden; nieces and nephews, names unknown, of Paul Filzen, their surviving spouses and children, names unknown, and each of them, in and to the trust estates created under the second and third articles of the will of Paul Filzen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-8911; Filed, June 20, 1944; 10:49 a. m.]

[Vesting Order 3795]

PETER GRABENDOERFER

In re: Estate of Peter Grabendoerfer, also known as Peter Grobendorfer, deceased; File D-28-8635; E. T. sec. 10352.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Leonard B. Rosenthal, Administrator, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Peter Grabendoerfer, Germany.
Peter Otto Schmieder, Germany.
Otto Joseph Gustav Scheuble, Germany.
Maria Elizabeth Weis, Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order of act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Peter Grabendoerfer, Peter Otto Schmieder, Otto Joseph Gustav Scheuble and Maria Elizabeth Weis, and each of them, in and to the estate of Peter Grabendoerfer, also known as Peter Grobendorfer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8913; Filed, June 20, 1944; 10:49 a. m.]

[Vesting Order 3796]

ANNA HAFNER

In re: Estate of Anna Hafner, deceased; File D–28–8253; E.T. Sec. 9379.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by Fannie V. Gessman, 152 W. Wisconsin Avenue, Milwaukee 3, Wisconsin, Executrix, acting under the judicial supervision of the County Court of Milwaukee County, State of Wisconsin;
(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Anton Hafner, Germany.
Pia Lehman (nee Hafner), Germany.
Waldemar Lehman, Germany.
Siegfried Lehman, Germany.
Josephine Moll, Germany.
Bertha Boos (nee Moll), Germany.
Frieda Amann (nee Moll), Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anton Hafner, Pia Lehman (nee Hafner), Waldemar Lehman, Siegfried Lehman, Josephine Moll, Bertha Boos (nee Moll), Frieda Amann (nee Moll), and each of them, in and to the Estate of Anna Hafner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8918; Filed, June 20, 1944; 10:49 a. m.]

[Vesting Order 3797]

JOSEPH RICHLING

In re: Estate of Joseph Richling, deceased; File D–28–7369; E. T. Sec. 7542.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of Cook County, County Building, Chicago, Illinois, Depository, acting under the judicial supervision of the Probate Court of Cook County, Chicago, Illinois;
(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hubert Richling, Germany.
Johann Richling, Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

The sum of $900.00 which is in the possession and custody of the Treasurer of Cook County, Illinois, Depositary, which amount was deposited with the Treasurer of Cook County, Illinois, on October 26th, 1943, pursuant to an order of the Probate Court of Cook County, Illinois, entered October 8th, 1943, to the credit of the aforesaid nationals, in the matter of the estate of Joseph Richling, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8914; Filed, June 20, 1944; 10:49 a. m.]

[Vesting Order 3798]

ROSA ROSTON

In re: Trust created under the will of Rosa Roston, deceased; File D–28–3447; E.T. sec. 5512.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by W. M. Scott, Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;
(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely

Nationals and Last Known Address

Paula Hichberger, Germany.
Kurtz Hichberger, Germany.
Niddy Hichberger, Germany.
Sallie Spier, Germany.
Wife and children, names unknown, of Sallie Spier, Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Paula Hichberger, Kurtz Hichberger, Niddy Hichberger, Sallie Spier, Wife and children, names unknown, of Sallie Spier, and each of them, in and to the trust created under the will of Rosa Roston, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8915; Filed, June 20, 1944; 10:50 a. m.]

[Vesting Order 3799]

ALBERT SCHWEISSHEIM

In re: Mortgage Participation Certificate #48 of Series 438700 issued by Lawyers Title & Guaranty Company to Albert Schweisshelm; File F–28–3060; E.T. sec. 5063.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by William P. Thomas, Benjamin Antin and Henry G. McDonough, acting as Trustees under a Declaration of Trust, dated September 9, 1908, under the judicial supervision of the Supreme Court, Bronx County, New York;
(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Albert Schweisshelm, Germany.

And determining that—
(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Albert Schweisshelm in and to mortgage participation certificate #48 of series 438700, issued by Lawyers Title & Guaranty Company, of New York City, New York,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8916; Filed, June 20, 1944; 10:51 a. m.]

[Vesting Order 3800]

JOHN WANN

In re: Trust under agreement with John Wann, dated September 24, 1903, for Florence Grafin von Schwerin; File F–28–12560; E. T. sec. 3243–C).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by First Trust Company of Saint Paul State Bank, W–555 First National Bank Building, Saint Paul, Minnesota, Trustee, acting under the judicial supervision of the District Court in and for the Second Judicial District, County of Ramsey, State of Minnesota;
(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Barbara von Pents, Germany.
Dorothee von Pents, Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Barbara von Pents and Dorothee von Pents, and each of them, in and to the Trust under Agreement with John Wann, dated September 24, 1903, for Florence Grafin von Schwerin,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to

indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8917; Filed, June 20, 1944; 10:51 a. m.]

[Vesting order 3801]

MINA ZIMMERMAN

In re: Estate of Mina Zimmerman, deceased; File: D–28–8745; E. T. sec. 10628.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by F. Boyce Fenton, Administrator with the Will Annexed, acting under the judicial supervision of the Circuit Court of the State of Oregon, for the County of Multnomah;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Kathe Horn, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Kathe Horn in and to the Estate of Mina Zimmerman, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–2, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated; June 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–8916; Filed, June 20, 1944; 10:51 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 116, Order 6]

SOUTHERN CALIFORNIA POTTERY CO., INC.

APPROVAL OF MAXIMUM PRICES

Order No. 6 under § 1362.61 (c) (1) (iii) of Maximum Price Regulation No. 116, China and pottery. Approval of maximum prices for sales of "California Rustic" cooking and table ware manufactured by Southern California Pottery Co., Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales of thirteen new items of cooking and table ware designated "California Rustic Ware", manufactured by Southern California Pottery Company, Inc., Lawndale, California. This order applies to all sales of the new cooking and table ware in the 48 states and the District of Columbia.

(1) For sales by the manufacturer to distributors, and for sales by the manufacturer to retailers, the maximum prices are those set forth below opposite each item:

Article	Maximum price to distributors	Maximum price to retailers
	Per doz.	*Per doz.*
6½" casserole and cover	$3.44	$4.05
8" casserole and cover	7.96	9.40
10" casserole and cover	11.42½	13.50
14" casserole and cover	20.60½	24.30
10½" dinner plate	6.12	7.20
8½" luncheon plate	3.44	4.05
7" salad plate	2.10	2.47½
6½" saucer	1.91	2.25
Large cup	2.10	2.47½
10" vegetable bowl	8.63	9.45
6½" utility bowl	1.63	1.80
14" chop plate	16.06½	18.90
14" chop plate, deep cover	17.21	20.25

These prices are f. o. b. factory and are subject to a cash discount of 2 percent for payment within ten days. To these prices the manufacturer may add a packing charge in line with that customarily charged in the trade.

(2) For sales to retailers by distributors who sell against manufacturer's stock, and by distributors who carry stock, the maximum prices are those set forth below opposite each item:

Article	Maximum prices to retailers by distributors who sell against manufacturer's stock, f. o. b. factory	Maximum prices to retailers by distributors who carry stock, f. o. b. distributor's city
	Per doz.	*Per doz.*
6½" casserole and cover	$4.05	$4.30
8" casserole and cover	8.10	8.60
10" casserole and cover	12.60	13.60
14" casserole and cover	24.30	27.00
10½" dinner plate	7.20	8.40
8½" luncheon plate	4.05	4.80
7" salad plate	2.47½	2.75
6½" saucer	2.25	2.50
Large cup	2.47½	2.75
10" vegetable bowl	9.45	10.20
6½" utility bowl	1.80	2.00
14" chop plate	18.90	21.00
14" chop plate, deep cover	20.25	22.50

These prices are subject to the distributor's customary discounts, allowances and other price differentials. Distributors who sell against manufacturer's stock may add to the above prices, for packing, only the dollars-and-cents amount charged by the manufacturer for packing. Distributors who carry stock may add to the above prices, for packing, no more than the amount customarily charged by them.

(3) For sales at retail, the maximum prices are those set forth below opposite each item:

Article	Maximum retail price (per doz.)
6½" casserole and cover	$6.00
8" casserole and cover	12.00
10" casserole and cover	20.00
14" casserole and cover	34.00
10½" dinner plate	16.00
8½" luncheon plate	9.00
7" salad plate	5.50
6½" saucer	5.00
Large cup	5.50
10" vegetable bowl	21.00
6½" utility bowl	4.00
14" chop plate	42.00
14" chop plate, deep cover	46.00

(b) At the time of or prior to the first invoice to each purchaser for resale, the manufacturer and every distributor shall notify, in writing, every purchaser for resale who buys the items for which maximum prices are established by this order, of the maximum prices set by this order for resales by the purchaser. This notice may be given in any convenient form.

(c) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 20th day of June 1944.

Issued this 19th day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–8859; Filed, June 19, 1944; 11:53 a. m.]

[MPR 136, Order 235]

SERVEL INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 235 under Maximum Price Regulation No. 136, as amended. Machines and parts and machinery service.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register; and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; and in accordance with § 1390.25a of Maximum Price Regulation No. 136 and section 9.3 of Revised Supplementary Regulation No. 14, *It is ordered:*

(a) Servel Inc., 119 North Morton Avenue, Evansville, Indiana, may sell and deliver the refrigerator replacement units rebuilt by it at prices no higher than those set forth below:

Model:	*Maximum price per unit*
Air-cooled	$23.61
Water-cooled	20.69

These prices include the standard Servel one-year warranty; and are f. o. b. Evansville, Indiana. They do not include any Federal Excise Tax.

(b) Any person, other than the manufacturer, may sell and deliver Servel Inc's. refrigerator replacement units at wholesale and retail, at prices no higher than those arrived at by adding the permitted dollars-and-cents increase listed below opposite each model to the maximum prices established for such sales by the General Maximum Price Regulation:

Model:	*Permitted increase in maximum price (per unit)*
Air-cooled	$3.61
Water-cooled	2.69

(c) Any seller for whom maximum prices are established by this order may require, as part of the consideration for the replacement unit, the surrender, by the purchaser, of the unit which the rebuilt unit is intended to replace. No allowance need be made by the seller for the unit so surrendered.

(d) This order may be revoked or amended by the Price Administrator at any time.

This Order No. 235 shall become effective on the 21st day of June 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8965; Filed, June 20, 1944; 11:35 a. m.]

[MPR 188, Order 1701]

OFFICE OF MACHINES AND TYPEWRITERS

TRADE-IN ALLOWANCES MADE BY MANUFACTURERS

Order No. 1701 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Trade-in allowances made by manufacturers of office machines and typewriters.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

(a) This order deals with the amount which manufacturers of new office machines and typewriters must allow as a credit when they accept used equipment on sales of new equipment. Irrespective of any other provision of Maximum Price Regulation No. 188, each manufacturer shall continue to follow the trade-in practices which he employed in March, 1942, as follows:

(1) If the manufacturer published trade-in allowance schedules reflecting age depreciation by reference to serial numbers, model designations, or age groups of used equipment, and those schedules were in effect during March 1942, he may publish and apply new trade-in allowance schedules which follow his customary system of age depreciation. For example, a manufacturer who, during March 1942, established allowances by serial number groups which directly reflected ages, may re-group and revalue serial numbers in order to reflect the same age allowance relationship as obtained in his allowance schedule in effect during March 1942.

(2) If the manufacturer had no published trade-in allowance schedule in effect during March 1942, but nevertheless granted or quoted trade-in allowances during that period, he may reduce these allowances to reflect the increased age of traded-in equipment; provided he uses the same criteria for determining the new trade-in values as he used to determine the trade-in allowance granted or quoted during March 1942.

(3) Higher allowances than those in effect, granted, or quoted during March 1942 may lawfully be given and received.

(b) This Order No. 1701 shall become effective on the 21st day of June, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8977; Filed, June 20, 1944; 11:29 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY PRICES ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on June 17, 1944.

REGION I

Connecticut Order 2–F Amendment 5, covering fresh fruits and vegetables in Connecticut, except Hartford, New Haven, Bridgeport and Waterbury Areas, filed 4:11 p. m.

REGION II

Binghamton Order F–1, Amendment 5, covering fresh fish and seafood in certain areas in the State of New York, filed 12:21 p. m.

Binghamton Order 10, Amendment 1, covering certain food items in certain counties of New York, filed 12:19 p. m.

Buffalo Order 1–F, Amendment 8, covering fresh fruits and vegetables in certain areas in New York, filed 12:19 p. m.

Buffalo Order 1–W, covering dry grocery items in certain areas in New York, filed 12:19 p. m.

District of Columbia Order 9, covering certain food items in the Washington D. C. area, filed 4:10 p. m.

District of Columbia Order 9, Amendment 1, covering certain food items in the Washington, D. C. area, filed 4:10 p. m.

REGION III

Cleveland Order 2–W, covering certain dry grocery items in Cuyahoga County, Ohio, filed 12:25 p. m.

Charleston Order 7–F, Amendment 11, covering fresh fruits and vegetables in certain counties in West Virginia, filed 12:17 p. m.

Charleston Order 8–F, Amendment 11, covering fresh fruits and vegetables in Doddridge, Harrison, Lewis, Marion, Monongalia and Taylor Counties, West Virginia, filed 12:16 p. m.

Charleston Order 9–F, Amendment 10, covering fresh fruits and vegetables in Cabell County and the City of Huntington in Wayne County, West Virginia, filed 12:16 p. m.

Charleston Order 10–F, Amendment 10, covering fresh fruits and vegetables in Calhoun, Jackson, Mason, Pleasants, Ritchie, Roane, Wirt and Wood Counties, West Virginia, filed 12:16 p. m.

Charleston Order 11–F, Amendment 3, covering fresh fruits and vegetables in Berkeley, Jefferson and Morgan Counties, West Virginia, filed 12:16 p. m.

Louisville Order (Basic Community Pricing Order 1–B) Basic provisions on retail food pricing orders for various areas in Kentucky and Indiana, filed 12:25 p. m.

Louisville Order 16, covering certain food items in Jefferson County, Kentucky; Clark and Floyd Counties, Indiana, filed 12:26 p. m.

Louisville Order 19, covering certain food items in certain counties in Kentucky, filed 12:25 p. m.

Louisville Order 20, covering certain food items in certain counties in Kentucky, filed 12:26 p. m.

Saginaw Order 2–F, Amendment 20, covering fresh fruits and vegetables in Saginaw, Genesee, Bay, Midland, Shiawassee, Tuscola and Lapeer, Michigan, filed 3:59 p. m.

REGION IV

Birmingham Order 14 (Revocation of Order 14), covering certain food items in certain areas in Alabama.

Memphis Order 4–F, Amendment 37, covering fresh fruits and vegetables in the City of Memphis and County of Shelby in the State of Tennessee, filed 12:24 p. m.

Montgomery Order 11–F, covering fresh fruits and vegetables in certain areas in Alabama, filed 12:24 p. m.

Montgomery Order 12–F, covering fresh fruits and vegetables in the Cities of Dothan, Enterprise and Ozark, Alabama, filed 12:23 p. m.

Montgomery Order 13–F, covering fresh fruits and vegetables in the City of Selma, Alabama, filed 12:23 p. m.

Montgomery Order 14–F, covering fresh fruits and vegetables in Mobile, County, Alabama, filed 12:23 p. m.

REGION V

Arkansas Order 1–F, Amendment 5, covering fresh fruits and vegetables in the State of Arkansas with the exception of certain named counties, filed 3:59 p. m.

Dallas Order 3–F, Amendment 15, covering fresh fruits and vegetables in Bowie County, Texas, filed 12:22 p. m.

Fort Worth Order 2–F, Amendment 21, covering fresh fruits and vegetables in Taylor County, Texas, filed 12:18 p. m.

Fort Worth Order 3–F, Amendment 21, covering fresh fruits and vegetables in Tom Green County, Texas, filed 12:18 p. m.

Fort Worth Order 4–F, Amendment 21, covering fresh fruits and vegetables in McLennan County, Texas, filed 12:17 p. m.

Fort Worth Order 5–F, Amendment 21, covering fresh fruits and vegetables in Wichita County, Texas, filed 12:17 p. m.

Kansas City Order 2–F, Amendment 12, covering fresh fruits and vegetables in certain areas in Kansas City, Missouri, filed 12:22 p. m.

Lubbock Order 4–F, Amendment 3, covering fresh fruits and vegetables in certain counties in Texas, filed 12:17 p. m.

New Orleans Order 1–F, Amendment 6, covering fresh fruits and vegetables in certain parishes in the State of Louisiana, filed 12:21 p. m.

New Orleans Order 2–F, Amendment 22, covering fresh fruits and vegetables in the parishes of Orleans, St. Bernard and Jefferson in the State of Louisiana, filed 12:21 p. m.

St. Louis Order 3–F, Amendment 7, covering fresh fruits and vegetables in the City of St. Louis and St. Louis County, Missouri, filed 12:21 p. m.

Wichita Order 2–W, covering certain food items in certain counties in Kansas, filed 12:17 p. m.

Wichita Order 4–F, Amendment 1, covering fresh fruits and vegetables in certain areas in Kansas, filed 12:18 p. m.

Wichita Order 4–F, Amendment 2, covering fresh fruits and vegetables in certain areas in Kansas, filed 12:19 p. m.

REGION VI

Des Moines Order 1–F, Amendment 20, covering fresh fruits and vegetables in the Des Moines area, filed 3:59 p. m.

Milwaukee Order 2–F, Amendment 16, covering fresh fruits and vegetables in Dane County, Milwaukee, filed 4:00 p. m.

Milwaukee Order 3–F, Amendment 16, covering fresh fruits and vegetables in Milwaukee County, City of Racine and City of Kenosha, Milwaukee, filed 4:00 p. m.

Milwaukee Order 5–F, Amendment 17, covering fresh fruits and vegetables in Sheboygan and Fond Du Lac Counties, Milwaukee, filed 4:00 p. m.

Sioux City, Order 3–F, Amendment 5, covering fresh fruits and vegetables in certain areas in Iowa, South Dakota and Nebraska, filed 4:01 p. m.

Sioux City, Order 4–F, Amendment 5, covering fresh fruits and vegetables in certain counties in the State of Nebraska, filed 4:01 p. m.

Sioux City, Order 15, covering certain food items in Boyd, Brown, Cherry, Holt, Keyapaha, Rock and Wheeler, in the State of Nebraska, filed 4:01 p. m.

REGION VIII

Fresno Order (Adopting Order No. 1 under Basic Order No. 1) covering certain food items in the Fresno City area, filed 4:08 p. m.

Fresno Adopting Order No. 2 under Basic Order No. 1, covering certain food items in the Fresno Outlying area, filed 4:02 p. m.

Fresno Adopting Order No. 3 under Basic Order No. 1, covering certain food items in the Merced County area, filed 4:02 p. m.

Seattle Basic Community Pricing Order No. 2–B, Basic provisions for Fresh fruits and vegetables issued for various areas in the State of Washington, filed 4:10 p. m.

Seattle Adopting Order No. 1 under Basic Order No. 2–B, covering certain food items in the Seattle area. Filed 4:09 p. m.

Seattle Adopting Order No. 2 under Basic Order No. 2–B, covering certain food items in the Tacoma area, filed 4:09 p. m.

Seattle Adopting Order No. 3 under Basic Order No. 2–B, covering certain food items in the Everett area, filed 4:08 p. m.

Seattle Adopting Order No. 4 under Basic Order No. 2–B, covering certain food items in the Bremerton area, filed 4:08 p. m.

Seattle Adopting Order No. 5 under Basic Order No. 2–B, covering certain food items in the Bellingham area, filed 4:08 p. m.

Seattle Adopting Order No. 6, under Basic Order No. 2–B, covering certain food items in the Olympia area, filed 4:07 p. m.

Seattle Adopting Order No. 7, under Basic Order No. 2–B, covering certain food items in the Aberdeen-Hoquiam area, filed 4:07 p. m.

Seattle Adopting Order No. 8, under Basic Order No. 2–B, covering certain food items in the Centralia-Chehalis area, filed 4:07 p. m.

Seattle Order 20, Amendment 7, covering certain poultry items in Western Washington, filed 4:06 p. m.

Seattle Order 21, Amendment 8, covering certain poultry items in Central Washington, filed 4:05 p. m.

Seattle Order 22, Amendment 4, covering certain food items in Island County, and Eastern Clallam and Jefferson Counties, Washington, filed 4:04 p. m.

Seattle Order 23, Amendment 3, covering certain food items in Central and Western Washington, filed 4:03 p. m.

Seattle Order 24, Amendment 3, covering certain food items in Pierce and Snohomish Counties and the Cities of Bellingham and Seattle, Washington, filed 4:06 p. m.

Seattle Order 24, Amendment 4, covering certain food items in Pierce and Snohomish Counties and the Cities of Bellingham and Seattle, Washington, filed 4:04 p. m.

Seattle Order 25, Amendment 3, covering certain food items in certain areas in Western Washington, filed 4:06 p. m.

Seattle Order 25, Amendment 4, covering certain food items in certain areas in Western Washington, filed 4:06 p. m.

Seattle Order 26, Amendment 3, covering certain food items in certain areas in Central Washington, filed 4:06 p. m.

Copies of these orders may be obtained from the OPA office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–8976; Filed, June 20, 1944; 11:29 a. m.]

[Region VI Order G–96 Under MPR 329, Amdt. 1]

MILK IN SPRINGFIELD, ILL.

Correction

In F. R. Doc. 44–8737, appearing on page 6788 of the issue for Saturday, June 17, 1944, the bracket heading should read as set forth above.

UNITED STATES COAST GUARD.

LIFE PRESERVERS

NOTICE OF DESIGN APPROVAL

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4462, 4488, 4491, as amended, 49 Stat. 1544 (46 U.S.C. 375, 391a, 404, 475, 481, 489, 367) and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the designs of the models of life preservers listed below have been approved. Manufacturers who desire to build them shall submit requests to Commandant, U. S. Coast Guard, Washington 25, D. C. for copies of drawings and specifications. The type approvals for each manufacturer will be made in accordance with the general rules and regulations for vessel inspection and published in the FEDERAL REGISTER.

Coast Guard adult kapok life preserver, Model 1, (C. G. Dwg. No. P–49–6–1, Sheets 1 and 2, and Specification dated 10 June 1944) (20 to 21 ounces kapok, removable pads inclosed within vinylite covering) (For general use).

Coast Guard adult kapok life preserver, Model 2, (C. G. Dwg. No. P–49–6–1, Sheets 1 and 2, and Specification dated 10 June 1944) (20 to 21 ounces kapok, removable pads not inclosed within vinylite covering) (For general use).

Coast Guard adult kapok life preserver, Model 3, (C. G. Dwg. No. P–49–6–1, Sheets 1 and 2, and Specification dated 10 June 1944) (26 to 24 ounces kapok, removable pads inclosed within vinylite covering) (For use with lifesaving suits).

R. R. WAESCHE,
Vice Admiral, U. S. C. G.,
Commandant.

JUNE 20, 1944.

[F. R. Doc. 44–8908; Filed, June 20, 1944, 10:17 a. m.]

WAR PRODUCTION BOARD.

HUTTON-JONES ELECTRIC CO., INC.

AMENDMENT OF CONSENT ORDER

Hutton-Jones Electric Co., Inc., located at 170 Pine Avenue SE., Warren, Ohio, has requested relief upon the grounds of an emergency situation, from the terms of the consent order entered into by Hutton-Jones Electric Co., Inc., with the War Production Board on April 19, 1944, and issued April 27, 1944, by the War Production Board.

The Regional Compliance Chief, the Regional Attorney, and the Compliance Commissioner have reviewed the case and concluded, on June 14, 1944, that the emergency situation would continue unless the consent order were modified.

Wherefore, upon the agreement and consent of Hutton-Jones Electric Co., Inc., the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

The consent order herein referred to, issued April 27, 1944, be, and hereby is, amended with the insertion of the following paragraph (a) (1) as a subparagraph of paragraph (a) of the original consent order:

(1) The Hutton-Jones Electric Co., Inc., shall be permitted to fill Purchase Order No. 1444–RW issued by Wilputte Coke Oven Corp., 40 Rector Street, New York, N. Y. for the electrical installation of a new winding machine for a coke oven breeze skip hoist at the plant of the Republic Steel Corp. in Warren, Ohio, this order being dated May 24, 1944, and having a preference rating AA–3, Allotment Symbol F–1.

Issued this 17th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–8943; Filed, June 17, 1944; 4:27 p. m.]

JUL 8 '44

FEDERAL REGISTER

VOLUME 9 NUMBER 124

Washington, Thursday, June 22, 1944

The President

EXECUTIVE ORDER 9450

AMENDING FOREIGN SERVICE REGULATIONS OF THE UNITED STATES

By virtue of and pursuant to the authority vested in me by section 1752 of the Revised Statutes of the United States (U.S.C., title 22, sec. 132), sections I–3 (b) (1) and I–5 (a) of the Foreign Service Regulations (E. O. No. 8396, April 18, 1940, 22 CFR Cum. Sup. 101.3, 101.5), are hereby amended as follows:

I–3 (b) (1). *Examinations for the Foreign Service.* Examinations for the Foreign Service shall be given in accordance with rules and regulations prescribed by a Board of Examiners, which is hereby established and which shall be composed of three Assistant Secretaries of State designated by the Secretary of State, an officer of the Department of Commerce designated by the Secretary of Commerce and acceptable to the Secretary of State, an officer of the Department of Agriculture designated by the Secretary of Agriculture and acceptable to the Secretary of State, the Director of the Office of Foreign Service, Department of State, the Chief of the Division of Foreign Service Personnel, Department of State, and the Chief Examiner of the Civil Service Commission. Any member of the Board of Examiners may, when he deems it necessary, designate another officer of his department acceptable to the Secretary of State to serve for him on the Board.

I–5 (a). *Board of Foreign Service Officers' Training School.* The Foreign Service Officers' Training School shall be under the immediate direction of a board to be known as the Board of Foreign Service Officers' Training School, which shall be composed of the members of the Board of Foreign Service Personnel, the Director of the Office of Foreign Service, the Chief of the Division of Foreign Service Personnel, and the Director of the School. All decisions of the School Board shall be subject to the approval of the Secretary of State.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 20, 1944.

[F. R. Doc. 44–9018; Filed, June 21, 1944; 11:06 a. m.]

EXECUTIVE ORDER 9451

REVOKING PARAGRAPH 2 OF EXECUTIVE ORDER 9243 OF SEPTEMBER 12, 1942, ENTITLED "PROVIDING FOR THE TRANSFER AND RELEASE OF FEDERAL PERSONNEL"

By virtue of the authority vested in me by the Civil Service Act (22 Stat. 403), and by section 1753 of the Revised Statutes of the United States (U.S.C., title 5, sec. 631), paragraph 2 of Executive Order 9243 of September 12, 1942, providing for the establishment of priority classifications as between the several Executive departments and agencies,[1] is hereby revoked, effective as of July 1, 1944.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 20, 1944.

[F. R. Doc. 44–9017; Filed, June 21, 1944; 11:06 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 2–6]

PART 1401—DAIRY PRODUCTS

BUTTER

Pursuant to the authority vested in me by War Food Order No. 2, as amended, 9 F.R. 4321, 4319 (formerly designated as Food Distribution Order No. 2 originally issued by the Secretary of Agriculture on January 5, 1943, 8 F.R. 253, as amended,

(Continued on next page)

[1] 7 F.R. 7213.

CONTENTS

THE PRESIDENT

	Page
EXECUTIVE ORDERS:	
Foreign service regulations amended	6905
Transfer and release of federal personnel, partial revocation	6905
REGULATIONS AND NOTICES	
CIVIL AERONAUTICS BOARD:	
Accident occurring near Ely, Minn., hearing	6918
COMMODITY CREDIT CORPORATION:	
Cheddar cheese, purchase and sale in U. S.	6936
FEDERAL POWER COMMISSION:	
Hearings, etc.:	
Northern Natural Gas Co.	6918
Texas Power & Light Co.	6918
United Fuel Gas Co., et al.	6918
GENERAL LAND OFFICE:	
Alaska, officers qualified to administer oaths	6917
Arizona, withdrawal of public lands	6916
Homestead applications, execution	6917
Oaths, officers authorized to administer in certain public land cases	6916
INDIAN AFFAIRS OFFICE:	
Flathead Indian Irrigation Project, Mont., operation and maintenance charges	6910
INTERSTATE COMMERCE COMMISSION:	
Beer containers, loading at Ardmore, Okla.	6921
Reconsignment permits:	
Melons, Baltimore, Md.	6921
Onions, Chicago, Ill.	6921
Oranges, Denver, Colo.	6921
Potatoes:	
Chicago, Ill. (2 documents)	6920, 6921
Kansas City, Mo. (2 documents)	6920, 6921
Reicing permits:	
Potatoes:	
Arkansas or Oklahoma	6922
Burlington, Iowa	6922
Chicago, Ill (2 documents)	6923, 6924

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.

CONTENTS—Continued

INTERSTATE COMMERCE COMMISSION—Continued.
Relicing permits—Continued.
Potatoes—Continued. Page
Fort Worth, Tex. 6923
Huntingdon, Pa. 6923
Kansas City, Mo.-Kans (4 documents) 6922, 6923
Manheim, Ill. 6923
New York, N. Y. 6924
St. Louis, Mo. 6922
NATIONAL PARK SERVICE:
Fishing, etc. 6915
Olympic National Park, special speed limits 6916
OFFICE OF DEFENSE TRANSPORTATION:
Common carriers, coordinated operations:
Nashville and Chattanooga, Tenn. 6927
Springfield, Mo. 6928

CONTENTS—Continued

OFFICE OF DEFENSE TRANSPORTATION—Continued. Page
Taxicab operators, coordinated operations:
Eureka, Calif. 6926
Hannibal, Mo. 6927
Hempstead, N. Y. 6926
Plattsburg, N. Y. 6924
Roanoke, Ala. 6925
Taunton, Mass. 6924
OFFICE OF PRICE ADMINISTRATION:
Adjustments, etc.:
Dakin Mfg. Co. 6933
Estey Piano Corp. 6930
Finer Chrome Products Co. 6929
Great Northern Chair Co. 6934
Homekraft Baking Co. 6935
Independent Companies 6931
Moderne Textile Co. 6929
Pet Milk Co. 6935
St. Johns Portable Building Co. 6931
Stuart Mansfield Co. 6930
Tolen, Wm., & Sons, Inc. 6932
Weiss, George, Co., Inc. 6932
Westcort Co. 6933
Boxes, industrial wirebound (MPR 485, Am. 1) 6915
Ethyl benzoyl acetate (Rev. SR 14, Am. 145) 6915
Regional and district office orders:
Community ceiling prices, list of orders filed 6934
Solid fuels:
Danbury, Conn. 6934
Hartford, Conn. 6934
Screen goods, stock (MPR 381, Am. 4) 6915
RECLAMATION BUREAU:
Humboldt Project, Nev., partial revocation of land withdrawal 6917
SECURITIES AND EXCHANGE COMMISSION:
Hearings, etc.:
El Paso Electric Co. (Dela.), and Engineers Public Service Co. 6936
Niagara Hudson Power Corp., et al. 6935
208 South La Salle Street Corp 6935
WAR DEPARTMENT:
Military reservations; service clubs and libraries 6909
WAR FOOD ADMINISTRATION. *See also* Commodity Credit Corporation.
Butter (WFO 2–6) 6905
Cheddar cheese (WFO 15–8) 6906
Fluid milk:
Detroit, Mich. 6907
Evansville, Ind. 6908
Flint, Mich. 6907
Minneapolis-St. Paul, Minn. 6907
Oklahoma City, Okla. 6907
Saginaw-Bay City, Mich. 6907
Springfield, Mo. 6908
St. Joseph, Mo. 6908
Topeka, Kans. 6908
Tulsa, Okla. 6908
WAR PRODUCTION BOARD:
Coal and coke (M–97, Rev.) 6910
Consumers durable goods (L–30–a, Rev. of Dir. 1, 2) (2 documents) 6914, 6915

CONTENTS—Continued

WAR PRODUCTION BOARD—Con. Page
Controlled materials plan, return of allotments (CMP Reg. 1, Dir. 26) 6910
Galvanized ware and non-metal coated metal articles (L–30–a; Rev. of Int. 1, 2) (3 documents) 6913, 6914
Sewerage facilities (P–141) 6911

9 F.R. 3623), it is hereby ordered as follows:

§ 1401.182 *Percentage of butter to be set aside in July and August 1944*—(a) *Definitions.* (1) "WFO 2" means War Food Order No. 2, as amended.

(2) Each term defined in WFO 2 shall, when used herein, have the same meaning as set forth for such term in WFO 2.

(b) *Percentage.* Each person who is required by WFO 2 to set aside butter during July or August 1944 shall set aside in each of the said months, in which he is required to set aside butter, a quantity of butter equal at least to the following percentages of all butter produced by him in the respective month: (1) in July, 45 percent; and (2) in August, 30 percent.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., July 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 2, 8 F.R. 253; 9 F.R. 3623, 4321, 4319)

Issued this 19th day of June 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–8869; Filed, June 19, 1944; 3:35 p. m.]

[WFO 15–8]

PART 1401—DAIRY PRODUCTS

CHEDDAR CHEESE

Pursuant to the authority vested in me by War Food Order No. 15, as amended, 9 F.R. 4321, 4319 (formerly designated as Food Distribution Order No. 15 originally issued by the Secretary of Agriculture on February 6, 1943, 8 F.R. 1704, as amended, 9 F.R. 2072), it is hereby ordered as follows:

§ 1401.183 *Percentage of Cheddar cheese to be set aside in July and August 1944*—(a) *Definitions.* (1) "WFO 15" means War Food Order No. 15, as amended.

(2) Each term defined in WFO 15 shall, when used herein, have the same meaning as set forth for such term in WFO 15.

(b) *Percentage.* Each person who is required by WFO 15 to set aside Cheddar cheese during July or August 1944 shall set aside in each of the said months, in which he is required to set aside Cheddar cheese, a quantity of Cheddar cheese equal at least to the following percentage of all Cheddar cheese produced by him in the respective month: (1) In July, 60 percent; and (2) in August, 60 percent.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., July 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 15, 8 F.R. 1704, 9 F.R. 2072, 4321, 4319)

Issued this 19th day of June 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–8890; Filed, June 19, 1944; 3:35 p. m.]

[WFO 79–45, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN MINNEAPOLIS-ST. PAUL, MINN., MILK SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–45 (8 F.R. 14255, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Minneapolis-St. Paul, Minnesota, milk sales area, is hereby further amended by deleting therefrom the provisions in § 1401.114 (1) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproduct, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, (4) hospitals, and (5) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79–45, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–45, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 19th day of June 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–8868; Filed, June 19, 1944; 3:35 p. m.]

[WFO 79–64, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN DETROIT, MICH., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–64 (8 F.R. 14266, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Detroit, Michigan, metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.96 (1) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79–64, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–64, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 17th day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–8879; Filed, June 19, 1944; 2:57 p. m.]

[WFO 79–65, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SAGINAW-BAY CITY, MICH., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–65 (8 F.R. 14267, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Saginaw-Bay City, Michigan, metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.100 (1) (2) and inserting in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79–65, as amended, rights accrued, or liabilities incurred thereunder prior to the effective time of this amendment, said War Food Order No. 79–65, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 17th day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–8880; Filed, June 19, 1944; 2:57 p. m.]

[WFO 79–67, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN FLINT, MICH., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–67 (8 F.R. 14269, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Flint, Michigan, metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.95 (1) (2) and inserting in lieu thereof, the numeral "10".

The provisions of this amendment shall become effective at 12:01 a. m., e.w.t., July 1, 1944. With respect to violations of said War Food Order No. 79–67, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–67, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 17th day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–8881; Filed, June 19, 1944; 2:57 p. m.]

[WFO 79–71, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN OKLAHOMA CITY, OKLA., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–71 (8 F.R. 14274, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Oklahoma City, Oklahoma, metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.112 (1) (2) and inserting, in lieu thereof, the numeral "7".

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79–71, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–71, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 17th day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–8882; Filed, June 19, 1944; 2:57 p. m.]

[WFO 79–72, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN TULSA, OKLA., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–72 (8 F.R. 14275, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Tulsa, Oklahoma, metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.113 (1) (2) and inserting in lieu thereof, the numeral "7".

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79–72, as amended, rights accrued, or liabilitities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–72, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 17th day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–8883; Filed, June 19, 1944; 2:57 p. m.]

[WFO 79–78, Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN EVANSVILLE, IND., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–78 (8 F. R. 14599, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Evansville, Indiana, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.117 (1) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79–78, as amended, rights accrued, or liabilities incurred thereunder; prior to the effective time of this amendment, said War Food Order No. 79–78, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 17th day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–8884; Filed, June 19, 1944; 2:57 p. m.]

[WFO 79–92, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SPRINGFIELD, MO., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–92 (8 F.R. 15476, 9 F.R. 4321, 4319), as amended, relative to the conservation and distrbution of fluid milk, milk byproducts, and cream in the Springfield, Missouri, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.129 (1) (2) and inserting, in lieu thereof, the numeral "7".

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79–92, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–92, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 17th day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–8885; Filed, June 19, 1944; 2:58 p. m.]

[WFO 79–96, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN ST. JOSEPH, MO., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–96 (8 F.R. 15480, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the St. Joseph, Missouri, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.128 (1) (2) and inserting, in lieu thereof, the numeral "7."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79–96, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–96, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 17th day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–8886; Filed, June 19, 1944; 2:57 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter V—Military Reservations and National Cemeteries

PART 57—SERVICE CLUBS, HOSTESSES AND LIBRARIANS

SERVICE CLUBS AND LIBRARIES

Sections 57.1 to 57.14 inclusive are rescinded and the following substituted therefor. The regulations in these sections are also contained in AR 210–70, 1 June 1944, the particular paragraphs being shown in brackets at end of sections.

Sec.

57.1 Definitions.
57.2 Activities.
57.3 Gambling.
57.4 Vending and amusement machines.
57.5 Purpose.
57.6 Supervision.
57.7 Library service.
57.8 Guest house service and operation.
57.9 Appointment.
57.10 Service club employees.
57.11 Post librarians.
57.12 Selection and assignment.
57.13 Qualifications.
57.14 Quarters.

AUTHORITY: §§ 57.1 to 57.14 issued under R.S. 161; 5 U.S.C. 22.

§ 57.1 *Definitions.* (a) The term "service club" as used in these regulations refers to the structure at an installation housing the service club and may include a library, cafeteria, soda fountain, guest house, or other facilities devoted to recreational or welfare activities.

(b) The term "library" as used in these regulations refers to collections of books, periodicals, and reading materials under the supervision of a librarian. Libraries are authorized either as parts of a service club or independently. Library service will include selection, classification, cataloging, charging out and receipt, and repair of library books and reading materials. [Par. 1]

§ 57.2 *Activities—(a) Recreational.* Recreational service club recreational activities at an installation will be under the control of the commanding officer who may prescribe such rules, within these regulations and within the policies prescribed by the Special Services Division, Army Service Forces, as are necessary to insure the efficient operation of such activities and to protect the property employed.

§ 57.3 *Gambling.* No gambling or the use of any device which savors of gambling, such as punchboards, slot machines, etc., will be permitted within or about the service club or any of its facilities. [Par. 3]

§ 57.4 *Vending and amusement machines.* Automatic or mechanical vending or amusement machines may be installed in any service club with the approval of the post commander. All such machines will be operated and controlled by the Army exchange in accordance with the provisions of AR 210–65. All earnings from the operation of such machines will constitute income of the Army exchange. [Par. 4]

§ 57.5 *Purpose.* (a) Service clubs are intended to provide recreation and social activities and the best features of club life for enlisted personnel, members of their families, and friends. All persons using facilities of the service club will comply with the rules and regulations of the club. A cafeteria may be provided as one of the facilities of the service club at which military personnel and their families, friends, visitors, and civilians employed or resident at an installation may obtain meals at reasonable prices. The cafeteria will be operated by the Army exchange.

(b) Where there is a guest house, the director or a hostess will insure the comfort of guests with due regard for the managerial responsibility of the Army exchange which is actually operating the guest house.

(c) Service clubs will in no way supersede company day rooms or Army exchanges. [Par. 5]

§ 57.6 *Supervision.* The Service club will be operated by a director or hostess under the control of the post commander. All service club facilities except the library and the revenue-producing activities operated by the Army exchange will be under the supervision of the director or hostess who will have such assistants as are necessary. [Par. 6]

§ 57.7 *Library service.* The service club library will be maintained in connection with the service club for the benefit of the camp personnel. The service club librarian will be in charge of the library and its activities. [Par. 7]

§ 57.8 *Guest house service and operation.* (a) The guest house is designed to furnish overnight transient accommodations for immediate families, relatives, and friends of enlisted men. First priority to such accommodations will be allowed to the above categories of personnel visiting hospitalized members of the post, camp, or station.

(b) Except in emergencies determined to exist by the post commander relative to the first priority above, no guest may remain at the guest house for more than 3 consecutive nights.

(c) Maximum and minimum charges for the use of beds in guest houses will be determined by the Chief of the Army Exchange Service.

(d) An identification register will be maintained in the Guest house. [Par. 11]

§ 57.9 *Appointment of hostesses and librarians.* (a) Hostesses and librarians are appointed by the commanding generals of service commands under paragraph 13, section IV, Schedule A, Civil Service Rules and Regulations. Under the provisions of Schedule A, such employees acquire no civil service status, are not selected from civil service registers, and may be separated from the service because of reductions in personnel, or because of insufficient qualifications. The rules and regulations pertaining to leave of absence, sickness, hospitalization, allowances, travel, and methods of payment which apply to civilians in the classified civil service will apply to such employees.

(b) Commanding generals of service commands will take final action on all personnel transactions. Separations with prejudice will be in accordance with Civil Service Regulations. Upon assignment to duty, all pertinent personnel papers will be processed in accordance with existing War Department policy. [Par. 14]

§ 57.10 *Service club employees.* The personnel listed below may be employed in service clubs and libraries and paid from appropriated funds to the extent available:

(a) *Type SC–3 and SER–D–M service clubs.* One director, one recreational and social hostess, and a librarian.

(b) *Type SC–4 and SER–C–M service clubs.* One director capable of handling recreation, and a librarian.

(c) *Type OM–1 service club.* Two recreational and social hostesses.

(d) *Other type service clubs.* Personnel may be allocated to such service club by commanding generals of service commands, not to exceed one hostess (recreational and social) and one librarian. [Par. 16]

§ 57.11 *Post librarians.* (a) Librarians may be employed at a post upon the authority of the post commander if payment for such services is to be made from nonappropriated funds in accordance with Army Regulations.

(b) If payment of a civilian librarian to conduct library service at a post is to be made from appropriated funds, such employment will be subject to approval of the commanding general of the service command in accordance with limitations prescribed from time to time by the Commanding General, Army Service Forces, upon the recommendation of the Director of Special Services Division. Unless specific approval is obtained from the Commanding General, Army Service Forces, librarians to be paid from appropriated funds may not be employed except as follows:

(1) At general hospitals or station hospitals having 1,000 or more beds, one librarian.

(2) At posts, camps, and stations with a strength of 2,500 to 7,500, one librarian, with one additional librarian for each additional 7,500 enlisted personnel. [Par. 17]

§ 57.12 *Selection and assignment.* (a) Hostesses and librarians will be selected by commanding generals of service commands, who may delegate such authority to the post commander, initially for a 4-month period which will be in the nature of a training period, the extension of which will depend upon the proficiency of the employee.

(b) At a time not more than 30 days nor less than 15 days prior to the termi-

nation of such 4-month period the post commander will determine whether or not such employee has rendered satisfactory service and should be continued on duty as a hostess or librarian, and will notify the commanding general of the service command accordingly.

(c) During the first month of such 4-month period each hostess and librarian, except service command librarian, will pursue each course of instruction and training within a service command as will be prescribed by the commanding general, and upon satisfactory completion thereof will be assigned to duty at a service club or library for the remainder of such 4-month period.

(d) Prior to selecting a hostess or librarian, the commanding general making the selection will satisfy himself as to the loyalty, integrity, and discretion of such hostess or librarian and cause a physical examination to be conducted by an officer of the Medical Department or the Public Health Service to insure fitness for such appointment. [Par. 18]

§ 57.13 *Qualifications*—(a) *Service command librarian.* (1) United States citizenship.

(2) Graduate of a college or university of recognized standing and from an accredited library school.

(3) Five years' professional experience, including 1 year thereof in an administrative capacity.

(4) Professional knowledge of reference and bibliographical sources and professional ability in library science and organization.

(5) Age at selection: (i) Minimum: 30 years.

(ii) Maximum: 50 years.

(6) Sex: Male or female.

(b) *Post librarian.* (1) United States citizenship.

(2) Graduate of a college or university of recognized standing, and from an accredited library school.

(3) One year's experience, other than clerical, in library work.

(4) Capacity for development in professional library work in libraries where reading for educational and recreational purposes is stressed.

(5) A good knowledge of a wide range of literature, and the ability to fit book to reader is desired, but not required as a minimum requirement.

(6) Age at selection: (i) Minimum: 25 years.

(ii) Maximum: 40 years.

(7) Sex: Female.

(c) *Director of service club.* (1) United States citizenship.

(2) Graduate of a college of recognized standing or 2 years of college education and demonstrated ability to direct a service club by having served in an excellent manner as junior hostess.

(3) At least 5 years' experience in adult group and mass recreational activities, 2 years of which in an executive or managerial capacity.

(4) Experience in nursing, business administration, dramatics, music, social and welfare work will be considered an asset but is not required as a minimum requirement.

(5) Age at selection: (i) Minimum: 30 years.

(ii) Maximum: 45 years.

(6) Sex: Female.

(d) *Recreational and social hostess.* (1) United States citizenship.

(2) A minimum of 2 years in a college or a university of recognized standing.

(3) At least 3 years' experience in planning and directing social and recreational activities in or with educational, recreational, or similar organizations.

(4) Preference will be given to those with training in recreation, either as an undergraduate or in a recognized graduate school.

(5) Skill in handling group and mass recreational activities.

(6) Experience in business administration and in a wide variety of recreational activities is desirable but not required as a minimum requirement.

(7) Age at selection: (i) Minimum: 25 years.

(ii) Maximum: 40 years.

(8) Sex: Female. [Par. 20]

§ 57.14 *Quarters.* (a) Where guest houses exist, quarters for the hostesses and librarians other than service command librarians may, where practicable, be provided therein.

(b) Quarters for hostesses and librarians will conform to War Department regulations. [Par. 21]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-9016; Filed, June 21, 1944; 9:42 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs

Subchapter L—Irrigation Projects; Operation and Maintenance

PART 130—ORDERS FIXING OPERATION AND MAINTENANCE CHARGES

MISSION IRRIGATION DISTRICT, FLATHEAD INDIAN IRRIGATION PROJECT, MONTANA

Section 130.26 of Part 130, Title 25 CFR, Indians, as amended by the Assistant Secretary of the Interior on June 4, 1943, 8 F.R. 9735, is hereby further amended to read as follows:

§ 130.26 *Charges.* Pursuant to a contract executed by the Mission Irrigation District, Flathead Indian Irrigation Project, Montana, on March 7, 1931, approved by the Secretary of the Interior on April 21, 1931, as supplemented by later contracts dated June 2, 1934 and August 26, 1936, notice is hereby given that an assessment of $17,200 is fixed for the season of 1945 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines of the Mission Irrigation District. This assessment involves an area of approximately 12,111.6 acres, does not include any lands held in trust for Indians, and covers all proper general charges and project overhead.

(38 Stat. 583, 39 Stat. 142, 45 Stat. 210, 46 Stat. 291; 25 U.S.C., 385, 387) [Regs. Asst. Sec. Int. June 4, 1943, 8 F.R., 9735, amended Asst. Sec. Int. June 16, 1944]

OSCAR L. CHAPMAN,
Assistant Secretary.

JUNE 16, 1944.

[F. R. Doc. 44-8997; Filed, June 21, 1944; 9:43 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1103—COAL AND COKE

[General Inventory Order M-97, Revocation]

Section 1103.1 *General Inventory Order M-97* is revoked. Inventories of anthracite and bituminous coal and of coke intended for use by any domestic consumer, formerly covered by this order, are now subject to control by the Solid Fuels Administrator for War. Nothing herein shall be deemed to modify existing controls of inventories which have been established by the Solid Fuels Administration for War.

Inventories of coke intended for industrial uses are controlled by Priorities Regulation No. 1.

Issued this 21st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9045; Filed, June 21, 1944; 11:10 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 26, as Amended June 21, 1944]

WHEN ALLOTMENTS MAY BE RETURNED BY SECONDARY CONSUMER DIRECTLY TO A CLAIMANT AGENCY OR INDUSTRY DIVISION

The following amended direction is issued pursuant to CMP Regulation 1:

(a) Paragraph (w) of CMP Regulation No. 1 requires a consumer to return allotments which he does not need to the person from whom he received them. In the case of a prime consumer making an A or a B product, the return is made directly to the Claimant Agency or Industry Division which made the allotment except in those cases where the return is to be made to a Field Office of the War Production Board, as explained in paragraph (d) below. In the case of a secondary consumer, the return is made to the prime or secondary consumer who made the allotment.

(b) In those cases where it is impractical for a secondary consumer to return an allotment to the person from whom he received it, he may make the return directly to the Claimant Agency whose symbol appears on the allotment or to the War Production Board in the case of allotments bearing the symbols B, F, G, J, K, S and V. This situation may occur where a secondary consumer produces the same product for a relatively large number of customers whose schedules are all identified by the same abbreviated allotment number. For example, a manufacturer of metal stampings receives orders from many manufacturers accompanied by allotments all bearing the allotment number N-6. As a practical matter, he places all of the allotments in a single allotment account designated N-6. If his requirements for the manufacture of metal stampings are reduced, for any reason, it will be very difficult for him to figure out what portion of the total allotment should be returned to each customer and furthermore the amount returned to each will probably be small. Under this direction, he is permitted to make a return directly to the Navy.

(c) Form CMP-32, "Consumers Return of Allotments", available at all War Production Board offices, should be used in making returns under this direction, but if it is impractical to get this form, the return may be made by letter. In either case a separate return must be made for each different abbreviated allotment number (Industry Division or Claimant Agency letter symbol followed by the first digit of the program number) under which a return is being made. Do not group different allotment symbols, or different programs within the same symbol, on one return (Form CMP 32 or letter).

(d) Returns of allotments by secondary consumers under this direction bearing the symbols: B, F, (except F-5), G, J, and S should be mailed to the War Production Board, Washington 25, D. C. A prime consumer should also make returns under these symbols to Washington, unless he has been notified that his case has been transferred to a Field Office, when he should make his returns to the appropriate Field Office. In case of doubt, returns of allotments bearing these symbols should be mailed to Washington. Returns of allotments under this direction bearing the symbols listed below should be mailed to the addresses indicated:

Symbol	*Address*
A-1	Containers Division, Temporary S Building, Room 2320, Washington 25, D. C., except cases transferred to a Field Office, when returns by prime consumers should be made to that office.
A-2	Farm Machinery Division, Temporary E Building, Room H-385, Washington 25, D. C., except cases transferred to a Field Office, when returns by prime consumers should be made to that office.
A-3	Controlled Materials Officer, War Food Administration, Room 1419, South Agriculture Building, Washington, D. C., except cases transferred to a Field Office, when returns by prime consumers should be made to that office.
C	The Administrator, Aircraft Scheduling Unit, Wright Field, Dayton, Ohio. Attention: Captain W. D. Selby.
D	Material Control Officer, Canadian Division, Room B-129, Tempo 3 Building, Ottawa, Ontario, Canada.
E	Material Control Officer, Foreign Economic Administration, Room 2438 Tempo U, Washington, D. C.
F-5	Material Control Officer, Petroleum Administration for War, Room 1457, South Interior Building, Washington, D. C.
H	Material Control Officer, National Housing Agency, 1600 I St. NW., Washington, D. C.
L	Material Control Officer, Foreign Economic Administration, Room 2438, Temporary U Building, Washington, D. C.
M	Material Control Officer, % U. S. Maritime Commission, Room 4024 Commerce Building, Washington, D. C.
N	Material Control Officer, Office of Procurement & Material, Room 1211, Navy Department, Washington, D. C.
P	Material Control Officer, Petroleum Administration for War, Room 1457, South Interior Building, Washington, D. C.
R	Material Control Officer, Office of the Rubber Director, Room 6090 New Municipal Center Building, Washington, D. C.
T	Material Control Officer, Office of Defense Transportation, Room 2123 Interstate Commerce Commission Building, Washington, D. C.
U	Material Control Officer, Office of War Utilities, Room 3045, Tempo R Building, Washington, D. C.
V	Controlled Materials Officer, Office of Civilian Requirements, Room 2342, Social Security Building, Washington, D. C.
W or O	Army Service Forces, Production Service Branch, Production Division, Room 4-D-574, Pentagon Building, Washington 25, D. C.

(e) Attention is called to paragraph (w) (2) of CMP Regulation No. 1 which provides that a periodic check-up must be made by consumers of their allotments to see whether they have more than they need. Returns of allotments after the expiration of a quarter should always be made directly to the industry division or Claimant Agency which originated the allotment. However, where cases have been assigned to a Field Office, returns by prime consumers should be made to the Field Office.

(f) If a secondary consumer who has returned an excess allotment under this direction directly to a Claimant Agency, discovers he miscalculated and returned too much material, he may apply directly to the Claimant Agency to which the return was made for a reallotment. The Claimant Agency will reallot to him no more than the amount which he returned and only for the same quarter for which the return was made. If he needs more material than he returned, he should apply to his customer for the additional allotment, as is explained in paragraph (w) of CMP Regulation No. 1.

Issued this 21st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9047; Filed, June 21, 1944; 11:11 a. m.]

PART 3287—GOVERNMENT SERVICES

[Preference Rating Order P-141, as Amended June 21, 1944]

PUBLIC SANITARY SEWERAGE FACILITIES; MAINTENANCE, REPAIR AND OPERATING SUPPLIES

§ 3287.26 *Preference Rating Order P-141*—(a) *Definitions.* For the purpose of this order:

(1) "Operator" means any individual, partnership, association, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, located in the United States, its territories, or possessions, engaged in or constructing facilities for the purpose of engaging in, the operation of a public sanitary sewerage system or a public sanitary sewerage system combined with a storm sewerage system, whether or not such operator has applied the preference ratings herein assigned.

(2) "Controlled material" means steel—both carbon (including wrought iron) and alloy—copper (including copper base alloys) and aluminum, in each case only in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

(3) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

(4) "Maintenance" means the minimum upkeep necessary to continue an operator's property and equipment in sound working condition.

(5) "Repair" means the restoration of an operator's property and equipment to sound working condition after wear and tear, damage, destruction of parts or the like, have made such property or equipment unfit or unsafe for service.

(6) "Operating supplies" means:

(i) Material which is essential to the operation of the system specified in paragraph (a) (1) and which is generally charged to operating expense account.

(ii) Material for an addition to or an expansion of sewerage system or works, other than buildings, provided that such an addition or expansion shall not include any work order, job, or project, in which the cost of material shall exceed $1,500 and provided that no single construction project shall be subdivided into parts in order to come below these limits.

(7) Material for "maintenance", "repair" and "operating supplies" includes any material which is essential to minimum service standards, and does not include material for the improvement of an operator's property or equipment through the replacement of material which is still usable.

(8) "Supplier" means any person with whom a purchase order or contract has been placed for delivery of material to an operator, or to another supplier.

(9) "Calendar quarterly period" means the several three months of the year commencing January 1, April 1, July 1, and October 1, or the operator's customary accounting period closest to such period.

(10) "Inventory" means all new or salvaged material in the operator's possession, unless physically incorporated in plant, without regard to its accounting classification, excluding, however, material which is segregated for use in additions and expansions specifically authorized under paragraph (g) (2) of this order or by an operative preference rating order or certificate issued by the War Production Board.

(b) *Preference ratings.* A preference rating of AA-1 is hereby assigned to

orders to be placed by an operator for material to be used for maintenance or repair, and for operating supplies.

(c) *Controlled materials; steel, copper and aluminum.* Subject to the quantity restrictions contained in paragraph (f) of this order, any operator requiring delivery of any controlled material for maintenance, repair or operating supplies may obtain the same by placing on his delivery order the certification required in paragraph (e) (1) hereof. An order bearing such certification shall constitute an authorized controlled material order.

(d) *Restrictions on use of symbol and ratings.* (1) The allotment symbol and preference ratings hereby assigned shall not be used by an operator or supplier to obtain deliveries of scarce material, the use of which could be eliminated without serious loss of efficiency by substitution of less scarce material or by change of design.

(2) The preference ratings assigned by paragraph (b) shall not be used to obtain any item included in Lists A or B of Priorities Regulation No. 3.

(e) *Application and extension of ratings; application of CMP allotment symbol*—(1) *Certification.* The AA–1 rating assigned by paragraph (b) of this order and the CMP allotment symbol MRO–P–141 may be applied by an operator to deliveries of material for use in maintenance, or repair, or as operating supplies only by use of a certification in substantially the following form:

Preference Rating AA–1, CMP Allotment Symbol MRO–P–141. The undersigned purchaser certifies, subject to the penalties of Section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that to the best of his knowledge and belief the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

Name of operator

Signature of designated official

Such certification shall be signed manually or as provided in Priorities Regulation No. 7.

(2) The ratings assigned by this order may be extended by a supplier in the manner provided in Priorities Regulation No. 3, and CMP Regulation No. 3.

(f) *Restrictions on deliveries, inventory and withdrawals*—(1) *Deliveries and withdrawals.* No operator shall, during any calendar quarterly period, accept delivery of any material or withdraw from inventory any material, to be used for maintenance or repair or as operating supplies or for any other purpose (except material to be segregated for use in extensions specifically authorized under paragraph (g) (2) of this order or by an operative preference rating order or certificate issued by the War Production Board), the aggregate dollar value of which shall exceed the aggregate dollar value of materials used for maintenance or repair or as operating supplies, during the corresponding calendar quarterly period of the year 1942, or at the operator's option, twenty-five per cent of the aggregate dollar value of materials used for said purpose during the operator's fiscal year ending closest to December 31, 1942.

(2) *Inventory.* No operator shall at any time, accept delivery of any material if the operator's inventory will, by virtue of such acceptance, be in excess of a practical working minimum.

(3) *Exceptions.* The provisions of paragraph (f) (1) of this order are subject to the following exceptions:

(i) An operator who, during the calendar year 1942 (or fiscal year ending closest to December 31, 1942), used for maintenance, repair, and as operating supplies, materials of the aggregate value of not exceeding $5,000, and whose estimated requirements for materials to be used for maintenance, repair and as operating supplies during any calendar year (or corresponding fiscal year) do not exceed $5,000 may, during such year, exceed the quantity restrictions prescribed by paragraph (f) (1) of this order. If the actual requirements of material for maintenance, repair and operating supplies for such year should prove to be in excess of $5,000, such operator shall not accept any deliveries of material or withdraw from inventory any material to be used for maintenance, repair or as operating supplies if such deliveries or withdrawals, when taken together with other deliveries or withdrawals within such year, would, in the aggregate, exceed $5,000. In such case the operator may apply for specific authorization to exceed such quantity restrictions pursuant to the provisions of paragraph (f) (4) hereof.

(ii) An operator may, in any calendar quarterly period, increase scheduled deliveries, and withdrawals of material required for maintenance or repair or as operating supplies over the limits prescribed in paragraph (f) (1) of this order, in proportion to the increase in the load on the system during the preceding calendar quarterly period of the year 1942 corresponding to the calendar quarterly period in question, determined by a measurement of the average daily flow for the two comparative periods: *Provided*, That in determining the average daily flow of sewage, any flow of surface storm water which enters the system shall not be taken into account.

(iii) An operator may, in any calendar quarterly period, accept deliveries of material or make withdrawals from inventory of material, necessary for the maintenance or repair of the operator's property or equipment which is damaged by acts of the public enemy, sabotage, explosion, or fire or by flood, storm or other similar climatic conditions: *Provided*, That if the restrictions of paragraph (f) (1) are exceeded because of such deliveries or use, a full report thereof shall be made within thirty days after such delivery or withdrawal, to the War Production Board.

(iv) An operator may, in any calendar quarterly period, accept delivery of material, having in the aggregate, a dollar value of not more than the dollar value of material of the same class taken from the operator's inventory for delivery to other persons authorized to accept delivery under applicable regulations of the War Production Board but only if, and to the extent that such taking has reduced the operator's inventory of material below a practical working minimum.

(v) An operator may, during any calendar year (or his fiscal year), withdraw from inventory, material, having in the aggregate, a dollar value of not more than the dollar value of usable material of the same class salvaged from plant during such year.

(vi) The provisions of paragraph (f) (1) and (f) (2) shall not apply to fuel or to chemicals for sewage treatment.

(4) The War Production Board, on its own initiative, or on application of any operator by letter, in triplicate, addressed to the Government Division, War Production Board, Washington 25, D. C., Ref: P–141, may modify the limitations on practical working minimum inventory, and on scheduling or accepting deliveries, or on use or withdrawals, set forth in this paragraph (f).

(g) *Restrictions on construction of sewerage facilities.* No operator shall construct any sewerage facilities, including but not limited to sewer pipelines, manhole structures, pumping stations, sewage disposal or treatment plants and connections, and no operator shall, in case of contract construction, accept deliveries of material for such purposes except as follows:

(1) An operator may construct an addition to or an expansion of, sewerage system or works, other than buildings: *Provided*, That such addition or expansion shall not include any work order, job or project in which the cost of material shall exceed $1,500: *And provided*, That no single construction project shall be subdivided into parts in order to come below these limits: *And further provided*, That in making house connections or extension of line to serve premises, no iron or steel pipe shall be used except the minimum quantities required in making necessary connections.

(2) An operator may construct an extension of sewerage facilities, other than buildings, to serve premises which are being built or remodeled under authority of any Preference Rating order of the P–55 series, a specific authorization issued pursuant to Conservation Order L–41 or pursuant to any Petroleum Administrative Order issued by the Petroleum Administrator for War if all of the following conditions are satisfied:

(i) The cost of material for such extension does not exceed $5,000 but exceeds $1,500.

(ii) The extension does not duplicate an adequate service already installed.

(iii) No other operator can render the same service with lesser amounts of critical material.

(iv) The extension will not cause an overload on system including sewage disposal plants.

(v) The operator has completed Form WPB–3445 and delivered it to the builder of the premises to be served for attachment to the builder's application for L–41 approval. Preference ratings and allotment number to acquire material required for such extensions are assigned by paragraph (h) of this order.

(3) In addition to the authorization contained in paragraphs (g) (1) and (g) (2) an operator may construct sewage facilities of any kind if such construction is specifically authorized by the War Production Board. Application should be made on Form WPB–617 (formerly PD–200) or on such other form as may be prescribed. The following preference rating orders or certificates include permission for construction under this order although they do not say so: P–19–h, CMPL–127, CMPL–224. In all other cases a preference rating is not enough unless the instrument which assigns the rating also states that construction is permitted. However, any operator who prior to January 15, 1944, has been specifically authorized in writing by the War Production Board to use the lowest rating assigned to a rated project to obtain material to construct sewerage facilities to serve such project may use such rating to obtain material required for that purpose within the limits of said authorization.

(h) *Assignment of preference rating and CMP allotment symbol for extensions authorized under paragraph (g) (2).* (1) The preference rating AA–3 is hereby assigned to orders for material other than controlled material, and the abbreviated allotment number P–141–S2 is hereby assigned to orders for controlled material to be placed by an operator for use in the construction of extensions of facilities authorized by paragraph (g) (2) of this order or to replace in inventory material so used.

(2) The preference ratings and allotment number assigned by paragraph (h) (1) may be applied by an operator by using the certification provided in CMP Regulation No. 7. An order for controlled material bearing such certification and allotment number shall constitute a controlled material order.

(i) *Sales of material from inventory.* Any operator may sell to another operator, material from seller's inventory in excess of a practical minimum working inventory: *Provided*, That (1) a preference rating of AA–5 or higher assigned by this order or by any preference rating certificate, or (2) a specific direction issued by the War Production Board, is applied or extended to the operator selling such material.

(j) *Audits and reports.* (1) Each operator and each supplier who applies the preference ratings or allotment symbol hereby assigned, and each person who accepts a purchase order or contract for material to which a preference rating or symbol is applied, shall submit from time to time to an audit and inspection by duly authorized representatives of the War Production Board.

(2) Each operator and each such supplier shall execute and file with the War Production Board, such reports and questionnaires as said Board shall from time to time request, subject to approval by the Bureau of the Budget as required under the Federal Reports Act.

(3) Each operator shall maintain a continuing record of inventory and of segregated material in his possession and all material used by him for maintenance, repair or as operating supplies.

(k) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed by the War Production Board be addressed to the War Production Board, Government Division, Washington 25, D. C., Ref: P–141.

(l) *Violations.* Any person who wilfully violates any provisions of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

(m) *Revocation or amendment.* This order may be revoked or amended at any time as to any operator or any supplier. In the event or revocation, deliveries already rated pursuant to this order shall be completed in accordance with said rating, unless the rating has been specifically revoked with respect thereto. No additional applications of the ratings to any other deliveries shall thereafter be made by the operator or supplier affected by such revocation.

(n) *Applicability of regulations.* (1) Preference Rating Order P–141 is issued in lieu of Preference Rating Order P–46 in so far as it affects public sanitary sewerage systems as defined in paragraph (a) (1) hereof and any reference in any order or regulation of the War Production Board to said Preference Rating Order P–46 shall constitute a reference to orders in the P–141 series.

(2) This order and all transactions affected hereby, except as herein otherwise provided, are subject to all applicable regulations of the War Production Board as amended from time to time, *Provided*, That none of the provisions of CMP Regulations No. 5 or No. 5A shall apply to operators as defined in paragraph (a) (1) hereof, and no such operator shall obtain any material under the provisions of either of said regulations.

Issued this 21st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–9946; Filed, June 21, 1944; 11:11 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–30–a, as Amended June 21, 1944]

GALVANIZED WARE AND NON-METAL COATED METAL ARTICLES

Section 3291.150 *Limitation Order L–30–a* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and facilities used in the production of galvanized ware and certain non-metal coated metal articles for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.150 *Limitation Order L–30–a*—(a) *What this order does.* This order states the rules governing production of galvanized ware and certain non-metal coated metal articles listed on Table A and Table B. It states the kinds and sizes of articles which may be made, and establishes quotas on the use of iron and steel in producing them. Preferred orders are exempt from these restrictions.

(b) *What articles are covered; definition of "restricted".* This order covers only articles on Tables A and B which are made of iron or steel which is zinc-coated or has a plain, japanned, painted, lithographed or lacquered finish. For convenience the term "restricted" is used in this order to describe such articles. An article, however, is "restricted" only if 50 percent or more of it by weight consists of iron or steel which is zinc-coated or has a plain, japanned, painted, lithographed or lacquered finish.

(c) *Definition of preferred orders.* "Preferred orders" are those purchase orders or contracts for articles which will be ultimately delivered to the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, or to other persons pursuant to authorization by the United States Maritime Commission on Form WPB–646 (formerly PD–300).

(d) *Restrictions on production and assembly.* (1) A manufacturer may not produce or assemble any restricted articles listed on Table A.

(2) A manufacturer may not produce or assemble restricted articles listed on Table B unless they conform to the provisions of that Table.

(3) These provisions do not apply to articles produced to fill preferred orders. This means that any restricted articles listed on Tables A and B may be produced for those orders without regard to size or other restrictions.

(e) *Quota restrictions.* A manufacturer may not use more iron and steel in making restricted articles than the quotas computed in accordance with Table B, subject to the following rules:

(1) *Preferred orders exempt.* Iron and steel used in making articles to fill preferred orders need not come out of a manufacturer's quota, but may be used in addition to his quota.

(2) *Unused quotas.* A manufacturer may use for any restricted articles during any quarter, in addition to his quota for that quarter, any unused balance of his previous quarter's quota for such articles.

(3) *The War Production Board may reduce quotas for interference with war production.* The War Production Board may issue directions reducing any quotas if the Board finds after investigation that production in any one plant, or labor requirements therefor, will interfere with war production in that plant or in any other plant located in the same area.

(4) *Special permission to exceed quotas.* The War Production Board from time to time may permit manufacturers to exceed their quotas, but will not authorize total production to exceed the approved War Production Board programs. This will be done only in special cases and for limited periods of time. For example, if some manufacturers are unable to use their full quotas, because of interference with war production or otherwise, the War Production Board may permit others to use the unused amount where that can be done without interference with war production in their plants or in any other plants located in the same areas. In addition, authorizations may be granted to exceed quotas in filling orders for special purposes, such as for export or for delivery to the National Housing Agency. Authorizations under this paragraph will be granted either in the form of individual letters or of published directions supplementary to this order.

(f) *Applicability of other orders and regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of articles covered by this order to a greater extent than this order does, the other order shall govern.

(g) *Reports.* (1) Each manufacturer shall file on or before August 1, 1944, a report on Form WPB–3768 showing the number of units produced and the amount of iron and steel which he used in the production of each of the restricted articles listed on Tables A and B during the twelve months ending June 30, 1941.

(2) Each manufacturer shall file with the War Production Board on or before January 20, April 20, July 20 and October 20 of each year, a report on Form WPB–1600 (formerly PD–655) showing his production, shipments, and inventory for the preceding quarter.

(h) *Appeals.* Any appeal from this order should be filed on Form WPB–1477 (formerly PD–500) in triplicate with the field office of the War Production Board for the district in which is located the plant to which the appeal relates, and should state fully the grounds for appeal.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref. L–30–a.

Issued this 21st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE A—PROHIBITED RESTRICTED ARTICLES

1. Ash sifters
2. Diaper cans, containers and receptacles
3. Dippers
4. Foot baths
5. Garbage, ash, rubbish or waste paper receptacles, except as permitted in Table B of this order or in Schedule III of Order L–214, or included in the definition of "safety equipment" in Order L–114
6. Incinerators, portable
7. Liquid and dry measures (other than oil measures with flexible spouts or with hinges which permit the spouts to be raised, lowered or otherwise moved).
8. Radiator and tractor filling cans (other than blitz cans)
9. Refrigerator pans
10. Utility baskets
11. Watering pots

TABLE B—PERMITTED RESTRICTED ARTICLES

A manufacturer may not produce or assemble any restricted articles in column (1) unless they conform to the size and gauge ranges specified in columns (2) and (3).

Quarterly quotas.—No manufacturer may use in any calendar quarter more iron and steel in making any restricted articles listed in column (1) than his quarterly quotas for such articles shown in column (4). A quota is calculated by taking the percentage shown for an item and multiplying it by one-fourth of the total amount of iron and steel used in making that item during the twelve months ending June 30, 1941, the base period. Unless otherwise noted, the base period production shall include all restricted articles included in any item in column (1) produced in the base period, whether or not they conformed to the limitations of columns (2) and (3).

The gross weight of iron and steel when first put into production, whether in the form of raw materials or purchased parts, is considered the amount of iron and steel used and to be used in figuring these quotas.

(1) Restricted articles	(2) Size ranges	(3) Gauge ranges	(4) Quarterly quotas
1. Garbage and ash cans and pails (including inserts for step-on cans).	2½–4 gals.[1]	25–31	100 percent (of iron and steel used in all restricted garbage, rubbish and ash receptacles in base period).
	5–7 gals.[1]	24–31	
	9–11 gals.[1]	24–31	
	15 gals.[1]	24–31	
	20 gals.[1]	16–31	
	27 gals.[1]	16–30	
2. Pails, buckets and tubs (other than washtubs, and pails, buckets and tubs designed for use expressly as packing or shipping containers).	10–16 qts. (wringer buckets may be made in any size).	22–31	100 percent.
3. Washtubs (without stands or legs)	10–20 gals.	26–31	100 percent.
4. Cans, with a capacity of 1 to 5 gallons, designed for the storage of oil, gasoline or kerosene (excluding "drums" as defined in Order L–107 and "safety equipment" as defined in Order L–114).	1–5 gals.	22–31	100 percent.
5. Coal hods and scuttles	15–20 inches in length at top.	26–31	100 percent.
6. Fire shovels (short handled coal bucket type).	22 inches or less in over-all length.	Unrestricted	100 percent.
7. Funnels	6 inches and over in diameter.	22–31	100 percent.
9. Wash boilers	10–18 gallons	26–31	100 percent.[2]

[1] These sizes may vary 10 percent from the figures stated.
[2] Quota of iron and steel for restricted wash boilers is based on total use of metal in base period in all wash boilers, whether or not made of iron and steel.

[F. R. Doc. 44–9040; Filed, June 21, 1944; 11:10 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Order L–30–a, Revocation of Interpretation 1]

Interpretation 1 of Order L–30–a is superseded by Item 7 on Table A of the order as amended June 21, 1944.

Issued this 21st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–9041; Filed, June 21, 1944; 11:10 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Order L–30–a, Revocation of Interpretation 2]

Interpretation 2 of Order L–30–a is superseded since the order as amended June 21, 1944, no longer prohibits the production of all restricted fire buckets.

Issued this 21st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–9042; Filed, June 21, 1944; 11:10 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Order L–30–a, Revocation of Direction 1]

Direction 1 to Order L–30–a is revoked since it has expired.

Issued this 21st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–9043; Filed, June 21, 1944; 11:10 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Order L–30–a, Revocation of Direction 2]

Direction 2 to Order L–30–a is superseded by the order as amended June 21, 1944.

Issued this 21st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–9044; Filed, June 21, 1944; 11:10 a. m.]

Chapter XI—Office of Price Administration

PART 1413—SOFTWOOD LUMBER PRODUCTS

[MPR 381,[1] Amdt. 4]

STOCK SCREEN GOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In section 15, Appendix E, paragraph (b) is deleted and paragraphs (c), (d), and (e) are redesignated (b), (c), and (d).

This amendment shall become effective June 20, 1944.

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–8986; Filed, June 20, 1944; 4:12 p. m.]

PART 1377—WOODEN CONTAINERS

[MPR 485,[2] Amdt. 1]

INDUSTRIAL WIREBOUND BOXES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In section 8, paragraph (c) is amended to read as follows:

(c) *Individual adjustment.* The Price Administrator may by order adjust the maximum prices established under this regulation for one or more plants of any seller who can show (1) that increased veneer costs result in hardship which will impede his production of essential supply of industrial wirebound boxes, and (2) that his existing maximum price is less than manufacturing costs if his current over-all profits are favorable in relation to those of a representative peace-time period; or that his existing maximum price does not exceed total costs if his current over-all profits are comparable to his over-all profits for a representative peace-time period; or that his existing maximum price does not afford a reasonable profit if current over-all profits are unfavorable compared to those in a representative peace-time period. Applications for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1, and, in general, shall contain the following data:

(1) Condensed profit and loss statements and balance sheets for over-all company operations for the years 1936 through 1939, 1941, 1942, each six months' period of 1943 and available quarters of 1944.

(2) Condensed profit and loss statements broken down by departments for each of the manufacturer's plants producing industrial wirebound boxes for the years 1941 and 1942, each six months' period of 1943, and available quarters of 1944. A breakdown of sales between veneer industrial wirebound boxes and all other boxes for the same periods.

(3) A complete breakdown, showing footage produced and manufacturing costs of veneer produced for use in manufacturing industrial wirebound boxes for each plant owned, operated or controlled by the manufacturer for the last six months of 1941 if not previously submitted, each six months' period of 1943, and the available quarters of 1944.

(4) A complete breakdown of all manufacturing costs of industrial wirebound boxes for each plant for which an adjustment is sought for each six months' period of 1943 and the available quarters of 1944. Lumber and veneer costs and footage purchased and manufactured should be shown separately for each period. A statement of cost increases since the beginning of the last period covered by financial statements should also be furnished.

This amendment shall become effective June 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–9048; Filed, June 21, 1944; 11:22 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 145]

ETHYL BENZOYL ACETATE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4.28 is added to read as follows:

SEC. 4.28 *Sales of ethyl benzoyl acetate.* The maximum price on sales of ethyl benzoyl acetate shall be $1.80 per pound f. o. b. plant, containers included, or the seller's maximum price otherwise established under the General Maximum Price Regulation, whichever is higher.

This amendment shall become effective June 26, 1944.

Issued this 21st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–9049; Filed, June 21, 1944; 11:22 a. m.]

*Copies may be obtained from the Office of Price Administration.
[1] 8 F.R. 6189, 7196; 9 F.R. 2300, 4608, 5802.
[2] 8 F.R. 14578.

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

PART 2—GENERAL RULES AND REGULATIONS

PART 20—SPECIAL REGULATIONS

FISHING, ETC., MISCELLANEOUS AMENDMENTS

Section 2.4 *Fishing* (6 F.R. 1626, 4492), is amended in the following particulars:

Paragraph (a) is amended by deleting "Mammoth Cave."

Paragraphs (b) and (g) are amended to read as follows:

(b) Fishing with nets, seines, traps, or by the use of drugs or explosives, or for merchandise or profit, or in any other way than with hook and line, the rod or line being held in the hand, is prohibited: *Provided*, That fishing with trot and throw lines in the Green and Nolin Rivers in Mammoth Cave National Park is permitted: *Provided further*, That commercial fishing in the waters of Fort Jefferson and Glacier Bay National Monuments, and the use of seines for procuring bait in Mammoth Cave National Park, are permitted under special regulations.

* * * * *

(g) The possession of live or dead minnows, chubs, or other bait fish, or the use thereof as bait, is prohibited except in Acadia National Park, Fort Jefferson National Monument, the Green and Nolin Rivers in Mammoth Cave National Park, and the waters of Glacier Bay National Monument in which commercial fishing is permitted in accordance with regulations approved by the Secretary on February 28, 1941 (6 F.R. 1234).

Section 20.16 *Yosemite National Park* is amended by deleting "20" from subparagraph (3) (Limit of catch) of paragraph (a) *Fishing*, and substituting therefor "15".

Section 20.31 is amended to read as follows:

§ 20.31 *Olympic National Park*—(a) *Fishing; closed waters.* The following waters are closed to fishing:

Barnes Creek.
Cat Creek.
Lake Creek.
Lake Angeles.
Morse Creek watershed.

(b) *Fishing; open season.* (1) Fishing is permitted in Lake Crescent and Lake Mills from April 2 to October 31, inclusive, and in other open lakes from July 1 to October 31, inclusive.

(2) Fishing is permitted in open streams from May 28 to October 31, inclusive.

(3) Steelhead fishing is permitted from December 1 to March 15, inclusive. Steelhead fishing shall otherwise conform with the laws and regulations of the State of Washington for streams outside the park but heading in the park.

(c) *Fishing; limit of catch and in possession.* (1) The limit of catch per person per day of any or all species other than steelhead is 10 fish, or 10 pounds of fish and 1 fish. The limit of catch of steelhead is 3 fish twelve inches or more in length.

(2) The possession of more than 2 days' catch of steelhead, or more than

1 day's catch of other species, is prohibited. Dolly Varden trout are considered game fish and when caught must be retained as part of the catch.

(d) *Fishing; bait.* (1) Fishing with any gear or tackle having more than two spinners, spoons, blades, flashers, rudders, or like attractions, is prohibited in all waters except Lake Crescent.

(2) The placing or depositing of fish eggs, fish roe, or other substance in any waters for the purpose of feeding, attracting, or collecting fish, is prohibited.

(e) *Special speed limits.* (1) On the following roads and sections of roads the maximum speed of vehicles is limited to 25 miles per hours on straight, open stretches, and 15 miles per hour on curves:

Elwha Road above Elwha bridge.
Hurricane Ridge Road.
Deer Park Road.
Soleduck Road.
North Fork Quinalt Road east of Canoe Creek.
East Fork Quinalt Road.
Dosewallips Road.
Skokomish (Lincoln) Road.

(2) The maximum speed of vehicles is limited to 20 miles per hour on Elwha Road in the immediate vicinity of Ranger Station and Waumilla Lodge.

Section 20.32 *Pine Mountain Recreational Demonstration Area,* is amended by designating the existing regulation paragraph (a), and by adding new paragraphs (b), (c), (d) and (e), to read as follows:

(b) *Fishing; limit of catch.* The limit of catch per person per day is 10 bream, 2 crappies, 1 bass.

(c) *Fishing; bait.* The use of minnow or small fish as bait is prohibited.

(d) *Fishing; restricted areas.* Fishing from swimming docks or spill-way is prohibited.

(e) *Fishing; season for group campers.* Fishing is restricted to occupants of Group Camps Nos. 1 and 2 from April 15 to September 1, inclusive.

A new §20.43 is added, to read as follows:

§ 20.43 *Mammoth Cave National Park*—(a) *Fishing; open season.* Fishing is permitted during the open season established for adjacent waters under the jurisdiction of the State of Kentucky.

(b) *Fishing; size limit.* Crappie under 8 inches in length, jack salmon or walleyed pike under 13 inches in length, channel or fiddler cat under 14 inches in length, sand pike or sauger under 13 inches in length, and all species of bass under 11 inches in length, shall not be retained unless seriously injured in catching.

(c) *Fishing; use of seines.* Seines which do not exceed 6 feet in length and 4 feet in width or height, with mesh not larger than ¼ inch, may be used in the following runs and creeks for procuring minnows and crawfish for bait, except that minnows and crawfish shall not be taken or caught for commercial purposes: Bylew, First, Second, Pine, Buffalo, Big Hollow, Ugly, Cub, Blowing Spring, Plating Mill, Dry Branch, and Mill Branch. As used in this paragraph, the term "minnows" means any fish less than 6 inches in length except those species of fish enumerated in paragraph (b) of this section.

(39 Stat. 535; 16 U.S.C. 3; E.O. 7496, Nov. 14, 1936, 1 F.R. 1946)

Issued this 8th day of June 1944.

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 44-9006; Filed, June 21, 1944; 9:43 a. m.]

PART 20—SPECIAL REGULATIONS

OLYMPIC NATIONAL PARK

Section 20.31, Part 20, Chapter I, Title 36, Code of Federal Regulations, is amended by adding a new paragraph (b) reading as follows:

§ 20.31 *Olympic National Park* • • •

(b) *Special speed limits.* (1) On the following roads and sections of roads the maximum speed of vehicles shall not exceed 25 miles per hour on straight, open stretches or 15 miles per hour on curves:

Elwha Road above Elwha bridge.
Hurricane Ridge Road.
Deer Park Road.
Soleduck Road.
North Fork Quinalt Road east of Canoe Creek.
East Fork Quinalt Road.
Dosewallips Road.
Skokomish (Lincoln) Road.

(2) The maximum speed of vehicles shall not exceed 20 miles per hour on Elwha Road in the immediate vicinity of Ranger Station and Waumilla Lodge.

(39 Stat. 535; 16 U.S.C. 3)

Issued this 8th day of June 1944.

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 44-9007; Filed, June 21, 1944; 9:42 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Public Land Order 236]

ARIZONA

WITHDRAWAL OF PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT FOR AVIATION PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department for aviation purposes:

GILA AND SALT RIVER MERIDIAN

T. 8 S., R. 10 E.,
Sec. 27, SE¼SW¼, S½SE¼, and S½NW¼SE¼.

The areas described aggregate 140 acres.

This order shall take precedence over but not modify the withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, so far as such order affects the above-described lands.

The jurisdiction granted by this order shall cease at the expiration of the six months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). Thereupon, jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior, and any other Department or agency of the Federal Government according to their respective interests then of record. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

ABE FORTAS,
Acting Secretary of the Interior.

JUNE 13, 1944.

[F. R. Doc. 44-9004; Filed, June 21, 1944; 9:43 a. m.]

Subchapter A—Alaska

[Circular 1469a]

PART 52—OATHS, AFFIRMATIONS, AND ACKNOWLEDGMENTS

PART 65—HOMESTEADS

OFFICERS QUALIFIED TO ADMINISTER OATHS

Section 52.1 of Title 43 of the Code of Federal Regulations, prescribed by Circular No. 1463, approved November 6, 1939, is amended to read as follows:

§ 52.1 *Officers qualified to administer oaths.* Oaths in public land cases in Alaska may be executed before the register or the acting register of the land office for the district in which the lands sought are situated, or before any court, judge, or other officer in the Territory, or elsewhere in the United States, authorized by law to administer an oath, or before any postmaster in Alaska. (Sec. 10, Act of May 14, 1898, 30 Stat. 409, 413; 48 U.S.C. 359, and Act of August 5, 1939, 53 Stat. 1219; 48 U.S.C. 35a–35c)

Except as otherwise provided by an act of Congress, the postmaster is authorized to charge and receive for his services the fees prescribed by law for a notary public for similar services in the Territory.

The official character of any officer not using a seal of office, other than a register, an acting register, or a postmaster, must be certified under seal by the clerk of the court having the record of his appointment and qualifications. Each certificate of oath, affirmation, or acknowledgment executed by a postmaster within the Territory as provided in this section must be signed by him, with a designation of his title, must have affixed thereto the cancelation stamp of the post office, and must state the name of the post office and the date on which the oath or affirmation is administered or the acknowledgment is taken.

(R.S. 453, 2478; 43 U.S.C. 2, 1201)

Section 65.7 of Title 43, also prescribed by Circular No. 1463, is amended to read as follows:

§ 65.7 *Officers qualified to administer oaths.* A homestead application for public lands in Alaska may be executed before the register or the acting register of the land office for the district in which the lands sought are situated, or before any court, judge, or other officer in the Territory, or elsewhere in the United States, authorized by law to administer an oath, or before any postmaster in Alaska. The requirements in this connection are set forth in § 52.1.

(R.S. 453, 2478; 43 U.S.C. 2, 1201)

FRED W. JOHNSON,
Commissioner.

Approved: June 13, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-9001; Filed, June 21, 1944; 9:44 a. m.]

Subchapter I—Homesteads

[Circular 1576]

PART 166—ORIGINAL, ADDITIONAL, SECOND, AND ADJOINING FARM HOMESTEADS, AUTHORIZED BY THE GENERAL PROVISIONS OF THE HOMESTEAD LAWS

EXECUTION OF APPLICATION

Section 166.19 is amended to read as follows:

§ 166.19 *Execution of application.* A homestead application for public lands in the continental United States must be prepared on blank forms prescribed for that purpose. In States in which there is a land office, the application must be sworn to before the register or the acting register of the land office for the district embracing the land sought; or before any of the following officers inside the county, parish, or land district embracing the land sought, namely, a United States commissioner, a notary public, a judge, a clerk, or a prothonotary of a court of record, a deputy of such clerk or prothonotary, or a magistrate authorized by the laws of or pertaining to the State to administer oaths; or before any such officer outside the county and the land district embracing the land sought who because of geographic or topographic conditions may be the qualified officer nearest to the land or most accessible from it. In States in which there is no land office, the application may be sworn to before any qualified officer in the State. (Sec. 2294, Revised Statutes, as amended by the Acts of March 11, 1902, 32 Stat. 63, March 4, 1904, 33 Stat. 59, and February 23, 1923, 42 Stat. 1281, 43 U.S.C. 254, and as supplemented by the Acts of May 17, 1926, 44 Stat. 558, 43 U.S.C. 75a, and July 3, 1926, 44 Stat. 830, 5 U.S.C. 92a)

The official character of any officer not using a seal of office, other than a register or an acting register, must be certified under seal by the clerk of the court having the record of his appointment and qualifications. If, in States in which there is a land office, an application be executed outside the county and the land district embracing the land sought, the applicant must show by affidavit, satisfactory to the Commissioner of the General Land Office, that the oath was made before an officer who because of topographic or geographic conditions was the qualified officer nearest to the land sought or most accessible from it. Such showing, however, will not be required as part of the final proof if the proof be taken in the town or city in which the newspaper printing the final proof notice is published.

An application must be filed in the land office for the district embracing the land sought, if there be any such office; otherwise in the General Land Office in Washington, D. C. An application is not acceptable if executed more than 10 days before being deposited in the mails for filing in the appropriate office. (R.S. 453, 2478; 43 U.S.C. 2, 1201)

CROSS REFERENCE: For officers qualified to administer oaths to homestead applicants for lands in Alaska, see § 65.7.

FRED W. JOHNSON,
Commissioner.

Approved: June 13, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-9002; Filed, June 21, 1944; 9:44 a. m.]

Subchapter N—Officers, Abstractors, Attorneys and Agents

[Circular 1575]

PART 210—OFFICERS AND EMPLOYEES

OFFICERS AUTHORIZED TO ADMINISTER OATHS IN CERTAIN PUBLIC LAND CASES

Section 210.1 is amended to read as follows:

§ 210.1 *Officers qualified; affidavit and certificate of official character required in certain cases.* Oaths required under the homestead, preemption,[1] timber-culture,[1] desert-land, and timber and stone acts may, in States in which there is a land office, be made before the register or the acting register of the land office for the district embracing the land sought; or before any of the following officers inside the county, parish, or land district embracing the land sought, namely, a United States commissioner, a notary public, a judge, a clerk, or a prothonotary of a court of record, a deputy of such clerk or prothonotary, or a magistrate authorized by the laws of or pertaining to the State to administer oaths; or before any such officer outside the county and the land district embracing the land sought who because of geographic or topographic conditions may be the qualified officer nearest to the land or most accessible from it. In States in which there is no land office, the required oaths may be made before any qualified officer in the State. (Sec. 2294, Revised Statutes, as amended by the Acts of March 11, 1902, 32 Stat. 63, March 4, 1904, 33 Stat. 59, and February 23, 1923, 42 Stat. 1281, 43 U.S.C. 254, and as supplemented by the Acts of May 17, 1926, 44 Stat. 558, 43 U.S.C. 75a, and July 3, 1926, 44 Stat. 830, 5 U.S.C. 92a)

The official character of any officer not using a seal of office, other than a register or an acting register, must be certified under seal by the clerk of the court having the record of his appointment and qualifications. If, in States in which there is a land office, an application be executed outside the county and the land district embracing the land sought, the applicant must show by affidavit, satisfactory to the Commissioner of the General Land Office, that the oath was made before an officer who because of geographic or topographic conditions was the qualified officer nearest to the land sought or most accessible from it. Such showing, however, will not be required as part of the final proof if the proof be taken in the town or city in which the newspaper printing the final proof notice is published.

The papers in cases arising under the statutes above specified must be filed in the land office for the district embracing the land sought, if there be any such office; otherwise in the General Land Office in Washington, D. C. An application is not acceptable if executed more than 10 days before being deposited in the mails for filing in the appropriate office.

(R.S. 453, 2478; 43 U.S.C. 2, 1201)

FRED W. JOHNSON,
Commissioner.

Approved June 13, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-9003; Filed, June 21, 1944; 9:44 a. m.]

[1] The preemption and timber-culture laws were repealed by the Act of March 3, 1891 (26 Stat. 1096; 43 U.S.C. 1181, 1197), with certain exceptions specified in that act.

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

HUMBOLDT PROJECT, NEV.

PARTIAL REVOCATION OF FIRST FORM WITHDRAWAL

MAY 19, 1944.

THE SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Humboldt project, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3 of the Act of June 17, 1902 (32 Stat. 388) by Departmental Order of March 16, 1934, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said order as withdrew the lands hereinafter listed be revoked: *Provided,* That such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands hereinafter listed.

HUMBOLDT PROJECT

MOUNT DIABLO MERIDIAN, NEVADA

T. 30 N., R. 32 E.,
Secs. 1, 2, 3 and 12.
T. 31 N., R. 32 E.,
Sec. 1, lots 1 and 2 of NE¼,
Lots 1 and 2 of NW¼ and SE¼;
Sec. 12, E½;
Sec. 25, E½.
T. 32 N., R. 32 E.,
Secs. 1 and 3;
Sec. 10, W½;
Sec. 11;
Sec. 12, W½NE¼, NW¼, N½SW¼ and SW¼SW¼;
Sec. 13;
Sec. 14, NE¼NE¼, W½E½ and W½;
Sec. 15;
Sec. 22, W½;
Secs. 23 and 25;
Sec. 26, SE¼NE¼, W½NE¼, NE¼NW¼, N½SE¼ and SE¼SE¼;
Secs. 27, 34 and 35;
Sec. 36, SE¼NW¼, NW¼NW¼, N½SE¼ and SE¼SE¼.
T. 33 N., R. 32 E.,
Secs. 25 and 35.
T. 30 N., R. 33 E.,
Secs. 4 and 5;
Sec. 6, W½ Lots 1 and 2 of NE¼, E½ Lots 1 and 2 of NW¼ and W½SE¼;
Sec. 7;
Sec. 8, E½;
Secs. 9, 15, 16 and 17;
Sec. 18, SE¼NE¼, W½NE¼, N½SE¼ and SE¼SE¼;
Secs. 19 to 22, inclusive.
T. 31 N., R. 33 E.,
Secs. 4 and 5;
Sec. 6, Lot 1 of NE¼, E½ Lot 2 of NE¼, E½ Lots 1 and 2 of NW¼, N½SE¼ and SE¼SE¼;
Sec. 7;
Sec. 8, W½W½ and E½SW¼;
Secs. 9, 16 and 17;
Sec. 18, E½E½;
Sec. 19;
Sec. 20, E½;
Sec. 29;
Sec. 30, NE¼, N½SE¼ and SW¼SE¼;
Sec. 31;
Sec. 32, E½.
T. 32 N., R. 33 E.,
Sec. 1;
Sec. 2, S½;
Sec. 3;
Sec. 4, S½;
Sec. 5;
Sec. 6, Lots 1 and 2 of NW¼;
Secs. 7 to 12, inclusive;
Sec. 18, E½;
Secs. 19, 20, 28, 29 and 31;
Sec. 32, E½.
T. 33 N., R. 33 E.,
Secs. 19, 21 and 25;
Sec. 26, N½, SW¼SE¼ and E½SE¼;
Sec. 27;
Sec. 28, W½NE¼, S½NW¼, NW¼NW¼ and S½;
Sec. 29;
Sec. 30, Lot 1 of NW¼, Lot 1 of SW¼ and E½;
Sec. 31;
Sec. 32, NE¼;
Sec. 33;
Sec. 34, E½NE¼, SW¼NE¼, W½ and SE¼;
Sec. 35, S½NE¼ and W½;
Sec. 36, E½E½, NW¼NE¼, N½NW¼, S½SW¼ and SW¼SE¼.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur June 7, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation regarding the Humboldt project is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

JUNE 10, 1944.

[F. R. Doc. 44-9005; Filed, June 21, 1944; 9:43 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. SA-91]

ACCIDENT OCCURRING NEAR ELY, MINN.

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry NC 472Y, which occurred near Ely, Minnesota, on June 14, 1944.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding, that hearing is hereby assigned to be held on Monday, June 26, 1944, at 10:00 a. m. (c. w. t.) in the Civil Service Room, Post Office Building, Ely, Minnesota, and on Wednesday, June 28, 1944, at 10:00 a. m. (c. w. t.) at 6422 South Central Avenue, Chicago, Illinois.

Dated at Washington, D. C., June 20, 1944.

[SEAL] W. K. ANDREWS,
Presiding Officer.

[F. R. Doc. 44-9057; Filed, June 21, 1944; 11:54 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-428 and G-497]

NORTHERN NATURAL GAS CO.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

Upon consideration of the following applications filed by Northern Natural Gas Company (Applicant) for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended:

(a) Application filed November 16, 1942, in Docket No. G-428 for authority to sell approximately 120,000,000 cubic feet of natural gas per year to Northern States Power Company for mixing with artificial gas for resale for ultimate public consumption in the cities of St. Paul, South St. Paul, West St. Paul, and Rosetown, Minnesota;

(b) Application filed September 4, 1943, and supplement thereto filed February 12, 1944, for authority:

(1) To sell and deliver natural gas to Northern States Power Company at Applicant's town border station near the southern corporate limits of the city of St. Paul, Minnesota, and at the point of interconnection of the facilities of Minneapolis Gas Light Company and Northern States Power Company in the center of the Mississippi River along the western corporate limits of the city of St. Paul, Minnesota, for resale for ultimate public consumption either as straight natural gas or as mixed gas for domestic, commercial, industrial, or any other use in St. Paul, South St. Paul, West St. Paul, and Rosetown, Minnesota; and

(2) To sell natural gas to Applicant's affiliate, Peoples Natural Gas Company, for resale in St. Paul, Minnesota, to Ford Motor Company and Waldorf Paper Products Company for industrial use; and

It appearing to the Commission that: The applicant requests and good cause exists for consolidating the above matters for purposes of hearing thereof;

The Commission orders that: (A) The above-entitled proceedings be and they are hereby consolidated for purposes of hearing;

(B) A public hearing to be held commencing on July 26, 1944, at 10:00 a. m., in Courtroom No. 3, Uptown Station and Federal Courts Building, St. Paul, Minnesota, respecting the matters involved and the issues presented in these proceedings.

(C) Interested State commissions may participate in the hearing as provided in § 67.4 of the provisional rules practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-8996; Filed, June 21, 1944; 9:42 a. m.]

[Docket No. G-440]

UNITED FUEL GAS CO., ET AL.

ORDER FIXING DATE OF HEARING

In the matter of United Fuel Gas Company, Warfield Natural Gas Company, Cincinnati Gas Transportation Company, and Huntington Development and Gas Company.

It appearing to the Commission that:

(a) By order of December 29, 1942, the Commission instituted an investigation of United Fuel Gas Company for the purpose of enabling the Commission to determine (1) whether that company is a natural-gas company within the meaning of the Natural Gas Act; and (2) whether, in connection with any transportation or sale of natural gas subject to the jurisdiction of the Commission, any rates, charges, or classifications demanded, observed, charged, or collected, or any rules, regulations, practices, or contracts affecting such rates, charges, or classifications, are unjust, unreasonable, unduly discriminatory, or preferential;

(b) By order of July 15, 1943, the investigation instituted by the Commission's order of December 29, 1942, was enlarged to include an investigation of Warfield Natural Gas Company, Cincinnati Gas Transportation Company, and Huntington Development and Gas Company for the purpose of enabling the Commission to make the same determinations with respect to each of said companies as specified in the Commission's order of December 29, 1942, with respect to United Fuel Gas Company and as set forth in paragraph (a) hereof;

(c) The said orders of December 29, 1942, and July 15, 1943, provided, further, that if the Commission, after hearing has been had, shall find that said companies are natural-gas companies within the meaning of the Natural Gas Act, and that any of their rates, charges, classifications, rules, regulations, practices, or contracts subject to the jurisdiction of the Commission are unjust, unreasonable, unduly discriminatory or preferential, the Commission will determine and fix by order or orders the just and reasonable rates, charges, classifications, rules, regulations, practices or contracts to be thereafter observed and in force;

(d) The investigation conducted by the Commission's staff pursuant to the aforementioned orders of December 29, 1942, and July 15, 1943, with respect to the matters set forth in paragraphs (a), (b), and (c) hereof discloses conditions, facts and circumstances which warrant a public hearing with respect to such matters;

The Commission orders that: (A) A public hearing be held commencing on September 5, 1944, at 10 a. m., in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C., with respect to the matters set forth in paragraphs (a), (b), and (c) hereof;

(B) Interested State commissions may participate in the hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-8999; Filed, June 21, 1944; 9:42 a. m.]

[Docket No. IT-5890]

TEXAS POWER & LIGHT CO.

DETERMINATION AND ORDER FOR EMERGENCY USE OF INTERCONNECTIONS

Texas Power & Light Company filed an application on May 9, 1944, for Commission approval of the maintenance of certain permanent interconnections in Texas with Southwestern Power Administration, Southwestern Gas & Electric Company, and possibly others, for emergency use only, pursuant to section 202 (d) of the Federal Power Act.

From the application, and other pertinent material in the records and files of the Commission, it appears that: (a) Texas Power & Light Company ("Texas Power") is a Texas corporation having its principal office in Dallas, Texas, and engaged in the generation, transmission, distribution, and sale of electric energy in northeastern Texas.

(b) Southwestern Power Administration ("Power Administration") is an agency of the United States having its principal office in Tulsa, Oklahoma, and established in the Department of the Interior by Order No. 1865 of the Secretary of the Interior dated August 31, 1943 (8 F.R. 12142), to execute the purposes of Executive Order No. 9053 of June 19, 1943 (8 F.R. 8587) and Executive Order No. 9386 of July 30, 1943 (8 F.R. 10699), as supplemented by Executive Order No. 9373 of August 30, 1943 (8 F.R. 12001), with respect to the disposition of electric power from the Denison Dam Project and the Norfolk Dam Project and the operation and disposition of power from the Grand River Dam Project.

(c) Southwestern Gas & Electric Company ("Southwestern Gas") is a Delaware corporation having its principal office in Shreveport, Louisiana, and engaged in the generation, transmission, distribution, and sale of electric energy in northeastern Texas, northwestern Louisiana, and southwestern Arkansas.

(d) To permit delivery of electric power and energy generated at the Denison Dam Project to Texas Power, pursuant to a power sales agreement dated May 3, 1944, between Texas Power and Power Administration, the latter proposes to make available a 138-kilovolt emergency interconnection, now nearing completion, between the Denison Dam Project and the Payne substation of Texas Power near Sherman, Texas, a distance of approximately 15 miles. Texas Power proposes to interconnect its facilities at the Payne substation with such line of Power Administration, which in turn will be interconnected with a transmission line into Oklahoma, over which interconnection electric energy may be transmitted from that State into the system of Texas Power and other interconnected systems in Texas.

(e) To permit delivery of electric power and energy from either the Norfolk Dam Project or Grand River Dam Project, in substitution for electric power and energy from Denison Dam Project, according to the aforesaid power sales agreement, Texas Power proposes to utilize the existing interconnections between its facilities and those of Southwestern Gas near Overton, Texas, and possibly other interconnections elsewhere on the Texas Power system, under certain specified conditions. Such use would permit delivery, by transmission or displacement, of electric power and energy from Arkansas, Louisiana, Oklahoma, and possibly other States, into the system of Texas Power and possibly other systems in Texas with which Texas Power is interconnected.

(f) The use of the existing interconnections between the facilities of Texas Power and Southwestern Gas near Overton, Texas, has heretofore been the subject of Commission action under section 202 (d) of the act, In the Matter of Texas Power & Light Company (Docket No. IT-5798), primarily for supplying the electric power requirements of the aluminum reduction plant of Defense Plant Corporation at Lake Catherine, Arkansas.

(g) The proposed maintenance of the above-described interconnections, for emergency use only, is assertedly necessary in the public interest:

(i) To provide Texas Power an additional power resource for an area in which are located many important war plants and establishments;

(ii) To provide for the "integration of power system operation" as directed in Order L-94 of the War Production Board;

(iii) To provide facilities for supplying any additional or expanded war industry plants which may be developed in the area served by Texas Power;

(iv) To effect a compliance with the provisions of Executive Orders Nos. 9386 and 9373 by saving critical materials needed in the war effort, and by coordinating facilities, to provide a dependable market for a large part of the electric power and energy generated at the Denison Dam Project, and to allow the benefit thereof to be made available in the manner prescribed in those orders.

It is further stated that Texas Power customers will continue to be adequately supplied with electric power and energy, and will not be adversely affected by such interconnections.

(h) The Commission is requested to issue an order pursuant to section 202 (d) of the act:

(i) Authorizing and permitting Texas Power to make such interconnections for emergency use and to operate all facilities incidental to the generation and transmission of electric energy, as proposed in the application, to accomplish the aforesaid purposes, all without Texas Power thereby becoming subject to the jurisdiction of the Commission;

(ii) Providing that the electric energy transmitted through such interconnections shall not be deemed transmitted in interstate commerce within the meaning of section 201 of the act;

(iii) Conditioned so that it will be effective during the continuance of the present war, and for six months after the date of cessation of hostilities.

(i) The Director, Division of Power, Department of the Interior, has advised the Commission by letter dated May 24, 1944, in part:

> The proposed interconnection • • • is necessary to enable delivery of power and energy generated at the Denison Dam Project to Texas Power & Light Company pursuant to the Power Sales Agreement dated as of May 3, 1944 between that Company and the United States as represented by • • • the Southwestern Power Administration of this Department • • •. The other interconnection • • • may be required to be used to deliver to Texas Power & Light Company, by means of transmission or displacement, power and

energy available from the Norfork Dam Project or the Grand River Dam Project in substitution for that generated at the Denison Dam Project, as permitted by the Power Sales Agreement. The statements contained in application, so far as they relate to the Secretary of the Interior and the Southwestern Power Administration, are correct.

The Power Sales Agreement • • • is a wartime arrangement and is dependent for its effectiveness upon the granting of the subject application • • •. I therefore hope that you will approve • • • the application • • • if you can do so properly under the Federal Power Act.

(j) The Director, Office of War Utilities, War Production Board, has advised the Commission by letter dated June 3, 1944, in part:

The Office of War Utilities believes that full coordination of all major power systems in the south central area of the United States will be necessary for the duration of the war emergency. Such coordination is required to assure adequate power supply for war production and essential civilian uses, as well as to effect economies in the consumption of critical types of fuel which are being used in parts of this area and in adjacent areas electrically interconnected. For maximum effect coordination should include the Grand River, Norfolk and Denison hydroelectric projects and the systems of Texas Power & Light Company, and Southwestern Gas & Electric Company, all of which are referred to in the subject application.

• • • • •

The proposed connection at Payne between the system of Texas Power & Light Company and the Denison project will facilitate coordinated operations of the kind referred to in L-94.

• • • It is necessary for effective coordination that power be free to flow within the limits imposed by good operating practice over all of the various interconnections in this south central network of transmission lines.

The Commission, upon consideration of the foregoing, finds that: (1) Texas Power owns and operates facilities which may not be facilities for the transmission and sale at wholesale of electric energy in interstate commerce, and may not be a public utility within the meaning of section 201 of the act.

(2) Power Administration is an agency of the United States within the meaning of section 201 of the act.

(3) Southwestern Gas owns and operates facilities which may be facilities for the transmission and sale at wholesale of electric energy in interstate commerce, and may be a public utility within the meaning of section 201 of the act.

(4) The unusual requirements occasioned by the present state of war are causing increased demands for electric energy and critical types of fuel, restrictions on the construction and installation of additional electric generating and transmission facilities, and emergencies in the maintenance of an adequate supply of electric energy essential to the war effort, necessitating the interconnection and interconnected use of electric facilities, particularly in the areas served by Texas Power, Power Administration, Southwestern Gas, and interconnected systems.

(5) The use of the aforesaid interconnections between the facilities of Texas Power and Power Administration at Payne substation, and between the facilities of Texas Power and Southwestern Gas near Overton, Texas, and of possible other interconnections elsewhere on the system of Texas Power, as described herein, is desirable in the public interest to aid in the war effort as hereinafter provided and should not affect the status of Texas Power under the act.

(6) The provisions hereinafter set forth make it unnecessary to pass upon other aspects of the application.

Wherefore, the Commission determines and orders that:

(A) The use of the above-described interconnections during the continuance of the power sales agreement of May 3, 1944, between Texas Power and Power Administration (until July 1, 1949, or until six months after the date of the cessation of hostilities in the present war, whichever date is earlier unless such agreement is sooner terminated under its terms), shall not affect the status of Texas Power under the Federal Power Act.

(B) This determination and order is expressly limited to the use of the above-described interconnections as provided herein, and any and all exemptions granted hereby are expressly limited by the conditions that:

(i) Under no circumstance shall it be assumed or contended by or on behalf of Texas Power that anything done pursuant hereto affects, or shall in any way affect, the determination of the status of Texas Power under the act by reason of its operations other than the use of such interconnections pursuant hereto.

(ii) Such exemption shall terminate and cease to have force or effect on July 1, 1949, or six months after the date of the cessation of hostilities in the present war, whichever date is earlier, or when the aforesaid power sales agreement between Texas Power and Power Administration is sooner terminated under its terms, unless the Commission shall hereafter extend such exemption by further determination and order.

(C) Texas Power shall promptly file with the Commission two copies of any agreements or contracts involving such interconnections which have not heretofore been so filed, and shall report to the Commission quarterly hereafter the amount of electric energy received and delivered in each direction through each of such interconnections during each of the three preceding calendar months, as well as such other information as the Commission may from time to time require.

(D) The Commission may hereafter, upon its own motion or upon complaint, make such investigations as it may deem necessary to ascertain whether such interconnections are being used within the limitations of this determination and order, and if the Commission finds otherwise, may modify or terminate any or all provisions of this determination and order.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-9000; Filed, June 21, 1944; 9:42 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 316]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, June 15, 1944, by L. S. Taube Company, of car SFRD 32296, California potatoes, now on the Missouri Pacific Railroad, to Decatur, Illinois, (Wabash), and to the reconsignment at Kansas City, Missouri, June 17, 1944, by L. S. Taube Company of car SFRD 35756, California potatoes, now on the A. T. & S. F. Railroad, to Evansville, Indiana (Mo. Pac.).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-9019; Filed, June 21, 1944; 11:02 a. m.]

[S. O. 70-A, Special Permit 317]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 15, 1944, by F. E. Baldwin Company of car SFRD 36143, potatoes, now on the Chicago Produce Terminal, to Luxem Company, Kenosha, Wisconsin.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-9020; Filed, June 21, 1944; 11:02 a. m.]

[S. O. 70-A, Special Permit 318]

RECONSIGNMENT OF RED ONIONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 15, 1944, by Horvits Brothers Company of car PFE 40515, red onions, now on the Wabash Railroad, to Hass Brothers, Cleveland, Ohio, account unable to sell on Chicago market.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-9021; Filed, June 21, 1944; 11:02 a. m.]

[S. O. 70-A, Special Permit 319]

RECONSIGNMENT OF MELONS AT BALTIMORE, MD.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Baltimore, Maryland, June 15, 1944, by Sowega Melon Growers Association of car SAL 70907, melons, now on the Pennsylvania Railroad, to First National Stores, Somerville, Massachusetts, account shipper's error in placing orders.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-9022; Filed, June 21, 1944; 11:02 a. m.]

[S. O. 70-A Special Permit 320]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 15, 1944, by Bacon Brothers Company of car MDT 21397, California potatoes, now on the Chicago Produce Terminal, to Harshfield Brothers, Louisville, Kentucky (C. I. & L.), account sold there and will be unloaded.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-9023; Filed, June 21, 1944; 11:02 a. m.]

[S. O. 70-A, Special Permit 321]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, June 16, 1944, by L. S. Taube Company of car GARX 67904, potatoes, now on the Kansas City Southern Railroad, to Champaign, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-9024; Filed, June 21, 1944; 11:02 a. m.]

[S. O. 70-A, Special Permit 322]

RECONSIGNMENT OF ORANGES AT DENVER, COLO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Denver, Colorado, June 17, 1944, by Associated Fruit Distributors of California of car SFRD 36174, oranges, now on the A. T. & S. F. Railroad, to James Pearl, Cincinnati, Ohio.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of June 1944.

V. C. CLINGER,
Director, Bureau of Service.

[F. R. Doc. 44-9025; Filed, June 21, 1944; 11:02 a. m.]

[S. O. 178, Special Permit 127]

LOADING OF EMPTY BEER CONTAINERS AT ARDMORE, OKLA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.329, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of RS type refrigerator URT 83340, with empty beer containers by Ice Service Co., Ardmore, Oklahoma, and the movement of that car to St. Joe, Missouri. Origin car-

rier St. Louis-San Francisco Railway. Car loaded in error by shipper.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-9026; Filed, June 21, 1944; 11:02 a. m.]

[S. O. 200, General Permit 11]

REICING OF POTATOES FROM ARKANSAS OR OKLAHOMA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes originating at any point or points in the States of Arkansas or Oklahoma, to reice in transit one time only and to accord the reicing at stations designated by shippers or at the carriers' option, at the first icing station beyond such designated station. This general permit shall apply to all such cars billed or moving on the effective date hereof.

This general permit shall become effective at 12:01 a. m., June 19, 1944, and shall expire at 12:01 a. m., August 19, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-9028; Filed, June 21, 1944; 11:02 a. m.]

[S. O. 200, Special Permit 69]

REICING OF POTATOES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, at Kansas City, Missouri-Kansas, not later than June 17, 1944, cars of Texas potatoes, ART 19867, PFE 75165 and PFE 70064, now on the K. C. S. Railroad, account diverted to Chicago, Illinois (Alton), Springfield, Illinois (Wabash), and Quincy, Illinois (Wabash), respectively, and cars Oklahoma potatoes, MDT 18263 and MDT 4450, now on the St. L.-S. F. Railroad, account diverted to Chicago, Illinois (Alton).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-9027; Filed, June 21, 1944; 11:02 a. m.]

[S. O. 200, Special Permit 71]

REICING OF POTATOES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice, one time only, not later than June 20, 1944, as ordered by Michael Swanson Brady Produce Company, at Kansas City, Missouri-Kansas, cars of potatoes, MDT 17061 and MDT 4675, on the St. L.-S. F. Railroad, ART 18768, ART 21240, on the K. C. S. Railroad, and at St. Louis, Missouri, cars of potatoes, MDT 17643, MDT 20715, MDT 20665, MDT 17649 and MDT 4293, rolling on the St. L.-S. F. Railroad, account diverted to various points beyond icing points.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-9029; Filed, June 21, 1944; 11:02 a. m.]

[S. O. 200, Special Permit 72]

REICING OF POTATOES AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice, one time only, at St. Louis, Missouri, June 15 or 16, 1944, as ordered by Balsano Fruit & Produce Company, car PFE 41284, potatoes, now on the Missouri Pacific Railroad, account unable to sell and must hold and no storage space is available.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-9030; Filed, June 21, 1944; 11:03 a. m.]

[S. O. 200, Special Permit 73]

REICING OF POTATOES AT BURLINGTON, IOWA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice, one time only, June 15, 1944, at Burlington, Iowa, as ordered by Cochrane Brokerage Company, Kansas City, Missouri, car MDT 21420, California potatoes, now on the Burlington Lines, account reconsigned to Haley-Neeley Company, Mitchell, South Dakota, and potatoes are in poor condition and need ice to preserve them.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-9031; Filed, June 21, 1944; 11:03 a. m.]

[S. O. 200, Special Permit 74]

REICING OF POTATOES AT FORT WORTH, TEX.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, at Fort Worth, Texas (on Ft. W. & D. C. RR.), as ordered by U. S. Army Quartermaster Corps, car PFE 61421, potatoes, moving June 15, 1944, from Nuckolls Packing Company, Pueblo, Colorado, to Galveston, Texas, with stop-off at Houston, Texas (C. & S.-Ft. W. & D. C.-B. R. I.). Reicing requested to preserve government freight.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-9032; Filed, June 21, 1944; 11:03 a. m.]

[S. O. 200, Special Permit 75]

REICING OF POTATOES AT MANHEIM, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice, one time only, at Manheim, Illinois, June 15, 1944, as ordered by Edw. H. Anderson & Company, car I. C. 55951, potatoes, now on the C. M. St. P. & P. Railroad, account reconditioned and reshipped to Cleveland, Ohio.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-9033; Filed, June 21, 1944; 11:03 a. m.]

[S. O. 200, Special Permit 76]

REICING OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice, one time only, at Chicago, Illinois, June 16, 1944, as ordered by Bacon Brothers Company, car ART 19692, potatoes, now on the Chicago Produce Terminal, account reconsigned to S. J. Rinella, Kewaunee, Illinois, and ice is down to one eleventh of bunker capacity.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-9034; Filed, June 21, 1944; 11:03 a. m.]

[S. O. 200, Special Permit 77]

REICING OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once, at Kansas City, June 16, 1944, as ordered by Michael Swanson Brady Produce Company, cars PFE 37156 and MDT 146489, California potatoes, now on the A. T. & S. F. Railroad, account reconditioned and now out of ice, need reicing to preserve contents.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-9035; Filed, June 21, 1944; 11:03 a. m.]

[S. O. 200, Special Permit 78]

REICING OF POTATOES AT HUNTINGDON, PA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, at Huntingdon, Pennsylvania, (PRR) as ordered by U. S. Army Quarter Master Corps, cars NRC 6787, SFRD 38351, PFE 95014, potatoes, shipped June 16, 1944, from Stillwell Cold Storage Company, Hannibal, Missouri, to Naval Supply Depot, Bayonne, New Jersey. (CB&Q-PRR).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-9036; Filed, June 21, 1944; 11:03 a. m.]

[S. O. 200, Special Permit 79]

REICING OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once, at Kansas City, Missouri, June 17, 1944, as ordered by C. H. Gonder Company, cars MDT 21945 and BREX 74947, potatoes, now on the St. L. & S. F. Railroad and Kansas City Southern Railroad respectively, account out of ice and reconsigned beyond.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-9037; Filed, June 21, 1944; 11:04 a. m.]

[S. O. 200, Special Permit 80]

REICING OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once, at Chicago, Illinois, June 17, 1944, with not in excess of 8,000 pounds of ice, for account of Bacon Brothers Company, car MDT 21449, washed potatoes, now on the Chicago Produce Terminal, account sold for unloading at Chicago Monday, June 19, 1944, now out of ice and need refrigeration to keep till then.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-9038; Filed, June 21, 1944; 11:04 a. m.]

[S. O. 200, Special Permit 81]

REICING OF POTATOES AT NEW YORK, N. Y.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only at New York City, CF 288479, potatoes now on New York Central Railroad consigned to Wm. Turine Company account ice necessary to preserve potatoes over the week end.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-9039; Filed June 21, 1944; 11:04 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 20A-130]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATION IN TAUNTON, MASS. AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Taunton, Massachusetts, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Providence, Rhode Island, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A130" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Providence, Rhode Island.

8. This order shall become effective June 28, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

City Cab Co., Taunton, Mass.
Checker Taxi, Taunton, Mass.

[F. R. Doc. 44-9012; Filed, June 21, 1944; 10:20 a. m.]

[Supp. Order ODT 20A-131]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN PLATTSBURG, N. Y. AREA

Upon consideration of a plan for joint action filed with the Office of Defence Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Plattsburg, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment

[1] Filed as part of the original document.

of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described and having suitable equipment and facilities therefor may make application in writing to the Highway Transport Department, Office of Defense Transportation, Albany, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-131" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Albany, New York.

8. This order shall become effective June 28, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Mrs. C. R. McCready, 10 Elizabeth St., Plattsburg, N. Y.
Ethel P. Belgarde, 84 Oak Street, Plattsburg, N. Y.
Raymond Broderick, City Hall Place, Plattsburg, N. Y.
Mitchell Abare, 70 Lafayette Street, Plattsburg, N. Y.
Arthur Wood, 126 Bridge Street, Plattsburg, N. Y.
Walter J. Toner, 9 Hamilton Street, Plattsburg, N. Y.

[F. R. Doc. 44-9011; Filed, June 21, 1944; 10:20 a. m.]

[Supp. Order ODT 20A-132]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN ROANOKE, ALA., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Roanoke, Alabama, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Birmingham, Alabama, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-132" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Birmingham, Alabama.

8. This order shall become effective June 28, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

J. H. Brooks, Roanoke, Ala.
Hibert Pike, Rt. 2, Roanoke, Ala.
Madison Eugene Wilson, Roanoke, Ala.
J. E. Tomlin, Roanoke, Ala.
Benard H. Robinson, Roanoke, Ala.
F. C. Jones, Roanoke, Ala.
Clanton McDow, Roanoke, Ala.

[1] Filed as part of the original document.

G. B. Edmondson, Roanoke, Ala.
Bryan Edmondson, Roanoke, Ala.
Dewey Nolen, Roanoke, Ala.
Bud Lambert, Roanoke, Ala.
Arnton Brown, Roanoke, Ala.
J. H. Bailey, Roanoke, Ala.
R. J. Bassett, Roanoke, Ala.
C. M. Caldwell, Roanoke, Ala.

[F. R. Doc. 44-9009; Filed, June 21, 1944; 10:19 a. m.]

[Supp. Order ODT 20A-133]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN HEMPSTEAD, N. Y. AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Hempstead, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, New York, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-133" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, New York, New York.

8. This order shall become effective June 28, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Elliot Fream, Hempstead, N. Y.
John Turner, A. B. C. Taxi, Hempstead, N. Y.
Lawrence J. Ferrara, Hempstead, N. Y.
Ernest F. Sperr, Hempstead, N. Y.
Burton Westfall, Hempstead Cab Co., Hempstead, N. Y.
John L. Riley, Hempstead, N. Y.
Frank Pamuano, Hempstead, N. Y.

[F. R. Doc. 44-9010; Filed, June 21, 1944; 10:19 a. m.]

[Supp. Order ODT 20A-134]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN EUREKA, CALIF. AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Eureka, California, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, San Francisco, California, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

[1] Filed as part of the original document.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-134" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, San Francisco, California.

8. This order shall become effective June 28, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Wayne Hyman, California Cab Company, Eureka, Calif.
J. L. Bamford, Royal Redwood Cab Company, Eureka, Calif.

[F. R. Doc. 44-9013; Filed, June 21, 1944; 10:19 a. m.]

[Supp. Order ODT 20A-135]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN HANNIBAL, MO. AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Hannibal, Missouri, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Quincy, Illinois, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-135" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Quincy, Illinois.

8. This order shall become effective June 28, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

B. I. Brice, Hannibal, Mo.
George Schulten, Hannibal, Mo.
William Felter, Hannibal, Mo.
Earl Quisenberry, Hannibal, Mo.
Lee A. Tucker, Hannibal, Mo.
A. C. Morawits, Hannibal, Mo.
Herman Quisenberry, Hannibal, Mo.
Earl Rhoades, Hannibal, Mo.
Jake Sheffer, Hannibal, Mo.
J. W. Holman, Hannibal, Mo.
Enoch W. Holman, Hannibal, Mo.
James P. Holman, Hannibal, Mo.

[F. R. Doc. 44-9008; Filed, June 21, 1944; 10:19 a. m.]

[Supp. Order ODT 3, Rev. 244]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN NASHVILLE AND CHATTANOOGA, TENN.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, [7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778] a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any car-

[1] Filed as part of the original document.

rier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the Supplementary Order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective June 26, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Johnson Freight Lines, Inc., Chattanooga, Tenn.
2. Hoover Motor Express Company, Inc., Nashville, Tenn.
3. Service Lines, Inc., Nashville, Tenn.
4. Andrew B. Crichton, R. M. Crichton, C. N. Crichton, M. E. Crichton, R. B. Crichton and A. B. Crichton, Jr., doing business as Super Service Motor Freight Company, Nashville, Tenn.

[F. R. Doc. 44-9014; Filed, June 21, 1944; 10:21 a. m.]

[Supp. Order ODT 6A-30]

COMMON CARRIERS

COORDINATED OPERATIONS WITHIN AN AREA COMPRISED OF THE CITY OF SPRINGFIELD, MO.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A [8 F.R. 8757, 14582; 9 F.R. 2794], a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfuly permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-30" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective June 26, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Frisco Transportation Co. (a corporation), Springfield, Mo.
2. Fred Wulf Jones, doing business as Fred Jones Truck Line, Harrison, Ark.

[F. R. Doc. 44-9015; Filed, June 21, 1944; 10:21 a. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 1704]

MODERNE TEXTILE CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1704 under § 1499.158 of Maximum Price Regulation No. 188, Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

Approval of maximum prices for sales of a child's play yard manufactured by Moderne Textile Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a child's play yard manufactured by Moderne Textile Company, High Point, North Carolina.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Child's play yard	700	*Per unit* $4.98	*Per unit* $5.80

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Child's play yard	700	*Per unit* $5.80

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of June 1944.

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8955; Filed, June 20, 1944; 11:32 a. m.]

[MPR 188, Order 1705]

FINER CHROME PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1705 under § 1499.158 of Maximum Price Regulation No. 188—manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of six unfinished bookcases and one unfinished juvenile set manufactured by Finer Chrome Products Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of six unfinished bookcases and one unfinished juvenile table and chairs set manufactured by Finer Chrome Products Co., 486 Eleventh Avenue, New York 18, New York.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Per unit	*Per unit*
Bookcase	3610	$4.21	$4.68
	3010	3.74	4.16
	2410	3.20	3.56
	1810	2.78	3.09
Corner bookcase	2424	5.46	6.07
End bookcase	1010	2.39	2.66
		Per set	*Per set*
Juvenile table and chairs set	500	$4.18	$4.64

These prices are f. o. b. factory, and are subject to a cash discount of two per cent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in paragraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Per unit
Bookcase	3610	$4.68
	3010	4.16
	2410	3.56
	1810	3.09
Corner bookcase	2424	6.07
End bookcase	1010	2.66
		Per set
Juvenile table & chairs set	500	4.64

These prices are subject to a cash discount of two per cent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall no-

tify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of June 1944.

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8964; Filed, June 20, 1944; 11:34 a. m.]

[MPR 188, Order 1715]

STUART MANSFIELD CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1715 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a nursery play table set manufactured by Stuart Mansfield Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a nursery play table set manufactured by Stuart Mansfield Co., 2564 Park Avenue, New York, New York.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Nursery play table set	1440	*Each* $4.44	[1] $5.22 [2] 4.96

[1] Each in lots of less than 100.
[2] Each in lots of 100 or more.

These prices are all f. o. b. factory and are subject to a cash discount of two per cent for payment within ten days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Nursery play table set	1,440	[1] $5.22 [2] 4.96

[1] Each in lots of less than 100.
[2] Each in lots of 100 or more.

These prices are all subject to a cash discount of two percent for payment within ten days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of June 1944.

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8956; Filed, June 20, 1944; 11:32 a. m.]

[MPR 188, Order 1716]

ESTEY PIANO CORP.

APPROVAL OF MAXIMUM PRICES

Order No. 1716 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' Maximum Prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of six tables manufactured by Estey Piano Corp.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of six tables manufactured by Estey Piano Corp., Bluffton, Indiana.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Per unit	*Per unit*
Cocktail table	19	$8.46	$9.95
Step table	20	8.93	10.50
End table	21	8.39	9.75
	30	6.89	7.75
Lamp table	31	6.76	7.95
Coffee table	32	7.01	8.25

These prices are all f. o. b. factory and are subject to a cash discount of two percent for payment within fifteen days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in paragraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Per unit
Cocktail table	19	$9.95
Step table	20	10.50
End table	21	9.75
	30	7.75
Lamp table	31	7.95
Coffee table	32	8.25

These prices are all f. o. b. factory and are subject to a cash discount of two per cent for payment within fifteen days, net thirty days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the

maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of June 1944.

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8957; Filed, June 20, 1944; 11:32 a. m.]

[MPR 188, Order 1717]

INDEPENDENT COMPANIES

APPROVAL OF MAXIMUM PRICES

Order No. 1717 under section 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of three items of juvenile furniture manufactured by Independent Companies.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of three items of juvenile furniture manufactured by Independent Companies, Little Rock, Arkansas.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Per unit	*Per unit*
Chair	Juvenile	$0.80	$0.96
Rocker	do	1.19	1.37
Table	do	1.31	1.39

These prices are all f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Per unit
Chair	Juvenile	$1.06
Rocker	do	1.40
Table	do	1.54

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of June 1944.

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8958; Filed, June 20, 1944; 11:33 a. m.]

[MPR 188, Order 1718]

ST. JOHNS PORTABLE BUILDING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1718 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

Approval of maximum prices for sales of twelve items of unfinished furniture manufactured by St. Johns Portable Building Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of twelve items of unfinished furniture manufactured by St. Johns Portable Building Company, St. Johns, Michigan.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Per unit	*Per unit*
Chest of drawers	24"—4 drawers	$8.16	$9.60
	24"—5 drawers	9.18	10.80
	24"—6 drawers	10.20	12.00
	30"—4 drawers	8.84	10.40
	30"—5 drawers	10.08	11.80
	30"—6 drawers	11.73	13.80
	36"—4 drawers	10.12	11.90
	36"—5 drawers	11.55	13.60
	36"—6 drawers	12.88	14.80
Desk	D—134	8.71	10.25
Kitchen cabinet		8.46	9.95
Kitchen sink cabinet		26.78	31.50

These prices are all f. o. b. factory and are subject to a cash discount of two percent for payment within ten days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Per unit
Chest of drawers	24"—4 drawers	$9.60
	24"—5 drawers	10.80
	24"—6 drawers	12.00
	30"—4 drawers	10.40
	30"—5 drawers	11.80
	30"—6 drawers	13.80
	36"—4 drawers	11.90
	36"—5 drawers	13.60
	36"—6 drawers	14.80
Desk	D—134	10.25
Kitchen cabinet		9.95
Kitchen sink cabinet		31.50

These prices are subject to a cash discount of two per cent for payment within ten days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or

on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of June 1944.

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8959; Filed, June 20, 1944; 11:33 a. m.]

[MPR 188, Order 1719]

GEORGE WEISS CO., INC.

APPROVAL OF MAXIMUM PRICES

Order No. 1719 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a wardrobe manufactured by George Weiss Co., Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a Wardrobe manufactured by George Weiss Co., Inc., 701-3-5 East Girard Avenue, Philadelphia, Pennsylvania.

(1) (i) For all sales and deliveries by the manufacturer to retailers, by the manufacturer to jobbers who carry stock, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to jobbers who carry stock	Maximum price to persons other than retailers who resell from manufacturer's stock	Maximum price to retailers
Wardrobe	B	*Per unit* $12.20	*Per unit* $12.97	*Per unit* $15.25

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in paragraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by any person other than the manufacturer, the maximum price is that set forth below:

Article	Model No.	Maximum price to retailers
Wardrobe	B	*Per unit* $15.25

This price is f. o. b. factory in the case of sales by persons who resell the article from the manufacturer's stock; and is f. o. b. seller's city in the case of sales by jobbers who carry stock.

(ii) For all sales and deliveries by resellers to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser for resale, other than a retailer, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of June 1944.

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8960; Filed, June 20, 1944; 11:33 a. m.]

[MPR 188, Order 1720]

WM. TOLEN & SONS, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 1720 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of five glass-topped tables manufactured by Wm. Tolen & Sons, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of five glass-topped tables manufactured by Wm. Tolen & Sons, Inc., 4041 Ridge Avenue, Philadelphia, Pennsylvania.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Per unit	*Per unit*
Coffee table	1000	$12.54	$14.75
Occasional table	1001	12.54	14.75
Lamp table	1003	8.50	10.00
Cocktail table	1004	12.54	14.75
Step end table	1010	9.35	11.00

These prices are all f. o. b. factory, and are subject to a cash discount of one per cent for payment within ten days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Per unit
Coffee table	1000	$14.75
Occasional table	1001	14.75
Lamp table	1003	10.00
Cocktail table	1004	14.75
Step end table	1010	11.00

These prices are subject to a cash discount of one per cent for payment within ten days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of June 1944.

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8961; Filed, June 20, 1944; 11:34 a. m.]

[MPR 188 Order 1721]

WESTCORT CO.

APPROVAL OF MAXIMUM PRICE

Order No. 1721 under § 1499.158 of Maximum Price Regulation No. 188—manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two bars manufactured by The Westcort Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of two bars manufactured by The Westcort Company, 60 East 42nd Street, New York, New York.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Per unit	*Per unit*
Bar	A	$42.36	$49.72
Bar (equipped)	B	52.06	61.25

These prices are f. o. b. factory and are subject to a cash discount of two per cent for payment within 10 days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sales, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Per unit
Bar	A	$49.72
Bar (equipped)	B	61.25

These prices are subject to a cash discount of two per cent for payment within ten days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of June 1944.

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8962; Filed, June 20, 1944; 11:34 a. m.]

[MPR 188, Order 1722]

DAKIN MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1722 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a folding canvas cot manufactured by Dakin Manufacturing Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a folding canvas cot manufactured by Dakin Manufacturing Co., 4301 North Harlem Street, Chicago, Illinois.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Per unit	*Per unit*
Folding canvas cot	Army	$3.57	$4.20

These prices are f. o. b. factory and are subject to a cash discount of two per cent for payment within ten days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Per Unit
Folding canvas cot	Army	$4.20

This price is subject to a cash discount of two percent for payment within ten days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of June 1944.

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8963; Filed, June 20, 1944; 11:34 a. m.]

[MPR 188, Order 12 Under 2d Rev. Order A-3]

GREAT NORTHERN CHAIR CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 12 under Second Revised Order A-3 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, it is ordered:

(a) *Purpose of this order.* This order permits the Great Northern Chair Company, Chicago, Illinois, to increase its maximum net prices for chairs and table bases which it manufactures, in the amounts set forth below.

(b) *Adjustment on maximum prices.* The Great Northern Chair Company, Chicago, Illinois, may add the following adjustment charges to its maximum net prices (list prices less discounts) in effect immediately prior to December 7, 1943, for the articles listed below: provided the adjustment charge is separately quoted and billed, and provided it complies with the requirements for notice set forth in paragraph (c) below:

Article	*Authorized adjustment charge*
Chairs:	
No. 16	$1.60 per dozen.
No. 48/1	1.60 per dozen.
No. 113	1.60 per dozen.
No. 138	1.60 per dozen.
No. 377	1.60 per dozen.
No. 406	1.60 per dozen.
No. 517	1.60 per dozen.
No. 735	1.60 per dozen.
No. 791	1.60 per dozen.
No. 800	1.60 per dozen.
No. 801	1.60 per dozen.
No. 807	1.60 per dozen.
No. 813	1.60 per dozen.
No. 1066	1.60 per dozen.
No. 1223	1.60 per dozen.
No. 1369	1.60 per dozen.
No. 1349	2.30 per dozen.
No. 1350	2.30 per dozen.
No. 1234	3.20 per dozen.
No. 1235	3.20 per dozen.
No. 504	.24 per unit.
No. 629	2.85 per dozen.
No. 1297	.24 per unit.
No. 1849	2.85 per dozen.
No. 1592	.24 per unit.
Table bases:	
No. 700:	
30" x 30"	.45 per unit.
36" x 36"	.46 per unit.
30" x 48"	.45 per unit.

(c) *Notice.* At the time of or prior to the first invoice to a purchaser at a price which includes the adjustment charge provided in paragraph (b) above, the Great Northern Chair Company shall send a notice to the purchaser fully explaining the terms of this order.

(d) *Purchasers for resale may not increase their existing maximum prices.* Purchasers for resale of the articles listed in paragraph (b) of this order, manufactured by the Great Northern Chair Company, Chicago, Illinois, may not make any change in their properly established maximum prices for the articles in effect immediately prior to the effective date of this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 22d day of June 1944.

Issued this 21st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9056; Filed, June 21, 1944; 11:24 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on June 17, 1944.

REGION II

Camden Order 1-F, Amendment 10, covering fresh fruits and vegetables in Camden County, New Jersey, filed 4:26 p. m.

Camden Order 2-F, Amendment 7, covering fresh fruits and vegetables in Atlantic and Cape May Counties, New Jersey, filed 4:26 p. m.

Newark Order 4-F, Amendment 4, covering fresh fruits and vegetables in certain areas in New Jersey, filed 4:30 p. m.

New York Order 1-F, Amendment 11, covering fresh fruits and vegetables in the Five Boroughs of the City of New York, filed 4:26 p. m.

New York Order W-2, covering certain dry grocery items in New York, Kings, Queens, Bronx and Richmond, filed 4:30 p. m.

Pittsburgh Order 1-F, Amendment 9, covering fresh fruits and vegetables in certain areas in Pennsylvania, filed 4:26 p. m.

Syracuse Order 1-F, Amendment 9, covering fresh fruits and vegetables in the City of Syracuse, New York, filed 4:30 p. m.

Wilmington Order 2-F, Amendment 8, covering fresh fruits and vegetables in the area including and North of the Towns of New Castle and Newark to the Delaware State Line, filed 4:30 p. m.

REGION IV

Memphis Order 8-W, covering certain dry grocery items in certain areas in Tennessee, filed 4:34 p. m.

REGION V

Lubbock Order 5-F, Amendment 1, covering fresh fruits and vegetables in Lubbock County, Texas, filed 4:33 p. m.

REGION VI

Chicago Order 2-F, Amendment 17, covering fresh fruits and vegetables in the Chicago Metropolitan area, filed 4:31 p. m.

Duluth-Superior Order 1-F, Amendment 20, covering fresh fruits and vegetables in Duluth, Proctor, City of Superior and Town of Superior, filed 4:32 p. m.

Green Bay Order 2-F, Amendment 17, covering fresh fruits and vegetables in certain areas in Wisconsin, filed 4:31 p. m.

Green Bay Order 3-F, Amendment 11, covering fresh fruits and vegetables in certain areas in Wisconsin, filed 4:31 p. m.

Milwaukee Order 1-F, Amendment 8, covering fresh fish and seafood in Milwaukee, Racine, and Kenosha Counties, Wisconsin, filed 4:34 p. m.

Milwaukee Order 4, Amendment 5, covering certain poultry items in Milwaukee County, and Racine and Kenosha Counties, Wisconsin, filed 4:30 p. m.

Sioux City, Order 2-F, Amendment 18, covering fresh fruits and vegetables in Sioux City, Iowa and South Sioux City, Nebraska, filed 4:31 p. m.

Copies of these orders may be obtained from the OPA office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-8996; Filed, June 20, 1944; 4:12 p. m.]

[Region I Order G-44 Under RMPR 122, Amdt. 1]

SPECIFIED SOLID FUELS IN DANBURY, CONN., AREA

Amendment No. 1 to Order No. G-44 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (1) of paragraph (f) of Region I Order No. G-44 under Revised Maximum Price Regulation No. 122 is hereby amended to read as follows:

(f) *Definitions.* When used in this Order G-44, the term:

(1) "Danbury, Connecticut Area" shall include the following cities, towns, and townships in the State of Connecticut: Bethel, Bridgewater, Brookfield, Danbury, Kent, New Fairfield, New Milford, Newtown, Redding, Ridgefield, and Sherman.

This Amendment No. 1 shall become effective June 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 16th day of June 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-8968; Filed, June 20, 1944; 4:16 p. m.]

[Region I Order G-6 Under RMPR 122, Revocation]

BITUMINOUS COAL IN HARTFORD, CONN., AREA

Order revoking Order No. G-6 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered that Region I Order No. G-6 under Revised Maximum Price Regulation No. 122 (Bituminous Coal — Hartford, Connecticut Area) be and it hereby is revoked.

This order shall become effective June 26, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671, and E.O. 9328, 8 F.R. 4681)

Issued this 16th day of June 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-8967; Filed, June 20, 1944; 4:16 p. m.]

[Region VIII Order G-1 Under SR 14B]

HOMEKRAFT BAKING CO.

Order No. G-1 under section 10 of Supplementary Regulation No. 14B to the General Maximum Price Regulation. Adjusted maximum prices of rolls produced by Homekraft Baking Company.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by Section 10 of Supplementary Regulation No. 14B to the General Maximum Price Regulation, *It is hereby ordered:*

(a) The adjusted maximum prices per dozen at which any person may sell rolls produced by Homekraft Baking Company, San Leandro, California are established to be as follows:

	Cents per dozen
Wholesale	16
Retail	22

(b) This order may be amended, revoked, or corrected at any time.

(c) This order shall become effective June 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 14th day of June 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-8995; Filed, June 20, 1944; 4:13 p. m.]

[Region IV Order G-2 Under SR 15]

PET MILK CO.

Order No. G-2 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation. Adjustment of maximum prices for milk hauling services sold by haulers serving the Pet Milk Company plants at Kosciusko, Philadelphia, and Winona, Mississippi.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, *It is hereby ordered:*

(a) On and after the effective date of this order all haulers of milk who bring milk from dairy farms to the plants of the Pet Milk Company located at Kosciusko, Philadelphia, and Winona, Mississippi, may sell and offer to sell the milk hauling services above described at prices no higher than their maximum prices under the General Maximum Price Regulation (which, briefly, are the prices in effect during March, 1942) plus an increase of five cents per cwt.

(b) Lower prices than those provided herein may be charged.

(c) *Definitions.* (1) Except as provided herein, and unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(d) All haulers of milk described in paragraph (a) of this order shall make available for inspection by all purchasers of his service, a copy of this order and opinion.

(e) Except as otherwise provided herein, all transactions subject to this order shall remain subject to all the provisions of the General Maximum Price Regulation, together with all amendments, orders, and supplementary regulations that heretofore have been, or hereafter may be, issued.

(f) This order may be revoked, amended, or corrected at any time. This order shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 15th day of June 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44-8994; Filed, June 20, 1944; 4:13 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-2736]

208 SOUTH LA SALLE STREET CORP.

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of June, A. D. 1944.

In the matter of 208 South La Salle Street Corporation, Common Stock, No Par Value.

The 208 South La Salle Street Corp., pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its Common Stock, No Par Value, from listing and registration on the Board of Trade of the City of Chicago;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the opening of the trading session on June 24, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-8979; Filed, June 20, 1944; 3:03 p. m.]

[File Nos. 59-52, 31-524]

NIAGARA HUDSON POWER CORP., ET AL.

ORDER REQUIRING RECAPITALIZATION AND DENYING EXEMPTION IN PART

In the matters of Niagara Hudson Power Corporation and subsidiary companies, File No. 59-52; Buffalo, Niagara and Eastern Power Corporation, File No. 31-524.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of June, A. D. 1944.

The Commission having instituted proceedings pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935 to determine whether or not the corporate structure or the continued existence of Buffalo, Niagara and Eastern Power Corporation, a subsidiary of a registered holding company and itself a holding company, conforms to the requirements of section 11 (b) (2) of the act, and if not, what steps are necessary to insure that such corporate structure shall not, within the meaning of said section, unduly or unnecessarily complicate the structure of the holding company system of which it is a part, and shall not unfairly or inequitably distribute voting power among the security holders of Buffalo, Niagara and Eastern Power Corporation or of the holding company system of which it is a part;

Buffalo, Niagara and Eastern Power Corporation having applied for an order pursuant to section 3 (a) (1) of the act exempting it as a holding company from the provisions of the act;

Notice having been given to all interested persons, hearings having been held, and the Commission having this day issued its findings and opinion herein; on the basis of said findings and opinion:

It is hereby ordered, That the application of Buffalo, Niagara and Eastern Power Corporation under section 3 (a) (1) of the Public Utility Holding Company Act of 1935 for an order exempting it as a holding company from the provisions of the act be and it hereby is denied in so far as applicable to the provisions of section 11 (b) (2) of the act,

It is further ordered, Pursuant to section 11 (b) (2) of the act, that Buffalo, Niagara and Eastern Power Corporation shall change its capitalization by substituting for its presently outstanding $1.60 Cumulative Preferred Stock, $25 par value, Class A Stock without par value, and Common Stock without par value, one class of stock, namely, com-

mon stock, in an appropriate manner, not in contravention of the applicable provisions of said act or the rules, regulations and orders promulgated thereunder.

It is further ordered, That appropriate voting power be extended to the $5 First Preferred Stock of Buffalo, Niagara and Eastern Power Corporation, as outlined in said findings and opinion.

It is further ordered, That jurisdiction be and it hereby is reserved with respect to the application of Buffalo, Niagara and Eastern Power Corporation for exemption under section 3 (a) (1) of the act from the provisions of the act other than section 11 (b) (2) thereof; and with respect to all issues in these proceedings not disposed of by the provisions of this order.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8980; Filed, June 20, 1944; 3:03 p. m.]

[File No. 70-907]

EL PASO ELECTRIC CO. AND ENGINEERS PUBLIC SERVICE CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of June 1944.

Notice is hereby given that El Paso Electric Company, a Delaware corporation ("El Paso"), a sub-holding company of Engineers Public Service Company and a registered holding company, and Engineers Public Service Company ("Engineers"), a registered holding company, have filed a joint application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935.

All interested persons are referred to said joint application-declaration, which is on file in the office of said Commission, for a statement of the transactions therein proposed which are summarized as follows:

El Paso will be liquidated and dissolved in accordance with a Plan of Liquidation which will be submitted to its stockholders for approval in a meeting to be held on July 6, 1944, at the company's office in Wilmington, Delaware.

The Plan of Liquidation proposes (in event the joint application-declaration is granted by this Commission and a majority of the stockholders of El Paso vote in favor of liquidation and dissolution) that Engineers contribute $1,000,000 in cash to the capital of El Paso, which together with other available cash of El Paso will be used to pay in cash to the holders (including Engineers) of the El Paso Preferred Stock, Series A and Series B, the full amount which the holders of such preferred stock are entitled under the charter provisions to receive in liquidation, namely, $100 per share and dividends accrued and unpaid to the date of dissolution. In addition, the plan provides that El Paso, in consideration of the assumption by Engineers of all debts, obligations and liabilities of El Paso (exclusive of its liability to the holders of its Preferred Stock, Series A and Series B) will distribute as a liquidating dividend on its common stock to Engineers all its remaining assets, principally consisting of all the shares of common stock of El Paso Electric Company, a Texas corporation.

Engineers owns 857 shares of the outstanding 15,767 shares of the 7% Preferred Stock, Series A; none of the outstanding 176 shares of the 6% Preferred Stock, Series B; and all the outstanding 58,282 shares of common stock of El Paso. Each share of each class of stock is entitled to one vote per share, voting pari passu. Therefore, Engineers has 79.68% of the voting power. All of the shares held by Engineers will be voted in favor of the Plan of Liquidation.

The Certificate of Incorporation of El Paso provides in effect that the Preferred Stock, Series A, may be redeemed and retired at $115 per share, plus accrued dividends; that the Preferred Stock, Series B, may be redeemed and retired at $110 per share, plus accrued dividends; and that in case of liquidation or in any distribution of the capital of the company, both series of preferred stock are entitled to receive $100 per share, plus accrued dividends to the date of dissolution.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that the joint application-declaration shall not be granted or permitted to become effective except pursuant to further order of this Commission.

It is ordered, That a hearing on this matter be held at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, at 10:00 a. m., e. w. t., on the 5th day of July, 1944 in such room as may be designated on such day by the hearing room clerk. At such hearing cause shall be shown why such joint application-declaration shall be granted and permitted to become effective.

All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner provided in Rule XVII of the Commission's rules of practice on or before July 3, 1944.

It is further ordered, That Richard Townsend, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the commission's rules of practice.

It is further ordered, That the Secretary of this Commission shall serve notice of this order by mailing copies thereof by registered mail to El Paso Electric Company, a Delaware corporation, and Engineers Public Service Company and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

It is further ordered, That without limiting the scope of the issues presented by said joint application-declaration, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed Plan of Liquidation, including the provision to pay the preferred stockholders, Series A and Series B, $100 per share plus accrued dividends, is fair and equitable.

2. Whether the proposed acquisition by Engineers of the common stock of El Paso Electric Company, a Texas corporation, is consistent with the provisions of section 10 (c) (2) of the act. All of the common stock of El Paso Electric Company is held by El Paso and under the plan would be transferred to Engineers in connection with the proposed liquidation of El Paso.

3. Whether the proposed accounting entries on the books of El Paso and Engineers are appropriate and consistent with the Commission's Uniform System of Accounts for Public Utility Holding Companies.

4. Whether the proposed transactions are in the public interest and in the interest of investors and consumers, and whether in all other respects they comply with all the applicable provisions and requirements of the Act and the rules, regulations and orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-8981; Filed, June 20, 1944; 3:03 p. m.]

WAR FOOD ADMINISTRATION.

Commodity Credit Corporation.

AMERICAN CHEDDAR CHEESE

OFFER IN CONNECTION WITH PURCHASE AND SALE IN U. S.

The "Offer In Connection With Purchase and Sale of American Cheddar Cheese in U. S.," dated February 10, 1944 (9 F.R. 1685), is hereby made applicable to cheese produced during the period July 1–December 31, 1944, both dates inclusive.

LEE MARSHALL, *Vice President.*

JUNE 20, 1944.

[F. R. Doc. 44-8982; Filed, June 20, 1944; 3:20 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 125

Washington, Friday, June 23, 1944

Regulations

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PART 222—CONSUMER CREDIT

EXTENSION OF CREDIT

On June 20, 1944, the Board of Governors of the Federal Reserve System amended Part 222, effective June 22, 1944, by striking out paragraph (b) of § 222.12 and substituting in lieu thereof the following:

§ 222.12 *Miscellaneous provisions.*

* * *

(b) *Extension of credit for mixed purposes.* In case an extension of credit is partly subject to one section of this regulation and partly subject to another section, the amount and terms of such extension of credit shall be such as would result if the credit were divided into two or more parts and each part were treated as if it stood alone. In case an extension of credit is partly subject to this regulation and partly not subject to the regulation, the amount and terms of such extension of credit shall be such as would result if the credit were divided and the part subject to the regulation were treated according to the applicable provisions of the regulation; the part not subject to the regulation may be treated as if the regulation did not exist.

(Sec. 5 (b), 40 Stat. 415, as amended by sec. 5, 40 Stat. 966, sec. 3, 48 Stat. 1, sec. 1, 54 Stat. 179; secs. 301 and 302, 55 Stat. 839, 840; 12 U.S.C. 95 (a) and Sup., 50 U.S.C. App. 616, 617, and E.O. 8843, dated Aug. 9, 1941)

[SEAL] BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.
S. R. CARPENTER, *Assistant Secretary.*

[F. R. Doc. 44-9056; Filed, June 21, 1944; 1:25 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4880]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

COMMONWEALTH TRAINING INSTITUTE

§ 3.6 (j) *Advertising falsely or misleadingly—Government approval, connection or standards—Civil Service Commission connections:* § 3.6 (m) *Advertising falsely or misleadingly—Jobs and employment:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Government connection:* § 3.72 (f20) *Offering deceptive inducements to purchase—Individuals special selection or situation:* § 3.72 (g) *Offering deceptive inducements to purchase—Job guarantee.* In connection with offer, etc., in commerce, of correspondence courses of study and instruction, and among other things, as in order set forth, (1) representing that respondent controls or will offer or procure the offer of government jobs to its students; (2) representing that appointments to positions in the Civil Service may or can be secured through respondent; and (3) representing that applicants or prospective purchasers of said courses of study are especially selected; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Sec. 45b) [Cease and desist order, Commonwealth Training Institute, Docket 4880, May 31, 1944]

§ 3.69 (b) *Misrepresenting oneself, and goods—Goods—Demand for or business opportunities;* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Jobs and employment;* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Scientific or other relevant facts;* § 3.72 (15) *Offering deceptive inducements to purchase—Opportunities in product or service.* In connection with offer, etc., in commerce, of correspondence courses of study and instruction, and among other things, as in order set forth (1) representing that positions are open in all the branches of the United States Civil Service for which

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

	Page
ALIEN PROPERTY CUSTODIAN:	
Vesting orders, etc.:	
Benetti, Vincenzo	6960
Doering, Louisa	6961
Ehmert, Marie	6961
Fuchs, Franz and Leopoldine Mueller	6958
Ishida, Naoichi and Isami	6957
Kuehn, Bernhard Julius Otto	6957
Mittrach, Gustav E	6961
Mueller, John G	6962
Muselius, Anna K	6962
Nickelsen, Richard C	6963
Robi, Ignaz	6963
Scheibe, Hilde, and Kurt Gerbracht	6964
Security Trust Co	6963
Stumpf, Marie, et al	6959
COAL MINES ADMINISTRATION:	
Anthracite and bituminous coal mines, termination of government possession	6954
COAST GUARD:	
Life rafts, hearing	6979
FEDERAL POWER COMMISSION:	
Southwestern Power Administration, hearing	6955
FEDERAL RESERVE SYSTEM:	
Consumer credit; extension for mixed purposes	6937
FEDERAL TRADE COMMISSION:	
Commonwealth Training Institute, cease and desist order	6937
INTERSTATE COMMERCE COMMISSION:	
Reconsignment permits:	
Grapefruit, Kansas City, Mo	6956
Potatoes:	
Chicago, Ill	6956
Kansas City, Mo.-Kans	6956
Reicing permits:	
Potatoes:	
East Buffalo, N. Y	6956
St. Louis, Mo	6956
SFRD and PFE cars, Manchester, N. Y	6956
OFFICE OF PRICE ADMINISTRATION:	
Adjustments, etc.:	
Brookville Glove Co., et al	6965
Harman & Hulsey Co	6867
Indianapolis Glove Co., et al	6964
Landen Putty Works	6968

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued.
Adjustments, etc.—Continued. Page
Mitchell, Clyde O. 6966
Southern Cotton Oil Co. 6966
Walter, D. N. & E., & Co. 6967
Wells Lamont Glove Co., et al. 6966
Food, processed (Rev. RO 13, Am. 40) 6951
Foods, retail, Group 3 and 4 stores (MPR 422 incl. Am. 1–17) 6951
Plastic products (MPR 523, Am. 1) 6951
Regional and district office orders:
Agricultural demurrage charges, Calif. 6975
Community ceiling prices, list of orders filed 6973
Regional and district office orders—Continued. Page
Fruits and vegetables, fresh, Peoria, Ill. 6975
Solid fuels:
Bay City, Mich. 6970
Cape Girardeau and Jackson, Mo. 6976
Kentucky, designated counties 6971
Milford and Hamilton County Ohio. 6969
Muncie, Ind. 6968
Sandusky County, Ohio. 6971
St. Joseph, Mo. 6974
Sweet potatoes, Atlanta district 6974
Truck-mixed concrete, etc., Los Angeles County, Calif. 6975
Stoves (R.O. 9A, Am. 9) 6952
Wood pulp (RMPR 114) 6951
PETROLEUM ADMINISTRATOR FOR WAR:
Premium motor fuel, processing, refining and marketing 6952
SECURITIES AND EXCHANGE COMMISSION:
Hearings, etc.:
American Utilities Service Corp., et al. 6978
Commonwealths Distribution, Inc. 6977
Community Gas and Power Co. et al. 6978
Engineers Public Service Co., et al. 6977
Luzerne County Gas and Electric Corp. 6979
Utilities Employees Securities Co., et al. 6978
SOLID FUELS ADMINISTRATOR FOR WAR:
Coal shipments on Great Lakes, prohibition 6955
Coke:
Reclaimed beehive, maximum ash content 6942
Shipments:
Domestic use 6941
Foreign use 6940
WAGE AND HOUR DIVISION:
Minimum wage rates:
Communications, utilities and miscellaneous transportation industries 6940
Finance, insurance, real estate, motion picture, and miscellaneous industries 6939
WAR PRODUCTION BOARD:
Imports, strategic materials (M–63; M–63–f, Rev.) (2 documents) 6942, 6948
Machine tools, production and delivery (E–1–b) 6948
Suspension orders, etc.:
Cascade Paper Co. 6980
DeLay, Albert 6980
Geyarn Mfg. Co. 6980
WAR SHIPPING ADMINISTRATION:
Contracts, uniform bills of lading 6954

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued.
Regional and district office orders—Continued. Page
Pruits and vegetables, fresh, Peoria, Ill. 6975
Solid fuels:
Bay City, Mich. 6970
Cape Girardeau and Jackson, Mo. 6976
Kentucky, designated counties 6971
Milford and Hamilton County Ohio. 6969
Muncie, Ind. 6968
Sandusky County, Ohio. 6971
St. Joseph, Mo. 6974
Sweet potatoes, Atlanta district 6974
Truck-mixed concrete, etc., Los Angeles County, Calif. 6975
Stoves (R.O. 9A, Am. 9) 6952
Wood pulp (RMPR 114) 6951
PETROLEUM ADMINISTRATOR FOR WAR:
Premium motor fuel, processing, refining and marketing 6952
SECURITIES AND EXCHANGE COMMISSION:
Hearings, etc.:
American Utilities Service Corp., et al. 6978
Commonwealths Distribution, Inc. 6977
Community Gas and Power Co. et al. 6978
Engineers Public Service Co., et al. 6977
Luzerne County Gas and Electric Corp. 6979
Utilities Employees Securities Co., et al. 6978
SOLID FUELS ADMINISTRATOR FOR WAR:
Coal shipments on Great Lakes, prohibition 6955
Coke:
Reclaimed beehive, maximum ash content 6942
Shipments:
Domestic use 6941
Foreign use 6940
WAGE AND HOUR DIVISION:
Minimum wage rates:
Communications, utilities and miscellaneous transportation industries 6940
Finance, insurance, real estate, motion picture, and miscellaneous industries 6939
WAR PRODUCTION BOARD:
Imports, strategic materials (M–63; M–63–f, Rev.) (2 documents) 6942, 6948
Machine tools, production and delivery (E–1–b) 6948
Suspension orders, etc.:
Cascade Paper Co. 6980
DeLay, Albert 6980
Geyarn Mfg. Co. 6980
WAR SHIPPING ADMINISTRATION:
Contracts, uniform bills of lading 6954

instruction is offered; and (2) representing that vacancies exist for Civil Service positions which have in fact been abolished or which have been filled; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; U.S.C., sec. 45b) [Cease and desist order, Commonwealth Training Institute, Docket 4880, May 31, 1944]

§ 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Government connection;* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Personnel or staff.* In connection with offer, etc., in commerce, of correspondence courses of study and instruction, and among other things, as in order set forth (1) representing that respondent has any connection with the Government of the United States or any branch thereof; and (2) representing that respondent's representatives and salesmen are registrars; prohibited (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Commonwealth Training Institute, Docket 4880, May 31, 1944]

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Individual or private business as religious, educational or research institution;* § 3.96 (b) *Using misleading name—Vendor—Individual business being educational, religious or research institution.* In connection with offer, etc., in commerce, of correspondence courses of study and instruction, and among other things, as in order set forth, using the term "Institute" as part of the name under which respondent's business of selling courses of instruction is conducted, or using the term "Institute" in any manner to designate, describe, or refer to respondent's business; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Commonwealth Training Institute, Docket 4880, May 31, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 31st day of May, A. D. 1944.

In the Matter of Nathan I. Goldberg, an Individual Trading as Commonwealth Training Institute

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer or respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and states that he waives all intervening procedure and further hearing as to the said facts, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Nathan I. Goldberg, an individual trading as Commonwealth Training Institute, or

under any other name or designation, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of correspondence courses of study and instruction in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from, directly or by implication:

1. Representing that respondent controls or will offer or procure the offer of Government jobs to his students.

2. Representing that positions are open in all the branches of the United States Civil Service for which instruction is offered.

3. Representing that respondent has any connection with the Government of the United States or any branch thereof.

4. Representing that appointments to positions in the Civil Service may or can be secured through respondent.

5. Representing that applicants or prospective purchasers of said courses of study are especially selected.

6. Representing that vacancies exist for Civil Service positions which have in fact been abolished or which have been filled.

7. Representing that respondent's representatives and salesmen are registrars.

8. Using the term "Institute" as part of the name under which respondent's business of selling courses of instruction is conducted, or using the term "Institute" in any manner to designate, describe, or refer to respondent's business.

It is further ordered, That respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44–9096; Filed, June 22, 1944; 10:24 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 651—MINIMUM WAGE RATE IN THE FINANCE, INSURANCE, REAL ESTATE, MOTION PICTURE, AND MISCELLANEOUS INDUSTRIES

RECOMMENDATION OF INDUSTRY COMMITTEE 68

Whereas, on September 22, 1943, pursuant to section 5 (b) of the Fair Labor Standards Act of 1938, hereinafter referred to as the act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 219, appointed Industry Committee No. 68 for the Finance, Insurance, Real Estate, Motion Picture, and Miscellaneous Industries, herein called the Committee, and directed the Committee to recommend minimum wage rates for the Finance, Insurance, Real Estate, Motion Picture, and Miscellaneous Industries in accordance with section 8 of the act; and

Whereas, the Committee included six disinterested persons representing the public, a like number of persons representing employers in the Finance, Insurance, Real Estate, Motion Picture, and Miscellaneous Industries, and a like number of persons representing employees in the Industry, and each group was appointed with due regard to the geographical regions in which the Finance, Insurance, Real Estate, Motion Picture, and Miscellaneous Industries are carried on; and

Whereas, on October 16, 1943, the Committee, after investigating economic and competitive conditions in the Industry, filed with the Administrator a report containing its recommendation for a 40-cent minimum hourly wage rate in the Finance, Insurance, Real Estate, Motion Picture, and Miscellaneous Industries; and

Whereas, after notice duly published in the FEDERAL REGISTER on November 5, 1943, Donald M. Murtha, the Presiding Officer designated by the Administrator, held a public hearing upon the Committee's recommendation at New York, New York, on November 23, 1943, at which all interested persons were given an opportunity to be heard; and

Whereas, all persons who appeared at the hearing were given leave to file briefs on or before December 14, 1943; and

Whereas, the Presiding Officer has been transmitted to the Administrator; and

Whereas, the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act, with special reference to sections 5 and 8, has concluded that the Industry Committee's recommendation for the Finance, Insurance, Real Estate, Motion Picture, and Miscellaneous Industries, as defined by Administrative Order No. 219, is made in accordance with law, is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of the Act; and

Whereas, the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Industry Committee No. 68 for a Minimum Wage Rate in the Finance, Insurance, Real Estate, Motion Picture, and Miscellaneous Industries," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York 19, New York.

Now, therefore, it is ordered, That:

Sec.
651.1 Approval of recommendation of Industry Committee No. 68.
651.2 Wage rate.
651.3 Posting of notices.
651.4 Definition of the Finance, Insurance, Real Estate, Motion Picture, and Miscellaneous Industries.
651.5 Scope of the definition.
651.6 Effective date.

AUTHORITY: §§ 651.1 to 651.6, inclusive, issued under sec. 8, 52 Stat. 1064; 29 U.S.C., sec. 208.

§ 651.1 *Approval of recommendation of Industry Committee No. 68.* The Committee's recommendation is hereby approved.

§ 651.2 *Wage rate.* Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the act by every employer to each of his employees who is engaged in commerce or in the production of goods for commerce in the Finance, Insurance, Real Estate, Motion picture, and Miscellaneous Industries.

§ 651.3 *Posting of notices.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Finance, Insurance, Real Estate, Motion Picture, and Miscellaneous Industries shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 651.4 *Definition of the Finance, Insurance, Real Estate, Motion Picture, and Miscellaneous Industries.* For the purpose of this order the term "Finance, Insurance, Real Estate, Motion Picture, and Miscellaneous Industries" means:

The industry carried on by any business or non-profit enterprise performing financial, insurance, real estate, professional, advertising, educational or research activities; the production of motion pictures, photographs and blueprints; and any service activity which is covered by the act.

§ 651.5 *Scope of the definition.* The definition of the Finance, Insurance, Real Estate, Motion Picture, and Miscellaneous Industries covers all occupations which are necessary to the operations of the Industry: *Provided, however,* That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

§ 651.6 *Effective date.* This wage order shall become effective July 17, 1944.

Signed at New York this 8th day of June 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-9091; Filed, June 21, 1944; 4:40 p. m.]

PART 652—MINIMUM WAGE RATE IN THE COMMUNICATION, UTILITIES AND MISCELLANEOUS TRANSPORTATION INDUSTRIES

RECOMMENDATION OF INDUSTRY COMMITTEE 69

Whereas, on September 28, 1943, pursuant to section 5 (b) of the Fair Labor Standards Act of 1938, herein referred to as the act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 221, appointed Industry Committee No. 69 for the Communication, Utilities and Miscellaneous Transportation Industries, herein called the Committee, and directed the Committee to recommend minimum wage rates for the Communication, Utilities and Miscellaneous Transportation Industries in accordance with section 8 of the act; and

Whereas, the Committee included five disinterested persons representing the public, a like number of persons representing employers in the Communication, Utilities and Miscellaneous Transportation Industries, and a like number of persons representing employees in the Industries and each group was appointed with due regard to the geographical regions in which the Communication, Utilities and Miscellaneous Transportation Industries are carried on; and

Whereas, on October 25, 1943, the Committee, after investigating economic and competitive conditions in the Industries, filed with the Administrator a report containing its recommendation for a 40-cent minimum hourly wage rate in the Communication, Utilities and Miscellaneous Transportation Industries; and

Whereas, after notice duly published in the FEDERAL REGISTER on November 12, 1943, Robert N. Campbell, the Presiding Officer designated by the Administrator, held a public hearing upon the Committee's recommendation at New York, New York, on November 30, and December 1, 1943, at which all interested persons were given an opportunity to be heard; and

Whereas, the complete record of the proceeding before the Presiding Officer had been transmitted to the Administrator; and

Whereas, all persons who appeared at the hearing held on November 30 and December 1, 1943 were given leave to file briefs on or before January 17, 1944, respectively; and

Whereas, after notices published in the FEDERAL REGISTER on December 21 and 30, 1943, oral argument was held on January 25, 1944 before the Administrator; and

Whereas, the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the act, with special reference to sections 5 and 8, has concluded that the Industry Committee's recommendation for the Communication, Utilities and Miscellaneous Transportation Industries, as defined by Administrative Order No. 221, is made in accordance with law, is supported by the evidence adduced at the hearing, and taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of the act; and

Whereas, the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Admnistrator in the Matter of the Recommendation of Industry Committee No. 69 for a Minimum Wage Rate in the Communication, Utilities and Miscellaneous Transportation Industries," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York,

Now, therefore, it is ordered, That:

Sec.
652.1 Approval of recommendation of Industry Committee No. 69.
652.2 Wage rate.
652.3 Posting of notices.
652.4 Definition of the Communication, Utilities, and Miscellaneous Transportation Industries.
652.5 Scope of the definition.
652.6 Effective date.

AUTHORITY: §§ 652.1 to 652.6, inclusive, issued under sec. 8, 52 Stat. 1064; 29 U.S.C. 208.

§ 652.1 *Approval of recommendation of Industry Committee No. 69.* The Committee's recommendation is hereby approved.

§ 652.2 *Wage rate.* Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the act by every employer to each of his employees who is engaged in commerce or in the production of goods for commerce in the Communication, Utilities, and Miscellaneous Transportation Industries.

§ 652.3 *Posting of notices.* Every employer employing any employees engaged in commerce or in the production of goods for commerce in the Communication, Utilities and Miscellaneous Transportation Industries shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 652.4 *Definition of the Communication, Utilities, and Miscellaneous Transportation Industries.* For the purposes of this order the term "Communication, Utilities and Miscellaneous Transportation Industries" means:

The industry carried on by any wire or radio system of communication or by messenger service; by any concern engaged in the production and distribution of gas, electricity or steam, the distribution of water or the operation of sanitation facilities; and by any concern engaged in such transportation by rail, water, pipe-line, motor vehicle, or other means, as is not covered by the wage orders for the Railroad Carrier, Property Motor Carrier and Passenger Motor Carrier Industries, or in related activities (including stevedoring, consolidating, forwarding, and packing) not covered by those orders; *Provided*, That the definition shall not include any activity covered by the definition of any other industry for which the Administrator has issued a wage order or appointed an industry committee.

§ 652.5 *Scope of the definitions.* The definition of the Communication, Utilities and Miscellaneous Transportation Industries covers all occupations which are necessary to the operations of the Industries, including clerical, maintenance, shipping and selling occupations: *Provided, however*, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

§ 652.6 *Effective date.* This wage order shall become effective July 17, 1944.

Signed at New York, N. Y. this 12th day of June 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-9092; Filed, June 21, 1944; 4:40 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[Order 16]

PART 602—GENERAL ORDERS AND DIRECTIVES

SHIPMENT OF COKE OUTSIDE U. S.

In order to effectuate the purposes of Executive Order No. 9332 and WPB Directive 33, as amended, it is necessary that the Solid Fuels Administrator for War obtain data concerning the shipment of coke outside the continental limits of the United States. Accordingly, it is ordered that:

§ 602.441 *Definitions.* (a) "Coke" means all coke which is produced from bituminous coal.

(b) "By-product coke" means that coke which is produced in a by-product coke oven and does not include coke which is produced in a coal-gas retort.

(c) "Beehive coke" means that coke which is produced in a beehive oven.

(d) "Reclaimed beehive coke" means beehive coke which has been reclaimed from waste banks adjacent to beehive ovens.

(e) "Producer" means any person engaged in the business of manufacturing by-product coke or beehive coke or who is engaged in the business of reclaiming beehive coke from waste banks.

(f) "Wholesaler" means any producer to the extent that he ships coke to persons outside the continental limits of the United States; and any person who receives or purchases coke for shipment, distribution or resale to any person outside the continental limits of the United States.

(g) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons.

(h) "Size" means the opening in inches of the screens, top and bottom, through and over which coke is passed except for that size known as run-of-oven coke which is coke from which the breeze has been removed.

(i) "Industrial use" includes without limitation, the use of coke in blast furnaces, foundries, producer gas plants, water-gas plants or for any other manufacturing or commercial processing.

(j) "Domestic use" means the use of coke for space heating, domestic hot water or domestic cooking, except to the extent that coke is used for space heating incidental to an industrial use.

§ 602.442 *Information to be furnished by producers and wholesalers.* (a) On or before the 15th day of July 1944, each producer and wholesaler shall report in writing to SFAW on forms to be furnished by it, information as to shipments of coke exported by him to persons outside the continental limits of the United States during the calendar months of April, May and June 1944 together with an estimate of the total of such shipments made and to be made during July 1944.

(b) On or before the 15th day of August 1944, and on or before the 15th day of each succeeding calendar month each producer and wholesaler shall report in writing to SFAW, on forms to be furnished by it, information as to shipments of coke to persons outside the continental limits of the United States during the preceding calendar month, together with an estimate of the total of such shipments made and to be made during the month in which the report is filed.

(c) The reports required by paragraphs (a) and (b) of this section shall set forth, among other things, shipments by sizes of by-product coke, beehive coke and reclaimed beehive coke to persons outside the continental limits of the United States for industrial use and domestic use; the name of the producer and the name and location of the producing plant; and the destination by state or province and nation to which shipment was made.

§ 602.443 *Records.* Each person to whom any portion of this order applies shall keep and preserve for a period of two years, accurate and complete records of all of the details of shipments of coke required to be reported by this order.

§ 602.444 *Audit and inspection.* All records required to be kept by this order shall upon request, be submitted for inspection, copy and audit by any duly authorized representative of Solid Fuels Administration for War.

§ 602.445 *Approval of the Bureau of the Budget.* The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942 and regulations issued thereunder.

§ 602.446 *Violations.* Any person who violates any provision of this order or who, by any statement or omission wilfully falsifies any records which he is required to keep, or who otherwise wilfully furnishes false or misleading information to Solid Fuels Administration for War may be prohibited from delivering and receiving any material under priority control, or SFAW may take any appropriate action, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code [18 U.S.C., sec. 80 (any person found guilty of violating the statute may be fined not more than $10,000 or imprisoned for not more than ten years or both)]; or under the Second War Powers Act [50 U.S.C. 633 (any person found guilty of violating the statute may be fined not more than $10,000 or imprisoned for not more than ten years or both)].

This order shall become effective July 1, 1944.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176, WPB Directive 33, as amended, 9 F.R. 64, 4580)

Issued this 20th day of June 1944.

HAROLD L. ICKES,
Solid Fuels Administrator for War.

[F. R. Doc. 44-9059; Filed, June 21, 1944; 12:25 p. m.]

[Order 17]

PART 602—GENERAL ORDERS AND DIRECTIVES

SHIPMENT OF COKE FOR DOMESTIC USE

It is anticipated that more coke for domestic use will be available this year than was available during the past year. In order to relate this additional supply to the supply of other solid fuels so that an equitable distribution of all solid fuels may be obtained, it is necessary that the SFAW obtain data concerning the shipment of coke for domestic use within the United States. Accordingly, it is ordered:

§ 602.575 *Definitions.* (a) "Coke" means all coke which is produced from bituminous coal.

(b) "By-product coke" means that coke which is produced in a by-product coke oven and does not include coke which is produced in a coal-gas retort.

(c) "Beehive coke" means that coke which is produced in a beehive oven.

(d) "Reclaimed beehive coke" means beehive coke which has been reclaimed from waste banks adjacent to beehive ovens.

(e) "Producer" means any person engaged in the business of manufacturing by-product coke or beehive coke or who is engaged in the business of reclaiming beehive coke from waste banks.

(f) "Wholesaler" means any producer to the extent that he ships coke to persons in the United States; and any person who receives or purchases coke for shipment, distribution or resale to any person in the United States.

(g) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons.

(h) "Domestic use" means the use of coke for space heating, domestic hot water or domestic cooking, except to the extent that coke is used for space heating incidental to an industrial use.

§ 602.576 *Information to be furnished by producers and wholesalers of coke.* (a) On or before the first day of September 1944, each producer of by-product coke, beehive coke and reclaimed beehive coke shall report in writing to SFAW on forms to be furnished by it, information as to shipments of coke for domestic use to destinations within the United States during each of the calendar months of January, February, March, April and May 1944.

(b) On or before the 15th day of July 1944, and on or before the 15th day of each succeeding calendar month, each producer of by-product coke, beehive coke and reclaimed beehive coke shall report in writing to SFAW on forms to be furnished by it, information as to shipments of coke for domestic use to destinations within the United States during the preceding calendar month together with an estimate of such shipments made and to be made during the calendar month in which the report is made.

(c) The reports required by paragraphs (a) and (b) of this section shall set forth by States the ultimate destination of the shipments of coke reported and in the event that the producer does not know and cannot determine the ultimate destination of coke shipped by him because such shipment was made to

or for the account of a wholesaler, then the producer shall inform SFAW of the name and address of the wholesaler to or for whose account the shipment was made and the number of tons shipped. Thereupon, SFAW may require the wholesaler to report by States the ultimate destination of such coke shipped to or for his account.

§ 602.577 *Records.* Each person to whom any portion of this order applies shall keep and preserve for a period of two years, accurate and complete records of all of the details of shipments of coke required to be reported by this order.

§ 602.578 *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted for inspection, copy and audit by any duly authorized representative of Solid Fuels Administration for War.

§ 602.579 *Approval of the Bureau of the Budget.* The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942 and regulations issued thereunder.

§ 602.580 *Violations.* Any person who violates any provision of this order or who, by any statement or omission wilfully falsifies any records which he is required to keep, or who otherwise wilfully furnishes false or misleading information to Solid Fuels Administration for War, may be prohibited from delivering and receiving any material under priority control, or SFAW may take any appropriate action, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C., sec. 80 (any person found guilty of violating the statute may be fined not more than $10,000 or imprisoned for not more than ten years or both)); or under the Second War Powers Act (50 U.S.C. 633 (any person found guilty of violating the statute may be fined not more than $10,000 or imprisoned for not more than ten years or both)).

This order shall become effective July 1, 1944.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176, WPB Directive 33, as amended, 9 F.R. 64, 4580)

Issued this 20th day of June 1944.

HAROLD L. ICKES,
Solid Fuels Administrator for War.

[F. R. Doc. 44-9061; Filed, June 21, 1944; 12:25 p. m.]

[Reg. 22]

PART 602—GENERAL ORDERS AND DIRECTIVES

MAXIMUM ASH CONTENT FOR RECLAIMED BEEHIVE COKE

The over-all shortage of solid fuels has created a demand for coke which has been reclaimed from waste banks adjacent to beehive ovens. Such coke, if properly prepared, is acceptable fuel but since the ash content of such coke is generally higher than the ash content of other coke or other solid fuels, the mixture of this fuel with other coke or other solid fuels results in lowering the efficiency of the mixture. It is necessary, therefore, to establish certain ash content maxima for this fuel and to require retail dealers who deliver such fuel to designate it as reclaimed beehive coke so that consumers may be apprised of the type of fuel which they purchase. Accordingly, it is ordered:

§ 602.550 *Definitions.* (a) "Coke" means all coke which is produced from bituminous coal.

(b) "Reclaimed beehive coke" means beehive coke which has been reclaimed from waste banks adjacent to beehive ovens.

(c) "Producer" means any person engaged in the business of reclaiming beehive coke from waste banks.

(d) "Wholesaler" means any producer to the extent that he ships, distributes or sells reclaimed beehive coke to retail dealers and any person to the extent that he receives or purchases reclaimed beehive coke for shipment, distribution or resale to retail dealers or other wholesalers.

(e) "Retail dealer" means any person (including the retail outlet, branch or department of one who is also a producer, wholesaler or lake dock operator) to the extent that he acts in the capacity of a supplier, shipper or seller of reclaimed coke in any transaction except a wholesale transaction involving the shipment, sale, or sale and delivery, of broken bulk reclaimed beehive coke physically handled in a truck, wagon or other less than carload facility without regard to quantity or frequency of delivery.

(f) "Domestic consumer" means any person who acquires reclaimed beehive coke for space heating, domestic hot water, or domestic cooking, except to the extent that he acquires such solid fuels for space heating incidental to an industrial process or the production of power.

(g) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons.

§ 602.551 *Restrictions on shipments by producers, wholesalers and retail dealers.* No producer or wholesaler shall ship any reclaimed beehive coke intended for use by any domestic consumer, and no retail dealer shall deliver any reclaimed beehive coke to a domestic consumer if such reclaimed beehive coke has an ash content, on a dry basis, in excess of 20 per cent by weight in sizes over one inch, or an ash content of 25 per cent by weight in sizes ½ x 1" or smaller.

§ 602.552 *Designation of fuel by retail dealers.* Each retail dealer who delivers reclaimed beehive coke to any domestic consumer or who delivers to any domestic consumer a mixture of solid fuels containing reclaimed beehive coke, shall designate on the weigh slip, delivery ticket, statement or other evidence of such delivery, that the fuel delivered was reclaimed beehive coke or that the mixture of solid fuel delivered contained reclaimed beehive coke and the amount of such coke contained in the mixture.

§ 602.553 *Damages for breach of contract.* No person shall be held liable under any contract for damages or penalties for any default which shall result directly or indirectly from compliance with this regulation.

§ 602.554 *Violations.* Any person who violates any provision of this regulation or who wilfully, furnishes false or misleading information regarding the ash content of reclaimed beehove coke shipped or delivered by him may be precluded in whole or in part from shipping or receiving reclaimed beehive coke and may be prohibited from delivering or receiving any material under priority control. The Solid Fuels Administration for War may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. sec. 80) or under the Second War Powers Act (50 U.S.C. 633).

§ 602.555 *Applications for modification or exception.* Any application for modification of or exception from any provision of this regulation shall be filed in triplicate with the Solid Fuels Administration for War, Washington 25, D. C. The application shall set forth in detail the provisions sought to be modified or from which an exception is sought and the reasons and data in support of such request for modification or exception.

This regulation shall take effect on the 1st day of July 1944.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176, WPB Directive 33, as amended, 9 F.R. 64, 4580)

Issued this 20th day of June 1944.

HAROLD L. ICKES,
Solid Fuels Administrator for War.

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TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[General Imports Order M-63, as Amended June 22, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain imported materials for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1042.1 *General Imports Order M-63*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether or not incorporated.

(2) "Owner" of any material means any person who has any property interest in such material except a person whose interest is held solely as security for the payment of money.

(3) "Consignee" means the person to whom a material is consigned at the time of importation.

(4) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico, or any other foreign country.

(5) "Place of initial storage" means any warehouse, yard ground storage, or other place, to which the person making the entry or withdrawal from custody of the United States Bureau of Customs of material imported subject to this order directs or has directed that such material be transported from the port of entry to be held until disposed of pursuant to this order.

(6) Material shall be deemed "in transit" if it is afloat, if an on board ocean bill of lading has actually been issued with respect to it, or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States.

(7) "Governing date" with respect to any material means the date when such material first became subject to General Imports Order M-63.

(b) *Restrictions on imports of materials*—(1) *General restriction.* No person, except as authorized in writing by the War Production Board shall purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any material subject to this order after the governing date. The foregoing restrictions shall apply to the importation of any material subject to the order, regardless of the existence on the governing date or thereafter of any contract or other arrangement for the importation of such material. The materials subject to this order are those listed from time to time upon List I, List II, and List III attached hereto.

(2) *Authorization by War Production Board.* Any person desiring such authorization, whether owner, purchaser, seller, or consignee of the material to be imported, or agent of any of them, shall make application therefor in duplicate on Form WPB-1041 (formerly PD-322C) addressed to the War Production Board, Ref.: M-63, Washington 25, D. C. Unless otherwise expressly permitted, such authorization shall apply only to the particular material and shipment mentioned therein and to the persons and their agents concerned with such shipment; it shall not be assignable or transferable either in whole or in part.

(3) *Restrictions on financing of imports.* No bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation after the governing date of any material subject to this order, unless such bank or person either has received a copy of the authorization issued by the War Production Board under the provisions of paragraph (b) (2) or is satisfied from known facts that the proposed transaction comes within the exceptions set forth in paragraph (b) (4).

(4) *Exceptions.* Unless otherwise directed by the War Production Board, the restrictions set forth in this paragraph (b) shall not apply:

(i) To the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, or any agent acting for any such department, agency or corporation; or

(ii) To any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, or to any material which the owner at the time of importation had purchased or otherwise acquired from any United States governmental department, agency or corporation; or

(iii) To any material which on the governing date was in transit to a point within the continental United States.

(iv) [Deleted Mar. 30, 1944]

(v) To any material consigned as a gift or imported for personal use where the value of each consignment or shipment is less than $100.00; or to any material consigned or imported as a sample where the value of each consignment or shipment is less than $25.00; or to any used material in the category of household goods imported by the owner for his own personal use; or

(vi) To materials consigned as gifts for personal use by or to members of the Armed Services of the United States; or

(vii) To any material on List I or List II imported by any person under any contract or other arrangement made before, or in existence on the governing date and which, on December 28, 1942, was in transit to a point within the continental United States; or

(viii) To manufactured materials which are imported in bond solely for the purpose of having them repaired and then returned to the owner outside the continental United States; or

(ix) To materials which were grown, produced, or manufactured in the continental United States, and which were shipped outside the continental United States on consignment or pursuant to a contract of purchase, and which are now returned as rejected by the prospective purchaser; or

(x) To materials shipped into the United States in transit from one point in Mexico to another point in Mexico, or from one point in Canada to another point in Canada.

(c) *Restrictions on disposition of List I material.* Except as hereinafter specifically provided in paragraph (d) hereof:

(1) *Restrictions upon owners and consignees.* No owner or consignee of any material on List I which is imported after the governing date shall in any way, directly or indirectly:

(i) Dispose of any interest in such material;

(ii) Process or in any way change the physical condition of such material;

(iii) Transfer possession, or cause or permit a transfer of possession, of such material except to the port of entry and from the port of entry to the place of initial storage of such material; or

(iv) Change, or cause or permit a change of, the location of such material except to the port of entry and from the port of entry to the place of initial storage of such material.

Provided: That a consignee of such material may dispose of his interest in such material to the extent necessary to complete any commitment or contract made prior to the governing date. The person to whom he disposes of such interest shall be subject to all restrictions imposed upon owners by this order.

(2) *Restrictions upon banks and persons similarly situated.* No bank or other person which, as agent, pledgee, beneficiary under a trust receipt, or otherwise, has possession of or any interest in any written instrument evidencing any interest in any material on List I shall in any way, directly or indirectly, dispose of any such interest, or transfer possession, or cause or permit a transfer of possession, of such instrument, unless:

(i) Such material was imported before the governing date; or

(ii) Such person neither knows nor has reason to know that such material was imported after the governing date; or

(iii) Such disposition or transfer is necessary to permit a consignee to make a permissible disposition of material in accordance with subparagraph (1) of this paragraph (c); or

(iv) Such disposition or transfer is made to the owner of the material and such owner has complied with all the provisions of this order.

(d) *Permissible disposition of List I materials* — (1) *Transfer to governmental agency.* Nothing contained in this order shall prohibit an owner or consignee of any material on List I imported after the governing date, or a bank or other person having possession of, or an interest in, a written instrument evidencing an interest in such material, from disposing of, or making any arrangement to dispose of, any interest in such material to the Foreign Economic Administration, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation.

(2) *Authorization by War Production Board.* Notwithstanding the provisions of paragraph (c), an owner or consignee of material on List I imported after the governing date or a bank or other person having possession of or an interest in a written instrument evidencing an interest in such material, may process such material or may dispose of any interest in such material or any such written instrument, or transfer possession or change the location thereof, or cause or permit such a transfer of possession or change of location, upon written authorization by the War Production Board. Any such person may make application in duplicate for such an authorization on Form WPB–1039 (formerly PD–222A), which form shall be addressed to the War Production Board, Ref.: M–63, Washington 25, D. C.

(3) *Exceptions.* The restrictions set forth in paragraph (c) shall not apply to any material after any United States governmental department, agency, or corporation becomes the owner thereof, and shall not apply to any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, and shall not apply to any material purchased or otherwise acquired from any United States governmental department agency, or corporation.

(e) *Restrictions on disposition of List II or List III material.* Unless otherwise provided by the terms of the authorization issued pursuant to paragraph (b) (2), any material on List II or List III, which is imported in accordance with the provisions of this order after the governing date, may be sold, delivered, processed, consumed, purchased, or received without restriction under this order, but all such transactions shall be subject to all applicable provisions of the regulations of the War Production Board and to all orders and directions of the War Production Board which now or hereafter may be in effect with respect to such material.

(f) *Reports*—(1) *Reports on customs entry.* No material which is imported after the governing date, including materials imported by or for the account of the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, shall be entered through the United States Bureau of Customs for any purpose, whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file with the entry Form WPB–1040 (formerly PD–222B) in duplicate. The filing of such form a second time shall not be required upon any subsequent entry of such material through the United States Bureau of Customs for any purpose; nor shall the filing of such form be required upon the withdrawal of any material from bonded custody of the United States Bureau of Customs, regardless of the date when such material was first transported into the continental United States. Both copies of such form shall be transmitted by the Collector of Customs to the War Production Board, Division of Stockpiling and Transportation, Ref.: M–63, Washington 25, D. C.

(2) *Other reports.* All persons having any interest in, or taking any action with respect to, any material imported after the governing date, whether as owner, agent, consignee, or otherwise, shall file such other reports as may be required from time to time by the War Production Board.

(g) *Routing of communications.* All communications concerning this order shall, unless otherwise herein directed, be addressed to: War Production Board, Washington 25, D. C., Ref.: M–63.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority assistance. In addition, the War Production Board may direct the disposition and use of any material which is imported without authorization as required by paragraph (b).

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(j) *Effect on liability of removal of material from order.* The removal of any material from the order shall not be construed to affect in any way any liability for violation of the order which accrued or was incurred prior to the date of removal.

Issued this 22d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST I

NOTE: List I amended June 22, 1944, effective June 29, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Commerce Import Class No.	Governing date
Agave manufactures and semi-manufactures:		
Sisal cordage, including cables, tarred or untarred composed of 3 or more strands, each strand composed of 2 or more yarns	3417.010 3417.110	[1] 1/18/43 [1] 1/18/43
Carpet yarns of agave, dyed or undyed	N. S. C.	[2] 7/21/42
Cordage of agave fibers, other than sisal	N. S. C.	[1] 1/18/43
Cords and twines of agave fibers	N. S. C.	[1] 1/18/43
Fabrics woven of agave fibers	N. S. C.	[1] 9/11/42
Other manufactures (including all products in whole or in part of agave fibers)	N. S. C.	1/18/43
Alpaca llama, and vicuna hair	3535. 000 3535. 400 inc.	[2] 7/2/42
Algarobas	0869. 500	6/26/43
Beef and mutton tallow—includes oleo stock	0036. 600	5/22/42
Beef and mutton tallow (inedible)—includes oleo stock	0815. 600	5/22/42
Brazilian pebble (quartz crystals), unmanufactured	5120. 600	10/6/42
Brazilian pebble (quartz crystals) manufactured and semimanufactured in blanks, slabs, bars, etc.	N. S. C.	10/6/42
Broomcorn	2036. 000	11/23/42
Castor beans	2231. 000	4/5/42
Chrome ore (Chromite)	6213. 100 6213. 300 6213. 500	[4] 12/26/41 [4] 12/26/41 [4] 12/26/41
Cinchona bark or other bark from which quinine may be extracted	2201. 000	5/22/42
Cod oil	0804. 000	5/22/42
Columbium ore (columbite) or concentrates	6270. 300	4/3/42
Cottonseed oil, crude, refined	[1] 428. 100 [1] 428. 200	5/23/42 5/23/42
Feathers for beds (including goose and duck feathers and down, and mixtures thereof, new and used)	0922. 200	6/26/43
Flaxseed (linseed)	2228. 000	5/23/42
Graphite or plumbago:		
Amorphous, natural (except of Mexican origin)	5720. 100	4/8/43
Crystalline flake	5720. 800	12/26/41
Crystalline, crushable lump and chip graphite	5720. 610	4/8/43
Crystalline, dust and other crystalline lump and chip graphite	5720. 630	4/8/43
Hemp (Cannabis Sativa type only), unmanufactured:		
Backed including "line of hemp"	2262. 000	9/11/42
Not backled	2262. 200	9/11/42
Tow	2262. 300	9/11/42
Hides and skins:		
Deer: buck or doe	0202. 100	[3] 9/11/42
Elk: crude, used, button and stick	2106. 000	[3] 4/8/42
Lard oil	N. S. C.	3/5/43
Lard (including rendered pork fat)	0095. 000	3/5/43
Lard compounds and lard substitutes made from animal or vegetable oils and fats	0096. 100	3/5/43
Leather, unmanufactured:		
Leather made from hides or skins of cattle of the bovine species	0300. 100–0317. 900 inc.	7/2/42
Leather made from hides or skins of animals of the equine species	0644. 100 N. S. C.	[2] 7/2/42
Goat and kidskin leather (except vegetable-tanned)	0638. 000–0643. 900 inc.	[2] 7/2/42
	0645. 200	[2] 7/2/42
	0645. 300	[2] 7/2/42
Linseed oil, and combinations and mixtures, in chief value of such oil	2264. 000	5/22/42
Manganese ore (including ferruginous) or concentrates, and manganiferous iron ore, containing 10 percent and over of manganese	6211. 200	5/14/43
	6211. 300	5/14/43
	N. S. C.	5/21/43
Maru maru nut oil	N. S. C.	[2] 7/2/42
Neatsfoot oil and animal oils known as neatsfoot stock	0808. 000	5/22/42
Oiticica oil	0088. 300	5/21/43
Peanut (ground nut) oil	1437. 000	5/22/42
Peanuts:		
Shelled	1387. 000	4/3/43
Not shelled	1388. 000	4/3/43
Pyrethrum or insect flowers	2202. 000	10/21/42
Pyrethrum, or insect flowers, advanced in value or condition	2220. 310	10/21/42
Rapeseed	2267. 000	[3] 5/22/42
Red squill	2210. 690	10/21/43
Retenone bearing roots (cube root (timbo or barbasco) derris and tuba) crude and advanced	2210. 280	5/4/42
	2210. 300	5/4/42
	2230. 300	5/4/43
	2230. 370	5/4/43
Rutile	6270. 200	12/26/41
Sesame oil, edible and inedible	0816. 000	7/3/43
	1438. 200	[2] 7/21/43
	2240. 000	[2] 7/21/43
Sunflower oil, edible and denatured	1431. 000	5/22/43
	2247. 000	5/22/43
Sunflower seed	2240. 000	[3] 5/22/43
Tantalum ore (tantalite)	6270. 400	4/8/43
Tsuam oil	N. S. C.	5/21/43
Whale oil (other than sperm)	0808. 200	5/22/43
Zirconium ore	6270. 500	12/26/41

[1] Moved from List II 4/28/43.
[2] Moved from List III 1/18/43.
[3] Moved from List III 4/28/43.
[4] Moved from List II 5/14/43.
[5] Moved from List III 3/5/43.
[6] Moved from List II 10/6/42.
[7] Moved from List III 5/17/44.

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

LIST I—Continued

Material	Commerce Import Class No.	Governing date
Agave fibers, unmanufactured, not elsewhere specified on this order (except flume tow and bagasse waste)	N. S. C.	8/5/43
Antimony	6550. 000	12/26/41
	6551. 000	12/26/41
	6551. 100	12/26/41
	6360. 180	12/26/41
	6360. 210	12/26/41
Asbestos, unmanufactured (originating in Rhodesia or Union of South Africa)	5800. 010	1/13/42
	5800. 020	1/13/42
	5800. 060	1/13/42
	5800. 200	1/13/42
	5800. 500	1/13/42
	5801. 000	1/13/42
	5801. 100	1/13/42
	5801. 980	1/13/42
	5802. 100	1/13/42
Babassu nuts and kernels	2238. 120	4/8/42
	2238. 180	4/8/42
Babassu nut oil	2237. 100	4/8/42
Balsa wood:		
Logs	4029. 100	6/10/42
Sawed boards, planks, deals and sawed timber	4118. 000	6/10/42
Beryl ore or beryllium ore	6270. 600	5/4/42
Beryllium oxide, carbonate and other beryllium salts	5380. 963	5/4/42
Bristles, hog and pig	0817. 000	[3] 5/14/43
	0870. 100	[3] 5/14/43
Brushes, n. s. p. f.:		
Paint brushes (including artists)	9715. 100	[5] 9/22/43
Other (except toilet brushes and hair pencils)	9715. 900	[5] 9/22/43
Castor oil	2260. 020	4/3/43
Cattle, ox, and calf tail hair including switches	3696. 100	7/2/42
Cedar, Spanish:		
Logs	4002. 000	[3] 4/28/43
Lumber, rough, not further manufactured than sawed, and flooring	4302. 000	[3] 4/28/43
Lumber, dressed, not further manufactured than planed, tongued, and grooved	N. S. C.	[3] 4/28/43
Coconut oil	2242. 500	1/13/43
Cohune nuts and kernels	N. S. C.	4/8/42
Cohune nut oil	N. S. C.	9/11/42
Coir fiber	3409. 000	[1] 11/23/42
Coir yarn	3430. 000	[1] 11/23/42
Coir manufactures, other than pile mats, floor coverings, mattings, etc.	N. S. C.	[1] 11/23/42
Copper	6401. 800	12/26/41
	6417. 100	3/14/42
	6420. 000	3/14/42
	6418. 300	6/1/42
Copper and brass scrap	6421. 000	12/26/41
	6418. 100	7/2/42
	6422. 000	6/1/42
	6760. 020	6/1/42
Copra	2262. 000	1/13/42
Corundum in grains, or ground, pulverized or refined	N. S. C.	5/22/42
Corundum ore	5800. 000	5/23/42
Cotton yarns and fabrics:		
Airplane cloth, type MM	N. S. C.	5/21/42
Balloon fabric, type HH	N. S. C.	5/21/43
Balloon fabric, type SS	N. S. C.	5/21/43
Cotton rope or spinning mules	N. S. C.	11/26/42
Dusting apron fabric	N. S. C.	11/26/42
English spun combed cotton yarn, single or plied, in counts of 36's and finer	N. S. C.	11/26/42
Filter cloth	N. S. C.	11/26/42
Gray tracing cloth fabric	N. S. C.	11/26/43
Lithograph moleskin cloth	N. S. C.	11/26/43
Printers molleton	N. S. C.	11/26/43
Tracing cloth	3370. 060	6/21/43
Typewriter ribbon fabric	N. S. C.	6/21/43
Cottonseed hull fiber	N. S. C.	7/21/43
Ruselme and salts thereof	N. S. C.	4/8/43
Fir, other than Douglas fir:		
Logs	N. S. C.	4/28/43

LIST II

NOTE: List II amended June 22, 1944, effective June 29, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Commerce Import Class No.	Governing date
Fir, other than Douglas fir—Con.		
Lumber, rough sawed boards, planks, deals, etc.	4104. 040	4/28/43
Lumber, dressed sawed boards, planks, deals, etc.	4104. 080	4/28/43
Flax, unmanufactured (all types):		
Hackled, including "dressed line"	3261. 000	7/2/42
Not hackled:		
Valued less than $340 per ton	3262. 200	4/8/42
Valued $340 or more per ton	3262. 600	4/8/42
Noils	3262. 700	7/2/42
Tow	3262. 800	5/4/42
Straw	3262. 900	5/4/42
Glycerine, crude and refined	8290. 000	5/22/42
	8291. 100	5/22/42
Hair, curled	3698. 800	6/29/44
Hides and skins:		
Buffalo hides, dry and wet	0203. 000	1/13/42
	0203. 100	1/13/42
Cabretta skins or hair sheep skins	0235. 000	7/2/42
Calf, dry and wet	0207. 000	1/13/42
	0206. 000	1/13/42
Cattle hides, dry and wet	0201. 000	1/13/42
	0202. 000	1/13/42
Goat and kid skins, dry and wet	0241. 000	7/2/42
	0242. 000	7/2/42
Kip, dry and wet	0205. 000	1/13/42
	0205. 000	1/13/42
Horse mane and tail hair, raw and drawn, including switches	3694. 000	[3] 3/14/42
	3694. 100	[3] 3/14/42
Ipecac, crude and advanced in value or condition	2210. 450	[3] 1/18/43
	2220. 170	[3] 1/18/43
Iron and steel scrap, fit only for remanufacture	6004. 000	6/1/42
	6004. 100	6/1/42
Istle or tampico fiber, manufactured in whole or in part (dressed), except tula istle	N. S. C.	3/5/43
Istle or tampico fiber manufactures (including all products in whole or in part of istle, except tula istle)	N. S. C.	11/23/42
Istle or tampico fiber, unmanufactured (including istle waste)	3405. 000	3/14/42
Jewels, for any movement, mechanism, device or instrument dutiable under paragraphs 367 and 368 of the Tariff Act of 1930, or any meter or compass (Jewel bearings)	9580. 000	1/12/44
Jute and manufacturers:		
Waste bagging and waste sugar sack cloth	2343. 000	6/10/43
Jute yarns or roving, single	2344. 000	6/10/43
	2344. 100	6/10/43
	2344. 200	6/10/43
	2344. 300	6/10/43
Jute cordage, twine and twist of 2 or more yarns twisted together, size of single yarn or roving:		
Not bleached, dyed or otherwise treated	2345. 200	6/10/43
	2345. 300	6/10/43
	2345. 400	6/10/43
	2345. 500	6/10/43
Bleached, dyed or otherwise treated	2345. 220	6/10/43
	2345. 320	6/10/43
	2345. 420	6/10/43
	2345. 520	6/10/43
Bagging for cotton, gunny cloth, etc., of single yarns, not bleached, colored, or printed, not exceeding 16 threads in warp and filling to the square inch, or jute or other vegetable fiber	2346. 000	6/10/43
	2346. 100	6/10/43
Burlaps and other woven fabrics wholly of jute, n. s. p. f.	2347. 000	6/10/43
	2347. 200	6/10/43
Plain woven fabrics of jute, weighing less than 4 ounces per square yard	2348. 000	6/10/43
Woven fabrics of jute for paddings or interlinings exceeding 20 threads in warp and filling to the square inch, weighing from 4½ to 13 ounces, inclusive, per square yard	2348. 100	6/10/43
Woven fabrics, n. s. p. f. in chief value but not wholly of jute	2348. 200	6/10/43
Jute sliver	2280. 000	6/10/43
Jute webbing, not exceeding 12 inches in width	2280. 700	6/10/43
Jute manufactures, n. s. p. f.	2280. 900	6/10/43
Jute bags or sacks	2349. 000	4/3/43
	2349. 100	4/3/43
Jute butts, unmanufactured	2343. 000	10/6/43
Jute, unmanufactured	2341. 000	10/6/43

See footnotes at end of table.

LIST II—Continued

Material	Commerce Import Class No.	Governing date
Kapok	3403.000	7/2/42
Kyanite and sillimanite	5630.950	12/28/41
Lead	6504.000	12/28/41
	6505.000	1/9/42
	6505.100	12/28/41
	6506.100	1/9/42
	6506.500	1/9/42
	6506.900	6/1/42
	6507.000	1/9/42
	6509.000	1/9/42
Leather, unmanufactured:		
Chamois leather	0835.350	[1]7/2/42
	0835.900	[1]7/2/42
Rough tanned leather (incl. India-tanned):		
Vegetable-tanned goat and sheepskins	0839.000	[1]7/2/42
	0839.100	[1]7/2/42
Sheep and lamb leather (including shearlings and cabrettas):		
Leather for shoe purposes	0832.000	[1]7/2/42
	0832.100	[1]7/2/42
	0835.200	[1]7/2/42
Glove and garment leather		
Leather, n. s. p. f. cut into shoe uppers, vamps, or other forms	N. S. C.	[1]7/2/42
Patent leather for the manufacture of footwear	N. S. C.	[1]7/2/42
Grained, embossed, etc., or fancy leather	0845.400	[1]7/2/42
Skivers, n. s. p. f.	0835.200	[1]7/2/42
In the rough, in the white, crust or russet, partly finished or finished	N. S. C.	[1]7/2/42
Other (except glove and garment)	0832.500	[1]7/2/42
Leather products made in whole or in part of bovine, equine or goatskin leather:		
Aprons	N. S. C.	5/27/44
Belts, transmission	N. S. G.	5/27/44
Belts, designed to be worn on the person	N. S. C.	5/27/44
Chaps, work	N. S. C.	5/27/44
Flat leather goods	N. S. C.	5/27/44
Footwear (including slippers)	N. S. C.	5/27/44
Furniture	N. S. C.	5/27/44
Garments	N. S. C.	5/27/44
Gloves, work	N. S. C.	5/27/44
Handbags and purses	N. S. C.	5/27/44
Harness	N. S. C.	5/27/44
Horse collars	N. S. C.	5/27/44
Hydraulic, packing, mechanical, and textile leather products	N. S. C.	5/27/44
	N. S. C.	5/27/44
Laces and thongs		
Luggage and related articles (including suitcases, valises, satchels, traveling and overnight bags, hatboxes, trunks and other luggage; and boxes, caskets, chests, baskets, rolls, brief cases, golf bags, and other cases):		
Made wholly or in part of bovine leather	N. S. C.	8/8/43
Made wholly or in part of equine leather	N. S. C.	5/27/44
Made wholly or in part of goatskin leather	N. S. C.	5/27/44
Rifle scabbards; rifle slings, pistol holsters, and pistol belts	N. S. C.	5/27/44
Saddles and saddlery	N. S. C.	5/27/44
Suspenders	N. S. C.	5/27/44
Loofa (Luffa) sponges	N. S. C.	8/21/42
Maguey or cantala, unmanufactured	3409.200	1/18/42
Mahogany, dressed (sawed and not further manufactured than planed, tongued, and grooved)	4304.100	7/21/42
Mahogany logs	4081.000	7/2/42
Mahogany rough (not further manufactured than sawed)	4202.100	7/21/42
Mangrove bark	2320.180	7/2/42
Mangrove extract (including Philippine cutch)	2342.000	7/2/42
Manila or abaca cordage, including cables, tarred or untarred, composed of 3 or more strands, each strand composed of 2 or more yarns	3417.095	6/28/43
	3417.195	6/28/43
Manila or abaca fiber (except T grade tow)	3402.300	4/28/43
Manila or abaca tow (T grade only)	3402.500	4/28/43
Manila or abaca fiber manufactures (incl. all manila or abaca products)	N. S. C.	4/28/43
Mercury-bearing ores and concentrates	N. S. C.	4/8/42

LIST II—Continued

Material	Commerce Import Class No.	Governing date
Mercury or quicksilver (metallic)	6662.000	12/28/41
Meshta fiber	N. S. C.	10/6/42
Metallic beryllium, caesium, lithium, and potassium	5380.870	5/4/42
Metallic mineral substances in crude form, not otherwise classified (such as drosses, skimmings, residues, brass foundry ash, and flue dust)	6740.190	6/1/42
Mica	5560.810	2/14/42
	5560.840	2/14/42
	5560.860	2/14/42
	5560.880	2/14/42
	5560.910	2/14/42
	5560.940	2/14/42
	5560.960	2/14/42
	5560.990	2/14/42
	5561.000	2/14/42
	5561.300	2/14/42
	5561.400	2/14/42
	5561.500	7/21/42
	5561.600	2/14/42
	5561.900	2/14/42
	5564.000	2/14/42
	5564.200	2/14/42
Milkweed	N. S. C.	1/18/43
Ouricury (uricury) nuts and kernels	2239.610	5/22/42
	2239.620	4/22/[illegible]
Ouricury (uricury) oil, inedible and edible	2257.800	5/22/42
	2257.820	5/22/42
Palm nut kernels	2236.500	2/14/42
Palm kernel oil	2248.000	2/14/42
Palm oil	2243.000	1/13/43
Pine, other than Northern white or Norway pine:		
Logs	N. S. C.	4/28/43
Lumber, sawed boards, planks, deals, etc., rough and dressed	4107.700	4/28/43
Prima Vera:		
Logs	4083.400	[4]4/28/43
Lumber, rough, not further manufactured than sawed, and flooring	N. S. C.	[4]4/28/43
Lumber, dressed, not further manufactured than planed, tongued, and grooved	N. S. C.	[4]4/28/43
Pulpwood, except chipped pulpwood	4590.000–4595.000 inc.	1/12/44
Punga fiber	N. S. C.	2/5/43
Quebracho extract	2244.000	[2]7/2/42
Quebracho wood	2905.000	[2]7/2/42
Quinine salts or alkaloids from cinchona bark:		
Quinine sulphate	8102.000	2/5/43
Quinine alkaloid	8103.200	2/5/43
Other salts and derivatives of quinine	8103.300	2/5/43
Cinchonidine and its salts	8103.400	2/5/43
Cinchonine and its salts	8103.500	2/5/43
Quinidine and its salts	8103.600	2/5/43
Tetaquine and totaquine compounds	N. S. C.	2/5/43
Rapeseed oil, denatured and not denatured	2346.000	5/22/42
	2263.000	1/13/42
	2107.300	2/14/42
	2108.000	2/14/42
Shellac, unbleached and bleached	3708.000	10/21/42
Silk:		
Cocoons	3704.000	10/21/42
Partially manufactured silk, and silk noils exceeding 2 inches in length, not twisted or spun	3799.000	10/21/42
Raw silk in skeins, reeled from the cocoon, or re-reeled, not wound, doubled, twisted, or advanced	3702.000	10/21/42
Silk waste	3704.000	10/21/42
Wild silk or tussah	3702.100	10/21/42
Silver:		
Ores, concentrates, and base bullion, valuable chiefly for silver content	6819.300	7/21/42
Bullion, refined	6819.500	7/21/42
Coin, foreign	6819.800	7/21/42
Sweepings and scrap, including silver sulphides	6819.900	7/21/42
Semiprocessed items, valuable chiefly for silver content	N. S. C.	7/21/42
Compounds, mixtures and salts, valuable chiefly for silver content	N. S. C.	7/21/42
Sisal and henequen, unmanufactured (except flume tow and bagasse waste)	N. S. C.	1/18/43
Tale, steatite (magnesium silicate), containing not to exceed 1½% lime and 1½% ferric oxide:		
Crude and unground	N. S. C.	11/22/42

LIST II—Continued

Material	Commerce Import Class No.	Governing date
Tin:		
Alloys, chief value tin, n. s. p. f. (including alloy scrap)	6651.500	6/1/42
Bars, blocks, pigs, grain or granulated	6651.300	6/1/42
Metallic scrap (except alloyed scrap)	6651.500	6/1/42
Tin-plate scrap	6740.060	7/2/42
Tung oil (China wood oil)	2241.000	11/13/42
Tungsten ore and concentrates	6252.000	12/28/41
Urena lobata fiber	N. S. C.	10/6/42
Vanadium ore	6260.000	12/28/41
Wattle bark	2309.600	[3]7/2/42
Wattle extract	2245.500	[3]7/2/42
Yucca fiber	N. S. C.	3/5/43
Zinc blocks, pigs or slabs	6558.200	12/28/41

[1] Moved from List I 1/8/44.
[2] Moved from List I 3/30/44.
[3] Moved from List I 3/30/44.
[4] Moved from List III 5/17/44.
[5] Moved from List I 6/22/44.

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

LIST III

NOTE: List III amended June 22, 1944, effective June 20, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Commerce Import Class No.	Governing date
Agave fiber processors' mill waste (including sisal and henequen processors' mill waste)	N. S. C.	8/5/43
Agave flume tow and bagasse waste not elsewhere specified on this order	N. S. C.	8/5/43
Alewives and other pickled or salted fish, n. s. p. f.	0073.300–0073.900 inc.	7/2/42
Alfalfa seed	2401.000	7/2/42
Anchovies, canned, not in oil or in oil and other substances	0067.000	7/2/42
Anchovies, in oil or in oil and other substances	0064.200	1/18/43
	0064.300	1/18/43
Apples, dried, desiccated, or evaporated	1330.010	6/28/43
Apricots, dried, desiccated, or evaporated	1330.120	6/28/43
Argols, tartar and wine lees, and crude calcium tartrate	8339.000	7/2/42
	8330.000	7/2/42
	8380.013	7/2/42
Balata, Coquirana (crude and washed)	N. S. C.	5/27/44
Balata, Massarundubа	N. S. C.	3/5/43
Balata, Peruvian chicken-wire	N. S. C.	5/27/44
Balata, Peruvian F. A. Q., white	N. S. C.	3/5/43
Bananas, dried, desiccated, or evaporated	1330.170	6/28/43
Bananas, green or ripe	1301.000	7/2/42
Barley malt	1080.000	7/2/42
Barley	1020.000	6/28/44
Baskets and bags of wood, straw, etc.	4221.000	7/2/42
	4221.200	7/2/42
	4221.500	7/2/42
	4221.600	7/2/42
	4221.900	7/2/42
	1192.000	7/2/42
	0029.000	7/2/42
Beans, dried	0028.000	7/2/42
Beef and veal, pickled or cured	0018.000	5/14/43
Beef, canned, including corned beef		
Beef, fresh, chilled or frozen		

LIST III—Continued

Material	Commerce Import Class No.	Governing date
Blood, dried	0065.000	7/2/42
Bone black, bone char, and blood char	0090.130	7/2/42
Bones, crude	0091.200	7/2/42
Bones, ground, ash, dust, meal and flour	0091.300	7/2/42
Bran, shorts, and other wheat by-product feeds	1181.000	7/2/42
Brazil or cream nuts	1265.000	7/2/42
	1267.000	7/2/42
Butter	0044.000	7/2/42
Buttermilk, dried	0041.200	4/2/43
Cacao butter (cocoa butter)	1420.000	7/2/42
Camel's hair	3510.000	4/28/43
	3511.000	4/28/43
	3511.100	4/28/43
	3511.200	4/28/43
	3511.300	4/28/43
Camel's hair tops	3560.000	1/18/43
Canary seed	2482.000	7/2/42
Caroa fiber	4902.300	7/2/42
Caroa manufactures	N. S. C.	1/18/43
Caroa yarn	N. S. C.	10/6/42
Casein or lactarene	0043.000	7/2/42
Cashmere goat hair, Angora rabbit hair, and hair of other like animals, n. e. s	3535.500	4/2/43
	3536.000	4/2/43
	3535.700	4/2/43
	3535.800	4/2/43
	3535.900	4/2/43
Cassia buds, unground	1532.000	10/6/42
Cassia, cassia vera, unground	1532.100	10/6/42
Cassia, cassia buds and cassia vera, ground	1530.070	10/6/42
Castor bean pomace (castor oil cake and castor oil cake meal)	8309.100	1/18/43
Celery seeds	1525.000	8/5/43
Cheese	0045.100–0046.290 inc.	7/2/42
Cherries dried, desiccated, evaporated	1317.100	6/28/43
Chickens and guineas:		
Dead, fresh, chilled or frozen, dressed or undressed	0025.400	4/28/43
Live	N. S. C.	4/28/43
Prepared or preserved	N. S. C.	4/28/43
Chickpeas and garbanzos, dried	1300.000	7/2/42
Chicle, crude and refined or advanced	2121.000	7/2/42
	2149.300	7/2/42
China clay or Kaolin	3280.000	6/21/42
Cinnamon and chips of, unground	1535.000	10/6/42
Cinnamon and chips of, ground	1530.080	10/6/42
Cocoa beans or cacao beans	N. S. C.	7/2/42
Cocoa powder, unsweetened and sweetened	1802.100	1/18/43
	1802.300	1/18/43
	1802.900	1/18/43
Coconuts, in the shell	1251.000	10/21/42
Coconut meat, shredded and desiccated or similarly prepared	1379.000	10/21/42
Cod, haddock, hake, pollock, and cusk, pickled or salted (not in oil etc., and not in airtight containers, weighing, with contents, not over 15 lbs. each)	0069.000	4/2/43
	0069.200	4/2/43
	0069.900	4/2/43
Coffee, raw or green, roasted or processed	1511.000	7/2/42
	1511.100	7/2/42
Combinations and mixtures of animal, vegetable, or mineral oils, or any of them, with or without other substances, not specifically provided for	2260.120	7/21/42
Congo gum copal	N. S. C.	1/12/44
Corn	1031.000	7/2/42
Corn meal, flour, grits and similar products	1080.190	6/29/44
Corn, cracked	1080.180	7/2/42
Corned beef hash	1250.230	5/27/44
Cornstarch	2815.000	10/26/43
Cotton linters (all grades)	3003.000	7/2/42
Cotton, raw (all staple length)	3001.000	7/2/42
	3003.600	7/2/42
	3003.700	7/2/42
	3003.800	7/2/42
Cotton waste	3006.100	7/2/42
	3006.200	7/2/42
	3006.310	7/2/42
	3006.330	7/2/42
	3006.350	7/2/42
	3006.600	7/2/42
	3380.380	7/2/42
	3220.300	7/2/42
Cotton—Merino waste	9858.902	7/2/42
Cream, dried	0041.300	4/2/43
Crin vegetal	9407.000	6/28/43
Currants, dried	N. S. C.	6/28/43
Dates, dried	N. S. C.	6/28/43

LIST III—Continued

Material	Commerce Import Class No.	Governing date
Dog food	1190.700	7/2/42
	1190.800	7/2/42
Egg albumen, dried	0094.000	3/5/43
Egg albumen, frozen, or otherwise prepared or preserved, n. s. p. f.	0095.000	3/5/43
Eggs (chicken) whole, in the shell	0088.100	7/2/42
Eggs, dried	0090.000	3/5/43
Eggs, frozen, or otherwise prepared or preserved, n. s. p. f.	0091.000	3/5/43
Eggs of poultry other than chicken, whole, in the shell	0088.500	3/5/43
Egg yolks, dried	0092.000	3/5/43
Egg yolks, frozen, or otherwise prepared or preserved, n. s. p. f.	0093.000	3/5/43
Ergot	2210.380	10/6/42
Fatty acids, not specifically provided for derived from vegetable oils, animal or fish oils, animal fats and greases, not elsewhere specified:		
Cottonseed oil	2260.220	5/22/42
Linseed oil	2260.210	7/21/42
Soybean oil	2260.230	7/21/42
Other, not elsewhere specified	2260.240	7/21/42
Fatty alcohols and fatty acids sulphated, not elsewhere specified, and salts of fatty acids sulphated, not elsewhere specified	2260.280	7/21/42
Feeds, mixed livestock and poultry	1190.200	6/29/44
Figs, dried	N. S. C.	6/28/43
Fish scrap and fish meal	0076.000	7/2/42
	8509.700	7/2/42
Fish-liver oil, n. e. s. (include halibut-liver oil)	2220.280	1/12/44
Floor coverings:		
Carpets and carpeting, mats, rugs, art squares, etc., of wool, n. s. p. f.	3660.000–3670.870 inc.	10/21/42
Pile mats and floor coverings of cocoa fiber (coir fiber)	3960.100	10/21/42
Pile mats and floor coverings of rattan	3960.200	10/21/42
Matting and articles of cocoa fiber (coir fiber) or rattan	3968.000	10/21/42
Floor coverings of grass or rice straw, not in chief value of cotton	3963.200	10/21/42
Textile floor coverings, other than wool, cotton, silk, rayon, etc., n. e. s.	3962.600	10/21/42
Fluorspar	5301.000	7/2/42
	5301.100	7/2/42
Fruits, dried, not elsewhere specified on this order	N. S. C.	6/28/43
Garlic	1205.000	7/2/42
Ginger root, unground, not preserved or candied	1498.100	10/6/42
Ginger root, ground, not preserved or candied	1530.080	10/6/42
Glue, except glue size and fish glue (value—under 40¢ lb.)	0940.100	7/2/42
Glue stock, not elsewhere specified	0880.900	8/5/43
Goat and kid hair except Angora (mohair) and Cashmere	3696.200	7/2/42
Grapes, dried, other than raisins	1319.800	6/28/43
Grapes, fresh (other than hothouse)	1318.500	7/2/42
Guano	8504.000	7/2/42
Gums, n. e. s., used in manufacture of chewing gum	N. S. C.	2/5/43
Herring (including sprats, pilchards and anchovies) all types	0070.000–0070.900 inc.	7/2/42
Hibiscus cannabinus or ferox	N. S. C.	7/2/42
Hide cuttings, raw	0930.800	7/2/42
Hide splits, limed, pickled or dried (suitable for manufacturing into leather)	N. S. C.	1/12/44
Hides and skins:		
Horse, colt, and ass	0211.100	7/2/42
	0211.300	7/2/42
	0213.100	7/2/42
	0212.200	7/2/42
	0212.300	7/2/42
	0212.800	7/2/42
Shearlings, dry and wet (except close shorn skins with commercially worthless wool, ¼ inch and down)	N. S. C.	7/2/42
Sheep and lamb skins, except shearlings, cabrettas, etc.		
Pickled skins, not split, no wool	0234.000	7/2/42
Pickled fleshers, split, flesh side	0234.100	7/2/42
Pickled skivers, split, grain side	0234.200	7/2/42
Other wooled (wool on) except shearlings	0231.500	7/2/42
Hydrogenated or hardened oils and fats, vegetable or animal	2260.100	7/21/42
Ilmenite (including ilmenite sand)	6270.100	7/2/42
Iodine	8300.000	7/2/42
	8380.630	7/2/42
Iron ore	6001.000	7/2/42
Kola nuts	2210.480	7/2/42

LIST III—Continued

Material	Commerce Import Class No.	Governing date
Lamb, fresh, chilled or frozen	0022.000	5/14/43
Leche caspi (including crude sorva gum)	2170.000	3/5/43
Lentils	1199.000	7/2/42
Lignalos oil or Bois de Rose	2260.270	7/2/42
Lupines	1199.100	7/2/42
Mace, unground	1540.000	10/6/42
Mace, ground	1550.090	10/6/42
Mace, Bombay or wild, unground	1549.200	10/6/42
Mace, Bombay or wild, ground	1550.100	10/6/42
Maté	2210.570	7/2/42
Maté, Yerba, advanced in value or condition (Paraguay tea)	1770.900	10/6/42
Meats, canned n. e. s., and prepared or preserved meats, n. s. p. f. (include liver paste; also include mutton)	0032.900	10/21/42
Meat extracts, including fluid	0096.000	7/2/42
Milk, condensed and evaporated	0040.000	7/2/42
	0040.100	7/2/42
	0040.700	7/2/42
Milk, skimmed, dried	0041.100	4/2/43
Milk, whole, dried	0041.000	4/2/43
Mohair (Angora goat hair)	3530.000–3530.400 inc.	7/2/42
Mohair tops	3560.100	1/18/43
Mohair yarns	3570.300–3570.600 inc.	1/18/43
Molasses and sugar sirup, edible and inedible	1630.480–1640.000 inc.	7/2/42
Muru muru nuts and kernels	2239.630	5/22/42
	2239.640	5/22/42
Mutton, fresh, chilled or frozen	0021.000	5/14/43
Nitrates, Sodium and Potassium	8506.000	7/2/42
	8527.500	7/2/42
	8527.900	7/2/42
Nitrogenous material, n. s. p. f. (including hoof meal and horn meal)	8509.800	1/18/43
Nutmegs, unground	1530.000	10/6/42
Nutmegs, ground	1550.110	10/6/42
Oats, hulled and unhulled	1041.000	7/2/42
	1041.100	7/2/42
Oiticica, edible	0023.600	7/2/42
Oil cake and oil cake meal:		
Coconut or copra	1111.000	3/5/43
Soybean	1112.000	3/5/43
Cottonseed	1114.000	7/2/42
Linseed	1115.000	3/5/43
Peanut	1119.600	7/2/42
Hempseed	1119.700	7/2/42
Other n. s. p. f.	1119.900	7/2/42
Oleo stearin	6036.300	7/2/42
Olive oil, edible	1424.000	9/23/43
	1425.000	9/23/43
Olive oil, inedible:		
Sulphured or foots	2244.000	9/23/43
Other	2245.000	9/23/43
Onions, edible	1208.100	7/2/42
Paper base stock:		
Rags for paper stock	4691.000	7/2/42
Waste bagging, gunny cloth and bags	4692.000	7/2/42
Grasses, fibers, waste, shavings, clippings, etc., n. e. s.	4692.900	7/2/42
Peaches, dried, desiccated, or evaporated	1330.620	6/28/43
Peaches, green, ripe, or in brine	1330.610	7/2/42
Peanut butter	1380.090	9/23/43
Pearl shells or mother-of-pearl shells, unmanufactured	0961.000	8/5/43
Pears, dried, desiccated, or evaporated	1330.670	6/28/43
Pears, green, ripe or in brine	1330.660	7/2/42
Peas, dried and split	1197.000	7/2/42
	1198.000	7/2/42
Piassava fiber	3409.350	7/2/42
Piassava fiber, manufactured in whole or in part (dressed cut to length, etc.)	3410.050	3/5/43
Pigeons, racing or fancy	0895.500	7/2/42
Pigeons, other	N. S. C.	7/2/42
Pimento (allspice), unground	1543.000	10/6/42
Pimento (allspice), ground	1550.130	10/6/42
Pimientos, packed in brine or oil, or prepared or preserved	1244.000	8/5/43
Pork:		
Fresh or chilled	0020.100	5/14/43
Frozen	0020.500	5/14/43
Pork, hams, shoulders, bacon, sausage; prepared, cooked, boned, canned, etc	0030.900	7/2/42
	0031.900	7/2/42
Prunes, prunelles, and plums:		
Green or ripe, not in brine	1330.510	6/28/43
In brine	1330.530	6/28/43
Dried, desiccated, or evaporated	1330.540	6/28/43
Otherwise prepared or preserved, n. s. p. f.	1330.550	6/28/43
Raisins:		
Made from seedless grapes	1219.100	6/28/43
Other	1319.200	6/28/43

LIST III—Continued

Material	Commerce Import Class No.	Governing Date
Ramie fiber or China grass, unmanufactured	3409. 600	9/23/43
Rice:		
Paddy	1051. 000	10/25/43
Uncleaned or brown rice	1051. 100	10/25/43
Cleaned or milled rice	1053. 000	10/25/43
Patna rice, cleaned, for use in canned soups	1054. 000	10/25/43
Rice meal, flour, polish and bran	1059. 106	10/25/43
Broken	1059. 200	7/2/42
Rye	1044. 000	7/2/43
Sansevieria fiber	N.S.C.	6/28/43
Sansevieria manufactures (including all products in whole or in parts of sansevieria)	N.S.C.	6/28/43
Sardines, in oil or in oil and other substances	0063. 200 0063. 300	4/2/43 4/2/43
Sausage casings, sheep, lamb and goat only	0034. 000	7/2/42
Sausage casings, other	0035. 500	7/2/42
Sesame seed	2234. 000	5/22/42
Shark-liver oil, including oil produced from dogfish livers, n. s. p. f.	0808. 730	1/12/44
Sisal and henequen flume tow and bagasse waste	N. S. C.	1/18/43
Soap (except Castile) and soap powder	8712. 300-8719. 900 inc.	7/2/43
Sugar, cane	1610. 750-1610. 000 inc.	7/2/42
Syrups and extracts for use in the manufacture of beverages	N. S. C.	3/5/43
Tankage (incl. cracklings, greave cakes, liver meal, meat meal, meat flour, meat scrap, etc.)	0975. 000 8509. 600	7/2/42
Tapioca, tapioca flour, and cassava (including mandioca flour)	1228. 000	7/2/43
Tartaric acid	8207. 000	6/30/4
Tea, not specially provided for	1521. 000	7/21/42
Textile waste, not elsewhere specified in the order, including jute thread and flax, etc. (except sisal and henequen processors' mill waste)	N. S. C.	7/2/42
Tobacco, unmanufactured	2601. 000-2610. 000 inc.	7/2/42
Tops of hair other than camel's hair, mohair, and wool (including alpaca and vicuna), n. e. s.	3560. 500	1/18/43
Tucum nuts and kernels	2239. 650 2239. 660	5/22/42
Tuna fish, in oil or in oil and other substances	0065. 200	4/2/43
Turkeys:		
Dead, fresh, chilled or frozen, dressed or undressed	0024. 000	4/28/43
Live	0014. 000	4/28/43
Prepared or preserved	N. S. C.	4/28/43
Veal, fresh, chilled or frozen	0019. 000	5/14/43
Vegetables, dehydrated	N. S. C.	4/28/43
Wool, advanced, n. e. s.	3560. 900	1/18/43
Wool, apparel, 40's or coarser	3506. 000-3509. 300 inc.	7/2/42
Wool, apparel, finer than 40's, not finer than 44's on the skin	3514. 000-3525. 000	7/2/42
Wool, apparel, finer than 44's [1]	3520. 000 3521. 100 3521. 200 3521. 300 3522. 000 3523. 100 3523. 200 3523. 300 3526. 000 3527. 100 3527. 208 3527. 300 3528. 000 3529. 100 3529. 200 3529. 300	7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42
Wool apparel, (finer than 40's but not finer than 44's) [1]	3513. 000 3514. 100 3514. 200 3514. 300 3524. 000 3525. 100 3525. 200 3525. 300	7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42 7/2/42
Wool, carpet	3501. 000-3502. 300 inc.	7/2/42
Wool mungo	3553. 900	11/23/42
Wool noils and waste	3550. 000-3553. 700 inc.	7/2/42

See footnotes at end of table.

LIST III—Continued

Material	Commerce Import Class No.	Governing Date
Wool press cloth waste	9850. 903	7/2/42
Wool rags	3554. 000	11/23/42
Wool shoddy and wool extract	3553. 900	11/23/43
Wool tops	3560. 400	1/18/43
Wool yarns and yarns of other hair	3574. 300-3574. 600 inc.	1/18/43
Yarns wholly or in chief value of Angora rabbit hair	3573. 400-3573. 800 inc.	1/18/43

[1] Moved from List II 9/23/43.
[2] Moved from List I 1/8/44.
[3] Moved from List I 3/30/44.

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

INTERPRETATION 1

No authorization under paragraph (b) of the order is necessary for the release or withdrawal of materials on List II or List III from a free port, a free zone, or the bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States regardless of the date when such materials first entered such place. The actual importation, which is the subject of restriction under paragraph (b), is deemed to have occurred before the question of release or withdrawal arises. Also no authorization under paragraph (d) of the order is necessary for the subsequent disposition, processing, or shipment of such released or withdrawn List II and List III materials.

As to List I materials which are similarly situated, no authorization under paragraph (b) of the order is necessary for their release or withdrawal from free port, free sone, or bonded custody, but authorization under paragraph (d) of the order is necessary for their subsequent disposition, processing, or shipment unless they are shipped in bond to Canada, Mexico, or some other foreign country, in which event the foreign destination is deemed to be the place of initial storage as such term is used in the order; *Provided, however*, That List I materials which are imported in bond after July 2, 1942, can be shipped to Mexico, Canada, or some other foreign country without the express authorization required under paragraph (d) only if the import application filed under paragraph (b) stated that the material was being imported for the purpose of such export shipment. (Issued June 30, 1942, and amended Sept. 23, 1943.)

INTERPRETATION 2

The following official interpretation is hereby issued by the War Production Board with respect to the meaning of the term "in transit" as defined in paragraph (a) (6) of General Imports Order M-63 (§ 1042.1) as amended:

By amendment dated December 17, 1942, the definition of material "in transit" was changed by adding the following clause, "or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States." The question has been raised as to the meaning of the term as applied to a case where the material on the governing date had been delivered to and accepted by a rail, truck, or air carrier on a through bill of lading for transportation to a specified port and from thence by boat to a point within the continental United States.

The material in the stated case is not deemed to be in transit within the meaning of the term as used in the order. If the material is to be carried to the port of arrival in the continental United States by ship, the material must have been afloat, or an on board ocean bill of lading must have been issued with respect to it, on the governing date in order for it to be considered as having been in transit on such date.

Material which has been delivered to and accepted by a rail, truck, or air carrier on the governing date for transportation to a point within the continental United States is deemed to be in transit within the meaning of the term as used in the order only when the transportation specified in the bill of lading issued by such carrier calls for delivery of the material at the port of arrival in the continental United States by rail, truck, or air carrier, not by ship. (Issued March 5, 1943.)

INTERPRETATION 3

When by amendment of the order a material already on List II or List III is moved to List I and hence becomes subject to the restrictions of paragraph (c) covering the disposition, processing, transfer, or change of location of such material, the governing date for the application of such restrictions is the effective date of the amendment by which the material was moved to List I and not the date when such material first became subject to General Imports Order M-63. (Issued May 14, 1943.)

[F. R. Doc. 44-9113; Filed, June 22, 1944; 10:56 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Supplemental General Imports Order M-63-f, Revocation]

Section 1042.7 *Supplemental General Imports Order M-63-f* is revoked. This revocation does not affect any liabilities incurred under the order. The importation of Balsa wood remains subject to General Imports Order M-63.

Issued this 22d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9114; Filed, June 22, 1944; 10:56 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[General Preference Order E-1-b, as Amended June 22, 1944]

PRODUCTION AND DELIVERY OF MACHINE TOOLS

General Preference Order E-1-b (§ 3274.1) is amended in its entirety to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of machine tools and components used in producing machine tools for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3274.1 *General Preference Order E-1-b*—(a) *Definitions.* For the purposes of this order:

(1) "Machine tool" means any new, non-portable, power driven, metal-working machine listed on the attached Exhibit A except light power driven tools subject to Limitation Order L-237.

The word "machine" means a machine tool. It includes all fixtures, equipment and tooling covered by the original purchase order which are required to be delivered with the machine to make it usable in production for the purposes intended. It does not include replacements, spare parts or equipment, or extra tooling.

(2) "Producer" means any person engaged in producing machine tools.

(3) "Service purchasers" means those whose purchase orders for machines call for delivery to a supply arm or bureau of the Army or Navy, to the United States Maritime Commission, to one of their prime contractors, or to a subcontractor of such a prime contractor. However, no such purchaser shall be considered a service purchaser unless his preference rating certificate or endorsement accompanying his purchase order shows that the preference rating being applied to the purchase was assigned on Form WPB-542, CMPL-224, or GA-1456, or that the rating was assigned and certified in accordance with paragraph (e) (3) of War Production Board Directive 31.

(4) "Foreign purchasers" means those whose purchase orders show that the machine is to be delivered to or for the account of a foreign country, other than Canada, or a subdivision, agency, or instrumentality thereof.

(5) "Other purchasers" means all purchasers other than service purchasers and foreign purchasers, whose purchase orders have been assigned a preference rating of AA-5 or higher. Other purchasers include all Canadian purchasers except those who are service purchasers by reason of their purchasing machines for use on direct United States prime contracts or subcontracts.

(6) "Size" includes all of those dimensions or variations of a particular type of machine which can be used interchangeably for production purposes. Size classification shall be that used by each producer on June 22, 1944 unless he is hereafter authorized to use a different classification. Producers may apply for such permission by writing to the Tools Division, War Production Board, Ref.: E-1-b.

(b) *Delivery of machine tools until September 1, 1944.* Until September 1, 1944 each producer shall maintain his production and delivery schedules as established on June 22, 1944. An exception to this is any change in schedules required by a diversion or by any other specific direction of the War Production Board issued after June 22, 1944.

(c) *Allocation of production to service purchasers and to foreign purchasers and other purchasers.* (1) Starting September 1, 1944, each producer shall schedule his deliveries for each calendar month so as to deliver 75 percent of his production of each size in that month to service purchasers and 25 percent of each size to foreign purchasers and other purchasers combined.

(2) To the extent that a producer has not received orders from service purchasers for 75 percent of his production of a given size by sixty days prior to the first of the month being scheduled, he may schedule more than 25 percent for delivery to foreign purchasers and other purchasers combined. To the extent that he has not received orders from foreign and other purchasers combined for 25 percent he may schedule more than 75 percent for delivery to service purchasers.

(d) *Distribution of 75 percent of production among service purchasers.* Each producer shall schedule deliveries to service purchasers as follows:

(1) Service purchasers are subdivided into seven groups, consisting of the following and their respective prime contractors and subcontractors: Bureau of Ships (Navy), Bureau of Ordnance (Navy), Ordnance Department (Army), Air Services, Miscellaneous Branches and Bureaus, the Maritime Commission, and the Signal Corps. The fourth group, designated "Air Services," includes the Army Air Forces and the Navy Bureau of Aeronautics and their respective prime contractors and subcontractors. The fifth group, designated "Miscellaneous Branches and Bureaus," includes the Quartermaster Corps, the Corps of Engineers, the Office of The Surgeon General (Army Medical Department), the Chemical Warfare Service, the Transportation Corps (Transportation Service), the Bureau of Yards and Docks, and the Marine Corps, together with any other corps, department, bureau or service of the Army or Navy not heretofore designated as a separate group, and their respective prime contractors and subcontractors.

(2) (i) Each producer shall figure the number of orders on his books for each size from each of the seven service purchaser groups as of sixty days prior to the first day of the month being scheduled or, at the producer's option, the nearest date within ten days thereof on which he may have compiled his record of orders. Only orders which require delivery in the month being scheduled or in a previous month shall be counted. This figure shall be termed the net backlog of each service purchaser group. No order shall be counted unless it is a firm order accompanied by specifications or other description of the machine in sufficient detail to enable the producer to place the machine in his production schedule and by the information required by paragraph (f) of this order.

(ii) He shall then distribute the number of machines of this size allocated to all service purchasers for the month being scheduled among each of the seven service purchaser groups according to each group's quota. The quota of this size for each service group shall be the ratio of:

(a) Net backlog in this size of the service group to

(b) The total of all net backlogs in such size of all the service groups,

multiplied by the total number of machines of this size allocated for the month being scheduled to all service purchasers. An example of the calculation required by this paragraph is attached, marked "Illustration of paragraph (d) (2)."

(iii) The quota shall be determined monthly for the third ensuing month. For example: On the 1st of July quotas shall be determined for September, on the first of August quotas shall be determined for October, and on the first of September quotas shall be determined for November, etc.

(3) Commencing with the month of September 1944 and each month thereafter, a producer shall deliver to each service group the number of machines of that size equal to its quota for that month. However, no producer shall schedule delivery of any machine earlier than the date on which the purchaser requires delivery unless all required delivery dates on other orders are being met.

(e) *Treatment of fractions.* Where the number of machines which results from any computation required by this order contains a fraction of more than one-half, the fraction shall be counted as a whole machine. A fraction under one-half shall be disregarded, except that where the computation results in a fraction only (less than one whole machine) for any one month, and such fraction is less than one-half, it shall be counted in computing the next month's quota. Where each of the computations of two or more different quotas for the same month shows a fraction of one-half, and there is only one remaining machine to which such fractions can apply, such machine shall be allotted to the group having the largest quota, and the other fractions of one-half shall be disregarded for that month, but shall be counted in computing the other quota or quotas for the next month.

(f) *Necessity for preference rating.* No producer shall place any order for a machine in his production schedule and no producer or other person shall deliver or accept delivery of any machine unless it is rated AA-5 or higher. However, a producer who has filled all rated orders on their required delivery dates may deliver a total of not more than ten machines (irrespective of size and type) to his different dealers within the continental United States without ratings. A producer may distribute these ten machines among his dealers in any way he wishes. Upon the sale of any of these machines, if he has then fulfilled all rated orders, he may deliver additional machines to maintain a total of not more than ten machines among his different dealers.

Any dealer so receiving a machine may resell it only on a rating of AA-5 or higher and may not extend the rating received from his customer to replace it in his inventory.

In applying a preference rating to an order for a machine tool, the purchaser must supply the following information in addition to his regular endorsement or certification applying the rating:

(1) The form of preference rating certificate or the number of the order or regulation by which the rating was as-

signed to the purchaser. For example: Form WPB–541, WPB–542, WPB–1319, CMPL–224, GA–1456, P–68, CMP Regulation 5.

(2) The urgency standing assigned to the delivery of the machine, if any.

(3) The required delivery date of the machine.

(4) A statement as to whether the purchaser is a service purchaser, a foreign purchaser, or other purchaser, and if a foreign purchaser the foreign country to which the machine is to be delivered.

(5) In the case of service purchasers the supply arm or bureau of the Army or Navy, or the Maritime Commission which placed the prime or subcontract on which the machine being purchased is to be used, the number of the prime contract and the name of the prime contractor.

(g) *Operation of Numerical Master Preference List.* Numerical Master Preference List, Revision No. 5, as last amended July 15, 1943 and designated "Restricted," has been supplied to machine tool builders (Exhibit B to this order). This list determines the sequence of deliveries as between service purchasers as follows:

(1) The sequence of deliveries among each group of service purchasers within its respective quota shall be determined each month without regard to preference ratings.

(2) Deliveries to service purchasers who are either on the list or are subcontractors of persons on the list shall take precedence over service purchasers who are not on the list.

(3) As between deliveries having conflicting required delivery dates and to be made to service purchasers on the list, priority shall be given to the service purchaser with the higher urgency standing in that service group. The highest urgency standing is No. 1.

(4) The sequence of conflicting deliveries to service purchasers not on the list shall be determined by the respective dates on which the producer receives the preference rating together with the information called for by paragraph (f).

(5) Delivery to a subcontractor not specifically named on the list shall take the urgency standing of his prime contractor. However, no subcontractor may use the urgency standing of his prime contractor unless it has been endorsed on the instrument assigning the preference rating by the supply arm or bureau concerned.

(6) If the urgency standing certified to by the purchaser differs from the urgency standing shown for the particular contractor in question on the Numerical Master Preference List, Revision No. 5, the latter shall govern.

(h) *Additions to list.* Changes may be made in the Numerical Master Preference List from time to time by the War Production Board. Where an urgency standing between existing urgency standings is assigned, the new urgency standing will consist of a number including a decimal. Such an urgency standing will take a position in the sequence of deliveries as indicated by the following example: Urgency Standard 792.1 will be scheduled after 792 and before 793.

(i) *Sequence of deliveries among foreign purchasers and other purchasers.* The sequence of deliveries among foreign purchasers and other purchasers within the proportion of production allocated to them shall be determined in accordance with the provisions of § 944.7 of Priorities Regulation No. 1.

(j) *"Frozen" period.* Unless the War Production Board specifically orders otherwise, no higher preference rating or urgency standing which may be received by a producer shall operate to postpone or in any way affect any delivery under a purchase order which is scheduled for delivery within sixty days of receipt of such higher preference rating or urgency standing.

(k) *Replacement parts.* Nothing in this order shall be construed to prohibit the delivery by any producer of repair and replacement parts for machine tools in accordance with applicable regulations and orders of the War Production Board concerning maintenance, repair and replacement items.

(l) *Changes in schedules.* Notwithstanding any other provision of this order, the War Production Board may direct or change any schedule of production or delivery of machines, allocate any order for machines to any other producer, divert or otherwise direct the delivery of any machine to any other person.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(n) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. This appeal should be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(o) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(p) *Communications.* All reports required to be filed hereunder, and all appeals and other communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Tools Division, Washington 25, D. C., Ref.: E–1–b.

Issued this 22d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A

All types of the following:
Ammunition machinery.
Bending machines.
Bending rolls.
Boring machines.
Brakes.
Broaching machines.
Buffing machines.
Centering machines.
Chamfering machines.
Cut-off machines.
Die sinkers.
Draw benches.
Drilling machines.
Duplicators.
Extruding machines.
Filing machines.
Forging machines.
Forging rolls.
Gear cutting machines.
Gear finishing machines.
Grinding machines.
Hammers.
Headers.
Honing machines.
Keyseaters.
Lapping machines.
Lathes.
Levelers.
Marking machines.
Milling machines.
Nibbling machines.
Oil grooving machines.
Pipe flanging-expanding machines.
Planers.
Polishers.
Presses.
Profilers.
Punching machines.
Reaming machines.
Rifle and gun working machines.
Riveting machines.
Sawing machines.
Screw and bar machines.
Shapers.
Shearing machines.
Slotters.
Swagers.
Tapping machines.
Thread rollers.
Threading machines.
Tube reducers.
Upsetters.

Illustration of paragraph (d) of E–1–b for September 1944.

Producer's scheduled production for September	40
Service quota (75% if that many orders)	30

Item	Total service	Bureau of Ships	Bureau of Ordnance	Ordnance Department	Air services	Miscellaneous branches and bureaus	Maritime Commission	Signal Corps
1. Net backlog by Service Groups (orders on hand June 1 requiring delivery in September or prior to September)	50	10	5	20	15	0	0	0
2. Proportion of total service deliveries (net backlog of each service group divided by total net backlog for all service groups)	9/10	1/10	1/10	2/10	1 1/10	0	0	0
3. Service group quotas—Total service quota (30) times line 2	30	6	3	12	9	0	0	0

[F. R. Doc. 44–9115; Filed, June 22, 1944; 10:59 a. m.]

Chapter XI—Office of Price Administration

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 114, Correction]

WOODPULP

In the second sentence of section 5, the word "paragraph" is corrected to read "Appendix A".

This correction shall become effective June 20, 1944.

Issued this 22d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–9120; Filed, June 22, 1944; 11:43 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[1] Amdts. 1–17, Correction]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

The compilation of Maximum Price Regulation 422, including Amendments 1–17 is corrected in the following respects:

1. In section 38 (a) item 6, "Corn meal and hominy", is corrected to read as follows:

TABLE A—MARK-UPS OVER "NET COST" ALLOWED TO GROUP 3 AND GROUP 4 RETAILERS FOR DRY GROCERIES COVERED BY THIS REGULATION BY COMMODITIES

Food commodities	Allowed mark-ups over net cost	
	Group 3—Retailer other than independent, with annual volume under $250,000	Group 4—Any retailer with annual volume of $250,000 or more
6. Corn meal and hominy	*Percent* 25	*Percent* 21

2. Section 38 (b) (12) is corrected to read as follows:

(12) "Fruits, dried and dehydrated" (packaged or bulk), includes, but is not limited to, fresh dates, stuffed dried fruits, dried dates and figs, pitted dates and macerated dates. Excluded are fruit confections, candied or glaced fruits and peels, and date products.

NOTE: The 1943 pack of dried fruits shall be considered a different item from the 1942 pack of dried fruits, and you must figure separate ceiling prices for each item of the 1943 pack.

[Subparagraph (12) amended by Am. 9, 8 F.R. 15607, effective 11–20–43; and Am. 13, 9 F.R. 3648, effective 4–8–44]

This correction shall become effective as of May 25, 1944.

Issued this 22d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–9122; Filed, June 22, 1944; 11:43 a. m.]

[1] 9 F.R. 5656.

PART 1392—PLASTICS

[MPR 536,[1] Amdt. 1]

PLASTICS PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[2]

Maximum Price Regulation 523 is amended in the following respects:

1. In section 1 (a) the text preceding subparagraph (1) is amended to read as follows:

Except as provided in section 2, this regulation establishes maximum prices for sales of plastics products by a manufacturer who molds, fabricates, or processes plastics materials. For the purpose of this regulation, the production of a plastics product from material furnished by the customer shall be deemed to be a sale of a plastics product. This regulation also applies to sales by such manufacturers of any dies, molds or special tools which are sold in connection with the sale of a plastics product. When used in this regulation, the term:

2. In section 1 (a) (2) the last sentence thereof is amended to read as follows:

This term includes vulcanized fibre but does not include natural or synthetic rubber, or balata.

3. Section 2 (a) is amended to read as follows:

(a) *Commodities.* This regulation does not apply to the following commodities:

(1) Cellophane products (regenerated cellulose).

(2) Cements and adhesives.

(3) Completed consumers' articles when sold by a person who is not engaged in molding or fabricating plastics materials.

(4) Fabricated parts under .002" thickness made from sheets of ethyl cellulose, regenerated cellulose, and cellulose acetate.

(5) Fabricated pieces under .010" thickness for use in window envelopes.

(6) Film, motion picture, photographic and X-ray.

(7) Impregnated, coated and combined fabrics, paper or leather, and products produced therefrom.

(8) Laminated sheets, rods and tubes, prior to fabrication.

(9) Plastic—plywood products.

(10) Plastics pipe, plastics tubing, plastics pipe fittings and plastic tubing fittings manufactured from co-polymer vinyl and vinylidene chlorides commercially known as "Saran B 11".

(11) Plastics products when assembled with other materials and sold as another commodity by a regular manufacturer of such other commodity. A manufacturer of plastics products is considered a regular manufacturer of another commodity when (i) he represents himself in the trade as a manufacturer of such other commodity through the issuance of catalogs, price lists or other advertising matter, circulated generally to the trade, in which such commodity is designated by name, and (ii) he owns the dies or molds, if any, used for the production of such other commodity.

(12) Powders, granules, liquids, preforms and scrap material.

(13) Protective or decorative coatings.

(14) Records, electrical transcription, phonograph and direct writing.

(15) Safety glass.

(16) Screen cloth.

(17) Sheets, rods and tubes, prior to fabrication, when produced by a manufacturer who sells molding compounds produced by him.

(18) Synthetic rubber products.

(19) Vulcanized fibre sheets, rods and tubes, prior to fabrication.

(20) Wearing apparel and sheetings.

(21) Wire and cable, electrical.

4. A sentence is added to section 3 (a), to read as follows:

However, if prior to March 27, 1944, the Office of Price Administration approved a price in writing for any plastics product, in accordance with the provisions of any of the regulations just named, the maximum price for any such plastics product shall be the price approved in writing by the Office of Price Administration.

5. A sentence is added to section 7 (a), to read as follows:

This price determining method approved under section 9 is also subject to the limitations set forth in the next section 8.

6. Section 15 (a) (2) (ii) (*a*) (3) is amended to read as follows:

(3) Whether, and by what amount, the manufacturer's current over-all profits, before income and excess profits taxes, are greater or less than his average over-all profits during the normal base period. These base period profits will be adjusted to reflect any change from the normal base period average investment.

This amendment shall become effective June 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–9121; Filed; June 22, 1944; 11:43 a. m.]

[2] Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 3085.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 40]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and

[1] 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2557, 2791, 3032, 3073, 3513, 3579, 3708, 3710, 3947, 3944, 4026, 4351, 4475, 4604, 4818, 4876, 4881, 5254, 5074, 5436, 5695.

has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. Section 2.9 (a) is amended by deleting the words "or vegetables".

2. Section 2.9 (b) (1) is amended by deleting the words "or vegetables".

3. Section 2.9 (b) (5) is amended by deleting the words "or vegetables (excluding potatoes)".

4. Section 2.9 (d) is amended by deleting from the second sentence the words "or vegetables" and by deleting from the third sentence the words "or vegetables (excluding potatoes)".

This amendment shall become effective June 26, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005; 9 F.R. 4320; and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320)

Issued this 22d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9124; Filed, June 22, 1944; 11:44 a. m.]

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[RO 9A,[1] Amdt. 9]

STOVES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 9A is amended in the following respects:

1. Section 4.3 (a) is amended by adding at the end of the first paragraph the following parenthetical sentence: "(The way in which he may get back or acquire stoves from a consumer is explained in section 6.9 (b).)"

2. Section 6.2 (a) (2) is added as follows:

(2) No stove shall be transferred to a consumer for a certificate if the transferor knows or has cause to believe that the stove is to be used at a place other than that designated on the certificate. No consumer may acquire a stove for use at a place other than that designated on the certificate.

3. The note following section 6.3 (a) (3) is deleted.

4. Section 6.9 is added as follows:

SEC. 6.9 *A consumer may transfer a stove to another consumer or to a dealer, distributor or manufacturer—(a) Transfers to another consumer.* A consumer may transfer a stove to another consumer only if the transferee gives up to him a certificate for the type of stove transferred at the time the stove is transferred. (If the stove to be transferred is a combination stove, only a combination stove designed to use the fuel for heating specified on the certificate may be transferred.) The consumer who receives the certificate must promptly surrender it to his Board.

(b) *Transfers to a dealer, distributor or manufacturer by a consumer.* A consumer may also transfer a stove to a dealer, distributor or manufacturer, who may accept such a transfer if he complies with the following:

(1) If the transferee has on hand the certificate surrendered by the consumer for that stove, he must give up that certificate to the consumer, even though he is indebted to his Board for a certificate for that type of stove.

(2) If the transferee is a dealer or distributor and he does not have the consumer's certificate on hand, he must give the consumer a receipt setting forth the date of the transfer, the consumer's name and address, his own name and address, and the type of stove transferred. The dealer or distributor must retain a copy of this receipt at his establishment for a period of at least two (2) years from the date of the transfer. He must surrender to the Board with which his establishment is registered a certificate for the type of stove transferred to him by the consumer; until he has done so he may not use any certificate for the purpose of acquiring that type of stove for inventory. He must note on the copy of the receipt the date when he gave up the certificate to the Board.

(3) If the transferee is a manufacturer and he does not have the consumer's certificate on hand, he must include such transfer, as a purchase or return, in his report on Form WPB-3249 for the month in which the transfer is made, and must submit with that report a certificate for that type of stove.

(c) *Application by consumer whose certificate is not returned.* A consumer who transfers a stove to a dealer, distributor or manufacturer and whose certificate is not returned to him by the transferee may, if he is still eligible, apply to his Board for a certificate for a stove to replace the one transferred. No such application shall be granted unless the consumer presents with his application his copy of the receipt obtained from the dealer or distributor when he transferred the stove or an adequate explanation for his failure to do so. No receipt given under the provisions of this section may be used to acquire a stove.

5. Section 6.10 is added as follows:

SEC. 6.10 *Cancellation of sale or order—(a) Return of consumer's certificate or surrender of receipt.* If a consumer has given up a certificate to a dealer, distributor, or manufacturer with his order or contract for a stove, and the order or contract for the sale of the stove to the consumer is cancelled, before the consumer has acquired the stove, the person receiving the consumer's order or contract must promptly return the certificate to the consumer. Such dealer or distributor must return the certificate even though he is indebted to his Board for a certificate for that type of stove. If the seller is a dealer or distributor and he does not have on hand the consumer's certificate, he must give the consumer a receipt setting forth the date, the consumer's name and address, his own name and address, and the type of stove specified in the certificate. The dealer or distributor must retain a copy of this receipt at his establishment for a period of at least two (2) years from the date of the transfer. He must surrender to the Board with which his establishment is registered a certificate for the type of stove specified in the certificate received from the consumer; until he has done so, he may not use any certificate for the purpose of acquiring that type of stove for inventory. He must note on his copy of the receipt given to the consumer, the date when he gave up the certificate to the Board.

(b) *Application by consumer whose certificate is not returned.* A consumer whose order or contract for a stove has been cancelled, before he acquired the stove, and whose certificate is not returned to him may, if he is still eligible, apply to his Board for a certificate to replace the one which was not returned to him. No such application shall be granted unless the consumer presents with his application his copy of the receipt obtained from the dealer or distributor when the order or contract was cancelled or an adequate explanation for his failure to do so. No receipt given under the provisions of this section may be used to acquire a stove.

This amendment shall become effective on June 26, 1944.

NOTE: All reporting and record keeping requirements of this amendment to Ration Order 9A have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. 1, 7 F.R. 562, and Supp. Dir. 1-8, 8 F.R. 6016)

Issued this 22d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9123; Filed, June 22, 1944; 11:43 a. m.]

Chapter XIII—Petroleum Administration for War

[PDO 21]

PART 1543—PETROLEUM PROCESSING, REFINING, AND MARKETING

PREMIUM MOTOR FUEL

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of gasoline components for defense, for private account, and for export; and the following order is deemed necessary in the public interest to promote the national defense and to conserve adequate supplies of gasoline for military and other essential uses.

§ 1543.1 *Petroleum Distribution Order No. 21—(a) Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Gasoline" means liquid fuel capable of being used in the operation of internal combustion engines, including aviation gasoline and military motor gasoline but excluding naphtha specifically manufactured for use as a solvent, kerosene, tractor distillate, diesel fuel, gas oil, or fuel oils.

(3) "Premium motor fuel" means gasoline generally known in the petroleum industry as "premium gasoline" or premium motor fuel," but does not mean 80 Octane All Purpose gasoline sold to the Army or Navy.

(4) "Manufacture" includes not only refinery operations but also tetraethyl lead blending and other operations, wherever conducted, which are designed to change the characteristics of gasoline.

(5) "Base period" means, in the States of Washington, Oregon, California, Nevada, and Arizona, and in the Territories of Alaska and Hawaii, the five months period immediately preceding April 1, 1944, and in all other States of the United States, the six months period immediately preceding April 1, 1944.

(6) "Supplier" means any person other than a service station or other fixed retail outlet who manufactures or receives delivery of premium motor fuel for redelivery to others, and includes, but is not limited to, any secondary supplier.

(7) "Customer" means any person other than a supplier who receives premium motor fuel from any supplier, and includes a service station or other fixed retail outlet.

(b) *Limitation on manufacture of premium motor fuel.* After the effective date of this order, the percentage of premium motor fuel manufactured by any person, based upon his total manufacture of gasoline, shall not exceed one-half of the percentage of premium motor fuel, based upon total gasoline, which he manufactured during the base period.

Computation to determine that the amount of premium motor fuel manufactured by any person is within this limitation shall be made on the basis of successive three months periods, the first of which shall commence on July 1, 1944.

Nothing in this order shall be construed to limit in any way the volume of gasoline of any grade or type which any person may manufacture or deliver to the Army or Navy.

(c) *Reports.* Each person who manufactures premium motor fuel shall make the following reports to the Petroleum Administration for War:

(1) Each person shall report once for the base period, not later than August 1, 1944:

(i) The total volume of gasoline manufactured.

(ii) The total volume of premium motor fuel manufactured.

(iii) The percentage relationship of (i) and (ii) above.

(iv) One-half of the percentage calculated in (iii) above.

(2) Each person shall report for the month of July, 1944, and for each month thereafter, not later than the thirteenth day of the following month:

(i) The total volume of gasoline manufactured.

(ii) The total volume of premium motor fuel manufactured.

(iii) The percentage relationship of (i) and (ii) above.

Such reports shall be made upon Form PAW 48 and shall be sent to the Director of Refining, Petroleum Administration for War, Interior Building, Washington 25, D. C. A person who manufactures premium motor fuel at more than one location shall report individual figures for each location and combined figures for all locations.

(d) *Distribution of premium motor fuel between trade areas.* As far as practicable, each supplier shall apportion his available supply of premium motor fuel between trade areas on the same relative basis as that which prevailed during the base period.

(e) *Distribution of premium motor fuel within the same trade area.* If any supplier is unable to satisfy the current requirements for premium motor fuel of customers and other suppliers in the same trade area, who regularly received their last ninety (90) days' requirements (during the preceding twelve (12) month period) directly or indirectly from such supplier, the supplier shall apportion all available supplies of premium motor fuel fairly and equitably in such manner as will satisfy as nearly as practicable the current requirements of such customers and other suppliers in the same trade area, in accordance with the following standards:

(1) Except as provided in subparagraphs (2) and (3) hereof, no differentiation or discrimination in deliveries shall be made in the same trade area because of trade classification, affiliation, ownership, operation, control, size, purchasing or selling methods, location, accessibility to transportation facilities, imposition of special conditions not imposed on all customers or other suppliers in the same trade area, or for any other such reason.

(2) After making provision for deliveries of premium motor fuel to other suppliers, differentiation in deliveries to customers in the same trade area because of the engine requirements of customers engaged in activities which are essential to the conduct of the war or to the public health or safety shall not be deemed to be discrimination within the meaning of this order: *Provided*, That such supplier shall not differentiate or discriminate in deliveries to customers engaged in the same activities whose engines require premium motor fuel; and, *Provided, further*, That such supplier shall consider all service stations and other fixed retail outlets supplied directly or indirectly by him as being engaged in the same activities; and *Provided, further*, That if the method of distribution herein provided results in inequities among customers served directly by such supplier and customers engaged in the same activities served indirectly by him, such supplier shall make the adjustments necessary to eliminate as far as practicable any such inequities.

(3) Differentiation in deliveries to customers and other suppliers in the same trade area on the basis of relative inventories expressed in days' supply on hand at such customers' or other suppliers' storage locations shall not be deemed to be discrimination within the meaning of this order.

(4) If several suppliers are obligated to supply any customer or other supplier with premium motor fuel, each such supplier shall be obligated to satisfy only his proportion of the current requirements of such customer or other supplier on the same percentage basis as he satisfies the current requirements of his undivided accounts engaged in the same activities.

(f) *Application for exceptions.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may file an application for an exception, setting forth the pertinent facts and reasons why he considers himself entitled to relief.

All applications for exceptions to paragraphs (b) and (c) shall be addressed to the Director of Refining, Petroleum Administration for War, Washington 25, D. C.

All applications for exceptions to paragraphs (d) and (e) shall be addressed to the District Director-in-Charge, Petroleum Administration for War, at:

(1) 122 East 42nd Street, New York, New York, if the premium motor fuel is to be delivered or used in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, or the District of Columbia.

(2) 1200 Blum Building, 624 South Michigan Avenue, Chicago, Illinois, if the premium motor fuel is to be delivered or used in the States of Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Oklahoma, Kansas, Nebraska, South Dakota, or North Dakota.

(3) 245 Mellie Esperson Building, Houston, Texas, if the premium motor fuel is to be delivered or used in the States of Alabama, Mississippi, Louisiana, Arkansas, Texas, or New Mexico.

(4) 320 First National Bank Building, Denver, Colorado, if the premium motor fuel is to be delivered or used in the States of Montana, Wyoming, Colorado, Utah, or Idaho.

(5) 855 Subway Terminal Building, Los Angeles, California, if the premium motor fuel is to be delivered or used in the States of Arizona, California, Nevada, Oregon, Washington, or the Territories of Alaska or Hawaii.

If dissatisfied with the decision of the District Director-in-Charge, any person who applies for an exception to paragraphs (d) and (e) may appeal to the

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 11564.

Deputy Petroleum Administrator for War, Interior Building, Washington 25, D. C., or to such representative as may be designated.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(h) *Effective date.* This order shall become effective on the 21st day of June, 1944.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of June 1944.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 44-9119; Filed, June 22, 1944; 11:45 a. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[G. O. 16, Supp. 9]

PART 303—CONTRACTS FOR CARRIAGE ON VESSELS OWNED OR CHARTERED BY THE WAR SHIPPING ADMINISTRATION

BILLS OF LADING

General Order 16 and Supplement 7 to General Order 16 are amended as follows:

1. By adding a new § 303.11a:

§ 303.11a *Uniform bill of lading "Warshiplading 7/1/42", optional signature cause.* Effective June 22, 1944, all agents for vessels owned by or under bareboat charter or Warshiptime—Form #101 (Rev.) charter to the War Shipping Administration may use the following signature clause in the place and stead of the signature clause prescribed in § 303.11 *Uniform bill of lading "Warshiplading"* (originally designated paragraph 1 of General Order 16):

In witness whereof, there have been executed ---------- Bills of Lading exclusive of non-negotiable copies, all of the same tenor and date, one of which being accomplished, the others to stand void.

Dated at ----------, ---------- 19-----.

FOR THE MASTER,

By ----------
(Insert name of Agent in print)
Agents for United States of America
(War Shipping Administration),

By ----------

2. By adding a new § 303.32a:

§ 303.32a *Uniform ocean bill of lading, short form, "Warshipshortblading 12/15/42", optional signature clause.* Effective June 22, 1944, all agents for vessels owned by or under bareboat charter or Warshiptime—Form #101 (Rev.) charter to the War Shipping Administration may use the following signature clause in the place and stead of the signature clause prescribed in § 303.32 *Uniform ocean bill of lading, short form* (General Order 16, Supp. 7):

In witness whereof, there have been executed ---------- Bills of Lading
(Insert number)
exclusive of non-negotiable copies, all of the same tenor and date, one of which being accomplished, the others to stand void.

Dated at ----------, 19-----.

FOR THE MASTER,

By ----------
(Insert name of Agent in print)
AGENTS FOR UNITED STATES OF AMERICA
(War Shipping Administration).

By ----------

3. By amending § 303.13 (originally designated paragraph 3 of General Order 16) to read:

§ 303.13 *Authority from master to sign.* Prior to the issuance of said bills of lading for the carriage of goods on any vessel, the operator or agent shall obtain from the master of said vessel a writing authorizing said operator or agent in its capacity as agent for the United States of America (War Shipping Administration) to sign and issue bills of lading for the Master and in his name. The authorization shall be in substantially the following form:

You, as Agent of the War Shipping Administration, and all subagents appointed by you, at all the vessel's ports of call, whether the same are United States ports or foreign ports, are hereby authorized to enter into and do all things necessary for the proper execution and signing on my behalf, in my name, and as my agent, of bills of lading, passenger tickets, and other documents for the carriage of goods or passengers on board the SS.----------.

This authorization shall remain in full force and effect as long as I remain Master and as long as you continue to act as Agent for the above-named vessel, unless terminated by me in writing.

Sgd. ----------

Master of SS.----------

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

JUNE 21, 1944.

[F. R. Doc. 44-9097; Filed, June 22, 1944; 10:28 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Coal Mines Administration.

[Order CMA-39]

ANTHRACITE AND BITUMINOUS COAL MINES

ORDER TERMINATING GOVERNMENT POSSESSION

Wage agreements have been entered into between the United Mine Workers of America and the anthracite and bituminous coal operators who produce the great preponderance of the nation's tonnage. These agreements have been approved by the National War Labor Board and the Director of Economic Stabilization.

I have heretofore terminated Government possession of mines producing in excess of seventy per cent of the nation's bituminous tonnage, and wage contracts have been put into effect at those mines. I have now been advised that, with the exception of Jewell Ridge Coal Corporation, Tazewell, Virginia, the operators who produce substantially all of the nation's bituminous and anthracite tonnage have executed or are about to execute contracts and will put them into effect immediately upon termination of Government possession of their mining properties.

Upon the basis of such advice and information, and after consideration of all of the circumstances, I find that, with the exception of the mines of Jewell Ridge Coal Corporation, Government possession of the anthracite and bituminous coal mines, now in Government possession, is no longer required, and in accordance with the provisions of Executive Order No. 9393 (8 F.R. 14877) and the War Labor Disputes Act (Pub. 89, 78th Cong., 1st Sess.) should be terminated.

Accordingly, I order and direct that the possession by the Government of any and all anthracite and bituminous coal mines, now in the possession of the Government, except the mines of Jewell Ridge Coal Corporation, Tazewell, Virginia, including any and all real and personal property, franchises, rights, facilities, funds and other assets used in connection with the operation of such mines, be, and it is hereby terminated, and that there be displayed conspicuously at those mining properties copies of a poster to be supplied by the Coal Mines Administration, and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

In accordance with section 40 of the regulations for the operation of coal mines under Government control, as amended (8 F.R. 6655, 10712, 11344, 17339), the appointments of the operating managers for the United States for all of the aforesaid mines with respect to which the mining companies have on file with the Administrator effective instruments of agreement and certification as provided for in section 25 of the regulations, as amended (8 F.R. 6655, 10712, 11344, 17339), are automatically terminated.

Nothing contained herein shall be deemed to preclude the Government from requiring the submission of information relating to operations during the period of Government possession, for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9393 (8 F.R. 14877) may be concluded in an orderly manner.

Dated: June 21, 1944.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 44-9118; Filed, June 22, 1944; 11:39 a. m.]

Solid Fuels Administration for War.

COAL PRODUCED IN DISTRICT 4

PROHIBITION OF SHIPMENT ON GREAT LAKES

Pursuant to Executive Order No. 9332 (8 F.R. 5355) and Solid Fuels Administration for War Regulation No. 1 (8 F.R. 5832), on and after June 30, 1944, all persons are prohibited from shipping any coal produced in District No. 4 via the Great Lakes to Chicago and North Western System, or to Chicago and North Western Railroad Company, or to Chicago, St. Paul, Minneapolis & Omaha Railway Company, or to a subsidiary or affiliate of any of such companies.

The above restrictions shall not apply to any coal produced in District No. 4 which is shipped in order to complete a partially filled cargo at any of the lower lake ports on the Great Lakes.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 20th day of June 1944.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. R. Doc. 44-9062; Filed, June 21, 1944; 12:25 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5889]

SOUTHWESTERN POWER ADMINISTRATION

ORDER APPROVING RATES FOR SALE OF ELECTRIC POWER AND ENERGY FROM DENISON DAM PROJECT FOR A LIMITED PERIOD

JUNE 14, 1944.

The Acting Secretary of the Interior submitted, on May 5, 1944, a power sales agreement dated May 3, 1944, between Southwestern Power Administration and Texas Power & Light Company (Southwestern Power Administration Rate Schedule FPC No. 1), for the sale of electric power and energy produced at the Denison Dam Project on the Red River, Oklahoma-Texas, for approval by the Federal Power Commission of the rates provided therein, pursuant to the provisions of Executive Orders Nos. 9386 and 9373.

It appears to the Commission that: (a) Southwestern Power Administration is an agency of the United States established in the Department of the Interior by Order No. 1865 of the Secretary of the Interior dated August 31, 1943 (8 F.R. 12142) to execute the purposes of Executive Order No. 9353 of June 19, 1943 (8 F.R. 8587) and Executive Order No. 9366 of July 30, 1943 (8 F.R. 10699), as supplemented by Executive Order No. 9373 of August 30, 1943 (8 F.R. 12001), with respect to the disposition of electric power from the Denison Dam Project and the Norfork Dam Project and the operation and disposition of power from the Grand River Dam Project.

(b) Under Executive Order No. 9373, the Secretary of the Interior, among other things, is directed (a) to intergrate the power facilities of the Grand River, Norfork, and Denison Dam projects; (b) to interconnect the projects with other utility systems in the area and to interchange electric energy with and purchase electric energy from such systems; and (c) to sell and dispose of electric energy to war plants and establishments, public bodies and cooperatives, and other persons, in that order of preference, at such rates as may be approved by the Federal Power Commission.

(c) The power plant at the Denison Dam Project is designed primarily for operation to provide power capacity, with an initial installation of two generating units aggregating 70,000 kilowatts of capacity and an ultimate installation of five generating units aggregating 175,000 kilowatts of capacity. Approximate rates for electric power and energy generated at the project should accordingly include both demand and energy charges. However, because of war restrictions on materials and labor, only one generating unit of 35,000 kilowatts of capacity has been installed.

(d) The power sales agreement is expressly designed to meet existing war emergency conditions without establishing a permanent policy in respect to the disposition of electric power and energy of the Government.

(e) The power sales agreement provides in substance for delivery to the Company of 30,000 kilowatts of primary power capacity and 10,000,000 kilowatt-hours of primary energy a month and all available secondary energy from the Denison Dam Project not otherwise disposed of, reserving 5,000 kilowatts of primary power capacity for sale to customers of Southwestern Power Administration in Oklahoma. The agreement also provides that any unsold portion of the primary power and energy reserved or recaptured for sale to such customers shall be accepted and paid for by the Company at primary rates.

(f) Under the terms of the power sales agreement, the Company is to pay 5 mills for primary energy and 2½ mills "on-peak" and one mill "off-peak" for secondary energy, with a reduction to 2 mills for primary energy under certain conditions; and the Company is to lower rates to certain classes of customers and certain war customers by an amount which the Acting Secretary of the Interior estimates will reach approximately $400,000 per year.

(g) The power sales agreement provides that in order to utilize fully all available water at the Denison, Norfolk, and Grand River Dam Projects, and to coordinate fully the operation of such projects, the right of the Government is reserved to fulfill its commitments thereunder by delivery, by means of transmission or displacement, of electric power and energy into the Company's system from either the Norfolk or the Grand River Dam Projects.

(h) The power sales agreement is to continue in effect until July 1, 1949, or until 6 months after the date of the cessation of hostilities in the present war, whichever date is earlier, unless sooner terminated under its terms; and provides for earlier recapture, after 18 months' notice, by progressive steps of 7,500 kilowatts of capacity and 2,500,000 kilowatt-hours of energy per month in any six months' period up to 15,000 kilowatts of capacity and 5,000,000 kilowatt-hours of energy per month for sale to customers of Southwestern Power Administration in Oklahoma.

(i) Notice of the terms of the power sales agreement has been given to the Governors of Oklahoma and Texas, interested State officials, and the Senators and Representatives from Oklahoma and Texas and published in the FEDERAL REGISTER on May 18, 1944 (Vol. 9, page 5317) and no objection thereto has been filed.

The Commission, having considered the above-described power sales agreement, and the presently available information and data thereon, finds that: (1) The power sales agreement provides for the disposal of the electric power and energy generated at the Denison Dam Project at rates which, although not ordinarily appropriate for this type of project, may, so long as only one generating unit is installed, substantially reimburse the Government for the annual costs allocable thereto.

(2) Approval of the proposed rates for not more than the present period of the agreement, and, subject to the conditions hereinafter prescribed, will not be inconsistent with the public interest.

The Commission orders that: Pursuant to Executive Order No. 9373, the rates provided in the power sales agreement dated May 3, 1944, between Southwestern Power Administration and Texas Power & Light Company (Southwestern Power Administration Rate Schedule FPC No. 1) be and they are hereby approved, upon the following conditions:

(i) Such approval is expressly limited to the sale of electric power and energy generated by the existing unit of the Denison Dam Project and shall terminate when the second unit is installed, but in any event shall not extend beyond the present term of the agreement;

(ii) The rates and provisions relating thereto, as set forth in the agreement, shall not be modified or extended except with the prior approval of the Commission;

(iii) Nothing herein contained shall be construed as constituting approval by the Commission of any provision of the agreement other than the rates presently provided therein, or as prejudicing in any way the installation of any additional generating unit at said project, or as affecting any action which may hereafter be taken by the Commission in any matter concerning the Southwestern Power Administration.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-9054; Filed, June 21, 1944; 2:47 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70–A, Special Permit 323]

RECONSIGNMENT OF GRAPEFRUIT AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Kansas City, Missouri, not later than June 19, 1944, by E. E. Fadler Company, for account of Associated Fruit Distributors of California of car SFRD 18982, grapefruit, now on the A. T. & S. F. Railroad, to Chicago, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9125; Filed, June 22, 1944; 11:55 a. m.]

[S. O. 70–A, Special Permit 324]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, by L. S. Taube Company, of car of potatoes, now on the A. T. & S. F. Railroad, PFE 23695 to Benton, Illinois (Mo. Pac.), June 21, 1944, PFE 38687 to Moberly, Missouri (Wabash), June 22, 1944. MDT 16928 to Bloomington, Ill. (Mo. Pac.), June 23, 1944. Account reconditioned and reconsigned.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of June, 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9126; Filed, June 22, 1944; 11:55 a. m.]

[S. O. 70–A, Special Permit 325]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, June 19, 1944, by Louis Cohen Company of car SFRD 235674, potatoes, now on the Chicago Produce Terminal, to W. F. Holland, Vincennes, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of June, 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9127; Filed, June 22, 1944; 11:55 a. m.]

[S. O. 200, Special Permit 82]

REICING OF POTATOES AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only at St. Louis, Missouri, on Frisco Railway, June 19, 1944, MDT 18329, potatoes, originated at Idabell, Oklahoma, June 15 consigned to Michael Swanson Brady Produce Company, Kansas City, Missouri, and diverted through St. Louis, destination unknown. Car arrived on week end without ice.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9128; Filed, June 22, 1944; 11:55 a. m.]

[S. O. 200, Special Permit 83]

REICING OF SFRD AND PFE CARS AT MANCHESTER, N. Y.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once in transit SFRD 38351 and PFE 95014 at Manchester, New York, routed NKP–LV shipped June 16 from Stillwell Cold Storage, Hannibal, Missouri, to Naval Supply Depot, Bayonne, New Jersey.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9129; Filed, June 22, 1944; 11:55 a. m.]

[S. O. 200, Special Permit 84]

REICING OF POTATOES AT EAST BUFFALO, N. Y.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once in transit the following cars: MDT 18974, 17806, 19452, and 4544, potatoes, at East Buffalo, New York, consigned to Naval Supply Depot c/o Idaho Baking Potato Distributors, New York City, routed via New York Central Railroad from North American Cold Storage, East St. Louis, Illinois, June 19, 1944. IC 80422 potatoes from Stillwell Cold Storage, Hannibal, Missouri, via CB&Q–PA., reice at Huntingdon, Pennsylvania, consigned Naval Supply Depot, New York City, shipped June 18.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9130; Filed, June 22, 1944; 11:55 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3644]

NAOICHI AND ISAMI ISHIDA

In re: Real property, bank account and property insurance policy owned by Naoichi and Isami Ishida, husband and wife.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Naoichi Ishida and Isami Ishida is Hiroshima prefecture, Yamagata gun, Yasuno son, Asana deguchi, Japan, and that they are residents of Japan and nationals of a designated enemy county (Japan);

2. That Naoichi Ishida and Isami Ishida are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows;

a. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements, and appurtenances thereto, and any and all claims for rents, refunds, benefits, or other payments arising from the ownership of such property.

b. That certain bank account maintained with the Bishop National Bank of Hawaii, Honolulu, Hawaii, which account is due and owing to and held for Naoichi Ishida and Isami Ishida in the name of Isami Ishida, and any and all security rights in and to any and all collateral for all or part of such account, and the right to enforce and collect the same, and

c. All right, title, and interest of Naoichi Ishida and Isami Ishida, his wife, and each of them, in and to Insurance Policy No. 93058, issued by the Fidelity-Phenix Fire Insurance Company, New York, New York, which policy insures the improvements to the premises described in subparagraph 3–a hereof,

is property within the United States owned or controlled by nationals of a designated enemy country (Japan);

And determining that the property described in subparagraphs 3–b and 3–c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3–a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3–a hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3–b and 3–c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All of that certain parcel of land situate, lying and being on the South side of Gulick Avenue at Kalihi, Honolulu, City and County of Honolulu, Territory of Hawaii, being portion of Lot Number Two (2) of the tract of land known as the "Apili-In-Kanepaiki Tract", as shown on the Map thereof, recorded in the Office of the Registrar of Conveyances at Honolulu, in Liber 205, Page 162, and thus bounded and described:

Lot Number One (1): Beginning at the North corner of this piece of land, being also the North corner of Lot two of the Apili-In-Kanepaiki Tract and the South corner of Gulick Avenue and Pahukui Street, and running by true azimuths:

1. 325°10'56.50 feet along the Southwest side of Pahukui Street;

2. 53°52'33.00 feet along fence along the remainder of Lot two of the Apili-In-Kanepaiki Tract;

3. 144°50'56.85 feet along fence along same to the Southeast side of Gulick Avenue;

4. 234°36'33.30 feet along the Southeast side of Gulick Avenue to the point of beginning.

Containing an Area of 1878 Square Feet, or thereabouts, and being the same parcel of land that was conveyed to the said Naoichi Ishida, husband and wife, as joint tenants, as joint tenants, by Hiromi Ishida and Yone Ishida, husband and wife, as joint tenants, by Deed dated June 10th, A. D. 1936 and recorded in said Registry Office in Liber 1327 on Pages 380–381 on June 10th, 1936 at 9:06 o'clock a. m.

[F. R. Doc. 44–9099; Filed, June 22, 1944; 10:35 a. m.]

[Vesting Order 3645]

BERNHARD JULIUS OTTO KUEHN

In re: Real property, fire insurance policy and interest in bank account owned by Bernhard Julius Otto Kuehn, also known as Otto Kuehn.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Bernhard Julius Otto Kuehn, also known as Otto Kuehn, is presently imprisoned within the United States as an espionage agent of a designated enemy country (Germany);

2. That Friedel Kuehn is presently interned within the United States as a potentially dangerous enemy alien;

3. That Bernhard Julius Otto Kuehn, also known as Otto Kuehn, and Friedel Kuehn are acting or purporting to act directly or indirectly for the benefit or on behalf of a designated enemy country (Germany) and are nationals of a designated enemy country (Germany);

4. That Bernhard Julius Otto Kuehn, also known as Otto Kuehn, is the beneficial owner of the property described in subparagraph 6 hereof;

5. That Friedel Kuehn is the record owner of the property described in subparagraph 6 hereof;

6. That the property described as follows:

a. Real property situated in Kailua, District of Koolaupoko, City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

b. All right, title and interest of Bernhard Julius Otto Kuehn, also known as Otto Kuehn, in and to insurance policy No. A–862,292, in the principal amount of $14,000, issued by the Fireman's Fund Insurance Company, San Francisco, California, which policy insures the improvements to the real property referred to in subparagraph 6–a hereof, and

c. The sum of $6,163.68 constituting a portion of that certain bank account with the Bishop Trust Co., Honolulu, Hawaii, which sum is due and owing to and held for Bernhard Julius Otto Kuehn, also known as Otto Kuehn, in the name of Mrs. Friedel Kuehn, and any and all security rights in and to any and all collateral for all or part of such sum, and the right to enforce and collect the same.

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraphs 6–b and 6–c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 6–a hereof) belonging to the same national of the same designated enemy country and subject

to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that Bernhard Julius Otto Kuehn, also known as Otto Kuehn, and Friedel Kuehn are controlled by or acting for or on behalf of a designated enemy country (Germany) and are nationals of a designated enemy country (Germany);

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 6–a hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 6–b and 6–c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All of those certain parcels of land situate at Kailua, District of Koolaupoko, City and County of Honolulu, said Territory, described as follows:

Lot Two-A-One (2–A–1), area 38,305.0 square feet and Lot Two-A-Two (2–A–2), area 36,276.0 square feet, as shown on Map 2, filed in the Office of the Assistant Registrar of the Land Court of the Territory of Hawaii with Land Court Application No. 677 (amended) of Harold Kainalu Long Castle;

Together with rights of way, forever, over those certain pieces or parcels of land situate at Kailua, District of Koolaupoko, Island of Oahu, Territory of Hawaii, and being all of Lots 20–X, 20–I, 20–P and 20–W as shown on Map 4 of Land Court Application 333 of Bernhard Rudolph Banning; said Lots 20–X, 20–I, 20–P and 20–W being all of the land described in Transfer Certificate of Title No. 17,095 issued to Henry Peter O'Sullivan and Frank Dennis Creedon.

Said rights of way over Lots 20–X, 20–I, 20–P and 20–W, forever, being for ingress, egress and regress unto Friedel Kuehn, her heirs, and assigns forever, in common with Henry Peter O'Sullivan and Frank Dennis Creedon, their assigns and the survivor of them, Harold Kainalu Long Castle, his heirs and assigns, and the owners and occupants of all the lots of the subdivision of Lot Twenty (20) as shown on Map 4, and Lot Twenty-One (21), as shown on Map 5, of said Land Court Application No. 333 and of other lots in the so-called "Kalama Tract," the same being the subdivision of a portion of Lot 2–A of Land Court Application No. 677 (amended) into Lots 2–A–1 to 2–A–179 inclusive, as and for an appurtenance to the lands herein described and said lots with the right at all times for the owners and occupants thereof to pass and repass on foot, together with the right to maintain, repair, pave and repave said rights of way.

And being all of the land described in Transfer Certificate of Title No. 13,104 issued to Anna Buhlert Lindemann, widow.

[F. R. Doc. 44–9100; Filed, June 22, 1944; 10:35 a. m.]

[Vesting Order 3712]

FRANZ FUCHS AND LEOPOLDINE MUELLER

In re: Real property, property insurance policies and a bank account owned by Franz Fuchs and Leopoldine Mueller.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known addresses of Franz Fuchs and Leopoldine Mueller are No. 10 Economogasse, and No. 17 Kolping Street, Vienna, Austria (Germany), respectively, and that they are residents of Austria (Germany) and nationals of a designated enemy country (Germany);

2. That Franz Fuchs an Leopoldine Mueller are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property particularly described as that tract or parcel of land situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being sublot Number Ninety-two (92) in Hiram Haskin's subdivision of a part of Original lot Number three hundred thirty-three (333) in Newburgh Township, including sublots 1, 2, 3 and 14 and the West half of 4 in Chamberlain's subdivision of Original Lot #333, being 45 feet front on Giddings Avenue (now known as East 71st Street) and Two Hundred and ten (210) feet deep to an alley, according to the recorded plat of said subdivision in Volume 3 of Maps, page 27, together with all hereditaments, fixtures, improvements, and appurtenances thereto, and any and all claims for rents, refunds, benefits, or other payments arising from the ownership of such property,

b. All right, title, interest and claim of Franz Fuchs and Leopoldine Mueller in and to fire insurance policies Numbers 424655 and 438291, issued by the Century Insurance Company, Limited, of New York, New York, insuring the premises described in subparagraph 3–a hereof, and

c. All right, title, interest and claim of Franz Fuchs and Leopoldine Mueller in and to the sum of $500 constituting a portion of a certain bank account in the Continental Industrial Bank of Cleveland, Ohio, which is due and owing to Franz Fuchs and Leopoldine Mueller, and held for them in the name of Otto L. Fricke, attorney-in-fact for Franz Fuchs and Leopoldine Mueller, including but not limited to all security rights in and to any and all collateral for any and all such account or portion thereof and the right to enforce and collect the same,

is the property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3–b and 3–c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3–a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3–a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3–b and 3–c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 29, 1944.

[SEAL] JAMES E. MARKHAM.
Alien Property Custodian.

[F. R. Doc. 44–9103; Filed, June 22, 1944; 10:35 a. m.]

[Vesting Order 3731]

MARIE STUMPF, ET AL.

In re: Interest in real property, property insurance policies and a claim owned by Marie Stumpf, Amalia Muller, Gertrude Weng Braun, Ernest Schmidt, William Distelhorst, Hertha Frieda K. Bachman and Alexander Melchoir.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the following-named persons, whose last known addresses appear opposite their respective names, are residents of Germany and are nationals of a designated enemy country (Germany);

National and Last Known Address

Marie Stumpf, Freiburg, Germany.
Amalia Muller, Karlsruhe, Germany.
Gertrude Weng Braun, Karlsruhe, Germany.
Ernest Schmidt, Munich, Germany.
William Distelhorst, Karlsruhe, Germany.
Hertha Frieda K. Bachman, Germany.
Alexander Melchoir, Germany.

2. That Marie Stumpf, Amalia Muller, Gertrude Weng Bachman, Ernest Schmidt, William Distelhorst, Hertha Frieda K. Bachman and Alexander Melchoir are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of Marie Stumpf, Amalia Muller, Gertrude Weng Braun, Ernest Schmidt, William Distelhorst, Hertha Frieda K. Bachman and Alexander Melchior in and to the real property situated in the Counties of Franklin and Crawford, State of Missouri, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements, and appurtenances thereto, and any and all claims of the above named nationals for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title and interest of Marie Stumpf, Amalia Muller, Gertrude Weng Braun, Ernest Schmidt, William Distelhorst, Hertha Frieda K. Bachman and Alexander Melchior in and to:

(1) Comprehensive Policy No. 3800 issued by the New Hampshire Fire Insurance Company, Manchester, New Hampshire, in the amount of $1,500 expiring November 24, 1946 and naming as beneficiary "Estate of Nina Mack",

(2) Comprehensive Policy No. 3801 issued by the New Hampshire Fire Insurance Company, Manchester, New Hampshire, in the amount of $1,000 expiring November 24, 1946 and naming as beneficiary "Estate of Nina Mack",

(3) Comprehensive Policy No. 90099 issued by the New Hampshire Fire Insurance Company, Manchester, New Hampshire, in the amount of $1,000 expiring March 12, 1945 and naming as beneficiary "Estate of Nina Mack",

(4) Standard Fire Policy No. 85601 issued by the New Hampshire Fire Insurance Company, Manchester, New Hampshire, in the amount of $500 expiring April 5, 1944 and naming as beneficiary "Estate of Nina Mack",

such policies insuring a portion of the property described in subparagraph 3–a hereof, and

c. All right, title, interest and claim of any name or nature whatsoever of Marie Stumpf, Amalia Muller, Gertrude Weng Braun, Ernest Schmidt, William Distelhorst, Hertha Frieda K. Bachman and Alexander Melchior, and each of them, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to them by William Goerger, 3221 Halliday Avenue, St. Louis, Missouri, and held in the Security National Bank at St. Louis, Missouri under the name and style of "Estate of Nina Mack, William Goerger, Licensee," arising out of the management of the property described in subparagraph 3–a hereof, including but not limited to all security rights in and to any and all collateral for any and all of such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraph 3–b and 3–c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3–a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3–a hereof, subject to recorded liens, encumbrances and other rights of record, particularly that certain lease and option to purchase executed April 30, 1940, by and between Matilda Miller, and others as parties of the first part, and Ozark Cave Association, Inc., as parties of the second part, and recorded July 7, 1941, in the Office of the Recorder of Deeds for the County of Franklin, State of Tennessee, in Volume No. 134, page 453, held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3–b and 3–c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 30, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All those 44 tracts or parcels of land particularly described as follows, which are situated in Franklin County, Missouri, except that designated as Parcel 45 which is situated in Crawford County, Missouri:

Parcel 1. The West half of the Southeast ¼, and the Southwest ¼ of Section 5, containing 240 acres, more or less.

Parcel 2. The West half of the Northeast ¼ of Section 8, containing 80 acres, more or less.

Parcel 3. All that part of the Northwest ¼ of Section 8 lying North and East of Highway K, and North of a County Road running nearly East and West, excepting one acre conveyed to Gertrude A. Cooper by deed of record in Vol. 89, page 415, leaving 60 acres, more or less.

All in Township 41 North, Range 1 East of 5th P. M. and containing in the aggregate 380 acres, more or less.

Parcel 4. The West half of the Northeast ¼, the Southeast ¼ of the Northeast ¼, and the Northeast ¼ of the Southeast ¼ of Section 6, Township 41 North, Range 1 West of 5th P. M., containing 160 acres, more or less.

Parcel 5. The East half of the Northwest ¼, and the Southwest ¼ of Section 7, Township 41 North, Range 2 West of 5th P. M., containing 217.56 acres, more or less.

Parcel 6. The East half of the Northwest ¼, the Southwest ¼ of the Northwest ¼, and the East half of the East half of the Southwest ¼ of Section 8, Township 41 North, Range 2 West of 5th P. M., containing 160 acres, more or less.

Parcel 7. The East half of Section 8, Township 41 North, Range 2 West of 5th P. M., containing 320 acres, more or less.

Parcel 8. The West half of the Southwest ¼, the West half of the Northeast ¼, and the Northwest ¼ of Section 9, Township 41 North, Range 2 West of 5th P. M., containing 320 acres, more or less, excepting the mineral and mining rights on the Southeast ¼ of Northwest ¼ and Southwest ¼ of Northeast ¼ of said Sec. 9 as heretofore reserved, and excepting private roadway 20 feet wide, conveyed to J. W. Tidwell by deed of record in Vol. 120, page 94.

Parcel 9. 7 acres, more or less, being 220 yards off the West end of the North part of the Southeast ¼ of Section 11, Township 41 North, Range 2 West of 5th P. M., described as follows: Beginning at the Northeast corner of said Southeast ¼, thence South 340 yards, thence Northwest to a point 140 yards South of the Northwest corner of said tract, thence North 140 yards to said Northwest corner, thence East to the place of beginning.

Parcel 10. The Southwest ¼ of the Southwest ¼ and the South half of the Southeast ¼ of the Southwest ¼ of Section 17, Township 41 North, Range 2 West of 5th P. M., containing 60 acres, more or less.

Parcel 11. The East half of the East half of the Northwest ¼, and the East half of Section 17, Township 41 North, Range 2 West of 5th P. M., containing 360 acres, more or less.

Parcel 12. The North half of Section 18, Township 41 North, Range 2 West of 5th P. M., containing 294.14 acres, more or less.

Parcel 13. The North half of Lot 1 of the Southwest ¼, lying North of Spring Creek, and Lot 2 of the Southwest ¼ of Section 18, Township 41 North, Range 2 West of 5th P. M., containing 96.79 acres, more or less.

Parcel 14. The North half of Lot 2 of the Northwest ¼ of Section 19, Township 41 North, Range 2 West of 5th P. M., containing 28.81 acres, more or less.

Parcel 15. All of Section 20, except a strip 440 feet containing 13.30 acres off the South side of the Southeast ¼, of the Southeast ¼, in Township 41 North, Range 2 West of 5th P. M., containing 626.70 acres, more or less.

Parcel 16. All of Section 21, except a strip 440 feet containing 26.70 acres off the South side of the South half of the Southwest ¼, in Township 41 North, Range 2 West of 5th P. M., containing 613.30 acres, more or less.

Parcel 17. The North half of the Northeast ¼, the Southwest ¼ of the Northeast ¼, and the Northwest ¼ of Section 22, Township 41 North, Range 2 West of 5th P. M., except 42.21 acres conveyed to Lingengelter by deed of record in Vol. 122, page 128 and 10 acres conveyed to Brewer by deed of record in Vol. 122, page 111, leaving 227.79 acres, more or less.

Parcel 18. The West half of the Southeast ¼, and the Southwest ¼ of Section 22, Township 41, North, Range 2 West of 5th P. M., containing 240 acres, more or less. Subject to mining lease, dated Dec. 29, 1942 of record in Vol. 138, page 286 of the Franklin County records.

Parcel 19. All that part of the Southeast ¼ of the Northeast ¼ of Section 22 and the Southwest ¼ of the Northwest ¼ of Section 23 lying South of the Stanton-Spsing Creek County Road, in Township 41 North, Range 2 West of 5th P. M., containing 6 acres, more or less.

Parcel 20. The North half of the Northwest ¼ of Section 27, Township 41 North, Range 2 West of 5th P. M., containing 80 acres, more or less. Subject to mining lease, dated Dec. 29, 1942 of record in Vol. 138, page 255 of the Franklin County records.

Parcel 21. The Southeast ¼ of Section 23, Township 41 North, Range 2 West of 5th P. M., excepting therefrom the following: 32.80 acres conveyed by deed of record in Vol. 66, page 35; 1 acre by deed of record in Vol. 44, page 207; 1.22 acres by deed of record in Vol. 73, page 467; 50/100 of an acre by deed of record in Vol. 51, page 577; 2 acres by deed of record in Vol. 88, page 11; 25/100 of an acre by deed of record in Vol. 102, page 62; 4.94 acres by deed of record in Vol. 116, page 509; 3 acres by deed of record in Vol. 120, page 429; street by deed of record in Vol. 115, page 278; 1.50 acres by deed of record in Vol. 126, page 212; highway right of way by deed of record in Vol. 98, page 159; and Missouri Electric Co. easement by deed of record in Vol. 99, page 500, leaving 112.71 acres, more or less.

Parcel 22. The East half of the Southwest ¼ of Section 24, Township 41 North, Range 2 West, excepting 3.11 acres conveyed by deed of record in Vol. 73, page 261 and one acre by deed of record in Vol. 92, page 126, leaving 79.89 acres, more or less.

Parcel 23. The West half of the Southeast ¼ of Section 24, Township 41 North, Range 2 West of 5th P. M., containing 84 acres, more or less.

Parcel 24. The East half of the Southeast ¼ of Section 24, Township 41 North, Range 2 West of 5th P. M., containing 84 acres, more or less.

Parcel 25. All of Section 25, Township 41 North, Range 2 West of 5th P. M., excepting that part conveyed to Handleman by deed of record in Vol. 115, page 245, leaving 666.21 acres, more or less.

Parcel 26. The North half of the Northeast ¼, and the Southwest ¼ of the Northeast ¼ of Section 26, Township 41 North, Range 2 West of 5th P. M., except 2 acres conveyed by deed of record in Vol. 115, page 245, and easement of the Missouri Electric Co. by deed of record in Vol. 99, page 390, leaving 118 acres, more or less.

Parcel 27. 8.02 acres, more or less in the East part of the Southeast ¼ of the Northeast ¼ of Section 26, Township 41 North, Range 2 West of 5th P. M., described as follows: Beginning at the Northeast corner thereof, thence South along East line of Section 26, 17.07 chains, thence West 2.66 chains, thence North 58° West 4.60 chains to the Springfield Road, thence with said road North 20° East 1.17 chains, North 2½° West 6.16 chains, North 41¾° East 5.46 chains, North 37½° East 4.02 chains, thence East 32 links to the place of beginning.

Parcel 28. The Southeast ¼ of the Southeast ¼ of Section 26, the Northeast ¼ of the Southeast ¼, and all of the Northeast ¼ of Section 35, Township 41 North; Range 2 West of 5th P. M., containing 240 acres, more or less.

Parcel 29. The Northwest ¼ of the Southeast ¼ and the North half of Section 36, Township 41 North, Range 2 West of 5th P. M., containing 360 acres, more or less, a part of which is subject to a lease dated April 30, 1940 of record in Vol. 134, page 459.

Parcel 30. An undivided ½ interest in the Southwest ¼ of the Southwest ¼ of Section 26, Township 41 North, Range 2 West of 5th P. M., containing 40 acres, more or less.

Parcel 31. The Southeast fractional ¼, lying Northwest of the Meramec River of Section 36, Township 41 North, Range 2 West of 5th P. M., containing 96.15 acres, more or less, subject to a lease dated April 30, 1940 of record in Vol. 134, page 456.

Parcel 32. The North half of the Northeast fractional ¼, West of the Meramec River of Section 1, Township 40 North, Range 2 West of 5th P. M., containing 46.30 acres, more or less, subject to a lease dated April 30, 1940 of record in Vol. 134, page 452.

Parcel 33. The Northwest ¼ of Section 30, Township 41 North, Range 1 West of 5th P. M., containing 150.11 acres, more or less, excepting all minerals and mining rights heretofore reserved, and roadway conveyed to the County of Franklin by deed of record in Vol. 129, page 594.

Parcel 34. The Southwest ¼ of Section 30, Township 41 North, Range 1 West of 5th P. M., excepting 4 acres conveyed by deed of record in Vol. 106, page 48 and 4 acres by deed of record in Vol. 116, page 236, and 30 foot private roadway conveyed to Denny by deed of record in Vol. 103, page 616, leaving 152.70 acres, more or less.

Parcel 35. The West half of the Northwest fractional ¼ of Section 31, lying North of the Meramec River, in Township 41 North, Range 1 West of 5th P. M., containing 57 acres, more or less, subject to a lease dated April 30, 1940 of record in Vol. 134, page 453.

Parcel 36. U. S. Survey No. 3279, Townships 40 and 41, Range 1 West of 5th P. M., containing 340.28 acres, more or less.

Parcel 37. An undivided ¼ interest in the Southwest ¼ of the Northwest ¼ of Section 11, Township 40 North, Range 2 West of 5th P. M., containing 40 acres, more or less.

Parcel 38. Lot 3 and the North 20 feet of Lot 4, Block 12 of the Town of Stanton, Missouri.

Parcel 39. Block 16 of the Town of Stanton, Mo.

Parcel 40. Block 17 of the Town of Stanton, Mo., excepting that part lying North of Stanton-Sand Ford County Road, as conveyed by deed of record in Vol. 92, page 90.

Parcel 41. Block 18 of the Town of Stanton, Mo., containing 4.51 acres, more or less.

Parcel 42. Lot 3, Block 19 of the Town of Stanton, Mo.

Parcel 43. Block 20 of the Town of Stanton, Mo., except 15 feet off the West side conveyed to the Railroad.

Parcel 44. Block 21 of the Town of Stanton, Mo., except 1.25 acres in the Northeast corner conveyed by deeds of record in Vol. 90, page 77 and Vol. 110, page 159.

Parcel 45. An undivided one-half interest in the Southwest quarter of the Northeast quarter, Section 33, T. 40 N., R. 2 W., containing 40 acres, except an undivided one-half of a 30' strip off the South side of said tract.

[F. R. Doc. 44-9104; Filed, June 22, 1944; 10:36 a. m.]

[Vesting Order 3805]

VINCENZO BENETTI

In re: Estate of Vincenzo Benetti, also known as V. Benetti, deceased. File: D-38-3120; E. T. sec. 9383.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Arturo Benetti, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of San Joaquin;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals and Last Known Address

Giuseppe Benetti, Italy.
Maria Panelli, Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Giuseppe Benetti and Maria Panelli and each of them, in and to the Estate of Vincenzo Benetti, also known as V. Benetti, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account, or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 14, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9105; Filed, June 22, 1944; 10:36 a. m.]

[Vesting Order 3806]

LOUISA DOERING

In re: Estate of Louisa Doering, deceased; File D-28-4351; E. T. Sec. 7445.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John Pestka, 2215 North Karlov Avenue, Chicago, Illinois, Executor, acting under the judicial supervision of the Probate Court of the State of Illinois, in and for the County of Cook;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Marie Schultz, Germany.
Bertha Bartsch (sometimes known as Bertha Matilda Rosalie Bartsch), Germany.
Hulda Kramer (sometimes known as Hulda Emilie Ottilie Kramer; Hilda Kramer), Germany.
Wilhelm Edward Doering, Germany.
Antonie Giese, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Marie Schultz, Bertha Bartsch (sometimes known as Bertha Matilda Rosalie Bartsch), Hulda Kramer (sometimes known as Hulda Emilie Ottilie Kramer; Hilda Kramer), Wilhelm Edward Doering and Antonie Giese, and each of them, in and to the estate of Louisa Doering, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 14, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9106; Filed, June 22, 1944; 10:36 a. m.]

[Vesting Order 3807]

MARIE EHMERT

In re: Estate of Marie Ehmert, also known as Mary Ehmert, deceased; File F-28-7541; E. T. sec. 320.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Juliette Risselada, Executrix, acting under the judicial supervision of the Surrogate's Court, Queens County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Rosina Munzenmaier, Germany.
Albert Luick, Germany.
Elsa Lutz, Germany.
Oskar Luick, Germany.
Rosine Luick, Germany.
Hermann Luick, Germany.
Erwin Luick, Germany.
Louise Haubensak, Germany.
Albert Weber, Germany.
Herman Weber, Germany.
Anna Weber, Germany.
Mathilda Weber, Germany.
Karoline Schneider, Germany.
Lydia Murr, Germany.
Ernst Friederich Luick, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Rosina Munzenmaier, Albert Luick, Elsa Lutz, Oskar Luick, Rosine Luick, Hermann Luick, Erwin Luick, Louise Haubensak, Albert Weber, Herman Weber, Anna Weber, Mathilda Weber, Karoline Schneider, Lydia Murr and Ernst Friederich Luick, and of each of them, in and to the estate of Marie Ehmert, also known as Mary Ehmert, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order, may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 14, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9107; Filed, June 22, 1944; 10:36 a. m.]

[Vesting Order 3808]

GUSTAV E. MITTRACH

In re: Estate of Gustav E. Mittrach, deceased; File D-28-1735; E. T. sec. 748.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Clerk of the Probate Court, Marion County, Indianapolis, Indiana, Depositary, acting under the judicial supervision of the Probate Court of the State of Indiana, in and for the County of Marion;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Mrs. Ida Flex (nee Mittrach), Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Mrs. Ida Flex

(nee Mittrach) in and to the estate of Gustav E. Mittrach, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 14, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9106; Filed, June 22, 1944; 10:37 a. m.]

[Vesting Order 3809]

JOHN G. MUELLER

In re: Estate of John G. Mueller, deceased; File D–28–7376; E. T. sec. 7547.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Elmer Mueller, 226 Putnam Street, Fort Wayne, Indiana, Executor, acting under the judicial supervision of Allen Superior Court No. 2, Fort Wayne, Allen County, Indiana;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Children or heirs of Heinrich (Heinrick or Henrick) Mueller, deceased, names unknown, Germany.
Children or heirs of Lina (Lena) Seiler, deceased, names unknown, Germany.
Louise Niederhueber (Neiderhueber), Germany.
Children or heirs of Louise Niederhueber (Neiderhueber), names unknown, Germany.
Children or heirs of Margaretha Schmidt, deceased, names unknown, Germany.
Louise Mueller (Gustav), Germany.
Hans Schmidt, Germany.
Christian Schmidt, Germany.
Otilie Heisinger, Germany.
Children or heirs of Otilie Heisinger, names unknown, Germany.
Christian Goering, Germany.
Children or heirs of Christian Goering, names unknown, Germany.
Children or heirs of Hans Goering, deceased, names unknown, Germany.
Carl Goering, Germany.
Dora Stout, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of the Children or heirs of Heinrich (Heinrick or Henrick) Mueller, deceased, names unknown; Children or heirs of Lina (Lena) Seiler, deceased, names unknown; Louise Niederhueber (Neiderhueber); Children or heirs of Louise Niederhueber (Neiderhueber), names unknown; Children or heirs of Margaretha Schmidt, deceased, names unknown; Louise Mueller (Gustav); Hans Schmidt; Christian Schmidt; Otilie Heisinger; Children or heirs of Otilie Heisinger, names unknown; Christian Goering; Children or heirs of Christian Goering, names unknown; Children or heirs of Hans Goering, deceased, names unknown; Carl Goering; and Dora Stout, and each of them, in and to the estate of John G. Mueller, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 14, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9109; Filed, June 22, 1944; 10:37 a. m.]

[Vesting Order 3810]

ANNA K. MUSELIUS

In re: Estate of Anna K. Muselius, deceased, and trusts under the will of Anna K. Muselius, deceased; File No. D–28–2334; E. T. sec. 3112.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Passaic National Bank & Trust Company, and Katherine E. Schmahl, as co-executors and trustees, acting under the judicial supervision of the Passaic County Orphans' Court, Paterson, New Jersey; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Betty Roevekamp, Germany.
Anna Roevekamp, Germany.
Frans Funck, Germany.
Wilhelm Stock, Germany.
Meta Muselius, Germany.
Jacob Schmahl, his issue, whose names are unknown, Germany.
Kate Berger, Germany.
Jean Schmahl, Germany.
Carl Schmahl, Germany.
Christiane Schmahl, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Betty Roevekamp, Anna Roevekamp, Frans Funck, Wilhelm Stock, Meta Muselius, Jacob Schmahl, and his issue, whose names are unknown, Kate Berger, Jean Schmahl, Carl Schmahl, and Christiane Schmahl, and each of them, in and to the estate of Anna K. Muselius, deceased, and the trusts created under the will of Anna K. Muselius, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 14, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9110; Filed, June 22, 1944; 10:37 a. m.]

[Vesting Order 3811]

IGNAZ ROBI

In re: Estate of Ignaz Robi, deceased; File D–17–190; E.T. sec. 3639.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Louis Judah, 503 Carplin Place, Cincinnati, Ohio, Administrator with the Will Annexed, acting under the judicial supervision of the Probate Court of the State of Ohio, in and for the County of Hamilton;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Julia Friedman (Julie Friedman), Germany (Austria).
Elizabet Beekman (Elizabet Beckman), Germany (Austria).
Irma Feuerzeig (Irma Feuerzeug), Germany (Austria).

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Julia Friedman (Julie Friedman), Elisabet Beekman (Elizabet Beckman) and Irma Feuerzeig (Irma Feuerzeug), and each of them, in and to the estate of Ignaz Robi, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated June 14, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9111; Filed, June 22, 1944; 10:37 a. m.]

[Vesting Order 3812]

SECURITY TRUST CO.

In re: Mortgage pool of the Security Trust Company of Emaus, Pennsylvania; File D–28–8632; E. T. sec. 10340.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described as property which is in the process of administration by The Allentown National Bank, 510 Hamilton Street, Allentown, Pennsylvania, Substituted Trustee, acting under the judicial supervision of the Court of Common Pleas of Lehigh County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Pauline Fanz, Germany.
Katherina Scheuble, Germany.
Josef Muller, Germany.
Alfred Sutter, Germany.
Herman Sutter, Germany.
Otto Sutter, Germany.
Julius Sutter, Germany.
Moritz Richard Sutter, Germany.
Amanda Haring, Germany.
Albert Sutter, Germany.
Anna Sutter, Germany.
Frieda Sutter, Germany.
Emil Sutter, Germany.
Frida Boller, Germany.
Karl August Sutter, Germany.
Maria Emma Sutter, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Pauline Fanz, Katherina Scheuble, Josef Muller, Alfred Sutter, Herman Sutter, Otto Sutter, Julius Sutter, Moritz Richard Sutter, Amanda Haring, Albert Sutter, Anna Sutter, Frieda Sutter, Emil Sutter, Frida Boller, Karl August Sutter and Maria Emma Sutter, and each of them, as heirs at law of John B. Miller, deceased, in and to Certificate #459, Series B, of the mortgage pool of the Security Trust Company of Emmaus, Pennsylvania,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 14, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9112; Filed, June 22, 1944; 10:37 a. m.]

[Vesting Order 1599, as Amended, Amdt.]

RICHARD C. NICKELSEN

Vesting Order Number 1599 dated June 3, 1943, as amended on November 19, 1943, is hereby further amended as follows:

By deleting from said order, as amended, subparagraph 1 which reads as follows:

1. That the last known address of Richard C. Nickelsen is Toftum Fohr, Schleswig-Holstein, Germany, and that he is a resident of Germany and a national of a designated emy country (Germany);

and substituting therefor the following subparagraph:

1. That the last known address of Richard C. Nickelsen and of Jennie H. Nickelsen, his wife, is Toftum Fohr, Schleswig-Holstein, Germany, and that they are residents of Germany and nationals of a designated enemy country (Germany);

and by deleting from said order, as amended, the clause which reads as follows:

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

and substituting therefor the following clause:

And further determining that to the extent that either of the above named nationals is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

All other provisions of such Vesting Order Number 1599, as amended, and all action taken on behalf of the Alien Property Custodian in reliance thereon, pur-

suant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on June 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9101; Filed, June 22, 1944; 10:35 a. m.]

[Vesting Order 3229, Amdt.]

HILDE SCHEIBE AND KURT GERBRACHT

In re: Interests in real property and fire insurance policies owned by Hilde Scheibe and Kurt Gerbracht.

Vesting Order Number 3229, dated February 26, 1944, is hereby amended as follows and not otherwise:

By deleting the fifth paragraph in Exhibit A attached to and by reference made a part of said vesting order and substituting therefor the following new paragraph:

Second tract: Beginning at a point in the southwesterly line of Homans Avenue where the same is intersected by the northwesterly line of the first tract hereinabove described, from thence (1) along the southwesterly line of Homans Avenue north 39°47' west 200 feet to the line of lands now or formerly of Henry M. Alexander; thence (2) along said Alexander's line south 49°51' west 248.73 feet; thence (3) along another line of said Alexander's land south 39°47' east 200 feet to the northwesterly line of the first tract above described, and thence (4) along said line of said tract north 49°51' east 248.73 feet to the point or place of beginning. Containing 1.142 acres.

All other provisions of said Vesting Order Number 3229 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9102; Filed, June 22, 1944; 10:35 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 506, Order 3]

INDIANAPOLIS GLOVE CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 3 under section 4 (b) of Revised Maximum Price Regulation 506. Maximum prices for staple work gloves. Granting maximum prices to the Indianapolis Glove Company and other sellers (Docket No. N6657-506-50-7).

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) On and after June 20, 1944, the Indianapolis Glove Company, Indianapolis, Indiana, may sell and deliver to any purchaser, and such purchaser may buy from it, the staple work glove numbers enumerated in the following table at or below the prices set forth in Column A of this table. Wholesalers who purchase these numbers from the Indianapolis Glove Company may make "regular sales" at wholesale of such gloves, at or below the prices set forth in Column B of the table. Ceiling prices for "special sales" at wholesale shall be determined in accordance with section 3 (b) of Revised Maximum Price Regulation 506.

Style No.	Glove description	Column A Manufacturer's prices		Column B Wholesalers' prices
		Group I ceiling	Group II ceiling	
97K	Men's clute cut 14 oz. flannel single thickness flannel back and palm, knit wrist.	$2.00	$2.20	$2.40
313K	Men's clute cut quilted 13 oz. double throughout "chore" mitten, knit wrist.	2.35	2.55	2.82½
300	Men's clute cut quilted 12½ oz. double throughout "chore" mitten, knit wrist.	2.00	2.20	2.40
2080	Men's clute cut heavy side split leather palm, full leather thumb, leather pull, leather "V" finger backs, 8 os. flannel back, 6 oz. or heavier palm lining, flannel knuckle strap, 10½ yard tabing knit wrist.	6.75	7.35	8.12½
2780	Men's clute cut heavy side split leather palm, full leather thumb, leather pull, leather "V" finger backs, 8 oz. or heavier palm lining, flannel knuckle strap, 5¼" stiffened 13 os. double (2 ply thickness) gauntlet cuff.	7.20	7.90	8.80
1216	Women's clute cut 6 oz. canton flannel single thickness back and palm. 4" single (1 ply thickness) cuff.	1.58½	1.65	1.77½
290E	Men's clute cut 10 oz. canton flannel single thickness back and palm. 2" material band top. Elastic webbing back strap.	1.77½	1.92½	2.15
142XX	Men's clute cut 16 oz. quilted double palm, thumb and forefinger, 8 os. single thickness white back. Knit wrist.	2.80	2.80	2.77½
1700	Men's gunn cut side split leather palm, ¾ leather thumb, leather fingertips, leather knuckle strap, leather pull, 8 os. flannel back, 6 os. or heavier palm lining, 4¼" double (2 ply thickness) waterproof gauntlet.	6.65	7.25	8.00
1701	Men's gunn cut side split leather palm, ¾ leather thumb, leather fingertips, leather knuckle strap, leather pull, 8 os. flannel back, 6 os. or heavier palm lining, 2" double (2 ply thickness) waterproof safety cuff.	6.20	6.80	7.47½

(b) The maximum prices authorized in paragraph (a) are subject to the following:

(1) The instructions for manufacturers and wholesalers which preface the tables in Appendix A of RMPR 506;

(2) The provisions in section 4 (a) of RMPR 506 with respect to a manufacturerers' "wholesale percentage," and the quota of deliveries which must be made at Group I prices;

(3) The marking and informational requirements of section 6 of RMPR 506. In addition to these requirements, the Indianapolis Glove Company, on all deliveries of the style numbers listed in paragraph (a), made pursuant to this order, on and after September 15, 1944, must place the letter "S" following the lot number or brand name stated on the label, ticket, or other device used to mark the gloves.

(c) The definitions in RMPR 506 shall apply to this order.

(d) The Indianapolis Glove Company must furnish each of its customers, who, on or after June 3, 1944, purchased or purchases the style numbers listed in paragraph (a) for purposes of resale, a notice in the form set forth below. The Indianapolis Glove Company must also notify each such customer (other than a seller at retail) that he is required in turn to transmit to his customers a copy of the notice set forth below. The notice may be attached to the invoice or may be stamped or printed on the invoice.

This notice is sent to you as required by Order No. 3 under section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for the work glove numbers enumerated in the table below, manufactured by the Indianapolis Glove Company.

OPA has ruled that the Indianapolis Glove Company may sell these numbers at or below the prices listed in Column A below, subject to the provisions of section 4 (a) of RMPR 506 with respect to the quota of deliveries which must be made at Group I prices. Wholesalers in turn are authorized to make regular sales at wholesale of these numbers at or below the prices listed in Column B. Retailers will determine their ceiling prices on these numbers in accordance with section 2 of RMPR 506.

Style No.	Column A Manufacturer's prices		Column B Wholesalers' prices
	Group I ceiling	Group II ceiling	
97KS	$2.00	$2.20	$2.40
313KS	2.35	2.55	2.82½
3335	2.00	2.20	2.40
2080S	6.75	7.35	8.12½
2780S	7.30	7.90	8.80
1216S	1.52½	1.65	1.77½
290ES	1.77½	1.92½	2.15
142XXS	2.30	2.50	2.77½
1700S	6.65	7.25	8.00
1701S	6.20	6.80	7.47½

You will note that the letter "S" follows the manufacturers' lot number or brand name. This letter indicates that these gloves have been specifically priced by OPA under section 4 (b).

(e) This Order No. 3 under Revised Maximum Price Regulation 506 may be revoked or amended by the Price Administrator at any time.

(f) On all deliveries of the work glove numbers listed in paragraph (a) since June 3, 1944 pursuant to OPA adjustable pricing authorizations, the Indianapolis Glove Company must refund to its customers any monies collected in excess of the ceiling prices authorized in this order. Within thirty days from the effective date of this order, the Indianapolis Glove Company shall send to OPA, Washington, D. C., a notification of the steps it has taken to comply with the provisions of this paragraph (f) of this order.

This order shall become effective June 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8983; Filed, June 20, 1944; 4:12 p. m.]

[RMPR 506, Order 4]

BROOKVILLE GLOVE CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 4 under section 4 (b) of Revised Maximum Price Regulation 506. Maximum prices for staple work gloves. Granting maximum prices to the Brookville Glove Company and other sellers (Docket No. N6657-506-12-7).

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) On and after June 20, 1944, the Brookville Glove Company, Brookville, Pennsylvania, may sell and deliver to any purchaser, and such purchaser may buy from it, the staple work glove numbers enumerated in the following table at or below the prices set forth in Column A of this table. Wholesalers who purchase these numbers from the Brookville Glove Company may make "regular sales" at wholesale of such gloves, at or below the prices set forth in Column B of the table. Ceiling prices for "special sales" at wholesale shall be determined in accordance with section 3 (b) of Revised Maximum Price Regulation 506.

Style No.	Glove description	Column A Manufacturer's prices		Column B Wholesalers' prices
		Group I ceiling	Group II ceiling	
710	Men's 20 ounce quilted double thickness palm, 10 ounce single thickness white back, knit wrist.	$2.45	$2.65	$2.95
710J	Men's jumbo 20 ounce quilted double thickness palm, 10 ounce single thickness white back, knit wrist.	2.55	2.75	3.07½
710C	Ladies' 20 ounce quilted double thickness palm, 10 ounce single thickness white back, knit wrist.	2.42½	2.62½	2.92½
99	Men's 20 ounce quilted double thickness palm 10 ounce single thickness white back, 5" double (2 ply thickness) gauntlet.	3.02½	3.30	3.65
710BT	Men's 20 ounce quilted double thickness palm 10 ounce single thickness white back, 1¾" material band top.	2.50	2.60	3.00
99TN	Men's 20 ounce quilted double thickness palm, 10 ounce single thickness white back, turtle neck, 4½" double (2 ply thickness) gauntlet.	3.10	3.37½	3.72½
999	Men's 20 ounce quilted double thickness palm, 10 ounce single thickness white back, 2½" double (2 ply thickness) safety cuff.	2.77½	3.02½	3.35
99C	Ladies' 20 ounce quilted double thickness palm 10 ounce single thickness white back, 4½" double (two ply thickness) gauntlet cuff.	3.00	3.27½	3.62½
999C	Ladies' 20 ounce quilted double thickness palm, 10 ounce single thickness white back, 2½" double (2 ply thickness) safety cuff.	2.75	3.00	3.32½
99KJ	Men's Jumbo 18 ounce quilted double thickness brown flannel palm, 10 ounce single thickness back knit wrist.	2.50	2.70	3.00
99C	Ladies' 18 ounce quilted double thickness brown palm, flannel 10 ounce single thickness back, 4½" double (2 ply thickness) gauntlet cuff.	2.95	3.15	3.55
999C	Ladies' 18 ounce quilted double thickness brown flannel palm, 10 ounce single thickness back, 2¾" double (2 ply thickness) safety cuff.	2.70	2.90	3.25
79K	Men's 20 ounce quilted double thickness palm, 12 ounce single thickness back, knit wrist.	2.55	2.75	3.07½
79	Men's 20 ounce quilted double thickness palm, 12 ounce single thickness back, 5" double (2 ply thickness) gauntlet cuff.	3.12½	3.40	3.77½
79TN	Men's 20 ounce quilted double thickness palm, 12 ounce single thickness back, turtle neck, 4½" double (2 ply thickness) gauntlet cuff.	3.20	3.47½	3.85
712X	Men's 22 ounce quilted double thickness palm, 12 ounce single thickness back, knit wrist.	2.60	2.80	3.12½
712XBT	Men's 22 ounce quilted double thickness palm, 12 ounce single thickness back, 1¾" material band top.	2.65	2.85	3.20
9X	Men's 22 ounce quilted double thickness palm, 12 ounce single thickness back, 5" double (2 ply thickness) gauntlet.	3.17½	3.45	3.82½
9XTN	Men's 22 ounce quilted double thickness palm, 12 ounce single thickness back, turtle neck, 4½" double (2 ply thickness) gauntlet.	3.26	3.52½	3.92½
9XNO	Men's 22 ounce quilted double thickness palm and thumb, 12 ounce single thickness back, 5" double (2 ply thickness) gauntlet.	3.30	3.57½	3.97½
9XNOTN	Men's 22 ounce quilted double thickness palm and thumb, 12 ounce single thickness back, turtle neck, 4½" double (2 ply thickness) gauntlet cuff.	3.57½	3.65	4.07½
99XNO	Men's 22 ounce quilted double thickness palm and thumb, 12 ounce single thickness back, 2½" double (2 ply thickness) safety cuff.	3.05	3.35	3.67½
29B	Men's 16 ounce double throughout "Chore glove", 5" double (2 ply thickness) gauntlet cuff.	3.00	3.26	3.62½

(b) The maximum prices authorized in paragraph (a) are subject to the following:

(1) The instructions for manufacturers and wholesalers which preface the tables in Appendix A of RMPR 506;

(2) The provisions in section 4 (a) of RMPR 506 with respect to a manufacturers' "wholesale percentage", and the quota of deliveries which must be made at Group I prices;

(3) The marking and informational requirements of section 6 of RMPR 506. In addition to these requirements, the Brookville Glove Company on all deliveries of the style numbers in paragraph (a), made pursuant to this order, on and after September 15, 1944, must place the letter "S" following the lot number or brand name stated on the label, ticket, or other devices used to mark the gloves.

(c) The definitions in RMPR 506 shall apply to this order.

(d) The Brookville Glove Company must furnish each of its customers, who, on or after February 11, 1944, purchased or purchases the style numbers listed in paragraph (a) for purposes of resale, a notice in the form set forth below. The Brookville Glove Company must also notify each such customer (other than a seller at retail) that he is required in turn to transmit to his customers a copy of the notice set forth below. The notice may be attached to the invoide or may be stamped or printed on the invoice.

This notice is sent to you as required by Order No. 4 under section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for the work glove numbers enumerated in the table below, manufactured by the Brookville Glove Company.

OPA has ruled that the Brookville Glove Company may sell these numbers at or below the prices listed in Column A below, subject to the provisions of section 4 (a) of RMPR 506 with respect to the quota of deliveries which must be made at Group I prices. Wholesalers in turn are authorized to make regular sales at wholesale of these numbers at or below the prices listed in Column B. Retailers will determine their ceiling prices on these numbers in accordance with section 2 of RMPR 506.

Style No.	Column A Manufacturer's prices		Column B Wholesalers' prices
	Group I ceiling	Group II ceiling	
710S	$2.45	$2.65	$2.95
710JS	2.55	2.75	3.07½
710CS	2.42½	2.62½	2.92½
99S	3.02½	3.30	3.65
710BTS	2.50	2.60	3.00
99TNS	3.10	3.37½	3.72½
999S	2.77½	3.02½	3.35
99CS	3.00	3.27½	3.62½
999CS	2.75	3.00	3.32½
99KJS	2.50	2.70	3.00
99CS	2.95	3.15	3.55
999CS	2.70	2.90	3.25
79KS	2.55	2.75	3.07½
79S	3.12½	3.40	3.77½
79TNS	3.20	3.47½	3.85
712XS	2.60	2.80	3.12½
712XBTS	2.65	2.85	3.20
59XS	3.17½	3.45	3.82½
59XTNS	3.26	3.52½	3.92½
58XNOS	3.30	3.57½	3.97½
58XNOTNS	3.37½	3.65	4.07½
959XNOS	3.05	3.35	3.67½
29BS	3.00	3.25	3.62½

You will note that the letter "S" follows the manufacturers' lot number or brand name. This letter indicates that these gloves have been specially priced by OPA under section 4 (b).

(e) This Order No. 4 under Revised Maximum Price Regulation 506 may be revoked or amended by the Price Administrator at any time.

(f) On all deliveries of the work glove numbers listed in paragraph (a) since February 11, 1944 pursuant to OPA adjustable pricing authorizations, The Brookville Glove Company must refund to its customers any monies collected in excess of the ceiling prices authorized in this order. Within thirty days from the effective date of this order, the Brookville Glove Company shall send to OPA, Washington, D. C., a notification of the steps it has taken to comply with the provisions of this paragraph (f) of this order.

This order shall become effective June 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8984; Filed, June 20, 1944; 4:12 p. m.]

[RMPR 506, Order 5]

WELLS LAMONT GLOVE CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 5 under section 4 (b) of Revised Maximum Price Regulation 506. Maximum prices for staple work gloves. Granting maximum prices to the Wells Lamont Glove Company and other sellers (Docket No. N6657-506-1-7).

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) On and after June 20, 1944, the Wells Lamont Glove Company, 1791 Howard Street, Chicago, Illinois, may sell and deliver to any purchaser, and such purchaser may buy from it, the staple work glove numbers enumerated in the following table at or below the prices set forth in Column A of this table. Wholesalers who purchase these numbers from the Wells Lamont Glove Company may make "regular sales" at wholesale of such gloves, at or below the prices set forth in Column B of the table. Ceiling prices for "special sales" at wholesale shall be determined in accordance with section 3 (b) of Revised Maximum Price Regulation 506.

Style No.	Glove description	Column A: Manufacturer's prices — Group I ceiling	Column A: Manufacturer's prices — Group II ceiling	Column B: Wholesalers' prices
3449	Men's gunn cut heavy side split leather palm, full leather thumb, leather finger tips, 8 ounce canton flannel back. 6 ounce or heavier palm lining, 2¼" single ply band top.	$6.10	$6.65	$7.35
59B	Boys' elute cut 8 ounce canton flannel single thickness back and palm, knit wrist.	1.46	1.57½	1.75

(b) The maximum prices authorized in paragraph (a) are subject to the following:

(1) The instructions for manufacturers and wholesalers which preface the tables in Appendix A of RMPR 506;

(2) The provisions in section 4 (a) of RMPR 506 with respect to a manufacturers' "wholesale percentage," and the quota of deliveries which must be made at Group I prices;

(3) The marking and informational requirements of section 6 of RMPR 506. In addition to these requirements, the Wells Lamont Glove Company on all deliveries of the style numbers listed in paragraph (a), made pursuant to this order, on and after September 15, 1944, must place the letter "S" following the lot number or brand name stated on the label, ticket, or other device used to mark the gloves.

(c) The definitions in RMPR 506 shall apply to this order.

(d) The Wells Lamont Glove Company must furnish each of its customers, who, on or after February 24, 1944, purchased or purchases the style numbers listed in paragraph (a) for purposes of resale, a notice in the form set forth below. The Wells Lamont Glove Company must also notify each such customer (other than a seller at retail) that he is required in turn to transmit to his customers a copy of the notice set forth below. The notice may be attached to the invoice or may be stamped or printed on the invoice.

This notice is sent to you as required by Order No. 5 under section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for the work glove numbers enumerated in the table below, manufactured by the Wells Lamont Glove Company.

OPA has ruled that the Wells Lamont Glove Company may sell these numbers at or below the prices listed in Column A below, subject to the provisions of section 4 (a) of RMPR 506 with respect to the quota of deliveries which must be made at Group I prices. Wholesalers in turn are authorized to make regular sales at wholesale of these numbers at or below the prices listed in Column B. Retailers will determine their ceiling prices on these numbers in accordance with section 2 of RMPR 506.

Style No.	Column A: Manufacturers' prices — Group I ceiling	Column A: Manufacturers' prices — Group II ceiling	Column B: Wholesalers' prices
3449S	$6.10	$6.65	$7.35
59BS	1.46	1.57½	1.75

You will note that the letter "S" follows the manufacturers' lot number or brand name. This letter indicates that these gloves have been specially priced by OPA under section 4 (b).

(e) This Order No. 5 under Revised Maximum Price Regulation 506 may be revoked or amended by the Price Administrator at any time.

(f) On all deliveries of the work glove numbers listed in paragraph (a) since February 24, 1944 pursuant to OPA adjustable pricing authorizations, the Wells Lamont Glove Company must refund to its customers any monies collected in excess of the ceiling prices authorized in this order. Within thirty days from the effective date of this order, the Wells Lamont Glove Company shall send to OPA, Washington, D. C., a notification of the steps it has taken to comply with the provisions of this paragraph (f) of this order.

This order shall become effective June 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1944.

CHESTER BOWLES,
Administrator

[F. R. Doc. 44-8985; Filed, June 20, 1944; 4:13 p. m.]

[MPR 120, Order 823]

SOUTHERN COTTON OIL CO.

ESTABLISHMENT OF PRICE CLASSIFICATION AND ADJUSTMENT OF MAXIMUM PRICES

Order No. 823 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing price classifications and maximum prices for coals of the Alta Coal Division of the Southern Cotton Oil Company.

For the reasons given in the opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120. *It is ordered:*

(a) The Summit Strip Mine of the Alta Coal Division of the Southern Cotton Oil Company located in Walker County, Alabama, in District No. 13, operating in the Black Creek Seam, is hereby assigned Mine Index No. 2019 and classified in Maximum Price Group No. 7, Subdistrict No. 1 for rail shipment and for railroad fuel and Maximum Price Group No. 1E for truck shipment.

(b) Coals produced by the Alta Coal Division of the Southern Cotton Oil Company at its Summit Strip Mine, Mine Index No. 2019, located in Walker County, Alabama in District No. 13, for the uses indicated and by methods of transportation appearing herein, may be sold and purchased at per net ton prices not exceeding the following:

	Size groups: 1, 2, 3, 4 and 5	6, 8 and 10	7, 9 and 11	12, 14, 15 and 16	13, 19, 20 and 21	17 and 18	22 and 23
Rail shipment and railroad fuel	$5.60	$5.10	$5.00	$4.35	$4.25	$4.25	$4.15
Truck shipment	5.50	4.90	4.55	4.40	4.30	4.30	4.05

(d) This order may be revoked or amended at any time.

(e) All prayers of the applicant not granted herein are hereby denied.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective June 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9050; Filed, June 21, 1944; 11:22 a. m.]

[MPR 120, Order 824]

CLYDE O. MITCHELL

ADJUSTMENT OF MAXIMUM PRICES

Order No. 824 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Mitchell Nos. 3 and 4 Mines of Clyde O. Mitchell, Birmingham, Alabama, are hereby assigned Mine Index Nos. 2035 and 2036, respectively. The No. 3 Mine is classified in Price Group No. 6 for rail shipments and railroad fuel, and in Price Group No. 1 for truck shipments. The No. 4 Mine is classified in Price Group No. 7 for rail shipments and railroad fuel, and in Price Group No. 1 for truck shipments.

(b) Coals produced by Clyde O. Mitchell, Birmingham, Alabama, from the Mitchell Nos. 3 and 4 Mines, Mine Index Nos. 2035 and 2036 operating in the Black Creek Seam in District No. 13, may be purchased and sold at per net ton prices in cents per net ton not exceeding the following:

No. 3 Mine

	Size group No.: 1, 2, 3, 4 and 5	6, 8 and 10	7, 9 and 11	12, 14, 15 and 16	13, 19, 20 and 21	17 and 18	22 and 23
Rail shipments, including railroad fuel	530	480	470	360	380	370	360
Truck shipment	525	475	455	440	430	415	405

No. 4 Mine

	Size group No.: 1, 2, 3, 4 and 5	6, 8 and 10	7, 9 and 11	12, 14, 15 and 16	13, 19, 20 and 21	17 and 18	22 and 23
Rail shipments, including railroad fuel	560	510	500	435	425	425	415
Truck shipment	525	475	455	440	430	415	405

(c) The prices established herein are f. o. b. the mine for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad fuel.

(d) All prayers of applicant not granted herein are hereby denied.

(e) This order may be revoked or amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

This order shall become effective June 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9051; Filed, June 21, 1944; 11:23 a. m.]

[Max. Import Price Reg., Order 19]

D. N. & E. WALTER & CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Effect of this order.* This order establishes maximum prices at which the importer may sell and maximum prices at which retailers may buy and sell, wool hooked rugs, cotton hooked rugs, mixed yarn hooked rugs, Zarape rugs and hand-knotted wool rugs, imported from Mexico by D. N. & E. Walter & Company of San Francisco, California, hereinafter called the "importer."

(b) *Maximum prices on sales by importer and by retailers.* The importer may not sell, and no retailer may buy, the rugs described below at prices f. o. b. Pacific Coast shipping points, terms net 30 days, higher than those set forth in Column II. No retailer may sell, and no person may pay, prices higher than those set forth in Column III for such rugs.

I: Type of rug	II: Sales by importer to retailers	III: Sales by retailers to consumers
100% wool hooked rugs	$1.35 per sq. ft.	$2.25 per sq. ft.
Mixed yarn hooked rugs (40% wool, 60% cotton)	$0.97 per sq. ft.	$1.60 per sq. ft.
Cotton hooked rugs	$0.80 per sq. ft.	$1.35 per sq. ft.
Zarape rugs:		
Size 60 x 100 cent.	$5.25 per piece	$8.85 per piece.
Size 75 x 150 cent.	$7.25 per piece	$12.25 per piece.
Size 120 x 190 cent.	$16.50 per piece	$27.75 per piece.
Size 150 x 200 cent.	$19.75 per piece	$33.25 per piece.
Hand-knotted wool rugs:		
Special grade	$1.50 per sq ft.	$2.60 per sq. ft.
"War" quality	$2.00 per sq. ft.	$3.50 per sq. ft.
"Sculptured" quality.	$2.50 per sq ft.	$4.35 per sq. ft.

(c) *Special orders of hand-knotted wool rugs.* The importer may add 10¢ per square foot to the above maximum prices for hand-knotted wool rugs when they are made to special specifications. The retailer may add 25¢ per square foot to the above maximum prices for hand-knotted wool rugs when they are made to special specifications.

(d) *Reduction of prices.* Whenever the total landed cost to the importer on which the above maximum prices are established decrease by 5% or more, he shall immediately notify the Export-Import Price Branch, OPA, Washington, D. C., of the extent of the reduction in cost and the Price Administrator may then establish new maximum prices for these rugs.

(e) *Importer to notify retailers.* The importer shall furnish a copy of this order to each retailer to whom any such rugs are sold and shall also include on the invoice the following statement:

The enclosed Order No. 19 issued under the Maximum Import Price Regulation by OPA establishes your maximum selling prices for these rugs.

(f) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective June 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 21st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9052; Filed, June 21, 1944; 11:23 a. m.]

[Max. Import Price Reg., Order 20]

HARMAN & HULSEY CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 20 under section 21 of the Maximum Import Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Effect of this order.* This order establishes maximum prices at which the importer may sell, and maximum prices at which wholesalers and retailers may buy and sell brooms imported from Cuba by Harman & Hulsey Company, of Tampa, Florida. These brooms consist of 5-string, weighing 21 pounds per dozen and 6-string, weighing 25 pounds per dozen, respectively.

(b) *Maximum prices on sales by Harman & Hulsey Company.* Harman & Hulsey Company may sell such brooms to wholesalers at prices, f. o. b. Tampa, Florida, not exceeding $8.53 per dozen for the 5-string, and $9.90 per dozen for the 6-string. No wholesaler may pay Harman & Hulsey Company higher prices.

(c) *Maximum wholesale and retail prices.* No wholesaler or retailer may sell, and no person buying from them may pay, higher prices than the following for such brooms:

Class of seller	Maximum prices f. o. b. seller's shipping point: 5-string	6-string
Sales by wholesalers	$9.85 per doz.	$11.40 per doz.
Sales by retailers	$1.10 each	$1.30 each.

(d) *Harman & Hulsey Company to notify wholesalers.* Harmon & Hulsey Company shall furnish a copy of this order to each wholesaler to whom such brooms are sold and shall also include on the invoice the following statement:

The enclosed Order No. 20 issued under the Maximum Import Price Regulation by OPA establishes your maximum selling prices for these brooms and requires you to notify your customers what are their maximum prices as stated in the order.

(e) *Wholesalers to notify retailers.* Every wholesaler selling such brooms shall include on his invoice to each retailer the following statement:

Your maximum selling prices for these brooms, as established by Order No. 20 under the Maximum Import Price Regulation by OPA, are $1.10 each for 5-string and $1.30 each for 6-string.

(f) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective on June 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 21st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9053; Filed, June 21, 1944; 11:23 a. m.]

[MPR 188, Order 30 Under Order A-2, Amdt. 1]

LANDEN PUTTY WORKS

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 30 under subparagraph (a) (13) of Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188. Maximum prices for putty manufactured by Landen Putty Works, Malden, Massachussetts, and sold outside of New England.

For the reasons set forth in an opinion issued simultaneously herewith, paragraph (a) (1) of Order No. 30 under paragraph (a) (13) of Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188 is amended to read as follows:

	Net price per 100 pounds f. o. b. Boston, Mass.				
	100 lb. and 85 lb. steel drums	25 lb. cans	12½ lb. cans	5 lb. cans	1 lb. cans
Glaziers (commercial)	$2.45	$2.95	$3.10	$3.45	$4.95
Glaziers 85% white lead	3.20	3.70	3.85	4.20	5.70
Strictly pure linseed oil (meets Federal spec. TT-P-791a Type I)	4.35	4.85	5.00	5.35	6.85
Strictly pure linseed oil 85% white lead	4.35	5.35	5.50	5.85	7.35
Strictly pure linseed oil 10% white lead (meets Federal spec. TT-P-791a Type II)	5.35	5.85	6.00	6.35	7.85
Factory steel sash (for interior glazing)	3.50	4.00	4.15	4.50	.....
Master plumbers (same as commercial)	2.45	2.95	3.10	3.45	4.95

This amendment shall become effective June 22, 1944.

Issued this 21st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9055; Filed, June 21, 1944; 11:24 a. m.]

Regional and District Office Orders.

[Region III Order G-27 Under RMPR 122]

SOLID FUELS IN MUNCIE, IND. AREA

Order No. G-27 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Muncie, Indiana Area.

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the corporate limits of the City of Muncie, Indiana and that part of Center Township, Indiana, not included in the City of Muncie. These are the highest prices that any dealer may charge when he delivers such fuels at or to a point in such area; they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-27; but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order,

(ii) Making a charge higher than the scheduled charge authorized for the extension of credit,

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly,

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with any requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government,

(c) *Schedule for sales of coal.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established; Column II shows maximum prices for cash or credit sales on a "direct delivery" basis in quantities of less than 20 tons; Column III shows maximum prices for cash or credit sales on a "direct delivery" basis in quantities of at least 20 tons and less than 50 tons; Column IV shows maximum prices for all cash or credit "yard sales" to dealers reselling coal.

SCHEDULE I

Column I	Column II	Column III	Column IV
	1-19 tons	20-49 tons[1]	
I. High volatile bituminous coals from producing District No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia and northeastern Tennessee) excluding coals from the Bull Creek, Splash Dam, Clintwood and Upper Banner seams and from Mine Index Nos. 22, 219, 319, 370 & 429:[2]			
A. Lump—size group Nos. 1 and 2 (larger than 3"):			
1. Mine price classifications D through J	$9.30	$9.05	$8.90
2. Mine price classifications K and lower	8.85	8.60	8.35
B. Egg:			
1. Size group No. 6 (top size larger than 3" but not exceeding 6" x bottom size 2" and smaller; top size 2" but not exceeding 5" x bottom size larger than 2" but not exceeding 3"):			
a. Mine price classifications H through K	8.95	8.70	8.45
b. Mine price classifications L through N	8.60	8.35	8.10
2. Size group No. 7 (top size larger than 3" but not exceeding 6" x bottom size 2" and smaller), mine price classifications K through N	8.60	8.35	8.10
C. Stove—Size group No. 8 (top size larger than 2" but not exceeding 5" x bottom size 2" and smaller), mine price classification A	8.75	8.50	8.25
D. Stoker—Size group No. 10 (top size 1¼" and smaller x bottom size ¾" and larger):			
1. Mine price classifications A through E	9.05	8.80	8.55
2. Mine price classifications F and lower	8.90	8.65	8.40
E. To the prices stated in section A, B, C, and D of Part I may be added $.15 per ton provided the coal is mined in Sub-district 6 of Producing District 8, and provided the coal is separately weighed and billed by the dealer. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.			
II. Bituminous coals from producing district No. 11 (Indiana):			
A. Lump, egg and stove:			
1. Size group Nos. 1 through 3 (bottom size larger than 2", washed or raw):			
a. Price group Nos. 1 through 4 and 8 through 12	6.75	6.50	6.25
b. Price group Nos. 5, 13 and 20	7.35	7.10	6.85
2. Size group Nos. 4 through 8 (bottom size 2" and smaller, washed or raw):			
a. Price group Nos. 1 through 4 and 8 through 12	6.75	6.50	6.25
b. Price group Nos. 5, 13 and 20	7.10	6.85	6.60
B. Stoker (bottom size larger than 10 mesh or 9½"):			
1. Price group No. 6:			
a. Raw	7.25	7.00	6.75
b. Washed or air-cleaned:			
1. Treated	7.50	7.25	7.00
2. Untreated	7.40	7.15	6.90
2. Price group Nos. 1 through 4 and 8 through 12:			
a. Raw	6.40	6.15	5.90
b. Washed or air-cleaned:			
1. Treated	6.65	6.40	6.15
2. Untreated	6.55	6.30	6.05
III. Bituminous lump coal from producing District No. 4 (Ohio), size group Nos. 1 and 2 (larger than 3") from the Ohio No. 8 freight origin district	8.10	7.85	7.60
IV. Low volatile bituminous coals from producing district No. 7 (southeastern West Virginia and northwestern Virginia):[3]			
A. Lump and egg—size groups Nos. 1 and 2 (lump; bottom size larger than screened run of mine; egg; top size larger than 3" x bottom size no limit) mine price classification A	10.35	10.10	9.85
B. Stoker—Size group No. 5 (pea or dedusted screenings: top size not exceeding ¾" x bottom size smaller than ¾") mine price classification A	9.08	8.80	8.53
V. Briquettes (low volatile)	10.65	10.40	10.15
VI. Anthracite (Pennsylvania): Egg, stove, chestnut sizes	15.15	14.90	14.65
VII. Coke (excluding reclaimed or reject coke): Egg, stove and chestnut sizes	11.85	11.60	11.35

[1] On one order, delivered to one location.

[2] To the prices of coals from District 7 and 8 may be added $.10 per ton if the coal had been treated by an oil or chemical treatment by the supplier. Such charge, if made, shall be separately stated on the dealer's invoice.

All terms used herein to describe size, volatility, and producing district are those that were established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

(d) The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G-27 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Wheeling from curb	$0.50 per ton.
Carrying from curb	$0.75 per ton.
Carrying up or down stairs:	
One flight	$1.00 per ton.
Each additional flight	$0.25 per ton.
½ ton deliveries	½ of the ton price plus $0.25.
Miscellaneous services in connection with sales of solid fuels including trimming in the bin.	$0.75 per hour per man.

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, such tax need not be so separately stated on a sale to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(g) *Addition of increase in suppliers prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the *licensing* provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged and the kind and type of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices: sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the delivery of the fuel, give to the buyer a statement showing; the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Indianapolis District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means shoveling, dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean sales and deliveries made by the dealer in his customary manner at his yard.

(6) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein, and in full force and effect.

(c) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-27 under Revised Maximum Price Regulation No. 122 shall become effective June 29, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued June 14, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-8989; Filed, June 20, 1944; 4:15 p. m.]

[Region III Order G-30 Under RMPR 122, Amdt. 3]

SOLID FUELS IN HAMILTON COUNTY AND MILFORD, OHIO

Amendment No. 3 to Order No. G-30 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in Hamilton County, Ohio, and in the City of Milford, Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That paragraph C of Part II of the Price Schedule in section (c) (1) be amended to read as follows:

Column I	Column II	Column III
II. • • •		
C. Stoker, or dedusted screenings, size group No. 5 (top size not exceeding ¾" x bottom size smaller than ¾") in mine price classification A	$7.70	$7.45

This Amendment No. 3 to Order No. G-30 under Revised Maximum Price Regulation No. 122 shall become effective June 23, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued June 15, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-8991; Filed, June 20, 1944; 4:14 p. m.]

[Region III Order G–44 Under RMPR 122]

Solid Fuels in Bay City, Mich., Area

Order No. G–44 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Bay City, Michigan, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the Bay City area herein defined to include the following: Bangor Township; Kawkawlin Village; that portion of Hampton Township lying west of Farley Road; that portion of Merritt Township lying west of Farley Road and north of Munger Road; Portsmouth Township; Frankenlust Township; Monitor Township; Auburn Village; and the municipalities of Bay City and Essexville. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in such Bay City area; they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G–44; but less than maximum prices may at any time be charged, paid, or offered;

(2) Obtain a higher than ceiling price by

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order,

(ii) Using any other device by which a higher than maximum price is obtained, directly or indirectly,

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with the requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(c) *Schedule for sales of coal.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established; Column II shows maximum prices for cash or credit sales on a "direct delivery" basis; Column III shows maximum prices for cash or credit "yard sales" in quantities of one or more tons. All prices are for sales on a net ton basis.

Column I	Column II	Column III
I. High volatile bituminous coals from producing District No. 8 excluding coals from The Star Slope Mine Index No. 439 of The Dixport Coal Company, The King Kona #2 Mine, Index No. 285 of The Elkhorn Coal Company, and The #2 Mine, Index No. 124 of The Columbus Mining Company (eastern Kentucky, southern West Virginia, western Virginia, northeastern Tennessee): [1]		
A. Lump, size group No. 2 (larger than 3" but not exceeding 5"):		
1. Mine price classifications C through F	$9.45	$8.95
2. Mine price classifications G through O	9.25	8.75
3. Mine price classifications P through S	8.70	8.20
B. Egg:		
1. Size group No. 3 (top size larger than 5" but not exceeding 6" x bottom size larger than 2" but not exceeding 3"; top size larger than 6" x bottom size 2" and smaller) mine price classifications L through N	9.20	8.70
2. Size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3"):		
a. Mine price classifications E through K	9.10	8.60
b. Mine price classifications L through N	8.95	8.45
3. Size group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller) mine price classifications B through M	8.75	8.25
C. Stoker, size group No. 10 (top size 1¼" and smaller x bottom size ⅜" and larger:		
1. Mine price classifications B through E	8.95	8.45
2. Mine price classifications F through M	8.70	8.20
D. Screenings, size group No. 30 (larger than ¾" x 0 but not exceeding 2" x 0) mine classifications M through Q	8.05	7.55
E. To the prices stated in sections A, B, C, and D of Part I may be added $.15 per ton provided the coal is mined in sub-district 6 of producing District No. 8 and provided it is separately weighed and billed. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.		
II. High volatile bituminous coals from producing District No. 5 (Michigan) rail or truck:		
A. Lump, size group Nos. 1 and 2 (larger than 2")	9.10	8.60
B. Egg (raw):		
1. Size group No. 4 (top size larger than 4" x bottom size larger than 2" but not exceeding 3")	9.00	8.50
2. Size group No. 5 (top size larger than 3" but not exceeding 4" x bottom size larger than 1¼" but not exceeding 2")	8.70	8.20
C. Slack (washed or mechanically cleaned) size group No. 9 (larger than 1¼" x 0 but not exceeding 2" x 0)	6.75	6.25
III. Low volatile bituminous coals from producing District No. 7 (Southeastern West Virginia and northwestern Virginia): [1]		
A. Lump and egg, size group Nos. 1 and 2 (Lump: larger than screened run of mine; egg: top size larger than 3" x bottom size no limit) mine price classifications A through C	10.95	10.45
B. Stoker, size group No. 5 (pea or redusted screenings, top size not exceeding ¾" x bottom size smaller than ¾") mine price classification A	8.80	8.30
IV. Pennsylvania anthracite egg, stove and chestnut sizes	15.10	14.60
V. Coke (excluding reclaimed and reject coke) egg, stove and nut sizes:		
A. Forked	13.10	12.60
B. Other	12.60	12.10

[1] To the prices of coals from producing Districts 7 and 8 may be added $.10 per ton if the coal has been subjected to oil or chemical treatment by the supplier. If such a charge is added, it must be separately stated on the invoice.

All terms used herein to describe size, volatility and producing district are those that were established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

(d) The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G–44 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Carrying up or down one flight of stairs	$0.25 per ton.
Carrying or wheeling from curb	$0.75 per ton.
½ ton deliveries	½ of the delivered ton price plus $0.25.
Yard sales of less than 1 ton	The fractional delivered ton price.

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, such tax need not be so separately stated on a sale to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(g) *Addition of increase in suppliers prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices; sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Saginaw District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean sales and deliveries made by the dealer in his customary manner at his yard.

(6) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

Note: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–44 under Revised Maximum Price Regulation No. 122 shall become effective June 29, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued June 14, 1944.

Berkett L. Williams,
Regional Administrator.

[F. R. Doc. 44–8993; Filed, June 20, 1944; 4:14 p. m.]

[Region III Order G–45 Under RMPR 122, Amdt. 3]

Solid Fuels in Designated Counties in Kentucky

Amendment No. 3 to Order No. G–45 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in Boone, Campbell, and Kenton Counties, Kentucky.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That paragraph C of Part II of the Price Schedule in section (c) (1) be amended to read as follows:

Column I	Column II	Column III
II. • • •		
C. Stoker, or dedusted screenings, size group No. 5 (top size not exceeding ¾" x bottom size smaller than ¾") in mine price classification A	$7.70	$7.45

This Amendment No. 3 to Order No. G–45 under Revised Maximum Price Regulation No. 122 shall become effective June 23, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued June 15, 1944.

Berkett L. Williams,
Regional Administrator.

[F. R. Doc. 44–8993; Filed, June 20, 1944; 4:14 p. m.]

[Region III Order G–51 under RMPR 122]

Solid Fuels in Sandusky County, Ohio, Area

Order No. G–51 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Sandusky County, Ohio, Area.

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the corporate limits of Sandusky County, Groton Township in Erie County, Lymon Township in Huron County, and Sherman Township in Huron County. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in such area; they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall

(1) Sell, or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G–51; but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order,

(ii) Making a charge higher than the scheduled charge authorized for the extension of credit,

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly,

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with any requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(c) *Schedule for sales of coal.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established; Column II shows maximum prices for credit sales on a "direct delivery" basis; Column III shows maximum prices for

sales on "direct delivery" basis when payment is made within ten days from the date of delivery; Column IV shows maximum prices for all cash or credit "yard sales" in quantities of one-half ton or more.

Column I	Column II	Column III	Column IV
I. High volatile bituminous coals from producing district No. 8 (eastern Kentucky and southwestern West Virginia, western Virginia and northeastern Tennessee) except mine index Nos. 127, 213, 459 [1]			
A. Lump, size group Nos. 1 and 2 (larger than 3"):			
1. Mine price classification A	$8.95	$8.70	$8.20
2. Mine price classifications B through H	8.80	8.55	8.05
3. Mine price classifications K through O	8.50	8.25	7.75
B. Egg:			
1. Size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3") mine price classifications E through K	8.35	8.10	7.60
2. Size group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller) mine price classifications G through K	8.00	7.75	7.25
C. Stoker, size group No. 10 (top size 1¼" and smaller x bottom size ¼" and larger) mine price classifications A through E	8.65	8.60	8.10
D. To the prices stated in sections A, B, and C of Part I may be added $.15 per ton provided the coal is mined in sub-district 6 of producing district No. 8. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.			
II. Low volatile bituminous coals from producing district Nos. 7 and 8 (southeastern West Virginia and northwestern Virginia): [1]			
A. Egg, size group No. 2 (top size larger than 3" x bottom size no limit):			
1. Mine price classification A:			
a. The Bradshaw Mine, Index 28, of the Southern Coal Corporation, and the Glen Rogers Mine, Index 73, of the Raleigh Wyoming Mining Company	10.00	9.75	9.25
b. All mines excepting the above	9.75	9.50	9.00
2. Mine price classifications B and C	9.65	9.40	8.90
B. Stoker, size group No. 5 (Pea, or dedusted screenings, top size not exceeding ¾" x bottom size smaller than ¾"), mine price classification A	8.55	8.30	7.80

[1] An additional charge of $0.10 per ton may be added if the coal has been subjected to an oil or chemical treatment by the supplier and such treatment charge has been made by the supplier. If the treatment charge is added, it must be separately stated on the invoice.

For sales in quantities of 50 tons or more annually to a single purchaser for delivery to a single location at different times, a discount of no less than $0.25 per ton from the prices listed in Columns II and III shall be granted.

For sales in quantities of 50 tons or more delivered at one time to a single location, a discount of no less than $0.75 per ton from the prices listed in Columns II and III shall be granted.

All terms used herein to describe size, volatility and producing district are those that were established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

Carry-in or wheel-in from curb	$0.75 per ton.
Carry up or down each flight of stairs	$0.50 per ton.
Forking low volatile coals	$1.00 per ton.
½ ton deliveries	½ the ton price plus $0.25.
Yard sales of less than ½ ton	The fractional ton price plus $0.50.

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, such tax need not be so separately stated on a sale to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(g) *Addition of increase in suppliers prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices; sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing; the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the Toledo District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes, sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean sales and deliveries made by the dealer in his customary manner at his yard.

(6) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order No. G-51 under Revised Maximum Price Regulation No. 122 shall become effective June 29, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued June 14, 1944.

BERKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-8990; Filed, June 20, 1944; 4:15 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on June 19, 1944.

REGION I

Boston Order 4-F, Amendment 6, covering fresh fruits and vegetables in certain named areas in New York, filed 12:31 p. m.

Concord Order 15, covering certain poultry items in State of New Hampshire, filed 12:30 p. m.

REGION II

Camden Order 1-F, Amendment 4, covering fresh fruits and vegetables in Camden County, N. J., filed 12:32 p. m.

Camden Order 1-F, Amendment 5, covering fresh fruits and vegetables in Camden County, N. J., filed 12:34 p. m.

Camden Order 1-F, Amendment 6, covering fresh fruits and vegetables in Camden County, N. J., filed 12:34 p. m.

Camden Order 1-F, Amendment 7, covering fresh fruits and vegetables in Camden County, N. J., filed 12:34 p. m.

Camden Order 1-F, Amendment 8, covering fresh fruits and vegetables in Camden County, N. J., filed 12:35 p. m.

Camden Order 1-F, Amendment 9, covering fresh fruits and vegetables in Camden County, N. J., filed 9:39 a. m.

Camden Order 2-F, covering fresh fruits and vegetables in Cape May and Atlantic Counties, N. J., filed 12:31 p. m.

Camden Order 2-F, Amendment 1, covering fresh fruits and vegetables in Cape May and Atlantic Counties, N. J., filed 12:32 p. m.

Camden Order 2-F, Amendment 2, covering fresh fruits and vegetables in Cape May and Atlantic Counties, N. J., filed 12:32 p. m.

Camden Order 2-F, Amendment 3, covering fresh fruits and vegetables in Cape May and Atlantic Counties, N. J., filed 12:33 p. m.

Camden Order 2-F, Amendment 4, covering fresh fruits and vegetables in Cape May and Atlantic Counties, N. J., filed 12:34 p. m.

Camden Order 2-F, Amendment 5, covering fresh fruits and vegetables in Cape May and Atlantic Counties, N. J., filed 12:35 p. m.

Camden Order 2-F, Amendment 6, covering fresh fruits and vegetables in Cape May and Atlantic Counties, N. J., filed 9:39 a. m.

Maryland Order 1-F, Amendment 10, covering fresh fruits and vegetables in Baltimore City and suburban communities, filed 3:46 p. m.

Philadelphia Order 1-F, Amendment 9, covering fresh fruits and vegetables in Philadelphia, Pa., filed 3:45 p. m.

Trenton Order 1-F, Amendment 8, covering fresh fruits and vegetables in Mercer, Middlesex & Monmouth; filed 12:26 p. m.

Trenton Order 2-F, Amendment 5, covering fresh fruits and vegetables in Mercer, Middlesex & Monmouth, filed 12:27 p. m.

Trenton Order 3-F, Amendment 4, covering fresh fruits and vegetables in Mercer, Middlesex and Monmouth, filed 12:26 p. m.

Williamsport Order 1-F, Amendment 10, covering fresh fruits and vegetables in Williamsport, filed 3:46 p. m.

REGION III

Charleston Order 1-F, Amendment 29, covering fresh fruits and vegetables in Kanawha, Montgomery, Fayette County, W. Va., filed 12:27 p. m.

Charleston Order 2-F, Amendment 23, covering fresh fruits and vegetables in Brooke, Hancock, Marshall, Ohio, Tyler & Wetzel, W. Va., filed 12:27 p. m.

Charleston Order 3-F, Amendment 24, covering fresh fruits and vegetables in Brooke, Hancock, Marshall, Ohio, Tyler and Wetzel, W. Va., filed 12:28 p. m.

Charleston Order 7-F, Amendment 10, covering fresh fruits and vegetables in named areas in W. Va., filed 12:28 p. m.

Charleston Order 8-F, Amendment 10, covering fresh fruits and vegetables in named areas in W. Va., filed 12:29 p. m.

Charleston Order 9-F, Amendment 9, covering fresh fruits and vegetables in Cabell County and Huntington, W. Va., filed 12:29 p. m.

Charleston Order 10-F, Amendment 9, covering fresh fruits and vegetables in named counties in W. Va., filed 12:30 p. m.

Charleston Order 11-F, Amendment 2, covering fresh fruits and vegetables in Berkeley, Jefferson and Morgan Counties, W. Va., filed 12:30 p. m.

Charleston Order 12-F, Amendment 1, covering fresh fruits and vegetables in certain named areas in W. Va., filed 3:45 p. m.

Charleston Order 12-F, covering fresh fruits and vegetables in certain named areas in W. Va., filed 3:45 p. m.

Charleston Order 29, Amendment 3, covering community food prices in certain named counties of W. Va., filed 3:45 p. m.

Charleston Order 30, Amendment 3, covering community food prices in Pleasants, Ritchie, Wirt and Wood, W. Va., filed 3:35 p. m.

Charleston Order 31, Amendment 3, covering community food prices in Cabell, Lincoln, Logan, Mason, Mingo, Putnam and Wayne Counties, W. Va., filed 3:34 p. m.

Charleston Order 33, Amendment 3, covering community food prices in named counties in W. Va., filed 3:34 p. m.

Cincinnati Order 1-F, Amendment 34, covering community fresh fruit and vegetable prices in Hamilton, Ohio, filed 9:49 a. m.

Cincinnati Order 2-F, Amendment 27, covering community food prices in Butler, Clark, Montgomery and Scioto Counties in Ohio, filed 9:49 a. m.

Saginaw Order 2-F, Amendment 21, covering fresh fruits and vegetables in named counties in Michigan, filed 9:52 a. m.

Saginaw Order 2-F, Amendment 22, covering fresh fruits and vegetables in named counties in Michigan, filed 9:52 a. m.

Saginaw Order 3-F, Amendment 6, covering fresh fruits and vegetables in named counties in Michigan, filed 9:49 a. m.

REGION IV

Jacksonville Order 1-B, covering dry groceries and perishables in various areas in Florida, filed 9:48 a. m.

Jacksonville Order 1-W, Revocation, covering dry groceries in Northern Florida Area, filed 9:49 a. m.

Jacksonville Order 2-W, Revocation, covering dry groceries in Southern Florida Area, filed 9:48 a. m.

Jacksonville Order 4-F, Amendment 3, covering fresh fruits and vegetables in named counties in Florida, filed 9:48 a. m.

Jacksonville Order 5-F, Amendment 3, covering fresh fruits and vegetables in named areas in Florida, filed 9:48 a. m.

Jacksonville Order 23, covering community food prices in Northern Florida Area, filed 2:22 p. m.

Jacksonville Order 24, covering community food prices in Miami-Tampa, Florida, Area, filed 2:24 p. m.

Jacksonville Order 25, covering community food prices in Southern Florida Area, filed 2:24 p. m.

Memphis Order 16, covering community food prices in the Memphis Area, filed 9:53 a. m.

REGION V

Lubbock Order 3-F, Amendment 5, covering fresh fruits and vegetables in designated counties in Texas, filed 3:31 p. m.

REGION VI

Moline Order 2-F, Amendment 14, covering fresh fruits and vegetables in certain areas in Illinois and Iowa, filed 3:31 p. m.

Moline Order 3-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Illinois and Iowa, filed 3:32 p. m.

Moline Order 4-F, Amendment 2, covering fresh fruits and vegetables in certain counties in Illinois, filed 3:31 p. m.

Milwaukee Order 4-F, Amendment 6, covering fresh fruits and vegetables in certain counties in the Milwaukee District, filed 3:31 p. m.

Milwaukee Order 11, Amendment 4, covering poultry in certain counties in the Milwaukee District, filed 3:31 p. m.

REGION VII

Montana Order 5-F, Amendment 2, covering fresh fruits and vegetables in the Helena and East Helena Area, filed 2:26 p. m.

Montana Order 6-F, Amendment 2, covering fresh fruits and vegetables in the Great Falls Area, filed 2:27 p. m.

Montana Order 7-F, Amendment 2, covering fresh fruits and vegetables in the Butte Area, filed 2:27 p. m.

Montana Order 8-F, Amendment 2, covering fresh fruits and vegetables in the Billings Area, filed 2:27 p. m.

Montana Order 9-F, Amendment 2, covering fresh fruits and vegetables in the Miles City Area, filed 2:27 p. m.

Montana Order 10-F, Amendment 2, covering fresh fruits and vegetables in the Bozeman Area, filed 2:27 p. m.

Montana Order 11-F, Amendment 2, covering fresh fruits and vegetables in the Missoula Area, filed 2:27 p. m.

Montana Order 12-F, Amendment 2, covering fresh fruits and vegetables in the Kalispell Area, filed 2:29 p. m.

Montana Order 13-F, Amendment 2, covering fresh fruits and vegetables in the Anaconda Area, filed 2:29 p. m.

Montana Order 14-F, Amendment 2, covering fresh fruits and vegetables in the Wolf Point and Malta Area, filed 2:30 p. m.

Montana Order 15-F, Amendment 2, covering fresh fruits and vegetables in the Glasgow Area, filed 2:30 p. m.

Montana Order 16–F, Amendment 2, covering fresh fruits and vegetables in the Havre and Chinook Area, filed 2:30 p. m.

Montana Order 17–F, Amendment 2, covering fresh fruits and vegetables in the Cut Bank and Shelby Area, filed 2:30 p. m.

Montana Order 19–F, Amendment 2, covering fresh fruits and vegetables in the Dillon Area, filed 2:21 p. m.

Montana Order 18–F, Amendment 2, covering fresh fruits and vegetables in the Hamilton Area, filed 2:21 p. m.

Montana Order 20–F, Amendment 2, covering fresh fruits and vegetables in the Lewiston Area, filed 2:21 p. m.

Montana Order 21–F, Amendment 2, covering fresh fruits and vegetables in the Roundup and Klein Area, filed 2:21 p. m.

Montana Order 22–F, Amendment 2, covering fresh fruits and vegetables in Columbus, Park City and Laurel, filed 2:21 p. m.

Montana Order 24–F, Amendment 3, covering fresh fruits and vegetables in the Livingston Area, filed 2:22 p. m.

Montana Order 25–F, Amendment 2, covering fresh fruits and vegetables in the Glendive Area, filed 2:22 p. m.

Montana Order 26–F, Amendment 2, covering fresh fruits and vegetables in the Sidney Area, filed 2:22 p. m.

Montana Order 27–F, Amendment 2, covering fresh fruits and vegetables in the Hardin Area, filed 2:22 p. m.

Montana Order 28–F, Amendment 2, covering fresh fruits and vegetables in the Carbon County Area, filed 9:55 a. m.

Montana Order 29–F, Amendment 2, covering fresh fruits and vegetables in the Deer Lodge Area, filed 2:20 p. m.

Montana Order 30–F, Amendment 2, covering fresh fruits and vegetables in the Baker Area, filed 2:20 p. m.

Montana Order 58, covering community food prices in the Glendive Area, filed 3:33 p. m.

Montana Order 59, covering community food prices in the Sidney Area, filed 3:33 p. m.

Montana Order 61, covering community food prices in the Hardin Area, filed 3:33 p. m.

Montana Order 62, covering community food prices in the Carbon County Area, filed 3:33 p. m.

Montana Order 63, covering community food prices in the Deer Lodge Area, filed 3:32 p. m.

Montana Order 64, covering community food prices in the Malta Area, filed 3:32 p. m.

Utah Order 7, covering community food prices in the American Fork, Coalville, Logan, Smithfield, Spanish Fork, and Springville Area, filed 9:55 a. m.

Utah Order 8, covering community food prices in the Price Area, filed 9:53 a. m.

Utah Order 9, covering community food prices in the Cedar City, Delta and Fillmore Area, filed 9:54 a. m.

Utah Order 10, covering community food prices in the Hurricane, Panguitch and St. George Area, filed 9:55 a. m.

REGION III

Los Angeles Order 1–F, Amendment 18, covering fresh fruits and vegetables in the Santa Barbara-Ventura Area, filed 9:38 a. m.

Fresno Basic Order 1, covering retail food prices in various areas in California, filed 9:40 a. m.

Fresno Adopting Order 4 under Basic Order 1, covering retail food prices in Stanislaus County Area, filed 12:25 p. m.

Fresno Adopting Order 5, under Basic Order 1, covering retail food prices in the Kern County Area, filed 12:25 p. m.

Fresno Adopting Order 6, under Basic Order 1, covering retail food prices in the Fresno District Area, filed 12:25 p. m.

Fresno Order 17, Amendment 2, covering community food prices in certain counties in California, filed 9:40 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–9083; Filed, June 21, 1944; 4:26 p. m.]

[Atlanta Order G–2 Under MPR 376]

SWEET POTATOES IN NORTH GEORGIA

Order No. G–2 under Maximum Price Regulation No. 376, as amended. Certain fresh fruits and vegetables. Adjustment of maximum prices for sales of certain sweet potatoes to retail stores and other purchasers located in the North Georgia District Area.

For the reasons set forth in an accompanying opinion issued simultaneously herewith and under the authority vested in the District Director of the Atlanta District Office of the Office of Price Administration by section 4 (c) of Maximum Price Regulation No. 376, as amended, and Regional Delegation Order No. 34, it is hereby ordered:

(a) *Purpose of order.* It is the purpose of this order to adjust the maximum prices which may be charged in accordance with Maximum Price Regulation No. 376, as amended, for the sale of kiln dried sweet potatoes, Grade U. S. No. 1, of the 1943 crop when such sale is made by anyone whose maximum prices are established by Maximum Price Regulation No. 376, as amended, to any "retail store," commercial, industrial, or institutional user which is located in the North Georgia District Area. This order allows the seller to adopt as his maximum price for such sales either his maximum price as calculated under Maximum Price Regulation No. 376, as amended, or the dollar and cent price provided herein, whichever is higher.

(b) *Maximum prices.* The maximum price which may be charged on and after the effective date of this order for the sale of kiln dried sweet potatoes, Grade U. S. No. 1, which were produced and harvested during the 1943 crop year, by anyone whose maximum prices for such sales are established in accordance with Maximum Price Regulation No. 376, as amended, when sold to an individual "retail store," commercial, industrial, or institutional user located within the North Georgia District Area in bushel hampers or other containers supplied by the seller, shall be the higher of the following:

(1) $4.50 per bushel. This price includes the charges for the hamper supplied by the seller, and in the event that the hamper is not supplied by the seller or the return of the hamper is required the price must be reduced by 15¢ per bushel; or

(2) The maximum price for such sale as provided by Maximum Price Regulation No. 376, as amended.

(c) *Relationship to Maximum Price Regulation No. 376, as amended.* It is not the intention of this order to modify or change any sections, parts, or provisions of Maximum Price Regulation No. 376, as amended, which are not in conflict with the provisions of this order, and each seller shall continue to remain subject to such applicable provisions of Maximum Price Regulation No. 376, as amended, which are not in conflict with this order.

(d) *Definitions.* (1) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, the General Maximum Price Regulation, and Maximum Price Regulation No. 376, as amended, issued by the Office of Price Administration, shall apply to the terms used herein.

(2) The "North Georgia District Area" means the territory located within the Counties of Lincoln, Wilkes, Taliaferro, Hancock, Washington, Johnson, Laurens, Dodge, Wilcox, Crisp, Lee, Terrell, Randolph, Quitman, or any county north or northwest of the named counties in the State of Georgia.

(3) "Retail store" means a retail seller who buys and resells food products generally without materially changing their form, for the most part, to ultimate consumers who are not commercial, industrial, or institutional users.

(e) *Geogrdphical applicability.* This order applies to and is limited to sales to "retail stores," commercial, industrial, or institutional users located within the "North Georgia District Area."

(f) *Modification.* This order may be revoked, amended, modified, or corrected at any time by the District Director.

(g) *Effective date.* This order shall become effective on and after June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

E. A. THORNWELL,
District Director.

Approved: May 31, 1944.

W. K. MCPHERSON,
Acting Regional Director,
War Food Administration,
Southern Region.

[F. R. Doc. 44–9087; Filed, June 21, 1944; 4:27 p. m.]

[Region V Order G–5 Under RMPR 122, Amdt. 1]

SOLID FUELS IN ST. JOSEPH, MO.

Amendment No. 1 to Order No. G–5 under Revised Maximum Price Regulation No. 122. Maximum prices for solid fuels sold in the City of St. Joseph, Missouri.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the opinion issued simultaneously herewith, *It is ordered:*

Section (c) Price Schedule III (c) Production Group 3, is amended to read as follows:

(c) *Production Group 3.* The following maximum prices are for specified sizes of bituminous coal produced at mines in Boone, Callaway, Audrain, Randolph, Clark, Macon, Moniteau, Linn, Grundy, Harrison, Adair, Charlton, Schuyler, Putnam, Cole, Howard, Monroe, Warren, Lincoln, Sullivan and Halls Counties, Missouri, with the exception of the Novinger field in Adair County, Missouri, set forth below under (4) and (5):

(1) Lump (bottom size 2" and larger)	$7.20
(2) Nut (top size 3"—bottom 1¼")	6.90
(3) Household Stoker (top size 1¼" and smaller—bottom ⅜" to larger than ¼"	5.95

The following maximum prices are for specified sizes of bituminous coal produced at underground mines in the Novinger field of Adair County, Missouri:

(4) Lump (bottom size 2" or larger)	$8.10
(5) Nut (top size 3"—bottom 1¼")	7.65

Section (c) Price Schedule III, is amended by adding thereto the following:

(e) *Production Group 4.* The following maximum price is for specified sizes of bituminous coal produced at underground mines in Caldwell, Carroll, Clay, Clinton, Daviess, and Ray Counties:

(1) Lump (bottom size 2" and larger)	$8.00

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this the 14th day of June, 1944, and effective on the 19th day of June, 1944.

MAX MCCULLOUGH,
Regional Administrator.

[F. R. Doc. 44–9082; Filed, June 21, 1944; 4:30 p. m.]

[Peoria Order G–1 Under MPR 426 and MPR 285]

FRESH FRUITS AND VEGETABLES IN PEORIA, ILL.

Order No. G–1 under § 1439.3–15, Appendix H (f), Appendix I (g) of Maximum Price Regulation No. 426, and § 1351.1254a (a) of Maximum Price Regulation No. 285. Delivery differentials for wholesalers of certain fresh fruits and vegetables in Peoria, Illinois.

For the reasons set forth in the accompanying opinion issued simultaneously herewith and under the authority vested in the District Director of the Peoria District Office of the Office of Price Administration by § 1439.3–15, Appendix H (f), Appendix I (g) of Maximum Price Regulation 426 and § 1351.1254a (a) of Maximum Price Regulation 285, Order No. G–1 is hereby issued.

(a) *What this order does.* This order determines the limits of the free delivery zone at the wholesale receiving point of Peoria, Illinois. It also establishes differentials for non-delivered sales in the free delivery zone and for delivered sales beyond the free delivery zone. The order applies to such fresh fruit and vegetable items as are now or may hereafter be subject to the pricing provisions of MPR 285 and Appendices H and I of Maximum Price Regulation 426. The only sellers who are subject to this order are those wholesalers who price under Maximum Price Regulation 285 and secondary jobbers and service wholesalers, as these terms are used in Appendices H and I of Maximum Price Regulation 426.

(b) *Establishment of delivery zones.* (1) The free delivery zone established by this order shall be the area comprising the Cities of Peoria, Peoria Heights and the Village of Bartonville in the County of Peoria, State of Illinois, the Cities of Pekin, East Peoria and the Village of Creve Coeur in the County of Tazewell, State of Illinois.

(2) The zone in which charges may be made for delivery is the area outside the free delivery zone.

(c) *Differentials for non-delivered and delivered sales of items listed in Appendices H and I of Maximum Price Regulation 426*—(1) *Non-delivered sales.* For sales on a non-delivered basis there shall be deducted from the price for delivered sales in the free delivery zone 5¢ per container for standard shipping containers weighing under 50 lbs. gross weight and 10¢ per container for standard shipping containers weighing 50 lbs. or over gross weight.

(2) *Delivered sales in the free delivery zone.* For deliveries in the free delivery zone the maximum delivered price shall be the maximum delivered price computed under Maximum Price Regulation 426, for the type of sale being made without any deduction from or addition thereto.

(3) *Delivered sales beyond the free delivery zone.* For deliveries beyond the free delivery zone the seller may add to the price for delivered sales in the free delivery zone the sum of 30¢ per cwt. The cwt. charge on commodities covered by Appendix H and Appendix I shall be figured on the basis of gross weight.

(d) *Differentials for non-delivered and delivered sales of items under Maximum Price Regulation 285*—(1) *Non-delivered sales and delivered sales in the free delivery zone.* For non-delivered sales and for delivered sales in the free delivery zone the maximum price shall be the maximum delivered price computed under Maximum Price Regulation 285 for the type of sale being made. Discounts and price differentials including any differentials or discount for f. o. b. non-delivered sales must be maintained.

(2) *Delivered sales beyond the free delivery zone.* For delivered sales beyond the free delivery zone the wholesaler may add 30¢ per cwt. The cwt. charge on bananas shall be figured on a net weight basis.

(e) *Definitions.* "Delivery" means delivery to the physical premises of a retail store, hotel, restaurant or institution.

Unless the context otherwise requires, the terms used therein shall have the same meaning as given them in Maximum Price Regulation 285 and Maximum Price Regulation 426.

(f) This order may be revoked, revised, amended or corrected at any time.

(g) This order shall become effective on the 8th day of June 1944.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 6th day of June 1944.

JAS. A. CARRUTHERS,
District Director.

Approved:

E. O. POLLOCK,
Regional Director,
War Food Administration.

[F. R. Doc. 44–9086; Filed, June 21, 1944; 4:27 p. m.]

[Region VIII Order G–4 Under MPR 188]

ROCK AND SAND, ETC., IN LOS ANGELES COUNTY, CALIF.

Order No. G–4 under Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Adjusted maximum prices for sales by producers in Los Angeles County, California of rock, sand, gravel, and truck-mixed concrete.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.161 (a) (2) of Maximum Price Regulation No. 188; *It is hereby ordered:*

(a) The adjusted maximum price at which producers of rock, sand, gravel, and truck-mixed concrete, located in Los Angeles County, California, may sell and deliver any of said products shall be the particular producer's present maximum price for the product plus 10% of the present net maximum price. By "net maximum price" is meant maximum price less all applicable discounts.

(b) This order may be amended, revoked, or corrected at any time.

This order shall become effective immediately.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 13th day of June 1944.

CHARLES R. BAIRD,
Acting Regional Administrator.

[F. R. Doc. 44–9090; Filed, June 21, 1944; 4:28 p. m.]

[Region VIII Order G–85 Under 18 (c)]

AGRICULTURAL DEMURRAGE CHARGES IN CALIFORNIA

Order No. G–85 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Demurrage charges by carriers other than common carriers transporting agricultural commodities in California.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation, *It is hereby ordered:*

(a) Any carrier other than a common carrier hauling agricultural commodities within the State of California may, in addition to the maximum price for such hauling otherwise fixed by the General Maximum Price Regulation or by any order issued thereunder, make a further charge under the conditions and in the amounts specified in Resolution No. EM–T–20B, issued by the Railroad Commission of the State of California on June 6, 1944.

(b) This order may be amended, revoked, or corrected at any time.

(c) This order shall become effective June 23, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 15th day of June 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44–9068; Filed, June 21, 1944; 4:27 p. m.]

[Region V Order G–6 Under RMPR 122]

SOLID FUELS IN CAPE GIRARDEAU AND JACKSON, MO.

Order No. G–6 under Revised Maximum Price Regulation No. 122. Maximum prices for solid fuels sold in the cities of Cape Girardeau, Missouri, and Jackson, Missouri.

Pursuant to the authority vested in the Regional Administrator of Region V by §§ 1340.259 and 1340.260 of Revised Maximum Price Regulation No. 122 and for the reasons stated in the opinion issued herewith, it is ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels covered by Revised Maximum Price Regulation No. 122 within the corporate limits of the city of Cape Girardeau, Missouri, and within the corporate limits of the city of Jackson, Missouri, as these corporate limits are established by ordinance in the cities of Cape Girardeau and Jackson, Missouri. The prices set forth in this order are the highest prices that any dealer may charge when he sells or delivers any of such fuels at or to a point within the areas above described.

(b) *Solid fuels not covered by this order.* There are a few kinds and sizes of solid fuels covered by Revised Maximum Price Regulation No. 122 sold and delivered in the area covered by this order which are not included in and for which prices are not established in this order. The maximum prices of such solid fuels when sold by any person covered by this order shall continue to be the maximum prices for such fuels established by Revised Maximum Price Regulation No. 122, as amended. Such sales shall in all respects be governed by the provisions of Revised Maximum Price Regulation No. 122, as amended.

(c) *What this order prohibits.* Regardless of any obligations no person shall:

(1) Sell, or in the course of trade or business buy, solid fuels at prices higher than the maximum prices set by this Order No. G–6; but less than the maximum prices may at any time be charged, paid or offered.

(2) Obtain higher than maximum prices by

(i) Making a charge for the extension of credit;

(ii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him; or

(iii) Using any other device by which a higher than maximum price is obtained directly or indirectly.

(d) *Price schedule.* (1) Below and a part of this paragraph is the maximum price schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds, and quantities of solid fuels.

(2) The prices set forth in the foregoing schedule are based upon a per ton basis (2,000 pounds to the ton) and include delivery by the dealer to the purchaser.

(3) Prices set forth in the foregoing schedule are for raw coal, that is, coal which has not been treated except coal which is otherwise described in this Price Schedule (d).

(4) A discount of not less than 50 cents must be applied to the per ton price set forth in the foregoing schedule when yard sales are made. "Yard sales," for the purpose of this order, means sales in which the buyer takes delivery at the seller's yard.

MAXIMUM PRICE SCHEDULE

Description of fuel	Maximum price per ton
I. *High volatile bituminous coal from District 10 (Illinois)*	
(A) Belleville and DuQuoin Sub-Districts (Price Groups 10, 16, 17, 18, 19, 20, 21, and 22):	
1. Lump; Egg, bottom size 3" or larger	$5.50
2. Lump; Egg, bottom size 1½" or larger	5.00
(B) Southern Sub-District (Price Groups 1, 2, and 8):	
1. Lump; Egg, bottom size 3" or larger	6.40
2. Lump; Egg, bottom size 3" and smaller	6.10
3. Domestic Stoker (Washed), top size ¾" to larger than 10 Mesh or 3/32", bottom size smaller than ¾" to larger than 10 Mesh or 3/32"	5.65
4. Commercial Stoker (Washed or deducted screenings)	5.35

(e) *Ex parte 148 freight rate increase; transportation tax; Missouri State sales tax*—(1) *The freight rate increase.* Since the ex parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealers' freight rates are the same as those of December, 1941. Therefore, no dealer may increase any schedule price on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set out by this order provided the dealer states it separately from the price of the fuel and lists it separately on any sales slip or receipt given to the buyer. This tax need not be stated separately on sales to the United States or any agency thereof. (See Amendment No. 12 to Revised Maximum Price Regulation No. 122.). No part of this tax may be collected in addition to maximum prices on sales of ¼ ton or lesser quantities.

(3) *The Missouri State sales tax.* The seller may add to the prices listed in the schedule in paragraph (d) the sales tax required to be collected by the laws of the State of Missouri. This tax shall be separately stated in the dealer's invoice, sales slip or receipt.

(f) *Addition of increase in supplier's prices prohibited.* (1) The maximum prices set out by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereof; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(g) *Power to amend or revoke.* (1) The Price Administrator or the Regional Administrator of Region V may amend, revoke, or rescind this order, or any provision thereof, at any time.

(h) *Petitions for amendment.* (1) Any person seeking an amendment to this order may file a petition for amendment in accordance with Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *License.* (1) Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72. This provides in brief that a license is required of all persons selling at retail commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license, but a dealer may later be required to register. The license may be suspended for violation in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(j) *Records and reports.* (1) Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the price charged and the kind and size of fuel sold. The fuel shall be identified in the manner in which the fuel is described in this order.

(k) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all of the maximum prices set by it for all types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel.

(2) In the case of all sales covered by this order every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. In any case if a buyer requests a receipt, the seller shall furnish the buyer with a receipt showing the name and address of the seller, the kind, sizes, and quantity of the solid fuel sold to the buyer and the price or prices charged.

(l) *Enforcement.* (1) Persons violating any provisions of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the St. Louis, Missouri District Office of the Office of Price Administration.

(m) *Definitions and explanations.* (1) "Persons" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "buy," "purchase," and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but if this is unfeasible, because of the absence of a regular driveway free from all foreign matter which might damage trucks and tires, then direct delivery means discharging the solid fuel from the seller's truck directly at the street curb or at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Price groups" and "size groups", as used in this order refer to the price groups and size groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(6) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(7) "High volatile bituminous coal" means coal produced in the high volatile sections of the producing districts specified herein.

(8) "Solid fuel" (or "solid fuels") means all solid fuel except wood and wood products, including all kinds of anthracite and semi-anthracite; bituminous and semi-bituminous and cannel coal; lignite; all coke, including low temperature coke (except by-product foundry and blast furnace coke, and beehive oven furnace coke produced in the State of Pennsylvania); briquettes made from coke or coal; and sea coal used for foundry facings.

(9) "Egg, lump," etc., sizes of bituminous coal refer to the sizes of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of the Interior, and in effect (or established) as of midnight, August 23, 1943.

Where the minimum price schedule does not make specific mention of any size designated in this order, such size designations shall refer to the sizes of bituminous coal sold as such in the area subject to this order during December, 1941.

(10) Except as otherwise specifically provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein.

(n) *Effect of this order on Revised Maximum Price Regulation No. 122.* (1) To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

(2) This Order No. G–6 shall become effective the 21st day of June 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23.765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this the 16th day of June 1944.

MAX MCCULLOUGH,
Regional Administrator.

[F. R. Doc. 44–9085; Filed, June 21, 1944; 4:26 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 811–79]

COMMONWEALTHS DISTRIBUTION, INC.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia 3, Pa., on the 20th day of June, A. D. 1944.

An application having been filed by Commonwealths Distribution, Inc., pursuant to section 8 (f) of the Investment Company Act of 1940 for an order declaring that the applicant has ceased to be an investment company within the meaning of said act;

It is ordered, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on June 26, 1944 at 10:00 a. m., eastern war time, in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia 3, Pennsylvania;

It is further ordered, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–9063; Filed, June 21, 1944; 2:46 p. m.]

[File No. 59–4]

ENGINEERS PUBLIC SERVICE CO., ET AL.

ORDER EXTENDING TIME FOR COMPLIANCE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of June, A. D. 1944.

In the matter of Engineers Public Service Company and its subsidiary companies, respondents.

The Commission having heretofore on September 16, 1942 entered its order, pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, directing Engineers Public Service Company and El Paso Electric Company (Delaware) to sever their relationships with certain of their subsidiary companies and to dispose of certain properties and businesses;

Engineers Public Service Company and El Paso Electric Company (Delaware), respondents herein, having on August 31, 1943 filed an application pursuant to section 11 (c) of said act for an extension of an additional year within which to comply with the Commission's order of September 16, 1942, above described;

The Commission having on September 23, 1943 granted said application to the extent of extending the time for compliance with said order for an additional period to and including December 16, 1943;

The Court of Appeals for the District of Columbia having on November 22, 1943 issued its opinion setting aside the Commission's Order of September 16, 1942;

Engineers Public Service Company and El Paso Electric Company (Delaware) having on December 15, 1943 filed a further application for an order extending the time for compliance to and including September 16, 1944, "which order" (the application stated) "shall take effect and be in force only in the event that the Supreme Court of the United States shall, in said pending cause, hand down a mandate sustaining the validity of the said order of September 16, 1942, and the legal effect of such mandate is not to require the Commission to enter a new order in lieu of said order date September 16, 1942;"

Both the Commission and Engineers Public Service Company having filed in the Supreme Court of the United States petitions for writs of certiorari to review the opinion of said Court of Appeals and the Supreme Court having on June 5, 1944 granted said petitions;

It appearing to the Commission in view of the pendency of said review proceedings that it is appropriate to extend the time for compliance with said order for an additional period to and including September 16, 1944:

It is hereby ordered, That the time for compliance with the said order of September 16, 1942 be and hereby is extended for an additional period to and including September 16, 1944.

Nothing herein shall be deemed to imply that the Commission intends to apply for enforcement of said order prior to the termination of such review proceedings, or until after Engineers Public Service Company shall have had a reasonable opportunity for compliance following the termination thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-9064; Filed, June 21, 1944; 2:46 p. m.]

[File Nos. 70-740, 70-741, 70-743, 70-746]

UTILITIES EMPLOYEES SECURITIES CO., ET AL.

ORDER RELEASING JURISDICTION OVER SPECIFIED LIQUIDATION EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of June, A. D. 1944.

In the matter of Utilities Employees Securities Company, File No. 70-740; Stanley Clarke, Trustee of Associated Gas and Electric Company, Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, General Gas & Electric Corporation, Associated Utilities Corporation, File No. 70-741; New England Gas and Electric Association, File No. 70-743; Noel T. Dowling, James V. Gilloon, Jr., Joseph A. Shields, trustees under pension Trust Agreement dated December 14, 1937, as amended, File No. 70-746.

The Commission, having on August 12, 1943, approved a plan of liquidation, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, for Utilities Employees Securities Company (Uesco), a subsidiary of Associated Gas and Electric Company, Associated Gas and Electric Corporation, and Associated Utilities Corporation, registered holding companies, and having at the same time approved certain applications and permitted certain declarations to become effective; and the Commission having reserved jurisdiction to approve or disapprove any claims that might be asserted for fees or expenses in connection with the liquidation and dissolution of Uesco exclusive of certain compensation and expenses for which provision was made in the plan approved;

Hearings having been held on an amendment to the plan relating to claims for fees and expenses in connection with the dissolution and liquidation of Uesco; and

It appearing to the Commission that certain items of expense, described below, must be paid in order to permit immediate dissolution and liquidation, and that said items are not unreasonable: *It is ordered*, That jurisdiction be, and it hereby is, released with respect to the following items:

Heat, light, rent, salaries and taxes of Uesco	$10,000.00
Custodian fees, Wilmington Trust Company	350.00
Reserve for tax refunds under Massachusetts Income Tax Law and indenture securing New England Capital Corporation (Necap) debentures due 1964	1,200.00
Fees and expenses to State Street Trust Company and Public National Bank, indenture trustees for Necap debentures due 1964 and Uesco bonds and notes due 1961 respectively	2,300.00
Final audit	500.00
Storage of Uesco records, three years (required by Delaware law)	1,500.00
Unforeseen contingencies	5,000.00
Premium indemnity bond, lost certificate and redemption cases	16,300.00
Reserve for counsel fee in re lost certificate and redemption cases	5,000.00
	42,150.00

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-9066; Filed, June 21, 1944; 2:46 p. m.]

[File Nos. 54-66, 59-55]

COMMUNITY GAS AND POWER CO., ET AL.

ORDER MODIFYING PREVIOUS ORDER OF THE COMMISSION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 20th day of June, A. D. 1944.

In the matter of Community Gas and Power Company, American Gas and Power Company, File No. 54-66; Community Gas and Power Company, American Gas and Power Company and the subsidiary companies thereof, File No. 59-55; respondents.

The Commission having on the 12th day of June, 1944 issued its order herein permitting a declaration to become effective and approving an amendment to the plan of American Gas and Power Company and Community Gas and Power Company regarding the sale by American Gas and Power Company of all the common stock of St. Augustine Gas Company to H. Hansell Hillyer; and

The applicant having requested modification of such order so as to reflect that the purchase price is the amount of $100,000 plus net earnings from January 31, 1944 to the date of closing, but not including any of such earnings declared and paid as dividends prior to such date; and

The Commission finding that it is appropriate so to modify said order; *It is ordered*, That the order herein previously entered on the 12th day of June 1944 be modified as follows:

That part of the first paragraph of such order reading

for the sum of $100,000 plus net earnings from January 31, 1944, to the date of closing, and to deposit such proceeds with the Trustee of American Gas and Power Company's debenture indenture as substitute collateral for the securities being sold;

shall be modified to read as follows:

for the sum of $100,000 plus net earnings from January 31, 1944, to the date of closing, but not including any of such earnings declared and paid as dividends prior to such date, and to deposit such proceeds with the Trustee of American Gas and Power Company's debenture indenture as substitute collateral for the securities being sold.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-9065; Filed, June 21, 1944; 2:46 p. m.]

[File Nos. 54-57, 59-57]

AMERICAN UTILITIES SERVICE CORP.

ORDER DIRECTING SIMPLIFICATION OF CORPORATE STRUCTURE AND REQUIRING DIVESTITURE OF CERTAIN PROPERTIES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of June, 1944.

In the matter of American Utilities Service Corporation, File No. 54-57; and American Utilities Service Corporation and its subsidiary companies, respondents, File No. 59-57.

American Utilities Service Corporation, a registered holding company, having filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a plan of recapitalization; and

The Commission having thereafter issued its notice of filing and order for hearing pursuant to section 11 (e); and

The Commission having also by said notice and order for hearing instituted proceedings under sections 11 (b) (1), 11 (b) (2), 15 (f), and 20 (a) of the Public Utility Holding Company Act of 1935 with respect to American Utilities Service Corporation and its subsidiary companies to determine the status of the holding company system under said sections; and

The proceedings pursuant to sections 11 (b) (1), 11 (b) (2), 15 (f), and 20 (a) and the proceeding pursuant to section 11 (e) having been consolidated; and

A public hearing having been held on said matters and the Public Utilities Division of the Commission having submitted a draft of proposed findings and opinion and having recommended its adoption by the Commission; and

The Commission having issued a notice and order giving opportunity for filing of briefs, oral argument or introduction of additional evidence on the issue whether or not proposed findings and opinion recommended by its Public Utilities Division should be adopted in whole or in part in these proceedings; and

No request having been received except from American Utilities Service Corporation asking for a deferment of action pending the filing of a memorandum and the Commission having granted said request and American having filed its memorandum; and

The Commission having duly considered said memorandum and having examined the record and having made and filed its findings and opinion herein; and

The Commission having found that the action described in the next two succeeding paragraphs is necessary and appropriate to the integration or simplification of the American Utilities Service Corporation holding-company system, and is necessary and appropriate to effectuate the provisions of section 11 (b);

It is ordered, Pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935 that American Utilities Service Corporation shall change its present stock capitalization to one class of stock, namely, common stock, in lieu of its preferred and common stock presently outstanding, and distribute said new common stock on the new basis of approximately 85% to the holders of the present preferred stock, and approximately 15% to the holders of its present common stock.

It is further ordered, Pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 that American Utilities Service Corporation shall sever its relationship with the companies named hereinafter by disposing in an appropriate manner, not in contravention of the applicable provisions of said act or the rules and regulations promulgated thereunder, of its ownership, control and holding of securities issued by and interests in the following companies: Minnesota Utilities Company and Wisconsin Southern Gas Company.

It is further ordered, That jurisdiction be, and the same hereby is, reserved for the purpose of taking such additional action as the Commission shall deem necessary or appropriate in order to effectuate the terms of this order or compliance by American with sections 11 (b) (1), 11 (b) (2), 15 (f), and 20 (a) of the act, to pass upon said plan of recapitalization filed under section 11 (e) of the act, or to consider an amendment, in conformity with the Commission's suggestions set forth in its findings and opinion herein, to said plan of recapitalization.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-9116; Filed, June 22, 1944; 11:15 a. m.]

[File No. 70-307]

LUZERNE COUNTY GAS AND ELECTRIC CO.

NOTICE REGARDING FILING OF APPLICATION FOR MODIFICATION OF PREVIOUS ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 20th day of June 1944.

Notice is hereby given that an application has been filed with this Commission by Luzerne County Gas and Electric Corporation (Luzerne), a subsidiary of The United Gas Improvement Company, a registered holding company, requesting the modification of an order issued by this Commission on May 27, 1941, pursuant to the Public Utility Holding Company Act of 1935.

Notice is further given that any interested person may, not later than June 30, 1944, at 10:00 a. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said application, as filed or as amended, may be granted. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said application, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

Luzerne has requested this Commission to remove a restrictive condition imposed by its opinion and order of May 27, 1941 (File No. 70-307, Holding Company Act Release No. 2784) in respect of an application pursuant to section 6 (b) of the Act regarding the issue and sale by Luzerne of new preferred stock and serial notes for the purpose of redeeming and retiring its then outstanding preferred stock; such condition being as follows:

> Luzerne shall not declare or pay any dividends (other than dividends payable in shares of its common stock) on any shares of its common stock, nor shall Luzerne make any other distribution on its common stock or purchase or retire any shares of its common stock out of net income unless the earned surplus after making such declaration, payment, distribution, purchase, or retirement is equal to or greater than the sum of $163,261 plus an accumulative amount equal to $60,000 per calendar year beginning with the year 1941 and continuing until the cost of retiring the presently outstanding $6 and $7 Dividend Cumulative Preferred Stock shall have been completely amortized, and thereafter an accumulative amount equal to $190,000 per calendar year to continue until the total earned surplus so accumulated, and unavailable for common stock dividends, shall equal $1,500,000; *Provided, however*, That such earned surplus required to remain after declaration or payment of such dividends or after such distribution, purchase, or retirement may be reduced for the purpose of this computation by the amount of any surplus adjustments resulting from writing down or writing off the excess of carrying value of property now owned by Luzerne over the original cost of such property when first devoted to public use;

As is more fully disclosed in our opinion referred to above, the condition was imposed as an additional measure of protection to the senior security holders of Luzerne by reason of (a) the existence and contingent disposition of plant acquisition adjustments, as determined by the company, totaling $1,760,018; (b) the necessity of amortizing $1,167,108 of preferred stock and financing expense; and (c) the admitted inadequacy of Luzerne's depreciation reserve, particularly in relation to its gas property.

Luzerne has submitted a copy of an order issued by the Pennsylvania Public Utility Commission under date of February 7, 1944, which, among other things, directs Luzerne to dispose of an aggregate excess over original cost of $2,412,933 by forthwith charging off $188,014 thereof and amortizing the balance of $2,224,919 through the period from 1944 to 1958 inclusive, by charges to "Miscellaneous Amortization" as follows:

1944	$29,955
1945	66,672
1946-58, 13 years at approximately $163,714 per year	2,128,292
Total	$2,224,919

According to the Pennsylvania Commission's order (a) "The lower annual amortization proposed during the years 1944 and 1945 is designed to counteract amortization of certain refinancing expense which will be completed by September 30, 1945, and thus maintain net income at a reasonably uniform level." and (b) no portion of the restricted earned surplus of Luzerne amounting to $348,261 at December 31, 1943 is available for common stock dividends until such time as the excess of $2,224,919 has been completely amortized but the company may at any time use such surplus to reduce the excess.

Entries giving effect to the State Commission's order as to classification of utility plant were recorded by Luzerne as of December 31, 1943.

In support of the request before us, Luzerne asserts that the condition imposed in our order of May 27, 1941 has been substantially duplicated by the restriction and condition imposed in the State Commission's order of February 7, 1944, and that by reason thereof and the general improvement in Luzerne's financial condition in the intervening period, especially with respect to the substantial reduction in outstanding debt and the material increase in Depreciation Reserves, the improved ratio of debt and of the depreciation reserve to Property and Plant, the condition imposed by our order is no longer necessary in the public interest and in the interests of investors and consumers.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-9117; Filed, June 22, 1944; 11:15 a. m.]

UNITED STATES COAST GUARD.

IMPROVED LIFE RAFTS

NOTICE AND ORDER OF PUBLIC HEARING

Pursuant to the authority vested in me as Chairman, Merchant Marine Council and in accordance with the direction of the Commandant, U. S. Coast Guard, 15 June 1944, I herewith call a general session of the Merchant Marine Council for the purpose of conducting a public hearing at 9:30 a. m., July 18, 1944, U. S. Coast Guard Headquarters, Room 2020, Washington, D. C., upon the suitability of the various types of improved life rafts required on merchant vessels subject to inspection under United States laws.

Notice is hereby given that any person whose participation in such hearing may be for the better protection of American merchant seamen or may be otherwise in the public interest may appear at this hearing and present any facts and opinions relevant to this matter.

If any such person is for any reason unable to attend this hearing he may file with the Vice Chairman, Merchant Marine Council, on or before July 12, 1944, for the consideration of the Council at this hearing, any report, statement or similar matter relevant to these proceedings.

Approved: June 19, 1944.

HARVEY F. JOHNSON,
Rear Admiral, USCG,
Chairman, Merchant Marine Council.

[F. R. Doc. 44-9096; Filed, June 22, 1944; 9:17 a. m.]

WAR PRODUCTION BOARD.

ALBERT DELAY

CONSENT ORDER

Albert DeLay, of Orlando, Florida, is charged by the War Production Board with having begun construction in November, 1943, which consisted of construction of a residence at Edgewater Drive and Parr Avenue, Orlando, Florida, the cost of which was in excess of the authorization granted by the War Production Board, in violation of Conservation Order L-41, the exceptions to which were not applicable. Albert DeLay admits that this construction exceeded his authorization and was in violation of Conservation Order L-41, does not desire to contest any issue in regard to the charges, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Albert DeLay, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *it is hereby ordered*, That:

(a) Neither Albert DeLay, his successors or assigns, or any other person, shall do any construction on the building located at Edgewater Drive and Parr Avenue, Orlando, Florida, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Albert DeLay, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect as of June 21, 1944.

Issued this 21st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9093; Filed, June 21, 1944; 4:24 p. m.]

GEYARN MANUFACTURING COMPANY

CONSENT ORDER

Geyarn Manufacturing Company, 63 Rutherford Avenue, Charlestown, Massachusetts, a corporation engaged in the manufacture of electrical goods, is charged by the War Production Board with having produced, on and after May 1, 1943, approximately 12,741 portable electric lights, and after July 1, 1943, transferred approximately 4,884 of the same, not in accordance with schedules approved or prescribed by the War Production Board, in violation of paragraph (c) (3) of Limitation Order L-71, and with having transferred approximately 4,884 of the same on unrated orders, in violation of paragraph (d); with having used cadmium in the manufacture thereof, in violation of paragraph (b); and with having failed to file Form PD-880 (now WPB-2719) at any time until February, 1944, in violation of paragraph (c) (1). Geyarn Manufacturing Company admits the violations as charged except as to the matter of wilfulness but does not care to be heard on the issue of wilfulness and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of the Geyarn Manufacturing Company, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Geyarn Manufacturing Company, its agents, successors or assigns, shall not produce or transfer any portable electric lights as defined in or governed by General Limitation Order L-71, as amended from time to time, except those in fulfillment of a specific purchase order, contract or subcontract for delivery to or for the account of the Army or Navy of the United States, or any agency of the United States Government to be delivered pursuant to the Lend-Lease Act of March 11, 1941; and with respect to the Army and Navy orders it shall accept only those orders which bear an Army or Navy contract number not including orders which may be used for inventory replacements by Army or Navy supply houses or orders from Post Exchanges.

(b) Nothing contained in this order shall be deemed to relieve Geyarn Manufacturing Company, its agents, successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on June 21, 1944, and shall expire on October 21, 1944.

Issued this 14th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9094; Filed, June 21, 1944; 4:24 p. m.]

CASCADE PAPER COMPANY

CONSENT ORDER

Robert O. Wells, North Adams, Massachusetts, doing business as Cascade Paper Company, a dealer in school and office supplies, is charged by the War Production Board with applying preference ratings assigned under Preference Rating Order P-100 in wilful violation of the order from April, 1942, until April 2, 1943, and from then until September 23, 1943, with improperly applying preference ratings assigned under CMP Regulation 5A, all for the purpose of obtaining the following articles: drawing sets, fasteners, rules, hunting flaps, staples, staplers, clips, pins, scotch tape, adhesives, file folders, school papers and tablets, envelopes and similar articles in an amount aggregating approximately $10,000; that it is impossible to set forth a list of said transactions for the reason that Robert O. Wells has destroyed all of his records pertaining thereto, in violation of Priorities Regulation No. 1. Robert O. Wells admits the foregoing violations and does not desire to contest the charge that they were wilful and has consented to the issuance of this consent order.

Wherefore, upon the agreement and consent of Robert O. Wells, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Deliveries of material to Robert O. Wells, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation or allotment shall be made to Robert O. Wells, his successors or assigns, directly or indirectly, of any material or product the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Robert O. Wells, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect June 21, 1944, and shall expire October 21, 1944.

Issued this 14th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9095; Filed, June 21, 1944; 4:24 p. m.]

THE NATIONAL ARCHIVES OF THE UNITED STATES

FEDERAL REGISTER

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Washington, Saturday, June 24, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 79-8, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN OMAHA-COUNCIL BLUFFS SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-8 (8 F.R. 13372, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Omaha-Council Bluffs milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.85 (k) (2) and inserting, in lieu thereof, the numeral "12."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79-8, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-8, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 21st day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-9069; Filed, June 21, 1944; 8:33 p. m.]

[WFO 79-48, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN THE DES MOINES, IOWA, METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-48 (8 F.R. 14070, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Des Moines, Iowa, metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.81 (l) (2) and inserting, in lieu thereof, the numeral "12."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79-48, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-48, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 21st day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-9070; Filed, June 21, 1944; 8:33 p. m.]

[WFO 79-106, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN THE NASHVILLE, TENN., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-106 (9 F.R. 139, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Nashville, Tennessee, metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.127 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e.

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

	Page
CENSUS BUREAU:	
Fellowships, vital statistics	6985
COMMERCE DEPARTMENT. *See also* Census Bureau, Foreign and Domestic Commerce Bureau.	
Fellowships, geodetic surveying, map and chart production and hydrographic surveying	6984
FOREIGN AND DOMESTIC COMMERCE BUREAU:	
Fellowships, foreign trade statistics	6987
OFFICE OF PRICE ADMINISTRATION:	
Adjustments, etc.:	
Adams, H. R.	7032
California Bakery and Sooren's Bakery	7032
Agricultural services (MPR 165, Am. 41; Rev. SR 11, Am. 51) (2 documents)	7020
Auction sales, District of Columbia (Supp. Order 90)	7008
Flour (Rev. SR 1, Am. 58)	7020
Furnaces, (MPR 188, Am. 42 to Order A-1)	7022
Furs and peltries (Rev. SR 14, Am. 148)	7002
Machine tools (MPR 67)	7003
Motor vehicles, used commercial (RMPR 341)	7009
Regional and district office orders:	
Community ceiling prices, list of orders filed	7033
Fish, fresh, Washington	7032
Fruits and vegetables:	
California	7031
New York	7031
Ice, Idaho Falls, Idaho	7033
Solid fuels:	
Denver region	7030
Holyoke, Mass.	7023
New Jersey	7024
New London, Conn.	7032
Orange and Rockland Counties, N. Y.	7026
Springville-Spanish Fork, Utah	7028
PETROLEUM ADMINISTRATION FOR WAR:	
Abandonment of oil or gas wells	7020

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.

CONTENTS—Continued

SECURITIES AND EXCHANGE COMMISSION:
Hearings, etc.: Page
Indiana Gas Utilities Co. and Associated Electric Co 7035
North Continent Utilities Corp., et al 7034
Rochester Gas and Electric Corp 7034
WAR CONTRACTS PRICE ADJUSTMENT BOARD:
Renegotiable business and costs, determination 7020
Renegotiation forms 7021
Statutes, orders, joint regulations and directives 7022
WAR FOOD ADMINISTRATION:
Milk handling and conservation: Cincinnati, Ohio, marketing area 7035
Milk handling and conservation—Continued Page
Conservation and distribution (WFO 79, Am. 2) 6982
Allocation pursuant to 6982
Designated areas:
Amarillo, Tex 6984
Chattanooga, Tenn 6983
Des Moines, Iowa 6981
Knoxville, Tenn 6983
Lincoln, Nebr 6983
Memphis, Tenn 6983
Nashville, Tenn 6981
Omaha-Council Bluffs 6981
Sioux City, Iowa 6983
WAR PRODUCTION BOARD:
Calfskins, tanning (M–310, Dir. 4) 7001
Chemicals Bureau (M–293, Table 15) 6994
Containers, wooden shipping (P–140, Dir. 1) 6995
Furnaces (L–22) 7000
Ice refrigerators, domestic (L–7–c) 7001
Lumber:
Control order (L–335) 6995
Douglas fir (L–218, Rev.) 6995
Hardwood deliveries (M–364, Rev.) 7000
Pine, yellow Southern, deliveries (M–361, Rev.) 6999
Softwood (M–208, Rev.) 6999
Western, deliveries (L–290, Rev.) 6995
Machinery, plastic molding (L—159, Rev.) 6994
Penicillin (Cert. 203) 7036
Plumbing fixture fittings, etc. (L–42, Sch. V) 7000
Priorities system operations (PR 3) 6989
Time limit on use of ratings (PR 3, Int. 13) 6994
Rationing, new commercial vehicles (Dir. 36; M–100, Rev.) (2 documents) 6989, 7002

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w. t., July 1, 1944. With respect to violations of said War Food Order No. 79–106, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–106, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 21st day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–9076; Filed, June 21, 1944; 3:34 p. m.]

[WFO 79, Amdt. 2]

PART 1401—DAIRY PRODUCTS

CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM

War Food Order No. 79, 9 F.R. 4321, 4319 (previously issued by the War Food Administrator on September 7, 1943, as Food Distribution Order No. 79, 8 F.R. 12426, as amended, 8 F.R. 13283) is hereby further amended as follows:

1. By deleting therefrom the provisions in § 1401.29 (c) (2) (vi) and (xii) and inserting, in lieu thereof, the following:

(vi) Receive a transfer of funds from time to time, from the War Food Administration, in order to enable the market agent to perform his duties and functions hereunder; and expend such funds and give an accounting therefor in accordance with such instructions or requirements as may be specified, from time to time by the Director.

(xii) Pay out of the funds received by him as market agent the cost of his bond and of the bonds of his employees, his own compensation and that of his employees, and all other expenses necessarily incurred by him, in the performance of his duties and functions hereunder, in accordance with the provisions hereof and such additional instructions or requirements as may be specified by the Director.

2. By inserting after § 1401.29 (c) (2) (xiv) the following additional provision:

(xv) The market agent shall complete the collection of assessments for quota periods prior to June 1, 1944.

3. By deleting therefrom the provisions in § 1401.29 (c) (4).

The provisions of this amendment shall be effective as of 12:01 a. m., e. w. t., June 1, 1944. With respect to any violation of said War Food Order No. 79, as amended, or any Director's order issued pursuant thereto, any right accrued, or liability incurred, prior to the effective time of this amendment, all of the provisions in said War Food Order No. 79, as amended, in effect prior to the effective date hereof, and the Director's orders issued pursuant thereto, in effect prior to the effective date hereof, shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 21st day of June 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44–9067; Filed, June 21, 1944; 3:33 p. m.]

[WFO 79–1 to 79–33, inc.; 79–35; 79–38 to 79–81, inc.; 79–83 to 79–101, inc.; 79–103 to 79–139, inc.; 79–141 to 79–144, inc.; Gen. Amdt. 2]

PART 1401—DAIRY PRODUCTS

CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM

General amendment to certain war food orders allocating milk, milk byproducts, and cream pursuant to War Food Order No. 79, as amended.

The following orders issued by the Director of Distribution in accordance with the provisions of War Food Order No. 79, 9 F. R. 4321, 4319 (previously issued by the War Food Administrator on September 7, 1943, as Food Distribution Order No. 79, 8 F.R. 12426, as amended, 8 F.R. 13283), as amended, are hereby further amended by deleting therefrom the provisions, in each of said orders issued by the Director, with respect to the payment of assessments by handlers, and by relettering all subsequent paragraphs so as to follow in logical sequence after the provisions which precede the deletion: War Food Orders Nos. 79–1 to 79–33, inclusive; 79–35; 79–38 to 79–81, inclusive; 79–83 to 79–101, inclusive; 79–103 to 79–139, inclusive; and 79–141 to 79–144, inclusive.

The provisions of this amendment shall be effective as of 12:01 a. m., e. w. t., June 1, 1944. With respect to any violation of said War Food Order No. 79, as amended, or any of the aforesaid orders issued pursuant thereto, any right accrued, or liability incurred, prior to the effective time of this amendment, all of the provisions in each of the aforesaid orders issued by the Director, in effect prior to the issuance of this order, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 21st day of June 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–9068; Filed, June 21, 1944; 3:33 p. m.]

[WFO 79–85, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SIOUX CITY, IOWA, METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–85 (8 F.R. 14723, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Sioux City, Iowa, metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.119 (1) (2) and inserting, in lieu thereof, the numeral "12."

The provisions of this amendment shall become effective at 12:01 a. m. e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79–85, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–85, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 21st day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–9072; Filed, June 21, 1944; 3:34 p. m.]

[WFO 79–103, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN MEMPHIS, TENN., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–103 (9 F.R. 135, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Memphis, Tennessee, metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.136 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m. e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79–103, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–103, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 21st day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–9073; Filed, June 21, 1944; 3:34 p. m.]

[WFO 79–104, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN CHATTANOOGA, TENN., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–104 (9 F.R. 137, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Chattanooga, Tennessee, metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.144 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79–104, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–104, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 21st day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–9074; Filed, June 21, 1944; 3:34 p. m.]

[WFO 79–105, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN THE KNOXVILLE, TENN., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated

September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–105 (9 F.R. 138, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Knoxville, Tennessee, metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.138 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79–105, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–105, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 21st day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–9075; Filed, June 21, 1944; 3:34 p. m.]

[WFO 79–135, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN AMARILLO, TEX., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–135 (9 F.R. 1079, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Amarillo, Texas, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.165 (n) (2) and inserting, in lieu thereof, the numeral "7."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79–135, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–135, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 21st day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–9077; Filed, June 21, 1944; 3:34 p. m.]

TITLE 15—COMMERCE

Subtitle A—Office of the Secretary of Commerce

PART 4—FELLOWSHIPS IN GEODETIC SURVEYING, MAP AND CHART PRODUCTION AND HYDROGRAPHIC SURVEYING FOR CITIZENS FROM OTHER AMERICAN REPUBLICS

Pursuant to the following authority and official recommendations and subject to appropriations available, fellowships in the United States Coast and Geodetic Survey, for training in geodetic surveying, map and chart production and hydrographic surveying, will be awarded to qualified applicants from other American republics:

(a) Public Law 355, 76th Congress, approved August 9, 1939 (53 Stat. 1290) authorizing the President to utilize the services of the Departments, agencies and independent establishments of the Government of the United States for the purpose of rendering closer and more effective the relationship between the American republics; (See Resolution No. 81, adopted at the Eighth International Conference of American States held at Lima, Peru, December 9–27, 1938, recommending scientific and technical research by institutes, laboratories, and men of science recommended by the American Governments);

(b) The Department of State Appropriation Act, 1944, approved July 1, 1943, appropriating funds for tuition, compensation, monthly allowances and enrollment, laboratory, insurance, and other fees incident to training, including traveling expenses in the United States and abroad in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, of educational, professional, and artistic leaders and professors, students, interns, and persons possessing special scientific or other technical qualifications, who are citizens of the United States or the other American republics:

(c) Title 5, U.S.C., sec. 22 (R.S., sec. 161) authorizing the head of each department to prescribe regulations for the government of his department and the performance of its business; and

(d) Title 5, U.S.C., sec. 591, 596, 597 and 599, establishing the Department of Commerce, naming its constituent agencies and indicating its purpose.

Fellowships will be awarded, subject to the following regulations:

Sec.
4.1 Type of fellowship.
4.2 Qualifications.
4.3 Award of fellowships.
4.4 Allowances and expenses.
4.5 Duration of fellowships.
4.6 Progress reports.
4.7 Official notification.

AUTHORITY: §§ 4.1 to 4.7, inclusive, issued under R. S. 161, 5 U.S.C. 22; 53 Stat. 1290, 22 U.S.C. 501 and 502; 5 U.S.C. 591, 596, 597 and 599; Pub. Law 105, 78th Cong., 1st Sess., approved July 1, 1943.

§ 4.1 *Type of fellowship.* Fellowships shall be of the interne-training type and may include instruction and practical training in one or more of the following branches of surveying or chart production:

(a) *Geodetic surveying.* Triangulation, base measuring, astronomic observation and leveling; and related office practices.

(b) *Chart production.* Planning and administration of chart production programs; basic cartographic procedures; preparation and use of fundamental field data; elements of map projection; and methods of reproduction of maps and charts.

(c) *Hydrographic surveying.* Hydrographic surveying and mapping practices, including training in tide and current surveys, magnetic work, assembling and processing field data as necessary for chart and map compilation.

Fellows may be assigned for study and training in the headquarters offices of the United States Coast and Geodetic Survey in Washington, D. C., and in the offices of other governmental offices and agencies engaged in related work, and may also be afforded opportunities for practical training and experience with field parties of the United States Coast and Geodetic Survey operating in the United States, its Territories or Possessions.

§ 4.2 *Qualifications.* Each applicant selected for a fellowship shall be:

(a) A bona fide citizen of one of the American republics other than the United States;

(b) In possession of a certificate of medical examination issued by a licensed physician within 60 days of the date of application, describing the applicant's physical condition and stating that he is free from any communicable disease or disability that would interfere with the proper pursuit of studies or training, or the performance of any activity incident to his fellowship;

(c) Able to speak, read, write and understand the English language;

(d) Of good moral character and possess intellectual ability and suitable personal qualities;

(e) In possession of an official statement or transcript of studies showing that he has the requisite experience and has successfully completed the minimum educational requirement corresponding to the field of studies in which application for a fellowship is made, as follows:

(1) *Geodetic surveying.* A standard four-year course (or the equivalent) in civil engineering at a recognized institution of learning, which included a course in surveying (or a special branch thereof); or in lieu of such civil engineering course, practical field experience of a responsible nature (in surveying) for an equal length of time;

(2) *Map and chart production.* A standard four-year course (or the equivalent) in civil engineering at a recognized institution of learning, which included a course in surveying (or a special branch thereof); or in lieu of such civil engineering course, practical field experience of a responsible nature in surveying for an equal length of time; or ten years of practical experience in the graphic arts, at least three years of which shall have been in the reproduction of maps or charts.

(3) *Hydrographic surveying.* (i) At least five years of service with the governmental agency of his country (of which he shall be a responsible staff member or technician at the time of the award of fellowship) which is engaged in substantially the same work performed by the United States Coast and Geodetic Survey; and (ii) some familiarity with modern hydrographic methods and practices.

§ 4.3 *Award of fellowships.* Fellowships shall be awarded by the Director of the Coast and Geodetic Survey with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State. Applications shall be transmitted to the Secretary of State by the government of the American republic of which the applicant is a citizen through the American diplomatic mission accredited to that government.

§ 4.4 *Allowances and expenses.* An applicant awarded a fellowship may be entitled to any or all of the following:

(a) *Monthly allowances.* Monthly allowances for quarters and subsistence during the entire period spent in the United States, or its Territories or Possessions, in pursuance of a fellowship, beginning on the date of arrival at his initial headquarters and ending on the date of departure for his home, at the following rates: (1) Not exceeding $180 per month while under assignment to headquarters in a Department or agency of the Federal Government in a city of more than 100,000 population, or not exceeding $150 per month while under such assignment in a city of less than 100,000 population; and (2) not exceeding $120 per month while under assignment to receive training as a member of a field party of the United States Coast and Geodetic Survey.

(b) *Transportation expenses.* Transportation expenses from the home of the applicant (or place in which appointment is accepted) to the place or places in the United States, its Territories or Possessions, where studies and training are to be pursued, and return to the home of the applicant (or point of departure), including travel via Washington, D. C., en route to the place of studies or training and from the place of studies or training to Washington, D. C., and return to that place, if necessary, for consultation with reference to the fellowship, and between places of studies and training in the United States, its Territories or Possessions, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, in which connection claim for reimbursement may be made only for items in the following schedule and contingent upon prior authorization:

(1) *Rail fare.*[1] First-class fare. If travel is performed on an extra-fare train, expenses in excess of the first-class fare must be borne by the traveler. No receipts are necessary. (Government transportation requests are to be used, if practicable, within the United States.)

(2) *Pullman fare.*[1] Lower berth or parlor car seat. No receipts are necessary if Government transportation requests are used. If purchased with cash the Pullman stub must be attached to the reimbursement voucher.

(3) *Steamer fare.*[1] Not exceeding the lowest minimum first-class fare of the ship on which travel is performed. American vessels must be used if available (section 901 of the Merchant Marine Act of 1936, 49 Stat. 2015). (This requirement has been suspended with respect to appropriations for the fiscal year 1944 by section 302 of Public Law 216, 78th Congress, approved December 23, 1943.) No receipts are necessary.

(4) *Airplane fare.*[1] Transportation by air will be allowed regardless of the cost when authorized by the Director of the Coast and Geodetic Survey. When air travel has not been specifically authorized, the traveler may proceed by air with the understanding that he may claim reimbursement therefor only in an amount not exceeding what it would have cost had the travel been performed by public conveyance over land or water. No receipts are necessary.

(5) *Taxicab fare.* At the beginning and termination of the journey and at all points where a change of conveyance is necessary while in a direct travel status. No receipts are necessary.

(6) *Excess baggage charges.* For personal effects (not household furniture) which are not carried free by the transportation company. Receipts are necessary and they should indicate that the traveler has availed himself of the free allowance, if such an allowance is granted.

(7) *Drayage or transfer of baggage.* For the hauling of personal effects from home to the station or dock, et cetera. Receipts are not necessary but should be submitted if possible. Charges by porters for handling the bags or baggage will not be allowed.

(8) *Rental of steamer rug and steamer chair.* Receipts are necessary. Charges for rental of steamer cushions will not be allowed.

(9) *Tips and gratuitous fees.* Will not be reimbursed.

(c) *Per diem.* Per diem in lieu of subsistence while in travel status proceeding from, and to, his home at the following rates: $6.00 over land and by air in and outside of the United States, and $4.00 aboard vessels outside of the United States. No per diem will be allowed concurrently with monthly allowances, but per diem may be substituted therefor at the rate of $6.00 per day for any period of authorized travel.

§ 4.5 *Duration of fellowships.* Fellowships may be awarded for periods varying in accordance with the field of studies in which application for a fellowship is made; as follows:

(a) *Geodetic surveying.* Not exceeding eight months of actual study and training.

(b) *Map and chart production.* Not exceeding six months of actual study and training.

(c) *Hydrographic surveying.* Not exceeding three months of actual study and training.

Fellowships may be extended for not exceeding the same periods in the manner prescribed under § 4.3 of these regulations and subject to the availability of appropriations. Fellowships may be cancelled for cause by the Director of the United States Coast and Geodetic Survey, with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State.

§ 4.6 *Progress reports.* Progress reports indicating experience and giving general impressions shall be submitted by each fellow at such intervals as the Director of the Coast and Geodetic Survey may determine. At the conclusion of the fellowship a general report shall be submitted.

§ 4.7 *Official notification.* Each applicant selected for a fellowship by the Director of the Coast and Geodetic Survey, and approved by the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secertary of State, shall be notified of his award through diplomatic channels. The notification shall name the field of study in which the award is made, describe the program of studies and training, and state the duration of the fellowship and the allowances authorized: *Provided, however,* That the Director of the Coast and Geodetic Survey may subsequently amend the program of study and training and the duration of the fellowship if in his opinion such action would be in the interest of obtaining a program better suited to the needs and capabilities of the fellow than that prescribed in the notification. The amount originally authorized for monthly allowances and other expenses may also be amended, if necessary, with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State.

Dated: June 7, 1944.

[SEAL] L. O. COLBERT,
Director,
U. S. Coast and Geodetic Survey.

Approved: June 9, 1944.

JESSE H. JONES,
Secretary of Commerce.

Approved: June 20, 1944.

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44–9135; Filed, June 22, 1944; 12:16 p. m.]

[1] In all cases, round trip tickets must be purchased if possible. In the event that the return portion of the ticket cannot be used, it should be returned to the Coast and Geodetic Survey.

Chapter I—Bureau of the Census, Department of Commerce

PART 40—FELLOWSHIPS IN VITAL STATISTICS

Pursuant to the following authority and official recommendations and subject to appropriations available, fellowships in the United States Bureau of the Census in vital statistics, including re-

lated public health and demographic statistics, will be awarded to qualified applicants from other American republics.

(a) Public Law 355, 76th Congress, approved August 9, 1939 (53 Stat. 1290) authorizing the President to utilize the services of the Departments, agencies and independent establishments of the Government of the United States for the purpose of rendering closer and more effective the relationship between the American republics; (See Resolution No. 81, adopted at the Eighth International Conference of American States held at Lima, Peru, December 9–27, 1938, recommending scientific and technical research by institutes, laboratories, and men of science recommended by the American Governments);

(b) The Department of State Appropriation Act, 1944, approved July 1, 1943 (Public Law 105, 78th Congress, 1st Session) appropriating funds for tuition, compensation, monthly allowances and enrollment, laboratory, insurance, and other fees incident to training, including traveling expenses in the United States and abroad in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, of educational, professional, and artistic leaders and professors, students, internes, and persons possessing special scientific or other technical qualifications, who are citizens of the United States or the other American republics; and

(c) Title 5 U.S.C. sec. 22 (R.S.), sec. 161, authorizing the head of each department to prescribe regulations for the government of his department and the performance of his business; the permanent Census Act of March 16, 1902, 32 Stat. 51; sec. 8, as amended by the Act of April 27, 1904, 33 Stat. 362, authorising the Director of the Census to collect statistics of the births and deaths in registration areas annually; and sec. 4 of the Organic Act creating the Department of Commerce, 32 Stat. 826, transferring the Census Office to the Department of Commerce; and the Census Act of June 18, 1929, 46 Stat. 21.

Fellowships will be awarded, subject to the following regulations:

Sec.
40.1 Type of fellowship.
40.2 Qualifications.
40.3 Award of fellowships.
40.4 Allowances and expenses.
40.5 Progress reports.
40.6 Duration of fellowships.
40.7 Official notification.

AUTHORITY: §§ 40.1 to 40.7, inclusive, issued under R.S. 161, 5 U.S.C. 22; 53 Stat. 1290, 22 U.S.C. 501, 502; Act of March 16, 1902, 32 Stat. 51, sec. 8, 52, amended by Act of April 27, 1904, 33 Stat. 362; Act of Feb. 14, 1903, sec. 4, 32 Stat. 825, 826; Act of June 18, 1929, 46 Stat. 21; Pub. Law 105, 78th Cong., 1st Sess., approved July 1, 1943.

§ 40.1 *Type of fellowship.* Fellowships shall be of the combined interne-training and training-in-research type, and may include any or all of the following courses:

(a) Orientation courses consisting of lectures and conferences in the United States Bureau of the Census on (1) organization and administration of the Bureau of the Census, (2) civil registration systems and procedures, (3) population trends, (4) organization and functioning of vital statistics systems, (5) organization and administration of public programs.

(b) Seminars in the U. S. Bureau of the Census in specific topics of vital statistics and demography and in their relationship to other public health fields; including (1) classification and tabulation of data, (2) methods of testing completeness and accuracy of birth and death registration, (3) cause-of-death classification, (4) residence allocation, (5) uses of mechanical equipment, (6) sampling, (7) rates and ratios, (8) fertility and population growth, and (9) related topics.

(c) Courses of instruction or research assignments supplementing the topics covered in the conference courses and seminars, in universities or colleges selected by the Director of the Census.

(d) Practical observation and training courses in one or more state and local vital statistics organizations, demographic and public health research foundations, and similar institutions and agencies selected by the Director of the Census.

§ 40.2 *Qualifications.* Each applicant selected for a fellowship shall be:

(a) A citizen of an American republic other than the United States;

(b) In possession of a certificate of medical examination issued by a licensed physician within 60 days of the date of application, describing the applicant's physical condition and stating that he is free from any communicable disease, physical deformity, or disability that would interfere with the proper pursuit of training, research, or any other activity or work incident to the fellowship;

(c) Able to speak, read, write and understand the English language;

(d) Of good moral character and possessing intellectual ability and suitable personal qualities; and

(e) In possession of acceptable evidence that he has successfully completed the equivalent of a four-year university course, with some training or experience in any one of the branches of learning related to vital statistics, such as public health statistics, hospital or institutional statistics, demography, theoretical statistics. Equivalent experience may be substituted for the university training described.

§ 40.3 *Award of fellowships.* Fellowships shall be awarded by the Director of the Census, with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State. Applications shall be transmitted to the Secretary of State by the government of the American republic of which the applicant is a citizen through the American diplomatic mission accredited to that government.

§ 40.4 *Allowances and expenses.* An applicant awarded a fellowship may be entitled to any or all of the following:

(a) *Monthly allowances.* Monthly allowances for quarters and subsistence during the entire period spent in the United States, or its Territories or Possessions, in pursuance of a fellowship, beginning on the date of arrival at his initial headquarters and ending on the date of departure for his home, as follows: (1) Not exceeding $180 per month while under assignment to headquarters in a Department or agency of the Federal or a local government, or a private institution (other than a university or college) in a city of more than 100,000 population; or not exceeding $150 per month while under such assignment in a city of less than 100,000 population; and (2) not exceeding $135 per month while under assignment to receive training at colleges or universities and residing in quarters usually occupied by students in attendance thereat or in similar quarters, irrespective of the population of the city wherein the institution is located.

(b) *Transportation expenses.* Transportation expenses from the home of the applicant (or place in which appointment is accepted) to the place or places in the United States, its Territories or Possessions, where the training and research are to be pursued, and return to the home of the applicant (or point of departure), including travel via Washington, D. C., en route to the place of training or research and from the place of training or research to Washington, D. C., and return to that place, if necessary, for consultation with reference to the fellowship, and between places of training and research in the United States, its Territories or Possessions, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926 as amended, in which connection claim for reimbursement may be made only for items in the following schedule and contingent upon prior authorization:

(1) *Rail fare.*[1] First-class fare. If travel is performed on an extra-fare train, expenses in excess of the first-class fare must be borne by the traveler. No receipts are necessary. (Government transportation requests are to be used, if practicable, within the United States.)

(2) *Pullman fare.*[1] Lower berth or parlor car seat. No receipts are necessary if Government transportation requests are used. If purchased with cash the Pullman stub must be attached to the reimbursement voucher.

(3) *Steamer fare.*[1] Not exceeding the lowest minimum first-class fare of the ship on which travel is performed. American vessels must be used if available (section 901 of the Merchant Marine Act of 1936, 49 Stat. 2015. This requirement has been suspended with respect to appropriations for the fiscal year 1944 by section 302 of Public Law 216, 78th Congress, approved December 23, 1943.) No receipts are necessary.

(4) *Airplane fare.*[1] Transportation by air will be allowed regardless of the cost when authorized or approved by the Secretary of Commerce. When air travel has not been specifically authorized, the traveler may proceed by air with the understanding that he may claim reimbursement therefor only in an amount not exceeding what it would have cost had the travel been performed by public conveyance over land or water. No receipts are necessary.

(5) *Taxicab fare.* At the beginning and termination of the journey and at all points where a change of conveyance is necessary while in a direct travel status. No receipts are necessary.

(6) *Excess baggage charges.* For personal effects (not household furniture) which are not carried free by the transportation company. Receipts are necessary and they should indicate that the traveler has availed himself of the free allowance, if such an allowance is granted.

(7) *Drayage or transfer of baggage.* For the hauling of personal effects from home to station or dock, et cetera. Receipts are not necessary but should be submited if possible. Charges by porters for handling bags or baggage will not be allowed.

(8) *Rental of steamer rug and steamer chair.* Receipts are necessary. Charges for rental of steamer cushions will not be allowed.

(9) *Tips and gratuitious fees.* Will not be allowed.

(c) *Per diem.* Per diem in lieu of subsistence while in travel status proceeding from, and to, his home at the following rates: $6.00 over land or by air in and outside of the continental limits of the United States, and $4.00 aboard vessels outside of the United States. No per diem will be allowed concurrently with monthly allowances, but per diem may be substituted therefor at the rate of $6.00 per day for any period of authorised travel.

(d) *Other expenses.* Enrollment fees, tuition, medical and infirmary fees, laboratory fees, cost of textbooks and rental of equipment, payable to the institution, person, firm or corporation that may have rendered the services or furnished the supplies, upon prior authorization of the Director of the Census. Such expenses may be billed directly to the Bureau of the Census, Department of Commerce, and shall bear the signature of the fellow receiving the services or using the supplies. However, should that procedure not be practicable, the fellow may pay the bill, if authorized to do so, and render an appropriate account to the Bureau of the Census.

§ 40.5 *Progress reports.* Applicants awarded fellowships under these regulations shall submit written reports of progress in training and research at such intervals as the Director of the Census may determine.

§ 40.6 *Duration of fellowship.* Fellowships may be awarded for periods of varying length, not exceeding one 12-month period of actual training and research, and may be extended for not exceeding the same periods in the manner prescribed under § 40.3 of these regulations and subject to the availability of appropriations. Fellowships may be cancelled for cause by the Director of the Census, with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State.

§ 40.7 *Official notification.* Each applicant selected by the Director of the Census and approved by the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State, shall be notified of his award through diplomatic channels. The notification shall state the duration and type of fellowship, outline the program of training and research, and state the allowances authorized: *Provided, however,* That the Director of the Census may subsequently amend the program and duration of the fellowship if in his opinion such action would be in the interest of obtaining training or research better suited to the needs and capabilities of the fellow than those prescribed in the notification. The amount originally authorized for monthly allowances and other expenses may also be amended, if necessary, with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State.

Dated: June 5, 1944.

[SEAL] J. C. CAPT,
Director of the Census.

Approved: June 12, 1944.

JESSE H. JONES,
Secretary of Commerce.

Approved: June 20, 1944.

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-9137; Filed, June 22, 1944; 12:16 p. m.]

[1] In all cases, round trip tickets must be purchased if possible. In the event that the return portion of the ticket cannot be used, it should be returned to the Director of the Census.

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

PART 310—FELLOWSHIPS IN FOREIGN TRADE STATISTICS FOR QUALIFIED CITIZENS OF OTHER AMERICAN REPUBLICS

Pursuant to the following authority and official recommendations and subject to appropriations available, fellowships for the study of foreign trade statistics, in the Bureau of Foreign and Domestic Commerce, will be awarded to qualified applicants from other American republics:

(a) Public Law 355, 76th Congress, approved August 9, 1939 (53 Stat. 1290) authorizing the President to utilize the services of the Departments, agencies and independent establishments of the Government of the United States for the purpose of rendering closer and more effective the relationship between the American republics (see Resolutions adopted at the Eighth International Conference of American States held at Lima, Peru, December 9-27, 1936, No. 62, providing that the American Governments will mutually make available information respecting legislative and administrative measures in the financial and economic fields; and No. 81, providing for reciprocal admission of technicians to private and official institutes for scientific research, and recommending that the American Governments facilitate and support compliance with requests from each other for scientific investigations);

(b) The Department of State Appropriation Act, 1944, approved July 1, 1943, appropriating funds for tuition, compensation, monthly allowances and enrollment, laboratory, insurance, and other fees incident to training, including traveling expenses in the United States and abroad in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, of educational, professional, and artistic leaders, and professors, students, internes, and persons possessing special scientific or other technical qualifications, who are citizens of the United States or the other American republics; and

(c) Title 5, U.S.C., sec. 22 (R.S., sec. 161) authorizing the head of each department to prescribe regulations for the government of his department and the performance of its business; Title 15, U.S.C., sec. 175 (Act of February 14, 1903, 32 Stat. 827; Act of August 23, 1912, 37 Stat. 407) authorizing the Bureau of Foreign and Domestic Commerce, under the direction of the Secretary of Commerce, to foster, promote and develop the various manufacturing industries of the United States, and markets for the same at home and abroad, domestic and foreign, by such methods and means as may be prescribed by the Secretary of Commerce or provided by law.

Fellowships will be awarded subject to the following regulations:

Sec.
310.1 Type of fellowship.
310.2 Qualifications.
310.3 Award of fellowships.
310.4 Allowances and expenses.
310.5 Progress and other reports.
310.6 Duration of fellowships.
310.7 Official notification.

AUTHORITY: §§ 310.1 to 310.7, inclusive, issued under R. S. 161; 53 Stat. 1290; 32 Stat. 827; 37 Stat. 407; and Pub. Law 105, 78th Cong., 1st Sess., approved July 1, 1943.

§ 310.1 *Type of fellowship.* Fellowships shall be of the interne-training type and may include instruction and practical training in all phases of the collection, processing and utilization for analytical purposes of the foreign trade statistics of the United States.

Fellows may be assigned for study and training in the Washington, D. C. offices of the Bureau of Foreign and Domestic Commerce, in other offices of the Department of Commerce whose work is concerned with foreign trade statistics and in one or more of the regional and district offices of the Department of Commerce in the United States. Fellows may also be afforded special opportunities for observation or research in other institutions designated by the Bureau of Foreign and Domestic Commerce.

§ 310.2 *Qualifications.* Each applicant selected for a fellowship shall be:

(a) A bona fide citizen of an American republic other than United States;

(b) In possession of a certificate of medical examination issued by a licensed physician within 60 days of the date of application, describing the applicant's

physical condition and stating that he is free from any communicable disease, and from any disease or disability that would interfere with the proper pursuit of studies or training or the performance of any activity or work incident to the fellowship;

(c) Able to speak, read, write and understand the English language;

(d) Of good moral character and possess intellectual ability and suitable personal qualities; and

(e) Actively engaged in a responsible capacity in the work of a governmental agency that is charged with the collection, processing and analysis of foreign trade statistics (or have been so engaged at any time during the past five years); or similarly engaged in comparable technical or professional work in a private agency or organization.

§ 310.3 *Award of fellowships.* Fellowships shall be awarded by the Director of the Bureau of Foreign and Domestic Commerce with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State. Applications shall be transmitted to the Secretary of State by the government of the American republic of which the applicant is a citizen through the American diplomatic mission accredited to that government.

§ 310.4 *Allowances and expenses.* An applicant awarded a fellowship may be entitled to any or all of the following:

(a) *Monthly allowances.* Monthly allowances for quarters and subsistence during the entire period spent in the United States, or its Territories or Possessions, in pursuance of a fellowship, beginning on the date of arrival at his initial headquarters and ending on the date of departure for his home, at the following rates: (1) Not exceeding $180 per month while under assignment to headquarters in a Department or agency of the Federal Government in a city of more than 100,000 population, or not exceeding $150 per month while under such assignment in a city of less than 100,000 population; or (2) not exceeding $135 per month while receiving training at colleges or universities and residing in quarters usually occupied by students in attendance thereat or in similar quarters, irrespective of the population of the city wherein the institution is located.

(b) *Transportation expenses.* Transportation expenses from the home of the applicant (or place in which appointment is accepted) to the place or places in the United States, its Territories or Possessions, where studies and training are to be pursued, and return to the home of the applicant (or point of departure), including travel via Washington, D. C., en route to the place of studies or training and from the place of studies or training to Washington, D. C., and return to that place, if necessary, for consultation with reference to the fellowship, and between places of studies and training in the United States, its Territories or Possessions, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, in which connection claim for reimbursement may be made only for items in the following schedule and contingent upon prior authorization:

(1) *Rail fare.*[1] First-class fare. If travel is performed on an extra-fare train, expenses in excess of the first-class fare must be borne by the traveler. No receipts are necessary. (Government transportation requests are to be used, if practicable, within the United States.)

(2) *Pullman fare.*[1] Lower berth or parlor car seats. No receipts are necessary if Government transportation requests are used. If purchased with cash the Pullman stub must be attached to the reimbursement voucher.

(3) *Steamer fare.*[1] Not exceeding the lowest minimum first-class fare of the ship on which travel is performed. American vessels must be used if available (section 901 of the Merchant Marine Act of 1936, 49 Stat. 2015). (This requirement has been suspended with respect to appropriations for the fiscal year 1944 by section 302 of Public Law 216, 78th Congress, approved December 23, 1943). No receipts are necessary.

(4) *Airplane fare.*[1] Transportation by air will be allowed regardless of cost when authorized by the Director of the Bureau of Foreign and Domestic Commerce. When air travel has not been specifically authorized, the traveler may proceed by air with the understanding that he may claim reimbursement therefor only in an amount not exceeding what it would have cost had the travel been performed by public conveyance over land or water. No receipts are necessary.

(5) *Taxicab fare.* At the beginning and termination of the journey and at all points where a change of conveyance is necessary while in a direct travel status. No receipts are necessary.

(6) *Excess baggage charges.* For personal effects (not household furniture) which are not carried free by the transportation company. Receipts are necessary and they should indicate that the traveler has availed himself of the free allowance, if such an allowance is granted.

(7) *Drayage or transfer of baggage.* For the hauling of personal effects from home to the station or dock, et cetera. Receipts are not necessary but should be submitted if possible. Charges by porters for handling the bags or baggage will not be allowed.

(8) *Rental of steamer rug and steamer chair.* Receipts are necessary. Charges for rental of steamer cushions will not be allowed.

(9) *Tips and gratuitous fees.* Will not be reimbursed.

(c) *Per diem.* Per diem in lieu of subsistence while in travel status proceeding from, and to, his home at the following rates: $6.00 over land and by air in and outside of the United States and $4.00 aboard vessels outside of the United States.

No per diem will be allowed concurrently with monthly allowances, but per diem may be substituted therefor at the rate of $6.00 per day for any period of authorized travel.

(d) *Other expenses.* Enrollment fees, tuition, medical and infirmary fees, laboratory fees, cost of textbooks and rental of equipment, payable to the institution, person, firm or corporation that may have rendered the services or furnished the supplies, upon prior authorization of the Director of the Bureau of Foreign and Domestic Commerce. Such expenses, may be billed directly to the Bureau of Foreign and Domestic Commerce, U. S. Department of Commerce, and shall bear the signature of the fellow receiving the services or using the supplies. However, should that procedure not be practicable, the fellow may pay the bill, if authorized to do so, and render an appropriate account to the Bureau of Foreign and Domestic Commerce.

§ 310.5 *Reports.* Applicants awarded fellowships shall submit written reports of progress in studies and training and other reports, at such intervals as the Director of the Bureau of Foreign and Domestic Commerce may determine.

§ 310.6 *Duration of fellowships.* Fellowships may be awarded for periods of varying length, not exceeding six months of actual studies and training in the United States. Fellowships may be extended for not exceeding the same period in the manner prescribed under § 310.3 of these regulations, and subject to the availability of appropriations. Fellowships may be cancelled for cause by the Director of the Bureau of Foreign and Domestic Commerce, with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State.

§ 310.7 *Official notification.* Each applicant selected for a fellowship by the Director of the Bureau of Foreign and Domestic Commerce, and approved by the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State, shall be notified of his award through diplomatic channels. The notification shall state the duration and type of fellowship, outline the course of studies and training, name the place or places of studies and training, and state the alowances authorized: *Provided, however,* That the Director of the Bureau of Foreign and Domestic Commerce may subsequently amend the program of studies and training, and the duration of the fellowship if in his opinion such action would be in the interest of obtaining a program better suited to the needs and capabilities of the fellow than that prescribed in the notification. The amount originally authorized for monthly allowances and other expenses may also be amended, if necessary, with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State.

Dated: June 13, 1944.

[SEAL] AMOS E. TAYLOR,
Director, Bureau of Foreign and Domestic Commerce.

Approved: June 14, 1944.

WILLIAM A. M. BURDEN,
Acting Secretary of Commerce.

Approved: June 20, 1944.

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-9136; Filed, June 22, 1944; 12:16 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943; 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 903—DELEGATIONS OF AUTHORITY

[Directive 36]

RATIONING OF NEW COMMERCIAL VEHICLES

§ 903.49 *Directive No. 36—(a) Rationing authority transferred to Director of Office of Defense Transportation.* The Director of the Office of Defense Transportation (hereafter referred to as the Director) is hereby authorized to perform the functions and exercise the power, authority and discretion conferred upon the President by section 2 (a) of the Act of June 28, 1940 (Pub. Law 671, 76th Cong.) as amended by the Act of May 31, 1941 (Pub. Law 89, 77th Cong.) and by Title III of the Second War Powers Act, 1942 (Pub. Law 507, 77th Cong.) with respect to the exercise of rationing control over the transfer, sale, delivery, use or other disposition of new commercial motor vehicles as defined herein. Nothing in this directive shall be deemed in any way to limit the functions and authority of the Director under the Act of December 1, 1942 (Pub. Law 779, 77th Cong.) and Executive Order No. 9294, dated January 4, 1943.

(b) *Information, reports and records.* In connection with the exercise of rationing control, the Director is further authorized to exercise the power, authority and discretion conferred upon the President by the Second War Powers Act, 1942 (Pub. Law 507, 77th Cong.), except with respect to vehicle production and distribution by manufacturers, to obtain information, to require reports and keeping of records; to make inspection of books, records and other writings; to make investigations; to administer oaths and affirmations and to require the attendance and testimony of witnesses and the production of books, records or other documentary or physical evidence pursuant to said statute.

(c) *Limitations on the authority delegated.* The power, authority and discretion hereby delegated to the Director in respect to the rationing of new commercial motor vehicles shall be exercised under the following conditions:

(1) Quotas have been and will be established by the War Production Board, from time to time, fixing the number of new commercial motor vehicles to be made available from the existing stockpile of vehicles and from new production to the Army and Navy of the United States, the Office of Defense Transportation, the Foreign Economic Administration (including the Office of Lend-Lease Administration and the Office of Economic Warfare), Canada, the United States Maritime Commission, the Panama Canal, the Procurement Division of the Treasury Department, the War Production Board and to any other agency which the War Production Board determines is entitled to a quota. These quotas shall not be altered or modified in total amount over the period for which they are established except when approved by the War Production Board.

(2) Within the limits of its own quota each such agency shall determine the use to which the particular vehicle is to be put and the Director shall not refuse to authorize the transfer on any ground other than that the particular quota has been exhausted.

(3) In the rationing of new commercial motor vehicles from the quota established for the Office of Defense Transportation, the Director shall authorize the transfer, sale, delivery, use or other disposition of new commercial motor vehicles pursuant to such standards, orders and regulations as he may deem necessary in the public interest and to promote the national defense.

(d) *Delegation of authority by the Director.* The Director may exercise the power, authority and discretion conferred upon him by this directive through such officials and employees of the Office of Defense Transportation, or other officials of the Government of the United States, as he may determine and pursuant to such orders and regulations as he may deem requisite in the public interest.

(e) *Reports to War Production Board.* The Director shall furnish reports at monthly intervals to the War Production Board covering the number of vehicles transferred from each of the established quotas, and such other reports as may be required by the Board.

(f) *Definition.* "New commercial motor vehicle" means any light, medium or heavy motor truck, truck-tractor or trailer, or the chassis therefor, or any chassis on which a bus body is to be mounted, and which (1) was manufactured subsequently to July 31, 1941; (2) was designed to be propelled or drawn by mechanical power; (3) was designed for use on or off the highways for transportation of property or persons; (4) was manufactured otherwise than under specification of the United States Army or Navy; (5) has not been transferred to any person other than a sales agency for the purpose of resale; including vehicles of the following types: trucks, truck chassis, truck tractors, off-the-highway motor vehicles, full-trailers, semi-trailers, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxicabs, and integral type buses.

(g) *Modification of this directive.* The War Production Board may from time to time amend this directive in such manner and to such extent as it may determine to be necessary. This directive modifies Supplementary Directive LC, issued February 23, 1942, to the extent applicable.

(h) *Executive orders not affected.* Nothing in this directive affects the respective obligations and authorities of the Director and the Chairman of the War Production Board with respect to determining the relative importance of deliveries required for defense, by such instructions, certifications and directives as may be issued by the Chairman, as stated in paragraph 4 of Executive Order 8989, dated December 18, 1941, and any other applicable executive orders.

(i) *Effective date of this directive.* This directive shall become effective on and after July 1, 1944.

Issued this 23d day of June 1944.

WAR PRODUCTION BOARD,
By S. W. ANDERSON,
Program Vice Chairman.

[F. R. Doc. 44-9173; Filed, June 23, 1944; 11:48 a. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, as Amended June 23, 1944]

§ 944.23 *Priorities Regulation 3—(a) Purpose of this regulation.* This regulation states the rules for the use of preference ratings, what kind of purchase orders or services may be rated and how a rating may be put on an order. It also places restrictions on the use of ratings and includes lists of products for which ratings may not be used at all or for which certain kinds of ratings may not be used. In general this regulation should be consulted before using a rating whether it was gotten directly from the War Production Board or from a customer.

(b) *Definitions.* For the purposes of this regulation:

(1) "Person" and "material" mean the same thing they do in Priorities Regulation 1.

(2) "Assignment" of a preference rating. A preference rating is assigned to a person when the War Production Board or someone that it has authorized issues an order or preference rating certificate giving him the right to use the rating.

(3) "Application" of a preference rating. A preference rating is applied when

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[1] In all cases; round trip tickets must be purchased if possible. In the event that the return portion of the ticket cannot be used, it should be returned to the Bureau of Foreign and Domestic Commerce.

the person to whom it is assigned uses the rating. A rating is applied also when any governmental agency which is authorized by the War Production Board rates an order for delivery of material directly to it.

(4) "Extension" of a preference rating. A preference rating is extended when it is used by the person to whom it is applied or extended by another person.

(c) *Use of ratings in general.* (1) When a regulation, preference rating order or preference rating certificate assigns a rating to any person, either by naming him or by describing the class of persons to which he belongs (as is done in the schedules to CMP Regulation 5), that person may apply the rating to get delivery of material or the performance of certain services. Also, a person may under certain conditions extend a rating which has been applied or extended to his deliveries of material, but not one applied to services. More detailed rules as to how and when ratings may be applied or extended are set out below in this regulation.

(2) When a War Production Board order or certificate states the quantities and kinds of material or the particular services which are rated, the person to whom it is assigned may use the rating to get only that quantity and kind of material or that particular service named in the order or certificate. If the quantities of material are not stated in the order or certificate assigning the rating it may be applied only to get the minimum amount needed.

(3) No person may place rated orders for more material than he is authorized to rate even though he intends to cancel some of the orders or reduce the quantity of material ordered to the authorized amount before it is all delivered.

(d) *When ratings may be extended for material.* The following provisions of this paragraph (d) apply to all extensions of preference ratings to get deliveries of material, unless they are modified by or are inconsistent with the provisions of any particular order.

(1) A manufacturer of Class B products under the Controlled Materials plan and a holder of Form WPB–2613 (formerly PD–870) may not extend his customers' ratings (except AAA) as explained in more detail in CMP Regulation 3 and in Priorities Regulation 11B.

(2) When a person has received a rated order for the delivery of material, he may extend the rating to get the material which he will deliver on that order, or which will be physically incorporated in material which he will deliver. If the material is to be processed, this includes the portion of it which would normally be consumed or converted into scrap or by-products in the course of processing.

(3) If a person has made delivery of material, or has incorporated it into other material which he has delivered on a rated order, he may extend the rating to replace it in his inventory. However, if after delivering the material he still has a practicable working minimum inventory he may not extend the rating to replace the material delivered; and if by making the delivery his inventory is reduced below this minimum, the rating may be extended to get only the amount necessary to restore the inventory to a practicable working minimum. Any material ordered to replace in inventory must be substantially the same as the material which the person delivered or incorporated in the material which he delivered, except for minor variations in size, shape or design. Substitution of less scarce materials which do not substantially alter the purpose for which the material is to be used is, however, permitted. The Conservation Division of the War Production Board from time to time publishes a list showing the relative scarcity of materials, entitled "Materials Substitution and Supply List." The latest copy may be obtained from any War Production Board office.

(4) A person to whom a rating has been applied or extended to get material may not extend that rating to get containers or closures to pack the material except as permitted by any order in the Containers, Part 3270, Series (Orders P–140 and P–146 are the only ones that now permit the extension of such ratings). Nor may he extend such rating to get any material for his own plant improvement, expansion or construction, or to get machine tools or other items which he will carry as capital equipment, or to get business machines for his own use whether purchased or leased, or to get maintenance, repair or operating supplies for his own use. Other orders or regulations, such as CMP Regulation 5 and some orders in the "P" series, assign ratings which may be used by the proper persons to get maintenance, repair or operating supplies and minor capital additions.

(e) *Additional restrictions upon use of ratings for certain materials.* Because of special circumstances which exist with respect to certain materials and products, the use of preference ratings to get items on Lists A or B attached to this regulation is restricted as follows:

(1) *Items as to which preference ratings have no effect; List A.* Any item on List A may be produced or delivered without regard to preference ratings. No person shall apply or extend any rating to get any of these items and no person selling any such item shall require a rating as a condition of sale. Any rating purporting to be applied or extended to any such item shall be void and no person shall give any effect to it in filling an order.

(2) *Items to which blanket MRO ratings do not apply; List B.* Blanket MRO ratings may not be applied to get any item on List B, except as permitted by the list. A blanket MRO rating means a rating assigned by CMP Regulation 5 or 5A, or by any other War Production Board regulation, order (including an order in the "P" series), form or certificate which assigns a rating for maintenance, repair or operating supplies without specifying the kind and quantity of the material to which the rating may be applied. Where the quantity of material is specified in terms of dollar value only, the rating is a blanket MRO rating. No person shall give any effect to any rating applied to his deliveries of any item on List B if he knows or has reason to believe that it is a blanket MRO rating. Any blanket MRO rating applied to an order for any item on List B which was not delivered before the date the item was added to the list shall be deemed void. The restrictions of this paragraph are not applicable when the blanket MRO rating is applied to get an item on the list for use on board ship, but in such a case the rating may not be extended by the person to whom it is applied.

(3) *Illustration.* A manufacturer of a product listed in Schedule II of CMP Regulation 5 is assigned a rating of AA–2 for operating supplies. He may not use the rating to buy wooden shelving for his own use since it is on List B. A contractor has received an order bearing a rating of AA–3 to install wooden shelving in an Army camp. He may extend that rating to get the wooden shelving from the manufacturer since in this case the shelving is production material as to him and not operating supplies. If, however, wooden shelving were on List A instead of List B, neither rating could be used.

(f) *Use of ratings for services*—(1) *Ratings may not be used for personal services.* Preference ratings may never be used to get labor or personal services as distinct from services performed in the course of a regular business involving the use of plant, machinery or equipment owned by the person furnishing the services. For example, ratings may be used to get a repair job done in a repair shop as explained below but may not be used to compel an individual employee to work on a repair job or to obtain the services of a consulting engineer.

(2) *Three cases where ratings may be used for services.* There are only three situations in which a preference rating may be used to get services, as distinct from the production or delivery of material:

(i) *A rating assigned for the purpose.* If the War Production Board assigns a rating to a named person to get specified services, he may use the rating for that purpose.

(ii) *For processing.* When a person has a rating which he may use to get processed material, he may (unless prohibited by another regulation or order) furnish the unprocessed material to a processor and use the same rating to get it processed.

(iii) *For repairs.* A blanket MRO rating may be applied by the person to whom it is assigned to get his plant, machinery or equipment repaired even if the repair job does not involve the delivery of repair parts or materials. See paragraph (e) (2) for definition of a blanket MRO rating. A rating assigned on Form WPB–541 (formerly PD–1A) or WPB–542 (formerly PD–3A), or any other rating which may be applied to the delivery of specific repair parts or materials, may also be applied to the installation of the repair parts or materials or to the repair job alone if it is found that installing the parts or materials is not necessary. However, in the case of ordinary plumbing, heating, electrical, automotive or refrigeration repairs, a rating may not be applied to repair work even if the rating is expressly applicable to repair parts or materials. As used in this subparagraph, "repair" means to fix a plant, machinery or equipment after it has broken down or when it is about to break down. "Repair" does not mean upkeep or maintenance service such as periodic inspection, cleaning, painting, lubricating, etc.

(3) *Ratings for services only may not be extended.* A person to whom a rating for services, as distinct from the production or delivery of material, has been applied or extended may not extend the rating for any purpose.

(g) *How to apply or extend a rating.* (1) When a person applies or extends a preference rating he must put the rating (and symbol, if appropriate) on the order together with a certification signed as prescribed in Priorities Regulation 7. He may use the standard certification set out in that regulation, or if he prefers the following:

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the items shown on this order, and that such application or extension is in accordance with Priorities Regulation 3 as amended, with the terms of which the undersigned is familiar.

(Name of Purchaser)

(Address)

By ---
(Signature and Title of Duly Authorized Officer)

(Date)

The person who receives the certification shall be entitled to rely on it as a representation of the buyer unless he knows or has reason to know that it is false.

NOTE: (Subparagraphs (2) and (3) deleted April 25, 1944. They are superseded by paragraphs (o) and (p) of Priorities Regulation 7, which state the rules for placing rated orders orally or by telephone or telegraph.)

(4) When a person applies or extends a rating he shall also include on his purchase order or contract any information which may be required by any applicable War Production Board order. However, he is not required to include the serial number of the preference rating certificate assigning the rating.

(5) Each person who applies or extends a rating must keep at his regular place of business all documents including purchase orders and preference rating orders and certificates which authorize him to apply or extend the rating. These documents, orders and certificates must be kept in such a way that they can be readily segregated and furnished to representatives of the War Production Board for inspection.

(6) When either certification authorized in this paragraph (g) is used it will not be necessary to use any other certification in order to apply or extend a preference rating, nor will it be necessary to furnish a copy of any preference rating order no matter what any regulation, preference rating order or preference rating certificate says unless it expressly states that this regulation does not apply. This does not affect the requirements of Priorities Regulation No. 9 (§ 944.30) when ratings are applied to certain types of exports, in which case its terms control.

(7) No person shall knowingly purport to apply or extend a preference rating to any order unless he is entitled to do so. No person shall apply or extend a rating for material or services after he has received the material or after the services have been performed, and any person who receives such a rating shall not extend it.

(h) *Provisions applicable to extensions; deferment and grouping.* No matter what any applicable preference rating order or certificate may say,

(1) No person may extend any rating to replace inventory after three months have passed from the time he could have first extended it;

(2) When a person has two or more ratings of the same grade which were assigned by different preference rating certificates or orders he may combine them and extend them to one delivery; and

(3) When a person has two or more ratings of different grades, or where they were assigned by the same or different certificates or orders, he may extend them to deliveries under one purchase order. However, the purchase order must show the amount of each material to which a particular grade of rating is extended. If the type and quantity of the material is such that the supplier can readily determine the exact effect of the extension of the rating on his production and delivery schedule from percentage figures alone, then the purchase order may show the amount of the material to which the particular grade of rating is extended on a percentage basis; otherwise, it must be shown as a separate item. In order to avoid production or delivery of material in quantities smaller than the minimum commercially practicable a person may combine ratings of different grades and extend the rating of the lowest grade to the total production or delivery.

(i) *Restrictions in other orders.* When any person applies or extends a rating he shall be subject to any applicable rule or restriction which may be set forth in the order of the War Production Board which assigns the rating or any other order which regulates transactions in the material or the facilities for which he is using the rating. This includes restrictions as to the kind and amount of material to which ratings may be applied or extended, requirements for written approval of any particular transaction, restrictions on certain uses of material or facilities and any other rules which may be applicable to the particular transaction. However, the rules of paragraphs (g) (4) and (g) (6) apply unless some other order or certificate expressly says that they do not.

Issued this 23d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

The following items may be delivered without regard to any War Production Board preference ratings:

Chemicals of the following types manufactured or produced for exclusive use in the petroleum industry, as petroleum industry is defined in Preference Rating Order P–98–b:

a. Antioxidants (gum inhibitors) for motor fuels.

b. Chemical additives and compound bases for heavy duty gasoline engine, diesel engine and aviation engine oils.

c. Chemical additives and compound bases for hypoid gear oils.

d. Synthetic catalysts for oil cracking operation.

e. Synthetic catalysts for cumene and codimer manufacture.

f. Synthetic catalysts for petroleum isomerization operations.

g. Synthetic catalysts for petroleum sweetening operations.

Communications services.

Dental burs.

Electric energy.

Gas, manufactured combustible, of the type generally distributed by utilities.

Gas, natural.

Petroleum; restricted products as defined in Order M–201.

Steam heating, central.

Sterilizer equipment, as defined in Order L–266.

Track-laying tractor repair parts (See Limitation Order L–53–b).

Ice.

Tobaccos.[1]

Vegetable, fish, marine animal and animal fats and oils, whether edible or inedible, and including their by-products and residues (whether resulting from refining, distillation, saponification, pressing or settling).[1]

Sulfated, sulfonated, and sulfurized fats and oils.[1]

Tall oil.[1]

Wool grease.[1]

Soap (other than metallic).[1]

Fatty acids.[1]

Food for human or animal consumption.[1]

Glycerine.[1]

Graphite crucibles.

Pig iron.

Alarm clocks.

Waste paper.

Water.

Containerboard, as defined in Order M–290.

Low and high temperature fractional distillation equipment for gas and gasoline analysis.

[1] Subject to FD Regulation No. 1 of the War Food Administration.

LIST B

NOTE: "Light power driven tools" deleted June 23, 1944.

Blanket MRO ratings, as defined in paragraph (e) (2), may not be used to obtain the items on this list. If a rating is needed to get a specified quantity of any product on the list, application may be made on Form WPB-541 (formerly PD-1A) or on any other form which may be designated for a particular product or person in a War Production Board order.

Adhesive tape backed with cellophane or similar transparent material derived from cellulose.

Animal traps.

Anti-freeze, all types.

Athletic and sport equipment.

Auger Bits, Type 1 as defined in Schedule VIII to Order L-157.

Automotive maintenance equipment as defined in Limitation Order L-270.

Automotive replacement batteries as defined in Limitation Order L-180.

Automotive replacement parts as defined in Limitation Order L-158.

Award emblems, badges, buttons and other similar award pins (not including identification badges).

Blowers and industrial vacuum cleaners governed by Limitation Order L-222.

Capping, closing and sealing machinery and equipment for cans, jars and bottles (other than screw capping machines) having a retail sales value of $25 or more, inclusive of motor, as listed in Schedule A of Order L-332 (except for replacement of existing machinery or equipment).

Cast iron ware, as defined by Limitation Order L-30-c.

Cellophane and cellulose acetate film less than three one thousandths (0.003) of one inch thick.

Cellulose caps or bands of any gauge.

Chemicals listed in Direction No. 5 of this regulation. (See that direction for MRO ratings which may be used.)

Chinaware.

Civilian defense devices: any device, equipment, instrument, preparation or other material designed or adapted for use in connection with:

a. Air raid warnings or detection of the presence of enemy aircraft; or

b. Blackouts or dimouts; or

c. The protection of civilians, either individually or collectively, against enemy action or attack.

Clocks and watches.

Clock and watch repair materials including mainsprings.[1]

Closures and closing devices required for packaging products to be shipped or delivered, as follows:

a. Closures for glass containers.

b. Gummed stay and sealing tape, paper and cloth.

c. Paper and paperboard bottle caps, closures, and hoods.

Containers, fabricated (in knock-down or set-up form, whether assembled or unassembled) required for packaging products to be shipped or delivered. For the purpose of this item the word "containers" shall not include steel strapping, shipping reels and skids, or any item which is specifically excluded from the following sub-items (such as "shell containers" in sub-item f.). It shall, however, include but is not limited to:

a. Bags, all types, and specialty envelopes (including those made of paper, textile, combinations of materials, transparent films, metallic foils, parchment, kraft or sulphite).

b. Baskets and hampers.

c. Cans, as defined in Order M-81.

d. Collapsible tubes.

e. Cooperage, tight and slack.

f. Fibre cans, fibre tubes (except shell containers), fibre bottles, fibre mailing cases, and fibre drums.

g. Folding and set-up boxes (paperboard).

h. Gas cylinders, as defined in M-283.

i. Glass containers.

j. Ice cream cans (paperboard) and paraffin cartons and pails.

k. Paper cups and paper food containers, except as permitted by Order L-336.

l. Paper milk containers.

m. Steel shipping drums as defined in Order L-197.

n. Wooden and fibre inner containers.

o. Wooden and fibre shipping containers and parts, as defined in Order P-140.

Corrugated and solid fibre sheets, not constituting "fibre shipping containers" as defined in Order P-146.

Cutlery, as defined in any order of the L-140 series.

Electrical appliances as defined in Order L-65.

Electronic intercommunicating systems, including public address systems.

Enameled ware, as defined by Limitation Order L-30-b.

Filing cabinets, wooden.

Fire protective equipment, including

a. Couplings, playpipes and allied fittings;

b. Fire hose, hose dryers, racks and reels;

c. (Revoked.)

d. Fire pumps;

e. Fire sprinkler systems;

f. Foam generators;

g. Indicator posts;

h. Lightning rod systems;

i. Piped extinguishing systems;

j. Portable fire extinguishers;

k. Stirrup pumps;

l. Water spray nozzles.

Flatware.

Frying pans.

Fuel.

Furniture for any use, except furniture specifically designed for schools.

Galvanized ware and non-metal coated metal articles as governed by Limitation Order L-30-a (except for funnels, oil and gasoline cans having a capacity of from 1 to 5 gallons, inclusive, and flexible spout measures).

Glass tableware.

Glass tumblers.

Industrial air circulators, new.

Kitchen ware, heavy duty (except ratings applied by a food "processor" as defined in Order L-292:

a. Bakery utensils;

b. Butcher benches;

c. Butcher blocks;

d. Canopies or hoods;

e. Carriers, food;

f. Carriers, tray;

g. Coffee mills and grinders;

h. Counters, cafeteria, lunch and serving;

i. Counter protectors;

j. Cutters, french fry;

k. Cutters, meat, bone and fish;

l. Dispensers, milk and cream;

m. Display racks;

n. Dough dividers;

o. Dough troughs;

p. Knife sharpeners and grinders;

q. Pans, cold;

r. Potato mashers;

s. Potato and vegetable parers or peelers;

t. Racks, bread (bakery);

u. Racks, dump (bakery);

v. Racks, pans (bakery);

w. Sandwich units;

x. Slicers, meat and bread;

y. Tables, bakers;

z. Tables, cooks, chef, salad and work;

aa. Tables, soiled and clean dish;

bb. Toaster stands;

cc. Tray stands;

dd. Trucks, food;

ee. Urn stands;

Insulation blowing machines complete (new only), and the following parts thereof:

(a) Internal combustion engines, or electric motors.

(b) Blowers.

(c) Speed reduction units.

Kitchen household and miscellaneous articles governed by Limitation Order L-30-d.

Laboratory instruments and equipment, including parts thereof. (Except ratings assigned by Preference Rating Orders P-43, P-68, P-89, and P-96-b, and ratings assigned pursuant to Orders P-86, P-88 and P-73.)

Lawn mowers, including power and gang mowers.

Lighting fixtures, fluorescent (as defined in Order L-76), and incandescent (as defined in Order L-212), and electric floodlights. Blanket MRO ratings of AA-2 or higher may, however, be used.

Lockers, wooden, for offices and factories.

Medical, surgical and dental equipment and supplies (except parts for the maintenance or repair of existing equipment) including:

a. Anaesthesia and oxygen equipment and accessories;

b. Atomizers;

c. Clinical thermometers;

d. Crutches;

e. Dental consumable supplies;

f. Dental equipment and appliances (except dental lathes);

g. Diagnostic instruments and apparatus;

h. Electric light bulbs for diagnostic instruments;

i. Hearing aids;

j. Hospital and medical rubber drug sundries;

k. Hospital enamelware and stainless steel ware;

l. Hypodermic needles and syringes;

m. Operating and examining room furniture;

n. Operating and examining room lights;

o. Opthalmic goods.

p. Orthopedic appliances including splints, belts and trusses;

q. Physical therapy equipment and supplies;

r. Sterilisers;

s. Surgical dressings;

t. Suture needles;

u. Sutures;

v. X-ray equipment and supplies.

Medical, surgical and dental instruments.

Medicinal preparations, including vitamins.

Monorail system and additions thereto, except one complete addition valued at less than $300.00.

Pails and tubs, wooden, including wooden mop pails.

Paper and paperboard and products manufactured therefrom and molded pulp products; excluding carbon paper, tracing paper, reproduction paper, sensitised paper, engineering graph paper, chemically treated paper for engineering use, litmus paper and filter paper and paper tags.

Pencils, mechanical.

Pencils, wood cased.

Pens, fountain.

Pen holders.

Pen nibs, steel.

Photographic film sensitised, as controlled by Order L-233.

Pins, common and safety.

Precision measuring instruments and testing equipment—Preference Rating Order E-9.

Printing and publishing:

a. Printed matter including items such as letterheads, envelopes, forms and printed and ruled stationery;

b. Processed printing plates;

c. Type metal, stereotyping metal and electrotype backing-metal;

d. Printing paper, paperboard and binders' board;

e. Book cloth;

f. Blankbook and loose-leaf binders, metal parts and units;

g. Mechanical bindings.

Radio transmitters, receivers and transceivers.

Signal and alarm equipment, including:

a. Central Station, proprietary, auxiliary and automatic fire alarms;

b. Watchman's time recording, burglar, bank vault, holdup and intrusion systems.

Slide rules, precision engineering, having a list price of $7.50 or more.

Venetian blinds.

Wire intercommunicating systems.

Wooden shelving.

Woodworking machinery, Class I, as defined in Order L-311.

[1] It is not contemplated that any preference ratings will be assigned by the War Production Board on Form WPB-541 for clock and watch repair materials including mainsprings.

NOTE: Lists A and B of this regulation will, in general, be revised on or about the 15th of every second month. Another revision may be expected about August 15, 1944.

INTERPRETATION 1, REVOCATION

Interpretation 1 of Priorities Regulation 3 is hereby revoked. (Issued Nov. 17, 1943.)

INTERPRETATION 2

The restrictions on the use of ratings for the items on Lists A and B apply to orders for such items which had been placed before the date the item was put on the list but were not yet filled. (Issued Nov. 17, 1943.)

INTERPRETATION 3

FIRE PROTECTIVE EQUIPMENT

Blanket MRO ratings may be used to obtain repair parts and material for existing fire protective equipment, but may not be used to obtain end items of fire protective equipment. The term "Fire protective equipment", on List B attached to Priorities Regulation 3, includes only end items and does not include materials or parts required for the repair or maintenance of existing fire protective equipment.

For example, a fire extinguisher or a fire hose coupling is an end item of fire protective equipment and therefore may not be obtained on blanket MRO ratings, whereas a part required to repair an extinguisher or coupling is not an end item and therefore may be obtained on blanket MRO ratings. Similiarly, blanket MRO ratings may not be used to obtain a fire sprinkler system nor to extend an existing sprinkler system, but such ratings may be used to repair or replace sprinkler heads which have been opened up by fire or damaged in any other way. However, blanket MRO ratings may not be used to repair or replace new equipment which is still usable. (Issued Feb. 26, 1944.)

INTERPRETATION 4

A great many orders of the War Production Board permit the delivery of materials pursuant to preference ratings assigned by a P-19-h Order, or by an order in the P-19 series. Forms CMPL-224 and CMPL-127 are generally used in place of orders in the P-19 series. It is expressly stated on Form CMPL-224:

"This authorization is issued in lieu of preference rating order of the P-19 series. Any reference in any order of the War Production Board to said preference rating orders shall constitute a reference to this authorization."

It is set forth in CMPL-127:

"This authorization is issued in lieu of Preference Rating Order P-19-h or P-55. Any reference in any order of the War Production Board to said Preference Rating Order P-19-h or P-55 shall constitute a reference to this authorization."

Consequently, it is proper for any person to deliver material or equipment pursuant to a rating assigned by Forms CMPL-224 or CMPL-127, if he is permitted under existing orders of the War Production Board to deliver said material pursuant to a rating assigned by a P-19-h order or an order in the P-19 series. (Issued Aug. 13, 1943.)

INTERPRETATION 5

(a) *Restrictions of other orders on use of ratings or delivery.* The provisions of paragraph (e) relate only to the items which appear on the lists. When any other order of the War Production Board restricts the use of preference ratings to obtain any product, or restricts delivery of a product in any way, those restrictions are applicable even though that product is not listed in Priorities Regulation 3 (§ 944.23). This rule specifically applies to the items which were on List C before the amendment of August 10, 1943.

(b) *"Masking" tape.* Blanket MRO ratings may be used to get industrial pressure sensitive adhesive tape (paper and cloth), also called "masking" tape. This type of tape is not included in "Gummed stay and sealing tape, paper and cloth."

This interpretation is not applicable to adhesive tape backed with cellophane or similar transparent materials derived from cellulose which may not be obtained with blanket MRO ratings. (Issued Dec. 16, 1943.)

INTERPRETATION 6

EFFECT OF PREFERENCE RATING CERTIFICATE REFERRING TO PRODUCT OF A PARTICULAR MANUFACTURER

(a) When a preference rating certificate in assigning a rating to a product describes the product by its trade name or by the manufacturer's name and catalogue number, the rating may ordinarily be used to get the product from any manufacturer if the model actually obtained is substantially identical in size, operation and function with that named in the certificate.

(b) The rule stated in the preceding paragraph is consistent with the statement in paragraph (c) (2) of Priorities Regulation 3 (§ 944.23), that a preference rating may be applied only to the specific quantities and kinds of material authorized. Ordinarily a reference in a preference rating certificate to a particular product of a particular manufacturer is no more than a shorthand way of describing the product. It is safe to assume, unless the certificate clearly states otherwise, that what is being rated is a certain kind and size of product which may be obtained from any manufacturer who makes that kind and size. If it is intended to confine the rating to a particular product of a particular manufacturer, the certificate should say so explicitly. (Issued Sept. 8, 1943.)

INTERPRETATION 7

LIMITATIONS ON THE RIGHT TO USE RATINGS TO GET MATERIALS PROCESSED

(a) *What this interpretation covers.* This interpretation explains the limitations on the use of a preference rating assigned to the delivery of a material to get material processed under paragraph (f) (2) (ii) of the regulation.

(b) *Controlled materials.* Preference ratings cannot be used to buy controlled materials (steel, copper, and aluminum in controlled material form) from a producer or warehouse and consequently no rating may be used to get material processed into a controlled material by a producer or warehouse. There is one exception to this general rule which is covered by paragraph (d-1) of CMP Regulation No. 8, which assigns a preference rating to steel producerr for use in getting steel processed into a controlled material form.

(c) *Class B products.* Paragraph (g) (3) of CMP Regulation No 1 prohibits allotments of controlled materials to B product manufacturers except by the War Production Board and, as explained in Interpretation No. 16 to CMP Regulation No 1, also prohibits a customer from furnishing controlled materials to a B product manufacturer. A special exception to this general rule is provided in Direction 36 to CMP Regulation No. 1. In all cases not covered by the exception, it is improper for a person to furnish controlled materials to a B product manufacturer for processing and consequently no preference rating can be used to get such processing done. In this connection, attention is called to the fact that all products, whether Class A products or Class B products, which are bought for use as maintenance, repair, or operating supplies are treated as though they were Class B products. This is covered by paragraph (k-1) (2) of CMP Regulation No. 1. As pointed out in Interpretation No. 13 to CMP Regulation No. 1, a Class A repair part is handled on a Class B basis and therefore paragraph (g) (3) of the regulation is applicable.

(d) *Ratings not to interfere with authorized controlled material orders.* While a person who has been assigned a rating to get material may use the rating to get the use of the facilities of a controlled materials producer to have the material processed (if the material, when processed, is not a controlled material) rated orders for the use of a controlled materials producer's facilities must not interfere with the acceptance, production, or delivery of orders which he is permitted to fill under paragraph (t) (3) of CMP Regulation No. 1. Attention is called to Interpretation No. 4 to Priorities Regulation No. 1 on this subject. (Issued Nov. 18, 1943.)

INTERPRETATION 8

ELECTRONIC INTERCOMMUNICATING SYSTEMS AND WIRE INTERCOMMUNICATING SYSTEMS

List B of Priorities Regulation 3 (§ 944.23) forbids the use of blanket MRO ratings to obtain electronic intercommunicating systems or wire intercommunicating systems. This restriction applies only to getting systems not yet installed. Therefore, blanket MRO ratings may be used to obtain repair parts and materials for existing intercommunicating systems. Also, those blanket MRO ratings which may be used for minor capital additions, may within prescribed

dollar limits be used to add stations to an existing intercommunicating system to bring it to its designed capacity. Thus, if an intercommunicating system is designed for 16 stations, with only 12 stations originally installed, four stations may be added by the use of blanket MRO ratings. However, an expansion beyond the 16 stations, or any enlargement of or an extension beyond the designed capacity, may not be obtained by use of blanket MRO ratings.

In conjunction with the above interpretation, it should be pointed out that a related item, signal and alarm equipment, also appears on List B of Priorities Regulation 3. With respect to signal and alarm equipment, blanket MRO ratings may be used to get parts and materials for repair and maintenance of existing equipment. However, since signal and alarm equipment is generally installed without a specific margin of unused designed capacity, no additions or extensions by the use of blanket MRO ratings are permitted. (Issued Jan. 6, 1944.)

INTERPRETATION 9

CERTAIN MRO RATINGS ASSIGNED UNDER P–98–b ARE NOT BLANKET MRO RATINGS

Paragraph (e) (2) of Priorities Regulation 3 prohibits the use of a "blanket MRO rating" to get any item on List B. See that paragraph for a definition of a "blanket MRO rating". Some of the items which are on List B also appear on Schedule B of Preference Rating Order P–98–b. That schedule provides a way to get a rating for the items which appear on it so that such P–98–b ratings will not be "blanket MRO ratings". These ratings are assigned to specific purchase orders for a specific kind and quantity of the material desired.

Therefore, when a rating assigned pursuant to Schedule B of P–98–b (as evidenced by the symbol MRO–P–3) is applied to a purchase order for any item which is set out on Schedule B of that order that rating is valid, despite the fact the item is also on List B of Priorities Regulation 3.

The order does not require the purchaser to furnish a copy of his approved purchase order to the supplier, and the supplier should give effect to the rating and certification unless he knows or has reason to believe that the purchase order has not been rated as provided in Schedule B of Order P–98–b. (Issued Jan. 24, 1944.)

INTERPRETATION 10

USE OF RATING TO OBTAIN LEASED MACHINERY

(a) A preference rating which has been assigned for the delivery of an item of machinery or equipment may be used to lease the equipment as long as the following conditions are fulfilled:

(1) The lease must be a long-term semi-permanent arrangement where both parties contemplate the comparatively permanent installation of the machine or equipment. For instance, a rating could be used to obtain a machine under lease where the lease was for one year, with provision for renewal at the end of each year, and both parties expected that the lease would be renewed from time to time. However, the rating could not be used to obtain a machine for a month's use.

(2) If the rating is limited by specific dollar amount, it may be used only to lease machinery or equipment whose fair market value is no greater than the amount specified. For example, CMP Regulation No. 5 assigns a rating for the purchase of minor capital additions not exceeding $500. This rating can be used to lease a machine if its fair market value is not more than $500.

(b) If the instrument assigning the ratings specifies a lease rather than a purchase, it is not necessary to comply with the above conditions. (Issued April 25, 1944.)

INTERPRETATION 11

IDENTIFICATION OF BLANKET MRO RATINGS

Generally speaking, ratings accompanied by the symbol "MRO" are blanket MRO ratings when they are applied to get an item on List B of Priorities Regulation 3. Therefore, any person receiving an order for a List B item bearing a rating accompanied by the symbol "MRO" must assume that the rating is a blanket MRO rating and give it no effect, unless the person who applied or extended it demonstrates (1) that it is not a blanket MRO rating or (2) that it is an extension of a blanket MRO rating applied on an order which was filled before the item was added to List B. (See paragraph (e) (2) of Priorities Regulation 3 for definition of "blanket MRO rating.")

It should not be assumed, however, that all blanket MRO ratings are accompanied by the "MRO" symbol. Several "P" and "U" Orders assign blanket MRO ratings which are accompanied by symbols other than "MRO." For example, a blanket MRO rating is assigned by Preference Rating Order P–68, but the symbol accompanying the rating is "S–8".

The question has been raised whether the War Production Board assigns the symbol "MRO" in connection with the assignment of a rating on Form WPB–541 (PD–1A) for a List B item. The answer to this question is "No." Therefore, no rating which was assigned on Form WPB–541 for a List B item could properly be accompanied by the "MRO" symbol. (Issued April 25, 1944.)

INTERPRETATION 12

RECORDS OF EXPORTERS

Paragraph (g) (5) of Priorities Regulation No. 3 requires each person who applies or extends a rating to keep all documents including preference rating orders and certificates which authorize him to apply or extend the rating at his regular place of business. The Foreign Economic Administration and its predecessors, the Board of Economic Warfare and the Office of Economic Warfare, have assigned preference ratings to exporters for export by endorsing appropriate legends upon export licenses. The original of every export license, however, is required by other government regulations to be surrendered to export officials at the time of shipment. Consequently, persons who receive their assignments of preference ratings on export licenses are not in a position to retain the original of the export license and thus are not required to do so by paragraph (g) (5) except only in those cases where other government regulations do not require the surrender to the government of the documents referred to. (Issued April 25, 1944.)

[F. R. Doc. 44–9154; Filed, June 23, 1944; 10:54 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 3, Interpretation 13]

TIME LIMIT ON USE OF RATINGS

The following interpretation is issued with respect to Priorities Regulation 3:

Preference ratings may not be extended to replace material in inventory after three months from the time delivery was made to the customer. This is the rule of paragraph (h) (1) of the regulation.

When a rating is being applied (except a blanket rating such as one assigned by CMP Regulation 5) or when any rating is extended for some purpose other than to replace inventory, this may be done only within a reasonable time after the rating was received. Generally speaking, more than three months is deemed to be an unreasonable delay in the use of a rating. In a particular case there may be circumstances which make a reasonable time shorter or longer than three months. For example,

(1) A rating assigned to a construction project on a form which says when the rating expires (such as GA–1456 or CMPL 598) may be applied for material going into the project until the expiration date stated, even though more than three months may have elapsed.

(2) A rating assigned in connection with an export license may be applied as long as the license is valid and expires when the license expires or is revoked. (For explanation of this rule see Interpretation 2, Directive 27.)

(3) When a rating is applied to a long term contract (such as the construction of a ship), it may be extended for material needed to fill the contract, even though more than three months have elapsed.

(4) If the purpose for which the rating was assigned no longer exists, the rating may not be applied even though three months have not elapsed.

(5) When a rating is extended by a person to get material to deliver to his customer, or to incorporate in such material, the time within which it may be done will, in general, be controlled by the delivery date on his customer's order.

The fact that a person has not been able to get his rated order accepted by a supplier does not lengthen the time within which he may use his rating.

Issued this 23d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–9155; Filed, June 23, 1944; 10:54 a. m.]

PART 3002—PLASTICS MOLDING MACHINERY

[Allocation Order L–159, Revocation]

Section 3002.1 *Allocation Order L–159* is revoked.

This revocation does not affect any liabilities incurred under the order.

Some of the items previously subject to Order L–159 are now subject to General Scheduling Order M–293, Table 15 as amended June 23, 1944.

Issued this 23d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–9157; Filed, June 23, 1944; 10:55 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M–293, Table 15, as Amended June 23, 1944]

CHEMICALS BUREAU

§ 3208.16 *Table for Chemicals Bureau.* (a) The following table is issued pursuant to the provisions of General Scheduling Order M–293:

Type of M–293 product	Designation	Applicable form column: Operations	Applicable form column: Shipping schedule	Applicable form column: Application and authorization	Calendar months frozen
Processing machinery and equipment designated as the types and/or kinds used in the processing of (or in connection with the processing of) the following: (A) Animal, fish and vegetable oils; chemicals; fats and greases; fertilizers; petroleum products. See CMP codes 241 and 247. (B) Cosmetics, drugs, pharmaceuticals. See CMP code 243. (C) Plastic molding machinery. See CMP code 264. (D) Paint, varnish and lacquer making machinery. See CMP code 265. (Items covered by the provisions of Limitation Order L–293 are excluded.)					
1. Crushers, grinders of the following types: to produce wet, dry, paste or granulated products, bone crushers, crushing rolls, crystallizer combinations, diamond type hogs, Mill pulverizers, roller, ball, pebble, colloid, and stone mills. Mitts Merrill hogs, mixer combinations [1]	Y	.....	3001.71	1319	.....
2. Driers of the following types: bone, blood, citrus products, cooker, copra, cottonseed, drum, fertilizer, fiber, fishmeal, flake, flaxseed, hemp, rice, oilseed, rotary, salt processing, soybeans, steam, tankage, paint [1]	Y	.....	3001.71	1319	.....
3. Evaporators: (a) fertilizer, fish stick, salt processing, solvent extraction. (b) digesters.	Y	.....	3001.71	1319	.....
4. Presses for edible and inedible oils and greases of the following types: soap, cake forming, crackling, curb, expeller (including unloader attachments), filter, hydraulic, platen frame, mechanical screw [1]	Y	.....	3001.71	1319	.....
5. Processing equipment: attrition mills, bleachers, blenders, cookers and mixers, fuller kettles, glass-lined equipment (chemical processing), hoppers and washers, "Karbate" products, pairers, percolators, roller and flake mills, samplers, scrubbers, thermo-chemical units, trimmers, fillers, filling machines [1]	Y	.....	3001.71	1319	.....
6. Centrifuges, concentrators, extractors, precipitators, purifiers, separators [1]	Y	.....	3001.71	1319	.....
7. Votators [1]: (a) chilling rolls, lard rolls (b) grease, oil, wax (c) Texturators, crystallizers	Y	.....	3001.71	1319	.....
8. Columns [1]: Absorbing (not including fractionating columns for the petroleum industry) denitrating, distilling, oxygen	Y	.....	3001.71	1319	.....
9. Machines [1]: (a) capsule, pellet, pill powder filling, tablet (b) degreasing, vapor solvent type: (not anodizing, automotive, electroplating) (c) glass manufacturing (d) weathering	Y	.....	3001.71	1319	.....
10. Plastic Molding Machinery: compression, (automatic, hydraulic, mechanical), extruders, injection, laminators, laminating presses (laboratory type), preformers (not ceramic) [1]	Y	.....	3001.71	1319	.....

[1] Exempt from paragraph (f) of M–293.

Issued this 23d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–9149; Filed, June 23, 1944; 10:55 a. m.]

PART 3270—CONTAINERS

[Preference Rating Order P–140, Direction 1]

RATING FOR CONTAINERS FOR LEND-LEASE SHIPMENTS OF MILK POWDER

The following direction is issued pursuant to Preference Rating Order P–140:

Order P–140 assigns a rating of AA–3X for wooden shipping containers for the shipment of foods. However, any person who has received an order from War Food Administration for milk powder bearing an endorsement that it is for Lend-Lease purposes may use a rating of AA–3 to get the slack barrels for delivery on or before August 1, 1944 that he will need to fill that order. The certification accompanying the order for the barrels shall refer to "Direction 1" instead of "Paragraph ———."

Issued this 23d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–9156; Filed, June 23, 1944; 10:54 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Limitation Order L–218, Revocation]

DOUGLAS FIR LUMBER

Effective August 1, 1944, Limitation Order L–218 is revoked. This revocation does not affect any liabilities incurred under the order. Order L–218 is superseded by Order L–335, as amended June 23, 1944 which becomes effective August 1, 1944.

Issued this 23d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–9158; Filed, June 23, 1944; 10:55 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Limitation Order L–290, Revocation]

DELIVERIES OF WESTERN LUMBER FROM SAWMILL STOCK

Effective August 1, 1944, Limitation Order L–290 as amended March 20, 1944 is revoked. This revocation does not affect any liabilities incurred under the order. Order L–290 is superseded by Order L–335, as amended June 23, 1944 which becomes effective August 1, 1944.

Issued this 23d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–9161; Filed, June 23, 1944; 10:55 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L–335, as Amended June 23, 1944]

LUMBER CONTROL ORDER

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of lumber for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3285.121 *Order L–335*—(a) *What this order does.* This order explains procedures that persons must follow in getting lumber and that sawmills and distributors must follow in delivering lumber. It applies to sawmills that produce over 100,000 board feet of lumber a year and to persons who sell or distribute new lumber within or export new lumber from the continental United States (meaning only the 48 states and the District of Columbia). It applies to every person who receives new lumber from a sawmill or distributor and it provides a procedure for controlling the amount of lumber that large consumers can receive.

Definitions

(b) *Definitions.* For the purposes of this order:

(1) "Lumber" means any sawed lumber of any species, size or grade, including round edge, rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines, except: (i) dogwood, persimmon, rattan, balsa, and aircraft grade of sitka spruce; (ii) shingles, lath and slabs; mine ties and railway cross ties (sawed or hewed); (iii) edgings, trim, and off-fall less than three inches wide or less than four feet long unless made into standard commercial lumber sizes or patterns; (iv) hardwood flooring; (v) items produced from lumber but not classified in the trade as lumber, such as box shook, dimension stock, cut stock, and millwork; and (vi) used lumber.

(2) "Distributor" means any person who buys lumber for resale as lumber either at wholesale or retail. It does not include any part of a person's operations which would make him also either a sawmill or consumer.

(3) "Distributor stock" means any lumber which a distributor has in his possession for resale.

(4) "Sawmill" means: (i) any mill or plant, stationary or portable, which produced more than 100,000 board feet of lumber in 1943 or expects to produce more than 100,000 board feet in 1944;

and (ii) any concentration yard or plant which processes (by drying, sawing, edging, planing or some other comparable method) 25 percent or more of the total volume of logs and lumber which it receives from the area in which it is located, into an item which is defined as lumber. However, the term "sawmill" does not include any establishment known in the trade as a distribution yard, engaged in either retail or wholesale business, even though it may process, for the servicing of special orders from customers, more than 25 percent of the lumber it receives.

(5) "Sawmill stock" means any lumber in the possession of a sawmill.

(6) "Consumer" means any person, (or any part of a person's operations, such as a plant, branch, or department which regularly maintains a separate lumber inventory record) who receives lumber (except for resale) and uses it in the United States. "Consumer" does not include persons (including contractors) who receive lumber for use on construction work done for other persons. The person for whom the construction work is done is the consumer.

(7) A "certified order" is any order for delivery of lumber bearing one of the certifications prescribed by this order or by any direction issued pursuant to this order.

(8) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

Lumber Consumers and How They Get Their Lumber

(c) *General.* For the purposes of this order lumber consumers are grouped according to the quantity of lumber they use and the purpose for which they use it. Because a person may be included in more than one group, he must read the provisions relating to each in order to determine the procedure or procedures he must follow in getting his lumber. Lumber which a person gets as a production material is subject to the limitations which may be imposed by directions to this order.

"Class I Consumers" and How They Get Their Lumber

(d) *Who a "Class I consumer" is.* A "Class I consumer" is any consumer who has been granted an authorization to receive lumber on Form WPB–3640.

(e) *Who is required to get an authorization on Form WPB–3640.* The following are required to file Form WPB–3640 and get an authorization from the War Production Board to receive lumber:

(1) Any consumer who has previously been granted an authorization to receive lumber on Form WPB–3640. If a consumer has received an authorization on Form WPB–3640 for one quarter, he must continue to apply for authorizations for subsequent quarters (though his requirements drop below 50,000 board feet) unless otherwise notified by the War Production Board.

(2) Any consumer who expects that he will need to receive 50,000 or more board feet of lumber in a particular quarter for all purposes except: (i) resale; (ii) mining or smelting operations for which he has been assigned a serial number under P–56; (iii) operations directly incident to the discovery, development, or depletion of a petroleum pool as authorized by Petroleum Administrative Order 11; (iv) farm operations for which he may get lumber through the War Food Administration as explained in paragraph (1) below; and (v) construction jobs which have been expressly authorized by the War Production Board or the National Housing Agency or any other Federal agency that authorizes construction on behalf of the War Production Board.

(f) *Separate branches and departments.* If a consumer has two or more branches, plants, departments or other divisions which regularly maintain separate lumber inventory records, each of them is to be treated as a separate consumer for purposes of determining whether it must get an authorization as a Class I consumer. Inventories may not be split for the purpose of evading this order.

(g) *A consumer required to file Form WPB–3640 may not receive lumber in a quarter unless authorized.* Any consumer who is required to file Form WPB–3640 but does not file his application and get an authorization, is forbidden to receive any lumber in the quarter for which the authorization was necessary. This does not apply to lumber received for one of the excepted purposes mentioned in paragraph (e) (2) above.

(h) *How receipts are authorized.* Applications on Form WPB–3640 covering requirements for the second and third quarters, as filed under this order before the amendment of June 23, 1944, will be returned to the applicant with an authorization saying how much he may receive during the third quarter. Applications for the fourth and subsequent quarters may be filed on Form WPB–3640 revised, in accordance with the instructions on that form.

(i) *Extent to which authorization can be used.* The following provisions govern the extent to which authorizations granted on Form WPB–3640 can be used:

(1) *Quarterly receipts by Class I consumers restricted to amounts authorized.* A Class I consumer may not order for delivery in, or receive in, any quarter (beginning with the third quarter of 1944) more lumber than the amount authorized on Form WPB–3640. This does not apply to lumber ordered or received for the excepted purposes mentioned in paragraph (e) (2) above. Lumber ordered for delivery in one quarter but shipped during the first month of the following quarter may be received without charging it against the following quarter's authorization.

(2) *Delivery must be ordered for quarter in which authorized.* A Class I consumer may order lumber only for delivery in the quarter in which he is authorized to receive it. This does not prohibit a Class I consumer from placing orders for lumber prior to the quarter in which he is authorized to receive it.

(3) *Class I consumers may place certified orders in advance of authorization on Form WPB–3640.* In order to assure the fulfillment of long-term programs and schedules, Class I consumers who are authorized to place certified orders may place such orders for delivery of lumber in future quarters in an amount not to exceed 50 percent of the amount they are authorized to receive in any current quarter. These orders may be rated to the extent that the person placing them has received ratings which are valid for delivery in future quarters. These orders will be subject to such adjustments as may be necessary at the time the War Production Board's quarterly determination of essential requirements is made.

(4) *Additional authorizations and return of authorizations.* A Class I consumer who needs more lumber than he is authorized to receive may file a supplementary application on Form WPB–3640 for an additional amount. If he finds that he will not need as much lumber as authorized, he must notify the War Production Board on Form WPB–3773 of the amount of lumber he does not need and has not received and must cancel or reduce his outstanding delivery orders accordingly.

(5) *Restrictions on Class I consumer's use of ratings to get fabricated wooden products which he can produce.* A Class I consumer may not use a rating of AA–3 or higher to order for delivery after July 31, 1944 fabricated wooden products if he has the facilities to make them himself, except that he may use such a rating to buy in any quarter the same amount of any fabricated wooden products that he bought during the corresponding quarter of 1943.

(6) *Certification of delivery orders and use of ratings.* Every Class I consumer must certify all his purchase orders, sales tickets, or other orders requesting the delivery or transfer of lumber as explained in paragraph (q) below. A Class I consumer who has received a rating to get production materials for a product may use that rating, and only that rating to get lumber that he needs as a production material for that product. A Class I consumer who has a rating higher than AA–5 MRO to get material for maintenance, repair and operating supplies (including MRO shipping material or dunnage) may use it to get lumber for such purposes. If a Class I consumer has no rating (or only an AA–5 MRO rating) for a part of his operations which requires lumber, he must place certified but unrated orders for the lumber which he needs for that purpose.

"Class II Consumers" and How They Get Their Lumber

(j) *Who a "Class II consumer" is.* A "Class II consumer" is:

(1) Any consumer who has a preference rating (except AA–5 MRO) and who would have to file an application as a Class I consumer except for the fact that he will need less than 50,000 board feet of lumber in a calendar quarter. (If, after the beginning of a quarter, this type of Class II consumer finds that he will need to receive 50,000 or more board feet of lumber in the quarter, he must immediately file an application on Form WPB–3640.)

(2) Any consumer who needs lumber (regardless of amount) for: (i) mining and smelting operations for which he has been assigned a serial number under Order P–56; or (ii) operations directly incident to the discovery, development or depletion of a petroleum pool as authorized by Petroleum Administrative Order 11.

(3) Any consumer who needs lumber (regardless of amount) for construction jobs which have been expressly authorized by the War Production Board or the National Housing Agency or any other Federal agency that authorizes construction on behalf of the War Production Board.

(k) *Class II consumers must place certified and rated orders.* Class II consumers do not, under this order, file special applications for authority to receive lumber unless specifically required to by a direction issued under this order. Any Class II consumer who has received a rating to get production materials for a product may use that rating and only that rating to get lumber he needs as a production material for that product. A Class II consumer who has a rating higher than AA–5 MRO to get material for maintenance, repair and operating supplies (including MRO shipping material and dunnage) may use that rating to get lumber for such purposes. A Class II consumer in placing a certified order must use his appropriate rating and endorse his delivery order with the certificate as explained in paragraph (q) below. As to any part of his operations for which he does not have a rating (or only an AA–5 MRO rating) he is not a Class II consumer and may not place a certified order or use a rating.

Farmers

(l) *War Food Administration regulations.* The War Food Administration is authorized to provide rules and regulations which will explain the way farmers will get the lumber that they need for farm purposes. These include only: (i) maintenance and repair of farm equipment; (ii) maintenance, repair and operation of farm buildings (other than dwellings); (iii) construction of farm buildings (other than dwellings) within the cost limits of paragraph (c) of Order L–41; and (iv) construction of farm buildings (including dwellings) where permitted under paragraph (d) of Order L–41. A consumer who qualifies as a farmer under these regulations may be permitted to use a certificate and a rating to get such quantities of lumber as the War Food Administration says he may get. A farmer may also buy lumber without a certificate or preference rating to the same extent that anyone else may do so under this order. A distributor who delivers lumber to farmers on the basis of certificates provided by the War Food Administration may, in turn, receive from his suppliers the same quantity of lumber by extending these certificates as explained in paragraph (o) (1) below.

All Other Consumers

(m) *Who "all other consumers" are.* "All other consumers" are industrial plants and business enterprises and other persons who need lumber for a purpose for which no rating has been assigned. The term also includes industrial plants and business enterprises that have an AA–5 MRO preference rating (except Class I consumers).

(n) *"All other consumers" may place uncertified and unrated orders.* "All other consumers" may place uncertified and unrated orders with lumber distributors and may accept deliveries of lumber to the extent that distributors are permitted by directions to this order to supply lumber for their needs. An uncertified and unrated order is one which bears neither a certificate nor a rating.

Distributors

(o) *How distributors get their lumber.* The following provisions will govern the manner in which lumber distributors will get their lumber.

(1) *Extension of customers' certified orders.* Every distributor may extend certified orders which he has accepted and receive an amount of lumber from a sawmill or from another distributor which is not more than the total accumulated certified orders accepted (either on past or future orders for delivery). There is no time limit within which orders must be extended. A distributor may not extend the same certified order more than once. Certified orders accepted by a distributor must be kept in the distributor's files, and the accumulated certificates may be extended by using the distributor's certification provided for in paragraph (q) (3) of this order. These provisions apply to both the certificates shown in paragraphs (q) (1) and (q) (2) below and to any certificate the War Food Administration says a farmer must use to get lumber under this order.

(2) *War Production Board may authorize distributors to place certified but unrated orders.* Any lumber distributor who was engaged in the business of selling lumber at wholesale or retail prior to May 1, 1944 and who had a lumber inventory at that date, may apply to the War Production Board on Form WPB–3813 for authority to place certified but unrated orders with sawmills or other distributors. Lumber distributors authorized on Form WPB–3813 to receive lumber under this paragraph may use the certification provided for in paragraph (q) (4) of this order.

(3) *Directions may also permit distributors to receive lumber.* Lumber distributors may be authorized by directions issued under this order to receive additional quantities of lumber. Lumber which a distributor receives under a direction to this order will be subject to the provisions of this order and such conditions as may be imposed by the directions.

(p) *Deliveries that distributors may make.* Unless a direction or directive issued under this order says a distributor may deliver lumber to a customer or to another distributor in some other way, deliveries may be made only on the following types of orders:

(1) *Deliveries on certified and rated orders.* Distributors may deliver lumber on the basis of a customer's or another distributor's rated order which bears either one of the certifications provided for in paragraphs (q) (1) and (q) (3) of this order or a certification in the form prescribed by the War Food Administration.

(2) *Deliveries on certified but unrated orders.* Distributors may deliver lumber on the basis of either a customer's or distributor's unrated order if it bears one of the certifications provided for in paragraphs (q) (2) and (q) (4) of this order.

(3) *Distributors who are also consumers.* If a distributor wants to use lumber from his own distributor stock, he may do so only by following the same procedure he would follow in delivering lumber to another consumer. If, as a consumer, he has the right to place a certified order with someone else, he may treat the transfer from his distributor stock as a delivery on a certified order, but he must keep a record of it in his files and endorse the appropriate certificate on the record.

Certification of Orders

(q) *General provisions.* Unless a directive or a direction issued by the War Production Board under this order says that it may be done in some other way, an order for lumber may only be certified by endorsing or attaching one of the following forms of certificates on the purchase order, sales ticket, or other order calling for the delivery of lumber. Certificates must be signed manually or as explained in Priorities Regulation No. 7. However, the standard form of certificate described in that regulation may not be used in place of the certificates required by this order. Orders placed verbally must be confirmed immediately and the confirmation must bear the appropriate certification. Orders placed by telegraph must bear the appropriate certification in full or be confirmed by letter bearing the certification in full. Lumber suppliers who receive certifications must keep them in their files for inspection by government officials.

Any consumer who may place a certified (rated or unrated) order for lumber required for construction or for maintenance and repair and who wishes to have the construction work done and the material furnished by another person may authorize such other person to sign the certification as his duly authorized official.

(1) *Certificate that must be used by Class I and Class II consumers on rated orders.* Class I and Class II consumers must endorse the following certificate on all their rated orders calling for the delivery or transfer of lumber:

The undersigned consumer certifies to the supplier and to the War Production Board that this lumber, together with all other lumber for which he has requested delivery, does not exceed the amount he has been authorized by the War Production Board to receive under Order L–335, with the provisions of which he is familiar, and that the use of any rating shown on this order is authorized.

_____
Consumer

Date _____

By _____
Duly authorized official

(2) *Certificates that must be used by Class I consumers on their unrated orders.* Class I consumers who place certified but unrated orders calling for the delivery of lumber must use the following form of certification:

The undersigned certifies to the supplier and to the War Production Board that he is a Class I consumer and that this lumber, together with all other lumber for which he has requested delivery within the quarter in which delivery of this lumber is requested, does not exceed the amount he has been authorized by the War Production Board to receive under Order L-335, with the provisions of which he is familiar and that this order is unrated.

Consumer

Date--------

By---
Duly authorized official

(3) *Certificate that must be used by distributors in extending customers' certified orders.* When extending customers' certified orders including certified orders that a distributor may receive from another distributor the following certification must be used.

The undersigned certifies that this lumber, together with all other lumber which he has ordered on the extension of his customers' certified orders, does not exceed the amount of unextended certified orders which he has in his file, and that, to the best of his knowledge and belief, he is authorized to place this order as a "certified order" under Order L-335, and to use any preference rating shown on this order.

Distributor

Date--------

By---
Duly authorized official

(4) *Certificate that must be used by distributors to get lumber authorized on Form WPB-3813 or by a direction.* When a distributor places certified orders to get lumber authorized by the War Production Board on Form WPB-3813 as explained in paragraph (o) (2) above or to get lumber which he is authorized to receive under a direction he must use the following certification:

The undersigned certifies to the supplier and to the War Production Board that he has been authorized ------ ------ ------ to receive this lumber. The amount for which he is requesting delivery on this order together with all other orders bearing this form of certificate does not exceed the amount he is authorized to receive by the use of this form of certificate. This order is not rated.

Distributor

Date--------

By---
Duly authorized official

The distributor must insert in the space provided either (i) "on Form WPB-3813"; (ii) "by Direction ------"; or (iii) "on Form WPB-3813 and by Direction ------".

Restrictions on the Use of Ratings

(r) *General.* This order does not assign any preference ratings. If a consumer has a rating to get production materials for a product, he may continue to use that rating to get lumber to be incorporated in the product. If a consumer has a rating (except an AA-5 MRO) to get lumber for maintenance, repair, or operating supplies (including MRO shipping material or dunnage), he can also continue to use that rating to get lumber for such purposes. A consumer who does not have a rating but needs one to get lumber may get it in the same way as a rating for any other material (except in the case of farmers who get a rating through the War Food Administration). Persons who had a rating to get lumber under Order M-208 may not use those ratings as that order has been revoked as of August 1, 1944. Under this order any person entitled to use a preference rating to get lumber must also use the certification described in paragraph (q) (1), as the preference rating alone is not sufficient. The use of any rating assigned by a certificate, preference rating order, or regulation is subject to any restrictions contained in the instrument assigning it. Also, persons using ratings to get lumber must comply with the general applicable restrictions in Priorities Regulations 1, 3, and 11-B and CMP Regulation 3 and with the further restrictions contained in this order.

(1) *MRO Rating of AA-5 may not be used to get lumber.* No person who has an AA-5 MRO rating for maintenance, repair, and operating supplies may use it to get lumber. No person selling lumber may give any effect to such a rating.

(2) *Uncertified order may not be rated.* No preference rating appearing on a lumber order will be valid unless the order is certified as provided in paragraphs (q) (1) and (q) (3) above.

Sawmill Deliveries

(s) *Deliveries that sawmills may make.* Unless a direction or a directive issued under this order says that a sawmill may deliver lumber to a distributor or to a consumer in some other way, the delivery may be made only in the following cases:

(1) *Deliveries on certified and rated orders.* Sawmills may deliver lumber on the basis of a rated order from either a consumer or a distributor if the order bears one of the certifications provided for in paragraphs (q) (1) and (q) (3) of this order.

(2) *Sawmill deliveries on certified but unrated orders.* Sawmills may deliver lumber on the basis of an unrated order from either a Class I consumer or a distributor if the order bears one of the certifications provided for in paragraphs (q) (2) and (q) (4) of this order.

(3) *Sawmills may deliver lumber freely to other sawmills.* This order does not restrict delivery of lumber between "sawmills".

(t) *Uncertified and unrated orders.* A sawmill cannot deliver lumber to either a consumer or distributor or withdraw lumber for his own use from his sawmill stock on the basis of an uncertified order unless permitted by a direction or directive to this order.

(u) *Sawmills that are distributors.* If a person operates both a sawmill and a distribution yard, he may transfer lumber from his "sawmill stock" to his "distributor stock" provided he follows the procedures governing the delivery of lumber from a sawmill to a distributor. If, as a distributor, he has the right to place a certified order with other suppliers, he may treat the transfer from his "sawmill stock" to his "distributor stock" as a delivery on a certified order, and he must keep a record of the transfer in his sawmill files and endorse the appropriate certificate on that record.

(v) *Sawmills that also sell at retail but do not have a distribution yard.* Sawmills that sell lumber at retail but do not maintain a separate retail distribution yard may accept the same types of orders that a distributor is authorized to accept.

(w) *Sawmills that are also consumers.* If a person is engaged in operating a sawmill and is also engaged in an operation which makes him a consumer, he may transfer lumber from his sawmill stock to his consumer operation provided that, as a consumer, he is authorized to place an order bearing one of the certifications required of consumers. The transfer from his sawmill stock may be treated as a delivery on a certified order, and he must keep a record of the transfer in his sawmill files and endorse the appropriate certificate on the record.

Acceptance and Sequence of Filling Orders

(x) *Sawmills' acceptance and filling of orders.* The following provisions will govern sawmills' acceptance of orders and the sequence in which they must be filled.

(1) *Sawmills' acceptance of certified and rated orders received a month before month of delivery.* Certified and rated orders calling for delivery in any calendar month must be accepted by a sawmill up to the first day of the preceding calendar month in accordance with the provisions of § 944.2 of Priorities Regulation 1; that is, as between certified and rated orders, a higher rated order shall take precedence over a lower rated order. If receipt of an order which is rated higher than a previously accepted rated order would result in the sawmill having rated orders for more than 110 percent of its anticipated shipments for the month, then the lowest rated orders or order must be displaced and the customer must be notified.

(2) *Orders received within one month of month of delivery.* A sawmill must not accept rated orders after the beginning of the month preceding the month in which delivery is requested except: (i) where acceptance of the order will not bring the sawmill's total accepted rated orders for delivery in the same month to more than 110 percent of anticipated shipments; (ii) where the new order is rated AAA; or (iii) where the sawmill is directed by the War Production Board to accept the order. If, by the first of the month preceding the month in which delivery is requested, a sawmill does not have certified and rated orders calling for 110 percent of its anticipated shipments, it must continue to accept rated certified orders in accordance with the provisions of § 944.2 of Priorities Regulation 1 until its accepted rated orders reach 110 percent of its anticipated shipments. After that, it must not accept any rated order for delivery in the same month, unless (i) the new order is rated AAA; or (ii) the sawmill is directed by the War Production Board to fill the order.

(3) *Sequence of filling accepted rated orders where all cannot be filled.* If a sawmill is unable to make delivery at the time requested on all certified and rated orders which it has accepted for delivery, it must give precedence to high rated orders over lower rated orders as provided in § 944.7 of Priorities Regulation 1, except that any unfilled certified and rated orders carried over from a previous month must be filled before making delivery on orders accepted for delivery in the current month, even if the orders carried over bear lower ratings. The only exceptions are that current orders rated AAA and orders which the sawmill has been directed by the War Production Board to fill take precedence over unfilled orders carried over from a preceding month.

(4) *Certified but unrated orders.* There is no fixed limit on the amount of certified but unrated orders that a sawmill may accept from Class I consumers and distributors, but a sawmill should not accept more of these orders than it reasonably expects it will be able to ship. These orders must give way to all certified rated orders previously or subsequently received.

Miscellaneous

(y) The following provisions generally affect consumers, distributors, and sawmills and should be carefully read:

(1) *Validation of orders in the third quarter.* Any consumer or distributor who has placed orders with lumber suppliers and is authorized under this order to place a lumber order may accept delivery of that order after July 31, 1944 provided he validates the order by giving his supplier the certification that he would use if the order were being placed after July 31, 1944. Consumers that are authorized only to receive specified amounts of lumber (in board feet) in the third quarter must charge receipts of lumber after June 30, 1944 against their total authorization for the third quarter. Consumers that cannot validate orders placed with lumber suppliers for receipt after July 31, 1944 must cancel such orders by notifying the supplier. Sawmills and distributors shall treat any order which requests delivery of lumber in the months of August and September, 1944, as an uncertified order, if the order has not been validated prior to July 20, 1944. Consumers and distributors validating orders under these provisions may do so by telegraph. Orders for delivery after July 31 which are validated before July 20 must be scheduled by sawmills on the same basis as if they had been certified orders when originally received.

(2) *Directives and directions.* The term "directive" as used in this order means written instructions to a specific person regarding the manufacture, delivery or use of lumber. The term "direction" means published instructions to a group or class. The War Production Board may issue directives or directions requiring sawmills or distributors to set aside specific quantities or percentages of production or shipments for persons placing certified orders. It may also allocate production or shipments to specified persons or classes or for specified uses, and may direct how and in what quantities delivery to specified persons or classes or uses may be made. It may also direct distribution to particular areas and may direct or prohibit the production by any person of particular items of lumber. Directions and directives supersede any preference ratings assigned to particular purchase orders or contracts. They will be issued in accordance with approved programs for the satisfaction of war and essential civilian requirements, and in order to carry out more fully the purposes of this order.

(3) *Exports.* The Army, and Navy, the Foreign Economic Administration, and other Federal agencies exporting or authorizing the export of lumber will obtain authorizations on Form WPB-3640 for all exports of lumber under their jurisdiction. Any person who wishes to buy lumber for export must submit his delivery orders to the appropriate Federal agency for certification when requesting permission to export.

(4) *Applicability of regulations.* Except as otherwise required by this order, Priorities Regulations 1 and 3 continue to govern the use of ratings and the acceptance, scheduling and filling of orders placed with distributors and sawmills. All other applicable regulations and orders of the War Production Board also remain in effect where not inconsistent with this order.

(5) *Not applicable to territories and possessions.* This order applies only to deliveries made within the 48 states and the District of Columbia.

(6) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(7) *Delivery to violators prohibited.* No person shall sell, ship, or deliver, or cause to be sold, shipped or delivered, any lumber which he knows or has reason to believe will be received or used in violation of the provisions of this order or any direction or directive issued under it, or any other order or regulation of the War Production Board.

(8) *Reports.* Every person shall file with the War Production Board or any other Federal agency through which the War Production Board may distribute lumber, such reports and questionnaires as the War Production Board or such other agency may from time to time require subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(9) *Appeals.* Any appeal from the provisions of this order shall be made by mailing a letter to the War Production Board referring to the particular provision appealed from and stating fully the grounds of the appeal.

(10) *Application and communications.* Form WPB-3640 for use in filing applications under this order and Forms WPB-3773 and WPB-3813 may be obtained at any War Production Board District Office. All communications, unless otherwise directed, must be addressed as follows: Lumber and Lumber Products Division, War Production Board, Washington 25, D. C., Ref.: L-335.

(11) *Effective date.* Except as otherwise stated, this order applies to all deliveries and receipts of lumber after July 31, 1944. It also applies to all orders placed at any time which call for delivery after July 31, 1944. Such orders may be certified after they have been placed, as explained in paragraph (y) (1) above.

Issued this 23d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9150; Filed, June 23, 1944; 10:55 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-208, Revocation]

SOFTWOOD LUMBER

Effective August 1, 1944, Conservation Order M-208, as amended September 16, 1943 is revoked. This revocation does not affect any liabilities incurred under the order. Order M-208 is superseded by Order L-335, as amended June 23, 1944 which becomes effective August 1, 1944.

Issued this 23d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9152; Filed, June 23, 1944; 10:55 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-361, Revocation]

DELIVERIES OF SOUTHERN YELLOW PINE FROM SAWMILL STOCK

Effective August 1, 1944, Conservation Order M-361 as Amended March 30, 1944 is revoked. This revocation does not affect any liabilities incurred under the order. Order M-361 is superseded by Order L-335, as amended June 23, 1944 which becomes effective August 1, 1944.

Issued this 23d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9147; Filed, June 23, 1944; 10:56 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-364, Revocation]

DELIVERIES OF HARDWOOD LUMBER FROM SAWMILL STOCK

Effective August 1, 1944, Conservation Order M-364, as amended March 20, 1944, is revoked. This revocation does not affect any liabilities incurred under the order. Order M-364 is superseded by Order L-335, as amended June 23, 1944 which becomes effective August 1, 1944.

Issued this 23d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9148; Filed, June 23, 1944; 10:56 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L-22, as Amended June 23, 1944]

FURNACES

§ 3288.81 *General Limitation Order L-22—(a) Definitions.* For the purposes of this order:

(1) "Furnace" means any direct fired air heating unit which is designed for the purpose of heating the interior of a building, including but not limited to, any heating device commonly known as a gravity or forced warm air furnace, a free-standing heater or a floor-mounted unit heater for use with or without air distribution pipes. But "furnace" does not mean a domestic heating stove as defined in Supplementary General Limitation Order L-23-c, extended surface heating equipment as defined in General Limitation Order L-107, a direct-fired suspended unit heater, or a floor or wall furnace.

(2) "Steel furnace" means any furnace the heating surface of which is wholly or partially made of steel.

(3) "Cast iron furnace" means any furnace the heating surface of which is made of cast iron.

(4) "Base period" means the three year period ending April 11, 1942.

(b) *Restrictions on manufacture.* (1) No person shall manufacture, fabricate or assemble any steel furnace except:

(i) From materials in inventory on July 28, 1943 or as authorized from time to time by the War Production Board under the Controlled Materials Plan or otherwise.

(2) On and after September 26, 1943, no person shall manufacture, fabricate or assemble any steel furnace designed to burn solid fuel except in accordance with the simplified practices as provided in paragraph (d).

(3) On and after September 26, 1943, no person shall manufacture, fabricate or assemble any cast-iron furnace designed to burn solid fuel except in accordance with the simplified practices as provided in paragraph (d).

(4) No person shall manufacture any furnaces except in the fuel types manufactured by him during the base period.

(c) *Restrictions on delivery and installation.* (1) No person shall deliver a new furnace having extra panels for turning radiators, except when specified in the purchase order for an individual installation.

(2) [Deleted Mar. 24, 1944]

(d) *Simplified practices.* On and after September 26, 1943 no person shall manufacture, fabricate or assemble any furnace designed to burn solid fuel except in accordance with the following practices:

(1) Only one model each of cast iron and steel furnaces of the same nominal firepot diameter or the same grate area shall be manufactured. A model will not be deemed to be changed by the inclusion or omission of blowers, extra radiators, larger radiators, added secondary heating surfaces, oil burners, gas burners or stokers.

(2) The metal casing supplied with a furnace rated between 50,000 and 250,000 BTU shall be cylindrical when used on gravity installations.

(3) Cylindrical casings used on furnaces of less than 250,000 BTU shall not be heavier than 26 gauge.

(4) The following parts shall not be made of metal:

(i) Water pans.
(ii) Humidifiers.
(iii) [Deleted June 23, 1944]
(iv) More than one detachable name plate.

(5) The following parts shall not be made of metal, except cast iron and steel:

(i) Feed door smoke curtains.
(ii) Feed door linings.
(iii) Hot blast lift doors.
(iv) Upright shaker handles.
(v) Extra panels for turning radiators.
(vi) Inner liners for casing.

(6) [Deleted Mar. 24, 1944]

(e) [Deleted June 23, 1944]

(f) *Parts.* Nothing in this order shall prohibit or restrict the manufacture or shipment of repair parts for furnaces or parts necessary to convert a furnace from oil or gas burning to coal burning.

(g) *Applicability of other orders.* Insofar as any other order issued by the War Production Board, or to be issued by it hereafter, limits the use of any material to a greater extent than the limitations imposed by this order, the restrictions of such order shall govern unless otherwise specified therein.

(h) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB-1477 (formerly PD-500) with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(i) *Communications.* All communications concerning this order, unless otherwise directed, should be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L-22.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Reports.* Manufacturers of warm air furnaces and direct fired floor mounted and direct fired suspended unit heaters (except floor furnaces) shall report on or before the tenth day of each month on Form WPB 3316, following the instructions on the form. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 23d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9159; Filed, June 23, 1944; 10:54 a. m.]

PART 3288[1]—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-42, Schedule V, as Amended June 23, 1944]

PLUMBING FIXTURE FITTINGS AND TRIM

§ 3288.16[1] *Schedule V to Limitation Order L-42—(a) Definitions.* For the purpose of this schedule:

(1) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(b) *Limitations.* Pursuant to Limitation Order L-42, the following restrictions are established for the manufacture, assembly and finishing of plumbing fixture fittings and trim:

(1) No person shall use copper or copper base alloy, except in the items specified on List A.

(2) No person shall use zinc, except in the items specified on List B, but zinc may be used for plating, coating or galvanizing.

(3) No person shall use cadmium, chromium or nickel for plating or coating.

(4) No person shall use any metal in the items specified on List C.

(c) *General exceptions.* The restrictions of this schedule do not apply to the production of articles or parts not available in the producers inventory for use in ships, boats, planes or advance bases (when required by the Army, Navy, Maritime Commission, War Shipping Administration, or Coast Guard, or by rules and regulations promulgated by the Coast Guard for merchant vessels), or for use in chemical and research laboratories, abattoirs, food packing and processing plants, hospitals, and all buildings in a hospital group, clinics, dispensaries and railroad cars.

[1] Formerly Part 1076, § 1076.6.

Issued this 23d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A—COPPER AND COPPER BASE ALLOY

Copper base alloy may be used for the following items. Castings shall be made without the use of any primary copper or tin and shall be of no higher grade than Alloy 5A of American Society of Testing Materials Specification B-145-42-T.

Number and item:

1. Drinking fountain bubbler, guard, regulator and self closing valve (to be made according to the minimum requirements of the U. S. Public Health Service)
2. Glass-filler faucet
3. Upper and lower lift wires
4. Spud or insert (for flush balls and floats)
5. Flush valves for high tanks
6. Ball cock complete, including hush tube and refill tube, but not including float and float rod
7. Ring, for lead traps—not including plugs or covers

The use of copper and copper base alloy in the following items is limited to valve stems, valve seats, bonnets, disc and disc screws, or valve trimming units combining these separate parts into one unit, and springs for self-closing faucets, provided it does not exceed the weight specified for each item.

	Ounces
8. Bathtub filler (½" I. P. S.) exposed	8.0
9. Bathtub filler (½" I. P. S.) concealed	21.0
10. Combination tub and shower supply assembly (½" I. P. S.)	30.0
11. Lavatory supply fittings (combination)	9.0
12. Lavatory faucet (single)	4.0
13. Laundry tray combination faucet (½" I. P. S.)	9.0
14. Laundry tray faucet (single)	5.0
15. Service sink combination faucet (½" I. P. S.)	11.0
16. Shower, two-valve (exposed, ½" I. P. S.)	11.0
17. Shower, two-valve (concealed ½" I. P. S.)	21.0
18. Sink faucet, single (plain, hose and solid flange ½" and ¾" I. P. S.)	8.0
19. Sink faucet (deck, swinging, rigid, and concealed ⅛" I. P. S.)	11.0
20. Self-closing faucet or stop	12.0
21. Self-closing stop for shower	13.0

Copper and copper base alloy may be used in the manufacture of the following items, provided it does not exceed the weight specified for each item:

	Ounces
22. Automatic high tank supply valve—⅜"	8.0
23. Automatic high tank supply valve—1" or larger	13.0
24. Automatic high tank supply valve—1¼" or larger	16.0
25. Flushometer valve, stop and backflow preventor	13.0
26. Wash fountain trim	16.0

LIST B—ZINC PERMITTED IN THE FOLLOWING ITEMS

Number and item:

1. Clean-out plugs (fixture traps).
2. Escutcheon holders (thimbles).
3. Flush tank trip lever assembly.
4. Nuts (lock, slip, coupling or bonnet).
5. Spuds or inserts (for handles).
6. Handles, faucet.

LIST C—NO METAL PERMITTED

Number and item:

1. Floats (ball-cock), except for spud.
2. Flush balls, except for spud and inserts.
3. Pop-up wastes.
4. Trip-lever wastes, or other mechanical waste assembly.
5. Escutcheons.

[F. R. Doc. 44-9160; Filed, June 23, 1944; 10:54 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M-310, Gen. Direction 4]

TANNING OF MILITARY QUALITY CALFSKINS

The following direction is issued pursuant to General Conservation Order M-310:

All tanners of calfskins are hereby directed:

1. Not to process calfskins which are capable of being processed into black chrome leather with a finish suitable for Navy shoes under Navy specifications, except into leather meeting such specifications.

2. Not to deliver any such leather except to fill purchase orders bearing the following certification, "The number of square feet of leather covered by this purchase order added to the number of square feet of leather meeting U. S. Navy specifications in inventory or covered by other purchase orders does not exceed two and one half times the number of pairs of shoes we are obligated to deliver to the U. S. Navy under all our incompleted contracts now on hand, which are Contracts Nos. ---------."

3. Not to deliver any such leather unless the invoice carries the following endorsement, "The leather represented by this invoice is delivered to the purchaser for use only in the manufacture of Navy Dress Oxfords, subject to the provisions of paragraph (b) (3) (iv) of General Conservation Order M-310."

Nothing in this direction shall prevent the processing of calfskins, or the delivery of leather, to fill other specific military orders or specific orders for textile roller leather.

The word "tanner" as used above shall have the meaning set forth in paragraph (a) (1) of General Conservation Order M-310.

This direction supersedes the directions dated April 12, 1943 and addressed to individual tanners.

Issued this 23d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9153; Filed, June 23, 1944; 10:56 a. m.]

PART 3291—CONSUMER DURABLE GOODS

[Supplementary Limitation Order L-7-c, as Amended June 23, 1944]

DOMESTIC ICE REFRIGERATORS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel and other critical materials used in the production of Domestic Ice Refrigerators for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.16 *Supplementary Limitation Order L-7-c—(a) Definitions.* For the purpose of this order:

(1) "Domestic ice refrigerator" means any non-mechanical ice chest or ice box designed for home use.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organised group of persons, whether incorporated or not.

(3) "Iron and steel content" means the aggregate weight of iron and carbon steel contained in a finished domestic ice refrigerator, including but not limited to, latches, hinges, screws, nails, rivets, bolts, sheet steel, binder strips, drain tubes, drip pans and shelving.

(4) "Net ice capacity" means the maximum amount of standard scored ice which the ice chamber of a domestic ice refrigerator will hold.

(5) [Deleted June 23, 1944]

(b) *General restrictions.* (1) No person shall produce any domestic ice refrigerator:

(i) Containing any crude, reclaimed or synthetic rubber except as permitted in Rubber Order R-1 as amended, or any relief granted pursuant to appeal taken in accordance with the provisions of such Order;

(ii) Containing any metal other than iron and carbon steel (except metal used in galvanizing, plating, soldering, or coating steel);

(iii) Having a net ice capacity of other than 50 or 75 pounds, except that it may vary ten per cent from either of these amounts;

(iv) Having iron and carbon steel content of more than 6 pounds; or

(v) [Deleted June 23, 1944]

(2) (i) No person shall produce any domestic ice refrigerator except in accordance with a production quota assigned to him in a schedule issued by the War Production Board pursuant to this order. Such production quotas shall be assigned for periods of time to be specified in the schedule, and shall expire on the last day of the period for which they are assigned. Any person desiring to obtain a production quota shall file with the War Production Board at least 30 days before the expiration date of the schedule in effect at that time a written application to be assigned a production quota for such period as the War Production Board shall specify.

(ii) Such application should contain a statement as to the amount of iron and carbon steel, and other critical materials to be contained in each domestic ice refrigerator the applicant proposes to produce during such period. Whenever production quotas are assigned by the War Production Board, it will take into consideration the amount of iron and carbon steel, and other critical materials to be used by each applicant, the extent to which the domestic ice refrigerators which each applicant proposes to produce conforms to the performance specifications contained in Appendix A at-

tached to this order as established by tests of the National Bureau of Standards, the labor and transportation situation in the area where the plant of each applicant is located and such other factors as the War Production Board shall deem appropriate.

(iii) [Deleted, October 5, 1943.]

(c) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the War Production Board limits the use of any material in the production of domestic ice refrigerators to a greater extent than the restrictions imposed by this order, the restrictions of such other order shall govern unless otherwise specified therein.

(d) *Applicability of regulations.* This order (and any schedules issued pursuant thereto) and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(e) *Avoidance of excessive inventories.* No person authorized to produce domestic ice refrigerators shall accumulate for use in the production of such domestic ice refrigerators inventories of raw materials, semi-processed materials or finished parts in quantities in excess of the minimum amount necessary to maintain production at the rates permitted by this order and any schedules issued pursuant thereto.

(f) *Records.* All persons affected by this order or any schedule issued pursuant thereto, shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(g) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Reports.* Each person who produces any domestic ice refrigerators shall file with the War Production Board, not later than 10 days after the end of each calendar month in which he produced any domestic ice refrigerator, a report on Form WPB-1600 (formerly Form PD-655), showing all domestic ice refrigerators which he produced during such month. Each person, before he offers for sale any new model of domestic ice refrigerator, shall file with the War Production Board a report on Form WPB-1117 (formerly Form PD-531), setting forth a bill of material for such model. Each person affected by this order, or any schedule issued pursuant thereto, shall file such other reports and answers to questionnaires as the War Production Board shall from time to time require.

(i) *Violations.* Any person who wilfully violates any provision of this order, or of any schedule issued pursuant thereto, or who, in connection with this order, or any such schedule, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(j) *Appeal.* Any appeal from the restrictions contained in paragraph (b) (1) of this Order should be made on Form WPB-1477 (formerly PD-500) and filed with the Consumers Durable Goods Division, War Production Board, Washington 25, D. C.

(k) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, or any schedule issued pursuant thereto, shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington, D. C., Ref.: L-7-c.

Issued this 23d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A—PERFORMANCE SPECIFICATIONS FOR DOMESTIC ICE REFRIGERATORS

I. *Temperature & Ice Meltage Performance*

1. The refrigerator shall maintain with no load in the food compartment an average food compartment temperature of 48° F. or less and a temperature of 46.5° F. or less in the milk storage space at 60% of initial ice load with the room at an average temperature of 85° F. plus or minus 1° F.

2. The temperature at a point two inches above the bottom of the food compartment and two inches from the sidewall, located in the vertical plane perpendicularly bisecting a return air duct shall not be higher than the temperature of the air entering the return air duct. (The return air duct is defined as the duct or ducts through which the air in the refrigerator returns from the food compartment to the ice compartment.)

3. Ice meltage at 60% initial ice load for food compartment volumes between 2.75 and 5.5 cubic feet shall not exceed the value, in lbs/day, computed from the following formula:

M equals 7.28 plus 3.3V

where M is the ice meltage in lbs/day and V is the volume of the food compartment in cubic feet. Note: This formula applies only under the following conditions: Room temperature 85° F.; Average food compartment temperature 48° F.; and Food Compartment volumes ranging between 2.75 cubic feet and 5.5 cubic feet.

II. *Construction Performance*

4. Box deformation: The box shall show no permanent vertical deformation in excess of 3/16" per 3 feet of vertical elevation when subjected to a horizontal load of 350 pounds applied along one diagonal of the top from front to back with the box fastened to the floor at all four legs.

5. Door damage: The door and hinges shall show no permanent damage when the door is subjected to a vertical load of 100 pounds applied to the upper outside corner 2 inches from the outside vertical edge of the door with the door open and at an angle of 90° with the front of the box.

6. Ice shelf: The ice shelf shall be able to support a load of 200% of the normal ice load without fracturing the shelf or supports or causing permanent sagging of more than 1/16" at the center, sides and back.

7. Food shelves: Full width food shelves shall have sufficient strength to support an evenly distributed load of 50 pounds without fracturing or permanently sagging more than 1/16" at the center. Fractional width shelves around the milk storage space shall have sufficient strength to support an evenly distributed load of 25 pounds without fracturing or permanently sagging more than 1/16" at the center.

8. The back of the ice compartment shall withstand without damage an impact of 40 ft. lbs.

9. The refrigerator door shall withstand without damage to the door, hinges and latch a closing of 100 consecutive times from a fully opened position (opened through an angle of 180°) by an impact of 40 ft. lbs. applied at the center of door.

[F. R. Doc. 44-9161; Filed, June 23, 1944; 10:54 a. m.]

PART 1111—RATIONING OF NEW COMMERCIAL MOTOR VEHICLES

[General Conservation Order M-100, Revocation]

Section 1111.1 *General Conservation Order M-100,* is hereby revoked as of July 1, 1944. This revocation does not affect any liabilities incurred under the order. Conservation Order M-100 is superseded by Office of Defense Transportation General Order ODT 44 effective July 1, 1944.

Issued this 23d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9174; Filed, June 23, 1944; 11:48 a. m.]

Chapter XI—Office of Price Administration

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 148]

FURS AND PELTRIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation is amended in the following respects:

1. The headnote of section 3.4 is amended to read as follows: "Raw furs, skins and peltries."

2. Section 3.4 (a) is amended by substituting the words "raw furs, skins or peltries" for the words "raw skins or hides," wherever such words appear.

3. Section 3.4 (b) is amended to read as follows:

(b) *Definition.* When used in this section, the term "raw furs, skins and peltries" means undressed or untanned furs and skins or hides, whether imported or domestic, the sale or delivery of which is subject to the General Maximum Price Regulation. It does not include cured deer and elk skins as defined in section 3.9 (c) and cured domestic hogskins and pigskins as defined in section 3.15 (c).

*Copies may be obtained from the Office of Price Administration.

4. Section 3.12 is deleted.

This amendment shall become effective June 22, 1944.

Issued this 22d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9140; Filed, June 22, 1944; 4:21 p. m.]

PART 1301—MACHINE TOOLS

[MPR 67]

NEW MACHINE TOOLS

Revised Price Schedule 67[1] is redesignated Maximum Price Regulation 67 and is revised and amended to read as set forth herein.

In the judgment of the Price Administrator the maximum prices established by this revised regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

§ 1301.51 *Maximum prices for sales and rentals of new machine tools, attachments, and parts.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation 67 (New Machine Tools), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1301.51 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 67—NEW MACHINE TOOLS

ARTICLE I—SCOPE AND PROHIBITIONS OF THE REGULATION

Sec.
1. Scope.
2. Prohibitions.
3. Less than maximum prices.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

4. Maximum prices for sales.
5. Maximum prices for rentals and leases.
6. Federal and state taxes.
7. Terms and conditions of sale.
8. Transfers of business or stock in trade.
9. Individual maximum prices.

ARTICLE III—MISCELLANEOUS

10. Applications for adjustment.
11. Petitions for amendment.
12. Adjustable pricing.
13. Records.
14. Reports.
15. Licensing.
16. Evasion.
17. Enforcement.

Appendix A—Form for reporting maximum prices and costs of machine tools of new design.

Appendix B—Form for applications for adjustment.

ARTICLE I—SCOPE AND PROHIBITIONS OF THE REGULATION

SECTION 1. *Scope*—(a) *Commodities and transactions.* This regulation establishes maximum prices for all domestic sales, rentals and leases of new machine tools. Domestic sales of new attachments and machine tool parts are also covered by this regulation when (1) the sale is made by a machine tool manufacturer or his dealer and (2) the attachment or part is designed for a machine tool produced by the machine tool manufacturer. The supplying of services which result in the production of a complete new machine tool shall be deemed to be a sale of the machine tool for the purposes of this regulation. Except as provided in section 7 (f), maximum prices for export sales and sales to exporters are established by the Second Revised Maximum Export Price Regulation[2] or any revisions thereto. When used in this regulation the terms "export sale" and "exporter" have the meaning given to them by the Second Revised Maximum Export Price Regulation.

(b) *Geographical applicability.* This regulation applies in the forty-eight states of the United States and the District of Columbia, but not in the territories and possessions of the United States.

(c) *Definitions.* When used in this regulation, the term:

(1) "Machine tool" means a power-driven machine not portable by hand in its normal use, used for shaping metal by cutting, abrading, straightening, forcing, forging or forming under pressure. Welding equipment, machines for cutting metal by gas flame, and those made especially for laboratory use, are not included. The term "machine tool" includes standard equipment, i. e., those new accessories normally furnished with the machine and normally included in its price.

(2) "Attachment" means any new accessory equipment furnished with a machine tool, or separately for use on the machine tool, and for which a separate charge is normally made.

(3) "Part" means any component part of a machine tool, or standard equipment or attachment when separately furnished, as for spares or for repair purposes.

(4) "Dealer" means any person engaged in the business of purchasing new machine tools, attachments or parts for resale.

(5) "Manufacturer" means a producer, assembler or subcontractor who produces a complete machine tool, attachment or part from material owned either by him or by another, and any agent of the foregoing; but does not include any person whose work on the machine tool, attachment or part is restricted to the reconditioning or repair thereof.

(6) "Person" includes any individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

SEC. 2. *Prohibitions.* (a) On and after June 28, 1944 (except as provided in paragraph (b)):

(1) No person shall sell, deliver, lease, rent or negotiate the sale, lease or rental of any new machine tool, attachment or part at a price higher than the maximum fixed by this regulation.

(2) No person, in the course of trade or business, shall buy, rent, lease or receive any new machine tool, attachment or part at a price higher than the maximum fixed by this regulation. If the purchaser or lessee receives from the seller or lessor a written statement that the price does not exceed the maximum price, and if the purchaser or lessee has no reason to doubt the validity of this statement, the purchaser or lessee shall be deemed to have complied with this subparagraph.

(3) No person shall agree, offer, solicit or attempt to do any of the acts prohibited by subparagraphs (1) and (2).

(b) Nothing in this regulation shall be deemed to prohibit the fulfillment of any contract entered into before June 28, 1944, for the sale, lease or rental of any new machine tool, attachment or part, if the price under such contract was permissible under the maximum price regulation or price schedule which was applicable to the transaction at the time the contract was made.

SEC. 3. *Less than maximum prices.* Lower prices than those established by this regulation may be charged.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 4. *Maximum prices for sales*—(a) *Maximum price.* The maximum price for the sale by any person of any new machine tool, attachment or part shall be the manufacturer's price to a user in effect on October 1, 1941, plus the additions permitted by paragraphs (b) and (c), wherever applicable. The term "price in effect on October 1, 1941," means a list price in effect on that date, or a price which would have been quoted on that date under a method of quoting prices without further cost computation which was in effect on October 1, 1941. If the manufacturer had no price in effect on October 1, 1941, the maximum price for the sale by any person shall be the last price at which the manufacturer contracted to sell the new machine tool, attachment or part to a user during the period January 1, 1941, to October 1, 1941, inclusive, plus the additions permitted by paragraphs (b) and (c), wherever applicable.

(b) *Addition for resale discount or commission.* This paragraph is applicable to new machine tools, attachments or parts which the manufacturer did not

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1337, 2105, 2000, 2472, 2473, 2680, 2996, 3445, 3820, 4176, 5513, 5987, 7329, 7834, 8928, 9039, 9052, 11074, 6948.

[2] 8 F.R. 4132, 5987.

customarily distribute through dealers. In such a case, if the manufacturer intends to distribute the new machine tool, attachment or part through dealers and if the maximum price established by paragraph (a) does not include an allowance for resale discount or commission, such an allowance may be added to the price determined under (a). This allowance shall not exceed the percentage for resale discount or commission used by the manufacturer in sales of the most nearly comparable new machine tool, attachment or part during the period January 1, 1941, to October 1, 1941, inclusive. If a manufacturer did not use any allowance for resale discount or commission in determining a price for sales during the period January 1, 1941, to October 1, 1941, inclusive, the amount which may be added shall be an amount, in line with the allowance for resale discount or commission made by comparable manufacturers, specifically authorized by the Office of Price Administration. The manufacturer shall write to the Office of Price Administration, Washington, D. C., for such authorization. If the manufacturer does not file under this provision, the Office of Price Administration may of its own accord establish the allowance for resale discount or commission which may be added. This allowance shall be in line with that made by comparable manufacturers. The manufacturer shall notify his dealers, agents and distributors of the maximum price established by this paragraph, and that price shall be the maximum price for all sellers.

(c) *Effect of escalator clause invoked on or before October 1, 1941.* In the case of a new machine tool, attachment or part for which there was no price in effect on October 1, 1941, if on October 1, 1941, an existing contract of a manufacturer contained an escalator clause, and if on or prior to October 1, 1941, a delivery had been made under this contract at a price higher than the contract price, because the escalator clause had been invoked in whole or in part, the maximum price of the new machine tool, attachment or part shall be the last price at which it was delivered to a user by the manufacturer on or before October 1, 1941.

(d) *Formula prices.* The maximum price of any new machine tool, attachment or part that cannot be priced under paragraphs (a) to (c), inclusive, shall be determined as follows:

(1) *Manufacturers' maximum prices where there is a comparable machine tool*—(i) *Maximum price.* Where there is a comparable machine tool produced by the same manufacturer, the maximum manufacturer's price for a machine tool covered by this paragraph (d) shall be the maximum price established by this regulation for the most nearly comparable machine tool produced by the same manufacturer, adjusted to reflect increases or decreases in cost due to structural differences.

(ii) *Report and approval of prices.* Prices determined under (i) must be approved by the Office of Price Administration. A manufacturer seeking such approval must file the information required by OPA Form 167:1 with the Office of Price Administration, Washington, D. C., within ten days after he receives his first order for the machine tool. If the Office of Price Administration does not object to the proposed price within fifteen days after the mailing of the required report, the proposed price shall be deemed to be approved. If the manufacturer does not file the required report, the Office of Price Administration may establish a maximum price of its own accord. This price will be in line with the level of maximum prices established by this regulation.

(2) *Manufacturers' maximum prices for the first order where there is no comparable machine tool*—(i) *Maximum price.* Where there is no comparable machine tool produced by the same manufacturer, the maximum manufacturer's price for the first order of a machine tool covered by this paragraph (d) shall be determined as follows: The manufacturer shall use the same method of computation and the costs of labor, material, and the overhead and profit rate which were in effect in his plant on October 1, 1941 However, for any purchased equipment or subcontracted services, the manufacturer shall use actual prices paid by him, not in excess of the applicable maximum price. If the manufacturer did not have a price determining method for machine tools in effect on October 1, 1941, he shall use the labor rates and material prices in effect in his locality on October 1, 1941, and a price determining method approved in writing by the Office of Price Administration. A manufacturer seeking such approval shall apply to the Office of Price Administration, Washington, D. C.

(ii) *Report and approval of prices.* Prices determined under (i) must be approved by the Office of Price Administration. A manufacturer seeking such approval must file the information required by OPA Form 694–971 with the Office of Price Administration, Washington, D. C., within ten days after he contracts to sell the machine tool. This form is set out in Appendix A. If the Office of Price Administration does not object to the proposed price within fifteen days after the mailing of the required report, the proposed price shall be deemed to be approved. If the manufacturer does not file the required report, the Office of Price Administration may establish a maximum price of its own accord. This price will be in line with the level of maximum prices established by this regulation.

(iii) *Report after production is completed.* Within forty-five days after the manufacturer has completed production of the first order for a machine tool, which must be priced under this subparagraph (2), he shall file with the Office of Price Administration, Washington, D. C., the information required by OPA Form 694–971, on a copy of that form. This form is set out in Appendix A. Cost submitted on this report must be based on the actual labor hours and actual quantities of materials used in the production of the first order of the machine tool.

(3) *Manufacturers' maximum prices for the second and all subsequent orders where there is no comparable machine tool or attachment.* Where there is no comparable machine tool produced by the same manufacturer, the maximum price for the second and all subsequent orders of a machine tool covered by this paragraph (d) shall be determined in accordance with subparagraph (2). However, all costs which were included in the initial manufacture and which will not be experienced in recurring production must be deducted from the price determined under (2) to the extent that they were reflected in the selling price on the first order, and the estimates of quantity of labor and material used must be based upon the manufacturer's production experience in the first order. This price must be approved by the Office of Price Administration. A manufacturer seeking such approval must file the proposed price with the Office of Price Administration, Washington, D. C., before he accepts the second order. If the Office of Price Administration does not object to the proposed price within fifteen days after the mailing of the required report, the proposed price shall be deemed to be approved. If the manufacturer does not file the required report, the Office of Price Administration may establish a maximum price of its own accord. This price will be in line with the level of maximum prices established by this regulation.

(4) *Manufacturers' maximum prices for attachments and parts.* The maximum manufacturers' price for any attachment or part that cannot be priced under paragraphs (a) to (c), inclusive, shall be determined in accordance with the provisions of (2) above. However, no reports of these prices are required.

(5) *Maximum prices for sales by persons other than manufacturers.* The maximum price for a sale by a person other than a manufacturer of any new machine tool, attachment or part that cannot be priced under paragraphs (a) to (c), inclusive, shall be the manufacturer's maximum price to a user established by (1), (2), (3) or (4) above.

(e) *Notification of maximum price by the manufacturer.* The manufacturer shall furnish his dealer, agent or distributor with the maximum price established by this section if requested to do so by any such person. If a seller has no reason to doubt the validity of the notification received from the manufacturer, he may rely on that notification.

(f) *Retroactive effect of maximum prices established under (b) or (d).* Where the Office of Price Administration establishes a maximum price under paragraphs (b) or (d) above because the maximum price has not been computed as required by those paragraphs, such maximum price shall apply to all sales or deliveries, to which such price applies, made after June 27, 1944.

SEC. 5. *Maximum prices for rentals and leases*—(a) *Price.* The maximum price for the lease or rental of any new machine tool shall be determined as follows:

(1) *Annual rental.* The maximum annual rental shall be determined by multiplying the maximum price established by this regulation, as of the date of the rental contract, for the sale of the new machine tool, by the applicable percentage rate set forth below:

	8-hour day	16-hour day	24-hour day
	Percent	*Percent*	*Percent*
General use	26	30	35
Outdoor use of tools designed for indoor use	38	45	55

(2) *Monthly, weekly and daily rental.* The maximum rental shall be determined by multiplying the maximum annual rental by the applicable factor set forth below:

Period of time:	*Factor*
Month	0.10
Week	.025
Day, or fractional part thereof	.005

However, where the machine tool is rented for a specific period of time which results in a maximum total rental of less than $5.00, the maximum total rental for that period of time shall be $5.00.

(b) *Rates most favorable to the lessee.* Notwithstanding the provisions of paragraph (a) of this section, the maximum price for any rental shall be computed on the basis of that period of time which will yield the lowest total rental. For example, if the machine tool is rented on a daily basis but the maximum rental figured on a weekly basis is lower than the maximum rental computed on any other basis, the maximum rental must be computed on a weekly basis.

(c) *Additional charges.* Charges for dismantling, loading, installation, transportation, maintenance and power supplied by the lessor may be in addition to the maximum rental, but must be invoiced separately. Such charges must not exceed any maximum price established therefor.

(d) *Rentals and leases after the first contract.* Maximum prices for the second and all subsequent rentals or leases of machine tools shall be determined in accordance with Maximum Price Regulation 1.[8] Where a rental or lease is continued by agreement, such continuance shall be deemed to be a subsequent rental or lease for the purpose of this paragraph.

SEC. 6. *Federal and state taxes.* Any tax upon, or incident to, the sale, rental, delivery or processing of machine tools, attachments or parts imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the maximum price or rental: If the statute or ordinance imposing such tax does not prohibit the seller or lessor from stating and collecting the tax separately from the purchase price, and the seller or lessor does separately state it, the seller or lessor may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller or lessor by the vendor from whom he purchased.

SEC. 7. *Terms and conditions of sale*—(a) *Transportation charges.* No seller or lessor shall require any purchaser or lessee, and no purchaser or lessee shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery of any new machine tool, attachment or part than the seller or lessor required purchasers or lessees of the same class to pay on October 1, 1941, on deliveries of the same or similar types of machine tools, attachments or parts.

(b) *Credit charges.* The maximum prices and rentals established by this regulation shall not be increased by any charges for the extension of credit, unless (1) the seller or lessor on October 1, 1941, required payment of a separately stated additional charge for the extension of credit by purchasers or lessees of the same class on sales or leases of the same or similar types of machine tools, attachments or parts and (2) the amount charged for the extension of credit is not in excess of the charge the seller or lessor had in effect on October 1, 1941, for extension of credit involving the same amount and term.

(c) *Special packing charges.* If the buyer requests packing to his specifications and such specifications involve an increase in cost over the cost of the packing normally furnished by the seller, the difference between the factory costs of such packing, and the factory costs of standard packing may be added to the maximum price. This special packing charge must be billed or invoiced separately.

(d) *Erection, demonstrating, training of labor and servicing.* Charges for erecting, demonstrating, training of labor or servicing new machine tools shall be figured on the same basis as that used by the seller on October 1, 1941. Where such charges are made, they shall be invoiced separately.

(e) *Discounts to dealers.* The maximum prices established by this regulation shall not be exceeded by any seller of new machine tools, attachments or parts, but nothing in this regulation shall prevent changes in discounts or commissions allowed by a manufacturer to a dealer or sales representative.

(f) *Supplementary Order 34 and Second Revised Maximum Export Price Regulation not applicable.* Supplementary Order 34 and the Second Revised Maximum Export Price Regulation are not applicable to sales of new machine tools, attachments or parts to procurement agencies. The term "procurement agency" means the United States, any country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act, or any agency of the foregoing.

SEC. 8. *Transfers of business or stock in trade.* If the business, assets, or stock in trade are sold or otherwise transferred after October 1, 1941, and the transferee carries on the business, or continues to deal in the same type of commodities, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation.

SEC. 9. *Individual maximum prices.* The provisions of subparagraphs (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17) and (18) of section 1301.51(a) of Revised Price Schedule 67 are incorporated by reference into this regulation as they were in effect on June 27, 1944. The maximum prices established by these subparagraphs remain in effect, notwithstanding any other provisions of this regulation. The subparagraphs named establish maximum prices for sales of certain new machine tools, attachments and parts by the following persons:

The Cincinnati Planer Company, Cincinnati, Ohio.
The Cleveland Automatic Machine Company, Cleveland, Ohio.
Defiance Machine Works, Inc., Defiance, Ohio.
Fox Grinders, Inc., Pittsburgh, Pa.
Gould & Eberhardt, Inc., Newark, N. J.
Hanna Engineering Works, Chicago, Ill.
L. J. Kaufman Manufacturing Company, Manitowoc, Wis.
The King Machine Tool Company, Cincinnati, Ohio.
Niagara Machine & Tool Works, Buffalo, N. Y.
Norton Company, Worcester, Mass.
Portage Machine Company, Akron, Ohio.
Smalley-General Company, Bay City, Mich.
Stokerumit Corporation, Milwaukee, Wis.

ARTICLE III—MISCELLANEOUS

SEC. 10. *Application for adjustment*—(a) *When adjustment may be granted*—(1) *In general.* The Office of Price Administration may adjust the manufacturer's maximum price of a new machine tool, attachment or part upon the basis

[8] 8 F.R. 10116.

[9] 7 F.R. 10779; 8 F.R. 12404, 14073.

[10] 8 F.R. 4132, 5967.

of information submitted by the manufacturer or of other information. It may make that adjustment whenever it finds that the maximum price of a new machine tool, attachment or part is at such a level that (taking into account the cost thereof, the profits position of the manufacturer and the nature of his business) production of the new machine tool, attachment or part is impeded or threatened.

(2) *Factors which may be considered.* The following factors are relevant to the consideration of whether production of the new machine tool, attachment or part is impeded or threatened:

(i) Whether, and by what amount, the maximum price is below or above the total unit costs, less selling and administrative expenses properly allocable to the internal management of the business.

(ii) Whether, and by what amount, the maximum price is below or above total unit costs.

(iii) Whether, and by what amount, the manufacturer's current over-all profits, before income and excess profits taxes, are greater or less than his average over-all profits during the normal base period. These base period profits will be adjusted to reflect any change from the normal base period average investment.

(iv) Whether the manufacturer's sales of the new machine tool, attachment or part represent only a very small part of his total sales.

(v) Whether the manufacturer previously sold the new machine tool, attachment or part at a price which was below its total unit costs.

(b) *How the manufacturer proceeds in applying for an adjustment*—(1) *In general.* An application for adjustment under this paragraph (a) shall be filed in accordance with Revised Procedural Regulation No. 1 [6] and shall be made on a copy of Form OPA 694-972, set out in Appendix B. The application shall be filed with the Office of Price Administration, Washington, D. C.

(2) *Application based on proposed wage or salary increase to be authorized by the National War Labor Board.* A manufacturer who believes that the conditions for an adjustment set forth in paragraph (a), would exist if the National War Labor Board should grant a pending application for wage or salary increase, may file an application for adjustment under this paragraph. Applications for adjustment of maximum prices based on wage or salary increases requiring the approval of the National War Labor Board must also comply with Supplementary Order No. 28 [7] which requires, among other things, that an application for adjustment in such case be filed within fifteen days after an application for a wage or salary adjustment has been filed with the National War Labor Board, or, in a disputed wage proceeding, within fifteen days after the employer receives notification that the National War Labor Board has taken jurisdiction of the dispute.

[6] 7 F.R. 8961; 8 F.R. 3813, 3833, 6173.
[7] 7 F.R. 9619; 8 F.R. 7266.

(c) *Prices for deliveries made pending disposition of the application.* A manufacturer who has filed an application under this section may contract or agree that deliveries made during the pendency of the application shall be at a specific price which is higher than the existing maximum price which the manufacturer wants to have adjusted. However, no payment in excess of that existing maximum price may be received until final disposition is made of the application. Where the application is disposed of by an order issued under this section, the price received for deliveries made subsequent to the filing of the application may not exceed the maximum price as determined by the Office of Price Administration. Where the application is disposed of by an amendment of general applicability, payment in excess of the maximum price in effect at the time of delivery may be made for deliveries made pending disposition of the application, only as expressly authorized by order of the Price Administrator.

A manufacturer who wishes to enter into such an arrangement must specifically state to the buyer the following:

(1) The maximum price for the new machine tool, attachment, or part;

(2) The fact that an appropriate application for an adjustment of that maximum price has been filed with the Office of Price Administration; and

(3) The fact that the specific price quoted by the manufacturer is subject to the approval of the Office of Price Administration.

(d) *Definitions*—(1) *Normal base period.* The term "normal base period" means the period 1936–1939. If the manufacturer shall demonstrate to the satisfaction of the Office of Price Administration that because of unusual conditions prevailing during that period he was operating at an unusually depressed level in comparison to other manufacturers in the industry, and in addition that some other period prior to January 1, 1941, represents a proper "normal base period," such other period may be considered. The mere fact that the manufacturer's rate of production has increased since 1936–1939 will not be deemed evidence that he was operating at an "unusually depressed level" during that period. If the manufacturer was not in business prior to January 1, 1941, he shall state that fact in his application.

(2) *Over-all profits.* The term "over-all" profits means net profit resulting from an operation of all divisions of the manufacturer, before the creation of any reserves, except ordinary reserves for depreciation and bad debts, and before income and excess profits taxes. In the case of a subsidiary wholly owned by a parent corporation, the term "over-all profits" means the consolidated net profit before the creation of any reserves, except ordinary reserves for depreciation and bad debts, and before income and excess profits taxes.

(3) *Total unit costs.* The term "total unit costs" means the direct unit cost of labor, material and subcontracted services, plus a proportion of factory overhead, administrative and other expenses, based on actual operating experience, properly allocable to the production of the new machine tool, attachment or part, but does not include provisions for income or excess profits taxes. In evaluating total unit costs, the Office of Price Administration will determine whether the allocation of factory overhead, administrative and other expenses is based on a representative period of continuous, normal production.

(e) *Sellers other than manufacturers.* Notwithstanding any other provisions of this regulation, the maximum manufacturer's price established by an order of adjustment, issued under this section, shall be the maximum price for sales by sellers other than the manufacturer.

(f) *Procedural Regulation No. 6 superseded.* No application for adjustment filed under Procedural Regulation No. 6 after June 27, 1944, with respect to new machine tools, attachments or parts will be granted.

(g) *Amendment of general applicability.* Where the Price Administrator deems it appropriate, he may grant the relief, which he deems necessary, by issuing an amendment of general applicability.

SEC. 11. *Petitions for amendment.* Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

SEC. 12. *Adjustable pricing.* Agreements may be made to sell at a price which will be increased up to the maximum price in effect at the time of delivery. However, except as provided in section 10 (c) or unless authorized by the Office of Price Administration, no deliveries may be made at a price which is to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. This authorization will be given only where: (a) a request for change in the applicable maximum price is pending; (b) authorization is necessary to promote distribution or production; and (c) it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

SEC. 13. *Records.* Every seller and lessor of new machine tools, attachments or parts shall keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, complete and accurate records of every sale and lease. Such records shall state: (a) the date of the sale or lease; (b) the name and address of the buyer or lessee; (c) the quantity, number and description of each type of new machine tool, attachment or part sold or leased; (d) the price on the date of sale, or if there was no price on that date, the price eventually collected; and (e) the net price received.

SEC. 14. *Reports*—(a) *Manufacturers shall report.* On or before July 28, 1944, every manufacturer of new machine tools or attachments who has not already done so shall file a statement on OPA Form 167:2 with the Office of Price Administration, Washington, D. C., setting forth:

[6] 7 F.R. 5067, 5664; 8 F.R. 6173, 6174, 12024.

(1) The price in effect on October 1, 1941 for each type and size of new machine tool or attachment offered for sale by the manufacturer on that date, together with any special charges, discounts, allowances or concessions applicable thereto on October 1, 1941.

(2) The last price during the period January 1, 1941 to October 1, 1941, inclusive, at which he contracted to sell any new machine tool or attachment for which he had no price in effect on October 1, 1941.

(3) The names and addresses of all dealers to whom the manufacturer has sold new machine tools, attachments or parts since January 1, 1941. This report shall be made on OPA Form 167:3. A supplemental list of dealers is to be filed, if such information has been previously submitted.

(b) *Machine tool parts.* The manufacturer is not required to file prices of machine tool parts with the Office of Price Administration. However, maximum prices for machine tool parts must be determined under section 4 of this regulation.

(c) *Financial reports by manufacturers.* On or before April 1 of each year, every manufacturer of new machine tools shall file with the Office of Price Administration, Washington, D. C., three copies of the information required by OPA Form A—Annual Financial Report—on a copy of that form. If the manufacturer's fiscal year does not coincide with the calendar year, this report shall be filed within ninety days of the close of the fiscal year, instead of on or before April 1.

(d) *Reports of leases.* Every person who leases or rents a new machine tool shall file a report with the Office of Price Administration, Washington, D. C., within ten days after delivery is made pursuant to the lease or rental agreement. This report shall set forth the following:

(1) The date of the lease or rental;

(2) A complete description of the machine tool, including make, type and size;

(3) The number of hours that the machine tool will be operated daily and whether it will be used for indoor or outdoor use;

(4) The approximate length of the rental contract;

(5) The maximum price established by this regulation for the sale of the machine tool being leased or rented;

(6) The name, address and nature of the business of the lessee; and

(7) The rental charged.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1, [8] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price regulations or schedules. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 16. *Evasion.* The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, lease or rental of a new machine tool, attachment or part, alone or in conjunction with any other commodity or service or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding, or otherwise. Specifically, but not exclusively, it shall be a violation of this regulation for any person to pay a fee, commission, or other compensation for the finding or locating of, or for the services of anyone acting as a broker or dealer concerning a new machine tool, attachment or part, if the total of any such charge and the selling or rental price charged that person exceed the maximum price or rental established by this regulation.

SEC. 17. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

[8] 8 F.R. 13240.

APPENDIX A—FORM FOR REPORTING MAXIMUM PRICES AND COSTS OF MACHINE TOOLS OF NEW DESIGN

OPA Form 694-971 — Budget Bureau No. 08-R952

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION

REPORT FOR A MACHINE TOOL OF NEW DESIGN

Company name
Address—number and street
City and State

INSTRUCTIONS

This form is for reporting maximum prices and costs of production for machine tools of new design in your line. Prepare three copies of this form. On the first copy report estimated costs, based on October 1, 1941, prices, rates and methods, and your proposed maximum price for the first order. This is done by completing all items on this form, except columns B and C of item 3. The first copy must be filed within ten days after you receive your first order for the machine tool.

After you have completed production of your first order, report actual costs of production on an October 1, 1941, and on a current basis by filling in columns B and C of item 3 on the remaining two copies. In column B report costs based on October 1, 1941, prices, rates and methods, and on the actual number of labor hours and actual quantity of materials used in the production of the first order. In column C report costs based on current prices, rates and methods, and on the actual number of labor hours and actual quantity of materials used in the production of the first order. File one of these completed copies with the Office of Price Administration within forty-five days after the completion of the production of the first order and keep the remaining copy for your files.

All reports must be filed with the Machine Tool Section, Office of Price Administration, Washington (25), D. C.

1. DESCRIPTION OF MACHINE TOOL

Make	Type	Size	Model No.

Details—Describe fully:

2. PRICE INFORMATION

Price of basic machine to user	Discount to dealer in per cent	Number of units to which price applies

3. ESTIMATED AND ACTUAL COSTS OF PRODUCTION OF BASIC MACHINE

Description	A.—Estimated costs based on October 1, 1941, prices, rates and methods	Actual costs	
		B.—October 1, 1941	C.—Current costs
Direct labor			
Direct material			
Factory overhead			
Commissions			
Other selling expenses			
Administrative expense			
Total cost (per unit)			

4. BASIS ON WHICH COSTS AND PRICE WERE DETERMINED

a. To how many units do the costs reported apply? No. of units
b. Are your cost records tied in with your books of account? ☐ Yes ☐ No (Check one)
c. Indicate the method used in allocating factory overhead: Standard ☐; Actual ☐; Direct labor hours ☐: Machine hours ☐; Other ☐.
Explain separately if "other" or a combination of methods is used.
d. Explain the method by which you determined the selling price. This must be the same method which you used on October 1, 1941.

I certify that the facts contained in this report are true and correct.

(Signature of reporting officer) (Official title)

APPENDIX B—FORM FOR APPLICATIONS FOR ADJUSTMENT

Form OPA 604-972

Form Approved
Budget Bureau
No. 09-R953

UNITED STATES OF AMERICA

OFFICE OF PRICE ADMINISTRATION

WASHINGTON, D. C.

Application for Adjustment of Maximum Prices for Machine Tools, Attachments and Parts under Maximum Price Regulation 67.

Company name .....

Address ..... (Street) ..... (City) ..... (State)

The following facts are furnished to the Office of Price Administration in support of this application:

SCHEDULE A

1. General description of the company's business.
2. Explain on a separate sheet why you are making a request for a price increase.
3. Designate and describe product(s) for which price increase is requested.
4. Present the following information for each product listed in item 3 above.

(a)

	1942	1943	.....Months ending 1944
Total number of units sold			
Corresponding dollar volume of sales (net)			

(b) Dollar volume of unfilled orders, $.....

(c) Anticipated dollar volume of new orders for the next 3 months, $.....; 6 months, $.....; 12 months, $.....

NOTE: If more than one product is being reported, present the required information on another sheet.

SCHEDULE B

Important. If you have submitted any of the following information on Office of Price Administration Financial Report Forms A and B for certain periods or have furnished same on a previous application for adjustment of a maximum price, you may omit those periods in your present report. In the case of a subsidiary wholly owned by a parent corporation, the financial data should be submitted for the parent corporation.

1. Submit balance sheets and profit and loss statements for the past two years and for the most recent accounting period in the current year.

NOTE: Each profit and loss statement must contain a detailed breakdown of cost of goods sold, administrative expense, selling expenses and officers' salaries, including the number of officers.

2. Submit balance sheets and profit and loss statements on OPA Form A, Annual Financial Report, or your own prepared statements for the years 1936-1940. The filing of these data is optional, provided reports are available from the Bureau of Internal Revenue. Should the applicant prefer, this information will be requested by the Office of Price Administration directly from the Bureau of Internal Revenue.

SCHEDULE C—UNIT COST PRICE AND COST INFORMATION

Designation of product: .....

NOTE: If more than one product is involved, prepare and file separate reports on this schedule for each product that you consider necessary to convey an adequate understanding of the situation which gave rise to this application.

1. Price data:
Net realized price: (Show maximum price for machine tool, attachment or part separately)

	Maximum price October 1, 1941	Requested Maximum price
1. Manufacturer's price to user		
2. Less: dealer's resale discount or commission		
3. Net realized price to manufacturer		

2. Unit cost data:

	Ceiling date costs October 1, 1941	Current costs
(a) Direct material	$.....	$.....
(b) Direct labor		
(c) Factory overhead		
(d) Administrative expense		
(e) Selling expense (do not include resale discounts or commissions to dealers)		
(f) Other expense, specify		
(g)		
(h) Total cost per unit		

(i) Indicate the method used in allocating factory overhead:
Standard ☐; Actual ☐; Direct labor hours ☐; Machine hours ☐; Other ☐.
Explain separately if "other" or a combination of methods is used.

(j) Are your cost records tied in with your books of account? ☐Yes; ☐No

.....
(Applicant)

By .....

.....
(Title)

I certify that the facts contained in this application are true and correct.

.....
(Signature)

Effective date. This regulation shall become effective June 28, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 23d day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-9169; Filed, June 23, 1944; 11:38 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 90]

EXEMPTION OF LOST, STOLEN AND ABANDONED COMMODITIES SOLD AT AUCTION BY THE DISTRICT OF COLUMBIA

A statement to accompany this Supplementary Order No. 90 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is hereby ordered that:

§ 1305.118 *Exemption of lost, stolen, and abandoned commodities sold at auction by the District of Columbia.* (a) No provision of any price regulation shall apply to the sale at auction by the District of Columbia of the commodities listed and described in the document entitled "Police Sale, 1944, Lost, Stolen and Abandoned Property to be Offered for Sale at Public Auction" a copy of which is on file in the office of the Secretary.

(b) This exemption shall not apply to sales of:

(1) Sorted and graded waste rags which are subject to Maximum Price Regulation No. 47.

(2) Scrap metal to an industrial consumer which is subject to Revised Price Schedule No. 4.

(3) Tires and tubes which are subject to Maximum Price Regulation No. 528.

(4) Scrap tires and tubes which are subject to Price Schedule No. 87.

(5) Distilled spirits and wine which are subject to Maximum Price Regulation No. 445.

(c) This Supplementary Order No. 90 shall become effective June 28, 1944.

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9170; Filed, June 23, 1944; 11:39 a. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RMPR 341,[1] Amdt. 4]

USED COMMERCIAL MOTOR VEHICLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 341 is revised in the following respects:

1. Section 1 (a) (1) is amended to read as follows:

(1) *Definition of used commercial motor vehicle ("used vehicle").* Used commercial motor vehicle (called used vehicle in this regulation) means

(i) Any self propelled vehicle, or a vehicle drawn by it, which is primarily designed for civilian use on the highway for the transportation of property or of more than ten persons; or

(ii) Any army vehicle listed in Appendix C; or

(iii) Any chassis or body of a vehicle named in (i) or (ii); which irrespective of mileage has been used other than for the purpose of sale. This definition covers vehicles of the following types:

(iv) Vehicles primarily designed for civilian use, such as: ambulances, cab pickups, carryall suburbans, combinations consisting of truck bodies and passenger automobile chassis, coupes fitted with pickup boxes, fire trucks, hearses, omnibuses, sedan deliveries, trucks, truck tractors, truck trailers (full and semi), and utility sedans; and

(v) Army general and special purpose vehicles and army special equipment vehicles, listed in Appendix C and defined in section 18. This definition does not cover civilian passenger automobiles, civilian station wagons, vehicles operated on rails, selftracklaying vehicles, motorcycles, nor farm and garden tractors designed and used for agricultural purposes.

2. Section 6 (b) is amended to read as follows:

(b) Method of determining "value when new". The "value when new" of a vehicle, or a vehicle chassis or body when sold or priced separately, shall be determined under this paragraph (b). (When a part of a vehicle, or chassis or body, has been removed, the "value when new" shall be the "value when new" of the complete unit less the retail list price for the part when new (which has been removed) when sold as a replacement; or if such a price is not ascertainable, an amount which is a reasonable estimate of the retail price of such part when new.)

(1) *When the chassis and body are priced as one unit—(i) If the chassis and body are listed as one unit (called complete vehicle) in Appendix C.* When the complete vehicle (includes both chassis and body) is listed in Appendix C, the "value when new" is the price listed in that appendix for such a vehicle.

(ii) *Only chassis listed in Appendix C.* If the chassis of the vehicle being priced is listed in Appendix C, and if the complete vehicle is not so listed, the "value when new" shall be the price listed in Appendix C for the chassis alone or the chassis with cab, whichever is appropriate, plus the first applicable of the following:

(a) The original retail price when new, f. o. b. factory, (exclusive of transportation costs and taxes) for the body with which the vehicle being priced is now equipped; or

(b) If that price is not ascertainable, the retail price new, f. o. b. factory, in effect on March 31, 1942, (exclusive of transportation costs and taxes) for the same or most comparable body.

(iii) *If neither complete vehicle nor chassis alone is listed in Appendix C.* If neither the complete vehicle nor the chassis being priced is listed in Appendix C, the "value when new" shall be determined as follows:

(a) If the vehicle being priced was purchased new as a complete vehicle, the "value when new" shall be the original retail price new of the vehicle, f. o. b. factory, (exclusive of transportation costs and taxes) or if that price is not ascertainable, the first applicable of the following: the price listed in Appendix C for the most comparable vehicle of the same year of manufacture; or the price listed in Appendix C for the most comparable vehicle of the nearest year of manufacture.

(b) If the chassis and body were bought separately, the "value when new" of the vehicle shall be the sum of the price of the chassis, or chassis with cab, and the price of the body, each determined by one of the following methods:

(1) *The chassis, or the chassis with cab.* The original retail price new, f. o. b. factory, (exclusive of transportation costs and taxes) or if that price is not ascertainable, the first applicable of the following: The price listed in Appendix C for the most comparable chassis, or chassis with cab, of the same year of manufacture; or the price listed in Appendix C for the most comparable chassis, or chassis with cab, of the nearest year of manufacture.

(2) *The body.* The original retail price new, f. o. b. factory, (exclusive of transportation costs and taxes) or if that price is not ascertainable, the retail price new, f. o. b. factory, (exclusive of transportation costs and taxes) in effect on March 31, 1942, for the same or most comparable body.

(2) *When the chassis, or chassis with cab, and body are sold or priced separately.* If the chassis, or chassis with cab, and body are sold separately, or are priced separately in accordance with section 9 (b), the "value when new" shall be determined as follows:

(i) *The chassis or chassis with cab—(a) When listed in Appendix C.* When the chassis, or chassis with cab, is listed in Appendix C, the "value when new" is the price there listed.

(b) *When not listed in Appendix C.* When the chassis, or chassis with cab, is not listed in Appendix C, the "value when new" shall be the original retail price new, f. o. b. factory, (exclusive of transportation costs and taxes) or if that price is not ascertainable, the first applicable of the following: the price listed in Appendix C for the most comparable chassis, or chassis with cab, of the same year of manufacture; or the price listed in Appendix C for the most comparable chassis, or chassis with cab, of the nearest year of manufacture.

(ii) *The body.* The "value when new" of the body shall be the original retail price new, f. o. b. factory, (exclusive of transportation costs and taxes) or if that price is not ascertainable, the retail price when new, f. o. b. factory, in effect on March 31, 1942 (exclusive of transportation costs and taxes) for the same or most comparable body.

3. The second sentence in section 6 (d) (2) is amended to read as follows:

Where an extra has replaced equipment on the used vehicle, the amount to be included in the "base price" for such an extra is the charge which the manufacturer of the vehicle had in effect on March 31, 1942 as an addition to be made to the vehicle list price when such a replacement was made, or if such a charge is not ascertainable, it is the difference between the "value when new" of the extra and the "value when new" of the standard equipment, replaced by this extra or previous extra, which was provided for in the list price of the vehicle when new. The "value when new" of standard equipment shall be determined by using the precedure prescribed in this paragraph for determining the "value when new" of an extra.

4. Section 7 is amended to read as follows:

SEC. 7. *Percentage to be used in multiplying "base price" to obtain maximum price—(a) For a used vehicle or chassis.* For a used vehicle or used chassis, the percentage to be used during the calendar year 1944 in multiplying the "base price" to obtain the maximum price shall not exceed the percentage stated in the following schedule which is applicable to the model year of the vehicle as determined by the manufacturer and the condition in which the vehicle is sold ("as is" or "warranted".)

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 11176, 17036, 17414; 9 F.R. 3847, 4396.

Model year	Percentages	
	"As is"	"Warranted"
1944 and 1943 and 1942 (sold new in 1944)	*Percent* 92	*Percent* 103
1943 and 1942 (sold new in 1943)	85	97
1942	73	86
1941	63	78
1940	58	73
1939	55	70
1938	51	67
1937	46	62
1936	41	58
1935	37	54
1934*	33	50

*1933 and low model year vehicles take the percentage applicable to 1934.

Where the manufacturer did not designate a model year for the vehicle when it was new, the year including the date when it was delivered new to the first purchaser for use shall be considered as the model year if such date of delivery can be substantiated by the original bill of sale or original invoice. If the year including the date of delivery cannot be substantiated, then the model year shall be the year of manufacture if substantiated by the motor or serial number, or lacking such data, the year 1934.

(b) *For a body of a used vehicle.* For a body of a used vehicle, the percentage to be used, during the calendar year 1934, in multiplying the base price to obtain the maximum price shall not exceed the percentage listed in the schedule in paragraph (a) which is applicable to the model year and the condition in which the body is sold ("as is" or "warranted"). The model year is the year of the original manufacture of the body or the model year 1934.

5. The narrative in section 8 (a) preceding the "Dealer's warranty" is amended to read as follows:

(a) A "warranted" used vehicle, which includes a chassis or body sold separately, is one in good operating condition for which the dealer furnishes to the purchaser, in writing, the following warranty signed by the dealer or his authorized representative.

6. Section 18 (b) is amended to read as follows:

(b) "Dealer" means a person engaged, in whole or in part, in the business of acquiring for resale, selling, repairing and reconditioning used vehicles, and who maintains a place of business for the display, sale, repairing and reconditioning of such vehicles. A person who has all the above qualifications except that he does not maintain a place for the repairing and reconditioning of used vehicles may be approved in writing as a dealer under this regulation by the regional office of the Office of Price Administration for the region in which the person's principal place of business is located, or a district office in that region authorized by that regional office, if he provides that office with adequate evidence that he has established, and is in a financial position to maintain, a working arrangement (for the repairing and reconditioning of used vehicles) with a reputable business engaged in the repairing and reconditioning of used vehicles. Notwithstanding the other provisions of this paragraph (b), an owner and operator of any number of commercial motor vehicles shall be considered a dealer under this regulation if he has an established place of business and adequate facilities for the general repairing and reconditioning of his vehicles, and regularly inspects, and maintains in good running condition, such vehicles.

7. Section 18 is amended by the addition of new paragraphs (g), (h) and (j) to read as follows:

(g) *"Army general purpose vehicles"* mean all wheeled vehicles intended for movement of personnel, supplies, ammunition, or equipment or towing of guns, trailers, or semi-trailers, and which are used by more than one service.

(h) *"Army special equipment vehicles"* mean wheeled vehicles, the chassis of which are basically identical to those used in general purpose vehicles but which have a special body or special equipment.

(j) *"Army special purpose vehicles"* mean wheeled vehicles, the chassis and body of which are designed for a special purpose. These vehicles do not incorporate body or chassis of either general purpose vehicles or special equipment vehicles.

8. Appendix C is amended in the following respects:

a. Paragraph (j) (7) is amended by changing the tonnage rating for Dodge 1941 conventional trucks beginning with the model WF-31 down to and including WGA-44, from "1" to "1½".

b. Paragraph (k) (10) is amended by changing the f. o. b. list price for the Federal 1942 Conventional truck, Model 62, chassis and standard body type described as "Ch. Cowl", from "$3945" to "$5945".

c. Paragraph (l) (3) is amended by changing the wheel base designation of the Ford 1937 Conventional—(V8–85 H. P.) trucks, Model 79, with 4 tires, chassis and standard body types beginning with the description "Ch." down to and including the description "Std. (Std. Racks)", from "112" to "131½".

d. Paragraph (l) (3) is also amended by changing the f. o. b. list price for the Ford 1937 Conventional—(V8–85 H. P.) truck, Model 79, chassis and standard body type described as "Platform", 112 inch wheelbase, from "$768" to "$668".

e. Paragraph (l) (7) is amended by changing the tonnage rating for 1941 Ford Conventional—(V8–85 H.P.) trucks, beginning with Model 11T down to and including Model 114T, from "1" to "1½".

f. Paragraph (n) (3) is amended by changing the f. o. b. list price for the GMC 1937 conventional truck, Model T-16H-A, chassis and standard body type described as "Ch. Cb.", from "$1,807" to "$807".

g. Paragraph (p) (5) is amended by changing the f. o. b. list price of the International Harvester Company 1938 Conventional truck, Model D-2, chassis and standard body type described as "Pick-up", 113 inch wheelbase, from "$62" to "$620".

h. Paragraph (p) (7) is amended by changing the model designation of the International Harvester Company 1940 Conventional (3D Axle) trucks, tonnage rating 10–15, Serial No. 547, from "AR-426-F" to "AR-626-F."

j. Paragraph (p) (8) is amended by changing the model designation of the International Harvester Company 1941 Conventional—(3D Axle) trucks, tonnage rating 10–15, Serial No. 547, from "AR-426-F" to "AR-626-F".

k. Paragraph (p) (9) is amended by changing the model designation of the International Harvester Company 1942 Conventional—(3D Axle) trucks, tonnage rating 10–15, Serial No. 548, from "AR-426-F" to "AR-626-F".

l. Paragraph (s) (3) is amended by changing the f. o. b. list price of the Reo 1937 Conventional truck, Model 1A4HY, Serial No. 14AHY-105 to 2204, from "$636" to "$645".

m. Paragraph (s) (4) is amended by changing the model designation of the Reo 1938 Bus chassis, Serial No. 3L6HW-102 and up, from "3L6HW" to "3L6H".

n. Paragraph (s) (6) is amended by changing the rear standard tire equipment description of the Reo 1940 Conventional trucks, Models 20A, 20B, and 20C, from "32/6 8 ply" to "6.00/20 6 ply".

o. Paragraph (s) (8) is amended by changing the rear standard tire equipment description of the Reo 1942 Conventional trucks, Models 19A, 19B, and 19C, from "6.00/20 6 ply" to "32/6 8 ply".

p. Paragraph (s) (8) is also amended by changing both the front and rear standard tire equipment description of the Reo 1942 School Buses, Model 123F, from "7.50/20 8 ply" to "8.25/20 10 ply".

q. Paragraph (u) (8) is amended by changing the f. o. b. list price of the Studebaker 1942 Conventional truck, Model M-5, chassis and body type description "Ch. Cb", from "$513" to "$613".

r. Paragraph (u) (8) is also amended by changing the f. o. b. list price of the Studebaker 1942 Conventional truck, Model M-5, chassis and body type description "Ch. Cb. Stk", from "$613" to "$713".

s. A new paragraph (y) is added to Appendix C to read as follows:

(y) Army general and special purpose vehicles and army special equipment vehicles of the following types or for the following purposes:

Air corps field service
Ambulance
Balloon tender
Camera laboratory
Cargo
Carryall
Chassis
Combination animal and cargo
Combination stake and platform
Command car
Command post
Communications
Dump
Earth borer and pole setter.
Earth and stone carrier
Explosives carrier
Express
Fire protection
Fuel and oil tank
Kitchen or surgical hospital
Light repair unit
Map reproduction
Mobile bath unit
Mobile clothing repair unit
Mobile laundry unit
Mobile shoe repair unit
Oil service vehicle
Panel delivery
Pigeon loft
Pick-up
Platform
Prime mover
Radio Car
Range fire unit
Reconnaissance (including "jeeps" and other reconnaissance types)
Recruiting station
Sedan delivery
Searchlight
Searchlight and power plant
Stake body vehicle
Station wagon
Suburban vehicle
Tank
Telephone construction
Telephone maintenance
Telephone repair
Truck tractor
Trailers (full and semi) for various purposes
Van
Water tank
Weapon carrier
Weather station

(1) TRUCKS AND OTHER SELF-PROPELLED VEHICLES

AMERICAN BANTAM

(Manufacturer: American Bantam Car Company. Principal Plant: Butler, Pennsylvania)

1941

Tonnage rating	Army nomenclature	Model	Standard tire size	Wheelbase (inches)	Base weight (lbs.)	Price when new
¼	Reconnaissance and Command (jeep) ¼T 4 x 4. Serial Nos. 1,000 up. Motor Nos. BY4119-1 up.	40	550 x 16	80	1,350	$960

AMERICAN LA FRANCE

(Manufacturer: Ward La France Truck Corps. Principal Plant: Elmira, New York)

1940

NA	Fire truck, 500 gallon	NA	NA	NA	NA	$3,025

1941

NA	Fire truck, 500 gallon	NA	NA	NA	NA	$3,025
NA	Fire truck, 750 gallon	NA	NA	170	NA	5,850

AUTOCAR

(Manufacturer: The Autocar Company. Principal Plant: Ardmore, Pennsylvania)

1935

5	Express, open body, 5T, 4 x 2	NA	1050 x 20	172	21,200	$3,000

1939

4	Cargo, w/winch, 4T, 6 x 6	C7066	900 x 20	152	16,120	$6,140

1940

2½	Chassis only, C. O. E., 2½T, 4 x 4.	V2044	900 x 20	128	8,250	$2,745
3½	Truck, tractor C. O. E., 2½T, 4 x 4.	V4044	900 x 20	131	9,680	3,056
4	Cargo, W/winch, 4T, 6 x 6	C7066	900 x 20	152	16,120	6,140

1941

2½	Oil servicer vehicle, 2½T, 4 x 4	V4044	900 x 20	131	9,935	$2,810
3½	Tractor (cab over engine), 2½T, 4 x 4.	V4144T	900 x 20	131	9,935	3,065
5	Tractor (cab over engine), 5T, 4 x 4.	V5044	900 x 20	131	9,775	3,655
10	Tractor, 10T, 6 x 4	C9064	975 x 24	155	18,520	7,115

BIEDERMAN

(Manufacturer: Biederman Motors Company. Principal Plant: Cincinnati, Ohio)

1936

Tonnage rating	Army nomenclature	Model	Standard tire size	Wheelbase (inches)	Base weight (lbs.)	Price when new
5	Air Corps field service vehicle, 5T, 6 x 6.	125/6WD	975 x 20	230	13,950	$5,930

1937

4	Cargo, open cab, 4T, 6 x 6	110	825 x 20	148	15,000	$5,750
4	Cargo, open cab w/winch, 4T, 6 x 6.	110	825 x 20	168	16,000	6,250

CHEVROLET

(Manufacturer: General Motors Corporation. Principal Plant: Flint, Michigan)

1935

½	Pickup, ½T, 4 x 2	N. A	650 x 17	112	2,340	$575
½	Pickup w/open cab, ½T, 4 x 2	N. A	650 x 17	112	2,260	530
½	Reconnaissance—8 passenger, ½T, 4 x 2.	N. A	650 x 17	112	2,220	610
½	Panel delivery, ½T, 4 x 2	N. A	650 x 17	112	3,190	715
½	Station wagon—8 passenger, ½T, 4 x 2.	N. A	750 x 15	112	3,585	870
½	Telephone maintenance, ½T, 4 x 2.	N. A	650 x 17	112	3,200	826
½	Pigeon loft, ½T, 4 x 2	N. A	650 x 17	112	3,185	855
1½	Dump (106" length), 1½T, 4 x 2.	N. A	650 x 20	187	4,470	900
1½	Dump (84" length), 1½T, 4 x 2.	N. A	650 x 20	121	5,230	870
1½	Express, canopy top, 1½T, 4 x 2.	N. A	650 x 20	131	4,515	1,125
1½	Panel delivery w/open cab, 1½T, 4 x 2.	N. A	650 x 20	131	4,595	1,120
1½	Light repair w/closed cab, 1½T, 4 x 2.	N. A	900 x 15	131	4,525	1,345
1½	Cargo, w/closed cab, 1½T, 4 x 2	D. C. H	650 x 20	131	5,300	750
1½	Cargo, w/open cab, 1½T, 4 x 2	D. C. H	650 x 20	131	5,300	725
1½	Dump w/closed cab, 1½T, 4 x 2.	N. A	650 x 20	131	5,240	745
1½	Cargo express w/tarpaulin, 1½T, 4 x 2.	N. A	650 x 20	131	4,760	750

1936

½	Station wagon 8 passenger, ½T, 4 x 2.	F. B	650 x 17	112	2,350	$720
½	Pickup w/closed cab, ½T, 4 x 2.	F. B	650 x 17	112	3,255	630
½	Panel delivery, ½T, 4 x 2	F. B	650 x 17	112	3,240	625
½	Panel delivery of 2 front seats, ½T, 4 x 2.	F. B	750 x 15	112	3,500	725
1½	Cargo, flat bed w/cab, 1½T, 4 x 4.	N. A	650 x 20	133	5,865	1,200
1½	Cargo, w/closed cab, 1½T, 4 x 4.	N. A	650 x 20	133	5,735	1,270
1½	Cargo, w/open cab and adj. windshield, 1½T, 4 x 4.	N. A	650 x 20	133	5,235	830

CHEVROLET—Continued

1937

Tonnage rating	Army nomenclature	Model	Standard tire size	Wheelbase (inches)	Base weight (lbs.)	Price when new
½	Pickup, ½T, 4 x 2	N. A	650 x 17	112	3,440	$670
½	Panel delivery, ½T, 4 x 2	N. A	650 x 17	112	3,200	640
½	Reconnaissance, ½T, 4-x 2	N. A	650 x 17	112	3,880	765
1½	Comb stake and platform (dual), 1½T, 4 x 2.	N. A	650 x 20	131½	4,590	880

1938

½	Reconnaissance, ½T, 4 x 2	H. C	750 x 16	112	3,470	$795
½	Pickup, ½T, 4 x 2	H. C	650 x 16	112	3,280	690
½	Telephone maintenance and repair w/closed cab, ½T, 4 x 2.	H. C	650 x 16	112	3,320	795
½	Reconnaissance, ½T, 4 x 2	H. C	750 x 15	112	3,880	820
½	Pickup w/closed cab, ½T, 4 x 2	H. C	650 x 16	112	3,340	685
½	Panel delivery, ½T, 4 x 2	H. C	650 x 16	112	3,345	675
1½	Panel, 1½T, 4 x 2	T. B	650 x 20	131½	4,425	870
1½	Panel delivery w/integral cab, 1½T, 4 x 2.	T. B	650 x 20	131½	4,540	960

1939

½	Carryall, ½T, 4 x 2	J. C	15"	113½	3,405	$775
½	Pickup w/closed cab, ½T, 4 x 2	J. C	650 x 16	113½	3,540	635
½	Panel delivery, ½T, 4 x 2	J. C	650 x 16	113½	3,240	630
½	Express, canopy top, ½T, 4 x 2	J. C	650 x 16	113½	3,395	685
½	Sedan delivery, ½T, 4 x 2	J. B	635 x 16	113½	2,895	645
½	Panel delivery, ½T, 4 x 2	J. D	750 x 15	123½	3,375	735
1½	Cargo, flat bed w/closed cab, 1½T, 4 x 2.	Y. B	650 x 20	133	5,420	955
1½	Dump, 1½T, 4 x 2	Y. D	650 x 20	158½	6,510	1,085
1½	Cargo (cab over engine), 1½T, 4 x 2.	Y. N	650 x 20	156½	6,970	1,390
1½	Chassis only, 1½T, 4 x 2	Y. D	650 x 20	158½	3,590	650
1½	Dump 84" (1½ cu. yd.), 1½T, 4 x 2.	N. A	650 x 20		N. A.	3,300	950
1½	Chassis (cab over engine), 1½T, 4 x 2.	V. F	700 x 20	107½	4,720	1,065
1½	Cargo, w/closed cab, 1½T, 4 x 2.	V. B	650 x 20	133	5,235	985
1½	Cargo, flat bed, w/closed cab, 1½T, 4 x 2.	V. B	650 x 20	133	5,235	920
1½	Dump, 1½T, 4 x 2	V. B	650 x 20	133	5,235	925
1½	Dump w/closed cab and 2 speed rear axle, 1½T, 4 x 2.	Y. D	650 x 20	158½	6,205	1,130
1½	Panel delivery, 1½T, 4 x 2	V. B	650 x 20	133	4,330	875
1½	Cargo, flat bed (cab over engine), 1½T, 4 x 2.	C. O. E	750 x 20	156½	6,290	1,440

1940

½	Sedan delivery, ½ T, 4 x 2	K. B	625 x 16	113	3,000	$665
½	Express, canopy, ½ T, 4 x 2	K. C	15"	113½	3,265	665
½	Telephone maintenance w/closed cab, ½ T, 4 x 2.	K. C	18"	113½	3,665	770
½	Carryall, ½ T, 4 x 2	K. C	18"	113½	3,425	810
½	Pickup, ½ T, 4 x 2	K. C	15"	113½	3,065	580
½	Pickup w/closed cab, ½ T, 4 x 2	K. C	15"	113½	3,360	690
½	Panel delivery, ½ T, 4 x 2	K. C	15"	113½	3,265	630
¾	Pickup, ¾ T, 4 x 2	K. D	15"	123	3,180	630
¾	Pickup w/closed cab, ¾ T, 4 x 2	K. D	750 x 17	123	3,900	755
¾	Panel delivery, ¾ T, 4 x 2	A. K	15"	116	3,515	760
1	Express, canopy, 1 T, 4 x 2	W. A	750 x 20	133	4,190	860
1½	Cargo, 1½ T, 4 x 2	W. A	650 x 20	133	5,200	1,065
1½	Dump 84", 1½ T, 4 x 2	W. A	650 x 20	133	5,400	910
1½	Comb stake and platform w/closed cab, 1½ T, 4 x 2.	W. A	650 x 20	133	4,735	810
1½	Cargo, 1½ T, 4 x 4	N. A	750 x 20	147	7,700	1,400
1½	Dump, 1½ T, 4 x 4	N. A	750 x 20	147	8,000	1,400
1½	Long cargo, 1½ T, 4 x 4	N. A	750 x 20	175	7,790	1,200
1½	Panel, 1½ T, 4 x 4	N. A	750 x 20	147	6,230	1,180
1½	Telephone construction and maintenance, 1½ T, 4 x 4.	A. P	750 x 20	145	8,080	2,010
1½	Telephone construction w/winches, 1½ T, 4 x 4.	A. P	750 x 20	145	9,545	2,880
1½	Earth borer and pole setter, 1½ T, 4 x 4.	A. P	750 x 20	145	10,175	5,300

1941

½	Panel delivery, ½ T, 4 x 2	N. A	650 x 16	115	3,270	$695
½	Telephone maintenance, ½ T, 4 x 2.	A. L	15"	115	3,395	730
½	Canopy, ½ T, 4 x 2	A. L	650 x 16	115	3,240	690
½	Carryall, ½ T, 4 x 2	A. L	15"	113½	3,570	740
½	Suburban, ½ T, 4 x 2	A. L	16"	113½	3,570	800
½	Cargo, ½ T, 4 x 2	A. L	16"	113½	3,265	655
½	Sedan delivery, ½ T, 4 x 2	A. G	626 x 16	113	3,196	715

CHEVROLET—Continued

1941

Tonnage rating	Army nomenclature	Model	Standard tire size	Wheelbase (inches)	Base weight (lbs.)	Price when new
½	Pickup, ½ T, 4 x 2	A. K	15"	113½	3,065	$590
½	Pickup w/closed cab, ½ T, 4 x 2.	A. L	15"	115	3,400	655
1½	Comb stake and platform, 1½ T, 4 x 2.	Y. R	650 x 20	134½	4,780	765
1½	Pickup, 1½ T, 4 x 2	Y. R	650 x 20	134½	4,655	925
1½	Cargo, 1½ T, 4 x 2	Y. R	650 x 20	134½	5,670	995
1½	Dump 84" (2 cu. yd.), 1½ T, 4 x 2.	A. R	650 x 20	134½	5,570	950
1½	Stake long, 1½ T, 4 x 2	A. R	650 x 20	160	5,335	735
1½	Tractor (chassis and cab), 1½ T, 4 x 2.	N. A	700 x 20	134½	4,120	745
1½	Panel, 1½ T, 4 x 2	A. R	700 x 20	134½	4,690	795
1½	Stake and platform (cab over engine), 1½ T, 4 x 4.	C. O. E	750 x 20	175	8,745	1,430
1½	Cargo w/winch, 1½ T, 4 x 4	Y. P	750 x 20	145	8,390	1,515
1½	Dump, 1½ T, 4 x 4	Y. P	750 x 20	145	8,360	1,320
1½	Dump w/winch, 1½ T, 4 x 4	Y. P	750 x 20	145	9,000	1,595
1½	Cargo (15 foot) 1½ T, 4 x 4	Y. Q	750 x 20	175	8,475	1,350
1½	Panel delivery, 1½ T, 4 x 4	Y. P	750 x 20	145	6,950	1,345
1½	Tractor, 1½ T, 4 x 4	Y. P	750 x 20	145	6,060	1,060
1½	Telephone construction and maintenance, 1½ T, 4 x 4.	A. P	750 x 20	145	8,080	2,010
1½	Telephone construction w/winches, 1½ T, 4 x 4.	A. P	750 x 20	145	9,545	2,880
1½	Earth borer and pole setter, 1½ T, 4 x 4.	A. P	750 x 20	145	10,175	5,300

CLYDESDALE

(Manufacturer: Clydesdale Motor Truck Company. Principal Plant: Clyde, Ohio)

1937

2½	Cargo, 2½T, 4 x 4	80D	825 x 20	172	9,385	$2,580
7½	Cargo, 7½T, 6 x 6	300	1050 x 20	212	19,860	6,965
7½	Cargo, w/winch, 7½T, 6 x 6	300	1050 x 20	212	20,940	7,460

CORBITT

(Manufacturer: The Corbitt Company. Principal Plant: Henderson, North Carolina)

1935

2½	Cargo w/closed cab, 2½T, 4 x 4	12FD6	900 x 20	160	9,000	$2,595
3	Combination stake and platform, 3T, 6 x 4.	NA	NA	188	14,500	3,090
3	Dump (2½ cu. yd), 3T, 4 x 2	NA	NA	151	8,250	2,300
3–5	Tractor, 3–5T, 4 x 2	NA	NA	148½	16,400	2,745
5	Cargo steel body w/closed cab, 5T, 4 x 2.	NA	NA	172	13,000	3,790

1936

2½	Tank, 500 gallon, 2½T, 4 x 2	14B6	750 x 20	159	7,510	$2,235
7½	Cargo, 7½T, 6 x 6	548D6	975 x 22	184	21,000	6,900

1937

1½	Chassis only, 1½ T, 4 x 2	14B	825 x 20	184	6,650	$1,175
1½	Dump, 1½ T, 4 x 2	12B	825 x 20	158	7,100	2,175
2½	Balloon tender, 2½ T, 4 x 4	F18	825 x 20	188½	8,000	3,130
2½	Cargo, 2½ T, 4 x 4	F16	825 x 20	160	9,600	3,200
5	Air corps field service w/cab, 5 T, 6 x 6.	3386	975 x 20	252½	16,000	6,445

1938

2½	Cargo, 2½ T, 4 x 4	80D	825 x 20	172	9,385	$3,050

1939

1½	Chassis only, 1½ T, 4 x 4	F12	750 x 20	143	5,875	$2,395
1½	Balloon Tender, 1½ T, 4 x 4	F14 Spec	825 x 20	188½	7,320	3,130
6	Prime mover, 6 T, 6 x 6	A. A	975 x 22	185	19,250	7,665
7	Cargo, 7½ T, 6 x 6	548D6	1050 x 20	184	20,270	8,460

1940

6	Prime mover, 6 T, 6 x 6	A. A	975 x 22	184	21,400	$6,880
6	Prime mover, 6 T, 6 x 6	50SD6	975 x 22	180	21,700	7,300

DIAMOND T

(Manufacturer: Diamond T Motor Car Company. Principal Plant: Chicago, Illinois)

1935

Tonnage rating	Army nomenclature	Model	Standard tire size	Wheelbase (inches)	Base weight (lbs.)	Price when new
½	Reconnaissance, 12 passenger, ½T, 4 x 2.	226 spec	700 x 20	188	5,700	$1,080
½	Cargo, steel body w/closed cab, ½T, 4 x 2.	Standard	NA	135½	5,800	1,190
½	Dump w/closed cab, ½T, 4 x 2.	226	700 x 20	188	6,400	1,005
4	Cargo, 4T, 4 x 2	511DR	900 x 20	171¾	10,000	2,440

1940

½	Cargo, ½T, 4 x 2	404H	650 x 20	189	7,100	$1,425
2½	Telephone construction, 2½T, 4 x 2.	614	825 x 20	151¾	9,200	3,020
2½	Stake and platform, 2½T, 4 x 2	609H	825 x 20	163¾	8,000	1,675
2½	Explosives cargo, 2½T, 4 x 2	609H	825 x 20	163¾	8,000	1,955
4	Cargo 4T, 6 x 6	907	900 x 20	181	16,850	4,990

1941

2½	Telephone construction, 2½T, 4 x 2.	614	825 x 20	151¾	9,250	$3,050
4	Cargo body w/closed cab, 4T, 6 x 6.	968	900 x 20	181	16,975	5,050

DODGE (FARGO)

(Manufacturer: Chrysler Corporation. Principal Plant: Detroit, Michigan)

1935

½	Pickup, ½T, 4 x 2	T6-KC	650 x 17	111¾	2,150	$550
½	Panel delivery, ½T, 4 x 2	KCL	650 x 17	119	3,330	680
½	Reconnaissance, 8 passenger, ½T, 4 x 2.	KC	650 x 17	111¾	3,100	695
½	Express, open, 1½T, 4 x 2	NA	650 x 20	136	4,080	850
1½	Dump, 1½T, 4 x 2	NA	650 x 20	136	4,905	905
1½	Station wagon, 12 passenger, 1½T, 4 x 2.	NA	650 x 20	146	4,005	1,070
1½	Combination stake and platform, 1½T, 4 x 2.	NA	650 x 20	136	4,230	840
1½	Express, canopy top, 1½T, 4 x 2.	NA	650 x 20	136	4,030	960
1½	Cargo, closed cab, 1½T, 4 x 2	KH-31	650 x 20	136	4,100	990
1½	Cargo, open cab, 1½T, 4 x 2	KH-31	650 x 20	136	3,900	690
1½	Dump, w/closed cab, 1½T, 4 x 2.	NA	700 x 20	157	4,900	1,015
1½	Cargo, w/open cab, 1½T, 4 x 2.	NA	700 x 20	148	5,220	895
1½	Cargo, open cab, 1½T, 4 x 4	T-9	700 x 20	143	4,665	1,260
1½	Cargo, closed cab, 1½T, 4 x 4	T-9	700 x 20	143	4,810	1,250
2½	Cargo, closed cab, 2½T, 4 x 2	KZ47	825 x 20	165	6,700	1,485

1936

½	Pickup, ½T, 4 x 2	KC	650 x 17	119	2,845	$530
½	Panel delivery, ½T, 4 x 2	KCL	650 x 17	119	3,328	680
½	Reconnaissance, 8 passenger, ½T, 4 x 2.	KC	650 x 17	119	3,100	695
½	Pickup, w/closed cab, ½T, 4 x 2.	LC	650 x 17	116	3,020	555
½	Telephone maintenance w/closed cab, ½T, 4 x 2.	LC	650 x 17	116	3,140	700
½	Sedan delivery, ½T, 4 x 2	LC	650 x 17	116	3,340	665
½	Cargo, w/closed cab, 1½T, 4 x 2	LE31USA	650 x 20	136	4,980	775
1½	Cargo, w/closed cab adj. w/s and pintle, 1½T, 4 x 2.	LE31USA	650 x 20	136	4,980	885
1½	Cargo, w/open cab adj. w/s and pintle, 1½T, 4 x 2.	LE31USA	650 x 20	136	5,090	775
1½	Dump, w/closed cab, 1½T, 4 x 2.	LE31USA	650 x 20	136	5,175	770
1½	Stake and platform w/closed cab, 1½T, 4 x 2.	LE31USA	650 x 20	136	5,050	690
1½	Cargo, w/open cab, 1½T, 4 x 2	LH46	700 x 20	151	6,030	995
1½	Stake and platform (long), 1½T, 4 x 2.	LE31	650 x 20	162	5,050	670

1937

1½	Cargo, w/open cab, 1½T, 4 x 2	LH46	700 x 20	151	6,030	$995

1938

1½	Cargo, flat bed w/closed cab, 1½T, 4 x 2.	RE31	650 x 20	136	5,470	$855
1½	Cargo, flat bed w/closed cab, 1½T, 4 x 4.	RF40	700 x 20	143	6,550	1,440

DODGE (FARGO)—Continued

1939

Tonnage rating	Army nomenclature	Model	Standard tire size	Wheelbase (inches)	Base weight (lbs.)	Price when new
1½	Dump 96", 1½T, 4 x 2	TE31X	650 x 20	148	5,605	$725
1½	Cargo, w/closed cab, 1½T, 4 x 2.	TF36	700 x 20	148	6,065	965
1½	Dump, w/closed cab 108", 1½T, 4 x 4.	TF403	700 x 20	143	7,460	1,285
1½	Cargo, flat bed w/closed cab, 1½T, 4 x 4.	TF40	700 x 20	143	6,925	1,455

1940

½	Command reconnaissance, ½T, 4 x 4.	VC-1USA	750 x 16	116	4,225	$945
½	Pickup w/troop seats, ½T, 4 x 4.	VC-2USA	750 x 16	116	4,170	795
½	Pickup w/bucket seats, ½T, 4 x 4.	VC-3U8A	750 x 16	116	3,890	765
½	Pickup w/closed cab, ½T, 4 x 4.	WC4	750 x 16	116	4,700	815
½	Weapon carrier w/winch, ½T, 4 x 4.	WC4	750 x 16	116	4,700	940
½	Command reconnaissance, ½T, 4 x 4.	WC4	750 x 16	116	4,600	975
½	Carryall, ½T, 4 x 4	WC4	750 x 16	116	4,785	910
½	Panel, ½T, 4 x 4	WC4	750 x 16	116	4,470	820
½	Command car w/winch, ½T, 4 x 4.	WC4	750 x 16	116	4,900	1,060
½	Radio car, ½T, 4 x 4	WC4	750 x 16	116	4,800	1,220
½	Ambulance, ½T, 4 x 4	WC4	750 x 16	123	5,265	1,165
1½	Cargo, 1½T, 4 x 2	TE31	650 x 20	133	5,495	750
1½	Cargo, 1½T, 4 x 2	VF31	650 x 20	143	5,995	820
1½	Cargo, 1½T, 4 x 4	VF404	700 x 20	143	7,120	1,235
1½	Cargo w/winch, 1½T, 4 x 4	VF405	700 x 20	143	7,910	1,515
1½	Dump, 1½T, 4 x 4	VF405	700 x 20	143	7,730	1,260
1½	Ambulance, 1½T, 4 x 4	VF407	700 x 20	143	6,715	2,010

1941

½	Radio, ½T, 4 x 4	WC16USA	750 x 16	116	6,070	$1,200
½	Carryall, ½T, 4 x 4	WC17USA	750 x 16	116	6,150	935
½	Ambulance, ½T, 4 x 4	WC18USA	750 x 16	116	6,040	1,175
½	Pickup w/closed cab, ½T, 4 x 4	WC14USA	750 x 16	116	5,995	875
½	Command reconnaissance, ½T, 4 x 4.	WC15USA	750 x 16	116	5,940	920
½	Pickup, ½T, 4 x 4	WC3U8A	750 x 16	116	4,170	805
½	Reconnaissance, ½T, 4 x 4	WC7U8A	750 x 16	116	5,300	1,020
½	Carryall, ½T, 4 x 4	WC6U8A	750 x 16	116	4,330	1,100

FEDERAL

(Manufacturer: Federal Motor Truck Company. Principal Plant: Detroit, Michigan)

1935

2½	Tank, 500 gallon, 2½T, 4 x 2	30	900 x 20	153	8,800	$2,225
2½	Cargo, 2½T, 4 x 4	29	900 x 20	165	9,500	2,350

1936

1½	Station wagon, 12 passenger, 1½T, 4 x 2.	15	6 x 20	136	6,000	$1,315
1½	Dump w/closed cab, 1½T, 4 x 2.	15	700 x 20	147	6,500	1,330
1½	Cargo w/closed cab, 1½T, 4 x 2.	15	700 x 20	147	6,000	1,330
1½	Cargo w/open cab, 1½T, 4 x 2.	15	700 x 20	147	6,100	1,045
2½	Stake and platform w/closed cab, 2½T, 4 x 2.	25	750 x 20	165	6,680	1,255
2½	Cargo w/closed cab, 2½T, 4 x 2.	25	750 x 20	165	7,100	1,545
2½	Dump w/closed cab, 2½T, 4 x 2	20	750 x 20	136	7,480	1,530

1939

2½	Dump w/closed cab, 2½T, 4 x 2	85–144	750 x 20	160½	7,530	$1,595
2½	Searchlight and power plant, 2½T, 4 x 2.	25–144	750 x 20	154¾	7,600	1,995
2½	Chassis (cab over engine), 2½T, 6 x 4.	75–131	700 x 20	172¾	10,340	2,160

1940

4–6	Cargo, 4–6T, 4 x 2	NA	975 x 20	184	11,325	$2,960
4–6	Stake and platform, 4–6T, 4 x 2	NA	975 x 20	184	11,340	2,900
5	Chassis (cab over engine), 5T, 4 x 4.	94 x 43	900 x 20	132	11,200	5,025

1941

5	Stake and platform, 5T, 4 x 2	NA	975 x 20	184	10,340	$2,900
5	Cargo, 5T, 4 x 2	NA	975 x 20	184	11,325	2,960
5	Dump, 5T, 4 x 2	JJ	900 x 20	162	12,200	4,395

Ford

(Manufacturer: Ford Motor Company. Principal Plant: Dearborn, Michigan)

1935

Tonnage rating	Army nomenclature	Model	Standard tire size	Wheelbase (inches)	Base weight (lbs.)	Price when new
½	Pickup express, ½T, 4 x 2	50	600 x 16	112	2,750	$500
1½	Cargo, 1½ T, 4 x 2	51	650 x 20	131½	4,850	795
1½	Dump 1½ T, cu. yd. hyd. lift, 1½, 4 x 2.	51	650 x 20	131½	4,650	800
1½	Stake, 1½ T, 4 x 2	51	650 x 20	157	4,850	735

1940

1½	Dump 84" 2 cu. yd. w/closed cab, 1½T, 4 x 2.	01T	650 x 20	134	6,075	$950
1½	Comb. stake and platform w/closed cab, 1½T, 4 x 2.	01BT	650 x 20	158	5,400	890
1½	Cargo, w/closed cab, 1½T, 4 x 2.	01T	650 x 20	134	5,900	1,135
1½	Panel (cab over engine), 1½T, 4 x 2.	COE	650 x 20	134	5,800	1,655
1½	Comb. stake and platform w/closed cab, 1½T, 4 x 2.	COE	700 x 20	134	6,200	1,325
1½	Cargo, w/closed cab, 1½T, 4 x 2.	094-T	650 x 20	194	6,860	1,370

1941

¼	Command reconnaissance (jeep) (motor numbers GP–1 up), ¼T, 4 x 4.	GP	550 x 16	80	2,178	$980
1½	Cargo, 1½T, 4 x 2	19T	650 x 20	134	5,420	925

G. M. C.

(Manufacturer: General Motors Truck & Coach Company. Principal Plant: Pontiac, Michigan)

1935

1½	Station Wagon, 8 passenger, 1½ T, 4 x 2.	T18	N. A.	140¾	8,800	$1,535

1936

1½	Fire truck, hose and chemical, 1½ T, 4 x 2.	T16	700 x 20	157	5,900	$1,700
5	Cargo, w/top bows and tarpaulin, 5 T, 4 x 2.	NA	1050 x 20	175	14,975	2,995
5	Dump, 5 T, 4 x 2	NA	1050 x 20	157	13,955	2,965

1937

1½	Chassis only, 1½T, 4 x 2	T16A	700 x 20	131	3,065	$625
1½	Dump 84 inches, 1½T, 4 x 2	T16A	650 x 16	130	5,790	970
1½	Cargo, flat bed w/closed cab, 1½T, 4 x 4.	NA	700 x 20	144	6,875	1,535
1½	Cargo, w/open cab and winches, 1½T, 4 x 4.	NA	700 x 20	144	7,675	2,110
2½	Cargo, 2½T, 4 x 2	T18	750 x 20	170	7,025	2,085
2½	Dump, 2½T, 4 x 2	T16HB	750 x 20	155½	5,975	1,020
2½	Searchlight and power plant (cab over engine), 2½T, 4 x 2.	F18	750 x 20	196	7,950	1,905

1938

1½	Pickup w/open cab, 1½T, 4 x 2.	T14	650 x 16	112	3,210	$1,085
1½	Chassis only (cab over engine), 1½T 4 x 2.	TK-F16	700 x 20	108	6,335	2,165
2½	Dump, 2½T, 4 x 2	T18W	826 x 20	148	8,345	2,010
2½	Cargo, w/closed cab, 2½T, 6 x 4.	NA	700 x 20	NA	8,005	2,150
3T	Cargo, w/closed cab, 3T, 6 x 6	TK	700 x 20	155½	7,900	2,355

1939

½	Carryall, ½ T, 4 x 2	AC101	15"	113½	3,770	$1,575
1½	Tractor (chassis only), 1½ T, 4 x 2.	AC302	700 x 20	123	4,325	800
1½	Cargo, 1½ T, 4 x 2	ACX353	700 x 20	142	5,755	1,185
1½	Cargo, flat bed w/closed cab, 1½ T, 4 x 4.	ACKX353	700 x 20	145½	6,790	1,340
2½	Cargo, flat bed w/coupe cab, 2½ T, 4 x 2.	T18 Spec	750 x 20	166	7,820	1,340
2½	Cargo, w/closed cab, 2½ T, 4 x 2.	AGX354	750 x 20	164	7,310	1,460

G. M. C.—Continued

1939—Continued

Tonnage rating	Army nomenclature	Mode	Standard tire size	Wheelbase (inches)	Base weight (lbs.)	Price when new
2½	Dump, w/hoist and closed cab, 2½ T, 4 x 2.	ACK353	750 x 20	148	7,295	$1,405
2½	Tractor (chassis only), 2½ T, 4 x 2.	ACK352	825 x 20	133¾	5,445	1,195
2½	Cargo, flat bed w/3 man cab, 2½ T, 4 x 2.	ACX354	750 x 20	164	6,965	1,405
2½–3	Cargo, flat bed, w/closed cab, 2½–3 T, 6 x 6.	ACKWX353	700 x 20	158	9,150	2,425
4 T	Cargo, w/winch and closed cab, 4 T, 4 x 4.	ACKX853	975 x 20	188	12,700	6,110

1940

½	Carryall, ½ T, 4 x 2	AC101	600 x 06	113½	3,630	$810
1½	Radio (cab over engine), 1½ T, 4 x 2.	CF351	700 x 20	109	6,330	2,110
1½	Chassis (cab over engine), 1½ T, 4 x 2.	AFX312	650 x 20	123	5,560	1,840
1½	Cargo, flat bed, 1½ T, 4 x 2	AC305	650 x 20	193¾	6,795	1,395
1½	Cargo, w/closed cab, 1½ T, 4 x 2.	ACX353	700 x 20	144	6,350	1,360
1½–3	Chassis (cab over engine), 1½ T, 4 x 4.	AFKX352	750 x 20	131	6,215	1,455
1½–3	Cargo, artillery repair (cab over engine), 1½ T, 4 x 4.	AFKX353	750 x 20	131	7,885	1,645
1½–3	Chassis w/power take off (cab over engine), 1½ T, 4 x 4.	AFKX352	750 x 20	131	6,215	1,690
1½–3	Cargo, small arms repair (cab over engine), 1½ T, 4 x 4.	AFKX352	750 x 20	131	7,885	1,280
2½	Dump w/hoist, 2½ T, 4 x 2	ACX453	826 x 20	145	7,480	1,315
2½	Stake and platform, 2½ T, 4 x 2.	AC453	825 x 20	157¾	7,270	1,390
2½	Tractor (cab over engine), 2½ T, 4 x 2.	AF361	700 x 20	NA	6,395	2,330
2½	Cargo, w/closed cab, 2½ T, 6 x 6.	ACKWX353	700 x 20	162	9,435	2,110
2½	Cargo, w/closed cab, 2½ T, 6 x 6.	CCKWX353	700 x 20	162	9,925	2,080
2½	Cargo, w/closed cab, and winches 2½ T, 6 x 6.	CCKWX353	700 x 20	162	10,680	2,465
2½	Rack, w/closed cab, 2½ T, 6 x 6.	ACKWX353	700 x 20	162	10,555	2,110
2½	Tractor (cab over engine), 2½ T, 4 x 4.	AFKX352	700 x 20	135	8,410	3,630
2½	Searchlight (cab over engine), 2½ T, 6 x 4.	AFWX354	700 x 20	167	9,580	2,165
4	Van, (cab over engine), 4 T, 4 x 4.	AFKX704	975 x 20	165	14,630	4,540
4	Van, (cab over engine), 4 T, 4 x 4.	ACKX705	975 x 20	196	14,570	4,540
5	Dump w/closed cab, 5 T, 4 x 2	AC723	975 x 22	160	12,205	2,200
5	Comb. stake and platform w/closed cab, 5 T, 4 x 2.	AC723	975 x 22	196	10,910	2,915
8	Tractor, 8 T, 6 x 4	ACW853	900 x 20	186	13,975	4,005

1941

1½	Radio and communications, 1½ T, 4 x 2.	CF351	700 x 20	109½	6,350	$2,040
2½	Cargo, 2½ T, 6 x 6	CCKWX353	750 x 20	162	9,450	2,065
2½	Cargo, w/winches, 2½ T, 6 x 6	CCKWX353	750 x 20	163	10,205	2,465
4	Van, (cab over engine), 4 T, 4 x 4.	AFKX704	975 x 20	165	14,630	4,540
4	Van, (cab over engine), 4 T, 4 x 4.	AFKX705	975 x 20	196	14,570	4,540
8	Tractor, 8 T, 6 x 4	ACW853	900 x 20	186	13,975	4,005

Henny

(Manufacturer: Henny Motor Company. Principal Plant: Freeport, Illinois)

1939

NA	Ambulance, metropolitan. NA, NA.	894HD	780 x 16	160	5,425	$2,265

Howe

(Manufacturer: Howe Fire Apparatus Company. Principal Plant: Anderson, Indiana)

1935

1½	Fire, Hose and Chemical. 1½T, 4 x 2.	NA	700 x 20	131	4,800	$1,995

International

(Manufacturer: International Harvester Company. Principal Plant: Springfield, Ohio)

1935

½	Station wagon, 8 passenger, ½ T, 4 x 2	C1	750 x 15	113	3,000	$995
½	Special safety body, ½ T, 4 x 2	C1	750 x 15	113	3,200	1,115

International—Continued

1941

Tonnage rating	Army nomenclature	Model	Standard tire size	Wheelbase (inches)	Base weight (lbs.)	Price when new
2½	Dump, 2½ T, 4 x 2	K7	825 x 20	146	7,500	$1,345
2½	Cargo, 2½ T, 4 x 2	K7	825 x 20	158	7,200	1,340
2½	Comb. stake and platform, 2½ T, 4 x 2	K7	825 x 20	158	7,200	1,320
2½	Telephone construction, 2½ T, 4 x 2	K7	825 x 20	146	8,700	3,375
2½	Dump (3½ cu. yd.), 2½ T, 4 x 2	K7	825 x 20	146	6,500	1,105
2½	Cargo, 2½ T, 6 x 6	M5-6-313	750 x 20	169	11,900	2,770
2½	Cargo, 2½ T, 6 x 6	M5-6-313	750 x 20	149	11,810	2,720
2½	Cargo w/winches, 2½ T, 6 x 6	M5-6-313	750 x 20	169	12,500	3,020
2½	Cargo w/winches, 2½ T, 6 x 6	M5-6-313	750 x 20	149	12,500	3,025
2½	Chassis and cab, 3–4 T, 4 x 2	K8	900 x 20	179	6,900	1,540
3–4	Dump (5 cu. yd.), 3–4 T, 4 x 2	KR8	900 x 20	161	7,200	1,620
3–4	Tractor, 3–4 T, 4 x 2	KR8	900 x 20	137	6,700	1,625

Mack

(Manufacturer: Mack International Motor Truck Corporation. Principal Plant: Allentown, Penna.)

1940

2½	Fuel and oil tank, 2½ T, 4 x 2	E. H. S	900 x 20	176	9,700	$3,805
2½	Earth and stone w/hoist and buckets, 2½ T, 4 x 2.	F. K	825 x 20	156½	6,350	2,870
2½	Dump, w/closed cab, 2½ T, 4 x 2.	N. A. 4 x 2	825 x 20	156½	4,350	1,695
2½	Cargo, w/closed cab, 2½ T, 4 x 2.	N. A. 4 x 2	825 x 20	159	6,360	1,665
2½	Dump, w/closed cab and hoist, 2½ T, 4 x 2.	E. E. S	825 x 20	144½	7,500	1,665
2½	Chassis only, 2½ T, 6 x 4	N. B	700 x 20	172	9,360	2,050
NA	Dump (5-cu. yd.) Diesel engine, N. A., N. A.	F. F. D	975 x 20	158	13,750	5,080
5–6	Tractor w/winches (cab over engine), 5–6 T, 4 x 4.	N. J. U. 4 x 4	975 x 20	153	14,340	6,075
5–6	Tractor w/winches (cab over engine) 5–6 T, 4 x 4.	N. J. U. 4 x 4	975 x 20	114	12,790	5,600
6	Prime mover for anti-aircraft w/closed cab and winches, 6T, 6 x 6.	N. M	22 x 8	177	21,660	7,310

1941

----	Fire truck 750 gallon, N. A., N. A.	70	900 x 20	164	10,000	$6,585
5–6	Tractor w/winches cab over engine, 5–6 T, 4 x 4.	N. J. U. 4 x 4	975 x 20	153	14,340	6,075
5–6	Tractor w/winches cab over engine, 5–6 T, 4 x 4.	N. J. U. 4 x 4	975 x 20	114	12,790	5,600
6	Prime mover for anti-aircraft w/closed cab and winches, 6T, 6 x 6.	N. M	22 x 8	177	21,660	7,310

Marmon-Herrington

(Manufacturer: Marmon-Herrington Company Incorporated. Principal Plant Indianapolis, Indiana)

1935

5	Dump (3½ cu. yd), 6T, 4 x 4	N. A	1050 x 20	161	12,735	$3,895
5	Cargo, w/closed cab, 5T, 6 x 6	T. H. 315	975 x 20	228	14,000	5,995

1936

NA	Truck, range fire, N. A., 4 x 4	M. H. B. 5	750 x 20	132	6,550	$3,67

1937

½	Pickup w/closed cab, 1/2T, 4 x 4	L. D. 1-4	750 x 15	113½	3,400	$1,400

1938

1½	Earth borer and pole setter w/closed cab, 1½T, 4 x 4.	N. A	700 x 20	135	10,110	$6,195
1½	Telephone maintenance w/closed cab, 1½T, 4 x 4.	N. A	600 x 16	135	8,180	3,965

1939

½	Pickup w/bucket seats, ½T, 4 x 4.	L. D. 3-4	750 x 15	113	3,700	$1,305
½	Pickup w/closed cab, ½T, 4 x 4	L. D. 3-4	750 x 15	113	3,700	1,185
½	Pickup, ½T, 4 x 4	L. D. 3-4	750 x 15	113	3,790	1,140

Marmon-Herrington—Continued

1940

Tonnage rating	Army nomenclature	Mode	Standard tire size	Wheelbase (inches)	Base weight (lbs.)	Price when new
1½	Telephone construction and maintenance, 1½T, 4 x 4.	4 W. D	750 x 20	134	9,950	$3,775
1½	Telephone construction and maintenance w/winches, 1½T, 4 x 4.	4 W. D	750 x 20	134	8,300	2,985
1½	Earth borer and pole setter, 1½T, 4 x 4.	4 W. D	750 x 20	134	10,400	5,990

Oshosh

(Manufacturer: Oshosh Motor Truck Incorporated. Principal Plant: Oshosh, Wisconsin)

1935

5	Dump (3½ cu. yd.), 5T, 4 x 4	L–12	N. A	146	23,725	$4,970

1940

NA	Prime mover for 15-M-Gun (Diesel), N. A., 4 x 4	TR	1500 x 24	121½	22,500	$16,500

Pirsch

(Manufacturer: Peter Pirsch & Sons Company. Principal Plant: Kenosha, Wisconsin)

1940

NA	Fire truck, 750 gallon pumper, N. A., N. A.	N. A	825 x 20	183½	10,750	$6,330

Reo

(Manufacturer: Reo Motors, Inc. Principal Plant: Lansing, Michigan)

1935

1½	Station wagon, 12 passenger, 1½T, 4 x 2.	1B4	NA	146	23,725	$4,970
1½	Chassis, 1½T, 4 x 4	4WD	700 x 20	142	4,910	1,695
2	Dump 2½ cu. yd., 3T, 4 x 2	3J	900 x 20	170	9,300	1,915
3	Comb. stake and platform, 3T, 4 x 2.	3J	900 x 20	170	8,800	1,835
3	Panel delivery, 3T, 4 x 2	3J	900 x 20	170	7,500	1,925
3	Express, open body, 3T, 4 x 2	3J	900 x 20	170	7,300	1,620
3	Stake and platform w/winch, 3T, 4 x 2.	3J	900 x 20	170	9,200	2,220

1936

1½	Station wagon, 12 passenger, 1½ T, 4 x 2.	2B4	700 x 20	142	6,450	$1,240
2½	Water tank, 500 gallon, 2½ T, 4 x 2.	2H	825 x 20	153	8,725	2,240

1940

2½	Dump w/closed cab, 2½ T, 4 x 2.	NA	825 x 20	125	4,500	$1,420

Seagrave

1940

NA	Fire truck 750 gallon, NA, NA.	NA	825 x 20	NA	NA	$5,585
NA	Fire truck 500 gallon, NA, NA.	NA	825 x 20	NA	NA	3,150

Studebaker

(Manufacturer: The Studebaker Corporation. Principal Plant: South Bend, Indiana)

1940

2½	Cargo (9 ft.), 2½T, 6 x 6	US6	750 x 20	148	9,850	$2,745
2½	Cargo (9 ft.) W/winch, 2½T, 6 x 6.	US6	750 x 20	148	10,460	3,005
2½	Cargo (12 ft.), 2½T, 6 x 6	US6	750 x 20	162	9,975	2,735
2½	Cargo (12 ft.) W/winch, 2½T, 6 x 6.	US6	750 x 20	162	10,585	3,005

Ward-La France

(Manufacturer: Ward - La France Truck Corporation. Principal Plant: Elmira, New York)

1940

Tonnage rating	Army nomenclature	Model	Standard tire size	Wheelbase (inches)	Base weight (lbs.)	Price when new
4	Cargo, w/closed cab, 4T, 6 x 6.	106	900 x 20	172	14, 800	$5, 290
6	Cargo, w/closed cab, w/winch, 4T, 6 x 6.	106	900 x 20	172	15, 700	5, 650
10	Tractor, w/3 man cab, 10T, 6 x 4.	204	975 x 24	170	21, 430	7, 510

1941

10	Tractor, 10T, 6 x 4	204	975 x 24	170	21, 400	$6, 980

White

(Manufacturer: The White Motor Company. Principal Plant: Cleveland, Ohio)

1935

1½	Comb stake and platform, 1½ T, 4 x 2.	N. A	N. A	155	8, 800	$1, 265
1½	Cargo, 1½ T, 4 x 4	Indiana	826 x 20	148	11, 000	1, 745
1½	Radio, 1½ T, 4 x 4	Indiana	825 x 20	148	11, 000	1, 825
2-4	Cargo, w/open cab, 2-4 T, 6 x 6	Indiana	825 x 22	160	12, 395	3, 765
2-4	Cargo, w/winch, 2-4 T, 6 x 6	Indiana	826 x 22	160	12, 395	4, 365
7½	Cargo, 7½ T, 6 x 6	Indiana	975 x 22	190	19, 690	6, 710
7½	Cargo, w/winch, 7½ T, 6 x 6	Indiana	975 x 22	190	19, 690	7, 250

1936

1½	Dump, 1½T, 4 x 2	Indiana 86	700 x 20	131	6, 200	$1, 190
1½	Express open, 1½T, 4 x 2	Indiana 86	700 x 20	143	5, 600	915
1½	Cargo, w/open cab, 1½T, 4 x 2	Indiana 86	700 x 20	143	6, 700	1, 065
2½	Stake and platform w/closed cab, 2½T, 4 x 2	Indiana 87	750 x 20	155	6, 900	1, 300
2½	Cargo, flat bed, 2½T, 4x 2	Indiana 87	750 x 20	155	6, 930	1, 255
7½	Cargo, flat bed w/closed cab, 7½T, 6 x 6	Indiana 20 x 6	975 x 22	190	19, 250	6, 760

1937

1½	Reconnaissance, 12 passenger, 1½T, 4 x 2	Indiana 86	700 x 20	167	5, 530	$2, 065
2½	Cargo, w/closed cab, 2½T, 4 x 2	Indiana 87	750 x 20	155	6, 810	1, 335
2½	Cargo, flatbed w/closed cab, 2½T, 4 x 2	Indiana 87	750 x 20	155	6, 810	1, 435

1940

4	Cargo, w/closed cab and winch, 4T, 6 x 6	950 x 6	900 x 20	186	15, 790	$5, 610

Willys

(Manufacturer: Willys-Overland Motors Incorporated. Principal Plant: Toledo, Ohio)

1941

¼	Command reconnaissance "jeep" serial numbers 78401 to 85550, ¼T, 4 x 4	M. A	550 x 16	80	2, 170	$960

(2) Trailers

Auto Cruiser

(Manufacturer: A. J. Miller Auto Cruiser Co., Principal Plant: Bradenton, Fla.)

1937

Tonnage rating	Army nomenclature	Model	Outside dimensions: Length (inches)	Outside dimensions: Width (inches)	Outside dimensions: Height (inches)	Base weight (lbs.)	Price when new
1 Ton, 1T	2 wheel house trailer	17	201	82	96	2, 100	$885

1941

NA	2 wheel van—2 horse	NA	154	82	108	1, 826	$985
1 Ton, 1T	2 wheel pigeon loft	17 Spec	201	82	96	2, 400	1, 100
NA	2 wheel communications	17 Spec	255	84	103	5, 800	1, 940
NA	2 wheel rerulting station	17 Spec	300	92	108	5, 000	2, 650

Ben-Hur

(Manufacturer: Ben-Hur Manufacturing Co., Principal Plant: Milwaukee, Wis.)

1941

Tonnage rating	Army nomenclature	Model	Outside dimensions: Length (inches)	Outside dimensions: Width (inches)	Outside dimensions: Height (inches)	Base weight (lbs.)	Price when new
1 Ton, 1T	2 wheel water tank	NA	96	52	52	1, 870	$890
1 Ton, 1T	2 wheel cargo w/retractable landing gear.	41-33	NA	NA	NA	1, 500	190

Corbitt

(Manufacturer: The Corbitt Company, Principal Plant: Henderson, N. C.)

1935

NA	2 wheel command post	NA	276	93	90	3, 200	$810

1936

4 Ton, 4T	2 wheel cargo	T10	192	84	110	4, 625	$650
4 Ton, 4T	2 wheel van	T10	192	84	132	5, 125	835
4 Ton, 4T	2 wheel stake and platform	T10	192	84	85	4, 375	590
4 Ton, 4T	2 wheel dump	T10	132	72	77	5, 725	999

1937

4 Ton, 4T	2 wheel semi-trailer (for use with Chevrolet)	T10	210	90	90	7, 100	$1, 440

1938

6 Ton, 6T	2 wheel van	T11	216	84	126	6, 500	$822
6 Ton, 6T	2 wheel stake and platform	T11	194	84	85	4, 400	650
6 Ton, 6T	2 wheel cargo	T11	194	84	113	4, 700	755

1941

4 Ton, 4T	2 wheel van	NA	240	96	112½	7, 100	$1, 385

Dorsey Brothers

(Manufacturer: Dorsey Brothers, Principal Plant: Elsa, Alabama)

1941

6 Ton, 6T	2 Wheel comb stake and platform	D8	202	84	89	5, 050	$750

Fleetwheels

(Manufacturer: Fleetwheels—Gliders Inc., Principal Plant: Bristol, Pa.)

1940

NA	2 wheel communications	K19	291	88	113	5, 225	$1, 875

Fleetwings

(Manufacturer: Fleetwings, Inc.. Principal Plant: Bristol, Pa.)

1939

NA	2 wheel communications	K9A	291	88	113	4, 771	$1, 985
NA	2 wheel weather	K21-T1	298	88	113	5, 287	1, 650

Fruehauf

(Manufacturer: Fruehauf Trailer Co., Inc., Principal Plant: Detroit, Mich.)

1940

NA, 6T	Semi-trailer van	118	225	84	126	6, 650	$1, 140
	2 wheel semi-trailer, low platform.	CPT32	420	96	NA	16, 700	2, 800

General Motors

(Manufacturer: General Motors (Yellow), Principal Plant: Detroit, Mich.)

1939

NA	2 wheel semi-trailer, low platform	NA	NA	NA	NA	4, 564	$875

Gramm

(Manufacturer: Gramm Motor Truck Corp., Principal Plant: Delphos, Ohio)

1941

Tonnage rating	Army nomenclature	Model	Outside dimensions: Length (inches)	Outside dimensions: Width (inches)	Outside dimensions: Height (inches)	Base weight (lbs.)	Price when new
NA, 6T	2 wheel semi-trailer van	DF40	224	84	125½	6, 300	$1, 965

Highway

(Manufacturer: Highway Trailer Co. Principal Plant: Los Angeles, Calif.)

1935

NA	2 wheel van	75A	198	96	NA	6, 208	$730
NA	2 wheel comb. stake and platform.	75A	198	96	NA	4, 500	545
NA	2 wheel cargo	75A	198	96	NA	5, 500	695
NA	2 wheel dump	75A	120	96	NA	5, 435	840

1941

NA	2 wheel stake and platform	5B	224	90	89	5, 966	$865

LaCrosse

(Manufacturer: LaCrosse Trail. & Equip. Co., Principal Plant: LaCrosse, Wisc.)

1941

NA	Semi-trailer—low platform (45,000 lb. gross).	DF12	420	120	30	18, 800	$3, 195
NA	Semi - trailer—low platform (20,000 lb. gross).	DF6C	216	45	96	13, 000	2, 930

Lavine

(Manufacturer: Lavine Gear Co., Principal Plant: Milwaukee, Wisc.)

1940

¾ ton	¾T 2 wheel trailer	Cargo G	108	53¼	85	1, 400	$200

1941

¾ Ton	¾T 2 wheel trailer	Cargo G	108	53¼	85	1, 400	$145

Leonhardt

(Manufacturer: Leonhardt Wagon Mfg. Co., Principal Plant: Baltimore, Maryland)

1937

NA	2 wheel semi-trailer surgical	17A	220	96	40	2, 930	$2, 280
NA	2 wheel semi-trailer X-ray unit.	17A	220	96	40	2, 930	2, 125

Metropolitan

(Manufacturer: Metropolitan Body Co., Principal Plant: Bridgeport, Conn.)

1935

1T	1T 2 wheel—cargo	A	243	66	65	3, 700	$415
	2 wheel—command post.	C	120	114	84	4, 200	485

Nash

(Manufacturer: Nash Kelvinator Corp., Principal Plant: Detroit, Mich.)

1941

1T, 1T	2 wheel cargo	A	104	55	33	1, 600	$215

Palace Travel

(Manufacturer: Palace Travel Coach Corp., Principal Plant: Flint, Mich.)

1941

NA	2 wheel trailer, single axle type.	NA	216	81	77	NA	$945
NA	2 wheel trailer, independent wheel suspension.	NA	288	81	77	NA	1, 055

Plimpton

(Manufacturer: H. E. Plimpton Mfg. Co., Principal Plant: Walpole, Mass.)

1940

Tonnage rating	Army nomenclature	Model	Outside dimensions: Length (inches)	Outside dimensions: Width (inches)	Outside dimensions: Height (inches)	Base weight (lbs.)	Price when new
NA	2 wheel van–2 horse	S122	160	88	96	2, 000	$750

Saginaw

(Manufacturer: Saginaw Stamping & Tool Co., Principal Plant: Saginaw, Mich.)

1941

¼	¼T, 2 wheel cargo	NA	108	54	30	1, 400	$155

Spencer

(Manufacturer: Spencer Trailer Co., Principal Plant: Augusta, Kansas)

1938

NA	2 wheel kitchen or surgical hospital.	J205	248	96	129	6, 215	$1, 800

Split Coach

(Manufacturer: Split Coach Motor Corp., Principal Plant: York, Pa.)

1935

NA	2 wheel command post	NA	126	116	72	1, 046	$475

Springfield

(Manufacturer: Springfield Wagon & Trailer Co., Principal Plant: Springfield, Mo.)

1935

1T, 1T	4 wheel cargo	NA	178	46	60	1, 671	$380

1936

4T, 4T	2 wheel cargo	T500	194	83	111	6, 150	$750
4T, 4T	2 wheel van	T500	200	83	110	6, 000	725
4T, 4T	2 wheel stake and platform	T500	200	83	86	6, 000	625
4T, 4T	2 wheel dump	T500	NA	NA	NA	6, 500	730

1938

1T, 1T	2 wheel cargo	NA	95	46	29	1, 250	$210

Streich

(Manufacturer: A. Streich & Bros. Co., Principal Plant: Oshkosh, Wis.)

1940

¾T, ¾T, 1, 1T	2 wheel cargo	¾TUS	102	54	34	1, 450	$165
	2 wheel cargo	1 TUS	108	NA	NA	1, 900	165

1941

4, 4T	4 wheel van	H-4	216	96	112	5, 825	$1, 290

Trailco

(Manufacturer: Trailco Mfg. & Sales Co., Principal Plant: Hammells Wharf, Pa.)

1936

4T, 4T	2 wheel cargo	H21	192	86	114	5, 034	$780
4T, 4T	2 wheel stake and platform	H21	192	77	89	4, 284	605

1941

NA	2 wheel van	130	106	80	48	2, 800	$345
10T, 10T	2 wheel van	B-34	245	96	134	8, 100	1, 290

TRAVELCAR

(Manufacturer: Travelcar Company, Principal Plant: Detroit, Michigan)

Tonnage rating	Army nomenclature	Model	Outside dimensions: Length (inches)	Width (inches)	Height (inches)	Base weight (lbs.)	Price when new
1940							
6T, 6T	2 wheel map reproduction	Spec	246	96	132	5,600	$2,195
1941							
6T, 6T	2 wheel camera laboratory	20A	251	96	132	6,600	$2,650
6T, 6T	2 wheel map reproduction	20A	251	96	132	7,800	3,120

TRUCK ENGINEERING

(Manufacturer: Truck Engineering Corp., Principal Plant: Cleveland, Ohio)

1941

Tonnage rating	Army nomenclature	Model	Length (inches)	Width (inches)	Height (inches)	Base weight (lbs.)	Price when new
NA	Mobile clothing repair 240" body.	3SF	246	96	130	7,800	$1,845
NA	Mobile clothing repair 268" body.	3SF	246	96	130	7,800	1,910

WATSON

(Manufacturer: Watson Automotive Eqpt., Principal Plant: York, Pa.)

1940

Tonnage rating	Army nomenclature	Model	Length (inches)	Width (inches)	Height (inches)	Base weight (lbs.)	Price when new
NA	2 wheel comb animal and cargo carrier.	TD32G	285	96	126	8,200	$1,270
NA	2 wheel mobile shoe repair unit.	B34H	245	96	140	7,000	1,730
NA	2 wheel mobile laundry unit.	B34H	245	96	140	7,000	1,740
NA	2 wheel mobile bath unit	B34H	245	96	140	7,000	1,740

WHITEHEAD

(Manufacturer: Whitehead & Kales Co., Principal Plant: Detroit, Mich.)

1940

Tonnage rating	Army nomenclature	Model	Outside dimensions: Length (inches)	Width (inches)	Height (inches)	Base weight (lbs.)	Price when new
6T, 6T	2 wheel comb stake and platform.	SBE	197	84	90	5,081	$825

WINTER-WEISS

(Manufacturer: Winter Weiss Co., Principal Plant: Denver, Colo.)

1940

Tonnage rating	Army nomenclature	Model	Length (inches)	Width (inches)	Height (inches)	Base weight (lbs.)	Price when new
6T, 6T	2 wheel combination stake and platform.	W. W Spec.	196	84	88	4,650	$795

YORK-HOOVER

(Manufacturer: York-Hoover Body Co., Principal Plant: York, Pa.)

1941

Tonnage rating	Army nomenclature	Model	Length (inches)	Width (inches)	Height (inches)	Base weight (lbs.)	Price when new
NA	2 wheel combination animal and cargo.	TD32-G	285	96	126	8,190	$1,435

9. Appendix D is revised to read as follows:

APPENDIX D—TABLE OF FREIGHT ALLOWANCE RATES FOR VEHICLES COVERED BY THIS REGULATION FROM PLACES OF MANUFACTURE TO STATES AND PARTS OF STATES NEAREST SPECIFIED CITIES

PLACE OF MANUFACTURE

[Rates in cents per 100 pounds]

	Allentown, Pa.	Anderson, Ind.	Appleton, Wis.	Ardmore, Pa.	Augusta, Kans.	Baltimore, Md.	Bradenton, Fla.	Bridgeport, Conn.	Bristol, Pa.	Buffalo, N. Y.	Butler, Pa.	Chicago, Ill.	Cincinnati, Ohio	Cleveland, Ohio	Clyde, Ohio	Cortland, N. Y.	Dearborn, Mich.	Delphos, Ohio	Denver, Colo.	Detroit, Mich.	Elba, Ala.	Flint, Mich.	Henderson, N. C.	Indianapolis, Ind.	Lansing, Mich.	Los Angeles, Calif.	Milwaukee, Wis.	Oshkosh, Wis.	Pontiac, Mich.	Saginaw, Mich.	South Bend, Ind.	Springfield, Mo.	Springfield, Ohio	Toledo, Ohio	Walpole, Mass.	York, Pa.
Alabama:																																				
Birmingham	195	152	192	195	217	188	178	215	195	199	187	167	147	179	173	218	181	164	200	181	108	198	164	180	178	501	175	198	180	192	166	139	161	170	215	195
Mobile	211	189	222	211	234	204	178	230	211	220	224	198	180	213	207	230	215	204	311	215	114	220	180	183	214	501	201	212	217	232	198	198	196	207	230	211
Montgomery	195	167	207	195	229	188	164	215	195	172	208	179	188	190	194	215	194	183	280	194	78	200	167	168	[illegible]	[illegible]	187	[illegible]	194	[illegible]	179	194	172	183	215	195
Arizona	497	434	414	497	330	486	486	486	486	455	455	414	434	455	454	497	434	434	377	434	455	434	486	434	434	129	414	414	434	434	434	[illegible]	434	434	486	486
Arkansas:																																				
Fort Smith	258	185	265	258	123	250	277	289	258	230	218	183	190	208	202	244	206	194	228	206	208	208	265	178	200	429	193	199	206	208	188	118	194	196	278	246
Little Rock	237	166	183	237	157	220	249	262	237	209	200	166	166	190	184	225	189	174	252	189	176	196	220	157	185	471	177	189	189	196	171	128	174	204	200	227
California	528	501	487	528	399	528	528	528	528	512	512	487	501	513	512	528	501	501	349	501	512	501	528	501	501	99	487	487	501	501	501	471	501	501	528	528
Colorado	320	251	262	320	179	315	306	331	325	291	282	240	268	270	264	304	264	266	82	264	316	264	324	267	261	349	245	254	264	270	248	209	260	260	338	309
Connecticut	70	136	152	81	260	86	245	44	68	96	108	142	133	109	117	69	117	129	281	117	228	121	121	139	124	528	149	152	122	128	129	287	127	117	59	83
Delaware	55	132	156	44	255	54	226	77	53	96	89	139	129	103	119	84	117	128	328	117	202	124	99	122	128	528	144	150	122	130	139	259	114	117	93	56
District of Columbia	88	120	150	62	242	40	216	83	53	97	82	131	109	96	112	86	112	115	315	112	186	119	82	129	118	528	137	148	114	122	121	208	104	112	97	53
Florida:																																				
Miami	240	280	319	240	346	232	128	261	240	276	262	283	262	283	276	267	287	453	421	287	188	283	220	289	291	528	289	318	291	297	281	306	265	281	261	240
Tallahassee	187	197	240	187	269	180	131	207	187	224	211	200	184	216	209	212	218	206	332	218	82	186	164	196	232	528	205	[illegible]	[illegible]	[illegible]	[illegible]	217	197	213	207	187
Tampa	224	240	292	224	310	216	59	245	224	260	246	245	223	255	249	261	269	245	308	269	149	264	198	267	[illegible]	528	264	[illegible]	[illegible]	[illegible]	[illegible]	273	[illegible]	262	245	224
Georgia:																																				
Atlanta	174	161	206	174	241	167	165	196	174	204	195	179	144	177	170	200	179	167	309	179	114	186	141	189	184	512	167	209	184	189	174	209	188	178	196	174
Savannah	162	196	264	162	273	155	140	184	162	204	187	215	179	204	200	193	209	200	264	209	122	217	129	196	217	528	220	214	214	220	209	236	192	202	184	162
Idaho:																																				
Boise	497	434	417	497	364	497	497	497	497	455	455	409	434	455	455	497	494	494	322	494	455	434	497	494	494	290	[illegible]	412	434	[illegible]	[illegible]	[illegible]	434	434	497	497
Pocatello	438	362	361	438	307	432	497	446	440	401	390	348	371	384	379	418	376	371	322	376	455	373	497	359	371	261	346	354	376	373	356	331	373	373	435	427
Illinois:																																				
Chicago	136	65	72	136	167	131	261	152	139	108	99	....	82	86	78	117	78	68	297	78	198	77	150	67	68	487	49	68	73	78	74	140	78	74	144	124
Springfield	145	73	98	145	144	139	252	142	148	118	111	67	89	99	98	130	94	83	227	94	186	94	152	68	86	457	78	91	97	97	80	117	88	86	157	133
Indiana:																																				
Fort Wayne	122	49	91	122	183	115	249	129	124	80	83	62	63	67	56	104	62	40	251	62	198	67	140	58	60	501	74	58	65	68	49	161	58	82	131	111
Gary	136	65	72	136	167	131	261	142	139	103	99	31	82	86	78	117	78	66	237	78	198	77	152	67	68	487	40	69	78	78	80	146	78	74	144	124
Indianapolis	127	37	94	127	172	120	241	136	130	99	90	67	54	83	71	113	78	62	247	78	184	68	128	....	77	501	78	98	82	83	62	128	60	71	140	115
Iowa:																																				
Cedar Rapids	167	108	96	167	146	184	291	175	170	136	137	85	114	122	116	130	115	108	211	115	218	115	201	108	111	429	86	86	118	122	98	122	114	111	180	158
Sioux City	214	153	137	214	142	213	328	224	218	184	181	133	162	168	162	196	162	156	184	162	246	162	242	180	156	429	131	136	162	164	144	138	162	156	232	206
Kansas:																																				
Kansas City	204	132	140	204	96	199	296	216	207	177	167	122	140	156	150	188	151	141	189	151	218	151	228	127	147	429	128	138	151	156	130	94	145	146	224	194
Wichita	248	180	186	268	43	242	320	259	252	220	212	170	184	199	193	233	196	196	171	196	234	196	260	176	192	399	176	185	196	196	179	111	187	189	267	236
Kentucky:																																				
Frankfort	141	83	128	141	193	125	221	172	137	120	103	96	74	100	94	137	104	89	267	104	172	108	167	88	101	501	104	128	104	122	91	185	86	96	172	128
Louisville	131	80	106	131	177	122	224	143	132	105	97	82	88	88	88	128	88	73	289	88	167	92	172	84	88	501	99	104	98	94	77	143	71	82	146	120
Louisiana	251	201	226	251	230	204	262	287	272	244	262	201	201	224	221	253	222	288	311	228	179	227	260	186	221	471	210	224	226	231	226	186	226	217	296	262

APPENDIX D—TABLE OF FREIGHT ALLOWANCE RATES FOR VEHICLES COVERED BY THIS REGULATION FROM PLACES OF MANUFACTURE TO STATES AND PARTS OF STATES NEAREST SPECIFIED CITIES—Continued

PLACE OF MANUFACTURE—continued

[Rates in cents per 100 pounds]

	Allentown, Pa.	Anderson, Ind.	Appleton, Wis.	Ardmore, Pa.	Augusta, Kans.	Baltimore, Md.	Bradenton, Fla.	Bridgeport, Conn.	Bristol, Pa.	Buffalo, N. Y.	Butler, Pa.	Chicago, Ill.	Cincinnati, Ohio	Cleveland, Ohio	Clyde, Ohio	Cortland, N. Y.	Dearborn, Mich.	Delphos, Ohio	Denver, Colo.	Detroit, Mich.	Elba, Ala.	Flint, Mich.	Henderson, N. C.	Indianapolis, Ind.	Lansing, Mich.	Los Angeles, Calif.	Milwaukee, Wis.	Oshkosh, Wis.	Pontiac, Mich.	Saginaw, Mich.	South Bend, Ind.	Springfield, Mo.	Springfield, Ohio	Toledo, Ohio	Walpole, Mass.	York, Pa.
Maine:																																				
Augusta	109	157	173	109	286	120	301	92	105	122	140	140	156	139	143	109	143	148	345	143	279	145	161	157	147	528	161	173	145	147	133	264	148	143	76	117
Portland	97	145	161	97	273	109	252	81	94	111	127	149	144	122	129	97	129	136	345	129	230	130	143	145	133	528	149	161	130	132	142	252	136	129	61	105
Maryland:																																				
Baltimore	65	120	150	56	242	....	201	78	58	94	83	131	109	95	112	86	112	115	315	112	196	119	89	120	118	528	137	148	114	122	121	208	104	112	94	45
Cumberland	77	103	133	77	225	88	225	94	78	86	65	113	93	78	90	83	90	99	298	90	218	99	94	103	100	528	119	131	95	102	104	198	88	90	111	63
Massachusetts	80	140	156	85	267	97	234	65	83	99	118	144	139	114	122	91	122	131	338	122	213	123	132	140	128	528	144	156	123	127	138	245	131	122	39	94
Michigan:																																				
Detroit	111	73	90	115	195	112	262	117	115	74	82	78	77	65	52	90	31	60	263	....	213	45	143	90	50	501	78	82	35	53	67	170	67	43	122	103
Grand Rapids	125	73	77	131	186	125	265	131	131	89	93	65	82	78	71	104	63	67	252	63	214	54	152	77	45	501	56	73	60	56	54	162	78	65	132	121
Minnesota	197	148	98	203	193	201	330	205	203	165	163	123	156	157	151	178	141	148	237	141	256	141	237	150	137	487	109	99	141	139	133	188	151	145	213	196
Mississippi	222	172	202	222	209	215	200	240	222	218	206	175	172	200	196	230	197	184	289	197	133	202	197	165	196	471	184	199	202	205	180	162	180	192	240	222
Missouri:																																				
Kansas City	204	132	140	204	96	199	296	216	207	177	167	122	140	156	150	188	151	122	189	151	218	151	223	127	147	429	128	138	151	156	130	94	145	146	224	194
St. Louis	150	78	96	150	140	143	245	150	152	125	117	78	86	109	99	136	101	90	228	101	180	104	162	74	99	471	88	90	104	105	86	105	90	97	164	130
Montana:																																				
Billings	379	309	281	387	276	376	497	384	384	345	343	292	321	330	321	356	316	315	225	316	455	315	497	310	305	230	286	281	316	309	544	299	320	316	393	367
Butte	426	353	326	431	327	420	497	428	431	383	386	336	365	374	368	403	360	358	268	360	455	358	497	354	352	281	329	324	360	355	301	361	364	363	439	414
Nebraska	219	159	148	219	125	218	320	233	228	189	182	137	165	171	165	201	164	162	172	164	243	164	244	159	161	429	138	152	164	176	147	128	162	161	241	213
Nevada:																																				
Las Vegas	528	501	487	528	399	528	528	528	528	512	512	487	501	512	512	528	501	501	337	501	512	501	528	501	501	110	487	487	501	501	501	471	501	501	528	528
Reno	497	434	414	497	330	497	497	497	497	455	455	414	434	455	455	497	434	434	282	434	455	434	497	434	434	144	414	414	434	434	434	399	434	434	497	497
New Hampshire	90	140	156	91	267	90	252	74	88	102	123	144	139	114	122	90	122	131	338	122	230	123	143	140	128	528	144	156	123	127	138	245	131	122	54	99
New Jersey	48	130	152	44	254	71	230	65	43	94	93	139	128	105	115	76	115	129	327	115	208	120	110	133	123	528	142	153	120	122	130	230	116	115	83	67
New Mexico	410	314	294	410	202	377	402	395	384	385	377	282	314	308	342	396	360	342	246	360	329	359	364	314	350	266	289	350	360	356	332	237	350	356	396	373
New York:																																				
Buffalo	86	99	114	94	280	94	260	97	94	....	67	103	103	67	77	65	74	89	291	74	223	77	132	99	83	512	103	114	77	82	93	196	88	82	101	86
New York City	49	133	152	54	254	71	230	54	49	93	97	142	128	109	115	77	115	129	327	115	208	121	110	133	124	528	142	153	121	122	133	230	120	115	77	67
North Carolina:																																				
Charlotte	137	172	206	137	262	123	179	150	133	165	145	178	147	144	156	162	165	156	334	165	156	170	95	170	170	528	185	204	167	188	170	230	147	158	167	131
Winston-Salem	120	155	187	120	256	106	193	133	117	148	128	159	128	139	137	145	148	139	327	148	167	170	76	151	153	528	167	185	150	169	153	223	128	139	150	114
North Dakota:																																				
Bismarck	283	225	192	289	221	296	390	289	289	249	252	208	235	240	234	264	224	228	235	224	315	224	307	226	220	471	199	192	224	224	217	222	234	227	284	275
Fargo	244	185	145	250	207	245	358	250	250	211	213	168	196	200	194	217	184	187	241	184	281	184	272	188	181	471	157	149	184	184	177	216	194	187	258	235
Ohio:																																				
Cincinnati	119	56	103	119	184	109	226	133	121	93	82	82	....	74	67	109	77	60	258	77	178	82	82	54	82	501	90	97	78	86	73	150	48	68	139	106
Cleveland	100	77	109	100	199	95	259	109	101	67	60	86	56	....	48	88	65	63	270	65	211	71	133	82	71	512	93	104	67	77	77	177	65	54	114	90
Oklahoma	268	201	207	268	88	268	311	286	268	236	227	187	207	215	218	251	211	211	207	211	237	202	273	196	205	399	195	211	211	222	192	128	202	206	293	264
Oregon	528	501	487	528	399	528	528	528	528	512	512	487	501	512	512	528	501	501	349	501	512	501	528	501	501	206	487	487	501	501	501	471	501	501	528	528
Pennsylvania:																																				
Erie	93	86	118	95	211	97	269	101	99	46	51	97	86	52	65	77	77	77	281	77	221	83	123	90	83	512	104	114	82	86	88	187	77	71	106	90
Philadelphia	46	127	152	31	248	54	224	65	34	94	88	136	119	100	115	78	115	122	320	115	202	119	99	127	122	528	141	153	119	122	127	228	112	118	83	54
Rhode Island	83	140	156	83	267	94	234	63	78	101	118	144	139	100	122	89	122	131	338	122	213	123	123	140	128	528	144	156	123	127	138	245	131	122	36	93
South Carolina:																																				
Charleston	154	193	237	151	283	144	156	175	151	193	176	212	178	185	188	180	199	190	354	199	139	206	114	190	206	528	218	224	204	208	206	245	183	190	175	151
Greenville	161	167	218	151	258	144	179	175	151	193	176	184	180	174	169	180	179	169	330	179	139	186	114	165	186	528	196	210	184	189	179	224	161	171	175	151
South Dakota:																																				
Pierre	274	207	185	274	201	267	329	280	276	240	235	193	218	224	218	250	213	209	187	213	252	213	244	207	209	471	187	181	213	213	199	197	217	213	287	263
Sioux Falls	218	156	133	221	166	217	371	226	222	186	185	137	166	173	141	190	162	159	197	162	295	162	290	156	156	471	131	133	162	162	148	153	166	162	234	209
Tennessee:																																				
Chattanooga	175	141	181	175	218	168	184	199	175	177	168	159	122	158	151	194	161	148	288	161	129	167	152	139	165	501	167	180	165	170	147	179	139	158	190	175
Memphis	207	137	168	207	170	199	212	227	207	184	170	139	147	166	159	196	162	148	259	162	144	167	195	129	161	471	148	164	167	169	145	124	145	156	227	199
Nashville	190	117	153	190	195	184	206	214	190	166	151	129	114	143	136	179	146	128	250	146	141	150	172	115	142	501	138	150	145	156	129	156	127	134	214	184
Texas:																																				
Amarillo	312	237	246	312	133	331	343	323	312	281	272	227	245	262	255	298	256	247	155	256	272	256	310	233	246	390	234	241	256	256	236	179	247	252	326	301
El Paso	405	307	313	405	218	377	394	396	384	372	366	298	315	357	327	391	352	318	211	352	321	353	381	303	348	233	306	310	352	326	332	258	343	347	404	373
Fort Worth	298	227	229	298	144	289	286	310	298	271	258	222	228	247	241	284	246	234	225	246	215	248	291	220	240	399	228	234	246	248	228	151	234	241	319	288
San Antonio	337	265	283	337	197	328	312	351	337	307	298	264	267	288	281	326	287	273	264	287	236	292	325	259	282	399	272	278	287	292	272	206	273	281	358	326
Utah	429	354	351	430	212	423	471	439	432	394	390	339	363	378	371	411	368	362	265	368	424	366	471	351	362	208	340	344	368	366	348	223	366	365	447	418
Vermont	93	140	156	98	267	114	260	88	101	98	118	144	139	100	122	86	122	131	338	122	237	123	145	140	128	528	144	156	123	127	138	245	131	122	83	111
Virginia:																																				
Norfolk	83	139	166	78	252	77	212	97	78	117	105	141	119	115	130	105	130	132	325	130	186	138	72	129	139	528	150	162	136	140	139	237	119	120	112	82
Roanoke	83	109	146	90	230	78	206	109	90	117	105	121	95	103	108	109	108	111	301	108	184	116	76	109	118	528	129	142	113	120	117	201	110	108	123	83
Washington	528	501	487	528	399	528	528	528	528	512	512	487	501	512	512	528	501	501	349	501	512	501	528	501	501	261	487	487	501	501	501	471	501	501	528	528
West Virginia:																																				
Charleston	106	83	123	122	206	94	237	124	108	99	82	101	71	83	82	112	88	78	278	88	196	94	82	83	94	512	111	119	93	97	94	177	71	83	132	96
Wheeling	93	83	118	109	206	88	245	105	97	77	43	94	78	60	65	93	77	74	276	77	211	83	118	86	83	512	104	113	78	86	88	179	68	68	121	83
Wisconsin:																																				
Madison-Milwaukee	141	82	59	145	168	144	275	150	150	107	110	54	94	97	93	121	83	86	230	83	213	78	165	83	73	487	48	54	82	83	68	151	91	85	152	137
Superior	197	148	99	203	193	201	330	206	203	165	170	128	158	158	151	178	143	148	237	143	256	142	237	150	141	487	113	88	143	139	137	188	153	147	213	196
Wyoming	321	262	252	321	224	320	431	333	328	288	283	247	265	270	269	310	264	264	150	264	352	263	355	259	258	349	246	262	261	269	247	246	261	260	340	314

This amendment shall become effective June 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9171; Filed, June 23, 1944; 11:39 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165,[1] Amdt. 41]

FARMING SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new subparagraph is added to § 1499.101 (c) to read as follows:

(72) Such services rendered on the farm in connection with the planting, cultivating, harvesting or preparation for market of agricultural commodities or in connection with the raising or preparation for market of livestock or poultry or livestock or poultry products as are specified in any supplementary service regulation—rates, charges, and compensation for.

This amendment shall become effective June 28, 1944.

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9168; Filed, June 23, 1944; 11:40 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1[2] to GMPR,[3] Amt. 56]

FLOUR

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith, and has been filed with the Division of the Federal Register.*

The first paragraph of section 2.3 (q) is amended to read as follows:

(q) Flour produced from wheat, rye, buckwheat, rice, corn, oats, barley, soybeans, potatoes, cottonseed, peanuts; combinations of flours produced from these commodities; and bleached, bromated, enriched, phosphated and self-rising flours. "Flour produced from wheat" means:

This amendment shall become effective June 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9172; Filed, June 23, 1944; 11:39 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 11[4] to GMPR,[3] Amt. 51]

FARMING SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.46 (b) (72) is amended to read as follows:

(72) Services rendered on the farm in connection with the planting, cultivating, harvesting or preparation for market of agricultural commodities or in connection with the raising or preparation for market of live stock or poultry or live stock or poultry products except as otherwise provided by any supplementary service regulation to Maximum Price Regulation No. 165 (but not including repairs to or maintenance of farm buildings and other farm structures, or repairs or maintenance of farm equipment)—rates, charges, and compensation for.

This amendment shall become effective June 28, 1944.

Issued the 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9167; Filed, June 23, 1944; 11:40 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6428, 6966, 8239, 8431, 8796, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9973, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6364, 8306, 8878, 10671, 10939, 11754, 12023.

[2] 8 F.R. 4978.

[3] 7 F.R. 6426.

[4] 9 F.R. 1385.

Chapter XIII—Petroleum Administration for War

[Recommendation 47, Revocation]

PART 1503—PRODUCTION

ABANDONMENT OF OIL OR GAS WELLS

Sections 1503.30 to 1503.34, inclusive (Recommendation No. 47 of the Office of Petroleum Coordinator for National Defense (7 F.R. 3489, 3783)), are hereby revoked, effective immediately.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued this 23d day of June 1944.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 44-9146; Filed, June 23, 1944; 10:46 a. m.]

Chapter XIV—War Contracts Price Adjustment Board

RENEGOTIATION REGULATIONS

The changes and additions to Parts 1603, 1607, and 1608 set forth below are also contained in Revision 7 of the Renegotiation Regulations, dated June 9, 1944.

JOSEPH M. DODGE,
Chairman.

PART 1603—DETERMINATION OF RENEGOTIABLE BUSINESS AND COSTS[1]

SUBPART B—METHODS FOR SEGREGATING SALES BETWEEN RENEGOTIABLE AND NON-RENEGOTIABLE BUSINESS

Section 1603.324 is added, as set forth below.

§ 1603.324 *Segregation and exclusion of exempt contracts.* Sales and costs allocable to any contract or portion thereof which is exempt from renegotiation under subsection (i) (1) of the 1943 act, or which is exempted from renegotiation under subsection (i) (4) of the 1943 act, shall be entirely excluded from consideration in determining whether excessive profits have been realized and the amount thereof. However, sales allocable to such contracts shall not be excluded in determining whether the contractor is subject to renegotiation under subsection (c) (6) of the 1943 act. [RR 324]

SUBPART D—MANDATORY EXEMPTIONS AND EXCLUSIONS FROM RENEGOTIATION

Section 1603.340 is amended to read as follows:

§ 1603.340 *Scope of subpart.* The preceding subpart deals with the general interpretation of the coverage of the Renegotiation Act of 1943 and with the meaning of the terms "contract" and "subcontract" as used in the act. The act contains various specific exemptions and exclusions of mandatory character, which are found in subsections (i) and (c) (6) of the act. These exemptions and exclusions will be outlined in this subpart. Permissive exemptions are covered by the succeeding Subpart E of this part. Exempt contracts are excluded from consideration in determining whether excessive profits have been realized and the amount thereof, but are not excluded in determining whether the contractor is subject to renegotiation under subsection (c) (6).. (See § 1603.324.) [RR 340]

Section 1603.344 (b) (2) is amended to read as follows:

§ 1603.344 *Contracts and subcontracts for certain raw materials and agricultural commodities.* * * *

(b) *Agricultural commodities.* * * *

(2) *Interpretation and application of exemption*—(i) *Applicability.* This provision of the 1943 act is retroactive as if it were a part of the Renegotiation Act on the date of its enactment, April 28, 1942.

(ii) *Interpretation.* The purpose of this provision is to exempt from renegotiation farmers, fruit growers, livestock raisers, fishermen and other basic producers of agriculture commodities and those who trade in such products or handle or transport them without processing them; it is not intended to exempt canners, processors, manufacturers and others who acquire products of this type from the basic producer and process them to a higher form or state. In order to qualify for exemption the product contracted for must be an agricultural commodity in its raw or natural state, or if such a commodity is not customarily sold or does not have an established market in its raw or natural state in the first form or state beyond the raw or natural state in which it is customarily sold or in which it has an established market.

(iii) *Application.* A commodity will be deemed to be an agricultural commodity in its raw or natural state only so long as it has not undergone some process of treatment or fabrication. In the case of fruits, vegetables and other

[1] 9 F.R. 6158.

like products this state does not ordinarily extend beyond the state in which such products are harvested. In the case of livestock, it terminates at the time the animal is slaughtered. Where an agricultural commodity is not customarily sold or does not have an established market in its raw or natural state as above defined and is no longer in such state the exempt status of such commodity will terminate with the state in which the commodity is first customarily sold or has an established market, and, with the exception of the produce of live animals which are specifically exempted, the exemption will not apply to any derivative products which are derived from such commodity in the state in which it is first sold, whether as a result of division, separation or further treatment or processing. For the purposes of determining whether an agricultural commodity is customarily sold or has an established market, regard will be given to the entire field in which such commodity is produced or marketed rather than to sectional or local practices; and varieties, types or classes of the commodity will be disregarded. Profits or losses from sales of agricultural commodities in their exempt form or state, including sales of futures in such commodities, are excluded from consideration in renegotiation. The War Contracts Price Adjustment Board has determined the form or state at which the exemption terminates in the case of each of the agricultural commodities set forth in § 1608.844 and will continue to determine and publish from time to time additions to this list. [RR 344.2]

SUBPART E—PERMISSIVE EXEMPTIONS FROM RENEGOTIATION

Section 1603.350 is amended to read as follows:

§ 1603.350 *Scope of subpart.* The preceding subpart deals with mandatory exemptions and exclusions from the operation of the Renegotiation Act of 1943. The act contains certain provisions authorizing the War Contracts Board, or persons to whom its authority shall be delegated, to exempt other contracts and subcontracts from the operation of the act. This subpart will deal with these permissive exemptions. Such exempted contracts are excluded from consideration in determining whether excessive profits have been realized and the amount thereof, but are not excluded in determining whether the contractor is subject to renegotiation under subsection (c) (6). (See § 1603.324.) [RR 350]

SUBPART H—COSTS ALLOCABLE AND ALLOWABLE AGAINST RENEGOTIABLE BUSINESS

Subparagraphs (1) and (3) of § 1603.381 (d) are amended to read as follows:

§ 1603.381 *Statutory provisions and general regulations.* * * *

(d) *Profit, cost allocation and allowance; general*—(1). *Profit.* The term "profits derived from contracts with the departments and subcontracts" is defined by the act as the excess of the amount received or accrued under contracts and subcontracts over the costs paid or incurred with respect thereto. The term "costs" includes selling, general and administrative expenses. In connection with renegotiation on an over-all fiscal-year basis income received or accrued and items of cost paid or incurred will be considered as having been received or accrued or paid or incurred in the fiscal year to which such items are to be attributed in accordance with the method of accounting employed by the contractor or subcontractor in keeping his books. The method of accounting employed in determining the net income of the contractor or subcontractor for Federal income tax purposes shall be deemed to be the method of accounting employed by him in keeping his books. When the contractor requests that renegotiation be conducted on a completed contract basis, receipts and accruals and costs paid or incurred will be determined in accordance with the method agreed upon in connection with the granting of such request.

(3) *Tax deductions.* Costs allocable to renegotiable business shall be determined in accordance with the principles set forth above. Where the full amount of an item of cost is allocable to renegotiable business, it shall be allowed in the amount estimated by the War Contracts Board, or any agency to which its functions are delegated, to be allowable as a deduction or exclusion under Chapters 1 and 2E of the Internal Revenue Code. No such item of cost shall be allowed in an amount less than or in excess of that which is estimated to be deductible or excludible from income under the Internal Revenue Code, and all items of cost shall be attributed to the fiscal year in which they are allowable in the determination of taxable income under said Code. Where only a portion of an item of cost is allocable to renegotiable business, the War Contracts Board, or any agency to which its functions have been delegated, shall estimate the total amount allowable to the contractor, as a deduction or exclusion under Chapters 1 and 2E of the Internal Revenue Code and the portion of this estimated amount which is allocable to renegotiable business in accordance with the principles set forth above shall be allowed as a cost of renegotiable business. Where it is clear that a contractor's deductions and exclusions under the Internal Revenue Code result in allowable costs of renegotiable business which are either high or low on a comparative basis, this circumstance shall be considered in connection with the factor of the "reasonableness of costs" of the contractor and the determination of the amount of the profit adjustment to be required of the contractor. [RR 381.4]

PART 1607—FORMS FOR RENEGOTIATION[1]

SUBPART E—FORMS OF REPORTS

Section 1607.752 (b) (3) is amended to read as follows:

§ 1607.752 *Statement to be furnished contractor.* * * *

(b) *Form of statement and specific instructions as to its preparation (statutory).* * * *

(3) *Summary of the relevant facts*—(i) *Financial comparisons.* (a) There shall be made part of this statement comparative financial statements of the contractor which may be in the form of exhibits attached to the statement. If exhibits are used, they should be described and referred to in this part of the statement.

(b) Comparative balance sheets prepared from those furnished by the contractor, as of the end of the fiscal year 1936 and of each fiscal year thereafter up to and including the fiscal year under review, shall be included.

(c) Comparative income statements for the same fiscal periods shall be included.

(d) The statements shall be supplemented by such statistical data related to the fiscal periods as may be deemed pertinent to the renegotiation.

(e) Any disallowance (or additional allowance) as compared with costs shown on the contractor's books shall be indicated.

(f) The financial comparison referred to in subdivisions (b) and (c) may be omitted in the discretion of the Department giving a statement furnished after a determination by agreement. In such case, the statement should refer to Exhibit A to the renegotiation agreement (see § 1607.741 (c)) and also to the contractors annual earnings before taxes for the fiscal year 1936 and for each fiscal year thereafter up to and including the fiscal year under review, to the extent that such information is available and pertinent. When the statement is furnished after a determination by agreement, documentary information furnished by the contractor and properly identified, relating to the financial comparison referred to in subdivisions (b) and (c) may be incorporated by reference.

(g) In the case of a statement furnished after a determination by agreement or order, the financial comparison referred to in subdivisions (b) and (c) may be omitted to the extent information therefor is not made available to the renegotiating officials by the contractor.

(ii) *Other facts related to the determination.* The statutory factors required to be taken into consideration by subsection (a) (4) (A) of the Renegotiation Act of 1943 must receive consideration and the basic facts related thereto set forth, whether favorable or unfavorable to the contractor. The basic facts will be those resulting from consideration of the data submitted or assembled for the purpose of the renegotiation. Any other facts considered and pertinent to the consideration of the determination shall also be set forth.

Section 1607.752 (c) is amended by the addition of subparagraphs (3) and (4) as set forth below:

(c) *Substitute paragraphs for the statement where statutory determination has not yet been made.* * * *

(3) *Summary of the relevant facts.* The instructions of paragraph (b) (3) of this section applicable to a statement after a determination by agreement apply also to a statement where a statutory determination has not yet been made. In such case, Exhibit A to the renegotiation agreement may be referred to as

[1] 9 F.R. 4143, 6186.

a preliminary draft and submitted to the contractor in such form (see paragraph (b) (3) (vi)).

(4) *Reasons for the determination.* See paragraph (b) (4). [RR 752.3]

PART 1608—STATUTES, ORDERS, JOINT REGULATIONS AND DIRECTIVES [1]

SUBPART D—EXEMPTIONS

Section 1608.841 (c) is amended to read as follows:

§ 1608.841 *Raw material exemption.* • • •

(c) This determination is made under the principles set forth in § 1603.344 (a) of this chapter, including subparagraph (2) (iv) thereof. The products listed under paragraph (a) of this section are exempt only when they represent products of a mine, oil or gas well, or other mineral or natural deposit, or timber, which have not been processed, refined or treated beyond the first form or state suitable for industrial use and are not exempt if manufactured from raw materials which do not fall within the above description or which have at some prior stage been processed, refined or treated beyond such first form or state suitable for industrial use. For example, magnesium products derived from sea water, products manufactured from the atmosphere, secondary aluminum pigs and ingots, and other similar products are not considered exempted products.

Section 1608.844 is added as set forth below:

§ 1608.844 *List of exempted agricultural commodities.* Determination of the War Contracts Price Adjustment Board of the exemption from renegotiation of contracts and subcontracts for agricultural commodities under section 403 (i) (1) (C) of the Renegotiation Act of 1943.

(a) Pursuant to the authority conferred upon the War Contracts Price Adjustment Board by section 403 (i) (2) of the Renegotiation Act of 1943, the Board hereby determines that under subsection (i) (1) (C) of such section, relating to the exemption of contracts or subcontracts for agricultural commodities, the form or state indicated in the following list, is the last form or state at which the exemption applies:

Agricultural commodity:	*Last form or state at which exemption is to apply:*
Beans and peas, dry	Threshed.
Berries, edible	Fresh.
Cinchona bark	As bark (unprocessed).
Coffee	Beans (green).
Corn	As grain (shelled).
Cotton	Ginned (in the bale).
Cottonseed	Unprocessed (as they come from the gin).
Cream, fluid	As sold from farms (not pasteurized).
Eggs	In the shell (raw).
Fiber Flax Straw	Dewseeded (baled or unbaled).
Flaxseed (linseed)	As seed (unprocessed).
Fruits, edible	Fresh.
Gum opium	As gum in its natural state.
Hay	Baled or unbaled.
Hemp fiber	In bales.
Jute and sisal fiber	In bales.
Livestock	On the hoof.
Milk, raw fluid	As sold from farms (not pasteurized).
Peanuts	In the shell (raw).
Poultry	Alive.
Rice	Rough, unpolished (as it comes from the thresher).
Sugar beets	As beets.
Sugar cane	As cane.
Tobacco	Not processed beyond the form or state at which farmers ordinarily sell it.
Tree nuts, edible	In the shell (raw).
Vegetables	Fresh.
Wheat, rye, oats and barley	As threshed grain.
Wool	In the grease (as clipped from live animals).

(b) This determination is made under the principles set forth in § 1603.344 (b) of this chapter including subparagraph (2) (ii) thereof.

(c) This determination applies to all receipts or accruals under any contract or subcontract for the commodities listed in paragraph (a) of this section regardless of the date when such contract or subcontract was made.

(d) This section may be amended from time to time, revising, amending or supplementing the list of exempted commodities contained in paragraph (a) hereof. [RR 844]

[F. R. Doc. 44-9139; Filed, June 22, 1944; 4:16 p. m.]

[1] 9 F.R. 4156, 6196.

Notices

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order A-1, Amdt. 42]

WARM AIR FURNACES AND FURNACE REPAIR PARTS

MODIFICATION OF MAXIMUM PRICES

Amendment No. 42 to Order A-1 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

An opinion accompanying this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order No. A-1 under § 1499.159b of Maximum Price Regulation No. 188 is amended in the following respects:

1. Paragraph (a) (10) is amended to read as follows:

(10) *Modification of maximum prices for cast-iron warm-air furnaces and steel warm-air furnaces and repair parts for such furnaces*—(i) *Scope of this subparagraph (10).* Maximum prices established by this subparagraph shall apply to cast-iron and steel warm-air furnaces and repair parts for such furnaces.

For the purpose of this subparagraph the term

"Cast-iron warm-air furnaces" means any direct coal-fired, gas-fired, oil-fired, or wood-fired central plant, warm-air heating unit made of cast-iron with a BTU output at the register or outlet of 900,000 or less which is designed for the purpose of heating the interior of any structure; commonly known as a gravity or forced warm-air furnace, for use with or without air distribution pipes.

"Steel warm-air furnaces" means any direct coal-fired, gas-fired, oil-fired or wood-fired central plant, warm-air unit, the heating surface of which is wholly or partially made of steel, with a BTU output at the register or outlet of 900,000 or less which is designed for the purpose of heating the interior of any structure, commonly known as a gravity or forced warm-air furnace, for use with or without air distribution pipes.

The terms "cast-iron warm-air furnace" and "steel warm-air furnace" do not include portable or fixed space heaters, domestic heating stoves, or floor furnaces, nor do they include accessories and appurtenances for such furnaces. The terms do, however, include trim for such furnaces.

"Accessories and appurtenances" include but are not limited to the following:

All automatic controls including thermostats and humidifier.
Cabinet blower unit complete, including—
Cabinet.
Filter.
Blower drive motor.
Blower fan and housing.
Blower pulleys and belt.
Oil burner assembly complete, including controls.
Gas burner assembly complete, including regulator.
"Trim" includes but is not limited to—
The shaker.
The poker.
Hand controlled draft regulator.
Water pan.
Check damper.

(ii) *Maximum prices for manufacturers.* (a) On and after June 24, 1944, no manufacturer of cast-iron or steel warm-air furnaces or repair parts for such furnaces may sell, offer to sell, or deliver and no person may buy, offer to buy, or receive cast-iron or steel warm-air furnaces or repair parts for such furnaces at prices higher than the lowest published list price for each type and size of cast-iron or steel warm-air furnace and type of repair part for such furnaces in effect on August 4, 1943, plus 9 percent of such lowest published list price.

(b) The maximum prices fixed under (a) shall be subject to at least the same extension of cash, quantity, and other discounts, the same absorption of transportation charges, and the same rendition of services as the manufacturer extended, absorbed, or rendered or would have extended, absorbed, or rendered on comparable sales to purchasers of the same class during March 1942.

(iii) *Notification to purchasers by manufacturers.* All manufacturers selling cast-iron or steel warm-air furnaces or repair parts for such furnaces under the authority of this subparagraph (10) shall send the following notice to every purchaser of cast-iron or steel warm-air furnaces or repair parts for such furnaces at the time of the first billing:

Amendment No. 42 to Order A-1 under § 1499.159b of Maximum Price Regulation No. 188 granted us an increase in the maximum prices of cast-iron and steel warm-air furnaces and repair parts for such furnaces equal to 9 percent of our lowest established list price in effect on August 4, 1943, for each type and size of cast-iron and steel warm-air furnace and any type of repair part for such furnaces. The prices charged you for cast-iron or steel warm-air furnaces or repair parts are not higher than the maximum prices which are permitted to be charged you under the provisions of that Amendment. The Amendment further provides that any person purchasing cast-iron or steel warm-air furnaces or repair parts for such furnaces for resale in substantially the same form may increase his maximum price in effect on August 4, 1943, by the actual dollars-and-cents increase in cost to him resulting from the 9 percent increase.

This notice is given to you at the express direction of the Office of Price Administration.

(iv) Every person selling cast-iron or steel warm-air furnaces or repair parts for such furnaces under the authority of this subparagraph (10) shall forward to the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., within 15 days after June 24, 1944, unless previously submitted, catalogues, price books and discount sheets relative to cast-iron or steel warm-air furnaces and repair parts for such furnaces. Copies of all such catalogues, price books, and discount sheets issued at any time subsequent to June 24, 1944, shall be forwarded to the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., at least 5 days prior to the issuance thereof.

(v) *Maximum prices for persons other than manufacturers.* (a) On and after June 24, 1944, any person who purchases cast-iron or steel warm-air furnaces or repair parts for such furnaces for resale may increase his maximum price in effect on August 4, 1943, for each type and size of cast-iron and steel warm-air furnace or any repair part for such furnaces purchased under the authority of this subparagraph (10) by an amount equal to his actual dollars-and-cents increase in cost resulting from the 9 percent increase permitted under subdivision (ii).

(b) The maximum prices fixed under subdivision (a) shall be subject to at least the same extension of cash, quantity, and other discounts, the same absorption of transportation charges, and the same rendition of services which the seller extended, absorbed, or rendered or would have extended, absorbed, or rendered on comparable sales to purchasers of the same class during March 1942.

(vi) *Definitions generally.* Unless the context requires otherwise, the definitions set forth in § 1499.163 of Maximum Price Regulation No. 188 or § 1499.20 of the General Maximum Price Regulation, whichever is applicable, shall apply to the terms used herein.

2. Paragraph (a) (17) is revoked.

This Amendment No. 42 shall become effective June 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9164; Filed, June 23, 1944; 11:40 a. m.]

Regional and District Office Orders.

[Region I Order G-70 Under MPR 122, Amdt. 5]

SOLID FUELS IN HOLYOKE, MASS., AREA

Amendment No. 5 to Order No. G-70 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specific maximum prices for solid fuels within specified areas in Region I.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (5) containing Appendix 5, is hereby added to paragraph (c) of Region I, Order No. G-70 under Revised Maximum Price Regulation No. 122 to read as follows:

(c) *Appendices establishing specific maximum prices*—(5) *Appendix 5: Specified solid fuels, Holyoke, Massachusetts Area*—(a) *Maximum prices established by this Appendix 5.* This Appendix 5 establishes specific maximum prices for sales of Pennsylvania anthracite, Koppers Coke and Springfield Coke in the Holyoke, Massachusetts Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said solid fuel. Price Schedule I contains prices for sales on a delivered basis; Price Schedule II contains prices for yard sales to consumers; and Price Schedule III sets forth prices for yard sales to dealers. The Holyoke, Massachusetts Area shall include the following cities and towns in the Commonwealth of Massachusetts: Belchertown, Chicopee, Granby, Holyoke and South Hadley. The term "Springfield Coke" means the retort gas coke produced by the Springfield Gas Light Company, Springfield, Massachusetts.

(b) *Price schedule I; sales on a delivered basis.* (1) Base maximum prices for sales on a "direct delivery" basis to consumers at any point in the Holyoke, Massachusetts Area:

Kind and size	Per net ton	Per ½ ton	Per ¼ ton
Pennsylvania Anthracite:			
Broken, egg, stove and chestnut	$16.35	$8.45	$4.40
Pea	14.80	7.65	4.00
Buckwheat	12.15	6.35	3.35
Rice	10.85	5.70	3.00
Yard Screenings	4.00	----	----
Coke—Koppers and Springfield:			
Egg, stove and chestnut	16.05	8.30	4.25

(2) *Maximum authorized service and deposit charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to buyer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to the buyer's bin or storage space:

	Per net ton	Per ½ ton	Per ¼ ton
For any carry or wheel from a "direct delivery" point, exclusive of charges for carriers up or down flights of stairs	$0.50	$0.25	$0.15
For any carry up or down flights of stairs, per flight	.25	.15	.10

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25 cents per bag.

(c) *Price Schedule II; yard sales to consumers.* (1) Maximum prices for sales delivered at the yard of any dealer in the Holyoke, Massachusetts Area to consumers:

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Pennsylvania Anthracite:				
Broken, egg, stove and chestnut	$15.35	$7.95	$4.15	$0.85
Pea	13.80	7.15	3.75	.80
Buckwheat	11.15	5.85	3.10	.65
Rice	9.85	5.20	2.75	.60
Yard screenings	2.50	----	----	----
Coke: Koppers and Springfield: Egg, stove and chestnut	15.05	7.80	4.00	.85

(2) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging quarter-ton and larger quantities in 100 pound bags, exclusive of any deposit charges on bags furnished by the dealer.

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer shall be 25 cents per bag.

(d) *Terms of sale; sales to consumers.* If payment is made by the buyer within 10 days after receipt of the fuel, the maximum prices set forth in subparagraphs (b) and (c) shall, except in the case of Pennsylvania Anthracite yard screenings, be reduced by $1.00 per ton or by 50 cents per half-ton, which reductions are "cash discounts". No further discount is required for cash on delivery, and no "cash discount" is required on sales of Pennsylvania Anthracite yard screenings, or on any sales of less than a half-ton. If payment is not required or made at the time of delivery or (except in the cases of yard screenings and less than half-ton lots) within 10 days thereafter, terms shall be net 30 days.

(e) *Price Schedule III; yard sales to dealers.* (1) Maximum prices for sales delivered at the yard of any dealer in the Holyoke, Massachusetts area to dealers in fuels who resell them:

Kind and size	Per net ton	Per ½ ton	Per ¼ ton
Pennsylvania anthracite:			
Broken, egg, stove and chestnut	$13.35	$6.70	$3.35
Pea	11.80	5.90	2.95
Buckwheat	9.15	4.60	2.30
Rice	7.85	3.95	2.00
Coke—Koppers and Springfield:			
Egg, stove and chestnut	13.05	6.55	3.30

(2) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E.O.M.

(3) *Maximum authorized bagging and deposit charges.* (a) If the buyer requests such service of him, the seller may make the following charges for bagging in 100 pound bags, exclusive of any deposit charges on bags furnished by the seller.

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the seller shall be 25 cents per bag.

(f) *Certain named Pennsylvania anthracite coals.* The specific maximum prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of listed named Pennsylvania anthracite coals are sold:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Jeddo Highland:				
Broken, egg, stove, chestnut, pea and buckwheat	$0.25	$0.15	$0.05	None
Rice	.15	.10	None	None
Greenwood: Egg, stove, chestnut and pea	.35	.15	.05	None
Silver Brook:				
Broken, egg, stove, chestnut, pea and buckwheat	.45	.25	.10	None
Rice	.55	.20	.10	None

This Amendment No. 5 shall become effective June 23, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 14th day of June 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-9079; Filed, June 21, 1944; 4:29 p. m.]

[Region II Order G-39 Under RMPR 122]

SOLID FUELS IN NEW JERSEY

Order No. G-39 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Hunterdon and Warren Counties and all of Somerset County except the Boroughs of North Plainfield and Watchung, State of New Jersey, Coal Area XI.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does—(1) Dealers' maximum prices; area covered.* If you are a dealer in "Pennsylvania anthracite," this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in the zones comprising State of New Jersey, Coal Area XI. That area consists of two zones, as follows:

Zone 1. Zone 1 includes all of Somerset County except the boroughs of North Plainfield and Watchung, in the State of New Jersey.

Zone 2. Zone 2 includes all of Hunterdon County and Warren County, in the State of New Jersey.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Zones 1 and 2 are set forth in Schedules I and II.

(3) *To what sales this order applies.* If you are a dealer in anthracite, you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Zones 1 and 2.

You shall determine the maximum price for "direct-delivery" sales, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone to which delivery is made, whether or not you are located in one of the two zones.

You shall determine your maximum price for a "yard" sale, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone in which the purchaser takes physical possession or custody of the anthracite.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not:

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum prices as follows:

(1) *Use the schedule which covers your sale.* (Schedule I applies to sales on a "direct-delivery" basis and "yard sales" within Zone 1. You will find Schedule I in paragraph (d). In like manner, Schedule II applies to similar sales in Zone 2. You will find Schedule II in paragraph (e).)

(2) Take the dollars-and-cents figure set forth in the applicable table of the appleable schedule, for the sizes and quantity you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified therein. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above, no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in the schedules.

(d) *Schedule I.* Schedule I establishes specific maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Zone 1. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut	$13.15	$7.10	$3.60	$0.85
Pea	11.55	6.20	3.20	.75
Buckwheat	10.35	5.70	2.90	
Rice	9.55	5.30	2.70	
Barley	8.55	4.80	2.45	
Screenings	4.00			

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

Maximum Authorized Service Charges

Special service rendered at the request of the purchaser	*Cents per net ton*
"Carry" or "wheel" (except for sales amounting to less than one ton)	50
Carrying upstairs or downstairs, for each full flight above or below the ground floor (except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel"	50

(2) *"Yard sales".*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut	$12.15	$6.60	$3.35	$0.75
Pea	10.55	5.80	2.95	.65
Buckwheat	9.35	5.20	2.65	
Rice	8.55	4.80	2.45	
Barley	7.55	4.30	2.20	
Screenings	3.00			

(e) *Schedule II.* Schedule II establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 2. There is a separate table of prices for "direct-delivery" sales and "yard sales."

(1) *Sales on a "direct-delivery" basis.*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut	$12.75	$6.90	$3.50	$0.85
Pea	11.00	6.00	3.05	.75
Buckwheat	9.25	5.15	2.60	
Rice	8.20	4.60	2.35	
Barley	7.20	4.10	2.10	
Screenings	4.00			

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

Maximum Authorized Service Charges

Special service rendered at the request of the purchaser	*Cents per net ton*
"Carry" or "Wheel" (except for sales amounting to less than one ton)	50
Carrying upstairs or downstairs, for each full flight above or below the ground floor (except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel"	50

(2) *"Yard sales."*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut	$11.75	$6.40	$3.25	$0.75
Pea	10.00	5.50	2.80	.65
Buckwheat	8.25	4.65	2.35	
Rice	7.20	4.10	2.10	
Barley	6.20	3.60	1.85	
Screenings	3.00			

(f) *Commingling.* If you sell one size of anthracite, commingled with another size of anthracite, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, whether the sale be a "direct-delivery" sale or "yard sale", except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, and in that event, if those sizes are separately weighed at the point of loading, the dealer may commingle those sizes in the truck or other vehicle in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(g) *Ex parte 148; freight rate increase.* Since the Ex Parte 148 Freight Rate Increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(h) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(i) *Taxes.* If you are a dealer subject to this order, you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, or to the State of New Jersey or any political subdivision thereof, you need not state this tax separately.

(j) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(k) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(l) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(m) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for a license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(n) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(o) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser

a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes which may be added to the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(p) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Trenton District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(r) *Definitions and explanations.* When used in this Order No. G–39, the term: (1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(5) The sizes of "Pennsylvania anthracite" described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the State of New Jersey, Coal Area XI with such designation during December 1941. Under no circumstances, however, shall the anthracite contain an ash content in excess of the limits specified by Amendment No. 1 to Solid Fuels Administration for War Regulation No. 9.

(6) "Direct-delivery", except with respect to sales in 100 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or vehicle, or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct-delivery" in 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(7) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from the seller's truck in the course of "direct delivery."

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(9) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.366 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(s) *Effect of order on Revised Maximum Price Regulation No. 122.* This order shall supersede Revised Maximum Price Regulation No. 122, except as to any sales or deliveries of solid fuels not specifically subject to this order.

Effective date. This order shall become effective June 11, 1944.

NOTE: The record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–9078; Filed, June 21, 1944; 4:29 p. m.]

[Region II Order G–42 Under RMPR 122]

SOLID FUELS IN ORANGE AND ROCKLAND COUNTIES, N. Y.

Order No. G–42 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Orange and Rockland Counties. State of New York, Coal Area VIII.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does*—(1) *Dealers' maximum prices; area covered.* If you are a dealer in "Pennsylvania anthracite", this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in the zones comprising State of New York, Coal Area VIII. That area consists of three zones, as follows:

Zone 1 Zone 1 includes the City of Newburgh and the Towns of Newburgh, New Windsor, and Cornwall in Orange County.

Zone 2 Zone 2 includes all of Orange County not included in Zone 1.

Zone 3 Zone 3 includes all of Rockland County.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorised charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Zones 1, 2, and 3 are set forth in Schedules I, II, and III, respectively.

(3) *To what sales this order applies.* If you are a dealer in anthracite, you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Zones 1, 2 and 3.

You shall determine the maximum price for "direct-delivery" sales, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone to which delivery is made, whether or not you are located in one of the three zones.

You shall determine your maximum price for a "yard" sale, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone in which the purchaser takes physical possession or custody of the anthracite.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorised herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorised by this order, or

(iv) Charging a price for any service higher than the Schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum prices as follows:

(1) *Use the schedule which covers your sale.* Schedule I applies to sales on a "direct-delivery" basis and "yard sales" within Zone 1. You will find

Schedule I in paragraph (d). In like manner, Schedules II and III apply to similar sales in Zones 2 and 3, respectively. You will find Schedule II in paragraph (e) and Schedule III in paragraph (f).

(2) Take the dollars-and-cents figure set forth in the applicable table of the applicable schedule, for the sizes and quantity you are selling.

(3) Deduct from that figure the amount of the discount, if any, which you are required to give, as specified therein. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in the schedules.

(d) *Schedule I.* Schedule I establishes specific maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Zone 1. There is a separate table of prices for "direct-delivery" sales and "yard" sales.

(1) *Sales on a "direct delivery" basis.*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut	$12.75	$6.80	$3.80	$0.85
Pea	11.20	6.00	3.10	.75
Buckwheat	9.80	5.30	2.75	----------
Rice	8.75	4.80	2.60	----------
Barley	7.75	4.30	2.35	----------
Screenings	4.00	----------	----------	----------

Maximum Authorized Service Charges

Special service rendered at the request of the purchaser	*Cents per net ton*
"Carry" or "wheel" (in quantities of one ton or more)	75
Carrying upstairs or downstairs, for each floor above or below the ground floor (in quantities of one ton or more). This charge shall be in addition to any charge for "carry" or "wheel"	50
For deliveries involving hauling beyond five miles from the dealer's yard (in quantities of one ton or more)	[1] 50

[1] For each five miles or fraction thereof beyond five miles from the dealer's yard.

(2) *"Yard sales".*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut	$12.15	$6.45	$3.35	$0.75
Pea	10.50	5.65	2.95	.65
Buckwheat	8.65	4.70	2.45	----------
Rice	7.80	4.20	2.20	----------
Barley	6.60	3.70	1.95	----------
Screenings	3.00	----------	----------	----------

(e) *Schedule II.* Schedule II establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 2. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut	$12.60	$6.80	$3.65	$0.80
Pea	11.05	6.00	3.25	.70
Buckwheat	9.40	5.20	2.85	----------
Rice	8.60	4.80	2.65	----------
Barley	7.60	4.30	2.40	----------
Screenings	3.00	----------	----------	----------

Maximum Authorized Service Charges

Special service rendered at the request of the purchaser	*Cents per net ton*
"Carry" or "wheel" (in quantities of one ton or more)	75
Carrying upstairs or downstairs for each floor above or below the ground floor (in quantities of one ton or more). This charge shall be in addition to any charge for "carry" or "wheel"	25
For deliveries involving hauling beyond five miles from the dealer's yard (in quantities of one ton or more)	[1] 50

[1] For each 5 miles or fraction thereof beyond 5 miles from the dealer's yard.

(2) *"Yard sales".*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut	$12.15	$6.45	$3.35	$0.75
Pea	10.50	5.65	2.95	.65
Buckwheat	8.65	4.70	2.45	----------
Rice	7.80	4.20	2.20	----------
Barley	6.60	3.70	1.95	----------
Screenings	3.00	----------	----------	----------

(f) *Schedule III.* Schedule III establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 3. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut	$13.60	$7.30	$3.90	$0.90
Pea	12.05	6.50	3.50	.80
Buckwheat	10.40	5.70	3.10	----------
Rice	9.60	5.30	2.90	----------
Barley	8.60	4.80	2.65	----------
Screenings	4.00	----------	----------	----------

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

Maximum Authorized Service Charges

Special service rendered at the request of the purchaser	*Cents per net ton*
"Carry" or "wheel" (in quantities of one ton or more)	75
Carrying upstairs or downstairs, for each floor above or below the ground floor (in quantities of one ton or more). This charge shall be in addition to any charge for "carry" or "wheel"	50

(2) *"Yard sales."*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut	$12.60	$6.80	$3.65	$0.80
Pea	11.05	6.00	3.25	.70
Buckwheat	9.40	5.20	2.85	----------
Rice	8.60	4.80	2.65	----------
Barley	7.60	4.30	2.40	----------
Screenings	3.00	----------	----------	----------

Required discounts. You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

(g) *Commingling.* If you sell one size of anthracite, commingled with another size of anthracite, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, whether the sale be a "direct-delivery" sale or "yard sale", except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, and in that event, if those sizes are separately weighed at the point of loading, the dealer may commingle those sizes in the truck or other vehicle in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(h) *Ex parte 148; freight rate increase.* Since the Ex Parte 148 Freight Rate Increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(i) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific

maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(j) *Taxes.* If you are a dealer subject to this order, you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, or to the State of New York or any political subdivision thereof, you need not state this tax separately.

(k) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(l) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(m) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(n) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for a license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(o) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(p) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes which may be added to the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser, or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(q) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the New York District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(r) *Definitions and explanations.* When used in this Order No. G-42, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the schedule herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(5) The sizes of "Pennsylvania anthracite" described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the State of New York, Coal Area VIII with such designation during December 1941. Under no circumstances, however, shall the anthracite contain an ash content in excess of the limits specified by Amendment No. 1 to Solid Fuels Administration for War Regulation No. 9.

(6) "Direct-delivery," except with respect to sales in 100 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or vehicle, or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct-delivery" in 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(7) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from the seller's truck in the course, of "direct delivery."

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(9) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.256 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(s) *Effect of order on Revised Maximum Price Regulation No. 122.* This order shall supersede Revised Maximum Price Regulation No. 122, except as to any sales or deliveries of solid fuels not specifically subject to this order.

Effective date. This order shall become effective June 11, 1944.

NOTE: The record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-9084; Filed, June 21, 1944; 4:26 p. m.]

[Region VII Order G-26 Under RMPR 122, Amdt. 3]

SOLID FUELS IN SPRINGVILLE-SPANISH FORK, UTAH

Order No. G-26 under Revised Maximum Price Regulation No. 122. Amendment No. 3. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels when sold by dealers within specified trade areas in Region VII.

Pursuant to the Emergency Price Control Act of 1942, as amended, and §§ 1340.250 (a) and 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 3 to Order No. G-26 is issued.

1. Appendix XXVII is hereby amended as follows:

(a) This is the first amendment to Order No. G-26 that makes any change in Appendix XXVII, and, except as hereinafter set forth, Appendix XXVII remains unchanged and continues in full force and effect.

(b) The title is changed from "Springville Trade Area" to "Springville-Spanish Fork Trade Areas".

(c) Paragraph (1) is made to read as follows:

(1) *To what sales this Appendix XXVII applies.* This Appendix XXVII applies only to sales made by dealers in the Springville-Spanish Fork Trade Areas of the State of Utah, which means all that area contained within the corporate boundaries of the Town of Springville, Utah, and a distance of three miles beyond at all points, and all that area contained within the corporate boundaries of the Town of Spanish Fork, Utah, and a distance of three miles beyond at all points.

(d) Paragraph (3), *"Specific maximum prices"*, is amended by deleting from the second line thereof the words "Springville Trade Area" and substituting therefor the words "Springville—Spanish Fork Trade Areas".

2. Paragraph (q) of Order No. G-26 is amended by adding thereto Appendix XXXIII to read as follows:

APPENDIX XXXIII—PAYSON TRADE AREA

(1) *To what sales this Appendix XXXIII applies.* This Appendix XXXIII applies only to sales made by dealers in the Payson Trade Area of the State of Utah, which means all that area contained within the corporate boundaries of the Town of Payson, Utah, and a distance of three miles beyond at all points.

(2) *Specific maximum prices.* If you are a dealer and sell in the Payson Trade Area of the State of Utah, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XXXIII, your maximum prices therefore are those set forth in Parts 1 and 2 of the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1—Delivered prices per ton	Part 2—yard prices: Ton	½-ton	¼-ton	100 pounds
Bituminous coal produced in District 20: Sub-district 1, Castlegate:						
(A)	#2, 9" and 10" lump; 10" x 9" and 9" x 3" egg	$7.95	$7.45	$4.00	$2.10	$0.50
(B)	#3, 6" x 3" egg and 3"	7.80	7.30	3.90	2.05	.50
(C)	#4, 1¼" lump	7.75	7.25	3.90	2.05	.50
(D)	#7, 1¼" x 3" nut	7.15	6.65	3.60	1.90	.50
(E)	#8, 1¼" x ¾" pea: Treated	6.80	6.30	3.25	1.75	.40
	Untreated	6.35	5.85	3.20	1.70	.40
(F)	#9, 1" x ¾" slack: Treated	6.80	6.30	3.25	1.75	.40
	Untreated	6.35	5.85	3.20	1.70	.40
(G)	#10, 1¼" x 0" slack—#11, 1" x 0" slack: Treated	5.85	5.35	2.95	1.60	.40
	Untreated	5.60	5.10	2.80	1.55	.40

(3) *When delivery charge allowed.* A seller who makes delivery from his yard and not by truck direct from the mine to a point five miles or more distant from his yard may add to the applicable maximum price a delivery charge at the rate of 50¢ per ton.

(4) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Payson Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½-ton
"Wheel-in"	$1.00	$0.50
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50

6200 South Street; thence by a line extending west to 2700 East Street; thence by a line extending south to the southern boundary line of Salt Lake County; on the south by the southern boundary line of Salt Lake County, and on the west by 7200 West Street.

(3) *Specific maximum prices.* If you are a dealer and sell in the Salt Lake County Trade Area of the State of Utah, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XXXIV, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1—Delivered prices per ton	Part 2—yard prices: Ton	½-ton	¼-ton	100 pounds
Bituminous coal produced in District 20: Sub-district 1, Castlegate:						
(A)	#2, 9" and 10" lump; 10" x 9" and 9" x 3" egg	$8.25	$7.80	$4.00	$2.15	$0.50
(B)	#3, 6" x 3" egg	8.10	7.30	3.90	2.10	.50
(C)	#4, 1¼" lump	8.05	7.30	3.90	2.10	.50
(D)	#7, 1¼" x 3" nut	7.75	7.00	3.70	2.00	.50
(E)	#8, 1¼" x ¾" pea: Treated	7.15	6.40	3.45	1.85	.40
	Untreated	7.00	6.25	3.40	1.80	.40
(F)	#9, 1" x ¾" slack: Treated	6.95	6.15	3.35	1.80	.40
	Untreated	6.80	6.00	3.25	1.75	.40
(G)	#10, 1¼" x 0" slack; #11, 1" x 0" slack: Treated	6.90	6.00	3.20	1.75	.40
	Untreated	6.55	5.75	3.10	1.65	.40

4. Paragraph (q) of Order No. G-26 is amended by adding thereto Appendix XXXV, to read as follows:

APPENDIX XXXV—LEHI-LINDON TRADE AREA

(1) *To what sales this Appendix XXXV applies.* This Appendix XXXV applies only to sales made by dealers in the Lehi-Lindon Trade Area of the State of Utah, which means all that area bounded on the north by the southern boundary line of Salt Lake County; on the east by the foot of the Wasatch Mountains, on the south by a line drawn east and west through a point one-half mile south of the Town of Lindon, and on the west by Utah Lake and the River Jordan.

(2) *Specific maximum prices.* If you are a dealer and sell in the Lehi-Lindon Trade Area of the State of Utah, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XXXV, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1—delivered prices per ton	Part 2—yard prices: Ton	½-ton	¼-ton	100 pounds
Bituminous coal produced in District 20:						
Sub-district 1, Castlegate:						
(A)	#2—8" and 10" lump	$8.05	$7.55	$4.05	$2.15	$0.80
(B)	#3—3" lump and 10" x 3" and 8" x 3" egg.	7.90	7.40	3.95	2.10	.50
(C)	#4—1¼" lump	7.85	7.35	3.95	2.10	.50
(D)	#7—1¼" x 3" nut	7.25	6.75	3.65	1.95	.40
(E)	#8—1¼" x 1" pea:					
	Treated	6.70	6.20	3.35	1.80	.40
	Untreated	6.55	6.05	3.30	1.75	.40
(F)	#9—1" x ¾" slack:					
	Treated	6.70	6.20	3.35	1.80	.40
	Untreated	6.55	6.05	3.30	1.75	.40
(G)	#10—1¼" x 0" slack, #11—1" x 0" slack:					
	Treated	6.05	5.55	3.05	1.65	.40
	Untreated	5.80	5.30	2.90	1.60	.40

(3) *When delivery charge allowed.* A seller who makes delivery from his yard and not by truck direct from the mine to a point five miles or more distant from his yard may add to the applicable maximum price a delivery charge at the rate of 80¢ per ton.

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Lehi-Lindon Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½-ton
"Wheel-in"	$1.00	$0.60
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.60

5. Appendix XXIV is amended, revised, and rewritten to read as follows:

TABLE OF MAXIMUM PRICES

King and letter designation	Size	Part 1—Delivered prices per ton	Part 2—Yard prices: Ton	½-ton	¼-ton	100 pounds
Bituminous coal produced in district 20:						
Sub-district 1, Castlegate:						
(A)	#2—8" & 10" lump	$7.95	$7.45	$4.00	$2.10	$0.80
(B)	#3—10" x 8" and 8" x 3" egg and 3" lump.	7.80	7.30	3.90	2.05	.50
(C)	#4—1¼ lump	7.75	7.25	3.90	2.05	.50
(D)	#7—1¼" x 3" nut	7.15	6.65	3.60	1.90	.40
(E)	#8—1¼" x 1" pea:					
	Treated	6.80	6.00	3.25	1.75	.40
	Untreated	6.35	5.85	3.20	1.70	.40
(F)	#9—1" x ¾" slack:					
	Treated	6.60	6.00	3.25	1.75	.40
	Untreated	6.35	5.85	3.20	1.70	.40
(G)	#10—1¼" x 0" slack, #11—1" x 0" slack:					
	Treated	5.85	5.35	2.95	1.60	.40
	Untreated	5.60	5.10	2.80	1.55	.40

(4) *When delivery charge allowed.* A seller who makes delivery from his yard and not by truck direct from the mine to a point five miles or more distant from his yard may add to the applicable maximum price a delivery charge at the rate of 80¢ per ton.

(5) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(6) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Provo-Orem Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½-ton
"Wheel-in"	$1.00	$0.50
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50

6. *Effective date.* This Amendment No. 3 shall become effective on the 6th day of June 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 6th day of June 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-9081; Filed, June 21, 1944; 4:20 p. m.]

REVISED APPENDIX XXIV—PROVO-OREM TRADE AREA

(1) *To what sales this Revised Appendix XXIV applies.* This Revised Appendix XXIV applies only to sales made by dealers in the Provo-Orem Trade Area of the State of Utah, which means all that area bounded on the north by a line drawn east and west through a point one-half mile south of the Town of Lindon, on the east by the foot of the Wasatch Mountains, on the south by a line drawn east and west through the most southern point in the boundary of the City of Provo, and on the west by Utah Lake.

(2) *Relation to other orders.* This Order No. G-26 and this Revised Appendix XXIV thereto supersede Appendix No. XXIV to Order No. G-26, Order No. G-14 and Amendments Nos. 1, 2, 3, and 4 thereto, insofar as the same apply to the Provo-Orem Trade Area.

(3) *Specific maximum prices.* If you are a dealer and sell in the Provo-Orem Trade Area of the State of Utah, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Revised Appendix XXIV, your maximum prices therefor are those set forth in Parts 1 and 2 of the following

TABLE OF MAXIMUM PRICES

King and letter designation	Size	Part 1—Delivered prices per ton	Part 2—Yard prices: Ton	½-ton	¼-ton	100 pounds
Bituminous coal produced in district 20:						
Sub-district 1, Castlegate:						
(A)	#2—8" & 10" lump	$7.95	$7.45	$4.00	$2.10	$0.80
(B)	#3—10" x 8" and 8" x 3" egg and 3" lump.	7.80	7.30	3.90	2.05	.50
(C)	#4—1¼ lump	7.75	7.25	3.90	2.05	.50
(D)	#7—1¼" x 3" nut	7.15	6.65	3.60	1.90	.40
(E)	#8—1¼" x 1" pea:					
	Treated	6.80	6.00	3.25	1.75	.40
	Untreated	6.35	5.85	3.20	1.70	.40
(F)	#9—1" x ¾" slack:					
	Treated	6.60	6.00	3.25	1.75	.40
	Untreated	6.35	5.85	3.20	1.70	.40
(G)	#10—1¼" x 0" slack, #11—1" x 0" slack:					
	Treated	5.85	5.35	2.95	1.60	.40
	Untreated	5.60	5.10	2.80	1.55	.40

3. *Effective date.* This Amendment No. 4 shall become effective on the 7th day of June 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-9080; Filed, June 21, 1944; 4:20 p. m.]

[Region VIII Rev. Order G-23 Under 18 (c)]

FRESH FRUITS AND VEGETABLES IN CALIFORNIA

Revised Order No. G-23 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Adjusted maximum prices for the transportation of certain fruits and vegetables by motor carriers other than common carriers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation, *It is hereby ordered*, That Order No. G-23 under § 1499.18 (c) as amended of the General Maximum Price Regulation be amended and revised so as to read in its entirety as follows:

(a) The adjusted maximum prices which may be charged by any carrier other than a common carrier for the service of transporting by motor truck any of the fruits and vegetables listed in paragraph (b) when the point of origin and the point of destination are within the area described in paragraph (c), including the service of returning empty boxes to the point of origin, and including loading and unloading, shall be the rate specified in Appendix A attached hereto for the applicable distance between point of origin and point of destination and for the applicable weight of fruit or vegetables carried in the truck.

(b) This order shall apply to the hauling of peaches, pears, tomatoes, apricots, cherries, apples, grapes and unprocessed olives.

(c) This order shall apply in the State of California.

(d) In determining the distance between any two points for the purposes of this order, the constructive highway mileages set forth in Distance Table No. 3 issued by the Railroad Commission of the State of California on December 27, 1938 in connection with its Decision No. 31605, as said table has been amended and supplemented up to the date of this order, shall be used.

(e) When the person contracting to pay for any transportation service subject to this order shall require a load to be transported from more than one roadside pickup point to a single point of destination, the maximum price shall be computed according to the weight for the entire load and according to the constructive mileage for the shortest route by which it is possible to travel from one pickup point to all other pickup points successively and thence to the point of destination, and the carrier may add a further charge of $1.00 for each pickup in excess of one.

(f) This order may be amended, revoked, or corrected at any time.

(g) This Revised Order No. G-23 shall become effective June 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 14th day of June 1944.

L. F. GENTNER,
Regional Administrator.

APPENDIX A—ADJUSTED MAXIMUM PRICES IN CENTS PER HUNDRED POUNDS

Miles: Over	Miles: But not over	Under 10,000 pounds	10,000 to 18,000 pounds	Over 18,000 pounds
0	5	10.0	8.0	7.5
5	10	10.0	9.0	8.5
10	15	11.0	10.0	9.0
15	20	11.0	10.5	9.5
20	25	12.0	11.0	10.0
25	30	13.0	11.5	11.0
30	35	14.0	12.0	11.5
35	40	15.0	13.0	12.0
40	45	15.5	14.0	13.0
45	50	16.5	15.0	14.0
50	60	18.0	16.0	15.0
60	70	19.0	17.0	16.0
70	80	20.0	18.0	17.0
80	90	21.5	19.0	18.0
90	100	22.5	20.5	19.0
100	110	23.5	21.5	20.0
110	120	25.5	22.5	21.0
120	130	26.5	23.5	22.0
130	140	27.5	24.5	23.0
140	150	28.5	25.5	24.0
150	160	29.5	26.5	25.0
160	170	30.5	27.5	26.0
170	180	32.0	29.0	27.0
180	190	33.0	30.0	28.0
190	200	34.5	31.0	29.0
200	220	35.5	32.5	30.5
220	240	37.5	34.0	32.0
240	260	39.0	35.5	33.5
260	280	40.5	37.0	35.0
280	300	42.5	39.0	36.5
300	325	43.0	41.0	38.5
325	350	46.0	44.0	40.5
For each 25 miles in excess of 350 miles, add		2.0	2.5	2.0

[F. R. Doc. 44-9089; Filed, June 21, 1944; 4:28 p. m.]

[Region II Order G-3 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN NEW YORK

Order No. G-3 under section 8 (a) (7) of Maximum Price Regulation No. 426. Fresh fruits and vegetables for table use, sales except at retail. Amount of freight from basing point to wholesale receiving point allowed for determining maximum prices of certain fresh fruits and vegetables in certain counties of New York.

For the reasons stated in an opinion issued simultaneously herewith and pursuant to the authority contained in section 8 (a) (7) of Maximum Price Regulation No. 426, this order is hereby issued.

SECTION 1. *What this order does.* This order establishes the amount of freight from basing point to wholesale receiving point which may be added to the maximum basing point price for the purpose of determining maximum selling prices for certain fresh fruits and vegetables at all wholesale receiving points in the area described in section 2.

SEC. 2. *Where this order applies.* This order applies in the Counties of Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk and Westchester in the State of New York.

SEC. 3. *Determination of the amount of freight allowed in establishing maximum selling price.* The amount of freight from basing point to wholesale receiving point which may be added to the maximum basing point price for the purpose of determining maximum selling prices of the items covered by this regulation at all wholesale receiving points in the area described above and in the markets they serve shall be the amounts set forth in the appendices annexed hereto.

This amount includes all allowances, if any, for protective and other accessorial services and all taxes on transportation costs.

The amount of freight from basing point to any wholesale receiving point other than the City of New York is determined by adding the appropriate amount listed in Appendix B to the appropriate amount listed in Appendix A.

SEC. 4. *Effective date.* This order shall become effective 12:01 a. m. on June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F. R. 4681; MPR 426, 8 F.R. 16409)

Issued this 8th day June 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

APPENDIX A—FREIGHT FROM BASING POINT TO NEW YORK CITY

Commodity	Standard container and minimum contents	Basing point	Date	Freight allowance
Carrots, bunched	LA crate, 72 bunches, each bunch 1 lb.	El Centro, Calif.	Jan. 16-Mar. 31	$1.40
		El Centro, Calif.	Apr. 1-May 31	1.59
		Salinas, Calif.	June 1-Nov. 30	1.68
		Salinas, Calif.	Dec. 1-Jan. 15	1.58
Cucumbers, except hothouse	Bushel, 48 pounds	Wachula, Fla.	Jan. 1-May 31	.74
	Bushel, 48 pounds	Ponchatoula, La.	June 1-June 30	.79
	Lug Box, 28 pounds	Wachula, Fla.	Jan. 1-May 31	.42
	Lug Box	Ponchatoula, La.	June 1-June 30	.44
Cucumbers, hothouse	Per pound	Davenport, Iowa	All year	.02
Eggplant	1⅑ bu. crate, 45 lbs.	Ft. Myers, Fla.	All year	.76
	Bushel, 30 lbs.	Ft. Myers, Fla.	All year	.52
Grapefruit, pink, California and Arizona.	1⅗ bushel	Los Angeles, Calif.	Nov. 16-Apr. 30	1.20
			May 1-Oct. 31	1.27
Grapefruit, pink, All other states.	1⅗ bushel	Weslaco, Tex.	All year	1.14
Grapefruit, White, California and Arizona.	1⅗ bushel	Los Angeles, Calif.	Nov. 16-Apr. 30	1.20
			May 1-Oct. 31	1.27
Grapefruit, White. All other states, including "Indian River."	1⅗ bushel	Homestead, Fla.	All year	.90
Lemons, all states	1⅗ bushel	Los Angeles, Calif.	Nov. 1-Apr. 30	1.24
			May 1-Oct. 30	1.38
Green peas	Bushel, 28 pounds	Calipatria, Calif.	Sept. 1-Mar. 31	.73
		Santa Barbara, Calif.	Apr. 1-Aug. 31	.81
Lettuce, iceberg	LA or Salinas crate, 60 pounds and 48 heads.	Salinas, Calif.	All year	1.44
Oranges, California and Arizona.	1⅗ bushel	Los Angeles, Calif.	Nov. 16-Apr. 30	1.38
			May 1-Nov. 15	1.40
Oranges, all other including "Indian River."	1⅗ bushel	Homestead, Fla.	All year	.90
Snap beans	Bushel, 28 pounds	Pompano, Fla.	All year	.50
Spinach	Bushel, 18 pounds	Crystal City, Tex.	All year	.42
Sweet peppers	1⅓ bushel crate, 37 lbs.	Pompano, Fla.	All year	.63
	Bushel, 25 pounds	Pompano, Fla.	All year	.42

APPENDIX A—FREIGHT FROM BASING POINT TO NEW YORK CITY—Continued

Commodity	Standard container and minimum contents	Basing point	Date	Freight allowance
Tangerines, all states, except California and Arizona.	1⅗ bushel	Homestead, Fla.	All year	$0.90

APPENDIX B—FREIGHT TO ALL WHOLESALE RECEIVING POINTS, EXCEPT NEW YORK CITY

Commodity in Standard Containers Packed as in Appendix A	For any wholesale receiving point in Nassau, Putnam, Rockland and Westchester Counties, except in the cities of Farmingdale, Ossining and Peekskill [1]	For any wholesale receiving point in Suffolk County and in the cities of Farmingdale, Ossining and Peekskill [1]	For any wholesale receiving point in Dutchess and Orange counties
Carrots, bunched	$0.20	$0.30	$0.40
All citrus fruits, standard containers (1⅗ or 1⅗ bu.)	.20	.30	.40
Cucumbers, except hothouse	.10	.15	.20
Egg plant, bushel or crate (1⅑ bushel)	.10	.15	.20
Green peas	.10	.15	.20
Lettuce, iceberg	.20	.30	.40
Snap beans	.10	.15	.20
Spinach	.10	.15	.20
Sweet peppers, bushel or crate (1⅑ bushel)	.10	.15	.20

[1] To determine the full amount of freight from basing point to any wholesale receiving point, except New York City, add the appropriate amount named in this Appendix B to the appropriate amount named for the item in Appendix A.

[F. R. Doc. 44-9131; Filed, June 22, 1944; 2:02 p. m.]

[Region VIII Order G-2 Under SR 14B]

CALIFORNIA BAKERY AND SOOREN'S BAKERY

Order No. G-2 under section 10 of Supplementary Regulation No. 14B to the General Maximum Price Regulation. Adjusted maximum prices of bread produced by California Bakery and Sooren's Bakery, Fresno, California.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by section 10 of Supplementary Regulation No. 14B to the General Maximum Price Regulation, *It is hereby ordered:*

(a) The adjusted maximum prices at which any person may sell white, wholewheat, French or Peda bread produced by California Bakery or Sooren's Bakery, Fresno, California, are established to be as follows:

Wholesale:
1 pound loaf—6¼¢ each.
1½ pound loaf—8¢ each.
Retail:
1 pound loaf—8¢ each, 4 for 30¢.
1½ pound loaf—11¢ each.

(b) This order may be amended, revoked, or corrected at any time.

(c) This order shall become effective June 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 16th day of June 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-9132; Filed, June 22, 1944; 2:02 p. m.]

[Region VIII Order G-5 Under MPR 418]

FRESH FISH IN WASHINGTON

Order No. G-5 under Maximum Price Regulation No. 418, as amended. Fresh fish and seafood. Adjusted maximum prices for sales of certain fresh fish items in the State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by section 2 (d) of Maximum Price Regulation No. 418, as amended; *It is hereby ordered:*

(a) Maximum prices for sales by producers of the fresh fish items designated in schedules 27, 28, 29, 29b, and 34a, of Maximum Price Regulation No. 418, as amended, when boxed or barreled, and including all commissions and selling expense, shall be the applicable price set forth in Maximum Price Regulation No. 418, as amended for such fresh fish items plus 1¢ per pound.

(b) *Applicability.* This order shall apply to listed fresh fish items landed in ports of entry in the State of Washington.

This order shall become effective June 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 15th day of June 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-9134; Filed, June 22, 1944; 2:03 p. m.]

[Region VIII Order G-7 Under 3 (c)]

H. R. ADAMS

Order No. G-7 under § 1499.3 (c) of the General Maximum Price Regulation. Establishment of maximum prices for certain persons located in Region VIII for sales of Bee Wise pollinating brush manufactured by H. R. Adams, Los Angeles.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Office of Price Administration by § 1499.3 (c) of the General Maximum Price Regulation and General Order No. 32; *It is hereby ordered:*

(a) The maximum prices at which wholesalers and retailers located in Region VIII who are unable to determine a maximum price pursuant to § 1499.3 (c) of the General Maximum Price Regulation, may sell Bee Wise pollinating brush, manufactured by H. R. Adams, Los Angeles, shall be the following:

Wholesalers price to retailers, $4.14 per dozen.
Retailers price to consumer, $6.91 per dozen or $0.58 per brush.

(b) As used herein the term:

Region VIII means the States of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River, and the following Counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce and Shoshone.

This order may be revoked, amended, or corrected at any time.

This order shall become effective five days after issuance.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 16th day of June 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-9133; Filed, June 22, 1944; 2:02 p. m.]

[Region I Order G-71 Under RMPR 122]

BITUMINOUS COAL IN NEW LONDON, CONN., AREA

Order No. G-71 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Bituminous coal, New London, Connecticut area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, *It is hereby ordered:*

(a) Any dealer in solid fuels who has terminal facilities located within the New London, Connecticut Area may, in determining maximum prices for bituminous coal:

(1) Under Rule 1 in § 1340.254 (b) of Revised Maximum Price Regulation No. 122, treat any special service charge made by his supplier under § 1340.210 (a) (10) (i) or (ii) of Maximum Price Regulation No. 120 as part of his supplier's maximum price.

(2) Under Rule 3 in said § 1340.254 (b), treat any such service charge as part of the per net ton cost to him, f. o. b. supplier's shipping point.

(b) Any dealer in solid fuels who has terminal facilities located within the New London, Connecticut Area, may charge not more than ten cents (10¢) per net ton in addition to the otherwise applicable maximum price for bituminous coal which the producer has subjected to a chemical or oil treatment for which a charge has been made under the first paragraph of § 1340.210 (a) (10), or under §§ 1340.213 (d), 1340.214 (c), 1340.218 (c) and 1340.219 (c), of Maximum Price Regulation No. 120.

(c) "New London Connecticut area" means the following cities, towns and townships in the State of Connecticut: Groton, Ledyard, Montville, New London, North Stonington, Stonington and Waterford.

(d) In reporting maximum prices under § 1340.262 (c) which are redetermined under paragraph (a) of this order, the dealer shall:

(1) In reporting prices determined under Rule 1, on Form 653-40, indicate separately the amount of any such service charge.

(2) In reporting prices determined under Rule 3, show in detail the method of calculation of the price.

(e) Except to the extent that special provision is made by this order, the provisions of Revised Maximum Price Regulation No. 122 shall apply to all sales of bituminous coal by dealers who have terminal facilities located within the New London, Connecticut Area; and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 thereof shall apply to the terms used herein.

(f) This order may be revoked, amended or corrected at any time.

This Order No. G-71 shall become effective June 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 19th day of June 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-9142; Filed, June 22, 1944; 4:21 p. m.]

[Boise Order G-1 Under MPR 154]

ICE IN IDAHO FALLS, IDAHO

Order No. G-1 Under Maximum Price Regulation No. 154. Ice. Establishment of specific maximum prices for dealers in Idaho Falls, Idaho.

Pursuant to the Emergency Price Control Act of 1942, as amended, § 1393.8 (c) (f) of Maximum Price Regulation No. 154, as Amended, and Region VII Delegation Order No. 38, and for the reasons set forth in the accompanying opinion, this Order No. G-1 is issued.

(a) *What this order does.* This order establishes specific maximum prices for "Ice" sold by dealers in Idaho Falls, Idaho or environs.

(b) *Specific maximum prices for ice sold by dealers.* On and after the effective date of this order, the maximum prices for ice sold by dealers and delivered at any place in the City of Idaho Falls, Idaho or its environs, to which the seller heretofore customarily made free delivery shall be as follows:

1. *Commercial and industrial users, block or cake ice.*

Deliveries:	Cents
25 lbs to 100 lbs	60
Over 100 lbs	50

2. *Domestic users, delivered.*

25 lbs.	35 lbs.	40 lbs.	50 lbs.	60 lbs.	70 lbs.	80 lbs.	90 lbs.	100 lbs.
Cts. 20	Cts. 25	Cts. 30	Cts. 35	Cts. 40	Cts. 50	Cts. 55	Cts. 65	Cts. 70

3. *Minimum charge.*

Minimum charge of 15¢ on all "domestic" deliveries and 50¢ on all "commercial" or "industrial" deliveries.

(c) *Former discounts and differentials need not be maintained.* From and after the effective date of this order, it shall not be mandatory upon any dealer in the Idaho Falls, Idaho Area to grant, maintain, or give discounts, differentials, or allowances which he may formerly have maintained or allowed; but any dealer may, if he so desires, continue to allow such discounts, differentials, and allowances, and he may sell at a price lower than the maximum prices established hereby.

(d) *Applicability of other regulations.* Except insofar as the same may be inconsistent with or contradictory of the provisions of this order, all of the terms and provisions of Maximum Price Regulation No. 154 shall remain in full force and effect and be applicable to all ice dealers from the Idaho Falls, Idaho Area.

(e) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order, regulation, or schedule. A seller's license may be suspended for violations of the license or of one or more applicable schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(f) *Right to revoke or amend.* This order may be revoked, modified or amended at any time by the Price Administrator, Regional Administrator or District Director.

Effective date. This order shall become effective on the 8th day of June, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, and 8 F.R. 4681)

Issued this 8th day of June 1944.

WM. S. HILL,
Acting District Director.

[F. R. Doc. 44-9141; Filed, June 22, 1944; 4:21 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

REGION II

Albany Order 1-F, Amendment 11, covering fresh fruits and vegetables in Albany, Rensselaer, Troy, Schenectady, Green Island, Cohoes and Watervliet, New York, filed 9:37 a. m.

Altoona Order 1-F, Amendment 10, covering fresh fruits and vegetables in Altoona, Pennsylvania, filed 9:34 a. m.

Buffalo Order 2-F, Amendment 8, covering fresh fruits and vegetables in Rochester, East Rochester, Fairport and Pittsford, New York, filed 2:02 p. m.

Camden Order 2-F, Amendment 8, covering fresh fruits and vegetables in Atlantic and Cape May Counties, New Jersey, filed 1:14 p. m.

District of Columbia Order 1-F, Amendment 10, covering fresh fruits and vegetables in the District of Columbia, Arlington County, Alexandria and Falls Church, Va. and All that Portion of Maryland within two mile of the District of Columbia Boundary Line, filed 9:37 a. m.

District of Columbia Order 1-F, Amendment 11, covering fresh fruits and vegetables in the District of Columbia, Arlington County, Alexandria and Falls Church, Va. and all that portion of Maryland within two miles of the District of Columbia Boundary Line, filed 1:13 p. m.

Harrisburg Order P-1, Amendment 3, covering fresh fish and seafood in all of Dauphin County, Camp Hill, Marysville, Enola, Lemoyne and New Cumberland, Pennsylvania, filed 9:37 a. m.

Philadelphia Order 1-F, Amendment 10, covering fresh fruits and vegetables in the City and County of Philadelphia, Pennsylvania, filed 1:13 p. m.

Scranton Order 3-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 9:34 a. m.

REGION III

Cincinnati Order 1-F, Amendment 35, covering fresh fruits and vegetables in the County of Hamilton in Ohio, filed 1:15 p. m.

Cincinnati Order 2-F, Amendment 26, covering fresh fruits and vegetables in Butler, Clark, Montgomery and Scioto in Ohio, filed 1:14 p. m.

Cleveland Order 30, covering certain dry grocery items and items of perishables in certain areas in Ohio, filed 1:58 p. m.

Detroit Office Order 1-F, Amendment 22, covering fresh fruits and vegetables in certain counties in Michigan, filed 9:37 a. m.

Escanaba Order 9-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Michigan, filed 9:37 a. m.

Escanaba Order 10-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Michigan, filed 9:37 a. m.

Escanaba Order 11-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Michigan, filed 9:38 a. m.

Escanaba Order 12-F, Amendment 14, covering fresh fruits and vegetables in certain areas in Michigan, filed 9:38 a. m.

Escanaba Order 13-F, Amendment 14, covering fresh fruits and vegetables in certain areas in Michigan, filed 9:38 a. m.

Escanaba Order 14-F, Amendment 14, covering fresh fruits and vegetables in certain areas in Michigan and Wisconsin, filed 9:38 a. m.

Escanaba Order 15-F, Amendment 14, covering fresh fruits and vegetables in certain areas in Michigan and Wisconsin, filed 9:38 a. m.

Escanaba Order 16-F, Amendment 14, covering fresh fruits and vegetables in the City of Sault Ste. Marie, Chippewa County, Michigan, filed 9:38 a. m.

Escanaba Order 17-F, Amendment 13, covering fresh fruits and vegetables in certain areas in Michigan, filed 1:52 p. m.

Lexington Order 1-F, Amendment 33, covering fresh fruits and vegetables in Fayette County, Kentucky, filed 1:58 p. m.

Lexington Order 2-F, Amendment 27, covering fresh fruits and vegetables in Campbell and Kenton Counties Kentucky, filed 1:59 p. m.

Lexington Order 3-F, Amendment 24, covering fresh fruits and vegetables in Boyd County, Kentucky, filed 2:02 p. m.

Louisville Order 1-F, Amendment 2, covering fresh fish and seafood in Jefferson

County, Kentucky, Floyd County, Indiana, and Clark County, Indiana, filed 1:53 p. m.

Louisville Order 1–F, Amendment 34, covering fresh fruits and vegetables in certain counties in Kentucky, and Indiana, filed 1:56 p. m.

Louisville Order 2–F, Amendment 26, covering fresh fruits and vegetables in Paducah, Kentucky and McCracken County, Kentucky, filed 1:55 p. m.

Louisville Order 3–F, Amendment 21, covering fresh fruits and vegetables in Daviess and Henderson Counties, Kentucky, filed 1:57 p. m.

Louisville Order 21, covering certain poultry items in Jefferson County, Kentucky, Clark County, Indiana, Floyd County, Indiana, filed 1:53 p. m.

Louisville Order 22, covering certain poultry items in certain named counties in Kentucky, filed 1:55 p. m.

REGION IV

Jacksonville Order 6–F, Amendment 5, covering fresh fruits and vegetables in Jacksonville, Florida, filed 1:08 p. m.

Jacksonville Order 22, covering certain food items in the Jacksonville, Florida area, filed 1:08 p. m.

Jacksonville Order 26, covering certain food items in the Key West, Florida area, filed 1:08 p. m.

Montgomery Order 11–F, Amendment 1, covering fresh fruits and vegetables in certain areas in Alabama, filed 2:03 p. m.

Montgomery Order 12–F, Amendment 1, covering fresh fruits and vegetables in the Cities of Kothan, Enterprise and Ozark, Alabama, filed 2:08 p. m.

Montgomery Order 14–F, Amendment 1, covering fresh fruits and vegetables in Mobile County, Alabama, filed 2:05 p. m.

REGION VI

Fargo-Moorhead Order 1–F, Amendment 5, covering fresh fruits and vegetables in certain counties in North Dakota, filed 1:12 p. m.

Fargo-Moorhead Order 2–F, Amendment 5, covering fresh fruits and vegetables, in certain counties in North Dakota, filed 1:12 p. m.

Fargo-Moorhead Order 3–F, Amendment 5, covering fresh fruits and vegetables in certain counties in Minnesota, filed 1:12 p. m.

La Crosse Order 1–F, Amendment 19, covering fresh fruits and vegetables in the Cities of La Crosse, Wisconsin, and Winona, Minnesota, filed 1:13 p. m.

La Crosse Order 2–F, Amendment 15, covering fresh fruits and vegetables in the Cities of Eau Claire and Chippewa Falls, Wisconsin, filed 9:35 a. m.

La Crosse Order 5–F, Amendment 15, covering fresh fruits and vegetables in Rochester, Minnesota, filed 9:34 a. m.

North Platte Order 5–F, covering fresh fruits and vegetables in certain counties in Nebraska, filed 9:36 a. m.

North Platte Order 23, covering certain food items in the City of North Platte, Lincoln County, Nebraska, filed 9:36 a. m.

North Platte Order 24, covering certain poultry items in certain named counties in Nebraska, filed 9:35 a. m.

North Platte Order 25, covering certain poultry items in Cheyenne and Kimball Counties, Nebraska, filed 9:36 a. m.

Quad-Cities Order 37, covering certain dry grocery items in Louisa, Henry, Des Moines and Lee Counties in Iowa, filed 1:12 p. m.

REGION VIII

Los Angeles Order 1–F, Amendment 17, covering fresh fruits and vegetables in the Los Angeles area in California, filed 1:18 p. m.

Los Angeles Order L. A. 6, Amendment 17, covering certain poultry items in San Bernardino-Riverside area, California, filed 1:15 p. m.

Los Angeles Order L. A. 7, Amendment 17, covering certain poultry items in Santa Barbara-Ventura area, California, filed 1:16 p. m.

Los Angeles Order L. A. 8, Amendment 17, covering certain poultry items in San Luis Obispo area, filed 1:16 p. m.

Los Angeles Order L. A. 10, Amendment 6, covering certain poultry items in certain areas in California, filed 1:18 p. m.

Los Angeles Order L. A. 11, Amendment 5, covering certain poultry items in certain areas in California, filed 1:18 p. m.

Phoenix Order 1–F, Amendment 6, covering poultry and egg items in Arizona State area, filed 2:08 p. m.

Phoenix Order 3–F, Amendment 22, covering fresh fruits and vegetables in Phoenix area, filed 2:09 p. m.

Seattle Adopting Order 19, covering certain food items in the Seattle area, filed 1:19 p. m.

San Diego Order 1–F, Amendment 41, covering fresh fruits and vegetables in the San Diego area, California, filed 2:07 p. m.

Spokane Order 26, Amendment 2, covering certain food items in certain areas of Kootenai County, Idaho, filed 2:07 p. m.

Spokane Order 28, Amendment 2, covering certain food items in certain areas of Asotin County, Washington, and Nez Perce County, Idaho, filed 2:06 p. m.

Copies of these orders may be obtained from the OPA Office in the designated city.

The above orders were filed with the Division of the Federal Register on June 20, 1944.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–9163; Filed, June 20, 1944; 11:37 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70–897]

ROCHESTER GAS AND ELECTRIC CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 22d day of June, A. D. 1944.

Rochester Gas and Electric Corporation, a subsidiary of NY PA NJ Utilities Company, a registered holding company, having filed a declaration pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42 promulgated thereunder wherein it is proposed that Rochester Gas and Electric Corporation redeem and cancel, as at September 1, 1944, 40,000 shares (to be selected by lot) of its outstanding 160,000 shares of $100 par value Series D 6% Cumulative Preferred Stock, at the redemption price of $105, plus accrued dividends, and that the funds for such redemption be provided by the company from cash in its treasury; and

A public hearing having been held after appropriate notice, the Commission having considered the record in this matter and having made and filed its findings and opinion herein:

It is ordered, That the aforesaid declaration be, and hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–9145; Filed, June 23, 1944; 9:44 a. m.]

[File Nos. 54–74, 59–69]

NORTH CONTINENT UTILITIES CORP., ET AL.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 21st day of June, A. D. 1944.

In the matters of North Continent Utilities Corporation and subsidiary companies, File No. 54–74; North Continent Utilities Corporation and subsidiary companies, File No. 59–69.

The Commission having by order entered on November 16, 1943 approved a plan providing for the liquidation and dissolution of North Continent Utilities Corporation, a registered holding company, filed by that company and its subsidiary companies, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, designed to enable the North Continent holding company system to comply with section 11 (b) of the act, and having by said order, pursuant to section 11 (b) of the act, directed North Continent Utilities Corporation to take such action as may be necessary to cause its liquidation and dissolution; and

An application or declaration (or both), designated as "Application No. 6", having been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by North Continent Utilities Corporation together with The Denver Ice and Cold Storage Company, its subsidiary company, and Raton Distributing Company, a subsidiary company of The Denver Ice and Cold Storage Company, and notice having been given of the filing thereof by publication in the FEDERAL REGISTER, and otherwise, as provided by Rule U-23 under said act; and

The said application or declaration (or both) concerning the following:

Raton Distributing Company, which manufacturers and sells ice and deals in oil, paint, and cattle feed in the City of Raton, New Mexico, proposes to sell its properties to Parley Roach, the general manager of said company, for $41,000 in cash subject to certain adjustments to the date of sale; and

The proceeds of the said sale, after deducting necessary expenses, will be applied by Raton Distributing Company against an open account indebtedness of $49,538 due to The Denver Ice and Cold Storage Company, and the latter company proposes to apply such funds towards the reduction of a promissory note in the principal amount of $322,000 held by North Continent Utilities Corporation. North Continent Utilities Corporation proposes to deposit such funds with the Trustee under the indenture securing its First Lien Collateral and Refunding Gold Bonds, Series A, 5½%, due January 1, 1948, to be used by the Trustee in making ratable payments upon the unpaid principal of said Bonds, as provided in North Continent Utilities Corporation's aforesaid Plan; and

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said application or declaration (or both) shall not be granted or permitted to become effective except pursuant to further order of this Commission;

It is hereby ordered, That a hearing on such matters under the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules thereunder be held on July 5, 1944 at 10:00 a. m., e. w. t., in the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated at such time by the hearing room clerk in Room 318. All persons desiring to be heard or desiring to participate in the proceedings shall notify the Commission in the manner provided by Rule XVII of the Commission's rules of practice, on or before July 1, 1944.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said application or declaration (or both), particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the consideration to be received, including all fees, commissions, and other remunerations to whomsoever paid in connection with the proposed transactions, is fair and reasonable;

(2) Whether the imposition of terms and conditions is necessary in the public interest or for the protection of investors and consumers, and, if so, what those terms and conditions should be;

(3) Generally, whether in any respect the proposed transactions are detrimental to the public interest or the interests of investors and consumers or will tend to circumvent any provisions of the act or the rules and regulations promulgated thereunder.

It is further ordered, That the Secretary of the Commission shall serve notice of said hearing by mailing a copy thereof by registered mail to said applicants or declarants, and that notice of said hearing shall be given to all other persons by publication of a copy of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–9143; Filed, June 23, 1944; 9:44 a. m.]

[File No. 70–819]

INDIANA GAS UTILITIES CO. AND ASSOCIATED ELECTRIC CO.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 22nd day of June, A. D. 1944.

Associated Electric Company ("Aelec"), a registered holding company, and its wholly-owned subsidiary, Indiana Gas Utilities Company ("Utilities"), having filed an application-declaration, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, concerning the acquisition by Aelec of all the assets of Utilities, subject to its existing liabilities, upon the surrender by Aelec, for cancellation, of all the outstanding shares of capital stock of, and claims against, Utilities; and

The Commission having, on March 9, 1944, after notice and hearing, filed its memorandum opinion and order (Holding Company Act Release No. 4934) granting the application and permitting the declaration to become effective; and

The applicants-declarants having, on June 17, 1944, advised the Commission that the parties have been unable to consummate the transaction proposed in said application-declaration within the time prescribed by said memorandum opinion and order of March 9, 1944, and the provisions of Rule U–24 (c) (1) of the rules and regulations under the act, and having requested that the time for such consummation be extended to and including August 31, 1944; and

It appearing to the Commission that it is appropriate in the public interest and the interests of investors to grant said request:

It is ordered, That the time for consummating said transaction be, and hereby is, extended to and including August 31, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–9144; Filed, June 23, 1944; 9:44 a. m.]

WAR FOOD ADMINISTRATION.

HANDLING OF MILK IN CINCINNATI, OHIO, MARKETING AREA

NOTICE OF REPORT AND OPPORTUNITY TO FILE WRITTEN EXCEPTION

Notice of report and opportunity to file written exceptions with respect to a proposed amendment to the tentatively approved marketing agreement and to the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area.

Pursuant to § 900.12 (a) of the rules of practice and procedure (§ 900.17; 7 F.R. 3350, 8 F.R. 2815), Office of Distribution of the War Food Administration, notice is hereby given of the filing with the hearing clerk of this report of the Director of Distribution with respect to a proposed amendment to the tentatively approved marketing agreement and to the amended order regulating the handling of milk in the Cincinnati, Ohio, marketing area. Interested parties may file exceptions to the report with the Hearing Clerk, Room 1331, United States Department of Agriculture, Washington, D. C., not later than the close of business on the 8th day after publication of this notice in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

The proceeding was initiated by the Office of Distribution, War Food Administration, upon receipt of a petition dated April 26, 1944, from the Cincinnati Sales Association and the Cooperative Pure Milk Association, both of Cincinnati, Ohio, for a public hearing on certain amendments they proposed. Following receipt of the petition, and after consideration of the proposals made, notice of hearing was issued on May 4, 1944, and a hearing was convened on May 10, 1944, in Cincinnati, Ohio. The time for filing briefs was set at the close of the hearing to expire at midnight May 24, 1944, and was extended to June 1, 1944.

The major issues to be decided are whether or not (1) the prices of Class I and Class II milk shall be increased, and (2) the Class III milk shall be prevented from exceeding a certain amount.

On these issues it is concluded that the prices of Class I and Class II milk should be adjusted and that no maximum should be placed on the price of Class III milk.

The following amendment is recommended as the detailed means by which these conclusions should be carried out. It applies equally to both the tentatively approved marketing agreement and the order, as amended.

Findings

It is found, upon the evidence introduced at the public hearing held in Cincinnati, Ohio, on May 10, 1944, such findings being in addition to the findings made upon the evidence introduced at prior public hearings on the original order and on the order, as amended (which findings are hereby ratified and affirmed save only as such findings are in conflict with the findings hereinafter set forth), that:

1. The prices calculated to give milk produced for sale in the marketing area a purchasing power equivalent to the purchasing power of such milk, as determined pursuant to section 2 and section 8 (e) (50 Stat. 246; 7 U.S.C. 602, 608e), are not reasonable in view of the price of feeds, the available supplies of feeds, and other economic conditions which affect market supply of and demand for such milk, and that the minimum prices set forth in this order, as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest.

2. The order, as hereby amended, regulates the handling of milk in the same manner as and is applicable only to handlers defined in a marketing agreement upon which a hearing has been held; and

3. The issuance of this amendment to the order, as amended, and all its terms and conditions, as so amended, tends to effectuate the declared policy of the act.

Provisions

1. Delete § 965.6 (a) (1) and substitute therefor the following:

(1) Class I milk—$3.80: *Provided*, That beginning with the delivery period sec-

ond following that during which the Class III price decreases to $2.85 or less, the price for Class I milk shall be $3.55.

2. Delete § 965.6 (a) (2) and substitute therefore the following:

(2) Class II milk—$3.35: *Provided*, That beginning with the delivery period second following that during which the Class III price decreases to $2.85 or less, the price for Class II milk shall be $3.10: *Provided further*, That the price for Class II milk shall not be less than the price for Class III milk plus 15 cents.

This report filed at Washington, D. C., this 22d day of June 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-9138; Filed, June 22, 1944; 8:18 p. m.]

WAR PRODUCTION BOARD.

[Conservation Order M-293]

MANUFACTURERS OF PENICILLIN

APPROVAL OF COLLABORATION IN EXCHANGE OF SCIENTIFIC INFORMATION

The ATTORNEY GENERAL.

I submit herewith a memorandum dated June 5, 1944, from the Director of the Chemicals Bureau and the Director of the Office of Scientific Research and Development of the War Production Board, requesting that certain named manufacturers of penicillin, as well as others who may be added from time to time, be authorized to collaborate in the exchange of technical information respecting the production and processing of penicillin derived by fermentation from penicillium notatum and of any raw material or intermediate components of penicillin.

For the purposes of section 12 of Public Law 603, 77th Congress (56 Stat. 357), I approve the proposal described in the memorandum; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with my approval as herein expressed is requisite to the prosecution of the war. Nothing in my approval, however, is to be construed as authorizing the imposition of limitations upon the use of information exchanged by the manufacturers.

DONALD M. NELSON,
Chairman.

JUNE 21, 1944.

[F. R. Doc. 44-9162; Filed, June 23, 1944; 11:19 a. m.]

[1] Not filed with the Division of the Federal Register.

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Washington, Tuesday, June 27, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter II—War Food Administration (Distribution Orders)

[Suspension Order, Docket No. FDA-NE-60]

PART 1590—SUSPENSION ORDERS

SUNNYDALE ICE CREAM CO., INC.

An order was issued in the above-entitled matter on September 27, 1943, which, in part, limited the utilization of milk solids by Sunnydale Ice Cream Co., Inc., (the "respondent") in the production or manufacture of frozen dairy foods or mix during the allocation periods of May and June 1944, pursuant to Food Distribution Order 8. On May 25, 1944, § 1590.5 (c) (2) of this order was amended to increase the respondent's permissible utilization of milk solids in the production or manufacture of frozen dairy foods or mix for the quota periods of May and June 1944, respectively. On May 23, 1944, War Food Order 8 (formerly designated as Food Distribution Order 8) was further amended to provide, in part, that the permissible utilization of milk solids in the production or the manufacture of frozen dairy foods or mix during the allocation period, June 1944, be increased from 75 percent total milk solids utilized during the corresponding portion of the base period to 85 percent of the total milk solids utilized during the corresponding portion of the base period. In the interests of securing the efficient use and distribution of dairy products to meet war and essential civilian needs, it has been concluded that this general increase in the permissible utilization of milk solids should be extended to Sunnydale Ice Cream Co., Inc.

It is therefore ordered, That:

Section 1590.6 *Suspension order against Sunnydale Ice Cream Co., Inc.* is amended as follows:

Paragraph (c) (5) of the order heretofore issued in the above-entitled matter on September 27, 1943 (8 F.R. 15385), as amended by an order issued on May 25, 1944 (9 F.R. 5630), be, and the same hereby is, further amended to read as follows:

(5) During the allocation period, June, 1944, respondent's utilization of milk solids in the production or manufacture of mix for sale as mix shall not exceed 6,193 pounds, and in the production or manufacture of frozen dairy foods shall not exceed 13,604 pounds.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; Delegations of Authority 8 F.R. 13696, 16497 and 9 F.R. 6202)

Issued this 23d day of June 1944.

C. W. KITCHEN,
Deputy Director,
Office of Distribution.

[F. R. Doc. 44-9181; Filed, June 23, 1944; 8:37 p. m.]

[Suspension Order Docket No. FDA-NE-64]

PART 1590—SUSPENSION ORDERS

DEEMS ICE CREAM CORPORATION

An order was issued in the above-entitled matter on October 4, 1943, which, in part, limited the utilization of milk solids by Deems Ice Cream Corporation, (the "respondent") in the production or manufacture of frozen dairy foods or mix during the allocation periods of May and June 1944, pursuant to Food Distribution Order 8. On May 25, 1944, § 1590.5 (c) (2) of this order was amended to increase the respondent's permissible utilization of milk solids in the production or manufacture of frozen dairy foods or mix for the quota periods of May and June 1944, respectively. On May 23, 1944, War Food Order 8 (formerly designated as Food Distribution Order 8) was further amended to provide, in part, that the permissible utilization of milk solids in the production or the manufacture of frozen dairy foods or mix during the allocation period, June, 1944, be increased from 75 percent total milk solids utilized during the corresponding portion of the base period to 85 percent of the total milk solids utilized during the corresponding portion of the base period. In the inter-

(Continued on p. 7039)

CONTENTS

REGULATIONS AND NOTICES

	Page
ALIEN PROPERTY CUSTODIAN:	
Vesting orders, etc.:	
Baer Type Foundry, Inc.	7105
Enger, Eva	7100
Fukushina, Tomio, et al	7104
Geipel, Minna A	7100
Gross, Julius A	7101
Guenther, Paul	7101
Haehnchen, Trintje	7101
Hannemann, Katie	7102
Honda, Inoki	7102
Jelinek, Anna	7103
Jerian, Christy	7103
Kobata, Toshiro	7103
Lichter, Solomon	7104
Lingner Corp	7104
Vlohl, Georgia, et al	7099
CHILDREN'S BUREAU:	
Power-driven woodworking machines, proposed amendment	7095
CIVIL AERONAUTICS BOARD:	
Certificates, assistant airline transport pilot, issuance; effectiveness of special civil air regulation extended	7044
COAST GUARD:	
Air raid and blackout regulations for vessels, harbors, ports and waterfront facilities; Western Defense Command	7083
Approval of equipment	7119
FEDERAL COMMUNICATIONS COMMISSION:	
Hearings, etc.:	
Cagle, Gene L	7096
Hammett, Raymond C	7096
Radiotelephone stations, operating procedure:	
Coastal harbor	7087
Ship	7087
Uniform system of accounts:	
Radiotelegraph carriers, income charges	7088
Telephone companies:	
Surplus income	7088
Telephone accounting bulletin	7088
Telephone plant acquired	7088
Wire-telegraph and ocean-cable carriers, current income charges	7088

(Continued on p. 7038)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.

CONTENTS—Continued

FEDERAL POWER COMMISSION: Page
Empire District Electric Co., et al, application filed 7096
FEDERAL TRADE COMMISSION:
Hearings, etc.:
Acme and Acme Mail Order House 7097
Burton Bros. & Co., Inc. 7098
Commercial Art Co., et al 7098
Cookware Associates, et al 7098
FOREIGN ECONOMIC ADMINISTRATION:
Bittson, A. John, Engineering Co. and World Distributors Corp., decision and order on appeal 7098
GENERAL LAND OFFICE:
Mount Diablo, Nev., modification of land withdrawal 7094
Sodium permits and leases; notice of lease order, etc. 7085

CONTENTS—Continued

IMMIGRATION AND NATURALIZATION SERVICE: Page
Nationality regulations; special classes of persons who may be naturalized 7040
INTERNAL REVENUE BUREAU:
Income taxes; excess deductions of estates and trusts 7044
Rewards for information concerning internal revenue violations 7046
INTERSTATE COMMERCE COMMISSION:
Military transportation priority, disabled personnel 7088
OFFICE OF DEFENSE TRANSPORTATION:
Corn, motor transportation within designated area (L-2; Rev.) 7094
Taxicab operators, coordinated operations:
Columbia, Mo. 7109
Hudson, N. Y. 7105
Lebanon, N. H. 7109
Nashua, N. H. 7106
Ogdensburg, N. Y. 7108
Pontiac, Mich. 7107
Rome, N. Y. 7105
Troy, N. Y. 7107
Tucson, Ariz. 7106
Vehicles, rationing of new commercial motor (A. O. 27, G. O. 44) (2 documents) 7089, 7092
OFFICE OF PRICE ADMINISTRATION:
Adjustments, etc.:
Carson Mining Co., Inc., et al. 7110
Chambers, J. C. 7111
Chattanooga Mattress Co. 7112
Fulton Sales Corp. 7113
Hansel, Stephen R., et al. (Corr.) 7115
Keenan, Wilfred B. 7112
Lonergan, Joseph A. 7113
Miami Margarine Co. 7078
Mulzer Mines, et al. (Corr.) 7115
Pennsylvania Coal & Coke Corp 7114
Sawyer, C. F. 7114
Sweets Co. of America, Inc. 7078
Wallinder Sash & Door Co. 7111
Woodwork Specialty Co. 7114
Bulbs and tubes, electric (Rev. SR 14, Am. 146) 7077
Cigars, cigar cuttings and clippings (MPR 260, Am. 8) 7060
Cloth, tobacco (Rev. SR 14, Am. 147) 7077
Cloths, unwashed and washed (MPR 484, Corr. to Am. 2) 7079
Flour, (Rev. SR 1, Am. 61) 7077
Foods, processed (Rev. RO 13, Am. 41, 42) (2 documents) 7080, 7081
Hawaii, food and drink (RMPR 9–1) 7076
Industrial materials, special sales (RMPR 204, Am. 4) 7077
Iron castings, malleable (MPR 241, Am. 7) 7077
Machines and parts, etc. (MPR 136, Am. 120) 7080
Meats, fats, fish and cheeses (Rev. RO 16, Am. 1, 2, 3, 5) (4 documents) 7060, 7081, 7082
Paper, newsprint (RMPR 130, Am. 8) 7079
Puerto Rico:
Food production (RMPR 183, Am. 40) 7077
Potatoes (RMPR 183, Am. 41) 7060

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued. Page
Regional and district office orders:
Community ceiling prices, list of orders filed 7115
Rock and sand, Los Angeles County, Calif. 7115
Rubber heels, etc. (MPR 200, Am. 14) 7079
Shoes (RO 17, Am. 65) 7080
Soaps and cleansers, sales:
Manufacturers and certain wholesalers (MPR 391, incl. Am. 1–3) 7070
Retail food stores (MPR 390, incl. Am. 1–6) 7061
Sugar (Rev. RO 3, Am. 26) 7080
Veneer, commercial (MPR 538, Corr.) 7079
PUBLIC HEALTH SERVICE:
Nurses' training, requirements for participation in post-graduate program 7085
RAILROAD RETIREMENT BOARD:
Shipley Co., et al., postponement of hearing 7117
RURAL ELECTRIFICATION ADMINISTRATION:
Allocation of funds for loans (5 documents) 7094, 7095
SECURITIES AND EXCHANGE COMMISSION:
Hearings, etc.:
Cities Service Co, et al 7117
Cities Service Power & Light Co 7118
Cincinnati Stock Exchange 7119
Investment Counsel Investment Fund, Inc 7118
Northern States Power Co. (Del.) and Northern States Power Co. (Minn.) 7118
Scranton-Spring Brook Water Service Co 7117
SELECTIVE SERVICE SYSTEM:
Conscientious objector, appeal 7048
Registration outside continental U. S., Alaska, Hawaii, and Puerto Rico 7047
TAX COURT OF U. S., THE:
Rules of practice, miscellaneous amendments 7046
VETERANS' ADMINISTRATION:
Finance, disposition of veteran's personal effects and funds upon death, etc 7085
WAGE AND HOUR DIVISION:
Embroideries industry, employment of home workers 7095
WAR DEPARTMENT:
Appointment of commissioned officers, former officers and R. O. T. C. graduates previously physically disqualified 7043
WAR FOOD ADMINISTRATION:
Apricots, California, wages of workers engaged in tree picking 7047
Corn (WFO 103) 7039
Milk:
Dried skim (WFO 54–4, Am. 1) 7040
San Jose, Calif. 7040

(Continued on next page)

CONTENTS—Continued

WAR FOOD ADMINISTRATION—Con. Page
Requisitioning of property, authority delegation 7119
Suspension orders:
Deems Ice Cream Corp. 7037
Sunnydale Ice Cream Co., Inc. 7037
WAR PRODUCTION BOARD:
Bathtubs, cast iron (L–42, Dir. 3) 7050
Cattlehide, etc., restriction on processing (M–310, Dir. 5) 7051
Certificate, War Emergency Tankers, Inc., transfer of stock (Cert. 151, Am. 1) 7120
Chlorine (M–19) 7059
Controlled materials plan, application for permission to use excess materials (CMP Reg. 1, Dir. 52) 7049
Furniture and furniture parts (L–260–a) 7057
Lumber (L–335, Rev. of Int. 1) 7049
Farm (Dir. 26) 7048
Plywood, softwood (L–150–a) 7049
Meters, domestic watthour (L–151) 7050
Petroleum, production, etc. (P–98–b) 7052
Priorities system operations, applications for permission to use excess materials (PR 1, Dir. 4) 7048
Suspension orders, etc.:
Butane Gas & Plumbing Co. 7051
G. T. E. Co. 7051
Strys, Fred 7119
Tools, hand service (E–6) 7056
WAR SHIPPING ADMINISTRATION:
Employment of certain foreign nationals, restriction 7086
Freight brokerage and commissions on fares 7086

ests of assuring the efficient use and distribution of dairy products to meet war and essential civilian needs, it has been concluded that this general increase in the permissible utilization of milk solids should be extended to Deems Ice Cream Corporation.

It is therefore ordered, That:

Section 1590.5 *Suspension order against Deems Ice Cream Corporation* is amended as follows:

Paragraph (c) (2) of the order heretofore issued in the above entitled matter on October 4, 1943 (8 F.R. 13551) as amended by an order issued on May 25, 1944 (9 F.R. 5629), be, and the same hereby is, further amended to read as follows:

(2) During the allocation periods April, May and June, 1944, respectively, the respondent's utilization of milk solids in the production or manufacture of frozen dairy foods or mix shall not exceed 2,892 lbs., 9,666 lbs., and 12,461 lbs., respectively.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; Delegations of Authority 8 F.R. 13696, 16497 and 9 F.R. 6202)

Issued this 23d day of June 1944.

C. W. KITCHEN,
Deputy Director,
Office of Distribution.

[F. R. Doc. 44-9182; Filed, June 23, 1944; 3:37 p. m.]

[WFO 103]

PART 1468—GRAIN

CORN SET ASIDE

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of corn for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1468.10 *Corn required to be set aside*—(a) *Definitions.* When used in this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not, and includes any State or political subdivision or agency thereof.

(2) "Corn" means yellow, white, or mixed shelled corn, or snap corn, of the dent or flint varieties, whole or crushed or mixed with other whole grains, excluding, however, seed corn, popcorn, grain sorghums, sweet corn, broom corn, corn used for canning purposes, and packaged corn meal, corn grits, or other corn products packaged for human consumption.

(3) "Elevator operator" means any person who owns or operates an elevator, warehouse, or barge or carloading facility, and who receives corn for resale.

(4) "Commodity" means the Commodity Credit Corporation.

(5) "Authorized purchaser" means a person or agency of the United States, authorized by Commodity, under such terms and conditions as it may impose with respect to the use or disposition thereof, to purchase corn which has been set aside under this order.

(6) "Order Administrator" means the Chief of the Agricultural Adjustment Agency, War Food Administration.

(b) *Quantity.* Every elevator operator and every other person shall set aside, reserve, and hold for sale and shipment to authorized purchasers:

(1) All corn which is purchased by or delivered to him in fulfillment of a contract or pledge between a producer thereof, located in the area designated in War Food Order No. 98, and Commodity;

(2) All corn in storage or in transit on the effective date of this order and (i) received by him in his capacity as a designated agent of Commodity under War Food Order No. 98,[1] or (ii) set aside under the provisions of War Food Order No. 96[2] or War Food Order No. 96.1;[3] and

(3) Such other corn as may be specified by the Order Administrator.

(c) *Releases.* The Order Administrator may, by individual notice and not by general order, release any corn which has been set aside, reserved, and held under this order. Corn so released may be disposed of at the option of the holder thereof.

(d) *Authorized purchasers.* Every authorized purchaser shall comply with all the terms and conditions specified in such authorization with respect to the use or disposition of corn, and any failure to comply with such terms and conditions shall constitute a violation of this order.

(e) *Contracts.* The provisions of this order and of all orders or regulations issued pursuant thereto shall be observed without regard to contracts heretofore or hereafter made, or any rights accrued or payments made thereunder.

(f) *Records and reports.* (1) The Order Administrator shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least one year (or for such period of time as the Order Administrator may designate), maintain an accurate record of his transactions in corn.

(g) *Audits and inspections.* The Order Administrator shall be entitled to make such audit or inspection of the books, records and other writings, premises, or stocks of corn of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(h) *Request for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a request for relief with the Order Administrator. All requests shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. Such requests shall be acted upon by the Order Administrator or any employee of the Agricultural Adjustment Agency designated by him.

(i) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using corn or any other material subject to priority or allocation control by any governmental agency. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty, created by, or to enjoin any violation of, any provision of this order.

(j) *Delegation of authority.* The administration of this order, and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Order Administrator.

[1] 9 F.R. 4379.
[2] 9 F.R. 3288, 4319.
[3] 9 F.R. 3638, 4319.

The Order Administrator is authorized to redelegate to any person within the War Food Administration any or all of the authority vested in him by this order.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Order Administrator, be addressed to Order Administrator, War Food Order No. 103, Agricultural Adjustment Agency, United States Department of Agriculture, Washington 25, D. C., Ref: WFO 103.

(l) *Effective date.* This order shall become effective at 12:01 a. m., c. w. t., June 24, 1944.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and all subsequent reporting and record-keeping requirements of this order will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 23d day of June 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-9216; Filed, June 24, 1944; 11:23 a. m.]

[WFO 54-4, Amdt. 1]

PART 1401—DAIRY PRODUCTS

DRIED SKIM MILK

War Food Order No. 54-4, issued by the Acting Director of Distribution on May 1, 1944 (9 F.R. 4675), is amended as follows:

By deleting the provisions of § 1401.179 (b) and inserting, in lieu thereof, the following:

(b) *Percentages of dried skim milk to be set aside.* (1) Each person who is required to set aside dried skim milk pursuant to the provisions of WFO 54 shall set aside in the calendar month of June 1944 (i) a quantity of spray dried skim milk equal to 50 percent of all spray dried skim milk produced by such person during such month, and (ii) a quantity of roller dried skim milk equal to 35 percent of all roller dried skim milk produced by such person during such month.

(2) Each person who is required to set aside dried skim milk pursuant to the provisions of WFO 54 shall set aside in the calendar month of July 1944, and in each succeeding calendar month, (i) a quantity of spray dried skim milk equal to 75 percent of all spray dried skim milk produced by such person during each such month, and (ii) a quantity of roller dried skim milk equal to 50 percent of all roller dried skim milk produced by such person during each such month.

This order shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to any violation of said War Food Order No. 54-4, rights accrued, liabilities incurred, or appeals taken thereunder, prior to the effective time of this amendment, said War Food Order No. 54-4 shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 54, 8 F.R. 7210, 9 F.R. 2875, 4321, 4319)

Issued this 22d day of June 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-9183; Filed, June 23, 1944; 3:39 p. m.]

[WFO 79-74, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SAN JOSE, CALIF., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-74 (8 F.R. 14369, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the San Jose, California, milk sales area, is hereby further amended by deleting the description of the sales area in § 1401.84 (b) and inserting, in lieu thereof, the following:

That portion of Santa Clara County beginning at a point on the western boundary of Santa Clara County and a point on the Santa Cruz County boundary which coincides with the intersection of the township line between Townships 7 S and 8 S, thence in an easterly direction along said township line to the intersection of the township line between Range 1 E. M. D. and Range 2 E. M. D., thence in a northerly direction along said township line to the north boundary of Santa Clara County, thence in a westerly direction along said boundary dividing Santa Clara and Alameda Counties to the intersection of the San Mateo County line, thence in a southwesterly, southerly and southeasterly direction along the county line between Santa Clara and San Mateo Counties to the point of intersection with the Santa Cruz County boundary, thence in a southeasterly direction along the county line between Santa Clara and Santa Cruz counties to the point of beginning, including the following towns and cities: San Jose, Santa Clara, Sunnyvale, Mountain View, and Palo Alto, all within the County of Santa Clara, State of California.

The provisions of this amendment shall be effective as of 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79-74, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said War Food Order No. 79-74, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 23d day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-9184; Filed, June 23, 1944; 3:39 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

Subchapter D—Nationality Regulations

NATURALIZATION, MISCELLANEOUS AMENDMENTS

The following amendments to Title 8, Chapter I, Code of Federal Regulations, are hereby prescribed:

The following new part is added:

PART 325—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: ALIENS ARRIVING IN THE UNITED STATES PRIOR TO SIXTEENTH BIRTHDAY

Sec.
325.1 Persons eligible.
325.2 Procedural requirements.
325.3 Proof of requirements.

AUTHORITY: §§ 325.1 to 325.3, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675, 8 U.S.C. 458, 727; 8 CFR, Cum. Supp., 90.1; applies 54 Stat. 715; 8 U.S.C. 375a.

§ 325.1 *Persons eligible.* Any alien, eligible to citizenship, who lawfully entered the United States for permanent residence when less than 16 years of age, may be naturalized upon compliance with all the requirements of the naturalization laws except that no declaration of intention shall be required. The petition for naturalization shall be filed within one year after such alien attains the age of 21 years.

§ 325.2 *Procedural requirements.* An application to file a petition for naturalization under § 325.1 shall be made on Form N-400. The petition shall be filed on Form N-405 in accordance with the requirements of Part 370 of this chapter. Form N-405 shall be altered by the clerk of court as provided in § 361.7 (a). The petition shall be further altered by the clerk of court by inserting immediately after averment 12, the words "Filed under the Act of July 2, 1940".

§ 325.3 *Proof of requirements.* Verification of the petition for naturalization and proof of residence and the other requirements prescribed by § 325.1 shall be made in the manner provided by Parts 370 and 373 of this chapter. In addition, the petitioner shall prove, by any evidence satisfactory to the naturalization court, that he was under the age of 16 years at the time of his lawful entry to the United States for permanent residence and that his petition was filed within one year after he had attained the age of 21 years. In presenting proof of his age, the petitioner shall be entitled to the benefit of any records concerning him which are in the custody of the Service.

PART 330—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: FORMER UNITED STATES CITIZENS

Section 330.6 is amended to read as follows:

§ 330.6 *Person who lost citizenship of the United States through service in one of the Allied Armies during the First or Second World War.* A person who, while a citizen of the United States and during the First or Second World War, entered the military or naval service of any country at war with a country with which the United States was or is at war, who lost citizenship of the United States by reason of any oath or obligation taken for the purpose of entering such service, or by reason of entering or serving in such armed forces, and who intends to reside permanently in the United States, may be naturalized by taking the oath of renunciation and allegiance specified in section 335 of the Nationality Act of 1940. For the purposes of this section, the Second World War shall be deemed to have commenced on September 1, 1939, and shall continue until such time as the United States shall cease to be in a state of war. Such oath may be taken before any naturalization court, and any person described in this section who has lost United States citizenship during the Second World War may also take the oath before any diplomatic or consular officer of the United States abroad. Application to take such oath before the court shall be made on Form N-409 which shall be executed in quadruplicate and shall be given a regular petition for naturalization number by the clerk of court. The original of Form N-409 shall be retained by the clerk of court as the court record and the duplicate, triplicate, and quadruplicate shall be forwarded to the appropriate district director. The district director shall retain the quadruplicate and forward the duplicate and triplicate Form N-409 to the Commissioner who will transmit the triplicate to the Department of State. The taking of such oath before a diplomatic or consular officer abroad shall be in accordance with such regulations as may be prescribed by the Department of State. Any person who has been naturalized a citizen of the United States under this section may make application for a certificate of naturalization in the manner provided in Part 378. (Secs. 323 (as amended by the Act of April 2, 1942, 56 Stat. 198, 8 U.S.C. 723), 335, 54 Stat. 1149, 1157, 8 U.S.C. 723, 735)

The following section is added:

§ 330.8 *Procedure.* An alien desiring to file a petition for naturalization under § 330.1, 330.4, 330.5, or 330.7 of this part shall make application on Form N-400. A petition for naturalization filed under any such section shall be filed on Form N-405.

PART 335—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: ALIEN ENEMIES

Section 335.3 (b) is amended to read as follows:

(b) The district director of Immigration and Naturalization may, in his discretion and upon the request of the petitioner, waive the ninety days' notice required by paragraph (a) of this section. Such waiver may be granted at any time after the petition has been filed and either before or after the clerk's notice has been given and the ninety-day period has commenced. Where a petitioner requests a waiver of the ninety days' notice, the case shall be investigated in accordance with § 335.4 and submitted by the naturalization officer or examiner to the district director with a recommendation as to whether a waiver should be granted. If a waiver is granted, notice thereof shall be executed by the district director on Form N-424 and filed with the clerk of the naturalization court. One copy of Form N-424 shall be retained in the field office file and one copy forwarded to the Central Office. (Secs. 326, 703, 54 Stat. 1150, 56 Stat. 183; 8 U.S.C. 726, 1003)

Section 335.5 is amended to read as follows:

§ 335.5 *Exception from alien enemy classification.* (a) An alien enemy who does not come within one or more of the classes described in § 335.2 and who has filed a petition for naturalization may, in the discretion of the President of the United States, be excepted from such classification of alien enemy, whereupon he shall have the privilege of having a final hearing upon his petition for naturalization. The President of the United States has ordered excepted from the classification of alien enemy all persons whom the Attorney General, the Commissioner of Immigration and Naturalization, or any district director of the Immigration and Naturalization Service shall, after investigation fully establishing their loyalty, certify as persons loyal to the United States. Application for such exception shall be made on Form N-436 and shall be filed with the appropriate office of the Immigration and Naturalization Service. Thereupon the district director shall cause a full and complete investigation to be made of the loyalty of such applicant. If, after such investigation, the district director is satisfied of the loyalty to the United States of the petitioner, he shall issue a certificate of loyalty on Form N-438 in triplicate, the original to be filed in the appropriate naturalization court, one copy to be retained in the field office file, and one copy to be transmitted to the Central Office. The clerk of the naturalization court need not file the certificate of loyalty with and make it a part of the petition for naturalization but may file it in some other orderly manner. Where an application for exception from the classification of alien enemy is denied by the district director, the entire file shall immediately be forwarded to the Central Office with a brief statement of the grounds on which such denial is based.

(b) An alien enemy who has been certified as a person loyal to the United States in the manner prescribed in the preceding paragraph shall have the privilege of having a final hearing upon his petition for naturalization without being subject to the provisions of §§ 335.3 and 335.4. (Sec. 326 (b) (d), 54 Stat. 1150, 8 U.S.C. 726; Executive Order 9372)

The following two new parts are added:

PART 338—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: MEMBERS OR VETERANS OF THE UNITED STATES ARMED FORCES DURING THE SECOND WORLD WAR WITHIN JURISDICTION OF A NATURALIZATION COURT

Sec.
338.1 Persons eligible.
338.2 Exemptions and fees.
338.3 Certificate of arrival.
338.4 Verification of the petition for naturalization.
338.5 Proof of service in the armed forces; final hearing.
338.6 Procedure.

AUTHORITY: §§ 338.1 to 338.6, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 705, 56 Stat. 183, sec. 37 (a), 54 Stat. 675; 8 U.S.C. 727, 1006, 458; 8 CFR, Cum. Supp., 90.1; applies secs. 701, 704, 56 Stat. 182, 183; 8 U.S.C. 1001, 1004.

§ 338.1 *Persons eligible.* Any person not a citizen of the United States, regardless of age, who is serving or has served honorably in the military or naval forces of the United States during the Second World War and who, having been lawfully admitted to the United States, including its territories and possessions, shall have been at the time of his enlistment or induction a resident thereof, may be naturalized under the provisions of section 701 of the Nationality Act of 1940, upon his petition filed not later than one year after December 31, 1944, or not later than one year after the termination of the effective period of the Second War Powers Act, 1942 (56 Stat. 176). The provisions of section 701 of the Nationality Act of 1940 shall not apply (1) to any person who during the Second World War is dishonorably discharged from the military or naval forces or is discharged therefrom on account of his alienage, or (2) to any conscientious objector who performed no military duty whatever or refused to wear the uniform. For the purposes of this part, the Second World War shall be deemed to have commenced on September 1, 1939.

§ 338.2 *Exemptions and fees.* A person described in § 338.1 of this part may file a petition for naturalization in any naturalization court, without regard to his place of residence, and no period of residence within the United States or any State shall be required. No declaration of intention shall be required to be filed with the petition. The petitioner shall not be required to speak the English language, sign his petition in his own handwriting, or meet any educational test. The provisions of sections 303 and 326 of the Nationality Act of 1940, relating respectively to racial restrictions upon naturalization and to the naturalization of alien enemies, shall not apply to petitions for naturalization filed under this part. No fee shall be collected from such petitioner for filing such petition for naturalization, for the final hearing thereon, or for the issuance of a certificate of naturalization if such petition is granted.

§ 338.3 *Certificate of arrival.* If a petitioner for naturalization under § 338.1 of this part entered the United States, its territories, or possessions after June 29, 1906, a certificate of arrival shall be filed with and made a part of the petition for naturalization at the time the petition is filed. Such certificate of arrival shall be issued in accordance with § 363.1 of this chapter, and in the event the entry was not for permanent residence, the certificate of arrival shall state the conditions under which the petitioner was admitted to the United States, its territories, or possessions. No fee shall be collected from the petitioner for the issuance of a certificate of arrival.

§ 338.4 *Verification of the petition for naturalization.* A petition for naturali-

zation filed in accordance with § 338.1 of this part shall be verified, but for no specified period of time, by at least two credible witnesses, citizens of the United States, as provided in § 370.4 of this chapter, and the verifying witnesses shall also testify at the final hearing unless excused therefrom as provided in § 373.2 of this chapter.

§ 338.5 *Proof of service in the armed forces; final hearing.* The service of a petitioner under § 338.1 of this part in the military or naval forces of the United States may be proved either (1) by affidavits, forming a part of the petition for naturalization, of at least two credible witnesses, citizens of the United States, members or former members of the United States military or naval forces during the Second World War of the noncommissioned or warrant officer grade or rating, or higher, who may be the same two witnesses described in § 338.4 of this part, or (2) by a duly authenticated copy of the record of the Federal executive department having custody of the record of petitioner's service. The provisions of section 334 (c) of the Nationality Act of 1940, relating to final hearings on petitions for naturalization and the issuance of certificates of naturalization within thirty days after the filing of the petition and within sixty days preceding the holding of any general election within the territorial jurisdiction of the naturalization court, shall not apply to petitions for naturalization filed under this part if prior to the filing of the petition the petitioner and the verifying witnesses described in § 338.4 of this part, and in § 338.5 of this part if the required service has been proved by the affidavits of witnesses, have appeared before and been examined by a representative of the Immigration and Naturalization Service.

§ 338.6 *Procedure.* An application to file a petition for naturalization under § 338.1 of this part shall be made on Form N–403 if the applicant is serving in the military or naval forces at the time the application is filed. The petition for naturalization of a person so serving shall be filed on Form N–410. Application to file a petition for naturalization under § 338.1 of this part shall be made on Form N–400 if the applicant has been discharged before the application is filed. The petition for naturalization of a discharged person shall be filed on Form N–412.

PART 339—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: MEMBERS OF THE UNITED STATES ARMED FORCES DURING THE SECOND WORLD WAR NOT WITHIN JURISDICTION OF ANY NATURALIZATION COURT

Sec.

339.1 Persons eligible.
339.2 Exemptions and fees.
339.3 Verification of the petition for naturalization.
339.4 Proof of service in the armed forces.
339.5 Oath of renunciation and allegiance.
339.6 Renunciation of title or order of nobility.
339.7 Change of name.
339.8 Procedure.
339.9 Issuance of certificate of naturalization.
339.10 Disposition of original and duplicate petitions for naturalization, and original, duplicate, and triplicate certificates of naturalization.

AUTHORITY: §§ 339.1 to 339.10, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 705, 56 Stat. 183, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 458, 727, 1005; 8 CFR, Cum. Supp., 90.1; applies secs. 702, 704, 56 Stat. 182, 183; 8 U.S.C. 1002, 1004.

§ 339.1 *Persons eligible.* Any person not a citizen of the United States, regardless of age, who while serving honorably in the military or naval forces of the United States during the Second World War is not within the jurisdiction of any court authorized to naturalize aliens and who, having been lawfully admitted to the United States, including its territories and possessions, shall have been at the time of his enlistment or induction a resident thereof, may be naturalized under the provisions of section 702 of the Nationality Act of 1940, upon his petition filed not later than one year after December 31, 1944, or not later than one year after the termination of the effective period of the Second War Powers Act, 1942 (56 Stat. 176). Naturalization may be granted under this part at any place outside the naturalization jurisdiction of any naturalization court located in continental United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands of the United States. The provisions of section 702 of the Nationality Act of 1940 shall not apply (1) to any person who during the Second World War is dishonorably discharged from the military or naval forces or is discharged therefrom on account of his alienage, or (2) to any conscientious objector who performed no military duty whatever or refused to wear the uniform. For the purposes of this part, the Second World War shall be deemed to have commenced on September 1, 1939.

§ 339.2 *Exemptions and fees.* A person described in § 339.1 of this part may file a petition for naturalization without regard to the period of his residence within the United States or any State. No declaration of intention shall be required to be filed with the petition. The petitioner shall not be required to speak the English language, sign the petition in his own handwriting, or meet any educational test. The provisions of sections 303 and 326 of the Nationality Act of 1940, relating respectively to racial restrictions upon naturalization and to the naturalization of alien enemies, shall not apply to petitions for naturalization filed under this part. No fee shall be collected from such petitioner for filing such petition for naturalization, for the final hearing thereon, or for the issuance of a certificate of naturalization if such petition is granted.

§ 339.3 *Verification of the petition for naturalization.* A petition for naturalization filed in accordance with § 339.1 of this part shall be verified, but for no specified period of time, by at least two credible witnesses, citizens of the United States, as provided in § 370.4 of this chapter, and the verifying witnesses shall also testify at the final hearing unless excused therefrom as provided in § 373.2 of this chapter.

§ 339.4 *Proof of service in the armed forces.* The service of a petitioner for naturalization under § 339.1 in the military or naval forces of the United States may be proved either (1) by affidavits, forming a part of the petition for naturalization, of at least two credible witnesses, citizens of the United States, members or former members of the military or naval forces of the United States during the Second World War who are of the noncommissioned or warrant officer grade or rating, or higher, and who may be the same two witnesses described in § 339.3 of this part or (2) by a duly authenticated copy of the record of the Federal executive department having custody of the record of the petitioner's service.

§ 339.5 *Oath of renunciation and allegiance.* A petitioner for naturalization under § 339.1, before being admitted to citizenship, shall take before the representative of the Immigration and Naturalization Service designated for that porpose by the Commissioner of Immigration and Naturalization the oath of renunciation and allegiance prescribed by section 335 of the Nationality Act of 1940.

§ 339.6 *Renunciation of title or order of nobility.* A petitioner for naturalization under § 339.1 who has berne any hereditary title or has been of any of the orders of mobility in any foreign state, before being admitted to citizenship, in addition to taking the oath of allegiance prescribed by § 339.5 of this part, shall make under oath before such designated representative of the Immigration and Naturalization Service an express renunciation of such title or order of nobility, and such renunciation shall be recorded as a part of such proceedings.

§ 339.7 *Change of name.* At the time and as a part of the naturalization of any person under the provisions of § 339.1 the designated representative of the Commissioner may upon the prayer of the petitioner included in the petition for naturalization, make a decree in his discretion changing the name of such person and issue the certificate of naturalization in accordance therewith.

§ 339.8 *Procedure—(a) Petition for naturalization form.* An applicant for naturalization under § 339.1 shall make before, and file with, the designated representative of the Immigration and Naturalization Service a sworn petition in writing on Form N–411, in duplicate, signed by the applicant and duly verified by witnesses.

(b) *Petition for naturalization; order and jurat of designated representative of the Immigration and Naturalization Service.* The petition shall contain a certification of the petitioner's lawful admission to the United States, including its territories and possessions, and the jurat and order executed by the designated representative of the Immigration and Naturalization Service.

(c) *Procedure; final hearing.* If a petitioner under § 339.1 of this part and the verifying witnesses described in § 339.3, and also the witnesses described in § 339.4 if the required service has been proved by the affidavits of witnesses, have appeared before and been examined by the designated representative of the Immigration and Naturalization Service prior to the filing of the petition for naturalization, the petitioner may be naturalized immediately.

§ 339.9 *Issuance of certificate of naturalization.* A member of the armed forces of the United States naturalized under the provisions of § 339.1 shall have issued to him by the designated representative of the Immigration and Naturalization Service as a part of the naturalization proceedings the original of the certificate of naturalization.

§ 339.10 *Disposition of original and duplicate petitions for naturalization, and original, duplicate, and triplicate certificates of naturalization.* Petitions for naturalization filed and certificates of naturalization issued under the provisions of §§ 339.1, 339.8, and 339.9 of this part shall be numbered in series separate from other petitions and certificates. The original and duplicate of a petition for naturalization filed under §§ 339.1 and 339.8 shall bear the same petition number and, together with the duplicate and triplicate of the certificate of naturalization, shall, after completion of action thereon by the designated representative of the Immigration and Naturalization Service, be transmitted by him direct to the Commissioner as soon as practicable. Each duplicate petition and each duplicate certificate shall therafter be transmitted by the Commissioner to the clerk of the United States District Court in the district in which the petitioner is a resident, or, if the petitioner is not a resident of any place within the jurisdiction of a United States District Court, to the Clerk of the United States District Court for the District of Columbia, Washington, D. C., and shall be filed by the clerk as a part of the records of the court. Each original petition for naturalization and triplicate certificate of naturalization shall be filed permanently by the Commissioner as a part of the records of the Immigration and Naturalization Service.

PART 360—CLERKS OF NATURALIZATION COURTS AND THEIR DUTIES

Section 360.9 is amended to read as follows:

§ 360.9 *Report of and accounting for spoiled and void papers.* (a) Where a declaration of intention, petition for naturalization, or certificate of naturalization is damaged, mutilated, or defaced in any manner, or is executed only partially and is never actually filed by the clerk of court, the original and all copies of such paper are to be marked "spoiled" and transmitted in the manner described in § 360.3 with the monthly report of the clerk of court on Form N–4. If a number has been allotted to such a declaration of intention or petition for naturalization, that number may be assigned to the next succeeding declaration of intention or petition for naturalization, as the case may be.

(b) Where a completely executed declaration of intention or petition for naturalization is filed by a clerk of court and it later develops that such document is materially defective, it, nevertheless, must remain a part of the records of the court and the copies thereof must be disposed of as provided in § 360.3 and the fee accounted for in accordance with the provisions of §§ 360.6, 360.7, and 360.8. The district director who receives such defective paper will inform the declarant or petitioner of the defect, and, if such defective paper is a petition for naturalization, the petitioner will be further informed of the desirability of permitting the paper to be marked "void" in order that, if possible, the fee paid therefor may be refunded. At the same time such petitioner is to be informed that, if he so desires, he may exercise his right to have the petition submitted to the court for a judicial ruling, in which event no refund of the fee can be made. Where such petitioner requests that his petition be marked "void", such request shall be addressed to the Commissioner in triplicate. One copy of such request shall be attached to each copy of the petition. Clerks of courts in their "Monthly Reports" on Form N–4 and "Abstract of collections" on Form N–7, shall separately list void declarations and petitions, according to the number, if any, assigned to them, and indicate by appropriate notation that same are "void".

PART 361—OFFICIAL FORMS

The introductory sentence and paragraphs (a) and (b) of § 361.7 are amended to read as follows:

§ 361.7 *Amendment of forms for petitions for naturalization.* The official form for petitions for naturalization shall be altered by the clerk of court as follows:

(a) *Exemption from declaration of intention.* Where a declaration of intention is not required to be filed with the clerk of court at the filing of the petition for naturalization and the petition is filed on Form N–406, by striking out all of allegation 13, and, in the certification following the jurat, by striking out "together with Declaration of Intention No. -------- of such petitioner".

(b) *Exemption from certificate of arrival.* Where a certificate of arrival is not required to be filed with the clerk of court at the filing of the petition for naturalization, by striking out portions as follows: (1) If petition is filed on Form N–405, in allegation 11 the words "as shown by the certificate of my arrival attached to this petition" and, in the certification following the jurat, the words "Certificate of Arrival No. -------- from the Immigration and Naturalization Service, showing the lawful entry for permanent residence of the petitioner above named, together with". (2) If petition is filed on Form N–406, in allegation 11 the words "as shown by the certificate of my arrival attached to this petition" and the entire certification following the jurat. (3) If the petition is filed on Form N–410, in allegation 8 the words "as shown by the certificate of my arrival attached to this petition" and the entire certification of the clerk immediately following the jurat. (4) If the petition is filed on Form N–412, in allegation 11 the words "as shown by the certificate of my arrival attached to this petition" and the entire certification of the clerk immediately following the jurat.

The second sentence of § 361.8 is amended to read as follows:

Except as authorized by §§ 325.2, 361.6, and 361.7, no requests or suggestions to clerks of courts to make corrections in a declaration of intention or petition for naturalization shall be made by any member of the Immigration and Naturalization Service.

PART 385—REVOCATION OF RECORDS CREATED AND OF NATURALIZATION AND CITIZENSHIP DOCUMENTS ISSUED BY THE COMMISSIONER

The first sentence of § 385.1 is amended to read as follows:

If, at any time after a certificate of lawful entry has been issued under Part 362, or a certificate of naturalization has been issued under Part 378, or a certificate of citizenship has been issued under Part 379, or a special certificate of naturalization has been issued under Part 380, or a new certificate in changed name or a new declaration of intention or a new certificate of naturalization or of citizenship has been issued under Part 382, or a new certified copy of the proceedings has been issued under § 382.6 or § 383.6, evidence becomes available to a district director of Immigration and Naturalization indicating that such record or document was obtained illegally or fraudulently, a complete report shall be promptly submitted to the Central Office by the district director, with comment and recommendation.

L. PAUL WININGS,
Acting Commissioner of Immigration and Naturalization.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 44–9253; Filed, July 24, 1944; 4:45 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 73—APPOINTMENT OF COMMISSIONED OFFICERS, WARRANT OFFICERS AND CHAPLAINS

REAPPOINTMENT OF OFFICERS AFTER DISCHARGE FOR PHYSICAL DISABILITY

Section 73.222 is rescinded and the following substituted therefor:

§ 73.222 *Appointment of former officers and R. O. T. C. graduates, who previously, were found physically disqualified.* (a) A former commissioned officer of the Army who was honorably discharged because of physical disqualification only, subsequent to 31 August 1940, will, on application to The Adjutant General, be reappointed in the Officers' Reserve Corps and/or the Army of the

United States in the grade or grades held at the time of discharge, including the highest temporary grade in the Army of the United States or Army of the United States (Air Corps) as follows:

(1) A former Reserve officer will be appointed in the Inactive Reserve in his former Reserve grade and in his highest temporary Army of the United States grade (if any).

(2) A former officer of the National Guard of the United States will be appointed in the Inactive Reserve in his former National Guard of the United States grade and in his highest temporary Army of the United States grade (if any).

(3) A former Army of the United States officer will be reappointed in his highest temporary Army of the United States grade and continued on an inactive status during the present emergency and 6 months thereafter.

(4) (i) A former commissioned officer who is in the active service in an enlisted or warrant officer capacity, if found physically qualified for retention in the military service will:

(*a*) If discharged from Officers' Reserve Corps or National Guard of the United States, be appointed in the Officers' Reserve Corps in the grade and section in which discharged from Officers' Reserve Corps or National Guard of the United States and to the highest temporary grade, if any, held in the Army of the United States at the time of discharge, or

(*b*) If discharged from temporary commission in the Army of the United States, be appointed in the Army of the United States in the grade held at the time of discharge.

(ii) He will be ordered to active duty in an assignment commensurate to his grade, preferably in the arm or service to which assigned at time of discharge. These actions will be taken regardless of the lack of a procurement objective or position vacancy, and irrespective of whether or not the officer was on active duty at the time of his discharge. If found not physically qualified for retention in the military service he will be discharged from his enlisted or warrant officer status and tendered an appointment in keeping with the appropriate one of the procedures set forth in subparagraphs (1), (2) and (3) above, but will not be ordered to active duty.

(b) Those officers in the Inactive Reserve Corps who have more than 15 years' service and who held a higher temporary grade in the Army of the United States at the time of transfer to the Inactive Reserve Corps will, upon application to The Adjutant General, be reappointed in their highest temporary Army of the United States grade.

(c) That officers, except officers of the Regular Army, on active duty who are relieved from active duty because of physical disqualification only, will be returned to an inactive status as provided in paragraphs (a) (1) and (3), except that National Guard officers will revert to an inactive National Guard status and will retain their higher temporary grade in the Army of the United States during the present emergency and 6 months thereafter.

(d) An individual who has successfully completed the Reserve Officers' Training Corps course under War Department contract, including the 6 weeks at summer camp, and was denied a commission because of physical disqualification only and is inducted into the Army and makes application for appointment within 5 years subsequent to his graduation from Reserve Officers' Training Corps will, if found physically qualified for retention in the military service, be appointed a second lieutenant in the Army of the United States in the arm or service in which enrolled while in Reserve Officers' Training Corps and given appropriate assignment in the arm or service in which appointed regardless of the lack of a procurement objective or a position vacancy.

(e) Eligible persons referred to in paragraphs (a) (4) and (d) desiring appointment as officers in the Army of the United States will submit their applications through channels to The Adjutant General. Report of final type physical examination on W. D., A. G. O. Form No. 63 (Report of Physical Examination) will accompany the application. This procedure constitutes an exception to the provisions of § 73.206 (c) (1), which ordinarily require appearance before a board of officers.

(f) The policies contained in these regulations do not apply to former officers of the Medical Administrative Corps Reserve or Medical Administrative Corps, Army of the United States who were appointed for the sole purpose of permitting them to continue their Medical, Dental, or Veterinary Medicine education, or to individuals physically disqualified because of mental or nervous conditions. (Act of 22 September 1941, 55 Stat. 728; 10 U.S.C. Sup. 484) [Sec. III W.D. Cir. 206, 24 May 1944]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-9198; Filed, June 24, 1944; 9:35 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 311]

ISSUANCE OF ASSISTANT AIRLINE TRANSPORT PILOT CERTIFICATES

SPECIAL CIVIL AIR REGULATION

Extending the effectiveness of Special Civil Air Regulation Serial Number 278 authorizing the issuance of assistant airline transport pilot certificates.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 23d day of June 1944.

Effective July 1, 1944 Special Civil Air Regulation Serial Number 278 is amended by striking the words "June 30, 1944" and inserting in lieu thereof the words "December 31, 1944".

NOTE: This regulation replaces Special Civil Air Regulation Serial Number 298 which has expired.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-9270; Filed, June 26, 1944; 10:30 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T. D. 5380]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

EXCESS DEDUCTIONS OF ESTATES AND TRUSTS

Regulations 111 amended to conform to section 133 of the Revenue Act of 1943.

In order to conform Regulations 111 (26 CFR, Cum. Supp., Part 29) relating to the income tax under the Internal Revenue Code, to section 133 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. The following is inserted immediately preceding § 29.162-1:

SEC. 133. RELIEF IN THE CASE OF EXCESS DEDUCTIONS OF ESTATES AND TRUSTS. (Revenue Act of 1943.)

(a) *In general.* Section 162 (d), relating to deductions in computing the net income of estates and trusts, is amended by adding at the end thereof the following new paragraph:

(4) *Excess deductions.* If for any taxable year of an estate or trust the deductions allowed under subsection (b) or (c) solely by reason of paragraph (2) or (3) (A) in respect of any income which becomes payable to a legatee, heir, or beneficiary exceed the net income of the estate or trust for such year, computed without such deductions, the amount of such excess shall not be included in computing the net income of such legatee, heir, or beneficiary under subsection (b) or (c). In cases where the income deductible solely by reason of paragraph (2) or (3) (A) becomes payable to two or more legatees, heirs, or beneficiaries, the benefit of such exclusion shall be divided among such legatees, heirs, and beneficiaries, in the proportions in which they share in such income. In any case where the estate or trust is entitled to a deduction by reason of paragraph (1), in the determination of the net income of the estate or trust for the purposes of this paragraph the amount of such deduction shall be determined with the application of paragraph (3) (A).

(b) *Effective date.* The amendment made by subsection (a) shall be effective as if it were a part of section 111 of the Revenue Act of 1942 on the date of its enactment.

PAR. 2. Section 29.162-1 is amended by changing the second and third sentences of the ninth paragraph beginning with the words "The tax upon" to read as follows:

If the tax has been properly paid on the net income of an estate or trust for a taxable year, the net income on which the tax is so paid is not, generally, in the hands of the distributee thereof (the legatee, heir, or beneficiary) taxable as income to him, but if such income becomes payable in a subsequent taxable year of the estate or trust it may be required to be included in the income of the distributee under section 162 (d) (2) or (3). See § 29.162-2 (b), (c) and (d).

PAR. 3. Section 29.162-2 is amended as follows:

(A) The last sentence of paragraph (a) is amended by changing the parenthetical clause therein to read as follows: "(see paragraphs (b) and (d) of this section)."

(B) The sixth sentence in example (1) of paragraph (b) is amended to read as follows:

Assuming the beneficiary makes his income tax returns on the calendar year basis, he will include this amount deducted by the trust in 1942 in his income for 1942, unless he is permitted to exclude part or all of the income earned by the trust in the last six months of 1941 under the provisions of section 162 (d) (4).

(C) Example (3) of paragraph (b) is deleted.

(D) The last example contained in paragraph (b) is deleted and the following inserted in lieu thereof.

Example. Under the terms of an existing trust with respect to which the local law allows accumulations, the trustee has discretion to either accumulate or distribute the income to the beneficiary. The income tax returns of the trust and the beneficiary are made on the calendar year basis. On April 1, 1943 the trustee distributes to the beneficiary all the income accumulated from January 1, 1940 through March 31, 1943. Pursuant to section 162 (d) (2), the amount of the income of the trust for the period April 1, 1942, through March 31, 1943, that is, for the last 12 months of the period of accumulation, is deductible under section 162 (c) in the return of the trust for the calendar year 1943, and is includible in the beneficiary's income tax return for that year, subject to the limitation provided in section 162 (d) (4). The distribution of the accumulated income will include the income of the trust for the last nine months of 1942 upon which the trust may have paid a tax for the year 1943, but such income is, if under the terms of the trust instrument and the local law the Federal income tax is a charge against such income, reduced by the amount of Federal income tax attributable to such income and paid by the trustees. If the deduction taken by the trust for the distribution to the beneficiary on April 1, 1943 exceeds the net income of the trust for the calendar year 1943, see section 162 (d) (4) and § 29.162-2 (d).

(E) There is inserted immediately following § 29.162-2 (c) the following paragraph:

(d) *Treatment of excess deductions of estates and trusts.* Section 162 (d) (4) is designed to avoid a form of double taxation which can arise through operation of section 162 (d) (2) and (3) (A). It becomes applicable only in cases where the deductions allowed to an estate or trust for a taxable year under section 162 (b) or (c) solely upon application of section 162 (d) (2) or (3) (A) exceed the net income of the estate or trust for such year, computed without the deductions allowed by reason of section 162 (d) (2) and (3) (A). The provisions of section 162 (d) (4) do not prevent the taxation of income distributed to legatees, heirs, or beneficiaries merely because the income may have been previously taxed to the estate or trust. See the example in the third subparagraph of this paragraph.

It is in the case of an estate which terminates its administration on a date more than 65 days after the beginning of its final taxable year that section 162 (d) (4) will be applicable most frequently to eliminate the double taxation that can arise by reason of section 162 (d) (2). For example, the income of an estate during its several years of administration, amounting to $100 each month, was accumulated until the estate was closed on May 31, 1942, on which date the accumulated income was payable under the terms of the will or local law to B, the residuary legatee, together with or as a part of the residue of the estate. The return of the estate for the calendar year 1942 will include income of $500 from which there will be deducted under section 162 (c) pursuant to section 162 (d) (2) the sum of $1,200 (assuming that under the local law any income taxes paid by the estate with respect to the 1941 income are not chargeable to income). Since the estate is entitled to a deduction of $500 under section 162 (c), without the application of section 162 (d (2), that is, for income received and distributed in the year 1942, only $700 of the $1,200 deduction is taken by the estate solely by reason of section 162 (d) (2). Thus, the deduction allowed the estate solely by reason of section 162 (d) (2) exceeds the net income of the estate for 1942 computed without such deduction by the amount of $700, which amount would be excluded from B's income for the year 1942. B's return for the calendar year 1942 would include only the income of $500 received by the estate in 1942.

If a trustee is required, or permitted, under the terms of the trust to distribute in one year the income of a prior period, excess deductions of the type covered by section 162 (d) (4) also may arise by reason of section 162 (d) (2) in such a case. For example, the income of a trust for the calendar year 1942 amounted to $10,000 and was properly accumulated by the trustee until July 1, 1943, when only the income for the year 1942 was paid to the beneficiary, and no other distribution was made during the year 1943 or within the first 65 days of 1944. The net income of the trust for the year 1942, computed without the deduction allowed through the operation of section 162 (d) (2), amounted to only $8,000. The deduction of $10,000, being allowed solely by reason of section 162 (d) (2), exceeded the net income of the trust for 1943, computed without such deduction, by $2,000. Thus, section 162 (d) (4) operates so as to exclude from the beneficiary's return the amount of such excess deduction. The beneficiary, in his return for the calendar year 1943, would include $8,000 of the July 1, 1943 distribution, even though the trust may have paid taxes on such income for the year 1942.

Excess deductions of an estate or trust solely by reason of section 162 (d) (3) (A) will not arise frequently, for the distribution of income within the first 65 days of a taxable year of an estate or trust will generally consist of income received by the estate or trust in the immediately preceding taxable year of the estate or trust. Thus, if on February 1, 1943 an estate or trust distributes the 1942 income to B, the deduction for such distribution is taken in the return of the estate or trust for the calendar year 1942, and in most cases the deduction allowed will be equal to the net income (before such deduction) for the year 1942. However, if the estate or trust income (as determined by the will, trust instrument, or local law) for the year 1942 payable to B on February 1, 1943 exceeded the net income of the estate or trust for 1942 before the application of section 162 (d) (3) (A), then section 162 (d) (4) would operate to exclude from B's income the amount of the excess deduction to the estate or trust. Excess deduction also can arise upon application of section 162 (d) (3) (A) in a case where a fiduciary of an estate or trust distributes within the first 65 days of its taxable year the income of a period not covering its immediately preceding taxable year. Thus if a trustee who accumulated the income for the calendar years 1941 and 1942 distributes to B on March 1, 1943 the income of the year 1941 only, the trust in its return for the year 1942 will deduct the amount of income of the year 1941 distributed on March 1, 1943. If such deduction allowed to the trust exceeds the net income of the trust for the year 1942, computed without such deduction, B will exclude the amount of such excess from his return for the calendar year 1943.

The deductions allowed to an estate or trust solely by reason of section 162 (d) (2) and (3) (A) are compared under the provisions of section 162 (d) (4) with the net income of the estate or trust computed without such deductions, except that in a case where the estate or trust in computing its net income for a taxable year is entitled to a deduction under section 162 (d) (1) (relating to amounts paid to annuitants), the amount of the deduction under section 162 (d) (1) shall be computed with the application of section 162 (d) (3) (A). Such application of section 162 (d) (3) (A) in computing the net income of an estate or trust for the purpose of section 162 (d) (4) in a case where section 162 (d) (1) is applicable is shown in the following example which also illustrates the manner in which excess deductions are treated when two or more beneficiaries are involved.

Example. Under an existing trust the trustee in his discretion may either accumulate or distribute the income to the beneficiaries, A and B, who share equally in the income of the trust. The returns of the trust and of the beneficiaries are made upon the calendar year basis. Under the terms of the trust, the trustee is required to pay an annuity of $4,000 to C on April 1 of each year. During the year 1942 the trust had gross income of $9,000 and expenses of $1,000 which were deductible in computing the net income under the Internal Revenue Code and were chargeable against income under the terms of the trust instrument.

The following distributions were made by the trustee during 1942 and the first 65 days of 1943:

$6,000 was paid to A on April 1, 1942; $5,000 as his share of the trust income during the last nine months of 1941 and $1,000 as his share of the trust income during the first three months of 1942.

$2,000 was paid to A on November 1, 1942, out of income received by the trust after March 31, 1942.

$3,000 was paid to B on January 5, 1943 out of his share of trust income for 1942.
$4,000 was paid to C, the annuitant, on April 1, 1942.

Of the $15,000 distributed, the trust is allowed deductions of only $13,000 by reason of such distributions, since only $3,000 of the $4,000 paid to C is deductible by the trust inasmuch as the distributable income as defined in section 162 (d) (1) is only $2,000, that is, $8,000 less: $1,000 of the April 1, 1942 distribution to A, the $2,000 distribution to A on November 1, 1942 and the $3,000 distribution to B on January 5, 1943.

The amount of the deductions of the trust which is to be excluded under section 162 (d) (4) in computing the net incomes of A and B is $5,000 computed as follows:

(a) Without the application of section 162 (d) (2) and (3) (A), the following deductions would not have been taken by the trust:

$5,000 paid to A on April 1, 1942 out of 1941 income, and deductible under section 162 (d) (2)--------	$5,000
Amount paid to B on Jan. 5, 1943, deductible for 1942 under section 162 (d) (3) (A)--------	3,000
Total----------	8,000

(b) The net income, for the purpose of section 162 (d) (4), is computed without applying section 162 (d) (2) and (3) (A), except that in computing the deduction allowed under section 162 (d) (1) it is necessary to apply section 162 (d) (3) (A) in determining the amount of the deduction allowable to the trust under section 162 (d) (1). The net income so computed is $3,000, determined as follows:

(1) Net income before any deductions under section 162----------	$8,000
(2) Less deductions allowable other than under section 162 (d) (2) and (3) (A):	
Paid to A on April 1, 1942 out of 1942 income----------	$1,000
Paid to A on November 1, 1942 out of 1942 income----------	2,000
Portion of the $4,000 paid to C, the annuitant (the distributable income under section 162 (d) (1) being only $2,000 in view of the $3,000 paid to B within the first 65 days of 1943)----------	2,000
	5,000
(3) Net income for the purpose of section 162 (d) (4)----------	3,000

(c) The deductions of $8,000 (from (a) above) exceed the net income of $3,000 (from (b) (3) above) by $5,000. Such excess is excluded from the net income of A and B (the beneficiaries receiving the income in (a) above) in the following proportions:

5,000/8,000 of $5,000 is excluded from A's income.

3,000/8,000 of $5,000 is excluded from B's income.

Section 162 (d) (4) has no application to a case where, without applying section 162 (d) (2) or (3) (A), the deductions of the estate or trust under section 162 (b) or (c) by reason of distributions of income exceed the net income of the estate or trust for the taxable year computed under the Internal Revenue Code without such deductions. For example, section 162 (d) (4) would not be applicable in the case of a trust which receives a deduction of $10,000 by reason of its distribution to the beneficiary during the taxable year of the entire trust income (determined under the trust and local law) received during the taxable year, even though the net income of the trust under the Code before such deduction amounted to less than $10,000.

(Sec. 62, I.R.C. (53 Stat. 32; 26 U.S.C. 62); sec. 133, Revenue Act of 1943 (Pub. Law 235, 78th Cong.))

JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: June 22, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-9179; Filed, June 23, 1944; 2:13 p. m.]

Subchapter E—Administrative Provisions Common to Various Taxes

[T. D. 5379]

PART 455—REWARDS FOR INFORMATION LEADING TO DETECTION AND PUNISHMENT OF PERSONS VIOLATING INTERNAL REVENUE LAWS

Under and by virtue of the provisions of section 3792 of the Internal Revenue Code (formerly section 3463 of the Revised Statutes of the United States), which authorize the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, to pay such sums as he may deem necessary, not exceeding in the aggregate the sum appropriated therefor, for detecting and bringing to trial and punishment persons guilty of violating the internal revenue laws, or conniving at violations of the same, in cases where such expenses are not otherwise provided for by law, the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, does hereby offer for information that shall lead to the detection and punishment of persons guilty of violating the internal revenue laws, or conniving at the same, such reward as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall deem suitable, but in not case exceeding 10 percent of the net amount of taxes, penalties, fines and forfeitures which, by reason of said information, shall be paid irrecoverably to the United States through suit or otherwise. Any person furnishing such information shall be eligible for reward under this Treasury decision unless he was an officer or employee of the Department of the Treasury at the time he came into possession of his information or at the time he divulged it.

The rewards hereby offered are limited in their aggregate to the sum appropriated therefor and shall be paid only in cases not otherwise provided for by law.

Claims for reward under the provisions hereof shall be made on Form 211, which may be obtained from Collectors of Internal Revenue or from the Bureau at Washington, D. C.

Treasury Decision 5183, approved November 24, 1942, is hereby revoked.

(Sec. 3792, I.R.C. (53 Stat. 467))

JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: June 22, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-9178; Filed, June 23, 1944; 2:13 p. m.]

Chapter III—The Tax Court of the United States

PART 701—RULES OF PRACTICE

MISCELLANEOUS AMENDMENTS

Section 701.24 *Substitution or withdrawal of counsel; notice of appearance* is amended by adding the following sentence: "Only the original and two copies of such motion need be filed."

In § 701.44 *Subpoenas* the second sentence of paragraph (b) is amended as follows: "Only the original of the application need be filed."

The following new section is added:

§ 701.48 *Commissioners of the Tax Court.* (a) The term "commissioner" as used in this § 701.48 applies to any attorney on the legal staff of this Court who shall have been designated by the Presiding Judge as a "commissioner in a particular case" pursuant to section 1114 of the Internal Revenue Code, as amended by section 503 of the Revenue Act of 1943.

(b) The commissioner shall conduct the hearing in such case in accordance with the Court's rules of practice. He shall rule upon objections and other evidentiary matters in accordance with the rules of evidence as provided in section 1111, and shall exercise such further and incidental authority, including the issuance of subpoenas, as may be necessary for the conduct of the hearing.

(c) Unless otherwise directed the parties shall have 30 days from the closing of proof in the case for filing proposed findings of fact. Such findings of fact shall be prepared in the manner and form prescribed in the first paragraph of § 701.35 (b).

Upon the filing by the parties of their proposed findings of fact, the commissioner shall prepare and submit to the Court or a Division thereof a report of his findings of fact based upon the evidence in the case, and copies thereof shall be served upon both parties.

Within 20 days from the filing of the commissioner's proposed findings of fact the parties may file exceptions thereto which will be considered by the Division to which the case is assigned.

(d) Unless otherwise directed by the Court, the parties shall have 45 days from the date of the filing of the commissioner's proposed findings of fact within which to file briefs, and 15 days additional within which to file reply briefs. Each brief shall be prepared in the manner and form prescribed in § 701.35.

(e) Upon motion of either party, or upon its own motion, the Division to which the case is assigned may in its discretion direct oral argument and set a date therefor.

Section 701.52 *Costs; printing of record on review* is abrogated.

Section 701.62 *Special assessment* is abrogated.

(Sec. 111, I. R. C., 1939)

By the Court.
Dated: June 26, 1944.

[SEAL] BOLON B. TURNER,
Acting Presiding Judge.

[F. R. Doc. 44-9294; Filed, June 26, 1944; 11:06 a. m.]

TITLE 29—LABOR

Chapter IX—War Food Administrator (Agricultural Labor)

[Specific Wage Ceiling Reg. 13]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN TREE PICKING APRICOTS IN CERTAIN CALIFORNIA COUNTIES

§ 1102.10 *Wages of workers engaged in tree picking apricots in Areas A, B, and C (hereinafter defined), State of California.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in tree picking apricots in Areas A, B, and C, State of California, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035).

(b) *Definitions.* (1) When used in this specific wage ceiling regulation, the term "Area A" means the counties of Kern, Kings, Tulare, Fresno, Madera, Merced, and that portion of Stanislaus county lying west of San Joaquin River, State of California.

(2) When used in this specific wage ceiling regulation, the term "Area B" means the counties of Tehama, Glenn, Butte, Yuba, Sutter, Colusa, Napa, Yolo, Solano, Sacramento, San Joaquin, Santa Cruz, San Benito, and that portion of Stanislaus county lying east of San Joaquin River, also that portion of Santa Clara county lying south of the town of Coyote, State of California.

(3) When used in this specific wage ceiling regulation, the term "Area C" means the county of Alameda and that portion of Santa Clara county lying north of the town of Coyote, State of California.

(c) *Wage rates; maximum wage rates for tree picking apricots*—(1) *In Area A:*

(i) Piece work rate—$12.00 per ton.
(ii) Hourly rate—75¢ per hour.

(2) *In Area B:*

(i) Piece work rate—$13.00 per ton.
(ii) Hourly rate—80¢ per hour.

(3) *In Area C:*

(i) Piece work rate—$13.00 per ton.
(ii) Hourly rate—85¢ per hour.

If workers in any of the areas above described are paid on other than tonnage basis, the compensation must be equivalent to the above.

All the above rates are exclusive of any payments to labor contractors.

(d) *Administration.* The California WFA Wage Board located at 2181 Bancroft Way, Berkeley, California, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831).

(e) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 13 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) and the provisions of such regulations shall be applicable to this specific wage ceiling regulation No. 13 and any violation of this specific wage ceiling regulation No. 13 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 831, 6011)

Issued this 23d day of June 1944.

PHILIP BRUTON,
Director of Labor.

[F. R. Doc. 44-9175; Filed, June 23, 1944; 11:45 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 238]

PART 618—REGISTRATION OUTSIDE CONTINENTAL UNITED STATES, ALASKA, HAWAII, AND PUERTO RICO

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (a) of § 618.4 to read as follows:

§ 618.4 *Completion and disposition of Registration Card (Form 1-F).* (a) The registrar shall complete the Registration Card (Form 1-F) for each person registered by him under this part. Each person who is registered under this part shall designate for entry on line 2 of his Registration Card (Form 1-F) the address of his place of residence within the continental United States, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, or the Virgin Islands of the United States or, if he does not have a place of residence in any of such areas, he may nevertheless designate the address of a place in such areas as his place of residence. If any person who is registered under this part fails or refuses to designate for entry on line 2 of his Registration Card (Form 1-F) an address of a place within the continental United States, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, or the Virgin Islands of the United States, jurisdiction over him under the Selective Training and Service Act of 1940, as amended, shall vest in District of Columbia Local Board No. 1 (Foreign).

2. Amend the regulations by adding a new section to be known as § 618.5 to read as follows:

§ 618.5 *District of Columbia Local Board No. 1 (Foreign).* (a) There is hereby created a local board designated as District of Columbia Local Board No. 1 (Foreign) which shall consist of three or more members and which shall have its office in the District of Columbia. Such local board shall act as an independent local board and shall have all the rights, powers, duties, and responsibilities of a local board.

(b) District of Columbia Local Board No. 1 (Foreign) shall have jurisdiction for all purposes under the selective service law over any person who at the time of his registration under the provisions of this part does not designate for entry on line 2 of his Registration Card (Form 1-F) an address of a place within the continental United States, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, or the Virgin Islands of the United States. All jurisdiction heretofore vested in the District of Columbia Local Board No. 1 over such registrants is hereby transferred to District of Columbia Local Board No. 1 (Foreign).

3. Amend paragraph (b) of § 618.11 to read as follows:

§ 618.11 *Registrant's serial and order numbers to be assigned and records to be completed by local board receiving Registration Card (Form 1-F).* * * *

(b) If the local board determines that it has jurisdiction of the registrant, it shall:

(1) Transcribe from the Registration Card (Form 1-F) to an appropriate colored Registration Card (Form 1) all information needed to complete the Registration Card (Form 1), including placing the name of the registrant and the name of the registrar on the lines provided for their respective signatures;

(2) Prepare a Registration Certificate (Form 2-F) from the information contained on the Registration Card (Form 1-F). The date on which the registrant was registered as certified at the bottom of the reverse side of the Registration Card (Form 1-F) shall be inserted as the date of registration on the face of the Registration Certificate (Form 2-F). When the Registration Certificate (Form 2-F) has been completed, it shall be signed by a member or clerk of the local board and mailed to the registrant at his present mailing address as given on line 3 of the Registration Card (Form 1-F); *Provided*, That if such mailing address is outside of the continental United

States, the Territory of Hawaii, the Territory of Alaska, Puerto Rico, the Virgin Islands of the United States, Canada, Cuba, and Mexico, such certificate shall be mailed to the Director of Selective Service, Washington 25, D. C.

(3) Assign serial numbers and order numbers to its registrants and make entries in the local board records in the manner prescribed for late registrants in §§ 616.21 to 616.43, inclusive, unless the local board is located in the Virgin Islands or is District of Columbia Local Board No. 1 (Foreign), in which case it will assign such serial numbers and order numbers in the manner directed by the Director of Selective Service.

(4) File the Registration Card (Form 1) in the appropriate alphabetical file and the Registration Card (Form 1–F) in the registrant's Cover Sheet (Form 53).

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 22, 1944.

[F. R. Doc. 44–9196; Filed, June 23, 1944; 4:09 p. m.]

[Amdt. 237]

PART 627—APPEAL TO BOARD OF APPEAL

APPEAL BY CONSCIENTIOUS OBJECTOR

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (c) of § 627.25 to read as follows:

§ 627.25 *Special provisions where appeal involves claim that registrant is a conscientious objector.* * * *

(c) Upon receipt of the report of the Department of Justice, the board of appeal shall determine the classification of the registrant, and in its determination it shall give consideration to, but it shall not be bound to follow, the recommendation of the Department of Justice. The board of appeal shall place in the Cover Sheet (Form 53) of the registrant both the letter containing the recommendation of the Department of Justice and the report of the Hearing Officer of the Department of Justice.

The foregoing amendment to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 19, 1944.

[F. R. Doc. 44–9197; Filed, June 23, 1944; 4:09 p. m.]

Chapter IX—War Production Board

Subchapter A—General Provisions

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 903—DELEGATION OF AUTHORITY

[Directive 26, as Amended June 23, 1944]

FARM LUMBER

Pursuant to the authority vested in me by Executive Order No. 9024 of January 16, 1942, Executive Order No. 9125 of April 7, 1942, WPB Regulation No. 1, as Amended December 31, 1943; and in order to facilitate an equitable distribution of lumber for essential agricultural needs it is hereby ordered:

§ 903.38 *Directive 26.* (a) Subject to the provisions of Order L–335 and paragraph (b) of this directive the War Food Administrator is authorized to issue rules and regulations governing the procedure that must be followed by farmers in getting lumber for their essential agricultural needs. In order to assure an equitable distribution of lumber among farmers, the War Food Administrator is authorized to establish quarterly geographic lumber quotas for farm requirements within the amount of lumber available for such purposes as determined from time to time by the War Production Board.

(b) The War Food Administrator may exercise the authority delegated in this directive subject to the following conditions:

(1) The War Food Administrator shall report periodically to the Program Vice Chairman on the exercising of the authority granted by this directive in accordance with written instructions of the Program Vice Chairman.

(2) Rules and regulations to be issued by the War Food Administrator pursuant to this directive shall be approved by the Program Vice Chairman.

(3) Nothing herein shall be construed to limit, or modify any order heretofore or hereafter issued by the War Production Board or to delegate to the War Food Administrator the power to extend, amend, or modify any such order.

(c) The War Food Administrator is authorized to assign farmers such preference ratings to get lumber as is determined by the Program Vice Chairman. Such ratings may be used by farmers to get lumber for (i) maintenance and repair of farm equipment; (ii) maintenance, repair and operation of farm buildings (other than dwellings); (iii) construction of farm buildings (other than dwellings) within the cost limits of paragraph (c) of Order L–41; and (iv) construction of farm buildings (including dwellings) where permitted under paragraph (d) of Order L–41.

(d) The War Food Administrator is authorized to inspect the books, records, and other writings of retail lumber dealers to determine their compliance with Order L–335 and with Priorities Regulation so far as it is necessary to carry out the authority delegated by this directive.

(e) The War Food Administrator may exercise the authority delegated in this directive through such officials of the War Food Administration, including the County Agricultural Conservation Committees, as he may determine.

(f) For the purposes of this directive: (1) "Farmer" means a person who engages in farming as a business. It does not include a person who raises agricultural products entirely for his own use.

(2) "Retail lumber dealer" means any person engaged in the business of selling lumber to farmers or other consumers.

(g) This directive shall become effective upon issuance but the authority delegated to the War Food Administrator under Directive 26 prior to this amendment shall remain in full force and effect until August 1, 1944 at which time that authority shall terminate.

Issued this 23d day of June 1944.

S. W. ANDERSON,
Program Vice Chairman.

[F. R. Doc. 44–9194; Filed, June 23, 1944; 4:10 p. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 FR. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Direction 4]

APPLICATION FOR PERMISSION TO USE EXCESS MATERIALS

The following direction is issued pursuant to Priorities Regulation 1:

(a) *What this direction does.* This direction tells you how to get the same right to use materials and products which you have on hand that you would have if you bought them from someone else under Priorities Regulation 13. This direction applies only to materials and products (other than controlled materials and Class A products) which you got with priorities assistance and which you have in your inventory, but which you cannot use for the purpose for which you got them.

You may already have the right to use the material under the provisions of paragraph (u) of CMP Regulation 1. If that paragraph does not let you use the material the way you want to, you may ask for permission in the way explained in paragraph (b) of this direction.

Direction 4 to Priorities Regulation 1 tells you how to get permission in the same way to use other materials and products where § 944.11 of Priorities Regulation 1 limits your right to use the materials or products.

(b) *Method of applying for authorization.* If you need permission to use controlled materials or Class A products as explained in paragraph (a), you should apply by letter, in duplicate, to the nearest field office of the War Production Board. The letter that you write should describe the material you want to use, what you want to use it for, how you got it, and any other relevant circumstances.

(c) *When an authorization will be issued.* The War Production Board may give you the permission you ask for, but will do so only under the following conditions:

(1) The War Production Board will give you this permission only under the same circumstances and under the same conditions that it would allow you to buy the materials from somebody else under Priorities Regulation 13.

(2) In processing applications to use excess materials, the War Production Board will be guided by the policy that production in any one plant, or labor requirements for that production, shall not interfere with war production in that plant or in any other plant located in the same area.

(d) No authorization that you get under this direction shall constitute an exception to the provisions of any E, L, or M Order or any direction issued under any such order.

Issued this 24th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–9200; Filed, June 24, 1944; 10:35 a. m.]

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permission you ask for, but will do so only under the following conditions:

(1) The War Production Board will give you this permission only under the same circumstances and under the same conditions that it would allow you to buy the materials from somebody else under Priorities Regulation 13.

(2) In processing applications to use excess materials, the War Production Board will be guided by the policy that production in any one plant, or labor requirements for that production, shall not interfere with war production in that plant or in any other plant located in the same area.

(d) No authorization that you get under this direction shall constitute an exception to the provisions of any E, L, or M Order or any direction issued under any such order.

Issued this 24th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–9199; Filed, June 24, 1944; 10:35 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 52]

APPLICATION FOR PERMISSION TO USE EXCESS MATERIALS

The following direction is issued pursuant to CMP Regulation 1:

(a) *What this direction does.* This direction tells you how to get the same right to use controlled materials and Class A products which you have on hand that you would have if you bought them from someone else under Priorities Regulation 13. This direction applies only to controlled materials and Class A products which you got by using an allotment, or on an authorized controlled material order, and which you have in your inventory, but which you cannot use for the purpose for which you got them.

You may already have the right to use the material under the provisions of paragraph (u) of CMP Regulation 1. If that paragraph does not let you use the material the way you want to, you may ask for permission in the way explained in paragraph (b) of this direction.

Direction 52 to CMP Regulation 1 tells you how to get permission in the same way to use controlled materials and Class A products where paragraph (u) of CMP Regulation 1 limits your right to use the materials and products.

(b) *Method of applying for authorization.* If you need permission to use controlled materials and Class A Products) as explained in paragraph (a), you should apply by letter, in duplicate, to the nearest field office of the War Production Board. The letter that you write should describe the material you want to use, what you want to use it for, how you got it, and any other relevant circumstances.

(c) *When an authorization will be issued.* The War Production Board may give you the permission you ask for, but will do so only under the following conditions:

(1) The War Production Board will give you this permission only under the same circumstances and under the same conditions that it would allow you to buy the materials from somebody else under Priorities Regulation 13.

(2) In processing applications to use excess materials, the War Production Board will be guided by the policy that production in any one plant, or labor requirements for that production, shall not interfere with war production in that plant or in any other plant located in the same area.

(d) No authorization that you get under this direction shall constitute an exception to the provisions of any E, L, or M Order or any direction issued under any such order.

Issued this 24th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–9202; Filed, June 24, 1944; 10:35 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS [1]

[Limitation Order L–150–a, as Amended June 24, 1944]

SOFTWOOD PLYWOOD

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of softwood plywood for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3285.3 [1] *Limitation Order L–150–a—*(a) *Definitions.* For the purpose of this order:

(1) "Producer" shall mean any manufacturer of softwood plywood, but shall not include any distribution warehouse of any manufacturer.

(2) "Softwood plywood" shall mean a built-up board of laminated veneers of any species of softwood united with a bonding agent.

(3) "Distributor" shall mean any wholesaler, jobber, retailer or other person who in the regular course of his business sells softwood plywood.

(b) *General restrictions.* No distributor shall sell, ship or deliver or cause to be sold, shipped or delivered, any softwood plywood except upon orders rated AA–2X or higher, except that this restriction shall not apply

(1) To sales, shipments or deliveries by producers to distributors;

(2) To sales, shipments, or deliveries of the following items of softwood plywood, the surface of which does not measure more than eight square feet: strips, odd sizes, and scrap resulting from the processing for use of standard panels.

(3) To sales, shipments, or deliveries on orders rating AA–3 which bear the following certification (instead of the certification prescribed in Priorities Regulation 7):

All softwood plywood delivered on this order will be used as authorised on Form GA–1456 and delivery is permitted under paragraph (b) (3) of Order L–150–a, and use of the preference rating shown on this delivery order is authorised.

No person shall use this certification unless (i) he has received an authorization on Form GA–1456 permitting him to do construction work; and (ii) the purpose for which the softwood plywood is to be used is not prohibited by the terms of the authorization.

(4) To sales, shipments, or deliveries on orders rated AA–3 which bear the following certification (instead of the certification prescribed in Priorities Regulation 7):

All softwood plywood delivered on this order will be used for concrete form work in a construction project rated on Form CMPL–593 and delivery is permitted under paragraph (b) (4) of Order L–150–a and use of the preference rating shown on this delivery order is authorized.

No person shall use this certification unless (i) an authorization on Form CMPL–593 has been issued to him giving priorities assistance for construction under Direction 3 to CMP Regulation 6; and (ii) the softwood plywood is to be used for concrete form work to be carried out under the authorization.

(c) *Appeals.* Any appeal from this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(d) *Communications.* Communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Lumber and Lumber Products Division, Washington 25, D. C. Ref.: L–150–a.

(e) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, the War Production Board may prohibit such person from making or obtaining further deliveries of, or from processing or using, material under priority control, may withhold from such person priorities assistance, and may take such other action as it deems appropriate.

(f) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

Issued this 24th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–9203; Filed, June 24, 1944; 10:35 a. m.]

[1] Formerly Part 1276, § 1276.6.

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L–335, Revocation of Interpretation 1]

Interpretation No. 1 to Order L–335 is hereby revoked. Interpretation No. 1 is superseded by the terms of Order L–335, as amended June 23, 1944.

Issued this 24th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9201; Filed, June 24, 1944; 10:35 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-42, Direction 3]

CAST IRON BATHTUBS

The following direction is issued pursuant to Limitation Order L-42:

(a) *What this direction does.* The War Production Board having determined upon a program of production of metal bathtubs for the remainder of the year 1944, has authorized the production of 50,000 bathtubs for the third quarter. This direction tells by whom and for what purposes bathtubs may be made without utilizing labor in critical labor areas in order to produce the required 50,000 metal bathtubs.

(b) *Production of bathtubs.* Prior to October 1, 1944, in addition to the bathtubs authorized by previous Directions to Limitation Order L-42, the following manufacturers may produce at their plants at the addresses indicated, recess type cast iron bathtubs, no longer than those commercially known as five foot, and in quantities not exceeding the number indicated opposite their names:

American Radiator & Standard Sanitary Corporation, Louisville, Kentucky	10,000
Crane Company, Chattanooga, Tennessee	10,000
Eljer Company, Salem, Ohio	10,000
Kohler Company, Kohler, Wisconsin	10,000
Richmond Radiator Company, Uniontown, Pennsylvania	10,000

(c) *Sale of bathtubs.* These bathtubs may be delivered only to fill orders (1) of or for ultimate delivery to the Army or Navy, (2) for export authorized by the Foreign Economic Administration, or (3) for approved installation in projects rated in the P-19 series authorized on Form GA-1456, in the P-55 series authorized on Form WPB-2896, or in the U-1 series authorized on Form WPB-2774. No jobber, or dealer, may accept delivery of any such bathtubs to place in his inventory, whether or not he has previously delivered bathtubs to fill such orders. No jobber or dealer may order, or accept delivery of any such bathtubs unless he has in his possession an actual order calling for the delivery of bathtubs to an authorized project or building with a specified completion date, to or for the account of the Army, or Navy, or for installation in a project rated by orders in the P-19, P-55, or U-1 series. Shipments for export may be made only if a license has actually been issued by the Foreign Economic Administration. A manufacturer may not accept a rating alone as evidence of his authority to deliver to a dealer, but must obtain, in addition to the standard certification accompanying the extension of the rating, applicable information of the following nature:

(1) For delivery to the Army or Navy: the contract purchase order, or rating certificate number.

(2) For delivery to an authorized project of the P-19, P-55, or U-1 series: the number and location of the project.

(3) For export authorized by the Foreign Economic Administration: the export license number.

(d) *Crating.* No manufacturer may use better than No. 3 quality grades of lumber in crating these bathtubs.

(e) *Reports.* Each manufacturer named in paragraph (b) shall report by letter on or before the 10th day of each month to the Plumbing and Heating Division, War Production Board, Washington 25, D. C., by size, the number of bathtubs produced and the number shipped under this direction during the preceding month. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Effect of other orders.* The restrictions of Schedule XII to Order L-42 are superseded to the extent necessary to give effect to this direction.

Issued this 24th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9203; Filed, June 24, 1944; 10:35 a. m.]

PART 3289—RADIO AND RADAR

[General Limitation Order L-151, as Amended June 24, 1944]

DOMESTIC WATTHOUR METERS

§ 3289.11 *General Limitation Order L-151*—(a) *Definition.* Wherever it appears in this order, the term "domestic watthour meter" is used to mean any device designed and manufactured for the purpose of measuring the consumption of electrical energy with respect to time, and includes single phase, two and three wire types, with capacities up to 25 amperes and voltages up to 240 volts, for use on alternating current of any frequency. The term does not include electric energy meters for use on direct current or on polyphase circuits, maximum demand meters, or integrating meters, calibrated in terms other than electric energy (i. e., meters integrating weight, pressure, etc.).

(b) *Restrictions on production.* (1) No person shall manufacture or assemble any new domestic watthour meters or any new parts for the conversion of domestic watthour meters from one to another type, except as authorized by the War Production Board on Form GA-1850.

(2) The above provision in paragraph (b) (1) does not prohibit the use or delivery of existing parts for the conversion of domestic watthour meters from one to another type, such as the conversion of non-socket to socket type meters, three-wire to two-wire or two-wire to three-wire meters, or meters from one current rating to a higher current rating.

(3) A person wishing to manufacture domestic watthour meters or conversion parts, should apply for authorization by letter addressed to the War Production Board, Radio and Radar Division, Washington, 25, D. C., Reference L-151. This letter should give all pertinent information with respect to proposed production. Where the applicant will need controlled materials in order to produce the equipment, the letter requesting authorization should be accompanied by application on Form CMP-4B, for the controlled materials.

(4) Production will be authorized for the several manufacturers as nearly as practicable according to ratios comparable to the pre-war ratios of the several companies. Production will be so authorized that the total production will not exceed the approved War Production Board program, and the production in any one plant, or labor requirements therefor, will not interfere with war production in that plant, or in any other plant located in the same area. Individual authorizations will be issued in amounts sufficient to carry out the presently approved program of 260,000 domestic watthour meters for the last six months of 1944, and any other program which may be approved later by the War Production Board.

(c) *Restrictions on delivery.* No person shall deliver or accept delivery of any new domestic watthour meter unless it is a delivery:

(1) To or for the account of the Army, Navy, Maritime Commission or War Shipping Administration.

(2) Between persons who own or operate electric power utilities which serve the public generally.

(3) Authorized by the War Production Board on Form WPB-1319. Any prospective purchaser may apply for such an authorization by filing Form WPB-1319 in accordance with the current instructions for filing such forms. These form applications should be filed with the nearest Utility Inventory Control Office of the War Production Board, addressed to the attention of the Regional Utility Engineer. The locations of these Regional Utility Inventory Control Offices are given on List A at the end of this order. As a general rule, favorable consideration will be given to the purchase of new domestic watthour meters only where one or more of the following factors appear to establish the need for them:

(i) The meters are to measure the consumption of electric energy by individual homes in a war housing project, which cannot be metered with a master meter, and delay in obtaining individual used meters would delay the occupancy of such dwellings.

(ii) The meters are required for the replacement in service of damaged meters, and the applicant cannot obtain prompt delivery of used meters for that purpose, and does not have such meters available in his own inventory for replacements.

(iii) Special or emergency conditions require the prompt delivery of new meters.

Unless one of the above conditions exists, a prospective purchaser should obtain his requirements of domestic watthour meters from such sources of supply as the excess inventories of electric utilities, used meter dealers, and meter repair shops. Information as to excess stocks of such meters in the hands of utilities may be obtained from Regional Utility Inventory Control Offices (See List A at the end of this order).

(d) *Parts for maintenance or repair.* The provisions of paragraphs (b) and (c) of this order on production and delivery do not apply to the production or delivery of parts for the maintenance or repair of domestic watthour meters. No person, however, shall manufacture so many of such parts that his inventory thereof will at any time exceed his average monthly inventory of such parts during the calendar year 1941.

(e) *Monthly reports.* On or before the tenth day of each calendar month each manufacturer of domestic watthour meters shall file with the War Production Board a report, in duplicate, in letter form, which shall show the following information as of the first of the month:

(1) Inventory of domestic watthour meters.

(2) Deliveries of domestic watthour meters during the preceding calendar month.

(3) Unfilled orders on hand for domestic watthour meters.

(f) *Applicability of War Production Board regulations and orders.* This order and all things done under it are subject to the provisions of all applicable regulations and orders of the War Production Board.

(g) *Violations and penalties.* Any person who wilfully violates any provision of this order, or who conceals any material information or furnishes false information to any department or agency of the United States is guilty of a crime. If convicted, he may be punished by fine or imprisonment; or any such person may be deprived of any or all priorities assistance. For example, he may be prohibited from getting, delivering, processing, or using anything which is subject to priority control by the War Production Board.

(h) *Appeals from this order.* Any person may appeal for relief from any provision of this order by writing a letter which explains fully what provisions he is appealing from and why he thinks he should be relieved from those provisions. He should send this letter, with two signed copies, to the War Production Board.

(i) *Letters and reports.* Letters about this order, or reports filed under it, should be addressed to the War Production Board, Washington 25, D. C., Ref: L-151; and the reports required by paragraph (e) of the order should be addressed to the attention of the Office of War Utilities. All other letters or reports, however, should be addressed to the attention of the Radio and Radar Division. All reports and forms required by this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 24th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A—ADDRESSES OF REGIONAL UTILITY INVENTORY CONTROL OFFICES

17 Court St., Boston, Mass.
350 Fifth Ave., New York, N. Y.
1617 Pennsylvania Boulevard, Philadelphia, Pa.
116 Candler Building, Atlanta, Ga.
800 First National Bank Building, Pittsburgh, Pa.
226 West Jackson Boulevard, Chicago, Ill.
Mutual Interstate Building, Kansas City, Mo.
1221 Mercantile Bank Building, Dallas, Tex.
Continental Oil Building, Denver, Colo.
1031 South Broadway, Los Angeles, Calif.
7310 Woodward Ave., Detroit, Mich.
334 Midland Bank Building, Minneapolis, Minn.
Bedell Building, Portland, Oreg.

[F. R. Doc. 44-9204; Filed, June 24, 1944; 10:35 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M-310, General Direction 5]

RESTRICTION ON PROCESSING OF CATTLEHIDE, CALFSKIN AND KIP

The following direction is issued pursuant to General Conservation Order M-310:

Effective July 1, 1944 and until further notice no tanner shall put into process for his own account in any calendar quarter, in excess of 300% of the monthly average number of cattlehides, calfskins or kips, respectively, which he put into process for his account during 1942.

Effective July 1, 1944 and until further notice, no tanner shall put into process for the account of others in any calendar quarter in excess of 300% of the monthly average number of cattlehides, calfskins or kips, respectively, which he put into process for the account of others during 1942.

Effective July 1, 1944, and until further notice, no contractor or converter shall cause to be put into process for his account in any calendar quarter in excess of 300% of the monthly average number of cattlehides, calfskins or kips, respectively, which he caused to be put into process for his account during 1942.

Issued this 24th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9205; Filed, June 24, 1944; 10:35 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-218, Revocation]

BUTANE GAS & PLUMBING CO., INC.

Suspension Order No. S-218 was issued against Butane Gas & Plumbing Company, Inc., of Cottonport, Louisiana, effective January 19, 1943. An appeal was filed with the Chief Compliance Commissioner. The case was reviewed by the Deputy Chief Compliance Commissioner, as a result of which on June 20, 1944, the Deputy Chief Compliance Commissioner directed that Suspension Order No. S-218 be revoked immediately. In view of the foregoing:

It is hereby ordered, That § 1010.218, *Suspension Order No. S-218* be revoked, effective June 20, 1944.

Issued this 23d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9193; Filed, June 23, 1944; 4:10 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-563]

G. T. E. COMPANY

George T. Estfan, doing business as G. T. E. Company, 317 North Main Street, Wichita, Kansas, is engaged in selling refrigeration equipment. Between May 15, 1942 and March 30, 1943, he sold, on unrated orders, five units of new refrigeration equipment of a type that could be sold only on preferred orders bearing preference ratings of A-9, or higher. On or about April 20, 1943, he sold, on an unauthorized order, one unit that could be sold only on an authorized order. All of these sales constituted violations of Limitation Order L-38. Mr. Estfan was familiar with the order and the violations were wilful. As a result of the violations, critical materials were diverted to uses not authorized by the War Production Board, and the war effort of the United States has been hampered and impeded. In view of the foregoing, it is hereby ordered, that:

§ 1010.563 *Suspension Order No. S-563.* (a) Deliveries of materials to George T. Estfan, individually or doing business as G. T. E. Company or under any other name, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve George T. Estfan, individually or doing business as G. T. E. Company or under any other name, his successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on June 24, 1944, and shall expire on September 25, 1944.

Issued this 14th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9252; Filed, June 24, 1944; 4:20 p. m.]

PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM

[Preference Rating Order P–98–b, as Amended June 26, 1944]

Section 1041.2 (Preference Rating Order P–98–b, as amended March 18, 1944) is hereby amended to read as follows:

Definitions and Scope

§ 1041.2 *Preference Rating Order P–98–b*—(a) *Definitions.* (1) "Operator" means any person to the extent that he is engaged in the petroleum industry in the United States, its territories (except Hawaii) or possessions.

(2) "Petroleum" means crude oil, petroleum products and associated hydrocarbons, including but not limited to natural gas.

(3) "Petroleum industry" includes any of the following activities and any operation directly incident to these activities:

(i) The discovery, development or depletion of petroleum pools (production);

(ii) The extraction or recovery of natural gasoline and associated hydrocarbons (natural gasoline recovery);

(iii) The transportation, movement, loading or unloading of petroleum other than natural gas (transportation);

(iv) The processing, reprocessing or alteration of petroleum, including but not limited to compounding or blending (refining);

(v) The distribution or dispensing of petroleum products (other than natural gas) and the storing of petroleum products incident thereto (marketing);

and includes for each of the above listed branches of the industry, to the extent applicable, the control of, or the investigation into more effective methods of conducting petroleum industry operations by means of research, technical or control laboratories.

(4) "Maintenance and repair" means (without regard to accounting practice):

(i) The upkeep of any structure, equipment, or material in a sound working condition or the restoration or fixing of any structure, equipment, or material which has broken down or is worn out, damaged or destroyed;

(ii) Any other use of material not exceeding in material cost $500 for any one complete operation which has not been subdivided for the purpose of coming within this definition.

Maintenance and repair shall not include (*a*) the drilling, redrilling, deepening, plugging back, or multiple completion of any well or the initial installation on any well of pumping or other artificial lifting equipment, or (*b*) the extension or the initial construction or installation of a field gas gathering line, or (*c*) any use of material in connection with a service station or retail outlet other than for upkeep or restoration purposes, or (*d*) the installation or replacement in marketing of any "equipment" defined as such in Petroleum Administrative Order 12.

(5) "Operating supplies" means material, other than material used for maintenance and repair, which is consumed in petroleum operations and which is normally carried by an operator as operating supplies or which is normally chargeable to operating expense.

(6) "Laboratory equipment" means instruments and equipment for use in a petroleum research, technical or control laboratory. This does not include material for use in the construction of a laboratory, pilot plant or other structure.

(b) *Purpose of order.* This order will be used to secure priorities assistance for all material required to conduct petroleum operations. In addition, an MRO rating assigned by this order may be used to secure the services of repairmen and the like to the extent consistent with Priorities Regulation 3. However, under this order priorities assistance may not be used to obtain any of the following material:

(1) Material listed on Schedule A of this order.

(2) Material or equipment to be used by a consumer account for or in the storage or dispensing of petroleum, including liquefied petroleum gas. (See Order P–98–e.)

(3) Tank trucks and trailers, railroad rolling stock or marine equipment, other than parts necessary for containing and moving petroleum by tank truck or trailer; parts for railroad rolling stock not under the jurisdiction of the I. C. C.; and parts for marine equipment where other ways of getting priorities assistance are not available.

How To Obtain Material

(c) *Assignment of ratings and symbols.* (1) An operator may use the appropriate preference ratings and allotment symbols in the table below to secure the material specified (for exceptions see paragraph (d)):

Preference rating and allotment symbol	Material which may be secured with the indicated rating and symbol
AA-1; MRO-P-3	Material for maintenance and repair, operating supplies or laboratory equipment (all known as MRO material) and other materials not exceeding in material cost $500 for use in each single operation. This provision applies to any use of material in the petroleum industry, other than in a service station or retail outlet.
AA-2X; P-1	Material (other than MRO material) for use in production, except in connection with a "special production operation," as defined in paragraph (e).
AA-2X; F-5	Material (other than MRO material) for use in connection with a crude oil gathering line, but only in those cases where the operation may be undertaken without specific authorization under Petroleum Administrative Order 15.
AA-3; F-5	Material (other than MRO material) for use in a special production operation or in natural gasoline recovery, transportation or refining, but only in those cases where the operation may be undertaken without specific authorization under Petroleum Administrative Order 11 or Petroleum Administrative Order 15.
AA-5; MRO-P-3	MRO material for use in connection with a service station or retail outlet. (See Direction 2 to P–98–b for another rating available.)

(2) *Information on delivery orders.* The following information must be shown by an operator on each delivery order for controlled material using the priorities assistance of this paragraph (c):

Allotment symbol.
PAW District in which the material will be used.
Use to which the material will be put.
Weight of the material by item.
Month in which delivery of the material is promised.
Certification of paragraph (g) of this order.

(3) *Filing of delivery orders with PAW.* Where required by the provisions of this paragraph, delivery orders must be submitted to the PAW District Office for the District in which the material will be used, or, if so desired by an operator in any branch of the industry other than production, for the District in which the purchasing office of the operator is located. They should be marked "Ref: Materials Division."

Delivery orders for controlled materials using the priorities assistance of this paragraph (c) must be submitted to the Petroleum Administration for War as follows:

(i) Delivery orders with a total cost of more than $100 but not more than $2,500 and with no item of more than $500—one copy for accounting purposes.

(ii) Delivery orders with a total cost of more than $2 500 or with any item of more than $500—the original and two copies for approval, and the operator may not place that order with a supplier until the approved original and one copy have been returned to him.

It is no longer necessary for operators to submit delivery orders for materials other than controlled materials to the Petroleum Administration for War.

In preparing or placing a delivery order an operator shall not alter the customary designation of any item or items for the purpose of making it appear that an item costs $500 or less or that the total cost of all items on the delivery order is $100 or less or $2,500 or less, as the case may be.

(d) *Exceptions to use of assigned ratings and symbols.* (1) The preference ratings and allotment symbols assigned in paragraph (c) may not be used to secure material covered by Schedule B or C of this order. Instead the procedures described in this paragraph will be used.

(2) *Material on Schedule B—special MRO symbol and rating.* An operator must in each case request a rating and symbol for material on Schedule B. The request will be made by submitting the original and two copies of the delivery order, regardless of cost, for approval to the PAW District Office for the District in which the material will be used (or, if so desired by an operator in any branch of the industry other than production, for the District in which the purchasing office of the operator is located), Ref: Materials Division. The operator should show on each delivery order the certification of paragraph (g), and include on the order (or in an accompanying statement) information on the specific use to which the material will be put and why the particular item is required. The operator may not place the order with a supplier until the approved original and one copy have been returned to him.

(3) *Material on Schedule C.* To secure material covered by Schedule C, an operator must apply on the appropriate form in that schedule.

(e) *Application for ratings and symbol for operations not covered by paragraph (c)—(1) Apply on PAW Form 30.* It is necessary to apply on PAW Form 30 for priorities assistance for material to be used in a special production operation or in natural gasoline recovery, transportation, refining or marketing where a specific authorization to use material is required by Petroleum Administrative Order 11, Petroleum Administrative Order 12 or Petroleum Administrative Order 15. This, of course, means that it is not necessary to apply on PAW Form 30 for priorities assistance for material to be used in an operation covered by paragraph (c) of this order.

"Special production operations" are:

Gas cycling operations for condensate recovery.
Gas desulphurization operations.
Gas dehydration operations.
Pressure maintenance operations.
A gas lift compression plant or a field gas booster plant where the material to be installed or added increases the rated capacity of the plant by more than 500 h.p.

Form WPB–541 should be used instead of PAW Form 30 in marketing to request a preference rating for machinery or equipment, if the machinery or equipment will be installed with the use of no more than $500 worth of material obtained with the MRO rating of this order and if the machinery or equipment will be installed as part of a complete operation having a total material cost of no more than $5,000.

Form WPB–541, or such other form as may be specified by any WPB order, should be used instead of this form to request a preference rating for material (such as construction machinery or equipment) which will not be incorporated into the proposed plant or facility.

Form WPB–541 applications should be filed with the nearest War Production Board Field Office.

(2) *Special requirements for certain material and equipment.* Schedule D of this order lists, as part of the "Construction Standards," certain material and equipment which in general may be acquired or used in an operation covered by a PAW Form 30 application only in accordance with certain limitations, or which may not be acquired or used without specific permission. If it is necessary to use such material or equipment in a manner other than as permitted by Part 2 of the schedule or to use the products listed in Part 3 of the schedule, the operator must specifically identify such use in accordance with the instructions to PAW Form 30. If an operator is authorized on Form GA–1456 Petroleum to get and use any equipment listed in Part 3 of Schedule D, he may do so without further special authorization, notwithstanding the provisions of any other order of the War Production Board which requires authorization on a special form or letter.

(3) *How to use allotment symbol and preference rating—(i) Placing on delivery orders.* Each delivery order for controlled material must bear the allotment symbol assigned. Each delivery order for material other than controlled material must bear the preference rating assigned, and the applicable allotment symbol. Each delivery order must also bear the standard certification of paragraph (g), and in addition the following certification, if for equipment listed in Part 3 of Schedule D and authorized by a Form GA–1456 Petroleum:

Delivery approved on Form GA–1456 under Order P–98–b (approval equivalent to that under Direction 1 to CMP Regulation 6).

(ii) *Use of any allotment symbol.* Any allotment symbol assigned on a Form GA–1456 Petroleum may be used by the following persons in addition to the operator to order controlled materials and Class A products:

(*a*) By manufacturers of Class A products or Class A components of Class A products to be incorporated in the operation.

(*b*) By contractors and sub-contractors doing all or any part of the construction work.

Such allotment symbol may be used only where the manufacturer, contractor, or sub-contractor, as the case may be, has received a statement in substantially the following form endorsed on the order or contract by the person placing it:

Serial Number _____ (identifying project). You are authorized to use allotment symbol _____ to order controlled materials and Class A products needed to fill this order or contract.

It is not necessary to show the quantities of controlled materials in this statement. Its use shall constitute a representation by the person signing it to the person with whom the order or contract is placed, and to the War Production Board, subject to the penalties of section 35A of the United States Criminal Code, that he has the right to authorize the person with whom the order or contract is placed to use the allotment symbol to fill the order or contract. The standard certification in paragraph (g) of this order may not be used instead of the above statement (but both will be used to order a Class A product.)

(iii) *Purchase order filing not required.* Any rating or allotment symbol assigned pursuant to an application on PAW Form 30, Form WPB–541 or other appropriate form may be used without submitting purchase orders to the Petroleum Administration for War, unless the operator receives special instructions to the contrary.

General Provisions

(f) *How to obtain authority to use material.* An operator may use material for maintenance or repair or as operating supplies, or in any other operation only in accordance with the provisions of the applicable Petroleum Administrative Orders, which are listed in this paragraph. Unless a desired use of material is permitted by the terms of the appropriate order, the operator must secure an authorization under or an exception to that order, as the case may be.

(1) Use of material in production (including "special production operations") or in natural gasoline recovery is governed by Petroleum Administrative Order 11, as amended and supplemented from time to time.

(2) Use of material in transportation or refining is governed by Petroleum Administrative Order 15, as amended and supplemented from time to time.

(3) Use of material (other than liquefied petroleum gas equipment covered by Order L–86) in marketing is governed by Petroleum Administrative Order 12, as amended and supplemented from time to time.

(g) *Certification for delivery orders.* The certification required to be placed on delivery orders is as follows:

The undersigned purchaser certifies, subject to the penalties of section 35A of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

This certification may be used as provided in Priorities Regulation 7.

(h) *Placement of delivery orders for controlled materials.* Under many War Production Board orders and regulations, a delivery order for controlled materials which is an authorized controlled material order is given special treatment. Any delivery order for controlled materials placed pursuant to this order and bearing the certification of paragraph (g) of this order is an authorized controlled material order if the delivery order is in sufficient detail to be placed on a mill schedule and if it specifies the month in which delivery is requested or promised.

(i) *Restoration of inventories.* An operator may use an allotment number or symbol or preference rating authorized under this order to restore his inventory to a practicable working minimum. However, an operator may not

secure replacements which would result in surplus material as defined in Order P–98–c as amended.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order should, unless other directions are given, be addressed to the Petroleum Administration for War, Interior Building, Washington 25, D. C., Ref: P–98–b.

(k) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Petroleum Administration for War or the War Production Board in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(l) *Applicability of other orders and regulations.* (1) This order and all transactions affected hereby, except as herein otherwise provided, are subject to all orders and regulations of the War Production Board, as amended from time to time.

(2) None of the provisions of CMP Regulations 2, 5, 5A and 6 (or the limitations incorporated in any CMP Regulation which otherwise would subject an operator to the provisions of CMP Regulation 2, 5, 5A or 6) shall apply to an operator, and no operator shall obtain any material under or be limited by the provisions of such regulations or limitations. The provisions of paragraphs (i), (s), (s–1) and (u) of CMP Regulation 1 shall not apply to an operator who secures material in accordance with the provisions of this order.

(3) Any preference rating, other than a rating for MRO material, assigned pursuant to the provisions of this order is assigned in lieu of a preference rating under an order in the P–19 series or on Form CMPL–224 Petroleum. Any reference in any order of the War Production Board to an order in the P–19 series or to Form CMPL–224 Petroleum shall constitute a reference to a preference rating assigned pursuant to this order.

(4) Privileges granted by other orders and regulations of the War Production Board to persons on Schedule I of CMP Regulation 5 shall be considered as applicable to petroleum operators, other than an operator to the extent that he operates a service station or retail outlet. For example, Order E–5–a on gauges and precision measuring hand tools classifies a person on Schedule I or II of CMP Regulation 5 as an "approved user." With the exception of an operator of a service station or retail outlet, an operator covered by P–98–b is in identically the same position, *Provided*, That certification clauses in and all other provisions of such other orders are complied with.

(5) The War Housing Construction Standards, contained in Schedule II of Order P–55–c, apply to any housing undertaken with the priorities assistance of this order.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 26th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

The items listed on this schedule may be delivered to operators without regard to preference ratings. No operator shall apply or extend any rating to get any of these items, and no person selling any such item shall require a rating as a condition of sale.

Items on List A of Priorities Regulation 3.
Rock bits and core bits (rotary bits).
Tool joints.
Low and high temperature fractional distillation equipment for gas and gasoline analysis.

SCHEDULE B

The following materials are covered by this schedule:

(a) Those items currently identified on (and more completely described in) List B of Priorities Regulation 3, as follows, and any equivalent items replacing them on revisions of that List B, when included on a purchase order which bears allotment symbol MRO-P-3:

Civilian defense devices.
Filing cabinets, wooden.
Fire protective equipment.
Furniture for any use, except furniture specifically designed for schools.
Medical, surgical and dental equipment and supplies (except parts for the maintenance or repair of existing equipment).
Medical, surgical and dental instruments.
Slide rules, precision engineering, having a list price of $7.50 or more.
Venetian blinds.

(b) Construction machinery and equipment (on Schedule B of Order L–192) costing in excess of $500, when to be acquired with a rating and symbol assigned in paragraph (c) of this order.

SCHEDULE C

Many of the materials on List B of Priorities Regulation 3 (other than those on Schedule B of this order) may be secured without a preference rating, and every attempt should be made to do so. If a rating is required for any of these materials it should be applied for on Form WPB–541, filed with the nearest WPB Field Office.

There are two general exceptions to this rule. In the first place, a rating for laboratory instruments and equipment and chemicals may be obtained under the procedure of paragraph (c) of this order. And secondly, the forms indicated below will be used for the items there listed.

Item	Preference rating form	Release or scheduling form	Filing instructions
(a) Steel shipping drums (as defined in L–197).		WPB-3770	File 4 copies with PAW, Washington, Ref: P–98–b. File this form for relief from the provisions of L–197.
(b) Wooden shipping containers (as defined in L–232, P–140).	WPB-2408		File WPB-2408 with PAW, Washington, Ref: P–98–b. File this form only if the preference ratings of P–140 are not sufficiently high to obtain delivery at the time the material is needed.

SCHEDULE D—CONSTRUCTION STANDARDS

PART 1—GENERAL

A. *What these Construction Standards are and what they do.* Under these Construction Standards an operator is informed in Part 2 of the principles governing wartime construction and of the specific limitations to be followed in undertaking construction covered by PAW Form 30. In Part 3 certain products are listed which may be requested through the PAW Form 30 procedure and which otherwise would require the filing of supplemental application forms.

In preparing PAW Form 30 applications the Construction Standards should be consulted closely, since they apply to the use of material in operations covered by that form and authorized on Form GA–1456 Petroleum. The Construction Standards have not been included in the Instructions to PAW Form 30 because of the likelihood of their frequent revision, and because additional products may in the future be added to Part 3 of the Standards, thus eliminating the need for supplemental authorization forms for such products. These Construction Standards do *not* apply to petroleum industry operations which are *not* covered by PAW Form 30; nor do they apply to the use of used material and equipment except where specifically stated.

Operators should request any exceptions from the limitations contained in Part 2 of this Schedule which they consider essential. Each authorization granted on Form GA–1456 Petroleum will provide that the limitations of Part 2, except as modified by any exception granted in the particular authorization, shall apply to material for use in the proposed operation.

B. *Amendments to Construction Standards.* These Construction Standards may be amended from time to time by the issuance of an amended Schedule D to P–98–b. After any such amendment, use of material covered by an authorization on Form GA–1456 Petroleum may be made in accordance with that authorization, or in accordance with any revised Standards.

PART 2—LIMITATIONS ON CONSTRUCTION

(Unless required under the provisions of a WPB order or regulation, none of the limitations of Part 2 of this Schedule applies to use of material in the fabrication or assembly of Class A or Class B products by suppliers regularly engaged in the business of fabricating or assembling such products for sale.)

A. *Principles governing wartime construction.* The principles governing wartime construction are defined in a directive adopted by the WPB and the Army-Navy Munitions Board, May 20, 1940. These principles are interpreted as limiting all construction to a design of the simplest type consistent with structural stability and sufficient only to meet the immediate minimum functional requirements.

The guiding principle should always be to utilize those materials which are most plentiful and which, in the ultimate analysis, will cause the least interference with the production of combat material and the utilization of transportation and power.

B. *Structural design.* All construction using more than 5 tons of structural steel or more than 5 tons of reinforcing steel (including mesh) or any stress grade lumber shall be designed in accordance with the applicable provisions of the War Production Board Directive No. 8 "National Emergency Specifications for the Design, Fabrication and Erection of Structural Steel for Buildings" as amended, and/or Directive No. 9 "Design of Reinforced Concrete Buildings" as amended, and/or Directive No. 20 "Design, Fabrication and Erection of Stress Grade Lumber and its Fastenings for Buildings" as amended.

C. *Structural steel.* Construction requiring the use of structural steel should not be employed when masonry or plain or reinforced concrete using forms as called for under M–3 below can be used.

1. Junior beams may not be used.

D. *Steel plates.* 1. Plates may not be used except for:

a. Closed pressure tanks.
b. Structural connections.
c. Column bases and bearing plates.
d. Where necessary for connections and reinforcing when used for repair and strengthening of bridges.

E. *Steel sheet and strip.* 1. The use of steel sheet and strip, plain or formed, is prohibited except for the following:

a. Evacuation tubes, superimposed upon fans, not exceeding 30 feet in height.

2. The use of the following manufactured items (purchased as such) when made from sheet or strip is prohibited:

Bins
Bookstacks
Bridge Splash Guards
Culverts
Concrete Pile Casings
Corner, door and column guards
Flooring
Joists
Portable Buildings
Roofing and Siding
Shower Stalls
Scuppers
Smoke Stacks
Termite Shields heavier than No. 24 U. S. gauge
Trench Covers
Ventilation and heating ducts except for transitions, fittings, connections, and changes in direction, and for straight runs where metal is required by applicable building codes.

F. *Railroad track and craneways.*

1. Except for operating railroads, the following are prohibited:

a. New rails over 60 pounds per yard.
b. New metal ties and tie plates.
c. Used tie plates, except for rails weighing 60 pounds or less per yard, and turnouts, crossovers, curves of more than 4 degrees, and bridge track of any weight.

G. *Hardware.* 1. The use of checking floor hinges and hydraulic door closers is prohibited except as follows:

a. Where self-closing function is required by applicable fire regulations.
b. For exterior entrance and exterior exit doors of public and industrial buildings.
c. Where essential in hospitals except for patients rooms.

H. *Metal lath.* 1. The use of metal plastering base and accessories is prohibited for exterior use, except as permitted in paragraph 3 below.

2. The use of metal plastering base and accessories is prohibited for interior use except:

a. Cornerite, stripite, corner bead and flush base screed
b. In hospitals, detention, asylum and school buildings

(1) Under wood joists subject to fire hazard (as defined by applicable building codes), and under bar or concrete joists, and where furred ceilings are required

(2) For resistance to earthquakes where required by applicable codes

(3) For chases, pipe furring and wood stairways

(4) Where Portland cement plaster is used as a functional requirement

3. The restrictions in 1 and 2 above do not restrict the use of (1) combination form and reinforcement for cast-in-place slabs (2) woven or welded steel wire, cloth, fabric or netting without paper or other backing for exterior stucco base.

I. *Aluminum.* 1. The use of aluminum in construction is prohibited except:

a. For electric bus bars, bare electrical conductors, and current carrying accessories for conductors
b. Where essential for processing

2. The use of more aluminum or aluminum of a better grade than is necessary for the proper operation of an article or part is prohibited.

3. The use of paint containing aluminum pigment or aluminum composition is prohibited except for:

a. Sealing of bituminous coated surfaces
b. Interior use in industrial plants and for industrial equipment, where excessive moisture, fumes or temperature prevail
c. Surfaces in the interior of dairies, milk bottling plants, and food processing plants
d. Outdoor storage tanks used for petroleum products and volatile chemicals

J. *Copper and copper-base alloys.* The use of copper and copper-base alloys (new or used) is prohibited for the following:

1. Pipe or tubing including fittings except:

a. Where essential for processing
b. Solder nipples or ferrules

2. Building materials, whether fabricated or unfabricated, as follows:

Access panels
Anchors and dowels
Cornices
Drip pans
Fences and gates
Cooling towers, except for current carrying parts and bearings and worm gears for speed reducers and heat exchangers
Decorative metal work
Flashings and flashing valley lining
Gravel stops and snow guards
Grilles, grids and gratings
Gutters, leaders, downspouts, sheet metal expansion joints and accessories thereto
Lightning rods, cables and accessories
Louvers and marquees
Mouldings and trim
Nails, bolts, screws, nuts, rivets, washers and expansion shields
Ornamental metal work
Partitions
Railings
Reglets
Radiators, shields and covers
Roofs, roofing and other roofing items
Sheet, roll, strip and rod for construction
Sinks and drain boards
Stair treads, nosing and edgings
Store fronts
Strip for laying linoleum
Terrazzo strip
Termite shields
Thresholds and saddles
Tie rods
Ventilators and skylights
Vents
Weatherstripping and insulation
Window frames and sills

K. *Tin.* The use of tin and tin products is prohibited except as follows:

1. Solder:

a. Not over 38% tin in solder for wiping water service pipe, connecting the piping of a structure with the outside water main
b. Not over 32½% tin in solder for wiping the joints of lead sheathed cable where watertight connections are necessary.
c. Solder for electrical connections may be used only to the extent that solderless connectors, not containing copper or copper-base alloys, will not serve
d. Not over 30% tin in solder for fabrication or repair of galvanized sheet metal work
e. Not over 21% tin in solder for other uses

2. Roofing—but only tin plate for repair purposes.

3. Fuses, fuse plugs, and sprinkler head fuses.

L. *Zinc.* 1. The use of zinc and zinc products is prohibited except for:

a. Protective coating
b. Weatherstripping
c. Fuse and fuse plugs
d. Grids in floor of hospital operating and operating service rooms.

M. *Lumber and lumber products.* Construction requiring the use of lumber 2" nominal thickness or less for framing of walls, floors, partitions, ceilings, and roofs should not be employed where other types of construction can be used.

1. Where lumber 2" nominal thickness, less than 8" nominal width and lumber less than 2" nominal thickness must be used, it shall only be obtained from cutting local wood lots or from resawing or ripping sizes larger than 2" x 6" specifically for the project. (This restriction does not apply when the total amount of such lumber required is less than 2.5 MBM)

2. The use of lumber is prohibited for the following:

a. Sheathing of walls and roofs
b. Facing of partitions and ceilings
c. Siding
d. Fencing
e. Sub-floors

3. Forms for concrete construction are restricted to the use of metal forms, used lumber, reusable forms (including traveling), and water resistant plywood (see 7 below). To the extent that these types of forms are not available, lumber in any size may be used provided that lumber 2" nominal thickness, less than 8" nominal width, and lumber less than 2" nominal thickness is obtained from cutting local wood lots or from resawing or ripping sizes larger than 2" x 6" specifically for the project. (This restriction does not apply when the total amount of such lumber required is less than 2.5 MBM).

4. The use of common grades of any kind of wood is prohibited for mill work and trim.

5. The use of end grain block flooring other than Douglas Fir is prohibited except for repair and maintenance of existing floors of this type.

6. The use of Hardboard is prohibited.

7. The use of softwood plywood is prohibited except highly water resistant type when used for concrete forms (maximum reuse).

The salvage of all reusable lumber, not specifically incorporated in a structure, is mandatory and its destruction is prohibited. Such lumber shall be made immediately available for reuse.

N. *Plumbing and heating.* 1. The use of pipe of weights heavier than required to meet maximum working pressure at the site is prohibited.

2. The use of metal sewer pipe outside the building is prohibited except for:
a. Vents
b. Within 5 feet of the building
c. Cast iron pressure mains
3. The use of valves over 2" size with brass or bronze bodies is prohibited.
4. The use of condensate and vacuum pumps is prohibited except that a single pump is permitted on any heating system where the condensate cannot return to the boiler by gravity or when the design of the heating system requires that a high vacuum must be maintained.

O. *Mechanical ventilation.* 1. The use of mechanical ventilation is prohibited except for:
a. Areas without natural ventilation.
b. Hospital spaces.
c. Spaces where industrial processes make its use mandatory.
d. Interior toilet rooms and kitchens where gravity ventilation will not suffice.
2. Ventilation systems for winter operation in locations as outlined above shall be of the re-circulatory type, with quantity of make-up and exhaust air reduced to the minimum required to meet health requirements.

P. *Electrical work.* 1. The use of electrical wire and cable in sizes larger than the minimum size permitted by the 1940 National Electrical Code as amended is prohibited.
2. The use of rigid metallic conduit is prohibited except for the minimum sizes permitted by the 1940 National Electrical Code as amended and then only:
a. In any size when the installation is in a hazardous location as defined by the 1940 National Electrical Code, Classes 1 to 4 inclusive.
b. In sizes over 2".
(1) For safety purposes as protection against mechanical injury.
(2) In wet locations as defined in Article 100 of the 1940 National Electrical Code.
(3) Where electrical conductors are to be enclosed within concrete or masonry.
c. In sizes 2" and under to suspend an industrial lighting fixture.
3. The use of electrical metallic tubing is prohibited except for the minimum sizes permitted by the 1940 National Electrical Code as amended and then only:
a. For safety purpose as protection against mechanical injury.
b. Where electrical conductors are to be enclosed within concrete or masonry.
c. When run in elevator hoistways for elevator power, control and signal wiring.
d. In wet locations as defined in Article 100 of the 1940 National Electrical Code.
e. To suspend an industrial lighting fixture.
4. The use of flexible metallic conduit or tubing is prohibited except for the minimum sizes permitted by the 1940 National Electrical Code as amended and then only:
a. To provide a flexible enclosure for:
(1) Electric wire or cable which is a component part of a machine.
(2) Electric wire or cable extending less than twelve (12) feet from electrical systems to current consuming devices or control equipment.
5. Armored cable (BX cable) may be used only for:
a. Uses permitted for flexible metallic conduit in Item P-4.
b. Remodeling and conversion of fireproof structures.
c. Control systems in connection with boilers.
6. Exterior lighting is prohibited except when mounted on buildings.

Q. *Standby and emergency equipment.* Standby and emergency equipment is prohibited.

PART 3—PRODUCTS AVAILABLE WITHOUT SUPPLEMENTAL APPLICATION

A. *Explanation.* To secure any item listed in this Part 3, the operator must list and justify the use of the item in Section C of PAW Form 80. An operator is not required to submit for any such item a separate application form (even if otherwise required by the provisions of a WPB order).

B. *Items available without supplemental application:*

Item	Refer to Order
Air conditioning and refrigerating equipment	L-38
Cooking equipment, commercial, electric appliances	L-65
Cooking equipment, commercial, heated by oil, wood, coal or gas, including coffee urns, steam tables, ranges, etc., new or used	L-182
Dishwasher, commercial, new or used	L-248
Dumb-waiters, electrically operated, new	L-89
Elevators, new	L-89
Fire protective, signal and alarm equipment	L-39
Laundry equipment	L-91
Pneumatic tube delivery systems	L-193
Scales, if $500 or more for any single scale	L-190
Signal, public address and intercommunication systems (electronic)	L-265
Sterilizer equipment	L-266
Stokers, Class A, grate area under 36 sq. ft., over 60 pounds capacity per hour	L-75
Telephone switching equipment or carrier equipment costing in excess of $2,500.	
Vault doors	L-142
Manila, Agave, Istle, Hemp (Cannabis Sativa), Sunn Hemp, Raffia, Flax, Jute, Coir yarn and other fibers, when used for cordage; and cordage products made primarily therefrom	M-328

SCHEDULE E—INSTRUCTIONS FOR DIRECTING COMMUNICATIONS TO PAW DISTRICT OFFICES

District 1: (Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, District of Columbia). Direct communications to Petroleum Administration for War, 1104 Chanin Building, 122 East 42 Street, New York 17, New York. Ref: P-98-b.

District 2: (Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota). Direct communications to Petroleum Administration for War, 1200 Blum Building, 624 South Michigan Avenue, Chicago 5, Illinois (or) 410 Beacon Building, 406 South Boulder Avenue, Tulsa 3, Oklahoma. Ref: P-98-b.

District 3: (Alabama, Mississippi, Louisiana, Arkansas, Texas, New Mexico). Direct communications to Petroleum Administration for War, 245 Mellie Esperson Building, Houston 1, Texas. Ref: P-98-b.

District 4: (Montana, Wyoming, Colorado, Utah, Idaho). Direct communications to Petroleum Administration for War, 320 First National Bank Building, Denver 2, Colorado. Ref: P-98-b.

District 5: (Arizona, California, Nevada, Oregon, Washington, Territory of Alaska). Direct communications to Petroleum Administration for War, 855 Subway Terminal Building, Los Angeles 13, California. Ref: P-98-b.

[F. R. Doc. 44-9289; Filed, June 26, 1944; 11:06 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[General Preference Order E-6, as Amended June 26, 1944]

HAND SERVICE TOOLS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of hand service tools and of alloy steel used in their manufacture, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3274.51 *General Preference Order E-6—*(a) *Definitions.* For the purposes of this order:

(1) "Mechanic's hand service tool" means any tool listed on Exhibit A attached hereto.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(3) "Producer" means any person engaged in the production of mechanics' hand service tools.

(4) "WPB-547 order" means any order for mechanics' hand service tools now or hereafter placed with a producer by any person acquiring such tools for his own inventory or shelf stock pursuant to a rating assigned on Form WPB-547 (formerly PD-1X).

(5) "Other order" means any purchase order for mechanics' hand service tools except WPB-547 orders.

(6) "Total monthly production" means either.

(i) The total dollar value of each kind of mechanic's hand service tool listed on Exhibit A hereto attached, scheduled to be produced in any given month by a producer, including both special and standard tools of that kind; or

(ii) The total number of units of each kind of mechanic's hand service tool listed on Exhibit A hereto attached, scheduled to be produced in any given month by a producer.

(b) *Restriction on use of steel.* No producer shall manufacture any mechanics' hand service tools out of any alloy steel except those which are in the series specified in Exhibit B hereto attached or except pursuant to specific permission of the War Production Board.

(c) *Allocation of production between WPB-547 orders and other orders.* Commencing with the month of July 1943 and each month thereafter, each producer shall schedule his total monthly production and the delivery thereof as follows:

(1) To the extent that he has WPB-547 orders on hand, he shall schedule between 20 and 25 percent of his total monthly production of each kind of mechanic's hand service tool specified in Exhibit A hereto attached for delivery against WPB-547 orders requiring delivery in such month. No producer shall schedule any order pursuant to this paragraph (c) (1) unless it clearly appears from such order that the rating applied thereto was assigned on Form WPB-547 (formerly PD-1X).

The sequence of deliveries on WPB-547 orders within the percentage limitation thereon which may be delivered in any given month shall be scheduled according to applicable War Production Board regulations.

(2) To the extent that he has other orders on hand, he shall schedule between 75 and 80 percent of his total monthly production of each kind of mechanic's hand service tool specified in Exhibit A hereto attached for delivery against other orders requiring delivery in such month.

The sequence of deliveries on other orders within the percentage limitation thereon which may be delivered in any given month shall be scheduled according to applicable War Production Board regulations.

(3) Any portion of the percentage allocated to WPB-547 orders which has not been taken up by such orders on or before the fifteenth day of the month preceding the month being scheduled, shall be scheduled for delivery against other orders, and vice versa.

(d) *Necessity for preference ratings and authorizations to place orders.* Notwithstanding any other provisions of this order:

(1) No producer shall sell or deliver any mechanics' hand service tools pursuant to any purchase order placed prior to June 12, 1943 unless such order bears a preference rating of A-9 or higher, nor shall any producer sell or deliver any mechanics' hand service tools pursuant to any purchase order placed subsequent to June 12, 1943 unless such order bears a preference rating of AA-5 or higher, or except pursuant to specific permission of the War Production Board.

(2) [Deleted Feb. 19, 1944]

NOTE: Specific authorization to purchase certain types of mechanics' hand service tools is now required by Table 12 under General Scheduling Order M-293.

(e) *Restrictions on inventory.* On and after June 12, 1943, no person purchasing more than ten mechanics' hand service tools of any kind specified on Exhibit A shall accept delivery of any such tools the delivery of which will effect an increase in his inventory beyond a supply required by his current practices for use or for resale during a sixty-day period. In the event that the provisions of Suppliers' Inventory Limitation Order L-63 as applied to any supplier as defined in that order are more restrictive, such provisions shall govern. The restrictions on inventory contained in this paragraph (e) shall not apply to the following designated types of purchase orders:

(1) Purchase orders for mechanics' hand service tools made pursuant to the purchaser's special design or specifications which are not standard items in the producer's production schedules.

(2) Purchase orders placed by the Army, Navy, or Maritime Commission for mechanics' hand service tools required for bases or supply depots outside the continental United States (comprising the several States and the District of Columbia), or for bases or supply depots within the continental United States which are maintained for emergency purposes, or to supply such bases or supply depots outside the continental United States.

(3) Any other purchase order specifically excepted from this restriction by the War Production Board.

(f) *Repair parts.* Nothing in this order shall be construed to prevent the sale and delivery of repair parts for mechanics' hand service tools in accordance with applicable regulations and orders of the War Production Board concerning repair parts.

(g) [Revoked Feb. 19, 1944]

(h) *Applicability of General Scheduling Order M-293.* Those mechanics' hand service tools which are listed on the schedule attached to General Scheduling Order M-293 are also subject to the terms and provisions of that order.

(i) *Reports.* Each producer shall execute and file with the War Production Board Form WPB-3057 and such other reports and questionnaires as said Board may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(j) *Appeals.* Any appeal from the provisions of this order shall be made on Form WPB-1477 (formerly PD-500) or by letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal. All appeals should be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(k) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board.

(l) *Communications.* All reports, appeals, and other communications concerning this order shall be addressed to: War Production Board, Tools Division, Washington 25, D. C., Ref.: E-6.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 26th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A

Machinists' ball pein hammers.
Mechanics' cold chisels and punches.
Metal cutting files.
Metal cutting snips and shears.
Metal working punches, lever type.
Piston ring compressors.
Pliers, slip joint.
Pliers, solid joint.
Ring groove cleaning tools.
Screw drivers, all types.
Spring testers: Valve or clutch spring.
Tool boxes, industrial, wood or metal.
Valve spring compressors.
Wrenches, adjustable auto.
Wrenches, adjustable, 22½° angle.
Wrenches, box.
Wrenches, monkey.
Wrenches, open end and combination box.
Wrenches, pipe.
Wrenches, socket and driving units.

NOTE: Tools subject to L-63-b are not included herein.

EXHIBIT B

NE 1000 Series with or without Boron or Vanadium addition agents
NE 1300 Series
NE 8600 Series
NE 8700 Series
NE 9200 Series
NE 9400 Series

[F. R. Doc. 44-9291; Filed, June 26, 1944; 11:06 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-260-a, as Amended June 26, 1944]

FURNITURE AND FURNITURE PARTS

The fulfillment of requirements for the defense of the United States, has created a shortage in the supply of wood and other critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.66 *General Limitation Order L-260-a—*(a) *What this order does.* This order governs the manufacture and distribution of furniture. It restricts the use of certain materials in the production of furniture both for civilian use, and for all other uses, including Army, Navy or other Governmental orders.

(b) *Definitions.* For the purposes of this order:

(1) The term "manufacturer" means any person who makes, assembles, finishes or upholsters any new furniture.

(2) "Furniture" as used in this order means all articles commonly known as

furniture including, but not limited to, products shown on List I, but not including products shown on List II.

(3) "Wood" means furniture parts and all sawed lumber including round edge, of any size or grade, whether rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines. The term does not include veneer and all-veneer constructed plywood, whether produced or purchased by a manufacturer. Neither does it include slabs, edgings, trims and off-falls less than 3 inches wide or less than 4 feet long when purchased in such form.

(4) "Veneer" means, for the purpose of this order and only for the purpose of this order, a layer of wood ⅝ inches or less in thickness whether sawn, sliced or rotary cut.

(5) "Furniture parts" as used in this order means parts, unassembled or assembled, intended for use in the production of furniture, including but not limited to, dimension parts whether or not cut to size, machined or partially machined, carvings, turnings, venetian blind slats, moldings, lumber cores used or purchased as such or in the form of plywood.

(6) "Pattern" means any piece of furniture, whether or not containing wood as defined in paragraph (b) (3), having its own identification mark and selling price, except that for the purpose of this order, two or more pieces of furniture identical in every respect othef than color, finishing material, fabric, leather or other outer covering or cover, species of wood or veneer, spring construction, content of metal parts or method of joining shall be considered one pattern, whether or not they have the same selling price. A suite of furniture of two or more different pieces shall constitute two or more patterns.

(7) "Upholstery springs" means any type of spring, intended for use in upholstered furniture, whether flat, coiled or otherwise formed, made of metal, including but not limited to, upholsterer's seat springs, spring cushion units, pillow springs, flat or formed under-constructions, spring constructions, spring supporting bars, edgewire and edgewire clips.

(8) "Upholstered furniture" means padded furniture whether or not containing upholstery springs.

(c) *Restrictions on use of wood.* During any calendar quarter, no manufacturer shall use in the manufacture and crating of furniture more than 21% of the amount of wood which he used for these combined purposes in the calendar year 1943. Use of wood shall be measured in board feet, and wood shall be considered used in the quarter in which it is first changed from the form in which it was received or is first assembled, finished or upholstered. In computing the amount of wood used in items such as furniture parts or as assembled furniture, bought otherwise than by gross board-foot measurement, a manufacturer may convert it to board feet by any reasonable and consistent method.

(d) *Restrictions on receipt of wood.* No manufacturer shall accept any delivery of wood, which, added to all inventory on hand, including wood in dry kilns, will give him a supply greater than:

(1) 42% of the amount of wood (which requires kiln or air drying prior to use) consumed by him in the production of furniture in 1943.

(2) 21% of the amount of other wood, consumed by him in the production of furniture in 1943.

(e) *Restrictions on patterns.* (1) Until June 1st, no manufacturer shall at any one time be engaged in processing, fabricating, assembling or offering for sale in combined total more than 35% of the total number of patterns of furniture offered for sale by him during the month of September, 1941, or 24 patterns, whichever is greater.

(2) On and after June 1, 1944, no manufacturer shall at any one time be engaged in processing, fabricating, assembling or offering for sale in combined total more than 25% of the total number of patterns of furniture offered for sale by him during the month of September, 1941, or 24 patterns, whichever is greater.

(3) No manufacturer shall produce or offer for sale any pattern of furniture which had not been offered for sale by him prior to March 15, 1943, or any pattern which has not been specifically authorized in writing by the War Production Board.

(4) Request for specific authorization to make a change in patterns should be made by letter addressed to the War Production Board, Washington, 25, D. C., Ref: L–260–a.

(5) The provisions of this paragraph (e) do not apply to the manufacture of the following: (i) venetian blinds; (ii) furniture to fill any order, contract or subcontract placed by or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or the Federal Public Housing Authority.

(f) *Restrictions on the use of metal.* (1) No manufacturer shall use in the production of upholstered furniture in any calendar quarter more metal upholstery springs than 12½% by weight of the total weight of metal upholstery springs used by him in the year 1941.

(2) No manufacturer shall use in the production of furniture any steel sheet or strip which is 12 inches or more in width.

(g) *Small manufacturers excluded.* This order does not apply to any manufacturer in any quarter in which his sales of furniture are less than $5,000.00 provided that his sales did not exceed $20,000.00 in any of the years 1941, 1942, or 1943.

(h) *Equitable distribution to retailers.* It is the policy of the War Production Board that furniture not required to fill rated orders be distributed equitably to retailers giving due regard to established trade connections and also to the needs of dealers whose usual supplies have been cut off and diverted, and to the increased needs of certain areas caused by war conditions. If voluntary compliance with this policy is not found to be sufficient, the War Production Board may issue directions with respect to sales to specified outlets or to outlets in specified areas.

(i) *Finished item deliveries.* No person shall deliver, offer for sale, or accept delivery of any furniture or furniture part which he knows or has reason to believe was made, assembled or delivered in violation of this order.

(j) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports as the War Production Board may specify from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(k) *Appeals.* Any appeal from this order should be made on Form WPB–1477 (formerly PD–500) and should be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(l) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(m) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(n) *Communications.* All reports required to be filed hereunder and all communications, other than appeals, concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L–260–a, as amended.

Issued this 26th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST I

This list includes certain items subject to this order. It is not intended to be all inclusive.

Item No.	Description
1	Household furniture.
2	Porch and lawn furniture including swings and gliders.
3	Camp furniture.
4	Juvenile furniture including baby cribs, high chairs, toilet chairs, nursery toilet seats, and juvenile bathinettes, play pens, and porch and stair gates, table and chair sets, desk sets.
5	Office furniture.
6	Restaurant furniture, portable.
7	Public building furniture (including furniture for schools, theaters, assembly halls, churches, libraries, hospitals.)
8	Office, store fixtures and show cases except refrigerated.
9	Venetian blinds.
10	Barber shop and beauty shop furniture except barber chairs.
11	Store display stands and cabinets.
12	Furniture frames.
13	Wooden filing cabinets.
14	Telephone booths.
15	Folding furniture such as tables, chairs, luggage racks.
16	Storage chests and utility cabinets other than permanent fixtures.
17	Step stools.
18	Reed and rattan furniture.

LIST II

This list includes certain items not covered by this order.

Item No.	Description
1	Metal furniture and fixtures subject to Limitation Order L–13–a, except wood filing cabinets containing not more than two pounds of essential operating steel hardware per drawer, and wood typewriter desks containing metal typewriter mechanisms.
2	Metal household furniture subject to Limitation Order L–63.
3	Bedding products subject to Limitation Order L–49.
4	Hospital, medical and surgical furniture and related equipment subject to Limitation Order L–214.
5	Laboratory equipment subject to Limitation Order L–144.
6	Refrigerators.
7	Wooden lockers, industrial and institutional.
8	Wooden shelving.
9	Wooden factory and industrial equipment.
10	Fixtures specifically designed to be built in or permanently attached.
11	Cafeteria and lunch counters.
12	Woodenware.
13	Drafting tables.
14	Luggage such as footlockers.

INTERPRETATION 1

FURNITURE AND FURNITURE PARTS; REMODELING BY INCLUSION OF SPRINGS

Since the revocation of Order L–125 on January 14, 1944, some question has arisen in connection with the remodeling of padded or upholstered furniture produced prior to that date without springs.

A person who remodels such a completely finished and upholstered item of padded furniture by the mere inclusion of upholstery springs is not engaged in the production of upholstered furniture within the meaning of Order L–260–a, nor is he a "reconditioner" or "repairman" under CMP Regulation No. 9A. However, if a person adds springs to an item of furniture which had not been completely finished and upholstered prior to that date, he is a manufacturer and subject to the restrictions of that order.

Only a limited number of springs are available for this purpose. To the extent that a spring distributor has upholstery springs available which are not required to fill rated orders, he may sell them on unrated orders. (Issued Apr. 18, 1944.)

[F. R. Doc. 44–9293; Filed, June 26, 1944; 11:06 a. m.]

PART 3293 [1]—CHEMICALS

[Allocation Order M–19, as Amended June 26, 1944]

CHLORINE

Section 3293.46 [1] *Allocation Order M–19* is hereby amended in its entirety to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of chlorine for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.46 *Allocation Order M–19*—(a) *Definitions.* For the purpose of this order:

(1) "Chlorine" means gaseous and liquid chlorine.

(2) "Producer" means any person engaged in the production of chlorine.

(3) "Distributor" means any person who has purchased or purchases chlorine for resale, except persons who resell exclusively in containers of less than one ton.

(b) *Restrictions on use and delivery.* (1) No producer or distributor shall use or deliver chlorine except as specifically authorized in writing by the War Production Board upon application pursuant to paragraph (e).

(2) No person shall accept delivery of chlorine from a producer or distributor except upon application pursuant to paragraph (e) (1). Each person who obtains chlorine upon this application shall use it only for the purpose stated in the application. However, if changing circumstances make it impracticable for him to use it for that purpose, he may apply to the War Production Board on Form WPB–2908 or by letter (3 copies) for authority to use it for some other specified purpose.

(3) If the balance of supply and demand on which chlorine allocations have been based is affected by unexpected losses in production or emergency military demands, the War Production Board may make such adjustments as are necessary by directions to any person to or from whom chlorine has been allocated, revising the quantities and permitted uses specified in the previous allocations, and by making any required additional allocations.

(4) The War Production Board may from time to time issue special directions to any producer with respect to production of chlorine.

(c) *Exemptions.* (1) The restrictions of paragraphs (b) (1) and (b) (2) shall not apply to the following:

(i) Delivery, acceptance of delivery and use of chlorine in containers of less than one ton capacity.

(ii) Delivery and acceptance of delivery of chlorine for use, or for resale for use, for water treatment (industrial, potable, sewage), or for swimming pool sanitation: *Provided, however,* That each person placing a purchase order for chlorine under this exemption (in containers of a ton or more capacity) shall certify on the purchase order "Under par. (c) (1) (ii) M–19".

(2) No person shall accept delivery of chlorine under paragraph (c) (1) if his inventory of chlorine exceeds, or as a result of acceptance would exceed, a 30 day supply on the basis of his current method and rate of operation, unless the amount ordered is the smallest practical delivery unit. No producer or distributor shall deliver a greater aggregate amount under paragraph (c) (1) than he has been specifically authorized to deliver for this purpose.

(d) *Placing of orders.* Each person ordering chlorine from any supplier, including persons ordering chlorine under paragraph (c), should place his order for chlorine on or before the 5th day of the month preceding the period for which delivery is requested if his supplier is a distributor, or the 10th day if his supplier is a producer. No producer or distributor shall be required to fill any order for chlorine which is not placed in accordance with this paragraph.

(e) *Applications and reports.* (1) Each producer and each distributor seeking authorization to use pursuant to paragraph (b) (1), and each person applying for delivery pursuant to paragraph (b) (2), shall apply to the War Production Board on Form WPB–2908 (formerly PD–190), which form shall be prepared and filed in the manner prescribed therein.

(2) Each producer and each distributor seeking authorization to deliver chlorine, either directly to consumers or through distributors, shall apply to the War Production Board on Form WPB–927 (formerly PD–191), which form shall be prepared and filed in the manner prescribed therein.

(3) The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(4) In addition, the War Production Board at its discretion may require additional information on chlorine, or may

[1] Formerly Part 900, § 900.1.

issue special instructions regarding preparing and filing Forms WPB-2908 and 927, subject to approval by the Bureau of the Budget when required by the Federal Reports Act of 1942.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable War Production Board regulations, as amended from time to time.

(2) *Violations.* Any person who willfully violates any provisions of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* Communications concerning this order should be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-19.

Issued this 26th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9290; Filed, June 26, 1944; 11:06 a. m.]

Chapter XI—Office of Price Administration

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 5]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 16 is amended in the following respects:

1. Section 2.3 (g) is amended to read as follows:

(g) *How consumers acquire and use tokens.* If the consumer is unable to give up points exactly equal to the point value of the foods acquired by him because he does not have stamps, certificates, ration coupons, or ration checks of sufficiently small value to make up the proper amount, he may give up, and the transferor may accept, stamps, certificates, ration coupons, or ration checks of the nearest higher value, and the transferor must return the excess number of points to the consumer in the form of tokens. Tokens may be used to acquire foods covered by this order only if the tokens were acquired in a way provided for by this order. A transferor may accept tokens from a consumer, unless he knows or has reason to believe that they were not acquired by the consumer in a way provided for by this order.

2. The first sentence of section 16.10 (a) is amended to read as follows:

Beginning February 27, 1944, tokens may be used to buy or acquire foods, to give change to consumers when they buy or acquire such foods and to give to consumers for household salvage fats.

3. Section 16.11 is added to read as follows:

SEC. 16.11 *Tokens which may not be used must be surrendered.* (a) A person who has any tokens which he acquired in a way not provided for by this or any other order of the Office of Price Administration must not use them for any purpose but must surrender them to a board.

This amendment shall become effective June 30, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9301; Filed, June 26, 1944; 11:44 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 183, Corr. to Amdt. 41[1]]

POTATOES IN PUERTO RICO

The price of potatoes in Table 41, section 50 is corrected to read as follows:

	Sales to wholesalers (per 100 lb.)	Sales at wholesale: At seller's warehouse (per 100 lb.)	Sales at wholesale: Delivered to retailer (per 100 lb.)	Sales at retail (per lb.)
Potatoes.....	$4.25	$4.55	$4.55	$0.06

This correction shall become effective June 26, 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9310; Filed, June 26, 1944; 11:48 a. m.]

PART 1358—TOBACCO

[MPR 260,[1] Amdt. 8]

CIGARS, CIGAR CUTTINGS AND CLIPPINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 260 is amended in the following respects:

1. The title of the regulation is amended to read: "Cigars, Cigar Cuttings and Clippings".

2. Section 1358.101a is added to read as follows:

§ 1358.101a *Prohibition against sales of cigar cuttings and clippings above maximum prices.* On and after June 23, 1944 regardless of any contract, agreement, lease or other obligation:

(a) No person shall sell or deliver any cigar cuttings and clippings at a higher price than the maximum price established by this regulation.

(b) No person shall buy or receive any cigar cuttings and clippings in the course of trade or business at a higher price than the maximum price established by this regulation.

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing.

3. Section 1358.102b is added to read as follows:

§ 1358.102b *Maximum price for cigar cuttings and clippings.* The maximum price for sales to any purchaser of any type of cigar cuttings and clippings in any quantity shall be 30 cents per pound f. o. b. seller's customary shipping point. That price includes all charges for packing and packaging materials customarily furnished by the seller during March 1942 in his sales of cigar cuttings and clippings of the same type.

4. Section 1358.109 (a) is amended to read as follows:

(a) The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale or delivery of, or relating to the sale of cigars or cigar cuttings and clippings either alone or in conjunction with each other or any other commodity, or by way of commission, service, transportation, or any charge or discount, premium or other privilege, or by tying agreement, trade understanding or otherwise.

5. Section 1358.109 (b) (1) is amended to read as follows:

(1) In the determination of maximum prices of cigars, the reduction or elimination by a seller (other than a seller at retail) of his customary promotional, advertising or other allowances and discounts or price differentials existing in March 1942, whether due to freight or otherwise.

6. Section 1358.109 (b) (3) is added to read as follows:

(3) Elimination of the seller's customary cash discounts on sales of cigar cuttings and clippings or deviations from the seller's customary practice with respect to moisture content, size, and preparation for sale of cigar cuttings and clippings, normal variation excepted.

7. Section 1358.112 (g) is added to read as follows:

(g) "Cigar cuttings and clippings" means cigar scrap, cuttings, clippings, sweepings, siftings and scraps or pieces of tobacco resulting from cigar manufacturing.

This amendment shall become effective June 23, 1944.

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9190; Filed, June 23, 1944; 8:54 p. m.]

PART 1386—SOAP AND GLYCERINE

[MPR 390,[1] Incl. Amdt. 1-6]

HOUSEHOLD SOAPS AND CLEANSERS SOLD BY RETAIL FOOD STORES

This compilation of Maximum Price Regulation 390 includes Amendment 6, effective June 24, 1944. The text added or amended by Amendment 6 is underscored.

In the judgment of the Price Administrator, it is necessary to issue a regulation establishing dollars and cents maximum prices for retail sales of household soaps and cleansers by retail food stores.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

[Above sentence added by Supplementary Order 67, 8 F.R. 12555, effective 9-11-43]

§ 1386.51 *Maximum prices for household soaps and cleansers sold by retail food stores.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 390 (Household Soaps and Cleansers Sold by Retail Food Stores), which is annexed hereto and made a part hereof, is hereby issued.

MAXIMUM PRICE REGULATION NO. 390—HOUSEHOLD SOAPS AND CLEANSERS SOLD BY RETAIL FOOD STORES

ARTICLE I—GENERAL PROVISIONS

Sec.
1. Geographical applicability.
2. What this regulation does.
3. Your ceiling prices.
4. When the new ceiling prices take effect.
5. Posting and marking requirements.
6. Records, sales slips and receipts.
7. Licensing.
8. Indirect price increases.
9. Prohibitions.
10. Definitions.

ARTICLE II—SPECIAL PROVISIONS

11. How you figure the annual gross sales of your store in most cases.
12. How you figure your annual gross sales in certain special cases.
13. How you find your annual gross sales if you are a new retailer.
14. Transfer of business or stock in trade.
15. Retail sales taxes.
16. Petitions for amendment and applications for adjustment.

ARTICLE III—CEILING PRICES

17. Maximum prices for sales of household soaps and cleansers by group 1 stores.
18. Maximum prices for sales of household soaps and cleansers by group 2 stores.
19. Maximum prices for sales of household soaps and cleansers by group 3 and 4 stores.

AUTHORITY: § 1386.51 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671 and E.O. 9328, 8 F.R. 4681.

ARTICLE I—GENERAL PROVISIONS

SECTION 1. *Geographical applicability.* The provisions of this regulation are applicable to the continental United States.

[The word "class" wherever it appears in sections 2, 3, 5, 12, 13, 14, 16, 17, 18, and 19 is amended to read "group" by Am. 2, 8 F.R. 9380, effective 7-13-43]

SEC. 2. *What this regulation does.* (a) This regulation fixes maximum ceiling prices on all retail sales of household soaps and cleansers made by retail food stores on and after May 24, 1943. Different ceiling prices are fixed for sales made by different groups of retail food stores. Household soaps and cleansers are defined in section 10 of this regulation. Retail food store means a store in which 50 per cent or more of the gross dollar sales volume is from the sale of food products or the food department of any store.

[Paragraph (a) amended by Am. 6, effective 6-24-44]

(b) This regulation does not apply to sales of household soaps and cleansers by retailers other than retail food stores. For example, it does not apply to sales by drug stores, 5 and 10 cent stores, dry goods stores, and mobile retail units.

The maximum prices for sales by such sellers are fixed by the General Maximum Price Regulation* and the seller's maximum price is that determined under the General Maximum Price Regulation.

SEC. 3. *Your ceiling prices.* (a) You will find your ceiling prices in that section which sets maximum prices for your group of store. Each of these sections contains a list of specific dollars and cents maximum prices for the most widely distributed brands of household soaps and cleansers. It also contains directions on how to figure maximum prices for household soaps and cleansers which are not listed there.

[Paragraph (a) amended by Am. 6, effective 6-24-44]

(b) *Your group of store.* (1) Your store is in group 1 if it is an "independent retail food store" with an annual gross sales volume less than $50,000. Ceiling prices for group 1 are set out in section 17.

(2) Your store is in group 2 if it is an "independent retail food store" with an annual gross sales volume of $50,000 but less than $250,000. Ceiling prices for group 2 are set out in section 18.

(3) Your store is in group 3 if it is a "chain retail food store" with an annual gross sales volume less than $250,000. Ceiling prices for group 3 are set out in section 19.

(4) Your store is in group 4 if it is either a "chain or independent retail food store" with an annual gross sales volume of $250,000 or more. Ceiling prices for group 4 are set out in section 19.

Specific directions for figuring your annual gross sales volume are set out in sections 11, 12, and 13 of this regulation.

(c) *Reclassification of store groups.* Effective May 25, 1944, this regulation requires that the year 1943 be used for figuring your "annual gross sales" instead of the year 1942. If you find that as a result of that change, your store is now in a group different from the one it was in before, you must, after June 15, 1944, use the ceiling prices fixed for the group in which you are now classified.

[Paragraph (c) amended, former (c) redesignated (d) by Am. 5, 9 F.R. 5804, effective 5-29-44]

(d) *New size packs.* Manufacturers may be required to change the size of packs in the tables of sections 17, 18, and 19 below, in compliance with War Production Board Limitation Order No. 317, Fibre Shipping Containers, dated March 23, 1944, which order is designed to conserve paper board. This change has no effect on your maximum prices listed in the tables or otherwise determined as required, because these maximum prices per unit contained in the pack regardless of the size of the pack.

[Paragraph (d), formerly (c), added by Am. 4, 9 F.R. 4440, effective 5-5-44, and amended by Am. 5, 9 F.R. 5804, effective 5-25-44]

SEC. 4. *When the new ceiling prices take effect.* When the ceiling prices fixed by this regulation take effect on May 24, 1943, they will take the place of all previous ceiling prices fixed by the Office of Price Administration for sales of all household soaps and cleansers by

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16534, 16639, 17373, 16699, 17278, 17306; 9 F.R. 105, 184, 731, 1161, 1619, 2091, 2007, 2788, 2477, 2568, 2945, 2680, 2789, 3092, 3707, 3581, 4107, 4605, 4607, 4877, 5815, 5666.

[1] 9 F.R. 6684.

[1] 7 F.R. 8997, 10285, 10475, 11113; 8 F.R. 1974, 2206, 4476; 9 F.R. 3037, 3710.

[1] 8 F.R. 6426.

*Statements of consideration are also issued with amendments. Copies may be obtained from the Office of Price Administration.

*9 F.R. 1385, 5169, 6666.

retail food stores. On and after May 24, 1943, you may not sell any household soap or cleanser at a price higher than the ceiling price fixed by this regulation. You may sell any of these products at a price lower than the ceiling price.

SEC. 5. *Posting and marking requirements.*—(a) *Posting your ceiling prices.* After you have found your group of store, you should apply to your local War Price and Rationing Board which will supply you with a list of maximum prices for your group of store setting out in dollars and cents the prices for all brands of household soaps and cleansers listed in this regulation. You are required to post this list in plain view of your customers either at the points in your store where the soaps and cleansers you sell are displayed or at the points where purchases of soap are ordinarily paid for. In addition to posting this list of prices, you are required to figure your maximum prices for all unlisted brands of soap and cleanser's and unbranded and bulk soaps and cleansers you sell. You must also post these prices at the places specified above.

(b) *Marking the classification of bulk soap or cleanser.* ("Bulk soap or cleanser" is defined in section 10 of this regulation.) If you offer bulk soap or cleanser for sale, you must mark on the barrel or other container from which you sell such bulk soap or cleanser the classification of the contents, whether bar toilet soap, bar laundry soap, cleanser or scouring powder, package soap, or washing powder. If such barrel or other container is not marked and in plain view of your customers at the point of sale, or if you put the bulk soap or cleanser in a paper bag, sack or other package before offering it for sale, you must mark the proper classification of that bulk soap or cleanser on the package. These various classifications of soaps and cleansers will be identified on your sellers' invoices and are also defined in section 10 of this regulation.

[Sec. 5 amended by Am. 4, 9 F.R. 4440, effective 5-5-44 and Am. 6, effective 6-24-44]

SEC. 6. *Records, sales slips, and receipts.* (a) *Records.* After May 23, 1943, you must keep the records listed below for so long as the Emergency Price Control Act of 1942, as amended, remains in effect:

(1) The kinds of records you have customarily kept showing the prices you charge for household soaps and cleansers.

(2) Records showing how you figured your maximum prices for unlisted household soaps and cleansers under the regulation.

(3) All records of household soaps and cleansers which you were required to keep under the General Maximum Price Regulation.

(4) Records showing how you figured your maximum prices for bulk soaps and cleansers, including bulk soap and cleanser purchased by you from the wholesaler in bars or packages which are, or are required to be marked, "Packaged from bulk," as well as the bulk soap and cleanser purchased by you in barrels and other large containers.

[Subparagraph (4) added by Am. 6, effective 6-24-44]

You must show any of the above records to any representative of the Office of Price Administration on request.

(b) *Sales slips and receipts.* If you have customarily given a customer a sales slip, receipt or similar evidence of purchase, you must continue to do so. Furthermore, regardless of your previous custom, you must upon request by any customer give a receipt showing the date, your name and address, the brand name (in the case of bulk soap, the classification thereof according to section 10), and weight or size of the household soap or cleanser, and the price you received for it.

[Paragraph (b) amended by Am. 6, effective 6-24-44]

SEC. 7. *Licensing.* The provisions of Licensing Order No. 1 [4] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 7 amended by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

SEC. 8. *Indirect price increases.* The price limitations set forth in this regulation shall not be evaded directly or indirectly by you, and you shall not require a purchaser to buy or agree to buy any other household soap or cleanser or other article, service, package or wrapper as a condition of selling him a household soap or cleanser nor shall you require him to buy or agree to buy a household soap or cleanser as a condition of selling him any other commodity or any service.

SEC. 9. *Prohibitions.* On and after May 24, 1943, the date this regulation takes effect, if you sell or deliver any household soap or cleanser at a price higher than your ceiling price, or if you otherwise violate any provision of this regulation, you are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended. Also, any person, who in the course of trade or business, buys from you at a price higher than your ceiling price is subject to the criminal penalties and civil enforcement actions provided for by that Act.

SEC. 10. *Definitions.* (a) As used in this regulation, the term:

"Anhydrous soap content" means the anhydrous soap content as determined by the official methods for testing soap set out in Federal Specification P-S-536A for Soap and Soap Products; General Specifications for Sampling and Testing. This document can be obtained from the Superintendent of Documents, Government Printing Office, Washington, D. C.

"Bulk soap or cleanser" means any soap, soap product, soapless detergent or cleanser purchased by a retailer, either

(1) From a manufacturer or wholesaler, in barrels, large sacks or bags or other sizable quantities, said commodity not having been cut into bars or cakes or packaged in a container of the size and type customarily used in sales for household consumption; or

(2) From a wholesaler, in bars or packages of the size and type customarily used in sales for household consumption which are, or are required, under the provisions of Maximum Price Regulation No. 391, to be marked "This is a bar toilet soap (or bar laundry soap, cleanser or scouring powder, package soap or washing powder) packaged from bulk."

[Above definitions added by Am. 6, effective 6-24-44]

"Chain retail food store" means one of four or more retail food stores under one ownership which jointly have an annual gross volume of $500,000 or more.

[Above definition amended by Am. 2, 8 F.R. 9380, effective 7-13-43]

"Criminal penalties" means a fine of not more than $5,000 or imprisonment for not more than one year or both.

"Department store" means a store having at least one department in which food products are sold at retail but in which more than 50 per cent of the gross sales volume is in general merchandise other than food.

"Household soaps and cleansers" means:

(1) Any listed commodity, that is, any commodity for which a dollars and cents maximum price is established by this regulation, or

(2) Any branded or unbranded, cut, packaged, or bulk, soap, soap product, soapless detergent or cleanser similar in type and function to a listed commodity and classified in one of the following categories:

(i) "Bar toilet soap," meaning any bar or cake soap sold for toilet use.

(ii) "Bar laundry soap," meaning any bar soap sold for laundry use, including but not limited to white or yellow bar laundry soap.

(iii) "Cleanser and scouring powder," meaning any soap product containing powdered abrasive material with or without alkali builders.

(iv) "Package soap," meaning any fine fabric or general laundry soap in the form of chips, flakes, granules, powder or similar forms with base anhydrous soap content of 50 per cent or more, or any soapless detergents which have the same use and purpose as such soaps.

(v) "Washing powders," meaning any soap powders with base anhydrous soap content of less than 50 per cent.

[Above definition amended by Am. 3, 8 F.R. 13409, effective 10-8-43 and Am. 6, effective 6-24-44]

"Independent retail food store" means any retail food store which is not a chain retail food store.

"Person" means an individual, corporation, partnership, association, or any other organized groups of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

"Retail food store" means a store in which 50 per cent or more of the gross dollar sales volume is from the sale of food products or the food department of any store.

"Suits for treble damages" means if any person selling household soaps and cleansers violates this regulation the person who buys such commodity for use or consumption other than in the course of trade or business may bring an action either for $50 or for three times the amount by which the price paid exceeds the applicable maximum price, whichever is the greater, plus reasonable attorney's fees and costs as determined by the court. If any person selling such commodity violates this regulation and the buyer is not entitled to bring such suit or action, the Administrator may bring such action on behalf of the United States.

"Unit net cost" means the cost of each unit (in the case of bulk soap or cleanser, the cost of each pound) of a commodity to the seller after deducting all discounts and allowances except the cash discounts.

[Above definition amended by Am. 6, effective 6-24-44]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this regulation.

ARTICLE II—SPECIAL PROVISIONS

SEC. 11. *How you figure the annual gross sales of your store in most cases.* (a) To find your "annual gross sales," take your total sales for the calendar year 1943, including all sales whether of foods or not, as shown on your books (except sales made by restaurants operated in conjunction with your store). You can use your Federal Income Tax Return to get your gross sales for all or any part of the calendar year 1943 which is covered by such return. If you own more than one store, figure the sales for each store separately, treating each as a separate retailer.

(b) If you were not in operation during the entire year 1943, you must divide your total gross sales from the time you began operation up to May 25, 1944 by the number of weeks you were in operation. This will give you your weekly average gross sales. Multiply this figure by 52 and the result is your "annual gross sales."

[Sec. 11 amended by Am. 5, 9 F.R. 5804, effective 5-25-44]

SEC. 12. *How to figure your annual gross sales in certain special cases.*—(a) *Department stores.* If you operate a department store, that is, a store in which the greater volume of sales is general merchandise and not foods, and you sell foods in a separate department or departments, then you must find in which group your store falls by using only the gross annual sales of your food departments.

(b) *Stores in which more than one retailer operates.* (1) If you sell foods in a retail store in which more than one retailer sells a complete line of the same general class of food, you are treated as a separate retailer and must find out what group you are in by using only your own annual gross sales.

(2) If you sell food in a retail store in which there are other food retailers, but no two of them sell a complete line of the same general class of food, you must find out what group you are in by taking the combined annual gross sales of all the food retailers in that store.

[Paragraph (b) amended by Am. 2, 8 F.R. 9380, effective 7-13-43]

SEC. 13. *How to find your annual gross sales if you are a new retailer.* (a) If you open an "independent" retail food store on or after May 25, 1944, you may consider your store to be in group 1 and figure your selling prices accordingly. But after you have been in operation for 3 months you must determine again what group your store is in. To do this, take your gross sales for the 3-month period and multiply by 4. Use the result as your "annual gross sales" in order to find in what group your store is. If you find that your store is now in group 2, you must figure and post new ceiling prices on the first of the following month. You must also promptly notify your local War Price and Rationing Board of any change in your group.

(b) If you open a "chain" retail food store on or after May 25, 1944, you may consider your store to be in group 3 and figure your selling prices accordingly. But after you have been in operation for 3 months you must determine again what group your store is in. To do this, take your gross sales for the 3-month period and multiply by 4. Use the result as your "annual gross sales" in order to find in what group your store is. If you find that your store is now in group 4, you must figure and post new ceiling prices on the first of the following month. You must also promptly notify your local War Price and Rationing Board of any change in your group.

[Paragraphs (a) and (b) amended by Am. 5, 9 F.R. 5804, effective 5-25-44]

SEC. 14. *Transfer of business or stock in trade.* If you acquire in any manner the business, assets or stock in trade of any store subject to this regulation after May 24, 1943, and you carry on the business or continue to deal in household soaps or cleansers in a store separate from any other store previously owned or operated by you, then your ceiling prices shall be the same as those of the former owner as if no transfer had taken place; unless as a result of the transfer the business changes from one group of stores to another, in which case your ceiling prices shall be those fixed for the group to which the store belongs after the transfer. You must keep all records sufficient to verify your ceiling prices. The former owner shall either preserve and make available, or turn over, to you all records of transactions prior to your acquiring the store which are necessary to enable you to comply with the record provisions of this regulation.

SEC. 15. *Retail sales taxes.* Any tax upon or incident to the sale or delivery of a household soap or cleanser for which maximum prices are established by this regulation, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, or any increase in such tax, may be collected by you in addition to the selling price if you state the tax separately and the statute or ordinance imposing such tax or increase does not prohibit you from stating and collecting the tax or increase separately from the purchase price. Similar statements and collections of a tax shall be permitted in addition to the selling price where the tax has been paid by any prior vendor and separately stated and collected from you by the vendor from whom you purchased.

[Sec. 15 amended by Am. 6, effective 6-24-44]

SEC. 16. *Petitions for amendment and applications for adjustment.*—(a) *Petitions for amendment.* Any person seeking any modifications of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 [5] issued by the Office of Price Administration.

[NOTE: Procedural Regulation No. 6 (7 F.R. 5067, 5665; 8 F.R. 6176, 6174) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications and certain specific regulations listed in Revised Supplementary Order No. 9.]

(b) *Adjustment provisions.* On or before October 30, 1943, any retail food store subject to this regulation may apply to its appropriate State or District Office of the Office of Price Administration for an adjustment of the maximum price established for it upon the sale of any listed household soap or cleanser. Such application must conform to the requirements of Revised Procedural Regulation No. 1 and must

[4] 8 F.R. 13240.

[5] 9 F.R. 5791.

show in addition to such requirements that:

[Above paragraph amended by Am. 3, 8 F.R. 13499, effective 10-8-43]

(1) The applicant sold the commodity for which price adjustment is sought prior to September 15, 1942, at a price which was higher than the price established by this regulation, and

(2) That as a result of a lawful surcharge for delivery (a charge made by a wholesaler for a delivery in a remote area which is over and above the seller's usual delivery charge in a less remote area) the applicant's unit net cost exceeds the price for the commodity upon a service sale by a wholesaler who buys in less than carload quantities as set out in Maximum Price Regulation No. 391 Household Soaps and Cleansers sold by Manufacturers and Certain Wholesalers, and

(3) That no cheaper source of supply is available,

Upon such a showing the State or District Office of the Office of Price Administration shall adjust the applicant's maximum price so as to reflect the amount of such surcharge for delivery.

(c) *Adjustment provision for group 3 or 4 stores.* On or before June 24, 1944, any retail food store in group 3 or 4 which is subject to this regulation may apply to its appropriate State or District Office of the Office of Price Administration for an adjustment of its established maximum price for any household soap or cleanser to the price established for such household soap or cleanser for group 1 stores. Such application must conform to the requirements of Revised Procedural Regulation No. 1 and must show in addition to such requirements that:

[Above paragraph amended by Am. 3, 8 F.R. 13499, effective 10-8-43 and Am. 5, 9 F.R. 5804, effective 5-25-44]

(1) Most of applicant's sales are made by sales clerks who assist customers in selecting, collecting, and wrapping merchandise; and

(2) It generally offers to all its customers the services of (i) taking orders over the telephone, and (ii) carrying monthly charge accounts, and (iii) providing delivery service; and

(3) It has consistently maintained prices for household soaps and cleansers prior to September 15, 1942, as high or higher than those charged by group 2 stores in the same community; and

(4) Its total gross margin on all its sales of soap and food products, if it is not a "chain retail food store", was more than 25 per cent during its fiscal year 1941; or, if it is a "chain retail food store," the total gross margin on the combined sales of all the stores in the chain was more than 25 per cent during its fiscal year 1941. If applicant was not in operation in 1941, its gross margin for the most recent fiscal year, or if it has not been doing business for a full fiscal year, for the most recent fiscal period, must be more than 25 per cent.

Upon such a showing the State or District Office of the Office of Price Administration shall adjust the applicant's maximum price on such household soap or cleanser to the maximum price established therefor by this regulation for group 1 stores.

A group 3 or 4 food store which has had its maximum prices for household soaps or cleansers adjusted to the maximum prices for group 2 stores prior to July 3, 1943, under this section may adjust such maximum prices to the maximum prices for group 1 stores if its total gross margin specified in paragraph (c) (3) for the periods there referred to was more than 25 per cent. However, if this total gross margin was not more than 25 per cent, it must, beginning July 3, 1943, use as its maximum prices the maximum prices for group 4 stores, if it is a group 4 store, or the maximum prices for group 3 stores, if it is a group 3 store.

[Paragraph (c) amended by Am. 1, 8 F.R. 8047, effective 7-3-43 and as otherwise noted]

(d) *Adjustment provision for group 3 or 4 stores in Region VII.* On or before June 24, 1944, any retail food store in Region VII of the Office of Price Administration which is subject to this regulation as a group 3 or 4 store, may apply to the appropriate regional office or any district office so authorized by its regional office, for an adjustment of its established maximum price for any listed household soap or cleanser to the price established for such household soap or cleanser for group 2 stores. Such application must conform to the requirements of Revised Procedural Regulation No. 1 and must show in addition to such requirements that:

[Above paragraph amended by Am. 5, 9 F.R. 5804, effective 5-25-44]

(1) Applicant has customarily purchased more than 70 per cent of all its household soaps and cleansers from wholesalers; and

(2) It has consistently maintained prices for household soaps and cleansers prior to September 15, 1942, as high or higher than those charged by group 2 stores in the same community.

Upon such a showing the State or District Office of the Office of Price Administration shall adjust the applicant's maximum price on such household soap or cleanser to the maximum price established therefor by this regulation for group 2 stores.

"Customarily purchased" refers to the practice of the store during the fiscal year 1941; if it was not in operation in 1941, the most recent fiscal year shall be used, or if it has not been doing business for a full fiscal year, the most recent fiscal period shall be used.

"70 per cent" refers to the dollar amount of purchases of household soaps and cleansers.

[Paragraph (d) added and former (d) redesignated (e) by Am. 3, 8 F.R. 13499, effective 10-8-43]

(e) *Delegation of authority to make adjustments.* Any regional office of the Office of Price Administration, or such offices as may be authorized by order issued by the appropriate regional office, may act on all applications for adjustment under the provisions of this regulation, and may deny any application filed under paragraph (c) of this section or revoke any order granting adjustment under that paragraph if denial of such application would not cause the applicant a substantial financial hardship. Applications for adjustment are governed by Revised Procedural Regulation No. 1.

[Paragraph (e) amended by Am. 5, 9 F.R. 5804, effective 5-25-44]

ARTICLE III—CEILING PRICES

[The phrase, "the seller's maximum price under the GMPR or," whenever it appears in sections 17, 18, and 19 is amended to read "the seller's maximum price as determined under the GMPR, or" by Am. 3, 8 F.R. 13499, effective 10-8-43]

SEC. 17. *Maximum prices for sales of household soaps and cleansers by Group 1 stores.* The maximum prices at which the listed brands of household soaps and cleansers may be sold by Group 1 stores are set out below. If you sell a household soap or cleanser which is not listed you will establish your maximum price for it by following the instructions given at the end of each table in this section.

(a) *Table of maximum prices for bar or cake toilet soaps.*

Brand	Size	Pack	Group 1 price per unit
Camay	Bath	100	$0.11
Camay	Regular	144	.08
Cashmere Bouquet	Regular	144	.10
			3 for .27
Crystal White	Regular	100	.06
Fairy	Regular	72	.08
Honeysuckle	Regular	144	.08
Ivory	Guest	144	.06
Ivory	Large	100	.12
Ivory	Medium	100	.07
Kirks Coco Hardwater Castile	Regular	100	.06
Lava	Large	100	.10
Lava	Regular	100	.07
Lifebuoy	Regular	100	.08
Lux	Bath	80	.11
Lux	Regular	100	.08
Octagon	Regular	144	.06
Palmolive	Bath	100	.11
Palmolive	Regular	144	.08
Sierra Pine	Regular	144	.08
Swan	Large	100	.12
Swan	Regular	100	.07
Sweetheart	Regular	100	.06
White King	Regular	100	.06
Woodbury	Regular	144	.09

[Table amended by Am. 4, 9 F.R. 4440, effective 5-5-44]

(1) *Instructions: How to establish maximum prices for unlisted brands of bar or cake toilet soaps.* For unlisted brands of bar or cake toilet soap the maximum price per unit for Group 1 stores shall be at the seller's option either:

(i) The seller's maximum price as determined under the GMPR, or:

(ii) The actual unit net cost to the seller multiplied by 1.28 and figured to the nearest cent.

(For example, if you buy Y brand bar toilet soap, which is not listed above, at an actual cost to you of $5.00 per case of 100 bars, divide 100 into $5.00, and get a unit net cost per bar of 5 cents. Then multiply 5 by 1.28 and get a price of 6.40 cents per bar. Since the fraction is less than ½ cent, your maximum price must be 6 cents per bar (unless you choose to take your maximum price under the GMPR. If the fraction had amounted to ½ cent or more, your maximum price would have been 7 cents.)

(2) *Instructions: How to establish maximum prices for unbranded or bulk bar toilet soaps.* For unbranded or bulk bar toilet soap the maximum price per unit for Group 1 stores shall be the unit net cost to the seller multiplied by 1.28 and figured to the nearest cent.

[Subparagraph (2) added by Am. 6, effective 6-24-44]

(b) *Table of maximum prices for bar laundry soaps.*

Brand	Size	Pack	Group 1 price per unit
American Family	Large	80	$.07
Crystal White	Large	80	.06
Crystal White	Regular	100	.05
Fels Naptha	Regular	100	.06
Kirkman Borax	Regular	100	.06
Octagon	Large	100	.06
Octagon	Small	120	.03
P & G White Laundry	Large	100A	.06
P & G White Laundry	Regular	100	.05
P & G White Laundry	Large	80	.06
P & G White Laundry	Regular	100B	.05
Tag	Regular	72	.07
White King	Large	80	.06
White King	Regular	100	.06

[Table amended by Am. 4, 9 F.R. 4440, effective 5-5-44]

(1) *Instructions: How to establish maximum prices for unlisted brands of bar laundry soaps.* For unlisted brands of bar laundry soap the maximum prices per unit for Group 1 stores shall be at the seller's option either:

(i) The seller's maximum price as determined under the GMPR, or,

(ii) The actual unit net cost to the seller multiplied by 1.29 and figured to the nearest cent.

(For example, if you buy Y brand bar laundry soap, which is not listed above, at an actual cost to you of $5.00 per case of 100 bars, divide 100 into $5.00 and get a unit net cost per bar of 5 cents. Then multiply 5 by 1.29 and get a price of 6.45 cents per bar. Since the fraction is less than ½ cent your maximum price would be 6 cents per bar (unless you choose to take your maximum price under the GMPR). If the fraction had amounted to ½ cent or more your maximum price would have been 7 cents.)

(2) *Instructions: How to establish maximum prices for unbranded or bulk bar laundry soaps.* For unbranded or bulk bar laundry soaps the maximum price per unit for Group 1 stores shall be the unit net cost to the seller multiplied by 1.29 and figured to the nearest cent.

[Subparagraph (2) added by Am. 6, effective 6-24-44]

(c) *Table of maximum prices for cleansers and scouring powders.*

Brand	Size (ounces)	Pack	Group 1 price per unit
Bab-O	14	48	$.12
Cameo Cleanser	14	48	.09
Gold Dust	14	24	.06
Kitchen Klenzer	13	60	.07
Lighthouse	14	48	.05
Octagon	13	48	.05
Old Dutch	14	48	.09
Sunbrite	13	48	.06

[Table amended by Am. 4, 9 F.R. 4440, effective 5-5-44]

(1) *Instructions: How to establish maximum prices for unlisted brands of cleansers and scouring powders.* For unlisted brands of cleansers and scouring powders the maximum price per unit for group 1 stores shall be at the seller's option, either:

(i) The seller's maximum price as determined under the GMPR, or

(ii) The actual unit net cost to the seller multiplied by 1.34 and figured to the nearest cent.

(For example, if you buy Y brand cleanser or scouring powder, which is not listed above, at an actual cost to you of $5.28 per case of 48 cans, divide 48 into $5.28 and get a unit cost per package of 11 cents. Then multiply 11 by 1.34 and get a price of 14.74 cents per package. Since the fraction is more than ½ cent your maximum price would be 15 cents per package (unless you choose to take your maximum price under the GMPR). If the fraction had amounted to less than ½ cent your maximum price would have been 14 cents.)

(2) *Instructions: How to establish maximum prices for unbranded or bulk cleansers and scouring powders.* For unbranded or bulk cleansers and scouring powders the maximum price per unit for Group 1 stores shall be the unit net cost to the seller multiplied by 1.34 and figured to the nearest cent.

[Subparagraph (2) added by Am. 6, effective 6-24-44]

(d) *Table of maximum prices for package soaps.*

Brand	Size (ounces)	Pack	Group 1 price per unit
American Family Flakes	43	12	$0.52
American Family Flakes	21	24	.26
American Family Flakes	8	60	.11
Chipso Flakes or Granulated	21¼	24	.26
Chipso Flakes	8½	60	.11
Dash	67	12	.56
Dash	33½	24	.30
Dreft	4	60	.11
Dreft	8¾	24	.25
Dreft	23½	9	.64
Dun	69¼	8	.69
Dun	21½	24	.26
Dun	8½	60	.11
Ivory Flakes	12½	24	.26
Ivory Flakes	5	60	.11
Ivory Snow	13¾	24	.26
Ivory Snow	5	60	.11
Kirkman Flakes	18	24	.26
Kirkman Flakes	7	60	.11
Kirkman Granulated	24	24	.26
Kirkman Granulated with bar	21¼	24	.27
Klek	17½	24	.22
Klek	8½	48	.11
Lux Flakes	12½	20	.26
Lux Flakes	5	100	.11
Lux Flakes	28	9	.64
Magic Washer	5 5	60	.10
Magic Washer	25	24	.26
Magic Washer	90	8	.70
Octagon Granulated	24	24	.26
Octagon Flakes	15	24	.26
Oxydol	60	8	.60
Oxydol	24	24	.26
Oxydol	9	60	.11
Par granulated	23	24	.26
Par granulated	80	12	.63
Par granulated	20	8	.69
Pests Granulated	24	24	.23
Pests Granulated	28	24	.30
Pests Granulated	26	24	.30
Pests Granulated	70	12	.85
Rinso	20	8	.69
Rinso	24	24	.26
Rinso	9	60	.11
Scotch Granulated	64	8	.61
Scotch Granulated	43	12	.46
Scotch Granulated	21	24	.39
Scotch Granulated	20	24	.39
Scotch Granulated	8	48	.10
Selox	17½	24	$0.16
Selox	6½	48	.05
Silver Dust	21½	24	.27
Super Suds	69	8	.69
Super Suds	61½	8	.69
Super Suds	24	24	.26
Super Suds	21½	24	.26
Super Suds	9	60	.11
Super Suds	8¼	60	.11
Twenty Mule Team Borax Soap Suds	22	24	.24
White King Granulated	62	8	.71
White King Granulated	46	12	.53
White King Granulated	28	24	.33
White King Granulated	22	24	.26
White King Granulated	9	48	.11

[Table amended by Am. 3, 8 F.R. 13499, effective 10-8-43; Am. 4, 9 F.R. 4440, effective 5-5-44]

(1) *Instructions: How to establish maximum prices for unlisted brands of package soaps*—(i) *Large size packages.* For unlisted brands of package soap in large size packages (marked weight on package at least 10 oz. but less than 27 oz.) the maximum price per unit for group 1 stores shall be at the seller's option either:

(a) The seller's maximum price as determined under the GMPR, or

(b) The actual unit net cost to the seller multiplied by 1.20 and figured to the nearest cent.

(For example, if you buy Y brand package soap (marked weight 25 oz.), which is not listed above, at an actual cost to you of $4.80 per case of 24 packages, divide 24 into $4.80 and get a unit cost per package of 20 cents. Then multiply 20 by 1.20 and get a price of 24 cents per package. Your maximum price is 24 cents per package (unless you choose to take your maximum price under the GMPR).)

(ii) *Small size packages.* For unlisted brands of package soap in small size packages (marked weight on package less than 10 oz.) the maximum price per unit for group 1 stores shall be at the seller's option, either:

(a) The seller's maximum price as determined under the GMPR, or

(b) The actual unit net cost to the seller multiplied by 1.23 and figured to the nearest cent.

(For example, if you buy Y brand package soap (marked weight on package 8½ oz.) which is not listed above, at an actual cost to you of $5.90 per case of 60 packages, divide 60 into $5.90 and get a unit cost per package of 9.83 cents. Then multiply 9.83 by 1.23 and get a price of 12.09 cents per package. Since the fraction is less than ½ cent your maximum price would be 12 cents per package (unless you choose to take your maximum price under the GMPR). If the fraction had amounted to ½ cent or more your maximum price would have been 13 cents.)

(iii) *Giant or family size packages.* For unlisted brands of package soap in giant or family size packages (marked weight not less than 27 oz.) the maximum price per unit for Group 1 stores shall be at the seller's option, either:

(a) The seller's maximum price as determined under the GMPR, or

(b) The actual unit net cost to the seller multiplied by 1.15 and figured to the nearest cent.

(For example, if you buy Y brand package soap (marked weight 64 oz.), which is not

listed above, at an actual cost to you of $4.80 per case of 8 packages, divide 8 into $4.80 and get a unit cost per package of 60 cents. Then multiply 60 by 1.15 and get a maximum price of 69 cents per package. Your maximum price would be 69 cents per package (unless you choose to take your maximum price under the GMPR).)

(2) *Instructions: How to establish maximum prices for unbranded or bulk package soaps.* For unbranded or bulk package soaps the maximum price per unit for Group 1 stores shall be the unit net cost to the seller multiplied by 1.20 and figured to the nearest cent.

[Subparagraph (2) added by Am. 6, effective 6-24-44]

(e) *Table of maximum prices for washing powders.*

Brand	Size (ounces)	Pack	Group 1 Price per unit
Gold Dust	36	12	$0.21
Gold Dust	10	60	.06
Gold Dust	6½	100	.04
Grandma	39	12	.19
Grandma	8¾	100	.04
Kirkman	40	12	.22
Kirkman	12	50	.06
Mermaid	44	24	.24
Mermaid	10	48	.06
Octagon	40	20	.20
Octagon	13	60	.06
Octagon	6½	120	.03
OK	14½	60	.05
OK	7½	120	.03
Star	8¾	100	.04

(1) *Instructions: How to establish maximum prices for unlisted brands of washing powders.* For unlisted brands of washing powder the maximum price per unit for Group 1 stores shall be at the seller's option, either:

(i) The seller's maximum price as determined under the GMPR, or

(ii) The actual unit net cost to the seller multiplied by 1.34 and figured to the nearest cent.

(For example, if you buy Y brand washing powder, which is not listed above, at an actual cost to you of $3.00 per case of 50 packages, divide 50 into $3.00 and get a unit cost per package of 6 cents. Then multiply 6 by 1.34 and get a price of 8.04 cents per package. Since the fraction is less than ½ cent your maximum price would be 8 cents per package (unless you choose to take your maximum price under the GMPR). If the fraction had amounted to ½ cent or more your maximum price would have been 9 cents.)

(2) *Instructions: How to establish maximum prices for unbranded or bulk washing powders.* For unbranded or bulk washing powders the maximum price per unit for Group 1 stores shall be the unit net cost to the seller multiplied by 1.34 and figured to the nearest cent.

[Subparagraph (2) added by Am. 6, effective 6-24-44]

SEC. 18. *Maximum prices for sales of household soaps and cleansers by Group 2 stores.* The maximum prices at which the listed brands of household soaps and cleansers may be sold by Group 2 stores are set out below. If you sell a household soap or cleanser which is not listed you will establish your maximum price for it by following the instructions given at the end of each table in this section.

(a) *Table of maximum prices for bar or cake toilet soaps.*

Brand	Size	Pack	Group 2 Price per unit
Camay	Bath	100	$0.11
Camay	Regular	144	.08
Cashmere, Bouquet	Regular	144	.10 (3 for .27)
Crystal White	Regular	100	.05
Fairy	Regular	72	.06
Honeysuckle	Regular	144	.05
Ivory	Guest	144	.05
Ivory	Large	100	.12
Ivory	Medium	100	.07
Kirks Coco Hardwater Castile	Regular	100	.05
Lava	Large	100	.10
Lava	Regular	100	.07
Lifebuoy	Regular	100	.08
Lux	Bath	60	.11
Lux	Regular	100	.08
Octagon	Regular	144	.05
Palmolive	Bath	100	.11
Palmolive	Regular	144	.08
Sierra Pine	Regular	144	.08
Swan	Large	100	.12
Swan	Regular	100	.07
Sweetheart	Regular	100	.08
White King	Regular	100	.06
Woodbury	Regular	144	.09

[Table amended by Am. 4, 9 F.R. 4440, effective 5-5-44]

(1) *Instructions: How to establish maximum prices for unlisted brands of bar or cake toilet soaps.* For unlisted brands of bar or cake toilet soap the maximum price per unit for Group 2 stores shall be at the seller's option either:

(i) The seller's maximum price as determined under the GMPR, or

(ii) The actual unit net cost to the seller multiplied by 1.28 and figured to the nearest cent.

(For example, if you buy Y brand bar toilet soap, which is not listed above, at an actual cost to you of $5.00 per case of 100 bars, divide 100 into $5.00 and get a unit cost per bar of 5 cents. Then multiply 5 by 1.28 and get a price of 6.40 cents per bar. Since the fraction is less than ½ cent your price would be 6 cents per bar (unless you choose to take your maximum price under the GMPR). If the fraction had amounted to ½ cent or more your maximum price would have been 7 cents.)

(2) *Instructions: How to establish maximum prices for unbranded or bulk bar toilet soaps.* For unbranded or bulk bar toilet soap the maximum price per unit for Group 2 stores shall be the unit net cost to the seller multiplied by 1.28 and figured to the nearest cent.

[Subparagraph (2) added by Am. 6, effective 6-24-44]

(b) *Table of maximum prices for bar laundry soaps.*

Brand	Size	Pack	Group 2 Price per unit
American Family	Large	80	$0.07
Crystal White	Large	80	.05
Crystal White	Regular	100	.05
Fels Naptha	Regular	100	.06
Kirkman Borax	Regular	100	.06
Octagon	Large	100	.05
Octagon	Small	120	.03
P & G White Laundry	Large	100A	.05
P & G White Laundry	Regular	100	.06
P & G White Laundry	Large	80	.06
P & G White Laundry	Regular	100B	.04
Tag	Regular	72	.06
White King	Large	80	.06
White King	Regular	100	.04

[Table amended by Am. 3, 8 F.R. 13499, effective 10-8-43]

(1) *Instructions: How to establish maximum prices for unlisted brands of bar laundry soaps.* For unlisted brands of bar laundry soap the maximum price per unit for Group 2 stores shall be at the seller's option, either:

(i) The seller's maximum price as determined under the GMPR, or

(ii) The actual unit net cost to the seller multiplied by 1.29 and figured to the nearest cent.

(For example, if you buy Y brand bar laundry soap, which is not listed above, at an actual cost to you of $5.00 per case of 100 bars, divide 100 into $5.00 and get a unit cost per bar of 5 cents. Then multiply 5 by 1.29 and get a price of 6.45 cents per bar. Since the fraction is less than ½ cent your price would be 6 cents per bar (unless you choose to take your maximum price under the GMPR). If the fraction had amounted to ½ cent or more your maximum price would have been 7 cents.)

(2) *Instructions: How to establish maximum prices for unbranded or bulk bar laundry soaps.* For unbranded or bulk bar laundry soaps the maximum price per unit for Group 2 stores shall be the unit net cost to the seller multiplied by 1.29 and figured to the nearest cent.

[Subparagraph (2) added by Am. 6, effective 6-24-44]

(c) *Table of maximum prices for cleansers and scouring powders.*

Brand	Size (ounces)	Pack	Group 2 price per unit
Bab-O	14	48	$0.13
Cameo Cleanser	14	48	.09
Gold Dust	14	24	.05
Kitchen Klenzer	13	40	.07
Lighthouse	14	48	.05
Octagon	13	48	.05
Old Dutch	14	48	.09
Sunbrite	13	48	.06

[Table amended by Am. 4, 9 F.R. 4440, effective 5-5-44]

(1) *Instructions: How to establish maximum prices for unlisted brands of cleansers and scouring powders.* For unlisted brands of cleansers and scouring powders the maximum price per unit for Group 2 stores shall be at the seller's option either:

(i) The seller's maximum price as determined under the GMPR, or

(ii) The actual unit net cost to the seller multiplied by 1.32 and figured to the nearest cent.

(For example, if you buy Y brand cleanser or scouring powder, which is not listed above, at an actual cost to you of $5.28 per case of 48 cans, divide 48 into $5.28 and get a unit cost per can of 11 cents. Then multiply 11 by 1.32 and get a price of 14.52 cents per can. Since the fraction is more than ½ cent your price would be 15 cents per can (unless you choose to take your maximum price under the GMPR). If the fraction had amounted to less than ½ cent your maximum price would have been 14 cents.)

(2) *Instructions: How to establish maximum prices for unbranded or bulk cleansers and scouring powders.* For unbranded or bulk cleansers and scouring powders the maximum price per unit for Group 2 stores shall be the unit net cost to the seller multiplied by 1.32 and figured to the nearest cent.

[Subparagraph (2) added by Am. 6, effective 6-24-44]

(d) *Table of maximum prices for package soaps.*

Brand	Size (ounces)	Pack	Group 2 price per unit
American Family Flakes	43	12	$0.52
American Family Flakes	21	24	.26
American Family Flakes	8	60	.11
Chipso Flakes or Granulated	21½	24	.26
Chipso Flakes	8½	60	.11
Dash	67	12	.55
Dash	33½	24	.30
Dreft	4	60	.11
Dreft	8¾	24	.25
Dreft	2	9	.64
Dreft	22½	8	.69
Duz	23¾	24	.35
Duz	21½	24	.35
Duz	8½	60	.11
Ivory Flakes	12½	24	.26
Ivory Flakes	5	60	.11
Ivory Snow	12¾	24	.26
Ivory Snow	5	60	.11
Kirkman Flakes	18	24	.35
Kirkman Flakes	7	60	.11
Kirkman Granulated	24	24	.35
Kirkman Granulated with Bar	21½	24	.27
Kiek	17¼	24	.22
Kiek	8½	48	.11
Lux Flakes	12½	20	.26
Lux Flakes	5	100	.11
Lux Flakes	28	9	.54
Magic Washer	8	60	.10
Magic Washer	25	24	.26
Magic Washer	20	8	.70
Octagon Granulated	24	24	.25
Octagon Flakes	18	24	.25
Oxydol	69	8	.69
Oxydol	24	24	.26
Oxydol	9	60	.11
Par Granulated	23	24	.26
Par Granulated	80	12	.53
Par Granulated	69	8	.69
Peets Granulated	24	24	.23
Peets Granulated	33	24	.30
Peets Granulated	36	24	.30
Peets Granulated	70	12	.66
Rinso	69	8	.69
Rinso	24	24	.26
Rinso	9	60	.11
Scotch Granulated	64	8	.61
Scotch Granulated	46	12	.46
Scotch Granulated	31	24	.30
Scotch Granulated	22	24	.23
Scotch Granulated	8	48	.10
Selox	17½	24	.16
Selox	6½	48	.05
Silver Dust	21½	24	.27
Super Suds	69	8	.69
Super Suds	61½	8	.69
Super Suds	24	24	.25
Super Suds	21½	24	.26
Super Suds	9	60	.11
Super Suds	8¾	60	.11
Twenty Mule Team Borax Soap Suds	22	24	.24
White King Granulated	62	8	.71
White King Granulated	46	12	.53
White King Granulated	28	24	.33
White King Granulated	22	24	.26
White King Granulated	9	48	.11

[Table amended by Am. 3, 8 F.R. 13499, effective 10-8-43; Am. 4, 9 F.R. 4440, effective 5-5-44]

(1) *Instructions: How to establish maximum prices for unlisted brands of package soaps*—(i) *Large size packages.* For unlisted brands of package soap in large size packages (marked weight on package at least 10 ounces but less than 27 ounces) the maximum price per unit for Group 2 stores shall be at the seller's option either:

(a) The seller's maximum price as determined under the GMPR, or

(b) The actual unit net cost to the seller multiplied by 1.20 and figured to the nearest cent.

(For example, if you buy Y brand package soap (marked weight 25 ounces), which is not listed above, at an actual cost to you of $4.80 per case of 24 packages, divide 24 into $4.80 and get a unit cost per package of 20 cents. Then multiply 20 by 1.20 and get a price of 24 cents per package. Your maximum price is 24 cents per package (unless you choose to take your maximum price under the GMPR).)

(ii) *Small size packages.* For unlisted brands of package soap in small size packages (marked weight on package less than 10 ounces) the maximum price per unit or Group 2 stores shall be at the seller's option, either:

(a) The seller's maximum price as determined under the GMPR, or

(b) The actual unit net cost to the seller multiplied by 1.23 and figured to the nearest cent.

(For example, if you buy Y brand package soap (marked weight on package 6½ oz.) which is not listed above, at an actual cost to you of $5.90 per case of 60 packages, divide 60 into $5.90 and get a unit cost per package of 9.83 cents. Then multiply 9.83 by 1.23 and get a price of 12.09 cents per package. Since the fraction is less than ½ cent your price would be 12 cents per package (unless you choose to take your maximum price under the GMPR). If the fraction had amounted to more than ½ cent your maximum price would have been 13 cents.)

(iii) *Giant or family size packages.* For unlisted brands of package soap in giant or family size packages (marked weight not less than 27 ounces) the maximum price per unit for Group 2 stores shall be at the seller's option, either:

(a) The seller's maximum price as determined under the GMPR, or

(b) The actual unit net cost to the seller multiplied by 1.15 and figured to the nearest cent.

(For example, if you buy Y brand package soap (marked weight 64 oz.), which is not listed above, at an actual cost to you of $4.80 per case of 8 packages, divide 8 into $4.80 and get a unit cost per package of 60 cents. Then multiply 60 by 1.15 and get a price of 69 cents per package. Your maximum price would be 69 cents per package (unless you choose to take your maximum price under the GMPR).)

(2) *Instructions: How to establish maximum prices for unbranded or bulk package soaps.* For unbranded or bulk package soaps the maximum price per unit for Group 2 stores shall be the unit net cost to the seller multiplied by 1.20 and figured to the nearest cent.

[Subparagraph (2) added by Am. 6, effective 6-24-44]

(e) *Table of maximum prices for washing powders.*

	Size (ounces)	Pack	Group 2 Price per unit
Gold Dust	36	12	$0.21
Gold Dust	10	60	.06
Gold Dust	6½	100	.04
Grandma	39	12	.19
Grandma	8¾	100	.04
Kirkman	40	12	.22
Kirkman	12	50	.06
Mermaid	44	24	.23
Mermaid	10	48	.06
Octagon	40	20	.19
Octagon	13	60	.06
Octagon	6½	120	.03
OK	14½	60	.05
OK	7½	120	.03
Star	8¾	100	.04

(1) *Instructions: How to establish maximum prices for unlisted brands of washing powders.* For unlisted brands of washing powder the maximum prices per unit for Group 2 stores shall be at the seller's option, either:

(i) The seller's maximum price as determined under the GMPR, or

(ii) The actual unit net cost to the seller multiplied by 1.32 and figured to the nearest cent.

(For example, if you buy Y brand washing powder, which is not listed above, at an actual cost to you of $3.00 per case of 50 packages, divide 50 into $3.00 and get a unit cost per package of 6 cents. Then multiply 6 by 1.32 and get a price of 7.92 cents per package. Since the fraction is more than ½ cent your price would be 8 cents per package (unless you choose to take your maximum price under the GMPR). If the fraction had amounted to less than ½ cent your maximum price would be 7 cents.)

(2) *Instructions: How to establish maximum prices for unbranded or bulk washing powders.* For unbranded or bulk washing powders the maximum price per unit for Group 2 stores shall be the unit net cost to the seller multiplied by 1.32 and figured to the nearest cent.

[Subparagraph (2) added by Am. 6, effective 6-24-44]

SEC. 19. *Maximum prices for sales of household soaps and cleansers by Group 3 and 4 stores.* The maximum prices at which the listed brands of household soaps and cleansers may be sold by group 3 and 4 stores are set out below. If you sell a household soap or cleanser which is not listed you will establish your maximum price for it by following the instructions given at the end of each table in this section.

Where multiple sale prices are listed you must not exceed these prices when you make a single sale of the indicated number of units of this product.

(b) *Table of maximum prices for bar laundry soaps sold by Groups 3 and Group 4 stores.*

Brand	Size	Pack	Group 3 price per multiple sales	Group 3 price per unit	Group 4 price per multiple sales	Group 4 price per unit
American Family	Large	80	2 for 11	$0.06	2 for 11	$0.06
Crystal White	Large	180	3 for 14	.06	3 for 14	.04
Cashmere Bouquet	Regular	100		.06		.04
Fairy Bar	Regular	100		.05		.05
Kirkman Borax	Regular	100		.05	3 for 14	.04
Octagon	Large	100	3 for 14	.03	3 for 14	.03
Octagon	Small	144	3 for 8	.03	2 for 5	.03
P & G White Laundry	Hotel Size	100A	3 for 11	.03	3 for 11	.03
P & G White Laundry	Large	80	3 for 11	.05	3 for 13	.05
P & G White Laundry	Large	100B		.04	3 for 14	.04
Tag	Regular	72	2 for 11	.06	2 for 11	.06
White King	Large	80	3 for 14	.05	3 for 14	.05
White King	Regular	100		.04		.04

(1) *Instructions: How to establish maximum prices for unlisted brands of bar laundry soaps sold in Group 3 stores.* For unlisted brands of bar laundry soap the maximum price per unit for Group 3 stores shall be at the seller's option either:

(i) The seller's maximum price as determined under the GMPR, or

(ii) The actual unit net cost to the seller multiplied by 1.22 and figured to the nearest cent.

(2) *Instructions: How to establish maximum prices for unlisted brands of bar laundry soaps sold in Group 4 stores.* For unlisted brands of bar laundry soap the maximum price per unit for group 4 stores shall be at the seller's option either:

(i) The seller's maximum price as determined under the GMPR, or

(ii) The actual unit net cost to the seller multiplied by 1.17 and figured to the nearest cent.

(3) *Instructions: How to establish maximum prices for unbranded or bulk bar laundry soaps sold in Group 3 stores.* For unbranded or bulk bar laundry soaps the maximum price per unit for Group 3 stores shall be the unit net cost to the seller multiplied by 1.22 and figured to the nearest cent.

(4) *Instructions: How to establish maximum prices for unbranded or bulk bar laundry soaps sold in Group 4 stores.* For unbranded or bulk bar laundry soaps the maximum price per unit for Group 4 stores shall be the unit net cost to the seller multiplied by 1.17 and figured to the nearest cent.

[Subparagraphs (3) and (4) added by Am. 6, effective 6-24-44]

(c) *Table of maximum prices for cleansers, and scouring powders sold by group 3 and group 4 stores.*

Brand	Size (ounces)	Pack	Group 3 price per multiple sales	Group 3 price per unit	Group 4 price per multiple sales	Group 4 price per unit
Bab-O	14	48	3 for 25	$0.11	2 for 21	$0.11
Cameo Cleanser	14	24	3 for 10	.05	3 for 25	.05
Gold Dust	14	24		.05		.05
Kitchen Kleaner	13	48	3 for 10	.05	2 for 9	.05
Old Dutch	14	48	3 for 14	.05	2 for 9	.05
Sunbrite	13	48	2 for 15	.05	2 for 15	.05

[Table amended by Am. 4, 9 F.R. 4440, effective 5-5-44]

(a) *Table of maximum prices for bar or cake toilet soaps sold by Group 3 and Group 4 stores.*

Brand	Size	Pack	Group 3 price per multiple sales	Group 3 price per unit	Group 4 price per multiple sales	Group 4 price per unit
Camay	Bath	100		$0.10	3 for 29	$0.10
Camay	Regular	144		.07	3 for 20	.07
Cashmere Bouquet	Regular	144	3 for 27	.10	3 for 27	.10
Cashmere Bouquet	Regular	72	2 for 9	.05	3 for 13	.05
Ivory	Regular	144	2 for 9	.03	3 for 13	.03
Ivory	Chest	144	3 for 14	.03	3 for 20	.03
Ivory	Large	100		.10		.10
Kirk's Coco Hardwater Castile	Medium	100		.06	3 for 13	.06
Lava	Large	100	2 for 9	.06	3 for 25	.06
Lava	Regular	100		.06	3 for 17	.06
Lifebuoy	Regular	100	2 for 19	.07	3 for 20	.07
Lux	Bath	100		.10	3 for 29	.10
Lux	Regular	144	3 for 14	.05	2 for 9	.05
Palmolive	Bath	100	2 for 19	.10	2 for 19	.10
Palmolive	Regular	144	3 for 20	.07	3 for 20	.07
Sierra Pine	Regular	144	3 for 20	.07	3 for 20	.07
Swan	Regular	100		.06	3 for 25	.06
Sweetheart	Regular	100	3 for 20	.07	2 for 13	.07
White King	Regular	100		.05	3 for 14	.05
Woodbury	Regular	144		.08	3 for 25	.08

[Table amended by Am. 4, 9 F.R. 4440, effective 5-5-44]

(1) *Instructions: How to establish maximum prices for unlisted brands of bar or cake toilet soaps sold in Group 3 stores.* For unlisted brands of bar toilet soap the maximum price per unit for Group 3 stores shall be at the seller's option either:

(i) The seller's maximum price as determined under the GMPR, or

(ii) The actual unit net cost to the seller multiplied by 1.18 and figured to the nearest cent.

(2) *Instructions: How to establish maximum prices for unlisted brands of bar or cake toilet soaps sold in Group 4 stores.* (i) The seller's maximum price as determined under the GMPR, or

(ii) The actual unit net cost to the seller multiplied by 1.13 and figured to the nearest cent.

(3) *Instructions: How to establish maximum prices for unbranded or bulk bar toilet soaps sold in Group 3 stores.* For unbranded or bulk bar toilet soaps the maximum price per unit for Group 3 stores shall be the unit net cost to the seller multiplied by 1.18 and figured to the nearest cent.

(4) *Instructions: How to establish maximum prices for unbranded or bulk bar toilet soaps sold in Group 4 stores.* For unbranded or bulk bar toilet soaps the maximum price per unit for Group 4 stores shall be the unit net cost to the seller multiplied by 1.13 and figured to the nearest cent.

[Subparagraphs (3) and (4) added by Am. 6, effective 6-24-44]

(1) *Instructions: How to establish maximum prices for unlisted brands of cleansers and scouring powders sold in Group 3 stores.* For unlisted brands of cleansers and scouring powders the maximum price per unit for group 3 stores shall be at the seller's option, either:

(i) The seller's maximum price as determined under the GMPR, or

(ii) The actual unit net cost to the seller multiplied by 1.26 and figured to the nearest cent.

(2) *Instructions: How to establish maximum prices for unlisted brands of cleansers and scouring powders sold in Group 4 stores.* For unlisted brands of cleansers and scouring powders the maximum price per unit for group 4 stores shall be at the seller's option, either:

(i) The seller's maximum price as determined under the GMPR, or

(ii) The actual unit net cost to the seller multiplied by 1.21 and figured to the nearest cent.

(3) *Instructions: How to establish maximum prices for unbranded or bulk cleansers and scouring powders sold in Group 3 stores.* For unbranded or bulk cleansers and scouring powders the maximum price per unit for group 3 stores shall be the unit net cost to the seller multiplied by 1.26 and figured to the nearest cent.

(4) *Instructions: How to establish maximum prices for unbranded or bulk cleansers and scouring powders sold in Group 4 stores.* For unbranded or bulk cleansers and scouring powders the maximum price per unit for Group 4 stores shall be the unit net cost to the seller multiplied by 1.21 and figured to the nearest cent.

[Subparagraphs (3) and (4) added by Am. 6, effective 6-24-44]

(d) *Table of maximum prices for package soaps sold by Group 3 and Group 4 stores.*

Brand	Size (ounces)	Pack	Group 3 Price per unit	Group 4 Price per multiple sales	Group 4 Price per unit
American Family Flakes	43	12	$0.47		$0.45
American Family Flakes	21	24	.23		.23
American Family Flakes	8	60	.10	2 for 19	.10
Chipso Flakes or Granulated	21½	24	.23		.23
Chipso Flakes	8½	60	.10	2 for 19	.10
Dash	67	12	.51		.50
Dash	32½	24	.26		.26
Dreft	4	60	.10	2 for 19	.10
Dreft	8¾	24	.23		.23
Dreft	23½	9	.55		.55
Duz	62½	8	.63		.61
Duz	21½	24	.23		.23
Duz	8½	60	.10	2 for 19	.10
Ivory Flakes	12½	24	.23		.23
Ivory Flakes	5	60	.10	2 for 19	.10
Ivory Snow	12½	24	.23		.23
Ivory Snow	5	60	.10	2 for 19	.10
Kirkman Flakes	18	24	.23		.23
Kirkman Flakes	7	60	.10	2 for 19	.10
Kirkman Granulated	24	24	.23		.23
Kirkman Granulated with bar	21½	24	.24		.24
Klek	17½	24	.20		.20
Klek	8½	48	.10		.10
Lux Flakes	12½	20	.23		.23
Lux Flakes	5	100	.10	2 for 19	.10
Lux Flakes	28	9	.49		.47
Magic Washer	8	60	.10	2 for 19	.10
Magic Washer	25	24	.22		.22
Magic Washer	80	8	.63		.61
Octagon granulated	24	24	.23		.23
Octagon flakes	18	24	.23		.23
Oxydol	60	8	.63		.61
Oxydol	24	24	.23		.22
Oxydol	9	60	.10	2 for 19	.10
Par granulated	23	24	.23		.23
Par granulated	50	12	.48		.46
Par granulated	60	8	.63		.61
Peets Granulated	24	24	.20		.20
Peets Granulated	33	24	.27		.26
Peets Granulated	36	24	.27		.26
Peets Granulated	70	12	.51		.50
Rinso	60	8	.63		.61
Rinso	24	24	.23		.23
Rinso	9	60	.10	2 for 19	.10
Scotch Granulated	64	8	.55		.53
Scotch Granulated	46	12	.41		.40
Scotch Granulated	81	24	.27		.26
Scotch Granulated	22	24	.21		.20
Scotch Granulated	8	48	.10	2 for 19	.10
Selox	17½	24	.16	2 for 27	.14
Selox	6½	48	.05		.05
Silver Dust	23½	24	.24		.24
Super Suds	60	8	.63		.61
Super Suds	21½	8	.63		.61
Super Suds	24	24	.23		.23
SuperSuds	21½	24	.23		.22
Super Suds	9	60	.10	2 for 19	.10
Super Suds	8¾	60	.10	2 for 19	.10
Twenty Mule Team Borax Soap Suds	22	24	.21		.21
White King Granulated	68	8	.64		.62
White King Granulated	46	12	.48		.46
White King Granulated	22	24	.23		.22
White King Granulated	23	24	.24		.22
White King Granulated	9	48	.11		.10

[Table amended by Am. 2, 8 F.R. 12480, effective 10-8-43; Am. 4, 9 F.R. 4440, effective 5-5-44]

(1) *Instructions: How to establish maximum prices for unlisted brands of package soaps sold in Group 3 stores*—(i) *Large size packages.* For unlisted brands of package soap in large size packages (marked weight on package at least 10 ounces but less than 27 ounces) the maximum price per unit for group 3 stores shall be at the seller's option either:

(a) The seller's maximum price as determined under the GMPR, or

(b) The actual unit net cost to the seller multiplied by 1.16 and figured to the nearest cent.

(ii) *Small size packages.* For unlisted brands of package soap in small size packages (marked weight on package less than 10 ounces) the maximum price per unit for group 3 stores shall be at the seller's option either:

(a) The seller's maximum price as determined under the GMPR, or

(b) The actual unit net cost to the seller multiplied by 1.21 and figured to the nearest cent.

(iii) *Giant or family size packages.* For unlisted brands of package soap in giant or family size packages (marked weight not less than 27 ounces) the maximum price per unit for group 3 stores shall be at the seller's option either:

(a) The seller's maximum price as determined under the GMPR, or

(b) The actual unit net cost to the seller multiplied by 1.12 and figured to the nearest cent.

(2) *Instructions: How to establish maximum prices for unlisted brands of package soaps sold in Group 4 stores*—(i) *Large size packages.* For unlisted brands of package soap in large size packages (marked weight on package at least 10 ounces but less than 27 ounces) the maximum price per unit for group 4 stores shall be at the seller's option either:

(a) The seller's maximum price as determined under the GMPR, or

(b) The actual unit net cost to the seller multiplied by 1.13 and figured to the nearest cent.

(ii) *Small size packages.* For unlisted brands of package soap in small size packages (marked weight on package less than 10 ounces) the maximum price per unit for group 4 stores shall be at the seller's option either:

(a) The seller's maximum price as determined under the GMPR, or

(b) The actual unit net cost to the seller multiplied by 1.17 and figured to the nearest cent.

(iii) *Giant or family size packages.* For unlisted brands of package soap in giant or family size packages (marked weight not less than 27 ounces) the maximum price per unit for group 4 stores shall be at the seller's option either:

(a) The seller's maximum price as determined under the GMPR, or

(b) The actual unit net cost to the seller multiplied by 1.08 and figured to the nearest cent.

(3) *Instructions: How to establish maximum prices for unbranded or bulk package soap sold by Group 3 stores.* For unbranded or bulk package soap the maximum price per unit for Group 3

stores shall be the unit net cost to the seller multiplied by 1.16 and figured to the nearest cent.

(4) *Instructions: How to establish maximum prices for unbranded or bulk package soap sold in Group 4 stores.* For unbranded or bulk package soap the maximum price per unit for Group 4 stores shall be the unit net cost to the seller multiplied by 1.13 and figured to the nearest cent.

[Subparagraphs (3) and (4) added by Am. 6, effective 6-24-44]

(e) *Table of maximum prices for washing powders sold by Group 3 and Group 4 stores.*

Brand	Size (ounces)	Pack	Group 3 price per multiple sales	Group 3 price per unit	Group 4 price per multiple sales	Group 4 price per unit
Gold Dust	36	12	----------	$0.18	----------	$0.17
Gold Dust	10	60	----------	.05	3 for 14	.05
Gold Dust	6½	100	----------	.03	----------	.03
Grandma	39	12	2 for 33	.17	----------	.16
Grandma	8¾	100	----------	.08	----------	.08
Kirkman	40	12	----------	.19	----------	.18
Kirkman	12	50	----------	.06	----------	.05
Mermaid	44	24	----------	.20	----------	.19
Mermaid	10	48	2 for 11	.06	3 for 16	.06
Octagon	40	20	2 for 33	.17	----------	.16
Octagon	12	60	3 for 14	.06	2 for 9	.05
Octagon	6½	120	3 for 8	.03	3 for 8	.03
OK	14½	60	3 for 14	.05	2 for 9	.05
OK	7¼	120	3 for 7	.03	3 for 7	.03
Star	8¾	100	----------	.03	----------	.03

(1) *Instructions: How to establish maximum prices for unlisted brands of washing powders sold in Group 3 stores.* For unlisted brands of washing powder the maximum price per unit for group 3 stores shall be at the seller's option either:

(i) The seller's maximum price as determined under the GMPR, or

(ii) The actual unit net cost to the seller multiplied by 1.26 and figured to the nearest cent.

(2) *Instructions: How to establish maximum prices for unlisted brands of washing powders sold in Group 4 stores.* For unlisted brands of washing powder the maximum price per unit for group 4 stores shall be at the seller's option either:

(i) The seller's maximum price as determined under the GMPR, or

(ii) The actual unit net cost to the seller multiplied by 1.21 and figured to the nearest cent.

(3) *Instructions: How to establish maximum prices for unbranded or bulk washing powders sold in Group 3 stores.* For unbranded or bulk washing powders the maximum price per unit for Group 3 stores shall be the unit net cost to the seller multiplied by 1.26 and figured to the nearest cent.

(4) *Instructions: How to establish maximum prices for unbranded or bulk washing powders sold in Group 4 stores.* For unbranded or bulk washing powders the maximum price per unit for Group 4 stores shall be the unit net cost to the seller multiplied by 1.21 and figured to the nearest cent.

[Subparagraphs (3) and (4) added by Am. 6, effective 6-24-44]

Effective date. This Maximum Price Regulation No. 390 shall become effective on May 24, 1943. [Maximum Price Regulation No. 390 originally issued May 14, 1943.]

[Effective dates of amendments are shown in notes following the parts affected]

NOTE: The record keeping and reporting provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9235; Filed, June 24, 1944; 11:39 a. m.]

PART 1386—SOAP AND GLYCERINE

[MPR 391,[1] Incl. Amdts. 1-3]

HOUSEHOLD SOAPS AND CLEANSERS SOLD BY MANUFACTURERS AND CERTAIN WHOLESALERS

This compilation of Maximum Price Regulation 391 includes Amendment 3, effective June 24, 1944. The text added or amended by Amendment 3 is underscored. Redesignations are indicated by notes.

In the judgment of the Price Administrator, it is necessary to issue a regulation establishing dollars and cents maximum prices for certain sales of household soaps and cleansers by manufacturers and certain wholesalers.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.[2]

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

[Above sentence added by Supplementary Order 67, 8 F.R. 12555, effective 9-11-43]

§ 1386.52 *Maximum prices for household soaps and cleansers sold by manufacturers and certain wholesalers.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, Maximum Price Regulation No. 391 (Household Soaps and Cleansers sold by Manufacturers and Certain Wholesalers), which is annexed hereto and made part hereof, is hereby issued.

MAXIMUM PRICE REGULATION NO. 391—HOUSEHOLD SOAPS AND CLEANSERS SOLD BY MANUFACTURERS AND CERTAIN WHOLESALERS

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

Sec.

1. Prohibition against dealing in household soaps and cleansers by manufacturers and certain wholesalers at prices above maximum.
2. Less than maximum prices.
3. To what products, transactions, and persons this regulation applies and the relation to other regulations.
4. Products, transactions, and persons not covered by this regulation.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

5. Maximum prices for sales of household soaps and cleansers by manufacturers.
6. Maximum prices for sales of household soaps and cleansers by wholesalers to retail food stores.

ARTICLE III—MISCELLANEOUS

7. Petitions for amendment.
8. Records and reports.
8a. Billing and marking requirements.
9. Enforcement.
9a. Licensing.
10. Federal and state taxes.
11. Definitions.

AUTHORITY: § 1386.52 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

SECTION 1. *Prohibition against dealing in household soaps and cleansers by manufacturers and certain wholesalers at prices above maximum.* On and after May 24, 1943, regardless of any contract, agreement, or other obligation:

(a) No manufacturer shall sell, deliver, or transfer any household soaps or cleansers at prices higher than the maximum prices set forth in section 5 of this regulation.

(b) No wholesaler shall sell, deliver, or transfer any household soaps or cleansers to a retail food store at prices higher than the maximum prices set forth in section 6 of this regulation.

(c) No wholesaler shall buy or receive any such household soaps or cleansers in the course of trade or business at prices higher than the maximum prices set forth in section 5 of this regulation.

(d) No retail food store shall buy or receive any such household soaps or cleansers in the course of trade or business at prices higher than the maximum prices set forth in section 6 of this regulation.

[1] 8 F.R. 6435.

[2] Statements of consideration are also issued with amendments. Copies may be obtained from the Office of Price Administration.

(e) None of the respective classes of persons in this section designated shall agree, offer, solicit, or attempt to do any of the foregoing acts which are by this section prohibited: *Provided*, That the provisions of this regulation shall not apply to sales or deliveries of household soaps or cleansers if prior to May 24, 1943, such household soaps and cleansers had been received by a carrier other than a carrier owned or controlled by the seller for shipment to the purchaser.

SEC. 2. *Less than maximum prices.* Lower prices than those established by this regulation may be charged, paid, or offered.

SEC. 3. *To what products, transactions, and persons this regulation applies and the relation to other regulations*—(a) *Products covered by this regulation.* This regulation covers household soaps and cleansers.

(1) "Household soaps and cleansers" are defined in detail for the purpose of this regulation in section 11.

[Subparagraph (1) amended by Am. 1, 8 F.R. 13500, effective 10-6-43 and Am. 3, effective 6-24-44]

(b) *Transactions covered by this regulation.* (1) All sales of household soaps and cleansers by the manufacturer thereof.

(i) "Manufacturer" means a person who:

(*f*) Produces a household soap or cleanser; or

(2) Puts a household soap or cleanser into packages or cuts or stamps same into bars or cakes and sells said packages, bars or cakes under his own or another's brand name; or

(3) Owns the brand name of a household soap or cleanser; or

(4) Uses soap, soap products, soapless detergents or cleansers made by others as a raw material, and by the addition of other materials makes a finished product which is sold for detergent uses.

[Subdivision (i) amended by Am. 3, effective 6-24-44]

(2) All sales of household soaps and cleansers by a wholesaler to a retail food store.

(i) "Wholesaler" means a person other than an owner of a brand name who purchases a household soap or cleanser and resells it without changing its form to a retail food store. "Wholesaler" includes a person who puts a household soap or cleanser, not produced by him, into packages, or cuts or stamps same into bars or cakes, and sells said packages, bars, or cakes unbranded. A branch unit of any manufacturer which performs a wholesale function is deemed a wholesaler.

[Subdivision (1) amended by Am. 3, effective 6-24-44]

(ii) "A retail food store" means a store in which 50 percent or more of the gross dollar sales volume is from the sale of food products or the food department of any store.

(c) *Persons covered by this regulation.* (1) All manufacturers as above defined of household soaps or cleansers. (See section 5 for manufacturer's maximum prices.)

[Subparagraph (1) amended by Am. 3, effective 6-24-44]

(2) All wholesalers of household soaps and cleansers who sell such commodities to retail food stores. (See section 6 for wholesaler's maximum prices.)

(d) *Applicability of the General Maximum Price Regulation.*[3] The provisions of this regulation supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of household soaps and cleansers for which maximum prices are established by this regulation except for the provisions hereinafter indicated.

(1) Section 1499.5 (Transfers of business or stock in trade).

(2) Section 1499.11 (Base period records).

(3) Revised Supplementary Regulation No. 1. (Exclusion of certain sales to and by United States agencies and war contracts with United States and other governments.)

(e) *Geographical applicability.* The provisions of this regulation shall be applicable to the continental United States.

(f) *Export sales.* The maximum price at which a person may export household soaps and cleansers shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation[4] issued by the Office of Price Administration.

(g) *Import sales.* The provisions of this regulation supersede the provisions of the Maximum Import Price Regulation[5] and the General Maximum Price Regulation with respect to sales, deliveries and transfers of imported household soaps and cleansers for which maximum prices are established by this regulation.

[Paragraph (g) amended by Am. 2, 9 F.R. 4441, effective 5-5-44]

SEC. 4. *Products, transactions, and persons not covered by this regulation.* (a) The following products, persons, and transactions are not subject to the terms and conditions of this regulation.

(1) Sales by a manufacturer of soap products which are not household soaps or cleansers. (For example, a sale of U. S. P. powdered or granulated castile soap to pharmaceutical manufacturers for use in the manufacture of tablets for medicinal use is not covered.)

[Subparagraph (1) amended by Am. 3, effective 6-24-44]

(2) Sales of household soaps and cleansers by a wholesaler to any person other than a retail food store. (For example, sales by a wholesaler to a retail drug store or dry goods store are not covered.)

(b) Each of the transactions stated in paragraph (a) above are covered by the General Maximum Price Regulation and the maximum prices therefor shall be the seller's maximum price as determined under such General Maximum Price Regulation.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 5. *Maximum prices for sales of household soaps and cleansers by manufacturers.* The maximum delivered prices before cash discounts for carload quantities on sales of the household soaps and cleansers listed below by manufacturers thereof shall not exceed the prices listed therefor in the following table.

For instructions on methods of establishing maximum prices for unlisted household soaps and cleansers, for methods of establishing maximum prices on new size packs, and for sales of listed household soaps and cleansers in less than carload quantities, see paragraphs (f), (g), (h), and (i) at the end of this table.

[Above text amended by Am. 3, effective 6-24-44]

(a) *Maximum prices for bar or cake toilet soaps.*

Brand	Size	Pack	Carload price per case before cash discount
Camay	Bath	100	$8.924
Camay	Bath	50	4.492
Camay	Regular	144	8.633
Camay	Regular	72	4.355
Cashmere Bouquet	Regular	144	10.100
Crystal White	Regular	100	3.880
Crystal White	Regular	50	.970
Fairy	Regular	72	2.250
Honeysuckle	Regular	144	5.580
Ivory	Guest	144	5.820
Ivory	Guest	72	2.059
Ivory	Large	100	3.924
Ivory	Large	50	4.511
Ivory	Medium	100	3.335
Kirks Coco Hardwater Castile	Regular	100	3.929
Lava	Large	100	8.003
Lava	Large	50	4.074
Lava	Regular	100	5.257
Lava	Regular	50	2.664
Lifebuoy	Regular	100	6.000
Lifebuoy	Regular	50	3.025
Lux	Bath	50	4.275
Lux	Regular	100	6.000
Lux	Regular	50	3.025
Octagon	Regular	144	5.820
Octagon	Regular	72	2.940
Palmolive	Bath	100	8.580
Palmolive	Bath	70	4.310
Palmolive	Regular	144	8.630
Palmolive	Regular	72	4.370
Sierra Pine	Regular	144	8.400
Sierra Pine	Regular	72	4.200
Swan	Large	100	8.963
Swan	Large	50	4.529
Swan	Regular	100	5.250
Sweetheart	Regular	100	5.820
Sweetheart	Regular	50	2.910
White King	Regular	100	4.320
White King	Regular	50	2.190
Woodbury	Regular	144	10.180

[Table amended by Am. 2, 9 F.R. 4441, effective 5-5-44]

[3] 9 F.R. 1385, 5169, 6106.

[4] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1088.

[5] 9 F.R. 2850.

(b) *Maximum prices for bar laundry soaps.*

Brand	Size	Pack	Carload price per case before cash discount
American Family	Large	80	$3.977
Crystal White	Large	80	3.280
Crystal White	Regular	100	3.480
Fels Naptha	Regular	100	4.450
Kirkman Borax	Regular	100	4.250
Octagon	Large	100	4.120
Octagon	Small	120	2.760
P & G White Laundry	Large	100A	4.074
P & G White Laundry	Regular	100	3.785
P & G White Laundry	Large	80	3.260
P & G White Laundry	Regular	100B	3.492
Tag	Regular	72	3.60
White King	Large	80	3.260
White King	Regular	100	3.490

(c) *Maximum prices for cleansers and scouring powders.*

Brand	Size (ounces)	Pack	Carload price per case before cash discount
Bab-O	14	48	$4.387
Bab-O	14	24	2.194
Cameo Cleanser	14	48	2.780
Gold Dust	14	24	1.050
Kitchen Klenzer	13	40	2.000
Lighthouse	14	48	1.810
Octagon	13	48	1.790
Old Dutch	14	48	3.050
Sunbrite	13	48	2.016
Sunbrite	13	72	3.024

[Table amended by Am. 2, 9 F.R. 4441, effective 6-5-44]

(d) *Maximum prices for package soaps.*

Brand	Size (ounces)	Pack	Carload price per case before cash discount
American Family Flakes	43	12	$3.141
American Family Flakes	21	24	4.947
American Family Flakes	8	60	4.947
Chipso Flakes or Granulated	21½	24	4.899
Chipso Flakes	8½	60	4.899
Dash	67	12	5.626
Dash	33½	24	5.626
Dreft	4	60	4.850
Dreft	9¾	24	4.850
Dreft	29½	9	4.753
Dus	62½	8	4.608
Dus	21½	24	4.899
Dus	8½	60	4.899
Ivory Flakes	12½	24	4.850
Ivory Flakes	5	60	4.850
Ivory Snow	12½	24	4.850
Ivory Snow	5	60	4.850
Ivory Snow	5	30	2.425
Kirkman Flakes	18	24	4.950
Kirkman Flakes	7	60	4.950
Kirkman Granulated	24	24	4.900
Kirkman Granulated with bar	21½	24	4.200
Klek	17½	24	4.270
Klek	8½	48	4.170
Lux Flakes	12½	20	4.100
Lux Flakes	5	100	8.250
Lux Flakes	5	50	4.150
Lux Flakes	28	9	4.000
Magic Washer	8	60	4.700
Magic Washer	25	24	4.700
Magic Washer	80	8	4.680
Octagon Granulated	24	24	4.900
Octagon Flakes	18	24	4.900
Oxydol	69	8	4.603
Oxydol	24	24	4.899
Oxydol	9	60	4.899
Par Granulated	23	24	4.925
Par Granulated	50	12	5.225
Par Granulated	69	8	4.575
Peets Granulated	24	24	4.250
Peets Granulated	33	24	5.630
Peets Granulated	26	24	5.630
Peets Granulated	70	12	5.630
Rinso	69	8	4.600
Rinso	24	24	4.900
Rinso	9	60	4.900
Scotch Granulated	64	8	$4.080
Scotch Granulated	48	12	4.560
Scotch Granulated	21	24	5.670
Scotch Granulated	23	24	4.410
Scotch Granulated	8	48	3.700
Selox	17½	24	2.999
Selox	6½	48	2.087
Silver Dust	21½	24	5.190
Super Suds	69	8	4.610
Super Suds	6½	8	4.610
Super Suds	24	24	4.900
Super Suds	21½	24	4.900
Super Suds	9	60	4.900
Super Suds	8¾	60	4.900
Twenty Mule Team Borax Soap Suds	22	24	4.300
White King Granulated	62	8	4.700
White King Granulated	46	12	5.290
White King Granulated	28	24	5.290
White King Granulated	22	24	5.030
White King Granulated	9	48	4.260

[Table amended by Am. 1, 8 F.R. 13500, effective 10-8-43; Am. 2, 9 F.R. 4441, effective 5-5-44]

(e) *Maximum prices for washing powders.*

Brand	Size (ounces)	Pack	Carload price per case before cash discount
Gold Dust	36	12	$1.750
Gold Dust	10	60	2.450
Gold Dust	6½	100	2.600
Grandma	30	12	1.601
Grandma	8¾	100	2.474
Kirkman	40	12	1.855
Kirkman	12	50	2.100
Mermaid	44	24	3.940
Mermaid	10	48	2.160
Octagon	40	20	2.720
Octagon	13	60	2.320
Octagon	6½	120	2.760
OK	14½	60	2.260
OK	7½	120	2.260
Star	8¾	100	2.474

(f) The maximum price for any household soap or cleanser not listed in the table above, whether branded or unbranded, packaged, cut or bulk shall be:

[Above text amended by Am. 3, effective 6-24-44]

(1) The highest price which the manufacturer charged for such commodity delivered by him during January 1943 or

(2) If the manufacturer made no delivery of such commodity during January 1943 his highest offering price for delivery during that month.

(3) If the manufacturer did not deliver or offer to deliver such commodity during January 1943, the maximum price shall be the manufacturer's maximum price as determined under the General Maximum Price Regulation.

[Subparagraph (3) added by Am. 1, 8 F.R. 13500, effective 10-8-43]

[Paragraph (f), formerly (g), redesignated by Am. 3, effective 6-24-44]

(g) *How to compute your carload ceiling price on a new-size pack assembled in order to comply with War Production Board Limitation Order 317—Fibre Shipping Containers, dated March 23, 1944.* By "new-size pack" is meant a pack containing a number of units different than the number in any pack for which a maximum price has been established in the table of maximum prices listed above, or in the case of unlisted soap products, for which a maximum price has been established prior to March 23, 1944.

(1) Find your present ceiling price on the old pack containing the same product in the same size bar or package by reference to the table in paragraphs (a), (b), (c), (d), or (e) above or, if your product is not listed in the foregoing table, by computation according to paragraph (f) above. All "new-size packs" must be priced with reference to a pack for which a maximum price was established in one of the paragraphs of the table of maximum prices listed above or, in the case of unlisted soap products, for which a maximum price had been established under paragraph (f) above, prior to March 23, 1944. You may not determine a maximum price for one "new-size pack" on the basis of the maximum price previously determined for another "new-size pack."

(2) If you had two or more sizes of old packs containing the same product in the same size bar or package, select the ceiling price of the old pack containing the number of units most nearly equal to the number of units in the new-size pack; if the number of units in the new pack is exactly midway between the number of units in two different old packs, select the ceiling price of the larger old pack.

(3) Divide the ceiling price of the old pack selected under (1) and (2) above, by the number of bars or packages contained in such old pack, carrying out your answer to the nearest thousandth of a cent.

(4) Multiply this last figure by the number of bars or packages contained in the new pack and round to the nearest tenth of a cent. This figure is your ceiling price for the new pack.

Example: Product sold in old packs of 50 and 100: new-size pack will be 150. Price of 100 pack, $8.075, and of the 50 pack, $4.063.

Divide price of old pack containing the number of units nearest to 150 (the 100 unit pack): $8.075, by number of units contained (100): $.08075.

Multiply $0.08075 by 150 to get ceiling price for new-size pack: $12.1125 rounded to nearest tenth of a cent or $12.113.

The above method of computation is not required to be used as the only method of computation. Any method may be used so long as the result obtained as the maximum price per case for a given new-size pack is not greater than that which would be obtained by use of the above method. For example, manufacturers who have customarily used list prices higher than the maximum prices set forth in the table above and used discounts from those list prices to arrive at their selling prices may continue to do so, adjusting their list prices accordingly, so long as the result thereby obtained does not lead to a higher maximum price per case of new-size pack than the maximum price which would be obtained by the method described here.

You must mark on the exterior of any changed-size pack the number of bars or packages it contains. In addition, when delivering a new-size pack for the first time to a wholesaler who resells to retail food stores, you must indicate on your invoices to such buyers which items are new-size packs by marking the letter "N" before such items on the invoice; at the same time you will state on your invoice,

"N" before an item indicates a new-size pack, whose resale ceiling price is to be computed in accordance with the enclosed instructions.

You will enclose with your invoice the following:

Instructions—How to compute your ceiling price on a new-size pack assembled in compliance with War Production Board Limitation Order No. 317—Fibre Shipping Containers, dated March 23, 1944, when selling to retail food stores. (1) Find your ceiling price on the old pack containing the same product in the same size bar or package.

(2) If there are two or more sizes of old packs containing the same product in the same size bar or package, select the ceiling price of the old pack containing the number of units most nearly equal to the number of units in the new-size pack; if the number of units in the new pack is exactly midway between the number of units in two different old packs, select the ceiling price of the larger old pack.

(3) Divide the ceiling price of the old pack selected under (1) and (2) above, by the number of bars or packages contained in such old pack, carrying out your answer to the nearest thousandth of a cent.

(4) Multiply this last figure by the number of bars or packages contained in the new pack and round to the nearest cent. The answer is your ceiling price for the new pack.

Example: You sold product in old pack of 50 and 100. New-size pack will be 150. Your ceiling price of the 100 pack is $8.33 f. o. b. warehouse sale, and $8.51 service sale.

To obtain your ceiling price on an f. o. b. warehouse sale of the new-size pack, divide $8.33 (the price of the old pack containing the number of units most nearly equal to the number of units in the new-size pack) by the number of units in the old pack (100): $0.0833. Multiply $0.0833 by the number of units in the new-size pack (150): $12.495, rounded to $12.50.

To obtain your ceiling price on a service sale of the new-size pack divide $8.51 by 100 and multiply by 150 or $12.765 rounded to $12.77.

[Paragraph (g) added by Am. 3, effective 6-24-44]

(h) *Less-than-carload quantities*—(1) *Packs other than new-size packs.* When sales of the household soaps and cleansers listed in the table above are made in less-than-carload quantities, their respective maximum prices may be increased by a sum equal to the seller's differential for such less-than-carload quantity in effect in January 1943. (For example, if in January 1943 the seller's carload delivered price for X brand before cash discount was $4.90 per case and his price for 100 cases, delivered, was $5.00 per case, he may, upon a sale of 100 cases, add 10¢ per case to the price listed in the table above.)

(2) *New-size pack price in less-than-carload quantities.* If you had established a maximum price or prices per case in less-than-carload quantities differing from the price per case in carload quantities in accordance with (1) above, such less-than-carload price or prices per case in the new-size pack shall be determined similarly to the procedure described in paragraph (g) above for carload prices, that is, by dividing the maximum price or prices per case of the old pack in less-than-carload quantities by the number of bars or packages it contains and multiplying the figure or figures thus obtained by the number of bars or packages contained in the new-size pack, rounding to the nearest full cent.

Where you had more than one less-than-carload price depending upon the number of old packs sold at one time, the quantity brackets used to determine the price applicable to a sale of a given quantity shall be expressed in the total number of bars or packages involved rather than the total number of cases. Purchasers of such quantities of bars or packages shall pay the price per case applicable to such quantity brackets expressed in the number of bars or packages, regardless of the number of cases involved.

Example:

OLD PACK PRICES—100 BARS TO CASE

	Per case
C. L.	$5.00
L. C. L.:	
100 or more cases (10,000 bars or more)	5.10
50 to 99 cases (5,000 bars to 10,000)	5.20
Less than 50 cases (Up to 5,000 bars)	5.30

NEW-SIZE PACK PRICES—150 BARS TO CASE

	Per case
C. L.	$7.50
L. C. L.:	
67 or more cases (10,000 bars or more)	7.65
34 to 66 cases (5,000 bars to 10,000)	7.80
Less than 34 cases (up to 5,000 bars)	7.95

Thus, a purchaser of 40 new-size packs, having a total of 6,000 units, would be entitled to the price per case for sales of more than 5,000 units, or $7.80.

[Paragraph (h), formerly (f), redesignated and amended by Am. 3, effective 6-24-44]

(i) Each manufacturer shall continue to allow the cash and quantity discounts allowed by him during January 1943 which were most favorable to the buyer.

Redemption or premium plans offered by the manufacturer wherein the manufacturer offers to redeem a tag, wrapper, coupon or other evidence of a purchase of his product, for something of value, whether cash, commodity, "trading stamp" or similar right, or a service, shall be deemed a cash or quantity discount to the buyer within the meaning of this section whether the buyer purchases directly from the manufacturer or indirectly through a wholesaler, distributor, or retailer.

[Paragraph (i), formerly (h), amended by Am. 2, 9 F.R. 4441, effective 5-5-44 and redesignated by Am. 3, effective 6-24-44]

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions, the addition of extra packing expenses to maximum prices on sales to procurement agencies of the United States.]

SEC. 6. *Maximum prices for sales of household soaps and cleansers by wholesalers to retail food stores.* The maximum prices of household soaps and cleansers listed in the table below, when sold to a retail food store by a wholesaler who has purchased such product in carload quantities shall be, for an f. o. b. warehouse sale, the price therefor listed in Column A of the table, and for a service sale, the delivered price therefor listed in Column B of the table. None of the maximum prices established in this section 6 may be increased by reason of the extension of credit to the buyer by the seller.

For instructions concerning the maximum prices for the products listed in the tables below when sold to a retail food store by a wholesaler who has purchased the product sold on a less-than-carload basis, for instructions concerning additions of surcharges for remote deliveries, for instructions on the method of estab-

lishing maximum prices for sales of household soaps and cleansers not listed in the table below, and for the method of establishing maximum prices for sales of household soaps and cleansers in new-size packs, see paragraphs (f), (g), (h), (i), and (j) at the end of this table.

[Above text amended by Am. 3, effective 6-24-44]

(a) *Maximum prices for bar or cake toilet soaps.*

Brand	Size	Pack	Column A F. o. b. warehouse price per case	Column B Service price per case
Camay	Bath	100	$9.21	$9.40
Camay	Bath	50	4.63	4.73
Camay	Regular	144	8.91	9.10
Camay	Regular	72	4.50	4.60
Cashmere Bouquet	Regular	144	10.42	10.64
Crystal White	Regular	100	4.00	4.00
Crystal White	Regular	50	2.03	2.08
Fairy	Regular	72	3.35	3.42
Honeysuckle	Regular	144	5.76	5.88
Ivory	Guest	144	6.00	6.13
Ivory	Guest	72	3.05	3.12
Ivory	Large	100	9.23	9.42
Ivory	Large	50	4.66	4.76
Ivory	Medium	100	5.51	5.63
Ivory	Regular	100	4.05	4.14
Kirks Coco Hard-water Castile	Large	100	8.26	8.43
Lava	Large	50	4.20	4.29
Lava	Regular	100	5.45	5.57
Lava	Regular	50	2.75	2.81
Lifebuoy	Regular	100	6.19	6.32
Lifebuoy	Regular	50	3.12	3.19
Lux	Bath	50	4.41	4.50
Lux	Regular	100	6.19	6.32
Lux	Regular	50	3.12	3.19
Octagon	Regular	144	6.00	6.13
Octagon	Regular	72	3.03	3.10
Palmolive	Bath	100	8.83	9.02
Palmolive	Bath	50	4.44	4.54
Palmolive	Regular	144	8.91	9.10
Palmolive	Regular	72	4.61	4.60
Sierra Pine	Regular	144	8.67	8.85
Sierra Pine	Regular	72	4.33	4.43
Swan	Large	100	9.23	9.42
Swan	Large	50	4.66	4.76
Swan	Regular	100	5.51	5.63
Sweetheart	Regular	100	6.00	6.13
Sweetheart	Regular	50	3.00	3.07
White King	Regular	100	4.46	4.55
White King	Regular	50	2.23	2.28
Woodbury	Regular	144	10.47	10.70

[Table amended by Am. 2, 9 F.R. 4441, effective 5-5-44]

(b) *Maximum prices for bar laundry soaps.*

Brand	Size	Pack	Column A F. o. b. warehouse price per case	Column B Service price per case
American Family	Large	80	$4.10	$4.19
Crystal White	Large	80	3.35	3.42
Crystal White	Regular	100	3.60	3.68
Fels Naphtha	Regular	100	4.39	4.60
Kirkman Borax	Regular	100	4.38	4.48
Octagon	Large	100	4.25	4.34
Octagon	Small	120	2.85	2.91
P & G White Laundry	Large	100A	4.20	4.29
P & G White Laundry	Regular	100	3.85	3.94
P & G White Laundry	Large	80	3.35	3.43
P & G White Laundry	Regular	100B	3.60	3.68
Tag	Regular	72	3.71	3.79
White King	Large	80	3.35	3.43
White King	Regular	100	3.60	3.68

(c) *Maximum prices for cleansers and scouring powders.*

Brand	Size	Pack	Column A F. o. b. warehouse price per case	Column B Service price per case
Bab-O	14	48	$4.62	$4.72
Bab-O	14	24	2.31	2.36
Cameo Cleanser	14	48	3.13	3.20
Gold Dust	14	24	1.11	1.13
Kitchen Klenser	13	60	2.11	2.15
Lighthouse	14	48	1.91	1.95
Octagon	13	48	1.89	1.93
Old Dutch	14	48	3.21	3.29
Sunbrite	13	48	2.12	2.17
Sunbrite	13	72	3.19	3.26

[Table amended by Am. 2, 9 F.R. 4441, effective 5-5-44]

(d) *Maximum prices for package soaps.*

Brand	Size	Pack	Column A F. o. b. warehouse price per case	Column B Service price per case
American Family Flakes	43	12	$5.30	$5.42
American Family Flakes	21	24	5.10	5.21
American Family Flakes	9	60	5.10	5.21
Chipso Flakes or Granulated	21½	24	5.05	5.16
Chipso Flakes	8¼	60	5.05	5.16
Dash	67	12	5.80	5.93
Dash	33½	24	5.80	5.93
Dreft	4	60	5.00	5.11
Dreft	8¼	24	5.00	5.11
Dreft	23½	9	4.90	5.01
Duz	62½	8	4.75	4.86
Duz	21½	24	5.05	5.16
Duz	8¼	60	5.05	5.16
Ivory Flakes	12½	24	5.00	5.11
Ivory Flakes	5	60	5.00	5.11
Ivory Snow	12½	24	5.00	5.11
Ivory Snow	5	60	5.00	5.11
Ivory Snow	5	30	2.50	2.56
Kirkman Flakes	16	24	5.11	5.22
Kirkman Flakes	7	60	5.11	5.22
Kirkman Granulated	24	24	5.05	5.16
Kirkman Granulated with bar	21½	24	5.36	5.48
Klek	17½	24	4.40	4.50
Klek	8¼	48	4.30	4.39
Lux Flakes	12½	30	4.23	4.32
Lux Flakes	5	100	8.51	8.69
Lux Flakes	5	60	4.28	4.37
Lux Flakes	28	9	4.13	4.22
Magic Washer	8	60	4.85	4.95
Magic Washer	25	24	4.85	4.95
Magic Washer	80	8	4.80	4.90
Octagon Granulated	24	24	5.05	5.16
Octagon Flakes	13	24	5.05	5.16
Oxydol	69	8	4.75	4.86
Oxydol	24	24	5.05	5.16
Oxydol	9	60	5.05	5.16
Par Granulated	23	24	5.05	5.19
Par Granulated	80	12	5.39	5.51
Par Granulated	29	8	4.72	4.82
Peets Granulated	24	24	4.49	4.58
Peets Granulated	33	24	5.81	5.93
Peets Granulated	26	24	5.81	5.93
Peets Granulated	70	12	5.81	5.93
Rinso	69	8	4.75	4.86
Rinso	24	24	5.05	5.16
Rinso	9	60	5.05	5.16
Scotch Granulated	64	8	4.16	4.25
Scotch Granulated	48	12	4.69	4.79
Scotch Granulated	31	24	5.85	5.97
Scotch Granulated	22	24	4.55	4.65
Scotch Granulated	8	48	5.82	5.90
Selox	17½	24	3.05	3.12
Selox	6½	48	2.16	2.15
Silver Dust	21½	24	5.35	5.47
Super Suds	69	8	4.76	4.86
Super Suds	61½	8	4.76	4.86
Super Suds	24	24	5.05	5.16
Super Suds	21½	24	5.05	5.16
Super Suds	9	60	5.05	5.16
Super Suds	8¾	48	4.65	4.75
Twenty Mule Team Borax Soap Suds	22	24	4.64	4.74
White King Granulated	62	8	4.85	4.95
White King Granulated	46	12	5.42	5.53
White King Granulated	28	24	6.50	6.63
White King Granulated	22	24	5.19	5.30
White King Granulated	8	48	4.99	4.09

[Table amended by Am. 1, 8 F.R. 13500, effective 10-8-43; Am. 2, 9 F.R. 4441, effective 5-5-44]

(e) *Maximum prices for washing powders.*

Brand	Size (ounces)	Pack	Column A F. o. b. warehouse price per case	Column B Service price per case
Gold Dust	36	12	$1.84	$1.89
Gold Dust	10	60	2.58	2.64
Gold Dust	6½	100	2.74	2.80
Grandma	39	12	1.69	1.72
Grandma	9¾	100	2.61	2.66
Kirkman	40	12	1.96	1.99
Kirkman	12	50	2.21	2.26
Mermaid	44	24	4.15	4.24
Mermaid	10	48	2.28	2.33
Octagon	40	20	2.87	2.93
Octagon	13	60	2.46	2.51
Octagon	6½	120	2.91	2.97
OK	14½	60	2.40	2.46
OK	7¼	120	2.40	2.46
Star	9¾	100	2.61	2.66

(f) *Instructions.* The maximum selling price of the products listed in the table above, when sold to a retail food store by a wholesaler who purchased the product sold on a less than carload basis, may be increased by a sum equal to the difference between the manufacturer's carload maximum price per case and the manufacturer's actual selling price per case for the quantity purchased. (For example, if the manufacturer lists a price of $5.00 per case before cash discount for delivered carload quantities of X brand soap and the wholesaler actually buys only 100 cases for which he pays $5.15 per case delivered before cash discount, he may add 15 cents per case on this hundred-case quantity to the maximum price established for X brand soap in the table above.)

[Paragraph (f) amended by Am. 1, 8 F.R. 13500, effective 10-8-43]

(g) *Instructions.* A wholesaler making a delivery in a remote area or zone for which he customarily added a surcharge for delivery in March 1942 may continue to add an amount equal to such customary surcharge to the maximum prices established in column B of the table above. (For example, if the wholesaler customarily made a special charge of 5 cents a case for delivering any soap product listed in the table above to any retail food store located more than 25 miles outside the city limits, he may add 5 cents per case to the maximum prices established in column B of the table above for his deliveries of such soap product to any retail food store more than 25 miles outside the city limits.)

(h) *Instructions.* Upon a sale of either a listed or unlisted household soap or cleanser by a branch unit of any manufacturer which performs a wholesaler function, the invoice price (not in excess of the manufacturer's maximum price) to the branch unit shall be deemed to be the actual cost of the household soap or cleanser.

[Paragraph (h) amended by Am. 1, 8 F.R. 13500, effective 10-8-43]

(i) *Instructions.* (1) The maximum prices for a sale of an unbranded or bulk household soap or cleanser shall be

(i) Upon an f. o. b. warehouse sale of bar toilet soap, bar laundry soap or package soap, the actual cost to the seller before cash discount multiplied by 1.04,

(ii) Upon an f. o. b. warehouse sale of a cleanser, scouring powder or washing powder, the actual cost to the seller before cash discount multiplied by 1.06.

(iii) Upon a service sale of bar toilet soap, bar laundry soap, or package soap, the actual cost to the seller before cash discount, multiplied by 1.06, plus, in the case of a delivery to a remote area for which a delivery surcharge was customarily added in March 1942, an amount equal to such customary surcharge.

(iv) Upon a service sale of a cleanser, scouring powder or washing powder, the actual cost to the seller before cash discount multiplied by 1.08, plus, in the case of a delivery to a remote area for which a delivery surcharge was customarily added in March 1942, an amount equal to such customary surcharge.

(2) The maximum price for a brand of household soap or cleanser (other than a bulk soap or cleanser) not listed in the table above shall be at the seller's option either:

(i) The seller's maximum price as determined under the General Maximum Price Regulation, or

(ii) The seller's actual cost multiplied by the appropriate mark-up factor in subparagraph (1) above.

[Paragraph (i) amended by Am. 1, 8 F.R. 13500, effective 10-8-43, and Am. 3, effective 6-24-44]

(j) *Instructions—How to compute your ceiling price on a new-size pack assembled in compliance with War Production Board Limitation Order No. 317—Fibre Shipping Containers, dated March 23, 1944.* By "new-size pack" is meant a pack containing a number of units differing from any pack for which a maximum price had been established in one of the tables of maximum prices listed above or in the case of unlisted soap products, for which a maximum price had been established prior to March 23, 1944.

(1) Find your present ceiling price on the old pack containing the same product in the same size bar or package by reference to paragraphs (a), (b), (c), (d), or (e) of the table above if the product is listed therein, or by computation according to paragraph (i) above if the product is not listed in the foregoing table. All "new-size packs" must be priced with reference to a pack for which a maximum price was established in one of the paragraphs of the table of maximum prices listed above or, in the case of an unlisted soap product, for which a maximum price had been established under paragraph (i) above prior to March 23, 1944. You may not determine a maximum price for one "new-size pack" on the basis of the maximum price previously determined for another "new-size pack."

(2) If you had two or more sizes of old packs containing the same product in the same size bar or package, select the ceiling price of the old pack containing the number of units most nearly equal to the number of units in the new-size pack; if the number of units in the new pack is exactly midway between the number of units in two different old packs, select the ceiling price of the larger old pack.

(3) Make any necessary adjustments to this price under paragraphs (f) and (g) above, if applicable.

(4) Divide the ceiling price obtained by (1) and (3), or (2) and (3) above, by the number of bars or packages contained in the old pack selected under (1) and (2) above and carry out the answer to the nearest hundredth of a cent.

(5) Multiply this last figure by the number of bars or packages contained in the new pack and round the answer to the nearest cent. This figure will be your ceiling price for the new-size pack.

Example: You sold product in old packs of 50 and 100; new-size packs will be 150. Your ceiling prices for the old pack containing the number of units nearest to 150 (the 100 unit pack) was $8.33 f. o. b. warehouse and $8.51 service. To obtain your f. o. b. warehouse price divide the price of the largest size pack ($8.33) by the number of units contained (100): $0.0833. Multiply $0.0833 by number of units contained in new pack (150): $12.495, rounded to $12.50.

To obtain your ceiling price for a service sale, divide price of the 100 unit pack ($8.51) by 100: $0.0851. Multiply $0.0851 by 150: $12.765, rounded to $12.77.

[Paragraph (j) added by Am. 3, effective 6-24-44]

ARTICLE III—MISCELLANEOUS

SEC. 7. *Petitions for amendment.* Any person seeking any modifications of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.*

[NOTE: Procedural Regulation No. 6 (7 F.R. 5067, 5665; 8 F.R. 6178, 6174) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 26 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

SEC. 8. *Records and reports.* Every manufacturer or wholesaler of household soaps and cleansers subject to this regulation shall after May 24, 1943, keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each purchase or sale, showing the date thereof, the name and address of the buyer and the seller, and the price contracted for or paid. In addition every manufacturer or wholesaler of household soaps and cleansers subject to this regulation shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, the records showing how the maximum prices for bulk, unbranded, or unlisted soaps or cleansers were computed.

[Sec. 8 amended by Am. 3, effective 6-24-44]

SEC. 8a. *Billing and marking requirements.* Any manufacturer or wholesaler selling either bulk or unbranded household soaps or cleansers must indicate clearly on an invoice or notice furnished the buyer prior to payment by him whether the product is a bar toilet soap, bar laundry soap, cleanser or scouring powder, package soap, or washing powder, as defined in section 11 below. In addition, any wholesaler who packages soap and cleanser from bulk shall indicate thereon, "This is a bar toilet soap (or bar laundry soap, scouring powder or cleanser, package soap or washing powder) packaged from bulk." This section, however, shall not be applicable to sales of household soaps and cleansers to the United States or any agency thereof.

[Sec. 8a added by Am. 3, effective 6-24-44]

SEC. 9. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages

* 9 F.R. 5791.

provided for by the Emergency Price Control Act of 1942, as amended.

[NOTE: Supplementary Order No. 7 (7 F.R. 8176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

SEC. 9a. *Licensing.* The provisions of Licensing Order No. 1 [1] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 9a added by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

SEC. 10. *Federal and state taxes.* (a) There may be added to the maximum prices established by this regulation the amount of any tax upon the sale or delivery of household soaps and cleansers imposed by a statute of the United States or statute or ordinance of a state or subdivision thereof if, and only if:

(1) The statute or ordinance requires or permits the seller to state the tax separately from the purchase price, and

(2) The tax is separately stated and collected by the seller.

[NOTE: Supplementary Order No. 31 (7 F.R. 9694, 8 F.R. 1312, 3702) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

SEC. 11. *Definitions.* (a) As used in this regulation, the term:

"Anhydrous soap content" means the anhydrous soap content as determined by the official methods for testing soap set out in Federal Specification P-S-536A for Soap and Soap Products; General Specifications for Sampling and Testing. This document can be obtained from the Superintendent of Documents, Government Printing Office, Washington, D. C.

"Bulk soap or cleanser" means any soap, soap product, soapless detergent or cleanser bought or sold by a manufacturer or wholesaler, in barrels, large sacks or bags or other sizable quantities, said commodity not having been cut into a bar or cake of a size or type customarily sold to household consumers or packaged in a container of a size or type customarily sold to household consumers.

[Above definitions added by Am. 3, effective 6-24-44]

"Carload quantity" means any quantity of household soaps or cleansers upon which the manufacturer thereof allowed a carload quantity discount in March 1943.

"Criminal penalties" means a fine of not more than $5,000 or imprisonment for not more than one year or both.

"Discount" means any reduction of list price allowed by a seller to a buyer upon a quantity or cash purchase.

"F. O. B. warehouse sale" means a sale made f. o. b. the seller's premises.

"Household soaps and cleansers" means

(1) Any listed commodity, that is, any commodity for which a dollars and cents maximum price is established by this regulation, or

(2) Any branded or unbranded, cut, packaged, or bulk, soap, soap product, soapless detergent or cleanser similar in type and function to a listed commodity and classified in one of the following categories:

(i) "Bar toilet soap," meaning any bar or cake soap sold for toilet use.

(ii) "Bar laundry soap," meaning any bar soap sold for laundry use, including but not limited to white or yellow bar laundry soap.

(iii) "Cleanser and scouring powder," meaning any soap product containing powdered abrasive material with or without alkali builders.

(iv) "Package soap," meaning any fine fabric or general laundry soap in the form of chips, flakes, granules, powder or similar forms with base anhydrous soap content of 50 per cent or more, or any soapless detergents which have the same use and purpose as such soaps.

(v) "Washing powders," meaning any soap powders with base anhydrous soap content of less than 50 per cent.

[Above definition amended by Am. 1, 8 F.R. 13500, effective 10-8-43 and Am. 3, effective 6-24-44]

"Manufacturer" means a person who:

(1) Produces a household soap or cleanser;

(2) Puts a household soap or cleanser into packages or cuts or stamps same into bars or cakes and sells said packages, bars or cakes under his own or another's brand name; or

(3) Owns the brand name of a household soap or cleanser; or

(4) Uses soap, soap products, soapless detergents or cleansers made by others as a raw material, and by the addition of other materials makes a finished product which is sold for detergent uses.

[Above definition amended by Am. 3, effective 6-24-44]

"Offering price" means that price at which the seller would have been willing to sell the product upon a bona fide offer to purchase.

"Person" means an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

"Retail food store" means a store in which 50 percent or more of the gross dollar sales volume is from the sale of food products or the food department of any store.

"Service sale" means a sale in which the seller delivers the goods to a point other than his own premises.

"Suits for treble damages" means if any person selling household soaps and cleansers violates this regulation, the person who buys such commodity for use or consumption other than in the course of trade or business may bring an action either for $50 or for treble the amount by which the consideration exceeded the applicable maximum price, whichever is the greater, plus reasonable attorney's fees and costs as determined by the court. If any person selling such commodity violates this regulation and the buyer is not entitled to bring suit or action, the Administrator may bring such action on behalf of the United States.

"Surcharge for delivery" means a charge made for a delivery in a remote area which is over and above the seller's usual delivery charge in a less remote area.

"Wholesaler" means a person other than the owner of a brand name who purchases a household soap or cleanser and resells it without changing its form to a retail food store. "Wholesaler" includes a person who puts a household soap or cleanser, not produced by him, into packages, or cuts or stamps same into bars or cakes, and sells said packages, bars, or cakes unbranded. A branch unit of any manufacturer which performs a wholesale function is deemed a wholesaler.

[Above definition amended by Am. 3, effective 6-24-44]

Effective date. This Maximum Price Regulation No. 391 shall become effective on May 24, 1943. [Maximum Price Regulation No. 391 originally issued May 14, 1943.]

[Effective dates of amendments are shown in notes following the parts affected]

NOTE: The record keeping and reporting provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9233; Filed, June 24, 1944; 11:37 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 9-1,[1] Correction]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN THE ISLAND OF OAHU, MAUI, AND HAWAII, TERRITORY OF HAWAII

Section 2 (a) (1) of Restaurant Maximum Price Regulation No. 9-1 is corrected to read as follows:

(1) Your ceiling price for any food item or meal which you offered in the 14 day period beginning Sunday, January 3, 1943, and ending Saturday, January 16, 1943, is the highest price at which you offered the same food item or meal of the same class in that period.

This correction shall become effective as of January 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250; 7 F.R. 7871, E.O. 9328, 8 F.R. 5681; General Order 30, 7 F.R. 10500; Region IX Delegation Order No. 1, 9 F.R. 710)

Issued this 24th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9239; Filed, June 24, 1944; 11:37 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 183, Corr. to Amdt. 40]

FOOD PRODUCTION IN PUERTO RICO

In Amendment 40 to Revised Maximum Price Regulation 183 "Table 33L" wherever appearing is corrected to read "Table 33m".

This correction shall become effective as of June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 24th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9240; Filed, June 24, 1944; 11:38 a. m.]

PART 1421—IRON AND STEEL

[MPR 241,[1] Amdt. 7]

MALLEABLE IRON CASTINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 241 is amended in the following respect:

Section 1421.116 (d) of Maximum Price Regulation No. 241 is amended by striking out the last proviso in said paragraph beginning with the words "And provided further" and by substituting therefor a proviso to read as follows:

And provided further, That if the seller sells, offers to sell or delivers a casting on or after June 30, 1944, at a price not in excess of his maximum price for such casting under this paragraph, he may not thereafter sell, offer to sell or deliver such casting at a price in excess of such maximum price, except that this proviso shall not apply to castings sold or delivered pursuant to orders received or contracts entered into prior to June 30, 1944.

This amendment shall become effective June 23, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9192; Filed, June 23, 1944; 3:54 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] Revised: 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 5075.

[1] 8 F.R. 13240.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1[1] to GMPR, Amdt. 61]

FLOUR

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith, and has been filed with the Division of the Federal Register.*

The first paragraph of section 2.3 (q) is amended to read as follows:

(q) Flour produced from wheat, rye, buckwheat, rice, corn, oats, barley, soybeans, potatoes, cottonseed, peanuts, malted wheat; combinations of flours produced from these commodities; and bleached, bromated, enriched, phosphated and self-rising flours. "Flour produced from wheat" means:

This amendment shall become effective on the 30th day of June 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9234; Filed, June 24, 1944; 11:38 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 146]

ELECTRIC LIGHT BULBS AND TUBES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 is amended in the following respects:

1. A new section 6.51 is added to read as follows:

SEC. 6.51 *Separate statement of the manufacturers' Federal excise tax on electric light bulbs and tubes in the catalogues of persons selling at retail.* Retail sellers who sell electric light bulbs or tubes out of a mail order catalogue must, if they collect the increase in the manufacturers' Federal excise tax on electric light bulbs and tubes imposed by section 302 of the Revenue Act of 1943, separately state the tax by using one of the methods listed below in all catalogues which include prices:

(a) The retailer may state his price as a price exclusive of tax if he indicates the tax in dollars and cents; or

(b) He may state the price inclusive of tax with a notice following the price that the price includes the 20 percent manufacturers' Federal excise tax; or

(c) He may indicate on each page of the catalogue listing electric light bulbs or tubes that the prices include the 20 percent manufacturers' Federal excise tax.

2. A new section 6.52 is added to read as follows:

SEC. 6.52 *Collection of manufacturers' Federal excise tax on electric light bulbs and tubes sold under contracts containing a free replacement guarantee.* This section applies only to persons who sell electric light bulbs or tubes to industrial users under contracts which include a guarantee of free replacement if the bulb or tube is defective or burns out during a specified period of time. Such sellers may collect the increase in the manufacturers' Federal excise tax imposed by section 302 of the Revenue Act of 1943 for all bulbs or tubes delivered under such contracts entered into on and after April 1, 1944, provided the increase in the tax is separately stated and collected.

This amendment shall become effective June 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9236; Filed, June 24, 1944; 11:39 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 147]

TOBACCO CLOTH

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 is amended in the following respect:

Section 3.16 is added to read as follows:

SEC. 3.16 *Sales of certain tobacco cloth at wholesale.* Wholesalers of 196" 19 x 44 1.30 yd. tobacco cloth manufactured and sold by Fitzgerald Cotton Mills, Fitzgerald, Georgia, as Style No. 440-B may charge a price not in excess of $0.07¾ per square yard subject to the terms of sale required by the General Maximum Price Regulation.

This amendment shall become effective June 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-9237; Filed, June 24, 1944; 11:39 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 204,[1] Amdt. 4]

SPECIAL SALES OF INDUSTRIAL MATERIALS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

[1] 9 F.R. 3581, 3590, 4991, 4948, 5268, 5996, 6570, 6648.

[1] 7 F.R. 3676, 12795; 9 F.R. 5376, 6819.

has been filed with the Division of the Federal Register.*

Section 4 of Revised Maximum Price Regulation 204 is amended to read as follows:

Sec. 4. *Relation to other regulations.* This regulation establishes maximum prices for all special sales of industrial materials except sales covered by Revised Price Schedule 49—Resale of Iron or Steel Products,[1] Maximum Price Regulation 174—Freight Car Materials Sold by Car Builders,[2] Sales covered by Supplementary Order No. 10—Judicial Sales,[3] Sales covered by Supplementary Order No. 32—Netherlands Purchasing Commission,[4] Sales covered by Supplementary Order No. 43—Maximum prices for certain sales of certain surplus stocks,[5] Sales covered by Supplementary Order No. 48—Accommodation Sales of Industrial Materials[6] and sales governed by other price regulations which expressly provide that they apply to special sales of industrial materials.

This amendment shall become effective June 23, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9191; Filed, June 23, 1944; 3:54 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 15 to GMPR, Order 1]

THE MIAMI MARGARINE CO, CINCINNATI, OHIO

Order No. 1 under § 1499.75 (a) (15) of Supplementary Regulation No. 15 to the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith, it is hereby ordered:

§ 1499.2262 *Adjustment of maximum price for sales of oleomargarine by the Miami Margarine Company of Cincinnati, Ohio.* (a) On and after July 1, 1944, The Miami Margarine Company of Cincinnati, Ohio, may sell and deliver and any person may buy and receive from The Miami Margarine Company its "Nu-Maid" brand margarine at prices not higher than the following:

17 cents per pound delivered.

(1) All price differentials heretofore customarily allowed by applicant on sales to classes of customers, shall continue to apply to the above prices.

(b) With the first deliveries of "Nu-Maid" margarine after the effective date of this order, The Miami Margarine Company, of Cincinnati, Ohio, shall supply each wholesaler and retailer who purchases from it with the following written notice:

_____
(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for Nu-Maid margarine in one pound packages has been changed by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulation Nos. 421, 422 or 423, you must refigure your ceiling price for this item on the first delivery of it to you from your customary type of supplier containing this notification after (insert effective date of this order.) You must refigure your ceiling price following the rules in section 6 of Maximum Price Regulation No. 421, 422 or 423, whichever is applicable to you.

For a period of 60 days after the effective date of this Order and with the first shipment after the 60 day period to each person who has not made a purchase within that time, applicant shall include in each case, carton, or other receptacle containing the item, the written notice set forth above, or securely attach it to the outside. However, for sales direct to any retailer, applicant may supply the notice by attaching it to, or stating it on, the invoice covering the shipment instead of providing it with the goods.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 1 shall become effective July 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9238; Filed, June 24, 1944; 11:40 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 375 Under 8 (b), Order 41]

THE SWEETS COMPANY OF AMERICA, INC.

Order No. 41 under Order No. 375 of § 1499.3 (b) of the General Maximum Price Regulation, Docket No. N6352-13b-131-7.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered that:

§ 1499.2166 *Authorization of maximum prices governing sales of "5¢ Box Tootsie Fudge" and "Bulk Tootsie Fudge", confectionery items manufactured by The Sweets Company of America, Inc., Hoboken, New Jersey.* (a) The maximum prices to be charged by the indicated sellers below for the indicated sales of "5¢ Box Tootsie Fudge"; (a 1⅛ ounce net weight fudge package, chocolate or vanilla flavored; each package consisting of 6 fudge pieces individually wrapped in moisture-proof cellophane) manufactured by The Sweets Company of America, Inc., Hoboken, New Jersey, in accordance with its formula contained in its price application dated April 10, 1944 shall be as follows:

(1) From The Sweets Company of America, Inc., to wholesalers.	68 cents per 24 count box delivered.
(2) From wholesalers to retailers	85 cents per 24 count box delivered.
(3) From retailers to consumers	5 cents per package.

(b) The maximum prices to be charged by the indicated sellers below for the indicated sales of "Bulk Tootsie Fudge", (a chocolate or vanilla flavored fudge, weighing approximately 51 pieces to the pound, each piece individually wrapped in moisture-proof cellophane) manufactured by The Sweets Company of America, Inc., Hoboken, New Jersey, in accordance with its formula contained in its price application dated April 10, 1944 shall be as follows:

(1) From The Sweets Company of America, Inc., to wholesalers.	18 cents per pound, delivered.
(2) From wholesalers to retailers	22½ cents per pound, delivered.
(3) From retailers to consumers	35 cents per pound.

(c) The prices established in this order are the highest prices for which "5¢ Box Tootsie Fudge" and "Bulk Tootsie Fudge" may be sold by the respective sellers. All sellers, on sales of these items shall reduce the above stated maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of "2¢ Tootsie Fudge" or other comparable candy items. In the application of any customary differentials, the specific maximum prices established by this order shall not be exceeded.

(d) The Sweets Company of America, Inc., shall mail or otherwise supply to its purchasers at the time of or prior to the first delivery to such purchaser the following notice, inserting the appropriate name of the item and the price therefor as set forth in the preceding provisions of this order:

The Office of Price Administration has authorized us to sell our _____ to wholesalers at a maximum delivered price of _____ per _____. You are authorized to sell this item to retailers at a maximum delivered price of _____ per _____. On sales of this item all sellers are required to reduce their maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of "2¢ Tootsie Fudge" or other comparable candy items. In the application of any customary differential the specific maximum prices mentioned herein shall not be exceeded.

(e) The Sweets Company of America, Inc., for a period of at least ninety days, shall place in or on the smallest retail packing units the following notice, inserting the appropriate name of the item and the price therefor as set forth in the preceding provisions of this order:

The Office of Price Administration has authorized us to sell our _____ to wholesalers who in turn are authorized to sell this item to retailers at a maximum delivered price not in excess of _____ per _____. Retailers are authorized to sell this item at a maximum price not in excess of _____ per _____. On sales of this item all sellers are required to reduce their maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of "2¢ Tootsie Fudge" or other comparable candy items. In the application of any customary differential the specific maximum price mentioned herein shall not be exceeded.

(f) This order may be revoked or amended at any time by the Price Administrator.

(g) This Order No. 41 shall become effective June 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9232; Filed, June 24, 1944; 11:37 a. m.]

PART 1384—HARDWOOD LUMBER PRODUCTS

[MPR 538]

COMMERCIAL VENEER

Correction

In F.R. Doc. 44-8531, appearing at page 6530 of the issue for Wednesday, June 14, 1944, the following footnotes should appear at the bottom of table 2:

[1] And thinner.

NOTE: The maximum price for fractional part pieces shall be the price for 6" to 26" widths of the same length established in this table.

NOTE: The maximum price for door stock which is 5" wide shall be the price for 6" to 26" widths of the same length established in this table.

In Table 12A the last price under the first column headed "44¼ to 50" should be "37.70".

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 200,[1] Amdt. 14]

RUBBER HEELS, RUBBER HEELS ATTACHED, AND ATTACHING OF RUBBER HEELS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1315.1405 (a) (1) (ii) is amended by adding directly after the words "No Jar Super 50—Cupples Company", the following: "O'Sullivan's—O'Sullivan Rubber Company."

This amendment shall become effective July 1, 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9304; Filed, June 26, 1944; 11:42 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 484, Amdt. 2]

UNWASHED AND WASHED WIPING CLOTHS

Correction

In F. R. Doc. 44-7808, appearing at page 5916 of the issue for Wednesday, May 31, 1944, in the table appearing under paragraph 4, the dollar signs should be deleted before the figures "4.50" and "16.75".

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 130,[1] Amdt. 8]

NEWSPRINT PAPER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 130 is amended in the following respects:

1. Section 1347.283 (c) (2) is amended to read as follows:

(2) *Lightweight newsprint paper*—(i) *Price differential for newsprint paper ordered and made in 30 pound weight.* There may be added to the maximum price hereinabove established for 32 pound standard newsprint paper a price differential not in excess of $4.00 per ton for newsprint paper ordered and made in a weight of 30 pounds for 500 sheets 24 x 36 inches: *Provided, however,* That with respect to newsprint paper manufactured outside the continental United States such differential for 30 pound newsprint paper shall be effective only during the period commencing May 1, 1944 to July 31, 1944.

(ii) *Price differential for newsprint paper ordered and made in weights less than 30 pounds.* Any manufacturer who shall deliver or offer to deliver newsprint paper ordered and made in a weight less than 30 pounds for 500 sheets 24 x 36 inches may add to the maximum price hereinabove established for 32 pound standard newsprint paper, the differential customarily applied by him during the period October 1, 1941 through March 31, 1942 upon sales of the same weight of newsprint paper ordered and made in a weight lighter than 30 pounds. If the manufacturer had no such differential in effect during that period he shall apply to the Office of Price Administration, Washington, D. C., for the establishment of a price differential to be added by him to the maximum price for 32 pound standard newsprint paper. Such differential shall be established by order upon receipt of an application from the manufacturer setting forth the following information:

(a) The manufacturer's total cost per ton for 32 pound standard newsprint;

(b) The manufacturer's total cost per ton for the particular weight of newsprint paper for which a differential is sought. All of such cost information shall cover the same accounting period.

(iii) All of the other provisions of this regulation relating to standard newsprint paper are hereby made applicable to the purchase, sale and delivery of lightweight newsprint paper.

This amendment shall become effective July 1, 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9305; Filed, June 26, 1944; 11:42 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136,[1] Amdt. 120]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 136, as amended, is amended in the following respects:

1. In paragraph (c) of Appendix B the following item is added in alphabetical order:

Bearings and bushings, ferrous and non-ferrous metal (except pipe and tube bushings subject to Maximum Price Regulation 188; those covered by Appendix A of this regulation; and those for which maximum prices are established by Revised Price Schedule 41, Revised Maximum Price Regulation 125, or Maximum Price Regulations 241 or 244).

2. In Appendix C the item "Castings, ferrous and non-ferrous, as sold by the foundry, whether rough or machined" is amended to read,

Castings, ferrous and non-ferrous (including bearings and bushings), the maximum prices of which are established by Revised Price Schedule 41, Revised Maximum Price Regulation 125, or Maximum Price Regulations 241 or 244.

3. In appendix C the item "Non-ferrous bearings and bushings" is revoked.

This amendment shall become effective July 1, 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9306; Filed, June 26, 1944; 11:42 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4606, 4642, 7257, 7595, 7769, 7909, 9530, 9750, 13553, 13669; 9 F.R. 604, 1054, 3642, 4390, 4944, 5967, 6505.

[2] 7 F.R. 5061, 8739, 8948; 8 F.R. 155, 9021.

[3] 7 F.R. 5461, 10448.

[4] 7 F.R. 10377.

[5] 8 F.R. 5173.

[6] 8 F.R. 6355.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1461, 4917, 6842, 8843, 9135, 10980, 11687; 9 F.R. 5903.

[1] 7 F.R. 9251, 10255; 8 F.R. 1586, 2670, 7766, 11382, 16918; 9 F.R. 3589, 4540.

[1] 9 F.R. 4748, 6220, 6239.

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 66]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. The title of section 1.14 is amended to read as follows: "*Members of Armed Services and of Maritime Service, and civilians required to wear regulation army uniform overseas, may acquire shoes.*"

2. Section 1.14 (a) is amended by adding the following: "Any person with a civilian status who is given an overseas assignment in work supervised by the United States Government and who is required to wear a regulation army uniform may acquire Government Issue shoes from a Quartermaster Sales Store of the United States Army, without surrendering ration currency, on presentation of his official government travel orders."

This amendment shall become effective June 30, 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9307; Filed, June 26, 1944; 11:43 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[2] Amdt. 26]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respects:

1. Section 1407.87b is amended to read as follows:

§ 1407.87b *Sugar for feeding bees.* (a) A person who needs sugar for feeding his bees may get sugar for that purpose under § 1407.163a or § 1407.163b.

(b) Notwithstanding anything to the contrary contained in this Order, the use of sugar for feeding bees is not deemed an industrial use of sugar even if the honey produced by such bees is sold or transferred.

(c) The registration of any person who is registered as an industrial user on OPA Form R-1200 solely for the purpose of obtaining a provisional allowance for feeding bees shall be deemed cancelled on June 30, 1944.

2. Section 1407.88 (d) is amended by deleting from the first sentence the words "for feeding bees or" and by deleting from the second sentence the parenthetical statement "(and the number of bee colonies fed by weeks)".

3. Section 1407.163a is added to read as follows:

§ 1407.163a *Sugar for feeding bees.* (a) A person who needs sugar for feeding his bees may get sugar for that purpose in an amount not to exceed ten pounds per calendar year for each colony of bees. (Each newly installed package of bees and each queen mating nucleus shall be considered a full colony.)

(b) Application for all or part of this sugar allowance may be made at any time during a calendar year. It must be made on OPA Form R-315 to the Board for the place where the applicant lives, (or, if the application is made in the course of his business, to the Board for the place where his principal business office is located) and must state:

(1) The amount of sugar needed;

(2) The number of colonies of bees for which the sugar is needed;

(3) The amount of sugar, if any, which the applicant has previously obtained for feeding bees during the calendar year for which application is made.

(c) When an applicant makes his first application during a calendar year for sugar under this section, he shall include with such application a report showing:

(1) The total amount of sugar which he obtained for feeding bees during the previous calendar year; and

(2) The total amount of sugar which he used to feed his bees during the previous calendar year.

(d) On the first application during a calendar year for sugar under this section, the Board shall issue a certificate in the amount requested. However, that amount must not exceed ten pounds for each colony minus:

(1) The amount of sugar, if any, which the applicant obtained during the previous calendar year for feeding bees but did not use for that purpose (reported under paragraph (c));

(2) The amount of any advances obtained by him during 1942 on future provisional allowances for feeding bees which he has not deducted from such future allowances; and

(3) On an application filed during 1944, the amount of any sugar previously obtained during 1944 for feeding bees.

(e) If an applicant does not on his first application during a calendar year receive certificates for the full amount permitted under paragraph (d), he may make one or more later applications for an additional amount up to the total amount permitted by paragraph (a).

4. Section 1407.163b is added to read as follows:

§ 1407.163b *Additional sugar to prevent loss of bees.* (a) A person who during any calendar year has obtained the full amount of sugar for feeding bees that he is permitted to get under § 1407.163a may, during that calendar year, get an additional amount of sugar for that purpose if additional sugar is necessary to prevent the loss of his bees. Application for the additional sugar must be made to the Board on OPA Form R-315 and must state:

(1) The amount of the additional sugar needed;

(2) The number of colonies of bees for which the additional sugar is needed;

(3) That the applicant has used the full amount of sugar for feeding bees that he is permitted to get under § 1407.163a;

(4) That the additional sugar applied for is necessary to prevent the loss of the applicant's bees.

The application must also contain the certification of the local United States Department of Agriculture War Board that the additional sugar applied for is necessary to prevent the loss of the applicant's bees. If the Board finds that the facts stated in the application are true, it will grant the application. The additional sugar granted to any person under this section must not exceed 15 pounds for each colony of bees during any calendar year.

5. Section 1407.241 is amended by deleting Table VI.

This amendment shall become effective June 30, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005; War Food Order No. 64, 8 F.R. 7093)

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9308; Filed, June 26, 1944; 11:43 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 41]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended by adding section 14.8 to read as follows:

SEC. 14.8 *Replacement of lost, destroyed, stolen or mutilated certificates, coupons, stamps, or tokens*—(a) *Torn or mutilated certificates, coupons, stamps, or tokens.* A certificate that is torn or mutilated shall be valid only if more than one-half thereof remains legible and the remaining portion clearly shows the date of the certificate, its point value and the name of the person to whom it was issued. A coupon that is torn or mutilated shall be valid only if more than one-half thereof remains legible and the remaining portion clearly shows its point value. A stamp that has been torn or mutilated is valid only if more than one-half thereof remains legible and clearly shows its identifying letter and number. Such a stamp is valid in the hands of a consumer only if it remains undetached in his War Ration Book. A token that has been broken or mutilated is valid only if more than one-half remains thereof and that portion retains sufficient lettering to identify it as having been a ration token.

(b) *Lost, destroyed or stolen certificates, coupons, stamps, or tokens.* (1) If a certificate, coupon, stamp, or token held by a person other than a consumer is lost, destroyed or stolen, the person entitled to such token, stamp, coupon, or certificate may apply for a new coupon or certificate to replace it. The application shall be made by such person or his authorized agent upon OPA Form R-315 to the board with which he is registered (or to the district or Washington Office, if he is registered there). If the board or the Washington Office finds that the certificate, stamp, token, or coupon was lost, destroyed or stolen, it shall issue a coupon or certificate equal in point value to the stamp, certificate, token, or coupon which was lost, destroyed or stolen.

(2) If a certificate or coupon held by a consumer is lost, destroyed or stolen, the consumer may apply for a certificate or coupon to replace it. (A consumer may not apply to replace stamps or tokens which have been lost, destroyed or stolen. However, a consumer may apply in accordance with Procedural Regulation No. 12 to replace a War Ration Book which has been mutilated, destroyed, lost or stolen.) The application shall be made to the board for the place where he lives upon OPA Form R-315 by the consumer personally or by an adult member of his family unit, or by an authorised agent. If the board finds that the certificate or coupon was lost, destroyed or stolen, it shall issue a coupon or certificate equal in point value to the certificate or coupon which was lost, destroyed or stolen.

(3) If any person who has received a replacement for lost or stolen certificates, coupons, tokens, or stamps recovers any or all of the lost or stolen certificates, coupons, tokens, or stamps, he must return them to the board or district office from which he received the replacement, or to the Washington Office if he received the replacement from there.

This amendment shall become effective June 30, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005, and Food Dir. 5, 8 F.R. 2251)

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9309; Filed, June 26, 1944; 11:44 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 18, Amdt. 42]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 15.11 is added to Article XV to read as follows:

SEC. 15.11 *Tokens which may not be used must be surrendered.* (a) A person who has any tokens which he acquired in a way not provided for by this or any other order of the Office of Price Administration must not use them for any purpose but must surrender them to

This amendment shall become effective June 30, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320)

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9300; Filed, June 26, 1944; 11:44 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16, Amdt. 1]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and a board.
has been filed with the Division of the Federal Register.*

Revised Ration Order 16 is amended in the following respects:

1. Section 4.11 (b) (1) is amended by adding the following to the end of the paragraph: "A primary distributor who reports on Dairy Products Report No. 1 must mail that report within ten days after the end of each calendar month."

2. The first sentence of section 4.11 (c) (2) is amended by inserting the words "and Dairy Products Report No. 1" between the words "OPA Form R-1626" and "for reporting periods".

3. The second sentence of section 4.11 (c) (4) is deleted and the following substituted therefore:

If he is required to report on OPA Form R-1606 (Revised) for an establishment from which he sells or transfers rationed dairy products, he must also report on Dairy Products Report No. 1. He must attach to his report on OPA Form R-1606, (Revised) for each reporting period ending after February 29, 1944, a copy of Dairy Products Report No. 1 covering his operations at that establishment. However, a primary distributor is not required to report on Dairy Products Report No. 1 for an establishment of the type described in section 4.6 or 4.7 if he does not produce, process or import rationed dairy products there.

4. Section 4.11 (f) is amended by inserting the following sentence between the first and second sentences: "If he reports on OPA Form R-1606 (Revised) and Dairy Products Report No. 1, he must mail his Dairy Products Report No. 1 to Post Office Box 6910-A, Chicago, Illinois, and attach a copy of that report to his report on OPA Form R-1606 (Revised)."

This amendment shall become effective June 30, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9303; Filed, June 26, 1944; 11:45 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 2]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 15.9 is added to read as follows:

SEC. 15.9 *Replacement of lost, destroyed, stolen, or mutilated certificates, coupons, stamps, or tokens*—(a) *Torn or mutilated certificates, coupons, stamps, or tokens.* A certificate that is torn or mutilated shall be valid only if more than one-half thereof remains legible and the remaining portion clearly shows the date of the certificate, its point value

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15339, 16605, 16996; 9 F.R. 92, 573, 764, 2232, 2656, 2947, 2829, 3340, 3944, 4391, 5254.

[2] 9 F.R. 1433, 1594, 2233, 2826, 2826, 3031, 3513, 3579, 3847, 3944, 4099, 4350, 4474, 4580, 5220, 5254, 5220, 5166, 5426, 5346.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791, 3032, 3073, 3513, 3579, 3708, 3710, 3947, 3944, 4025, 4351, 4475, 4604, 4818, 4876, 4881, 5254, 5074, 5436, 5095.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791, 3032, 3073, 3513, 3579, 3708, 3710, 3947, 3944, 4026, 4351, 4475, 4604, 4818, 4876, 5074.

and the name of the person to whom it was issued. A coupon that is torn or mutilated shall be valid only if more than one-half thereof remains legible and the remaining portion clearly shows its point value. A stamp that has been torn or mutilated is valid only if more than one-half thereof remains legible and clearly shows its identifying letter and number. Such a stamp is valid in the hands of a consumer only if it remains undetached in his War Ration Book. A token that has been broken or mutilated is valid only if more than one-half remains thereof and that portion retains sufficient lettering to identify it as having been a ration token.

(b) *Lost, destroyed or stolen certificates, coupons, stamps, or tokens.* (1) If a certificate, coupon, stamp, or token held by a person other than a consumer is lost, destroyed or stolen, the person entitled to such token, stamp, coupon, or certificate may apply for a new coupon or certificate to replace it. The application shall be made by such person or his authorized agent upon OPA Form R-315 to the board with which he is registered (or to the district office, if he is registered there). If the board or district office finds that the certificate, stamp, token, or coupon was lost, destroyed or stolen, it shall issue a coupon or certificate equal in point value to the stamp, certificate, token, or coupon which was lost, destroyed, or stolen.

(2) If a certificate or coupon held by a consumer is lost, destroyed or stolen, the consumer may apply for a certificate or coupon to replace it. (A consumer may not apply to replace stamps or tokens which have been lost, destroyed or stolen. However, a consumer may apply in accordance with Procedural Regulation No. 12 to replace a War Ration Book which has been mutilated, destroyed, lost or stolen.) The application shall be made to the board for the place where he lives upon OPA Form R-315 by the consumer personally or by an adult member of his family unit, or by an authorized agent. If the board finds that the certificate or coupon was lost, destroyed or stolen, it shall issue a coupon or certificate equal in point value to the certificate or coupon which was lost, destroyed or stolen.

(3) If any person who has received a replacement for lost or stolen certificates, coupons, tokens, or stamps, recovers any or all of the lost, or stolen certificates, coupons, tokens, or stamps, he must return them to the board or district office from which he received the replacement.

This amendment shall become effective June 30, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9299; Filed, June 26, 1944; 11:44 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16, Amdt. 3]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 16 is amended in the following respects:

1. The definition of "household salvage fats" in section 27.1 (a) is amended to read as follows:

"Household salvage fats" means any fat produced (or salvaged from other fat) by a consumer or a Group I institutional user in preparing or cooking food while that fat is in the original container in which the consumer or Group I institutional user placed it for transfer.

2. Section 26.8a is added to read as follows:

SEC. 26.8a *Certain persons may register as master collectors*—(a) *General.* A person who removes household salvage fats from their original containers and mixes them with other fats to produce hard grease or tallow for sale or transfer and who carried on those operations before June 30, 1944 may register his establishment as a master collector establishment. A person who has registered his establishment as a master collector establishment is a master collector with respect to that establishment.

(b) *Registration.* His registration must be filed on OPA Form R-315 in duplicate with the regional office for the place where his establishment is located. (Regional offices may authorize this registration to be made at district offices instead.) If he has more than one master collector establishment, he may register them together or separately. If he registers them together, he must register all on a single registration form and file that form with the regional office (or authorized district office) for the place where his principal business office is located. If he registers each of them separately, he must file a separate registration form for each establishment with the regional office (or authorized district office) for the place where that establishment is located. Each separately registered establishment is to be treated and operated separately for all the purposes of this order, just as if the establishments were owned by different persons. His registration must show:

(1) That he acquires household salvage fats which he removes from the original containers in which they were placed by consumers or Group I institutional users and mixes with other fats to produce hard grease or tallow for sale or transfer and that he engaged in those operations before June 30, 1944;

(2) The number of pounds of household salvage fats he acquired each month beginning with January 1944;

(3) The number of pounds of household salvage fats he has on hand;

(4) The number of points he owes for household salvage fats he acquired;

(5) The number of points owed to him for salvage fats he transferred; and

(6) The number of points he has on hand and in his ration bank account, if any.

(c) *A registered master collector may get allotments and must make reports.* If a person registers as a master collector under this section, he is entitled to receive allotments under Section 26.3, in the same way as a renderer. The number of points owed to him for salvage fats he transferred and the number of points he has on hand and in his ration bank account at the time he registers as a master collector shall be deducted from the amount of any certificate issued to him when he registers. However, if he owes points for salvage fats acquired by him, the amount of the certificate issued shall be increased by the number of points he owes. He must also make the reports, keep the records and open the ration bank accounts referred to in sections 26.4, 26.5 and 26.9 (a), in the same way as a renderer. He must file the reports at the office with which he is registered.

3. Section 26.11 (b) (3) (ii) is amended by adding at the end thereof the following:

However, if he acquired less than 100 pounds from a person during an entire month, he may issue to that person a household salvage fats ration check for the number of points due.

4. The last sentence of section 26.3 (c) is amended by substituting the words "on hand and in his ration bank account" for the words "remaining from prior allotments for household salvage fats".

This amendment shall become effective June 30, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9302; Filed, June 26, 1944; 11:45 a. m.]

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[1] 8 F.R. 16834, 16839, 17372.

*Copies may be obtained from the Office of Price Administration.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard; Department of the Navy

PART 10—AIR RAID AND BLACKOUT REGULATIONS FOR VESSELS, HARBORS, PORTS, AND WATERFRONT FACILITIES

WESTERN DEFENSE COMMAND, WASHINGTON, OREGON AND CALIFORNIA

Pursuant to Executive Order No. 9074 (7 F.R. 1587) and in accordance with the provisions of Public Law 127, 78th Congress, approved July 9, 1943, there are hereby promulgated the following air raid and blackout regulations for the protection and security of vessels, harbors, ports, and waterfront facilities.

Sec.
10.21 Effective date.
10.22 Area in which regulations apply.
10.23 Responsibility for execution of regulations.
10.24 Air raid warning signal.
10.25 Duties on red signal.
10.26 General rules for all vessels.
10.27 Special rules for vessels under way.
10.28 Special rules for vessels at anchor.
10.29 Special rules for vessels moored to piers or docks.
10.30 General rules for piers and docks.
10.31 Rules for piers and docks on red signal.
10.32 Penalty for violation of regulations.

AUTHORITY: §§ 10.21 to 10.32, inclusive, issued under E.O. 9074, 7 F.R. 1587; Pub. Law 127, 78th Cong.

§ 10.21 *Effective date.* The regulations contained in §§ 10.21 to 10.32, inclusive, of this part shall be effective 30 days after their publication in the FEDERAL REGISTER.

§ 10.22 *Area in which regulations apply.* The regulations contained in §§ 10.21 to 10.32, inclusive, of this part shall apply to all vessels, harbors, ports, and waterfront facilities, including those located on the inland navigable waters of the United States as well as those on the sea coasts, located within that portion of the Western Defense Command within the States of Washington, Oregon and California.

§ 10.23 *Responsibility for execution of regulations.* The responsibility for the execution of the regulations contained in §§ 10.21 to 10.32, inclusive, of this part shall rest upon the master or senior officer present on board a vessel, and the operator of a waterfront facility. During the time an air raid warning alarm is in effect, the master or senior officer present on board a vessel shall comply immediately with all special instructions or orders issued by officers of the Army, Navy, or Coast Guard.

§ 10.24 *Air raid signals.* The air raid warning signals and the all clear signals shall be the signals prescribed by the responsible authorities of the States of Washington, Oregon, and California, and issued to civilian defense warning centers by the IV Fighter Command and such modifications as may hereafter be prescribed by the responsible authorities of the said States. The signals at this time are as follows:

(a) Yellow and blue warnings. The "yellow" warning and the "blue" warning are confidential preliminary caution warnings issued to civilian district warning centers by the IV Fighter Command. The yellow warning indicates the possibility of enemy attack in a specified area. The blue warning indicates the probability of enemy attact in a specified area. No public notice or alarm shall be given in respect to either the yellow or blue warnings, but these warnings shall be transmitted by civilian defense authorities to such persons as they deem necessary to insure proper preparation and precautions for defense.

(b) Air raid (red) warning shall mean a public notice or signal, conforming with the law applicable to the particular locality, requiring compliance with regulations governing precautions against possible enemy attack, either actual or assumed, within a specified area. Said public notice or signal shall be an audible signal of approximately two minutes duration, made by siren, whistle, horn or other audible device, consisting of a fluctuating or warbling sound of varying pitch or a succession of intermittent blasts of approximately five seconds duration separated by a succession of silent periods of approximately three seconds duration, arranged (so far as practicable) so as to be audible within all parts of the area of air raid alarm; but in any area where it is impracticable to use the form of signal specified herein, a different form of signal may be used in such areas and in such form as may be specified and permitted by or under the authority of the Governor (or the State Director of Civilian Defense of the State Defense Council).

(c) All clear signal shall mean a public notice or signal, conforming with the law applicable to the particular locality, indicating the termination of the requirement of compliance with regulations governing precautions against possible enemy attack, either actual or assumed, within a specified area. Said notice or signal shall be a continuous audible signal of approximately two minutes duration at a steady pitch, made by siren, whistle, horn or other audible device, arranged (so far as practicable) so as to be audible within all parts of the area to be affected thereby; but in any area where it is impracticable to use the form of signal specified herein, a different form of signal may be used in such areas and in such form as may be used in such areas and in such form as may be specified and permitted by or under the authority of the Governor (or the State Director of Civilian Defense of the State Defense Council).

§ 10.25 *Duties on red signal.* Except as otherwise specifically provided, the following regulations contained in §§ 10.26 to 10.32, inclusive, shall be observed upon the sounding of the air raid (red) signal and at all times that the air raid (red) signal is in effect.

§ 10.26 *General rules for all vessels.* Upon the sounding of the air raid (red) signal all vessels, whether under way, anchored, or moored, shall comply with Rules 1 to 14, inclusive, and all vessels in dry-dock shall comply with Rule 15, all as follows:

Rule 1. All bulkheads, watertight doors, ports, and side ports shall be secured to insure the watertight integrity of the vessel.

Rule 2. All vessels shall immediately blackout ship, except for navigation lights if underway and anchor lights if anchored. Anchor lights shall be shielded in such manner as to cut off the light at an angle not to exceed 15° above the horisontal. Navigation lights shall be dimmed so as to reduce visibility during air raids and blackouts to the minimum commensurate with safe operation, but not less than one mile.

Rule 3. Smoking, striking matches, using lighters, or otherwise showing unshielded lights shall not be permitted.

Rule 4. All possible precautions shall be taken to prevent smoke or exhaust vapor from being observed from above.

Rule 5. Crew members shall take predetermined posts. Fire stations shall be manned, hoses stretched, fire extinguishers and sand made available for immediate use and suittable personnel statfoned at all fire protection points.

Rule 6. A sufficient number of crew members shall be on board to handle fire fighting equipment and to move the vessel if this becomes necessary.

Rule 7. The crew, passengers, and any shore personnel on board the vessel shall be warned, by the sounding of the general alarm, or in other appropriate manner.

Rule 8. Life-boats shall be rigged overside, and all persons aboard shall don lifebelts and refrain from unnecessarily moving about the ship. This rule shall not apply to ferry boats or tugs, but on such vessels every reasonable precaution shall be taken.

Rule 9. No vessel shall anchor in any position which may obstruct the channel or any aids to navigation. Wherever possible, channels and fairways shall be kept clear of anchored vessels.

Rule 10. Wherever possible, vessels shall anchor at a distance of not less than 100 yards from the nearest vessel. Effort shall be made to avoid congestion at any anchorage. Sufficient space must be allowed to permit each vessel to swing free and clear from other anchored vessels with changes in the tide.

Rule 11. Except in cases of emergency, or where specially authorized to do so by Army, Navy, or Coast Guard Officers, no vessel shall get under way until the all clear (white) signal has been sounded.

Rule 12. Any vessel which requires immediate assistance because of air raid damage shall use the following signals:

By day. (a) International code signal "NC."

(b) Five short blasts of the ship's whistle at 30 second intervals: The ship's siren shall not be used.

By night. (a) International code signal "MC" by Morse lights.

(b) Five short blasts of the ship's whistle at 30 second intervals: The ship's siren shall not be used.

Rule 13. Vessels permitted to proceed shall do so at a reasonable speed, keeping closely to the right of the channel and maintaining a good lookout to insure against colliding with unlighted vessels. Whistles and other sound signals shall not be given unless necessary in cases of emergency to avoid collision.

Rule 14. The anti-aircraft gun crew shall be ready to go into action as directed by military authorities.

Rule 15. Vessels in dry-dock shall blackout completely, and all fire stations thereon shall be manned.

§ 10.27 *Special rules for vessels under way.* Upon the sounding of air raid (red) signal, vessels under way shall comply with the following Rules 16 to 24, inclusive:

Rule 16. Vessels proceeding in the channel shall swing to the right, stop, and come to anchor, if this is feasible. If possible, vessels shall anchor clear of the channel and clear of all aids to navigation.

Rule 17. Vessels proceeding in bays, sounds, or lakes shall stop and come to anchor to the right of the course the vessel was steering. If possible, vessels shall anchor clear of any moored vessels and all aids to navigation. If anchoring is not feasible, such vessels shall reduce speed in order to prevent a lengthy discernible wake being observed by attacking planes, and shall steer a zig-zag course if possible.

Rule 18. Vessels proceeding in a river or harbor in which anchoring is not feasible shall moor to the bank or to the nearest wharf. If such mooring is not feasible, they shall continue on their course at reduced speed.

Rule 19. In lieu of observing Rules 16, 17, or 18, ferryboats may proceed to their nearest slip at reduced speed if the same can be reached within 15 minutes.

Rule 20. In lieu of observing Rules 16, 17, or 18, tugs without tows shall proceed to the nearest suitable berth or may tie up to any anchored vessel or to any wharf, pier, or dock proceeding always to the right of the channel or their course, if feasible.

Rule 21. In lieu of observing Rules 16, 17, or 18, tugs with tows shall come to anchor to the right of and outside the channel or fairway is feasible. If anchoring is not feasible, such tugs and tows shall proceed at steering speed until such time as they reach a position which will permit them to anchor.

Rule 22. Vessels of all types approaching the entrance to harbors, bays, sounds, and lakes during the time an air raid (red) signal is in effect shall maneuver clear of such entrance and proceed in a direction away from the channel.

Rule 23. In addition to the requirements of Rule 2, the visibility of navigation lights shall be reduced to insure their not being seen horizontally from a distance of over one mile.

Rule 24. While blacked out no vessel shall overtake or pass any other vessel proceeding in the same direction, except in an emergency.

§ 10.28 *Special rules for vessels at anchor.* Upon the sounding of the air raid (red) signal, vessels at anchor shall comply with the following Rules 25 to 27, inclusive:

Rule 25. Anchored vessels shall immediately blackout as provided by Rule 3, except that dimmed and shielded anchor lights shall be maintained.

Rule 26. All loading or discharging activities shall cease immediately. Longshoremen working on a lighter at such vessel shall board the vessel.

Rule 27. Sufficient steam shall be maintained to enable the ship to be moved whenever necessary. Steam shall also be maintained for the operation of windlass, steering engine, and steam fire smothering lines.

§ 10.29 *Special rules for vessels moored to piers or docks.* Upon the sounding of the air raid (red) signal, vessels moored to piers or docks shall comply with the following Rules 28 to 33, inclusive:

Rule 28. All cargo handling shall cease. Vessels moored to piers or docks shall be made fast in such manner that mooring lines may quickly let go, if necessary.

Rule 29. Sufficient steam shall be maintained in the boilers to maneuver the vessel as required. If steam cannot be maintained, lines of sufficient strength shall be stretched to the shore and to the outer end of the wharf so that the vessel may be warped from her berth if required. If steam is not required for immediate use, dock and steam lines shall be closed with the exception of windlass, capstans, steering engine, and steam fire smothering lines.

Rule 30. The ship's officers and crew aboard shall cooperate with the air raid warden organizations on the pier or dock.

Rule 31. The hatch foreman shall:

(a) Arrange to cover open hatches after directing all men below decks to leave the hold to proceed to the head of the pier or dock, and shall with the assistance of the dockman, check the evacuation of these men.

(b) Notify the head foreman or assistant foreman of the evacuation of his men.

(c) See that accessibility to hatch ladders is maintained; when ladders are blocked off by cargo, two approved type portable ladders shall be provided.

Rule 32. The dockman, with the assistance of the hatch foreman, shall see that any cargo already lifted is landed; that the apron is clear; and that the winch levers are in neutral with power turned off.

Rule 33. The head foreman or assistant foreman shall station himself at the head of a gangplank or other predetermined post and see that all longshoremen are checked off, and shall as quickly as possible notify the ship's officer on watch of such evacuation.

§ 10.30 *General rules for piers and docks.* Operators of piers and docks shall comply immediately with the following Rules 34 to 36, inclusive:

Rule 34. All operators of piers and docks shall appoint a chief air raid warden for each pier or dock, or group of piers and docks, who shall be a person employed thereon in a supervisory capacity. The chief air raid warden of the pier or dock and other persons regularly employed on a pier or dock shall be designated to act as air raid wardens by the operator and shall be trained pursuant to the procedure used by civilian defense authorities within their local area. These air raid warden organizations shall cooperate and coordinate their activities with the air raid warden organizations of such longshoremen groups as may be employed on the pier or dock as well as with any local air raid warden organizations, and shall act in cooperation with and under the direction of the local air raid warden service. Air raid wardens may become members of the United States Citizens Defense Corps.

Rule 35. The chief air raid warden of the pier or dock shall (a) Assign specific duties and posts to each person acting as an air raid warden on the pier or dock.

(b) Hold drills at reasonable intervals.

(c) See that windows, skylights, doorways, and openings are provided with blackout material that will completely prevent any light from showing outside the pier or dock.

(d) Arrange the location of equipment upon the facility in such manner as will permit fire apparatus to enter freely if required.

(e) Communicate with the Captain of the Port to arrange the mooring of vessels in such manner as will permit floating fire fighting equipment to have access thereto if required.

Rule 36. The head foreman or assistant head foreman of the longshoremen on a pier or dock shall be the chief air raid warden of his personnel, shall be trained as an air raid warden, and shall in turn be responsible for the training of his longshoremen as air raid wardens. Such longshoremen air raid organizations shall cooperate with and coordinate their activities with the pier or dock organizations and local organizations.

§ 10.31 *Rules for piers and docks on red signal.* The following Rules 37 to 39, inclusive, shall be complied with at all piers and docks immediately upon the sounding of the air raid (red) signal:

Rule 37. (a) Air raid wardens and the full force of guards on the pier or dock shall immediately take up their predetermined posts covering the roof, sides, entrances and exits to the pier or dock.

(b) Drivers of vehicles on the pier or dock and their helpers shall assemble with the air raid wardens for such assignment as may be deemed advisable.

(c) The pier or dock shall be blacked out, after notifying the master or senior officer of any vessel moored thereat, and the contracting stevedores. (Upon the blue signal, notice should be given of intention to blackout.)

(d) It shall be the duty of the chief air raid warden for the pier or dock to supervise compliance with the foregoing provisions of this rule and to report any noncompliance to the operator of the pier or dock.

Rule 38. (a) All persons on the pier or dock not specifically assigned to duty shall proceed at once to designated shelter areas.

(b) Aisle space and accessibility to all fire extinguishing equipment and fire apparatus shall be maintained.

(c) It shall be the duty of air raid wardens to supervise compliance with the foregoing provisions of this rule and to report violations to the chief air raid warden. They shall also:

(d) Give warnings when lights are showing.

(e) Use their flashlights only in accordance with prevailing blackout regulations.

(f) Report falling bombs, fires, and presence of gas to predetermined control centers.

Rule 39. (a) All stevedoring gear shall be removed from the apron, center aisle, and side aisle; and all doors (except those opposite the gangplank) shall be closed.

(b) Longshoremen handling cargo on the pier or dock shall assemble immediately for such assignment as may be deemed advisable by the chief air raid warden.

(c) The chief air raid warden of the longshoremen shall make a check-up of his men at the head of the pier or dock.

(d) Tractor and other vehicle drivers shall pull their loads and stevedoring equipment to the side aisles, or to the head of the pier or dock, turn off their motors and lights, and assist the air raid wardens in such manner as is deemed advisable by the chief air raid warden.

(e) It shall be the duty of the chief air raid warden of the longshoremen group to supervise compliance with the foregoing provisions of this rule and to report violations to the chief air raid warden of the facility.

§ 10.32 *Penalty for violation of regulations.* Whoever willfully shall violate any of the provisions of the regulations contained in §§ 10.21 to 10.31 of this part shall be guilty of a misdemeanor and upon conviction thereof shall be liable to a fine of not to exceed $5000 or to imprisonment for not more than one year, or both, in accordance with the provisions of Public Law 127, 78th Congress, approved July 9, 1943.

Dated: June 23, 1944.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard, Commandant.

Approved:

JAMES FORRESTAL,
Secretary of the Navy.

[F. R. Doc. 44-9266; Filed, June 26, 1944; 10:12 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 17—FINANCE

DISPOSITION OF VETERAN'S PERSONAL EFFECTS AND FUNDS ON STATION UPON DEATH, OR DISCHARGE, OR UNAUTHORIZED ABSENCE AND OF EFFECTS AND FUNDS FOUND ON STATION

§ 17.4803 *Survey and inventory upon death or absence without leave.* (a) Immediately upon the death or the absence without leave of any beneficiary in a facility, as defined in § 17.4800 (b) a survey and inventory of the funds and effects of such beneficiary will be taken in the following manner:

(1) If the death or absence without leave occurred during hospitalization, a complete, careful survey and inventory (Form 2687, Inventory Report of Personally-owned Effects of Beneficiary) will be made by the physician in charge of ward, officer of the day, senior head attendant, or attendant in charge on ward, and the supply officer, deputy supply officer, clothing storekeeper or general storekeeper of all the personal effects (including those in the custody of the supply officer, jewelry being worn by the deceased person, or jewelry and other effects in pockets of clothing he may have been wearing), and all funds found and moneys on deposit in "Personal Funds of Patients."

(2) If the death or absence without leave occurred while the beneficiary was assigned to barracks, or while receiving hospitalization and at time of death or absence without leave any effects are in the barracks, a like survey and inventory will be made by the domiciliary officer, assistant domiciliary officer, company commander or company sergeant and the supply officer, deputy supply officer, clothing storekeeper or general storekeeper. (June 27, 1944.) (48 Stat. 9; 38 U. S. C. 707)

No change in paragraphs (a) (3), (4), (5), (6) or (b).

[SEAL] FRANK T. HINES,
Administrator.

[F. R. Doc. 44-9295; Filed, June 26, 1944; 11:18 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—United States Public Health Service, Federal Security Agency

PART 28—PAYMENTS TO PROVIDE TRAINING FOR NURSES

REQUIREMENTS FOR PARTICIPATION IN POSTGRADUATE PROGRAM

Pursuant to the authority contained in Public Law 74, 78th Congress, approved June 15, 1943, as amended by Public Law 248, 78th Congress, approved March 4, 1944, providing for the training of nurses for the armed forces, governmental and civilian hospitals, health agencies and war industries, through grants to institutions providing such training, and for other purposes, and after conference with the Advisory Committee appointed by the Federal Security Administrator to represent the nursing profession, hospitals, and accredited nurses training institutions; § 28.4 (8 F.R. 9423) of the regulations of the Surgeon General, United States Public Health Service, governing payments to provide training for nurses is hereby amended to read as follows:

§ 28.4 *Requirements for participation in postgraduate program.* To be eligible for participation in the postgraduate program, an institution must meet the following requirements:

(a) An institution offering a postgraduate program such as those in supervision, teaching, administration in nursing schools and nursing services, public health nursing and clinical nursing specialties, must have well established programs in nursing education for graduate nurses which meet standards equal to those of the Association of Collegiate Schools of Nursing and the National League of Nursing Education or the National Organization for Public Health Nursing relating to matters such as educational staff, curriculum and educational facilities.

(b) Institutions offering programs for graduate nurses in fields related to nursing, such as anesthesia and midwifery, must provide adequate clinical and other facilities in the specialty and a sufficient number of qualified instructors and supervisors.

(c) An institution offering essential concentrated nursing courses contributing to the preparation of administrative, supervisory, or instructional nurse personnel immediately essential to the war effort, which courses are not a part of a well established program of studies in nurse education, must give evidence of need for the course, must have the sponsorship of appropriate national, state or local nursing organizations, including State nurse examination boards, and must provide adequate facilities in relation to such matters as qualified educational staff, course content, and educational facilities.

(d) The institution must certify that all students enrolled in a postgraduate program will in the judgment of the head of the institution be available, upon completion of the program, for military or other Federal governmental or essential civilian services for the duration of the present war, and must require from each such student a statement to that effect.

[SEAL] THOMAS PARRAN,
Surgeon General, Public Health Service.

Approved:

WATSON B. MILLER,
Acting Federal Security Administrator.

[F. R. Doc. 44-9296; Filed, June 26, 1944; 10:49 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circular 1577]

PART 195—SODIUM PERMITS AND LEASES

NOTICE OF LEASE OFFER

Sections 195.17, 195.18 and 195.20, are amended to read as follows:

§ 195.17 *Notice of lease offer.* The register of the appropriate district land office will be directed to publish notice of the offer of the lands or deposits for lease for a period of 30 days in a newspaper of general circulation to be designated by the Commissioner of the General Land Office in the county in which the lands or deposits are situated. Such notice shall state the place where and the date and the hour on which bids will be received, and shall describe the land, the amount of royalty and rental to be charged, the minimum investment required, and whether the sale of lease will be made by sealed bids or public auction at the time fixed to the qualified bidder offering the highest bonus for the privilege of leasing the lands or deposits on the terms therein set forth. A copy of the notice will also be posted in the district land office during the period of publication thereof. Publication of the offer will be at the expense of the Government.

All bidders at any public sale of leases are warned against committing any act by intimidation, combination, or unfair management, to hinder or prevent bidding thereat, in violation of section 59 of the Criminal Code of the United States, approved March 4, 1909 (35 Stat. 1099; 18 U.S.C. 113).

§ 195.18 *Auction of lease.* Where the lease is to be sold at public auction the register, at the time fixed in the notice, will offer the land or deposits for lease in that manner at his office on the terms and conditions fixed in the notice to the qualified bidder of the highest amount offered as a bonus for the privilege of leasing the land, subject to the approval of the Secretary of the Interior. The high bidder must deposit with the register on the day of sale a certified check or cash, for one-fifth of the amount of his bid, such sum to be deposited by the register in his account "Deposits, unearned proceeds, lands, etc."

§ 195.20 *Action by bidder.* The high bidder will be allowed 30 days from date of auction or where sealed bids have been submitted, 30 days from receipt of notice that his bid has been accepted within which to file in the district land office (a) a lease, duly executed by him in quintuplicate in the form herein prescribed; (b) evidence of qualifications as prescribed by § 195.24, unless such evidence has theretofore been filed; (c) the bond required by section 2 (b) of the lease, or United States bonds in lieu thereof under the Act of February 24, 1919 (40 Stat. 1148; 6 U.S.C. 15); and to pay the remainder of the bonus bid by him and the annual rental for the first year of the

lease, together with the required filing fee of $2, for each 160 acres of land, or fraction thereof, but in no case less than $10.

FRED W. JOHNSON,
Commissioner.

Approved: June 13, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-9272; Filed, June 26, 1944; 10:12 a. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

PART 304—LABOR

[G. O. 5, Rev. Supp. 2, Amdt. 1]

EMPLOYMENT OF FOREIGN NATIONALS ON WSA VESSELS

Section 304.8 *Restriction of employment of certain foreign nationals on American, Panamanian and Honduran flag vessels owned by or under bareboat or time charter to the War Shipping Administration* is amended by inserting after the comma at the end of paragraph (c) and before the word "except", the word "or" and the following paragraph:

(d) Any Danish national who was not so employed on July 1, 1944, or had not been so employed prior thereto.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

JUNE 23, 1944.

[F. R. Doc. 44-9217; Filed, June 24, 1944; 11:28 a. m.]

[G. O. 45]

PART 306—GENERAL AGENTS AND AGENTS

FREIGHT BROKERAGE AND COMMISSIONS ON FARES

§ 306.121 *Freight brokerage during the period January 1, 1944 to June 30, 1944.* For the period commencing January 1, 1944 to and including June 30, 1944, freight brokerage shall be payable in the manner and to the extent provided in § 306.92 of General Order 34 or in accordance with the provisions of § 306.123 of this general order, and brokers shall have the option of billing for brokerage services rendered during such period either under the provisions of § 306.92 or under the provisions of § 306.123.

§ 306.122 *Freight brokerage and commissions on fares, on and after July 1, 1944*—(a) *Freight brokerage.* Freight brokerage services rendered on and after July 1, 1944, shall be governed by, and brokerage shall be payable in the manner and to the extent provided in § 306.123 only. Effective as of July 1, 1944, § 306.92 of General Order 34 is cancelled as to services rendered on and after that date, but it shall remain in effect for the period January 1, 1944, to and including June 30, 1944, for the purposes of § 306.121.

(b) *Commissions on fares.* Effective July 1, 1944, § 306.93 of General Order 34 is cancelled and superseded by § 306.124 of this general order, but said § 306.93 shall remain in effect for the period January 1, 1944, to and including June 30, 1944.

§ 306.123 *Freight brokerage.* Subject to the provisions of §§ 306.121 and 306.122 (a), where the payment of brokerage is customary under ordinary commercial practice as defined in paragraph (b) of this section, and where the bill for brokerage is certified as provided in paragraph (d) of this section, brokerage will be paid to qualified brokers who render the usual and customary brokerage services in connection with the shipment of cargo on dry cargo, passenger, and collier vessels under the terms and conditions set forth in paragraphs (a) to (e), inclusive, of this section.

(a) *Rates.* Brokerage will be paid at the customary rates, but not in excess of the rates provided in this paragraph (a). No brokerage will be paid on cargoes procured under Lend-Lease requisitions moving from continental United States ports, except as provided in §§ 301.51 to 301.57, inclusive (General Order 38).

(1) General commercial cargo, commonly known as package cargo:

(i) For services rendered during the period January 1, 1944, to and including June 30, 1944: 1¼% of the base freight rates before all surcharges, war or otherwise;

(ii) For services rendered on and after July 1, 1944; 1¼% of the current freight rates.

(2) Sugar, metals, ores and bulk cargoes (including cargo owned by any department or agency of the Government, for the transportation of which a freight is paid) covered by bills of lading, charter party, or contract of affreightment, in the nearby trades, which includes Caribbean and Canadian: 1¼% of the base freight charges before all surcharges, war or otherwise; *Provided, however,* That brokerage shall not be paid on that portion of freight charges in excess of $5.00 per manifest ton;

(3) Sugar, metals, ores, and bulk cargoes (including cargo owned by any department or agency of the Government, for the transportation of which a freight is paid) covered by bills of lading, charter party, or contract of affreightment, in long voyage trades, or in spheres outside of those covered by paragraph (a) (2): 1¼% of the base freight before all surcharges, war or otherwise: *Provided, however,* That brokerage shall not be paid on that portion of freight charges in excess of $8.00 per manifest ton.

(4) Bulk cargoes coastwise (including cargo owned by any department or agency of the Government, for the transportation of which a freight is paid) covered by bills of lading, charter party, or contract of affreightment: 1¼% of the base freight before all surcharges, war or otherwise: *Provided, however,* That brokerage shall not be paid on that portion of freight charges in excess of 80¢ per manifest ton on coal and $3.00 per manifest ton on phosphate rock, sulphur and other bulk cargoes except coal.

(b) *Ordinary commercial practice.* The term "ordinary commercial practice" as used in this order shall be defined and applied as follows:

(1) In the case of bona fide forwarders performing a dual forwarding and brokerage function it shall refer to the commercial practice of the recognized berth agent of the War Shipping Administration with respect to the payment of brokerage in connection with the movement of such cargoes by forwarders during the calendar year 1939. In such cases brokerage shall not be paid unless it was the commercial practice of the berth operator to pay brokerage to forwarders in the trade route in 1939 for similar cargoes.

(2) In case of brokers who do not also perform a forwarding service in connection with the cargo, the term "ordinary commercial practice" shall refer to the commercial practice of the particular trade involved during the calendar year 1939, or a prior year as provided below, and no commercial practice justifying payment of brokerage in such cases shall be deemed to exist unless the particular shipper, charterer, or consignee involved used the facilities of brokers on the predominant portion of cargo shipped by him in 1939 or in a prior year in which he made substantial shipments, if there were no substantial shipments made by him in 1939. A shipper, charterer, or consignee who was not engaged in business in 1939 or prior years must obtain the approval of the Director of Traffic, War Shipping Administration, before utilizing the facilities of a broker.

(c) *Qualified broker.* A "qualified broker" is one who conducts a bona fide brokerage business, and meets the requirements of paragraph (b). No broker shall be qualified as to:

(1) Any cargo shipped by or to him or in his behalf, unless the shipping documents clearly identify him as an agent of a named principal;

(2) Any cargo in which he has a financial interest other than as authorized herein;

(3) Any cargo shipped by or to or on behalf of any person, firm, or corporation which bears an affiliate relationship to such broker either as subsidiary, parent, or through any other means of actual or possible control, directly or indirectly;

(4) Any cargo carried on any vessel for which the agent or sub-agent of the War Shipping Administration is also the broker or bears an affiliate relationship to the broker, as defined in paragraph (c) (3) of this section.

(5) Any cargo shipped by a shipper, charterer, or consignee for whom the broker did not act as broker for similar cargoes during 1939, or a prior year, or is not approved by the Director of Traffic as provided in paragraph (b) (2).

(6) Any situation where the brokerage relationship in 1939 was based upon brokerage earned in connection with procuring time chartered vessels for utilization by shipper except where specially qualified by the Administrator as a broker by reason of such relationship.

(d) *Brokerage certificate.* Brokerage fees as provided in paragraph (a) of this section may be paid only where a brokerage bill is presented, certified as follows:

Certified and warranted (1) that the undersigned (a) has rendered the usual and customary brokerage services in connection with the shipments covered by this bill, (b) has not been compensated for the brokerage services from any other source, (c) is a qualified and bona fide broker within the meaning of § 306.123 of General Order 45 of the War Shipping Administration, and (d) the amounts billed are true and correct and are due and payable to him pursuant to said § 306.123; and (2) that no portion of any amount paid hereunder shall revert directly or indirectly to any person having or having had a financial interest in this shipment; and (3) that the broker does not have an affiliate relationship, which includes but is not limited to relationship as a subsidiary or parent company, with either the shipper or the consignee; or with either the Agent, General Agent, or Berth Agent for the vessel; and (4) that the above brokerage services are rendered pursuant to an agreement which is subject to and includes all applicable clauses set out in § 306.112 of General Order 42, adopted by the War Shipping Administration on April 17, 1944 (published in the FEDERAL REGISTER on April 18, 1944), all such clauses, to the extent that the same are applicable, being expressly incorporated by this reference, and shall have the same force and effect as if herein fully set forth. This warranty is made in full knowledge that the United States, or its General Agents, Agents, or Berth Agents, will make payment in reliance thereon.

(e) *Payment.* The General Agent, Agent, or Berth Agent acting for the War Shipping Administration shall make payment against brokerage bills so certified if the payment of brokerage is consistent with customary commercial practice as defined in paragraph (b), but in no event shall more than one brokerage be paid on any one cargo or shipment.

§ 306.124 *Commissions on fares.* General Agents, Agents, and Berth Agents are authorized to pay in all trades to bona fide travel or tourist agents a commission of 5% on fares paid by or for passengers traveling for private or commercial account. No commission shall be allowed on fares paid by or for repatriated seamen traveling as passengers.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

JUNE 23, 1944.

[F. R. Doc. 44-9218; Filed, June 24, 1944; 11:28 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 7—RULES GOVERNING COASTAL AND MARINE RELAY SERVICES

COASTAL HARBOR RADIOTELEPHONE STATIONS IN GREAT LAKES AREA

The Commission on June 20, 1944 took the following action, effective July 1, 1944:

Amended § 7.34 to read:

§ 7.34 *Identification of radiotelephone station.* The name (geographical location as approved by the Commission) of a coastal harbor station shall be announced upon the completion of each communication with any other station and at the conclusion of each transmission made for any other purpose.

Amended paragraphs (b) and (c) of § 7.38 *Operating procedure for coastal harbor radiotelephone stations in the Great Lakes area only,* to read:

(b) Each coastal harbor station licensed to transmit on one or more frequencies within the band 2500–2600 kilocycles shall maintain, during its hours of service, an efficient [a] watch for the reception of A–3 emission (telephony) on the frequency 2182 kilocycles. In addition, a coastal harbor station may maintain, continuously during its hours of service, a supplemental watch on 2158 kilocycles to receive calls from ship stations in accordance with the provisions of § 7.38 (c) of this port.

(c) Except as hereinafter provided,[b] each coastal harbor station shall initially call or answer ship stations on the frequency 2182 kilocycles whenever it is desired to establish communication on any working frequency or frequencies within the band 1600–3000 kilocycles. When a coastal harbor station and a ship station have established communication on the frequency 2182 kilocycles, the coastal harbor station thereafter shall direct the ship station when to begin transmission on the working frequency, with due regard to the avoidance of interference with any communication already in progress. Without regard to the foregoing limitation, a coastal harbor station may initially call, on a working frequency within the band 1600–3000 kilocycles, ship stations of the United States whenever type A–2 or special emission is used by the coastal harbor station in transmitting the call for the purpose of actuating an automatic selective ringer installed on board the ship being called; and when specifically authorized [c] by the Commission to do so, may answer on 2550 kilocycles calls initiated by ship stations on 2158 kilocycles: *Provided,* That the foregoing requirements shall in no way limit or delay the handling of distress or emergency communications.

[a] This watch will not be deemed "efficient" unless the coastal station is capable of normally receiving A–3 emission on 2182 kilocycles from ship stations while the coastal station is transmitting on any other authorized frequency or frequencies.

[b] See also § 8.54 (e).

[c] Request made to the Commission for such authorization must be accompanied by a detailed description of the technical means employed to maintain simultaneously an efficient watch for the reception of A–3 emission (telephony) on both 2182 and 2158 kilocycles. For this purpose the watch on either of these frequencies will not be deemed "efficient" unless the coastal station is capable of normally receiving A–3 emission from ship stations while the coastal station is transmitting on any other authorized frequency or frequencies; for example, the coastal station must be capable of normal reception on 2158 kilocycles while normally transmitting on 2182 kilocycles.

(Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-9219; Filed, June 24, 1944; 11:34 a. m.]

PART 8—RULES GOVERNING SHIP SERVICE

SHIP RADIOTELEPHONE STATIONS IN GREAT LAKES AREA

The Commission on June 20, 1944, took the following action, effective July 1, 1944:

Amended paragraph (a) of § 8.51 *Identification of ship station,* to read:

(a) The complete name of the vessel on which the ship station is located shall be announced at the beginning and upon completion of any radiotelephone communication carried on by such station.

Amended paragraphs (b) and (e) of § 8.54 *Operating procedure for ship radiotelephone stations in the Great Lakes area only,* to read:

(b) Each ship telephone station licensed to transmit on one or more frequencies within the band 2100–2200 kilocycles or 2734–2742 kilocycles shall maintain, during its hours of service, an efficient watch for the reception of A–3 emission (telephony) on the frequency 2182 kilocycles whenever it is not engaged in communication on other frequencies.

(e)[a] Whenever a ship station intends to communicate with a coastal harbor station by transmitting on any working frequency within the band 2100–2200 kilocycles, the ship station shall initially call or answer the coastal harbor station on the frequency 2182 kilocycles. Except as hereinafter provided, the ship station may transmit on 2118 or 2158 kilocycles only when directed to do so by the coastal harbor station. Without regard to the foregoing limitation, a ship station may initially call [b] on the frequency 2158 kilocycles a coastal harbor station in the United States which has been authorized [c] by the Commission to answer calls from ship stations transmitted initially on 2158 kilocycles. Calling any one station on 2158 kilocycles shall not exceed one minute in duration. If the called station has not answered at the end of the one-minute period, that station shall not again be called until at least 15 minutes have elapsed. The foregoing requirements shall in no way limit or delay the handling of distress or emergency communications.

Amended § 8.222 *Radio log during hours of service,* paragraph (d), subparagraphs (1), (2), (3), and (4), to read:

(1) Each sheet of the log shall be numbered in sequence and shall include official call letters of the ship station and the signature of the licensed operator in

[a] See also § 7.38 (c).

[b] See § 8.52.

[c] The Commission will notify ship station licensees of authorizations which are issued to coastal harbor stations for this purpose.

attendance at the time communication is effected.

(2) An entry shall be made for each complete exchange of communications with any station, stating the approximate geographical location of the vessel, the call letters or the name of the station communicated with, the time of the communication, the nature of the messages or signals exchanged, and designation of the transmitting frequencies.

(3) All test transmissions shall be entered, including designation of the transmitting frequency, together with the time of commencement and completion of such transmissions and the approximate geographical location of the vessel, without regard to whether two-way communication with any other station is established.

(4) All distress calls, urgent and safety signals made or intercepted; the complete text, if possible, of distress messages and distress communication; and any incidents or occurrences which may appear to be of importance to safety of life or property at sea, shall be entered, together with the time of such observation of occurrence, designation of the frequency on which such transmissions were received, and the position of the ship or other mobile unit in need of assistance, if it can be determined.

(Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i))

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-9220; Filed, June 24, 1944; 11:34 a. m.]

PART 31—UNIFORM SYSTEM OF ACCOUNTS, CLASS A AND CLASS B TELEPHONE COMPANIES

MISCELLANEOUS AMENDMENTS

The Commission on June 20, 1944, took the following action, effective January 1, 1945: *Provided, however,* That any carrier which files with the Commission a waiver of statutory notice may keep its accounts and records in conformity with these amended requirements commencing at any date prior to January 1, 1945 that may be specified in such waiver.

Amended § 31.2-21 *Telephone plant acquired,* by deleting the first sentence of paragraph (e) and substituting therefore the following:

Except for telephone plant acquired by class A companies where the consideration paid is less than $50,000 and by class B companies where the consideration paid is less than $25,000, copies of journal entries recording acquisitions of telephone plant covered by this instruction shall be submitted to this Commission for consideration and approval.

Amended § 31.413 *Miscellaneous debits to surplus* by adding to the item list, as the last item thereof:

Penalties and fines paid on account of violations of statutes pertaining to regulation.

(Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i); sec. 220 (a), 48 Stat. 1078; 47 U.S.C. 220 (a))

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-9221; Filed, June 24, 1944; 11:34 a. m.]

PART 31—UNIFORM SYSTEM OF ACCOUNTS, CLASS A AND CLASS B TELEPHONE COMPANIES

PART 33—UNIFORM SYSTEM OF ACCOUNTS FOR CLASS C TELEPHONE COMPANIES

TELEPHONE ACCOUNTING BULLETIN

The Commission on June 20, 1944, effective immediately, adopted an amendment[1] to Telephone Accounting Bulletin No. 1 (7 F.R. 7257), Interpretations of the Accounting Requirements Contained in the Uniform Systems of Accounts for Telephone Companies (Classes A, B, and C).

(Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i), sec. 220, 48 Stat. 1078; 47 U.S.C. 220)

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-9222; Filed, June 24, 1944; 11:34 a. m.]

PART 33—UNIFORM SYSTEM OF ACCOUNTS FOR CLASS C TELEPHONE COMPANIES

SURPLUS INCOME

The Commission on June 20, 1944 took the following action, effective January 1, 1945; *Provided, however,* That any carrier which files with the Commission a waiver of statutory notice may keep its accounts and records in conformity with these amended requirements commencing at any date prior to January 1, 1945 that may be specified in such waiver.

Amended § 33.2900 *Surplus,* paragraph (c), to read:

(c) It shall be charged with the debit balance of income for the year, dividends declared, amortization of intangible property not provided for elsewhere, amounts appropriated to cover past accrued depreciation or amortization not provided for, decline in the value of investments, debits on the reacquisition of the company's securities, unamortized capital-stock and debt discount and expense written off, loss on plant sold together with the traffic associated therewith, reversal of amounts previously credited to surplus, penalties and fines on account of violations of statutes pertaining to regulation, and other losses realized not properly deductible from current income.

(Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i); sec. 220, 48 Stat. 1078; 47 U.S.C. 220)

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-9223; Filed, June 24, 1944; 11:34 a. m.]

[1] Filed as a part of the original document.

PART 34—UNIFORM SYSTEM OF ACCOUNTS FOR RADIOTELEGRAPH CARRIERS

EXTRAORDINARY INCOME CHARGES

The Commission on June 20, 1944, took the following action effective January 1, 1945, *Provided, however,* That any carrier which files with the Commission a waiver of statutory notice may keep its accounts and records in conformity with these amended requirements commencing at any date prior to January 1, 1945, that may be specified in such waiver.

Amended § 34.6299 *Other extraordinary income charges* by adding to the item list as the last item thereof:

Penalties and fines paid on account of violations of statutes pertaining to regulation.

(Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i); sec. 220, 48 Stat. 1078; 47 U.S.C. 220)

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-9224; Filed, June 24, 1944; 11:34 a. m.]

PART 35—UNIFORM SYSTEM OF ACCOUNTS FOR WIRE-TELEGRAPH AND OCEAN-CABLE CARRIERS

EXTRAORDINARY CURRENT INCOME CHARGES

The Commission on June 20, 1944, took the following action, effective January 1, 1945; *Provided, however,* That any carrier which files with the Commission a waiver of statutory notice may keep its accounts and records in conformity with these amended requirements commencing at any date prior to January 1, 1945, that may be specified in such waiver.

Amended § 35.6120 *Extraordinary current income charges,* by adding to the item list as the next to the last item thereof, the following:

Penalties and fines paid on account of violations of statutes pertaining to regulation.

(Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i); sec. 220, 48 Stat. 1078; 47 U.S.C. 220)

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-9225; Filed, June 24, 1944; 11:35 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 96—MILITARY PERSONNEL TRANSPORTATION PRIORITY

[S. O. 213]

TRANSPORTATION PRIORITY FOR DISABLED MILITARY, NAVAL OR MERCHANT MARINE PERSONNEL

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 20th day of June, A. D. 1944.

It appearing, That pursuant to the provisions of Executive Order 8969, as amended, and paragraph 15 of section 1 of the Interstate Commerce Act, as amended, the Director of the Office of Defense Transportation by his Certificate of Preference and Priority in Transportation No. 3 has certified to this Commission that it is essential to the national defense and security that preference and priority in transportation be afforded to invalid, disabled or infirm members of the military, naval, or merchant marine forces of the United States or of any Government allied with the United States in the present war, and their attendants, en route to or from a point of hospitalization; and the Commission being of the opinion that an emergency exists requiring immediate action: It is ordered; That:

(a) *Definitions.* (1) The term "invalid serviceman" as used in this order means any invalid, disabled, or infirm member of the military, naval, or merchant marine forces of the United States or of any Government allied with the United States in the present war.

(2) The term "attendant" as used in this order means any person designated by the military, naval, or merchant marine forces of the United States or of any Government allied with the United States in the present war, to attend one or more invalid servicemen en route to or from a point of hospitalization.

(3) The term "medical certificate" as used in this order means a medical certificate issued by an authorized medical officer of the military, naval, or merchant marine forces of the United States.

(b) *Preference and priority to be afforded invalid servicemen.* Every common carrier by railroad and every sleeping car company shall afford preference and priority in transportation over all other traffic to invalid servicemen whether transported pursuant to a medical certificate or not, and their attendants, en route to or from a point of hospitalization, and, whenever and to the extent necessary to afford such preference and priority, shall:

(1) Divert equipment and transportation facilities and supplies from use in freight or passenger service;

(2) Cancel or discontinue passenger train service; and

(3) Refuse permission to passengers, other than invalid servicemen and their attendants, to board passenger trains;

and whenever such servicemen are to be transported pursuant to a medical certificate, either individually or collectively, every such carrier and every such sleeping car company, whenever and to the extent necessary to afford such preference and priority, shall also:

(4) Cancel reservations and space assignments, or tickets therefor; and

(5) Cause and require passengers to vacate, prior to departure of a train from point of origin or at any time of the day or night thereafter, the space and accommodations occupied by them.

(c) Reservations and space assignments or tickets therefor canceled, and passengers required to vacate the space and accommodations occupied by them or passengers refused permission to board passenger trains, shall first be designated by an agent of the Interstate Commerce Commission appointed for that purpose.

(d) *Appointment of agents to direct cancelations and vacating of space and accommodations.* Each ticket agent and each passenger train conductor of a common carrier by railroad and each sleeping car conductor of a sleeping car company is hereby appointed an agent of the Interstate Commerce Commission to make the designations contemplated by paragraph (c) of this order. A sleeping car conductor shall exercise his authority as such agent only in the absence of the passenger train conductor.

(e) *Suspension provisions.* The operation of any or all rules, regulations, or practices of common carriers by railroad and sleeping car companies, in so far as they conflict with the provisions of this order is hereby suspended.

(f) *Announcement of suspension.* Each such common carrier or sleeping car company, or its agent, shall publish, file and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 38-I of the Commission's Tariff Circular No. 18-A, announcing the suspension of any of the provisions therein. (40 Stat. 101, Sec. 402, 41 Stat. 476, Sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a. m. June 27, 1944, and shall remain in force until further order of the Commission; that copies hereof shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-9241; Filed, June 24, 1944; 11:43 a. m.]

Chapter II—Office of Defense Transportation

[General Order ODT 44]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

RATIONING OF NEW COMMERCIAL MOTOR VEHICLES

General outline. This order regulates the transfer of new commercial motor vehicles within the continental United States and the territories and possessions of the United States.

The order provides that no person shall transfer or accept transfer of any new commercial motor vehicle unless such transfer has been authorized by a certificate of transfer issued by the Office of Defense Transportation. Included within the scope of the order are sales, leases, trades, loans, gifts, and other methods by which title or possession of a new commercial motor vehicle is transferred from one person to another. The definition of "new commercial motor vehicle" includes vehicles of the following types: trucks, truck chassis, truck-tractors, off-the-highway motor vehicles, full-trailers and semi-trailers having a load carrying capacity of 10,000 pounds or more, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pick-ups, but does not include taxicabs and integral type buses.

An application for a certificate of transfer is required to be in writing, on a form provided by the Office of Defense Transportation, and submitted to the district office of the Office of Defense Transportation nearest to the home office or principal place of business of the applicant. In the case of a department or agency of the United States, the application is to be submitted direct to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

Provision is made for the issuance of government exemption permits to certain named government agencies and, upon the request of the Foreign Economic Administration, to private persons for the purpose of exporting new commercial motor vehicles.

A certificate of transfer for a new commercial motor vehicle will be issued only for a specific use included within a "Usage Classification List for New Commercial Motor Vehicles" contained in an appendix to the order, and when it appears that the transfer of the new vehicle is necessary to the war effort or to the maintenance of essential civilian economy and that the vehicle will be devoted, without undue delay, to such use or uses in the business of the applicant and within the area as indicated in the application. A certificate of transfer will not be issued unless it is found to be consistent with the available supply of new commercial motor vehicles.

Manufacturers, distributors, and dealers who acquire new commercial motor vehicles for the purpose of resale and not for use, are not required to have certificates of transfer for such acquisitions, and certain named government agencies are permitted to acquire new commercial motor vehicles under government exemption permits. Special provision is made for the issuance of certificates of transfer and government exemption permits in respect of vehicles (local passenger transportation equipment) subject to General Order ODT 35. (8 F.R. 3451)

A manufacturer or sales agency which has in stock a new commercial motor vehicle of the type specified in a certificate or permit is required to transfer such vehicle upon presentation of such certificate of transfer or government exemption permit, provided certain stated conditions are met.

Notification to the Office of Defense Transportation of all transfers made pursuant to certificates of transfer or exemption permits is required.

The order also provides that a new commercial motor vehicle which has

been transferred pursuant to a certificate of transfer, for the purpose of transporting property, shall not, within 6 months after such transfer, be transferred to any other person or converted to any other use than that for which the certificate of transfer was issued, without the written prior approval of the Office of Defense Transportation. An exception to this restriction is made in favor of a transfer of possession of a vehicle for transporting property where possession under the transfer is for a period not in excess of 10 days.

Persons affected by the order are required to preserve, for a period of not less than 2 years, records concerning inventories and transfers of new commercial motor vehicles. Such records are to be made available for examination and inspection by accredited representatives of the Office of Defense Transportation.

Certificates of transfer and government exemption permits, heretofore issued by the War Production Board pursuant to General Conservation Order M-100, as amended (7 F.R. 1632, 4030, 5705), which by their terms will not expire until a date on or after the effective date of this order, are continued in effect in accordance with their respective terms.

This general outline shall not be construed to alter the meaning of any provision contained in the order.

The text of General Order ODT 44 follows:

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, 9156, 9214 and 9294, War Production Board Directives 21 and 36, and in order to conserve and providently utilize vital transportation equipment, material, and supplies; and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; and being satisfied that the fulfillment of the requirements for the defense of the United States has resulted and will result in a shortage in the supply of new commercial motor vehicles for defense, for private use and for export, and it being deemed necessary in the public interest and to promote the national defense, to ration or allocate new commercial motor vehicles, it is hereby ordered, that:

Sec.

501.420 Restrictions on transfers of new commercial motor vehicles.
501.421 Application for certificate of transfer; place of filing.
501.422 Certificate of transfer; when issued; period of validity.
501.423 Government exemption permits; exports by private persons.
501.424 Transfer from stock upon presentation of certificate or permit.
501.425 Notification or transfer.
501.426 Subsequent transfers.
501.427 Issuance of certificates and permits for vehicles subject to General Order ODT 35.
501.428 Exemptions.
501.429 Records and reports.
501.430 Unexpired certificate or permit issued by War Production Board.
501.431 Applicability.
501.432 Definitions.
501.433 Communications.

AUTHORITY: §§ 501.420 to 501.433, inclusive, issued under the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 U. S. Code, Sec. 631 through 645a; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221; War Production Board Directives 21 and 36, 8 F.R. 5834; 9 F.R. 6989.

§ 501.420 *Restrictions on transfers of new commercial motor vehicles.* Except as otherwise provided in this order and irrespective of the terms of any contract of sale or purchase, or of any other commitment, no person shall transfer and no person shall accept transfer of any new commercial motor vehicle, unless such transfer has been authorized by a certificate of transfer issued by the Office of Defense Transportation.

§ 501.421 *Application for certificate of transfer; place of filing.* (a) An application for a certificate of transfer shall be made in writing by the person desiring to acquire a new commercial motor vehicle, on the form provided by the Office of Defense Transportation and approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942, and shall contain the information requested therein. Additional data deemed requisite to support the application may be attached thereto.

(b) If the applicant is not a department or agency of the United States, the application shall be submitted to the Office of Defense Transportation at the place specified below, unless the applicant is directed to submit the application at another place:

(1) An applicant located within the continental United States shall file the application with the district manager of the Office of Defense Transportation whose office is nearest the home office or principal place of business of the applicant.

(2) An applicant located in the Territory of Alaska shall file the application with the Alaskan representative of the Office of Defense Transportation, Fairbanks, Alaska.

(3) An applicant located in the Territory of Hawaii shall file the application with the regional director of the Office of Defense Transportation, Honolulu, Hawaii.

(4) An applicant located in Puerto Rico shall file the application with the regional director of the Division of Puerto Rican Transport, Office of Defense Transportation, San Juan, Puerto Rico.

(5) An applicant located in a territory or possession of the United States other than Alaska, Hawaii or Puerto Rico, shall file the application with the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

(c) If the applicant is a department or agency of the United States, the application shall be submitted direct to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

§ 501.422 *Certificate of transfer; when issued; period of validity.* (a) A certificate of transfer will be issued by the Office of Defense Transportation whenever it appears that the transfer of the new commercial motor vehicle for a specified use included in the Usage Classification List for New Commercial Motor Vehicles, reproduced as Appendix 1 hereto, is necessary to the war effort or to the maintenance of essential civilian economy and that the new commercial motor vehicle will be devoted, without undue delay, to such use or uses in the business of the applicant and within the area as indicated in the application, and that the allocation to the applicant of the new commercial motor vehicle applied for will be consistent with the available supply of such vehicles.

(b) A period of validity shall be stated in each certificate of transfer.

§ 501.423 *Government exemption permits; exports by private persons.* (a) Upon written request of an exempt government agency, and within the specific quotas established therefor by the War Production Board and to the extent to which vehicles are available, the Office of Defense Transportation will issue government exemption permits to or for the account of such agencies. The written request should be made by the Washington, D. C., office of the exempt government agency (except in the case of the Army Exchange Service, in which case the written request should be made by the New York, N. Y., office) and submitted direct to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

(b) A government exemption permit will be issued to a private person for the purpose of exporting a new commercial motor vehicle from the United States only upon the written request of the Foreign Economic Administration. Any government exemption permit issued under this paragraph (b) shall be within the specific quota established for the Foreign Economic Administration by the War Production Board, shall designate the particular transferor, and shall be issued only when such vehicle is available within the then existing supply of new commercial motor vehicles. The provisions of this paragraph (b) shall not be applicable to vehicles exported to Canada for the account of the Motor Vehicle Controller of Canada.

(c) A period of validity shall be stated in each government exemption permit.

§ 501.424 *Transfer from stock upon presentation of certificate or permit.* Any manufacturer or sales agency to which a valid certificate of transfer or government exemption permit is presented, and which has in stock a new commercial motor vehicle of the type specified, shall transfer such vehicle to the person named in such certificate of transfer or government exemption permit, irrespective of the terms of any contract of sale or any other commitment, provided the prospective purchaser who presents either of these documents is legally capable of entering into a contract, and tenders in cash or by certified check the maximum price established for the vehicle by the Office of Price Administration, or is prepared to sign the security instruments and possesses the financial qualifications customarily required of a purchaser: *Provided,* That nothing in this § 501.424 shall be construed as precluding the transfer of a new commercial motor vehicle at less than the maximum price established for the vehicle by the Office of Price Administration.

§ 501.425 *Notification of transfer.* (a) In each case of a transfer of a new commercial motor vehicle pursuant to a certificate of transfer the transferor and the transferee shall execute a notification of transfer in the form supplied by the Office of Defense Transportation. Such notification shall be filed forthwith with the district manager who handled the application, except that if the applicant is a department or agency of the United States, such notification shall be transmitted direct to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

(b) In each case of a transfer of a new commercial motor vehicle pursuant to a government exemption permit the transferor shall execute a notification of transfer in the form supplied by the Office of Defense Transportation. Such notification shall be transmitted forthwith by the transferor to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

§ 501.426 *Subsequent transfers.* (a) A new commercial motor vehicle which has been transferred pursuant to a certificate of transfer, for the purpose of transporting property, shall not, within 6 months after such transfer, be transferred to any other person or converted to any other use than that stated in the application for such certificate of transfer, without the written prior approval of the Office of Defense Transportation. Such prior approval will not be given unless it appears that the vehicle will be devoted, without undue delay, to a use or uses directly related and necessary to the war effort or to the maintenance of essential civilian economy. Applications for such prior approval shall be in writing and submitted to the district manager with whom the original application for such certificate of transfer was filed. The written application shall be signed by the applicant and shall contain a statement of the facts upon which the applicant bases his request for approval.

(b) The restriction of paragraph (a) of this § 501.426 shall not apply to any transfer of possession of a new commercial motor vehicle (property carrier) under an agreement, oral or written, for the purpose of transporting property in the regular course of business of a person as a motor carrier for hire, or in the furtherance of any commercial enterprise of a person, where possession under such transfer shall not continue under any conditions for a period in excess of 10 days from the date upon which such transfer is first made.

§ 501.427 *Issuance of certificates and permits for vehicles subject to General Order ODT 35.* (a) Nothing in this General Order ODT 44, except paragraph (c) of this § 501.427, shall be construed as altering or affecting any provision of General Order ODT 35 (8 F.R. 3451), or as such order may be hereafter amended, revised, or reissued.

(b) Where approval by the Office of Defense Transportation of the purchase, lease, requisition, or use of any local passenger transportation equipment, as defined in General Order ODT 35, by any Federal department is required by § 501.303 of General Order ODT 35 or pursuant to the Act of December 1, 1942 (Public Law 779, 77th Congress, 56 Stat. 1024; 50 U. S. C. App. Supp., 841, 842), and a certificate of transfer or government exemption permit for any such equipment is also required pursuant to the provisions of this General Order ODT 44, a single application for approval shall be filed pursuant to the provisions of § 501.304 of General Order ODT 35 or the said Act of December 1, 1942. If such application is approved by the Office of Defense Transportation, a certificate of transfer or a government exemption permit, as the case may be, will be issued without requiring the submission of a separate application for such certificate of transfer or such government exemption permit.

(c) Where approval by the Office of Defense Transportation of the purchase, lease, requisition, or use of any local passenger transportation equipment by any contractor, as defined in General Order ODT 35, is required by § 501.303 of General Order ODT 35, and a certificate of transfer for such equipment is also required by § 501.420 of this General Order ODT 44, a single application shall be filed pursuant to the provisions of § 501.421 of this General Order ODT 44. If such application is approved by the Office of Defense Transportation, a certificate of transfer will be issued without requiring submission of the application for approval of the purchase, lease, requisition, or use of such equipment provided in General Order ODT 35.

§ 501.428 *Exemptions.* (a) Any person holding a government exemption permit may acquire by transfer a new commercial motor vehicle without a certificate of transfer.

(b) The following persons may acquire by transfer a new commercial motor vehicle without a certificate of transfer, but only for the purpose of resale and not for use:

(1) A manufacturer, distributor, or dealer;

(2) A person who in good faith lends money on the security of, or finances the sale of, a new commercial motor vehicle;

(3) A person distraining upon a new commercial motor vehicle under a writ of attachment, execution or similar form of judicial process, or any person repossessing a new commercial motor vehicle under the terms of a conditional sales contract, mortgage or similar instrument;

(4) A person acquiring title to a new commercial motor vehicle through or under the terms of a will, or by intestacy under any State or Federal law, or through bankruptcy or receivership proceedings.

§ 501.429 *Records and reports.* All persons affected by this order shall preserve for not less than 2 years, accurate and complete records concerning inventories and transfers of new commercial motor vehicles, and shall prepare and maintain such other records and make such reports, as the Office of Defense Transportation may prescribe, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942. Such records shall be available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

§ 501.430 *Unexpired certificate or permit issued by War Production Board.* Any certificate of transfer or government exemption permit issued by the War Production Board pursuant to General Conservation Order M-100, as amended (7 F.R. 1632, 4030, 5705), which, according to its terms, will not expire until a date on or after the effective date of this order, is hereby continued in effect in accordance with the terms of such certificate or government exemption permit.

§ 501.431 *Applicability.* The provisions of this order shall be applicable within the continental United States, and the territories and possessions of the United States.

§ 501.432 *Definitions.* As used herein:

(a) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity.

(b) "New commercial motor vehicle" means any light, medium or heavy motor-truck, truck-tractor or trailer, or the chassis therefor, or any chassis on which a bus body is to be mounted, and which:

(1) Was manufactured subsequently to July 31, 1941; and

(2) Was designed to be propelled or drawn by mechanical power; and

(3) Was designed for use on or off the highways for transportation of property, or persons; and

(4) Was manufactured otherwise than under specifications of the United States Army or United States Navy; and

(5) Has not been transferred to any person other than a sales agency for the purpose of resale; including vehicles of the following types: trucks, truck chassis, truck-tractors, off-the-highway motor vehicles, full-trailers and semi-trailers having a load carrying capacity of 10,000 pounds or more, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxicabs and integral type buses.

(c) "Manufacturer" means any person who manufactures new commercial motor vehicles.

(d) "Dealer" means any person regularly engaged in the business of offer-

ing new commercial motor vehicles for sale at retail to the public.

(e) "Distributor" means any person other than the manufacturer regularly engaged in the business of selling new commercial motor vehicles to dealers.

(f) "Sales agency" means any distributor or dealer, and includes any agency or branch of a manufacturer which sells new commercial motor vehicles: *Provided, however,* That the terms "manufacturer," "dealer," "distributor," and "sales agency," as defined in paragraphs (c), (d), (e), and (f) of this § 501.432 do not include manufacturers of bodies or other equipment for mounting on truck chassis produced by other manufacturers.

(g) "Transfer" means to sell, lease, trade, lend, give, deliver, ship or physically transfer in any other way which involves the use of the commercial motor vehicle after the transfer by a person other than the transferor; or to convert to use a commercial motor vehicle held by a manufacturer, distributor or dealer; or to change the designation of the registered owner. Transfer does not include delivery to a carrier for shipment, nor delivery by a carrier to a consignee; nor does it include a lease or loan made in good faith by any person other than a dealer, distributor, or other sales agency; nor does it include a technical transfer of title for security purposes to a person financing a conditional sale or similar transaction made simultaneously with the transfer of the vehicle itself to the purchaser.

(h) "Certificate of transfer" means a nontransferable certificate, in prescribed form, issued by the Office of Defense Transportation, authorizing the transfer of a new commercial motor vehicle.

(i) "Exempt government agency" means the United States Army, the United States Navy, the Motor Vehicle Controller of Canada, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, or the Office of Scientific Research and Development.

(j) "Government exemption permit" means a non-transferable permit, in prescribed form, issued by the Office of Defense Transportation, authorizing the transfer of a new commercial motor vehicle to or for the account of an exempt government agency, or for export.

(k) "Transferor" means any manufacturer, dealer, distributor, sales agency or other person who transfers a new commercial motor vehicle.

(l) "Transferee" means any person who acquires possession of a new commercial motor vehicle pursuant to a certificate of transfer or government exemption permit.

(m) "District" means a district of the Highway Transport Department of the Office of Defense Transportation as described in Administrative Order ODT 6A.

(n) "District manager" means the manager of a district, and, in the case of the territories and possessions of the United States, shall include the representatives of the Office of Defense Transportation referred to in § 501.421 of this order.

(o) "Continental United States" means the forty-eight States and the District of Columbia.

§ 501.433 *Communications.* Communications concerning this order should refer to General Order ODT 44 and should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C., or to the nearest district office of the Office of Defense Transportation.

This General Order ODT 44 shall become effective July 1, 1944.

NOTE: The recording and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 24th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1—USAGE CLASSIFICATION LIST FOR NEW COMMERCIAL MOTOR VEHICLES

The following classification of new commercial motor vehicles on the basis of use applies to light, medium and heavy trucks, truck-tractors, trailers, and chassis thereof. It will serve as a broad general basis for the preferential allocation of the supply of such new vehicles. The various classes are arranged in the order of their importance from the standpoint of the national war effort. Individual groups within a given class are shown as illustrations of the coverage of the class and do not indicate preference groups within the class.

All vehicles are to be classified according to their predominant or principal use into five classes arranged in the order in which preference is to be granted. As a general rule, predominant or principal use means 50 percent or more of the applicant's operations.

The Usage Classification List is as follows:

CLASS I

Vehicles principally used in connection with military forces (in action or on maneuvers), public health or safety, or with essential channels of communications, such as

In connection with military forces in the field (in action or on maneuvers).

To maintain public police services; fire-fighting services; services essential to protection of public health and safety, including the regulation of highway traffic and prevention of highway accidents.

To construct and maintain mail, telegraph, telephone and organized radio communication services.

To furnish and maintain water supply, sewage and garbage disposal and other sanitation services.

CLASS II

Vehicles principally used directly in connection with the war effort, such as

In connection with fixed military and naval posts and establishments.

In the transportation of all materials, supplies and equipment of industry and business directly connected with the war effort, including farm, forest and mine products, and food.

In service operations connected with the construction, maintenance and supply of essential rail, highway, water, pipe line, and air transportation facilities.

In the transportation of material and equipment for the construction of defense housing facilities.

In the transportation of material and equipment for the construction and maintenance of public utilities other than those specified in Class I above.

In the transportation of persons engaged in business, industry, etc., directly connected with the war effort.

CLASS III

Vehicles principally used in connection with essential functions indirectly connected with the war effort, such as

In the transportation of all materials, supplies and equipment of industry and business indirectly connected with the war effort, including farm, forest and mine products, and food.

For the transportation of ice, and fuel for heating and power to the ultimate consumer for personal, family or household use.

For the rendering of essential roofing, plumbing, heating, electrical, building and vehicle repair services.

For the collection of waste and scrap material other than services performed in connection with Class I.

In the transportation of persons in business, industry, etc., indirectly connected with the war effort.

In the service of public and private schools and educational institutions.

CLASS IV

Vehicles used for the transportation of persons or goods, except as above classified, not connected with the war effort, and which are used in the less essential activities.

This includes all essential forms of retail delivery, except that of ice and fuel (see Class III).

CLASS V

Vehicles used in connection with non-essential functions or so-called "luxury" uses and not connected with the war effort.

[F. R. Doc. 44-9267; Filed, June 26, 1944; 10:30 a. m.]

[Administrative Order ODT 27]

PART 503—ADMINISTRATION

RATIONING OF NEW COMMERCIAL MOTOR VEHICLES

General outline. This Administrative Order ODT 27 supplements General Order ODT 44, which governs the allocation or rationing of new commercial motor vehicles and which prohibits, with certain exceptions, the transfer of a new commercial motor vehicle except under a certificate of transfer issued by the Office of Defense Transportation. This administrative order establishes the procedure that will be followed upon the filing of an application for a certificate of transfer with the district office of the Office of Defense Transportation nearest to the home office or principal place of business of the applicant.

A district manager to whom an application for a certificate of transfer is submitted may, after making such investigation as is necessary, either disapprove the application or forward it to Washington with his recommendation of approval. The standards which govern a district manager in his determination are prescribed. If the district manager disapproves an application, the applicant may appeal to a local appeal board which may either affirm or reverse the district manager's decision. In case of reversal, the local appeal board will forward the application to Washington with its recommendation of approval. The final decision on each application is made by the Assistant Director of the Office of Defense Transportation in charge of the Highway Transport Department.

Limitations upon the filing of a new application after disapproval of an original application are prescribed.

This administrative order also prescribes the procedure to be followed by a person who, having acquired a new commercial motor vehicle, pursuant to a certificate of transfer, for the purpose of transporting property, seeks the approval of the Office of Defense Transportation to transfer such vehicle within 6 months after its acquisition. Applications for such approval and appeals in connection therewith are to be handled under the terms of this administrative order in the same general manner as applications for certificates of transfer.

This general outline shall not be construed to alter the meaning of any provision contained in the order.

The text of Administrative Order ODT 27 follows:

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, 9156, 9214 and 9294, and War Production Board Directives 21 and 36, and in order to regulate transfers of new commercial motor vehicles for which prior authority is required by General Order ODT 44, *It is hereby ordered,* That:

Sec.
503.470 Application for certificate of transfer.
503.471 Consideration of application by district manager.
503.472 Appeal from decision of district manager; local appeal boards.
503.473 Issuance of certificate of transfer.
503.474 Filing of new application after disapproval of original application.
503.475 Approval of subsequent transfer; appeals.
503.476 Delegation of authority.
503.477 Definitions.
503.478 Communications.

AUTHORITY: §§ 503.470 to 503.478, inclusive, issued under the Act of May 30, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 U. S. Code, Secs. 631 through 645a; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14153; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 9007; E.O. 9294, 8 F.R. 221; War Production Board Directives 21 and 36, 8 F.R. 5994, 9 F.R. 6969.

§ 503.470 *Application for certificate of transfer.* (a) An application for a certificate of transfer shall be made on the form prescribed and provided by the Office of Defense Transportation, except that existing supplies of Form WPB-663 may be used until September 1, 1944.

(b) An application shall consist of an original and 3 exact copies, including any supporting data; and a separate application must be filed for each vehicle.

(c) If the applicant is an individual, the application should be signed by him. If the applicant is a partnership, the names of all partners should be stated and the application should be signed by one partner. If an individual or a partnership does business under a trade name, such trade name should also be stated in the application. If the applicant is a corporation, the exact corporate name should be stated, and the application should be executed by an authorized official of the corporation.

§ 503.471 *Consideration of application by district manager.* (a) The district manager to whom an application is submitted may refer the application to another district manager for advice or handling.

(b) Upon receipt of an application the district manager without undue delay shall make any necessary investigation and shall either recommend approval of the application or shall disapprove it. If the district manager recommends approval of the application, he shall forward it to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C. If the district manager disapproves the application, he shall return to the applicant the original so marked, with a letter stating briefly the grounds of disapproval and outlining the appeal procedure.

(c) The district manager shall recommend approval of an application only upon a determination by him that the new commercial motor vehicle will be devoted, without undue delay, to the use or uses directly related and necessary to the war effort or to the maintenance of essential civilian economy, in the business of the applicant and within the area, as indicated in the application. In making a determination under this § 503.471, the district manager shall be governed by the "Usage Classification List for New Commercial Motor Vehicles" as reproduced in Appendix 1 to General Order ODT 44, or as it may be amended from time to time; shall consider the number of available new commercial motor vehicles of the type covered by the application; and shall be assured:

(1) That the applicant could not fill its needs by leasing available vehicles of others, by pooling its present vehicles with those of other operators, by purchasing a used vehicle, or by utilizing the services of other operators; and

(2) That the applicant could not transfer some of its present vehicles now being used for less essential purposes to the use for which it is now requesting the new vehicle; and

(3) That if the new vehicle is to be used for replacement, the vehicle to be replaced is incapable of being repaired to serve the applicant's purpose.

§ 503.472 *Appeal from decision of district manager; local appeal boards.* (a) Local appeal boards shall be established to consider appeals from decisions of district managers, as provided in this order. Each local appeal board will consist of three members appointed by the Office of Defense Transportation, no one of whom shall be a district manager or a member of a district manager's staff.

(b) Local appeal boards heretofore established by the Office of Defense Transportation to hear and determine appeals pursuant to War Production Board General Conservation Order M-100, as amended (7 F. R. 1632, 4030, 5705), are hereby established as local appeal boards under this Administrative Order ODT 27, and are authorized to consider appeals filed pursuant to this order.

(c) Any applicant who is aggrieved by the action of a district manager in disapproving an application for a certificate of transfer, or in disapproving an application for approval of a subsequent transfer made under § 503.475 of this order, may file an appeal from such decision with the local appeal board within 30 days after such decision is made. The appeal shall be in writing and shall state in full the facts upon which the appeal is based and the reasons why it is believed that the decision of the district manager is inconsistent with the provisions of this order. The applicant may submit to the local appeal board such additional data as is deemed requisite to support the appeal. The appeal and supporting data should be submitted in duplicate.

(d) The local appeal board will consider the appeal with or without hearing in the discretion of the local appeal board. If the local appeal board denies the appeal, the original application will be returned to the applicant accompanied by an appropriate notification from the local appeal board. No further appeal will be allowed. If the local appeal board allows the appeal, the application will be forwarded to the Highway Transport Department, Office of Defense Transportation, Washington 25. D. C.

(e) Communications in regard to an appeal should be addressed to Local Appeal Board, Office of Defense Transportation, in care of the district manager with whom the original application was filed.

§ 503.473 *Issuance of certificate of transfer.* A certificate of transfer will be issued by the Assistant Director, Office of Defense Transportation, in charge of the Highway Transport Department when recommended by the district manager or local appeal board in connection with a proper application and if it appears that the allocation of the applicant of the new commercial motor vehicle applied for will be consistent with the provisions of General Order ODT 44, including the available supply of such vehicles; otherwise he will disapprove the application and so notify the applicant. The decision of the Assistant Director shall be final.

§ 503.474 *Filing of new application after disapproval of original application.* (a) After an application for a certificate of transfer has been disapproved by a district manager, the applicant may file a new application for a new commercial motor vehicle for the same usage not earlier than 3 months after the date of the disapproval of the original application by the district manager.

(b) If the applicant has appealed to a local appeal board and the appeal has been denied, the applicant may file such new application not earlier than 3

months after the date of the notification of the denial by the local appeal board.

(c) If the district manager or local appeal board recommends approval of the application, but it is subsequently disapproved by the Assistant Director, the applicant may file such new application not earlier than 3 months after the date of the disapproval by the Assistant Director.

(d) Notwithstanding paragraphs (a), (b), and (c) of this § 503.474, an application may be reconsidered by the district manager, the local appeal board, or the Assistant Director, at any time prior to the expiration of such respective 3 months' periods, provided that additional data are submitted which have substantial bearing on the merits of the application, and a reasonable explanation is given why such additional data were not previously submitted.

(e) In construing this § 503.474, an application shall be considered as being a new application for a new commercial motor vehicle for the same usage if it appears from an examination thereof that the proposed usage as stated therein is substantially the same as that stated in the original application; a change in the place where the vehicle is to be used or any change or substitution in the make, model, gross vehicle weight, or capacity of the vehicle will not of itself be considered to be a substantial change in usage.

§ 503.475 *Approval of subsequent transfer; appeals.* (a) Whenever written application for approval of a subsequent transfer is filed with a district manager pursuant to § 501.426 of General Order ODT 44, the district manager may require the applicant to submit reasonable proof of statements made in support of the application, and may make such investigation as may be reasonably necessary for proper disposition of the application. The district manager will approve the application only when it appears that the vehicle sought to be transferred will be devoted, without undue delay, to a use or uses directly related and necessary to the war effort or to the maintenance of essential civilian economy, and upon such showing will issue in the field a written approval of the transfer. In the absence of such showing the district manager shall disapprove the application and so notify the applicant in writing and advise him of the appeal procedure.

(b) An appeal from a disapproval of a district manager of an application for approval of a subsequent transfer may be made to a local appeal board as provided in § 503.472 of this order. If the appeal board allows the appeal, the final decision as to whether the subsequent transfer will be approved will be made by the Assistant Director.

§ 503.476 *Delegation of authority.* The authority conferred by this administrative order upon the Assistant Director, Office of Defense Transportation, in charge of the Highway Transport Department, may be delegated by him to such member or members of his staff as he may designate.

§ 503.477 *Definitions.* As used herein:

(a) "Assistant Director" means the Assistant Director, Office of Defense Transportation, in charge of the Highway Transport Department.

(b) Any term that is defined in General Order ODT 44, or as it may be amended, shall have the meaning specified therefor in § 501.432 (Definitions) of General Order ODT 44.

§ 503.478 *Communications.* Communications concerning this order should refer to Administrative Order ODT 27, and should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C., or to the nearest district office of the Office of Defense Transportation.

This Administrative Order ODT 27 shall become effective July 1, 1944.

NOTE: The recording and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 24th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-9268; Filed, June 26, 1944; 10:30 a. m.]

[Gen. Order ODT L-2, Revocation]

PART 504—DIRECTION OF MOTOR TRAFFIC MOVEMENTS

MOTOR TRANSPORTATION OF CORN FROM OR WITHIN A DESIGNATED AREA

Pursuant to the Act of May 31, 1941 as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, and 9156, and War Production Board Directive 21, and it appearing that War Food Order No. 98, as amended, of the War Food Administration will expire at 12:01 a. m., c. w. t., June 24, 1944,

It is hereby ordered, That General Order ODT L-2 (9 F.R. 5444) be, and it hereby is, revoked.

This revocation shall become effective June 24, 1944.

(Act of May 31, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 App. U.S.C., §§ 631 through 645a; E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; War Production Board Directive 21, 8 F.R. 5834; War Food Order No. 98, as amended, 9 F.R. 4379, 4738, 5397)

Issued at Washington, D. C., this 23d day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-9206; Filed, June 24, 1944; 10:50 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

NEVADA

WITHDRAWAL OF PUBLIC LANDS FOR PROPOSED GRAZING DISTRICTS

Withdrawal for proposed grazing district in Esmeralda, Eureka, Lander and Nye Counties, Nevada, vacated in part.

Under authority of departmental order of November 24, 1937, pursuant to section 1 of the Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976; 43 U.S.C. sec. 315), notice was published on November 30, 1937, that a hearing would be held at Austin, Nevada, for the purpose of considering the establishment of a grazing district in Esmeralda, Eureka, Lander, and Nye Counties, State of Nevada.

The publication of such notice had the effect of withdrawing from all forms of entry and settlement all public lands within the counties named, exclusive of established grazing districts and national forests.

The withdrawal is hereby modified to exclude the following described tract of land:

NEVADA

MOUNT DIABLO MERIDIAN

T. 11 S., R. 47 E., sec. 17. S½NW¼SE¼NW¼NW¼, N½SW¼SE¼NW¼NW¼, S½NE¼SW¼NW¼NW¼, N½SE¼SW¼NW¼NW¼, containing five acres.

OSCAR L. CHAPMAN,
Assistant Secretary.

JUNE 17, 1944.

[F. R. Doc. 44-9273; Filed, June 26, 1944; 10:12 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 836]

ALLOCATION OF FUNDS FOR LOANS

JUNE 5, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
California 4026A1 Fresno	$260,000
Illinois 4040B3 Macoupin	50,000
Iowa 4-2047G5 Franklin	125,000
Minnesota 4032E1 Fillmore	100,000
Minnesota 4062B1 Becker	150,000
Mississippi 4026D2 Panola	50,000
Ohio 4-2094A2 Adams	15,000
Texas 4065C2 Rusk	35,000
Texas 4135A1 Ochiltree	158,000
Wisconsin 4037C2 Trempealeau	65,000
Wisconsin 4040E3 Barron	75,000
Wisconsin 4043E4 Grant	50,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-9245; Filed, June 24, 1944; 4:06 p. m.]

[Administrative Order 835]

ALLOCATION OF FUNDS FOR LOANS

JUNE 6, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Alabama 4042A1 Montgomery	$1,015,000
Alabama 4-2042GT2 Montgomery	1,400,000
Alabama 4042GT3 Montgomery	280,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-9246; Filed, June 24, 1944; 4:06 p. m.]

[Administrative Order 837]

ALLOCATION OF FUNDS FOR LOANS

JUNE 6, 1944.

I hereby amend:

(a) Administrative Order No. 822, dated September 23, 1941, by changing the project designation therein given as "Alabama 2042G1 Montgomery" to read "Alabama 2042GT1 Montgomery."

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-9247; Filed, June 24, 1944; 4:06 p. m.]

[Administrative Order 838]

ALLOCATION OF FUNDS FOR LOANS

JUNE 6, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	Amount
Nebraska 4062A1 Furnas	$565,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-9248; Filed, June 24, 1944; 4:06 p. m.]

[Administrative Order 839]

ALLOCATION OF FUNDS FOR LOANS

JUNE 9, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Indiana 4-2029D2 Fulton	$30,000
Indiana 4-2029C2 Wayne	25,000
Indiana 4-2029D1 Wayne	25,000
Kentucky 4035E3 Fleming	50,000
Minnesota 4-2018F1 Douglas	150,000
Minnesota 4-2026D1 Chippewa	115,000
Mississippi 4023E4 Copiah	50,000
Missouri 4-3023C2 Lewis	100,000
Ohio 4-3003B1 Washington	60,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-9249; Filed, June 24, 1944; 4:06 p. m.]

DEPARTMENT OF LABOR.

Children's Bureau.

POWER-DRIVEN WOODWORKING MACHINES

NOTICE OF PROPOSED AMENDMENT

Notice of proposed amendment to Hazardous Occupations Order No. 5.

Whereas, the Chief of the Children's Bureau, United States Department of Labor, issued Hazardous-Occupations Order No. 5 effective August 1, 1941 (6 F.R. 3149), and amended effective November 13, 1942 (7 F.R. 9286), and February 18, 1944 (9 F.R. 1903) providing that the occupations of operating power-driven woodworking machines, setting up, adjusting, repairing, oiling or cleaning such machines, and the occupations of offbearing from a circular saw or guillotine-action veneer clipper, excepting certain specified occupations, are particularly hazardous for the employment of minors between the ages of 16 and 18, and

Whereas, the Chief of the Children's Bureau has been petitioned for amendment of this order with respect to certain occupations in the manufacture of veneer fruit and vegetable baskets, hampers or crates, and

Whereas, a supplementary investigation reveals, and the War Manpower Commission, the War Production Board, and the War Food Administration have advised the Chief of the Children's Bureau, that critical shortages of labor exist in the manufacture of veneer fruit and vegetable baskets, hampers, and crates, which are limiting the production of these items needed in wartime food production, and

Whereas, such supplementary investigation also reveals that the occupations included in the request for amendment are not as highly hazardous as other occupations covered by such order, and

Whereas, it appears that the manufacture of veneer fruit and vegetable baskets and crates needed in wartime food production will be aided by the employment of minors between 16 and 18 years of age in such occupations, and

Whereas, the Chief of the Children's Bureau proposes to issue an order in the form set forth below amending Hazardous-Occupations Order No. 5 by adding paragraph (f) to § 422.5 of such order,

Now, therefore, notice is hereby given to all interested persons of the opportunity to show cause within ten days from the date of publication of this notice in the FEDERAL REGISTER why the Chief of the Children's Bureau, United States Department of Labor, Washington, D. C., should not promulgate the order proposed herein. All objections, protests, or statements in opposition to or in support of the proposed order should be addressed to the Chief of the Children's Bureau, United States Department of Labor, Washington, D. C.

Section 422.5 of Part 422 of Chapter IV, Title 29, Code of Federal Regulations, is hereby amended so as to include the following paragraph, to be designated as paragraph (f):

(f) Notwithstanding the provisions of paragraph (a) hereof, during the continuance of the present war and for six months after the termination thereof, unless terminated prior thereto by order of the Chief of the Children's Bureau, this order shall not apply to the occupations of operating nailing, stapling, wire stitching, fastening or assembling machines used in the manufacture of veneer fruit and vegetable baskets, hampers, or crates.

This amendment shall become effective upon publication in the FEDERAL REGISTER.

Dated: June 26, 1944.

KATHARINE F. LENROOT,
Chief of the Children's Bureau.

[F. R. Doc. 44-9314; Filed, June 26, 1944; 12:06 p. m.]

Wage and Hour Division.

EMPLOYMENT OF HOMEWORKERS IN EMBROIDERIES INDUSTRY

POSTPONEMENT OF EFFECTIVE DATE OF REGULATIONS

In the matter of the postponement of the effective date of the provisions in the wage order for and the regulations applicable to the employment of home workers in the embroideries industry, Title 29, Chapter V, Code of Federal Regulations, Part 633 and § 633.100.

Whereas, the Administrator of the Wage and Hour Division of the United States Department of Labor by order dated May 4, 1944 and published in the FEDERAL REGISTER on May 10, 1944 (9 F.R. 4952) extended to June 26, 1944 the effective date of the provisions in the wage order for and the regulations applicable to industrial home work employment in the embroideries industry; and

Whereas, the Administrator has determined that it is necessary to extend further the effective date of the industrial home work provisions in the wage order for and the regulations applicable to the employment of home workers in the embroideries industry;

Now, therefore, it is hereby ordered, That the effective date of the industrial home work provisions in the wage order for and the regulations applicable to the employment of home workers in the embroideries industry is extended to July 26, 1944.

Signed at New York, New York, this 22d day of June 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-9180; Filed, June 23, 1944; 2:16 p .m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6402]

RAYMOND C. HAMMETT (NEW)

NOTICE OF HEARING

In re application of Raymond C. Hammett, (New); date filed, October 27, 1941; for construction permit; class of service, broadcast; class of station, broadcast; location, Talladega, Alabama; operating assignment specified: Frequency, 1230 kc, power, 250 w., and hours of operation, unlimited; File No. B3–P–3365.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing for the following reasons:

1. To determine the financial, technical and other qualifications of the applicant to construct and operate the proposed station.

2. To obtain full information with respect to permits and licenses heretofore issued to the applicant.

3. To determine whether the equipment proposed to be employed by the applicant will comply with the requirements of the rules and regulations of the Commission and the Standards of Good Engineering Practice.

4. To determine the character and quality of the program service the applicant proposes to render and whether there is sufficient talent available to reasonably insure a program service in the public interest.

5. To determine the areas and populations which would receive primary service from the operation of the proposed station and what other broadcast services are available to these areas and populations.

6. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942, or any modifications thereof.

7. To determine whether the granting of the instant application tends towards a fair, efficient and equitable distribution of radio services, is consistent with sound allocation principles and offers a substantial improvement in standard broadcast services.

8. To obtain full information with respect to the truth or falsity of the statements heretofore made to the Commission in connection with any permits heretofore issued to the applicant.

9. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Raymond C. Hammett, P. O. Box 43, Talladega, Alabama.

Dated at Washington, D. C., June 21, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-9226; Filed, June 24, 1944; 11:35 a. m]

[Docket No. 6502]

GENE L. CAGLE (NEW)

NOTICE OF HEARING

In re application of Gene L. Cagle, (New), date filed, February 16, 1944, for construction permit; class of service, broadcast; class of station, broadcast; location, Fort Worth, Texas; operating assignment specified; frequency, 1340 kc., power, 250 w., and hours of operation unlimited (Facilities of KAND requested); file No. B3–P–3576.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing for the following reasons:

1. To determine whether the applicant is financially, technically and otherwise qualified to construct and operate the proposed station.

2. To determine the character and quality of the program service proposed to be rendered by the applicant, in the event of a grant of the application.

3. To determine the extent of any interference which would result from the simultaneous operation of the proposed station and Station WRR.

4. To determine the areas and populations which would be deprived of primary service, particularly from Station WRR, as a result of the operation of the proposed station, and what other broadcast services are available to those areas and populations.

5. To determine the areas and populations which would be precluded from receiving primary service from the proposed station as a result of the operation of Station WRR, and what other broadcast services are available to those areas and populations.

6. To determine the areas and populations which would gain primary service by the operation of the proposed station, and what other broadcast services are available to those areas and populations.

7. To determine the areas and populations now receiving primary service from Station KAND, which would be deprived of such service, and what other broadcast services are available to those areas and populations.

8. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934 as amended.

9. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion of April 27, 1942, or any subsequent modifications thereof.

10. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Gene L. Cagle, 3008 Bellaire Drive N., Fort Worth, Texas.

Dated at Washington, D. C., June 21, 1944.

By the Commission,

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-9227; Filed, June 24, 1944; 11:35 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5899]

EMPIRE DISTRICT ELECTRIC CO., ET AL.

NOTICE OF APPLICATION

JUNE 21, 1944.

In the matter of The Empire District Electric Company, Lawrence County Water, Light & Cold Storage Company, Benton County Utilities Corporation and Ozark Utilities Company.

Notice is hereby given that on June 20, 1944, a joint application was filed, pursuant to the Federal Power Act, by The Empire District Electric Company (hereinafter called "Empire"), a corporation organized under the laws of the State of Kansas and doing business in the States of Arkansas, Kansas, Missouri and Oklahoma, with its principal business office at Joplin, Missouri; Lawrence County Water, Light & Cold Storage Company (hereinafter called "Lawrence"), a corporation organized under the laws of the State of Missouri and doing business in said State, with its principal business office at Joplin, Missouri; Benton County Utilities Corporation (hereinafter called "Benton"), a corporation organized under the laws of the State of Arkansas and doing business in said State, with its principal business office at Gravette, Arkansas; and Ozark Utilities Company (hereinafter called "Ozark"), a corporation organized under the laws of the State of Missouri and doing business in said State, with its principal business office at Joplin, Missouri, seeking an order authorizing the merger and consolidation of all their facilities with and into the facilities of Empire, the surviving company.

The application states that Empire is engaged in generating, purchasing, transmitting, distributing and/or selling electric energy in Cherokee County, Kansas, Ottawa and Craig Counties, Oklahoma, Benton County, Arkansas, and McDonald, Newton, Jasper, Barton, Barry, Lawrence, Stone, Taney, Christian, Greene, Webster, Polk, Hickory and Benton Counties, Missouri; Lawrence is engaged in purchasing, transmitting, distributing and/or selling electric energy in Lawrence, Greene, Stone and Christian Counties, Missouri; Benton is engaged in purchasing, transmitting, distributing and/or selling electric energy in Benton County, Arkansas; Ozark is engaged in generating, purchasing, transmitting, distributing and/or selling electric energy in Barton, Jasper, Lawrence, Dade, Cedar, St. Clair, Hickory, Polk and Dallas Counties, Missouri. Some of the Applicants also operate a small water utility business and/or ice and cold storage business. Upon the consummation of the proposed merger, all the facilities owned or operated by the Applicants for the transmission of electric energy will be merged, which facilities at December 31, 1943, consisted of 838.49 circuit miles of transmission line of both wood pole and steel construction at voltages of 132,000, 66,000, and 33,000, all of which operate at 60-cycle frequency except approximately 110 circuit miles thereof, which operate at 25-cycle frequency. Such facilities also include 129 substations.

The application also states it is desired to consummate the transaction in order to combine in one corporate entity electric utility assets constituting a single integrated system, thereby eliminating three unnecessary corporate entities; to assure a fair and equitable distribution of voting power among holders of preferred and common stocks of the surviving company; to facilitate the reclassification of accounts of the constituent corporations in compliance with the requirements of regulatory authorities; and to effect disposal by Cities Service Power & Light Company of its interest in the surviving company in compliance with the order of the Securities and Exchange Commission dated August 17, 1943, in the Matter of Cities Service Power & Light Company, et al., File No. 59–7; all as more fully appears in the application on file with the Commission.

The Applicants request that a decision be made by the Commission as to the scope and extent of its jurisdiction over the transactions involved in the consummation of the merger, and that an order be entered giving any and all appropriate authorization for the consummation of the transactions over which the Commission shall have decided it has jurisdiction.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 13th day of July, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 44-9297; Filed, June 26, 1944; 11:29 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5002]

GENERAL DIARIES, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23rd day of June, A. D. 1944.

In the matter of General Diaries, Inc., a corporation, and Albert A. Friedman and Mrs. Elizabeth Friedman, individuals trading in the name of General Diaries, and as officers of said corporation.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, July 20, 1944, at ten o'clock in the forenoon of that day (eastern standard time) in Room 505, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] A. N. ROSS, *Acting Secretary.*

[F. R. Doc. 44-9259; Filed, June 26, 1944; 10:32 a. m.]

[Docket No. 5023]

ACME AND ACME MAIL ORDER HOUSE

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 21st day of June, A. D. 1944.

In the matter of Louis Goldberg, an individual, trading in the names of Acme and Acme Mail Order House.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, July 17, 1944, at ten o'clock in the forenoon of that day (eastern standard time) in Room 505, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-9260; Filed, June 26, 1944; 10:32 a. m.]

[Docket No. 5028]

HARVEST HOUSE

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23rd day of June, A. D. 1944.

In the matter of Benjamin H. Levine, an individual, trading as Harvest House.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission.

It is ordered, That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, July 24, 1944, at ten o'clock in the forenoon of that day (eastern standard time) in Hearing Room No. 505, 45 Broadway, New York, N. Y.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] A. N. ROSS, *Acting Secretary.*

[F. R. Doc. 44-9261; Filed, June 26, 1944; 10:33 a. m.]

[Docket No. 5053]

BURTON BROTHERS & CO., INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23rd day of June, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, July 18, 1944, at ten o'clock in the forenoon of that day (eastern standard time) in Room 505, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] A. N. ROSS,
Acting Secretary.

[F. R. Doc. 44-9262; Filed, June 26, 1944; 10:33 a. m.]

[Docket No. 5084]

COOKWARE ASSOCIATES

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of June, A. D. 1944.

In the matter of Robert W. Hailey, G. P. Hubble, and H. F. Hall, individually and as copartners trading as Cookware Associates.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, June 18, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Court Room 4, Post Office Building, Pittsburgh, Pennsylvania.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-9263; Filed, June 26, 1944; 10:33 a. m.]

[Docket No. 5133]

J. CLAUD GRIFFIN AND DANIEL G. RIES

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of June, A. D. 1944.

In the Matter of J. Claud Griffin, individually, and trading as Commercial Art Company, and formerly trading as Modern Art Company and American Arts, and Daniel G. Ries, individually, and trading as Progressive Portrait Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, July 10, 1944, at ten o'clock in the forepoon of that day (eastern standard time), in Court Room Four, Post Office Building, Pittsburgh, Pennsylvania.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-9264; Filed, June 26, 1944; 10:34 a. m.]

[Docket No. 5163]

WORLD PUBLISHING CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of June, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, July 24, 1944, at ten o'clock in the forenoon of that day (eastern standard time) in Room 410, Federal Building, Cleveland, Ohio.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-9265; Filed, June 26, 1944; 10:34 a. m.]

FOREIGN ECONOMIC ADMINISTRATION.

[Case 20]

A. JOHN BITTSON ENGINEERING CO., ET AL.

DECISION AND ORDER ON APPEAL

In the matter of Anthony John Bittson, A. John Bittson Engineering Co., and World Distributors Corporation.

Pursuant to Part 807 of the regulations adopted under section 6 of the Act of July 2, 1940, as amended, the Trade Intelligence Division of the Office of Exports, Office of Economic Warfare (now Trade Intelligence Section of the Operations Division of the Requirements and Supply Branch, Bureau of Supplies, Foreign Economic Administration) by letter dated September 20, 1943, charged Anthony John Bittson, A. John Bittson Engineering Company, and World Distributors Corporation (hereinafter referred to as "appellants") with violations of section 6 of the Act of July 2, 1904, as amended, and the regulations adopted pursuant thereto. The appellants filed a written answer to said charges under date of October 2, 1943, and the matter came on for oral hearing before Kelly Kash, Compliance Commissioner for the Administration, on October 4, 1943. It was stipulated by counsel for the Office of Exports and counsel for the appellants at the time of hearing that, in lieu of oral testimony, the case should be submitted to Commissioner upon affidavits. On October 15, 1943, the Office of Exports submitted an affidavit to the Commissioner executed by an attorney in the Export Division of the General Counsel's Office, Office of Economic Warfare, together with certain exhibits, and on October 27, 1943, an answering affidavit was filed by Anthony John Bittson on behalf of the appellants.

The Compliance Commissioner received such affidavits and exhibits and, after due consideration of the record, on the 18th day of February, 1944, filed his findings of fact and recommendations in this matter.

The Compliance Commissioner found that the appellants had violated Section 6 of the Act of July 2, 1940, as amended, and the regulations adopted pursuant thereto, and, on the second day of March, 1944, Walter Freedman, Deputy Director, Requirements and Supply Branch, Bureau of Supplies, Foreign Economic Administration, upon consideration of the record, findings of fact, and recommendation of the Compliance Commissioner in the matter, issued an order denying to appellants and any person, association, or organization acting in their behalf or for their account, the privilege of obtaining individual or any other type of export license, or release certificate, authorizing any exportation whatsoever from the United States until and including June 30, 1944, and revoking all presently outstanding export licenses issued to the said appellants, or any of them.

The appellants have duly filed a written appeal from said order to the undersigned, Director of the Requirements and Supply Branch, Bureau of Supplies, Foreign Economic Administration. The undersigned, having reviewed the record, findings of fact, conclusions and recommendations of the Compliance Commissioner in this matter, and having given due consideration to the grounds set forth in the appellants' appeal, finds that the facts and conclusions of the Commissioner are supported by the record and that the order issued pursuant thereto on March 2, 1944, by Walter Freedman, Deputy Director, Requirements and Supply Branch, Bureau of Supplies, Foreign Economic Administration, was proper and ought not be modified.

The claim of the appellants set forth in their appeal is that the proof submitted by the Office of Exports was insufficient to support the conclusion and the recommendation of the Compliance Commission and the order issued by the Deputy Director. This charge of insufficiency is predicated largely upon the fact that the affidavit on behalf of the Office of Exports was made by an attorney in the Office of General Counsel who, the appellants assert, had no personal knowledge of the facts, and that the statements contained in this affidavit constitute conclusions unsupported by any evidence. An examination of the affidavit filed on behalf of the Office of Exports clearly indicates that the statements made therein were predicated upon representations made by the appellants in the application for export license on which the charges were predicated, and there were sufficient factual bases from these official records and the other exhibits filed by the Office of Exports to support the findings of fact and conclusions reached by the Compliance Commissioner. The mere fact that the exhibits on which both the Compliance Commissioner and the Deputy Director relied were not formally incorporated as part of the affidavit of the Office of Exports is immaterial. Both counsel for the appellants and the Compliance Commissioner have referred to the relevant exhibits in documents forming part of the record, and they were treated by both sides as a part of the record and have been so treated upon consideration of this appeal.

The principal charge against the appellants under which these proceedings arose involved the exportation to Portugal of 220,880 pounds of black steel sheets. It appears from the report of the Compliance Commissioner that, on July 14, 1942, World Distributors Corporation by A. John Bittson, its president and sole stockholder, filed an application with the Board of Economic Warfare for a shipment of 221,000 pounds of black steel sheets to Portugal reciting an approximate selling price, f. a. s. New York, of $6,550, with a unit value of $2.81 per 100 pounds plus a 5% exporter's premium. One of the exhibits filed in this case is a photostatic copy of an invoice submitted by World Distributors Corporation at the time of shipment which indicates a unit price of $11.50 per 100 pounds and a total sale price of $25,401.20, f. a. s. New York. On the appeal, the appellants admit that the amount stated in this invoice was endorsed over the signature of A. John Bittson as representing the true selling price. An attempt, however, has been made to argue that the price stated in this invoice was not the true selling price. Mr. Bittson's affidavit attempts to explain that $11,050 of the total "was applied as a credit to Canha & Formigal Lda. (the claimed purchaser) for their subsequent use in this country in connection with future purchase or otherwise" and also that the further discrepancy was attributable to "various charges" on the shipment. Although the appellants were given full opportunity to explain this discrepancy the only explanations offered were these vague statements. The appellants' affidavit makes reference to an original order and cablegram from the purchaser, but neither of these documents have been offered or submitted by the appellants. From an examination of the whole record, I am convinced that the actual selling price of these steel sheets was far in excess of the maximum ceiling price permitted under Office of Price Administration regulations and that the exportation constituted a violation of § 801.5 of the regulations promulgated pursuant to section 6 of the Act of July 2, 1940. In view of this conclusion it is unnecessary to consider the further charge that these steel sheets were, in fact, exported to a person not named in the license.

Now therefore, it is determined and ordered that the said order of the Deputy Director, Requirements and Supply Branch, Bureau of Supplies, Foreign Economic Administration, denying to the appellants and any person, association, or organization acting in their behalf and for their account, the privilege of obtaining individual or any other type of export license or release certificate and the use of any general or other type of export license authorizing any exportation whatsoever from the United States until and including June 30, 1944, and revoking all presently outstanding export licenses issued to the said appellants, or any of them, is affirmed.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority 20, 8 F.R. 16235; Delegation of Authority 21, 8 F.R. 16320)

Dated: June 23, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-9254; Filed, June 24, 1944; 4:53 p. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3773]

GEORGE VIOHL, ET AL.

In re: Interest in real property, property insurance policies and claim owned by George Viohl, Henry Viohl, Gesine Bischof and Metta Hoyer.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the persons whose names and last known address appear below are residents of Germany and nationals of a designated enemy country (Germany);

Names and Last Known Address

George Viohl, Butendiek, Lilianthal, Bremen, Germany.

Henry Viohl, Steinbech Strasse, Lilianthal, Bremen, Germany.

Gesine Bischof, 112 Lutherstrasse, Bremen, Germany.

Metta Hoyer, 9 Steinbech Strasse, Lilianthal, Bremen, Germany.

2. That the said George Viohl, Henry Viohl, Gesine Bischof and Metta Hoyer are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. An undivided one-fourth interest in the real property situated in the County of Kings, State of New York, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

b. An undivided one-half interest in the real property situated in the County of Nassau, State of New York, particularly described in Exhibit B, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

c. All right, title and interest of George Viohl, Henry Viohl, Gesine Bischof and Metta Hoyer in and to the following insurance policies:

(1) Fire Insurance Policy No. 67213 issued by United States Fire Insurance Co. of New York, New York, insuring the property described in subparagraph 3-a hereof;

(2) Fire Insurance Policy No. 27761 issued by Richmond Insurance Co. of New York, West New Brighton, New York, insuring the property described in subparagraph 3-a hereof;

(3) Liability Insurance Policy No. OLT 193686 issued by United States Fidelity and

Guaranty Company, Baltimore, Maryland, insuring against liability on the property described in subparagraph 3–a hereof, and

d. All right, title, interest and claim of any name or nature whatsoever, of George Viohl, Henry Viohl, Gesine Bischof and Metta Hoyer, and each of them, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to the said George Viohl, Henry Viohl, Gesine Bischof and Metta Hoyer, by Walter Brukhausen, 14 Wall Street, New York, New York, arising from rent collections received by said Walter Brukhausen from the real property described in subparagraph 3–a hereof, including but not limited to all security rights in and to any and all collateral for any and all such obligations and the right to enforce and collect such obligations,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraph 3–c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3–a and 3–b hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraphs 3–a and 3–b hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3–c and 3–d hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order, may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All that certain piece or parcel of land situate, lying and being in the 25th Ward of the Borough of Brooklyn, City and State of New York, bounded and described as follows:

Beginning at a point formed by the intersection of the Northerly line of Halsey Street with the Southwesterly line of Broadway; running thence Westerly along the Northerly line of Halsey Street 107' 2", and thence Northerly and at right angles to Halsey Street 18' 5½"; thence Northeasterly and at right angles to Broadway 68' 3½" to a point in the Southwesterly side of Broadway, distant 88' 5" Northwesterly from Halsey Street, and thence Southeasterly along the Southwesterly line of Broadway 88' 5" to the point or place of Beginning.

EXHIBIT B

All that certain lot or parcel of land designated as Lot No. 8 in Block B on map of property of Nassau Haven Co., Inc., entitled "Nassau Haven, Garden City, Nassau County, New York; revised and amended April 1923, Cyril E. Marshall, C. E., Hempstead, New York," and filed in the Office of the Clerk of Nassau County, New York, and bounded and described as follows, to wit:

Commencing at a point in the Easterly Line of Crescent Parkway, which said point is a distance of 78.35 feet on a curve, the radius of which is 185 feet, from the intersection of the Easterly line of Crescent Parkway with the Southerly line of Greenridge Avenue, and running thence from said place of beginning South 78°12'22" East, a distance of 120 feet to the Westerly line of Park Lane; thence Southwesterly along the Westerly line of said Park Lane, on a curve, the radius of which is 305 feet, a distance of 75 feet; thence North 62°35'57" West, a distance of 120.07 feet to a point on the Easterly line of Crescent Parkway, which said point is a distance of 50 feet on a curve, the radius of which is 185 feet from the intersection of the Easterly line of Hathaway Drive with the Southeasterly line of Crescent Parkway, and running thence Northerly on a curve, the radius of which is 185 feet, a distance of 42.31 feet to the place of Beginning.

[F. R. Doc. 44–9274; Filed, June 26, 1944; 10:46 a. m.]

[Vesting Order 3813]

EVA ENGER

In re: Trust under the will of Eva Enger, deceased; File D–28–2133; E. T. sec. 2850.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by First Wisconsin Trust Company, 735 North Water Street, Milwaukee, Wisconsin, Trustee, acting under the judicial supervision of the County Court of Washington County, State of Wisconsin;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Person or persons, names unknown, entitled to receive the estate of Liobe Rupp, who died a resident of Germany, Germany.
Mrs. Stephanie Krapp, Germany.
Mrs. Lulu Krapp, Germany.
Mrs. Dr. Dölger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of person or persons, names unknown, entitled to receive the estate of Liobe Rupp, who died a resident of Germany, Mrs. Stephanie Krapp, Mrs. Lulu Krapp, Mrs. Dr. Dölger, and each of them, in and to the Trust under the will of Eva Enger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national", and "designated enemy country" as used herein shall have the meaning prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9275; Filed, June 26, 1944; 10:46 a. m.]

[Vesting Order 3814]

MINNA A. GEIPEL

In re: Estate of Minna A. Geipel, deceased; File No. D 28–8436; E. T. sec. 9839.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order No. 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Christine Widmann of Worcester, Massachusetts, executrix, acting under the judicial supervision of the Probate Court, County of Worcester, Commonwealth of Massachusetts; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Ernest Pauli and his children, names unknown, Thuringen, Germany.
Agnes Pauli Doring and her children, names unknown, Thuringen, Germany.
Elsie Kulbach Zwerschke and her children, names unknown, Thuringen, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ernest Pauli and his children, names unknown, Agnes Pauli Doring and her children, names unknown, and Elsie Kulbach Zwerschke and her children, names unknown, and each of them, in and to the estate of Minna A. Geipel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9276; Filed, June 26, 1944; 10:46 a. m.]

No. 127——9

[Vesting Order 3815]

JULIUS A. GROSS

In re: Trust under Will of Julius A. Gross, deceased; File D–28–3600; E. T. sec. 3950.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Title Guarantee and Trust Company, Trustee, acting under the judicial supervision of the Surrogate's Court, Kings County, New York; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hans F. Gross, and his children, names unknown, resident in Germany, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Hans F. Gross, and his children, names unknown, resident in Germany, in and to the trust created under the last will and testament of Julius A. Gross, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country", as used herein, shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9277; Filed, June 26, 1944; 10:46 a. m.]

[Vesting Order 3816]

PAUL GUENTHER

In re: Estate of Paul Guenther, deceased; File D–28–1724; E. T. sec. 756.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Clerk of Morris County Orphans' Court, as depositary, acting under the judicial supervision of the Orphans' Court, Morris County, Morristown, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, an agency or instrumentality of a designated enemy country, Germany, namely, University of Leipsic, Leipsic, Germany.

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of University of Leipsic in and to the Estate of Paul Guenther, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9278; Filed, June 26, 1944; 10:46 a. m.]

[Vesting Order 3817]

TRINTJE HAKEMCHEN

In re: Mortgage Participation Certificate N158481 in Mortgage F–738 issued by Bond and Mortgage Guarantee Co. under guarantee No. 170678 to Trintje

Haehnchen, in the amount of $1,231.91; File F-28-2292; E. T. sec 894.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by Manufacturers Trust Company, 55 Broad Street, New York City, Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, Kings County, New York;
(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Trintje Haehnchen,

And determining that—
(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Trintje Haehnchen in and to the mortgage participation certificate No. N158481 in Mortgage F-738, in the amount of $1,231.91, issued by Bond and Mortgage Guarantee Company under guarantee No. 170878,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44—9279; Filed, June 26, 1944; 10:47 a. m.]

[Vesting Order 3818]

KATIE HANNEMANN

In re: Estate of Katie Hannemann, deceased; File D-28-9007; E. T. sec. 9002.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by Frederick C. Lutz and John Kuhn, Jr., Executors, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;
(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Andreas Munsinger and his wife and children, names unknown, Germany.
George Hannemann and his wife and children, names unknown, Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Andreas Munsinger and his wife and children, names unknown, and George Hannemann and his wife and children, names unknown, and each of them, in and to the estate of Katie Hannemann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9280; Filed, June 26, 1944; 10:47 a. m.]

[Vesting Order 3819]

INOKI HONDA

In re: Estate of Inoki Honda, deceased; File: D-66-1316; E. T. sec. 8315, H-39.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by Arthur E. Restarick, Administrator, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;
(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Heirs at law and next of kin, names unknown, of Inoki Honda, deceased, Japan.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of the heirs at law and next of kin, names unknown, of Inoki Honda, deceased, and each of them, in and to the estate of Inoki Honda, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9281; Filed, June 26, 1944; 10:47 a. m.]

[Vesting Order 3820]

ANNA JELINEK

In re: Estate of Anna Jelinek, deceased; File D-34-144; E. T. sec. 5659.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of Cook County, County Building, Chicago, Illinois, Depositary, and Charles R. O'Connor, 128 West Madison Street, Chicago, Illinois, Attorney-in-Fact, acting under the judicial supervision of the Probate Court of Cook County, Chicago, Illinois;
(2) Such property and interests are payable or deliverable to, or claimed by, nationals of designated enemy countries, Germany and Hungary, namely,

Nationals and Last Known Address

Therese Glatz (Schwaiger), Germany (Austria).
Henrick (Henrik) Neumann, Hungary.
Hermine (Hermina) Neumann, Glaser, Hungary.
Samuel Neumann, Hungary.
Eugene Neumann, Hungary.
Josephine (Josefine) Neumann, Hungary.
Ilona (Mona) Weiss Weinberger, Hungary.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries, Germany and Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $5,778.77, which is in the possession and custody of the Treasurer of Cook County, Illinois, Depositary, which amount was deposited on December 19, 1940 and February 11, 1944 pursuant to Orders of the Probate Court, Cook County, Illinois, entered November 29, 1940 and February 7, 1944; also, all right, title, interest and claim of any kind or character whatsoever of Ilona (Elona) Weiss Weinberger, in and to the estate of Anna Jelinek, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9282; Filed, June 26, 1944; 10:47 a. m.]

[Vesting Order 3821]

CHRISTY JERIAN

In re: Estate of Christy Jerian, deceased; File D-11-30; E. T. sec. 5437.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by Ben H. Brown, Administrator, acting under the judicial supervision of the Superior Court of the State of California in and for the County of Los Angeles;
(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Bulgaria, namely,

National and Last Known Address

Makruhe Koparamian, Bulgaria.

And determining that—
(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Bulgaria; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Makruhe Koparamian, in and to the estate of Christy Jerian, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9283; Filed, June 26, 1944; 10:48 a. m.]

[Vesting Order 3822]

TOSHIRO KOBATA

In re: Estate of Toshiro Kobata, deceased; File: D-39-6334; E. T. sec. 10319.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by M. D. Zinn, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Imperial;
(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Tokiyo Kobata, and the heirs and next of kin, names unknown, of Toshiro Kobata, deceased, Japan.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the National interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Tokiyo Kobata, and the heirs and next of kin, names unknown, of Toshiro Kobata, deceased, and each of them, in and to the estate of Toshiro Kobata, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts,

pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9284; Filed, June 26, 1944; 10:48 a. m.]

[Vesting Order 3823]

SOLOMON LICHTER

In re: Estate of Solomon Lichter, deceased; File No. D–57–342; E. T. sec. 9545.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Sidonia Lichter, as executrix, acting under the judicial supervision of the Surrogate's Court of Westchester County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Roumania, namely,

Nationals and Last Known Address

Ary Lichter, Roumania.
Jacob Lichter, Roumania.
Sophia Schein, Roumania.
Anna Feder, Roumania.
Rebecca Theiler, Roumania.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Roumania; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Ary Lichter, Jacob Lichter, Sophia Schein, Anna Feder and Rebecca Theiler, and each of them, in and to the estate of Solomon Lichter, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9285; Filed, June 26, 1944; 10:48 a. m.]

[Supplemental Vesting Order 3849]

TOMIO FUKUSHINA

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found by Vesting Order No. 241, dated October 19, 1942, that the persons whose names are set forth in Exhibit A attached hereto and made a part hereof are nationals of a designated enemy country (Japan);

2. Having vested, by said Vesting Order No. 241, certain property which was, on October 19, 1942, owned by said nationals;

3. Finding that said nationals are the owners of the articles of personal property appearing in said Exhibit A opposite their respective names;

4. Finding that the property described in said Exhibit A is property within the United States owned or controlled by nationals of a designated enemy country (Japan);

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property referred to in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States, and hereby ratifies all acts of any of his employees, agents or representatives by which any of such property was taken into possession of the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this Order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on June 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Name of Owner and Property

Tomio Fukushina; 1 Eastman Kodascope medal 80 8 mm with case.
Tagao Kunsaka; Miscellaneous camera accessories.
Kenjiro Masuda; 1 Omag Filter (Yellow).
Shoji Masuda; 1 yellow Filter.
Kazuo Nishi; 1 metal reel case with 12 reels.
Saburo Nishiki; 1 extra Foth-derby lens.
Ryaso Sasaki; 1 Tempiphot exposure meter.
Kenroku Yoshiwara; 2 yellow filters.

[F. R. Doc. 44–9286; Filed, June 26, 1944; 10:48 a. m.]

[Supplemental Vesting Order 3851]

LINGNER CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found in Vesting Order Number 24, dated June 16, 1942, that of the issued and outstanding capital stock of Lingner Corporation, a corporation organized under the laws of the State of Delaware, consisting of 1,761 shares of no par value common capital stock, 1,630 shares (92.56%) were owned by Lingnerwerke, A. G., Berlin, Germany, and 47 shares (2.67%) were owned by Bank fuer Industrie und Verwaltung, A. G., Berlin, Germany, and having vested said 1,677 shares of stock;

2. Finding that Lingner Corporation, a corporation organized under the laws of the State of Delaware, is a business enterprise within the United States;

3. Finding that Lingnerwerke, A. G., Bank fuer Industrie und Verwaltung, A. G., and Exportkreditbank Aktiengesellschaft, whose principal places of business are located in Berlin, Germany, and "Certain Unknown Enemies" residing in Germany, are nationals of a designated enemy country (Germany);

4. Finding that Lingner Corporation is a national of a designated enemy country (Germany);

5. Finding that of the outstanding no par value common capital stock of Lingner Corporation, 74 shares are registered in the names of and beneficially owned by the following persons in the number appearing opposite each name and are evidence of an interest in said business enterprise:

Registered Owner, Number of Shares and Beneficial Owner

Suydam & Co., 10, Exportkreditbank, A. G., Berlin, Germany.
Richard Horwitz, 6½, N. V. Odol Company, Amsterdam, Holland.
Hallgarten & Co., 32, N. V. Odol Company, Amsterdam, Holland.
Squire & Co., 22½, N. V. Odol Company, Amsterdam, Holland.
Horwitz & Co., 3, "Certain Unknown Enemies."
Total, 74.

6. Finding that N. V. Odol Company, Amsterdam, Holland, is owned and controlled by Lingnerwerke, A. G., of Berlin, Germany;

and determining:

7. That N. V. Odol Company, Amsterdam, Holland, is controlled by Lingnerwerke, A. G., of Berlin, Germany, and is a national of a designated enemy country (Germany);

8. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 74 shares of no par value common capital stock of Lingner Corporation, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9287; Filed, June 26, 1944; 10:48 a. m.]

[Vesting Order 1630, Amdt.]

THE BAUER TYPE FOUNDRY, INC.

Vesting Order Number 1630 of June 7, 1943, is hereby amended as follows and not otherwise:

By deleting from subparagraph 9 the following:

All right, title, interest and claim of any name or nature whatsoever of Fundicion Tipografica Neufville, S. A., in and to any and all obligations, contingent or otherwise and whether or not matured, owing to it by The Bauer Type Foundry, Inc., and represented on the latter's books and records as an account payable to Aduanas Pujol-Rubio, including but not limited to all security rights in and to any and all collateral, for any and all such obligations and the right to enforce and collect such obligations,

and substituting therefor:

All right, title, interest and claim of any name or nature whatsoever of Fundicion Tipografica Neufville, S. A., in and to any and all obligations, contingent, or otherwise and whether or not matured, owing to it by The Bauer Type Foundry, Inc., and represented on the latter's books and records as due and owing to Aduanas Pujol-Rubio, including but not limited to all security rights in and to any and all collateral, for any and all such obligations and the right to enforce and collect such obligations.

All other provisions of such Vesting Order Number 1630 and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on June 22, 1944.

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9288; Filed, June 26, 1944; 10:49 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 20A–71, Amdt. 1]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN ROME, N. Y., AREA

Upon consideration of a petition to substitute Catherine Youngs, doing business as Kay's Taxi, 206 West Willett Street, Rome, New York, in lieu of Clayton Edy, 207 N. Washington Street, Rome, New York, as a party to Supplementary Order ODT 20A–71 (9 F.R. 2309), and good cause appearing therefor; *It is hereby ordered*, That:

1. Supplementary Order ODT 20A–71 be, and it is hereby, amended by substituting Catherine Youngs, doing business as Kay's Taxi, in lieu of Clayton Edy, and

2. Catherine Youngs, doing business as Kay's Taxi, on and after the effective date of this amendment, shall perform, subject to the provisions of such order, the functions of Clayton Edy, as described in the plan for joint action effectuated by, and made a part of, that order.

This amendment shall become effective July 1, 1944.

Issued at Washington, D. C., this 24th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44–9207; Filed, June 24, 1944; 10:50 a. m.]

[Supp. Order ODT 20A–136]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN HUDSON, N. Y., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Hudson, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilise vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies

[1] Filed as part of the original document.

having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Albany, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–136" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Albany 7, New York.

8. This order shall become effective July 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Milton J. Melnick, 223 Taxi Service, Hudson, N. Y.
Stephen Martin, Black Taxi Company, Hudson, N. Y.

[F. R. Doc. 44–9215; Filed, June 24, 1944; 10:53 a. m.]

[Supp. Order ODT 20A–137]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN TUCSON, ARIZ., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Tucson, Arizona, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Phoenix, Arizona, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–137" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Phoenix, Arizona.

8. This order shall become effective July 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Black & White Taxi Co., 80 N. Scott Street, Tucson, Ariz.
Checker Taxi Co., 30 N. Scott Street, Tucson, Ariz.
Yellow Cab Co., 30 N. Scott Street, Tucson, Ariz.
Murrell Taxi Co., 133 E. Broadway, Tucson, Ariz.
Citizens Red Line Taxi Co., 44 N. 5th Avenue, Tucson, Ariz.

[F. R. Doc. 44–9214; Filed, June 24, 1944; 10:53 a. m.]

[Supp. Order ODT 20A–138]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS, IN NASHUA, N. H., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Nashua, New Hampshire, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Concord, New Hampshire, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–138" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Concord, New Hampshire.

8. This order shall become effective July 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Wheeler & Nutting, 2 Locke Street, Nashua, N. H.
Oscar F. Bergeron, Prosper Cab, 19 High Street, Nashua, N. H.
Vincent Doyle, Prosper Cab, 19 High Street, Nashua, N. H.
Antoine Deschenes, Prosper Cab, 31 Haynes Street, Nashua, N. H.
Laurent Perreault, Prosper Cab, 19 High Street, Nashua, N. H.
Honore D. LeBlanc, Town Cab, 19 High Street, Nashua, N. H.
Harry LaFlame, Harry's Taxi, 10 High Street, Nashua, N. H.
Raymond L. House, Hudson Taxi, Perry Street, Nashua, N. H.
Richer Transportation Company, Nashua, N. H.

[F. R. Doc. 44–9213; Filed, June 24, 1944; 10:52 a. m.]

[Supp. Order ODT 20A–139]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN PONTIAC, MICH., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Pontiac, Michigan, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Detroit, Michigan, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–139" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Detroit, Michigan.

8. This order shall become effective July 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Oakland Cab Company, Pontiac, Mich.
Pontiac Cab Company, Pontiac, Mich.
Peoples Cab Company, Pontiac, Mich.
Nip's Cab Service, Pontiac, Mich.

[F. R. Doc. 44–9212; Filed, June 24, 1944; 10:52 a. m.]

[Supp. Order ODT 20A–140]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN TROY, N. Y., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Troy, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, ma-

[1] Filed as part of the original document.

terials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Albany, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–140" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Albany, New York.

8. This order shall become effective July 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of June 1944.

J. M. JOHNSON,
Director, Office of Defense Transportation.

APPENDIX 1

J. J. Zone, d/b/a Strand Taxi Service, 35 River Street, Troy, N. Y.
Domenick Anicin, d/b/a Strand Taxi Service, 35 River Street, Troy, N. Y.
James F. Gillard, d/b/a Strand Taxi Service, 35 River Street, Troy, N. Y.
Salvadore Petnel, d/b/a Petnel's Taxi Service, 72 College Avenue, Troy, N. Y.
Karl Pendt, Manager, Bragal's Taxi Service, 96—3d Street, Troy, N. Y.
R. L. Sanders, d/b/a Central Taxi Service, 21—4th Street, Troy, N. Y.
Charles S. McCauley, d/b/a Troy Taxi Co., 2 Federal Street, Troy, N. Y.
John Mattelo, d/b/a Troy Union Taxi, Union Station, Troy, N. Y.
Thomas J. Duffy, d/b/a Duffy's Taxi Service, 52—3d Street, Troy, N. Y.
Charles A. Dalton, 58 Collins Avenue, Troy, N. Y.
Peter Drood, 448—1st Avenue, Troy, N. Y.
Michael J. Amough, d/b/a Troy Union Taxi, Union Station, Troy, N. Y.
Buchanan Auto Renting Co., 50 Union Street, Troy, N. Y.
Thomas A. Myers, 2111 Burdette Avenue, Troy, N. Y.
Paramount Taxi, 147 River Street, Troy, N. Y.

[F. R. Doc. 44–9211; Filed, June 24, 1944; 10:52 a. m.]

[Supp. Order ODT 20A–141]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN OGDENSBURG, N. Y., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Ogdensburg, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

[1] Filed as part of the original document.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Utica, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–141" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Utica, New York.

8. This order shall become effective July 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of June 1944.

J. M. JOHNSON,
Director, Office of Defense Transportation.

APPENDIX 1

Leslie D. Henry, 308 Franklin Street, Ogdensburg, N. Y.
Frank L. Kiah, 227 Isabella Street, Ogdensburg, N. Y.
Napoleon Kiah, 216 Madison Avenue, Ogdensburg, N. Y.
Edward O'Marah, 825 Jefferson Avenue, Ogdensburg, N. Y.
Peter D. Pelow, 19 Commerce Street, Ogdensburg, N. Y.
Edward Kiah, 207 Main Street, Ogdensburg, N. Y.
Burton H. Robinson, 825 Main Street, Ogdensburg, N. Y.
Leslie Russell, 421 New York Avenue, Ogdensburg, N. Y.
William Tucker, 917 Congress Street, Ogdensburg, N. Y.
Morris B. Miller, 210 Gilbert Street, Ogdensburg, N. Y.

[F. R. Doc. 44–9210; Filed, June 24, 1944; 10:50 a. m.]

[Supp. Order ODT 20A–142]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN LEBANON, N. H., AREA

Upon consideration of a plant for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Lebanon, New Hampshire, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

[1] Filed as part of the original document.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Concord, New Hampshire, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–142" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Concord, New Hampshire.

8. This order shall become effective July 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Eddie X. Guyer, 7 Guyer Street, Lebanon, N. H.
Orville Dupuis, 23 Maple Street, Lebanon, N. H.
John Sausville, 176 Hanover Street, Lebanon, N. H.
Stephen S. Hamel, 62 Church Street, Lebanon, N. H.
William H. Clark, 48 Hanover Street, Lebanon, N. H.

[F. R. Doc. 44–9209; Filed, June 24, 1944; 10:50 a. m.]

[Supp. Order ODT 20A–143]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN COLUMBIA, MO., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Columbia, Missouri, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Jefferson City, Missouri, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to partcipate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same

manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–143" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Jefferson City, Missouri.

8. This order shall become effective July 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designated.

Issued at Washington, D. C., this 24th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Red Cab Company, Columbia Mo.
Yellow Cab Company, Columbia, Mo.
Checker Cab Company, Columbia, Mo.
Campus Cab Company, Columbia, Mo.

[F. R. Doc. 44-9208; Filed, June 24, 1944; 10:50 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 826]

CARBON MINING CO., INC., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 826 under Maximum Price Regulation No. 120. Bituminous Coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. Each producer is subject to all provisions makes no particular reference to a mine of Maximum Price Regulation No. 120.

CARBON MINING CO., INC., BOX 469 ASHLAND, KY., CARBON MINE, NO. 7 SEAM, MINE INDEX NO. 1006, BOYD COUNTY, KY., SUB-DIST. 1, RAIL SHIPPING POINT: PRINCESS, KY., F. O. G. 61, DRIFT MINE

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15–16–17	18	19	20–21
Price classification	M	M	M	M	K	K	J	G	E	G	F	L	L	L
Rail shipments and railroad fuel	360	360	345	345	345	335	315	310	310	345	295	285	280	280
Truck shipment*	370	360	315	325	310	290	230	225						

*Previously established.

ELMER DIXON COAL CO., BLACKEY, KY., ELMER DIXON MINE, HAZARD NO. 4 SEAM, MINE INDEX NO. 7023, LETCHER COUNTY, KY., SUB-DIST. 3, RAIL SHIPPING POINTS, BLACKEY, KY., F. O. G. 100, DRIFT MINE

Price classification	M	M	M	M	K	K	J	G	E	G	D	K	K	K
Rail shipments and railroad fuel	360	360	345	345	345	335	315	310	310	345	300	285	280	280
Truck shipment	370	360	325	325	310	290	235	230						

J. B. ELKHORN COAL CO., ASH CAMP, KY., J. B. ELKHORN COAL CO., MINE LOWER ELKHORN SEAM, MINE INDEX NO. 7124, PIKE COUNTY, KY., SUB-DIST. 1, RAIL SHIPPING POINT: HELLIER AND/OR ELKHORN CITY, KY., STRIP-MINE F. O. G. 61 AND/OR 63, RESPECTIVELY

Price classification	K	K	K	K	H	H	G	G	G	G	D	G	G	G
Rail shipments and railroad fuel	360	360	320	350	345	335	315	315	315	370	300	295	285	280
Truck shipment	360	360	325	335	320	290	260	245						

KANAWHA COAL CORPORATION, BECKLEY, W. VA., NO. 1 MINE, NO. 2 GAS SEAM, MINE INDEX NO. 7082, KANAWHA COUNTY, W. VA., SUB-DIST. 4, RAIL SHIPPING POINTS: ESKDALE, W. VA., F. O. G. 128, DRIFT MINE

Price classification	L	L	L	L	H	H	G	G	E	G	B	H	H	H
Rail shipments and railroad fuel	350	320	345	345	345	335	315	310	310	345	305	295	285	280
Truck shipment	375	345	335	335	310	300	245	240						

KELLEY'S CREEK COLLIERY CO., WESTERN RESERVE BLDG., CLEVELAND, OHIO, NO. 2 MINE, NO. 2 GAS SEAM, MINE INDEX NO. 7027, KANAWHA COUNTY, W. VA., SUB-DIST. 4, RAIL SHIPPING POINT: HUGHESTON, W. VA. F. O. G. 127, DEEP MINE

Price classification	N	N	N	N	J	J	H	G	E	G	B	E	E	E
Rail shipments and railroad fuel	350	350	345	345	345	335	315	310	310	345	305	295	290	290
Truck shipment	365	345	335	330	330	300	260	285						

REGINA ELKHORN COAL CO., PRESTONBURG, KY., REGINA ELKHORN MINE, ELKHORN NO. 2 SEAM, MINE INDEX NO. 7135, FLOYD COUNTY, KY., SUB-DIST. 1, RAIL SHIPPING POINT: PRESTONBURG, KY., F. O. G. 61, DRIFT MINE

Price classification	H	H	H	H	H	H	G	E	C	E	C	H	H	H
Rail shipment and railroad fuel	360	375	360	360	345	335	315	315	315	370	300	295	285	280
Truck shipment	360	370	330	335	320	295	245	240						

SAMPSON ELKHORN COAL CO., DRIFT, KY., TURNER #7 MINE, ELKHORN #2 SEAM, MINE INDEX NO. 7093, FLOYD COUNTY, KY., SUB-DIST. 1, RAIL SHIPPING POINT: SDG. 4424—KY., F. O. G. 61, DRIFT MINE

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15–16–17	18	19	20–21	22
Price classification	H	H	H	H	H	H	G	E	C	E	C	G	G	G	L
Rail shipments and railroad fuel	360	375	360	360	345	335	315	315	315	370	300	295	285	280	280
Truck shipment	360	370	330	335	320	295	260	245							

PRICE MCQUEEN, WANETA, KY., MCQUEEN MINE, SAND GAP SEAM, MINE INDEX NO. 7063, JACKSON COUNTY, KY. SUB-DIST. 6, DRIFT MINE

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Truck shipment	370	360	325	325	310	290	255	220		

This order shall become effective June 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9165; Filed, June 23, 1944; 11:41 a. m.]

[Max. Import Price Reg., Order 21]

J. C. CHAMBERS

ADJUSTMENT OF MAXIMUM PRICES

Order No. 21 under section 21 of the Maximum Import Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Orders Nos. 9250 and 9328, it is ordered:

(a) ***Effect of this order.*** This order establishes maximum prices at which the importer may sell and maximum prices at which wholesalers and retailers may buy and sell. Toy Brooms, weight 7 lbs. per dozen, full length handle; Special light weight parlor brooms, 9 lbs. per dozen, full length handle; Whisk brooms, made from selected hurl corn, three tie, spiral finish; #115—Common—Parlor tin or Wirelock 22 to 23 lb. unpainted handle; #115—Common Parlor tin or Wirelock 22 to 23 lb. painted handle; #701—Common Parlor Velvet & Tin Lock 22 to 24 lbs. unpainted handle; #701 Common Parlor Velvet & Tin Lock 22 to 24 lbs. painted handle; #850—Light Warehouse Velvet & Tin lock 28 lbs. unpainted handle; #850—Light Warehouse Velvet & Tin lock 28 lbs. painted handle; Heavy Duty Warehouse Brooms 3 wire bound 36–38 lbs. unpainted handle, imported from Mexico by J. C. Chambers of Kingsport, Tennessee, hereinafter called the "importer".

(b) ***Maximum prices on sales by the importer, wholesalers and retailers.*** The importer may not sell, and no wholesaler may buy, the brooms described in Appendix A of this order at prices, on a delivered basis, higher than those set forth in Column II of Appendix A. No wholesaler may sell, and no retailer may pay, prices higher than those set forth in Column III of Appendix A for such brooms. No retailer may sell, and no person may pay, prices higher than those set forth in Column IV of Appendix A for such brooms.

(c) ***Reduction of prices.*** Whenever the total landed cost to the importer on which the maximum prices are established by this order decrease by 5% or more, he shall immediately notify the Export-Import Price Branch, OPA, Washington, D. C., of the extent of the reduction in cost and the Price Administrator may then establish new maximum prices for these brooms.

(d) *Importer to notify wholesalers.* The importer shall furnish a copy of this order to each wholesaler to whom any such brooms are sold and shall also include on the invoice the following statement:

The enclosed Order No. 21 issued under the Maximum Import Price Regulation by OPA, establishes your maximum selling prices for these brooms.

(f) *Wholesalers to notify retailers.* Any wholesaler who purchases these brooms from the importer shall furnish a copy of this order to each retailer to whom any such brooms are sold and shall include on the invoice the following statement:

The enclosed Order No. 21 issued under the Maximum Import Price Regulation by OPA, establishes your maximum selling prices for these brooms.

(g) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective on June 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

APPENDIX A

I Type of broom	II Sales by importers to wholesalers	III Sales by wholesalers to retailers	IV Sales by retailers to consumers
	Per doz.	*Per doz.*	*Each*
Toy brooms	$4.75	$5.60	$0.59
Special light weight parlor brooms (full length handle)	5.75	6.60	.69
Whisk brooms	4.00	4.60	.49
#115 Common parlor tin or wirelock (unpainted handle)	11.25	12.95	1.40
#115 Common parlor tin or wirelock (painted handle)	11.75	13.50	1.45
#701 Common parlor velvet & tin lock (unpainted handle)	12.50	14.35	1.55
#701 Common parlor velvet & tin lock (painted handle)	13.00	14.95	1.65
#850 Light warehouse velvet & tin lock (unpainted handle)	14.95	17.20	1.85
#850 Light warehouse velvet & tin lock (painted handle)	15.45	17.75	1.95
Heavy duty warehouse brooms 3-wire bound (unpainted)	15.93	18.30	2.00

[F. R. Doc. 44-9166; Filed, June 23, 1944; 11:41 a. m.]

[MPR 188, Order 1737]

WALLINDER SASH & DOOR CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1737 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of three items of furniture, manufactured by Wallinder Sash & Door Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of three items of furniture manufactured by Wallinder Sash & Door Co., Duluth, Minnesota.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Per unit	*Per unit*
Adirondack chair		$2.90	$3.50
3-piece juvenile table and chairs set		*Per set* $3.57	*Per set* $4.20
Juvenile picnic table set		$2.72	$3.25

These prices are f. o. b. factory and are subject to a cash discount of two per cent for payment within ten days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Per unit
Adirondack chair		$3.50
3-piece juvenile table and chairs set		*Per set* $4.20
Juvenile picnic table set		3.25

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of June 1944.

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9185; Filed, June 23, 1944; 3:56 p. m.]

[MPR 188, Order 1738]

CHATTANOOGA MATTRESS CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1738 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a living room suite manufactured by Chattanooga Mattress Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a living room suite manufactured by Chattanooga Mattress Company, Chattanooga, Tenn.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
3 piece living room suite in F grade cover	550	*Per unit* $50.58	*Per unit* $59.50

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
3-piece living room suite in F grade cover	550	*Per unit* $69.50

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of June 1944.

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9186; Filed, June 23, 1944; 3:55 p. m.]

[MPR 188, Order 1739]

WILFRED B. KEENAN

APPROVAL OF MAXIMUM PRICES

Order No. 1739 under § 1499.158 of Maximum Price Regulation No. 188 Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a child's play yard manufactured by Wilfred B. Keenan.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a child's play yard manufactured by Wilfred B. Keenan, 31 Milk Street, Boston, Massachusetts.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Child's play yard		*Per unit* $4.60	*Per unit* $5.80

These prices are f. o. b. factory and are subject to a cash discount of two per cent.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Child's play yard		*Per unit* $5.80

This price is subject to a cash discount of two per cent

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of June 1944.

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9187; Filed, June 23, 1944; 3:55 p. m.]

[MPR 188, Order 1740]

JOSEPH A. LONERGAN

APPROVAL OF MAXIMUM PRICES

Order No. 1740 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a child's toilet seat manufactured by Joseph A. Lonergan.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a child's toilet seat manufactured by Joseph A. Lonergan, Alhambra, California.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Child's toilet seat		*Per unit* $1.33	*Per unit* $1.66

These maximum prices are f. o. b. factory and are subject to a discount of 2% for payment within 10 days, net 30 days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Child's toilet seat		*Per unit* $1.66

This maximum price is subject to a discount of 2% for payment within 10 days, net 30 days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of June 1944.

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9188; Filed, June 23, 1944; 3:56 p. m.]

[MPR 188, Order 1741]

FULTON SALES CORP.

APPROVAL OF MAXIMUM PRICES

Order No. 1741 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a juvenile chair manufactured by Fulton Sales Corporation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a juvenile chair manufactured by Fulton Sales Corporation, Lancaster, Pa.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile chair		*Each* $3.40	*Each* $4.00

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile chair		*Each* $4.00

This price is subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of June 1944.

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9189; Filed, June 23, 1944; 3:55 p. m.]

[MPR 120, Amdt. 1 to Order 98]

PENNSYLVANIA COAL & COKE CORP.

ORDER GRANTING ADJUSTMENT

Amendment No. 1 to Order No. 98 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Docket No. 3120-287.

For the reasons set forth in the opinion issued herewith and in accordance with paragraph (c) of Order No. 98 under Maximum Price Regulation No. 120; *It is ordered*, That the said Order No. 98 be amended by deleting subparagraphs (1), (4) and (5) of paragraph (b) thereof.

This amendment shall become effective July 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9228; Filed, June 24, 1944; 11:40 a. m.]

[MPR 188, Order 1744]

C. F. SAWYER

APPROVAL OF MAXIMUM PRICES

Order No. 1744 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two items of swings manufactured by C. F. Sawyer.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of certain swings manufactured by C. F. Sawyer, W. Galax, Virginia.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturers' stock	Maximum price to retailers
		Per unit	*Per unit*
Swing	20-42"	$3.02	$3.55
Swing	20-54"	3.32	3.90

These maximum prices are net *f. o. b.* factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942, he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, *f. o. b.* factory:

Article	Model No.	Maximum price to retailers
		Per unit
Swing	20-42"	$3.55
Swing	20-54"	3.90

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of June 1944.

Issued this 24th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9230; Filed, June 24, 1944; 11:40 a. m.]

[MPR 188, Order 1745]

WOODWORK SPECIALTY CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1745 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of an unfinished dressing table manufactured by Woodwork Specialty Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of an unfinished dressing table manufactured by Woodwork Specialty Co., 1601 North Front Street, Mankato, Minnesota.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Per unit	*Per unit*
Unfinished dressing table	-------	$2.93	$3.45

These prices are *f. o. b.* factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, *f. o. b.* factory:

Article	Model No.	Maximum price to retailers
		Per unit
Unfinished dressing table	-------	$3.45

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other

than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of June 1944.

Issued this 24th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9231; Filed, June 24, 1944; 11:41 a. m]

[MPR 120, Order 811]

STEPHEN R. HANSEL, ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Correction

In F.R. Doc. 44-8650, appearing at page 6657 of the issue for Friday, June 16, 1944, the following corrections should be made in the tables:

Under Hill Bros. (Coal) the mine index number should be "5109".

Mine index number for the Powell Coal Co. should be "5089".

In the second column under Godin & Saricks the price for truck shipment should be "3.35".

In the first table for Garman Coal Co. the mine name should read: "Garman No. 1 Mine"; the price in the third column for rail shipment should be "$3.35".

[MPR 120, Order 813]

MULZER MINES, ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Correction

In F.R. Doc. 44-8653, appearing at page 6659 of the issue for Friday, June 16, 1944, the price for truck shipment under column 14 of the table for the Pell Coal Corporation should read "2.30".

Regional and District Office Orders.

[Region VIII Order G-4 Under MPR 188]

ROCK AND SAND, ETC., IN LOS ANGELES COUNTY, CALIF.

Amendment No. 1 to Order No. G-4 under Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Adjusted maximum prices for sales by producers in Los Angeles County, California, of rock, sand, gravel, and truck-mixed concrete.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Office of Price Administration by § 1499.161 (a) (2) of Maximum Price Regulation No. 188, *It is hereby ordered*, That paragraph (a) be amended to read as follows:

(a) The adjusted maximum price at which producers of rock, sand, gravel, and truck-mixed concrete, located in Los Angeles, California and vicinity may sell and deliver any of said products produced in any plant covered by the wage increases approved on February 22, 1944, by the National War Labor Board-NWLB Cases No. 111-115-AR and No. 111-116-AR, shall be the particular producer's present maximum price for the product, plus 10% of the present net maximum price: *Provided*, That if the resulting price contains a fraction of a cent it shall be further adjusted to the nearest half cent. By "net maximum price" is meant maximum price less all applicable discounts.

This Amendment No. 1 shall become effective June 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 19th day of June 1944.

CHARLES R. BAIRD,
Acting Regional Administrator.

[F. R. Doc. 44-9176; Filed, June 23, 1944; 12:12 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on June 21, 1944.

REGION II

Trenton Order 3-F, Amendment 5, covering fresh fruits and vegetables in the counties of Mercer, Middlesex and Monmouth, N. J., filed 9:26 a. m.

Trenton Order 4-F, Amendment 1, covering fresh fruits and vegetables in certain areas in New Jersey. Filed 9:25 a. m.

Syracuse Order 23, covering certain food items in the entire counties of Ontario, Wayne, Seneca and Cayuga, N. Y., filed 10:07 a. m.

Pittsburgh Order 1-F, Amendment 10, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:21 a. m.

Maryland Order 1-F, Amendment 11, covering fresh fruits and vegetables in Baltimore, Md., area, filed 9:25 a. m.

Trenton Order 2-F, Amendment 6, covering fresh fruits and vegetables in the counties of Mercer, Middlesex and Monmouth, N. J., filed 12:46 p. m.

REGION III

Charleston Order 1-F, Amendment 30, covering fresh fruits and vegetables in Kanawha County and City of Montgomery, Fayette County, W. Va., filed 9:23 a. m.

Charleston Order 3-F, Amendment 25, covering fresh fruits and vegetables in Brooke, Hancock, Marshall, Ohio, Tyler and Wetzel Counties, W. Va., filed 9:22 a. m.

Charleston Order 12-F, Amendment 2, covering fresh fruits and vegetables in certain counties in West Virginia, filed 12:48 p. m.

Grand Rapids Order F-14-A, Amendment 22, covering fresh fruits and vegetables in the area within the corporate boundaries of the City of Grand Rapids, Mich., filed 9:23 a. m.

Grand Rapids Order F-14-B, Amendment 21, covering fresh fruits and vegetables in the areas within the corporate boundaries of the Cities of Muskegon, Kalamazoo, and Battle Creek, Mich., filed 9:24 a. m.

Grand Rapids Order F-14-B, Amendment 22, covering fresh fruits and vegetables in the areas within the corporate boundaries of the Cities of Muskegon, Kalamazoo, and Battle Creek, Mich., filed 9:23 a. m.

Grand Rapids Order F-14-C, Amendment 7, covering fresh fruits and vegetables in certain counties of Michigan, filed 9:24 a. m.

Grand Rapids Order F-14-D, Amendment 7, covering fresh fruits and vegetables in certain counties of Michigan, filed 9:23 a. m.

Grand Rapids Order F-14-A, Amendment 21, covering fresh fruits and vegetables in the area within the corporate boundaries of the City of Grand Rapids, Mich., filed 9:25 a. m.

REGION IV

Atlanta Order 1-F, Amendment 14, covering fresh fruits and vegetables in Bibb County, Ga., filed 12:47 p. m.

Atlanta Order 4-F, Amednment 5, covering fresh fruits and vegetables in certain counties in the Atlanta, Ga., area, filed 12:46 p. m.

Atlanta Order 5-F, Amendment 11, covering fresh fruits and vegetables in Muscogee County, Ga., Phenix, filed 12:47 p. m.

Atlanta Order 6-F, Amendment 5, covering fresh fruits and vegetables in the Metropolitan Atlanta Decatur Trade area in Georgia, filed 12:46 p. m.

Birmingham Order 1-F, Amendment 10, covering fresh fruits and vegetables in Jefferson County, Ala., filed 12:52 p. m.

Jackson Order 2-F, Amendment 15, covering fresh fruits and vegetables in certain counties in Mississippi, filed 9:25 a. m.

Nashville Order 5-F, Amendment 19, covering fresh fruits and vegetables in Davidson, Hamblen, Hamilton, Knox, Sullivan, and the municipality of Bristol, Va., filed 12:58 p. m.

Nashville Order 13, Amendment 2, covering certain poultry items in certain areas in Virginia, filed 12:57 p. m.

Nashville Order 10-F, Amendment 3, covering fresh fruits and vegetables in all counties in the Nashville District except Davidson, Hamblen, Hamilton, Knox and Sullivan, Tenn., filed 12:58 p. m.

Raleigh Order 11, Amendment 5, covering certain dry grocery items in certain areas in North Carolina. Filed 9:21 a. m.

Raleigh Order 12, covering certain dry grocery items in certain named counties in North Carolina, filed 9:21 a. m.

Roanoke Order 2-W, Amendment 1, covering certain food items in the Roanoke District area, Virginia, filed 12:48 p. m.

Savannah Order 3-F, Amendment 32, covering fresh fruits and vegetables in certain counties in Georgia, filed 12:52 p. m.

Savannah Order 3-W, covering certain dry grocery items in certain counties in the State of Georgia, filed 12:53 p. m.

Savannah Order 4-F, Amendment 31, covering fresh fruits and vegetables in certain counties in the State of Georgia, filed 12:52 p. m.

Savannah Order 5-F, Amendment 12, covering fresh fruits and vegetables in certain counties in the State of Georgia, filed 12:52 p. m.

South Carolina Order 1-F, Amendment 9, covering fresh fruits and vegetables in Columbia, S. C., filed 12:59 p. m.

South Carolina Order 1-F, Amendment 10, covering fresh fruits and vegetables in Columbia, S. C., filed 12:55 p. m.

South Carolina Order 2-F, Amendment 9, covering fresh fruits and vegetables in Charleston, S. C., filed 12:59 p. m.

South Carolina Order 2-F, Amendment 10, covering fresh fruits and vegetables in Charleston, S. C., filed 12:57 p. m.

South Carolina Order 3-F, Amendment 13, covering fresh fruits and vegetables in Greenville and Spartanburg, S. C., filed 12:58 p. m.

South Carolina Order 3–F, Amendment 14, covering fresh fruits and vegetables in Greenville and Spartanburg, S. C., filed 12:55 p. m.

REGION V

Arkansas Order 2–F, Amendment 15, covering fresh fruits and vegetables in Pulaski County, Ark., filed 12:50 p. m.

Arkansas Order 3–F, Amendment 13, covering fresh fruits and vegetables in Craighead County, Ark., filed 12:49 p. m.

Arkansas Order 4–F, Amendment 16, covering fresh fruits and vegetables in Miller County, Ark., Filed 12:49 p. m.

Arkansas Order 5–F, Amendment 14, covering fresh fruits and vegetables in Garland County, Ark., filed 12:49 p. m.

Arkansas Order 6–F, Amendment 16, covering fresh fruits and vegetables in Sebastian and Crawford Counties, Ark., filed 12:49 p. m.

Arkansas Order G–17, Amendment 1, covering certain dry grocery items and certain items of perishables in the State of Arkansas, filed 10:06 a. m.

Arkansas Order G–18, Amendment 1, covering certain dry grocery items and certain items of perishables in certain areas in Arkansas, filed 10:06 a. m.

Arkansas Order G–19, Amendment 1, covering certain dry grocery items and certain items of perishables in certain areas in Arkansas. Filed 10:06 a. m.

Dallas Order 1–F, Amendment 20, covering fresh fruits and vegetables in the County of Dallas, Tex., filed 2:38 p. m.

Fort Worth Order 1–F, Amendment 21, covering fresh fruits and vegetables in Tarrent County, Tex., filed 12:53 p. m.

Kansas City Order 2–F, Amendment 13, covering fresh fruits and vegetables in certain areas in Missouri. Filed 2:14 p. m.

Kansas City Order G–17, Amendment 1, covering certain poultry items in certain areas in Missouri. Filed 2:13 p. m.

Kansas City Order G–18, Amendment 1, covering certain poultry items in certain areas in Missouri. Filed 2:12 p. m.

San Antonio Order 2–W, Amendment 1, covering certain food items in certain areas in Texas. Filed 12:55 p. m.

San Antonio Order G–11, Amendment 2, covering certain food items in certain counties in Texas. Filed 12:55 p. m.

Shreveport Order 2–F, Amendment 18, covering fresh fruits and vegetables in Shreveport, Bossier City, Monroe and West Monroe, La., filed 9:20 a. m.

Shreveport Order 3–F, Amendment 6, covering fresh fruits and vegetables in certain parishes in Louisiana, filed 10:07 a. m.

Shreveport Order 3–F, Amendment 7, covering fresh fruits and vegetables in certain parishes in Louisiana, filed 9:20 a. m.

REGION VI

Duluth-Superior Order 1–F, Amendment 21, covering fresh fruits and vegetables in Duluth, Proctor, City of Superior and Town of Superior, filed 2:15 p. m.

Duluth-Superior Order 10, Amendment 9, covering community food prices in certain areas in Minnesota and Wisconsin, filed 2:02 p. m.

Duluth-Superior Order 11, Amendment 3, covering community food prices in certain counties in Minnesota and Wisconsin, filed 2:03 p. m.

Green Bay Order 2–F, Amendment 18, covering community fresh fruit and vegetable prices in certain areas in Wisconsin, filed 2:04 p. m.

Green Bay Order 3–F, Amendment 12, covering fresh fruits and vegetables in certain named areas of Wisconsin, filed 2:04 p. m.

La Crosse Order 8, Revocation, covering community food prices in La Crosse, Monroe & Vernon, Wis. and Houston, Minn., filed 2:09 p. m.

La Crosse Order 10, Revocation, covering community food prices in certain counties in Wisconsin and Minnesota, filed 2:09 p. m.

La Crosse Order 11, Revocation, covering community food prices in certain counties in Wisconsin, filed 2:09 p. m.

La Crosse Order 12, covering community food prices in certain counties in Wisconsin, filed 2:11 p. m.

La Crosse Order 13, covering community food prices for dry groceries in Fillmore, Houston, Olmsted, Wabasha, and Winona, Minn., filed 2:10 p. m.

Moline Order 2–F, Amendment 15, covering fresh fruits and vegetables in certain areas in Illinois and Iowa, filed 12:50 p. m.

Moline Order 4–F, Amendment 3, covering fresh fruits and vegetables in certain named counties in Illinois, filed 12:51 p. m.

Omaha Order 3–W, covering dry groceries in Omaha, Nebraska and Council Bluffs, Iowa, filed 10:07 a. m.

Sioux City Order 2–F, Amendment 19, covering fresh fruits and vegetables in Sioux City, Iowa and Sioux City, Nebr., filed 2:14 p. m.

Peoria Order 3, Amendment 10, covering community food prices in certain areas in Illinois, filed 2:17 p. m.

Peoria Order 5, Amendment 8, covering community food prices in certain counties in Illinois, filed 2:16 p. m.

Peoria Order 6, Revocation, covering community food prices in certain named areas, in Illinois, filed 2:08 p. m.

Peoria Order 7, Revocation, covering community food prices in certain counties in Illinois, filed 2:05 p. m.

Peoria Order 8, Revocation, covering community food prices in certain areas in Illinois, filed 2:06 p. m.

Peoria Order 9, Revocation, covering community food prices in LaSalle, Bureau and Putnam in Illinois, filed 2:06 p. m.

Peoria Order 13, covering community food prices in Knox, Warren, McDonough, Fulton, Mason, LaSalle, Bureau and Putnam Counties, Ill., filed 2:07 p. m.

Peoria Order 14, covering community food prices in certain areas in Illinois, filed 2:12 p. m.

Quad-Cities Order 32, covering community food prices of dry groceries and perishables in Scott County, Iowa and Rock Island County, Ill., filed 2:19 p. m.

Quad-Cities Order 33, covering community prices for dry groceries and certain perishables in Muscatine, Cedar, Jones, Jackson and Clinton, Iowa, filed 2:18 p. m.

Quad-Cities Order 34, covering community prices for dry groceries and certain perishables in Dubuque County, Iowa and Jo Daviess, Carroll and Whiteside Counties, Ill., filed 2:20 p. m.

Quad-Cities Order 35, covering community food prices of dry groceries and certain perishables in certain counties in Illinois, filed 2:21 p. m.

Quad-Cities Order 36, covering community food prices of dry groceries and certain perishables in Mercer and Henry Counties in Illinois, filed 2:21 p. m.

REGION VII

Wyoming Order 1–W, Amendment 1, covering wholesale community food prices in Cheyenne, Wyoming Area, filed 2:29 p. m.

Wyoming Order 1–F, Amendment 5, covering fresh fruits and vegetables in the Cheyenne, Wyoming Area, filed 10:06 a. m.

Wyoming Order 2–W, Amendment 1, covering community food prices at wholesale in Casper, Wyoming Area, filed 9:22 a. m.

Wyoming Order 2–F, Amendment 3, covering fresh fruits and vegetables in the Laramie Area, filed 10:06 a. m.

Wyoming Order 3–F, Amendment 2, covering fresh fruits and vegetables in the Casper Area, filed 10:06 a. m.

Wyoming Order 4–F, Amendment 2, covering fresh fruits and vegetables in the Sheridan Area, filed 10:06 a. m.

Wyoming Order 5–F, Amendment 1, covering fresh fruits and vegetables in the Rock Springs Area, filed 10:06 a. m.

Wyoming Order 6–W, Amendment 1, covering wholesale food prices in the Sheridan, Wyoming Area, filed 2:30 p. m.

Wyoming Order 30, Amendment 1, covering retail community food prices in the Greybull, Wyoming Area, filed 10:06 a. m.

Utah Order 1–B, covering retail food prices in various areas in Utah and Arizona, filed 12:53 p. m.

REGION VIII

Fresno Order 1–F, Amendment 21, covering fresh fruits and vegetables in Fresno, Calif., filed 2:37 p. m.

Fresno Order 3–F, Amendment 3, covering fresh fruits and vegetables in named areas in Calif., filed 10:10 a. m.

Fresno Order 3–F, Amendment 4, covering fresh fruits and vegetables in named areas in Calif., filed 2:37 p. m.

Fresno Order 4–F, covering fresh fruits and vegetables in certain named areas in Calif., filed 2:36 p. m.

Fresno Order 5–F, covering fresh fruits and vegetables in certain named areas in California, filed 2:36 p. m.

Los Angeles Order L. A.–8 Amendment 17, covering poultry in the Los Angeles Metropolitan Area, filed 2:32 p. m.

San Diego Order 1–F, Amendment 42, covering fresh fruits and vegetables in San Diego, Calif., filed 2:35 p. m.

San Diego Order 2–F, Amendment 1, covering fresh fruits and vegetables in certain areas in California, filed 2:35 p. m.

San Diego Order 8, Amendment 1, covering certain food items in a certain named area in California, filed 10:09 a. m.

San Diego Order 9, Amendment 1, covering certain food items in a certain named area in California, filed 10:08 a. m.

Phoenix Order 1–W, Amendment 2, covering dry groceries in the "Phoenix Area", filed 2:41 p. m.

Phoenix Order 4–F, Amendment 11, covering fresh fruits and vegetables in the Tucson Area, filed 10:05 a. m.

Phoenix Order 4–F, Amendment 12, covering fresh fruits and vegetables in the Tucson Area, filed 10:05 a. m.

Spokane Order 1–F, Amendment 13, covering fresh fruits and vegetables in certain areas in Spokane County, Wash., filed 9:20 a. m.

Spokane Order 2–F, Amendment 10, covering fresh fruits and vegetables in certain areas in Kootenai County, Idaho, filed 9:20 a. m.

Spokane Order 15, Amendment 2, covering all community food prices in certain areas of Columbia and Walla Walla Counties, Wash., filed 10:10 a. m.

Spokane Order 16, Amendment 2, covering community food items in certain areas in Asotin County, Wash., and Nez Perce County, Idaho, filed 10:09 a. m.

Spokane Order 18, Amendment 2, covering community food prices in certain areas of Shoshone and Kootenai Counties, Idaho, filed 10:09 a. m.

Seattle Adopting Order 9, covering retail community food prices in the Seattle Area, filed 2:26 p. m.

Seattle Adopting Order 10, covering retail community food prices in the Tacoma Area, filed 2:25 p. m.

Seattle Adopting Order 11, covering retail community food prices in the Everett Area, filed 2:25 p. m.

Seattle Adopting Order 12, covering retail community food prices in the Bremerton Area, filed 2:24 p. m.

Seattle Adopting Order 13, covering retail community food prices in the Bellingham Area, filed 2:23 p. m.

Seattle Adopting Order 14, covering retail community food prices in the Olympia Area, filed 9:22 a. m.

Seattle Adopting Order 15, covering retail community food prices in the Aberdeen-Hoquiam Area, filed 9:21 a. m.

Seattle Adopting Order 16, covering retail community food prices in the Centralia-Chehalis Area, filed 2:28 p. m.

Seattle Adopting Order 17, covering retail community food prices in the Wenatchee Area, filed 2:27 p. m.

Seattle Adopting Order 18, covering retail community food prices in the Yakima Area, filed 2:27 p. m.

San Francisco Order 1–F, Amendment 18, covering fresh fruits and vegetables in the San Francisco District, filed 2:34 p. m.

San Francisco Order 2–F, Amendment 11, covering fresh fruits and vegetables in San Jose, Santa Clara, Mayfair, Berryessa, and Burbank, filed 2:34 p. m.

Sacramento Order 1–W, Amendment 2, covering wholesale community food prices in the Stockton Market Area, filed 2:39 p. m.

Sacramento Order 2–W, Amendment 2, covering wholesale community food prices in the Sacramento Market Area, filed 2:40 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–9296; Filed, June 26, 1944; 11:46 a. m.]

RAILROAD RETIREMENT BOARD.

[Jurisdictional Docket 27]

THE SHIPLEY COMPANY

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the status under the Railroad Unemployment Insurance Act of the Shipley Company and of the individuals rendering service under contracts between the Shipley Company and the Chicago, St. Paul, Minneapolis and Omaha Railway Company.

Notice is hereby given that pursuant to the authority vested in the General Counsel by Part 319 of the regulations under the Railroad Unemployment Insurance Act (7 F.R. 4774) the hearing in the above-entitled matter, scheduled to be held on June 22, 1944, at 10 a. m., in the hearing room of the Railroad Retirement Board, 844 Rush Street, Chicago, Illinois (9 F.R. 6289) and postponed, will be held on Tuesday, July 18, 1944, at 10:00 a. m., in the hearing room of the Railroad Retirement Board, 844 Rush Street, Chicago, Illinois.

(45 U.S.C. 351–367)

Dated: June 21, 1944.

[SEAL] JOSEPH H. FREEHILL,
General Counsel.

[F. R. Doc. 44–9271; Filed, June 26, 1944; 10:18 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59–53, 54–88]

CITIES SERVICE CO., ET AL.

NOTICE AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 23d day of June, A. D. 1944.

In the matter of Cities Service Company, Cities Service Power & Light Company, Federal Light & Traction Company, Central Arkansas Public Service Corporation, Public Service Company of Colorado, The Ohio Public Service Company, The Toledo Edison Company, and The Empire District Electric Company, respondents, File No. 59–53; Cities Service Power & Light Company, File No. 54–88.

The Commission having provided in its order of March 14, 1944 herein that Cities Service Company and Cities Service Power & Light Company shall make appropriate provisions to ensure that the debentures and shares of preferred stock of Cities Service Power & Light Company which were held directly or indirectly on March 13, 1944, by or for any officer or director of Cities Service Company or of Cities Service Power & Light Company and which had been acquired since February 24, 1938, shall be surrendered by such officers and directors under the Plan as amended, that the cash paid in respect of such debentures and shares of preferred stock shall be held in a special fund by Cities Service Power & Light Company and that such cash shall be subject to such disposition as may be determined by the Commission to be appropriate; and

It appearing appropriate in the public interest and in the interests of investors and consumers that the hearing herein be reconvened for the purpose of taking evidence with respect to appropriate disposition of such cash.

It is ordered, That a hearing on such matters under the applicable provisions of said act and rules of the Commission thereunder be reconvened on June 26, 1944, at 2:00 p. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in room 318 will advise as to the room in which such hearing will be held;

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the reconvened hearings herein. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by the above provisions of our order of March 14, 1944, particular attention will be directed at such hearing to the following matters:

(1) Action taken by Cities Service Company and Cities Service Power & Light Company with respect to the debentures and shares of preferred stock of Cities Service Power & Light Company Which were held directly or indirectly on March 13, 1944, by or for any officer or director of Cities Service Company or of Cities Service Power & Light Company and which had been acquired since February 24, 1938.

(2) Purchases and sales of debentures and shares of preferred stock of Cities Service Power & Light Company by officers and directors of Cities Service Company and Cities Service Power & Light Company from February 24, 1938, to March 13, 1944, inclusive.

(3) Formation and drafting of, and negotiations concerning plans for compliance by Cities Service Power & Light Company with section 11 of the act.

(4) Dividend payments by Cities Service Power & Light Company on its preferred stock.

It is further ordered, That notice of said reconvened hearing is hereby given to Cities Service Company, Cities Service Power & Light Company, their respective officers and directors and all interested persons; said notice to be given to Cities Service Company, Cities Service Power & Light Company and their respective officers and directors by registered mail, addressed to Cities Service Company and Cities Service Power & Light Company, and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by a general release of this Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

It is further ordered, That Cities Service Company and Cities Service Power & Light Company shall give additional notice of said hearing to each of their respective officers and directors by or for whom any debentures or shares of preferred stock of Cities Service Power & Light Company, which had been acquired since February 24, 1938, were held directly or indirectly on March 13, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–9242; Filed, June 24, 1944; 2:52 p. m.]

[File No. 70–904]

SCRANTON-SPRING BROOK WATER SERVICE CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 23d day of June, A. D., 1944.

Scranton-Spring Brook Water Service Company, a subsidiary of Federal Water and Gas Corporation, a registered holding company, having filed an application and a declaration pursuant to the Public Utility Holding Company Act of 1935 and the general rules and regulations promulgated thereunder, regarding the proposed purchase in the open market from time to time but prior to December 31, 1944, of all or any part of a maximum of $600,000 principal amount of its First Mortgage and Refunding 5% Gold Bonds, Series A, due August 1, 1967, and Series B, due August 1, 1961, for cash at prices not in excess of the call price in effect at the date of purchase; and

Said application and declaration having been filed on June 3, 1944 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act and the Commission not having received a request for a hearing with respect to said application and declaration within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the statutory requirements under sections 10 and 12 of said Act are satisfied and that no adverse findings are necessary thereunder and deeming it appropriate in the public interest an in the interest of investors and consumers to grant said application and to permit said declaration to become effective:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid application be and hereby is granted forthwith and that the aforesaid declaration be and hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-9243; Filed, June 24, 1944; 2:52 p. m.]

[File No. 811-177]

INVESTMENT COUNSEL INVESTMENT FUND, INC.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia 3, Pa., on the 23d day of June, A. D., 1944.

An application having been filed by Investment Counsel Investment Fund, Inc. pursuant to section 8 (f) of the Investment Company Act of 1940 for an order declaring that the applicant has ceased to be an investment company within the meaning of said Act;

It is ordered, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on July 3, 1944 at 10:00 a. m., Eastern War Time, in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia 3, Pennsylvania;

It is further ordered, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-9244; Filed, June 24, 1944; 2:52 p. m.]

[File No. 70-900]

NORTHERN STATES POWER CO. (DEL.) AND NORTHERN STATES POWER CO. (MINN.)

ORDER PERMITTING JOINT DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of June 1944.

Northern States Power Company (Delaware), a registered holding company, and its subsidiary, Northern States Power Company (Minnesota), also a registered holding company, having filed a joint declaration pursuant to section 12 (b) of the Public Utility Holding Company Act of 1935 and Rule U-45 of the general rules and regulations promulgated thereunder, regarding a proposal to continue the postponement of the payment of $806,517.09, the balance of the installments on the principal of the open account indebtedness (now in the amount of $7,530,852.08) owing by Northern States Power Company (Delaware) to Northern States Power Company (Minnesota), until December 31, 1944, because a plan, as amended, filed by Northern States Power Company (Delaware) pursuant to section 11 (e) of said act for its liquidation and dissolution, the proceedings on which are still pending, provides for the disposition of said indebtedness primarily by the surrender by Northern States Power Company (Minnesota) of 481,111 shares of the common stock of the last mentioned company (all of which is owned by Northern States Power Company (Delaware) and for a distribution of the remaining shares of the common stock of Northern States Power Company (Minnesota) among the stockholders of Northern States Power Company (Delaware), and because a reduction in the indebtedness would necessitate an alteration in the allocations proposed by the plan and serve no useful purpose; Northern States Power Company (Minnesota) agrees that, pending the consummation of the plan, as amended, and until December 31, 1944, or the date of such consummation (whichever shall be earlier), it will continue to segregate on its books $806,517.09 of its earned surplus as not being available for the declaration of dividends on its common stock; declarants further request that Northern States Power Company (Minnesota) be permitted to waive all interest due on said indebtedness for the period from June 30, 1944 to December 31, 1944;

Said joint declaration having been duly filed on May 25, 1944, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said act and the Commission not having received a request for hearing with respect to said declaration within the period specified within such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that all applicable statutory requirements are met and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act and to the agreement with respect to earned surplus set forth in said joint declaration, that said declaration be and the same is hereby permitted to become effective forthwith: *Provided, however*, That nothing contained in this order shall be construed as constituting a determination by us of the propriety of the disposition of the open account indebtedness as proposed in the aforementioned plan.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-9257; Filed, June 26, 1944; 10:13 a. m.]

[File No. 70-908]

CITIES SERVICE POWER & LIGHT CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of June, A. D. 1944.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Cities Service Power & Light Company (Power & Light), a registered holding company. All interested persons are referred to said document which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Power & Light proposes to sell to Missouri Public Service Corporation, a Delaware corporation (Missouri), all of the common stock of its public utility subsidiary City Light & Traction Company (City Light), to wit, 10,000 shares of common stock of the par value of $100 per share.

The purchase price for said common stock is $1,257,000. Power & Light is also entitled to receive

(a) The sum of $4,400 per month (either as a dividend or as an adjustment on the purchase price) from March 31, 1944, up to and including the Closing Date, and

(b) All accrued and unpaid interest up to the Closing Date on two 6% Demand Promissory Notes of City Light which are payable to Power & Light and are dated respectively December 31, 1936 and December 27, 1937 in the respective principal amounts of $1,231,587.52 and $26,000;

The purchase price is payable in cash on the closing date which is specified to be on or before October 1, 1944, provided that appropriate orders are obtained by Power & Light from the Securities and Exchange Commission and by Missouri from the Public Service Commission of Missouri on or before August 1, 1944. Power & Light has agreed with Missouri that on the closing date it will make a contribution of capital to City Light by surrendering the above described Notes to City Light for cancellation.

The net proceeds from the sale of said stock will be applied to the prepayment of Power & Light's Bank Loan Notes in accordance with the terms thereof as required by Power & Light Custodian Agreement dated March 15, 1944, with The Chase National Bank of the City of New York heretofore executed and delivered pursuant to order of the Commission dated March 14, 1944.

The Commission is requested to issue an appropriate order and findings in connection with the proposed transactions hereinabove described, conforming to the requirements of sections 371 and 1808 of the Internal Revenue Code.

City Light proposes to acquire its said notes by donation from Power & Light as aforesaid and to cancel and retire the same.

Power & Light has also requested that the Commission issue its order exempting the sale of the City Light stock from the competitive bidding requirements of Rule U-50 under the Holding Company Act pursuant to paragraph (a) (5) thereof.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters, that said declaration shall not become effective nor said application be granted except pursuant to further order of this Commission,

It is ordered, That a hearing on said matters under the applicable provisions of said act and rules of the Commission thereunder be held on July 17, 1944 at 10:00 A. M. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa. On such day the hearing room clerk will advise as to the room where such hearing will be held: At such hearing cause shall be shown why such declaration shall become effective or why such application shall be granted. Notice is hereby given of said hearing to the above-named declarant or applicant and to all interested persons, said notice to be given to said declarant or applicant by registered mail and to all other persons by publication in the FEDERAL REGISTER. Any persons desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission on or before July 5, 1944 his request or application therefor as provided by Rule XVII of the rules of practice of this Commission.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commissioner's rules of practice.

It is further ordered, That without limiting the scope of issuance presented by said declaration or application otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed transactions meet the requirements of section 12 (d) of the act and applicable rules thereunder.

2. Whether the proposed sale should be exempted from the competitive bidding requirements of Rule U-50.

3. Whether the proposed transactions are fair and equitable to the persons interested and are necessary to effectuate the provisions of section 11 (b).

4. Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the Act and the rules thereunder and, if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-9258; Filed, June 26, 1944; 10:13 a. m.]

CINCINNATI STOCK EXCHANGE

ORDER PERMITTING PLAN TO BECOME EFFECTIVE

Declaration of effectiveness of plan of Cincinnati Stock Exchange, pursuant to Rule X-10B-2 (d) (§ 240.10b-2 (d)).

The Cincinnati Stock Exchange, pursuant to Rule X-10B-2 (d), having filed on June 12, 1944, a plan for special offerings contained in sections 39 through 45 of the trading rules of the Cincinnati Stock Exchange; and

The Securities and Exchange Commission, having given due consideration to the terms of such plan, and having due regard for the public interest and for the protection of investors, pursuant to the Securities Exchange Act of 1934, particularly sections 10 (b) and 23 (a) thereof and Rule X-10B-2 (d) thereunder, hereby declares such plan to be effective, on condition that if at any time it appears to the Commission necessary or appropriate in the public interest or for the protection of investors so to do, the Commission may suspend or terminate the effectiveness of said plan by sending at least ten days' written notice to the Exchange.

Effective June 26, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-9256; Filed, June 26, 1944; 10:13 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4433, 4488, 4491, as amended, 49 Stat. 1544 (46 U.S.C. 375, 391a, 404, 411, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following approval of equipment is prescribed:

FEEDWATER REGULATOR

Copes Type "P" (Thermostat) boiler feedwater regulator (Dwgs. Nos. 23242-XL-1, 23187-L, 23186-S, 23188-L, 23240-NKL-2, and 23241-XL-2), manufactured by Northern Equipment Company, Erie, Pennsylvania.

FIRING ATTACHMENT

Firing attachment for Lyle gun (Dwg. F-100, dated 15 March, 1944), submitted by the Naval Company, 3419 Richmond Street, Philadelphia, Pa.

LIFE PRESERVER LIGHT

Life preserver light, Model No. 2 (Dwg. C-0004, revised 6-16-44), submitted by William M. Lennan, Inc., 2654 Fletcher Drive, Los Angeles 26, California.

PORTABLE ELECTRIC MEGAPHONE

Portable electric megaphone unit (Dwgs. H-21, dated 8-25-43; D-31, dated 4-19-44; and ES-36, dated 3-9-44), submitted by the Powers Electronic and Communication Company, Glen Cove, New York.

SEA ANCHOR

Sea anchor, Type 2-A (U. S. Coast Guard Dwg. No. MMI-562 and specification dated 1 November, 1943), submitted by Eveready Canvas Corp., New York, N. Y.

L. T. CHALKER,
Rear Admiral, USCG,
Acting Commandant.

JUNE 24, 1944.

[F. R. Doc. 44-9255; Filed, June 26, 1944; 9:22 a. m.]

WAR FOOD ADMINISTRATION.

REQUISITIONING OF PROPERTY

DELEGATION OF AUTHORITY

By virtue of the authority vested in me by delegation of authority from the Director of Distribution dated August 12, 1943 (8 F.R. 11419), I hereby delegate to Sidney N. Gubin, Office of the Director, Office of Distribution, all of the authority and power vested in me with respect to the requisitioning of property.

Issued this 22d day of June 1944.

RALPH W. OLMSTEAD,
Deputy Director,
Office of Distribution.

[F. R. Doc. 44-9293; Filed, June 26, 1944; 11:07 a. m.]

WAR PRODUCTION BOARD.

FRED STRYS

AMENDMENT TO CONSENT ORDER

Fred Strys, a building contractor of Mountain View, New Jersey (P. O. R. F.

D. #1, Little Falls, N. J.), has requested relief, upon the grounds of hardship, from the terms of the Consent order entered into by him with the War Production Board on May 2, 1944, and issued on May 10, 1944, by the War Production Board.

The Regional Compliance Manager, the Regional Attorney, and the Compliance Commissioner have reviewed the case and have concluded that undue hardship would result unless the Consent order were modified.

Wherefore, upon the application of Fred Strys and upon the agreement of the Regional Compliance Manager, the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

The Consent order herein referred to, issued May 10, 1944, effective May 17, 1944, be, and hereby is, amended by the addition of the following paragraph to be designated as (f):

(f) Fred Strys shall be permitted to complete the following two contracts which he now has, to wit:

With Borgue Electric Company, 37 Kentucky Avenue, Paterson, New Jersey, for an alteration extension of its plant at a cost of $17,164 under a contract dated August 14, 1943; and

With the Borough of Fair Lawn, Bergen County, New Jersey for the erection of a pump house at Well #8 on the George Street water field in that borough at a cost of $4000 under a contract dated April 4, 1944.

Issued this 23d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9195; Filed, June 23, 1944; 4:10 p. m.]

[Certificate 151, Amdt. 1]

WAR EMERGENCY TANKERS, INC.

APPROVAL OF TRANSFER OF STOCK

THE ATTORNEY GENERAL.

Referring to Certificate No. 151 (7 F.R. 13995) issued pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 297), on October 7, 1943, I submit herewith a letter from the Administrator of the War Shipping Administration, dated June 15, 1944, advising that the proposal set forth in his letters dated September 24, 1943, and October 4, 1943, and enclosures, is being amended by the transfer of that part of the stock of War Emergency Tankers, Inc., heretofore held by Standard Oil Company of New Jersey, a Delaware corporation, to Standard Oil Company, a New Jersey corporation.

For the purposes of the statute cited, I approve the amendment; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with the proposal as amended is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

JUNE 22, 1944.

[F. R. Doc. 44-9269; Filed, June 26, 1944; 10:30 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 128

Washington, Wednesday, June 28, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q. 503, 5th Rev., Supp. 1]

PART 301—DOMESTIC QUARANTINE NOTICES

WHITE-FRINGED BEETLE ADMINISTRATIVE INSTRUCTIONS MODIFIED; TREATMENTS AUTHORIZED

Introductory note. A reconsideration of all available data has shown that the present schedules for methyl bromide fumigation under partial vacuum for the treatment of plants in pots or in soil balls can be safely reduced to a lower level so as to minimize the hazard to plants so treated. Administrative instructions as to this type of treatment of potted or balled plants, as specified in Circular B. E. P. Q. 503, Fifth Revision, which became effective March 27, 1944, are hereby revised accordingly. Treatments by means of methyl bromide fumigation at atmospheric pressures or in solution, as authorized in said circular, remain unchanged.

All authorized treatments are now set forth in the above circular and in the current supplement.

Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by paragraph (a) of § 301.72-5, Chapter III, Title 7, Code of Federal Regulations (Regulation 5 of Notice of Quarantine No. 72 on account of the white-fringed beetle), subparagraph (2) of paragraph (a) of § 301.72-5c (Circular B.E.P.Q. 503, Fifth Revision) is hereby modified effective July 1, 1944, to read as follows:

§ 301.72-5c[1] *Administrative instructions; treatments authorized*—(a) *Plants in pots or in soil balls.* • • •

(2) *Methyl bromide fumigation under partial vacuum.* (i) Fumigation under partial vacuum equivalent to at least 24.5 inches of mercury may be done with dosage schedules as prescribed below. The vacuum shall be maintained during the entire period. The period of fumigation shall be 1½ hours in all instances.

Soil temperature at least (° F.)	Dosage per 1000 cubic feet (Pounds)
40	5
45	4.5
50	4
55	3.5
60	3
65	2.5
70	2.25
75	2.125
80	2

(ii) The soil masses shall not be more than 16 inches in least diameter.

(iii) The soil shall not be puddled or saturated and must be in a condition which in the judgment of the inspector is suitable for fumigation.

(iv) The fumigant-air mixture shall be circulated in the fumigation chamber by means of a fan the first 15 minutes of the exposure period to mix the vaporized fumigant thoroughly with the air in the chamber and to bring it in contact with the surface of the soil balls. The soil balls shall be washed with one or more changes of air at the end of the exposure period.

(v) A standard vacuum fumigation chamber that can be closed tight and will withstand an external pressure of at least one atmosphere is required. A vacuum pump of sufficient capacity to reduce the pressure within the vacuum chamber to the equivalent of 3 inches of mercury (a 27-inch vacuum at sea level) in not more than 20 minutes is necessary.

• • • • •

The following paragraph concerning the effects of methyl bromide, as quoted from Circular B. E. P. Q. 503, Fifth Revision, are brought forward as a precaution to persons concerned.

(e) *Disclaimer.* There has not been opportunity to test these treatments on all varieties of plants or produce and in authorizing the movement of potted plants, nursery stock, soil, or produce treated according to the requirements stated above, it is understood that no liability shall attach either to the United States Department of Agriculture or to any of its employees in the event of injury to plants, produce, or operators.

(Continued on next page)

[1] Superseding §§ 301.72-5a and b.

CONTENTS

REGULATIONS AND NOTICES

	Page
ENTOMOLOGY AND PLANT QUARANTINE BUREAU:	
Domestic quarantine notices; white-fringed beetle administrative instructions modified, etc	7121
FAIR EMPLOYMENT PRACTICE COMMITTEE:	
Contracts; non-discrimination clause not required	7126
FARM SECURITY ADMINISTRATION:	
Swift County, Minn., designation of localities for loans	7182
FISHERIES COORDINATOR:	
Pilchard production plan, Pacific Coast and Alaska	7171
GENERAL LAND OFFICE:	
Mineral permits; computation of rental on surrender of lease	7170
INTERNAL REVENUE BUREAU:	
Income tax; returns by organizations exempt from taxation	7123
INTERSTATE COMMERCE COMMISSION:	
Coke, unloading, Corona Station, Long Island, N. Y.	7175
OFFICE OF DEFENSE TRANSPORTATION:	
American Railroad Co. of Porto Rico, termination of government possession, operation and control	7170
Cleveland, Ohio, etc., common carriers, coordinated operations	7176
Taxicab operators, coordinated operations:	
Florence, Ala.	7175
Huntsville, Ala.	7176
OFFICE OF PRICE ADMINISTRATION:	
Adjustments, etc.:	
Avonmore Coal Co., et al	7176
Firestone Tire & Rubber Co.	7178
Muroc Clay Co.	7178
Building materials (MPR 188, Am. 2 to 2d Rev. Order A-3)	7179
Corn, broom (MPR 468, Am. 2)	7169
Fish and seafood, fresh (MPR 418, Am. 33)	7168
Food rationing for institutional users (Gen. RO 5, Am. 71)	7167

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued. Page
Fuel oil, etc. (MPR 88, incl. Am. 1–11; Rev. RO 11, Am. 13) (2 documents) 7137, 7169
Housing, Miami area (Housing, Am. 6) 7168
Laundries, hand, Detroit area (MPR 165, Supp. Service Reg. 31) 7169
Machines and parts, etc. (MPR 136, Am. 121) 7168
Meat, fats, fish and cheeses (Rev. RO 16, Am. 4) 7167
Regional and district office orders:
Community ceiling prices, lists of orders filed (3 documents) 7180, 7181
Fluid milk, Colorado 7180
Rock and sand, Los Angeles, Calif. (Corr.) 7181
Solid fuels:
Twin Cities, Minn. (2 documents) 7179
Tires and tubes, new (RMPR 143, Am. 1 to Order 14) 7178
Vegetables, packed (MPR 306, Order 56) 7178
WAGE AND HOUR DIVISION:
Learner employment certificates, issuance to various industries 7174
Telephone industry, employment of learners 7125
Wennonah Cotton Mills Co., exception from certain record-keeping requirements granted 7174
Western Union Telegraph Co., opportunity to file objections to denial of application 7174
WAR FOOD ADMINISTRATION. *See also* Farm Security Administration.
Fluid milk and cream, conservation and distribution (WFO 79 series) 7122
Lard, use, partial suspension (WFO 1, Am. 9) 7122
WAR PRODUCTION BOARD:
Footwear (M–217) 7132
Manila rope, waste, etc. (M–294) 7131
Paper (L–120, Am. 1 to Sch. III) 7132
Production quotas for processing machinery and equipment, various industries:
Bakery (L–292, Sch. II–A) 7127
Brewing, winery, etc. (L–292, Sch. VIII–A) 7130
Canning (L–292, Sch. III–A) 7128
Dairy (L–292, Sch. I–A) 7126
Egg and poultry (L–292, Sch. IV–A) 7128
Flour, grain, etc. (L–292, Sch. VI–A) 7129
Meat canning, etc. (L–292, Sch. VII–A) 7130
Sugar (L–292, Sch. V–A) 7129
Wood pulp (M–93, Dir. 1) 7131

(f) *Caution*—(1) *Methyl bromide.* (i) Methyl bromide is a gas at ordinary temperatures. It is colorless and practically odorless in concentrations used for fumigation of plants or potting soil. It is a poison and the operators should use gas masks approved by the United States Bureau of Mines for use with methyl bromide, when exposed to the gas in concentrations used in fumigation, or while preparing the solution. The plants in the fumigation chamber should be well aerated by blowing air through them, and the room adequately ventilated before it is entered. After fumigating the potting soil by methyl bromide the cover should be removed and the soil allowed to become aerated.

(ii) The method for application of methyl bromide described in paragraph (a) provides a closed system in which the operator is not exposed to a dangerous concentration of the gas provided there is no leakage in any exposed portion of the equipment. Extreme care should be exercised to keep all joints of such apparatus tight and replace any defective parts to prevent accident. The operator should avoid getting any liquid methyl bromide on his clothing or his body at any time.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161; 7 CFR 301.72–5)

Done at Washington, D. C., this 20th day of June 1944.

AVERY S. HOYT,
Acting Chief.

[F. R. Doc. 44–9353; Filed, June 27, 1944; 11:09 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 79–1 to 79–33, inc.; 79–35; 79–38 to 79–81, inc.; 79–83 to 79–101, inc.; 79–103 to 79–114, inc.; 79–116 to 79–139, inc.; 79–141, 79–142, and 79–144, Gen. Amdt. 3]

PART 1401—DAIRY PRODUCTS

CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM

General amendment to certain war food orders issued by the Director allocating milk, milk byproducts, and cream pursuant to War Food Order No. 79, as amended.

In the determination of quotas for milk, milk byproducts, and cream for the quota period of July 1944, the quota for milk shall be 100 percent and the quota for milk byproducts and cream shall be 90 percent of deliveries made by handlers during the base period, in each of the orders mentioned below:

The following orders issued by the Director of Distribution in accordance with the provisions of War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319) dated September 7, 1943, as amended, and said orders issued by the Director are designated as Nos. 79.1 to 79.33, inclusive; 79.35; 79.38 to 79.81, inclusive; 79.83 to 79.101, inclusive; 79.103 to 79.114, inclusive; 79.116 to 79.139, inclusive; 79.141, 79.142, and 79.144.

This order shall become effective at 12:01 a. m., e. w. t., July 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 23d day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–9250; Filed, June 24, 1944; 4:14 p. m.]

[WFO 1, Amdt. 9]

PART 1404—BAKERY PRODUCTS

PARTIAL SUSPENSION WITH RESPECT TO THE USE OF LARD

War Food Order No. 1, as amended (8 F.R. 16777, 9 F.R. 4319, 4527, 5331), § 1404.1, is further amended by deleting (c) (1) (iii) and substituting in lieu thereof the following:

(iii) 3 parts by weight of shortening, lard, or other fats or oils (including fats or oils which have been added to any other ingredient) to 100 parts of flour:

Provided, however, That this provision shall not apply to lard or rendered pork fat which is delivered to and accepted by any baker during the period from May 18, 1944, to September 30, 1944, both inclusive.

This amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 1, as amended, prior to the effective date of this amendment, all provisions of War Food Order No. 1, as amended, in effect prior hereto shall be deemed in full force and effect for the purposes of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 22d day of June 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–9177; Filed, June 23, 1944; 12:25 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T. D. 5361]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

RETURNS BY ORGANIZATIONS EXEMPT FROM TAXATION

In order to conform Regulations 111 (Part 29, Title 26, Code of Federal Regulations, Cum. Supp.) to section 117 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 29.54–1 the following:

SEC. 117. RETURNS BY ORGANIZATIONS EXEMPT FROM TAXATION. (Revenue Act of 1943, Title I.)

(a) *In general.* Section 54 (relating to records and special returns) is amended by inserting after subsection (e) the following:

(f) Every organization, except as hereinafter provided, exempt from taxation under section 101 shall file an annual return, which shall contain or be verified by a written declaration that it is made under the penalties of perjury, stating specifically the items of gross income, receipts, and disbursements, and such other information for the purpose of carrying out the provisions of this chapter as the Commissioner, with the approval of the Secretary, may by regulations prescribe, and shall keep such records, render under oath such statements, make such other returns, and comply with such rules and regulations as the Commissioner, with the approval of the Secretary, may from time to time prescribe. No such annual return need be filed under this subsection by any organization exempt from taxation under the provisions of section 101—

(1) which is a religious organization exempt under section 101 (6); or

(2) which is an educational organization exempt under section 101 (6), if such organization normally maintains a regular faculty and curriculum and normally has a regularly organized body of pupils or students in attendance at the place where its educational activities are regularly carried on; or

(3) which is a charitable organization, or an organization for the prevention of cruelty to children or animals, exempt under section 101 (6), if such organization is supported, in whole or in part, by funds contributed by the United States or any State or political subdivision thereof, or is primarily supported by contributions of the general public; or

(4) which is an organization exempt under section 101 (6), if such organization is operated, supervised, or controlled by or in connection with a religious organization described in paragraph (1); or

(5) which is an organization exempt solely under section 101 (8); or

(6) which is an organization exempt under section 101 (15), if such organization is a corporation wholly owned by the United States or any agency or instrumentality thereof, or a wholly owned subsidiary of such a corporation.

(b) *Years to which applicable.* The amendments made by subsection (a) shall be applicable with respect to taxable years beginning after December 31, 1942.

PAR. 2. Section 29.54–1 is amended as follows:

(A) By inserting immediately after the first sentence thereof the following sentence:

Every organization exempt from tax under section 101 but required by section 54 (f) to file an annual return shall keep such permanent books of account or records, including inventories, as are sufficient to show specifically the items of gross income, receipts, and disbursements, and such other information as is required by § 29.101–2.

(B) By changing the last sentence of the first paragraph to read as follows:

The books or records required by this section shall be kept at all times available for inspection by internal-revenue officers, and shall be retained so long as the contents thereof may become material in the administration of any internal-revenue law.

(C) By inserting immediately after the second paragraph thereof the following paragraph:

The provisions of section 54 (f) relieving certain specified types of organizations exempt from tax under section 101 from filing annual returns do not abridge or impair in any way the powers and authority of the Commissioner provided for in other provisions of the Internal Revenue Code to require the filing of such returns by such organizations. For further regulations regarding proof and establishment of right to exemption from tax, for filing of returns, and keeping records by organizations exempt from tax, see §§ 29.101–1 and 29.101–2.

PAR. 3. Section 29.101–1 is amended by striking out the heading and inserting in lieu thereof the following:

Proof of exemption prior to January 1, 1943. Annual returns for accounting periods beginning prior to January 1, 1943.

PAR. 4. There is inserted immediately following § 29.101–1 the following section:

§ 29.101.2 *Proof of exemption on or after January 1, 1943; annual returns for accounting periods beginning on or after January 1, 1943.*—(a) *Proof of exemption.* An organization is not exempt from tax merely because it is not organized and operated for profit. In order to establish its exemption it is necessary that every organization claiming exemption file with the collector for the district in which is located the principal place of business or principal office of the organization an affidavit or questionnaire as set forth below. An organization claiming exemption under section 101 (1), (3), (4), except a bona fide credit union, (6), (7), (8), (9), (10), (12), (14), or (16) shall file the form of affidavit or questionnaire appropriate to its activities, filled out in accordance with the instructions on the form or issued therewith. Copies of the following forms may be obtained from any collector: For organizations claiming exemption under section 101 (6), Form 1023; under section 101 (1), (3), (7), or (8), Form 1024; under section 101 (9), Form 1025; under section 101 (10), (14), or (16), Form 1026; under section 101 (4), except bona fide credit unions, Form 1027; and under section 101 (12), Form 1028. All other organizations claiming exemption, including bona fide credit unions, shall file an affidavit showing the character of the organization, the purpose for which it was organized, its actual activities, the sources of its income and the disposition of such income, whether or not any of its income is credited to surplus or may inure to the benefit of any private shareholder or individual, and in general all facts relating to its operations which affect its right to exemption. To each such affidavit or questionnaire shall be attached a copy of the articles of incorporation, declaration of trust, or other instrument of similar import, setting forth the permitted powers or activities of the organization, the by-laws or other code of regulations, and the latest financial statement showing the assets, liabilities, receipts, and disbursements of the organization.

(b) *Additional proof by particular classes of organizations.* Organizations mentioned below shall submit with and as a part of their affidavits or questionnaires the following information:

(1) Mutual insurance companies shall submit copies of the policies or certificates of membership;

(2) In the case of holding companies claiming exemption under section 101 (14), if the organization for which title is held has not been specifically notified in writing by the Bureau of Internal Revenue that it is held to be exempt under section 101, the holding company shall submit the information indicated herein as necessary for a determination of the status of the organization for which title is held.

In addition to the information specifically called for by these regulations the Commissioner may require any additional information deemed necessary for a proper determination of whether a particular organization is exempt under section 101, and when deemed advisable in the interest of an efficient admin-

istration of the internal revenue laws he may in the cases of particular types of organizations provide additional questionnaires or otherwise prescribe the form in which the proof of exemption shall be furnished.

An organization claiming to be specifically exempted by section 54 (f) from filing annual returns shall submit with and as a part of its affidavit or questionnaire a statement of all the facts on which it bases its claim.

(c) *Collector's duties with respect to proof of exemption.* The collector, upon receipt of the affidavit or questionnaire and other papers constituting the proof of exemption by an organization claiming exemption from tax under section 101, will forward completed documents to the Commissioner for decision as to whether the organization is exempt.

(d) *"Private shareholder or individual" defined.* The words "private shareholder or individual" in section 101 refer to persons having a personal and private interest in the activities of the organization.

(e) *Requirement of annual returns.* For accounting periods beginning after December 31, 1942, every organization exempt from tax under section 101, regardless of the amount or source of its income or receipts and irrespective of whether it is chartered by, or affiliated or associated with, any central, parent, or other organization, except organizations specifically exempted from filing annual returns by section 54 (f) (see paragraph (h) of this section), shall file annually with the collector for the district in which is located the principal place of business or principal office of the organization a return of information on Form 990 (Revised May 1944) specifically stating the items of gross income, receipts, and disbursements and such other information as may be prescribed by the Commissioner in the instructions on the form or issued by him therewith. Such return shall be on the basis of the established annual accounting period of the organization. Where the organization has no such established accounting period, the return shall be on the basis of the calendar year. Religious and apostolic organizations which are exempt from tax under section 101 (18) shall annually file the return of income required under § 29.101 (18)–1 on the same form (Form 1065) as is required in the case of partnerships, in lieu of Form 990 (Revised May 1944). With respect to group returns, see paragraph (f) of this section. For proof and establishment of right to exemption from tax which must accompany Form 990 (Revised May 1944) in the case of an organization which has not established its right to such exemption prior to the filing of the annual return, see paragraphs (a) and (b) of this section.

(f) *Group returns.* A central, parent, or like organization (referred to in this section as central organization), although required to file a separate annual return for itself under section 54 (f) and paragraph (e) of this section, may file annually, in addition to such separate annual return, a group return on Form 990 (Revised May 1944), for two or more of the local organizations, chapters, or the like (referred to in this section as "local organizations") which are (1) chartered by, or affiliated or associated with, such central organization at the close of its annual accounting period, (2) subject to the general supervision of, and examination by, the central organization, and (3) exempt from tax under the same provision of section 101 under which the central organization is exempt from tax. The filing of the group return shall be in lieu of the filing of a separate return by each of the local organizations included in the group return. The group return shall include only those local organizations which in writing have authorized the central organization to include them in the group return, and which have made and filed, with the central organization, their statements, verified under oath or affirmation, specifically stating their items of gross income, receipts, and disbursements, and such other information relating to them which is required to be stated in the group return, and such authorizations and statements shall be permanently retained by the central organization. There shall be attached to the group return and made a part thereof a schedule showing the name and address of each of the local organizations and the total number thereof included in such return, and a schedule showing the name and address of each of the local organizations and the total number thereof not included in the group return. The group return shall be on the basis of the established annual accounting period of the central organization. Where such central organization has no established annual accounting period, such return shall be on the basis of the calendar year. The same income, receipts, and disbursements of a local organization shall not be included in more than one group return. The group return shall be filed in accordance with these regulations and the instructions on Form 990 (Revised May 1944) or issued therewith, and shall be considered the return of each of the local organizations included therein. For proof and establishment of right to exemption from tax which must accompany Form 990 (Revised May 1944) in the case of a local organization included in the group return but which has not established its right to such exemption prior to the filing of the group return, see paragraphs (a) and (b) of this section.

(g) *Date for filing annual returns.* The annual return of information, Form 990 (Revised May 1944), for accounting periods beginning after December 31, 1942, but ending prior to April 1, 1944, shall be filed on or before August 15, 1944, and for accounting periods beginning after December 31, 1942, but ending after March 31, 1944, shall be filed on or before the 15th day of the fifth full calendar month following the close of the period for which the return is required to be filed.

(h) *Organizations not required to file annual returns.* Annual returns, Form 990 (Revised May 1944), are not required to be filed by an organization which has established its right to exemption from tax under section 101 (6), if:

(1) It is organized and operated exclusively for religious purposes;

(2) It is operated, supervised, or controlled by or in connection with such religious organization;

(3) It is an educational organization which normally maintains a regular faculty and curriculum and normally has a regularly organized body of pupils or students in attendance at the place where its educational activities are regularly carried on; or

(4) It is a charitable organization, or an organization for the prevention of cruelty to children or animals, which is supported, in whole or in part, by funds contributed by the United States or any State or political subdivision thereof, or which is primarily supported by contributions of the general public.

The annual return on Form 990 (Revised May 1944) need not be filed by a fraternal beneficiary society, order, or association, which has established its exemption from tax solely under section 101 (3), or by an organization exempt from tax under section 101 (15) if it is a corporation wholly owned by the United States or any agency or instrumentality thereof, or is a wholly-owned subsidiary of such a corporation.

An organization organized and operated exclusively for charitable purposes or for the prevention of cruelty to children or animals is not "primarily supported by contributions of the general public" for any accounting period if more than 50 percent of its income and receipts for such period are not actually derived from voluntary contributions and gifts made by the general public, as distinguished from a few contributors or donors or from related or associated persons. For the purposes of the preceding sentence the words "related or associated persons" refer to persons or a particular group who are connected with or are interested in the activities of the organization such as founders, incorporators, shareholders, members, fiduciaries, officers, employees, or the like, or who are connected with such persons by family or business relationship.

An educational organization which normally maintains and has a regular faculty, curriculum and student body and meets the above conditions which relieve it from the requirement of filing annual returns shall not be considered as having thereafter failed to continue meeting such conditions if it is temporarily compelled to curtail or discontinue its normal and regular activities during the existence of abnormal circumstances and conditions.

(i) *Collectors' records.* Collectors will keep a list of all organizations held to be exempt from tax to the end that they may occasionally inquire into their status and ascertain whether or not they are (1) observing the conditions upon which their exemption is predicated, and (2) annually filing returns on Form 990 (Revised May 1944) if they are required to file such returns.

(j) *Records, statements and other returns of tax-exempt organizations.* An organization which has established its right to exemption from tax under section 101 and has also established that it is not required to file annually the return of information on Form 990 (Revised May 1944) shall immediately notify in writing the collector for the district in which is located its principal office of any changes in its character, operations or purpose for which it was originally created.

Every organization which has established its right to exemption from tax, whether or not it is required to file an annual return of information, shall submit such additional information as may be required by the Commissioner for the purpose of enabling him to inquire further into its exempt status and to administer the provisions of section 54 (f) and this section. For requirement as to keeping of permanent books of account or records, see § 29.54–1.

An organization which has established its right to exemption from tax under section 101, including an organization which is relieved under section 54 (f) and these regulations from filing returns of income or annual returns of information, is not, however, relieved from the duty of filing other returns of information (see sections 147 and 148).

(Sec. 117 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.), enacted Feb. 25, 1944, and sec. 62 of the Internal Revenue Code (53 Stat. 32, 26 U.S.C. 62))

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: June 26, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-8379; Filed, June 27, 1944; 11:40 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 522—EMPLOYMENT OF LEARNERS

INDEPENDENT TELEPHONE INDUSTRY

Sec.
522.081 Scope of the regulation.
522.082 Issue of special certificates.
522.083 Number of learners.
522.084 Learning period.
522.085 Learner hourly rates.
522.086 Duration of certificates.
522.087 Provisions of learner certificates.
522.088 Revocation of special certificates.
522.089 Notice of issuance or cancellation of special certificates.
522.090 Definitions.
522.091 Records to be kept.
522.092 Employment of experienced workers as learners prohibited.
522.093 Employment of learners prohibited when experienced workers are available.
522.094 Status of certificates issued under existing regulations.

AUTHORITY: §§ 522.081 to 522.094, inclusive, issued under 52 Stat. 1060; 29 U. S. C. 214.

The following regulations, Part 522, §§ 522.081 to 522.094 (regulations applicable to the employment of learners in the independent telephone industry pursuant to section 14 of the Fair Labor Standards Act of 1938), are hereby issued. These regulations amend and supersede regulations, Part 522, §§ 522.081 to 522.090 (regulations applicable to the employment of learners in the independent telephone industry), published in the FEDERAL REGISTER on September 27, 1940.

§ 522.081 *Scope of the regulations.* The following provisions shall be applicable to the employment of learners in the independent telephone industry and are supplemental to regulations, Part 522 (regulations applicable to the employment of learners pursuant to section 14 of the Fair Labor Standards Act of 1938), as amended.

§ 522.082 *Issue of special certificates.* Upon application to the Administrator of the Wage and Hour Division, on forms furnished by the Division, special certificates authorizing the employment, at subminimum wage rates, of learners in the independent telephone industry may be issued to exchanges of less than 2000 stations to the extent necessary to prevent curtailment of opportunities for employment, and to exchanges of 2000 or more stations when unusual circumstances are shown to exist which the Administrator or his authorized representative find would curtail opportunities for employment, under terms herein set forth, when it appears that:

(1) Experienced operators are not available in the locality from which the employer customarily draws his labor supply;

(2) The issue of a certificate will not tend to impair working or wage standards established for experienced operators in the industry; and

(3) The issue of such certificates will not create unfair competitive labor cost advantages.

§ 522.083 *Number of learners.* (a) Special certificates issued to meet normal labor turnover may authorize not more than:

One learner in exchanges employing up to 8 operators, or
Two learners in exchanges employing 9–18 operators, or
Three learners in exchanges employing 19–30 operators, or
Four learners in exchanges employing 31–44 operators.

In exchanges employing 45 or more operators, learners in addition to 4 may be employed at less than the minimum rate in the ratio of one learner for each additional 15 operators employed in the exchange.

(b) Special certificates issued to new or expanding exchanges may authorize the employment of the number of learners required to meet the employer's actual need in such exchanges.

(c) Special certificates issued to meet abnormal labor turnover resulting from the war emergency may authorize the employment of learners to the extent of the actual need of an individual applicant.

§ 522.084 *Learning period.* The maximum learning period which may be provided under a special certificate issued in this industry shall not extend beyond the first 480 hours of employment in training for and in switchboard operating.

§ 522.085 *Learner hourly rates.* The minimum hourly rate to be provided in a special certificate for learners shall be not less than 30 cents per hour for the first 320 hours and 35 cents per hour for the second 160 hours of the learning period.

§ 522.086 *Duration of certificates.* Special certificates authorizing the employment of learners in accordance with paragraph (a) and (c) of § 522.083, may be issued for a period not longer than one year unless sooner revoked for cause. Special certificates authorizing the employment of learners in accordance with paragraph (b) of § 522.083, may be issued for a period not longer than necessary to complete the training of the total number of additional learners required and may not be used for purposes of meeting regular labor turnover requirements.

§ 522.087 *Provisions of learner certificates.* All special certificates shall include, among other matters, the learner occupation; length of learning period; and rate set forth hereinabove; the definition of a learner; the purpose for which issued; the period during which the certificate remains in effect; the requirement that the certificate shall be posted continuously during its validity in a conspicuous place in the plant where the learners are to be employed; and a prohibition against the violation of any of the terms and conditions set forth in the certificate.

§ 522.088 *Revocation of special certificates.* (a) Any special certificate may be cancelled if it is found that it is not necessary to prevent a curtailment of opportunities for employment. In the absence of fraud or misrepresentation learners already hired under a special certificate may be retained under the terms of the certificate if the learning period extends beyond the date on which the certificate has been cancelled.

(b) Any special certificate shall be cancelled as of the date of issue if it is found that the certificate has been obtained by fraud or misrepresentation. When a certificate has been obtained by fraud or misrepresentation the employer shall be liable to the employee for wages established by the act as if no certificate had been issued.

(c) Any special certificate shall be cancelled as of the first date of violation if it is found that any of its terms have been violated, and the employer shall be liable to those employed under such certificate, from the date of violation, for wages established by the act as if no certificate had been issued.

§ 522.089 *Notice of issuance or cancellation of special certificates.* Notice of the issuance or cancellation of each special certificate pursuant to these regulations shall be published in the FEDERAL REGISTER.

§ 522.090 *Definitions.* (a) The independent branch of the telephone industry as referred to herein includes only those companies which are engaged in the commercial operation of telephone exchanges and which are not owned or controlled by the American Telephone and Telegraph Company (Bell System) or its subsidiaries.

(b) Learners are persons who have had less than 480 hours of employment in the telephone industry as commercial switchboard operators.

(c) Experienced commercial switchboard operators are persons who have

had not less than 480 hours of employment in the telephone industry as commercial switchboard operators. In order to be considered available such persons must be capable of equaling the performance of an operator of average or ordinary skill and experience.

§ 522.091 *Records to be kept.* The name of each learner and occupation in which each is employed shall be entered on the pay roll record of the exchange to which the special certificate is issued. The names of all persons employed as learners shall be listed together in a separate group on the pay roll record.

§ 522.092 *Employment of experienced workers as learners prohibited.* No experienced worker shall be employed under the terms of a special learner certificate.

§ 522.093 *Employment of learners prohibited when experienced workers are available.* No learner shall be employed under a special learner certificate if at the time such employment begins an experienced worker who is capable of equaling the performance of a worker of ordinary or minimum skill is available for employment.

§ 522.094 *Status of certificates issued under existing regulations.* Special certificates issued prior to the effective date of this amendment, authorizing the employment of learners at subminimum wage rates in this industry, shall remain in effect until they expire.

These regulations shall become effective on July 17, 1944, and shall continue in force and effect until hereafter modified.

Signed at New York this 22d day of June 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-9315; Filed, June 26, 1944; 12:39 p. m.]

Chapter X—Committee on Fair Employment Practice

PART 1202—INTERPRETATION OF EXECUTIVE ORDER 9346

CONTRACTS

Pursuant to the authority vested in the Committee on Fair Employment Practice by Executive Order No. 9346 (8 F.R. 7183) approved May 27, 1943, and to effectuate the purposes of said order it is hereby ordered as follows:

§ 1202.1 *Contracts.* • • •

(j) The non-discrimination clause is not required in contracts renewed pursuant to an option to renew in accordance with the terms, conditions and provisions contained in the original contract.

(k) The requirement that parties to contracts with the Government of the United States (or agencies of said Government) include a non-discrimination clause "in all sub-contracts" is not applicable to lessors of space in buildings except in cases where the Government of the United States (or an agency thereof) is the only tenant involved, or unless a sub-contract is entered into solely for the purpose of performing an obligation (or obligations) imposed by the Government lease.

Dated: June 13, 1944.

For the Committee.

MALCOLM ROSS,
Chairman.

[F. R. Doc. 44-9350; Filed, June 27, 1944; 10:50 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-292, Quota Schedule I-A]

PRODUCTION QUOTAS FOR DAIRY MACHINERY AND EQUIPMENT

§ 1226.200 *Production quotas for dairy machinery and equipment.*—(a) *The purpose of this schedule.* The purpose of this schedule is to fix the production quotas for dairy machinery and equipment, for the year beginning October 1, 1944 and ending September 30, 1945, inclusive. The quotas described in this schedule shall take the place of the quota provisions of paragraph (f) of Order L-292 with respect to those items.

(b) *Definitions.* (1) "Base period use" means the annual average tonnage of controlled materials used to complete items of dairy machinery and equipment during the years 1939, 1940 and 1941.

(2) "Controlled material" means controlled material as defined in CMP Regulation 1.

(c) *Production quotas.* During the year beginning October 1, 1944 and ending September 30, 1945, no manufacturer shall use more controlled materials to fabricate or assemble dairy machinery and equipment in any class than the quota percentage of his base period use for each class of machinery and equipment as set forth in the table below.

PRODUCTION QUOTAS

The first column describes each class of machinery covered by this schedule.

The second column describes the various types of machinery and equipment included in each class of machinery.

The third column assigns a code number to each type of machinery and equipment.

The fourth column shows the quota percentage that each manufacturer is allowed. Where an asterisk appears instead of a quota percentage, a manufacturer may build the item opposite the asterisk only upon receipt of an approved order as defined in paragraph (a) (5) of Order L-292. But a manufacturer of such an item may build a minimum production run of the item upon written authorization from the War Production Board. Request for authorization may be made by filing a letter in triplicate with the War Production Board showing the quantity in a minimum production run of the item and containing substantial evidence that the manufacturer will obtain approved orders in that quantity by October 1, 1945. The War Production Board may grant the authorization upon such conditions, if any, as it may prescribe.

Class of machinery	Type of machine	Machine code No.	Quota percentage
Separators, clarifiers and pumps			165
	Clarifiers	203.018 A-C.	
	Pumps	203.039 A-E.	
	Separators	203.041 A-G.	
Ice cream equipment			80
	Flavor tanks for ice cream mix	203.021.	
	Freezers, ice cream	203.023 A-D.	
	Fruit feeders, ice cream	203.024.	
	Ice crushers	203.033.	
Dehydration equipment			200
	Dehydrators, spray type.	203.018 A.	
	Dehydrators, roll type.	203.018 B-D.	
	Hot wells	203.027.	
	Vacuum pans	203.049.	
Butter, cheese and fluid milk plant equipment: Group A			110
	Agitators, cheese vat.	203.001.	
	Babcock testers	203.002 A-D.	
	Butter cutters, hand or power driven	203.004-005.	
	Butter wrappers	203.006.	
	Cappers for dairy products (not installed on filler) single head	203.008 A.	
	Cheese grinders or curd mills	203.010.	
	Cheese hoops	203.011 A-F.	
	Cheese pasteurisers, tubular	203.012 A.	
	Cheese pasteurisers, plate	203.012 B-F.	
	Cheese presses	203.013 A-C.	
	Cheese vats	203.014 A-E.	
	Internal tube and surface type coolers	203.016 A-F.	
	Cabinet surface type.	203.116 A-D.	
	Plate type	203.116 E-H.	
	Churns	203.017 A-D.	
	Fillers	203.019 A-I.	
	Filters for milk and cream	203.020	
	Forewarmers, coil	203.022	
	Fittings, sanitary	203.026	
	Homogenisers	203.026 A-E.	
	Ice cream brick cutters.	203.031.	
	Paraffining equipment.	203.036 A-B.	
	Pasteurizers, coil	203.037 A-D.	
	Pasteurisers, plate	203.037 E-H.	
	Storage tanks uninsulated.	203.044 F-H.	
	Washers, hand milk bottle.	203.046 A.	
	Washers, 1, 2 and 3 compartment sinks.	203.046 B.	
	Washers, can, pipe wash outfit with tank.	203.046 C.	
	Washers, separator parts wash outfit with tank.	203.046 D.	
	Washers, milk bottle (in the case type) or (hydraulic).	203.047 A, B.	
	Washers, soaker type.	203.047 C-G.	
	Weigh cans and weighing units.	203.048 A-E.	
	Pasteurisers, vat and starter can.	203.137 A-G.	
	Washers, sterilizer, milk can, pedestal type.	203.147 A.	
	Washers, rotary and straightaway.	203.147 B-F.	
	All others		

See footnote at end of table.

PRODUCTION QUOTAS—Continued

Class of machinery	Type of machine	Machine code No.	Quota percentage
Group B			200
	Storage tanks	203.044 A-E.	
	Refrigerated storage tanks	203.144 A-E.	
Special items			(*)
	Batch measures and weighers.	203.003.	
	Hoodens for milk bottles.	203.006.	
	Case washers (milk bottles).	203.009.	
	Ice cream cup fillers.	203.028.	
	Ice cream package fillers.	203.029.	
	Ice cream coating and dipping machines.	203.030.	
	Ice cream novelty machines.	203.032.	
	Milk irradiators	203.034.	
	Paper bottle filling machines.	203.035.	
	Pulverisers for powdered milk.	203.038.	
	Samplers, vacuum milk.	203.040.	
	Soft curd machines	203.042.	

*The quota for all butter, cheese and fluid milk plant equipment is 110% of the controlled materials used for the Group A items in the base period plus 200% of the controlled materials used for the Group B items in the base period. For example, if a manufacturer used 1,000 tons for the Group A items and 100 tons for the Group B items his quota for all butter, cheese and fluid milk plant equipment would be 1,200 tons. This quota may be used for any product in either group or divided amongst the products in both groups in any way that the manufacturer wishes.

(d) *Exceptions.* The quota provisions of paragraph (c) above do not restrict the fabrication or assembly of dairy machinery or equipment to fill specific orders actually received by a manufacturer for export outside the United States and Canada, or for direct use by the Army, Navy, Maritime Commission or War Shipping Administration.

(e) *Increase, decrease and transfer of quotas.* The War Production Board may, by specific written directions issued to any manufacturer or class of manufacturers, increase or decrease any quota established by this schedule and may transfer any portions of a quota between manufacturers, taking into consideration the amount of materials to be used, the need for particular items at the time required, the labor and transportation situation in the manufacturing areas involved, the inability of any manufacturer to manufacture his quota, and such other factors as may be relevant.

(f) *Applicability of Limitation Order L-292.* Except as otherwise indicated herein, this schedule is subject to all applicable provisions of Limitation Order L-292 as amended from time to time.

Issued this 27th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9350; Filed, June 27, 1944; 11:26 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-292, Quota Schedule II-A]

PRODUCTION QUOTAS FOR BAKERY MACHINERY AND EQUIPMENT

§ 1226.201 *Production quotas for bakery machinery and equipment.*—(a) *Purpose of this schedule.* The purpose of this schedule is to fix production quotas for certain items of bakery machinery and equipment for the year beginning October 1, 1944, and ending September 30, 1945, inclusive. The quotas for the items described in this schedule shall take the place of quota provisions of paragraph (f) of Order L-292 with respect to those items.

(b) *Definitions.* (1) "Base period use" means the annual average tonnage of controlled materials used to complete items of bakery machinery and equipment during the years 1939, 1940 and 1941.

(2) "Controlled material" means controlled material as defined in CMP Regulation 1.

(c) *Production quotas.* During the year beginning October 1, 1944, and ending September 30, 1945, no manufacturer shall use more controlled materials to fabricate or assemble bakery machinery and equipment in any class than the quota percentage of his base period use for each class of machinery and equipment as set forth in the table below.

PRODUCTION QUOTAS

The first column describes each class of machinery covered by this schedule.

The second column describes the various types of machinery and equipment included in each class of machinery.

The third column assigns a code number to each type of machinery and equipment.

The fourth column shows the quota percentage that each manufacturer is allowed.

Class of machinery	Type of machine	Code No.	Quota percentage
Dough handling			85
	Air conditioning units only.	200.001	
	Brakes, dough reversible.	200.007	
	Brakes, dough return	200.008	
	Brakes, dough upright	200.009	
	Cookie droppers, wire cut.	200.022	
	Cutting machines, biscuit and crackers.	200.026	
	Cutters for cutting machines.	200.027	
	Cutters, pie pastry table.	200.028	
	Cutters, noodle	200.029	
	Depositors, cake batter	200.030	
	Depositors, cookie batter.	200.031	
	Dividers, bread	200.033	
	Dividers, pie dough	200.034	
	Dividers, roll, automatic.	200.035	
	Dividers, roll, semi-automatic.	200.036	
	Dividers, roll, hand	200.037	
	Mulsifiers	200.045	
	Hoist, trough	200.049	
	Hoppers, dough reservoir.	200.050	
	Kneaders, macaroni	200.054	
	Moulders, bread dough	200.061	
	Extender, bread dough	200.062	
	Moulders, roll dough	200.063	
	Extenders, roll dough	200.064	
	Moulders, rotary biscuit.	200.065	
	Pie machines, automatic straight lines.	200.074	
	Pie machines, automatic rotary.	200.075	
	Presses, macaroni	200.076	
	Proofers, intermediate drawer.	200.077	
	Proofers, intermediate floor type, automatic.	200.078	
	Proofers, intermediate, overhead, automatic.	200.079	
	Rimmers, pie	200.083	
	Rolling machines, pretzels.	200.084	
	Rolling machines, pie dough.	200.085	
	Rounders, bread	200.086	
	Rounders, roll	200.087	
	Sheeters, dough	200.091	
	Trimmers, pie crust, etc.	200.108	
Dough handling—Con.			85
	Trough, dough & biscuit.	200.109	
	Troughs, dough, bread, rolls.	200.110	
	Twisting machines, pretzels.	200.112	
	Unloaders, bowl	200.113	
Mixing			95
	Beaters	200.002	
	Mixers, horizontal bread dough.	200.055	
	Mixers, horizontal low speed.	200.056	
	Mixers, pie dough	200.058	
	Mixers, spindle	200.059	
	Mixers, vertical	200.060	
	Rubbing & creaming machines.	200.068	
Oven			85
	Cookers, pretzel	200.021	
	Ovens, Reel	200.066	
	Ovens, Reel	200.067	
	Ovens, revolving tray, horizontal shaft.	200.068	
	Ovens, rotary vertical shaft.	200.069	
	Ovens, traveling tray	200.070	
	Ovens, tunnel, band or wire mesh.	200.071	
	Ovens, tunnel, chain and drag.	200.072	
	Ovens, tunnel, plate or grid.	200.073	
Slicing & wrapping			85
	Slicers, bread, portable type.	200.095	
	Slicers, bread, hand type.	200.096	
	Slicers, bread, reciprocating type.	200.097	
	Slicers, cake	200.098	
	Slicers, roll	200.099	
	Wrapping machines, bread, automatic.	200.116	
	Wrapping machines, bread, semi-automatic.	200.117	
	Wrapping machines, bread, hand.	200.118	
	Wrapping machines, cake.	200.119	
General baking			80
	Bins, flour dump	200.003	
	Bins, flour storage	200.004	
	Blenders, flour	200.005	
	Boiling reels, flour	200.006	
	Burners, oven, gas	200.010	
	Burners, oven, oil	200.011	
	Sack cleaners	200.013	
	Conveyors, chain	200.014	
	Conveyors, screw, flour.	200.015	
	Conveyors, belt	200.016	
	Conveyors, slat	200.017	
	Conveyors, pin trolleys.	200.018	
	Conveyors, bucket	200.019	
	Conveyors, tray	200.020	
	Coolers, bread, automatic.	200.023	
	Coolers, bread, rack type.	200.024	
	Coolers, doughnut	200.025	
	Dryers, macaroni	200.041	
	Dusters, peel board	200.042	
	Elevators, bucket flour.	200.043	
	Fermentation rooms, prefabricated.	200.046	
	Pan greasers	200.048	
	Hoppers, flour, traveling.	200.051	
	Hoppers, flour, stationary.	200.052	
	Proof boxes, multiple, rack type, final proof.	200.080	
	Proof boxes, portable cabinet type.	200.081	
	Racks	200.082	
	Salting Machines	200.089	
	Sifters, flour, gyrating	200.092	
	Sifters, flour, revolving.	200.093	
	Sifters, flour, vibrating.	200.094	
	Stackers	200.101	
	Tables, bread sorting	200.103	
	Tanks, pan and hand cleaning.	200.104	
	Tanks, water tempering, weighing.	200.105	
	Tanks, water tempering, measuring.	200.106	
	Trucks, pan	200.111	
	Washers, pan	200.115	
	All others	200.121	
	Water meters	200.122	
Miscellaneous			20
	Cleaning machines, fruit.	200.012	
	Depositors, marshmallow.	200.032	

PRODUCTION QUOTAS—Continued

Class of machinery	Type of machine	Code No.	Quota percentage
Miscellaneous—Continued.	Doughnut machines, automatic.	200.038	30
	Doughnut machines, semi-automatic.	200.039	
	Doughnut machines, hand.	200.040	
	Filling machines	200.047	
	Icing machines, cake	200.053	
	Sandwich machines	200.090	
	Spraying machines, oil	200.100	
	Sugaring machines, doughnut.	200.102	
	Topping machines	200.107	
	Wafer machines, sugar	200.114	

(d) *Exceptions.* The quota provisions of paragraph (c) above do not restrict the fabrication or assembly of bakery machinery and equipment to fill specific orders actually received by a manufacturer for export outside the territorial limits of the United States and Canada or for direct use by the Army, Navy, Maritime Commission or War Shipping Administration.

(e) *Increase, decrease and transfer of quotas.* The War Production Board may, by specific written directions, issued to any manufacturer or class of manufacturers, increase or decrease any quota established on this schedule and may transfer any portions of the quota between manufacturers, taking into consideration the amount of materials to be used, the need for particular items at the time required, the labor and transportation situation in the manufacturing areas involved, the inability of any manufacturer to manufacture his quota, and such other factors as may be relevant.

(f) *Applicability of Limitation Order L-292.* Except as otherwise indicated herein, this schedule is subject to all applicable provisions of Limitation Order L-292, as amended from time to time.

Issued this 27th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9360; Filed, June 27, 1944; 11:24 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-292, Quota Schedule III-A]

PRODUCTION QUOTAS FOR CANNING MACHINERY AND EQUIPMENT

§ 1226.202 *Production quotas for canning machinery and equipment*—(a) *Purpose of the schedule.* The purpose of this schedule is to fix production quotas for canning machinery and equipment for the year beginning October 1, 1944, and ending September 30, 1945. These quotas shall take the place of the quota provisions of paragraph (f) of Order L-292 with respect to canning machinery and equipment.

(b) *Definition.* "Controlled material" means controlled material as defined in CMP Regulation 1.

(c) *Production quotas.* During the year beginning October 1, 1944, and ending September 30, 1945, no manufacturer shall use in the fabrication or assembly of canning machinery and equipment (except dehydrators), more controlled materials than 110% of the annual average gross tonnage of controlled materials used by him for this purpose during the calendar years 1939, 1940 and 1941. Each manufacturer may fabricate or assemble dehydrators only to fill rated orders actually received in accordance with Order L-292.

(d) *Exceptions.* The quota provisions of paragraph (c) above do not restrict the fabrication or assembly of canning machinery or equipment to fill specific orders actually received by a manufacturer for export outside the territorial limits of the United States and Canada, or for direct use by the Army, Navy, Maritime Commission or War Shipping Administration.

(e) *Increase, decrease and transfer of quotas.* The War Production Board may by specific written directions issued to any manufacturer or class of manufacturers, increase or decrease any quota established by this schedule and may transfer any portions of a quota between manufacturers, taking into consideration the amount of materials to be used, the need for particular items at the time required, the labor and transportation situation in the manufacturing areas involved, the inability of any manufacturer to manufacture his quota, and such other factors as may be relevant.

(f) *Applicability of Limitation Order L-292.* Except as otherwise indicated herein, this schedule is subject to all applicable provisions of Limitation Order L-292 as amended from time to time.

Issued this 27th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-292, Schedule IV-A]

PRODUCTION RESTRICTIONS IN LIEU OF QUOTAS FOR EGG AND POULTRY PROCESSING MACHINERY AND EQUIPMENT

§ 1226.203 *Restrictions on production of egg and poultry processing machinery and equipment*—(a) *Purpose of this schedule.* The purpose of this schedule is to tell each manufacturer how many units of egg and poultry processing machinery and equipment he may manufacture from October 1, 1944, to September 30, 1945. The provisions of this schedule take the place of the quota provisions of paragraph (f) of Order L-292 for egg and poultry processing machinery and equipment.

(b) *Number of units which can be manufactured.* During the period beginning October 1, 1944 and ending September 30, 1945, each manufacturer may fabricate or assemble any items of egg or poultry processing machinery or equipment necessary to fill rated orders which he is permitted to accept under Order L-292. In addition, each manufacturer may manufacture up to a maximum inventory of certain items of machinery and equipment as shown in the table below. A manufacturer must not fabricate or assemble more machinery and equipment for inventory than this table permits.

Permitted Inventories

The first column assigns a code number to each type of egg and poultry processing machinery and equipment.

The second column describes the types of egg and poultry processing machinery and equipment covered by this schedule.

The third column shows the number of units (or dollar value) which a manufacturer may have in inventory. For example, for Code No. 203.056B, Candlers, flash, the permitted inventory is 0. This means that flash candlers cannot be manufactured for inventory; they may only be manufactured to fill orders actually received which are rated in accordance with Order L-292. On the other hand, for Code No. 203.058, Churns, egg, the permitted inventory is 3. This means that a manufacturer may have a maximum inventory of 3 units of this equipment in addition to the units necessary to fill orders actually received which are rated in accordance with Order L-292.

EGG PROCESSING MACHINERY AND EQUIPMENT

Code No.	Type of equipment	Number of units or dollar value permitted in inventory
203.056B	Candlers, flash	0
203.057	Candling Bench, egg	0
203.058	Churns, egg	3
203.059A	Cleaning equipment: shell egg, washer	6
203.059B	Cleaning equipment: shell egg, sand blast	0
203.059C	Cleaning equipment: shell egg, other	0
203.060	Cooling equipment: egg powder	3
203.061	Crushers, egg, frozen, sanitary	6
203.063	Dump vat, liquid egg	3
203.064B	Graders: egg, power type	0
203.065A	Hashers: egg, chopper type	1
203.065B	Hashers: egg, mill type	0
203.069	Powder release valve for dehydrators	0
203.070	Processing machine, egg	6
203.073	Sifters, for dried egg powder	0
203.074A	Strainers: liquid egg, gravity	5
203.075B	Strainers: liquid egg, pressure	1
203.076	Suckers, egg	0
203.077A	Tables: egg breaking 4-operator, plain	10
203.077B	Tables: egg breaking multiple operator, conveyor type	1
203.080A	Washing and sterilising equipment for egg breaking equipment, 3 compartment sink	2
203.080B	Washing and sterilising equipment for egg breaking equipment: sterilising cabinet	3
203.080C	Washing and sterilising equipment for egg breaking equipment: drying cabinet	3
	All other egg processing machinery and equipment not listed above	[1]$500

[1] Total value.

POULTRY PROCESSING MACHINERY AND EQUIPMENT

Code No.	Type of equipment	Number of units or dollar value permitted in inventory
204.001A	Bird washers on the line	2
204.001B	Bird washers, manual operated	2
204.006A	Cutting and wrapping table: single conveyor belt type	1
204.006B	Cutting and wrapping table: return belt type, double level	1
204.006	Drain troughs, stationary	8
204.007A	Eviscerating and inspection table: rotary type	0
204.007B	Eviscerating and inspection table: straight single table type	0
204.007C	Eviscerating and inspection table: double table type	0
204.008	Feather driers	5
204.009	Feather wringers	5
204.013	Giblet wrapping table	1
204.014	Gizzard washing table and sink	1
204.015B	Holding trucks: live poultry, 16 compartment	50
204.016A	Picking machines: hand fed, 24" and less overall drum width	10
204.016B	Picking machines: hand fed, 26" to 32", inclusive overall drum width	5
204.016C	Picking machines: hand fed, 36" and up	1
204.016D	Picking machines: chicken, automatic and semiautomatic	1
204.016E	Picking machines: turkey, automatic and semiautomatic	1
204.017A	Scalding machine: chicken	3
204.017B	Scalding machine: turkey	1
204.017C	Scalding tanks: poultry	10
204.019	Tanks, cooling and defrosting, poultry	3
204.020	Viscera carts	3
204.021A	Wax defeathering equipment: hand type	0
204.021B	Wax defeathering equipment: conveyor type	0
204.022	Wet feed mixers	0
	All other poultry processing machinery and equipment not listed above	[1]$300

[1] Total value.

(c) *Applicability of Limitation Order L-292.* Except as otherwise indicated herein, this schedule is subject to all applicable provisions of Limitation Order L-292 as amended from time to time.

Issued this 27th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9362; Filed, June 27, 1944; 11:24 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-292, Quota Schedule V-A]

PRODUCTION RESTRICTIONS IN LIEU OF QUOTAS FOR SUGAR PROCESSING MACHINERY AND EQUIPMENT

§ 1226.204 *Restriction on production of sugar processing machinery and equipment*—(a) *Purpose of this schedule.* The purpose of this schedule is to permit the manufacture of a limited quantity of sugar processing machinery and equipment during the period from October 1, 1944 to September 30, 1945. Paragraph (f) of Order L-292 provides for the fixing of production quotas for food processing machinery by the War Production Board. The provisions of this schedule take the place of the quota provisions in paragraph (f) of Order L-292 with respect to sugar processing machinery and equipment.

(b) *Number of units which may be manufactured.* During the period beginning October 1, 1944 and ending September 30, 1945, each manufacturer may fabricate or assemble any sugar processing machinery or equipment necessary to fill orders actually received by him if the orders are of a kind which he is permitted to accept under Order L-292. In addition, each manufacturer may fabricate or assemble the number of units of centrifugals and sugar sprayers necessary to maintain a maximum inventory of two units of centrifugals and three units of sugar sprayers. A manufacturer must not fabricate or assemble any sugar processing machinery or equipment other than centrifugals and sprayers for inventory.

(c) *Applicability of Limitation Order L-292.* Except as otherwise indicated herein, this schedule is subject to all applicable provisions of Limitation Order L-292 as amended from time to time.

Issued this 27th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-292, Quota Schedule VI-A]

PRODUCTION QUOTAS FOR FLOUR, GRAIN, FEED MILLING AND PROCESSING MACHINERY AND EQUIPMENT

§ 1226.205 *Production quotas for flour, grain, feed milling and processing machinery and equipment*—(a) *Purpose of this schedule.* The purpose of this schedule is to fix production quotas for certain items of flour, grain, feed milling and processing machinery and equipment for the year beginning October 1, 1944, and ending September 30, 1945, inclusive. The quotas for the items described in this schedule shall take the place of the quota provisions of paragraph (f) of Order L-292 with respect to those items.

(b) *Definitions.* (1) "Base period use" means the annual average tonnage of controlled materials used to complete items of flour, grain, feed milling and processing machinery and equipment during the years 1939, 1940 and 1941.

(2) "Controlled material" means controlled material as defined in CMP Regulation 1.

(c) *Production quotas.* During the year beginning October 1, 1944, and ending September 30, 1945, no manufacturer shall use more controlled materials to fabricate or assemble flour, grain, feed milling and processing machinery and equipment in any class than the quota percentage of his base period use for each class of machinery and equipment as set forth in the table below.

PRODUCTION QUOTAS

The first column describes each class of machinery covered by this schedule.

The second column describes the various types of machinery and equipment included in each class of machinery.

The third column assigns a code number to each type of machinery and equipment.

The fourth column shows the quota percentage that each manufacturer is allowed.

PRODUCTION QUOTAS—Continued

Class of machinery	Type of machine	Machine code	Quota percentage
Grinding, mixing, feeding separators and graders.	Attrition mill	202.004	150
	Batch mixer	202.005	
	Separator or grader regular.	202.061 A	
	Separator or grader, magnetic.	202.061 B	
	Separator-grader, gravity.	202.061 C	
	Blenders	202.007	
	Feeders, chemical	202.029	
	Feeders (Percentage)	202.080	
	Feeders (Roll)	202.081	
	Feeders (Batch)	202.082	
	Hammers and pulverizers.	202.040	
	Mixers	202.044	
	Mixers (Molasses)	202.045	
	Pellet machine	202.049	
	Puffing machine	202.062	
Cereal, flour and grain milling machinery and equipment.	Acidifier	202.001	100
	Ancke mills	202.002	
	Aspirators	202.003	
	Bleaching gas control	202.006	
	Bolting reels	202.008	
	Bolting sifters	202.009	
	Bran and shorts dusters	202.010	
	Burr mills	202.011	
	Centrifugals	202.012	
	Centrifuges	202.013	
	Convertors	202.014	
	Cookers	202.015	
	Cookers and preheaters	202.016	
	Corn crushers	202.017	
	Corn cutters	202.018	
	Corn germ squeezer	202.019	
	Corn oil filter press	202.020	
	Corn shellers	202.021	
	Corn steeps or tank	202.022	
	Crystallizing equipment	202.023	
	Degerminators	202.024	
	Dryers and coolers	202.025	
	Dust collector (Cyclone)	202.026	
	Dust collector (Tubular)	202.027	
	Filters	202.033	
	Flaking roll mills	202.034	
	Furnace	202.035	
	Corn roll (Cracker)	202.036	
	Germ separators	202.037	
	Germ washing reels	202.038	
	Grinding starch mill	202.039	
	Heat exchanger	202.041	
	Hydraulic press	202.043	
	Neutralizers	202.046	
	Oil expellers and cookers	202.047	
	Pearlers (Rice)	202.048	
	Polisher (Rice)	202.050	
	Pressers	202.051	
	Purifiers (regular)	202.053	
	Purifiers (purulator)	202.054	
	Revolving heat chambers	202.055	
	Roasters and ovens	202.056	
	Roller mill	202.057	
	Scalpers	202.058	
	Scourer (air type)	202.059 A	
	Scourer (friction type)	202.059 B	
	Separating and washing reels	202.060	
	Solvent extraction equip't	202.003	
	Steam germ dryer	202.064	
	Steamer	202.065	
	Steriliser	202.066	
	Sugar clipper	202.067	
	Sulphur tower (SO_2)	202.068	
	Tanks (metal)	202.069	
	Tanks (wood)	202.070	
	Tempering device (auto)	202.071 A	
	Tempering device (steamer)	202.071 B	
	Tempering device (wheat)	202.071 C	
	Tipple—tipple house	202.072	
	Vacuum pans	202.073	
	Wheat washers	202.074	
	Enlleters	202.075	
	All others		

(d) *Exceptions.* The quota provisions of paragraph (c) above do not restrict the fabrication or assembly of flour, grain, feed milling and processing machinery and equipment to fill specific orders actually received by a manufacturer

for export outside the tergitorial limits of the United States and Canada or for direct use by the Army, Navy, Maritime Commission or War Shipping Administration.

(e) *Increase, decrease and transfer of quotas.* The War Production Board may, by specific written directions, issued to any manufacturer or class of manufacturers, increase or decrease any quota established on this schedule and may transfer any portions of the quota between manufacturers, taking into consideration the amount of materials to be used, the need for particular items at the time required, the labor and transportation situation in the manufacturing areas involved, the inability of any manufacturer to manufacture his quota, and such other factors as may be relevant.

(f) *Applicability of Limitation Order L-292.* Except as otherwise indicated herein, this schedule is subject to all applicable provisions of Limitation Order L-292, as amended from time to time.

Issued this 27th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
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PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-292, Quota Schedule VII-A]

PRODUCTION QUOTAS FOR MEAT CANNING, MEAT PACKING AND MEAT PROCESSING MACHINERY AND EQUIPMENT

§ 1226.206 *Production quotas for meat canning, meat packing and meat processing machinery and equipment*—(a) *Purpose of this schedule.* The purpose of this schedule is to fix production quotas for certain items of meat canning, meat packing and meat processing machinery and equipment for the year beginning October 1, 1944, and ending September 30, 1945. The quotas for the items described in this schedule shall take the place of the quota provisions of paragraph (f) of Order L-292 with respect to those items.

(b) *Definition.* "Controlled material" means controlled material as defined in CMP Regulation 1.

(c) *Production quotas.* During the year beginning October 1, 1944, and ending September 30, 1945, no manufacturer shall use, in the fabrication or assembly of meat canning, meat packing or meat processing machinery and equipment, more controlled materials than 125% of the annual average gross tonnage of controlled materials used by him for this purpose during the calendar years 1939, 1940 and 1941.

(d) *Exceptions.* The quota provisions of paragraph (c) above do not restrict the fabrication or assembly of meat canning, meat packing or meat processing machinery and equipment to fill specific orders actually received by a manufacturer for export outside the territorial limits of the United States and Canada or for direct use by the Army, Navy, Maritime Commission or War Shipping Administration.

(e) *Increase, decrease and transfer of quotas.* The War Production Board may, by specific written directions issued to any manufacturer or class of manufacturers, increase or decrease the quota established on this schedule and may transfer any portions of the quota between manufacturers, taking into consideration the amount of materials to be used, the need for particular items at the time required, the labor and transportation situation in the manufacturing areas involved, the inability of any manufacturer to manufacture his quota, and such other factors as may be relevant.

(f) *Applicability of Limitation Order L-292.* Except as otherwise indicated herein, this schedule is subject to all applicable provisions of Limitation Order L-292 as amended from time to time.

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WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

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PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-292, Quota Schedule VIII-A]

PRODUCTION QUOTAS FOR BREWING, WINERY AND BEVERAGE MACHINERY AND EQUIPMENT, (INCLUDING BOTTLING, BOTTLE CAPPING AND BOTTLE LABELLING MACHINERY AND EQUIPMENT, BUT EXCLUDING REFRIGERATION MACHINERY AND EQUIPMENT)

§ 1226.207 *Production quotas for brewing, winery and beverage machinery and equipment (including bottling, bottle capping and bottle labelling machinery and equipment, but excluding refrigeration machinery and equipment)*—(a) *Purpose of this schedule.* The purpose of this schedule is to fix production quotas for brewing, winery and beverage machinery and equipment (except refrigeration machinery and equipment) for the year beginning October 1, 1944, and ending September 30, 1945, inclusive. The quotas described in this schedule shall take the place of the quota provisions of paragraph (f) of Order L-292 with respect to those items.

(b) *Definitions.* (1) "Base period use" means the annual average tonnage of controlled materials used to complete items of brewing, winery and beverage machinery and equipment (including bottling, bottle capping and bottle labelling machinery and equipment, but excluding refrigeration machinery and equipment) during the years 1939, 1940 and 1941.

(2) "Controlled material" means controlled material as defined in CMP Regulation 1.

(c) *Production quotas.* During the year beginning October 1, 1944, and ending September 30, 1945, no manufacturer shall use more controlled materials to fabricate or assemble brewing, winery and beverage machinery and equipment (including bottling, bottle capping and bottle labelling machinery and equipment, but excluding refrigeration machinery and equipment) in any class than the quota percentage of his base period use for each class of machinery and equipment as set forth in the table below.

PRODUCTION QUOTAS

The first column describes each class of machinery covered by this schedule.

The second column describes the various types of machinery and equipment included in each class of machinery.

The third column asigns a code number to each type of machinery and equipment.

The fourth column shows the quota percentage that each manufacturer is allowed.

Class of machinery	Type of machine	Machine code No.	Quota percentage
Brewhouse machinery.	Beer barrel racker	478. 001	10
	Beer bottling	478. 003	
	Beer mash tubs	478. 005	
	Carbonators (beer)	478. 013	
	Carbonic acid gas fixtures.	478. 014	
	Coolers (brewery)	478. 015	
	Filter, beer	478. 017	
	Hop strainers	478. 022	
	Tanks (brewery)	478. 024	
	Reducers	478. 026	
	Cookers	478. 027	
	Beer and wort coolers.	478. 028	
	Keg washers	478. 029	
	Mesh driven	478. 030	
	Pitch machines	478. 031	
	Yeast dryers	478. 032	
	Yeast separators	478. 033	
	Malt manufacturing equipment.	478. 034	
	Malt mills	478. 035	
	All others		
Bottling line equipment.	Bottle mixers	478. 004	35
	Bottle accumulating tables.	478. 005	
	Bottle casers	478. 006	
	Bottle fillers	478. 007	
	Bottle inspection units.	478. 008	
	Bottle labeling machines.	748. 009	
	Bottle rinsers	478. 010	
	Deaerators and synchretizers.	478. 011	
	Bottle washers	478. 012	
	Carbonators	478. 013	
	Carbonic acid gas fixtures.	478. 014	
	Coolers (water)	478. 015	
	Crowners	478. 016	
	Pasteurizers	478. 020	
	Special bottle conveyor.	478. 021	
	All others		
Syrup mixing and handling equipment.			10
	Filter, syrup	478. 018	
	Syrup mixers	478. 023	
	Tanks	478. 024	
	Syrup pumps	478. 036	
	All others		

(d) *Exceptions.* The quota provisions of paragraph (c) above do not restrict the fabrication or assembly of brewing, winery and beverage machinery and equipment (including bottling, bottle capping and bottle labelling machinery and equipment) to fill specific orders actually received by a manufacturer for export outside the territorial limits of the United States and Canada or for direct use by the Army, Navy, Maritime Commission or War Shipping Administration.

(e) *Increase, decrease and transfer of quotas.* The War Production Board may, by specific written directions, issued to any manufacturer or class of manufacturers, increase or decrease any quota established on this schedule and may transfer any portions of the quota between manufacturers, taking into consideration the amount of materials to be used, the need for particular items at the time required, the labor and transportation situation in the manufacturing areas involved, the inability of any manufacturer to manufacture his quota, and such other factors as may be relevant.

(f) *Applicability of Limitation Order L-292.* Except as otherwise indicated herein, this schedule is subject to all applicable provisions of Limitation Order L-292, as amended from time to time.

Issued this 27th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9366; Filed, June 27, 1944; 11:25 a. m.]

PART 3281—WOOD PULP

[General Preference Order M-93, Direction 1, as Amended June 27, 1944]

PREFERRED STATUS OF CERTAIN DELIVERIES AND USES OF WOOD PULP

The following amended direction is issued pursuant to General Preference Order M-93:

(a) *Reasons for this direction.* A producer's output of wood pulp is allocated by the War Production Board for his own uses and for delivery to other consumers on the basis of the amount which he reports to the War Production Board as his estimated output. If he over-estimates his production, it is necessary and appropriate in the public interest and to promote the national defense to assure that this does not result in cutting off wood pulp from the consumers to whom it was allocated and who have no other source of supply for the continuance of their minimum operations, and to assure that any necessary reductions are made in those grades of paper and paperboard not listed in paragraph (d) below.

(b) *Producers.* If a producer is unable during any calendar quarter to make all deliveries which he has been directed on Form WPB-699 to make, he shall reduce his deliveries to himself to the extent necessary to complete all deliveries to consumers other than himself.

(c) *Consumers.* If a consumer during any calendar quarter has, or anticipates that he will have, inventory and receipts of wood pulp less than the amount of wood pulp he is authorized on Form WPB-2973 to consume, he shall not use in the production of grades of paper and paperboard other than those listed in paragraph (d) below more wood pulp than the amount calculated by subtracting (1) the amount of his above-mentioned shortage of wood pulp from (2) the total amount of wood pulp he is authorized on Form WPB-2973 to use in the production of grades of paper and paperboard other than those listed in paragraph (d) below.

(d) *Grades of paper and paperboard having preferred production status:*

[NOTE: Items 060800 and 069000 deleted June 27, 1944]

WPB-2973 Grade of Paper or Paperboard Item No. from	
021930	Target paper
031600	Offset
033000	Postal card (Government)
041130	Rag manifold
041161	Rag wet strength map paper
041169	Rag map and chart paper other than wet strength map paper
041230	Chemical wood pulp manifold
041261	Chemical wood pulp wet strength map paper
041269	Chemical wood pulp chart and map paper other than wet strength map paper
043110	Rag content blueprint, brownprint and similar base stock
043180	Rag content photographic and similar sensitising stock
043190	Other rag content reproduction paper
043210	Chemical wood pulp blueprint, brownprint, and similar base stock
043280	Chemical wood pulp photographic baryta stock
043290	Chemical wood pulp photographic, other than baryta
043290	Other chemical wood pulp reproduction paper
047100	Carbonizing paper
047200	Condenser tissue
051200	Greaseproof
051300	Glassine
051400	Vegetable parchment
051600	Unbleached kraft wrapping
053110	Asphalting, including creped or creping stock for asphalting
053120	Creping, including creped or creping stock not for asphalting and not including toweling
058310	Gumming stock (sulphate)
058320	Gumming stock (sulphite)
063400	Twisting and spinning (over #18)
063500	Waxing (18# and up)
063600	Cup stock
063900	Base stock for ordnance wrap
064100	Multi-wall bag and shipping sack paper
064900	Other specification shipping sack paper
080100	Abrasive paper backing
080200	Cable paper
080300	Electrical insulation and armature paper and paperboard
080400	Gasket paper and paperboard (except dense fibre)
080700	Tabulating card stock
080820	Tag stock including light manila board
071000	Sanitary napkin stock
073001	Industrial toweling stock
073100	Toilet tissue stock
074001	Industrial napkin stock
080100	Waxing tissue
080580	Twisting tissue
080600	Fruit and vegetable wrapping tissue
114000	Vulcanizing fibre stock
115000	Resin impregnating stock
	All items in Subschedule F-1, All grades of container board (211000-219000)
224001	Milk bottle stock (solid sulphite and sulphate)
224002	Milk bottle hood & lip cover stock (solid sulphite and sulphate)
224004	Hot drink cup stock (solid sulphite and sulphate)
225001	Milk bottle stock (solid manila)
225002	Milk bottle hood & lip cover stock (solid manila)
225004	Milk bottle cap and plug stock
228200	Double kraft lined arsenal board and similar specifications
251100	Ammunition container board and similar specifications for armed forces
256000	Dense fiber

Issued this 27th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9355; Filed, June 27, 1944; 11:23 a. m.]

PART 3281—PULP AND PAPER

[General Conservation Order M-294, as Amended June 27, 1944]

WASTE MANILA ROPE AND MANILA FIBRE OF THE T-2, T-3, O, Y AND EQUIVALENT GRADES

§ 3281.71 *General Conservation Order M-294*—(a) *Definitions.* For the purpose of this order:

(1) "Rope" means any rope or cable treated or untreated, composed of three or more strands, manufactured from cotton or any cordage fibre, each strand composed of two or more yarns, but does not include strings and twines of whatever construction which are commonly used for tying, sewing, baling or commercial packaging use.

(2) "Manilla" means fibre which is commonly known in the trade by this term and also known as "abaca" or "manila hemp" wherever grown (either stripped or decorticated).

(3) "Waste manila rope" means rope, composed wholly or in part of Manila, which has been used previously and which is incapable of further use as rope. It also means the material resulting from any shredding, parting or other type of separation of the strands or fibre of used Manila rope, except any such resulting material which is rope as defined in paragraph (a) (1) and which is capable of further use as rope.

NOTE: Subparagraphs (4) through (8), formerly subparagraphs (2) through (6), redesignated June 27, 1944.

(4) "Manila fibre" means fibre grades of T-2, T-3, O, Y or equivalent as established by the Insular Government of the Philippine Islands.

(5) "Permitted use" means with respect to each grade or type of paper designated on List A, the uses described for such paper on List A.

(6) "No. 1 large waste manila rope" means solid, clean, dry, sound manila rope not less than ¾" in diameter, free from any inferior or objectionable materials, such as tarred and transmission ropes; dirty, black, painted, greasy, oily, oil smeared, and latex treated rope or coal dust; rope wholly or partly composed of fibers other than manila and such materials as tender fiber, knots, nets, yarns, strands, shakings, cord, string, or other unsound fibers.

(7) "No. 1 small waste manila rope" means the same rope as defined in paragraph (a) (6), except that the rope may be less than ¾" in diameter.

(8) "Uncut manila fenders" means, uncut manila fenders obtained from boats and docks, packed separately and free of mats, iron, grease, rubber, tender and other foreign materials.

(b) *Limitations on sale or use of waste manila rope and manila fibre.* (1) No person shall use waste manila rope or manila fibre as a raw material in the

manufacture of any product or products other than in the manufacture of paper.

(2) No person shall use waste manila rope in the manufacture of any grade or type of paper other than the grades and types of paper shown on List A.

(3) No person shall sell waste manila rope or manila fibre if he knows or has reason to believe such raw material will be used in the manufacture of any product or products other than in the manufacture of paper.

(4) No person shall sell waste manila rope if he knows or has reason to believe such materials will be used in the manufacture of any grade or type of paper other than the grades or types of paper shown on List A.

(5) No person shall use manila fibre in the manufacture of any grade or type of paper other than the grades and types of paper shown on List B.

(6) No person shall sell manila fibre if he knows or has reason to believe such material will be used in the manufacture of any grade or type of paper other than the grades or types of paper shown on List B.

(c) *Limitation on use of grades and types of paper shown on List A or List B.* No person who accepts delivery of any grade or type of paper shown on List A or List B in which waste manila rope or manila fibre is used as a raw material shall use the same for any purpose or use other than the permitted uses for such grade or type of paper shown on List A or List B, except that this restriction shall not apply to any grade or type of paper containing waste manila rope, manufactured prior to March 19, 1943.

(d) *Limitations on use of waste manila rope in the manufacture of flour and cereal sack papers.* (1) No person shall use waste manila rope in the manufacture of paper for flour or cereal products sacks to an extent in excess of 45% of the total fibre content of such paper; *Provided, however,* That the amount of waste manila rope used by him in the manufacture of such paper during any one month shall not exceed 45% of the amount used by him in the manufacture of such paper during the month of December 1942.

(2) No person shall use No. 1 large waste manila rope (as defined in paragraph (a) (6)) or No. 1 small waste manila rope (as defined in paragraph (a) (7)) or uncut manila fenders (as defined in paragraph (a) (8) of this order), to an extent in excess of 35% of the total fibre content of such paper: *Provided, however,* That the amount of No. 1 large waste manila rope, No. 1 small waste manila rope or uncut manila fenders used by him in the manufacture of such paper during any one month shall not exceed 35% of the amount used by him in the manufacture of such paper during the month of December 1942.

(3) [Deleted Mar. 20, 1944]

(e) *Limitation on use of waste manila rope in the manufacture of abrasive paper.* (1) No person shall use waste manila rope in the manufacture of abrasive paper to an extent in excess of 25% of the total fibre content of such paper, and none of the waste manila rope so used shall be of the grades known as No. 1 large old manila rope or No. 1 small old manila rope or uncut manila fenders.

(f) *Obligation to examine and refuse certain orders.* (1) No person using waste manila rope in the manufacture of the grades and types of paper shown on List A shall sell or deliver any such paper which he knows or has reason to know will be used for any other purpose or use other than a permitted use.

(2) No person using manila fibre in the manufacture of grades and types of paper shown on List B shall sell or deliver any such paper which he knows or has reason to know will be used for any other purpose other than a permitted use.

(g) *Exceptions.* Specific authorization may be granted by the War Production Board for use of waste manila rope in the manufacture of any product or products for delivery to the Armed Forces or for use in the manufacture of any material or equipment for delivery to the Armed Forces when such product or products, material or equipment cannot be satisfactorily produced from other available fibres. Applications for such authorization shall be made by filing a letter with the War Production Board, Pulp Allocation Office, Ref: M-294, stating fully the reasons for requesting such authorization.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds for appeal.

(j) *Communication.* All reports required to be filed hereunder, or communications concerning this order or any schedule issued supplementary hereto shall, unless otherwise directed, be addressed to the War Production Board, Pulp Allocation Office, Washington 25, D. C., Ref. M-294.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 27th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

Grade or type of paper:	*Permitted use*
Insulating papers	In the manufacture of insulation for communication wiring and cables, for electrical wiring and cables, and other types of electrical insulation.
Gasket base papers	In the manufacture of gaskets.
Artificial leather base papers.	In the manufacture of artificial leather for delivery to shoe manufacturers.
Flour and cereal products sack papers.	For use in the manufacture of sacks for packaging flour or other cereal products, in quantities of 25 pounds or more.
Tag papers	In the manufacture of casualty tags, shipping tags and identification tags for delivery to the Armed Forces.
Abrasive paper	In the manufacture of industrial abrasive papers and belts.
Stencil base paper	In the manufacture of stencil base papers for mimeograph stencils.

LIST B

Electrolytic condenser paper (but not more than 24 x 36—18#).	In the manufacture of electrical condensers or capacitors where electrolytic paper is required.
Stencil base paper	In the manufacture of stencil base papers for mimeograph stencils.

[F. R. Doc. 44-9857; Filed, June 27, 1944; 11:28 a. m.]

PART 3281—PULP AND PAPER

[Limitation Order L-120, Amdt. 1 to Schedule III, as Amended June 5, 1944]

BASE STOCK FOR BLUEPRINT AND DIRECT LINE PAPERS

Section 3281.19 *Schedule III to Order L-120* is hereby amended in the following respects:

Amend paragraph A (3) under the caption—Base Stock for blue print and direct line papers—in the appendix to this schedule to read as follows:

(3) Standard weights (per 500 sheets 17" x 22½): For 50% and 100% rag content: substance weights 17 and 20½; for all other grades substance weight 17 only.

Amended paragraph (B) (2) under the same caption to read as follows:

Substance weight 24 in 100% rag content may be made to fill a special making order for the armed forces of the United States.

Issued this 27th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9858; Filed, June 27, 1944; 11:23 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-217, as Amended June 27, 1944]

FOOTWEAR

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of shoe manufacturing material for defense for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.191 *Conservation Order M-217*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board and Conservation Order M-328, as amended from time to time, except as follows:

(1) Priorities Regulation 17 shall be inapplicable to footwear.

(2) Military footwear which has been rejected by Government inspectors and stamped to indicate its rejection may be sold without regard to Paragraph 944.11 of Priorities Regulation 1 or paragraph (e) (3) of Conservation Order M-328.

(b) *Definitions.* For the purposes of this order:

(1) "Put into process" means the first cutting of leather or fabric in the manufacture of footwear.

(2) "Footwear" includes house slippers, but does not include (i) rubber footwear or (ii) foot covering designed to be worn over shoes and utilizing no leather.

(3) "Work shoes" means any shoes or boots with unlined quarters which are designed to be worn at any form of work requiring specially heavy or substantially made footwear.

(4) "Horizontal quarter seams" means seams on quarters running at a predominantly horizontal direction (i. e. parallel to the sole).

(5) "Design and construction" of footwear means the make-up of the footwear in every detail, so that any two items of footwear of the same design and construction are necessarily identical, except in size; but does not refer to the means whereby the footwear is manufactured.

(6) "Cattle hide leather" means any leather (including splits) made from cattle hides, including hides of bulls, cows, and steers, and calf and kip skins (but excluding slunks) and shall also include buffalo hides.

(7) "Pintucking" means a raised effect on the surface of footwear accomplished by either single or double needle stitching, but does not include the raised seam on a moccasin type vamp.

(8) "House slippers" means any footwear designed exclusively for indoor or house wear.

(9) [Deleted Mar. 9, 1944]

(10) "Line" means footwear of any one of the following types:

Men's dress,
Men's work,
Youths' and boys',
Women's and growing girls',
Misses' and children's,
Infants',
House slippers,
Athletic,
Men's safety shoes, and
Women's safety shoes,

to the extent that such type of footwear is manufactured for sale in the same manufacturer's price range; *Provided,* That:

(i) Footwear of substantially identical kind and quality sold in more than one price range to different types of purchasers shall be deemed one line; and

(ii) In case the sale by the manufacturer is at retail or to a purchaser which controls, is controlled by, or is subject to common control with, the manufacturer, then the applicable price range shall be the retail price range.

(iii) Up to a net wholesale price of $1.75 a pair misses' and children's footwear (not including slippers) may be deemed one line, and youths' and boys' footwear (not including slippers) one line.

(11) "Price range" shall have the usual trade significance, provided that the highest list price in the range does not exceed the lowest in the range by more than ten (10%) per cent, or twenty-five (25) cents a pair, whichever is the greater, and that no range may overlap any other range.

(12) "Military footwear" means military type footwear purchased by the Army or Navy of the United States (excluding post exchanges and ship's service stores, wherever situated), the United States Naval Academy at Annapolis, Maryland, the United States Military Academy at West Point, New York, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the War Shipping Administration, the Government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, the Netherlands, Norway, Poland, Russia, Turkey, the United Kingdom (including its Dominions, Crown Colonies and Protectorates) and Yugoslavia; military type footwear purchased by any agency of the United States for delivery to or for the account of the Government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act); and custom-made footwear delivered for personnel of the Army or Navy of the United States.

(13) "Civilian footwear" as used in paragraph (i) includes all footwear except military footwear and rubber footwear.

(14) "Six months' base period" means any consecutive six calendar months within the period from July 1, 1942 to April 30, 1943 selected by a manufacturer as his base period for the purposes of this order.

(15) "Civilian line quota" means the number of pairs of civilian footwear within a single line manufactured by a person during his six months' base period.

(16) "Safety shoes" means protective occupational footwear incorporating or purporting to incorporate one or more of the following safety features: steel box toe; electrical conductivity; electrical resistance; non-sparking and moulders' (Congress type) protection (shoes which can be quickly removed, worn to protect against splashing metals).

(17) "Long shield tip" means a shield tip having a horizontal measurement from the bottom of the curve to the upper end of the tip of more than 1 inch (using size 4B as a standard).

(18) "Rubber soles" do not include tire carcass soles, when used on misses' and children's footwear (excluding all sizes over size 3), or soles made wholly from friction scrap.

(19) "Plastic soles" mean soles containing more than 25% by weight vinyl polymer as defined in General Preference Order M-10.

(c) *Curtailment in the use of materials and colors in the manufacture of footwear.* (1) No person shall manufacture, or put into process any leather or fabric for the manufacture of, any footwear with:

(i) Leather seam laps gauging over ½ inch in width.

(ii) Horizontal quarter seams, on lined low quarter shoes.

(iii) Wing or shield tips on men's shoes and boys' shoes over size 6, or wing tips or long shield tips on women's, girls', misses', youths', little gents' and children's shoes and boys' shoes of sizes 6 and under.

(iv) Full overlay tips or full overlay foxings, except on work shoes and footwear with fabric uppers.

(v) Woven vamp or quarter patterns.

(vi) Quarter collars, except on unlined shoes and house slippers.

(vii) Bows or other ornaments, if made of leather in whole or in part.

(viii) Outside leather taps, on footwear other than men's high shoes, unless the middle sole is of synthetic composition material.

(ix) Leather slip soles other than those cut from bellies or offal.

(x) More than one full leather sole, in Goodyear welt footwear other than work shoes and safety shoes.

(xi) Full breasted heels, except on hand-turned footwear.

(xii) Welting in excess of ½ inch in width and 5/32 inch in thickness in shoes other than work shoes, or welting in excess of 9/16 inch in width and 5/32 inch in thickness in work shoes.

(xiii) Straps, buckles, knife pockets or decorative stitching on boots or work shoes.

(xiv) Men's one-piece leather uppers (i. e., vamp and quarter cut in one piece and seamed up the back).

(xv) Extension stitched heel seats, except on:

Prewelts in all sizes,
Stitchdowns in all sizes,
Children's shoes up to and including size 3, and
Safety and established orthopedic footwear.

(xvi) Metal nail heads for studs or any metal for decorative purposes.

(xvii) Any stitching thread made from reserved Egyptian cotton (as defined in Conservation Order M-117) or reserved American extra staple cotton (as defined in Conservation Order M-197) for any decorative or any non-functional purpose.

(xviii) Any non-functional or decorative stitching except:

(a) Not more than four rows of non-functional stitching on imitation tips, foxings, saddles, mudguards and moccasin type vamps.

(b) Not more than an aggregate of four rows of functional and non-functional stitching parallel to the vamp, tip, foxing, saddle, and moccasin seams.

(c) Design stitching solely to permit direct non-stop stitching between cut-outs.

(d) Design functional stitching on utility work cowboy boots.

(xix) Any strippings, braidings, pintuckings, lacings or overlays, except those serving a necessary functional purpose.

(xx) Straps passing over, under or through a tongue or vamp.

(xxi) Raised quarter or raised back seams (other than vertical back seams), except on genuine moccasins.

(xxii) Multiple straps, on Roman sandals.

(xxiii) Kiltie or other ornamental tongues, if made of leather in whole or in part.

(xxiv) Platform soles and platform effects, on all footwear of heel height over 1⅝ inches, using size 4B as the standard.

(xxv) Leather covered platforms or leather platform effects, on any footwear.

(xxvi) Heels gauging over 2⅛ inches in height, using size 4B as the standard.

(xxvii) Metal spikes, on golf shoes.

(xxviii) Storm welting (except laminated split leather storm welting on work shoes) or caulk welting.

(xxix) Rawhide or other leather laces, except on work shoes.

(xxx) Leather or part leather loops performing the function of eyelets.

(2) No person shall use in the manufacture of any footwear any steel shanks of any gauge except:

18 gauge—.050, 50 carbon steel
19 gauge—.040, 50 carbon steel
21 gauge—.032, 50 carbon steel
19 gauge—.040, low carbon or basic steel

unless such shanks were in said person's inventory on September 10, 1942, or were subsequently acquired from a producer of steel shanks who had, prior to September 10, 1942, rolled steel plate for shanks of a different gauge; or in the case of 18 gauge—.045 minimum, 50 carbon steel shanks, unless such shanks were in his inventory on September 1, 1944, or were subsequently acquired from a producer of steel shanks who had, prior to September 1, 1944, rolled steel plate for shanks of that gauge.

NOTE: This paragraph as amended does not become effective until September 1, 1944. The old paragraph remaining in force until that date is reprinted in Appendix A.

(3) No person shall put into process any leather for the manufacture of any boots except men's blucher high cut laced boots ten inches or under in height (measured from heel seat, using size 7 as the standard) and men's and women's utility work cowboy boots: *Provided, however*, That upon letter application the War Production Board may permit any person to make boots higher than ten inches for use in specified hazardous occupations.

(4) No person shall put into process any material for the manufacture of footwear of more than one color (subject to unavoidable deviations in shade normally experienced in finishing leathers or dyeing fabrics). This restriction shall apply to the color of stitching, lacing and bindings, but shall not apply to the color of linings, soles, safety shoes or shearling collars; nor shall it apply to footwear using no leather for outsoles, midsoles or taps. Nothing in this paragraph shall prevent unavoidable discoloring of thread, leather, and perforations as a result of antiquing, or the use of:

(i) Embossed leather or genuine reptile leather of the colors permitted in paragraph (c) (5) below but having slight variations in shade caused by normal finishing of such leathers, or

(ii) A combination of two colors in part leather—part fabric uppers where the leather constitutes not more than 30% of the whole upper material (excluding linings.)

NOTE: This paragraph as amended does not become effective until September 1, 1944. The old paragraph remaining in force until that date is reprinted in Appendix A.

(5) Except as otherwise authorized in writing by the War Production Board on application by letter, no person shall put into process for the manufacture of any footwear any material for uppers (excluding linings) except material finished or dyed in the following colors:

Black
White (except that white cattlehide leather may not be put into process until September 1, 1944)
Army russet and Town brown, as appearing on the Fall 1942 color card of the Textile Color Card Association of United States, Inc.
Natural color

No person shall use any natural colored leather (excluding shearlings) for the manufacture of any footwear except work shoes or safety shoes.

(6) No person shall put into process any cattle hide upper leather (other than kip sides, kipskins and calf), including upper leather splits, gauging 4½ ounces or over for the manufacture of any footwear except work shoes, cowboy utility boots and lined police type high shoes.

(7) No person shall put into process any cattle hide leather (including splits) for uppers or any cattlehide grain leather outsoles (except heads, bellies, shins and shanks of 5 iron or less), for the manufacture of house slippers or romeos.

(8) No person shall attach any leather outsoles or outside leather taps to any footwear having raised or flat seam moccasin type vamps (including genuine moccasins utilizing soles) or mudguard vamps, any saddle-type footwear, or any footwear with imitation wing tips, imitation stitched moccasin types, imitation stitched mudguards and imitation stitched saddles; *Provided, however*, That nothing in this subparagraph (c) (8) shall apply to women's and girls' shoes with heels 1½ inches and over in height, using size 4B as the standard.

(9) No person shall put into process any patent leather for the manufacture of men's shoes.

(10) No person shall put into process any upper leather or leather or rubber soles for the manufacture of men's sandals.

(11) No person shall manufacture any leather or part leather bows for use on footwear.

(12) No person shall attach any soles heavier than 4 iron cut from chrome, chrome retan, or any combination chrome tanned cattlehide or horse butt leather, excluding splits, to any footwear except infants', misses' and children's shoes (excluding all sizes over size 3), youths' and boys' shoes (excluding all sizes over size 6), men's work shoes, and men's and women's safety shoes manufactured in accordance with paragraph (e-e) below. This provision does not apply to repair.

(13) No person shall utilise any upper leather or lining leather set aside by tanners pursuant to Conservation Order M-310 or directions issued thereunder, for the following types of footwear:

(i) Infants';

(ii) Misses' and children's (excluding all little gents' and all sizes over size 3);

(iii) Footwear for the physically maimed and deformed manufactured on a custom-made basis and not for stock; except in the manufacture of one of those types of footwear.

(d) *Restrictions on styling and types manufactured.* (1) No person shall put into process any leather or fabric for the manufacture of any footwear of a design and construction not utilised by him between September 1, 1940 and December 31, 1942, except that:

(i) In the case of footwear the soles of which are made wholly from materials other than leather or rubber (which may, however, utilise leather for hinges or for tabs, heel inserts or other non-skid or soundproofing features covering not more than 25% of the area of the bottom of the sole) designs and constructions utilized between September 1, 1940 and October 18, 1943 may be used:

(ii) Nothing in this paragraph shall prevent the correction of patterns to the extent necessary to remove features prohibited by this order, the use of new bows (provided they are not an integral part of the upper), the use of one new last in one heel height during each six months' period beginning March 1 or September 1 in any year for each type of footwear as described in paragraph (b) (10), or the use of new patterns to fit such new lasts provided no changes are made in the design of the footwear.

(iii) The War Production Board may make exceptions in this paragraph in favor of patterns or designs which will conserve leather or other materials.

(2) No person shall put into process any leather or fabric for the manufacture of any women's evening slippers, except those using gold or silver upper leather finished prior to March 16, 1943 with split, head, belly, shin or shank outsoles of 5 iron or less.

(3) No person shall use special processes or materials at any stage of manufacturing footwear for the purpose of rendering such footwear more adaptable to retail display.

(4) No person shall attach to any footwear (except infants' footwear, house slippers or women's gold or silver evening slippers) outsoles, other than wooden soles, not conforming to the specifications contained in Schedule I annexed to this order.

(e) *Exceptions to paragraphs* (c) *and* (d) *above.* The foregoing prohibitions and restrictions of this order shall not apply to:

(1) Footwear made wholly without leather. This exemption shall extend only to paragraph (c).

NOTE: This paragraph as amended does not become effective until September 1, 1944. The old paragraph remaining in force until that date is reprinted in Appendix A.

(2) Special types of footwear made for the physically deformed or maimed.

(3) Football, baseball, hockey, skating, bowling, track, and ski shoes and other similar footwear designed for use in active participation in sports which require specially constructed footwear for such use. This does not include golf shoes.

(4) Footwear forming part of historical or other costumes for theatrical productions.

(5) Infants' footwear up to and including size 4.

(6) Footwear made wholly or primarily of shearlings provided no other leather is used in their manufacture.

(e-e) *Restrictions on the manufacture of safety shoes.* No person shall manufacture any safety shoes which have leather uppers with leather or rubber (including synthetic rubber) compound bottoms, except those which comply in respect to types, patterns, materials, method of construction, labelling and all other details with the American War Standards Specifications for Protective Occupational Footwear, published by the American Standards Association. These specifications are listed below and may be obtained from the War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., or from the American Standards Association, 29 West 39th Street, New York, N. Y.

Men's Safety-Toe Shoes—Z41.1–1944 (4th edition)—March 17, 1944
Men's Conductive Shoes—Z41.3–1944 (4th edition)—March 17, 1944
Men's Explosives-Operations (Non-Sparking) Shoes—Z41.4–1944 (3d edition)—March 17, 1944
Men's Electrical-Hazards Shoes—Z41.5–1944 (4th edition)—March 17, 1944
Men's Foundry (Molders) Shoes—Z41.6–1944 (4th edition)—March 17, 1944
Women's Safety-Toe (Oxford) Shoes—Z41.2–1944 (4th edition)—March 17, 1944.
Women's Safety-Toe (High) Shoes—Z41.7–1944 (3d edition)—March 17, 1944
Women's Explosives-Operations (Non-Sparking) Shoes—Z41.8–1944 (3d edition)—March 17, 1944
Women's Conductive Shoes—Z41.9–1944 (3d edition)—March 17, 1944

Upon letter application the War Production Board may authorize deviations from the above mentioned standards when necessary to meet minimum civilian requirements for safety shoes.

(f) *Restriction on dyeing.* No person engaged in the business of shoe manufacturing shall dye any new footwear except in the colors mentioned in paragraph (c) (5) above.

(g) *General exceptions.* None of the restrictions of this order shall apply to military footwear.

(h) *Restrictions relating to sales and deliveries.* (1) No person shall sell or deliver any new footwear manufactured in the United States of America in violation of this order.

(2) No tanner or sole cutter shall deliver any leather to any shoe manufacturer if he knows or has reason to believe said leather is to be used in violation of the terms of this order.

(3) The prohibitions and restrictions of this paragraph shall not apply to:

(i) Deliveries of footwear or leather by, or to, any person having temporary custody thereof for the sole purpose of transportation or public warehousing.

(ii) Any bank, banker or trust company affecting or participating in a sale or delivery of footwear or leather solely by reason of the presentation, collection, or redemption of an instrument, whether negotiable or otherwise.

(4) In making sales or delivery of any footwear, no person shall make discriminatory cuts in quantity or quality between customers who meet such person's regularly established prices, terms and credit requirements, or between customers and his own consumption of said footwear. Reduction in sales or deliveries proportionate with any curtailment in supply available for non-military use shall not constitute a discriminatory cut.

(5) No manufacturer shall accept delivery of any upper leather or lining leather reserved by tanners pursuant to Conservation Order M-310, or directions issued thereunder, for the manufacture of the following types of footwear:

(i) Infants';

(ii) Misses' and children's;

(iii) Footwear for the physically maimed and deformed manufactured on the custom-made basis and not for stock;

if his supply of leather suitable for such shoes and obtained on certificate pursuant to such directions shall thereby become larger than a 30-days' inventory. A 30-days' inventory shall be deemed to be the quantity of leather actually used for the production of shoes of these types during the preceding calendar month, unless no such footwear was produced in that month, in which case a 30-days' inventory shall be deemed to be the leather required to manufacture his scheduled production of such shoes for the following thirty days.

(i) *Restrictions on production of lines of footwear.* (1) No person shall in any six months' period beginning March 1, 1943 complete the manufacture of more civilian footwear within the following lines than the percentage of his civilian line quota for such line shown in the following schedule:

	Percent of each price range
Youths' and boys'	125
Infants'	125
Men's safety shoes	125
Men's work	115
Men's dress	100
Women's and growing girls'	100
House slippers	100
Athletic	100
Women's safety shoes	100

With respect to misses' and children's footwear, no manufacturer may exceed 125% of his aggregate quotas for all his lines of misses' and children's footwear, but his production may be distributed among his established lines of misses' and children's footwear in any manner desired: *Provided, however*, That to the extent that a manufacturer's production of military footwear shows a decrease below that during his six months' base period, his production within any line of civilian footwear may exceed the civilian line quota for such line by its proportionate part of such decrease; and to the extent that such manufacturer's production of military footwear shows an increase over that during the six months' base period, each civilian line quota of such manufacturer shall be diminished by its proportionate part of such increase.

(2) No person shall manufacture any line of footwear (except military footwear) not manufactured by him in his six months' base period.

(3) *Exceptions to paragraphs* (i) (1) *and* (i) (2). (i) A lower priced line of the same type of civilian footwear may be substituted in whole or in part for a higher priced line.

(ii) The unused quota of any higher priced line may be added to a lower priced line of the same type of civilian footwear.

To the extent shown in the following schedule, any person may transfer the unused portion of any civilian line quota or quotas of men's dress or women's and growing girls' footwear to the production of the following types of footwear:

Type:	*Percentage of unused quota permitted to be added*
Men's work	115
Youths' and boys'	125
Misses' and children's	125
Infants'	125

Provided, however, That in no event shall any unused quota be added to a higher priced line, *And provided further*, That in no event shall a new line be added until authorization has been obtained under paragraphs (d) (1) above and paragraphs (i) (3) (vi) below.

(iii) A person may exceed his civilian line quota for any line of women's safety shoes if a pairage equal to such excess is deducted from some other line or lines of footwear.

(iv) During any six months' period, beginning March 1 or September 1 in any year, a manufacturer whose total production for the period will be less than $250,000 (based on wholesale value) is not subject to paragraph (i) (1), provided that no new lines are added and provided the manufacturer does not exceed his aggregate production in pairs during his six months' base period by

more than 50%. The exemption in this paragraph shall not apply to manufacturers affiliated, as a subsidiary or otherwise, with another.

(v) Paragraphs (i) (1) and (i) (2) shall not apply to footwear made for the physically maimed or deformed on a custom-made basis and not for stock.

(vi) The War Production Board may authorize transfers of quotas from one type of footwear to another, and may authorize new or additional production in: (*a*) lines of which there is a critical civilian shortage, or (*b*) lines of reasonably durable footwear utilizing non-critical materials. However, it will be the general policy of the War Production Board not to authorize new or additional production in a plant located in a Group I or Group II labor area unless the manufacturer shows that he will not require additional labor otherwise available for war production.

Application for such authorization shall be made by letter, describing fully the footwear manufactured or proposed to be manufactured, listing in detail all the materials to be used, and stating the pairs desired to be made in each price range, the source of the manpower that will be required, whether production will be reduced in any other line or lines, and all other facts pertaining to the application. Authorization of production of new lines under this paragraph will be made only with the condition that production may not begin until evidence is furnished of conformity with applicable Office of Price Administration regulations.

(vii) [Deleted Mar. 9, 1944]

(4) The period selected by any person as his six months' base period shall apply to all lines and may not be subsequently changed. After July 11, 1944, lines manufactured by any person in his six months' base period as previously filed with the War Production Board may not be revised, except to bring them into conformity with this order. Manufacturers whose base period reports containing overlapping price ranges have been filed and accepted prior to June 27, 1944, may continue to use the ranges now on file only until September 1, 1944.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(l) All persons affected by this order shall file such reports and questionnaires as may be requested by the War Production Board, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(m) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref.: M-217.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 27th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

Paragraphs (c) (2), (c) (4), and (e) (1) of the April 21, 1944, edition of General Conservation Order M-217, which remain in force until September 1, 1944, read as follows, respectively:

(c) (2) No person shall use in the manufacture of any footwear any steel shanks of any gauge except:

18 gauge—.045 minimum, 50 carbon steel,
21 gauge—.032 minimum, 50 carbon steel,
19 gauge—.040 minimum, low carbon or basic steel,

unless such shanks were in said person's inventory on September 10, 1942, or were subsequently acquired from a producer of steel shanks who had, prior to September 10, 1943, rolled steel plate for shanks of a different gauge.

(c) (4) No person shall put into process any material for the manufacture of footwear of more than one color (subject to unavoidable deviations in shade normally experienced in finishing leather or dyeing fabrics). This restriction shall apply to the color of stitching, lacing and bindings, but shall not apply to the color of linings and soles. Nothing in this paragraph shall prevent unavoidable discoloring of thread, leather, and perforations as a result of antiquing, or the use of:

(i) Embossed leather or genuine reptiles of the colors permitted in paragraph (c) (5) below but having slight variations in shade caused by normal finishing of such leathers, or

(ii) Embossed leather or genuine reptiles of any color or colors (in all-over shoes) if finished prior to October 16, 1942,

(iii) Shearling collars,

(iv) An additional color on tips or tongues of safety shoes as above defined,

(v) A combination of two colors in part leather—part fabric uppers where the leather constitutes not more than 30% of the whole upper material (excluding linings).

(e) (1) *Exceptions to paragraphs (c) and (d) above.* The foregoing prohibitions and restrictions of this order shall not apply to:

(i) Footwear made wholly without leather and without rubber or plastic soles where no two-tone effect is created. This exemption shall extend only to paragraph (c). However, shoes of multi-colored fabric (a single fabric containing more than one color) are permitted and may have bindings or other trimmings (not including tips, foxings, eye stays, platforms or heels) in one of the colors of the material.

SCHEDULE I—SPECIFICATIONS FOR SOLES

Abrasion. The material shall have a resistance to abrasion of not less than 4000 revolutions to abrade 50% of the thickness of the material, when tested on the type of machine used by and following the procedure of the National Bureau of Standards. The material may be tested on any other abrasive testing machine, using an appropriate number of abrasive strokes of revolutions to give abrasive action equivalent to the above.

Crackiness. The material shall not crack, after conditioning for 4 hours, at 32° F. and testing at that temperature, when bent 180° over a 3-inch mandrel. The material shall not crack, after aging for 48 hours at 120° F. ± 2° F. and reconditioning at 65 per cent ± 2 per cent relative humidity and 120° F. ± 2° F., when bent 180° over a 3-inch mandrel.

Tackiness. The material shall not become tacky or flow when subjected to a temperature of 120° F. ± 2° F. for 4 hours.

Stitch tear. Material which is used for stitched soles shall have a stitch tear strength of not less than 30 pounds when tested dry, and not less than 25 pounds when tested immediately after soaking in water for 4 hours. When the outsole is cemented securely to a backer or midsole, the test shall be made of the combined assembly.

Effect of water. After submerging in water at 75° F. ± 2° F. for 4 hours, the material shall not show visual evidence of delamination or separation and shall not show an increase in thickness of more than 20 per cent.

INTERPRETATION 1

The word "manufacture" in line two of paragraph (c) (1) of § 3290.191. (Conservation Order M-217), refers to the operation whereby the features mentioned in subdivisions (i) to (xvii), inclusive, of said paragraph became a part of the footwear.

Illustration: Subdivision (iv) refers to full overlaid tips or full overlaid foxings except on work shoes. The order prohibits the placing of full overlay tips or full overlay foxings on dress shoes after October 31, 1942. But it does not prohibit the completion of the shoe if an overlaid tip or an overlaid foxing has been affixed prior to said date. (Issued October 6, 1942.)

INTERPRETATION 2

FOOTWEAR

The reference to "leather outsoles or outside leather taps," in paragraph (c) (8) of § 3290.191 Conservation Order M-217 designates outsoles and outside taps the wearing qualities of which are derived primarily from leather. For example: An outsole composed primarily of leather but having a paper coating would constitute a "leather outsole," since, presumably the paper would soon disappear and the wearing quality of the sole would rest primarily upon the leather.

On the other hand, if a sole of durable substitute material were cemented on a thin leather sole so that the substitute material received the wear the leather sole would constitute a midsole rather than an outsole.

Similarly, a wooden sole having a leather heel insert to provide nonskid and soundproofing features is not a "leather outsole," because the wear of the shoe is derived mainly from the wooden portion of the sole. (Issued Oct. 18, 1943.)

INTERPRETATION 3

[Interpretation 3 issued Dec. 17, 1943. A question and answer interpretation—printed separately.]

INTERPRETATION 4

DEFINITIONS

The definition of "price range" in paragraph (b) (11) of Conservation Order M-217 states that price range shall have the usual trade significance so long as the highest list price in the range does not exceed the lowest by more than 10% or 25¢ a pair, whichever is the greater. The January 12, 1944 amendment in paragraph (b) (10) (iii) of the order allows manufacturers of misses' and children's and youths' and boys' footwear to consider their production in each type up to a wholesale price of $1.75 a pair as one line. This does not, however, permit manufacturers to add 25¢ to the $1.75 and consider all misses' and children's and youths' and boys' footwear up to $2.00 as falling within the line. The exemption added by the amendment is one superimposed upon the existing treatment of price lines and cannot be construed to apply to any footwear having a net wholesale price of more than $1.75. (Issued Feb. 28, 1944.)

INTERPRETATION 5

SHOES MANUFACTURED FOR DYEING BY RETAILERS OR CONSUMERS

Paragraph (c) (4) restricts the manufacture of footwear of more than one color. Where a manufacturer produces a line of footwear designed especially for taking dye on the tip, foxing, saddle or other portions, so that it can be converted into a two-tone shoe (such as a spectator or saddle oxford type), and he has reason to believe that it will be converted by retailers or consumers, he is putting material into process for the manufacture of footwear of more than one color. This is prohibited by the paragraph. (Issued Apr. 26, 1944.)

INTERPRETATION 6

TWO-COLOR BOWS ON FOOTWEAR MADE UNDER PARAGRAPH (C) (4) (V)

Paragraph (c) (4) (v) permits the combination of two colors in part leather—part fabric uppers where the leather constitutes not more than 30% of the whole upper material (excluding linings). It is permissible to use in connection with this type of footwear fabric bows in the same two colors, if all other provisions of the order are complied with, including paragraph (d) relating to new styles. (Issued May 26, 1944.)

[F. R. Doc. 44-9356; Filed, June 27, 1944; 11:23 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 88[1] incl. Amdts. 1-11]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS[2]

This compilation of Maximum Price Regulation 88 includes Amendment 11, effective July 1, 1944. The text added or amended by Amendment 11 is underscored with the exception of the table in section 2.6 (g) (1). Deletions and corrections are indicated by notes.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328. Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.[3]

§ 1340.151 *Maximum prices for fuel oil, gasoline and liquefied petroleum gas.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, Maximum Price Regulation No. 88 (Fuel Oil, Gasoline and Liquefied Petroleum Gas), which is annexed hereto and made a part hereof, is hereby issued.

[Above paragraph amended by Am. 1, 9 F.R. 2405, effective 2-28-44].

MAXIMUM PRICE REGULATION NO. 88—FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

ARTICLE I—GENERAL PROVISIONS AND SCOPE OF REGULATION

Sec.
1.1 To what products this regulation is applicable.
1.2 To what transactions, persons and areas this regulation is applicable.
1.3 Products and transactions exempted from the General Maximum Price Regulation.
1.4 Sales for export.
1.5 Imports.
1.6 Sales to United States and other governments under secret contract excepted.
1.7 Transfers of business or stock in trade.
1.8 Adjustable pricing.
1.9 Applications for adjustment and petitions for amendment.
1.10 Taxes.
1.11 Shifts which must be reported.
1.12 Records and price filing requirements.
1.13 Compliance with this regulation required.
1.14 Definitions.
1.15 How to ascertain a particular maximum price under this regulation.

ARTICLE II—SPECIFIC MAXIMUM PRICES OF FUEL OIL, FUELS AND LIQUEFIED PETROLEUM GAS FOR AREAS WITHIN SINGLE STATES OR TERRITORIES OR THE DISTRICT OF COLUMBIA

Special section 1—Permissible increases for certain marketers.
Special section 2—Permissible brokerage charges to buyers.

Sec.
2.1 Alabama.
2.2 Arizona.
2.3 Arkansas.
2.4 California.
2.5 Colorado.
2.6 Connecticut.
2.7 Delaware.
2.8 Florida.
2.9 Georgia.
2.10 Idaho.
2.11 Illinois.
2.12 Indiana.
2.13 Iowa.
2.14 Kansas.
2.15 Kentucky.
2.16 Louisiana.
2.17 Maine.
2.18 Maryland.
2.19 Massachusetts.
2.20 Michigan.
2.21 Minnesota.
2.22 Mississippi.
2.23 Missouri.
2.24 Montana.
2.25 Nebraska.
2.26 Nevada.
2.27 New Hampshire.
2.28 New Jersey.
2.29 New Mexico.
2.30 New York.
2.31 North Carolina.
2.32 North Dakota.
2.33 Ohio.
2.34 Oklahoma.
2.35 Oregon.
2.36 Pennsylvania.
2.37 Rhode Island.
2.38 South Carolina.
2.39 South Dakota.
2.40 Tennessee.
2.41 Texas.
2.42 Utah.
2.43 Vermont.
2.44 Virginia.
2.45 Washington.
2.46 West Virginia.
2.47 Wisconsin.
2.48 Wyoming.
2.49 Hawaii.
2.50 Puerto Rico.
2.51 District of Columbia.

ARTICLE III—MAXIMUM PRICES FOR HEAVY FUEL OIL FOR AREAS NOT LIMITED TO A SINGLE STATE OR TERRITORY

Special section 1—Permissible increases for certain marketers.
Special section 2—Permissible brokerage charges to buyers.

Sec.
3.1 Maximum prices of residual fuel oils and blends thereof with distillate fuel oils, of certain API gravities indicated below and otherwise meeting current commercial standard specifications for fuel oils, except all Diesel fuel oils.

ARTICLE IV—SPECIFIC MAXIMUM PRICES FOR GASOLINE FOR AREAS WITHIN SINGLE STATES OR TERRITORIES OR THE DISTRICT OF COLUMBIA

Special section 1—Permissible increases for certain marketers.
Special section 2—Permissible brokerage charges to buyers.

Sec.
4.1 Alabama.
4.2 Arizona.
4.3 Arkansas.
4.4 California.
4.5 Colorado.
4.6 Connecticut.
4.7 Delaware.
4.8 Florida.
4.9 Georgia.
4.10 Idaho.
4.11 Illinois.
4.12 Indiana.
4.13 Iowa.
4.14 Kansas.
4.15 Kentucky.
4.16 Louisiana.
4.17 Maine.
4.18 Maryland.
4.19 Massachusetts.
4.20 Michigan.
4.21 Minnesota.
4.22 Mississippi.
4.23 Missouri.
4.24 Montana.
4.25 Nebraska.
4.26 Nevada.
4.27 New Hampshire.
4.28 New Jersey.
4.29 New Mexico.
4.30 New York.
4.31 North Carolina.
4.32 North Dakota.
4.33 Ohio.
4.34 Oklahoma.
4.35 Oregon.
4.36 Pennsylvania.
4.37 Rhode Island.
4.38 South Carolina.
4.39 South Dakota.
4.40 Tennessee.
4.41 Texas.
4.42 Utah.
4.43 Vermont.
4.44 Virginia.
4.45 Washington.
4.46 West Virginia.
4.47 Wisconsin.
4.48 Wyoming.
4.49 Hawaii.
4.50 Puerto Rico.
4.51 District of Columbia.

ARTICLE V—FORMULAS FOR ASCERTAINING MAXIMUM PRICES

5.1 Published prices.
5.2 In accordance with price charged on specified sales in a base period.
5.3 In accordance with maximum prices of another seller at the same point.

[1] 9 F.R. 1783, 2476.
[2] Title amended by Am. 1.
[3] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

ARTICLE VI—INCREASES OR REDUCTIONS TO MAXIMUM PRICES DETERMINED UNDER ARTICLE V

Sec.
6.1 On any product covered by this regulation.
6.2 On sales of fuel oil, generally.
6.3 On sales of distillate and distillate type fuel oils.
6.4 On sales of residual or residual type fuel oils.
6.5 On sales of gasoline.
6.6 On sales of liquefied petroleum gas.

ARTICLE VII—MAXIMUM TANK WAGON PRICES DETERMINED IN ACCORDANCE WITH REFERENCE SELLER'S PRICES

7.1 Notice by tank wagon sellers.
7.2 Designated reference sellers.
7.3 Consumers tank wagon prices.
7.4 In the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota and Wisconsin.—Products for which use of reference seller's maximum prices are required.
7.5 In States other than those covered by section 7.4—Use of reference seller's maximum prices optional.

ARTICLE VIII—MAXIMUM PRICES TO BE ESTABLISHED UPON APPLICATION

8.1 Continuing effectiveness of certain maximum prices heretofore approved under § 1340.159 (b) (7) or (b) (16) of Revised Price Schedule No. 88.
8.2 For waste or re-refined lubricating oil sold for use as fuel oil.
8.3 For all other products covered by this regulation.

AUTHORITY: § 1340.151 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—GENERAL PROVISIONS AND SCOPE OF REGULATIONS

SECTION 1.1 *To what products this regulation is applicable.* The provisions of this regulation cover the following products:

Tractor distillates and similar distillate type motor fuels other than gasoline.

Distillate burning, heating or fuel oils, including kerosene, range and stove oils.

Diesel fuels.

Gas oils.

Gas house oils.

Residual fuel oils and blends thereof with distillate fuel oils.

All grades of gasoline, including natural gasoline and blending naphthas, except 80 Octane ASTM All-Purpose gasoline when sold to the United States Government or any agency thereof and aviation gasoline of 87 Octane rating or higher.

Liquefied petroleum gas except when sold for use in the manufacture of synthetic rubber and aviation gasoline.

Any fraction of crude petroleum which is a source of or is used to produce any of the foregoing commodities, except special hydrocarbon fractions when sold for use in the manufacture of synthetic rubber, aviation gasoline of 87 Octane rating or higher, toluene, or their components.

Crude petroleum when sold either to a consumer but in no case a refiner for a purpose other than the production of more than one petroleum fraction therefrom or to a tank wagon reseller for resale to a consumer for a purpose other than the production of more than one petroleum fraction therefrom.

[Above two paragraphs added; two paragraphs deleted by Am. 11, effective 7-1-44]

[Sec. 1.1 amended by Am. 1, 9 F.R. 2405, effective 2-28-44; Am. 3, 9 F.R. 3230, effective 2-19-44; and Am. 4, 9 F.R. 3849, effective 4-14-44 and as otherwise noted]

SEC. 1.2 *To what transactions, persons and areas this regulation is applicable.* (a) This regulation covers all types of sales and deliveries either by refiners, blenders, resellers or any other person with the following exceptions:

(1) Retail sales at retail establishments.

(2) Exchanges of petroleum products between refiners unless a provision is written or a price established solely for this type of transaction.

(3) Sales between original suppliers pursuant to assignments or reassignments under Petroleum Directive No. 59 of the Petroleum Administration for War unless a provision is written or a price established solely for this type of transaction.

(4) Sales between corporations when one is a wholly owned subsidiary of the other, or when both are wholly owned subsidiaries of a third corporation, and sales between such other affiliated corporations as are especially excepted by order in writing of the Price Administrator or his duly authorized representative.

(5) Sales by the Defense Supplies Corporation at pipe line termini.

(b) This regulation applies in the 48 states of the United States, District of Columbia and the territories and possessions of the United States except in the Panama Canal Zone and except in the Territory of Alaska.

[Paragraph (b) amended by Am. 8, 9 F.R. 4686, effective 5-8-44]

SEC. 1.3 *Products and transactions exempted from the General Maximum Price Regulation.*[1] Any products or transactions stated in sections 1.1 or 1.2 to be excepted from the coverage of this regulation (not including, however, those transactions described in section 1.2 (a) (1) are also exempt from the provisions of the General Maximum Price Regulation.

[Sec. 1.3 amended by Am. 3, 9 F.R. 3230, effective 2-19-44]

SEC. 1.4 *Sales for export.* The maximum price at which a person may export any commodity covered by this regulation shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation[2] including amendments issued or hereafter issued by the Office of Price Administration.

SEC. 1.5 *Imports.* Maximum prices in this regulation shall apply even though the product involved originated outside of the area covered by the regulation and was imported into such area.

[Sec. 1.5 amended by Am. 2, 9 F.R. 3230, effective 2-19-44]

SEC. 1.6 *Sales to United States and other governments under secret contract excepted.* This regulation shall not apply to sales or deliveries of any product made under a contract or subcontract that is officially classified as "Secret" and certified as such to the Office of Price Administration by the United States or any agency thereof, or by the Government or any agency thereof of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States". Such certification shall set forth the date of the secret contract or subcontract and its number or other designation. The certifying Government agency shall notify the contractor or subcontractor and the Office of Price Administration whenever such contract or subcontract ceases to be secret; upon receipt of such notification this exception shall not apply.

SEC. 1.7 *Transfers of business or stock in trade.* This section covers cases where the business effects or stock in trade of any seller or any person are sold, leased or otherwise transferred after February 11, 1942 and the transferee carries on the business or continues to deal in the same commodity in an establishment separated from any other establishment previously owned or operated by the transferee. In such cases the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place. His obligation to keep records and make reports shall be the same as those of the transferor. The transferor shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation and those of the General Maximum Price Regulation where the latter were applicable.

[Sec. 1.7 amended by Am. 8, 9 F.R. 4686, effective 5-8-44]

SEC. 1.8 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery. Where a petition for adjustment or amendment is pending the buyer and seller may agree that prices for deliveries made during the pendency of the petition shall be determined in accordance with the disposition of the petition. Such change in prices will be allowed if the deliveries are necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

SEC. 1.9 *Applications for adjustment and petitions for amendment—(a) Government contracts.* Any person who has entered into or proposes to enter into a "Government contract" as defined by Revised Supplementary Order No. 8[3] who believes that a maximum price contained in this regulation impedes or threatens to impede production, manufacture or distribution of a commodity essential to the war program, may file an application for adjustment in accordance with Procedural Regulation No. 6[4] and under the terms of Revised Supplementary Order No. 9.[5]

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[6] issued by the Office of Price Administration.

(c) *Local shortages.* The Office of Price Administration, or any duly authorized representative thereof, may adjust by order any maximum price established under this regulation for any seller or group of sellers when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of a petroleum product which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such petroleum product; and

(3) That such adjustment will not create or tend to create a shortage, or need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

NOTE: Applications for adjustment shall be filed in Washington, D. C. in accordance with Revised Procedural Regulation No. 1.

(4) Any maximum price or prices established pursuant to an order issued under the provisions of § 1340.156 (d) of Revised Price Schedule 88 shall continue in full force and effect subject to revocation or amendment upon written notice from the Office of Price Administration.

SEC. 1.10 *Taxes.* Any tax increase or new tax hereafter imposed upon or incident to the sale, delivery, processing or use of any petroleum product covered by this regulation may be collected by a seller in addition to the maximum prices established under this regulation.

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

SEC. 1.11 *Shifts which must be reported.* A seller who on the last sale prior to January 15, 1944 sold a particular petroleum product to a purchaser who is a reseller on a delivered price basis at a given point and thereafter sells such a reseller on an f. o. b. shipping point price basis shall report such fact to the regional office of the Office of Price Administration serving the point of destination for such shipment within ten days after either the effective date of this regulation or the date such sale is made if, but only if, the effect of selling on an f. o. b. shipping point price basis is to increase the laid-down cost to the reseller above the seller's maximum delivered price to such reseller.

SEC. 1.12 *Records and price filing requirements.* Every person selling petroleum products subject to this regulation shall for a period of two years keep and make available for examination by the Office of Price Administration records of the same kind as he customarily kept, relating to the prices which he charged for such petroleum products and in addition, records showing the basis upon which he determined maximum prices for such petroleum products.

SEC. 1.13 *Compliance with this regulation required.* (a) On and after the effective date of this regulation regardless of any contract, obligation or understanding, no person shall sell or deliver and no person shall buy or receive in the course of trade or business any petroleum products covered by this regulation at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things. Prices lower than the maximum prices may, of course, be charged and paid.

(b) *Evasion.* The price limitations set forth in this regulation shall not be evaded either by direct or indirect methods in connection with a sale, delivery or transfer of petroleum products alone or in conjunction with any other materials or by way of any commission, service, transportation, loading, tank car rental or other charge or discount, premium or privilege or by tying-agreement or other trade understanding or by a change in the quality of a product or otherwise.

(c) *Penalties for non-compliance—*(1) *In general.* Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. Persons who make sales covered by this regulation to war procurement agencies and buyers to whom such products have been allocated by any such agencies are, however, subject to all the liabilities imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

(d) *Licensing.* The provisions of Licensing Order No. 1,[7] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 1.14 *Definitions.* (a) "Person" includes any individual, corporation, partnership, association, or any other organized group of persons, the legal successors thereto and representatives thereof and includes any government, its political subdivisions and agencies.

(b) "Product of the same grade." For a product of a particular seller to be regarded as of the same grade as the product of another seller it must customarily have been so regarded in trade practice at the point of sale and it must be a product that has customarily been sold in competition with the product of such other seller.

(c) "Contract" means an agreement, the existence of which is established by written evidence.

(d) As determined or established under any provision of this regulation, a maximum price of a product in bulk lots f. o. b. a refinery or a shipping point means a price that a seller may charge for the product loaded into transportation facilities except when the product has been placed in packages or containers for shipment.

(e) "Tank wagon price" means the price at which a petroleum product is sold and delivered by tank wagon to the ultimate consumer of the particular product or to a person who resells the product at a retail establishment.

(f) "Tank wagon area" as used in this regulation means the reference seller's tank wagon area served from any given point (see Article VII for designated reference sellers).

(g) "Retail establishment" means a store, shop, garage, service station, or other place of business in which a petroleum product covered by this regulation is sold at retail other than by delivery in tank wagon or larger lots.

(h) "Reseller" as used in any paragraph of Article II of this regulation means a reseller at a retail establishment.

(i) "Marketing" and "eligible marketer".

(1) "Marketing", as the term is used in this regulation, means the business of buying petroleum products and reselling the same to any person other than a domestic consumer.

(2) An "eligible marketer" is a marketer who within the 60-day period preceding January 15, 1944, was engaged in the business of marketing or broking petroleum products covered by this regulation and was maintaining an office therefor. Refiners, bulk plant or terminal operators or any corporation in whole or part owning or owned by one

[1] 9 F.R. 1385, 5169.
[2] 8 F.R. 4132, 5067, 7662, 9906, 15193; 9 F.R. 1036.
[3] 7 F.R. 5810, 8282.
[4] 7 F.R. 5067, 5664; 8 F.R. 6173, 6174, 19024.
[5] 8 F.R. 6175.
[6] 9 F.R. 5791.
[7] 8 F.R. 13240.

of the foregoing shall not be regarded as eligible marketers.

[Subparagraph (2) amended by Am. 11, effective 7-1-44]

(k) "Broker", "eligible broker" and "brokerage commission".

(1) A "broker" is an agent who performs services for a buyer or a seller in connection with the sale of petroleum products and who does not take title to the product or products involved in the sale.

(2) An "eligible broker" is a broker who within the 60-day period preceding January 15, 1944, was engaged in the business of a broker in or a marketer of petroleum products covered by this regulation and was maintaining an office therefor. Refiners, bulk plant or terminal operators or any corporation in whole or part owning or owned by one of the foregoing shall not be regarded as eligible brokers.

[Subparagraph (2) amended by Am. 11, effective 7-1-44]

(3) "Brokerage commission" is money paid or agreed to be paid to one or more brokers by a buyer or seller for the services of such broker or brokers in bringing about a sale of petroleum products.

(m) "Original supplier" means a person as so defined by the Petroleum Administrator for War in Petroleum Directive No. 59.

(n) Schedule "D" area of Zone 6 of Petroleum Administration for War District 1 covers an area described as follows:

(1) The entire State of West Virginia with the exception of the Counties of: Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Morgan, Pendleton, Randolph and Tucker.

(2) The following counties in the State of Pennsylvania: Allegheny, Armstrong, Beaver, Butler, Cameron, Clarion, Clinton, Crawford, Elk, Erie, Fayette, Forest, Greene, Jefferson, Lawrence, McKean, Mercer, Potter, Tioga, Venango, Warren, Washington and Westmoreland.

(3) The following counties in the State of New York: Allegany, Cattaraugus, Chautauqua, Erie, Niagara and Steuben.

(p) "PAW" means Petroleum Administration for War.

(q) "P. W. distillate" means prime white distillate.

SEC. 1.15 *How to ascertain a particular maximum price under this regulation*—(a) *Prices of fuel oil and fuels (except waste lubricating oil or re-refined lubricating oil prices).* After you have read Article I containing various general provisions, check Article II and ascertain whether there is a specific maximum price at the shipping or delivery point involved in your sale; if not, and if you are selling a fuel oil of the types mentioned in Article III, your maximum price will be established or determined under one of the tables therein and the provisions of the article. If neither Article II nor III applies, it may be that your maximum price can be determined from one of the formulas set forth in Article V.

[Heading of paragraph (a) amended by Am. 4, 9 F.R. 3849, effective 4-14-44 and Am. 11, effective 7-1-44]

If it can be, then you should also examine Article VI carefully to ascertain whether there are any additions which may be made or any reductions which must be made to the formula price. Note that more than one addition to the maximum price determined under Article V may be provided by Article VI. If you are concerned with a maximum tank wagon price, Article VII should then be examined. It deals with provisions for determining a maximum tank wagon price at the point of sale in accordance with the maximum tank wagon price of the state's reference seller at the same point. Note two things: First, if you have not been able to ascertain your maximum price under any preceding article of the regulation, you may adopt the reference seller's price providing he has one at that particular point, and second, even if your price has been determined under Article V you may nevertheless at some points adopt the reference seller's price instead if it is higher than your own, though at other points you are required to take the reference seller's price even if it is lower than yours.

If you have not been able to ascertain a maximum price under the aforementioned articles you should then apply to the Office of Price Administration for a maximum price pursuant to the provisions of Article VIII.

(b) *Prices of waste lubricating oil or re-refined lubricating oil sold for use as fuel oil.* Read Article I for the various general provisions of the regulation, then turn to Article VIII which provides that maximum prices for either waste lubricating oil or re-refined lubricating oil when sold for use as fuel oil must be established by application to the Office of Price Administration. There is no other method for establishing a maximum price for such products.

[Paragraph (b) amended by Am. 4, 9 F.R. 3849, effective 4-14-44 and Am. 11, effective 7-1-44]

(c) *Liquefied petroleum gas prices.* After you have read Article I containing general provisions, check Article II and ascertain whether there is a specific maximum price at the shipping or delivery point involved in your sale. If Article II does not apply, it may be that your maximum price can be determined from the formulas set forth in Article V.

If it can be, then you should also examine Article VI carefully to ascertain whether there are any additions which may be made or reductions which must be made to the formula price.

If you have not been able to ascertain maximum prices under the aforementioned articles, you should then apply to the Office of Price Administration for a maximum price pursuant to the provisions of Article VIII.

(d) *Gasoline prices.* After you have read Article I containing various general provisions, check Article IV and ascertain whether there is a specific maximum price at the shipping or delivery point involved in your sale. If not, it may be that your maximum price can be determined from the formulas set forth in Article V.

If it can be, then you should also examine Article VI carefully to ascertain whether there are any additions which may be made or any reductions which must be made to the formula price. Note that more than one addition to a maximum price determined under Article V may be provided by Article VI. If you are concerned with a maximum tank wagon price, Article VII should then be examined. It deals with provisions for determining a maximum tank wagon price at the point of sale in accordance with the maximum tank wagon price of the state's reference seller at the same point. Note two things: First, if you have not been able to ascertain your maximum price under any preceding article of the regulation, you may adopt the reference seller's price providing he has one at that particular point, and second, even if your price has been determined under Article V you may nevertheless at some points adopt the reference seller's price instead if it is higher than your own, though at other points you are required to take the reference seller's price even if it is lower than yours.

If you have not been able to ascertain a maximum price under the aforementioned articles, you should then apply to the Office of Price Administration for a maximum price pursuant to the provisions of Article VIII.

(e) [Revoked]

[Paragraph (e) revoked by Am. 1, 9 F.R. 2405, effective 2-28-44]

ARTICLE II—SPECIFIC MAXIMUM PRICES OF FUEL OIL, FUELS AND LIQUEFIED PETROLEUM GAS FOR AREAS WITHIN SINGLE STATES OR TERRITORIES OR THE DISTRICT OF COLUMBIA

(Prices stated in Article II are exclusive of taxes)

Special section 1—Permissible increases for certain marketers—(a) *On certain f. o. b. refinery shipments.* On f. o. b. refinery shipments to ultimate destinations other than in Petroleum Administration for War District I, when made by an eligible marketer, as defined in section 1.14 (j) of this regulation, the sum of ⅛ of a cent per gallon may be added to a maximum f. o. b. refinery price established for the particular shipping point under any other section of this Article II; or

(b) *On sales to governmental agencies pursuant to public bidding.* If bids are taken by a governmental agency on an f. o. b. shipping point price basis then, on such a bid, if the bidder is an eligible marketer, as defined in section 1.14 (j), the sum of ¼ of a cent per gallon may be added to a maximum f. o. b. refinery price established for the particular shipping point under any other section of this Article II: *Provided*, That the laid-down cost to such governmental agency does not exceed the sum of the maximum f. o. b. price of each person participating in the particular bidding as determined or established under any other section of this regulation for the shipping point from which each bidder proposes to make shipment plus the actual cost of transportation that would be incurred from such point to destination by such person.

Special section 2—Permissible brokerage charges to buyers. The terms "broker," "eligible broker" and "brokerage commission" are defined in section 1.14 (k) of this regulation. Except as herein provided, a buyer may not be charged brokerage commission which will increase the buyer's cost on an f. o. b. refinery shipment to more than the applicable f. o. b. refinery price established below in this Article II. On f. o. b. refinery shipments found or negotiated by an eligible broker or eligible brokers a buyer may, however, be charged such brokerage commission which, added to the applicable maximum f. o. b. refinery price established below in this Article II, will not increase the buyer's cost f. o. b. the particular refinery to more than ⅛ of a cent per gallon above the said maximum f. o. b. refinery price.

SEC. 2.1 *Alabama*—(a) *Mobile.* The maximum price for distillate Diesel oil of 28° A. P. I. gravity and above, ship's bunkers (ex lighterage) and f. o. b. refineries and terminals in bulk lots, shall be 4.625¢ per gallon.

(b) *Port Birmingham and Lynn Park.* The maximum price of kerosene, of 41 A. P. I. gravity and above, f. o. b. terminals at either Port Birmingham or Lynn Park when loaded into tank cars or motor transports, shall be 5.375¢ per gallon.

(c) *Birmingham.* The maximum price of kerosene, of 41 A. P. I. gravity and above, f. o. b. terminals and bulk plants at Birmingham, when loaded into tank cars or motor transports, shall be 5.625¢ per gallon.

SEC. 2.2 *Arizona.*

SEC. 2.3 *Arkansas*—(a) *El Dorado area.* In the El Dorado area, comprising the Counties of Miller, Hempstead, Lafayette, Nevada, Columbia, Ouachita, Calhoun and Union, maximum prices of the products listed below f. o. b. refineries [1] and loaded into tank cars, motor transports and pipe lines [2] for shipment to the destinations indicated below [3] shall be as follows:

Products	For shipment to ultimate destinations		
	Column 1 Ariz., Ark., Colo., La., N. Mex., Okla., and Texas	Column 2 PAW District One	Column 3 Other States
Kerosene, distillate fuel oils, and gas oils:	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*
42-44 API Grav. W. W. kerosene	4.50	4.125	4.375
41-43 API Grav. W. W. kerosene	4.375	4.125	4.25
Range or stove oil	4.00	3.875	3.875
No. 1 prime white distillate (fuel oil)	3.875	3.875	3.75
No. 1 straw fuel oil	3.75	3.75	3.625
No. 2 fuel oil	3.625	3.625	3.50
No. 3 fuel oil	3.50	3.50	3.375
Gas oil, navy cold test (32-36 gr.)	3.375	3.375	3.25
Gas oil, ordinary	3.00	3.00	2.875
Diesel fuels (distillate): [4]			
58 Diesel index and above	4.25	4.25	4.125
53-57 Diesel index	4.125	4.125	4.00
52 Diesel index and below	4.00	4.00	3.875

[1] Column 2 prices apply to all shipping points within the El Dorado area for shipments to ultimate destinations in Petroleum Administration for War District 1.

[2] Products loaded into pipe lines for ultimate delivery to War Emergency Pipe Lines and pipe lines with Petroleum Administration for War District 1 termini shall be considered destined for Petroleum Administration for War District 1.

[3] Column 1 prices also apply to ultimate destinations in the States of Alabama, Mississippi, Tennessee, and the Counties of Cape Girardeau, Dunklin, Wayne, Pemiscot, Scott, New Madrid, Butler, Bollinger, Stoddard, and Mississippi in the State of Missouri.

[4] These prices apply only to fuels sold for use in Diesel engines.

(b) *Fort Smith tank wagon area.* The maximum tank wagon price for kerosene shall be 8¢ per gallon.

(c) *Texarkana tank wagon area.* The maximum tank wagon price for kerosene shall be 7¢ per gallon.

SEC. 2.4 *California*—(a) *State of California.* The maximum prices f. o. b. refineries and tanker terminals for the grades of fuel oil named below when sold to consumers or refiners in bulk lots for delivery into barges, tank steamers, tank car, motor transport and pipe line shall be as follows:

[Above text amended by Am. 11, effective 7-1-44]

Area	P. S. No. 300 fuel oil	P. S. No. 400 fuel oil	Navy grade special
Fresno County	$1.30	$1.10	$1.265
Kings County	1.30	1.10	1.265
San Luis Obispo County [1]	1.30	1.10	1.265
Tulare County	1.30	1.10	1.265
Santa Barbara County	1.30	1.10	1.265
Kern County	1.30	1.10	1.265
Ventura County	1.30	1.10	1.265
Los Angeles County	1.30	1.10	1.265
Orange County	1.30	1.10	1.265
Riverside County	1.20	1.10	1.265
San Bernardine County	1.30	1.10	1.265
San Francisco Bay Area	1.25	1.15	1.315

[1] Maximum f. o. b. refinery and tanker terminal prices at Port San Luis shall be the maximum prices established hereunder at the San Francisco Bay area.

SEC. 2.5 *Colorado.*

SEC. 2.6 *Connecticut*—(a) *Bridgeport, Connecticut area.* In the Bridgeport area comprising the townships and cities of Bridgeport, Easton, Fairfield, Monroe, Stratford, Trumbull, Weston and Westport, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
F. o. b. terminals in bulk lots loaded into tank cars or motor trapsports	7.5
Loaded into buyer's tank wagons	7.8
Loaded into containers, in quantities of 10 gallons or less	11.3
Tank wagon deliveries to resellers in quantities of 25 gallons or over	9.5
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.3
Tank wagon deliveries to consumers in quantities of less than 25 gallons	11.8

(b) *New Haven, Connecticut area.* In the New Haven area comprising the townships and cities of Bethany, Branford, East Haven, Hamden, Milford, North Branford, North Haven, New Haven, Orange, West Haven and Woodbridge, maximum prices shall be as follows:

	Cents per gallon
(1) For kerosene, No. 1 fuel oil and range oil:	
F. o. b. terminals in bulk lots loaded into tank cars or motor transports	7.5
Loaded into buyer's tank wagons	7.8
Loaded into containers, in quantities of 10 gallons or less	11.3
Tank wagon deliveries to resellers in quantities of 25 gallons or over	9.5
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.3
Tank wagon deliveries to consumers in quantities of less than 25 gallons	11.8
(2) [Revoked]	

[Subparagraph (2) revoked by Am. 5, 9 F.R. 4236, effective 4-25-44]

(c) *Hartford, Connecticut area.* In the Hartford area comprising the townships and cities of Bloomfield, East Hartford, East Windsor, Glastonbury, Hartford, Newington, Weathersfield, Windsor, Windsor Locks, West Hartford and South Windsor, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
F. o. b. terminals in bulk lots loaded into tank cars or motor transports	7.7
Loaded into buyer's tank wagons	8.0
Loaded into containers, in quantities of 10 gallons or less	10.5
Tank wagon deliveries to resellers in quantities of 25 gallons or over	10.5
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.5
Tank wagon deliveries to consumers in quantities of less than 25 gallons	12.0

(d) *Danbury, Connecticut area.* In the Danbury area comprising the following townships and cities in the State of Connecticut: Bethel, Bridgewater,

Brookfield, Danbury, Redding, Ridgefield, New Fairfield, New Milford, Newtown and Sherman, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
Loaded into buyers' tank wagons	8.2
Loaded into containers, in quantities of 10 gallons or less	11.3
Tank wagon deliveries to resellers in quantities of 25 gallons or over	10.3
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.8
Tank wagon deliveries to consumers in quantities of less than 25 gallons	12.3

(e) *Waterbury, Connecticut and various nearby points.* (1) In the City of Waterbury and in the following towns and cities in the State of Connecticut: Naugatuck, Middlebury, Woodbury, Watertown, Wolcott, Prospect and Cheshire, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
Loaded into buyer's tank wagons	8.4
Loaded into containers, in quantities of 10 gallons or less	11.6
Tank wagon deliveries to resellers in quantities of 25 gallons or over	10.1
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.8
Tank wagon deliveries to consumers in quantities of less than 25 gallons	12.3

(2) [Revoked]

[Subparagraph (2) revoked by Am. 5, 9 F.R. 4236, effective 4-25-44]

(f) *Greenwich and Norwalk, Connecticut area.* In the Greenwich and Norwalk area comprising the following towns and cities in the State of Connecticut: Darien, Greenwich, New Canaan, Norwalk, Stamford, Stamford City and Wilton, maximum prices shall be as follows:

(1) For kerosene, No. 1 fuel oil and range oil:	Cents per gallon
F. o. b. terminals in bulk lots loaded into tank cars or motor transports	7.4
Loaded into buyer's tank wagons except at New Canaan	7.7
Loaded into buyer's tank wagon at New Canaan	8.0
Tank wagon deliveries to resellers in quantities of 25 gallons or over	9.5
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.3
Tank wagon deliveries to consumers in quantities of less than 25 gallons	11.8

(2) [Revoked]

[Subparagraph (2) revoked by Am. 5, 9 F.R. 4236, effective 4-25-44]

(g) *State of Connecticut.* In the State of Connecticut within the areas designated and described below or in the townships and cities listed below, maximum prices for Nos. 2, 3 and 4 distillate fuel oils shall be as follows:

(1) *Maximum prices f. o. b. terminals or bulk plants.*

Area	Loaded into transport trucks or tank cars	Loaded into tank wagons
	Cents per gallon	Cents per gallon
Danbury		7.8
Bridgeport	7.2	7.4
Derby	7.1	7.3
Hartford	7.3	[1]7.6
Essex	7.3	7.5
Middletown	7.3	7.5
Rockville		7.8
New London-Norwich	7.2	[1]7.4
Putnam		7.6
New Haven	7.1	[2]7.4
Greenwich-Norwalk	7.1	7.3
Waterbury		7.8

[1] This 7.4 price applies only in cities of New London and Norwich.
[2] At tanker and barge terminal operators' yards deduct 0.1.

[Text preceding subparagraph (1) amended; heading to subparagraph (1) added; table amended by Am. 11, effective 7-1-44]

The Danbury area comprises the townships and cities of: Bethel, Brookfield, Danbury, New Fairfield, Newtown, Redding, Ridgefield, and Danbury City.

The Bridgeport area comprises the townships and cities of: Bridgeport City, Easton, Fairfield, Monroe, Stratford, Weston, Westport, and Trumbull.

The Derby area comprises the township of Derby.

The Hartford area comprises the townships and cities of: Weathersfield, Windsor, Windsor Locks, Manchester, Newington, Rocky Hill, Simsbury, South Windsor, West Hartford, Avon, Bloomfield, Bolton, Canton, East Granby, East Hartford, East Windsor, Glastonbury and Hartford City.

The Essex area comprises the townships and cities of: Chester, Clinton, Essex, Killingworth, Lyme, Madison, Old Lyme, Old Saybrook, Saybrook, Westbrook.

The Middletown area comprises the townships and cities of: Marlboro, Middlefield, Middletown City, Portland, Salem, Colchester, Cromwell, Durham, East Haddam, East Hampton, Haddam, and Hebron.

The Rockville area comprises the townships and cities of: Ashford, Ellington, Tolland, Vernon, Rockville City and Willington.

The New London-Norwich area comprises the townships and cities of: East Lyme, Waterford, New London City, Groton, Stonington, North Stonington, Ledyard, Montville, Norwich City, Norwich, Preston, Bozrah, Franklin, Sprague, Lisbon, Griswold and Voluntown.

The Putnam area comprises the townships and cities of: Woodstock, Pomfret, Putnam, Thompson, Eastford and Putnam City.

The New Haven area comprises the townships and cities of: Bethany, Branford, Cheshire, East Haven, Guilford, Hamden, Milford, New Haven, North Branford, North Haven, Orange, Prospect, Wallingford, West Haven and Woodbridge.

The Norwalk-Greenwich area comprises the townships and cities of: Stamford, Greenwich, Stamford City, New Canaan, Darien, Norwalk City and Wilton.

The Waterbury area comprises the townships and cities of Wolcott, Middlebury, Watertown, Plymouth, Thomaston, Bethlehem and the city of Waterbury.

[Above paragraph added by Am. 11, effective 7-1-44]

(2) *For tank wagon deliveries*—(i) *For single lot deliveries of 100 gallons or more:*

	Cents per gallon
Andover	9.2
Ansonia	9.1
Ashford	9.3
Avon	*9.4
Barkhamsted	9.6
Beacon Falls	9.1
Berlin	9.4
Bethany	9.0
Bethel	9.1
Bethlehem	9.3
Bloomfield	9.2
Bolton	9.2
Bozrah	9.1
Branford	9.0
Bridgeport	9.0
Bridgewater	9.2
Bristol	9.4
Brookfield	9.1
Brooklyn	9.1
Burlington	9.4
Canaan	9.3
Canterbury	9.1
Canton	*9.4
Chaplin	9.2
Cheshire	9.0
Chester	9.2
Clinton	9.2
Colchester	9.2
Colbrook	9.6
Columbia	9.2
Cornwall	9.3
Coventry	9.2
Cromwell	9.2
Danbury	9.1
Darien	9.0
Derby	9.1
Durham	9.2
East Granby	9.2
East Haddam	9.2
East Hampton	9.2
East Hartford	9.2
East Haven	9.0
East Lyme	9.1
East Windsor	9.2
Eastford	9.3
Easton	9.0
Ellington	9.3
Enfield	9.3
Essex	9.2
Fairfield	9.0
Farmington	9.4
Franklin	9.1
Glastonbury	9.2
Goshen	9.6
Granby	9.3
Greenwich	9.0
Griswold	9.1
Groton	9.1
Guilford	9.0
Haddam	9.2
Hamden	9.0
Hampton	9.2
Hartford	9.2
Hartland	9.3
Harwinton	9.6
Hebron	9.2
Kent	9.2
Killingly	9.1
Killingworth	9.2
Lebanon	9.2
Ledyard	9.1
Lisbon	9.1
Litchfield	9.6
Lyme	9.2
Madison	9.2
Manchester	9.2
Mansfield	9.2

[*Prices corrected by Am. 11, effective 7-1-44]

	Cents per gallon
Marlboro	9.2
Meriden	9.4
Middlebury	9.3
Middlefield	9.2
Middletown	9.2
Milford	9.0
Monroe	9.0
Montville	9.1
Morris	9.6
Naugatuck	9.3
New Britain	9.4
New Canaan	9.0
New Fairfield	9.1
New Hartford	9.6
New Haven	9.0
New London	9.1
New Milford	9.2
Newington	9.2
Newtown	9.1
Norfolk	9.3
North Branford	9.0
North Canaan	9.3
North Haven	9.0
North Stonington	9.1
Norwalk	9.0
Norwich	9.1
Old Lyme	9.2
Old Saybrook	9.2
Orange	9.0
Oxford	9.1
Plainfield	9.1
Plainville	9.4
Plymouth	9.3
Pomfret	9.3
Portland	9.2
Preston	9.1
Prospect	9.0
Putnam	9.3
Redding	9.1
Ridgefield	9.1
Rocky Hill	9.2
Roxbury	9.2
Salem	9.2
Salisbury	9.3
Saybrook	9.2
Scotland	9.2
Seymour	9.1
Sharon	9.3
Shelton	9.1
Sherman	9.2
Simsbury	9.2
Somers	9.3
South Windsor	9.2
Southbury	9.1
Southington	9.4
Sprague	9.1
Stafford	9.4
Stamford	9.0
Sterling	9.1
Stonington	9.1
Stratford	9.0
Suffield	9.3
Thomaston	9.3
Thompson	9.3
Tolland	9.3
Torrington	9.6
Trumbull	9.0
Union	9.4
Vernon	9.3
Voluntown	9.1
Wallingford	*9.2
Warren	9.2
Washington	9.2
Waterbury	9.3
Waterford	9.1
Watertown	9.3
West Hartford	9.2
West Haven	9.0
Westbrook	9.2
Weston	9.0
Westport	9.0
Wethersfield	9.2
Willington	9.3
Wilton	9.0
Winchester	9.6
Windham	9.2

[*Prices corrected by Am. 11, effective 7-1-44]

	Cents per gallon
Windsor	9.2
Windsor Locks	9.2
Wolcott	9.3
Woodbridge	9.0
Woodbury	9.2
Woodstock	9.3

(ii) For single lot deliveries of less than 100 gallons the maximum price at each point stated in subdivision (i) above shall be increased by .5¢ per gallon.

[Paragraph (g) added by Am. 5, 9 F.R. 4236, effective 4-25-44]

SEC. 2.7 *Delaware.*

(a) *State of Delaware.* Maximum tank wagon prices for Nos. 2, 3 and 4 distillate fuel oils to consumers in the State of Delaware shall be as designated below:

(1) For single lot deliveries of 100 gallons or more:

Within the area:	Cents per gallon
North of the Chesapeake & Delaware Canal	9.0
South of the Chesapeake & Delaware Canal	9.3

(2) For single lot deliveries of less than 100 gallons the maximum price within each area listed in subparagraph (1) above shall be increased by .5¢ per gallon.

[Paragraph (a) added by Am. 10, 9 F.R. 5725, effective 6-31-44]

SEC. 2.8 *Florida*—(a) *Pensacola, Panama City and Port St. Joe.* The maximum price for distillate diesel oil of 28° A. P. I. Gravity and above, ship's bunkers (ex lighterage) and f. o. b. refineries and terminals in bulk lots, shall be 4.75¢ per gallon.

(b) *Jacksonville.* The maximum price of kerosene f. o. b. refineries and terminals loaded into tank cars shall be 7.05¢ per gallon.

SEC. 2.9 *Georgia.*

SEC. 2.10 *Idaho.*

SEC. 2.11 *Illinois*—(a) *Chicago.* The maximum price for fuel oil in bulk lots with a maximum viscosity of 300 Saybolt Universal at 100° F. on sales to commercial and industrial users by blenders, except refiners, f. o. b. terminals in the City of Chicago, shall be 5.1¢ per gallon.

(b) *East St. Louis; range oil.* The maximum tank wagon prices for range oil, stove oil or heater oil for the bulk plant points of East St. Louis, Illinois, and the circuit points and rural territories served from such plant or plants shall be as follows:

	Cents per gallon
In quantities of less than 25 gallons	8.9
In quantities of as much as 25 gallons but less than 100 gallons	8.3
In quantities of 100 gallons or over	7.9

(c) *Central Illinois area.* In the Counties of St. Clair, Madison, Montgomery, Bond, Clinton, Washington, Jefferson, Marion, Fayette, Shelby, Effingham, Clay, Wayne, Hamilton, Christian, White, Edwards, Wabash, Richland, Lawrence, Crawford, and Jasper in the State of Illinois the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
42-44 API grav. w. w. kerosene	6.375
41-43 API grav. w. w. kerosene	6.75
Range or stove oil	6.375
No. 1 prime white distillate (fuel oil)	6.25
No. 1 straw fuel oil	6.125
No. 2 fuel oil	[1]6.00
No. 3 fuel oil	[1]4.875

[1] For Lawrence and Crawford Counties add .125.

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7-0-2	[1]5.0

[1] For Lawrence and Crawford Counties add .25.

[Paragraph (c) amended by Am. 9, 9 F.R. 4779, effective 5-1-44]

(d) *Counties of Lake, Cook, DuPage and Will.* In the above counties in the State of Illinois maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
42-44 API grav. w. w. kerosene	6.125
41-43 API grav. w. w. kerosene	6.00
Range or stove oil	5.625
No. 1 prime white distillate (fuel oil)	5.50
No. 1 straw fuel oil	5.375
No. 2 fuel oil	5.25
No. 3 fuel oil	5.125

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7-0-2	5.375

[Paragraph (d) amended by Am. 1, 9 F.R. 2405, effective 2-28-44; and Am. 9, 9 F.R. 4779, effective 5-1-44]

(e) *Centralia and Salem.* In the cities of Centralia and Salem maximum prices of kerosene, according to the specifications listed below, in bulk lots f. o. b. refineries for shipment to destinations other than Petroleum Administration for War District One shall be as follows:

Specifications:	Cents per gallon
42-44 API grav. w. w. kerosene	6.625
41-43 API grav. w. w. kerosene	6.5

(f) *Chicago and adjacent circuits; Tank wagon prices.* Maximum tank wagon prices for residual fuel oils and blends thereof with distillate fuel oils at Chicago, and the circuit points served

from bulk plants at Chicago shall be as follows:

Viscosity (Saybolt Universal at 100° F.)	For deliveries in quantities of 750 gallons and over	For deliveries in quantities of less than 750 gallons
	Cents per gallon	Cents per gallon
50–800 seconds [1]	5.75	6.50
900–2,000 seconds	5.25	6.00
2,100 seconds and over	4.80	5.55

[1] Except for the minimum viscosity of this bracket, a tolerance of 50 seconds is permitted in all brackets.

[Paragraph (f) added by Am. 4, 9 F.R. 3849, effective 4–14–44]

SEC. 2.12 *Indiana*—(a) *Connersville tank wagon area.* The maximum tank wagon price for No. 2 fuel oil shall be 8.1¢ per gallon.

(b) *Counties of Lake, Porter, and La Porte.* In the above counties in the State of Indiana the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
42–44 API grav. w. w. kerosene	6.125
41–43 API grav. w. w. kerosene	6.00
Range or stove oil	5.625
No. 1 prime white distillate (fuel oil)	5.50
No. 1 straw fuel oil	5.375
No. 2 fuel oil	5.25
No. 3 fuel oil	5.125

(2) *F. o. b. refineries or refiners' terminals on sales to the United States Government or any agency thereof.*

Product:	Cents per gallon
Diesel fuel, Navy Department specification 7–0–2	5.375

[Subparagraph (2) amended by Am. 11, effective 7–1–44]

(c) *Counties of Poesy, Vanderburgh, Warrick, Spencer, Perry, Crawford, Harrison, Floyd, and Clark.* In the above counties in the State of Indiana the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
41 API grav. and above w. w. kerosene	5.5
No. 1 prime white distillate (fuel oil) range or stove oil and No. 1 fuel oil	5.375
No. 2 fuel oil	5.25
No. 3 fuel oil	5.125

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7–0–2	5.25

(d) *Indianapolis area.* In the Indianapolis area comprised of that part of the State of Indiana which is within a radius of 25 miles of the center of Indianapolis, Indiana, maximum prices for the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One or the State of Michigan.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
41 API grav. and above w. w. kerosene	6.125
No. 1 prime white distillate (fuel oil) range or stove oil and No. 1 fuel oil	5.625
No. 2 fuel oil	5.50
No. 3 fuel oil	5.50

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7–0–2	5.625

[Paragraphs (b), (c), and (d) amended by Am. 9, 9 F.R. 4779, effective 5–1–44]

(e) *East Chicago.* The maximum price for fuel oil in bulk lots with a maximum viscosity of 300 Saybolt Universal at 100° F. on sales to commercial and industrial users by blenders, except refiners, f. o. b. terminals in East Chicago, shall be 5.1¢ per gallon.

(f) *East Chicago and adjacent circuits; tank wagon prices.* Maximum tank wagon prices for residual fuel oils and blends thereof with distillate fuel oils at East Chicago, and the circuit points served from bulk plants at East Chicago shall be as follows:

Viscosity (Saybolt Universal at 100° F.)	For deliveries in quantities of 750 gallons and over	For deliveries in quantities of less than 750 gallons
	Cents per gallon	Cents per gallon
50–800 seconds [1]	5.75	6.50
900–2,000 seconds	5.25	6.00
2,100 seconds and over	4.80	5.55

[1] Except for the minimum viscosity of this bracket, a tolerance of 50 seconds is permitted in all brackets.

[Paragraphs (e) and (f) added by Am. 4, 9 F.R. 3849, effective 4–14–44]

SEC. 2.13 *Iowa.*

SEC. 2.14 *Kansas*—(a) *State of Kansas (except Kansas City area).* In the State of Kansas, except that part of the state which is within a radius of 25 miles of the center of Kansas City, Missouri, the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
42–44 API grav. w. w. kerosene	4.625
41–43 API grav. w. w. kerosene	4.50
Range or stove oil	4.125
No. 1 prime white distillate (fuel oil)	4.00
No. 1 straw fuel oil	3.875
No. 2 fuel oil	3.75
No. 3 fuel oil	3.625

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7–0–2	4.125

(b) *Kansas City area.* In that part of the State of Kansas which is within a radius of 25 miles of the center of Kansas City, Missouri, the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
42–44 API grav. w. w. kerosene	5.125
41–43 API grav. w. w. kerosene	5.00
Range or stove oil	4.625
No. 1 prime white distillate (fuel oil)	4.50
No. 1 straw fuel oil	4.375
No. 2 fuel oil	4.25
No. 3 fuel oil	4.125

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7–0–2	4.625

SEC. 2.15 *Kentucky*—(a) *Counties of Union, Henderson, Daviess, Hancock, Breckinridge, Meade, Hardin, Bullitt, Jefferson, and Oldham.* In the above counties in the State of Kentucky the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destination in Petroleum Administration for War District One.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
41 API gravity and above w. w. kerosene	5.5
No. 1 prime white distillate (fuel oil) range or stove oil and No. 1 fuel oil	5.375
No. 2 fuel oil	5.25
No. 3 fuel oil	5.125

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7–0–2	5.25

(b) *Counties of Boone, Kenton, Campbell, Pendleton, Bracken, Mason, Lewis, Greenup, and Boyd.* In the above counties in the State of Kentucky the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
41 API gravity and above w. w. kerosene	6.125
No. 1 prime white distillate (fuel oil) range or stove oil and No. 1 fuel oil	[1] 5.625
No. 2 fuel oil	[1] 5.50
No. 3 fuel oil	5.50

[1] For Boyd County add .125.

(2) *F. o. b. refineries, on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7–0–2	5.625

[Sections 2.14 and 2.15 amended by Am. 9, 9 F.R. 4779, effective 5–1–44]

SEC. 2.16 *Louisiana*—(a) *Louisiana Gulf Ports [1] and New Orleans Area [2] shipping points*—(1) *Maximum prices in bulk lots f. o. b. refineries and tanker terminals.*

Products	Cents per gallon
Kerosene and Distillate fuel oils:	
Kerosene, water white (41 API gravity and above)	4.125
Range or stove oil [4]	3.875
No. 1 fuel oil [4]	3.875
No. 2 fuel oil	3.75
No. 3 fuel oil	3.75
Diesel fuels (distillate): [5]	
Diesel index 56 and above	4.25
Diesel index 53–57	4.125
Diesel index 52 and below	4.00

[1] When loaded into pipe line (see note 5), tank car, motor transport or tank wagon for shipment to ultimate destinations other than in Petroleum Administration for War District One, seller may charge prices in this Table or his maximum prices under other sections of this Regulation, whichever may be higher.

[2] When loaded into barge, pipe line (see note 5), tank car, motor transport or tank wagon for shipment to ultimate destinations other than in PAW District One, seller may charge prices in this Table or his maximum prices under other sections of this Regulation whichever may be higher.

[3] New Orleans Area means Mississippi River ports up to and including Baton Rouge.

[4] If range or stove oil or No. 1 fuel oil conform to all of a particular seller's specifications for water white kerosene of 41 API gravity and above the maximum price for such products shall be 4.125¢ per gallon for such seller.

[5] Products loaded into pipelines for ultimate delivery to War Emergency Pipelines and pipelines with Petroleum Administration for War District One termini shall be considered destined for Petroleum Administration for War District One.

[6] These prices apply only to fuels sold for use in diesel engines.

(2) *Diesel oil—ship's bunkers.* Maximum prices for residual and distillate diesel oil, ship's bunkers (ex lighterage) shall be:

	Dollars per bbl.
Residual, below 28° API gravity	1.35
Distillate, 28° API gravity and above	1.65

(b) *Shreveport area.* In the Shreveport area, comprising the parishes of Caddo, Bossier, Webster, De Soto and Red River, maximum prices of the products listed below f. o. b. refineries [1] and loaded into tank cars, motor transports and pipe lines [2] for shipment to the destinations indicated below [3] shall be as follows:

Products	For shipment to ultimate destinations: Column 1 Ariz., Ark., Colo., La., N. Mex., Okla., and Texas	Column 2 PAW District [4]	Column 3 Other States
Distillate fuel oils and gas oils:	Cents per gallon	Cents per gallon	Cents per gallon
42–44 Grav. W. W. kerosene	4.50	4.125	4.375
41–43 Grav. W. W. kerosene	4.375	4.125	4.25
Range or stove oil	4.00	3.875	3.875
No. 1 P. W. distillate (fuel oil)	3.875	3.875	3.75
No. 1 straw fuel oil	3.75	3.75	3.625
No. 2 fuel oil	3.625	3.625	3.50
No. 3 fuel oil	3.50	3.50	3.375
Gas oil, zero cold test (32–36 Gr.)	3.375	3.375	3.25
Gas oil, ordinary	3.00	3.00	2.875
Diesel fuels (distillate): [10]			
56 Diesel index and above	4.25	4.25	4.125
53–57 Diesel index	4.125	4.125	4.00
52 Diesel index and below	4.00	4.00	3.875

[1] Column 2 prices apply to all shipping points within the Shreveport area for shipments to ultimate destinations in Petroleum Administration for War District 1.

[2] Products loaded into pipelines for ultimate delivery to War Emergency Pipelines and pipelines with PAW District 1 termini shall be considered destined for PAW District 1.

[3] Column 1 prices also apply to ultimate destinations in the States of Alabama, Mississippi, Tennessee, and the Counties of Cape Girardeau, Franklin, Wayne, Pemiscot, Scott, New Madrid, Butler, Bollinger, Stoddard and Mississippi in the State of Missouri.

[4] These prices apply only to fuels sold for use in Diesel engines.

SEC. 2.17 *Maine*—(a) *State of Maine.* The maximum tank wagon prices of Nos. 2 and 3 fuel oil to consumers in the following townships and cities in the State of Maine shall be as follows:

(1) For single lot deliveries of 100 gallons or more:

City or town:	Cents per gallon
Abbott	10.0
Academy West	10.5
Acton	9.3
Adamstown	11.2
Addison	10.1
Albany	9.7
Albion	9.9
Alexander	10.2
Alfred	[*] 9.3
Allagash Pl.	11.5
Alna	9.4
Alton	9.1
Amherst	9.1
Amity	10.8
Andover	10.0
Anson	10.1
Appleton	9.1
Argyle	9.1
Arrowsic	9.4
Ashland	11.5
Askwith	10.5
Athens	10.1
Atkinson	10.0
Attean	11.1
Auburn	9.1
Augusta	9.2
Aurora	9.1
Avon	10.1
Baileyville	10.2
Bald Mountain	10.3
Baldwin	9.7
Bancroft	10.8
Bangor	9.1
Bar Harbor	9.7
Baring	10.2
Barnard Pl.	10.0
Batchelders Grant	9.7
Bath	9.4
Beals	10.1
Beddington	10.1
Belfast	9.6
Belgrade	9.2
Belmont	9.6
Benedicta	10.8
Benton	9.9
Berwick	[*] 9.3
Bethel	10.0
Biddeford	[*] 9.2
Bigelow Pl.	10.3
Big Squaw	10.5
Bingham	10.3
Blaine	11.1
Blanchard	10.0
Blue Hill	9.7
Boothbay	9.4
Boothbay Harbor	9.4
Bowdoin	9.4
Bowdoinham	9.4
Bowerbank	10.0
Bowmantown	11.2
Bowtown	10.3
Bradford	9.1
Bradley	9.1
Breman	9.1
Brewer	9.1
Bridgewater	11.1
Bridgton	9.7
Brighton Pl.	10.1
Bristol	9.4
Brooklin	9.7
Brooks	9.6
Brooksville	9.7
Brookton	10.8
Brownfield	9.7
Brownville	10.0
Brunswick	9.4
Buckfield	9.7
Bucksport	9.1
Burlington	10.1
Burnham	9.9
Buxton	[*] 9.2
Byron	10.0
Calais	10.2
Cambridge	9.8
Camden	9.1
Canaan	10.1
Canton	10.1
Cape Elizabeth	9.0
Caratunk Pl.	10.3
Caribou	11.1
Carmel	9.1
Carroll	10.1
Carrying Pl.	10.3
Carthage	10.0
Cary Pl.	10.8
Casco	9.0
Castine	9.1
Castle Hill	11.5
Caswell Pl.	11.1
Centerville	10.1
Chapman	11.1
Charleston	9.1
Charlotte	10.2
Chase	11.1
Chelsea	9.2
Cherryfield	10.1
Chester	10.1
Chesterville	10.1
China	9.2
Clifton	9.1
Clinton	9.9
Codyville	10.8
Columbia	10.1
Columbia Falls	10.1
Concord Pl.	10.3

[*] Prices corrected by Am. 11, effective 7–1–44]

City or town—Continued.	Cents per gallon
Connor	11.1
Cooper	10.2
Coplin Pl	11.1
Corinna	9.8
Corinth	9.1
Cornish	9.7
Cornville	10.1
Cox Patent	11.1
Cranberry Isles	9.7
Crawford	10.2
Crockertown	10.8
Crystal	10.8
Cumberland	9.0
Cushing	9.1
Cutler	10.2
Cyr Pl	11.5
Dallas Pl	11.1
Damariscotta	9.4
Danforth	10.8
Davidson	10.8
Davis	11.1
Dayton	*9.2
Dead River Pl	10.8
Deblois	10.1
Dedham	9.1
Deer Isle	10.7
Denmark	9.7
Dennistown Pl	11.1
Dennysville	10.2
Detroit	9.8
Devereaux	10.1
Dexter	9.8
Dixfield	10.0
Dixmont	9.1
Dover-Foxcroft	10.0
Dresden	9.2
Drew	10.8
Dudley	10.8
Durham	9.1
Dyer Brook	10.8
Eagle Lake	11.5
Eastbrook	9.7
East Machias	10.2
East Millinocket	10.5
East Moxie	10.3
East Wilton	10.1
Easton	11.1
Eastport	10.2
Eddington	9.1
Edgecomb	9.4
Edinburg	10.1
Edmunds	10.2
Eliot	9.2
Elliottsville Pl	10.0
Ellsworth	9.7
Embden	10.3
Enfield	10.1
Etna	9.1
Eustis	11.1
Exeter	9.1
Fairfield	9.9
Falmouth	9.0
Farmingdale	9.2
Farmington	10.1
Fayette	9.2
Flagstaff Pl	11.1
Forest	10.8
Forkstown	10.8
Fort Fairfield	11.1
Fort Kent	11.5
Frankfort	9.1
Franklin	9.7
Freedom	9.9
Freeman	10.1
Freeport	9.0
Frenchville	11.5
Friendship	9.1
Fryeburg	9.7
Gardiner	9.2
Garfield Pl	11.5
Garland	9.1
Georgetown	9.4
Gilead	10.0
Glenburn	9.1
Glenwood Pl	10.8
Gorham	9.0
Gouldsborough	10.1
Grafton	10.0
Grand Isle	11.5
Grand Lake Stream Pl	10.2
Gray	9.0
Greenbush	9.1
Greene	9.1
Greenfield	9.1
Greenville	10.5
Greenwood	9.7
Grindstone	10.5
Guilford	10.0
Hallowell	9.2
Hamlin Pl	11.5
Hammond Pl	10.8
Hampden	9.1
Hancock	9.7
Hanover	10.0
Harmony	9.8
Harpwell	9.4
Harrington	10.1
Harrison	9.7
Hartford	9.7
Hartland	9.8
Haynesville	10.8
Hebron	9.7
Hermon	9.1
Hersey	10.8
Hibberts Gore	9.1
Highland Pl	10.3
Hiram	9.7
Hodgdon	10.8
Holden	9.1
Hollis	*9.2
Hope	9.1
Hopkins Academy Grant	10.5
Houlton	10.8
Howland	10.1
Hudson	9.1
Indian	10.2
Indian Purchase	10.5
Indian Stream	10.3
Industry	10.1
Island Falls	10.8
Isleford	9.7
Jackman Pl	11.1
Jackson	9.1
Jay	10.1
Jefferson	9.2
Jerusalem	10.3
Jonesboro	10.1
Jonesport	10.1
Kenduskeag	9.1
Kennebunk	*9.2
Kennebunkport	*9.2
Kingfield	10.3
Kingman	10.1
Kingsbury Pl	10.1
Kittery	9.2
Knox	9.6
Kossuth	10.8
Lagrange	9.1
Lake View Pl	10.0
Lakeville Pl	10.1
Lambert Lake	10.8
Lamoine	9.7
Lang	11.1
Lebanon	9.3
Lee	10.1
Leeds	9.1
Levant	9.1
Lewiston	9.1
Lexington Pl	10.3
Liberty	9.1
Lily Bay	10.6
Limerick	9.7
Limestone	11.1
Limington	9.7
Lincoln	10.1
Lincoln Pl	11.2
Lincolnville	9.1
Linneus	10.8
Lisbon	9.1
Litchfield	9.2
Little Squaw	10.5
Littleton	10.8
Livermore	10.1
Livermore Falls	10.1
Long Island	9.0
Long Island Pl	9.7
Long Pond	11.1
Lovell	9.7
Lowell	10.1
Lower Cupsuptic	11.2
Lubec	10.2
Ludlow	10.8
Lyman	*9.2
Lynchtown	11.2
Machias	10.2
Machiasport	10.2
Macwahoc Pl	10.1
Madawaska	11.5
Madison	10.1
Madrid	10.1
Magalloway Pl	11.2
Manchester	9.2
Mapleton	11.1
Mariaville	9.7
Marion	10.2
Mars Hill	11.1
Marshfield	10.2
Masardis	11.5
Mason Pl	9.7
Mattawamkeag	10.1
Mayfield Plantation	10.1
Mechanic Falls	9.1
Meddybemps	10.2
Medford	10.0
Medway	10.5
Mercer	10.1
Merrill	10.8
Mexico	10.0
Milbridge	10.1
Milford	9.1
Millinocket	10.5
Milo	10.0
Milton	10.1
Milton Pl	10.0
Minot	9.1
Misery	11.1
Misery Gore	10.5
Molunkus	10.1
Monmouth	9.2
Monroe	9.1
Monson	10.0
Monticello	10.8
Montville	9.6
Moose River Pl	11.1
Moro Pl	10.8
Morrill	9.6
Moscow	10.3
Mount Abram	10.3
Mount Chase Pl	10.8
Mount Desert	9.7
Mount Vernon	9.2
Moxie Gore	10.3
Naples	9.7
Nashville Pl	11.5
New Canada Pl	11.5
New Gloucester	10.1
New Limerick	10.8
New Portland	10.3
New Sharon	10.1
New Sweden	11.1
New Vineyard	10.1
Newburgh	9.1
Newcastle	9.4
Newfield	9.7
Newport	9.8
Newry	10.0
Nobleborough	9.4
Norridgewock	10.1
North Andover	10.0
North Berwick	9.2
North Haven	11.0
North Kennebunkport	*9.2
North Yarmouth (Aroostook County)	10.9
North Yarmouth	9.0
Northfield	10.2
Northport	9.6
Norway	9.7
Oakfield	10.8
Oakland	9.9
Old Orchard	*9.2
Old Town	9.1
Orient	10.8
Orland	9.1
Orneville	10.0
Orono	9.1

[*Prices corrected by Am. 11, effective 7-1-44]

City or town—Continued.	Cents per gallon
Orrington	9.1
Osborn Pl	9.7
Otis	9.7
Otisfield	9.7
Owl's Head	9.1
Oxbow Pl	11.5
Oxbow	11.2
Oxford	9.7
Palermo	9.2
Palmyra	9.8
Paris	9.7
Parkertown	11.2
Parkman	10.0
Parlin Pond	11.1
Parmachenee	11.2
Parsonsfield	9.7
Passadumkeag	10.1
Patten	10.8
Pembroke	10.2
Penobscot	9.1
Perham	11.1
Perkins	10.0
Perry	10.2
Peru	10.0
Phillips	10.1
Phippsburg	9.4
Pittsfield	9.8
Pittston	9.2
Pleasant Ridge Pl	10.3
Plymouth	9.8
Poland	9.1
Portage Lake	11.5
Porter	9.7
Portland	9.0
Pownal	9.0
Prentiss	10.1
Presque Isle	11.1
Princeton	10.2
Prospect	9.1
Randolph	9.2
Rangeley	11.1
Rangeley Pl	11.1
Raymond	9.0
Readfield	9.2
Redington	10.1
Reed Pl	10.8
Richardsontown	11.2
Richmond	9.2
Riley	10.0
Ripley	9.8
Robbinston	10.2
Rockland	9.1
Rockport	9.1
Rockwood Strip	10.5
Rogue Bluffs	10.2
Rome	9.9
Roxbury	10.0
Rumford	10.0
Saco	*9.2
Saint Agatha	11.5
Saint Albans	9.8
Saint Croix	10.8
Saint Francis Pl	11.5
Saint George	9.1
Saint John Pl	11.5
Salem	10.1
Sandwich Acad. Grant	11.1
Sandy Bay	11.1
Sandy River Pl	11.1
Sanford	9.3
Sangerville	10.0
Sapling Township	10.5
Scarboro	9.0
Searsmont	9.6
Searsport	9.6
Sebago	9.7
Sebec	10.0
Sedgwick	9.7
Shapleigh	9.3
Sherman	10.8
Shirley	10.5
Sidney	9.2
Silver Ridge Pl	10.8
Skowhegan	10.1
Smithfield	9.9
Smyrna	10.8
Solon	10.8
Somerville Pl	9.2
Sorrento	9.7
South Berwick	9.2
South Bristol	9.4
Southport	9.4
South Portland	9.0
South Thomaston	9.1
Southwest Harbor	9.7
Springfield	10.1
Squaretown	10.8
Stacyville Pl	10.8
Standish	9.0
Starks	10.8
Stetson (Penobscot County)	9.1
Stetson (Rangely County)	11.1
Steuben	10.1
Stockholm	11.1
Stockton Springs	9.6
Stoneham	9.7
Stonington	10.7
Stow	9.7
Strong	10.1
Sullivan	9.7
Sumner	9.7
Surry	9.7
Swanville	9.6
Swan's Island	9.7
Sweden	9.7
Talmage	10.2
Temple	10.1
The Forks Pl	10.3
Thomaston	9.1
Thorndike	9.9
Tim Pond	11.1
Topsfield	10.8
Topsham	9.4
Tremont	9.7
Trenton	9.7
Trescott	10.2
Troy	9.9
Turner	9.1
Union	9.1
Unity	9.9
Unity Pl	9.9
Upper Cupsuptic	11.2
Upper Molunkus	10.8
Upton	11.2
Van Buren	11.5
Vanceboro	10.8
Vassalborough	9.2
Veazie	9.1
Verona	9.1
Vienna	9.2
Vinalhaven	11.0
Wade	11.1
Waite	10.2
Waldo	9.6
Waldoboro	9.1
Wales	9.1
Wallagrass Pl	11.5
Waltham	9.7
Warren	9.1
Washburn	11.1
Washington	9.1
Waterboro	*9.2
Waterford	9.7
Waterville	9.9
Wayne	9.2
Webbertown	10.8
Webster	9.1
Webster Pl	10.1
Weld	10.0
Wellington	9.8
Wells	9.2
Wesley	10.2
West Bath	9.4
Westbrook	9.0
Westfield	11.1
West Andover	10.0
West Forks Pl	11.1
West Gardiner	9.2
Westman Land Pl	11.1
Weston	10.8
Westport	9.4
Whitefield	9.2
Whiting	10.2
Whitneyville	10.2
Williamsburg	10.0
Willimantic	10.0
Windham	9.0
Windsor	9.2
Winn	10.1
Winslow	9.9
Winter Harbor	10.1
Winterport	9.1
Winterville Pl	11.5
Winthrop	9.2
Wiscasset	9.4
Woodland	11.1
Woodstock	9.7
Woolwich	9.4
Yarmouth	9.0
York	9.2
TAR2	10.8
TAR7	10.5
TAR8	10.5
TAR9	10.5
TC	10.0
TCR2	10.8
TD	10.0
TDR2	11.1
TE	10.0
TIR3	10.8
TIR5	10.8
TIR6	11.1
TIR13	10.5
T2R4	10.8
T2R6	11.1
T3R1	10.1
T3R3	10.8
T3R7	10.8
T4R1	11.1
T4R2	11.1
T5R7	10.8
T5R9	10.0
T6	10.9
T6R7	10.8
T6R9	10.0
T7R5	10.8
T7SD	10.1
T8R3	10.8
T8R4	10.8
T8R5	10.8
T8SD	9.7
T9R4	11.5
T9R5	11.5
T9SD	10.1
T10R3	10.8
T10R4	11.5
T10R6	11.5
T10SD	10.1
T11R3	10.8
T11R4	11.5
T13R5	11.5
T15R6	11.5
T16MD	10.1
T16R4	11.1
T16R6	11.5
T18ED	10.2
T18MD	10.1
T19ED	10.2
T19MD	10.1
T22MD	10.1
T24MD	10.1
T25MD	10.1
Plantation 21	10.2
Plantation 14	10.2
E Plantation	11.1

[*Prices corrected by Am. 11, effective 7-1-44]

(2) For single lot deliveries of less than 100 gallons, the maximum price at each point listed in subparagraph (1) above shall be increased by 0.5 of a cent per gallon.

SEC. 2.18 *Maryland*—(a) *Baltimore.* Within the corporate limits of the City of Baltimore maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
F. o. b. terminals in bulk lots loaded into tank cars or motor transports	7.2
Loaded into buyer's tank wagons	7.45
Tank wagon deliveries to resellers	9.8
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.3
Tank wagon deliveries to consumers in quantities of less than 25 gallons	11.3

(b) *State of Maryland.* Maximum tank wagon prices for Nos. 2, 3 and 4 distillate fuel oils to consumers in the State of Maryland shall be as designated below:

(1) For single lot deliveries of 100 gallons or more:

Within the county of:	Cents per gallon
Allegany	10.8
Anne Arundel	9.3
Baltimore and City of Baltimore	9.0
Calvert	9.5
Carolina	9.3
Carroll	9.3
Cecil	9.5
Charles	9.5
Dorchester	9.3
Frederick	9.3
Garrett	10.3
Hartford	9.3
Howard	9.3
Kent	9.3
Montgomery	9.4
Prince Georges	9.4
Queen Annes	9.3
St. Marys	9.5
Somerset	9.3
Talbot	9.3
Washington	9.3
Wicomico	9.3
Worcester	9.3

(2) For single lot deliveries of less than 100 gallons the maximum price within each county listed in subparagraph (1) above shall be increased by .5¢ per gallon.

[Paragraph (b) added by Am. 10, 9 F.R. 5725, effective 5-31-44]

SEC. 2.19 *Massachusetts*—(a) *Metropolitan Boston area.* In the Metropolitan Boston, Massachusetts area, comprising the following towns and cities: Arlington, Belmont, Boston, Braintree, Brookline, Cambridge, Canton, Chelsea, Cohasset, Dedham, Dover, Everett, Hingham, Hull, Lexington, Lynn, Malden, Medford, Melrose, Milton, Nahant, Needham, Newton, Quincy, Reading (but not North Reading), Revere, Saugus, Somerville, Stoneham, Swampscott, Wakefield, Waltham, Watertown, Wellesley, Weston, Westwood, Weymouth, Winchester, Winthrop, and Woburn, maximum prices shall be as follows:

(1) For Kerosene, No. 1 fuel oil and Range Oil:

	Cents per gallon
F. o. b. terminals in bulk lots loaded into barges	6.95
F. o. b. terminals in bulk lots loaded into tank cars or motor transports	7.2
F. o. b. barge and inland terminals, except Shell Oil Company's pipeline terminal in Waltham, Massachusetts, loaded into tank car or motor transport	7.3
F. o. b. Shell's pipeline terminal at Waltham, Massachusetts, except for sales to jobbers whose bulk plants are located in the following cities and towns: Brookline, Watertown, Waltham, Newton, Wellesley, Weston, Lincoln, Natick, Wayland, Maynard, Sudbury, Framingham, Ashland, Sherborn, Hopkinton and Holliston loaded into tank car or motor transport	7.2
F. o. b. Shell's pipeline terminal at Waltham, Massachusetts, for sales to jobbers whose bulk plants are located in the following cities and towns: Brookline, Watertown, Waltham, Newton, Wellesley, Weston, Lincoln, Natick, Wayland, Maynard, Sudbury, Framingham, Ashland, Sherborn, Hopkinton and Holliston loaded into tank car or motor transport	7.4
Loaded into buyer's tank wagons	7.8
Loaded into containers, in quantities of 10 gallons or less	10.3
Tank wagon deliveries to resellers in quantities of 25 gallons or over	10.1
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.6
Tank wagon deliveries in quantities of less than 25 gallons and truck deliveries in containers in quantities of less than 25 gallons	12.3

(2) For Nos. 2, 3 and 4 Distillate Fuel Oil:

	Cents per gallon
F. o. b. refineries and seaboard tanker terminals loaded into barges	6.45
F. o. b. refineries and seaboard tanker terminals loaded into tank car or motor transport	6.7
F. o. b. barge and inland terminals except Shell Oil Company's pipeline terminal in Waltham, Massachusetts loaded into tank car or motor transport	6.8
F. o. b. Shell's pipeline terminal at Waltham, Massachusetts except for sales to jobbers whose bulk plants are located in the following cities and towns: Brookline, Watertown, Waltham, Newton, Wellesley, Weston, Lincoln, Natick, Wayland, Maynard, Sudbury, Framingham, Ashland, Sherborn, Hopkinton and Holliston loaded into tank car or motor transport	6.7
F. o. b. Shell's pipeline terminal at Waltham, Massachusetts, for sales to jobbers whose bulk plants are located in the following cities and towns: Brookline, Watertown, Waltham, Newton, Wellesley, Weston, Lincoln, Natick, Wayland, Maynard, Sudbury, Framingham, Ashland, Sherborn, Hopkinton and Holliston loaded into tank car or motor transport	6.9
F. o. b. yard at seaboard tanker terminals, barge, and inland terminals, and Shell's pipeline terminal at Waltham, Massachusetts loaded into buyer's tank wagons	7.1
F. o. b. yard at jobber's inland bulk plant loaded into buyers' tank wagons	7.3
Tank wagon deliveries to consumers in quantities of 100 gallons or over except in the towns of Lynn, Swampscott, Saugus and Nahant	9.0
Tank wagon deliveries to consumers in quantities of 100 gallons, or over in the towns of Lynn, Swampscott, Saugus and Nahant	9.1
Tank wagon deliveries to consumers in quantities of less than 100 gallons except in the towns of Lynn, Swampscott, Saugus and Nahant	9.5
Tank wagon deliveries to consumers in quantities of less than 100 gallons in the towns of Lynn, Swampscott, Saugus and Nahant	9.6

(b) *Worcester, Massachusetts Area.* In the Worcester, Massachusetts Area, comprising the following townships and cities: Auburn, Barre, Berlin, Boylston, Charlton, Clinton, Dudley, East Brookfield, Grafton, Holden, Hopkinton, Lancaster, Leicester, Millbury, New Braintree, Northbridge, North Brookfield, Northborough, Oakham, Oxford, Paxton, Princeton, Rutland, Shrewsbury, Southbridge, Spencer, Sterling, Sutton, Upton, Webster, West Boylston, Westborough and Worcester, maximum prices shall be as follows:

(1) For kerosene, No. 1 Fuel Oil and Range Oil:

	Cents per gallon
Loaded into buyers' tank wagons	8.3
Loaded into containers in quantities of 10 gallons or less at sellers bulk plant	10.8
Tank wagon deliveries to resellers in quantities of 25 gallons or over	10.6
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.6
Tank wagon deliveries in quantities of less than 25 gallons and truck deliveries in containers in quantities of less than 25 gallons	12.1

(2) For Nos. 2, 3 and 4 Distillate Fuel Oil:

	Cents per gallon
Loaded into buyers' tank wagons	7.8
Tank wagon deliveries to consumers in quantities of 100 gallons or over	9.3
Tank wagon deliveries to consumers in quantities of less than 100 gallons	9.8

[Paragraph (b) added by Am. 7, 9 F.R. 4505, effective 5-2-44]

SEC. 2.20 *Michigan*—(a) *State of Michigan (except Wayne and Monroe Counties).* In the State of Michigan except Wayne and Monroe Counties the maximum prices of the products listed below in bulk lots f. o. b. shipping points shall be as follows:

Products	Cents per gallon
Kerosene and distillate fuel oils:	
46-49 API grav. w. w. kerosene	6.0
41-49 API grav. w. w. kerosene	5.75
No. 1 prime white distillate (fuel oil)	5.50
No. 2 fuel oil	5.25
No. 3 fuel oil	5.00
Range or stove oil	(1)
Diesel fuel (distillate): Navy Department specification 7-0-2	[2] 5.375

[1] Range or stove oil shall take the maximum price of the product listed above of the same specifications.

[2] Applies only f. o. b. refineries and only on sales to the United States Government or any agency thereof.

[Paragraph (a) amended by Am. 9, 9 F.R. 4779, effective 5-1-44]

(b) *Wayne County*—(1) *On shipments to Petroleum Administration for War District One.* In Wayne County in the State of Michigan the maximum prices of the products listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

Products	Cents per gallon
Kerosene and distillate fuel oil:	
46-49 API grav. w. w. kerosene	6.25
41-45 API grav. w. w. kerosene	6.00
No. 1 prime white distillate (fuel oil)	5.75
No. 2 fuel oil	5.50
No. 3 fuel oil	5.25
Range or stove oil	(1)
Diesel fuel (distillate): Navy Department specification 7-0-2	[2] 5.625

[1] Range or stove oil shall take the maximum price of the product listed above of the same specifications.

[2] Applies only f. o. b. refineries and only on sales to the United States Government or any agency thereof.

[Subparagraph (1) amended by Am. 9, 9 F.R. 4779, effective 5-1-44]

(2) *On shipments to destinations other than Petroleum Administration for War District One.* In Wayne County in the State of Michigan, the maximum prices of the products listed below in bulk lots f. o. b. refineries for shipment to ultimate destinations other than Petroleum Administration for War District One shall be as follows:

Products	Cents per gallon
Kerosene and distillate fuels oils:	
46-49 API grav. w. w. kerosene	6.25
41-45 API grav. w. w. kerosene	6.05
No. 1 prime white distillate (fuel oil)	5.75
No. 2 fuel oil	5.50
No. 3 fuel oil	5.25
Range or stove oil	(1)
Diesel fuel (distillate): Navy Department specification 7-0-2	[2] 5.625

[1] Range or stove oil shall take the maximum price of the product listed above of the same specifications.

[2] Applies only on sales to the United States Government or any agency thereof.

[Subparagraph (2) added by Am. 4, 9 F.R. 3940, effective 4-14-44; amended by Am. 9, 9 F.R. 4779, effective 5-1-44. Former (2) redesignated (3) by Am. 4]

(3) *Maximum prices to peddlers and on tank wagon deliveries.* Maximum prices in Wayne County in the State of Michigan for the petroleum products listed below shall be as follows:

[All prices in cents per gallon]

	Loaded into peddler's tank wagon in any quantity	For tank wagon deliveries to consumers: In any quantity	In quantities of 100 gallons or over	In quantities of less than 100 gallons
Kerosene		10		
Range oil, stove oil, heater oil, prime white distillate and No. 1 fuel oil	6.8		8.2	9.2
No. 2 fuel oil	6.4		7.7	8.7
No. 3 fuel oil	5.9		7.2	8.2

(c) *Monroe County*—(1) *On shipments to Petroleum Administration for War District 1.* In Monroe County in the State of Michigan the maximum prices of the products listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District 1 shall be as follows:

Products:	Cents per gallon
Kerosene and Distillate fuel oils:	
46-49 API gravity w. w. kerosene	6.25
41-45 API gravity w. w. kerosene	6.00
No. 1 prime white distillate (fuel oil)	5.75
No. 2 fuel oil	5.50
No. 3 fuel oil	5.25
Range or stove oil	(*)

*Range or stove oil shall take the maximum price of the product listed above of the same specifications.

(2) *Maximum tank wagon prices.* Maximum tank wagon prices in Monroe County in the State of Michigan for the petroleum products listed below shall be as follows:

Products:	Cents per gallon
Kerosene	10
Range oil, also known as stove oil or heater oil:	
In quantities of 25 gallons or over	8.2
In quantities of less than 25 gallons	9.2
Prime white distillate and Nos. 1 and 2 fuel oil:	
In quantities of 100 gallons or over	7.7
In quantities of less than 100 gallons	8.7
No. 3 fuel oil:	
In quantities of 100 gallons or over	7.2
In quantities of less than 100 gallons	8.2

(d) *Genesee County.* Maximum tank wagon prices in Genesee County, Michigan, for the petroleum products listed below shall be as follows:

Products:	Cents per gallon
Kerosene	10
Range oil, also known as stove oil or heater oil:	
In quantities of 25 gallons or over	8.2
In quantities of less than 25 gallons	9.2
Prime white distillate and Nos. 1 and 2 fuel oil:	
In quantities of 100 gallons or over	7.7
In quantities of less than 100 gallons	8.7
No. 3 fuel oil:	
In quantities of 100 gallons or over	7.2
In quantities of less than 100 gallons	8.2

(e) *Counties of Macomb, Washtenaw and Oakland.*—(1) *Maximum prices to peddlers and on tank wagon deliveries.* Maximum prices in Macomb, Washtenaw and Oakland Counties in the State of Michigan for the petroleum products listed below shall be as follows:

[All prices in cents per gallon]

	Loaded into peddler's tank wagon in any quantity	For tank wagon deliveries to consumers: In any quantity	In quantities of 100 gallons or over	In quantities of less than 100 gallons
Kerosene		10		
Range oil, stove oil, heater oil, prime white distillate and No. 1 fuel oil	6.8		8.2	9.2
No. 2 fuel oil	6.4		7.7	8.7
No. 3 fuel oil	5.9		7.2	8.2

SEC. 2.21 *Minnesota*—(a) *Minneapolis tank wagon area.* Maximum tank wagon prices for No. 2 fuel oil shall be 9.1¢ per gallon for single lot deliveries of less than 100 gallons and 8.1¢ per gallon for deliveries of 100 gallons and over.

(b) *Minneapolis-St. Paul area.* Maximum prices for No. 2 fuel oil f. o. b. refineries or terminals shall be 6.2¢ per gallon.

(c) *Minneapolis and St. Paul; range oil.* The maximum tank-wagon prices for range oil, stove oil or heater oil for the bulk plant points of Minneapolis and St. Paul, Minnesota, and the circuit points and rural territories served from such plant or plants shall be as follows:

	Cents per gallon
In quantities of less than 100 gallons	9.8
In quantities of as much as 100 gallons but less than 200 gallons	8.8
In quantities of 200 gallons or over	8.3

SEC. 2.22 *Mississippi*—(a) *Alcorn County; liquefied petroleum gas.* The maximum retail price for liquefied petroleum gas sold in the County of Alcorn, Mississippi for heating and cooking purposes shall be 12¢ per gallon.

SEC. 2.23 *Missouri*—(a) *St. Louis; range oil.* The maximum tank wagon prices for range oil, stove oil or heater oil for the bulk plant points of St. Louis, Missouri and the circuit points and rural territories served from such plant or plants shall be as follows:

	Cents per gallon
In quantities of less than 25 gallons	8.9
In quantities of as much as 25 gallons but less than 100 gallons	8.3
In quantities of 100 gallons or over	7.9

(b) *St. Louis area.* Within the City of St. Louis, Missouri, and that part of the State of Missouri which is within a radius of 25 miles of St. Louis, Missouri, the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
42-44 API grav. w. w. kerosene	5.875
41-43 API grav. w. w. kerosene	5.75
Range or stove oil	5.375
No. 1 prime white distillate (fuel oil)	5.25
No. 1 straw fuel oil	5.125
No. 2 fuel oil	5.00
No. 3 fuel oil	4.875

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7-0-2	5.0

[Paragraph (b) amended by Am. 9, 9 F.R. 4779, effective 5-1-44]

(c) *Kansas City area.* In that part of the State of Missouri which is within a radius of 25 miles of the center of Kansas City, Missouri, the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destinations in Petro-*

leum Administration for War District One.

Products	Cents per gallon
Kerosene and distillate fuel oils:	
42–44 API grav. w. w. kerosene	5.125
41–43 API grav. w. w. kerosene	5.00
Range or stove oil	4.625
No. 1 prime white distillate (fuel oil)	4.50
No. 1 straw fuel oil	4.375
No. 2 fuel oil	4.25
No. 3 fuel oil	4.125

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7–0–2	4.625

[Paragraph (c) added by Am. 1, 9 F.R. 2405, effective 2–28–44; amended by Am. 9, 9 F.R. 4779, effective 5–1–44]

SEC. 2.27 *New Hampshire*—(a) *State of New Hampshire.* Maximum tank wagon prices for kerosene, No. 1 fuel oil and range oil and Nos. 2 and 3 fuel oils in the following towns and cities in the State of New Hampshire shall be as follows:

[Paragraph (a) amended by Am. 6, 9 F.R. 4395, effective 4–29–44 and Am. 11, effective 7–1–44]

(1) For single lot deliveries of 100 gallons or more:

City or town	Kerosene, No. 1 fuel oil and range oil on deliveries of 25 gallons or over [1]	Nos. 2 and 3 fuel oil on deliveries of 100 gallons or over [1]
	Cents per gallon	Cents per gallon
Acworth	11.4	10.2
Albany	11.5	10.4
Alexandria	11.1	10.7
Allenstown	11.1	10.0
Alstead	11.2	10.2
Alton	10.7	10.1
Amherst	11.1	9.4
Andover	11.1	10.0
Antrim	10.9	9.9
Ashland	11.4	10.7
Atkinson	10.8	9.4
Auburn	11.1	9.7
Barnstead	10.7	10.1
Barrington	11.2	9.3
Bartlet	11.5	10.4
Bath	11.4	10.2
Bedford	11.1	9.7
Belmont	11.2	10.0
Bennington	10.9	9.9
Benton	11.4	10.7
Berlin	11.5	10.4
Bethlehem	11.8	10.9
Boscawen	10.7	10.0
Bow	10.7	10.0
Bradford	11.4	10.0
Brentwood	10.8	9.2
Bridgewater	11.4	10.7
Bristol	11.4	10.7
Brookfield	11.5	10.4
Brookline	10.7	9.4
Cambridge	12.0	11.2
Campton	11.4	10.7
Canaan	11.0	10.1
Candia	11.1	9.7
Canterbury	10.7	10.0
Carroll	11.8	10.9
Center Harbor	11.4	10.7
Charlestown	11.4	10.2
Chatham	11.6	10.4
Chester	11.1	9.7
Chesterfield	11.2	10.2
Chichester	10.7	10.0
Claremont	11.4	10.2
Clarksville	12.0	11.2
Colebrook	12.0	11.2
Columbia	12.0	11.2
Concord	10.7	10.0
Conway	11.5	10.4
Cornish	11.4	10.2
Croydon	11.4	10.2
Dalton	11.8	11.0
Danbury	11.1	10.0
Danville	10.8	9.4
Dearfield	11.1	9.7
Derry	10.7	9.4
Deering	10.9	9.9
Dixville	12.0	11.2
Dorchester	11.4	10.7
Dover	11.2	9.3
Dublin	11.4	9.8
Dummer	11.5	10.4
Dunbarton	10.7	9.7
Durham	11.2	9.3
East Kingston	10.6	9.4
Easton	11.8	10.7
Eaton	11.5	10.4
Effingham	11.5	10.4
Ellsworth	11.4	10.7
Enfield	11.1	10.1
Epping	11.0	9.2
Epsom	10.7	10.0
Errol	12.0	11.2
Exeter	10.6	9.2
Farmington	11.2	9.6
Fitzwilliam	10.6	9.6
Francestown	10.9	9.9
Franconia	11.8	10.9
Franklin	11.1	10.0
Freedom	11.5	10.4
Fremont	10.8	9.4
Gilford	11.2	10.2
Gilmenton	10.7	10.1
Gilsum	11.2	10.2
Goffstown	11.1	9.7
Gorham	11.5	10.4
Goshen	11.4	10.3
Grafton	11.1	10.1
Grantham	11.0	10.3
Greenfield	10.7	9.8
Greenland	10.2	9.2
Greenville	10.7	9.4
Groton	11.4	10.7
Hampstead	10.8	9.4
Hampton	10.2	9.4
Hampton Falls	10.6	9.4
Hancock	10.9	9.8
Hanover	11.0	10.1
Harrisville	11.4	9.8
Hart's Location	11.5	10.4
Haverhill	11.4	10.2
Hebron	11.1	10.2
Henniker	10.7	10.0
Hill	11.1	10.0
Hillsboro	11.2	9.9
Hinsdale	11.2	10.2
Holderness	11.4	10.7
Hollis	10.7	9.4
Hooksett	11.1	9.7
Hopkinton	10.7	10.0
Hudson	10.7	9.4
Jackson	11.5	10.4
Jaffrey	10.6	9.8
Jefferson	11.8	11.0
Keene	11.2	10.2
Kensington	10.6	9.4
Kilkenney	11.5	10.4
Kingston	10.6	9.4
Laconia	11.4	10.2
Lancaster	11.8	11.0
Landaff	11.7	10.7
Langdon	11.4	10.2
Lebanon	11.0	10.1
Lee	11.2	9.3
Lempster	11.4	10.3
Lincoln	11.4	10.7
Lisbon	11.8	10.9
Litchfield	10.7	9.7
Littleton	11.8	10.9
Livermore	11.4	10.7
Londonderry	11.1	9.7
Loudon	10.7	10.0
Lyman	11.4	10.9
Lyme	11.0	10.1
Lyndeboro	10.7	9.4
Madbury	11.2	9.3
Madison	11.5	10.4
Manchester	11.1	9.7
Marlboro	11.2	10.2
Marlow	11.4	10.2
Mason	10.7	9.4
Meredith	11.4	10.2
Merrimack	10.7	9.4
Middleton	11.2	9.6
Milan	11.4	10.4
Milford	10.7	9.4
Millefield	12.0	11.2
Milton	11.2	9.6
Monroe	11.4	10.9
Mount Vernon	10.7	9.4
Moultonboro	11.4	10.7
Nashua	10.7	9.4
Nelson	11.4	10.2
New Boston	11.1	9.7
Newcastle	10.2	9.2
New Durham	11.2	9.6
New Hampton	11.1	10.7
New Ipswich	10.7	9.4
New London	11.4	10.3
Newbury	11.4	10.3
Newfields	10.6	9.2
Newington	10.2	9.2
Newmarket	11.2	9.2
Newport	11.4	10.3
Newton	10.8	9.4
No. Hampton	10.2	9.2
Northwood	11.2	10.1
Northfield	11.1	10.0
Northumberland	11.5	11.0
Nottingham	11.2	9.3
Odell	12.0	11.2
Orange	11.1	10.1
Orford	11.0	10.2
Ossipee	11.8	10.4
Pelham	10.7	9.4
Pembroke	10.7	10.0
Peterboro	10.7	9.8
Piermont	11.4	10.2
Pinkham	11.8	10.4
Pittsburgh	12.0	11.2
Pittsfield	10.7	10.1
Plainfield	11.0	10.1
Plaistow	10.8	9.4
Plymouth	11.4	10.7
Portsmouth	10.2	9.2
Randolph	11.5	10.4
Raymond	10.6	9.7
Richmond	11.2	10.2
Rindge	10.6	9.6
Rochester	11.2	9.6
Rollinsford	11.2	9.3
Roxbury	11.2	10.2
Rumney	11.4	10.7
Rye	10.2	9.2
Salem	10.7	9.4
Salisbury	11.1	10.0
Sanbornton	11.1	10.0
Sandown	10.8	9.4
Sandwich	11.4	10.7
Seabrook	10.6	9.4
Sharon	10.7	9.8
Shelburne	11.5	10.4
Somersworth	11.2	9.3
South Hampton	10.6	9.4
Springfield	11.4	10.3
Stark	11.8	11.0
Stewartstown	12.0	11.2
Stoddard	11.4	10.2
Strafford	11.2	10.1
Stratford	12.0	11.2
Stratham	10.6	9.2
Success	11.6	10.4
Sullivan	11.2	10.2
Sunapee	11.4	10.3
Surry	11.2	10.2
Sutton	11.0	10.0
Swansey	11.3	10.2
Tamworth	11.5	10.4
Temple	10.7	9.8
Thornton	11.4	10.7
Tilton	11.1	10.0
Troy	11.2	10.2
Tuftonboro	11.5	10.4
Twin Mt.	11.6	10.9
Unity	11.4	10.3
Wakefield	11.5	10.4
Walpole	11.4	10.2
Warner	11.0	10.0
Warren	11.4	10.7
Washington	11.4	9.9
Waterville	11.4	10.7
Weare	11.1	9.7
Webster	11.0	10.0
Wentworth	11.4	10.7
Wentworth Loc.	12.0	11.2
Westmoreland	11.2	10.2
Whitefield	11.8	11.0
Wilmot	11.1	10.0
Wilton	10.7	9.4
Winchester	11.2	10.2
Windham	10.7	9.7
Windsor	11.2	9.9
Wolfeboro	11.5	10.7
Woodstock	11.4	10.4

[1] Sellers may add 1.5¢ per gallon on single lot deliveries of less than 25 gallons.

[2] Sellers may add .5¢ per gallon on single lot deliveries of less than 100 gallons.

[Box headings and table amended: footnotes 1 and 2 added by Am. 6, 9 F.R. 4395, effective 4–29–44]

(2) [Revoked]

[Subparagraph (2) revoked by Am. 6, 9 F.R. 4395, effective 4–29–44]

(b) *Conway, New Hampshire, Area.* In the Conway Area, comprising the following towns and cities in the State of New Hampshire: Albany, Bartlett, Chatham, Conway, Eaton, Hart's Location, Jackson, Madison and Tamworth, the maximum prices of kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
Loaded into buyer's tank wagons	9.5
Tank wagon deliveries to resellers in quantities of 25 gallons or over	11.5

[Sec. 2.27 amended by Am. 2, 9 F.R. 3076, effective 3–27–44 and as otherwise noted]

SEC. 2.28 *New Jersey*—(a) *State of New Jersey.* In the State of New Jersey, at points designated below, maximum prices shall be as follows:

(1) For kerosene, No. 1 fuel oil, range or stove oil:

[All prices in cents per gallon]

	Wholesale f. o. b. prices			Delivered prices		
	F. o. b. terminals in bulk lots loaded into barges	F. o. b. refineries, seaboard tanker terminals and pipeline terminals in bulk lots loaded into tank cars and motor transports in single lots of 3,000 gallons or over	Loaded into buyer's tank wagon in single lots of less than 3,000 gallons	For tank wagon delivery to resellers in any quantity	For tank wagon delivery to consumers in quantities of 25 gallons or over	For tank wagon delivery to consumers in quantities of less than 25 gallons and truck deliveries in containers in quantities of less than 25 gallons
For delivery within:				For delivery within:		
Union County	7.0	7.1	7.6	Union County	10.0	10.5	12.0
Middlesex County	7.0	7.1	7.6	Middlesex County	10.0	10.5	12.0
Excepting town of Dunellen			7.7	Essex County	10.0	10.5	12.0
Essex County	7.0	7.1	7.8	Excepting:			
Excepting storage facilities situated on Doremus Avenue, city of Newark	7.0	7.1	7.6	Towns of Caldwell, Essex Falls, West Caldwell, North Caldwell, Roseland and Caldwell Township	10.5	11.0	12.5
Excepting storage facilities situated on Doremus Avenue, city of Newark	7.0	7.1	7.8				
Hudson County	7.0	7.1	7.9	Hudson County	10.0	10.5	12.0
Bergen County				Bergen County	10.0	10.5	12.0
Excepting:				Passaic County	10.0	10.5	12.0
Borough of Edgewater	7.0	7.1	7.6				
Borough of North Arlington and township of Lyndhurst			7.8				
Passaic County			7.9				

(2) For Nos. 2, 3 and 4 distillate fuel oil:

[All prices in cents per gallon]

	Wholesale f. o. b. prices			Delivered prices	
	F. o. b. terminals in bulk lots loaded into barges	F. o. b. refineries, seaboard tanker terminals, and pipe-line terminals, in bulk lots loaded into tank cars and motor transports, in single lots of 3,000 gallons or over	Loaded into buyer's tank wagon in single lots of less than 3,000 gallons	For tank wagon deliveries in quantities of 100 gallons or over	For tank wagon deliveries in quantities of less than 100 gallons
For delivery within:				For delivery within:	
Union County	6.6	6.7	7.0	Entire State of New Jersey	9.0	9.5
Middlesex County	6.6	6.7	7.0			
Excepting town of Dunellen			7.4			
Essex County	6.6	6.7	7.1			
Excepting storage facilities situated on Doremus Avenue, city of Newark	6.6	6.7	7.0			
Excepting storage facilities situated on Frelinghuysen Avenue or Wheeler Point Road, city of Newark			7.2			
Hudson County	6.6	6.7	7.2			
Bergen County	6.6	6.7	7.0			
Excepting city of Bayonne	6.6	6.7	7.2			
Excepting:						
Borough of Edgewater	6.6	6.7	7.0			
City of Garfield and Borough of Wallington			7.3			
Boroughs of East Paterson, Paramus, and Ramsey; township of Wyckoff and town of Mahwah			7.5			
Passaic County			7.3			
Excepting city of Paterson and Borough of Hawthorne			7.5			

[Paragraph (a) amended by Am. 6, 9 F.R. 4395, effective 4–29–44]

(b) *Philadelphia, Pennsylvania area.* In the Metropolitan Philadelphia Area, comprising that section of the State of New Jersey which is within a radius of seventeen and one-half (17½) miles of the City Hall Building in the City of Philadelphia, Pennsylvania, maximum tank wagon prices of grades Nos. 5 and 6 fuel oil shall be as follows:

Grades:	Cents per gallon
Grade No. 5, excluding residual fuel oils and blends thereof with distillate fuel oils	5.76
Grade No. 6 and residual fuel oils and blends thereof with distillate fuel oils in accordance with the following gravity scale:	
API gravity range:	
12.9° and below	4.76
13.0–15.9°	5.05
16.0–19.9°	5.33
20.0–24.9°	5.62
25.0° and above	5.76

[Table amended by Am. 1, 9 F.R. 2405, effective 2–28–44]

SEC. 2.29 *New Mexico*—(a) *Roswell.* The maximum tank wagon price for kerosene shall be 7¢ per gallon.

SEC. 2.30 *New York*—(a) *Metropolitan New York City area.* In the New York City, New York, Metropolitan area, comprising the City of New York and the Counties of Westchester, Nassau and Suffolk, maximum prices shall be as follows:

(1) *For kerosene, No. 1 fuel oil, range or stove oil.*

[All prices in cents per gallon]

WHOLESALE F. O. B. PRICES

	F. o. b. terminals in bulk lots loaded into barge	F. o. b. terminals in bulk lots loaded into tank car	Loaded into buyer's tank wagon in any quantity
For delivery within:			
New York City	7.0	7.2	7.5
excepting:			
Borough of Richmond	7.0	7.1	7.5
Westchester County			7.6
excepting:			7.7
Towns of Peekskill and Verplanck			8.3
Towns of Chappaqua and Katonah			7.7
Nassau County			
excepting:			7.9
Towns of Garden City and New Hyde Park			
Towns of Merrick, Massapequa and West Hempstead			8.1
			7.8
Suffolk County			
excepting:			7.9
Towns of Northport and Port Jefferson			
Towns of Amityville, Babylon, Bay Shore, Lindenhurst and Patchogue			8.0
Towns of Greenport, Montauk, Riverhead, and Sag Harbor			8.1

[All prices in cents per gallon]

DELIVERED PRICES

	For tank wagon deliveries to resellers in any quantity	For tank wagon [2] deliveries to consumers in quantities of 25 gallons or over	For tank wagon deliveries to consumers in quantities of less than 25 gallons and truck deliveries in containers in quantities of less than 25 [3] gallons
For delivery within:			
New York City	9.8	10.3	12.8
Westchester County	9.8	10.3	12.0
excepting:			
Townships of North Salem, Lewisboro, Somers, Yorktown, Bedford and Pound Ridge	10.3	10.8	12.5
Nassau County	10.0	10.5	12.0
Suffolk County [1]	10.6	10.6	12.0
excepting:			
Townships of Riverhead, Southampton, Southold, and East Hampton	10.7	10.7	12.0
Township of Shelter Island	11.2	11.2	12.5

[1] Suffolk County, insofar as the delivered prices herein are concerned, excludes Fishers, Gardiners, Gull, Plum and Robbins islands. Maximum prices for these excluded islands continue to be determined under other provisions of Maximum Price Regulation No. 88.

[2] For deliveries within New York City, the maximum price in this column applies also to truck deliveries in containers in quantities of 50 gallons or over excepting returnable steel barrel deliveries where the individual steel barrel used has a capacity of 50 gallons or more.

[3] For deliveries within New York City, the maximum price in this column applies to truck deliveries in containers in quantities of less than 50 gallons.

[Table amended and footnotes 2 and 3 added by Am. 2, 9 F.R. 3076, effective 3-27-44. Footnote 2 amended by Am. 11, effective 7-1-44]

(2) *For Nos. 2, 3, and 4 distillate fuel oil—Wholesale f. o. b. prices.*

[All prices in cents per gallon]

	F. o. b. terminals in bulk lots loaded into barge	F. o. b. terminals in bulk lots loaded into tank cars	Loaded into buyer's tank wagon in any quantity
For delivery within:			
New York City	6.6	6.8	7.1
excepting:			
Borough of Richmond	6.6	6.7	7.1
Westchester County			7.2
excepting:			7.3
Town of Mamaroneck			7.8
Towns of Chappaqua and Katonah			7.3
Nassau County			
excepting:			7.5
Towns of Garden City and New Hyde Park			
Towns of Massapequa, Merrick and West Hempstead			7.7
			7.4
Suffolk County			
excepting:			7.5
Towns of Amityville, Babylon, Bay Shore, Lindenhurst, Northport, Patchogue and Port Jefferson			
Towns of Greenport, Montauk, Riverhead and Sag Harbor			7.7

(b) *Schenectady area.* In the Schenectady area comprising the County of Schenectady, New York and the adjoining towns of Ballston Lake, Burnt Hills, Charlton, Elnora, Galway, Rexford and W. Charlton in Saratoga County, New York, the maximum prices for No. 2 fuel oil loaded into buyer's tank wagons shall be 7.2 cents per gallon.

(c) *Brewster, Patterson and Pawling.* In the towns of Brewster, Patterson, and Pawling, in the State of New York, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

	Cents per gallon
Loaded into buyers' tank wagons	8.2
Loaded into containers, in quantities of 10 gallons or less	11.3
Tank wagon deliveries to resellers in quantities of 25 gallons or over	10.3
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.8
Tank wagon deliveries to consumers in quantities of less than 25 gallons	12.3

(d) *State of New York.* Maximum tank wagon prices for Nos. 2, 3 and 4 distillate fuel oils to consumers in the State of New York shall be as designated below:

(1) For single lot deliveries of 100 gallons or more:

Within the county of:	Cents per gallon
Albany	9.0
Excepting: Township of Rensselaerville	9.3
Alleghany	10.2
Excepting: Townships of New Hudson, Belfast, Angelica, West Almond, Almond and all townships north thereof	10.5
Bronx	9.0
Broome	10.2
Cattaraugus	10.2
Excepting: Townships of Conewango, Napoli, Little Valley, Great Valley, Humphrey, Ischua, and all townships north thereof	10.4
Cayuga	9.6
Excepting: Townships of Sterling, Moravia, Locke, Summer Hill and Sempronius	9.9
Chautauqua	10.0
Excepting: Townships of Sheridan, Dunkirk, Hanover, Pomfret, Arkwright, Villenova, Cherry Creek, Ellington, Charlotte, Stockton, Portland, Chautauqua, Westfield, Ripley, Mina, Sherman, and North Harmony	10.1
Chemung	10.1
Chenango	9.7
Excepting: Townships of Coventry, Greene, Smithville, German, Pitcher, and Lincklaen	10.2
Clinton	9.4
Excepting: Townships of Ausable, Black Brook, Champlain, Clinton, Mooers, Ellenburg, Altoona, and Chasy	9.8
Columbia	9.0
Cortland	10.1
Delaware	9.7
Dutchess	9.0
Excepting: Townships of Pawling, Dover, Amenia, and Northeast	9.3
Erie	10.0
Excepting: Townships of Collins, Concord, Sardinia	10.4

Within the county of:	Cents per gallon
Essex	9.4
Excepting: Townships of Wilmington, Jay, and Chesterfield	9.8
Townships of St. Armand, North Elba, North Hudson, Keene, Newcomb, Minerva, and Schroon	10.2
Franklin	10.2
Fulton	9.3
Excepting: Townships of Stratford, Garoga, Bleeker, Mayfield, Northampton, Broadalbin and Oppenheim	9.8
Genesee	10.0
Greene	9.1
Excepting: Townships of Ashland, Durham, Halcott, Hunter, Jewett, Lexington, Prattsville, and Windham	9.4
Hamilton	10.2
Excepting: Townships of Long Lake and Inlet	10.6
Herkimer	9.4
Excepting: Townships of Ohio and Webb	10.1
Jefferson	10.0
Kings	9.0
Lewis	10.2
Livingston	10.0
Excepting: Townships of Portage, Nunda, Ossian, West Sparta, and Mount Morris	10.5
Madison	9.4
Excepting: Township of Sullivan	9.6
Townships of Casenovia, Fenner, Nelson, De Ruyter, Georgetown, Lebanon, Hamilton, Brookfield, Madison, and Eton	10.0
Monroe	9.7
Excepting: Townships of Hamlin, Clarkson, and Sweden	10.0
Montgomery	9.8
Nassau	9.1
New York	9.0
Niagara	10.1
Oneida	9.4
Excepting: Townships of Boonville, Remsen, Steuben, Western, Ava, Lee Annsville, Florence, Camden, and Vienna	9.7
Township of Forestport	10.1
Onondaga	9.6
Excepting: Townships of Lysander and Spafford	9.8
Ontario	9.6
Excepting: Townships of Farmington, Victor, W. Bloomfield, E. Bloomfield, Richmond, Bristol, Canadice, South Bristol, and Naples	9.7
Orange	9.1
Excepting: Townships of Deer Park, Greenville, Mt. Hope, Wallkill, Crawford, Wawayanda, and Minisink	9.4
Orleans	10.0
Oswego	10.0
Otsego	9.6
Excepting: Townships of Unadilla, Butternuts, Morris, Pittsfield, and Edmeston	9.7
Putnam	9.0
Queens	9.0
Rensselaer	9.0
Excepting: Township of Hoosick	9.3
Richmond	9.0
Rockland	9.0
St. Lawrence	10.1
Saratoga	9.3
Schenectady	9.1
Schoharie	9.3
Excepting: Townships of Jefferson, Gilboa, and Conesville	9.6
Schuyler	10.1
Seneca	9.6
Excepting: Townships of Lodi and Covert	9.9
Steuben	10.1
Excepting: Townships of Hornellsville, Hartsville, Greenwood, West Union, Troupsburg, Jasper, Canisteo, Howard and Freemont	10.4
Suffolk	9.2
Excepting: Township of Brookhaven	9.2
Townships of Riverhead, Southampton, Southold, and East Hampton	9.4
Township of Shelter Island	9.9
Sullivan	9.4
Tioga	10.2
Tompkins	9.9
Ulster	9.1
Excepting: Townships of Hardenbergh and Shandaken	9.5
Warren	9.8
Excepting: Townships of Queensbury, Bolton, Luzerne, and Warrensburg	9.3
Washington	9.3
Excepting: Townships of Granville, Hebron, Hartford, and Putnam	9.5
Wayne	9.6
Excepting: Townships of Ontario, Wallworth, Macedon, Palmyra, Marion and Williamson	9.7
Westchester	9.0
Wyoming	10.0
Excepting: Townships of Arcade, Eagle Pike and Genessee Falls	10.5
Yates	9.6
Excepting: Township of Starkey	10.1

(2) For single lot deliveries of less than 100 gallons the maximum price within any county or township listed in subparagraph (1) above shall be increased by .5¢ per gallon.

[Paragraph (d) added by Am. 10, 9 F.R. 5725, effective 5-31-44]

SEC. 2.31 *North Carolina.*

SEC. 2.32 *North Dakota.*

SEC. 2.33 *Ohio*—(a) *Counties of Cuyahoga, Lorain, Medina, Summit, Stark, Portage, Geauga, Lake, Ashtabula, Trumbull, Mahoning and Columbiana.* In the above counties in the State of Ohio the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One or the State of Michigan.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
41 API gravity and above w. w. kerosene	6.25
No. 1 prime white distillate (fuel oil) range or stove oil and No. 1 fuel oil	[1] 6.125
No. 2 fuel oil	[1] 6.00
No. 3 fuel oil	[1] 6.00

[1] For Stark County deduct .25.

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Product	Cents per gallon
Diesel fuel, Navy Department specification 7-0-2	6.75

(b) *Counties of Allen, Hancock, Lucas, Putnam, Wood, and Licking.* In the above counties in the State of Ohio the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to Petroleum Administration for War District One or the State of Michigan.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
41 API gravity and above w. w. kerosene	6.25
No. 1 prime white distillate (fuel oil) range or stove oil and No. 1 fuel oil	5.75
No. 2 fuel oil	5.50
No. 3 fuel oil	5.50
Diesel fuel (distillate): Navy Department specification 7-0-2	[1] 5.625

[1] Applies only f. o. b. refineries and only on sales to the United States Government or any agency thereof.

(2) *For shipment to destinations other than in Petroleum Administration for War District One or the State of Michigan*—(i) *For No. 1 prime white distillate, range or stove oil and No. 1 fuel oil.* Maximum prices of No. 1 prime white distillate, range or stove oil and No. 1 fuel oil in bulk lots f. o. b. shipping points in the above counties for shipment to ultimate destinations other than Petroleum Administration for War District One or the State of Michigan shall be as those established under subparagraph (1) above or as determined under other sections of this regulation, whichever may be higher.

(ii) *For certain diesel fuel on sales to the United States Government or any agency thereof.* The maximum price for diesel fuel, Navy Department specification 7-0-2, f. o. b. refineries in the above counties of the State of Ohio shall be 5.625¢ per gallon.

(c) *Counties of Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, Gallia, and Meigs.* In the above counties in the State of Ohio the maximum prices of the products listed below in bulk lots shall be as follows:

(1) *F. o. b. shipping points for shipment to Petroleum Administration for War District One or the State of Michigan.*

Products	Cents per gallon
Kerosene and distillate fuel oils:	
41 API gravity and above w. w. kerosene	6.125
No. 1 prime white distillate (fuel oil) range or stove oil and No. 1 fuel oil	5.625
No. 2 fuel oil	5.50
No. 3 fuel oil	5.50

(2) *F. o. b. refineries on sales to the United States Government or any agency thereof.*

Products	Cents per gallon
Diesel fuel, Navy Department specification 7-0-2	5.625

[Paragraphs (a), (b) and (c) amended by Am. 9, 9 F.R. 4779, effective 5-1-44]

SEC. 2.34 *Oklahoma*—(a) *State of Oklahoma.* Maximum prices, f. o. b. refineries in the State of Oklahoma, of the products listed below in bulk lots loaded into tank cars and motor transports shall be as follows:

Products	*Cents per gallon*
Kerosene, distillate fuel oils and gas oils:	
42-44 API grav. w. w. kerosene	4.50
41-43 API grav. w. w. kerosene	4.375
Range or stove oil	4.00
No. 1 prime white distillate (fuel oil)	3.875
No. 1 straw fuel oil	3.75
No. 2 fuel oil	3.625
No. 3 fuel oil	3.50
Gas oil zero cold test (32-36 API gravity)	3.375
Gas oil, ordinary	3.00
Diesel fuel (distillate): Navy Department specification 7-0-2	[1] 4.00

[1] Applies only on sales to United States Government or any agency thereof.

[Paragraph (a) amended by Am. 9, 9 F.R. 4779, effective 5-1-44]

SEC. 2.35 *Oregon.*

SEC. 2.36 *Pennsylvania*—(a) *Philadelphia area.* In the Philadelphia area, comprising the Counties of Philadelphia, Montgomery, Chester, Delaware and Bucks in the State of Pennsylvania maximum tank wagon prices of grades Nos. 2, 3, and 4 distillate fuel oils shall be as follows:

	Cents per gallon
For deliveries in single lots of 100 gallons or more	9.0
For deliveries in single lots of less than 100 gallons	9.5

(b) *Metropolitan Philadelphia Area.* In the Metropolitan Philadelphia area comprising that section of the State of Pennsylvania which is within a radius of seventeen and one-half (17½) miles of the City Hall Building in the City of Philadelphia, Pennsylvania, maximum tank wagon prices of grades Nos. 5 and 6 fuel oil shall be as follows:

Grades:	*Cents per gallon*
Grade No. 5, excluding residual fuel oils and blends thereof with distillate fuel oils	5.76
Grade No. 6 and residual fuel oils and blends thereof with distillate fuel oils in accordance with the following gravity scale:	
A. P. I. gravity range	
12.9 and below	4.76
13.0-15.9	5.05
16.0-19.9	5.33
20.0-24.9	5.62
25.0 and above	5.76

(c) *State of Pennsylvania.* Maximum tank wagon prices for Nos. 2, 3 and 4 distillate fuel oils to consumers in the State of Pennsylvania shall be as designated below:

(1) For single lot deliveries of 100 gallons or more:

Within the county of:	*Cents per gallon*
Adams	9.3
Allegheny	9.3
Armstrong	9.3
Beaver	9.3
Bedford	9.8
Berks	9.3
Blair	9.8
Bradford	9.8
Bucks	9.0
Butler	9.3
Cambria	9.8
Cameron	9.8
Carbon	9.8
Centre	9.8
Chester	9.0
Clarion	9.3
Clearfield	9.8
Clinton	9.8
Columbia	9.8
Crawford	9.3
Cumberland	9.3
Dauphin	9.3
Delaware	9.0
Elk	9.8
Erie	9.3
Fayette	9.8
Forest	9.3
Franklin	9.3
Fulton	9.8
Greene	9.8
Huntingdon	9.8
Indiana	9.8
Jefferson	9.8
Juniata	9.8
Lackawanna	9.8
Lancaster	9.3
Lawrence	9.3
Lebanon	9.3
Lehigh	9.3
Luzerne	9.8
Lycoming	9.8
McKean	9.8
Mercer	9.3
Mifflin	9.8
Monroe	9.8
Montgomery	9.0
Montour	9.8
Northampton	9.3
Northumberland	9.8
Perry	9.3
Philadelphia	9.0
Pike	9.8
Potter	9.8
Schuylkill	9.8
Snyder	9.8
Somerset	9.8
Sullivan	9.8
Susquehanna	9.8
Tioga	9.8
Union	9.8
Venango	9.3
Warren	9.3
Washington	9.8
Wayne	9.8
Westmoreland	9.8
Wyoming	9.8
York	9.3

(2) For single lot deliveries of less than 100 gallons the maximum price within each county listed in subparagraph (1) above shall be increased by .5¢ per gallon.

[Paragraph (c) added by Am. 10, 9 F.R. 5725, effective 5-31-44]

SEC. 2.37 *Rhode Island*—(a) *State of Rhode Island.* In the State of Rhode Island, at the points designated below, maximum prices shall be as follows:

(1) For kerosene, No. 1 fuel oil and range oil:

City or town	F. o. b. refineries and seaboard tanker terminals in bulk lots loaded into barges	F. o. b. refineries and seaboard tanker terminals in bulk lots loaded into tank cars or motor transports	F. o. b. barge terminals in bulk lots loaded into tank cars or motor transports	Loaded into buyers' tank wagons	Loaded into containers, in quantities of 10 gallons or less	Tank wagon deliveries to resellers in quantities of 25 gallons and over	Tank wagon deliveries to consumers in quantities of 25 gallons and over	Tank wagon deliveries to consumers in quantities of less than 25 gallons and truck deliveries in containers in quantities of less than 25 gallons
	Cents per gallon	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*
Barrington				7.9	10.3	10.2	10.5	12.0
Bristol				7.9	10.3	10.2	10.5	12.0
Burrillville					10.4	10.3	10.6	12.1
Central Falls City				7.8	10.2	10.1	10.3	11.8
Charleston					10.2	10.1	10.4	11.9
Coventry					10.4	10.3	10.6	12.1
Cranston City				7.8	10.2	10.1	10.3	11.8
Cumberland					10.2	10.1	10.4	11.9
East Greenwich				7.9	10.3	10.2	10.5	12.0
East Providence	6.95	7.2	7.3	7.8	10.2	10.1	10.3	11.8
Executer					10.4	10.3	10.6	12.1
Foster					10.4	10.3	10.6	12.1
Gloucester					10.4	10.3	10.6	12.1
Hopkinton					10.2	10.1	10.4	11.9
Jamestown					11.0	11.3	11.5	13.0
Johnston					10.2	10.1	10.3	11.8
Lincoln					10.2	10.1	10.3	11.8
Little Compton					10.4	10.3	10.6	12.1
Middletown					10.4	10.3	10.6	12.1
Narragansett					10.2	10.1	10.4	11.9
Newport City				8.0	10.4	10.3	10.6	12.1
North Kingston					10.4	10.3	10.6	12.1
North Providence				7.8	10.2	10.1	10.3	11.8
North Smithfield					10.2	10.1	10.4	11.9
Pawtucket City			7.3	7.8	10.2	10.1	10.3	11.8
Portsmouth					10.4	10.3	10.6	12.1
Providence City	6.95	7.2	7.3	7.8	10.2	10.1	10.3	11.8
Richmond					10.2	10.1	10.4	11.9
Scituate					10.4	10.3	10.6	12.1
Smithfield					10.2	10.1	10.3	11.8
South Kingston					10.2	10.1	10.4	11.9
Tiverton		7.2			10.4	10.3	10.6	12.1
Warren				7.9	10.3	10.2	10.5	12.0
Warwick City				7.9	10.3	10.2	10.5	12.0
Westerly					10.2	10.1	10.4	11.9
West Greenwich					10.4	10.3	10.6	12.1
West Warwick				7.9	10.3	10.2	10.5	12.0
Woonsocket				7.9	10.2	10.1	10.4	11.9

(2) For Nos. 2 and 3 Fuel Oil:

	F. o. b. refineries & seaboard tanker terminals loaded into barges	F. o. b. refineries & seaboard tanker terminals loaded into tank cars or motor transports	F. o. b. barge terminals loaded into tank cars or motor transports	Loaded into buyers' tank wagons except at jobbers' inland bulk plants	Loaded into tank wagons at jobbers' inland bulk plants	Tank wagon deliveries to consumers in quantities of 100 gallons and over	Tank wagon deliveries to consumers in quantities of less than 100 gallons
	Cents per gallon	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*
Barrington						9.0	9.5
Bristol						9.0	9.5
Burrillville						9.0	9.5
Central Falls City						9.0	9.5
Charlestown						9.1	9.6
Coventry						9.0	9.5
Cranston City					7.3	9.0	9.5
Cumberland						9.0	9.5
East Greenwich						9.0	9.5
East Providence	6.45	6.70		7.1	7.3	9.0	9.5
Exeter						9.0	9.5
Foster						9.0	9.5
Glocester						9.0	9.5
Hopkinton						9.1	9.6
Jamestown						10.0	10.5
Johnston						9.0	9.5
Lincoln						9.0	9.5
Little Compton						9.2	9.7
Middletown						9.3	9.8
Narragansett						9.0	9.5
Newport City						9.3	9.8
North Kingston						9.0	9.5
North Providence					7.3	9.0	9.5
North Smithfield						9.0	9.5
Pawtucket City			6.80	7.3	*7.3	9.0	9.5
Portsmouth						9.3	9.8
Providence City	6.45	6.70	6.80	7.1	7.3	9.0	9.5
Richmond						9.1	9.6
Scituate						9.0	9.5
Smithfield						9.0	9.5
South Kingston						9.0	9.5
Tiverton		6.70		7.1		9.2	9.7
Warren						9.0	9.5
Warwick City						9.0	9.5
Westerly						9.1	9.6
West Greenwich						9.0	9.5
West Warwick						9.0	9.5
Woonsocket					7.4	9.0	9.5

[Sec. 2.37 amended by Am. 2, 9 F.R. 3076, effective 3-27-44. *Price amended by Am. 11, effective 7-1-44]

SEC. 2.38 *South Carolina*—(a) *Pee Dee River section.* The maximum tank wagon prices for the products listed below in the following tank wagon areas shall be as follows:

[Cents per gallon]

Tank wagon areas	Kerosene	No. 1 fuel oil
Bennettsville	11.8	11.1
Conway	11.8	11.5
Darlington	12.0	11.8
Dillon	11.8	11.5
Florence	12.0	11.8
Georgetown	12.7	11.4
Hartsville	11.8	11.8
Hemingway	11.8	11.4
Kingstree	12.7	11.3
Lake City	11.8	11.8
Lake View	11.8	11.8
Lamar	12.0	12.0
Latta	11.8	11.5
Loris	11.8	11.4
Marion	11.8	11.5
Mullins	11.8	11.5
Nichols	11.8	11.8
Olanta	11.8	11.8
Sumter	11.8	11.8

SEC. 2.39 *South Dakota.*

SEC. 2.40 *Tennessee.*

SEC. 2.41 *Texas*—(a) *Texas Gulf Coast ports*—(1) *Maximum prices in bulk lots* [1] *F. O. B. refineries and tanker terminals.*

Products:	*per gallon*
Kerosene and distillate fuel oils:	
Kerosene, water white (41 A.P.I. gravity and above)	4.125
Range or stove oil [2]	3.875
No. 1 fuel oil [2]	3.875
No. 2 fuel oil	3.75
No. 3 fuel oil	3.75

Products:	*per gallon*
Diesel fuels (distillate): [4]	
Diesel Index 58 and above	4.25
Diesel Index 53-57	4.125
Diesel Index 52 and below	4.00

[1] When loaded into pipeline (see note 3), tank car, motor transport or tank wagon for shipment to ultimate destinations other than in Petroleum Administration for War District 1, seller may charge prices in this Table or his maximum prices under other sections of this Regulation, whichever may be higher.

[2] If range or stove oil or No. 1 fuel oil conform to all of a particular seller's specifications for water white kerosene of 41 API gravity and above the maximum price for such products shall be 4.125¢ per gallon for such seller.

[3] Products loaded into pipelines for ultimate delivery to War Emergency Pipelines and pipelines with District No. 1 termini shall be considered destined for District No. 1.

[4] These prices apply only to fuels sold for use in Diesel engines.

(2) *Diesel oil, ship's bunkers.* Maximum prices for residual and distillate Diesel oil, ship's bunkers (ex lighterage), shall be:

	Dollars per barrel
Residual, below 28° API gravity	1.35
Distillate, 28° API gravity and above	1.65

(c) *At inland Texas points.* Maximum prices of petroleum products listed below loaded into tank cars, motor transports, and pipe lines,[5] f. o. b. refineries,[6] located in Texas Panhandle,[7] West Texas,[8] North Texas,[9] and East Texas [10] for shipment to the destinations indicated below [11] shall be as follows:

Products	For shipment to ultimate destinations		
	Column 1 Ariz., Ark., Colo., La., N. Mex., Okla., and Texas	Column 2 PAW District 1	Column 3 Other States
	Cents per gallon	*Cents per gallon*	*Cents per gallon*
Kerosene, distillate fuel oils and gas oils:			
42-44 API gravity W. W. Kerosene	4.50	4.125	4.375
41-43 API gravity W. W. Kerosene	4.375	4.125	4.25
Range or stove oil	4.00	3.875	3.875
No. 1 Prime White Distillate (fuel oil)	3.875	3.875	3.75
No. 1 Straw Fuel Oil	3.75	3.75	3.625
No. 2 Fuel Oil	3.625	3.625	3.50
No. 3 Fuel Oil	3.50	3.50	3.375
Gas Oil, Zero Cold Test (32-36 API Gr.)	3.375	3.375	3.25
Gas Oil, Ordinary	3.00	3.00	2.875
Diesel fuels (distillate) [12]			
58 Diesel Index and above	4.25	4.25	4.125
53-57 Diesel Index	4.125	4.125	4.00
52 Diesel Index and below	4.00	4.00	3.875

[5] Products delivered into pipelines for ultimate delivery to War Emergency Pipelines and pipelines with Petroleum Administration for War District 1 termini shall be considered destined for Petroleum Administration for War District 1.

[6] Column 2 prices apply to all shipping points within the designated areas for shipments to ultimate destinations in Petroleum Administration for War District 1.

[7] The Texas Panhandle Area comprises the Counties of Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hartley, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carson, Gray, Wheeler, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Parmer, Castro, Swisher, Briscoe, Hall, Childress in the State of Texas.

[8] The West Texas Area comprises the Counties of Bailey, Lamb, Hale, Floyd, Motley, Cottle, Hardeman, Foard, Cochran, Hockley, Lubbock, Crosby, Dickens, King, Knox, Yoakum, Terry, Lynn, Garza, Kent, Stonewall, Haskell, Gaines, Dawson, Borden, Scurry, Fisher, Jones, Andrews, Martin, Howard, Mitchell, Nolan, Taylor, Loving, Winkler, Ector, Midland, Glasscock, Sterling, Coke, Runnels, Coleman, Brown, Mills, Ward, Crane, Upton, Reagan, Irion, Tom Green, Concho, McCulloch, San Saba, Pecos, Terrell, Crockett, Schleicher, Sutton, Menard, Kimble, Mason, Val Verde, Edwards in the State of Texas.

[9] The North Texas Area comprises the Counties of Wilbarger, Wichita, Clay, Montague, Cooke, Grayson, Baylor, Archer, Throckmorton, Young, Jack, Wise, Denton, Collin, Shackelford, Stephens, Palo Pinto, Parker, Tarrant, Dallas, Rockwall, Callahan, Eastland, Comanche, Erath, Hood, Somervell, Johnson, Ellis, Hamilton, Bosque, Hill, Navarro, Lampasas, Coryell, McLennan, Limestone, Freestone in the State of Texas.

[10] The East Texas Area comprises the Counties of Fannin, Lamar, Red River, Bowie, Hunt, Delta, Hopkins, Franklin, Titus, Camp, Morris, Kaufman, Van Zandt, Rains, Wood, Cass, Smith, Upshur, Marion, Gregg, Harrison, Henderson, Cherokee, Rusk, Panola, Anderson, Nacogdoches, Shelby, Houston, Angelina, Trinity, Polk, Tyler, San Augustine, Sabine, Jasper, Newton in the State of Texas.

[11] For the Texas Panhandle Area Column 1 prices also apply to ultimate destinations in the Counties of Jewell, Mitchell, Lincoln, Ellsworth, Rice, Reno, Kingman, Harper, and all counties west thereof in the State of Kansas.

[12] These prices apply only to fuels for use in Diesel engines.

SEC. 2.42 *Utah.*

SEC. 2.43 *Vermont*—(a) *State of Vermont.* The maximum tank wagon prices of Nos. 2 and 3 fuel oil to consumers in the following townships and cities in the State of Vermont shall be as follows:

(1) For single lot deliveries of 100 gallons or more:

	Cents per gallon
Adams	9.5
Addison	9.8
Albany	10.6
Alburg	9.8
Andover	10.2
Arlington	9.4
Athens	10.2
Averill	11.2
Avery's Gore (Averill District)	11.2
Avery's Gore (St. Albans District)	9.7
Bakersfield	9.7
Baltimore	10.1
Barnard	10.2
Barnet	10.2
Barre	10.2
Barre City	10.2
Barton	10.6
Basin Harbor	9.8
Belvidere	9.8
Belvidere Center	9.8
Belvidere Corners	9.8
Bennington	9.4
Benson	9.3
Berlin	10.2
Berkshire	10.2
Bethel	10.4
Binghamville	9.8
Bloomingfield	11.2
Bolton	9.5
Bradford	10.2
Braintree	10.4
Brandon	9.5
Brattleboro	10.2
Bridgewater	10.1
Bridport	10.0
Brighton	10.6
Bristol	9.8
Brookfield	10.4
Brookline	10.2
Brownington	10.6
Brunswick	11.2
Burke	10.2
Burlington City	9.2
Cabot	10.2
Calais	10.2
Cambridge	9.8
Cambridge Junction	9.8
Canaan	11.2
Castleton	9.3
Cavendish	9.7
Cedar Beach	9.5
Charleston	10.6
Charlotte	9.5
Checkerberry Village	9.5
Chelsea	10.2
Chester	9.7
Chittendon	9.5
Clarendon	9.5
Cloverdale	9.8
Colbyville	9.8
Colchester	9.5
Concord (excluding E. Concord)	10.2
Corinth	10.2
Cornwall	10.0
Coventry	10.6
Craftsbury	10.2
Danby	9.4
Danville	10.2
Derby	10.6
Dorset	9.4
Dummerston	10.2
Duxbury	9.8
East Barnard	10.4
East Charlotte	9.5
East Concord	11.0
East Dover	10.2
East Fletcher	9.8
East Georgia	9.7
East Granville	10.4
East Haven	10.2
East Monkton	9.8
East Montpelier	10.2
Eden	10.2
Elmore	10.2
Enosburg	10.2
Essex Center	9.5
Essex Junction	9.2
Fairfax	9.7
Fairfield	9.7
Fairhaven	9.3
Fairlee	10.2
Fayston	9.8
Ferdinand	10.6
Ferrisburg	9.8
Fletcher	9.8
Fort Ethan Allen	9.2
Franklin	10.2
Georgia	9.7
Glastenbury	9.4
Glover	10.6
Goshen	9.5
Grafton	10.2
Granby	10.2
Grand Isle	9.5
Grand Isle Station	9.5
Granville	10.2
Greensboro	10.2
Groton	10.2
Guilford	10.2
Guildhall	11.0
Halifax	9.7
Hancock	10.2
Hanksville	9.5
Hardwick	10.2
Hartford	10.1
Hartland	10.1
Highgate	9.7
Hinesburg	9.5
Holland	10.6
Hubbardton	9.3
Huntington	9.5
Huntington Center	9.5
Hyde Park	9.8
Ira	10.2
Irasburg	9.5
Isle La Motte	10.6
Jamaica	9.8
Jay	10.2
Jeffersonville	10.6
Jericho	9.8
Jericho Center	9.5
Johnson	9.5
Jonesville	9.5
Keelers Bay	9.5
Kirby	10.2
Ladd Bay	9.5
Landgrove	9.4
Leicester	9.5
Lemington	11.2
Lewis	11.2
Lincoln	9.8
Londonderry	9.4
Long Point	9.8
Lowell	10.6
Ludlow	9.7
Lunenburg	11.0
Lyndon	10.2
Maidstone	11.0
Malletts Bay	9.2
Manchester	9.4
Marlboro	10.2
Marshfield	10.2
Mendon	9.5
Middlebury	10.0
Middlesex	10.2
Middletown	9.3
Milton	9.7
Moakton Ridge	9.8
Montgomery	10.2
Montpelier	10.2
Morestown	10.2
Morgan	10.6
Morristown	10.2
Mount Holly	9.7
Mount Tabor	9.4
Muddy Brook	9.5
Newark	10.2
Newbury	10.2
Newfane	10.2
New Haven	9.8
New Haven Junction	9.8
New Haven Mills	9.8
Newport	10.6
Newport City	10.6
North Duxbury	9.8
North Perrisburg	9.8
Northfield	10.2
North Hero	9.5
North Underhill	9.5
North Williston	9.5
Norton	11.2
Norwich	10.1
Orange	10.2
Orwell	9.5
Panton	9.8
Pawlet	9.5
Peacham	10.2
Peru	9.4
Pittsfield	10.2
Pittsford	9.5
Plainfield	10.2
Pleasant Valley	9.8
Plymouth	9.7
Pomfret	10.1
Poultney	9.3
Pownal	9.4
Proctor	9.5
Putney	10.2
Queen City Park	9.5
Randolph	10.4
Reading	10.1
Readsboro	9.3
Richford	10.2
Richmond	9.5
Ripton	10.0
Rochester	10.2
Rockingham	10.2
Roxbury	10.4
Royalton	10.4
Rupert	9.5
Rutland	9.5
Rutland City	9.5
Ryegate	10.2
St. Albans	9.7
St. Albans City	9.7
St. George	9.5
St. Johnsbury	10.2
Salisbury	9.5
Sandgate	9.4
Searsburg	9.4
Shaftsbury	9.4
Sharon	10.4
Sheffield	10.2
Shelburne	9.2
Shelburne Falls	9.2
Sheldon	10.2
Sherburne	10.2
Shoreham	10.0
Shrewsbury	9.5
Somerset	9.4
South Burlington	9.2
South Hero	9.5
South Lincoln	9.8
South Starksboro	9.8
Springfield	10.2
Stamford	9.3
Stannard	10.2
Starksboro	9.5
Stockbridge	10.2
Stowe	10.2
Strafford	10.1
Stratton	9.4
Sudbury	9.5
Sunderland	9.4
Sutton	10.2
Swanton	9.7
Thetford	10.1
Thompsons Point	9.8
Tinmouth	9.5
Topsham	10.2
Townshend	10.2
Troy	10.6
Tunbridge	10.4
Underhill	9.5
Underhill Center	9.5
Vergennes	9.8
Vernon	10.2
Vershire	10.2
Victory	10.2
Waitsfield	10.2
Walden	10.2
Waldsboro	10.2
Wallingford	9.5
Waltham	9.8
Warner's Grant	11.2
Warren	10.2
Warren Gore	11.2
Washington	10.2
Waterbury	9.8
Waterbury Center	9.8
Waterford	10.2
Waterville	9.8
Westhersfield	10.2
Wells	9.5
Westfield	10.6
Westford	9.5
Westminster	10.2
Westmore	10.6
Weston	9.7
West Addison	9.8
West Bolton	9.5
West Dover	9.4
West Fairlee	10.2
West Ferrisburg	9.8
West Haven	9.3
West Lincoln	9.8
West Milton	9.5
West Rutland	9.5
West Salisbury	10.0
West Windsor	10.1
Weybridge	10.0
Wheelock	10.2
Whiting	9.5
Whitingham	9.3
Williamstown	10.2
Williston	9.5
Wilmington	9.4
Windham	9.4
Windsor	10.2
Winhall	10.1
Winooski	9.2
Wolcott	10.2
Woodbury	10.2
Woodford	9.4
Woodstock	10.1
Worcester	10.2

(2) For single lot deliveries of less than 100 gallons, the maximum price at each point stated in subparagraph (1) above shall be increased by .5 of a cent per gallon.

SEC. 2.44 *Virginia.*

(a) *Counties of Arlington and Fairfax.* Maximum tank wagon prices for Nos. 2, 3 and 4 distillate fuel oils to consumers in the above counties of the State of Virginia shall be as follows:

	Cents per gallon
Tank wagon deliveries in quantities of 100 gallons or over	9.4
Tank wagon deliveries in quantities of less than 100 gallons	9.9

[Paragraph (a) added by Am. 10, 9 F.R. 5725, effective 5-31-44]

SEC. 2.45 *Washington.*

SEC. 2.46 *West Virginia.*

SEC. 2.47 *Wisconsin.*

SEC. 2.48 *Wyoming* — (a) *Cheyenne tank wagon area.* The maximum tank wagon price for kerosene shall be 9¢ per gallon.

SEC. 2.49. *Hawaii.*

SEC. 2.50 *Puerto Rico.*

Sec. 2.51 [Revoked]

[Sec. 2.51 revoked by Am. 8, 9 F.R. 4686, effective 5-8-44]

SEC. 2.51 *District of Columbia*—(a) *Washington, D. C., tank wagon area.* Maximum tank wagon prices shall be as follows:

(1) For kerosene, No. 1 fuel oil and range oil:

	Cents per gallon
Loaded into buyers' tank wagons	8.3
Tank wagon deliveries to resellers	10.8
Tank wagon deliveries to consumers in quantities of 25 gallons or over	10.8
Tank wagon deliveries to consumers in quantities of less than 25 gallons	12.3

(2) For Nos. 2, 3 and 4 distillate fuel oils:

	Cents per gallon
Tank wagon deliveries to consumers in quantities of 100 gallons or over	9.4
Tank wagon deliveries to consumers in quantities of less than 100 gallons	9.9

ARTICLE III—MAXIMUM PRICES FOR HEAVY FUEL OIL FOR AREAS NOT LIMITED TO A SINGLE STATE OR TERRITORY

Special section 1—Permissible Increases for certain marketers—(a) *On certain f. o. b. refinery shipments.* When made by an eligible marketer, as defined in section 1.14 (j), the maximum price, on an f. o. b. refinery shipment from any point covered by Table I or Table II of section 3.1 to an ultimate destination other than in Petroleum Administration for War District I, shall be the maximum f. o. b. refinery price established for the particular shipping point in such table plus 5.25 cents per barrel; or

(b) *On sales to governmental agencies pursuant to public bidding.* If bids are taken by a governmental agency on an f. o. b. shipping point price basis, then, on such a bid, if the bidder is an eligible marketer, as defined in section 1.14 (j), he may bid and charge, for an f. o. b. refinery shipment from any point covered by Table I or Table II of section 3.1, the maximum f. o. b. refinery price established for the particular shipping point in such table plus 10.5 cents per barrel, *Provided*, That the laid-down cost to such governmental agency does not exceed the sum of the maximum f. o. b. price of each person participating in the particular bidding as determined or established under any other section of this regulation for the shipping point from which each bidder proposes to make shipment plus the actual cost of transportation that would be incurred from such point to destination by such person.

[Paragraphs (a) and (b) amended by Am. 8, 9 F.R. 4686, effective 5-8-44]

Special section 2—Permissible brokerage charges to buyers. The terms "broker," "eligible broker" and "brokerage commission" are defined in section 1.14 (k) of this regulation. Except as herein provided, a buyer may not be charged brokerage commission which will increase the buyer's cost on an f. o. b. refinery shipment from any point covered by Table I or Table II of section 3.1 to more than the maximum f. o. b. refinery price established for the particular shipping point in such table. When, however, an f. o. b. refinery shipment from any point covered by such table has been found or negotiated by an eligible broker or eligible brokers a buyer may be charged brokerage commission, which, added to the f. o. b. refinery price established for the particular shipping point under such table, will not increase the buyer's f. o. b. refinery cost to more than 5.25 cents per barrel above the said maximum price.

[Above paragraph amended by Am. 8, 9 F.R. 4686, effective 5-8-44]

SEC. 3.1 *Maximum prices of residual fuel oils and blends thereof with distillate fuel oils, of certain A. P. I. gravities indicated below and otherwise meeting current commercial standard specifications for fuel oils, except all diesel fuel oils*—(a) *On tank wagon sales.* Maximum tank wagon prices in any area where fuel oil rationing applies shall be .3 of a cent per gallon above the maximum prices as determined under this section 3.1.

(b) *Price tables to determine maximum prices f. o. b. refineries and tanker terminals in bulk lots.* (*Price areas for each table are defined below such table.*)

(EXCLUSIVE OF TAXES)

TABLE 1—MAXIMUM PRICES IN BULK LOTS, F. O. B. REFINERIES, SEABOARD TANKER TERMINALS, AND RIVER TANKER TERMINALS AT ALBANY, N. Y., AND ON THE MISSISSIPPI RIVER UP TO AND INCLUDING BATON ROUGE, LOUISIANA

[Dollars per 42-gallon barrel]

A. P. I. gravity range	Price Area A	Price Area B	Price Area C	Price Area D	Price Area E	Price Area F	Price Area G	Price Area H	Price Area I	Price Area J	Price Area K	Price Area L
9.9 and below ° A. P. I.	0.85	0.80	0.74	0.85	1.00	1.43	1.47	1.68	1.68	1.89	2.10	1.85
10.0-12.9 ° A. P. I.	0.90	0.85	0.85	0.85	1.00	1.43	1.47	1.68	1.68	1.89	2.10	1.85
13.0-15.9 ° A. P. I.	1.02	0.97	0.97	0.97	1.14	1.51	1.56	1.74	1.77	1.95	2.16	1.97
16.0-19.9 ° A. P. I.	1.14	1.09	1.09	1.09	1.28	1.59	1.65	1.80	1.86	2.01	2.22	2.09
20.0-24.9 ° A. P. I.	1.26	1.21	1.21	1.21	1.42	1.67	1.74	1.86	1.95	2.07	2.28	2.21
25.0 and above ° A. P. I.	1.32	1.27	1.27	1.27	1.50	1.71	1.79	1.89	2.00	2.10	2.31	2.27

A. P. I. gravity range	Price Area M	Price Area N	Price Area O	Price Area P	Price Area Q	Price Area R	Price Area S	Price Area T	Price Area U	Price Area V
9.9 and below ° A. P. I.	1.65	1.60	1.50	1.15	1.10	0.95	0.75	0.80	0.80	1.26
10.0-12.9 ° A. P. I.	1.65	1.60	1.50	1.15	1.10	0.95	0.80	0.85	0.85	1.26
13.0-15.9 ° A. P. I.	1.77	1.72	1.62	1.27	1.22	1.15	0.92	0.99	0.56	1.36
16.0-19.9 ° A. P. I.	1.89	1.84	1.74	1.39	1.34	1.35	1.04	1.13	1.07	1.46
20.0-24.9 ° A. P. I.	2.01	1.96	1.86	1.51	1.46	1.55	1.04	1.27	1.18	1.56
25.0 and above ° A. P. I.	2.07	2.02	1.92	1.57	1.52	1.65	1.04	1.34	1.24	1.61

NOTE: On sales f. o. b. refineries and terminals within the schedule "D" area of Zone 6, as defined in section 1.14 (n), for shipment to ultimate destinations in Petroleum Administration for War District 1 outside of such Schedule "D" area the maximum price shall be the prices designated above less 30 cents per barrel.

A comprises Kansas, excluding however, the area within a radius of 25 miles of Kansas City, Missouri.
B comprises Oklahoma, Arkansas, Louisiana (excluding, however, Gulf Coast ports and Mississippi River ports up to and including Baton Rouge), Texas (excluding, however, Gulf Coast ports and Panhandle which is defined hereby as the portion of Texas north of the southern boundaries of Parmer, Castro, Swisher, Briscoe, Hall and Childress).
C comprises New Mexico and Texas Panhandle (which is defined hereby as the portion of Texas north of the southern boundaries of Parmer, Castro, Swisher, Briscoe, Hall and Childress).
D comprises Texas Gulf Coast ports and Louisiana Gulf Coast ports and Mississippi River ports up to and including Baton Rouge.
E comprises the area within a radius of 25 miles of Kansas City, Missouri.
F comprises that part of Missouri within a radius of twenty-five miles of St. Louis, Missouri, and the following counties of Illinois: St. Clair, Madison, Montgomery, Bond, Clinton, Washington, Jefferson, Marion, Fayette, Shelby, Effingham, Clay, Wayne, Hamilton, Christian, White, Edwards, Wabash, Richland, Lawrence, Crawford, and Jasper.
G comprises the following counties of Kentucky: Union, Henderson, Daviess, Hancock, Breckinridge, Meade, Hardin, Bullitt, Jefferson and Oldham, and the following counties of Indiana: Posey, Vanderburgh, Warrick, Spencer, Perry, Crawford, Harrison, Floyd and Clark.
H comprises the following counties of Illinois: Lake, Cook, Du Page and Will; the following counties of Indiana: Lake, Porter and La Porte, and the State of Michigan (excluding, however, the counties of Wayne and Monroe).
I comprises the area within a radius of 25 miles of Indianapolis, Indiana; the following counties of Ohio: Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, Gallia, Meigs and the following counties of Kentucky: Boone, Kenton, Campbell, Pendleton, Bracken, Mason, Lewis, Greenup and Boyd.
J comprises the following counties of Michigan: Wayne and Monroe; and the following counties of Ohio: Lucas, Wood, Hancock, Putnam and Allen.
K comprises the following counties of Ohio: Lorain, Medina, Cuyahoga, Summit, Stark, Portage, Geauga, Lake, Ashtabula, Trumbull, Mahoning, Columbiana, and the following counties of New York: Chautauqua, Erie, Niagara, Cattaraugus, Allegany, Wyoming, Genesee, Orleans; and the following counties of Pennsylvania: Potter, Cameron, Clearfield, Cambria, Somerset and all other Pennsylvania counties west thereof; and West Virginia.
L comprises Albany, New York.
M comprises Portland, Maine; Portsmouth, New Hampshire; Boston and Fall River, Massachusetts; Tiverton and Providence, Rhode Island; New Haven, Connecticut; New York Harbor; Philadelphia Harbor; Baltimore, Maryland; and Norfolk, Virginia.
N comprises Wilmington, North Carolina; Charleston, South Carolina; Savannah, Georgia; Jacksonville and Miami, Florida.
O comprises Tampa, Florida.
P comprises Pensacola, Florida.
Q comprises Mobile, Alabama.
R comprises the area within a radius of twenty-five miles of Denver, Colorado.
S comprises Wyoming.
T comprises the Montana counties of Blaine, Fergus, Golden Valley, Stillwater and Carbon and counties of Montana east thereof.
U comprises the Montana counties of Hill, Chouteau, Judith Basin, Wheatland, Sweet Grass, Park and counties of Montana west thereof.
V comprises Utah.

TABLE II—MAXIMUM PRICES IN BULK LOTS, F. O. B. REFINERIES IN DISTRICTS 1, 2, 3 AND 4 AS DEFINED BY THE PETROLEUM ADMINISTRATOR FOR WAR AND NOT COVERED BY TABLE I

[Dollars per 42-gallon barrel]

A.P.I. gravity range	Price Area AA	Price Area BB	Price Area CC	Price Area DD	Price Area EE	Price Area FF	Price Area GG	Price Area HH	Price Area II
9.9 and below °A. P. I.	BP[1]	BP	BP	BP	BP	BP	BP	BP	BP
10.0–12.9° A. P. I.	BP	BP+0.05	BP	BP	BP	BP+0.05	BP+0.05	BP+0.10	BP+0.14
13.0–15.9° A. P. I.	BP+0.12	BP+0.17	BP+0.05	BP+0.09	BP+0.20	BP+0.19	BP+0.16	BP+0.30	BP+0.38
16.0–19.9° A. P. I.	BP+0.24	BP+0.29	BP+0.12	BP+0.18	BP+0.40	BP+0.38	BP+0.37	BP+0.50	BP+0.62
20.0–24.9° A. P. I.	BP+0.36	BP+0.41	BP+0.18	BP+0.27	BP+0.60	BP+0.47	BP+0.38	BP+0.39	BP+0.43
25.0 and above ° A. P. I.	BP+0.42	BP+0.47	BP+0.21	BP+0.33	BP+0.70	BP+0.84	BP+0.44	BP+0.35	BP+0.50

[1] BP=Base price which is to be determined as follows: If a refiner has an established maximum price under other provisions of this price schedule for fuel oil meeting No. 6 Commercial Standard specifications then the base price shall be the refiner's or terminal operator's maximum price thereunder for such No. 6 fuel oil to the class of purchasers who are the principal users of such fuel oil in that price area in which the particular refiner is located.
Base Prices established hereunder must be reported by each refiner to the Petroleum Branch of the Office of Price Administration in Washington, D. C. within 15 days after the initial sales of any grade of fuel oil the maximum price for which is established by this subdivision.
If a seller cannot establish a base price hereunder then he shall file a tentative price with the Petroleum Branch of the Office of Price Administration in accordance with section 8.3.
AA comprises Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York (excluding, however, counties of Chautauqua, Erie, Niagara, Cattaraugus, Allegany, Wyoming, Genesee and Orleans), Pennsylvania (excluding, however, counties of Potter, Cameron, Clearfield, Cambria, Somerset and all other Pennsylvania counties west thereof), New Jersey, Maryland, District of Columbia, Delaware, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Gulf Coast ports, Louisiana Gulf Coast ports, Louisiana Mississippi River ports up to and including Baton Rouge, and Texas Gulf ports.
BB comprises Mississippi (excluding, however, Gulf Coast ports), Louisiana (excluding, however, Gulf Coast ports and Mississippi River ports up to and including Baton Rouge), Texas, (excluding, however, Gulf Coast ports), Tennessee, Arkansas, New Mexico, Oklahoma, Kansas (excluding, however, the area within a radius of 25 miles of Kansas City, Missouri), Missouri (excluding, however, the areas within a radius of 25 miles of Kansas City, Missouri and St. Louis, Missouri), Iowa, Minnesota, Wisconsin, North Dakota, South Dakota, Nebraska, and Wyoming, except that for Wyoming opposite gravities 20.0° to 24.9° and 25.0° and above A. P. I. add only 25¢.
CC comprises the following counties of Illinois: Lake, Cook, DuPage and Will; the following counties of Indiana: Lake, Porter, LaPorte; Ohio (excluding, however, the following counties of Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, Gallia, Meigs); the following counties of New York: Chautauqua, Erie, Niagara, Cattaraugus, Allegany, Wyoming, Genesee, Orleans; the following counties of Pennsylvania: Potter, Cameron, Clearfield, Cambria, Somerset, and all other counties of Pennsylvania west thereof; West Virginia; and Michigan.
DD comprises that part of Missouri within a radius of 25 miles of St. Louis, Missouri; Illinois (excluding, however, the counties of Lake, Cook, DuPage and Will); Indiana (excluding, however, the counties of Lake, Porter, and LaPorte); the following counties of Ohio: Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, Gallia, and Meigs; Kentucky.
EE comprises Colorado.
FF comprises Eastern Montana which is defined hereby as the portion of Montana east of the western boundaries of the counties of Blaine, Fergus, Golden Valley, Stillwater and Carbon.
GG comprises Western Montana which is defined hereby as the portion of Montana west of the eastern boundaries of the counties of Hill, Chouteau, Judith Basin, Wheatland, Sweetgrass and Park; Idaho.
HH comprises Utah.
II comprises the area within a 25 mile radius of Kansas City, Missouri.

(c) *Maximum delivered prices, in bulk lots, of those refiners and tanker terminal operators whose f. o. b. maximum prices are established by Tables I and II.* If a refiner or terminal operator has an established maximum price or prices under other provisions of this regulation at a particular delivery point for fuel oil meeting No. 6 commercial standard specifications, then his maximum price or prices at that point for fuel oil of 9.9° A. P. I. gravity and below shall be his maximum prices thereunder for such No. 6 fuel oil at such delivery point.

If a refiner or terminal operator has no established maximum price or prices at a particular delivery point under other provisions of this regulation for any grade of fuel oil meeting No. 6 commercial standard specifications, then he shall file a tentative maximum price at such point for fuel oil of 9.9° A. P. I. gravity and below in accordance with section 8.3.

For gravities higher than 9.9° A. P. I. gravity, such refiner's or terminal operator's maximum price or prices at a particular delivery point shall be the sum of his maximum price for fuel oil of 9.9° A. P. I. gravity and below and the dollars and cents differential between the price for fuel oil of 9.9° A. P. I. gravity and below and such higher gravity fuel oil established under Table II for refineries of ocean terminals located in the price area where the delivery is made.

(d) *Maximum f. o. b. shipping point and delibery point prices for all sellers other than those refiners and tanker terminal operators covered by paragraphs* (b) *and* (c) *above.* If a seller other than a refiner or ocean terminal operator has an established maximum price or prices under other provisions of this regulation at a particular shipping or delivery point for fuel oil meeting No. 6 commercial standard specifications, then his maximum price or prices at that point for fuel oil of 9.9° A. P. I. gravity and below shall be his maximum price or prices thereunder for such No. 6 fuel oil at such point: *Provided*, That in Price Area FF a seller's maximum price at a particular point for 9.9° A. P. I. gravity shall be the sum of his maximum price or prices for No. 6 fuel oil at such point and 5 cents per barrel.

If a seller has no established maximum price or prices at a particular shipping or delivery point under other provisions of this regulation for any grade of fuel oil meeting No. 6 commercial standard specifications, then he shall file a tentative maximum price or prices at such point for fuel oil of 9.9° A. P. I. gravity and below in accordance with section 8.3.

For gravities higher than 9.9° A. P. I. gravity, a seller's maximum price or prices at a particular shipping or delivery point shall be the sum of his maximum price for fuel oil of 9.9° A. P. I. gravity and below and the dollars and cents differential between the price for fuel oil of 9.9° A. P. I. gravity and below and such higher gravity fuel oil established under Table II for refineries or ocean terminals located in the price area where the delivery is made.

(e) If a refiner, ocean terminal operator, or other seller had an established maximum price or prices under other provisions of this regulation at a particular shipping or delivery point for residual fuel oil or blends thereof with distillate fuel oils which either meets No. 5 fuel oil commercial standard specifications, or has a lower viscosity than No. 5 commercial standard specifications, his maximum price for such fuel oil at such point shall be either the price or prices which he is permitted to charge under (a), (b), (c) and (d) of this section 3.1 or the price or prices established under other provisions of this regulation, whichever is higher: *Provided*, That the maximum prices for Navy Grade Special shall be as follows: In Price Area D the seller's maximum price shall be either the price for the same gravity fuel oil in Table I or $1.05, whichever is higher. In other price areas his maximum price shall be either the applicable price for the same gravity fuel oil in the table or his maximum price established under other provisions of this regulation, whichever is higher.

ARTICLE IV—SPECIFIC MAXIMUM PRICES FOR GASOLINE FOR AREAS WITHIN SINGLE STATES OR TERRITORIES OR THE DISTRICT OF COLUMBIA

(Prices stated in Article IV are exclusive of taxes)

Special section 1—Permissible increases for certain marketers—(a) *On certain f. o. b. refinery shipments.* On f. o. b. refinery shipments to ultimate destinations other than in Petroleum Administration for War District I, when made by an eligible marketer, as defined in section 1.14 (j) of this regulation, the sum of ½ of a cent per gallon may be added to a maximum f. o. b. refinery price established for the particular shipping point under any other section of this Article IV; *or*

(b) *On sales to governmental agencies pursuant to public bidding.* If bids are taken by a governmental agency on an f. o. b. shipping point price basis then, on such a bid, if the bidder is an eligible marketer, as defined in section 1.14 (j), the sum of ½ of a cent per gallon may be added to a maximum f. o. b. refinery price established for the particular shipping point under any other section of this Article IV: *Provided*, That the laid-down cost to such governmental agency does not exceed the sum of the maximum f. o. b. price of each person participating in the particular bidding as determined or established under any other section of this regulation for the shipping point from which each bidder proposes to make shipment plus the actual cost of transportation that would be incurred from such point to destination by such person.

Special section 2—Permissible brokerage charges to buyers. The terms "broker," "eligible broker" and "brokerage commission" are defined in section 1.14 (k) of this regulation. Except as herein provided, a buyer may not be charged brokerage commission which will increase the buyer's cost on an f. o. b. refinery shipment to more than the applicable f. o. b. refinery price established below in this Article IV. On f. o. b. refinery shipments found or negotiated by an eligible broker or eligible brokers a buyer may, however, be charged such brokerage commission which added to the applicable maximum f. o. b. refinery price established below in Article IV, will not increase the buyer's cost f. o. b. the particular refinery to more than ⅛ of a cent per gallon above the said maximum f. o. b. refinery price.

SEC. 4.1 *Alabama.*

SEC. 4.2 *Arizona.*

SEC. 4.3 *Arkansas*—(a) *El Dorado area.* In the El Dorado area, comprising the counties of Miller, Hempstead, Lafayette, Nevada, Columbia, Ouachita, Calhoun and Union, maximum prices of gasoline according to the specifications listed below, f. o. b. refineries[1] and loaded into tank cars, motor transports and pipe lines[2] for shipment to the destinations indicated below[3] shall be as follows:

Specifications	For shipment to ultimate destinations		
	Column 1 Ariz., Ark., Colo., La., N. Mex., Okla., and Texas	Column 2 PAW District 1	Column 3 Other States
Gasoline:	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*
80-82 Oct. ASTM and Ethyl Grade	7.00	6.75	6.625
80 Oct. 1939 Research	6.25	6.00	6.125
72-74 Oct. ASTM	6.00	5.75	5.875
63-66 Oct. ASTM	5.625	5.25	5.50
60-62 Oct. ASTM and below	5.25	5.00	5.125

[1] Column 2 prices apply to all shipping points within the designated area for shipments to ultimate destinations in Petroleum Administration for War District 1.
[2] Products delivered into pipe lines for ultimate delivery to War Emergency Pipe Lines and pipe lines with Petroleum Administration for War District 1 termini shall be considered destined for Petroleum Administration for War District 1.
[3] Column 1 prices also apply to ultimate destinations in the States of Alabama, Mississippi, Tennessee, and the Counties of Cape Girardeau, Dunklin, Wayne, Pemiscot, Scott, New Madrid, Butler, Bullinger, Stoddard and Mississippi in the State of Missouri.

(b) *Fort Smith tank wagon area.* Maximum tank wagon prices of gasoline shall be:

	Cents per gallon
Regular grade to dealers	9.00
Regular grade to consumers	9.00
Third grade to dealers	6.25
Third grade to consumers	6.25

(c) *Little Rock tank wagon area.* Maximum tank wagon prices of gasoline shall be:

	Cents per gallon
Regular grade to dealers	9.5
Regular grade to consumers	9.5
Third grade to dealers	7.00
Third grade to consumers	7.00

(d) *Texarkana tank wagon area.* Maximum tank wagon prices of gasoline shall be:

	Cents per gallon
Regular grade to dealers	9.00
Regular grade to consumers	9.00
Third grade to dealers	7.5
Third grade to consumers	7.5

SEC. 4.4 *California.*

SEC. 4.5 *Colorado.*

(a) *San Luis Valley; tank wagon prices.* Maximum tank wagon prices of gasoline to dealers and consumers shall be as follows:

Tank wagon area	Grade		
	Premium	Regular	Third grade
	Cents per gallon	*Cents per gallon*	*Cents per gallon*
Alamosa	12.5	11.0	9.5
Antonito	12.5	11.0	9.5
Blanca	12.5	11.0	9.5
Center	12.5	11.0	9.5
Creede (except Lake City)	13.0	11.5	10.0
Del Norte	13.0	11.5	10.0
Farcos	12.5	11.0	9.5
Monte Vista	12.5	11.0	9.5

[Paragraph (a) added by Am. 4, 9 F.R. 3849, effective 6-14-44. Table amended by Am. 11, effective 7-1-44]

SEC. 4.6 *Connecticut.*

SEC. 4.7 *Delaware.*

SEC. 4.8 *Florida.*

SEC. 4.9 *Georgia.*

SEC. 4.10 *Idaho.*

SEC. 4.11 *Illinois*—(a) *Quincy tank wagon area.* Maximum tank wagon prices of gasoline shall be:

	Cents per gallon
Regular grade to dealers	9.4
Regular grade to consumers	10.9
Premium grade to dealers	10.9

(b) *Central Illinois area.* In the counties of St. Clair, Madison, Montgomery, Bond, Clinton, Washington, Jefferson, Marion, Fayette, Shelby, Effingham, Clay, Wayne, Hamilton, Christian, White, Edwards, Wabash, Richland, Lawrence, Crawford, and Jasper in the State of Illinois, the maximum prices of gasoline according to the specifications listed below, in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

Specifications:	*Cents*
Gasoline:	*per gallon*
80–82 Oct. ASTM and Ethyl grade	8.00
72–74 Oct. ASTM	7.25
63–66 Oct. ASTM	6.875
60–62 Oct. ASTM and below	6.50

(c) *Counties of Lake, Cook, DuPage and Will in the State of Illinois.* In the following counties of the State of Illinois: Lake, Cook, DuPage and Will, the maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

Specifications:	*Cents*
Gasoline:	*per gallon*
80–82 Oct. ASTM and Ethyl grade	8.25
72–74 Oct. ASTM	7.50
63–66 Oct. ASTM	7.125
60–62 Oct. ASTM and below	6.75

SEC. 4.12 *Indiana*—(a) *Counties of Lake, Porter, and La Porte in the State of Indiana.* In the following counties in the State of Indiana: Lake, Porter and LaPorte, the maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

Specifications: Gasoline:	Cents per gallon
80–82 Oct. ASTM and Ethyl grade	8. 25
72–74 Oct. ASTM	7. 50
68–66 Oct. ASTM	7. 125
60–62 Oct. ASTM and below	6. 75

(b) *Counties of Posey, Vanderburgh, Warrick, Spencer, Perry, Crawford, Harrison, Floyd, and Clark*—(1) *For shipment to ultimate destinations in Petroleum Administration for War District One.* Maximum prices of gasoline, according to the specifications listed below, in bulk lots f. o. b. shipping points in the above counties for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

Specifications: Gasoline:	Cents per gallon
80–82 Oct. ASTM and Ethyl grade	8. 375
72–74 Oct. ASTM	7. 375

(2) *For shipments to ultimate destinations other than Petroleum Administration for War District One.* Maximum prices of gasoline, according to the specifications listed below, loaded into barges f. o. b. refineries in the above counties for shipment to destinations other than Petroleum Administration for War District One shall be as follows:

Specifications: Gasoline:	Cents per gallon
80–82 Oct. ASTM and Ethyl grade	8. 25
72–74 Oct. ASTM	7. 25

[Paragraph (b) amended by Am. 4, 9 F.R. 3849, effective 4–14–44]

(c) *Indianapolis area.* In the Indianapolis area comprised of that part of the State of Indiana which is within a radius of 25 miles of the center of Indianapolis, Indiana, maximum prices for gasoline according to the specifications listed below in bulk lots f. o. b. shipping points in such area for shipment to ultimate destinations in Petroleum Administration for War District One or the State of Michigan shall be as follows:

Specifications: Gasoline:	Cents per gallon
80–82 Oct. ASTM and Ethyl grade	8. 625
72–74 Oct. ASTM	7. 625

SEC. 4.13 *Iowa*—(a) *Des Moines tank wagon area.* Maximum tank wagon prices of gasoline shall be:

	Cents per gallon
Premium grade to dealers	11. 4
Premium grade to consumers	13. 4
Regular grade to dealers	9. 9
Regular grade to consumers	11. 4
Third grade to dealers	9. 4
Third grade to consumers	10. 4

SEC. 4.14 *Kansas*—(a) *State of Kansas (except Kansas City area).* In the State of Kansas, except that part of the state which is within a radius of 25 miles of the center of Kansas City, Missouri, the maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

Specifications: Gasoline:	Cents per gallon
80–82 Oct. ASTM and Ethyl grade	6. 875
72–74 Oct. ASTM	6. 125
68–66 Oct. ASTM	5. 75
60–62 Oct. ASTM and below	5. 375

(b) *Kansas City area.* In that part of the State of Kansas which is within a radius of 25 miles of the center of Kansas City, Missouri, the maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

Specifications: Gasoline:	Cents per gallon
80–82 Oct. ASTM and Ethyl grade	7. 375
72–74 Oct. ASTM	6. 625
68–66 Oct. ASTM	6. 25
60–62 Oct. ASTM and below	5. 875

SEC. 4.15 *Kentucky*—(a) *Counties of Union, Henderson, Daviess, Hancock, Breckinridge, Meade, Hardin, Bullitt, Jefferson and Oldham.* (1) *For shipments to ultimate destinations in Petroleum Administration for War District One.* Maximum prices of gasoline, according to the specifications listed below, in bulk lots f. o. b. shipping points in the above counties for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

Specifications: Gasoline:	Cents per gallon
80–82 Oct. ASTM and Ethyl grade	8. 375
72–74 Oct. ASTM	7. 375

(2) *For shipments to ultimate destinations other than Petroleum Administration for War District One.* Maximum prices of gasoline, according to the specifications listed below, loaded into barges f. o. b. refineries in the above counties for shipment to destinations other than Petroleum Administration for War District One shall be as follows:

Specifications: Gasoline:	Cents per gallon
80–82 Oct. ASTM and Ethyl grade	8. 25
72–74 Oct. ASTM	7. 25

[Paragraph (a) amended by Am. 4, 9 F.R. 3849, effective 4–14–44]

(b) *Henderson tank wagon area.* Maximum tank wagon prices of gasoline shall be:

	Cents per gallon
Premium grade	11. 5
Regular grade	10. 0
Third grade	9. 0

[Paragraph (b) added and former (b) redesignated (c) by Am. 11, effective 7–1–44]

(c) *Counties of Boone, Kenton, Campbell, Pendleton, Bracken, Mason, Lewis, Greenup, and Boyd.* Maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points in the above counties for shipment to ultimate destinations in Petroleum Administration for War District One or the State of Michigan shall be as follows:

Specifications: Gasoline:	Cents per gallon
80–82 Oct. ASTM and Ethyl grade	8. 625
72–74 Oct. ASTM	7. 625

SEC. 4.16 *Louisiana*—(a) *Louisiana Gulf Coast Ports[1] and New Orleans area[2] Shipping Points: Maximum prices in bulk lots f. o. b. refineries and tanker terminals.*

Specifications: Motor gasolines:	Cents per gallon
80–82 Oct. ASTM and Ethyl grade	6. 75
80 Oct. 1939 Research, leaded (max. 2 cc.)	6. 00
72–74 Oct. ASTM leaded	5. 75
68–70 Oct. ASTM unleaded	5. 75
65–67 Oct. ASTM	5. 25
60–64 Oct. ASTM	5. 00

(b) *Shreveport area.* In the Shreveport area, comprising the parishes of Caddo, Bossier, Webster, De Soto and Red River, maximum prices of gasoline according to the specifications listed below f. o. b. refineries[3] and loaded into tank cars, motor transports and pipe lines[4] for shipment to the destinations indicated below[5] shall be as follows:

Specifications	For shipment to ultimate destinations: Column 1 — Ariz., Ark., Colo., La., N. Mex., Okla., and Texas	Column 2 — PAW District 1	Column 3 — Other States
	Cents per gallon	Cents per gallon	Cents per gallon
Gasoline:			
80–82 Oct. ASTM and Ethyl grade	7.00	6.75	6.625
80 Oct. 1939 Research	6.25	6.00	6.125
72–74 Oct. ASTM	6.00	5.75	5.875
68–66 Oct. ASTM	5.625	5.25	5.50
60–62 Oct. ASTM and below	5.25	5.00	5.125

[1] When loaded into pipe line (see note 4), tank car, motor transport or tank wagon for shipment to ultimate destinations other than in District 1, seller may charge prices in this Table or his maximum prices under other sections of this Regulation, whichever may be higher.

[2] When loaded into barge, pipe line (see note 4), tank car, motor transport or tank wagon for shipment to ultimate destinations other than in District 1, seller may charge prices in this Table or his maximum prices under other sections of this Regulation, whichever may be higher.

[3] New Orleans Area means Mississippi River ports up to and including Baton Rouge.

[4] Products loaded into pipe line for ultimate delivery to War Emergency Pipe Lines and into pipe lines with Petroleum Administration for War District No. 1 terminal shall be considered destined for Petroleum Administration for War District No. 1.

[5] Column 2 prices apply to all shipping points within the Shreveport area for shipments to ultimate destinations in Petroleum Administration for War District 1.

[6] Products loaded into pipe lines for ultimate delivery to War Emergency Pipe Lines and pipe lines with Petroleum Administration for War District 1 termini shall be considered destined for Petroleum Administration for War District 1.

[7] Column 1 prices also apply to ultimate destinations in the State of Alabama, Mississippi, Tennessee, and the Counties of Cape Girardeau, Dunklin, Wayne, Pemiscot, Scott, New Madrid, Butler, Bollinger, Stoddard and Mississippi in the State of Missouri.

SEC. 4.17 *Maine.*

SEC. 4.18 *Maryland.*

SEC. 4.19 *Massachusetts.*

SEC. 4.20 *Michigan*—(a) *State of Michigan except Wayne and Monroe Counties.* In the State of Michigan except in Wayne and Monroe Counties the maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District 1 shall be as follows:

Specifications: Gasoline:	Cents per gallon
80–82 Oct. ASTM and Ethyl grade	8. 75
72–74 Oct. ASTM	7. 75
67–69 Oct. ASTM	7. 00
Straight Run	6. 00

(b) *Wayne and Monroe Counties.* In Wayne and Monroe Counties in the State of Michigan maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District 1 shall be as follows:

Specifications: Gasoline:	Cents per gallon
80–82 Oct. ASTM and Ethyl Grade	9. 0
72–74 Oct. ASTM	8. 0
67–69 Oct. ASTM	7. 25
Straight Run	6. 00

SEC. 4.21 *Minnesota.*

SEC. 4.22 *Mississippi.*

SEC. 4.23 *Missouri*—(a) *St. Louis area.* Within the City of St. Louis, Missouri and that part of the State of Missouri which is within a radius of 25 miles of St. Louis, Missouri, the maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District 1 shall be as follows:

Specifications: Gasoline:	Cents per gallon
80–82 Oct. ASTM and Ethyl Grade	8. 00
72–74 Oct. ASTM	7. 25
68–66 Oct. ASTM	6. 875
60–62 Oct. ASTM and below	6. 50

(b) *Kansas City area.* In that part of the State of Missouri which is within a radius of 25 miles of the center of Kansas City, Missouri, the maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

Specifications: Gasoline:	Cents per gallon
80–82 Oct. ASTM and Ethyl grade	7. 375
72–74 Oct. ASTM	6. 625
68–66 Oct. ASTM	6. 25
60–62 Oct. ASTM and below	5. 875

[Paragraph (b) added by Am. 1, 9 F.R. 2405, effective 2–28–44]

SEC. 4.24 *Montana*—(a) *Billings tank wagon area.* Maximum tank wagon prices for gasoline shall be:

	Cents per gallon
Regular grade to dealers	12
Regular grade to consumers	12
Third grade to dealers	11
Third grade to consumers	11

(b) *Butte tank wagon area.* Maximum tank wagon prices for gasoline shall be:

	Cents per gallon
Regular grade to dealers	11. 5
Regular grade to consumers	11. 5
Third grade to dealers	10. 5
Third grade to consumers	10. 5

(c) *Great Falls tank wagon area.* Maximum tank wagon prices for gasoline shall be:

	Cents per gallon
Regular grade to dealers	12
Regular grade to consumers	12
Third grade to dealers	11
Third grade to consumers	11

(d) *Helena tank wagon area.* Maximum tank wagon prices for gasoline shall be:

	Cents per gallon
Regular grade to dealers	12
Regular grade to consumers	12
Third grade to dealers	11
Third grade to consumers	11

SEC. 4.25 *Nebraska.*

SEC. 4.26 *Nevada.*

SEC. 4.27 *New Hampshire.*

SEC. 4.28 *New Jersey.*

SEC. 4.29 *New Mexico*—(a) *Roswell tank wagon area.* Maximum tank wagon prices for gasoline shall be:

	Cents per gallon
Regular grade to dealers	10
Regular grade to consumers	10
Third grade to dealers	9
Third grade to consumers	9

(b) *San Luis Valley; tank wagon prices.* Maximum tank wagon prices of gasoline to dealers and consumers in that part of northern New Mexico which is within the tank wagon areas of either Antonita, Colorado, or Jaroso, Colorado, shall be as follows:

Gasoline:	Cents per gallon
Premium grade	12. 5
Regular grade	11. 0
Third grade	9. 5

[Paragraph (b) added by Am. 4, 9 F.R. 3849, effective 4–14–44]

SEC. 4.30 *New York.*

SEC. 4.31 *North Carolina.*

SEC. 4.32 *North Dakota*—(a) *Fargo tank wagon area.* Maximum tank wagon prices for gasoline shall be:

	Cents per gallon
Regular grade to dealers	11. 4

SEC. 4.33 *Ohio*—(a) *Geneva tank wagon area.* Maximum tank wagon prices for gasoline shall be:

	Cents per gallon
Premium grade to dealers	11
Premium grade to consumers	14
Regular grade to dealers	9. 5
Regular grade to consumers	12
Third grade to dealers	9. 5
Third grade to consumers	12

(b) *Counties of Cuyahoga, Lorain, Medina, Summit, Stark, Portage, Geauga, Lake, Ashtabula, Trumbull, Mahoning, and Columbiana.* Maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points in the above counties for shipment to ultimate destinations in Petroleum Administration for War District 1 and the State of Michigan shall be as follows:

Specifications: Gasoline:	Cents per gallon
80–82 Oct. ASTM and Ethyl grade	8. 75
72–74 Oct. ASTM	7. 75

(c) *Counties of Allen, Hancock, Lucas, Putnam, Wood and Licking.* Maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points in the above counties for shipment to ultimate destinations in Petroleum Administration for War District 1 and the State of Michigan shall be as follows:

Specifications: Gasoline:	Cents per gallon
80–82 Oct. ASTM and Ethyl grade	8. 75
72–74 Oct. ASTM	7. 75

(d) *Counties of Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, Gallia and Meigs.* Maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points in the above counties for shipment to ultimate destinations in Petroleum Administration for War District 1 and the State of Michigan shall be as follows:

Specifications: Gasoline:	Cents per gallon
80–82 Oct. ASTM and Ethyl grade	8. 625
72–74 Oct. ASTM	7. 625

SEC. 4.34 *Oklahoma*—(a) *State of Oklahoma.* Maximum prices of gasoline, according to the specifications listed below, in bulk lots, f. o. b. refineries in the State of Oklahoma, loaded into tank

cars and motor transports shall be as follows:

Specifications: Gasoline:	Cents per gallon
80–82 Oct. ASTM and Ethyl Grade	6.750
72–74 Oct. ASTM	6.000
68–66 Oct. ASTM	5.625
60–62 Oct. ASTM and below	5.250

(b) *Muskogee tank wagon area.* (1) *City of Muskogee.* Maximum tank wagon prices for gasoline shall be:

	Cents per gallon
Regular grade to dealers	7.75
Regular grade to consumers	7.75
Third grade to dealers	6.75
Third grade to consumers	6.75

(c) *Oklahoma City tank wagon area.* Maximum tank wagon prices for gasoline shall be:

	Cents per gallon
Regular grade to dealers	8
Regular grade to consumers	8
Third grade to dealers	7
Third grade to consumers	7

(d) *Tulsa tank wagon area.* Maximum tank wagon prices for gasoline shall be:

	Cents per gallon
Regular grade to dealers	8
Regular grade to consumers	8
Third grade to dealers	7
Third grade to consumers	7

SEC. 4.35 *Oregon.*

SEC. 4.36 *Pennsylvania*—(a) *Pittsburgh, Pennsylvania.* In Pittsburgh, Pennsylvania, a refiner's maximum price for Ethyl Grade gasoline on sales in bulk lots to other refiners f. o. b. the refiner's shipping point shall be 9.9¢ per gallon, except that the maximum price on sales for shipment to ultimate destinations in Petroleum Administration for War District One outside of the Schedule "D" area, as defined in section 1.14 (n), shall be 8.7¢ per gallon.

SEC. 4.37 *Rhode Island.*

SEC. 4.38 *South Carolina.*

SEC. 4.39 *South Dakota.*

SEC. 4.40 *Tennessee.*

SEC. 4.41 *Texas*—(a) *Texas Gulf coast ports.*[1] *Maximum prices in bulk lots f. o. b. refineries and tanker terminals.*

Specifications. Motor gasolines:	Cents per gallon
80–82 Oct. ASTM and Ethyl grade	6.75
80 Oct. 1939 research, leaded (max. 2 cc.)	6.00
72–74 Oct. ASTM leaded	5.75
68–70 Oct. ASTM unleaded	5.75
65–67 Oct. ASTM	5.25
60–64 Oct. ASTM	5.00

[1] When loaded into pipeline (see note 2), tank car, motor transport, or tank wagon for shipment to ultimate destinations other than in PAW District 1, seller may charge prices in this table or his maximum prices under other sections of this regulation, whichever may be higher.

[2] Column 2 prices apply to all shipping points within the designated areas for shipments to ultimate destinations in Petroleum Administration for War District 1.

(b) *At inland Texas points.* Maximum prices of gasoline according to the specifications listed below loaded into tank cars, motor transports, and pipe lines,[1] f. o. b. refineries[2] located in Texas Panhandle,[3] West Texas,[4] North Texas,[5] and East Texas,[6] for shipment to the destinations indicated below[7] shall be as follows:

Specifications	For shipment to ultimate destinations: Column 1 Ariz., Ark., Colo., La., N. Mex., Okla., and Texas	Column 2 PAW District 1	Column 3 Other States
Gasoline:	Cents per gallon	Cents per gallon	Cents per gallon
80–82 Oct. ASTM and Ethyl grade	7.00	6.75	6.625
80 Oct. 1939 Research	6.25	6.00	6.125
72–74 Oct. ASTM	6.00	5.75	5.875
68–66 Oct. ASTM	5.625	5.25	5.50
60–62 Oct. ASTM and below	5.25	5.00	5.125

[1] Products loaded into pipelines for ultimate delivery to War Emergency Pipelines and pipelines with Petroleum Administration for War District 1 termini shall be considered destined for Petroleum Administration for War District 1.

[2] Column 2 prices apply to all shipping points within the designated areas for shipments to ultimate destinations in Petroleum Administration for War District 1.

[3] The Texas Panhandle Area comprises the Counties of Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hartley, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carson, Gray, Wheeler, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Parmer, Castro, Swisher, Briscoe, Hall, Childress in the State of Texas.

[4] The West Texas Area comprises the Counties of Bailey, Lamb, Hale, Floyd, Motley, Cottle, Hardeman, Foard, Cochran, Hockley, Lubbock, Crosby, Dickens, King, Knox, Yoakum, Terry, Lynn, Garza, Kent, Stonewall, Haskell, Gaines, Dawson, Borden, Scurry, Fisher, Jones, Andrews, Martin, Howard, Mitchell, Nolan, Taylor, Loving, Winkler, Ector, Midland, Glasscock, Sterling, Coke, Runnels, Coleman, Brown, Mills, Ward, Crane, Upton, Reagan, Irion, Tom Green, Concho, McCulloch, San Saba, Pecos, Terrell, Crockett, Schleicher, Sutton, Menard, Kimble, Mason, Val Verde, Edwards, in the State of Texas.

[5] The North Texas Area comprises the Counties of Wilbarger, Wichita, Clay, Montague, Cooke, Grayson, Baylor, Archer, Throckmorton, Young, Jack, Wise, Denton, Collin, Shackelford, Stephens, Palo Pinto, Parker, Tarrant, Dallas, Rockwall, Callahan, Eastland, Comanche, Erath, Hood, Somervell, Johnson, Ellis, Hamilton, Bosque, Hill, Navarro, Lampasas, Coryell, McLennan, Limestone, Freestone, in the State of Texas.

[6] The East Texas Area comprises the Counties of Fannin, Lamar, Red River, Bowie, Hunt, Delta, Hopkins, Franklin, Titus, Camp, Morris, Kaufman, Van Zandt, Rains, Wood, Cass, Smith, Upshur, Marion, Gregg, Harrison, Henderson, Cherokee, Rusk, Panola, Anderson, Nacogdoches, Shelby, Houston, Angelina, Trinity, Polk, Tyler, San Augustine, Sabine, Jasper, Newton, in the State of Texas.

[7] For the Texas Panhandle Area Column 1 prices also apply to ultimate destinations in the Counties of Jewell, Mitchell, Lincoln, Elsworth, Rice, Reno, Kingman, Harper, and all counties west thereof in the State of Kansas.

SEC. 4.42 *Utah.*

SEC. 4.43 *Vermont.*

SEC. 4.44 *Virginia.*

SEC. 4.45 *Washington.*

SEC. 4.46 *West Virginia.*

SEC. 4.47 *Wisconsin*—(a) *Lodi tank wagon area.* Maximum tank wagon prices for gasoline shall be:

	Cents per gallon
Premium grade to dealers	12.1
Premium grade to consumers	14.1
Regular grade to dealers	10.6
Regular grade to consumers	12.1
Third grade to dealers	10.1
Third grade to consumers	11.1

(b) *Madison tank wagon area.* Maximum tank wagon prices for gasoline shall be:

	Cents per gallon
Premium grade to dealers	11.9
Premium grade to consumers	13.9
Regular grade to dealers	10.4
Regular grade to consumers	11.9
Third grade to dealers	9.9
Third grade to consumers	10.9

(c) *Mazomanie tank wagon area.* Maximum tank wagon prices for gasoline shall be:

	Cents per gallon
Premium grade to dealers	11.9
Premium grade to consumers	13.9
Regular grade to dealers	10.4
Regular grade to consumers	11.9
Third grade to dealers	9.9
Third grade to consumers	10.9

(d) *Sauk City tank wagon area.* Maximum tank wagon prices for gasoline shall be:

	Cents per gallon
Premium grade to dealers	12.1
Premium grade to consumers	14.1
Regular grade to dealers	10.6
Regular grade to consumers	12.1
Third grade to dealers	10.1
Third grade to consumers	11.1

(e) *Stoughton tank wagon area.* Maximum tank wagon prices for gasoline shall be:

	Cents per gallon
Premium grade for dealers	11.9
Premium grade for consumers	13.9
Regular grade for dealers	10.4
Regular grade for consumers	11.9
Third grade for dealers	9.9
Third grade for consumers	10.9

(f) *Sun Prairie tank wagon area.* Maximum tank wagon prices for gasoline shall be:

	Cents per gallon
Premium grade for dealers	12.1
Premium grade for consumers	14.1
Regular grade for dealers	10.6
Regular grade for consumers	12.1
Third grade for dealers	10.1
Third grade for consumers	11.1

SEC. 4.48 *Wyoming*—(a) *Cheyenne tank wagon area.* Maximum tank wagon prices for gasoline shall be:

	Cents per gallon
Regular grade to dealers	10
Regular grade to consumers	10
Third grade to dealers	9
Third grade to consumers	9

SEC. 4.49 *Hawaii.*

SEC. 4.50 *Puerto Rico.*

SEC. 4.51 *District of Columbia.*

ARTICLE V—FORMULAS FOR ASCERTAINING MAXIMUM PRICES

SEC. 5.1 *Published prices.* A seller's maximum price for a petroleum product of a particular grade shall be the lowest quoted price published in the October 8, 1941, issue of the National Petroleum News for a product of the same grade. Where such products are sold and prices are quoted on a delivered basis then the maximum delivered price shall be the lowest quoted delivered price so published. Where products are sold and prices are quoted on an f. o. b. shipping point basis, then the maximum f. o. b. price shall be the lowest quoted f. o. b. price so published.

Quotations in the above named periodical for 80, 72–74, and 68–70 octane motor gasoline; for kerosene and/or No. 1 fuel, No. 2, No. 3, No. 5 and No. 6 fuel oil, as set forth on Page 42 of such publication under the heading "Atlantic Coast," except when prices quoted are specifically designated as barge prices, shall be used only in determining a seller's maximum price for such products loaded into motor transports and tank cars.

The quotation in the above named periodical for 72–74 octane motor gasoline, as set forth on page 40 of such publication under the sub-heading "Ohio," shall not be used for determining a seller's maximum price except on sales to consumers.

[Above paragraph added by Am. 6, 9 F.R. 4395, effective 4–29–44]

Quotations in the above-named periodical for the States of California, Oregon, Washington, Arizona and Nevada shall not be used in determining maximum prices.

If a seller's maximum price for any product covered by this regulation is established by this paragraph and if on his last sale of either of such products to a purchaser of a particular class during the 60 days prior to October 15, 1941 the seller granted a discount or discounts and the discount or discounts were stated as such in the contract of sale, or on the invoice to the purchaser, then discounts no less favorable shall be granted by the seller to all purchasers of the same class in connection with sales of the product on which the discount was granted. Deliveries pursuant to contracts of sale entered into more than 60 days prior to October 15, 1941, shall not be considered as sales for the purpose of determining discounts hereunder.

SEC. 5.2 *In accordance with price charged on specified sales in a base period*—(a) *Definition of sale.* The term "sale" as used in section 5.2 shall include (1) Sales and contracts of sale made during the period specified, (2) Deliveries made during the period specified under a contract made prior thereto, if the prices chargeable under such contract were adjustable to reflect market conditions during the said period, and (3) Deliveries to tank wagon resellers during the period specified under a contract made prior thereto if said contract provided for varying the price to the reseller in accordance with a stipulated posted or market price (or prices) at the point or points where such buyer resells.

(b) *Definition of purchaser of the same class.* "Purchaser of the same class", as used in sections 5.2 and 5.3, refers to the practice adopted by the seller in setting different prices for a commodity for sales to purchasers performing different functions (for example, refiner; jobber; distributor; commercial, industrial or private consumer; service station tank car dealer; divided or undivided tank wagon dealer; etc.), or for purchasers performing the same function but located in different areas or buying in different quantities or grades or under different conditions of sale. Price is prima facie evidence but not conclusive evidence to be considered in determining if a purchaser belongs to a particular class; however, a lower price to a particular purchaser which was to meet competition and otherwise was inconsistent with the seller's practice in setting the same price to the particular purchaser and one or more other purchasers, shall neither result in placing the particular purchaser in a lower price class nor be considered in determining a seller's maximum price.

(c) *Maximum prices of fuel oil,*[1] *fuels, gasoline and liquefied petroleum gas.* Where the maximum price for fuel oil, fuel, liquefied petroleum gas, or gasoline at a given shipping or delivery point cannot be determined under section 5.1 the maximum price for each seller at such shipping or delivery point, except as provided hereunder in paragraph (d), shall not exceed the price charged at that point by him on the last sale of the same product to a purchaser of the same class within 60 days prior to October 15, 1941. Where the product is sold on a delivered basis at a given point the maximum price shall be the price charged by the seller on the last sale of the same product to a purchaser of the same class made on a delivered basis at that point in the period specified. Where the product is sold at a given point on an f. o. b. shipping point basis the maximum price shall be the price charged by the seller on the last f. o. b. shipping point sale at that point to a purchaser of the same class in the period specified.

(d) *In the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware Maryland, Virginia, West Virginia, North Carolina, South Carolina, and in the District of Columbia; maximum prices of Nos. 2, 3 and 4 fuel oil.* Within the above states and in the District of Columbia, any seller's maximum per gallon tank wagon price for Nos. 2, 3 and 4 distillate fuel oils at a particular point shall be his maximum per gallon tank wagon price as determined under section 5.2 (c) of this regulation for single lot deliveries of 150 gallons or more of the product of the same grade at the same point.

[Paragraph (d) amended by Am. 3, 9 F.R. 3280, effective 2–19–44]

(e) [Revoked]

[Paragraph (e) revoked by Am. 1, 9 F.R. 2405, effective 2–28–44]

SEC. 5.3 *In accordance with the maximum price of another seller at the same point.* When a seller's maximum price at a given shipping point for any petroleum product covered by this regulation cannot be determined under section 5.1 or 5.2, his maximum price at the particular shipping point shall be the highest maximum price determined under section 5.2 for the same shipping point of any seller of the same class to a purchaser of the same class. When a seller's maximum price at a given delivery point for any such petroleum product cannot be determined under section 5.1 or 5.2, his maximum price at the particular delivery point shall be the highest maximum delivered price determined under section 5.2 for the same delivery point of a seller of the same class to a purchaser of the same class.

[Sec. 5.3 amended by Am. 11, effective 7–1–44]

ARTICLE VI—INCREASES OR REDUCTIONS TO MAXIMUM PRICES DETERMINED UNDER ARTICLE V

SEC. 6.1 *On any product covered by this regulation*—(a) *On sales to government agencies pursuant to public bidding.* (1) A seller may charge for any petroleum product covered by this regulation on any sale thereof, pursuant to open and public bidding, to any governmental agency, whether state or Federal, or to any state or political subdivision thereof, either

(i) His own maximum price under any provision of Article V, or

(ii) Any other participating bidder's maximum price, if not established under Article II, III or IV, for the sale of the same product to the particular buyer.

[Subparagraph (ii) amended by Am. 3, 9 F.R. 3280, effective 2–19–44]

(2) No bid at any such bidding regardless of the amount thereof shall be deemed to conflict with any provision of this price schedule.

SEC. 6.2 *On sales of fuel oil, generally*—(a) *On tank wagon deliveries in rationed areas.* In any area where fuel oil rationing is required by the United States Government or any agency thereof, the sum of .3 of a cent per gallon may be added to a maximum price determined under Article V for tank wagon

[1] Except waste or re-refined lubricating oil when either is sold for use as fuel oil.

[Footnote 1 amended by Am. 4, 9 F.R. 3849, effective 4–14–44 and Am. 11, effective 7–1–44]

deliveries of any fuel oil or heating oil including but not limited to kerosene, range oil, Nos. 1, 2, 3, 4, 5 and 6 fuel oil, diesel oil and gas oil.

(b) *On container deliveries in rationed areas.* In any area where fuel oil rationing is required by the United States Government or any agency thereof, the sum of .3 of a cent per gallon, when delivery is made in single lots of 260 gallons or less, may be added to a maximum price determined under Article V for container deliveries of any fuel oil or heating oil, including but not limited to kerosene, range oil, Nos. 1, 2, 3, 4, 5 and 6 fuel oil, diesel oil and gas oil.

(c) *In connection with free oil burner service.* Where a seller of fuel oil of Grade No. 5 or lighter was required prior to September 23, 1943 to furnish oil burner maintenance and repair services without charge in connection with the sale of such fuel oil, such seller may discontinue the giving of such free service without reducing his price for fuel oil below his maximum price as established or determined under other provisions of this price schedule. The maximum price for all sales of oil burner maintenance and repair services shall be determined in accordance with Supplementary Service Regulation No. 19.

(d) *In the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota and Wisconsin. On sales to certain tank wagon sellers.* Under the circumstances set forth in subparagraphs (1) and (2) below, in the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin, on deliveries of kerosene and fuel oil by a supplier to a tank wagon seller whose maximum price has been increased by the provisions of section 7.4, there may be added to the supplier's maximum price, as determined under section 5.2 for a particular grade at a particular delivery point, a sum computed pursuant to the provisions of subparagraphs (1) or (2) below:

(1) If there was a contract in effect on October 1, 1941, between the supplier and such tank wagon seller, and such contract provided for varying the price of the supplier to such tank wagon seller on the basis of the tank wagon price at the particular delivery point and if such tank wagon seller's maximum price is increased but not to the normal price of the reference seller as posted on October 1, 1941, then the supplier's maximum delivered price shall be increased only when the tank wagon seller's margin would be in excess of that called for in the contract had the tank wagon seller's price been increased to normal and the extent of such increase to the supplier's maximum price shall be the amount of such excess. In computing the supplier's maximum price, the tank wagon price used in any computation herein shall be regarded as .3 of a cent less than the actual maximum price of the tank wagon seller.

(2) If there was a contract in effect on October 1, 1941, as described in (1) above, and if such tank wagon seller's maximum price is increased at any point to the normal price of the reference seller as posted on October 1, 1941, then the supplier's maximum price shall be altered in accordance with the provisions of such contract. In computing the supplier's maximum price, the tank wagon price used in any computation herein shall be regarded as .3 of a cent less than the actual maximum price of the tank wagon seller.

SEC. 6.3 *On sales of distillate and distillate type fuel oils*—(a) *In the Eastern Seaboard area*—(1) *Within the area, generally; at all selling levels.* Except as hereunder provided in subparagraph (2), within the States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and in the District of Columbia, an amount per gallon as indicated below may be added to a maximum price determined under Article V for any of the respective products listed below:

Product:	Cents per gallon to be added
All distillate and distillate type fuel oils having a viscosity below 85 seconds Saybolt universal (at 100° F.) except kerosene, range oil and No. 1 fuel oil and including but not limited to the following: Tractor fuel, gas house oils, distillate diesel fuel oils, Nos. 2, 3 and 4 fuel oils, Standard light gas oil, gas house standard light gas oil and Mirando and Mirando type crude oil when sold as No. 4 fuel oil or for other distillate fuel oil use	1.5
Kerosene, range oil and No. 1 fuel oil	1.8

[Subparagraph (1) amended by Am. 1, 9 F.R. 2405, effective 2-28-44]

(2) *Within Schedule "D" area Zone 6 of Petroleum Administration for War District One.* On sales f. o. b. refineries and terminals within Schedule "D" area of Zone 6 of Petroleum Administration for War District One, as defined in section 1.14 (n), for shipment to ultimate destinations in Petroleum Administration for War District One outside of such Schedule "D" area, the maximum prices for kerosene, range oil and No. 1 fuel oil shall be the maximum prices as determined under Article V plus .3 of a cent per gallon and for all other products listed in subparagraph (1) above shall be the maximum prices as determined under Article V. If a seller's maximum price for a sale as described above was established prior to December 1, 1943, under § 1340.159 (b) (7) of Revised Price Schedule No. 88, then his maximum price shall be his said maximum price prior to December 1, 1943 less 1.5¢ per gallon.

(3) *In the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, and in the District of Columbia; on deliveries of less than 100 gallons of Nos. 2, 3, and 4 fuel oil.* In the above States and the District of Columbia the sum of .5¢ per gallon, when delivery is made into single lots of less than 100 gallons, may be added to a maximum price determined under Article V for tank wagon deliveries of Nos. 2, 3 and 4 distillate fuel oils.

[Subparagraph (3) added by Am. 3, 9 F.R. 3230, effective 2-19-44]

(b) *In certain parts of the lower peninsula of Michigan—on tank wagon deliveries.* In the lower peninsula of Michigan except in the Counties of Genesee, Macomb, Washtenaw, Monroe, Oakland and Wayne, the sum of .4 of a cent per gallon may be added to a maximum price determined under Article V for tank wagon deliveries of prime white distillate, range oil, also known as stove or heater oil, and Nos. 1, 2 and 3 fuel oil.

(c) *In the Territory of Hawaii*—(1) *On bulk sales.* At any particular shipping or delivery point in the Territory of Hawaii, the amount provided by section 22 of Maximum Price Regulation 373 and the sum of .5 of a cent per gallon may be added to a maximum price determined under section 5.2 of this regulation for bulk deliveries of any grade of gasoline, kerosene, or any fuel oil meeting Pacific Specification No. 200.

(2) *On sales of packaged stove oil or kerosene.* At any particular shipping or delivery point in the Territory of Hawaii, the amount per gallon indicated below may be added to a maximum price determined under section 5.2 for stove oil, or kerosene in packages:

Products:	Cents per gallon to be added
Stove oil	5.5
Kerosene in cases	6

SEC. 6.4 *On sales of residual or residual type fuel oils*—(a) *In the Eastern Seaboard area*—(1) *Within the area, generally; at all sellers' levels.* Except as provided in subparagraph (2) below and except at the refinery and ocean terminals designated in Table 1 of section 3.1 there may be added within the States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and the District of Columbia the sum of 30 cents per barrel to a maximum price determined under Article V for any residual or residual type fuel oils having a viscosity of 85 seconds Saybolt Universal (at 100° F.) and above including but not limited to Nos. 5 and 6 fuel oils, bunker C, Navy grade, residual and diesel fuel oils, residuum gas oil, heavy gas oil, heavy gas enrichment oil, gas house heavy oil, N. E. gas enrichment oil, S. W. gas oil, Admiralty fuel oil, Navy special fuel oil, Mirando and Mirando type crude when sold as No. 5 or other residual fuel oil or as a heavy gas enrichment oil.

[Subparagraph (1) amended by Am. 1, 9 F.R. 2405, effective 2-28-44]

(2) *Within Schedule "D" area of Zone 6 of Petroleum Administration for War District One.* On sales f. o. b. refineries and terminals within the Schedule "D" area of Zone 6 of Petroleum Administration for War District One, as defined in section 1.14 (n) of this regulation, for shipment to ultimate designations in Petroleum Administration for War District One outside of such Schedule "D" area, the maximum prices for the products designated in and for the sellers covered by subparagraph (1) above shall be the maximum prices as determined under Article V or Article VIII.

(b) *In the States of Washington and Oregon—Navy Grade Special Fuel Oil.* At any particular shipping or delivery point in the States of Washington or Oregon the sum of 25 cents per barrel may be added to a maximum price determined under Article V for deliveries of Navy Grade Special Fuel Oil.

(c) *In Petroleum Administration for War District 5*—(1) *For Pacific Standard 300 and Pacific Standard 400 residual fuel oils.* In Petroleum Administration for War District 5 the sum of 25¢ per barrel may be added to a maximum price determined under Article V for delivery of either Pacific Standard No. 300 residual fuel oil or Pacific Standard No. 400 residual fuel oil.

(2) *For residual fuel oil of the specifications listed below.* In Petroleum Administration for War District 5 the sum of 25¢ per barrel may be added by sellers to their maximum prices determined under Article V for residual fuel oil of viscosities between 18 and 25 seconds Saybolt Furol (at 122° F.) but otherwise meeting specifications for Pacific Standard No. 300 fuel oil if such sellers during the 60-day period preceding October 15, 1941, sold such fuel oil in competition with and in line with the price charged for Pacific Standard No. 300 fuel oil.

[Paragraph (c) amended by Am. 11, effective 7-1-44]

(d) *In the Territory of Hawaii*—(1) *On bulk sales.* At any particular shipping or delivery point in the Territory of Hawaii the amount provided by section 22 of Maximum Price Regulation 373 and the sum of 56 cents per 42 gallon barrel may be added to a maximum price determined under section 5.2 of this regulation for bulk deliveries of Pacific Specification No. 300 fuel oil or Pacific Specification No. 400 fuel oil.

SEC. 6.5 *On sales of gasoline*—(a) *In the Eastern Seaboard area*—(1) *Within the area, generally; at all selling levels.* Except as hereunder provided in subparagraph (3), within the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, the District of Columbia and the corporate limits of Bristol, Tennessee, the sum of 1.2 cents per gallon may be added to a maximum price determined under Article V for deliveries of gasoline in the above states and city and the District of Columbia.

(2) *In the States of Florida (east of the Apalachicola River) and Georgia; at all selling levels.* In the States of Florida (east of the Apalachicola River) and Georgia the sum of .9¢ may be added to a maximum price under Article V for deliveries of gasoline.

[Subparagraph (2) amended by Am. 3, 9 F.R. 3230, effective 2-19-44]

(3) *Within Schedule "D" area of Zone 6 of Petroleum Administration for War District One.* On sales f. o. b. refineries and terminals within Schedule "D" area of Zone 6, as defined in section 1.14 (n) of this regulation, for shipment to ultimate destinations in Petroleum Administration for War District One outside of such Schedule "D" area, the maximum price for gasoline shall be the maximum price as determined under Article V. If a seller's maximum price for a sale as described above was established prior to December 1, 1943 under § 1340.159 (b) (7) of Revised Price Schedule No. 88 then his maximum price shall be his said maximum price prior to December 1, 1943 less 1.2¢ per gallon.

(b) *In the Territory of Puerto Rico; at all selling levels.* In the Territory of Puerto Rico on deliveries to all purchasers other than the U. S. Government, its agencies or instrumentalities, when purchased for their exclusive use, the sum of 3 cents per gallon may be added to a maximum price determined under Article V for deliveries of gasoline.

[Paragraph (b) amended by Am. 8, 9 F.R. 4686, effective 5-8-44]

(c) *In the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota and Wisconsin; on sales to certain tank wagon sellers.* Under the circumstances set forth in subparagraphs (1) and (2) below, on deliveries of gasoline in the above states by a supplier to a tank wagon seller whose maximum price has been increased by the provisions of section 7.4, there may be added to the supplier's maximum price, as determined under section 5.2 for a particular grade at a particular delivery point, a sum computed pursuant to the provisions of subparagraphs (1) or (2) below:

(1) If there was a contract in effect on October 1, 1941, between the supplier and such tank wagon seller, and such contract provided for varying the price of the supplier to such tank wagon seller on the basis of the tank wagon price at the particular delivery point and if such tank wagon seller's maximum price is increased but not to the normal price of the reference seller as posted on October 1, 1941, then the supplier's maximum delivered price shall be increased only when the tank wagon seller's margin would be in excess of that called for in the contract had the tank wagon seller's price been increased to normal and the extent of such increase to the supplier's maximum price shall be the amount of such excess.

(2) If there was a contract in effect on October 1, 1941, as described in (1) above and if such tank wagon seller's maximum price is increased at any point to the normal price of the reference seller as posted on October 1, 1941, then the supplier's maximum price shall be altered in accordance with the provision of such contract.

[Paragraph (c) added by Am. 3, 9 F.R. 3230, effective 2-19-44]

(d) *In certain Maryland and Virginia communities—on tank wagon deliveries.* Effective as of February 19, 1944, on tank wagon deliveries of gasoline in those communities of Maryland and Virginia, where immediately prior to January 1, 1942, tank wagon sellers were absorbing part of the state gasoline taxes in order to avoid wide differences between the total selling prices in such communities and those in Washington, D. C., there may be added to a maximum price determined under section 5.2 a sum equal to the amount of tax absorbed or .5¢ per gallon, whichever is lower.

[Paragraph (d) added by Am. 6, 9 F.R. 4398, effective 4-29-44]

SEC. 6.6 *On sales of liquefied petroleum gas*—(a) *In the Territory of Hawaii—on sales in packages.* At any particular delivery or shipping point in the Territory of Hawaii, the sum of .5 of a cent per pound may be added to a maximum price determined under section 5.2 for liquefied petroleum gas when sold in packages.

SEC. 6.7 [Revoked]

[Sec. 6.7 revoked by Am. 1, 9 F.R. 2405, effective 2-28-44]

ARTICLE VII—MAXIMUM TANK WAGON PRICES DETERMINED IN ACCORDANCE WITH REFERENCE SELLER'S PRICES

SEC. 7.1 *Notice by tank wagon sellers.* Any tank wagon seller of gasoline, kerosene, range or stove oil, distillate fuel oils, tractor and diesel fuel, whose maximum price to a retail dealer pursuant to this Article VII is increased shall notify each retail dealer in writing on or before the date of the initial sale to such dealer after February 13, 1943, that the retail dealer's maximum price for said products at his retail establishment is increased by the amount of such increase in the tank wagon seller's maximum price. Such notice shall be in the following form:

> Your new Office of Price Administration ceiling price for (product) at your retail establishment is your former ceiling price plus ——¢ per gallon. The Office of Price Administration requires you to keep this information for examination.

SEC. 7.2 *Designated reference sellers.* The companies hereinafter named are the reference tank wagon sellers for any point in the Continental United States, in the state, states or districts set out opposite the name of the company: *Provided*, That such company has an applicable maximum price for such point:

For any point in the State of:	*Reference tank wagon sellers*
Alabama	Standard Oil Company of Kentucky.
Arizona	Standard Oil Company of California.
Arkansas	Standard Oil Company of Louisiana.
California	Standard Oil Company of California.
Colorado	Continental Oil Company.
Connecticut	Socony-Vacuum Oil Company, Inc.
Delaware	The Atlantic Refining Company.
District of Columbia	Standard Oil Company of New Jersey.
Florida	Standard Oil Company of Kentucky.
Georgia	Standard Oil Company of Kentucky.
Idaho	Continental Oil Company.
Illinois	Standard Oil Company of Indiana.
Indiana	Standard Oil Company of Indiana.
Iowa	Standard Oil Company of Indiana.
Kansas	Standard Oil Company of Indiana.
Kentucky	Standard Oil Company of Kentucky.
Louisiana	Standard Oil Company of Louisiana.
Maine	Socony-Vacuum Oil Company, Inc.
Maryland	Standard Oil Company of New Jersey.
Massachusetts	Socony-Vacuum Oil Company, Inc.
Michigan	Standard Oil Company of Indiana.
Minnesota	Standard Oil Company of Indiana.
Mississippi	Standard Oil Company of Kentucky.
Missouri	Standard Oil Company of Indiana.
Montana	Continental Oil Company.
Nebraska	Standard Oil Company of Nebraska.
Nevada	Standard Oil Company of California.
New Hampshire	Socony-Vacuum Oil Company, Inc.
New Jersey	Standard Oil Company of New Jersey.
New Mexico	Continental Oil Company.
New York	Socony-Vacuum Oil Company, Inc.
North Carolina	Standard Oil Company of New Jersey.
North Dakota	Standard Oil Company of Indiana.
Ohio	Standard Oil Company of Ohio.
Oklahoma	Continental Oil Company.
Oregon	Standard Oil Company of California.
Pennsylvania	Atlantic Refining Company.
Rhode Island	Socony-Vacuum Oil Company, Inc.
South Carolina	Standard Oil Company of New Jersey.
South Dakota	Standard Oil Company of Indiana.
Tennessee	Standard Oil Company of Louisiana.
Texas	The Texas Company.
Utah	Continental Oil Company.
Vermont	Socony-Vacuum Oil Company, Inc.
Virginia	Standard Oil Company of New Jersey.
Washington	Standard Oil Company of California.
West Virginia	Standard Oil Company of New Jersey.
Wisconsin	Standard Oil Company of Indiana.
Wyoming	Continental Oil Company.

SEC. 7.3 *Consumers tank wagon prices*—(a) *In the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut and New York—Use of reference seller's maximum prices required.* Where deliveries are made within the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut and New York, any seller's maximum price for tank wagon and returnable steel barrel deliveries of motor gasoline to a consumer of any class other than a governmental agency shall be as follows:

(1) For tank wagon deliveries in single lots of 200 gallons or more to a purchaser whose semi-annual requirements, as hereinafter defined, for bulk delivery are:

(i) 10,000 gallons and up to 60,000 gallons the maximum commercial consumer's tank wagon price, as determined under other provisions of this price regulation, of the reference tank wagon seller.

(ii) Under 10,000 gallons one-half cent (½¢) per gallon in addition to the maximum price established under (i).

(iii) 60,000 gallons or more one-quarter cent (¼¢) per gallon less than the maximum price established under (i).

(2) For tank wagon deliveries in single lots of less than 200 gallons, one cent (1.0¢) per gallon in addition to the maximum price to the same purchaser as established under (1).

(3) For returnable steel barrel deliveries, three cents (3¢) per gallon in addition to the maximum price to the same purchaser as established under (1).

(b) *In the States of New Jersey, Pennsylvania, Delaware, Maryland, Virginia and the District of Columbia—use of reference seller's maximum price required.* Where deliveries are made within the States of New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia, any seller's maximum price for tank wagon and returnable steel barrel deliveries of motor gasoline to a consumer of any class other than a governmental agency shall be as follows:

(1) For tank wagon deliveries in single lots of 200 gallons or more to a purchaser whose semi-annual requirements for all grades of motor gasoline as hereafter defined for bulk delivery are:

(i) Under 60,000 gallons, the maximum commercial consumer's tank wagon price of the reference seller for the particular grade of gasoline in the tank wagon area of the reference seller where delivery is made, as such price is determined under other provisions of this price regulation.

(ii) 60,000 gallons and more, the maximum price as established under (i) less ¾ of a cent per gallon or the maximum price as established under (i) less an amount equal to the largest difference, if any, per gallon, between the net price charged and the undivided dealer tank wagon price of the reference seller for such grade of gasoline on any tank wagon delivery to the purchaser from any supplier during March 1941, in such area, whichever price is higher.

(2) For tank wagon deliveries in single lots of less than 200 gallons, one cent (1.0¢) per gallon in addition to one maximum price to the same purchaser as established under (1).

(3) For returnable steel barrel deliveries, two cents (2.0¢) per gallon in addition to the maximum price to the same purchaser as established under (1).

(c) *Method of computing a consumer's semi-annual requirements—proof of his eligibility for allowances.* For the purpose of section 7.3, a consumer's semi-annual requirements of motor gasoline shall be the sum of all lawful ration allotments for bulk delivery only, converted to semi-annual basis, in effect to a given consumer as of January 1 for the first six months and July 1 for the last six months of any calendar year.

As proof of such semi-annual requirements it shall be the responsibility of the purchaser eligible for and claiming any allowance hereinabove provided to deliver to the seller an affidavit stating his semi-annual requirements for all grades of motor gasoline as above computed. Moreover, it shall be the responsibility of a purchaser claiming an allowance as provided by inferior subdivision (b) (1) (ii) above to deliver to the seller a copy of a relevant March 1941 invoice as proof of the eligibility of the purchaser to an allowance provided by such inferior subdivision or an affidavit setting forth the facts that would entitle him to an allowance. As soon as the necessary paper or papers have been delivered to the seller, the purchaser shall be entitled on any subsequent delivery to the allowance for which he is eligible under the provisions hereinabove made.

SEC. 7.4 *In the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota and Wisconsin—products for which use of reference seller's maximum prices are required*—(a) *Maximum tank wagon prices.* A seller's maximum tank wagon price for a particular grade of gasoline, kerosene, range or stove oil, distillate fuel oil, diesel fuel, or tractor fuel, at a particular point in any of the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, or Wisconsin shall be either the reference tank wagon seller's normal price, as posted on October 1, 1941, for the same grade of the particular product at the same point or the sum of said reference seller's maximum tank wagon price for such product at the same point as established under other provisions of this regulation and .7¢ per gallon, whichever is the lower, except that in the case of tractor fuel if a tank wagon seller's maximum price as determined under other provisions of this regulation is higher then such maximum price shall remain in effect.

If the reference seller has no established maximum price at a particular point for a particular grade of any of the products named above, then a tank wagon seller's maximum price shall be his maximum price as determined by other provisions of this regulation.

SEC. 7.5 *In States other than those covered by section 7.4; use of reference seller's maximum prices optional.* A seller's maximum tank wagon price, in states other than those named in section 7.4, for a particular grade of gasoline, kerosene, range or stove oil, distillate fuel oils, and tractor and diesel fuel shall be the maximum price as determined under other provisions of this regulation of the reference tank wagon seller for the same grade at the same point: *Provided*, The reference tank wagon seller's maximum price is higher than the maximum price which would otherwise be applicable.

ARTICLE VIII—MAXIMUM PRICES TO BE ESTABLISHED UPON APPLICATION

SEC. 8.1 *Continuing effectiveness of certain maximum prices heretofore approved under § 1340.159 (b) (7) or (b) (16) of Revised Price Schedule No. 88.* If a maximum price for a product at a given shipping or delivery point cannot be established under any preceding article of this regulation and if a maximum price for the product at the particular point was heretofore approved for the seller under § 1340.159 (b) (16) or § 1340.159 (b) (7) of Revised Price Schedule No. 88, then such approval shall be deemed to continue in full force and effect as if granted under section 8.2 or 8.3 below.

SEC. 8.2 *For waste or re-refined lubricating oil sold for use as fuel oil.* When waste lubricating oil or re-refined lubricating oil is sold for use as fuel oil, a seller may not charge and a buyer may not pay a price therefor until a maximum price has been approved in writing by the Office of Price Administration. Applications for such approval must be made in writing to the Petroleum Branch of the Office of Price Administration, Washington, D. C., and shall contain the same information as is required for an application under section 8.3 below.

[Sec. 8.2 amended by Am. 4, 9 F.R. 3849, effective 4-14-44 and Am. 11, effective 7-1-44]

SEC. 8.3 *For all other products covered by this regulation.* (a) If under any preceding section of this regulation a seller is unable to determine the maximum price at a given shipping or delivery point for any product covered by this regulation then the seller may nevertheless make a sale of such product at the said point or may notify the Office of Price Administration in writing that he has set a tentative maximum price for the product at the said shipping or delivery point. In giving notice of the setting of such tentative maximum price or within 15 days of the making of the said sale, the seller shall file with the Petroleum Branch of the Office of Price Administration, Washington, D. C., a written request for the approval of either the tentative or sale price and together with such request a statement setting forth:

(1) Such tentative or sale price and in the latter case, full details of the sale;

(2) An explanation as to why it is impossible for the seller to establish a selling price under preceding articles of this regulation;

(3) Whenever applicable that the price set or charged by him is in line with the level of maximum prices for the three most closely competitive sellers of his same class and his own maximum price for the same product at three other points nearest the point at which the tentative price is set;

(4) Whenever subparagraph (3) is not applicable, an explanation, supplemented by specifications as to how the particular product differs from the two products having the most nearly similar specifications for which maximum prices are established under preceding articles of this schedule, the maximum prices of such products and a statement showing a computation of the cost to the seller[1] of the particular product and how that differs from the cost to him of the two products having the most nearly similar specifications.

Such tentative or sale price shall be the seller's maximum price at the particular shipping point or delivery point for the particular product until the said price is disapproved in writing by the Office of Price Administration or until the seller is notified in writing that a substitute maximum price has been set by the Office of Price Administration. Either an approved tentative or sale price or a substitute maximum price set by the Office of Price Administration may be replaced by another maximum price upon written notice to the seller from the Office of Price Administration.

(b) If a seller shall fail to report a sale as required by paragraph (a) above the Office of Price Administration may at any time upon written notice to the seller establish his maximum price for the particular product at the particular point effective retroactively to a date 15 days after the making of the said sale.

Effective date. This regulation shall become effective February 19, 1944 as to the 48 states and the District of Columbia and April 4, 1944 as to the territories and possessions, except the Panama Canal Zone. [MPR 88 originally issued February 14, 1944]

[NOTE: Effective dates of amendments are shown in notes following the parts affected]

NOTE: All reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9319; Filed, June 26, 1944; 4:27 p. m.]

[1] Where the product or any component thereof has been purchased by the applicant and the sale of such product to the applicant was exempted from price control the cost data submitted must show the cost of such product to the original producer thereof rather than the cost to the applicant.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 4]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The third sentence of section 26.3 (c) is amended by deleting the words "a factor to be fixed in a supplement to this order" and substituting the number "2".

This amendment shall become effective July 1, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9321; Filed, June 26, 1944; 4:27 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[2] Amdt. 71]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. Section 5.3 (c) is amended by changing the period at the end of the second sentence to a comma and by adding the following at the end thereof: "except in cases where a petition for permission to file on a later date is granted in accordance with the next paragraph."

2. A new section 5.3 (d) is added to read as follows:

(d) An institutional user may apply, on OPA Form R-315, to the Board for permission to file applications for allotments later than the time fixed in paragraph (b) if, because of the nature of his operations, he is unable to secure the information showing the number of persons served and dollar revenue which he needs for those applications in time to file them within the period permitted in paragraph (b). His application must state the address of each establishment and the reason why he cannot secure such information within the required time. If the Board is satisfied that the nature of his operations is such that he cannot reasonably compile the information required on his application for allotments within the first fifteen (15) days

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 6731.

[2] 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 16787, 17486; 9 F.R. 401, 455, 692, 1810, 2212, 2287, 2252, 2476, 2789, 3080, 3075, 3340, 3704, 3577, 4196, 4393.

of an allotment period, it may extend his time for filing for such period of time as it finds necessary but not beyond the first thirty (30) days of the allotment period. If the Board grants a petition for late filing under this paragraph, it may grant the applicant an additional reserve allotment computed in the following way:

(1) The original reserve allotment is divided by 15;

(2) The figure so obtained is multiplied by the additional number of days granted to the applicant within which to file his application;

(3) The result is the additional reserve allotment.

This amendment shall become effective July 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1–E, 1–M and 1–R, 7 F.R. 562, 2965, 7234, 9684, respectively; War Food Orders 56, 58, 59, 61, 64, 9 F.R. 4319, 4320, 4321)

Issued this 27th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–9376; Filed, June 27, 1944; 11:17 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 418,[1] Amdt. 33]

FRESH FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 418 is amended in the following respects:

1. Section 6 (b) is amended to read as follows:

(b) *To retailers.* For a service and delivery sale of any fresh fish or seafood to a retailer by a primary fish shipper wholesaler, his agent or branch warehouse, or by a wholesaler other than a retailer-owned cooperative wholesaler, whose supplier's ceiling was based on Table B, such wholesaler may add 1½ cents per pound to the price as determined in section 3 (c) (based on Table C) or section 5 (b) (based on Table D), whichever is applicable, plus the allowance in section 9 (b) when applicable. For other service and delivery sales to retailers, the wholesaler may add 2½ cents per pound to the price as fixed in section 5 (b) plus transportation allowance in section 9 (b) when applicable.

2. Section 6 (c) (1) is redesignated section 6a and is amended to read as follows:

SEC. 6a. *Maximum prices for sales of custom dressed fish to purveyors of meals.* For a sale of custom dressed fish to a purveyor of meals, a further addition of 2 cents per pound of custom dressed fish may be added to the applicable price for dressed fish. If a price is fixed in the regulation for round fish, but no price is fixed for dressed fish, the applicable dressed fish price shall be deemed to be 40 percent more than the applicable price for a sale of round fish. If no price is listed for dressed or round fish, but prices are listed for drawn fish of a species, the applicable dressed fish price shall be deemed to be 25 percent more than the applicable price for a sale of drawn fish. For the purposes of this section, "custom dressed" fish shall mean fish with the head, entrails, scales and fins removed. There shall be no charge by the wholesaler in supplying such fish to purveyors of meals for any other customary services performed such as slicing, removing collar bone, wrapping, etc.

3. Section 21 (a) is amended to read as follows:

(a) A wholesaler who sells fresh fish or seafood in a container may add as part of his maximum selling price the applicable container allowance listed in this section but only if he records it on an invoice to the buyer and only if the container becomes the property of the buyer. In no case may a wholesaler add a container allowance if the container is returned to him.

4. Section 21 (b) is amended to read as follows:

(b) If a wholesaler processes fresh fish into steaks, fillets or boned fish, or if a wholesaler sells custom dressed fish to a purveyor of meals and such wholesaler paid a container allowance permitted in this section, he may add as part of his maximum selling price an amount which will enable him to recover the permitted container allowance paid by him when he purchased the fish involved in the processing but no more than 3 cents in the case of sales of fillets or boned fish and no more than 2 cents in the case of sales of steaks and sales of custom dressed fish to purveyors of meals.

A purchasing wholesaler or subsequent wholesaler of such steaks, fillets or boned fish may pass on to his customer as part of his maximum selling price any container allowance authorized by this paragraph (b) which he paid.

This amendment shall become effective June 26, 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–9320; Filed, June 26, 1944; 4:28 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing in Miami Area,[1] Amdt. 6]

RENT ADJUSTMENT

Rent Regulation for Housing in the Miami Defense-Rental Area is amended in the following respects:

1. Section 5 (a) (10) is added to read as follows:

(10) *Not rented for one or two full months during the year ending on August 31, 1943.* The housing accommodations were not rented for one or two full months but less than twelve weeks during the year ending on August 31, 1943 and the maximum rent established under section 4 for such accommodations is substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations. The term "full month" means a period of consecutive days constituting a month.

2. The second unnumbered paragraph of section 5 is amended to read as follows:

In cases under paragraphs (a) (2), (a) (4), (a) (5), (a) (7), (a) (8), (a) (9), (c) (1), (c) (2), and (c) (5), the adjustment of the maximum rent shall be on the basis of the maximum rent which the Administrator finds is generally prevailing in the defense-rental area for comparable housing accommodations.

3. A sixth unnumbered paragraph is added to section 5, following the fifth unnumbered paragraph, to read as follows:

In cases under paragraph (a) (10) the maximum rent shall be adjusted to an amount to be ascertained by adding to the total rent for the year ending on August 31, 1943, an amount equal to the rent for the housing accommodations during the month or months of that year most nearly comparable to the month or months during which the accommodations were not rented, and dividing by twelve.

This amendment shall become effective June 28, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 27th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–9378; Filed, June 27, 1944; 11:18 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,[1] Amdt. 121]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation 136, as amended, is amended in the following respects:

1. Section 1390.10a is added to read as follows:

§ 1390.10a *Maximum prices where the seller does not comply with the provisions of §§ 1390.7, 1390.8, 1390.8a* (b), *1390.8a* (c), *1390.9* (b) *or 1390.10* (d). This section is applicable to any machine or part, or machinery service which is sold, offered for sale, delivered or transferred without computing the maximum price as required by §§ 1390.7, 1390.8, 1390.8a (b), 1390.8a (c), 1390.9 (b) or 1390.10 (d). The maximum price for any such sales, deliveries, or transfers shall be a price established by written order of the Price Administrator. This price will be in line with the level of maximum prices established by this regulation, and it shall apply to all sales or deliveries of the machine or part, or machinery service, to which such price applies, made after July 22, 1942.

2. Section 1390.25a (a) (2) (ii) (*a*) (3) is amended to read as follows:

(3) Whether, and by what amount, the supplier's current over-all profits, before income and excess profits taxes, are greater or less than his average over-all profits during the normal base period. These base period profits will be adjusted to reflect any change from the normal base period average investment.

This amendment shall become effective July 3, 1944.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of June, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–9375; Filed, June 27, 1944; 11:17 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 13]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5318 (a) (1) (i) is added as follows:

(i) However, if the application is made after June 15, 1944 the ration shall be the applicant's minimum requirements for the purpose, but not more than the figure obtained by adding twenty (20) gallons for the first person plus five (5) gallons for each additional person regularly occupying the dwelling, and multiplying that sum by the number of months (not beyond August 31, 1944) for which the ration is needed.

2. Section 1394.5318 (a) (2) (i) is added as follows:

(i) However, if the application is made after June 15, 1944 the ration shall be the applicant's minimum requirements for the purpose, but not more than the figure obtained by adding twenty (20) gallons for the first person plus five (5) gallons for each additional person regularly occupying the dwelling, and multiplying that sum by the number of months (not beyond August 31, 1944) for which the ration is needed.

This amendment shall become effective on July 1, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1–O, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 27th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–9377; Filed, June 27, 1944; 11:17 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 468,[1] Amdt. 2]

BROOM CORN

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 468 is amended in the following respects:

1. Section 3 (a) is amended to read as follows:

(a) Subject to the provisions of paragraph (b) of this section, the following are the maximum prices applicable to sales and deliveries of broom corn by the producer thereof:

Type of broom corn:	Price per ton
Shed cured broom corn	$300.00
All other broom corn	250.00

The above maximum prices are net cash, f. o. b. shipping point. The term "shipping point" means the producer's farm, warehouse or other point at which the broom corn is loaded on any conveyance for shipment from the producer to the purchaser.

The term "producer" means a person who grows or raises broom corn. It shall include a landlord or landowner with respect to sales of broom corn received by him as rental for the land upon which the broom corn was produced.

"Shed cured broom corn" is broom corn which has been thoroughly threshed or seeded prior to curing and has been cured by spreading it upon slats to a depth of approximately 3 to 5 inches in a properly ventilated curing shed and allowing it to remain there until thoroughly cured but in no event for less than 10 days. Broom corn which has been cured in any other manner, including the use of field racks, ricks containing drying flues, corn stalk saddles or coverings or temporary roofs or tarpaulins, is within the category of "all other broom corn."

Sales on a delivered basis. If the producer sells broom corn on a delivered basis, a delivered price in excess of the applicable maximum price f. o. b. shipping point specified in this paragraph (a) may be charged, consisting of such maximum price plus: (1) if the shipment is made in a vehicle owned or controlled by the producer, an amount not to exceed the lowest available commercial carrier rate for an identical shipment; or (2) if the shipment is made by a common or contract carrier, the amount actually paid to the carrier for the shipment.

2. Section 3 (c) is added to read as follows:

(c) *Invoices.* Every producer shall, with respect to every delivery of broom corn for which a maximum price is established by this section (3), deliver to the purchaser thereof an invoice or other memorandum showing: (1) the seller's name and address; (2) the buyer's name and address; (3) if the broom corn is shed cured, a statement to that effect; (4) the quantity shipped; (5) the price charged per ton; and (6) if the broom corn is sold on a delivered basis, the shipping point, the point of delivery and the amount paid to the carrier where shipment is made by a common or contract carrier, or, where shipment is made in a conveyance owned or controlled by the producer, the freight charges for an identical shipment at the lowest available commercial carrier rate. The purchaser shall retain such invoice or memorandum, and the producer shall retain a copy thereof, for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect.

This amendment shall become effective July 3, 1944.

NOTE: All record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 27th day of June 1944.

CHESTER BOWLES,
Administrator.

JUNE 20, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44–9374; Filed, June 27, 1944; 11:16 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165, as Amended,[1] Supp. Service Reg. 31]

HAND LAUNDRIES IN THE DETROIT AREA

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 31 has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Orders Nos. 9250 and 9328, Supplementary Service Regulation No. 31 is hereby issued.

§ 1499.2264 *Hand laundries in the Detroit area*—(a) *Dollars-and-cents maximum prices established for hand laundry services sold by hand laundries in the Detroit area.* (1) The maximum prices established by Maximum Price Regulation No. 165, as amended, for hand laundry services sold by hand laundries in

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9366, 10086, 10513, 10939, 11734, 11687, 12468, 12233, 12688, 13297, 13162, 13302, 14049, 14475, 14616, 15257, 15490, 16131, 16293, 16296; 9 F.R. 90, 1325, 1532, 1575, 2133, 2406.

[1] 8 F.R. 13119, 14047, 16033; 9 F.R. 3428, 4028, 6960.

[1] 9 F.R. 4748, 6420, 6239.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 2357, 3353, 4350, 4391, 4874, 5165, 5219, 5253, 5502, 5926.

[1] 8 F.R. 12514, 14309.

[1] 7 F.R. 6428, 6966, 8329, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9973, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5983, 8364, 8506, 8873, 10671, 10939, 11754, 12023, 12710, 13302, 13473, 14990; 9 F.R. 1819, 3395, 4747, 5174, 6263, 6151, 7020.

the Detroit area are hereby modified and henceforth shall be the prices set forth in Appendix A.

(2) *Definitions.* As used in this supplementary service regulation the term:

"Hand laundry" means a retail laundry establishment receiving and distributing laundry, generally finishing wearing apparel by hand ironing done on the premises, giving only limited, if any, delivery service and employing 10 or less employees.

"Detroit area" means the Counties of Wayne, Oakland, and Macomb, in the State of Michigan.

(3) *Posting requirements.* Within 30 days after the issuance of this supplementary service regulation, every hand laundry located in the Detroit area shall post on its premises in a place and manner so that it is plainly visible to the purchasing public, a placard or card setting forth the maximum prices established in Appendix A.

(4) *Elimination of individual adjustments.* On and after the effective date of this Supplementary Service Regulation the provisions of § 1499.114 (d) of Maximum Price Regulation No. 165 shall no longer be available to sellers covered by this regulation.

(5) *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

(6) *Other services supplied by hand laundries.* Laundry services not listed in Appendix A performed by hand laundries shall be governed by Maximum Price Regulation No. 165 as amended.

APPENDIX A

Laundry service:	Price
Shirts	$0.18
Collars	.06
Sheets	.12
Pillow cases	.06
Towels	.05
Handkerchiefs	.03
Socks—pair	.06
Undershirts	.10
Shorts	.10
Pajamas—men's	.25
Union suits	.20
Nurse's uniforms	.45
Maid's uniforms	.45
Overalls	.35
Overall pants	.25
Overall jackets	.25
Coveralls	.45
Pants—work	.40
Aprons—shop	.15

This Supplementary Service Regulation No. 31 shall become effective July 10, 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9322; Filed, June 26, 1944; 4:28 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circular 1578]

PART 191—GENERAL REGULATIONS APPLICABLE TO MINERAL PERMITS, LEASES AND LICENSES

SURRENDER OF LEASE

§ 191.15 *Computation of rental on surrender of lease.* It is provided in the act of November 26, 1943 (57 Stat. 593), as follows:

That the Secretary of the Interior is authorized to accept the surrender of any lease issued pursuant to any of the provisions of the Act of February 25, 1920 (41 Stat. 437, 30 U.S.C. sec. 181 and the following), or an amendment thereof, where the surrender is filed in the General Land Office subsequent to the accrual but prior to the payment of the yearly rental due under the lease, upon payment of the accrued rental on a pro rata monthly basis for the portion of the lease year prior to the filing of the surrender. The authority granted to the Secretary of the Interior by this Act shall extend only to cases in which he finds that the failure of the lessee to file a timely surrender of the lease prior to the accrual of the rental was not due to a lack of reasonable diligence, but it shall not extend to claims or cases which have been referred to the Department of Justice for purposes of suit.

The act applies to surrenders of leases filed before or after its enactment. Subject to compliance with all other applicable provisions of the lease, any lessee desiring to obtain the relief provided for should file, in addition to his surrender of the lease, a statement under oath setting forth in detail the facts tending to show that the delay in filing the surrender was not due to any lack of reasonable diligence. The statement should be corroborated by the affidavits of at least two disinterested persons conversant with the facts. The lessee also must tender a sum of money sufficient to pay all accrued rentals on a pro rata monthly basis, to and including the month in which the surrender is filed.

The surrender must be filed in triplicate if the lessee desires a counterpart returned; otherwise, it should be filed in duplicate.

(Sec. 32, 41 Stat. 450, 30 U.S.C. 189)

FRED W. JOHNSON,
Commissioner.

Approved: June 20, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-9344; Filed June 27, 1944; 9:52 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Administrative Order ODT 28]

PART 503—ADMINISTRATION

TERMINATING GOVERNMENT POSSESSION, OPERATION AND CONTROL OF THE AMERICAN RAILROAD COMPANY OF PUERTO RICO

Pursuant to Executive Order 9341 and a determination by the President of the United States that possession, operation and control of the American Railroad Company of Puerto Rico are no longer required for the successful prosecution of the war, *It is hereby ordered*, That:

Sec.
503.485 Termination of possession, operation and control.
503.486 Waiver of claims and rights of the United States.
503.487 Communications.

AUTHORITY: §§ 503.485 to 503.487, inclusive, issued under E.O. 9341, 8 F.R. 6333, memorandum from the President of the United States dated June 21, 1944, and letter from the Attorney General dated June 15, 1944.

§ 503.485 *Termination of possession, operation and control.* Possession, operation and control by the United States of the American Railroad Company of Puerto Rico, herein referred to as "railroad", and of all real and personal property, franchises, rights, facilities, funds, and other assets, tangible and intangible, taken and assumed pursuant to Executive Order 9341, are hereby terminated and relinquished as of 12:01 o'clock a. m., eastern war time, July 1, 1944. No further action shall be required to effect termination of Government control and operation and relinquishment of possession hereby ordered.

§ 503.486 *Waiver of claims and rights of the United States.* All claims and rights which the United States may have against the railroad, Compañía de los Ferrocarriles de Puerto Rico, and Compañía Ferroviaria de Circunvalación de Puerto Rico, with respect to the operation of the railroad and the property herein referred to during the period of Government possession, operation and control, and to the funds accruing from such operation, are hereby waived and released when the railroad, Compañía de los Ferrocarriles de Puerto Rico, and Compañía Ferroviaria de Circunvalación de Puerto Rico shall have executed an agreement:

(a) Adopting and ratifying all acts performed by the Director of the Office of Defense Transportation and the Federal Manager of the properties of the American Railroad Company of Porto Rico, and their agents and employees, in connection with said operation;

(b) Indemnifying and saving harmless the United States and all of its departments, agencies, officials, agents, and employees, from and against any and all liability to third parties arising out of possession, operation and control of the railroad and such properties by the Government;

(c) Assuming the defense of any and all claims of third parties against the United States or any department, agency, official, agent or employee thereof, arising from, on account of or in connection with the operation and possession of the railroad and such properties by the Government; and

(d) Releasing and discharging the United States and all of its departments, agencies, officials, agents and employees, and their successors, from all claims, rights and demands by or on behalf of the railroad, Compañía de los Ferrocarriles de Puerto Rico, and Compañía Ferroviaria de Circunvalación de Puerto Rico, or their successors or assigns, that have arisen now exist, or may hereafter arise or be asserted, by reason of or in connection with the possession, operation or control by the United States of their properties during the period of Government possession, operation and control, or said Executive Order 9341, or any action taken pursuant thereto.

§ 503.487 *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Administrative Order ODT 28".

Issued at Washington, D. C., this 27th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-9833; Filed, June 27, 1944; 11:09 a. m.]

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Order 1688, Amdt. 2]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

COORDINATED PILCHARD PRODUCTION PLAN

By virtue of the authority conferred upon me by War Food Order No. 52 (formerly known as Food Directive No. 2 of February 8, 1943, 8 F.R. 1777, as amended on March 16, 1943, 8 F.R. 3280) issued pursuant to Executive Order No. 9280 of December 8, 1942 (7 F.R. 10179), and in order to facilitate the production of an adequate supply of pilchard to meet war and essential civilian needs with a minimum utilization of critical material, manpower and fishing vessels, Order No. 1638 of the Secretary of the Interior (8 F.R. 9233) issued June 30, 1943, as amended September 28, 1943 (8 F.R. 13517), is amended and completely revised to read as follows:

§ 401.2 *Coordinated pilchard production plan*—(a) *Jurisdiction.* Control over the activities of pilchard vessels in gainful pursuits on the Pacific Coast of the United States and Alaska and of pilchard plants in the same area through the stage of processing fish, for the purposes herein specified, shall be vested in the Fishery Coordinator and subject to his supervision and direction shall be administered by the Office of Fishery Coordination.

(b) *Statement of policy.* Shrinkage of the fishing fleet through military requisition, restriction on the movements of fishing vessels imposed by security requirements, limitation of manpower, and other war connected stringencies, coupled with increased National requirements for proteins and fats, have created a condition calling for Government supervision to insure the maximum effectiveness of existing fishing and processing facilities for the production of pilchard products. It is the purpose and intent of the Fishery Coordinator in administering and enforcing the provisions of this order to restore as nearly as possible a normal flow of raw material and as continuous an operation at processing plants as possible and to insure the production of the quantities of each category of finished products required for the maintenance of the Nation's war economy with the least possible interference with the freedom of activity of persons in the pilchard fishery and the pilchard processing industry. In the interest of effective mobilization of material resources necessary to the successful prosecution of the war, it is expected that persons affected by this order will cooperate with the United States Government in the attainment of the objectives which prompt the issuance of this order; among other things, it is expected that those engaged in the industry will make every effort to settle disputes among themselves, before the disputes interfere with maximum production or the other aims of the order.

(c) *Definitions.* For the purpose of interpreting this order and directions, applications, permits and all administrative instruments based upon it:

(1) "Person" means any individual, partnership, association, corporation, or any other business entity.

(2) "Pilchard" means raw, unprocessed pilchard (Sardinia caerulea), by whatever name known, including sardines.

(3) "Delivery" means the transfer of pilchard to a processing plant, for canning or reduction, to a transporting facility, or to a place of storage, whether or not the same person owns or controls the vessel from which it is transferred, the plant, and the fish.

(4) "Port" means a single harbor or group of contiguous or nearly contiguous harbors at which pilchard are landed. San Pedro means the ports of San Pedro, Wilmington and Long Beach. Monterey means the ports of Monterey and Moss Landing. San Francisco means the harbors on San Francisco Bay, and the tributaries thereof. Ports may be added or regrouped in the discretion of the Fishery Coordinator, or his representative.

(5) "Registration port" means the port where the permanent document of the vessel issues.

(6) "Home port" means the port at which the Master and the operating owner or holder of the charter of the vessel have had residence for a substantial portion of the period since June 1, 1940, and from which they have practiced pilchard fishing operations during at least half of the time in all seasons of active fishing since June 1, 1940; or, in case these criteria are conflicting, the port designated by the Fishery Coordinator, or his representative, as the home port of the vessel.

(7) "Fishing port" means a port from which the vessel operates for the purpose of pilchard fishing.

(8) "Operating owner" means the person (or one of the persons) to whom the vessel is chartered, or if there is no charter the person who receives (or one of the persons who participates in) the share of the earnings commonly called the "boat's share" as distinct from that of the crew, and distinct from the share paid for use of the net.

(9) "Pilchard vessel" includes any vessel which has engaged in fishing for pilchard at any time since May 31, 1940, and also any vessel constructed, remodeled, or converted since that date for fishing for pilchard with any type of gear whether such fishing be intermittent or continuous within the pilchard season, and any vessel constructed, remodeled or converted with the aid of priority assistance secured partly by means of a statement of intent, expressed or implied, to use the boat in pilchard fishing during a part of the year.

(10) "Pacific Coast" means the coast of Alaska and of the states of Washington, Oregon, and California.

(11) "Fishery Coordinator" means the Secretary of the Interior in the sense in which the Secretary is so designated by Executive Order No. 9204 (7 F.R. 5657).

(12) "Representative" means any person or persons duly designated by the Fishery Coordinator to perform any of the delegable functions authorized by this order.

(13) "Fishery commodities and products" includes any edible or non-edible fish, any form of aquatic animal or plant life, and any other commodity and product, including fats and oils, of marine or fresh water origin, which is within the meaning of the term "food" as defined in section 10 of Executive Order No. 9280 (7 F.R. 10179).

(14) Except when the context clearly indicates otherwise each term and phrase has the same meaning as is given to it in War Food Order No. 52 (formerly known as Food Directive No. 2, as amended, 8 F.R. 1777, 3280).

(d) *Catching or delivering pilchard without a permit prohibited.* No person owning or controlling a vessel of 20 net tons or over shall fish for and deliver pilchard to any cannery, reduction plant, or other establishment at any port on the Pacific Coast of the United States, except as otherwise provided in paragraph (m) below, unless expressly authorized by a permit issued by the Fishery Coordinator, or his representative.

(e) *Clearance of pilchard vessels from ports without a permit prohibited.* Except where there has been an emergency modification of the permit as provided in paragraph (m) below:

(1) No pilchard vessel of 20 net tons or over shall be cleared from any port on the Pacific Coast of the United States or Alaska for a fishing voyage of any sort or for a voyage during which it is to be engaged in any gainful pursuit, or enter any port to deliver fish or otherwise to complete such gainful pursuits except in accordance with the terms of a permit issued as set out in this order:

(2) Clearance from a port will not be permitted except when the Master of the vessel shall have such permit in his possession.

(f) *Terms and conditions or permits.* (1) Each permit shall provide specifically the period for which it is issued; the port or ports from which clearance is authorized; and such other reasonable terms and conditions as may be deemed necessary to accomplish the purpose of this order. When a new Master is placed in charge of the vessel, unless the arrangement is temporary for fifteen days or less, the old permit shall be invalid and should be surrendered to the Area Coordinator with an application for immediate issuance of a new permit.

(2) Each permit shall provide that if it shall be ordered suspended (as distinct from revoked) for a violation of this order in the handling of a load of fish, the permittee shall have the option, in lieu of suffering such permit suspension, of paying to the United States Government a sum of money, to be specified in the suspension order, and computed as follows: For each day in the designated

suspension period, 50 percent of the value of fish involved, plus an additional ten percent of the value for each previous wilful violation of this order by the same person or his representative, whether a penalty has been imposed for such prior violation or not, but disregarding violations prior to July 1, 1944. For purposes of this clause, infractions during a single trip shall be considered a single violation.

(3) Permits may be amended at any time or new permits issued when deemed necessary by the Fishery Coordinator, or his representative, to provide an adequate number of fishing vessels at any given port and to assure an even flow of pilchard to canning or reduction plants in order to facilitate the maximum production of sardine products commensurate with available manpower and plant facilities.

(4) The terms of a permit may be modified by the Fishery Coordinator, or his representative, on request of the holder of such permit when conditions are shown to exist which warrant such modification.

(g) *Applications for permits; Master as agent for operating owners.* (1) Applications for permits shall be filed with the Fishery Coordinator, or his representative, not later than June 1 of each year, except for vessels built or acquired for pilchard fishing during the course of the season, in which case applications shall be filed not less than 10 days prior to the time operation of the vessel is contemplated.

(2) Applications shall contain the following information:

(i) The name of the vessel, the registration port and official number, the name of the operating owner (or if there are several operating owners, the name of the one representing the group in applying for a permit) and the name of the Master of the vessel.

(ii) The permanent residence of the operating owner in whose name as representative of all operating owners the permit is requested to be issued, and of the Master of the vessel, and the date when each such residence was established.

(iii) The fishing ports, during the period since June 1, 1940, of the Master or such other person as is to be in charge of fishing operations of the vessel as distinct from navigation.

(iv) The home port.

(v) The fishing port or ports from which a permit to fish is desired and the period of time during which fishing operations are to be conducted at each of the fishing ports.

(vi) Any other information deemed necessary by the Fishery Coordinator, or his representative, to accomplish the purposes of this order, including the submission of copies of contracts bearing on the determination of the home port or of the fishing ports or affecting the delivery of pilchard.

(3) The Master of the vessel named in an application for fishing during a particular pilchard, tuna, or other season, shall be deemed the agent of the operating owners for all purposes of administration of this order, including, but not limited to, filing subsequent applications, receiving all communications and service of all notices in any proceedings for violation of the order, waiving notice and hearing in such proceedings. Such agency shall continue until the end of the seasons for all species of fish named in the application, or earlier receipt of notice by the Area Coordinator of designation of another Master for the vessel; such notice shall terminate the permit. The first application for a particular season may be filed by the Master as agent of the operating owners with their consent; and such consent shall be conclusively presumed unless the operating owner named as permittee repudiates the application promptly after learning that it was filed, or that a permit was issued under it, or that the vessel is operating under the permit. The Master of the vessel actually in charge of it, whether named in the application or not, shall also be deemed the agent of the operating owners for the purposes specified.

(h) *Action on applications.* (1) The Fishery Coordinator, or his representative, shall consider each application on the basis of (i) military and essential civilian requirements for canned sardines, sardine meal and oil; (ii) the necessity of maintaining canneries or reduc-pilchard to available canneries or reduction plants; and (iii) the condition of fishing in the waters adjacent to each port.

(2) So far as is consistent with the factors referred to in subparagraph (1) above, in acting upon applications preference in assignment to ports shall be given to applicants for home port fishing permits. When assignment of vessels to ports other than their home ports is deemed necessary to secure maximum production, or to further the other purposes of this order, it will be given, so far as possible, to vessels which, even without such action would not be operating at their home ports during the period in question.

(3) Permits may be granted on applications filed after the dates specified in paragraph (g) hereof but the rules stated in subparagraph 2 above as to the preferential assignment of fishing ports shall not apply to such late applications.

(i) *Individually directed deliveries; new plants; disputes.* (1) The Fishery Coordinator, or his representative, when it is necessary in his opinion to assure maximum production of all pilchard products, or of the pilchard product deemed most essential, or to assure production of each type of pilchard product in proper proportion to meet the requirements for military and essential civilian supply, or to promote an even flow of the material to canning or reduction plants or to promote other purposes of this order, may set up a system for distributing pilchard landings in any port, and direct specifically where and to whom each load shall be delivered. The delivery or the receipt of fish, contrary to such direction shall be a violation of this order.

(2) Whether such a system of directed deliveries has been set up or not, no plant shall receive fish knowing it to have been caught or brought into port in violation of this order or of any permit issued thereunder, except pursuant to a direction from the Fishery Coordinator, or his representative, given with knowledge of the violation.

(3) When, after the opening of the pilchard season at a particular port and after a system of directed deliveries has been set up there and is operating pursuant hereto for the season, a new plant, whether independently owned or an addition to the facilities of a processor already operating there, is ready to begin operations in the port, application may be made to the Area Coordinator to have a share of the pilchard landings in that port delivered to the new plant, and such application shall be considered and granted or denied on its merits, giving proper weight to all the purposes of this order, including maximum production in the most essential categories to meet the requirements for military and essential civilian supply, and economy in use of manpower and critical material.

(4) The Area Coordinator may refuse or reduce deliveries to any plant not reasonably necessary for the production program of this order and constructed, repaired or equipped partly or wholly with critical materials improperly obtained or used contrary to applicable regulations. Critical materials will be deemed obtained improperly if obtained with the aid of priorities assistance secured partly or wholly by misrepresentation. Critical materials in a particular construction, including repair or equipment installation, will also be deemed to have been improperly obtained if any person obtaining them knowingly uses them, or uses critical materials released by such construction, or uses an old plant expected to be replaced by such construction, in any manner inconsistent with his statement as to the use contemplated, which statement was made, expressly or impliedly, to a Government representative prior to obtaining the materials; the same result will follow if the person by any act knowingly aids or contributes to such inconsistent use.

(5) Where critical materials have been used in the construction, repair or equipment of a plant, and the priorities assistance therefor was secured by any person after his express or implied statement to any Government representative that the plant was to take the place of an old plant then operating, the Area Coordinator may also refuse or reduce deliveries to the old plant, if reopened as a processing plant, unless the persons interested in the old plant are able to show that their interests were acquired after such express or implied statement, and acquired in good faith and without knowledge thereof.

(6) In the event of any dispute between any person designated to deliver pilchard and the person to whom such delivery is assigned, concerning quantity, quality, payment or other terms of a transaction directed under subparagraph (1) above, if the Grievance Committee or other conference group established by participants in the industry to settle such disputes in the particular port concerned fails to reach a settlement accepted by both parties, either party may petition the Area Coordinator for exemption from any requirement to deliver pilchard to, or receive pilchard from, the other party. The petition shall set out the facts and shall be served on the other party to the dispute, the respondent, who may serve and file a reply; a hearing shall be held thereon if either party requests it. If in the opinion of the Area Coordinator the facts indicate that the failure to settle the dispute was substantially attributable to respondent's unjustified failure to cooperate reasonably in submitting the dispute for settlement or in carrying out a settlement award, and that such action would further the purposes of this order, he may grant the exemption requested, directing deliveries in that port thereafter so as not to require business transactions between the two parties to the dispute, providing alternative transactions for the petitioner without providing the respondent with alternative transactions to compensate him for transactions lost as the result of such action.

(j) *Designation of particular uses.* The Fishery Coordinator, or his representative, may direct or prohibit the use of pilchard for canning or for reduction into meal and oil or may direct the use of any specified percentage for each particular purpose when deemed necessary in order to meet the requirement for military and essential civilian supply.

(k) *Agreements to limit production prohibited.* No contract or agreement, written or verbal, shall be entered into or carried out in whole or in part, and no action shall be taken which directly or indirectly operates to limit the amount of pilchard which may be caught or delivered by any fishing vessel or the frequency with which any pilchard fishing vessel shall leave port for or return from the fishing grounds except as may be ordered by the Fishery Coordinator, or his representative.

(l) *Records and reports.* (1) All persons engaged in processing pilchard and who are affected by this order shall keep and preserve, for not less than two years, accurate records concerning purchases (including names of sellers and vessels) and production of fishery commodities and products, and such other material information as may be required by the Fishery Coordinator, or his representative.

(2) All records required to be kept by this order or by any order of the Fishery Coordinator, or his representative, shall be made available for inspection and audit by the Fishery Coordinator, or his representative, upon request.

(3) The Fishery Coordinator, or his representative, may require from persons affected by this order daily or other periodic reports with respect to amounts and quality of fishery commodities and products received, production capacity, quantities of each product produced, and such other material information as may be deemed necessary by the Fishery Coordinator, or his representative, to carry out the purposes of this order. These record keeping requirements have been approved by the Bureau of the Budget and specific recording and reporting requirements subsequently prescribed will be subject to the approval of the Bureau of the Budget, all pursuant to the Federal Reports Act of 1942.

(m) *Modification of permit by radio, etc.* (1) In unusual circumstances, when deemed necessary to meet the exigencies of the occasion, the Fishery Coordinator, or his representative, may, verbally or by radio telephone, modify the terms of a permit by change of port for a single trip or otherwise, subject to confirmation in writing within a reasonable period of time thereafter.

(2) Any such emergency modification permitting entry to and delivery of pilchard at a port contrary to the terms of the permit as issued must be secured before the vessel deviates from its course to a permitted port in order to enter another port for delivery of pilchard; after such deviation no action taken by any representative of the Fishery Coordinator to enable the vessel to discharge its load in the other port shall constitute a modification of the permit or relieve the permittee from responsibility for coming to such port contrary to the terms of his permit, unless the action is accompanied by an express provision for such modification and relief.

(n) *Orders and directions; Deputy Fishery Coordinator.* The Fishery Coordinator, or his representative, may issue such orders and directions as he may deem necessary to accomplish the purposes of this order, and violation of any such order or direction shall be a violation of this order.

(o) *Violation; revocation.* Each permittee shall be responsible for any violation occurring through operation of the vessel under his permit. Any person who violates this order or any order, direction, or prohibition of the Fishery Coordinator, or his representative, or any term or condition of any permit issued by either, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, may, by a decision of the Area Coordinator based upon findings of fact made after reasonable notice and hearing, be prohibited from fishing by suspension or revocation of any permit issued, or prohibited from receiving any type of fish for a specified period of tire. If the Area Coordinator shall have reasonable grounds to believe that such violation has occurred and if the circumstances are such that he shall deem such action reasonably necessary to carry out the purposes of this order, he may immediately suspend the permit or privilege of receiving fish pending such hearing. In all such remedial proceedings hereunder the Master of the vessel shall be an authorized representative of the operating owners as set out in paragraph (g) (2) above. Such further action may be taken against the violator as the Fishery Coordinator deems appropriate, including the recommendation for prosecution under section 35A of the Criminal Code (18 U.S.C. sec. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws. If the permit shall be ordered suspended as provided in this paragraph the permittee shall have the option to make the payment described in paragraph (f) (2) above, in lieu of suffering such suspension; such option shall not be available in lieu of revocation.

(p) *Appeals and petitions for relief.* Any person who finds that compliance with this order imposes an unreasonable burden upon him may petition the Fishery Coordinator for appropriate relief. Any person aggrieved by any action taken by the Area Coordinator, or one of his staff hereunder, or by any direction issued hereunder, or who finds that compliance therewith imposes an unreasonable burden upon him may petition the Area Coordinator for appropriate relief; and after the hearing or other presentation of the matter before the Area Coordinator and his decision, any person affected may appeal from the decision by filing a petition with the Fishery Coordinator. Any petition filed under this paragraph must include a full showing of the pertinent facts, and must be filed in triplicate; and when any petition is filed with the Fishery Coordinator a copy thereof shall be filed at or before that time with the Area Coordinator.

(q) *Surrender of permits; applications; communications.* Permits which have been superseded by amended permits, or which have been revoked, shall be surrendered at once to the Area Coordinator; and all applications, petitions, and communications referred to herein shall, unless otherwise directed, be addressed to and filed with the Area Coordinator, Area II, Office of the Coordinator of Fisheries, 901 Alexander Building, 155 Montgomery Street, San Francisco 4, California.

(r) *Deputy Fishery Coordinator; delegation of authority; designated representative.* For the purposes of this order the functions, duties and powers of the Fishery Coordinator may, in his absence, be exercised by the Deputy Fishery Coordinator. The Area Coordinator in Area II is designated as the representative of the Fishery Coordinator in immediate charge of the administration of this order, is authorized to perform any of the functions of the representative of the Fishery Coordinator hereunder, and is the person referred to whenever the term "Area Coordinator" is used herein. In the performance of these functions the Area Coordinator may designate any members of his staff to carry out any specific functions he may assign to them, and in addition he may delegate specific functions to any member of the staff of the Office of Fishery Coordination or of the Fish and Wildlife Service, with the consent of the superior of such staff member. The Area Coordinator may also designate other Federal officers or employees who are qualified therefor by training or experience to serve as hearing officers with the consent of their superiors in any hearings necessary hereunder.

(s) *Previous orders superseded.* This order shall supersede Conservation Order M-206 as amended September 30, 1942 (7 F.R. 8274) issued by the War Production Board.

(t) *Separability; effective date.* The various clauses and provisions herein are intended to be separable and the invalidity of any one shall not affect any other provision. This order shall become effective immediately, but permits shall

not be required for any fishing from Alaska ports until thirty days after the date of this order; however, applications should be filed for such permits within twenty days after that date.

Issued this 23d day of June 1944.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 44-9345; Filed, June 27, 1944; 9:52 a. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

WESTERN UNION TELEGRAPH CO.

NOTICE OF OPPORTUNITY TO FILE

Notice of opportunity to file written objections to the denial of application for permission to employ messengers in the telegraph industry at wages lower than the applicable minimum specified in section 6 of the Fair Labor Standards Act of 1938.

Whereas, the Western Union Telegraph Company, pursuant to regulations, Part 523 (regulations applicable to employment of messengers pursuant to section 14 of the Fair Labor Standards Act of 1938) made application for permission to employ messengers at wages lower than the applicable minimum wage specified in section 6 of the act; and

Whereas, a hearing on said application was held on March 1, 1944 before Isabel Ferguson, the representative of the Administrator of the Wage and Hour Division duly authorized to receive evidence, hear argument and make her findings of fact and recommendations on the following questions:

1. It is necessary, in order to prevent curtailment of opportunities for employment, to provide by regulations or orders for the employment in the telegraph industry of messengers, employed exclusively in delivering letters or messages, under special certificates, at wages lower than the minimum wage applicable under Section 6 of the Fair Labor Standards Act of 1938; and if such necessity is found to exist,

2. Under what limitations as to wages, time, number, proportion and length of service may special certificates be issued authorizing the employment of such messengers at subminimum wage rates; and

Whereas, following the hearing, the said Isabel Ferguson duly made her findings of fact and found that it is not necessary, in order to prevent curtailment of opportunities for employment, to provide for the employment of messengers employed exclusively in delivering letters and messages, under special certificates, at wages lower than the minimum wage applicable under section 6, and recommended that the application of the Western Union Telegraph Company be denied; and

Whereas, the duly authorized representative of the Administrator has filed her findings of fact and recommendations, together with a complete record of the proceedings, with the Administrator and said findings of fact and recommendations are available for examination by all interested parties at the National Offices of the Wage and Hour Division, 165 West 46th Street, New York, New York.

Now therefore, notice is hereby given of the opportunity to all interested persons to file with the Administrator of the Wage and Hour Division their written objections to the duly authorized representative's findings of fact and recommendations showing cause why the Administrator should not approve the recommendations and deny the application of the Western Union Telegraph Company for permission to employ messengers at wages lower than the minimum wage applicable in the telegraph industry under section 6 of the act. An original and four copies of all objections, protests or statements in opposition to the approval of the duly authorized representative's findings of fact and recommendations should be addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York 19, New York, and shall be filed with the Administrator not later than 15 days after this notice appears in the FEDERAL REGISTER.

Signed at New York, New York, this 22d day of June 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-9317; Filed, June 26, 1944; 12:39 p. m.]

WENNONAH COTTON MILLS CO.

NOTICE OF GRANTING OF EXCEPTION

Notice of granting of exception to the Wennonah Cotton Mills Company of Lexington, North Carolina, from certain record-keeping requirements of the Fair Labor Standards Act of 1938 and regulations issued thereunder.

Pursuant to section 11 (c) of the Fair Labor Standards Act of 1938 and § 516.18 of the record-keeping regulations, Part 516, as amended, notice is hereby given of the granting of an exception to the Wennonah Cotton Mills Company, Lexington, North Carolina, from the necessity of maintaining records, as required by § 516.1 (b) of the aforesaid regulations, substantiating the cost of housing furnished to its employees.

This exception is granted on the following conditions:

(1) Deductions made from the wages of any employee (except deductions for government bonds, cash advances, voluntary wage assignments to independent third persons, or any deductions required by law) shall not, in any week, exceed the difference between his earnings for the first 40 hours worked during that week and the minimum wage required by the Fair Labor Standards Act for those hours; and

(2) Deductions made from the wages of any employee for government bonds, cash advances, voluntary assignments to independent third persons, or any deductions required by law shall not in any instance exceed the amount actually paid by the employer on behalf of and for the benefit of the employee, and neither the employer nor any affiliated person shall derive any profit or benefit therefrom or receive any fee, commission, rebate, or other payment from any person in connection with such transaction.

This exception shall terminate automatically as of the first day in any workweek in which the deductions from the wages of any employee exceed the amount specified above.

Signed at New York, New York, this 23d day of June 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-9316; Filed, June 26, 1944; 12:39 p. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3501), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3743), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations, cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Joseph Adelson & Sons, 911 First Avenue, Asbury Park, New Jersey; ladies' silk rayon and cotton lingerie; 5 learners (T); effective June 25, 1944, expiring June 24, 1945.

Co-Ed Frocks, Inc., Pana, Illinois; women's washable outer apparel; 10 learners (T); effective June 19, 1944, expiring June 18, 1945.

Consolidated Pants Company, Front Street, Hammonton, New Jersey; cotton and wool pants; 5 learners (T); effective June 24, 1944, expiring June 23, 1945.

Charles Desreal Company, 247 North Third Street, Easton, Pennsylvania; ladies' woven rayon slips and lingerie; 10 percent (T); effective June 24, 1944, expiring June 23, 1945.

Elder Manufacturing Company, 7025 Pennsylvania Avenue, St. Louis, Missouri; men's shirts; 10 percent (T); effective June 22, 1944, expiring June 21, 1945.

Hickory Manufacturing Corporation, Scranton, Pennsylvania; work pants and shirts; 10 learners (T); effective June 19, 1944, expiring June 18, 1945.

Hollywood Maxwell Company, 407 Main Street, Arkadelphia, Arkansas; brassieres; 10 learners (T); effective June 24, 1944, expiring June 23, 1945.

Ideal Shirt Company, Main Street, Sykesville, Pennsylvania; work and sport clothing; 10 learners (T); effective June 27, 1944, expiring June 26, 1945.

Manhattan Shirt Company, Poplar Hill Avenue, Salisbury, Maryland; men's dress shirts; 10 percent (T); effective June 20, 1944, expiring June 19, 1945.

Pioneer Manufacturing Company, 292 Lambert Street, N. W., Atlanta, Georgia; work clothing, work shirts and pants; 50 learners (E); effective June 19, 1944, expiring December 18, 1944.

Joseph Reisner, 902 Main Street, Dickson City, Pennsylvania; children's dresses; 7 learners (T); effective June 24, 1944, expiring June 23, 1945.

HOSIERY INDUSTRY

Elizabeth City Hosiery Mills, Elizabeth City, North Carolina; seamless hosiery; 20 learners (AT); effective June 24, 1944, expiring December 23, 1944.

Gulf Stream Products Company, Green Cove Springs, Florida; full-fashioned hosiery; 5 learners (T); effective June 22, 1944, expiring June 21, 1945.

TELEPHONE INDUSTRY

Bradford County Telephone Company, 45 Owen Street, Forty Fort, Pennsylvania; to employ learners as commercial switchboard operators at its Towanda, Pennsylvania exchange, located at 211 Main Street, Towanda, Pennsylvania; effective June 22, 1944, expiring June 21, 1945.

Commonwealth Telephone Company, 45 Owen Street, Forty Fort, Pennsylvania; to employ learners as commercial switchboard operators at its Dallas exchange, located at 15 Church Street, Dallas, Pennsylvania; effective June 25, 1944, expiring June 24, 1945.

Comonwealth Telephone Company, 45 Owen Street, Forty Fort, Pennsylvania; to employ learners as commercial switchboard operators at its Susquehanna exchange, located at Main & Franklin Streets, Susquehanna, Pennsylvania; effective June 22, 1944, expiring June 21, 1945.

Commonwealth Telephone Company, 45 Owen Street, Forty Fort, Pennsylvania; to employ learners as commercial switchboard operators at its Tunkhannock, Pennsylvania exchange, located at 130 Warren Street, Tunkhannock, Pennsylvania; effective June 22, 1944, expiring June 21, 1945.

Northern Indiana Telephone Company, North Manchester, Indiana; to employ learners as commercial switchboard operators at its North Manchester exchange, located at North Manchester, Indiana; effective June 22, 1944, expiring June 21, 1945.

TEXTILE INDUSTRY

Covington Mills, Covington, Georgia; cotton textiles; 8 percent (T); effective June 24, 1944, expiring June 23, 1945.

The Daisie Ribbon Company, Front & Saucon Streets, Hellertown, Pennsylvania; grosgrain satins, shoebindings and seambindings; 8 learners (T); effective June 24, 1944, expiring June 23, 1945.

Jordan Mills, Inc., 2702 12th Avenue, Columbus, Georgia; knitting and weaving yarns; 3 percent (T); effective June 24, 1944, expiring June 23, 1945.

Rhyne-Houser Manufacturing Company, Cherryville, North Carolina; combed cotton yarns; 3 percent (T); effective June 24, 1944, expiring June 23, 1945.

Signed at New York, N. Y., this 24th day of June 1944.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-9318; Filed, June 26, 1944; 12:39 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 214]

UNLOADING OF COKE AT CORONA STATION, LONG ISLAND, N. Y.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of June, A. D. 1944.

It appearing that car PMcKY 54009 containing coke at Corona Station, Long Island, New York, on The Long Island Railroad Company, has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action, it is ordered, that:

Coke at Corona Station, Long Island, New York, to be unloaded. (a) The Long Island Railroad Company, its agents or employees, shall unload forthwith car PMcKY 54009 containing coke, on hand at Corona Station, Long Island, New York. This car is covered by PRR waybill 77004, May 26, 1944, loaded at Brownsville, Pa., interchange shipped by Climax Coal and Mineral Corporation, account Harris Bros.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carload of coke has been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17) 15 (2))

It is further ordered, That this order shall become effective immediately, and that a copy of this order and direction shall be served upon The Long Island Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-9351; Filed, June 27, 1944; 11:03 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 20A-144]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN FLORENCE, ALA., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Florence, Alabama, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject

[1] Filed as part of the original document.

to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Birmingham, Alabama, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A144" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Birmingham, Alabama.

8. This order shall become effective July 5, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 27th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Mrs. P. J. Tucker, Tucker Cab Company, Florence, Ala.
W. H. Hill, Hill Cab Company, Florence, Ala.

[F. R. Doc. 44-9348; Filed, June 27, 1944; 10:36 a. m.]

[Supp. Order ODT 20A-145]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN HUNTSVILLE, ALA., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Huntsville, Alabama, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the success ful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Birmingham, Alabama, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-145" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Birmingham, Alabama.

8. This order shall become effective July 5, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 27th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Drake Cab Company.
Crescent Cabs.

[F. R. Doc. 44-9349; Filed, June 27, 1944; 10:36 a. m.]

[Special Order ODT B-52, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATION BETWEEN CLEVELAND AND RAVENNA, OHIO, AND BETWEEN SALEM AND EAST LIVERPOOL, OHIO

Upon further consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers and an amendment thereto, filed with the Office of Defense Transportation by Penn-Ohio Coach Lines Company, Youngstown, Ohio, and Pennsylvania Greyhound Lines, Inc., Cleveland, Ohio, pursuant to § 501.49 of General Order ODT 11, as amended (7 F.R. 4389, 11099; 8 F.R. 12028); *It is hereby ordered*, That:

1. Paragraphs numbered 2 and 3 of Special Order ODT B-52 be, and they are hereby, amended to read as follows:

(2) Penn-Ohio Coach Lines Company shall suspend service over State Highway No. 14 between Twinsburg, Ohio, and Ravenna, Ohio, and over State Highway No. 43 between Streetsboro, Ohio, and Kent, Ohio.

(3) Pennsylvania Greyhound Lines, Inc., shall transport persons holding tickets issued by Penn-Ohio Coach Lines Company moving between Cleveland, Ohio, and Ravenna, Ohio, and to, from or between points intermediate thereto except when the entire ride of the passenger is to be between Cleveland, Ohio, and Twinsburg, Ohio, and intermediate points.

Issued at Washington, D. C., this 27th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-9347; Filed, June 27, 1944; 10:36 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 827]

AVONMORE COAL CO., ET AL.

ORDER ESTABLISHING MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 827 under Maximum Price Regulation No. 120. Bituminous Coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *it is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

AVONMORE COAL CO., R. D. #2 TARENTUM, PA., BELL MINE, PITTSBURGH SEAM, MINE INDEX NO. 4091, INDIANA COUNTY, PA., SUBDISTRICT 2, RAIL SHIPPING POINT: AVONMORE, PA., STRIP MINE

	Size Group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
	E	E	D	D	D	D	E	E	E		
Price classification	$3.10	$3.10	$3.00	$3.00	$3.00	$2.90	$2.50	$2.50	$2.25		
Rail shipment	3.10	3.10	3.00	3.00	3.00	2.90	2.50	2.50	2.25	$2.45	$2.60
Railroad fuel P. G. 20	3.10	3.10	3.00	3.00	3.00	2.90	2.50	2.50	2.25	2.45	2.60
Truck shipment	3.95	3.95	3.85	3.85	3.85	3.53	3.53	3.00	2.80	2.80	

RAYMOND BEGELEY, MOTOR ROUTE #2, BOX 132 NEW KENSINGTON, PA., BEGELEY STRIP MINE, PITTSBURGH SEAM, MINE INDEX NO. 4101, ALLEGHENY COUNTY, PA., SUBDISTRICT 8, RAIL SHIPPING POINT: NEW KENSINGTON, PA., STRIP MINE

	D	D	G	G	C	C	D	D	D	D	
Price classification	$3.10	$3.10	$3.10	$3.10	$3.10	$3.00	$2.70	$2.70	$2.45		
Rail shipment	3.10	3.10	3.10	3.10	3.10	3.00	2.70	2.70	2.45	$2.45	$2.60
Railroad fuel P. G. 9	3.10	3.10	3.10	3.10	3.10	3.00	2.70	2.70	2.45	2.45	2.60
Truck shipment	4.25	4.25	4.25	3.90	3.90	3.60	3.25	2.85	2.85	2.85	

CRISS COAL CO., P. O. BOX 167 MASONTOWN, PA., CRISS MINE, SEWICKLEY SEAM, MINE INDEX NO. 4126, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: MASONTOWN, PA., STRIP MINE

	J	J	H	H	H	H	H	H	H	H	
Price classification	$2.85	$2.85	$2.70	$2.70	$2.70	$2.60	$2.35	$2.35	$2.25		
Rail shipment	2.85	2.85	2.70	2.70	2.70	2.60	2.35	2.35	2.25	$2.30	$2.65
Railroad fuel P. G. 8	4.15	4.15	4.15	3.85	3.75	3.75	3.75	3.10	2.90	2.90	

HARRY R. COOLEY, BOX 37 FAIRCHANCE, PA., COOLEY STRIP MINE, PITTSBURGH SEAM, MINE INDEX NO. 4126, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: SMITHFIELD, PA., STRIP MINE

	E	E	C	C	C	D	D	D	C	C	
Price classification	$3.10	$3.10	$3.10	$3.10	$3.10	$2.90	$2.70	$2.70	$2.45		
Rail shipment	3.10	3.10	3.10	3.10	3.10	2.90	2.70	2.70	2.45	$2.45	$2.65
Railroad fuel P. G. 6	3.10	3.10	3.10	3.10	3.10	2.90	2.70	2.70	2.45	2.45	2.65
Truck shipment	4.15	4.15	3.85	3.85	3.85	3.75	3.75	2.10	2.90	2.90	

CONERY BROTHERS COAL CO., BOX 195, HOUSTON, PA., JOYCE #2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4101, WASHINGTON COUNTY, PA., SUB-DISTRICT 7, RAIL SHIPPING POINT: MONTOUR (MONTOUR #2 SIDE), PA., STRIP MINE

	A	A	C	C	C	F	F	H	H	H	
Price classification	$3.30	$3.30	$3.10	$3.10	$3.10	$2.75	$2.65	$2.35	$2.25		
Rail shipment	3.30	3.30	3.10	3.10	3.10	2.95	2.75	2.35	2.25	$2.35	$2.35
Railroad fuel P. G. 2	4.25	4.25	4.25	3.85	3.85	3.75	3.75	3.25	2.90	2.90	
Truck shipment											

CRITELLI & LORENTI, BOX 147, AVONMORE, PA., CRITELLI & LORENT MINE, PITTSBURGH SEAM, MINE INDEX NO 2730, WESTMORELAND COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT: SLICKVILLE, PA., DEEP MINE

	G	G	F	F	E	E	E	E	E		
Price classification	$3.10	$3.10	$3.00	$3.00	$2.95	$2.75	$2.75	$2.70	$2.60		
Rail shipment	3.15	3.15	3.15	3.15	3.00	2.75	2.75	2.70	2.60	$2.70	$2.70
Railroad fuel P. G. 20	3.15	3.15	3.15	3.15	3.00	2.75	2.75	2.70	2.60	2.70	2.70
Truck shipment [1]	4.15	4.15	4.15	3.95	3.85	3.65	3.65	3.05	2.85	2.85	2.85

[1] Prices previously established.

[1] Filed as part of the original document.

P. V. DONNELLY, 227 E. OTTERMAN ST., GREENSBURG, PA., DON (FORMERLY FILA #3) MINE, PITTSBURGH SEAM, MINE INDEX NO. 4107, WESTMORELAND COUNTY, PA., SUB-DISTRICT 5, RAIL SHIPPING POINT: LATROBE, PA., STRIP MINE

	Size Group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
	G	G	G	G	H	H	G	G	G		
Price classification	$2.85	$2.85	$2.75	$2.75	$2.70	$2.60	$2.45	$2.45	$2.30		
Rail shipment	2.85	2.85	2.85	2.85	2.85	2.70	2.45	2.45	2.35	$2.35	
Railroad fuel P. G. 16	4.15	4.15	4.15	3.95	3.85	3.85	3.85	3.05	2.85	2.85	$2.55
Truck shipment											

FARNAR & NAGODE, BOX 454, MIDWAY, PA., DICKSON MINE, PITTSBURGH SEAM, MINE INDEX NO. 4118, WASHINGTON COUNTY, PA., SUB-DISTRICT 7, STRIP MINE

	A	A	C	C	F	F	H	H	H		
Price classification	$3.30	$3.30	$3.10	$3.10	$2.75	$2.65	$2.35	$2.35	$2.25		
Rail shipment	3.30	3.30	3.10	3.10	2.90	2.75	2.35	2.35	2.25	$2.35	
Railroad fuel P. G. 2	4.25	4.25	4.26	3.85	3.75	3.75	3.75	3.25	2.90	2.90	$2.55
Truck shipment											

HARVEL COAL CO., 209 BRADY STREET, PITTSBURGH, PA., HARDY MINE, PITTSBURGH SEAM, MINE INDEX NO. 4094, ALLEGHENY COUNTY, PA., SUB-DISTRICT 7, RAIL SHIPPING POINT: WILLOCK, PA., STRIP MINE

	D	D	C	C	G	F	H	H	H		
Price classification	$3.10	$3.10	$3.10	$3.10	$3.00	$2.65	$2.35	$2.35	$2.25		
Rail shipment	3.10	3.10	3.10	3.10	2.90	2.75	2.35	2.35	2.25	$2.35	
Railroad fuel P. G. 2	4.25	4.26	4.25	3.90	3.60	3.60	3.60	3.25	2.85	2.85	$2.70
Truck shipment											

MANNING COAL CO., P. O. BOX 1408 UNIONTOWN, PA., NEW GENEVA MINE, PITTSBURGH SEAM, MINE INDEX NO. 4098, FAYETTE COUNTY, PA., SUB-DISTRICT 3, RAIL SHIPPING POINT: POINT MARION, PA., DEEP MINE

	F	F	E	E	E	E	E	E	E		
Price classification	$3.10	$3.10	$3.05	$3.05	$2.95	$2.75	$2.75	$2.75	$2.60		
Rail and river shipment	3.10	3.10	3.05	3.05	2.95	2.75	2.75	2.75	2.60	$2.65	
Railroad fuel P. G. 7	4.15	4.15	4.15	3.85	3.75	3.75	3.75	3.10	2.90	2.90	$2.70
Truck shipment											

NASSAR COAL CO., STAR JUNCTION, PA., NASSAR #4 MINE, SEWICKLEY SEAM, MINE INDEX NO. 4122, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: MARTIN, PA., STRIP MINE

	J	J	H	H	H	H	H	H	H	H	
Price classification	$2.85	$2.85	$2.70	$2.70	$2.70	$2.60	$2.35	$2.35	$2.25		
Rail shipment	2.85	2.85	2.70	2.70	2.70	2.60	2.35	2.35	2.25	$2.30	
Railroad fuel P. G. 8	4.15	4.15	4.15	3.85	3.75	3.75	3.75	3.10	2.90	2.90	$2.65
Truck shipment											

CLARENCE B. FLETCHER, R. D. #1, SCOTTDALE, PA., SUMMIT MINE, PITTSBURGH SEAM, MINE INDEX NO. 4116, FAYETTE COUNTY, PA., SUB-DISTRICT 3, RAIL SHIPPING POINT: SCOTTDALE, PA., DRIFT MINE

	E	E	C	C	C	D	C	C	C		
Price classification	$3.35	$3.35	$3.35	$3.35	$3.35	$3.15	$3.00	$3.00	$2.80		
Rail shipment	3.35	3.35	3.35	3.35	3.35	3.15	3.00	3.00	2.80	$2.70	
Railroad fuel P. G. 6	4.15	4.15	4.15	3.85	3.75	3.75	3.75	2.10	2.90	2.90	$2.65
Truck shipment											

(MRS.) M. PRINCIPI, BOX 706, POINT MARION, PA., MAPEL #3 MINE, SEWICKLEY SEAM, MINE INDEX NO. 4071, GREENE COUNTY, PA., SUB-DISTRICT 3, RAIL SHIPPING POINT: FOLAND, PA., DEEP MINE

	J	J	H	H	H	H	H	H	H	H	
Price classification	$3.10	$3.10	$2.95	$2.95	$2.95	$2.85	$2.60	$2.60	$2.50		
Rail shipment	3.10	3.10	2.95	2.95	2.95	2.85	2.60	2.60	2.50	$2.55	
Railroad fuel P. G. 8	3.80	3.80	3.80	3.60	3.60	3.60	3.60	2.60	2.60	2.60	$2.30
Truck shipment											

RATHGEB & GORR, 939 JEFFERSON ST., MCKEESPORT, PA., RATHGEB & GORR MINE, PITTSBURGH SEAM, MINE INDEX NO. 4092, WESTMORELAND COUNTY, PA., SUB-DISTRICT 9, RAIL SHIPPING POINT: VERSAILLES, PA., STRIP MINE

	D	D	C	C	C	C	D	D	D		
Price classification	$3.10	$3.10	$3.10	$3.10	$3.10	$3.00	$2.70	$2.70	$2.45		
Rail shipment	3.10	3.10	3.10	3.10	3.10	3.00	2.70	2.70	2.45	$2.45	
Railroad fuel P. G. 1	4.15	4.15	4.15	3.90	3.85	3.65	3.65	3.05	2.85	2.85	$2.55
Truck shipment											

SIGISMUND COAL COMPANY, P. O. BOX 775, STEUBENVILLE, OHIO, FLORENCE MINE, PITTSBURGH SEAM, MINE INDEX NO. 4079, WASHINGTON COUNTY, PA., SUB-DISTRICT 7, STRIP MINE

	Size Group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	J	J	H	H	H	H	J	J	J	.....	.....
Rail shipment	$2.85	$2.85	$2.70	$2.70	$2.70	$2.60	$2.35	$2.35	$2.35	.....	.....
R. R. Fuel P. G. 2	2.90	2.90	2.90	2.90	2.90	2.75	2.35	2.35	2.35	$2.35	.....
Truck shipment	4.25	4.25	4.25	3.85	3.75	3.75	3.75	3.25	$2.90	2.90	$2.55

STAR COAL CO., CARMICHAELS, PA., DR PUR MINE, PITTSBURGH SEAM, MINE INDEX NO. 4106, FAYETTE COUNTY, PA., SUB-DISTRICT 3, RAIL SHIPPING POINT: PERRY JUNCTION, PA., STRIP MINE

Price classification	D	D	C	C	C	B	C	C	C	.....	.....
Rail shipment	$3.10	$3.10	$3.10	$3.10	$3.10	$3.00	$2.75	$2.75	$2.55	.....	.....
R. R. Fuel P. G. 1	3.10	3.10	3.10	3.10	3.10	3.00	2.75	2.75	2.55	$2.55	.....
Truck shipment	4.15	4.15	4.15	3.85	3.75	3.75	3.75	3.10	2.90	2.90	$2.55

DOMINICK VICARI & SONS COAL CO., 514 CENTER AVENUE, BUTLER, PA., VICARI'S MINE, FREEPORT SEAM, MINE INDEX NO. 2351, BUTLER COUNTY, PA., SUB-DISTRICT 1, RAIL SHIPPING POINT: BUTLER, PA., DRIFT MINE

Price Classification	E	E	D	D	C	C	D	D	D	.....	.....
Rail Shipment	$3.35	$3.35	$3.26	$3.25	$3.35	$3.26	$2.95	$2.95	$2.70	.....	.....
R. R. Fuel P. G. 15	3.35	3.35	3.26	3.26	3.35	3.26	2.95	2.95	2.70	$2.70	.....
Truck Shipment*	4.35	4.35	4.35	4.15	4.05	4.05	4.05	3.20	2.90	2.90	$2.70

*Previously established.

JOSEPH ANDREWS, R. D. #1, CHARLEROI, PA., ANDREWS MINE, PITTSBURGH SEAM, MINE INDEX NO. 4031, WASHINGTON COUNTY, PA., SUB-DISTRICT 7, DRIFT MINE

Truck Shipment	$4.25	$4.25	$4.25	$3.85	$3.75	$3.75	$3.75	$3.25	$2.90	$2.90	$2.55

REDD'S COAL MINE, 100 GRANDVIEW WAY, CHARLEROI, PA., REDD MINE, PITTSBURGH SEAM, MINE INDEX NO. 4104, WASHINGTON COUNTY, PA., SUB-DISTRICT 9, DEEP MINE

Truck Shipment	$4.25	$4.25	$4.25	$3.85	$3.75	$3.75	$3.75	$3.25	$2.90	$2.90	$2.55

This order shall become effective June 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9229; Filed, June 24, 1944; 11:40 a. m.]

[MPR 306, Order 56]

CERTAIN PACKED FOOD PRODUCTS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1341.566 of Maximum Price Regulation No. 306, *It is ordered:*

(a) That sales and deliveries of packed peas, snap beans, corn, tomatoes and tomato products of the 1944 pack may be made by processors to government procurement agencies, subject to an agreement between the buyer and seller, in each case, that the price shall be determined pursuant to action taken by the Office of Price Administration after delivery.

In any such sale the processor shall not invoice the goods at a price higher than the maximum price in effect at the time of delivery, nor shall he receive payment of more than that price until permitted by action taken by the Office of Price Administration.

(b) This order shall be automatically revoked upon the establishment by the Office of Price Administration of new maximum prices for the commodities named in paragraph (a). This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, F.R. 4681)

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9324; Filed, June 26, 1944; 4:28 p. m.]

[MPR 188, Order 40 Under Order A-2]

MUROC CLAY CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 40 under Order No. A-2 under Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion, issued simultaneously herewith, and pursuant to paragraph (a) (10) of Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188: *It is hereby ordered:*

(a) Specific authorization is hereby granted to the Muroc Clay Company, Los Angeles, California, to increase its established maximum prices for talc and talc products established by Maximum Price Regulation No. 188, as amended, by an amount not in excess of $3.35 per ton.

(b) Any person purchasing talc and talc products produced by the Muroc Clay Company, Los Angeles, California, may resell such products at prices not in excess of his established maximum prices therefor, adjusted upwards by an amount not in excess of his actual dollars-and-cents increase in cost incurred by reason of this adjustment.

This order may be revoked or amended at any time.

This Order No. 40 shall become effective June 27, 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9326; Filed, June 26, 1944; 4:33 p. m.]

[MPR 526, Order 5]

FIRESTONE TIRE AND RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Appendix A (d) of Maximum Price Regulation 526, *It is ordered:*

(a) The maximum retail prices for the following sizes and types of tires shall be:

Size	Ply	Type	Maximum retail price per tire
9-24	10	Farm tractor rear tire	$52.85
7.50-16	8	Farm tractor front tire	35.00
4.00-12	4	Farm tractor front tire	9.55

(b) All other provisions of Maximum Price Regulation 526 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective June 27, 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9323; Filed, June 26, 1944; 4:29 p. m.]

[RMPR 143, Amdt. 1 to Order 14]

RUBBER TIRES AND TUBES

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 14 under Revised Maximum Price Regulation 143.—Wholesale prices for new rubber tires and tubes.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 7 of Revised Maximum Price Regulation 143, it is ordered that Order No. 14 be amended in the following respects:

1. The maximum price in Table 1 in paragraph (c) for a 6.00 x 16, 6-ply passenger car tire is amended to read $25.05 instead of $20.05.

2. The following is added immediately at the end of Table 1 in paragraph (c):

NOTE: The maximum retail prices set forth above for passenger car tires apply to all new passenger car tires of the sizes listed, including tires with all white or black-white sidewalls, and including tires with mud and snow tread.

3. The following sizes and prices are added to Table 1 in paragraph (c), listing maximum retail prices for sales of imported natural rubber passenger car tires:

Size	Ply	Price
4.40/4.50-21	6	$15.65
6.00-16	4	17.10
6.25/6.50-16	6	26.05
6.50/6.75-16	6	26.05
6.00/6.25-16	6	21.40
7.00-15	4	22.95
7.00-16	4	23.55
7.00-16	6	29.45

4. The following sizes and prices are added to Table 2 in paragraph (c), listing retail prices for sale of imported natural rubber truck tires:

Size	Type	Ply	Price
34 x 7½	Mud and snow	10	$66.45
10.50 x 18		14	131.60

5. The following sizes and prices are added to Table 3 in paragraph (c), listing maximum retail prices for sale of imported natural rubber passenger car tubes:

Size:	Price
D-1 6.50/6.00/5.50-WB-18	$3.45
D-17 7.50-17	4.50

This order shall become effective June 28, 1944.

Issued this 27th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9370; Filed, June 27, 1944; 11:18 a. m.]

[MPR 188, Amdt. 2 to 2d Rev. Order A-3]

BUILDING MATERIALS

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Second Revised Order A-3 issued under § 1499.159b of Maximum Price Regulation No. 188 is amended in the following respect:

Paragraph (e) (1) is amended to read as follows:

(1) *Building materials:*

Clay silo staves.
Irrigation valves and parts thereof.
Crude and processed plastic and flint fire clay.

This amendment shall become effective June 28, 1944.

Issued this 27th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9367; Filed, June 27, 1944; 11:16 a. m.]

Regional and District Office Orders.

[Region VI Order G-5 Under RMPR 122, Amdt. 6]

SOLID FUELS IN TWIN CITIES, MINN., AREA

Amendment No. 6 to Order No. G-5 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in the Twin Cities Area.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator for Region VI of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered:*

That paragraph (c) (1), part XII of the price schedule set forth in paragraph (c) (1), paragraph (c) (3) and paragraph (f) of Order No. G-5, be, and are hereby, amended to read as set forth below:

(c) *Price schedule.* (1) Immediately below and as part of this paragraph (c) is a schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds, and quantities of solid fuels. Column 1 describes the coal for which prices are established; columns 2 and 3 show maximum prices at which sales of domestic coal may be made by the dealer; columns 4 and 5 show the maximum prices for sales of steam coal; and columns 6 and 7 show the maximum prices for yard sales to other dealers for resale. All prices are on a net Ton basis, except where it is otherwise specifically stated.

SCHEDULE

Description	Domestic Coal		Steam coal		Dealer at yard	
	Delivered	Consumer at yard	Delivered	Consumer at yard	Domestic	Steam
1	2	3	4	5	6	7
•	•	•	•	•	•	•
XII. Packaged fuel:						
a. Sales up to ¼ ton:						
(1) 10-lb. packages	.....	11 for $1.00	.....	.....	.....	.....
(2) 15-lb. packages	.....	8 for $1.00	.....	.....	.....	.....
b. ¼ ton	$5.15	$3.65	.....	.....	.....	.....
c. ½ ton	8.80	$7.30	.....	.....	.....	.....
d. 1 ton	16.10	$14.60	.....	.....	.....	.....

• • • • •

(3) The maximum prices for sales of solid fuel by dealers determining or redetermining their prices under Section 1340.254 (b), Rule 1, of Revised Maximum Price Regulation No. 122, as amended, when not provided for by the above schedule, shall be the maximum prices applicable to such sales under Revised Maximum Price Regulation No. 122, as amended, plus 40¢ per ton for domestic coal and 20¢ per ton for steam coal.

• • • • •

(f) *Sales of quantities other than specified in schedule.* (1) For a sale of less than one ton, delivered to a consumer, unless specifically set forth in the price schedule appearing above, the maximum price shall be computed as follows:

(a) From the per ton price set forth in the schedule in paragraph (c), deduct $1.50 as a "cartage factor."

(b) Adjust the balance in proportion to the tonnage sold.

(c) Add back the "cartage factor" of $1.50.

(2) All other variations from specified quantities and prices shall be proportionately adjusted, so that no more than the applicable and proportionate maxium price is obtained.

This amendment No. 6 to Order No. G-5 shall become effective May 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 25th day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-9311; Filed, June 26, 1944; 12:11 p. m.]

[Region VI Order G-5 Under RMPR 122, Amdt. 7]

SOLID FUELS IN TWIN CITIES, MINN., AREA

Amendment No. 7 to Order No. G-5 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in the Twin Cities Area.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, and for reasons stated in the Opinion issued simultaneously herewith, *It is ordered*, That item VIII of the price schedule set forth in paragraph (c) of Order G-5 be and it is hereby amended to read as follows:

(c) *Price schedule.* (1) Immediately below and as part of this paragraph (c) is a schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds and quantities of solid fuels. Column 1 describes the coal for which prices are established; columns 2 and 3 show maximum prices at which sales of domestic coal may be made by the dealer; columns 4 and 5 show the maximum prices for sales of steam coal and columns 6 and 7 show the maximum prices for yard sales to other dealers for resale. All prices are on a net ton basis, except where it is otherwise specifically stated.

SCHEDULE

Description	Domestic coal		Steam coal		Dealer at plant	
	Delivered	Consumer at yard	Delivered	Consumer at yard	Domestic	Steam
1	2	3	4	5	6	7
•	•	•	•	•	•	
VIII. Pennsylvania anthracite:						
A. To and including June 10, 1944:						
1. Egg, stove, nut	$18.25	$17.25			$15.50	
2. Pea	16.70	15.70			13.95	
3. Buckwheat	14.90	13.90	$13.45	$13.05	12.15	$12.45
B. On and after June 11, 1944:						
1. Egg, stove, nut	18.10	17.10			15.35	
2. Pea	16.55	16.55			13.80	
3. Buckwheat	14.75	13.75	13.30	12.90	12.00	12.30

This Amendment No. 7 to Order No. G–5 shall be effective June 1, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78 Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 29th day of May 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–9312; Filed, June 26, 1944; 12:11 p. m.]

[Region VII 2d Rev. Order G–7 Under SR 15, Amdt. 5]

FLUID MILK IN COLORADO

Second Revised Order No. G–7 under Supplementary Regulation No. 15 of the General Maximum Price Regulation, Amendment No. 5. Adjusted maximum prices for fluid milk sold at wholesale and retail in certain areas in the State of Colorado.

Pursuant to the Emergency Price Control Act of 1942, as amended and § 1499.75 (a) (9) (i) (a) (*1*) (ii) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 5 is issued.

1. Paragraph (b) is hereby further amended by adding thereto a new area, designated Area 10, and specific maximum prices are established therefor as follows:

AREA 10

Size of glass or paper container	Wholesale delivered	Retail out of store
	Cents	*Cents*
½ pint	4	6
Pint	6	7
Quart	11½	13½
½ gallon	22	26
Gallon	43	50

2. Paragraph (c) (2) is hereby further amended by inserting immediately after the word "Grand" in the sixth line thereof the following: "(except the Town of Grand Lake, and a distance of five miles beyond the corporate limits thereof at all points)".

3. Paragraph (c), as amended by Amendments No. 2, No. 3, and No. 4, is hereby further amended by designating the last subparagraph thereof (11) and by adding a new subparagraph designated (10), to follow immediately after subparagraph (9), and reading as follows:

(10) "Area 10" means all that area contained within the Town of Grand Lake, and a distance of five miles beyond the corporate limits thereof at all points.

4. *Effective date.* This Amendment No. 5 shall become effective on the 19th day of June 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 8 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 19th day of June 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44–9313; Filed, June 26, 1944; 12:11 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on June 23, 1944.

REGION I

Concord Order 14, covering certain dry groceries and perishables in the State of New Hampshire; filed 1:23 p. m.

REGION II

Albany Order 1-F, Amendment 12, covering fresh fruits and vegetables in Albany, Rensselaer, Troy, Schenectady, Green Island, Cohoes and Watervliet; filed 1:23 p. m.

Binghamton Order 1–F, Amendment 10, covering fresh fruits and vegetables in certain areas in New York, filed 9:51 a. m.

Camden Order 1-F, Amendment 11, covering fresh fruits and vegetables in Camden County, N. J., filed 9:53 a. m.

Buffalo Order 2–W, covering certain dry groceries in Monroe and Livingston Counties, N. Y., filed 9:54 a. m.

Wilmington Order 3–F, covering fresh fruits and vegetables in certain named areas in Delaware, filed 1:23 p. m.

REGION III

Columbus Order 3–F, Amendment 27, covering fresh fruits and vegetables in Columbus and Franklin County, Ohio, filed 1:27 p. m.

Columbus Order 4–F, Amendment 9, covering fresh fruits and vegetables in certain counties in Columbus District Office Area, filed 1:27 p. m.

Columbus Order 5–F, Amendment 10, covering fresh fruits and vegetables in Belmont, Harrison, Jefferson, Monroe, Noble and Washington Counties, filed 1:27 p. m.

Detroit Order 10, Amendment 4, covering community food prices in Wayne, Oakland, and Macomb Counties, Mich., filed 1:26 p. m.

Cincinnati Order 4–W, covering dry groceries at wholesale in certain counties in Ohio, filed 1:27 p. m.

Escanaba Order 9–F, Amendment 16, covering fresh fruits and vegetables in Townships of Ishpeming and Ely, Marquette County, Mich., filed 1:26 p. m.

Escanaba Order 10–F, Amendment 16, covering fresh fruits and vegetables in certain areas in Michigan, filed 1:26 p. m.

Escanaba Order 11–F, Amendment 16, covering fresh fruits and vegetables in Escanaba and Gladstone, Delta County, Mich., filed 1:26 p. m.

Escanaba Order 12–F, Amendment 15, covering fresh fruits and vegetables in certain areas in Michigan, filed 1:26 p. m.

Escanaba Order 13–F, Amendment 15, covering fresh fruits and vegetables in certain counties in Michigan, filed 1:26 p. m.

Escanaba Order 14–F, Amendment 15, covering fresh fruits and vegetables in certain areas in Michigan, filed 1:26 p. m.

Escanaba Order 15–F, Amendment 15, covering fresh fruits and vegetables in certain areas in Michigan and Wisconsin, filed 1:26 p. m.

Escanaba Order 16–F, Amendment 15, covering fresh fruits and vegetables in Sault Ste. Marie, Chippewa County, Mich., filed 1:26 p. m.

Escanaba Order 17–F, Amendment 14, covering fresh fruits and vegetables in certain areas in Michigan, filed 1:26 p. m.

REGION IV

Charlotte Order 2–F, Amendment 6, covering fresh fruits and vegetables in certain counties in North Carolina, filed 1:24 p. m.

Charlotte Order 2–W, covering certain food items at wholesale in the Western North Carolina District Area, filed 9:48 a. m.

Memphis Order 17, Amendment 1, covering community food prices in Memphis and Shelby Co., Tenn., filed 9:48 a. m.

Savannah Order 1–F, Amendment 39, covering fresh fruits and vegetables in Chatham, Bryan, Liberty, and Effingham Counties, filed 9:54 a. m.

Savannah Order 2–F, Amendment 34, covering fresh fruits and vegetables in certain named counties in Georgia, filed 9:54 a. m.

Roanoke Order 1–F, Amendment 18, covering fresh fruits and vegetables in certain areas of the Roanoke District Area, filed 9:49 a. m.

Roanoke Order 3–F, covering fresh fruits and vegetables in Danville, Chatham, and Pennsylvania Co., in the Roanoke District Area, filed 9:48 a. m.

Roanoke Order 3–F, Amendment 1, covering fresh fruits and vegetables in area named above, filed 9:48 a. m.

Roanoke Order 12, Amendment 1, covering community food prices in specific counties in Virginia, filed 9:50 a. m.

Roanoke Order 12, covering community food prices for specific counties in Virginia, filed 9:50 a. m.

Roanoke Order 4–F, covering fresh fruit and vegetable prices in specific counties in Virginia, filed 9:49 a. m.

Roanoke Order 5–F, covering fresh fruits and vegetable prices in specific counties in Virginia, filed 9:49 a. m.

Jacksonville Order 7–F, Amendment 7, covering fresh fruits and vegetables in certain named cities and towns in Florida, filed 1:24 p. m.

Montgomery Order 15–F, covering fresh fruits and vegetables in specific counties of the Montgomery District Area, filed 1:25 p. m.

REGION VI

Omaha Order 4–W, covering dry groceries at wholesale in Lincoln, Nebr., filed 9:51 a. m.

Omaha Order 16, covering dry groceries and certain perishables in Lancaster County, Nebr., filed 9:51 a. m.

Omaha Order 17, covering dry groceries and certain perishables in certain counties in Nebraska, filed 9:50 a. m.

REGION VIII

Portland Order 1–F, Amendment 18, covering fresh fruits and vegetables in Portland and Vanport, Oregon and Vancouver, Wash., filed 9:53 a. m.

Portland Order 1–F, Amendment 19, covering fresh fruits and vegetables in Portland and Vanport, Oreg., and Vancouver, Wash., filed 9:53 a. m.

Portland Order 1–F, Amendment 20, covering fresh fruits and vegetables in Portland and Vanport, Oreg., and Vancouver, Wash., filed 9:53 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–9336; Filed, June 26, 1944; 4:27 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on June 23, 1944.

REGION I

Boston Order 5–F, covering fresh fruits and vegetables in the Commonwealth of Massachusetts, except for named areas, filed 4:35 p. m.

REGION II

Erie Order 8–F, covering fresh fruits and vegetables in City of Erie, Pa., filed 4:33 p. m.

New York Order 2–F, covering fresh fruits and vegetables in certain areas in New York, filed 4:33 p. m.

Newark Order 9, Amendment 1, covering dry groceries and perishables in certain counties in N. J., filed 4:42 p. m.

Syracuse Order 1–F, Amendment 11, covering fresh fruits and vegetables in Syracuse, N. Y., filed 4:42 p. m.

Syracuse Order 3W, covering dry groceries in Jefferson, Lewis, Oswego & St. Lawrence Counties, N. Y., filed 4:41 p. m.

Syracuse Order 4W, covering dry groceries in Ontario, Wayne, Seneca and Cayuga Counties, N. Y., filed 4:42 p. m.

REGION III

Charleston Order 1–F, Amendment 31, covering fresh fruits and vegetables in Kanawha Co., and City of Montgomery, Fayette Co., W. Va., filed 4:35 p. m.

Charleston Order 3–F, Amendment 26, covering fresh fruits and vegetables in Brooke, Hancock, Marshall, Ohio, Tyler, and Wetzel Counties, W. Va., filed 4:35 p. m.

Charleston Order 4–W, Amendment 1, covering dry groceries in Berkeley, Morgan, and Jefferson Counties, W. Va., filed 4:38 p. m.

Charleston Order 7–F, Amendment 12, covering fresh fruits and vegetables in certain counties in W. Va., filed 4:37 p. m.

Charleston Order 8–F, Amendment 12, covering fresh fruits and vegetables in certain counties in W. Va., filed 4:37 p. m.

Charleston Order 9–F, Amendment 11, covering fresh fruits and vegetables in Cabell Co. and Huntington in Wayne Co., W. Va., filed 4:37 p. m.

Charleston Order 10–F, Amendment 11, covering fresh fruits and vegetables in named counties in W. Va., filed 4:38 p. m.

Charleston Order 12–F, Amendment 8, covering fresh fruits and vegetables in certain areas in W. Va., filed 4:38 p. m.

Cincinnati Order 12, covering dry grocery items and certain perishables in certain counties in Ohio, filed 4:40 p. m.

Cincinnati Order 13, covering dry grocery items and certain perishables in certain areas in Ohio, filed 4:41 p. m.

Saginaw Order 20, covering dry grocery items in certain counties in Mich., filed 4:39 p. m.

REGION IV

Atlanta Order 6–F, Amendment 6, covering fresh fruits and vegetables in the Metropolitan Atlanta-Decatur Area in Ga., filed 4:30 p. m.

Montgomery Order 16–F, covering fresh fruits and vegetables in Montgomery County, Ala., filed 4:32 p. m.

Montgomery Order 17–F, covering fresh fruits and vegetables in Houston County, Ala., filed 4:31 p. m.

Montgomery Order 18–F, covering fresh fruits and vegetables in Dallas County, Ala., filed 4:31 p. m.

Montgomery Order 19–F, covering fresh fruits and vegetables in Mobile Co., Ala., filed 4:30 p. m.

Montgomery Order 16, Amendment 1, covering dry grocery items in certain areas in Ala., filed 4:39 p. m.

REGION V

New Orleans Order 2–F, Amendment 24, covering fresh fruits and vegetables in Parishes of Orleans, St. Bernard & Jefferson in Louisiana, filed 4:29 p. m.

Shreveport Order 2–F, Amendment 19, covering fresh fruits and vegetables in named areas in Louisiana, filed 4:29 p. m.

Shreveport Order 3–F, Amendment 8, covering fresh fruits and vegetables in named areas in Louisiana, filed 4:29 p. m.

Tulsa Order 5–F, Amendment 8, covering fresh fruits and vegetables in certain counties in Oklahoma, filed 4:40 p. m.

REGION VIII

Spokane Order 2–F, Amendment 11, covering fresh fruits and vegetables in certain areas of Kootenai County, Idaho, filed 4:40 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–9372; Filed, June 27, 1944; 11:16 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on June 24, 1944.

REGION III

Columbus Order 3–F, Amendment 26, covering fresh fruits and vegetables in Columbus and Franklin County, Ohio, filed 9:28 a. m.

Columbus Order 8, Amendment 8, covering community food prices in certain counties in Ohio, filed 9:25 a. m.

Columbus Order 9, Amendment 7, covering community food prices in certain counties in Ohio, filed 9:25 a. m.

Columbus Order 11, Amendment 1, covering community food prices in certain counties in Ohio, filed 9:25 a. m.

Columbus Order 12, covering community food prices in certain counties in Ohio, filed 9:25 a. m.

REGION IV

Jacksonville Order 3–F, Amendment 9, covering fresh fruits and vegetables in Tampa, Florida, filed 9:24 a. m.

Jacksonville Order 7–F, Amendment 6, covering fresh fruits and vegetables in certain cities and towns of Fla., filed 9:24 a. m.

Memphis Order 4–F, Amendment 35, covering fresh fruits and vegetables in Memphis, Tenn., filed 9:30 a. m.

Savannah Order 16, Amendment 1, covering community food prices in certain areas in Ga., filed 9:24 a. m.

REGION V

Wichita Order G–24, Amendment 1, covering dry grocery items and certain perishables in certain areas in Kansas, filed 9:29 a. m.

REGION VI

Peoria Order 2–F, Amendment 6, covering fresh fruits and vegetables in certain areas in Illinois, filed 9:30 a. m.

Peoria Order 3–F, Amendment 6, covering fresh fruits and vegetables in Joliet, Rockdale, Ridgewood in County of Will in Illinois, filed 9:30 a. m.

REGION VIII

Phoenix Order 2–W, covering dry groceries in the Coconing-Yavapai Area, filed 9:29 a. m.

Phoenix Order 1, Amendment 1 under Basic Order 1–B, covering retail food prices in the Kingman Area, filed 9:29 a. m.

Phoenix Order 2, Amendment 1 under Basic Order 1–B, covering retail food prices in the Mohave Area, filed 9:29 a. m.

San Francisco Order G–10, Amendment 6, covering community food prices in certain areas in California, filed 9:28 a. m.

Seattle Order 22, Correction to Amendment 4, covering community food prices in Island Co. and Eastern Clallam and Jefferson Counties, Wash., filed 9:28 a. m.

Seattle Order 24, Correction to Amendment 3, covering community food prices in Pierce and Snohomish Counties and cities of Bellingham and Seattle, Wash., filed 9:28 a. m.

Seattle Order 24, Correction to Amendment 4, covering community food prices in area named above, filed 9:28 a. m.

Copies of any of these orders may be obtained from the OPA office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–9373; Filed, June 27, 1944; 11:16 a. m.]

[Region VIII Order G–4 Under MPR 188, Amdt. 1]

ROCK AND SAND, ETC., IN LOS ANGELES COUNTY, CALIF.

Correction

In F. R. Doc. 44–9176, appearing on page 7115 of the issue for Tuesday, June 27, 1944, the bracket heading should read as set forth above.

WAR FOOD ADMINISTRATION.

Farm Security Administration.

SWIFT COUNTY, MINN.

DESIGNATION OF LOCALITIES FOR LOANS

Designation of localities in county in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's delegation of authority issued November 3, 1943, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION II

MINNESOTA

County	
Swift	Locality I: Consisting of the townships of Cashel, Dublin, Hayes, Kildare, Pillsbury, Swenoda, Torning; villages of De Graff, Kerkhoven, and Murdock; city of Benson, $9,154.
	Locality II: Consisting of the townships of Appleton, Benson, Camp Lake, Clontarf, Edison, Fairfield, Hegbert, Kerkhoven, Maryland, Moyer, Shible, Six Mile Grove, Tara, and West Bank; villages of Clontarf and Appleton, $7,741.

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved: June 26, 1944.

FRANK HANCOCK,
Administrator.

[F. R. Doc. 44-9354; June 27, 1944; 11:09 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 129

Washington, Thursday, June 29, 1944

The President

EXECUTIVE ORDER 9452

AUTHORIZING THE SECRETARY OF STATE TO PRESCRIBE REGULATIONS AND ISSUE ORDERS AND INSTRUCTIONS RELATING TO THE FOREIGN SERVICE OF THE UNITED STATES

By virtue of and pursuant to the authority vested in me by sections 202 and 1752 of the Revised Statutes of the United States (U.S.C., title 5, sec. 156; U.S.C., title 22, sec. 132), and as President of the United States, it is hereby ordered as follows:

1. The Secretary of State is authorized to prescribe such regulations and issue such orders and instructions, not inconsistent with the Constitution, any law of the United States, or any Executive order or proclamation, relating to the duties of officers and employees of the Foreign Service of the United States and the transaction of their business, as he may deem conducive to the public interest: *Provided, however*, that the authority granted by this order shall not be exercised in any case in which the President is specifically authorized by law to prescribe regulations with respect to a particular subject.

2. The Secretary of State is authorized to prescribe the form and the manner of publication of all regulations, orders, and instructions prescribed or issued under authority of this order; but this paragraph shall not be construed to affect the legal requirements relating to publication in the FEDERAL REGISTER.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 26, 1944.

[F. R. Doc. 44-9837; Filed, June 27, 1944; 2:45 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[Suspension Order Docket No. FDA-MW-7]

PART 1500—SUSPENSION ORDERS

WHITE WAY RETAIL DAIRY

White Way Retail Dairy of 411 West Adams Street, Creston, Iowa (the "respondent"), was served with a Statement of Charges and Procedure from which it appears that respondent had violated Food Distribution Order No. 8 (8 F.R. 953) issued by the Secretary of Agriculture on January 19, 1943, and effective February 1, 1943, as amended (8 F.R. 12163) now designated as War Food Order No. 8 (9 F.R. 4321, 4319), by utilizing, in the allocation periods of February, March, May, June, July, and August 1943, respectively, more milk solids in the production of frozen dairy foods than 65 per centum of the total milk solids utilized by it in the production or manufacture of frozen dairy foods during the corresponding base periods, namely February, March, May, June, July, and August 1942, respectively.

Respondent filed an answer and requested a hearing. Pursuant to respondent's request, a hearing was held in this matter on October 22, 1943, before a presiding officer, at which the respondent, its attorney and an attorney representing the War Food Administration appeared. Thereafter, the respondent entered into a stipulation admitting an excessive utilization of milk solids in the production of frozen dairy foods as determined by a re-audit of the respondent's books and records, and consenting to the making of a suspension order reducing its utilization of milk solids in the production of frozen dairy foods during the months of March to December 1944, inclusive, to an amount not greater than 50 percent of the total milk solids used in the production of such products during corresponding months of the base period.

Upon the basis of the evidence adduced at the hearing and upon the basis of the stipulation above referred to, the War Food Administrator, acting under authority conferred upon him by Executive Order 9322 (8 F.R. 3807), as amended by Executive Order 9334 (8 F.R. 5423), hereby determines that:

(a) Respondent is a co-partnership composed of Vernon W. Boyer and E. L. Tobin, and, under the trade name of White Way Retail Dairy, is engaged in the business of processing frozen dairy foods at 411 West Adams Street, Creston, Iowa, and is subject to all of the terms and provisions of said order.

(Continued on next page)

CONTENTS

THE PRESIDENT

	Page
EXECUTIVE ORDER:	
Foreign Service of U. S., authorization of Secretary of State to prescribe regulations, etc.	7183

REGULATIONS AND NOTICES

ALIEN PROPERTY CUSTODIAN:	
Vesting orders, etc.:	
Argus Motorengesellschaft m. b. H.	7212
Carbonisation et Charbons Actifs and Societe Generale des Minerais	7212
Ceskomoravska - Kolben-Danek - Akciova Spolecnost	7214
Dispersion Cathodique Societe Anonyme, La, et al	7211
Doerr, Emelia	7222
Edelmann, George	7222
Eigenbrod, Katherine	7223
I. G. Farbenindustrie Aktiengesellschaft (3 documents)	7215, 7216
	7223
Kubat, Vaclav	7217
L. A. P. C. O., S. A.	7215
Magrini, Societa Anonima	7218
Mahler, Gesche	7218
Malinka, Amelia	7218
Mauss, Caroline	7219
Miller, Elizabeth	7219
Morgan, Edwin Vernon	7213
Oxyammon Aktiengesellschaft, et al	7116
Polyphonwerke A. G., et al	7213
Rohrbogenwerk Bohling & Co., Das	7220
Sandner, Anton	7214
Schinzel, Karl and Ludwig	7220
Schroeder, Nanny	7220
Schweisheim, Albert	7221
Sellner, Josephine	7213
Siemens Apparate und Maschinen, G. m. b. H.	7211
Siemens - Schuckertwerke Aktiengesellschaft	7221
Wohllebe, Walter	7222
Wolff, Rudolph	
FEDERAL COMMUNICATIONS COMMISSION:	
Hearings, etc.:	
KNOE, Inc.	7206
Liner's Broadcasting Station, Inc	7206

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.

CONTENTS—Continued

FEDERAL COMMUNICATIONS COMMISSION—Continued. Page
Uniform system of accounts, surplus income (Corr.) 7205
FEDERAL HOUSING ADMINISTRATION:
Mutual mortgage insurance, fee to accompany applications 7186
FEDERAL POWER COMMISSION:
New York State Natural Gas Corp., hearing 7207
FEDERAL TRADE COMMISSION:
Hearings on complaints 7204
Smith, Emmett J., and daughter, hearing 7207
INTERSTATE COMMERCE COMMISSION:
Authority to sell securities, applications 7205
Bulk freight transshipped from ocean vessels, exemption 7206
Reconsignment permits:
Fruits and vegetables, Birmingham, Ala 7211
Onions, Chicago, Ill 7208

CONTENTS—Continued

INTERSTATE COMMERCE COMMISSION—Continued. Page
Reconsignment permits—Con.
Oranges, Fort Worth, Tex 7209
Potatoes:
Chicago, Ill. (2 documents) 7207, 7209
Fort Worth, Tex 7209
Kansas City, Mo. (2 documents) 7208
Minneapolis, Minn 7208
St. Louis, Mo 7208
Potatoes and onions, Chicago, Ill 7207
Tomatoes, Chicago, Ill 7209
Reicing permits:
MDT 19590, etc., Shreveport, La 7211
Potatoes:
Augusta, Ga 7210
Davenport, Iowa 7210
East Buffalo, N. Y. (3 documents) 7210
Huntingdon, Pa 7209
Kansas City, Mo 7209
Omaha, Nebraska 7210
Roanoke, Va 7211
NAVY DEPARTMENT:
General regulations, security control of personnel on merchant vessels in U. S. waters 7204
OFFICE OF PRICE ADMINISTRATION:
Adjustments, etc.:
American Woodworking Co 7227
Arkansas Mills, Inc 7229
B. and M. Mfg. Co 7228
Campbell, W. H 7224
Carolina Craft Shop 7232
Cornelia Mfg. Co 7230
Cross and Rogers 7224
Day Bros. Mfg. Co 7231
Fisher Co 7229
Gate City Table Co 7332
Krick-Tyndall Co 7231
Marlin Firearms Co 7225
Memphis Wood Products Co 7230
Pliner and Sandler 7226
Prefabricators, Inc 7227
Roswell Seating & Cabinet Co 7226
Sivakoff & Miner, Inc 7225
Stubbs, S. J., Lumber Co 7224
Vermont Talc Co 7232
Wolsky, Harry 7226
Alfalfa hay (2d Rev. MPR 322) 7199
Barium chemicals (MPR 543) 7196
Commission selling (MPR 165, Supp. Serv. Reg. 30) 7203
Export prices (2d Rev. Max. Export Price Reg. Am. 8) 7201
Flooring, Northern hardwood (MPR 432, Am. 4) 7201
Foods, processed (Rev. RO 13, Corr. to Am. 42; Am. 43) (2 documents) 7198, 7202
Fruits, dried (MPR 475, Am. 3) 7199
Fuel oil (Rev. RO 11, Am. 14) 7201
Meat, fats, fish and cheeses (Rev. RO 16, Am. 6) 7203
Rubber boots and rubber work shoes (RO 6A, Am. 12) 7202
Rubber commodities (MPR 220, Am. 16) 7198
Sugar (Rev. RO 3, Am. 28) 7202
PETROLEUM ADMINISTRATOR FOR WAR:
Fuel oil, manufacture and delivery 7203

CONTENTS—Continued

SECURITIES AND EXCHANGE COMMISSION: Page
Hearings, etc.:
Columbia Gas & Electric Corp., et al 7233
New Orleans Public Service, Inc 7233
WAR FOOD ADMINISTRATION:
White Way Retail Dairy, suspension order 7183
Wool, domestic; purchase and sale (WFO 50, Am. 2) 7185
WAR PRODUCTION BOARD:
Certificates:
Butadiene (Cert. 204) 7234
Synthetic rubber (Cert. 205) 7234
Chromium (M–18–a, Dir. 2) 7187
Cordage, etc. (M–84) 7187
Cork (M–8–a, Dir. 1) 7195
Suspension order, Mary and Reuben Kaplan 7186
Textile, clothing and leather (M–328B, Dir. 1) 7195

(b) Respondent violated said order, as amended, in that, during the allocation period, February 1 to February 28, 1943, both dates inclusive, it utilized approximately 318.38 pounds of milk solids in the production of frosen dairy foods, whereas during the base period, February 1 to February 28, 1942, both dates inclusive, respondent utilized approximately 318.79 pounds of milk solids. Therefore, the utilization of approximately 318.38 pounds of milk solids during the said allocation period of February, 1943, constituted the utilization of milk solids in the production of frosen dairy foods in excess of 65 per centum of the total milk solids utilised by the respondent in the production of frosen dairy foods during the base period, February 1 to February 28, 1942.

(c) Respondent violated said order, as amended, in that during the allocation period, March 1 to March 31, 1943, both dates inclusive, it utilized approximately 872.40 pounds of milk solids in the production of frosen dairy foods whereas during the base period, March 1 to March 31, 1942, both dates inclusive, respondent utilised approximately 472.46 pounds of milk solids. Therefore, the utilization of approximately 872.40 pounds of milk solids during the said allocation period of March, 1943, constituted the utilization of milk solids in the production of frosen dairy foods in excess of 65 percentum of the total milk solids utilised by the respondent in the production of frosen dairy foods during the base period, March 1 to March 31, 1942.

(d) Respondent violated said order, as amended, in that during the allocation period, June 1 to June 30, 1943, both dates inclusive, it utilised approximately 1,557.73 pounds of milk solids in the production of frosen dairy foods, whereas during the base period, June 1 to June 30, 1942, both dates inclusive, respondent utilised approximately 1,365.80 pounds of milk solids. Therefore, the utilisation of approximately 1,557.73 pounds of milk solids during the said allocation period of June 1943, constituted the utilisation of milk solids in the production of frosen dairy foods in excess of 65 per centum of the total milk solids utilised by the respondent in the production of frosen dairy foods during the base period, June 1 to June 30, 1942.

(e) Respondent violated said order, as amended, in that during the allocation period, July 1 to July 31, 1943, both dates inclusive, it utilised approximately 1,755.70 pounds of milk solids in the production of frosen dairy foods, whereas during the base period, July 1 to July 31, 1942, both dates inclusive, respondent utilised approximately 1,366.70 pounds of milk solids. Therefore, the utilisation of approximately 1,755.70 pounds of milk solids during the said allocation period of July, 1943, constituted the utilisation of milk solids in the production of frosen dairy foods in excess of 65 per centum of the total milk solids utilised by the respondent in the production of frosen dairy foods during the base period, July 1, to July 31, 1942.

(f) Respondent violated said order, as amended, in that during the allocation period, August 1 to August 31, 1943, both dates inclusive, it utilised approximately 1,178.96 pounds of milk solids in the production of frosen dairy foods, whereas during the base period, August 1 to August 31, 1942, both dates inclusive, respondent utilised approximately 1,580.40 pounds of milk solids. Therefore, the utilisation of approximately 1,170.96 pounds of milk solids during the said allocation period of August 1943, constituted the utilisation of milk solids in the production of frosen dairy foods in excess of 65 per centum of the total milk solids utilised by the respondent in the production of frosen dairy foods during the base period, August 1 to August 31, 1942.

Because of the great scarcity of dairy products, including milk solids and frosen dairy foods and mix, in the channels of distribution for the fulfillment of the requirements of the United States for defense, for private account, and for export, and because of the importance of having dairy products, including milk solids and frosen dairy foods and mix, distributed in a manner to assure an adequate supply and efficient distribution thereof for war and essential civilian needs, the aforesaid violations by respondent have impeded the war effort and have, therefore, been contrary to public interest. It also appears that further violations by respondent are likely unless appropriate action is taken.

It is therefore ordered, that:

§ 1500.11 *Suspension order against the White Way Retail Dairy.* (a) Vernon W. Boyer and E. L. Tobin, trading and doing business as White Way Retail Dairy, a co-partnership, their agents, successors or assigns, shall not, during the allocation periods of July, August, September, October, November, and December 1944, respectively, utilise milk solids in the production or manufacture of frozen dairy foods or mix in excess of 50 percent of the total milk solids used in the production of such products, respectively, during the corresponding months of the base period.

(b) Nothing contained in this order shall be deemed to relieve Vernon W. Boyer and E. L. Tobin, trading and doing business as aforesaid, their agents, successors, or assigns from any restriction, prohibition, or provision contained in any order or regulation of the War Food Administrator, except insofar as the same may be inconsistent with the provisions hereof.

(c) The term "person" as used in this order, means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(d) Any terms used in this order which are defined in said War Food Order No. 8, as amended (formerly designated as Food Distribution Order No. 8, as amended), shall have the meaning therein given to them, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof.

(e) This order shall become effective as of the date of issuance.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; Delegations of Authority, 8 F.R. 13696, 16497, and 9 F.R. 6262)

Issued this 28th day of June 1944.

C. W. KITCHEN,
Deputy Director.

[F. R. Doc. 44–9453; Filed, June 28, 1944; 11:22 a. m.]

[WFO 50, Amdt. 2]

PART 1418—WOOL

PURCHASE AND SALE OF DOMESTIC WOOL

War Food Order No. 50, as amended (8 F.R. 5131, 8045), § 1418.1, is further amended to read as follows:

§ 1418.1 *Purchase and sale of domestic wool*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(2) "Commodity" means the Commodity Credit Corporation.

(3) "Director" means the Director of Distribution, War Food Administration, or any employee or agency of the Department of Agriculture designated by him.

(4) "Domestic wool" means shorn wool or pulled wool obtained from sheep or lambs raised in the continental United States.

(5) "Handler" means a person who has entered into a wool handler's agreement with Commodity under its wool purchase program.

(6) "Secondary handler" means a person, operating as a country merchant or assembler, who:

(i) Purchases domestic wool for his own account from producers; or

(ii) Takes domestic wool from producers on consignment and performs such services in connection therewith as delivering from farm to local market or shipping point, bagging, country grading, and loading on trucks or cars.

(7) "Producer" means a person who owns sheep or lambs, raised in the continental United States, from which wool is shorn, or the skins of slaughtered sheep or lambs raised therein from which wool is removed.

(8) "Manufacturer" means a person who processes domestic wool beyond the scoured stage.

(9) "California processing wools" means tags, defective fall and eight-months wool, and defective lambs' wool, any of which is produced in California.

(10) "Off wools," in the case of shorn wool, means tags, crutchings, clippings, eyebrows, face wool, corral sweepings, baby lamb's wool (Texas only), murrain dead wool, pulled dead wool; and, in the case of pulled wool, means pulled vat and machine wool.

(11) "Purchase" includes contracts to purchase.

(12) "Sell" and "sale" include contracts to sell.

(13) "Deliver" and "delivery" include contracts to deliver.

(b) *Restrictions.* Except as hereinafter provided or as specifically authorized by the Director, no person shall sell or deliver domestic wool to any person other than Commodity, and no person other than Commodity shall purchase or accept delivery of domestic wool.

(c) *Exemptions.* The restrictions of (b) shall not apply to:

(1) Purchases by and sales or deliveries to a handler for the account of Commodity pursuant to the terms of such handler's agreement with Commodity;

(2) Purchases by and sales or deliveries to a secondary handler, for his own account, from producers, of:

(i) California processing wools, or

(ii) Other domestic wool in lots of not to exceed three thousand pounds, grease weight;

Provided, however, That such wool shall be resold to a handler for the account of Commodity;

(3) Deliveries to a secondary handler, in lots of any size, on consignment for sale to a handler for the account of Commodity;

(4) Purchases by and sales or deliveries to a manufacturer from producers located within a radius of 50 miles from such manufacturer's mill or plant, provided such purchases and sales are made directly and not through dealers, brokers, warehousemen or cooperative associations;

(5) Sales and deliveries of domestic wool, made on Indian Reservations under the jurisdiction of the United States, by Indians to Indian Traders, and the resale and delivery of such wool by such Indian Traders to secondary handlers for sale by such secondary handlers to a handler for the account of Commodity. This exemption shall not apply to sales or deliveries made by Indians at places other than Indian Reservations;

(6) Domestic wool purchased from or sold by Commodity;

(7) Shorn wool produced in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware, North Carolina, South Carolina, Tennessee, Georgia, Florida, Alabama, Mississippi, Arkansas, and Louisiana;

(8) Off Wools, when packed and sold separately by producers.

(d) *Contracts.* The provisions of this order and of all orders or regulations issued pursuant thereto shall be observed without regard to contracts heretofore

or hereafter made, or any rights accrued or payments made thereunder.

(e) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of domestic wool of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(f) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in domestic wool.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance therewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, War Food Order No. 50, Office of Distribution, War Food Administration, Washington 25, D. C. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. If such person is dissatisfied with the action taken on such petition by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(h) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using domestic wool or any other material subject to priority or allocation control by any governmental agency. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(i) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any person within the Department of Agriculture any or all of the authority vested in him by this order.

(j) *Territorial scope.* This order shall be effective within the continental United States.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to Order Administrator, War Food Order No. 50, Office of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO 50.

(l) *Effective date.* This amendment shall become effective at 12:01 a. m., e. w. t., June 30th, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 50, as amended, prior to the effective date of this amendment, all provisions of said War Food Order No. 50, as amended, in effect prior hereto shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and all subsequent reporting and record-keeping requirements of this order will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 23d day of June 1944.

GROVER B. HILL,
First Assistant
War Food Administrator.

[F. R. Doc. 44-9251; Filed, June 24, 1944; 4:14 p. m.]

TITLE 24—HOUSING CREDIT

Chapter V—Federal Housing Administration

Subchapter C—Mutual Mortgage Insurance

PART 521—ADMINISTRATIVE RULES FOR MUTUAL MORTGAGE INSURANCE UNDER SECTION 203 OF THE NATIONAL HOUSING ACT

FEE TO ACCOMPANY APPLICATION

Section 521.11 is hereby amended to read as follows:

§ 521.11 *Fee to accompany application.* If the application is for a firm commitment it must be accompanied by the mortgagee's check for a sum computed at a rate of three dollars ($3) per thousand dollars ($1,000) of the original principal amount of the mortgage loan applied for, to cover the costs of appraisal by the Administrator, but in no case shall such sum be less than ten dollars ($10). If an application is refused without an appraisal being made by the Administrator, the fee will be returned to the applicant but no portion of the fee will be returned after appraisal or on account of any difference between the amount applied for and the amount approved for insurance.

If the application is for a conditional commitment it must be accompanied by the mortgagee's check for ten dollars ($10) regardless of the amount of the mortgage. The balance, if any, of the fee as stipulated herein shall be payable upon and shall accompany the application for the firm commitment, if any, subsequently submitted pursuant thereto.

If, after insurance, the outstanding principal amount of an insured mortgage is increased by the substitution of a new insured mortgage the fee herein provided for shall be based upon the amount of such increase but in no case shall be less than ten dollars ($10).

Issued at Washington, D. C. this 26th day of June 1944.

[SEAL] ABNER H. FERGUSON,
Federal Housing Commissioner.

[F. R. Doc. 44-9364; Filed, June 27, 1944; 1:45 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-568]

MARY AND REUBEN KAPLAN

Mary Kaplan, wife of Reuben Kaplan, both of Brookline, Massachusetts, owns a building, containing two stores, at 200 Pleasant Street, Malden, Massachusetts, which was damaged by fire on December 26, 1943. About January 10, 1944, Mrs. Kaplan, acting through Mr. Kaplan, began and thereafter continued reconstruction of this building at an estimated cost in excess of $200, without War Production Board approval, until February 1, 1944, when work was stopped as the result of a telegram received from the War Production Board. This was in violation of Conservation Order L-41, which placed a limit of $200 on such construction. Mrs. Kaplan had been notified by the War Production Board of the procedure necessary to obtain permission for restoration of fire damage, and doing this work without authorization was a wilful violation of Conservation Order L-41. This violation of Order L-41 has interfered with the controls established by the War Production Board for the distribution of critical materials. In view of the foregoing, it is hereby ordered, that:

§ 1010.568 *Suspension Order No. S-568.* (a) Neither Mary Kaplan or Reuben Kaplan or the successors or assigns of either, nor any other person, shall do any construction on the building at 200 Pleasant Street, Malden, Massachusetts, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Mary Kaplan or Reuben Kaplan, their respective successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect as of the date of issuance.

Issued this 27th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9388; Filed, June 27, 1944; 4:19 p. m.]

PART 949—CHROMIUM

[General Preference Order M-18-a, Direction 2]

The following direction is issued pursuant to General Preference Order M-18-a:

To all manufacturers of nickel-chrome resistance wire made from chromium metal.

On or after June 28, 1944, no person shall melt chromium metal to make nickel-chrome resistance wire, and no person shall deliver any nickel-chrome resistance wire made with chromium metal, if he knows or has reason to believe that the wire is to be used to make domestic or commercial electric appliances or parts (including repair parts) of those appliances, unless he has been specifically authorized in writing by the War Production Board to do so or unless the appliances or parts are to be produced to fill a contract, subcontract, or purchase order of the Army, the Navy, the Maritime Commission, or the War Shipping Administration. The War Production Board does not intend to grant authorization to melt chromium metal to make nickel-chromium resistance wire or to deliver nickel-chrome resistance wire made with chromium metal, unless the manufacturer of the electric appliances or parts needs that type of wire to make his product because of technical reasons.

This direction is issued under General Preference Order M-18-a. All communications concerning it should be addressed to the Ferro-Alloys Branch, Steel Division, War Production Board, Reference: M-18-a, Washington 25, D. C.

Issued this 28th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9452; Filed, June 28, 1944; 11:06 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-84, as Amended June 28, 1944]

CORDAGE FIBER, CORDAGE YARN AND CORDAGE

Section 3290.221 *General Conservation Order M-84* is amended to read:

§ 3290.221 *General Conservation Order M-84—(a) Restrictions on processing of fiber or yarn into rope and assignment of preference ratings for istle and jute yarns.* (1) No processor may put into process any manila, agave or other fiber or any yarn to manufacture rope except:

(i) For an end use allowed in Schedule A for rope manufactured from that fiber or yarn; or

(ii) To fill orders placed by or for the account of any United States Government agency having in effect a plan approved by the War Production Board, to screen its orders and requisitions for rope and to eliminate unnecessary end uses of rope manufactured from critical fibers. Only the Army, Navy, and Maritime Commission now have such approved plans in effect. Any agency having an approved plan may, however, instruct its suppliers to deliver rope in accordance with the end use restrictions of this order or any part of them, and to the extent they are thus adopted by such agency the restrictions will apply to its orders.

(2) No processor may in any calendar quarter put into process for the manufacture of rope more manila and agave fiber than the following percentages of his basic monthly poundages:

(i) Manila	83.25%
(ii) Agave	563%

Use of "extenders" shall not be charged against the permitted quantity of agave. Specific directions may be issued to exceed the above percentages of either fiber, to permit increased deliveries to particular claimant agencies. If a processor is permitted to exceed his quota of either fiber, he may be required to accept a corresponding decrease in his quota of the other fiber.

(3) Processors are assigned a preference rating of AA-1 to get istle and jute yarns for processing into rope.

(b) *Restrictions on processing of fiber or yarn into other products.* (1) No processor may put into process any manila, agave or other cordage fiber or yarn containing cordage fiber to manufacture any product (other than rope as permitted in paragraph (a)) except:

(i) Twine, as specified in Schedule B;

(ii) Wrapping or tying twine from a blend of agave sisalana tow with palma or tula istle or with both; and

(iii) Other products to the extent and for the purposes allowed by Conservation Order M-70 in the case of jute, Conservation Order M-138 in the case of istle, and Conservation Order M-312 in the case of coir, or as specifically authorized or directed in writing by the War Production Board. Moreover, the use of agave (other than cantala or sisalana, from Java, Africa, Haiti or Madagascar) may be authorized from time to time for binder or baler twine.

(2) Manufacturers of wire rope are assigned a preference rating of AA-1 to get cordage yarn or roving for component parts of wire rope. Material delivered pursuant to this preference rating shall be charged against the processor's non-military quota referred to in paragraph (e).

(c) *Further restrictions on processing.* (1) The War Production Board may issue specific directions to processors who have received cordage fiber or yarn by allocation under this order or any other War Production Board order or by delivery from any United States Government agency, as to the purpose and kind of product for which the fiber or yarn may be processed and as to the extension of more critical fibers by mixture with less critical ones (i. e. use of "extenders") in the manufacture of any product.

(2) Beginning July 1, 1944 no processor shall make agave sisalana rope which does not contain American hemp line as an extender with the following exceptions:

(i) Rope in sizes under ¾" in diameter.

(ii) Wire rope centers.

(iii) Drilling cables.

(iv) During the month of July agave sisalana tow, pita istle and agave fourcroydes of the grades C-Short and M-Inferior may be used optionally as an extender in agave sisalana rope if in inventory of the processor on July 1, 1944. The War Production Board may from time to time issue specific instructions regarding the percentage of extender to be used in the manufacture of agave sisalana rope.

(d) *Restrictions on delivery of rope and twine.* (1) No processor or dealer may sell, deliver, or accept delivery of rope or twine, produced in the United States in whole or in part from any cordage fiber or cordage yarn, except for the purposes for which the product may, under this order, be manufactured. However, if manila rope was made before July 1, 1944, it may be sold, delivered, accepted and used in conformity with this order as amended April 5, 1944.

(2) No person may sell or deliver binder or baler twine if he knows or has reason to believe that:

(i) The binder twine will not be used with mechanical harvesting equipment or in the growing, harvesting or delivering of agricultural crops.

(ii) The baler twine will not be used in a self-tying machine for baling hay, straw or other fodder crops.

(e) *Allocation of non-military cordage.* (1) The War Production Board may, in accordance with Program Determinations, state the quantity of manila, agave (sisal) and other cordage fibers which each processor must, out of his production during stated periods, process into cordage, as allowed by Schedules A and B, to be delivered or set aside for delivery only to fill non-military orders and only to the extent specified for particular non-military uses. From that quantity, the processor may not fill any other orders, except orders rated AAA. When that cordage is sold by the processor, he must inform the buyer of the particular non-military use for which it must be used. The buyer may use or sell that cordage only for the specified non-military use or an AAA order.

(2) The War Production Board may issue directions to processors and dealers for the establishment of emergency stocks of rope for maritime use, and for withdrawals from and replenishments of such emergency stocks, and for production for that purpose.

(f) *Allocation of fiber and yarn.* No processor shall make or accept delivery of any cordage fiber or cordage yarn contrary to directions which from time to time the War Production Board may issue. The War Production Board may from time to time allocate to processors the available supplies of cordage fibers and cordage yarns, and specifically direct the time, manner, and quantities in which deliveries to processors shall be made or withheld.

(g) *End use information.* No person may sell or deliver any product controlled by this order to any person who he knows or has reason to believe will use the product in a manner which this order does not permit. He should satisfy himself as to this in some reasonable manner before delivering. He may, but need not, require a statement in writing showing the specific purpose or use for which the item is ordered.

(h) *Restrictions on the use of damaged material.* Any processor or dealer who has in his possession damaged or

defective cordage fiber, cordage yarn or cordage may report by letter the extent of the damage and state to the War Production Board the percentage not suitable for the manufacture of products or for use permitted by this order. He may then upon receipt of acknowledgment, without objection from the War Production Board, use or dispose of any portion unsuitable for the manufacture of products permitted by this order, free from its restrictions.[1]

(i) *Inventory restrictions.* In addition to the restrictions on inventory contained in Priorities Regulation 1 (§ 944.14), no processor may accept delivery of any istle or jute yarn or rove which will increase his inventory of istle or jute yarn or rove beyond an amount which, to the best of his knowledge and belief, will be used by him in the next sixty days.

(j) *Reports.* Processors of manila and agave fiber shall report monthly, supplying the information required on Form WPB 2901 (formerly PD–128). Processors of all other cordage fibers shall report their sales monthly on Form WPB 2901 (formerly PD–128). Processors of all cordage fibers other than manila and agave shall report monthly, supplying the information required on Form WPB 914 (formerly PD–469).[1]

(k) *Imports.* The importation of cordage fibers, cordage yarns and cordage shall be made in conformity with the provisions of General Imports Order M–63, as amended from time to time.

(l) *Definitions.* In this order:

(1) "Cordage fiber" means manila, agave, jute and istle as defined in (2) to (5) below, when spinnable over machinery, and coir as defined in (6) below.

(2) "Manila" means fiber which is commonly known in the trade by this term and also known as abaca or Manila hemp, wherever grown (either stripped or decorticated), but does not mean the fiber grades of T2 and T3, O or Y, or equivalent, as established by the Insular Government of the Philippine Islands, processor's mill waste or bagasse.

(3) "Agave" means fiber of the species of agave sisalana, agave fourcroydes, and agave cantala, of all grades and qualities including tow and fiber under 20" in length, commonly known in the trade as sisal, henequen, cantala, and maguey, and sometimes preceded by an adjective designating the country or district of origin, but does not include processor's mill waste or bagasse.

(4) "Jute" means jute fiber, including butts (often called cuttings), also meshta, urena lobata (commonly called congo jute), and punga, but does not include processor's mill waste.

(5) "Istle" means istle fiber, including but not limited to the types or grades commonly known as palma and pita, but does not include processor's mill waste.

(6) "Coir" means the fiber obtained from the fibrous shell of the coconut.

(7) "Rope" means any rope or cable, treated or untreated, composed of three or more strands containing any cotton or cordage fiber, each strand composed of two or more yarns, but does not include strings and twines of whatever construction which are commonly used for tying, sewing, baling or other commerical packaging use.

(8) "Twine" means any single or plied yarn or roving, including marlin and tarred seisings, containing any cotton or cordage fiber, for use as a tying material, for sewing or for any similar purpose, but does not include any product falling within the definitions of "rope", "binder twine" or "baler twine."

(9) "Binder twine" means a single yarn twine usually containing agave, but sometimes containing manila, istle, jute, coir, hemp, cotton or paper, suitable for use in a harvesting machine and of the type customarily heretofore manufactured. It is put up in balls of approximately five to eight pounds, packed six to ten to the bale. It measures five hundred feet to the pound with a plus or minus tolerance of five per cent, and contains a lubricant of at least ten per cent of the weight of the twine and an insect repellant. It is also known as binding twine.

(10) "Baler twine" means a single yarn usually made of agave fiber and used in a self-tying machine for baling hay, straw or other fodder crops.

(11) "Basic monthly poundage" of manila fiber with respect to any processor shall be the average number of pounds per month of manila cordage sold by such processor during the period January 1 through December 31, 1939. Where this order specifies a percentage of the basic monthly poundage to be processed, sold or delivered during any period, any processor keeping his books on a weekly basis shall apply the said percentage to the weekly periods most nearly approximating the period specified.

(12) "Basic monthly poundage" of agave fiber with respect to any processor for any month shall be the average number of pounds per month of both manila and agave cordage sold by such processor during the period from January 1, 1939 to December 31, 1941, minus 37 per cent of such person's manila fiber basic monthly poundage calculated as prescribed in paragraph (1) (11). *Provided*, That any processor keeping his books on a weekly basis may calculate his basic monthly poundage from the fifty-two week period of the 1939 calendar year and adjust any other calculations or quota under this order.

(13) "Processor" means any person (other than a United States Government agency) who spins, weaves, or twists, or otherwise uses any cordage fiber or cordage yarn in the production of rope, twine, or any other product.

(14) "Non-military" means general industrial, farm, oil-field and fishing uses. It also includes cores and centers for wire rope, regardless of their ultimate use. The term does not include purchases for direct or ultimate delivery to, or for incorporation into any material for direct or ultimate delivery to the United States Army, Navy, Maritime Commission or War Shipping Administration, or orders for commercial marine uses (including harbor or river tugs, ferries or barges, or stevedoring or inland waterway operation).

(m) *Appeals.* Any appeal from the provisions of this order should be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(n) *Applicability of regulations.* Except as specifically otherwise provided this order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(o) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(p) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the Textile, Clothing & Leather Bureau, War Production Board, Washington 25, D. C., Ref.: M–84.

Issued this 28th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—CORDAGE END USE

NOTE: Schedule A amended June 28, 1944.

These lists specify the permitted end uses for which rope (Schedule A) and twine (Schedule B) may be manufactured from Manila, agave and other fibers. However, it does not restrict manufacture for and delivery to the Army, Navy, and Maritime Commission.

The left hand column lists the permitted end uses. Rope and twine for end uses not listed in the respective schedules may not be manufactured. The second column explains more fully the character of the end uses which are permitted. The third column indicates what products may be made of Manila, the fourth, of agave, and the fifth indicates any restrictions on use of fibers other than Manila and agave, for this product. In the case of Manila and agave, the word "yes" in the appropriate column means that use of the fiber is permitted, otherwise, it is prohibited. Any restrictions on use of fibers other than Manila and agave will be specifically stated in column five. If there is a blank in column five, any fiber other than manila and agave may be used.

[1] These reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

End use	Definition	Manila	Agave	Restrictions on other fibers
Anchor buoy spar rope	A rope used to steady a spar projecting from the side of a vessel			
Anchor lines—submerged Fishing gear.	A line used to fix the position of stationary gear such as pounds or trap nets, fykes, and anchored gill nets.		Yes	
Anchor lines—sea plane	The anchor rode of a sea plane		Yes	
Anchor rodes	See anchor lines		Yes	
Anchor lines—vessel	A line used to connect the anchor chain and the vessel		Yes	
Anchor lines—small ships	The lines carried on small ships for anchoring		Yes	
Anchor lines—sea anchor	A rope attached to a canvas sea anchor used to retard the progress of a small boat or life raft			
Antenna rope	A rope used for raising or lowering radio antennae for maintaining tension on antenna			
Auxiliary line—Lyle gun	A 2" circ. hawser-drawn to or from a vessel by means of a whip line and which is used to support a beaches basy.	Yes	Yes	
Awning rope	Rope for reinforcing and securing awning in place			
Awning rope	A small sized rope used to hold or lower an awning			
Backbone	The rope attached to the back of the middle of an swrather and to which the crows foot is spliced			
Backhaul rope	The rope to haul back a hoisting tackle when it is not heavy enough to return by gravity			
Backhaul rope—boom	A rope used for hoisting in the sounding boom aboard vessels			
Bale rope	A heavy wrapping twine for securing large bales or bundles			
Barrel chimes	A special type of sling used only to hoist fuel drums aboard ship where rope is passed through eyes at each end of drum; hoists 4 drums at a time.		Yes	
Band line	See Guard rope			
Becket	A rope eye or grommet used for the hook of a block			
Becket—Sprit sail	A small piece of rope with an eye spliced in each end to hold the end of a sprit to the mast			
Becket—Handle	See Handles			
Becket rowlock	A rowlock formed of a rope grommet secured over a throle pin in a sailing launch			
Beckets—Steering wheel	Used for hashing the wheel of a trawler when running on a fixed course			
Beckets—Trawl lines	A short loop inserted at regular intervals in the ground line to provide fastening for the snell or gangings.		Yes	
Bell rope	A small hand rope suspended or attached to a bell and used for the purpose of ringing the bell			
Belly lines—Otter trawl	Ropes running from the head or foot line to the cod end and setsed to the seams joining the top side and bottom sections of the net. Their purpose is to reinforce the net.			
Belt shifter rope	Frequently used on machinery as a medium of shifting belt drive from idler pulley to driving pulley and vice versa.			
Berth bottoms	A network of rope fashioned inside a frame which constitutes the bottom of the berth			
Bight line	A line used to support a heavy line at the bight			
Boat line	A line used to tend boats when coming alongside			
Bobstay	A rope or chain preventing the bowsprit from jumping and leading from the end of the bowsprit to the vessel's stem.			
Bolsh line	A line hooked to the foot rope on which the bottom section of the otter trawl is hung			
Bolt rope—Sail	A rope to which a sail is sewed to reinforce the sail and maintain its shape. The efficient action of a sail depends on the strength and stretching characteristics of the rope both when it is wet and dry.		Yes	
Boom lift (Fishing vessels)	A line rove through tackle blocks attached to the mast and boom. It is used to adjust the angle at which the boom is inclined from the mast and must support the load applied to the fall lines.		Yes	
Boom-out haul line	A line used to hold the boom away from the amidships when men are working and as a stop to prevent sudden gusts of wind from unsuspected directions, causing the boom to fly over and strike men in the boat.			
Boring machine rope	A rope used to clean inside of large caliber gun barrels after being bored or filed			
Bos'n's chair rope	The rope to which is suspended a piece of board on which a man working aloft is swung and used to raise or lower or support man.		Yes	
Bottom line	See Hanging Rope—Fishing Industry			
Bow lines	*See mooring lines.* A line used in mooring or docking to check the vessel from going astern. Lies is led forward through bow check making an angle of less than 45° to the keel.			
Braces	The ropes to control the horizontal movement of the yards			
Brails	Ropes used for furling fore and aft sails such as spanker to the mast. Can be foot—throat—or peak brails.		Yes	
Bralier lifting rope	A line rove, singly, through a block attached near the outer end of the boom, or suspended from a pennant between two masts, or a mast and a suitable point on the vessel. Used for various hoisting purposes.			
Breast line	*See mooring lines.* A line used in mooring or docking vessels and runs at rightangles to keel and dock.		Yes	
Breast line—30 to 50 ton booms	A stay or guy used to prevent swinging of boom when lifting heavy load		Yes	
Breast lines—Pile drive (Fishing)	These lines lead from the sides of pile drivers to anchors and control the position of a pile driver with reference to a definite area in which piling must be spotted for a fish trap.		Yes	
Breast line—Sea Plane and Flying Boat.	Control surge of seaplane when moored or anchored		Yes	
Breast line—Seines & Trawls	Usually the breast line is formed by continuing the lead and cork lines vertically at the ends of the net and spliking them near the bottom. Its purpose is to prevent the weight of the lead line from tearing the netting and to take the towing strain on the net.			
Breast purse line	A line passed through rings attached to the breast line of a purse seine and fastened near the lead line. Power is applied to this line to purse the end of the net and lift it clear of the purse line.		Yes	
Bridles-Seines, submerged traps and gill nets.	A length of line connected to the float and bottom lines of seines and submerged traps and gill nets, the approximate midpoint being attached to an anchor line.			
Bucket ropes	A rope attached to a bucket and used to raise or lower the bucket			
Bull rope	A rope working through a bull's eye, especially one used in securing a light yard of mast		Yes	
Bull ropes	Oil well and gas drilling—A rope 5/4 to 2" diam., in lengths 80' to 120' long with eye splices in each end; used to transmit power in grooved pulleys from engine to bull wheel. (A bull wheel is a large reel, with grooved pulleys attached on which are wound cables for drilling or cleaning out wells.)			
Bumper rope	A rope secured to the outside of the gunwale of a small boat and used as a permanent bumper			Coir only.
Bumpers	Bumpers are usually made of old rope, the poorer portions used as filling and the covering made by lacing a strand over the filling. New strand is sometimes required for this purpose.			
Buntlines	The lines used to haul the foot of a sail above and forward of the yard for convenience in furling			
Buoy line—tog towing	See Tow line—Towing spar			
Buoy line—deep water fishery	A line connecting a surface buoy and the trawl line and the anchor on the bottom		Yes	
Buoy line—halibut fishery	Same as above		Yes	
Buoy line—shallow water fishery (50' and less)	Same as above			
Burton rope (below 3" circ.)	A type or part of a cargo fall—a cargo fall is a rope used in unloading and loading vessels			
Burton rope (3" circ. & larger)	Same as above		Yes	
Buoy lines	See buoy lines			
Caisson ropes	*See hoisting ropes.* Cable laid ropes used for hoisting			
Calf rope	*See bull rope.* A small size bull rope			
Car puller rope	A rope, either plain or cable laid used for moving railway cars along an industrial siding		Yes	
Carriage rope	See mill carriage rope			
Casing lines	Rope used in pulling "casing" out of oil wells			
Cathead lines	Oil well and gas drilling—a rope not smaller than 1¼" diam. used around a drilling rig in oil and gas drilling for hoisting tools, pipe, etc., by means of power driven capstan.		Yes	
Catlines	Same as Cathead lines			
Chinese shrimp bag—Net lines	The lines used by the Chinese shrimp bagnet fishing industry generally confined to San Francisco Bay.			

End use	Definition	Manila	Agave	Restrictions on other fibers
Clews—Hammock	The ropes running angularly from the hammock surface to the ring or other fitting whereby the hammock is supported.			
Clew line—Sail	A type of lashing rope used to secure the ham rope of a sail to the mast of a small boat			Cotton only.
Clothesline	A rope approximately ¼" diam. used as a drying line			
Cod end rope	This line is passed through the last meshes or rings attached to the fish bag opening and serves to close and open the fish bag or cod end.			
Cod line	See cod end rope			
Cod lines	Small sized lines, generally lightly tarred, used for ground fishing		Yes	
Come-alongs	Ropes used in the mining industry for emergency stretching of wire ropes			
Compressor pull back	See chain compressor fall			
Concluding line	A small rope rove through the middle of the steps of a Jacob's ladder			
Construction Rigging Rope (below 1" diam.)	Used in construction of new machinery and repairs to existing machinery or equipment. Also for the maintenance of existing and construction of new structures, including power lines and communications systems. In shipyards, for uses in building of yards; construction of new hulls and the repair of existing vessels.		Yes	
Construction Rigging Rope (1" diam. and over)	Same as above			
Cork line	See Float line			
Crab line	Usually a 3/16" to ¼" soft laid rope used as the bait line by inserting bait between strands in the crab fishing industry.			
Crackers	A short length of fiber drilling cable used in conjunction with a wire drilling cable affording spring or elasticity to the wire line. Generally 2¼" diam. and larger.	Yes	Yes	
Cringle	A piece of rope spliced into an eye over a thimble in the bolt of a sail			
Davit rope	See Falls			
Decorticator rope	The endless rope used in certain types of fiber decorticating machines for holding the leaves for stripping.		Yes	
Derrick lines	See hoisting rope			
Dogsled—Gang line	Main line to which dog harnesses are fastened when pulling a sled		Yes	
Dip rope	Usually 7" circ. rope used in connection with clearing a foul chain aboard ship		Yes	
Dock lines	See Mooring lines			
Dory lift	See Falls—Lifeboat			
Down hauls—Pounds and traps	A line passing around a windlass and trap or pound, and through an eye fastened to a pile, or suspended to a weighted chain, for the purpose of raising or lowering the trap spillers, for brailing or fishing. The bottom of the spiller is attached to the down haul.		Yes	
Down haul	See Hoisting Rope—Sail			
Drag ropes—Shrimp	Ropes used to drag a trawl on shrimp fishing boats		Yes	
Drag ropes—Trawls	Ropes used in small fishing boats not equipped with drums for wire cables			
Dragging rope	A rope generally attached to a hook at one variety or another and used to locate and recover objects lying on the bottom of a body of water.			
Draw line	See Cod end rope			
Dressing lines	The lines used in the display of national colors (flags) at all mastheads and the flagstaff aboard ships.			
Drift line—Gill net fishing	A line by which the net is secured to the boat while drifting			
Drilling cables—gas wells (2" diam. and larger)	Used for operating the tools in "cable tool" drilling	Yes	Yes	
Drilling cables—oil wells (2" diam. and above)	Used for operating the tools in "cable tool" drilling	Yes	Yes	
Drilling cables—water wells	Used on portable machines for drilling water wells. Usually made in size 1¼" diam. to 1⅝" diam. inc.		Yes	
Drilling cables—quarry and mining	Used on drilling machines for drilling blast holes. Usual sizes 1¾" diam. to 2" diam. incl.		Yes	
Drop hammer rope	In aircraft and auto industry used to raise the drop hammer for forming metal parts		Yes	
Dumbwaiter hand rope	The rope used for operating a dumbwaiter			
Earing	A short piece of rope seamed to a cringle for hauling out the cringle			
Easing out line	A line used in clearing hawse and in mooring for easing out a chain which has been unshackled			
Eel pot Rope	See Buoy line			
Electric coil filler	A rope filler in double deck coils for securing insulation, used principally in electric traction motors.			
Electric Linemen's Rope	Used by linemen on high voltage work as a general utility line		Yes	
Elevator Rope	A hoisting rope which supports an elevator		Yes	
Elevator Pull Rope	A rope used to stop and start power of a power driven elevator; also a hand rope to raise or lower a hand powered elevator.			
Elevator Gate Rope	A rope attached to a gate or door and attached to a counterbalance to facilitate operation of gate.			
Emergency Line—Bristol Bay Gill Net Boats	An emergency all-purpose line used by Bristol Bay Fishermen		Yes	
Execution rope	A rope used to carry out the death sentence of a court		Yes	
Falls—Accommodation ladder	A rope used to lower, haist or support a ship's ladder or pilot's ladder over to side of a vessel	Yes	Yes	
Falls—Ammunition	The hoisting rope used to raise and lower ammunition		Yes	
Falls—Anchor	The tackle used for hoisting an anchor to the deck, usually used in connection with davits			
Falls—Awning tackle	See awning rope		Yes	
Falls—Boat	A rope used, generally in conjunction with a pair of davits to raise or lower small boats, other than lifeboats.		Yes	
Falls—Boom tackle (fishing vessels)	A tackle attached near the outer end of the boom or suspended from a pendant attached to one or two masts or a pendant between the mast and a suitable point on the vessel.			
Falls—Cargo (below 3" circ.)	A 3 or 4 strand rope used in loading or discharging cargoes		Yes	
Falls—Cargo (3" circ and larger)	Same as above		Yes	
Falls—Chain compressor	A rope used to check the speed and direction of the anchor chain		Yes	
Falls—Coal	A 3 or 4 strand hard laid rope used in discharging coal cargoes			
Falls—Flagstaff	See Halyard—flag and signal			
Falls—Fishing dory	See Falls—lifeboat		Yes	
Falls—F. O. Hose Davit	Rope used to raise, lower or otherwise handle fuel oil hose for refueling vessels			
Falls—Kingpost	See topping lift fall			
Falls—Lifeboat	A rope used generally in conjunction with a pair of davits, used to raise or lower lifeboats which contain people.	Yes	Yes	
Falls—Purse boat	A pair of tackles suspended from davits used to raise and lower the purse boats and seine which weigh about 5 tons.		Yes	
Falls—Powder tank	Used in handling powder tanks (lowering and hoisting)	Yes	Yes	
Falls—Topping lift (below 7/8" diameter)	The falls used for raising and lowering the boom			
Falls—Topping lift (7/8" dia. or larger)	Same as above		Yes	
Falls—Ventilation	Rope for adjusting windsails (ventilators) in position			Coir only.
Fenders	See bumpers			
Fire escape rope	Rope used for fire escape in hotel rooms, etc., not connected with outside stairways			
Fisherman's cable	*See anchor lines.* Cable laid rope, sometimes tarred, for use off the fishing banks for anchor line			
Fish bag release line	See cod and rope			
Float line—Fyke nets	The floatline is used to support the leader netting of fyke nets			
Float line—Gill nets	A line to which the corks or floats are attached and supports the netting		Yes	
Float line—Haul seine	The line which contains the floats and is used to float a haul seine		Yes	
Float line—Otter trawls	The main line to which the top netting of an otter trawl is attached		Yes	
Float line—Purse seines and ring nets	The buoyed line to which the top of the netting is hung		Yes	
Float line—Submerged gill net	A buoyed line which supports the webbing		Yes	
Foot rope—Otter trawl	The main bottom line of a trawl to which the foot rope hanging line is secured. "Bolsch" weight and roller line may also be attached.			

End use	Definition	Manila	Agave	Restrictions on other fibers
Foot rope—Auxiliary	See "Bolsch" line			
Foot rope—Hanging line	See "Bolsch" line			
Foot rope—Serving	Rope wrapped around the steel cable foot rope to protect the trawl hangings and bolsch line seizings.			
Foregoers	A line 1¼" to 4½" circ. attached to an explosive harpoon fired from a gun		Yes	
Frapping lines	A line passed around a boat fall, one end being made fast on deck and other end being hauled taut and belayed to prevent boat from swinging.			
Furling line	A small line secured to the mast and used for furling fore and aft sails			
Furnace charging bucket rope	A rope used in conjunction with the charging of steel furnaces with scrap metal			Cotton only.
Gangings	Short lines varying from 1 foot to 6 feet in length having a hook at one end which are attached at regular intervals to the trawl or ground line.			
Gantline	See Falls			
Girtline	See Falls			
Governor rope for use on elevators	A rope, usually 5/16" to ¾" dia. used as part of the safety equipment to prevent overspeeds on elevators.		Yes	
Grab rope	A line secured waist-high above a boat-boom or gangplank used for steadying oneself			
Grab line—Life boats and life rafts	A line fastened to outside of life boat to right a capsized boat or as a grab rail			
Grapnel cables—For cable ships	A combination of wire and fiber—the fiber is used to either fill in the interstices or to actually seize the wire to increase the friction grips of the cable on the hoisting drum.		Yes	
Grapnel line	See dragging rope			
Ground line	See foot rope			
Ground lines—Trawls (otter)	See spreaders			
Ground lines	See trawl lines			
Guard rope	A rope used to bound a permitted area—A safety rope used, for instance, as a railing		Yes	
Guess warp (3" circ. and larger)	A line by which a bight is secured to the swing boom. It may be slacked off from the deck. A line rove through a thimble at the outer end of a boat boom, used for securing the boat to the boom. In general a hauling line laid out by a boat, a portion of the line coiled down in the boat.			
Guess warp (below 3" circ.)	Same as above			
Guide line	See tag line			
Guy lines	A rope used to hold or steady some object such as a pole or mast		Yes	
Guy lines—Fish trap	Lines from stake traps to anchors to steady the trap and counteract the influence of weather and currents.			
Guy—Lazy	Running rigging to steady a boom in a seaway			
Guy—Lazy jack	Lines often forked reach from above on each side of a fore-and-aft sail to about the middle of the boom to confine the sail when it is lowered.		Yes	
Guy line—Preventer	Preventers are generally made up with an eye splice at one end which is shackled to the topping lift bands at the bottom head or looped over the boom head. Used generally when handling heavier types of cargo as a safety measure. A rope used as an additional support for added security.			
Guy lines—Vessel	Lines usually rove as tackles made fast to the ships bulwarks and to wire rope pennants from the outer end of the boom. They are used to regulate the lateral position of the boom.		Yes	
Halibut line	See Trawl line			
Halter	A rope about ¼" diam. soft lay, used for tying horses and cattle, and making halters			
Halliards	See Halyard			
Halyards—Flag and signal	Ropes used for hoisting flags and signals			
Halyards—Spar and sail	See Hoisting Rope—Sails		Yes	
Hammer fall rope	A rope used on pile driving equipment in hoisting the hammer to the derrick head. The rope is then released dropping the hammer onto the pile head.			
Hand lines	A small rope used to raise or lower small objects by hand. For instance between ground and scaffolding, etc.			
Hand lines	Small sized lines generally lightly tarred used for bottom fishing			
Hand rail—Life rafts	See grab line—life boats and life rafts			
Hand rope	See Grap Rope			
Handles—ammunition boxes	A short rope fastened to each end of an ammunition box for a handle		Yes	
Hanging ropes—Pounds and traps	Lines to which various sections of netting such as pots, spiller hearts and leads are hung. These lines support the netting. Also the lines used to reinforce the wire netting used in salmon traps.			
Handles—Buckets	Rope handles for wooden, canvas or other type buckets		Yes	
Harpoon line—Swordfish	A line attached to the harpoon and a buoy keg which is used to tire the fish		Yes	
Harpoon line—Whale	A line 5" to 6" circ. connecting foregoers to whale rope (used on old-type killer boats)		Yes	
Haul up line (Otter trawl)	The line is fastened to the splitting strap and runs to the head rope to be readily accessible. Power is applied to this line to assist in raising the net, splitting the catch and raising the splitting strap in order to engage the fish tackle.			
Hauling line (seine)	A line attached to the end of the seine to increase the circumference of the circle which may be made around a school of fish.		Yes	
Hay rope	A rope used generally in conjunction with a hay fork to load hay into farmers storage			
Hay loader rope	The rope used in the operation of hay loaders			
Head line	See Towing Rope. The line from the bow bit of a tug to the tow			
Head rope	See Float line			
Head & Stem Line (fishing industry)	Ropes that lead from head and stern of pile drivers and rigging scows to anchor; in order to control their off-shore positions.		Yes	
Heart Ropes—Wire ropes	See wire rope centers			
Heaving line	A length of light line, weighted at one end, which is thrown to a wharf, etc., in order to assist in getting the mooring line to the wharf.			
High Climbers rope	A rope having a wire core used in timbering as a safety device and also a method of climbing tall trees for the purpose of cutting off the tops. The wire center is to add strength and also to serve as a guard against the rope being severed by a slip of the axe.		Yes	
High tension rope	See Electric linemen's rope			
Hitch rope	The rope attached to the hitch weight for temporarily securing a horse or team			
Hobble rope	See Leg Rope			
Hoisting rope—Hot dip galvanizing	Rope used in processing of hot dip galvanizing by lowering the metal objects into acid bath or hot metal.		Yes	
Hoisting rope—Sail	A rope used to hoist and lower the gaffs and sails of small boats		Yes	
Hoisting line—Fishing industry	A line rove singly through a block and used to unload fish		Yes	
Hoisting rope (3" circ. & larger)	A special rope for heavy hoisting			
Hoisting rope (below 3" circ.)	Same as above		Yes	
Hook rope (3" circ. & larger)	Used for mooring a ship to a buoy or in weighing anchor			
Hook rope (below 3" circ.)	Same as above			
Hook-on-line	See shore line			
Jack rope	The lacing securing the foot of a sail to the boom			
Jackstay—Hammock	The reinforcing ropes in the bed of a hammock		Yes	
Jackstay—Life float	Rope used to lash netting to wooden ring of life float			
Jacob's Ladder	See Ladder-pilots		Yes	
Jaw rope	A span of rope leading from the jaws of a gaff around the mast, strung with hard wooden beads			
Jumper	A rope used to prevent a spar from jumping up; specifically, the rope from the outer end of the whisker to the martingale.		Yes	
Jumperstay	An extra stay from the masthead to the rail and set up by a tackle			
Jilson	See Bridle Lifting Rope		Yes	
Jilson—After	Holds the mid section of the foot rope in place before the main Jilson is hooked up		Yes	
Keeling Line—Pile driver	A heavy utility line used aboard a pile driver for seating trap bracing pilings, capping logs and other heavy work.			
Ladder—Extension	The rope used for expanding and contracting and extension ladder			
Ladder—Pilots	A rope ladder, usually with wooden steps, hung over the side of a ship for the pilot's use			
Ladders—Ropes	A ladder formed by splicing cross ropes between two longer ropes for steps. These ladders take several forms, some with wooden rung or flat steps held between 4 upright ropes; some with oval end pieces of wood supporting round steps, the oval held by 2 ropes lashed at the points of the ovals.			

End use	Definition	Manila	Agave	Restrictions on other fibers
Lair rope	See Pack Rope			
Lanyard	A line attached to an article to make it fast			
Lanyards	Rope used for tightening the shrouds and stays on board ship			
Lanyards—Fender	Generally 3" to 3½" circ. Reg. Lay. Used for lashing fenders to rail (tug boats)			
Lanyard—Hammock	The rope attached to the hammock clews by which the hammock is suspended			
Lanyard—Tripping	See trip rope or tripping line			
Lanyard—Whistle	The rope or cord used for blowing a whistle			
Lariat rope	A very hard laid rope used for lassoing cattle		Yes	
Lashing rope	A general rope used for tying down or securing any object but not for shipping purposes			
Lashing ropes	Ropes for securing cargo in transit			
Lashing rope—Aircraft	Lashing rope used for securing equipment, etc. in transport planes		Yes	
Lashing rope—Dory	Used to lash stacked or nested dories on a trawler			
Lashing rope—Gripe	A lashing spliced to the lip of the gripes, and secured to either the davit head or strong back, for purpose of securing life boat on deck of vessel.		Yes	
Lashing rope—Life rafts	A rope used to tie or otherwise secure life rafts aboard deck o. a vessel			
Launching rope	A rope used in connection with the launching of a vessel		Yes	
Launching rope—Trigger	Rope used in shipyards to trip davits allowing vessels to slide down ways		Yes	
Lead line—Sounding	A plain or cable laid rope used for determining the depth of water			
Lead line—Fyke nets	A leaded line attached to the bottom of the fyke leader			
Lead line—Gill nets	A leaded line attached to the bottom of the gill net			
Lead line—Haul seines	A leaded line attached to the bottom of the haul seine netting		Yes	
Lead line—Otter trawls	A leaded line attached to the foot rope		Yes	
Lead line—Purse seines and ring nets	A leaded line attached to the bottom of a purse seine or ring net		Yes	
Lead line—Submerged gill nets	A weighted line attached to the bottom of a gill net			
Leader hanging rope	Ropes used to hang a lead used in connection with seines		Yes	
Leader rope—Reef nets	A rope used to hand a lead used in connection with reef nets			
Leach lines	The rope used to haul the leach of coarser and sometimes Top Sails along the yard			
Leg rope	A small size rope used to hobble horses and other animals			
Life line	See auxiliary line—lyle gun	Yes	Yes	
Life line	A line secured along the deck to lay hold of in heavy weather			
Life line	A knotted line secured to the span of lifeboat davits for use of the crew when hoisting and lowering.			
Life line—Divers	A line used to raise and lower a deep sea diver		Yes	
Life line—Fire & Police Departments	A rope used in conjunction with the saving of life or valuable property		Yes	
Life line—Lifeboat or life raft	A line festooned in bights, along each side of a lifeboat or raft, life raft or float. Each bight is equipped with seine floats.			
Life preserver rope	The hand rope around the outer side of a circular life preserver			
Life preserving rope	Used from a reel set up on a beach with cork ring or torpedo life preserver attached. Life preserver carried out to victim by life guard. Rope used to pull both ashore.			
Lifts	Yards are supported at the yardarm by lifts, leading through blocks, or fair leaders at the masthead and thence to the deck.		Yes	
Lift—Trolling pole	A pole or tackle suspended from the mast and connected to the trolling poles for the purpose of raising or lowering the latter.			
Lifting lines—Divers outfits	Lines used to lift products harvested from the bottom, such as sponges, precious corals avalone, etc. by divers.		Yes	
Lizzard	A rope fitted with a thimble and used as a leader for running rigging			
Lobster Pot Warps	See Pot Warps			
Lock Lines	See Tow lines—Canal			
Lock gate operating lines	Used for operation of canal lock gates			
Log line	A line used to transmit the rotation of the log propeller to the recording instrument aboard the vessel.			
Long line	See Trawl lines			
Lug ropes	Short, heavy ropes for rising canal barges together		Yes	
Main fish tackle	See Falls—boom tackle			
Man ropes	See grab ropes		Yes	
Man ropes	Ropes hung over a ship's side and used for assistance in ascending or descending			Coir only.
Mats—Blasting	Solid woven mats, 6 to 12 ft. sq. used to cover blasting areas to prevent flying fragments			
Messenger	A line used to lead the heavy tow line around the capstan in ocean tow boats			
Messenger	A light rope used for hauling over a heavier rope or cable, or fuel line			
Messenger—Side set trawlers	A line used to haul the towing warps to the towing block		Yes	
Mill carriage rope	Used for moving a carriage, such as a log carriage back and forth			
Millwright rope	See construction rigging			
Mooring lines (below 3" circ.)	Ropes used in mooring or docking vessels		Yes	
Mooring lines (3" circ. and larger)	Same as above		Yes	
Mooring lines	A rope attached permanently to a submerged anchor or weight used as a harbor mooring for small boats, yachts, etc.			
Motion picture screen arrangement	Lowering and hoisting screen			
Net—Brails	A dipnet used to remove fish from a trap			
Net—Cargo	A net constructed of rope and used for loading or discharging cargo from a ship			
Net cargo—Stays	A rope, sometimes referred to as a jackstay which serves as an outer frame for a cargo net and to which the net is lashed.		Yes	
Nets—Circus safety	The nets suspended below trapeze and other circus performers			
Nets—Construction safety	The net used for the protection of workmen on construction jobs			
Nets—Debarkation and life floats—net rope	The inner netting rope which is attached to jackstays of nets hung over the side of ships for emergency debarkation and life saving.			
Nets—Jackstays—Cargo and debarkation nets	The supporting ropes to which the net ropes of cargo and debarkation nets are attached		Yes	
Net—Lashing rope	Lines used to lash net on deck to rail when net is stored away			
Net—Life float—Jackstay	A net used to support the platform of a life float			
Net—Life net rope	The rope used for making life nets used in Fire Department			
Nets—Save all	Nets hung from the sides of a ship to the dock to prevent cargo from falling into water in case of accident when discharging.			
Net—Save all—stays	A rope, sometimes referred to as a jackstay which serves as an outer frame for a save-all net and to which the net is lashed.		Yes	
Nigger lines	See Hauling Lines			
Ocean Bathing Safety Rope	A rope supported by poles or buoys which serves as protection to bathers			
Outboard gripe (lifeboat)	See lashing rope—gripe			
Outhauls	The ropes by which sails are hauled out on the boom. These ropes are named for the part of the sail they control, i. e. head outhaul—foot outhaul.			
Outhaul line—Boom	A line used to rig the boom out from amidships position to overside for sailing or to remove it from the area when men are working			
Oyster Tong Hoisting Rope	A rope to raise or lower tongs used in oyster fishing		Yes	
Pack Rope	A light lashing line for tying packs, generally on animals			
Painter—Small Boat or Skiff	A rope in the bow of a small boat used in making fast, and for towing a small boat			
Painter—Lifeboat and Life Raft	Same as above		Yes	
Painter—Sea	A rope, one end of which is attached to a small boat the other end to the bow of a ship. This rope is of sufficient length to allow the small boat to maneuver alongside the landing stage of the ship. Is used particularly during rough weather.		Yes	
Painter—Seine	A line attached to the fish—bag end of a purse seine for the purpose of pulling the seine to the side of the vessel and completing the circle of netting about the fish.		Yes	
Painter—Shank	The rope securing the fluke of an anchor on the billboard to a toe of the tumbler arm			
Parbuckle rope	Two ropes for handling a spar or cask over the side in the bight of the rope			
Paying out lines	See Easing out line			
Pendant rope (below 1" diam.)	The vertical rope support of a cargo fall			
Pendant rope (1" diam. and larger)	Same as above		Yes	
Pendant—Heavy weather	A line used to control boom hook in heavy weather			
Pendant—Kingpost	See topping lift			
Picket lines	Lines to which the halters of horses or mules are attached			

End use	Definition	Manila	Agave	Restrictions on other fibers
Pile driver rope	See Hammer fall rope			
Pipe Bending rope	Performed on flat table with steel pegs. Pipe positioned—Rope Hooked on to protect end of pipe and by means of a winch, pipe is pulled to form the correct or required angle of bend.			
Ploughlines	Small rope used for reins when plowing			
Polishing machine rope—textile equipment	Rope wound and fastened to scrubbing and polishing rollers on textile polishing machine			Coir only.
Potwarp	Thread rope connecting a buoy with a lobster or crab pot on the ocean floor; used also to hoist the pots.		Yes	
Power transmission rope (½" and larger)	Power transmission rope is an endless rope used in transmitting continuous mechanical power between driver and driven sheaved pulleys.		Yes	
Power transmission rope (below ½" diam.)	Same as above			
Preventor guy	A line fastened between the mast and boom to add an additional safety factor for heavy lifts on the boom.		Yes	
Projectile line	See shot line			
Pull rope	Attached to cart, wagon or other vehicle used to pull or move apparatus by hand, such as hand drawn fire hose apparatus.			
Punt handling rope	Lowering and hoisting punts			
Purse bridles	See purse-ring bridles			
Purse-ring bridles	Lengths of line with the ends seized to the lead line of a seine so as to form bridles. To the center of each bridle is seized a purse-ring.			
Purse line	A line rove through rings attached to the bottom of a seine. By hauling on this line the bottom of the net is closed or pursed.		Yes	
Purse seine bow line	A short length of line fastened to the cork line on a purse seine in such a position as to be opposite the bow when the ends of the seine are hove to the side of the vessel. This line is made fast to the bow in order to prevent the cork line from going under the bow while pursing the net.			
Purse seine stern line	See purse seine bow line			
Purse weight line	A line used to raise and lower the "lead" weight on East Coast purse seines			
Quarter rope	A pair of lines used on side-set otter trawls that are fastened to the foot rope at the junction of the wing and the bottom. Each line is passed thru an eye in a similar position on the head rope and made fast to the outer end of the wing. They are taken to the gypsy heads and power applied in order to draw the head and foot rops together and bring the wide part of the trawl aboard at the conclusion of a drag.		Yes	
Raft ropes	A three strand rope used in binding logs together while being floated to a sawmill			
Rat lines	A short length of tarred hemp rope, usually ¼ "to ½" diam. running horizontally across the shrouds for a step.			
Reef points	Short lengths of rope secured to a sail used for reefing			
Release line	See Cod end rope			
Retrieving line	See Easing-out line			
Rib lines—Otter trawls	See Belly Lines—otter trawls			
Rib lines—Pounds and traps	See hanging rope—fishing industry			
Ridge rope	The backbone of an awning. The backbone of any heavy tent			
Ring rope	The rope used to bend the chain to the anchor ring		Yes	
Rip cord—Sailing ships	Rope used to break out sails put up in stops			
See Messenger.	A line coiled in a boat and run from the ship to a dock or another ship			
Rope hoisting	See hoisting rope			
Running line	Check swing of antenna aboard vessels			
Running line—Pile driver	A rope used either in the construction of a belt or attached to a belt used to suspend or support a person while engaged in hazardous work.		Yes	
Safety rope—Antenna	See belt rope—sail			
Safety belt rope	A small size cable laid rope; usually ½" diam. to 1¼" diam. incl. Sand lines are used to hoist the bailer in well drilling.			
Sail hem rope	Used for support of sash weights in window casements			Cotton only.
Sand lines	See stage			
Sash cord	Generally similar in construction to a High Climber rope—i. e. with a steel core. Used to lower a person over the side of a cliff in a mine or quarry for the purpose, for instance, of drilling.		Yes	
Scaffold rope	See trawl lines			
Sealing rope	A small transmission rope usually ½" to ⅝" diam. used for carrying the wet sheet around the drying rolls in a paper mill.			
Set line	A rope, often rove as a tackle—which regulates the angle at which a sail is set in relation to the wind.			
Sheehan carrier rope	Same as above		Yes	
Sheet rope—(below 1" diam.)	A length of line used to fasten the inside end of a net to the shore while towing the outer end. The purpose of this operation is to hold the net in position and increase the catch.		Yes	
Sheet rope—(1" diam. and larger)	Soft laid rope used in connection with Lyle guns for rescue work on disabled ships	Yes	Yes	
Shore line—gill nets and seines	A line used in operation of shovels in unloading of grain		Yes	
Shot lines—Lyle guns	Side stays from the mast head to the rail and set up by deadeyes			
Shovel lines	Same as above		Yes	
Shrouds	Any rope used to convey signals by means of "Yarks", etc.			
Shrouds—Lifeboats	A rope used to convey signals from a diver working below the surface of the water to a boat above.		Yes	
Signal rope	Ropes used to steady lifeboats and prevent them from capsizing while being lowered from davits		Yes	
Signal rope—Deep Sea Diving	Ropes either spliced endless, knotted or used in conjunction with rigid platforms and used for the transference of cargo or equipment by means of hooks, derricks or hoists, etc.; the sling is secured around the object to be moved.			
Skrates—Vertical (lifeboats)	Same as above		Yes	
Slings (below 3" circ.)	A line inserted between the ground or trawl line and the anchor or to serve as a point of attachment of the buoy line.			
Slings—(3" circ. and large)	See Cod end rope			
Sling shots—Halibut fishery	A rope bent to the anchor cable outboard of the hawsepipe and secured on the vessel's quarter; used in slipping the cable.		Yes	
Slip line	See Sling shots			
Slip rope	See Rip cord—sailing ships			
Slip shots	See gauging			
Smiting line	A heavy line used around the deck of a trawler to move heavy objects			
Snells	A rope used to hold or retard the progress of a load or object		Yes	
Snorter	Same as above			
Snubbing rope (½" dia. and larger)	See lead line			
Snubbing rope (under ½" dia.)	A rope used in conjunction with oil well drilling to couple or uncouple lengths of pipe		Yes	
Sounding line	See bolt rope—sail			
Spinning lines	Consists of 1 or 2 lines between each otter door and its corresponding wing. The purpose of these lines is to increase the distance between the doors and thus increase the efficiency of the gear.		Yes	
Spray hood hem rope	Consists of 1 or 2 lines between each otter door and its corresponding wing. The purpose of these lines is to increase the distance between the doors and thus increase the efficiency of the gear.		Yes	
Spreaders—Otter trawls—Stern set	*See Mooring lines.* A line used in mooring or docking to check the vessel from going forward or astern heading at an angle of 45° to the keel. Includes bow spring, quarter spring, waist spring, stern spring, etc.			
Spreaders—Otter trawls—Side set	Bolt rope—sail			
Spring lines	Line used to raise sprit sail on Bristol Bay gill netters			
Sprit hem rope	Tacks used to adjust sprit sail			
Sprit line	See Bos'n's chair rope			
Sprit tackle	A rope run through blocks to raise and lower a temporary platform supporting workmen		Yes	
Stage painter line	Same as above			
Staging rope (¾" dia. and larger)	See Life Line—diver			
Staging rope (below ⅝" dia.)	Lines used to maintain stationary gear in position such as the lines leading from fyke nets, pound nets, or trap nets to stakes or piling			
Staging rope—Deep sea diving				
Stake lines				

End use	Definition	Manila	Agave	Restrictions on other fibers
Stationary tackle	A triple purchase to hold up the boom of a trawler		Yes	
Stay	A rope used for supporting a mast		Yes	
Stay running backstay	Used in a small sailing vessel to stay the mast, the weather one being set up and the lee one loose		Yes	
Steadying lines	See guy lines			
Steering gear—Emergency rope	Emergency steering apparatus for operating steering device of disabled vessels by hand		Yes	
Steeple jack rope	See Bos'n's chair rope			
Stem line	See mooring line			
Stern fasts	Used by menhaden purse boats while they are being towed behind the large boat and as they approach a school of fish.		Yes	
Stern line	*See Mooring lines.* A line used in mooring or docking to check the vessel from going forward. Line is led aft thru stern chock making an angle of less than 45° to the keel.			
Stevedoring rope	See Falls Cargo. A special rope for high speed hoisting; used over winch or a gipsy head			
Stops	See Reef points			
Stopper	A line used to steady or stop the working end of a vessel's cargo boom			
Stopper-manhaden	A line used to stop the working end of the purse boat lifting tackle		Yes	
Stowage rope	See lashing rope			
Strap	A rope spliced endless, usually with a short splice used in suspending or making fast. A small sling is sometimes called a strap.			
Strap—Anchor	A short line with an eye splice in each end, one of which is attached to the anchor			
Strap—Belly	A rope passed around a boat for hanging a kedge anchor in carrying out the anchor		Yes	
Strap—Bow (Small Boats)	A line passed through a hole in the stem of a skiff or small boat and spliced to form a loop. The skiff painter is attached to this loop.			
Strap-block	A strap used to suspend a block aloft		Yes	
Strap—Buoy keg	Consists of two lines tightly fitted around the side of a keg and interlaced to prevent their working over the ends. The two loops are provided with two bridles for fastening the buoy line and flagpole.			
Strap—Flagpole	Consists of a bridle attached to the flagpole and a line for attaching to the buoy keg			
Strap-lifting (fishery)	A strap used to wrap around nets, lines or objects in order to hook them to the lifting tackle		Yes	
Straps—Skate bottom	Consists of 4 short lines spliced one to each corner of a small square of canvas. Two adjacent lines are provided with a grommet and the completed "skate bottom" is used to hold a skate of gear in proper manner and prevent tangling.			
Strap—Splitting	Consists of a loop passed through straps located at suitable points around the fish bag so as to divide the catch into convenient portions while unloading the net. The splitting strap and cod end are hove to the surface by the haul-up line and lifted aboard by the fishing tackle.		Yes	
Strap—Tow	A heavy rope, spliced endless and used for side towing by harbor tugs		Yes	
Sweep Lines	Used to support heavy sweep bar over sheaves under barges in sounding for high spots			
Tack	The rope by which the forward lower corner of a fore and aft sail is held down and secured		Yes	
Tackline	The rope that hauls down the tack of a gaff topsail			
Tackline	A short length of line used to separate flags in a hoist			
Tag line	A rope used to guide loads which are being hoisted and moved off the ground			
Tarpaulin rope	A rope usually attached to, and for securing or making fast a tarpaulin			
Telegraph line	A small transmission rope used in the oil field for controlling the speed of the engine from the derrick floor.			
Tent rope—Guy line	Rope used in tying down or securing tents			
Tent rope—Shelter	The rope used on the halves of shelter tents			
Tie ropes—Cover	Small lines not attached to covers or tarpaulins but which are used to secure or lash a cover to or around an object.			
Tie rope	A small rope usually ½" diam. used for staking out grazing animals			
Tie down rope—Aircraft	A rope used to tie down or otherwise secure aircraft to the ground as a protection against being damaged by wind, etc.		Yes	
Tiller ropes (vessels—5 net tons and over).	A line running from the steering windlass through blocks to the tiller		Yes	
Tiller rope (vessels—under 5 net tons)	Same as above			
Top lift	See Boom lift			
Topping lift (below ⅞" diam.)	A tackle or rope leading from the head of a mast of a vessel or derrick employed to raise or top the end of a boom.			
Topping lift (⅞" diam. and larger)	Same as above		Yes	
Torpedo lines—oil well	Approximately ⅜" diam. rope used to lower explosives into oil or gas well preparatory to "shooting" the well.	Yes	Yes	
Tow line—Automobile, trucks and mechanized equipment.	A short length of rope for towing a vehicle. Usually has an eye splice in one or both ends			
Tow line—Canal barges and cargo vessels (below 3" circ.).	A rope used in towing canal barges or boats			
Tow line—Canal barges and cargo vessels (3" circ. and larger).	Same as above		Yes	
Tow line—Life boat	Used to tow a life boat behind a larger vessel or behind another life boat		Yes	
Tow line—Seine and purse boat	The line used for towing the seine or purse boat behind the fishing boat		Yes	
Tow line—Skiff (fishery)	See Painter—seine			
Tow line—Stern (tug boat) (smaller than 3" circ.)	The line used by tug boats to hold the stern of the tug to the tow			
Tow line—Stern (tug boat) (3" circ. and larger).	Same as above		Yes	
Tow line—Tender (fishery)	Used to tow heavy scows laden with fish		Yes	
Tow line—Towing spar	Used to tow spar which keeps ships in position		Yes	
Tow lines—Mines	The ropes used for towing heavy machinery in mines		Yes	
Tow lines—Seaplanes and Airplanes	Rope used in towing seaplanes, flying boats and land planes at bases and airports		Yes	
Tow lines—Tug boat (smaller than 3" circ.).	The lines used by tug boats for towing ships, barges, scows, etc. It is the line between the tug and the tow, or when the tow consists of more than one unit, the line between the units.			
Tow lines—Tug boat (not smaller than 3" circ.).	Same as above		Yes	
Towing line—Purse seine	See hauling line (purse seine)			
Traces	Rope traces used as a substitute for leather traces in some types of harness usually farm or artillery harness.			
Trap hanging lines	See net rope			
Traveler line	Line secured to sounding boom and to lower end hoist			
Trawl lines	A long line consisting of 1 or more "skates", "tubs", or coils of gear set in a continuous and substantially straight line. With the exception of crab trot lines, the trawl lines have snells or gangings attached at regular intervals.			
Tree surgery rope	A utility rope used as the name implies			
Trip line	The line used for holding a dory or tender off shore			
Trip ropes	A utility rope used to trip unloading devices			
Tripping line	A line used for capsizing a sea anchor. A line used for releasing a pelican hook, etc			
Trolley car rope	A rope used to pull down and secure a trolley pole			Cotton only.
Trot line	Used as the main or ground line for crab fishing and flag lines			Cotton only.
Truck rope	A rope used in making loads fast on a truck or to serve as a lacing to prevent loads from being lost out of the rear of a truck.			
Tunnel lines	See net rope			
Turntable lines	A line used by West Coast purse seiners to swing the turntable. One end is attached to a corner of the table, the other is brought to the gypsy.			
Tye	The pendant of the purchase for hoisting the yards		Yes	
Up and down line	See breast line			
Utility Rope	Rope used for making small straps, seizing, etc			
Vang rope	A rope running from end of gant to the deck			

End use	Definition	Manila	Agave	Restrictions on other fibers
Vang rope (⅜" diam. and larger)	Used for swinging the cargo boom in loading or discharging cargo		Yes	
Vang rope (below ⅜" diam.)	Same as above			Cotton only.
Venetian blind rope	Small twisted or braided ropes used for the operation of venetian blinds			
Warps	A light hawser used to draw a vessel to a pier or some other fixed object		Yes	
Water bag	Rope handle or sling attached to fabric water bag for desert use			
Weather Cloth—Sheet lines	A rope used to support canvas rigged as shelter in life boats			
Well ropes	Ropes used for raising and lowering the bucket in water wells			
Whale rope	A three strand rope 6¼" to 7" circ. which connects the foregoers to the ship		Yes	
Wheel rope (vessels over 10 net tons)	A line from the steering windlass through blocks to the metal linkage which connects with the tiller.		Yes	
Wheel rope (vessels under 10 net tons)	Same as above		Yes	
Winch rope	A rope used to draw or drag or pull an object by means of a power or hand driven winch, capstan or gypsy head, etc.			
Window cleaning rope	A safety rope, ¾" diam. and larger used through a window cleaner's belt to attach him to the building.		Yes	
Wing control line (otter trawls)	Line used to steady wing of a trawl		Yes	
Wiping rope	Rope used in the manufacture of wire and cable to remove excessive lubrication and to polish surface of the wire or cable.			
Wire rope centers—(larger than 1¾₆₄" diam.).	The fiber rope core serving as a base or cushion around which wire strands are twisted in the manufacture of wire rope.		Yes	
Wire rope centers—(1¾₆₄" diam. and smaller).	Same as above			
Wire rope surface yarns	Yarn twisted alternately with strands of wire in manufacturing of spring lay type cables		Yes	
Wrecking cable	A cable laid rope usually 10" circ. and larger used in floating stranded ships		Yes	
Whip rope—Ammunition	See Falls—ammunition			
Whip line—Lyle gun	An intermediate line between the shot line and the auxiliary line used initially to haul out the auxiliary line and also to draw the breeches buoy back and forth along the auxiliary line.		Yes	
Yacht rope	Rope used for the running rigging of yachts			

Schedule B—Consumer End Use List

The use of agave fiber for the manufacture of binder and baler twine will be authorized as stated in paragraph (d) (2). Normal end uses of agave twine are as follows. Agave is now permitted only where indicated.

End use	Definition	Manila	Agave	Restrictions on other fibers
Christmas tree twine	A single ply twine, usually tarred or dyed for binding Christmas trees in bundles for shipping			
Fodder yarn	Single yarn, generally tarred, put up in stranded or many end form, used in tying up fodder. This yarn is comparable to a binder twine, in certain parts of the country where a mechanical binder is used for harvesting a binder twine. In other parts where the binding of sheaves is done by hand, fodder yarn is used.			
Hambroline	See seizing stuff		Yes	
Hanging twine—Hard fiber nets	Twine used to hang hard fiber nets to lines		Yes	
Hanging twine—Soft fiber nets	Twine used to hang soft fiber nets to lines			
Herding twine	See Marline—lobster			
Hide rope	Generally sisal twine—twisted into strand form usually 50 ends. 2 or 3 ply			
House-line	See seizing stuff			
Lathyarn	A single yarn put up in stranded or many end form either tarred or untarred			
Marline	See seizing stuff			
Marline—Lobster	A twine required in the manufacture of the inside funnel of lobster pots		Yes	
Nettwine—Otter trawls	A hard laid twine, usually 2, 3, or 4 ply in sizes from #000 to #1350 used for the manufacture of hard fiber fishing nets. Also for mending nets.			
Piping cord	The cord used in a roll edge trim for furniture, etc			
Ring yarns	See wrapping twine. A single yarn usually put up in stranded or many end form and used for general tying purposes.			
Rumadline	See seizing stuff			
Seizing stuff	A general term covering fine sizes of rope and twine used for seizing larger ropes and cables			
Shingle yarn	A yarn put up in single end form, used for tying up bundles of shingles. Tarred and untarred			
Small stuff	See seizing stuff			
Spunyarn	See seizing stuff			
Wormline	See seizing stuff			
Wrapping twine—Tying twine	In general, single or plied twine, twisted or laid, used for tying or bundling purposes and practically every industry uses tying twine in some form.			

Partial List of Prohibited Items

The following list includes, for completeness, end uses which have purposely been omitted from the foregoing lists. Further manufacture of such items from any cordage fiber is prohibited. However, if an end use is not included on either previous list, or if not authorized by subdivisions (ii) or (iii) of paragraph (b) (1), it is a prohibited use.

End Use—Definition

Acrobatic rope: Rope used for various types of acrobatic stunts or exercises in circuses and gymnasiums, etc.

Bumpers: A thick woven or braided mat which serves as a cushion on which drums or barrels are dropped when unloading trucks, etc.

Climbing rope: See acrobatic rope. Also mountain climbing rope.

Display or decoration rope: Rope used as the end use implies.

Gymnasium rope: See acrobatic rope.

Grommets—games: See toys and games.

Mats—door: Mats used for wiping feet before entering building.

Net rope—banner nets: A rope to which is rigged or suspended a web of netting used for advertising display purposes, generally over streets.

Net rope—sport nets: Rope used on sport nets: Tennis nets, badminton, volley ball, deck tennis nets, hockey goal nets, etc.

Shoe soles: A rope used in the meg of rope soled shoes.

Sporting and gymnasium equipment: See acrobatic rope.

Swing rope: Rope used in park or children's swings.

Tow rope—ski: A special rope used for towing skiers to the top of a ski slope or slide.

Toys and Games: i. e. Quoits, jump ropes, etc.

Trapeze rope: See acrobatic rope.

[F. R. Doc. 44-9449; Filed, June 28, 1944; 11:05 a. m.]

Part 3290—Textile, Clothing and Leather

[Conservation Order M-328B, General Direction 1]

The following direction is issued pursuant to Conservation Order M-328B:

1. The time within which persons who were assigned a preference rating under Children's Snow Suits Plan No. 1 of Schedule A are required to purchase materials for which a preference rating was assigned is hereby extended to July 25, 1944.

2. The time within which persons who were assigned a preference rating under Children's Apparel Plan No. 2 of Schedule A are required to purchase materials for which a preference rating was assigned is hereby extended to July 25, 1944.

3. All individual directions heretofore issued under the above mentioned Special Programs are hereby amended to conform with the above.

Issued this 28th day of June 1944.

War Production Board,
By J. Joseph Whelan,
Recording Secretary.

[F. R. Doc. 44-9450; Filed, June 28, 1944; 11:05 a. m.]

Part 3301—Cork, Asbestos, and Fibrous Glass

[General Allocation Order M-8-a, Direction 1]

Cork

The following direction is issued pursuant to General Allocation Order M-8-a:

No person shall use cork of any type for the manufacture of the following products, and no person shall deliver any cork in raw, semi-finished, or finished form which he knows or has reason to believe will be used in the manufacture of the following products:

Table mats
Coasters
Handle grips (except for fishing tackle and industrial tools)
Toy and game products
Decorative and novelty products

The above restriction applies to reground composition scrap beginning July 15, 1944, but does not apply to it prior to that date.

This direction supersedes the directive letter of March 2, 1944, sent to all cork manufacturers.

Issued this 28th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9451; Filed, June 28, 1944; 11:05 p. m.]

Chapter XI—Office of Price Administration

PART 1335—CHEMICALS

[MPR 543]

CERTAIN BARIUM CHEMICALS

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

MAXIMUM PRICE REGULATION 543—CERTAIN BARIUM CHEMICALS

Sec.
1. Prohibition against sales of barium chemicals at higher than maximum prices.
2. Less than maximum prices.
3. Adjustable pricing.
4. Applicability of this regulation and relationship to other maximum price regulations.
5. Federal and state taxes.
6. Records and reports.
7. Evasion.
8. Enforcement.
9. Licensing.
10. Definitions.
11. Applications for adjustment.
12. Petitions for amendment.
13. Maximum prices for certain barium chemicals.

AUTHORITY: Secs. 1 to 13, inclusive (§ 1335.1054), issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Prohibition against sales of barium chemicals at higher than maximum prices.* On and after June 27, 1944, regardless of any contract, agreement, lease, or other obligation:

(a) No person making a sale of a barium chemical for which maximum prices are established by this regulation shall sell, deliver, or transfer such barium chemical at prices higher than the maximum prices established under this regulation.

(b) No person purchasing a barium chemical for which maximum prices are established by this regulation shall buy or receive such barium chemical in the course of trade or business at higher prices than the maximum prices established under this regulation.

(c) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

SEC. 2. *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

SEC. 3. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 4. *Applicability of this regulation and relationship to other maximum price regulations.*—(a) *Applicability.* This regulation applies only to technical grades of the following barium chemicals:

(1) Barium carbonate, precipitated, 98%–99% ($BaCO_3$).
(2) Barium chloride, 99%–100% ($BaCl_2$).
(3) Barium nitrate, 99%–100% [$Ba(NO_3)_2$].

This regulation does not apply to:

(4) The so-called "pure" (as distinguished from technical) grades of the above listed barium chemicals. Examples of the pure grades which continue to be subject to the General Maximum Price Regulation are: Pure; C. P. (Chemically Pure); U. S. P. (U. S. Pharmacopoeia); and A. R. (Analytical Reagent).

(5) Any barium chemical other than those listed above. Examples of such chemicals which continue to be subject to the General Maximum Price Regulation are: barium sulfide, barium peroxide, barium oxide, barium hydrate, barium silico fluoride and barium perchlorate.

(b) *Relationship of this regulation to the General Maximum Price Regulation.*[1] The provisions of this regulation supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of barium chemicals covered by this regulation.

(c) *Relationship of this regulation to the Maximum Import Price Regulation.*[2] The provisions of this regulation shall not apply to sales and deliveries of imported barium chemicals which are governed by the Maximum Import Price Regulation.

(d) *Relationship of this regulation to the Second Revised Maximum Export Price Regulation.*[3] The provisions of this regulation shall not apply to sales and deliveries of barium chemicals for export, which are governed by the Second Revised Maximum Export Price Regulation.

(e) *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight states of the United States and the District of Columbia.

SEC. 5. *Federal and state taxes.* Any tax upon, or incident to, the sale, delivery, processing, or use of a product covered by this regulation imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the maximum price and in preparing records with respect thereto: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor from whom he purchased.

SEC. 6. *Records and reports.* (a) Every person making sales after June 26, 1944, of barium chemicals for which maximum prices are established under this regulation shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records of each purchase or sale, showing the date thereof, the name and address of the buyer and the seller, the price contracted for or received and the quantity of each type and grade of such barium chemicals purchased or sold.

(b) Every reseller making sales after June 26, 1944 of barium chemicals for which maximum prices are established by this regulation shall also keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, records showing as precisely as possible the basis upon which he determined maximum prices for such barium chemicals under section 13 of this regulation.

(c) The persons mentioned in paragraphs (a) and (b) above shall keep such other records and shall submit such other reports to the Office of Price Administration in addition to or in place of the records required in said paragraphs or the reports mentioned in section 13 hereof as the Office of Price Administration may from time to time require.

SEC. 7. *Evasion.* Price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to barium chemicals, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, discount, premium, or other privilege, or other trade understanding, or otherwise.

SEC. 8. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

SEC. 9. *Licensing.* The provisions of Licensing Order No. 1,[4] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 10. *Definitions.* (a) When used in this regulation, the term (1) "Manufacturer's broker or agent" means any person, other than a manufacturer, who sells any barium chemical subject to this regulation and ships it to the buyer directly from the manufacturer's plant.

(2) "Reseller" means any person other than a manufacturer or manufacturer's broker or agent, who buys and sells for his own account any barium chemical subject to this regulation which is shipped to the reseller's buyer from the reseller's place of business. The same person may act as a manufacturer's broker or agent for one shipment and as a reseller of another shipment.

(3) "Ton" means 2,000 pounds.

(4) "Factory cost" means and includes materials, labor, and such indirect manufacturing costs as are properly assignable to the production of a barium chemical subject to this regulation.

(5) "Over-all profits" means over-all aggregate dollar profits (adjusted for changes in investment and before deduction of income and excess profits taxes) of a barium chemical producer, or in the event such person is a parent, subsidiary or affiliate of other corporations or business units, of the entire investment enterprise.

(6) "Base-period" means 1936–1939, inclusive, or other period which is determined to be representative of peace-time operations by the Office of Price Administration.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

SEC. 11. *Applications for adjustment.* Any manufacturer of a barium chemical subject to this regulation may apply for an adjustment of his maximum prices established under this regulation if the Office of Price Administration finds that there is a general shortage of supply of such barium chemical, and if it can be shown that the factory costs involved in applicant's production thereof have increased so substantially since his current maximum price was established that an adjustment of such price is necessary to enable him to maintain or expand his production of said commodity.

(a) *Information to be submitted.* Any application filed hereunder shall be in accordance with Revised Procedural Regulation No. 1 and shall include the following unless such information is already on file with the Office of Price Administration and the applicant so indicates.

(1) Proposed maximum prices and method of arriving at the latter.

(2) Description of applicant's business including a list by major groups of all commodities manufactured.

(3) A statement showing dollar sales volume of the barium chemical for which a price increase is needed and total dollar sales volume for the last complete calendar or fiscal year and for the most recent period for which information is available.

(4) A statement showing with respect to such barium chemical the factory cost per unit and administrative and selling expense per unit for the first six months of 1944, the last complete calendar or fiscal year and for the most recent period for which the information is available, including

(i) Itemization of direct material and labor costs per unit, and if increased labor costs are shown, a full explanation of the reason for the increase and a showing that any wage rates subject to approval by the War Labor Board have been approved by that Board.

(ii) Other factory costs properly assignable to the production of such barium chemical. (This may include: indirect labor, factory supplies, repairs and maintenance of building, machinery and equipment, insurance, property taxes, depreciation at normal rates on plant and equipment actually used in manufacture, purchased utility services, and other items commonly associated with factory operation).

(iii) General administrative and selling expenses such as: executive and administrative salaries, office expense, commissions, advertising, and similar items but not including income and excess profit taxes, charges to war reserves, or reserves for contingencies.

(5) The method of allocating indirect factory costs and administrative and selling expenses to such barium chemical and the method of charging inventories used in determining material costs.

(6) Profit and loss statements and balance sheets for each of the calendar or fiscal years between 1936 and 1939, inclusive; for the most recent full fiscal or calendar year; and for the latest period for which information is available prior to the date of filing the application. If applicant is a parent, subsidiary or affiliate of other corporations or business units, the financial data must be submitted for the entire investment enterprise. If this information has been submitted previously to the Office of Price Administration on Form A or on any other form, applicant should indicate when and with whom it was filed. Furthermore, the filing of this data for years prior to 1943 is optional provided reports are available from the Bureau of Internal Revenue. Should the applicant prefer, this information will be requested by the Office of Price Administration directly from the Bureau of Internal Revenue.

(b) *Amount of adjustment.* No adjustment will be made under this section unless the Price Administrator finds that a price increase is necessary to aid in securing essential supply. Furthermore, any adjustment granted under this section shall be limited as follows:

(1) To an amount sufficient to make the adjusted price per unit equal to factory cost per unit where applicant's current over-all profits on an annual basis are favorable as judged by his own or the industry's historical experience.

(2) To an amount sufficient to make the adjusted price per unit equal to factory costs per unit, plus general administrative and selling expenses per unit, where applicant's current over-all profits on an annual basis are normal as judged by his own or the industry's historical experience or where his sales of barium chemicals constitute a substantial portion of the sales volume of his business or of a plant or division thereof.

(3) To an amount sufficient to make the adjusted price per unit equal to total cost per unit, plus an adequate margin of profit per unit, where applicant's current over-all profits on an annual basis are unfavorable as judged by his own or the industry's historical experience.

(4) Notwithstanding limitations on the amount of adjustment heretofore indicated, no adjustment granted under this section shall exceed the amount by which applicant's per unit factory cost for such barium chemical has increased since the maximum price which he requests be adjusted was established. Furthermore, regardless of applicant's earnings position, no adjusted price shall exceed factory or total cost per unit if historically applicant has sold such barium chemical at not more than factory or total cost per unit.

(c) *Orders issued under this section.* The Office of Price Administration may authorize or deny by order the maximum prices requested or any modification thereof and may also adjust the maximum prices of resellers, processors and industrial users. It may require in appropriate cases a compensatory decrease in the maximum prices for another product or products manufactured by applicant.

SEC. 12. *Petitions for amendment.* Any person seeking an amendment to any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[5]

SEC. 13. *Maximum prices for sales of certain barium chemicals.*—(a) *By manufacturers or manufacturers' brokers or agents.* Maximum prices for sales of barium chemicals subject to this regulation by manufacturers and manufacturers' brokers or agents shall be the prices set forth below. Such prices shall be (except as otherwise specifically directed herein) subject to the same discounts, credit terms and other trade practices prevailing on a transaction of the same type by the same seller during March 1942.

The prices listed below are f. o. b. manufacturer's shipping point (except where otherwise specified) and are based on net weight. Such prices shall not be increased by any charge for containers, commissions or brokers' fees.

(1) *Barium carbonate, precipitated, 98%–99% ($BaCO_3$).*—(i) *Regular grade (including free-flowing, high-reactivity and regular ceramic grades).*

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*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1366, 8169.
[2] 9 F.R. 2350.
[3] 8 F.R. 4182, 5967, 7962, 9006, 15196; 9 F.R. 1066.
[4] 8 F.R. 132040.
[5] 7 F.R. 3061; 8 F.R. 3815, 8533, 9173, 11806; 9 F.R. 1504.

[Carload lots]

	In 80 pound paper bags	In 250 pound barrels
Chicago Copper & Chemical Co., Blue Island, Ill.	*Per ton* $70.00	*Per ton* $75.00
All other manufacturers	60.00	65.00

NOTE: $5.00 per ton may be added to the above prices for shipments of less than carload lots.

(ii) *Sulphur-free grade (containing less than 0.1% sulphur).* $5.00 per ton may be added to the prices established for regular grade in subdivision (i) above.

(2) *Barium chloride, technical, 99%–100%—(i) Crystals ($BaCl_2 \cdot 2H_2O$).*

[Carload lots]

	In 100 pound waterproof bags	In 500 pound barrels
All manufacturers	*Per ton* $73.00	*Per ton* $75.00

NOTE: $5.00 per ton may be added to the above prices for shipments of less than carload lots.

(ii) *Anhydrous, below 1% moisture ($BaCl_2$).*

	Carload lots in 100-pound waterproof bags
	Per ton
All manufacturers	$105.00

NOTE: $13.00 per ton may be added to the above price for shipments of less than carload lots. On all shipments of anhydrous, prices shall be f. o. b. manufacturer's shipping point, freight equalized with competitive shipping point nearest the buyer.

(3) *Barium nitrate, 99%–100% [$Ba(NO_3)_2$]—(i) Regular grade, granular or powder.*

	In 500 pound barrels, per pound	
	Carload lots	Less than carload lots
Chicago Copper & Chemical Co.: Blue Island, Ill.	$0.11	$0.115
All other manufacturers	0.095	0.10

(ii) *Hub-brand, granular recrystallized grade (guaranteed to pass 100% through a 100-mesh screen).*

All manufacturers	0.135	0.14

(4) *Undesignated grades of or transactions involving barium chemicals subject to this regulation.*

Maximum prices for sales by manufacturers or manufacturers' brokers or agents of technical grades of barium chemicals subject to this regulation, but for which no maximum prices are specified in this section 13 (or sold in containers or under circumstances not provided for) shall be the maximum prices authorized by the Office of Price Administration in response to an application therefor filed by the seller and in line with the level of maximum prices established by this regulation.

Applications for the establishment of such maximum prices shall be submitted by registered mail to the Chemicals and Drugs Price Branch, Office of Price Administration, Washington, D. C., prior to sale, and shall be accompanied by a description of the particular barium chemical and the nature of the transaction involved, the seller's maximum price under the General Maximum Price Regulation, the current selling price and the maximum price proposed. The seller must also furnish any additional information which the Office of Price Administration may require. Sales may be made at such proposed price after the date of mailing such application subject, however, to approval by the Price Administrator. If, at the expiration of 20 days from the date of mailing the application (or all additional information which may have been requested) the seller has not been advised by the Office of Price Administration of its disapproval of the proposed maximum price, such proposed price may be considered as authorized. In the event of any modification of an unauthorized price, refund shall be made accordingly. The Office of Price Administration may, at any time, by order, disapprove and modify any maximum price established under this section.

(b) *Maximum prices for sales by resellers.* The maximum prices for sales by resellers of a barium chemical subject to this regulation shall be such reseller's maximum prices as determined under the provisions of the General Maximum Price Regulation except as specified below:

(1) On sales of barium carbonate precipitated, regular and sulphur-free grades, the reseller may add to his maximum prices as determined under the General Maximum Price Regulation, $0.75 per 100 pounds on material purchased from Chicago Copper & Chemical Co., Blue Island, Illinois or $0.25 per 100 pounds on material purchased from other manufacturers located east of the Rocky Mountains.

(2) On sales of technical grades of barium chloride crystals the reseller may add to his maximum prices as determined under the General Maximum Price Regulation $0.20 per 100 pounds.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date. This regulation shall become effective June 27, 1944.

Issued this 27th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9399; Filed, June 27, 1944; 4:56 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13, Amdt. 42]

PROCESSED FOODS

Correction

In F.R. Doc. 44-9300, appearing on page 7061 of the issue for Tuesday, June 27, 1944, the words "a Board." should appear at the end of section 15.11.

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 220,[1] Amdt. 16]

CERTAIN RUBBER COMMODITIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The present provisions of § 1315.1565 are designated (a) *Minor changes* and a new paragraph (b) is added to read as follows:

(b) *Maximum price of cable wrapping tape where buna-S (GR–S) or butyl (GR–I) is substituted for natural rubber.* The maximum price of cable wrapping tape which differs from cable wrapping tape delivered or offered for delivery by the manufacturer during March, 1942, only because of the substitution of buna-S (GR–S) or butyl (GR–I) for natural rubber shall be determined as follows:

(1) If the manufacturer quoted prices for the natural rubber tape during March 1942 by the linear yard or square yard, the maximum price of the cable wrapping tape made of buna-S (GR–S) or butyl (GR–I) shall be the same as the maximum price of the natural rubber tape.

(2) If during March 1942 the manufacturer quoted prices for the natural rubber tape by the pound, he shall determine the maximum price for the cable wrapping tape made of buna-S (GR–S) or butyl (GR–I) to each class of purchaser as follows:

(i) The manufacturer shall determine his March 1942 price per square yard of the natural rubber tape for each class of purchaser. For example: If during March 1942 the natural rubber tape sold for 40¢ per pound and weighed 60 pounds per 100 square yards, his March 1942 price for a square yard is 40¢×60÷100=24¢ per square yard.

(ii) The price determined under (i) above shall be the maximum price per square yard of the buna-S (GR–S) or butyl (GR–I) cable wrapping tape for each class of purchaser. This price may be converted into a price per pound. For example: If the maximum square yard price is 24¢ and the buna tape weighs 50 pounds per 100 square yards, the maximum price per pound would be 24¢×100÷50=48¢ per pound.

This amendment shall become effective July 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9458; Filed, June 28, 1944; 11:40 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10689; 9 F.R. 1116, 6431.

PART 1341—CANNED AND PRESERVED FOODS

[MPR 475,[1] Amdt. 3]

DRIED FRUITS, 1943 AND LATER CROP

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 475 is amended in the following respects:

1. Section 2 (f) is amended to read as follows:

(f) All maximum prices, except for Government sales, include brokerage. The packer shall maintain his customary cash and quantity discounts to different classes of purchasers.

2. Section 2 (j) and (k) are revoked.

This amendment shall become effective July 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9460; Filed, June 28, 1944; 11:38 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[2d Rev. MPR 322]

ALFALFA HAY

Revised Maximum Price Regulation No. 322 is redesignated Second Revised Maximum Price Regulation No. 322 and is revised and amended to read as hereinafter set forth.

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for sales of alfalfa hay throughout the 48 states and the District of Columbia of the United States.

Insofar as this regulation may use specifications and standards which were not, prior to such use, in general use in the trade or industry affected or insofar as their use was not lawfully required by another Government Agency, the Administrator has determined with respect to such standardization that no practicable alternative exists for securing effective price control with respect to the commodities subject to this revised regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Administrator the prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. So far as practicable the Administrator has advised and consulted with members of the industry which will be affected by this second revision of Maximum Price Regulation No. 322.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13707, 14215, 16667; 9 F.R. 899.

§ 1351.1950 *Maximum prices for alfalfa hay.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250 and Executive Order 9328, Second Revised Maximum Price Regulation No. 322 (Alfalfa Hay) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1351.1950 issued under 56 Stat. 23, 765; Pub. Law 151; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECOND REVISED MAXIMUM PRICE REGULATION 322—ALFALFA HAY

Sec.
1. Applicability.
2. Sales at other than maximum prices.
3. Definitions.
4. Evasion.
5. Licensing.
6. Records and reports.
7. Enforcement.
8. Protests and petitions for amendment.
9. Base prices.
10. Maximum prices for sales of all alfalfa hay.
11. Markups of dealers and retailers; limitations on the inclusion of such markups in computing maximum prices.
12. Invoices and information which must be shown thereon.

SECTION 1. *Applicability.* Except as provided in paragraph (a) of this section, this regulation shall apply to all sales within the 48 states and the District of Columbia of domestic and imported alfalfa hay whether sold for immediate or future delivery.

(a) *Exceptions—(1) Export sales.* This regulation shall not apply to any export sales of alfalfa hay. The maximum price for such sales shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation.

(2) *Emergency purchases.* This regulation shall have no application to any alfalfa hay purchased by the United States or any of its agencies under such circumstances of emergency as to make immediate delivery imperative, and as to render it impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable, if such purchases and deliveries are made pursuant to the provisions of section 4.3 (f) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation, as amended.

SEC. 2. *Sales at other than maximum prices.* (a) Regardless of any contract or obligation, no person shall sell or deliver, and no person, in the course of trade or business, shall buy or receive alfalfa hay at a price above the maximum price established herein, nor shall any person agree, solicit or attempt to do any of the foregoing: *Provided, however,* That this prohibition is subject to the exceptions provided in subparagraphs (1) and (2) of this paragraph.

(1) Any contract for the purchase or sale of alfalfa hay made prior to July 3, 1944, which was not in violation of any maximum price regulation in effect at the date of its execution may be performed according to its terms until November 1, 1944.

(2) Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by an order of the Administrator or of any official of the Office of Price Administration having the authority to act upon the pending request for a change in price or to give the authorization.

(b) Prices lower than the maximum prices established by this regulation may be charged and paid.

SEC. 3. *Definitions.* When used herein the following terms shall have the following meanings.

"Alfalfa hay" and "grades of alfalfa hay" mean alfalfa hay and grades of alfalfa hay as established in the Handbook of Official Hay Standards issued by the Department of Agriculture.

"Person" means an individual, corporation, partnership, association or other organized groups of persons or the legal successor or representative of any of the foregoing and includes the United States or any other Government or political subdivision or agency of any of the foregoing.

"Feeder" means, with respect to any lot of alfalfa hay, a person who feeds alfalfa hay to animals.

"Importer" means, with respect to any lot of alfalfa hay produced outside the continental United States, the first person to whom such alfalfa hay is delivered in the continental United States and who thereafter sells such hay within the 48 states or the District of Columbia. On that sale the importer will always also be either a producer, dealer or retailer, according to the manner in which he sells and the definition appropriate thereto, and he will be referred to herein as an importer-producer, importer-dealer or importer-retailer, as the case may be.

"Producer" means, with respect to any lot of alfalfa hay:

(a) A person who grew or harvested the lot of alfalfa hay; or

(b) A land owner who received the lot of alfalfa hay as, or in lieu of, rent. In both cases it includes a importer-producer.

"Dealer" means, with respect to any lot of alfalfa hay, a person who buys such hay and sells the same to feeders in carload lots or to any person other than a feeder in any quantity.

"Retailer" means, with respect to any lot of alfalfa hay:

(a) Any person, other than the producer, who sells the same to a feeder in a less than carload lot; or

(b) A producer who sells alfalfa hay grown by him in a less than carload lot to a feeder who has a farm or feed lot located either in the same county where the hay was grown or in a county abutting thereon, and who delivers the hay

off the farm where grown to such farm or feed lot of his purchaser; or

(c) A producer who unloads alfalfa hay grown by him into a warehouse or store operated by him as a separate place of business not located on the farm where the hay was grown, and who sells the same to a feeder in a less than carload lot. In all cases, it includes an importer-retailer.

"Supplier" means, as to any seller, the person from whom he purchased the alfalfa hay being priced.

"Customer" means, as to any seller, the person to whom he sells the lot of alfalfa hay being priced.

"Ton" means 2,000 pounds.

"Market" means, with respect to any lot of alfalfa hay, any point within the 48 states or the District of Columbia where such hay is sold after it has been shipped from the farm where grown, and the corporate or switching limits, if any, of that point.

"Carload lot" means either a lot of alfalfa hay of 20,000 pounds or more or a lot of alfalfa hay of 10,000 pounds or more when shipped in a mixed car or pool car.

"Less than carload lot" means any lot of alfalfa hay other than a carload lot.

"Transportation cost" means:

(a) When transportation is by for-hire carrier:

(1) If the shipment originates at a point in the continental United States, the actual lawful transportation charges, exclusive of loading charges not customarily included in such transportation charges, incurred in delivering to the purchaser;

(2) If the shipment originates outside the continental United States, the lowest rail rate of freight applicable to the shipment from the point of entry to destination;

(b) When transportation is by other than for-hire carrier, the reasonable value of the transportation service, exclusive of loading, not to exceed the maximum price the person could lawfully charge a third person for a like service if performed as a for-hire carrier other than a common carrier;

(c) When the shipment is by a combination of the foregoing the sum of the amounts computed for each factor of transportation.

"This regulation" means Second Revised Maximum Price Regulation No. 322, or as amended.

"Areas of production" are as follows:

Area 1 is comprised of the following: The states of Montana, North Dakota, South Dakota, Minnesota, Nebraska, Wyoming, Colorado, and the following counties in Kansas and all counties west thereof: Barber, Pratt, Stafford, Barton, Russell, Osborne and Smith.

Area 2 is comprised of the following: The states of Washington, Oregon, Idaho, California, Nevada, Utah, Arizona, New Mexico, Texas, Oklahoma, Arkansas, Missouri, Iowa, Wisconsin, Ohio, Illinois, Indiana, Michigan, and that portion of Kansas not included in Area 1.

Area 3 is comprised of the following: The states of Louisiana, Mississippi, Tennessee, Kentucky, West Virginia except Morgan, Berkeley, and Jefferson Counties; the following counties in Pennsylvania: Somerset, Fayette, Greene, Washington, Westmoreland, Cambria, Indiana, Allegheny, Beaver, Butler, Armstrong, Lawrence, Mercer, Crawford, Erie, Warren, Venango, Forest, Clarion, Jefferson, Elk, McKean, Potter, Cameron, Clearfield, and Tioga; the following counties in New York: Chautauqua, Erie, Cattaraugus, Niagara, Orleans, Genesee, Wyoming, Allegany, Livingston, Monroe, Wayne, Ontario, Yates, Steuben, Chemung, Schuyler, Seneca, Cayuga, Tioga, Tompkins, Cortland, Onondaga, Madison, Oneida, Oswego, Lewis, Jefferson, St. Lawrence; the following counties in Virginia: Lee, Scott, Washington, Russell, Wise, Dickenson, Buchanan and Tazewell; and Garrett County, Maryland.

Area 4 is comprised of the following: The states of Alabama, Georgia, Florida, South Carolina, North Carolina, Delaware, Vermont, New Hampshire, Maine, the District of Columbia, the following counties in New York: Franklin, Clinton, Essex, Hamilton, Herkimer, Warren, Washington, Saratoga, Fulton, Montgomery, Schnectady, Rensselaer, Otsego, Chenango, Broome, Delaware, Sullivan, Ulster, Green, Albany and Schoharie; the following counties in Pennsylvania: Bedford, Blair, Fulton, Huntingdon, Franklin, Adams, York, Lancaster, Chester, Delaware, Philadelphia, Bucks, Montgomery, Northampton, Pike, Wayne, Susquehanna, Bradford, Lycoming, Sullivan, Wyoming, Lackawanna, Luzerne, Monroe, Columbia, Carbon, Montour, Union, Mifflin, Juniata, Snyder, Northumberland, Schuylkill, Lehigh, Perry, Dauphin, Lebanon, Berks, Centre, Clinton, and Cumberland; Morgan, Berkeley and Jefferson counties in West Virginia, all the counties in Virginia except Lee, Scott, Washington, Russell, Wise, Dickenson, Buchanan and Tazewell and all the state of Maryland except Garrett County.

Area 5 is comprised of the following states: New Jersey, Rhode Island, Connecticut, Massachusetts; and the following counties in New York: Orange, Rockland, Westchester, Putnam, Dutchess, Columbia, Nassau, Suffolk, Bronx, New York, Kings, Queens and Richmond.

SEC. 4. *Evasion.* The provisions of this regulation shall not be evaded whether by direct or indirect methods in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of alfalfa hay, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium or by tying-agreement or other trade understanding or by changing a previous business practice, or otherwise.

SEC. 5. *Licensing.* The provisions of Licensing order No. 1 [1] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended. These provisions do not apply to any producer selling alfalfa hay produced by him.

SEC. 6. *Records and reports.* (a) Every seller subject to this regulation shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, his customary records including, if any, all bills, invoices and other documents relating to every sale or delivery of alfalfa hay after the effective date of this regulation.[2]

(b) Upon demand every such seller shall submit such records to the Office of Price Administration and keep such further records as the Office of Price Administration may from time to time require.[2]

SEC. 7. *Enforcement.* Persons violating any provision of this regulation are subject to the license revocation and suspension provisions, civil enforcement actions, suits for treble damages and criminal penalties as provided in the Emergency Price Control Act of 1942, as amended.

SEC. 8. *Protests and petitions for amendment.* Any person desiring to file a protest against or seeking an amendment of any provisions of this regulation may do so in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

SEC. 9. *Base prices.* The appropriate base price is determined by reference to the following factors:

The month in which delivery is made or is to be made;

The grade of the hay;

Whether the hay is baled or loose, and if baled, the manner of baling;

The area of production in which it was produced. In the case of imported hay, the area of production shall be deemed to be the area in which the point of entry is located.

(a) Unless an official certificate of grade has been issued, base prices for all grades of unbaled alfalfa hay are as follows:

Area	January, February, March, April	May, June, July, August, September, October	November	December
1	$20.50	$19.00	$20.50	$20.00
2	22.00	20.50	21.00	21.50
3	23.50	22.00	22.50	23.00
4	25.00	23.50	24.00	24.50
5	26.50	25.00	25.50	26.00

(1) When an official Federal or State certificate of grade has been issued with respect to the lot of alfalfa hay in question, the foregoing base prices shall be increased by $2.00 per ton, if the certificate describes the hay in question as U. S. No. 1 Alfalfa or U. S. No. 2 Leafy Alfalfa, or by $5.00 per ton, if the certificate describes the hay in question as U. S. Extra Leafy Alfalfa.

(b) For any lot of baled alfalfa hay, the foregoing base prices shall be increased by $5.00 per ton, if the hay was baled by the single compress method, or by $7.00 per ton, if the hay was baled by the double compress method.

SEC. 10. *Maximum Prices for Sales of all alfalfa hay*—(a) *By the producer.* The maximum per ton price for a sale or delivery of alfalfa hay by the producer shall be the appropriate base price plus his transportation cost, if any.

(1) *Limitations on payment.* If the purchaser bears any expense for services connected with the growing, cutting, piling, collecting from field or assembling at points on farm where available for ready transportation from farm, or for baling (if purchased baled), the amount of such expense borne by the purchaser must be deducted in making payment of the appropriate maximum price hereinbefore set forth.

(b) *By a dealer or retailer.* The maximum per ton price for a sale or delivery of alfalfa hay by a dealer or by a retailer shall be determined by adding his transportation cost and the appropriate markup set forth in section 11, either to:

(1) His supplier's maximum price on the sale to him, adjusted to reflect the difference, if any, between the base price for the month in which the seller makes delivery and the base price for the month in which his supplier made delivery to him; or

(2) Where the retailer is also the producer, to the appropriate base price set forth in section 9 of this regulation.

SEC. 11. *Markups of dealers and retailers; limitations on the inclusion of such markups in computing maximum prices.* (a) The maximum markup of the retailer, with respect to any lot of alfalfa hay, shall be:

$6.00 per ton where unloaded into the retailer's warehouse or store not located on the farm where the alfalfa hay was grown; or if not so unloaded, either:

$1.50 per ton where the retailer is also the producer; or

$3.00 per ton in all other cases.

Because a retailer is defined as being a person who sells to a feeder, there cannot be more than one sale by a retailer of a lot of alfalfa hay and not more than one retail markup can ever be added on the sale of a single lot of alfalfa hay.

(b) Except as limitations on total dealers' markups are provided in paragraph (c) the maximum markup of any dealer who sells a lot of alfalfa hay delivered elsewhere than on the farm where grown shall be:

$4.00 per ton if warehoused by the dealer and resold in a less than carload lot to any person other than a feeder;

$2.00 per ton in all other cases.

No markup is permitted on a delivery by a dealer unless the hay has been removed from the farm where grown.

(c) If there are several sales of a single lot of alfalfa hay by different dealers, the total amount of all dealers' markups, regardless of the number of such sales, shall not exceed the applicable amount determined under the following rules:

(1) If the hay is being resold in the first market into which it moves after being shipped from the farm,

(i) $4.00 per ton if the hay has been warehoused by the seller and is being resold in a less than carload lot to any person other than a feeder, or

(ii) $2.00 per ton in al' other cases;

(2) If the hay is being resold in a market other than the first market into which it moves after being shipped from the farm,

(i) $6.00 per ton if the hay has been warehoused and is being resold in a less than carload lot to anyone other than a feeder, or

(ii) $4.00 per ton in all other cases.

SEC. 12. *Invoices and information which must be shown thereon.* On each sale of hay, the seller shall give his customer an invoice or bill of sale which must show the sales price and the area of production in which the hay was grown, and must separately state all transportation costs and markups included in the invoice price.

This revised regulation shall become effective July 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of June 1944.

CHESTER BOWLES,
Administrator.

Approved:

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-9460; Filed, June 28, 1944; 11:37 a. m.]

PART 1375—EXPORT PRICES

[3d Rev. Max. Export Price Reg.,[1] Amdt. 8]

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[*]

The 2d Revised Maximum Export Price Regulation is amended in the following respects:

1. The proviso in section 3 (b), which was added by Amendment No. 5, is revoked.

2. A new paragraph (e) is added to section 3 to read as follows:

(e) An exporter who would be entitled to receive a Government subsidy or similar payment for the exported commodity if he sold it for civilian consumption within the United States, but who is not entitled to receive such subsidy or similar payment when he exports the commodity, may increase his base price otherwise applicable under this section (which may not exceed the maximum price he might charge a domestic civilian purchaser of the same class) by the amount of such subsidy or similar payment. An exporter who is required to and does pay any amount to any Government agency by way of reimbursement for any subsidy or similar payment made or to be made to him or to any other person by the Government with respect to the exported commodity, may increase his base price otherwise applicable under this section by the amount of such reimbursement.

This Amendment No. 8 shall become effective July 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9461; Filed, June 28, 1944; 11:37 a. m.]

PART 1382—HARDWOOD LUMBER

[MPR 422,[1] Amdt. 4]

NORTHERN HARDWOOD FLOORING

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[*]

Section 7 (c) is amended by striking out the date "June 1, 1944" in the second undesignated paragraph, and substituting "July 15, 1944" in its place.

This amendment shall become effective June 28, 1944.

Issued this 28th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9462; Filed, June 28, 1944; 11:38 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 14]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[*]

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5363 (a) (2) is amended to read as follows:

(2) Where portable or non-portable space heaters are to be used, not more than 550 square feet of floor area may be counted for each such space heater, except that in Zone D not more than 950 square feet of floor area may be counted for each non-portable space heater, and not more than 850 square feet of floor area may be counted in Zones A3, B3 and C3 for each non-portable circulating space heater having an output of 50,000 or more British Thermal Units; and

2. Section 1394.5363 (a) (3) is amended to read as follows:

(3) If more than one space heater is to be used, the allowable floor area (as limited in subparagraph (1) and (2)) for each space heater shall be added, and the maximum heating allowance shall be figured for that total.

3. Section 1394.5363 (c) is added as follows:

(c) *Children's allowance.* If one or more children under six (6) years of age regularly live in the premises to be heated, the renewed ration (whether below or the maximum allowable pursuant to Table IX) may be increased by adding to the renewed ration an amount not exceeding ten (10) percent of the renewed ration. However, the maximum children's allowance that may be added is the amount specified in § 1394.5361 (b) for the zone in which the premises are located.

This amendment shall become effective on July 3, 1944.

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[1] 8 F.R. 13240.

[2] The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[*] Subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

[*] Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1086, 5435, 6928.

[1] 8 F.R. 10079, 12180; 9 F.R. 171, 4476, 6925.

[2] 9 F.R. 2857.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Dir. 1, 7 F.R. 562; Supp. Dir. 1–O, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 28th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–9463; Filed, June 28, 1944; 11:38 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 6A,[1] Amdt. 12]

MEN'S RUBBER BOOTS AND RUBBER WORK SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 6A is amended in the following respects:

1. Section 2.14 (a) is amended by deleting the last sentence of the paragraph.

2. Section 3.6 is amended to read as follows:

SEC. 3.6 *Closing and transfer of businesses*—(a) *Closing of establishments.* Within five days after an establishment is closed, the owner or his representative shall surrender to the District Office serving the area in which the establishment is registered:

(1) The certificate of registration issued to the establishment,

(2) All rubber footwear purchase certificates it has on hand (except those transferred in accordance with paragraph (b) of this section) and,

(3) All inventory records required to be kept by this order and a statement showing the number of pairs of each type of rubber footwear on hand on date of closing.

He shall also report any certificates (showing the type and number of pairs) owed to or by the establishment and the name and address of the person to or from whom the certificates are due. Any certificates owed to the establishment by another shall thereafter be deemed to be owed to the District Office. However, the District Office may require the owner of the establishment to collect all certificates owed to it and to return all certificates it owes to other persons or establishments.

(b) *Transfer of establishments.* (1) Any person may, with the prior approval of the District Office, acquire without certificates, for permissible transfer, the rubber footwear and certificates of an establishment which is disposing of all its assets or its entire rubber footwear department or line. (However, approval of the District Office is not required when the transfer is by operation of law or judicial process.) Within 5 days after the transfer, the transferee must comply with the provisions of section 2.12 (d). However, if the transferee is already registered, he shall, in lieu of such requirement, attach to his copy of the inventory form, a statement setting forth the name and address of the transferor, the number of pairs of each type of rubber footwear acquired, and the number of pairs of each type of rubber footwear represented by the certificates acquired. A copy of the statement shall be sent to the District Office within 5 days after the transfer.

(2) The person making the transfer shall, in addition to the requirements of paragraph (a) of this section, report to the District Office the name and address of the transferee, the number of pairs of each type of rubber footwear to be transferred, and the number of pairs of each type represented by the certificates to be transferred.

(c) *Moving of establishment.* If a person moves his establishment to a new location, that moving shall not be considered a transfer under this order.

(d) *Transfer of business of employer-consumer.* Any person who buys or otherwise acquires substantially all the assets of an employer-consumer business or operation, may acquire any rubber footwear included among the assets without certificates for the purpose of furnishing such rubber footwear to the employees of the business, *Provided,* That he keeps title to the rubber footwear. If any rubber footwear so acquired is transferred in any other manner, certificates must first be obtained and such certificates must be surrendered to the District Office within five days.

(e) *Closing of business of employer-consumer.* If an employer-consumer closes his business, he may transfer ration-free any footwear that has been worn. He may transfer new rubber footwear if he first obtains certificates. The certificates received must be surrendered to the District Office within five days.

This amendment shall become effective July 3, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1–N, 7 F.R. 7730; E.O. 9125, 7 F.R. 2719)

Issued this 28th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–9464; Filed, June 28, 1944; 11:40 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 28]

SUGAR

A rationale accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respects:

1. Section 1407.21 (c) (9) is amended by inserting in the last sentence thereof between the words "any establishment" and the words "at which" the following: "(except an establishment at which sugar is used only for educational purposes under the direction of the Department of Agriculture or the Extension Service of the Department of Agriculture)."

2. The heading of § 1407.182b is amended to read as follows: *"Issuance and use of checks by Extension Service of Department of Agriculture."*

3. Section 1407.182b (a) is amended by substituting the words "for its educational purposes" for the words "for demonstrations sponsored by it."

4. Section 1407.182b (c) is amended by substituting the words "for educational purposes of" for the words "for demonstrations sponsored by."

5. Section 1407.182b (e) is amended by substituting the words "educational purposes of" for the words "purpose of demonstrations sponsored by" and by substituting the words "for educational purposes involving" for the words "to demonstrate."

This amendment shall become effective July 3, 1944.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005; War Food Order No. 64, 8 F.R. 7093)

Issued this 28th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–9465; Filed, June 28, 1944; 11:39 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 43]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. The last sentence of section 6.1 (a) is deleted and the following substituted therefor:

It also includes any place (except a place where processed foods are used for sampling or demonstration in accordance with section 10.9 or a place where processed foods are used only for educational purposes under the direction of the Department of Agriculture or the Extension Service of the Department of Agriculture) at which processed foods are used for experimental, educational, testing, or demonstration purposes. (The term "demonstration" means showing a prospective purchaser how an item of processed foods looks, how it is prepared, or how it tastes.)

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 7384, 9458, 11685, 15704; 9 F.R. 604, 946, 2232, 2302, 3943, 5379, 6361.

[1] 9 F.R. 1433, 1534, 2233, 2236, 2238, 3081, 3513, 3579, 3847, 3944, 4099.

[1] 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791, 3023, 3073, 3513, 3579, 3708, 3710, 3944, 3947, 4026, 4351, 4475, 4604, 4818, 4876, 5074.

2. Section 23.9 is amended by substituting the words "for the use of foods for educational purposes" for the words "for food demonstrations" wherever they appear in that section.

3. Section 23.9 (b) is amended by deleting the words "covered by the order" in the second sentence; and by substituting the words "educational purposes" for the words "the purpose of demonstrations" in the last sentence.

4. Section 27.1 (a) (6) is amended by substituting the words "for educational purposes" for the words "for demonstration purposes" in the second sentence.

5. Section 6.5 (f) (1) is amended by substituting the word "educational" for the word "demonstration".

This amendment shall become effective July 3, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 28th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–9466; Filed, June 28, 1944; 11:38 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 6]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 16 is amended in the following respects:

1. Section 7.1 (a) (1) is amended by substituting the words "industrial use" for the word "It" in the second sentence; and by inserting the following between the first and second sentences:

"(The term 'demonstration' means showing a prospective purchaser how an item of food covered by this order looks, how it is prepared, or how it tastes.)"

2. Section 7.1 (a) (3) is amended by substituting the word "educational" for the word "demonstration".

3. Section 22.11 is revoked.

4. Section 22.12 (a) and (b) are amended by substituting the words "for the use of foods for educational purposes" for the words "for food demonstrations" wherever they appear in those sections; and the last sentence of section 22.12 (b) is amended by substituting the words "educational purposes" for the words "the purpose of demonstrations".

5. The definition of "butter" in section 27.1 (a) is amended by deleting the word "edible" from the first sentence.

6. The definition of "industrial use" in section 27.1 (a) is amended to read as follows:

"Industrial use" means any use of "foods covered by this order" in producing or manufacturing, for sale or "transfer", a food for human consumption, which is not covered by this order, or a pharmaceutical. It also includes the use of a food covered by this order for experimental, educational, testing, or demonstration purposes, and the use of "rationed fats or oils" in the care and treatment of the sick.

This amendment shall become effective July 3, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 28th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–9467; Filed, June 28, 1944; 11:39 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165, Supp. Service Reg. 30]

COMMISSION SELLING OF BITUMINOUS COAL AND PENNSYLVANIA ANTHRACITE

A statement of the considerations involved in the issuance of this supplementary service regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Supplementary Service Regulation No. 30 is hereby issued.

§ 1499.2263 *Modification of maximum prices established by Maximum Price Regulation No. 165, as amended, for commission selling of bituminous coal or Pennsylvania anthracite delivered from any mine or adjunct preparation plant.* A person engaged in commission selling of bituminous coal or Pennsylvania anthracite delivered from a mine or adjunct preparation plant may determine his maximum commission by the use of the highest percentage rate he used during March 1942 in connection with the same type of transaction but he may not charge more than the highest amount in cents per net ton he charged during October 1943 in connection with the same type of transaction; except that where the cents per net ton charged by the seller was less than he could have charged in accordance with a contract he had in effect during October 1943, he may charge no more than the cents per net ton specified in such contract for the same type of transaction, nor may he charge more than the cents per net ton resulting from the application of the percentage rate specified in such contract to the maximum prices in effect during October 1943 for the same type of transaction.

If the seller is the exclusive sales agent for all sales made from a mine, he may calculate the maximum October 1943 commission in one of two ways at his option. He may calculate his maximum October 1943 commission in cents per net ton for each type of transaction; or he may calculate the weighted average of maximum October 1943 commissions on all sales of all sizes of coals from the same mine. Once the seller has determined which of the bases he will use, he shall continue to charge his commission only on the basis elected unless he obtains permission from the Price Administrator to change to the other basis.

As used in this supplementary service regulation, the terms:

(a) "Same type of transaction" refers to the practice adopted by the commission seller in charging different commissions for different types of transactions. Entering into the adoption of such practice are: in the case of bituminous coal, sales of different size groups of coals, e. g., lump, double-screened, mine run, modified mine run, resultant run of mine, screenings and slack sizes; in the case of Pennsylvania anthracite, sales of different sizes, e. g., lump, egg, stove, etc.; sales for different uses, such as railroad locomotive fuel uses; and sales to different kinds of buyers, such as domestic dealers. In any event, the term "same type of transaction" shall also mean a sale from the same mine.

(b) "Bituminous coal" means coal sold subject to Maximum Price Regulation No. 120—Bituminous coal delivered from mine or preparation plant.

(c) "Pennsylvania anthracite" means coal sold subject to Maximum Price Regulation No. 112—Pennsylvania anthracite.

This Supplementary Service Regulation No. 30 (§ 1499.2263) to Maximum Price Regulation No. 165 shall become effective July 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–9469; Filed, June 28, 1944; 11:38 a. m.]

Chapter XIII—Petroleum Administration for War

[PDO 22]

PART 1543—PETROLEUM PROCESSING, REFINING, AND MARKETING

MANUFACTURE AND DELIVERY OF FUEL OIL

The fulfillment of requirements for the defense of the United States will result in a shortage of aviation gasoline, diesel fuel, motor fuel, gas oil, and other petroleum products for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest, to promote the national defense and to provide adequate supplies for military and other essential uses.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 6731.

§ 1543.2 *Petroleum Distribution Order No. 22*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "District Five" means the States of Washington, Oregon, California, Nevada, and Arizona, and the Territories of Alaska and Hawaii.

(3) "Fuel oil" means residual oil, heavy crude oil, or either of these materials blended with a gas oil, which is to be burned for heating purposes.

(4) "Light domestic fuel" means any fuel oil having a viscosity not above 60 Saybolt Seconds Furol at 122° F.

(5) "Bunker grade fuel" means any fuel oil having a viscosity above 60 and not above 150 Saybolt Seconds Furol at 122° F.

(6) "Railroad and heavy industrial fuel" means any fuel oil having a viscosity above 150 Saybolt Seconds Furol at 122° F.

(7) "Furnace oil" means any distillate which is to be burned for heating purposes.

(8) "Non-military use" means the use of fuel oil other than by the United States War Department, the United States Navy Department, the Foreign Economic Administration, the War Shipping Administration, and the military and naval forces of the United Nations.

(b) *Specifications for fuel oil.* No person in District Five shall, for non-military use, manufacture or deliver:

(1) Furnace oil of a viscosity below 43 Saybolt Seconds Universal at 100° F.

(2) Light domestic fuel of a viscosity below 35 Saybolt Seconds Furol at 122° F.

(3) Bunker grade fuel of a viscosity below 150 Saybolt Seconds Furol at 122° F.

(4) Railroad and heavy industrial fuel of a viscosity below 200 Saybolt Seconds Furol at 122° F.

Provided, That materials which do not meet the above specifications may be manufactured as intermediate products which are thereafter blended to the above specifications prior to delivery from the refinery for nonmilitary use.

(c) *General exception for stocks on hand.* This order shall not apply to fuel oil which on the effective date hereof shall already have been shipped from the refinery.

(d) *Applications for specific exceptions.* (1) Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may file an application for exception setting forth the pertinent facts and reasons why he considers himself entitled to relief. All such applications for exception shall be filed in quadruplicate and shall be addressed to the Director-in-Charge, Petroleum Administration for War, 855 Subway Terminal Building, 417 South Hill Street, Los Angeles 13, California.

(2) Any person whose application for exception to this order has been denied in whole or in part may appeal to the Petroleum Administration for War, Washington, D. C., by filing a letter in triplicate with the Director-in-Charge, Petroleum Administration for War, 855 Subway Terminal Building, 417 South Hill Street, Los Angeles 13, California, stating fully the grounds of the appeal.

(e) *Effective date.* This order shall take effect the 28th day of June 1944.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; E.O. 9319, 8 F.R. 3687; WPB Dir. 30 8 F.R. 11559; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of June 1944.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 44-9993; Filed, June 28, 1944; 10:24 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 2—RULES OF PRACTICE

HEARINGS ON COMPLAINTS

Pursuant to the authority contained in sec. 6, 38 Stat. 721; 15 U.S.C., 46, the Commission, on May 4, 1944, amended § 2.12 of its rules of practices to read as follows, effective July 1, 1944:

§ 2.12 *Hearings on complaints.* All hearings before the Commission or trial examiners on complaints issued by the Commission shall be public, unless otherwise ordered by the Commission.

Upon the joining of issue in a proceeding upon complaint issued by the Commission, the taking of evidence therein shall proceed with all reasonable diligence and with the least practicable delay.

Not less than five (5) days' notice of the time and place of the initial hearing before the Commission, a Commissioner, or a trial examiner, shall be given by the Commission to counsel of record or to parties.

Hearings shall be stenographically reported by the official reporter of the Commission and a transcript thereof shall be made which shall be a part of the record of the proceeding. The transcript so made shall be the sole official transcript. Transcripts will be supplied to a respondent or respondents and to the public by the official reporter at rates not to exceed the maximum rates fixed by contract between the Commission and the reporter.

Changes in the official record may be made only when they involve errors affecting substance and then only in the manner herein provided. No physical changes shall be made in or upon the official record or copies thereof in the custody of the Commission. Lists of changes agreed to in writing by opposing counsel may be incorporated into the record, if and when approved by the trial examiner, at the close of evidence in support of the complaint for good cause shown, or at the final hearing before the trial examiner, or at any time thereafter before he files his report, and at no other times. If any changes are ordered by the trial examiner without such written agreement between opposing counsel they shall be subject to objection in the same manner as provided under §§ 2.17 and 2.23.

Promulgated as of this date in pursuance of the action of the Federal Trade Commission under date of May 4, 1944.

By direction of the Commission.

A. N. ROSS,
Acting Secretary.

[F. R. Doc. 44-9423; Filed, June 28, 1944, 10:54 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 1—GENERAL REGULATIONS AFFECTING THE PUBLIC

SECURITY CONTROL OF PERSONNEL ON MERCHANT VESSELS IN U. S. WATERS

By virtue of the authority vested in me as Secretary of the Navy by Executive Order No. 9074 and subject to the direction and supervision of the Commander in Chief, United States Fleet, and Chief of Naval Operations and to such limitations as he may impose it is hereby ordered as follows:

§ 1.3089 *Control, documentation and security intelligence interrogation of seamen in the United States of America.* (a) The Commandant, United States Coast Guard, and such officers under his direction as he may designate, are authorized and directed to take such steps, institute such measures, and issue such regulations and orders as may be necessary for security in connection with the presence of officers and seamen (including alien officers and seamen) on merchant vessels in the United States, Alaska, Territory of Hawaii, Puerto Rico and the Virgin Islands, including (1) any appropriate action by way of identification, investigation and interrogation of such officers and seamen for the purpose of determining whether their presence on a merchant vessel or waterfront facility would, for any reason, be inimical to the interests of the United States; (2) withholding of the issuance of licenses, certificates, employment cards, identification cards or other seamen's papers; (3) appropriate action under the Regulations Relating to the Removal and Exclusion of Persons from Vessels and Waterfront Facilities approved by the Secretary of the Navy and the President (8 F.R. 16867), and (4) appropriate approvals of persons for employment as officers and seamen on merchant vessels.

(b) All agencies and authorities of the Government of the United States concerned in the matter are called upon pursuant to paragraph 2 of Executive Order No. 9074 to conform to all regulations and orders issued by the Commandant of the Coast Guard or his designated representatives under paragraph (a) of this section, and to give such assistance to the Commandant of the Coast Guard and his representatives as their available facilities will permit.

(E.O. 9074, 7 F.R. 1587)

JAMES FORRESTAL,
Secretary of the Navy.

[F. R. Doc. 44-9391; Filed, June 28, 1944; 10:10 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 33—UNIFORM SYSTEM OF ACCOUNTS FOR CLASS C TELEPHONE COMPANIES

SURPLUS INCOME

Correction

In F. R. Doc. 44-9223, appearing on page 7088 of the issue for Tuesday, June 27, 1944, the fourteenth line of § 33.2900 (c) should read "credited to surplus, penalties and fines paid on".

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 56—ISSUANCE OF SECURITIES BY CARRIERS

APPLICATIONS FOR AUTHORITY TO SELL SECURITIES WITHOUT COMPETITIVE BIDDING

At a session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 1st day of June, A. D. 1944.

Instructions governing special applications for exemption from requirement that certain railroad securities issued under the provisions of section 20a of the Interstate Commerce Act be offered for sale at competitive bidding.

The conclusions and requirement of the Commission stated in its report of May 8, 1944, in Ex Parte 158, "In the Matter of Competitive Bidding in the Sale of Securities under Section 20a of the Interstate Commerce Act,"[1] being under consideration, and the matter of special applications for exemption from the requirement there stated that certain securities issued under authority granted pursuant to said section be offered for sale at competitive bidding being also under consideration, and good cause appearing therefor:

It is ordered, That the following special instructions be, and they are hereby, approved, and that from and after June 30, 1944, said instructions shall be observed by carriers by railroad, corporations organized for the purpose of engaging in transporation by railroad, and persons considered carriers by railroad subject to section 20a of the Interstate Commerce Act under the provisions of any order of the Commission under paragraphs (2) and (3) of section 5 of said act:

§ 56.25 *Applications for authority to sell securities without competitive bidding*—(a) *Circumstances requiring special application.* Special application for exemption from the requirement that securities issued under authority granted pursuant to the provisions of section 20a of the Interstate Commerce Act be offered for sale at competitive bidding should be filed only when for any reason it is not practicable to include the request for such exemption in an application filed pursuant to the instructions promulgated by order of the Commission, by Division 4, under date of February 19, 1927, (§§ 56.1–6) respecting applications filed under that section.

[1] See Appendix to this order.

(b) *Information required.* Special application for exemption from the competitive bidding requirement shall set forth, in the order indicated, the following information:

(1) Exact corporate name of applicant.

(2) Government, State, or Territory under laws of which the applicant was organized and received its present charter.

(3) The name of each State in which applicant operates or proposes to operate.

(4) General description and amount of securities in respect of which exemption is sought.

(5) Purpose and uses of the proposed issue and the proceeds thereof.

(6) The facts and circumstances relied upon by applicant to show that competitive bidding should not be required in the sale or other disposition of the proposed securities. (If request for exemption from the competitive bidding requirement is made in an application filed under section 20a pursuant to the instructions promulgated by the order of February 19, 1927, the information required by this paragraph should be furnished in such application.)

(7) Why the special application is necesary.

(8) The name, title, and post office address of the officer or officers to whom correspondence in respect of the application should be addressed.

(c) *Form and style.* The application shall conform with § 1.15 of the Commission's general rules of practice.

(d) *Execution.* The original application and supporting statements or exhibits shall be signed on behalf of the applicant by its president, a vice president, auditor, comptroller, or other executive officer having knowledge of the matters therein set forth and duly designated for that purpose by the applicant, shall be made under oath, and shall show, among other things, that the affiant is duly authorized to verify and file the application.

(e) *Filing.* The original application and supporting papers, six copies thereof for the use of the Commission, and one copy for the Governor of each State in which the applicant operates, shall be filed with the Secretary of the Interstate Commerce Commission, Washington, D. C. Each copy shall bear the dates and signatures that appear in the original and shall be complete in itself, but the signatures in the copies may be stamped or typed and the notarial seal may be omitted.

(f) *Notice.* Notice of the filing of the application will be given to and a copy of the application filed with the Governor of each State in which the applicant operates, with inquiry as to whether such Governor or other appropriate authority of the State desires to be heard in the matter. Notice of the filing of the application will also be given to the public by posting a copy thereof in the office of the Commission at Washington, D. C.

(g) *Procedure upon application.* Public hearing will not be held in connection with the application unless good cause therefor is shown or unless the Commission deems a hearing desirable. In case a hearing is not held, the proceeding will be disposed of on the basis of representations made in the application and in any supplement thereto. Any interested person desiring to make representation to the Commission as to the granting or denying of the application may submit such representation in writing within 10 days from the date of notice. Such representation shall set forth clearly the interest of such person in the application and all facts relied upon, shall be made under oath, and shall show that a copy has been served upon the applicant. An original and six copies thereof shall be filed with the Interstate Commerce Commission, Washington, D. C.

(Sec. 439, 41 Stat. 495; 49 U.S.C. 20a)

And it is further ordered, That a copy of these special instructions be served upon each carrier by railroad, each corporation organized for the purpose of engaging in transportation by railroad, and each person considered a carrier by railroad subject to the provisions of section 20a of the Interstate Commerce Act, and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C.; and by filing it with the Director, Division of the Federal Register.

NOTE: The reporting requirement of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

By the Commission, Division 4.

[SEAL] W. P. BARTEL,
Secretary.

APPENDIX

Pertinent conclusions and the requirement of the Commission in its report of May 8, 1944, in Ex Parte 158, "In the Matter of Competitive Bidding in the Sale of Securities under section 20a of the Interstate Commerce Act," are as follows:

We find that for the proper administration, execution, and enforcement of section 20a of the Interstate Commerce Act we should require as a condition to our approval of the sale of railroad securities issued under the provisions of that section that such securities be offered for sale at competitive bidding or at what we have heretofore considered tantamount thereto, viz, upon invitation of bids for the purchase thereof. Proposals received in response to such invitation should be opened only at such time and place as is specified in the invitation, and the duly authorized representative of any person making any such proposal should be permitted to be present at the opening of such proposals, and to examine each proposal submitted. If the right be reserved in the advertisement or invitation for bids, the railroad proposing the issue may properly reject all bids and call for new bids or seek such relief as the facts and circumstances may warrant.

We further find that such requirement should apply to all classes of railroad securities other than equipment, as to which no change in the present practice is contemplated, except the following:

(1) Common and preferred stocks;

(2) Securities sold or otherwise issued pro rata to existing holders of securities of the issuing company pursuant to any preemptive right or privilege or in exchange for or extension of outstanding securities, or in connection with any liquidation, reorganization, or financial adjustment;

(3) Any note or other security maturing in not more than 3 years;

(4) Securities sold or otherwise issued when the total issue does not exceed $1,000,000, principal amount;

(5) Securities of any railroad company issued in exchange for the securities or properties of any other railroad company acquired pursuant to authority granted under the provisions of section 5 (2) of the act, and any securities of such other company to be acquired by any other person pursuant to such authority.

(6) Securities sold or otherwise issued to a railroad company by any of its subsidiary companies pursuant to authority granted under section 20a of the Act where such securities are not to be sold by the parent company, but are to be held subject to our further order; and

(7) Any securities as to which we shall find, upon due showing by a railroad company, either upon application under the provisions of section 20a or upon special application preliminary to the filing of such application under section 20a, that sale at competitive bidding should not be required.

Applications under section 20a to sell securities without competitive bidding on the ground that such securities come within one of the foregoing specific exemptions should include a statement of facts relied upon to show that the exemption applies. Special applications for exemption from the competitive bidding requirement may be made pursuant to such special instructions as may hereafter be issued.

We further find that for the present no formal rule or regulations requiring the sales of railroad securities at competitive bidding should be promulgated. Railroads applying after June 30, 1944, for authority to issue securities under the provisions of section 20a will be expected to observe these findings.

[F. R. Doc. 44-9448; Filed, June 28, 1944; 10:48 a. m.]

[S. O. 68,[1] Amdt. 5]

PART 95—CAR SERVICE

EXEMPTION ON BULK FREIGHT IN OPEN TOP CARS TRANSSHIPPED FROM OCEAN VESSELS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of June, A. D. 1944.

Upon further consideration of the provisions of Service Order No. 68, as amended (codified as § 95.15 of Title 49 CFR), and good cause appearing therefor: *It is ordered*, That:

Exemption on bulk freight in open top cars transshipped from ocean vessels. Service Order No. 68 as amended, is hereby further amended so as not to apply to a single consignment consisting of two or more open top cars loaded with bulk freight transshipped from ocean-going vessels to railroad cars at ports, provided all such cars are loaded to not less than the tariff minimum weight or to full cubical or visible capacity, except one car for each consignment which contains a remnant lot as defined in the following paragraph, and provided charges are assessed on the remnant lot on a weight of 10,000 pounds or more.

Remnant lot defined. The term "remnant lot" as used herein, is that part of a consignment, insufficient to fill the last car to full cubical or visible capacity, remaining after the other car or cars used for the consignment has or have been loaded to not less than the tariff minimum weight or to full cubical or visible capacity.

Announcement of partial vacation. Each railroad, or its agent, shall file and post a supplement to each of its tariffs affected hereby, on not less than five days' notice, except as otherwise authorized by the Commission, announcing partial vacation of Service Order No. 68 in accordance with the preceding paragraphs. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

And it is further ordered, That this amendment shall become effective July 28, 1944; that copies of this amendment be served upon each common carrier by railroad subject to the Interstate Commerce Act and upon each State regulatory commission and upon the Association of American Railroads, Car Service Division; and that notice of this amendment be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary*.

[F. R. Doc. 44-9447; Filed, June 28, 1944; 10:48 a. m.]

[1] 7 F.R. 3513, 14224, 16265.

Notices

FEDERAL COMMUNICATIONS COMMISSION.

[File No. B3-P-2939]

LINER'S BROADCASTING STATION, INC.

ORDER SETTING HEARING DATE ON STATED ISSUES

In re application of Liner's Broadcasting Station, Inc. (KMLB), Monroe, Louisiana; for construction permit; Docket No. 5994.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 20th day of June 1944;

The Commission having under consideration in the application of Liner's Broadcasting Station, Inc. (KMLB), Monroe, Louisiana, for construction permit to change frequency from 1230 kilocycles to 1440 kilocycles and increase power from 250 watts to 1 kilowatt, with directional antenna at night, unlimited time (File No. B3-P-2939; Docket No. 5994);

It is ordered, That the said application be, and the same is hereby, designated for hearing on the following issues:

1. To determine the areas and populations which may be expected to gain primary service from the operation of the applicant's station as proposed, and what other broadcast service is available to those areas and populations.

2. To determine the nature and extent of any interference which would result from the simultaneous operation of applicant's station as proposed and the operation of the new station proposed in the applications of KNOE, Inc. (File No. B3-P-2887, B3-MP-1745), as well as the areas and populations affected thereby and the nature of other broadcast service available to those areas and populations.

3. To determine whether the operation of applicant's station as proposed would tend toward a fair, efficient, and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

4. To determine whether the operation of Station KMLB, as proposed in the application of Liner's Broadcasting Station, Inc. (File No. B3-P-2939), would be consistent with good engineering practice and constitute a sound allocation of frequencies.

5. To determine whether a grant of the instant application of Liner's Broadcasting Station, Inc., would be consistent with the policy announced by the Commission in its Memorandum Opinion of April 27, 1942, and its various Statements of Policy supplemental thereto.

6. To determine the extent of any interference which would result from the simultaneous operation of KMLB as proposed and Stations CMGH, Matanzas, Cuba; XELZ, Mexico City, Mexico; and XEFI, Chihuahua, Mexico.

7. To determine whether the granting of this application would be consistent with the North American Regional Broadcasting Agreement.

8. To determine whether the instant application of Liner's Broadcasting Station, Inc. was filed for the purpose of preventing or delaying construction of another broadcast station in applicant's community.

9. To determine whether the public interest, convenience and necessity would be served by the grant of the application of Liner's Broadcasting Station, Inc. and the applications of KNOE, Inc., or any of them.

It is further ordered, That the application of Liner's Broadcasting Station, Inc. (KMLB) for construction permit (File No. B3-P-2939) be and the same is hereby, consolidated for hearing with the applications of KNOE, Inc., for construction permit (File No. B3-P-2887) and for modification of construction permit (File No. B3-MP-1745), and that said hearing be held at the offices of the Commission in Washington, D. C., on July 24, 1944, at 10 o'clock, a. m.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-9382; Filed, June 27, 1944; 12:36 p. m.]

[File No. B3-P-2887]

KNOE, INC.

ORDER SETTING HEARING DATE ON STATED ISSUES

In re application of Knoe, Inc. (KNOE), Monroe, Louisiana, for construction permit; Docket No. 5995.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 20th day of June 1944;

The Commission having under further consideration the application of KNOE, Inc. for construction permit to erect a new standard broadcast station at Monroe, Louisiana (File No. B3-P-2887) and also the application of KNOE, Inc. for modification of construction permit (File No. B3-MP-1745) filed on April 17, 1944;

It is ordered, That the order of the Commission, dated February 17, 1944, granting the application of KNOE for construction permit (File No. B3-P-2887, Docket No. 5995) be, and the same hereby is set aside; and

It is further ordered, That the applications of KNOE, Inc. be, and the same hereby are, designated for hearing on the following issues:

1. To determine whether the applicant is qualified by reason of the character, training and experience of its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the applicant's station as proposed and what other broadcast service is available to those areas and populations.

3. To determine the nature and extent of any interference which would result from the simultaneous operation of the applicant's station as proposed and the operation of Station KMLB as proposed in the application of Liner's Broadcasting Station, Inc. (File No. B3-P-2939) as well as the areas and populations affected thereby and the nature of other broadcast service available to those areas and populations.

4. To determine whether the operation of applicant's proposed station would tend toward a fair, efficient, and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

5. To determine whether a grant of the application of KNOE, Inc. would be consistent with the policy announced by the Commission in its memorandum opinion of April 27, 1942, and its various statements of policy supplemental thereto.

6. To determine whether the public interest, convenience and necessity would be served by the grant of the applications of KNOE, Inc. and the application of Liner's Broadcasting Station, Inc., or any of them.

It is further ordered, That the applications of KNOE, Inc. for construction permit (File No. B3-P-2887) and for modification of construction permit (File No. B3-MP-1745) be, and the same hereby are consolidated for hearing with the application of Liner's Broadcasting Station, Inc. for construction permit (File No. B3-P-2939) and that said hearing be held at the offices of the Commission in Washington, D. C., on July 24, 1944 at 10 o'clock a. m.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-9383; Filed, June 27, 1944; 12:36 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-557]

NEW YORK STATE NATURAL GAS CORP.

ORDER FIXING DATE OF HEARING

JUNE 26, 1944.

Upon consideration of the application filed on June 20, 1944, by the New York State Natural Gas Corporation, a New York Corporation having its principal place of business in New York, New York, for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to acquire by purchase from the Peoples Natural Gas Company for $815,256.77 a transmission pipe line twelve inches in diameter which extends approximately 89.44 miles from a gate valve on property of Charles Eshbaugh in Limestone Township, Clarion County, Pennsylvania, to the junction between said pipe line and a ten inch pipe line now owned by Applicant on property of the Oswayo Chemical Company in Hebron Township, Potter County, Pennsylvania, which is known as the "Potter County Line," and an additional 58 feet of twelve inch pipe line extending southwestwardly from said Potter County Line, together with a private telephone line which generally parallels said pipe line, and the rights of way, leases, licenses and permits upon or pursuant to which the pipe lines and the telephone line are located or operated;

The Commission orders that:

(A) A public hearing be held commencing on July 14, 1944, at 9:45 a. m. (e. w. t.) in the Hearing Room of the Federal Power Commission, Hurley Wright Building, 1800 Pennsylvania Avenue, N. W., Washington, D. C., respecting the matters involved and the issues presented in this proceeding.

(B) Interested State commissions may participate in this hearing, as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary*.

[F. R. Doc. 44-9471; Filed, June 28, 1944; 11:59 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5159]

EMMETT J. SMITH AND DAUGHTER

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 26th day of June, A. D. 1944.

In the matter of Emmett J. Smith and Sarah Alma Maxwell, individuals trading as Emmett J. Smith and Daughter, Smith Baby Chix and Emmitt J. Smith and Daughter Poultry Farms.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered That E. Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, July 10, 1944, at ten o'clock in the forenoon of that day (Central Standard Time) in Room 245, Federal Building, Nashville, Tennessee.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] A. N. ROSS, *Acting Secretary*.

[F. R. Doc. 44-9424; Filed, June 28, 1944; 10:54 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 326]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, June 21, 1944, by R. A. Klotz Company of car PFE 98436, potatoes, now on the Chicago Produce Terminal, to Red Dot Food Company, Madison, Wisconsin.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of June 1944.

V. C. CLINGER, *Director, Bureau of Service*.

[F. R. Doc. 44-9425; Filed, June 28, 1944; 10:48 a. m.]

[S. O. 70-A, Special Permit 327]

RECONSIGNMENT OF POTATOES AND ONIONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering

paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, June 21, 1944, by National Produce Company of cars now on the Chicago Produce Terminal, Car PFE 42524, onions, to Madison, Wisconsin, Car PFE 17046, potatoes, to Grand Rapids, Michigan, Car PFE 1054, potatoes, to Grand Rapids, Michigan, account will release equipment promptly.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9426; Filed, June 28, 1944; 10:48 a. m.]

[S. O. 70–A, Special Permit 328]

RECONSIGNMENT OF POTATOES AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at St. Louis, Missouri, June 12, 1944, by A. M. Macheca & Company of car SFRD 19965, California potatoes, now on the Wabash Railroad to Elmo Heaton, Murphysboro, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9427; Filed, June 28, 1944; 10:48 a. m.]

[S. O. 70–A, Special Permit 329]

RECONSIGNMENT OF ONIONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, June 21, 1944, by Setron Distributing Company, of cars MDT 17622 and PFE 44591, onions, now on the Chicago Produce Terminal, to Altman & Swarts, Buffalo, New York.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9428; Filed, June 28, 1944; 10:48 a. m.]

[S. O. 70–A, Special Permit 330]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Kansas City, Missouri, June 23 or 24, 1944, by L. S. Taube Company of car PFE 75947, California potatoes, now on the A. T. & S. F. Railway to Elsner Grocery Company, Bloomington, Illinois (Alton).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9429; Filed, June 28, 1944; 10:51 a. m.]

[S. O. 70–A, Special Permit 331]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Kansas City, Missouri, June 22, 1944, by Brown and Loe Company of car PFE 97283, potatoes, now on the Rock Island Lines, to Des Moines, Iowa (Hoxie Fruit Co.) (R. I.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9430; Filed, June 28, 1944; 10:51 a. m.]

[S. O. 70–A, Special Permit 332]

RECONSIGNMENT OF POTATOES AT MINNEAPOLIS, MINN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Minneapolis, Minnesota, June 22, 1944, by E. Bermier & Sons, Inc., of car MDT 146304, potatoes, now on the M. and St. L. Railroad, to Gerahgol Economy Markets, Duluth, Minnesota (Mo. Pac).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9431; Filed, June 28, 1944; 10:51 a. m.]

[S. O. 70–A, Special Permit 333]

RECONSIGNMENT OF TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, June 23, 1944, by Chicago Tomato Company, of car MDT 17372, tomatoes, now on the Wabash Railroad, to Gary Produce Company, Gary, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9432; Filed, June 28, 1944; 10:51 a. m.]

[S. O. 70–A, Special Permit 334]

RECONSIGNMENT OF POTATOES AT FORT WORTH, TEX.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Fort Worth, Texas, June 23, 1944, by Poso Land Company, of car MDT 21336, potatoes, now on the Texas and Pacific Railway to Higby and Sons, Memphis, Tennessee, advise Mascari Sons (T&P–Texarkana–Mo. Pac.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9433; Filed, June 28, 1944; 10:51 a. m.]

[S. O. 70–A, Special Permit 335]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, June 24, 1944, by United Produce Company of car SFRD 18441, potatoes, now on the Chicago Produce Terminal to M. Carp Sons, Boston, Massachusetts.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9434; Filed, June 28, 1944; 10:51 a. m.]

[S. O. 70–A, Special Permit 336]

RECONSIGNMENT OF ORANGES AT FORT WORTH, TEX.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Fort Worth, Texas, June 24, 1944, by Pacific Coast & Fruit Distributors of car SFRD 24477, oranges, now on the A. T. & S. F. Railroad, to Pacific Coast Fruit Distributors, advise Federal Produce Company, Evansville, Indiana, (A. T. & S. F.–R. S. & P.–T. & P.–St. L. & S. F.–L. & N.), account railroad delay in transmitting diversion orders.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9435; Filed, June 28, 1944; 10:51 a. m.]

[S. O. 200, Special Permit 85]

REICING OF POTATOES AT HUNTINGDON, PA., AND EAST BUFFALO, N. Y.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, for account of the U. S. Army Quarter Master Corps, cars of potatoes, PFE 42764 and CX 50104 at Huntingdon, Pennsylvania (PRR), shipped June 20, 1944, and June 19, respectively from Hannibal, Missouri, to Naval Supply Depot, Bayonne, New Jersey (CB&Q–PRR), and PGE 10934 at East Buffalo, New York (NYC), shipped June 20, 1944, from East St. Louis, Illinois, to the Naval Supply Depot, Bayonne, New Jersey, c/o Idaho Baking Potato District, New York, New York (NYC).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9436; Filed, June 28, 1944; 10:52 a. m.]

[S. O. 200, Special Permit 86]

REICING OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once, at Kansas City, Missouri, June 21, 1944, as ordered by Cochrane Brokerage Company, car MDT 146309, California potatoes, now on the A. T. & S. F. Railroad, account delayed in transit necessary to recondition prior to reconsignment to Sioux Falls, South Dakota (CB&Q–GN).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9437; Filed, June 28, 1944; 10:52 a. m.]

[S. O. 200, Special Permit 87]

REICING OF POTATOES AT AUGUSTA, GA., AND EAST BUFFALO, N. Y.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, cars of potatoes, as ordered by the U. S. Army Quarter Master Corps, car FGE 36527 moving from East St. Louis, Illinois, to Charleston, South Carolina (L&N–NC&StL–Ga–C&WC–ACL), reice at Augusta, Georgia (C&WC), and car WFE 67645 moving from East St. Louis, Illinois, to Idaho Baking Potato Distributors, New York, New York (NYC), reice at East Buffalo, New York (NYC), both shipped June 21, 1944. Reicing requested to preserve Government freight.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9438; Filed, June 28, 1944; 10:52 a. m.]

[S. O. 200, Special Permit 89]

REICING OF POTATOES AT EAST BUFFALO, N. Y.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, at East Buffalo, New York (N. Y. C.), as ordered by U. S. Army Quarter Master Corps, cars of potatoes, PGE35699, MDT 16564 and MDT 20812, shipped June 21, 1944, from North American Cold Storage Company, East St. Louis, Illinois, to Supply Officer, Naval Supply Depot, Bayonne, New Jersey, % Idaho Baking Potato Distributors, New York, New York. (NYC).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of June, 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9439; Filed, June 28, 1944; 10:52 a. m.]

[S. O. 200, Special Permit 89]

REICING OF POTATOES AT EAST BUFFALO, N. Y.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, at East Buffalo, New York (NYC), as ordered by U. S. Army Quarter Master Corps, cars of potatoes, MDT 17174, 21804, 17509, 17362, 146180, shipped June 23, 1944, from East St. Louis, Illinois, to New York, New York (NYC).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9440; Filed, June 28, 1944; 10:52 a. m.]

[S. O. 200, Special Permit 90]

REICING OF POTATOES AT EAST BUFFALO, N. Y.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only at East Buffalo, New York (NYC), as ordered by U. S. Army Quarter Master Corps, cars of potatoes, MDT 22301 and 16825, shipped June 23, 1944, from North American Cold Storage Company, East St. Louis, Illinois, to Naval Supply Depot, Bayonne, New Jersey, c/o Idaho Baking Potato Distributors, New York, New York (NYC).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9441; Filed, June 28, 1944; 10:52 a. m.]

[S. O. 200, Special Permit 91]

REICING OF POTATOES AT OMAHA, NEBR., OR CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice, one time only, at Omaha, Nebraska, or Chicago, Illinois, as requested by W. L. Ennis of C. M. St. P. & P. Railroad, car MDT 19689, potatoes, shipped June 13, 1944, from Wasco, California, destined Aberdeen, South Dakota, as car delayed account bad order at Omaha.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9442; Filed, June 28, 1944; 10:53 a. m.]

[S. O. 200, Special Permit 92]

REICING OF POTATOES AT DAVENPORT, IOWA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice, one time only, at Davenport, Iowa, as requested by W. L. Ennis of C. M. St. P. & P. Railroad, car PGEX 21819, potatoes, shipped June 9, 1944, from Arvin, California, to Davenport, Iowa, where it was refused and now needs ice to protect lading.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9443; Filed, June 28, 1944; 10:53 a. m.]

[S. O. 200, Special Permit 93]

REICING OF MDT AND ART CARS AT SHREVEPORT, LA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once at Shreveport, Louisiana, MDT 19690, ART 17801 shipped June 26 and ART 16281 and MDT 21338 shipped June 27 from Mid West Cold Storage, Kansas City, Kansas, to QMMC, New Orleans, Louisiana, via KCS Lines–IC.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9444; Filed, June 28, 1944; 10:53 a. m.]

[S. O. 200, Special Permit 94]

REICING OF POTATOES AT ROANOKE, VA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, at Roanoke, Va., PGE 11345, potatoes, shipped June 26 from North American Cold Storage, East St. Louis, Illinois, to Supply Officer, NSD Norfolk, Virginia, routed B&O–N&W–Vgn.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9445; Filed, June 28, 1944; 10:53 a. m.]

[S.O. 207, Amended General Permit 2]

RECONSIGNMENT OF FRUITS AND VEGETABLES AT BIRMINGHAM, ALA., ETC.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.38, 9 F.R. 5316) of Service Order No. 207 of May 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 207 insofar as it applies to all cars loaded with the commodities named therein held for orders, diversion, or reconsignment, at Birmingham, Alabama, Atlanta, Savannah and Waycross, Georgia, Nashville and Chattanooga, Tennessee.

This permit shall become effective at 12:01 a. m., June 25, 1944, and shall apply to cars moving at that time or accepted for transportation on and after that date.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of June 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–9446; Filed, June 28, 1944; 10:53 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3678]

SIEMENS-SCHUCKERTWERKE A. G.

In re: Interest of Siemens-Schuckertwerke Aktiengesellschaft in an agreement with The Hoover Company granting to Siemens-Schuckertwerke Aktiengesellschaft a limited license.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Siemens-Schuckertwerke Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Siemens-Schuckertwerke Aktiengesellschaft;

3. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Siemens-Schuckertwerke Aktiengesellschaft by virtue of an agreement dated August 2, 1933 (including all modifications thereof and supplements thereto, if any) by and between Siemens-Schuckertwerke Aktiengesellschaft and The Hoover Company, which agreement relates, among other things, to Patent No. 2,001,697,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany).

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9393; Filed, June 28, 1944; 10:25 a. m.]

[Vesting Order 3679]

LA DISPERSION CATHODIQUE SOCIETE ANONYME, ET AL.

In re: Interests of La Dispersion Cathodique Societe Anonyme, N. V. Tweedé Nederlandsche Patenten Maatschappij and N. V. Bataafsche Negotiate Compagnie in an agreement between La Dispersion Cathodique Societe Anonyme, N. V. Tweede Nederlandsche Patenten Maatschappij Hastings & Company and Metal Film Company, Inc.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That La Dispersion Cathodique Societe Anonyme and N. V. Bataafsche Negotiate Compagnie are business organizations organised under the laws of Belgium and are nationals of a foreign country (Belgium);

2. That N. V. Tweede Nederlandsche Patenten Maatschappij is a corporation organised under the laws of The Netherlands and is a national of a foreign country (The Netherlands);

3. That the property described in subparagraph 4 hereof is property of La Dispersion Cathodique Societe Anonyme, N. V. Tweede Nederlandsche Patenten Maatschappij and N. V. Bataafsche Negotiate Compagnie;

4. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in La Dispersion Cathodique Societe Anonyme, N. V. Tweede Nederlandsche Patenten Maatschappij and N. V. Bataafsche Negotiate Compagnie, and each of them, by virtue of an agreement dated March 1928 and acknowledged by La Dispersion Cathodique Societe Anonyme and N. V. Tweede Nederlandsche Patenten Maatschappij on May 28, 1928 (including all modifications thereof and supplements thereto) by and between La Dispersion Cathodique Societe Anonyme, N. V. Tweede Nederlandsche Patenten Maatschappij, Hastings & Company (a co-partnership composed of John V. Hastings, Jr., G. Brinton Thomas, Jr. and Henry B. Robb, Jr.) and Metal Film Company, Inc., relating, among other things, to patent No. 2,028,869, dated January 28, 1936,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Belgium);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9394; Filed, June 26, 1944; 10:48 a. m.]

[Vesting Order 9680]

CARBONISATION ET CHARBONS ACTIFS, ET AL.

In re: Interests of Carbonisation et Charbons Actifs and Societe Generale des Minerais in an agreement with Carbide and Carbon Chemicals Corporation and Acticarbone Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Carbonisation et Charbons Actifs is a corporation organised under the laws of and having its principal place of business in France and is a national of a foreign country (France);

2. That Societe Generale des Minerais is a corporation organised under the laws of and having its principal place of business in Belgium and is a national of a foreign country (Belgium);

3. That the property described in subparagraph 8 hereof is property of Carbonisation et Charbons Actifs and/or Societe Generale des Minerais;

4. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Carbonisation et Charbons Actifs and Societe Generale des Minerais, and each of them, by virtue of an agreement dated May 20, 1938 (including all modifications thereof and supplements thereto, if any) by and between Carbide and Carbon Chemicals Corporation, Acticarbone Corporation, Carbonisation et Charbons Actifs and Societe Generale des Minerais, which agreement relates, among other things, to United States Letters Patent No. 1,934,501,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of foreign countries (Belgium and France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9395; Filed, June 28, 1944; 10:26 a. m.]

[Vesting Order 9681]

ARGUS MOTORENGESELLSCHAFT M. B. H.

In re: Patent of Argus Motorengesellschaft m. b. H.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Argus Motorengesellschaft m. b. H. is a corporation organised under the laws of Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of Argus Motorengesellschaft m. b. H.;

3. That the property described as follows: All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent Number, Date of Issue, Inventor, and Title

2,040,800, 5–12–36, William Leicester Avery, Regulator for Fluid Pressure Systems;

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9396; Filed, June 28, 1944; 10:25 a. m.]

[Vesting Order 9682]

DAS ROHRBOGENWERK BOHLING & CO.

In re: Interests of Das Rohrbogenwerk Bohling & Co. in an agreement between N. V. Therma and M. Keith Dunham.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Das Rohrbogenwerk Bohling & Co. is a business organization organised under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of Das Rohrbogenwerk Bohling & Co;

3. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in N. V. Therma and Rohrbogenwerk G. m. b. H., and each of them, by virtue of an agreement dated December 2, 1928 (including all modifications thereof or supplements thereto, if any) by and between N. V. Therma and M. Keith Dunham, relating, among others, to patent No. 1,660,008,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9397; Filed, June 28, 1944; 10:25 a. m.]

[Vesting Order 9683]

SIEMENS APPARATE UND MASCHINEN, G. M. B. H.

In re: Patents of Siemens Apparate und Maschinen, G. m. b. H.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Siemens Apparate und Maschinen, G. m. b. H. is a corporation organised under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of Siemens Apparate und Maschinen, G. m. b. H;

3. That the property described as follows: All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patents:

Patent Number, Date of Issue, Inventor and Title

2,189,475; 2-6-40; Karl Saur; Regulating apparatus.

2,191,055; 2-20-40; Karl Wensky; Telephone set for communication in airplanes.

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9398; Filed, June 28, 1944; 10:25 a. m.]

[Vesting Order 9684]

OXYAMMON A. G., ET AL.

In re: Patent and interests of Oxyammon Aktiengesellschaft, Gasverarbeitungsgesellschaft m. b. H. and Bergwerkegesellschaft Hibernia A. G. in agreements with The Selden Company and Pennsylvania Salt Manufacturing Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Oxyammon Aktiengesellschaft is a corporation organised under the laws of and having its principal place of business in Switzerland and is a national of a foreign country (Switzerland);

2. That Oxyammon Aktiengesellschaft is acting for or on behalf of or is controlled by Germany or persons within Germany and is a national of a foreign country (Germany);

3. That Gasverarbeitungsgesellschaft m. b. H. and Bergwerkegesellschaft Hibernia A. G. are corporations organised under the laws of Germany and are nationals of a foreign country (Germany);

4. That the property identified in subparagraph 7a hereof is property of Oxyammon Aktiengesellschaft;

5. That the property identified in subparagraphs 7b, 7c and 7d hereof is property of Gasverarbeitungsgesellschaft m. b. H;

6. That the property identified in subparagraph 7e hereof is property of Bergwerkegesellschaft Hibernia A. G;

7. That the property described as follows:

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date of Issue, Inventor, and Title

1,859,863; 5–24–32; Ivar W. Cederberg; Preparation of concentrated nitric acid by the catalytic combustion of ammonia with oxygen or gases rich in oxygen.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Gasverarbeitungs-

gesellschaft m. b. H. by virtue of an agreement dated January 16, 1929 (including all modifications thereof or supplements thereto, if any, but excluding therefrom rights transferred by Gasverarbeitungsgesellschaft m. b. H. to N. V. De Bataafsche Petroleum Maatschappij by an agreement dated April 26, 1928) by and between Gasverarbeitungsgesellschaft m. b. H. and The Selden Company, relating, among others, to Patent Number 1,927,206,

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Gasverarbeitungsgesellschaft m. b. H. by virtue of an agreement dated January 16, 1929 (including all modifications thereof or supplements thereto, if any, but excluding therefrom rights transferred by Gasverarbeitungsgesellschaft m. b. H. to N. V. De Bataafsche Petroleum Maatschappij by an agreement dated April 26, 1928) by and between Gasverarbeitungsgesellschaft m. b. H. and The Selden Company, relating, among others, to Patent Number 2,062,826,

(d) The interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Gasverarbeitungsgesellschaft m. b. H. by virtue of an agreement executed April 26, 1928 (including all modifications thereof and supplements thereto, if any) by and between Gasverarbeitungsgesellschaft m. b. H. and N. V. De Bataafsche Petroleum Maatschappij, relating, among other things, to Patent Number 2,062,826,

(e) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Patents Exploitation Company "Alpina" Ltd. by virtue of an agreement dated December 31, 1930 (including all modifications thereof and supplements thereto, if any) by and between Patents Exploitation Company "Alpina" Ltd. and Pennsylvania Salt Manufacturing Company, which agreement relates, among other things, to certain United States patents, including Patent No. 1,750,551,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of foreign countries (Germany & Switzerland);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9399; Filed, June 28, 1944; 10:26 a. m.]

[Vesting Order 3686]

KARL AND LUDWIG SCHINZEL

In re: Interests of Karl Schinzel and Ludwig Schinzel in an Agreement with Eastman Kodak Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Karl Schinzel is a citizen and resident of Germany and is a national of a foreign country (Germany);

2. That Ludwig Schinzel is a citizen and resident of Czechoslovakia and is a national of a foreign country (Czechoslovakia);

3. That the property described in subparagraph 4 hereof is property of Karl Schinzel and Ludwig Schinzel;

4. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Karl Schinzel and Ludwig Schinzel, and each of them, by virtue of an agreement dated September 1, 1938 and entitled "Retainer Agreement" (including all modifications thereof and supplements thereto, if any) by and between Eastman Kodak Company and Karl Schinzel, which agreement relates, among other things, to United States Letters Patent No. 2,246,013,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of foreign countries (Czechoslovakia and Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9400; Filed, June 28, 1944; 10:26 a. m.]

[Vesting Order 3688]

CESKOMORAVSKA-KOLBEN-DANEK AKCIOVA SPOLECNOST

In re: Interest of Ceskomoravska-Kolben-Danek Akciova Spolecnost in an agreement with Westinghouse Electric & Manufacturing Company and Westinghouse Electric International Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Ceskomoravska-Kolben-Danek Akciova Spolecnost is a business organization organized under the laws of and having its principal place of business in Czechoslovakia and is a national of a foreign country (Czechoslovakia);

2. That the property described in subparagraph 3 hereof is property of Ceskomoravska-Kolben-Danek Akciova Spolecnost;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Ceskomoravska-Kolben-Danek Akciova Spolecnost by virtue of an agreement dated August 4, 1937 (including all modifications thereof and supplements thereto, if any) by and between Westinghouse Electric & Manufacturing Company, Westinghouse Electric International Company and Ceskomoravska-Kolben-Danek Akciova Spolecnost, which agreement relates, among other things, to Patent No. 2,231,721,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Czechoslovakia);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to

be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9401; Filed, June 28, 1944; 10:26 a. m.]

[Vesting Order 3690]

I. G. FARBENINDUSTRIE A. G.

In re: Interest of I. G. Farbenindustrie Aktiengesellschaft in two agreements with Monsanto Chemical Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described as follows:

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated February 3, 1937 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft and Monsanto Chemical Company, relating, among other things, to United States Patent Application Serial Number 588,227, now Patent Number 2,109,696, and to Interference No. 71,810,

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated February 3, 1937 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft and Monsanto Chemical Company, relating, among other things, to United States Patent Application Serial Number 588,227, now Patent Number 2,109,696, and to Interference No. 71,811,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9402; Filed, June 28, 1944; 10:26 a. m.]

[Vesting Order 3691]

I. G. FARBENINDUSTRIE A. G.

In re: Interest of I. G. Farbenindustrie Aktiengesellschaft in an agreement dated May 3, 1933 with Carbide and Carbon Chemicals Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated May 3, 1933 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft and Carbide and Carbon Chemicals Corporation, which agreement relates, among other things, to Patent No. 1,864,099,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9403; Filed, June 28, 1944; 10:26 a. m.]

[Vesting Order 3692]

MAGRINI, SOCIETA ANONIMA

In re: Interest of Magrini, Societa Anonima in an agreement with Westinghouse Electric & Manufacturing Company and Westinghouse Electric International Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Magrini, Societa Anonima is a corporation organized under the laws of and having its principal place of business in Italy and is a national of a foreign country (Italy);

2. That the property described in subparagraph 3 hereof is property of Magrini, Societa Anonima;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Magrini, Societa Anonima by virtue of an agreement dated November 1, 1938 (including all modifications thereof and supplements thereto, if any) by and between Westinghouse Electric & Manufacturing Company, Westinghouse Electric International Company and Magrini, Societa Anonima, which agreement relates, among other things, to Patent No. 2,250,599,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on May 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9404; Filed, June 28, 1944; 10:26 a. m.]

[Vesting Order 3693]

I. G. FARBENINDUSTRIE A. G.

In re: Patents and interest of I. G. Farbenindustrie Aktiengesellschaft in agreements with E. I. Du Pont de Nemours and Company relating, among other things, to Monovinylacetylene.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on May 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patents:

Patent Number, Date of Issue, Inventor and Title
2,062,263; 11–24–36; Ernst Eberhardt; Producing diacetyl.
2,098,089; 11–2–37; Ernst Eberhardt & Robert Stadler; Production of chlorbutadiene.
2,110,699; 3–8–38; Ernst Eberhardt & Friedrich Liesenberg; Production of diacetyl.
2,158,290; 5–16–39; Heinrich Lange & Otto Horn; Process of preparing methyl vinyl ketone.
2,191,088; 2–20–40; Robert Stadler & Albert Auerhahn; Continuous production of polymerization products of acetylene.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated February 8, 1938 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft and E. I. Du Pont de Nemours and Company, relating, among other things, to certain United States Letters Patent, including Patent No. 2,186,340.

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated April 11, 1938 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft and E. I. Du Pont de Nemours and Company, relating, among other things, to certain United States Letters Patent, including Patent No. 2,191,068.

(d) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated September 14, 1933 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft and E. I. Du Pont de Nemours and Company, relating, among other things, to certain United States Letters Patent, including Patent No. 2,267,829.

[F. R. Doc. 44–9405; Filed, June 28, 1944; 10:26 a. m.]

[Vesting Order 3694]

POLYPHONWERKE A. G., ET AL.

In re: Interests of Polyphonwerke A. G., Hansa-Muehle G. m. b. H., Hanseatische Muehlenwerke A. G. and Aarhus Oliefabrik A/S in patents and in an Agreement with American Lecithin Corporation, Archer-Daniels-Midland Company, The Glidden Company and Ross & Rowe, Inc.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Polyphonwerke A. G. Hansa-Muehle G. m. b. H., and Hanseatische Muehlenwerke A. G. are firms organized under the laws of and having their principal places of business in Germany and are nationals of a foreign country (Germany);

2. That Aarhus Oliefabrik A/S is a corporation organized under the laws of and having its principal place of business in Denmark and is a national of a foreign country (Denmark);

3. That the property described in subparagraph 7a hereof is property of Polyphonwerke A. G;

4. That the property described in subparagraphs 7b and 7c hereof is property of Hanseatische Muehlenwerke A. G;

5. That the property described in subparagraph 7d hereof is property of Aarhus Oliefabrik A/S;

6. That the property described in subparagraph 7e hereof is property of Hansa-Muehle G. m. b. H., Hanseatische Muehlenwerke A. G. and Aarhus Oliefabrik A/S;

7. That the property described as follows:

(a) An undivided one-half (½) interest which stands of record in the United States Patent Office in the name of Polyphonwerke A. G. in and to the following patent:

Patent Number, Date of Issue, Inventor, and Title
1,977,940; 10–23–34; Fritz Frank, sound record composition and method of making.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled,

(b) All right, title and interest created or reserved in Hanseatische Muehlenwerke A. G. in or by an assignment to American Lecithin Company dated May 11, 1935 and recorded in the United States Patent Office on September 17, 1935 in Liber J–164 at page 97, in and to the patents identified in Exhibit A attached hereto and made a part hereof,

(c) All right, title and interest created or reserved in Hanseatische Muehlenwerke A. G. in or by an assignment to American Lecithin Company dated May 7, 1936 and recorded in the United States Patent Office on May 27, 1936 in Liber Y–166 at page 209, in and to the following patent:

Patent Number, Date of Issue, Inventor and Title
1,917,734; 7–11–33; Bruno Rewald; Extracting oil from seeds.

(d) All right, title and interest (including, but not by way of limitation, licenses and other contractual interests) created or reserved in Aarhus Oliefabrik A/S in or by an assignment to American Lecithin Company dated August 18, 1935, in and to the patents identified in Exhibit B attached hereto and made a part hereof,

(e) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Hansa-Muehle G. m. b. H., Hanseatische Muenlenwerke A. G. and Aarhus Oliefabrik A/S, and each of them, by virtue of an agreement dated December 5, 1934 (including all modifications thereof and supplements thereto, if any) by and between Hansa-Muehle G. m. b. H., Hanseatische Muehlenwerke A. G., Aarhus Oliefabrik A/S, American Lecithin Corporation, Archer-Daniels-Midland Company, The Glidden Company and Ross & Rowe, Inc., relating, among other things, to Patent No. 1,966,360,

is property of, or is property payable or held or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of foreign countries (Denmark and Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Patent Number, Date of Issue, Inventor and Title
1,660,541; 2–28–28; Hermann Bollmann; Easily-soluble cocoa powder and process of making same.
1,667,767; 5–1–28; Hermann Bollmann; Process of purifying phosphatides obtained from oilseeds and the like.
1,673,615; 6–12–28; Hermann Bollmann; Process of purifying phosphatides.
1,762,077; 6–3–30; Bruno Rewald; Production of egg yolk substitutes.
1,776,720; 9–23–30; Hermann Bollmann; Process for the purification of phosphatides.
1,776,721; 9–23–30; Hermann Bollmann; Method of production uniform pulverulent mixtures.
1,779,012; 10–21–30; Bruno Rewald; Auxiliary means for leather dressing.
1,843,051; 1–26–32; Friedrich Wilhelm Thiele; Baking composition and mode of preparing same.
1,892,583; 12–27–32; Albert Schwieger; Treatment of vegetable lecithin.
1,893,393; 1–3–33; Hermann Bollmann and Albert Schwieger; Process for the refinement of vegetable phosphatides.
1,895,424; 1–24–33; Bruno Rewald; Light colored mixture of vegetable phosphatides and fatty oil.
1,903,397; 4–4–33; Bruno Rewald; Method of separating fatty constituents from oleaginous materials.
1,934,005; 11–7–33; Bruno Rewald; Method of preparing stable aqueous emulsions of lecithin and oil.
1,938,864; 12–12–33; Bruno Rewald; Insecticidal emulsions.
1,946,332; 2–6–34; Bruno Rewald; Dressing, sizing and softening oil.
1,977,940; 10–23–34; Fritz Frank; Sound record composition and method of making.
1,986,360; 1–1–35; Bruno Rewald, Thickening material for use in the printing of textile fabrics.
2,020,517; 11–12–35; Bruno Rewald; Treatment of fibrous and textile materials.
2,020,662; 11–12–35; Albert Schwieger; Process for the production of phosphatide preparation.
2,039,739; 5–5–36; Bruno Albert Rewald; Production of a lecithin nutrient material.
2,057,695; 10–20–36; Albert Schwieger; Method for the production of vegetable phosphatide preparations.

EXHIBIT B

Patent Number, Date of Issue, Inventor and Title
1,660,541; 2–28–28; Hermann Bollmann; Easily-soluble cocoa powder and process of making same.
1,762,077; 6–3–30; Bruno Rewald; Production of egg yolk substitutes.
1,776,721; 9–23–30; Hermann Bollmann; Method of production uniform pulverulent mixtures.
1,779,012; 10–21–30; Bruno Rewald; Auxiliary means for leather dressing.
1,843,051; 1–26–32; Friedrich Wilhelm Thiele; Baking composition and mode of preparing same.
1,903,397; 4–4–33; Bruno Rewald; Method of separating fatty constituents from oleaginous materials.
1,938,864; 12–12–33; Bruno Rewald; Insecticidal emulsions.
1,946,332; 2–6–34; Bruno Rewald; Dressing, sizing and softening oil.
1,946,333; 2–6–34; Bruno Rewald; Process for the production of rubber mixtures.
1,977,940; 10–23–34; Fritz Frank; Sound record composition and method of making.
1,986,360; 1–1–35; Bruno Rewald; Thickening material for use in the printing of textile fabrics.
2,020,517; 11–12–35; Bruno Rewald; Treatment of fibrous and textile materials.
2,039,739; 5–5–36; Bruno Albert Rewald; Production of a lecithin nutrient material.

[F. R. Doc. 44–9406; Filed, June 28, 1944; 10:27 a. m.]

[Vesting Order 3695]

L. A. P. C. O., S. A.

In re: Patent applications of L. A. P. C. O., S. A.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That L. A. P. C. O., S. A. is a business organization organized under the laws of and having its principal place of business in Switzerland and is a national of a foreign country (Switzerland);

2. That the property described in subparagraph 4 hereof is property of L. A. P. C. O., S. A.;

3. That L. A. P. C. O., S. A. appears on The Proclaimed List of Certain Blocked Nationals;

4. That the property described as follows:

Serial Number, Filing Date, Inventor and Title
427,660; 1–21–41; J. H. Jalbert; Connecting devices for electrical instruments on an aircraft.
462,961; 10–22–42; L. Gouy; Fuel meter for airplanes or other uses.
468,400; 12–9–42; L. Gouy; Arrangement of electrical instruments on an airplane.
500,582; 8–30–43; L. Gouy; Methods and devices for recording values such as speeds expressed by a quotient.

is property of a national of a foreign country (Switzerland);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9407; Filed, June 28, 1944; 10:27 a. m.]

[Vesting Order 3824]

GESCHE MAHLER

In re: Trust under will of Gesche Mahler, deceased; File No. D–28–1696; E. T. sec. 674.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Rutherford National Bank, as trustee, acting under the judicial supervision of the Bergen County Orphans' Court, Bergen County, New Jersey; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Cord Henry Wahlers, Germany.
Heinrich Wahlers, Germany.
Anna Wahlers, Germany.
Johannes Wahlers, Germany.
Greta Winderler, Germany.
Maria Wolters, Germany.
Henry Nevelin, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Cord Henry Wahlers, Heinrich Wahlers, Anna Wahlers, Johannes Wahlers, Greta Winderler, Maria Wolters and Henry Nevelin, and each of them, in and to the trust created under the Will of Gesche Mahler, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9413; Filed, June 28, 1944; 10:28 a. m.]

[Vesting Order 3825]

AMELIA MALINKA

In re: Estate of Amelia (sometimes known as Amalia) Malinka, deceased; File No. D–28–4147; E. T. sec. 7179.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Emil W. A. Schumann, 263 Central Avenue, Jersey City, New Jersey, as Executor, acting under the judicial supervision of the Hudson County Orphans' Court, Hudson County, New Jersey; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Elise Braden (nee Leitz), Germany.
Herrman Beyer, Germany.
Nanny Beyer Domack (nee Hartman), Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Elise Braden (nee Leitz), Herrman Beyer and Nanny Beyer Domack (nee (Hartman), and each of them, in and to the estate of Amelia (sometimes known as Amalia) Malinka, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9414; Filed, June 28, 1944; 10:28 a. m.]

[Vesting Order 3826]

CAROLINE MAUSS

In re: Estate of Caroline Mauss, deceased; File No. D–28–4343; E. T. sec. 7438.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by S. Charles Savona, as substituted-administrator, c. t. a., acting under the judicial supervision of the Bergen County Orphans' Court, Bergen County, New Jersey; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Charlotte Conrad, Germany.
Luwiese Schunk, Germany.
Ludwig Mauss, Germany.
Amalia Sauter, Germany.
Luwiese Huther, Germany.
August Leiner, Germany.
Philip Leiner, Germany.
Frits Mauss, Germany.
Susan Lebron, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Charlotte Conrad, Luwiese Schunk, Ludwig Mauss, Amalia Sauter, Luwiese Huther, August Leiner, Philip Leiner, Frits Mauss and Susan Lebron, and each of them, in and to the estate of Caroline Mauss, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9415; Filed, June 28, 1944; 10:28 a. m.]

[Vesting Order 3827]

ELIZABETH MILLER

In re: Estate of Elizabeth Miller, deceased; File: D–28–7484; E. T. sec. 7642.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Eugene H. Dowling, Executor, acting under the judicial supervision of the Circuit Court of the State of Oregon for the County of Multnomah;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Anna Blocher and her surviving children, Germany.
Katherine Balzer, also known as Katherine Belzer, and her surviving children, Germany.
Lina Petri and her surviving children, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Blocher and her surviving children, Katherine Balzer, also known as Katherine Belzer and her surviving children, and Lina Petri and her surviving children, and each of them, in and to the Estate of Elizabeth Miller, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9416; Filed, June 28, 1944; 10:28 a. m.]

[Vesting Order 3828]

EDWIN VERNON MORGAN

In re: Trust under will of Edwin Vernon Morgan, deceased; File D–28–6512; E. T. sec. 4057.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Irving Trust Company and Thomas P. Beal, Trustees, acting under the judicial supervision of the Surrogate's Court, Cayuga County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Henry XXXVII, Prince Reuss, also known as Heinrich XXXVII, Prinz Reuss, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Henry XXXVII, Prince Reuss, also known as Heinrich XXXVII, Prinz Reuss, in and to trust created under the will of Edwin Vernon Morgan, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order, may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time

as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9417; Filed, June 28, 1944; 10:29 a. m.]

[Vesting Order 3829]

ANTON SANDNER

In re: Estate of Anton Sandner, deceased; File D-28-7680; E. T. sec. 8220.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William J. Topken, Substituted Administrator, acting under the judicial supervision of the Camden County Orphans' Court, Camden County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Laurenz Sandner, Germany.
Egidius Sandner, Germany.
Karl Sandner, Germany.
Marie Martin, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Laurens Sandner, Egidius Sandner, Karl Sandner and Marie Martin, and each of them in and to the estate of Anton Sandner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9418; Filed, June 26, 1944; 10:29 a. m.]

[Vesting Order 3830]

NANNY SCHROEDER

In re: Mortgage Participation Certificate No. 113 of Series 18,174, issued by Lawyers Mortgage Company, of New York City, to Nanny Schroeder; File F-28-239; E. T. sec. 5253.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John K. Wallace, Karl Propper and Felix A. Muldoon, 75 Maiden Lane, New York City, New York, Trustees, acting under the judicial supervision of the Supreme Court of the State of New York, Bronx County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Nanny Schroeder, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Nanny Schroeder in and to Mortgage Participation Certificate No. 113 of Series 18,174 for $2,021.83, issued by Lawyers Mortgage Company, of New York City, New York,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country", as used herein, shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9419; Filed, June 26, 1944; 10:29 a. m.]

[Vesting Order 3831]

ALBERT SCHWEISSHELM

In re: Mortgage Participation Certificate No. 109 of Series No. 257831 issued by Lawyers Title and Guarantee Company to Albert Schweisshelm in the amount of $2,807.18; File F-28-18251; E. T. sec. 6084.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Title Guarantee and Trust Company, 176 Broadway, New York City, Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Albert Schweisshelm, Bismark Street 32, Marburg a/d Lahn, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Albert Schweisshelm in and to the mortgage participation certificate No. 109 of Series No. 257831 issued by Lawyers Title and Guarantee Company in the amount of $2,807.18,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9420; Filed, June 28, 1944; 10:29 a. m.]

[Vesting Order 3832]

JOSEPHINE SELLNER

In re: Estate of Josephine Sellner, deceased; file D-6-1071; E. T. sec. 8755.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Antoinette S. Armstrong and George W. Armstrong, as Executors, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Anna Sellner or her issue, Germany.
Maria Sellner Danek, also known as Maria Danek or her issue, Germany.
Anton Sellner or his issue, Germany.
Frank Sellner, also known as Franz Sellner, or his issue, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Sellner, or her issue, Maria Sellner Danek, also known as Maria Danek, or her issue, Anton Sellner, or his issue, and Frank Sellner, also known as Franz Sellner, or his issue, and each of them, in and to the estate of Josephine Sellner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9421; Filed, June 28, 1944; 10:29 a. m.]

[Vesting Order 3833]

WALTER WOHLLEBE

In re: Mortgage Participation Certificate No. 147 of Series 241766, issued by Bond and Mortgage Guarantee Company to Walter Wohllebe, in the amount of $4,532.25; File No. F-28-6211; E. T. sec. 4773.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Lafayette National Bank of Brooklyn in New York, 100 Livingston Street, Brooklyn, New York, Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Walter Wohllebe, Hude 1 Toldenberg, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Walter Wohllebe, in and to the Mortgage Participation Certificate No. 147 of Series 241766, in the amount of $4,532.25, issued by Bond and Mortgagee Guarantee Company,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien. Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9406; Filed, June 28, 1944; 10:27 a. m.]

[Vesting Order 3834]

RUDOLPH WOLFF

In re: Estate of Rudolph Wolff, deceased; File D-28-8614; E. T. sec. 10290.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Albert H. Kaufman, Executor, acting under the judicial supervision of the Superior Court of the State of California in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Nanny Jaeger, Germany.
Grete Stoltenberg, Germany.
Freda Stoltenberg, Germany.
Hilda Ehlers, Germany.
Bertha Brandt, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Nanny Jaeger, Grete Stoltenberg, Freda Stoltenberg, Hilda Ehlers and Bertha Brandt, and each of them, in and to the estate of Rudolph Wolff, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9409; Filed, June 28, 1944; 10:27 a. m.]

[Vesting Order 3840]

EMELIA DOERR

In re: Estate of Emelia Doerr, deceased; File D-28-3898; E. T. sec. 6657.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Carl W. Feickert, 7 Public Square, Belleville, Illinois, Administrator, acting under the judicial supervision of the Probate Court of St. Clair County, Belleville, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Erna Goehrisch, Germany.
Otto Doerr, Germany.
Heinrich Doerr, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Erna Goehrisch, Otto Doerr and Heinrich Doerr, and each of them, in and to the estate of Emelia Doerr, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9410; Filed, June 28, 1944; 10:27 a. m.]

[Vesting Order 3841]

GEORGE EDELMANN

In re: Estate of George Edelmann, deceased; File: D-28-8781; E. T. sec. 10649.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Joseph L. Heenan, Administrator with the Will Annexed, acting under the judicial supervision of the Superior Court of the County of Yuba, State of California;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Magtalena Edelmann, Germany.
Max Edelmann, Germany.
Maria Edelmann, Germany.
Viktor Edelmann, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Magtalena Edelmann, Max Edelmann, Maria Edelmann and Viktor Edelmann, and each of them, in and to the Estate of George Edelmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9411; Filed, June 28, 1944; 10:28 a. m.]

[Vesting Order 3842]

KATHERINE EIGENBROD

In re: Estate of Katherine Eigenbrod, deceased; File D-28-8294; E. T. sec. 9534.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Frederick Henry Eschmann, 7223 Ravinia Drive, Normandy, St. Louis County, Missouri, Executer, acting under the judicial supervision of the Probate Court of the City of St. Louis, State of Missouri;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Marie Schneider Hoingen, Germany.
Child or children of Marie Schneider Hoingen, names unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Marie Schneider Hoingen and child or children of Marie Schneider Hoingen, names unknown, and each of them, in and to the estate of Katherine Eigenbrod, deceased,

to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9412; Filed, June 28, 1944; 10:28 a. m.]

[Vesting Order 3843]

VACLAV KUBAT

In re: Estate of Vaclav Kubat, deceased; File D-17-222; E. T. sec. 5767.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of Cook County, County Building, Chicago, Illinois, Depositary, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Katerina (Katharina) Kubat, Holubar, Germany (Austria).

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $375.36 which is in the possession and custody of the Treasurer of Cook County, Illinois, Depositary, and which amount was deposited with the Treasurer of Cook County, Illinois on July 30, 1942 pursuant to an order of the Probate Court of Cook County, Illinois entered April 23, 1942 to the credit of the aforesaid national, in the matter of the estate of Vaclav Kubat, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9422; Filed, June 28, 1944; 10:29 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 1746]

S. J. STUBBS LUMBER CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1746 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a child's play pen manufactured by S. J. Stubbs Lumber Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a child's play pen manufactured by S. J. Stubbs Lumber Company, Jacksonville, Florida.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model no.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Child's play pen		*Per unit* $3.57	*Per unit* $4.20

These prices are net f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in paragraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Child's play pen		*Per unit* $4.20

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of June 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9332; Filed, June 26, 1944; 4:30 p. m.]

[MPR 188, Order 1751]

CROSS AND ROGERS

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1751 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two child's play pens manufactured by Cross and Rogers.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of two child's play pens manufactured by Cross and Rogers, 117½ East Third Street, Little Rock, Arkansas.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Child's play pen (without floor)	26	*Per unit* $2.13	*Per unit* $2.50
Child's play pen (with floor)	35	3.57	4.20

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Child's play pen (without floor)	26	*Per unit* $2.50
Child's play pen (with floor)	35	4.20

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of June 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9337; Filed, June 26, 1944; 4:32 p. m.]

[MPR 188, Order 1752]

W. H. CAMPBELL

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1752 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two piano benches manufactured by W. H. Campbell.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *it is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of two piano benches manufactured by W. H. Campbell, 11216 South Vermont Avenue, Los Angeles 44, California.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Piano bench	14" x 30" x 18", 19" or 20"	*Per unit* $4.88	*Per unit* $5.15
	15" x 35" x 18", 19" or 20"	4.89	5.75

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum prices are those set forth below f. o. b. factory:

Article	Model No.	Maximum price to retailers
Piano bench	14" x 30" x 18", 19" or 20"	*Per unit* $5.15
	15" x 35" x 18", 19" or 20"	6.75

(ii) For all sales and deliveries by persons who sell from the manufacturers' stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of June 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9338; Filed, June 26, 1944; 4:32 p. m.]

[MPR 188, Order 1753]

MARLIN FIREARMS CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1753 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of four tables manufactured by Marlin Firearms Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of four tables manufactured by Marlin Firearms Company, 85 Willow Street, New Haven, Conn.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model no.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Lamp table	A	*Per unit* $5.53	*Per unit* $6.50
Cocktail table	B	6.76	7.95
Coffee table	C	5.91	6.95
End table	D	5.53	6.50

These prices are net f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Lamp table	A	*Per unit* $6.50
Cocktail table	B	7.95
Coffee table	C	6.95
End table	D	6.50

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of June 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9339; Filed, June 26, 1944; 4:32 p. m.]

[MPR 188, Order 1754]

SIVAKOFF & MINER, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1754 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a folding bed tray manufactured by Sivakoff & Miner, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328: *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a folding bed tray man-

ufactured by Sivakoff & Miner, Inc., 141 Bowery, New York, New York.

(i) (i) For all sales and deliveries by the manufacturer to retailers, by the manufacturer to jobbers who carry stock, and by the manufacturer to persons other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Maximum price to jobbers who carry stock	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Folding bed tray...	*Per unit* $1.53	*Per unit* $1.61	*Per unit* $1.90

These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within ten days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by any person other than the manufacturer, the maximum price is that set forth below:

Maximum price to retailers

Article:
Folding bed tray..... $1.90 per unit

This price is f. o. b. factory in the case of sales by persons who resell the article from the manufacturer's stock; and f. o. b. seller's city in the case of sales by jobbers who carry stock. This price is also subject to a cash discount of 2% for payment within ten days.

(ii) For all sales and deliveries by resellers to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser for resale, other than a retailer, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of June 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9340; Filed, June 26, 1944; 4:32 p. m.]

[MPR 188, Order 1755]

PLINER AND SANDLER

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1755 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

Approval of maximum prices for sales of a juvenile rocker manufactured by Pliner and Sandler.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a juvenile rocker manufactured by Pliner & Sandler, 1304-06 Race Street, Philadelphia 7, Pennsylvania.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile rocker.....	Tear-drop....	*Per unit* $4.25	*Per unit* $5.00

These prices are f. o. b. factory and are subject to a cash discount of two per cent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries by retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Per unit
Child's rocker.....	5H-77	$1.21
Child's rocker.....	5H-65	1.08

These prices are subject to a cash discount of two per cent.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of June 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9341; Filed, June 26, 1944; 4:32 p. m.]

[MPR 188, Order 1756]

ROSWELL SEATING & CABINET CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1756 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two child's rockers manufactured by Roswell Seating & Cabinet Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries since the effective date of Maximum Price Regulation No. 188, of two child's rockers manufactured by Roswell Seating & Cabinet Co., Roswell, Georgia.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Per unit	*Per unit*
Child's rocker.....	5H-77	$1.05	$1.21
Child's rocker.....	5H-65	.94	1.08

These prices are f. o. b. Roswell, Georgia, and are subject to a cash discount of two per cent.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Per unit	*Per unit*
Child's rocker.....	5H-77	$3.57	$4.20
Child's rocker.....	5H-65	3.00	3.64

These prices are subject to a cash discount of two per cent.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum price and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of June 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9330; Filed, June 26, 1944; 4:30 p. m.]

[MPR 188, Order 1757]

PREFABRICATORS INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1757 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a child's play yard manufactured by Prefabricators Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a child's play yard manufactured by Prefabricators Inc., 1648 Platte Street, Denver 17, Colorado.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Per unit	*Per unit*
Child's play yard..	Finished....	$3.57	$4.20
	Unfinished..	3.00	3.64

These prices are f. o. b. factory, and are subject to a cash discount of two per cent for payment within ten days, net sixty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Per unit
Child's play yard.....	Finished.....	$4.20
	Unfinished....	3.64

These prices are subject to a cash discount of two per cent for payment within ten days, net sixty days.

(ii) for all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of June 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9329; Filed, June 26, 1944; 4:29 p. m.]

[MPR 188, Order 1758]

AMERICAN WOODWORKING CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1758 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of an unfinished juvenile table and bench set manufactured by American Woodworking Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a juvenile table and bench set manufactured by American Woodworking Co., 30 Water Street, West Haven, Connecticut.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Unfinished 3 piece table and bench set.	Juvenile	*Per set* $1.90	*Per set* $2.24

These prices are net f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in paragraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Unfinished 3 piece table and bench set.	Juvenile	*Per set* $2.24

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of June 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9333; Filed, June 26, 1944; 4:30 p. m.]

[MPR 188, Order 1759]

HARRY WOLSKY

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1759 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of an Adirondack chair manufactured by Harry Wolsky.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of an Adirondack chair manufactured by Harry Wolsky, 131-31 Merrick Road, Springfield Gardens, New York.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model no.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Adirondack chair		*Per unit* $3.72	*Per unit* $4.37

These prices are net f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Adirondack chair		*Per unit* $4.37

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of June 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9342; Filed, June 26, 1944; 4:33 p. m.]

[MPR 188, Order 1760]

B. AND M. MANUFACTURING CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1760 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a juvenile table and chair set manufactured by B. and M. Manufacturing Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a juvenile table and chair set manufactured by B and M Manufacturing Co., 4412 Donovan Ave., St. Louis, Missouri.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile table and chair set		*Each* $3.43	*Each* $4.04

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile table and chair set		*Each* $4.04

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of June 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9335; Filed, June 26, 1944; 4:31 p. m.]

[MPR 188, Order 1761]

ARKANSAS MILLS, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1761 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a juvenile table and chair set manufactured by Arkansas Mills, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a juvenile table and chair set manufactured by Arkansas Mills, Inc., West Memphis, Arkansas.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
3 piece table and chair set.	Juvenile	*Per set* $3.06	*Per set* $3.60

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
3 piece table and chair set.	Juvenile	*Per set* $3.60

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of June 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9325; Filed, June 26, 1944; 4:29 p. m.]

[MPR 188, Order 1762]

FISHER CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1762 under § 1499.158 of Maximum Price Regulation No. 188 manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of three items of juvenile furniture manufactured by The Fisher Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of three items of juvenile furniture manufactured by The Fisher Company, Charles City, Iowa.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Play yard	3	*Per unit* $4.89	*Per unit* $5.75
Chair swing	1	1.40	1.65
Swing stand	2	2.13	2.50

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be

made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Per unit
Play yard	3	$5.75
Chair swing	1	1.65
Swing stand	2	2.50

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of June 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9326; Filed, June 26, 1944; 4:29 p. m.]

[MPR 188, Order 1763]

CORNELIA MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1763 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a porch glider manufactured by Cornelia Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a porch glider manufactured by Cornelia Manufacturing Company, Cornelia, Georgia.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Per unit	*Per unit*
Porch glider	19F-75	$7.27	$8.55

These prices are f. o. b. factory and are subject to a cash discount of two per cent.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Per unit
Porch glider	19F-75	$8.55

This price is subject to a cash discount of two per cent.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of June 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9343; Filed, June 26, 1944; 4:33 p. m.]

[MPR 188, Order 1764]

MEMPHIS WOOD PRODUCTS CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1764 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a juvenile table and chair set manufactured by Memphis Wood Products Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a three-piece juvenile table and chair set manufactured by Memphis Wood Products Company, 1106 North Dunlap Street, Memphis 7, Tennessee.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers who resell from manufacturer's stock	Maximum price to retailers
		Per set	*Per set*
3 piece Juvenile chair and table set	460	$4.25	$5.00

These prices are f. o. b. factory and are subject to a cash discount of two per cent for payment upon receipt of bill of lading.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Per set
3 piece juvenile chair and table set	460	$5.00

This price is subject to the seller's customary terms, discounts, and allowances in effect during March 1942.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manfacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of June 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9327; Filed, June 26, 1944; 4:29 p. m.]

[MPR 188, Order 1775]

KRICK-TYNDALL CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1775 under § 1499.161 (a) (2) of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.161 (a) (2) of Maximum Price Regulation No. 188; *It is hereby ordered:*

(a) Specific authority is hereby granted to the Krick-Tyndall Company, Decatur, Indiana, to increase its presently established maximum prices for clay or shale drain tile by adding an amount per thousand feet not in excess of the amount set forth below opposite the following sizes and weights.

Size (inches)	Weight per foot	Adjustment per M feet
	Pounds	
3	4	$0.90
4	6	1.30
5	9	1.90
6	12	2.60
8	18	3.90
10	28	6.00
12	36	7.70
14	45	9.70
15	56	12.00
16	66	14.20
18	78	16.80
20	85	18.30
22	107	23.00
24	120	25.80

(b) The amount by which the Krick-Tyndall Company's maximum prices are increased pursuant to paragraph (a) hereof, shall be stated separately on the invoice with the following notation:

Increases permitted by the Office of Price Administration to maintain supply.

In addition the Krick-Tyndall Company shall furnish to each buyer purchasing its products for resale, on or before it makes the first delivery at the adjusted price, a written statement as follows:

The Office of Price Administration has granted an adjustment in price for drain tile manufactured by the Krick-Tyndall Company. The amount of the price increase is shown separately on the invoice in per-thousand feet.

You are permitted to add the actual dollars-and-cents amount of this price increase to your existing maximum prices on drain tile purchased from the Krick-Tyndall Company provided you specify the amount of the increase on your invoice given to the purchaser.

(c) Any person purchasing clay or shale drain tile manufactured by the Krick-Tyndall Company, Decatur, Indiana, for the purposes of resale may increase his present maximum prices established by the General Maximum Price Regulation by an amount not in excess of the actual dollars-and-cents increase in cost incurred by such person by reason of this adjustment: *Provided*, Such amount is shown separately on the invoice given to the purchaser.

(d) Discounts and other price differentials and other terms and conditions of sale shall be at least as favorable to purchasers as those which were in effect by each seller to his several classes of purchasers during March 1942.

This Order No. 1775 shall become effective June 27, 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9331; Filed, June 26, 1944; 4:30 p. m.]

[MPR 188, Order 1776]

DAY BROTHERS MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1776 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a child's play pen manufactured by Day Brothers Manufacturing Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a child's play pen manufactured by Day Brothers Manufacturing Co., Canisteo, New York.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Per unit	*Per unit*
Child's play pen		$3.57	$4.20

These prices are f. o. b. factory and are subject to a cash discount of two per cent for payment within ten days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Per unit
Child's play pen		$4.20

This price is subject to a cash discount of two per cent for payment within ten days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of June 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9334; Filed, June 26, 1944; 4:31 p. m.]

[MPR 188, Order 1777]

CAROLINA CRAFT SHOP

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1777 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a a child's high chair manufactured by Carolina Craft Shop.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a child's high chair manufactured by Carolina Craft Shop, High Point, North Carolina.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
High chair	401	*Per unit* $2.40	*Per unit* $4.00

This price is f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
High chair	401	*Per unit* $4.00

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 28th day of June 1944.

Issued this 27th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9369; Filed, June 27, 1944; 11:18 a. m.]

[MPR 188, Order 1779]

GATE CITY TABLE CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1779 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a new infant's high chair manufactured by Gate City Table Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by Gate City Table Company, 3-5-7 Haynes Street, S. W., Atlanta, Georgia, of a new infant's high chair of its manufacture, as described in its application dated April 5, 1944, since the effective date of Maximum Price Regulation No. 188 are as follow:

	To jobbers who sell against manufacturer's stock	To dealers
Infant's high chair	$3.40	$4.00

These maximum prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days.

(b) On and after the effective date of the Order, the maximum price for all sales and deliveries at wholesale by jobbers and any other persons from the manufacturer's stock of the infant's high chair described in paragraph (a) above shall be $4.00, f. o. b. shipping point. This maximum price is subject to a cash discount of 2% for payment within 10 days.

(c) At the time of or prior to the first invoice to each purchaser for resale, Gate City Table Company shall notify the purchaser for resale of the maximum prices and conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 28th day of June 1944.

Issued this 27th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9371; Filed, June 27, 1944; 11:16 a. m.]

[MPR 188, Order 41 Under Order A-2]

VERMONT TALC CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 41 under Order No. A-2 under Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion, issued simultaneously herewith, and pursuant to paragraph (a) (10) of Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188, *It is hereby ordered:*

(a) Specific authorization is hereby granted to the Vermont Talc Company, Chester, Vermont, to increase its established maximum prices for talc and talc products established by Maximum Price Regulation No. 188, as amended, by an amount not in excess of $0.40 per ton.

(b) Any person purchasing talc and talc products produced by the Vermont Talc Company, Chester, Vermont, may resell such products at prices not in excess of his established maximum prices therefor, adjusted upwards by an amount not in excess of his actual dollars-and-cents increase in cost incurred by reason of this adjustment.

This order may be revoked or amended at any time.

This Order No. 41 shall become effective June 29, 1944.

Issued this 28th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9470; Filed, June 28, 1944; 11:40 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-917]

NEW ORLEANS PUBLIC SERVICE INC.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 23rd day of June, A. D. 1944.

Notice is hereby given that an application and declaration has been filed with this Commission under the Public Utility Holding Company Act of 1935 and particularly under sections 6 (b) and 12 (c) and Rules U-42 and U-50 promulgated thereunder, by New Orleans Public Service Inc. ("New Orleans") a Louisiana Corporation and a utility subsidiary of Electric Power & Light Corporation ("Electric") a registered holding company; and

All interested persons are referred to said document which is on file in the offices of the Commission for a statement of the transactions therein proposed, which are summarized as follows:

New Orleans proposes to issue and sell at public sale, pursuant to the competitive bidding provisions of Rule U-50, $34,500,000 principal amount of First Mortgage Bonds to mature in 1974 and 77,798 shares of $100 par value Preferred Stock, the bid or bids for such securities to fix the interest and dividend rates respectively and the prices to be paid to the Company. The proceeds of the sale of the First Mortgage Bonds are to be applied, together with treasury cash, to the repayment, at the contract redemption price or maturity value, of all of New Orleans' presently outstanding bonded indebtedness in the aggregate principal amount of $35,005,880 plus accrued interest to the date of redemption or maturity as the case may be. The proceeds of the sale of the Preferred Stock are to be applied, together with treasury cash, to redeem at $110 per share, plus unpaid cumulative dividends to the date of redemption, all of the 77,798 shares presently outstanding of New Orleans $7 Preferred Stock.

The issue and sale of said First Mortgage Bonds and Preferred Stock will, according to the filing, be expressly authorized by the Commission Council of the City of New Orleans.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said declaration and application and that said declaration and application, shall not become effective or be granted except pursuant to further order of the Commission:

It is ordered, That a hearing on said declaration and application under the applicable provisions of the act and the rules of the Commission thereunder be held on July 11, 1944 at 10:00 a.m., e.w.t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day, the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order to the Commission Council of the City of New Orleans, the Louisiana Public Service Commission and to the applicants and declarants therein; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings, or proposing to intervene herein, shall file with the Secretary of the Commission, on or before July 8, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That without limiting the scope of the issues presented by said application and declaration, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed issue and sale of bonds and preferred stock by New Orleans is solely for the purpose of financing the business of said company and has been expressly authorized by a State Commission of the State in which New Orleans is organized and doing business.

(2) Whether the proposed redemption of 9,806 shares of Preferred Stock ($7) held by Electric is in compliance with the applicable statutory standards.

(3) What terms and conditions, if any, are necessary or appropriate in the public interest or the interest of investors or consumers to insure compliance with the requirements of the Public Utility Holding Company Act of 1935, or any rules, regulations, or order promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-9365; Filed, June 27, 1944; 2:38 p. m.]

[File Nos. 70-7, 70-25]

COLUMBIA GAS & ELECTRIC CORP., ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 23d day of June 1944.

In the matter of Columbia Gas & Electric Corporation, the Manufacturers Light and Heat Company, Manufacturers Gas Company, Pennsylvania Fuel Supply Company, Greensboro Gas Company, and Fayette County Gas Company; File Nos. 70-7; 70-25.

Columbia Gas & Electric Corporation, a registered holding company, and certain of its subsidiaries, The Manufacturers Light and Heat Company, Manufacturers Gas Company, Pennsylvania Fuel Supply Company, Greensboro Gas Company and Fayette County Gas Company, having filed joint applications and declarations, and amendments thereto, pursuant to sections 6, 7, 9, 10 and 12 of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder with respect to the following transactions:

1. The Manufacturers Light and Heat Company, Manufacturers Gas Company, Pennsylvania Fuel Supply Company and Greensboro Gas Company will merge and consolidate to form the Manufacturers Light and Heat Company, a new corporation, which will acquire all the assets and assume all the liabilities of the four constitutent companies. In connection therewith the new Manufacturers Light and Heat Company will issue 581,645 shares of $50 par value common stock to Columbia Gas & Electric Corporation and 15 shares to the minority interest in Manufacturers Light and Heat Company, or an aggregate of $29,083,000, in exchange for the outstanding stocks of the four constituent companies which have an aggregate par value of $35,058,400. The difference of $5,975,400 between the aggregate par values will be credited to capital surplus by the new Manufacturers Light and Heat Company.

2. Columbia Gas & Electric Corporation will, at the date of the merger and consolidation, make capital contributions aggregating $1,495,815, by forgiving $920,000 principal amount of notes of Manufacturers Gas Company and $575,815 of demand loans of Pennsylvania Fuel Supply Company, both owing to Columbia Gas & Electric Corporation; such contributions to be credited to capital surplus by the new Manufacturers Light and Heat Company.

3. Following the consolidation and merger the new Manufacturers Light and Heat Company will acquire all the assets and assume all the liabilities of Fayette County Gas Company, issuing in consideration therefor 19,556 shares of $50 par value common stock or an aggregate of $977,800. The difference of $677,807 between the aggregate par value of the securities to be issued and the book value of the net assets of Fayette County Gas Company ($1,655,607), after giving effect to a proposed dividend payment of $69,205, will be credited by the new Manufacturers Light and Heat Company to its capital surplus. Fayette County Gas Company will then dissolve, distributing the shares of the new Manufacturers Light and Heat Company to Columbia Gas & Electric Corporation as a liquidating dividend.

4. Except to give effect to the adjustments indicated in the foregoing paragraphs 1, 2 and 3, all assets of the consolidating companies will be recorded on the books of the new Manufacturers Light and Heat Company at their gross book values, all liabilities will be recorded at the amounts stated and credit will be made to reserve accounts in the same amounts shown to have been credited to such accounts on the books of the consolidating companies.

Public hearings with respect to said applications and declarations, as amended, having been held after appropriate notice, and the Commission having considered the record of the proceedings and having entered its findings and opinion herein:

It is ordered, That the aforesaid applications, as amended, be, and the same hereby are, granted forthwith and the aforesaid declarations, as amended, be, and the same hereby are, permitted to become effective, subject, however, to the terms and conditions prescribed in Rule U-24 and subject also to the following terms, conditions and reservations:

1. That if upon final determination of the amounts to be included in the plant accounts of the new Manufacturers Light and Heat Company it is found that the proposed capital surplus is inadequate for the adjustments to be charged thereto, the deficiency shall be supplied by Columbia Gas & Electric Corporation or its successor through the surrender and cancellation of an equivalent amount of the stock of the new Manufacturers Light and Heat Company and a legend to that effect shall be placed upon the stock certificates of the new Manufacturers Light and Heat Company.

2. The new Manufacturers Light and Heat Company shall not hereafter make any charges to capital surplus created in this program or which may be created as a result of subsequent contributions by Columbia Gas & Electric Corporation unless 30 days' prior notice of the making of such charge be given to this Commission. The Commission reserves jurisdiction on receipt of such notice, and as part of the proceeding herein, after notice given within such 30 days and opportunity for hearing, to disapprove such charge on the basis of the record herein and any additional evidence that may be provided, and in the event that the Commission shall notify the new Manufacturers Light and Heat Company to show cause why such charge should not be disapproved, the charge in question shall not be made until expressly authorized by order of this Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-9386; Filed, June 27, 1944; 2:38 p. m.]

WAR PRODUCTION BOARD.

[Certificate 205]

EXCHANGE AND USE IN CANADA OF TECHNICAL INFORMATION RELATING TO BUTADIENE

APPROVAL OF AGREEMENTS

The ATTORNEY GENERAL.

I submit herewith two agreements [1] entitled "Agreement on Exchange and Use in Canada of Technical Information Relating to Butadiene" and "Agreement Regarding Exchange and Use in Canada of Technical Information and Patent Rights Under Oil Industry Processes for Production of Butadiene." The first agreement is to be effective as of October 15, 1942, between His Majesty the King in Right of Canada, acting through Polymer Corporation Limited; Neches Butane Products Company; Cities Service Refining Corporation; Sinclair Rubber, Inc.; Eastern States Petroleum Co., Inc.; St. Clair Processing Corporation Limited; Rubber Reserve Company; Universal Oil Products Company; Standard Oil Development Company; Shell Development Company; Humble Oil and Refining Company; Koppers Company; Shell Oil Company, Incorporated; Shell Union Oil Corporation; Carbide and Carbon Chemicals Corporation; Phillips Petroleum Company; Celanese Corporation of America; Standard Oil Company of Louisiana; Hycar Chemical Company; The Dow Chemical Company; and The United Gas Improvement Company; and to be ratified by Jasco, Incorporated; The M. W. Kellogg Company; The Lummus Company; The B. F. Goodrich Company; and Koppers United Company. The second agreement is to be effective as of October 16, 1942, between His Majesty the King in Right of Canada, acting through Polymer Corporation Limited; Universal Oil Products Company; Standard Oil Development Company; Shell Development Company; and Phillips Petroleum Company; and to be ratified by Jasco, Incorporated; The M. W. Kellogg Company; and The Lummus Company. The agreements are proposed by the Rubber Reserve Company and have also been approved by the Rubber Director.

For the purposes of section 12 of Public Law No. 603, 77th Congress, (56 Stat. 357), I approve the agreements; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing or the omission to do any act or thing, by the parties to the agreements in compliance with the terms thereof is requisite to the prosecution of the war.

DONALD M. NELSON, *Chairman.*

JUNE 26, 1944.

[F. R. Doc. 44-9456; filed June 28, 1944; 11:24 a. m.]

[1] Filed as part of the original document.

[Certificate 206]

EXCHANGE AND USE IN CANADA OF TECHNICAL INFORMATION RELATING TO SYNTHETIC RUBBER

APPROVAL OF AGREEMENT

The ATTORNEY GENERAL.

I submit herewith a proposed "Agreement on Exchange and Use in Canada of Technical Information Relating to Synthetic Rubber"; [1] to be effective as of March 26, 1942, between His Majesty the King in Right of Canada, acting through Polymer Corporation Limited; Rubber Reserve Company; The Goodyear Tire & Rubber Company; The Firestone Tire & Rubber Company; United States Rubber Company; Hycar Chemical Company; The B. F. Goodrich Company; Standard Oil Development Company; Jasco, Incorporated; Canadian Synthetic Rubber Limited; The Goodyear Tire & Rubber Company of Canada, Limited; Firestone Tire & Rubber Company of Canada, Limited; Dominion Rubber Company Limited; and The B. F. Goodrich Company of Canada Limited. The agreement is proposed by the Rubber Reserve Company and has also been approved by the Rubber Director.

For the purposes of section 12 of Public Law No. 603, 77th Congress, (56 Stat. 357), I approve the agreement; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing or the omission to do any act or thing, by the parties to the agreement in compliance with the terms thereof is requisite to the prosecution of the war.

DONALD M. NELSON, *Chairman.*

JUNE 26, 1944.

[F. R. Doc. 44-9457; Filed, June 28, 1944; 11:24 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 130

Washington, Friday, June 30, 1944

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 18—WAR SERVICE REGULATIONS

By virtue of the authority vested in the United States Civil Service Commission by Executive Order No. 9063 dated February 16, 1942, Executive Order No. 9243 dated September 12, 1942, Directive No. X, War Manpower Commission, dated September 14, 1942, Executive Order No. 9378 dated September 23, 1943, and pursuant to the provisions of the Veterans' Preference Act of 1944 (Pub. Law 359, 78th Congress), the following revision of the regulations is hereby prescribed.

Sec.
18.1 Examinations.
18.2 Qualifications of applicants.
18.3 Rating and eligibility.
18.4 Recruitment and placement.
18.5 Appointment.
18.6 Promotion.
18.7 Removal.
18.8 Reappointment.
18.9 Transfer.
18.10 Release from government employment.
18.11 Extent of regulations.
18.12 Stabilization of employment.
18.13 Restoration of persons having reemployment rights.
18.14 War reemployment list.

AUTHORITY: §§ 18.1 to 18.14, inclusive, issued under E.O. No. 9063, Feb. 16, 1942, 7 F.R. 1075, E.O. 9243, Sept. 12, 1942, 7 F.R. 7213, E.O. 9378, Sept. 23, 1943, 8 F.R. 12987, Directive X, War Manpower Commission, Sept. 14, 1942, 7 F.R. 7296, 11050, 9 F.R. 8534; Veterans' Preference Act of 1944.

§ 18.1 *Examinations.* (a) Examinations for original appointment will be competitive except that when sufficient competent persons do not compete, noncompetitive examinations may be authorized. Examinations for promotion, reassignment, transfer and reappointment may be noncompetitive.

(b) *Competitive examinations.* Competitive examinations for original appointment will be held at such times and places and in such manner as the needs of the service require. Applicants granted ten-point preference under these regulations may file application at any time for any position they may specify for which there is an existing list or a list about to be established or to which any appointment has been made within the preceding three years. Applicants granted five-point preference under these regulations may file application at any time within six months after their discharge from the armed forces for examinations for which there are existing lists or for which lists are about to be established. Examinations reopened for preference applicants will be scheduled as the needs of the service require, but in any case not less than once each month.

(c) *Examination restricted to preference applicants.* In examinations for the positions of guards, elevator operators, messengers, custodians, and such other positions as the President may designate, competition shall be restricted to persons granted five- or ten-point preference under these regulations as long as such persons are available.

NOTE: This section supersedes Civil Service Rule III, 5 CFR, Part 3, with respect to positions covered by these regulations.

§ 18.2 *Qualifications of applicants*—(a) *Citizenship.* No person shall be admitted to a competitive examination unless he is a citizen of or owes allegiance to the United States. A noncitizen may be appointed through noncompetitive examination provided no citizen eligible is available and that the department or agency desiring his services has specific authority to employ noncitizens.

(b) *Form of application.* Application for examination must be made in such form and manner and accompanied by such certificates as the Commission may prescribe.

(c) *Disqualifications.* An applicant may be denied examination and an eligible may be denied appointment for any of the following reasons: (1) Dismissal

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

	Page
ALIEN PROPERTY CUSTODIAN:	
Vesting orders, etc.:	
Brackelsberg-Ofen G. m. b. H.	7276
Castle Rayon Corp.	7281
Chemische Werke Schuster & Wilhemy Patentverwertungsgesellschaft m. b. H.	7275
Comptoir des Textiles Artificiels, et al.	7275
Continental Car Hire Co.	7277
Hilo Brewery, Ltd.	7273
I. G. Farbenindustrie, A. G. (2 documents)	7274, 7281
Lehmann, J. M.	7276
Lohnes, Henry	7280
Maihak, H., A. G.	7277
Nistri, Umberto	7278
Ogawa, Saburo	7280
Pfaff, Anna	7280
Ruhrchemie A. G.	7278
Schoene, Dr. Ing. Kurt	7278
Scholz, Werner	7272
Shigemura, Shichiro	7281
Societe Francaise des Crins Artificiels, et al.	7274
von Philipp, Fritz and Hans	7277
Weber, Walter	7273
CHILDREN'S BUREAU:	
Certificates, acceptance; designation of States	7256
CIVIL SERVICE COMMISSION:	
War service regulations, revision	7235
COAST GUARD:	
Control, documentation and security intelligence interrogation of seamen in U. S.	7270
COMMODITY CREDIT CORPORATION:	
Rye, barley, and grain sorghums loan program, 1944	7247
Wheat, instructions concerning loans, 1944	7243
FEDERAL HOUSING ADMINISTRATION:	
Property improvement loans, Class 1 and 2	7253
FEDERAL POWER COMMISSION:	
Kentucky Natural Gas Corp., application filed	7271

(Continued on next page)

FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.

CONTENTS—Continued

	Page
FEDERAL TRADE COMMISSION:	
Hearings, etc:	
Dip Net Smelt Fishermen's Assn., et al	7272
Swain, R. L., Tobacco Co., Inc	7271
Utah Wholesale Grocery, et al	7271
IMMIGRATION AND NATURALIZATION SERVICE:	
Aliens who are occupational airmen, status	7252
INDIAN AFFAIRS OFFICE:	
Navajo Agency, operation and maintenance charges	7256
OFFICE OF PRICE ADMINISTRATION:	
Adjustments, etc.:	
Cobun, Walter D., et al	7262
Smyrna Novelty Mfg. Co	7262
Barium chemicals (MPR 543, Corr.)	7258
Bituminous coal (MPR 120, Am. 103)	7261

CONTENTS—Continued

	Page
OFFICE OF PRICE ADMINISTRATION—Continued.	
Coffee, green (PRS 50, Am. 10)	7261
Food:	
Immediate consumption (Restaurant MPR 2)	7263
Processed (Rev. RO 13, Am. 44)	7257
Rationing for institutional users (Gen. RO 5, Am. 72)	7260
Fruits and vegetables, fresh (MPR 426, Am. 34, 35) (2 documents)	7259, 7268
Gum rosin (TMPR 36)	7258
Hawaii:	
Gasoline rationing (RO 5F, Am. 12)	7262
Jewelry (MPR 373, Am. 68)	7262
Honey (MPR 275)	7261
Meat, fats, fish and cheeses, (Rev. RO 16, Am. 7, 10; Am. 2 to 2d Rev. Supp. 1) (3 documents)	7258, 7262
Paperboard (RPS 32, Am. 14)	7261
Regional and district office orders:	
Community ceiling prices, list of orders filed	7283
Potatoes and onions, California	7283
Tires and tubes (RMPR 143, Am. 1)	7260
Watches, imported Swiss (MPR 499, Am. 2)	7261
PUBLIC CONTRACTS DIVISION:	
Dental goods and equipment manufacturing industry, minimum wage rates	7270
SECURITIES AND EXCHANGE COMMISSION:	
New River Co., hearing	7284
WAR FOOD ADMINISTRATION. *See also* COMMODITY CREDIT CORPORATION.	
Grapefruit, Texas (WFO 85, termination)	7251
Lettuce, wage rates for workers in Santa Maria Valley, Calif	7256
Milk, Philadelphia, Pa., marketing area	7284
Milk cans and covers, metal, distribution (WFO 104)	7249
Tea quotas, etc. (WFO 18–3, Am. 5)	7251
WAR PRODUCTION BOARD:	
Suspension order, Home Builders Corp	7257

from the service for delinquency or misconduct; (2) physical or mental unfitness for the position for which he applies: *Provided*, That, in the case of any person granted five- or ten-point preference under these regulations who is, in the opinion of the Commission, physically able to discharge efficiently the duties of the position for which examined or to which appointment is proposed, the Commission shall waive the physical requirements, after giving due consideration to the recommendation of any accredited physician, and the age, height, and weight requirements; (3) criminal, infamour, dishonest, immoral, or notoriously disgraceful conduct; (4) intentional false statements as to any material fact, or deception or fraud in securing examination or appointment; (5) refusal to furnish testimony as required by Part 14 of this chapter; (6) habitual use of intoxicating beverages to excess; (7) a reasonable doubt as to his loyalty to the Government of the United States; (8) any legal disqualification for appointment.

Any of the reasons stated in the foregoing subparagraphs from (2) through (8) inclusive, shall also be sufficient cause for removal from the service.

(d) *Age limits.* There will be no maximum age limits except where the appointing officer establishes to the satisfaction of the Commission that the interests of sound administration require such limits for a particular position.

A person retired under the age or optional provision of the Civil Service Retirement Act may be reemployed only in the event the appointing authority determines that he is possessed of special qualifications.

(e) *Education.* No minimum educational requirement will be prescribed in any examination except for such scientific, technical or professional positions the duties of which the Commission decides cannot be performed by a person who does not have such education.

NOTE: This section supersedes Civil Service Rule V, 5 CFR, Part 5, with respect to positions covered by these regulations.

§ 18.3 *Rating and eligibility*—(a) *Rating.* Examination papers shall be rated on a scale of 100.

When an applicant granted five- or ten-point preference under these regulations is rated in examinations where experience is an element of qualifications, time spent in the military or naval service of the United States shall be considered as an extension of time spent in the position in which the applicant was employed immediately prior to his entrance into the military or naval service where such position was similar to that for which he is filing application. In all examinations to determine the qualifications of an applicant credit shall be given for all valuable experience, including experience gained in religious, civic, welfare, service, and organizational activities, regardless of whether any compensation was received therefor.

(b) *Preference.* In examinations for appointment or reappointment five points shall be added to the earned ratings of honorably discharged ex-service men and women who have served in any branch of the armed forces of the United States during any war or in any campaign or expedition (for which a campaign badge has been authorized). The following shall have ten points added to their ratings:

(1) Honorably discharged ex-service men and women who have served in any branch of the armed forces of the United States and who have established the present existence of service-connected disability or receipt of compensation, disability retirement benefits, or pension by reason of public laws administered by the Veterans' Administration, the War Department or the Navy Department.

(2) The wives of honorably discharged service-connected disabled exservicemen as have themselves been unable to qualify for any civil service appointment.

(3) The unmarried widows of honorably discharged deceased ex-servicemen who had served in any branch of the armed forces of the United States during any war, or in any campaign or expedition (for which a campaign badge has been authorized).

As used in this paragraph "honorably discharged" shall mean any separation from active duty in any branch of the armed forces under honorable conditions. A transfer to inactive status, a transfer to retired status, the acceptance of a resignation, or the issuance of a discharge will be considered as covered by the above definition if such separation was under honorable conditions.

(c) *Eligible lists.* The names of all competitors rated eligible will be entered on appropriate lists in accordance with their ratings; except that,

(1) The names of eligibles granted five- or ten-point preference under these regulations shall be entered on lists of eligibles in accordance with their respective augmented ratings, and the name of a preference eligible shall be entered ahead of all others having the same rating: *Provided* That, except on lists of eligibles for positions in the professional and scientific services for which the basic entrance salary is over $3000 per annum, the names of eligibles granted ten-point preference under these regulations shall be placed at the top of the appropriate eligible lists.

(2) The order of listing provided for in this section shall, for lists established for the departmental service, be subject to the provisions of § 18.4 (c) of this part relating to the apportionment of appointments among the States and Territories.

(d) *Term of eligibility.* Eligibility on any list shall continue until terminated by the Commission for all eligibles on the list or in accordance with § 18.4 (d) of this part: *Provided*, That eligibility granted under paragraph (e) of this section or as a result of a reopened examination under § 18.1 (b) of this part shall not be terminated in less than one year except in accordance with § 18.4 (d) of this part.

(e) *Restoration to lists of preference employees who have resigned.* Any employee entitled to preference under these regulations who resigns shall, upon request, have his name reëntered on the registers upon which his name formerly appeared, or any current registers which have succeeded those registers and for which the qualification requirements are substantially the same as for the registers on which his name formerly appeared, in the order provided in paragraph (c) of this section, and shall be eligible for recertification and reappointment in accordance with the procedure provided in § 18.4 (d) of this part: *Provided*, That whenever there is reasonable doubt as to the applicant's present qualifications for the position the Commission may impose further tests of fitness.

NOTE: This section supersedes Civil Service Rule VI, 5 CFR, Part 6, with respect to positions covered by these regulations.

§ 18.4 *Recruiting and placement*—(a) *Procedure in filling vacancies.* In conformity with the over-all labor supply policies of the Federal government which have been established in view of the comparatively small number of qualified persons now available for appointment to many positions, and in order to avoid competitive recruitment programs on the part of the agencies of the Federal government, the following procedures in the filling of vacancies must be observed:

(1) *Estimates of personnel needs.* Each department and agency shall report to the Commission its estimated future needs for personnel, both in Washington and in the field, in such form and at such intervals as the Commission may prescribe.

(2) *Procedure in filling vacancies.* As soon as the need for filling positions becomes apparent, the department or agency concerned must place a requisition for personnel with the Commission.

(3) *Consideration of qualified employees within the service.* In filling requisitions for personnel, consideration will be given to qualified employees already in the Federal service. Special consideration will be given to those who may, by order of the Director of the Bureau of the Budget, represent excess personnel where presently employed. Every effort will be made to utilize fully present employees of the Government before new employees are brought in from the outside.

(4) *Developing sources of supply of qualified personnel.* The Commission shall, in consultation with the department or agency concerned, work out a program for developing sources of supply of qualified personnel. This program shall be of such a nature that full utilization will be made by the Commission of any resources available to the department or agency concerned.

No activities for developing sources of supply of qualified personnel shall be carried on except with the prior approval of the Commission and under its direction.

(5) *Applications for employment.* Applications for employment in any position in the Government service subject to these regulations, whether by original appointment or transfer, filed with any department or agency of the executive branch of the Government shall be promptly transmitted to the Commission or its representatives. A person calling at any department or agency located in Washington, D. C., in connection with obtaining employment shall not be asked to complete an application by such department or agency, except as may be provided for under subparagraph (3) of this paragraph, or except when the person is presently employed or has been formerly employed in the Federal service, and the appointing officer of the department or agency submits an immediate recommendation for the transfer or reemployment of such person. Under the latter circumstances an application may be taken and forwarded to the Commission.

(6) *Publicity.* No department or agency of the Government shall give any publicity to its needs or prospective needs for personnel through the press, in periodicals, trade or professional journals, over the radio, or otherwise, without the express prior approval of the Commission or its authorized representatives, and, after such approval, only in accordance with the applicable directives and procedures of the Office of War Information. This subparagraph shall apply to all positions which are subject to the War Service Regulations or to the Civil Service Act and Rules.

(7) *Furnishing of names.* Upon receipt of a request for names of qualified persons, the Commission shall certify from the head of the appropriate list of eligibles a number of persons sufficient to permit the nominating or appointing officer to consider three names in connection with each vacancy: *Provided*, That no certification shall be made from a competitive list of eligibles, except of ten-point preference eligibles, when there are three or more names of eligibles granted five- or ten-point preference under these regulations on the War Reemployment List who are qualified and available for the position to be filled.

The eligibles supplied by the Commission will not include the names of persons suggested by the appointing officer unless such persons are within reach for certification in accordance with these regulations. The Commission will not normally certify the name of a person proposed by an agency unless and until it has had a minimum period of two weeks in which to certify qualified applicants in response to the requisition. Under emergency circumstances, the Commission may shorten the time period specified in the preceding sentence, and the Commission may require a longer time period in the event of doubt as to the qualifications of the proposed appointee and in the temporary absence of other qualified candidates.

Whenever public announcement is made of a special competitive examination for filling a particular vacancy in which the statement is made that the register will expire upon appointment to the particular vacancy, such vacancy may not thereafter be filled noncompetitively by promotion, transfer, reappointment, or otherwise. Applications for such examination, however, may be accepted by the Commission from persons who are currently in the Federal service, or who have a status for reappointment to such service, and who are specially recommended by the appointing officer at any time before appointment is made to the vacancy involved. The qualifications of such persons will be rated under the competitive standards observed in the examination, and their names will be entered on the register and certified as if they had originally filed an application in the competitive examination.

(8) *Return of requisitions.* Whenever a requisition for personnel from any department or agency specifies qualifications which are, in the judgment of the Commission, too exacting in the light of the requirements of the job and of present labor market conditions, the Com-

mission will return the requisition. In returning such requisitions, the Commission will indicate its willingness to work out with the department or agency concerned some other solution of its need for personnel, such as the development of a suitable training program and the recruitment of necessary trainees for such a program.

(9) *Direct recruiting.* The Commission may, upon agreement with the department or agency concerned, recruit persons directly for the filling of specific vacancies.

(b) *Sex.* Requisitions for personnel shall be filled without regard to sex unless sex desired is specified by the appointing officer.

(c) *Apportionment.* In filling requisitions for appointment in the departmental service of the departments or independent offices procedures shall be followed which will maintain, as nearly as the conditions of good administration warrant, the apportionment of appointments among the several States and Territories and the District of Columbia upon the basis of population, but the names of eligibles who have been granted military preference shall be supplied without regard to apportionment: *Provided,* That appointments to the following positions shall not be so apportioned:

(1) In all departments and offices: All positions for which the entrance salary is $1,440 or less per annum and all positions of telephone operators, artisan positions in a recognized trade, craft, or skilled (manual) occupation, helpers and apprentices in such occupations, and other subordinate employees, including laborers, in manual occupations and including foremen of laborers, and other foremen and supervisory artisan positions the incumbents of which are required, in the performance of their duties, to have knowledge of the trades, crafts, or skilled occupations.

(2) In the Government Printing Office, mail-equipment shops, local offices in the District of Columbia, field service of the military staff departments and at Army headquarters: All positions.

(d) *Selection.* The nominating or appointing officer shall, with sole reference to merit and fitness, make selections for appointment to each vacancy from not more than the highest three names available for appointment on the certificate: *Provided,* That the appointing officer need not consider any nonpreference eligible who has been within his reach for three separate vacancies or against whom objection shall be made and sustained for any of the reasons stated in § 18.2 (c) of this part. The second and any additional vacancies shall be filled in like manner.

An appointing officer who passes over an eligible granted five- or ten-point preference under these regulations and tentatively selects a non-preference eligible shall file with the Commission his reasons in writing for so doing and the Commission shall determine the sufficiency or insufficiency of such submitted reasons. The nonpreference eligible tentatively selected may not legally be appointed until the appointing officer has considered the findings of the Commission as to the sufficiency or insufficiency of the reasons submitted for passing over the preference eligible. Upon receipt of a finding of the Commission that the reasons for passing over a preference eligible are sufficient, the nonpreference eligible tentatively selected may be appointed. If the Commission finds that the reasons submitted are insufficient the appointing officer may (1) submit additional information in support of his reasons, in which case the appointment of the nonpreference eligible may not be made until the appointing officer receives the findings of the Commission on the additional information; or (2) consider the findings of the Commission as to insufficiency and appoint either the preference eligible or the tentatively selected nonpreference eligible. A copy of the appointing officer's reasons and the Commission's findings shall, upon request, be sent to the eligible or his designated representative. If upon certification reasons deemed sufficient by the Commission for passing over his name shall three times have been given by an appointing officer, certification of his name for appointment will thereafter be discontinued, prior notice of which shall be sent to the eligible. Any nonpreference eligible who has been within reach for three separate vacancies in his turn, and any preference eligible who has been passed over three times for reasons deemed sufficient by the Commission, may be subsequently selected, subject to the approval of the Commission, from the certificate on which his name last appeared if the condition of the list has not so changed as to place him in other respects beyond reach of certification.

NOTE: This section supersedes Civil Service Rule VII, 5 CFR, Part 7, with respect to positions covered by these regulations.

§ 18.5 *Appointment*—(a) *Notification of eligibles.* An eligible selected for appointment shall be duly notified in writing by the appointing officer.

(b) *Status of appointees.* Persons appointed under these regulations will not thereby acquire a classified (competitive) civil service status. Unless otherwise specifically limited such appointments may be for the duration of the present war and for six months thereafter.

(c) *Trial period.* Except for persons appointed for a specific period of one year or less, the first full year of service shall be a trial period, satisfactory completion of which shall be considered part of the entrance examination. If and when, after a full and fair trial during this period, the conduct or capacity of the trial appointee be not satisfactory to the appointing officer, the appointee may at any time thereafter during the trial period be so notified in writing, and such notice shall terminate his service. In the case of substitutes in the Postal Service the trial period will be 2,488 hours of active duty.

(d) *Emergency appointment without examination.* (1) In cases of extreme emergency where positions must be filled without delay, and where time does not permit the securing of prior authority, emergency appointments for not to exceed thirty days may be made without examination and without specific authority of the Commission. This authority shall not apply to positions in Washington, D. C., or to positions in cities where Regional Offices or Branch Regional Offices of the Commission are located. Such appointments may not be extended beyond the thirty-day period without the express prior approval of the Commission.

(2) Notwithstanding the provisions of this paragraph, all existing special agreements between the Commission and any department or agency are continued in effect until further notice except that such appointments will be made initially under Executive Order No. 9063. Approval of the Commission or the Regional Director or his representative must be obtained for continuation of such appointments beyond the period authorized by such agreements.

(3) Except as provided in subparagraphs (1) and (2) of this paragraph, appointment without examination may be made only with the express prior approval of the Commission.

(4) In making appointments under this paragraph, the appointing officer shall give first consideration to those qualified applicants who are entitled to military preference under the provisions of these regulations.

(5) The War Service indefinite appointment in the same agency or another agency of any employee serving under an emergency appointment under this paragraph may not be authorized noncompetitively under § 18.9 of this part unless he has a status for reappointment under § 18.8 of this part, or unless he has served 90 days under such temporary appointment and extensions thereof. Service under an emergency appointment of a non-preference eligible who is within reach for indefinite appointment on an appropriate list of eligibles will not be considered as a satisfactory reason for passing over a preference eligible higher on such list and selecting the non-preference eligible.

(e) *Noncompetitive appointment necessitated by war program.* When, in the discretion of the Commission, the exigencies of the war program demand that a position be filled immediately before the Commission has time to establish a formal list of eligibles the noncompetitive appointment of a qualified person who is immediately available may be authorized: *Provided,* That such an appointment shall be a temporary appointment not to exceed one year and may be renewed for one additional year at the discretion of the department or agency concerned.

(f) *Positions which become subject to the War Service regulations.* The following classes of employees may be given war service appointments without prior approval of the Commission:

(1) Any person holding a position in a public or private enterprise which is taken over by the Federal Government and who thereby becomes an employee of the Government.

(2) Any Federal employee holding a position which is excepted from the Civil Service Act and rules and the War Service regulations when his position is made subject to the Civil Service Act and Rules or the War Service Regulations.

All war service appointments made under this paragraph shall be reported immediately to the Commission.

No person given a war service appointment under this paragraph shall acquire eligibility for a classified civil service status until six months after the end of the present war. At the expiration of six months after the war, such person may be recommended for a classified civil service status in accordance with § 2.6 of this chapter provided his position becomes a permanent position in the classified civil service and he is still the incumbent thereof.

This section shall not apply to postal employees who become eligible for a classified civil service status in accordance with § 2.7 of this chapter.

NOTE: This section supersedes Civil Service Rules VII and VIII, 5 CFR Parts 7 and 8, with respect to positions covered by these regulations.

§ 18.6 *Promotion*—(a) *Procedure in promotion.* Employees appointed to indefinite or temporary positions under the provisions of these regulations may be promoted within the same department or agency in the same manner and under the same procedure and standards as employees having a classified civil service status: *Provided,* That no promotion shall be made of persons who are serving under emergency appointments authorized under § 18.5 (d) of this part.

(b) *Qualifications.* In determining qualifications for promotion with respect to employees entitled to five- or ten-point preference under these regulations, any requirements as to age, height, and weight shall be waived provided any such requirement is not essential to the performance of the duties of the position. After due consideration has been given to the recommendation of any accredited physician, the physical requirements shall be waived in the case of any such employee provided he is found physically able to discharge efficiently the duties of the position for which promotion is proposed.

(c) *Promotion of substitutes.* Whenever in the Postal Service two or more substitutes are appointed on the same day, they shall be promoted to the regular force in the order in which their names appeared on the civil service register from which they were originally appointed whenever there are substitutes of the required sex who are available and will accept, unless such vacancies are filled by transfer or reinstatement.

NOTE: For regulations relating to promotion of employees having a classified civil service status, see 5 CFR Part 11.

§ 18.7 *Removal*—(a) *Procedure in removals.* The provisions of Part 12 of this chapter shall apply to all persons appointed under the provisions of these regulations except (1) those appointed for period specifically limited to one year or less, (2) those serving the trial period provided for in § 18.5 (c) of this chapter, and (3) those appointed subject to a condition imposed by the Commission which has not been complied with.

(b) *Preference employees.* In addition to any rights to which he may be entitled under paragraph (a) of this section, any employee (other than those excepted in paragraph (a) of this section) entitled to five- or ten-point preference under these regulations, who is proposed for involuntary discharge, suspension for more than thirty days, furlough without pay, or reduction in rank or compensation, shall have at least thirty days' advance written notice (except where there is reasonable cause to believe the employee to be guilty of a crime for which a sentence of imprisonment can be imposed), stating any and all reasons, specifically and in detail, for any such proposed action. Such preference employee shall be allowed a reasonable time for answering the same personally and in writing, and for furnishing affidavits in support of such answer, and shall have the right to appeal to the Commission from an adverse decision of the administrative officer so acting. Such appeal shall be made in writing within a reasonable length of time after the date of receipt of notice of such adverse decision: *Provided,* That such preference employee shall have the right to make a personal appearance, or an appearance through a designated representative, in accordance with rules and regulations of the Commission. After investigation and consideration of the evidence submitted, the Commission shall submit its findings and recommendations to the proper administrative officer and shall send copies of the same to the appellant or his designated representative: *Provided further,* That the Commission may declare any such preference eligible who may have been dismissed or furloughed without pay to be eligible for entry of his name on the War Reemployment List.

§ 18.8 *Reappointment of persons granted preference.* (a) Subject to the prior approval of the Commission a former civilian employee of the executive branch of the Federal Government or the District of Columbia Government who is entitled to military preference under these regulations may be reappointed by war service appointment to any position for which he meets the standards as to experience and training established for open competitive examination for such position: *Provided,* That noncompetitive standards may be used in determining the qualifications of such person proposed by his former agency for reappointment to the same or a lower grade position of the same general type as one in which he previously served in such agency.

(b) *Reappointment of persons with civil service status.* Subject to the prior approval of the Commission a former civilian employee who would have a status for reinstatement under Part 9 of this chapter and the regulations in force prior to March 16, 1942, may be reappointed by war service appointment to any position for which he meets the standards as to experience and training established for open competitive examination for such positions: *Provided,* That noncompetitive standards may be used for determining the qualifications of such person proposed by his former agency for reappointment to the same or a lower grade position of the same general type as one in which he previously served in such agency.

(c) *Reappointment of persons without civil service status or preference.* Subject to the prior approval of the Commission a former civilian employee who does not have a status for reappointment under paragraph (a) or (b) of this section but who has served at least one month under war service indefinite appointment may, within twelve months of separation from such appointment, be reappointed by war service appointment to any position in the agency in which such service was rendered for which he meets the standards as to experience and training established for open competitive examination for such position: *Provided,* That noncompetitive standards may be used in determining the qualifications of such person for reappointment to the same or a lower grade position of the same general type as one in which he previously served in such agency.

(d) *Actual service required.* Reappointment under this section must be for actual service and not primarily for the purpose of bringing former employees within the provisions of the Civil Service Retirement Act as amended.

(e) *Trial period.* Persons reappointed under this section will be required to serve a trial period of one year in accordance with § 18.5 (c) of this part. In the case of substitutes in the Postal Service the trial period will be 2448 hours of active duty.

(f) *Postal Service.* When a former classified employee is to be reinstated to a position in the Postal Service, reinstatement will be made under Part 9 of this chapter.

Temporary appointment in the Postal Service may be authorized, when necessary, under § 8.1 of this chapter pending reinstatement or reappointment.

NOTE: This section supersedes Civil Service Rule IX, 5 CFR Part 9, with respect to positions covered by these regulations.

§ 18.9 *Transfer*—(a) *Transfers in interests of war program.* In determining whether an employee can make a more effective contribution to the war program in some other Government position, or in a position in private or public enterprise, for the purpose of this section the Commission will base its finding upon:

(1) The extent to which the skills, abilities, training and experience of the employee are required and will be utilized by the departments, agencies, activities or private or public enterprise concerned; and

(2) The relative importance of the war program of the government activities in which the employee has been employed and to which he will be transferred; and

(3) The relative importance to the war program of the government activity in which the employee has been employed and of the private or public enterprise to which he will be transferred, as indicated by such policies and directives as the Chairman of the War Manpower Commission may prescribe.

(b) *Inter-agency transfers.* (1) Whenever the Commission shall find that an employee will make a more effective contribution to the war program in a position in some other agency or activity,

transfer will be authorized by the Commission under Directive No. X of the War Manpower Commission (effective September 27, 1942), 7 F.R. 7298, 11050; 9 F.R. 3534. Such transfer shall be authorized subject to the following conditions:

(i) The employee transferred shall be entitled to the reemployment benefits set forth in paragraph (e) of this section.

(ii) The consent of the employee shall not be required, but any employee whose transfer is to be directed without his consent shall be afforded such period of time as the War Transfer Unit of the Contral Office of the Commission or the War Transfer Unit of a Regional Office, as the case may be, may specify to present in writing reasons and evidence that the proposed transfer is inequitable or will impose upon him an undue hardship. The employee's statement will be considered by the War Transfer Unit in the Central Office or in a Regional Office, as the case may be, and if it is decided to direct the transfer, the employee shall be so notified and afforded a reasonable period of time to file an appeal.

Upon receipt of an appeal from the employee, there will be designated by the Chief Law Officer of the Commission (or, in cases involving employees in the field service, by the Regional Director) a committee consisting of an employee representative and an administrative or supervisory official of a Government department or agency not involved in the proposed transfer to consider the employee's statement and such other evidence as it may consider pertinent, and to report to the Commission's Chief Law Officer, or the Regional Director, as the case may be, its findings as to whether the proposed transfer is inequitable or will impose an undue hardship upon the employee. Final decision as to whether the proposed transfer shall be ordered will be made by the Commission's Chief Law Officer, or the Regional Director, as the case may be: *Provided*, That whenever the Chief Law Officer or the Regional Director does not agree with the findings of the Committee, the case shall be forwarded to the Commission for final decision. If the special committee is unable to agree on a finding, the Chief Law Officer or the Regional Director, as the case may be, shall forward the case to the Commission for final decision with his recommendation.

(iii) Whenever a transfer is authorized under this subparagraph to a position beyond reasonable commuting distance from the home of the employee concerned, the department or agency to which he is transferred shall reimburse the employee for the cost of transporting himself and his household goods, out of funds available to the agency for expenses of travel or transportation, in accordance with Government regulations. No employee shall, without his consent, be transferred to a position at a lower salary than he is receiving at the time transfer is initiated.

(iv) The consent of the agency in which the employee is serving shall not be required, but such agency shall be notified by the Commission and allowed such period of time as the Commission shall specify to present evidence that its work will be jeopardized by the loss of the employee's services and as to the extent to which the employee's skills, abilities, training, and experience are being and will be utilized in connection with the war program or essential supporting activities in such department or agency. The Commission will consider this, and all other relevant evidence, and unless a decision to the contrary is reached by the Commission, the transfer shall become effective within ten days of the original notification. In the event that the Commission finds that the agency's work will be jeopardized by an immediate transfer of the employee, the transfer shall become effective on such date as the Commission may specify.

(v) An employee desiring to apply for transfer may file his application either with the Commission or with the agency to which he desires transfer. The department or agency receiving applications for transfer from such employees shall forward the applications immediately to the Commission. The applications may be accompanied by request for transfer or reappointment.

(vi) The Commission may, of its own motion, initiate action to effect transfers under this paragraph.

(2) Transfers may be authorized by the Commission without reemployment rights under Executive Order No. 9063 of February 16, 1942, under the conditions listed below: *Provided*, That in the judgment of the Commission the transfer is not contrary to the best interests of the war program or contrary to the most effective methods of filling the Federal Government's requirements for manpower in the civilian service or in conflict with the policies or directives of the War Manpower Commission:

(i) When the employee has compelling personal reasons for seeking a transfer and to remain in his present position would be an undue hardship upon the employee, or

(ii) When the transfer under the provisions of Directive No. X of the War Manpower Commission (7 F.R. 7298, 11050; 9 F. R. 3534) may not be made with reemployment rights but, in the judgment of the Commission, would be in the best interests of the Government service.

Should the department or agency in which the employee is serving object to the proposed transfer, the Commission will consider such information and evidence as may be submitted by the department and make a final decision as to whether the transfer shall be authorized.

(c) *Intra-agency transfers.* The transfer of any employee from one activity or office to another activity or office within the same department or agency may be effected by the head of the department or agency without the prior approval of the Commission, subject to the following conditions:

(1) An employee transferred under this paragraph shall be entitled to the reemployment benefits set forth in paragraph (e) of this section whenever the head of the agency concerned shall find that the skills and qualifications possessed by the employee can be better utilized in the position to which he is transferred, and that the employee can thus make a more effective contribution to the war program. All transfers under this section involving reemployment benefits shall be reported to the Commission within one week after the effective date of the transfer.

(2) All other transfers within a department or agency shall be made and reported to the Commission as heretofore.

(3) The Commission may, of its own motion, initiate action to effect such transfers.

(d) *Transfers to private or public enterprise.* The release of any employee from any department or agency for employment in a private or public enterprise, including an activity carried on by a State, Territory, or possession of the United States, or by any political subdivision thereof, or by any agency or instrumentality of a State, Territory, or possession of the United States or their political subdivisions, will be authorized by the Commission under Directive No. X of the War Manpower Commission (effective September 27, 1942) 7 F.R. 7298, 11050; 9 F.R. 3534, whenever the Commission shall find that such employee is qualified to perform work in a critical war occupation (as defined in the Essential Activities and Essential Occupations Directive of the War Manpower Commission, 7 F.R. 4748) and can make a more effective contribution to the war effort in an essential activity carried on by a private or public enterprise, subject to the following conditions:

(1) An employee released under this paragraph shall be entitled to the reemployment benefits set forth in paragraph (e) of this section.

(2) The consent of the employee shall be required for release under this paragraph.

(3) An employee whose release has been authorized under this paragraph shall be carried in a leave-without-pay status in his Federal position for the period of his employment with the private or public enterprise, but not to extend beyond six months after the end of the war.

(4) The consent of the agency in which the employee is serving shall not be required for release under this paragraph, but such agency shall be notified by the Commission and allowed such period of time as the Commission shall specify to present evidence that its work will be jeopardized by the loss of the employee's services and as to the extent to which the employee's skills, abilities, training, and experience are being and will be utilized in such department or agency. The Commission will consider this, and all other relevant evidence, and unless a decision to the contrary is reached by the Commission, the release shall become effective within ten days of the original notification. In the event that the Commission finds that the agency's work will be jeopardized by an immediate release of the employee, the release shall become effective on such date as the Commission may specify.

(5) Action to effect the release of individual employees under this paragraph may be initiated by the employee, the department or agency in which he is employed, the private or public enterprise concerned, the United States Employment Service of the War Manpower Commission, or the Civil Service Commission.

(e) *Unemployment benefits.* (1) Any person, except one holding a temporary position, transferred under this section under such conditions as to entitle him to reemployment benefits, who is subsequently involuntarily furloughed or terminated without cause such as would reflect on his suitability for reemployment in the Federal service, shall be entitled to the rights specified below, provided he is still qualified to perform the duties of his position and that he makes application for reinstatement within forty days after the termination of his services, but in no event later than six months after the end of the war.

(i) If transferred to another Federal department or agency, he shall be entitled to thirty days' notice from the department or agency to which he has been transferred, prior to the termination of his services with such department or agency, unless such termination is for cause.

(ii) He shall be reinstated within thirty days of his application in the same department or agency and to the maximum extent practicable, in the same locality, in his former position, or in a position of like seniority, status, and pay, in such manner, to the extent consistent with law, that he does not lose any of the rights or benefits to which he would have been entitled had he not been transferred or released, provided that such a position then exists.

(iii) If such a position, or if the agency or activity in which he was employed, is no longer in existence and such person therefore cannot be reinstated, his name shall be entered on the Reemployment List established pursuant to Executive Order No. 5924 of September 20, 1932, to be considered for certification, ahead of all other lists maintained by the Commission, to positions elsewhere in the Government service for which he is eligible by reason of his civil service status and qualifications.

(2) In the event of the transfer of any employee under a series of transfers, all of which are under such conditions as to entitle him to the reemployment benefits provided in this section, such reemployment benefits shall continue to be applicable to the agency from which the employee was originally transferred.

(3) An employee who transfers within the Government service under such conditions as to entitle him to reemployment benefits, or an employee who has been released from a Government position for employment in an essential activity conducted by a public or private enterprise under such conditions as to entitle him to reemployment benefits, and who, while employed in the position to which transferred or released, enters active service with the armed forces of the United States, shall be entitled to the same reemployment benefits with respect to the Government position from which he was transferred or released as those to which he would have been entitled had he entered active military or naval service while employed in such Government position.

(4) A person initially appointed for the duration of the war who receives a transfer or release under these regulations for the duration of the war, under such conditions as to entitle him to reemployment benefits, will not be required to be reemployed at the cessation of the war in the department or agency in which he was originally employed in view of the fact that his position would no longer exist and in view of the fact that no position of like status would exist. Such person will, however, be entitled to have his name entered on the Reemployment List as provided in this paragraph.

(5) Whenever the filling of any position by promotion from within for an indefinite period is being considered by any department or agency, employees who have been transferred or released under conditions which entitle them to reemployment benefits in such department or agency shall be given the same consideration they would have received had they not been transferred or released, and may be selected for such promotion. In the event of such selection, if such employee is not authorized to return to the position to which promotion was made, the position in question shall be filled only for the duration of such employee's reemployment rights under paragraph (e) of this section, and such reemployment rights shall be applicable to the position to which promotion was made.

(f) *Examinations.* No employee appointed without competitive or noncompetitive examination may be transferred without qualifying in such appropriate noncompetitive examinations as the Commission may prescribe, except employees who are subject to Title I of the Act of November 26, 1940 (5 U.S.C. 631a, 631b), or any statute or Executive order providing for the acquisition of a classified civil service status. Whenever a transfer involves also a promotion or change in status, the provisions of these regulations regarding promotions and changes in status shall be applicable to such transfers.

(g) *Apportionment.* The provisions of § 18.4 (c) of this part relating to the apportionment of positions among the several States shall not be applicable to transfers under this section, and such transfers shall not be charged to the quota of any State under such apportionment.

(h) *Status of employees.* (1) No employee serving under an emergency appointment under § 18.5 (d) of this part may be transferred under this section unless he has a status for reappointment under § 18.8 of this part or unless he has served 90 days under such temporary appointment and extensions thereof. The appointments otherwise of such persons are subject to the provisions of § 18.10 (d) and (e) of this part.

(2) In all transfers under this section, the employee shall retain for all intents and purposes under the civil service laws and rules the same civil service status which he had in the agency from which he was originally transferred.

Any transfer or reappointment of an employee who was originally appointed "subject to investigation" will be subject to the results of the investigation.

(i) *Reports.* Each department and agency shall submit to the Commission such information as the Commission may require for the effectuation of Directive No. X of the War Manpower Commission (7 F.R. 7298, 11050; 9 F.R. 3534) in such form and at such intervals as the Commission may prescribe.

(j) *Post Office Department, field service.* This section shall not apply to transfers to or between positions in the field service of the Post Office Department of persons having a classified civil service status; such transfers may continue to be effected under civil service rules and regulations. This section shall apply to transfers to or between positions in the field service of the Post Office Department of persons who do not have a classified civil service status, and to the transfer of employees from the field service of the Post Office Department to positions in other departments or agencies of the executive branch of the Government.

(E.O. No. 8243 dated September 12, 1942, 7 F.R. 7213; E.O. 9378 dated September 23, 1943, 8 F.R. 13037; Directive No. X, War Manpower Commission, dated September 14, 1942, 7 F.R. 7298, 11050; 9 F.R. 3534)

(k) *Trial period.* Any person who has completed a trial or probationary period during his current period of service shall not be required to serve a new trial period upon transfer under this section. Any person transferred under this section prior to completion of a trial or probationary period may complete his trial or probationary period in the position to which transferred subject to the provision of § 18.5 (c) of this part as to termination of service. Where a person is transferred under this section from a position in which a trial or probationary period is not required, the beginning of the trial period shall be considered as dating from the time of original appointment in the Federal Government during the employee's current continuous service. When a full year of service has been rendered since that date, the employee shall be regarded as having completed his trial period.

(l) *Preference employees in transfers of functions.* When any or all of the functions of any agency are transferred to, or any agency is replaced by some other agency or agencies, all employees entitled to five- or ten-point preference under these regulations, in such transferred agency, available and qualified for positions in the replacing agency or agencies, shall first be transferred to such positions before such agency or agencies shall appoint additional employees from any other source for such positions, and the Commission will not certify eligibles for such positions as long as such qualified and available preference employees have not been transferred.

NOTE: This section supersedes Civil Service Rule X, 5 CFR Part 10, with respect to positions covered by these regulations.

§ 18.10 *Release from Government employment—(a) Consent for reappointment, reinstatement, and reemployment.* No department or agency will effect the transfer or the appointment, reappointment, reinstatement, or reemployment within thirty days of separation from the

service of any employee, or former employee, as the case may be, of another department or agency without the express prior approval of the Commission.

(b) *Employment of short-term employees.* A person who is serving or who last served under an appointment limited to six months or less shall not be required to secure the consent of any Government department or agency in order to be appointed, reappointed, transferred, reinstated, or reemployed in any other Government department or agency for a period to extend for the duration of the war and six months thereafter.

§ 18.11 *Extent of regulations*—(a) *Regulations superseded.* These regulations shall supersede Parts 3, 5, 6, 7, 8, 9, 10, of this chapter, and all provisions of joint regulations inconsistent with this part for all positions except (unless otherwise specifically provided in this part):

(1) Positions other than those filled by civilian employees of the forces in the Police and Fire Departments of the municipal government of the District of Columbia;

(2) Positions of policemen in the U. S. Park Police force of the Interior Department.

(3) Postmasters. Other positions in the field service of the Post Office Department when retroactive probational appointments are made thereto of persons who entered on duty prior to November 23, 1943, through certification for probational appointment but who were found ineligible for probational appointment because of physical condition and who subsequently become eligible by correcting their physical condition.

Section 2.6 of this chapter is suspended as to appointments made under § 18.5 (f) of this part, but said § 2.6 of this chapter shall be applicable to postal employees who become eligible for a classified civil service status in accordance with § 2.7 of this chapter.

(b) *Violations; revocation of delegated authority.* Whenever the Commission shall find that any department or agency, or part thereof, has acted in violation of any provision of the civil service rules or of these regulations, the Commission may revoke in whole or in part any authority to act delegated to such department or agency, or part thereof.

§ 18.12 *Stabilization of employment.* Actions taken under or pursuant to these War Service regulations shall be subject to the directives, orders, regulations and employment stabilization programs of the War Manpower Commission.

No employee of the civilian executive branch of the Federal Government shall be released from Federal employment to accept non-Federal employment except in accordance with applicable War Manpower Commission employment stabilization programs.

§ 18.13 *Restoration of persons having reemployment rights*—(a) *Persons discharged from the military or naval service.* Any civilian employee of the executive branch of the Government who has left or leaves his position (other than a temporary position) in order to perform active military or naval service for the United States, and (1) is honorably separated from active military or naval service and (2) is still qualified to perform the duties of his position, and (3) makes application for reemployment in such position within forty days after his separation from active military or naval service, shall be entitled to the following reemployment benefits:

(1) He shall be reemployed in any position to which, according to the records of the agency, and according to the promotion regulations then in effect, he would have been promoted if he had not been absent to perform military or naval service;

(2) If such position does not exist, he shall be restored to the position which he held at the time of his entry into the military or naval service;

(3) If neither of the positions referred to in subparagraphs (1) or (2) exists, he shall be restored to a position comparable as to seniority, status, and pay with the position which he held at the time of his entry into the military or naval service.

This paragraph shall apply to employees who were originally appointed for the duration of the war, or for the duration of the war and six months thereafter: *Provided, however,* That such employees shall not be required to be retained in employment beyond the limitation placed upon their original appointments: *Provided further,* That no permanent employee shall be removed, nor shall any permanent employee be denied reemployment under this section in order that any employee who was originally appointed for the duration of the war, or for the duration of the war and six months thereafter, may be reemployed under this section.

Any person restored pursuant to this paragraph shall be restored without loss of seniority rights or other rights dependent upon length of service.

(b) *Time limit.* Any person who is entitled to reemployment in the Government service under paragraph (a) of this section, or under any provisions of § 18.9 of this part, shall be reemployed as provided in these regulations within thirty days of his application for reemployment. In the event the employee cannot establish proof of honorable separation from the armed forces, he may be restored to duty "subject to proof of honorable separation".

(c) *Establishing proof of separation from military or naval service.* When a person entitled to reemployment in the Government service after active military or naval service is restored to duty the agency concerned shall submit proof of discharge from such service and Preference Form 14 to the Commission.

NOTE: The Act of June 23, 1943 (50 U. S. C., App. 1472) granting reemployment benefits to Federal employees who have served in the merchant marine is administered and enforced by the Administrator, War Shipping Administration.

§ 18.14 *War Reemployment List.* (a) The following persons shall be eligible to apply for entry of their names on the War Reemployment List:

All present or former civilian officers and employees (except temporary employees appointed for a definitely limited period of one year or less), of the Executive Branch of the United States Government, the District of Columbia Government, or the Administrative Office of the United States Courts, who are unqualifiedly recommended for further Federal employment, have satisfactory service histories, have not been reemployed (except under temporary appointment) in the Federal service since becoming eligible to apply, and

(1) Who on account of reduction in force will be, within 3 months, or have been, within one year, separated from the service or furloughed for 3 months or more; or

(2) Who, having been transferred with reemployment rights under the provisions of Executive Orders 8973 or 9067 or Directive No. X of the War Manpower Commission, are eligible under the provisions of such Executive orders or Directive to apply for entry of their names on the War Reemployment List and make application within one year of separation from the activity to which so transferred, or

(3) Who, having entered the armed forces or the merchant marine from a Federal civilian position, or from a position in public or private enterprise to which transferred with reemployment rights by the Commission, have been honorably separated or granted certificates of substantially continuous service and make application within one year of separation from the armed forces or release from the merchant marine; or

(4) Who have within one year been separated from the service due to the return to duty of employees who entered the armed forces or the merchant marine or who were transferred with reemployment rights; or

(5) Who, having elected to remain in the same city because of personal or family reasons when the Government agencies or organizational units by which they are presently or were formerly employed were ordered to move to another city beyond normal commuting distances, (i) are currently or within three months are to be on terminal leave from such agencies or organizational units, or (ii) have been separated from the service because of the removal of such agencies or organizational units, provided application is made before or within one year after the date of such removal.

(b) The Commission will enter on this list the employees who are entitled to preference under these regulations and who, it finds have been unjustifiably dismissed or furloughed without pay.

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

JUNE 28, 1944.

[F. R. Doc. 44-9482; Filed, June 29, 1944; 9:14 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter II—War Food Administration (Commodity Credit)

[1944 C. C. C. Wheat Form 1—Instructions]

PART 251—1944 WHEAT LOANS

INSTRUCTIONS CONCERNING LOANS ON 1944 WHEAT

Commodity Credit Corporation has authorized the making of loans to eligible producers on eligible wheat stored on farms or in approved public grain warehouses. These instructions state the requirements of Commodity Credit Corporation with reference to making such loans on wheat and the purchase of notes secured by wheat.

Sec.
251.1 Definitions.
251.2 Areas in which loans are available.
251.3 Loan rates.
251.4 Protein premium.
251.5 Variation for grades.
251.6 Determination of dockage, smut, and garlic.
251.7 Determination of quantity of wheat.
251.8 Farm storage.
251.9 Storage allowance.
251.10 Public warehouses.
251.11 Warehouse receipts.
251.12 Liens.
251.13 Insurance.
251.14 Maturity and interest rate.
251.15 Purchase of loan.
251.16 Offices of the Regional Directors of Commodity Credit Corporation.
251.17 County agricultural conservation committee.
251.18 Release of collateral.

AUTHORITY: §§ 251.1 to 251.18, inclusive, issued under Title III, sec. 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U.S.C., 1302), the Act of May 26, 1941 (55 Stat. 205, 7 U.S.C., Supp. I, 1330), as amended by the Act of December 26, 1941 (55 Stat. 860), the Act of October 2, 1942 (56 Stat. 767; 50 U.S.C., Supp. II, 968), and Pub. Law 240, 78th Cong.

§ 251.1 *Definitions.* For the purpose of these instructions and the notes and loan agreements or mortgages relating thereto, the following terms shall be construed, respectively, to mean:

(a) *Eligible producer.* An eligible producer shall be any person, partnership, association, corporation, or other legal entity, who produced wheat in 1944 as landowner, landlord, tenant, or sharecropper.

(b) *Eligible wheat.* Eligible wheat shall be wheat which meets the following requirements:

(1) Such wheat must be produced in 1944, by the producer tendering the wheat for a loan.

(2) Such wheat must be free and clear of all liens and encumbrances, including landlord's liens, except in favor of the lienholders who are listed in the List of Lienholders.

(3) Such wheat must be tendered for a loan by a person who is the owner of the wheat and who has the legal right to pledge or mortgage it as security for the loan.

(4) The beneficial interest in the wheat must be in the person tendering the wheat for a loan and must always have been in him.

(5) Such wheat must be in eligible storage.

(6) Such wheat must be (i) wheat of any class grading No. 3 or better, or (ii) wheat of any class grading No. 4 or 5 solely on the factor of test weight, but otherwise grading No. 3 or better, except that if the wheat is warehouse-stored, the quality of the wheat must be evidenced by a statement of the warehouseman on the warehouse receipt, the inspection certificate, or the warehouseman's supplemental certificate, substantially as follows: "This wheat grades No. ------ solely because of test weight," or (iii) wheat of the class mixed wheat, consisting only of mixtures of grades of wheat which are eligible for loans as stated in (i) and (ii) hereof, provided such mixtures are the natural products of the field.

(7) If such wheat is of the class hard red spring or durum, it shall contain not more than 14¼ percent moisture, and if it is of any other class, it shall contain not more than 14 percent moisture, except that:

(i) When stored in warehouses wheat containing not more than 15½ percent moisture in States west of the Mississippi River and 17 percent moisture in States east of the Mississippi River, grading tough or carrying a notation as to weevils or other insects injurious to stored grain, but otherwise eligible, may be processed at the producer's expense, and such wheat will thereafter be considered eligible for loan purposes provided the original warehouse receipt and warehouseman's supplemental certificate, in addition to other original documents, are accompanied by a certificate of the approved warehouseman issuing said receipts, which should read as follows:

The wheat represented by attached warehouse receipt No. ------, dated ------, covering loan wheat, has been processed, at the request of the eligible producer, and redelivery will be made of the same country-run quality, quantity, grade, and protein as shown on the said warehouse receipt and accompanying original inbound inspection, weight, and other required documents free of "tough" and "weevily" notation. Lien for processing charges will not be claimed by warehouseman from Commodity Credit Corporation or any subsequent holder of said warehouse receipt.

(Signed) ------
(Warehouseman)

(Address)

Date ------ 19--.

(ii) When stored on farms in all counties in the States of Michigan, Pennsylvania, New York, New Jersey, Maryland, Delaware, and Virginia, and in all counties in the States of Indiana and Ohio north of or intersected by the fortieth parallel meridian, wheat of the classes hard red winter, soft red winter, white, and mixed wheat of such classes grading tough but containing not more than 14½ percent moisture, if otherwise meeting the requirements of Commodity Credit Corporation, and in good sound condition, will be eligible for a loan at a discount of 2 cents per bushel from the rate for such wheat testing 14 percent or less in moisture content.

(c) *Eligible storage.* Eligible storage shall include public grain warehouses and farm storage meeting the following respective requirements:

(1) Public grain warehouses must meet the requirements of Commodity Credit Corporation and must have executed the Uniform Grain Storage Agreement. Such warehouses may be situated either at terminal, subterminal, or country points.

(2) Farm storage shall consist of farm bins and granaries which are of such substantial and permanent construction, as determined by the county agricultural conservation committee, as to afford safe storage of the wheat for a period of 2 years, and permit effective fumigation for the destruction of insects, and afford protection against rodents, other animals, thieves, and weather.

(d) *Lending agency.* Any bank, cooperative marketing association, or other corporation, partnership, or person making loans, in accordance with these instructions, which has executed the Contract to Purchase on 1940 C. C. C. Form E.

(e) *Eligible paper.* Eligible paper shall consist of Grain Producer's Notes secured by Grain Chattel Mortgages covering wheat stored on the farm or secured by warehouse receipts representing wheat stored in approved warehouses. Notes must be dated on or subsequent to June 1, 1944, and prior to January 1, 1945, and executed in accordance with these instructions, with State documentary revenue stamps affixed thereto where required by law. Notes executed by an administrator, executor, or trustee will be acceptable only where valid in law.

§ 251.2 *Areas in which loans are available.* (a) Loans are available on eligible wheat stored in approved public grain warehouses in all areas.

(b) Loans are available on eligible wheat stored on farms in the following areas:

All counties in Arizona, California, Colorado, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, New York, New Jersey, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, South Dakota, Tennessee, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming; and in the following counties of the following States:

Oklahoma: Alfalfa, Beaver, Beckham, Blaine, Caddo, Canadian, Cimarron, Cleveland, Comanche, Cotton, Craig, Creek, Custer, Dewey, Ellis, Garfield, Grady, Grant, Greer, Harmon, Harper, Jackson, Kay, Kingfisher, Kiowa, Lincoln, Logan, McClain, Major, Mayes, Noble, Nowata, Okfuskee, Oklahoma, Okmulgee, Osage, Ottawa, Pawnee, Payne, Pottawatomie, Roger Mills, Rogers, Texas, Tillman, Tulsa, Wagoner, Washington, Washita, Woods, and Woodward.

Texas: Andrews, Archer, Armstrong, Bailey, Baylor, Borden, Briscoe, Carson, Castro, Childress, Clay, Cochran, Collingsworth, Cottle, Crosby, Dallam, Dawson, Deaf Smith, Dickens, Donley, Fisher, Floyd, Foard, Gaines, Garza, Gray, Hale, Hall, Hansford, Hartley, Hardeman, Haskell, Hemphill, Hockley, Howard, Hutchinson, Kent, King, Knox, Lamb, Lipscomb, Lubbock, Lynn, Martin, Mitchell, Moore, Motley, Nolan, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Scurry, Sherman, Stonewall, Swisher, Terry, Throckmorton, Wheeler, Wichita, Wilbarger, Yoakum, and Young.

§ 251.3 *Loan rates.* The loan rates on wheat of the designated grades and subclasses stored in approved public grain warehouses or stored on farms, in coun-

ties where farm storage is permitted, are set out below and in State supplements (1944 C.C.C. Wheat Form 1—Supplement 2—Kansas, et cetera), which State supplements are available at the offices of the county agricultural conservation committees;

(a) *Amount of loans at terminal markets.* 1944 wheat loan rates on No. 1 dark hard winter, No. 1 hard winter, No. 1 red winter, No. 1 yellow hard winter, No. 1 red winter, No. 1 western red No. 1 soft white, No. 1 white club, No. 1 western white, No. 1 hard white, No. 1 dark northern spring, No. 1 northern spring, No. 1 red spring, No. 1 hard amber durum, No. 1 amber durum, No. 1 durum, stored in approved public grain warehouses at the following terminal markets shall be as follows:

Market	Loan rate per bushel
Kansas City, St. Joseph, Mo.; Kansas City, Kans.; Omaha, Nebr.; Council Bluffs, Iowa	$1.44
Chicago, Ill.; Milwaukee, Wis.; St. Louis, Mo.; East St. Louis, Ill.	1.49
Minneapolis, St. Paul, Duluth, Minn.; Superior, Wis.	1.46
Portland, Oreg.; Seattle, Vancouver, Tacoma, Longview, Wash.	1.39
San Francisco, Los Angeles, Stockton, Oakland, Calif.	1.49
Galveston, Houston, Tex.; New Orleans, La.	1.52
Cairo, Ill.	1.50
Evansville, Ind.; Louisville, Ky.; Cincinnati, Ohio	1.51
Philadelphia, Pa.; Baltimore, Md.; Norfolk, Va.	1.60
Albany, N. Y.	1.61

NOTE: The terminal loan rate for other No. 1 wheat shall be determined by subtracting the following discounts from the applicable terminal loan rates:

(a) For No. 1 wheat of the class "red durum wheat"—discount 15 cents per bushel,

(b) For No. 1 "mixed wheat" (containing less than 10 percent of wheats of the classes "durum" and/or "red durum wheat")—discount 2 cents per bushel,

(c) For No. 1 "mixed wheat" (containing in excess of 10 percent of wheats of the class "durum" and/or "red durum wheat")—discount 15 cents per bushel,

(d) For No. 1 "mixed wheat" grading "amber mixed durum"—discount 5 cents per bushel, and

(e) For No. 1 "mixed wheat" grading "mixed durum"—discount 10 cents per bushel.

The loan rate on No. 1 heavy dark northern spring shall be 1 cent more than the loan rate on No. 1 dark northern spring; the loan rate on No. 1 heavy northern spring shall be 1 cent more than the loan rate on No. 1 northern spring; and the loan rate on No. 1 heavy red spring shall be 1 cent more than the loan rate on No. 1 red spring.

All wheat eligible for loan at the foregoing loan rates must have been shipped on a domestic freight rate basis. The loan rate at the designated terminal market will be reduced by the difference between the freight paid and the domestic rate on any wheat shipped at other than the domestic rate.

The foregoing schedule of loan rates applies to wheat delivered to any designated terminal market in carload lots which has been shipped by rail from a country shipping point to one of the designated terminal markets, as evidenced by paid freight bills duly registered for transit privileges and other documents as required under the instructions (C.C.C. Wheat Form 1): *Provided*, That in the event the amount of paid-in freight is insufficient to guarantee minimum proportional rate from the terminal market, there shall be deducted from the applicable terminal loan rate the difference between the amount of freight actually paid in and the amount required to be paid in to guarantee minimum proportional basis on the outbound movement; *Provided further*, That Commodity Credit Corporation will accept in lieu of such bills, warehouse receipts for which a legend, signed by the warehouseman, has been typewritten in the following form, or certificate of such warehouseman containing such an undertaking, or such forms as may hereafter be approved by Commodity Credit Corporation.

FREIGHT CERTIFICATE FOR TERMINALS

The _____ represented by
(commodity)
attached warehouse receipt No. _____ was received by rail freight from _____
(town)
_____ _____
(county) (State)
point of origin, as evidenced by freight bill described as follows:

Way Bill, Date _____ No. _____
Car No. _____ Init. _____
Freight Bill, Date _____ No. _____
Carrier _____ Transit Weight _____
Freight Rate In _____
Amount Collected _____
Number Unused Transit Stops _____

The above-described paid freight bill has been officially registered for transit and will be held in accordance with the provisions of paragraph 22 of the Uniform Grain Storage Agreement.

_____
Date of Signature
_____
Warehouseman's Signature
_____
Address

Otherwise a deduction of 6 cents per bushel shall be made. Wheat trucked to a designated terminal market and stored in a warehouse shall have a loan rate equal to the higher of (1) the terminal loan rate minus 6 cents per bushel or, (2) the county loan rate for the county in which the wheat is stored.

(b) *Amount of loan at country points.* (1) Except for the States and counties hereinafter set forth, Commodity Credit Corporation will determine the loan rate on wheat in storage on the farm or in country warehouses by deducting from the designated terminal market loan value an amount equal to 3 cents more than the all-rail interstate freight rate (in effect on May 16, 1944) from the country warehouse points, plus freight tax, or the shipping point designated by the producer, to such terminal market; except that in the appropriate counties of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Pennsylvania, South Dakota, Arkansas, Texas, and Wisconsin such rates shall be computed on the basis of the average freight rate from all shipping points other than subterminal markets in each county to the appropriate terminal market.

Each approved warehouse will be advised as to the loan rate applicable to wheat stored in such warehouse. Producers may obtain from the county committee the loan rates applicable to wheat stored on each farm and in the public warehouses. Loan rates will be published in C. C. C. Wheat Form 1—Supplement 2, for each State.

The loan rate of eligible wheat stored in approved warehouses (other than those situated in the designated terminal markets) which was shipped by rail may be determined by deducting from the appropriate designated terminal market loan value an amount equal to the transit balance of the through freight rate from point of origin for such wheat to such terminal market, plus freight tax on such transit balance: *Provided*, That in the case of wheat stored at any railroad transit point, taking a penalty by reason of out-of-line movement, or for any other reason, to the appropriate designated market, there shall be added to such transit balance an amount equal to any out-of-line or other costs incurred in storing loan wheat in such position as determined by Commodity Credit Corporation. Arrangements have been made for the railroads to indicate transit balance of the through rate on the inbound paid freight bills on a basis of 100 pounds. To obtain the loan rate as determined above, the warehouse receipts, in addition to other required documents, must be accompanied by the original paid freight bills duly registered for transit privileges; *Provided*, That Commodity Credit Corporation will accept in lieu of such bills, warehouse receipts for which a legend, signed by the warehouseman, has been typewritten in the following form, or a warehouseman's supplemental certificate containing such information:

FREIGHT CERTIFICATE FOR OTHER THAN TERMINAL POINTS

The _____ represented by
(commodity)
receipt No. _____ was received by rail freight from _____ _____
(town) (county)
_____ point of origin, as evidenced by
(State)
freight bill described as follows:

Way Bill, Date _____ No. _____
Car No. _____ Init. _____
Freight Bill, Date _____ No. _____
Carrier _____ Transit Weight _____
Freight Rate In _____ Amount Collected _____
Transit Balance, if any, of through freight rate to _____ of _____ cents per 100 pounds.
Number Unused Transit Stops _____

The above-described paid freight bill has been officially registered for transit and will be held in accordance with the provisions of paragraph 22 of the Uniform Grain Storage Agreement.

_____
Date of Signature
_____
Warehouseman's Signature
_____
Address

(2) Separate schedules of loan rates will be issued for the States and counties hereinafter set forth:

All counties in New York, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, Kentucky, Tennessee, and Arizona;

In New Mexico, the counties of Bernalillo, Catron, Colfax, Dona Ana, Grant, Harding, Hidalgo, Luna, McKinley, Mora, Rio Arriba, Sandoval, San Juan, San Miguel, Santa Fe, Sierra, Socorro, Taos, Torrance, Union, and Valencia;

In Colorado, the counties of Alamosa, Archuleta, Chaffee, Conejos, Costilla, Delta, Dolores, Eagle, Garfield, Grand, Gunnison, Hinsdale, Jackson, Lake, LaPlata, Mesa, Mineral, Moffat, Montezuma, Montrose, Ouray, Pitkin, Rio Blanco, Rio Grande, Routt, Saguache, San Juan, San Miguel, Summit.

The loan rate of eligible wheat stored in approved warehouses in the foregoing area which was shipped by rail in the movement of natural market direction as approved by Commodity Credit Corporation, shall be determined by adding 3 cents per bushel to the county loan rate for the county from which the wheat is shipped and an amount equal to the transit value of the freight paid from point of origin to markets designated by Commodity Credit Corporation, plus freight tax on the transit value from point of origin to the warehouse, except that eligible wheat originating in Delaware, Kentucky, Maryland, North Carolina, Tennessee, Virginia, or West Virginia, and stored in Cairo, Illinois; Evansville, Indiana; Louisville, Kentucky; Cincinnati, Ohio; Baltimore, Maryland; or Philadelphia, Pennsylvania shall receive the loan rate shown in these instructions: *Provided, however*, That the loan rate on wheat originating in the counties of Cecil, Kent, Queen Annes, Carolina, Talbot, Dorchester, Wicomico, Somerset, and Worcester in Maryland; all counties in Delaware; and Accomac and Northampton Counties in Virginia, which is shipped to Norfolk, Virginia and stored in the Norfolk terminal elevator of the Norfolk and Western Railroad, shall be the loan rate for the county from which the wheat is shipped, plus the amount of freight per bushel paid, plus 4 cents per bushel. Lending agencies and county committees are advised that in each instance such transit value must be verified by the Regional Director of the Commodity Credit Corporation serving that area. In such cases, the loan documents must be accompanied by the original paid freight bills or certificates of the warehouseman and other required documents as set forth in § 251.3 (a) above. If eligible loan wheat is stored in approved warehouses located at transit points, taking a penalty by reason of back haul, or out-of-line of natural market movement, such penalty or other costs by reason of such movement, as determined by Commodity Credit Corporation, shall be deducted from loan rates as determined above.

In such cases the warehouse receipts in addition to the required documents as set forth in C. C. C. Wheat Form 1, must be accompanied by the original or duplicate original paid freight bills, or certificates of the warehouseman as to such paid freight bills as indicated above.

§ 251.4 *Protein premium.* A premium shall be added to the loan rate of the subclasses of hard red spring and hard red winter, and of the subclass hard white wheat. Mixed wheat, regardless of the classes of wheat contained in the mixture, will not be eligible for protein premium. Protein premium will be added to the loan rate of farm-stored wheat only where the producer presents a protein certificate issued by a laboratory satisfactory to Commodity Credit Corporation. If the wheat is stored in approved warehouses, the producer must present a protein certificate attached to the warehouse receipt, or present a warehouse receipt or warehouseman's supplemental certificate with protein content indicated thereon.

Schedule of protein premiums follows:

SCHEDULE OF PROTEIN PREMIUMS

Protein content (percent)	Minneapolis, St. Paul, Duluth, Minnesota; Milwaukee, Superior, Wis.; Kansas City, St. Joseph, Mo.; Kansas City, Kans.; Omaha, Nebr.; Council Bluffs, Iowa; Chicago, East St. Louis, Ill.; St. Louis, Mo.; Galveston, Houston, Tex.; New Orleans, La.; Philadelphia, Pa.; Baltimore, Md.; Albany, N. Y.		Portland, Oreg.; Seattle, Vancouver, Longview, Tacoma, Wash.; San Francisco, Los Angeles, Stockton, Oakland, Calif.	
	Hard red spring	Hard red winter, hard white wheat	Hard red spring	Hard red winter, hard white wheat
	Cents per bu.	*Cents per bu.*	*Cents per bu.*	*Cents per bu.*
10.0–10.9	0	0	1	1
11.0–11.9	0	0	2	2
12.0–12.9	0	0	3	3
13.0–13.9	1	1	4	4
14.0–14.4	2	1½	5	4½
14.5–14.9	3	2	6	5
15.0–15.4	4	2½	7	5½
15.5–15.9	5	3	8	6
16.0–16.4	6	3½	9	6½
16.5–16.9	7	4	10	7
17.0–17.4	8	4½	11	7½
Over 17.4	(1)	(2)	(1)	(2)

[1] ½ for each ¼ percent of protein over 17.4 percent.
[2] One-half for each ½ percent of protein over 17.4 percent.

§ 251.5 *Variations for grades.* Loan rates for eligible grades and subclasses shall be at the following schedule of discounts and premiums:

(a) *Discounts.*

	No. 1 dark northern spring, No. 1 northern spring, No. 1 red spring	No. 1 dark hard winter, No. 1 hard winter, No. 1 yellow hard winter, No. 1 red winter, No. 1 western red, No. 1 hard white, No. 1 soft white, No. 1 white club, No. 1 western white, No. 1 hard amber durum, No. 1 amber durum, No. 1 durum, No. 1 amber mixed durum, No. 1 mixed durum, No. 1 red durum, No. 1 mixed wheat
	Cents per bushel	*Cents per bushel*
No. 2	½	1
No. 3	1½	2
No. 4	2½	3
No. 5	4	4½
Smut-degree basis:		
Light smutty	1	1
Smutty	3	3
Smut-percentage basis:		
¼ of 1%	1	1
1% or over	3	3
Light garlicky	1	1
Garlicky	3	3

§ 251.6 *Determination of dockage, smut, and garlic.* The percentage of dockage shall be determined in accordance with the Official Grain Standards of the United States and the weight of said dockage shall be deducted from the gross weight of the wheat in determining the net quantity available for loan.

In the States of California, Idaho, Oregon, Utah, and Washington, the quantity of smut shall be stated in percentage in accordance with the method set out in paragraph (a) under "smutty wheat" in the handbook of Official Grain Standards of the United States, Revised, 1941, and shall be stated in terms of half percent, whole percent, or whole and half percent, and the quantity of smut so determined in pounds shall be deducted from the weight of the wheat after deduction of dockage. Elsewhere the smut condition of the wheat shall be determined on a degree basis in accordance with paragraph (b) under "smutty wheat," Official Grain Standards of the United States. Where applicable, the words "light smutty" or "smutty" shall be added to, and made a part of, the grade designation.

The garlic condition of wheat shall be determined in accordance with the Official Grain Standards of the United States, and such condition shall be made a part of the grade designation by addition of the words "light garlicky" or the word "garlicky" as determined under such standards.

§ 251.7 *Determination of quantity of wheat.* Loans shall be made at values expressed in cents per bushel. A bushel will be 60 pounds of wheat free of dockage, when determined by weight, or 1.25 cubic feet of wheat testing 60 pounds per bushel when determined by measurement. A deduction of three-quarters of a pound for each sack will be made in determining the net quantity of the collateral when stored as sacked grain. In determining the quantity of wheat in farm storage by measurement, fractional pounds of the test weight per bushel will be disregarded, and the quantity determined as above will be the following percentages of the quantity determined for 60-pound wheat:

For wheat testing	Percent
65 pounds or over	108
64 pounds or over, but less than 65 pounds	107
63 pounds or over, but less than 64 pounds	105
62 pounds or over, but less than 63 pounds	103
61 pounds or over, but less than 62 pounds	102
60 pounds or over, but less than 61 pounds	100
59 pounds or over, but less than 60 pounds	98
58 pounds or over, but less than 59 pounds	97
57 pounds or over, but less than 58 pounds	95
56 pounds or over, but less than 57 pounds	93
55 pounds or over, but less than 56 pounds	92
54 pounds or over, but less than 55 pounds	90
53 pounds or over, but less than 54 pounds	88
52 pounds or over, but less than 53 pounds	87

For wheat testing	*Percent*
51 pounds or over, but less than 52 pounds	85
50 pounds or over, but less than 51 pounds	83

§ 251.8 *Farm storage.* Wheat stored on the farm must have been stored in the granary at least 30 days prior to its inspection for measurement, sampling, and sealing, unless otherwise approved by State committees and Regional Directors of the Agricultural Adjustment Agency. Chattel mortgages covering farm-stored wheat must be executed and filed in accordance with the applicable State law.

Where the borrower is a tenant, the expiration date of the lease shall be given in section 1 (e) of the chattel mortgage. If the expiration date of the lease is prior to June 30, 1945, the borrower must secure from the owner and other interested parties consent that the collateral may remain in the described storage structure until June 30, 1945, without any charge to the Commodity Credit Corporation other than that agreed to be paid to the borrower for storing the collateral. The consent agreement is set forth in the chattel mortgage. Each producer must designate in section 1 (b) of the chattel mortgage a shipping point reasonably convenient for the delivery of the wheat as determined by the county committee. A separate note and chattel mortgage must be submitted for wheat stored on each quarter section of land.

The Commodity Credit Corporation will accept delivery of all the producer's wheat in the bin or bins in which all or a portion of the grain therein is under loan. The producer will be given credit for the number of bushels so delivered at the loan rate applicable to the grade and class of wheat delivered. If no loan rate has been established for the grade of wheat delivered, the actual delivery value will be furnished by the Regional Director of Commodity Credit Corporation serving the area.

§ 251.9 *Storage allowance.* A storage allowance of 7 cents per bushel shall be advanced at the time any farm-stored loan is made on the number of bushels placed under loan. A storage payment of 7 cents per bushel shall be earned by the producer (a) if the wheat is delivered to the Commodity Credit Corporation on or after April 30, 1945, or (b) if, pursuant to demand by the Corporation for the repayment of the loan, the wheat is delivered to the Commodity Credit Corporation prior to April 30, 1945, provided such demand for repayment was not due to any fraudulent representation on the part of the producer or the fact that the wheat was damaged, threatened with damage, abandoned, or otherwise impaired. If delivery is made prior to April 30, 1945, with the consent or approval of the Commodity Credit Corporation, a storage payment will be earned in accordance with the terms of the mortgage supplement. Earned storage shall be computed after delivery has been completed and any storage advance not earned shall be repaid to the Corporation. A storage payment cannot be earned on a greater number of bushels than is specified in the chattel mortgage. Any deficiencies due the Corporation will be deducted from any credits which may be due the producer from the Corporation.

§ 251.10 *Public warehouses.* Commodity Credit Corporation will accept only insured negotiable warehouse receipts representing eligible wheat issued by public grain warehouses which have executed the Uniform Grain Storage Agreement and have been approved by Commodity Credit Corporation. Warehousemen desiring approval are advised to communicate with the Regional Director of the Commodity Credit Corporation serving the area in which the warehouse is located. A list of approved warehouses will be furnished State or county agricultural conservation committees by Regional Directors. Uniform storage and handling charges and terms of the storage agreement are outlined in the Uniform Grain Storage Agreement. Warehousemen shall not have outstanding at any time warehouse receipts in excess of the normal working or licensed capacity of the warehouse. All wheat pledged as security for a loan on C. C. C. Grain Form B must be stored in the same warehouse.

§ 251.11 *Warehouse receipts.* Warehouse receipts must be issued in the name of the producer, dated on or prior to the date of the related note, properly endorsed in blank so as to vest title in the holder, issued by approved warehousemen, and must comply with the following provisions:

(a) Each warehouse receipt should set forth in its written terms that the wheat is insured for not less than market value against the hazards of fire, lightning, inherent explosion and windstorm, cyclone, and tornado, or in lieu of this statement it must have stamped or printed thereon the word "Insured."

(b) The wheat represented by each warehouse receipt must be free of all liens for charges prior to unloading in or delivery to the warehouse. Liens for storage charges will be recognized by Commodity Credit Corporation only from May 15, 1944, or the dates of the warehouse receipts, whichever is later.

(c) The warehouse receipt must set forth in the written or printed terms the gross weight or bushels, grade and subclass, and such other information as is required by the Uniform Warehouse Receipts Act.

(d) Each warehouse receipt, or the warehouseman's supplemental certificate, in duplicate, properly identified to the warehouse receipt, must show the test weight, protein content (if determined by protein analysis), degree or percentage of smut or garlic and dockage, and must also show the moisture content except in the States of California, Idaho, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming. (In those areas where moisture content is required, but it is not customary for country warehousemen to determine the exact moisture percentage, a warehouse receipt representing wheat stored in a country warehouse will be accepted if the moisture content is not shown, provided the grade of wheat does not show the word "tough." In such cases, the warehouseman will be responsible to deliver wheat not grading "tough" or "sample" due to moisture content.)

(e) In the case of warehouse receipts issued for wheat delivered by rail or barge, Commodity Credit Corporation will accept inbound weight and inspection certificates and protein certificates properly identified to the wheat covered thereby in lieu of the information required by paragraph (d) above. In the States of California, Idaho, Nevada, Oregon, Utah, Washington, and in other areas where licensed inspectors are not available at terminal and subterminal warehouses, Commodity Credit Corporation will accept inspection certificates based on representative samples which have been forwarded to and graded by licensed grain inspectors. The official inbound weight and inspection certificates must represent wheat unloaded in the warehouse issuing said receipt.

(f) In the case of warehouse receipts issued for wheat delivered by rail or barge, the protein content, as determined by a recognized protein testing laboratory, must be shown on each warehouse receipt (or supplemental certificate accompanying the warehouse receipt) representing wheat of the subclasses of hard red spring and hard red winter and of the subclass hard white wheat, except that protein content need not be shown for the subclasses hard winter and yellow hard winter produced in States or areas tributary to markets where protein content is not customarily required.

§ 251.12 *Liens.* The wheat collateral must be free and clear of all liens, or if liens exist on the collateral, proper waivers must be secured from each lienholder.

§ 251.13 *Insurance*—(a) *Wheat stored on farms.* Commodity Credit Corporation will not require producers to insure their 1944 farm-stored wheat placed under loan. In case of a total loss of collateral resulting from an external cause, with the exception of a loss caused by conversion, negligence, or vermin, the Commodity Credit Corporation will mark the note "paid" and return it to the borrower. In case of a partial loss of collateral resulting from an external cause, with the exception of a loss caused by conversion, negligence, or vermin, the note will be credited at the loan value, plus interest for the number of bushels on which the loss occurred. Where either total or partial loss occurs and such loss is assumed by Commodity Credit Corporation, no repayment of any storage advance will be required of the borrower even though the loss took place prior to April 30, 1945. No loss will be assumed if it is determined that there is fraudulent representation on the part of the borrower in connection with the loan.

(b) *Wheat stored in approved warehouses.* Warehousemen shall provide insurance against the perils of fire, lightning, inherent explosion, and windstorm, cyclone, and tornado, for the full market value of wheat stored in their warehouses, as long as receipts are outstanding.

§ 251.14 *Maturity and interest rate.* Notes secured by wheat stored in public warehouses or on farms shall mature on demand but not later than April 30, 1945. All loans will bear interest at the rate of 3 percent per annum.

§ 251.15 *Purchase of loan.* Commodity Credit Corporation will purchase, without recourse, eligible paper only from approved lending agencies in accordance with the terms of the Contract to Purchase (1940 C. C. C. Form E). Paper held by lending agencies must be submitted to the regional director serving the area in which the wheat is stored. Lending agencies should report weekly on 1940 C. C. C. Form F all payments or collections on producers' notes. An amount equivalent to 1½ percent interest per annum on the principal amount collected must be submitted with such weekly reports.

§ 251.16 *Offices of the Regional Directors of Commodity Credit Corporation.* The offices of the regional directors previously referred to herein and the areas served by them under these instructions are shown below:

Address of Regional Director	*Area*
208 South La Salle St., Chicago 4, Ill.	Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maryland, Maine, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia.
Dwight Bldg., 1004 Baltimore Ave., Kansas City 13, Mo.	Alabama, Arkansas, Colorado, Georgia, Florida, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, South Carolina, Texas, Wyoming.
McKnight Bldg., Minneapolis 1, Minn.	Minnesota, Montana, North Dakota, South Dakota, Wisconsin.
304 Artisans Bldg., Portland 5, Oreg.	Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.

§ 251.17 *County agricultural conservation committee.* Forms may be obtained from county agricultural conservation committees in the areas where farm storage is available, or from the office of the regional director of Commodity Credit Corporation serving the area. State and county agricultural conservation committees will determine, or cause to be determined, the quantity and grade of the wheat collateral and the amount of the loan. All loan documents will be completed and approved by the county committee, who will retain copies of all documents: *Provided, however,* That the county committee may formally designate certain employees of the county association to execute such forms on behalf of the committee. In order to meet the cost of the local expenses, county agricultural conservation associations will collect a service fee for all loans.

§ 251.18 *Release of collateral.* A producer may obtain release of the collateral by paying to the lending agency or Commodity Credit Corporation, whichever holds the note, the principal amount of the note, plus interest. If the note is held by an out-of-town lending agency or Commodity Credit Corporation, the producer may request that the note be forwarded to a local bank for collection. In such case, the local bank should be instructed to return the note to the sender if payment is not effected within 15 days. All charges in connection with the collection of the note shall be paid by the producer. Upon payment of a farm storage wheat loan, the county agricultural conservation committee should be requested to release the mortgage by filing an instrument of release or by a margin release on the county records. Partial releases of collateral may be arranged with the county agricultural conservation committee by paying to the holder of the note the amount of the loan, plus charges, storage advances (if the wheat is farm-stored), and accrued interest, on the wheat released. In the case of warehouse-stored wheat, each partial release must cover all the wheat under one warehouse receipt number.

Dated: May 18, 1944.

J. B. HUTSON,
President.

[F. R. Doc. 44-9454; Filed, June 28, 1944; 11:22 a. m.]

[1944 C.C.C. Rye Form I, Barley Form I, Grain Sorghums Form I—Instructions]

PART 253—1944 RYE, BARLEY, AND GRAIN SORGHUMS LOANS

1944 RYE, BARLEY, AND GRAIN SORGHUMS LOAN PROGRAM

Commodity Credit Corporation has authorized the making of loans and the purchase of eligible paper secured by 1944 rye, barley, or grain sorghums, stored on farms or in approved public grain warehouses.

Sec.
253.1 Grain.
253.2 Eligible producer.
253.3 Eligible grain.
253.4 Eligible storage.
253.5 Areas in which loans will be made.
253.6 Loan rates.
253.7 Determination of quantity of grain.
253.8 Farm storage.
253.9 Warehouse storage.
253.10 Warehouse receipts.
253.11 Liens.
253.12 Maturity and interest rate.
253.13 Lending agency.
253.14 Eligible paper.
253.15 Purchase of loans.
253.16 Insurance.
253.17 Offices of Commodity Credit Corporation.
253.18 County agricultural conservation committees.
253.19 Release of collateral.

AUTHORITY: §§ 253.1 to 253.19, inclusive, issued under sec. 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U.S.C., 1302), and the act of February 28, 1944 (58 Stat. 124).

§ 253.1 *Grain.* For the purpose of these instructions, grain shall mean rye, barley, and grain sorghums.

§ 253.2 *Eligible producer.* Any person, partnership, association, or corporation producing rye, barley, or grain sorghums, in 1944.

§ 253.3 *Eligible grain*—(a) *Eligible rye.* Eligible rye shall be rye produced in 1944 grading U. S. No. 2 or better, or grading U. S. No. 3 solely on the factor of test weight, but otherwise grading No. 2 or better, the beneficial interest to which is and always has been in the eligible producer. Rye grading tough, light smutty, smutty, light garlicky, garlicky, weevily, or rye containing in excess of 1 percent of ergot, shall not be eligible for loan. Rye containing in excess of 0.3 percent, but not in excess of 1 percent of ergot, shall be eligible for loan at the discounts set out in § 253.6 (a) hereof.

(b) *Eligible barley.* Eligible barley shall be barley of any class grading No. 5 or better, the beneficial interest to which is and always has been in the eligible producer. Barley grading tough, stained, blighted, smutty, garlicky, weevily, ergotty, or bleached, shall not be eligible for a loan.

(c) *Eligible grain sorghums.* Eligible grain sorghums shall be grain sorghums grading No. 4 or better, the beneficial interest to which is and always has been in the eligible producer, except that grain sorghums grading weevily or smutty, or containing in excess of 13 percent moisture when stored on the farm, or in excess of 14 percent when stored in a warehouse, shall not be eligible for loan.

§ 253.4 *Eligible storage.* Eligible storage shall include farm storage structures meeting the requirements for safe storage as prescribed by the Agricultural Adjustment Agency, and public grain warehouses which meet the requirements of Commodity Credit Corporation and which have executed the Uniform Grain Storage Agreement. Such warehouses may be situated either at terminal, subterminal, or country points.

§ 253.5 *Areas in which loans will be made.* Loans will be made on eligible grain stored in approved public grain warehouses wherever located.

Loans are available on eligible grain stored on farms in the following areas:

All counties in the States of Arizona, California, Colorado, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, New York, New Jersey, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, South Dakota, Tennessee, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, and in the following counties of the following States:

Oklahoma: Alfalfa, Beaver, Beckham, Blaine, Caddo, Canadian, Cimarron, Cleveland, Comanche, Cotton, Craig, Creek, Custer, Dewey, Ellis, Garfield, Grady, Grant, Greer, Harmon, Harper, Jackson, Kay, Kingfisher, Kiowa, Lincoln, Logan, McClain, Major, Mayes, Noble, Nowata, Okfuskee, Oklahoma, Okmulgee, Osage, Ottawa, Pawnee, Payne, Pottawatomie, Roger Mills, Rogers, Texas, Tillman, Tulsa, Wagoner, Washington, Washita, Woods, and Woodward.

Texas: Andrews, Archer, Armstrong, Bailey, Baylor, Borden, Briscoe, Carson, Castro, Childress, Clay, Cochran, Collingsworth, Cottle, Crosby, Dallam, Dawson, Deaf Smith, Dickens, Donley, Fisher, Floyd, Foard, Gaines, Garza, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Haskell, Hemphill, Hockley, Howard,

Hutchinson, Kent, King, Knox, Lamb, Lipscomb, Lubbock, Lynn, Martin, Mitchell, Moore, Motley, Nolan, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Scurry, Sherman, Stonewall, Swisher, Terry, Throckmorton, Wheeler, Wichita, Wilbarger, Yoakum, and Young.

§ 253.6 *Loan rates.* The following loan rates apply to grain stored on the farm, or in approved grain warehouses, when evidence is submitted that handling and storage charges have been prepaid through the maturity date of the note. Evidence of prepaid storage must be a stamped or typed certification, signed by the warehouseman, on or attached to the warehouse receipt, which shall read as follows:

> Handling and storage charges for the period ending April 30, 1945, in the case of rye or barley, and June 30, 1945, in the case of grain sorghums, on the grain represented by this warehouse receipt have been paid or otherwise provided for, and lien for such charges will not be claimed by the warehouseman from Commodity Credit Corporation or any subsequent holder of this warehouse receipt.
>
> Signed: ----------
> (Warehouseman)
> ----------
> (Address)

7 cents per bushel will be deducted from the applicable loan rate for grain stored in warehouses for which evidence of prepaid storage is not submitted.

(a) *Rye.* The loan value for eligible rye grading No. 2 or better, or rye grading No. 3 solely on test weight, but otherwise grading No. 2 or better, shall be 75 cents per 56-pound bushel, except that the loan value for eligible rye containing in excess of 0.3 percent, but not in excess of 1 percent of ergot, shall be discounted 1 cent for each 0.1 percent of ergot in excess of 0.3 percent.

(b) *Barley.* The loan rate per 48-pound bushel for eligible barley in the States of Arizona, California, Washington, Oregon, and Idaho, except "mixed", shall be based for all classes on the numerical grades as determined under the Official Grain Standards of the United States, in accordance with the following:

	Cents per bu.
No. 1 Barley	90
No. 2 Barley	88
No. 3 Barley	85
No. 4 Barley	82
No. 5 Barley	75

The loan rate per 48-pound bushel in all other States for eligible barley, except "mixed", shall be based for all classes on the numerical grades as determined under the Official Grain Standards of the United States, in accordance with the following:

	Cents per bu.
No. 1 Barley	85
No. 2 Barley	83
No. 3 Barley	80
No. 4 Barley	77
No. 5 Barley	70

Loan rates for "mixed" barley shall be discounted 2 cents per bushel from the loan rates set forth above.

(c) *Grain sorghums.* The loan rates for grain sorghums grading No. 2 or better will be $1.00 per 56-pound bushel in Arizona and California, and 96 cents per 56-pound bushel in other States. A discount of 5 cents per bushel will be made for grain sorghums grading No. 3, and 15 cents for grain sorghums grading No. 4, below the applicable No. 2 price. Mixed grain sorghums shall be discounted 2 cents per bushel in all States.

§ 253.7 *Determination of quantity of grain.* Loans shall be made at values expressed in cents per bushel. A bushel shall be determined to be 48 pounds of barley and 56 pounds of rye or grain sorghums, free of dockage, when determined by weight, or 1.25 cubic feet of grain having test weight of 48 pounds for barley, or 56 pounds for rye or grain sorghums when determined by measurement. In determining the quantity of grain in farm storage by measurement, fractional pounds of the bushel test weight will be disregarded, and the quantity determined shall be adjusted by the following respective percentages:

(a) *Rye and grain sorghums.*

For rye or grain sorghums testing:	*Percent*
56 pounds or over	100
55 pounds or over, but less than 56 pounds	98
54 pounds or over, but less than 55 pounds	96
53 pounds or over, but less than 54 pounds	95
52 pounds or over, but less than 53 pounds	93
51 pounds or over, but less than 52 pounds	91
50 pounds or over, but less than 51 pounds	89
49 pounds or over, but less than 50 pounds	87

(b) *Barley.*

For barley testing:	*Percent*
48 pounds or over	100
47 pounds or over, but less than 48 pounds	98
46 pounds or over, but less than 47 pounds	96
45 pounds or over, but less than 46 pounds	94
44 pounds or over, but less than 45 pounds	92
43 pounds or over, but less than 44 pounds	90
42 pounds or over, but less than 43 pounds	88
41 pounds or over, but less than 42 pounds	85
40 pounds or over, but less than 41 pounds	83
39 pounds or over, but less than 40 pounds	81
38 pounds or over, but less than 39 pounds	79
37 pounds or over, but less than 38 pounds	77
36 pounds or over, but less than 37 pounds	75
35 pounds or over, but less than 36 pounds	73

§ 258.8 *Farm storage.* Grain stored on the farm must have been stored in the granary at least 30 days prior to its inspection for measurement, sampling, and sealing, except as approved by State agricultural conservation committees. Chattel mortgages covering the grain must be executed and filed in accordance with the applicable State law.

§ 253.9 *Warehouse storage.* Commodity Credit Corporation will accept only insured negotiable warehouse receipts covering eligible grain pledged as collateral to notes on C. C. C. Grain Form B, issued by any public grain warehouse which has executed the Uniform Grain Storage Agreement as amended, and has been approved by Commodity Credit Corporation. Warehousemen desiring approval are advised to communicate with the Regional Director of Commodity Credit Corporation serving the area in which the warehouse is located, at which office a list of approved warehouses and their locations is available. A list of approved warehouses for the area may also be obtained at any State or county agricultural conservation office. All grain pledged as security for a loan must be stored in the same warehouse. Grain moved by rail freight to a warehouse will not command a higher loan value than grain stored on farms or in warehouses located at country points.

§ 253.10 *Warehouse receipts.* Warehouse receipts must be issued in the name of the producer, must be dated on or prior to the date of the related note, must be properly assigned by an endorsement in blank so as to vest title in the holder, and must be issued by an approved warehouseman. Unless the warehouse receipts are stamped or printed "insured" there must be attached and included in the certificate of the warehouseman a statement that the grain is insured for not less than the market value against the hazards of fire, lightning, inherent explosion, windstorm, cyclone, and tornado. Commodity Credit Corporation will not accept warehouse receipts indicating any lien for charges prior to unloading in or delivery to the warehouse issuing such receipts. Lien for handling and storage charges, unless prepaid through maturity, will be recognized only from May 15, 1944, or the date of the warehouse receipt, whichever is later. Such receipts must set out in their written or printed terms the gross weight or bushels, the grade, test weight, and all other factors and statements required to be stated in the written or printed terms of negotiable warehouse receipts under the provisions of section 2 of the Uniform Warehouse Receipts Act, or be accompanied by a certificate of the warehouseman, identified to such warehouse receipt, setting out such information, and shall be based on the inbound movement or delivery of the grain to an approved warehouse. Warehouse receipts for No. 3 rye, to be eligible, must contain a statement that the rye grades No. 2 or better except for test weight.

§ 253.11 *Liens.* The grain collateral must be free and clear of all liens, or if liens exist on the collateral, proper waivers must be secured from each lienholder.

§ 253.12 *Maturity and interest rate.* Rye, barley, and grain sorghums loans will mature on demand but not later than April 30, 1945, in the case of rye and barley, and June 30, 1945, in the case of grain sorghums. All rye and barley loans must be dated on or prior to December 31, 1944, and grain sorghums loans must be dated on or prior to February 28, 1945. All loans will bear interest at the rate of 3 percent per annum.

§ 253.13 *Lending agency.* Any bank, cooperative marketing association, or other corporation, partnership, or person, making loans in accordance with these instructions, which has executed the Contract to Purchase on 1940 C.C.C. Form E.

§ 253.14 *Eligible paper.* Eligible paper shall consist of notes of the producer, secured by chattel mortgages or warehouse receipts representing grain in existence and undamaged, executed in accordance with these instructions and approved by a member of the county agricultural conservation committee, with State documentary revenue stamps affixed thereto where required by law. Notes executed by an administrator, executor, or trustee, will be acceptable only where acceptable in law.

§ 253.15 *Purchase of loans.* Commodity Credit Corporation will purchase, without recourse, eligible paper, as defined above, only from lending agencies which have executed and delivered, to the regional office of Commodity Credit Corporation to which notes are submitted, Contract to Purchase, 1940 C. C. C. Form E, obtainable only from such offices. Notes held by lending agencies must be tendered to Commodity Credit Corporation for immediate or deferred purchase within 10 days of written request, or at least 10 days prior to maturity in the absence of written demand. The purchase price to be paid by Commodity Credit Corporation for notes accepted will be the face amount of such notes, plus accrued interest, from the respective dates to the date of payment of the purchase price, at the rate of 1½ percent per annum. Under the terms of the Contract to Purchase, lending agencies are required to report weekly, on 1940 C.C.C. Form F, all payments or collections on producers' notes held by them, and to remit, with such report, to Commodity Credit Corporation, an amount equivalent to 1½ percent interest per annum on the principal amount collected from the date of the note to the date of payment.

§ 253.16 *Insurance.*—(a) *Grain stored on farms.* Commodity Credit Corporation will not require producers to insure their 1944 farm-stored grain placed under loan. In case of a total loss of collateral resulting from an external cause, with the exception of a loss caused by conversion, negligence, or vermin, the Commodity Credit Corporation will mark the note "paid" and return it to the borrower. In case of partial loss of collateral resulting from an external cause, with the exception of a loss caused by conversion, negligence, or vermin, the note will be credited at the loan value plus interest for the number of bushels on which the loss occurred. No loss will be assumed by the Corporation if it is determined that there is a fraudulent representation on the part of the borrower in connection with the loan.

(b) *Grain stored in approved warehouses.* Warehousemen shall provide insurance against the perils of fire, lightning, inherent explosion, and windstorm, cyclone, and tornado, for the full market value of grain stored in their warehouses as long as receipts are outstanding.

§ 253.17 *Offices of Commodity Credit Corporation.* The offices of the regional directors previously referred to herein and the areas served by them are:

Address of Regional Director	*Area*
208 South La Salle St., Chicago 4, Ill.	Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maryland, Maine, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia.
Dwight Bldg., 1004 Baltimore Ave., Kansas City 13, Mo.	Alabama, Arkansas, Colorado, Georgia, Florida, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, South Carolina, Texas, Wyoming.
McKnight Bldg., Minneapolis 1, Minn.	Minnesota, Montana, North Dakota, South Dakota, Wisconsin.
304 Artisans Bldg., Portland 5, Oreg.	Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.

§ 253.18 *County agricultural conservation committees.* Forms may be obtained from county agricultural conservation committees in the areas designated in § 253.5 hereof, and copies for the purpose of information may be obtained from such committees, or from the office of the regional director serving the area, listed in § 235.17 hereof. All loan documents will be completed and approved by the county committee, who will retain copies of all documents. In order to meet the cost of local expenses, county agricultural conservation committees will collect a service fee for all loans.

§ 253.19 *Release of collateral.* A producer may obtain release of the collateral by paying to the lending agency or Commodity Credit Corporation, whichever holds the note, the principal amount of the note, plus interest. If the note is held by an out-of-town lending agency, or Commodity Credit Corporation, the producer may request that the note be forwarded to a local bank for collection. In such case, the local bank should be instructed to return the note to the sender if payment is not effected within 15 days. All charges in connection with the collection of the note shall be paid by the producer. Upon payment of the farm storage loan, the county agricultural conservation committee should be requested to release the mortgage by filing an instrument of release with the county recorder, or by a margin release on the county recorder's records. Producers may obtain partial releases of collateral by paying to the holder of the note the loan value and accrued interest for the grain released. In the case of warehouse-stored grain, each partial release must cover all the grain under one warehouse receipt.

Dated: May 15, 1944.

C. C. FARRINGTON,
Acting President.

[F. R. Doc. 44-9455; Filed, June 28, 1944; 11:22 a. m.]

TITLE 7—AGRICULTURE

Chapter X—War Food Administration (Production Orders)

[WFO 104]

PART 1202—FARM MACHINERY AND EQUIPMENT

DISTRIBUTION OF NEW METAL MILK CANS AND COVERS

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of new metal milk cans for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

Sec.
1202.376 Manufacturers' transfer of 20-, 32- and 40-quart milk cans.
1202.377 Manufacturers' transfer of milk cans of less than 20-quart capacity.
1202.378 Transfers of milk cans for use in handling milk or milk products in the continental United States.
1202.379 Transfers of milk cans for uses other than in handling milk or milk products.
1202.380 Transfers of milk cans to a Federal agency.
1202.381 Transfers of milk cans for shipment outside the continental United States.
1202.382 Transfers of milk cans within Alaska, Hawaii, Puerto Rico and the Virgin Islands.
1202.383 Manufacturers' reports.
1202.384 Definitions.
1202.385 Audits and inspections.
1202.386 Petition for relief from hardship.
1202.387 Violations.
1202.388 Delegation of authority.
1202.389 Supplementary Order No. 3 to War Food Order No. 14 superseded.
1202.390 Communications.
1202.391 Effective date.

AUTHORITY: §§ 1202.376 to 1202.391, inclusive, issued under 54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 9322, 9334, 9392; 7 F.R. 10179, 8 F.R. 3807, 5423, 14783.

§ 1202.376 *Manufacturers' transfer of 20-, 32- and 40-quart milk cans.* (a) Each manufacturer may transfer not in excess of the following percentages of his scheduled production of 20-, 32- and 40-quart milk cans during the designated calendar quarters, and the remainder of such production shall constitute a reserve:

Calendar quarter commencing—	Authorized for transfer	Reserve
	Percent	*Percent*
July 1, 1944	85	15
Oct. 1, 1944	85	15
Jan. 1, 1945	70	30
Apr. 1, 1945	70	30

(The percentages of scheduled production of milk cans here authorized to be transferred relate to the total scheduled production of milk cans of all three capacities mentioned, and not to each separately.) In making the transfer of milk cans authorized by this paragraph, during any of the calendar quarters mentioned, no manufacturer shall transfer into any State a percentage of such milk cans greater than the percentage which his total transfers of milk cans into such State in 1941, 1942 and 1943 was of his total transfers during those years into all States. However, if a manufacturer is unable during any calendar quarter to transfer into any State the full number of milk cans permitted by this paragraph, such manufacturer may transfer the remainder into such State during any subsequent calendar quarter in addition to other permitted transfers. For the purposes of this paragraph, when a manufacturer transfers milk cans to a distributor or other person who operates in more than one State, such transfer will be considered as having been made into the State in which the office (home or branch office) of the distributor or other person placing the order is located.

(b) (1) The Director is hereby authorized to direct the transfer of the reserve established by paragraph (a) of this section. In so doing, the Director may direct the transfer of a manufacturer's current production at any given time, or he may direct the transfer of the reserve from the inventory of such equipment.

(2) Any person in the continental United States, who wishes to make a transfer or accept a transfer of milk cans from a manufacturer's reserve for the purpose of handling milk or milk products may apply to the Director. Such application shall be in writing and shall be filed with the State AAA Committee for the State in which the milk cans will be principally used, and such State AAA Committee shall promptly transmit such application to the Director, together with its recommendation. If the milk cans will be principally used in the District of Columbia, the application shall be filed with the State AAA Committee for Maryland.

(3) If, by the fifteenth day before the end of any calendar quarter, the Director has not directed or prohibited the transfer of part or all of a manufacturer's reserve, such manufacturer may transfer his undirected reserve either (i) in the same manner provided in paragraph (a) of this section, or (ii) in accordance with a distribution plan submitted to the Director, unless the Director disapproves such plan and written notice of such disapproval is given to such manufacturer within seven working days after delivery of such distribution plan to the Director. The mailing of such distribution plan to the Director by registered mail shall constitute delivery of the plan under this paragraph.

§ 1202.377 *Manufacturers' transfer of milk cans of less than 20-quart capacity.* Subject to the provisions of §§ 1202.379, 1202.380 and 1202.381, a manufacturer may transfer 100 percent of his production of milk cans of less than 20-quart capacity, and such transfer may be made without regard to any previous distribution by States.

§ 1202.378 *Transfers of milk cans for use in handling milk or milk products in the continental United States.* Subject to the provisions of § 1202.376, any person, other than a Federal agency, may make a transfer or accept a transfer of milk cans for use in handling milk or milk products in the continental United States without further authorization. (Purchase certificates are no longer required.)

§ 1202.379 *Transfers of milk cans for uses other than in handling milk or milk products.* No person shall make a transfer or accept a transfer of milk cans of any capacity for use other than for handling milk or milk products, except pursuant to a written authorization from the Director.

§ 1202.380 *Transfers of milk cans to a Federal agency.* No Federal agency shall accept a transfer of milk cans of any capacity, except pursuant to a written authorization from the Director.

§ 1202.381 *Transfers of milk cans for shipment outside the continental United States.* No person shall make a transfer or accept a transfer of milk cans of any capacity for shipment, nor shall any person ship milk cans of any capacity, outside the continental United States, except pursuant to a written authorization from the Director.

§ 1202.382 *Transfers of milk cans within Alaska, Hawaii, Puerto Rico and the Virgin Islands.* The Director is authorized to exercise such control over the transfer of milk cans for use in handling milk or milk products in Alaska, Hawaii, Puerto Rico and the Virgin Islands as he shall deem necessary. In the absence of the exercise of this authority by the Director, the transfer of milk cans within Alaska, Hawaii, Puerto Rico and the Virgin Islands to any person, other than a Federal agency, for use in handling milk or milk products shall be made without further authorization. Transfers of milk cans for other uses and to Federal agencies are subject to the provisions of §§ 1202.379 and 1202.380.

§ 1202.383 *Manufacturers' reports.* Each manufacturer of milk cans shall, within 10 days after the commencement of any calendar quarter, furnish the Director with a report on Form HR–124 with respect to transfers of milk cans of 20-, 32- and 40-quart capacity made during the preceding calendar quarter. In making this report, however, the capacity of the milk cans should not be distinguished.

§ 1202.384 *Definitions.* For the purposes of this order:

(a) "Milk can" means a steel container, suitable for use in connection with the transportation in bulk of fluid milk and fluid milk products, which possesses the following characteristics:

(1) A substantially cylindrical shape;

(2) A coating of tin or a substitute sanitary coating;

(3) A "necked-in" top so that the opening is smaller than any part of the body cylinder.

As here used, "milk can" means only a new milk can, and includes a can and cover transferred together and a can transferred apart from a cover, but it does not include a cover transferred apart from a can.

(b) "State" means any of the forty-eight States or the District of Columbia.

(c) "Continental United States" means the forty-eight States and the District of Columbia.

(d) "Transfer" means any actual or purported act or transaction, whether or not evidenced by writing, the purpose, intent, or effect of which is to create, surrender, release, change, or alter, directly or indirectly, any right, title, interest or possession with respect to any milk cans. The use of milk cans by any person, who manufactures or deals in milk cans, shall be deemed a transfer. Notwithstanding the foregoing, the delivery of milk cans to a carrier for shipment or the delivery of milk cans by a carrier to a consignee shall not be deemed to be a transfer within the meaning of this order.

(e) "State AAA Committee" means the State Agricultural Conservation Committee of the Agricultural Adjustment Agency of each State.

(f) "Person" means any individual, partnership, corporation, association, business trust or any organized group of persons whether incorporated or not. The term "person" shall also include the United States or any agency thereof, and a State or any political subdivision or agency thereof.

(g) "Director" means the Director of the Office of Materials and Facilities of the War Food Administration.

§ 1202.385 *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of milk cans, of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

§ 1202.386 *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

§ 1202.387 *Violations.* In accordance with the applicable procedure, any person who violates any provision of this order may be prohibited from receiving, making any deliveries of, or using milk cans. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

§ 1202.388 *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

§ 1202.389 *Supplementary Order No. 3 to War Food Order No. 14 superseded.* Supplementary Order No. 3 [1] to War Food Order No. 14 [2] is hereby superseded; *Provided*, That said Supplementary Order No. 3 to War Food Order No. 14 shall remain in full force and effect for the purpose of allowing or sustaining any suit, action, prosecution or administrative or other proceeding, heretofore or hereafter commenced with respect to any violation committed or right or liability accruing under or pursuant to the terms of said order.

§ 1202.390 *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director, Office of Materials and Facilities, War Food Administration, Washington 25, D. C., Ref: WFO.

§ 1202.391 *Effective date.* This order shall become effective July 1, 1944.

NOTE: All reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of June 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-9511; Filed, June 29, 1944; 11:16 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 85, Termination]

PART 1405—FRUITS AND VEGETABLES

GRAPEFRUIT GROWN IN CAMERON, HIDALGO, OR WILLACY COUNTIES, TEX.

War Food Order No. 85 (8 F.R. 14071; 9 F.R. 4321, 4319) is hereby terminated.

This order shall become effective at 12:01 a. m., e. w. t., June 27, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 85, prior to the effective time hereof, all provisions of such order in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper action, suit, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 26th day of June 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-9380; Filed, June 27, 1944; 12:31 p. m.]

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[1] 9 F. R. 775.
[2] 8 F. R. 17456, 9 F. R. 4319.

[WFO 18–S, Amdt. 5]

PART 1415—IMPORTED FOODS

TEA QUOTAS, PACKING RESTRICTIONS, REPORTS, AND RECORDS FOR PACKERS AND WHOLESALERS

War Food Order No. 18–S, 9 F.R. 4321, 4319 (formerly designated as Director Food Distribution Order No. 18–3; as issued by the Acting Director of Food Distribution, on June 17, 1943, and as amended, 8 F.R. 16313) is further amended to read as follows:

§ 1415.6 *Tea quotas, packing restrictions, reports, and records*—(a) *Definitions.* (1) "Packer" means any person who delivers tea packed by him or tea packed for his account by some other person, to the extent of the deliveries of such tea made by him.

(2) "Wholesale receiver" means any person (regardless of whether he is also a packer) who accepts deliveries of tea in bulk form or tea packed by, or for the account of, some other person, to the extent that he resells such tea (i) exclusively or predominantly at wholesale; or (ii) through four or more centrally owned, affiliated, or independent retail stores owned or, for purchasing purposes, represented by him; or (iii) at retail or for any other purpose not specified above if, during the calendar year 1941 or the portion of such calendar year during which he was engaged in the business of purchasing tea, his monthly purchases of such tea averaged 200 pounds or more.

(3) "Net deliveries" means (i) with respect to a packer, the total number of pounds of tea delivered by a packer which was packed by, or for the account of, such packer, but shall not include deliveries of such tea made by the respective packer to governmental agencies pursuant to (c) (1) hereof; (ii) with respect to a wholesale receiver, the total number of pounds of bulk tea and tea packed by, or for the account of, some other person delivered by the wholesale receiver, minus the total of all deliveries of such tea made to governmental agencies pursuant to (c) (1) hereof.

(4) "Quota period" means the quarter-annual period commencing January 1, April 1, July 1, or October 1, of each year.

(5) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(6) "Governmental agency" means (i) the Armed Services of the United States (for the purposes of this order, including, but not restricted to, the United States Army Post Exchanges, sales commissaries, United States Navy ships' service departments, and the United States Marine Corps post exchanges); (ii) the War Food Administration (including, but not restricted to, any corporate agency thereof); (iii) the War Shipping Administration; (iv) the Veterans' Administration; and (v) any other instrumentality or agency designated by the War Food Administrator. The term "governmental agency" also includes any person who, pursuant to a war food order, is entitled to purchase tea subject to this order.

(7) "Armed Services of the United States" means the Army, Navy, Marine Corps, and Coast Guard of the United States.

(b) *Tea quotas.* (1) During each quota period commencing on January 1, of each year, no packer shall deliver a total quantity of tea which was packed by him or for his account which is in excess of 75% of the amount of his net deliveries of such tea during the corresponding quarterly period of the calendar year 1941 or 1942, whichever amount is the greater.

(2) During each quota period of each year, other than the quota period commencing January 1, no packer shall deliver a total quantity of tea which was packed by him or for his account which is in excess of 75% of the total amount of his net deliveries of such tea during the corresponding quarterly period of the calendar year 1941.

(3) During the quota period commencing January 1 of each year, no wholesale receiver shall accept delivery of a total quantity of tea in bulk form and tea packed by, or for the account of, some other person which is in excess of 75% of his net deliveries of such tea during the corresponding quarterly period of the calendar year 1941 or 1942, whichever amount is the greater.

(4) During each quota period, other than the quota period commencing on January 1 of each year, no wholesale receiver shall accept delivery of a total quantity of tea in bulk form and tea packed by or for the account of some other person which is in excess of 75% of his net deliveries of such tea during the corresponding quarterly period of the calendar year 1941.

(5) Any person may carry over the unused portion of his quota established pursuant to (b) (1), (2), (3), and (4) for any quota period, and utilize said unused portion in the subsequent quota period.

(6) Any packer who delivers a substantial portion of his quota of tea directly to consumers or to retailers may, by letter, submit to the Director a plan to transfer the distribution of all or a part of that portion to wholesale receivers. Such a plan must contemplate a substantial conservation of automotive and related equipment and material and also contain provision for equitable distribution of the transferred volume among such wholesale receivers and an equitable redistribution of that volume within the areas previously served directly by the packer. If such a plan is authorized by the Director, the packer may deliver to wholesale receivers, and such wholesale receivers may accept, without charge to their quotas, the volume of tea authorized for transfer: *Provided*, That delivery of such tea is accompanied by a dated certification by the packer in substantially the following language (with the appropriate information inserted in the blank spaces):

Pursuant to authorization issued to the undersigned by the Director of Distribution, War Food Administration, you may accept the tea delivered hereunder, without charge to your quota as a wholesale receiver.

Name of packer company _____

_____

By _____ Title _____

(7) Any person who directly or indirectly serves any county or other area designated in Schedule D, § 1407.244, of Ration Order 3 of the Office of Price Administration, as amended (7 F.R. 6937, 9 F.R. 1433), and (i) who computes his quota for any quota period commencing on January 1 upon the basis of the specified 1941 base period, as provided in (b) (1) or (3) hereof, and not the 1942 base period, or (ii) who is entitled to a quota pursuant to the provisions of (b) (2) or (4) hereof, is hereby assigned a supplementary quota for each such quota period. Such supplementary quota, which shall be available only for ultimate distribution in the respective increased-population area referred to in said Schedule D, shall be computed by determining the amount of his quota under the provisions hereof, by determining the portion of that amount allocable to deliveries to or for each such area, and by applying to that portion the percentage of population increase designated in said Schedule D of Ration Order 3, for the respective area. Such supplementary quota shall be computed on the basis of the provisions of said Schedule D which are in effect on the first day of the quota period during which the supplementary quota is used.

(8) The quotas prescribed hereunder shall be calculated quantitatively in terms of pounds.

(c) *Quota-exempt deliveries and acceptances.* (1) Notwithstanding any restriction contained in this order any packer may, without charge to his quota, deliver tea to or for a governmental agency and any wholesale receiver may, without charge to his quota, accept delivery of tea to replace tea delivered to or for a governmental agency.

(2) No wholesale receiver shall accept delivery of tea to replace tea delivered to or for a governmental agency pursuant to (c) (1) hereof and no packer shall deliver tea free of any quota restrictions to any such wholesale receiver pursuant to (c) (1) hereof unless such wholesale receiver furnishes to the packer a written certification in duplicate for each delivery made by the wholesale receiver to a governmental agency. Such certification shall indicate the name of the governmental agency to which the wholesale receiver has delivered tea free of quota restrictions, the date upon which such delivery was made to such governmental agency, and the quantity of tea so delivered to such governmental agency. The packer to whom such certification has been furnished as aforesaid shall retain the original of such certification until the termination of this order.

(d) *Packer's acceptances.* No packer shall, during any quota period, accept delivery of a total quantity of tea in bulk form which is in excess of his delivery quota for such quota period plus the quantity, if any, by which his delivery quota for the immediately preceding quota period exceeded the total quantity of tea in bulk form accepted by him during such immediately preceding quota period.

(e) *Restrictions on packaging.* (1) No packer shall pack tea intended for sale at retail in packages of more than 4 sizes and such sizes shall contain either 16 ounces, 8 ounces, 4 ounces, or 1⅞ ounces net weight.

(2) No packer shall pack tea bags or tea balls intended for sale at retail except at the rate of 200 bags or balls per net pound of tea; and no packer shall pack tea bags or tea balls intended for sale at retail in more than 3 sizes, and such sizes shall contain either 48 bags, 16 bags, or 8 bags each.

(3) No packer shall pack tea bags or tea balls for, or sell tea bags or tea balls to, any hotel, club, restaurant, cafe, cafeteria, caterer, inn, railroad diner, lunch room, sandwich stand, or any public eating place in sizes other than the following: (i) for individual service, at the rate of either 200 or 250 bags or balls per net pound of tea and in containers of only 100 bags each; or (ii) for iced tea service, each tea bag shall contain only one ounce of tea, and such tea bags which are packed in containers shall be so packed only in multiples of 16.

(f) *Applicability of order.* Any person doing business in one or more of the 48 States or the District of Columbia is subject to the provisions hereof, but the provisions hereof shall not apply to any person doing business in any Territory or possession of the United States with respect to such business.

(g) *Reports.* Each packer shall correctly complete form FDO 18–1 for each quarterly period and submit such completed form to the Director within 15 calendar days after termination of the quota period for which such form is submitted. Every packer and every wholesale receiver participating in any transaction to which this order applies shall maintain records which, upon examination, will disclose his total quarter-annual inventories of tea and the total quarter-annual deliveries made by him (if he is a packer) or accepted by him (if he is a wholesale receiver). If the sales slips, invoices, bills or other instruments or records customarily kept by him are sufficient to furnish the information specified herein, no additional record system need be installed to meet the requirements hereof. All documents and records heretofore or hereafter required to be kept by packers and wholesale receivers pursuant to the provisions of this order and now in the possession of packers and wholesale receivers shall be kept and preserved until the termination of this order.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate which action shall be final.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall unless instructions to the contrary are issued by the Director, be addressed to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO–18.

(j) *Effective date.* The provisions hereof shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of War Food Order No. 18–3, as heretofore amended, rights accrued or liabilities incurred prior to the effective time of this amendment, said War Food Order No. 18–3, as heretofore amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 18, 8 F.R. 1778, 9103, 9 F.R. 4321, 4319)

Issued this 26th day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–9381; Filed, June 27, 1944; 12:31 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 105—HEAD TAX

PART 116—CIVIL AIR NAVIGATION

STATUS OF ALIENS WHO ARE OCCUPATIONAL AIRMEN

JUNE 23, 1944.

The following changes are made in Title 8, Chapter I, Code of Federal Regulations:

The following notation is inserted after § 105.3:

CROSS REFERENCE: For status of alien airmen, see 8 CFR, Cum. Supp., 116.53.

Section 116.53 is amended by inserting after the first sentence the following:

An alien whose occupational status as airman is established shall be regarded, for the purposes of such laws and regulations, the same as an occupational alien seaman.

The following is added to the cross reference at the close of § 116.53:

For head tax, see 8 CFR, Cum. Supp., Part 105.

FRANCIS BIDDLE,
Attorney General.

Approval recommended:

EARL G. HARRISON,
Commissioner of Immigration and Naturalization.

[F. R. Doc. 44–9479; Filed, June 28, 1944; 4:52 p. m.]

TITLE 24—HOUSING CREDIT

Chapter V—Federal Housing Administration

Subchapter A—Property Improvement Loans

PART 501—CLASS 1 AND CLASS 2 PROPERTY IMPROVEMENT LOANS

Sec.
501.1 Citation.
501.2 Definitions.
501.3 Eligible notes.
501.4 Maximum amount of loans.
501.5 Financing charges.
501.6 Credits.
501.7 Eligible expenditures.
501.8 Disbursement of loan proceeds.
501.9 Refinancing.
501.10 Report of loans.
501.11 Claims.
501.12 Insurance reserve.
501.13 Insurance charge.
501.14 Administrative reports and examination.
501.15 Amendments.
501.16 Effective date.

AUTHORITY: §§ 501.1 to 501.16, inclusive, issued under 53 Stat. 804, 805, 55 Stat. 364, 365, 56 Stat. 305, 57 Stat. 571; 12 U.S.C. and Sup. 1703.

§ 501.1 *Citation.* The regulations in this part may be cited as referred to as "Regulations of the Federal Housing Commissioner Governing Property Improvement Loans effective July 1, 1944."

§ 501.2 *Definitions.* As used in this part the term:

(a) "Act" means the National Housing Act, as amended.

(b) "Administration" means the Federal Housing Administration.

(c) "Commissioner" means the Federal Housing Commissioner or his duly authorized representative.

(d) "Contract of Insurance" includes all of the provisions of this part and of the applicable provisions of the act.

(e) "Insured" means a financial institution holding a Contract of Insurance under Title I of the Act.

(f) "Loan" means an advance of funds or credit or the purchase of an obligation evidenced by a note.

(g) "Note" includes a note, bond, mortgage, or other evidence of indebtedness.

(h) "Payment" includes a deposit to an account or fund which represents the full or partial repayment of a loan.

(i) "Borrower" means one who applies for and receives a loan in reliance upon the provisions of the act and whose interest in the property to be improved is (1) a fee title, or (2) a life estate, or (3) an equitable interest under an instrument of trust or contract, or (4) a lease having a fixed term, expiring not less than six calendar months after the maturity of the loan.

(j) "Class 1 (a) loan" means a loan, other than a loan defined in paragraph (k) of this section as a "Class 1 (b) loan", which is for the purpose of financing the repair, alteration, or improvement of an existing structure or of the real property in connection therewith, exclusive of the building of new structures. The term "existing structure" means a completed building that has or had a distinctive functional use.

(k) "Class 1 (b) loan" means a loan which is (1) made for the purpose of financing the alteration, repair, improvement, or conversion of an existing structure located in an area or locality in which the President shall find that an acute shortage of housing exists or impends, which would impede national war activities and (2) is made for the purpose of providing additional living accommodations to which the borrower shall establish in a manner and upon forms prescribed by the Commissioner that occupancy priority will be given to war workers.

(l) "Class 2 (a) loan" means a loan which is for the purpose of financing the construction of a new structure which is to be used exclusively for other than residential or agricultural purposes.

(m) "Class 2 (b) loan" means a loan which is for the purpose of financing the construction of a new structure for use in whole or in part for agricultural purposes, exclusive of residential purposes.

(n) "Class 1 loan" includes both "Class 1 (a)" and "Class 1 (b)" loans as defined in paragraphs (j) and (k) of this section.

(o) "Class 2 loan" includes both "Class 2 (a)" and "Class 2 (b)" loans as defined in paragraphs (l) and (m) of this section.

§ 501.3 *Eligible notes.*—(a) *Validity.* The note shall bear the genuine signature of the borrower as maker, shall be valid and enforceable in the jurisdiction in which it is issued, and shall be complete and regular on its face. If more than one borrower signed the note all such signatures must be genuine. If the note is executed for and on behalf of a corporation or in a representative capacity the note must create a binding obligation of the principal.

(b) *Acceleration clause.* The note shall contain a provision for acceleration of maturity, either automatic or at the option of the holder, in the event of default in the payment of any instalment upon the due date thereof.

(c) *Payments.* The note shall be payable in equal monthly, semi-monthly, or weekly instalments. The final instalment may be more or less than the other instalments provided that it is not less than one-half or more than one and one-half times the preceding instalment. A note may not provide for a first payment less than six days nor more than sixty-two days from the date of the note. However, if fifty-one percent or more of the income of the borrower is derived directly from the sale of agricultural crops, commodities, or livestock produced by him, a note may be made payable in instalments corresponding to income periods shown on the credit application. In such cases, the first payment must be made within twelve months of the date of the note and at least one payment shall be made in each twelve months thereafter, provided that no two payments shall be more than twelve months apart, and the proportion of total principal to be paid in later years shall not exceed the proportion of total principal payable in earlier years. In lieu of an instalment note payable in equal periodic instalments a loan may be evidenced by a series of notes provided each is of an equal amount as provided in this Section and that each note indicates on its face that it is one of a series signed by the same borrower.

(d) *Maturity.*—(1) *Minimum.* The note shall not have a final maturity of less than six calendar months from the date of the note.

(2) *Maximum.*—The maximum permissible maturity of a note evidencing:

(i) A Class 1 (a) or a Class 2 (a) loan is three years and thirty-two days from the date of the note.

(ii) A Class 1 (b) loan is seven years and thirty-two days from the date of the note.

(iii) A Class 2 (b) loan is seven years and thirty-two days from the date of the note, except that if a Class 2 (b) loan is secured by a first mortgage, first deed of trust, or other security instrument constituting a first lien upon the improved property, the loan may have a final maturity not in excess of fifteen years and thirty-two days from the date of the note.

(iv) A combination of any of the above classes of loans shall be no greater than the maximum maturity governing that component part of the loan having the shortest maturity if made alone.

(e) *Late charges.* The note may provide for a late charge, not to exceed 5 cents for each $1.00 of each instalment more than fifteen days in arrears. No late charge on a past due instalment may be accrued in excess of $5.00. In lieu of late charges, notes may provide for interest on past due instalments at a rate not in excess of the contract rate in the jurisdiction in which the note is drawn. The borrower must be billed for the penalties collected as such, and evidence of such billing must be in the file if claim is made under the Contract of Insurance.

(f) *Deferred first payment.* Loans made on and after July 1, 1944 the proceeds of which are used exclusively for (1) the conversion of heating equipment to the use of any other fuel, the repair of heating equipment, or the replacement of heating equipment if it is worn out, damaged beyond repair, or destroyed, (2) the instalation of loose-fill, blanket, or batt-type insulation, or insulating board, within existing structures, (3) the instalation of storm doors, storm windows, or weather stripping, may provide for a first payment not later than November 1, 1944, unless a later first payment is permitted by paragraph (c) of this section.

§ 501.4 *Maximum amount of loans.*—(a) *Class 1 (a) loan.* A Class 1 (a) loan shall not involve a principal amount, exclusive of financing charges to the borrower, in excess of $2.500.

(b) *Class 1 (b) loan.* A Class 1 (b) loan shall not involve a principal amount, exclusive of financing charges to the borrower, in excess of $5,000.

(c) *Class 2 loan.* A Class 2 loan shall not involve a principal amount exclusive of financing charges to the borrower, in excess of $3,000.

(d) *Maximum amount per property.* A Class 1 or a Class 2 loan shall not increase the principal amount outstanding at any time on all Class 1 or Class 2 loans made under Title I of the act after July 1, 1944 with respect to any one piece of property to an amount in excess of $5,000,

exclusive of financing charges to the borrower.

§ 501.5 *Financing charges*—(a) *Maximum charge.* The maximum permissible financing charges, exclusive of fees and charges as provided by paragraph (b) of this section, which may be paid by the borrower for interest, discount and fees of all kinds in connection with the transaction, shall be computed as follows:

(1) Class 1 loans having a principal amount not in excess of $2,500 shall not have a financing charge in excess of an amount equivalent to $5.00 discount per $100 original face amount of a one-year note, to be paid in equal monthly instalments calculated from the date of the note.

(2) Class 1 loans having a principal amount in excess of $2,500 shall not have a financing charge in excess of an amount equivalent to $4.00 discount per $100 original face amount of a one-year note, to be paid in equal monthly instalments calculated from the date of the note.

(3) Class 2 loans shall not have a financing charge in excess of an amount equivalent to $5.00 discount per $100 original face amount of a one-year note, to be paid in equal monthly instalments calculated from the date of the note, except that Class 2 (b) loans having a maturity in excess of seven years and thirty-two days shall not have a financing charge in excess of an amount equivalent to $3.50 discount per $100 original face amount of a one-year note, to be paid in equal monthly instalments calculated from the date of the note.

Such charges correctly based on tables of calculations issued by the Federal Housing Commissioner are deemed to comply with this section. An increase in the ration of the charge to the average amount outstanding on the debt over the maximum provided in this section, which increase results from the first payment falling due less than thirty days after the date of the note as provided in § 501.3 (c) shall not be deemed to be in conflict with this section.

(b) *Permissible additional charges.* If the insured takes security in the nature of a real estate mortgage, deed of trust, conditional sales contract, chattel mortgage, mechanic's lien, or other security device for the purpose of securing the payment of eligible loans, the insured may collect from the borrower, in addition to the maximum permissible financing charge as provided in paragraph (a) of this section, the following expenses actually incurred by the insured in connection with the transaction:

Recording or filing fees, documentary stamp taxes, title examination charges and hazard insurance premiums, provided that such costs or expenses are not paid from the proceeds of the loan or included in the face amount of the note. Such costs or expenses shall not be included by the insured as a portion of a claim under the Contract of Insurance and if such costs or expenses are assessed against the borrower, proper evidence thereof should be in the file.

(c) *Partial disbursement of proceeds.* If the insured in purchasing a note takes the maximum charge permitted by this section, but employs a "holdback" and does not advance the entire proceeds of the note to the seller, it shall calculate its financing charge on the amount advanced and credit to the account of the seller the difference between the financing charge calculated on the face amount of the note and the financing charge calculated on the amount advanced.

(d) *Application of lump sum payments.* The acceptance of a voluntary payment of one or more instalments prior to due date shall not be construed as increasing the maximum permissible financing charge as provided in paragraph (a) of this section. However, the excess of any amount paid or applied at one time to an insured obligation above the amount then due thereon, when such excess exceeds the amount of three instalments, shall be applied to the final instalments in reverse order, unless the insured is required by law or is directed by the person making the payment to make some other application, in which case evidence of such direction must be in the file if claim is made upon the Commissioner.

(e) *Prepayment rebate.* If a note is paid in full prior to maturity, the insured shall make a rebate at a rate not less than 6% per annum of the amount so paid in advance of their due dates, if the maximum permissible financing charge in connection with the transaction is in an amount equivalent to $5.00 discount as provided in paragraph (a) of this section. If a lesser charge has been taken, the rebate shall be at not less than a proportional rate.

§ 501.6 *Credits*—(a) *Credit application.* Prior to making a loan the insured shall obtain a dated credit application executed by the borrower on a form approved by the Commissioner. A separate credit application is required for each loan made or note purchased.

(b) *Credit investigation.* The credit application, supplemented by such other information as the insured deems necessary, must, in the judgment of the insured, clearly show the borrower to be solvent, with reasonable ability to pay the obligation and in other respects a reasonable credit risk. If, after the loan is made, an insured who acted in good faith discovers any material misstatements or misuse of the proceeds of the loan by the borrower, dealer, or others, the eligibility of the note for insurance will not be affected. However, the insured shall promptly report such discovery to the Commissioner.

(c) *Outstanding FHA and direct Federal obligations.* The proceeds of a loan shall not be disbursed if the insured has knowledge that the borrower is past due as to either principal or interest with respect to an obligation owing to, or insured by, any department or agency of the Federal Government.

(d) *Past due Title I notes at time of purchase.* A note shall not be purchased when any installment thereon is past due more than fifteen days at the date of purchase except purchases of notes under the provisions of § 501.12.

(e) *Prior approval by Commissioner.* Any loan in excess of $2,500, exclusive of financing charges, or any loan which increases the principal amount outstanding as to all Class 1 or Class 2 loans to any individual borrower to an amount in excess of $2,500 will be accepted for insurance only upon prior approval of the Commissioner.

(f) *Security.* The taking of security to secure the payment of a loan is left to the discretion of the insured unless specifically required by the Commissioner in accordance with the provisions of paragraph (e) of this section or of § 501.3 (d) (2) (iii). An insured may permit the substitution or subordination of security provided it can be shown when claim is made that at the time of such action the original security value was not impaired or reduced as a result of such action. Upon presentation of the facts the prior approval of the Commissioner may be obtained by the insured to any proposed substitution or subordination of security.

§ 501.7 *Eligible expenditures*—(a) *Property location.* The property to be improved shall be located within the United States, its Territories, or Possessions.

(b) *Use of proceeds.* The proceeds of a loan shall be used only to finance alterations, repairs, and improvements upon real property or in connection with existing structures, commenced in reliance upon the credit facilities afforded by Title I of the act.

(c) *Reliance on credit application.* An insured acting in good faith may, in the absence of information to the contrary, rely upon all statements of fact made by the borrower, which are called for by the borrower's credit application, in determining the eligibility of the improvements to the property.

(d) *Technical services and direct costs.* The proceeds of a loan may be used to pay the cost of architectural and engineering services, and fees paid for obtaining building permits that are directly connected with the eligible alterations, repairs, or improvements financed in accordance with this part.

(e) *Supplementing an uninsured obligation.* The proceeds of a loan shall not be used to supplement another obligation of the borrower not reported for insurance, the payment of which is to be secured by a prior lien created in connection with the proposed alteration, repairs, or improvements.

§ 501.8 *Disbursement of loan proceeds*—(a) *Disbursement.* Before disbursing the proceeds of a loan to one other than a borrower or a borrower and another jointly, the insured shall:

(1) *Dealer approval.* Have approved the dealer after such investigation as the insured considers necessary to establish to its satisfaction that the dealer is reliable, financially responsible and qualified to perform satisfactorily the work to be financed and to extend proper service to the customer. This approval signed and dated together with the supporting information shall be in the insured's file.

For the purpose of this section the term "dealer" means the one who executes the dealer's completion certificate.

(2) *Completion certificates.* Obtain a completion certificate signed by the borrower and a completion certificate signed by the dealer on forms prescribed by the Commissioner. If there are two or more eligible borrowers involved in the transaction, only one signature is required on the borrower's certificate.

(b) *Authorization to pay loan proceeds.* If the insured is the payee of the note the proceeds shall not be disbursed to one other than the borrower without his written authority.

§ 501.9 *Refinancing*—(a) *General requirements.* New obligations to liquidate loans previously reported for insurance pursuant to Title I of the act after July 1, 1944, which may or may not include an additional amount advanced will be covered by insurance, provided they meet the requirements of all applicable regulations and the special provisions of this section.

(b) *Maximum maturity.* (1) A Class 1 (a) loan or a Class 2 (a) loan may be refinanced for an additional period not in excess of three years and thirty-two days from the date of the refinancing, but not to exceed five years from the date of the original note.

(2) A Class 1 (b) loan may be refinanced for an additional period not in excess of seven years and thirty-two days from the date of the refinancing, but not to exceed ten years from the date of the original note.

(3) A Class 2 (b) loan may be refinanced for an additional period not in excess of seven years and thirty-two days from the date of the refinancing, but not to exceed ten years from the date of the original note, except that if a Class 2 (b) loan is secured by a first mortgage, first deed of trust, or other security instrument, constituting a first lien upon the improved property, the new note may have a final maturity not in excess of fifteen years and thirty-two days from the date of the refinancing, but not to exceed twenty-five years from the date of the original note.

(4) When a Class 1 loan or a Class 2 loan is made or refinanced and consolidated with another Class 1 loan or Class 2 loan, the new note evidencing the consolidated obligation shall not be for a longer term than that which the component loan having the shortest permissible maturity could have if made or refinanced alone.

(c) *Rebate.* The full unearned charge on the original note shall be refunded to the borrower. If no additional advance is made a handling charge not in excess of $2.00 may be assessed the borrower.

(d) *Special cases.* The Commissioner may upon presentation of the facts approve the refinancing or refinancing and consolidation of any loan or loans upon such terms and conditions as he may determine within the limits provided by the act.

(e) *Deferred payments.* An agreement to defer payments on a note previously reported for insurance under this part without rewriting the note is not considered refinancing. Such agreement will not affect the insurance coverage on the loan, *Provided*, That

(1) Such agreement is evidenced in writing;

(2) Payments shall not be deferred for more than five months from the due date of the last fully-paid instalment;

(3) Such agreement shall not extend the final maturity of the obligation beyond the maturity date of the obligation as provided by its original terms;

(4) The insured may assess the borrower for the cost of such deferment if such charge is not in excess of an equivalent amount of late charges as provided in § 501.3 (e).

§ 501.10 *Report of loans.* Loans shall be reported on the prescribed form to the Federal Housing Administration at Washington, D. C., within thirty-one days from the date of the note or date upon which it was purchased. Any loan refinanced as provided in § 501.9 shall likewise be reported on the prescribed form within thirty-one days from date of refinancing. In any case, the Commissioner may, in his discretion, accept a late report.

§ 501.11 *Claims*—(a) *Claim application.* Claim for reimbursement for loss on an eligible loan shall be made on a form provided by the Commissioner, and executed by a duly qualified officer of the insured. The claim shall be accompanied by the insured's complete credit and collection file pertaining to the transaction.

(b) *Claim for default.* Claim may be made after default (earliest instalment for which full payment has not been received) provided demand has been made upon the debtor for the full unpaid balance of the note.

(c) *Maximum claim period.* For the purpose of this section, any payment received on an account, including payments on a judgment predicated thereon, shall be applied to the earliest unpaid instalment, and in the case of:

(1) Yearly instalment notes, whenever an instalment is twelve months in default claim must be made within thirty-one days thereafter,

(2) All other instalment notes, whenever an instalment is six months in default, claim shall be made within thirty-one days thereafter,

(3) Military service cases, if at any time during default a person primarily or secondarily liable for the repayment of any loan is a "person in military service," as such term is defined in the Soldiers' and Sailors' Civil Relief Act of 1940, the period during which he is in military service shall be excluded in computing the time within which claim must be made for reimbursement under the provisions of this section.

(d) *Extension of maximum claim period.* Upon presentation to the Commissioner of the facts of a particular case within the allowable claim period prescribed in this section, he may, in his discretion, extend the time within which claim must be made, provided that in computing the claim no interest will be allowed for the period of such extension.

(e) *Claim amount.* An insured will be reimbursed for its loss on loans made in accordance with this part up to the amount of its reserve as established by § 501.12 as follows:

(1) Net unpaid amount of the loan actually made or the actual purchase price of the note, whichever is the lesser;

(2) Uncollected earned interest to date of default and interest at the rate of 4% per annum from the date of default to the date of the application for reimbursement of loss sustained;

(3) Uncollected court cost, including fees paid for issuing, serving, and filing summons;

(4) Attorney's fees not exceeding 15% of the amount collected by the attorney on the defaulted note provided the insured does not waive its claim against the borrower for such fees;

(5) Handling fee of $5.00 for each loan, if judgment is secured, plus 5% of amounts collected subsequent to return of unsatisfied property execution.

(f) *Assignment of documents.* The note and any security held or judgment taken must be assigned in its entirety and if any claim has been filed in bankruptcy, insolvency, or probate proceedings, such claim shall likewise be assigned to the United States of America.

(g) *Form of assignment.* The following form of assignment properly dated shall be used in assigning a note, judgment, real estate mortgage, deed of trust, conditional sales contract, chattel mortgage, mechanic's lien, or any other security device in event of claim:

All right, title, and interest of the undersigned is hereby assigned (without warranty, except that the note qualifies for insurance) to the United States of America.

(Financial Institution)

By ----------
Title ----------
Date----------

Provided, That if this form is not valid or generally acceptable in the jurisdiction involved, a form which is valid and generally acceptable shall be used.

(h) *Election of action.* Where a real estate mortgage, deed of trust, conditional sales contract, chattel mortgage, mechanic's lien, or any other security device has been used to secure the payment of a loan made under the provisions of Title I of the act, the insured may not both proceed against such security and also make claim under its Contract of Insurance, but shall elect which method it desires to pursue.

§ 501.12 *Insurance reserve*—(a) *Legal limit.* Subject to the limitation on the total liability which may be outstanding at any time as stipulated in section 2 of Title I of the act, the Commissioner, in accordance with § 501.11, will reimburse any insured for losses sustained by it up to a total aggregate amount equal to 10% of the total amount advanced on all eligible loans made by it after July 1, 1944, and reported for insurance during the time its Contract of Insurance is in force.

(b) *General insurance reserve.* There shall be established for each insured a general insurance reserve equal to 10% of the aggregate amount advanced on all loans originated by it on and after July 1, 1944, pursuant to the provisions of this part.

(c) *Transfer of insured notes.* In all cases involving the transfer of notes purchased without recourse, guaranty or repurchase agreement, provided no instalment payment on any note is past due more than one calendar month at the time of the purchase, the insurance reserve shall be transferred to the general insurance reserve of the purchasing institution on the basis of 10% of the actual purchase price or net unpaid original advance, whichever is the lesser.

(d) *Ear-marked insurance reserve.* Where the buying and selling institutions desire to transfer an insurance reserve in excess of 10% of the actual purchase price of the notes involved or in excess of 10% of the net unpaid principal advanced on the notes involved, the insurance reserve so transferred shall be placed in an ear-marked insurance reserve, which reserve shall be available only for the payment of those losses arising from the notes so transferred and such losses shall be payable only to the extent of such reserves. When the notes so transferred have all been fully paid to the purchasing institution, it shall so notify the Commissioner.

(e) *Special reserve agreements.* The transfer of insurance reserve in a manner, or under conditions not provided in paragraph (b) or paragraph (c) of this section, shall have the prior approval of the Commissioner.

(f) *Transfer with recourse or guarantee to repurchase.* Where notes are sold with recourse or under a guarantee or repurchase agreement no insurance reserve will be transferred and no reports will be required.

(g) *Reports.* In all cases involving the transfer of notes the reports required by § 501.10 must be filed and shall indicate the intent of the parties with regard to the transfer of the insurance reserve.

(h) *FHA recovery shall not affect reserve.* Amounts which may be salvaged by the Commissioner with respect to a loan in connection with which an insured has been reimbursed under its Contract of Insurance shall not be added to the insurance reserve remaining to the credit of such insured.

§ 501.13 *Insurance charge*—(a) *Rate.* The insured shall pay to the Commissioner an insurance charge equal to ¾% per annum of the net proceeds of any loan reported for insurance.

(b) *When payable.* Such insurance charge for the entire term of the loan shall be paid within twenty-five days after the date the Commissioner acknowledges receipt to the insured institution of the report of loan: *Provided*, That on loans having a maturity in excess of three years and thirty-two days, such charge may be paid in instalments, the first of which shall be equal to the charge for three years and be paid within said twenty-five days, and the second and succeeding instalments, each equal to the charge for one eyar, shall be paid on the first and each succeeding anniversary of the first day of the month following the date of the note.

(c) *Notes transferred.* Any adjustments of the insurance charge already paid on any obligation transferred between insureds shall be made by the insureds, except that any unpaid instalments of the insurance charge shall be paid by the purchasing insured.

(d) *Refund or abatement.* There shall be no refund or abatement of any portion or instalment of the insurance charge except:

(1) The charge on a refinanced note may be credited with the unearned portion of the charge on the original note;

(2) Insurance charges falling due after claim is filed or the note is prepaid in full;

(3) The charge paid on a loan or portion thereof found to be ineligible.

(e) *When not chargeable to borrower.* The insurance charge paid by the insured shall not be charged to the borrower if such charge would cause the total payments made by the borrower to exceed the maximum permissible amount which may be charged to the borrower for interest, discount, and all other charges in connection with the transaction.

§ 501.14 *Administrative reports and examination.* The Commissioner, or his authorized representative, may at any time call upon an insured for such reports as he may deem to be necessary in connection with these Regulations, or may inspect the books or accounts of the insured as they pertain to the loans reported for insurance.

§ 501.15 *Amendments.* This part may be amended by the Commissioner at any time, but such amendment shall not adversely affect the insurance privileges of an insured with respect to any loan previously made.

§ 501.16 *Effective date.* This part is effective as to all loans made on or after July 1, 1944, pursuant to the provisions of Title I of the National Housing Act, as amended, and shall have the same force and effect as if included in and made a part of each Contract of Insurance.

Issued at Washington, D. C., June 9, 1944.

ABNER H. FERGUSON,
Federal Housing Commissioner.

[F. R. Doc. 44-9513; Filed, June 29, 1944; 11:53 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs

Subchapter L—Irrigation Projects, Operation and Maintenance

PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

NAVAJO AGENCY

Section 130.105 *Charges* is amended by suspending its application to Fruitland and Miscellaneous Units, Navajo Agency, 1944 season.

OSCAR L. CHAPMAN,
Assistant Secretary.

MARCH 31, 1944.

[F. R. Doc. 44-9481; Filed, June 29, 1944; 9:52 a. m.]

TITLE 29—LABOR

Chapter IV—United States Children's Bureau, Department of Labor

[Reg. 24 b]

PART 402—ACCEPTANCE OF STATE CERTIFICATES

DESIGNATION OF STATES

§ 402.1 *Designation of States.*[1] Pursuant to the provisions of § 401.5,[1] I hereby designate the following States as States in which State age, employment, or working certificates or permits shall have the same force and effect as Federal certificates of age under the Fair Labor Standards Act of 1938, c. 676, 52 Stat. 1060, 29 U. S. C., sec. 201:

Alabama.	Montana.
Arizona.	Nebraska.
Arkansas.	Nevada.
California.	New Hampshire.
Colorado.	New Jersey.
Connecticut.	New Mexico.
Delaware.	New York.
District of Columbia.	North Carolina.
Florida.	North Dakota.
Georgia.	Ohio.
Hawaii.	Oklahoma.
Illinois.	Oregon.
Iowa.	Pennsylvania.
Indiana.	Puerto Rico.
Kansas.	Rhode Island.
Kentucky.	South Dakota.
Louisiana.	Tennessee.
Maine.	Utah.
Maryland.	Vermont.
Massachusetts.	Virginia.
Michigan.	Washington.
Minnesota.	West Virginia.
Missouri.	Wisconsin.
	Wyoming.

This designation shall be effective from July 1, 1944, until June 30, 1945, unless this regulation is amended or repealed by regulation hereafter made and published by the Chief of the Children's Bureau.

Dated: June 29, 1944.

KATHARINE F. LENROOT,
Chief of the Children's Bureau.

[F. R. Doc. 44-9533; Filed, June 29, 1944; 11:55 a. m.]

Chapter IX—War Food Administrator (Agricultural Labor)

[Specific Wage Ceiling Reg. 14]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS IN LETTUCE IN SANTA MARIA VALLEY

§ 1102.11 *Wages of workers engaged in harvesting lettuce in those portions of San Luis Obispo and Santa Barbara Counties, State of California, known as the Santa Maria Valley.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in dry-pack harvesting of lettuce in those portions of San Luis Obispo and Santa Barbara Counties, State of California, known as the Santa Maria Valley, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035).

(b) *Definitions.* (1) When used in this specific wage ceiling regulation, the term "dry-pack harvesting" consists of and embraces all field crew operations, including those of the crew foreman in organizing and supervising the crew; unloading empty crates; cutting, trimming, and packing the lettuce; papering the crates; lidding; loading full crates on trucks or other vehicles, and in doing other operations incidental to and customarily related to the above.

(c) *Wage rates; maximum wage rates for dry-pack harvesting of lettuce.*

1. Dry-pack harvesting—28c per standard crate.

If payment is made on any other basis than the above flat rate per crate, the maximum equivalent payment shall not exceed the maximum rate above.

(d) *Administration.* The California WFA Wage Board located at 2181 Bancroft Way, Berkeley, California, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831).

(e) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 14 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) and the provisions of such regulations shall be applicable to this specific wage ceiling regulation No. 14 and any violation of this specific wage ceiling regulation No. 14 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U. S. C. App. 961 et seq.; Pub. Law 34, 78th Cong.; E. O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 6011, 9 F.R. 831)

Issued this 28th day of June 1944.

WILSON R. BUIE,
Acting Director of Labor, War Food Administration.

[F. R. Doc. 44-9512; Filed, June 29, 1944; 11:16 a. m.]

[1] Refers to section 5, Child Labor Regulation No. 1, "Certificates of Age," issued October 14, 1938, pursuant to the authority conferred by sections 3 (1) and 11 (b) of the Fair Labor Standards Act of 1938, published at 3 F.R. 2457, October 15, 1938; republished 4 F.R. 1361, March 29, 1939.

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-571]

HOME BUILDERS CORPORATION

Home Builders Corporation is a corporation organized under the laws of Nevada with its office and place of business in Las Vegas, Nevada. In January, 1942, it obtained approval of two applications on form PD-105 for permission to build and for preference rating assistance to secure materials to be used in the construction of eighty-seven dwelling units in Mayfair Tract No. 1, in the City of Las Vegas, Nevada. On January 21 and February 23, 1942, the War Production Board on two Preference Rating Orders P-55 assigned preference ratings for the acquisition of the materials described in the applications. Approximately eighty-five houses were completed with War Production Board permission and material obtained on preference ratings so granted. The applications and the preference rating orders contained certain promises and conditions concerning use and disposition of the houses. On November 16, 1942, a Regional Housing Specialist of the War Production Board by a letter advised the respondent that it could modify the promises and conditions contained in the applications and preference rating orders in a manner more favorable to respondent, and certain of the promises and conditions were restated in this letter.

In disposing of these houses, the respondent violated the promises and conditions contained in the applications and preference rating orders as modified by the Regional Housing Specialist in the following respects: One of the promises contained in the PD-105 Applications and not relaxed by the Regional Housing Specialist was, "I will make every reasonable effort to grant preference as to occupancy to persons engaged in National Defense Activities," but the respondent made no sincere or reasonable effort to make the houses so available to persons engaged in National Defense Activities; the respondent sold five of the houses to persons who were not engaged in National Defense Activities. Another of the promises and conditions was that the selling price of each house would not exceed $4,500, which amount was subsequently increased by the Regional Housing Specialist to $5,000.; the respondent sold twenty-seven of the houses for amounts in excess of $5,000.

These actions by the respondent have misused critical materials and facilities in connection with operations under the priority and allocation controls of the War Production Board, and have hampered and impeded the war effort of the United States. The responsible officers of the respondent were aware of the promises and conditions contained in the PD-105 Applications, the P-55 Preference Rating Orders, and the letter of the Regional Housing Specialist dated November 16, 1942, and the violations must be deemed wilful. In view of the foregoing, it is hereby ordered, that:

§ 1010.571 *Suspension Order No. S-571.* (a) Deliveries of material to Home Builders Corporation, its successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, shall be made to Home Builders Corporation, its successors or assigns, of any material or product the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Home Builders Corporation, its successors or assigns, from any restriction prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on June 28, 1944, and shall continue in effect until December 31, 1944.

Issued this 21st day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9478; Filed, June 28, 1944; 4:23 p. m.]

Chapter XI—Office of Price Administration

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 44]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[2]

A new section 12.1 (e) is added to read as follows:

(e) *Persons dealing only in zero point value foods need not register.* A person who opens a retail establishment need not register that establishment while all the processed foods in which he deals there have a zero point value.

This amendment shall become effective July 3, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[2] Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005; 9 F.R. 4320; and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320)

Issued this 28th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9476; Filed, June 28, 1944; 3:52 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 7]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 13.1 (e) is added to read as follows:

(e) *Persons dealing only in zero point value foods need not register.* A person who opens a retail or wholesale establishment need not register that establishment while all the foods covered by this order in which he deals there have a zero point value. However, this paragraph does not apply to a wholesale establishment at which canned fish is acquired for sale or transfer. Such an establishment must be registered under paragraph (c) of this section as soon as canned fish is acquired there for sale or transfer.

This amendment shall become effective July 3, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 28th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9474; Filed, June 28, 1944; 3:52 p. m.]

PART 1335—CHEMICALS

[MPR 543]

CERTAIN BARIUM CHEMICALS

Correction

The FEDERAL REGISTER serial number for the above-entitled document appearing at page 7196 of the issue for Thursday, June 29, 1944, should read "F.R. Doc. 44-9389."

[1] 9 F.R. 6731.

PART 1385—NAVAL STORES

[TMPR 36]

GUM ROSIN

In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328 to issue a temporary regulation establishing as the maximum prices for sales of gum rosin the prices prevailing with respect thereto within the five days prior to the issuance of the regulation.

The maximum prices herein established are not below prices which will reflect to the producers of gum rosin prices equal to the highest prices required by the provisions of section 3 of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

TEMPORARY MAXIMUM PRICE REGULATION 36—GUM ROSIN

Sec.
1. Prohibition against buying and selling gum rosin at higher than maximum prices.
2. Less than maximum prices.
3. Applicability and relation to other regulations.
4. Records and reports.
5. Evasion.
6. Enforcement.
7. Licensing.
8. Petitions for amendment.
9. Definitions.
10. Maximum prices for gum rosin.

AUTHORITY: Secs. 1 to 10 (§ 1385.53) issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Prohibition against buying and selling gum rosin at higher than maximum prices.* From June 28, 1944, to August 27, 1944, inclusive, regardless of any contract or other obligation:

(a) No person shall sell or deliver gum rosin at prices higher than those established by this regulation.

(b) No person in the course of trade or business shall buy or receive gum rosin at prices higher than those established by this regulation.

SEC. 2. *Less than maximum prices.* Prices lower than the maximum prices prescribed herein may be charged and paid.

SEC. 3. *Applicability and relation to other price regulations—(a) Geographical applicability.* This regulation applies in the 48 states of the United States and the District of Columbia.

(b) *Imports (Maximum Import Price Regulation[1] applicable).* The provisions of this regulation shall not apply and the Maximum Import Price Regulation shall apply to the purchases, sales or deliveries of gum rosin, if they originate outside of and are imported into the continental United States. Sales, purchases and deliveries of such imported commodities are governed by the provisions of the Maximum Import Price Regulation.

[1] 9 F.R. 2350.

(c) *Exports (Second Revised Maximum Export Price Regulation[2] applicable.* The maximum prices at which a person may export gum resin shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation.

SEC. 4. *Records and reports.* (a) Every person making sales of gum rosin shall preserve for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all his existing records relating to the prices which he charged for such gum rosin delivered or supplied during the period June 23, 1944, to June 27, 1944, inclusive.

(b) Every person selling gum rosin in the course of trade or business shall keep records which will show the name and address of the buyer, the date of the sale, the containers in which the sale was made, the grade and quantity sold, and the price. Such records must be kept for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect. Customary records such as invoices showing the above information will constitute compliance with this paragraph (b).

(c) Every person selling gum rosin other than on the Savannah, Georgia, Cotton and Naval Stores Exhange shall keep records showing as precisely as possible the basis upon which he determined the maximum prices for his sales of gum rosin and shall preserve such records for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(d) Such persons shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraphs (a), (b) and (c) of this section as the Office of Price Administration may from time to time require.

SEC. 5. *Evasion.* Price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to gum rosin, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, discount, premium, or other privilege, or other trade understanding, or otherwise.

SEC. 6. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 7. *Licensing.* The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or

[2] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036.

[3] 8 F.R. 13240.

one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 8. *Petitions for amendment.* Any person seeking an amendment to any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[4]

SEC. 9. *Definitions.* (a) As used in this regulation the term:

"Base period" means the period June 23, 1944 to June 27, 1944, inclusive.

"Gum rosin" means the vitreous transparent or translucent brittle mass congealed from the molten condition remaining after the extraction of gum spirits of turpentine in the distillation of oleoresin exuded from the living pine tree.

"Grade" refers to the grade as established by the Naval Stores Act (42 Stat. 1435; 7 UCS, Secs. 91-99).

"Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for gum rosin for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or in different containers or under different conditions of sale.

"Per 100 pounds" means "Per 100 pounds net".

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this regulation.

SEC. 10. *Maximum prices for gum rosin—(a) Sales on the Savannah, Georgia, Cotton and Naval Stores Exchange.* Maximum prices for sales of gum rosin on the Savannah, Georgia, Cotton and Naval Stores Exchange shall be:

Grade:	*Per 100 lbs. in Drums on Yard, Savannah, Ga.*
X	$6.50
WW	6.50
WG	6.31
N	6.20
M	6.10
K	6.05
I	5.90
H	5.80
G	5.75
F	5.70
E	5.65
D	5.20
B	5.10

(b) *Sales other than on the Savannah, Georgia, Cotton and Naval Stores Exchange.* For sales other than on the Savannah, Georgia, Cotton and Naval Stores Exchange you are to determine your maximum price by reference to the maximum prices for sales on that Exchange. To find your maximum price per 100 pounds for sale of any grade to explained below. This maximum price applies at a point in accordance with your customary practice. As used in any class of purchasers you proceed as this paragraph (b), "differential" means a dollar and cents difference.

(1) If during the base period June 23, 1944 to June 27, 1944, inclusive, you delivered the same grade of gum rosin to the same class of purchasers, you find your maximum price by adding to or subtracting from the maximum price per hundred pounds established in (a) above for sales of the same grade on the Savannah Exchange your base period differential. This differential is the most favorable from the price for that grade listed on the Savannah Exchange which you received on any delivery of the same grade to a purchaser of the same class during the base period. The price listed on the Savannah Exchange which you are to use to determine the differential for any delivery during the base period is the listed price for that grade on the Savannah Exchange on the day on which the Exchange was open for business next preceding the day on which the delivery was made.

Example: During the base period you made two sales of K grade rosin to the same class of purchasers. On the first delivery the price you received was 5 cents per 100 lbs. less than the Savannah Exchange quotation for K grade on the preceding day; on the second delivery your price was 2 cents per 100 lbs. more than the Exchange quotation for K grade on the preceding day. Your base period differential is 2 cents per 100 lbs. premium and your maximum price for K grade to that class of purchaser is $6.05 + 2 cents or $6.07 per 100 lbs.

(2) If during the base period your only deliveries of the same grade of rosin were made to a different class of purchasers, you find your maximum price by first determining your maximum price according to (1) above for sales to the different classes of purchasers, and then adding to or subtracting from that maximum price your customary differential between the two classes of purchasers.

Example: In the base period your only deliveries of K grade were in bags, less than carload. For such sales your maximum price determined according to (1) above is $5.85 per 100 lbs. You now wish to find your maximum price for sales in drum carloads. Customarily you charge 10 cents per 100 lbs. more for sales in drums than for sales in bags, and 5 cents per 100 lbs. less for carload than for less than carload sales. Your maximum price for drum carload sales of K grade is $5.85+10−.05 or $5.90 per 100 lbs.

(3) If during the base period you did not deliver the same grade of rosin, you find your maximum price by first determining your maximum price according to (1) and (2) above for sales to the same class of purchasers of the most nearly similar grade which you delivered during the base period and adding to or subtracting from this maximum price the differential between the Savannah Exchange maximum prices for these grades in paragraph (a) above.

Example: During the base period you delivered only N and K grades. You now wish to sell WW. The most nearly similar grade you sold in the base period is N. Your maximum price to a particular class of purchasers for N grade according to (1) and (2) above is $6.00. The maximum price for N in paragraph (a) is $6.20, for WW is $6.50. The differential is a premium of $0.30 and your maximum price for WW is $6.00+.30 or $6.30 per 100 lbs.

(4) If you cannot determine your maximum price according to (1), (2) or (3) above, your maximum price for sales of any grade to any class of purchaser shall be the maximum price determined under (1), (2) or (3) above by your closest competitor for sales of the same grade of rosin to the same class of purchasers.

Effective date. This regulation shall become effective June 28, 1944, and shall, unless earlier revoked or replaced, expire at 12 o'clock midnight, August 27, 1944.

NOTE: All record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of June 1944.

CHESTER BOWLES,
Administrator.

Approved: June 27, 1944.

GROVER B. HILL,
Acting War Food Administrator.

[F. R. Doc. 44-9475; Filed, June 28, 1944; 3:52 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 34]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 426 is amended in the following respects:

1. In paragraph (b) of Appendix H of section 15, Table 9 is added to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2493, 4030, 4086, 4088, 4434, 4779, 4786, 4787, 4877, 5926, 5959, 6420.

[4] 9 F.R. 5791.

TABLE 9—MAXIMUM PRICES FOR WATERMELONS[1]

Col. 1 Item Number	Col. 2 Commodity	Col. 3 Unit	Col. 4 Season	Col. 5 Maximum prices (f. o. b. country shipping point	Col. 6 Maximum prices for sales delivered to any wholesale receiving point in any quantity.[2]	Col. 7 Maximum prices for sales by certain persons in less than carlots or less than truckloads delivered to the premises of any retail store, Government procurement agency or institutional buyer.[3]
1	Watermelons	Ton	Through July 4	$45.00	Price in Column 5 plus freight from country shipping point.	Price in column 6 plus 1.3 cents per lb.
2		Pound		.0226		
3		Ton	July 5 and after	35.00		
4		Pound		.0175		

[1] The prices in this table do not apply to sales of watermelons which were shipped from the country shipping point before June 29, 1944.

[2] In determining the delivered price the column 5 price to be used is the price in effect at the time the particular goods were shipped from the country shipping point.

[3] The prices named in columns 6 and 7 are maximum prices for each individual lot or shipment of watermelons received and sold by the particular seller. For the sellers covered by column 7 see the general provisions of this appendix.

2. In Appendix H of section 15, the table in paragraph (c) is amended by adding item No. 9 to read as follows:

TABLES OF MAXIMUM MARKUP FOR DISTRIBUTIVE SERVICES TO BE ADDED TO MAXIMUM DELIVERED PRICES (SEE COL. 6 OF TABLES IN PARAGRAPH (B))

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9	Col. 10
Item number	Commodity	Unit 3	Sales by a grower or a country shipper: Through a broker, shipper's sales agent or commission merchant in carlots or truckslots or through broker, shipper's sales agent, or auction in less-than-carlot or less-than truck lot	Sales by a grower or a country shipper: Through a commission merchant in less-than-carlots or less-than truckloads	Sales by anyone other than a grower or country shipper, who has purchased a carlot or truckload, and sells such a carlot or truckload unbroken	Sales by carlots receivers in less-than-carlots or less-than-truckloads. (For sales by carlot receivers through auction the markups named in Col. 4 shall be applied)	Sales by secondary jobbers in any quantity delivered to the premises of the purchaser	Sales by a service wholesaler delivered to the premises of any retail store, Government procurement agency, or institutional buyer, within the free delivery zone.[4]: Half container or larger	Sales by a service wholesaler delivered to the premises of any retail store, Government procurement agency, or institutional buyer, within the free delivery zone.[4]: Less than half container
9	Watermelon	Pound	Cent 1/10	Cent 1/8	Cent 1/10	Cent 1/10	Cents 1 1/10	Cents 1 1/1	

This amendment shall become effective at 12:01 a. m. June 29, 1944.

Issued this 28th day of June 1944.

CHESTER BOWLES,
Administrator.

Approved: June 26, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-9468; Filed, June 28, 1944; 11:37 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 72]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. Section 5.7 (a) is amended to read as follows:

(a) The meal service allotment under sections 6.2, 7.3, 7.6, 7.9, 26.1, and 31.1 and Article XI for foods covered by Revised Ration Order 16 for all institutional users for the allotment periods May–June 1944 and July–August 1944, shall be reduced by fifty percent (50%). If the allotment for either of those periods has been issued without the reduction required by this section, the amount of the reduction in the allotment shall be charged as excess inventory.

2. Section 5.7 (d) (1) is amended by substituting for the words "apply for an adjustment of his May–June 1944", the words "obtain an adjustment of his May–June 1944 and July–August 1944".

3. Section 5.7 (d) (2) is amended by changing the semicolon to a period, and by adding at the end thereof the following:

However, if he has already applied for this adjustment for the May–June 1944 period, he need not apply again to obtain the adjustment for the July–August 1944 period. (However, he may apply for the adjustment if he wishes, for example: if the amount of the adjustment would be increased because points must now be given up for a food covered by Revised Ration Order 16 for which points did not have to be given up at the time he applied for the adjustment for the May–June 1944 allotment period.);

4. Section 5.7 (d) (4) is amended by substituting for the words "May–June 1944 meal service allotment" the words "May–June 1944, or July–August 1944, meal service allotment, as the case may be,".

This amendment shall become effective at 12:01 a. m. July 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1–E, 1–M and 1–R, 7 F.R. 562, 2965, 7234, 9684, respectively; War Food Order Nos. 56, 58, 59, 61, and 64, 8 F.R. 2005, 2251, 3471, 7093, 9 F.R. 4319)

Issued this 29th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9515; Filed, June 29, 1944; 11:47 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RMPR 143,[1] Amdt. 1]

WHOLESALE PRICES FOR NEW RUBBER TIRES AND TUBES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 143 is amended in the following respects:

1. The table of minimum discounts in section 4 (c) is amended to read as follows:

	Percent
All tires except farm tractor and implement	30
All tubes except farm tractor and implement	35
Farm tractor and implement tires and tubes	25

2. In section 4 (d) (1) the phrase "on or before August 15, 1944" is substituted for the phrase "within 15 days after the effective date of this regulation".

This amendment shall become effective July 5, 1944.

Issued this 29th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9534; Filed, June 29, 1944; 11:46 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10002, 11479, 11480, 11676, 12403, 12483, 12557, 12744, 14472, 15488, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2252, 2287, 2476, 2789, 3030, 3075, 3340, 3577, 3704, 4196, 4393, 4647, 4873, 5041, 5232, 5684, 5826, 5915, 6108.

[1] 9 F.R. 4286.

PART 1340—FUEL

[MPR 120,[1] Amdt. 103]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 120 is amended in the following respects:

In § 1340.705 (e), the following is added:

Each producer filing his report on OPA Form No. 653:499 for the month of June 1944 shall for that month insert in the space in Schedule II this information:

(1) Total amount of retroactive portal-to-portal wage settlement liability;

(2) Amount charged off by reserves or payments reported as costs on the same form up to June 1, 1944; and

(3) Remainder of liability as of June 1, 1944, and proposed schedule for charging off the liability.

In the same and subsequent reports, the producer shall strike the words appearing on code line 1109 of the same form; insert the words "$40.00 portal payment", and then make appropriate entry.

This amendment shall become effective July 5, 1944.

NOTE: All record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9515; Filed, June 29, 1944; 11:48 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RPS 32,[2] Amdt. 14]

PAPERBOARD SOLD EAST OF THE ROCKY MOUNTAINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In Section 1347.61 (a) two items are added to read as follows:

	1 to 3 tons	Over 3, less than 10 tons	10 tons or over
• •	•	•	•
Special ammunition chip tube stock (as specified in War Department specification No. AXS-1126)	$58.50	$56.00	$53.50
Special high test ammunition chip stock (as specified in War Department specification No. AXS-1156)	62.50	60.00	57.50

This amendment shall become effective July 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9518; Filed, June 29, 1944; 11:47 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 275,[1] Correction]

EXTRACTED HONEY

Maximum Price Regulation 275 is corrected in the following respects:

1. Paragraph (g) of § 1351.1319 is redesignated (h) and paragraph (h) of that section is redesignated (g).

2. The phrase "§ 1351.1319 (f)" appearing in the first sentence of § 1351.1319 (f) is corrected to read "§ 1351.1319 (g)."

3. The phrase "price per pound" appearing in the first sentence of § 1351.1319 (b) (3) is corrected to read "maximum price per pound."

4. The phrase "§ 1351.1319 (h)" appearing in § 1351.1302a (e) is corrected to read § 1351.1319 (g).

This correction shall become effective July 5, 1944.

Issued this 29th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9521; Filed, June 29, 1944; 11:48 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RPS 50,[1] Amdt. 10]

GREEN COFFEE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1351.1 (e) is amended to read as follows:

(e) For any green coffee sold ex-warehouse rather than ex-dock New York City, or other port or point of entry, the cost of actually "putting into the warehouse" may be added to the specified maximum prices by the seller who incurred the cost. "Putting into the warehouse" shall include only the following charges; (1) transportation charges from dock to warehouse, (2) handling charges in and out, and (3) warehouse storage charges for not more than 90 days.

This amendment shall become effective July 1, 1944.

Issued this 29th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9520; Filed, June 29, 1944; 11:47 a. m.]

PART 1373—PERSONAL AND HOUSEHOLD ACCESSORIES

[MPR 499,[2] Amdt. 2]

CERTAIN IMPORTED SWISS WATCHES

A statement of the considerations involved in the issuance of this amendment, has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 499 is amended in the following respect:

The table of prices listed in section 3 is amended to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5042, 5375, 5587, 5626, 5915, 6433, 6451.

[2] 7 F.R. 1264, 2000, 2132, 2740, 3182, 8948; 8 F.R. 3524, 4187, 5838, 11291, 14811, 15607, 17415; 9 F.R. 67, 1571, 3331, 5482.

[1] 7 F.R. 9955; 8 F.R. 542, 1226, 2887, 3947, 8502, 9218; 9 F.R. 2425, 5726.

[1] 7 F.R. 1305, 2132, 2945, 5462, 6387, 6685, 8948, 10471; 8 F.R. 5477, 13024; 9 F.R. 901, 1598.

[2] 8 F.R. 16600; 9 F.R. 2300.

Description of watches	Importers' prices to jobbers		Importers' prices to retailers		Jobbers' prices to retailers		Retail ceiling prices	
	8¾ lignes and over	Under 8¾ lignes	8¾ lignes and over	Under 8¾ lignes	8¾ lignes and over	Under 8¾ lignes	8¾ lignes and over	Under 8¾ lignes
1. Pin-lever, cylinder and Roskopf watches with 3 jewels or less, in either non-waterproof or waterproof cases	$5.98	$4.68	$4.25	$3.00	$4.57	$3.38	$8.50	$10.00
2. Roskopf and cylinder watches with 4-10 jewels in non-waterproof cases	5.39	6.01	8.75	6.60	6.18	6.90	11.50	13.00
3. Pin-lever watches with 4-10 jewels in non-waterproof cases	6.25	6.94	6.75	7.50	7.20	8.06	13.50	15.00
4. Roskopf and cylinder watches with 4-10 jewels in waterproof cases	6.94	7.63	7.50	8.25	8.06	8.87	15.00	16.50
5. Pin-lever watches with 4-10 jewels in waterproof cases	7.85	8.55	8.50	9.25	9.14	9.94	17.00	18.50
6. Pin-lever, cylinder and Roskopf watches with 11 or more jewels in non-waterproof cases	8.09	8.79	8.75	9.50	9.41	10.21	17.50	19.00
7. Pin-lever, cylinder and Roskopf watches with 11 or more jewels in waterproof cases	9.71	10.41	10.50	11.26	11.29	12.09	21.00	22.50

This amendment shall become effective on the 5th day of July 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9514; Filed, June 29, 1944; 11:48 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5F,[1] Amdt. 12]

MILEAGE RATIONING: GASOLINE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5F is hereby amended in the following respects:

1. Section 5.6 is amended by adding thereto paragraphs (t), (u), (v), and (w) to read as follows:

(t) By theater managers for the purpose of taking employees home after work, provided that such transportation must be furnished in order to secure or retain sufficient labor for the operation of the theater.

(u) By managers of restaurants and hotel dining rooms, for the purpose of securing sufficient produce and supplies for the operation of such restaurants and hotel dining rooms.

(v) By officials and paid employees of the United Service Organizations, Inc. for necessary travel to supervise the activities of that agency.

(w) By owners of retail grocery stores for the purpose of securing produce and supplies for sale at such stores, providing they can qualify under the following conditions:

(1) That they do not have access to a centralized purchasing and distribution service which is operated for the purpose of purchasing and delivering produce and supplies, and

(2) That delivery by wholesalers is not available or is inadequate.

This amendment shall become effective June 29, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong., E.O. 9125, 7 F.R. 562, Supp. Dir. 1-Q, 7 F.R. 9121, General Order No. 48, 8 F.R. 2898)

Issued this 29th day of June 1944.

MELVIN C. ROBBINS,
Territorial Director,
Territory of Hawaii.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-9516; Filed, June 29, 1944; 11:48 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 2 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (c) (2) (ii) is amended in the following respects:

1. Subdivision (b) is amended to read as follows:

(b) Group II, cheese.....All... 4.0

2. Subdivision (c) is amended to read as follows:

(c) Group III, cheese.....All... 4.0

This amendment shall become effective July 2, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 29th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9523; Filed, June 29, 1944; 11:46 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 10]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The last sentence of section 10.10 (a) is amended to read as follows: "However, he need not give up points for meat which has a zero point value or for cuts of meat which contain only meat having a zero point value."

This amendment shall become effective July 2, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2004, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 29th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9529; Filed, June 29, 1944; 11:45 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 378,[1] Amdt. 68]

SHELL JEWELRY IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10742, 10757, 13125, 14155, 15985; 9 F.R. 2746, 3513, 4433, 4611, 4779, 5736, 6111.

[1] 9 F.R. 6772, 6825.

[1] 9 F.R. 6731.

[2] 8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 15862, 16866, 16997, 17201; 9 F.R. 173, 393, 580, 584, 1158, 1487, 1489, 1528, 1530, 2177, 2659, 2660, 3153, 3232, 3341, 3967, 3947 3945 4351, 4783, 4821, 4785, 4819, 5168, 5438, 5482.

Section 50 is amended to read as follows:

SEC. 50. *Maximum prices for certain shell jewelry manufactured in the Territory of Hawaii.*—(a) *Maximum prices for Niihau shell leis.* (1) Maximum prices for sales in the Territory of Hawaii of Niihau shell leis shall be:

	Size	Maximum wholesale price	Maximum retail price
Leis made exclusively of white Niihau shells (momi keokeo or white Niihau shells mixed with lesser amounts of Niihau colored shells.	30" strand..	$1.00	$1.50
Leis made exclusively of Niihau yellow or tan colored shells (momi lenalena), except as varied by small admixtures of other Niihau colored shells.	30" strand..	1.25	1.90
Leis made exclusively of Niihau small pink, red, or brown shells known as kabelelani, or of kabelelani varied with small amounts of other Niihau colored shells.	30" strand..	1.50	2.25

(b) *Maximum prices for jewelry made with cowry shells and cat's eyes.*—(1) *Manufacturer's maximum prices.* If you are a manufacturer of any item of jewelry made from cowry shells or cat's eyes, you determine your maximum prices for such items in the following manner: First, multiply the number of shells used by the price per shell listed in the Shell Price Table below, for the type and size of shell used. To this amount add the net cost of other materials used in the article being manufactured, which in no case may be higher than the maximum wholesale price. Then multiply this total by 1.50. The resulting price is your maximum price.

SHELL PRICE TABLE

Type	Size	Price
		Each
Cowry shell...	Small, ¾" long or less	$0.05
Cowry shell...	Medium, ¾" to 1¼" long	.10
Cowry shell...	Large, over 1¼" long	.15
Cat's eye	Small, ½" long or less	.50
Cat's eye	Medium, ⅝" to ¾" long	.75
Cat's eye	Large, over ¾" long	1.00

(2) *Retailer's maximum prices.* If you are a retailer, you determine your maximum prices for sales of any item of jewelry made from cowry shells or cat's eyes in the following manner: First, multiply your manufacturer's selling price by 1.50. Then adjust this amount to the nearest nickel. The resulting price is your maximum price.

(c) *Inability to determine maximum prices.* If you are unable to determine your maximum price for any article covered by this section, you shall apply to the Office of Price Administration for the establishment of a maximum price.

(d) *Definitions.* (1) "Shell jewelry" means all jewelry made of, set or mounted with natural shells or parts of shells.

(2) "Cowry shell" is the solid oval or pear-shaped shell of a genus of good-sized mollusks. There are many species of cowries, differing both in color and size. Money cowries, ring cowries, gold-ringer cowries, measled cowries, tiger cowries, humpback cowries, and leho are among the names commonly given to these shells.

(3) "Cat's eye" is the thick calcareous operculum to a turbine shell. A cat's eye is convex on the exterior and polished, with ordinarily a bright green spot in the center.

(4) "Other materials used" include such materials as chains, pins, earrings, rings, etc., which are used in the manufacture of jewelry made with cowry shells and cat's eyes, but do not include cotton or other material used for packing the shells, cement, and similar incidental supplies.

(5) "Net cost" is the amount the manufacturer paid his supplier (a manufacturer or wholesaler) for "other materials used" less all discounts and allowances.

(6) "Niihau shell leis" mean leis made exclusively of shells commonly known in the Territory of Hawaii as Niihau shells.

This amendment shall become effective as of June 19, 1944.

Issued this 29th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9517; Filed, June 29, 1944; 11:49 a. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 2]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.* To the extent that this regulation operates to compel changes in the business practices, costs practices or methods, or means or aids to distribution established in the industry affected, the Administrator has found that such action is necessary to prevent circumvention or evasion of this regulation.

RESTAURANT MAXIMUM PRICE REGULATION 2—FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

Sec.
1. Ceiling prices for "eating and drinking establishments" in operation during April 4 to 10, 1943.
2. Rules for establishments not in operation during April 4 to 10, 1943, but in operation before July 31, 1944.
3. Rules for new establishments.
4. Rules for establishments offering new classes of meals, food items, or beverages.
5. OPA approval and revision of prices established under sections 3 and 4.
6. Seasonal items.
7. Transfer of business.
8. Rules for seasonal operators.
9. Rules for operation of several establishments.
10. Moving your establishment or changing type of operation.
11. Taxes.
12. Prohibitions.
13. Permitted practices.
14. Records.
15. Filing of menus.
16. Posting.
17. Adjustments.
18. Exempt sales.
19. Definitions and explanations.
20. Violations.
21. Petitions for amendment.
22. Authority of local War Price and Rationing Boards.
23. Delegation of authority.
24. Special orders.
25. Relation to other price regulations.
26. Geographical application.

AUTHORITY: Secs. 1 to 26, inclusive (§ 1448.-802), issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681

NOTE: The meaning of certain terms in this regulation is further explained and defined in section 19. The terms explained and defined are put in quotation marks the first time they appear.

SECTION 1. *Ceiling prices for "eating and drinking establishments" in operation during April 4 to 10, 1943.* You must observe all the following rules:

(a) *General rule.* Your ceiling price for any "meal," "food item," or "beverage," except coffee, is the highest price at which you offered the same meal, food item, or beverage between April 4 and 10, 1943.

(b) *New meals, foods items, or beverages.* If you did not "offer" a particular meal, food item, or beverage between April 4 and 10, 1943, figure your ceiling price as follows:

(1) If you offered it at any time between March 7 and April 3, 1943, and you have and retain menus or other records of the prices you charged then, your ceiling price is the highest price at which you offered that particular meal, food item, or beverage during that period.

(2) Your ceiling price for all other meals, food items, or beverages is a price "in line" with your other ceiling prices. A price for a meal (or food item or beverage) is "in line" with the price of another meal (or food item or beverage) if the customer gets the same value for his money in terms of quality and size of portions and if the margin over current raw food costs is the same. Any ceiling price figured under this subparagraph (2) cannot be more than the highest price at which you offered a meal, food item or beverage of the same class between April 4 and 10, 1943 (see paragraph (d) below). If you did not offer a meal, food item, or beverage of the same class during April 4 to 10, 1943, figure your price under section 4 below.

(c) *Coffee.* Your ceiling price for hot coffee is the highest price you charged (or if you were not in business then, your closest competitor of the same type charged) between October 4 and 10, 1942. However, before you may charge more than five cents per cup or pot (including cream and sugar), you must file a statement with your local "War Price and Rationing Board", showing that your price (or if you were not in business then, the price of your closest competitor

*Copies may be obtained from the Office of Price Administration.

of the same type) was more than five cents during that period. If your establishment is subject to Restaurant Maximum Price Regulation No. 1,[1] the statement must be filed with the Restaurant Price Branch, Office of Price Administration, Washington, D. C. The statement must be in the following form:

This is to certify that our prices (or where applicable, our competitor's prices) for hot coffee during the week of October 4 to 10, 1942, were as follows:

Per cup---------- ——*Cents*
Per pot (containing ____ cups)---- ——*Cents*
Signed----------
Proprietor

Name of establishment

Address of establishment

If you had price differences depending on class of meal or beverage (see paragraph (d) below), show them in the statement. You must keep a copy of the statement in your establishment for inspection by any person.

(d) *Classes of meals, food items, and beverages: Basic rule.* Meals, food items, and beverages are divided into classes (see paragraph (e) below for a description of these classes). With the exceptions listed below, you may not charge more for any meal, food item, or beverage than the highest price at which you offered a meal, food item, or beverage of the same class during the base period April 4 to 10, 1943 (October 4 to 10, 1942, in the case of coffee, and March 7 to April 3, 1943, for particular meals, food items, or beverages offered then but not during April 4 to 10, 1943, as stated in paragraph (b) (1) above).

(1) If you customarily charged higher prices on holidays, such as Thanksgiving, Christmas, or New Year's Day, you may continue to charge the higher prices on such holidays. But your prices for holidays may not be more than fifteen percent higher than your Sunday prices for meals, food items, or beverages of the same class.

(2) Your ceiling prices for New Year's Eve are the prices you charged on New Year's Eve 1942, for meals, food items, and beverages of the same class. You must keep available for inspection menus or records of the prices you charged on New Year's Eve 1942.

(e) *Classes of meals, food items, and beverages: Description.* The "class" in which any meal, food item, or beverage belongs depends on the following tests:

(1) Whether the food item, the beverage, or the entree (main dish) of the meal falls into one of the groups listed in Appendix A. For example, steak dinners are in a different class than fish dinners, and steak dinners are in a different class than steak served a la carte;

(2) What it is usually called; for example, breakfast, lunch, afternoon tea, dinner, supper;

(3) The day of the week or the time of the day it is served, if that has been a customary basis for charging different prices; for example, a Sunday meal is in a separate class if you customarily charged different prices on Sunday during the base period stated in paragraph (d) above;

(4) The nature of the service you give, if that was a customary basis for charging different prices during the base period stated in paragraph (d) above, for example, banquets, special group luncheons, hotel room service are separate classes of meals, food items, or beverages, if you customarily charged different prices for them during the base period.

The class into which a meal, food item, or beverage belongs may depend on more than one of the tests listed above. To decide the proper class you must use all the tests which apply. For example, if you charged the same price for a particular meal, food item, or beverage whenever you served it during the base period stated in paragraph (d) above, you must use only the first test. On the other hand, if you charged different prices at different times of the day or on different days of the week during the base period, you must use at least the first and third, and any other tests which apply. For example, a steak dinner served on Sunday in a guest room in a hotel may require you to use all the tests listed.

EXPLANATORY SUMMARY OF ABOVE RULES

You must not charge more for any meal, food item, or beverage than the highest price at which you offered the same meal, food item, or beverage in the base period stated in paragraph (d) above. In addition, you must not charge more for any meal, food item, or beverage than the highest price at which you offered a meal, food item, or beverage of the same class during the base period. This means that if you sell a meal, food item, or beverage that you did not sell during the base period, your price for it cannot be more than your ceiling price for a meal, food item, or beverage of the same class sold during the base period. It does not mean that your ceiling price for any item is the highest price you charged for an item of that class during the base period. For example, you will note in Appendix A that roasts and hamburger are in the same class. If you served a roast for 75 cents during the base period and hamburger for 50 cents, 75 cents is your ceiling price for a roast and 50 cents is your ceiling price for hamburger. You cannot charge 75 cents for hamburger just because you charged 75 cents for a roast and they are both in the same class. However, if you introduce a new item of the same class (for example, swiss steak), your price for that may go as high as 75 cents but only if the customer received the same value in terms of quality and size of portion and your margin of the raw food cost is about the same as for the roast or another item in the same class.

(f) *Substitution of food items.* You may substitute for any food item or beverage in a meal any other food item or beverage not offered during April 4 to 10, 1943, without refiguring your ceiling price only if the substitute food item or beverage costs at least as much and also gives customers at least the same value as the food item or beverage substituted and is in the same class. Otherwise, you must refigure your ceiling price for the meal in accordance with paragraph (b) above.

(g) *Price ranges of meals, food items and beverages.* (1) Your customers must be given a choice of meals, food items, and beverages in the same price ranges as they had during April 4 to 10, 1943, or your first week of operation if you were not open then.

(2) You must offer at least as many meals, food items, or beverages in each price group at and below your middle price group as you did during April 4 to 10, 1943, or your first week of operation if you were not open then. Your middle price is the price nearest the middle of your price range. For example, if you had two breakfasts at 25 cents, three at 30 cents, and two at 35 cents, 30 cents is your middle price group, and you must continue to offer at least two breakfasts at 25 cents and at least three at 30 cents.

SEC. 2. *Rules for establishments not in operation during April 4 to 10, 1943, but in operation before July 31, 1944.* Take as your ceiling prices the prices you properly established under the Regional or District restaurant regulation, if any, which was applicable to you. You must also observe all the rules stated in Section 1 but, in applying those rules, substitute the date of your first week of operation for April 4 to 10, 1943, wherever it appears in section 1. If no restaurant regulation was applicable to you, figure your price under section 3.

SEC. 3. *Rules for new establishments.* This section applies to establishments which opened after July 31, 1944, and also to establishments which opened after April 10, 1943 and before July 31, 1944, but were not subject to Regional or District restaurant regulations.

(a) *Competitor's prices.* Take as your ceiling price the ceiling price of your closest competitor of the same type (in the same locality).

(b) *Application for prices.* If there is no competitor of the same type in the same locality, you must file an application with your OPA District Office for approval of ceiling prices in line with the level of ceiling prices otherwise established by this regulation. The application must contain the following information and any other information which OPA may request:

(1) Your name and address and the name and address of your establishment.

(2) A brief description of the business you operate or plan to operate, giving such information as seating capacity, estimated number of people to be served, type of equipment, and type of establishment. Also submit a copy of your proposed menu if you have one.

(3) Your ceiling prices or proposed ceiling prices and classes of meals, food items, or beverages you serve or plan to serve. In preparing the list use the classes of food items and beverages listed in Appendix A.

(4) The date you open or plan to open.

(5) The names and addresses of the two nearest establishments most like yours.

SEC. 4. *Rules for establishments offering new classes of meals, food items, or beverages*—(a) *Competitor's prices.* If you cannot figure a ceiling price for a new class of meals, food items, or beverages under the above sections, take as your ceiling price the ceiling price of your closest competitor of the same type (in the same locality).

[1] 8 F.R. 8845, 12557, 16254, Food and Drinks sold for Immediate Consumption in Dining Cars.

(b) *Application for prices.* If there is no competitor of the same type in the same locality offering that class of meals, food items, or beverages, you must file an application with your OPA District Office for approval of ceiling prices in line with the level of ceiling prices otherwise established by this regulation. The application must contain the following information and any other information which OPA may request:

(1) Your name and address and the name and address of your establishment.

(2) A brief description of the business you operate, giving such information as seating capacity, number of people served per day, gross sales for the last thirty days, type of equipment, and type of establishment. Also submit a copy of your present menu.

(3) The additional meals you plan to serve and the proposed ceiling prices with their raw food costs;

(4) The names and addresses of the two nearest establishments most like your, offering the same type of menu you plan to serve.

SEC. 5. *OPA approval and revision of prices established under Sections 3 and 4.* (a) You may not sell the meals, food items, or beverages for which maximum prices are requested under section 3 (b) or section 4 (b) until those prices have been approved by OPA, but the proposed prices shall be considered approved twenty days after mailing the application (or all additional information which may have been requested), unless, within that time, OPA advises you that your prices have been disapproved.

(b) OPA may at any time disapprove or revise ceiling prices proposed or established under sections 3 and 4 so as to bring them into line with the level of ceiling prices otherwise established by this regulation for eating and drinking places in the same area.

SEC. 6. *Seasonal items.* Figure your price for a seasonal food item as follows: First, figure your price under the applicable section of this regulation. You must reduce that price to the extent necessary to reflect seasonal changes in raw food costs, but you cannot increase your price even if your costs increase. However, you need not reduce your ceiling price for a seasonal item if, in accordance with your customary practice, it was based upon estimated average raw food costs for the entire season and you customarily charged the same price during the entire season. A "seasonal food item" is one that you usually sell only during certain times of the year, such as fresh oysters, fresh trout, fresh corn on the cob, fresh berries, and fresh melons.

SEC. 7. *Transfers of business.* If you lease or acquire another's business, assets, or stock in trade, your ceiling prices and your duties under this regulation are the same as those of the previous proprietor. He must turn over to you all records which are necessary to enable you to comply with the records and filing provisions of this regulation.

SEC. 8. *Rules for seasonal operators.* If your establishment was in operation during April 4 to 10, 1943, and if more than 80 percent of your volume is customarily done in a seasonal period of not more than four months, you may, during that seasonal period, charge prices no higher than you charged for meals, food items, or beverages of the same class during the same seasonal period in 1943. At the end of the season and until the season starts again, you may not charge more than your ceiling prices figured under section 1.

SEC. 9. *Rules for operation of several establishments.* (a) If you own or operate more than one establishment, you must do everything required by this regulation for each place separately.

(b) If you own or operate more than one establishment and close one and open another in the same neighborhood, your ceiling prices and duties for the new establishment under this regulation are the same as the one you closed.

(c) If you own or operate more than one establishment located in two or more OPA districts and have established or want to establish the practice of charging uniform prices in all or certain of your establishments, you may apply for a uniform pricing order to the Restaurant Price Branch, Office of Price Administration, Washington 25, D. C. The application should contain the information required by Revised Supplementary Order No. 13.[1] The Price Administrator may on his own motion establish prices for sellers owning or operating more than one establishment and may for this purpose require sellers to furnish necessary information.

SEC. 10. *Moving your establishment or changing type of operation.* If you move your establishment or change your type of operation, you must keep the same prices and observe the same requirements as before. However, if you make a major change in your type of operation and your ceiling prices cause you substantial hardship, then, upon application by you before you change your type of operation, or within twenty days thereafter, the Office of Price Administration may establish different prices. You must file such application with your District Office and furnish all the information required by paragraph (b) of section 3 and show how your present prices would cause you substantial hardship.

SEC. 11. *Taxes.* If during April 4 to 10, 1943, you stated and collected, separately from the price you charged, the amount of any tax on the sale of food or beverage (or on the business of selling food or beverage if the tax is measured by the number or price of the meals, food items, or beverages), you may continue to do so. You may also state and collect separately the amount of any new tax or increase in a tax of that kind.

SEC. 12. *Prohibitions*—(a) *Sales at higher than ceiling prices.* If you own or operate an eating or drinking establishment, you must not sell or offer any meal, food item, or beverage at a price higher than the ceiling price (maximum price) established by this regulation. Of course, you may charge lower prices than your ceiling prices at any time.

[1] 9 F.R. 6791.

(b) *Evasive practices.* You must not do anything which will result in an evasion of this regulation, including the following:

(1) You may not drop food items from meals or reduce the quantity or quality of any meal, food item or beverage, unless you reduce your price accordingly. The rule for figuring the lower "in line" ceiling price is stated in subparagraph (2) of section 1 (b).

(2) You may not increase your price for a meal, food item or beverage because of an improvement in the quality or increase in the quantity of the food, or beverage served or the addition or substitution of side dishes.

(3) You may not withdraw the offer, or increase the price, of any meal ticket, weekly rate, or other arrangement, by which customers may buy food for less than when they buy it by item or meal.

(4) You may not increase any cover, minimum, bread-and-butter, service, corkage, entertainment, checking, parking, or other special charges, or increase any extra charge for the sale of a food item or meal to be eaten off the premises, or make any of these charges that were not in effect on April 4 to 10, 1943. However, a cover or minimum charge in effect April 4 to 10, 1943, may be increased where it was your practice to vary the charge in accordance with the type of entertainment offered, and the increase does not cause the charge to go above the highest charge made in 1943 under the same conditions. If during April 4 to 10, 1943, you had any of the above charges on one or several days of the week or at certain times of the day, you may not make the charge on other days of the week or other times of the day.

(5) You may not drop a "no tipping" practice, unless you reduce your price accordingly.

(6) You may not require, as a condition of selling a meal, food item, or beverage, the purchase of other meals, food items, or beverages, unless expressly required to do so by State or local laws.

(7) You may not reduce the selection of meals offered at table d'hote prices when the food items you customarily offered in such meals are being offered at a la carte prices which, when added together, total more than the table d'hote prices for the complete meals or give your customers less value for their money.

(8) You may not make merely a token offering of meals, food items, or beverages in required price ranges or price groups at or below your middle price group (see section 1 (g))—that is, not prepare and offer enough to meet expected demands.

SEC. 13. *Permitted practices.* You may do any of the following things when necessary because of rationing or allocation restrictions even though you did not do them during April 4 to 10, 1943:

(1) You may limit your customers to one pat of butter per meal, or eliminate it entirely. If you drop it altogether, you must serve with each meal a substitute, such as jam, jelly, marmalade, peanut butter, etc.;

(2) You may drop or reduce the quantity of condiments, such as ketchup, chili sauce, etc.;

(3) You may reduce the amount of sugar served with any beverage or food item;

(4) You may limit the amount of cream served with any food item or beverage or you may supply milk.

However, if you continue to serve these items as you did during April 4 to 10, 1943, or your first week of operation if you were not open then, you cannot make any additional charge for them.

SEC. 14. *Records*—(a) *Customary records.* You must preserve all your existing records relating to your prices, costs and sales. You must also continue to maintain such records as you ordinarily kept. All such records shall be subject to examination by the OPA.

(b) *Records of the base period.* You must keep available for examination by any person during business hours a copy of each menu used by you during April 4 to 10, 1943, or if you did not use menus, a list of the highest prices you charged during April 4 to 10, 1943 or your first week of operation if you were not open then.

(c) *Future records.* You must keep for examination by the OPA two each of the menus used by you each day. If you did not use menus, you must prepare in duplicate, and preserve for such examination, a record of the prices charged by you each day, except that you need not record prices which are the same as, or less than, prices you previously recorded for the same meals, food items or beverages. If you customarily used menus you must continue to use them.

SEC. 15. *Filing of menus.* (a) If you open for business after July 31, 1944, you must file with your War Price and Rationing Board, within three weeks after the first Sunday of operation, a copy of each menu, bill of fare, or other price list of meals, food items, and beverages, as well as a copy of any special charges, such as cover, minimum, bread-and-butter, service, corkage, entertainment, checkroom, and parking in use during the seven day period beginning with the first Sunday that your place was open for business. If you did not use menus, bills of fare, or price lists in that period, or if you did not list all meals, food items, or beverages then offered, you must file with the Board a list in menu form showing the prices which you charged during the seven-day period for meals, food items or beverages which are not shown on any menus, bills of fare or price lists, which you may file hereunder. Each menu or list so filed must be signed by you, and must also have upon it the name and address of your establishment. You must keep a copy of each such menu or list.

(b) *Failure to comply with filing requirements of General Order No. 50.* (1) If you have not filed signed and complete menus, bills of fare, price lists, or records of special charges (such as cover, minimum, bread-and-butter, service, corkage, entertainment, checkroom, or parking charges) with your War Price and Rationing Board as was required by General Order No. 50, you must file them with your War Price and Rationing Board within ten days after the effective date of this regulation. Such prices as filed are subject to approval by the Office of Price Administration. A copy of the applicable filing provisions of General Order 50 may be found in Appendix B of this regulation.

(2) If you did not comply with the filing provisions of General Order No. 50, and do not do so within the ten days provided, you may not sell any meal, food item, or beverage or collect any special charge for which you have not made a proper filing until you have made a proper filing with your War Price and Rationing Board and until your filed prices have been approved by the Office of Price Administration.

(3) If the Office of Price Administration finds that your prices filed under this paragraph (b) are excessive in relation to the ceiling prices of other comparable establishments in the same area, it may issue an order establishing ceiling prices for your business in line with those other ceiling prices.

SEC. 16. *Posting*—(a) *Statement on menus.* Beginning July 31, 1944, each menu used by you must have clearly and plainly written on it, or attached to it, either the statement previously required under any Regional or District restaurant regulation, or the following statement:

> All prices are our ceiling prices or below. The ceiling is based on prices charged by us from April 4 to 10, 1943. Our menus (or price lists) for that week are here for your inspection.

If your prices are established under section 3, substitute the following statement:

> All prices are ceiling prices or below. By OPA regulation, our ceiling prices must be in line with competitive prices charged from April 4 to 10, 1943. Our menus (or price lists) for our first week of operation are here for your inspection.

(b) *Establishments that do not use menus.* If you do not use menus, you must post the appropriate statement quoted above at a place or places where it can easily be read by your customers, and you must also post your prices for meals and food items and beverages currently offered by you at a place or places where they can easily be read by your customers.

(c) *Posting of 40 basic items.* Each Office of Price Administration District Director is authorized and directed to issue a posting order requiring every eating and drinking establishment in his district to post its ceiling prices for 40 basic meals, food items, or beverages to be selected by him. The posting order shall conform substantially to the specimen order set forth in Appendix C. Posting orders need not be issued for the Metropolitan Area of San Francisco, Calif.; St. Charles, Missouri; Muskogee, Oklahoma; and Pulaski County, Arkansas, so long as the existing specific dollars and cents ceiling prices for food items and meals sold by eating and drinking establishments in those areas are in effect.

SEC. 17. *Adjustments.* (a) OPA may adjust the ceiling prices for any eating or drinking establishment under the following circumstances:

(1) The establishment is operating under such financial hardship as to cause a substantial threat to the continuance of its operations; and

(2) Such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all eating or drinking services or will have to turn to other establishments that present substantial difficulties as to distance, hours of service, selection of meals, food items or beverages offered, capacity, or transportation; and

(3) By reason of such discontinuance, the same meals, food items, or beverages will cost the customers of the eating or drinking establishment as much as or more than the proposed adjusted prices.

(b) If you are the proprietor of an eating or drinking establishment which satisfies the above requirements, you may apply for an adjustment of your maximum prices by submitting in duplicate to your OPA District Office a statement setting forth:

(1) Your name and address and the name and address of your establishment.

(2) A description of your eating establishment including: type of service rendered (such as cafeteria, table service, etc.), classes of meals offered (such as breakfast, lunch, and dinner), number of persons served per day during the most recent thirty-day period, and any other information which is necessary to describe your establishment and the nature and extent of your operation.

(3) The reasons why your customers will be seriously inconvenienced if you discontinue operations.

(4) The names and addresses of the three nearest eating places of the same type as yours.

(5) A list showing your present maximum prices and your requested, adjusted prices.

(6) Detailed profit and loss statements for the establishment for (i) the most recent three-month accounting period, (ii) the preceding fiscal or calendar year prior to the date of your application, and (iii) the fiscal or calendar year approximating the year 1942.

(7) Such other information as your OPA District Director may require.

(c) Applications for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1.

SEC. 18. *Exempt sales.* Sales by the following eating or drinking establishments, or persons, are specifically exempt from the provisions of this regulation:

(a) Hospitals, except for food items and meals served to persons other than patients if a separate charge is made for such meals and food items;

(b) Eating and drinking places operated by a school, college, university, or other educational institution or a student's fraternity or other students' organization or association primarily for the convenience or accommodation of students and faculty and not for profit as a commercial or business enterprise or undertaking;

(c) Eating and drinking places owned or operated by charitable, religious, or cultural organizations, recognized as such by the Bureau of Internal Revenue and exempt from payment of income tax by reason thereof, where no part of the net earnings inures to the benefit of any private shareholder or individual, and the net profits, if any, are devoted to religious, charitable, or cultural purposes;

(d) Eating cooperatives formed by officers in the Armed Forces (as, for example, Officers' Mess) operated without profit;

(e) Bona fide clubs which file with their OPA District Office a statement setting forth that:

(1) The club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue;

(2) It sells food items and meals only to members and bona fide guests of members;

(3) Its members pay dues of more than merely nominal amounts (the amount of dues paid by each class of members and the period covered by such dues should be indicated), and are elected to membership by a governing board, membership committee or other body;

(4) It is otherwise operated as a club and not primarily as an eating or drinking establishment.

If OPA finds that the establishment does not satisfy the above requirements of a bona fide club, it will notify it in writing that it is not exempt from this regulation.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with its District Office, furnishing the above information, as may be required, and has been exempted in writing by OPA.

SEC. 19. *Definitions and explanations.* (a) "Eating or drinking establishments" includes any place, establishment, or location, whether temporary or permanent, at or from which any meals or prepared food or beverages are sold and any place from which food items and beverages (whether prepared or not) are sold primarily for consumption on the premises. The term eating and drinking establishment includes, but is not limited to, establishments such as restaurants, hotels, cafes, cafeterias, delicatessens, soda fountains, boarding houses, catering establishments, athletic stadiums, field kitchens, luncheon wagons, hot dog carts, etc.

(b) "Beverage" means any drink listed in Part II of Appendix A of this regulation.

(c) "Food item" means an article or portion of food sold or served by an eating or drinking establishment to be eaten there or outside without change in form or additional preparation. It may include two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

(d) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast, and a blue-plate special. Two or more kinds of food prepared or served to be eaten together as one dish are not a "meal."

(e) "Offer" means offer for sale and includes the listing or posting of prices for meals, food items, or beverages, even though such meals, food items, and beverages so offered were not actually on hand to be sold.

(f) "OPA District Office" means the district office of the Office of Price Administration for the district in which your eating or drinking establishment is located.

(g) "OPA Regional Office" means the regional office of the Office of Price Administration for the region in which your eating or drinking establishment is located.

(h) "War Price and Rationing Board" means the War Price and Rationing Board of the Office of Price Administration for the area in which your establishment is located.

SEC. 20. *Violations*—(a) *License suspension.* The provisions of Licensing Order No. 1 licensing all persons who make sales under price control apply to you. Your license may be suspended for violation of the provisions of any applicable price regulation. If your license is suspended, you may not, during the period of suspension, make any sale for which your license has been suspended.

(b) *Civil and criminal action.* If you violate any provisions of this regulation, you are subject to the criminal penalties, civil enforcement actions, licensing suspension proceedings, and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

SEC. 21. *Petitions for amendment.* If you seek a change in this regulation affecting eating and drinking establishments generally, you may file a petition for amendment in accordance with Revised Procedural Regulation No. 1.

SEC. 22. *Authority of Local War Price and Rationing Boards.* Each Regional Administrator may instruct any or all of the War Price and Rationing Boards in his region to receive complaints from the public, investigate prices charged by proprietors, hold hearings on prices charged by proprietors either on complaint or on its own motion and make appropriate recommendations to its District Office.

SEC. 23. *Delegation of authority.* Each Regional Administrator, and each District Director so authorized by his Regional Administrator, may establish, approve, disapprove, revise, or adjust maximum prices or act with respect to exemptions of bona fide clubs in accordance with the appropriate provisions of sections 3, 4, 5, 10, 15, 17 and 19 of this regulation.

SEC. 24. *Special orders.* The Price Administrator may from time to time authorize any Regional Administrator or District Director to issue special orders establishing ceiling prices for meals, food items, and beverages which, when issued, will supersede and take the place of this regulation with respect to the sales covered by such orders.

SEC. 25. *Relation to other price regulations.* (a) This regulation supersedes and takes the place of all restaurant regulations issued by OPA Regional Administrators or District Directors. Since this regulation keeps many of the same basic pricing provisions, most of your ceiling prices under it will be the same as those you properly established under these restaurant regulations. This regulation shall not supersede Revised Maximum Price Regulation 319[1] Certain bakery products. It shall, however, supersede and take the place of all other price regulations insofar as they establish ceiling prices for food and drink sold in eating and drinking establishments. However, any price you charged during April 4 to 10, 1943 (or other appropriate base period) shall not be your ceiling price if it exceeded your ceiling price under any other regulation applicable at that time.

(b) Supplementary Order No. 79[2] is hereby revoked.

(c) Except with respect to orders heretofore issued fixing specific dollars and cents ceiling prices for meals, food items and beverages and with respect to amendments to such orders which have been or may be issued, the authority delegated to Regional Administrators and District Directors under paragraph (e) of General Order No. 50[3] to fix maximum prices for meals, food items and beverages is hereby withdrawn.

(d) Except for coffee, this regulation does not supersede (1) any order heretofore issued by Regional Administrators or District Directors fixing specific dollars-and-cents ceiling prices for meals, food items, or beverages; (2) ceiling prices specifically established in orders heretofore issued granting applications for adjustment under restaurant regulations issued by the Regional Administrators or District Directors, or (3) Restaurant Maximum Price Regulation No. 1; or (4) Supplementary Order No. 80.[4]

SEC. 26. *Geographical application.* This regulation applies to the 48 States of the United States and the District of Columbia.

This regulation shall become effective July 31, 1944.

NOTE: The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Report Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of June 1944.

CHESTER BOWLES,
Administrator.

APPENDIX A—GROUPS OF FOOD ITEMS, ENTREES, AND BEVERAGES

The groups of food items, beverages, or entree (main dish) of the meal are as follows:

I. *Food items or entree of meals:*

1. Fruit juices, vegetable juices, and similar items.
2. Appetizers, all types except alcoholic, fruit juices, vegetable juices, etc.
3. Cereals.
4. Eggs and combination egg dishes.
5. Bread, rolls, buns, toast, doughnuts, and similar items.
6. Jam, jellies, preserves, condiments, and similar items.
7. Griddle cakes, wafles, and similar items.
8. Soups, including jellied soups.

[1] 9 F.R. 3705, 4224, 4882.
[2] 8 F.R. 16738, 17277.
[3] 8 F.R. 4806.
[4] 9 F.R. 3338, 3581.

9. Steaks; T-bone, sirloin, porterhouse, tenderloin, and prime rib of beef.
10. Beef; steaks other than class 9, roasts, pot roasts, hamburgers, ground beef items, and similar items.
11. Veal; steaks, cutlets, chops, roasts, and similar items.
12. Pork; steaks, chops, ham, roasts, and similar items, except when served with eggs.
13. Lamb or mutton; chops, roasts, and similar items.
14. Prepared dishes such as stews, casseroles, meat pies, ragouts, curries, and similar items.
15. Miscellaneous and variety meats, such as livers and kidneys, and similar items.
16. Chicken; including broiled, fried, fricasee, creamed, and similar items.
17. All other poultry, including roast chicken.
18. Game.
19. Fish.
20. Shell fish, including seafood platters and related stews.
21. All other prepared dishes, such as spaghetti and combinations, vegetable platter, baked beans and combinations, and Welsh Rarebit.
22. Chop suey, chow mein, and other Chinese foods.
23. Vegetables and salads, served as side dishes.
24. Salads served as main course in meal.
25. Cake, cookies, pies, pastries, and other baked goods.
26. Ice cream, sherbets, water ices, including combinations with syrup, cream, sodas, sundaes, milk shakes, and other soda fountain items including ice cream.
27. Seasonal specialties; including but not limited to watermelons, cantaloupes, fresh fruits and fresh berries.
28. Fruits, puddings, cheese, and other dessert items.
29. Cold sandwiches with or without garnishings, salads, and vegetables.
30. Cold cut platters with or without garnishings, salads and vegetables.
31. Hot sandwiches, with or without garnishings, salad and vegetables.
32. Coffee, cocoa, chocolate, tea, milk, postum, and similar items, served hot or cold.

II. *Beverages:*

1. Non-alcoholic beverages, including soft drinks not containing ice cream, sparkling and mineral waters.
2. Bottled malt beverages including beer, ale, near-beer, and similar beverages.
3. Draft malt beverages.
4. Wines, including sparkling wines.
5. Liquors, including whiskeys, gins, rums, brandies.
6. Cordials, including fruit liquors.
7. All other alcoholic beverages, including mixed drinks and cocktails.

APPENDIX B—FILING PROVISIONS OF GENERAL ORDER 50

General Order No. 50 contained the following filing provisions:

(a) *Filing of menus.* On or before May 1, 1943, every proprietor of a restaurant, hotel, cafe, dining car, bar, delicatessen, soda fountain, catering business, or other eating or drinking place, shall file with the War Price and Rationing Board for the area in which each of his places is located a true copy of each menu, bill of fare, or other price list of food items, including beverages, and meals (called "menu") in use at that place during the seven-day period beginning Sunday, April 4, 1943 and ending April 10, 1943. If no menu was in use in that period, or if the menus in use did not list all food items or meals then offered, the "proprietor" shall file with the Board a list in menu form showing the prices which he charged during the seven-day period for food items or meals which are not shown on any menus he may file hereunder. Each menu or list so filed shall be signed by the proprietor or by one of his responsible officers or employees. A copy of each such menu or list shall be retained by the proprietor.

(b) *Filing by new proprietors.* The proprietor of an eating or drinking place which was not open during all of the seven-day period (including newly-opened places) shall file menus or a price list in accordance with paragraph (a), except that (1) the filing shall be for the seven-day period beginning with the first Sunday that place is open after April 4, 1943, and (2) the filing shall be made within three weeks of such first Sunday.

APPENDIX C—MODEL FOR DISTRICT POSTING ORDER

OFFICE OF PRICE ADMINISTRATION

————District Office, Region——

Order No. —— Under Restaurant Maximum Price Regulation No. 2

POSTING ORDER

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the ———— District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SEC. 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this Order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the ———— District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of ———— have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 5681)

Issued this day of July 1944.

————————
District Director.

[F. R. Doc. 44-9522; Filed, June 29, 1944; 11:49 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 35]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 426 is amended in the following respects:

1. In section 5 the word "shipper" and the word "consignee" are amended to read "country shipper" and "ultimate consumer" respectively, and a sentence is added to read "However this exemption does not apply to sales by sellers other than growers or country shippers".

2. In section 15, Appendix H is amended in the following respects:

a. Footnote 3 to Table 1 in paragraph (b) is amended to read as follows:

[3] The maximum price for bunched carrots sold in bulk (loose without containers) shall be 10 cents per dozen bunches less than the appropriate price listed in column 5, 6 or 7. The maximum price in columns 5 and 6 for clipped topped or topped carrots shall be reduced ½ cent per pound for sales in bulk. The maximum price in column 7 for clipped topped or topped carrots shall be reduced ½0 cent per pound for sales in bulk and in calculating that price the column 6 price for sales in bulk shall be used.

b. Table 6 in paragraph (b) is amended by adding the word "from" before the words "Nogales, Arizona" in items 1–2 and 3–4 of column 6, and the words "from Pompano, Florida" before the words "plus 8 cents" in item 3–4 of column 6.

c. Table 7 is amended by deleting the words "July 1–October 31" and the phrase "To be announced later" wherever they appear, and by adding the sentence "For season beginning July 1 prices shall apply to shipping points in all states," to the headnote of column 5.

d. Items 4a, 8a, 12a, and 16a are added to Table 7 to read as follows:

TABLE 7—MAXIMUM PRICES FOR CUCUMBERS

Col. 1 Item No.	Col. 2 Type variety, style of pack, etc.	Col. 3 Unit	Col. 4 Season	Col. 5 Maximum prices f. o. b. shipping points in Florida, Louisiana, California and Iowa. For season beginning July 1 prices shall apply to shipping points in all States.	Col. 6 Maximum prices for sales delivered to any wholesale receiving point in any quantity.	Col. 7 Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer.[3]
4a	Cucumbers, except hothouse cucumbers, in bushel containers with a net weight of 46 pounds or more.	Bushel	July 1-Sept. 30	$2.00, All states	Col. 5 price plus freight (including 3% transportation tax) plus actual cost of protective service furnished not to exceed the lowest common carrier charge for the same service (including 3% transportation tax).	Col. 6 price plus 75 cents.
8a	Cucumbers, except hothouse cucumbers, in lug boxes with a net weight of 28 pounds or more.	Lug	July 1-Sept. 30	$1.17, All states	Col. 5 price plus freight (including 3% transportation tax plus actual cost of protective service furnished not to exceed the lowest common carrier charge for the same service (including 3% transportation tax).	Col. 6 price plus 45 cents.
12a	Cucumbers, except hothouse cucumbers, in bushel containers with a net weight of less than 48 pounds and in lug boxes with a net weight of less than 28 pounds and in all other containers.[3]	Pound	July 1-Sept. 30	4.2 cents, All states	Maximum price for Item 4a above divided by 48.	Col. 6 price plus 1⅛ cents per pound.
16a	Hothouse cucumbers in any container.	Pound	July 1-Sept. 30	11.3 cents per pound	Col. 5 price plus express (including 3% transportation tax) from Davenport, Iowa.[3]	Col. 6 price plus 2½ cents per pound.

e. In the table in paragraph (c) the markup in item 4 of column 10 for Hothouse cucumbers is amended to read 3½¢ per lb.

f. In paragraph (d) the first sentence following the headnote of subparagraph (1) is amended to read as follows:

No grower or country shipper shall receive, and no person shall pay to any grower or country shipper, an amount in excess of the maximum price f. o. b. (if sold f. o. b.) or the maximum price for delivered sales (if sold delivered) (see columns 5 and 6 of the applicable table in paragraph (b)), regardless of the type of sale or the type or purchaser, and regardless of any existing or future commitment between buyer and seller. However, this rule does not affect any allowance made to growers and country shippers for sales through agents; to ultimate consumers; delivered to the premises of retail stores, designated receiving depots of government procurement agencies, institutional buyers, intermediate sellers and retailers' warehouses; or in farmers' markets.

g. In paragraph (d) the headnote of subparagraph (2) is amended to read as follows: *"Sales by growers or country shippers direct and through brokers, shippers' sales agents, commission merchants or auctions."*

h. In paragraph (d) (2) subdivision (iv) is amended to read as follows:

(iv) For sales by growers or country shippers delivered, within a radius of 225 miles of the country shipping point, directly from the grower's farm, ranch or place of business at the country shipping point to the premises of (1) retail stores where resale is made to ultimate consumers, (2) institutional buyers, or (3) designated receiving depots of government procurement agencies, where the delivery of the particular goods being priced is made in an "original conveyance", owned or leased and operated by the grower or country shipper (and not furnished, owned or controlled, directly or indirectly, by the buyer), the maximum price in each case is the price for the listed commodity named in Column 7 of the applicable table in paragraph (b).

"Original conveyance" means the first conveyance (other than a railroad car) in which the particular goods being priced are loaded for shipment at the country shipping point.

i. Paragraph (d) (2) is amended by adding subdivisions (v), (vi), (vii) and (viii) to read as follows:

(v) For sales by growers or country shippers delivered, within a radius of 225 miles of the country shipping point, directly from the grower's farm, ranch or place of business at the country shipping point to the premises of intermediate sellers or retailers' warehouses, where the delivery of the particular goods being priced is made in an "original conveyance", owned or leased and operated by the grower or country shipper (and not furnished, owned or controlled, directly or indirectly, by the buyer), the maximum price in each case is the price for the listed commodity named in Column 6 of the applicable table in paragraph (b) plus one-half the amount named in Column 7 of the table in paragraph (c) for the unit of the listed commodity being sold.

(vi) For sales by growers or country shippers in a farmer's market located at a wholesale receiving point within a radius of 225 miles of the country shipping point, where the goods being priced have been transported to the farmer's market in an "original conveyance", owned or leased and operated by the grower or country shipper (and not furnished, owned or controlled directly or indirectly by the buyer), the maximum price in each case is the price for the listed commodity named in Column 6 of the applicable table in paragraph (b) plus the amount named in Column 7 of the table in paragraph (c) for the unit of the listed commodity being sold.

(vii) For sales by growers or country shippers to ultimate consumers, the maximum price in each case is the price for the listed commodity named in column 7 of the applicable table in paragraph (b) multiplied by 1.33. However, such price shall not exceed any applicable community price established by the Office of Price Administration.

(viii) For sales by growers and country shippers not covered by subdivisions (i) through (vii), the maximum price in each case shall be the appropriate price for the listed commodity named in columns 5 and 6 of the applicable table in paragraph (b).

3. In section 15, Appendix I is amended in the following respects:

a. Paragraph (c) is amended by adding the following undesignated paragraphs after Table 11:

For sales of citrus fruit covered by this appendix made f. o. b. shipping point by growers or country shippers, if the seller furnishes precooling, initial icing or refrigeration services in any case he may charge, in addition to the named f. o. b. shipping point price (see column 5 of the applicable table in paragraph (c)), for the services furnished not in excess of

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16409, 16249, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 3023, 4091, 2493, 4030, 4086, 4088, 4439, 4786, 4787, 4877, 5926, 5929, 6104, 6108, 6420, 6711.

the lowest of the following: (1) the lowest available common or contract carrier rates for the same services, (2) the amount the seller may charge for such services under Maximum Price Regulation No. 165, or (3) the applicable amount permitted for protective services in the case of sales delivered to any wholesale receiving point. However, in each case the grower or country shipper shall show separately on his invoice the specific nature of the services furnished and the amount charged for the services.

For sales of citrus fruit on a delivered basis the maximum prices named include protective service allowances which cover any precooling, initial icing, refrigeration, or other services.

b. In paragraph (e) the first sentence following the headnote of subparagraph (1) is amended to read as follows:

No grower or country shipper shall receive, and no person shall pay to any grower or country shipper, an amount in excess of the maximum price f. o. b. (if sold f. o. b.) or the maximum price for delivered sales (if sold delivered) (see columns 5 and 6 of the applicable table in paragraph (c)), regardless of the type of sale or the type of purchaser, and regardless of any existing or future commitment between buyer and seller. However, this rule does not affect any allowances made to growers and country shippers for sales through agents; for precooling, initial icing or refrigeration services in sales f. o. b. shipping point; to ultimate consumer; or delivered to the premises of retail stores, government procurement agencies and institutional buyers.

c. In paragraph (c) the headnote of subparagraph (2) is amended to read as follows: "*Sales by growers or country shippers direct and through brokers shippers' sales agents, commission merchants or terminal auctions.*"

d. Paragraph (e) (2) (iv) is amended by adding a sentence to read as follows: "However, such price shall not exceed any applicable community price established by the Office of Price Administration."

4. In section 15, Appendix J is amended in the following respects:

a. In Table B in paragraph (e) the sentence in column 3 of item No. 3 (Plums) reading "Standard 4 basket crate with net weight of less than or more than that specified for each of above sizes, and plums of any sold size packed in all other containers, and those loose and ungraded in any container, or in bulk—per pound" is amended to read as follows:

Standard 4 basket crate with net weight of less than or more than that specified for each of above sizes, and plums of any size packed in all other containers, and those sold loose and ungraded in any container, or in bulk—per pound.

b. In Table B in paragraph (e) the last sentence in Column 3 is amended by inserting the word "per" before the word "pound".

c. Paragraph (g) (2) (iii) is amended by deleting the parenthesis after the words "commission merchant".

d. Paragraph (l) (2) is amended to read as follows:

(2) To determine and publish orders naming the amounts which primary receivers may add, for deliveries made within the free delivery zone at wholesale receiving points, to the maximum prices otherwise applicable; and to determine and publish orders naming the amounts which primary receivers may add, for deliveries beyond the free delivery zone, to the maximum prices otherwise applicable. These amounts shall be figured at the lowest rates for customary and generally available means of transportation.

This amendment shall become effective at 12:01 a. m., July 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of June 1944.

CHESTER BOWLES,
Administrator.

Approved: June 26, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-9528; Filed, June 29, 1944; 11:45 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard: Department of the Navy

CONTROL, DOCUMENTATION AND SECURITY INTELLIGENCE INTERROGATION OF SEAMEN IN UNITED STATES

By virtue of the authority vested in the Commandant, United States Coast Guard, by the order of the Secretary of the Navy, relating to control, documentation and security intelligence interrogation of seamen in the United States of America (34 CFR, 1.3009, 9 F.R. 7204), made pursuant to Executive Order No. 9074: *It is hereby ordered*, as follows:

1. The several District Coast Guard Officers, and such officers under their direction as they may designate, are authorized and directed to take such steps, institute such measures, and issue such regulations and orders as may be necessary for security in connection with the presence of officers and seamen (including alien officers and seamen) on merchant vessels in their respective districts, including (a) any appropriate action by way of identification, investigation and interrogation of such officers and seamen for the purpose of determining whether their presence on a merchant vessel or waterfront facility would, for any reason, be inimical to the interests of the United States; (b) withholding of the issuance of licenses, certificates, employment cards, identification cards or other seamen's papers; (c) appropriate action under the Regulations Relating to the Removal and Exclusion of Persons from Vessels and Waterfront Facilities approved by the Secretary of the Navy and the President (8 F.R. 16867); and (d) appropriate approvals of persons for employment as officers and seamen on merchant vessels.

2. All agencies and authorities of the Government of the United States concerned in the matter are called upon pursuant to paragraph 2 of Executive Order No. 9074 to conform to all regulations and orders issued by the District Coast Guard Officers or their designated representatives under paragraph 1 of this order, and to give such assistance to the District Coast Guard Officers and their representatives as their available facilities will permit.

Dated: June 28, 1944.

L. T. CHALKER,
Rear Admiral, USCG
Acting Commandant.

[F. R. Doc. 44-9510; Filed, June 29, 1944; 10:43 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts

PART 202—MINIMUM WAGE DETERMINATION DENTAL GOODS AND EQUIPMENT MANUFACTURING INDUSTRY

In the matter of the determination of the prevailing minimum wage in the dental goods and equipment manufacturing industry.

This matter is before me pursuant to section 1 (b) of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. Supp. III, '35), entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," otherwise known as the Walsh-Healey Public Contracts Act.

On March 15, 1944, the Acting Administrator of the Division of Public Contracts of the United States Department of Labor issued a Notice of Opportunity to Show Cause on or before April 30, 1944, why I should not amend the prevailing minimum wage determination for the Dental Goods and Equipment Manufacturing Industry, issued by me on September 8, 1941, by increasing the prevailing minimum wage from 35 cents an hour to 40 cents an hour for the Consumable Goods Division of this Industry, and by permitting the employment of learners at subminimum rates in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act of 1938.

The Notice sets forth that: (1) The minimum wage required to be paid by manufacturers of dental goods and equipment subject to the provisions of the Fair Labor Standards Act of 1938 became 40 cents an hour, pursuant to the Wage Orders of the Administrator of the Wage and Hour Division for the Chemical, Petroleum and Coal Products, and Allied Manufacturing Industries effective February 7, 1944, the Metal, Plastics, Machinery, Instrument, and Allied Industries effective September 13, 1943, the Rubber Products Manufacturing Industry effective July 28, 1941, and the Stone, Clay, Glass, and Allied Industries effective December 27, 1943; (2) substantially all employees subject to any prevailing minimum wage determination for the Dental Goods and Equipment Manufacturing Industry are engaged in commerce or in the production of goods for commerce, and consequently these Wage Orders have the effect of establishing not less than 40 cents an hour as the prevailing minimum wage in the Dental Goods and Equipment Manufacturing Industry; and (3) that it appears advisable to amend the wage determination for the Dental Goods and Equipment Manufacturing Industry by providing that learners may be employed in the Industry at subminimum rates in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act of 1938.

This notice was sent to trade unions, trade associations, and publications and was duly published in the FEDERAL REGISTER on March 30, 1944 (9 F.R. 3431). No objections, protests, nor any statements in opposition to the proposed amendment have been received.

Upon consideration of all the facts and circumstances, I hereby determine:

§ 202.39 *Dental goods and equipment manufacturing industry.* The minimum wage for employees engaged in the performance of contracts with agencies of the United States Government, subject to the provisions of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. 35) for the manufacture or furnishing of any one or more of the hereinafter designated products of the Dental Goods and Equipment Manufacturing Industry shall be 40 cents an hour or $16.00 per week of 40 hours, arrived at either upon a time or piece work basis; *Provided*, That learners may be employed at subminimum rates in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act of 1938; *Provided further*, That apprentices may be employed in the manufacturing or furnishing of any one or more of the durable products of the industry at subminimum rates of pay if their employment conforms to the standards of the Federal Committee on Apprenticeship.

DURABLE GOODS

Hand instruments, including forceps and pliers, broaches and cutting instruments, for dental use.
Dental chairs.
Dental cabinets.
Equipment units.
Dental sterilizers.
Dental gas apparatus.
Dental X-ray equipment.
Dental compressors, engines and lathes.
Dental lights.
Dental laboratory equipment, other than laboratory furniture.

Consumable Goods

Dental gold.
Dental alloy for amalgams.
Dental cement and filling materials.
Teeth, porcelain and gold.
Orthodontic appliances.
Waxes, compounds and investments.
Rubber dental materials.
Denture materials other than rubber.
Burrs, drills, and similar tools for use with handpieces.
Abrasive points, wheels and disks.

This determination shall be effective and its provisions shall apply to all contracts subject to the Public Contracts Act, bids for which are solicited or negotiations otherwise commenced by the contracting agency on or after July 17, 1944.

Nothing in this determination shall affect such obligations for the payment of minimum wages as an employer may have under any law or agreement more favorable to employees than the requirements of this determination.

Until this amended determination becomes effective, my original decision of September 8, 1941, shall remain in full force and effect.

(49 Stat. 2036; 41 U.S.C. 35 (b))

Dated: June 17, 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-9480; Filed, June 28, 1944; 4:47 p. m.]

Notices

FEDERAL POWER COMMISSION.

KENTUCKY NATURAL GAS CORP.

[Docket No. G-558]

NOTICE OF APPLICATION

JUNE 27, 1944.

Notice is hereby given that on June 24, 1944, Kentucky Natural Gas Corporation, a Delaware corporation having its principal place of business in Owensboro, Kentucky, filed with the Federal Power Commission its application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of the facilities hereinafter described.

Applicant asserts that it is a natural gas company as defined in the Natural Gas Act, and that it owns and operates a natural gas pipe line system in the States of Kentucky, Indiana, and Illinois. It is alleged by the applicant that its present sources of supply of natural gas have become inadequate, and that it will be necessary for it to obtain some other source or sources of supply in order to meet its peak-day requirements.

The proposed construction consists of a 16-inch gas pipe line approximately 18 miles in length, extending from the most southern point of its existing pipe line at Russellville, Kentucky, in a southeasterly direction to a proposed point of interconnection with the pipe line of the Tennessee Gas and Transmission Company now under construction. It appears from the application that Tennessee Gas and Transmission Company is willing for the applicant to establish a physical connection between the pipe line facilities of the two companies, and to discuss the execution of a contract for a natural gas supply to the applicant if and when some portion of the volume to be transported by the Tennessee Gas and Transmission Company should become available for delivery to the applicant; and that such connection might be available for emergency deliveries of natural gas to the applicant upon orders or authorization of appropriate Federal agencies.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 13th day of July 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-9506; Filed, June 29, 1944; 10:46 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4643]

UTAH WHOLESALE GROCERY, ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of June, A. D. 1944.

In the matter of Utah Wholesale Grocery, a corporation, Symns-Utah Grocery Co., a corporation, Zion's Wholesale Grocery, a corporation, John Scowcroft & Sons Company, a corporation.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John W. Norwood, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, August 1, 1944, at ten o'clock in the forenoon of that day (Mountain Standard Time), in Room 246, Federal Building, Salt Lake City, Utah.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] A. N. ROSS,
Acting Secretary.

[F. R. Doc. 44-9507; Filed, June 29, 1944; 11:25 a. m.]

[Docket No. 4981]

R. L. SWAIN TOBACCO CO., INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of June, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That W. W. Sheppard, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive

evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, July 17, 1944, at ten o'clock in the forenoon of that day (eastern standard time) in Hearing Room, Second Floor, Post Office Building, Danville, Virginia.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] A. N. ROSS,
Acting Secretary.

[F. R. Doc. 44-9508; Filed, June 29, 1944; 11:25 a. m.]

[Docket No. 5055]

DIP NET SMELT FISHERMEN'S ASSN.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 27th day of June, A. D. 1944.

In the matter of Dip Net Smelt Fishermen's Association, an unincorporated association, and its Committee as follows: V. G. Davis, Kris Pedersen and C. W. Fisher, and its members, including the following as representatives of the members:

Walter Dixon, A. A. Fisher, Paul Plebuch and Lloyd Dixon, Columbia River Smelt Corporation, Cowlitz Smelt Corporation, Olie Soleim, doing business under the name of Central Smelt Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John W. Norwood, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, August 8, 1944, at ten o'clock in the forenoon of that day (Pacific standard time), in Room 526, Federal Building, Portland, Oregon.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for approriate action by the Commission.

By the Commission.

[SEAL] A. N. ROSS,
Acting Secretary.

[F. R. Doc. 44-9509; Filed, June 29, 1944; 11:25 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3613]

WERNER SCHOLZ

In re: Oil paintings, pastels and claim owned by Werner Scholz.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation, finding:

1. That the last known address of Werner Scholz is Nollendorf, Strasse 10, Berlin, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

2. That Werner Scholz is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. The paintings, particularly described in Exhibit A, attached hereto and by reference made a part hereof, stored in the name of Buchholz Gallery, c/o Curt Valentin, on the premises of Hudson Shipping Co., Inc., 302 East 61st Street, New York, New York.

b. The pastel drawings, particularly described in Exhibit B, attached hereto and by reference made a part hereof, now in the possession of Curt Valentin, 32 East 57th Street, New York.

c. The pastel drawings, particularly described in Exhibit C, attached hereto and by reference made a part hereof, now in the possession of Karl Nierendorf, 53 East 57th Street, New York, New York, and

d. All right, title, interest and claim of any name or nature whatsoever of Werner Scholz in and to any and all obligations, contingent or otherwise and whether or not matured, owing to said Werner Scholz by Curt Valentin, 32 East 57th Street, New York, New York, including but not limited to all security rights in and to any and all collateral for any and all of such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-d hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3-a, 3-b and 3-c hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

No.:	*Artist and Title*
640	Werner Scholz, Landscape in Fog, oil.
641	Werner Scholz, Mother and Child, oil.
642	Werner Scholz, Nun, oil.
643	Werner Scholz, Girl with Red Flower, oil.
644	Werner Scholz, Girl with Lily, oil.
645	Werner Scholz, Iron Angel, oil.
646	Werner Scholz, Rain, oil.
647	Werner Scholz, Poppies, oil.
648	Werner Scholz, Girl, oil.
649	Werner Scholz, Yellow flowers, oil.
650	Werner Scholz, Women in the field, oil.
651	Werner Scholz, Magdalena, oil.
652	Werner Scholz, Amarillis, oil.
653	Werner Scholz, Girl with Yellow Hat, oil.
654	Werner Scholz, Tiger Lily, oil.
665	Werner Scholz, Worker, oil.

EXHIBIT B

No.:	*Artist and Title*
656	Werner Scholz, Dancing Girl, pastel.
657	Werner Scholz, Girls, pastel.
658	Werner Scholz, Boys, pastel.
659	Werner Scholz, Man, pastel.
660	Werner Scholz, Nun, pastel.
661	Werner Scholz, Woman with Child, pastel.
662	Werner Scholz, Girl with Hat, pastel.
663	Werner Scholz, Bishop, pastel.
665	Werner Scholz, Woman with Red Blouse, pastel.
666	Werner Scholz, Lovers, pastel.
667	Werner Scholz, Woman's Head, pastel.
668	Werner Scholz, Dancer, pastel.
669	Werner Scholz, Girl in Chair, pastel.
670	Werner Scholz, Dancer, pastel.
672	Werner Scholz, Cabaret Dancer, pastel.
673	Werner Scholz, Dancer, pastel.
674	Werner Scholz, Dancer, pastel.
675	Werner Scholz, Nun, pastel.

EXHIBIT C

No.	*Artist and Title*
1	Werner Scholz, Blond boy.
2	Werner Scholz, Two Girls.
3	Werner Scholz, Women.

EXHIBIT C—Continued

No.	*Artist and Title*
4	Werner Scholz, Man.
5	Werner Scholz, Two Freezing Children.
6	Werner Scholz, Woman with Hat.
7	Werner Scholz, Tyrolean.
8	Werner Scholz, Woman with Walking-stick.
9	Werner Scholz, Pregnancy.
10	Werner Scholz, Praying nuns and child.

[F. R. Doc. 44-9483; Filed, June 29, 1944; 10:37 a. m.]

[Vesting Order 3635]

HILO BREWERY, LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That of the oustanding capital stock of Hilo Brewery, Limited, a corporation organized and doing business under the laws of the Territory of Hawaii and a business enterprise within the United States, consisting of 9,973 shares of capital stock having a par value of $10 a share, 6,130 shares (61.46%) are owned by and registered in the names of the following persons in the number opposite each name and are evidence of control of said business enterprise:

Name	*Number of Shares*
Isaku Fujimoto	5
Sadanosuke Hata	5,330
Tamotsu Hata	79
Yoichi Hata	25
Katsujiro Kagawa	510
Mitsuji (or Jitsuji) Kasamoto	5
Kango Kawasaki	5
Masato Kiyosaki (or Kyosaki)	125
Atsuo Sakimizuru	32
Masaichiro Shinoda	14
Total	6,130

2. That Sadanosuke Hata has a claim against Hilo Brewery, Limited, aggregating the sum of $1,690.00 as of November 30, 1943, which claim is represented on the books and records of Hilo Brewery, Limited, as an account payable, subject, however, to any accruals or deductions subsequent thereto, and represents an interest in Hilo Brewery, Limited;

3. That Isaku Fujimoto, Sadanosuke Hata, and Tamotsu Hata, whose last known addresses are Japan, are nationals of a designated enemy country (Japan);

4. That Yoichi Hata, Katsujiro Kagawa, Mitsuji (or Jitsuji) Kasamoto, Kango Wawaski, Masato Kiyosaki (or Kyosaki), Atsuo Sakimizuru, also known as Hikokuma Sakimidzuru and Hikogame Sakimizuru, and Masaichiro Shinoda, have been interned by order of the Military Governor of Hawaii and are acting directly or indirectly for the benefit or on behalf of a designated enemy country (Japan) or persons within such country;

and determining:

5. That Yoichi Hata, Katsujiro Kagawa, Mitsuji (or Jitsuji) Kasamoto, Kango Kawasaki, Masato Kiyosaki (or Kyosaki) Atsuo Sakimizuru also known as Hikokuma Sakimidzuru and Hikogame Sakimizuru, and Masaichiro Shinoda are acting for and on behalf of or as cloaks for a designated enemy country (Japan) or persons within such country and are nationals of such designated enemy country;

6. That Hilo Brewery, Limited, is controlled by Isaku Fujimoto, Sadanosuke Hata, Tamotsu Hata, Yoichi Hata, Katsujiro Kagawa, Mitsuji (or Jitsuji) Kasamoto, Kango Kawasaki, Masato Kiyosaki (or Kyosaki), Atsuo Sakimizuru, and Masaichiro Shinoda, and is a national of a designated enemy country (Japan);

7. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian 5414 shares of the outstanding capital stock of Hilo Brewery, Limited, registered in the names of Isaku Fujimoto, Sadanosuke Hata, and Tamotsu Hata, and the claim of Sadanosuke Hata against Hilo Brewery, Limited, in the principal sum of $1,690.00 together with accrued interest, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 15, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9484; Filed, June 29, 1944; 10:37 a. m.]

[Vesting Order 3663]

WALTER WEBER

In re: Photographic equipment, office furniture, automobiles, property insurance policies and claim owned by Walter Weber, also known as Walther Weber and Walther Hermann Weber.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Walter Weber, also known as Walther Weber and Walther Hermann Weber, is Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

2. That Walter Weber, also known as Walther Weber and Walther Hermann Weber, is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Cameras and other photographic equipment, believed to be fully set forth and described in Exhibit A attached hereto and by reference made a part hereof, now in the possession of John Orth, 1066 Virginia Avenue, Bronx, New York, New York,

b. The articles of furniture believed to be fully set forth and described in Exhibit B attached hereto and by reference made a part hereof, now in the possession of John Orth, 1066 Virginia Avenue, Bronx, New York, New York,

c. One 1941 Chrysler sedan automobile, model C-33, serial No. 7807827, engine No. 1004, stored in the name of Walter Weber in Towers Garage, 182 Fulton Street, Brooklyn, New York,

d. One 1937 Rolls-Royce sedan automobile, serial No. GKK 24, engine No. 229 B, stored in the name of Walter Weber in Towers Garage, 182 Fulton Street, Brooklyn, New York,

e. All right, title, interest and claim of Walter Weber, also known as Walther Weber and Walther Hermann Weber, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Walter Weber, also known as Walther Weber and Walther Hermann Weber, by Herbert Orth, 1066 Virginia Avenue, Bronx, New York, and represented on the books of said Herbert Orth as a credit balance due and owing to Walter Weber, also known as Walther Weber and Walther Hermann Weber, and any and all security rights in and to any and all collateral for any or all of such obligations, and the right to enforce and collect the same, and

f. All right, title and interest of Walter Weber, also known as Walther Weber and Walther Hermann Weber, in and to the following insurance policies:

(1) Fire Insurance Policy No. B-1036609 issuer by Fireman's Fund Insurance Company, San Francisco, California, insuring the property described in subparagraph 3-a hereof;

(2) Burglary Insurance Policy No. BLT-49085 issued by Fireman's Fund Indemnity Company, San Francisco, California, insuring the property described in sub-paragraph 3-a hereof:

(3) Automobile Fire and Theft Insurance Policy No. 74713 issued by the Home Fire and Marine Insurance Company of California, San Francisco, California, insuring the property described in sub-paragraphs 3-c and 3-d hereof;

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-f hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3-a, 3-b, 3-c and 3-d

hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to all right, title and interest of Herbert Orth, as evidenced by that certain agreement by and between Walter Weber and Herbert Orth dated May 6, 1942, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

1 8 x 10 J. G. Saltzman Enlarger.
1 J. G. Saltzman Camera Stand.
1 J. G. Saltzman 5000 watt Spotlight on stand.
1 J. G. Saltzman 2000 watt Spotlight on stand.
1 J. G. Saltzman 1000 watt Spotlight on stand.
1 J. G. Saltzman 1000 watt overhead Spotlight on stand.
1 J. G. Fresnel 500 watt Spotlight on stand (Saltzman).
1 J. G. Saltzman Flood Bowl.
2 J. G. Saltzman Flash Pans with stands.
2 Perkins "High-Power" #4 Photo-Flood Lights.
1 Eastman Kodak 11 x 14 Dry Mounting Press #2679.
1 Eastman Kodak 16 x 20 Enlarging Easel.
1 Spider Box.
1 Quick set Tripod.
1 8 x 10 Deardorff Camera with 5 x 7 & 8 x 10 back.
1 Goerz Apochromat Artar F. 9—14 in. Focus lens #398951.
1 Devin 5 x 7 Camera—1 Exposure Tricolor Camera #PT 57030 Thirty-Six 936 Plate Holders.
1 Carrying Camera Case.
1 Eastman Transmission Densitometer 23 St 1451.
1 Goerz Dagor F.7.7, 16½ in. Focus lens #399363 with Shutter #872508.
1 Schneider Summar F.6.8—21cm. Focus Lens #664935.
1 Flex—14 in. lens with shutter.
1 Weston Master 715, #3806437 with case.

EXHIBIT B

1 Office desk.
1 Chair.
1 Red leather sofa.
2 End tables.
2 Lamps (figured).
2 Magazine tables.
1 Square modern table.
1 Modern desk.
1 Sofa and 2 chairs.
1 Posing bench and chair (white).
1 Gold table lamp.
1 Air conditioning machine.
3 Mirrors (1 round, 1 square and 1 long).
1 10 x 12 woven mat.
1 4 x 8 rug.

[F. R. Doc. 44–9485; Filed, June 29, 1944; 10:37 a. m.]

[Vesting Order 3776]

I. G. FARBENINDUSTRIE A. G.

In re: Interest of I. G. Farbenindustrie Aktiengesellschaft in an agreement dated May 20, 1932 with Carbide and Carbon Chemicals Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated May 20, 1932 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft and Carbide and Carbon Chemicals Corporation, which agreement relates, among other things, to Patent No. 1,780,863.

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–9486; Filed, June 29, 1944; 10:37 a. m.]

[Vesting Order 3777]

SOCIETE FRANCAISE DES CRINS ARTIFICIELS ET AL.

In re: Interests of Societe Francaise des Crins Artificiels, Societe de la Viscose Francaise and Comptoir des Textiles Artificiels in an agreement with Du Pont Cellophane Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Societe Francaise des Crins Artificiels, Societe de la Viscose Francaise and Comptoir des Textiles Artificiels are business organizations organized under the laws of France and are nationals of a foreign country (France);

2. That the property described in subparagraph 3 hereof is property of Societe Francaise des Crins Artificiels and/or Societe de la Viscose Francaise and/or Comptoir des Textiles Artificiels;

3. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part hereof,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe Francaise des Crins Artificiels, Societe de la Viscose Francaise and Comptoir des Textiles Artificiels, and each of them, by virtue of an agreement dated January 1, 1930 (including all modifications of and supplements to such agreement, including, but without limitation, a letter dated January 31, 1940 from Societe de la Viscose Francaise to E. I. du Pont de Nemours & Company, Inc.; a letter dated December 31, 1940 from Comptoir des Textiles Artificiels to E. I. du Pont de Nemours & Company, Inc., and a letter dated March 26, 1941 from E. I. du Pont de Nemours & Company, Inc. to Comptoir des Textiles Artificiels) by and between Du Pont Cellophane Company, Inc. and Societe Francaise des Crins Artificiels, which agreement relates, among other things, to certain United States Patents, including Patent No. 2,141,776.

[F. R. Doc. 44–9487; Filed, June 29, 1944; 10:38 a. m.]

[Vesting Order 3779]

COMPTOIR DES TEXTILES ARTIFICIELS, ET AL.

In re: Interests of Comptoir des Textiles Artificiels and others in agreements dated January 22, 1920, December 26, 1923 and March 18, 1929 with E. I. du Point de Nemours & Company, Inc.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That each of the business organizations identified in Exhibit A attached hereto and made a part hereof is organized under the laws of the country set forth under the column headed "NAT" after its respective name and is a national of such foreign country;

2. That the property described in subparagraph 3 hereof is property of the business organizations set forth in Exhibit A;

3. That the property described as follows:

Property identified in Exhibit B attached hereto and made a part hereof,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of foreign countries (France and Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Business Organization and Nationality

Comptoir des Textiles Artificiels, France.
La Soie Artificielle, France.
Societe de la Soie Artificielle d'Izieux, France.
Societe de la Soie Artificielle de la Voulte, France.
Societe Francaise de la Viscose, France.
Societe Ardechoise pour la Fabrication de la Soie de Viscose, France.
Societe Francaise des Crins Artificiels, France.
Societe Generale de Soie Artificielle par le Procede Viscose, France.
Societe Italienne de la Viscose, Italy.

EXHIBIT B

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in the business organizations set forth in Exhibit A attached hereto and made a part hereof, by virtue of an agreement dated January 22, 1920 (including all modifications thereof and supplements thereto, if any) by and between Comptoir des Textiles Artificiels and E. I. du Pont de Nemours & Company, Inc., which agreement relates, among other things, to certain United States Letters Patent including Patent No. 2,224,693.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in the business organizations set forth in Exhibit A attached hereto and made a part hereof by virtue of an agreement dated December 26, 1923 (including all modifications thereof and supplements thereto, if any) by and between Comptoir des Textiles Artificiels and Du Pont Fibersilk Company, which agreement relates, among other things, to certain United States Letters Patent including Patent No. 2,224,693.

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in the business organizations set forth in Exhibit A attached hereto and made a part hereof by virtue of an agreement dated March 18, 1929 between Comptoir des Textiles Artificiels and E. I. du Pont de Nemours & Company, Inc. (including all modifications of and supplements to such agreement, including, but without limitation, two letters dated December 11, 1936 and March 26, 1941 from E. I. du Pont de Nemours & Company, Inc. to Comptoir des Textiles Artificiels and three letters dated April 1, 1937, January 31, 1940 and December 31, 1940 from Comptoir des Textiles Artificiels to E. I. du Pont de Nemours & Company, Inc.), which agreement relates, among other things, to certain United States Letters Patent including Patent No. 2,224,693.

[F. R. Doc. 44–9488; Filed, June 29, 1944; 10:38 a. m.]

[Vesting Order 3780]

CHEMISCHE WERKE SCHUSTER AND WILHEMY PATENTVERWERTUNGSGESELLSCHAFT M. B. H.

In re: Interest of Chemische Werke Schuster & Wilhemy Patentverwertungsgesellschaft m. b. H. in an agreement with Stauffer Chemical Company.

Under the authority of the Trading with the Enemy Act,, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Chemische Werke Schuster & Wilhemy Patentverwertungsgesellschaft m. b. H. is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Chemische Werke Schuster & Wilhemy Patentverwertungsgesellschaft m. b. H.;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Chemische Werke Schuster & Wilhemy Patentverwertungsgesellschaft m. b. H. by virtue of an agreement executed by Stauffer Chemical Company on February 1, 1937 (including all modifications thereof and supplements thereto, if any) by and between Chemische Werke Schuster & Wilhemy Patentverwertungsgesellschaft m. b. H. and Stauffer Chemical Company, which agreement relates, among other things, to Patent No. 2,033,103.

is property payable or held with respect to patents or rights related thereto in which

interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9489; Filed, June 29, 1944; 10:38 a. m.]

[Vesting Order 3781]

J. M. LEHMANN

In re: Interest of J. M. Lehmann in an agreement with J. M. Lehmann Company, Inc.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That J. M. Lehmann is a business organization organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of J. M. Lehmann;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in J. M. Lehmann by virtue of an agreement dated September 27, 1940 and February 8, 1941 (including all modifications thereof and supplements thereto, if any) by and between J. M. Lehmann and J. M. Lehmann Company, Inc., which agreement relates, among other things, to Patent No. 2,216,777.

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive order No. 9095, as amended.

Executed at Washington, D. C., June 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9490; Filed, June 29, 1944; 10:38 a. m.]

[Vesting Order 3782]

BRACKELSBERG-OFEN G. M. B. H.

In re: Patent and interest of Brackelsberg-Ofen G. m. b. H. in an Agreement with Albert T. Otto & Sons, Inc. and Whiting Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Brackelsberg-Ofen G. m. b. H., is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That Auguste Brackelsberg, administratrix of the estate of Carl Brackelsberg, deceased, is a resident of Germany and is a national of a foreign country (Germany);

3. That the property described in subparagraph 5a hereof is property of Auguste Brackelsberg and/or Brackelsberg-Ofen G. m. b. H.;

4. That the property described in subparagraph 5b hereof is property of Brackelsberg-Ofen G. m. b. H.;

5. That the property described as follows:

Property described in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date of Issue, Inventor, and Title

1,881,117; 10–4–32; Carl Brackelsberg; Rotary drum furnace for melting metals.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Brackelsberg-Ofen G.m.b.H. by virtue of an agreement dated May 21, 1930 (including all modifications thereof and supplements thereto, if any) by and between Brackelsberg-Ofen G.m.b.H., Albert T. Otto & Sons, Inc. and Whiting Corporation, which agreement relates, among other things, to United States Letters Patent No. 1,797,125 and 1,881,117.

[F. R. Doc. 44-9491; Filed, June 29, 1944; 10:38 a. m.]

[Vesting Order 3783]

N. V. CONTINENTAL CAR HIRE CO.

In re: Patent of N. V. Continental Car Hire Co.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That N. V. Continental Car Hire Co. is a business organization organized under the laws of The Netherlands and is a national of a foreign country (The Netherlands);

2. That the property described in subparagraph 3 hereof is property of N. V. Continental Car Hire Co.;

3. That the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date of Issue, Inventor, and Title

1,883,459; 10-18-32; Rifat Avigdor; Delivery pump for liquids.

is property of a national of a foreign country (The Netherlands);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9492; Filed, June 29, 1944; 10:39 a. m.]

[Vesting Order 3784]

FRITZ AND HANS VON PHILIPP

In re: Trade-mark and interests of Fritz von Philipp and Hans von Philipp in agreements with Royal Saxon Co., Inc.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Fritz von Philipp and Hans von Philipp are citizens and residents of Germany and are nationals of a foreign country (Germany);

2. That the property described in subparagraphs 5a and 5b hereof is property of Fritz von Philipp;

3. That the property described in subparagraph 5c hereof is property of Hans von Philipp;

4. That the property identified in subparagraph 5d hereof is property of Fritz von Philipp and/or Hans von Philipp;

5. That the property described as follows:

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Fritz von Philipp by virtue of an agreement dated October 8, 1931 (including all modifications thereof and supplements thereto, if any) by and between Fritz von Philipp and Royal Saxon Co., Inc., which agreement relates, among other things, to a formula for the product known as "Royal Saxon" polish, also known as "Saxon-Glaze".

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Fritz von Philipp by virtue of an agreement dated October 21, 1935 (including all modifications thereof and supplements thereto, if any) by and between Fritz von Philipp and Royal Saxon Co., Inc., which agreement relates, among other things, to a formula for the product known as "Royal Saxon" polish, also known as "Saxon-Glaze",

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Hans von Philipp by virtue of an agreement dated October 8, 1931 (including all modifications thereof and supplements thereto, if any) by and between Hans von Philipp and Royal Saxon Co., Inc., which agreement relates, among other things, to a formula for the product known as "Royal Saxon" polish, also known as "Saxon-Glaze",

(d) The trade-mark registered in the United States Patent Office identified as follows:

Registration Number, Date, Registrant and Character of goods

239,541, 3-6-28, F. Rochow & Co., Polishing preparation (record title in Fitz von Philipp).

and the registration thereof together with

(i) the respective good will of the business in the United States and all its possessions to which said trade-mark is appurtenant,

(ii) any and all indicia of such good will (including but not limited to formulae whether secret or not, secret processes, methods of manufacture and procedure, customers lists, labels, machines and other equipment),

(iii) any interests of any nature whatsoever in and any rights and claims of every character and description to said business, good will and trade-mark and registration thereof; and

(iv) all accrued royalties payable or held with respect to such trade-mark and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof,

is property of, or is property payable or held with respect to trade-marks or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9493; Filed, June 29, 1944; 10:39 a. m.]

[Vesting Order 3802]

H. MAIHAK A. G.

In re: Interest of H. Maihak A. G. in an agreement with Bacharach Industrial Instrument Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That H. Maihak A. G. is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of H. Maihak A. G.

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in H. Maihak A. G. by virtue of an agreement dated June 20, 1938 (including all modifications thereof and supplements thereto, if any) by and between H. Maihak A. G. and Bacharach Industrial Instrument Company, which agreement relates, among other things, to Patent No. 1,592,876.

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself

constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9494; Filed, June 29, 1944; 10:39 a. m.]

[Vesting Order 3803]

DR. ING. KURT SCHOENE

In re: Patent and Interest of Dr. Ing. Kurt Schoene in agreements with Nordberg Manufacturing Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Dr. Ing. Kurt Schoene is a citizen and resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Dr. Ing. Kurt Schoene;

3. That the property described as follows:
Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or a property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date of Issue, Inventor, and Title

2,033,852, 3–10–36, Kurt Schoene, Pump for liquids.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Dr. Ing. Kurt Schoene by virtue of an agreement dated September 9, 1936 (including all modifications thereof and supplements thereto, including, but not by way of limitation, a letter dated March 12, 1937, from Nordberg Manufacturing Company to Dr. Ing. Kurt Schoene) by and between Nordberg Manufacturing Company and Dr. Ing. Kurt Schoene, which agreement relates, among other things, to Patent No. 2,049,570.

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Dr. Ing. Kurt Schoene by virtue of an agreement dated January 1, 1940 (including all modifications thereof and supplements thereto, if any) by and between Nordberg Manufacturing Company and Dr. Ing. Kurt Schoene, which agreement relates, among other things, to Patent No. 1,966,944.

[F. R. Doc. 44-9495; Filed, June 29, 1944; 10:39 a. m.]

[Vesting Order 3804]

UMBERTO NISTRI AND OTTICO MECCANICA ITALIANA

In re: Patent Application Serial No. 124,358 owned by Umberto Nistri and/or Ottico Meccanica Italiana.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Ottico Meccanica Italiana is a business organization organized under the laws of and having its principal place of business in Italy and is a national of a foreign country (Italy);

2. That Umberto Nistri is a resident of Italy and is a national of a foreign country (Italy);

3. That the property described in subparagraph 4 hereof is property of Umberto Nistri and/or Ottico Meccanica Italiana;

4. That the property described as follows:
Patent Application identified as follows:

Serial Number, Date of Filing, Inventor, and Title

124,358, 2–6–37, Umberto Nistri, Device for the pneumatic flattening of films in aero photographic machines during the exposure.

is property of nationals of a foreign country (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian in the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9496; Filed, June 29, 1944. 10:40 a. m.]

[Vesting Order 3839]

RUHRCHEMIE A. G.

In re: Patents, patent applications and interest of Ruhrchemie Aktiengesellschaft in agreements dated as of October 7, 1938 relating to patents involving the Hydrocarbon Synthesis Process.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Ruhrchemie Aktiengesellschaft is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of Ruhrchemie Aktiengesellschaft;

3. That the property described as follows:
(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Ruhrchemie Aktiengesellschaft by virtue of an agreement dated as of October 7, 1938 (including all modifications thereof or supplements thereto, if any) by and between N. V. De Bataafsche Petroleum Maatschappij, The M. W. Kellogg Company, Standard Oil Development Company acting for Standard Oil Company, Ammoniakwerk Merseburg G.m.b.H., Ruhrchemie Aktiengesellschaft and International Hydrogenation Patents Company, relating, among other things, to patents and to the formation of International Hydrocarbon Synthesis Company,

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Ruhrchemie Aktiengesellschaft by virtue of an agreement dated as of October 7, 1938 (including all modifications thereof or supplements thereto, if any) by and between The M. W. Kellogg Company, Shell Development Company (on behalf of N. V. Koninklijke Nederlandsche Maatschappij Tot Exploitatie Van Petroleumbronnen in Nederlandsch-Indie, The "Shell" Transport and Trading Company, Ltd., Shell Union Oil Corporation, and their subsidiaries) Standard-I. G. Company (on behalf of Standard Oil Company and I. G. Farbenindustrie Aktiengesellschaft, and their wholly owned subsidiaries) and Hydrocarbon Synthesis Corporation, relating, among other things, to patents involving the Hydrocarbon Synthesis Process,

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Ruhrchemie Aktiengesellschaft by virtue of an agreement dated as of October 7, 1938 (including all modifications thereof or supplements thereto, if any) by and between Ruhrchemie Aktiengesellschaft and Hydrocarbon Synthesis Corporation, relating, among other things, to patents involving the Hydrocarbon Synthesis Process and the Fischer Process.

(d) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Ruhrchemie Aktiengesellschaft by virtue of an agreement dated as of October 7, 1938 (including all modifications thereof or supplements thereto, if any) by and between The M. W. Kellogg Company, Shell Development Company (on behalf of N. V. Koninklijke Nederlandsche Maatschappij Tot Exploitatie Van Petroleumbronnen in Nederlandsch-Indie, The "Shell" Transport and Trading Company, Ltd., Shell Union Oil Corporation, and their subsidiaries), Standard-I. G. Company (on behalf of Standard Oil Company and I. G. Farbenindustrie Aktiengesellschaft and their wholly owned subsidiaries) and Ruhrchemie Aktiengesellschaft, relating, among other things, to patents involving Hydrogenation of solid carbonaceous materials,

(e) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Ruhrchemie Aktiengesellschaft by virtue of an agreement dated as of October 7, 1938 (including all modifications thereof or supplements thereto, if any) by and between International Hydrogenation Patents Company, International Hydrocarbon Synthesis Company and Ruhrchemie Aktiengesellschaft, relating, among other things, to patents involving the Hydrocarbon Synthesis Process,

(f) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Ruhrchemie Aktiengesellschaft by virtue of an agreement dated as of October 7, 1938 (including all modifications thereof or supplements thereto, if any) by and between The M. W. Kellogg Company, Shell Development Company, N. V. De Bataafsche Petroleum Maatschappij, Standard-I. G. Company, International Hydrogenation Patents Company, Hydrocarbon Synthesis Corporation, International Hydrocarbon Synthesis Company and Ruhrchemie Aktiengesellschaft, relating, among other things, to patents involving the Hydrocarbon Synthesis Process,

(g) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in Exhibit A attached hereto and made a part hereof,

(h) Patent applications identified in Exhibit B attached hereto and made a part hereof,

(i) Patent applications identified in Exhibit C attached hereto and made a part hereof together with the entire right, title and interest throughout the United States and its territories in and to, including the right to file applications in the United States Patent Office for Letters Patent for, the invention or inventions shown or described in such applications,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Patents which are identified as follows:

Patent Number, Date, Inventor and Title

1,746,464, 2-11-30, Franz Fischer and H. Tropsch, Process for the production of paraffin-hydrocarbons with more than one carbon atom.

2,110,240, 3-8-38, Otto Roelen and W. Feisst, Process for desulphurising gases.

2,110,241, 3-8-38, Otto Roelen, Process of removing sulphur compounds from gases.

2,127,127, 8-16-38, Friedrich Martin, Otto Roelen and W. Feisst, Process producing hydrocarbons from carbon monoxide and hydrogen.

2,149,515, 3-7-39, Franz Fischer, Method of increasing yield in the catalytic synthesis of aliphatic hydrocarbons.

2,206,500, 7-2-40, Franz Fischer and H. Piehler, Paraffin products and process of making same.

2,215,885, 9-24-40, Otto Roelen and Franz Hanisch, Regeneration of spent catalysts.

2,219,042, 10-22-40, Heinrich Heckel and O. Roelen, Preparation of catalysts.

2,225,497, 12–17–40, Otto Roelen, Production of paraffin.

2,238,726, 4–15–41, Walter Feisst, N. Neweling and Otto Roelen, Conversion of carbon oxides into higher hydrocarbons.

2,238,766, 4–15–41, Leonhard Alberts, Production of hydrocarbons.

2,243,897, 6–3–41, Franz Fischer and H. Pichler, Synthetical production of paraffin.

2,257,457, 9–30–41, Franz Fischer and H. Pichler, Production of high-molecular aliphatic hydrocarbons.

2,261,184, 11–4–41, Otto Roelen and W. Feisst, Process for producing catalysts for benzine synthesis.

2,278,644, 4–7–42, Karl Buchner, Process for the regeneration of catalysts containing thorium.

2,289,731, 7–14–42, Otto Roelen, H. Heckel and F. Hanisch, Method for reactivation of catalysts for the hydrogenation of carbon oxide.

2,330,750, 9–28–43, Paul Schaller, E. Proelecke, K. Meyer, Otto Roelen and R. Luben, Process for recovering thorium from substances containing thorium.

2,339,927, 1–25–44, Heinrich Heckel, Process for the preparation of predominant quantities of paraffin in the carbon oxide hydrogenation.

EXHIBIT B

Patent Applications which are identified as follows:

Serial Number, Filing Date, Inventor, and Title

368,088, 11–30–40, Heinrich Heckel and Otto Roelen, Superactive iron catalysts for the hydrogenation of carbon oxide and methods for their preparation.

389,691, 4–21–41, Friedrich Martin, Process for starting synthesis catalysts of the carbon oxide hydrogenation.

390,996, 4–29–41, Leonhard Alberts and W. Feisst, Process of hydrogenizing carbon monoxide.

417,495, 11-1-41, Otto Roelen and W. Feisst, Processes for catalytic benzine synthesis.

417,496, 11-1-41, Otto Roelen and W. Feisst, Processes of preparing catalysts for benzine synthesis.

EXHIBIT C

Patent applications which are identified as follows:

Serial Number, Filing Date, Inventor, and Title

146,125, 6-2-37, Leonhard Alberts, Catalytic production of hydrocarbons.

153,532, 7-14-37, Walter Feisst and Otto Roelen, Process for the catalytic conversion of mixtures of carbon monoxide and hydrogen.

163,352, 9-11-37, Walter Feisst, Otto Roelen and W. Schuff, Process for regenerating catalysts for benzene synthesis.

306,026, 11-24-39, Otto Roelen, K. Buchner and H. Heckel, Production of diatomaceous earth.

373,055, 1-3-41, Karl von Asboth, Synthesis over for performing catalytic gaseous reactions.

374,770, 1-16-41, Friedrich Martin, Process for starting synthesis catalysers of the carbon oxide hydrogenation.

[F. R. Doc. 44-9497; Filed, June 29, 1944; 10:40 a. m.]

[Vesting Order 3844]

HENRY LOHNES

In re: Estate of Henry Lohnes, deceased; File D-28-3492; E. T. sec. 5575.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Paul Mabes, Executor, Paola, Kansas, acting under the judicial supervision of the Probate Court of Miami County, Paola, Kansas;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Johannes Rapp, Germany.
Jacob Lohnes VI, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Johannes Rapp and Jacob Lohnes VI, and each of them, in and to the estate of Henry Lohnes, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9498; Filed, June 29, 1944; 10:40 a. m.]

[Vesting Order 3845]

SABURO OGAWA

In re: Guardianship Estate of Saburo Ogawa, Minor. File: D-66-1779; E. T. sec. 10698 H-185.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Arthur E. Restarick, Guardian, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Saburo Ogawa, Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Saburo Okawa in and to the Guardianship Estate of Saburo Ogawa, Minor, in the possession of Arthur E. Restarick, Guardian,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9499; Filed, June 29, 1944; 10:40 a. m.]

[Vesting Order 3846]

ANNA PFAFF

In re: Estate of Anna Pfaff, deceased; file D-28-7921; E. T. sec. 8720.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Charles Skalla, 703 West Second, McCook, Nebraska, Executor, acting under the judicial supervision of the County Court of the State of Nebraska, in and for the County of Red Willow;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Lena Quirin Daniel, Germany.
Anna Leister, Germany.
Margaret Mais, Germany.
Christoff Grossdider II, Germany.
Mrs. Christoff Grossdider II, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Lena Quirin Daniel, Anna Leister, Margaret Mais, Christoff Grossdider II and Mrs. Christoff Grossdider II, and each of them, in and to the estate of Anna Pfaff, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9500; Filed, June 29, 1944; 10:40 a. m.]

[Vesting Order 3847]

SHICHIRO SHIGEMURA

In re: Estate of Shichiro Shigemura, deceased; File: D-66-1760; E. T. sec. 10583 H-184.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Arthur E. Restarick, Administrator, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Motoko Shigemura, Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Motoko Shigemura in and to the Estate of Shichiro Shigemura, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9501; Filed, June 29, 1944; 10:41 a. m.]

[Vesting Order 1701, Amdt.]

I. G. FARBENINDUSTRIE A. G.

Vesting Order Number 1701 of June 21, 1943 is amended as follows and not otherwise:

By changing patent number 1,988,488 to patent number 1,988,448 where it appears in said order.

All other provisions of said Vesting Order Number 1701 and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on June 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9502; Filed, June 29, 1944; 10:41 a. m.]

[Dissolution Order 10]

CASTLE RAYON CORP.

Whereas, by Vesting Order No. 39, dated June 30, 1942 (7 F.R. 5079, July 4, 1942), the Alien Property Custodian vested all of the issued and outstanding shares of the capital stock of Castle Rayon Corporation, a New York corporation; and

Whereas, by Vesting Order No. 2642, dated November 30, 1943 (8 F.R. 16477, December 7, 1943), the Alien Property Custodian vested the interest of Viscose Rheinfelden Suisse S. A., Rheinfelden, Switzerland, in the said corporation, as represented upon the books and records of said corporation as accounts payable; and

Whereas, Castle Rayon Corporation has been substantially liquidated under the supervision of the Alien Property Custodian;

Now, under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the books and records of the Castle Rayon Corporation indicate that the corporation is indebted to Viscose Rheinfelden Suisse S. A., Rheinfelden, Switzerland, which claim has been vested by the Custodian as aforesaid; and

2. Finding that the said claim is all the known claims against Castle Rayon Corporation; and

3. Finding that the Alien Property Custodian has incurred direct expenses (exclusive of general administrative expenses of the Office of Alien Property Custodian) in connection with services rendered to said Castle Rayon Corporation; and

4. Determining that it is in the national interest of the United States to dissolve the said corporation and to distribute its assets;

It is ordered, That the officers and directors of Castle Rayon Corporation, to-wit: E. W. Hardy, President, Treasurer, and Director; L. V. McLean, Secretary and Director, and D. W. Pratt, Director, shall cause the dissolution of Castle Rayon Corporation in accordance with the statutes of the State of New York in such cases made and provided;

And it is further ordered, That the said officers and directors above-named wind up the affairs of said corporation and distribute the assets thereof coming into their possession as follows:

(1) They shall first pay the current expenses and necessary charges of winding up the affairs of said corporation and the dissolution thereof:

(2) They shall then pay all known taxes and fees of the United States and of the State of New York owed by or accruing against said corporation; and

(3) They shall then pay to the undersigned the sum found to be due as reimbursement for the value of services rendered said corporation by the Alien Property Custodian as above set forth; and

(4) They shall then distribute and pay over to the undersigned from the funds and property remaining in their hands after the payments as aforesaid, an amount equivalent in value to the claim against the corporation vested as aforesaid to be applied on account of said claim; and

(5) They shall then distribute and pay over to the undersigned as the holder of all of the outstanding and issued stock of the corporation all other funds and property remaining in their hands after the payments as aforesaid;

And it is further ordered, That nothing herein set forth shall be construed as prejudicing the rights, under the laws of the State of New York, of any person who may claim against said corporation: *Provided, however*, That nothing herein contained shall be construed as creating additional rights in such persons; and such persons or any of them may file claims with the undersigned against any funds or property received by the undersigned as above set forth: *Provided, however*, That any such claim shall be filed with or presented to the undersigned within the time prescribed for such claims by the Statutes of New York;

And it is further ordered, That all actions taken and acts done by the officers and directors of Castle Rayon Corporation, above-named pursuant to this order and the directions contained therein, shall be deemed to have been taken and done in reliance on and pursuant to paragraph numbered (2) of subdivision (b) of section 5 of the Trading with the Enemy Act, as amended, and the acquittance and exculpation provided for therein.

Executed at Washington, D. C., June 26, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9503; Filed, June 29, 1944; 10:41 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 830]

WALTER D. COBUN

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 830 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 3. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

WALTER D. COBUN, 816 6TH STREET, MORGANTOWN, W. VA., EASTON MINE, PITTSBURGH SEAM, MINE INDEX NO. 2047, MONONGALIA COUNTY, W. VA., RAIL SHIPPING POINT: MORGANTOWN, W. VA. (GUY HALLS SDG.), DRIFT MINE

	Size group Nos.						
	1	2	3	4	5	6	7
Price classification	F	F	F	F	F		
Rail shipments and railroad fuel	$275	$275	$260	$250	$240		
Truck shipment	298	293	293	268	268	$253	$243

GAULEY TIOGA COAL AND COKE COMPANY, 411 BANK AND TRUST BUILDING, GREENSBURG, PA., BEAVER CREEK NO. 1 MINE (TIOGA), NO. 5 BLOCK SEAM, MINE INDEX NO. 2060, NICHOLAS COUNTY, W. VA., RAIL SHIPPING POINT: PRIVATE SIDING NEAR, TIOGA, W. VA., DRIFT MINE

Price classification	D	D	D	D	D		
Rail shipments and railroad fuel	$310	$290	$290	$275	$275	$258	$248
Truck shipment	338	313	313	278	278		

GAULEY TIOGA COAL AND COKE COMPANY, 411 BANK AND TRUST BUILDING, GREENSBURG, PA., BEAVER CREEK NO. 2 MINE, (TIOGA) NO. 5 BLOCK SEAM, MINE INDEX NO. 2051, NICHOLAS COUNTY, W. VA., RAIL SHIPPING POINT: PRIVATE SIDING NEAR, TIOGA, W. VA., STRIP MINE

Price classification	D	D	D	D	D		
Rail shipments and railroad fuel	$310	$290	$290	$275	$275	$258	$248
Truck shipment	323	313	313	278	278		

JOHNSTOWN COAL AND COKE CO., 204 PAYNE BUILDING, CHARLESTON (1) W. VA., CRICHTON NO. 4 MINE, SEWELL SEAM, MINE INDEX NO. 2040, NICHOLAS COUNTY, W. VA., RAIL SHIPPING POINT: PRIVATE SIDING NEAR, CURTAIN, W. VA., SLOPE MINE

Price classification	A	A	A	A	A		
Rail shipments and railroad fuel	$385	$345	$325	$310	$310	$315	$295
Truck shipment	355	350	350	325	325		

LOYALHANNA FUEL CO., SLICKVILLE, PA., COZY MINE, PITTSBURGH SEAM, MINE INDEX NO. 2048, TAYLOR COUNTY, W. VA., RAIL SHIPPING POINT: WEBSTER, W. VA., STRIP MINE

Price classification	F	F	F	F	F		
Rail shipments and railroad fuel	$275	$275	$260	$250	$240	$253	$243
Truck shipment	298	293	293	268	268		

YOLAND COAL CO., JACOBS BUILDING, P. O. BOX 328 FAIRMONT, W. VA., HARTLEY MINE, PITTSBURGH SEAM, MINE INDEX NO. 2052, HARRISON COUNTY, W. VA., RAIL SHIPPING POINT: FRANCES MINE, W. VA., STRIP MINE

Price classification	DE	DE	DE	DF	DF		
Rail shipments and railroad fuel	$285	$280	$270	*$250	*$240	$253	$243
Truck shipment	298	293	293	268	268		

*The per net ton maximum prices applicable to rail shipped coals of size groups Nos. 4 and 5 shall be $2.65 and $2.60, respectively. For coals having a sulphur content of 1.35% or under.

SISLER AND BERRY COAL CO., BOX 204 SABRATION, W. VA., SISLER AND BERRY MINE (UPPER) M. V. FREEPORT SEAM, MINE INDEX NO. 2049, MONONGALIA COUNTY, W. VA., SLOPE MINE

Truck shipment	$300	$300	$300	$275	$275	$265	$255

NOTE: The size group numbers referred to herein for rail shipments and for railroad fuel are those described in the table of price in amendment No. 95 to Maximum Price Regulation No. 120; while the size group numbers for truck shipments are those set forth for such shipments in the minimum price schedule for district No. 3.

This order shall become effective June 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9368; Filed, June 27, 1944; 11:18 a. m.]

[MPR 188, Order 1778]

SMYRNA NOVELTY MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1778 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a juvenile table and chair set manufactured by Smyrna Novelty Manufacturing Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a juvenile table and chair set manufactured by Smyrna Novelty Manufacturing Co., 720 Palmetto St., New Smyrna Beach, Florida.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile table and chair set	1001	*Each* $3.94	*Each* $4.64

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, Section 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile table and chair set	1001	*Each* $4.64

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 28th day of June 1944.

Issued this 27th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9390; Filed, June 27, 1944; 4:56 p. m.]

Regional and District Office Orders.

[Region VIII Order G-2 Under MPR 271]

POTATOES AND ONIONS IN CALIFORNIA

Order No. G-2 under Revised Maximum Price Regulation 271, as amended. Potatoes and onions. Adjustment of maximum markups for potatoes and onions in certain localities in the State of California.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by section 11 (c) (7) of Revised Maximum Price Regulation 271, as amended, it is hereby ordered:

(a) *Maximum prices for certain sales by any intermediate seller to another intermediate seller.* For less than carlot or less than truckiot sales of potatoes or onions by any intermediate seller to another intermediate seller ex-dock, ex-track, or delivered, the maximum price shall be the "base price" determined under section 11 (c) of Revised Maximum Price Regulation No. 271, as amended, plus 40¢ per cwt. (in the case of potatoes) and 27¢ per 50 pounds (in the case of onions).

(b) *Maximum prices for certain sales by any intermediate seller to independent retailers, industrial, commercial, and institutional users.* For less than carlot or less than truckiot sales of potatoes or onions by any intermediate seller to independent retailers, industrial, commercial, and institutional users, ex-dock or ex-track, the maximum price shall be the "base price" determined under section 11 (c) of Revised Maximum Price Regulation 271, as amended, plus 40¢ per cwt. (in the case of potatoes) and 27¢ per 50 pounds (in the case of onions).

(c) *Maximum prices for certain sales by any intermediate seller making deliveries to a retail chain store warehouse.* For less than carlot or less than truckiot sales of potatoes or onions by any intermediate seller making deliveries to retail chain store warehouse, the maximum price shall be the "base price" determined under section 11 (c) of Revised Maximum Price Regulation 271, as amended, plus 45¢ per cwt. (in the case of potatoes) and 31¢ per 50 pounds (in the case of onions).

(d) *Maximum prices for certain sales by any intermediate seller making deliveries to a retail store within a free delivery zone.* Less than carlot or less than truckiot sales of potatoes or onions by any intermediate seller making deliveries to a retail store from whose premises the potatoes or onions are sold to an ultimate consumer, the maximum price shall be the "base price" determined under section 11 (c) of Revised Maximum Price Regulation 271, as amended, plus 60¢ per cwt. (in the case of potatoes) and 40¢ per 50 pounds (in the case of onions).

(e) *Maximum prices for certain sales by a hotel or restaurant supply house acting as an intermediate seller making deliveries to industrial, commercial, or institutional users within a free delivery zone.* When a hotel or restaurant supply house makes a less than carlot or less than truckiot sale as an intermediate seller, delivered to industrial, commercial or institutional users, the maximum price shall be the "base price" determined under section 11 (c) of Revised Maximum Price Regulation 271, as amended, plus 70¢ per cwt. (in the case of potatoes) and 55¢ per 50 pounds (in the case of onions).

(f) *Maximum prices for delivered sales by "wagon wholesalers."* A "wagon wholesaler" who has no main warehouse or central office in Los Angeles shall for the purpose of this order determine his maximum price as if he actually had an office or warehouse in Los Angeles and sold therefrom. A "wagon wholesaler" is one who purchases the item being priced and distributes it to retailers, industrial, commercial, or institutional users from an inventory stocked in trucks or other conveyances which are under the supervision of a driver salesman or salesmen who makes delivery at the time and place of sale.

(g) *Additions allowed intermediate sellers for deliveries outside certain "free delivery zone".* Any intermediate seller located within the "free delivery zone" of Los Angeles or within a "free delivery zone" in the cities named below who makes delivered sales to retailers or to commercial, industrial, or institutional users, may add the cost of transportation from his customary shipping dock or platform to the customary receiving point of any such purchaser located outside the "free delivery zone" in which such intermediate seller is located. "Free delivery zones" shall be determined by measuring 35 miles road distance along the most direct route from the City Hall of Los Angeles or the City Hall of any of the cities named below. The cost of transportation shall be figured at the lowest available common carrier rates or, in the absence thereof, at the actual cost of transportation by the most direct route to the purchaser's customary receiving point. The cities to which the section shall apply are all in the State of California are as follows: San Bernardino, Redlands, Riverside, Ventura, Santa Barbara, Santa Maria, San Luis Obispo, and Paso Robles.

(h) *Definitions.* The terms used in this order will have the same meaning as those set forth in Revised Maximum Price Regulation No. 271, as amended, unless the context clearly requires otherwise.

This order shall apply to the Counties of Los Angeles, Orange, Riverside, San Bernardino, Ventura, Santa Barbara, and San Luis Obispo.

This order shall become effective May 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 26th day of May 1944.

CHARLES R. BAIRD,
Acting Regional Administrator.

[F. R. Doc. 44-9472; Filed, June 7, 1944; 1:34 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on June 26, 1944.

REGION I

Providence Order 7, covering dry groceries and certain perishables in Rhode Island, except Town of New Shoreham, filed 9:55 a. m.

REGION II

Altoona Order 1-F, Amendment 11, covering fresh fruits and vegetables in Altoona and Johnstown War Price & Rationing Board Area, filed 9:59 a. m.

Camden Order P-1, Amendment 4, covering fresh fish and seafood at retail in Area 1, filed 10:01 a. m.

Pittsburgh Order 1-F, Amendment 11, covering fresh fruits and vegetables in Pittsburgh and suburban communities, filed 9:55 a. m.

Scranton Order 3-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Penna, filed 12:16 p. m.

Williamsport Order 1-F, Amendment 12, covering fresh fruits and vegetables in Williamsport, filed 12:16 p. m.

REGION IV

Jackson Order 2-F, Amendment 16, covering fresh fruits and vegetables in certain named counties in Miss., filed 12:14 p. m.

South Carolina Order 3-F, Amendment 15, covering fresh fruits and vegetables in certain areas in South Carolina, filed 12:17 p. m.

South Carolina Rev. Order 1-F, Amendment 11, covering fresh fruits and vegetables in 7 miles of State House in Columbia, S. C., filed 12:18 p. m.

South Carolina Rev. Order 2-F, Amendment 11, covering fresh fruits and vegetables in certain areas in S. C., filed 12:18 p. m.

Savannah Order 3-F, Amendment 33, covering fresh fruits and vegetables in certain counties in Ga., filed 12:17 p. m.

Savannah Order 4-F, Amendment 32, covering fresh fruits and vegetables in certain counties in Ga., filed 12:17 p. m.

Savannah Order 5-F, Amendment 13, covering fresh fruits and vegetables in certain counties in Ga., filed 12:17 p. m.

REGION V

St. Louis Order G-17, Amendment 1, covering poultry in City of St. Louis and County of St. Louis, Missouri, filed 9:57 a. m.

St. Louis Order G–17, Amendment 2, covering prices for certain food items in City of St. Louis and Co., of St. Louis, Mo., filed 9:56 a. m.

St. Louis Order G–18, Amendment 1, covering community food prices in All St. Louis District Office Territory except St. Louis., filed 9:56 a. m.

St. Louis Order G–18, Amendment 2, covering community food prices in area named above, filed 9:56 a. m.

St. Louis Order G–19, Amendment 1, covering community food prices in St. Louis, Mo., filed 9:56 a. m.

St. Louis Order G–19, Amendment 2, covering community food prices in St. Louis, Mo., filed 9:56 a. m.

St. Louis Order G–20, Amendment 1, covering community food prices in All Territory in St. Louis District Office Except City of St. Louis and County of St. Louis, Mo., filed 9:56 a. m.

St. Louis Order G–20, Amendment 2, covering community food prices in area named above, filed 9:55 a. m.

Tulsa Order 6–F, Amendment 8, covering fresh fruits and vegetables in certain areas in Oklahoma, filed 12:16 p. m.

Wichita Order G–19, Amendment 1, covering dry grocery and certain perishables in certain named counties in Kansas, filed 12:16 p. m.

Wichita Order G–23 under Rev. GO 51, Amendment 1, covering dry groceries and certain perishables in certain counties in Kansas, filed 12:17 p .m.

REGION VI

Chicago Order 8, covering dry groceries and certain perishables in certain areas in Illinois and Indiana, filed 12:14 p. m.

Chicago Order 9, covering certain poultry items in the Chicago Metropolitan Area, filed 12:14 p. m.

Green Bay Order 9, Amendment 3, covering community food prices in certain areas in Wisconsin and Michigan, filed 10:00 a. m.

Green Bay Order 12, Amendment 3, covering community food prices in certain areas in Mich. and Wis., filed 10:01 a. m.

La Crosse Order 1–F, amendment 20, covering fresh fruits and vegetables in La Crosse, Wis., and Wenona, Minn., filed 9:58 a. m.

La Crosse Order 3–F, Amendment 16, covering fresh fruits and vegetables in Eau Claire & Chippewa Falls, Wis., filed 10:00 a. m.

La Crosse Order 4–F, Amendment 16, covering fresh fruits and vegetables in City of Sparta, Wis., filed 9:59 a. m.

La Crosse Order 5–F, Amendment 16, covering fresh fruits and vegetables in City of Rochester, Minn., filed 10:00 a. m.

Sioux City Order 15, Amendment 1, covering community food prices in certain counties in Nebr., filed 9:42 a. m.

Springfield Order 5–F, Amendment 1, covering fresh fruits and vegetables in Springfield, Illinois, District, filed 9:42 a. m.

REGION VIII

Fresno Order 1–F, Amendment 22, covering fresh fruits and vegetables in City of Fresno and Co. of Fresno, Calif., filed 9:42 a. m.

Fresno Order 2–F, Amendment 9, covering fresh fruits and vegetables in Modesto and Stanislaus, Calif., filed 9:41 a. m.

Fresno Order 3–F, Amendment 5, covering fresh fruits and vegetables in certain cities and counties in Calif., filed 9:41 a. m.

Fresno Order 3–F, Amendment 6, covering fresh fruits and vegetables in certain areas in Calif., filed 9:41 a. m.

Fresno Order 4, Amendment 1, covering community food prices in certain areas in Calif., filed 12:15 p. m.

Portland Order 1–F, Amendment 21, covering fresh fruits and vegetables in certain counties in Oreg., filed 12:15 p. m.

Phoenix Rev. Order 5, covering community food prices in any area in Ariz., filed 9:42 a. m.

San Francisco Order 1–F, Amendment 19; it covers fresh fruits and vegetables in certain areas in Calif., filed 9:41 a. m.

San Francisco Order 2–F, Amendment 12, covering fresh fruits and vegetables in San Jose, Santa Clara, Mayfair, Berryessa and Burbank, filed 9:41 a. m.

San Francisco Order 3–F, Amendment 11, covering fresh fruits and vegetables in certain counties in Calif., filed 9:40 a. m.

San Francisco Order 4–F, Amendment 10, covering fresh fruits and vegetables in certain counties in Calif., filed 9:40 a. m.

San Francisco Order 5–F, Amendment 9, covering fresh fruits and vegetables in certain areas in Calif., filed 9:40 a. m.

San Francisco Order 6–F, Amendment 5, covering fresh fruits and vegetables in certain areas in Calif., filed 9:39 a. m.

Seattle Order 26, Correction to Amendment 4, covering community food prices in specified areas in Western Wash., filed 2.15 p. m.

Seattle Order 26, Correction to Amendment 3, covering community food prices in specified areas in central Washington, filed 12:14 p. m.

Seattle Adopting Order 20, covering retail community food prices in the Seattle Area, filed 9:39 a. m.

Seattle Adopting Order 22, covering retail community food prices in the Everett Area, filed 9:39 a. m.

Seattle Adopting Order 21, covering retail community food prices in the Tacoma Area, filed 9:39 a. m.

Seattle Adopting Order 23, covering retail community food prices in the Bremerton Area, filed 9:38 a. m.

Seattle Adopting Order 24, covering retail community food prices in the Bellingham Area, filed 9:38 a. m.

Seattle Adopting Order 25, covering retail community food prices in the Olympia Area, filed 9:38 a. m.

Seattle Adopting Order 26, covering retail community food prices in the Aberdeen-Hoquiam Area, filed 9:38 a. m.

Seattle Adopting Order 27, covering retail community food prices in the Centralia-Chehalis Area, filed 10:02 a. m.

Seattle Adopting Order 28, covering retail community food prices in the Wenatchee Area, filed 10:01 a. m.

Seattle Adopting Order 29, covering retail community food prices in the Yakima Area, filed 10:01 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–9480; Filed, June 29, 1944; 11:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1–1894]

NEW RIVER COMPANY

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of June, A. D. 1944.

The Boston Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule I-12D2–1 (b) promulgated thereunder, having made application to strike from listing and registration the Common Stock, $100 Par Value, and the 6% Cumulative Preferred Stock, $100 Par Value of The New River Company;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on July 6, 1944.

By the Commission.

[SEAL] ORVAL DUBOIS,
Secretary.

[F. R. Doc. 44–9473; Filed, June 28, 1944; 2:31 p. m.]

WAR FOOD ADMINISTRATION.

Office of Distribution.

PHILADELPHIA, PA., MARKETING AREA

HANDLING OF MILK

Notice of report and opportunity to file written exceptions with respect to a proposed marketing agreement and to a proposed amended order, regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area.

Pursuant to § 990.12 (a) of the rules of practice and procedure (7 CFR Cum. Supp., 900.1–900.17; 7 F.R. 3350; 8 F.R. 2615), Office of Distribution, War Food Administration, notice is hereby given of the filing with the hearing clerk of this report of the Director of Distribution with respect to a marketing agreement and to an amended order regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area.

Interested parties may file exceptions to the report with the Hearing Clerk, Room 1331, Department of Agriculture, Washington, D. C., not later than the close of business on the 8th day after publication of this notice in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

The proceedings were initiated by the Office of Distribution upon receipt of a petition from the Inter-State Milk Producers Cooperative, Inc., for a public hearing to receive evidence on several amendments they proposed. Other amendments were also proposed by handlers. Following this request, and after consideration of the proposals, notice of the hearing was issued on January 13, 1943, and the hearings were held on January 23, 24, and 25, 1943, at Philadelphia, Pennsylvania.

Upon the record of this hearing the order was revised by increasing the Class I price. Action upon the other proposals was deferred until after further hearing.

In August 1943, the Inter-State Milk Producers Cooperative petitioned the War Food Administrator for a public hearing to receive evidence on the need for higher producer prices in the Philadelphia market. Later they submitted additional proposed amendments. Other amendments were proposed by handlers. Following these requests, and after consideration of the proposals, notice of hearing was issued on September 15, 1943, and the hearings were held on September 23 and 24, and October 5, 1943, at Philadelphia, Pennsylvania.

This hearing included, in addition to the industry proposals, consideration of several proposals for amendment made by the Dairy and Poultry Branch, Office of Distribution, upon some of which evidence had been received at the hearings held on January 23, 24, and 25, 1943, but upon which action was deferred until after further hearing.

On March 29, 1944, the hearing on these same issues was reopened at the instigation of the Dairy and Poultry Branch, Office of Distribution. The testimony at this hearing, March 29 and 30, 1944, brought up to date the facts relative to the issues on which action had been postponed.

The major issues developed at these hearings were concerned with (1) revision of the definition of handler and the definition of producer to conform to the needs of the market in relation to supplies, (2) the allocation to each class of milk transferred from one handler to another, (3) revision of the class prices, (4) price differentials for place of receipt of milk allowed handlers in purchasing milk from producers and used by them in distributing payments to producers, (5) the method of pricing Class I sales outside the marketing area, (6) the classification of milk received from sources other than producers, (7) flat price payments, (8) butterfat differentials used in paying producers, (9) premiums for Grade A milk, (10) the classification and pricing of so-called "distress" milk, (11) the basis of assessing handlers for the cost of administering the order, and (12) the substitution of a definition of "War Food Administrator" for the term "Secretary."

With respect to these issues it is concluded that:

(1) The definition of "producer" should be revised to describe more accurately the regular supplier of the fluid market. During the short period of production in the Philadelphia market for the past 2 years, handlers have purchased large quantities of milk from sources other than "producers" in order to supply the fluid requirements of the market. It has been necessary to purchase this extra milk for less than a full delivery period if the handler did not wish to extend his regular producer supply to include a so-called emergency source. As long as these supplies are of an emergency nature there appears to be no necessity for bringing them under the producer definition, nor is there any need for restricting such purchases beyond the protection afforded producers in the allocation of the Class II milk so that producers carry not more than 10 percent if a handler is purchasing emergency milk. The plant list has been amplified by adding to the listed producer milk plants those plants which supplied the market on more than 20 days during each of the delivery periods, October, November, and December, 1943. The confusion arising from the differentiation between "plants at which milk is received from producers" and "plants at which milk is not received from producers" should be removed by adding definitions of "producer milk plant" and "nonproducer milk plant."

(2) The maximum quantity of producers' milk transferred from one handler to another that may be allocated to Class II should be the total quantity of milk used by the purchasing handler in such class during the delivery period. This amendment would permit a handler who purchases milk through country plants to purchase surplus milk already in other handlers' city plants and keep his own Class II milk in the country plant. He would designate the milk purchased from other handlers as Class II although he may have used it as Class I in his city plant. This provision will maintain the same utilization of all producers' milk and will encourage savings in transportation of milk.

(3) No change should be made in the Class I price in view of the fact that the price program announced by the Director of Economic Stabilization in March 1943 restricts the adjustment of class prices to reflect changes in costs of producing milk. The dairy production program which is not inconsistent with the stabilization program provides for a direct subsidy payment to producers to cover the increased cost of producing milk. Rates of payment have been announced by the War Food Administrator for the period through March 1945.

The Class II price should be revised in order to bring the skim value of that class in line with the market value of skim milk which has increased materially due to the demand for skim milk solids for food. The increase should be accomplished by eliminating the animal feed factor from the skim milk powder price used in the price formula. The objection to eliminating the animal feed factor from the skim milk value in the Philadelphia area while the New York market still retains the factor, has been considered. This objection hardly seems substantial enough to set aside the proposed adjustment in the price which handlers pay for skim milk used in those products which they carry as a part of their milk trade and ice cream business.

Class II skim at this proposed price will cost handlers less than skim milk solids in the form of condensed or powdered skim which handlers purchase at times to supplement skim milk in the manufacture of cottage cheese and ice cream.

The testimony relative to costs of handling Class II milk indicates that costs are not greater than the present formula allowance of 21½ cents in the Class II butterfat value plus 33¾ cents in the skim milk formula. It is not necessary then to enhance the allowance by the use of a price which reflects less than the market value of the milk.

In order to avoid any disruption of the market for Class II milk while the New York pricing lags in adjustment, it is proposed that milk which is used in surplus milk manufacturing plants should take a lower price based on the prices paid by two evaporating plants and one milk chocolate manufacturer with plants in the Philadelphia milkshed. The products on which the lower price should be permitted during 6 months of the year are evaporated milk, milk chocolate, milk powder, nonfat dry milk solids, and cheese other than cottage cheese. This provision is recommended to provide for the sale of what is termed "distress milk" in the Philadelphia area. The seasonal provision should discourage the inclusion of manufacturing plants in a handler's pool on a year-round basis, but it is made broad enough to take care of the usual surplus milk period whether it comes late or early.

(4) Provisions governing zone price differentials allowed handlers should be rewritten in order to show more clearly how the allowances by classes of milk are combined to form the zone differentials affecting the cost of milk at various plants. The present order provides for certain differentials which apply to Class I milk, others which apply to Class II milk, and still others which apply to all milk regardless of use. The record shows that the price differentials for place of receipt of milk should be definitely related to the class in which the milk is used, in order to accomplish the goal of equal costs to each handler for each use of milk.

The Class I differential rates in the nearby area should be increased slightly to adjust for the fact that there would be no Class II deduction allowed. The present rates were established on the basis of the economic advantage to the producer in delivering 100 pounds of milk at one place or another. However, as the record indicates, this economic advantage is also related to the purchasing handler's precentage of total use in Class I. Therefore, the factors determining whether a producer will deliver to one place or another are both the cost of delivering the milk to each plant and the blend price at each plant. The blend price reflects the handler's percentage of use in Class I. The Class I differentials which would reflect the cost of handling all milk have been established according to the average utilization of Class I and Class II in the area. This method would permit the handler in the nearby area who has a higher than average use of Class I milk to buy his milk at slightly less than he is now paying. Producers should not object to this since a 10 percent above average use of Class I would be needed to permit a handler to deduct an additional cent per 100 pounds more than he is now deducting, and at present prices the 10 percent higher use would result in a price 8 cents above the average.

The characteristics of handlers' plants were discussed fully in the record and this testimony confirms the soundness of the use of the plant location as the best method of establishing differentials which affect the price of milk at different places of receipt.

Since the plant handling allowance for receiving milk and separating cream exceeds the Class I allowance by 2½ cents per hundredweight, the 3-cent extra handling allowance does not appear to be necessary for the handling of Class II milk in the country. It was proposed that the extra 3 cents be dropped from the country handling allowance on all milk but conclusive evidence that the factor should be dropped was not developed.

A proposed amendment to the order would have reestablished the rule for

applying class price zone differentials on the basis that milk nearest the marketing area is Class I. The evidence in the record does not justify the adoption of such an amendment. Since the pattern of the Philadelphia market is such that nearby milk is not considered by handlers to be more valuable for Class I sales (excluding handling and transportation costs), no particular group of producers can be designated as more entitled to the Class I market than another group. Each group then is entitled to an equal share of the Class I utilization and must bear an equal share of the Class II utilization and the cost of getting their Class I milk and Class II cream to the market. The proposed amendments would reflect to the producers the value of their milk as handlers pay for it. This recommended change in the application of differential payments would make more explicit their effect upon producers' prices. It would do away with the device in the present order which has operated to enhance the price at country stations at the expense of the price at the city.

(5) The out-of-area price structure should be retained. Due to the rigidity of prices under the stabilization program, it is not considered advisable to drop the out-of-area price structure at this time.

(6) A handler should be permitted to allocate milk received from sources other than producers to Class I if he does not have in his producer plant system more than 10 percent of producers' milk used in Class II. If producers are not supplying the market, it does not appear to be reasonable to require nonproducer milk to carry all of the reserve for Class I use which falls into Class II. On the other hand, producers who regularly supply the market should be protected from the influence of these irregular supplies on their blend price. The 10 percent reserve represents the amount of Class II carried in relation to all Class I during the short months of 1942.

(7) The flat price payment plan should be removed from the order since it was not used by handlers to avoid keeping records of utilization as the authors of the order intended and it might be used now to circumvent the order by paying a lower price than would otherwise be required.

(8) The butterfat differential to be used in paying producers should be increased from 4 to 5 cents per point in order to bring it more in line with the increases in the price paid to producers for milk and the increased cost of butterfat to handlers. The average minimum price paid to producers has increased steadily since April 1942. The butterfat differential paid by handlers has risen during the same period from 4½ cents to as much as 7 cents.

(9) The plan for Grade A premiums should not be changed upon the evidence in the record at this time. There are indications in the record that a uniform method of distributing these payments to producers should be prescribed by the order but the information regarding the various payment plans which now are in operation is not sufficiently complete to form the basis for establishing a uniform system.

(10) The disposition of milk which is in excess of the fluid needs of the market should be expedited by the removal of the rule which limits the outlet for such milk to plants which have disposed of less than 20 percent of their receipts as fluid milk. The provision should be amended to require that the purchasing plant show that a quantity of milk has been manufactured which is equal to the quantity received from the producer milk plant. The "20 percent rule" was not intended to limit the outlets for surplus milk. It was considered a "rule of thumb" to characterize a plant that would be buying milk for use in manufacturing. The rule appears to be more confining than is necessary under present circumstances.

(11) The basis of assessment should be all milk received from producers at producer milk plants and all milk received from nonproducer milk plants which is allocated to Class I utilization. This will apportion the cost of administering the order more equitably over all handlers since some handlers purchase substantial quantities of nonproducer milk to supplement their supplies from producers.

(12) A definition of "War Food Administrator" should be substituted for "Secretary" since the powers and duties of the Secretary with respect to functions required by the Agricultural Marketing Agreement Act of 1937 have been transferred to the War Food Administrator by Executive Orders of the President of the United States. The definition provides for the continued operation of the order under the authority of some other "officer or employee of the United States Department of Agriculture" in the event that the powers and duties pursuant to the act are again transferred.

(13) The duty of the market administrator with respect to making investigations of marketing problems should be cited in the order. Producers and handlers indicated in the record that certain problems required thorough study.

The following proposed amended order is recommended as the detailed means by which these conclusions may be carried out. The proposed marketing agreement is not included in this report because the proposed amendments applicable to it would be the same as those set forth below with respect to the amended order.

PROPOSED AMENDED ORDER REGULATING THE HANDLING OF MILK IN THE PHILADELPHIA, PENNSYLVANIA, MARKETING AREA

It is found upon the evidence introduced at the public hearing held on January 23, 24, and 25, September 23 and 24, and October 5, 1943, and March 29 and 30, 1944, Philadelphia, Pennsylvania:

1. That the order, as hereby amended, will regulate the handling of milk in the same manner as and is applicable only to handlers defined in a marketing agreement upon which a hearing has been held; and

2. That the issuance of this amended order and all the terms and conditions of the amended order tend to effectuate the declared policy of the act.

Provisions

SECTION 1. *Definitions.* (a) *Terms.* The following terms shall have the following meanings:

(1) The term "act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(2) The term "War Food Administrator" means the War Food Administrator of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers or to perform the duties of the War Food Administrator hereunder.

(3) The term "Philadelphia, Pennsylvania, milk marketing area," hereinafter called "the marketing area," means all the territory in the Commonwealth of Pennsylvania situated within the following boundary line:

Beginning at a point in the Pennsylvania State line opposite the confluence of Pennypack Creek with the Delaware River; thence along Pennypack Creek to the boundary of Montgomery County; thence northerly along the boundary of Montgomery County to the Bucks County line; thence westerly along the Bucks County line to the Trenton cut-off of the Pennsylvania Railroad; thence westerly along said railroad to the upper Dublin Township line; thence first easterly, and then southerly, along the Upper Dublin Township line; then northeasterly to the Whitemarsh Township line; thence southerly along the Whitemarsh Township line to the Schuylkill River; thence westerly along the Schuylkill River to West Conshohocken Borough; thence westerly along the southern border of West Conshohocken Borough to the Upper Merion Township line; thence along the Upper Merion Township line as it runs to the Delaware County line; thence southeasterly along the Delaware County line as it runs to and along Brandywine Creek and the Delaware State line to the Delaware River; thence northeasterly along the Pennsylvania State line to the Delaware River to the point of beginning.

(4) The term "person" includes any individual, partnership, corporation, association, or any business unit.

(5) The term "producer" means any person, irrespective of whether such person is also a handler, who produces milk which is received directly at a producer milk plant.

(6) The term "producer milk plant" means:

(i) A plant which is operated by a handler at a location listed below, or any other plant from which milk was shipped during the delivery periods of October, November, and December, 1943, on 20 days or more in each delivery period to a pasteurizing or bottling plant which disposed of Class I milk in the marketing area, except (a) during such period of time as any such plant has been stopped by the Pennsylvania Department of Health from shipping milk or cream for consumption as fluid milk or fluid cream, or (b) during any month when no milk or cream is disposed of in the marketing area from such a plant, if the handler has notified the market administrator 5 days or more prior to such month that it is no longer a part of his supply for the marketing area and if no milk or cream has been shipped from it to the marketing area for the 3 months next preceding such month; or

(ii) A pasteurizing and bottling plant from which milk is disposed of as Class I milk in the marketing area; or

(iii) Any other plant of a handler from which milk is supplied to such a pasteurizing and bottling plant: *Provided*, That shipments of milk have been made from the plant to the pasteurizing and bottling plant on more than 20 days during each of the three previous delivery periods: *And provided*, That the handler operating such plant has filed a statement with the market administrator declaring that the milk at such plant is a regular supply for the Philadelphia market and farmers delivering such milk should be considered producers. A plant determined in this manner to be a producer milk plant shall thenceforth be affected by and subject to all regulations affecting producer milk plants as described under (i) of this paragraph.

Location. Bedford, Pa., Boiling Springs, Pa., Brandtsville, Pa., Byers, Pa., Carlisle, Pa., Chambersburg, Pa., Clayton, Del., Coudersport, Pa., Curryville, Pa., Delta, Pa., Denton, Md., Easton, Md., Fairdale, Pa., Glenroy, Pa., Goldsboro, Md., Goshen, Pa., Hagerstown, Md., Harrington, Del., Honeybrook, Pa., Huntington, Pa., Hurlock, Md., Kelton, Pa., Kimberton, Pa., Leaman Place, Pa., Lewistown, Pa., Mainland, Pa., Massey, Md., Mercersburg, Pa., Millville, Pa., Mt. Pleasant, Del., Nassau, Del., New Holland, Pa., Oxford, Pa., Port Allegany, Pa., Pottstown, Pa., Princess Anne, Md., Quakertown, Pa., Richlandtown, Pa., Snow Hill, Md., Spring Creek, Pa., Sudlersville, Md., Townsend, Del., Waynesboro, Pa., Worton, Md.

This definition shall not be deemed to include a plant at which milk is received directly from producers defined under an order of the Secretary regulating the handling of milk in the New York metropolitan milk marketing area.

(7) The term "nonproducer milk plant" means any plant other than those described under section 1 (a) (6).

(8) The term "handler" means any person irrespective of whether such person is also a producer or an association of producers, wherever located or operating, who engages in the handling of milk which is disposed of in the marketing area.

(9) The term "market administrator" means the person designated pursuant to section 2 as the agency for the administration hereof.

SEC. 2. *Market administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the War Food Administrator. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the War Food Administrator.

(b) *Powers.* The market administrator shall have power:

(1) To administer the terms and provisions hereof, and

(2) To receive, investigate, and report to the War Food Administrator complaints of violations of the terms and provisions hereof.

(c) *Duties.* The market administrator shall:

(1) Keep such books and records as will clearly reflect the transactions provided for herein and shall surrender the same to his successor or to such other person as the War Food Administrator may designate;

(2) Submit his books and records to examination by the War Food Administrator at any and all times;

(3) Furnish such information and verified reports as the War Food Administrator may request;

(4) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the War Food Administrator a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the War Food Administrator;

(5) Publicly disclose to handlers and to producers, unless otherwise directed by the War Food Administrator, the name of any person who, within 15 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to section 5 (a), or (ii) made payments pursuant to section 8;

(6) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof;

(7) Obtain a bond with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(8) Pay, out of the funds provided by section 9, (i) the cost of his bond and of the bonds of such of his employees as handle funds entrusted to the market administrator, (ii) his own compensation, and (iii) all other expenses which will necessarily be incurred by him for the maintenance and functioning of his office and the performance of his duties; and

(9) Promptly verify the information contained in the reports submitted by handlers.

(10) At the request of the War Food Administrator, investigate supply, demand, organization, structure, and other economic aspects of the market and furnish information relative to proposals for amendments to the terms and provisions hereof.

SEC. 3. *Classification of milk*—(a) *Basis of classification.* Milk received by each handler, including milk produced by him, if any, shall be classified, in the classes set forth in paragraph (b) of this section, in accordance with its utilization by such handler, subject to paragraphs (c), (d), and (e) of this section.

(b) *Classes of utilization.* The classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk (i) sold, distributed, or disposed of as or in milk, including sales of skim milk and flavored milk drinks, containing not more than 18 percent butterfat and including all milk or skim milk disposed of from a handler's plant to retail establishments which dispose of milk for both fluid and other uses, and (ii) all other milk not accounted for as Class II.

(2) Class II milk shall be (i) all milk disposed of in products other than those included in section 3 (b) (1) (i), and (ii) all milk accounted for as actual plant shrinkage but not to exceed 2 percent of the milk received from producers: *Provided*, That if milk or cream is received from producers, from other handlers, or from other plants, such actual shrinkage shall be prorated between the milk received from each source in proportion to the volume of milk and cream received from each.

(c) *Transfers of milk.* Milk or skim milk transferred to another handler or to a nonproducer milk plant shall be Class I unless such milk was disposed of for use in Class II products and the receiving handler or nonproducer plant has used in such products a quantity of milk or skim milk equivalent to the milk or skim milk received during the month from producer milk plants under an agreement for use in Class II products.

(d) *Transfers of cream.* Cream received or disposed of by a handler shall be considered Class II, and the pounds of butterfat in cream received during the month shall be allocated to the butterfat used to make butter before any butterfat in milk received is allocated to butterfat used to make butter.

(e) *Allocation of milk or skim milk received at producer milk plants from nonproducer milk plants.*

(i) The Class I utilization of a handler may be reduced by the amount of milk or skim milk received from nonproducer milk plants: *Provided*, That the utilization of all producers' milk in all of the handlers producer milk plants during the month is not less than 90 percent Class I.

(ii) The Class II utilization of a handler in butter, evaporated milk, milk powder, nonfat dry milk solids, milk chocolate, and cheese other than cottage cheese, shall be reduced by the amount of milk or skim milk received from nonproducer milk plants during the month, which milk or skim milk has not been allocated to Class I utilization under section 3 (e) (i).

SEC. 4. *Minimum prices*—(a) *Class prices.* Except as set forth in subparagraph (e) of this section, each handler shall pay, at the time and in the manner set forth in § 961.8, for milk received during each month from producers or an association of producers not less than the following prices, subject to the differentials set forth in paragraphs (c) and (d) of this section:

(1) *Class I milk.* $4.05 per hundredweight.

(2) *Class II milk.* The price per hundredweight during each month shall be the sum of the respective values of butterfat and skim milk, calculated as follows by the market administrator:

(i) *Butterfat.* Add all market quotations (using midpoint of any weekly range as one quotation) of prices for a 40-quart can of sweet cream approved either for Pennsylvania only, or for Pennsylvania, Newark, and Lower Merion Township, in the Philadelphia, Pennsylvania, market, reported for each week ending within the month by the United States Department of Agriculture (or such other Federal agency as is au-

thorized to perform this price reporting function), divide by the number of quotations, subtract 28 cents, divide by 33.48, multiply by 4, and subtract 23½ cents: *Provided*, That for butterfat used to make butter, the price shall be 4.6 times the average of the 92-score butter at wholesale in the New York market, reported daily by the United States Department of Agriculture (or such other Federal agency as is authorized to perform this price reporting function), for the month for which payment is to be made, which shall be known as the "butter-value" for such butterfat.

(ii) *Skim milk.* Any plus amount which is equal to 7.5 times the average of all hot roller process nonfat dry milk solids quotations for "other brands, human consumption," carlots, bags, or barrels (using midpoint of any range as one quotation), as published for such month in the "Producers' price Current," less 4.5 cents: *Provided*, That for skim milk in milk or skim milk used to make evaporated milk, milk chocolate, milk powder, nonfat dry milk solids, and cheese, other than cottage, pot, and baker's cheese, during the months of March, April, May, June, July, and August the skim milk value shall be reduced by any plus amount determined as follows:

(a) Adjust the Class II price otherwise applicable under this paragraph by the butterfat differential determined under section 4 (c) to arrive at a price for milk of 3.5 percent butterfat content, and

(b) Subtract from that price the average of the basic prices paid to farmers for milk of 3.5 percent butterfat f. o. b. the following plants:

Eet Milk Company, Greensboro, Md.
Hershey Chocolate Company, Hershey, Pa.
Carnation Company, Cambridge Springs, Pa.

(b) *Emergency price provision.* Whenever the provisions hereof require the market administrator to use specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy or other similar payment, being made by any Federal agency in connection with the milk, or product, associated with the price specified: *Provided*, That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable *maximum* uniform price established by regulations of any Federal agency plus the amount of any subsidy or other similar payment: *Provided further*, That if the specified price is not reported or published and there is no applicable uniform price, or if the specified price is not reported or published and the War Food Administrator determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the War Food Administrator to be equivalent to or comparable with the price specified.

(c) *Butterfat differential.* The Class I and Class II prices shall be subject to a butterfat differential for each one-tenth of 1 percent variation above or below 4.0 percent calculated as follows: divide the average of the cream quotations used in calculating the Class II price by 334.8, and subtract 0.67 cent; or in the case of butterfat in Class II to which the "butter-value" is applicable, divide the "butter-value" by 40.

(d) *Differentials for place of receipt of milk.* The prices set forth in paragraph (a) of this section except Class II milk used to make evaporated milk, milk chocolate, milk powder, nonfat dry milk solids, and cheese, other than cottage cheese, during the months of March, April, May, June, July, and August, shall be reduced by the amounts set forth below for milk received from producers at producer milk plants located in the zones for which deductions are shown. If the deduction for Class I milk results in a price for Class I milk at any plant below the price of Class II milk at that plant, the allowable deduction shall be reduced by the amount by which such Class II price exceeds such Class I price:

Zone (miles)	Deduction	
	Class I milk	Class II milk
	Cents	*Cents*
0–11	0	0
11.1–16	9	0
16.1–21	11	0
21.1–26	13	0
26.1–31	15	0
31.1–40	34	4
40.1–50	35	4
50.1–60	36	4
60.1–70	37	4
70.1–80	38	5
80.1–90	39	5
90.1–100	40	5
100.1–110	41	5
110.1–120	42	5
120.1–130	43	5
130.1–140	44	6
140.1–150	45	6
150.1–160	46	6
160.1–170	47	6
170.1–180	48	6
180.1–190	49	6
190.1–200	50	6
200.1–210	51	6
210.1–220	52	7
220.1–230	53	7
230.1–240	54	7
240.1–250	55	7
250.1–260	56	7
260.1–270	57	7
270.1–280	58	7
280.1–290	59	8
290.1–300	60	8
300.1–310	61	8
310.1–320	62	8
320.1–330	63	8
330.1–340	64	8
340.1–350	65	8
350.1–360	66	9
360.1 and over	67	9

For the purpose of this paragraph, the Class II milk at each plant of a handler who receives milk from more than one plant shall be determined to be that milk used or disposed of in Class II at such plant which is not a bottling and pasteurizing plant, plus a prorata share of Class II milk at the handler's bottling and pasteurizing plant in proportion to the total receipts at the latter plant which were received from the producer milk plant.

The distance of any plant from the City Hall in Philadelphia shall be that recognized by the Interstate Commerce Commission for rate making purposes on highways over which the Highway Departments of the several States permit milk tank trucks to move, or if no such distance is recognized, the distance shall be that ascertained and announced by the market administrator.

(e) *Class I milk disposed of outside the marketing area.* The price to be paid by handlers for Class I milk disposed of outside the marketing area on any wholesale or retail routes from which no milk is disposed of in the marketing area on the same trip, in lieu of the price otherwise applicable pursuant to this section, shall be, as ascertained by the market administrator, such price as is being paid to farmers in the market where such milk was disposed of, for milk of equivalent use, less the applicable transportation allowance in such outside market, but in no case more than 64 cents: *Provided*, That Class I milk disposed of in markets where the market administrator is unable to determine such a price, and to Government institutions and establishments on a basis of bids, the Class I price plus or minus the applicable differentials specified in this order shall apply: *And provided further*, That when sold in an area regulated by another marketing order of the Secretary the price effective under such order shall apply.

SEC. 5. *Reports of handlers*—(a) *Periodic reports.* On or before the 8th day after the end of each month each handler, with respect to milk or cream which was, during such month, (1) received from producers, handlers, or other sources; and (2) produced by such handler, shall report to the market administrator, in the detail and on forms prescribed by the market administrator, as follows:

(i) The receipts at each plant from producers who are not handlers;

(ii) The receipts at each plant from any other handler, including any handler who is also a producer;

(iii) The quantity, if any, produced by such handler;

(iv) The receipts at each plant from any other source;

(v) The respective quantities of milk and milk products disposed of or on hand, with the butterfat content thereof, including the quantities of milk, skim milk, or cream disposed of to each nonproducer milk plant for use in each class; and

(vi) The shipments of milk to the marketing area from each plant.

(b) *Reports of handlers who receive no milk from producers.* Handlers who receive no milk from producers shall make reports to the market administrator at such time and in such manner as the market administrator may require.

(c) *Reports as to producers.* Each handler shall report to the market administrator:

(1) Within 10 days after the market administrator's request, with respect to any producer for whom such information is not in the files of the market administrator, and with respect to a period or periods of time designated by the market administrator, (i) the name and address, (ii) the total pounds of milk received, (iii) the average butterfat test of milk received, and (iv) the number of days upon which milk was received; and

(2) As soon as possible after first receiving milk from any producer, (i) the name and address of such producer, (ii) the date upon which such milk was first received, and (iii) the plant at which such milk was received.

(d) *Reports of payments to producers.* Each handler shall submit to the market administrator on or before the 25th day after the end of each month his producer pay roll for such month which shall show for each producer (1) the net amount of such producer's payment with the prices, deductions, and charges involved, and (2) the total delivery of milk with the average butterfat test thereof.

(e) *Outside cream purchases.* Each handler shall report as requested by the market administrator his purchases, if any, of sweet cream showing the quantity and source of each such purchase and the cost thereof at Philadelphia.

(f) *Verification of reports.* Each handler shall permit the market administrator or his agent, or such other person as the Secretary may designate, during the usual hours of business, to (1) verify the information contained in reports submitted in accordance with this section, and (2) weigh milk received from each producer and sample and test milk for butterfat. In establishing the classification of milk as required in § 961.3, the burden rests upon the handler who receives milk from producers to account for the milk and to prove to the market administrator that such milk should not be classified as Class I milk.

SEC. 6. *Application of provisions*—(a) *Handlers who receive no milk from producers.* The provisions hereof, except those set forth in section 5, shall not apply to a producer-handler who receives no milk from producers nor to a handler whose sole source of milk supply consists of receipts from other handlers.

SEC. 7. *Determination of uniform prices to producers*—(a) *Computation of the value of milk for each handler.* For each month the market administrator shall compute, subject to the provisions of section 6, the value of milk of producers disposed of by each handler, by (1) multiplying the hundredweight of such milk in each class, computed pursuant to section 3, by the prices applicable pursuant to section 4, plus or minus the applicable differentials in section 4; and (2) adding together the resulting values.

(b) *Computation and announcement of uniform price for each handler.* The market administrator shall compute and announce for each handler the uniform price per hundredweight of milk received by him at each plant from producers during each month as follows:

(1) Add to the value computed pursuant to paragraph (a) of this section the amount of the adjustment to be made pursuant to section 8 (d), and add or subtract the amount to be subtracted or added, respectively, by the handler pursuant to section 8 (c)

(2) Divide the amount computed in subparagraph (1) of this paragraph by the total quantity of milk received from producers, including milk of his own production; and

(3) On or before the 15th day after the end of each month, notify each handler and publicly announce the uniform price computed for each handler pursuant to this section with the differentials applicable pursuant to section 8.

SEC. 8. *Payments for milk*—(a) (1) *Semimonthly payments.* On or before the last day of each month each handler shall make payment to producers for milk delivered during the first 15 days of such month at not less than a rate per hundredweight which he estimates will be his uniform price for such month.

(2) *Final payment.* On or before the 20th day after the end of each month, each handler shall make full payment, subject to paragraphs (c), (d), and (e) of this section, to each producer, for the total value of milk received from such producer during such month, at not less than the uniform price per hundredweight computed for such handler pursuant to section 7, after taking credit for payment made pursuant to section 8 (a) (1).

(b) *Errors in payment.* Errors in making payments for milk shall be corrected not later than the date for making payments next following the determination of such errors.

(c) *Butterfat differential.* If any handler has received from any producer, during the month, milk having an average butterfat content other than 4.0 percent, such handler, in making payments pursuant to paragraph (a) of this section, shall add to the uniform price for such producer for each one-tenth of 1 percent of average butterfat content in milk above 4.0 percent not less than, or shall deduct from the uniform price for such producer for each one-tenth of 1 percent of average butterfat content in milk below 4.0 percent not more than 5 cents per hundredweight.

(d) *Location differentials.* In making payments pursuant to paragraph (a) of this section each handler shall deduct from payments to producers delivering milk to a plant located in a mileage zone as set forth in section 4 (d) a differential equal to the percentage of the pounds of all milk received from producers which was used in Class I times the Class I differential rate pursuant to section 4 (d) at such plant plus the percentage of Class II at the Class II rate pursuant to section 4 (d).

(e) *Premium for Grade A milk.* In addition to the uniform price and all other payments required pursuant to this section, each handler shall pay for milk, which is qualified under the Commonwealth of Pennsylvania Department of Health or the New Jersey Department of Health requirements for sale as Grade A milk and which is delivered to a plant similarly qualified (so long as such requirements are in effect as a separate grade), 40 cents per hundredweight of Grade A milk received from producers of 10,000 bacteria or less per c. c. and 25 cents per hundredweight of Grade A milk received from producers of more than 10,000 but less than 25,000 bacteria, times the ratio of Grade A milk sold either in fluid form or as products manufactured from Grade A milk to the total quantity of Grade A milk received from producers, plus 2 cents for each one-tenth of 1 percent that the butterfat content is above 3.7 percent.

SEC. 9. *Expense of administration*—(a) *Payments by handlers.* As his pro rata share of the expense of the administration hereof, each handler receiving milk from producers, on or before the 20th day after the end of each month shall pay to the market administrator, with respect to all milk received by such handler directly from producers, and all milk received from nonproducer milk plants which is allocated to Class I under section 3 (e), an amount not exceeding 2 cents per hundredweight, the exact amount to be determined by the market administrator subject to review by the War Food Administrator. Each handler who is a cooperative association of producers, sall pay such pro rata share of expense only on that milk received from producers at any plant of such association.

SEC. 10. *Agents.* The War Food Administrator may, by designation in writing, name any officer or employee of the United States or name any bureau or division of the United States Department of Agriculture to act as his agent or representative in connection with any of the provisions hereof.

This report filed at Washington, D. C., this 28th day of June 1944.

C. W. KITCHEN,
Acting Director of Distribution.

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